PUBLICATION NO: 2575

REEL NO: 13

TITLE: FEDERAL REGISTER

VOLUME: 7 DATE: July 1, 1942-September 30, 1942

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University Microfilms, A Xerox Company, Ann Arbor, Michigan

VOL 7

JULY



FEDERAL REGISTER

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U. S. GOVERNMENT PRINTING OFFICE: 1942

JUL 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 128

Washington, Wednesday, July 1, 1942

The President

PROCLAMATION 2560

SUSPENDING ALLOTMENT TO SPECIFIED COUNTRIES OF IMPORT QUOTAS FOR LONG-STAPLE COTTON

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS pursuant to section 22 of the Agricultural Adjustment Act of 1933 as amended by section 31 of the act of August 24, 1935 (49 Stat. 750, 773), as amended by section 5 of the act of February 29, 1936 (49 Stat. 1148, 1152), and as reenacted by section 1 of the act of June 3, 1937 (50 Stat. 246), I issued a proclamation on September 5, 1939 (No. 2351,[1] 54 Stat. 2640), limiting the quantities of certain cotton and cotton waste which might be entered, or withdrawn from warehouse, for consumption, which proclamation was in part suspended by my proclamations of December 19, 1940 (No. 2450,[2] 54 Stat. 2769), and March 31, 1942 (No. 2544[3]); and

WHEREAS under my proclamation of September 5, 1939, the total quantity of cotton having a staple 1⅛ inches or more in length which might be entered, or withdrawn from warehouse, for consumption in any year commencing September 20, was 45,656,420 pounds, which total quantity was by such proclamation allotted in individual shares to specified foreign countries; and

WHEREAS the United States Tariff Commission has made a supplemental investigation pursuant to the said section 22 to determine whether or not the circumstances requiring such allotment of individual shares still exist, has made findings of fact with respect thereto, and has transmitted to me a report of those findings and its recommendation based thereon, a copy of the report having also been transmitted to the Secretary of Agriculture:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby find and declare, on the basis of the investigation and report of the Tariff Commission, that the circumstances requiring the allotment to specified foreign countries of individual shares in the total quantity of cotton having a staple 1⅛ inches or more in length permitted to be entered, or withdrawn from warehouse, for consumption no longer exist. Accordingly, pursuant to the said section 22, as further amended by the act of January 25, 1940 (54 Stat. 17), I hereby proclaim the suspension, effective on the thirtieth day following the date of this proclamation, of such provisions of my proclamation of September 5, 1939, as allotted to specified foreign countries individual shares of the total quantity of cotton having a staple 1⅛ inches or more in length permitted to be entered, or withdrawn from warehouse, for consumption, so that, on and after the effective date hereof, such cotton shall be permitted entry, or withdrawal from warehouse, for consumption, within the limit of the total quantity specified in my proclamation of September 5, 1939, without regard to the foreign country of origin. Nothing in this proclamation shall be construed to modify my proclamation of December 19, 1940 (No. 2450, 54 Stat. 2769), or my proclamation of March 31, 1942 (No. 2544).

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of June, in the year of our Lord, nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-sixth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-6134; Filed, June 30, 1942; 11:32 a. m.]

EXECUTIVE ORDER 9186

AUTHORIZING THE FEDERAL WORKS ADMINISTRATOR TO ACQUIRE AND DISPOSE OF PROPERTY

By virtue of and pursuant to the authority vested in me by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (Public Law 507, 77th Congress), the Federal Works Adminis-

[1] 4 F.R. 3822.
[2] 5 F.R. 5229.
[3] 7 F.R. 2587.

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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trator, or any officer of the Federal Works Agency acting in the absence or disability of the Administrator, is hereby authorized to exercise the authority contained in the said Title II of the Second War Powers Act, 1942, to acquire, use, and dispose of any real property, temporary use thereof, or other interest therein, together with any personal property located thereon, or used therewith, that shall be deemed necessary for military, naval, or other war purposes.

Executive Order No. 9179 of June 5, 1942,[1] entitled "Authorizing the Commissioner of Public Roads, Federal Works Agency, to Acquire and Dispose of Property", is hereby revoked.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 27, 1942.

[F. R. Doc. 42-6107; Filed, June 29, 1942; 3:19 p. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

DESERTERS' EFFECTS[2]

Sections 36.40 and 36.41 are hereby amended to read as follows:

§ 36.40 *Effects abandoned by deserter.* (a) At the expiration of 6 months, if the deserter has not been returned to military control, the following action will be taken:

(1) When application for the effects has been received from relatives or personal representative of the deserter, or other person having title thereto, all effects will be shipped as requested without expense to the Government.

(2) When application for the effects has not been received from relatives or personal representative or other person having title thereto:

(i) The insignia, decorations, discharge certificates, and other military papers will be forwarded to The Adjutant General.

(ii) Articles having monetary value will be disposed of by sale, and the proceeds therefrom will be deposited with a disbursing officer, whose receipt will be taken and forwarded to The Adjutant General. The receipt will clearly indicate the nature of the deposit, that is, whether for the proceeds of sale, undrawn pay, or money belonging to the deserter. The officer responsible will furnish the disbursing officer with the information necessary to prepare the receipt.

(iii) Articles having no salable value will be destroyed.

(b) In no case will money or proceeds of the sale of effects of a deserter be turned over to his relatives, nor any payment be made therefrom by any officer on any account whatsoever. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 615-300, June 4, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6105; Filed, June 29, 1942; 3:06 p. m.]

Chapter V—Military Reservations and National Cemeteries

PART 52—REGULATIONS AFFECTING MILITARY RESERVATIONS

RESCISSION OF CERTAIN PROVISIONS

Sections 52.9 to 52.11, inclusive, relative to target ranges and shooting galleries, and §§ 52.13 to 52.16, inclusive, relative to inspection of steam boilers, are hereby rescinded. (R.S. 161; 5 U.S.C. 22; 55 Stat. 787; 10 U.S.C. Sup. 181b) [AR 100-80, W.D., June 9, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6106; Filed, June 29, 1942; 3:06 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3152]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GENERAL MOTORS CORPORATION, ET AL.

§ 3.24 (b) *Coercing and intimidating—Customers or prospective customers—To purchase or support product or service—By threatened loss attractive business in preponderant and established product:* § 3.24 (c) *Coercing and intimidating—Customers or prospective customers of competitors—By threatened loss attractive business in preponderant and established product:* § 3.30 (a) *Cutting off competitors' access to customers or market—Forcing goods:* § 3.30 (f) *Cutting off competitors' access to customers or market—Threatening withdrawal of patronage from competitors' customers:* § 3.30 (g) *Cutting off competitors' access to customers or market—Withholding supplies from competitors' customers:* § 3.39 *Dealing on exclusive and tying basis.* In connection with offer, etc., in commerce, of automobile accessories, automobile supplies, and other similar products, and among other things, as in order set forth, (1) requiring automobile dealers in connection with contracts or franchises or selling agreements with said automobile dealers for the sale of new motor vehicles, by means of intimidation or coercion, to purchase or deal in accessories or supplies sold and distributed by the respondents, or by any one designated by them, for use in and on automobiles sold by the respondents; (2) cancelling, or directly or by implication threatening the cancellation of, any contract or franchise or selling agreement with automobile retail dealers for the sale of new motor vehicles, because of the failure or refusal of such dealers to purchase or deal in accessories or supplies for use in and on automobiles manufactured or sold by the respondents, sold and distributed by the respondents, or by any one designated by the respondents; (3) cancelling, or directly or by implication threatening the cancellation of, any contract or franchise or selling agreement with automobile retail dealers for the sale of new motor vehicles, for purchasing or dealing in accessories or supplies for use in and on automobiles sold by the respondents, not obtained from respondents or from any other source designated by the respondents; (4) shipping accessories or supplies for use in and on automobiles sold by the respondents without prior orders therefor, or cancelling, or directly or by implication threatening the cancellation of any automobile retail dealer contract or franchise or selling agreement for the sale of new motor vehicles, because of a failure or refusal to accept accessories or supplies for use in and on automobiles sold by the respondents shipped without prior order; (5) refusing or threatening to refuse, to deliver automobiles to automobile retail dealers in connection with contracts or franchises with said automobile retail dealers for the sale of new motor vehicles because of a failure or refusal of such dealers to purchase or deal in accessories or supplies for use in and on automobiles sold and distributed by the respondents, or by any one designated by them; (6) the use of any system or practice, plan, or method of doing business, for the purpose, or having the effect, of coercing or intimidating automobile retail dealers who have contracts or selling agreements or franchises of the respondents for the sale of new motor vehicles into purchasing or dealing in accessories or supplies manufactured or supplied by the respondents, or by any one designated by them, for use in and on automobiles sold by the respondents; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, General Motors Corporation, et al., Docket 3152, June 25, 1942]

§ 3.39 *Dealing on exclusive and tying basis.* In connection with any franchise or agreement for the sale of automobiles or in connection with the sale, or making of any contract for the sale, of automobile parts in commerce, and among other things, as in order set forth, entering into, enforcing, or continuing in operation or effect, any franchise or agreement for the sale of automobiles, or any contract for the sale of, or selling automobile parts in connection with contracts or franchises or selling agreements with automobile retail dealers for the sale of new automobiles on the condition, agreement or understanding that the purchasers thereof shall not use or sell automobile parts other than those acquired from the respondents, unless such condition, agreement, or understanding be limited to automobile parts necessary to the mechanical operation of an automobile, and which are not available, in like quality and design, from other sources of supply; prohibited. (Sec. 3, 38 Stat. 731; 15 U.S.C., sec. 14) [Modified cease and desist order, General Motors Corporation, et al., Docket 3152, June 25, 1942]

In the Matter of General Motors Corporation and General Motors Sales Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence taken before John L. Hornor and W. W. Sheppard, trial examiners of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of Trial Examiner W. W. Sheppard upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral arguments of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act and have violated the provisions of that certain Act of Congress of the United States entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, commonly known as the Clayton Act, and the Commission having issued its order herein to cease and desist on November 12, 1941, and the respondent having filed with the Commission on June 11, 1942, its request for modification of said order;

It is ordered, That the respondents, General Motors Corporation, a corporation, and General Motors Sales Corporation, a corporation, and their respective officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of automobile accessories, automobile supplies, and other similar products in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Requiring automobile dealers in connection with contracts or franchises or selling agreements with said automobile dealers for the sale of new motor vehicles, by means of intimidation or coercion, to purchase or deal in accessories or supplies sold and distributed by the respondents, or by any one designated by them, for use in and on automobiles sold by the respondents.

(2) Cancelling, or directly or by implication threatening the cancellation of, any contract or franchise or selling agreement with automobile retail dealers for the sale of new motor vehicles, because of the failure or refusal of such dealers to purchase or deal in accessories or supplies for use in and on automobiles manufactured or sold by the respondents, sold and distributed by the respondents, or by any one designated by the respondents.

(3) Cancelling, or directly or by implication threatening the cancellation of, any contract or franchise or selling agreement with automobile retail dealers for the sale of new motor vehicles, for purchasing or dealing in accessories or supplies for use in and on automobiles sold by the respondents, not obtained from respondents or from any other source designated by the respondents.

(4) Shipping accessories or supplies for use in and on automobiles sold by the respondents without prior orders therefor, or cancelling, or directly or by implication threatening the cancellation of any automobile retail dealer contract or franchise or selling agreement for the sale of new motor vehicles, because of a failure or refusal to accept accessories or supplies for use in and on automobiles sold by the respondents shipped without prior order.

(5) Refusing or threatening to refuse, to deliver automobiles to automobile retail dealers in connection with contracts or franchises with said automobile retail dealers for the sale of new motor vehicles because of a failure or refusal of such dealers to purchase or deal in accessories or supplies for use in and on automobiles sold and distributed by the respondents, or by any one designated by them.

[1] 7 F.R. 4317.

[2] Administrative regulations of the War Department relative to soldiers' deposits.

(6) The use of any system or practice, plan, or method of doing business, for the purpose, or having the effect, of coercing or intimidating automobile retail dealers who have contracts or selling agreements or franchises of the respondents for the sale of new motor vehicles into purchasing or dealing in accessories or supplies manufactured or supplied by the respondents, or by any one designated by them, for use in and on automobiles sold by the respondents.

It is further ordered, That the respondents, General Motors Corporation, a corporation, and General Motors Sales Corporation, a corporation, and their respective officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with any franchise or agreement for the sale of automobiles or in connection with the sale, or making of any contract for the sale of, automobile parts in commerce as "commerce" is defined in that Act of Congress entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, commonly known as the Clayton Act, do forthwith cease and desist from:

(1) Entering into, enforcing, or continuing in operation or effect, any franchise or agreement for the sale of automobiles, or any contract for the sale of, or selling automobile parts in connection with contracts or franchises or selling agreements with automobile retail dealers for the sale of new automobiles on the condition, agreement or understanding that the purchasers thereof shall not use or sell automobile parts other than those acquired from the respondents, unless such condition, agreement, or understanding be limited to automobile parts necessary to the mechanical operation of an automobile, and which are not available, in like quality and design, from other sources of supply.

It is further ordered, That the respondents shall, within thirty (30) days after this modified order becomes final, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this modified order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6132; Filed, June 30, 1942; 11:14 a. m.]

[Docket No. 4758]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SIERRA CANDY COMPANY, INC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy, or any other merchandise, (1) selling, etc., candy or any other merchandise so packed or assembled that sales of such candy or other merchandise are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards, or other lottery device, either with assortments of candy or other merchandise, or separately, which said push or pull cards, punch boards, or other lottery device are to be or may be used in selling or distributing said candy or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S.C., Sup. IV, sec. 45b) [Cease and desist order, Sierra Candy Company, Inc., Docket 4758, June 23, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and answer of the respondent, in which answer respondent admitted all the material allegations of the Commission's complaint to be true, and by which answer, in accordance with Rule IX of the Commission's Rules of Practice, respondent was deemed to have waived a hearing on all the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence or other intervening procedure to find such facts to be true; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Sierra Candy Company, Inc., its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy, or any other merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any other merchandise so packed or assembled that sales of such candy or other merchandise are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to and placing in the hands of others, push or pull cards, punch boards, or other lottery device, either with assortments of candy or other merchandise, or separately, which said push or pull cards, punch boards, or other lottery device are to be or may be used in selling or distributing said candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6131; Filed, June 30, 1942; 11:14 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1480]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, as amended, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District 2, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES IN DISTRICT NO. 2

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322 Minimum Price Schedule for District No. 2 and supplements thereto.

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Freight origin group No.	Size group Nos.										
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2311	Ainsley, D. L. Coal Co. (D. L. Ainsley)	Provance #1	Pittsburgh	3	30	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2759	Mayer, F. C.	Maraco (Strip)	Pittsburgh	7	31	(†)	(†)	(†)	(†)	(†)	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1762	Mrosek, Steve	Mrosek	Pittsburgh	3																	

†Indicates no classifications effective for these Size Groups.

NOTE: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, and Railroads shown for the respective mines. Freight Origin Groups, Shipping Points, and Railroads previously assigned to these mines are no longer applicable.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 2: 2189; Group No. 6: 1762; Group No. 7: 2311.

[F. R. Doc. 42-6079; Filed, June 29, 1942; 11:06 a. m.]

[Docket Nos. A-1468 and A-1494]

PART 331—MINIMUM PRICE SCHEDULE DISTRICT NO. 11

RELIEF GRANTED

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11; and

It appearing that the above-entitled matters raise similar and related issues; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R–I

Mine Index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
1326	Howell, L. Z. (Brazil Centrial Coal Co.)	Amazon	B	LS	80	16	Coal City	NYO.

NOTE: Mine Index No. 1326 shall be included in Price Group 16 and shall take the same f. o. b. mine prices as other mines in Price Group 16 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 80 of the Linton-Sullivan Subdistrict having the same freight rate.

§ 331.10 *Special prices: Railroad locomotive fuel*—Supplement R–II. Mine Index No. 1326 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck as are shown for Mine Index Nos. 26 and 67.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T.

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
FOUNTAIN COUNTY																	
Veedersburg Coal Co. (J. Glenn Crane).	1327	No. 3	M	310	285	265	255	250	245	215	215	195	185	155	145	80	50
OWEN COUNTY																	
Howell, L. Z. (Brazil Central Coal Co.)	1326	Amazon	B	310	285	265	255	250	245	215	215	195	185	155	145	80	50
VERMILLION COUNTY																	
Robertson, Decatur	1323	Robertson Rib	6	240	235	230	220	215	210	170	175	170	165	135	125	70	40

[F. R. Doc. 42-6078; Filed, June 29, 1942; 11:09 a. m.]

PART 342—MINIMUM PRICE SCHEDULE, DISTRICT NO. 22

[Docket No. A-1485]

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 22 for the establishment of price classifications and minimum prices for certain mines in District No. 22.

An original petition having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for run of mine coals produced in Subdistricts Nos. 1 and 2 in District No. 22 for shipment by rail into all market areas; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 342.2 (*Size group table*) in the Schedule of Effective Minimum Prices for District No. 22 for All Shipments is supplemented to include the following additional size group number and description:

Size Group No. 15, Straight Mine Run Not Altered Or Modified.

and in § 342.5 (*General prices; Minimum prices; for shipment via rail transportation*) therein the price classification and minimum f. o. b. mine prices in cents per net ton set forth below for the straight mine run coals produced in Subdistricts Nos. 1 and 2 for shipment by rail into all market areas:

	Size Group 15
Subdistrict No. 1—Round up	240
Subdistrict No. 2—Red Lodge	225

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall overwise be ordered.

Dated: June 29, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-6118; Filed, June 30, 1942; 10:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 89]

APPLICATION FOR INDUCTION INTO ARMED FORCES OF A COBELLIGERENT NATION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 502, entitled "Application for Induction into the Armed Forces of a Cobelligerent Nation," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY, *Director.*

MAY 2, 1942.

[F. R. Doc. 42-6102; Filed, June 29, 1942; 2:49 p. m.]

[1] Filed as part of original document.

[No. 90]

COBELLIGERENT NATION'S ACCEPTANCE AND REPORT OF INDUCTION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 503, entitled "Cobelligerent Nation's Acceptance and Report of Induction," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY, *Director.*

MAY 2, 1942.

[F. R. Doc. 42-6103; Filed, June 29, 1942; 2:49 p. m.]

[No. 91]

ACCUMULATIVE PROGRESS REPORT OF CLASSIFICATION AND INDUCTION THROUGH JUNE 30, 1942

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of §605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 140, effective June 15, 1942.[1] Upon the receipt of DSS Form 140 (Revised 6-15-42) all copies of previous DSS Form 140 will be destroyed.

The foregoing revision shall become, effective June 15, 1942, a part of the Selective Service Regulations.

LEWIS B. HERSHEY, *Director.*

JUNE 23, 1942.

[F. R. Doc. 42-6104; Filed, June 29, 1942; 2:49 p. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-60]

MANNING, BOWMAN & COMPANY

Manning, Bowman & Company, Meriden, Connecticut, manufactures electrical appliances such as waffle irons, buffet warmers, flat irons, percolators, and electroplate ware. In connection with such manufacture, the Company maintains a foundry for melting and casting aluminum. Although the Company knew that Supplementary Order M-1-d prohibited the melting of aluminum scrap in the absence of specific authorization by the Director of Industry Operations on January 23, 1942, it wilfully accepted delivery of approximately 17,000 pounds of aluminum scrap and melted this aluminum into ingot form despite the fact that no authorization therefor had been obtained from the Director of Industry Operations. Further, the Company thereafter wilfully violated Supplementary Order M-1-e in using this aluminum in the manufacture of grids for waffle irons.

These violations of Supplementary Orders M-1-d and M-1-e, dealing with the use and distribution of aluminum, have impeded and hampered the war effort of the United States by diverting aluminum to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.60 *Suspension order S-60.*

(a) Manning, Bowman & Company, its successors and assigns, shall not process, assemble, or produce electrical appliances or material to be incorporated in electrical appliances for a period of six months from the effective date of this order, except as specifically authorized by the Director of Industry Operations.

(b) Manning, Bowman & Company, its successors and assigns, shall not sell, transfer, or deliver electrical appliances containing aluminum, except as specifically authorized by the Director of Industry Operations: *Provided, however*, That the Company may deliver or transfer such electrical appliances for the purpose of storing the same for its own account.

(c) Nothing contained in this order shall be deemed to relieve Manning, Bowman & Company, its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect immediately and shall remain in effect until revoked. (P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of June 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42-6108; Filed, June 29, 1942; 3:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-63]

ILLINOIS PURE ALUMINUM COMPANY

Illinois Pure Aluminum Company, Lemont, Illinois, is a manufacturer of aluminum kitchen utensils. Supplementary Order M-1-e, effective January 23, 1942, prohibits the use of aluminum in the manufacture of certain articles among which are kitchen utensils. Despite the fact that the Company knew that restrictions had been placed upon the use of aluminum in manufacture, it continued to operate in wilful disregard of Supplementary Order M-1-e. During the period of January 23 through April 14, 1942, the Company used approximately 26,486 pounds of aluminum in the manufacture of kitchen utensils contrary to the provisions of this order.

This violation of Supplementary Order M-1-e dealing with the use of aluminum in manufacture has impeded and hampered the war effort of the United States by diverting aluminum to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.63 *Suspension Order S-63.* (a) Illinois Pure Aluminum Company, its successors and assigns, shall accept no deliveries from any source of primary aluminum, secondary aluminum, aluminum scrap, or alloys of which aluminum constitutes the major part for a period of three months from the effective date of this order, except as specifically authorized by the Director of Industry Operations.

(b) Illinois Pure Aluminum Company, its successors and assigns, shall not process, fabricate, assemble or in any way use any primary aluminum, secondary aluminum, aluminum scrap, or alloys of which aluminum constitutes the major part for a period of three months from the effective date of this order, except as specifically authorized by the Director of Industry Operations.

(c) Illinois Pure Aluminum Company, its successors and assigns, shall not transfer or deliver any articles, heretofore produced by it which contain aluminum, in fulfillment of purchase orders rated lower than A-1-j, except as specifically authorized by the Director of Industry Operations: *Provided, however*, That it may deliver or transfer any such articles for the purpose of storing the same for its own account.

(d) Nothing contained in this order shall be deemed to relieve Illinois Pure Aluminum Company, its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations, except insofar as the same may be inconsistent herewith.

(e) This order shall take effect on July 2, 1942, and shall remain in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of June 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42-6109; Filed, June 29, 1942; 3:31 p. m.]

PART 923—TUNGSTEN

[General Preference Order M-29, as Amended June 30, 1942]

Section 923.3 *General Preference Order M-29* is hereby amended to read as follows:

§ 923.3 *General Preference Order M-29*—(a) *Definitions.* For the purposes of this order:

(1) "Tungsten" means and includes:

(i) Ores and concentrates, including beneficiated or treated forms, containing commercially recognized tungsten;

(ii) The element tungsten in pure form, in any shape into which the same may be fabricated;

(iii) Ferro-tungsten, tungsten metal powder and any other ferrous combination of the element tungsten in semi-manufactured or manufactured form, excluding alloy steel, high speed steel and tool steel.

(iv) All non-ferrous mixtures or alloys containing tungsten, prepared for any purpose requiring further processing, whether the same are manufactured by means of melting, pressing, sintering, brazing, soldering or welding, including but not limited to mixtures or alloys to be used in the production of tools and tool blanks or as hard facing materials, but not including any finished tool;

(v) All chemical compounds having tungsten as a recognizable and essential component;

(vi) All scrap or secondary material containing commercially recoverable tungsten as defined in (ii), (iii), (iv) and (v) above, excluding tungsten bearing iron and steel scrap.

(2) "Producer" means any person who mines or otherwise produces natural materials containing recoverable quantities of tungsten.

(3) "Processor" means any person who prepares ores, concentrates or any chemical or metallurgical forms of tungsten for any industrial use.

(4) "Dealer" means any person who procures tungsten either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes warehousemen, brokers and jobbers.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries*—(1) *Allocations.* Except as permitted by paragraph (c) (2) of this order, no person shall make or accept delivery of tungsten without the specific authorization of the Director of Industry Operations.

The Director will from time to time allocate the supply of tungsten and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses shall be made or withheld. The Director may also require

any person seeking to place a purchase order for tungsten to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director of Industry Operations, the following transactions are permitted without specific authorization by the Director of Industry Operations:

(i) Tungsten in any form (as defined in this order), may be delivered;

(a) To the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., section 606 (b)), or to any duly authorized agent of any such Corporation, or

(b) To any person in quantities of 25 pounds or less of contained tungsten, provided that the total quantity in terms of tungsten content which any person may receive pursuant to the provisions of this subparagraph during any one calendar month, beginning with the month of July, 1942, from all sources of supply shall be limited to 25 pounds.

(ii) Tungsten ores or concentrates containing less than 20% of tungsten trioxide by weight may be delivered;

(a) To any processor for the purpose of being concentrated or further concentrated by the processor receiving such delivery, or

(b) To any dealer, provided that no dealer shall store or otherwise hold for more than 60 days any material acquired by him under the provisions of this subparagraph.

(d) *Reports and applications.* (1) Each processor and dealer shall file with the War Production Board on or before the 20th day of each calendar month reports on form PD-9-d, or such other form as said Board may from time to time prescribe.

(2) Any person who desires an allocation of tungsten shall apply therefor to the War Production Board not later than the 20th day of the month preceding the month in which delivery of the material is desired, on Form PD-9-c, or such other form as the War Production Board may from time to time prescribe, and shall file a copy of such application with each supplier with whom he places a purchase order for tungsten. All such applications to the War Production Board must be accompanied by reports on behalf of the applicant on form PD-9-d, or on such other form as may be prescribed for this purpose from time to time by the War Production Board. Failure by any person to file an application in the manner and on the date required by this paragraph may be construed as notice to the Director of Industry Operations and to all suppliers of tungsten that such person does not desire an allocation of tungsten during the next succeeding month.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Effect upon other orders.* Nothing contained in this order shall be construed as altering or modifying any of the terms or provisions of General Imports Order M-63, as the same may be from time to time amended.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Tungsten Branch, War Production Board, Washington, D. C., Reference: M-29. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6122; Filed, June 30, 1942; 10:57 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 1 to General Imports Order M-63 as Amended June 2, 1942]

Section 1042.1 (*General Imports Order M-63* as amended June 2, 1942) is hereby further amended in the following respects:

1. By changing paragraph (a) (4) to read as follows:

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

2. By adding the following as a new subparagraph (6) under paragraph (a):

(6) Material shall be deemed "in transit" if either it is afloat or an on board ocean bill of lading has actually been issued with respect to it.

3. By adding the following as a new subparagraph (5) under paragraph (b):

(5) Unless otherwise directed by the Director of Industry Operations, the restrictions set forth in this paragraph (b) shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation.

4. By changing paragraph (f) (3) to read as follows:

(3) No material which is imported after it has become subject to this order, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD-222-B in duplicate. No material on List I or List II which was imported prior to July 2, 1942, and which on July 2, 1942, was in a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States shall be withdrawn for consumption unless the person making the withdrawal shall file with the withdrawal Form PD-222-B in duplicate. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Stockpile and Shipping Branch, Ref: M-63, Washington, D. C.

(e) By striking List I, List II, and List III from the order and substituting therefor List I, List II, and List III hereto attached.

(f) This amendment shall take effect July 2, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

LIST I

[Attached to General Imports Order M-63 as Amended June 2, 1942, and June 30, 1942]

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Asphalt	5394.0
	5078.1
	5079.1
Balsa wood; logs and boards	4029.1
	4118.0
Beef and mutton tallow—includes oleo stock	0036.6
Beef and mutton tallow (inedible)—includes oleo stock	0815.6
Beryl (beryllium) ore	6270.0
Beryllium, metallic, caesium, lithium, and potassium	838.870
Beryllium oxide, carbonate and other beryllium salts	838.963
Castor beans	2231.0
Castor oil	226.02
Cattle, ox, and calf tail hair, including switches	3696.1
Cinchona bark or other bark from which quinine may be extracted	2201.0
Cod oil	0804.0
Columbium ore (columbite or concentrates	6270.3
Corne or maize oil (edible)	1422.0
Cottonseed oil, crude, refined, and fatty acids	1423.1
	1423.2
	226.22
Divi-divi pods	232.14
Divi-divi, hemlock, and chestnut extracts	2345.0
Flax, unmanufactured (all types)	3261.0
	3262.5
	3262.6
	3262.7
	3262.8
	3262.9
Flaxseed (linseed)	2233.0
Glycerine—crude and refined	8290.0
	8291.1
Goose down	[1] N.S.C.
Graphite or plumbago:	
Amorphous, natural (except of Mexican origin)	5730.1
Crystalline, flake	5730.5
Crystalline, lump, chip, or dust	5730.6
Hempseed	2238.0
Horse mane and tail hair, including switches	3694.0
	3694.1
Lead	6505.0
	6506.1
	6507.0
	6509.0
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.0
Mangrove extract	2342.0
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	674.19
Muru muru nuts and kernels	2239.63
	2239.64
Myrobalan fruit and extract	2304.0
	2345.8
Neatsfoot oil and animal oils known as neatsfoot stock	0808.95
Oiticica oil	2255.6
Ouricury (uricury) nuts and kernels	2239.61
	2239.62
Ouricury (uricury) oil	[1] N.S.C.
Peanut (ground nut) oil	1427.0
Quebracho extract	2344.0
Rotenone bearing roots (cube root (timbo or barbasco), derris and tuba), crude and advanced	221.28
	221.30
	222.36
	222.37

that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Rubber seed	2239.5
Rubber seed oil	[1] N. S. C.
Rutile	6270.2
Sesame seed	2234.0
Sperm oil, crude, refined or otherwise processed	0803.0
	0803.1
Sunflower seed	2240.0
Sunflower oil (edible)	1421.0
Sunflower oil (denatured)	2247.0
Tantalum ore (tantalite)	6270.4
Tara	232.23
Tucum nuts and kernels	2239.65
	2239.66
Valonia beards and valonia extract	2307.0
	2345.1
Wattle extract	2345.5
Whale oil (other than sperm)	0803.5
Wool (apparel, finer than 44's)	3520.0
	3521.0
	3521.1
	3521.2
	3521.3
	3522.0
	3523.0
	3523.1
	3523.2
	3523.3
	3526.0
	3527.0
	3527.1
	3527.2
	3527.3
	3528.0
	3529.0
	3529.1
	3529.2
	3529.3
Wool grease, including degras or brown wool grease (all grades)	0813.2
	0813.3
	0813.5
Zirconium ore	6270.5

[1] N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

LIST II

[Attached to General Imports Order M-63 as Amended June 2, 1942, and June 30, 1942]

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Aluminum scrap	6302.3
Antimony	6650.0
	6651.0
	6651.1
	838.180
	838.210
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500.0
	5500.01
	5501.0
	5501.1
	5501.9
	5502.1
Babassu nuts and kernels	2239.13
	2239.15
Babassu nut oil	2257.1
Cashew nuts and kernels	1377.0
Cashew nut oil and shell oil	2257.2
Chrome ore (chromite)	6213.0
Cocoanut oil	2242.5
Cohune nuts and kernels	[1] N. S. C.
Copper	6401.8
	6417.1
	643.00
	6418.3
Copper and brass scrap	6401.9
	6418.1
	6453.0
	676.02
Copra	2232.0
Corundum and emery in grains, or ground, pulverized, or refined	547.01
Corundum ore	5460.0
Cotton linters, munitions, or chemical grades only (Grades 3-6 according to Department of Agriculture Classification)	[1] N. S. C.
Hides and skins:	
Cattle hides, dry and wet	0201.0
	0262.0
Buffalo hides, dry and wet	0203.0
	0203.1
Kip, dry and wet	0205.0
	0206.0
Calf, dry and wet	0207.0
	0208.0
Cabretta skins or hair sheep	0235.0
Goat and kidskins, dry and wet	0241.0
	0242.0
Shearlings (includes dry and green salted skins)	0231.3
Iron and steel scrap, fit only for remanufacture	6004.0
	6004.1
Istle or tampico fiber, unmanufactured	3405.0
Istle or tampico fiber, dressed, bleached, dyed, or cut to length	[1] N. S. C.
Kapok	3403.0
Kyanite and sillimanite	593.95
Lac; crude, seed, button and stick	2105.0
Lead	6504.0
	6506.5
	6506.9
Lead, reclaimed, scrap, dross, etc	6505.1
Magnesium, metallic and scrap	676.31
Mahogany logs	4031.0
Mercury-bearing ores and concentrates	[1] N. S. C.
Mercury or quicksilver (metallic)	6662.0
Mica	5560.7
	5560.8
	5560.9
	5561.0
	5561.8
	5561.9
	5564.0
	5564.2
Palm nut kernels	2236.5
Palm kernel oil	2248.0
Palm oil	2243.0
Pig and hog bristles	0917.0
	0979.1
Rapeseed	2237.0
Rapeseed oil, denatured and not denatured	2246.0
	2253.0
Shellac (unbleached and bleached)	2107.2
	2108.0
Tin bars, blocks, pigs, grain, granulated or scrap, and alloys, chief value tin	6551.0
Tin-plate scrap	674.05
Tung oil	2241.0
Tungsten ore and concentrates	6232.0
Vanadium ore	6260.0
Zinc, blocks, pigs, or slabs	6558.2

[1] N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

LIST III

[Attached to General Imports Order M–63 as Amended June 2, 1942, and June 30, 1942]

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import class number
Alfalfa seed	2401.0
Argols, tartar and wine lees, and crude calcium tartrate	8329.0 8330.0 837.11
Balsams, crude, not containing alcohol	2141.0 2141.3 2141.4 2141.5 2141.9
Baskets and bags, wood, straw, etc.	4221.0 4221.2 4221.5 4221.6 4221.9
Beeswax	0972.0 0972.1 0974.0
Blood, dried	8505.0
Bone black, bone char, and blood char	099.13
Bones, crude	0911.2
Bones, ground, ash, dust, meal, and flour	0911.3
Boxwood (logs)	4033.0
Brazil or cream nuts	1356.0 1357.0
Butter	0044.0
Cacao butter	1420.0
Canary seed	2452.0
Candelilla wax	2252.2
Carnauba wax	2251.0
Caroa fiber	4692.8
Casein or lactarene	0943.0
Cheese	0045.1–0046.99 inc.
Chicle, crude and refined or advanced	2131.0 2189.3
Cocoa beans or cacao beans	1501.3
Coffee, raw or green; roasted or processed	1511.0 1511.1
Cotton linters, grades 1 and 2 (other than munitions and chemical grades)	[1] N. S. C.
Cotton, raw (all staple length)	3001.0 3003.6 3003.7 3003.8
Cotton waste	3006.1 3006.2 3006.31 3006.33 3006.35 3006.6 323.38 323.39 985.902 985.903 985.905
Dog food	1190.7 1190.8
Eggs (chicken)	0088.1
Fish and shellfish and their products:	
Alewives and other pickled or salted fish, n. s. p. f.	0073.3–0073.9 inc.
Anchovies, canned, in oil or not in oil	0067.0
Crabs, fresh or frozen; prepared or preserved	0086.4 0086.5
Fish and shellfish and their products—Continued.	
Herring, pickled or salted (all types)	0070.0–0070.9 inc.
Lobsters, canned and not canned	0083.0 0084.0
Tuna fish, fresh or frozen	0058.0
Turtles	0086.2
Fish scrap and fish meal	0976.0, 8509.7
Fluorspar	5301.0 5301.1
Fruits:	
Bananas	1301.0
Grapefruit	1302.0
Grapes, fresh (other than hothouse)	1318.5
Limes	1304.0
Melons	133.42 133.43
Peaches, green, ripe, or in brine	133.61
Pears, green, ripe, or in brine	133.66
Glue, except glue size and fish glue (value—under 40¢ lb.)	0940.1
Goat and kid hair except Angora (mohair) and Cashmere	3696.2
Grain and grain preparations:	
Barley malt	1080.0
Bran; shorts; and other wheat by-product feeds	1181.0
Corn	1031.0
Cracked corn	109.18
Oats, unground and ground	1041.0 1041.1
Rice, broken	1059.2
Rye	1044.0
Guano	8504.0
Hibiscus canabinus or ferox	[1] N. S. C.
Hide cuttings, raw	0930.8
Hides and skins:	
Horse, colt, and ass	0211.1 0211.3 0212.1 0212.2 0212.3 0212.5
Sheep and lamb skins, except shearlings, cabrettas, etc.:	
Pickled skins, not split, no wool	0234.0
Pickled fleshers, split, flesh side	0234.1
Pickled skivers, split, grain side	0234.2
Slats, dry, no wool	0231.7
Other wooled, (wool on) except shearlings	0231.5
Honey	1654.8
Ilmenite (including ilmenite sand)	6270.1
Iodine	8300.0 838.630
Iron ore	6001.0
Kola nuts	221.49
Leather	0300.1–0345.9 inc.
Lignaloe oil or Bois de Rose	228.27
Mandoica flour	[1] N. S. C.
Mate	221.57
Meat products:	
Beef and veal, pickled or cured	0029.0
Beef, canned, including corned beef	0028.0
Meat extracts, including fluid	0096.0
Offal, edible	0023.6
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030.9 0031.9
Sausage casings, sheep and lamb and goat only	0034.0
Sausage casings, other	0035.5
Milk, condensed and evaporated	0040.0 0040.1 0040.7
Molasses, edible and inedible	163.48–1640.0 inc.
Monazite sand and other thorium ore	593.30
Nitrates, Sodium and Potassium	8506.0 8527.5 8527.9
Oil cake and oil cake meal, made of cottonseed, peanut, hempseed, and others (except coconut or copra, soybean, and linseed)	1114.0 1119.6–1119.9 inc.
Oleo stearin	0036.3
Ouricury (uricury) wax	[1] N. S. C.
Paper base stock:	
Rags for paper stock	4691.0
Waste bagging, gunny cloth and bags	4692.0
Grasses, fibers, waste, shavings, clippings, etc.	4692.9
Piassava fiber	[1] N. S. C.
Pigeons (all types)	[1] N. S. C.
Soap (except Castile) and soap powder	8712.3–8719.9 inc.
Soap bark seed or quillaya	221.82
Sugar, cane	161.75–161.00 inc.
Tallow, vegetable	2250.0
Tankage	0975.0 8509.6
Tanning materials and coloring agents:	
Anñatto and annatto extracts	232.00
Mangrove bark	232.18
Quebracho wood	2305.0
Tanning extracts (other than those listed on List I)	2345.9
Wattle bark	2309.0
Tapioca, tapioca flour, and cassava	1228.0
Tobacco, unmanufactured	2601.0–2610.0 inc.
Tonka beans	1546.0
Vanilla beans	1545.0
Vegetable ivory or tagua nuts	2911.0
Vegetables:	
Beans, dried	1192.0
Chickpeas and garbanzos, dried	1200.0
Garlic	1205.0
Lentils	1199.0
Lupines	1199.1
Onions, edible	1208.1
Peas, dried and split	1197.0 1198.0
Peppers	121.05
Wool and related fibers:	
Alpaca, llama, and vicuna hair	3535.0–3535.4 inc.
Apparel wool, 44's or coarser	3506.0–3509.3 inc. 3513.0–3514.3 inc. 3524.0–3525.3 inc.
Carpet wool	3501.0–3502.3 inc.
Mohair	3530.0–3530.4 inc.
Wool noils and wastes	3550.0–3553.7 inc.

[1] N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

[F. R. Doc. 42–6126; Filed, June 30, 1942; 10:57 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Interpretation 1 of General Imports Order M–63 as Amended June 2, 1942, and June 30, 1942]

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 1042.1 *General Imports Order M–63*, as amended June 2, 1942, and June 30, 1942.[1]

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6124; Filed, June 30, 1942; 10:57 a. m.]

[1] 6 F.R. 6796; 7 F.R. 206, 223, 2094, 2708, 3327, 3850, 4168, 4199, 4404.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M–63–b]

Pursuant to General Imports Order M–63 as Amended June 2, 1942, which this order supplements, it is hereby ordered that:

§ 1042.3 *Supplemental General Imports Order M–63–b.* The following materials now listed under General Imports Order M–63 as Amended June 2, 1942, and June 30, 1942, are hereby exempted from the provisions of said order, to-wit:

List and Material	Commodity No.
List I—Wool (apparel, finer than 44's)	3520.0 3521.0 3521.1 3521.2 3521.3 3522.0 3523.0 3523.1 3523.2 3o23.3 3526.0 3527.0 3527.1 3527.2 3527.3 3528.0 3529.0 3529.1 3529.2 3529.3
List II—Shearlings, sheepskin	0231.2

This order shall take effect at 12:01 a. m. on July 2, 1942, and, unless sooner revoked, shall expire at 12:00 midnight August 16, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 1942.

J. S. KNOWLSON,
Director of Industry Oprations.

[F. R. Doc. 42–6123; Filed, June 30, 1942; 10:57 a. m.]

PART 1112—OFFICE MACHINERY

[Interpretation 3 of Conversion Order L–54–a]

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 1112.2, Conversion Order L–54–a,[1] issued March 17, 1942:

As used in § 1112.2, the term "billing and continuous forms handling typewriters" means only the following:

(1) Continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine.

(2) Billing machines, accounting principle, and collateral equipment.

Accordingly, any other typewriters having devices for billing or continuous forms handling are nevertheless included within the term "typewriter" as defined in paragraph (a) (4). (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6127; Filed, June 30, 1942; 10:56 a. m.]

PART 1158—INDUSTRIAL MACHINERY

[Amendment 2 to General Limitation Order L–83, as Amended]

List A to General Limitation Order L–83, as amended[2] (§ 1158.1) is amended by adding thereto Item 18 as follows:

§ 1158.1 *General Limitation Order L–83.*

* * * * *

LIST A

* * * * *

18. New woodworking, sawmill and logging machinery and equipment, on all orders for a single machine or unit of equipment of a value in excess of $250. The term "new woodworking, sawmill and logging machinery and equipment" means: new borers, dowel machines, edgers, gluing equipment, grinders, jointers, kilns, lathes, matchers, mills, mortisers, moulders, routers, sanders, saws, shapers, surfacers, tenoners, trimmers, veneer and plywood machines; and all other new machinery and equipment normally used in cutting, shaping, gluing, finishing, or otherwise processing wood and wood products, except machinery used for painting, varnishing, lacquering and similar purposes.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6125; Filed, June 30, 1942; 10:56 a. m.]

PART 1271—WELDING RODS AND ELECTRODES

[Amendment 1 to General Limitation Order L–146]

Section 1271.1 (*General Limitation Order L–146*[1] is hereby amended in the following particulars:

* * * * *

Paragraph (a) (2) is hereby amended by inserting the word "finished" before the word "bare."

Paragraph (a) (3) is hereby amended by inserting the word "finished" before the word "bare."

Paragraph (a) (4) is hereby amended by inserting the word "finished" before the word "ferrous."

Paragraph (c) is hereby amended to read as follows:

(c) *Deliveries for maintenance and repair purposes.* During any calendar month, any manufacturer may deliver rods or electrodes, for maintenance or repair purposes only, in a total quantity not in excess of 6%, by weight, of aggregate deliveries of rods or electrodes in the preceding calendar month: *Provided, however,* That deliveries of rods and electrodes of the kinds listed on Form PD–528 under Class C shall not exceed 6% of the total quantity of such Class C rods and electrodes delivered during the preceding calendar month. Persons placing purchase orders for rods or electrodes to be used for maintenance and repair purposes shall identify such orders by marking on the purchase order "For Maintenance and Repair——Pounds." No person shall use or resell rods or electrodes so ordered for any purpose other than maintenance and repair and no person shall use or resell for maintenance or repair purposes, rods or electrodes ordered for purposes other than maintenance or repair.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O.

[1] 7 F.R. 4328.

[1] 7 F.R. 2130, 2389, 2506, 2786, 4170.

[2] 7 F.R. 2732, 2941, 3715, 4037.

9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 142.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6128; Filed, June 30, 1942; 10:56 a. m.]

PART 987—COBALT

[Amendment 1 General Preference Order M-39, as Amended February 7, 1942]

Paragraph (g) of § 987.1[1] is hereby amended to read as follows:

(g) *Effective dates.* This order shall take effect immediately upon its issuance and shall continue in effect until revoked by the Director of Industry Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6133; Filed, June 30, 1942; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1389—APPAREL

[Maximum Price Regulation 172]

CHARGES OF CONTRACTORS IN APPAREL INDUSTRY

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for charges of contractors in the apparel industry at levels which differ from the prices charged by contractors for their services in March 1942. Such action is required in order to adjust the maximum prices established by the General Maximum Price Regulation[2] to allow for certain increases in labor which were not reflected in the prices of these commodities being delivered in that month. The maximum prices established by this Maximum Price Regulation No. 172 are, in the judgment of the Price Administrator, generally fair and equitable.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 172 is issued simultaneously herewith, and it has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1[3] issued by the Office of Price Administration, Maximum Price Regulation No. 172 is hereby issued.

[1] 7 F.R. 900.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.
[3] 7 F.R. 971, 3663.

Sec.
1389.51 Prohibition against dealing in services in apparel industry above maximum prices.
1389.52 Applicability of this Maximum Price Regulation No. 172 to the General Maximum Price Regulation and Maximum Price Regulation No. 157.
1389.53 Maximum contractors' charges.
1389.54 Less than maximum prices.
1389.55 Records and reports.
1389.56 Evasion.
1389.57 Enforcement.
1389.58 Petitions for amendment.
1389.59 Definitions.
1389.60 Effective date.

AUTHORITY: §§ 1389.51 to 1389.60, inclusive, issued under the authority contained in Public Law 421, 77th Cong.

§ 1389.51 *Prohibition against dealing in services in apparel industry above maximum prices.* On or after June 30 1942, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell any materials or supply any services in any transaction subject to this Maximum Price Regulation No. 172 at a price higher than the maximum prices established herein.

(b) No person, in the course of trade or business, shall buy any material or receive any service in any such transaction at a price higher than the maximum prices established herein.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1389.52 *Applicability of this Maximum Price Regulation No. 172 to the General Maximum Price Regulation and Maximum Price Regulation No. 157.*[4] (a) This Maximum Price Regulation No. 172 shall apply and the General Maximum Price Regulation, except as provided in paragraph (b), shall not apply to prices that contractors in the apparel industry as herein defined may charge for their services.

(b) The provisions of § 1449.5 (Transfer of Business or Stock of Trade), § 1449.11 (Base Period Records) shall apply to all charges for which maximum prices are established by this Maximum Price Regulation No. 172 and to all persons making such charges.

(c) This Maximum Price Regulation No. 172 shall not apply to contractors' charges which are subject to the provisions of Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes.

(d) The term, "contractor," includes any person who performs one or more processes of manufacturing in the production of an article of apparel, on materials supplied by a principal, and who receives payment for the process or processes so performed and for the furnishing of materials, if any, that are incidental to such operations: *Provided,* That a contractor who furnishes materials, the value of which constitutes 20 percent or more of the price charged for his services or who furnishes more materials than is customary in services of the type rendered, is excluded hereunder. It shall also include any person engaged in examining, shrinking and sponging of woolen or worsted fabrics.

(e) A material shall be deemed "supplied" by a principal to a contractor if:

(1) It is consigned, or,

(2) It is sold pursuant to an agreement providing that the articles of apparel to be processed from the material shall be sold only to the principal, at a price based upon the cost of the material to the contractor plus a charge for his services and for any materials incidentally supplied by the contractor.

(f) A principal includes any person who engages the services of a contractor, as defined in paragraph (d) of this section, in the procurement, manufacture, or production of an article of apparel for the purposes of resale by the principal. A principal may or may not perform processes of manufacture on the article of apparel in addition to those performed by the contractor, and may himself be a contractor, as defined in paragraph (d) of this section.

(g) An article of apparel shall include all apparel, apparel furnishings and accessories made by cutting and sewing methods or knitting processes, except men's fur-felt, wool-felt, and silk hats and bodies, and men's, women's and children's footwear.

§ 1389.53 *Maximum contractors' charges.* The seller's maximum price for any service governed by this Maximum Price Regulation No. 172 shall be as follows:

(a) *Where the material is consigned to the contractor.* The direct labor cost of the service plus the same percentage margin over direct labor cost obtained by the contractor for the same or similar services in March 1942.

Direct labor cost shall be computed on the basis of wage rates paid by the contractor on March 31, 1942, or the nearest prior date upon which such wage rates were paid, plus any increase subsequent thereto pursuant to a collective bargaining contract or other wage agreement which contract was entered into on or before April 27, 1942, and which provides for an unconditional increase in wage rates of a fixed amount or percentage.

(b) *Where the material is sold to the contractor.* The total of the following:

(1) The direct labor cost of the service, which shall be computed according to paragraph (a) hereof;

(2) The same percentage margin over direct labor cost obtained by the contractor for the same or similar services in March 1942;

(3) The actual cost to the contractor of the material sold to the contractor by the principal.

(c) *Where the contractor cannot determine his price under* (a) *or* (b). If the contractor cannot determine the maximum price for a service pursuant to paragraph (a) or (b) hereof, the maximum price for such service shall be the total of the following:

(1) Direct labor cost of the service, which shall be computed as in paragraph (a);

[4] 7 F.R. 4273, 4541, 4618.

(2) The same percentage margin over direct labor cost obtained by the contractor in March 1942:

(i) For the services rendered in connection with the manufacturing of the most closely related article of the same type; or

(ii) If the contractor did not furnish services in connection with the manufacture of articles of the same type, then the same percentage margin over direct labor cost obtained by his most closely competitive seller of the same class in March, 1942 for services performed on the manufacture of articles of the same type.

§ 1389.54 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 172 may be charged, demanded, paid or offered.

§ 1389.55 *Records and reports.* (a) In addition to the records required to be kept by § 1449.11 of the General Maximum Price Regulation, every person making any charges subject to this Maximum Price Regulation No. 172, on or after June 30, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of:

(1) Each charge made, showing the date thereof, the principal, the nature of the service rendered, the price charged or received, and the method of computing such charge.

(b) Such person shall keep such records in addition to or in lieu of the records required by this Section as the Office of Price Administration may from time to time require.

(c) Such person shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1389.56 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 172 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to contractors' charges in the apparel industry, alone or in conjunction with any other commodity, or by use of commission, service, transportation or any other charge or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1389.57 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 172 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1389.58 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 172 may file a Petition for Amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1389.59 *Definitions.* (a) For the purposes of this regulation:

(1) "Consigned" means consigned, loaned, charged on memorandum or other agreement whereby title to the goods transferred is retained by the principal.

(2) "Percentage margin over direct labor cost" is determined by subtracting the actual cost of direct labor in March from the charges made in March by the contractor for his services and then dividing the resultant figure by the cost of direct labor in March.

(3) "Articles of the same type" are articles of apparel having the same use and which customarily sell in the same departments at retail (for example; suits, coats, vests, dresses, blouses, shirts, etc.).

(4) "Seller of the same class" means a seller (i) performing the same function, (ii) of similar type, (iii) dealing in the same type of commodities or services, and (iv) selling to the same class or classes of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (*a*) is selling the same or a similar commodity or service, and (*b*) is closely competitive in the sale of such commodities or services, and (c) is located nearest to the seller.

(b) Unless the context otherwise requires, the definitions set forth in § 1449.20 of the General Maximum Price Regulation and the definitions set forth in § 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1389.60 *Effective date.* This Maximum Price Regulation No. 172 (§§ 1389.51 to 1389.60, inclusive) shall become effective June 30, 1942.

Issued this 29th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6114; Filed, June 29, 1942; 5:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 7 to Ration Order 5[1]]

EMERGENCY GASOLINE RATIONING REGULATIONS

MISCELLANEOUS AMENDMENTS

In the following amendment the effective period of Ration Order No. 5 is extended through July 21, 1942. In §§ 1394.20, 1394.28 (c), (d), and (e), 1394.43 (b) (4), (e), (h), (i), (2), (j) and (k), the date "July 14, 1942" is amended to read "July 21, 1942," and in § 1394.20 the date "July 22, 1942" is amended to read "July 29, 1942."

A new paragraph (c) is added to § 1394.7. Section 1394.18 (a) is amended, in § 1394.28 a new paragraph (f) is added and § 1394.41 (b) is amended, to read as set forth below.

Scope of Ration Order 5

§ 1394.7 *Effective period of Rationing Order No. 5.* * * *

(c) Ration Order No. 5 (§§ 1394.1 to 1394.103, inclusive) shall be extended from July 15, 1942, as set forth in paragraph (b) of this section and remain effective through July 21, 1942, and shall terminate at midnight July 21, 1942, unless extended by the Office of Price Administration.

Restrictions on Transfer and Use

§ 1394.18 *Transfers into the fuel tanks of motor vehicles or inboard motorboats.* (a) Transfer may be made to the holder of a gasoline ration card Class A or B which bears uncanceled and undetached units at least equal in number to the units of gasoline transferred. Such transfer may be made only into the fuel tank of the particular motor vehicle or inboard motorboat identified on such card. At the time of transfer, the dealer, dealer outlet or supplier, or the transferee in his presence, shall punch, tear off, obliterate or otherwise clearly cancel one unit on such card for each unit or fraction of a unit of gasoline transferred. After midnight of July 14, 1942, transfer may also be made of the amount of gasoline specified in Section 1394.28, Paragraph (f), against the War Bond Seal in the upper-left hand corner of the card. Such seal shall, at the time of transfer, be canceled in the same manner as a unit on such card.

Gasoline Ration Cards

§ 1394.28 *Form and use of gasoline ration cards.* * * *

(f) After midnight of July 14, 1942, the value of the War Bond Seal, in the upper left-hand corner of a card, shall be as follows:

A card—3 gallons, except that if an A card is for use with a motorcycle it shall authorize the purchase of 1.2 gallons;

B–1 card—4 gallons, except that if a B–1 card is for use with a motorcycle it shall authorize the purchase of 1.6 gallons;

B–2 card—5 gallons, except that if a B–2 card is for use with a motorcycle it shall authorize the purchase of 2 gallons;

B–3 card—6 gallons, except that if a B–3 card is for use with a motorcycle it shall authorize the purchase of 2.4 gallons;

* * * * * *

Adjustments, Applications for Supplemental Ration and Appeals

§ 1394.41 *Issuance of cards to late applicants.* * * *

(b) The board shall examine the registration card or registration certificate (or, in the case of an application with respect to an inboard motorboat, the certificate or document, if any) presented by the applicant. If it finds that no application for any such card has previously been made by him, it shall issue a gasoline ration card to him in accordance with the provisions of §§ 1394.30 to 1394.32, inclusive: *Provided that:*

(1) If the applicant is entitled to a Class A card only; one unit shall be removed from such card for each six (6)

[1] 7 F.R. 3482, 3524, 3554, 3577, 3723, 3782, 4233, 4453, 4493, 4733.

day period (or part thereof) between May 15, 1942, and the date of issuance, except that in the case of a card issued between June 13, 1942, and June 30, 1942, inclusive, five (5) units shall be removed and in the case of a card issued between July 1, 1942, and July 15, 1942, inclusive, six (6) units shall be removed, and in the case of a card issued between July 15, 1942, and July 21, 1942, inclusive, seven (7) units shall be removed.

* * * * * *

§ 1394.61 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1394.7 (c), 1394.18 (a), 1394.20, 1394.28 (c), (d), (e) and (f), 1394.41 (b), 1394.43 (b) (4), (e), (h), (i) (2), (j) and (k)) to Ration Order No. 5 shall become effective June 29, 1942 (Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Supp. Dir. No. 1, (H) 7 F.R. 562, 3478, 3877).

(Pub. Law 421, 77th Cong.)

Issued this 29th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6115; Filed, June 29, 1942; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order No. 13]

NUTONE INC., MAIL BOX PRICE APPROVED

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.50 *Approval of maximum price for sale of mail box by NuTone Incorporated.* (a) The maximum price for the sale by NuTone Incorporated, Third and Eggleston Avenue, Cincinnati, Ohio, of the mail box manufactured by that company of wood, 6½" wide by 9" high by 18" long, shall be $0.975 per unit to jobbers and $1.17 per unit to dealers.

(b) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 13 (§ 1499.50) shall become effective June 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6112; Filed, June 29, 1942; 5:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of General Maximum Price Regulation[1]—Order No. 14]

TROPIC-AIRE, INC., BUS SEAT PRICES APPROVED

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.51 *Approval of maximum prices on custom-built bus seats by Tropic-Aire, Inc.* (a) On and after June 30, 1942, Tropic-Aire, Inc., 4501 Augusta Boulevard, Chicago, Illinois, may sell and deliver to the following companies certain bus seats made according to the specifications contained in its application of May 29, 1942, to the following companies at prices no higher than those specified below:

General Motor Truck & Coach	$89.18
General American Aerocoach	88.00
J. G. Brill Company	85.41

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 14 (§ 1499.51) shall become effective June 30, 1942. (Pub. Law 421, 77th Cong.)

Issued this 29th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6113; Filed, June 29, 1942; 5:08 p. m.]

PART 1363—FEEDINGSTUFFS

[Amendment 1 to Maximum Price Regulation 74, as amended]

ANIMAL PRODUCT FEEDINGSTUFFS

Correction

In the first line of § 1363.62 (a) (1), *Zone 7*, appearing in the first column of page 4762, of the issue for Friday, June 26, 1942, the word "three" should read "those".

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 1]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE SAN DIEGO DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.11, paragraphs (c), (d), and (g) of § 1388.14, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.15, paragraph (c) of § 1388.16, and the first sentence of § 1388.17 of Maximum Rent Regulation No. 1[1] are hereby amended to read as follows:

[Maximum Rent Regulation 1]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE SAN DIEGO DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the San Diego Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within the San Diego Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the San Diego Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 1 for housing accommodations within the San Diego Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 1 is hereby issued.

§ 1388.11 *Scope of Regulation.* (a) This Maximum Rent Regulation No. 1 applies to all housing accommodations within the San Diego Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.1 to 1388.5, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the County of San Diego, in the State of California), except as provided in paragraph (b) of this section: *Provided, however*, That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 1 shall apply only to that portion of the San Diego Defense-Rental Area consisting of the Judicial Townships of Encinitas, National, and San Diego and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest in the County of San Diego in the State of California, and that for the remaining portion of the San Diego Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 1 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 1 shall mean "August 1, 1942."

* * * * * *

§ 1388.14 *Maximum rents.* * * *

(c) For housing accommodations not rented on January 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.15 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.15 (c).

* * * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.15 (c).

§ 1388.15 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on January 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

* * * * * *

§ 1388.16 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * * *

§ 1388.17 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Judicial Townships of Encinitas, National, and San Diego and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest, in the County of San Diego, in the State of California, on or before August 15, 1942), or within 30 days after property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * * * * *

§ 1388.24a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.11 (a), 1388.14 (c), (d), and (g), 1388.15 (a) (5), (a) (6), and (c) (5), 1388.16 (c), and 1388.17) to Maximum Rent Regulation No. 1 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30 day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6139; Filed, June 30, 1942; 12:12 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE WATERBURY DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.61, paragraphs (c), (d), and (g) of § 1388.64, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.65, paragraph (c) of § 1388.66, and the first sentence of § 1388.67 of Maximum Rent Regulation No. 2[1] are hereby amended to read as follows:

[MAXIMUM RENT REGULATION 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE WATERBURY DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Waterbury Defense-Rental Areas, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Waterbury Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 2 for housing accommodations within the Waterbury Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act this Maximum Rent Regulation No. 2 is hereby issued.

§ 1388.61 *Scope of regulation.* (a) This Maximum Rent Regulation No. 2 applies to all housing accommodations within the Waterbury Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.51 to 1388.55, inclusive) issued by the Administrator on March 2, 1942 as amended on April 28, 1942 (consisting of the County of Litchfield; and the Towns of Beacon Falls, Bethany, Cheshire, Middlebury, Naugatuck, Oxford, Prospect, Southbury, Waterbury, and Wolcott in the County of New Haven in the State of Connecticut), except as provided in paragraph (b) of this section: *Provided, however*, That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 2 shall apply only to that portion of the Waterbury Defense-Rental Area consisting of the Towns of Plymouth, Thomaston, and Watertown in the County of Litchfield; and the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott in the County of New Haven, in the State of Connecticut, and that for the remaining portion of the Waterbury Defense-Rental Area and the words "June 1, 1942" in this Maximum Rent Regulation No. 2 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 2 shall mean "August 1, 1942."

* * * * * *

§ 1388.64 *Maximum rents* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.65 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommoda-

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991.

[1] 7 F.R. 4038.

[1] 7 F.R. 4041.

tions changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.65 (c).

* * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.65 (c).

§ 1388.65 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the rate determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement. * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement. * * *

§ 1388.66 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.67 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Plymouth, Thomaston, Watertown in the County of Litchfield, and the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott in the County of New Haven, in the State of Connecticut, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.74a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.61 (a), 1388.64 (c), (d), and (g), 1388.65 (a) (5), (a) (6), and (c) (5), 1388.66 (c), and 1388.67) to Maximum Rent Regulation No. 2 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6167; Filed, June 30, 1942; 12:25 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 3]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE BIRMINGHAM DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of §1388.114, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.115, paragraph (c) of §1388.116, and the first sentence of § 1388.117 of Maximum Rent Regulation No. 3[1] are hereby amended to read as follows:

§ 1388.114 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.115 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.115 (c).

* * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.115 (c).

§ 1388.115 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.116 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

[1] 7 F.R. 4045.

§ 1388.117 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.124a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.114 (c), (d) and (g), 1388.115 (a) (5), (a) (6) and (c) (5), 1388.116 (c) and 1388.117) to Maximum Rent Regulation No. 3 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6166; Filed, June 30, 1942; 12:25 p. m.]

PART 1388—DEFENSE-RENTAL AREA

[Amendment 1 to Maximum Rent Regulation 4]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE MOBILE DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.164, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.165, paragraph (c) of § 1388.166, and the first sentence of § 1388.167 of Maximum Rent Regulation No. 4[1] are hereby amended to read as follows:

§ 1388.164 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.165 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.165 (c).

* * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941 as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.165 (c).

§ 1388.165 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.166 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.167 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.174a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.164 (c), (d) and (g), 1388.165 (a) (5), (a) (6) and (c) (5), 1388.166 (c) and 1388.167) to Maximum Rent Regulation No. 4 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6165; Filed, June 30, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 5]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE BRIDGEPORT DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.211, paragraphs (c), (d), and (g) of § 1388.214, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.215, paragraph (c) of § 1388.216, and the first sentence of § 1388.217 of Maximum Rent Regulation No. 5[1] are hereby amended to read as follows:

[Maximum Rent Regulation 5]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE BRIDGEPORT DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Bridgeport Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Bridgeport Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 5 for housing accommodations within the Bridgeport Defense-Rental Area will be

[1] 7 F.R. 4048.

[1] 7 F.R. 4051, 4428.

generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 5 is hereby issued.

§ 1388.211 *Scope of regulation.* (a) This Maximum Rent Regulation No. 5 applies to all housing accommodations within the Bridgeport Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.201 to 1388.205, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the County of Fairfield in the State of Connecticut), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 5 shall apply only to that portion of the Bridgeport Defense-Rental Area consisting of the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport in the County of Fairfield in the State of Connecticut, and that for the remaining portion of the Bridgeport Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 5 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 5 shall mean "August 1, 1942."

* * * * * * *

§ 1388.214 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.215 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.215 (c).

* * * * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.215 (c).

§ 1388.215 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.216 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.217 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport in the County of Fairfield, in the State of Connecticut, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.224a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.211 (a), 1388.214 (c), (d), and (g), 1388.215 (a) (5), (a) (6), and (c) (5), 1388.216 (c), and 1388.217) to Maximum Rent Regulation No. 5 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6164; Filed, June 30, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 6]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE HARTFORD-NEW BRITAIN DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.261, paragraphs (c), (d), and (g) of § 1388.264, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.265, and paragraph (c) of § 1388.266, and the first sentence of § 1388.267 of Maximum Rent Regulation No. 6[1] are hereby amended to read as follows:

[Maximum Rent Regulation 6]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE HARTFORD-NEW BRITAIN DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Hartford-New Britain Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Hartford-New Britain Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 6 for housing accommodations within the Hartford-New Britain Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this

[1] 7 F.R. 4055.

Maximum Rent Regulation No. 6 is hereby issued.

§ 1388.261 *Scope of Regulation.* (a) This Maximum Rent Regulation No. 6 applies to all housing accommodations within the Hartford-New Britain Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.251 to 1388.255, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Hartford, Middlesex, and Tolland; and the Towns of Meriden and Wallingford in the County of New Haven, in the State of Connecticut), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 6 shall apply only to that portion of the Hartford-New Britain Defense-Rental Area consisting of the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks in the County of Hartford; the Towns of Cromwell, Middlefield, Middletown, and Portland in the County of Middlesex; the Towns of Meriden and Wallingford in the County of New Haven; and the Town of Vernon in the County of Tolland, in the State of Connecticut, and that for the remaining portion of the Hartford-New Britain Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 6 shall mean "July 1, 1942" and the words "July 1, 1942" in this Maximum Rent Regulation No. 6 shall mean "August 1, 1942."

* * * * * * *

§ 1388.264 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.265 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.265 (c).

* * * * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.265 (c).

§ 1388.265 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

* * * * * * *

§ 1388.266 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * * * *

§ 1388.267 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks in the County of Hartford, the Towns of Cromwell, Middlefield, Middletown, and Portland in the County of Middlesex, the Towns of Meriden and Wallingford in the County of New Haven, and the Town of Vernon in the County of Tolland, in the State of Connecticut, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

§ 1388.274a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.261 (a), 1388.264 (c), (d), and (g), 1388.265 (a) (5), (a) (6), and (c) (5), 1388.266 (c), and 1388.267) to Maximum Rent Regulation No. 6 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6137; Filed, June 30, 1942; 12:12 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 7]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE COLUMBUS, GEORGIA DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.314, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.315, paragraph (c) of § 1388.316, and the first sentence of § 1388.317 of Maximum Rent Regulation No. 7[1] are hereby amended to read as follows:

§ 1388.314 *Maximum rents.* * * *

(c) For housing accommodations not rented on January 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.315 (a).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improve-

[1] 7 F.R. 4059.

ment as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.315 (c).

• • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.315 (c).

§ 1388.315 *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on January 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.316 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

• • • • • •

§ 1388.317 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

§ 1388.324a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.314 (c), (d) and (g), 1388.315 (a) (5), (a) (6) and (c) (5), 1388.316 (c) and 1388.317) to Maximum Rent Regulation No. 7 shall become effective July 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6138; Filed, June 30, 1942; 12:12 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 8]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE SOUTH BEND DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.364, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.365, paragraph (c) of § 1388.366 and the first sentence of § 1388.367 of Maximum Rent Regulation No. 8[1] are hereby amended to read as follows:

§ 1388.364 *Maximum rents.* • • •

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.365 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.365 (c).

• • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.365 (c).

§ 1388.365. *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

• • • • • •

§ 1388.366 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

• • • • • •

§ 1388.367 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

• • • • • •

[1] 7 F.R. 4062.

§ 1388.374a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.364 (c), (d) and (g), 1388.365 (a) (5), (a) (6) and (c) (5), 1388.366 (c) and 1388.367) to Maximum Rent Regulation No. 8 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6147; Filed, June 30, 1942; 12:17 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 9]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN PORTION OF BURLINGTON DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.411, paragraphs (c), (d), and (g) of § 1388.44, paragraph (a) (5), (a) (6), and (c) (5) of § 1388.415, paragraph (c of § 1388.416, and the first sentence of § 1388.417 of Maximum Rent Regulation No. 9[1] are hereby amended to read as follows:

[Maximum Rent Regulation 9]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE BURLINGTON DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Burlington Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within the Burlington Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Burlington Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 9 for housing accommodations within the Burlington Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 9 is hereby issued.

§ 1388.411 *Scope of regulation.* (a) This Maximum Rent Regulation No. 9 applies to all housing accommodations within the Burlington Defense-Rental Area, as designated in the Designation and Rent Regulation (§§ 1388.401 to 1388.405, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Des Moines, Henry, and Lee in the State of Iowa, and the County of Henderson in the State of Illinois), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 9, shall apply only to that portion of the Burlington Defense-Rental Area consisting of the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union in the County of Des Moines; and the Townships of Baltimore, Center, Mount Pleasant, and New London in the County of Henry; and the Townships of Denmark, Green Bay, Madison, and Washington in the County of Lee, in the State of Iowa, and that for the remaining portion of the Burlington Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 9, shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 9 shall mean "August 1, 1942."

• • • • • •

§ 1388.414 *Maximum rents.* • • •

(c) For housing accommodations not rented on January 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.415 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.415 (c).

• • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941, as determined by the owner of such accommodations; *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.415 (c).

§ 1388.415 *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on January 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.416 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.417 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Townships of Augusta, Burlington, Concordia, Dan-

[1] 7 F. R. 4065.

ville, Flint River, Tama, and Union in the County of Des Moines, and the Townships of Baltimore, Center, Mount Pleasant, and New London in the County of Henry, and the Townships of Denmark, Green Bay, Madison, and Washington in the County of Lee, in the State of Iowa, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * * * *

§ 1388.424a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.411 (a), 1388.414 (c), (d), and (g), 1388.415 (a) (5), (a) (6), and (c) (5), 1388.416 (c), and 1388.417) to Maximum Rent Regulation No. 9 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6148; Filed, June 30, 1942; 12:16 P. M.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 10]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE WICHITA DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.464, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.465, paragraphs (c) of § 1388.466, and the first sentence of § 1388.467 of Maximum Rent Regulation No. 10[1] are hereby amended to read as follows:

§ 1388.464 *Maximum rents.* * * *

(c) For housing accommodations not rented on July 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after July 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.465 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after July 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.465 (c).

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.465 (c).

§ 1388.465 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on July 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the housing accommodations were not rented on July 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to July 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.466 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other persons who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * *

§ 1388.467 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.474a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.464 (c), (d) and (g), 1388.465 (a), (5), (a) (6) and (c) (5), 1388.466 (c) and 1388.467) to Maximum Rent Regulation No. 10 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6154; Filed, June 30, 1942; 12:18 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 11]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE DETROIT DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.511, paragraphs (c), (d), and (g) of § 1388.514, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.515, and paragraph (c) of § 1388.516, and the first sentence of § 1388.517 of Maximum Rent Regulation No. 11[1] are hereby amended to read as follows:

[Maximum Rent Regulation 11]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE DETROIT DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Detroit Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Detroit Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 11 for housing accommodations within the Detroit Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 11 is hereby issued.

§ 1388.511 *Scope of regulation.* (a) This Maximum Rent Regulation No. 11 applies to all housing accommodations with the Detroit Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.501 to 1388.505, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Macomb, Oakland, Washtenaw, and Wayne in the State of Michigan), except as provided in paragraph (b) of this section: *Provided, however*, That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 11 shall apply only to that portion of the Detroit Defense-Rental Area consisting of the Counties of Macomb, Oakland, and Wayne in the State of Michigan, and that for the remaining portion of the Detroit Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 11 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 11 shall mean "August 1, 1942."

* * * * *

§ 1388.514 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.515 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.515 (c).

* * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.515 (c).

§ 1388.515 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

* * * * *

§ 1388.516 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * *

§ 1388.517 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Counties of Macomb, Oakland, and Wayne, in the State of Michigan, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.524a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.511 (a), 1388.514 (c), (d), and (g), 1388.515 (a) (5), (a) (6), and (c) (5), 1388.516 (c), and 1388.517) to Maximum Rent Regulation No. 11 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6151; Filed, June 30, 1942; 12:17 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 12]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE SCHENECTADY DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.561, paragraphs (c), (d), and (g) of §§ 1388.564, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.565, paragraph (c) of § 1388.566 and the first sentence of § 1388.567 of Maximum Rent Regulation No. 12[1] are hereby amended to read as follows:

[Maximum Rent Regulation 12]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE SCHENECTADY DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Schenectady Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Schenectady Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 12 for housing accommodations within the Schenectady Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 12 is hereby issued.

[1] 7 F.R. 4069.

[1] 7 F.R. 4073.

[1] 7 F.R. 4076.

§ 1388.561 *Scope of regulation.* (a) This Maximum Rent Regulation No. 12 applies to all housing accommodations within the Schenectady Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.551 to 1388.555, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Montgomery, Saratoga, and Schenectady in the State of New York), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 12, shall apply only to that portion of the Schenectady Defense-Rental Area consisting of the County of Schenectady, and the Towns of Ballston, Charlton, and Clifton Park in the County of Saratoga, in the State of New York, and that for the remaining portion of the Schenectady Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 12 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 12 shall mean "August 1, 1942."

* * * * * *

§ 1388.564 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.565 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.565 (c).

* * * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.565 (c).

§ 1388.565 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

* * * * * *

§ 1388.566 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * * *

§ 1388.567 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the County of Schenectady, and the Towns of Ballston, Charlton, and Clifton Park in the County of Saratoga, in the State of New York, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the latter, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * * * * *

§ 1388.574a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.561 (a), 1388.564 (c), (d), and (g), 1388.565 (a) (5), (a) (6), and (c) (5), 1388.566 (c), and 1388.567) to Maximum Rent Regulation No. 12 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6153; Filed, June 30, 1942; 12:18 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 13][1]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE WILMINGTON, NORTH CAROLINA DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.614, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.615, paragraph (c) of § 1388.616, and the first sentence of § 1388.617 of Maximum Rent Regulation No. 13[1] are hereby amended to read as follows:

§ 1388.614 *Maximum Rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.615 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941, and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.615 (c).

* * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.615 (c).

§ 1388.615 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(c) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement. * * *

§ 1388.616 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant. * * *

§ 1388.617 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.624a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.614 (c), (d) and (g), 1388.615 (a) (5), (a) (6), and (c) (5), 1388.616 (c) and 1388.617) to Maximum Rent Regulation No. 13 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6155; Filed, June 30, 1942; 12:19 p. m.]

[1] 7 F.R. 4079.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 14][1]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE AKRON DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.661, paragraphs (c), (d), and (g) of § 1388.664, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.665, paragraph (c) of § 1388.666, and the first sentence of § 1388.667 of Maximum Rent Regulation No. 14[1] are hereby amended to read as follows:

[Maximum Rent Regulation 14]

HOUSING ACCOMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE AKRON DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Akron Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Akron Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 14 for housing accommodations within the Akron Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 14 is hereby issued.

§ 1388.661 *Scope of regulation.* (a) This Maximum Rent Regulation No. 14 applies to all housing accommodations within the Akron Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1383.651 to 1388.655, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Medina and Summit in the State of Ohio), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 14 shall apply only to that portion of the Akron Defense-Rental Area consisting of the County of Summit, and the Township of Wadsworth in the County of Medina, in the State of Ohio, and that for the remaining portion of the Akron Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 14 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 14 shall mean "August 1, 1942."

§ 1388.664 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.665 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.665 (c).

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.665 (c).

§ 1388.665 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the De-

[1] 7 F. R. 1688.

fense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement. • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement. • • •

§ 1388.666 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.667 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the County of Summit, and the Township of Wadsworth in the County of Medina, in the State of Ohio, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.674a *Effective date of amendments.* (a) Amendment No. 1 (§§ 1388.661 (a), 1388.664 (c), (d), and (g), 1388.665 (a) (5), (a) (6), and (c) (5), 1388.666 (c), and 1388.667) to Maximum Rent Regulation No. 14 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6156; Filed, June 30, 1942; 12:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 15]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE CANTON DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.711, paragraphs (c), (d), and (g) of § 1388.714, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.715, paragraph (c) of § 1388.716, and the first sentence of § 1388.717 of Maximum Rent Regulation No. 15[1] are hereby amended to read as follows:

[Maximum Rent Regulation 15]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE CANTON DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Canton Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Canton Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 15 for housing accommodations within the Canton Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 15 is hereby issued.

§1388.711 *Scope of Regulation.* (a) This Maximum Rent Regulation No. 15 applies to all housing accommodations within the Canton Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.701 to 1388.705, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Stark and Tuscarawas in the State of Ohio), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 15 shall apply only to that portion of the Canton Defense-Rental Area consisting of the County of Stark in the State of Ohio, and that for the remaining portion of the Canton Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 15 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 15 shall mean "August 1, 1942."

• • • • • • •

§ 1388.714 *Maximum rents.* • • •

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.715 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.715 (c).

• • • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.715 (c).

§ 1388.715 *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodatons during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

[1] 7 F.R. 4086.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

• • • • • • •

§ 1388.716 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.717 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the County of Stark, in the State of Ohio, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.724a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.711 (a), 1388.714 (c), (d), and (g), 1388.715 (a) (5), (a) (6), and (c) (5), 1388.716 (c), and 1388.717) to Maximum Rent Regulation No. 15 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6157; Filed, June 30, 1942; 12:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 16]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE CLEVELAND DEFENSE-RENTAL AREA

The title, preamble, and paragraph (a) of § 1388.761, paragraphs (c), (d), and (g) of § 1388.764, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.765, paragraph (c) of § 1388.766, and the first sentence of § 1388.767 of Maximum Rent Regulation No. 16[1] are hereby amended to read as follows:

[1] 7 F.R. 1690.

[Maximum Rent Regulation 16]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE CLEVELAND DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Cleveland Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941 defense activities had not yet resulted in increases in rents for housing accommodations within the Cleveland Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the said Cleveland Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 16 for housing accommodations within the Cleveland Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 16 is hereby issued.

§ 1388.761 *Scope of Regulation.* (a) This Maximum Rent Regulation No. 16 applies to all housing accommodations within the Cleveland Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.751 to 1388.755, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Counties of Cuyahoga, Geauga, and Lake in the State of Ohio), except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 16 shall apply only to that portion of the Cleveland Defense-Rental Area consisting of the County of Cuyahoga, and the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby in the County of Lake, in the State of Ohio, and that for the remaining portion of the Cleveland Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 16 shall mean "July 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 16 shall mean "August 1, 1942."

• • • • • • •

§ 1388.764 *Maximum rents.* • • •

(c) For housing accommodations not rented on July 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after July 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.765 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after July 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between these dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between these dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.765 (c).

• • • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.765 (c).

§ 1388.765 *Adjustments and other determinations.*

(a) • • •

(5) There was in force on July 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the housing accommodations were not rented on July 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to

July 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. (6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.766 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.767 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the County of Cuyahoga, and the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby, in the County of Lake, in the State of Ohio, on or before August 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

• • • • • •

§ 1388.774a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.761 (a), 1388.764 (c), (d), and (g), 1388.765 (a) (5), (a) (6), and (c) (5), 1388.766 (c), and 1388.767) to Maximum Rent Regulation No. 16 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6158; Filed, June 30, 1942; 12:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 17]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE RAVENNA DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.814, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.815, paragraph (c) of § 1388.816, and the first sentence of § 1388.817 of Maximum Rent Regulation No. 17[1] are hereby amended to read as follows:

§ 1388.814 *Maximum rents.* • • •

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.815 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.815 (c).

• • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.815 (c).

§ 1388.815 *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.816 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

§ 1388.817 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

• • • • • •

§ 1388.824a *Effective dates of amendments.* (a) Amendment No. 1 §§ 1388.814 (c), (d) and (g), 1388.815 (a) (5), (a) (6) and (c) (5), 1388.816 (c) and 1388.817) to Maximum Rent Regulation No. 17 shall become effective July 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6144; Filed, June 30, 1942; 12:15 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 18]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE YOUNGSTOWN-WARREN DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.864, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.865, paragraph (c) of § 1388.866, and the first sentence of § 1388.867 of Maximum Rent Regulation No. 18[1] are hereby amended to read as follows:

§ 1388.864 *Maximum rents.* • • •

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388 865 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.865 (c).

• • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.865 (c).

§ 1388.865 *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.866 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

• • • • • •

§ 1388.867 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

§ 1388.874a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.864 (c), (d) and (g), 1388.865 (a) (5), (a) (6) and (c) (5), 1388.866 (c) and 1388.867) to Maximum Rent Regulation No. 18 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6159; Filed, June 30, 1942; 12:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 19]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE HAMPTON ROADS DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.914, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.915, paragraph (c) of § 1388.916, and the first sentence of § 1388.917 of Maximum Rent Regulation No. 19[1] are hereby amended to read as follows:

§ 1388.914 *Maximum rents.* • • •

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.915 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.915 (c).

• • • • • •

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.915 (c).

§ 1388.915 *Adjustments and other determinations.* • • •

(a) • • •

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

• • • • • •

(c) • • •

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.916 *Restrictions on removal of tenant.* • • •

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or evic-

[1] 7 F.R. 4093.

[1] 7 F.R. 4097.

[1] 7 F.R. 4100.

tion of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * *

§ 1388.917 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * *

§ 1388.924a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.914 (c), (d) and (g), 1388.915 (a) (5), (a) (6) and (c) (5), 1388.916 (c) and 1388.917) to Maximum Rent Regulation No. 19 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6160; Filed, June 30, 1942; 12:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 20]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE PUGET SOUND DEFENSE-RENTAL AREA

Paragraphs (c), (d), and (g) of § 1388.964, paragraphs (a) (5), (a) (6), and (c) (5) of § 1388.965, paragraph (c) of § 1388.966, and the first sentence of § 1388.967 of Maximum Rent Regulation No. 20[1] are hereby amended to read as follows:

§ 1388.964 *Maximum rents.* * * *

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to June 1, 1942, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.965 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before June 1, 1942, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.965 (c).

* * * * *

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.965 (c).

§ 1388.965 *Adjustments and other determinations.* * * *

(a) * * *

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

* * * * *

(c) * * *

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

§ 1388.966 *Restrictions on removal of tenant.* * * *

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

* * * * *

§ 1388.967 *Registration.* On or before July 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * * * *

§ 1388.974a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.964 (c), (d) and (g), 1388.965 (a) (5), (a) (6 and (c) (5), 1388.966 (c) and 1388.967) to Maximum Rent Regulation No. 20 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6161; Filed, June 30, 1942; 12:22 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 21A]

HOTELS AND ROOMING HOUSES

The Preamble and § 1388.1501 (a) of Maximum Rent Regulation No. 21A[1] are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1501 (a) of this Maximum Rent Regulation, as designated in the Designations and Rent Declarations issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within each such Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

[1] 7 F.R. 4104

[1] 7 F.R. 4785.

§ 1388.1501 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations issued by the Administrator (§§ 1388.1 to 1388.5, 1388.301 to 1388.305, and 1388.401 to 1388.405, inclusive) on March 2, 1942, as amended on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The San Diego Defense-Rental Area, consisting of the County of San Diego, in the State of California.

(2) The Columbus, Georgia Defense-Rental Area, consisting of the County of Muscogee, in the State of Georgia; and Election Precinct One, including the City of Phenix City, in the County of Russell, in the State of Alabama.

(3) The Burlington Defense-Rental Area, consisting of the Counties of Des Moines, Henry, and Lee, in the State of Iowa; and the County of Henderson, in the State of Illinois.

§ 1388.1514a *Effective date of amendments.* (a) Amendment No. 1 (§ 1388.1501 (a)) to Maximum Rent Regulation No. 21A shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6162; Filed, June 30, 1942; 12:33 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 22A]

HOTELS AND ROOMING HOUSES

The Preamble and § 1388.1551 (a) of Maximum Rent Regulation No. 22A[1] are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1551 (a) of this Maximum Rent Regulation, as designated in the Designations and Rent Declarations issued by the Administrator on March 2, 1942, as amended on April 28, 1942, and on April 2, 1942, and within that portion of the Hampton Roads Defense-Rental Area set out in § 1388.1551 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designations and Rent Declarations.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area or portion of a Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

§ 1388.1551 *Scope of Regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas and the following portion of the Hampton Roads Defense-Rental Area (each Defense-Rental Area or portion of a Defense-Rental Area is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated by the Administrator (§§ 1388.51 to 1388.55, 1388.101 to 1388.105, 1388.151 to 1388.155, 1388.201 to 1388.205, 1388.251 to 1388.255, 1388.351 to 1388.355, 1388.501 to 1388.505, 1388.551 to 1388.555, 1388.601 to 1388.605, 1388.651 to 1388.655, 1388.701 to 1388.705, 1388.801 to 1388.805, 1388.851 to 1388.855, 1388.901 to 1388.905, 1388.951 to 1388.955, and 1388.1001 to 1388.1005, inclusive), except as provided in paragraph (b) of this section:

(1) The Birmingham Defense-Rental Area, consisting of the County of Jefferson, in the State of Alabama.

(2) The Mobile Defense-Rental Area, consisting of the County of Mobile, in the State of Alabama.

(3) The Bridgeport Defense-Rental Area, consisting of the County of Fairfield, in the State of Connecticut.

(4) The Hartford-New Britain Defense-Rental Area, consisting of the Counties of Hartford, Middlesex, and Tolland; and the Towns of Meriden and Wallingford, in the County of New Haven, all in the State of Connecticut.

(5) The Waterbury Defense-Rental Area, consisting of the County of Litchfield in its entirety; and the Towns of Beacon Falls, Bethany, Cheshire, Middlebury, Naugatuck, Oxford, Prospect, Southbury, Waterbury, and Wolcott, in the County of New Haven, all in the State of Connecticut.

(6) The South Bend Defense-Rental Area, consisting of the Counties of St. Joseph and Elkhart, in the State of Indiana.

(7) The Baltimore Defense-Rental Area, consisting of the City of Baltimore and the Counties of Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard, in the State of Maryland.

(8) The Detroit Defense-Rental Area, consisting of the Counties of Macomb, Oakland, Washtenaw, and Wayne, in the State of Michigan.

(9) The Schenectady Defense-Rental Area, consisting of the Counties of Montgomery, Saratoga, and Schenectady, in the State of New York.

(10) The Wilmington, North Carolina Defense-Rental Area, consisting of the County of New Hanover, in the State of North Carolina.

(11) The Akron Defense-Rental Area, consisting of the Counties of Medina and Summit, in the State of Ohio.

(12) The Canton Defense-Rental Area, consisting of the Counties of Stark and Tuscarawas, in the State of Ohio.

(13) The Ravenna Defense-Rental Area, consisting of the County of Portage, in the State of Ohio.

(14) The Youngstown-Warren Defense-Rental Area, consisting of the Counties of Mahoning and Trumbull, in the State of Ohio.

(15) That portion of the Hampton Roads Defense-Rental Area consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City in its entirety; the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Norfolk; the Magisterial Districts of Kempsville and Lynnhaven, in the County of Princess Anne; and the Magisterial District of Newport, in the County of Warwick, all in the State of Virginia.

(16) The Puget Sound Defense-Rental Area, consisting of the County of Kitsap and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest, all in the State of Washington.

§ 1388.1564a *Effective date of amendments.* (a) Amendment No. 1 (§ 1388.1551 (a)) to Maximum Rent Regulation No. 22A shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6163; Filed, June 30, 1942; 12:23 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 23A]

HOTELS AND ROOMING HOUSES

The Preamble and § 1388.1601 (a) of Maximum Rent Regulation No. 23A[1] are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1601 (a) of this Maximum Rent Regulation, as designated

[1] 7 F.R. 4787.

[1] 7 F.R. 4790.

in the Designations and Rent Declarations issued by the Administrator on March 2, 1942, as amended on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941 defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

§ 1388.1601 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.451 to 1388.455 and 1388.751 to 1388.755, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Wichita Defense-Rental Area, consisting of the County of Sedgwick, in the State of Kansas.

(2) The Cleveland Defense-Rental Area, consisting of the Counties of Cuyahoga, Geauga, and Lake, in the State of Ohio.

§ 1388.1614a *Effective date of amendments.* (a) Amendment No. 1 (§§ 1388.1601 (a)) to Maximum Rent Regulation No. 23A shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6152; Filed, June 30, 1942; 12:17 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 25]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1651 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within each such Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1651 to 1388.1664, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1388.1651 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1051 to 1388.1055, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The San Luis Obispo Defense-Rental Area, consisting of the County of San Luis Obispo, in the State of California.

(2) The Alexandria-Leesville Defense-Rental Area, consisting of the Parishes of Beauregard, Rapides, and Vernon, in the State of Louisiana.

(3) The Montgomery-Prince Georges Defense-Rental Area, consisting of the Counties of Montgomery and Prince Georges, in the State of Maryland.

(4) The Jackson-Milan-Humboldt Defense-Rental Area, consisting of the Counties of Carroll, Gibson, and Madison, in the State of Tennessee.

(5) The Tullahoma Defense-Rental Area, consisting of the Counties of Bedford, Coffee, Franklin, Lincoln, and Moore, in the State of Tennessee.

(6) The Brownwood Defense-Rental Area, consisting of the Counties of Brown, Coleman, and Comanche, in the State of Texas.

(7) The Alexandria-Arlington Defense-Rental Area, consisting of the Independent City of Alexandria and the Counties of Arlington and Fairfax, in the State of Virginia.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms and other housing accommodations within hotels or rooming houses: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1652 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.1653 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services, the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.1655 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1655 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.1654 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.1655) shall be:

(a) For housing accommodations rented on January 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on January 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on January 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.1655 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.1655 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodation not rented at any time between November 1, 1940 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.1655 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1655 (c).

§ 1388.1655 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on January 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to January 1, 1941, and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on January 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the service, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(5) There was in force on January 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain

such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c) (d), or (g) of § 1388.1654 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.1654 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.1656 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1657 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity herewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.1658 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.1659 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.1660 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.1661 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1662 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1663 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the Office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agent of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use of occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family.

The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1664 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.1651 to 1388.1664, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6146; Filed, June 30, 1942; 12:15 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 26]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1701 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or de-

creases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1701 to 1388.1714, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.1701 *Scope of Regulation.* (a) This Maximum Rent Regulation applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Anniston Defense-Rental Area, consisting of the Counties of Calhoun and Cleburne, in the State of Alabama.

(2) The Huntsville Defense-Rental Area, consisting of the Counties of Limestone, Madison, and Morgan, in the State of Alabama.

(3) The Muscle Shoals Defense-Rental Area, consisting of the Counties of Colbert and Lauderdale, in the State of Alabama.

(4) The Talladega Defense-Rental Area, consisting of the Counties of St. Clair, Shelby, and Talladega, in the State of Alabama.

(5) The New Haven Defense-Rental Area, consisting of the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge, in the County of New Haven, in the State of Connecticut.

(6) The New London Defense-Rental Area, consisting of the Counties of New London and Windham, in the State of Connecticut.

(7) The Jacksonville, Florida Defense-Rental Area, consisting of the County of Duval, in the State of Florida.

(8) The Macon Defense-Rental Area, consisting of the Counties of Bibb, Houston, and Peach, in the State of Georgia.

(9) The Joliet Defense-Rental Area, consisting of the County of Will, in the State of Illinois.

(10) The La Porte-Michigan City Defense-Rental Area, consisting of the Counties of La Porte and Starke, in the State of Indiana.

(11) The Junction City-Manhattan Defense-Rental Area, consisting of the Counties of Geary and Riley, in the State of Kansas.

(12) The Bath Defense-Rental Area, consisting of the Counties of Lincoln and Sagadahoc, in the State of Maine.

(13) The Niles Defense-Rental Area, consisting of the County of Berrien, in the State of Michigan.

(14) The Biloxi-Pascagoula Defense-Rental Area, consisting of the Counties of Harrison and Jackson, in the State of Mississippi.

(15) The Hattiesburg Defense-Rental Area, consisting of the County of Forrest, in the State of Mississippi.

(16) The Rolla-Waynesville Defense-Rental Area, consisting of the Counties of Laclede, Phelps, and Pulaski, in the State of Missouri.

(17) The Massena Defense-Rental Area, consisting of the County of St. Lawrence, in the State of New York.

(18) The Watertown Defense-Rental Area, consisting of the County of Jefferson, in the State of New York.

(19) The Fayetteville Defense-Rental Area, consisting of the Counties of Cumberland and Hoke, in the State of North Carolina.

(20) The Dayton Defense-Rental Area, consisting of the Counties of Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble, in the State of Ohio.

(21) The Lawton Defense-Rental Area, consisting of the County of Comanche, in the State of Oklahoma.

(22) The Sharon-Farrell Defense-Rental Area, consisting of the County of Mercer, in the State of Pennsylvania.

(23) The Abilene Defense-Rental Area, consisting of the Counties of Callahan, Jones, and Taylor, in the State of Texas.

(24) The Beaumont-Port Arthur Defense-Rental Area consisting of the Counties of Jefferson and Orange, in the State of Texas.

(25) The El Paso Defense-Rental Area, consisting of the County of El Paso, in the State of Texas.

(26) The Radford-Pulaski Defense-Rental Area, consisting of the Independent City of Radford, and the Counties of Montgomery and Pulaski, in the State of Virginia.

(27) The Morgantown Defense-Rental Area, consisting of the Counties of Marion and Monongalia, in the State of West Virginia.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms and other housing accommodations within hotels or rooming houses; *Provided*, That this Maximum Rent Regulation does not apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1702 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.1703 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services, the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.1705 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1705 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that Section approving a decrease of such services.

§ 1388.1704 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.1705) shall be:

(a) For housing accommodations rented on April 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on April 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.1705 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations change between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.1705 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between February 1, 1941 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941 In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.1705 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1705 (c).

§ 1388.1705 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on April 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on April 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to April 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on April 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accomodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.1704 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.1704 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.1706 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1707 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.1708 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.1709 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.1710 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and treble damages as provided for by the Act.

§ 1388.1711 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1712 *Petitions for Amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1713 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1714 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.1701 to 1388.1714, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6150; Filed, June 30, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 27]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of the Parsons Defense-Rental Area set out in § 1388.1751 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area and the said portion of the Parsons Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area and the said portion of the Parsons Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area and the said portion of the Parsons Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1751 to 1388.1764, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1388.1751 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all housing accommodations within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (hereinafter referred to in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1151 to 1388.1155, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Indianapolis Defense-Rental Area, consisting of the County of Marion, in the State of Indiana.

(2) That portion of the Parsons Defense-Rental Area consisting of the County of Labette, in the State of Kansas.

(3) The Minden Defense-Rental Area, consisting of the Parish of Webster, in the State of Louisiana.

(4) The Joplin-Neosho Defense-Rental Area, consisting of the Counties of Jasper and Newton, in the State of Missouri.

(5) The Lorain-Elyria Defense-Rental Area, consisting of the County of Lorain, in the State of Ohio.

(6) The Texarkana Defense-Rental Area, consisting of the County of Bowie, in the State of Texas; and the County of Miller, in the State of Arkansas.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms and other housing accommodations within hotels or rooming houses: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of the rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1752 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.1753 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services, the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant § 1388.1755 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1755 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that Section approving a decrease of such services.

§ 1388.1754 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.1755) shall be:

(a) For housing accommodations rented on July 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on July 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on July 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after July 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.1755 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after July 1, 1941 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.1755 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between May 1, 1941 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.1755 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1755 (c).

§ 1388.1755 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on July 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on July 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to July 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on July 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(5) There was in force on July 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the housing accommodations were not rented on July 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to July 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent, and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.1754 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.1754 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rent for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.1756 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however*, That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, of (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination

the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provisions of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1757 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.1758 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.1759 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commission or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.1760 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.1761 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenants applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1762 *Petitions for Amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1763 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use of any housing accommodations, or any agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1764 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.1751 to 1388.1764 inclusive), shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6140; Filed, June 30, 1942; 12:15 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 28]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of the Northeastern New Jersey Defense-Rental Area set out in § 1388.1801 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area and the said portion of the Northeastern New Jersey Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area and the said portion of the Northeastern New Jersey Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area and the said portion of the Northeastern New Jersey Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1801 to 1388.1814, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1388.1801 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all housing accommodations within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The San Francisco Bay Defense-Rental Area, consisting of the Counties of Alameda, Contra Costa, Marin, Napa, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, Sonoma, and Yolo, in the State of California.

(2) The Savannah Defense-Rental Area, consisting of the County of Chatham, in the State of Georgia.

(3) The Chicago Defense-Rental Area, consisting of the Counties of Cook, Du Page, Kane, and Lake, in the State of Illinois.

(4) The Rockford Defense-Rental Area, consisting of the Counties of Boone and Winnebago, in the State of Illinois.

(5) The Springfield, Massachusetts Defense-Rental Area, consisting of the Counties of Hampden and Hampshire, in the State of Massachusetts.

(6) The Saginaw-Bay City Defense-Rental Area, consisting of the Counties of Bay, Midland, and Saginaw, in the State of Michigan.

(7) The St. Louis Defense-Rental Area, consisting of the City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis, in the State of Missouri; and the Counties of Madison, Monroe, and St. Clair, in the State of Illinois.

(8) That portion of the Northeastern New Jersey Defense-Rental Area, consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union, in the State of New Jersey.

(9) The Buffalo Defense-Rental Area, consisting of the Counties of Erie and Niagara, in the State of New York.

(10) The Portland-Vancouver Defense-Rental Area, consisting of the Counties of Clackamas, Multnomah, and Washington, in the State of Oregon; and the County of Clark, in the State of Washington.

(11) The Erie Defense-Rental Area, consisting of the County of Erie, in the State of Pennsylvania.

(12) The Philadelphia-Camden Defense-Rental Area, consisting of the Counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia, in the State of Pennsylvania; and the Counties of Burlington, Camden, and Gloucester, in the State of New Jersey.

(13) The Pittsburgh Defense-Rental Area, consisting of the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland, in the State of Pennsylvania.

(14) The San Antonio Defense-Rental Area, consisting of the Counties of Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson, in the State of Texas.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms and other housing accommodations within hotels or rooming houses: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1802 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.1803 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the

date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services, the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.1805 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1805 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.1804 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.1805) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on March 1, 1942 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.1805 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.1805 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rents as provided in § 1388.1805 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942 or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1805 (c).

§ 1388.1805 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942, the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to March 1, 1942 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance and the rent on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to March 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.1804 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.1804 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.1806 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment

of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1807 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.1808 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.1809 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.1810 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.1811 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1812 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive.)

§1388.1813 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, said service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1814 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.1801 to 1388.1814, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6141; Filed, June 30, 1942; 12:14 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 29A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1851 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within each such Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1851 to 1388.1864, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1388.1851 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1051 to 1388.1055, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Montgomery-Prince Georges Defense-Rental Area, consisting of the Counties of Montgomery and Prince Georges, in the State of Maryland.

(2) The Alexandria-Arlington Defense-Rental Area, consisting of the Independent City of Alexandria and the Counties of Arlington and Fairfax, in the State of Virginia.

(3) The Jackson - Milan - Humboldt Defense-Rental Area, consisting of the Counties of Carroll, Gibson, and Madison, in the State of Tennessee.

(4) The Tullahoma Defense-Rental Area, consisting of the Counties of Bedford, Coffee, Franklin, Lincoln, and Moore, in the State of Tennessee.

(5) The Alexandria-Leesville Defense-Rental Area, consisting of the Parishes of Beauregard, Rapides, and Vernon, in the State of Louisiana.

(6) The Brownwood Defense-Rental Area, consisting of the Counties of Brown, Coleman, and Comanche, in the State of Texas.

(7) The San Luis Obispo Defense-Rental Area, consisting of the County of San Luis Obispo, in the State of California.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1852 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.1853 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.1855 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1855 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that Section approving a decrease of such services.

§ 1388.1854 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.1855) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on January 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on January 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after January 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after January 1, 1941 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1855 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a

condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.1855 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on January 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to January 1, 1941, and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on January 1, 1941, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(5) There was in force on January 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services, or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

§ 1388.1856 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5) such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except on action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1857 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.1854 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.1858 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.1859 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.1860 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.1861 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (1300.201 to 1300.247, inclusive).

§ 1388.1862 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (1300.201 to 1300.247, inclusive).

§ 1388.1863 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthy basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1864 *Effective Date of the Regulation.* This Maximum Rent Regulation (§§ 1388.1851 to 1388.1864, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6142; Filed, June 30, 1942; 12:14 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 30A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1901 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1901 to 1388.1914, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.1901 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Anniston Defense-Rental Area, consisting of the Counties of Calhoun and Cleburne, in the State of Alabama.

(2) The Huntsville Defense-Rental Area, consisting of the Counties of Limestone, Madison, and Morgan, in the State of Alabama.

(3) The Muscle Shoals Defense-Rental Area, consisting of the Counties of Colbert and Lauderdale, in the State of Alabama.

(4) The Talladega Defense-Rental Area, consisting of the Counties of St. Clair, Shelby, and Talladega, in the State of Alabama.

(5) The New Haven Defense-Rental Area, consisting of the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge, in the County of New Haven, in the State of Connecticut.

(6) The New London Defense-Rental Area, consisting of the Counties of New London and Windham, in the State of Connecticut.

(7) The Jacksonville, Florida Defense-Rental Area, consisting of the County of Duval, in the State of Florida.

(8) The Macon Defense-Rental Area, consisting of the Counties of Bibb, Houston, and Peach, in the State of Georgia.

(9) The Joliet Defense-Rental Area, consisting of the County of Will, in the State of Illinois.

(10) The La Porte-Michigan City Defense-Rental Area, consisting of the Counties of La Porte and Starke, in the State of Indiana.

(11) The Junction City-Manhattan Defense-Rental Area, consisting of the Counties of Geary and Riley, in the State of Kansas.

(12) The Bath Defense-Rental Area, consisting of the Counties of Lincoln and Sagadahoc, in the State of Maine.

(13) The Niles Defense-Rental Area, consisting of the County of Berrien, in the State of Michigan.

(14) The Biloxi-Pascagoula Defense-Rental Area, consisting of the Counties of Harrison and Jackson, in the State of Mississippi.

(15) The Hattiesburg Defense-Rental Area, consisting of the County of Forrest, in the State of Mississippi.

(16) The Rolla-Waynesville Defense-Rental Area, consisting of the Counties of Laclede, Phelps, and Pulaski, in the State of Missouri.

(17) The Massena Defense-Rental Area, consisting of the County of St. Lawrence, in the State of New York.

(18) The Watertown Defense-Rental Area, consisting of the County of Jefferson, in the State of New York.

(19) The Fayetteville Defense-Rental Area, consisting of the Counties of Cumberland and Hoke, in the State of North Carolina.

(20) The Dayton Defense-Rental Area, consisting of the Counties of Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble, in the State of Ohio.

(21) The Lawton Defense - Rental Area, consisting of the County of Comanche, in the State of Oklahoma.

(22) The Sharon-Farrell Defense-Rental Area, consisting of the County of Mercer, in the State of Pennsylvania.

(23) The Abilene Defense - Rental Area, consisting of the Counties of Callahan, Jones, and Taylor, in the State of Texas.

(24) The Beaumont-Port Arthur Defense-Rental Area, consisting of the Counties of Jefferson and Orange, in the State of Texas.

(25) The El Paso Defense-Rental Area, consisting of the County of El Paso, in the State of Texas.

(26) The Radford-Pulaski Defense-Rental Area, consisting of the Independent City of Radford, and the Counties of Montgomery and Pulaski, in the State of Virginia.

(27) The Morgantown Defense-Rental Area, consisting of the Counties of Marion and Monongalia, in the State of West Virginia.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1902 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.1903 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.1905 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1905 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.1904 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.1905) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on April 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on April 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after April 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after April 1, 1941 for that terms and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1905 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.1905 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on April 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941. In cases under paragraphs (a)-(7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on April 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to April 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on April 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnish-

ings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

§ 1388.1906 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1907 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.1904 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.1908 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.1909 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.1910 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.1911 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1912 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1913 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may

be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of "occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1914 *Effective date of the Regulation.* This Maximum Rent Regulation (§§ 1388.1901 to 1388.1914, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6143; Filed, June 30, 1942; 12:18 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 31A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of the Parsons Defense-Rental Area set out in § 1388.1951 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area and the said portion of the Parsons Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area and the said portion of the Parsons Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area and the said portion of the Parsons Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.1951 to 1388.1964, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.1951 *Scope of Regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1151 to 1388.1155, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Indianapolis Defense-Rental Area, consisting of the County of Marion, in the State of Indiana.

(2) That portion of the Parsons Defense-Rental Area consisting of the County of Labette, in the State of Kansas.

(3) The Minden Defense-Rental Area, consisting of the Parish of Webster, in the State of Louisiana.

(4) The Joplin-Neosho Defense-Rental Area, consisting of the Counties of Jasper and Newton, in the State of Missouri.

(5) The Lorain-Elyria Defense-Rental Area, consisting of the County of Lorain, in the State of Ohio.

(6) The Texarkana Defense-Rental Area, consisting of the County of Bowie, in the State of Texas; and the County of Miller, in the State of Arkansas.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.1952. *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum

Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.1953 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.1955 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.1955 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that Section approving a decrease of such services.

§ 1388.1954 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.1955) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on July 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on July 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after July 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during th period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after July 1, 1941 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparabl rooms on July 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1955 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.1955 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on July 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on July 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to July 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on July 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(5) There was in force on July 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necesary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

§ 1388.1956 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1957 *Registration.* (a) Within in 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraps (b) or (c) of § 1388.1954 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipts for the amount to be paid.

§ 1388.1958 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.1959 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.1960 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.1961 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1962 *Petition for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file peti-

tions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.1963 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.1964 *Effective date of the Regulation.* This Maximum Rent Regulation (§§ 1388.1951 to 1388.1964, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6145; Filed, June 30, 1942; 12:13 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 32A]

HOTEL AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of the Northeastern New Jersey Defense-Rental Area set out in § 1388.2001 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area and the said portion of the Northeastern New Jersey Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area and the said portion of the Northeastern New Jersey Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area and the said portion of the Northeastern New Jersey Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.2001 to 1388.2014, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1388.2001 *Scope of regulation.* (a) This Maximum Rent Regulation applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The San Francisco Bay Defense-Rental Area, consisting of the Counties of Alameda, Contra Costa, Marin, Napa, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, Sonoma, and Yolo, in the State of California.

(2) The Savannah Defense-Rental Area, consisting of the County of Chatham, in the State of Georgia.

(3) The Chicago Defense-Rental Area, consisting of the Counties of Cook, Du Page, Kane, and Lake, in the State of Illinois.

(4) The Rockford Defense - Rental Area, consisting of the Counties of Boone and Winnebago, in the State of Illinois.

(5) The Springfield, Massachusetts Defense-Rental Area, consisting of the Counties of Hampden and Hampshire, in the State of Massachusetts.

(6) The Saginaw-Bay City Defense-Rental Area, consisting of the Counties of Bay, Midland, and Saginaw, in the State of Michigan.

(7) The St. Louis Defense-Rental Area, consisting of the City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis, in the State of Missouri; and the Counties of Madison, Monroe, and St. Clair, in the State of Illinois.

(8) That portion of the Northeastern New Jersey Defense-Rental Area consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union, in the State of New Jersey.

(9) The Buffalo Defense-Rental Area, consisting of the Counties of Erie and Niagara, in the State of New York.

(10) The Portland-Vancouver Defense-Rental Area, consisting of the Counties of Clackamas, Multnomah, and Washington, in the State of Oregon; and the County of Clark in the State of Washington.

(11) The Erie Defense-Rental Area, consisting of the County of Erie, in the State of Pennsylvania.

(12) The Philadelphia-Camden Defense-Rental Area, consisting of the Counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia, in the State of Pennsylvania; and the Counties of Burlington, Camden, and Gloucester, in the State of New Jersey.

(13) The Pittsburgh Defense-Rental Area, consisting of the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland, in the State of Pennsylvania.

(14) The San Antonio Defense-Rental Area, consisting of the Counties of Atascosa, Bandera Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson, in the State of Texas.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.2002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.2003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.2005 (b) for approval of the decreased services. In all other cases except as provided in § 1388.2005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that Section approving a decrease of such services.

§ 1388.2004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.2005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after March 1, 1942 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.2005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.2005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that: (1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if be deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days afte. the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.2006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.2007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.2004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.2008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.2009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.2010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.2011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.2012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.2013 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee; or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.2014 *Effective date of the Regulation.* This Maximum Rent Regulation §§ 1388.2001 to 1388.2014, inclusive) shall become effective July 1, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6149; Filed, June 30, 1942; 12:16 p. m.]

Chapter XV—Board of War Communications

[Order No. 11]

PART 1710—CLOSURE OF RADIOTELEGRAPH POINT-TO-POINT CIRCUITS IN THE AGRICULTURE SERVICE

Whereas, The Board of War Communications has determined that the national security and defense and the successful conduct of the war demand the closure of all point-to-point radiotelegraph circuits within the continental United States which are in the Agriculture Service as defined by the Rules and Regulations of the Federal Communications Commission;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964[1] of December 10, 1941;

It is hereby ordered, That:

§ 1710.1 *Point-to-Point Radiotelegraph Circuits in the Agriculture Service.* All point-to-point radiotelegraph circuits within the continental United States which are in the Agriculture Service as defined by the Rules and Regulations of the Federal Communications Commission be, and they are hereby designated for closure, and, effective midnight July 30, 1942, are closed.

Provided, however, That upon a showing to the Federal Communications Commission that a vital public need, which cannot otherwise be met, will be served by the operation of a particular circuit or circuits, the Board may, upon the recommendation of the Commission, exempt in whole or in part such circuit or circuits from the above closure order or

[1] 6 F.R. 6368.

take other action to meet the public need.

Subject to such further order as the Board may deem appropriate.

Board of War Communications.

JAMES LAWRENCE FLY,
Chairman.

Attest: June 25, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-6101; Filed, June 29, 1942; 2:16 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 2[1]—Supp. 3]

PART 301—REGULATIONS AFFECTING MARITIME CARRIERS

UNIFORM TANKER VOYAGE CHARTER PARTY (MOLASSES)

Whereas an unlimited National Emergency was proclaimed by the President of the United States on May 27, 1941; and

Whereas, by Executive Order No. 9054,[2] dated February 7, 1942, the President of the United States conferred upon the War Shipping Administration the functions, duties, and powers with respect to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, to requisition or charter the use of any vessel or watercraft owned by citizens of the United States or under construction with the United States, for any period during such emergency; and

Whereas, pursuant to the aforesaid Proclamation and Executive Order of the President and the provisions of section 902 of the Merchant Marine Act, 1936, as amended, the Administrator, War Shipping Administration, has requisitioned and will from time to time requisition the use on a time charter basis of vessels owned by citizens of the United States, and has, and will from time to time, acquire the use on a time charter basis of vessels of citizens of foreign countries.

Now, therefore, it is hereby ordered, That:

§ 301.2b *Uniform tanker voyage charter party (molasses).* (a) Voyage charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, or his duly appointed agents, for the carriage of molasses in bulk on vessels the use of which has been requisitioned or acquired by the United States on a time charter basis, shall consist of two parts, designated respectively, Part I and Part II.

(b) The form of Part I of said voyage charter shall be as follows:

Form No. 106
Warshipmolvoy
6/10/42
Part I

Contract No. ------

TANKER VOYAGE CHARTER PARTY (MOLASSES)

PART I

Charter party made as of ----------, 194--, at ---------- between the United States of America, acting by and through the War Shipping Administration (hereinafter called the "Owner") of the good

MS

---------- SS ----------

(hereinafter called the "Vessel") and

(hereinafter called the "Charterer")

This Charter Party consists of this Part I and Part II on the reverse hereof. Unless in this Part I otherwise provided, all of the provisions of Part II shall be part of this Charter Party as though fully incorporated herein.

Net Registered Tonnage of Vessel----------
Classed----------
Loaded Draft of Vessel Applicable for this Voyage, ------ ft. ------ in. in salt water.
Capacity of -------- gallons of Molasses (10% more or less, vessel's option.)
Now---------- Coiled----------
Loading Port ----------
Cargo ----------
Discharging Port----------
Freight Rate ----------
Payable at----------
Readiness Date ----------
Cancelling Date----------
Hours for Loading & Discharging ----------
Demurrage per hour ---------- Last 2 cargoes

Special Provisions ----------

In witness whereof the parties hereto have executed this agreement, in triplicate, as of the day and year first above written.

UNITED STATES OF AMERICA,
By: WAR SHIPPING ADMINISTRATION,
By: ----------
By: ----------

Agents

Witness the signature of:

Witness the signature of:

(c) The uniform terms and conditions designated Part II, and which in the printed form hereof will appear on the reverse side of Part I, applicable to the carriage of molasses in bulk on all tank vessels time chartered by the War Shipping Administration, shall be as follows:

Form No. 106
Warshipmolvoy
6/10/42
PART II

TANKER VOYAGE CHARTER PARTY (MOLASSES)

PART II

LOADING PORT WARRANTY CARGO DISCHARGING PORT FREIGHT RATE INSPECTOR'S CERTIFICATE

1(a). The vessel, classed as aforesaid and to be so maintained during the currency of this charter, shall, with all convenient dispatch, proceed as ordered to Loading Port or so near thereunto as she may safely get (always afloat), and being tight, staunch and strong, and having all pipes, pumps and heater coils in good order, and being in every respect fitted for the voyage, so far as the foregoing conditions can be attained by the exercise of due diligence, perils of the sea and any other cause of whatsoever kind beyond the Owner's control excepted, shall load (always afloat) from the factors of the Charterer a full and complete cargo of Molasses in bulk, not exceeding what she can reasonably stow and carry over and above her tackle, apparel, stores and furniture (sufficient space to be left in the expansion tanks to provide for the expansion of the cargo), and being so loaded shall forthwith proceed, as ordered on signing Bills of Lading, to Discharging Port, or so near thereunto as she may safely get (always afloat), and deliver said cargo. The freight shall be at and after the rate stipulated in Part I hereof per American measured gallon of molasses, based on Bill of Lading quantity, adjustable on outturn gauge as shown in the Independent Inspectors Certificate of Gauge if cargo is free of duty, or Customs Certificate of Gauge if cargo is dutiable, a copy of certificate in either case to be furnished to Owner's agent by Charterer.

1(b). *Freight payable.* Full freight shall be irrevocably earned on cargo as loaded, vessel and/or cargo lost or not lost; payment to be made in United States Dollars to Owner's Agent at the Agent's place of business as follows:

90% on receipt of figures indicating Bill of Lading quantity shipped, notice of which shall be given promptly by Charterer to Owner's Agent; remainder on receipt of outturn gauge certificate; Bill of Lading quantity conclusive, if vessel and/or cargo lost.

The Owners will, upon completion of loading, order the vessel to sail to the discharging port, the Charterer in any case remaining liable to the Owner for all freight and charges, vessel and/or cargo lost or not lost.

1 (c). *Advances.* Cash shall be advanced by Charterer to the Master or Owner's Agents, if required, for ordinary disbursements at ports of loading and/or discharge at current rates of exchange.

2. *Time for naming loading port.* The Charterer shall name the loading port twenty-four (24) hours prior to the Vessel's readiness to sail from the last previous port of discharge, or from her bunkering port for the voyage, or upon signing this Charter if the Vessel has already sailed. Any extra expenses incurred by reason of the Charterer's delay in furnishing loading port orders shall be paid for by the Charterer, and any time thereby lost to the Vessel shall count as used lay time.

2 (a) *Rotation of ports.* Except as provided in Clause 14, if vessel loads at more than one port the ports shall be in geographical rotation either toward last loading port or toward the port of discharge.

3. *Readiness and cancelling date.* Lay time shall not commence before the readiness date stipulated in Part I hereof, except with the Charterer's sanction, and should the Vessel not be ready to load by 4:00 o'clock P. M. (local time) on the cancelling date stipulated in Part I hereof, the Charterer shall have the option of cancelling this Charter by giving Owner notice of such cancellation within twenty-four (24) hours after such cancellation date; otherwise this Charter to remain in full force and effect.

4. *Notice of readiness.* The Master or his representative shall give the Charterer or his agent at the ports of loading and discharge notice in writing during ordinary business hours that the Vessel is ready to load or discharge cargo, berth or no berth, and lay time shall commence upon the expiration of six (6) hours after receipt of such notice, or upon the Vessel's arrival in berth (i. e., finished mooring when at a sealoading or discharging terminal, and all fast when loading or discharging alongside a wharf), whichever first occurs: *Provided, however,* That where, because of routing instructions or other orders of the Owner over which the Charterer has no control, delay is caused to the Vessel for more than six (6) hours after notice of readiness is given, in waiting turn to load or discharge, lay time shall not commence until Vessel is berthed.

5. *Hours for loading and discharging.* Such number of running hours as are stipulated in Part I hereof shall be allowed the Charterer as lay time for loading and discharging cargo; but if the Vessel's condition or facilities do not admit of loading and discharging in the time allowed, then the additional time necessary therefor shall be included in lay time. If regulations of the Owner or port authorities prohibit loading or discharging of the cargo at night, time so lost shall not count as used lay time; if the Charterer, Shipper or Consignee prohibits loading or discharging at night, time so lost shall count as used lay time.

5 (a). If vessel loads at more than one port lay time shall commence at each additional port when Vessel passes over bar going in and count until Vessel passes over bar coming out. However, if the tide is suitable upon completion of loading and Vessel delays her sailing, time lost thereby shall not count as lay time. If, on completion of loading, tide is not favorable and Vessel does not sail at next favorable tide, time lost thereafter until time of sailing shall not count as lay time.

6 (a). *Safe berth.* The Vessel shall load and discharge at any safe place or wharf, or alongside vessels or lighters reachable on her arrival, which shall be designated and secured by the Charterer, any lighterage being at the expense, risk and peril of the Charterer, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat. The Charterer shall have the right of shifting the Vessel at ports of loading and/or discharge from one safe berth to another on payment of all expenses incurred, except as stated in Clause 14 hereof. Time consumed on account of shifting shall count as used lay time, except as stated in Clause 14.

7. *Pumping in and out.* The cargo shall be pumped into the Vessel at the expense, risk and peril of the Charterer, and shall be pumped out of the Vessel at the expense of the Vessel, but at the risk and peril of the Vessel only so far as the Vessel's permanent hose connections, where delivery of the cargo shall be taken by the Charterer or its Consignee. The Vessel shall supply her pumps and the necessary steam for discharging in all ports where the regulations permit of fire on board, as well as necessary hands. Should regulations not permit fires on board, the Charterer or Consignee shall supply, at its expense, all steam necessary for discharging as well as loading, but the Owner shall pay for steam supplied to the Vessel for all other purposes. If cargo is loaded from lighters, the Vessel, if permitted to have fires on board, shall, if required, furnish steam to lighters at Charterer's expense for pumping cargo into the Vessel.

8. *Hoses.* Hoses for loading and discharging to be furnished by Charterer at its risk and expense.

9. *Dead freight.* Should the Charterer fail to supply a full cargo, the Vessel may, at the Master's option, and shall, upon request of the Charterer, proceed on her voyage, provided that the tanks in which cargo is loaded are sufficiently filled to put her in seaworthy condition. In that event, however dead freight shall be paid on the difference between the quantity loaded and the quantity the Vessel would have carried if loaded to her minimum permissible freeboard for the voyage.

10. *Demurrage.* Charterer shall pay demurrage per running hour and pro rata for a part thereof at the rate stipulated in Part I for all time that loading and discharging and used lay time as elsewhere herein provided exceeds the allowed lay time herein specified. If, however, demurrage shall be incurred at ports of loading and/or discharge because of fire or explosion in or about the plant, or because of breakdown of machinery of the Charterer, shipper, or consignee of the cargo, the rate of demurrage shall be reduced to one-half the rate stipulated in Part I hereof per running hour and pro rata of such reduced rate for part of an hour for demurrage so incurred.

11. *Dues wharfage.* Dues and other charges on the cargo shall be paid by the Charterer, and dues and other charges on the Vessel shall be paid by the Owner. The Vessel, however, shall always be free of wharfage, dockage, and quay dues.

12. *Previous cargo.* The last two successive cargoes carried, or to be carried, by the Vessel immediately preceding her entering upon this Charter consisted, or will consist, of cargoes as stipulated in Part I hereof.

13. *Heating cargo.* 48 hours before arrival at discharging berth, if required by Charterer, Vessel shall apply heat gradually to cargo so that on arrival at discharging berth cargo is heated to between 85° and 90° Fahrenheit at coils. If required by Charterer, after Vessel has arrived at discharging berth, Vessel shall increase temperature and maintain it to 100° Fahrenheit or over during discharge. Steam shall be supplied at Owner's expense.

14. *Two ports counting as one.* The following: Paulsboro and Philadelphia; Camden and Philadelphia; Antilla and Preston; Deseo and Guantanamo; and any two of the following: Bufadero, Nuevitas, Pastelillo and Puerto Tarafa; Guayabal, Manopla and Santa Cruz del Sur, shall be regarded as in one port, and all expenses incurred in shifting shall be for account of the Owner, except that any extra port charges by reason of calling at the second port in each group shall be for account of the Charterer. The order of ports in any of the foregoing groups shall be at the Charterer's option. Time consumed in shifting shall not count as used lay time.

15. *Ice.* In case port of loading or discharge should be inaccessible owing to ice, the Vessel shall direct her course according to Master's judgment, notifying by telegraph or radio, if available, the Charterer, Shipper or Consignee, who is bound to telegraph or radio orders for another port (at its option), which is free from ice, and where there are facilities for the loading or reception of Molasses in Bulk. The whole of the time occupied from the time the Vessel is diverted by reason of the ice until her arrival at an ice-free port of loading or discharge as the case may be shall be paid for by the Charterer at the rate stipulated in Part I hereof.

16. If on Vessel's arrival off the port of loading or discharge there is danger of the Vessel being frozen in, the Master shall communicate by telegraph or radio, if available, with the Charterer, Shipper or Consignee of the cargo, who shall telegraph or radio him in reply, giving orders to proceed to another port as per Clause 15, where there is no danger of ice and where there are the necessary facilities for the loading or reception of Molasses in bulk, or to remain at the original port at their risk, and in either case Charterer to pay for the time that the Vessel may be delayed, at the rate stipulated in Part I hereof.

17. *Quarantine.* Should the Charterer send the Vessel to any port or place where a quarantine exists, any delay thereby caused to the Vessel shall count as used lay time; but should the quarantine not be declared until the Vessel is on passage to such port, the Charterer shall not be liable for any resulting delay.

18. If the Vessel, prior to or after entering upon this Charter, has docked or docks at any wharf which is not rat-free or stegomyia-free, she shall, before proceeding to a rat free or stegomyia-free wharf, be fumigated by the Owner at his expense, except that if the Charterer ordered the Vessel to the infected wharf he shall bear the expenses of fumigation.

19. *Cleaning.* If requested by the Charterer the Vessel will steam the tanks, pipes and pumps of the Vessel or Butterworth en route to loading port and there pump water ballast and/or slops into shore tank or barge to be supplied by Charterer immediately on arrival. Any delay in furnishing these facilities shall count as used lay time. Any further cleaning, if required, shall be done by and at the expense of Charterer and time consumed shall count as used lay time. If Charterer does not require additional cleaning at port of loading Owner shall not be responsible for any damage caused to or contamination of cargo, by reason of failure to have the tanks properly cleaned for receiving the shipment. Except as may otherwise be indicated in Part I, the Vessel shall not be responsible for leakage, shrinkage, difference between reported intake and reported outturn, deterioration, discoloration, or change in quality of the cargo, nor for any consequences arising out of shipping more than one grade of cargo.

20 (a). *Act of God, etc.* The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage, or delay or failure in performing hereunder, arising or resulting from:—any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer or Owner, Shipper or Consignee of the cargo, their agents or representatives; insufficiency of packing; insufficient or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defect in hull, eqipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer, shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from:—Act of God; act of war; act of public enemies, pirates or assailing thieves; arrest or restraint of princes, rulers of people, or seizure under legal process provided bond is promptly furnished to release the Vessel or cargo; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion.

20 (b). *Water ballast.* Charges for handling, storing or disposing of water ballast at loading port to be for account of Charterer.

20 (c). *Taxes.* Any Habilitacion tax, customs overtime, and taxes on freight at loading or discharging ports, also any unusual taxes, assessment and governmental charges that are not presently in effect but in the future may be imposed on the vessel or freight are to be borne by Charterer.

21. *Jason clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the cargo shippers, consignees, or owners of the cargo shall contribute with the Owner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the cargo. If a salving ship is owned or operated by the Owner, salvage shall be paid for as fully as if the salving ship or ships belong to strangers.

22. *General average.* General average shall be adjusted, stated and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into

[1] 7 F.R. 1505, 4386.
[2] 7 F.R. 837.

United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the cargo. Such cash deposit as the Owner or his agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees or owners of the cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

23. *Deviation.* The Vessel shall have liberty to call at any ports in any order, to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress, to deviate for the purpose of saving life or property or of landing any ill or injured person on board, and to call for fuel at any port or ports in or out of the regular course of the voyage. Any salvage shall be for the sole benefit of the Owner.

24. *Bills of lading.* Bills of Lading, in the form appearing below, for cargo shipped shall be signed by the Master as requested. Any Bill of Lading signed by the Master or Agent of the Owner shall be without prejudice to the terms, conditions and exceptions of this Charter. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel from all consequences or liabilities that may arise from the Charterer or its agents, or the Master, signing bills of lading or other documents inconsistent with this Charter, or from any irregularity in papers supplied by the Charterer or its agents, or from complying with its or its agents' orders.

25. *Clause paramount.* All Bills of Lading issued hereunder shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated therein, and nothing therein or herein contained shall be deemed a surrender by the Owner of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of any Bill of Lading issued hereunder be repugnant to said Act to any extent, such term shall be void to that extent but no further.

26. *Both to blame.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the Owner in the navigation or in the management of the Vessel, the owners of the cargo carried hereunder will indemnify the Owner against all loss or liability to the other or non-carrying ship or her Owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said cargo, paid or payable by the other or non-carrying ship or her Owners to the owners of said cargo and set off, recouped or recovered by the other or non-carrying ship or her Owners as part of their claim against the carrying ship or Owner. The foregoing provisions shall also apply where the Owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

27. *Lien.* The Owner shall have an absolute lien on the cargo for all freight, dead freight, demurrage and costs, including attorney's fees, of recovering the same, which lien shall continue after delivery of the cargo into the possession of the Charterer, or of the holders of any Bills of Lading covering the same, or of any storageman.

28. *Agents.* The Owner shall appoint Vessel's agents at all ports.

29 (a). *War clause.* In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the Vessel or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the cargo at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the cargo at port of shipment and upon their failure to do so, may warehouse the cargo at the risk and expense of the cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the cargo there, may discharge the cargo into depot, lazarette, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the cargo, or any part thereof, at any such port or place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master thinks advisable and discharge the cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the cargo by any means at the risk and expense of the cargo. The Owner or the Master is not required to give notice of discharge of the cargo, or the forwarding thereof as herein provided. When the cargo is discharged from the Vessel, as herein provided, it shall be at its own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Owner shall be freed from any further responsibility. For any service rendered to the cargo as herein provided, the Owner shall be entitled to a reasonable extra compensation.

29 (b). The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, route, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

29 (c). In addition to all other liberties herein the Owner shall have the right to withhold delivery of, reship to, deposit or discharge the cargo at any place whatsoever, surrender or dispose of the cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the cargo shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the cargo.

30. *Priority.* All agreements of the Owner contained in this Charter Party shall be subject to any orders or instructions of priority or requisition issued by the United States Government or the Government of the flag of the Vessel or any agencies thereof, or the requirements or naval or military authorities or other Agencies of Government.

31. *Limitation of liability.* Any provision of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner or Chartered Owner of vessels by any statute or rule of law for the time being in force.

32. *Approval.* The voyage under this Charter is subject to the approval of the War Shipping Administration and any conditions imposed by said Administration pursuant to the Ship Warrants Act (Public Law 173, 77th Congress).

33. *Assignment.* Subject to the approval of War Shipping Administration, the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

34. *Breach.* Damages for breach of this Charter shall include all provable damages, and all costs of suit and attorney fees incurred in any action hereunder.

35. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

36. *Definition of "Owner".* Wherever the word "Owner" appears herein same shall be deemed to include a Time Charterer, Demise Charterer, or a Requisition Charterer or user.

37. This Charter Party consists of this Part II and of Part I on the reverse hereof. Unless in this Part II otherwise provided, all of the provisions of said Part I shall be part of this Charter Party as though fully incorporated herein. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

BILL OF LADING

Shipped in apparent good order and condition by_____ on board the _____ Steamship _____ whereof _____ is Master, at the port of _____ to be delivered at the port of _____ or so near thereto as the Vessel can safely get, always afloat, unto _____ or order on payment of freight at the rate of _____. This shipment is carried under and pursuant to the terms of the Charter dated _____ at _____ between _____ and _____, as Charterer, and all the terms whatsoever of the said Charter except the rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.

In Witness Whereof, the Master has signed _____ Bills of Lading of this tenor and date, one of which being accomplished, the other will be void.

Dated at _____ this _____ day of _____

_____
Master

By order of the War Shipping Administration.

[SEAL] W. C. PEET, JR.,
Secretary.

JUNE 24, 1942.

[F. R. Doc. 42-6110; Filed, June 29, 1942; 8:34 p. m.]

[General Order 12—Supp. 2]

PART 330—TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS TANKERS

AUTHORITY: §§ 330.13 to 330.20, inclusive, issued under E.O. 9054; 7 F.R. 837.

§ 330.13 *Vessels included.* Sections 330.13 to 330.20, inclusive (General Order No. 12[1]), are applicable to services rendered in connection with operations of tank vessels under the standard form of tanker service agreement (Warshipoil-TCA).

§ 330.14 *Effective period.* Sections 330.13 to 330.20, inclusive, shall become effective at the earliest dates permissible under said service agreements.

§ 330.15 *Agent defined.* All persons, firms or corporations designated as "Agent" under a standard form of tanker service agreement (Warshipoil-TCA) shall be entitled to the compensation of Agent under §§ 330.13 to 330.20, inclusive.

§ 330.16 *Sub-agents defined.* A "Sub-Agent" is one who is appointed by an Agent to perform any of the functions of the Agent pursuant to the standard form of tanker service agreement (Warshipoil-TCA). A "Foreign Sub-Agent" is a sub-agent who performs his functions outside the continental limits of the United States.

§ 330.17 *Compensation of agents in continental United States ports.* As compensation for each tanker allocated to an agent to conduct the business of the vessel for the War Shipping Administration, such agent shall be paid at the rate of $400 per month. (Out of this compensation the agent must pay, among other things, all of the Agent's outgoing communication costs except for communications to places outside the continental United States excluding Alaska).

§ 330.18 *Compensation of sub-agents in continental United States ports.* As compensation for services rendered by a sub-agent for both the United States and the owner, the sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $125 for the first three days the vessel remains in port, and thereafter at the rate of $25 per day for each additional day; provided, no fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the owner.

As compensation for services rendered by a sub-agent for the United States only, the sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day; provided, no fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 330.19 *Compensation of sub-agents at ports outside of continental United States.* As compensation for services rendered by a foreign sub-agent for both the United States and the owner, the foreign sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $125 for the first three days the vessel remains in port, and thereafter at the rate of $25 per day for each additional day; provided, no fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the owner.

As compensation for services rendered by a foreign sub-agent for the United States only, the foreign sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day; provided, no fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 330.20 *Brokerage.* No brokerage will be paid except with the prior approval of the Administrator and application for such brokerage will not be considered unless brokerage was formerly paid in such trade.

By order of the War Shipping Administration.

[SEAL] W. C. PEET, JR.,
Secretary.

JUNE 27, 1942.

[F. R. Doc. 42-6111; Filed, June 29, 1942; 3:34 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit O.D.T. No. 6-A[1]]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

LOCAL DELIVERY CARRIERS[2]

DELIVERIES OF LIQUIDS IN BULK

In accordance with the provisions of paragraph (e) of § 501.36 of General Order O.D.T. No. 6[3] as amended,[4] Chapter II of this Title, Part 501, Subpart E, It is hereby authorized, That:

§ 521.2003 *Deliveries of liquids in bulk.* Any vehicle, the primary carrying capacity of which is occupied by a mounted tank or tanks designed to carry bulk liquids, when operated by a local carrier in the transportation and delivery of liquids in bulk, is hereby exempted from the provisions of General Order O.D.T. No. 6, as amended, Title 49, Chapter II, Part 501, Subpart E, for a period of fifteen (15) days commencing July 1, 1942, and ending July 15, 1942. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 6, 7 F.R. 3008, 7 F.R. 3532, and 7 F.R. 4184)

Issued at Washington, D. C., this 30th day of June 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6136; Filed, June 30, 1942; 11:59 a. m.]

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[1] 7 F.R. 4496, 4741.

[1] 7 F.R. 4186.
[2] Subpart E.
[3] 7 F.R. 3008.
[4] 7 F.R. 3532; 7 F.R. 4184.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-154]

C. E. FADDIS

CEASE AND DESIST ORDER

A complaint having been filed on November 26, 1941, by District Board No. 8, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, wherein complainant alleged that C. E. Faddis, a code member producer in District No. 8, wilfully violated the provisions of the Bituminous Coal Act of 1937, and the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment and further prayed that the Division revoke and cancel the code membership of C. E. Faddis or, in its discretion direct him to cease and desist from further violations of the Act.

Complainant having alleged that the code member violated the Act by selling and delivering between August 14 and 28, 1941, both dates inclusive, approximately 40 tons of high volatile ½" x 0 slack coal (Size Group 8) at 15 cents per net ton f. o. b. the mine when the established effective minimum price therefor as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments was $1.50 per net ton f. o. b. the mine, and selling and delivering between August 14 and 28, 1941, both dates inclusive, approximately 25 tons of run of mine coal (Size Group 6) at $1.50 per net ton f. o. b. the mine when the effective minimum price established therefor as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment was $2.15 per net ton;

Pursuant to an Order of the Acting Director dated January 14, 1942, after

due notice to interested persons, a hearing in this matter having been held on February 17, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Middlesboro, Kentucky;

All interested persons having been afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing; District Board No. 8 and C. E. Faddis having appeared at the hearing and all interested parties having waived the preparation and filing of a report by the Examiner, the record of the proceeding thereupon being submitted to the undersigned; the undersigned having made Findings of Fact, Conclusions of Law and having rendered an opinion which are filed herewith: [1]

Now, therefore, it is ordered, That the code member, his agents, servants, employees, successors or assigns, or any persons acting or claiming to act for or in his behalf, cease and desist from violating section 4 II (e) of the Act or the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments or from otherwise violating the provisions of the Act, the Code, and the rules and regulations issued thereunder.

It is further ordered, That if code member fails or refuses to comply with this order, the Division may apply to the Circuit Court of Appeals within any Circuit where code member resides or carries on business, for the enforcement thereof or take other appropriate action.

Dated: June 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6119; Filed, June 30, 1942; 10:53 a. m.]

[Docket No. A-1508]

DISTRICT BOARD 4

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Bituminous Coal Producers Board for District No. 4 for classification and pricing of gob pile or reject coal for both rail and truck shipment.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 5, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearings is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before —.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of the Bituminous Coal Producers Board for District No. 4 requesting the classification and pricing of gob pile or reject coal for both rail and truck shipment of coal produced in District No. 4.

Dated: June 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6120; Filed, June 30, 1942; 10:53 a. m.]

[Docket No. B-267]

R. & W. COAL COMPANY

ORDER CHANGING PLACE OF HEARING

In the matter of G. H. Ware and C. M. Reese, individually and as copartners, doing business under the name and style of R. & W. Coal Company, a partnership, code member.

The above-entitled matter having been heretofore scheduled for hearing on July 31, 1942 at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Barnesville, Ohio; and

The Acting Director deeming it advisable that the place of said hearing should be changed;

Now, therefore, it is ordered, That the place of hearing in the above-entitled matter be, and the same hereby is, changed from the Post Office Building, Barnesville, Ohio to the County Court House at Zanesville, Ohio; and

It is further ordered, That the Notice of and Order for Hearing dated June 19, 1942, entered in the above-entitled matter shall, in all other respects, remain in full force and effect.

Dated: June 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6121; Filed, June 30, 1942; 10:53 a. m.]

General Land Office.

[Public Land Order 4]

FLORIDA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

FOR USE AS AERIAL GUNNERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 [1] of April 24, 1942, it is ordered as follows:

The following-described public lands are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an aerial gunnery range:

TALLAHASSEE MERIDIAN

T. 5 S., R. 13 W.,
sec. 10, Lots 1, 2, 3;
containing 120.22 acres.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JUNE 25, 1942.

[F. R. Doc. 42-6117; Filed, June 30, 1942; 10:10 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

FORSYTH COUNTY, GEORGIA

LOCALITIES DESIGNATED FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determinatno of value for each follow:

Region V—Georgia

Forsyth County: Locality I—Consisting of district 795, $2,070. Locality II—Consisting of district 835, $1,537. Locality III—Consisting of district 841, $1,808. Locality IV—Consisting of district 878, $1,422. Locality V—Consisting of district 879, $1,312. Locality VI—Consisting of district 880, $1,439. Locality VII—Consisting of district 885, $1,065. Locality VIII—Consisting of district 1276, $1,920. Locality IX—Consisting of district 1351, $1,229. Locality X—Consisting of district 1413, $1,204. Locality XI—Consisting of district 1437, $822. Locality XII—Consisting of district 1599, $1,517. Locality XIII—Consisting of district 1727, $800.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved June 26, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42-6129; Filed, June 30, 1942; 11:09 a. m.]

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[1] Not filed with the original document.

[1] 7 F.R. 3067.

FEDERAL POWER COMMISSION.

[Docket Nos. G-109, G-112]

ILLINOIS COMMERCE COMMISSION V. NATURAL GAS PIPELINE CO. OF AMERICA AND TEXOMA NATURAL GAS CO.

ORDER POSTPONING HEARING

JUNE 26, 1942.

Illinois Commerce Commission, Complainant, v. Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Defendants.

In the matter of Natural Gas Pipeline Company of America and Texoma Natural Gas Company.

It appearing to the Commission that: Good cause has been shown for the postponement of the hearing in the above-entitled matter;

The Commission *orders* that: The hearing in the above-entitled matters heretofore set for July 20, 1942, be and it is hereby postponed to August 24, 1942, at 10:00 a. m. (C. W. T.), in Room 705, U. S. Customhouse, 610 South Canal Street, Chicago, Illinois.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-6116; Filed, June 30, 1942; 10:10 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4606]

NATIONAL CREPE PAPER ASSOCIATION OF AMERICA, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of June, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; as amended 52 Stat. 111; 15 U.S.C.A., section 41),

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, July 8, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time) Court Room No. 2, Post Office Building, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6130; Filed, June 30, 1942; 11:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order O.D.T. B-6]

KANSAS CITY, MO.—ALBUQUERQUE, N. MEX.

COORDINATION OF MOTOR VEHICLE SERVICE

Directing coordinated operation of passenger carriers by motor vehicle between Kansas City, Missouri, and Albuquerque, New Mexico.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by The Santa Fe Trail Transportation Company, Wichita, Kansas, and Southwestern Greyhound Lines., Inc., Fort Worth, Texas, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war.

It is hereby ordered, That:

1. The Santa Fe Trail Transportation Company and Southwestern Greyhound Lines, Inc., (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Kansas City, Missouri, and Albuquerque, New Mexico, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. On the routes served by the carriers between Kansas City, Missouri and Albuquerque, New Mexico, via Dodge City, Kansas, The Santa Fe Trail Transportation Company shall reduce its through service to one round trip daily and Southwestern Greyhound Lines, Inc. shall reduce its through service to two round trips daily.

3. On the routes described in Paragraph No. 2 hereof and in addition to the through service therein provided, The Santa Fe Trail Transportation Company shall operate a through service of one round trip daily between Kansas City, Missouri and Garden City, Kansas and Southwestern Greyhound Lines, Inc. shall operate a through service of one round trip daily between Garden City, Kansas and Albuquerque, New Mexico. Such services shall make direct connections at Garden City, Kansas so as to provide a coordinated through service.

4. On the route served by The Santa Fe Trail Transportation Company between Kansas City, Missouri and Albuquerque, New Mexico, via Tucumcari, New Mexico, it shall operate a through service of not to exceed one round trip daily.

5. The Santa Fe Trail Transportation Company shall suspend its service over U. S. Highways Nos. 85 and 87 between Pueblo and Trinidad, Colorado, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory body a notice describing the operations to be suspended in compliance herewith, together with a true copy of this order.

6. The carriers forthwith shall file with the Interstate Commerce Commission and with each appropriate State regulatory body, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth the changes in the fares, charges, operations, rules, regulations and practices of each carrier, which will be required to comply with the provisions of this order, and forthwith shall apply to said Commission and regulatory bodies for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective July 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 30th day of June 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6135; Filed, June 30, 1942; 11:59 a. m.]

JUL 17 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 129

Washington, Thursday, July 2, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 31—FEDERAL LAND BANK OF BERKELEY

LIQUIDATION OR PREPAYMENT FEES

Section 31.11 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.11 *Liquidation or prepayment fees.* A prepayment fee is collected from land bank borrowers in those cases where payments in full arise from the refinancing of the loan from a non-Government lending source and where the loan has been in force for less than five years.

Full payments on loans during the first five years the loans are in force are exempt from prepayment fees to the extent of 20 per cent of the original amount per year. On any amount in excess of the 20 per cent per year a prepayment fee of one-half of one per cent per annum for the unexpired portion of the five year period is charged. The 20 per cent per year permitted without prepayment fee may be accumulated from year to year in such a manner that the entire loan may be paid off before the expiration of the five year period without penalty.

Where the funds remitted for prepayment of a loan are in excess of the 20 per cent per year allowed and where they were not obtained from the refinancing of the loan from a non-Government lending source, a certification to that effect is to accompany the remittance to the Bank in order to insure that the prepayment fee will not be charged. (Sec. 12 "Second", 39 Stat. 370, as amended, 12 U.S.C. 771 "Second"; 6 CFR 10.386.) (Res. Ex. Com., May 26, 1942.)

[SEAL] FEDERAL LAND BANK OF BERKELEY,
By CHAS. PARKER,
President.

[F. R. Doc. 42-6172; Filed, June 30, 1942; 3:36 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[Supplement No. 1]

PART 702—1942 AGRICULTURAL CONSERVATION PROGRAM BULLETIN

INSULAR REGION

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, (49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 728; 55 Stat. 257, 860; 56 Stat. 51; 16 U.S.C. 590g–590q), the 1942 Agricultural Conservation Program Bulletin for the Insular Region, issued June 17, 1942, is hereby amended as follows:

Paragraph (c) of § 702.302 is hereby amended by the addition of a fourth subparagraph as follows:

(4) The 1942 State average yield of rice for the Territory of Hawaii, as established by the Secretary, is 40.59 hundredweight.

Done at Washington, D. C., this 30th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6212; Filed, July 1, 1942; 11:14 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Agricultural Marketing Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

HILLBORO LIVESTOCK SALES CO.

NOTICE UNDER PACKERS AND STOCKYARDS ACT

JUNE 30, 1942.

Notice to Hillsboro Livestock Sales Company at Hillsboro, State of Ohio.[1]

[1] Modifies list posted stockyards 9 CFR 204.1.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Whereas, the Hillsboro Livestock Sales Company was posted on October 25, 1937, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it now appears that the Hillsboro Livestock Sales Company is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Hillsboro Livestock Sales Company no longer comes within the foregoing definition and the provisions of Title III of said Act.

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6169; Filed, June 30, 1942; 3:12 p. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

HOCKING VALLEY LIVESTOCK SALES CO.

NOTICE UNDER PACKERS AND STOCKYARDS ACT

JUNE 30, 1942.

Notice to The Hocking Valley Livestock Sales Company at Lancaster, State of Ohio.[1]

Whereas, The Hocking Valley Livestock Sales Company was posted on November 8, 1937, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it now appears that The Hocking Valley Livestock Sales Company is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that The Hocking Valley Livestock Sales Company no longer comes within the foregoing definition and the provisions of Title III of said Act.

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6170; Filed, June 30, 1942; 3:12 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Serial Number 1818]

FLASHER MECHANISMS FOR TAIL LIGHTS

EFFECTIVE DATE OF ORDER POSTPONED

Order postponing effective date of Amendments Nos. 04-9,[2] 04-10, 15-1, 60-59, and 60-60.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 26th day of June, 1942.

Whereas the Civil Aeronautics Board, at a regular session held at its office in Washington, D. C., on February 21, 1942, adopted Amendments Nos. 04-9, 04-10, 15-1, 60-59, and 60-60, Civil Air Regulations; and

Whereas the Board ordered such amendments to become effective July 1, 1942; and

It appearing that:

Certain materials required in the manufacture of flasher mechanisms for the flashing tail lights required by the amendments will not be available in time to permit scheduled air carriers to install flasher lights by July 1, 1942;

Now, therefore, the Civil Aeronautics Board, acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended:

Orders, That, the effective date of Amendments Nos. 04-9, 04-10, 15-1, 60-59, and 60-60 be, and hereby is, postponed to November 1, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6207; Filed, July 1, 1942; 11:00 a. m.]

[1] Modifies list posted stockyards 9 CFR 204.1.

[2] Amendments 04-9 and 04-10 appear at 7 F.R. 1709 as 04-14 and 04-15 (see also 7 F.R. 1730). Amendments 15-1, 60-59, 60-60 appear at 7 F.R. 1710.

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 5 of Part 600]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF AMBER CIVIL AIRWAYS 6 AND 7[1]

JUNE 29, 1942.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics, as follows:

1. By striking the following words appearing in § 600.10105:

"The intersection of the center lines of the on course signals of the northwest leg of the Chattanooga, Tenn., radio range and the southeast leg of the Nashville, Tenn., radio range."

2. By inserting the following words after "Savannah, Ga., radio range station" in § 600.10106:

"The intersection of the center lines of the on course signals of the northwest leg of the Savannah, Ga., radio range and the southwest leg of the Charleston, S. C., radio range."

This amendment shall become effective 0001 E. S. T., July 1, 1942.

C. I. STANTON,
Acting Administrator.

[F. R. Doc. 42-6198; Filed, July 1, 1942; 10:11 a. m.]

[1] 7 F.R. 1419.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3559]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SUPREME SALES COMPANY, ETC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of watches, clocks, dolls, doll carriages, men's and boys' jackets, and other articles of merchandise, and among other things, as in order set forth, (1) supplying, etc., others with pull cards or other devices which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; (2) shipping, etc., to agents or distributors, or to members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Supreme Sales Company, etc., Docket 3559, June 23, 1942]

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or products:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Terms and conditions.* In connection with offer, etc., in commerce, of watches, clocks, dolls, doll carriages, men's and boys' jackets, and other articles of merchandise, and among other things, as in order set forth, using the term "free" or any other term of similar import or meaning to describe or refer to goods, wares, or merchandise which are given as compensation for services rendered; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Supreme Sales Company, etc., Docket 3559, June 23, 1942]

In the Matter of Harry Froman, Individually, and Trading as Supreme Sales Company and Reliable Premium House

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before Randolph Preston and Andrew B. Duvall, Trial Examiners of the Commission theretofore designated by it, in support of the allegations of the complaint and in opposition thereto, and briefs in support of and in opposition to the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Harry Froman, individually and trading as Supreme Sales Company and Reliable Premium House, or under any other trade name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of watches, clocks, dolls, doll carriages, men's and boys' jackets, and other articles of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to or placing in the hands of others pull cards or other devices which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme;

(2) Shipping, mailing, or transporting to agents or distributors, or to members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme;

(4) Using the term "free" or any other term of similar import or meaning to describe or refer to goods, wares, or merchandise which are given as compensation for services rendered.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6216; Filed, July 1, 1942; 11:19 a. m.]

[Docket No. 3702]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AUTOGROOM COMPANY

§ 3.48 (a) *Disparaging competitors and their products—Competitors—Discontinuance of operations:* § 3.48 (b) *Disparaging competitors and their products—Goods—Competitor's as same as:* § 3.48 (b) *Disparaging competitors and their products—Goods—Discontinuance of:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Comparative data or merits.* In connection with offer, etc., in commerce, of a cleaner and polish for automobiles, representing (1) that a competitor who manufactures and sells a cleaner and polish for automobiles known as "Karsmetik" has discontinued business; (2) that the product known as "Karsmetik" is no longer being offered for sale or sold; (3) that the chemist who developed the formula for the product known as "Karsmetik" is in the employ of respondents; and (4) that respondents' product "Auto-Groom" is in all respects the same as the product known as "Karsmetik"; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Autogroom Company, Docket 3702, June 24, 1942]

In the Matter of Mathew W. M. Devitt, Roy D. Schlegel, and Robert E. Sargent, Trading as Autogroom Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, and joint answer of respondents, the testimony and other evidence introduced before John W. Addison, a duly appointed trial examiner of the Commission theretofore designated to serve in this proceeding,

the report of the trial examiner and exceptions thereto, and briefs in support of and in opposition to the complaint; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents, Mathew W. M. Devitt, Roy D. Schlegel, and Robert E. Sargent, individuals trading as Autogroom Company, or trading or doing business under any other name or designation, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a cleaner and polish for automobiles in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that a competitor who manufactures and sells a cleaner and polish for automobiles known as "Karsmetik" has discontinued business;

(2) Representing that the product known as "Karsmetik" is no longer being offered for sale or sold;

(3) Representing that the chemist who developed the formula for the product known as "Karsmetik" is in the employ of respondents;

(4) Representing that respondents' product "Auto-Groom" is in all respects the same as the product known as "Karsmetik".

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6218; Filed, July 1, 1942; 11:18 a. m.]

[Docket No. 4132]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WESTERN CONFECTIONERS ASSOCIATION, INC. ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* §3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of candies and confections, and on the part of respondents Western Confectioners Association, Inc., some fourteen individuals as officers, directors, trustees and members thereof, and some eighteen corporate and partnership concerns as such members, and on the part of latter's officers, etc., (1) entering into, continuing, or carrying out, or aiding or assisting in the continuing or carrying out, of any agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, for the purpose or with the effect of establishing or maintaining uniform or minimum prices for respondents' products or uniform discounts to purchasers of such products; and (2) by cooperative or concerted action, or agreement or understanding, between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, (a) fixing, establishing or maintaining uniform or minimum prices for respondents' products, or uniform discounts to purchasers of such products; (b) classifying purchasers or prospective purchasers of respondents' products into classes for the purpose or with the effect of fixing, establishing, or maintaining uniform discounts to such purchasers; and (c) coercing or attempting to coerce manufacturers, by threats of legal action or otherwise, to maintain uniform or minimum prices fixed by respondents; prohibited. Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Western Confectioners Association, Inc., et al., Docket 4132, June 22, 1942]

In the Matter of Western Confectioners Association, Inc., a Corporation; Warren Watkins, Individually and as President and as a Member of Western Confectioners Association, Inc., T. A. White, Individually and as Vice-President and as a Member of Western Confectioners Association, Inc., Clarence M. Kretchmer, Individually and as Secretary-Treasurer and as a Member of Western Confectioners Association, Inc.; Leroy M. Gimbal, Alfred Beaudry, Leon Sweet, Harold Thompson, and E. H. Jenanyan, Individually and as Directors and as Members of Western Confectioners Association, Inc.; A. C. Carrington, Chester Roberts, George Cardinet, H. L. Brown, Robert W. Kaneen, and E. A. Hoffman, Individually and as Trustees and as Members of Western Confectioners Association, Inc.; Brown & Haley, a Corporation; D. M. Gimbal, and R. E. Gimbal, Individually and as Copartners Trading and Doing Business as Gimbal Brothers; Euclid Candy Company of California, Inc., a Corporation; Hromada Candy Co., a Corporation; Sierra Candy Co., Inc., a Corporation; Hoefler's Centennial Chocolates, Ltd., a Corporation; National Biscuit Co., a Corporation; Walter A. Vellguth, Individually and Trading and Doing Business as Vellguth's Candy Co., George Haas & Sons, a Corporation; Planters Nut & Chocolate Co., a Corporation; Frederick W. Theisen, Individually and Trading Under the Trade Name of Purity Candy Company; Laurente Cerf, Individually and Trading and Doing Business as Orange Blossom Candy Co.; Collins Candy Co., a Corporation; Nathan Matzger, and Manford Matzger, Individually and as Copartners Trading and Doing Business Under the Partnership Name of Matzger Chocolate Co.; Golden Nugget Sweets, Ltd., a Corporation; William G. Coxon, and Pearl W. Coxon, Individually and as Copartners Trading and Doing Business as Coxon Co.; E. A. Hoffman Candy Co., a Corporation; General Food Products Company, a Corporation; Alfred Beaudry, and Wilfred Beaudry, Individually and as Copartners Trading and Doing Business Under the Partnership Name of Beaudry Bros. Candy Co.; James Doumakes, Individually and Trading and Doing Business Under the Firm Name Doumaks Marshmallow Co.; Sam Gendel and Lillian Gold, Individually and as Copartners Trading and Doing Business as Los Angeles Nut House; Johanna A. Gilker, Individually and Trading and Doing Business as Los Angeles Confection Co.; Pearson Candy Co., Ltd., a Corporation; Triangle Candy Co., a Corporation; Jesse E. Beckjord, Individually and Doing Business as Wonder Food Marshmallow Co.; Charles E. Hassey, Individually and Trading and Doing Business as Hassey Candy Co.; Walter A. Hewitt, Individually and Trading and Doing Business as Hewitt Candy Co.; Sunkist Candy Co., a Corporation; G. Fred Spearin, an Individual; J. G. McDonald Chocolate Co., a Corporation; Ostler Candy Co., a Corporation; Robert E. Wilson, Individually and Trading and Doing Business as Sweetarts; Queen Anne Candy Co., a Corporation; Candy House, Inc., a Corporation; Joseph Vinikow, Individually and Trading and Doing Business as Parisian Candy Co.; Margaret Burnham's, Inc., a Corporation; Cardinet Candy Company, Inc., a Corporation; California Peanut Co., a Corporation; Louis F. Chiodo and Emilio G. Chiodo, Individually and as Copartners Trading and Doing Business as Chiodo Candy Co.; Leslie N. Johnson, Individually and Trading and Doing Business as Leslie's Fountain; Brecht Candy Co., a Corporation; Cosner Candy Co., a Corporation; Savage Candy Co., a Corporation; Carl C. Bonn, Individually and Trading and Doing Business as Bonn Candy Co.; Davenport Candycrafts, a Corporation; Riley Candy Co., a Corporation; Shupe-Williams Candy Co., a Corporation; Startup Candy Co., a Corporation; Idaho Candy Co., a Corporation; Warren Watkins, Trading as Warren Watkins Manufacturing Company; Sweet Candy Company, a Corporation; Miss Saylor's Chocolates, Inc., a Corporation; Imperial Candy Company, a Corporation; Christopher Candy Company, a Corporation; and B. Guy Showley, Individually and Trading as Showley Bros.

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 22d day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended and supplemental complaint of the Commission, the answers of respondents, testimony and other evidence taken before Randolph Preston, a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument, and the Commission having made its findings as to the facts and its conclusion that certain of the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents Western Confectioners Association, Inc., a corporation; Warren Watkins, T. A. White, and Clarence M. Kretchmer, individually and as officers and members of said Association; Leroy M. Gimbal, Alfred Beaudry, Leon Sweet, Harold Thompson, and E. H. Jenanyan, individually and as directors and members of said Association; A. C. Carrington, Chester Roberts, George Cardinet, H. L. Brown, Robert W. Kaneen, and E. A. Hoffman, individually and as trustees and members of said Association;

Brown & Haley, a corporation; L. M. Gimbal and R. E. Gimbal, individually and as copartners trading and doing business as Gimbal Brothers; Hromada Candy Co., a corporation; Sierra Candy Co., Inc., a corporation; National Biscuit Co., a corporation; Planters Nut & Chocolate Co., a corporation; General Food Products Company, a corporation; Alfred Beaudry and Wilfred Beaudry, individually and as copartners trading and doing business under the partnership name of Beaudry Bros. Candy Co.; Candy House, Inc., a corporation; Cardinet Candy Company, Inc., a corporation;

Brecht Candy Co., a corporation; Warren Watkins, trading as Warren Watkins Manufacturing Company; Sweet Candy Company, a corporation; Miss Saylor's Chocolates, Inc., a corporation; Imperial Candy Company, a corporation; Christopher Candy Company, a corporation; and B. Guy Showley, individually and trading as Showley Bros.; and respondents' officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candies and confections in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Entering into, continuing, or carrying out, or aiding or assisting in the continuing or carrying out, of any agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, for the purpose or with the effect of establishing or maintaining uniform or minimum prices for respondents' products or uniform discounts to purchasers of such products;

2. Doing, by cooperative or concerted action, or agreement or understanding, between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, any of the following acts or things:

(a) Fixing, establishing or maintaining uniform or minimum prices for respondents' products, or uniform discounts to purchasers of such products;

(b) Classifying purchasers or prospective purchasers of respondents' products into classes for the purpose or with the effect of fixing, establishing, or maintaining uniform discounts to such purchasers;

(c) Coercing or attempting to coerce manufacturers, by threats of legal action or otherwise, to maintain uniform or minimum prices fixed by respondents.

It is further ordered, That said respondent shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That this proceeding be, and it hereby is, dismissed as to respondents Euclid Candy Company of California, Inc., a corporation; Hoefler's Centennial Chocolates, Ltd., a corporation; Walter A. Vellguth, individually and trading and doing business as Vellguth's Candy Co.; George Haas & Sons, a corporation; Frederick W. Theisen, individually and trading under the trade name of Purity Candy Company;

Laurente Cerf, individually and trading and doing business as Orange Blossom Candy Co.; Collins Candy Co., a corporation; Nathan Matzger and Manford Matzger, individually and as copartners trading and doing business under the partnership name of Matzger Chocolate Co.;

Golden Nugget Sweets, Ltd., a corporation; William G. Coxon and Pearl W. Coxon, individually and as copartners trading and doing business as Coxon Co.; James Doumakes, individually and trading and doing business under the firm name Doumaks Marshmallow Co.;

Sam Gendel and Lillian Gold, individually and as copartners trading and doing business as Los Angeles Nut House; Johanna A. Gilker, individually and trading and doing business as Los Angeles Confection Co.; Pearson Candy Co., Ltd., a corporation; Triangle Candy Co., a corporation;

Jesse G. Beckjord, individually and trading and doing business as Wonder Food Marshmallow Co.; Charles E. Hassey, individually and trading and doing business as Hassey Candy Co.; Walter A. Hewitt, individually and trading and doing business as Hewitt Candy Co.; Sunkist Candy Co., a corporation; G. Fred Spearin, an individual;

J. G. McDonald Chocolate Co., a corporation; Ostler Candy Co., a corporation; Robert E. Wilson, individually and trading and doing business as Sweetarts; Queen Anne Candy Co., a corporation; Joseph Vinikow, individually and trading and doing business as Parisian Candy Co.; Margaret Burnham's, Inc., a corporation; Louis F. Chiodo and Emilio G. Chiodo, individually and as copartners trading and doing business as Chiodo Candy Co.;

Leslie N. Johnson, individually and trading and doing business as Leslie's Fountain; Cosner Candy Co., a corporation; Savage Candy Co., a corporation; Carl C. Bonn, individually and trading and doing business as Bonn Candy Co.; Davenport Candycrafts, a corporation; Riley Candy Co., a corporation; Shupe-Williams Candy Co., a corporation; Startup Candy Co., a corporation; and Idaho Candy Co., a corporation.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6215; Filed, July 1, 1942; 11:19 a. m.]

[Docket No. 4447]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MONTGOMERY WARD AND COMPANY, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.96 (a) *Using misleading name—Goods—Qualities or properties:* § 3.96 (a) *Using misleading name—Goods—Results.* In connection with offer, etc., of devices for feminine use designated by respondent as "Ward's Posture-Aid Health Belts", "Diab Reducers" and "DuPont's Velutex Perforated Reducers", or any similar device, (1) disseminating, etc., any advertisements by means of United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said devices, which advertisements represent, directly or through inference, (a) that the wearing of any of said devices will remove excess flesh from the human body, or from the diaphragm or abdomen or any particular part or area of the body; (b) that the wearing of any of said devices will mold the abdomen gently or correct figure faults in excess of compressing that portion of the body about which said devices are placed and to that extent only improve the appearance of the wearer while the devices are actually being worn; ( ) that the wearing of said devices, or any of them, will correct pendulous abdomens or take two or three inches, or any certain number of inches, from the wearer's diaphragm and abdomen; and (d) that said devices, or any of them, will make it easy for the wearer to reduce; and (2) using as a part of the designation or trade name of said devices the words "Health" or "Reducers", when such devices are offered for sale, sold or distributed in commerce; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Montgomery Ward and Company, Inc., Docket 4447, June 23, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence introduced before William C. Reeves, John W. Addison, and John J. Keenan, Trial Examiners of the Commission, theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, and briefs in support of and in opposition to the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Montgomery Ward & Co., Inc., a corporation, its officers, directors, agents, representatives and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of devices for feminine use designated by the respondent as "Ward's Posture-Aid Health Belts," "Diab Reducers" and "DuPont's Velutex Perforated Reducers," or otherwise designated, or any device of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, any advertisement (a) by means of United States mails, or (b) by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference,

(1) That the wearing of any of said devices will remove excess flesh from the human body, or from the diaphragm or abdomen or any particular part or area of the body;

(2) That the wearing of any of said devices will mold the abdomen gently or correct figure faults in excess of compressing that portion of the body about which said devices are placed and to that extent only improve the appearance of the wearer while the devices are actually being worn;

(3) That the wearing of said devices, or any of them, will correct pendulous abdomens or take two or three inches, or any certain number of inches, from the wearer's diaphragm and abdomen;

(4) That said devices, or any of them, will make it easy for the wearer to reduce.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said devices, or any of them, which advertisement contains any of the representations prohibited in paragraph 1 hereof;

3. Using as a part of the designation or trade name of said devices the words "Health" or "Reducers", when such devices are offered for sale, sold or distributed in commerce, as "commerce" is defined in the Federal Trade Commission Act.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6213; Filed, July 1, 1942; 11:19 a. m.]

[Docket No. 4612]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LASHER'S SILK MANUFACTURING COMPANY, INC.

§ 3.66 (j) *Misbranding or mislabeling—Quantity.* In connection with offer, etc., in commerce, of respondent's ribbon seam binding material representing, directly or indirectly, that the number of yards or quantity of ribbon seam binding wound, contained or rolled on spools, cardboard rolls or cards, or on any container in which said product is offered for sale or sold, is greater than the number of yards or quantity of such product actually contained thereon, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Lasher's Silk Manufacturing Company, Inc., Docket 4612, June 23, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission testimony and other evidence in support of the allegations of the complaint introduced by the attorney for the Commission, and evidence in opposition to the allegations of the complaint introduced by the attorney for the respondent, before a duly appointed trial examiner of the Commission designated by it to serve in this proceeding, and a stipulation of facts entered into on the record by the attorneys for the Commission and for the respondent, the filing of the trial examiner's report, briefs, oral argument and all intervening procedure being waived, and it being agreed between the attorneys for the Commission and for the respondent that the Commission may make its findings as to the facts and its conclusion based thereon, and issue its order disposing of the proceeding: And the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Lasher's Silk Manufacturing Company, Inc., a corporation, its officers, representatives, directors, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its product, ribbon seam binding material, whether sold under the brand name "Lasher's" or under any other name, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Representing, directly or indirectly, that the number of yards or quantity of ribbon seam binding wound, contained or rolled on spools, cardboard rolls or cards, or on any container in which said product is offered for sale or sold, is greater than the number of yards or quantity of such product actually contained thereon.

It is further ordered, That the respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6214; Filed, July 1, 1942; 11:18 a. m.]

[Docket No. 4701]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ROBERT W. ERWIN COMPANY

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a7) *Misbranding or mislabeling—Composition.* In connection with offer, etc., in commerce, of furniture, (1) representing, directly or by implication, that furniture made from a combination of the wood commonly known as walnut and the wood commonly known as pecan is manufactured from the wood commonly known as walnut; and (2) using the words "Wood: Walnut" or the word "Walnut" to describe, designate, and refer to furniture which is not composed wholly of the wood commonly known as walnut; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Robert W. Irwin Company, Docket 4701, June 23, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts made a part of the record herein, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Robert W. Irwin Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of furniture in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing, directly or by implication, that furniture made from a combination of the wood commonly known as walnut and the wood commonly known as pecan is manufactured from the wood commonly known as walnut.

(2) Using the words "Wood: Walnut" or the word "Walnut" to describe, designate, and refer to furniture which is not composed wholly of the wood commonly known as walnut.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6219; Filed, July, 1, 1942; 11:18 a. m.]

[Docket No 4633]

PART 3—DIGEST OF CEASE AND DESIST ORDER

H & H HAT COMPANY

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Composition:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Old, secondhand or reconstructed as new—Old and used as unused or new:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old and used as unused or new.* In connection with offer, etc., in commerce, of hats, and among other things, as in order set forth, (1) representing that hats composed in whole or in part of used or second-hand materials are new, or are composed of new materials, by failure to stamp in some conspicuous place on the exposed surface of the inside of the hat, in conspicuous and legible terms which cannot be removed or obliterated without mutilating the hat itself, a statement that said hats are composed of second-hand or used materials; and (2) representing in any manner that hats made in whole or in part from old, used or second-hand materials are new or are composed of new materials; prohibited, subject to provision, however, as respects former prohibition, that if substantial bands, placed similarly to sweat bands in men's hats, are attached to said hats, then and in that event such statement may be stamped upon the exposed surface of such bands: *Provided further*, That said stampings are of such nature that they cannot be removed or obliterated without mutilating the band and the band itself cannot be removed without rendering the hat unserviceable. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, H & H Hat Company, Docket 4633, June 23, 1942]

In the Matter of Daniel Hechtman and Steve Moore, Individually and Trading as H & H Hat Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939;

It is ordered, That the respondents, Daniel Hechtman and Steve Moore, individually and trading as H & H Hat Company, or trading under any other name, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of hats in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that hats composed in whole or in part of used or second-hand materials are new, or are composed of new materials, by failure to stamp in some conspicuous place on the exposed surface of the inside of the hat, in conspicuous and legible terms which cannot be removed or obliterated without mutilating the hat itself, a statement that said hats are composed of second-hand or used materials: *Provided*, That if substantial bands, placed similarly to sweat bands in men's hats, are attached to said hats, then and in that event such statement may be stamped upon the exposed surface of such bands: *Provided further*, That said stampings are of such nature that they cannot be removed or obliterated without mutilating the band and the band itself cannot be removed without rendering the hat unserviceable.

(2) Representing in any manner that hats made in whole or in part from old, used or second-hand materials are new or are composed of new materials.

It is further ordered, That the respondents, Daniel Hechtman and Steve Moore, individually and trading as H & H Hat Company, or trading under any other name, their representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction of hats into commerce, or the sale, transportation or distribution of hats in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding hats which contain, purport to contain or in any way are represented as containing wool, reprocessed wool or reused wool, as those terms are defined in the Wool Products Labeling Act of 1939, by failing to place on or affix to each hat a stamp, tag, label or other means of identification showing:

(a) The percentage of the total fiber weight of the hat, exclusive or ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of the hat of non-fibrous loading, filling or adulterating matter.

(c) The name of the manufacturer of the hat; or the manufacturer's registered identification number and the name of a subsequent seller of the hat; or the name of one or more persons introducing said hat into, or engaged in the sale, transportation, or distribution of said hat in, commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Subsections (a), (b) and (c) of this order are subject to the provisions of the Wool Products Labeling Act of 1939 and

the Rules and Regulations promulgated thereunder and are not to be construed as limiting any applicable provision of said Act or said Rules and Regulations.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6217; Filed, July 1, 1942; 11:18 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-37]

PART 36—SHELLFISH: DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

STANDARDS OF FILL OF CONTAINER FOR CANNED WET PACK SHRIMP AND CANNED DRY PACK SHRIMP, IN NONTRANSPARENT CONTAINERS

Final Order

By virtue of authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act, 52 Stat. 1046, 1047, and 1055, 21 U.S.C. secs. 341, 343 (h) (2), and 371; the Reorganization Act of 1939, 53 Stat. 561 ff., 5 U.S.C. sec. 133–133r; and Reorganization Plans No. 1 (53 Stat. 1423, 4 F.R. 2727) and No. IV (5 F.R. 2421); and upon the basis of evidence received at the hearing herein; the following order is promulgated hereby:

Findings of Fact

1. Since October 1918 shrimp canners have been operating, so far as standards of fill of container are concerned, on the basis of Item 297 of the United States Department of Agriculture Service and Regulatory Announcements, Chemistry 23, issued October 9, 1918. The item, in part, follows:

297. Weights of Shrimp in Cans of Various Sizes. After consideration of what constitutes proper fill in case of canned shrimp, the bureau is of the opinion that canned shrimp properly packed should contain not less than the following "cut-out" weights of shrimp:

DRY-PACK SHRIMP

Size of can (No.)	Diameter	Height	"Cut-out" weight of shrimp
	Inches	*Inches*	*Ounces*
1	$2^{11}/_{16}$	4	5
1½	Sanitary, $3^{5}/_{16}$	$3^{13}/_{16}$	$8^{1}/_{4}$
	Hole and cap, $3^{3}/_{16}$		

WET-PACK SHRIMP

1	$2^{11}/_{16}$	4	$5^{3}/_{4}$
1½	Sanitary, $3^{5}/_{16}$	$3^{13}/_{16}$	$9^{3}/_{4}$
	Hole and cap, $3^{3}/_{16}$		

• • • • •

In connection with the canning of shrimp attention is directed to the requirements of Food Inspection Decision 144, that cans should be as full of food as practicable for packing and processing without injuring the quality or appearance of the contents. In the case of food packed with water, brine, etc., the cans should be as full as possible of food and should contain only sufficient liquor to fill the interstices and cover the product. The weights indicated above have been obtained by the bureau after examination of experimental packs of canned shrimp which have been put up in connection with the study of Food Inspection Decision 144.

2. This announcement was made to facilitate the enforcement of the Federal Food and Drugs Act of 1906.

3. In terms of percentages, the item required minimum cut-out weights of 46 percent of the water capacity of the cans for dry pack shrimp and of 53 percent to 55 percent of such capacity for wet pack shrimp.

4. Packers of canned shrimp have uniformly observed the requirements of this announcement and have also adopted the practice of filling cans of sizes which were not listed in the announcement to the same relative proportions, for both dry and wet pack, as those required by the announcement.

5. Cans of shrimp, both wet pack and dry pack, when filled to the minima prescribed by the Service and Regulatory Announcement and to the minima adopted by canners for other can sizes, contain a smaller quantity of shrimp than consumers expect from the size of the can. The percentage of fill is much below that found in other canned foods.

6. It is entirely practicable to pack considerably more shrimp in the cans than is packed under the announcement.

7. It is entirely practicable under existing cannery practice to pack canned shrimp in such manner that the cut-out weight of shrimp taken from each can prepared by the wet pack process will be at least 64 percent of the water capacity of the container and the cut-out weight of shrimp taken from each can prepared by the dry pack process will be at least 60 percent of the water capacity of the container.

8. Standards of fill of container for canned shrimp requiring that each can prepared by the wet pack process be so packed that the drained weight of shrimp taken therefrom will be at least 64 percent of the water capacity of the can and that each can prepared by the dry pack process be so packed that the cut-out weight of shrimp taken therefrom will be at least 60 percent of the water capacity of the can will assure consumers that the containers are not slack filled and are no larger than necessary for the food packed therein.

9. Such standards of fill of container would operate equally well regardless of the size of the shrimp units packed.

10. Standards of fill of container making such requirements can be met in the regular commercial practice, without encountering any difficulties in the packing process and without damage to the units packed. Such fills as would be required by such standards would give no greater difficulty in packing than is common with many other packs of canned food, even with canned shrimp as presently packed. The only possible difficulty that would arise under such standards is a labeling difficulty with respect to the dry pack shrimp in a number one standard tin can noticed in finding 13.

11. These standards would not require that the cans be filled to absolute capacity. To fill the cans to the maximum possible capacity would require that each shrimp be carefully fitted into place in the cans by hand. This would require an inordinate expenditure of time and would probably increase the price paid by the consumer for canned shrimp.

12. Standards of fill of container for canned shrimp in terms of percentage of water capacity of containers rather than in terms of ounces per can are generally more satisfactory, with the exception noted in finding 13, because they would encompass any size of can that may be used, including sizes not often used but which should be covered by the standard.

13. Water capacity of the standard can varies slightly from can to can dependent upon the profile ring used in can manufacture and the setting of the chucks in the double seamer used by the packer. Average figures for water capacity of the number one standard tin can, the container most commonly used in the shrimp canning industry, have been calculated at 10.90 and others at 10.94, avoirdupois ounces. If these average figures for water capacity of the number one standard tin can were used and if the standard of fill of container for dry pack canned shrimp were set at 60 percent of the water capacity of such can, the number one standard tin can would contain a minimum cut-out weight of 6.54 or 6.56 ounces of shrimp. The standard so fixed to apply to the number one standard tin can would likely result in labeling difficulties since decimal portions of ounces are not generally used in labeling, and since it would not be practicable to pack to the next commonly used fractional portion of the ounce above 6.54 or 6.56 ounces. In view of the labeling difficulty that might arise from the standard as proposed as applied to dry pack canned shrimp in the number one standard tin can, it is reasonable to fix the minimum fill for such can in terms of avoirdupois ounces. Such standard, which would accomplish the same purpose as the general requirements referred to in finding 7 and which would be approximately equivalent to such requirements, is one requiring that the cut-out weight of shrimp taken from each number one can prepared by the dry pack process be at least 6½ avoirdupois ounces.

14. Some of the cans used for dry pack canned shrimp have, in the past, had paper liners inserted for the prevention of the undesirable black spots caused by the shrimp touching the sides of the cans with the resultant formation of dark colored sulfides. The liners do not affect the standard of fill of container, however, since the space a liner occupies in a can is insignificant.

15. The difference in cut-out weights of wet pack and dry pack shrimp is due to the fact that the wet pack shrimp tends to gain weight by absorbing some of the can brine used as a liquid packing medium whereas the dry pack shrimp tends to lose weight due to the cooking out of moisture during heat processing.

16. All members of the shrimp canning industry use cut-out weight as a basis for standardizing their own fill of container. The fill of container of canned shrimp is equitably gauged by the cut-out weight of the finished canned shrimp. Put-in weight would not be an appropriate basis for standardizing the fill because the amount of water present in the shrimp going into the can varies considerably with different manufacturing procedures, and these variations are largely equalized by the final heat processing of the cans to prevent spoilage—the shrimp subjected to more severe brine treatment taking up more moisture in the can.

17. Canned shrimp filled to the minima set forth in findings 7 and 13 can be heat-processed to prevent spoilage without impairing the shrimp or in any way resulting in an unsatisfactory product.

18. A satisfactory and accurate method for determining the cut-out weight of canned shrimp is as follows: Keep the unopened canned shrimp container at a temperature of not less than 68° nor more than 95° Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute its contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on this sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained shrimp. The weight so found, less the weight of the sieve, is considered to be the weight of the drained shrimp.

19. A satisfactory and accurate method for determining the water capacity of containers is that set forth in § 10.1 (a) of this Chapter [§ 10.010 (a), 4 F.R. 3320]

20. When canned shrimp falls below the standard of fill of container, a label statement which is satisfactory and which fairly informs the consumer of that fact is the general statement of substandard fill specified in § 10.2 (b) of this Chapter [§ 10.020 (b), 4 F.R. 3320] in the manner and form therein specified.

On the basis of the foregoing findings of fact, it is concluded that the following regulation fixing and establishing standards of fill of container for canned wet pack shrimp and canned dry pack shrimp in nontransparent containers will promote honesty and fair dealing in the interest of consumers:

§ 36.3 *Canned wet pack shrimp and canned dry pack shrimp in nontransparent containers—fill of containers: label statement of substandard fill.* (a) The standard of fill of nontransparent containers for canned wet pack shrimp is a fill such that the cut-out weight of shrimp taken from each can is not less than 64 percent of the water capacity of the container, and, for canned dry pack shrimp (except that packed in the nontransparent cylindrical container which is $2^{11}/_{16}$ inches in diameter and 4 inches in height), is a fill such that the cut-out weight of shrimp taken from each can is not less than 60 percent of the water capacity of the container. The standard of fill for canned dry pack shrimp packed in the nontransparent cylindrical container which is $2^{11}/_{16}$ inches in diameter and 4 inches in height is a cut-out weight of not less than 6½ avoirdupois ounces of shrimp for each container. Water capacity of containers is determined by the general method provided in § 10.1 (a) of this chapter [4 F.R. 3320, § 10.010 (a)] Cut-out weight is determined by the following method:

Keep the unopened canned shrimp container at a temperature of not less than 68° nor more than 95° Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute the shrimp evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table 1 of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained shrimp. The weight so found, less the weight of the sieve, shall be considered to be the cut-out weight of the shrimp.

(b) If canned wet pack shrimp or canned dry pack shrimp, in nontransparent containers, falls below the applicable standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill provided in § 10. 2(b) of this Chapter [4 F.R. 3320, § 10.020 (b)], in the manner and form therein specified. (52 Stat. 1046, 1047; 53 Stat. 561, ff.; 21 U.S.C. secs. 341, 343 (h) (2); 5 U.S.C. Sec. 133–133r; and Reorganization Plans Nos. I and IV. 4 F. R. 2727, 5 F.R. 2421)

Finding of No Controversy and of Existence of Emergency Conditions

It is hereby found that no controversy with respect to the subject of the hearing exists between the persons who appeared at the hearing, and that issuance of a final order without prior issuance of a proposed order will promote the purposes of the Act.

It is further found that the standards prescribed by the foregoing regulation specify fills of container which are about 30 percent greater in the case of dry pack shrimp, and about 20 percent greater in the case of wet pack shrimp, than the fills now generally used; that tin plate is used in making nontransparent containers for canned shrimp and for many other canned foods produced in great quantity; that, due to war conditions there exists a shortage of tin plate so serious as to constitute a condition of emergency, which makes imperative the efficient utilization of available supplies so as to meet as nearly as possible consumers needs for canned foods; that the annual packing season for canned shrimp closes about July 15 and a new packing season begins about August 1; and that this emergency necessitates that this order become effective not later than the beginning of the next shrimp packing season.

It is therefore ordered that this order become effective on August 1, 1942.

[SEAL] WATSON B. MILLER, *Acting Administrator.*

JUNE 30, 1942.

[F. R. Doc. 42-6226; Filed, July 1, 1942; 11:49 a. m.]

PART 155—CANNED SHRIMP

REGULATIONS FOR THE INSPECTION OF CANNED SHRIMP

Under the authority of section 10A of the Federal Food and Drugs Act (49 Stat. 871; 21 U.S.C. 14a), which remains in force and effect and is applicable to the provisions of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 et seq.; 21 U.S.C. 301 et seq.), and by virtue of the Reorganization Act of 1939 (5 U.S.C. 133), and Reorganization Plan IV,[1] the following regulations for the inspection of canned shrimp, as published in the FEDERAL REGISTER of January 17, 1941,[2] are hereby amended to read as follows:

AUTHORITY: §§ 155.00 to 155.13, inclusive, issued under sec. 10A, 49 Stat. 871, sec. 902 (a), 52 Stat. 1059, 53 Stat. 561, Reorganization Plan IV; 21 U.S.C., Sup., 372a, 5 U.S.C., Sup., 133 et seq.

§ 155.00 *Application for inspection service.* (a) Applications for inspection service on canned shrimp under the provisions of section 10A of the Federal Food and Drugs Act (which remains in force and effect and is applicable to the provisions of the Federal Food, Drug, and Cosmetic Act) shall be on forms supplied by the Food and Drug Administration. No application for an initial inspection period filed with the Food and Drug Administration after June 1, preceding such period in any year, shall be considered unless the applicant shows substantial cause for failure to file such application on or before June 1 of such year. A separate application shall be

[1] 5 F.R. 2421.
[2] 6 F.R. 457.

made for each inspection period in each establishment in which the service is applied for. Each application for an initial inspection period shall be accompanied by an advance deposit of $150, as prescribed by § 155.12 (b). Such deposit shall be paid in the manner prescribed by § 155.12 (e).

(b) An application by two or more packers for inspection service in one establishment to be jointly or severally operated by them shall be accompanied by an agreement signed by such packers binding each to be jointly and severally liable for the payment of all fees and deposits required for such establishment by § 155.12.

§ 155.01 *Granting or refusing inspection service; cancellation of application.* (a) The Administrator of the Federal Security Agency may grant the inspection service applied for when he determines that the establishment covered by such application complies with the requirements of § 155.05.

(b) The Administrator may refuse to grant the inspection service at any establishment for cause. In case of refusal he shall notify the applicant of the reason therefor and shall return to such applicant the payment which accompanied the application, less any expenses incurred by the Administration for preliminary inspection of the establishment, or for other purposes incident to such application.

(c) The applicant, by giving written notice to the Administrator, may withdraw his application for inspection service before an inspector is assigned to the establishment. In case of such withdrawal, the Administrator shall return to such applicant the payment which accompanied the application, less any expenses incurred by the Administration for preliminary inspection of the establishment, or for other purposes incident to such application.

§ 155.02 *Inspection periods.* (a) The initial inspection period in each establishment in which inspection service under these regulations is granted shall be nine months. Extension inspection periods, each of which shall begin at the close of the preceding inspection period, may be granted in such establishment if application therefor, accompanied by a deposit of $100 as prescribed by § 155.12, is made at least two weeks in advance of the close of such preceding inspection period: *Provided*, That upon request by the packer and with the approval of the Administration, such service during any inspection period may be transferred from one establishment to another to be operated by the same packer; but such transfer shall not serve to lengthen any inspection period or to take the place of an extension inspection period. In case of such transfer the packer shall furnish all necessary transportation of inspectors.

(b) Each initial inspection period shall begin on or after July 1, but not later than September 15, of each year. No initial or extension inspection period shall extend beyond June 30 of any year.

(c) The date of the beginning of each initial inspection period shall be regarded as the date specified for the beginning of the service in the application therefor, or such other date as may be specified by amendment to such application and approved by the Administration; but if the Administrator is not prepared to begin the service on the specified date, the date of the beginning of such period shall be regarded as the date on which the service is begun.

(d) Inspection service shall be continuous throughout the inspection periods, except that, where the canning of shrimp is suspended as a result of the enforcement of State conservation laws, the inspection service may be withdrawn for the period of suspension or any part thereof. An inspection period in which such a withdrawal occurs shall be lengthened to compensate for the time of withdrawal.

§ 155.03 *Assignment of inspectors.* (a) An initial assignment of at least one inspector shall be made to each establishment in which inspection service under these regulations is granted. Thereafter the Administration shall adjust the number of inspectors assigned to each establishment to the number required for continuous and efficient inspection.

(b) Any inspector of the Administration shall have free access at all times to all parts of the establishment and to all fishing and freight boats and other conveyances catching shrimp for, or transporting shrimp to, such establishment.

§ 155.04 *Uninspected shrimp excluded from inspected establishments.* (a) No establishment to which inspection service on canned shrimp has been granted shall at any time thereafter can shrimp which has not been inspected under these regulations, or handle or store in such establishment any canned shrimp which has not been so inspected; but this paragraph shall not apply to an establishment after termination of inspection service therein as authorized by § 155.13.

(b) All shrimp delivered to or held in an establishment shall be subject to inspection, but certificates of inspection shall be issued under these regulations only on canned shrimp.

§ 155.05 *General requirements for plant and equipment.* (a) All exterior openings of the cannery shall be adequately screened, and roofs and exterior walls shall be tight. When necessary, fly traps or other approved insect control devices shall be installed.

(b) Picking and packing rooms shall be separate, and fixtures and equipment thereof shall be so constructed and arranged as to permit thorough cleaning. Such rooms shall be adequately lighted and ventilated, and the floors thereof shall be tight and arranged for thorough cleaning and proper drainage. Blanching tanks shall not be located in picking room. Open drains from picking room shall not enter packing or blanching room. If picking and packing rooms are in separate buildings, such buildings shall not be more than 100 yards apart unless adequate provisions are made to enable efficient inspection.

(c) All surfaces of tanks, belts, tables, flumes, utensils, and other equipment with which either picked or unpicked shrimp come in contact after delivery to the establishment, shall be of metal other than lead, or of other nonporous and easily cleanable material. Metal seams shall be smoothly soldered.

(d) Adequate supplies of steam and of clean, unpolluted running water shall be provided for washing, cleaning, and otherwise maintaining the establishment in a sanitary condition.

(e) Adequate toilet facilities of sanitary type shall be provided.

(f) An adequate number of sanitary wash basins, with liquid or powdered soap, shall be provided in both the picking and packing rooms. Paper towels shall be provided in the packing room.

(g) Signs requiring employees handling shrimp to wash their hands after each absence from post of duty shall be conspicuously posted in the picking and packing rooms and elsewhere about the cannery as conditions require.

(h) Suitable space and facilities shall be provided for the inspector to prepare records and examine samples, and for the safekeeping of records and equipment.

(i) One or more suitable washing devices and one or more suitable inspection belts shall be installed for the washing and subsequent inspection of the shrimp before delivery to the picking tables.

(j) Suitable containers, flumes, chutes, or conveyors shall be provided for removal of offal from picking room.

(k) Picking tables shall be equipped with flumes supplied with clean, unpolluted water for removing the picked shrimp.

(l) Equipment shall be provided for code marking cans or other immediate containers.

(m) An automatic container counting device shall be installed in each cannery line.

(n) Each processing retort shall be fitted with at least the following equipment:

(1) An automatic control for regulating temperatures.

(2) An indicating mercury thermometer of a range from 170° F. to 270° F. with scale divisions not greater than 2°. For steam cook such thermometers shall be installed either within a fitting attached to the shell of the retort or within the door or shell of the retort. For water cook such thermometers shall be installed in the door or shell of the retort below the water level. If the thermometer is installed within a fitting such fitting shall communicate with the chamber of the retort through an opening at least 1 inch in diameter. Such fitting shall be equipped with a bleeder at least ⅛ inch in diameter. If the thermometer is installed within the door or shell of the retort the bulb shall project at least two-thirds of its length into the principal chamber thereof.

(3) A recording thermometer of a range from 170° F. to 270° F. with scale divisions not greater than 2°. The bulb of such thermometer shall be installed as prescribed for the indicating mercury thermometer. The case which houses the charts and recording mechanism shall be provided with an approved lock, all keys to which shall be in the sole custody of the inspector.

(4) A pressure gauge of a range from 0 to 30 pounds with scale divisions not greater than 1 pound. Such gauge shall be connected to the chamber of the retort by a short gooseneck tube. The gauge shall be not more than 4 inches higher than the gooseneck.

(5) For steam cook, a blow-off vent of at least ¾ inch inside diameter in the top of the retort.

(6) For steam cook, a ⅛ inch bleeder in top of retort.

(7) For steam cook, a baffle plate in the base of retort, unless retort baskets with perforated base plates are provided.

§ 155.06 *General operating conditions.* (a) The decks and holds of boats catching shrimp for, or transporting shrimp to, an inspected establishment, and the bodies of other conveyances so transporting shrimp shall be kept in a sanitary condition. When necessary the shrimp shall be iced down immediately after they are caught and shall be kept adequately refrigerated until delivery to cannery.

(b) Canneries, cannery freight boats, and other cannery conveyances shall accept only fresh, clean, sound shrimp.

(c) After delivery of each load of shrimp to the cannery, decks and holds of each boat and the body of each other conveyance making such delivery shall be washed down with clean, unpolluted water and all debris shall be cleaned therefrom before such boat or other conveyance leaves the cannery premises.

(d) Before picking the shrimp shall be washed with clean, unpolluted water and then passed over the inspection belt and culled to remove all shrimp that are filthy, decomposed, putrid, or otherwise unfit for food, and all extraneous material.

(e) Offal from picking tables shall not be piled on the floor, but shall be placed in suitable containers for frequent removal, or shall be removed by flumes, conveyors, or chutes.

(f) Shrimp shall not be picked into cups but shall be picked into flumes which immediately remove the picked meats from the picking tables.

(g) Picked shrimp being transported from one building to another before enclosure in the can or other immediate container shall be properly covered and protected against contamination.

(h) From the time of delivery to the cannery up to the time of final processing, shrimp shall be handled expeditiously and under such conditions as to prevent contamination or spoilage.

(i) The packer shall immediately destroy for food purposes all shrimp in his possession condemned by the inspector as filthy, decomposed, putrid, or otherwise unfit for food. Shrimp condemned on boat or unloading platform shall not be taken into the ice box or picking room.

(j) All portions of the establishment shall be adequately lighted to enable the inspector to perform his duties properly.

(k) All floors and other parts of the establishment, including unloading platforms, and all fixtures, equipment, and utensils shall be cleaned as often as may be necessary to maintain them in sanitary condition.

(l) The packer shall require all employes handling shrimp to wash their hands after each absence from post of duty.

(m) The packer shall require all employees to observe proper habits of cleanliness, and shall not knowingly employ in or about the establishment any person afflicted with infectious or contagious disease.

(n) Offal, debris, or refuse from any source whatever, shall not be allowed to accumulate in or about the establishment.

§ 155.07 *Code marking.* (a) Code marks shall be affixed to all cans and other immediate containers before they are placed in the processing retorts. Such marks shall show at least (1) the date of packing, (2) the establishment where packed, and (3) the size of the shrimp when such shrimp were graded for size and are not in containers through which they are clearly visible.

(b) Keys to all code marks shall be given to the inspector.

(c) Each lot shall be stored separately pending final inspection. For the purposes of the regulations in this part all cans or other immediate containers bearing the same code mark shall be regarded as comprising a lot.

§ 155.08 *Processing.* (a) The closure of the can or other immediate container and the time and temperature of processing the canned shrimp shall be adequate to prevent bacterial spoilage.

(b) The following processes shall be the minimum employed for the containers indicated:

DRY PACK

Kind of container	Liner	Size	Time at 240° F.	Time at 250° F.
			Minutes	*Minutes*
Tin	1-piece	211 x 400		66
Tin	3-piece or no liner	211 x 400	66	51
Tin	3-piece or no liner	307 x 208	66	51
Tin	3-piece or no liner	307 x 400	75	56

WET PACK

Kind of container	Size	Time at 240° F.	Time at 250° F.
		Minutes	*Minutes*
Tin	211 x 400	24	13
Tin	307 x 208	24	13
Tin	307 x 400	27	15
Tin	502 x 510		16
Glass	2 to 9 fl. oz. incl	22	14

(c) For steam cook, blow-off vent shall be open during the coming-up period until the mercury thermometer registers at least 215° F. Bleeders shall emit steam during the entire processing period.

(d) The inspector shall identify each record on the thermometer chart with the code mark of the lot to which such record relates and the date of such record. The Administration shall keep such charts for at least five years, and upon request shall make them available to the packer.

(e) The packer shall keep for at least one year all shipping records covering shipments from each lot, and upon request shall furnish such records to any inspector of the Administration.

§ 155.09 *Examination after canning.* (a) Adequate samples shall be drawn by the inspector from each lot of canned shrimp and shall be examined to determine whether or not such canned shrimp conforms to all requirements of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder.

(b) The packer shall destroy for food purposes, under the immediate supervision of the inspector, all canned shrimp condemned by the inspector as not complying with § 155.08 (a), or as filthy, decomposed, putrid, or otherwise unfit for food.

§ 155.10 *Labeling.* (a) Labels on canned shrimp covered by a certificate issued as authorized by § 155.11 (a) shall bear the mark "Production Supervised by U. S. Food and Drug Administration." Such mark shall be plainly and conspicuously displayed in type of uniform size and style on a strongly contrasting uniform background; and shall appear on the principal panel or panels of the label so as to be easily observable in connection with the name of the article.

(b) Two proofs, or one proof and one photostat thereof, or eight specimens of all labeling intended for use on inspected canned shrimp or on or within the cases therefor, shall be submitted to the Administration for approval. If proofs or photostat and proof are submitted, eight specimens of the labeling shall be sent to the Administration after printing. The Administration is hereby authorized to approve labeling for use on or with canned shrimp inspected under these regulations; approval shall be subject to the condition that such labeling shall be so used as to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder. The Administration is also authorized hereby to revoke any such approval for cause. The Administration shall not approve labeling for canned shrimp intended for export under the provisions of § 155.11 (e).

(c) No commercial brand or brand name appearing on labeling approved as authorized under paragraph (b) of this section, and no labeling simulating any such approved labeling, shall be used after such approval on canned shrimp other than that which has been handled, prepared, and packed in compliance with all provisions of these regulations; but this subsection shall not apply to any packer's labeling after termination of inspection as authorized by § 155.13, or to any distributor's labeling after three months' written notice by the owner thereof to the Administration that the use of such labeling on inspected canned shrimp has been discontinued and will not be resumed.

§ 155.11 *Certificates of inspection; warehousing and export permits.* (a) After finding that the canned shrimp comprising any parcel (1) has been handled, prepared, and packed in compliance with all provisions of these regulations, (2) bears labeling approved as authorized under § 155.10 (b), and (3) complies with all the provisions of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder, the inspector shall issue a certificate showing that such canned shrimp so complies. The certificate shall specify the code marks to which it applies, the quantity of the parcel so marked, the place where such parcel is stored, the size of the shrimp, the size and kind of containers, the type of pack, the commercial brand name on the labels, the quality grade of the shrimp if it is fancy, and the condition of the shrimp if it is broken. Such certificate shall become void if such labeling is removed, altered, obliterated, or replaced; but such canned shrimp may be relabeled under the supervision of an inspector and recertified if the inspector finds that, after being relabeled, it complies with the requirements laid down by this paragraph for the issuance of a certificate.

(b) Unless covered by certificate, canned shrimp shall be moved from an inspected establishment only for storage authorized under paragraph (c) of this section, or export authorized under paragraph (e) of this section, or for destruction as provided by § 155.09 (b).

(c) Applications to move unlabeled canned shrimp from storage in a warehouse elsewhere than in the establishment where such shrimp was packed shall be on forms supplied by the Administration. The application shall give the name and location of the warehouse in which such canned shrimp is to be stored, and shall be accompanied by an agreement signed by the operator of such warehouse that inspectors shall have free access at all times to all canned shrimp so stored, and that conditions which will preserve the identity of each parcel of such canned shrimp shall be continuously maintained pending issuance of a certificate thereon or removal as authorized by paragraph (d) of this section. If such application is approved and it appears to the inspector that the canned shrimp comprising any parcel (1) has been packed in compliance with these regulations, (2) is not slack filled, and (3) conforms, except for the absence of labeling, to all requirements of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder, the inspector shall issue to the applicant, on his request, a warehousing permit covering such canned shrimp. Such permit shall specify the code marks to which it applies, the quantity of the parcel so marked, the places from and to which such parcel is to be moved, the size of the shrimp, the size and kind of containers, the type of pack, and the quality grade of the shrimp if it is fancy, and the condition of the shrimp if it is broken. When any provision of the agreement is violated the Administration may revoke any permit issued pursuant to such agreement, and may also revoke its approval of the application for warehousing which accompanied such agreement.

(d) Unless covered by certificate, canned shrimp stored under the authority of paragraph (c) of this section shall be moved from the warehouse where stored only for restorage under such authority, or for return upon written permission of the inspector to the establishment where packed, or for export authorized under paragraph (e) of this section, or for destruction as provided by § 155.09 (b).

(e) Section 801 (d) of the Federal Food, Drug, and Cosmetic Act provides that a food intended for export shall not be deemed to be adulterated or misbranded under the Act if it (1) accords to the specifications of the foreign purchaser, (2) is not in conflict with the laws of the country to which it is intended for export, and (3) is labeled on the outside of the shipping package to show that it is intended for export. An application to export canned shrimp under the provisions of section 801 (d) of the Act shall be accompanied by the original or a verified copy of the specifications of the foreign purchaser; if so required by the Administration, evidence showing that such canned shrimp is not in conflict with the laws of the country to which it is intended for export; and, if shipment of labeled canned shrimp is specified or directed, eight specimens of the labeling therefor. If canned shrimp prepared or packed according to such specifications is not in conflict with the laws of such country, the Administration shall direct the inspector to issue to the applicant an export permit covering such canned shrimp comprising any parcel ordered by such purchaser under such specifications, when the inspector finds that such canned shrimp was packed in compliance with the requirements of these regulations regarding sanitary conditions and processing, is not filthy, decomposed, putrid, or otherwise unfit for food, accords to such specifications, and is labeled on the outside of the shipping package to show that it is intended for export. Such permit shall specify the code marks to which it applies and the quantity of the parcel so marked, and shall show that such canned shrimp was packed under sanitary conditions, is wholesome, and accords to such specifications. The applicant shall furnish to the inspector documentary evidence showing the exportation of all such canned shrimp. Canned shrimp intended for export under this subsection shall not be stored in any warehouse in the United States elsewhere than in the establishment where such canned shrimp was prepared or packed, except on written permission of the inspector, or of the chief of the Food and Drug Administration Station within whose territory such warehouse is located.

§ 155.12 *Inspection fees.* (a) Except as otherwise provided by these regulations, the fee prescribed for inspection service shall be four (4) cents for each case of canned shrimp packed under such service. For the purpose of this section a case of canned shrimp shall be 48 No. 1 cans (211 x 400) or the equivalent thereof. The sum of not less than $200 shall be paid at the beginning of the initial inspection period, and thereafter similar advance deposits shall be made whenever necessary to prevent arrears in the payment of fees, unless the Administration on an estimate of output authorizes payment in other amounts. Any excess advance deposits so made for the fiscal year shall be returned to the packer by the Administration after the inspection service is closed in the establishment.

(b) In addition to the fee prescribed by paragraph (a) of this section, an advance deposit of $100 multiplied by the number of months of the inspection period shall be paid for each inspection period in each establishment as follows: Each application for an initial inspection period shall be accompanied by an advance deposit of $150, and subsequent deposits of $150 shall be made at monthly intervals from the date of the beginning of such period as defined in § 155.02 (c) until the total amount of the deposit for the initial inspection period shall have been made. Each application for an extension inspection period shall be accompanied by a deposit of $100, and at subsequent monthly intervals thereafter additional deposits of $100 shall be made; but if the final deposit is to cover a time of less than 30 days, then such deposit shall be at the rate of $3⅓ for each day of such time. Advance deposits made under this subsection shall be charged with the cost of the inspection service which has not been provided for by fees under paragraph (a) of this section and any appropriations made by Congress for such purpose. The deposits by each packer shall be so charged in the same ratio to the total deposits as the number of months of inspection service rendered in such packer's establishment bears to the total number of months of inspection service rendered in all establishments. The balance remaining after such charges have been made shall be returned by the Administration to the packers at the end of the fiscal year. When inspection service is withdrawn from an establishment as authorized by § 155.13 (a), the Administration shall not return to the packer any of the advance deposits made for such establishments; and such deposits shall be charged with the cost incurred and the balance transferred into the Treasury as a miscellaneous receipt. Such deposits shall not be included in the total deposits when computing charges against such total deposits.

(c) A separate fee shall be paid to cover all expenses, incurred in accordance with the regulations of the Government, for salary, travel, subsistence, and other purposes incident to inspection for the purpose of issuing a certificate or warehousing or export permit on canned shrimp stored or held at any place at which a sea food inspector is not assigned.

(d) When the cannery and the cannery warehouse of an establishment are located at different points of such distance apart that transportation between them is required for the inspector to perform his duties in the establishment, the packer shall furnish such transportation or shall pay an extra fee to cover all expenses therefor.

(e) All payments required by the regulations in this part shall be by bank draft or certified check, collectible at par, drawn to the order of the Treasurer, United States, and payable at Washington, D. C. All such drafts and checks, except those for the payment required by § 155.00, shall be delivered to the inspector and promptly scheduled to the Food and Drug Administration, Federal Security Agency, Washington, D. C., whereupon after making appropriate records thereof they will be endorsed and transmitted to the Chief Disbursing Officer, Division of Disbursement, Treasury Department, for deposit to the receipt account "128013 Deposits, Sea Food Inspection Fees, Food and Drug Administration."

(f) Refunds to the packers making advance deposits will be by check drawn on the Treasury of the United States pursuant to refund vouchers duly certified and approved by the designated administrative officers.

§ 155.13 *Suspension, withdrawal, and termination of inspection service.* (a) The Administration may suspend and the Administrator may withdraw inspection service in any establishment (1) upon failure of the packer to comply with any provision of these regulations, or (2) upon the dissemination by the packer or any person in privity with him of any representation which is false or misleading in any particular regarding the application to any sea food of the inspection service provided by the regulations in this part.

(b) When inspection service is suspended in an establishment, as authorized by paragraph (a) of this section, the Administration shall not lengthen the inspection period in such establishment to compensate for any of the time of suspension.

(c) After inspection service for a fiscal year is closed in an establishment, but before the resumption of packing therein during the next fiscal year, the packer may terminate inspection service under the regulations in this part by giving written notice of such termination to the Administration.

The regulations in this part, so amended, shall become effective on July 1, 1942.

[SEAL] WATSON B. MILLER,
Acting Administrator.

JUNE 30, 1942.

[F. R. Doc. 42-6224; Filed, July 1, 1942; 11:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5159]

PART 182—INDUSTRIAL ALCOHOL

MISCELLANEOUS AMENDMENTS

By virtue of and pursuant to §§ 3105, 3124 (a) (6), and 3176 of the Internal Revenue Code, Regulations 3, is hereby amended as follows:

Sections 182.164 (a), (b), 182.171, 182.173, 182.598, 182.600, 182.601, 182.603 (g), 182.643 (g) (1) (i), 182.660, 182.661, 182.662, 182.663, 182.700 (a), 182.847 (b), 182.860 (c), and 182.863 are amended to read as follows:

§ 182.164 *Use*—(a) *By Federal, State, and municipal agencies.* Tax-free alcohol withdrawn under the foregoing provisions of law and regulations for use of the United States must be used solely for nonbeverage purposes. Such alcohol, when withdrawn by States and Territories, or any municipal subdivision thereof, or the District of Columbia, must be used solely for mechanical and scientific purposes, and such use, or the use of any resulting product, must be confined to premises under the control of the State or Territory, or municipal subdivision thereof, or the District of Columbia: *Provided*, That tax-free alcohol withdrawn for use at hospitals, sanatoriums, clinics, colleges, and laboratories operated by States and Territories, or any municipal subdivision thereof, or by the District of Columbia, may be used as provided in paragraph (b).

(b) *By hospitals, sanatoriums, clinics, colleges, and laboratories.* Tax-free alcohol withdrawn by hospitals or sanatoriums, or by clinics operated for charity and not for profit, may be used only for medicinal, mechanical, and scientific purposes and in the treatment of patients. Scientific universities or colleges of learning shall use such alcohol only for scientific, mechanical, and medicinal purposes, and any laboratory withdrawing alcohol free of tax must use the same exclusively in scientific research. The use of the alcohol and resulting products shall be confined strictly to the premises of the institution withdrawing the alcohol, except that where any such resulting product does not contain alcohol and is to be used in further research, it may be removed, without sale, for that purpose only, such research to be conducted at any scientific university or college of learning, laboratory engaged in scientific research, or hospital or clinic, and except that bona fide medicines compounded with alcohol withdrawn by clinics operated for charity and not for profit may be used outside of such clinics for treatment of the patients thereof, but such medicines may not be sold.

§ 182.171 *Application, Form 1444.* Alcohol may be withdrawn tax-free by the United States or any governmental agency thereof, upon filing application on Part I of Form 1444, "Application by the United States or Governmental Agency for Permit to Procure Alcohol Free of Tax," and issuance of permit therefor. The Form 1444 shall be executed in triplicate and forwarded direct to the Commissioner. The application must state the name of the department or independent bureau or agency, and the name of the proprietor of the industrial alcohol plant or bonded warehouse, the registry number and location thereof, from which alcohol will be withdrawn tax-free. (Secs. 3105, 3114 (a), 3124 (a) (6), 3176, I.R.C.)

§ 182.173 *Application, Form 1486.* Specially denatured alcohol may be withdrawn by the United States or any governmental agency thereof upon filing application on Part I of Form 1486, "Application by the United States or Governmental Agency for Permit to Procure Specially Denatured Alcohol," and issuance of permit therefor. The Form 1486 shall be executed in triplicate and forwarded direct to the Commissioner. The application must state the name of the department or independent bureau or agency and the name of the proprietor of the denaturing plant or of the bonded dealer from whom the specially denatured alcohol is to be purchased. (Secs. 3105, 3114 (a), 3124 (a) (6), 3176 I.R.C.)

§ 182.598 *Delivery to carrier.* If the alcohol is withdrawn from a bonded warehouse located elsewhere than at the port of exportation, the exporter will deliver the shipment to a carrier for transportation to the port of exportation. He shall procure a copy of the bill of lading covering such transportation and deliver it to the storekeeper-gauger at the bonded warehouse. The alcohol must be consigned to the collector of customs of the port of export and must be properly described in the bill of lading by serial numbers and quantity. (Secs. 2885, 2886, 3105, 3124 (a) (6), 3176 I.R.C.)

§ 182.600 *Exportation through border ports.* In case of exportation through a border port to a contiguous foreign territory, the bill of lading will cover the transportation of the alcohol to its destination and must show the routing, particularly as to the carrier which will deliver the shipment for customs inspection at the border. The shipment must be consigned in care of the collector of customs or deputy collector of customs at the border port. The exporter shall deliver a copy of the bill of lading to the storekeeper-gauger at the bonded warehouse. (Secs. 2885, 2886, 3105, 3124 (a) (6), 3176 I.R.C.)

§ 182.601 *Disposition of forms.* When the packages of alcohol have been delivered and the exporter has furnished a copy of the bill of lading, the storekeeper-gauger will forward immediately a complete set of the Forms 1440 and 1456 and bill of lading to the district supervisor and one copy each of Form 1440 and Form 1456 to the collector of customs at the port of exportation and return the remaining copies of Forms 1440 and 1456 to the proprietor of the warehouse, who will retain them thereat as a permanent record in accordance with section 182.643. (Secs. 2885, 2886, 3105, 3124 (a) (6), 3170, 3176, I.R.C.)

§ 182.603 *Proceedings at port of export.* * * *

(g) *Return of inspection and lading; export bill of lading.* After the alcohol has been duly laden on board the export vessel or car, the customs inspector shall execute his certificate of inspection and lading on Part 3 of Form 691 and forward all copies to the collector of customs, together with Form 696, if any, and the exporter shall file immediately one copy of the export bill of lading with the district supervisor, unless, in the case of ex-

portation through border ports, a through bill of lading was filed at the time of withdrawal from warehouse as provided in § 182.600.

§ 182.643 *Form 1440.* • • •

(g) • ~ •

(1) *If withdrawn on original gauge.* When alcohol is to be withdrawn without regauge, a transcription of the original gauge shall be made, in triplicate, appropriately headed to show the purpose for which withdrawn or transferred. Notation will be made to the effect that withdrawal is made on entry gauge.

(i) *Tax-free withdrawals.* When alcohol is withdrawn for scientific purposes, etc., or for the use of the United States or governmental agency thereof, Form 1440 will be executed in triplicate, and the purpose for the withdrawal will be entered as "For hospital use," "Laboratory use," or "Use of United States," etc., as the case may be.

§ 182.660 *States, Territories, etc., or the District of Columbia.* Tax-free alcohol when withdrawn by the several States and Territories, or municipal subdivisions thereof, or the District of Columbia, must be used solely for mechanical and scientific purposes, and such use, or the use of any resulting product, must be confined to the premises under the control of the State or Territory, or municipal subdivision thereof, or the District of Columbia: *Provided*, That tax-free alcohol withdrawn for use at hospitals, sanatoriums, clinics, colleges, and laboratories operated by States and Territories, or any municipal subdivision thereof, or by the District of Columbia, may be used as provided in section 182.661. (Secs. 3105, 3108, 3114 (a), 3124 (a) (6), 3176, I.R.C.)

§ 182.661 *Hospitals, sanitariums, or clinics.* Tax-free alcohol withdrawn by hospitals, sanitariums, or clinics operated for charity and not for profit, may be used only for medicinal, mechanical, and scientific purposes and in the treatment of patients. The use of the alcohol and the resultant products shall be confined strictly to the premises of the institution withdrawing the alcohol, except that where any such resulting product does not contain alcohol and is to be used in further research, it may be removed, without sale, for that purpose only, such research to be conducted at any scientific university or college of learning, laboratory engaged in scientific research; or hospital or clinic, and except that bona fide medicines compounded with alcohol withdrawn by clinics operated for charity and not for profit may be used outside of such clinics for treatment of the patients thereof, but such medicines may not be sold. (Secs. 3105, 3108, 3114 (a), 3124 (a) (6), 3176, I.R.C.)

§ 182.662 *Scientific universities and colleges of learning.* Scientific universities and colleges of learning shall use tax-free alcohol only for scientific, mechanical, and medicinal purposes and use thereof and of any resulting products shall be confined strictly to the premises of the institution withdrawing the alcohol, except that where any such resulting product does not contain alcohol and is to be used in further research, it may be removed, without sale, for that purpose only, such research to be conducted at any scientific university or college of learning, laboratory engaged in scientific research, or hospital or clinic. (Secs. 3105, 3108, 3114 (a), 3124 (a) (6), 3176, I.R.C.)

§ 182.663 *Laboratories.* Any laboratory withdrawing alcohol free of tax must use such alcohol exclusively in scientific research, and the use thereof and of any resulting products shall be confined strictly to the premises covered by the basic permit, Form 1447, except that where any such resulting product does not contain alcohol and is to be used in further research, it may be removed, without sale, for that purpose only, such research to be conducted at any scientific university or college of learning, laboratory engaged in scientific research, or hospital or clinic. (Secs. 3105, 3108, 3114 (a), 3124 (a) (6), 3176, I.R.C.)

§ 182.700 *Regauge of distillates.* • • •

(a) *Losses.* No allowance can be made for losses of such distillates occurring during transportation to the denaturing plant or while stored in such plant prior to denaturation. The tax will be collected on all such losses. The losses of such distillates in transit to the denaturing plant and while stored thereat shall be shown as a separate entry in the same columns in which losses of alcohol are shown on Form 1468–A. (Secs. 2916, 3124 (a) (6), 3176, I.R.C.)

§ 182.847 *Losses.* • • •

(b) *Labels.* Where proprietary solvents and lacquer thinners are packaged by producers or their agents in containers of 5 wine gallons or less, such containers must be labeled to show the producer's name, address, and permit number: *Provided*, That where the products are packaged for a dealer, the name and address of the dealer may be shown in lieu of the name and address of the producer, but the basic permit number of the producer must be placed on the labels. Where dealers repackage proprietary solvents or lacquer thinners in containers of not over 5 wine gallons capacity, as authorized in paragraph (d), the name, address, and basic permit number of the producer, or the name and address of the dealer and the basic permit number of the producer, shall likewise be placed on the labels of all containers of one-half gallon or more capacity.

§ 182.860 *General.* • • • (c) *Repackaging.* The district supervisor may authorize the manufacturer to ship products in containers of 1 gallon or more capacity to persons legitimately engaged in a bona fide bottling and distributing business, such as beauty and barber supply dealers, wholesale drug stores and general wholesale stores, for repackaging in containers conforming to the requirements of paragraph (b), for sale to the persons enumerated in paragraphs (a) and (d) hereof. Application for such permission must be made by the bottler and distributor to the district supervisor of the district in which the bottler and distributor is located. The district supervisor will determine the legitimacy of the business of the applicant and the bona fides of his reasons for desiring to repackage the products. If the district supervisor determines that the applicant may be properly permitted to repackage the products and the manufacturer is located in his district, he will authorize the manufacturer to so ship the products to the applicant; if the manufacturer is located in another district, the district supervisor will forward the application with his findings and recommendation to the supervisor of such district, who, if he sees no objection to the proposed shipment, will authorize the manufacturer to so ship the products.

§ 182.863 *General.* Except as provided in paragraph (a), a permittee manufacturing tincture of iodine, U. S. P., half strength tincture of iodine, U. S. P., mild tincture of iodine, U. S. P., and other tinctures of iodine, with specially denatured alcohol may not sell in excess of one 50-gallon barrel or the equivalent thereof in containers of more than 1-gallon capacity in one month to any one customer. Sales may be made by permittees in any desired quantities in containers having a capacity of 1 gallon or less.

Section 182.653 (b) *Withdrawal permit* is amended by adding at the end thereof a new paragraph, reading as follows:

(3) *Exception.* The district supervisor, may, in his discretion, by appropriate modification or amendment of the withdrawal permit, pursuant to application on Part I of Form 1450, (1) where the quantity that may be withdrawn during a calendar month under paragraph (b) amounts to less than 1 drum (110 proof gallons), authorize the withdrawal during a calendar month of a quantity not exceeding 1 drum (110 proof gallons), if the bond of the applicant is in a sufficient penal sum to cover such increased withdrawal, or (2) where the applicant does not have on file a bond and the quantity that may be withdrawn during a calendar month under paragraph (b) amounts to less than 10 proof gallons, authorize the withdrawal during a calendar month of a quantity not exceeding 10 proof gallons: *Provided*, That the total quantity authorized under (1) and (2) shall not exceed the quantity specified in the applicant's basic permit, Form 1447, that may be withdrawn during the period for which it is issued.

Section 182.829 (b) (2) is amended, and a new paragraph is added at the end thereof, to read as follows:

(2) *Excessive withdrawals.* Withdrawals must be so regulated by the permittee that he will not have on hand, in transit, and unaccounted for during any calendar month more than the quantity of specially denatured alcohol, plus the quantity of recovered or restored denatured alcohol, and recovered or restored articles (which are in the form of denatured alcohol) so authorized by his basic permit, Form 1481.

(3) *Exception.* The district supervisor may, in his discretion, by appropriate modification or amendment of the withdrawal permit, pursuant to application on Part I of Form 1485, and, in the case of (1) and (2), upon proper showing of necessity therefor, (1) in the case of a seasonal business, authorize withdrawal during any calendar month of not to exceed a two months' allowance, or (2) issue to the permittee, in lieu of an annual permit, Form 1485, one or more withdrawal permits for a specified quantity or period, subject to the restrictions in this section as to the maximum quantity that may be withdrawn during any one month, or (3) where the quantity that may be withdrawn during a calendar month under paragraph (b) amounts to less than 1 drum ((55 wine gallons), authorize the withdrawal during a calendar month of a quantity not exceeding 1 drum (55 wine gallons), or (4) where the applicant does not have on file a bond and the quantity that may be withdrawn during a calendar month under paragraph (b) amounts to less than 5 wine gallons, authorize the withdraw' during a calendar month of a quantity not exceeding 5 wine gallons: *Prov'ded*, That the total quantity authorized under (1), (2), (3), or (4) shall not exceed the quantity specified in the applicant's basic permit, Form 1481, that may be withdrawn during the period for which it is issued: *Provided further*, That such additional withdrawals shall not be authorized under (1), (2), or (3), unless the bond of the permittee is in a sufficient penal sum to cover the increased quantity in addition to the regular withdrawal allowance.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: June 29, 1942.

JOHN R. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6168; Filed, June 30, 1942; 3:03 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter A—General

[Order No. 3]

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

TO EXECUTIVE DIRECTOR REGARDING EXPORT CONTROL

§ 800.3 *Order No. 3.* The Executive Director of the Board of Economic Warfare is hereby authorized and directed, subject to my general supervision and direction, to exercise and perform the powers and functions contained in Section 6 of the Act of July 2, 1940, 54 Stat. 714, 50 U.S.C. (1940 ed.) 701, as amended by the Act of June 30, 1942, 77th Congress, 2nd Session, and to issue such rules and regulations as may be necessary or proper to carry out the provisions of said Acts. The Executive Director is hereby further authorized to delegate, and provide for the redelegation of, such of these powers and functions, including the power to issue rules and regulations, as may from time to time be required.

Dated: June 30, 1942.

H. A. WALLACE,
Chairman.

[F. R. Doc. 42-6187; Filed, June 30, 1942; 4:35 p. m.]

[Delegation of Authority No. 25]

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

TO ASSISTANT DIRECTOR REGARDING EXPORT CONTROL

§ 800.55 *Delegation of Authority No. 25.* By virtue of the authority vested in me, as Executive Director of the Board of Economic Warfare, by order of the Chairman, dated June 30, 1942, authority is hereby delegated to the Assistant Director in Charge of the Office of Exports or, in his absence, the officer designated by said Assistant Director to act for him:

(a) To exercise and perform all powers and functions contained in Section 6 of the Act of July 2, 1940, 54 Stat. 714, 50 U.S.C. (1940 ed.) 701, as amended by the Act of June 30, 1942, 77th Congress, 2nd Session, and to issue such rules and regulations as may be necessary or proper to carry out the provisions of said Acts; and

(b) To delegate, and provide for the redelegation of, such of these powers and functions, including the power to issue rules and regulations, as may from time to time be required.

Dated: June 30, 1942.

MILO PERKINS,
Executive Director.

[F. R. Doc. 42-6188; Filed, June 30, 1942; 4:35 p. m.]

[Delegation of Authority No. 26]

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

TO CHIEF OF THE EXPORT CONTROL BRANCH OF THE OFFICE OF EXPORTS REGARDING EXPORT CONTROL

§ 800.56 *Delegation of Authority No. 26.* By virtue of the authority vested in me, as Acting Assistant Director in Charge of the Office of Exports, authority is hereby delegated to the Chief of the Export Control Branch of the Office of Exports or, in his absence, the officer designated by said Branch Chief to act for him, to exercise and perform all powers and functions, including the power to issue rules and regulations, relating to the control of exportation of articles, commodities, technical data, etc., provided for in paragraph (1) of the order of the Executive Director, dated June 30, 1942, and to delegate, and provide for the redelegation of, such of these powers and functions as may from time to time be required, provided that the authority to issue rules and regulations may not be so delegated.

Dated: June 30, 1942.

JOHN C. FOULIS,
Acting Assistant Director in Charge of the Office of Exports.

[F. R. Doc. 42-6189; Filed, June 30, 1942; 4:35 p. m.]

Subchapter B—Export Control

Part
801 GENERAL REGULATIONS
802 GENERAL LICENSES
803 UNLIMITED LICENSES
804 INDIVIDUAL LICENSES
805 SELECTED DESIGNATIONS CLEARANCE PROCEDURE
806 TECHNICAL DATA
807 DENIAL OF LICENSING PRIVILEGES

PART 801—GENERAL REGULATIONS

Sec.
801.1 Definitions.
801.2 Prohibited exportations.
801.3 Revocation of licenses.
801.4 Return of revoked or expired licenses.
801.5 Transfer of licenses.
801.6 Amendments to licenses.
801.7 Presentation for export.
801.8 Price.
801.9 Arms, ammunition and implements of war, helium and tinplate scrap.

AUTHORITY: §§ 801.1 to 801.9, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 801.1 *Definitions.* When used in this subchapter:

(a) "Person" shall be construed to mean the singular or plural, an individual, corporation, partnership, association, company or any other kind of organization whatsoever.

(b) "The United States" shall be construed to include the District of Columbia, the Canal Zone, and all territories, dependencies and possessions of the United States.

(c) "The Proclaimed List" means The Proclaimed List of Certain Blocked Nationals published pursuant to Proclamation No. 2497 issued July 17, 1941 (6 F.R. 3555).

(d) "The Export Control Branch" means the Export Control Branch of the Office of Exports, Board of Economic Warfare.

(e) "Department of Commerce Schedule B and F numbers" refers to Schedules B and F (Statistical Classifications of Commodities Exported) issued by the United States Department of Commerce.

§ 801.2 *Prohibited exportations.* The exportation of all articles, materials and supplies hereafter enumerated in this section and all technical data as defined in § 806.1 of this subchapter is hereby prohibited unless and until an applicable license authorizing such exportation shall have been issued:

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Abaca	Lbs.	3499.30	1
ABRASIVES—Artificial, crude & in the grain	Lbs.	5411.98	C
ABRASIVE MANUFACTURES			
Artificial abrasives, (hones, whetstones, etc., except steel abrasives), n. e. s.	Lbs.	5419	C
Corundum	Lbs.	5409.98	C
Diamond dust—See Diamonds, Industrial			
Diamond grinding wheels	Units	5409.05	1, 47
Emery, corundum & garnet wheels	Lbs.	5405	C
Emery powder	Lbs.	5409.20	C
Grindstones (include pulpstones)	Lbs.	5406	K
Natural abrasives, hones, whetstones, etc., n. e. s. (include infusorial & diatomaceous earth, flint, rottenstone, tripoli, and garnet)	Lbs.	5409.98	K
Paper & cloth	Reams	5418	C
Steel abrasives	Lbs.	5411.05	C
Steel wool	Lbs.	5413	*K
Wheels of artificial abrasives	Lbs.	5412	C
Absorbent cotton, gauze, and sterilized bandages (include cellucotton bandages)	Lbs.	3980	K
Accounting machine parts	Units	7761	C
Accounting machines, descriptive or text-writing, new	Units	7753	1, 47
Accounting machines, non-descriptive or non-text-writing, new	Units	7752	1, 47
Acerola res resins	Lbs.	2189.95	C
Acetic acid	Lbs.	8300	C
Acetic aldehyde	Lbs.	8329.91	C
Acetic anhydride	Lbs.	8301	C
Acetone	Lbs.	8316	C
Acetylene welding outfits	Units	7458.05	C
Acetylsalicylic acid (aspirin)—See Chemicals			
Acid, acetic	Lbs.	8300	C
Acid, boric	Lbs.	8308	C
Acid, chromic	Lbs.	8309.1	C
Acid, citric	Lbs.	8303.07	C
Acid, cresylic	Lbs.	8024.09	C
Acid, metaphosphoric	Lbs.	8309.23	C
Acid, molybdic	Lbs.	8309.91	1, 47
Acid, monochloroacetic	Lbs.	8303.05	C
Acid, nitric (report quantity on basis of 100% HNO_3)	Lbs.	8309.3	C
Acid, oleic	Lbs.	0847	C
Acid, orthophosphoric	Lbs.	8309.93	C
Acid, oxalic	Lbs.	8303.09	C
Acid, phosphoric (ortho-, pyro- & meta-)	Lbs.	8309.98	C
Acid, pyrophosphoric	Lbs.	8309.93	C
Acid, stearic	Lbs.	0849	C
Acid, sulphuric, fuming (oleum)	Lbs.	8309.5	C
Acid, sulphuric, n. e. s.	Lbs.	8309.7	C
Acid, tartaric	Lbs.	8302	C
Acid, tungstic	Lbs.	8396.21	1, 47
Acids, fatty of vegetable origin	Lbs.	2248.01	C
Acids—See Chemicals			
Acidulated phosphate	Lbs.	8519	C
Aconite, roots & leaves	Lbs.	2209.27	None
Acrylonitrile	Lbs.	8329.81	C
Acrylonitrile, polymers & copolymers of	Lbs.	8258.19	C
Adding machines—See Machinery—Office Appliances			
Adding machine & cash register paper	Lbs.	4797	C
Addressograph blanks, zinc	Lbs.	7762.05	1, 47
Addressing machine parts, equipment, accessories & supplies, except blanks (include embossing machines & plates of fiber or metal)	Units	7762.98	C
Addressing machines	Units	7762.98	1, 47
Adz handles	Doz.	4288	K
Aerial cameras	Units	8402.31	C
Agar	Lbs.	8135.98	None
Agricultural machinery and implements—See Machinery—Agricultural Implements			
Aiming circles	Units	9149.91	C
Air-brake equipment & parts	Units	7968	C
		7704	C
Air compressors	Units	7705	C
		7709	C
Air conditioning units, equipment, etc.—See Machinery—Industrial (Misc.).			
Aircraft, automatic pilot	Units	7948.03	C
Aircraft engine parts—See Engines—Aircraft, Parts.			
AIRCRAFT			
Gliders	Units	7943	C
AIRCRAFT—PARTS, EQUIPMENT & ACCESSORIES (other than as listed in the President's proclamation of April 9, 1942)			
Cameras, aerial	Units	9002.31	C
Control columns	Units	7949.95	C
Controls, bomb rack	Units	7949.95	C
Controls, pilot, automatic	Units	7948.01	C
De-icers	Units	7949.95	C
Directors and range finders	Units	7948.09	C
Flares	Units	9497.95	C
Frame assemblies	Units	7949.95	C
Gyro instruments, aircraft	Units	7948.05	C
Navigation instruments, aircraft—See Instruments—Navigation			
Oxygen masks used in high altitude flying	Units	9190.98	C
Parachutes	Units	7945.05	C
Parachute harness, assembled	Units	7945.09	C
Parachute harness, adaptor fittings	Units	7945.09	C
Parachute harness, D rings	Units	7945.09	C
Parachute harness, snaphooks	Units	7945.09	C
Parachute shrouds	Units	7945.98	C
Parachute parts & fittings, other	Units	7948.03	C
Pilot, automatic for aircraft	Units	9190.05	C
Radio ground equipment used for the direction & navigation of aircraft	Units	7948.07	C
Radio transmitting & receiving sets, aircraft	Units	7948.06	C
Radio transmitting & receiving set parts, aircraft	Units	7949.95	C
Rudder pedals	Units	7949.96	C
Sights, bomb			
Sound locators for aircraft—See Instruments—Fire Control	Units	7949.95	C
Struts & braces		7948.94	C
	Units	9190.94	C
Tachometers	Units	7949.95	C
Tanks, fuel	Units	7949.95	C
Tanks, oxygen & regulators, aircraft			
Transmitters, self-synchronous and indicators such as selsyns and synchro units and switchboards therefor, for aircraft—See Instruments—Fire Control			
Wingtips	Units	7949.95	C
Aircraft parts & accessories, other	Units	7949.98	C
Instruments & parts of, other	Units	7948.98	C
Aircraft pilot trainers—See Instruments—Fire Control			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Aircraft sound locators & binaural trainers therefor	Units	9190.89 7948.15	C
Airport beacons & searchlights	Units	7066	C
Air raid sirens and alarms	Units	7089	None
Alarm clocks	Units	9571	C
Alcohol, denatured	Lbs.	8312	C
Alcoholic spirits—See Beverages			
Alcohols—See Chemicals			
Ale—See Beverages			
Alfalfa seeds	Lbs.	2401	K
Alkyd resins	Lbs.	8253	C
Alloys, aluminum, ingots, slabs & other crude forms	Lbs.	6309	C
Alloys, antimony (including type metal, in crude and semi-manufactured form)	Lbs.	6515.05 6670	C
Alloys, beryllium	Lbs.	6649.05	C
Alloys, bismuth	Lbs.	6649.10	C
Alloys, cadmium	Lbs.	6649.17	C
Alloys, chromium bearing (Ferrochrome, see Iron—Ferro-alloys)	Lbs.	6649.20	C
Alloys, cobalt	Lbs.	6649.25	C
Alloys, columbium (Ferrocolumbium, see Iron—Ferro-Alloys)	Lbs.	6649.30	C
Alloys, copper, other than brass, bronze, nickel, or gold	Lbs.	6649.35	C
Alloys, iridium	T. oz.	6922.09	1, 47
Alloys, magnesium, in ingots, billets, bars and rods, plates, tubes, shapes, castings and forgings	Lbs.	6649.98	C
Alloys, manganese, containing 10% or more manganese (Ferromanganese and Spiegeleisen, see Iron, Ferroalloys)	Lbs.	6649.40	C
Alloys, manganese, containing less than 10% manganese	Lbs.	6649.98	C
Alloys, molybdenum including calcium molybdate and calcium-silico molybdate (Ferromolybdenum, see Iron, Ferro-alloys)	Lbs.	6649.45 6691.07 6691.08	1, 47
Alloys, nickel	Lbs.	6545.05 6610	C
Alloys, osmiridium	T. oz.	6922.09	1, 47
Alloys, osmium	T. oz.	6922.09	1, 47
Alloys, palladium	T. oz.	6922.09	1, 47
Alloys, platinum, in bars, ingots, sheets, slabs, wire, sponge & other forms including scrap	T. oz.	6922.05	1, 47
Alloys, rhodium	T. oz.	6922.09	1, 47
Alloys, ruthenium	T. oz.	6922.09	1, 47
Alloys, tantalum (Ferrotantalum, see Iron, Ferro-alloys)	Lbs.	6649.60	C
Alloys, titanium (Ferrotitanium, see Iron, Ferro-alloys)	Lbs.	6649.70	None
Alloys, tin, including scrap & babbitt metal	Lbs.	6565.09 6620	1, 47
Alloys, tungsten, including tool bit blanks (Ferrotungsten, see Iron, Ferro-alloys)	Lbs.	6639	1, 47
Alloys, vanadium (Ferrovanadium, see Iron, Ferro-alloys)	Lbs.	6649.90	1, 47
Alloys, zinc, other than brass or bronze, including scrap zinc	Lbs.	6573.05	1, 47
Alloys, zirconium (Ferrozirconium, see Iron, Ferro-alloys)	Lbs.	6649.95	C
Allyl alcohol & polymers & copolymers	Lbs.	8315.98	C
Allyl chloride & polymers & copolymers	Lbs.	8329.98	C
Alpaca wool or hair in the grease, pulled, scoured, sorted, washed or on the skin	Lbs.	3609	C
Alphacellulose, bleached rayon & chemical grades (include wood pulp cellulose)	S. ton	4601	C
ALUMINUM ALLOY PRODUCTS (including duralumin)			
Aluminum & alloy manufactures (all others)	Lbs.	6309.98	C
Ingots, slabs & other crude forms	Lbs.	6300	C
Plates, sheets, bars, strips, & rods	Lbs.	6303	C
Scrap	Lbs.	6301	C
Tubes, moldings, castings, & other shapes	Lbs.	6305	C
Utensils, table, kitchen, & hospital	Lbs.	6307	C
Valves, size 4" or larger	Units	6309.07	C
ALUMINUM ORES & CONCENTRATES			
Alumina	L. ton	6291	C
Aluminum, bauxite & other ores & concentrates	L. ton	6290 6296	C
ALUMINUM PRODUCTS			
Foil, whether or not embossed or paper-backed	Lbs.	6304 4725.01	C
Ingots, slabs, & other crude forms	Lbs.	6300	C
Plates, sheets, bars, strips, & rods	Lbs.	6303	C
Powders and paste (aluminum bronze)	Lbs.	6308.5	C
Scrap	Lbs.	6301	C
Tubes, molding, castings, & other shapes	Lbs.	6305	C
Ambulances & other motor equipment exported for relief or charity		9998.6	None
American Egyptian raw cotton—See Cotton			
Ammonia gas, anhydrous	Lbs.	8390	C
Ammonium phosphate	L. ton	8540	C
Ammonium salts & compounds	Lbs.	8385.98	C
Ammonium sulphate	L. ton	8505	C
Ammunition—See Firearms, Ammunition, and Fireworks			
Amplifiers & pick-ups	Units	7099.98	C
Ampoules		5232	K
Amusement park & playground devices		9450	C
Amyl acetate	Lbs.	8322	C
Angle dozers	Units	7227	1, 47
Angle rolls	Units	7455.07	C
Angles, brass & bronze	Lbs.	6479.15	1, 47
Angora wool or hair in the grease, pulled, scoured, sorted, washed or on the skin	Lbs.	3609	C
Anhydrides—See Chemicals			
Aniline oil & salts—See Chemicals			
Animal biologics—See Medicinals			
Animal dips, prepared	Lbs.	8205.98	C
Animal fats & oils—See Oils & Fats—Animal, Fish & Marine Mammal			
Animal hair—See Hair and Manufactures			
ANIMALS & ANIMAL PRODUCTS, INEDIBLE			
Bristles, pig	Lbs.	0999.98	C
Casein products—See Casein			
Feathers, crude, not dressed	Lbs.	0923	C
Feathers, dressed & manufactures of feathers		0929	C
Glue of animal origin, other	Lbs.	0942.98	C
Horses, for breeding	No.	0900	K
Horses, other	No.	0901	K
Live animals, n. e. s. (include goats & fur bearing animals)		0909	K
Mules, asses, & burros	No.	0903	K
Animal products, inedible, n. e. s. (include fish essence, fish for bait, crude catgut, & gelatin for photographic use)		0999.98	K
ANIMALS, EDIBLE			
Cattle for breeding	Units	0010	K
Cattle, other	Units	0012	K
Hogs (swine)	Units	0013	K
Poultry, live	Lbs.	0019	K
Sheep	Units	0016	K
ANIMAL PRODUCTS, EDIBLE			
Egg albumen	Lbs.	0095F	K
Egg products, dried	Lbs.	0093.05	K
Egg products, frozen	Lbs.	0093.07	K
Egg products, otherwise preserved	Lbs.	0093.98	K
Eggs, in the shell	Doz.	0092	K
Gelatin	Lbs.	0095	K
Meat extracts & bouillon cubes	Lbs.	0094	K
Animal products, edible, other (see Rennet)	Lbs.	0099	K
Annunciators, bells, buzzers, etc	Units	7089	C
Anodes, copper	Lbs.	6401	C
Anodes, lead	Lbs.	6515.20	C
Anti-knock Compounds—See Petroleum Products			
ANTIMONY			
Alloys containing antimony, including type metal, in crude and semi-manufactured form	Lbs.	6515.05 6670	C
Antimony-bearing scrap metal	Lbs.	6649.01	C
Metal (regulus, needle or liquidated)	Lbs.	6649.01	C
Ores & concentrates	Lbs.	6645.01	C
Salts & compounds—See Chemicals			
Antimonial lead—See Lead			
Antiseptics—See Medicinals			
Antitoxins—See Medicinals			
Anvils, primer, for shells, brass and bronze	Lbs.	6479.05	1, 47
Apple pomace	L. ton	1199	K
Apple waste, dried	Lbs.	1329	C
Apples, dried	Lbs.	1325	C
Apples, fresh—See Fruits			
Apricot pits & kernels	Lbs.	1374	K
Apricots	Lbs.	1319.1	K
Apricots, dried	Lbs.	1326	C
Apron brakes, plate bending	Units	7444.05	C
Aqua ammonia (ammonium hydroxide or ammonia liquor)	Lbs.	8385.01	C
Armatures	Units	7009.05 7055.05	C
Armature insulation under bands	Units	7099.90	C
Armature rings, mica	Lbs.	5513	1, 47
Armor plate planing machines	Units	7426	C
Arnica flowers, leaves, or root, whole, granulated or powdered—See Medicinals	Lbs.	2209.33	
Arsenic oxide	Lbs.	8398.98	C
Arsenic trichloride	Lbs.	8398.85	C
Art squares, finished, rayon		3850	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
ART WORKS			
Paintings, etchings, engravings, & statuary (include valuable manuscripts) (report plaster of paris statuary in 5487)	Units	9610	K
ASBESTOS—CRUDE & FIBER (if chiefly of fibers ¾" in length & over)	L. ton	5451.05	C
Unmanufactured, crude, fiber (less than ¾" in length)	L. ton	5451.98	C
ASBESTOS MANUFACTURES	Lbs.	5459.98	C
Asbestos manufactures, n. e. s.	Lbs.	5456	C
		5457	
Brake blocks & linings, molded and woven	Lbs.	5459.05	
		5459.01	
		5459.09	C
Boiler mattress covers & fillers	Lbs.	5458.1	C
Clutch facings, molded & woven	Lbs.	5458.3	
	Lbs.	5455.5	C
Packing	Lbs.	5453	C
Paper, millboard, & roll board	Lbs.	5454	C
Pipe covering & cement	Sq. ft.	9096	C
Roofing asbestos	Lbs.	5459.15	C
Sheets	Lbs.	5455.1	C
Textiles & yarns	M. bd. Ft.	4001	K
Ash, logs & hewn timber	M. bd. Ft.	4117	K
Ash boards, planks, & scantlings	M. bd. Ft.	4002	K
Aspen logs, & hewn timber			
ASPHALT	Lbs.	5471	K
Asphalt & bitumen, natural, manufactures, including asphalt cement, emulsion & prepared road asphalt	L. ton	5470	K
Asphalt & bitumen, natural, unmanufactured	Sq. ft.	9093	K
Asphalt roofing	L. ton	5047	C
Asphalt, petroleum (including road oil)			
Astringents—See Soap & Toilet Preparations			
Athletic goods—See Toys, Athletic & Sporting Goods	Lbs.	8137.01–.10	None
Atropine salts & compounds	Units	7948.03	C
Automatic pilot, aircraft	Units	7948.01	C
Automatic pilot controls, aircraft	Units	2062	1
Automobile, casings, rubber	Sq. yds.	2016	1
Automobile cloth, rubberized (include rubber-coated & rubber combined cloth)	Lbs.	2085	1
Automobile fan belts, rubber	Units	2063	1
Automobile inner tubes, rubber			
Automobiles & parts—See Machinery—Vehicles—Automotive Parts, & Accessories	Units	2066	1
Automobile tires, rubber, solid			
Aviation lubricating oils—See Petroleum Products	Units	7349.01	C
		7750.01	
Aviation lubricating oil, machinery for mfg			
Aviation motor fuel—See Petroleum Products	Units	7349.01	C
		7750.01	
Aviation motor fuel, machinery for mfg	Doz.	4288	K
Ax handles	Doz.	6153	C
Axes (broad & hand)	Units	7913	C
Axle shafts, automotive	Lbs.	6105.38	C
Axles fitted with wheels, railway locomotive	Lbs.	6105.35	C
Axles, railway car, fitted with wheels	Lbs.	6105.25	C
Axles, railway car, without wheels	Lbs.	6105.28	C
Axles without wheels, railway locomotive	Units	9190.50	C
Azimuth instruments	L. ton	1123	K
Babassu cake & meal	Lbs.	6620	1, 47
Babbitt metal	Lbs.	0324	C
Backs, leather, sole			
Bacon—See Meat Products	Lbs.	3224	C
Bags, jute, except when used as a container for other merchandise			
Bags, paper—See Paper & Mfrs.	Units	7600	1, 47
Bakery machinery	Units	7600	C
Bakery machinery, parts	Lbs.	8230	K
Baking powder	Lbs.	8307	C
Baking soda, (sodium bicarbonate)	Units	0197	C
Balances, laboratory			
Balances—See Iron & Steel Mfrs.—Misc.			
Balancing machines—See Instruments—Precision for Metal Working	Lbs.	2086	C
Balata belting, other	Lbs.	6091.01	C
Bale ties, iron & steel wire	Lbs	7691	C
Ball bearings & parts	Gross	2045	1
Balloons, rubber, toy balloons & balloon novelties	Lbs.	7693	C
Balls & rollers for bearings	Lbs.	4307.19	None
		4309.50	
Balls, cork			
Balls, foot, basket, tennis & golf—See Toys, Athletic & Sporting Goods			
Balls, grinding—See Iron & Steel Manufactures—Castings & Forgings			
Balls, rubber—See Rubber			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Bananas	Bunch	1301F	*K
Bandages, gauze—See Textile Products		6037.19	
		6037.59	
		6037.98	C
Band iron & non-alloy steel, alloy steel & stainless steel, cold & hot rolled	Lbs.	6038.19	
		6038.59	
		6038.98	
Bands, rotary bands for shells, brass & bronze	Lbs.	6479.05	1, 47
Bands, rotating, copper, for shells	Lbs.	6439.11	C
Bank vaults, doors, & interior equipment (include burglary-resistive chests & safes not insulated)	Units	6134	C
Bar & angle benders	Units	7455.07	C
Bar pins—See Jewelry			
Barbasco	Lbs.	2209.05	C
Barbed wire—See Iron & Steel Mfrs.—Wire			
Barges—See Machinery—Vehicles, Miscellaneous	Lbs.	8398.98	C
Barium carbonate	Lbs.	2209 F	None
Bark, cinchona (report quinine sulphate equivalent in avoirdupois ounces)	Lbs.	2209.03	None
Bark, cinchona, powdered (report quinine sulphate equivalent in avoirdupois ounces)	Lbs.	4309.50	None
Bark, cork			
Barley—See Fodders & Feeds			
Barley—See Grains and Preparations			
Barrels—See Wood Mfrs.	Lbs.	6303	C
Bars, aluminum	Lbs.	6303	C
Bars, aluminum alloys including duralumin	Lbs.	6448.01	1, 47
Bars, brass & bronze	Lbs.	6412	C
Bars, copper	Units	7404	C
Bars, cylinder boring			
Bars, iron & steel—See Iron & Steel—Bars & Rods	Lbs.	6507	C
Bars, lead and antimonial lead	Lbs.	6649.98	C
Bars, magnesium alloy	Lbs.	6545.09	C
Bars, nickel metal			
Bars, nickel silver—See Nickel	T. oz.	6922.05	1, 47
Bars, platinum metal & alloys	Lbs.	6565.07	1, 47
Bars, tin metal	Lbs.	6539	1, 47
Bars, tungsten metal			
Bar-ware—See Glass & Glass Products			
Barytes—See Pigments	Lbs.	8426	C
Basic lead carbonate	Units	9434	C
Basketballs			
Baskets—See Leather Mfrs.			
Bassoons—See Musical Instruments	Lbs.	2189.95	C
Batavia resins, Damar			
Bathrobes—See Cotton Mfrs	Units	6124	C
Bathtubs	Lbs.	2189.95	C
Batu resins, Damar			
Batteries—See Electrical Machinery & Apparatus	Units	2053	1
Battery boxes, electrical, rubber (include part rubber)	Units	7028	C
Battery chargers, nonrotating including rectifier tubes (tungar tubes)	Lbs.	5480.15	C
		8397.23	
Battery mix (manganese dioxide)	Lbs.	6515.50	C
Battery mud	Lbs.	6515.37	C
Battery plate, lead and antimonial lead (not assembled as complete battery units)	Lbs.	6589.01	1, 47
Battery shells, zinc, & parts, unassembled	L. ton	6290	C
		6295	
Bauxite & other aluminum ores & concentrates	Lbs.	2999.05	C
Bayberry wax	Units	7066	C
Beacons, airport, & searchlights			
Beaming machinery & parts—See Machinery—Textile, Sewing & Shoe	Lbs.	2220.01	C
Beans, castor	Lbs.	2210	C
Beans, soy	Lbs.	1545F	C
Beans, vanilla	Lbs.	7091	C
Bearings, ball & parts	Lbs.	6479.01	1, 47
Bearings, brass & bronze	Lbs.	7692	C
Bearings, roller, & parts	Units	7120	C
Beds of iron or steel for locomotives & other railway rolling stock	Units	6136	C
Beds, metal			
Bedspreads—See Cotton Mfrs. (also see Synthetic Textiles)	Units	7800	1
Beef—See Meat Products			
Bee-keeping equipment (include beehives, supers, sections, comb foundation, honey extractors, etc.)	Units	5234	K
Beer—See Beverages	Lbs.	8127.93	None
Beer bottles		8180.03	
Belladonna, extract of			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Belladonna leaf, fluid extract of	Lbs.	8124.03	None
		8180.03	
Belladonna leaves	Lbs.	2209.01	None
Belladonna liniment	Lbs.	8124.03	None
		8151.01	
Belladonna ointment	Lbs.	8127.93	None
		8180.03	
Belladonna plaster	Lbs.	8127.93	None
		8150.01	
Belladonna root	Lbs.	2209.01	None
Belladonna root, fluid extract of	Lbs.	8124.03	None
		8180.03	
Belladonna, tincture of	Lbs.	8124.03	None
		8180.03	
Bells, buzzers, annunciators, etc., electric	Units	7089	C
Belting, cotton woven, for machinery	Lbs.	3140	K
Belting leather	Lbs.	0330	C
Belting, rubber, other	Lbs.	2080	1
Belts, leather—See Leather Manufactures			
Benders, metal-working	Units	7455.07	C
Benders, pipe	Units	7455.07	C
Bends, lead & antimonial lead	Lbs.	6508	C
Bends, leather, sole	Lbs.	0324	C
Benzene, nitroderivatives of	Lbs.	8025.94	C
Benzocaine-benzoate—See Medicinals	Lbs.	8135.25	C
Benzol	Gals.	8006	C
Benzyl chloride	Lbs.	8025.98	C
Berets, fur-felt—See Textile Products			
Berries, fresh	Lbs.	1313	K
BERRYLLIUM			
Berryllium metal, alloys & scrap	Lbs.	6649.05	C
Beryllium ores & concentrates (except gem varieties)	Lbs.	6645.05	C
Beryllium salts & compounds	Lbs.	8396.20	C
Beverage bottles	Units	5234	K
Beta naphthol flakes & beta naphthol	Lbs.	8025.3	C
BEVERAGES			
Flavoring extracts—See Chemicals			
Grapefruit juice	Gals.	1775	K
Malt extraction & malt sirup	Lbs.	1701	K
Malt extract & malt sirup, medicated—See Medicinals			
Malt liquors, in bottles	Gals.	1702	K
Malt liquors, in cans	Gals.	1703	K–59
Malt liquors, in other containers	Gals.	1704	K
Mineral waters, natural & artificial	Gals.	1761	K
Orange juice	Gals.	1776	K
Pineapple juice	Gals.	1772	K
Rum	Pf. gal.	1714	K
Sirups & flavors for beverages (include concentrated sirups)	Gals.	1766	K
Whiskey	Pf. gal.	1716	K
Wines	Gal.	1750	K
Beverages, other	Gals.	1780	K
Fruit juices, other	Gals.	1779	K
Liquors, distilled, & compounds containing spirits, other	Pf. gal.	1719	K
Beveling rolls	Units	7455.07	C
Bicarbonate of soda (baking soda)	Lbs.	8307	C
Bicycles & parts—See Machinery—Vehicles, Miscellaneous			
Bidets	Piece	5333	K
Billiard tables & accessories		9445	C
Billets, copper	Lbs.	6412	C
Billets, magnesium alloy	Lbs.	6649.98	C
Billets, non alloy, alloy & stainless steel	L. ton	6016.01	C
		6017.01	
Binder twine (specify fiber)	Lbs.	3411	C
Binders, grain	Units	7847	1
Bindings—See Cotton Mfrs.			
Binoculars, including prism, binoculars, opera, field, and marine glasses	Units	9149.3	C
Bins, wall, sheet-metal	Units	6130	C
Biologics—See Medicinals			
Birch, beech, & maple boards, planks & scantlings	M. bd. ft.	4118	K
Biscuits and crackers	Lbs.	1078	K
BISMUTH			
Bismuth matte, slimes & residues	Lbs.	6645.10	C
Bismuth metal & alloys, including base bullion	Lbs.	6649.10	C
Bismuth salts & compounds—See Chemicals			
Bit braces & parts, hand operated devices	Units	6177	*J
Bits, wood-working	Doz.	6157.1	C
Bitumen—See Asphalt			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Bituminous paints, liquid and plastic—See Pigments			
Black pipe, welded	Lbs.	6070	C
		6071	
Black sheets—See Iron & Steel—Sheets			
Blades, coping saw	Units	6156.98	C
Blades, hack-saw, hand	Gross	6154.98	C
Blades, hack-saw, power	Gross	6154.43	C
Blades, safety-razor	C	6113	C
Blankets, cotton	Units	3171	K
Blankets, wool—See Wool Manufactures			
Blanks, brass & bronze	Lbs.	6448.05	1, 47
Blanks, optical glass, other than ophthalmic	Units	5230.05	C
Blanks, printing, zinc	Lbs.	7702.05	1, 47
Blanks, tool-bit, of iron or steel	Lbs.	6209.07	C
Blanks, tool-bit of molybdenum	Lbs.	6691.07	1, 47
Blanks, tool-bit, tungsten & alloys	Lbs.	6639	1, 47
Blast cleaning and tumbling machines and parts	Units	7481	C
Blast furnace cars—See Machinery—Vehicles, Miscellaneous			
Blasting caps	Units	8629	C
Blasting gelatin (including explosive compounds similar to blasting gelatin)	Lbs.	8609.01	C
		8609.03	
Bleaching powder (bleach, chloride of lime, chlorinated lime, calcium hypochlorite, including high test)	Lbs.	8340	C
Blending agents, of petroleum origin—See Petroleum Products			
Blinds—See Wood Mfrs.			
Blister, copper	Lbs.	6401	C
Block mica	Lbs.	5510	None
Blocks, cork	Lbs.	4307.19	None
		4309.50	
Blocks, tin metal	Lbs.	6565.07	1, 47
Blocks, zinc	Lbs.	6571	1, 47
Blood purifiers—See Medicinals			
Blooms, non-alloy, alloy & stainless steel	L. ton	6016.03	C
		6017.03	
Blouses—See Cotton Mfrs. (also see Silk & Silk Mfrs. & Synthetic Textiles)			
Blow torches	Units	6479.98	1, 47
Blowers & ventilating machinery and parts	Units	7641	C
Blueprints & photographs—See Books, Maps, Pictures, & Other Printed Matter			
Blue vitriol (copper sulphate)	Lbs.	8201	C
Board, fiber insulating, 7/16" thickness & over	Sq. ft.	4736	C
Boards & lumber—See Wood			
Boards, plotting	Units	9190.71	C
Boards, range correction	Units	919 .81	C
Boat oars & paddles—See Wood Mfrs.			
Boats, motor, with engines installed, not over 16 gross tons	Units	7956.3	C
Boats, motor, with engines installed, over 16 gross tons	Units	7956.5	C
Boats, tow—See Machinery—Vehicles, Miscellaneous			
Bobbers, cork	Lbs.	4307.19	None
		4309.50	
Body valves, iron or steel, & parts for steam, water, oil, & gas	Units	7745.98	C
Boea resins, copal fossils	Lbs.	2189.95	C
Boiler & feed water compounds, water softeners, & purifiers (state ingredients)	Lbs.	8240	C
Boiler gauge glass tubes	Units	7139.05	C
Boiler mattress covers & fillers, asbestos	Lbs.	5459.09	C
Boiler plate	Lbs.	6030.98	C
		6030.18	
Boiler tube cleaners	Units	7139.98	1, 47
Boiler tubes—See Iron & Steel Mfrs.—Tubular Prod.			
Boilers—See Machinery—Power generating (except electric & automotive)			
Boilers, house-heating	Units	6148	C
Boilers, oil-fired, domestic conversion	Units	6150	C
Boilers, oil-fired, industrial conversion	Units	6151	C
Boilers, steam, fire tube (sq. ft. heating surface)	Sq. ft.	7132	1, 47
Boilers, steam, water tube (sq. ft. heating surface)	Sq. ft.	7133	1, 47
Bolsters of iron or steel for locomotives & other railway rolling stock	Units	7120	C
Bolt clippers	Units	6170	C
Bolt dies for metal-working machinery	Units	7447	C
Bolts, machine screws, nuts, rivets, & washers (except railroad), iron & steel	Lbs.	6099	C
Bolts, railroad	Lbs.	6059	C
Bomb sights	Units	9149.94	C
Bomb sights, aircraft	Units	7949.96	C
Bomb rack controls, aircraft	Units	7949.95	C
Bone char	Lbs.	8297.98	C
Bonnets, fur-felt	Units	3952	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
BOOKS, MAPS, PICTURES, & OTHER PRINTED MATTER			
(The following are in group K unless classified as Technical Data)			
Catalogs & pamphlets		9516	
Geogrsphic maps & charts		9522	
Lithographically printed matter		9563	
Newspapers, current (report overissue & old newspapers in 4722)		9553	
Periodicals		9555	
Textbooks, educational, bound		9510	
Unbound books in sheets		9514	
Plans & specifications for aircraft	Units	9569.01	
Plans & specifications for manufacturing of aviation gasoline	Units	9569.05	
Plans & specifications for manufacturing of aviation lubricating oil	Units	9569.06	
Plans & specifications for manufacturing of tetraethyl lead	Units	9569.07	
Bound books, n. e. s.		9512	
Plans & specifications, n. e. s.		9569.98	
Photograph & blueprints, n. e. s.		9550.98	
Printed matter, n. e. s.		9569.98	
Calendars, printed or unprinted		9560	K
Music in books or sheets		9523	K
Playing cards		9565	K
Bookbinding machinery	Units	7704	1, 47
Bookbinding machinery, accessories & parts	Units	7703	C
Bookkeeping machines—See Machinery—Office Appliances			
Boots—See Leather Manufactures			
Boots, rubber	Lbs.	2031	1
Boracite	Lbs.	8302.11	C
Borates, crude and refined—See Chemicals			
Borax (sodium tetraborate)	Lbs.	8302.29	C
Borax glass	Lbs.	8302.22	C
Bordeaux mixture	Lbs.	8205.9	C
Borers, precision	Units	7404	C
Boric acid	Lbs.	8308	C
Boring bars, cylinder	Units	7404	C
Boring machines	Units	(7455.07	C
Boron oxide	Lbs.	(7455.21	C
Boron sesquioxide	Lbs.	8362.23	C
Bort, diamond, industrial	K	8362.25	C
Bottle closures	Gross	5091	None
Bottling machinery, beverage	Units	9680	C
Bottling machines, parts	Units	7644	1, 47
Bottle-labeling machines (except for fruit or vegetable containers)	Units	7644	1, 47
Bottle-labeling machines, parts	Units	7644	C
Bottles, vials, etc.—See Glass & Glass Products			
Bottle-washing machines & parts—See Machinery—Industrial	Units	7644	C
Bouillon cubes	Lbs.	0091	C K
Box board cuttings	Lbs.	4609.09	C
Box shooks—See Wood—Sawmill Products			
Boxes & cartons—See Paper & Paper Mfrs.	Units	3994	C
Braces & suspenders, textile		3160	K
Braids, cotton			
Braids, rayon—See Synthetic Textiles	Lbs.	3399.06	C
Braid, flax			
Braiding machines & parts—See Machinery—Textile, Sewing & Shoe	Lbs.	(5459.05	C
Brake blocks, asbestos, molded & woven	Lbs.	(5459.01	C
Brake fluid, hydraulic	Lbs.	8299.9	C
Brake linings, asbestos, molded & semimolded	Lbs.	5456	C
Brake linings, asbestos, not molded	Units	5457	C
Brakes, metal-working	L. ton	7444.05	C
Bran		1190	K
Brandy—See Beverages			
BRASS & BRONZE (including gilding metal)	Lbs.	6479.15	1, 47
Angles	Lbs.	6448.01	1, 47
Bars, rods, & unfinished shaftings	Lbs.	6448.05	1, 47
Blanks	Lbs. & Units	7969.93	1, 47
Boat propellors & blades	Doz. pr.	6465	1, 47
Butts	Lbs.	6479.05	1, 47
Cartridge belt links	Lbs.	6479.13	1, 47
Castings & forgings	Lbs.	6479.17	1, 47
Channels	Lbs.	6479.19	1, 47
Circles	Lbs.	6479.01	1, 47
Die stocks, shims, bearings, & bushings	Lbs.	6479.05	1, 47
Gun parts	Lbs.	6469	1, 47
Hardware (all others)	Doz. pr.	6465	1, 47
Hinges	Lbs.	6441	1, 47
Ingots & commercial shapes	Lbs.	6479.08	1, 47
Manufactures (all others, include woven wire screen, snap fasteners & zippers)			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
BRASS & BRONZE (including gilding metal)—Continued.			
Pipe fittings	Lbs.	6454.3	1, 47
Pipes, tubes, & pipe coils	Lbs.	6453	1, 47
Plates, sheets, & strips, including window strips & shapes	Lbs.	(6450	1, 47
Plumbers' brass goods	Lbs.	(6470.07	1, 47
Primer caps	Lbs.	6456	1, 47
Primer cups & anvils for shells	Lbs.	6470.05	1, 47
Rotary bands & jackets for shells	Lbs.	6470.05	1, 47
Scrap & old brass & bronze	Lbs.	6440	1, 47
Shapes	Lbs.	6479.09	1, 47
Stampings including washers	Lbs.	6479.11	1, 47
Valves, pipe less than 4"	Units	6454.58	1, 47
Valves, 4" & larger	Lbs.	6454.57	1, 47
Wire (bare & insulated) including welding rods	Gross & Lbs.	6457	1, 47
Wood screws (plated or not plated)		6458	1, 47
Brassieres—See Textile Products			
Breccia—See Cement, Lime & Stone			
Brewers' machinery—See Machinery—Ind.			
Bricks—See Clay & Clay Products			
Brief cases	Units	0695.9	K
Bright stocks—See Petroleum Products			
Bristles, pig bristles	Lbs.	0999.98	C
Bristols & bristol board	Lbs.	4733	C
British gum or dextrine	Lbs.	8233	C
Broaches, metal cutting, for power tools	Units	(7182	C
Broaching machines	Units	(6118.05	C
Broad silk—See Silk & Silk Mfrs.		7453.07	C
Bromine	Lbs.	8344.01	C
Bronchial preparations—See Medicinals			
Brooches—See Jewelry			
Brooders	Units	7804	1
Broomcorn	L. ton	2031	K K
Broom handles	Doz.	4286	K K
Brooms	Doz.	2935	K
BRUSHES			
Household brushes (specify type)	Doz.	9826.1	*K
Paint brushes, except industrial	Doz.	9825	*K
Toilet brushes, other than toothbrushes (specify materials of which handles or backs are composed)	Doz.	9824	*K
Toothbrushes (specify materials of which handles or backs are composed)	Doz.	9822	*K
Brushes, including industrial, n. e. s. (specify type)	Units	9826.9	*K
Brush cutters	Lbs.	7227	1, 47
Brushes & stock, carbon	Bu.	5474.01	C K
Buckwheat		1021	K
Buffing machines—See Machinery—Mtl. Wkg.	Units	(7064.05	C
Bulbs, electric light, over 200 watts	Units	(7065.05	C
Bulldozers	Units	7227	1, 47
Bulldozers, forging	Units	7447	C
Bullet-proof glass (laminated glass containing 3 or more sheets)	Shts.	5217.5	C
Bullion, base, bismuth	Lbs.	6640.10	C
Bullion, base, lead, & antimonial lead	Lbs.	6645.35	C
Buoys, cork	Lbs.	(4307.19	None
Burlaps, jute, except when used as a covering for other merchandise or as a component part of other products	Lbs.	(4309.50	None
Burls, hardwood—See Wood—Unmanufactured		3229.05	C
Burner parts, oil, domestic & industrial	Units	6152.2	C
Burners, gas, domestic—See Iron & Steel Mfrs.—Central heating			
Burners, oil, domestic conversion	Units	6150	C
Burners, oil, industrial conversion	Units	6151	C
Bus casings, rubber	Units	2060	1
Bus engines, Diesel & semi-Diesel (injection type)	Units	7028.3	C
Bushings, brass & bronze	Lbs.	6479.01	1, 47
Busses—See Machinery—Vehicles—Automobiles, Parts, & Accessories			
Busses, powered by Diesel or semi-Diesel engines (injection type)	Units	7904.3	1
Butadiene	Lbs.	8320.83	C
Butadiene, polymers & copolymers of	Lbs.	8258.19	C
Butanol (butyl or butyric alcohol), primary, secondary, tertiary	Lbs.	8313	C
Butanol (butyl or butyric alcohol)	Lbs.	0065	C
Butter	Lbs	1442	C
Butter, cocoa	Lbs.	0099	C K
Buttermilk	L. ton	1185	K
Buttermilk, dried	Lbs.	2189.05	C
Button lac			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
BUTTONS			
Buttons & button parts of cellulose compounds, galalith, & other compounds	Gross	9711	*K
Buttons & parts of pearl or shell (include fresh water & ocean pearl buttons	Gross	9712.5	C
Buttons & parts of other material (specify material)	Gross	9712.9	*K
Button parts, backs, blanks & molds (specify type of article)	Gross	9713	*K
Butts, brass & bronze	Doz. pr.	6465	1, 47
Butts, iron or steel	Doz. pr.	6182	C
Butts, scroll-shear, tinplate	L. ton	6013	C
Butyl acetate	Lbs.	8317	C
Butyl alcohol	Lbs.	8313	C
Butylene	Lbs.	8395.01	C
Butylene, polymers & copolymers of	Lbs.	8258.19	C
Buzzers, bells, annunciators, etc	Units	7089	C
Cabinet locks	Doz.	6181	C
Cabinets—See Wood Mfrs.			
Cabinets, sheet metal—See Iron & Steel Mfrs.—Furniture & Fixtures			
Cable, copper, insulated, rubber covered	Lbs.	6430	C
Cable—See Iron & Steel Mfrs.—Wire			
Cable, lead (all types)	Lbs.	6515.21	C
Cacodylic acid & derivatives	Lbs.	8135.98	None
CADMIUM			
Alloys	Lbs.	6649.17	C
Dross, flue dust, residues, & scrap	Lbs.	6645.15	C
Metal	Lbs.	6649.15	C
Pigments—See Chemicals (also see Pigments)			
Salts & compounds—See Chemicals			
Caesium salts & compounds—See Chemicals			
Caffein	Lbs.	8135.11	None
Caffein salts & compounds	Lbs.	8135.12	None
Cakes, copper	Lbs.	6412	C
Cake, oil—See Fodders & Feeds			
Calcined gypsum (plaster of paris)	L. ton	5484	K
Calcium arsenate	Lbs.	8203	C
Calcium carbide	Lbs.	8341	C
Calcium chloride	Lbs.	8343	C
Calcium cyanamide	L. ton	8509.03	C
Calcium cyanide	Lbs.	8205.96	C
Calcium molybdate & scrap	Lbs.	6649.45	1, 47
Calcium nitrate	L. ton	8509.05	C
Calcium-silico molybdate & scrap	Lbs.	6649.45	1, 47
Calculating machines—See Machinery—Office appliances			
Calendars	Lbs.	9560	K
Calf body hair	Lbs.	3690.5	C
Calf manna	L. ton	1180	K
Calf skins	Piece & Lbs.	0296	C
Calf tail hair including switches	Lbs.	3690.7	C
Calipers—See Iron & Steel Mfrs.—Tools			
Calks & horseshoes	Lbs.	6106	C
Calomel (mercurous chloride)	Lbs.	8297.41	C
Camel wool or hair in the grease, pulled, scoured, sorted, washed, or on the skin	Lbs.	3609	C
Camelback	Lbs.	2069.05	1
Cameras, aerial	Units	(9002.31	C
Cameras, gun	Units	(9002.33	C
Cameras—See Photographic Projection Goods		9002.35	C
Camphor	Lbs.	8260F	C
Candelilla wax	Lbs.	2999.05	C
Candles	Lbs.	0832	C
Candlewick bedspreads	Units	3175	K
Candy—See Sugar & Related Products			
Cane mills	Units	7612	C
Can-making machinery	Units	7444.98	C
Canned Fruits—See Fruits—Canned			
Cannery machinery	Units	7642	1, 47
Can openers—See Iron & Steel Mfrs.—Cutlery			
Cans, tin, finished or unfinished—See Iron & Steel Mfrs.—Hollow ware			
Canton cord, cordage & twine	Lbs.	3419.09	C
Canton fiber, unmanufactured	Lbs.	3410F	C
Canton yarn	Lbs.	3499.09	C
Canvas articles		3196	*K
Canvas shoes with rubber soles	Pr.	2034	1
Capacitors—See Elec. Mach. & App.			
Cappers, bottle, hand—See Iron & Steel Mfrs.—Misc.			
Capsicum	Lbs.	1527F	C
Capsules—See Medicinals			
Car axles, railway, fitted with wheels	Lbs.	6105.35	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Car axles, railway, without wheels	Lbs.	6105.25	C
Car & marine hardware	Units	6186	C
Carabao hides	Piece & Lbs.	0250.03	C
Carbide nibs, tungsten metal	Lbs.	6639	1, 47
Carbolic acid (phenol)	Lbs.	8023	C
Carbonate, calcined (soda ash)	Lbs.	8305	C
Carbon bisulphide	Lbs.	8319	C
Carbon black (including gas black)	Lbs.	8423	C
CARBON ELECTRODES			
Carbon brushes & stock	Lbs.	5474.01	C
Electrodes for furnace or electrolytic work	Lbs.	5473.01	C
Lighting carbons	Units	5478	C
Carbon electrodes, n. e. s.	Lbs.	5480.01	C
Carbon paper	Lbs.	9092	C
Carbon products, n. e. s.		5480.98	C
Carbon tetrachloride	Lbs.	8329.1	C
Carbons, gas absorbing	Lbs.	8297.98	C
Carbonyl iron powder	Lbs.	6209.33	C
Carburetors, aircraft engine	Units	7947.05	C
Carburetors, marine & parts	Units	7159	C
Car cases—See Leather Mfrs.			
Card clothing	Lbs.	6091.98	C
Carding & other preparing, spinning, & twisting machinery & parts—See Machinery—Textile, Sewing, & Shoe			
Card punching machines—See Machinery—Office Appliances			
Cards, playing	Pack	9565	K
Car-heating equipment & parts, railway	Units	7972	C
Carnauba wax	Lbs.	2999.05	C
Carpet linings	Lbs.	3697	K
Carpets & rugs of wool	Sq. yd.	3962	*K
Carriages, baby	Units	7999.98	C
Carrot seeds	Lbs.	2468.5	K
Cars, passenger—See Machinery—Vehicles—Automotive, Parts & Accessories			
Cars, railway & parts—See Machinery—Vehicles, Misc.			
Car & locomotive tires, railway	Lbs.	6105.18	C
Cartons & boxes—See Paper & Paper Mfrs.			
Cartridge belt links, brass & bronze	Lbs.	6479.05	1, 47
Cartridge cloth, silk, suitable for powder bags	Yd.	3720.01	None
Cartridges, .22 calibre & smaller	M.	9491	1, 2, 47
Car wheels, locomotive	Lbs.	6105.18	C
Cascara bark—See Medicinals	Lbs.	2201	K
Casein	Lbs.	(0999.05	C
Casein, edible	Lbs.	(8258.01	C
Casein fiber	Lbs.	0099	K
Casein glue	Lbs.	3830.09	C
Cases, filing, with exposed drawers, sheet-metal (insulated)	Units	0942.05	C
Cases, filing, with exposed drawers, sheet-metal (not insulated)	Units	6132.5	C
Cash register & adding machine paper	Lbs.	6131	C
Cash registers, new	Units	4797	C
Cash register parts	Units	7764	C
Cash registers, used & rebuilt	Units	7767	C
Cashew nuts	Lbs.	7766	C
Cashmere wool or hair in the grease, pulled, scoured, sorted, washed or on the skin	Lbs.	1379	C
Casing & oil line pipe, iron & steel—See Iron & Steel Mfrs.—Tubular Prod.		3609	C
Casings, beef	Lbs.	0047	C
Casings, hog	Lbs.	0040	C
Casings, n. e. s.	Lbs.	0049	C
Casings, rubber, automobile	Units	2062	1
Casings, rubber, other	Units	2064	1
Casings, rubber, truck and bus	Units	2060	1
Caskets—See Leather Mfrs.			
Casks	Units	4209.5	K
Cassia	Lbs.	1533F	C
Cassia oil—See Medicinals			
Casters, furniture	Units	6184.5	C
Castings, alloy & stainless steel	Lbs.	6104.9	C
Castings & other shapes aluminum	Lbs.	6305	C
Castings & other shapes, aluminum alloys including duralumin	Lbs.	6305	C
Castings, brass & bronze	Lbs.	6479.13	1, 47
Castings, grey-iron, including semisteel castings	Lbs	6101	C
Castings, lead	Lbs.	6515.60	C
Castings, magnesium alloy	Lbs.	6649.98	C
Castings, malleable-iron	Lbs.	6102	C
Castings, non-alloy, steel	Lbs.	6104.1	C
Cast-iron pressure pipe	Lbs.	6067.05	C
Cast-iron soil pipe	Lbs.	6068.05	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Castor beans	Lbs.	2220.01	C
Castor oil, commercial	Lbs.	2249.01	C
Castor oil, medicinal—See Chemicals			
Catarrh, asthma, & hay-fever preparations including inhalants—See Medicinals			
Catalogs & pamphlets—See Books, Maps, Pictures & Other Printed Matter			
Catgut, crude	Lbs.	0999.98	K
Cathartics—See Medicinals			
Cathodes, copper	Lbs.	6412	C
Cattle body hair—See Hair & Mfrs.			
Cattle hides	Piece & Lb.	0201	C
Cattle—See Animal Products—Edible			
Cattle tail hair including switches	Lbs	3690.7	C
Caulking yarn, lead	Lbs.	6515.60	C
Caustic soda (sodium hydroxide)	Lbs.	8373	C
Cedar—See Wood—Unmanufactured			
Cedar sawed timber	M. bd. ft.	4065	C
Celestite (mineral strontium sulfate)	Lbs.	8397.80	C
Cellophane	Lbs.	4721	C
Cellosolve acetate	Lbs.	8329.98	C
Celluloid—See Miscellaneous			
Cellulose acetate butyrate	Lbs.	8329.98	C
Cellulose acetate flake, waste & scrap, not plasticized	Lbs.	8328	C
Cellulose acetate molding compositions & molding powder, plasticized	Lbs.	8265.05	C
Cellulose acetate sheets, rods, tubes, & other unfinished forms, plasticized	Lbs.	8265.98	C
CEMENT, LIME, & STONE			
Concrete & cement manufactures (include cement building blocks)	Units	5170	C
Crushed stone—See Nonmetallic Minerals			
Lime	Bbls.	5171	*K
Marble & other building & monumental stone, rough or dressed (include limestone & granite)	Cu. Ft.	5101	*K
Standard portland hydraulic cement	Bbls.	5164	C
White nonstaining & other hydraulic cement	Bbls.	5165	C
Manufactures of stone, n. e. s. (include manufactures of marble, limestone, breccia, & onyx)		5127	*K
Cementing preparations	Lbs.	8274	C
Cements, rubber	Gals.	2014	1
Centrifugal pumps—See Machinery—Mining, Well, & Pumping			
Ceramic Manufactures—See Clay & Clay Products			
Cereal—See Grains & Preparations			
CERIUM	Lbs.	6649.18	C
Metals & alloys	Lbs.	6645.18	C
Ore & concentrates	Lbs.	5472.01	None
Ceylon graphite			
Chains—See Iron & Steel Mfrs.—Misc.			
Chairs—See Wood Mfrs.			
Chairs, wheel—See Scientific & Professional Instruments & Apparatus			
Chalk	Gross	9306	K
Chalk, manufactures—See Nonmetallic Minerals	Lbs.	6479.17	1, 47
Channels, brass & bronze	Lbs.	8297.05	C
Char, coconut shell, in any form	Lbs.	5880	K
Charcoal	Lbs.	8297.98	C
Charcoal, animal			
Chassis—See Machinery—Vehicles—Automotive, Parts & Accessories			
Cheese—See Dairy Products			
CHEMICALS (See also Medicinals)	Lbs.	8135.30	C
Acetylsalicylic acid (aspirin) in bulk—See Medicinals	Lbs.	8127.92	C
Acetylsalicylic acid (aspirin) in tablet form—See Medicinals	Lbs.	8300	C
Acetic acid	Lbs.	8329.91	C
Acetic aldehyde	Lbs.	8301	C
Acetic anhydride	Lbs.	8268.98	C
Aceto cellulose	Lbs.	8316	C
Acetone	Lbs.	8309.98	C
Acids & anhydrides, inorganic, n. e. s.	Lbs.	8303.98	C
Acids & anhydrides, organic, n. e. s.	Lbs.	8319	C
Acidulated phosphate	Lbs.	8329.81	C
Acrylonitrile	Lbs.	8258.19	C
Acrylonitrile, polymers & copolymers of	Lbs.	8203.98	C
Agricultural insecticides, fungicides & similar preparations & materials, dry or liquid basis, other than those individually specified (include lime-sulphur, weed-killers, prepared animal dips, etc.)	Lbs.	8315.98	C
Alcohols (include glycols) n. e. s.	Lbs.	8283	C
Alkyd resins (include phthalic, maleic & succinic anhydride resins)	Lbs.	8315.98	C
Allyl alcohol & polymers & copolymers	Lbs.	8329.98	C
Allyl chloride & polymers & copolymers	Lbs.	8339.05	C
Aluminum chlorides, anhydrous	Lbs.	6308.5	C
Aluminum powder & paste (aluminum bronze)			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Aluminum salts & compounds, n. e. s. (include activated alumina, aluminum hydroxide, aluminum stearate, sodium aluminum sulphate, potash alum, & ammonia alum)	Lbs.	8339.8	C
Aluminum sulphate	Lbs.	8336	C
Ammonia, anhydrous, compressed & liquefied	Lbs.	8390	C
Ammonium bicarbonate	Lbs.	8385.02	C
Ammonium borate	Lbs.	8362.21	C
Ammonium carbonate	Lbs.	8385.04	C
Ammonium chloride	Lbs.	8385.05	C
Ammonium compounds, n. e. s.	Lbs.	8385.98	C
Ammonium nitrate	Lbs.	8385.17	C
Ammonium perchlorate	Lbs.	8385.2	C
Ammonium phosphate	Lbs.	8540	C
Ammonium sulphate	Lbs.	8505	C
Amyl acetate	Lbs.	8322	C
Aniline oil	Lbs.	8025.15	C
Aniline salts	Lbs.	8025.19	C
Animal charcoal or bone char, deodorizing, decolorizing, & gas absorbing carbons, n. e. s.	Lbs.	8297.98	C
Animal & Veterinary Biologics—See Medicinals	Lbs.	8120	
Antimony chloride (butter of antimony)	Lbs.	8396.01	C
Antimony oxides (tri-, tetra-, penta-)	Lbs.	8396.03	C
Antimony-potassium tartrate (tartar emetic)	Lbs.	8396.05	C
Antimony salts & compounds, n. e. s.	Lbs.	8396.06	C
Antimony sulfide	Lbs.	8396.07	C
Antitoxins & serums for human use—See Medicinals		8121	
Aqua ammonia (ammonium hydroxide or ammonia liquor)	Lbs.	8385.01	C
Arsenic compounds, n. e. s.	Lbs.	8398.96	C
Arsenic oxide	Lbs.	8398.98	C
Arsenic trichloride	Lbs.	8398.85	C
Asthma, catarrh, & hay-fever preparations, including inhalants—See Medicinals	Lbs.	8155	
Atropine, including salts & compounds	Lbs.	8135.01–8135.10	None
Automobile polishes	Lbs.	8294	*K
Baking powder	Lbs.	8290	K
Barium salts & compounds	Lbs.	8398.98	C
Belladonna, extract of	Lbs.	8127.93 8180.03	None
Belladonna leaf, fluid extract of	Lbs.	8124.03 8180.03	None
Belladonna liniment	Lbs.	8124.03 8151.01	None
Belladonna ointment	Lbs.	8127.93 8180.03	None
Belladonna plaster	Lbs.	8127.93 8150.01	None
Belladona root, fluid extract of	Lbs.	8124.03 8180.03	None
Belladonna, tincture of	Lbs.	8124.03 8180.06	None
Benzocaine-benzoate—See Medicinals	Lbs.	8135.25	C
Benzol	Gals.	8006	C
Benzyl chloride	Lbs.	8025.98	C
Beryllium salts & compounds	Lbs.	8396.20	C
Beta naphthol & beta naphthol flakes	Lbs.	8025.3	C
Biologics, animal & veterinary use—See Medicinals		8120	
Bismuth carbonates & mixtures	Lbs.	8396.34	C
Bismuth chlorides & mixtures	Lbs.	8396.30	C
Bismuth compounds for medicinal use—See Medicinals	Lbs.	8135.98	C
Bismuth gallates & mixtures	Lbs.	8396.35	C
Bismuth iodides & mixtures	Lbs.	8346.01	C
Bismuth nitrates & mixtures	Lbs.	8396.31	C
Bismuth oxides & mixtures	Lbs.	8396.32	C
Bismuth saccharate & mixtures	Lbs.	8396.36	C
Bismuth salts & compounds, n. e. s.	Lbs.	8396.38	C
Bismuth sulfate & mixtures	Lbs.	8396.33	C
Bituminous paints, liquids & plastic	Lbs.	8430	C
Bleaching powder (bleach, chloride of lime, chlorinated lime, calcium hypochlorite, including high test)	Lbs.	8340	C
Boracite	Lbs.	8362.11	C
Borates, n. e. s.	Lbs.	8362.98	C
Borax (sodium tetraborate)	Lbs.	8362.29	C
Borax glass	Lbs.	8362.22	C
Bordeaux mixture	Lbs.	8205.98	C
Boric acid	Lbs.	8308	C
Boron compounds	Lbs.	8398.98	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Boron oxide	Lbs.	8362.23	C
Boron sesquioxide	Lbs.	8362.25	C
Brake fluid, hydraulic	Lbs.	8299.9	C
Bromides & bromates, n. e. s.	Lbs.	8344.98	C
Bromine	Lbs.	8344.01	C
Butadiene	Lbs.	8329.83	C
Butadiene, polymers & copolymers of	Lbs.	8258.15	C
Butanol (butyl or butyric alcohol) primary, secondary, tertiary	Lbs.	8313	C
Butyl acetate	Lbs.	8317	C
Butylene	Lbs.	8395.01	C
Butylene, polymers & copolymers of	Lbs.	8258.19	C
Cacodylic acid and derivatives	Lbs.	8135.98	None
Cadmium chloride	Lbs.	8396.51	C
Cadmium lithopone	Lbs.	8429.01	C
Cadmium oxide	Lbs.	8396.53	C
Cadmium plating salts	Lbs.	8396.55	C
Cadmium salts & compounds, n. e. s.	Lbs.	8396.58	C
Cadmium sulphate	Lbs.	8396.57	C
Cadmium sulphide	Lbs.	8429.02	C
Caesium (cesium) salts & compounds	Lbs.	8398.65	C
Caffein & salts and compounds	Lbs.	8135.11	None
Calcium arsenate	Lbs.	8203	C
Calcium carbide	Lbs.	8341	C
Calcium chloride	Lbs.	8343	C
Calcium cyanamid	Lbs.	8509.03	C
Calcium cyanide	Lbs.	8205.96	C
Calcium nitrate	Lbs.	8509.07	C
Calcium salts & compounds, n. e. s.	Lbs.	8398.68	C
Camphor, natural & synthetic	Lbs.	8260 F	C
Carbon bisulphide	Lbs.	8319	C
Carbon black (including gas black)	Lbs.	8423	C
Carbon tetrachloride	Lbs.	8329.1	C
Carbonyl iron powder	Lbs.	6209.33	C
Casein	Lbs.	0999.05 8258.01	C
Casein glue	Lbs.	0942.05	C
Castor oil, commercial	Lbs.	2249.01	C
Castor oil, medicinal	Gal.	8111	C
Cattle, swine, & sheep dips & disinfectants, n. e. s. (state ingredients)	Lbs.	8205.98	C
Celestite (mineral strontium sulfate)	Lbs.	8397.80	C
Cellosolve acetate	Lbs.	8329.98	C
Cellulose acetate	Lbs.	8328	C
Cellulose acetate butyrate	Lbs.	8329.98	C
Cellulose acetate flake, waste & scrap, not plasticized	Lbs.	8328	C
Cellulose, acetate molding comp. & powder, plasticized	Lbs.	8265.05	C
Cellulose acetate plastic film support	Lbs.	8267	C
Cellulose acetate sheets, rods, tubes, & other unfinished forms, plasticized	Lbs.	8265.98	C
Cellulose, aceto	Lbs.	8268.98	C
Cementing preparations for repairing, n. e. s. (state ingredients)	Lbs.	8274	C
Cements for sealing cans (state ingredients)	Lbs.	8273	C
Chemical compounds, n. e. s	Lbs.	8398.98	C
Chemical pigments, n. e. s. (include bone black & dry colors other than mineral & coal-tar) (state ingredients)	Lbs.	8429.98	C
Chemical specialty compounds, n. e. s. (include lead linoleate, zinc stearate & cobalt resinate) (state ingredients)		8299.9	C
Chemicals, medicinal, for prescription use, n. e. s. (include pharmaceutical dextrose, glucose)—See Medicinals		8135.98	
Chemicals & pharmaceuticals, medicinal, household, in small packages, liquids, n. e. s.—See Medicinals		8142	
Chemicals & pharmaceuticals, medicinal, household, in small packages, solids, n. e. s.—See Medicinals		8141	
Chloracetic acid		8303.98	C
Chlorinated hydrocarbons, n. e. s.		8009.98 8329.98	C
Chlorinated phenols		8069.98	C
Chlorine, compressed & liquefied	Lbs.	8392	C
Chloroacetyl chloride	Lbs.	8329.87	C
Chlorobenzene, di	Lbs.	8069.98	C
Chlorobenzenes, n. e. s.	Lbs.	8069.98	C
Chloroform	Lbs.	8329.98 8069.05	C
Chloropicrin	Lbs.	8205.95	C
Chloroprene	Lbs.	8329.88	C
Chloroprene, polymers & copolymers of	Lbs.	2099.3	1
Chlorotoluenes		8069.98	C
Chrome pigments containing 16% or more chromium, including chromic oxide (chrome green), lead chromate (chrome yellow), & zinc chromate	Lbs.	8429.05	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Chromic acid	Lbs.	8309.1	C
Chromic chloride	Lbs.	8396.71	C
Chromic oxide	Lbs.	8429.05	C
Chromic sulphate	Lbs.	8396.75	C
Chromium salts & compounds, n. e. s.	Lbs.	8396.78	C
Chromium tanning mixtures (state ingredients)	Lbs.	8239.01	C
Citric acid	Lbs.	8303.07	C
Coal-tar acids, n. e. s.	Lbs.	8024.98	C
Coal-tar chemicals used in connection with explosives, n. e. s.	Lbs.	8024.01	C
Coal-tar colors, dyes, stains, & color lakes, specify by type as:	Lbs.	8059	C
Acetate			
Acid			
Azoic			
Basic			
Direct			
Mordant & chrome			
Oil or spirit-soluble			
Sulphur			
Vat			
Anthraquinone dyes			
Indigo			
Other			
Organic pigments			
Coal-tar, crude & refined	Gals.	8005	C
Coal-tar intermediates, n. e. s.	Lbs.	8025.98	C
Coal-tar pitch	L. ton	8007	C
Coal-tar products, crude, n. e. s.	Lbs.	8020.98	C
Coal-tar products, finished (exclusive of medicinals)	Lbs.	8069.98	C
Cobalt naphthenate	Lbs.	8398.98	C
Cobalt nitrate	Lbs.	8396.95	C
Cobalt oxide	Lbs.	8429.09	C
Cobalt salts & compounds, n. e. s.	Lbs.	8396.98	C
Cobaltic & cobaltous chloride	Lbs.	8396.93	C
Cobaltic & cobaltous sulphate	Lbs.	8396.96	C
Cobaltous carbonate	Lbs.	8396.91	C
Coconut shell char in any form	Lbs.	8297.05	C
Colemanite	Lbs.	8362.12	C
Copper fungicides (state ingredients)	Lbs.	8205.98	C
Copper salts & compounds, n. e. s.	Lbs.	8397.18	C
Copper sulphate	Lbs.	8201	C
Corn & foot remedies—See Medicinals	Lbs.	8149	
Cough, cold & bronchial preparations, n. e. s.—See Medicinals		8154.98	
Creosote or dead oil	Gals.	8019	C
Cresylic acid & cresols	Lbs.	8024.09	C
Cupric acetate	Lbs.	8397.01	C
Cupric acetoarsenite (paris green)	Lbs.	8205.91 8397.02	C
Cupric carbonate	Lbs.	8397.03	C
Cupric chloride	Lbs.	8397.04	C
Cupric cyanide	Lbs.	8397.06	C
Cupric hydroxide	Lbs.	8397.11	C
Cupric nitrate	Lbs.	8397.13	C
Cupric oxide	Lbs.	8397.15	C
Cuprous chloride	Lbs.	8397.05	C
Cuprous cyanide	Lbs.	8397.07	C
Cuprous oxide	Lbs.	8397.17	C
Denatured alcohol	Lbs.	8312	C
Deodorants, germicides, disinfectants, & similar preparations, household & industrial, n. e. s. (state ingredients)	Lbs.	8209	C
Dextrine or British gum	Lbs.	8233	*K
Dibutyl phthalate	Lbs.	8025.93	C
Dichlorethyl ether	Lbs.	8329.98	C
Dicyanodiamide	Lbs.	8385.07	C
Diethyl phthalate	Lbs.	8025.93	C
Diethylene glycol		8315.98	C
Dimethylaniline	Lbs.	8025.5	C
Digestive preparations, n. e. s.—See Medicinals		8165.98	
Diphenylamine	Lbs.	8025.7	C
Dipropyl phthalate	Lbs.	8025.93	C
Disinfectants, deodorants, germicides & similar preparations, household & industrial, n. e. s. (state ingredients)	Lbs.	8209	C
Elixirs, tinctures, fluid extracts, ampoules & similar liquid solutions, n. e. s. (state ingredients)—See Medicinals		8124.98	
Ester gums in powder, flake, or liquid form (state ingredients)	Lbs.	8251	C
Ethacaine—See Medicinals	Lbs.	8125.25	C
Ethyl acetate	Lbs.	8329.3	C
Ethyl alcohol	Lbs.	8315.98	C
Ethyl chloride	Lbs.	8329.98	C

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CHEMICALS (See also Medicinals)—Continued.			
Ethyl ether	Lbs.	8329.7	O
Ethyl fluid—See Petroleum Products			
Ethyl lactate	Lbs.	8329.98	O
Ethylene	Lbs.	8395.05	O
Ethylene chlorhydrene	Lbs.	8329.89	O
Ethylene dibromide	Lbs.	8344.13	O
Ethylene dichloride	Lbs.	8329.98	O
Ethylene glycol	Lbs.	8311	O
Ethylene glycol monoethyl ether	Lbs.	8329.98	O
Ethylene oxide	Lbs.	8329.98	O
Exterminators, insecticides, & repellants, household & industrial, n. e. s. (in liquid, paste, powder or solid form) (state ingredients)	Lbs.	8206	O
Fatty acids—See Oils & Fats			
Ferric ammonium oxalate (iron salt)	Lbs.	8398.98	O
Ferric chloride	Lbs.	8398.98	O
Fertilizer materials, nitrogenous, n. e. s. (include ammonium chloride & ammonium nitrate)	Lbs.	8509.98	O
Fertilizer mixtures, prepared, n. e. s. (state ingredients)	Lbs.	8551.98	O
Fertilizers, nitrogenous organic waste materials	Lbs.	8510	O
Fertilizers, prepared mixtures (mixtures containing 25% or more ammonium nitrate, ammonium phosphate, ammonium sulphate, sodium nitrate, or urea (report percentage of foregoing constituents in mixtures)	Lbs.	8551.05	O
Flavoring extracts, natural, n. e. s.	Gals.	8295.5	K
Flavoring extracts, synthetic	Gals.	8295.9	K
Formaldehyde	Lbs.	8520	C
Gargles—See Medicinals		8148	
Gaseous refrigerants (other than ammonia) (state ingredients)	Lbs.	8391	O
Gases, n. e. s.	Lbs.	{8391 {8395.98	O
Germicides, disinfectants, deodorants, & similar preparations, household & industrial n. e. s. (state ingredients)	Lbs.	8209	O
Glandular products, organotherapeutics enzymes, ferments, & culture media—See Medicinals		8123	
Glycerin	Lbs.	8314	O
Glycol sebacate	Lbs.	8329.98	O
Guanidine	Lbs.	8385.09	O
Guanidine nitrate	Lbs.	8385.11	O
Gums & resins, synthetic, n. e. s., laminated & not laminated, in sheets, plates, rods, tubes, or other unfinished forms	Lbs.	8260.98	O
Gums & resins, synthetic, n. e. s., in powder, flake, or liquid form (include acrylic & similar resins)	Lbs.	8258.98	O
Headache, neuralgia, & pain remedies, n. e. s.—See Medicinals		8167.98	
Hexachlorobenzene		8329.98	O
Hexachlorethane		8329.98	O
Hexamethylenetetramine	Lbs.	{8127.93	None
Homatropine, including salts & compounds	Lbs.	{8180.03	O
Hydrochloric acid (muriatic)	Lbs.	8307	O
Hyoscyamus, extract of (Henbane)	Lbs.	{8127.91 {8180.13	None
Hyoscyamus, fluid extract of (Henbane)	Lbs.	{8124.13 {8180.13	None
Hyoscyamus, tincture of (Henbane)	Lbs.	{8124.13 {8180.13	None
Insecticides, exterminators, & repellants, household & industrial (in liquid, paste, powder, or solid form), n. e. s. (include naphthalene balls & flakes) (state ingredients)	Lbs.	8206	O
Insecticides, fungicides, & disinfectants, agricultural, n. e. s. (include copper arsenate, bordeau mixture, lime sulphur, weed killers, prepared animal dips, etc.)	Lbs.	8205.98	O
Insulin	Lbs.	2123	O
Iodides, iodates, and iodine, n. e. s.	Lbs.	8346.98	O
Iodine, crude & resublimed	T. oz.	8346.30	C
Iridium	Lbs.	8398.78	1, 47
Iron blues	Lbs.	8398.98	O
Isopropyl acetate	Lbs.	8329.98	O
Isopropyl alcohol	Lbs.	8315.98	O
Kalsomine or cold-water paints, dry	Lbs.	8432	K
Kernite	Lbs.	8362.13	O
Lampblack		8419	O
Laxatives, purgatives, & cathartics—See Medicinals		8161	
Lead arsenate	Lbs.	8202	O
Lead azide	Lbs.	8609.05	O
Lead compounds, n. e. s.	Lbs.	8398.98	O
Lead naphthenate	Lbs.	8398.98	O
Lead, white, dry (basic lead carbonate)	Lbs.	8426	O
Lead, white, in oil	Lbs.	8427	O

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Leather dressings & stains	Lbs.	8292	O
Lecithin—See Medicinals	Lbs.	{0099 {1259	
Licorice extract & mass		{8299.7 8299.5	K
Liniments, n. e. s.—See Medicinals		8151.98	
Liquid gum inhibitors for treating petroleum distillates (state ingredients)	Gals.	8299.3	O
Litharge	Lbs.	8425	O
Lithopone	Lbs.	8414	O
Magnesium compounds, n. e. s.	Lbs.	8398.98	O
Magnesium silicate	Lbs.	8398.98	O
Malaria, chill & fever remedies, n. e. s.—See Medicinals	Lbs.	8157.98	
Manganese borate	Lbs.	8362.26	O
Manganese chloride	Lbs.	8397.21	O
Manganese dioxides, including battery mix	Lbs.	{8480.15 {7099.91 {8397.23	O
Manganese hydroxide	Lbs.	8397.24	O
Manganese oxide	Lbs.	8397.25	O
Manganese salts & compounds, n. e. s.	Lbs.	8397.26	O
Manganese sulphate	Lbs.	8397.27	O
Medicinal preparations, proprietary, n. e. s.—See Medicinals		8180.98	
Menthol, natural	Lbs.	8140F	O
Mercuric chloride (corrosive sublimate)	Lbs.	8397.42	O
Mercuric fulminate	Lbs.	8397.43	1, 47
Mercuric nitrate	Lbs.	8397.44	1, 47
Mercuric oxide (red & yellow)	Lbs.	8397.45	1, 47
Mercuric sulphate	Lbs.	8397.46	1, 47
Mercurous chloride (calomel)	Lbs.	8397.41	O
Mercury salts & compounds, n. e. s.	Lbs.	8397.48	1, 47
Mercury sulfide	Lbs.	8397.47	1, 47
Mesothorium salts & compounds	Mg.	8398.91	None
Mesothorium, paints containing	Gals.	8438.20	None
Metal working compounds, n. e. s. (include welding, soldering, cutting, drilling, drawing, brazing, tempering, & core compounds, fluxes, hardeners, & screw cutting oils & compounds) (state ingredients)	Lbs.	8250	O
Methanol	Lbs.	8310	O
Methyl bromide	Lbs.	8344.98	O
Methyl chloride	Lbs.	8329.98	O
Methyl-ethyl ketone	Lbs.	8329.6	O
Methyl methacrylate fabricated	Lbs.	{0812.03 {0813.03	O
Methyl methacrylate unfabricated	Lbs.	{8258.03 {8261.03	O
Methylamine	Lbs.	8329.92	O
Methylene chloride	Lbs.	8329.98	O
Mineral-earth pigments (dry): ocher, umber, sienna, & other forms of iron oxide for paints (include ground red oxide of iron)	Lbs.	8401	O
Mineral-earth pigments (dry), n. e. s.	Lbs.	8405	O
Mineral oil, white—See Medicinals	Gals.	8113	
Molybdenum oxide	Lbs.	8397.55	1, 47
Molybdenum salts & compounds, n. e. s.	Lbs.	8397.58	1, 47
Molybdic acid	Lbs.	8309.91	1, 47
Monochloracetic acid	Lbs.	8303.03	O
Mouth washes, gargles, and personal antiseptics—See Medicinals		8148	
Naphthalene	Lbs.	8020.05	O
Nickel ammonium sulphate	Lbs.	8397.61	O
Nickel carbonate	Lbs.	8397.62	O
Nickel chloride	Lbs.	8397.63	O
Nickel nitrate	Lbs.	8397.64	O
Nickel oxide	Lbs.	8397.65	O
Nickel peroxide	Lbs.	8397.66	O
Nickel salts & compounds, n. e. s.	Lbs.	8397.68	O
Nickel sulphate	Lbs.	8397.67	O
Nicotine sulphate (40%) basis	Lbs.	8200	O
Nitric acid (grade & report quantity on basis of 100% HNO_3)	Lbs.	8309.3	O
Nitrocellulose having a nitrogen content of less than 12%	Lbs.	{8268.05 {8299.05	O
Nitrocellulose (pyroxylin) lacquers, clear	Gals.	8434	O
Nitrocellulose (pyroxylin) lacquers, pigmented (include primers & surfacers, oil & lacquer base)	Gals.	8433	O
Nitroderivatives of benzene, toluene, xylene, naphthalene, & phenols	Lbs.	8025.94	O
Novocain—See Medicinals	Lbs.	8135.25	O
Nux Vomica—See Medicinals	Lbs.	2299.15	O
Nylon	Lbs.	8258.05	O

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Oil, white mineral—See Medicinals	Gals.	8113	
Oleic acid	Lbs.	0847	C
Omega chloroacetophenone	Lbs.	8025.95	C
Organic chemicals, non-coal tar (include ketones, aldehydes, esters, ethers, acetates, formates, n. e. s.)	Lbs.	8329.98	O
Osmiridium salts & compounds	T. oz.	8398.71	1, 47
Osmium salts & compounds	T. oz.	8398.72	1, 47
Oxalic acid	Lbs.	8303.09	C
Palladium salts & compounds	T. oz.	8398.74	1, 47
Paradichlorobenzene	Lbs.	{8025.98 {8206	C
Paraformaldehyde	Lbs.	8320	C
Paris green (cupric acetoarsenite)	Lbs.	{8205.94 {8397.02	C
Pectin	Lbs.	8296	C
Pentachlorethane	Lbs.	8329.98	C
Pentaerythrite	Lbs.	8329.94	C
Perchlorethylene	Lbs.	8329.98	C
Petrolatum & petroleum jelly (include medicinal, cosmetic, lubricant, rust preventative, polishes, & soap grades)	Lbs.	5042	C
Petroleum oil sprays, agricultural	Gals.	8204	C
Phenol	Lbs.	8023	C
Phenol-formaldehyde resins, sheets, plates or rods, tubes, & other unfinished forms	Lbs. or Units	{8260.01 {8261.01	C
Phenol-formaldehyde resins, unfabricated	Lbs.	8255.01	C
Phosphate rock	L. ton	{8515.1 {8515.2 {8515.6 {8515.8	C
Phosphatic fertilizer materials, phosphate materials, n. e. s. (include bone-ash, dust & meal, sintered matrix, & animal carbon for fertilier, basic slag, South Carolina river rock, etc.)	Lbs.	8520	O
Phosphoric acid (ortho, pyro, & meta-)	Lbs.	8309.93	C
Phosphorus, elemental	Lbs.	8398.87	C
Phosphorus trichloride	Lbs.	8398.88	C
Phthalic anhydride	Lbs.	8025.90	C
Phthalic, maleic, & succinic anhydride resins, in powder, flake, or liquid form		8253	C
Planocaine—See Medicinals	Lbs.	8135.25	O
Plasters, n. e. s.—See Medicinals	Lbs.	8150.98	
Platinum group salts & compounds, n. e. s.	T. oz.	8398.78	1, 47
Platinum salts & compounds	T. oz.	8398.74	1, 47
Polishes & shoe cleaners	Lbs.	8291	*K
Polishes, metal & stove	Lbs.	8290	*K
Potassic fertilizer materials, n. e. s.	Lbs.	8531.98	C
Potassic fertilizer materials, other than potassium chloride & potassium sulphate, containing 27% or more potassium oxide (K_2O) equivalent	Lbs.	8531.05	C C
Potassium acetate	Lbs.	8359.01	C
Potassium bicarbonate	Lbs.	8359.02	C
Potassium bitartrate (include cream of tartar)	Lbs.	8359.05	C
Potassium bromide	Lbs.	8344.02	C
Potassium carbonate	Lbs.	8359.04	C
Potassium chlorate	Lbs.	8359.06	C
Potassium chloride (muriate)	Lbs.	8531.01	C
Potassium chromate & bichromate	Lbs.	8357	C
Potassium chromium sulphate (chrome alum)	Lbs.	8359.11	C
Potassium compounds (not fertilizers) n. e. s.	Lbs.	8359.98	C
Potassium cyanide	Lbs.	8359.13	C
Potassium hydroxide	Lbs.	8358	C
Potassium iodide	Lbs.	8346.10	C
Potassium nitrate	Lbs.	8359.18	C
Potassium perchlorate	Lbs.	8359.21	C
Potassium permanganate	Lbs.	8359.23	C
Potassium salts & compounds, n. e. s.	Lbs.	8359.98	C
Potassium sulphate	Lbs.	8531.03	C
Potassium compounds, all combinations and mixtures of, n. e. s.	Lbs.	8359.98	C
Pricelte	Lbs.	8362.15	C
Propylene dichloride	Lbs.	8329.98	C
Propylene glycol	Lbs.	8315.98	C
Pyroxylin plastic film support (film base) (containing less than 12% nitrogen)	Lbs.	8263	O
Pyroxylin scrap & film scrap (containing less than 12% nitrogen)	Lbs.	8262	C
Pyroxylin sheets, rods, or tubes & other unfinished forms (containing less than 12% nitrogen)	Lbs.	8264	C
Pyrethrum extract	Lbs.	8205.3	C
Pyrethrum flowers, powder	Lbs.	2209.19	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Quinine (preparations containing quinine in any form. Report quinine sulphate equivalent in avoirdupois ounces)—See Medicinals	Lbs.	{8124.09 {8154.05 {8127.91 {8157.05 {8160.05 {8165.05 {8167.05 {8180.05	
Quinine salts & compounds (report quinine sulphate equivalent in avoirdupois ounces).	Ounces	8127.5	None
Quinine sulphate	Av. oz.	8127.3	None
Radium salts & compounds (radium content)	Grau	8397.75	None
Rasorite	Lbs.	8362.16	C
Reagent chemicals for laboratory use		8299.7	C
Red lead, dry	Lbs.	8424	C
Red lead, in oil	Lbs.	8431.03	C
Refrigerants, gaseous (other than ammonia) (state ingredients)	Lbs.	8391	C
Repellents, insecticides & exterminators, household & industrial (in liquid, paste, powder, or solid form)	Lbs.	8206	O
Resins & gums, synthetic, n. e. s. (in powder, flake, or liquid form)	Lbs.	8258.98	O
Resins & gums, synthetic, n. e. s., laminated & not laminated, in sheets, plates, rods, tubes, or other unfinished forms	Lbs.	{8260.98 {8261.98	O
Rhodium salts & compounds	T. oz.	8398.75	1, 47
Ruthenium salts & compounds	T. oz.	8398.76	1, 47
Rochelle salts	Lbs.	8359.39	None
Rotenone	Lbs.	8205.93	O
Rubber compounding agents of coal-tar products (include accelerators, retarders, & anti-oxidants) (state ingredients)	Lbs.	8028	O
Rubber compounding agents, n. e. s. (not of coal-tar origin) (state ingredients)	Lbs.	8298	O
Rubber-like compounds, synthetic, fabricated (state ingredients)	Lbs.	8258.19	C
Rubber-like compounds, synthetic, unfabricated (state ingredients)	Lbs.	8258.19	C
Ruthenium salts & compounds	T. oz.	8398.76	1, 47
Salves & ointments for burns, cuts, etc.—See Medicinals		8152	
Salves & ointments for coughs, colds, etc.—See Medicinals		8153	
Sassolite	Lbs.	8362.17	O
Scopolamine (Hyocine)	Lbs.	{8127.96 {8180.19	None
Seed disinfectants, n. e. s.	Lbs.	8205.5	O
Serums & antitoxins for human use—See Medicinals		8121	
Shoe polishes & shoe cleaners	Lbs.	9291	O
Soap, n. e. s.—See Soap & Toilet Preparations			
Soda lime	Lbs.	8379.01	C
Sodium acetate	Lbs.	8329.5	C
Sodium acetate anhydrous	Lbs.	8329.5	C
Sodium azide	Lbs.	8379.15	C
Sodium bicarbonate (baking soda)	Lbs.	8367	C
Sodium borates, n. e. s.	Lbs.	8362.98	C
Sodium bromide	Lbs.	8344.03	C
Sodium cacodylate	Lbs.	8379.98	None
Sodium carbonate, calcined (soda ash)	Lbs.	8365	C
Sodium chlorate	Lbs.	8379.05	C
Sodium chloride (salt)	Lbs.	5724	K
Sodium chromate & bichromate	Lbs.	8368	C
Sodium compounds, n. e. s.	Lbs.	8379.98	C
Sodium cyanide	Lbs.	8369	C
Sodium hydrosulphite & compounds	Lbs.	8378	C
Sodium hydroxide (caustic soda) (convert solutions to dry weight for statistical purposes)	Lbs.	8373	O
Sodium metaborate	Lbs.	8362.27	C
Sodium metasilicate	Lbs.	8379.98	C
Sodium nitrate	Lbs.	8509.19	C
Sodium perborate	Lbs.	8379.09	C
Sodium phosphate (mono-, di-, tri-, meta-, or pyro-)	Lbs.	8377	C
Sodium silicate (water glass)	Lbs.	8364	C
Sodium sulfide	Lbs.	8379.98	C
Sodium tetraborate	Lbs.	8362.29	C
Sodium tungstate	Lbs.	8398.90	1, 47
Soluble sodium trisilicate	Lbs.	8379.98	C
Specialty cleaning & washing compounds (state ingredients)	Lbs.	8289	C
Stearic acid	Lbs.	0849	O
Stramonium, extract of—See Medicinals	Lbs.	{8127.95 {8180.14	
Stramonium, fluid extract of—See Medicinals	Lbs.	{8124.19 {8180.19	
Stramonium ointment—See Medicinals	Lbs.	{8124.19 {8180.19	
Stramonium, tincture of—See Medicinals	Lbs.	{8124.19 {8180.19	

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
CHEMICALS (See also Medicinals)—Continued.			
Strontianite (mineral strontium carbonate)	Lbs.	8397.81	C
Strontium carbonate	Lbs.	8397.82	C
Strontium chloride	Lbs.	8397.83	C
Strontium nitrate	Lbs.	8397.84	C
Strontium oxylate	Lbs.	8397.85	C
Strontium peroxide	Lbs.	8397.86	C
Strontium salts & compounds, n. e. s.	Lbs.	8397.88	C
Strontium sulphate	Lbs.	8397.87	C
Strychnine—See Medicinals	Lbs.	8135.17	C
Styrene	Lbs.	8025.96	C
Styrene polymers & copolymers	Lbs.	8258.19	C
Sublimed lead, dry (basic lead sulphate)	Lbs.	8249.13	C
Sublimed lead, in oil (basic lead sulphate)	Lbs.	8431.05	C
Sulphur (crude)	L. tons	5114	K
Sulphur (crushed, ground, refined, sublimed, flowers)	Lbs.	5715	K
Sulphur chlorides	Lbs.	8398.89	C
Sulphuric acid, fuming (oleum)	Lbs.	8309.5	C
Sulphuric acids & anhydrides, n. e. s.	Lbs.	8309.7	C
Sulphuryl chlorides	Lbs.	8398.98	C
Superphosphate (include acidualted phosphate)	L. ton	8519	C
Synthetic collecting reagents for concentration of ores, metals, or minerals (include Minerec, xanthates, & derivatives (ethyl, butyl, amyl,) dieresyldithiophosphoric & sodium dieresyl-dithiophosphate, sodium diethyl-dithiophosphate & thio-carbanilide) (state ingredients)	Lbs.	8325	C
Synthetic gums & resins, n. e. s., in powder, flake, or liquid form (include acrylic & similar resins)	Lbs.	8258.98	C
Synthetic resins & gums, n. e. s., laminated & not laminated, in sheets, plates, rods, tubes, or other unfinished forms	Lbs.	{8260.98 {8261.98	C
Tannic acid	Lbs.	8303.98	C
Tanning specialty compounds, n. e. s (include enzyme bates) (state ingredients)	Lbs.	8239.98	C
Tantalum oxide	Lbs.	8398.80	C
Tantalum salts & compounds, n. e. s.	Lbs.	8398.80	C
Tar-acid resins, n. e. s.	Lbs.	8255.98	C
Tartar emetic	Lbs.	8396.05	C
Tartaric acid	Lbs.	8302	C
Tetrachlorethane	Lbs.	8320.98	C
Tetraethyl lead—See Petroleum Products			
Textile specialty compounds (state ingredients)	Lbs.	8238	C
Theobromine and salts & compounds	Lbs.	8135.18	None
Theophylline and salts & compounds	Lbs.	8135.19	None
Thinners for nitrocellulose lacquers, n. e. s. (state ingredients)	Gals.	8435	C
Thioglycol	Lbs.	8315.05	C
Thorium salts & compounds	Lbs.	8398.83	C
Tin chloride (stannic, stannous, tetratin salts, tin crystals)	Lbs.	8381.01	1, 47
Tin, compounds, n. e. s.	Lbs.	8381.98	1, 47
Tin oxide (stannic, stannous, metastannic, tin anhydride, (tin ash)	Lbs.	8381.05	1, 47
Titanium dioxide & pigments	Lbs.	8428	C
Titanium salts & compounds, n. e. s.	Lbs.	8398.18	None
Titanium tetrachloride	Lbs.	8398.10	None
Tobacco extracts, n. e. s. (include extracts used in animal dips & insecticidal sprays) (state ingredients)	Lbs.	8235	C
Tobacco saucing or extract used for flavoring tobacco	Lbs.	8234	K
Toilet preparations (include bath salts, astringents, bleaches, & similar preparations)—See Soap & Toilet Preparations			
Toluene (toluol) (report quantity on basis of 100% toluene)	Lbs.	8011	C
Toluidine red	Lbs.	8059	C
Tonics, blood purifiers, emulsions, & appetizers, n. e. s. (include medicated wines & bitters)—See Medicinals	Lbs.	8160.98	
Tricresyl phosphate	Lbs.	8025.91	C
Triethanolamine	Lbs.	8329.98	C
Triphenylphosphate	Lbs.	8025.92	C
Tungsten chloride	Lbs.	8398.23	1, 47
Tungsten oxide	Lbs.	8398.25	1, 47
Tungsten salts & compounds, n. e. s.	Lbs.	8398.28	1, 47
Tungstic acid	Lbs.	8398.21	1, 47
Ulexite	Lbs.	8362.19	C
Uranium salts & compounds	Gram	8398.30	None
Urea	Lbs.	{8385.25 {8509.25	C
Urea-formaldehyde resins, unfabricated (in powder, flake, or liquid form)	Lbs.	8257.07	C
Urea-formaldehyde resins, sheets, plates, rods, tubes, & other unfinished forms	Units or Lbs.	{8260.07 {8261.07	C
Urea resins, other	Lbs.	8257.98	C
Vaccines for human use—See Medicinals	Lbs.	8122	
Vanadium chloride	Lbs.	8398.35	1, 47
Vanadium oxide	Lbs.	8398.36	1, 47
Vanadium salts & compounds, n. e. s.	Lbs.	8398.38	1, 47
Vanadium sulfide	Lbs.	8398.37	1, 47
Vanillin	Lbs.	8060	K
Varnishes (oil or spirit & liquid dryers)	Gals.	8442	C
Veterinary & animal biologics—See Medicinals		8120	
Vinyl resins	Lbs.	8258.96	C
Vinylidene chloride	Lbs.	8320.85	C
Vinylidene chloride, polymers & copolymers	Lbs.	8258.19	C
Vitamines & viosterols (include food hormones, concentrates A, B, C, D, E, F, G, P, & X, synthetics such as ascorbic acid, thiamin chloride, medicinal fish oil, yeast concentrate, wheat germ oil, etc.)—See Medicinals	Lbs.	8119.98	
Water softeners, purifiers, boiler & feeding water compounds (state ingredients)	Lbs.	8240	C
Wax, floor, wood, & furniture polishes	Lbs.	8293	*K
Witherite (natural barium carbonate)	Lbs.	8398.90	C
Xylene (xylol)	Lbs.	8012	C
Zinc-ammonium chloride	Lbs.	8385.35	C
Zinc chloride	Lbs.	8398.45	1, 47
Zinc oxide including leaded zinc oxide	Lbs.	8411	1, 47
Zinc salts & compounds, n. e. s.	Lbs.	8398.48	1, 47
Zinc sulphate	Lbs.	8398.47	1, 47
Zinc sulfide	Lbs.	8429.19	1, 47
Zirconium carbides	Lbs.	8398.51	C
Zirconium chlorides	Lbs.	8398.52	C
Zirconium iodides	Lbs.	8346.20	C
Zirconium nitrates	Lbs.	8398.53	C
Zirconium oxides	Lbs.	8398.54	C
Zirconium salts & compounds, n. e. s., including all mixtures of any zirconium compounds	Lbs.	8398.56	C
Zirconium silicates	Lbs.	8398.55	C
Zirconium sulphates	Lbs.	8398.56	C
Chemical wood pulp—See Wood Pulp			
Chenille bedspreads	Units	3175	K
Chenille yarn—See Synthetic Textiles			
Cheroots	M	2620	K
Chestnut boards, planks, & scantlings	M Bd. ft.	4119	K
Chestnut extract	Lbs.	2331	C
Chests—See Leather Mfrs.			
Chewing gum	Lbs.	1639	K
Chicle	Lbs.	2180	*K
Chicory, fresh—See Vegetables & Preparations			
Chicory, roasted & dried—See Cocoa & Coffee			
Children's wheel goods & parts		9405	C
Chimneys, lamp		3255	K
China—See Clay & Clay Products			
Chisels	Units	6178.1	C
Chloracetic acid	Lbs.	8303.5	C
Chlorinated hydrocarbons—See Chemicals			
Chlorinated phenols	Lbs.	8069.98	C
Chlorine	Lbs.	8397	C
Chlorocetyl chloride	Lbs.	8329.87	C
Chlorobenzene, di	Lbs.	8069.98	C
Chloroform	Lbs.	8320.98	C
Chloropicrin	Lbs.	{8069.05 {8205.95	C
Chloroprene	Lbs.	8329.88	C
Chloroprene, polymers & copolymers of	Lbs.	2099.3	C
Chlorotoluenes		8069.98	C
Chocolate—See Cocoa & Coffee			
Choke coils, lightning arrestors, reactors, & parts	Units	7039	C
Chrome alum (potassium-chromium sulfate)	Lbs.	8359.11	C
Chrome pigments containing 10% or more chromium, including chromic oxide (chrome green), lead chromate (chrome yellow), and zinc chromate	Lbs.	8429.05	C
Chromic acid	Lbs.	8309.1	C
Chromic oxide	Lbs.	8429.05	C
Chromic chloride	Lbs.	8396.71	C
Chromic sulfate	Lbs.	8396.75	C
CHROMIUM			
Chrome brick & shapes	Lbs.	5361	C
Chromite ores & concentrates	Lbs.	6645.20	C
Chromite refractories	Lbs.	5375.05	C
Chromium-bearing alloys & scrap (Ferrochrome—See Iron—Ferro-alloys)	Lbs.	6640.20	C
Chromium, metallic	Lbs.	6649.20	C
Chromium pigments—See Chemicals (also see Pigments)			
Chromium salts & compounds—See Chemicals			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Chromium tanning mixtures	Lbs.	8239.01	C
Chronometers, marine	Units	9591.05	C
Chucking machines—See Machinery—Metal Working			
Chucks, for machine tools	Units	7471	C
Cigar & cigarette lighters—See Jewelry			
Cigar & cigarette making machinery	Units	7590	C
Cigar cuttings	Lbs.	2624	K
Cigarette cases—See Jewelry			
Cigarettes	M	2622	K
Cigars & cheroots	M	2620	K
Cinchona bark, powdered (report quinine sulfate equivalent in avoirdupois ounces)	Lbs.	2209.05	None
Cinchona bark (report quinine sulfate equivalent in avoirdupois ounces)	Lbs.	2207 F	None
Cinnabar (mercury ore)	Lbs.	6635	1, 47
Cinnamon	Lbs.	1526 F	C
Circles, aiming	Units	9149.91	C
Circles, brass & bronze	Lbs.	6479.19	1, 47
Circles, lead	Lbs.	6515.60	C
Circuit breakers—See Elec. Mach. & Apparatus			
Citric acid	Lbs.	8303.07	C
Citrus juices—See Beverages.			
Citrus oils	Lbs.	2271	C
Civet cat furs, undressed	Units	0711	K
Clamps, splicing, other	Doz.	6173	C
Clams and oysters—See Fish			
Clarinets—See Musical Instruments			
Classifiers, grinding mills, & equipment therefor	Units	7321.05	C
CLAY & CLAY PRODUCTS			
Bricks, n. e. s. (including paving & building brick)	M	5360	K
Cement, high-temperature or refractory, n. e. s. (include plastic brick cement)	Lbs.	5375.98	K
Chrome brick & shapes	Lbs.	5361	C
Chromite refractories	Lbs.	5375.05	C
Clay, n. e. s. (include Fuller's earth)	Ton.	5309	K
Clay roofing tile, structural clay and hollow tiles, sewer pipe, and conduits	Lbs.	5379.05	K
Closet bowls & water-closet sets (include tanks)	Piece	5332	K
Earthen floor & wall tiles	Sq. ft.	5370	K
Electrical porcelain for less than 6600 volts	Lbs.	5335	K
Electrical porcelain for 6600 volts & over	Lbs.	5336	K
Firebrick, n. e. s. (include refractory bricks & shapes)	Lbs.	5368	K
Fire clay	Ton	5303	K
Fire-clay brick, standard 9-inch series	M	5366	K
Fire clay brick, all other shapes (reduced to 9-inch equivalent)	M	5367	K
Lavatories, sinks, etc. (include, urinals & bidets)	Piece	5333	K
Magnesite brick & shapes	Lbs.	5362	C
Pottery, n. e. s. (includes stoneware, clay, crucibles & ornamental & decorative articles (vases, lamp bases, etc.))		5338	K
Sanitary fixtures & fittings, & parts, n. e. s		5331	K
Silica brick, standard 9-inch series	M	5363	K
Silica brick, other shapes (reduced to 9-inch equivalent)	M	5364	K
Table & kitchen articles & utensils	Doz.	5320	K
Terra-cotta & ceramic manufactures, n. e. s		5379.98	K
Cleaners, vacuum, electric—See Electrical Machinery & Apparatus			
Cleaning & washing compounds—See Chemicals			
Cleavers, butchers' & kitchen	Doz.	6116	C
CLOCKS & WATCHES			
Chronometers, marine	Units	9591.05	C
Clocks, electric	Units	9570	*K
Mantel, novelty & wall clocks, not electric	Units	9572	*K
One day alarm clocks, not electric	Units	9571	*K
Clocks & parts, n. e. s. (include parts of electric clocks)		9579	*K
Time clock stamps and time recording machines, new	Units	9591.98	1, 47
Time-recording devices & parts, n. e. s.		9591.98	*K
Watch parts		9580	K
Watches, without jewels	Units	9580	K
Watches, with jewels	Units	9581	K
Cloth, abrasive	Ream	5418	C
Cloth, cartridge, silk, suitable for powder bags	Yds.	3720.01	None
Cloth, cotton—See Cotton Mfrs.			
Cloth, parachute, silk	Yds.	3720.05	None
Cloth, pyroxylin coated—See Textile Products			
Cloth, wire screen—See Iron & Steel Mfrs.—Wire			
Cloth, Wool—See Wool Mfrs.			
Clothesline, iron & steel wire	Lbs.	6691.19	C
Clothing of rubber or of rubberized cloth (include rubber aprons, baby pants, bibs, bathing suits, capes, raincoats, etc.)	Dz.	2043	1
Cloves	Lbs.	1535 F	C
Clover seeds—See Seeds			
Clutch corks	Lbs.	{4307.19 {4309.80	None
Clutch facings, asbestos, molded & woven	Lbs.	{5458.1 {5458.3	C
COAL & RELATED FUELS			
Anthracite	Tons	5001	C
Bituminous	Tons	5002	C
Coal & coke briquets	Tons	5003	C
Coke	Tons	5004	C
Coal-tar intermediates, (nitroderivatives of benzene, napthalene, phenols, toluene, and xylene, in addition to those specified in the proclamation of Apr. 19, 1942)	Lbs.	8025.94	C
Coal-tar products—See Chemicals			
Coal-tar products, rubber compounding agents of (include accelerators, retarders, and anti-oxidants)	Lbs.	8028	C
COBALT			
Alloys containing cobalt	Lbs.	6649.25	C
Cobalt-bearing scrap metal	Lbs.	6649.25	C
Cobalt metal	Lbs.	6649.25	C
Cobalt nitrate	Lbs.	8396.95	C
Ores, concentrates, & residues	Lbs.	6645.25	C
Cobalt oxide	Lbs.	8429.09	C
Cobalt salts & compounds, n. e. s.	Lbs.	8396.98	C
Cobaltic & cobaltous chloride	Lbs.	8396.93	C
Cobaltic & cobaltous sulfate	Lbs.	8396.96	C
Cobaltous carbonate	Lbs.	8396.91	C
Cobbles, tinplate	L. ton	6913	C
COCOA & COFFEE			
Chocolate, include sweetened	Lbs.	1503	C
Cocoa beans	Lbs.	1501 F	C
Cocoa, powdered	Lbs.	1502	C
Coffee, extracts & substitutes (include chicory, dried & roasted)	Lbs.	1513	C
Coffee, green	Lbs.	1511	C
Coffee, roasted (include decaffeinated)	Lbs.	1512	C
Tea	Lbs.	1521	C
Cocoa butter	Lbs.	1442	C
Coconut oil, refined, edible	Lbs.	1420	C
Coconut oil, crude	Lbs.	2230	C
Coconut shell	Lbs.	0999 F	C
Coconut shell char in any form	Lbs.	8297.05	C
Coffee percolators, electric	Units	7073.05	C
Coil wrappings, mica	Lbs.	5313	1, 47
Coke—See Coal & Related Fuels			
Coke, petroleum—See Petroleum Products			
Colchicum seeds & roots—See Medicinals	Lbs.	2209.29	
Cold creams	Lbs.	8750	K
Cold preparations—See Medicinals		8154.98	
Cold-water paints, dry	Lbs.	8432	K
Colemanite	Lbs.	8362.12	C
Collecting reagents, synthetic	Lbs.	8325	C
Collar & cuff buttons—See Jewelry			
Collodion	Lbs.	8268	C
Color lakes, coal-tar colors—See Chemicals			
COLUMBIUM (NIOBIUM)			
Metals & alloys (Ferrocolumbium, see Iron—Ferro-alloys)	Lbs.	6649.30	C
Ores & concentrates	Lbs.	6645.30	C
Combines (reaper-thresher)—See Machinery—Agricultural Implements			
Combs (except wholly of metal or rubber)	Units	9827	K
Combs finished, rubber	Doz.	2058	1
Commutators	Units	7099.90	C
Commutator segments, mica	Lbs.	5313	1, 47
Compacts—See Jewelry			
Compasses, if with mica dial or mica covered	Units	7079.03	C
Compasses, magnetic & gyroscopic	Units	9190.69	C
Compounding agents, rubber, n. e. s	Lbs.	8298	C
Compounding agents, rubber, of coal-tar products (include accelerators, retarders, & anti-oxidants)	Lbs.	8028	C
Compressors, air, portable	Units	7706	C
Compressors, air, stationary, capacity not over 25 cubic feet	Units	7704	C
Compressors, air, stationary, capacity over 25 cubic feet	Units	7705	C
Computers, lead	Units	9190.55	C
Computing mechanism, range keepers, or other ballistic computers	Units	9190.82	C
Computing sights	Units	9149.94	C
Concentrates, antimony	Lbs.	6645.01	C
Concentrates, aluminum	Lbs.	{6290 {6295	C
Concentrates, beryllium (except gem varieties)	Lbs.	6645.05	C
Concentrates, cobalt	Lbs.	6645.25	C
Concentrates, chromite (chromium)	Lbs.	6645.20	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Concentrates, columbium	Lbs.	6645.30	C
Concentrates, copper	Lbs.	6401	C
Concentrates, manganese—See Manganese			
Concentrates, mercury	Lbs.	663[illegible]	1, 47
Concentrates, molybdenum	Lbs.	6636	1, 47
Concentrates, nickel	Lbs.	6545.01	C
Concentrates, platinum	T. oz.	6920	1, 47
Concentrates, tantalum	Lbs.	6645.60	C
Concentrates, titanium, including ilmenite and rutile	Lbs.	6645.70	None
Concentrates, tungsten	Lbs.	6645.80	1, 47
Concentrates, vanadium	Lbs.	6637	1, 47
Concentrates, zinc	Lbs.	6570	1, 47
Concentrates, zirconium	Lbs.	6645.95	C
Concentrating & smelting machinery, & parts (include flotation machinery)	Units	7331	C
Concrete manufactures—See Cement, Lime, & Stone			
Concrete mixers (include paving machines)	Units	7215	1, 47
Concrete reenforcement bars—See Iron & Steel-Bars & Rods			
Condenser films, mica, processed	Lbs.	5513	None
Condensers, radio mica condensers, all kinds	Units	7079.01	C
Condensers, steam	Units	7135	1, 47
Conduit, electrical—See Iron & Steel Mfrs.—Tubular Prod.			
Conduit, metal, outlet & switch boxes—See Electrical Machinery & Apparatus			
Confections—See Sugar & Related Products			
Congo resins, copal fossils	Lbs.	2189.95	C
Construction machinery—See Machinery—Construction & Conveying			
Containers, glass—See Glass & Glass Products			
Containers, grease, cork	Lbs.	{4307.19 {4309.50	None
Containers, metal, for oil, gas, or other liquids, and solids, filled or unfilled—See Iron & Steel Mfrs.—Misc.			
Control apparatus for positioning guns	Units	7940.61	C
Control columns, aircraft	Units	7949.95	C
Control units, frequency, Piezo electric quartz	Lbs.	5960.03	1
Controlling instruments & apparatus—See Machinery—Ind. (Misc.)			
Controlling & starting equipment for electric railway, industrial, & vehicle motors & parts—See Electrical Machinery & Apparatus			
Controls, bomb rack, aircraft	Units	7949.95	C
Controls, pilot, automatic, aircraft	Units	7948.01	C
Converting, or transforming apparatus—See Electrical Machinery & Apparatus			
Conveying machinery—See Machinery—Construction & Conveying			
Conveyors, bucket, chain, or belt	Units	7240	1, 47
Cooking or heating devices, utensils & parts, electric, domestic—See Electrical Machinery & Apparatus			
Cooking stoves & ranges—See Iron & Steel Mfrs.—Central Heating (also see Electrical Machinery & Apparatus)			
Cooperage—See Wood Mfrs.			
Copal resins	Lbs.	2189.95	C
Copra	Lbs.	2230.30	C
COPPER			
Copper alloys, other than brass, bronze, nickel, or gold	Lbs.	6649.35	C
Copper manufactures (all others)	Lbs.	6439.98	C
Copper munitions, other	Lbs.	6439.19	C
Copper, old & scrap	Lbs.	6413	C
Copper ore, concentrates, matte, & unrefined copper including blister, black, or coarse converter & anodes	Lbs.	6401	C
Copper pipes & tubes	Lbs.	6422	C
Copper plates, sheets & strips	Lbs.	6423	C
Copper, refined in bars, billets, cakes, cathodes, ingots, slabs, & other commercial shapes	Lbs.	6412	C
Copper rods	Lbs.	6424	C
Copper rotating bands for shells	Lbs.	6439.11	C
Copper salts & compounds—See Chemicals			
Copper valves or valve bodies 4" or larger	Lbs.	6439.07	C
Copper wire, bare	Lbs.	6425	C
Copper wire & cable, insulated, rubber covered	Lbs.	6430	C
Copper wire insulated, weatherproof	Lbs.	6431	C
Copper wire insulated, other (include telephone cable)	Lbs.	6435	C
	Lbs.	8201	C
Copper sulfate	Lbs.	3419.98	C
Cord & cordage—See component fiber	Lbs.	3419.98	C
Cordage, n. e. s.	Units	7450	C
Core molding machines			
CORK			
Bark, corkwood, refuse, shavings, waste	Lbs.	4309.50	None
CORK MANUFACTURES (include natural, composition, & compressed cork)	Lbs.	4302–4309.98	None

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Corn	Bu.	1031	K
Corn, canned—See Vegetables & Preparations			
Cornmeal	Bbl.	1032	K
Corn & foot remedies—See Medicinals		6149	
Corn oil, crude	Lbs.	2249.02	C
Corn oil, refined	Lbs.	1441	C
Corn shellers	Units	7864	1
Corn sirup & sugar—See Sugar & Related Products			
Cornets—See Musical Instruments			
Corsets—See Textile Products			
Cornstarch & corn flour	Lbs.	2811	K
Corrosive sublimate (mercuric chloride)	Lbs.	8397.42	C
Corundum, wheels of	Lbs.	5405	C
Cosmetics—See Soap & Toilet Preparations			
Cots, cork	Lbs.	{4307.19 {4309.50	None
Cotton pulp (include cottonseed hull shavings pulp, cotton pulpboard & bleached & purified linters)	Bales & Lbs.	3006	C
Cotton looms—See Machinery—Textile, Sewing & Shoe			
COTTON, UNMANUFACTURED			
American Egyptian (Pima) raw cotton	Bales & Lbs.	3009	1, 47
Egyptian long staple fiber 1⅛" & over	Bales & Lbs.	3004F	1, 47
Linters, including cottonseed hull fiber and shavings (grades 1–8 inclusive, U. S. Official Standard)	Bales & Lbs.	3004	C
Raw cotton, 1⅛ inches & over, n. e. s.	Bales & Lbs.	3002	K
Upland raw cotton, under 1⅛ inches	Bales & Lbs.	3003	K
COTTON SEMIMANUFACTURES			
Comber waste	Lbs.	3010.5	K
Cotton batting, unglazed wadding, carded cotton & roving (include upholstery stuffing)	Lbs.	3009	K
Cotton carded yarn bleached, colored & novelty (include chenille yarn)	Lbs.	3011.2	C
Cotton carded yarn, gray	Lbs.	3011.1	C
Cotton card strips	Lbs.	3010.4	K
Cotton hard wastes of yarns & threads, including wiping	Lbs.	3010.3	K
Cotton rags, except paper stock	Lbs.	3008	K
Cotton yarn combed, finished, except mercerized	Lbs.	3013.2	C
Cotton yarn combed, not finished or mercerized	Lbs.	3013.1	C
Cotton yarn, mercerized, all kinds	Lbs.	3012	C
Waste, soft, n. e. s.	Lbs.	3010.6	K
COTTON MANUFACTURES			
Bed sheets & pillow cases, cotton	Doz.	3178	K
Blankets, cotton	Units	3171	K
Boys' jackets & windbreakers	Units	3113.98	K
Boys' sweaters, jersey pullovers & sweatshirts	Units	3099.19	K
Boys' underwear	Doz.	3099.98	K
Braids, ribbons, trimmings, bindings, lacings, tape-labels, & webbing (include tastes & ribbonzine)		3160	
Candlewick, chenille, & tufted bedspreads	Units	3175	K
Canvas articles		3106	C
Carded broadcloth, bleached	Sq. yd.	3048	K
Carded broadcloth dyed in the piece	Sq. yd.	3049.1	K
Carded broadcloth, printed	Sq. yd.	3049.2	K
Chambrays, cheviots & shirtings	Sq. yd.	3060	K
Cheese cloth & gauze, bleached or dyed (full pieces)	Sq. yd.	3050	K
Children's hosiery	Doz. prs.	3094	K
Children's outer wear, not knit	Doz.	3127	K
Cloth, gray, cotton, n. e. s.	Sq. yd.	3039	K
Colored yarn fabrics, n. e. s.	Sq. yd.	3061	K
Combed & carded goods (cotton fabric)	Sq. yd.	3074	K
Cord tire fabrics, cotton	Sq yd.	3020	K
Cotton, absorbent—See Textile Products			
Cotton & rayon mixtures, fabrics	Sq. yd.	3079	K
Cotton & wool mixtures, fabrics	Sq. yd.	3070	K
Cotton bags, new	Lbs.	3191.1	K
Cotton bags, used or reclaimed	Lbs.	3191.5	K
Cotton flannels, bleached or colored	Sq. yd.	3035.1	K
Crochets, darning & embroidery cotton	Lbs.	3016	K
Curtains & draperies (include cotton bath curtains)		3181	K
Denims	Sq. yd.	3057	K
Dress & all other gloves (woven or knit) (include children's mittens of cotton)	Doz. prs.	3091.2	K
Drills, twills, & warp sateens, bleached, finished cotton cloth, 40 inches wide & narrower	Sq. yd.	3040	K
Drills, twills, & warp sateens, dyed in the piece, finished cotton cloth, 40 inches wide & narrower	Sq. yd.	3041.1	K
Drills, twills, & warp sateens, (unbleached cloth) 40 inches wide & narrower	Sq. yd.	3031.1	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
COTTON MANUFACTURES—Continued.			
Drills, twills, & warp sateens, (unbleached cotton cloth) wider than 40 inches	Sq. yd.	3033.1	K
Drills, twills, & warp sateens, printed, finished cotton cloth, 40 inches wide & narrower	Sq. yd.	3041.2	K
Drills, twills, & warp sateens wider than 40 inches	Sq. yd.	3045.1	K
Duck & awning materials, colored (include bleached, dyed, stenciled, painted, proofed & printed duck, & woven awning stripes)	Sq. yd.	3062	C
Duck, cotton, numbered, biscuit & naught (include paper dryer)	Sq. yd.	3026	C
Duck, ounce, cotton (include army duck)	Sq. yd.	3025	C
Filter cloth, hose & belting duck, cotton	Sq. yd.	3023	C
Handkerchiefs, cotton	Doz.	3060	K
Huck, damask & plain woven towels & toweling		3188	K
Knit fabrics in the piece	Lbs.	3080	K
Marquisettes, combed	Sq. yd.	3073	K
Men's clothing of woven fabrics, cotton, n. e. s.	Doz.	3120.05	K
Men's hosiery, cotton	Doz.	3095	K
Men's jackets & windbreakers, cotton	Units	3113.05	K
Men's knit apparel, cotton, n. e. s.	Units	3099.95	K
Men's shirts, cotton, not knit, n. e. s.	Doz.	3117.25	K
Men's sweaters, jersey pullovers	Units	3099.15	K
Men's underwear, cotton, knit	Doz.	3096.05	K
Napped fabrics in the piece, n. e. s.	Sq. yd.	3055.9	K
Nightwear, boys'	Doz.	3115.98	K
Nightwear, knit, women's & children's (include balbriggan pajamas & "Dentons")	Units	3098	K
Nightwear, men's cotton	Doz.	3115.05	K
Osnaburgs, cotton cloth, all widths	Sq. yd.	3034	C
Overalls, breeches, etc., cotton	Doz.	3114	K
Pile fabrics, cotton, other (include velveteens, corduroys, & terry fabrics)	Sq. yd.	3088	K
Piques, combed	Sq. yd.	3070	K
Plain, crinkle, dobby & Jacquard woven (include lace bedspreads & counterpanes)	Units	3176	K
Plushes	Sq. yd.	3087	K
Printcloth, bleached	Sq. yd.	3051.1	K
Printcloth dyed in the piece	Sq. yd.	3052.1	K
Printcloth, printed	Sq. yd.	3052.2	K
Printcloth yarn fabrics constructions, unbleached cotton (gray) n. e. s.	Sq. yd.	3037	K
Quilts, comfortables & quilted bedspreads, cotton	Units	3173	K
Sewing thread, cotton	Lbs.	3015	K
Sheeting, bleached 40 inches wide & narrower	Sq. yd.	3042.1	K
Sheeting, bleached, wider than 40 inches	Sq. yd.	3046.1	K
Sheeting, dyed in the piece, 40 inches wide & narrower	Sq. yd.	3042.2	K
Sheeting, dyed & printed, wider than 40 inches	Sq. yd.	3047.1	K
Sheeting, printed, 40 inches wide & narrower	Sq. yd.	3043	K
Sheeting, unbleached cotton, 40 inches & narrower	Sq. yd.	3031.2	K
Sheeting, unbleached cotton, wider than 40 inches	Sq. yd.	3033.2	K
Suitings, twill-covert, cottonades	Sq. yd.	3058	K
Table damask in the piece	Sq. yd.	3082	K
Tapestry & other upholstery & drapery materials, Jacquard & dobby-woven	Sq. yd.	3084	K
Terry-woven towels, wash cloths & bath mats	Doz.	3187	K
Tire cord or cones or wraps, cotton	Lbs.	3017	K
Tire fabrics, cotton, n. e. s.	Sq. yd.	3021	K
Tobacco & cheese cloth, unbleached	Sq. yd.	3036	K
Twine, rope & cordage (except tire cord), cotton	Lbs.	3018	K
Underwear, boys'	Doz.	3116.19	K
Underwear, men's, cotton, not knit	Doz.	3116.15	K
Voiles, organdies, lawns, batiste, combed	Sq. yd.	3067	K
Women's & children's underwear & nightwear, not knit (include diapers)	Doz.	3124	K
Women's & children's sweaters, shawls, & mufflers	Units	3099.5	K
Women's & children's underwear	Doz.	3097	K
Women's dresses & ensembles (include eyelet, velveteen & lace)	Units	3122	K
Women's hosiery	Doz. prs.	3093	K
Woven belting for machinery, cotton (include duck woven 12" and narrower)	Lbs.	3140	K
Work gloves, mits, & gauntlets, fabric, cotton	Doz. prs.	3091.1	K
Work shirts, cotton	Doz.	3117.1	K
Boys' clothing of woven fabrics, n. e. s. (include bathrobes, seersucker suits & slacks, & boys' play suits, overalls, etc.)	Doz.	3120.98	K
Boys' shirts, n. e. s. (except knit)	Doz.	3117.29	K
Cotton manufactures, n. e. s. (include molleton padding, fish nets, dyed cotton flocks, & semimanufactures, n. e. s.)		3199	K
Cotton remnants & fabrics, n. e. s., sold by the pound (include millends & short pieces of less than 10 yards)	Lbs.	3089.5	K
House furnishings, n. e. s. (include napery, cotton floor coverings, & furniture slip covers)		3189	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
COTTON MANUFACTURES—Continued.			
Knit apparel, n. e. s. (except men's) (include knit dresses)	Units	3099.98	K
Laces, embroideries & articles thereof, n. e. s.		3185	K
Narrow fabrics, n. e. s. (include lamp wicks & wicking & hose not rubberized)		3161	K
Women's & children's apparel of woven fabrics, n. e. s. (include blouses, skirts, bathrobes, uniforms & washable apparel, n. e. s.)		3129	K
Cotton presses, & parts	Units	7671	C
Cottonseed	Lbs.	2220.02	C
Cottonseed for planting	Lbs.	2220.02	C & 17
Cotton wax	Lbs.	2099.05	C
Cottonseed cake & meal—See Fodders & Feeds			
Cottonseed hull fiber (grades 1–8 inclusive, U. S. Official Standard)	Bales & Lbs.	3004	C
Cottonseed hull fiber pulp	Bales & Lbs.	3006	C
Cottonseed hull shavings (grades 1–8 inclusive, U. S. Official Standard)	Bales & Lbs.	3004	C
Cottonseed oil—See Oils & Fats—Vegetable			
Cottonwood boards, planks & scantlings—See Wood—Sawmill Products			
Cottonwood, logs & hewn timber—See Wood—Unmanufactured			
Cough preparations—See Medicinals			
Counter-sinks, metal cutting, for power tools	Units	6167.43	C
Counter sinks, wood-working	Doz.	6157.1	C
Cowls, aircraft engine	Units	7947.05	C
Crabs	Lbs.	0090	K
Crackers & cookies—See Grains & Preparations			
Cradles of iron or steel for locomotives & other railway rolling stock	Units	7120	C
Cranes—See Machinery—Construction & Conveying			
Crank cases, aircraft engines	Units	7947.05	C
Crayons—See Office Supplies—Misc. Cream, cold, toilet, & vanishing—See Soap & Toilet Preparations			
Cream separators, valued less than $50	Units	7801	1
Cream separators valued at $50 or over	Units	7592	1, 47
Creosoted piling—See Wood—Unmanufactured			
Creosote or dead oil	Gals.	8010	C
Cresols and cresylic acid	Lbs.	8024.09	C
Crochet thread—See Synthetic Textiles (also see Cotton Mfrs.)			
Crossings, railway	Lbs.	6055	C
Crucibles, clay—See Clay & Clay Products			
Crucibles, graphite	Lbs.	5480.55	1
Crucibles, platinum metal & alloys	T. oz.	6929.05	1, 47
Crude oils—See Petroleum Products			
Crude rubber	Lbs.	2001 F	1
Crushing machinery—See Machinery—Mining, Well & Pumping			
Crutches	Units	9155	C
CRYOLITE			
Artificial	Lbs.	5960.15	C
Natural	Lbs.	5960.10	C
Cubé (timbo or barbasco) root, extract, powder	Lbs.	2209.05	C
Cuff & collar buttons—See Jewelry			
Cuffs—See Furs & Mfrs.			
Cultivators—See Machinery—Agricultural Implements			
Cupboards—See Wood Mfrs.			
Cupolas and accessories, foundry	Units	7452.98	C
Cupric acetate	Lbs.	8397.01	C
Cupric acetoarsenite (paris green)	Lbs.	{8205.91 {8397.02	C
Cupric carbonate	Lbs.	8397.03	C
Cupric chloride	Lbs.	8397.04	C
Cupric cyanide	Lbs.	8397.06	C
Cupric hydroxide	Lbs.	8397.11	C
Cupric nitrate	Lbs.	8397.13	C
Cupric oxide	Lbs.	8397.15	C
Cuprous chloride	Lbs.	8397.05	C
Cuprous cyanide	Lbs.	8397.07	C
Cuprous oxide	Lbs.	8397.17	C
Cups, primer, for shells, brass & bronze	Lbs.	6479.05	1, 47
Curling irons, electric	Units	7073.05	C
Curtains—See Cotton Mfrs. (also see Synthetic Textiles)			
Cushions, finished—See Synthetic Textiles			
Cushions, kapok	Units	3199.15	C
Cutlery—See Iron & Steel Mfrs.—Cutlery			
Cutters, feed	Units	7870	1
Cutters, metal cutting, for power tools	Units	{7482 {6118.05	C
Cut soles, outer, leather	Lbs.	0327	C
Cutting off machines—See Machinery—Mtl. Wkg.			
Cuttings—See Nursery & Greenhouse Stock			
Cyanide, cupric	Lbs.	8397.06	C
Cyanide, cuprous	Lbs.	8397.07	C
Cyanide, potassium	Lbs.	8359.13	C
Cylinder boring machines	Units	7404	C

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Cylinder stocks, steam refined—See Petroleum Products			
Cylinders, aircraft engines	Units	7947.05	C
Cylinders, gas	Lbs. & Units	6205	C
Cymbals—See Musical Instruments			
Cypress boards, planks & scantlines—See Wood—Sawmill Products			
Dairy equipment & parts for commercial use, other (include commercial ice cream freezers)	Units	7503	1, 47
Dairy equipment & parts, other, for farm use	Units	7802	1
Dairy feeds—See Fodders & Feeds			
DAIRY PRODUCTS			
Butter	Lbs.	0095	C
Buttermilk	Lbs.	0099	K
Cheese, processed	Lbs.	0067.5	K
Cheese, other (include in original loaves)	Lbs.	0067.9	K
Infants' food, malted milk, etc	Lbs.	0099	K
Milk & cream, condensed (sweetened)	Lbs.	0091	K
Milk & cream, dried skimmed	Lbs.	0064	K
Milk & cream, dried whole milk	Lbs.	0093	K
Milk & cream, evaporated (unsweetened)	Lbs.	0092	K
Milk & cream, fresh & sterilized	Gals.	0090	K
Damar resins—See Resins—Natural			
Dates, dried	Lbs.	1330 F	C
Daubers, cork	Lbs.	{4307.19 4309.50	None
Dead oil	Gals.	8010	C
Deer tongue leaves—See Medicinals	Lbs.	2209.98	
De icers, aircraft	Units	7949.95	C
Denatured alcohol (solidified)	Lbs.	8312	C
Dental supplies—See Scientific & Professional Instruments			
Dentrifrices, deodorants, & depilatories—See Soap & Toilet Preparations			
Derails, railway	Lbs.	6055	C
Derricks (except mining)	Unit	7242	C
Derricks, mining	Units	7315	C
Derris root, extract, powder	Lbs.	2209.07	C
Detonators	Units	8629	C
Dextrine or British gum	Lbs.	8233	C
Dextrose, pharmaceutical—See Medicinals			
Diamond dies	Units	7455.03	1, 47
Diamond drilling bits	Units	6178.91	1, 47
Diamond glass cutters & similar articles	Units	6178.91	1, 47
Diamond grinding wheels	Lbs.	5409.05	1, 47
Diamond saws	Units	{6155.15 6156.05	1, 47
Diamond wheel dressers	Units	6178.91	1, 47
DIAMONDS—INDUSTRIAL			
Diamond dust, industrial	Lbs.	5409.10	1, 47
Diamonds, industrial, metal alloy slugs containing	Units	7485.12	1, 47
Diamonds, rough, including crushing bort	K	5991 F	None
Tools incorporating industrial diamonds—See Tools			
Diamonds, other, usable for industrial purposes only	K	5990.05	None
Diamonds, other (include mounted in jewelry)	K	5990.98	C
Diapers—See Cotton Mfrs.			
Dibutyl phthalate	Lbs.	8025.93	C
Dichlorethyl ether	Lbs.	8329.98	C
Dictaphone records—See Office Supplies—Misc.			
Dicyanodiamide	Lbs.	8385.07	C
Die casting equipment	Units	7455.05	C
Die castings, zinc, including bungs	Lbs.	6573.07	1, 47
Dies and die heads, metal cutting, for power tools	Units	{7482 6169.43	C
Dies, diamond	Units	7455.03	1, 47
Dies, hand-operated, other	Units	6169.98	C
Die sinker, milling machines	Units	7408	C
Die stocks, brass & bronze	Lbs.	6479.01	1, 47
Diesel motor fuel—See Petroleum Products			
Diesel & semi-Diesel engines—See Machinery—Power Generating (also see Engines—Diesel & semi-Diesel)			
Diesel & Diesel-electric locomotives (injection type)	Units	7141	1, 47
Diethyl phthalate	Lbs.	8025.93	C
Diethylene glycol		8315.98	C
Digitalis salts and compounds	Lbs.		C
Digitalis seeds	Lbs.	2209.09	None
Dimethylaniline	Lbs.	8025.5	C
Dipentene	Lbs.	2116.1	C
Diphenylamine	Lbs.	8025.7	C
Dipropylphthalate (normal and iso)	Lbs.	8025.93	C
Direction finders, radio	Units	7081.05	C
Directors & range finders	Units	{9149.92 7948.09	C
Directors, gun	Units	9149.93	C
Disinfectants, industrial (state ingredients)	Lbs.	8309	C
Disinfectants, seed (state ingredients)	Lbs.	8305.5	C
Disks, cork	Lbs.	4302	None
Disks, lead	Lbs.	6515.60	C
Distilled liquors—See Beverages			
Distribution & transmission apparatus—See Electrical Machinery & Apparatus			
Dog food		0099	K
Dolls & parts—See Toys, Athletic & Sporting Goods			
Doors, bank (include burglary-resistive chests & safes not insulated)	Units	6134	C
Doors, vault, fire resistive (insulated)	Units	6133.5	C
Doors—See Wood Mfrs.			
Douglas fir—See Wood—Unmanufactured			
Draperies and drapery materials—See Cotton Mfrs. (also see Synthetic Textiles)			
Drays	Units	7975	C
Dredging machinery	Units	7305.05	1, 47
Dredging machinery, parts, other	Units	7305.98	C
Dresses—See Cotton Mfrs. (also see Silk & Silk Mfrs. & Synthetic Textiles)			
Dressing, salad	Lbs.	1252.1	K
Dried & evaporated fruits—see Fruits—dried & evaporated			
Driftmeters	Units	9190.53	C
Drilling bits, diamond	Units	6178.91	1, 47
Drilling machinery—See Machinery—Mining, Well & Pumping (also see Machinery—Petroleum & Gas Well)			
Drilling machines—See Machinery—Mtl. Wkg.			
Drill, hand operated devices	Units	6177	*7
Drill presses, hand	Units	6177	*7
Drill presses, power operated	Units	7420	C
Drill rods, steel, alloy & stainless steel	Lbs.	{6028 6026	C
Drills & seeders, horse, power & hand	Units	7827	1
Drills, metal cutting, for power tools	Units	6167.43	C
Drills, rock	Units	7311	C
Drill steel, bars, alloy & stainless steel	Lbs.	{6028 6026	C
Drop hammers (forging machines)	Units	7447	C
Dross, cadmium	Lbs.	6645.15	C
Dross, zinc	Lbs.	6570	1, 47
Druggists' rubber sundries	Lbs.	2042	1
DRUGS, HERBS, LEAVES, & ROOTS (See Medicinals)			
Aconite leaves	Lbs.	2209.27	None
Aconite roots			
Arnica, flowers, leaves, or root whole, granulated or powdered	Lbs.	2209.33	C
Belladonna (all forms)	Lbs.	2209.01	None
Cascara bark	Lbs.	2201	K
Cinchona bark (report quinine sulfate equivalent in avoirdupois ounces)	Lbs.	2207 F	None
Cinchona bark, powdered (report quinine sulfate equivalent in avoirdupois ounces)	Lbs.	2209.03	None
Colchicum seeds and colchicum roots	Lbs.	2209.29	C
Crude vegetable drugs, n. e. s. (include deer tongue leaves)	Lbs.	2209.98	K-$100
Digitalis seeds	Lbs.	2209.09	None
Ginseng	Lbs.	2205	K-$100
Hyoscyamus (Henbane)	Lbs.	2209.11	None
Mandrake root (Mayapple root or podophyllum)	Lbs.	2206	K-$100
Nux vomica	Lbs.	2209.15	C
Patchouli leaves	Lbs.	2208 F	C
Psyllium seed	Lbs.	2206 F	C
Senna	Lbs.	2209	C
Stramonium (Jimson weed)	Lbs.	2209.25	C
DRUGS, HERBS, ETC.—INSECTICIDES			
Cube (timbo or barbasco) root, cube root extract & cube root powder	Lbs.	2209.05	C
Derris (tuba) root, derris root powder & derris root extract	Lbs.	2209.07	C
Pyrethrum (insect flowers) and pyrethrum powder	Lbs.	2209.10	C
Red Squill	Lbs.	2209.21	C
Drums—See Musical Instruments			
Drums, metal, for oil, gas, liquids, and solids (filled or unfilled)—See Iron & Steel Manufactures—Miscellaneous			
Dry-cleaning equipment & parts	Units	7738	C
Dry plates, photographic—See Photographic Projection Goods			
Duplicating machines—See Machinery—Office Appliances			
Duplicator, milling machines	Units	7408	C
Duralumin—See Aluminum			
Dust collectors, foundry	Units	7452.98	C
Dust, diamond, industrial	Lbs.	5409.10	1, 47
Dust, zinc	Lbs.	6586	1, 47
Dusters, agricultural—See Machinery—Agricultural Implements			

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Dyed cotton flocks—See Cotton Mfrs.			
Dyeing & tanning extracts & materials—See Vegetable Dyeing & Tanning Extracts			
Dyeing machines & parts	Units	7541	1, 47
Dyes—See Chemicals			
Dyes, hair—See Soap & Toilet Preparations			
Dynamite	Lbs.	8604	C
Dynamometers	Units	{7038.05 7740.05 9190.03	C
Earrings—See Jewelry			
Earthenware—See Clay & Clay Products			
Eggs—See Animal Products—Edible			
Elastic—See Textile Products			
Electric clocks	Units	9570	C
ELECTRICAL MACHINERY & APPARATUS			
Air raid sirens & alarms	Units	7089	None
Airport beacons & searchlights	Units	7066	C
Amplifiers & pick-ups	Units	7099.98	C
Armatures	Units	{7099.05 7055.05	C
Batteries, dry, multiple, cell, except flashlight	Cell.	7017	C
Batteries, flashlight batteries	Cell.	7016	C
Batteries, No. 6 dry-cell batteries	Units	7015	C
Batteries, 6 & 12 volts storage batteries	Units	7013	C
Batteries, other dry & wet cell primary batteries	Cell.	7018	C
Batteries, storage batteries, n. e. s.	Cell.	7014	C
Battery mix (manganese dioxide) as part of batteries	Lbs.	7099.91	C
Bells, buzzers, annunciators, etc	Units	7089	C
Bulbs, electric light, metal-filament, over 200 watts	Units	7064.05	C
Bulbs, electric light, other than metal-filament	Units	7065.05	C
Capacitors ½ kilovolt ampere & larger	Units	7019	C
Chargers, battery, nonrotating, including rectifier tubes (tungar tubes)	Units	7028	C
Circuit breakers & switches, oil (include outdoor & indoor)	Units	7032	C
Circuit breakers & switches, power, over 10 amperes, & parts (include network protectors)	Units	7033	C
Coffee percolators, electric	Units	7073.05	C
Commutators	Units	7099.90	C
Commutator end caps	Units	7099.90	C
Commutator segment insulators	Units	7099.90	C
Commutator V rings & cones	Units	7099.90	C
Compasses, if with mica dial or mica cover	Units	7079.03	C
Conduits, electric, of iron or steel—See Iron & Steel Mfrs.—Tubular Products			
Conduits, other, outlet & switch boxes, metal	Units	7094.9	C
Conduits, rigid metal, other	Units	7094.18	C
Converters, rotating, ¾ but not over 300 kilowatts	Units	7027.15	C
Converters, rotating, 300 kilowatts & larger	Units	7027.2	C
Converters, rotating under ¾ kilowatts	Units	7027.18	C
Curling irons, electric	Units	7073.05	C
Direction finders, radio, aircraft—See Aircraft—Parts, Equipment & Accessories			
Direction finders, radio	Units	7081.05	C
Domestic heating or cooking devices, utensils, & parts, n. e. s.	Units	7073.98	C
Domestic motor-driven devices, except tools, n. e. s.	Units	7070	C
Electric apparatus & parts, n. e. s. (include precipitrons, public address equipment & sound recording equipment, whether or not provided with playback features)	Units	7099.98	C
Fans, electric	Units	7061	C
Flashlight cases	Units	7090	C
Flat-irons, electric	Units	{7071.98 7071.05	C
Floodlights	Units	7067	C
Fluorescent tube lamps	Units	7065.01	C
Furnaces, electric, heat treating, & parts	Units	7074.2	C
Furnaces, electric, melting & parts	Units	7074.1	C
Fuse plugs	Units	7034.05	C
Fuses, other	Units	7034.98	C
Generator sets, steam turbine, ¾ but not over 500 kilowatts	Units	7006.05	C
Generator sets, steam turbine, 500 kilowatts & larger	Units	7008	C
Generator sets, steam turbine under ¾ kilowatt	Units	7006.98	C
Generators, accessories & parts for	Units	7009.98	C
Generators, aircraft engine	Units	7947.05	C
Generators, under ¾ kilowatt, alternating current	Units	7001.98	C
Generators, ¾ kilowatt or over, alternating current	Units	7001.05	C
Generators, under ¾ kilowatt, direct current	Units	7000.98	C
Generators, ¾ kilowatt or over, direct current	Units	7000.05	C
Generators, wind driven	Units	7012	C
Generating sets, powered by Diesel engines, assembled or unassembled	Units	7011.02	C
ELECTRICAL MACHINERY & APPARATUS—Continued.			
Hair-waving machines, electric	Units	7099.96	C
Heating devices & parts, industrial, other	Units	7074.9	C
Indicating instruments, electric, other	Units	7036.98	C
Indicating instruments, electric, tension, ductility, compression, hardness, torsion, & flaw-testing machines	Units	7036.05	C
Insulating material	Units	7093	C
Insulators, electric, glass—See Glass & Glass Products			
Lamps, electric, other (include vapor, carbon filaments, & nonfilament lamps)	Units	7065.98	C
Lamps, incandescent, for automobile, flashlight & Christmas tree (include aircraft lamps) (specify type)	Units	7063	C
Lamps, metal filament, other	Units	7064.98	C
Lighting fixtures & parts, electric, exterior	Units	7097	C
Lighting fixtures & parts, electric, interior	Units	{7096.01 7096.98	C
Lighting outfits, self-contained, other than Diesel	Units	7011.98	C
Lightning arresters, choke coils, reactors & parts	Units	7039	C
Locomotives, railway, mining & industrial, electric	Units	7045	C
Loudspeakers	Units	7080	C
Measuring machines for use in measuring or inspecting precision parts for use in the metal-working industries by electric means—See Instruments—Precision			
Meters, measuring, watt-hour & other	Units	7035	C
Mica armature insulation under bands	Units	7099.90	C
Motors, necessories & parts for, other	Units	7035.98	C
Motors, ½ H. P. & under	Units	7040	C
Motors, over ½ & under 1 H. P.	Units	7041	C
Motors, 1-200 H. P., stationary	Units	7042	C
Motors, over 200 H. P., stationary	Units	7043	C
Neon tube electrode sections	Units	7099.92	C
Portable electric tools, mtl. wkg.	Units	7056.05	C
Portable electric tools, mtl. wkg., parts for	Units	7099.94	C
Portable electric tools, other than mtl. wkg.	Units	7056.98	C
Radio mica condensers, or capacitors, all kinds	Units	7079.01	C
Radio receiving set accessories, other	Units	7081.98	C
Radio receiving set components, n. e. s.	Units	7079.98	C
Radio receiving sets, complete	Units	7077.05	C
Radio receiving sets, other containing mica (include all combination radio phonographs whether or not provided with recording equipment)	Units	7077.98	C
Radio transmitting sets, tubes & parts	Units	{7076.05 7076.98	C
Radio trimmers	Units	7079.01	C
Radio tubes or valves for receiving sets	Units	{7078.98 7078.05 7076.05	C
Radio tube ridges	Units	{7078.05 7076.05	C
Radio tube spacers	Units	{7078.05	C
Railway motors	Units	7044	C
Ranges, electric cooking	Units	7072	C
Razors, electric	Units	{7099.15 7099.18	C
Recording instruments, electrical	Units	7037	C
Rectifiers, mercury power	Units	7026	C
Rectifier tubes	Units	7028	C
Refrigerator parts (cabinets, motors, coils, or other parts shipped separately from compressors or complete units)	Units	7059	C
Refrigerators, electric, commercial up to 1 ton	Units	7058	C
Refrigerators, household, electric	Units	7057	None
Regulators, feeder voltage, including induction & step-type feeder voltage regulators	Units	7030	C
Rheostats	Units	7031.05	C
Rheostats, for electric railway & vehicle motors	Units	7049.05	C
Rheostats for industrial motors	Units	7048.05	C
Sockets, outlets, fuse blocks, lighting switches & parts	Units	7095	C
Starting & controlling equipment for electric railway & vehicle motors & parts, other	Units	7049.98	C
Starting & controlling equipment for industrial motors & parts, other	Units	7048.98	C
Starting, lighting, & ignition equipment	Units	7092	C
Switchboard panels & parts, except telephone	Units	7031.98	C
Switches & circuit breakers, oil (include outdoor & indoor)	Units	7032	C
Switches, power, circuit breakers over 10 amperes & parts (include network protectors)	Units	7033	C
Telegraph apparatus & parts	Units	7082	C
Telephone equipment & parts, other (except new office intercommunication systems)	Units	7087	C
Telephone instruments	Units	7083	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
ELECTRICAL MACHINERY & APPARATUS—Continued.			
Testing apparatus & parts, other electrical	Units	7039.98	O
Testing machines, electric, for tension, ductility, etc.—See Instruments—Precision for Metal Working			
Therapeutic apparatus & parts	Units	7075.9	O
Toasters, electric	Units	7073.05	C
Transformers, distribution, 500 kilovolt amperes & less	Units	7022	C
Transformers, instrument	Units	7023	C
Transformers, other	Units	7024	C
Transformers, power over 500 kilovolt amperes	Units	7021	C
Trucks & tractors, electric industrial, other	Units	7047.98	C
Trucks, electric, station, warehouse & factory, powered by electric storage battery	Units	7047.05	C
Vacuum cleaner parts, electric, domestic	Units	7069.3	C
Vacuum cleaners, electric, domestic	Units	7069.1	C
Waffle-irons, electric	Units	7073.05	C
Washing machine parts, electric, household	Units	7068.3	C
Washing machines, electric, household	Units	7068.1	C
Welding sets & parts—See Machinery—Welding, Electric			
Wiring supplies & line materials, other		7098	C
X-ray apparatus & parts	Units	7075.5	1, 47
X-ray tubes	Units	7075.1	1, 47
Electric resistance wire, nickel-chrome	Lbs.	6639	C
Electrical porcelain—See Clay & Clay Products			
Electrical welding wire of iron & steel—See Iron & Steel Mfrs.—Wire			
Electrode sections for neon tubes	Units	6099.92	C
Electrodes, carbon, for furnace or electrolytic work	Lbs.	5473.01	C
Electrodes, carbon, others	Lbs.	5480.01	C
Electrodes, graphite	Lbs.	5473.05	C
Elemi resins	Lbs.	2189.95	C
Elevators, freight & passenger	Units	7245	1, 47
Elixirs—See Medicinals			
Embroideries—See Cotton Mfrs.			
Embroidery silk—See Silk & Silk Mfrs.			
Embroidery thread—See Synthetic Textiles			
Emery powder	Lbs.	4309.20	C
Emery, wheels of	Lbs.	5405	C
Enameled ware—See Iron & Steel Mfrs.—Enameled Ware			
Enamels, other	Gals.	8438.98	C
Engineering instruments—See Scientific & Professional Instruments, Apparatus, & Supplies			
Engine parts, Diesel	Units	7159	1, 47
ENGINES—AIRCRAFT, PARTS (int. combustion)			
Carburetors	Units	7947.05	C
Cowls	Units	7947.05	C
Crank cases	Units	7947.05	C
Cylinders	Units	7947.05	C
Generators	Units	7947.05	C
Magnetos	Units	7947.05	C
Spark plugs	Units	7947.05	C
Starters	Units	7947.05	C
Superchargers	Units	7947.05	C
Valves, for use in aircraft engines	Units	7947.05	C
Other aircraft engine parts	Units	7947.98	C
Engines, automobile motor truck & bus—See Machinery—Vehicles—Automotive Parts & Accessories			
ENGINES—DIESEL & SEMI-DIESEL (Hesselman, etc., injection type)			
Diesel & Diesel-electric locomotives (injection type)	Units & H. P.	7141	1, 47
Diesel engine parts	Units	7159	1, 47
Electric generating sets powered by Diesel engines, assembled or unassembled	Units & H. P.	7011.05	C
Marine, not over 200 H. P.	Units	7145	1, 47
Marine, over 200 H. P.	Units & H. P.	7140	1, 47
Stationary & portable, not over 200 H. P.	Units	7147	1, 47
Stationary & portable, over 200 H. P.	Units & H. P.	7148	1, 47
Truck & bus	Units & H. P.	7928.3	C
Trucks, busses (& their chassis) powered by Diesel or semi-Diesel engines (injection type)	Units & H. P.	7904.3	1
Engines, marine, gasoline—See Machinery—Vehicles, Misc.			
Engines, steam—See Machinery—Power-generating machinery (except electric & automotive)			
Engines, tractor—See Machinery—Agricultural Implements			
Engraving (Pantograph) milling machine	Units	7408	C
Engravings—See Art Works			
Envelopes	Lbs.	4793	C
Enzymes—See Medicinals			
Essential oils—See Oils & Fats—Vegetable			
Ester gums	Lbs.	8261	C
Etchings	Units	9610	K
Ether, isopropyl	Gals.	5013.10	C
Ethocaine—See Medicinals	Lbs.	8135.25	C
Ethyl ether	Lbs.	8329.7	C
Ethylene	Lbs.	8395.05	C
Ethyl acetate	Lbs.	8329.3	C
Ethyl alcohol	Lbs.	8315.98	C
Ethyl chloride	Lbs.	8329.98	C
Ethylene chlorhydrene	Lbs.	8329.89	C
Ethylene dibromide	Lbs.	8344.15	C
Ethylene dichloride	Lbs.	8329.98	C
Ethylene glycol	Lbs.	8311	C
Ethylene glycol monoethyl ether	Lbs.	8329.9	C
Ethylene oxide	Lbs.	8329.98	C
Ethyl fluid	Gals.	8299.15	C
Ethyl lactate	Lbs.	8329.98	C
Eucalyptus oil	Lbs.	2249.98	C
Excavators & power shovels & parts	Units	(7201 7202	1, 47
Expanders, pipe	Units	7455.07	C
EXPLOSIVES			
Blasting gelatin (including similar explosive compounds)	Lbs.	(8609.01 8609.03	C
Detonators & blasting caps	Units	8629	C
Dynamite	Lbs.	8604	C
Lead azide	Lbs.	8609.05	C
Nitroglycerine	Lbs.	8609.07	C
Nitromannite	Lbs.	8609.09	C
Nitrostarch	Lbs.	8609.08	C
Safety fuses	Lin. ft.	8625	C
Commercial explosives, other	Lbs.	8609.98	C
Expressed oils & fats, inedible, n. e. s	Lbs.	2249.98	C
Exterminators (in liquid, paste, powder, or solid form)	Lbs.	8206	C
Extract, chestnut—See Vegetable Dyeing & Tanning Extracts			
Extract, cubé (timbo or barbasco) root	Lbs.	2209.05	C
Extract, derris root	Lbs.	2209.07	C
Extract, dyeing & tanning, other—See Vegetable Dyeing & Tanning Extracts			
Extract, licorice		8299.5	K
Extract, logwood—See Vegetable Dyeing & Tanning Extracts			
Extract, natural flavoring	Gals.	8295.5	K
Extract, pyrethrum	Lbs.	8205.3	C
Extract, synthetic flavoring	Gals.	8295.9	K
Extract, tuba root	Lbs.	2209.07	C
Extract used for flavoring tobacco or, tobacco sauicing	Lbs.	8234	K
Eyeglasses	Units	9143.98	C
Fabrics, cotton—See Cotton Mfrs.			
Fabrics, flax, narrow, including braid, webbing & tapes	Lbs.	3399.06	C
Fabrics, flax, other, except wearing apparel & household goods	Lbs.	3399.09	C
Fabrics, silk—See Silk & Silk Manufactures			
Fabrics, rayon—See Synthetic Textiles			
Fabrics, waterproof, coated or filled—See Textile Products			
Fabrics, wool—See Wool Mfrs.			
Face & compact powder		8742	K
Fan belts, rubber, for automobiles	Lbs.	2085	C
Fans, electric	Units	7061	C
Fats—See Oils & Fats			
Fatty acids and oils sulphated & sulphonated	Lbs.	(8238 8292	C
Fatty acids of vegetable origin	Lbs.	2248.01	C
Faucets—See Brass & Bronze			
Feathers, crude, not dressed	Lbs.	0923	C
Feathers, dressed, & manufactures of feathers		0929	C
Feed cutters, grinders, & crushers—See Machinery—Agricultural Implements			
Feeds, animal—See Fodders & Feeds (also see Grains & Preparations)			
Fence posts of iron & steel	Lbs.	0209.05	C
Fence posts, wood	Units	4039	K
Fencing, wire	Lbs.	6085	C
Fennel seeds	Lbs.	2468.9	C
Ferments—See Medicinals			
Ferric ammonium oxalate (iron salt)	Lbs.	8398.98	C
Ferric chloride	Lbs.	8398.98	C
FERRO-ALLOYS—See Iron—Ferro-alloys			
Ferro-carbon titanium	Lbs.	6220.95	C
Ferrochrome	Lbs.	6220.5	C
Ferrocolumbium	Lbs.	6220.80	C
Ferromanganese	Lbs.	6213.03	C
Ferromolybdenum	Lbs.	6220.85	C

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FERRO-ALLOYS—Continued.			
Ferrophosphorus	L. ton	6220.90	C
Ferrosilicon	Lbs.	6220.92	C
Ferrotantalum	Lbs.	6220.94	C
Ferrotitanium	Lbs.	6220.95	C
Ferrotungsten	Lbs.	6220.96	C
Ferrovanadium	Lbs.	6220.87	1
Ferrozirconium	Lbs.	6220.88	C
Spiegeleisen	Lbs.	6213.05	C
Ferro-alloys, other	Lbs.	6220.98	C
Fertilizers—See Chemicals			
Fiber manufactures, n. e. s.		3499.98	C
FIBERS & MFRS.—See individual listings			
Fiber wax	Lbs.	2999.05	C
Fibers, asbestos (if chiefly of fibers ¾" or more in length)	L. ton	5451.05	C
Fibers, asbestos (less than ¾" in length)	L. ton	5451.98	C
Fibers, unmanufactured, n. e. s.	Lbs.	3419F	C
Fibers & waste, n. e. s., synthetic	Lbs.	3830.09	C
Field glasses	Units	9149.3	C
Fifes—See Musical Instruments			
Figs, dried—See Fruits—Dried & Evaporated			
Filament, nylon, including waste & staple fiber	Lbs.	3830.05	C
Filament, tungsten metal	Lbs.	6639	1, 47
Files—See Iron & Steel Manufactures—Tools			
Files, metal cutting, for power tools	Units	7482	C
Files & rasps, other—See Iron & Steel Mfrs.—Tools			
Filing cases—See Iron & Steel Manufactures—Furniture & Fixtures			
Filing folders, index cards, & other office forms	Lbs.	4750	C
Filing machines	Units	7455.07	C
Filings, zinc	Lbs.	6586	1, 47
Fillers, asbestos, for boiler mattress covers	Lbs.	5459.09	C
Film—See Photographic Projection Goods			
Film support, plastic cellulose acetate	Lbs.	8207	C
Film support, plastic, pyroxylin—See Chemicals			
Films, condenser, mica, processed	Lbs.	5513	None
Finders, direction, radio	Units	7081.05	C
Finders, position	Units	9149.96	C
FIREARMS, AMMUNITION & FIREWORKS			
Cartridges, 22 calibre & smaller	M.	9491	1, 2, 47
Commercial & display fireworks		9497.5	C
Flares (aircraft)	Units	9497.95	C
Fuses & detonators, etc. for discharge of projectiles		9495	1, 2, 47
Gun parts, all calibres except barrels, n. e. s. (include sighting mechanisms)		9480	1, 2, 47
Machine gun mounts (State Department white license)			
Parts of grenades, bombs, torpedoes, mines, depth charges, etc. (include fulminates and percussion caps)		9495	1, 2, 47
Pyrotechnics, n. e. s. (include all pyrotechnics for industrial or military use, such as railroad fuses & torpedoes, float lights, aerial photographic bombs, & position lights)		9497.98	C
Revolvers & pistols, 22 caliber & smaller	Units	9470.20	1, 2, 47
Rifles, 22 caliber & smaller	Unit	(9472.10 9472.19	1, 2, 47
Shotguns	Units	9473	1, 2, 47
Shotgun shells	M.	9490	1, 2, 47
Finders, range & height	Units	9149.90	C
Finders, range, trainers therefor	Units	9100.59	C
Finishing machines & parts—See Machinery—Textile, Sewing & Shoe			
Fire brick & clay—See Clay & Clay Products			
Fire control instruments—See Instruments—Fire Control			
Fire-fighting equipment, except automotive fire engines		9807	C
Fire hydrants	Units	(6101 6102	C
Firewood		4039	K
FISH			
Canned, other than salmon or sardines	Lbs.	0086	*K
Clams & oysters, canned	Lbs.	0089F	K
Cod, haddock, hake, pollock, cusk, salted, pickled or dry-cured	Lbs.	0078	K
Oysters, fresh, in the shell	Lbs.	0072	K
Oysters, fresh, shucked, frozen, or in ice	Lbs.	0073	K
Salmon, canned	Lbs.	0084	*K
Salmon, fresh	Lbs.	0070	*K
Salmon, salted, pickled, or dry-cured	Lbs.	0077	*K
Salted, pickled, or dry-cured other than salmon, cod, haddock, hake, pollock, cusk	Lbs.	0079	K
Sardines, canned	Lbs.	0085	*K
Shellfish, canned, other than shrimp, clams, oysters	Lbs.	0088	K
Shrimp, canned	Lbs.	0087	K
Shrimp, dried	Lbs.	0075	K
FISH—Continued.			
Shrimp, fresh, frozen, or in ice (include prawn)	Lbs.	0074	K
Fish and products, other	Lbs.	0090	K
Fish, fresh, other (include filiet of fish)	Lbs.	0071	K
Fish & fish liver oil & concentrates thereof in bulk—See Medicinals	Lbs.	(0819 8119.05	C
Fish essence & fish for bait		0999.98	C
Fish meal for feed	L. ton	1140	K
Fish meal for fertilizer—See Chemicals—Nitrogenous organic waste materials			
Fish nets	Units	3199	K
Fish oils, not containing vitamin A	Lbs.	0819	C
Fish plates, rail	Lbs.	6084	C
Fishing rods, reels, tackle & parts—See Toys, Athletic & Sporting Goods			
Fixtures, brass, plumbing—See Brass & Bronze			
Fixtures, lighting, electric & parts—See Electrical Machinery & Apparatus			
Fixtures, sanitary & plumbing—See Clay & Clay Products (also see Iron & Steel Mfrs.—Enameled Ware)			
Flangers, pipe	Units	7455.07	C
Flanges, lead & antimonial lead (roof flanges)	Lbs.	6515.60	C
Flanging machines, plate	Units	7444.05	C
Flares, aircraft	Units	9497.95	C
Flashlight batteries	Cell	7016	C
Flashlight cases	Units	7060	C
Flat-irons, electric	Units	(7071.98 7071.05	C
Flash & sound ranging apparatus	Units	9190.87	C
Flavoring extracts, natural	Gals.	8295.5	K
Flavoring extracts, synthetic (include flavors for soft drinks, cooking, baking, ice cream, etc.)	Gals.	8295.9	K
Flavoring for tobacco—See Chemicals			
Flavors & sirups for beverages—See Beverages			
Flax braid	Lbs.	3399.00	C
Flax fabrics, narrow including braid, webbine & tapes	Lbs.	3399.06	C
Flax fabrics, other, except wearing apparel & household goods	Lbs.	3399.09	C
Flax fiber unmanufactured	Lbs.	3399.01	C
Flax manufactures, n. e. s.		3399.98	C
Flaxseed	Lbs.	2230.03	C
Flax semi-manufactures, including yarn	Lbs.	3399.03	C
Flax tapes	Lbs.	3399.06	C
Flax thread	Lbs.	3399.05	C
Flax twine and cordage	Lbs.	3419.01	C
Flax wax	Lbs.	2999.05	C
Flax webbing	Lbs.	3399.06	C
Flax yarn	Lbs.	3399.03	C
Flint rock—See Rock Wool			
Flints, gas lighter	Lbs.	5060.98	K
Floats, cork	Lbs.	(4307.19 4309.50	None
Floodlights	Units	7067	C
Floor coverings		3189	K
Floor wax—See Chemicals			
Flooring & tiling, rubber	Lbs.	2094	1
Flotation machinery—See Machinery—Mining, Well, & Pumping			
Flour-mill & gristmill machinery & parts	Units	7605	C
Flour, wheat—See Grains & Preparations			
Flower seeds	Lbs.	2467	K
Flowers, artificial or ornamental		3963	K
Flowers, insect (pyrethrum)	Lbs.	2209.19	C
Flowers—See Nursery & Greenhouse Stock			
Fine, dust, cadmium	Lbs.	6645.15	C
Fluorescent lamps—See Electrical Machinery & Apparatus			
Fluorspar	Lbs.	5960.20	C
Flutes—See Musical Instruments			
Flypaper	Lbs.	4799	C
FODDERS & FEEDS			
Babassu cake & meal	L. ton	1123	K
Coconut oil cake and meal	L. ton	1129	K
Cottonseed cake	L. ton	1115	K
Cottonseed meal	L. ton	1121	K
Dairy & poultry feeds, mixed (include calf manna)	L. ton	1180	K
Feeds, prepared & mixed (include dried buttermilk), n. e. s.	L. ton	1185	K
Feeds, n. e. s. (include apple pomace)	L. ton	1199	K
Fish meal for feed	L. ton	1140	K
Hay	L. ton	1101	K
Hempseed oil cake & meal	L. ton	(1119 1129	K
Linseed cake	L. ton	1116	K
Linseed meal	L. ton	1122	K

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FODDERS & FEEDS—Continued.			
Oil cake, n. e. s.	L. ton	1119	K
Oil-cake meal, n. e. s.	L. ton	1129	K
Oyster shells	L. ton	1182	K
Rolled barley for feed	L. ton	1187	K
Soybean oil-cake meal	L. ton	1124	K
Wheat feeds, bran, middlings, etc.	L. ton	1190	K
Foil, aluminum, whether or not embossed or paper-backed	Lbs.	(6304 (4725. 01	C
Foil, lead and antimonial lead	Lbs.	(4725. 03 (6515. 30	C
Foil, tin metal	Lbs.	6565. 03	1, 47
Foliage—See Nursery & Greenhouse Stock			
Footballs	Units	9434	C
Forging machines—See Machinery—Mtl. Wkg.			
Forgings, alloy & stainless steel, excluding steel grinding balls	Lbs.	6108. 05	C
Forgings, brass & bronze	Lbs.	6479. 13	1, 47
Forgings, iron & steel not containing alloy, excluding steel grinding balls	Lbs.	6107. 05	C
Forgings, magnesium alloy	Lbs.	6649. 98	C
Fork handles—See Wood Mfrs.			
Forks, butchers' and kitchen	Doz.	6116	C
Forks, hand	Units	6161	C
Forks, hay & manure	Doz.	6159	C
Formaldehyde	Lbs.	8320	C
Forming machines—See Machinery—Metal Working			
Foundry equipment—See Machinery—Melting and Casting			
Fountain pens—See Office Supplies—Misc.			
Fountain syringes, rubber	Units	2040	1
Fox furs—See Furs & Mfrs.			
Frames & sash of iron or steel	Lbs.	6049	C
Frames—See Wood Mfrs.			
Frame assemblies, aircraft	Units	7949. 95	C
Freight cars—See Machinery—Vehicles, Misc.			
French horns—See Musical Instruments			
Frequency control units, Piezo electric quartz	Units	5060. 03	1
Friction tape—See Rubber			
Frogs, railway	Lbs.	6055	C
Fruit juices—See Beverages			
Fruit-tree stocks—See Nursery & Greenhouse Stock			
Fruits, artificial or ornamental		3963	K
FRUITS—CANNED			
Apples & apple sauce, canned	Lbs.	1335	C
Apricots, canned	Lbs.	1340	C
Cherries, canned	Lbs.	1341	C
Fruits for salad, canned	Lbs.	1346	C
Grapefruit, canned	Lbs.	1332	C
Grapes, canned	Lbs.	1336	C
Loganberries, canned	Lbs.	1333	C
Peaches, canned	Lbs.	1343	C
Pears, canned	Lbs.	1344	C
Pineapples, canned	Lbs.	1345	C
Prunes & plums, canned	Lbs.	1342	C
Berries, canned, other	Lbs.	1334	C
Fruits, canned, other	Lbs.	1347	C
FRUITS—DRIED & EVAPORATED			
Apples, dried	Lbs.	1325	C
Apple waste, dried	Lbs.	1329	C
Apricots, dried	Lbs.	1326	C
Dates, dried	Lbs.	1330 F	C
Dried fruits for salads	Lbs.	1321	C
Figs, dried	Lbs.	1323 F	C
Fruits, dried & evaporated, other	Lbs.	1330	C
Peaches, dried	Lbs.	1327	C
Pears, dried	Lbs.	1322	C
Prunes, dried	Lbs.	1328	C
Raisins	Lbs.	1324	C
FRUITS—FRESH & SUBTROPICAL			
Apples in barrels	Bbl.	1312	K
Apples in baskets	Bkt.	1310	K
Apples in boxes	Box	1311	K
Apricots	Lbs.	1310. 1	K
Bananas	Bunch	1301 F	C
Berries	Lbs.	1313	K
Cherries	Lbs.	1309	K
Grapefruit	Box	1302	K
Grapes	Lbs.	1315	K
Lemons & limes	Box	1303	K
Olives	Gal.	1306 F	K
Olives, stuffed or pickled—See Vegetables & Preparations			

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FRUITS—FRESH & SUBTROPICAL—Continued.			
Oranges and tangerines	Box	1305	K
Peaches	Lbs.	1317	K
Pears	Lbs.	1316	K
Pineapples	Box	1307	K
Prunes & plums	Lbs.	1318	K
Watermelons	Lbs.	1314. 1	K
Melons, n. e. s.	Lbs.	1314. 5	K
Fruits, fresh, other		1319. 9	K
Fruit preparations, other (include fruit pulp, glazed fruits, & candied peels)	Lbs.	1350	K
Fruits, preserved; jellies, & jams (include maraschino cherries, marmalades, & fruit butter)	Lbs.	1340	C
Fuel oil—See Petroleum Products			
Fuel tanks oil, aircraft	Units	7949. 95	C
Fuller's earth	Ton	5309	K
Fungicides—See Chemicals			
FURS & MANUFACTURES			
Civet cat, undressed	Units	0711	K
Fox, red, undressed	Units	0714	K
Fox, silver & black, dressed or dyed	Units	0733	K
Fox, silver & black, undressed	Units	0718	K
Fur-seal, dressed or dyed	Units	0744	K
Fur waste, fur pieces, & damaged fur skins	Piece or Lbs.	0758	K
Fur wearing apparel	Units	0753	K
Mink, undressed	Units	0725	K
Muskrat, dressed or dyed	Units	0737	K
Muskrat, Northern, undressed	Units	0718	K
Muskrat, Southern, undressed	Units	0719	K
Opossum, undressed	Units	0723	K
Raccoon, undressed	Units	0721	K
Skunk, undressed	Units	0722	K
Dressed or dyed furs, n. e. s.	Units	0749	K
Fox, undressed, n. e. s.	Units	0716	K
Fur manufactures, n. e. s. (including plates, collars & cuffs)		0759	K
Furs, undressed, n. e. s.	Units	0729	K
Fur-felt hats—See Textile Products			
Furnaces, cast iron parts of oil burner—See Iron & Steel—Central heating			
Furnaces, heat treating, electric, & parts	Units	7074. 2	C
Furnaces, industrial, non-electric, metal-working	Units	7750. 22	C
Furnaces, industrial, non-electric, other than metal working	Units	7750. 25	C
Furnaces, melting, electric, & parts	Units	7074. 1	C
Furnaces, warm-air	Units	6148	C
Furniture & parts—See Iron & Steel Manufactures—Furniture & Fixtures			
Furniture polishes	Lbs.	8293	C
Furniture—See Wood Mfrs.			
Furniture slip covers		3189	K
Fuse blocks, electric	Units	7096	C
Fuse plugs	Units	7034. 05	C
Fuse setters	Units	9190. 63	C
Fuses—See Electrical Machinery & Apparatus			
Fuses, safety	Lin. ft.	8625	C
Fuses & detonators, etc. for discharge of projectiles		9495	C
Fuse wire, lead	Lbs.	6512	C
Galvanized pipe—See Iron & Steel Mfrs.—Tubular Products			
Galvanized sheets—See Iron & Steel—Sheets			
Game & poultry, fresh—See Meat Products			
Garden & household sprayers—See Machinery—Agricultural Implements			
Gargles—See Medicinals			
Garments, waterproof—See Rubber (also see Textile Products)			
Garnet, wheels of	Lbs.	5405	C
Garters, arm bands, suspenders & braces	Units	3994	C
Gas black	Lbs.	8423	C
Gases—See Chemicals			
Gas masks	Units	9190. 92	C
Gas meters & parts	Units	7741	C
Gas oil	Bbls.	5030	C
Gas stoves, ranges, & room & water heaters	Units	6143	C
Gas tanks, storage, iron & steel	Lbs.	(6043 (6209. 15	C
Gas welding and cutting machinery, torch, including machines, fixtures, & equipment for use therewith	Units	7458. 05	C
Gas-well machinery—See Machinery—Petroleum & Gas Well			
Gaseous refrigerants, other than ammonia	Lbs.	8391	C
Gasoline—See Petroleum Products			
Gasoline & oil pumps	Units	7935	C
Gauges, for metal working—See Instruments, Precision, (Metal Working)			
Gauges, spark plug thickness	Units	6178. 95	C
Gauges, steam—See Machinery—Power Generating			

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Gauze, medicinal—See Textile Products			
Gear Cutting Machines—See Machinery Mtl. Wkg.			
Gears, automotive—See Machinery, Vehicles—Automotive Parts & Accessories			
Gelatin—See Animals & Animal Products—Inedible			
Generators—See Elec. Mach. & Apparatus			
Germicides	Lbs.	8209	C
Gilding metal—See Brass & Bronze			
Gimlet bits, wood-working	Doz.	6157. 1	C
Gimlets, wood-working	Doz.	6157. 1	C
Gin—See Beverages			
Gins, cotton	Units	7671	1, 47
Ginseng—See Drugs, Herbs, etc.			
Girdles	Units	3921	K
Gladstone bags—See Leather Mfrs.			
Glandular products—See Medicinals			
GLASS & GLASS PRODUCTS			
Beverage bottles, including soda, beer, & alcoholic-beverage bottles	Units	5234	K
Chemical glassware	Lbs.	5291	K
Cylinder, crown, & sheet glass	Sq. ft.	5215	K
Electric insulators, glass	Lbs.	5292	K
Glass, bullet-proof (laminated glass containing 3 or more sheets)	Sheets	5217. 5	C
Glass, optical, other than ophthalmic	Units	5230. 05	C
Glass, borax	Lbs.	8362. 22	C
Globes & shades for lighting fixtures		5261	K
Lamp chimneys & lantern globes		5255	K
Pharmaceutical & proprietary ware, including prescription bottles, ampoules & vials		5232	K
Plate glass (include standard & tempered (safety))	Sq. ft.	5212	K
Prisms for fire control instruments	Units	5230. 09	C
Rolled, cylinder, crown, & sheet glass	Sq. ft.	5220	K
Rolled glass (include standard & wire)	Sq. ft.	5218	K
Table glassware, n. e. s., plain, cut, engraved, or otherwise decorated	Units	(5239. 2 (5239. 1	K
Tumblers, drinking glasses & stemware, plain, cut, engraved or otherwise decorated (include bar-ware)	Units	(5237. 2 (5237. 1	K
Unfilled glass containers, n. e. s.	Units	5236	K
Glass, n. e. s. (include flat glass specialties, mirrors, & glass brick)		5230. 98	K
Glassware, n. e. s. (include glass wool)		5299	K
Laminated glass manufactures, n. e. s.		5217. 9	K
Glass cutters, diamond, & similar articles	Units	0178. 91	1, 47
Glasses, opera, field & marine	Units	9149. 3	C
Gliders	Units	7943	C
Globes—See Glass & Glass Products			
Gloves & mittens, rubber	Doz. Pr.	2039	1
Gloves—See Cotton Mfrs.			
Glucose—See Sugar & Related Products			
Glue of animal origin	Lbs.	0942. 98	C
Glue, casein	Lbs.	0942. 05	C
Glycerin	Lbs.	8314	C
Glycols—See Chemicals—Alcohols			
Glycolsebacate	Lbs.	8329. 98	C
Goat hair—See Hair & Mfrs.			
Goats	No.	0909	K
Goat skins	Piece & Lb.	0250. 10	C
Goggles—See Scientific & Professional Instruments, Apparatus & Supplies			
Gold—See Precious Metals			
Golf balls & clubs—See Toys, Athletic & Sporting Goods			
Gouges	Units	6178. 1	C
Gowns—See Synthetic Textiles			
Graders, pull or push type	Units	7223	1, 47
Graders, self-propelled	Units	7222	1, 47
Grains, artificial or ornamental—See Textile Products			
Grains, nickel metal	Lbs.	6545. 09	C
GRAINS & PREPARATIONS			
Barley (bu. 48 lbs.)	Bu.	1011	K
Biscuits & crackers	Lbs.	1078	K
Buckwheat (bu. 48 lbs.)	Bu.	1021	K
Cereal foods, n. e. s.	Lbs.	1095	K
Corn (bu. 56 lbs.)	Bu.	1031	K
Corn cereal foods, ready to eat	Lbs.	1037	K
Corn flour	Lbs.	2811	K
Cornmeal (bbl. 196 lbs.)	Bbl.	1032	K
Hominy & corn grits	Lbs.	1033	K
Kafir and milo (bu. 56 lbs.)	Bu.	1036	K
Macaroni, spaghetti, noodles, vermicelli and macaroni products	Lbs.	1077	K
Malt (bu. 34 lbs.)	Bu.	1013	K
Oatmeal, groats & rolled oats, in bulk	Lbs.	1043	K
Oatmeal, groats & rolled oats, in packages (cases or cartons)	Lbs.	1044	K

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GRAINS & PREPARATIONS—Continued.			
Oats (bu. 32 lbs.)	Bu.	1041	K
Other grains & preparations		1099	K
Paddy or rough rice	Lbs.	1055	K
Rice flour, meal & polish	Lbs.	1058	K
Rice, milled, including brown, broken, rice & rice screenings	Lbs.	1057	K
Rye (bu. 56 lbs.)	Bu.	1061	K
Wheat (bu. 60 lbs.)	Bu.	1071	K
Wheat cereal foods, ready to eat (include wheat germ)	Lbs.	1080	K
Wheat cereal foods, to be cooked	Lbs.	1081	K
Wheat flour, other (bbl. 196 lbs.)	Bbl.	1074	K
Wheat flour, wholly of U. S. wheat (bbl. 196 lbs.)	Bbl.	1073	K
Wheat semolina	Lbs.	1090	K
Granite	Cu. ft.	5101	C
Granulated lead & antimonial lead	Lbs.	6515. 60	C
Grapefruit	Box	1302	K
Grapes	Lbs.	1315	K
GRAPHITE			
Ceylon	Lbs.	5472. 01	None
Flake, crystalline, lump, or chip	Lbs.	5472. 03	None
Graphite, n. e. s.	Lbs.	5472. 98	None
GRAPHITE MANUFACTURES			
Graphite brushes & stock	Lbs.	5474. 98	C
Graphite electrodes	Lbs.	(5480. 03 (5473. 05	C
Graphite manufactures in which either flake, or crystalline lump, or chip graphite is an essential component, including graphite crucibles, retorts, & stoppers (report graphite contents in pounds)	Lbs.	5480. 55	1
Graphite products, n. e. s.		5480. 98	C
Grass seeds—See Seeds			
Grasses, artificial or ornamental		3963	K
Gravel		5900. 98	K
Grease, containers, cork	Lbs.	(4307. 19 (4309. 50	None
Greaseproof & waterproof paper	Lbs.	4721	C
Grease stearin	Lbs.	8843	C
Grease, wool	Lbs.	0858. 05	C
Greases, animal or vegetable—See Oils & Fats			
Greases, petroleum	Lbs.	5041	C
Grey-iron castings, including semisteel	Lbs.	6101	C
Grilles		4239	K
Grinders—See Machinery—Mtl. Wkg.			
Grinders, feed cutters & crushers	Units	7870	1
Grinding balls—See Iron & Steel Manufacture—Castings & Forgings			
Grinding mills, classifiers & equipment therefor	Units	7321. 05	C
Grinding machines, power-driven (include bread, meat, and cheese slicers, meat grinders choppers, coffee mills)	Units	7710	C
Grinding wheels, diamond	Lbs.	5409. 05	1, 47
Grindstones	Lbs.	5409	K
Grips, handle, cork	Lbs.	(4307. 19 (4309. 50	None
Gristmill machinery & parts	Units	7605	C
Grits, corn & hominy—See Grains & Preparations			
Guanidine	Lbs.	8385. 09	C
Guanidine nitrate	Lbs.	8385. 11	C
Gum benzoin	Lbs.	2181 F	C
Gum, chewing	Lbs.	1639	K
Gum inhibitors, liquid	Gals.	8299. 3	C
Gum, red & sap boards, planks & scantlings	M. Bd. ft.	4121	C
Gum rosin	Lbs.	2110	C
Gum, tupelo & block boards, planks & scantlings	M. Bd. ft.	4122	C
Gums, ester	Lbs.	8251	C
Gums & rosins, synthetic—See Chemicals			
Gums, natural—See Resins—Natural			
Gun cameras	Units	9002. 35	C
Gun directors	Units	9149. 93	C
Gun parts, brass & bronze	Lbs.	6479. 05	1, 47
Gunner's & range quadrants	Units	9190. 67	C
Guns, control apparatus for positioning	Units	9190. 61	C
Gun parts—See Firearms, Ammunition & Fireworks			
Gutta-percha manufactures (include gutta-percha compound)	Lbs.	2096	C
GYPSUM			
Calcines (plaster of paris)	Ton	5484	K
Crude, crushed or ground	Ton	5483	K
Plaster board & wall board	Sq. ft.	5485	K
Gypsum, n. e. s.		5487	K
Gyro-instruments, aircraft	Units	7948. 05	C
Gyroscopic compasses	Units	9190. 69	C
Gyroscopic stabilizing elements	Units	9190. 65	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Hack-saw frames & blades—See Iron & Steel Manufactures—Tools			
HAIR & MANUFACTURES			
Cattle, ox, calf & horse body hair	Lbs.	3690.5	*K
Cattle, ox, and calf tail hair including switches	Lbs.	3690.7	C
Hair felt & manufactures (include rug cushions & carpet linings)	Lbs.	3697.	K
Hair, human	Lbs.	3696.9	C
Hair waste & scrap hair	Lbs.	3696.5	K
Hog hair	Lbs.	3691	*K
Horse mane & tail hair, raw or dressed		3693.5	C
Hair manufactures, n. e. s., (include curled hair, hair press cloth, hair nets, toupees, & wigs)		3699	K
Hair, unmanufactured, n. e. s., (include goat, badger, bear & other hair)	Lbs.	3696.9	K
Hair dyes & preparations	Lbs.	8765	K
Hair-waving machines, electrical	Units	7099.96	C
Hammer handles—See Wood Mfrs.			
Hammers	Doz.	6160	C
Hammers, power-driven metal-working	Units	{7447 {7444.05	C
Handle grips, cork	Lbs.	{4307.19 {4309.50	None
Handles—See Wood Mfrs.			
Handbags—See Leather Mfrs.			
Hand pumps—See Machinery—Mining, Well & Pumping			
Hand tools—See Iron & Steel Mfrs.—Tools	Units	7992	C
Hand trucks			
Hard rubber goods—See Rubber			
Hardware, brass & bronze—See Brass & Bronze			
Hardwar—See Iron & Steel Manufactures—Hardware			
Hardwoods—See Wood	Units	6185	C
Harness hardware			
Harness, leather—See Leather & Leather Manufactures	Units	7814	1
Harrows (include tooth or disk pulverizers)			
Harvesting machinery—See Machinery—Agricultural Implements	Units	7847	1
Harvesters			
Hat bodies—See Textile Products			
Hat boxes—See Leather Mfrs.			
Hatchet handles—See Wood Mfrs.	Doz.	6160	C
Hatchets			
Hats, fur-felt—See Textile Products	L. ton	1101	K
Hay	Lbs.	8155	
Hay-fever preparations, asthma, catarrh, including inhalants—See Medicinals	Units	7844	1
Hayrakes & tedders			
Headache remedies—See Medicinals			
Headings—See Wood Mfrs.	Units	7447	C
Headers (upsetters), forging machines	Units	6148	C
Heaters, gasoline, room & water	Units	6145	C
Heaters, kerosene, room & water	Units	6147.98	C
Heaters, parts of gas, kerosene, & gasoline (include cabinets, ovens, mounted wicks, etc.)	Units	6143	C
Heaters, room & water, gas			
Heating—See Iron & Steel Manufactures—Stoves			
Heating devices, & parts, industrial—See Electrical Machinery & Apparatus (also see Machinery—Mtl. Wkg.)			
Heating or cooking devices, utensils & parts, electric—See Electrical Machinery & Apparatus			
Heckelphones—See Musical Instruments			
Heels, leather—See Leather			
Heels, rubber	Dr. Pr.	2037	1
Hemlock—See Wood—Unmanufactured Wood—Sawmill Products	Lbs.	3419.05	C
Hemp cord, cordage and twine	Lbs.	3263F	C
Hemp fibers, unmanufactured		3399.98	C
Hemp manufactures, n. e. s.	Lbs.	3399.20	C
Hemp yarn	Lbs.	2220.20	None
Hempseed	Lbs.	2209.11	None
Henbane (Hyoscyamus)	Lbs.	{8124.13 {8180.13	None
Henbane (Hyoscyamus), fluid extract, tincture of	Lbs.	3419.09	C
Henequen cord, cordage and twine	Lbs.	3401F	C
Henequen fiber unmanufactured	Lbs.	3499.09	C
Henequen yarn			
Herbs, leaves & roots, crude—See Drugs, Herbs, Leaves, & Roots	Lbs.	8069.98	C
Hexachlorbenzene	Lbs.	8329.98	C
Hexachlorethane	Lbs.	8329.96	C
Hexamethylenetetramine			
Hickory—See Wood—Unmanufactured Wood—Sawmill Products			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
HIDES & SKINS			
Hides, carabao	Piece & Lb.	0250.03	C
Hides, cattle	Piece & Lb.	0201	C
Hides, cattle	Piece & Lb.	0250.05	C
Hides, horse	Piece & Lb.	0206	C
Skins, calf	Piece & Lb.	0250.10	C
Skins, goat	Piece & Lb.	0207	C
Skins, kip	Piece & Lb.	0230	C
Skins, sheep	Lbs.	0250.98	C
Hides & skins, n. e. s.	Dz. Pr.	6465	1, 47
Hinges, brass & bronze	Doz.	4296	K
Hoe handles	Doz.	6161	C
Hoes, hand	Lbs.	0858.05	C
Hog grease	Lbs.	3691	C
Hog hair	Units	0013	K
Hogs (swine)			
Hogsheads—See Wood Manufactures	Units	7241	1, 47
Hoists (except mining)	Units	7315	1, 47
Hoists & derricks, mine			
Hollow ware—See Iron & Steel Mfrs.—Hollow Ware (also see Precious Metals)			
Homatropine (all forms)	Lbs.	8180.03	None
Hominy & corn grits—See Grains and Preparations			
Hones of artificial abrasives, except steel	Lbs.	6419	C
Honey—See Sugar & Related Products			
Honey extractors	Units	7899	1
Honing machines	Units	7443	C
Hoods, fur-felt—See Textile Products	Units	3952	K
Hoop iron & non-alloy steel, alloy & stainless steel, cold & hot rolled	Lbs.	{6037.15 {6037.55 {6037.95 {6038.15 {6038.55 {6038.95	C
Hop aroma	Lbs.	2279	C
Hops	Lbs.	2061	C
Horizontal boring mills	Units	7455.07	C
Horns, automobile, hand & electric	Units	7926	C
Horns, English—See Musical Instruments			
Horse body, mane & tail hair—See Hair & Mfrs.			
Horse meat	Lbs.	0022	K
Horses—See Animals & Animal Products—Inedible	Lbs.	6106	C
Horseshoes & calks			
Hose, not rubberized—See Cotton Mfrs.			
Hose & tubing—See Rubber			
Hosiery—See Cotton Mfrs. (also see Silk & Silk Mfrs. & Synthetic Textiles)			
Hosiery knitting machines—See Machinery—Textile, Sewing & Shoe			
Hospital sheeting & piece goods, rubberized, other (include raincoat, apron, crib, piano & organ bellows, backing, adhesive, & typewriter cover) (specify type)	Lbs.	2017	1
Hospital utensils, aluminum	Lbs.	6307	C
Hospital utensils—See Iron & Steel Manufactures—Enameled ware			
Hot plates, electric—See Electrical Machinery & Apparatus			
House fixtures—See Wood Mfrs.			
House furnishings—See Cotton Mfrs.			
House-heating boilers & warm-air furnaces	Units	6148	C
House-heating radiators (sq. ft. radiation)	Sq. ft.	6149	C
Household & personal effects—See regulations on baggage			
Household utensils—See Iron & Steel Manufactures—Enameled ware			
Household water systems, self-contained	Units	7368	C
Hydrants, fire	Units	{6101 {6102	C
Hydrocodimers	Gals.	5013.10	C
Hydraulic brake fluid	Lbs.	8299.9	C
Hydraulic pumps, gear, vane and piston type pumps capable of delivering pressures of 100 pounds per square inch or over, parts and controls for same	Units	{7355.05 {7356.05 {7358.05 {7361.05 {7369.05 {7369.09	1, 47
Hydrochloric (muriatic) acid	Lbs.	8307	C
Hydrosulphite & compounds, sodium	Lbs.	8378	C
Hydroxide (caustic soda) (convert solutions to dry weight for statistical purposes)	Lbs.	8379	C
Hyocine (Scopolamine)	Lbs.	{8127.96 {8180.19	None
Hyoscyamus (Henbane)	Lbs.	2209.11	None

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Hyoscyamus, extract of (Henbane)	Lbs.	{8127.94 {8180.13	None
Hyoscyamus, fluid extract of (Henbane)	Lbs.	{8124.13 {8180.13	None
Hyoscyamus, tincture of (Henbane)	Lbs.	{8124.13 {8180.13	None
I beam benders	Units	7455.07	C
Ice cream powder & pudding—See Sugar & Related Products			
Ice making equipment & parts	Units	7650	C
Ice skates	Pr.	9440	C
Idaho white pine boards, planks, & scantlings	M. bd. ft.	4106.5	C
Ignition, starting, & lighting equipment (include spark plugs in 7921)	Units	7092	C
Ilmenite	Lbs.	6645.70	None
Illuminating devices, except electric—See Lamps & Illuminating Devices—Non-electric			
Imitation, synthetic, & precious stones, n. e. s., including pearls—See Jewels (also see Nonmetallic Minerals)			
Incandescent electric lamps for automobiles, flashlights, & Christmas trees	Units	7093	C
Incubators & brooders	Units	7804	1
Index cards	Lbs.	4750	C
Indicating, industrial, instruments & apparatus—See Machinery—Ind.			
Indicating instruments, electric—See Electrical Machinery & Apparatus			
Indicators and self synchronous transmitters—See Instruments—Fire Control			
Industrial conversion oil burners & oil-fired boilers	Units	6151	C
Industrial diamonds—See Diamonds—Ind.			
Industrial freight cars, not over 10 tons capacity (include plantation railway & blast furnace cars)	Units	7967.5	C
Industrial trucks (station, warehouse, & factory)—See Machinery—Vehicles			
Infants' foods, malted milk, etc	Lbs.	0069	K
Ingot molds	Lbs.	7452.05	C
Ingots, aluminum alloys including duralumin, & other crude forms	Lbs.	6300	C
Ingots, brass & bronze	Lbs.	6441	1, 47
Ingots, copper	Lbs.	6412	C
Ingots, iron, & non-alloy steel, alloy & stainless steel	L. ton	{6016.05 {6017.05	C
Ingots, magnesium alloy	Lbs.	6649.98	C
Ingots, magnesium metal	Lbs.	{6691.05 {6638	C
Ingots, nickel metal	Lbs.	6545.09	C
Ingots, platinum metal & alloys	T. oz.	6922.05	1, 47
Ingots, tin metal	Lbs.	6555.07	1, 47
Inhibitors, liquid gum	Gals.	8299.3	C
Injectors—See Machinery—Power Generating			
Ink & inkstands—See Office Supplies, Misc.			
Inner soles—See Leather			
Inner tubes, rubber, for automobiles	Units	2063	1
INSECTICIDES, FUNGICIDES & DISINFECTANTS			
Bleaching powder (bleach, chloride of lime, chlorinated lime, calcium hypochlorite, including high test).	Lbs.	8340	C
Borax (sodium tetraborate)	Lbs.	8362.29	C
Calcium arsenate	Lbs.	8203	C
Carbon bisulfide	Lbs.	8319	C
Carbon tetrachloride	Lbs.	8329.1	C
Cattle, swine & sheep dips & disinfectants	Lbs.	8205.98	C
Copper fungicides	Lbs.	8205.98	C
Copper sulfate	Lbs.	8201	C
Ethylene dichloride	Lbs.	8205.98	C
Formaldehyde	Lbs.	8320	C
Lead arsenate	Lbs.	8202	C
Methyl bromide	Lbs.	8344.98	C
Nicotine sulfate (40% basis)	Lbs.	8200	C
Organic mercury fungicides	Lbs.	8205.98	C
Paradichlorobenzene	Lbs.	{8025.98 {8205.98 {8206	C
Paraformaldehyde	Lbs.	8320	C
Paris green (cupric acetoarsenite)	Lbs.	{8205.91 {8397.02	C
Petroleum oil sprays, agricultural (include tree wash)	Gals.	8201	C
Potassium permanganate	Lbs.	8359.23	C
Pyrethrum extract	Lbs.	8205.3	C
Pyrethrum flowers, powder	Lbs.	2209.19	C
Rotenone insecticides	Lbs.	8205.93	C
Tartar emetic	Lbs.	8396.05	C
Other agricultural insecticides, fungicides, & disinfectants	Lbs.	8205.98	C
Insecticides—See Chemicals—(also See Drugs, Herbs, etc.)			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Insoles, shoe, cork	Lbs.	{4307.19 {4309.50	None
Instruments, dental—See Scientific & Professional Instruments, Apparatus, & Supplies			
Instruments, electrical—See Electrical Machinery & Apparatus			
INSTRUMENTS—FIRE CONTROL, detecting & computing			
Fire control instruments, military searchlights, aerial cameras, and other types of military equipment, include:			
(1) All apparatus or parts thereof for detecting, sighting or determining position of surface, subsurface, or aerial target			
(2) All apparatus and parts thereof for computing ballistics, positioning or otherwise directing the fire of guns, torpedoes, bombs, depth charges, mines, or other offensive weapons to include specifically:			
All apparatus containing precision optical systems	Units	9149.96	C
Aiming circles	Units	9149.91	C
Azimuth instruments	Units	9190.50	C
Binoculars, including prism binoculars, opera, field, and marine glasses	Units	9149.3	C
Boards, plotting	Units	9190.71	C
Boards, range correction	Units	9190.81	C
Cameras, aerial	Units	9002.31	C
Cameras, gun	Units	9002.35	C
Compasses, magnetic & gyroscopic	Units	9190.69	C
Compasses, mica dial or mica covered	Units	7079.03	C
Computers, lead	Units	9190.55	C
Computing mechanism, range keepers or other ballistic computers	Units	9190.82	C
Control apparatus for positioning guns	Units	9190.61	C
Directors and range finders	Units	{9149.92 {7948.09	C
Directors, gun	Units	9149.93	C
Driftmeters	Units	9190.53	C
Finders, position	Units	9149.96	C
Finders, range and height	Units	9149.80	C
Finders, range, trainers therefor	Units	9190.69	C
Fuse setters	Units	9190.63	C
Gyroscopic stabilizing elements	Units	9190.65	C
Navigational instruments—See Instruments—Navigation			
Periscopes	Units	{7949.95 {7948.98 {9149.95	C
Pilot, automatic, for aircraft	Units	7948.03	C
Quadrants, gunner's and range	Units	9190.67	C
Searchlights and airport beacons	Units	7066	C
Sextants	Units	9149.96	1, 47
Sights	Units	9149.94	C
Sights, bomb	Units	9149.94	C
Sights, computing	Units	9149.94	C
Sound and flash ranging apparatus	Units	9190.87	C
Sound locators for aircraft and binaural trainers therefor	Units	{9190.89 {7948.15	C
Spotting instruments	Units	9149.96	C
Submarine listening devices	Units	9190.93	C
Telescopes	Units	{9149.95 {9149.3	C
Trainers, aircraft pilot	Units	9190.95	C
Trainers, aircraft pilot, etc., parts	Units	9190.96	C
Transmitters, self-synchronous, & indicators such as selsyns and synchro units & switchboards therefor	Units	{9190.85 {7948.11	C
INSTRUMENTS—GYRO-AIRCRAFT	Units	7948.05	C
Instruments, musical—See Musical Instruments			
INSTRUMENTS—NAVIGATION			
Instruments (navigational) including marine chronometers	Units	{9190.57 {9901.05	C
Instruments, navigational, aircraft	Units	7948.06	C
INSTRUMENTS—PRECISION, for METAL WORKING			
Balancing machines, for balancing metal parts statically or dynamically or both	Units	7455.01	C
Gauges, plug, profiling, ring, snap, & thread, & other gauges for measuring & inspecting precision parts	Units	6178.90	C
Measuring machines & instruments for measuring & inspecting precision parts by electrical, optical, or mechanical means	Units	{7099.98 {7750.07 {9190.01	C
Testing machines, for compression, ductility, flaw-testing, hardness, tension & torsion, including dynamometers	Units	{7036.05 {7038.05 {7740.05 {9190.03	C
Instruments, aircraft—See Aircraft—Parts, Equipment, & Accessories			
Instruments, scientific—See Scientific & Professional Instruments, Apparatus, & Supplies			

Commodity	Unit	Dept. of Comm No.	Gen. Lic. Group
Insulating machines & parts—See Machinery—Textile, Sewing & Shoe			
Insulating material—See Electrical Machinery & Apparatus			
Insulating oils—See Petroleum Products			
Insulated wire & cable—See Iron & Steel Mfrs—Wire			
Insulation, mica armatures under bands	Units	7099.90	C
Insulators, glass, electric	Lbs.	5292	K
Intercommunication systems, interoffice, new	Units	7087	1, 47
Intercommunication system, n. e. s.	Units	7087	C
Iodine, crude & resublimed	Lbs.	8346.30	C
Iodine, iodides, iodates	Lbs.	8346.01 8346.10 8346.20 8346.98	C
Iridium metal & alloys, including scrap	T. oz.	6922.09	1, 47
Iridium salts & compounds—See Chemicals			
Iron blues	Lbs.	8398.98	C
IRON-FERRO-ALLOYS			
Ferro-carbon-titanium	Lbs.	6220.95	C
Ferrochrome	Lbs.	6220.5	C
Ferrocolumbium	Lbs.	6220.80	C
Ferromanganese	Lbs.	6213.03	C
Ferromolybdenum	Lbs.	6220.85	C
Ferrophosphorus	Lbs.	6220.90	C
Ferrosilicon	Lbs.	6220.92	C
Ferrotantalum	Lbs.	6220.94	C
Ferrotitanium	Lbs.	6220.95	C
Ferrotungsten	Lbs.	6220.96	C
Ferrovanadium	Lbs.	6220.87	1
Ferrozirconium	Lbs.	6220.88	C
Spiegeleisen	Lbs.	6213.05	C
Ferro-alloys, all others	Lbs.	6220.98	C
Iron, grey-iron castings	Lbs.	6101	C
Iron, malleable castings	Lbs.	6102	C
IRON ORE	L. ton	6001	C
Iron oxide—See Pigments			
IRON, PIG	L. ton	6007	C
IRON POWDER			
Carbonyl iron powder	Lbs.	6209.33	C
IRON SALTS—See Chemicals			
IRON & STEEL—BARS & RODS (include rounds, flats, squares, etc.)			
Bars, concrete reinforcement bars, including deformed & twisted bars	Lbs.	6022	C
Bars, iron	Lbs.	6021	C
Bars, steel, cold finished	Lbs.	6020	C
Rods, wire	Lbs.	6029	C
IRON & STEEL—BARS & RODS, STEEL, OTHERS (including drill rods, merchant bars, tool steel bars & drill steel, including rounds, flats, squares, etc.)			
Bars, alloy steel other than stainless	Lbs.	6026	C
Bars, stainless steel	Lbs.	6025	C
Bars, steel, not containing alloy	Lbs.	6023	C
IRON & STEEL—BILLETS (including other iron made in steel-making furnaces)			
Billets, alloy steel & stainless steel	L. ton	6017.01	C
Billets, steel, not containing alloy	L. ton	6016.01	C
IRON & STEEL—BLOOMS (including other iron made in steel-making furnaces)			
Blooms, alloy & stainless steel	L. ton	6017.03	C
Blooms, steel not containing alloy	L. ton	6016.03	C
IRON & STEEL—BAND & SCROLL			
Baling bands	Lbs.	6038.17	C
Band & scroll, alloy steel other than stainless, cold rolled	Lbs.	6037.96	C
Band & scroll, alloy steel other than stainless, hot rolled	Lbs.	6038.96	C
Band & scroll, iron & steel not containing alloy, cold rolled	Lbs.	6037.19	C
Band & scroll, iron & steel not containing alloy, hot rolled	Lbs.	6038.19	C
Band & scroll, stainless steel, cold rolled	Lbs.	6037.59	C
Band & scroll, stainless steel, hot rolled	Lbs.	6038.59	C
IRON & STEEL—HOOP			
Hoop alloy steel other than stainless, cold rolled	Lbs.	6037.95	C
Hoop alloy steel other than stainless, hot rolled	Lbs.	6038.95	C
Hoop, iron & steel not containing alloy, cold rolled	Lbs.	6037.15	C
Hoop, iron & steel not containing alloy, hot rolled	Lbs.	6038.15	C
Hoop, stainless steel, cold rolled	Lbs.	6037.55	C
Hoop, stainless steel, hot rolled	Lbs.	6038.55	C
IRON & STEEL—INGOTS (including ingot iron & other iron made in steel-making furnaces)			
Ingots, alloy & stainless steel	L. ton	6017.05	C
Ingots, steel not containing alloy	L. ton	6016.05	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
IRON & STEEL—PLATES (include waste & waste-waste)			
Plate, armor (other than listed in the President's proclamation of April 9, 1942)	Lbs.	6031.15 6031.95	C
Plate, boiler, type used as armor plate (other than that listed in President's Proclamation, April 9, 1942)	Lbs.	6030.15	C
Plate, boiler, other	Lbs.	6030.98	C
Plates, other, not fabricated, of alloy steel other than stainless, including hot & cold rolled	Lbs.	6031.98	C
Plates, other, not fabricated, of stainless steel, including hot & cold rolled	Lbs.	6031.5	C
Plates, other, not fabricated, nonalloy iron & steel	Lbs.	6031.19	C
IRON & STEEL—SCRAP			
Scrap, iron, cast & burnt, (categories 1, 9, 10, 11, 12)	L. ton	6010.7	C
Scrap sheet, hydraulically compressed & baled (categories 7 & 8)	L. ton	6010.4	C
Scrap, steel, No. 1 heavy melting (category 2)	L. ton	6010.2	C
Scrap, steel, No. 2, melting (category 3)	L. ton	6010.3	C
Scrap, iron & steel, other (categories 4, 5, 6 & 13, including heavy shoveling steel, selected rail scrap, machine shop turnings, wire shorts, rerolling rails, rejects, etc.)	L. ton	6010.9	C
Scrap, terneplate, including waste-waste and clippings	L. ton	6015	C
IRON & STEEL—SHEETS, BLACK (ungalvanized, including hot & cold rolled and waste & waste-waste, report material under ⅛" in thickness in 6033-6036)			
Sheets, black, of alloy steel other than stainless	Lbs.	6035.9	C
Sheets, black, of iron	Lbs.	6036	C
Sheets, black, of stainless steel	Lbs.	6035.5	C
Sheets, black, of steel not containing alloy	Lbs.	6035.1	C
IRON & STEEL—SHEETS, GALVANIZED (include waste & waste-waste)			
Sheets, galvanized, iron	Lbs.	6033	C
Sheets, galvanized, steel	Lbs.	6034	C
IRON & STEEL—SHEET BARS & TIN-PLATE BARS (including other iron made in steel-making furnaces)			
Sheet bars & tin-plate bars, alloy & stainless steel	L. ton	6017.09	C
Sheet bars & tin-plate bars, steel not containing alloy	L. ton	6016.09	C
IRON & STEEL—SKELP (consists of long strips used in the manufacture of pipes & tubes)	Lbs.	6032.98	C
Skelp semi-finished	Lbs.	6032.05	C
IRON & STEEL—SLABS (including other iron made in steel-making furnaces)			
Slabs, alloy & stainless steel	L. ton	6017.07	C
Slabs, steel not containing alloy	L. ton	6016.07	C
IRON & STEEL—STRIP (include waste & waste waste)			
Strip, alloy steel other than stainless, cold rolled	Lbs.	6037.91	C
Strip, alloy steel other than stainless, hot rolled	Lbs.	6038.91	C
Strip, iron & steel not containing alloy, cold rolled	Lbs.	6037.11	C
Strip, iron & steel not containing alloy, hot rolled	Lbs.	6038.11	C
Strip, stainless steel, cold rolled	Lbs.	6037.51	C
Strip, stainless steel, hot rolled	Lbs.	6038.51	C
IRON & STEEL—TERNEPLATE (including long ternes & waste terneplate)	Lbs.	6042	C
IRON & STEEL—TINPLATE & TAGGERS' TIN (including waste tinplate)	Lbs.	6041	C
IRON & STEEL—TINPLATE CIRCLES, STRIPS, COBBLES & SCROLL-SHEAR BUTTS	L. ton	6013	C
IRON & STEEL—TINPLATE WASTE-WASTE	L. ton	6014	C
IRON & STEEL MFRS.—CASTINGS & FORGINGS			
Castings, alloy & stainless steel	Lbs.	6104.9	C
Castings, grey-iron, including semi-steel castings	Lbs.	6101	C
Castings, malleable-iron	Lbs.	6102	C
Castings, steel, not containing alloy	Lbs.	6104.1	C
Fire hydrants	Unit	6101 6102	C
Forgings, alloy & stainless steel, excluding steel grinding balls	Lbs.	6108.05	C
Forgings, excluding steel grinding balls, & not containing alloy	Lbs.	6107.05	C
Grinding balls, not containing alloy, alloy & stainless steel	Lbs.	6107.01 6108.01	C
Horseshoes & calks	Lbs.	6106	C
Railway car axles fitted with wheels (except locomotive)	Units	6105.35	C
Railway car axles without wheels (except locomotive)	Units	6105.25	C
Railway car tires & locomotive wheels & tires	Lbs.	6105.18	C
Railway car wheels (except locomotive)	Lbs.	6105.15	C
Railway locomotive axles fitted with wheels	Lbs.	6105.38	C
Railway locomotive axles without wheels	Lbs.	6105.28	C
IRON & STEEL MFRS.—CENTRAL HEATING			
Domestic conversion oil burners & oil-fired boilers	Units	6150	C
Domestic heating & cooking equipment, n. e. s.	Units	6152.88	C

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IRON & STEEL MFRS.—CENTRAL HEATING—Continued.			
Domestic & industrial oil burner parts	Units	6152.2	C
House-heating boilers & warm-air furnaces	Units	6148	C
House-heating radiators (sq. ft. radiation)	Sq. ft.	6149	C
Industrial conversion oil burners & oil-fired boilers	Units	6151	C
Mica peep-hole covers—See Mica Mfrs.			
IRON & STEEL MFRS.—CUTLERY			
Butchers' & kitchen knives, forks, cleavers, & steels	Doz.	6116	C
Cutlery & parts, other (include cutlery-sharpening devices, can openers & machetes)	Units	6119	C
Machine knives, other, not for metal working	Units	6118.98	C
Metal cutting tools—See Machinery—Mtl. Wkg			
Razors, safety	Doz.	6112	C
Safety-razor blades	C.	6113	C
Scissors, shears, & snips	Doz.	6114	C
Shear knives	Units	6118.05	C
Table cutlery, including forks	Doz.	6115	C
IRON & STEEL MFRS.—ENAMELED WARE			
Bathtubs	Units	6124	C
Lavatories, sinks, & other plumbing fixtures	Units	6125	C
Table, household, kitchen & hospital utensils, and hollow or flat ware	Lbs.	6126	*K
IRON & STEEL MFRS.—FURNITURE & FIXTURES			
Bank vaults, doors, & interior equipment (include burglary-resistive chests & safes not insulated)	Unit	6134	C
Fire resistive safes & vault doors (insulated)	Units	6133.5	C
Mattress & furniture springs	Lbs.	6091.98	C
Metal bed & bed springs	Units	6136	C
Metal furniture & parts, whether or not upholstered, other	Unit	6137	C
Office & store furniture, fixtures, & parts, other	Units	6135	C
Sheet-metal filing cases with exposed drawers (insulated)	Units	6132.5	C
Sheet-metal filing cases with exposed drawers (not insulated)	Units	6131	C
Sheet-metal shelving & wall bins	Units	6130	C
Sheet-metal storage cabinets, medicine cabinets, & lockers	Units	6129	C
IRON & STEEL MFRS.—HARDWARE			
Builders' hardware, other	Units	6183	*K
Cabinet & other locks of iron or steel	Doz.	6181	*K
Car & marine hardware	Units	6186	*K
Door locks & lock sets of iron or steel	Doz.	6180	*K
Hardware, other	Units	6188	*K
Hinges & butts, iron or steel	Doz. pr.	6182	*K
Furniture casters	Units	6184.5	*K
Furniture, hardware, other	Units	6184.9	*K
Padlocks of iron or steel	Doz.	6179	*K
Saddlery & harness hardware	Units	6185	*K
IRON & STEEL MFRS.—HOLLOW WARE			
Tin & galvanized hollow ware	Lbs.	6121	*K
Tin cans, other, finished or unfinished	Lbs.	6122	C
IRON & STEEL MFRS.—NAILS & BOLTS			
Bolts, machine screws, nuts, rivets, & washers (except railroad)	Lbs.	6099	C
Horseshoe nails	Lbs.	6093	C
Nails & staples, other	Lbs.	6095	C
Tacks	Lbs.	6094	C
Wire nails	Lbs.	6092	C
IRON & STEEL MFRS.—RAILWAY MATERIAL			
Railway car axles, without wheels	Lbs.	6105.25	C
Railway car axles, fitted with wheels	Lbs.	6105.35	C
Railway car wheels	Lbs.	6105.15	C
IRON & STEEL MFRS.—RAILWAY TRACK MATERIAL			
Rails, 60 lbs. & over per yd	L. ton	6051	C
Rails, less than 60 lbs. per yd	L. ton	6052	C
Rails, relaying	L. ton	6053	C
Rail tieplates, joints, splice bars, fishplates	Lbs.	6054	C
Rail tie stock, fabricated & unfabricated, include crossties	Lbs.	6209.09	C
Railroad bolts, nuts, washers, & nut locks	Lbs.	6059	C
Railroad spikes, including railroad screw spikes	Lbs.	6058	C
Railway switches, switch points, frogs, crossings, & derails	Lbs.	6055	C
IRON & STEEL MFRS.—STOVES			
Coal & wood cooking and room-heating stoves	Units	6139	C
Gas stoves, ranges, & room & water heaters	Units	6143	C
Gasoline stoves & room & water heaters	Units	6146	C
Kerosene cooking stoves	Units	6144	C
Kerosene room & water heaters	Units	6145	C
Mica stove windows—See Mica Mfrs.			
Parts of gas, kerosene, & gasoline stoves & heaters (include cabinets, ovens, mounted wicks, etc.)	Units	6147.98	C
IRON & STEEL MFRS.—STRUCTURAL PRODUCTS			
Fabricated structural iron & steel, alloy or stainless	L. ton	6046	C
Fabricated structural iron & steel, nonalloy	L. ton	6046	C

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IRON & STEEL MFRS.—STRUCTURAL PRODUCTS—Con.			
Metal lath (expanded metal)	Lbs.	6048	C
Piling, steel	Lbs.	6050	C
Plates, fabricated, punched, or shaped	Lbs.	6047	C
Sash & frames of iron or steel	Lbs.	6049	C
Shapes, structural, not fabricated, including heavy, light, & bar-size structural shapes	L. ton	6045	C
Tanks, storage, water, oil, gas, & other storage tanks complete, & knocked-down material for permanent or temporary installation	Lbs.	6043	C
IRON & STEEL MFRS.—TOOLS			
Augers, bits, gimlets, gimlet bits, & counter sinks, wood-working	Doz.	6157.1	*J
Automotive wrenches & parts	Units	6164	*J
Axes (broad and hand)	Doz.	6153	*J
Hand, pit, drag, & mill saws (wood-working)	Units	6155.2	C
Circular saws, except diamond	Units	6155.18	C
Cold saws—See Mach.—Mtl. Wkg	Units	6156.98	C
Crosscut, hand, back, & other saws & parts, (include sawteeth, hack-saw frames, & coping saw blades)	Units	6156.98	*J
Diamonds, industrial, tools incorporating—See Tools			
Drills, reamers, counter sinks, metal cutting n. e. s. (include parts)—See Machinery—Metal Wkg.			
Drills, reamers, counter sinks, metal cutting suitable for use in power driven tools (except parts)—See Machinery—Metal Wkg.			
Files & rasps 7 inches or more in length	Doz.	6158.5	*J
Files & rasps less than 7 inches in length	Doz.	6158.1	*J
Gauges—See Instruments, Precision for Metal Working			
Gauges, spark-plug thickness	Units	6178.95	C
Hack-saw blades, hand	Gross	6154.98	C
Hack-saw blades, power	Gross	6154.43	C
Hand hoes, rakes, & forks	Doz.	6161	*K
Hand-operated drill & reamer operating devices, drill presses, bit braces & parts	Units	6177	C
Hand-operated pipe cutters & other metal-cutting tools, & parts, other (include bolt clippers)	Units	6170	*J
Hand-operated pipe stocks & dies, die stocks, dies, bushings	Units	6169.98	*J
Hand-operated screw plates, bolt dies, taps, tap wrenches	Units	6168.98	*J
Hand tools & parts, n. e. s. (include metal measuring tapes & rules)	Units	6178.98	*J
Hammers	Doz.	6160	*J
Hatchets	Doz.	6160	*J
Hay & manure forks	Doz.	6159	*J
Mechanics' tools, tool holders, calipers & micrometers	Units	6178.95	C
Pipe stocks & dies for power-driven metal-working machines	Units	6169.43	*J
Planes, chisels, gouges, & other hand operated cutting tools & parts, woodworking	Units	6178.1	*J
Pliers, pincers, nippers, & splicing clamps, other	Doz.	6173	*J
Screw plates, taps, bolt dies for power-driven metal-working machinery	Units	6168.43	C
Shovels, spades, scoops, & drainage tools	Doz.	6162	*J
Slip joint pliers	Doz.	6172	*J
Tool grinders, emery wheel dressers	Lbs.	6178.96	C
Tools incorporating industrial diamonds—See Tools (incorporating) Industrial Diamonds			
Vises	Units	6163	*J
Wrenches & parts, other (except automotive)	Units	6165	*J
IRON & STEEL MFRS.—TUBULAR PRODUCTS			
Cast-iron pressure pipe fittings	Lbs.	6067.98	C
Cast-iron screwed pipe fittings	Lbs.	6066	C
Cast-iron soil pipe fittings	Lbs.	6068.98	C
Electrical conduit of iron & steel	Lbs.	7094.15	C
Iron and steel pipe fittings, other	Lbs.	6077.98	C
Malleable iron screwed pipe fittings	Lbs.	6065	C
Pipe, black, seamless, other than casing & oil line	Lbs.	6064	C
Pipe, black, steel, welded	Lbs.	6070	C
Pipe, black, wrought iron, welded	Lbs.	6071	C
Pipe, casing & oil-line, seamless	Lbs.	6062	C
Pipe, casing & oil-line, welded	Lbs.	6063	C
Pipe, cast-iron, pressure	Lbs.	6067.05	C
Pipe, cast-iron soil	Lbs.	6068.05	C
Pipe, galvanized steel, welded	Lbs.	6072	C
Pipe, galvanized, wrought iron, welded	Lbs.	6073	C
Pipe, all other iron & steel pipe, including riveted pipe & mechanical steel tubing	Lbs.	6077.05	C
Tubes, boiler, seamless	Lbs.	6060	C
Tubes, boiler, welded	Lbs.	6061	C
Tubing, mechanical	Lbs.	6077.05 6209.29	C
IRON & STEEL MFRS.—WIRE			
Wire (on spools, or in coils, not attached to cards)	Lbs.	6091.15	C
Wire, bale ties	Lbs.	6091.01	C

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IRON & STEEL MFRS.—WIRE—Continued.			
Wire, barbed	Lbs.	6083	C
Wire, clothesline	Lbs.	6091.19	C
Wire, coated, n. e. s.	Lbs.	6091.09	C
Wire, electrical & telephone transmission, of alloy or stainless steel, coated with aluminum, copper, etc.	Lbs.	6091.09	C
Wire, electrical & telephone transmission, of nonalloy iron & steel, coated with aluminum, copper, etc.	Lbs.	6085	C
Wire, fencing, woven	Lbs.	6082	C
Wire, galvanized	Lbs.	6091.09	C
Wire & cable, insulated, having iron or steel core	Lbs.	6091.13	C
Wire, picture cord, attached to cards without hangers or screw eyes (25 ft. or more per card)	Lbs.	6091.13	C
Wire, picture cord, on spools or in coils	Lbs.	6088	C
Wire & rods, welding, electric	Lbs.	6091.03	C
Wire & rods, welding, non-electric	Lbs.	6087.1	C
Wire rope & cable, not insulated	Lbs.	6087.5	C
Wire, strand	Lbs.	6091.25	C
Wire, twisted	Lbs.	6081	C
Wire, uncoated	Lbs.	6091.98	C
Wire & manufactures, other, including card clothing	Lbs.	6086.1	C
Woven-wire screen cloth, insect	Lbs.	6086.9	C
Woven-wire screen cloth, other			
IRON & STEEL MFRS.—MISCELLANEOUS			
Automatic scales, bathroom	Units	6195.1	*K
Automatic scales, other	Units	6195.9	*K
Carbonyl iron powder	Lbs.	6209.33	C
Chains, n. e. s.	Lbs.	6192	*J
Drums & containers, metal, unfilled, for oil, gas, liquids & solids	Lbs.	6205	C
Drums & containers, metal, filled, if over 10 gallons capacity	Lbs.	6205	C
Drums & containers (cylinders) for gases, filled or unfilled	Lbs.	6205	C
Drums, metal, & containers, other	Lbs.	6305	C
Iron and steel manufactures, other (include bottle openers, hand bottle cappers, sheet steel ware, steel stampings):			
Alloy & stainless	Lbs.	6209.98	C
Other: not over $100	Lbs.	6209.98	K
over $100	Lbs.	6209.96	C
Fence posts	Lbs.	6209.05	C
Needles, knitting machine	M.	6190	C
Needles, other (include band-sewing needles)	M.	6190	*K
Precision scales, laboratory balances & weights	Units	6197	*K
Ring head fasteners	Lbs.	6209.98	C
Scales & balances, other	Units	6196	*K
Sewing-machine needles (include shoe-machine needles)	M.	6189	C
Sprocket & other power transmission chains (controlled as machine parts)	Lbs.	6209.15	C
Steel tanks, lined	Lbs.	6209.07	C
Tool bit blanks of iron or steel	Gross	6200	*J
Wood screws (of iron or steel only)	Gals.	5013.10	C
Iso-hexanes	Gals.	5013.10	C
Iso-octanes (including alkylates, hot acid octanes, & hydrocodiomers)	Gals.	5013.10	C
Iso-pentanes	Lbs.	8329.98	C
Isopropyl acetate	Lbs.	8315.98	C
Isopropyl alcohol	Gals.	5013.10	C
Isopropyl ether	Lbs.	3419.09	C
Istle or tampico cord, cordage & twine	Lbs.	3405F	C
Istle or tampico fibers, unmanufactured	Lbs.	3499.09	C
Istle or tampico yarn	Lbs.	6479.05	1, 47
Jackets for shells, brass & bronze			
Jackets—See Cotton Mfrs.			
Jacquard & dobby-woven materials—See Cotton Mfrs.			
Japan wax	Lbs.	2099.05	C
Jars, glass—See Glass & Glass Products			
Jelly, petroleum	Lbs.	5042	C
Jewels & jewel bearings, industrial		5060.98	C
JEWELRY			
Jewelry & other articles of solid gold or platinum to be worn or carried about the person (include men's jewelry, women's jewelry, cigarette cases, pocket cigar or cigarettes lighters, compacts, powder & vanity)		9620	C
Jewelry men's of other metals (silver, gold-filled, rolled-gold-plate, & base metal whether or not electroplated) (include rings, collar & cuff buttons, studs, tie-clips & holders, watch chains, watch bracelets & stickpins)		9621	C
Jewelry, women's of other metals (silver, gold-filled, rolled-gold-plate, & base metal whether or not electroplated) (include rings, bracelets, bar pins, brooches, necklaces, & earrings)		9623	C
Articles of other metals (silver, gold-filled, rolled-gold-plate & base metal, whether or not electroplated) (include cigarette cases, pocket cigar & cigarette lighters, compacts, powder & vanity cases)		9262	C

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JEWELRY—Continued.			
Jewelry, men's, of other materials (synthetic resin, cellulose compounds, etc.) (include rings, collar & cuff buttons, studs, tie-clips & holders, watch chains, watch bracelets, & stickpins)		9627	K
Jewelry, women's, of other materials (synthetic resin, cellulose compounds, etc.) (include rings, bracelets, bar pins, brooches, necklaces, & earrings)		9628	K
Articles of other materials synthetic resin, cellulose compounds, etc.) (include cigarette cases, pocket cigar & cigarette lighters, compacts, powder & vanity cases)		9629	K
Jewelry findings, parts & materials (specify by name)		9635	C
Jig, borer, milling machines	Units	7404	C
Jimson weed—See Drugs, Herbs, Leaves & Roots			
Joggling machines	Units	7444.05	C
Jointers	Units	7636	C
Joints, rail	Lbs.	6054	C
Juices, fruit—See Beverages			
Juices, vegetable—See Vegetables & Preparations			
Junket—See Animal Products—Edible			
Jute bags, except when used as a container for other merchandise	Lbs.	3224	C
Jute burlaps, except when used as a covering for other merchandise or as a component part of other products	Lbs.	3229.05	C
Jute fiber	Lbs.	3499.20	C
Jute yarn, cordage & twine	Lbs.	3211	C
Jute manufactures, n. e. s.	Lbs.	3229.98	C
Kafir	Bu.	1036	K
Kalsomine or cold-water paints, dry	Lbs.	5432	K
Kapok cushions	Units	(3499.15 (3970.05	C
Kapok fiber	Lbs.	3403F	C
Kapok life-saving appliances	Lbs.	3499.13	C
Kapok manufactures, other	Lbs.	3499.18	C
Kapok matted fiber	Lbs.	3499.11	C
Kapok mattresses and upholstery pads and cushions	Units	(3499.15 (3970.05	C
Kapok upholstery pads	Units	(3499.15 (3970.05	C
Kauri resins, copal fossils	Lbs.	2189.95	C
Kentucky blue grass seeds	Lbs.	2407	C
Kernite	Lbs.	8362.13	C
Kernels, palm (all varieties)	Lbs.	2220.20	C
Kerosene	Bbl.	5027	C
Ketchup, chili sauce, & other tomato sauces	Lbs.	1251	C
Keyseating machines	Units	7455.07	C
Kidneys	Lbs.	0041	K
Kimonos	Doz.	3857.7	K
Kip skins	Piece & Lbs.	0207	C
Kitchen & table articles & utensils—See Clay & Clay Products			
Kitchen utensils, aluminum	Lbs.	6307	C
Kitchen utensils, iron & steel	Lbs.	6126	C
Knife-trimmed mica	Lbs.	5810	None
Knit goods—See component fiber			
Knitting Machines—See Machinery—Textile, Sewing and Shoe			
Knitting thread—See Synthetic Textiles			
Knives, butchers' & kitchen	Doz.	6116	C
Knives, machine, all others	Units	6118.98	C
Kraft container board	Lbs.	4730	C
Kraft corrugated containers (old)	Lbs.	4699.05	C
Kraft wrapping paper	Lbs.	4724	C
Kraft pulp—See Wood Pulp			
Kyanite & sillimanite—See Nonmetallic Minerals			
Labels, tape, cotton		3160	K
Laboratory instruments & apparatus—See Scientific & Professional Instruments, Apparatus, & Supplies			
Lac, button, crude, seed, stick	Lbs.	2189.05	C
Laces, lacings, & lace bedspreads—See Cotton Mfrs.			
Lacquers—See Chemicals			
Ladles, foundry	Units	7452.98	C
Lamb & mutton	Lbs.	0034	K
Lamp bases, clay		5338	K
Lampblack	Lbs.	8419	C
Lamp chimneys & lantern globes, glass		5255	K
Lamps, electric—See Electrical Machinery & Apparatus			
LAMPS & ILLUMINATING DEVICES—NON-ELECTRIC:			
Candles	Lbs.	9832	C
Gasoline pressure lamps, lanterns & parts	Units	9793	K
Incandescent mantles	Units	9791	K
Lamps, other, except electric (include kerosene, gas, & acetylene lamps)	Units	9794	K

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LAMPS & ILLUMINATING DEVICES—NON-ELECTRIC—Con.			
Lanterns, wick	Units	9792	K
Lighting devices, other, except glass, and parts n. e. s.	Units	9799	K
Lanolin grease	Lbs.	0858.05	C
Lapping machines	Units	7455.07	C
Lard	Lbs.	0053	C
Lard oil	Lbs.	0809.01	C
Lard substitutes	Lbs.	1447	C
Latex or other forms of rubber compounded or processed for use in further manufacture (include rubber sheets, compounded, or processed, and masterbatch)	Lbs.	2098	1
Lath, wood	M	4222	K
Lath, metal (expanded metal)	Lbs.	6048	C
Lathe chucks—See Machinery—Mtl. Wkg.			
Lathes	Units	7400	C
Lathes, turret, ram & saddle, bar & chucking	Units	7402	C
Lathes, parts—See Machinery—Mtl. Wkg.			
Laundry machinery—See Machinery—Industrial			
Lavatories—See Clay & Clay Products			
Lavatories, sinks, & other plumbing fixtures, iron & steel	Units	6125	C
Laxatives—See Medicinals			
LEAD (including antimonial lead)			
Lead anodes	Lbs.	6515.20	C
Lead cable (all types)	Lbs.	6515.21	C
Lead castings	Lbs.	6515.60	C
Lead caulking yarn	Lbs.	6515.60	C
Lead circles, discs, & rings	Lbs.	6515.60	C
Lead flanges (roof flanges)	Lbs.	6515.60	C
Lead foil, including lead & lead tin foil	Lbs.	(6515.30 (4725.03	C
Lead fuse wire	Lbs.	6512	C
Lead, laminated lead	Lbs.	6515.60	C
Lead ore, matte & base bullion	Lbs.	6645.35	C
Lead pigments—See Pigments			
Lead pigs & bars	Lbs.	6507	C
Lead plate or battery plate (not assembled as complete battery units)	Lbs.	6518.37	C
Lead plugs	Lbs.	6515.60	C
Lead, powdered & granulated lead	Lbs.	6515.60	C
Lead sash and scale weights	Lbs.	6515.60	C
Lead scrap & residues, including battery mud	Lbs.	6515.50	C
Lead sections	Lbs.	6515.60	C
Lead sheets, pipes & bends	Lbs.	6508	C
Lead shot	Lbs.	6516.55	C
Lead shrapnel	Lbs.	6515.53	C
Lead sinkers	Lbs.	6515.60	C
Lead, solder	Lbs.	6512	C
Lead strips	Lbs.	6515.60	C
Lead tape	Lbs.	6515.60	C
Lead washers	Lbs.	6515.60	C
Lead wire	Lbs.	6515.60	C
Lead wool	Lbs.	6515.60	C
Lead manufacturers (all others)	Lbs.	6515.98	C
Type metal (antimonial lead)	Lbs.	6515.05	C
Lead arsenate	Lbs.	8202	C
Lead azide	Lbs.	8609.05	C
Lead computers	Units	9190.55	C
Lead naphthenate	Lbs.	8398.98	C
LEATHER			
Belting leather	Lbs.	0330	C
Boot & shoe cut soles, outer	Doz. pr.	0327	C
Boot & shoe cut stock, other (include inner soles, heels, lifts, counters, box toes, rands, uppers, etc.)		0328	*K
Calf & kip upper leather black sides	Sq. ft.	0304.1	C
Calf & kip upper leather black whole skins	Sq. ft.	0304.20	C
Calf & kip upper leather other sides	Sq. ft.	0305.1	C
Calf & kip upper leather, other whole skins	Sq. ft.	0305.2	C
Calf & kip (whole) patent upper leather	Sq. ft.	0312.2	C
Case, bag, & strap leather	Sq. ft.	0356	*K
Cattle patent upper leather	Sq. ft.	0312.1	*K
Cattle upper leather, black grain	Sq. ft.	0300	*K
Cattle upper leather, finished splits	Sq. ft.	0302	*K
Cattle upper leather, other grain	Sq. ft.	0301	*K
Cattle upper leather, wax & rough splits	Lbs.	0303	*K
Glove & garment leather, other	Sq. ft.	0339	*K
Goat & kid patent upper leather	Sq. ft.	0313	*K
Goat & kid upper leather, black	Sq. ft.	0308	*K
Goat & kid upper leather, other	Sq. ft.	0309	*K
Horse & Colt upper leather	Sq. ft.	0310	*K

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LEATHER—Continued.			
Leather & tanned skins, other		0339	*K
Other lining leather	Sq. ft.	0323	*K
Other patent upper leather	Sq. ft.	0319	*K
Other upper leathers	Sq. ft.	0311	*K
Pig & hog glove & garment leather	Sq. ft.	0338	*K
Reptilian & aquatic leather	Lbs.	0357	*K
Sheep & lamb glove & garment leather	Sq. ft.	0336	*K
Sheep & lamb lining leather	Sq. ft.	0321	*K
Sheep & lamb upper leather	Sq. ft	0307	*K
Sole & belting leather offal, other	Lbs.	0332.98	C
Sole & belting leather offal, shoulders, necks, & bellies	Lbs.	0332.05	C
Sole leather, bends, backs, & sides	Lbs.	0324	C
Upholstery & automobile leather	Sq. ft.	0333	*K
Leather dressings & stains	Lbs.	8292	C
LEATHER MANUFACTURES			
Belts, leather		0997.1	K
Belts, other than leather		0997.9	K
Boots & shoes, infants & children	Pr.	0648	K
Boots & shoes, men's, McKay sewed	Pr.	0645.1	K
Boots & shoes, men's stitchdown	Pr.	0645.4	K
Boots & shoes, men's welt	Pr.	0645.3	K
Boots & shoes, men's, n. e. s.	Pr.	0645.9	K
Boots & shoes, women's & misses, McKay sewed	Pr.	0647.1	K
Boots & shoes, women's & misses, stitchdown	Pr.	0647.4	K
Boots & shoes, women's & misses, turn or turned	Pr.	0647.2	K
Boots & shoes, women's & misses, with cemented soles (compo, argo, stuck-on, etc.)	Pr.	0647.5	K
Boots & shoes, women's & misses, welt	Pr.	0647.3	K
Boots & shoes, women's & misses, n. e. s.	Pr.	0647.9	K
Boots & shoes, youths' & boys'	Pr.	0646	K
Boots, shoes, & other footwear, leather soled with uppers of materials other than leather (include evening slippers, ballet slippers, house slippers of felt & artificial leather, beach sandals & other footwear with fabric uppers)	Pr.	0656.1	K
Boots, shoes, & footwear, n. e. s. with uppers of materials other than leather (include evening slippers of felt & artificial leather, beach sandals & other footwear with fabric uppers)	Pr.	0656.9	K
Card cases, purses, wallets, etc., of leather	Units	0092	K
Card cases, change purses, wallets, & similar articles, n. e. s.	Units	0693	K
Handbags, pocketbooks, & purses, women's & children's, leather	Units	0688	K
Handbags, pocketbooks, & purses, women's & children's, n. e. s.	Units	0689	K
Harness & saddles		0685	*K
Leather belting, new	Lbs.	0680	*K
Leather gloves and mittens	Doz. pr.	0672	K
Leather welting		0600	*K
Luggage, leather	Units	0695.1	K
Luggage & related articles of other materials (include suitcases, wardrobe, traveling, gladstone, club, & pullman bags; hat & shoeboxes, & other hand luggage; boxes, caskets, chests, baskets, rolls, brief cases, & other cases)	Units	0695.9	K
Shoes, discontinued models, old styles, & second-hand (include very low-priced)		0689	K
Slippers (for housewear, all leather)	Pr.	0650	K
Wearing apparel, leather		0698.9	K
Leather manufactures, n. e. s. (include watch straps, leather)		0699	K
Leaves, aconite	Lbs.	2209.27	None
Leaves artificial or ornamental—See Textile Products			
Leaves, belladonna	Lbs.	2209.01	None
Leaves, deer tongue—See Drugs, Herbs, Leaves, & Roots			
Leaves, stramonium—See Medicinals	Lbs	2209.25	
Lecithin—See Medicinals			
Lemongrass oil	Lbs.	2273F	C
Lemons & limes	Box	1303	K
Lenses—See Optical Elements			
Lenses, quartz, optical	Lbs.	5060.08	C
Lenses—See Scientific & Professional Instruments, Apparatus, & Supplies.			
Levels—See Scientific & Professional Instruments, Apparatus, & Supplies			
Licorice extract & mass		8209.5	K
Life preservers, cork	Lbs.	(4307.19 (4309.50	None
Life-saving appliances, kapok	Lbs.	3499.13	C
Lifts, lame, cork	Lbs.	(4307.19 (4309.50	None
Lighting carbons	Units	5478	C
Lighting fixtures & parts, electric—See Electrical Machinery & Apparatus			
Lighting outfits, self-contained—See Electrical Machinery & Apparatus			
Lighting, starting & ignition equipment	Units	7092	C

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Lightning arrester, choke coils, reactors, & parts	Units	7039	O
Lignum vitae—See Wood			
Limbs, artificial—See Scientific & Professional Instruments, Apparatus, & Supplies			
Lime	Bbls.	5171	C
Limestone—See Cement, Lime & Stone			
Limes & lemons	Box	1303	K
Linen—See Flax			
Liniment—See Medicinals			
Linoleum	Sq. yds.	3901	O
Linseed cake & meal—See Fodders & Feeds			
Linseed oil	Lbs.	2232	C
Linters, cotton, bleached	Bales & Lbs.	3006	C
Linters, cotton, including cottonseed hull fiber & shavings (Grades 1-8 inclusive, U. S. Official Standard)	Bales & Lbs.c	3004	C
Linters, cotton, purified	Bales & Lbs.	3006	C
Lipsticks		8756	K
Liquors—See Beverages			
Listening devices, submarine	Units	9190.93	O
Listening devices—See Instruments—Fire Control			
Litharge	Lbs.	8425	O
Lithographed matter—See Books Maps, Pictures & Other Printed Matter			
Lithographic plates (except zinc)	Lbs.	9830	C
Lithopone, include lithopone paste & in oil	Lbs.	8414	C
Lithopone, cadmium, include lithopone paste & in oil	Lbs.	8429.01	C
Liver—See Meat Products			
Lobs resins, copal	Lbs.	2189.95	O
Lobsters—See Fish			
Locators, sound, for aircraft, & binaural trainers therefor	Units	(9190.89 (7948.15	C
Lockers, sheet-metal, iron & steel	Units	6129	O
Locks—See Iron & Steel Manufactures—Hadrware			
Locomotive parts & accessories—See Machinery—Power generating (except electric and automotive)			
Locomotive railway axles fitted with wheels	Lbs.	6105.38	C
Locomotive railway axles without wheels	Lbs.	6105.28	C
Locomotive wheels & tires	Lbs.	6105.18	C
LOCOMOTIVES			
Diesel & Diesel-electric (injection type)	Units	7141	1, 47
Locomotives, electric, railway, mining & industrial	Units	7045	C
Locomotives, gasoline (carburetor type)	Units	7140	C
Locomotives, steam	Units	7114	1, 47
Logs—See Wood			
Logwood extract	Lbs.	2311	O
Looms & parts—See Machinery—Textile, Sewing & Shoe			
Lotions, toilet		8752	K
Loudspeakers	Units	7090	C
Lubricating oils, petroleum—See Petroleum Products			
Luggage—See Leather Manufactures			
Lumber & boards—See Wood—Sawmill Products			
Macaroni	Lbs.	1077	K
Mace	Lbs.	1549F	C
Machetes	Units	6119	C
MACHINERY—AGRICULTURAL IMPLEMENTS			
Bee-keeping equipment (include beehives, supers, sections, comb foundation, honey extractors, etc.)	Units	7800	1
Combines or reaper-threshers (include combined harvester-threshers)	Units	7849	1
Corn shellers	Units	7864	1
Cream separators valued less than $50	Units	7801	1
Cultivating implements and parts, all others not listed (include stalk cutters and plant setters)	Units	7839	1
Cultivators, horse and power	Units	7818	1
Dairy equipment and parts, other, for farm use	Units	7802	1
Drills and seeders, horse, power, and hand	Units	7827	1
Feed cutters, grinders, and crushers	Units	7870	1
Hand sprayers for trees and crops (valued $2 and over)	Units	7807	1
Harrows (include tooth or disk pulverizers)	Units	7814	1
Harvesters and binders	Units	7847	1
Harvesting implements and parts, other	Units	7859	1
Haypresses, hand and power	Units	7896	1
Hayrakes and tedders	Units	7844	1
Horse and power plows (include disk and moldboard plows and listers)	Units	7810	1
Incubators and brooders	Units	7804	1
Lawn mowers, hand and power	Units	7842	1
Mowers	Units	7841	1
Planters, horse and power	Units	7824	1

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MACHINERY—AGRICULTURAL IMPLEMENTS—Continued.			
Poultry equipment and parts, all other not listed (include chick feeders, drinking fountains, brood and other poultry coops, dry mash hoppers, grain feeders, trap nests, and laying boxes of iron or wood, etc.)	Units	7806	1
Power sprayers for trees and crops (valued $100 and over)	Units	7808	1
Separators and parts, other	Units	7869	1
Small sprayers for garden and household use (valued less than $2) (for insecticides and disinfectants)	Units	7809	1
Threshers (seed separators)	Units	7861	1
Towers and parts of windmills	Units	7893	1
Tractor engines	Units	7887	1
Tractors, garden (include wheel tractors less wheels)	Units	7879	1
Tractors, tracklaying (carburetor type) (new)	Units	(7873 (7874.3 (7874.5 (7875.3 (7875.5	O
Tractors, tracklaying (injection type) (new)	Units	(7876 (7877.3 (7877.5 (7878.3 (7878.5	O
Tractors, parts & accessories for	Units	7889	1
Tractors, used, all types	Units	7888	1
Tractors, wheel (include wheel tractors less wheels)	Units	(7880 (7884 (7885 (7886	1
Windmill towers & parts	Units	7893	1
Windmills	Units	7891	1
Agricultural machinery, implements and parts, all others not listed, (include land rollers and parts of sprayers)	Units	7899	1
MACHINERY—CONSTRUCTION & CONVEYING			
Bulldozers, angle dozers, trail builders, brush cutters, & similar equipment	Units	7227	1, 47
Concrete mixers (include paving machines)	Units	7215	1, 47
Construction equipment, all other & parts	Units	(7231.05 (7231.98	1, 47
Conveying equipment, other, & parts	Units	7291	1, 47
Conveyors, bucket, chain, or belt	Units	7249	1, 47
Cranes, other	Units	7235	1, 47
Cranes with swinging booms	Units	7234	1, 47
Derricks (except mining)	Units	7242	1, 47
Dredging machinery	Units	7205.05	1, 47
Dredging machinery parts	Units	7205.98	1, 47
Elevators, freight & passenger	Units	7245	1, 47
Excavator & power shovels	Units	7201	1, 47
Excavator parts & accessories, other	Units	7202	1, 47
Graders, pull or push type	Units	7223	1, 47
Graders, self-propelled	Units	7222	1, 47
Graders, all others, (include elevating graders)	Units	7224	1, 47
Hoists (except mining)	Units	7241	1, 47
Road machinery & parts, all other (include rooters, rippers, levelers, road drags, & bituminous distributors)	Units	7228	1, 47
Road rollers	Units	7220	1, 47
Scrapers, self-loading	Units	7226	1, 47
MACHINERY—(for mfg.) AVIATION LUBRICATING OIL			
Equipment which can be used or adapted to use, for the production of aviation lubricating oils	Units	(7349.01 (7750.01	O
MACHINERY—(for mfg.) AVIATION MOTOR FUEL			
Equipment which can be used, or adapted to use, for the production of aviation motor fuel	Units	(7349.01 (7750.01	O
MACHINERY—(for mfg.) TETRA-ETHYL LEAD			
Equipment which can be used, or adapted to use, for the production of tetraethyl lead	Units	7750.03	O
MACHINERY—IND. (Misc.)			
Air compressors, stationary, capacity not over 25 cubic feet	Units	7704	C
Air compressors, stationary, capacity over 25 cubic feet	Units	7705	C
Air compressors, portable	Units	7706	C
Air-conditioning units, self-contained, and parts	Units	7657	1, 47
Air-conditioning equipment and parts, other (include refrigerating apparatus, blowers, ventilating machinery when part of a complete air-conditioning installation)	Units	7658	1, 47
Bakery machinery	Units	7600	1, 47
Bakery machinery parts	Units	7600	C

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MACHINERY—IND. (Misc.)—Continued.			
Balancing machines, for balancing metal parts statically or dynamically or both—See Instruments, Precision			
Ball bearings & parts, except balls (include for automobiles)	Lbs.	7691	C
Balls & rollers for bearings	Lbs.	7698	C
Bearings, roller & parts	Lbs.	7692	C
Blast cleaning & tumbling machines—See Machinery—Melting & Casting			
Blowers and ventilating machinery and parts	Units	7641	C
Boiler gauge glass tubes	Units	7139.05	C
Bottle washing machines & parts	Units	7644	C
Bottling and bottle labeling machine parts	Units	7644	C
Bottling & bottle labeling machines	Units	7644	1, 47
Brewers' machinery & parts		7645	C
Cane mills	Units	7612	C
Cannery machinery, (include cookers, pulpers, juice extractors, peeling and paring machines, grating machines, vegetable and fruit graders, can testers, machines for applying lacquer or sealing compounds, and similar equipment for use in canneries)	Units	7642	1, 47
Cigarette & cigar making & other tobacco machinery & parts	Units	7890	C
Confectionery machinery	Units	(7690 (7750.98	1, 47
Construction & conveying machinery—See Machinery—Construction & Conveying			
Cotton ginning and delinting machinery	Units	7671	1, 47
Cotton gin parts, cotton presses and parts	Units	7671	C
Cream separators valued at $50 or over	Units	7592	1, 47
Dairy equipment and parts for commercial use, other (include commercial ice cream freezers)	Units	7593	1, 47
Engines, internal-combustion, Diesel & semi-Diesel—See Machinery—Power Generating			
Engines, internal-combustion, gasoline & kerosene (carburetor type)—See Machinery—Power Generating			
Flour-mill and gristmill machinery and parts	Units	7605	C
Furnaces, industrial, non-electric, other than metal working	Units	7730.25	C
Gas meters and parts	Units	7741	C
Grinding mills, classifiers & equipment therefor	Units	7321.05	C
Ice-making equipment and parts	Units	7650	C
Industrial indicating, recording, or controlling instruments and apparatus, (include temperature, pressure, and flow regulators and similar equipment), all others	Units	7740.98	C
Iron or steel body valves and parts for steam, water, oil, and gas	Units	7745.98	C
Laundry and dry-cleaning equipment and parts, all other (include hand washing machines and wringers)	Units	7738	C
Leather working machinery	Units	7780.98	1, 47
Locomotives Diesel & Diesel electric—See Locomotives			
Locomotives, gasoline (carburetor type)—See Locomotives			
Measuring machines for use in measuring or inspecting precision parts for use in the metal working industries by mechanical means—See Instruments—Precision			
Meat and other grinding and slicing power-driven machines (include bread, meat, and cheese slicers, meat grinders and choppers and coffee mills)	Units	7710	1, 47
Molding machines—See Machinery—Melting & Casting			
Packaging & labeling machinery except machinery to be used to package or label fruits or vegetables packed in hermetically sealed containers & sterilizers by the use of heat	Units	7644 7750.98	1, 47
Paint-spraying equipment and parts	Units	7720	C
Paper converting machinery	Units	7628	1, 47
Paper-converting machinery parts	Units	7628	C
Paper & pulp mill machinery	Units	7625	1, 47
Paper and pulp mill machinery parts	Units	7625	C
Planers, matchers, jointers, and molders	Units	7636	C
Plastic molding machines & presses	Units	7750.66	C
Power-driven machines for commercial laundries	Units	7737	C
Power-driven metal-working machinery—See Machinery—Metal-Working			
Power-generating machinery except electric & automotive—See Machinery—Power Generating			
Refrigerating equipment and parts, not over 1-ton capacity	Units	7652	1, 47
Refrigerating equipment and parts, over 1, not over 10 tons capacity	Units	7653	1, 47
Refrigerating equipment and parts, over 10 tons capacity	Units	7654	1, 47
Refrigerators, mechanical, commercial	Units	9841	C
Refrigerators, mechanical, household	Units	9841	None
Refrigerators, ice, not mechanical, household & commercial	Units	9842	C
Rice-mill machinery and parts	Units	7609	C

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MACHINERY—IND. (Misc.)—Continued.			
Sawmill machinery and parts	Units	7631	C
Steam engines, boilers, & accessories—See Machinery—Power Generating			
Sugar-mill machinery and parts, other	Units	7619	C
Tanning machinery	Units	7750.98	1, 47
Testing machines; tension, ductility, compression, etc.—See Instruments—Precision			
Textile, sewing, & shoe machinery,—See Machinery—Textile, Sewing, & Shoe			
Valves or valve bodies—See Valves			
Vegetable oil-mill machinery and parts	Units	7661	C
Veneer machinery and parts	Units	7638	C
Water meters and parts	Units	7742	C
Water wheels, water turbines, & parts—See Machinery—Power Generating			
Wood-working machinery, other & parts	Units	7639	C
Machinery & parts, industrial, n. e. s. (include, industrial automatic coal burners & stokers)		7750.98	C
MACHINERY—MELTING & CASTING			
Blast cleaning and tumbling machines and parts	Units	7451	C
Core molding machines	Units	7480	C
Furnaces, electric, heat treating & parts	Units	7074.2	C
Furnaces, electric melting, electric, & parts	Units	7074.1	C
Furnaces, industrial, non-electric, metal-working	Units	7730.22	C
Iron & steel ingot casting molds	Lbs.	7452.05	C
Molding machines and parts	Units	7450	C
Other foundry equipment and parts, including cupolas and accessories, ladles, sand-conditioning equipment, and foundry dust collectors	Units	7452.98	C
MACHINERY-METAL—WORKING (new, used, parts, & equipment for)			
Bending machines	Units	7455.07	C
Boring machines	Units	7404	C
Broaching machines	Units	7455.07	C
Chucks	Units	7471	C
Cutting off machines	Units	7455.07	C
Die casting	Units	7455.05	C
Drilling machines	Units	(7420 (7421 (7423	C
Filing machines	Units	7455.07	C
Forging machines	Units	7447	C
Gear cutting machines	Units	7411	C
Grinding machines	Units	(7435 (7441 (7442 (7443	C
Honing machines	Units	7443	C
Keyseating machines	Units	7455.07	C
Lapping machines	Units	7455.07	C
Lathes	Units	(7400 (7402	C
Milling machines	Units	(7407 (7408	C
Planing machines	Units	7496	C
Polishing machines & buffing machines	Units	7403	C
Presses, mechanical & hydraulic	Units	7444.05	C
Riveting machines	Units	7447	C
Rolling mill & parts	Units	7448	C
Shapers	Units	7427	C
Shearing machines	Units	7444.05	C
Slotters	Units	7455.98	C
Threading machines	Units	(7406 (7408 (7443	C
Tools, metal cutting, large & small, including cutters, dies, die heads, hobs, taps, saws, & blades, shear knives, files, broaches, & their fixtures & devices for holding same, of types suitable for use in power-driven tools	Units	(6118.05 (6118.09 (6118.25 (6167.43 (7455.98 (7482	C
Tools, portable, power driven	Units	(7056.05 (7090.94 (7457	C
Tools, power driven, other machine	Units	7455.07	C
Wire drawing & parts	Units	7455.09	C

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		7444.05	
		7452.05	
		7452.98	
		7455.98	
MACHINERY—MTL.-WKG. (All others not listed, & parts)	Units	7458.98	C
		7485.01	
		7485.03	
		7485.98	
		7444.98	
MACHINERY—MINING, WELL, & PUMPING			
Coal cutters	Units	7305	C
Concentrating & smelting machinery & parts (include flotation machinery)	Units	7331	C
Cutters, coal	Units	7305	C
Deep well turbine pumps	Units	7357.05 7357.98	1, 47
Grinding mills, classifiers, & equipment therefor	Units	731.05	C
Hand & windmill pumps	Units	7357	C
Hydraulic pumps—gear, vane, piston type capable of delivering pressures of 100 lbs. per sq. inch or over, parts & controls for same	Units	7355.05 7356.05 7358.05 7361.05 7369.05 7369.09	1, 47
Hydraulic pumps, n. e. s.	Units	7369.05	1, 47
Hydraulic pumps, parts for replacement or repair, not specifically described	Units	7360.15	1, 47
Mine hoists & derricks	Units	7315	1, 47
Mining and quarrying machinery, all other & parts (include cyanide process machinery)	Units	7389	C
Ore & rock crushing & sorting machinery & parts	Units	7321.98	C
Pumps & parts, all others	Units	7369.98	1, 47
Reciprocating power pumps, all others	Units	7361.98	1, 47
Reciprocating steam pumps, all others	Units	7358.98	1, 47
Rock drills	Units	7311	C
Rotary pumps, all others	Units	7356.98	1, 47
Self-contained household water systems	Units	7368	C
Well-drilling apparatus & parts, all others	Units	7350	C
Well & refining machinery—See Machinery—Petroleum & Gas Well			
Centrifugal pumps, all others	Units	7355.98	1, 47
MACHINERY—OFFICE APPLIANCES			
		7087	
		7752	
		7753	
		7756	
Accounting, bookkeeping, adding, addressing, calculating and computing, duplicating (except photostating), punched card tabulating and accounting machines; billing & other forms of Writing machines (except autographic registers & manifolders); communication systems & machines, interoffice; shorthand writing machines; time clock stamps & time recording machines; new	Units	7757	1, 47
		7759	
		7760	
		7779	
		9591.98	
		7762	
Accounting, bookkeeping and calculating machines, others	Units	7760	C
Addressing machines, parts, equipment, accessories, and supplies, other	Units	7762.98	C
Calculating machines, non-listing, used	Units	7757	C
Card-punching, sorting, and tabulating machines, used	Units	7759	C
Cash registers, new	Units	7764	C
Cash registers, parts for	Units	7767	C
Cash registers, used and rebuilt	Units	7766	C
Descriptive or text-writing bookkeeping and accounting machines, used	Units	7753	C
Duplicating machines, parts, and supplies for, other	Units	7763	C
Listing adding machines, used	Units	7758	C
Non-descriptive or non-text-writing bookkeeping and accounting machines, used	Units	7752	C
Office appliances and parts, all others, not listed	Units	7779	C
Parts for accounting, bookkeeping, and calculating machines	Units	7761	C
Printing blanks, including addressograph blanks	Units	7762.05	C
Staplers and staples (for office use)	Units	7777	C
Typewriter parts	Units	7775	C
Typewriters, portable, new	Units	7772	1, 47
Typewriters, rebuilt	Units	7774.1	1, 47
Typewriters, standard new	Units	7770	1, 47
Typewriters, all others, used	Units	7774.9	1, 47
MACHINERY—PETROLEUM & GAS WELL			
Petroleum & gas well equipment & parts (except drilling), include seismographs & parts	Units	7349.05	C
Petroleum & gas well drilling apparatus & parts	Units	7342	C
Petroleum well & refinery machinery, other	Units	7349.98	C

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MACHINERY—PETROLEUM REFINING			
Petroleum refining machinery, equipment, & parts	Units	7349.09	C
MACHINERY—POWER GENERATING (except electric & automotive)			
Boiler gauge glass tubes	Units	7139.05	C
Condensers, heaters, accessories, and parts	Units	7135	1, 47
Engines and parts (all others)	Units	7129	1, 47
Frames, cradles, bolsters or beds of iron or steel for locomotives and other railway rolling stock	Units	7120	C
Internal combustion engine accessories and parts (include carburetor and parts of marine engines)	Units	7150	1, 47
Internal combustion engines, Diesel & semi-Diesel, marine	Units	7145 7146	1, 47
Internal combustion engines, Diesel & semi-Diesel, stationary & portable	Units	7147 7148	1, 47
Internal combustion engines, gasoline, kerosene, etc. (carburetor type), not over 10 horsepower	Units	7143	C
Internal combustion engines, gasoline, kerosene, etc. (carburetor type) over 10 horsepower	Units	7144	1, 47
Locomotives, Diesel & Diesel-electric	Units	7141	1, 47
Locomotives, gasoline (carburetor type)	Units	7140	C
Locomotives, steam	Units	7114	1, 47
Locomotives, steam, parts & accessories	Units	7115	1, 47
Steam engines, stationary, except turbines	Units	7111	1, 47
Steam boilers, fire tube (sq. ft. heating surface)	Sq. ft.	7132	1, 47
Steam boilers, water tube (sq. ft. heating surface)	Sq. ft.	7133	1, 47
Steam specialties and parts (include injectors, gauges, safety valves, steam traps, boiler-tube cleaners, etc.)	Units	7139.98	1, 47
Turbines, mechanical-drive	Units	7113	1, 47
Water wheels, water turbines, and parts	Units	7163	C
MACHINERY—PRINTING & BOOKBINDING			
Bookbinding machinery accessories and parts	Units	7793	C
Printing and publishing machinery	Units	7790–7795	1, 47
Printing and typesetting machinery parts, and accessories	Units	7796	C
Printing machinery, other	Units	7795	1, 47
Typesetting machines, other	Units	7795	1, 47
MACHINERY—TEXTILE, SEWING, AND SHOE			
Beaming, warping, and slashing machinery and parts	Units	7542	1, 47
Braiding and insulating machines and parts	Units	7540	1, 47
Carding and other preparing, spinning, and twisting machinery and parts, for cotton	Units	7506	1, 47
Carding and other preparing, spinning, and twisting machinery and parts for wool	Units	7507	1, 47
Carding and other preparing, spinning, and twisting machinery and parts, other, including silk-throwing machinery and parts	Units	7508	1, 47
Circular knitting machines, all others	Units	7502	1, 47
Cotton looms	Units	7515	1, 47
Cotton looms, parts of	Units	7517	1, 47
Dyeing and finishing machines and parts	Units	7544	1, 47
Knitting machines, circular hosiery, power-driven	Units	7501	1, 47
Knitting machines, full-fashioned hosiery, power-driven	Units	7500	1, 47
Knitting machines and parts, all others	Units	7504	1, 47
Looms and parts, all other	Units	7516 7517	1, 47
Sewing machines, for domestic use	Units	7551	C
Sewing machine parts, for domestic use		7553.98	C
Sewing machinery, industrial	Units	7552	1, 47
Sewing machine parts for factory or industrial use	Units	7553.05	C
Shoe machinery parts	Units	7575	C
Shoe manufacturing and repairing machinery	Units	7575	1, 47
Textile machinery and parts, all other	Units	7540	1, 47
Winders and parts, textile machinery	Units	7505	1, 47
MACHINERY—VEHICLES—AUTOMOTIVE PARTS & ACCESSORIES			
Automobile parts for assembly	Units	7912	C
Automobile tire-service equipment and parts (include vulcanizers, rim tools, tire spreaders, etc.)	Units	7934	C
Automobile and truck springs	Units	7922	C
Automotive pistons	Units	7916	C
Automotive piston rings	Units	7916	C
Automotive differential and transmission gears	Units	7918	C
Automotive gears, other	Units	7920	C
Axle shafts	Units	7913	C
Bus & truck engines, Diesel & semi-Diesel—See Engines—Diesel & Semi-Diesel			
Bus chassis	Units	7905	1
Engines, gasoline (carburetor type)	Units	7931.5	C
Horns, hand and electric	Units	7926	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
MACHINERY—VEHICLES—AUTOMOTIVE PARTS & ACCESSORIES—Continued.			
Industrial trucks, station, warehouse & factory trucks of any capacity, powered by gasoline motor, whether or not containing conveying, lifting, stacking or similar accessory devices	Units	7901.05 7902.05 7903.05 7904.55	None
Industrial trucks & tractors, electrical, n. e. s.	Units	7047.98	C
Motor truck and bus engines, gasoline (carburetor type)	Units	7928.5	C
Motor trucks, busses, & chassis (new), under 1 ton, other, (do not include station and warehouse gasoline motor trucks in this classification)	Units	7901.98	1
Motor trucks, busses, and chassis (new), 1, and not over 1½ tons, others, (do not include station and warehouse gasoline motor trucks in this classification)	Units	7902.98	1
Motor trucks, busses, and chassis (new) over 1½ tons, not over 2½ tons, others; (do not include station and warehouse gasoline motor trucks in this classification)	Units	7903.98	1
Motor trucks, busses, and chassis (new), over 2½ tons, other (do not include station and warehouse gasoline motor trucks in this classification	Units	7904.58	1
Motor trucks, busses, and chassis (second-hand)	Units	7906	None
Passenger car engines	Units	7929	C
Passenger car engines, Diesel & semi-Diesel	Units	7931.3	C
Passenger cars and chassis (second-hand)	Units	7911	None
Passenger cars & chassis (new), not over $850 (list price)	Units	7907	None
Passenger cars and chassis (new), over $850 not over $1,200 (list price)	Units	7908	None
Passenger cars and chassis (new), over $1,200 not over $2,000 (list price)	Units	7909	None
Passenger cars and chassis (new), over $2,000 (list price)	Units	7910	None
Pumps for gasoline and oil	Units	7935	C
Spark plugs	Units	7921	C
Trailers	Units	7940	1
Trucks, busses (and their chassis) powered by Diesel or semi-Diesel engines (injection type)	Units	7904	1
Valves	Units	7917	C
Automobile accessories, other (include air cleaners, oil rectifiers, taximeters, and other automobile engine accessories)	Units	7927	C
Automobile parts for replacements, other	Units	7923	C
Automobile service appliances and parts, other	Units	7936	C
MACHINERY—VEHICLES—MISCELLANEOUS			
Air-brake equipment and parts	Units	7968	C
Bicycles, adult	Units	7950	None
Bicycles, other (include used)	Units	7950	C
Bicycle parts and accessories (except tires)	Units	7953	C
Boat propellers & blades (brass or bronze)	Lbs. & Units	7999.93	1, 47
Detachable motors (outboard)	Units	7957	C
Diesel Engines—See Machinery—Power Generating			
Electric railway or tram cars	Units	7960	C
Freight cars over 10 tons capacity	Units	7966	C
Internal-combustion marine engines (carburetor type), other	Units	7959	C
Mine, industrial, and other freight cars, not over 10 tons capacity (include plantation-railway and blast-furnace cars)	Units	7967.5	C
Motor boats with engines installed, not over 16 gross tons	Units	7956.3	C
Motor boats with engines installed over 16 gross tons	Units	7956.5	C
Motorcycles	Units	7952	C
Motorcycle parts and accessories (except tires)	Units	7954	C
Passenger railway motor cars (include trackless trolleys)	Units	7964	C
Pushcarts and hand trucks	Units	7992	C
Railway car-heating equipment and parts	Units	7972	C
Railway car parts, except axles and wheels	Units	7969	C
Railway motor cars, for track inspection and maintenance work (include velocipedes and hand cars)	Units	7962	C
Railway signals, attachments, and parts	Units	7970	C
Steam railway cars	Units	7961	C
Tanks, military, parts and accessories for	Units	7999.59	C
Vessels, merchant (include barges and tugs)	Units	7955	C
Wagons and drays	Units	7975	C
Wheelbarrows	Units	7991	C
Wheels, except automobile and car	Units	7995	C
Vehicles and parts, other (include baby carriages, pocarts, and small watercraft)	Units	7999.98	C
MACHINERY—WELDING & CUTTING, GAS			
Torch sets, including machines, equipment & fixtures for use therewith	Units	7458.05	C
MACHINERY—WELDING, ELECTRIC (include parts & equipment)	Units	7010.1 7010.2 7099.95	C
Machine screws (except railroad)	Lbs.	6099	C
Machines, coin-operated—See Miscellaneous			
Magnesia & manufactures	Lbs.	5722	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
MAGNESIUM			
Alloys in ingots, billets, bars and rods, plates, tubes, shapes, castings and forgings	Lbs.	6649.98	C
Metal in other forms, & magnesium ribbons	Lbs.	6638 6691.05	C
Powder	Lbs.	6691.01	C
Silicate	Lbs.	5398.98	C
Magnesite	Lbs.	5960.98	C
Magnesite brick & shapes—See Clay & Clay products			
Magnetos, aircraft engines	Units	7947.05	C
Magnolia boards, planks & scantlings—See Wood—Sawmill Products			
Maguey cord, cordage & twine	Lbs.	3419.09	C
Maguey fiber unmanufactured	Lbs.	3413F	C
Maguey yarn	Lbs.	3499.09	C
Mahogany boards, planks & scantlings	M. bd. ft.	4127	K
Malaria, chill & fever remedies—See Medicinals	Lbs.	8157.98	C
Maleic resins	Lbs.	8253	C
Malt—See Beverages		8157.98	C
Malted milk, infants foods, etc	Lbs.	0069	K
MANGANESE			
Alloys containing 10% or more manganese (Ferro manganese and Spiegeleisen, see Iron, Ferro-alloys)	Lbs.	6649.40	C
Alloys containing less than 10% manganese	Lbs.	6649.98	C
Ores and concentrates containing 35% or more manganese	L. ton	6645.40	C
Ores & concentrates (all others)	Lbs.	6645.98	C
Salts and compounds	Lbs.	8397.28	C
Mandrake root—See Drugs, Herbs, etc	Lbs.	2206	C
Manganese borate	Lbs.	8362.26	C
Manganese chloride	Lbs.	8397.21	C
Manganese dioxide, including battery mix	Lbs.	6480.15 7099.91 8397.23	C
Manganese hydroxide	Lbs.	8397.24	C
Manganese oxide	Lbs.	8397.25	C
Manganese sulfate	Lbs.	8397.27	C
Manila cord, cordage, & twine	Lbs.	3414	I
Manila fiber (abaca)	Lbs.	3499.30	I
Manila resins, copal	Lbs.	2189.95	C
Manila yarn	Lbs.	3499.98	C
Mantels		4239	K
Mantles, incandescent—See Lamps & Illuminating Devices—Non-Electric			
Maps—See Books, Maps, Pictures & Other Printed Matter			
Maple boards, planks, & scantlings	M. bd. ft	4118	K
Maple sirup	Gals.	1647	C
Marble—See Cement, Lime & Stone			
Marine engines, Diesel & semi-Diesel, See Engines—Diesel & Semi-Diesel (also see Machinery—Vehicles, Miscellaneous)	Units	7145 7146	C
Marine glasses	Units	9149.3	C
Marine hardware (iron and steel)	Units	6186	C
Mastic resins	Lbs.	2189.95	C
Machetes	Units	7636	C
Matches		9800	K
Mats & matting, rubber	Lbs.	2094	I
Matte, bismuth	Lbs.	6645.10	C
Matte, copper	Lbs.	6401	C
Matte, lead & antimonial lead	Lbs.	6645.35	C
Matte, nickel	Lbs.	6545.01	C
Mattock handles	Doz.	4288	K
Mattress, asbestos, for boiler covers, including fillers	Lbs.	5459.09	C
Mattresses, kapok	Units	3970.05	C
Mayapple root—See Drugs, Herbs, etc	Lbs.	2206	
Mayonnaise	Lbs.	1252.1	K
Meal, oil-cake—See Fodders and Feeds			
Measuring machines & instruments, metal wkg.—See Instruments—Precision			
Measuring tapes & rules, metal—See Iron & Steel Mfrs.—Tools			
Meat extracts & bouillon cubes	Lbs.	0091	K
Meat & other food grinding & slicing machines	Units	7710	C
MEAT PRODUCTS			
Beef, canned, corned, hash, hamburger steak	Lbs.	0036.15	K
Beef, canned, other	Lbs.	0036.9	K
Beef, fresh or frozen	Lbs.	0020	K
Beef, pickled or cured	Lbs.	0021	K
Beef, roast or boiled	Lbs.	0036.18	K
Horse meat	Lbs.	0022	K
Kidneys and livers, fresh, frozen, or cured	Lbs.	0041	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
MEAT PRODUCTS—Continued.			
Mutton and lamb	Lbs.	0034	K
Pork bacon	Lbs.	0029	K
Pork, canned	Lbs.	0037	K
Pork, Cumberland and Wiltshire sides	Lbs.	0030	K
Pork, fresh or frozen	Lbs.	0027	K
Pork, ham and shoulder, cured	Lbs.	0028	K
Pork, other, pickled or salted	Lbs.	0032	K
Poultry and game, fresh	Lbs.	0040	K
Sausage, canned	Lbs.	0038	K
Sausage casings, beef	Lbs.	0047	C
Sausage casings, hog	Lbs.	0046	C
Sausage casings, other (include synthetic casings, cellulose)	Lbs.	0049	C
Sausage ingredients, salted or otherwise cured	Lbs.	0044	K
Sausage, not canned	Lbs.	0035	K
Tongues, fresh, frozen, pickled, or cured	Lbs.	0043	K
Veal, fresh or frozen	Lbs.	0020	K
Veal, pickled or cured	Lbs.	0021	K
Other canned meat (include poultry & game, canned)	Lbs.	0039	K
Other meats	Lbs.	0045	K
Medical instruments—See Scientific & Professional Instruments, Apparatus & Supplies			
MEDICINALS			
See provisions set forth in §802.10 of this subchapter			
Medicine cabinets, sheet-metal—See Iron & Steel Mfrs.—Metal Furniture & Fixtures			
Melons—See Fruits			
Melting furnaces—See Machinery—Melting & Casting			
Menthol	Lbs.	8140F	C
Merchant bars—See Iron & Steel—Bars & Rods			
Merchant vessels	Units	7955	C
Mercuric chloride (corrosive sublimate)	Lbs.	8397.42	C
Mercuric fulminate	Lbs.	8397.43	1, 47
Mercuric nitrate	Lbs.	8397.44	1, 47
Mercuric oxide (red & yellow)	Lbs.	8397.45	1, 47
Mercuric sulfate	Lbs.	8397.46	1, 47
Mercuric sulfide	Lbs.	8397.47	1, 47
Mercurous chloride (calomel)	Lbs.	8397.41	C
MERCURY (Quicksilver)			
Mercury or quicksilver metal, virgin, redistilled or old (used) mercury	Lbs.	6635	1, 47
Mercury or quicksilver ores and concentrates	Lbs.	6635	1, 47
Mercury salts and compounds—See Chemicals			
Mesothorium—See Chemicals			
Metal conduit—See Electrical Machinery & Apparatus			
Metal cutting tools—See Mach.—Metal-Wkg.			
Metal drums & containers—See Iron & Steel Mfrs.—Misc.			
Metal—Working Machinery—See Machinery—Metal—Working			
Metal—working precision instruments—See Instruments—Precision			
Metals—See Iron & Steel (also see Nonferrous Metals)			
Metaphosphoric acid	Lbs.	8309.93	C
Meters & parts, gas	Units	7741	C
Meters & parts, water	Units	7742	C
Meters, electric, measuring, & watt-hour	Units	7085	C
Methanol	Gal.	8310	C
Methyl-ethylketone	Lbs.	8329.6	C
Methylamine	Lbs.	8329.92	C
Methyl chloride	Lbs.	8329.98	C
Methyl methacrylate fabricated products	Lbs.	9812.03 9813.03 9258.03	C
Methyl methacrylate unfabricated	Lbs.	8261.03	C
Methylene chloride—See Chemicals			
MICA—BUILT-UP & MICA PRODUCTS			
Mica armature rings	Lbs.	5513	1, 47
Mica coil wrappings	Lbs.	5513	1, 47
Mica commutator segments	Lbs.	5513	1, 47
Mica cut patterns	Lbs.	5513	1, 47
Mica cut pieces	Lbs.	5513	1, 47
Mica punched patterns & pieces	Lbs.	5513	1, 47
Mica rods	Lbs.	5513	1, 47
Mica sheets	Lbs.	5513	1, 47
Mica tapes	Lbs.	5513	1, 47
Mica tubes	Lbs.	5513	1, 47
Mica washers	Lbs.	5513	1, 47
Other built-up mica & mica products	Lbs.	5513	1, 47
MICA—MANUFACTURES (See also Elec. Mach. & App.)			
Peep-hole covers	Units	6152.85	1, 47
Spectacles & eyeglasses	Prs.	9143.95	1, 47
Stove windows	Units	6117.05	None

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
MICA—NATURAL RAW, PROCESSED			
Mica condenser films, cut patterns, pieces, punched patterns & pieces, radio tube supports, splittings, washers, wrappers & other natural raw processed	Lbs.	5513	None
MICA—NATURAL RAW, UNPROCESSED			
Mica, block	Lbs.	5510	None
Ground or pulverized	Lbs.	5512	C
Knife-trimmed	Lbs.	5510	None
Sickle-trimmed	Lbs.	5510	None
Thumb-trimmed	Lbs.	5510	None
Other natural raw unprocessed	Lbs.	5510	None
Micrometers	Units	6178.95	C
Microscopes & accessories	Units	9149.5	C
Middlings	L. ton	1190	K
Milk and cream—See Dairy Products			
Millboard asbestos	Lbs.	5453	C
Millers, thread	Units	7408	C
Milo	Bu.	1086	C
Mine hoists & derricks	Units	7315	C
Mimeograph machines—See Machinery—Office Appliances			
Mineral-earth pigments (dry)—See Pigments			
Mineral oil, white—See Medicinals	Gals.	8113	
Mineral spirits	Bbls.	5019	C
Mineral strontium carbonate (strontianite)	Lbs.	8397.81	C
Mineral strontium sulfate (celestite)	Lbs.	8397.80	C
Mineral water	Gals.	1761	K
Mining machinery—See Machinery—Mining, Well & Pumping			
Mink furs—See Furs & Mfrs.			
Mintoils—See Oils & Fats—Vtegeable			
Mirrors	Units	5230.98	K
MISCELLANEOUS			
Ambulances & other motor equipment exported for relief or charity	Units	9998.6	None
Asbestos roofing	Sq. ft.	9806	C
Asphalt roofing	Sq. ft.	9803	C
Blankets & bedding, exported for relief or charity		9998.3	K
Bottle & container closures (include all kinds, except cork, glass & rubber stoppers)	Gross	9880	C
Buttons—See Buttons			
Candles	Lbs.	9832	C
Cellulose acetate manufactures, n. e. s.		9819	C
Clothing, exported for relief or charity		9998.2	K
Coin-operated commodity vending machines	Units	9871	C
Coin-operated machines except musical, n. e. s. (report musical in 9211-9295)	Units	9872	C
Combs, except wholly of metal or rubber	Units	9827	K
Commodities exported for relief or charity, n. e. s.		9998.9	K
Drugs & biological supplies, exported for relief or charity—See Medicinals.		9998.4	
Fire-fighting equipment, except automotive fire engines		9807	C
Fishing tackle & equipment suitable only for commercial fishing		9849	K
Food, exported for relief or charity		9998.1	K
Household brushes—See Brushes			
Lamps & illuminating devices, except electric—See Lamps & illuminating Devices—Non-Electric			
Manufactures of all compounds of cellulose (except cellulose acetate) n. e. s. (include Celastic, Coloseel, Celluloid, Dumold, Fiberloid, Nixinoid, Pyradiolin, Pyralin, Viscoloid)		9820	C
Matches		9800	K
Methyl methacrylate products, fabricated, not molded	Lbs.	9813.03	C
Molded products of phenolformaldehyde, fabricated		9812.01	C
Molded products of methyl methacrylate		9812.02	C
Molded products of nylon		9812.05	C
Molded products of synthetic gums & resins, n. e. s.		9812.98	C
Molded products of urea-formaldehyde, fabricated		9812.07	C
Notions, cheap novelties & specialties (specify by name, controlled according to composition)		9840	
Nylon products (include Exton bristle material)	Lbs.	9813.05	C
Phenol-formaldehyde products, fabricated, not molded	Lbs.	9813.01	C
Plates and cuts, electrotypes, etc., except zinc	Lbs.	9830	C
Refrigerators, ice, household & commercial (not mechanical)—See Machinery—Industrial			
Refrigerators, mechanical, household & commercial—See Machinery—Industrial			
Roofing material, n. e. s.	Sq. ft.	9809	K
Shoe findings (except leather & rubber) (include heels of wood, covered or uncovered)		9853	K
Smokers' articles, n. e. s. (specify type) (report pocket cigars & cigarette lighters in 9620, 9626, & 9629)		9829	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
MISCELLANEOUS—Continued.			
Soda-fountain equipment & bar supplies		9846	K
Sponges, natural or synthetic		9821	K
Surgical, sanitary & hospital supplies & equipment, exported for relief or charity		9998.5	K
Synthetic resin products, n. e. s.		9813.98	C
Tobacco pipes (of all materials)	Doz.	9828	K
Toilet brushes—See Brushes			
Trunks		9800	K
Umbrellas and parasols	Units	9831	K
Urea-formaldehyde products, fabricated, not molded	Lbs.	9813.07	C
Miscellaneous military and naval equipment, n. e. s.		9999.5	C
Mixers, concrete (include paving machines)	Units	7215	C
Mohair cloth—See Wool Manufactures			
Molasses	Gal.	1029	C
Molders (woodworking)	Units	7636	C
Molded products—See Miscellaneous			
Molding machines & parts	Units	7450	C
Molding powder & molding compositions of cellulose acetate, plasticized	Lbs.	8265.05	C
Moldings, aluminum alloys including duralumin, & other shapes	Lbs.	6305	C
Molds, ingot	Lbs	7452.05	C
Molleton padding		3199	K
MOLYBDENUM			
Molybdenum alloys and scrap containing molybdenum, including calcium molybdate and calcium-silico molybdate, and tool bit blanks (Ferromolybdenum—See Iron, Ferro-alloys)	Lbs.	6649.45 6691.07	1, 47
Molybdenum metal	Lbs.	6649.45	1, 47
Molybdenum ores and concentrates	Lbs.	6636	1, 47
Molybdenum salts and compounds—See Chemicals			
Molybdenum wire	Lbs.	6691.08	1, 47
Molybdic acid	Lbs.	8309.91	1, 47
Monel metal, nickel	Lbs.	6545.05 6610	C
Monochloroacetic acid	Lbs.	8303.05	C
Monumental stone—See Cement, Lime & Stone			
Mop handles	Doz.	4286	K
Motion picture equipment—See Photographic Projection Goods			
Motor boats with engines installed, not over 16 gross tons	Units	7956.3	C
Motor boats with engines installed, over 16 gross tons	Units	7956.5	C
Motor busses, trucks (& their chassis), powered by Diesel or semi-Diesel engines, (injection type)	Units	7904.3	1
Motor cars, railway—See Machinery—Vehicles, Miscellaneous			
Motorcycles & parts—See Machinery— Vehicles, Miscellaneous			
Motor Fuels—See Petroleum Products			
Motor parts & accessories—See Electrical Machinery & Apparatus			
Motor trucks, busses (& their chassis), powered by Diesel or semi-Diesel engines (injection type)	Units	7904.3	1
Motor vehicles—See Machinery—Vehicles.			
Motors, detachable (outboard)	Units	7957	C
Motors, electrical, stationary, 1-200 H. P.	Units	7042	C
Motors, electrical, stationary, over 200 H. P.	Units	7043	C
Motors, railway, electric	Units	7044	C
Motors, starters, & controllers, electric locomotives, railway, mining & industrial—See Electrical Machinery & Apparatus			
Mouth washes—See Medicinals		8148	
Mowers, lawn, hand & power	Units	7842	1
Mucilage, n. e. s.	Lbs.	9391	K
Mufflers—See Cotton Mfrs.			
Mules, asses, & hurros	No.	0903	K
Mushroom spawn seeds	Lbs.	2468.0	K
MUSICAL INSTRUMENTS			
Brass-wind instruments (include bugles, cornets, trombones, tubas, trumpets, sousaphones, French horns, & other horns with cup mouthpieces)	Units	9247	*K
Percussions (include drums, cymbals, xylophones, etc.)	Units	9245	*K
Phonographs, coin operated	Units	9235	C
Phonograph parts (include incomplete assemblies)		9239	*K
Phonograph records	Units	9242	*K
Phonographs, n. e. s.	Units	9236	C
Pianos, new	Units	9211	*K
Pianos, used or rebuilt	Units	9212	*K
Pipe organs	Units	9230	*K
String instruments (specify by name)	Units	9293	*K
Wood-wind instruments (include saxaphones, clarinets of wood, metal, or composition, flutes, piccolos, oboes, bassoons, English horns, heckelphones, fifes & sarrusophones)		9248	*K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
MUSICAL INSTRUMENTS—Continued.			
Musical instruments, n. e. s. (specify by name)		9295	*K
Musical instruments, parts & accessories, n. e. s. (include actions & parts of pianos)		9297	*K
Organs, n. e. s.	Units	9232	*K
Muskrat furs—See Furs & Mfrs.			
Mutton and Lamb	Lbs.	0034	K
Nails, horseshoe	Lbs.	6093	C
Nails, wire	Lbs.	6092	C
Nails & staples of iron or steel—See Iron & Steel Mfrs.—Nails & Bolts			
Napery		3189	K
Naphtha—See Petroleum Products			
Naphtalene	Lbs.	8020.05	C
Naphtalene, nitro derivatives of	Lbs.	8025.94	C
Napkins & towels, paper	Lbs.	4729	C
NAVAL STORES			
Chicle	Lbs.	2180	C
Dipentine	Lbs.	2116.1	C
Gum spirits of turpentine	Gal.	2114	C
Lac, crude seed, button, & stick shellac	Lbs.	2189.05	C
Natural resins—See Resins—Natural			
Other gums & resins (include rosin or resin oil)	Lbs.	2189.98	C
Pine oil, pine oil products and derivatives	Gals.	2117.1	C
Rosin, gum	Lbs.	2110	C
Rosin, wood	Lbs.	2111	C
Rosin, other, including refined sulphate wood rosin	Lbs.	2189.09	C
Shellac, bleached	Lbs.	2185	C
Shellac, unbleached	Lbs.	2189.05	C
Tall oil (liquid sulphate wood resin)	Lbs.	2125	C
Tar and pitch of wood (including B wood, rosin)	Lbs.	2118	C
Terpene hydrocarbons derived from naval stores, n. e. s.	Lbs.	2116.1	C
Wood terpentine	Gal.	2115.1	C
Navigation instruments, aircraft	Units	7948.06	C
Navigational instruments, including marine chronometers	Units	9190.57 9591.05	C
Neat's foot oil	Lbs.	0803	C
Necklaces—See Jewelry			
Neckwear—See Textile Products			
Needles, other—See Iron & Steel Mfrs.			
Needles, sewing-machine (include shoe-machine needles)	M.	6189	C
Neo-hexanes—See Petroleum Products			
Neon tube electrode sections	Units	7099.92	C
Nets, hair		3099	K
Newspapers current—See Books, Maps, Pictures, & Other Printed Matter			
Newspapers, old—See Paper—Waste Papers			
Newsprint paper	Lbs.	4711	C
NICKEL			
Nickel alloys & scrap containing nickel including Monel metal	Lbs.	6545.05 6610	C
Nickel-chrome electric resistance wire	Lbs.	6630	C
Nickel manufactures (all others)	Lbs.	6549.98	C
Nickel metal in ingots, bars, grains, rods, sheets, strip, shot, plates, & other forms including scrap	Lbs.	6545.09	C
Nickel ores, concentrates, & matte	Lbs.	6545.01	C
Nickel salts & compounds	Lbs.	8397.68	C
Nickel valves or valve bodies, size 4" or larger—See Valves			
Nicotine sulphate (40% basis)	Lbs.	8200	C
Nightwear—See Cotton Mfrs.			
Niobium—See Columbium			
Nippers, other—See Iron & Steel Mfrs.—Tools			
Nitric acid (grade and report quantity on basis of 100% HNO_3)	Lbs.	8309.3	C
Nitrocellulose, having a nitrogen content of less than 12%	Lbs.	8268.05 8269.05	C
Nitrocellulose (pyroxylin) lacquers, clear	Gals.	8434	C
Nitroderivatives of benzene, toluene, xylene, naphthalene, and phenols (commonly referred to as coal-tar intermediates) in addition to those specified in the proclamation of April 9, 1942	Lbs.	8025.94	C
Nitrogenous fertilizer materials—See Chemicals			
Nitroglycerine	Lbs.	8609.07	C
Nitroguanidine	Lbs.	8385.13	C
Nitromannite	Lbs.	8609.09	C
Nitrostarch	Lbs.	8609.08	C
Noils, rayon—See Synthetic Textiles			
Noils, silk	Lbs.	3798.01	None
Noils, wool or hair, and waste, including garnetted, picked & carded mill waste	Lbs.	3626	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
NONFERROUS METALS—See:			
Aluminum Alloy Products			
Aluminum Ores & Concentrates			
Aluminum Products			
Antimony			
Babbitt metal			
Beryllium			
Bismuth			
Brass & Bronze			
Cadmium			
Cerium			
Chromium			
Cobalt			
Columbium (niobium)			
Copper			
Lead			
Lead Mfrs.			
Magnesium			
Manganese			
Mercury (Quicksilver)			
Nonferrous Metals Misc.			
Molybdenum			
Nickel			
Nickel silver—See Nickel			
Platinum Group Metals			
Radium			
Tantalum			
Thorium			
Tin			
Titanium			
Tungsten			
Uranium			
Vanadium			
Zinc			
Zirconium			
NONFERROUS METALS-MISC.			
Other metals & alloys in addition to those listed in previous Export Control Schedules	Lbs.	6649.98	C
Other metal & metal composition manufactures in addition to those listed in previous Export Control Schedules	Lbs.	6691.98	C
Other ores & concentrates in addition to those listed in previous Export Control Schedules	Lbs.	6645.98	C
Plated ware, other than gold or silver, except cutlery	Lbs.	6650	C
Silver bullion	Lbs.	6649.98	C
Silver ores & concentrates	Lbs.	6645.98	C
NONMETALLIC MINERALS			
Abrasives—See Abrasives			
Asbestos—See Asbestos			
Asphalt & bitumen—See Asphalt			
Carbon or graphite products—See Carbon			
Charcoal	Lbs.	5880	K
Cryolite—See Cryolite			
Diamonds for industrial use only—See Diamonds—Industrial			
Fluorspar	Lbs.	5060.20	C
Graphite—See Graphite			
Gypsum & manufactures—See Gypsum			
Kyanite & sillimanite		5960.98	C
Magnesia & manufactures	Lbs.	5722	C
Magnesite	Lbs.	5960.98	C
Mica—See Mica & Mfrs.			
Nonmetallic mineral products except precious, n. e. s. (include crushed stone, sand, gravel, crushed slate, silex)		5960.98	K
Precious, synthetic, & imitation stones, n. e. s., including pearls—See Jewels		5990.98	C
Quartz crystals—See Quartz Crystals			
Rock wool—See Rock Wool			
Salt	Lbs.	5724	K
Sulphur—See Sulphur			
Talc, steatite, soapstone & pyrophyllite, crude & ground (specify grade)	Ton	5736	C
Novocain—See Chemicals			
NURSERY & GREENHOUSE STOCK			
Flowers & foliage, cut, fresh, & preserved		2535	K
Nursery or greenhouse stock, n. e. s. (include fruit-tree stock, cuttings or seedlings)		2599	K
Nut locks, railroad	Lbs.	6050	C
Nutmegs	Lbs.	1539F	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
NUTS			
Apricot & peach pits & kernels	Lbs.	1374	K
Cashew nuts	Lbs.	1379	K
Peanuts	Lbs.	1375	K
Pecans, not shelled	Lbs.	1376.5	K
Pecans, shelled	Lbs.	1376.1	K
Nuts, n. e. s.	Lbs.	1379	K
Walnuts, not shelled	Lbs.	1377.5	K
Walnuts, shelled	Lbs.	1377.1	K
Nuts, iron & steel (except railroad)	Lbs.	6099	C
Nuts, railroad	Lbs.	6059	C
Nux vomica—See Medicinals	Lbs.	2209.15	
Nylon	Lbs.	8258.05	C
Nylon filament including waste & staple fiber	Lbs.	3830.05	C
Nylon & other synthetic textiles—See Synthetic textiles			
Nylon staple fiber	Lbs.	3830.05	C
Nylon waste	Lbs.	3830.05	C
Nylon yarn, single & plied	Lbs.	3840.05	C
Oak flooring boards, planks, & scantlings	M. Bd. ft.	4131	K
Oak boards, planks, & scantlings	M. Bd. ft.	4124	K
Oakum	Lbs.	3496	C
Oars—See Wood Mfrs.			
Oats—See Grains & Preparations			
Oboes—See Musical Instruments			
Octylenes—See Petroleum Products			
Office appliances—See Machinery—Office Appliances			
OFFICE SUPPLIES, MISC.			
Carbon paper	Lbs.	9392	•K
Crayons (include chalk, gypsum, wax, & charcoal crayons or fusains)	Gross	9306	K
Fountain & stylographic pens of plastic materials (cellulose acetate, nitro-cellulose & synthetic resins)	Doz.	9309	K
Fountain & stylographic pens, other, n. e. s.	Doz.	9310	K
Fountain pen parts (include holders & nib assemblies & parts)		9312	K
Ink, writing		9321	K
Ink, other, n. e. s.		9329	K
Ink, printing & lithographic	Lbs.	9322	K
Paste & mucilage, n. e. s.	Lbs.	9391	K
Pen points, metallic (report gold in 6997)	Gross	9315	K
Pencils, lead		9305.3	K
Pencil parts		9305.5	K
Pencils, mechanical, of plastic materials (cellulose acetate, nitro-cellulose & synthetic resins)	Doz.	9301	K
Pencils, mechanical, of other materials, n. e. s.	Doz.	9302	K
Pencils, not mechanical, of black lead	Gross	9304.1	K
Pencils, not mechanical, other, n. e. s.	Gross	9304.2	K
Penholders & parts, n. e. s.		9319	K
Typewriter ribbons	Doz.	9395	•K
Office supplies, n. e. s. (including paper clips, binders, inkstands, & dictaphone records)		9399	•K
Office furniture—See Wood Mfrs.			
Oil burners & parts—See Iron & Steel Mfrs.—Central Heating			
Oil, castor (commercial)	Lbs.	2249.01	C
Oil, castor (medicinal)	Gals.	8111	C
Oil-mill machinery & parts, vegetable	Units	7661	C
Oil, white mineral—See Medicinals	Gals.	8113	
Oilcloth—See Textile Products			
OILS & FATS—ANIMAL, FISH & MARINE MAMMAL			
Butter	Lbs.	0065	•J
Fatty acids & oils sulphated and sulphonated	Lbs.	8238 8292	C
Grease, hog	Lbs.	0858.05	•J
Grease, stearin	Lbs.	0843	•J
Grease, wool	Lbs.	0858.05	C
Lard	Lbs.	0053	•J
Lard substitutes	Lbs.	1447	•J
Oil, fish & fish liver oil & concentrates thereof in bulk—See Medicinals	Lbs.	0819 8119.05	•J
Oil, lard	Lbs.	0809.01	•J
Oil, neat's foot	Lbs.	0803	C
Oil, oleo	Lbs.	0050	•J
Oil, sperm and whale	Lbs.	0809.05	C
Oleic acid, or red oil	Lbs.	0847	C
Oleomargarine of animal fats	Lbs.	0059	•J
Oleo stearin, edible	Lbs.	0056	•J
Oleo stock	Lbs.	0051	•J
Stearic acid	Lbs.	0849	•J
Tallow, edible	Lbs.	0052	•J

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
OILS & FATS—ANIMAL, FISH & MARINE MAMMAL—Con.			
Whale meat	Lbs.	0054	•J
OILS & FATS—VEGETABLE			
Castor oil	Lbs.	0809.03	C
Cocoa butter	Lbs.	0809.04	C
Coconut oil	Lbs.	0809.04	C
Corn oil	Lbs.	0809.04	C
Cottonseed oil	Lbs.	0809.04	C
Linseed oil	Lbs.	0809.04	C
Oiticica oil	Lbs.	0809.04	C
Olive oil	Lbs.	0809.04	C
Palm kernel oil	Lbs.	0809.04	C
Palm oil	Lbs.	0809.04	C
Peanut oil	Lbs.	0809.04	C
Rapeseed oil	Lbs.	0809.04	C
Soybean oil	Lbs.	0809.04	C
Tung oil	Lbs.	0809.04	C
Vegetable oils, n. e. s.	Lbs.	0809.04	C
OILSEEDS—VEGETABLE			
Castor beans	Lbs.	1373	C
Cocoa beans	Lbs.	1377.2	C
Coconuts	Lbs.	1377.3	C
Corn	Lbs.	1377.4	C
Cottonseed	Lbs.	1377.5	C
Flaxseed	Lbs.	1377.6	C
Oiticica seed	Lbs.	1377.7	C
Olives	Lbs.	1377.8	C
Palm kernels	Lbs.	1377.9	C
Peanuts	Lbs.	1375	C
Rapeseed	Lbs.	1377.10	C
Soybeans	Lbs.	1377.11	C
Tung nuts	Lbs.	1377.12	C
Vegetable oilseeds, n. e. s.	Lbs.	1377.13	C
Okra—See Vegetables			
Olefines—See Petroleum Products			
Oleic acid—See Oils & Fats			
Oleomargarine—See Oils & Fats			
Oleo oil—See Oils & Fats			
Oleo stearin—See Oils & Fats			
Oleo stock—See Oils & Fats			
Olive oil—See Oils & Fats			
Olives—See Fruits & Preparations			
Onions—See Vegetables			
Opium—See Medicinals			
Optical goods—See Scientific Instruments			
Orange peel—See Fruits & Preparations			
Oranges—See Fruits & Preparations			
Orchestrions—See Musical Instruments			
Orchids—See Nursery & Greenhouse Stock			
Ordnance—See Arms, Ammunition & Explosives			
Oregano—See Spices & Preparations			
Organ pipes—See Musical Instruments			
Organs—See Musical Instruments			
Orlon—See Synthetic Textiles			
Ornaments—See Jewelry			
Orris root—See Medicinals			
Osmium—See Platinum Group Metals			
Ostrich feathers—See Feathers & Plumes			
Ottomans—See Furniture			
Ouabain—See Medicinals			
Ovens—See Machinery—Industrial			
Overalls—See Clothing			
Overcoats—See Clothing			
Overshoes—See Footwear			
Oxalic acid—See Chemicals			
Oxford shoes—See Footwear			
Oxygen—See Chemicals			
Oysters—See Fish & Preparations			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
OILS & FATS—ANIMAL, FISH & MARINE MAMMAL—Con.			
Tallow, inedible	Lbs.	0857	*J
Inedible animal oils, greases, & fats, n. e. s	Lbs.	0809.98	*J
OILS & FATS—VEGETABLE, includes all forms of these commodities, whether liquids, flakes (hydrogenated), or solids			
Acids, fatty, of vegetable origin	Lbs.	2248.01	C
Blended, compounded or mixed perfume—flavor oils (natural or synthetic)	Lbs.	2280	*K
Butter, cocoa	Lbs.	1442	C
Cassia oil—See Medicinals			
Citrus oils	Lbs.	2271	*K
Eucalyptus oil	Lbs.	2249.98	C
Fats, cooking, other than lard	Lbs.	1447	*J
Fatty acids & oils, sulphated & sulphonated	Lbs.	8238, 8292	C
Lemongrass oil	Lbs.	2273F	C
Oil, castor, commercial	Lbs.	2249.01	C
Oil, coconut, edible	Lbs.	1420	C
Oil, coconut, crude	Lbs.	2230	C
Oil, corn, crude	Lbs.	2249.02	*J
Oil, corn, refined	Lbs.	1441	*J
Oil, cottonseed, crude	Lbs.	2231	*J
Oil, cottonseed, refined	Lbs.	1425	*J
Oil foots, vegetable, other	Lbs.	2248.05	*J
Oil, linseed	Lbs.	2232	C
Oil, oiticica	Lbs.	2249.05	C
Oil, olive, edible	Lbs.	1449.01	C
Oil, olive, inedible	Lbs.	2249.15	C
Oil, olive, sulphured or foots	Lbs.	2248.03	C
Oil, palm, crude	Lbs.	2249.25	C
Oil, palm, kernel, crude, & all oils obtainable from palm kernels	Lbs.	2249.25	C
Oil, palm, kernel, refined, & all oils obtainable from palm kernels	Lbs.	1449.03	C
Oil, palm, refined	Lbs.	1449.03	C
Oil, peanut, crude	Lbs.	2249.03	*J
Oil, peanut, refined	Lbs.	1431	*J
Oil, perilla	Lbs.	2249.05	C
Oil, rapeseed, inedible	Lbs.	2249.05	C
Oil, rapeseed, refined	Lbs.	1449.04	C
Oil, soybean, crude	Lbs.	2249.12	C
Oil, soybean, refined	Lbs.	1430	C
Oil, tung	Lbs.	2249.10	C
Oleomargarine of vegetable fats	Lbs.	0059	*J
Patchouli oil—See Medicinals	Lbs.	2249.99	
Peppermint oil	Lbs.	2268	*K
Sandalwood oil	Lbs.	2279	C
Soap stock, vegetables	Lbs.	2248.98	*J
Tallow, vegetable	Lbs.	2999.05	*J
Vegetable stearin	Lbs.	1449.05	*J
Edible vegetable oils & fats, n. e. s	Lbs.	1449.98	*J
Expressed oils & fats, inedible, n. e. s	Lbs.	2249.98	*K
Natural essential & distilled oils, n. e. s. (include hop aroma)	Lbs.	2279	*K
Spearmint & other mint oils, n. e. s	Lbs.	2269	*K
OILS & FATS—WAXES, include all forms of these commodities, whether liquids, flakes (hydrogenated), or solids			
Wax, bayberry	Lbs.	2999.05	C
Wax, candelilla	Lbs.	2999.05	C
Wax, carnauba	Lbs.	2999.05	C
Wax, cotton	Lbs.	2999.05	C
Wax, fiber	Lbs.	2999.05	C
Wax, flax	Lbs.	2999.05	C
Wax, Japan	Lbs.	2999.05	C
Wax, ouricury	Lbs.	2999.05	C
Wax, rose	Lbs.	2999.05	C
Wax, sugar	Lbs.	2999.05	C
Wax, tea	Lbs.	2999.05	C
Oil groovers	Units	7404	C
Oil of citronella	Lbs.	2272F	C
Oil-line pipe, seamless	Lbs.	6062	C
Oil-line pipe, welded	Lbs.	6063	C
Oil, pine	Gals.	2117.1	C
Oil, red (oleic)	Lbs.	0847	C
OILSEEDS—VEGETABLE; (and) other vegetable oil bearing raw materials)			
Beans, castor	Lbs.	2220.01	C
Beans, soy	Lbs.	2210	C
Copra	Lbs.	2220.30	C
Flaxseed	Lbs.	2220.03	C
Hempseed	Lbs.	2220.20	None

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
OILSEEDS—VEGETABLE—Continued.			
Kernels, palm (all varieties)	Lbs.	2220.20	C
Palm, nuts (all varieties)	Lbs.	2220.20	C
Peanuts	Lbs.	1375	C
Rapeseed	Lbs.	2220.20	C
Seed, cotton	Lbs.	2220.20	C
Seed, cotton, for planting	Lbs.	2220.20	C & 17
Seed, perilla	Lbs.	2220.20	C
Seed, poppy	Lbs.	2220.20	C
Seed, sunflower	Lbs.	2220.20	C
Sesame seeds	Lbs.	2220F	C
Oil seeds, n. e. s	Lbs.	2220.98	C
Oil tanks, storage, iron & steel	Lbs.	6043, 6209.15	C
Ointment, belladonna	Lbs.	8127.93, 8180.03	None
Ointment, stramonium—See Medicinals	Lbs.	8124.19, 8180.14	
Ointments—See Medicinals			
Oleic acid, or red oil	Lbs.	0847	C
Oleo oil	Lbs.	0060	C
Oleo stearin, edible	Lbs.	0056	C
Oleo stock	Lbs.	0051	C
Oleomargarine of animal fats	Lbs.	0059	C
Oleomargarine of vegetable fats	Lbs.	0059	C
Oleum (fuming sulphuric acid)	Lbs.	8309.5	C
Olive oil, inedible	Lbs.	2249.15	C
Olive oil, sulphured or foots	Lbs.	2248.03	C
Olives—See Fruits			
Omega chloroacetophenone	Lbs.	8025.95	C
Onyx		5127	C
Openers, bottle—See Iron & Steel Mfrs.—Misc.			
Opera glasses	Units	9149.3	C
Opossum furs—See Furs & Mfrs.			
Ophthalmic lenses	Doz. pr.	9142	C
OPTICAL ELEMENTS (excl. ophthalmic lenses used in spectacles & eye glasses)			
Lenses	Units	9147	C
Prisms	Units	5230.09	C
Optical glass—See Glass			
Optical goods—See Scientific & Professional Instruments & Supplies			
Optical lenses, plates, prisms, quartz	Lbs.	5960.08	C
Optical measuring machines & instruments—See Instruments—Precision, for Metal Working			
Optical quartz, raw	Lbs.	5960.06	C
Orange mineral	Lbs.	8429.12	C
Oranges—See Fruits			
Ore & rock crushing & sorting machinery, and parts	Units	7321.98	C
Ores, aluminum	L. ton	6290, 6290	C
Ores, antimony	Lbs.	6645.01	C
Ores, beryllium (except gem varieties)	Lbs.	6645.05	C
Ores, chromite (chromium)	Lbs.	6645.20	C
Ores, cobalt	Lbs.	6645.25	C
Ores, columbium	Lbs.	6645.30	C
Ores, copper	Lbs.	6401	C
Ores, iron	L. ton	6001	C
Ores, lead and antimonial lead	Lbs.	6645.35	C
Ores, manganese, containing 35% or more manganese	Lbs.	6645.40	C
Ores, manganese n. e. s	Lbs.	6645.98	C
Ores, mercury	Lbs.	6635	1, 47
Ores, molybdenum	Lbs.	6636	1, 47
Ores, nickel	Lbs.	6545.01	C
Ores, platinum	T. oz.	6920	1, 47
Ores, tantalum	Lbs.	6645.60	C
Ores, tin	Lbs.	6645.98	1, 47
Ores, titanium, including ilmenite & rutile	L. ton	6645.70	None
Ores, tungsten	Lbs.	6645.80	1, 47
Ores, vanadium	Lbs.	6637	1, 47
Ores, zinc	Lbs.	6570	1, 47
Ores, zirconium	Lbs.	6645.95	C
Organic chemicals (not of coal-tar origin) (include ketones, aldehydes, esters & ethers, acetates, formates)	Lbs.	8329.98	C
Organotherapeutics—See Medicinals			
Organs—See Musical Instruments			
Orthophosphoric acid	Lbs.	8309.93	C
Oscillators, Piezo electric quartz	Lbs.	5960.02	1
Osmiridium metal and alloys, including scrap	T. Oz.	6922.09	1, 47

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Osmiridium salts & compounds (report percentage content of osmiridium)	T. Oz.	8398.71	1, 47
Osmium metal and alloys, including scrap	T. Oz.	6922.09	1, 47
Osmium salts & compounds (report percentage content of osmium)	T. Oz.	8398.72	1, 47
Ouricury wax	Lbs.	2999.05	C
Outboard motors (detachable)	Units	7957	C
Outerwear—See Cotton Mfrs. (also see Synthetic Textiles)			
Ovens, industrial, electric—See Electrical Machinery & Apparatus			
Overissue paper—See Paper—Waste Papers			
Overalls	Doz.	3114	K
Overcoats	Units	3680.98	K
Ox body hair & tail hair including switches—See Hair & Mfrs.			
Oxalic acid	Lbs.	8303.09	C
Oxygen masks used in high altitude flying	Units	9190.98	C
Oxygen regulators & tanks, aircraft	Units	7949.95	C
Oxygen regulators & tanks welding	Units	7458.05	C
Oxygen tents—See Scientific & Professional Instruments & Apparatus			
Oyster shells	L. Ton	1182	K
Oysters—See Fish			
Packing, asbestos	Lbs.	5455.5	C
Pacol cord, cordage & twine	Lbs.	3419.09	C
Pacol fibre, unmanufactured	Lbs.	3415 F	C
Pacol yarn	Lbs.	3499.09	C
Paddles	Units	4260	K
Padlocks, iron & steel	Doz.	6179	C
Pain remedies—See Medicinals			
Paint brushes, except industrial	Doz.	9825	C
Paint, radium, containing radium in any form	Gals.	8438.05	None
Paintings		9910	K
Paint spraying equipment & parts	Units	7720	C
Paints—See Pigments			
Pajamas—See Cotton Mfrs. (also Synthetic Textiles)			
Pale oil—See Petroleum Products			
Palladium metal & alloys, including scrap	T. oz.	6922.09	1, 47
Palladium salts & compounds (report percentage content of palladium)	T. oz	8398.73	1, 47
Palm kernels (all varieties)	Lbs.	2220.20	C
Palm kernel oil, crude, & all oils obtainable from palm kernels	Lbs.	2249.25	C
Palm kernel oil, refined, & all oils obtainable from palm kernels	Lbs.	1449.03	C
Palm nuts (all varieties)	Lbs.	2220.20	C
Palm oil, crude	Lbs.	2249.25	C
Palm oil, refined	Lbs.	1449.03	C
Pamphlets & Catalogs—See Books, Maps, Pictures & Other Printed Matter			
Pantograph (engraving) milling machine	Units	7408	C
Pants—See Wool Mfrs.			
Paper, abrasive	Ream	5418	C
PAPER AND PAPER MANUFACTURES			
Bags, heavy shipping sack type	Lbs.	4777	C
Bags, other	Lbs.	4778	C
Blotting paper	Lbs.	4741	C
Book paper, not coated	Lbs.	4714	C
Bristols & bristol board	Lbs.	4732	C
Other paper board	Lbs.	4733	C
Boxes & cartons, heavy fiber shipping containers of corrugated or solid container board	Lbs.	4781	C
Boxes & cartons, other	Lbs.	4782	C
Cash-register & adding machine paper	Lbs.	4797	C
Cigarette paper (except cork paper) cigarette books, & book covers (include cigarette paper in bobbins, flat, or in blocks)	Lbs.	4726.05	C
Composition foil paper	Lbs.	4725.03	C
Copper-coated paper	Lbs.	4725.05	C
Cover paper	Lbs.	4720	C
Envelopes	Lbs.	4793	C
Fiber insulating board (⅜s inch & over in thickness)	Sq. ft.	4736	C
Filing folders, index cards, & other office forms, plain or printed	Lbs.	4750	C
Kraft container board	Lbs.	4730	C
Kraft wrapping paper	Lbs.	4724	C
Newsprint paper, printing paper	Lbs.	4711	C
Paper hangings (wall paper)	Roll	4775	C
Papeteries (fancy writing paper)	Lbs.	4760	C
Rags for paper stock valued $50 or over per ton	S. ton	4690	C
Rags for paper stock valued under $50 per ton	S. ton	4691	C
Sheathing & building paper	Lbs.	4735	C
Surface coated paper	Lbs.	4725.98	C
Tissue & crepe paper, other	Lbs.	4726.98	C
Toilet paper	Lbs.	4728	C
Towels & napkins of paper	Lbs.	4729	C
Vulcanized fiber sheets, strips, rods & tubes	Lbs.	4795	C
Wall board of paper or pulp (⅜s to ¾s inch in thickness)	Sq. ft.	4738	C
Waterproof & greaseproof paper (include cellophane in sheets or rolls)	Lbs.	4721	C
PAPER AND PAPER MANUFACTURES—Continued.			
Wrapping paper, except Kraft	Lbs.	4723	C
Writing paper, bond, ledger & drawing	Lbs.	4761	C
Other box board (paper board & straw board)	Lbs.	4731	C
Other paper & paper products (include paper patterns whether printed, blank, or transfer impressions, & quilt or blanket types (bat) of fiber insulation)		4799	C
Paper and pulp mill machinery	Units	7625	1, 47
Paper and pulp mill machinery, parts	Units	7625	C
Paper, asbestos—See Asbestos Mfrs.			
Paper, carbon	Lbs.	9392	C
Paper clips & binders—See Office Supplies—Miscellaneous			
Paper-converting machinery	Units	7626	1, 47
Paper-converting machinery, parts	Units	7626	C
Paper, cork	Lbs.	4307.19 4309.50	None
Paper, photographic—See Photographic & Projection Goods			
PAPER—WASTE PAPERS			
No. 1 mixed paper	Lbs.	4699.01	C
Super-mixed paper	Lbs.	4699.02	C
Old corrugated containers (except Kraft)	Lbs.	4699.03	C
Old Kraft corrugated containers	Lbs.	4699.05	C
New corrugated cuttings	Lbs.	4699.07	C
Box board cuttings	Lbs.	4699.09	C
White blank news	Lbs.	4699.11	C
Extra manilas	Lbs.	4699.13	C
New manila envelope cuttings	Lbs.	4699.15	C
No. 1 hard white shavings	Lbs.	4699.17	C
Hard white envelope cuttings	Lbs.	4699.19	C
No. 1 soft white shavings	Lbs.	4699.21	C
Fly leaf shavings	Lbs.	4699.23	C
No. 1 heavy books & magazines	Lbs.	4699.25	C
Mixed books	Lbs.	4699.27	C
Overissue magazines	Lbs.	4699.29	C
No. 1 mixed or colored ledger	Lbs.	4699.31	C
No. 1 white ledger	Lbs.	4699.33	C
No. 1 assorted Kraft (old Kraft)	Lbs.	4699.35	C
New 100% Kraft cuttings	Lbs.	4699.37	C
New 100% Kraft corrugated cuttings	Lbs.	4699.39	C
Other waste paper	Lbs.	4699.58	C
Other paper stock (report overissue & old newspapers in 4722)	Lbs.	4699.98	C
No. 1 baled news (old & overissue)	Lbs.	4722.03	C
Overissue news	Lbs.	4722.05	C
Other overissue & old newspapers	Lbs.	4722.98	C
Papeteries—See Paper & Paper Mfrs.			
Parachute cloth, silk	Yds.	3720.03	None
Parachute harness, adaptor fittings	Units	7945.09	C
Parachute harness, assembled	Units	7945.09	C
Parachute harness, D rings	Units	7945.09	C
Parachute harness, snaphooks	Units	7945.09	C
Parachutes	Units	7945.05	C
Parachute shrouds	Units	7945.09	C
Paraformaldehyde	Lbs.	8320	C
Paris green (cupric acetoarsenite)	Lbs.	8305.91 8397.02	C
Paraffin wax—See Petroleum Products			
Partitions—See Wood Mfrs.			
Passenger cars—See Machinery—Vehicles			
Paste, aluminum (aluminum bronze)	Lbs.	6908.6	C
Paste & mucilage, n. e. s.	Lbs.	9991	C
Patchouli leaves—See Medicinals			
Patchouli oils—See Oils & Fats—Vegetable (also see Medicinals)			
Patterns & pieces, cut, mica, built-up	Lbs.	5513	1, 47
Patterns & pieces, cut, mica, processed	Lbs.	5513	None
Patterns & pieces, punched, mica, built-up	Lbs.	5513	1, 47
Patterns, & pieces, punched, mica, processed	Lbs.	5513	None
Paving brick—See Clay & Clay Products			
Paving machines—see Machinery—Construction & Conveying			
Peaches—See Fruits			
Peach pits & kernels	Lbs.	1374	K
Peaches, dried	Lbs.	1327	C
Peanut butter—See Vegetables & Preparations			
Peanut oil, crude	Lbs.	2249.03	C
Peanut oil, refined	Lbs.	1431	C
Peanuts	Lbs.	1375	C
Pearls, precious, synthetic, & imitation stones, n. e. s.—See Nonmetallic Minerals (also see Jewels)			
Pears—See Fruits			
Pears, dried	Lbs.	1329	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Peas—See Vegetables & Preparations			
Pecans—See Nuts			
Pectin	Lbs.	8296	C
Peep-hole covers, mica	Units	6152.85	1, 47
Pencil slots—See Wood Mfrs.			
Pens, pen points & pencils—See Office Supplies, Misc.			
Pentachlorethane	Lbs.	8329.98	C
Pentacrythrite	Lbs.	8329.94	C
Peppermint oils	Lbs.	2268	C
Peppers—See Vegetables & Preparations			
Perchlorethylene	Lbs.	8329.98	C
Percolators, coffee, electric	Units	7073.05	C
Percussions	Units	9245	C
Pereque leaf tobacco—See Tobacco & Mfrs.			
Perfume—flavor oils	Lbs.	2280	C
Perfumery & toilet waters	Lbs.	8766	K
Perilla oil	Lbs.	2249.95	C
Perilla seed	Lbs.	2220.20	C
Periodicals—See Books, Maps, Pictures, & Other Printed Matter			
Periscopes	Units	9149.95	C
Permanganate, potassium	Lbs.	8359.23	C
Petrolatum—See Chemicals			
PETROLEUM PRODUCTS AND TETRAETHYL LEAD			
NOTE: The A. P. I. gravity of all crude oils must be stated on the application			
A—Crude oils or any other materials, except motor fuels and gasoline as defined below, from which by commercial distillation there can be separated more than 3% of a total fraction having an A. S. T. M. end point of 300° F. which will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 80 or more	L. ton	5011.03	C
B—Crude Oils or any other materials except lubricating oils, from which, by commercial distillation there can be produced, as distillate or residuum, products having a viscosity of more than 60 seconds Saybolt Universal at 210° F. with a viscosity index of over 60, and lubricating oils from which by commercial distillation there can be produced, as distillate or residuum, 10% or more of products having a viscosity of more than 60 seconds Saybolt Universal at 210° F. with a viscosity index of over 60, and not conforming to the definition of A	L. ton	5011.07	C
C—Other crude oil (including topped crude, long residuum) not conforming to the above definitions A and B	L. ton	5011.98	P
D1—Natural gasoline (conforming to E)	Bbls.	5012	C
D2—Natural gasoline (conforming to F)	Bbls.	5012	C
D3—Natural gasoline (conforming to G)	Bbls.	5012	P
D4—Natural gasoline (conforming to H)	Bbls.	5012	P
E—High octane aviation motor fuels, hydrocarbons, and hydrocarbon mixtures boiling between 75° F. and 350° F. A. S. T. M. which with the addition of tetraethyl lead up to a total content of 3 cc per gallon will exceed 87 octane number by the A. S. T. M. Knock Test Method	Bbls.	5016.05	C
F—Medium octane aviation motor fuels of which the total fraction obtained by commercial distillation having an A. S. T. M. end point of 300° F. or lower will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 80 or more, and not conforming to the definition of E.	Bbls.	5016.98	C
G—Other motor fuel and gasoline from which by commercial distillation there can be separated more than 3% of a total fraction having an A. S. T. M. end point of 300° F. which will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 80 or more, and not conforming to E or F	Bbls.	5017.07	P
H—Other Motor Fuels and gasoline not conforming to the above definitions E, F and G	Bbls.	5017.98	P
I—Blending Agents (of petroleum origin):			
Iso-octanes, including alkylates, hot acid octanes, and hydrocodimers	Gals.	5013.10	C
Octylenes	Gals.	5013.10	C
Iso-pentanes	Gals.	5013.10	C
Iso-hexanes	Gals.	5013.10	C
Neo-hexanes	Gals.	5013.10	C
Isopropyl ether	Gals.	5013.10	C
Other anti-knock compounds	Gals.	5013.98	C
J—Tetraethyl Lead:			
Tetraethyl lead	Gals.	8299.11	C
Ethyl fluid	Gals.	8299.15	C
Any mixture containing more than 3 cc. tetraethyl lead per gallon	Gals.	8299.19	C
K—Naphtha, mineral spirits, solvents, tractor fuels, petroleum ether, and other light products	Bbls.	5019	C
L—Kerosene (include all burning oils)	Bbls.	5027	C
M—Gas oil and distillate fuel oil (include Diesel furnace and other overhead fuel oils)	Bbls.	5030	C
PETROLEUM PRODUCTS AND TETRAETHYL LEAD—Continued.			
N—Residual fuel oil	Bbls.	5031	C
O—High Viscosity Index Grade aviation lubricating oil: Any lubricating oil of more than 95 seconds, Saybolt Universal, viscosity at 210° F. with a viscosity index of 85 or over	Bbls.	5040.01	C
P—Medium Viscosity Index Grade aviation lubricating oil: Any lubricating oil of more than 60 seconds, Saybolt Universal, viscosity at 210° F. with a viscosity index of 60 or over, and not conforming to the definition of O	Bbls.	5040.03	C
Q—Other motor lubricating oil not conforming to above specifications for aviation lubricating oil, and not conforming to O or P	Bbls.	5040.98	P
R—Other lubricating oils not conforming to O or P above:			
Red and pale	Bbls.	5033	P
Black	Bbls.	5034	P
Bright stocks	Bbls.	5035.1	P
Steam refined cylinder stocks	Bbls.	5035.2	P
Insulating or transformer oils	Gals.	5038	P
Raw or semirefined distillates or stocks from which lubricants may be produced	Gals.	5039	P
Light lubricating oil in small packages	Gals.	5039	P
Lubricating oil, any other, n. e. s.	Gals.	5049.98	P
S—Lubricating greases	Lbs.	5041	P
T—Liquefied petroleum gases (include butane, propane, Pyrofax, Philgas, etc.)	Lbs.	5043	C
U—Paraffin wax, refined and unrefined	Lbs.	5046 5045	C
V—Petroleum asphalt (including road oil)	L ton	5047	C
W—Petroleum coke	L ton	5048	C
X—Other petroleum products (except petrolatum and petroleum jelly—See Chemicals)	Gals.	5059	P
Petroleum & gas well drilling machinery & parts	Units	7342	C
Petroleum oil sprays, agricultural—See Chemicals (also see Insecticides, Fungicides & Disinfectants)			
Petroleum refining machinery, equipment & parts	Units	7349.09	C
Pewter manufactures—See Nonferrous Metals—Misc.			
Pharmaceuticals—See Medicinals			
Phenol	Lbs.	8023	C
Phenol-formaldehyde products, fabricated, not molded	Lbs.	9813.01	C
Phenol formaldehyde resins, sheets, plates, rods, tubes, and other unfinished forms	Lbs. or Units	8260.01 8261.01	C
Phenol-formaldehyde resins, unfabricated	Lbs.	8255.01	C
Phenols, nitroderivatives of	Lbs.	8025.94	C
Phonographs & phonograph records—See Musical Instruments			
Phosphate rock (also See Chemicals)	Lbs.	8515.1 8515.2 8515.6 8515.8	C
Phosphate, tricresyl	Lbs.	8025.91	C
Phosphate, triphenyl	Lbs.	8025.92	C
Phosphatic fertilizer materials—See Chemicals			
Phosphoric acid (ortho-, pyro-, & meta-)	Lbs.	8309.93	C
Phosphorus, elemental	Lbs.	8398.87	C
Phosphorus oxychloride	Lbs.	8398.98	C
Phosphorus compounds, n. e. s.	Lbs.	8398.98	C
Photo-engraving, plates, zinc	Lbs.	6572.05 9830 6589.03	1, 47
Photo-engraving sheets, zinc	Lbs.	6572.05 6589.03	1, 47
PHOTOGRAPHIC AND PROJECTION GOODS			
Aerial cameras	Units	9002.31	C
Aerial cameras, n. e. s.	Units	9002.33	C
Box type (set focus) cameras	Units	9003	C
Cameras, other (include cameras of types usually used by amateur photographers)	Units	9005	C
Camera parts, except lenses	Units	9006	C
Dry plates	Dozs.	9127	1, 47
Gun cameras	Units	9002.35	C
Motion-picture cameras, standard ga. (35 M. M.)	Units	9000	C
Motion-picture cameras, substandard ga. (16 M. M.)	Units	9001.3	C
Motion-picture cameras, substandard ga. (8 M. M.)	Units	9001.5	C
Motion-picture film, exposed, negative features, 35 M. M. (4000 Lin. ft. or+)	Lin. ft.	9121.2	K
Motion-picture films, exposed, negative, features, 16 M. M. (1600 Lin. ft. or+)	Lin. ft.	9121.3	K
Motion-picture film, exposed, negative, short subjects, 35 M. M. (less than 4000 Lin. ft.)	Lin. ft.	9121.4	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
PHOTOGRAPHIC AND PROJECTION GOODS—Continued.			
Motion-picture film, exposed, negative, short subjects, 16 M. M. (less than 1600 Lin. ft.)	Lin. ft.	9121.6	K
Motion-picture film, exposed, negative 8 M. M.	Lin. ft.	9121.9	K
Motion-picture film, exposed, negative, newsreels	Lin. ft.	9121.7	K
Motion-picture film, exposed, negative, sound track	Lin. ft.	9122	K
Motion-picture film, exposed, negative, trailers, inserts, & replacements	Lin. ft.	9121.8	K
Motion-picture film, exposed, positive, features, 35 M. M. (4000 Lin. ft. or+)	Lin. ft.	9123.2	K
Motion-picture film, exposed, positive, features, 16 M. M. (1600 Lin. ft. or+)	Lin. ft.	9123.3	K
Motion-picture film, exposed, positive 8 M. M.	Lin. ft.	9123.9	K
Motion-picture film, exposed, positive, newsreels	Lin. ft.	9123.7	K
Motion-picture film, exposed, positive, short subjects (less than 4000 Lin. ft.)	Lin. ft.	9123.4	K
Motion-picture film, exposed, positive, short subjects (less than 1600 Lin. ft.)	Lin. ft.	9123.6	K
Motion-picture film, exposed, positive, sound track	Lin. ft.	9124	K
Motion-picture film, exposed, positive, trailers, inserts, & replacements	Lin. ft.	9123.8	K
Motion-picture film, sensitized, not exposed, negative (35 M. M.)	Lin. ft.	9117.2	1, 47
Motion-picture film, sensitized, not exposed negative (16 M. M.)	Lin. ft.	9117.4	1, 47
Motion-picture film, sensitized, not exposed, negative (8 M. M.)	Lin. ft.	9117.6	1, 47
Motion-picture film, sensitized not exposed, positive (35 M. M.)	Lin. ft.	9117.1	1, 47
Motion-picture film, sensitized, not exposed, positive (16 M. M.)	Lin. ft.	9117.3	1, 47
Motion-picture film, sensitized, not exposed, positive (8 M. M.)	Lin. ft.	9117.5	1, 47
Motion-picture projectors, standard ga. (35 M. M.)	Units	9007	C
Motion-picture projectors, substandard ga. (16 M. M.) silent	Units	9008.3	C
Motion-picture projectors, substandard ga. (16 M. M.) sound	Units	9008.4	C
Motion-picture projectors, substandard ga. (8 M. M.) silent	Units	9008.5	C
Motion-picture sound recording equipment	Units	9010	C
Motion-picture sound reproducing equipment	Units	9011	C
Photographic apparatus & supplies, other, n. e. s.		9140	C
Photographic chemicals—See Chemicals			
Photographic paper	Lbs.	9129	1, 47
Sensitized film, not exposed, cartridge or rolls	Units	9125	1, 47
Sensitized films, not exposed, packs of sheets, x-ray	Units	9126.1	1, 47
Sensitized films, not exposed, other	Units	9126.9	1, 47
Stereopticons, magic lanterns, & other projection apparatus	Units	9112	C
Studio, photo-engraving, coin-operated & similar types of cameras for professional, scientific, or commercial uses	Units	9002.38	C
Photographs & blueprints, n. e. s.—See Books, Maps, Pictures, & Other Printed Matter			
Phthalic anhydride	Lbs.	8925.90	C
Phthalic, maleic, & succinic anhyviride resins	Lbs.	8253	C
Pianos—See Musical instruments			
Piccolos	Units	9248	C
Pick handles	Doz.	4288	K
Picture cord—See Iron & Steel Mfrs.—Wire			
Piezo electric quartz—See Quartz Crystals			
Pig bristles	Lbs.	0999.08	C
Pig iron	L. ton	6007	C
PIGMENTS			
Aluminum powder & paste (aluminum bronze)—See Aluminum Products			
Bituminous paints, liquid and plastic	Lbs.	8430	C
Cadmium lithopone	Lbs.	8429.01	C
Cadmium sulfide	Lbs.	8429.02	C
Carbon black (including gas black)	Lbs.	8423	C
Chemical pigments, lampblack	Lbs.	8419	C
Chrome pigments containing 10% or more chromium, including chromic oxide (chrome green), lead chromate (chrome yellow), & zinc chromate	Lbs.	8429.05	C
Kalsomine or cold-water paints, dry	Lbs.	8432	K
Litharge	Lbs.	8425	C
Lithopone (include lithopone paste & in oil)	Lbs.	8414	C
Mineral-earth pigments (dry), ocher, umber, sienna, & other forms of iron oxide for paints (include ground red oxide of iron)	Lbs.	8401	C
Mineral-earth pigments (dry), other mineral-earth pigments (include whiting, & barytes)	Lbs.	8405	C
Nitrocellulose (pyroxylin) lacquers, clear	Gals.	8434	C
Nitrocellulose (pyroxylin) lacquers, pigmented (include primers & surfacers, oil & lacquer base)	Gals.	8433	C
Orange mineral	Lbs.	8429.12	C
Paste & semipaste, paint colors in oil, putty, & paste wood filler, other	Lbs.	8431.98	C
Red lead, dry	Lbs.	8424	C
Red lead, in oil	Lbs.	8431.03	C
Sublimed lead, dry (basic lead sulfate)	Lbs.	8429.13	C
Sublimed lead, in oil (basic lead sulfate)	Lbs.	8431.05	C
Thinners for nitrocellulose lacquers	Gals.	8435	C
Titanium dioxide	Lbs.	8428	C
Varnishes (oil or spirit, & liquid dryers)	Gals.	8442	C
White lead, dry (basic lead carbonate)	Lbs.	8426	C
White lead, in oil	Lbs.	8427	C
Zinc oxide, including leaded zinc oxide	Lbs.	8411	1, 47
Zinc sulfide	Lbs.	8429.19	1, 47
Chemical pigments, other	Lbs.	8429.98	C
Ready-mixed paints, stains, & enamels containing mesothorium	Gals	8438.20	None
Ready-mixed paints, stains, & enamels containing radium	Gals.	8438.05	None
Ready-mixed paints, stains & enamels, other	Gals.	8438.98	C
Pigs, lead & antimonial lead	Lbs.	6507	C
Pigs, tin metal	Lbs.	6595.07	1, 47
Pigs, tungsten metal	Lbs.	6639	1, 47
Piling—See Wood—Unmanufactured			
Piling, sheet	Lbs.	6050	C
Pills, containing quinine—See Medicinals	Lbs.	8127.91	
Pills—See Medicinals			
Pilot, automatic, for aircraft	Units	7948.03	C
Pilot controls, automatic, aircraft	Units	7948.01	C
Pilot trainers aircraft—See Instruments—Fire Control			
Pincers, other	Doz.	6173	C
Pinch rolls, plate	Units	7444.06	C
Pine oil	Gals.	2117.1	C
Pineapples—See Fruits			
Pipe, casing, etc., of iron or steel—See Iron & Steel Mfrs.—Tubular Prod.			
Pipe benders	Units	7455.07	C
Pipe, brass & bronze	Lbs.	6453	1, 47
Pipe coils, brass & bronze	Lbs.	6453	1, 47
Pipe, copper	Lbs.	6422	C
Pipe covering & cement, asbestos	Lbs.	5454	C
Pipe covering, cork	Lbs.	4306	None
Pipe cutters—See Iron & Steel Manufactures—Tools			
Pipe expanders	Units	7455.07	C
Pipe fittings of brass & bronze	Lbs.	6454.3	1, 47
Pipe flangers	Units	7455.07	C
Pipe, galvanized—See Iron & Steel Mfrs.—Tubular Prod.			
Pipe, lead & antimonial lead	Lbs.	6508	C
Pipe organs	Units	9230	C
Pipe stocks—See Iron & Steel—Tools			
Pipe threading machines	Units	7406	C
Pipe & tube cutting off machines	Units	7455.07	C
Pipes, tobacco (of all materials)	Doz.	9528	K
Piston rings, automotive	Units	7916	C
Pistons, automotive	Units	7915	C
Pitch, coal-tar	Lbs.	8007	C
Pitch of wood, tar, resins (including "B" wood)	Lbs.	2118	C
Planers, woodworking	Units	7636	C
Planes, chisels, gouges, & other cutting tools & parts, hand operated	Units	6178.1	C
Planks—See Wood—Sawmill Products			
Planing machines	Units	7426	C
Planocaine—See Medicinals			
Plans, & Specifications, n. e. s.—See Books, Maps, Pictures, & Other Printed Matter			
Plantains—See Fruits			
Planters, horse & power	Units	7824	1
Plants, nursery & greenhouse—See Nursery & Greenhouse Stock			
Plaster, belladonna	Lbs.	8127.93; 8150.01	None
Plaster board & wall board—See Gypsum			
Plaster of paris	Ton	5484	K
Plastic brick cement	Lbs.	$375.98	K
Plastic film support, pyroxylin—See Chemicals			
Plastic molding machines & presses	Units	7444.05; 7750.06; 7750.98	C
Plate, armor, planing machines	Units	7426	C
Plate bending machines	Units	7444.05	C
Plate, boiler	Lbs.	6030.15	C
Plate flanging machines	Units	7444.05	C
Plate glass—See Glass & Glass Products			
Plate jogeling machines	Units	7344.03	C
Plate, lead & antimonial lead (not assembled as complete battery units)	Lbs.	6515.37	C
Plate shearing machines	Units	7444.06	C
Plates, aluminum or alloys	Lbs.	6303	C
Plates, brass & bronze	Lbs.	6450	1, 47
Plates, copper	Lbs.	6423	C

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Plates, iron & steel, fabricated, punched or shaped	Lbs.	6047	C
Plates, magnesium alloy	Lbs.	6649.98	C
Plates, nickel metal	Lbs	6545.09	C
Plates, screw, for metal working machinery	Units	6168.43	C
Plates, phenol-formaldehyde resins	Lbs. or Units	8260.01	C
Plates, photo-engraving, zinc	Lbs.	6572.05; 6589.03; 9830	1, 47
Plates, Piezo electric quartz	Lbs.	5960.02	1
Plates, quartz, optical	Lbs.	5960.08	C
Plates—See Furs & Mfrs.			
Plates, urea-formaldehyde resins	Lbs. or Units	8260.07	C
Plates, zinc		8261.01	
PLATINUM GROUP METALS	Lbs.	6571	1, 47
Iridium metal and alloys, including scrap	T. oz.	6922.09	1, 47
Osmiridium metal and alloys, including scrap	T. oz.	6922.09	1, 47
Osmium metal and alloys, including scrap	T. oz.	6922.09	1, 47
Palladium metal & alloys, including scrap	T. oz.	6922.09	1, 47
Platinum metal and alloys in bars, ingots, sheets, slabs, wire, sponge and other forms, including scrap	T. oz.	6922.05	1, 47
Platinum metal and alloys in manufactures other than jewelry (including crucibles)	T. oz.	6929.05	1, 47
Platinum ores and concentrates	T. oz.	6920	1, 47
Platinum salts and compounds—See Chemicals			
Rhodium metal and alloys, including scrap	T. oz.	6922.09	1, 47
Ruthenium metal and alloys including scrap	T. oz.	6922.09	1, 47
Manufactures containing platinum group metals, n. e. s.	T. oz.	6929.98	1, 47
PLATINUM GROUP SALTS & COMPOUNDS (percentage content of each particular metal)—See Chemicals			
Platinum metal & alloys in bars, ingots, sheets, slabs, wire, sponge, & other forms, including scrap	T. oz.	6922.05	1, 47
Platinum metal & alloys in manufactures (including crucibles)	T. oz.	6929.05	1, 47
Platinum ores & concentrates	T. oz.	6920	1, 47
Playground & amusement park devices & parts		9450	C
Playing cards	Pack	9565	K
Pliers	Doz.	6173	C
Plotting boards	Units	9190.71	C
Plow handles	Doz.	4285	K
Plows, horse and power (include disk and moldboard plows and listers)	Units	7810	1
Plugs, fuse	Units	7034.05	C
Plugs, lead & antimonial lead	Lbs.	6515.60	C
Plugs, spark, aircraft engine	Units	7947.05	C
Plumbers' brass goods	Lbs.	6456	1, 47
Plumbing fixtures, enameled iron—See Iron & Steel Mfrs.—Enamel Ware			
Plumbing fixtures, porcelain—See Clay & Clay Products			
Plushes—See Cotton Mfrs.			
Plywood—See Wood Mfrs.			
Pneumatic tools, metal working, portable	Units	7457	C
Pocketbooks—See Leather Mfrs.			
Podophyllum—See Medicinals			
Poles, telegraph—See Wood—Unmanufactured			
Polishes—See Chemicals			
Polishes, automobile	Lbs.	8291	C
Polishing machines	Units	7403	C
Polishing wheels, cork	Lbs.	4307.19; 4309.50	None
Pomades		8765	K
Ponderosa pine boards, planks, & scantlings	M. Bd. ft.	4106.1	C
Poplar boards, planks, & scantlings	M. Bd. ft.	4125	C
Poppy seed	Lbs.	2220.20	C
Pork—See Meat Products			
Porcelain—See Clay & Clay Products			
Porcelain, electrical—See Clay & Clay Products			
Portable electric tools—See Machinery—Mtl. Wkg.			
Portable tools, electric, other than metal working	Units	7056.98	C
Position finders	Units	9149.96	C
Pontianak resins, copal	Lbs.	2189.95	C
Potassic fertilizer materials—See Chemicals			
Potassium bromide	Lbs.	8344.02	C
Potassium chloride (muriate)	L. Tons	8531.01	C
Potassium chromate & bichromate	Lbs.	8357	C
Potassium-chromium sulfate (chrome alum)	Lbs.	8359.11	C
Potassium salts & compounds—See Chemicals			
Potassium sulfate	L. Ton	8531.03	C
Potatoes—See Vegetables & Preparations			
Pottery—See Clay & Clay Products			
Poultry equipment & parts, all other not listed (include chick feeders, drinking fountains, brood and other poultry coops, dry mash hoppers, grain feeders, trap nests, & laying boxes of iron or wood, etc.)	Units	7805	1
Poultry feeds—See Fodders & Feeds			
Poultry, live	Lbs.	0019	K
Powder, aluminum (aluminum bronze)	Lbs.	6308.5	C
Powder, bleaching	Lbs.	8340	C
Powder, cube (timbo or barbasco) root	Lbs.	2209.05	C
Powder, derris root	Lbs.	2209.07	C
Powder, face & compact		8742	K
Powder, magnesium metal	Lbs.	6691.01	C
Powder, pyrethrum	Lbs.	2209.19	C
Powder, tuba root	Lbs.	2209.07	C
Powdered lead & antimonial lead	Lbs.	6515.60	C
Power-generating machinery, except electric & automotive, steam engines, boilers, & accessories—See Machinery—Power Generating (except electric & automotive)			
Power shovels & excavators	Units	7201	C
Precious, synthetic, & imitation stones, n. e. s., including pearls—See Nonmetallic Minerals & Jewels			
PRECIOUS METALS			
Gold manufacturers, n. e. s.		6997	C
Manufactures of allied platinum metals, except jewelry	T. oz.	6929.98	1, 47
Platinum manufactures—See Platinum Group Metals			
Silver plated knives, forks, & steak sets	$ Value	6958	C
Silver plated ware, other, including tableware, ornamental silverware & manufactures, n. e. s.	$ Value	6959	C
Sterling & other solid silverware, knives, forks, & steak sets	$ Value	6955	C
Sterling & other solid silverware; other, including tableware, ornamental silverware, silver solder & manufactures, n. e. s.	$ Value	6956	C
Precious stones & imitations—See Nonmetallic Minerals			
Precision instruments—See Instruments—Precision			
Preservers, life, cork	Lbs.	4307.19; 4309.50	None
Press cloth, hair		3699	K
Pressers, cotton, & parts	Units	7671	C
Presses, metalworking, power-driven	Units	7444.05	C
Presses, drill—See Iron & Steel Mfrs.—Tools			
Presses, moulding (including plastic), mech. & hyd.	Units	7444.05; 7750.06	C
Presses, printing	Units	7791	1, 47
Pressure pipe, cast-iron	Lbs.	6067.05	C
Priestite	Lbs.	8362.15	C
Primer parts for shells, brass & bronze	Lbs.	6479.05	1, 47
Printed matter, lithographed—See Books, Maps, Pictures, & Other Printed Matter			
Printing & bookbinding machinery—See Machinery—Printing & Bookbinding			
Printing blanks, zinc	Lbs.	6589.08	1, 47
Prisms, quartz, optical	Lbs.	5960.08	C
Prisms (also see Optical Elements)	Units	5230.09	C
Procaine—See Chemicals			
Professional instruments & apparatus—See Scientific & Professional Instruments, Apparatus, & Supplies			
Profiler, milling machines	Units	7408	C
Propellers & blades, boat, brass & bronze	Lbs. & Units	7090.93	1, 47
Propylene dichloride	Lbs.	8329.98	C
Propylene glycol	Lbs.	8315.98	C
Prunes, dried	Lbs.	1328	C
Prunes & plums, fresh	Lbs.	1318	K
Pullman bags—See Leather Mfrs.			
Pulp, cotton, including cottonseed hull fiber pulp, cotton pulpboard, & bleached or purified linters	Bales & Lbs.	3006	C
Pulp cottonseed hull fiber	Bales & Lbs.	3006	C
Pulpstones	Lbs.	8406	K
Pulp, wood—See Wood Pulp			
Pulpwoods	Cord	4600	C
Pulverizers—See Machinery—Agricultural Implements			
Pumping equipment—See Machinery—Mining, Well & Pumping			
Pumpkins—See Fruits			
Purgatives—See Medicinals			
Purses—See Leather Mfrs.			
Pushcarts	Units	7992	C
Putty—See Pigments			
Pyramid rolls, plate	Units	7444.05	C
Pyrethrum extract	Lbs.	8205.3	C
Pyrethrum flowers, powder	Lbs.	2209.19	C
Pyrophosphoric acid	Lbs.	8309.93	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Pyrophyllite	Ton	5736	C
Pyroxylin coated fabrics—See Textile Products			
Pyroxylin plastic film support	Lbs.	8263	C
Pyroxylin scrap & film scrap	Lbs.	8262	C
Pyroxylin sheets, rods, tubes, & other unfinished forms—See Chemicals			
Psyllium seed—See Medicinals			
Quadrants, gunner's & range	Units	9190.67	C
Quarrying machinery—See Machinery—Mining, Well, & Pumping Machinery			
QUARTZ CRYSTALS			
Quartz, optical, lenses, plates, prisms	Lbs.	5960.08	C
Quartz, optical, raw	Lbs.	5960.06	C
Quartz, Piezo electric, frequency control units	Units	5960.03	1
Quartz, Piezo electric, plates, resonators & oscillators	Lbs.	5960.02	1
Quartz, Piezo electric, raw	Lbs.	5960.01	1
Quebracho extract	Lbs.	2344F	C
Quicksilver—See Mercury			
Quilts, rayon		3850	K
Quinine, proprietary and nonproprietary preparations containing quinine in any form (report quinine sulphate equivalent in avoirdupois ounces)—See Medicinals	Lbs.	8124.09 8154.05 8157.05 8160.05 8165.05 8167.05 8180.05	
Quinine—salts & compounds (report quinine sulphate equivalent in avoirdupois ounces)	Ounces	8127.5	None
Quinine sulfate	Av. os.	8127.3	None
Radiators, house-heating (sq. ft. radiation)	Sq. ft.	6149	C
Radio direction finders	Units	7081.05	C
Radio ground equipment for aircraft direction and navigation	Units	9190.05	C
Radio mica condensers, or capacitors, all kinds	Units	7079.01	C
Radio mica trimmers	Units	7079.01	C
Radio receiver parts & accessories	Units	7079.98 7081.98	C
Radio receiving sets, aircraft	Units	7948.07	C
Radio receiving sets, complete	Units	7077.05	C
Radio transmitting sets, aircraft	Units	7948.07	C
Radio transmitting sets, tubes & parts	Units	7076.05 7076.98	C
Radio tube ridges and spacers	Units	7076.05 7078.05	C
Radio tube supports, mica, processed	Lbs.	5513	None
Radio tubes or valves for receiving sets	Units	7078.05 7078.98	C
RADIUM			
Radium metal	Mg.	6649.50	None
Radium paint containing radium in any form	Gals.	8438.05	None
Radium salts & compounds—See Chemicals			
Rags for paper stock—See Paper & Paper Mfrs.			
Rags, rayon—See Synthetic Textiles			
Rags, used silk	Lbs.	3798.05	None
Rags, wool	Lbs.	3622	C
Railroad ties, sawed—See Wood—Sawmill Products			
Rails—See Iron & Steel Mfrs—Railway Track Materials			
Rail tieplates, joints, splice bars, fish plates, crossties, and unfabricated tie stock whether or not sheared to length	Lbs.	6054 6209.09	C
Railway car axles, fitted with wheels	Lbs.	6105.35	C
Railway car axles, without wheels	Lbs.	6105.25	C
Railway car tires & locomotive wheels & tires	Lbs.	6105.18	C
Railway car wheels	Lbs.	6105.15	C
Railway cars & parts—See Machinery—Vehicles, Misc.			
Railway, electric locomotives, mining & industrial	Units	7045	C
Railway, electric motors	Units	7044	C
Railway locomotive axles fitted with wheels	Lbs.	6105.38	C
Railway locomotive axles without wheels	Lbs.	6105.28	C
Railway spikes, including railway screw spikes	Lbs.	6058	C
Railway track maintenance equipment—See Machinery—Vehicles, Misc.			
Railway track material—See Iron & Steel Mfrs.—Railway Track Material			
Raincoats—See Rubber			
Raisins	Lbs.	1324	C
Rakes, hand	Doz.	6161	C
Ramie cord, cordage and twine	Lbs.	3419.05	C
Ramie fiber, unmanufactured	Lbs.	3419F	C
Ramie manufactures, n. e. s.	Lbs.	3399.98	C
Ramie yarn	Lbs.	3399.25	C
Range correction boards	Units	9190.81	C
Range finders and directors	Units	9149.92 7948.09	C
Range finder trainers	Units	9190.59	C
Range and gunner's quadrants	Units	9190.67	C
Range and height finders	Units	9149.90	C
Range keepers and other ballistic computing mechanisms	Units	9190.82	C
Ranges, cooking, electric	Units	7072	C
Ranges, gas	Units	6143	C
Ranging apparatus, sound and flash	Units	9190.87	C
Rapeseed	Lbs.	2220.20	C
Rapeseed oil, inedible	Lbs.	2249.05	C
Rapeseed oil, refined	Lbs.	1449.04	C
Rasorite	Lbs.	8362.16	C
Rasps less than 7 inches in length	Dor.	6158.1	C
Rasps 7 inches or more in length	Doz.	6158.5	C
Rayon—See Synthetic Textiles.			
Rayon housefurnishings		3850	K
Razor blades, safety	C	6113	C
Razors, electric—See Electrical Machinery & Apparatus			
Razors, safety	Doz.	6112	C
Reactors, lightning arrestors, choke coils & parts	Units	7039	C
Reagent chemicals for laboratory use		8299.7	
Reamer operating devices	Units	6177	C
Reamers, metal cutting, for power tools	Units	6167.43	C
Receiving sets, radio, aircraft	Units	7948.07 7077.05	C
Receiving sets, radio		7077.98 9390	C
Records, dictaphone	Units	9242	C
Records, phonograph			
Recording instruments & apparatus—See Machinery—Industrial, Misc.			
Recording instruments, electric	Units	7037	C
Rectifiers, mercury power—See Electrical Machinery & Apparatus			
Red lead, dry	Lbs.	8424	C
Red lead, in oil	Lbs.	8431.03	C
Red mercuric oxide	Lbs.	8397.45	C 47
Red oil (oleic)	Lbs.	0847	C
Red oil—See Petroleum Products			
Red squill	Lbs.	2209.21	C
Red top seeds	Lbs.	2408	C
Reducers—See Textile Products			
Redwood boards, planks, & scantlings	M.bd. ft.	4108	K
Refining machinery, petroleum, equipment & parts	Units	7349.09 5361	C
Refractories, chromite (chromium)	Lbs.	5375.05	C
Refractory bricks & shapes—See Clay & Clay Products			
Refrigerating machinery—See Machinery—Industrial, Misc.			
Refrigerators & parts—See Electrical Machinery & Apparatus			
Regulators & tanks, oxygen, aircraft	Units	7949.95	C
Regulus (antimony)	Lbs.	6649.01	C
Relaying rails—See Iron & Steel Mfrs—Railway track materials			
Remnants—See Cotton Mfrs. (also see Synthetic Textiles)			
Rennet (calf stomachs) & rennet preparations	Lbs.	0099	C
Residues, bismuth	Lbs.	6645.10	C
Residues, cadmium	Lbs.	6645.15	C
Residues, cobalt	Lbs.	6645.25	C
Residues, lead & antimonial lead	Lbs.	6515.50	C
Resins, alkyd	Lbs.	8253	C
RESIN—NATURAL, including crude, refined, & modified state			
Chicle	Lbs.	2190	C
Resins, accroides	Lbs.	2189.95	C
Resins, copal, Loba	Lbs.	2189.95	C
Resins, copal, Manila	Lbs.	2189.95	C
Resins, copal, Pontianak	Lbs.	2189.95	C
Resins, copal fossils, Boea	Lbs.	2189.95	C
Resins, copal fossils, Congo	Lbs.	2189.95	C
Resins, copal fossils, Kauri	Lbs.	2189.95	C
Resins, Damar, Batavia	Lbs.	2189.95	C
Resins, Damar, Batu	Lbs.	2189.95	C
Resins, Damar, Black East India	Lbs.	2189.95	C
Resins, Damar, East India Macassar	Lbs.	2189.95	C
Resins, Damar, East India Singapore	Lbs.	2189.95	C
Resins, Damar, Singapore	Lbs.	2189.95	C
Resins, Elemi	Lbs.	2189.95	C
Resins, Mastic	Lbs.	2189.95	C
Resins, Sandarac	Lbs.	2125	C
Tall oil (liquid sulphate wood resin)	Lbs.	2189.98	C
Gums & resins, n. e. s.	Lbs.	9260.01	C
Resins, phenol-formaldehyde, sheets, plates, rods & other unfinished forms	Lbs. or Units	8261.01	C
Resins, phenol-formaldehyde, unfabricated (in flake, liquid or powder form)	Lbs.	8255.01	C
Resins, synthetic—See Chemicals			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Resins, urea-formaldehyde, sheets, plates, rods & other unfinished forms	Lbs. or Units	8260.07 8261.07	C
Resins, urea-formaldehyde, unfabricated (in flake, liquid or powder form	Lbs.	8257.07	C
Resonators, Piezo electric quartz	Lbs.	5960.02	1
Retorts graphite—See Graphite			
Revolvers, pistols & rifles—See Firearms, Ammunition & Fireworks			
Rheostats	Units	7031.05 7048.05 7049.05	C
Rhodium metal & alloys, including scrap	T. oz.	6922.09	1, 47
Rhodium salts & compounds (report percentage of rhodium content)	T. oz.	8398.75	1, 47
Ribbons, magnesium metal	Lbs.	6091.03	C
Ribbons—See Cotton Mfrs. (also see Silk & Silk Mfrs. & Synthetic Textiles)			
Ribbons, typewriter	Doz.	9395	K
Ribbonzine		3160	K
Rice—See Grains & Preparations			
Rice-mill machinery & parts	Units	7609	C
Rifles—See Firearms, Ammunition, & Fireworks			
Rings—See Jewelry			
Rings, armature, mica	Lbs.	5513	1, 47
Rings, lead	Lbs.	6515.60	C
Riveters, metal-working	Units	7447	C
Rivets (except railroad), steel	Lbs.	6099	C
Road making machinery—See Machinery—Construction & Conveying			
Road oil	L. ton	5047	C
Robes—See Synthetic Textiles			
Rochelle salts	Lbs.	8359.39	None
Rock crushing & sorting machinery & parts	Units	7321.98	C
Rock drills—See Machinery—Mining, Well & Pumping			
ROCK WOOL & other semi-rigid & "fill" mineral insulating materials (include products manufactured from limestone, flint rock, gypsum, slag, vermiculite, & similar materials)		5490	C
Rods, aluminum	Lbs.	6303	C
Rods, aluminum alloys including duralumin	Lbs.	6303	C
Rods, brass & bronze	Lbs.	6448.01	1, 47
Rods, copper	Lbs.	6424	C
Rods, cork	Lbs.	4307.19 4309.50	None
Rods, fishing	Units	9420	C
Rods, iron & steel—See Iron & Steel—Bars & Rods			
Rods, magnesium alloy	Lbs.	6649.98	C
Rods, mica	Lbs.	5513	1, 47
Rods, nickel metal	Lbs.	6545.09	C
Rods, phenol-formaldehyde resins	Lbs. or Units	8260.01 8261.01	C
Rods, pyroxylin—See Chemicals			
Rods, urea-formaldehyde resins	Lbs. or Units	8260.07 8261.07	C
Rods, welding, brass & bronze	Lbs.	6457	1, 47
Rods, welding, of iron & steel—See Iron & Steel Mfrs—Wire			
Roll board—See Asbestos Mfrs.			
Rolls, metal-working	Units	7455.07 7447	C
Roller bearings & parts	Lbs.	7092	C
Roller skates	Pr.	9441	C
Rollers & balls for bearings	Lbs.	7093	C
Rollers, road	Units	7220	C
Rolling mill machinery, & parts	Units	7448	C
Roof flanges, lead & antimonial lead	Lbs.	6515.60	C
Roofing, asbestos	Sq. ft.	9096	C
Roofing, composition—See Miscellaneous			
Roofing, tile—See Clay & Clay Products			
Root, aconite	Lbs.	2209.27	None
Root, belladonna	Lbs.	2209.01	None
Root, colchicum—See Medicinals	Lbs.	2209.29	
Root, cubé (timbo or barbasco)	Lbs.	2209.05	C
Root, derris	Lbs.	2209.07	C
Root, tuba	Lbs.	2209.07	C
Rope, cotton	Lbs.	3018	K
Rope, wire—See Iron & Steel Mfrs—Wire			
Rose wax	Lbs.	2999.05	C
Rosin, gum	Lbs.	2110	C
Rosin, wood	Lbs.	2111	C
Rosin, wood, "B" wood	Lbs.	2118	C
Rosin, other, including refined sulphate wood rosin	Lbs.	2189.09	C
Rotary bands for shells, brass & bronze	Lbs.	6479.05	1, 47
Rotenone	Lbs.	8205.93	C
Rouges		8755	K
RUBBER			
Camelback	Lbs.	2069.05	1
Canvas shoes with rubber soles	Prs.	2034	1
Clothing of rubber or of rubberized cloth (includerubber aprons, baby pants, bibs, bathing suits, capes, raincoats, etc.)	Doz.	2043	1
Druggists' rubber sundries (except surgeons' & household gloves) (specify by name) (include rubber sponges)	Lbs.	2042	1
Electrical hard rubber goods, other (include parts of battery boxes) (specify by name)	Lbs.	2054	1
Gutta-percha manufactures (include gutta-percha compound)	Lbs.	2096	C
Hard rubber goods, other (except electrical) (specify by name)	Lbs.	2059	1
Hose & tubing, other (specify type)	Lbs.	2088	1
Latex or other forms of rubber compounded or processed for use in further manufacture (include rubber sheets, compounded, or processed, & mast erbatch)	Lbs.	2098	1
Rubber balloons	Gross	2045	1
Rubber & balata belting, other	Lbs.	2086	1
Rubber bands	Lbs.	2048	1
Rubber belts, fan, for automobiles	Lbs.	2065	1
Rubber boots	Prs.	2031	1
Rubber casings, automobile	Units	2062	1
Rubber casings, truck & bus	Units	2060	1
Rubber casings & tubes, other	Units	2064	1
Rubber cements	Gals.	2014	
Rubber combs, finished	Doz.	2058	1
Rubber, crude	Lbs.	2001F	1
Rubber electrical battery boxes (include composition & part rubber)	Units	2053	1
Rubber erasers (specify type)	Lbs.	2040	1
Rubber & Friction tape	Lbs.	2084	1
Rubber bathing caps	Doz.	2047	1
Rubber garden hose	Lbs.	2087	1
Rubber gloves & mittens	Doz. prs.	2039	1
Rubber heels	Doz. prs.	2037	1
Rubber hose, other	Lbs.	2086	1
Rubber mats, matting, flooring, & tiling	Lbs.	2094	1
Rubber packing	Lbs.	2093	1
Rubber, reclaimed	Lbs.	2011	1
Rubber scrap containing 5% or more rubber	Lbs.	2012.05	1
Rubber scrap containing less than 5 percent rubber (include used casings averaging less than $2 each)	Lbs.	2012.98	1
Rubber shoes	Prs.	2032	1
Rubber soles	Doz. prs.	2036	1
Rubber soling & toplift sheets	Lbs.	2038	1
Rubber thread, bare (uncovered)	Lbs.	2095.1	1
Rubber thread, textile covered	Lbs.	2095.2	1
Rubber tires, solid, for automobiles & motor trucks	Units	2066	1
Rubber toys & balls		2046	1
Rubber tubes, inner, for automobiles	Units	2063	1
Rubber water bottles & fountain syringes	Units	2040	1
Rubberized automobile cloth (include rubber-coated & rubber-combined cloth)	Sq. yd.	2016	1
Rubberized piece goods & hospital sheeting, other (include raincoat, apron, crib, piano & organ bellows, backing, adhesive, and typewriter cover) (specify type)	Sq. yd.	2017	1
Solid tires other	Lbs.	2067	1
Synthetic rubber sold in bulk as raw material	Lbs.	2099.3	1
Tire sundries & repair materials, other than camelback	Lbs.	2069.98	1
Rubber manufactures n. e. s.		2099.9	1
Rubber compounding agents of coal-tar products (include accelerators, retarders, & antioxidants)	Lbs.	8028	C
Rubber compounding agents (not of coal-tar origin)—See Chemicals			
Rubber-like compounds, synthetic, fabricated & unfabricated	Lbs.	8258.19	C
Rubber pedals, aircraft	Units	7949.95	C
Rug cushions—See Hair & Mfrs.			
Rugs, steamer	Units	3666	K
Rugs, wool	Sq. yd.	3662	K
Rusk	Lbs.	1095	K
Rust preventative—See Chemicals			
Ruthenium metal & alloys, including scrap	T. oz.	6922.09	1, 47
Ruthenium salts & compounds (report percentage content of ruthenium)	T. oz.	8398.76	1, 47
Rutile	Lbs.	6645.70	None
Rye—See Grains & Preparations			
Safes, fire resistive (insulated)	Units	6133.5	C
Safety glass—See Glass & Glass Products			
Safety-razor blades	C	6113	C
Safety razors	Doz.	6112	C
Sago, crude & flour—See Vegetables & Preparations			
SALT	Lbs.	5724	K
Salts, chemical—See Chemicals			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Sand—See Nonmetallic Minerals			
Sandals—See Leather Mfrs.			
Sandarac resins	Lbs.	2189.95	C
Sand, zirconium	Lbs.	6645.95	C
Sandalwood—See Wood			
Sandalwood oil—See Oils & Fats—Vegetable			
Sanitary articles—See Clay & Clay Products			
Sarrusophones	Units	9248	C
Sash & blinds—See Wood Mfrs.			
Sash & frames of iron or steel	Lbs.	6049	C
Sash, lead & antimonial lead	Lbs.	6515.60	C
Sassolite	Lbs.	8362.17	C
Sausage casings—See Meat Products			
Saw blades, hack, hand	Units	6154.98	C
Saw blades, hack for power machines	Gross	6154.43	C
Saws & blades metal cutting, for power tools	Units	(6118.09 (7455.98 (7482	C
Sawmill machinery & parts	Units	7631	C
Saws, circular, except diamond	Units	6155.18	C
Saws, crosscut, hand, back, & other saws & parts, other (include sawteeth, hack-saw frames, & coping saw blades)	Units	6156.98	*J
Saws, diamond	Units	(6155.15 (6156.05	1, 47
Saws, band, drag, mill & pit	Units	6155.2	C
Saxophones	Units	9248	C
Scale weights, lead & antimonial lead	Lbs.	6515.60	C
Scales, automatic—See Iron & Steel Mfg.—Misc.			
Scales, automatic, bathroom	Units	6195	C
Scales, precision	Units	6197	C
Scallops—See Fish			
Scarfing machines, plate	Units	7444.05	C
Scheelite—See Tungsten			
SCIENTIFIC & PROFESSIONAL INSTRUMENTS, APPARATUS, & SUPPLIES			
Binoculars (include prism binoculars, opera, field, & marine glasses)	Units	9149.3	C
Dental instruments		9150	C
Dental office equipment		9155.5	C
Dental supplies, n. e. s.		9155.9	C
Lenses, not fitted to instruments	Units	9147	C
Mica spectacles or eyeglasses	Prs.	9143.95	1, 47
Microscopes & accessories		9149.5	C
Military equipment, apparatus, & parts, containing optical elements—See Instruments—Fire Control			
Optical goods (include ophthalmoscopes & other ophthalmic apparatus n. e. s.)		9149.98	C
Ophthalmic lenses	Pr.	9142	C
Precious metals for dentistry—See component metal		9153	
Sextants	Units	9149.96	1, 47
Sterilizers	Units	9156	C
Sun or glare glasses & sun goggles		9143.5	C
Surgical appliances (include crutches, artificial limbs, and wheel chairs)		9159	C
Surgical & medical instruments		9157	C
Surveying & engineering instruments, n. e. s.		9160	C
Scientific, laboratory & professional instruments & apparatus, n. e. s. (include oxygen tents)		9190.98	C
Spectacles, eyeglasses, goggles, frames, & lenses, other		9143.98	C
Teeth	Units	9152	C
Scissors	Doz.	6114	C
Scoops	Units	6162	C
Scopolamine (Hyoscine)	Lbs.	(8127.96 (8180.19	None
Scrap, antimony-bearing scrap metal	Lbs.	6649.01	C
Scrap, aluminum	Lbs.	6301	C
Scrap, aluminum alloy	Lbs.	6301	C
Scrap, beryllium	Lbs.	6649.05	C
Scrap (& old) brass & bronze	Lbs.	6440	1, 47
Scrap, cadmium	Lbs.	6645.15	C
Scrap, chromium-bearing	Lbs.	6649.20	C
Scrap, cobalt-bearing metal	Lbs.	6649.26	C
Scrap, copper, & old copper	Lbs.	6413	C
Scrap, iridium metal & alloys	T. oz.	6922.09	1, 47
Scrap iron, cast & burnt (categories 1, 9, 10, 11, 12)	L. ton	6010.7	C
Scrap, iron & steel, other (categories 4, 5, 6 & 13, including heavy shoveling steel, selected rail scrap, machine shop turnings, wire shorts, rerolling rails, rejects, etc.)	L. ton	6010.9	C
Scrap, lead & antimonial lead	Lbs.	6515.50	C
Scrap, molybdenum-bearing, including calcium molybdate & calcium-silico molybdate	Lbs.	(6649.45 (6691.98	1, 47

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Scrap, nickel-bearing (including monel metal)	Lbs.	(6545.05 (6610	C
Scrap, osmiridium metal & alloys	T. oz.	6922.09	1, 47
Scrap, osmium metal & alloys	T. oz.	6922.09	1, 47
Scrap, palladium metal & alloys	T. oz.	6922.09	1, 47
Scrap, platinum metal & alloys	T. oz.	6922.05	1, 47
Scrap, pyroxylin	Lbs.	8202	C
Scrap, rhodium metal & alloys	T. oz.	6922.09	1, 47
Scrap rubber containing less than 5 percent rubber (include used casings averaging less than $2 each)	Lbs.	2012.98	1
Scrap, rubber, containing 5% or more rubber	Lbs.	2012.05	1
Scrap, ruthenium metal & alloys	T. oz.	6922.09	1, 47
Scrap, sheet, steel, hydraulically compressed & baled (categories 7 & 8)	L. ton	6010.4	C
Scrap steel, No. 1 heavy melting (cat. 2)	L. ton	6010.2	C
Scrap steel, No. 2 heavy melting (cat. 3)	L. ton	6010.3	C
Scrap, terneplate, including waste—waste & clippings	L. ton	6016	C
Scrap, tin alloy	Lbs.	(6565.09 (6649.08	1, 47
Scrap, tin metal	Lbs.	6565.07	1, 47
Scrap, tungsten-bearing metal	Lbs.	6639	1, 47
Scrap, vanadium	Lbs.	6649.90	1, 47
Scrap, zinc	Lbs.	6573.05	1, 47
Scrapers, self-loading	Units	7226	C
Screen cloth, woven-wire—See Iron & Steel Mfrs.—Wire			
Screws, brass, wood (plated or not plated)	Gross & Lbs.	6458	1, 47
Screws, machine (except railroad)	Lbs.	6099	C
Screws, wood (of iron or steel only)	Gross	6200	C
Scroll iron & non-alloy steel, alloy & stainless steel, cold & hot rolled	Lbs.	(6037.19 6037.59 6037.98 6038.19 6038.59 (6038.98	C
Seal, hair & rock—See Furs & Mfrs.			
Searchlights & airport beacons	Units	7066	C
Sections, lead & antimonial lead	Lbs.	6515.60	C
Seed disinfectants, n. e. s.—See Chemicals			
SEEDS (See also Oilseeds—Vegetable)			
Alfalfa	Lbs.	2401	K
Carrot seed	Lbs.	2408.5	K
Colchicum seed—See Drugs, Herbs, Leaves & Roots			
Clover, red	Lbs.	2402	K
Cotton seed—See Oilseeds, Vegetable			
Fennel seed	Lbs.	2408.9	K
Flower seeds	Lbs.	2407	K
Lac seed—See Shellac			
Kentucky blue grass	Lbs.	2407	K
Poppy seed—See Oilseeds, Vegetable			
Red top	Lbs.	2408	K
Timothy	Lbs.	2406	K
Clover, n. e. s.	Lbs.	2405	K
Grass & field seeds, n. e. s.	Lbs.	2419	K
Vegetable seeds, n. e. s. (include mushroom spawn, & tree seed)	Lbs.	2408.9	K
Seeders, horse, power, & hand	Units	7827	1
Seedlings		2599	K
Seeds, digitalis	Lbs.	2309.09	None
Seeds—See also Oilseeds—Vegetable			
Seismographs & parts	Units	7349.05	C
Seisyns & synchor units—See Instruments—Fire Control			
Separators, cream, valued at $50 or over	Units	7592	C
Serums & antitoxins for human use—See Medicinals			
Sewing machines—See Machinery—Textile, Sewing, & Shoe			
Sewing machines, for factory or industrial use	Units	7552	1, 47
Sewing-machine needles (include shoe-machine needles)	M.	6189	C
Sewing machine parts for factory or industrial use	Units	7553.05	C
Sewing silk	Lbs.	3719	None
Sextants	Units	9149.96	1, 47
Shaftings, unfinished, brass & bronze	Lbs.	6448.01	1, 47
Shampoos		8765	K
Shapers, metal-working	Units	7427	C
Shapes, brass & bronze	Lbs.	6479.09	1, 47
Shapes, commercial, brass & bronze	Lbs.	6441	1, 47
Shapes, copper, commercial	Lbs.	6412	C
Shapes, magnesium alloy	Lbs.	6649.98	C
Shapes, structural, iron & nonalloy steel, not fabricated, including heavy, light, & bar-size structural shapes.	L. ton	6045	C
Shapes, tungsten metal	Lbs.	6639	1, 47
Shapes, window, brass & bronze	Lbs.	(6450 (6479.07	1, 47

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Shavings, zinc	Lbs.	6586	1, 47
Shawls—See Cotton Mfrs.			
Shawls, rayon—See Synthetic Textiles			
Shear knives	Units	6118.05	C
Shearing machines, alligator	Units	7444.05	C
Shearing machines, metal-working	Units	7444.05	C
Sheathing & building paper	Lbs.	4735	C
Shears	Doz.	6114	C
Sheep	Units	0016	K
Sheepskins & shearlings	(Piece (& Lb.	(0290 (0307	C
Sheepskins, tanned with wool on	Lbs.	0749	C
Sheep wool in the grease, pulled, scoured, sorted, washed, or on the skin	Lbs.	3909	C
Sheet bars, nonalloy, alloy & stainless steel	L. ton	(6016.09 (6017.09	C
Sheet glass	Sq. ft.	5215	K
Sheets, aluminum and alloy	Lbs.	6303	C
Sheets, asbestos	Lbs.	5489.15	C
Sheets, brass & bronze	Lbs.	(6440 (6479.07	1, 47
Sheets, cellulose acetate, other unfinished forms, plasticized	Lbs.	8265.98	C
Sheets, copper	Lbs.	6422	C
Sheets, cork	Lbs.	(4307.19 (4309.50	None
Sheets, iron & steel—See Iron & Steel—Sheets			
Sheets, lead & antimonial lead	Lbs.	6506	C
Sheets, mica	Lbs.	5513	1, 47
Sheets, nickel metal	Lbs.	6545.09	C
Sheets, phenol-formaldehyde resins	Lbs. or Units	(8260.01 (8261.01	C
Sheets, platinum metal & alloys	T. oz.	6922.05	1, 47
Sheets, photo-engraving, zinc	Lbs.	(6572.05 (6589.03	1, 47
Sheets, pyroxylin—See Chemicals			
Sheets, tin metal	Lbs.	6565.07	1, 47
Sheets, urea-formaldehyde resins	Lbs. or Units	(8260.07 (8261.07	C
Sheets, zinc, n. e. s.	Lbs.	6572.09	1, 47
SHELLAC			
Lac, crude, seed, button, & stick	Lbs.	2189.05	C
Shellac, bleached	Lbs.	2185	C
Shellac, unbleached	Lbs.	2189.05	C
Shellers, corn	Units	7864	1
Shell, coconut	Lbs.	2999F	C
Shells, oyster	L. ton	1182	K
Shelving, sheet-metal	Units	6130	C
Shims, brass & bronze	Lbs.	6479.01	1, 47
Shingles—See Wood Mfrs.			
Shirts—See Cotton Mfrs.			
Shoe bozzers—See Leather Mfrs.			
Shoe cleaners, & shoe polishes	Lbs.	8291	C
Shoe findings—See Miscellaneous			
Shoe, insoles, cork	Lbs.	(4307.10 (4309.50	None
Shoe machinery	Units	7575	1, 47
Shoe polishes & cleaners—See Chemicals			
Shoes—See Leather Manufactures			
Shoes, rubber	Pr.	2032	1
Shooks—See Wood Mfrs.			
Shot, lead & antimonial lead	Lbs.	6515.55	C
Shot, nickel metal	Lbs.	6545.09	C
Shovel handles	Doz.	4286	K
Shovels, power	Units	7201	C
Shovels, spades, scoops, & drainage tools	Doz.	6162	C
Shrapnel, lead & antimonial lead	Lbs.	6515.53	C
Sienna—See Pigments			
Sights—See Instruments—Fire Control			
Signals, railway, attachments & parts	Units	7970	C
Silica brick—See Clay & Clay Products			
Silex		5960.98	K
Silicate sodium (water glass)	Lbs.	8364	C
SILK & SILK MFRS.			
Bolting cloth	Yds.	3720.98	1, 47
Cartridge cloth suitable for powder bags	Yds.	3720.01	None
Dresses, skirts, & blouses	Units	3742	None
Men's socks	Doz. pr.	3757	None
Noils	Lbs.	3708.01	None
Noil yarn	Lbs.	3711	None
Other broad silks	Yds.	3720.98	None

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
SILK & SILK MFRS.—Continued.			
Parachute cloth	Yds.	3720.05	None
Rags, used	Lbs.	3798.05	None
Raw silk	Lbs.	3702F	None
Ribbons	Lbs.	3729.11	None
Sewing, embroidery & crochet silk	Lbs.	3719	None
Silk manufactures, n. e. s. (include oil silk)		3799	None
Silk wearing apparel, n. e. s.		3759	None
Underwear (include knit & woven)	Units	3741	None
Velvet ribbons	Lbs.	3729.98	None
Velvets, plushes, & chenilles	Sq. yd.	3725	None
Waste, rags, and old used stockings	Lbs.	3798.98	None
Waste & used silk rags	Lbs.	3798.05	None
Women's & children's seamless hosiery	Doz. pr.	3754	None
Women's full fashioned hosiery	Doz. pr.	3755	None
Yarn, spun	Lbs.	3711	None
Yarn, thrown	Lbs.	3710	None
Silk machinery—See Machinery—Textile, Sewing, & Shoe			
Silver—See Precious Metals			
Silver, German	Lbs.	6610	C
Sinkers, lead & antimonial lead	Lbs.	6515.60	C
Sinks—See Iron & Steel Mfrs.—Enameled ware (also Clay & Clay Products)			
Sirup—See Sugar & Related Products (also see Beverages)			
Sisal or henequen cord, cordage & twine	Lbs.	3419.09	C
Sisal or henequen fiber, unmanufactured	Lbs.	3401F	C
Sisal or henequen yarn	Lbs.	3490.09	C
Sitka spruce—See Wood—Unmanufactured			
Skates, ice & roller—See Toys, Athletic & Sporting Goods			
Skelp, iron & steel	Lbs.	(6032.98 (6032.05	C
Skins, calf	Piece & Lbs.	0206	C
Skins, fur—See Furs & Mfrs.			
Skins, goat & sheep—See Hides & Skins			
Skins, kip	Piece & Lbs.	0207	C
Skirts—See Cotton Mfrs. (also see Silk & Silk Mfrs. & Synthetic Textiles)			
Skunk furs—See Furs & Mfrs.			
Slabs, aluminum alloys including duralumin, & other crude forms	Lbs.	6300	C
Slabs, aluminum, & other crude forms	Lbs.	6300	C
Slabs, copper	Lbs.	6412	C
Slabs, nonalloy, alloy, & stainless steel	L. ton	(6016.07 (6017.07	C
Slabs, optical glass, other than ophthalmic	Units	8230.05	C
Slabs, platinum metal & alloys	T. oz.	6922.05	1, 47
Slabs, tin metal	Lbs.	6565.07	1, 47
Slabs, zinc	Lbs.	6571	1, 47
Slacks—See Cotton Mfrs.			
Slashing machinery & parts—See Machinery—Textile Sewing, & Shoe			
Slate, crushed		5960.98	K
Sledge handles	Doz.	4288	K
Slicing machines, power-driven (include bread, meat, & cheese slicers, meat grinders & choppers and coffee mills)	Units	7710	1, 47
Slimes, bismuth	Lbs.	6645.10	C
Slippers—See Leather Mfrs.			
Slotters, metal-working	Units	7427	C
Smelting machinery & parts (include flotation machinery)	Units	7331	C
Snips	Doz.	6114	C
SOAP & TOILET PREPARATIONS			
Cold creams	Lbs.	8750	K
Cosmetics, n. e. s.		8757	K
Dental creams	Lbs.	8734	K
Dentifrices, n. e. s.	Lbs.	8735	K
Depilatories & deodorants		8762	K
Face & compact powder		8742	K
Hair preparations (include shampoos, tonics, dyes, pomades, dressings, etc.)		8765	K
Lip sticks		8756	K
Lotions, creams, & balms, n. e. s.		8752	K
Manicuring preparations		8759	K
Perfumery & toilet waters		8766	K
Rouges (cosmetic)		8753	K
Scouring bricks, pastes, powders, soaps, & household washing powders	Lbs.	8724	K
Shaving cakes, powders, & sticks	Lbs.	8719	K
Shaving creams	Lbs.	8718	K
Soap, laundry	Lbs.	8713	K
Soap, medicated	Lbs.	8710	K
Soap, powdered or flaked	Lbs.	8716	K
Soap, toilet or fancy	Lbs.	8712	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
SOAP & TOILET PREPARATIONS—Continued.			
Soap, n. e. s.	Lbs.	8729	K
Talcum powder in packages		8740	K
Toilet preparations, n. e. s. (include bath salts, bleaches, astringents, & similar preparations)		8770	K
Vanishing creams	Lbs.	8751	K
Soap stock, vegetable	Lbs.	2248.98	C
Soapstone	Ton	5736	C
Socks—See Silk & Silk Mfrs. (also see Synthetic Textiles)			
Soda fountain equipment & bar supplies		9846	K
Soda lime	Lbs.	8379.01	C
Soda water—See Beverages			
Soda wood pulp	Lbs.	4606	C
Sodium acetate	Lbs.	8329.5	C
Sodium azide	Lbs.	8379.15	C
Sodium bromide	Lbs.	8344.03	C
Sodium cacodylate	Lbs.	8379.98	None
Sodium carbonate (soda ash)	Lbs.	8365	C
Sodium chlorate	Lbs.	8379.05	C
Sodium chromate & bichromate	Lbs.	8366	C
Sodium cyanide	Lbs.	8369	C
Sodium metaborate	Lbs.	8362.27	C
Sodium metasilicate	Lbs.	8379.98	C
Sodium nitrates—See Chemicals			
Sodium perborate	Lbs.	8379.09	C
Sodium phosphate (mono-, di-, trimeta-, or pyro)	Lbs.	8377	C
Sodium salts & compounds—See Chemicals			
Sodium tetraborate	Lbs.	8362.29	C
Sodium tungstate	Lbs.	8398.20	1, 47
Soil pipe, cast-iron	Lbs.	6008.05	C
Solder, lead and antimonial lead	Lbs.	6512	C
Sole leather	Lbs.	0324	C
Soles, rubber	Dz. prs.	2036	I
Soluble sodium trisilicate	Lbs.	8379.98	C
Solvents—See Petroleum Products			
Sorting machines (include all tabulators using punched cards), new	Units	7759	1, 47
Sound and flash ranging apparatus	Units	9190.87	C
Sound locators for aircraft and binaural trainers therefor	Units	(9190.89 (7948.15	C
Soups, canned	Lbs.	1245	K
Sousaphones	Units	9742	C
Southern pine sawed timber	M bd. ft.	4060	C
Soybean oil-cake meal	L. Ton	1124	K
Soybean oil, crude	Lbs.	2249.12	C
Soybean oil, refined	Lbs.	1430	C
Soy beans	Lbs.	2210	C
Spades	Doz.	6162	C
Spaghetti	Lbs.	1077	K
Spark plugs	Units	7921	C
Spark plugs, aircraft engine	Units	7947.05	C
Spearmint oils—See Oils & Fats—Vegetable			
Spectacles, eyeglasses, goggles, frames & lenses—See Scientific & Professional Instruments, Apparatus, & Supplies			
Spectacles & eye-glasses, mica	Prs.	9143.95	1, 47
Sperm oil	Lbs.	0809.05	C
SPICES			
Capsicum	Lbs.	1527F	C
Cassia	Lbs.	1526F	C
Cinnamon	Lbs.	1535F	C
Cloves	Lbs.	1549F	C
Mace	Lbs.	1539F	C
Nutmegs	Lbs.	1542F	C
Pepper	Lbs.	1549	C
Spices, n. e. s.	Lbs.	1545F	C
Vanilla beans	L. ton	0213.05	C
Spiegeleisen	Lbs.	6058	C
Spikes, railroad, & screw spikes			
Spinning & other preparing, carding & twisting machinery & parts—See Machinery—Textile, Sewing & Shoe			
Spirits, distilled—See Beverages			
Sponge, platinum metal & alloys	T. oz.	0922.05	1, 47
SPONGES, natural or synthetic (report rubber sponges in 2042)		9821	K
Sporting goods—See Toys, Athletic, & Sporting Goods			
Spotting instruments	Units	9149.96	C
Sprayers, hand, for trees & crops (valued $2 and over)	Units	7807	I
Sprayers, power, for trees & crops (valued $100 & over)	Units	7868	I
Sprayers, small, for garden & household use (valued less than $2)	Units	7809	I
Spraying, paint, equipment & parts	Units	7720	C
Springs, automobile & truck	Units	7922	C
Springs, bed	Units	6136	C
Spruce—See Wood—Unmanufactured			
Squares—See Wood—Sawmill Products			
Stabilizing elements, gyroscopic	Units	9190.65	C
Stains	Gals.	8438.98	C
Stains, coal-tar colors	Lbs.	8059	C
Stains, & leather dressings	Lbs.	8202	C
Stampings, brass & bronze	Lbs.	6479.11	1, 47
Stampings, steel—See Iron & Steel Mfrs.—Misc.			
Staples (for office use)	Units	7777	C
Staples & nails of iron or steel—See Iron & Steel Mfrs.—Nails & Staples			
Starch—See Vegetable Products—Miscellaneous			
Starters, aircraft engine	Units	7947.05	C
Starting & controlling equipment for electric railway & vehicle motors—See Electrical Machinery & Apparatus			
Starting & controlling equipment for industrial motors & parts—See Electrical Machinery & Apparatus			*
Statuary—See Art Works			
Staves—See Wood Mfrs.			
Steam engines—See Machinery—Power Generating (except electric & automotive)			
Steam pumps, reciprocating—See Machinery Mining, Well, & Pumping			
Steam specialties—See Machinery—Power-Generating (except electric & automotive)			
Stearic acid	Lbs.	0849	C
Stearin, grease	Lbs.	0843	C
Stearin, oleo, edible	Lbs.	0056	C
Stearin, vegetable	Lbs.	1449.05	C
Steatite	Ton	5736	C
Steel abrasives	Lbs.	5411.05	C
Steel—See Iron & Steel			
Steel wool	Lbs.	5413	C
Stereopticons, magic lanterns, & other projection apparatus	Units	9112	C
Sterilizers	Units	9156	C
Stick, lac	Lbs.	2189.05	C
Stick pins—See Jewelry			
Sticks, magnesium metal	Lbs.	6091.05	C
Stocks, pipe, for power-driven machines	Units	6169.43	C
Stokers, coal, domestic—See Iron & Steel—Central Heating			
Stokers, coal, industrial	Units	7750.98	C
Stone—See Cement, Lime, & Stone			
Stone, crushed		5060.98	K
Stones, precious, synthetic & imitation, n. e. s., including pearls—See Nonmetallic Minerals		5338	K
Stoneware	Units	5480.55	C
Stoppers, carbon	Lbs.	4305	None
Stoppers, cork (except stoppers in containers)	Lbs.	5480.55	I
Stoppers, graphite			
Storage cabinets, sheet-metal—See Iron & Steel Mfrs.—Metal Furniture & Fixtures			
Storage tanks, iron & steel	Lbs.	(6043 (6209.15	C
Store furniture, fixtures, & parts—See Iron & Steel Mfrs.—Metal Furniture & Fixtures			
Store fixtures—See Wood Mfrs.			
Store polishes	Lbs.	8290	C
Stove windows, mica	Units	6147.05	None
Stoves—See Iron & Steel Mfrs.—Stoves			
Stoves, coal & wood cooking & room-heating	Units	6139	C
Stoves, gasoline	Units	6146	C
Stoves, kerosene cooking	Units	6144	C
Stoves, parts of gas, kerosene, & gasoline (includes cabinets, ovens, mounted wicks, etc.)	Units	6147.98	C
Stramonium, extract of—See Medicinals	Lbs.	(8127.95 (8180.14	
Stramonium, fluid extract of—See Medicinals	Lbs.	(8124.19 (8180.14	
Stramonium (Jimson weed) tops, leaves, dried, including all datura types—See Medicinals	Lbs.	2209.25	
Stramonium ointment—See Medicinals	Lbs.	(8124.19 (8180.19	
Stramonium, tincture of—See Medicinals	Lbs.	(8124.19 (8180.19	
String instruments—See Musical Instruments	Lbs.		
Strip, nickel metal	Lbs.	6545.09	C
Strips, aluminum and alloy	Lbs.	6803	C
Strips, brass & bronze	Lbs.	(6450 (6479.07	1, 47
Strips, copper	Lbs.	6423	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Strips, iron & Steel—See Iron & Steel—Strip			
Strips, lead and antimonial lead	Lbs.	6515.60	C
Strips, tin plate—See Iron & Steel—Tinplate			
Strips, zinc	Lbs.	6572.09	1, 47
Strontianite (mineral strontium carbonate)	Lbs.	8397.81	C
Strontium carbonate	Lbs.	8397.82	C
Strontium chloride	Lbs.	8397.83	C
Strontium nitrate	Lbs.	8397.84	C
Strontium oxylate	Lbs.	8397.85	C
Strontium peroxide	Lbs.	8397.86	C
Strontium salts & compounds—See Chemicals			
Strontium sulfate	Lbs.	8397.87	C
Structural iron & steel—See Iron & Steel Mfrs.—Structural Products			
Struts & Braces, aircraft	Units	7949.95	C
Strychnine, salts & compounds—See Medicinals			
Studs—See Jewelry			
Styrene	Lbs.	8025.90	C
Styrene, polymers & copolymers of	Lbs.	8258.19	C
Sublimed lead, dry (basic lead sulphate)	Lbs.	8429.13	C
Sublimed lead, in oil (basic lead sulphate)	Lbs.	8431.05	C
Submarine listening devices	Units	9190.93	C
Succinic anhydride resins	Lbs.	8253	C
Sugar-mill machinery—See Machinery—Industrial, Misc.			
SUGAR & RELATED PRODUCTS			
Chewing gum	Lbs.	1639	K
Chocolate candy	Lbs.	1634	C
Glucose, dry	Lbs.	1644	K
Glucose, liquid	Lbs.	1643	K
Honey	Lbs.	1642	*K
Molasses	Gal.	1629	C
Sirup	Gal.	1647	C
Sugar	Lbs.	1619	C
Candy n. e. s.	Lbs.	1635	*K
Confections, n. e. s.	Lbs.	1637	*K
Sugar wax	Lbs.	2999.05	C
Suits—See Cotton Mfrs. (also Wool Mfrs.)			
Suitcases—See Leather Mfrs.			
Sulphate wood pulp, bleached	S. ton	4610	C
Sulphate wood pulp, unbleached (Kraft pulp)	S. ton	4608	C
Sulphate wood (refined) resins	Lbs.	2189.09	C
Sulphite wood pulp, bleached	S. ton	4602	C
Sulphite wood pulp, unbleached	S. ton	4604	C
SULPHUR			
Crude	Ton	5714	K
Crushed, ground, refined, sublimed, & flowers	Lbs.	5715	K
Sulphur chlorides	Lbs.	8398.89	C
Sulphuric acids & anhydrides—See Chemicals			
Sulphuryl chlorides	Lbs.	8398.96	C
Sunflower seed	Lbs.	2220.20	C
Sun glasses & goggles	Pr.	9143.5	C
Sunn cord, cordage & twine	Lbs.	3419.09	C
Sunn fiber unmanufactured	Lbs.	3418F	C
Sunn yarn	Lbs.	3499.09	C
Superchargers, aircraft engine	Units	7947.05	C
Superphosphate (also see Chemicals)	L. ton	8519	C
Supporters—See Textile Products			
Supports, radio tube, mica, processed	Lbs.	5513	None
Surgical appliances—See Scientific & Professional Instruments, Apparatus & Supplies			
Surgical & medical instruments—See Scientific & Professional Instruments, Apparatus & Supplies			
Surveying & engineering instruments—See Scientific & Professional Instruments, Apparatus & Supplies			
Swabs, cork	Lbs.	(4307.19 (4309.50	None
Sweaters & sweatshirts—See Cotton Mfrs.			
Switchboard, for self-synchronous transmitters & indicators—See Instruments—Fire Control			
Switch boxes outlets, & metal conduit—See Electrical Machinery & Apparatus			
Switches, electric lighting, & parts	Units	7095	C
Switches, power, circuit breakers over 10 amperes, & parts (include network protectors)	Units	7033	C
Switches, switch points, frogs, crossings, & derails, railway	Lbs.	6055	C
Synthetic gums & resins—See Chemicals			
Synthetic rubber sold in bulk as raw material	Lbs.	2099.2	I
SYNTHETIC TEXTILES			
Braids, fringes, & narrow trimmings of rayon, nylon, & other synthetic textiles		(3858.55 (3858.58	C
Dresses, skirts, blouses & other outerwear for women & children, not knit or crocheted (one, two & three piece ensembles as one unit)	Units	3852	K
Knit or crocheted dresses & ensembles	Units	3853.1	K
Knit fabric in the piece	Lbs.	3848	K
Knit outerwear, n. e. s. (include crocheted shawls, sweaters, & gloves of knit rayon)		3853.2	K
Knit underwear	Doz.	3857.1	K
Men's socks	Doz. prs.	3856	K
Nylon	Lbs.	8258.05	C
Nylon filament including waste & staple fiber	Lbs.	3830.05	C
Nylon, hosiery, women's & children's	Doz. prs.	3854.1	C
Nylon staple fiber	Lbs.	3830.05	C
Nylon waste	Lbs.	3830.05	C
Nylon yarn, single & plied	Lbs.	3840.05	C
Pile (velvets, etc.) chiefly of rayon & other synthetic fibers	Sq. yd. & Lbs.	3845	*K
Printed woven filament yarn fabrics, n. e. s. (include fabrics of nylon & glass fibers)	Sq. yd. & Lbs.	3849.3	*K
Rayon braids, fringes, & narrow trimmings	Lbs.	3858.55	C
Rayon fabrics, printed, woven spun	Sq. yd. & Lbs.	3849.6	*K
Rayon fabrics, woven spun, n. e. s.	Sq. yd. & Lbs.	3849.7	*K
Rayon house furnishings (include bedspreads, quilts, finished curtains & draperies, art squares & cushions)		3850	K
Rayon waste & staple fiber, including rags, clips, & noils, whether or not machined or otherwise advanced (except yarn)	Lbs.	3830.07	C
Rayon yarn, acetate, single & plied	Lbs.	3840.10	C
Rayon yarn, viscose & cuprammonium	Lbs.	3840.12	C
Remnants & mill ends	Lbs.	3849.9	K
Ribbons (include woven labels)		3858.1	K
Sleeping & lounging garments, knit or woven (include pajamas, gowns, robes, & kimonos)	Doz.	3857.7	K
Synthetic cut fibers & waste, other	Lbs.	3830.09	C
Synthetic textiles, fibers, waste & yarn, other than rayon & nylon	Lbs.	3840.98	*K
Synthetic textiles, n. e. s.		3859	*K
Synthetic textiles, women's & children's hosiery, n. e. s.	Doz. prs.	3854.9	K
Synthetic textile manufactures, n. e. s.		3859	C
Thread & yarn for sewing, embroidering, hand-knitting, & crocheting (include chenille & boucle)		3842	K
Upholstery & drapery fabrics wider than 42", woven (except pile)	Sq. yd. & Lbs.	3849.2	K
Woven filament yarn fabrics, n. e. s. (include greige, white, piece-dyed, & yarn-dyed fabrics)	Sq. yd.	3849.5	*K
Woven underwear	Doz.	3857.2	K
TANTALUM			
Tantalum metals & alloys (Ferrotantalum—see Iron-Ferro-alloys)	Lbs.	6649.60	C
Tantalum ores & concentrates	Lbs.	6645.60	C
Tantalum salts & compounds—See Chemicals			
Table, household, kitchen & hospital utensils, & hollow or flat ware	Lbs.	6126	C
Table utensils, aluminum	Lbs.	6307	C
Tables—See Medicinals			
Tabulation machines (include all tabulators using punched cards), new	Units	7759	1, 47
Tachometers	Units	(7948.94 (9190.94	C
Tacks, iron & steel	Lbs.	6094	C
Taggers' tin—See Iron & Steel—Tinplate			
TALC, steatite, soapstone, & pyrophyllite, crude & ground (specify grade)	Ton	5736	C
Tall oil (liquid sulphate wood resin)	Lbs.	2125	C
Tallow, edible	Lbs.	0052	C
Tallow, inedible	Lbs.	0857	C
Tallow, vegetable	Lbs.	2999.05	C
Tampico cord, cordage, & twine	Lbs.	3419.09	C
Tampico fibers, unmanufactured	Lbs.	3405F	C
Tampico yarn	Lbs	3499.09	C
Tangerines	Box	1305	K
Tanks, fuel, aircraft	Unit	7949.95	C
Tanks, oxygen, regulators, aircraft	Units	7949.95	C
Tanks, storage, iron & steel, water, oil, gas, & other storage tanks, complete & knocked-down material for permanent or temporary installation	Lbs.	(6043 (6209.15	C
Tanning extracts—See Vegetable Dyeing & Tanning Extracts			
Tanning mixtures, chromium	Lbs.	8239.01	C
Tanning mixtures—See Chemicals			
Tantalum metals & alloys (Ferrotantalum—See Iron, Ferro-alloys)	Lbs.	6649.60	C
Tantalum ores & concentrates	Lbs.	6645.60	C
Tantalum oxide	Lbs.	8398.80	C
Tantalum salts & compounds—See Chemicals			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Tape-labels—See Cotton Mfrs.			
Tape, lead & antimonial lead	Lbs.	6515.60	C
Tape, rubber—See Rubber			
Tapes, flax	Lbs.	3399.06	C
Tapes, measuring, metal	Units	6178.98	C
Tapes, mica	Lbs.	5513	1, 47
Tapestry materials	Sq. yd.	3084	K
Tapioca—See Vegetables and Preparations			
Taps, bolt dies, screw plates for power-driven metal-working machinery	Units	6168.43	C
Taps, metal cutting, for power tools	Units	7482	C
Tar-acid resins—See Chemicals			
Tar & pitch of wood (including "B" wood)	Lbs.	2118	C
Tartar emetic	Lbs.	8396.05	C
Tartaric acid	Lbs	8302	C
Tastes—See Cotton Mfrs.			
Tea	Lbs.	1521	C
Tea wax	Lbs	2999.05	C
Teakwood, boards, planks, logs & scantlings	M. bd. ft	(4003F (4195F	None
Tedders	Units	7844	1
Teeth	Units	9152	C
Telegraph apparatus & parts	Units	7082	C
Telephone apparatus—See Electrical Machinery & Apparatus			
Telescopes	Units	(9149.3 (9149.95	C
Tennis balls	Units	9434	C
Terneplate, including long ternes & waste terneplate	Lbs.	6042	C
Terneplate scrap, including waste-waste & clippings	L. tons	6015	C
Terra-cotta manufactures—See Clay & Clay Products			
Testing apparatus, electrical, & parts—See Electrical Machinery & Apparatus			
Testing machines, metal working—See Instruments—Precision, for Metal Working	Lbs.	8329.98	C
Tetrachlorathane			
Tetraethyl lead—See Petroleum Products			
Tetraethyl lead, machinery for mfg	Units	7750.03	C
Textbooks—See Books, Maps, Pictures, & Other Printed Matter			
Textile machinery—See Machinery—Textile, Sewing & Shoe			
TEXTILE PRODUCTS			
Absorbent cotton, gauze, & sterilized bandages	Lbs.	3980	K
Artificial or ornamental flowers, fruits, vegetables, grasses, grains, leaves, stems, or parts thereof, of all materials (include the foregoing articles manufactured of paper, tinsel, glass, wire, lamé, beads, bugles, spangles, as well as textiles)		3963	K
Corsets, brassiers, & girdles	Units	3921	*K
Elastic webbing, woven, knitted or braided, over 1½" wide	Yd.	3990	*K
Elastic webbing, woven, knitted or braided, not over 1½" wide	Yd.	3988	K
Floor coverings, felt base	Sq. yds.	3903	*K
Garters, arm bands, suspenders & braces		3994	K
Hat braids, strips & sheets of natural fibers or synthetic textiles	Yds.	3940	K
Hats, caps, & berets, other, knit or crocheted	Units	3957	*K
Hats, caps, & berets, other of woven fabric	Units	3958	K
Hat & hat bodies of straw, palm leaf, etc., harvest	Units	3942	K
Hat & hat bodies of straw, palm leaf, etc., other, sewed	Units	3944	K
Hat & hat bodies of straw, palm leaf, etc., other, woven	Units	3945	K
Hats, men's fur felt	Units	3951	K
Linoleum	Sq. yds.	3901	C
Mattresses, cotton, moss & hair	Units	3970.98	K
Neckties, cravats, mufflers & scarfs, of all fibers	Doz.	3928	K
Oilcloth for shelf, table & wall	Sq. yds.	3911	K
Pyroxylin coated or impregnated book cloth	Sq. yds	3914.1	K
Pyroxylin coated or impregnated fabrics	Sq. yds.	3915	K
Starch filled book cloth	Sq. yds.	3914.2	K
Waterproof outer garments	Units	3918	K
Window-shade cloth	Sq. yds.	3913	K
Women's & girls' fur felt hats (include furfelt berets, bonnets, hoods, & hat bodies)	Units	3952	K
Wool-felt hats (include bodies)	Sq. yds	3953	K
Coated or impregnated fabrics, n. e. s.		3917	K
Textile manufactures, n. e. s. (include second hand clothing, hat trimmings)	Lbs.	3999	K
Theobromine		8135.18	None
Theobromine salts & compounds—See Medicinals			
Theophylline salts & compounds—See Medicinals			
Therapeutic apparatus & parts—See Electrical Machinery & Apparatus			
Thiodiglycol	Lbs.	8315.06	C
Thinners for nitrocellulose lacquers (state ingredients)	Gals.	8435	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
THORIUM			
Thorium metal & alloys	Lbs.	6649.65	C
Thorium, ores & concentrates	Lbs.	6645.65	C
Thorium salts & compounds	Lbs.	8396.83	C
Thread, rubber, bare (uncovered)	Lbs.	2095.1	1
Thread, flax	Lbs.	3399.05	C
Thread, rubber—See Rubber			
Threading machines, metal-working	Units	(7406 (7443	C
Threshers	Units	7861	1
Threshers, reaper (include combined harvester-threshers)	Units	7849	1
Tie-clips & holders—See Jewelry			
Tieplates, rail	Lbs.	6054	C
Tiestock, rail, whether or not sheared to length, include cross ties	Lbs.	6209.09	C
Tiles—See Glass & Glass Products (also see Clay & Clay Products)			
Timber & logs, hardwood—See Wood—Unmanufactured			
Timbo—See Cube			
Time clocks—See Clocks & Watches			
Time recording devices—See Clocks & Watches			
Timothy seeds	Lbs.	2406	K
TIN			
Alloys containing tin, including scrap & Babbitt metal	Lbs.	(6566.09 (6620	1, 47
Tin metal in ingots, pigs, bars, blocks, slabs, sheets, foil, tubes, & other forms, including scrap & waste Tin products—See Iron & Steel Tin salts & Compounds—See Chemicals	Lbs.	(6565.01 6565.02 6565.03 6565.07 6565.08 6565.09 6565.98	1, 47
Tin manufactures (all others)	Lbs.	6565.98	1, 47
Tin anhydride	Lbs.	8381.05	1, 47
Tin ash	Lbs.	8381.05	1, 47
Tin cans, finished or unfinished—See Iron & Steel Mfrs.—Hollow ware			
Tin chloride (stannic, stannous, tetratin salt, tin crystals)	Lbs.	8381.01	1, 47
Tin crystals	Lbs.	8381.01	1, 47
Tin & galvanized hollow ware	Lbs.	6121	C
Tin oxide (stannic, stannous, metastannic, tin anhydride, tin ash)	Lbs.	8381.05	1, 47
Tin salt	Lbs.	8381.01	1, 47
Tincture of belladonna	Lbs.	(8124.03 (8180.08	None
Tincture of hyoscyamus (Henbane)	Lbs.	(8124.13 (8180.13	None
Tincture of stramonium—See Medicinals	Lbs.	(8124.19 (8180.19	
Tinplate—See Iron & Steel—Tinplate			
Tires & inner tubes—See Rubber			
Tires, solid rubber, for automobiles & motor trucks	Units	2096	1
Tires, railway car	Lbs.	6106.18	C
Tire-service equipment & parts, automobile (includes vulcanizers, rim tools, tire spreaders, etc.)	Units	7934	C
Tire sundries & repair material—See Rubber			
Tissue & Crepe paper—See Paper & Paper Mfrs.			
TITANIUM	Lbs.	6649.70	None
Titanium alloys & metal	Lbs.	6645.70	None
Titanium ores & concentrates including ilmenite & rutile			
Titanium salts & compounds—See Chemicals	Lbs.	8428	C
Titanium dioxide	Lbs.	8398.10	None
Titanium tetrachloride	Units	7073.05	C
Toasters, electric			
TOBACCO & MANUFACTURES			
Leaf tobacco, unmanufactured:	Lbs.	2608	K
Black fat, waterbaler, & dark African	Lbs.	2601	K-99
Bright flue-cured	Lbs.	2602	K
Burley	Lbs.	2611	K
Cigar leaf	Lbs.	2603	K
Dark-fired Kentucky & Tennessee (include Henderson-stemming)	Lbs.	2604	K
Dark Virginia	Lbs.	2606	K
Green River	Lbs.	2605	K
Maryland & Ohio export	Lbs.	2607	K
One sucker leaf tobacco	Lbs.	2616	K
Perique leaf tobacco	Lbs.	2618	K
Tobacco stems	Lbs.	2617	K
Tobacco trimmings & scrap			
Tobacco, manufactures:	Lbs.	2623	KM
Chewing tobacco, plug, & other	M.	2622	KM
Cigarettes			

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
TOBACCO & MANUFACTURES—Continued.			
Tobacco, manufactures—Continued.			
Cigars & cheroots	M.	2620	K
Smoking tobacco (include cigar cuttings)	Lbs.	2624	K
Tobacco manufactures, n. e. s. (include specially prepared cigarette tobacco in bulk)	Lbs.	2629	K
Tobacco extracts—See Chemicals			
Tobacco machinery & parts	Units	7590	C
Toilet paper	Lbs.	4728	C
Toilet powders, talcum powder, in packages		8740	K
Toilet water—See Soap and Toilet Preparations			
Toluol (toluene) (report quantity of basis of 100% toluene)	Lbs.	8011	C
Toluene, nitro derivatives of	Lbs.	8025.94	C
Toluidine red	Lbs.	8039	C
Tonics—See Medicinals			
Tongue	Lbs.	0043	K
Tool bit blanks of iron or steel	Lbs.	6209.07	C
Tool bit blanks of molybdenum alloys	Lbs.	6691.07	1, 47
Tool bit blanks of tungsten & alloys	Lbs.	6639	1, 47
Tool steel bars, alloy & stainless steel	Lbs.	(6025 (6026	C
Tools, drainage	Units	6162	C
Tools, electric portable—See Electrical Machinery & Apparatus			
TOOLS—(incorporating) INDUSTRIAL DIAMONDS			
Dies, diamond	Units	7455.03	1, 47
Drilling bits, diamond	Units	6178.91	1, 47
Glass cutters & similar articles, diamond	Units	6178.91	1, 47
Grinding wheels, diamond, (see also Abrasives)	Units	5409.05	1, 47
Saws, diamond	Units	(6155.15 (6156.05	1, 47
Wheel dressers, diamond	Units	6178.91	1, 47
Tools, machine tools—See Machinery—Metal Working			
Tools, mechanics', tool holders, etc	Units	6178.95	C
Tools, metal-cutting, other—See Iron & Steel Mfrs.—Tools			
Tools, metal-working, portable, electric	Units	7056.05	C
Tools, metal-working, portable, pneumatic	Units	7457	C
Toothbrushes—See Brushes			
Toplift sheets, rubber	Lbs	2038	1
Tops, hair (camel, goat, etc.)	Lbs.	3628	C
Tops, wool	Lbs.	3628	C
Torch welding & cutting machinery, gas, including machines, equipment, & fixtures for use therewith	Units	7458.98	C
Toupees	Units	3999	K
Towels & napkins, paper	Lbs.	4729	C
TOYS, ATHLETIC & SPORTING GOODS			
Amusement park & playground devices & parts (include bowling alleys, merry-go-rounds, slides, swings, trapeze, climbing ropes, seesaws, horizontal bars, & other athletic contrivances)		9450	*K
Billiard tables & accessories (specify by name)		9445	*K
Children's wheel goods & parts (specify by name) (include coaster, express, & play wagons; sleds, automobiles, tricycles; & wheels & other parts)		9405	*K
Dolls & parts (specify type, i. e. composition, or stuffed) (include clothing)		9400	*K
Fishing rods	Units	9420	*K
Fishing reels	Units	9421	*K
Fishing tackle & parts, n. e. s.		9422	*K
Fishing tackle & equipment suitable only for commercial fishing (report other fishing tackle in 9420-9422)		9849	K
Foot, basket, base, tennis & other balls (specify kind) (report balls wholly of rubber in 2046)		9434	C
Golf balls	Doz.	9433	C
Golf clubs	Doz.	9436	*K
Ice skates	Pr.	9440	*K
Roller skates	Pr.	9441	*K
Toys & parts, mechanical (include coaster, express & play wagons; sleds, automobiles, tricycles; and wheels & other parts) (specify by name)		9408	*K
Toys, not mechanical, of metal (include air rifles) (specify by name)		9409	*K
Toys, not mechanical, of wood (specify by name)		9410	*K
Toys, rubber—See Rubber			
Toys & parts, except rubber, n. e. s. (include marbles) (specify by name)		9418	*K
Athletic & sporting goods, n. e. s.		9449	*K
Tractor motor fuel—See Petroleum Products			
Trackless trolleys	Units	7964	C
Tractors, engines & accessories for—See Machinery—Agricultural Implements			
Trail builders	Units	7227	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Trailers	Units	7940	1
Trainers, aircraft pilot—See Instruments—Fire Control			
Trainers, binaural for aircraft sound locators	Units	(9190.89 (7948.15	C
Trainers, for range finder	Units	9190.59	C
Tram railway cars	Units	7960	C
Transformer oils—See Petroleum Products			
Transformers, transforming & converting apparatus—See Electrical Machinery & Apparatus			
Transmitters—See Instruments—Fire Control			
Transmitting radio sets, aircraft	Units	7948.07	C
Transmitting sets, tubes & parts, radio	Units	7076.05	C
Traveling bags—See Leather Mfrs.			
Tree seeds	Lbs.	2468.9	K
Trim & moldings—See Wood Mfrs.			
Trichlorethylene	Lbs.	8329.98	C
Triethanolamine	Lbs.	8329.98	C
Trolley cars	Units	7964	C
Trombones	Units	9247	C
Truck & bus engines, Diesel & semi-Diesel	Units	7928.3	C
Trucks, hand	Units	7992	C
Trucks—See Machinery—Vehicles—Automotive			
Trucks, motor, powered by Diesel or semi-Diesel engines (injection type)	Units	7904.3	1
Trunks	Units	9800	K
Tuba root	Lbs.	2209.07	C
Tube ridges, radio	Units	(7078.05 (7078.05	C
Tubes, aluminum & alloys including duralumin & other shapes	Lbs.	6305	C
Tubes, boiler—See Iron & Steel Mfrs.—Tubular Prod.			
Tubes, brass & bronze	Lbs.	6453	1, 47
Tubes, copper	Lbs.	6422	C
Tubes, magnesium alloy	Lbs.	6649.98	C
Tubes, mica	Lbs.	5513	1, 47
Tubes & parts for radio transmitting sets	Units	(7076.05 (7076.98	C
Tubes, phenol-formaldehyde resins	Lbs. or Units	(8260.01 (8261.01	C
Tubes, pyroxylin—See Chemicals			
Tubes, rubber, other	Units	2064	1
Tubes, tin	Lbs.	6565.02	1, 47
Tubes, urea-formaldehyde resins	Lbs. or Units	(8260.07 (8261.07	C
Tubes, for radio receiving sets	Units	(7078.05 (7078.98	C
Tubes, x-ray	Units	7075.1	1, 47
Tubing, rubber—See Rubber			
Tubing, steel, mechanical—See Iron & Steel Mfrs.—Tubular Prod.			
Tumblers—See Glass & Glass Products			
Tumbling & blast cleaning machines & parts	Units	7451	C
Tung oil	Lbs.	2249.10	C
TUNGSTEN			
Tungsten alloys containing tungsten, including tool bit blanks (Ferro-tungsten—See Iron Ferro-alloys)	Lbs.	6639	1, 47
Tungsten bearing scrap metal	Lbs.	6639	1, 47
Tungsten metal in pigs, bars, wire, filament, carbide nibs, shapes & other forms	Lbs.	6639	1, 47
Tungsten ores & concentrates	Lbs.	6645.80	1, 47
Tungsten salts & compounds—See Chemicals			
Tungsten chloride	Lbs.	8398.23	1, 47
Tungsten oxide	Lbs.	8398.25	1, 47
Tungstic acid	Lbs.	8398.21	1, 47
Turbine pumps, deep well—See Machinery—Mining, Well & Pumping			
Turbines, mechanical-drive—See Machinery-Power Generating (except electric & automotive)			
Turbines, water	Units	7163	C
Turpentine, gum spirits of	Gals.	2114	C
Turpentine, wood	Lbs.	2115	C
Turrets, vertical	Units	7404	C
Twine, binder (specify fiber)	Lbs.	3411	C
Twine, Canton	Lbs.	3419.09	C
Twine, flax	Lbs.	3419.01	C
Twine, hemp	Lbs.	3419.05	C
Twine, istle or tampico	Lbs.	3419.09	C
Twine, jute	Lbs.	3211	C
Twine, maguey	Lbs.	3419.09	C
Twine, manila	Lbs.	3414	1
Twine, pacol	Lbs.	3419.09	C
Twine, ramie	Lbs.	3419.05	C
Twine, sisal or henequen	Lbs.	3419.09	C

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Twine, sunn	Lbs.	3419.09	O
Twisting & other preparing, spinning & carding machinery & parts—See Machinery-Textile, Sewing & Shoe			
Type metal, antimony, in crude & semi-manufactured form	Lbs.	6515.05 6670	O
Typewriter parts	Weight	7775	O
Typewriter ribbons	Doz.	9395	K
Typewriters, portable, new	Units	7772	1, 47
Typewriters, rebuilt	Units	7774.1	1, 47
Typewriters, standard, new	Units	7770	1, 47
Typewriters, other, used	Units	7774.4	1, 47
Ulexite	Lbs.	8302.19	C
Umbrellas & parasols	Units	9831	K
Underwear—See Cotton Mfrs. (also, see Silk & Silk Mfrs. & Synthetic Textiles)			
Uniforms—See Cotton Mfrs.			
Upholstery fabrics, wider than 42 inches—See Synthetic Textiles			
Upholstery materials—See Cotton Mfrs.			
Upholstery pads, kapok	Units	3499.15 3970.05	O
Upsetters (headers), forging machines	Units	7447	O
URANIUM			
Uranium metals	Grams	6649.85	None
Uranium minerals	Grams	6645.85	None
Uranium salts & compounds—See Chemicals			
Urea	L. ton	8309.25 8385.25	O
Urea-formaldehyde products, fabricated, not molded	Lbs.	9813.07	O
Urea-formaldehyde resins, sheets, plates, rods, tubes & other unfinished forms	Lbs. or Units	8260.07 8261.07	O
Urea-formaldehyde resins, unfabricated in flake, liquid and powder form	Lbs.	8257.07	O
Urea synthetic gums & resins—See Chemicals			
Urinals	Piece	5333	K
Utensils, aluminum table, kitchen & hospital	Lbs.	6307	C
V rings & cones, commutator	Units	7099.90	C
Vaccines for human use—See Medicinals			
Vacuum cleaners, electric—See Electrical Machinery & Apparatus			
VALVES	Units	7917	O
Valves, automotive			
Valves for use in aircraft engines—See Engines-Aircraft parts			
Valves or valve bodies, 4" or larger, used to control flow of liquids, vapors, or gases in piping, including gate, globe, angle, and check valves:			
Ferrous, or nonferrous, including any of their alloys, except brass & bronze	Units	6309.07 6439.07 6549.07 7745.05	O
Valves, other, ferrous or nonferrous, under 4" except brass & bronze	Units	6309.98 6439.98 6549.98 7745.98	O
Valves, brass & bronze	Lbs	6454.57 6454.58	1, 47
Valves, safety—See Machinery—Power Generating			
Vanadium chloride	Lbs.	8308.35	1, 47
VANADIUM	Lbs.	6649.90	1, 47
Vanadium alloys, metal & scrap containing vanadium (Ferrovanadium—See Iron Ferro-alloys)	Lbs.	6637	1, 47
Vanadium ores & concentrates			
Vanadium salts & compounds—See Chemicals	Lbs.	8398.36	1, 47
Vanadium oxide	Lbs.	8398.37	1, 47
Vanadium sulfide	Lbs.	1545F	C
Vanilla beans	Lbs.	8000	K
Vanillin			
Vanity cases—See Jewelry	Lbs.	8751	K
Vanishing creams			
Varnishes—See Chemicals (also see Pigments)			
Vases—See Clay & Clay Products			
Vaults, bank (include burglary—resistive chests & safes not insulated)	Units	6134	O
Veal—See Meat Products			
Vegetables, artificial or ornamental		3963	K
VEGETABLE DYEING & TANNING EXTRACTS			
Chestnut extract	Lbs.	2331	C
Dyeing & tanning extracts, other	Lbs.	2339 2345F	C
Dyeing & tanning materials, crude	Ton	2322F	C
Logwood extract	Lbs.	2311	C
Quebracho extract	Lbs.	2344F	O

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Vegetable oils & fats—See Oils & Fats—Vegetable			
VEGETABLES & PREPARATIONS			
Asparagus, canned	Lbs.	1241	K
Baked beans, & pork & beans, canned	Lbs.	1242	K
Beans, dried except seed	Lbs.	1201.1	K
Beans, fresh	Lbs.	1207	K
Corn, canned	Lbs.	1243	K
Farinaceous substances	Lbs.	1229F	K
Ketchup, chile sauce, & other tomato table sauces	Lbs.	1251	K
Mayonnaise & salad dressings	Lbs.	1252.1	K
Onions, fresh	Lbs.	1208	K
Peas, canned	Lbs.	1244	K
Peas, dried, except seed	Lbs.	1202.1	K
Peas, green	Lbs.	1209	K
Peppers	Lbs.	1210	K
Pickles	Lbs.	1250	K
Pickles, sauces, & other relishes	Lbs.	1252F	K
Potatoes, white	Lbs.	1211	K
Sauces & relishes, other	Lbs.	1252.9	K
Sago, crude & flour	Lbs.	1250F	K
Seed beans	Lbs.	1201.5	K
Seed peas	Lbs.	1202.5	K
Soups, canned	Lbs.	1245	K
Tapioca	Lbs.	1259	C
Tomatoes	Lbs.	1213	K
Tomatoes, canned	Lbs.	1246	K
Tomato, juice, canned	Lbs.	1248	K
Tomato, paste & puree, canned	Lbs.	1247	K
Vegetable preparations, other		1259	K
Vegetables, fresh, other		1224	K
Vegetables & juices, canned, other	Lbs.	1249	K
Vinegar	Gal.	1253	K
Yeast	Lbs.	1256	K
VEGETABLE PRODUCTS, MISCELLANEOUS	Ton	2031	K
Broomcorn	Doz.	2036	K
Brooms	Lbs.	2811	C
Cornstarch and corn flour	Lbs.	2181F	C
Gum benzoin	Lbs.	2951	C
Hops	Lbs.	2272F	C
Oil of citronella	Lbs.	2990F	*K
Vegetable ivory or tagua nuts	Lbs.	2813	K
Starch, other		2999.98	C
Vegetable products, inedible, other	Lbs.	1449.05	C
Vegetable stearin	Lbs.	2999.05	C
Vegetable tallow			
Vehicles—See Machinery—Vehicles			
VEHICLES, MOTOR		7901.05	
Industrial trucks, station warehouse and factory trucks of any capacity, powered by gasoline motor, whether or not containing conveying, lifting, stacking or similar accessory devices	Units	7902.05 7903.05 7904.55	None
Trucks, busses [and their chassis], powered by Diesel or semi-Diesel engines (injection type)	Units	7904.3	1
Velvet ribbons—See Silk & Silk Mfrs.			
Vending machines, coin-operated—See Miscellaneous			
Veneer machinery & parts	Units	7638	O
Veneers—See Wood Mfrs.			
Venetian blinds & slats—See Wood Mfrs.			
Ventilating machinery & parts	Units	7641	O
Vermiculite—See Rock Wool			
Vessels, Merchant	Units	7955	O
Veterinary biologics—See Medicinals		8120	
Vials—See Glass & Glass Products			
Vinegar	Gal.	1253	K
Vinyl resins	Lbs.	8258.98	C
Vinylidene chloride	Lbs.	8329.85	C
Vinylidene chloride, polymers & copolymers of	Lbs.	8258.19	C
Visas	Units	6163	O
Vitamines & viosterols (include food hormones, concentrates A, B, C, D, E, F, G, P, & X, synthetics such as ascorbic acid, thiamin chloride, medicinal fish oil, yeast concentrate, wheat germ oil, etc.)—See Medicinals	Lbs.	8119.98	
Voltage regulators, including induction & step-type feeder voltage regulators	Units	7030	O
Vulcanizers, tire	Units	7934	O
Wafers, cork	Lbs.	4302	None
Waffle-irons, electric	Units	7073.05	O
Wagons	Units	7975	O

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Wall board—See Gypsum			
Wall board of paper or pulp—See Paper & Paper Mfrs.			
Wall paper	Roll	4775	C
Wall tiles	Sq. ft.	5370	K
Wallets—See Leather Mfrs.			
Walnut boards, planks & scantlings—See Wood—Sawmill Products			
Walnuts—See Nuts			
Wardrobes—See Leather Mfrs.			
Warping machinery & parts—See Machinery—Textile, Sewing & Shoe			
Washers, cork	Lbs.	4302 4307.19 4309.50	None
Washers (except railroad)	Lbs.	6099	C
Washers, lead & antimonial lead	Lbs.	6515.60	C
Washers, mica, built up	Lbs.	5513	1, 47
Washers, mica, processed	Lbs.	5513	None
Washers, railroad	Lbs.	6059	C
Washing machines, electric—See Electrical Machinery & Apparatus			
Waste, cork shavings & refuse	Lbs.	4309.50	None
Waste, nylon	Lbs.	3830.05	C
Waste paper—See Paper—Waste Papers			
Waste rayon—See Synthetic Textile Mfrs.			
Waste, silk	Lbs.	3798.05	None
Waste-waste, terneplate	Lbs.	6042	C
Waste, tin metal	Lbs.	6565.08	1, 47
Waste, tinplate—See Iron & Steel—Tinplate			
Waste terneplate	L. ton	6015	C
Waste, wool or hair noils (camel, angora, etc.), including garnetted, picked and carded mill waste	Lbs.	3626	C
Watch bracelets & chains—See Jewelry			
Watches & parts—See Clocks & Watches			
Water heaters—See Iron & Steel Mfrs.—Stoves			
Water closet sets	Piece	5332	K
Watermelons	Lbs.	1314.1	K
Water meters & parts	Units	7742	C
Water, mineral	Gals.	1761	K
Water softeners—See Chemicals			
Water systems, self-contained-household	Units	7368	O
Water tanks, storage, iron & steel	Lbs.	6043 6209.15	C
Wax, bayberry	Lbs.	2999.05	C
Wax, candelilla	Lbs.	2999.05	C
Wax, carnauba	Lbs.	2999.05	C
Wax, cotton	Lbs.	2999.05	C
Wax, fibre	Lbs.	2999.05	C
Wax, flax	Lbs.	2999.05	C
Wax, floor	Lbs.	8293	C
Wax, Japan	Lbs.	2999.05	C
Wax, ouricury	Lbs.	2999.05	C
Wax, paraffin—See Petroleum Products			
Wax, rose	Lbs.	2999.05	C
Wax, sugar	Lbs.	2999.05	C
Wax, tea	Lbs.	2999.05	C
Webbing, flax	Lbs.	3399.06	C
Webbing—See Cotton Mfrs. (also see Textile Products)			
Weights, scale, lead and antimonial lead	Lbs.	6515.60	C
Welding machinery, equipment, and parts, electric	Units	7010.1 7010.2	C
Welding rods, brass & bronze	Lbs.	6457	1, 47
Welding rods of iron & steel—See Iron & Steel Mfrs.—Wire			
Well drilling machinery, petroleum & gas well, and parts	Unit	7342 7349.05	C
Whale oil	Lbs.	0809.05	C
Wheat feeds	L. ton	1190	K
Wheat—See Grains & Preparations			
Wheelbarrows	Units	7991	C
Wheel chairs		9158	C
Wheel dresser, diamond	Units	6178.91	1, 47
Wheels, locomotive	Lbs.	6105.18	C
Wheels, of artificial abrasives	Lbs.	5412	C
Wheels of emery, corundum & garnet	Lbs.	5405	C
Wheels, polishing, cork	Lbs.	4307.19 4309.50	None
Wheels, railway car	Lbs.	6105.15	C
Wheels, water	Units	7163	C
Whetstones, of artificial abrasives	Lbs.	5419	O
Whey—See Animal Products—Edible			
Whiskey—See Beverages			
White lead, dry (basic lead carbonate)	Lbs.	8426	O

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
White lead, in oil	Lbs.	8427	O
Wicks—See Cotton Mfrs.			
Wigs—See Hair & Mfrs.			
Windbreakers—See Cotton Mfrs.			
Winders & parts, textile machinery	Units	7505	1, 47
Windmill pumps	Units	7365	C
Windmills	Units	7891	1
Window strips, brass & bronze	Lbs.	6450 6479.07	1, 47
Wines	Gal.	1750	K
Wingtips, aircraft	Units	7949.95	C
Wire (brass & bronze), bare & insulated	Lbs.	6457	1, 47
Wire (copper), bare	Lbs.	6425	C
Wire (copper), insulated, rubber covered	Lbs.	6430	C
Wire (copper), insulated, weatherproof	Lbs.	6431	C
Wire (copper), insulated, other	Lbs.	6435	O
Wire (iron & steel)—See Iron & Steel Mfrs.—Wire			
Wire fuse, lead	Lbs.	6512	C
Wire, lead & antimonial lead	Lbs.	6515.60	C
Wire, magnesium	Lbs.	6691.05	C
Wire, molybdenum	Lbs.	6691.08	1, 47
Wire nails	Lbs.	6092	C
Wire (nickel-chrome), electric resistance	Lbs.	6630	C
Wire, platinum metal & alloy	T. oz.	6922.05	1, 47
Wire, tantalum	Lbs.	6691.98	C
Wire, tungsten metal	Lbs.	6639	1, 47
Wire, zinc	Lbs.	6589.07	1, 47
Wire drawing machinery & parts	Units	7455.09	O
Wire rods—See Iron & Steel—Bars & Rods			
Wiring Supplies & line materials—See Electrical Machinery & Apparatus			
Witherite	Lbs.	8398.90	O
Wolframite—See Tungsten			
Wood, cork	Lbs.	4309.50	None
Wood polishes	Lbs.	8293	C
WOOD PULP			
Alphacellulose, bleached, rayon & chemical grades (include wood pulp cellulose)	S. ton	4601	O
Pulpwoods	Cord	4600	C
Screenings	S. ton	4619	C
Soda wood pulp	Lbs.	4606	C
Sulphate wood pulp, bleached	S. ton	4610	C
Sulphate wood pulp, unbleached (Kraft pulp)	S. ton	4608	C
Sulphite wood pulp, bleached	S. ton	4602	C
Sulphite wood pulp, unbleached	S. ton	4604	C
Wood pulp, chemical, other	S. ton	4619	C
All other wood pulp, include screenings	S. ton	4619	C
Wood rosin	Lbs.	2111	C
Wood screws, brass (plated or not plated)	Gross	6458	1, 47
Wood turpentine—See Naval Stores			
WOOD—UNMANUFACTURED			
Ash & hickory, logs & hewn timber	M. bd. ft.	4001	K
Cottonwood & aspen, logs & hewn timber	M. bd. ft.	4002	K
Creosoted or otherwise treated railroad ties, hewn	M. bd. ft.	4026	K
Creosoted piling	Lin. ft.	4031	K
Douglas fir, logs & hewn timber (state grade)	M. bd. ft.	4012	None
Firewood & other unmanufactured wood (include mine props & fence posts)		4039	K
Hardwood burls (estimate board feet at 10 lbs. to the board foot)	M. bd. ft.	4006	K
Hemlock, logs & hewn timber	M. bd. ft.	4014	*K
Lignum vitae, logs	M. ft.	4003F	C
Port Orford cedar, logs & hewn timber	M. bd. ft.	4017	*K
Sandalwood	M. bd. ft.	4039	C
Sitka spruce, logs & hewn timber (state grade)	M. bd. ft.	4019.05	None
Teakwood (all forms)	M. bd. ft.	4005F 4195F	None
Telegraph, trolley & electric-light poles	Units	4034	K
Walnut, logs & hewn timber	M. bd. ft.	4004	K
Western red cedar, logs & hewn timber	M. bd. ft.	4016	*K
Cedar, n. e. s. (include eastern)	M. bd. ft.	4018	*K
Hardwood logs & timber, n. e. s.	M. bd. ft.	4009	K
Pilings, n. e. s.	Lin. ft.	4032	K
Softwood logs & timber, n. e. s. (includes southern pine)	M. bd. ft.	4019.98	*K
Railroad ties, hewn, n. e. s.	M. bd. ft.	4029	K
WOOD MANUFACTURES			
Boat oars & paddles	Units	4260	K
Chairs	Units	4242	K
Cooperage, slack heading	Set	4204	K

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
WOOD MANUFACTURES—Continued.			
Cooperage, slack shooks	M. bd. ft.	4095	M
Cooperage, slack staves, new	M. bd. ft.	4096	M
Cooperage, slack staves, used	M. bd. ft.	4097	M
Cooperage, tight empty barrels, casks, & hogsheads, new	M. bd. ft.	4098.1	M
Cooperage, tight empty barrels, casks, & hogsheads, used	M. bd. ft.	4098.6	M
Cooperage, tight heading	Set	4103	M
Cooperage, tight shooks	Set	4101.1	M
Cooperage, tight staves, new	Units	4104.5	M
Cooperage, tight staves, used	Units	4291	M
Dowels	Lbs.	4246	M
Eastern red cedar pencil slats	Dos.	4242	M
Hoe, fork, shovel, broom, mop, & other long handles	Dos.	4222	M
Incense cedar pencil slats	M.	4244	M
Ladders		4245	M
Office furniture & store fixtures	Doz.	4213	M
Plow & similar beni handles	Sq. ft.	4284	M
Plywood, other than Douglas fir	Sq.	4216	M
Poles, fence or corral, 7 ft. (10) square (set)	Doz.	4299	M
Rake, hoe, & pick handles (includes hammer, hatchet, adz, ax, sledge, mattock, & pick handles)	Lin. ft.	4226	M
Trim & moldings		4221	M
Veneer packages for fruits & vegetables	Sq. ft.	4215	M
Veneers, fancy, face, or figured	Sq. ft.	4216	M
Veneers, plain, for commercial	Units	4217	M
Venetian blinds		4230	M
Venetian blind slats	Units	4236	M
Wooden ware		4246	M
Furniture, chief value of upholstery, n. e. s. (wood predominating in construction)		4247	M
Furniture, chief value of wood, n. e. s.		4239	M
Millwork & house fixtures, n. e. s. (including ready-cut & portable houses, cupboards, cabinets, mantels, partitions, stairs, columns, window & door frames, & other built-in house fixtures, except sash & blinds)		4232	M
Sash & blinds, n. e. s.	Units	4230	M
Wood manufactures, n. e. s.			
WOOD—SAWMILL PRODUCTS (Lumber)			
Ash, boards, planks & scantlings	M. bd. ft.	4117	M
Basswood, boards, planks & scantlings	M. bd. ft.	4118	M
Cedar, sawed timber	M. bd. ft.	4119	M
Chestnut, boards, planks & scantlings	M. bd. ft.	4120	M
Cottonwood, boards, planks & scantlings	M. bd. ft.	4100	M
Cypress, boards, planks & scantlings, dressed (state grade)	M. bd. ft.	4102	M
Douglas fir, boards, planks, & scantlings, rough (state grade)	M. bd. ft.	4101	None
Douglas fir, boards, planks, & scantlings, rough (state grade)	M. bd. ft.	4093	None
Douglas fir, sawed timber (state grade)	M. bd. ft.	4143	M
Gum, box shooks	M. bd. ft.	4121	M
Gum, red & sap, boards, planks & scantlings	M. bd. ft.	4122	M
Gum, tupelo, & black, boards, planks & scantlings	M. bd. ft.	4123	M
Hemlock, boards, planks and scantlings	M. bd. ft.	4142	M
Hemlock & spruce, box shooks	M. bd. ft.	4124	M
Hickory, boards, planks and scantlings	M. bd. ft.	4126	M
Magnolia, boards, planks and scantlings	M. bd. ft.	4127	M
Maple, soft, boards, planks and scantlings	M. bd. ft.	4128	M
Oak, boards, planks and scantlings	M. bd. ft.	4131	M
Oak flooring, boards, planks and scantlings	M. bd. ft.	4137	M
Oak squares	M. bd. ft.	4106.1	M
Ponderosa pine, boards, planks and scantlings	M. bd. ft.	4125	M
Redwood, boards, planks and scantlings	M. bd. ft.	4106.2	M
Port Orford cedar, boards, planks and scantlings	M. bd. ft.	4156	M
Railroad ties, sawed, creosoted or otherwise treated	M. bd. ft.	4108	M
Redwood, boards, planks and scantlings	M. bd. ft.	4109.05	None
Redwood, timbers, sawed, all sizes and scantlings	M. bd. ft.	4096.05	None
Sitka spruce, boxed timber (state grade)	M. bd. ft.	4141	M
Small hardwood dimension stock, other than squares	M. bd. ft.	4080	M
Southern pine box shooks	M. bd. ft.	4103	M
Southern pine, creosoted	M. bd. ft.	4104	M
Southern pine, other treated	M. bd. ft.	4099	M
Southern pine, sawed timber	M. bd. ft.	4134	M
Wagon-oak planks (include railway-car materials)	M. bd. ft.	4128	M
Walnut, boards, planks and scantlings	M. bd. ft.	4106.5	M
White fir, Idaho white, Norway, Idaho white, & sugar white pine, boards, planks, and scantlings	M. bd. ft.	4140	M
White, ponderosa, & sugar pine box shooks	M. bd. ft.	4140	M
Box shooks, n. e. s. (in the western pine)	M. bd. ft.	4107.9	M
Hardwoods, n. e. s.	M. bd. ft.	4139	M
Zinc pigments—See Pigments			
Zinc printing blanks		7952.85	1, 47

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
ZINC—Continued.			
Zinc rolled in sheets & strips	Lbs.	6572.0	1, 47
Zinc salts & compounds—See Chemicals			
Zinc wire	Lbs.	6589.07	1, 47
Zinc manufactures (all other)	Lbs.	6589.98	1, 47
Zinc-ammonium chloride	Lbs.	8385.36	O
Zinc chloride	Lbs.	8398.46	1, 47
Zinc chromate	Lbs.	8429.05	C
Zinc oxide including leaded zinc oxide	Lbs.	6411	1, 47
Zinc sulfate	Lbs.	8398.47	1, 47
Zinc sulfide	Lbs.	8429.19	1, 47
ZIRCONIUM			
Zirconium metals & alloys (Ferro—zirconium—See Iron—Ferro-alloys)	Lbs.	6649.95	O
Zirconium ores & concentrates including zirconium sand	Lbs.	6645.95	C
Zirconium salts & compounds—See Chemicals			
Zirconium carbides & all mixtures	Lbs.	8398.51	O
Zirconium chlorides & all mixtures	Lbs.	8398.52	C
Zirconium iodides & all mixtures	Lbs.	8346.50	C
Zirconium nitrates & all mixtures	Lbs.	8398.53	C
Zirconium oxides & all mixtures	Lbs.	8398.54	C
Zirconium silicates & all mixtures	Lbs.	8398.55	C
Zirconium sulfates & all mixtures	Lbs.	8398.56	C
ALL OTHER COMMODITIES, N. E. S.		9999.9	C

(a) The column headed "Gen. Lic. Group" has reference to the general license country groups set forth in § 802.3 (a) of this subchapter. When numbers appear instead of a letter, the commodity may be exported under general license only to the destinations indicated by those numbers in § 802.2 (a).

(b) Where an asterisk precedes a general license country group letter, the particular commodity may be exported under general license to the group so indicated only up to July 6, 1942; and from and after July 6, 1942, may be exported under general license only to general license country group C.

(c) The abbreviation "n. e. s." in the above schedule means "not elsewhere specified".

§ 801.3 *Revocation of licenses.* All export licenses are subject to revocation without notice.

§ 801.4 *Return of revoked or expired licenses.* Export licenses which have been revoked or which have expired must be returned immediately to the Export Control Branch.

§ 801.5 *Transfer of licenses.* Export licenses shall not be transferred except by a written authorization of the Chief of the Export Control Branch.

§ 801.6 *Amendments to licenses.* No amendments may be made to export licenses except by the Export Control Branch, or by collectors of customs or postmasters acting under the specific instructions of the Chief of the Export Control Branch.

§ 801.7 *Presentation for export.* No articles, materials, or supplies the exportation of which is prohibited or curtailed pursuant to Section 6 of the Act of July 2, 1940, 54 Stat. 714, as amended, shall be loaded or carried onto an exporting carrier for export by water or by air or presented to such an exporting carrier for loading or presented to the collector of customs for inspection and clearance for exportation until an original license therefor, or such other document as may be authorized in these regulations, has been presented to the collector of customs at the port at which the controlled item is to be so loaded, carried, or presented. No such controlled item shall be mailed for exportation until an original license, or such other document as may be authorized in these regulations, has been presented to the postmaster at the post office where the controlled item is to be mailed. If the controlled item is to be exported by any means of export other than by water, air, or mail, such license or other document need not be presented to the collector of customs prior to loading, carrying onto, or presentation to, the exporting carrier, but must be presented to the collector of customs at the port of exit prior to inspection by the customs inspectors or other export inspection officials at that port, and at all events prior to exportation. Upon specific authorization to collector of customs or postmaster by the Chief of the Export Control Branch, the presentation of a license may be waived. The provisions of this section do not apply to exportations made pursuant to general licenses nor to exportations of technical data.

§ 801.8 *Price.* Articles, materials and supplies may not be exported except in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration, as it may hereafter be amended.

§ 801.9 *Arms, ammunition and implements of war, helium and tinplate scrap.* Regulations promulgated by the Secretary of State on June 2, 1942, 7 F.R. 4216 et seq., shall continue to govern the exportation of arms, ammunition and implements of war, helium and tinplate scrap, except that an export license shall not be issued when in any case it shall have been determined by the Chief of the Export Control Branch that the proposed exportation would be detrimental to the prosecution of the war or contrary to the interest of national defense.

PART 802—GENERAL LICENSES

Sec.
- 802.1 Definition.
- 802.2 General license numbers.
- 802.3 General license country groups.
- 802.4 Re-exportation from country of destination.
- 802.5 Consignee control under general license.
- 802.6 Consignor control under general license.
- 802.7 General licenses issued.
- 802.8 Exports to the United States Government.
- 802.9 General intransit licenses.
- 802.10 General licenses which permit shipments not exceeding a specified value.
- 802.11 Personal baggage.
- 802.12 Photographic film.
- 802.13 Ship and plane stores, supplies and equipment.
- 802.14 Metal drums and containers.

AUTHORITY: §§ 802.1 to 802.14, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 802.1 *Definition.* A "General License" is a license issued by the Chief of the Export Control Branch for which no application is required, available for use by the general public, permitting exportation of a particular commodity to a particular destination subject to regulations hereinafter prescribed and those which may be prescribed at the time of the issuance of such general license.

§ 802.2 *General license numbers.* (a) For purposes of control a "General License Number" is hereby assigned for each country to which any designated commodity may be shipped under a general license. This "General License Number" shall consist of the letter "G" followed by the arabic number assigned to the particular country as follows:

Aden	25
Afghanistan	79
Aldabra Is. (Seychelles)	53
Algeria	87
Amirantes Is. (Seychelles)	53
Anglo-Egyptian Sudan	60
Angola (Portugal)	83
Annobon, Corisco and Elobuy Islands (Spain and possessions)	82
Antigua (Leeward Is.)	45
Arabia	81
Argentina	4
Aruba (Curacao)	10
Ascension Is. (St. Helena)	52
Ashanti (British W. Africa)	34
Australia	26
Azores Is. (Portuguese Atlantic Is.)	93
Bahamas	27
Bahrein Islands	67
Baluchistan (India)	43
Barbados	28
Barbuda (Leeward Is.)	45
Bay Is. (Honduras)	16
Belgian Congo	66
Bermuda	29
Bhutan (India)	43
Bissau (Portuguese Guinea)	94
Bolivia	5
Bonaire (Curacao)	10
Brazil	6
British Cameroons (Br. W. Africa)	34
British East Africa (including Kenya, Uganda, Nyasaland, Zanzibar, and Tanganyika (Mandated territory))	30
British Guiana	31
British Honduras	32
British Oceania (See Oceania, Br.)	54
British Togoland (Br. W. Africa)	34
British Virgin Islands (Leeward Is.)	45
British West Africa (including Nigeria, British Cameroons (Mandated Territory), Gambia, Sierra Leone, Gold Coast (including Ashanti and Northern Territory), and British Togoland (Mandated Territory))	34
Burma	35
Caicos Islands (Jamaica)	44
Canada (including that part of Labrador under Canadian authority)	1

Canary Islands (Spanish Atlantic Is.) 97
Cape Verde Islands (Portuguese Atlantic Is.) 93
Cayman Islands (Jamaica) 44
Ceylon 36
Chad (Fr. Equatorial Africa) 73
Chagos Is. (Mauritius) 46
Chile 7
China (Free) 65
Clipperton Is. (French Oceania) 71
Colombia 8
Congo (Belgian) 66
Cook Islands (New Zealand) 48
Costa Rica 9
Cozumel Is. (Mexico) 17
Cuba 3
Curacao (including the islands of Aruba, Bonaire, Saba, St. Eustache, and St. Martin (southern part)) 10
Cyprus 37
Dahomey (French W. Africa) 86
Desirade Is. (French W. Indies) 68
Diego Garcia Is. (Mauritius) 46
Dominica 58
Dominican Republic 11
Dutch Guiana (Surinam) 22
Easter Is. (Chile) 7
Ecuador 12
Egypt 59
Eire 90
El Salvador 13
England 2
Falkland Islands 39
Farquhar Is. (Seychelles) 53
Fernando Noronha Is. (Brazil) 6
Fernando Po (Spain and possessions) 82
Fiji Islands (Oceania, Br.) 54
French Cameroun 72
French Congo (Fr. Equatorial Africa) 73
French Equatorial Africa 73
French Guiana 69
French Guinea (Fr. West Africa) 86
French Morocca 87
French North Africa (including French Morocco, Algeria and Tunisia) 87
French Oceania (all French possessions in the Pacific) 71
French Sudan (French W. Africa) 86
French West Africa (including Mauritania, Senegal, French Guinea, Ivory Coast, Togoland, Dahomey, Fr. Sudan and Niger) 86
French West Indies (including Desirade, Guadeloupe, Les Saintes, Martinique, Marie Galante, St. Martin [northern part] and St. Bartholomew) 68
Friendly Island (Oceania, Br.) 54
Gabon (Fr. Equatorial Africa) 73
Galapagos Is. (Ecuador) 12
Gambia (Br. W. Africa) 34
Gambier Is. (Fr. Oceania) 71
Gibraltar 41
Gilbert and Ellice Islands (Oceania, British) 54
Goa (Portugal and possessions) 83
Gold Coast (Br. W. Africa) 34
Gough Is. (St. Helena) 52
Grand Canary (Spanish Atlantic Is.) 97
Great Britain & Northern Ireland 2
Greenland 61
Grenada (Windward Islands) 58
Grenadines (Windward Islands) 58
Guadeloupe (French W. Indies) 68
Guatemala 14
Haiti 15
Honduras 16
Iceland 62
Ifni (Spanish Morocco) 98
Inaccessible Is. (St. Helena) 52
India 43
Iran 88
Iraq 89
Ireland 90
Ivory Coast (French W. Africa) 86
Jamaica 44
Juan Fernandez Is. (Chile) 7
Kamaran Is. (Aden) 25
Kenya (Br. E. Africa) 30
Khorya-Morya Is. (Aden) 25
Kuwait 40
Labrador (that part under Canadian authority) 1
Labrador (that part under Newfoundland authority) 47
Lebanon (Syria) 96
Leeward Island (including Antigua, Barbuda, Redonda, St. Christopher (St. Kitts) Island, Nevis Island, Anguilla Island, Montserrat, Sombrero and Brit. Virgin Islands) 45
Les Saintes Is. (Fr. W. Indies) 68
Liberia 91
Loyalty Is. (French Oceania) 71
Madagascar 92
Madeira Islands (Portuguese Atlantic Is.) 93
Maldive Islands (Ceylon) 36
Marie Galante Is. (Fr. W. Indies) 68
Marquesas Is. (Fr. Oceania) 71
Martinique (Fr. W. Indies) 68
Mauritania (Fr. W. Africa) 86
Mauritius (including Rodriguez Island and Diego Garcia Island) 46
Mexico 17
Middle Congo (Fr. Equatorial Africa) 73
Miquelon and St. Pierre 70
Montserrat (Leeward Is.) 45
Mozambique (Portugal) 83
Nepal (India) 43
Netherlands Guiana (Surinam) 22
Netherlands Indies (East) 64
Nevis Island (Leeward Is.) 45
New Caledonia Is. (Fr. Oceania) 71
Newfoundland (including that part of Labrador under Newfoundland authority) 47
New Guinea (British) (comprising Papua or British New Guinea, and Territory of New Guinea [mandated territory]) 49
New Hebrides (Oceania, British) 54
New Zealand (including Cook Islands and Western Samoa [mandated territory]) 48
Nicaragua 18
Niger (Fr. W. Africa) 86
Nigeria (Br. W. Africa) 34
Nightingale Is. (St. Helena) 52
Northern Ireland (Great Britain) 2
Northern Rhodesia 50
Nyasaland (Br. E. Africa) 30
Oceania, British (including British Solomon Islands, Fiji Islands, Gilbert & Ellice Islands, New Hebrides Islands, Pitcairn Island, Tonga, or Friendly Islands, Santa Cruz Islands) 54
Palestine and Trans-Jordan 51
Panama 19
Papua (British New Guinea) 49
Paraguay 20
Perim Is. (Aden) 25
Peru 21
Pitcairn Island (Oceania, British) 54
Portuguese Atlantic Islands 93
Portuguese Guinea 94
Portugal and possessions 83
Principe Is. (Portuguese Atlantic Islands) 93
Raiatea Is. (French Oceania) 71
Rapa Is. (French Oceania) 71
Redonda Is. (Leeward Is.) 45
Reunion 95
Revilla Is. (Mexico) 17
Rio de Oro (Spain and possessions) 82
Rio Muni (Spanish Guinea) 82
Rodriguez Is. (Mauritius) 46
Saba (Curacao) 10
St. Bartholomew Is. (Fr. W. Indies) 68
St. Christopher (St. Kitts) Island (Leeward Is.) 45
St. Eustache (Curacao) 10
St. Helena (including Ascension, Gough, Inaccessible, Nightingale, and Tristan da Cunha Islands) 52
St. Kitts (Leeward Is.) 45
St. Lucia (Windward Is.) 58
St. Martin (part) (Curacao) 10
St. Martin (part) (French West Indies) 68
St. Paul Is. (Brazil) 6
St. Pierre (and Miquelon) 70
St. Vincent (Windward Is.) 58
Sala-y-Gomez Is. (Chile) 7
Samoa, Western (mandated territory) (New Zealand) 48
San Ambrosia Is. (Chile) 7
San Felix Is. (Chile) 7
Sandwich Is. (Falkland Is.) 39
Santa Cruz Is. (Spanish Atlantic Is.) 97
Santa Cruz Is. (Oceania, British) 54
Sao Thome Is. (Portuguese Atlantic Is.) 93
Saudi Arabia 81
Scotland 2
Senegal (Fr. W. Africa) 86
Seychelles and Dependencies 53
Sierre Leone (Br. W. Africa) 34
Society Is. (French Oceania) 71
Sokotra Is. (Aden) 25
Solomon Islands (British Oceania) 54
Solomon Islands (Australian New Guinea) 49
Sombrero Is. (Leeward Is.) 45
South Georgia (Falkland Is.) 39
South Orkney Is. (Falkland Is.) 39
South Shetland Is. (Falkland Is.) 39
Southern Rhodesia 55
South-West Africa (Union of So. Africa) 57
Spain and possessions 82
Spanish Atlantic Islands 97
Spanish Guinea 82
Spanish Morocco and Tangier 98
Sudan, Anglo-Egyptian 60
Surinam 22
Sweden and possessions 84
Switzerland 85
Syria 96
Tubuai (French Oceania) 71
Tanganyika (Br. E. Africa) 30
Tangier (and Spanish Morocco) 98
Tasmania (Australia) 26
Tobago (and Trinidad) 56
Togoland (mandate) (Fr. W. Africa) 86
Tonga Islands (Oceania, British) 54
Tortue Is. (Haiti) 15
Trans-Jordan (and Palestine) 51
Trinidad and Tobago 56
Trinidad Is. (in South Atlantic) (Brazil) 6
Tristan da Cunha Islands (St. Helena) 52
Tuamotu (French Oceania) 71
Tubuai (French Oceania) 71
Tunisia (French North Africa) 87
Turkey 99
Turks Islands (Jamaica) 44
Ubangi Shari (Fr. Equatorial Africa) 73
Uganda (Brit. E. Africa) 30
Union of South Africa 57
Union of Soviet Socialist Republics 76
United Kingdom (Great Britain) 2
Uruguay 23
U. S. S. R. 76
Venezuela 24
Wallis Archipelago (Fr. Oceania) 71
Windward Islands (including Grenada, Grenadines, Dominica, and St. Vincent) 58
Yemen (Saudi Arabia) 81
Zanzibar (British E. Africa) 30

(b) When any commodity is shipped or taken out of the United States under any type of general license, the exporter shall state on the export declaration, when such document is required to be presented to the collector of customs or postmaster, the name of the ultimate consignee, the commodity description, the country of destination, and the general license number. The export declaration shall be presented to the collector of customs or postmaster prior to the taking out or prior to loading for exportation at the port of exit or prior to mailing. In the case of shipments by rail or motor transport, the export declaration must be presented prior to inspection by the customs officials at the point of exit.

In addition, whenever an exportation under general license is made by mail, the general license number must be endorsed on the address side of the wrapper of the parcel.

§ 802.3 *General license country groups.* (a) The following general license country groups are hereby designated:

Group C

Canada	1
Greenland	61
Great Britain and Northern Ireland	2
Iceland	62
Labrador (that part under Canadian authority)	1
Labrador (that part under Newfoundland authority)	47
Newfoundland	47
U. S. S. R.	76

Group K

Aden	25
Afghanistan	79
Aldabra Is. (Seychelles)	53
Amirantes Is. (Seychelles)	53
Anglo-Egyptian Sudan	60
Antigua (Leeward Is.)	45
Arabia	81
Argentina	4
Aruba (Curacao)	10
Ascension Is. (St. Helena)	52
Ashanti (British W. Africa)	34
Australia	26
Bahamas	27
Bahrein Islands	67
Baluchistan (India)	43
Barbados	28
Barbuda (Leeward Is.)	45
Bay Is. (Honduras)	16
Belgian Congo	66
Bermuda	29
Bhutan (India)	43
Bismarck Archipelago (New Guinea)	49
Bolivia	5
Bonaire (Curacao)	10
Brazil	6
British Cameroons (Br. W. Africa)	34
British East Africa (including Kenya, Uganda, Nyasaland, Zanzibar, and Tanganyika [Mandated territory])	30
British Guiana	31
British Honduras	32
British Oceania (See Oceania, Br.)	54
British Togoland (Br. W. Africa)	34
British Virgina Islands (Leeward Islands)	45
British West Africa (including Nigeria, British Cameroons [Mandated territory] Gambia, Sierra Leone, Gold Coast, [including Ashanti and Northern Territory], and British Togoland [mandated territory])	34
Burma	35
Caicos Islands (Jamaica)	44
Canada (including that part of Labrador under Canadian authority)	1
Cayman Islands (Jamaica)	44
Ceylon	36
Chad (French Equatorial Africa)	73
Chagos Is. (Mauritius)	46
Chile	7
China (Free)	65
Clipperton Is. (French Oceania)	71
Colombia	8
Congo (Belgian)	66
Cook Islands (New Zealand)	48
Costa Rica	9
Cozumel Is. (Mexico)	17
Cuba	8
Curacao (including the islands of Aruba, Bonaire, Saba, St. Eustache and St. Martin [southern part]	10
Cyprus	37
Desirade Is. (French W. Indies)	68
Diego Garcia Is. (Mauritius)	46
Dominica	58
Dominican Republic	11
Dutch Guiana (Surinam)	22
Easter Is. (Chile)	7
Ecuador	12
Egypt	59
El Salvador	13
England	2
Falkland Islands	39
Farquhar Is. (Seychelles)	53
Fernando Noronha Is. (Brazil)	6
Fiji Islands (Oceania, British)	54
French Cameroun	72
French Congo (French Equatorial Africa)	73
French Equatorial Africa	73
French Guiana	69
French Oceania (All Fr. possessions in the Pacific)	71
French West Indies (including Desirade, Guadeloupe, Les Saintes, Martinique, Marie Galante, St. Martin [Northern part] and St. Bartholomew)	68
Friendly Islands (Oceania, British)	54
Gabon (Fr. Equatorial Africa)	73
Galapagos Is. (Ecuador)	12
Gambia (Brit. W. Africa)	34
Gambier Is. (Fr. Oceania)	71
Gibraltar	41
Gilbert & Ellice Islands (Oceania, British)	54
Gold Coast (Brit. W. Africa)	34
Gough Is. (St. Helena)	52
Great Britain & Northern Ireland	2
Greenland	61
Grenadines (Windward Islands)	58
Grenada (Windward Islands)	58
Guadeloupe (Fr. W. Indies)	68
Guatemala	14
Haiti	15
Honduras	16
Iceland	62
Inaccessible Is. (St. Helena)	52
India	43
Jamaica	44
Juan Fernandez, Is. (Chile)	7
Kamaran Is. (Aden)	25
Kenya (Br. E. Africa)	30
Khorya-Morya Is. (Aden)	25
Kuwait	40
Labrador (that part under Canadian authority)	1
Labrador (that part under Newfoundland authority)	47
Leeward Islands (including Antigua, Barbuda, Redonda, St. Christopher (St. Kitts) Island, Nevis Island, Anguilla Island, Montserrat, Sombrero and Brit. Virgin Islands)	45
Les Saintes Is. (Fr. W. Indies)	68
Loyalty Is. (Fr. Oceania)	71
Maldive Islands (Ceylon)	36
Marie Galante Is. (Fr. W. Indies)	68
Marquesas Is. (Fr. Oceania)	71
Martinique (Fr. W. Indies)	68
Mauritius (including Rodriguez Is. and Diego Garcia Island)	46
Mexico	17
Middle Congo (Fr. Equatorial Africa)	73
Miquelon and St. Pierre	70
Montserrat (Leeward Is.)	45
Nepal (India)	43
Netherlands Guiana (Surinam)	22
Netherlands Indies (East)	64
Nevis Island (Leeward Is.)	45
New Caledonia Is. (Fr. Oceania)	71
Newfoundland (including that part of Labrador under Newfoundland authority)	47
New Guinea (British) (comprising Papua or British New Guinea and territory of New Guinea [mandated territory])	49
New Hebrides (Oceania, British)	54
New Zealand (including Cook Islands and Western Samoa) (mandated territory)	48
Nicaragua	18
Nigeria (Brit. W. Africa)	34
Nightingale Is. (St. Helena)	52
Northern Ireland (Gr. Britain)	2
Northern Rhodesia	50
Nyassaland (Brit. E. Africa)	30
Oceania, British, including British Solomon Islands, Fiji Islands, Gilbert and Ellice Islands, New Hebrides Islands, Pitcairn Island, Tonga or Friendly Island, Santa Cruz Islands	54
Palestine and Trans-Jordan	51
Panama	19
Paraguay	20
Perim. Is. (Aden)	25
Peru	21
Pitcairn Island (Oceania, British)	54
Raiatea Is. (Fr. Oceania)	71
Rapa Is. (Fr. Oceania)	71
Redonda Is. (Leeward Is.)	45
Revilla Is. (Mexico)	17
Rodriguez Is. (Mauritius)	46
Saba (Curacao)	10
St. Bartholomew Is. (Fr. W. Indies)	68
St. Christopher (St. Kitts) Is. (Leeward Is.)	45
St. Eustache (Curacao)	10
St. Helena (including Ascension, Gough, Inaccessible, Nightingale, and Tristan da Cunha Islands)	52
St. Kitts (Leeward Is.)	45
St. Lucia (Windward Is.)	58
St. Martin (part) (Curacao)	10
St. Martin (part) (French W. Indies)	68
St. Paul Is. (Brazil)	6
St. Pierre (and Miquelon)	70
St. Vincent (Windward Is.)	58
Sala-y-Gomez Is. (Chile)	7
Samoa, Western (mandated territory) (New Zealand)	48
San Ambrosio Is. (Chile)	7
San Felix Is. (Chile)	7
Sandwich Is. (Falkland Is.)	39
Santa Cruz Is. (Oceania, Br.)	54
Saudi Arabia	81
Scotland	2
Seychelles and Dependencies	53
Sierre Leone (Br. W. Africa)	34
Society Is. (Fr. Oceania)	71
Sokotra Is. (Aden)	25
Solomons Islands (Br. Oceania)	54
Somomon Islands (Australian New Guinea)	49
Sombrero Is. (Leeward Is.)	45
South Georgia (Falkland Is.)	39
South Orkney Is. (Falkland Is.)	39
South Shetland Is. (Falkland Is.)	39
Southern Rhodesia	55
South-West Africa (Union of South Africa)	57
Sudan, Anglo-Egyptian	60
Surinam	22
Tahiti (Fr. Oceania)	71
Tanganyika (Brit. E. Africa)	30
Tasmania (Australia)	26
Tobago (and Trinidad)	56
Tonga Island (Oceania, British)	54
Tortue Is. (Haiti)	15
Tuamotu (Fr. Oceania)	71
Tubuai (Fr. Oceania)	71
Turks Islands (Jamaica)	44
Trans-Jordan (and Palestine)	51
Trinidad and Tobago	56
Trinidad Is. (in South Atlantic) (Brazil)	6
Tristan da Cunha Islands (St. Helena)	52
Ubangi Shari (Fr. Equatorial Africa)	73
Uganda (Brit. E. Africa)	30
Union of South Africa	57
Union of Soviet Socialist Republics	76
United Kingdom and Northern Ireland	2
U. S. S. R.	76
Uruguay	23
Venezuela	24
Wallis Archipelago (French Oceania)	71
Windward Islands (including Grenada, Grenadines, Dominica, and St. Vincent)	58
Yemen (Saudi Arabia)	81
Zanzibar (British E. Africa)	30

Group P	
Arabia	81
Argentina	4
Aruba (Curacao)	10
Bahrein Islands	67
Bay Is. (Honduras)	16
Belgian Congo	66
Bolivia	5
Bonaire (Curacao)	10
Brazil	6
Canada (including that part of Labrador under Canadian authority)	1
Chad (French Equatorial Africa)	73
Chile	7
China (Free)	65
Clipperton Is. (Fr. Oceania)	71
Colombia	8
Congo (Belgian)	66
Costa Rica	9
Cozumel Is. (Mexico)	17
Cuba	3
Curacao (including the islands of Aruba, Bonaire, Saba, St. Eustache and St. Martin [southern part])	10
Dominican Republic	11
Dutch Guiana (Surinam)	22
Easter Is. (Chile)	7
Ecuador	12
El Salvador	13
England	2
Fernando Noronha Is. (Brazil)	6
French Cameroun	72
French Congo (Fr. Equatorial Africa)	73
French Equatorial Africa	73
French Oceania (all French possessions in the Pacific)	71
Gabon (Fr. Equatorial Africa)	73
Galapagos Is. (Ecuador)	12
Gambier Is. (Fr. Oceania)	71
Great Britain and Northern Ireland	2
Greenland	61
Guatemala	14
Haiti	15
Honduras	16
Iceland	62
Juan Fernandez Is. (Chile)	7
Kuwait	40
Labrador (that part under Canadian authority)	1
Labrador (that part under Newfoundland authority)	47
Loyalty Is. (Fr. Oceania)	71
Marquesas Is. (Fr. Oceania)	71
Mexico	17
Middle Congo (Fr. Equatorial Africa)	73
Netherlands Guiana (Surinam)	22
New Caledonia Is. (Fr. Oceania)	71
Newfoundland (including that part of Labrador under Newfoundland authority)	47
Nicaragua	18
Northern Ireland	2
Panama	19
Paraguay	20
Peru	21
Raiatea Is. (Fr. Oceania)	71
Rapa Is. (Fr. Oceania)	71
Revilla Is. (Mexico)	17
Saba (Curacao)	10
St. Eustache (Curacao)	10
St. Martin (part) (Curacao)	10
St. Paul (Brazil)	6
Sala-y-Gomez Is. (Chile)	7
San Ambrosio Is. (Chile)	7
San Felix Is. (Chile)	7
Saudi Arabia	81
Scotland	2
Society Is. (French Oceania)	71
Surinam	22
Tahiti (Fr. Oceania)	71
Tortue Is. (Haiti)	15
Trinidad Is. (in South Atlantic) (Brazil)	6
Tuamotu (Fr. Oceania)	71
Tubual (Fr. Oceania)	71

Group P—Continued	
Ubangi Shari (Fr. Equatorial Africa)	73
United Kingdom (Great Britain)	2
U. S. S. R.	76
Uruguay	23
Venezuela	24
Wallis Archipelago (Fr. Oceania)	71
Yemen (Saudi Arabia)	81

(b) When a commodity is placed under general license to a particular country group, it may be shipped to any country in that group subject to existing regulations.

§ 802.4 *Re-exportation from country of destination.* No exportation may be made under any type of general license with the knowledge or intention that the articles, materials or supplies so exported are to be re-exported from the country of destination, unless the re-exportation has been authorized by the Export Control Branch.

§ 802.5 *Consignee control under general license.* (a) General licenses may be revoked or suspended as to any person in any destination.

(b) Shipment under an applicable general license may be made to any consignee in the country of destination *except:*

(1) To any person as to whom the general license has been revoked or suspended; or

(2) To any person on "The Proclaimed List"; or

(3) To a member of the immediate family or an agent or representative of any person named on "The Proclaimed List"; or

(4) To any person when by reason of the sale, purchase or any service connected with the exportation, a commission, fee, remuneration or other benefit accrues to any person named on "The Proclaimed List".

§ 802.6 *Consignor control under general license.* General licenses may be revoked and their use suspended as to any person within or without the United States by any order issued pursuant to the provisions of Part 807 of this subchapter.

§ 802.7 *General licenses issued.* (a) General licenses are hereby issued permitting exportation of the commodities to the destinations designated under the column "General License Group" in the Schedules set forth in § 801.2 of this subchapter.

(b) Where the word "none" appears in the column "General License Group" opposite a commodity, no general license for such commodity is in effect, except as hereinafter provided.

§ 802.8 *Exports to the United States Government.* A general license, designated GUS, is hereby issued permitting exportation of all articles and materials to any of the following consignees:

(a) The United States Government or any agency thereof: *Provided,* Such articles are intended for official use;

(b) Representatives of the United States or members of the United States armed forces: *Provided,* That such articles are shipped in quantities sufficient solely for official use or for the personal use of the consignee and his immediate family.

§ 802.9 *General intransit licenses.* (a) General Intransit Licenses are hereby issued permitting exportation of all articles and materials, except as provided in paragraphs (c) and (d) of this section, originating in a designated foreign country and passing through the United States or any place subject to the jurisdiction of the United States in transit to a designated foreign destination, as specified in paragraph (b) of this section.

(b) (1) The following are the designated countries of origin and destination for which general intransit licenses are issued. The general license designations set forth below must be used in the same manner as general license numbers as provided in § 802.2 (b):

From—	To—	General license Designations
Western Hemisphere	British Empire	GIT-B/A.
British Empire	Western Hemisphere	GIT-A/B.
British Empire	British Empire	GIT-A/A.
Western Hemisphere	Western Hemisphere	GIT-B/B.
Netherlands Indies	Western Hemisphere	GIT-N/B.
Western Hemisphere	Netherlands Indies	GIT-B/N.
Western Hemisphere	Belgian Congo	GIT-B/BC.
Belgian Congo	Western Hemisphere	GIT-BC/B.
British Empire	Belgian Congo	GIT-A/BC.
Belgian Congo	British Empire	GIT-BC/A.
Western Hemisphere	U. S. S. R.	GIT-B/R.
British Empire	U. S. S. R.	GIT-A/R.
U. S. S. R.	Western Hemisphere	GIT-R/B.
U. S. S. R.	British Empire	GIT-R/A.
Portugal	Western Hemisphere	GIT-P/B.
Portugal	British Empire	GIT-P/A.
Spain	Western Hemisphere	GIT-S/B.
Spain	British Empire	GIT-S/A.
Switzerland	Western Hemisphere	GIT-SW/B.
Switzerland	British Empire	GIT-SW/A.
Sweden	Western Hemisphere	GIT-SD/B.
Sweden	British Empire	GIT-SD/A.
Netherlands Indies	British Empire	GIT-N/A.
British Empire	Netherlands Indies	GIT-A/N.
Y Countries	Z Countries	GIT-Y/Z.
Western Hemisphere	Unoccupied China	GIT-B/UC.

(2) "Western Hemisphere", as used in this paragraph, includes only the countries designated by the following numbers in § 802.2 (a): 3 through 24, 61 and 62.

(3) "Y" origins and "Z" destinations are as follows:

List Y—Origins

India.
Burma.
Dominion of Canada.
Australia.
New Zealand.
Union of South Africa.
British Colonies including only:
British Guiana.
Jamaica.
Windward Islands.
Bahamas.
Bermuda.
Sierra Leone.
Nigeria.
Seychelles Islands.
Kenya.
Northern Rhodesia.
Uganda.
Cyprus.
Fiji.
British Honduras.
Trinidad.
Leeward Islands.
Barbados.
Gambia.
Gold Coast.
Ceylon.
Aden.
Tanganyika.
Nyasaland.
Zanzibar.
Palestine and Transjordania.
Western Pacific Islands.

List Z—Destinations

French West Africa.
French North Africa.
Eire.
Liberia.
Madagascar.
Portugal.
Portuguese Atlantic Islands.
Portuguese Guinea.
Reunion.
Iran.
Iraq.
Spain.
Syria.
Spanish Atlantic Islands.
Spanish Morocco and Tangier.
Sweden.
Switzerland.
Turkey.

(c) The use of General Intransit License GIT-Y/Z is subject to the following regulations: (1) Each shipment must be accompanied by a Canadian Export Permit or by a British Imperial License, specifying the nature of the shipment and naming the ultimate consignee in the country of destination.

(2) Canadian Export Permits and British Imperial Export Licenses shall be surrendered to collectors of customs at the last port of exit from the United States.

(3) If the shipment is not accompanied by a foreign export license or permit, as provided above, an individual export license, from the Export Control Branch, must be obtained.

(d) Intransit shipments involving all forms of the commodities hereafter listed in this paragraph require individual export licenses except when shipments thereof are proceeding under General Intransit License GIT-A/A, from any part of the British Empire to any other part of the British Empire, or when proceeding under bond from Mexico through the United States to another part of Mexico:

Antimony.
Atropine.
Belladonna.
Caffein.
Cork.
Digitalis Seeds.
Graphite.
Hempseed.
Myoscyamus.
Industrial Diamonds.
Manila Hemp.
Mercury metal (virgin, redistilled or old).
Mesothorium.
Mica.
Quinine.
Radium.
Rubber.
Silk (except finished articles).
Sitka Spruce.
Teakwood.
Technical Data.
Theobromine.
Theophylline.
Titanium.
Tin.
Tungsten.
Uranium.

§ 802.10 *General licenses which permit shipments not exceeding a specified value.* (a) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a), of all articles and materials where, in a single shipment, the net value of such articles and materials classified under the same Department of Commerce Schedule B or F number does not exceed $25 with exception of the items listed below (which, when preceded by an asterisk, shall be construed to include their forms, conversions and derivatives).

*Acetanilide.
*Acetarsone (Stovarsol).
Acetic acid.
Acetic aldehyde.
Acetic anhydride.
*Acetylsalicylic acid (aspirin).
*Aconite.
*Agar.
Aircraft parts, equipment, and accessories other than those listed in Proclamation 2549, 7 F.R. 2769 et seq.
Air raid sirens and alarms.
Alcohol (methyl).
Alkyd resins, in powder, flake or liquid form.
Aluminum, metal (except finished articles), salts, and compounds.
Ammonia (anhydrous).
Aniline oil and salts.
*Anthraquinone.
Antimony, metal, salts, and compounds.
*Arsenic.
Asbestos fiber 3/8" or more in length.
*Ascorbic acid.
*Atabrin.
*Atropine.
*Belladonna.
Benzocaine (anaesthesin).
Benzyl chloride.
Beryllium, metal, salts, and compounds.
Beta naphthol.
Bicycles, adult.
Boiler gauge glass tubes.
Bristles, pig.
Bromine, and bromine preparations containing 10% or more by value of bromine.
Butadiene, including polymers and copolymers of.
*Cacodylic acid.
Cadmium, metal, salts, and compounds.
*Caffein.
Camphor.
Carbon tetrachloride.
*Cashew nut shell oil.
Castor beans and oil.
Cerium, metal, salts, and compounds.
Chlorine.
Chlorobenzenes.
Chloroform.
Chloropicrin.
Chloroprene, including polymers and copolymers of.
Chromium metal, salts, and compounds.
*Cinchona bark.
Combalt metal, salts, and compounds.
Coconut oil.
Columbium metal, salts, and compounds.
Commutators.
Copper, metal (except finished articles), and sulphate.
*Cork.
*Corundum.
Cotton duck cloth.
Dibutyl phthalate.
*Diamonds, industrial, including tools incorporating diamonds.
*Digitalis, including seeds and compounds.
Dimethylaniline.
Diphenylamine.
Electric curling irons, coffee percolators, flat irons, toasters, and waffle irons, other domestic electric heating or cooking devices and utensils.
Electric indicating, measuring, and recording instruments.
Electrodes, carbon or graphite.
Equipment and parts which can be used or adapted to use for the production of aviation motor fuel or tetraethyl lead.
Equipment for the production of aviation lubricating oil.
*Ergot.
Feathers and down, including pillows.
Ferromanganese.
*Fire control instruments, military searchlights, aerial cameras, and other types of military equipment containing optical elements.
Firearms.
Flax manufactures, except wearing apparel and household goods.
Fluorspar.
Formaldehyde.
*Gallic acid (except bismuth subgallate).
Gas masks.
Gauges, precision.
Glycerin.
Graphite, flake, chip, crystalline lump, and Ceylon.
Hemp and hempseed.
*Homatropine.
*Hyoscine (Scopolamine).
*Hyoscyamus (Henbane).
Industrial indicating, recording, or controlling instruments and apparatus.
Insulin.
Iodine.

Iron or steel body valves and parts for steam, water, oil and gas.
Jewel bearings.
Jute, yarn, cordage, twine, and empty bags.
Kapok fiber, except used or waste.
Kyanite.
Lead, metal (except finished articles), salts, and compounds.
Leather, sole and belting, except offal.
Lenses for precision instruments.
Magnesium metal.
Manila hemp, fiber and cordage.
Mercury, metal, salts, and compounds.
*Mesotherium.
Metal drums and containers, gas cylinders.
Meters and parts, gas and water.
Methyl Methacrylate.
Methylamine.
Methylene chloride.
Mica.
Molybdenum, metal, salts, and compounds.
Naphthalene.
Neat's foot oil.
Nickel, metal, salts, and compounds.
*Nicotinic acid.
Nutgall.
*Nux vomica.
*Nylon.
Optical elements for fire-control instruments, aircraft instruments, etc.
*Optical glass, except ophthalmic.
Oticicia oil.
Paint and other spraying equipment and parts.
Palm kernels, nuts, and oil.
Perilla seed and oil.
Petroleum blending agents.
Phenol (carbolic acid).
Phenol formaldehyde resins, in unfinished forms.
Phosphorus.
*Photographic unexposed film, plates, and paper (including blueprint paper).
*Phthalic anhydride and phthalates.
Plasmochin.
Platinum group metals, salts, and compounds.
*Polyvinyl chloride.
Portable electric tools.
Potassium chlorate and perchlorate.
Potassium chromate and bichromate.
Potassium permanganate.
*Procaine (including novocaine, etc.).
Propylene dichloride.
Psyllium seeds.
Pyrethrum.
*Pyridoxine Hydrochloride.
*Quartz crystals.
*Quinine.
Radio mica condensers, and capacitors.
Radio transmitting sets, tubes and parts.
Radio tubes or valves for receiving sets.
*Radium.
Rapeseed oil.
Rayon yarn.
Red squill.
*Rennet.
Resins, natural.
*Riboflavin.
Rochelle salts.
Rubber.
Rubberlike compounds, synthetic, unfabricated, include polymers and copolymers of butadiene, acrylonitrile, butylene, styrene, & vinylidene chloride.
*Salicylic acid.
*Santonin.
Sewing machinery parts.
Shearlings.
Shellac.
*Silk.
Sperm oil.
Spices, (including pepper, nutmeg, cloves, cassia, etc.).
Strontium, metal, salts, and compounds.
Styrene.
*Strychnine.
Sugar.
*Sulfonamides (including all sulfa drugs).
Superphosphate.
Tannic acid.
Tanning materials, chromium.
Tantalum, metal, salts, and compounds.
Tea.
Tetraethyl lead, ethyl fluid, and any mixture containing more than 3 cc. tetraethyl lead per gallon.
*Theobromine.
*Theophylline.
*Thiamin hydrochloride.
Tin, metal, salts, and compounds.
Tinplate and terneplate, unfabricated.
Titanium, metal, salts and compounds.
Toluol.
*Tools incorporating industrial diamonds.
Tricresyl phosphate.
*Tryparsamide.
Tung oil.
Tungsten, metal, salts, and compounds.
*Uranium.
Urea formaldehyde resins in unfinished forms.
Vanadium, metal, salts, and compounds.
Vanilla beans.
*Vitamin A.
Zinc, metal (except finished articles), salts, and compounds.
Zirconium, metal, salts, and compounds.

(b) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in paragraph 802.3 (a), of all items excepted from paragraph (a) of this section when the net value of a single shipment of such items does not exceed $1, provided that the following items may not be exported under these general licenses in any amount:

Atropine.
Belladonna.
Caffein.
Digitalis Seeds.
Hempseeds.
Homatropine.
Hyoscine (Scopolamine).
Hyoscyamus (henbane).

(c) General licenses are hereby issued permitting the exportation to destinations in general license country group C, as set forth in § 802.3 (a), of all medicinals, pharmaceuticals, and medicinal chemicals, regardless of value, except the following:

Aconite.
Agar.
Atropine.
Belladonna.
Cacodylic acid.
Caffein.
Cinchona bark.
Digitalis seeds.
Homatropine.
Hyoscine (Scopolamine).
Hyoscyamus (Henbane).
Quinine—except preparations less than 10% in value of quinine sulphate or its equivalent. The excepted class may be exported under General License to destinations in Group C.
Theobromine.
Theophylline.
Vitamin A—except when contained in capsules, ampules and similar dosage forms.

(d) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a), of all medicinals, pharmaceuticals, and chemicals usable solely for medicinal purposes, except those listed in paragraph (a) of this section, where, in a single shipment, the net value of such articles and materials classified under a single Department of Commerce Schedule B or F number does not exceed $100: *Provided, however*, That any medicinal article or material listed below (including its forms, conversions, and derivatives, and whether or not contained in a preparation) may not be exported under these general licenses to destinations in general license country group K in an amount exceeding $25 net value:

Arnica.
Bromides and bromates in medicinal preparations.
Carbarsone.
Cassia oil.
Colchicum.
Lecithin.
Senna.
Stramonium.
Vitamins, viosterols, and vitamin preparations except those specified in paragraph (a) of this section.

(e) The above general licenses or any other general licenses which authorize shipments of articles and materials not exceeding specified values are designed to permit the exportation of bona fide single shipments, within the designated maxima, of such articles and materials. They may not be used under any circumstances for the purpose of effecting the exportation of such articles and materials in amounts in excess of the specified maximum values which would otherwise require individual licenses, whether this is sought to be accomplished by splitting an order into two or more shipments; or by securing a large number of similar, separate orders; or by any other device designed to evade the requirement of an individual license.

(f) The provisions of this section shall not be construed as limiting the use of any other general licenses.

§ 802.11 *Personal baggage.* General licenses are hereby issued permitting exportation to all destinations of the following classes of articles when shipped in the passenger's baggage solely for his own or his immediate family's use and for noncommercial purposes:

(a) Household articles, including furniture, books, radios, decorations, and other household furnishings.

(b) Personal effects, including clothing, toilet articles, souvenirs, articles of personal adornment and similar articles.

(c) Professional instruments and tools of trade which have been used by the passenger in his occupation and employment.

(d) Other small consumer goods, except photographic film which may be exported under general license only in accordance with the provisions of § 802.12.

(e) Passenger automobiles when the personal property of persons departing from this country and not being exported for purposes of resale. The applicant must file with Collector of Customs an affidavit certifying exportation is not for resale.

§ 802.12 *Photographic film.* (a) General licenses are hereby issued permitting exportation to destinations designated by numbers 1 through 99 in § 802.2 (a), of all photographic film, except unexposed or raw photographic film, dry plates, unexposed photographic paper, exposed but undeveloped motion picture films, and still films or plates: *Provided*, That the requirements of the Office of Censorship have been satisfied.

(b) General licenses are hereby issued permitting exportation of commercial and non-commercial exposed but undeveloped motion picture and still films or plates to Canada and Newfoundland. If, upon presentation of such articles for export to destinations other than Canada and Newfoundland, they are developed by the Collectors of Customs or by the Censors in order to examine them for licensing purposes, they shall then be subject to the provisions of paragraph (a) of this section. If not developed, the articles will be returned to the sender with a notification that they must be developed before they will be considered for export.

(c) General licenses are hereby issued permitting exportation of unexposed or raw photographic film, dry plates, and unexposed photographic paper to Canada and Newfoundland.

(d) The provisions of this section shall not apply to shipments of photographic film under general license GUS.

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) General licenses are hereby issued permitting exportation of certain ship stores, supplies and equipment to destinations numbered 1 through 99, as set forth in § 802.2 (a), subject to the following restrictions:

(1) When exportation is made on freight or passenger vessels operating under the jurisdiction of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a), these general licenses authorize the exportation of fuel, ordinary ship stores, sea stores, and supplies for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled, and also of equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(2) When exportation is made on vessels operating under the jurisdiction of countries other than those listed in subparagraph (1), these general licenses authorize exportation of only sufficient fuel, stores and supplies, necessary for use or consumption on the outgoing voyage of such vessels, and also of equipment and spare parts required for emergency repairs to enable such vessels to proceed safely to their destinations.

(b) General licenses are hereby issued permitting exportation in planes departing from the United States for destinations numbered 1 through 99, as set forth in § 802.2 (a), of ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and also of equipment and spare parts when necessary for the proper operation of such planes.

§ 802.14 *Metal drums and containers.* (a) General licenses are hereby issued permitting exportation to destinations designated by numbers 1 through 85 in § 802.2 (a) of metal drums and containers having a capacity of 30 gallons or less, when filled with commodities the exportation of which has been authorized by license: *Provided*, That the drums and containers are of a type reasonably suited for the exportation of such commodities.

(b) General licenses are hereby issued permitting exportation to Canada, Great Britain and Northern Ireland, Newfoundland, Greenland, Iceland and the U. S. S. R. of all metal drums and containers, filled or unfilled, regardless of capacity.

(c) General licenses are hereby issued permitting exportation to destinations designated by numbers 1 through 85 in § 802.2 (a) of metal drums and containers, regardless of capacity, when filled with chemicals the exportation of which has been authorized by license: *Provided*, That the drums and containers are of a type reasonably suited for that purpose.

(d) General licenses are hereby issued permitting the exportation to Canada, Great Britain and Northern Ireland, Newfoundland, Greenland, Iceland and the U. S. S. R., of filled or unfilled metal cylinders designed to hold gas, regardless of size or capacity.

PART 803—UNLIMITED LICENSES

Sec.
803.1 General provisions.
803.2 Commodities and countries of destination.

AUTHORITY: §§ 803.1 and 803.2, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 803.1 *General provisions.* (a) Unlimited licenses are hereby issued to certain foreign purchasing agencies permitting the exportation of certain commodities to specific destinations as provided in § 803.2, subject to the following conditions:

(1) The unlimited license may not be used except by written authorization of the licensee.

(2) In lieu of presenting the license, the person authorized to use such license may present a document entitled "Release Certificate" issued by the licensee, addressed to the Collector of Customs and showing substantially as follows:

(i) The date of issuance.
(ii) The name and address of the exporter.
(iii) That the exporter is the agent of the licensee for the purpose of making the described shipment.
(iv) The country of destination.
(v) A description of the material, quantity and value.
(vi) A reference to the unlimited license against which shipment is made.
(vii) Date of expiration.
(viii) Signature of an authorized officer of licensee.

(3) Application for a Release Certificate to use any unlimited license shall be made to the licensee.

(4) Where an article listed in section 803.2 may be shipped under general license to the destination for which an unlimited license is in effect, such article shall be shipped under the general license.

(5) A separate Release Certificate must be presented for each shipment.

§ 803.2 *Commodities and countries of destination.* The unlimited licenses referred to in § 803.1 with the licenses, destinations to which shipments may be made and commodities which may be exported under such licenses are as follows:

(a) Amtorg Trading Corporation (280 Madison Avenue, New York, N. Y.), Destination: U. S. S. R.:

Abrasive, Mfrs.
Abrasive paper & cloth.
Asbestos, Crude & Fiber (other than African chrysolite, African amosite, African blue fiber or Arizona fiber).
Asbestos Mfrs. (other than those containing more than 10% African chrysolite, African amosite, African blue fiber or Arizona fiber).
Carbon Electrodes.
Chemicals:
Acetic acid.
Acetic aldehyde.
Acetic anhydride.
Acrylonitrile.
Alkyd resins.
Aniline.
Arsenic trichloride.
Bromine.
Carbon black.
Casein.
Calcium cyanide.
Chloroacetyl chloride.
Coconut shells & coconut shell char.
Cresylic acid & cresols.
Dibutyl phthalate.
Diethyl phthalate.
Dimenthylaniline.
Diphenylamine.
Dipropylphthalate.
Ethylene.
Ethylene chlorhydrine.
Ethylene dibromide.
Iodides & iodates.
Methylamine.
Monochloroacetic acid.
Naphthalene.
Omega chloroacetophenone.
Pentaerythrite.

Chemicals—Continued.
Phosphates.
Rochelle salts.
Rotenone.
Soda lime.
Sodium acetate, anhydrous.
Sodium cyanide.
Strychnine & salts thereof.
Sulphuric acid.
Thiodiglycol.
Drugs, Herbs, etc.—Insecticides:
Cube root.
Derris root.
Red squill.
Electrical Machinery & Apparatus:
Bulbs, electric light, over 200 watts.
Fuse plugs.
Mica dial or mica covered compasses.
Neon tube electrode sections.
Radio mica trimmers.
Radio receiving sets, complete.
Radio tubes or valves for receiving sets.
Radio tube ridges.
Radio tube spacers.
Rheostats.
Engines—Diesel & Semi-Diesel:
Electrical generating sets, powered by Diesel engines.
Diesel engines.
Explosives:
Blasting gelatin.
Commercial explosives, n. e. s.
Detonators & blasting caps.
Dynamite.
Nitrocellulose having a nitrogen content of less than 12%.
Glass & Glass Products:
Glass, bullet proof, laminated.
Graphite Manufactures:
Graphite electrodes.
Instruments, Precision, for Metal Working Balancing machines.
Iron & Steel—Bars & Rods:
Bars, concrete reenforcement bars, including deformed, & twisted bars, nonalloy.
Bars, steel, cold finished nonalloy.
Rods, wire, nonalloy.
Iron & Steel—Bars & Rods, Steel, Other
Bars, steel, not containing alloy.
Iron & Steel—Sheets, Black, of steel, not containing alloy.
Iron & Steel—Sheets, Galvanized, steel, nonalloy.
Iron & Steel—Strip, iron & steel, not containing alloy, cold rolled.
Iron & Steel—Strip, iron & steel, not containing alloy, hot rolled.
Iron & Steel Mfrs.—Railway Tracks.
Material:
Rails, 60 lbs. & over per yd. nonalloy.
Rails, less than 60 lbs. per yd., nonalloy.
Rails, relaying, nonalloy.
Iron & Steel Mfrs.—Structural Products:
Shapes, structural, not fabricated, incl. heavy, light and bar size structural, shapes, nonalloy.
Iron & Steel Mfrs.—Wire:
Wire (on spools or in coils, not attached to cards) nonalloy.
Wire, barbed, nonalloy.
Wire, fencing, woven, nonalloy.
Wire, twisted, nonalloy.
Oils & Fats—Animal, Fish & Marine Mammal:
Edible.
Fatty acids.
Oil & Fats—Vegetable (Edible).
Petroleum Products & Tetraethyl Lead:
Crude oils.
Lubricants.
Motor fuels & blending agents.
Petroleum coke.
Miscellaneous.
Valves:
Valves or valve bodies.
Wood pulp:
Chemical wood pulps.

(b) Belgian Congo Purchasing Commission (630 Fifth Avenue, New York, N. Y.). Destination: Belgian Congo:

Abrasives & Abrasive Mfrs.
Chemicals:
Borax.
Boric acid.
Borax glass.
Lithopone.
Phosphoric acid (ortho-, pyro-, & meta-).
Red lead, dry.
Red lead, in oil.
Zinc oxide including leaded zinc oxide.
Zinc sulfide.
Instruments, Precision, for Metal Working Gauges.
Iron & Steel—Ferro-alloys.
Iron & Steel:
Bars & rods.
Bars, & rods, steel, other.
Billets.
Blooms.
Band & Scroll:
Baling bands.
Hoop.
Ingots.
Sheets, black:
Black plate.
Sheets, galvanized.
Sheet Bars & Tin-Plate Bars.
Skelp.
Slabs.
Strip.
Iron & Steel Mfrs.—Castings & Forgings.
Castings.
Forgings.
Railway axles.
Railway wheels.
Iron & Steel Mfrs.—Nails & Bolts.
Bolts, machine screws, nuts, rivets, washers (except railroad).
Horseshoe nails.
Nails & staples, other.
Tacks.
Wire nails.
Iron & Steel Mfrs.—Railway Track Material.
Railroad spikes.
Rails.
Rail tieplates & splice bars.
Iron & Steel Mfrs.—Structural Products.
Piling, steel.
Shapes, structural.
Tanks, storage, etc.
Iron & Steel Mfrs.—Tools:
Augers, bits, gimlets, gimlet bits, & counter sinks; wood-working.
Automotive wrenches & parts.
Axes.
Cross-cut, hand, back & other saws, & parts not elsewhere specified.
Files & rasps:
Less than 7 inches in length.
7 inches or more in length.
Hammers & hatchets.
Hand hoes, rakes & forks.
Hay & manure forks.
Machetes.
Iron & Steel Mfrs.—Tools—Continued.
Other wrenches & parts (except automotive).
Planes, chisels, gouges, & other cutting tools & parts.
Shovels, spades, scoops & drainage tools.
Vises.
Wood screws (of iron or steel only).
Iron & Steel Mfrs.—Tubular Products:
Pipe.
Tubes.
Iron & Steel Mfrs.—Wire:
Wire.
Wire bale ties.
Wire, barbed.
Wire fencing, woven.
Wire rope & cable.
Iron & Steel Mfrs.—Misc.:
Drums, metal & containers, for oil, gas, solids & liquids, filled or unfilled.
Drums, & containers, other.
Fence posts.
Oils & Fats—Animal, Fish & Marine Mammal—(including only):
Butter.
Lard.
Paper & Paper Mfrs.—All forms except:
Cellophane.
Kraft wrapping paper.
Newspaper, baled (old & overissue).
Newspaper, overissue.
Newspaper, other overissue & old newspaper.
Paper, waste paper.
Vulcanized fiber sheets, strips, rods & tubes.
Petroleum Products.

(c) British Purchasing Commission (910 G Street, N. W., Washington, D. C.). Destination: Egypt and all countries in the British Empire except Canada, Great Britain & Northern Ireland:

Abrasives & Abrasive Mfrs. (except diamond grinding wheels).
Aircraft—Parts, Equipment & Accessories. (Other than those listed in Proclamation 2549, 7 F.R. 2769 et seq.)
Bismuth.
Brass and Bronze (which may be exported under unlimited license to all countries in the British Empire, including Great Britain and Northern Ireland, and to Egypt.)
Chemicals:
Bismuth salts & compounds.
Casein.
Casein glue.
Copper salts & compounds.
Nickel salts & compounds.
Petrolatum & Petroleum jelly.
Copper.
Cork Products:
Gaskets in shipments under $50 in value (which may be exported under this unlimited license to all countries in the British Empire, including Canada, Great Britain and Northern Ireland, and to Egypt).
Electrical Machinery & Apparatus:
Radio mica condensors or capacitors.
Radio mica dial or mica covered compasses.
Radio mica trimmers.
Radio receiving sets, complete.
Radio receiving sets components, n. e. s.
Radio tubes & valves for receiving sets.

Electrical Machinery & Apparatus—Con.
Radio tube ridges.
Radio tube spacers.
Engines—Aircraft Parts.
Iron & Steel (including all items from Iron ferro-alloys through Iron and Steel Mfrs.—Miscellaneous, except numbers 6010.2, 6010.3, 6010.4, 6010.7, 6010.9, 6011, 6015, 6118.05, 6118.09, 6118.25, 6147.05, 6152.85, 6154.43, 6154.98, 6155.15, 6155.2, 6156.05, 6167.43, 6167.98, 6178.90, 6178.91, 6178.96, 6178.98).
Machinery:
For Mfr.—Aviation Lubricating Oil.
For Mfr.—Aviation Motor Fuel.
Bearings (except when installed).
Petroleum & Gas Well (except Diesel Engine Parts).
Petroleum & gas well equipment & parts (except drilling) and Seismographs & parts.
Petroleum & gas well drilling apparatus & parts.
Petroleum well machinery & parts, n. e. s.
Petroleum Refining:
Petroleum refining machinery, equipment & parts.
Petroleum refinery machinery & parts, n. e. s.
Naval Stores:
Pin oil.
Rosin, gum.
Rosin, wood.
Rosin, other, inc. refined, sulphate wood rosin.
Tar & pitch of wood (inc. "B" wood) rosin.
Nickel.
Oilseeds, Vegetable (and other vegetable oil bearing raw materials), except hemp-seed.
Oils & Fats—Animal, Fish & Marine Mammal, including only:
Butter.
Grease, hog.
Grease, stearin.
Lard.
Oil, lard.
Oil, oleo.
Oil, sperm.
Oil, whale.
Oleic acid, or red oil.
Oleomargarine of animal or vegetable fats.
Oleo stearin, edible.
Oleo stock.
Stearic acid.
Tallow, edible & inedible.
Oils & Fats—Vegetable:
Oil, corn, crude & refined.
Oil, cottonseed, crude & refined.
Oil, olive, sulphured or foots.
Oil, peanut, crude & refined.
Soap stock, vegetable.
Vegetable stearin.
Fats, cooking, other than lard.
Acids, fatty, of vegetable origin.
Oil, foots, vegetable.
Paper & Paper Mfrs., including only:
Book paper, not coated (may not be exported to Egypt under this unlimited license).
Bristols & bristol board.
Cigarette Paper (may not be exported to Egypt under this unlimited license).
Newsprint paper, printing paper (may not be exported to Egypt under this unlimited license).
Paper & Paper Mfrs., including only—Continued.
Tissue & crepe paper (may not be exported to Egypt under this unlimited license).
Writing paper, bond, ledger & drawing.
Petroleum Products (except Tetraethyl lead).

(d) Netherlands Purchasing Commission (10 Rockefeller Plaza, New York, N. Y.). Destination: Surinam and Curacao:

Abrasive Mfrs.:
Grinding wheels.
Aircraft Parts, Equipment & Accessories, other than those listed in Proclamation 2549, 7 F.R. 2769 et seq.
Asbestos Mfrs.
Chemicals:
Petrolatum.
Copper.
Electrical Machinery & Apparatus:
Radio transmitting sets, tubes & parts.
Radio receiving sets, complete.
Radio tubes or valves for receiving sets.
Radio receiving set components.
Loud speakers.
Other receiving set accessories.
Glass:
Glass, bullet proof (laminated glass containing 3 or more sheets)
Glass, optical, other than ophthalmic, blanks.
Instruments, Precision for Metal-Working Gauges.
Iron—Ferro Alloys.
Iron Ore.
Iron, Pig.
Iron & Steel:
Bars & Rods.
Billets.
Blooms.
Band & Scroll.
Baling bands.
Hoop.
Ingots.
Plates.
Scrap.
Sheets, black.
Sheet bars.
Skelp.
Slabs.
Strip.
Tinplate.
Iron & Steel Mfrs.—Castings & Forgings:
Castings.
Forgings.
Iron & Steel Mfrs.—Railway Material:
Railway Axles.
Railway wheels.
Iron & Steel Mfrs.—Railway Track Material:
Rails.
Rail tieplates, joints, splice bars.
Railroad spikes.
Iron & Steel Mfrs.—Structural Products:
Piling, steel.
Shapes, structural.
Iron & Steel Mfrs.—Tubular Products:
Pipes.
Tubes.
Iron & Steel Mfrs.—Wire:
Wire, bale ties.
Wire, barbed.
Wire, drawn.
Wire, fencing, woven.
Wire & rods
Iron & Steel Mfrs.—Miscellaneous:
Drums, metal & containers.
Drums, metal & containers, other.
Fence posts.
Steel tanks, lined.
Machinery:
Bearings (except when installed).
Metal Working, Tools, Metal Cutting:
Dies.
Dieheads.
Hobs.
Milling Cutters.
Reamers.
Sheer knives.
Taps.
Twist & other drills.
Nickel.
Paper & Manufactures (all forms except):
Kraft wrapping paper.
Kraft container paper.
Cellophane, sheets or rolls.
Petroleum & Gas Well:
Petroleum & gas well drilling apparatus & parts.
Petroleum well & refining machinery & parts, n. e. s.
Petroleum Products & Tetraethyl Lead:
Crude oil.
Gasoline.
Kerosene.
Liquefied petroleum gases.
Lubricating oil.
Naphtha.
Tetraethyl lead.
Synthetic Textiles:
Braids, fringes, & narrow trimmings of Rayon, Nylon & other Synthetic Textiles.
Rayon waste & staple Fiber including rags, clips, noils, whether or not machined or otherwise advanced (except yarn).
Rayon yarn, single & plied.
Wool:
Wool yarns.

(e) Universal Trading Corporation (630 Fifth Avenue, New York, N. Y.). Destination: Unoccupied China

Abrasives.
Abrasive Manufactures.
Carbon Electrodes.
Copper.
Chemicals:
Ammonia & Ammonium Compounds except Ammonium Phosphate.
Zinc pigments.
Electrical Machinery & Apparatus:
Generators, ¾ kilowatt or over, alternating current.
Generators, ¾ kilowatt or over, direct current.
Motors, 1–200 H. P.
Motors, Over 200 H. P.
Railway motors.
Steam turbine generator sets, ¾ kilowatt to 500 kilowatts.
Steam turbine generator sets, over 500 kilowatts.
Transforming or converting apparatus, rotating converters, ¾ kilowatt to 300 kilowatts.
Transforming or converting apparatus, rotating converters, over 300 kilowatts.
Glass & Glass Products:
Optical glass.

Graphite Mfrs.
Graphite electrodes.
Instruments, Precision (For Metal Working) Gauges.
Iron & Steel.
Machinery:
Bearings (except when installed).
Metal working—Tools, Metal Cutting:
Dies.
Twist & other drills.
Milling cutters.
Reamers.
Taps.
Mining, Well & Pumping:
Hydraulic pumps.
Petroleum & Gas Well:
Petroleum & gas well drilling machinery & parts.
Vehicles, Automotive, Parts & Accessories:
Industrial Trucks.
Nickel.
Petroleum Products or Tetra-ethyl Lead:
Aviation gasoline (Classes E & F).
Aviation lubricating oil (Classes O & P)
Crude oils—(Classes A, B, C)
Gas oil—(Class M).
Kerosene—(Class L).
Distillate Fuel Oil—(Class M).
Residual Fuel Oil—(Class N).
Shellac.
Valves:
Valves or valve bodies.

PART 804—INDIVIDUAL LICENSES

Sec.
804.1 General provisions.
804.2 Applications for licenses.
804.3 Expired, revoked and unused licenses.
804.4 Weight and volume tolerance.
804.5 Port of exit.
804.6 Duplicate licenses.
804.7 Special provisions concerning applications to export certain commodities.
804.8 Certificates of necessity.
804.9 Appeals from rejections of applications.

AUTHORITY: §§ 804.1 to 804.9, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 804.1 *General provisions.* (a) The articles, materials and supplies enumerated in § 801.2 of this subchapter may be exported only pursuant to individual licenses issued by the Export Control Branch, unless exportation is authorized by general, unlimited, technical data, or other special form of license.

(b) Application for individual license shall be made on the form prescribed by the Export Control Branch. All terms, conditions, provisions and instructions contained in the form are hereby incorporated as a part of the regulations in this subchapter.

(c) The return post card furnished with each application must be filled in and submitted to the Export Control Branch with the application.

(d) When countersigned and bearing the official seal of the Board of Economic Warfare, the application becomes a license.

(e) When a license is issued, the case number assigned by the Export Control Branch becomes the license number.

(f) An individual license is valid for six months unless it is otherwise stated on the license or unless sooner revoked.

§ 804.2 *Applications for licenses.* (a) License applications may be made by any person subject to the jurisdiction of the United States, who is in fact the exporter, or by his duly authorized agent, except as specified in paragraph (b) of this section. An applicant not subject to the jurisdiction of the United States must show that unusual hardship would result from a refusal to consider the application.

(b) (1) Applications for licenses to export unused metal-working machinery may be filed only by the manufacturer of such machinery.

(2) Applications for licenses to export farm equipment and machinery classified under Department of Commerce Schedule B numbers 7143, 7365, 7368, 7800–7870, 7879–7899, and 7975, may be filed only by the manufacturer of such machinery: *Provided*, That the manufacturer may submit application on behalf of a dealer, broker, etc.

(c) A separate and complete application must be submitted for each commodity to each consignee in each country of destination.

(d) Where partial or periodic shipments of an identical commodity are being made by the applicant to the same consignee in a foreign country, an application may be filed covering the entire quantity of goods to be so exported, and if a license is issued, partial shipments may be made from time to time during the life of the license.

(e) A second application covering the same proposed exportation must not be submitted pending action on the first application.

(f) All information pertaining to an application for an export license must be attached to the license application at the time it is originally filed. Additional information concerning the application for the license will not be attached after it has been received by the Export Control Branch.

§ 804.3 *Expired, revoked and unused licenses.* (a) If a license expires before complete shipment has been made, the licensee shall return the expired license to the Export Control Branch but may make a new application for the unshipped balance.

(b) If the license is revoked, expires or if shipment is not to be made, the license shall be returned immediately to the Export Control Branch, with a covering letter explaining the reason for such return. If the license is not in his possession, the licensee shall notify the Export Control Branch.

§ 804.4 *Weight and volume tolerance.* (a) For all articles and materials requiring export license, a ten percent (10%) tolerance by weight or volume over the amount specified on the license is allowed, except as noted below:

Pharmaceuticals and finished drugs	1 percent.
Platinum and platinum group metals	1 percent.
Industrial diamonds	Nearest carat.
Radium and radium salts	Nearest 100 milligrams.
Uranium and uranium salts.	Nearest 100 milligrams.

(b) This tolerance is allowed only when the unit of quantity called for on the license application is in terms of weight or volume and shall not be allowed where the unit of quantity called for is in terms of number of units.

(c) In all cases the tolerance shall be allowed on the basis of the actual quantity stated on the license.

(d) Whenever one or more partial shipments of the licensed material have been made, the license remains valid only for the unshipped balance of the licensed material, plus 10% of such balance; but this provision will not apply in the case of articles listed under paragraph (a) of this section.

(e) A tolerance up to ten percent (10%) in value over the value specified on the license is allowed on shipments where there is a proportionate increase in quantity.

§ 804.5 *Port of exit.* (a) Merchandise which leaves the United States at one frontier port crosses adjacent foreign territory, and reenters the United States at another frontier port before final exportation to a foreign country, will be treated as an export at the last port of exit from the United States.

(b) A license may be used for exportation from any port subject to the jurisdiction of the United States unless the Chief of the Export Control Branch shall otherwise direct.

§ 804.6 *Duplicate licenses.* Where a license is lost or destroyed, a duplicate of such license may be obtained by the licensee in accordance with the following procedure:

(a) Another application identical in all respects to the former and marked "Duplicate" must be submitted.

(b) An affidavit must be attached to the new application stating:

(1) That the original license has been lost or destroyed.

(2) What goods, if any, have been shipped under the original license.

(3) That affiant agrees to return the original license to the Export Control Branch if it is found.

§ 804.7 *Special provisions concerning applications to export certain commodities*—(a) *Chemicals and medicinals.* All applications for licenses to export chemicals, medicinals and pharmaceuticals must include in the answer to question 14 of the prescribed form such indication of grade, form, concentration, mixtures or ingredients as may be necessary to identify the commodity accurately, and must state fully how the shipment will be packed.

(b) *Diamonds and tools containing diamonds.* (1) All applications for licenses to export diamonds must include in the answer to question 14 of the prescribed form a statement of the actual carat size of each stone covered by the application.

(2) All applications for licenses to export tools incorporating industrial diamonds must include in the answer to question 14 of the prescribed form a statement of the actual carat size of each stone contained in any such tool.

(c) *Containers.* (1) Containers, other than those made of metal, require no license when exported filled.

(2) Metal drums and containers, filled or unfilled, require an individual license except as provided in § 802.14 of this subchapter.

All applications for such licenses must state:

(i) The weight in pounds of the metal drums and containers.

(ii) The number of metal drums and containers.

(iii) The volume contents (in gallons) of the metal drums and containers.

(iv) Whether or not the drums and containers are foreign-owned and sent to this country for filling and return.

(v) Whether or not drums and containers will be returned to this country.

(3) When articles or materials requiring a license for exportation are to be shipped in containers which also require a license, a single application may be filed covering both the container and its contents.

(d) *Metals.* (1) All applications for licenses to export any ferrous or nonferrous articles or materials (except all ores, concentrates, smelter and refinery residues and unrefined products covered by paragraph (e) of this section), listed under iron, iron and steel, ferro-alloys and non-ferrous metals in the schedules set forth in § 801.2 of this subchapter, except chemicals and refractories, if containing any of the elements listed below, must include a statement of weight in pounds, if amounting to ten or more pounds, of each such element if present in percentages in excess of the minimum indicated below:

15 percent or more:	5 percent or more—Con.
Copper.	Chromium.
Lead.	Cobalt.
Zinc.	Nickel.
10 percent or more:	Tin.
Aluminum.	Tungsten.
Bismuth.	Vanadium.
Magnesium.	Any percent:
Manganese.	Beryllium.
Mercury.	Columbium.
Molybdenum.	Tantalum.
Titanium.	Uranium.
5 percent or more:	Zirconium.
Antimony.	
Cadmium.	

(2) All applications for licenses to export any ferrous or non-ferrous articles or materials covered by subparagraph (1) must contain a statement of the weight of each of the following elements, regardless of amount, in the unit of quantity indicated below:

Platinum group metals	In troy ounces.
Radium	In grams.

(e) *Ores, concentrates, etc.* (1) All applications for licenses to export ores, concentrates, smelter and refinery residues or unrefined products (listed in the schedule set forth in § 801.2 of this subchapter under the headings iron, iron and steel, ferro-alloys, and non-ferrous metals, except chemicals and refractories), containing any of the elements listed below, must include a statement of the weight in pounds, if amounting to ten or more pounds, of each such element:

Aluminum.	Mercury.
Antimony.	Molybdenum.
Beryllium.	Nickel.
Bismuth.	Tantalum.
Cadmium.	Tin.
Chromium.	Titanium.
Cobalt.	Tungsten.
Columbium.	Uranium.
Copper.	Vanadium.
Lead.	Zinc.
Magnesium.	Zirconium.
Manganese.	

(2) All applications for licenses to export the commodities covered by subparagraph (1) must contain a statement of the weight, regardless of amount, in the unit of quantity indicated, of each of the following elements:

Platinum group metals	In troy ounces.
Radium	In grams.

(f) *Petroleum.* All applications for licenses to export crude oil must contain a statement of the A. P. I. gravity of all such oil.

(g) *Rubber and manufactures.* All applications for licenses to export rubber or rubber goods must contain a statement of the crude rubber content of the articles or materials included in the applications.

(h) *Steel products.* (1) All applications for licenses to export any steel products must state whether the steel is "stainless steel", "alloy steel other than stainless", or "not containing alloy". For purposes of this paragraph, these categories are defined as follows:

(i) Stainless steel: Includes all steel (other than tool steels) containing 9 percent or more of chromium, with or without other alloys, or a combined content of 18 percent or more of chromium and other alloys.

(ii) Alloy steel other than stainless: Includes only steel where the minimum of the range specified in any of the elements named exceeds the following percentages:

Over 0.10	Molybdenum.
Over 0.30	Chromium.
Over 0.40	Nickel.
Over 0.50	Copper, silicon.
Over 1.65	Manganese.
Over any percent	Cobalt, titanium, tungsten, vanadium, zirconium.

(2) Separate applications for licenses to export any steel products are required for each of the three following categories and for each of the various steel products, even though the same Department of Commerce Schedule B commodity number is applicable to all three categories:

(i) Not containing alloy

(ii) Stainless steel (includes stainless iron)

(iii) Alloy steel other than stainless

(i) *New typewriters.* All applications for licenses to export new typewriters to all countries except the other American Republics must be accompanied by an application for a "Permit for Transfer of New Typewriters for Export" on the prescribed War Production Board form.

(j) *Bunker fuel.* All applications for licenses to export bunker fuel necessary for return trips to the United States of vessels not operating under the jurisdiction of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 must have the following information attached:

(1) Name of ship and nationality.
(2) Type of fuel.
(3) Gross tonnage.
(4) Net tonnage.
(5) Deadweight tonnage.
(6) Bunker capacity.
(7) Permanent bunkers.
(8) Average speed.
(9) Type of engine.
(10) Indicated horsepower at average speed.
(11) Average daily consumption of coal (or oil) at sea.
(12) Average daily consumption of coal (or oil) in port.

(k) *Farm Machinery.* Applications for licenses to export farm equipment and machinery classified under Department of Commerce Schedule B numbers 7143, 7365, 7368, 7800–7870, 7879–7899, and 7975, must be accompanied by the following form properly filled out:

	Value dollars	*Value dollars*
A. Total value of allocated farm equipment exported by applicant during the year 1940 to country named in application		———
B. Total value of exports of allocated farm equipment by applicant under general license to the country named in the application from November 1, 1941 to February 20, 1942		———
C. Total value of allocated farm equipment covered by individual licenses granted applicant to the country named on the application from November 1, 1941 to date		———
D. Total value of applications for export of allocated farm equipment to the country named now pending in the Office of Exports including this application		———
E. Total of items B, C, and D		———

The statements above made are to be considered a part of our attached export license application which covers equipment, the production of which is authorized by War Production Board's Order L–26, as amended.

(Signed)

§ 804.8 *Certificates of necessity.* (a) A Certificate of necessity is a certification by any one of the countries hereinafter listed establishing the degree of essentiality of the articles or materials described in such certificate.

Country	*Certifying agency*
Argentina	Central Bank.
Bolivia	Ministry of National Economy, Bolivia.
Brazil	Carteira de Exportacao e Importacao, Banco de Brazil.
Colombia	Department of Commerce and Industry of Ministry of National Economy.
Costa Rica	Junta de Defensa Economica.
Cuba	Import and Export Agency (headed by Dr. Jose Miguel Irisarri).
Dominican Republic	Comite de Control Sobre Importacionees y Exportaciones.
Ecuador	Oficina de Prioridades y Distribucion de Importaciones.
El Salvador	Import Control Committee of Ministry of Finance. (Two signatures necessary—W. W. Renwick, President; Jose Mojia Perez, Vice President: or Alfredo Mojia, Secretary, authorized to sign for Committee; Rodrigo Samayoa, Minister of Finance, or Arturo Bustamante, Under Secretary of Finance, may sign for Government).
Guatemala	Seccion de Coordinacion Economica Financiera de Guatemala (under jurisdiction of Ministry of Foreign Relations).
Haiti	Office des Contingents (quota office).
Honduras	Oficina de Controle.
Mexico	Oficiana de Control y Aprovisionamientos (a section of the Ministry of National Economy).
Nicaragua	Junta de Control de Precios y Comercio.
Panama	Ministry of Agriculture and Commerce.
Paraguay	Department of Industry and Commerce of Ministry of Agriculture.
Peru	Reparticion Commercial, Ministerio de Hacienda y Comercio.
Uruguay	Controlor de Exportaciones e Importaciones (Office of Export and Import Control.
Venezuela	Import Control Commission.

(b) Applications for licenses to export to the countries listed in paragraph (a) of this section commodities which have been allocated for export will not be considered unless accompanied by a Certificate of Necessity or unless there appears on the application a statement that the applicant was not able to secure a Certificate of Necessity, or for stated reasons does not desire to do so. The following commodities have been placed under allocation:

Commodities	*Department of Commerce Schedule B numbers*
Acetic acid	8300
Acetone	8316
Aconite	2209.27
Ammonium Sulfate	8505
Anhydrous Ammonia	8390
Aniline	8025.15
Ascorbic Acid, Synthetic	8119.98
Bauxite	6290, 6296
Belladonna, Leaves, Root, Extract or Preparations containing.	2209.01, 8124.03, 8127.93, 8185.01 through 8135.10, 8150.01, 8151.01, 8160.03
Belting leather	0330
Beryl and Beryllium	6649.05
Brass and Bronze	6440 through 6457
Brushes, paint and varnish, short or long bristle.	9825
Cadmium (metallic)	6645.15, 6649.15
Calf Upper Leather	0304.1, 0304.2, 0305.1, 0305.2
Camphor	8260 F, 8329.98
Carbon Tetrachloride	8329.1
Castor Oil	8111, 2249.01
Caustic Soda	8373
Chlorine	8392
Citric Acid	8303.07
Cobalt	6649.25
Cobalt Oxide	8429.09
Copper	6401 through 6435
Copper Sulphate	8201
Cotton Linters	3004
Cotton Pulp	3006
Cranes	7234, 7235
Cryolite	5960.10, 5960.15
Derricks	7242
Diamond Dies	7455.03
Dibutyl Phthalate	8025.93
Digitalis	2209.98
Dynamite	8604
Electric Incandescent Lamps	7063 through 7065.98
Electrodes:	
Carbon	5473.01
Graphite	5473.05
Ergot	2209.98
Farm Equipment	7143, 7365, 7368, 7800, 7801, 7802, 7804, 7806, 7807, 7808, 7809, 7810, 7814, 7818, 7824, 7827, 7839, 7841, 7842, 7844, 7847, 7849, 7859, 7861, 7864, 7869, 7870, 7879, 7880, 7884, 7885, 7886, 7887, 7889, 7891, 7893, 7896, 7899, 7975
Ferrochromium	6220.5
Ferromanganese	6213.03, 6213.05
Ferrotungsten	6220.96
Fluorspar, metallurgical, acid and ceramic	5960.20
Formaldehyde	8320
Glycerin	8314
Graphite, natural amorphous	5472.01, 5472.98
Flake graphite content in manufactures	5480.55
Heavy Trucks	7903.05, 7903.98, 7904.3, 7904.55, 7904.58
Hoists	7241
Insulin	8123
Ipecac	2209.98
Iron and Steel:	
Car Wheels, Tires, and Axles	6105.15, 6105.18, 6105.25, 6105.35
Castings	6101, 6102, 6104.1, 6104.9
Cast Iron Pipe & Fittings	6066, 6067.05, 6067.98, 6068.05, 6068.98
Concrete Reinforcement Bars and Rods	6022
Other Bars and Rods	6020, 6021, 6023, 6025, 6026, 6029
Forgings	6106, 6107.01, 6107.05, 6108.01, 6108.05
Ingots, Blooms, Billets, etc	6016.01, through 6016.09, 6017.01 through 6017.09
Nails and Bolts	6092, 6093, 6094, 6095, 6099
Pig Iron	6007
Pipe Fittings	6065, 6077.05, 6077.98
Plates	6030.15, 6030.98, 6031.15, 6031.19, 6031.5, 6031.95, 6031.98
Rails	6051, 6052, 6053
Other Railway Track Material	6054, 6055, 6058, 6059
Seamless Steel Pipe	6060, 6062, 6064
Sheets and strips (black)	6032.05, 6032.98, 6035.1, 6035.5, 6035.9, 6036, 6037.11, through 6037.19, 6037.51 through 6037.59, 6037.91, through 6037.98, 6038.51 through 6038.59, 6038.91 through 6038.98, 6038.11, through 6038.19

Commodities	*Department of Commerce Schedule B numbers*
IRON AND STEEL—Continued.	
Sheets and strips (galvanized)	6033, 6034
Structural shapes	6043, 6045, 6046, 6047, 6048, 6049, 6050
Tinplate	6041
Welded Steel Pipe	6061, 6063, 6070, 6071, 6072, 6073
Wire and Manufactures:	
Barbed Wire	6083
Plain Wire	6081, 6082
Other Wire and Manufactures	6085, 6086.1, 6086.9, 6087.1, 6087.5, 6088, 6089.01 through 6091.98
Lead	6507 through 6515.98, 6620, 6670
Light Trucks	7901.05, 7901.98, 7902.05, 7902.98
Locomotives:	
Diesel and Diesel Electric	7141
Electric	7045
Gasoline	7140
Steam	7114
Parts and Accessories	7115
Manila Cordage	3414
Manila Fiber	3402F, 3499.30
Medium Trucks	7902.05, 7902.98, 7903.05, 7903.98
Mercury (metallic)	6635
Metal Furniture	6129 through 6135
Methyl Alcohol	8310
Mica, ground	5512
Mica, built-up	5513
Mica, strategic sheet	5510, 5513
Mica, electric sheet	5510, 5513
Molybdenum content of Ferromolybdenum	6220.85
Molybdenum Wire	6691.08
Naphthalene	8020.05
Neat's Foot Oil	0803
Passenger Cars	7907, 7908, 7909, 7910
Phenol	8023
Phosphorus	8398.87
Phthalic Anhydride	8025.90
Plastics:	
Alkyd Synthetic Resins	8253
Cellulose Acetate Plastics	8265.05, 8265.98
Cellulose Nitrate Plastics	8268.98, 8269.98, 8264
Methyl-Methacrylate Resins	8258.03, 8261.03
Phenolic Synthetic Resins	8255.01, 8260.01, 8261.01, 8255.98
Urea Synthetic Resins	8257.07, 8260.07, 8261.07, 8257.98
Other Resins	8255.98, 8257.98, 8258.98, 8260.98, 8261.98
Platinum and Allied Metals	6920, 6922.05, 6922.09, 6929.05, 6929.98
Potash salts	8531.01, 8531.03, 8531.05, 8531.98
Potassium permanganate	8359.23
Procaine	8135.25
Rayon, other than spun	3840.10, 3840.12
Red Squill	2209.21
Refrigerators	7057, 9841
Rubber, Crude	2001F
Rubber Manufactures	2014, 2017, 2031, 2034, 2036, 2037, 2038, 2039, 2040, 2042, 2053, 2054, 2064, 2069.05, 2069.98, 2084, 2085, 2086, 2087, 2088, 2093, 2099.9
Soda Ash	8365
Sole Leather: Backs, Bends, and Sides	0324
Sole Leather: Other than Backs, Bends and Sides	0332.05, 0332.98
Strontium Chemicals	8397.82 through 8397.88
Sulfaguanidine	8135.98
Sulfanilamide	8135.98
Sulphuric Acid	8309.5, 8309.7
Superphosphate	8519
Tanning Materials (Chromium)	8239.01
Thiamine Hydrochloride	8119.98
Tin	6565.01 through 6565.07, 6565.09, 6565.98, 6565F
Tires and Tubes, Automobile	2060, 2062, 2063
Toluol	8011
Tricresyl Phosphate	8025.91
Tungsten metal, wire, shapes and alloys	6639
Uranium Salts and compounds	8398.30
Vanadium content of Ferrovanadium	6220.87
Wood Pulp	4601, 4602, 4604, 4606, 4608, 4610, 4619
Zinc	6570 through 6589.98

(c) Certificates of Necessity must be obtained from the certifying agencies listed in paragraph (a) of this section. Where such certificates are required by these regulations to be submitted with license applications, the original certificates must be attached to the applications unless it is impossible to furnish the original documents, in which case a duplicate original, a photostat, or a typewritten copy marked "true copy" and signed by the applicant, may be attached: *Provided*, That an explanation is given as to why the original has not been furnished.

(d) Applicants for licenses to export allocated materials to the countries listed in paragraph (a) of this section, should furnish all other available information which establishes the essentiality of the need for the shipments covered by the applications.

§ 804.9 *Appeals from rejections of applications.* (a) Any person whose application for license to export has been rejected may appeal from such rejection: *Provided*, That such appeal shall be based on new information not furnished with the original application.

(b) The appeal shall be addressed to the Export Control Branch, and shall include the following papers securely fastened together:

(1) The rejected application or photostatic copy thereof.

(2) A new application using the prescribed application form covering the identical shipment for which license was rejected.

(3) A letter in duplicate setting forth the reasons why the applicant believes the application should be reconsidered. Additional information which was not presented on the original application and which the applicant feels would justify a reversal of the Board's decision must be submitted. The letter should include a statement of the applicant's past business with the consignee.

(4) An acknowledgement card.

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

Sec.

805.1 General provisions.
805.2 Selected destinations.
805.3 General license provisions.
805.4 Individual license provisions.
805.5 Blockade control permit.

AUTHORITY: §§ 805.1 to 805.5, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 805.1 *General provisions.* The regulations set forth in this part shall be in addition to the regulations governing general and individual licenses set forth in Parts 802 and 804 of this subchapter. In case of conflict, these regulations shall govern, but only as to articles and materials to be exported to the Selected Destinations set forth in § 805.2.

§ 805.2 *Selected destinations.* The countries designated Selected Destinations together with their country numbers for general license purposes are as follows:

French West Africa (including Mauritania, Senegal, French Guinea, Ivory Coast, Togoland, Dahomey, French Sudan and Niger)	G–86
French North Africa (including French Morocco, Algeria and Tunisia)	G–87
Iran	G–88
Iraq	G–89
Eire	G–90
Liberia	G–91
Madagascar	G–92
Portugal	G–83

Portuguese Atlantic Islands (including Principe, Sao Thome, Azores, Maderia and Cape Verde Islands)	G-93
Portuguese Guinea	G-94
Reunion	G-95
Spain	G-82
Syria (Lebanon)	G-96
Spanish Atlantic Islands (including Santa Cruz, Grand Canary, and Canary Islands)	G-97
Spanish Morocco and Tangier	G-98
Sweden	G-84
Switzerland	G-85
Turkey	G-99

§ 805.3 *General license provisions.* General licenses are hereby issued permitting individual shipments valued at $25 or less, by mail only, of all articles and materials, except those listed in paragraph (c) of this section, to the following destinations:

Eire.	Iraq.	Syria.
Iran.	Liberia.	Turkey.

(a) No shipment shall be made pursuant to these general licenses unless the total value of all articles to be exported in a single parcel does not exceed $25.00: *Provided*, That other articles may be included in the same parcel even though the total value of the shipment thereby exceeds $25.00 if appropriate individual licenses for such other articles are presented at the time of mailing.

(b) If a total order is in excess of $25.00 for any single article or material, no split shipments of that order may be made under these general licenses.

(c) The general licenses hereby issued do not apply to the following items:

Aconite.
Agar.
Aircraft parts, equipment, and accessories.
Arsenic.
Atropine.
Bearings.
Belladonna.
Boiler gauge glass tubes.
Bristles (all kinds).
Bromine.
Cacodylic acid.
Cadmium.
Caffein.
Cameras and parts thereto.
Camphor.
Carbon black.
Casein.
Chemicals, all, not elsewhere specified.
Chocolate.
Cholesterol.
Cobalt.
Cork.
Cryolite.
Derris root and powder.
Diamonds.
Digitalis seeds.
Douglas fir.
Dyes.
Electric fuel pumps.
Equipment and parts which can be used, or adapted to use, for the production of aviation motor fuel or tetraethyl lead.
Equipment for the production of aviation lubricating oil.
Fire control instruments, military searchlights, aerial cameras, and other types of military equipment containing optical elements.
Gauges.
Gears.
Graphite.
Gum benzoin.
Gum damar.
Hempseed.
Hemp of all kinds, including manufactures.
Homatropine.
Tools incorporating industrial diamonds.
Tung oil.
Vanadium.
Hyoscine (Scopolamine).
Hyoscyamus (Henbane).
Kapok.
Lecithin.
Lenses.
Machine and hand tools and parts of such tools.
Measuring and scientific instruments (including precision gauges).
Mercury.
Metals, all metals and manufactures, not elsewhere specified, except containers of iron or steel, and clothing fasteners affixed to garments.
Mica and mica manufactures.
Mineral crystals (e. g. quartz, etc.).
Mesothorium, salts and compounds.
Oilseeds.
Optical elements for fire control instruments, aircraft instruments, etc.
Optical glass.
All pharmaceutical natural products.
Photographic film—all types.
Quartz crystals.
Quinine, all forms and preparations.
Radio parts.
Rare earths (Kieselguhr, Thorium, Monasite, Cerium).
Raw furskins.
Rochelle salts.
Rubber and rubber manufactures (including natural and synthetic rubber).
Seeds for sowing.
Shellac.
Silk and silk manufactures.
Sitka Spruce.
Soap.
Stellite rods.
Tanning materials.
Teakwood.
Theobromine.
Theophylline.
Titanium and titanium salts and compounds.
Vitamins and hormones.
Well and refining machinery.
Wolfram.
Zinc.

nor to any additional items enumerated in § 802.10 (a) of this subchapter.

§ 805.4 *Individual license provisions.* (a) Individual licenses permitting shipments to Selected Destinations shall be valid for a calendar quarter year unless otherwise stated thereon. The time of expiration shall be midnight of the 10th day of the first month following the calendar quarter year for which the license is valid.

(b) All applications for licenses to export any articles or materials to any destination listed in § 805.2 must contain the following information in addition to that required by the prescribed form:

(1) A statement of the calendar quarter year in which the exportation is to be made.

(2) A statement as to whether or not a navicert, mailcert, aircert, or export license has ever been issued for the exportation of the article or material covered by the application. If such a document has been issued, the reference number thereof must be stated.

(3) A statement as to whether or not the articles or materials will require transshipment while still subject to control by the applicant, and, if transshipment is required, the reason for the transshipment and the names and addresses of all persons connected with the transaction.

(4) The quantity of the material according to the unit of measure prescribed on the application form, and, in addition, the weight in metric tons or kilograms.

(c) All applications for licenses to export any articles or materials to any destination listed in section 805.2 must be made on a calendar quarter basis. The following provisions are applicable thereto:

(1) All applications for such licenses filed during the first two months of a calendar quarter will be processed by the Export Control Branch for shipment during that quarter. In exceptional cases, the applicant may file his application in advance of the calendar quarter year during which shipment is to be made, but in such cases the applicant must state the reason for filing the application in advance and must specify the calendar quarter year during which shipment is to be made. Licenses thus issued in advance will be valid for shipment ony during the quarter for which issued.

(2) Applications for such licenses which are received by the Export Control Branch after the beginning of the third month of a calendar quarter will be processed for shipment during the succeeding quarter, unless the applicant specifically requests on the application that the license be issued for shipment during the current month.

(3) All such applications may be made for shipment at any time during the calendar quarter except as otherwise stated herein.

(d) (1) All licenses issued for shipment to any of the countries set forth in the list in section 805.2 shall bear a number, identified as "Control Number", in addition to the case number assigned by the Export Control Branch. This number will have a letter prefix, such as "B", "P", "F", "S", or "M". In case of exportation by ship or plane, the control number must be noted on the manifest of the ship or plane carrying the cargo licensed for export. In the case of exportation by mail, the Control Number and the License Number must appear on the outside of each package and on the export declaration.

(2) In the case of exportations to Eire on vessels departing from Canadian ports, the exporter must prepare an extra copy of his export declaration, and must note thereon both license number and the control number. This copy of the export declaration must be verified by the Collector of Customs at the point of exit from the United States.

§ 805.5 *Blockade control permit.* (a) Applications for individual licenses to export articles and materials set forth in paragraph (b) of this section to

Eire.	Spanish Atlantic Islands.
Portugal.	Switzerland.
Spain.	

will not be considered unless a blockade control permit has previously been issued by appropriate authorities in London, or unless covered by an exception stated in paragraph (c) of this section. License applications will be accepted by the Export Control Branch only after notification by appropriate authorities of the issuance of the permit. Upon receipt of notice of the issuance of the permit, the exporter will be advised to file a license application. Applications for blockade control permits shall be made in the countries of destination by the consignee.

(b) The items for which a blockade control permit is at present required are listed below:

Eire

All Commodities.

Portugal

Asphalt.
Petroleum Products.
Tinplate.
Wheat, Wheat Flour, and other Grains.

Portuguese Atlantic Islands

(For Sao Thome only)

Wheat Flour.

Spain

Animal, Vegetable and Fish Oils, Fats, Greases and Waxes.
Basic Slag.
Beans.
Binder Twine, rope and other twine (including jute yarn).
Carbon Black.
Cascin.
Cocoa and cocoa preparations.
Coffee.
Copper ore, metal scrap and alloys.
Copper Sulphate.
Cotton, raw, carded and waste.
Edible Oils.
Ferro alloys.
Fertilizers (nonphosphatic) of animal and vegetable origin not chemically prepared; bone, fish and meat meal.
Fodder including Hay, Cereal Offals, Chickpeas, Maize, Maize Meal, Barley, Oats, Pulses.
Hemp, soft.
Hides and leather (excluding manufactures).
Industrial oilseeds (resins, cacao, castor, soya, copra, flaxseed, hempseed, kernels, nuts, peanuts, rapeseed, cotton-seed, perilla, poppy, sunflower, sesame, etc.).
Iron and Steel scrap.
Jute, raw (including punga, urena), waste, tissues and manufactures (including bags).
Manganese ore (excluding pyrolusite), metal, alloys, scrap and ferro manganese.
Manila hemp and tow.
Nickel ore, metal scrap and alloys.
Nitrogenous fertilizers, natural or synthetic (Chile saltpetre, sulphate of ammonia, calcium cyanamide, etc.).
Petroleum products.
Phosphates, natural.
Rice and Maizena.
Rubber latex.
Rubber—raw (including synthetic).
Rubber scrap, waste and reclaimed.
Rubber tires and tubes.
Sisal hemp and tow; kapok.
Sugar.
Superphosphates.
Tin ore, metal scrap.
Tinplate.
Tree Spray, porocide.
Wheat, Rye, and their Flours.

Spanish Atlantic Islands

Animal Fats and Vegetable Oils and Oilseeds.
Coffee.
Fertilizers.
Fodder including Hay, Cereal Offals, Chickpeas, Maize, Maize Meal, Barley, Oats, Pulses.
Meat.
Pork and Bacon.
Rice.
Rubber Tires and Tubes.
Superphosphates.
Wheat, Rye and their Flours.

Switzerland

Barley (including Barley Malt).
Babbit Metal.
Carbon Black.
Casings (Beef and Hog).
Castorseed.
Coal.
Cocoa and Preparations.
Cocoa Butter.
Cocoanut (Ceylon and/or Desiccated).
Coffee.
Corn Syrup.
Cotton (Raw or Carded, including Waste, other than Linters).
Eggs, Fresh or Dried.
Fats (Animal and Vegetable).
Honey.
Fishmeal.
Glucose.
Greases (Animal and Vegetable), but not Waxes (animal and vegetable).
Hen Yolks.
Hen Albumen Crystals.
Maize and Fodder Generally (includes Beans, Peas, Lentils, Dried Edible Beans, Cereal Offals, Edible White Beans, Hay, Pulses, Meat Meal, etc.).
Malt.
Malt Extracts.
Oil—Animal and Vegetable:
Cod Liver.
Cottonseed.
Castorseed.
Chinawood.
Oil—Animal and Vegetable—Con.
Fish Lubricating.
Mineral (including Shock Absorber Fluid, Brake Fluid, Auto Declene Flushing Fluid).
White.
Oilseed Cake, Meal and Residues.
Oilseeds.
Peanut Butter.
Petroleum Products (all, excluding small consignments of oils and fats for pharmaceutical or cosmetic purposes).
Rapeseed and Oil.
Rubber (Raw).
Rubber Tires.
Rubber Manufactures (including sports goods, but excluding goods for medical and like purposes).
Rice.
Rye.
Saccharine.
Solid Glucose.
Spices (Pepper, Nutmeg, Bay Leaves, Cardamons, Pimento, etc.).
Stearic Acid.
Stearin.
Sugar (Corn, Raw, and Refined).
Tea.
Tinplate (including Alloy and Scrap).
Tin Metal.
Tobacco.
Vegetable and Animal Fats and Oils.
Vitamin Concentrates (including Cod Liver Oil).
Vegetable Seeds.
Oats.
Cotton Piece Goods (not including clothing and other manufactures of cotton).
Woolen Piece Goods (not including clothing and other manufactures of wool).

(c) Exceptions:

The requirements of this paragraph shall not apply to:

(1) Exportations to Eire, when made by mail, regardless of value, or

(2) Exportations to all destinations subject to the blockade control permit regulations other than Eire of noncommercial consignments, when shipped by mail, provided the articles so shipped are for the personal use of the ultimate consignee. Where this exception is applicable, the application for license must specify the "personal use."

(3) Exportations of normal trade samples of reasonable quantity, when shipped by mail, to all destinations subject to the blockade control permit regulations other than Eire. Where this exception is applicable, the license application must give details regarding the sample.

PART 806—TECHNICAL DATA

Sec.
806.1 Definition.
806.2 General licenses.
806.3 Blanket licenses.
806.4 Special licenses.
806.5 Unlimited licenses.
806.6 General provisions.

AUTHORITY: §§ 806.1 to 806.6, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 806.1 *Definition.* Technical data is hereby defined as, "Any professional, scientific or technical information or any

model, design, photograph, photographic negative, document, or other article or material, containing a plan, specification, or descriptive or technical information of any kind which can be used or adapted for use in connection with any process, synthesis or operation in the production, manufacture, reconstruction, servicing, repair, or use of any article or material," except that any technical information licensed by the Commissioner of Patents under the authority of Public Law No. 239, 77th Congress, approved August 21, 1941 shall not be included within this definition.

§ 806.2 *General Licenses*—(a) *Definition.* A general license is a license issued by the Chief of the Export Control Branch for which no application is required, available for use by the general public, permitting exportation of specified classes of technical data to specified countries or consignees in accordance with the regulations herein prescribed and those which may be prescribed at the time of issuance of such general license.

(b) *United States Government or agency thereof.* A general license is hereby issued permitting exportation of all technical data to:

(1) United States Government or agency or instrumentality thereof.

(2) Contractors engaged in the construction of United States outlying military or naval bases and supervised by an officer of the United States.

Provided, That, any technical data exported to the consignees in subparagraphs (1) and (2) of this paragraph shall be furnished or intended for the use of the United States Government or one of its agencies or instrumentalities.

Any person exporting under this general license shall state in a conspicuous place on the envelope or outside wrapper, "General license No. TD-U. S., or General License No. TD-U. S. Contract," (depending upon whether or not the consignee is the United States government or a contractor thereof) and the name of the country of destination.

(c) *Canada.* A general license is hereby issued permitting exportation to Canada of all technical data except that which has been declared secret or confidential by an authorized agency or officer of the United States and for which a release for export has not been granted. Any person exporting under this general license shall state in a conspicuous place on the envelope or outside wrapper, "General License TD-Canada."

(d) *Newspapers.* A general license is hereby issued permitting the exportation of newspapers, except when exported as a commodity such as over-issue, baled, and old newspapers, to consignees in destinations numbered 1 through 99, as set forth in § 802.2 (a) of this subchapter. A general license number designation is not required to be placed on the wrappers of newspapers exported under this general license.

(e) *Technical, scientific and professional publications.* (1) A general license is hereby issued permitting exportation of publications devoted in whole or in part to scientific, technical or professional data for which a license has been granted by the Office of Censorship upon recommendation of the Export Control Branch in accordance with the provisions of the Postal Censorship Regulations approved March 17, 1942, 7 F.R. 2171. The designation on the outer wrapper of publications exported under the general license set forth in subparagraph (1) of this paragraph shall be the same as are required by the Postal Censorship Regulations as they may from time to time be amended.

(2) A general license is hereby issued permitting exportation of all publications to destinations 1 through 99, as set forth in § 802.2 (a) of this subchapter, which do not require an Office of Censorship license under the authority of the Postal Censorship Regulations and as to which a specific determination has been made by the Export Control Branch that such publications are not devoted to technical, professional or scientific matters. No such publication may be exported as a commodity, such as mixed books, over-issue magazines and No. 1 heavy books and magazines, under this general license.

(f) *Regulations applicable to General licenses.* (1) Any person making an exportation of technical data under the general licenses set forth in § 806.2 (c) shall place within the envelope, wrapper, or container of each export shipment a certificate signed by the person making the export, which certificate, except as provided in subparagraph (2) of this paragraph, shall contain the following statement: "This shipment contains no technical data which is known by me to have been declared secret or confidential by any officer or agency of the United States. Diligence has been exercised in an effort to learn of any such declaration of secrecy or confidence."

(2) If any shipment made under the general licenses contained in § 806.2 (c) contains any technical data which has been declared secret or confidential but which has been released for export, the person making the exportation shall enclose within such shipment properly authenticated or certified evidence of the release for export. For the purposes of this regulation, photostatic copies or other authentic facsimiles of the official letters of release from the appropriate government officer or department is acceptable evidence of the fact of the release above-mentioned.

(3) It shall be a violation of this regulation to make any exportation under these general licenses with the knowledge or intention that the technical data is to be reexported from the country of destination.

(4) A general license may be revoked or suspended at any time as to any consignee in any destination.

(5) A general license may be revoked as to any person within or without the United States exporting technical data and the privilege of using such license may be denied as to any such persons in the manner provided in Part 807 of this subchapter.

§ 806.3 *Blanket licenses*—(a) *Definitions.* A blanket license is one issued to particular persons authorizing exportation of routine technical data including installation, operating, servicing, repair or processing instructions and technical data concerning minor changes or alterations in the installation, operation, servicing or repairing of machinery or equipment now in service in the country of destination or in currently used processes therein.

(b) *Technical data excepted.* Technical data exported under blanket license shall not include any information concerning United States military or naval units, shipping schedules or other similar information as set forth in the following documents as they may from time to time be amended:

United States Postal Censorship Regulations.
United States Radio Telephone Censorship Regulations.
United States Cable and Radio Censorship Regulations.
War Department document entitled, "Statement of War Department policy regarding Dissemination and Publication of Information Concerning Contracts, Production Site Locations, etc."

Where the exporter has any reason to believe that any information falls within the categories mentioned, the proposed shipment of material to be exported shall, prior to exportation, be transmitted to the Export Control Branch for examination and approval.

(c) *Technical data requiring specific authorization.* Nonroutine technical data shall not be exported under blanket license unless specifically authorized by the Export Control Branch. Nonroutine technical data shall include but not by way of limitation the following:

(1) Patent applications, amendments thereto and abstracts or other papers pertaining directly to such applications.

(2) Research, laboratory, progress, testing or experimental reports.

(3) Secret, confidential, or restricted information, whether so regarded by the licensee or so declared by an officer or agency of the U. S. Government.

(4) Technical data pertaining to articles or materials designed or intended for military use except such articles, materials, or equipment as may conform to widely known commercial practice.

(5) Technical data pertaining to any articles or materials whatsoever (except for widely known commercial designs) being made for the United States Government or to the specifications of the U. S. Government.

(6) Technical data pertaining to articles or materials to be used in connection with any new developments, projects, or installations.

§ 806.4 *Special licenses*—(a) *Definition.* A special license is one issued to a particular person permitting exportation to specified consignees of nonroutine technical data as set forth in § 806.3 (c).

(b) *Inspection required.* One or more shipments of nonroutine technical data from one consignor to one consignee may be made under a special license but in each instance, the material to be exported shall first be transmitted to the Technical Data Division of the Export Control Branch for inspection and approval in accordance with the procedure specified in the special license.

(c) *Procedure in lieu of inspection.* Where material is too bulky to transmit to this office for examination or by reason of time requirements or extreme urgency it is impossible or impractical to transmit material to this office for examination prior to shipment under a special license, the licensee may be authorized to export such material without prior examination by the Export Control Branch, but in each such case, a covering letter shall be submitted and such letter shall contain a complete statement of the reasons for the nonsubmission of the material and an accurate descriptive listing of all material to be exported.

§ 806.5 *Unlimited licenses*—(a) *Definition.* An unlimited license is one permitting the exportation of catalogues, sales promotional material and other similar type technical data except that it shall not be used to export magazines or periodical types of publications or technical data for which a blanket or special license must be used.

(b) *Application requirements.* Application for unlimited catalogue license shall be made on the prescribed form (currently OE Form No. 16–c) and shall be accompanied by an expert list in triplicate, naming specifically the items desired to be exported and including copies of each such item.

§ 806.6 *General provisions*—(a) *Regulations governing exportations.* Exports of material under blanket, special and unlimited licenses shall be made in accordance with the regulations stated in such licenses.

(b) *Application requirements for blanket and special licenses.* Applications for blanket and special licenses covering proposed exportations from one consignor to one consignee shall be filed in triplicate on the prescribed form (currently AEC Form No. 16).

Each application shall be supported by a covering letter amplifying the information given in the application form and setting forth such other facts as may be required to completely reveal the relationship existing between the applicant and the consignee and the type of information to be exported. The covering letter shall state:

(1) Generally what need exists for the license.

(2) Whether the technical information is to be exported for general information purposes only or for specific application to a specific situation.

(3) Whether the information is to be used in connection with any new installations, developments, or projects.

(4) Whether the technical information is required for the National Defense, public health, or safety of the country of destination.

(5) Whether the information is required by public service corporations.

(6) Whether the technical data is to be used in connection with any military, naval, or other installation which will tend to aid in the prosecution of the war.

(7) Whether the technical data will be used to produce and export needed material to the United States or to one of the United Nations.

(8) Whether the technical data will be used in the production of any material that is to be exported from the country of destination and if so to what country.

The applicant is not required to indicate whether he is applying for a Blanket or Special License. If the applicant particularly desires that a Blanket License be issued, he shall submit with his application representative samples of all routine material that he may desire to export under Blanket License. This sample material shall be described in complete detail in an exhibit list, filed in triplicate.

(c) *Additional requirements for renewals of blanket and special licenses.* Where a renewal of an existing blanket or special license is applied for, the following information shall be included in the covering letter in addition to that required in paragraph (b) of this section.

(1) Generally what need exists for the extension of the license.

(2) To what extent the expiring license was used, and the approximate figures as to the number of exportations made thereunder.

(3) The special conditions in the form of riders or endorsements appearing on the expiring license.

(4) Whether there is any continued need for such special conditions.

(d) *Additional information required.* (1) In answer to paragraph (6) of the prescribed application form (currently AEC Form No. 16) in addition to stating the ownership and control of the consignee organization, the applicant shall state the relationship between the applicant and the proposed consignee, subsequent consignee and ultimate user and the business engaged in by the proposed consignee, subsequent consignee and ultimate user.

(2) In answer to paragraph (7) (d) of the prescribed application form (currently AEC Form No. 16), the applicant shall set forth a general description by subject matter of the material to be exported under the license if granted. If the applicant contemplates exporting information so new and novel as to form the subject matter for a patent application, or similar experimental or research data, such facts shall be clearly stated.

(e) *Signing of application.* (1) Applications for license to export "technical data" if applied for by a corporation must be signed by an officer of the corporation or a duly authorized agent of the corporation; if made by a partnership, must be signed by a member of the firm, or its duly authorized agent; if made by an individual, must be signed by the individual or his duly authorized agent.

(2) If the application is signed by an agent, the agent's duly authenticated power of attorney and agency must be filed with the Export Control Branch.

(f) *Statement of consignee.* (1) Except where otherwise herein provided, a statement of the ultimate user meeting fully the conditions of the application oath must be filed. If, on the application the ultimate user named is a person other than the consignee, a statement must be obtained from all consignees as well as the ultimate user. Unrestricted general statements of the consignee or ultimate user accepted heretofore by the Export Control Branch may be incorporated by reference in applications for new or renewal licenses. Statements of consignees or ultimate users are not required in applications for licenses to export patent applications, amendments, and other technical information relating to inventions made in foreign countries, but must be obtained and submitted in support of license applications for the exportation, *for informational purposes only*, of descriptive material concerning inventions made in the United States.

(2) A statement of the consignee or ultimate user need not be acknowledged before a notary or consular officer if prepared on the letterhead of the organization of the consignee or ultimate user. The statement shall be dated, the place of its execution set forth, and signed by a responsible official of the organization of the consignee or ultimate user who is actually located in the country of destination and whose authority to enforce the conditions of the statement is apparent.

(3) If the applicant finds it impossible or impractical to submit the signed statement of the consignee or ultimate user at the time the application is filed, the application oath may be modified appropriately and an adequate explanation shall be made of the reasons why the statement is not furnished. The applicant shall also advise the steps being taken to obtain the statement.

(g) *Validity of license.* The technical data, blanket, special or unlimited license shall be valid for a period of one year from date of issuance unless otherwise stated on the license.

(h) *Use of license.* The blanket, special or unlimited license, shall be retained in the possession of the licensee until surrendered voluntarily, revoked by the Export Control Branch or until it expires. Such license need not be presented at the time of exportation of any article or material authorized to be exported thereunder, but the number assigned to the license shall be placed on the outside of the envelope or on the outside wrapper of the package containing such material.

(i) *Duplicate applications.* Duplicate applications shall not be filed unless spe-

cifically requested by the Export Control Branch.

(j) *Duplicate licenses.* Duplicate licenses may be issued by the Export Control Branch provided the licensee shows that the original license was lost or destroyed and submits such sworn proof as may be required in each instance.

(k) *Cables, telegrams and radiograms.* Technical data may be exported by cablegram, telegram or radiogram subject to prior examination and approval of the Export Control Branch. The exporter shall place on the message the number of the license to be used, i. e. special, blanket or general.

(l) *Exports by a personal messenger.* Technical data to be taken out of the country by a personal messenger, representative or agent of the licensee or the consignee shall be properly packaged and the license number indicated thereon if the material comes within the provisions of a general or a blanket license. If the export is to be made under a special license, all the material shall be transmitted to the Export Control Branch for examination and approval prior to exportation, except as otherwise provided in § 806.4 (c).

(m) *Export of technical data with commodity.* (1) Whenever detailed drawings and instructions describing assembly, operation, testing, and routine maintenance or repair of machinery, etc., for which a commodity license (currently Form BEW 119) is required, are to be exported with such machinery, etc., only one application (currently Form BEW 119) need be submitted covering both the commodity and the technical data subject to the following conditions:

(i) The technical data shall apply directly to the particular shipment of the commodity.

(ii) The technical data may not include any manufacturing data.

(iii) The technical data to be exported with the commodity shall be shipped in the same container that is to be used for the commodity.

(iv) The technical data to be exported must be listed on the commodity license (currently Form BEW 119).

(2) Whenever the detailed drawings and instructions describing assembly, operation, testing, and routine maintenance or repair, are to be exported separately from the article or material itself, a technical data license shall be applied for on the prescribed technical data license application form (currently AEC Form 16). Where a commodity license (currently Form BEW 119) has been granted the applicant shall state the commodity license number on the application for license to export technical information related thereto.

(n) *Exports to destinations through a foreign country.* Technical data shall not be exported to a territory or possession of the United States through a foreign country except under license. In each such case, an application shall be made on the prescribed form (currently AEC Form No. 16 or in the case of Unlimited Licenses, OE Form No. 16–c) designating the foreign country or countries through which such technical data will pass.

PART 807—DENIAL OF LICENSING PRIVILEGES

Sec.
807.1 Compliance Commissioners.
807.2 Orders.
807.3 Institution of proceedings.
807.4 Notification to respondent.
807.5 Default.
807.6 Written answer.
807.7 Oral answer.
807.8 Consolidation.
807.9 Reports and recommendations by Compliance Commissioner.
807.10 Disposition.
807.11 Appeal.
807.12 Proceedings to be confidential.

AUTHORITY: §§ 807.1 to 807.12, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Act of June 30, 1942, 77th Cong.; 50 U.S.C. Sup. 99; Order No. 3, Delegations of Authority Nos. 25 and 26, Part 800, *supra*.

§ 807.1 *Compliance Commissioners.* The Executive Director of the Board of Economic Warfare will designate one or more persons to act as Compliance Commissioners. Persons attached to the Office of Exports, or to the Export Control Division of the Office of the General Counsel, shall not be qualified to act as Commissioners. Compliance Commissioners shall have the powers and duties set out in §§ 807.2 through 807.12.

§ 807.2 *Orders.* Orders denying the privilege of any person to obtain an export license may be issued in the name and under the authority of the Chief of the Export Control Branch. Such orders shall be effective for such periods of time and on such terms and conditions as may be prescribed by the Chief of the Export Control Branch.

§ 807.3 *Institution of proceedings.* The Chief of the Trade Intelligence Division of the Export Control Branch may, with the approval of the Office of General Counsel, initiate proceedings to deny the privilege of any person to obtain export licenses in any case where the Trade Intelligence Division has reason to believe that such person has violated any provisions of the statutes, proclamations, executive orders or regulations relating to export control.

§ 807.4 *Notification to respondent.* The Chief of the Trade Intelligence Division shall initiate proceedings by transmitting a telegram or registered letter to the person against whom proceedings are brought. The letter or telegram shall set out the specific nature of the violations charged, shall state that denial of respondent's privilege to obtain export licenses is being contemplated and that failure to answer the charges may result in such action being taken, and shall afford an opportunity to answer the charges either in writing, or orally, before a Compliance Commissioner, within a specified period which shall be not less than 10 days nor more than 15 days after the date of transmittal of the letter or telegram. Charges may be amended from time to time upon reasonable notice to the respondent.

§ 807.5 *Default.* If the respondent does not offer to answer the charges within the prescribed time, the Chief of the Trade Intelligence Division shall submit to the Chief of the Export Control Branch the facts of the case, together with a recommendation for action. Being so advised, the Chief of the Export Control Branch may issue an order denying the privilege of the respondent to obtain export licenses, or take any other appropriate action.

§ 807.6 *Written answer.* If the respondent transmits a written answer, a record shall be prepared containing the charges, the information upon which the charges are based, and the answer. This record shall be transmitted to the Compliance Commissioner.

§ 807.7 *Oral answer.* If the respondent indicates, within the prescribed time, that he desires to present his answer orally, he shall be instructed to appear before a Compliance Commissioner at such time and place as may be designated. The respondent may be represented by counsel. Representatives of the Trade Intelligence Division may question the respondent on any relevant matter: *Provided*, That the respondent shall be informed that he is under no obligation to answer questions. Proceedings before the Compliance Commissioner shall be stenographically transcribed, and the respondent shall be given an opportunity to examine and correct the transcription. A record shall be prepared consisting of the charges, the information upon which such charges are based, and the stenographic transcription, and shall be transmitted to the Compliance Commissioner before whom respondent made his answer.

§ 807.8 *Consolidation.* The opportunity to answer charges may, at the discretion of the Chief of the Trade Intelligence Division, be consolidated with any similar opportunity afforded the respondent by any other government agency with respect to charges upon the same or a related subject matter.

§ 807.9 *Reports and recommendations by Compliance Commissioner.* The Compliance Commissioner shall consider the record and shall prepare a written report which shall consist of his findings of fact, including a finding whether or not a violation has occurred, and his recommendations. If the Commissioner finds that a violation has been committed, his recommendation for action shall be advisory only. The report shall be transmitted to the Chief of the Export Control Branch through the Chief of the Trade Intelligence Division. The latter may likewise attach an advisory recommendation for action.

§ 807.10 *Disposition.* The Chief of the Export Control Branch shall review the record, consider the recommendations of the Compliance Commissioner and the Chief of the Trade Intelligence Division, and determine the disposition of the case. In any case where the Commissioner has found that a violation has been committed, the Chief of the Export Control Branch may issue an order denying the respondent's privilege to obtain export licenses for such periods of time and on such terms and conditions as he may prescribe, or take any other appropriate action. In any case where the Commissioner has found that no violation has been committed, the Chief of the Export Control Branch shall enter an order dismissing the charges. In all cases, the respondent shall be notified promptly of the action taken. An order denying the privilege to obtain a license shall contain a notification to the respondent of his right to appeal.

§ 807.11 *Appeal.* A respondent may appeal in writing to the Assistant Director in charge of the Office of Exports, whose decision shall be final. Such appeal shall be taken within 10 days after receipt of a suspension order by the respondent. Oral argument will be permitted only upon direction of the Assistant Director. The Assistant Director shall not consider facts or arguments affecting the merits of the policy embodied in the rules or regulations alleged to have been violated. An order denying the privilege to obtain an export license shall remain in effect pending disposition of the appeal, unless otherwise ordered by the Assistant Director.

§ 807.12 *Proceedings to be confidential.* Pending disposition of a case by the Chief of the Export Control Branch, in accordance with §§ 807.5 and 807.10, all proceedings pursuant to this Part shall remain confidential.

Dated June 30, 1942.

F. R. KERR,
Colonel Infantry, Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42–6174; Filed, June 30, 1942; 4:33 p. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–62]

ALBERT M. GREEN HOSIERY MILLS, INC.

Albert M. Green Hosiery Mills, Inc., Milroy, Pennsylvania, is a former manufacturer of full-fashioned silk hosiery. After restrictions were placed on the use of silk, the Company applied for and received allocations of reserved rayon yarn pursuant to the provisions of Supplementary Order M–37–a. On January 31, 1942, the Company sold and delivered to Samuel Paris, Bradley Beach, New Jersey, approximately 4,100 pounds of reserved rayon which had been allocated to it for its own use by the War Production Board, despite the fact that no authorization therefor had been obtained from the Director of Industry Operations. This transaction was entered into by the Company although it was familiar with the provisions of Supplementary Order M–37–a and knew that this order prohibited the delivery of reserved rayon yarn in the absence of specific authorization by the Director of Industry Operations.

This violation of Supplementary Order M–37–a, dealing with the supply and distribution of rayon yarn, has impeded and hampered the war effort of the United States by diverting reserved rayon yarn to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.62 *Suspension Order S–62.* (a) Deliveries of material to Albert M. Green Hosiery Mills, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Direct of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(b) No allocation shall be made to Albert M. Green Hosiery Mills, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(c) Albert M. Green Hosiery Mills, Inc., its successors and assigns, shall not order or accept the delivery of reserved rayon yarn, as the same is defined in Supplementary Order M–37–c, and no person shall sell or deliver to Albert M. Green Hosiery Mills, Inc., its successors and assigns, any such reserved rayon yarn, except as specifically authorized by the Director of Industry Operations.

(d) Nothing contained in this order shall be deemed to relieve Albert M. Green Hosiery Mills, Inc. from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on July 2, 1942, and shall expire on October 2, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F. R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6171; Filed, June 30, 1942; 3:31 p. m.]

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 7 to Supplementary Order M–15–b–1 to Restrict Use and Sale of Rubber]

Section 940.5 *Supplementary Order M–15–b–1* [1] is hereby amended as follows:

1. By inserting the following new subparagraph immediately after paragraph (b) (16) thereof:

(17) Airplane tires, List 17.

2. By attaching thereto the attached additional list designated List 17.

This order shall take effect as of the date of its issuance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

LIST 17

Specifications for the manufacture of airplane tires. (a) The following specifications shall be followed in the manufacture of airplane tires to fill all purchase orders, including War Orders and orders placed by or for the account of any other department or agency of the Government of the United States.

(b) Compounds used in the manufacture of airplane tire casings shall be prepared in accordance with the specifications set forth in subdivision (a) of List 7, as amended from time to time, attached to Supplementary Order No. M–15–b–1.

(c) Airplane tire casings shall be made only in the sizes hereinafter listed:

(d) The friction and the tread, respectively, of each of the classes of airplane tire casings listed below shall be made from one of the grades of compounds listed in subdivision (a) of said List 7, the appropriate grade of compound to be used for each such respective friction or tread being that hereinbelow specified therefor opposite the description or designation of such class.

Description of product		Compounds to be used	
Size	Ply	Truck friction	Tread
Smooth contour:			
Landing wheels:			
27	8	B	B
30	8	B	B
33	8	B	B
36	10	B	B
39	10	B	B
44	10	A	A
47	12	A	A
51	14	A	A
56	16	A	A
65	16	A	A
Auxiliary wheels:			
8.00	4	B	B
10.00	6	B	B
12.50	6	B	B
14.50	6	B	B
17.00	6	B	R
19.00	6	B	B
23.00	8	B	B
26.00	10	A	B
30.00	10	A	B
High pressure:			
Landing wheels:			
26 x 6–14	8	A	B
30 x 5–20	14	C	C
30 x 7–16	8	A	B
32 x 6–20	14	C	C
32 x 8–16	8	A	B
36 x 8–20	16	C	C
34 x 9–16	10	A	B
36 x 10–16	10	A	A
38 x 10–18	12	A	A
40 x 10–20	18	C	C
Auxiliary wheels:			
10½–4	6	B	B
12½–4½	8	B	B
10 x 3–4	14	C	B

[1] 7 F.R. 967, 2344, 2449, 2595, 2782, 3389, 4448.

[1] Inactive for new design.

Description of product		Compounds to be used	
Size	Ply	Truck friction	Tread
Low pressure:			
Landing wheels:			
20 x 7.00–6	4	C	B
22 x 6.50–10	6	C	B
24 x 7.50–10	6	C	B
26 x 8.50–10	6	B	B
39 x 13.50–16	10	B	B
42 x 15.00–16	10	B	B
42 x 15.00–16	[2]8	B	A
44 x 16.00–16	10	B	B
45 x 17.00–16	10	B	B
45 x 17.00–16	[2]10	B	A
45 x 18.00–16	12	B	B
45 x 20.00–18	12	B	B
46 x 15.50–20	12	B	A
50 x 17.00–20	12	A	A
55 x 19.00–23	16	A	A
Auxiliary wheels:			
13 x 5.00–4	6	B	B
17 x 6.00–6	4	C	B
16 x 7.00–4	4	C	B
17 x 7.00–5	4	C	B
17½ x 8.00–4	4	C	B
19 x 8.00–5	6	C	B
19 x 8.00–5	[4]4	B	B
22 x 9.00–6	8	B	A
24 x 10.00–7	10	B	A
29 x 9.50–12	[6]8	B	B
32 x 11.00–12	8	C	C
36 x 12.50–14	[4]10	B	B
Extra low pressure:			
Landing wheels:			
25 x 11–4		B	B
29 x 13–5		B	B
30 x 13–6		B	B
35 x 15–6		B	A
45 x 20–10		B	A
Auxiliary wheels:			
12 x 5–3	4	B	B
16 x 7–3	4	B	B
15 x 8–3	4	B	B
Streamline landing wheels: [1]			
24	4	C	B
27	6	B	C
31	6	C	C
36	6	C	C
40	8	C	C
45	8	C	C
50	8	C	B
27.50 x 8.90–12.50	4		B
Low profile auxiliary wheels:			
19 x 6.80–10	6	B	B
22 x 7.25–11.50	6	B	B
26 x 9.00–13.00	8	B	B
33 x 11.50–16.50	10	B	B
Cushion auxiliary tires:			
6 x 2.00			A
8 x 2.50			A
Solid auxiliary tires:			
6 x 2½			A
6 x 3½ [1]			A
8½ x 4			A
10 x 3 [1]			A
10 x 4 [1]			A

[1] Inactive for new design.
[2] Air line use only.
[3] H. D.
[4] Beaching gear tires only.

[F. R. Doc. 42–6195; Filed, July 1, 1942; 9:52 a. m.]

PART 965—IRON AND STEEL SCRAP

[Amendment 1 to Supplementary Order M–24–a]

RESTRICTIONS ON TINNED AND DETINNED SCRAP IN CERTAIN AREAS

Section 965.2 *Supplementary Order M–24–a*[1] is amended by adding at the end of Schedule A the following:

Kansas: Atchison, Brown, Doniphan, Douglas, Franklin, Jefferson, Johnson, Leavenworth, Miami, Osage, Shawnee, and Wyandotte.

Missouri: Buchanan, Caldwell, Carroll, Cass, Clay, Clinton, Henry, Jackson, Johnson, Lafayette, Livingston, Pettis, Platte, Ray, and Saline.

[1] 7 F.R. 2271.

Texas: Anderson, Austin, Basque, Brazoria, Brazos, Burleson, Chambers, Cherokee, Collin, Colorado, Cooke, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Fayette, Fort Bend, Freestone, Galveston, Grayson, Grimes, Hardin, Harris, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Jasper, Jefferson, Johnson, Kaufman, Lamar, Liberty, Limestone, Madison, McLennan, Matagorda, Montague, Montgomery, Navarro, Orange, Palopinto, Parker, Polk, Rains, San Jacinto, Smith, Somervell, Tarrant, Trinity, Tyler, Van Zandt, Walker, Waller, Washington, Wharton, Wise, and Wood.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6193; Filed, July 1, 1942; 9:51 a. m.]

PART 998—METAL OFFICE FURNITURE AND EQUIPMENT

[Amendment 3 to Supplementary Limitation Order L–13–a]

Section 998.2 *Supplementary Limitation Order L–13–a*[1] is hereby amended in the following particulars:

Paragraph (b) (2) is hereby amended by striking therefrom the words "and during each three month period thereafter until otherwise ordered."

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraph:

(11) On and after July 1, 1942, no manufacturer of metal shelving shall accept any order for metal shelving, except pursuant to the specific authorization of the Director of Industry Operations, on Form PD–423, authorizing the manufacture or assembly of metal shelving on direct order from and for delivery to the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6190; Filed, July 1, 1942; 9:51 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Amendment 2 of Preference Rating Order P–98, Extended and Amended]

1. Section 1041.1 *Preference Rating Order P–98*, Extended and Amended,[1] paragraph (d) (3) is hereby amended to read as follows:

(d) *Restrictions on use of ratings—*(3) *Restrictions on suppliers.* A supplier may extend a preference rating to the delivery of material only in conformity with the applicable provisions of Priorities Regulation No. 3, as amended from time to time.

2. Section 1041.1 *Preference Rating Order P–98*, Extended and Amended, paragraph (e) (1) is hereby amended to read as follows:

(e) *Application of preference ratings.* (1) Preference ratings assigned herein shall be applied or extended only in conformity with the applicable provisions of Priorities Regulations No. 3, as amended from time to time. A supplier, who is also a "Class I producer" within the meaning of that term in Priorities Regulation No. 11, may not extend a preference rating except when permitted under the terms and provisions of such Regulation.

3. Section 1041.1 *Preference Rating Order P–98*, Extended and Amended, paragraph (m) is hereby amended to read as follows:

(m) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the Director of Industry Operations, as amended from time to time.

4. Section 1041.1 *Preference Rating Order P–98*, Extended and Amended, paragraph (n) is hereby amended to read as follows:

(n) This order shall continue in effect through July 31, 1942, unless sooner revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of June, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6191; Filed, July 1, 1942; 9:51 a. m.]

[1] 7 F.R. 2536, 2966, 4167.
[2] 7 F.R. 2099, 3712, 4646.

PART 1055—WOOL

[Conservation Order M–73, as amended for the period August 3, 1942, to January 31, 1943]

Section 1055.1 *Conservation Order M–73*,[1] as amended is hereby amended to read as follows:

§ 1055.1 *Conservation Order M–73—*(a) *Curtailment of use of wool for nondefense orders for period August 3, 1942, through January 31, 1943.* During the period from August 3, 1942, to January 31, 1943, both dates inclusive, no person shall put into process, or cause to be put into process by others for his account, for nondefense orders, any wool except as follows:

[1] 7 F.R. 4425.

(1) *On worsted system.* Any person having a basic quarterly poundage on the worsted system shall be entitled to put into process, or cause to be put into process by others for his account:

(i) An amount of wool owned by him not in excess of 20% of such basic quarterly poundage, for the manufacture of fabrics or yarns containing not less than 20% wool, wool waste, noils, reprocessed and reused wool, and

(ii) An additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage for the manufacture of fabrics or yarns containing not more than 65% wool and not less than 20% wool, wool waste, noils, reused and reprocessed wool.

(2) *On woolen, cotton, felt or other system.* Any person having a basic quarterly poundage on the woolen, cotton, felt, or any other system shall be entitled to put into process or cause to be put into process by others for his account:

(i) An amount of wool owned by him not in excess of 5% of such basic quarterly poundage, for the manufacture of fabrics or yarns containing not less than 20% wool, wool waste, noils, reused and reprocessed wool, and

(ii) An additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage for the manufacture of fabrics or yarns containing not more than 65% wool and not less than 20% wool, wool waste, noils, reused and reprocessed wool.

Provided, however, That notwithstanding the provisions of subparagraphs (1) and (2) above any person who made and sold prior to June 1, 1942, fabrics or yarns containing less than 20% wool, wool waste, noils, reused and reprocessed wool shall be entitled to put into process wool for the manufacture of these same fabrics and yarns within the limitations herein prescribed. Nothing herein contained shall be construed to prohibit the manufacture of fabrics or yarns containing less than 20% of wool waste, noils, reused and reprocessed wool.

(3) *On manufacture of floor covering.* Notwithstanding the provisions of subparagraphs (1) and (2) above, any person whose basic quarterly poundage is calculated from wool put into process for the manufacture of floor covering shall only be entitled to put into process, or cause to be put into process by others for his account:

(i) Amounts of wool of grades 44s and lower, fine carpet wools, mohair, either kid or adult, skin alpaca, coarse alpaca fleece, alpaca seconds, Huarizo, llama, or coarse pieces or locks of alpaca, or llama, owned by such person, for the manufacture of wool products other than floor covering, and

(ii) Amounts of coarse carpet wool for the manufacture of floor covering.

but shall be entitled to put into process a total amount of such wools for the purposes prescribed which is not in excess of 50 per cent of such basic quarterly poundage calculated from the manufacture of floor covering.

(b) *Bonus for use of certain types of wool.* Any person shall, for each pound of mohair, either kid or adult, or wool of grades 44s and lower (including carpet wool), or skin alpaca, coarse alpaca fleece, alpaca seconds, Huarizo, llama, or coarse pieces or locks of alpaca or llama, owned, or hereafter acquired by such person, put into process or cause to be put into process by others for his account, within the limits of paragraph (a) (1) and (2), be entitled to put into process, or caused to be put into process by others for his account:

(1) On the worsted system, an additional two pounds of such material owned or hereafter acquired by him,

(2) On the woolen, cotton or felt system, an additional five pounds of such material owned or hereafter acquired by such person.

(c) *Special provision for manufacture of yarn for use in manipulated fabrics.* (1) For the purposes of paragraphs (a) (1) and (2) the putting into process of wool for the manufacture of yarns for sale to knitters or weavers to be manufactured by them into fabrics or garments containing not more than 65% wool and not less than 20% wool, wool waste, noils, reused and reprocessed wool, shall be considered as the putting into process of wool for the manufacture of such fabrics: *Provided,* That each sale of such yarn to a knitter or weaver is made only upon the receipt from such knitter or weaver of a certificate in duplicate, signed on behalf of the knitter or weaver placing such order by a duly authorized person in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the yarn covered by this purchase order will be used by the undersigned for the manufacture of fabrics or garments containing not more than 65% wool as the term is defined in Conservation Order M–73, and not less than 20% wool, wool waste, noils, reused and reprocessed wool.

and *Provided, further,* That one of the duplicate certificates required for each such sale shall be filed with the War Production Board on or before the 15th day of the month following the month in which such sales were made.

(2) No knitter or weaver furnishing the certificate mentioned in subparagraph (1) of this paragraph for the purchase of yarn shall knit or weave such yarn into fabrics or garments which contain more than 65% wool or less than 20% wool, wool waste, noils, reused and reprocessed wool, or otherwise use or dispose of such yarn.

(d) *Restrictions on use of wool in the manufacture of certain products*—(1) *Restriction on wool content of blankets for nondefense use.* No person shall manufacture for nondefense order any blanket containing more than 80 per cent of wool, wool waste, noils, or reused and reprocessed wool, in the aggregate, except blankets made solely from used or damaged paper-makers' felts and/or used processing felts.

(2) *Restrictions on use of certain wools in drapery and upholstery fabrics for nondefense use.* No person shall put into process, or cause to be put into process by others for his account for nondefense order for the manufacture of any drapery or upholstery fabrics any wool other than coarse carpet wool, mohair, either kid or adult, skin alpaca, coarse alpaca fleece, alpaca seconds, Huarizo, llama, or coarse pieces or locks of alpaca or llama.

(3) *Restrictions on use of certain wools in floor coverings.* No person shall put into process, or cause to be put into process by others for his account any wool other than coarse carpet wool for the manufacture of floor covering.

(4) *Restrictions on use of wool in the manufacture of certain uniforms.* All purchase orders placed on or after June 1, 1942, for uniform fabrics containing wool shall be deemed nondefense orders for the purposes of paragraph (a) of this order, regardless of any preference rating assigned thereto, and no preference rating for uniform fabrics containing wool shall be valid for any purpose, notwithstanding the provisions of any rule, regulation or order of the Director of Industry Operations; except that the foregoing provisions of this subparagraph (4) shall be inapplicable in the case of purchase orders bearing preference ratings for the following uniforms, or fabrics therefor:

(i) Uniforms to be delivered to or for the account of any agency of the United States.

(ii) Officers' uniforms, as defined in Preference Rating Order No. P–131, as the same may be amended from time to time.

(iii) Uniforms for members of a Reserve Officers' Training Corps.

(iv) Any other uniform which the Director of Industry Operations may specifically exempt in writing from the provisions of this subparagraph (4).

(e) *General exceptions.* The prohibitions and restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning, and weaving of the fabrics.

(f) *Prohibition against sales or deliveries.* No person shall hereafter sell or deliver any material to any person if he knows, or has reason to believe, such material is to be used in violation of this order.

(g) *Limitation of inventories.* No person shall receive delivery of wool or products thereof in the form of raw materials, semi-processed wool materials or finished goods containing wool, in quantities which shall result in an inventory of such material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of wool by this order: *Provided, however,* That nothing herein contained shall be deemed to restrict the purchase or delivery of any imported wool to the person importing the same either directly or through an agent or to the person to whom such wool may be sold prior to landing in this country.

(h) *Fair distribution of products.* In making sales or deliveries of wool yarn,

fabrics, styles or patterns, no person shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers and new customers who meet such person's regularly established prices and terms, or between former customers, new customers and his own consumption of these products, or any of them.

(i) *Miscellaneous provisions*—(1) *Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of wool conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board on the form provided therefor setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(3) *Applicability of order.* The prohibitions and the restrictions contained in this order shall apply to the use of wool put into process on or after August 3, 1942 in all articles hereafter manufactured. Insofar as any other order of the Director of Industry Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of wool in the production of any article, the limitation of such other order shall be observed.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Definitions.* For the purposes of this order:

(i) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Angora or Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but (except for the purposes of paragraph (h) shall not include noils, waste, reprocessed or reused wool, or yarn or cloth.

(ii) "Fine carpet wool" means wool which, under paragraph 1101 of the Tariff Act of 1930, may be imported free of duty for the manufacture of floor coverings, identified by the following names: Persian Gulf (excluding stuffings and pieces), Aleppo Fleeces (excluding stuffings and pieces), Egyptian pulled, White (excluding fleeces and colors), Joria, Kandahar, Vicanere Super, Vicanere #1, Thibet #1, and #2 white, Iceland (except pulled), New Zealand, Welsh Mountain, Montevideo, Criolla, Ecuadorian, Cordoba 40's—38's (except combing 12 mos. growth), B. A. 5's—6's (except combing 12 mos. growth).

(iii) "Coarse carpet wool" means wool which, under paragraph 1101 of the Tariff Act of 1930, may be imported free of duty for the manufacture of floor coverings, identified by the following names: Persian Gulf-stuffings and pieces (excluding fleeces), Aleppo-stuffings and pieces (excluding fleeces), Egyptian-fleeces and colors (excluding pulled, white), Indias (other than Joria, Kandahar, Vicanere Super, Vicanere #1), Awassi-Karadi, Cyprus, Opporto, Thibet (other than #1 and #2 white), Iceland (skin), Scotch, Irish and English Blackfaced, Irish Kerry, Haslock, Herdwick, Swalesdale, Devon, Cordoba 40's—36's combing 12 mos. growth only, B. A. 5's—6's combing 12 mos. growth only, Balkan pulled wools.

(iv) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(v) "Manufacture" means any and all processing on any system beyond the scouring operation, excepting only the carding and combing operations on the worsted system.

(vi) "Put into process" means:

(*a*) On the worsted system, the first process of drawing after combing.

(*b*) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding as the case may be.

(*c*) On the woolen, felt, or any other system not using tops, the first step after scouring, carbonizing, dusting or similar cleaning or preparatory process.

(vii) "Basic quarterly poundage" for any single system of manufacture shall mean one half of the number of pounds of wool put into process on that system by a person or for his account during the period from December 29, 1940 to June 28, 1941, both inclusive or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such person during such period. Such poundage shall be determined as follows:

(*a*) On the worsted system or any other system using tops, the weight of tops put into process at 15 percent moisture regain, 3¼ percent of oil and natural fats.

(*b*) On the woolen system, scoured wool at 12 percent moisture.

(*c*) On the felt or any other system, the weight of wool in the stage immediately preceding putting into process.

(6) *Reports and records.* (i) Each person who puts wool into process shall file with the War Production Board, such reports or forms, setting forth the amount of wool put into process in any period, the yardage of fabrics and/or the amount of yarns produced therefrom and the fiber content of each type thereof, the amount of wool expected to be put into process in any period, the yardage of fabrics and/or the amount of yarns expected to be produced therefrom and the fiber content of each type thereof, and such other information, as the Director of Industry Operations may prescribe.

(ii) All persons who put wool into process shall keep and preserve such records as will clearly and adequately show their methods and amounts of consumption hereunder.

(7) *Reports and correspondence.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed to the War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Ref.: M–73.

(j) *Effective date.* This order shall take effect on August 3, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W. P. B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6194; Filed, July 1, 1942; 9:52 a. m.]

PART 1096—WOOD PULP

[Interpretation 2 of General Preference Order M–93]

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 1096.1, General Preference Order M–93,[1] issued March 12, as amended March 21, 1942:

"Wood pulp", as defined in subparagraph (1) of paragraph (b) of General Preference Order M–93, does not include paper or paperboard side runs.

"Other fibrous materials", as defined in subparagraph (2) of paragraph (b) of said order, includes side run paper or paperboard when retained or disposed of for use in the manufacture of paper, paperboard or paper products.

A delivery of wood pulp, within the meaning of paragraphs (c), (d) and (e) of said order, occurs when one person places wood pulp in the hands of a carrier or otherwise in transit for delivery to another person, regardless of the time when such other person actually receives such wood pulp.

A delivery ordered, reported and approved for a particular month, according to paragraph (c) of said order, may be made within three days before the first day of the particular month specified or three days after the last day of such month.

[1] 7 F.R. 1978, 2237, 2789.

To "file with the producer", within the meaning of item (i) of subparagraph (1) of paragraph (c) of said order, means to place in the mails or other course of delivery Form PD–290 in time to reach the producer, in the normal course of delivery, not later than the 5th of the month.

To "file with the War Production Board", within the meaning of items (ii) and (iii) of subparagraph (1) of paragraph (b) of said order, means to place in the mail or other course of delivery Form PD–291 and Form PD–292 (accompanied by the appropriate forms PD–290) in time to reach the War Production Board, in the normal course of delivery, not later than the 15th of the month.

The approval of a delivery of wood pulp by the Director of Industry Operations, or express authority from the Director of Industry Operations to make a delivery, within the meaning of paragraph (c) and (b) of said order, includes approval of and express authority to make such minor adjustments in the quantity of such delivery as may be required for efficient use of the transportation facilities available.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6196; Filed, July 1, 1942; 9:52 a. m.]

PART 1289—DIAMOND DIES

[General Conservation Order M–181]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of diamond dies for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1289.1 *General Conservation Order M–181*—(a) *Definitions.* For the purposes of this order:

(1) "Diamond die" means any diamond which has a hole through it and which is designed for use in the drawing of wire.

(2) "Small diamond die" means a diamond die with a hole of a diameter of 0.0015 inch or smaller.

(3) "Supplier" means any person who engages in the importation, processing, or sale of diamond dies, or any person, other than a consumer, who owns or has possession of one or more diamond dies.

(4) "Processing" means drilling, piercing, and polishing a diamond for use as a diamond die.

(5) "Consumer" means any person who uses a diamond die for the purpose of drawing wire.

(b) *Restrictions on suppliers of small diamond dies.* (1) *Reserve.* Each supplier is hereby directed to set aside his entire stock of small diamond dies, including stocks received after the date hereof from any source, as a reserve for the fulfillment of present and future Defense Orders, and such other orders and uses as may be authorized from time to time by the Director of Industry Operations.

(2) *Allocations.* No supplier shall make deliveries or withdrawals from such reserve either to fill orders received from customers or for purposes of his own processing or use except as authorized or directed by the Director of Industry Operations. The Director will from time to time allocate the supply of small diamond dies and may specifically direct: the persons to whom deliveries shall be made and from whom deliveries shall be received; the manner, amounts, and times of such deliveries; the persons who may process, and the manner, amounts, sizes, and times of processing; and the particular uses which may or may not be made. Such allocations and directions will be made to insure the satisfaction of the defense requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director of Industry Operations without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Restrictions on consumers.* Unless specifically directed or authorized by the Director of Industry Operations, no consumer after the effective date hereof shall sell or deliver any small diamond dies to any other person, except Defense Supplies Corporation, or any other Federal agency organized pursuant to Section 5 (d) of the Reconstruction Finance Corporation Act, as amended.

(d) *Reports*—(1) *Supplier.* Each supplier shall file with the War Production Board, Ref.: M–181, on or before the 15th day of each calendar month, a report on Form PD–559.

(2) *Consumer.* Each consumer shall file with the War Production Board, Ref.: M–181, on or before the 15th day of each calendar month, a report on Form PD–560.

(3) *Other reports.* All other persons affected by this order shall file such other reports, as may be required from time to time by the War Production Board.

(e) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington, D. C. Ref: M–181.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6192; Filed, July 1, 1942; 9:51 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment (18) to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Section 1315.1003 is amended to read as follows:

Records and Reports

* * * * * *

§ 1315.1003 *Records and reports by sellers of tires and tubes, sellers of motor vehicles and repossessors.* Every person selling or holding for sale new tires or tubes, retreaded or recapped tires, used tires or tubes, or motor vehicles, and every person extending credit to another upon the security of a motor vehicle under an agreement permitting the lender to take possession of the motor vehicle, shall:

(a) At the close of business on the last day of every month take an inventory based upon a physical count of all new tires and tubes, retreaded and recapped tires, and used tires and tubes in his possession or control and keep a record thereof;

(b) Maintain a file containing all certificates which have been presented by applicants to whom sales of new tires or tubes, retreaded or recapped tires, or used tires or tubes have been made;

(c) Prepare and file reports requested by the Board in his area and by the Office of Price Administration;

(d) File a report for each quarter ending on March 31, June 30, September 30 and December 31, setting forth all tires and tubes in his possession or control on the last day of such quarter and all transfers of tires and tubes made during such quarter. A separate report shall be filed for each establishment where such tires and tubes are located, whether such establishment is used for purposes of sale

[1] 7 F.R. 1027, 1089, 2106, 2167, 2541, 2633.

or storage: *Provided, however,* That manufacturers and mass distributors need not report stocks located in establishments where, during the quarter covered by the report, no tires or tubes were sold, or held for sale, at retail: *And provided further,* That no person need report tires or tubes mounted on vehicles. Each report shall be made on OPA Form R–17 in accordance with the instructions thereon and filed not later than fifteen days after the expiration of each quarter with the Local Board having jurisdiction over the area in which the establishment covered by the report is located.

(1) For the purpose of this section, a "mass distributor" means a person who during the calendar year 1941 sold in excess of 50,000 tires or 100,000 tubes not manufactured by him but bearing his brand or trade-mark.

* * * * *

§ 1315.1199a *Effective dates of amendments.* * * *

(r) Amendment No. 18 (§ 1315.1003) to Revised Tire Rationing Regulations shall become effective June 30, 1942.

(Pub. Law 421, 77th Cong. 2d Sess., Jan. 30, 1942, O.P.M., Supp. Order No. M–15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6177; Filed, June 30, 1942; 5:12 p. m.]

PART 1340—FUEL

[Amendment 5 to Maximum Price Regulation 122 [1]]

SOLID FUELS DELIVERED FROM FACILITIES OTHER THAN PRODUCING FACILITIES—DEALERS

RECORDS AND REPORTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In § 1340.255 paragraph (b) is amended, paragraph (c) is redesignated as paragraph (d), and a new paragraph (c) is added thereto as set forth below:

§ 1340.255 *Records and reports.* * * *

(b) Not later than July 31, 1942, except where such information has been previously filed with the Office of Price Administration in Washington, D. C., or where additional time may be granted by said Office, or by a Regional of State Office of the Office of Price Administration, in individual cases, every person subject to this Maximum Price Regulation No. 122 shall file with the Regional or State Office of the Office of Price Administration, in the region or state in which each place of business of such person is located, a statement for each such place of business setting forth:

* * * * *

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941.

(c) Persons subject to this Maximum Price Regulation No. 122 shall not be required to observe the provisions of paragraph (b), § 1499.13 of the General Maximum Price Regulation.[2]

§ 1340.260 *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1340.255 (b), (c), and (d)) to Maximum Price Regulation No. 122 shall become effective June 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6181; Filed, June 30, 1942; 5:17 p. m.]

PART 1363—FEEDINGSTUFFS

[Maximum Price Regulation 173]

WHEAT MILL FEEDS

In the judgment of the Price Administrator, prices of wheat mill feeds have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of wheat mill feeds prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. The maximum prices established herein are not below prices which will reflect to producers of wheat prices for their product equal to the highest of any of the following prices for wheat, as determined by the Secretary of Agriculture: (1) 110 percent of the parity prices adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market price prevailing on October 1, 1941; (3) the market price prevailing on December 15, 1941; or (4) the average price during the period July 1, 1919, to June 30, 1929. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [3] issued by the Office of Price Administration, Maximum Price Regulation No. 173 is hereby issued.

Sec.
1363.101 Maximum prices for wheat mill feeds.
1363.102 Exempt sales.
1363.103 Adjustable pricing.
1363.104 Evasion.
1363.105 Documents and reports.
1363.106 Enforcement.
1363.107 Licensing—Applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1363.108 Petitions for amendment.
1363.109 Applicability of the General Maximum Price Regulation.
1363.110 Less than maximum prices.
1363.111 Definitions.
1363.112 Appendix A: Maximum delivered prices for wheat mill feeds.
1363.113 Applicability.
1363.114 Effective date.

[1] 7 F.R. 971, 3663.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.
[3] 7 F.R. 3153, 3158.

AUTHORITY: §§ 1363.101 to 1363.114 inclusive, issued under Pub. Law 421, 77th Congress.

§ 1363.101 *Maximum prices for wheat mill feeds.* On and after July 4, 1942, regardless of any contract, agreement or other obligation, no person shall sell, deliver, buy or receive wheat mill feeds at a price higher than the maximum price permitted by § 1363.112 and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The maximum prices shall include duties, brokerages, commissions, storage, insurance, carrying charges, handling charges and all other charges and shall not be increased by any charges for the extension of credit.

§ 1363.102 *Exempt sales.* The provisions of Maximum Price Regulation No. 173 and the General Maximum Price Regulation [1] shall not apply to sales of heavy bran flakes.

§ 1363.103 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 173 shall be construed to prohibit the making of a contract to sell wheat mill feeds at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment or for adjustment or exception has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1363.104 *Evasion.* The price limitations set forth in Maximum Price Regulation No. 173 shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to wheat mill feed, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1363.105 *Documents and reports.* (a) Every person making a sale or purchase of wheat mill feeds in the course of trade or business after July 3, 1942, except sales of bran for human consumption, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records and documents of such sales and purchases including the date thereof, name of the seller and purchaser, price paid or received, buyer's receiving point and the quantity of wheat mill feed sold or purchased.

(b) Persons affected by Maximum Price Regulation No. 173 shall submit such records to the Office of Price Administration as it may from time to time require.

§ 1363.106 *Enforcement.* (a) Persons violating any provisions of Maximum Price Regulation No. 173 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of Maximum Price Regulation No. 173 or of any act or practices which constitute such a violation are urged to communicate with the nearest Field, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1363.107 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 173 selling at wholesale or retail any wheat mill feed covered by this Regulation. When used in this § 1363.107, the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o), respectively, of the General Maximum Price Regulation.

§ 1363.108 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 173 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1363.109 *Applicability of the General Maximum Price Regulation.* Except as otherwise provided herein the provisions of this Maximum Price Regulation No. 173 supersede the provisions of the General Maximum Price Regulation.

§ 1363.110 *Less than maximum prices.* Lower prices than those set forth in § 1363.112 may be charged, demanded, paid or offered.

§ 1363.111 *Definitions.* (a) When used in Maximum Price Regulation No. 173 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any other Government, or any other political subdivisions, or any agency of any of the foregoing.

[1] 7 F.R. 3153, 3158.

(2) "Basing point" means any one of the following places:

(i) Kansas City, Missouri and other Missouri River rate break points.
(ii) Minneapolis, Minnesota.
(iii) Seattle, Washington.
(iv) Portland, Oregon.

(3) "Applicable basing point" means the basing point on which the price for the sale of wheat mill feeds is customarily determined for shipment to a destination not otherwise specifically provided for in § 1363.112 (a).

(4) "Missouri River rate break point" means any of the points along the Missouri River, Kansas City and northward, at which railroad rates change to proportional rates for eastbound railroad traffic.

(5) "Applicable Missouri River rate break point" means the Missouri River rate break point from which the lowest railroad carload proportional rate for the transportation of wheat mill feeds applies to the railroad siding nearest to the buyer's receiving point.

(6) "Wheat mill feeds" means the products of milling wheat whose ash content is more than 1/20th of the protein calculated to a moisture free basis plus .35 or, in the case of products of durum wheat more than 1.5% calculated to a moisture free basis (with allowance being made in either case for any increase in ash content due to the addition of bleaching, bromating, enriching, phosphating and self rising ingredients), except the following commodities which shall remain subject to the provisions, exceptions or other terms of the General Maximum Price Regulation:

(i) Wheat germ and wheat germ meal.
(ii) Wheat germ oil cake and wheat germ oil meal.
(iii) Whole wheat flour and whole durum wheat flour.
(iv) Bran for human consumption.
(v) Other wheat products in which the proportions of the natural constituents of the wheat except for moisture remain unaltered.

(7) "Wheat germ" and "wheat germ meal" means those products of milling wheat which contain more than 25% protein and 9% fat.

(8) "Wheat germ oil cake" and "wheat germ oil meal" mean the cake and meal obtained in the removal of part of the oil from commercial wheat germ and which contain more than 29% of protein.

(9) "Heavy bran flake" means the special wheat product for human consumption which has a substantial quantity of the endosperm clinging to the bran; with the result that the crude fibre content does not exceed 7%.

(10) "Bran for human consumption" means the wheat bran which is specially cleaned and prepared for use for human consumption.

(11) "Carload quantity" means a shipment of one or more wheat mill feeds of at least the minimum total weight, as set forth in the tariffs of railroad carriers, upon which the railroad carload rate from the point of shipment to the point of destination is based: *Provided,* That where a smaller quantity is shipped which would move at the railroad carload rate rather than at the railroad less-than-carload rate because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload quantity.

(12) "Mixed car shipment" means a shipment in carload quantity to a single buyer composed in part of wheat mill feeds and in part of products other than wheat mill feeds.

(13) "Pool car shipment" means a shipment in carload quantity of two or more less-than-carload lots to two or more buyers combined for the purpose of obtaining the carload rate.

(14) "Sale at wholesale" means a sale, other than a sale at retail, by a person who buys mill feeds and resells them without further processing.

(15) "Sale at retail" means a sale to a feeder or other ultimate user providing that the following sales shall not be deemed to be sales at retail:

(i) Sales in carload quantities or mixed cars.
(ii) Sales to a person who mixes the wheat mill feed with other feed ingredients for sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1362.112 *Appendix A: Maximum delivered prices for wheat mill feeds*—(a) *Maximum delivered prices for sales by millers of wheat mill feeds, sacked and shipped in carload quantities, shall be as follows:*

(1) For shipments to points within or within the switching limits of:

(i) Kansas City, Mo. and other Missouri River rate break points—$36.50 per net ton;

(ii) Minneapolis, Minnesota—$37.75 per net ton;

(iii) Seattle, Washington—$36.50 per net ton;

(iv) Portland, Oregon—$36.50 per net ton;

(2) For shipments to points in the State of Missouri located within the area bounded on the west and south by a line drawn as follows: From Kansas City, Mo. along the line of the St. Louis-San Francisco Railway Co. to Harrisonville; from Harrisonville to East Lynne; from East Lynne to Springfield; from Springfield to Cabool; from Cabool along a straight line perpendicular to the northern border of Arkansas, but not including points located on the boundary line referred to above, and also for shipments to points within the State of Arkansas and all states east of the Mississippi River with the exception of Louisiana, Minnesota, Wisconsin and the northern peninsula of Michigan, the maximum price at Kansas City, Mo. plus the charge at the lowest railroad carload proportional rate for the transportation of an identical quantity from the applicable Missouri River rate

break point to the railroad siding nearest to the point designated by the buyer as his receiving point.

(3) For shipments to points within the states of Texas and Louisiana the maximum price at Kansas City, Mo. plus the railroad charge at the lowest railroad carload proportional rate for the transportation of an identical quantity from Kansas City, Mo. to the railroad siding nearest to the point designated by the buyer as his receiving point.

(4) For shipments to points within the State of Oklahoma:

(i) In the case of shipments to points located on or north of the main line of the Chicago, Rock Island and Pacific Railway Company which runs easterly across the State of Oklahoma from Shamrock, Texas to Hartford, Arkansas, the maximum price at Kansas City, Mo. plus $1.50 per net ton; and

(ii) To points located south of the line described in subparagraph (4) (i) above, the maximum price at Kansas City, Mo. plus $2.50 per net ton.

(5) For shipments to points within the State of Minnesota:

(i) To points located within the area bounded on the east and north by a line running parallel to the main line of the Minnesota and International Railway Company from International Falls to Brainerd thence along the line of the Northern Pacific Railway to Minneapolis and St. Paul, thence along the main line of the Chicago and North Western Railway from St. Paul to the border of Wisconsin; including points located on the lines of the Northern Pacific Railway and the Chicago and North Western Railway referred to above, the maximum price at Minneapolis; and

(ii) To points within the State of Minnesota other than those set forth in subparagraph (5) (i) above, including points located on the main line of the Minnesota and International Railroad referred to in subparagraph (5) (i) above, the maximum price at Minneapolis plus the charge at the lowest railroad carload proportional rate for the transportation of an identical quantity from Minneapolis to the railroad siding nearest to the point designated by the buyer as his receiving point.

(6) For shipments to points within Wisconsin, Iowa and the northern peninsula of Michigan, either the maximum price at Minneapolis plus the charge at the lowest railroad carload proportional rate for the transportation of an identical quantity from Minneapolis to the railroad siding nearest to the point designated by the buyer as his receiving point, or the maximum price at Kansas City, Mo. plus the charge at the lowest railroad carload proportional rate for the transportation of an identical quantity from the applicable Missouri River rate break point to the railroad siding nearest to the point, designated by the buyer as his receiving point, whichever is less.

(7) For shipments to points within the states of Washington and Oregon west of the Cascade Mountains, the maximum price at Seattle or Portland plus the difference between the charge at the applicable railroad rate for the transportation of an identical quantity from points of origin in the State of Washington east of the Cascade Mountains to the point designated by the buyer as his receiving point and the charge similarly computed to Seattle or Portland, as the case may be.

(8) For shipments to points within the State of California:

(i) To points located on or north of a line drawn as follows from a point on the Pacific Coast due west of Palo Alto in a straight line to Palo Alto and from Palo Alto along the main line of the Southern Pacific lines to Niles and thence to Stockton; from Stockton along the main line of the Atchison, Topeka & Santa Fe Railway to Riverbank; from Riverbank along the line of the Sierra Railway Company of California to Tuolumne; from Tuolumne in a straight line east to the Nevada border with the exception of Colusa and points located on or adjacent to the main line of the Northwestern Pacific R. R. Co., north of Santa Rosa, the maximum price at Seattle, Washington plus the lowest railroad transit balance from Seattle, Washington to the railroad siding nearest to the point designated by the buyer as his receiving point computed on the basis of the charge at the lowest railroad carload rate for the transportation of an identical quantity from Spokane, Washington to the railroad siding nearest to the point designated by the buyer as his receiving point with transit privileges at Seattle, Washington.

(ii) To points located south of the line described in subparagraph (8) (i) and including Colusa and points located on or adjacent to the main lines of the Northwestern Pacific R. R. Co., as described in subparagraph (8) (i) above, the maximum price at Seattle, Washington plus the lowest railroad transit balance from Seattle, Washington to the railroad siding nearest to the point designated by the buyer as his receiving point computed on the basis of the charge at the lowest railroad carload rate for the transportation of an identical quantity from Havre, Montana to the railroad siding nearest to the point designated by the buyer as his receiving point with transit privileges at Seattle, Washingon: Except that, to points located on the line of the Southern Pacific Line from Mojave, but not including Mojave, as follows: Majave to Searles and thence to Laws and from Searles to Trona, there may be added to the maximum price at Mojave computed pursuant to the provisions of this subparagraph (8) (ii) the charge at the lowest railroad carload rate for the transportation of an identical quantity from Mojave to the railroad siding nearest to the point designated by the buyer as his receiving point.

(9) For shipments to points within the states of Idaho, Utah, Nevada, Arizona, New Mexico, Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Missouri with the exception of the portion thereof provided for in subparagraph (2) above, and Washington and Oregon with the exception of the portion thereof provided for in subparagraph (7) above, the price at the applicable basing point as set forth in subparagraph (1) of this paragraph (a), except that, in the case of shipments to points at which prices lower or higher than the prices at the applicable basing points have customarily been obtained, the amount of the customary and established differential below or in excess of the applicable basing point price shall be deducted from or may be added to, as the case may be, the price at the applicable basing point as set forth, in subparagraph (1) of this paragraph (a).

(10) In the computation of maximum delivered prices for shipments referred to in subparagraph (a) (2), (a) (3), (a) (5) (ii), (a) (6), and (a) (8) of this paragraph an amount may be added to the prices computed pursuant to the provisions of such subparagraphs where the point designated by the buyer as his receiving point is located at a distance greater than 25 miles from the nearest railroad siding. This amount shall be computed at the rate of 1¢ per ton per mile, measured by the distance from the nearest railroad siding to the point designated by the buyer as his receiving point in excess of 25 miles. For purposes of this subparagraph (10), the distance along the shortest and most direct motor vehicle highway route shall be used in calculating the distance from the nearest railroad siding to the point designated by the buyer as his receiving point.

(b) *Maximum delivered prices for sales (other than sales at retail) in less than carload quantities.* To determine the maximum delivered prices for sales (other than sales at retail) of wheat mill feeds sacked and shipped in less than carload quantities:

(1) In the case of shipments in mixed cars, add $1.00 per net ton to the maximum price computed under the applicable provisions of paragraph (a).

(2) In the case of other shipments in less than carload quantities including shipments in pool cars, add $2.00 per net ton to the maximum price computed under the applicable provisions of paragraph (a).

(c) *Maximum delivered prices for sales in carload quantities at wholesale.* To determine the maximum delivered prices for sales at wholesale of wheat mill feeds, sacked, and shipped in carload quantities, add fifty cents ($.50) per net ton to the maximum delivered price computed under the applicable provisions of paragraph (a).

(d) *Maximum delivered prices for sales at retail.* To determine the maximum prices for sales at retail of wheat mill feeds add $4.00 per ton to the maximum price for carload shipments computed under the applicable provisions of paragraph (a) of this section. For purposes of this subparagraph in computing maximum delivered prices under the applicable provisions of paragraph (a) of this section "point designated by the buyer as his receiving point" shall mean the place of business of the retail seller.

(e) *Maximum prices for sales in carload quantities unsacked.* The maximum prices which may be charged or paid for sales of wheat mill feeds when shipped in carload quantities unsacked shall be the maximum price computed under the applicable provisions of paragraph (a) of this section less the customary differential applying to shipments of carload quantities unsacked during March, 1942.

(f) *Selection by buyer of his receiving point.* Nothing in the foregoing provisions of Maximum Price Regulation No. 173 shall be construed to prohibit any person from purchasing and receiving delivery of wheat mill feed at any point within the several states of the United States or the District of Columbia at the maximum price at that point as computed under the applicable provisions of paragraphs (a), (b), (c), (d), or (e) of this section and shipping from such point to any other point at his own expense, although the price paid at the first point plus transportation may exceed the maximum delivered price at the second point, computed under the applicable provisions of paragraph (a) of this section: *Provided*, That the maximum prices for sales in less than carload quantities and for sales at wholesale and retail established for any point in paragraphs (b), (c) and (d) shall remain in full force and effect.

(g) *Maximum delivered prices for sales of imported wheat mill feeds.* The maximum prices which can be charged or paid for wheat mill feeds entering the several states of the United States and the District of Columbia is the maximum price computed under the applicable provisions of paragraphs (a), (b), (c), or (d), of this section at the point within the several states of the United States or the District of Columbia designated by the buyer as his receiving point.

(h) *Maximum delivered prices for export sales.* For export shipments the maximum delivered prices shall be determined in accordance with the provisions of the Maximum Export Price Regulation,[1] issued by the Office of Price Administration on April 25, 1942. For the purpose of determining maximum prices in accordance with the Maximum Export Price Regulation, the maximum domestic prices shall be the maximum delivered prices computed under the applicable provisions of paragraph (a), (b), (c), or (d) of this section at the port of Exit.

§ 1363.113 *Applicability.* The provisions of this Maximum Price Regulation No. 173 shall be applicable to the several states of the United States and the District of Columbia.

§ 1363.114 *Effective date.* Maximum Price Regulation No. 173 (§§ 1363.101 to 1363.114, inclusive) shall become effective July 4, 1942.

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6185; Filed, June 30, 1942; 5:20 p. m.]

[1] 7 F.R. 3096.

PART 1367—FERTILIZERS

[Amendment 1 to Maximum Price Regulation 135[1]]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

DEFINITION OF "CONSUMER"

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (a) (3) of § 1367.39 is amended to read as follows. A new § 1367.41 is added as set forth below.

§ 1367.39 *Definitions.* (a) When used in this Maximum Price Regulation No. 135, the term:

* * * * *

(3) "Consumer" means a person purchasing mixed fertilizer, superphosphate, or potash for use in aiding the growth of crops or plants (and not for resale) and also includes Agricultural Adjustment Agency of the United States Department of Agriculture.

* * * * *

§ 1367.41 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1367.39 (a) (3) and § 1367.41) to Maximum Price Regulation No. 135 shall become effective July 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6175; Filed, June 30, 1942; 5:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 9 to General Maximum Price Regulation[2]]

PRECIOUS STONES, OBJECTS OF ART, ETC.

A statement of the considerations involved in the issuance of the amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Subparagraph (12) of § 1499.9 (a) is amended to read as set forth below and a new paragraph (z) is added to § 1499.20 as set forth below.

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

* * * * *

(12) Stamps and coins; *precious stones* and mountings into which precious stones are set; antiques and knotted oriental rugs; paintings, etchings, sculptures and other objects of art.

* * * * *

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

* * * * *

[1] 7 F.R. 3187.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

(z) "Precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond weighing more than 1.00 carat, or any semi-precious stone after sale by the cutter, when the cutter has received more than $100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones". If two or more diamonds with an aggregate weight of 1.50 carats are set in one mounting, the diamonds shall be deemed precious.

* * * * *

§ 1499.23a *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1499.9 (a) (12), 1499.20 (z) to this General Maximum Price Regulation shall become effective July 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6178; Filed, June 30, 1942; 5:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order No. 16]

MINNESOTA MINING & MANUFACTURING CO.

PRICE FOR CERTAIN GREEN ROOFING GRANULES

The Minnesota Mining & Manufacturing Company of St. Paul, Minnesota, has made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for certain green roofing granules known as No. 35, No. 350 and No. 359. Due consideration has been given to the application and an Opinion in support of this Order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.53 *Authorization of a maximum price for certain green roofing granules known as No. 35, No. 350 and No. 359 to the Minnesota Mining & Manufacturing Company.* (a) On and after July 3, 1942 the Minnesota Mining & Manufacturing Company may sell and deliver and agree, offer, solicit, and attempt to sell and deliver green roofing granules known as No. 35, No. 350 and No. 359 at a price not higher than $15.00 per ton.

(b) This Order No. 16 may be revoked or amended at any time by the Price Administrator.

(c) This Order No. 16 (§ 1499.53) shall become effective July 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6176; Filed, June 30, 1942; 5:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Supplementary Regulation 11 [1]—General Maximum Price Regulation] [2]

SERVICES IN CONNECTION WITH AGRICULTURAL COMMODITIES, LIVESTOCK, ETC.

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new sub-paragraph (75) is added to paragraph (b) as set forth below.

§ 1499.46 *Exceptions for certain services:*

* * * * *

(b) General Maximum Price Regulations shall not apply to the rates, fees, charges or compensation for the following services:

* * * * *

(75) Services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of livestock or poultry or livestock or poultry products, rates, charges, and compensation for * * *

* * * * *

(d) * * *

(3) Amendment No. 2 (§ 1499.46 (b) (75)) to Supplementary Regulation No. 11 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6223; Filed, July 1, 1942; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Maximum Price Regulation 165 [3]]

CONSUMER SERVICE

EFFECTIVE DATE, SALES TO WAR PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

A new proviso is added to § 1499.119 and a new § 1499.119a is added as set forth below:

§ 1499.119 *Effective date* * * *, *Except;* That the sale of services to War Procurement Agencies as defined in § 1499.101 (b) of this Maximum Price Regulation shall become effective July 20, 1942.

[1] 7 F.R. 4543, 4738.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991.
[3] 7 F.R. 4734.

§ 1499.119a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1499.119, and 1499.119a) to Maximum Price Regulation No. 165 shall become effective 12:01 a. m. July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6222; Filed, July 1, 1942; 11:43 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 99-A]

REPORTS BY MANUFACTURERS OF AND DEALERS IN RADIO TRANSMITTERS NOT LICENSED

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of June 1942,

The Commission having under consideration Order No. 99,[1] entitled "Registration of Radio Transmitters Not Licensed," as it applies to manufacturers of and dealers in such transmitters;

Now, therefore, pursuant to the authority conferred upon it by Order No. 4 [2] dated April 16, 1942, of the Board of War Communications (formerly the Defense Communications Board):

It is ordered:

1. Order No. 99 shall have no application to bona fide manufacturers of or dealers in radio transmitters, anything in said Order No. 99 to the contrary notwithstanding.

2. Every such manufacturer and dealer shall, on the fifth day of each and every month beginning with August, 1942, report to the Commission every radio transmitter in his possession at the close of business on the last day of the preceding calendar month, and every radio transmitter, possession of which was transferred during the preceding calendar month to any other dealer or manufacturer, and shall furnish the serial number and location of each radio transmitter covered in such report, together with such other and further information as the Commission may require.

3. Whenever any such manufacturer or dealer shall transfer possession of a radio transmitter to any person or organization other than a manufacturer of or dealer in radio transmitters, or if any such radio transmitter is lost, stolen, destroyed, or otherwise removed from the possession of the manufacturer or dealer, he shall give notice of such transfer, loss, destruction, or theft within five days after its occurrence, or by July 15, 1942, whichever is the later, specifying the serial number of the unit involved and, in transfer cases, the name and address of the transferee.

4. Every manufacturer of radio transmitters shall stamp his name and a serial number on each such transmitter in his possession.

5. All reports and notices required by this Order shall be made on forms furnished by the Commission.

6. "Radio transmitter" as herein used means a device designed for transmission of communications by radio frequency energy. This Order is not intended to include apparatus commonly known as phonograph oscillators, test oscillators, signal generators and wired radio systems.

7. The following transmitters shall not be subject to any of the provisions of this Order:

(a) Transmitters in the possession of the United States Government, its officers or agents, or which are under contract for delivery to the United States Government.

(b) Transmitters operated by any manufacturer or dealer pursuant to an outstanding authorization from the Commission.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6199; Filed, July 1, 1942; 10:41 a. m.]

[1] 7 F.R. 4344.
[2] 7 F.R. 2903

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

An order of the Interstate Commerce Commission prescribing amendments to the Uniform System of Accounts for Steam Railroads, dated 29th day of June, effective July 1, 1942, was filed with the Division of the Federal Register on July 1, 1942, at 11:07 a. m., F.R. Doc. No. 42-6206. Requests for copies may be addressed to the Interstate Commerce Commission.

An order of the Interstate Commerce Commission prescribing amendments to the Uniform System of Accounts for Steam Railroads, dated 29th day of June, effective July 1, 1942, was filed with the Division of the Federal Register on July 1, 1942, at 11:07 a. m., F.R. Doc. No. 42-6205. Requests for copies may be addressed to the Interstate Commerce Commission.

Chapter II—Office of Defense Transportation

[General Permit O.D.T. No. 6–5]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

LOCAL DELIVERY CARRIERS[1]

ADDITIONAL DELIVERY PRIOR TO A NATIONAL HOLIDAY

In accordance with the provisions of paragraph (e) of § 501.36 of General Order O.D.T. No. 6,[2] as amended,[3] Chapter II, Title 49, Part 501, Subpart E,

It is hereby authorized, That:

§ 501.2004 *Additional delivery prior to national holidays.* On the day next preceding a national holiday, when such holiday falls on a Saturday, or on the Saturday next preceding a national holiday, when such holiday falls on a Monday, a local carrier may make two (2) deliveries or may make one (1) delivery and one (1) call back, in addition to any special deliveries authorized by General Order O.D.T. No. 6, as amended, provided such local carrier does not make any delivery, other than such authorized special deliveries, on such holiday. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 6, 7 F.R. 3008, 7 F.R. 3532, and 7 F.R. 4184).

Issued at Washington, D. C., this 1st day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–6225; Filed, July 1, 1942; 12:00 m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B–272]

HUERFANO TRADING COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of Huerfano Trading Company, a corporation, registered distributor, Registration No. 4586.

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act"), and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

A. Whether or not the Huerfano Trading Company, a corporation, Registered Distributor, Registration No. 4586 (hereinafter sometimes referred to as "Registered Distributor"), whose address is 408 Russell Street, Walsenburg, Colorado, has violated any provisions of the Act, the Code, and orders and regulations of the Division, including the Marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors, and the Distributor's Agreement (the "Agreement"), dated February 13, 1940, and filed by the Huerfano Trading Company, pursuant to Order of the National Bituminous Coal Commission dated March 24, 1939, in General Docket No. 12, which was adopted as an Order of the Bituminous Coal Division on July 1, 1939, and more particularly whether or not subsequent to October 1, 1940 said Registered Distributor:

1. During the period from October 2, 1940, to February 26, 1942, both dates inclusive, purchased for retailing by it through the Aztec Coal Company, Alamosa, Colorado, wholly-owned and controlled by the Registered Distributor, from various code member producers, at the applicable f. o. b. mine price for rail shipments, approximately 2,034.95 tons of various sizes of bituminous coal and accepted discounts from the effective minimum prices thereof as follows:

Period	Producer	Total tons	Total discounts allowed and rec'd.
Oct. 2, 1940, to Feb. 26, 1942	Calumet Coal Co	1,647.95	$286.19
Nov. 20, 1940, to Feb. 11, 1942	Major Coal Co	215.40	89.69
Nov. 23, 1940, to Dec. 17, 1940	Giardano Coal Mining Co	71.95	26.99
Jan. 7, 1941, to Feb. 11, 1941	Butte Valley Coal Co	99.80	39.92

resulting in violations by Huerfano Trading Company of § 304.19 (a) of the Rules and Regulations for Registration of Distributors, section 4 II (i) 11 and 12 of the Act and Part II (i) 11 and 12 of the Code, Rules 11 and 12 of section XIII of the Marketing Rules and Regulations, and paragraphs (c), (e), and (g) of the Agreement.

B. Whether or not the registration of said Huerfano Trading Company, Registered Distributor, Registration No. 4586, should be revoked or suspended or other appropriate order should be entered.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether or not the aforementioned Huerfano Trading Company, has committed violations in the respects heretofore described and whether or not an order revoking or suspending the registration of said distributor or other appropriate order should be issued, be held on August 14, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Trinidad, Colorado.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact, and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Huerfano Trading Company and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of the aforementioned Huerfano Trading Company, with reference to the matters hereinbefore described must be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on said Huerfano Trading Company, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Huerfano Trading Company, of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: June 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6208; Filed, July 1, 1942; 11:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Admin-

[1] Subpart E.
[2] 7 F.R. 3008.
[3] 7 F.R. 3532; 7 F.R. 4184.

istrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 2, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Acorn Button Works, 131 N. 13th St., Philadelphia, Pennsylvania; Belts, buckles and buttons; 3 learners (T); January 2, 1943.

The Badger Raincoat Co., Milwaukee, Wisconsin; Men's & boys' clothing, sportswear and other outerwear, leather and sheep-lined garments, rainwear; 20 learners (E); December 4, 1942. (This certificate effective June 4, 1942, listed in register of June 4, 1942 for 209 Franklin St., Fort Washington, Wisconsin.)

Baker Clothes, Inc., 26th & Reed Sts., Philadelphia, Pennsylvania; Men's clothing; 5 percent (T); July 2, 1943.

Reliance Mfg. Co., North Washington St., Columbus, Indiana; Cotton pants, shirts, single pants, wool and corduroy jackets; 36 learners (E); January 2, 1943.

Sterling Silk Glove Co., 930 North 4th St., Allentown, Pennsylvania; Knitted and woven underwear and circular knitting; 5 percent (T); July 2, 1943.

A. B. Zuckert Co., 108 N. Water St., Milwaukee, Wisconsin; Raincoats; 10 percent (T); July 2, 1943.

Single Pants, Shirts and Allied Garments and Women's Apparel

Crown Dress Mfg. Co., 136 Harrison Ave., Boston, Massachusetts; Cotton house dresses, cotton house coats; 5 learners (T); July 2, 1943.

La Crosse Garment Mfg. Co., 117 No. 2nd St., La Crosse, Wisconsin; Wearing apparel; 60 learners (E); January 2, 1943.

S. Liebovitz & Sons, Inc., Dante St., Roseto, Pennsylvania; Flannel shirts and men's sportwear; 4 learners (T); July 2, 1943.

Peter Piper Clothes Co., 147 North 10th St., Philadelphia, Pennsylvania; Juvenile clothing; 10 percent (T); July 2, 1943.

Rosette Mfg. Co., 625 LaSalle St., Berwick, Pennsylvania; Ladies & children's aprons; 10 learners (T); July 2, 1943.

Southern Mfg. Co., 1202 Broad St., Nashville, Tennessee; Office and army shirts, dresses; 10 percent (T); July 2, 1943.

Sweet Mfg. Co., 1100 Commerce St., Dallas, Texas; Sport shirts, neckwear; 2 learners (T); July 2, 1943.

Victory Dress Co., Spruce & Mifflin Sts., Lebanon, Pennsylvania; Ladies dresses; 10 percent (T); July 2, 1943.

Williamsport Underwear Mills, Inc., 1306 Memorial Ave., Williamsport, Pennsylvania; Women's rayon slips and house coats; 10 learners (T); July 2, 1943.

Hosiery

Herbert Hosiery Mills, Inc., Penn & Arch Sts. & Washington & Noble Sts., Norristown, Pennsylvania; Seamless hosiery; 10 percent (T); June 29, 1943. (This certificate effective June 29, 1942.)

Herbert Hosiery Mills, Inc., 2927 Canby St., Penbrook, Harrisburg, Pennsylvania; Seamless Hosiery; 30 learners (T); February 29, 1943. (This certificate effective June 29, 1942.)

Knitted Wear

Harry V. Costello Co., 80 Parallel St., Bridgeport, Connecticut; Knitted underwear; 2 learners (T); July 2, 1943.

Hudson County Knitting Mill, 511 Twenty-third St., Union City, New Jersey; Knitted outerwear; 5 percent (T); July 2, 1943.

Telephone

Commonwealth Telephone Co., 45 Owen St., Forty Fort, Pennsylvania; To employ learners as commercial switchboard operators at its Clarks Summit Exchange, located at 108 North State St., Clarks Summit, Pennsylvania; 2 learners (T); July 2, 1943.

Commonwealth Telephone Co., 45 Owen St., Forty Fort, Pennsylvania; To employ learners as commercial switchboard operators at its Montrose Exchange, located at 10 Public Ave., Montrose, Pennsylvania; 2 learners (T); July 2, 1943.

Textile

Algodon Mfg. Co., Bessemer City, North Carolina; Cotton; 3 percent (T); July 2, 1943.

Eagle & Phenix Mills, 1230 Front Ave., Columbus, Georgia; Cotton; 100 learners (E); November 2, 1942.

Monroe Silk Mills, Stroudsburg, Pennsylvania; Silk, rayon, cotton; 3 percent (T); July 2, 1943.

Paragon Textile Co., 8th Ave. and 25th St., Altoona, Pennsylvania; Silk, rayon, nylon, synthetic; 6 learners (T); July 2, 1943.

Ruckel Mfg. Co., 547 Broadway, New York, New York; Quilt and mattress covers; 2 learners (T); July 2, 1943.

Tower Brand Yarn Corp., 1042 38th St., Brooklyn, New York; Mfg. and processing yarn and thread; 3 learners (T); July 2, 1943.

Signed at New York, N. Y., this 30th day of June 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6197; Filed, July 1, 1942; 10:11 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 4875]

EVENING NEWS PRESS, INC.

ORDER DENYING PETITION, DESIGNATING FURTHER HEARING

In re Application of The Evening News Press, Inc. Port Angeles, Washington for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 23d day of June 1942;

The Commission having under consideration the petition of The Evening News Press, Inc., filed May 12, 1942, requesting that its above-entitled application be granted;

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That the above-entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience, or necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6200; Filed, July 1, 1942; 10:41 a. m.]

[Docket No. 5966]

MOSBY'S, INC.

ORDER DENYING PETITION, AMENDING ISSUES

In re Application of Mosby's Inc. (New) Anaconda, Montana, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of June 1942;

The Commission having under consideration the petition of Mosby's Inc., for reconsideration and grant of the above-described application, and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the issues heretofore released on the application be, and they are hereby, amended to read as follows:

1. To obtain full information concerning a "Consent Decree" entered in the United States District Court, District of Montana, against Mosby's Incorporated, particularly with reference to the effect thereof upon the qualifications of said corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine whether the statements in the application truly and accurately reflect the facts, particularly sections 12 (e) and 16 (e) thereof.

3. To determine whether the applicant, its officers, directors and stockholders are qualified in all respects to construct and operate the proposed station.

4. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, the grant of this application would serve public interest, convenience and necessity.

By the Commission,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6201; Filed, July 1, 1942; 10:41 a. m.]

[Docket No. 6024]

COLUMBIA BROADCASTING SYSTEM, INC.

ORDER DENYING PETITION, DESIGNATING FURTHER HEARING

In re application of Columbia Broadcasting System, Inc. (New), Boston, Massachusetts, for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 23d day of June 1942;

The Commission having under consideration the petition of Columbia Broadcasting System, Inc., filed May 28, 1942, requesting that its above-entitled application be granted;

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That the above-entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience, or necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6202; Filed, July 1, 1942; 10:42 a. m.]

ILLINOIS BELL TELEPHONE CO. AND AMERICAN TELEPHONE AND TELEGRAPH CO.

[Docket No. 6295]

INCREASED RATES OF RADIOTELEPHONE SERVICE THROUGH STATION WAY

In the matter of increased rates of Illinois Bell Telephone Company and American Telephone and Telegraph Company for radiotelephone service through Station WAY.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 23d day of June, 1942;

It appearing that on March 24, 1942, the Commission suspended and instituted an investigation into the lawfulness of proposed increased radio-link rates of Illinois Bell Telephone Company for radiotelephone service through Station WAY; and that said proposed increased rates and changes in charges, classifications, regulations and practices may go into effect at the expiration of the ordered suspension period, prior to the final decision of the Commission in this matter;

It is ordered, That Illinois Bell Telephone Company and all other respondent carriers participating in telephone service through coastal harbor station WAY, shall, on and after July 2, 1942, and until further order of the Commission, each keep accurate account of all amounts received by reason of the proposed increased charges suspended by the Commission's Order of March 24, 1942; and each of such respondent participating carriers shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That Illinois Bell Telephone Company and all such other respondent participating carriers shall each file with the Commission a report, under oath, on or before the 10th day of each calendar month, commencing August 10, 1942, showing the amounts charged, collected and accounted for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this Order be filed with the schedules suspended in this proceeding in the office of the Federal Communications Commission; and that a copy hereof be forthwith served upon Illinois Bell Telephone Company and American Telephone and Telegraph Company.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6203; Filed, July 1, 1942; 10:42 a. m.]

[Docket No. 6335]

PRESS WIRELESS, INC.

ORDER INSTITUTING INVESTIGATION

In the matter of investigation of rates of Press Wireless, Inc. for ordinary press service between the United States and China.

At a session of the Federal Communications Commission held at the offices in Washington, D. C., on the 23d day of June 1942;

It appearing that Press Wireless, Inc., has established certain rates, charges, classifications, regulations, and practices for and in connection with ordinary press telegraph service between the United States and China;

It further appearing that the level of rates and charges for press telegraph service between the United States and China is of great public importance;

It further appearing that the rates and charges of Press Wireless, Inc., for and in connection with similar service between the United States, on the one hand, and England, Russia, and France, on the other hand, are substantially lower than the rates and charges of said company for such service between the United States and China; and that the rates, charges, classifications, regulations, and practices of said Company for and in connection with its ordinary press telegraph service between the United States and China may be unjust, unreasonable, or otherwise unlawful;

It is ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of rates, charges, classifications, regulations, practices, and services of Press Wireless, Inc., for and in connection with ordinary press telegraph service between the United States and China;

It is further ordered, That Press Wireless, Inc. be, and the same is hereby, made respondent to this proceeding and said respondent shall show cause under oath why its rates and charges for ordinary press telegraph service between the United States and China should not be reduced and it shall file its verified answer to this order on or before 15 days from the date of service of this order; and

It is further ordered, That the respondent, Press Wireless, Inc., shall file, within 30 days from the date of service of this order, its verified statement setting forth the following information in detail;

(1) The factors, circumstances, and estimates of revenues, expenses, and investment on which the respondent based its determination of the rates, charges, classifications, regulations and practices established by it with respect to ordinary press telegraph service between the United States and China;

(2) The factors, circumstances, and estimates of revenues, expenses, and investments on which the respondent based its determination of the rates, charges, classifications, regulations, and practices established by it with respect to its ordinary press telegraph service between the United States and countries other than China;

(3) For each month in the period beginning with the date when respondent established ordinary press telegraph service between the United States and Chungking, China, to date;

(a) The revenues received by it on account of ordinary press telegraph service between the United States and China,

classified as to terminal apparatus charges, switching apparatus charges, and radiotelegraph service charges;

(b) The special expenses incurred by it in the rendition of ordinary press telegraph service between the United States and China, such special expenses being defined as the expenses incurred because of such service which would not have been incurred but for the rendition of such service;

(c) The general expenses incurred by it as may properly be allocable to ordinary press telegraph service between the United States and China, showing in detail the bases and methods of allocation, such general expenses being defined as the joint expenses incurred on behalf of respondent's business as a whole and which cannot be identified as special expenses attributable to any particular service;

(4) The special investment made by respondent, as of the most recent date available, for the purpose of rendering ordinary press telegraph service between the United States and China, such special investment being defined as the investment made because of such service which would not have been made but for the rendition of such service;

(5) The general investment made by respondent, as of the same date as in paragraph (4) above, as may properly be allocable to ordinary press telegraph service between the United States and China, showing in detail the bases and methods of allocation, such general investment being defined as the joint investment made on behalf of respondent's business as a whole, and which cannot be attributable to any particular service;

(6) An estimate of the annual depreciation expense, with supporting detail, if available, as to estimated service lives, remaining lives, expired lives, and salvage, applicable respectively to such special investment and such general investment as are given in response to paragraphs (4) and (5) above;

(7) An estimate, if available, of the depreciation and amortization requirements applicable respectively to such special investment and such general investment as are given in response to paragraphs (4) and (5) above, as of the same date as paragraph (4) above;

(8) The accumulated Allowance of Depreciation, estimated if not known, associated respectively with such special investment and such general investment as are given in response to paragraph (4) and (5) above, as of the same date as in paragraph (4) above.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6204; Filed, July 1, 1942; 10:42 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5791]

CALIFORNIA ELECTRIC POWER COMPANY

NOTICE OF APPLICATION

JUNE 30, 1942.

Notice is hereby given that on June 30, 1942, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by the California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Arizona, California and Nevada, with its principal business office at Riverside, California, seeking an order authorizing the issuance of a promissory note in the amount of $250,000, at interest rate of 3% (payable monthly), to be dated as soon as the necessary approval is obtained from regulatory commissions, and payable $10,000 on the 1st day of the fourth month after date of issuance, and $7,500 per month on the 1st day of each consecutive month thereafter until paid in full to Bank of America National Trust and Savings Association, also authorizing a loan agreement ancillary to such note; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 17th day of July, 1942, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-6220; Filed, July 1, 1942; 11:38 a. m.]

OFFICE OF PRICE ADMINISTRATION

DISTILLATION PRODUCTS, INC.

MAXIMUM PRICES FOR FISH LIVER OIL RESIDUE

Order No. 4 under Revised Price Schedule 53 [1]—Fats and Oils.

Distillation Products, Inc., Rochester, New York, has filed an application for the determination of its maximum price on fish liver oil residue pursuant to § 1351.151 (b) (7) of Revised Price Schedule No. 53. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1351.1[1] (b) (7) of Revised Price Schedule No. 53, issued by the Office of Price Administration: *It is hereby ordered:*

(a) The maximum selling price of Distillation Products, Inc., Rochester, New York, for fish liver oil residue (free fatty acids 5%; unsaponifiable matter 10%; iodine No. 115; specific gravity .912 @ 22 deg. C.; saponification No. 163; fire point 669 deg. F., 354 deg C., flash point 595 deg. F., 313 deg. C.; no moisture; no impurities) in drums shall be 77.70 cents per gallon, f. o. b. Rochester, New York.

(b) The customary quantity differentials of Distillation Products, Inc., prevailing during the year 1941, shall apply.

(c) The customary differentials of Distillation Products, Inc., for type of container shall apply.

(d) The maximum selling price hereinbefore fixed shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 4 shall become effective July 3, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON, *Administrator.*

[1] 7 F.R. 1309, 1836, 2132, 8430, 3821.

[F. R. Doc. 42-6179; Filed, June 30, 1942; 5:15 p. m.]

DISTILLATION PRODUCTS, INC.

MAXIMUM PRICES FOR VEGETABLE OIL RESIDUE

Order No. 5 Under Revised Price Schedule No. 53 [1]—Fats and Oils.

Distillation Products, Inc., Rochester, New York, has filed an application for the determination of its maximum price on vegetable oil residue pursuant to § 1351.151 (b) (7) of Revised Price Schedule No. 53. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1351.151 (b) (7) of Revised Price Schedule No. 53, issued by the Office of Price Administration: *It is hereby ordered:*

(a) The maximum selling price of Distillation Products, Inc., Rochester, New York, for vegetable oil residue (free fatty acids 7%–17%; iodine No. 105–110; unsaponifiable 15%–20%; specific gravity .916; saponification No. 140; fire point 617 deg. F.; flash point 539 deg. F.; viscosity 1.5 poise @ 25 deg. C.) in drums shall be 5.27 cents per pound, f. o. b. Rochester, New York.

(b) The customary quantity differentials of Distillation Products, Inc., prevailing during the year 1941, shall apply.

(c) The customary differentials of Distillation Products, Inc., for type of container shall apply.

(d) The maximum selling price hereinbefore fixed shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 5 shall become effective July 3, 1942.

Issued this 30th day of June 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6180; Filed, June 30, 1942; 5:14 p. m.]

FRANK CAPPELLI, JR.

SUSPENSION ORDER AFFIRMED

Order on petition for reconsideration of Suspension Order No. 11 under Ration Order No. 5—Emergency Gasoline Rationing Regulations.

On June 17, 1942, in accordance with the provisions of Temporary Procedural Regulation No. 4 (7 F.R. 4296), Frank Cappelli, Jr., Lancaster Pike and Chatam Road, Ardmore, Pennsylvania, filed a petition for reconsideration of Suspension Order No. 11, issued against the petitioner on June 15, 1942. The petition having been duly considered by the Administrator,

It is hereby ordered:

That Suspension Order No. 11 be and it hereby is affirmed. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877).]

Issued this 30th day of June 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6182; Filed, June 30, 1942; 5:13 p. m.]

AMERICAN OIL COMPANY

SUSPENSION ORDER STAYED

Order on petition for reconsideration of Suspension Order No. 12 under Ration Order No. 5—Emergency Gasoline Rationing Regulations.

On June 24, 1942, in accordance with the provisions of Temporary Procedural Regulation No. 4 (7 F.R. 4296), American Oil Company, as operator of the station at Broad Street and Godfrey Avenue, Philadelphia, Pennsylvania, filed a petition for reconsideration of Suspension Order No. 12, issued against the petitioner on June 15, 1942. This petition for reconsideration set forth certain facts which had not been presented at the hearing on the charges against petitioner held in Philadelphia, Pennsylvania, on June 11, 1942. This written evidence having been duly considered by the Administrator,

It is hereby ordered:

That Suspension Order No. 12 is hereby stayed until 12:01 a. m. July 7, 1942. (Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877))

Issued this 29th day of June 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6183; Filed, June 30, 1942; 5:13 p. m.]

GLEN JOHNSON

SUSPENSION ORDER STAYED; HEARING SET

Order on petition for reconsideration of Suspension Order No. 14 under Ration Order No. 5—Emergency Gasoline Rationing Regulations.

On June 19, 1942, in accordance with the provisions of Temporary Procedural Regulation No. 4 (7 F.R. 4296), Glen Johnson, Fifth and Godfrey Avenues, Philadelphia, Pennsylvania, filed a petition for reconsideration of Suspension Order No. 14, issued against the petitioner on June 15, 1942. This petition for reconsideration set forth certain facts which the petitioner had not presented at the hearing on the charges against petitioner held in Philadelphia, Pennsylvania, on June 12, 1942. This written evidence having been duly considered by the Administrator,

It is hereby ordered:

That Suspension Order No. 14 is hereby stayed and that a further hearing be held thereon with respect to:

(a) The effect of compliance with Suspension Order No. 14 upon petitioner, and

(b) Relationship between petitioner and Parkway Oil Company, his alleged supplier,

at the Suburban Station Building, 16th and Pennsylvania Boulevard, in the City of Philadelphia, Pennsylvania, on the 29th day of June 1942, at 10:00 o'clock A. M. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.A. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877).]

Issued this 22d day of June 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6184; Filed, June 30, 1942; 5:13 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-566]

WEST TEXAS UTILITIES COMPANY AND THE MIDDLE WEST CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by West Texas Utilities Company and The Middle West Corporation pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9, 10, and 12 (d) thereof. All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized as follows:

West Texas Utilities Company proposes through an offer to be mailed by the company to all security holders of Pecos Valley Power & Light Company whose addresses are available, to purchase all the outstanding securities of Pecos Valley Power & Light Company that may be deposited in acceptance of the offer, upon the following terms and conditions:

1. The respective prices to be paid for said securities are as follows:

(a) For the $1,276,000 principal amount of outstanding First Mortgage 6½% Bonds, 87⅛% of the principal thereof flat;

(b) For the $727,500 principal amount of outstanding Non-Cumulative Income Debentures, 20% of the principal thereof flat;

(c) For the 3,582.66 outstanding shares of Common Stock (exclusive of 3,892.34 shares held by The Middle West Corporation but including 36.31 shares issuable under the Plan of Reorganization of Pecos Valley Power & Light Company in exchange for securities which have not been surrendered), $1 per share.

2. The offer of purchase shall expire upon the expiration of 45 days after the mailing of such offer or at the close of business on September 1, 1942, whichever date shall be earlier, unless the time for its acceptance shall be extended by the Company for a period or periods not exceeding in the aggregate 30 days.

3. The Company shall be under no obligation to purchase any of such securities unless there shall be deposited, before the expiration of the offer, with the depositary named in the offer, at least 96% of the outstanding bonds with all interest coupons maturing on and after November 1, 1942, attached, and at least 97.5% of the outstanding debentures and at least 80% of the 3,582.66 outstanding shares of stock (exclusive of 3,892.34 shares held by The Middle West Corporation), together with instructions to deliver same to or upon the order of the Company upon the payment of the purchase price therefor; but the Company reserves the right at its option to purchase at the respective prices named all securities that may be so deposited if less than the percentages above specified provided at least 90% of the principal amount of the bonds and at least 90% of the principal amount of the debentures and at least 80% of the shares of stock outstanding are so deposited.

Additional information concerning the proposed transaction is to be filed by amendment.

West Texas Utilities Company is a subsidiary of American Public Service Company which is a subsidiary of Central and Southwest Utilities Company, which is in turn a subsidiary of The Middle West Corporation, each of the latter three companies being a registered holding company.

The Middle West Corporation owns securities of Pecos Valley Power & Light Company, a direct subsidiary, as shown by the following table:

Title of issue	Amount owned by The Middle West Corporation	Percent of securities owned by The Middle West Corporation to total outstanding securities
First mortgage 10-year 6½% gold bonds, series A, due (as extended) May 1, 1950	$313,000	*Percent* 24.53
Non-cumulative income debentures	$369,500	50.79
Common Stock—no par value	3,892.34 sh.	52.07

The Middle West Corporation requests that it be authorized by the Commission to (a) sell to West Texas Utilities Com-

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pany the bonds and the debentures of Pecos Valley Power & Light Company owned by The Middle West Corporation upon the terms of the offer as hereinbefore specified, and to (b) transfer and deliver to West Texas Utilities Company without consideration the 3,892.34 shares of common stock of Pecos Valley Power & Light Company owned by The Middle West Corporation.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matter and that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matter under the applicable provisions of said Act and rules of the Commission thereunder be held on July 15, 1942 at 10 o'clock A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing-room clerk in Room 318. At such hearing, cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether such acquisition will tend toward interlocking relations or the concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

2. Whether the price proposed to be offered for each class of outstanding securities of Pecos Valley Power & Light Company including all fees, commissions and other remuneration to be paid in connection with such acquisitions bears a fair relation to the underlying interest of each class of security holder in the assets of Pecos Valley Power & Light Company.

3. Whether the aggregate price proposed to be offered for all the outstanding securities of Pecos Valley Power & Light Company including all fees, commissions, and other remuneration paid in connection with such acquisition is reasonable or bears a fair relation to the sums invested in or the earning capacity of the utility assets underlying the securities of Pecos Valley Power & Light Company.

4. Whether such acquisition will unduly complicate the capital structure of the holding company system of the applicants or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding company system.

5. Whether such acquisition will serve the public interest by tending towards the economical and efficient development of an integrated public utility system.

6. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose as a term or condition to the granting of an order approving the acquisition of such securities, any of the following:

(A) A term or condition with respect to assuring a merger or consolidation of Pecos Valley Power & Light Company and West Texas Utilities Company.

(B) Any other terms or conditions which may be appropriate in the premises.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6173; Filed, June 30, 1942; 3:35 p. m.]

WAR SHIPPING ADMINISTRATION.

JUST COMPENSATION FOR CERTAIN FRENCH AND ESTONIAN REQUISITIONED VESSELS

Notice is hereby given that pursuant to Section 1 of the Act approved June 6, 1941, (Public Law 101, 77th Congress), authorizing the acquisition by the United States of foreign vessels and the making of just compensation therefor, the United States Maritime Commission, on June 6, 1942, deposited with the Treasurer of the United States payments on account of just compensation for the respective French and Estonian vessels listed below, in the amounts set forth opposite the name of each vessel, the final determination in each case not yet having been made:

French S. S. *Normandie* (renamed *Lafayette*)	$400,000.00
Estonian S. S. *Maret* (renamed *Sysonby*)	25,000.00

The attention of the interested parties is invited to the provisions of section 1 concerning claims against the vessels subsisting at the time they were requisitioned.

By Order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr., *Secretary.*

JUNE 30, 1942.

[F. R. Doc. 42-6221; Filed, July 1, 1942; 11:27 a. m.]

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FEDERAL REGISTER

VOLUME 7 NUMBER 130

Washington, Friday, July 3, 1942

The President

EXECUTIVE ORDER 9187

TRANSFERRING CERTAIN PERSONNEL FROM THE COAST AND GEODETIC SURVEY TO THE WAR AND NAVY DEPARTMENTS

By virtue of the authority vested in me by section 16 of the act of May 22, 1917, 40 Stat. 87 (U.S.C., title 33, sec. 855), and as President of the United States, and in view of the existing national emergency, it is hereby ordered as follows:

1. The following-named commissioned officers are hereby transferred from the Coast and Geodetic Survey to the service and jurisdiction of the War Department:

Ensign Francis X. Popper
Lieutenant John C. Ellerbe, Jr.
Lieutenant Edward R. McCarthy
Lieutenant James D. Thurmond
Lieutenant Commander Leo C. Wilder

2. The following-named commissioned officers are hereby transferred from the Coast and Geodetic Survey to the service and jurisdiction of the Navy Department:

Ensign Edward G. Cunney
Ensign Norman Porter
Ensign G. Albion Smith
Ensign Lorin F. Woodcock
Lieutenant (jg) William R. Jackson
Lieutenant (jg) William N. Martin
Lieutenant Roswell C. Bolstad
Lieutenant Horace G. Conerly
Lieutenant Robert A. Earle
Lieutenant Fred A. Riddell
Lieutenant Emmett H. Sheridan
Lieutenant Commander Edgar H. Bernstein
Captain Frederick B. T. Siems
Captain Paul C. Whitney

3. The above-named officers shall, while under the jurisdiction of the War or Navy Department, serve under their commissions in the Coast and Geodetic Survey, and while so serving shall constitute a part of the active military or naval forces of the United States and shall be under direct orders of the War or Navy Department and subject to the laws, regulations, and orders for the government of the Army or Navy so far as they may be applicable.

4. The above-named officers shall be returned to the Coast and Geodetic Survey when the present national emergency ceases to exist.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 30, 1942.

[F. R. Doc. 42-6228; Filed, July 1, 1942; 2:37 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1942-11]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

SUBPART D—1942

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1942 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.301 (c) (6) is amended to read as follows:

§ 701.301 *Allotments, yields, grazing capacities, payments, and deductions.* * * *

(c) *Peanuts.* * * *

(6) *Deduction.* Ten times the payment rate for each acre of peanuts in excess of the peanut allotment if the producer (i) fails to show the disposition of any peanuts grown on the farm, or (ii) fails to pay the penalty due upon any excess peanuts under the marketing quota program: *Provided*, That no deduction will be made if the acreage of peanuts on the farm is 1 acre or less.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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2. Section 701.301 (i) (1) (xii) is amended to read as follows:

(i) *Minimum soil-conserving and soil-building requirements* • • •

(1) *Minimum conserving acreage.* • • •

(xii) New seedings of perennial grasses or legumes, biennial legumes, or lespedeza seeded in accordance with good farming practice with flax, peas, or small grains as a nurse crop. The maximum acreage which may qualify under this item shall be limited to the 1942 acreage of flax plus 40 percent of the sum of the 1942 acreages of the following crops on the farm: Soybeans for beans, peanuts for oil, hemp, castor beans, sugar beets, dry field peas, dry beans, canning peas, canning tomatoes, and American-Egyptian cotton.

• • • • •

3. Section 701.302 (e) (3) is amended to read as follows:

§ 701.302 *Soil-building goals, payments, and practices.* • • •

(e) *Deduction for failure to maintain practices under previous programs.* • • •

(3) the effectiveness of any soil-building practice carried out under any previous program is destroyed during the 1942 program year contrary to good farming practice, there shall be deducted an amount equal to the payment that would be made under the 1942 program for a similar amount of such practice from the net payment due the person (after increase in small payments and deductions for association expense) on the same or any other farm in the county who was responsible for the failure to maintain such practices. In the event the amount of such deduction exceeds the amount of payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary.

4. Section 701.302 (f) (22) is amended to read as follows:

(f) *Soil-building practices.* • • •

(22) With prior approval of the county committee, the establishment of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if any fire guard is used in connection with controlled burning—5 cents per 100 linear feet.

5. Section 701.302 (f) (23) is amended to read as follows:

(23) With prior approval of the county committee, destruction of noxious plants on range land and noncrop open pasture land by mowing. Payment will not be made if the plants mowed are used for hay or sold for any purpose. Payment will be made for mowing the number of times that the county committee, with the approval of the State committee, finds is necessary for destruction of the noxious plants—25 cents per acre for each mowing.

• • • • •

6. Section 701.313 (e) (7) is amended to read as follows:

§ 701.313 *Definitions.* • • •

(e) *Miscellaneous.* • • •

(7) Noncrop open pasture land means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

7. Section 701.313 (e) (8) is amended to read as follows:

(8) "Range land" means any land which produces forage grazed by range livestock without cultivation or general irrigation in which an operator has such a legal estate or interest as to give him control thereof, except land determined by the Agricultural Adjustment Agency to be noncrop open pasture land.

(Sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 727; 16 U.S.C. 1940 ed. 590g–590q; 55 Stat. 257, 860; Public Law 439, approved February 6, 1942)

Done at Washington, D. C., this 30th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6230; Filed, July 1, 1942; 4:22 p. m.]

PART 728—WHEAT

RESULTS OF THE WHEAT REFERENDUM, 1942 CROP

By virtue of the authority vested in the Secretary of Agriculture by section 336 of the Agricultural Adjustment Act of 1938, as amended, the following proclamation is hereby made:

§ 728.306 *Results of wheat referendum.* In the referendum of wheat farmers conducted by the Secretary of Agriculture on the 2nd day of May, 1942, to determine whether such farmers were in favor of or opposed to marketing quotas for the 1942 crop of wheat, the total number of votes cast was 392,111, of which 323,030, or 82.4 per centum, were in favor of, and 69,081, or 17.6 per centum, were opposed to, such marketing quotas. Therefore, the national marketing quota for wheat, as proclaimed by the Secretary of Agriculture on July 24, 1941, will be in effect for the 1942 crop.

(Sec. 336, 52 Stat. 55, 7 U.S.C. 1336)

Done at Washington, D. C., this 30th day of June, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6229; Filed, July 1, 1942; 4:22 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 13—ASSISTANCE OF CREDITOR BY WAR DEPARTMENT

SALES ON CREDIT TO ENLISTED MEN

Section 13.1 is hereby amended to read as follows:

§ 13.1 *Sales on credit to enlisted men.* A person, firm, or corporation desiring to sell merchandise on credit to an enlisted man should, prior to doing so, obtain from the commanding officer of the organization to which the enlisted man belongs approval of the transaction and of the arrangements in connection therewith. The incurring by enlisted men of financial obligations which it will be difficult for them to meet is not regarded with favor, except under most exceptional circumstances. The War Department will not concern itself with the business of persons, firms, or corporations selling merchandise to enlisted men on credit, and all communications with respect to such sales, and all arrangements looking to the establishment of such business relations must be had with the commanding officers of the organizations to which the enlisted men belong. The War Department will decline to assist, by answering inquiries or otherwise, in securing the payment of obligations of this character that are incurred without the previous knowledge and consent of the commanding officers of the organizations to which the debtors belong. (R.S. 161; 5 U.S.C. 22) [Par. 2e, AR 600-10, June 2, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6239; Filed, July 2, 1942; 10:01 a. m.]

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

INSIGNIA OF GRADE FOR WARRANT OFFICERS AND AIR NAVIGATORS

Sections 79.25 (c) and 79.54 (m) are hereby amended to read as follows:

§ 79.25 *Insignia of grade.*

• • • • •

(c) *Warrant officers other than of the Army Mine Planter Service*—(1) *Chief warrant officer.* One gold bar ⅜ inch in width and 1 inch in length, with rounded ends, having a brown enameled top and a longitudinal center of gold ⅛ inch in width.

(2) *Warrant officer (junior grade).* One gold bar ⅜ inch in width and 1 inch in length, with rounded ends, having a brown enameled top and a latitudinal center of gold ⅛ inch in width. (R.S. 1296; 10 U.S.C. 1391) [Par. 25c, AR 600-35, as amended by Cir. 200, W.D., June 22, 1942]

• • • • •

§ 79.54 *Badges, aviation.*

• • • • •

(m) *Navigator.* At the center of the wings, an armillary sphere superimposed on a horizontally lined background. (R.S. 1296; 10 U.S.C. 1391) [Par. 54m, AR 600-35, as amended by Cir. 202, W.D., June 23, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6240; Filed, July 2, 1942; 10:01 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 04-14, Civil Air Regulations]

PART 04—AIRPLANE AIRWORTHINESS

STALLING AND SPINNING PERFORMANCE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June 1942.

Acting pursuant to sections 205 (a), 601 (a), and 603 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board hereby amends the Civil Air Regulations as follows:

Effective July 1, 1942, Part 04 of the Civil Air Regulations is hereby amended as follows:

1. By adding a new § 04.7030 to read as follows:

§ 04.7030 *Controllability at the stall.* With power off and with 75% maximum-except-take-off power, with flaps and landing gear in any position; the airplane shall have sufficient directional and lateral control so that when the airplane is stalled, the downward pitching motion following the stall shall occur prior to any uncontrollable roll or yaw. Any such pitching motion shall not be excessive and recovery to normal flight shall be possible by normal use of the controls after the pitching motion is unmistakably developed, without excessive loss of altitude.

2. By striking § 04.706 and inserting in lieu thereof the following:

§ 04.706 *Spinning.* (Not applicable to airplanes certificated in the transport category). At any permissible combination of weight and center of gravity position obtainable with all or part of the design useful load, there shall be no excessive reversal of control forces during any possible spinning up to 6 turns. It shall be possible promptly to recover at any point in the spinning described above by using the controls in a normal manner for that purpose and without exceeding either the limiting airspeed or the limit design normal acceleration for the airplane. It shall not be possible to obtain uncontrollable spins by means of any possible use of the controls: *Provided*, That compliance with the foregoing requirements with respect to spinning shall not be required for those airplanes—

(a) permanently placarded "intentional spinning prohibited"; or

(b) demonstrated to the satisfaction of the Administrator to be characteristically incapable of spinning.

3. By striking §§ 04.7060 and 04.7061.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6263; Filed, July 2, 1942; 12:04 p. m.]

[Amendment 21-7, Civil Air Regulations]

PART 21—AIRLINE TRANSPORT PILOT RATING

PERMANENT AIRLINE TRANSPORT PILOT CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 26th day of June, 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 7, 1941, Part 21 of the Civil Air Regulations is amended as follows:

1. By amending § 21.24 to read as follows:

§ 21.24 *Duration.* An airline transport pilot certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Administrator within such period, it shall continue in effect thereafter, until otherwise specified by the Board, unless suspended or revoked.

2. By striking §§ 21.25, 21.250 (a), and 21.251 (b) and substituting in lieu thereof § 21.25 to read as follows:

§ 21.25 *Expired certificates; special issuance.* The holder of an airline transport pilot certificate which has expired within the preceding 12 months, upon application, may obtain a new airline transport pilot certificate and aircraft rating to pilot aircraft of the same type and with the same special rating theretofore held immediately prior to its expiration, by demonstrating to the satisfaction of the Administrator that he is qualified to hold the certificate and rating sought.

3. By striking § 21.42 and substituting in lieu thereof § 21.42 to read as follows:

§ 21.42 *Recent experience requirements.*

§ 21.421 *Without passengers.* A certificated airline transport pilot who within the preceding 6 calendar months has not made and logged at least 3 take-offs and 3 landings to a full stop in aircraft of the type and class to be flown, shall not pilot such aircraft until he has made 3 take-offs and 3 landings to a full stop therein, accompanied by a certificated pilot of at least private grade holding an appropriate type, class and horsepower rating.

§ 21.422 *Passenger flight (day and night).* A certificated airline transport pilot shall not pilot an aircraft carrying any person other than the members of the crew thereof, certificated airmen carried in air carrier aircraft in furtherance of their official duties; or a certificated instructor rated for the aircraft operated, unless within the preceding 3 calendar months he shall have made and logged at least 3 take-offs and landings to a full stop in an aircraft of the same type and class as that of the aircraft in which such person is carried. A certificated airline transport pilot shall not pilot such aircraft between sunset and sunrise unless he has made at least one of the 3 required take-offs and landings between sunset and sunrise.

§ 21.423 *Instrument flight.* A certificated airlane transport pilot who within the preceding 6 calendar months has not flown and logged at least 2 hours of flight time solely by reference to instruments under either actual or properly simulated instrument flight conditions, shall not pilot an aircraft under such conditions until he has flown and logged at least 2 hours of such flight time accompanied by a certificated pilot of at least private grade holding an appropriate type, class and horsepower rating for the aircraft, and authorized to operate aircraft under instrument conditions.

4. By adding a new § 21.444 to read as follows:

§ 21.444 *Reports.* The holder of an airline transport pilot certificate shall furnish the authorized airline medical examiner of the Administrator, at the time of each physical examination to be forwarded by him to the Administrator, a report setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require since his last preceding report.

5. By amending the table of contents to conform to Items 2 and 3 of this amendment.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6265; Filed, July 2, 1942; 12:04 p. m.]

[Amendment 26-4, Civil Air Regulations]

PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

PERMANENT CONTROL-TOWER OPERATOR CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 7, 1941, Part 26 of the Civil Air Regulations is amended as follows:

1. By amending § 26.4 to read as follows:

§ 26.4 *Duration.* An air-traffic control-tower operator's certificate shall be of 60 days' duration, and unless the holder is otherwise notified by the Administrator within such period, it shall continue in effect thereafter until otherwise specified by the Board, unless suspended or revoked.

2. By striking § 26.40 and inserting in lieu thereof the following:

§ 26.40 Unassigned.

3. By striking § 26.41 and inserting in lieu thereof the following:

§ 26.41 *Expired certificates: special issuance.* The holder of an air-traffic control-tower operator certificate which has expired during the preceding twelve months may obtain a new certificate and the same rating theretofore held immediately prior to its expiration, upon application, by demonstrating to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

4. By striking § 26.500.

5. By adding a new § 26.60 to read as follows:

§ 26.60 *Periodic physical examination.* The holder of an air-traffic control-tower operator's certificate shall not exercise the privileges thereunder unless within the preceding 12 calendar months he has met the physical standards of the Second Class prescribed in Part 29 by passing an examination conducted by an authorized medical examiner of the Administrator.

6. By adding a new § 26.61 to read as follows:

§ 26.61 *Recent experience requirements.* The holder of an air-traffic control-tower operator's certificate shall not exercise the privileges thereunder unless:

(1) If rated as a junior air-traffic control-tower operator he has served for at least three months as an operator at the airport to which the rating applies during the twelve calendar months immediately preceding, or

(2) If rated as a senior air-traffic control-tower operator he has served for at least three months as an operator at the airport to which the rating applies during the six calendar months immediately preceding, or

(3) He has demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

7. By adding a new § 26.62 to read as follows:

§ 26.62 *Reports.* The holder of an air-traffic control-tower operator certificate shall furnish the medical examiner, at the time of each physical examination, to be forwarded by him to the Administrator, a report setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require, since his last preceding medical examination.

8. By amending the table of contents to conform to Items 2, 3, 5, 6, and 7 of this amendment.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6264; Filed, July 2, 1942; 12:04 p. m.]

[Amendment 27-8, Civil Air Regulations]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

PERMANENT AIRCRAFT DISPATCHER CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 7, 1941, Part 27 of the Civil Air Regulations is amended as follows:

1. By amending § 27.22 to read as follows:

§ 27.22 *Duration.* An aircraft dispatcher certificate shall be of 60 days' duration, and unless the holder is otherwise notified by the Administrator within such period, it shall continue in effect thereafter until otherwise specified by the Board, unless suspended or revoked.

2. By striking § 27.23 and inserting in lieu thereof a new section as follows:

§ 27.23 *Recent experience requirements.* The holder of an aircraft dispatcher certificate shall not exercise the privileges thereunder unless, within the preceding twelve calendar months he has:

(a) For at least three months,

(1) Served as an aircraft dispatcher, or

(2) Served as first or second pilot in scheduled air carrier operation, or

(3) Been engaged in the actual supervision of, or has been responsible for determining or certifying the competency or qualifications of aircraft dispatchers, or air carrier dispatcher systems, or,

(4) Served in any combination of the duties described in subsections (1), (2), or (3);

(b) Demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

3. By adding a new § 27.230 to read as follows:

§ 27.230 *Reports.* The holder of an aircraft dispatcher certificate shall transmit to the Administrator, annually, during the month of January, a report for the preceding twelve-month period, setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require.

4. By amending § 27.24 to read as follows:

§ 27.24 *Expired certificates: special issuance.* The holder of an aircraft dispatcher certificate which has expired during the preceding twelve months may obtain a new certificate and the same rating theretofore held immediately prior to its expiration, upon application, by demonstrating to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

5. By amending the table of contents to conform to Items 2 and 4 of this amendment.

6. By adding to the table of contents in the proper numerical order the following:

27.28 Revocation.
27.29 Aircraft dispatcher identification card.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 24-6266; Filed, July 2, 1942; 12:05 p. m.]

[Amendment 51-7, Civil Air Regulations]

PART 51—GROUND INSTRUCTOR RATING

PERMANENT GROUND INSTRUCTOR CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June, 1942.

Acting pursuant to sections 205 (a), 601, and 607 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 7, 1941, Part 51 of the Civil Air Regulations is amended as follows:

1. By amending § 51.22 to read as follows:

§ 51.22 *Duration.* A ground instructor certificate shall be of 60 days' duration, and unless the holder is otherwise notified by the Administrator within such period, it shall continue in effect thereafter until otherwise specified by the Board, unless suspended or revoked.

2. By striking § 51.23 and inserting in lieu thereof the following:

§ 51.23 *Recent experience requirements.* The holder of a ground instructor certificate shall not exercise the privileges thereunder unless during the preceding twelve calendar months he has:

(1) Served for at least three months as a ground school instructor, or

(2) Demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

3. By adding a new § 51.230 to read as follows:

§ 51.230 *Reports.* The holder of a ground instructor certificate shall transmit to the Administrator, annually, during the month of January, a report for the preceding twelve-month period, setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require.

4. By amending § 51.24 to read as follows:

§ 51.24 *Expired certificates: special issuance.* The holder of a ground instructor certificate which has expired within the preceding twelve months may obtain a new certificate and the same rating theretofore held immediately prior to its expiration, upon application, by demonstrating to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

5. By amending the table of contents to conform to Items 2 and 4 of this amendment.

6. By adding to the table of contents in the proper numerical order the following:

51.28 Revocation.
51.29 Ground Instructor identification card.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6267; Filed, July 2, 1942; 12:05 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4530]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CHUMANIE MEDICINE COMPANY

§ 3.6 (t) *Advertising falsely or misleadingly — Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly — Safety:* § 3.6 (y 10) *Advertising falsely or misleadingly — Scientific or other relevant facts:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondent's Chumanie's Triple XXX Tablets, Iron Tonic Pills, Yellow Jacket Pills, Double RR Tablets, and Plantation C. M. Q. Capsules, or other similar preparations, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparations, which advertisments represent, directly or through inference, (1) that said "Triple XXX Tablets" are a safe or competent treatment for irregular or delayed menstruation; or that cold feet has any substantial influence in delaying or preventing the onset of menstruation; (2) that said "Iron Tonic Pills" are an effective treatment for anemia, except in cases of anemia resulting from a deficiency of iron in the diet; or that the symptoms of feeling old, played out, or nervousness, indicate a deficiency of iron in the diet; (3) that said "Yellow Jacket Pills" are a stimulant to the kidneys, except as a mild diuretic, or are an effective treatment for kidney or bladder disorders, or for such symptoms as backache, leg pains, puffy or swollen eyes, or that such symptoms indicate kidney or bladder disorders; (4) that said "Double RR Tablets" are an effective treatment for rheumatism or inflamed, painful joints or that they will have any therapeutic effect in the treatment of said conditions in excess of mitigating the distress and discomforts thereof; or that stiff or painful joints are caused only by a rheumatic condition of the human body; and (5) that said "Plantation C. M. Q. Capsules" are a treatment for the relief of the common cold; or which advertisements fail to reveal that the use of said "Triple XXX Tablets" may cause gastro-intestinal disturbances, pelvic congestion, excessive uterine hemorrhages, and, in cases of pregnancy, infection of the pelvic organs and blood poisoning; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, as modified by motion, Chumanie Medicine Company, Docket 4530, July 1, 1942]

In the Matter of Charles Roehm, Individually and Trading Under the Name of Chumanie Medicine Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of July, A. D. 1942.

This matter coming on to be heard by the Commission upon the respondent's motion to modify the order to cease and desist heretofore issued by the Commission on May 11, 1942, and the Commission having duly considered said motion and the record herein and being now fully advised in the premises;

It is ordered, That respondent's motion for an order modifying the order to cease and desist be, and the same hereby is, granted insofar as said motion moves the deletion of the words "or nutritional lack of iron" in lines 4 and 5 of subsection (a) of paragraph 1 of the order to cease and desist issued on May 11, 1942.

It is further ordered, That respondent's motion be, and the same hereby is, denied insofar as it moves the deletion of the word "competent" from the second line of subsection (a) of paragraph 1 and the insertion of the clause "or that the nutritional lack of iron has any influence in delaying or preventing the onset of menstruation other than confined to certain well defined limits" immediately preceding the semicolon in line 7 of subsection (a) of paragraph 1.

It is still further ordered, That except as hereinabove modified the order to cease and desist issued by the Commission on May 11, 1942, remain in full force and effect.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6251; Filed, July 2, 1942; 11:35 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1474]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 327.21 (*High volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R-II, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

The original petitioner proposed Price Classification B for the coals of Mine Index No. 310 in Size Group 8 for all shipments except truck. Since it appears that Price Classification D has been established in Size Group 8 for comparable and analagous coals, and since the petition does not allege any facts in support of the proposed price classification for the Size Group 8 coals of Mine Index No. 310, Price Classification D has been established by the order herein for the coals of this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 16, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.								
								1	2	3	4	5	6	7	8	9	10
310	Atlantic Coal Sales Co.	Asco #4	4	Davy-Sewell	Davy, W. Va.	N&W	30	D	(†)	(†)	(†)	(†)	B	B	D	(†)	(†)

†When shown under a size group number, this symbol indicates no classification effective for this size group.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.21 *High volatile coals: Alphabetical list of code members*—Supplement R-II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos.																		
								For destinations other than Great Lakes											For Great Lakes cargo only							
								1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
311	Deepwater Coal Co. c/o E. L. Michie.	Deepwater No. 1	No. 2 Gas	2	Deepwater, W. Va.	Virginian	15	(†)	(†)	(†)	(†)	(†)	(†)	(†)	A	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†When shown under a size group number, this symbol indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine index No.	Subdistrict No.	County	Seam	All lump 3½" or larger, all egg and stove	All nut or pea 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Atlantic Coal Sales Co., Deepwater Coal Co., c/o E. L. Michie.	Asco #4	310	4	McDowell	Davy-Sewell	290		280	215	190	
	Deepwater #1	311	2	Fayette	No. 2 Gas			280	215		

[F. R. Doc. 42-6210; Filed, July 1, 1942; 11:11 a. m.]

[Docket No. A-1490]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.2 (*Mine index numbers*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

The original petitioner proposed Price Classification B for the coals of Mine Index No. 310 in Size Group 8 for all shipments except truck. Since it appears that Price Classification D has been established in Size Group 8 for comparable and analagous coals, and since the petition does not allege any facts in support of the proposed price classification for the Size Group 8 coals of Mine Index No. 310, Price Classification D has been established by the order herein for the coals of this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.2 *Mine index numbers*—Supplement R-I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
1	Sahara Coal Company	Sahara #1	1 157	133	Harrisburg, Ill.	NYC.
1	Sahara Coal Company	Sahara #2 Preparation Plant	1 156	133	Harrisburg, Ill.	NYC.
7	Sahara Coal Company	Bankston Creek #6	158	133	Harrisburg, Ill.	NYC.
			4	133	Harrisburg, Ill.	NYC.

1 Mine Index Nos. 157 and 156 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Group 1 for all uses except Railroad Fuel, Locomotive Fuel, and Export Trade, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel, provided, however, that these f. o. b. mine prices apply on board transportation facilities at Harrisburg, Illinois.

2 Freight Origin Group 141, is no longer applicable.

3 Mine Index No. 4 shall be included in Price Group 7 and shall take the same f. o. b. mine prices as other mines in Price Group 7 for all uses except Railroad Fuel, Locomotive Fuel, and Export Trade, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel; provided, however, that these f. o. b. mine prices apply on board transportation facilities at Harrisburg, Illinois.

§ 330.10 *Special prices*—(a) *Railroad locomotive fuel prices*—Supplement R–II

FOR ALL SHIPMENTS EXCEPT TRUCK

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Railroad	Shipping point
1	Sahara Coal Company	Sahara #4	1571	133	NYC.	Harrisburg, Ill.
1	Sahara Coal Company	Sahara #5	1581	133	NYC.	Harrisburg, Ill.
1	Sahara Coal Company	Central Preparation Plant	1	133	NYC.	Harrisburg, Ill.
7	Sahara Coal Company	Hamilton Creek #6	1	133	NYC.	Harrisburg, Ill.

[1] The railroad locomotive fuel price shall be: mine run—$2.25, screenings—$1.70 and railroad locomotive fuel price exceptions 9, 2–H and price exception list 1–130 shall apply.
[2] Freight Origin Group 141, is no longer applicable.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
SECTION NO. 16—SALINE COUNTY																																
Sahara Coal Company	1571	Sahara #4	5	265	265	265	250	240	235	225	225	205	195	195	195	170	160	110	60	210	205	205	205	205	190	190	190	190	180	170	170	180	145
Sahara Coal Company	1581	Central Preparation Plant [1]	15	265	265	265	250	240	235	225	225	205	195	195	195	170	160	110	60	210	205	205	205	205	190	190	190	190	180	170	170	180	145

[1] Coals produced at Mine Index Nos. 156, 1514, and 1571.

[F. R. Doc. 42–6209; Filed, July 1, 1942; 11:11 a. m.]

[Docket No. A–1486]

PART 337—MINIMUM PRICE SCHEDULE, DISTRICT NO. 17

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of Thos. E. Barton, a code member in District No. 17—for establishment of price classifications and minimum prices for the Sun Mine, Mine Index No. 515, in District No. 17.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent of price classifications and minimum prices for the coals of the Sun Mine, Mine Index No. 515, of code member Thos. E. Barton, in Subdistrict No. 5 in District No. 17, for shipments by rail and truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 337.4 (*Code member price index*), § 337.5 (*General prices; minimum for shipment via rail transportation*) and § 337.21 (*General prices in cents per net ton for shipment into all market areas*) in the Schedules of Effective Minimum Prices for District No. 17 For All Shipments Except Truck and For Truck Shipment are supplemented to include, for the coals of the Sun Mine, Mine Index No. 515, in District No. 17, the price of classifications and minimum prices designated in the schedules marked "Supplements R–I, R–II and T," attached hereto and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 23, 1942.

[SEAL] DAN H. WHEELER, *Acting Director*.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 337, Minimum Price Schedule for District No. 17, and supplements thereto.

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 17;

§ 337.4 *Code member price index*—Supplement R–I

Insert the following listing in proper alphabetical order:

Producer	Mine	Mine Index No.	County	Shipping point	Subdistrict price group	Railroad	F. O. G. No.	Prices Rail	Prices Truck
Barton, Thos. E.	Sun	515	Routt	Hayden	No. 5	D&SL	80	§ 337.5	§ 337.21

§ 337.5 *General prices; minimum for shipment via rail transportation*—Supplement R–II. The coals of the above listed Sun Mine (Mine Index No. 515) of Thos. E. Barton shall take the minimum f. o. b. mine prices in cents per ton for shipment by rail transportation into Market Areas shown under Subdistrict No. 5, of the Schedule of Effective Minimum Prices for District No. 17.

§ 337.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T. Insert the following code member name, mine name and county under Subdistrict No. 5, in proper order and the following prices:

Code member—mine name	County	Size groups 1	2	3	4	5	6	7	9	10	11	13	17
SUBDISTRICT NO. 5													
Barton, Thos. E., Sun Mine	Routt	455	445	425	425	400	370	360	315	285	260	170	315

[F. R. Doc. 42–6211; Filed, July 1, 1942; 11:12 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1–J]

§ 903.11 *Supplementary Directive 1–J—Further Delegation of Authority with Respect to Rationing in Puerto Rico and the Virgin Islands.*

(a) In order to permit the efficient rationing of all material in Puerto Rico and the Virgin Islands, the authority delegated to the Office of Price Administration by Directive No. 1 (§ 903.1)[1] is hereby extended to include the exercise of control over the sale, distribution and use of all materials in Puerto Rico and the Virgin Islands, except the acquisition or use thereof by or for the account of any of the persons or agencies designated in subparagraph (1) of paragraph (a) of said Directive No. 1. The exercise of such authority shall be subject to the terms and conditions specified in said Directive No. 1 and to the conditions hereinafter specified in this Supplementary Directive, and, in the case of exports, shall also be subject to the provisions of section 6 of the Act of July 2, 1940 (54 Stat. 714) and pertinent regulations issued thereunder.

(b) As used in this Supplementary Directive, the term "materials" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(c) Neither this Supplementary Directive, nor any action taken hereunder by the Office of Price Administration, shall relieve any person from complying with the provisions of any order or regulation of the Director of Industry Operations applicable to Puerto Rico or the Virgin Islands.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, April 7, 1942, 7 F.R. 2719; Sec. 2 (a), Public No. 671, 76th Cong., 3d Sess., as amended by Public No. 89, 77th Cong., 1st Sess. and by Public No. 507, 77th Cong., 2d Sess.; W.P.B. Directive No. 1, Jan. 24, 1942, 7 F.R. 562; W.P.B. Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended March 14, 1942, 7 F.R. 2126)

Issued this 1st day of July 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42–6244; Filed, July 2, 1942; 11:01 a. m.]

[1] 7 F.R. 562.

Subchapter B—Division of Industry Operations

PART 933—COPPER

[Extension 1 of General Preference Order M–9–a]

It is hereby ordered, That § 933.2 *General Preference Order M–9–a*,[1] as last amended May 7, 1942, shall continue in effect until 12 o'clock midnight on July 31, 1942, unless sooner revoked or amended by the Director of Industry Operations.

Issued this 30th day of June 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42–6227; Filed, July 1, 1942; 2:31 p. m.]

[1] 7 F.R. 3424.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Exemption 1 to Priorities Regulation 11]

§ 944.32a *Exemption 1 to Priorities Regulation 11.* (a) Pursuant to paragraph (c) of Priorities Regulation No. 11,[1] Class 1 producers, as defined in said Regulation, located in Alaska, Panama Canal Zone, or in territories or possessions of the United States outside of the continental United States, are hereby exempted from filing PRP applications for the third calendar quarter of 1942, and are granted until September 15, 1942, for filing applications for the fourth calendar quarter.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42–6245; Filed, July 2, 1942; 11:01 a. m.]

[1] 6 F.R. 6142; 7 F.R. 251, 748.

PART 949—CHROMIUM

[Amendment 3 to General Preference Order M–18–a [2]]

(a) Paragraph (i) of § 949.2 is hereby amended to read as follows:

(i) *Effective dates.* This order shall take effect immediately upon its issuance and shall continue in effect until revoked by the Director of Industry Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42–6243; Filed, July 2, 1942; 11:01 a. m.]

PART 962—IRON AND STEEL

[Supplementary Order M–21–g]

HEAT-RESISTANT CHROMIUM OR CHROMIUM-NICKEL ALLOY IRON AND ALLOY STEEL

§ 962.8—*Supplementary Order M21–g*—(a) *Restrictions on certain uses of chro-*

[2] 7 F.R. 4423, 4615, 4698.

mium and chromium-nickel iron and steel alloys for heat resistant purposes. Except pursuant to specific authorization or direction of the Director of Industry Operations, from and after the effective date of this order:

(1) No person shall melt, process, fabricate or deliver any heat resistant chromium or chromium-nickel alloy iron or alloy steel for the uses set forth in Schedule A with a higher chromium and/or nickel content than specifically authorized in Schedule A;

(2) No person, in placing an order for heat resistant chromium or chromium-nickel alloy iron or alloy steel for the uses set forth in Schedule A, shall specify temperature requirements beyond those necessary to maintain operations then engaged in; and

(3) No person, in redesigning or rebuilding any equipment, or parts therefor, for the uses set forth in Schedule A, shall increase the weight of the heat resistant chromium or chromium-nickel alloy iron or alloy steel in any unit to an amount greater than 10% of the weight of such iron or steel contained in the original design of such unit.

(b) *Exception for Army, Navy, and Maritime Commission orders.* The restrictions imposed by paragraph (a) shall not apply in the case of materials or equipment to be purchased by or for the account of the Army or Navy of the United States, or the United States Maritime Commission, or to be physically incorporated into materials or equipment to be so purchased, to the extent that the use of heat resistant chromium or chromium-nickel alloy iron or alloy steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, or the United States Maritime Commission applicable to the contract, subcontract, or purchase order.

(c) *Other exceptions.* The restrictions imposed by paragraph (a) shall not apply to:

(1) Materials fully fabricated at the effective date of this order;

(2) Materials to be melted, processed, fabricated or delivered pursuant to a contract made prior to the effective date of this order where it would not be practicable to change specifications to conform to the provisions of this order, provided that delivery of such materials under such contract shall be completed within sixty (60) days after the effective date of this order; and

(3) Any industrial instrument, instrument connection, instrument end, control valve, safety valve, or regulator, as defined by Conservation Order L-134, as amended from time to time, to the extent that the use of heat resistant chromium or chromium-nickel alloy iron or alloy steel is permitted by such order.

(d) *General restrictions.* (1) No person shall melt, process, fabricate or deliver any heat resistant chromium or chromium-nickel alloy iron or alloy steel to or for the account of any person for the uses set forth in Schedule A if he knows or has reason to believe that such material will be sold or used in violation of the terms of this order or any other or further order or direction of the Director of Industry Operations.

(2) A person melting, processing, fabricating or delivering any heat resistant chromium or chromium-nickel alloy iron or alloy steel for the uses set forth in Schedule A, may rely on the statement of his customer that such material will not be sold or used except in compliance with this order and any other or further order or direction, which statement shall be endorsed in the following form, signed by an official duly authorized for such purpose, on every purchase order for such material:

> The undersigned certifies to the seller and to the War Production Board that the material ordered herein will not be sold or used in violation of the terms of Supplementary Order M-21-g or any other or further order or direction of the Director of Industry Operations.
>
> Such statement shall be a representation to the War Production Board and shall be preserved by the seller for a period of at least two years.

(e) *Applicability of other orders.* Insofar as any other Order of the Director of Industry Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of any material, the limitations of such other order shall be observed.

(f) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may apply to the War Production Board, Iron and Steel Branch, Washington, D. C., Ref: M-21-g, setting forth the pertinent facts, and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Effective date.* This order shall take effect immediately. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

SCHEDULE 9. *Restrictions on certain uses of chromium and chromium-nickel iron and steel alloys for heat resistant purposes*

PART I—PARTS FOR, OR EQUIPMENT USED IN, INDUSTRIAL, HEAT TREATING OR OTHER METALLURGICAL FURNACES

Analysis	Max. Cr. %	Max. Ni. %	Max. Plus %	Ni., Cr., uses
A	None	None	None	1. For all uses where temperatures are below 900° F. 2. For non-integral furnace parts and accessories, operating at temperatures between 900° F. and 1,200° F. 3. For pots for molten baths, such as lead or salts, operating at temperatures below 1,400° F.
B	6	0	6	1. For integral furnace parts and those mechanical parts subject to substantially uniform heating and mechanical loading, operating at temperatures between 900° F. and 1,200° F. 2. For non-integral furnace parts and accessories not subject to frequently repeated severe thermal shock, operating at temperatures between 1,200° F. and 1,400° F.
C	18	8	26	1. For integral furnace parts and those mechanical parts subject to substantially uniform heating and mechanical loading, operating at temperatures between 1,200° F. and 1,400° F. 2. For operating parts which allow substantial latitude in design, such as walking beam rails, roller rails, rotating shafts and slide rails, operating at temperatures between 900° F. and 1,200° F.
E	25	12	37	1. For both integral and non-integral furnace parts and accessories not subject to severe thermal shock or abnormal load, operating at temperatures between 1,400° F. and 1,900° F. 2. For fuel fired radiant tube heating elements. 3. For operating parts which allow substantial latitude in design, such as walking beam rails, roller rails, rotating shafts and slide rails, operating at temperatures above 1,200° F. 4. Retorts for magnesium.
G	15	35	50	1. For parts which must of necessity endure highly concentrated stress because of the nature of the mechanism, such as link conveyors, mesh belts, chain conveyors, shaker hearths, hot bearings and fan wheels, operating at temperatures above 900° F.
Or the following alternate Analysis G may be used:				
G	27	4	31	2. For parts subject to thermal shock or abnormal load, operating at temperatures above 1,200° F. 3. For parts subject to chemical attack or electrolytic action, such as carburizing and "dry cyaniding." 4. For parts, such as quenching fixtures and hearth plates, where it can be shown that scaling can not be avoided which would result in serious difficulties. 5. For pots for molten baths, such as lead or salts, operating at temperature above 1,400° F. 6. For furnace parts and accessories, operating at temperatures above 1,900° F.
H	15	65	80	1. For electrical heating elements where the operating temperatures of the element is below 1,200° F.

SCHEDULE 9. *Restrictions on certain uses of chromium and chromium-nickel iron and steel alloys for heat resistant purposes*—Continued

PART II—PARTS FOR, OR EQUIPMENT USED IN, OIL REFINERIES, SYNTHETIC RUBBER PLANTS, AND CEMENT MILL FURNACES

Analysis	Max. Cr. %	Max. Ni. %	Max. Plus %	Ni., Cr., uses
A	None	None	None	1. For all uses, operating at temperatures below 900° F.
B	6	0	6	1. For all uses, operating at temperatures between 900° F. and 1,400° F.
C	18	8	26	1. For all uses, operating at temperatures between 1,400° F. and 1,900° F.
E	25	12	37	1. For all uses, operating at temperatures above 1,900° F.

PART III—PARTS FOR POWER PLANT EQUIPMENT

A	None	None	None	1. For economizer supports and sleeves. 2. For boiler dampers. 3. For all stoker parts. 4. For soot blowers, operating at temperatures below 1600° F. 5. For seal plates, wall castings and door liners. 6. Tubing for feed water heaters.
C	18	8	26	1. For that part of chemical feed pipe connections inside the boiler drum.
D	27	9	36	1. For soot blowers, operating at temperatures above 1600° F.
E	25	12	37	1. For super-heater supports, clamps and baffles, operating at temperatures between 1300° F. and 1600° F. 2. For boiler non-pressure parts exposed to direct furnace temperatures of over: 1600° F.
F	25	20	45	1. For super-heater supports, clamps and baffles, operating at temperatures above 1600° F. 2. For fuel burners—oil, gas and coal, where parts are directly exposed to furnace temperatures.
H	15	65	80	1. For fuel burner impeller plates ¼" in thickness.

NOTE: With the exception of Analysis A, an addition of 2% in content of chromium and 2% in content of nickel in the analyses designated in this Schedule A is permissible to allow for the use of scrap and for variations in melting and laboratory procedures. For example: In the case of Analysis C (18% Cr.—8% Ni.) up to 20% chromium and 10% nickel is permissible.

[F. R. Doc. 42-6248; Filed, July 2, 1942; 11:02 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Amendment 4 to General Limitation Order L-30]

Paragraph (b) of § 1052.1 (*General Limitation Order L-30*)[1] is hereby amended by adding at the end thereof a new paragraph (b) (8) as follows:

(8) During the month of July, 1942, no manufacturer shall use:

(i) More iron and steel in his total production of:

(*a*) Group I Products than 90% of his average monthly use of scarce materials in the production of such products in the base period, or

(*b*) Group II Products than 70% of his average monthly use of scarce materials in the production of such products in the base period,

except that a manufacturer may use in the production of Group I Products any part of his quota of iron and steel for Group II Products, provided that he reduces his quota of iron and steel for Group II Products by an equivalent amount; or

(ii) More zinc in his total production of Group II Products than 50% of his average monthly use of zinc in the production of such products during the base period.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6231; Filed, July 1, 1942; 4:24 p. m.]

[1] 7 F.R. 2463, 2785, 3473, 4450.

PART 1083—KAPOK

[General Conservation Order M-85, as amended to July 2, 1942]

Section 1083.1 *General Conservation Order M-85*,[1] is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of kapok for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1083.1 *General Conservation Order M-85*—(a) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purposes of this order:

(1) "Kapok" shall mean the fiber or pulp from the pod of the Ceiba or kapok tree, except that grown in South and Central America, but shall not include any kapok which, on the effective date of this order, has already been put into process for the manufacture of any article of which kapok is a component part.

(2) "Dealer" shall mean any person purchasing kapok for resale and the term shall include also importers, agents and brokers.

(3) "Manufacturer" shall mean any person producing any product of which kapok is a component part or into which it is physically incorporated.

(c) *Restrictions on sales and deliveries.* No dealer shall hereafter sell, transfer title to, or deliver, and no person shall hereafter purchase, accept transfers of title to, or deliveries of, any kapok, except upon the following categories of orders:

(1) Orders placed by the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(2) Orders placed by manufacturers for delivery in any calendar month of the minimum amounts necessary to enable them to continue until the end of the said calendar month to produce the products hereinafter listed in paragraph (d) of this order, taking into consideration their existing inventories, and to maintain not more than a practicable minimum working inventory of finished products: *Provided, however*, That each order placed by a manufacturer pursuant to the provisions of this subparagraph shall be accompanied by a certificate manually signed on behalf of such manufacturer by a person authorized to sign for such manufacturer and in the following form:

> This order is for an amount of kapok which, together with the undersigned manufacturer's existing inventory and other orders outstanding will not exceed the minimum amount necessary to enable the undersigned manufacturer to continue operations, to the extent permited by paragraph (d) of General Conservation Order No. M-85, As Amended to July 2, 1942, (kapok) until the end of the calendar month in which such kapok is delivered, and maintain not more than a practicable minimum working inventory of finished products. This certificate shal be deemed to be a representation by the undersigned manufacturer to the War Production Board and to the above-named dealer that the facts stated above are true and correct.

(3) Orders specifically authorized hereunder by the Director of Industry Operations.

(4) Orders placed by dealers with manufacturers, importers, or importing agents.

(d) *Restrictions on production.* Notwithstanding anything in Priorities Regulation 1 to the contrary, unless specifically authorized by the Director of Industry Operations no manufac-

[1] 7 F.R. 784, 2102, 3314, 3315, 4170.

turer shall hereafter use any kapok in the production of any product, except those hereinafter listed:

(1) Life buoys to fill defense orders.

(2) Life preservers, life jackets and collars to fill defense orders.

(3) Sleeping bags, mattresses, pillows, blankets and pontoon bridges to fill orders placed by the War and Navy Departments but only to the extent that kapok is specifically required by the specifications of the prime contract involved.

(4) Insulation padding for airplanes, but only to the extent of 45% of the actual total fibre content of such insulation padding: *Provided, however,* That no person shall use any kapok of Java grades for the production of such product unless and until such person shall be unable to obtain any other kapok for such purpose: *And provided further,* That the foregoing restrictions may be exceeded in the manufactuer of insulation padding for airplanes to be delivered to or for the account of the Army or Navy of the United States when a higher percentage of kapok or use of a Java grade is specifically required by the specifications of the prime contract involved or its use is hereafter specifically directed in writing by the Army or Navy contracting officer of the prime contract involved.

(e) *Restrictions on manufacturers' sales of kapok.* No manufacturer shall hereafter sell, transfer title to, or deliver any kapok to any person, except to the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, or to a dealer, and no person except the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, or a dealer shall hereafter purchase, accept any transfer of title to, or deliveries of kapok from a manufacturer.

(f) *Assignment of preference rating.* A preference rating of A-2 is hereby assigned to all orders for kapok placed by the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, and such rating may be applied in the manner prescribed by Priorities Regulation No. 3, as amended.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of kapok conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal in writing to the War Production Board, Reference M-85, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(h) *Communications to the War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref: M-85.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6247; Filed, July 2, 1942; 11:01 a. m.]

PART 1294—PHOSPHATE PLASTICIZERS

[General Preference Order M-183]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phosphate plasticizers, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1294.1 *General Preference Order M-183*—(a) *Definitions.* For the purpose of this order:

(1) "Phosphate plasticizers" means tricresyl phosphate and triphenyl phosphate in any form or from whatever source derived.

(2) "Producer" means any person engaged in the production of phosphate plasticizers and includes any person who has such phosphate plasticizers produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases phosphate plasticizers for purpose of resale.

(b) *Restrictions on use and delivery of phosphate plasticizers.* On and after August 1, 1942 no person shall use, deliver or accept delivery of phosphate plasticizers except as specifically authorized by the Director of Industry Operations upon application pursuant to paragraph (c) (1) hereof: *Provided, however,* That no such specific authorization shall be required with respect to:

(1) The use or acceptance of delivery by any person during any one calendar month of one hundred (100) pounds or less of phosphate plasticizers;

(2) The delivery by any producer or distributor of one hundred (100) pounds or less of phosphate plasticizers to any one person during any one calendar month (which may be made without regard to preference ratings): *Provided,* That the aggregate amount of such deliveries by any producer or distributor during any one calendar month shall not exceed two percent (2%) of the deliveries which he is specifically authorized to make during such month.

(c) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director of Industry Operations:

(1) Each person seeking authorization for use or delivery of phosphate plasticizers during any month pursuant to sub-paragraph (b) hereof, including producers or distributors seeking authorization to use or accept delivery of phosphate plasticizers, shall file Form PD-558 in the manner prescribed therein on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested; *Provided, however,* That application for authorization by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration may be made in any manner.

(2) Each producer or distributor shall file Form PD-557 in the manner prescribed therein on or before July 24, 1942, and on or before the 24th day of each month thereafter.

(d) *Notification of customers.* Producers and distributors of phosphate plasticizers shall, as soon as practicable, notify each of their regular customers of the requirements of this Order, but the failure to give such notice shall not excuse any such person from complying with the terms thereof.

(e) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of phosphate plasticizers shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Chemicals Branch, Washington, D. C. Ref.: M-183. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6246; Filed, July 2, 1942; 11:01 a. m.]

Chapter XI—Office of Price Administration

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Maximum Price Regulation 136[1]]

MACHINES AND PARTS

The title, preamble and §§ 1390.1 to 1390.34, inclusive, are renumbered and amended to read as set forth below.

[Maximum Price Regulation 136, as Amended]

MACHINES AND PARTS, AND MACHINERY SERVICES

In the judgment of the Price Administrator the prices of machines and parts and machinery services have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of machines and parts and machinery services prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

[1] 7 F.R. 3158, 3370, 3447, 3723, 4176.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 136, as amended, is hereby issued.

Sec.
1390.1 Definition of "machines and parts" and "machinery services."
1390.2 Exclusions.
1390.3 Prohibition against sales at higher than maximum prices.
1390.4 Maximum prices: general provisions.
1390.5 Maximum prices: published or confidential price lists.
1390.6 Maximum prices: sales by the manufacturer of machines or parts with list prices.
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1390.8 Maximum prices: sales by the manufacturer of machines or parts manufactured in new or converted plants.
1390.9 Maximum prices: machinery services.
1390.10 Maximum prices: sales by sellers other than the manufacturer.
1390.11 Maximum prices: sales of second-hand machines and parts.
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1390.13 New list prices.
1390.14 Reports on cost-plus contracts.
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1390.17 Export sales.
1390.18 Contract prices, renegotiations, price-adjustment agreements, and price increases.
1390.19 Less than maximum prices.
1390.20 Evasion.
1390.21 Developmental contracts and subcontracts.
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1390.23 Emergency purchases.
1390.24 Privileges accorded to certain foreign governments.
1390.25 Petitions for amendment or adjustment.
1390.26 Records and additional or substituted reports.
1390.27 Sales slips and receipts.
1390.28 Transfer of business or stock in trade.
1390.29 Enforcement.
1390.30 Definitions.
1390.31 Effective date.
1390.32 Appendix A: Machines and parts to which the October 1, 1941 date is applicable.
1390.33 Appendix B: Machines and parts to which the March 31, 1942 date is applicable.
1390.34 Appendix C: Illustrative list of products not covered by Maximum Price Regulation No. 136.

AUTHORITY: §§ 1390.1 to 1390.34, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1390.1 *Definition of "machines and parts" and "machinery services."* For the purposes of this Maximum Price Regulation No. 136, as amended:

(a) The term "machines and parts" means, and is limited to, products falling within the groups listed in § 1390.32, Appendix A, and § 1390.33, Appendix B. Any other product is subject to the General Maximum Price Regulation,[3] unless excluded therefrom or unless subject to some other specific regulation. For purposes of clarification, a list of certain products related to machinery but not covered by this Maximum Price Regulation No. 136, as amended, is contained in § 1390.34, Appendix C;

(b) The term "machinery service" means any operation in the processing, machining, welding, treating, finishing, testing, inspecting, adjusting, maintaining, repairing or rebuilding of a "machine or part" owned by another or of a product owned by another which, as a result of such operation, becomes a "machine or part."

§ 1390.2 *Exclusions.* This Maximum Price Regulation No. 136, as amended, shall not apply to:

(a) Any sale or delivery of a machine or part or any machinery service for which a maximum price is established by any other regulation or order issued by the Office of Price Administration,[4] except the General Maximum Price Regulation;[5]

(b) Any sale or delivery of a machine or part if, prior to July 22, 1942, such machine or part had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser;

(c) Any sale or delivery of a machine or part or machinery service performed pursuant to a "developmental" contract or subcontract, as provided in § 1390.21.

(d) Any sale or delivery of a machine or part or any machinery service performed pursuant to a "secret" contract or subcontract, as provided in § 1390.22;

(e) Any sale or delivery of a machine or part or any machinery service performed pursuant to an "emergency purchase", as provided in § 1390.23;

(f) Any sale or delivery at retail of a machine or part, except any sale or delivery of a machine or part by the manufacturer thereof. "Sale at retail" means any sale to an ultimate user other than an industrial, commercial or governmental user, or any sale made at a store or shop where such sales are customarily made;

(g) Any sale or delivery of a machine or part or any machinery service performed pursuant to a cost-plus-a-fixed-fee or cost-plus-a-percentage-of-cost contract: *Provided,* That a report is filed with the Office of Price Administration as provided in § 1390.14.

§ 1390.3 *Prohibition against sales at higher than maximum prices.* (a) On and after July 22, 1942, regardless of any contract, lease or other obligation:

(1) No person shall sell or deliver any machine or part and no person shall supply any machinery service at a price

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

[4] See for example, Revised Price Schedules No. 1—Second-Hand Machine Tools (7 F.R. 1202, 1836, 2132); No. 67—New Machine Tools (7 F.R. 1337, 1836, 2105, 2000, 2472, 2473, 2680, 2996, 3445 3820 4176); No. 82—Wire Cable, and Cable Accessories (7 F.R. 1360, 1836, 2000, 2132, 2320, 3125, 3820); No. 105—Gears, Pinions, Sprockets, and Speed Reducers (7 F.R. 1404, 1836, 2132, 2710); and Maximum Price Regulation No. 134—Construction and Road Maintenance Equipment Rental Prices (7 F.R. 3203, 3411, 3447).

higher than the maximum price established by this Maximum Price Regulation No. 136, as amended;

(2) No person in the course of trade or business shall buy or receive any machine, part, or machinery service at a price higher than such maximum price: *Provided*, That if upon the purchase of any machine, part, or machinery service, the purchaser shall receive from the seller or supplier a written affirmation that to the best of his knowledge, information, and belief the price charged does not exceed the maximum price established by this Maximum Price Regulation No. 136, as amended, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have compiled with this section;

(3) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in subparagraphs (1) and (2).

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 136, as amended, or by the Emergency Price Control Act of 1942.

§ 1390.4 *Maximum prices: general provisions.* (a) The base date for machines and parts set forth in § 1390.32, Appendix A, is October 1, 1941; the base date for machines and parts set forth in § 1390.33, Appendix B, and for all machinery services is March 31, 1942. In applying the provisions of this Maximum Price Regulation No. 136, as amended, to the machines and parts set forth in Appendix B, the date March 31, 1942 shall be substituted for the date October 1, 1941 wherever it appears in this Maximum Price Regulation No. 136, as amended. Such substitution, however, shall not be made in § 1390.10 (b) which applies only to machines and parts set forth in Appendix A.

(b) Notwithstanding any provision of this Maximum Price Regulation No. 136, as amended:

(1) The maximum price for the sale or delivery by the manufacturer of any machine or part set forth in Administrative Notice No. 1 [5] or any amendments thereto shall be the price provided for therein;

(2) The maximum price for the sale or delivery by a seller other than the manufacturer of any machine or part set forth in Administrative Notice No. 1 [5] or any amendments thereto, for which the manufacturer has published a list price in accordance with Administrative Notice No. 1 or any amendments thereto, shall be such list price, subject to all applicable extra charges, discounts or other allowances which such seller had in effect on October 1, 1941.

[5] 7 F.R. 2984, 3690. Administrative Notice No. 1 sets forth exceptions from the provisions of voluntary price agreements and arrangements.

§ 1390.5 *Maximum prices: published or confidential price lists*—(a) *Prices.* If any manufacturer, seller or lessor had published or confidential price lists in effect on October 1, 1941, covering:

(1) Sales of machines or parts, or
(2) Rentals of machines or parts,

the maximum price to any purchaser for any machine or part so listed shall be the net price which the manufacturer, seller or lessor would have received on that date from a purchaser of the same class. "Net price" means the amount paid by or charged to the purchaser, after adjustment for all applicable extra charges, discounts or other allowances in effect on October 1, 1941.

(b) *Reports.* On or before August 1, 1942, every manufacturer, seller, and lessor subject to this Maximum Price Regulation No. 136, as amended, shall file with the Office of Price Administration, Washington, D. C., if he has not already done so, all his published and confidential price, rental, and discount sheets in effect on October 1, 1941, for machines and parts. However, the manufacturer of any machine shall not be required to file list prices in effect on October 1, 1941, for repair parts for such machines unless such filing is specifically required in writing by the Office of Price Administration. Any person who on October 1, 1941, sold, leased or delivered machines or parts at prices based upon price sheets published by any other person subject hereto need not file such other person's published price sheets but shall file instead a statement identifying the particular price sheets he used on that date, together with his own discount sheets, if any, and a statement of any prices which constitute exceptions to such practice.

(c) *Specification changes.* Notwithstanding the provisions of paragraph (a), if substantial specification changes are made in any machine or part for which the manufacturer, seller or lessor had a published or confidential list price or rental in effect on October 1, 1941, the maximum price for such machine or part may be determined pursuant to §§ 1390.7, 1390.10 (c) or 1390.12 (b), whichever is applicable: *Provided*, That either before such change in price or within ten days after making such change in price, a report shall be filed with the Office of Price Administration, Washington, D. C., containing a description of the machine or part in question and of the specification changes, and a statement of the former price and the proposed price. If it is desired to issue a new list price, a report shall be filed pursuant to § 1390.13.

§ 1390.6 *Maximum prices: sales by the manufacturer of machines or parts with list prices.* If for any machine or part the manufacturer thereof had a published or confidential list price in effect on October 1, 1941, the maximum price shall be determined as provided in § 1390.5.

§ 1390.7 *Maximum prices: sales by the manufacturer of machines or parts without list prices.* If for any machine or part the manufacturer thereof had no published or confidential list price in effect on October 1, 1941, the maximum price of such machine or part to any purchaser shall be computed on the basis of the following:

(a) *Pricing formula.* (1) the price-determining method which was in use on October 1, 1941, applying the overhead rate, machine hour rates, if any, or other bases of computation which were in use on that date. If no such method was in use on October 1, 1941, the manufacturer shall use the method which would have been used on that date, applying the overhead rate, machine hour rates, if any, or other bases of computation which were in use or would have been used on that date. For the purposes of this subparagraph (1), the method of determining the total price in a cost-plus contract shall not be deemed to be a "price-determining method";

(2) to the extent that the price-determining method includes or is based on direct labor costs, the manufacturer shall use labor rates in effect on October 1, 1941, determined and applied in accordance with the provisions of paragraph (b) below;

(3) to the extent that the price-determining method includes or is based on prices paid for materials, the manufacturer shall use material prices in effect on October 1, 1941, determined and applied in accordance with the provisions of, and subject to the exceptions contained in, paragraph (c) below;

(4) to the extent that the price-determining method includes or is based on prices paid for subcontracted machinery services, the manufacturer shall use actual prices paid or to be paid for subcontracted machinery services, not in excess of maximum prices provided by this Maximum Price Regulation No. 136, as amended, determined in accordance with paragraph (c)-(4) below;

(5) to the extent that the price-determining method includes freight rates paid, the manufacturer shall use freight rates in effect on March 31, 1942 for outbound shipments for the mode of transportation actually used and for inbound shipments for the mode of transportation actually used and from the actual point of origin;

(6) for the labor required for installation if the machine or part is sold on an installed basis: labor rates in the area of installation in effect on, or resulting from an agreement concluded or from a grant made or announced on or before, April 27, 1942, or, where the wage stabilization agreement issued May 22, 1942, between the Building and Construction Trades Department of the American Federation of Labor and certain agencies of the United States is applicable, labor rates in effect on July 1, 1942;

(7) all applicable extra charges, discounts or other allowances in use on October 1, 1941 to a purchaser of the same class.

(b) *Labor rates.* (1) "Labor rates in effect on October 1, 1941" are the labor rates prevailing on that date in the manufacturer's plant for each classification of labor. If the manufacturer employs labor of a particular classification not employed in such plant on October 1, 1941, he shall apply the rate prevailing on that date for such classification in the locality in which the manufacturing is to be performed. If labor of such classification was not employed on October 1, 1941 in such locality, the manufacturer shall apply the rate prevailing on that date for the nearest skill in the nearest comparable locality, as accurately as he is able to determine the same by reasonably diligent inquiry.

(2) The permitted labor cost to be used in the pricing formula provided in paragraph (a) is to be determined by applying to the clock hours of each classification of labor estimated to be required on the basis of previous production experience, or, where an estimate is not used, the clock hours actually required, the hourly rate for such classification in effect on October 1, 1941. If on October 1, 1941, an average rate was used, an average rate may be applied: *Provided*, That the labor rates and the method of computing the average in effect on October 1, 1941, are used. If individuals have been or are promoted from one classification to another because of increased efficiency, the higher rates may be used: *Provided*, That such higher rates may not be used if they result in increased prices.

(3) In determining the price for a firm price contract, the amount of overtime estimated to be required in excess of that provided for in the overhead or machine hour rate may be added to the estimated cost of labor. Further, the amount of overtime actually required in an unforeseen contingency, over and above the amount estimated, if any, may be added to the price if the purchaser agrees and if it is billed separately: *Provided*, That no markup, overhead, or profit shall be applied to that part of the labor cost which is in excess of the straight-time cost, except that no adjustment of the overhead rate or machine hour rate in effect on October 1, 1941, shall be required.

(c) *Material prices.* (1) The term "material prices" includes the prices for raw materials, and for materials or products which have been processed or fabricated to any degree, including parts and subassemblies.

(2) The permitted material cost to be used in the pricing formula provided in paragraph (a) is to be determined by applying material prices as determined in subparagraph (3) below to the quantities of materials estimated to be required on the basis of previous production experience or, where an estimate is not used, the quantities actually required.

(3) Except as provided in subdivisions (i) and (ii) below, the manufacturer shall use the lower of the following two prices: the price for the material which was or would have been paid by him on October 1, 1941, or the actual price for such material paid or to be paid, not in excess of the applicable maximum price.

(i) For any part or subassembly purchased, the manufacturer shall use the actual price for such part or subassembly paid or to be paid, not in excess of the applicable maximum price. For the purposes of this paragraph, the term "part or subassembly" means, in addition to products covered by this Maximum Price Regulation No. 136, as amended, products covered by Revised Price Schedule No. 82—*Wire, Cable, and Cable Accessories,*[6] No. 105—*Gears, Pinions, Sprockets and Speed Reducers,*[7] Maximum Price Regulations No. 119—*Original Equipment Tires and Tubes,*[8] No. 147—*Bolts, Nuts, Screws and Rivets,*[9] and No. 149—*Mechanical Rubber Goods.*[10]

(ii) For any material for which the manufacturer is unable by reasonable diligence to determine the price he would have paid on October 1, 1941, the manufacturer shall use the actual price for such material paid or to be paid, not in excess of the applicable maximum price. In no event shall this subdivision (ii) apply if the material had a published price in effect on October 1, 1941, or if the manufacturer purchased such material on or about October 1, 1941, or if the manufacturer's supplier of the material, or one of the manufacturer's suppliers, was selling such material on or about October 1, 1941.

(4) Where the "actual price to be paid" for any material (including any part or subassembly) or machinery service is required or permitted to be used by the provisions of subparagraph (3) above, or of subparagraph (4) of paragraph (a), in calculating such price:

(i) The manufacturer shall use the price estimated by his supplier, if available: *Provided*, That the manufacturer has no reason to believe that the price so estimated exceeds the applicable maximum price; or

(ii) If a price estimated by a supplier is not available at the time he estimates his price, the manufacturer shall use his own estimate of the price to be paid for the material or machinery services: *Provided*, That if the price so estimated exceeds the actual price charged by the supplier, such actual price, not to exceed the supplier's maximum price, shall be substituted in the pricing formula and the manufacturer's maximum price recomputed accordingly. If the price so estimated is less than the actual price charged by the supplier, such actual price, not to exceed the supplier's maximum price, may be substituted in the pricing formula and the manufacturer's maximum price recomputed accordingly.

(d) *Reports.* If the price of any machine or part computed in accordance with the provisions of this Section is at any time increased above the price charged on the previous sale or delivery, or is increased above the original contract price by renegotiation or by a price adjustment clause, unless the increase is definitely assignable to a change in specifications or a change in conditions of delivery, the manufacturer thereof shall file the report required by § 1390.18 (g).

§ 1390.8 *Maximum prices: Sales by the manufacturer of machines or parts manufactured in new or converted plants.* Notwithstanding the provisions of §§ 1390.5, 1390.6, and 1390.7, if a machine or part is manufactured in a newly constructed plant, or, if the manufacturer is unable to determine the maximum price for a machine or part pursuant to the provisions of § 1390.7 because such machine or part is manufactured in a converted plant or for any other reason:

(a) *Price.* The maximum price for each sale of such machine or part shall be the price determined so far as possible in accordance with § 1390.7 and reported pursuant to paragraph (b) hereof: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty-day period, such manufacturer may quote, contract, sell or deliver at the proposed price; but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(b) *Report.* The manufacturer of such machine or part shall file a report with the Office of Price Administration, Washington, D. C., containing the proposed price, the proposed billing date, a statement of whether or not such machine or part had a published or confidential list price in effect on October 1, 1941, all relevant price-determining data including evidence that the proposed price was determined so far as possible in accordance with § 1390.7, a statement of whether or not quantity production of such machine or part is anticipated, and a brief description of the newly constructed or converted plant. If such manufacturer desires such price to become the maximum price applicable to all subsequent sales of such machine or part, a statement that the report is also being filed pursuant to § 1390.13 should be made.

§ 1390.9 *Maximum prices: Machinery services*—(a) (1) *Services with list prices*[3]. If for any machinery service the supplier had a published or confidential machine hour rate or other charge in effect on March 31, 1942, the maximum price to any purchaser for such machinery service shall be the net price which the supplier would have received on that date from a purchaser of the same class.

(2) *Reports.* On or before August 1, 1942, every machinery service supplier subject to this Maximum Price Regulation No. 136, as amended, shall file with the Office of Price Administration, Washington, D. C., if he has not already done so, all his published and confidential machine hour rates, charge sheets, and discount sheets in effect on March 31, 1942, for machinery services.

[6] *Supra*, note 4.
[7] 7 F.R. 3590.
[8] 7 F.R. 3808, 3905.
[9] 7 F.R. 3889.

(b) *Services without list prices.* If for any machinery service a supplier had no such published or confidential rate or charge in effect on March 31, 1942, the maximum price for such machinery service to any purchaser shall be determined in accordance with the applicable provisions of § 1390.7, except that the date March 31, 1942, shall be substituted for the date October 1, 1941, wherever it appears.

(c) *New or converted plants.* Notwithstanding the provisions of paragraphs (a) and (b) of this section, if any machinery service is performed in a newly constructed plant or if the supplier is unable to determine the maximum price for any machinery service because it is performed in a converted plant or for any other reason:

(1) *Price.* The maximum price for each sale of such machinery service shall be a price determined so far as possible in accordance with paragraph (b) of this section and reported pursuant to subparagraph (2) below: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty-day period, the supplier may quote, contract or perform such machinery service at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(2) *Report.* Such supplier shall file a report with the Office of Price Administration, Washington, D. C., containing the proposed price, the proposed billing date, a statement of whether or not such machinery service had a published or confidential rate or charge in effect on March 31, 1942, all relevant price-determining data including evidence that the proposed price was determined so far as possible in accordance with paragraph (b) of this section, and a brief description of the newly constructed or converted plant. If the supplier desires such price to become the maximum price applicable to such machinery services thereafter performed, a statement that the report is also being filed pursuant to § 1390.13 should be made.

§ 1390.10 *Maximum prices: Sales by sellers other than the manufacturer*—(a) *Machines and parts with list prices.* If for any machine or part a seller other than the manufacturer thereof had a published or confidential list price in effect on October 1, 1941, the maximum price shall be determined as provided in § 1390.5.

(b) *Thirty-day price adjustment period*—(1) *Price.* Notwithstanding the provisions of paragraph (a) or of § 1390.5 if for any machine or part set forth in § 1390.32, Appendix A, a seller other than the manufacturer thereof had a published or confidential list price in effect on October 31, 1941, which was higher than his price in effect on October 1, 1941, because of an increase in the price to him of such machine or part made between September 1, 1941 and October 1, 1941, inclusive, the maximum price for such machine or part shall be the lower of the following two prices:

(i) The price in effect on October 1, 1941, plus an amount not exceeding in percentage the amount of the increase in the price to him, or

(ii) The price in effect on October 31, 1941: *Provided*, That unless a report is filed pursuant to subparagraph (2), the maximum price for such machine or part shall be the maximum price provided in paragraph (a) and § 1390.5.

(2) *Report.* In the circumstances set forth in subparagraph (1), a report shall be filed with the Office of Price Administration, Washington, D. C., not later than September 1, 1942, containing a description of the machine or part in question, the seller's price in effect on October 31, 1941, and the date such price became effective, the seller's price in effect on October 1, 1941, and the date such price became effective, the price to such seller in effect on August 31, 1941, the price to such seller in effect on October 1, 1941 and the date such price became effective, and the maximum price determined pursuant to this paragraph (b).

(3) This paragraph (b) does not apply to machines and parts set forth in § 1390.33, Appendix B. For such machines and parts the base date in all cases is March 31, 1942.

(c) *Machines and parts without list prices.* If for any machine or part a seller other than the manufacturer thereof had no published or confidential list price in effect on October 1, 1941, the maximum price to any purchaser for such machine or part shall be the net price determined by applying to the seller's net invoiced cost of such machine or part, not to exceed the applicable maximum price, the average percentage margin over net invoice cost realized on or about October 1, 1941, for all machines or parts of the same class sold by such seller on or about October 1, 1941, to purchasers of the same class.

(d) *Machines and parts; new lines.* If for any machine or part a seller other than the manufacturer had no published or confidential list price in effect on October 1, 1941, and if such seller sold no machine or part of the same class on or about that date:

(1) *Price.* The maximum price for such machine or part shall be the price reported pursuant to subparagraph (2), below: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to the filing of such report and during such thirty-day period, such seller may quote, contract, sell or deliver at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(2) *Reports.* The seller of such machine or part shall file with the Office of Price Administration, Washington, D. C., a report containing the proposed price, the proposed billing date, the net invoiced cost of such machine or part, the date of purchase, a statement of the basis on which such proposed price was determined, and an explanation of the reasons why § 1390.5 and paragraphs (a) and (c) of this section were inapplicable. If such seller desires such price to become the maximum price applicable to all subsequent sales and deliveries of such machine or part, a statement that the report is also being filed pursuant to § 1390.13 should be included.

(e) *Machines and parts completely subcontracted.* If a manufacturer subcontracts to another the manufacture of a machine or part which he resells in the form in which it is received from the subcontractor the maximum price for the prime contractor shall be determined as follows:

(1) If for any such machine or part the prime contractor had a published or confidential list price in effect on October 1, 1941, the maximum price shall be determined in accordance with § 1390.5; or

(2) If the prime contractor had no such list price, the maximum price shall be determined in accordance with the applicable provisions of subparagraphs (1) and (2) of paragraph (d).

(f) *Installed sales.* Nothing in this Maximum Price Regulation No. 136, as amended, shall be deemed to establish maximum prices for installation services performed by persons other than the manufacturer or assembler of the machine or part to be installed.

§ 1390.11 *Maximum prices: Sales of second-hand machines and parts.* (a) For the purposes of this section, a second-hand machine or part is any machine or part which has previously been used or purchased for use.

(b) The price for any rebuilt and guaranteed machine or part shall not be more than eighty-five percent of the highest maximum price to any class of purchasers for the nearest equivalent new machine or part established by this Maximum Price Regulation No. 136, as amended. A "rebuilt and guaranteed" machine or part is one in which all worn or missing components which should be replaced or repaired for satisfactory operation have been replaced or repaired, and which carries a binding guaranty of satisfactory operation for a period of not less than sixty days, and which is expressly invoiced as a rebuilt and guaranteed machine or part.

(c) The price for any other second-hand machine or part shall not be more than fifty-five percent of the highest maximum price to any class of purchasers for the nearest equivalent new machine or part established by this Maximum Price Regulation No. 136, as amended.

(d) In quoting, contracting, invoicing or billing any second-hand machine or part for which a maximum price is provided in paragraphs (b) or (c), the seller may add to the maximum price the amount of any tax upon the sale or delivery of such machine or part, and shall bill any such tax separately from the price of such machine or part. No other charges may be added to the maximum price which were not customarily added by the seller on October 1, 1941, but any charges which were customarily added on that date may be added to the maximum price if billed separately.

(e) If the maximum price provisions of this Maximum Price Regulation No. 136, as amended, for second-hand machines or parts are not adaptable to the pricing of particular machines or parts, or if they permit the charging of prices in excess of prices which could be obtained if sufficient new machines or parts were available, the Price Administrator may by separate regulation or order establish other maximum prices for the sale or delivery of such second-hand machines or parts.

§ 1309.12 *Maximum prices: Leases.* (a) If for any machine or part the lessor thereof had a published or confidential rental in effect on October 1, 1941, the maximum rental shall be determined as provided in § 1390.5.

(b) If for any machine or part the lessor thereof had no published or confidential rental in effect on October 1, 1941:

(1) *Rental.* The maximum rental on each lease or delivery shall be the rental determined as it would have been on October 1, 1941, and reported pursuant to subparagraph (2): *Provided*, That the Office of Price Administration either approves such rental in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty-day period, such lessor may quote, contract, lease or deliver any such machine or part at the proposed rental, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report, and, if required by the Office of Price Administration, refunds shall be made.

(2) *Report.* The lessor of such machine or part shall file a report with the Office of Price Administration, Washington, D. C., containing the proposed rental, the proposed billing date, and all relevant price-determining data. If such lessor desires such rental to become the maximum rental applicable to all subsequent leases and deliveries of such machine or part, a statement that the report is also filed pursuant to § 1390.13 should be included.

§ 1390.13 *New list prices.* (a) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for any machine or part or machinery service shall file a report pursuant to paragraph (b) hereof, containing a proposed price determined under §§ 1390.7 or 1390.8 (Manufacturer's Sales), 1390.9 (Machinery Services), 1390.10 (Re-seller's Sales), or 1390.12 (Leases), and such price shall thereafter be the maximum price: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Such price may be disapproved only on the ground that it was not computed in accordance with the applicable provisions of this Maximum Price Regulation No. 136, as amended, or because the Office of Price Administration finds that a computation at a later date may result in a lower maximum price.

(b) Under the circumstances set forth in paragraph (a), a report shall be filed with the Office of Price Administration, Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the applicable provisions of this Maximum Price Regulation No. 136, as amended.

§ 1390.14 *Reports on cost-plus contracts.* Any person who has agreed to sell or deliver any machine or part or to perform any manufacturing service pursuant to a cost-plus-a-fixed-fee or cost-plus-a-percentage-of-cost contract shall on or before August 1, 1942, or within ten days after entering into such contract file a report with the Office of Price Administration, Washington, D. C., containing a copy or a summary of such contract.

§ 1390.15 *Emergency service charges.* Notwithstanding any other provision of this Maximum Price Regulation No. 136, as amended, any manufacturer, seller, lessor, or machinery service supplier may add to the maximum price herein provided an extra charge in the amount of the extra out-of-pocket expense incurred for special services, either where an emergency requires that material be obtained from a source more expensive than the usual source, or where an emergency requires special handling of a machine or part after its manufacture: *Provided*, That such extra charge is stated separately from the purchase price in billing. Nothing in this section shall be construed to permit a manufacturer, seller, lessor, or machinery service supplier to pay more than the applicable maximum price for any material or service.

§ 1390.16 *Federal and state taxes.* (a) Any tax levied by any statute of the United States or statute or ordinance of any state or subdivision thereof which the seller on October 1, 1941 added to the price paid by the purchaser shall not be included in the maximum price but may be collected by the seller in addition to the maximum price if such tax is stated separately from the purchase price.

(b) Any tax upon the sale or delivery of a machine or part and any compensating use tax upon a machine or part levied by any statute of the United States or statute or ordinance of any state or subdivision thereof and become effective on or after October 1, 1941, may also be collected by the seller making such taxable sale or delivery in addition to the maximum price if such tax is stated separately from the purchase price, unless the seller had increased his price on or before October 1, 1941, to reflect such new or increased tax.

(c) (1) Any separately stated tax paid by a purchaser for resale upon the purchase of a machine or part may be collected by such purchaser in addition to the maximum price upon the resale of such machine or part unless the purchaser's price in effect on October 1, 1941, reflected the amount of such tax.

(2) Any tax paid by a manufacturer upon the purchase of a part which can be delivered separately from the principal assembly of the complete machine may also be collected by the manufacturer upon the sale of the complete machine, as well as upon the sale of the part separately, if such tax is stated separately from the purchase price, unless the manufacturer's price for the machine or for the part in effect on October 1, 1941, reflected the amount of such tax.

§ 1390.17 *Export sales.* The maximum price at which a person may export a machine or part shall be determined in accordance with the methods provided in the Maximum Export Price Regulation[*] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the Continental United States and a purchaser outside thereof in which the commodity sold is transported from the Continental United States to a point outside thereof and includes any sale of a commodity outside the Continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the Continental United States.

§ 1390.18 *Contract prices, renegotiations, price-adjustment agreements, and price increases.*—(a) *Existing contracts.* Notwithstanding the provisions of § 1390.3, any person may until September 1, 1942, deliver, perform, or receive, or make or receive payment for, any machine or part or machinery service pursuant to a contract entered into prior to July 22, 1942, at the price provided in such contract: *Provided*, That on or before September 1, 1942, the contract price shall be revised so as not to exceed the maximum price computed as of the date of entering into the contract or as of the date of any changes in the contract price, and that refunds or other allowances in accordance with such recomputation are made as to deliveries made or services performed on or after July 22, 1942.

(b) *Prices for deliveries pursuant to a firm-price contract.* Except as provided in § 1390.7 (c) (4), when the maximum price applicable to a firm price contract for the sale and delivery of any machine or part or for machinery services has been determined in accordance with the provisions of this Maximum Price Regulation No. 136, as amended, the maximum price need not be recomputed for any

[*] 7 F.R. 3096, 3824, 4294, 4541.

subsequent deliveries pursuant to such contract unless the contract price is revised by renegotiation or adjustment in accordance with paragraphs (d) or (e) of this section.

(c) *Specification changes.* If a contract for the sale and delivery of a machine or part or for machinery services for which there was no list price in effect on October 1, 1941, has been or is entered into at a price which does not exceed the maximum price, computed as of the time of entering into such contract, or has been revised in accordance with any of the provisions of this section, changes in the contract price required by changes in specifications may be made without recomputation of the maximum price: *Provided*, That the difference in price as a result of the change in specifications shall be calculated in accordance with the formula provided in § 1390.7.

(d) *Renegotiations.* If a contract for the sale and delivery of machines and parts or for machinery services has been or is entered into at a price which does not exceed the maximum price, computed as of the time of entering into such contract, or has been revised in accordance with any of the provisions of this section, the contract price may be reduced at any time without recomputation of the maximum price, and may be increased by renegotiation if the price, as so increased, does not exceed the maximum price computed as of the time of such renegotiation and if a report is made pursuant to paragraph (g) of this section.

(e) *Price adjustment clauses.* (1) On and after July 22, 1942, no upward adjustment in any contract price for a machine or part or machinery service shall be made other than by renegotiation except that an adjustment may be made pursuant to an "escalator clause" or other formula for price adjustment up to the maximum price in effect at the time of such adjustment, as it may then have been amended or revised by order of the Office of Price Administration: *Provided*, That such price adjustments shall not be used to correct estimating errors, and that a report is filed as required by paragraph (g) of this section.

(2) On and after July 22, 1942, no person shall enter any contract for the sale or delivery of machines or parts or for machinery services which provides for upward adjustment of the contract price without renegotiation, except to the extent permitted in subparagraph (1).

(f) *New contracts.* Whenever a new contract is entered into for the sale and delivery of machines or parts or for machinery services for which there was no published or confidential list price in effect on October 1, 1941, and which has previously been sold or supplied, the applicable maximum price shall be recomputed as of the time of entering into the new contract. For the purposes of this Maximum Price Regulation No. 136, as amended, any extension of an existing contract which provides for the delivery of a greater number of machines or parts, or for a greater number of hours or other units of machinery services, than were originally contracted for shall be deemed to be a new contract.

(g) *Price increases.* If the price of any machine or part or machinery service computed in accordance with the provisions of § 1390.7 is at any time increased above the price charged on the previous sale or delivery or is increased above the original contract price by renegotiation or by a price adjustment clause, unless the increase is definitely assignable to a change in specifications or a change in conditions of delivery, the seller thereof shall file with the Office of Price Administration, Washington, D. C., within ten days after making any sale or delivery at such increased price, or agreeing upon such increased price, a report containing: (1) a description of the machine or part or machinery service; (2) the price on the sale prior to the price increase, the date of such sale and the name and description of the purchaser; (3) the price charged on October 1, 1941, or on the first sale subsequent thereto, and the date of such sale; (4) the new price; (5) the date of entering into the contract providing the increased price; (6) the name and description of the purchaser; and (7) an explanation of the higher price: *Provided*, That if the price of a machine or part or machinery service has previously been reported pursuant to this paragraph without objection from the Office of Price Administration, the manufacturer shall not be required to report subsequent sales or deliveries at the same or a lower price.

§ 1390.19 *Less than maximum prices.* Lower prices, rentals, or charges than those set forth in this Maximum Price Regulation No. 136, as amended, may be charged, demanded, paid or offered.

§ 1390.20 *Evasion.* (a) It shall be a violation of this Maximum Price Regulation No. 136, as amended, to effect a price increase above the applicable maximum price in connection with any sale, lease or delivery of any machine or part, or with the supplying of any machinery service by changing discounts or customary price differentials among classes of purchasers; by making minor changes in machines or parts or machinery services having published or confidential list prices; by requiring a customer to furnish material for processing not in accordance with previous practice; by entering into a joint venture with any other person subject hereto for cross-selling, cross-purchasing, or cross-servicing; by reducing the period of any guaranty or warranty of performance; by eliminating or reducing any maintenance, repair or installation service; by undervaluing commodities received in trade; by eliminating or reducing rental credits on purchases; or by any other change in terms or conditions of sale, lease, or contract.

(b) The Office of Price Administration may, upon request, grant written permission to any person subject to this Maximum Price Regulation No. 136, as amended, to change a term or condition of sale, lease or contract in effect on October 1, where such change is necessitated by orders issued by the War Production Board, the Board of Governors of the Federal Reserve System or any other agency of the United States, or by other conditions caused by the war.

§ 1390.21 *Developmental contracts and subcontracts.* (a) This Maximum Price Regulation No. 136, as amended, shall not apply to any sale or delivery of a machine or part or to any machinery service performed pursuant to a contract or subcontract certified in writing to the Office of Price Administration by the United States or any agency thereof as being developmental: *Provided*, That a report is filed pursuant to paragraph (b). For the purposes of this section, a contract is deemed to be "developmental" during the period required for the selection of a product by the purchaser or for the accumulation of sufficient production experience by the manufacturer or supplier to permit a fair estimate of the manufacturing costs, or both. After the Office of Price Administration shall have determined after consultation with the appropriate government agency that the period necessary for development has expired, and has in writing so notified such agency and the manufacturer or machinery service supplier, this Maximum Price Regulation No. 136, as amended, shall apply to all subsequent sales and deliveries of such machine or part or to all such machinery services performed thereafter.

(b) Within ten days after entering into any such developmental contract or subcontract the manufacturer or machinery service supplier shall file a report with the Office of Price Administration, Washington, D. C., containing a description of the product or products to be manufactured or the machinery services to be supplied, a summary of the terms of the contract or subcontract including all pricing provisions, a short statement of the production plan of which this contract is a part, and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on July 22, 1942 such report shall be filed prior to August 15, 1942.

§ 1390.22 *Secret contracts.* This Maximum Price Regulation No. 136, as amended, shall not apply to any sale or delivery of a machine or part or to the sale of any machinery service pursuant to a contract or subcontract which is deemed to be a "secret" contract and is so certified to the Office of Price Administration by the United States or any agency thereof. Such certification shall set forth the date of the "secret" contract and its number or other designation. After the Office of Price Administration shall have received notice from the United States or the certifying agency that such contract is no longer deemed to be secret, this Maximum Price Regulation No. 136, as amended, shall apply to all subsequent sales and deliveries of such machine or part, or to all such machinery services completed thereafter.

§ 1390.23 *Emergency purchases.* (a) This Maximum Price Regulation No. 136, as amended, shall not apply to any sale or delivery pursuant to any emergency purchase by the United States or any agency thereof for immediate delivery of any machine or part or immediate performance of any machinery service: *Provided*, That if the total price exceeds $500, a report is filed pursuant to paragraph (b).

(b) Within ten days after making any such emergency purchase in the amount of more than $500, at a price which is known or suspected by the purchaser to be in excess of the maximum price, any person making such purchase on behalf of the United States or any agency thereof shall file a report with the Office of Price Administration, Washington, D. C., certifying that such purchase was made in a situation in which it was imperative to secure the machine, part, or machinery service immediately and in which it was impossible to secure, or unfair to require, immediate delivery or performance at the applicable maximum price and setting forth (1) the name and address of the seller or supplier; (2) date of purchase; (3) date of delivery or performance; (4) description of the machine or part purchased or machinery service performed; (5) quantity purchased; (6) price at which purchased; and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

§ 1390.24 *Privileges accorded to certain foreign governments.* The privileges accorded to the United States or any agency thereof by § 1390.21 (developmental contracts and subcontracts), § 1390.22 (secret contracts) and § 1390.23 (emergency purchases) shall apply to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or to any agency of any such government.

§ 1390.25 *Petitions for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any government referred to in § 1390.24, or any agency thereof, or a subcontract under such contract, who believes that the maximum price impedes or threatens to impede production of a machine or part which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 136 in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration. Upon or prior to the filing of an application for adjustment, and pending the issuance of an order granting or denying such application, the Office of Price Administration may issue a temporary permit in writing to the effect that during the period of such permit contracts or subcontracts may be entered into, or proposed to be entered into, and deliveries may be made at the price requested in such application, but final settlement shall be made in accordance with the order and, if required by the Office of Price Administration, refunds shall be made. Notwithstanding the provisions of Procedural Regulation No. 6, the proposed price may not be charged pending the issuance of an order unless such a temporary permit is obtained.

(b) *Adjustments.* (1) Any person who on October 1, 1941, sold or offered for sale any machine or part at a list price on a delivered price basis in a given area and whose outbound freight cost has increased since that date may file a petition for adjustment of the maximum price for such machine or part pursuant to Procedural Regulation No. 1 [2] issued by the Office of Price Administration.

(c) *Amendments.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 136 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 [2] issued by the Office of Price Administration.

§ 1390.26 *Records and additional or substituted reports*—(a) *Records.* Persons subject to this Maximum Price Regulation No. 136, as amended, shall keep available for inspection by representatives of the Office of Price Administration records of the following:

(1) *By the manufacturer.* Records of (i) each sale, lease or delivery of a machine or part after the effective date of this Maximum Price Regulation No. 136, as amended, showing the name of the person buying, leasing or receiving such machine or part, the date of the transaction, an identification of the machine or part providing a reference to a price list or to production records, and the net price or rental; (ii) price-determining methods, labor rates, material prices, overhead rates and machine hour rates in effect on October 1, 1941, and (iii) detailed cost-estimate sheets and other data showing the calculations of prices and rentals on transactions covered by this Maximum Price Regulation No. 136, as amended, for which there was no list price or rental in effect on October 1, 1941, or for which no list price or rental is hereafter established.

(2) *By the machinery service supplier.* Records of all machinery services performed after the effective date of this Maximum Price Regulation No. 136, as amended, showing the name of the person for whom such services were performed, the date of the transaction, identification of the services providing a reference to a price list or to production records, and the net charge therefor, and, in addition, records showing as precisely as possible the basis upon which maximum charges for machinery services have been and are determined.

(3) *By a lessor other than the manufacturer.* Records of each lease or delivery of a machine or part after the effective date of this Maximum Price Regulation No. 136, as amended, showing the name of the person leasing or receiving such machine or part, the date of the transaction, the net rental and, in addition, records showing as precisely as possible the basis upon which maximum rentals for machines and parts have been and are determined.

(4) *By a seller other than the manufacturer.* Records of the kind such seller has customarily kept, relating to the prices of machines and parts sold after the effective date of this Maximum Price Regulation No. 136, as amended, and, in addition, records showing as precisely as possible the basis upon which maximum prices for machines and parts have been and are determined.

(b) *Additional or substituted records and reports.* Every person subject to this Maximum Price Regulation No. 136, as amended, shall keep such other records and submit such other reports, including periodic financial statements, as the Office of Price Administration may from time to time require in writing, either in addition to or in substitution for records and reports herein required.

§1390.27 *Sales slips and receipts.* Any person subject to this Maximum Price Regulation No. 136, as amended, who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person subject to this Maximum Price Regulation No. 136, as amended, shall, in any case, upon request of the customer, give such customer a signed receipt showing the date of the transaction, an identification of the machine or part sold or leased or of the machinery service performed, and the price, rental or charge therefor.

§ 1390.28 *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of machines or parts or to perform the same type of machinery services, in the same competitive area and in an establishment separate from any establishment which he may previously have owned or operated, the transferee shall be subject to the same maximum prices as those to which his transferor would have been subject under this Maximum Price Regulation No. 136, as amended, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor in such cases shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this Maximum Price Regulation No. 136, as amended.

§1390.29 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 136, as amended, are subject to the criminal penalties, civil enforcement actions, and suits for treble damages or suspension of licenses provided for by the Emergency Price Control Act of 1942.

[2] *Supra*, note 2.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 136, as amended, or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1390.30 *Definitions.* (a) When used in this Maximum Price Regulation No. 136, as amended, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means any person engaged in one or more operations in the fabrication, processing or assembly of a machine or part, and includes subcontractors as well as prime contractors.

(3) "Machinery service supplier" means any person engaged in the performance of a machinery service, and includes subcontractors as well as prime contractors.

(4) "Price" means any consideration in connection with a sale, lease, exchange or other transfer of a machine or part or of a machinery service, and includes prices, rentals, rates, and charges.

(5) "Parts and subassemblies" includes all metallic and nonmetallic component parts, adjuncts, and accessories of products set forth in § 1390.32, Appendix A, or in § 1390.33, Appendix B, which have been machined or fabricated. The term does not include castings as sold by the foundry, mill steel, raw, unfinished, or scrap materials, or any other materials in such form as to permit their use in the manufacture of products other than those set forth in § 1390.32, Appendix A, or § 1390.33, Appendix B.

(6) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 136, as amended.

§ 1390.31 *Effective date.* This Maximum Price Regulation No. 136, as amended (§§ 1390.1 to 1390.34, inclusive), shall become effective July 22, 1942.

§ 1390.32 *Appendix A: Machines and parts to which the October 1, 1941 date is applicable:*

(a) *Prime movers:*

Diesel engines, except aircraft diesel engines.
Gas engines and gas generators.
Gasoline and kerosene engines for marine, tractor, railway, and stationary use.
Hydraulic turbines and hydraulic turbine governors.
Steam engines and steam turbines.

(b) *Industrial and marine power apparatus:*

Boilers, industrial and marine.
Oil burners, industrial and marine (burning not less than no. 6 oil).
Soot blowers and cleaners, industrial and marine.
Stokers, industrial and marine (1,200 lbs. per hour or more).

(c) *Processing machinery and equipment:*

Ceramics machinery.
Chemical processing machinery.
Cotton-ginning machinery.
Die-casting machinery.
Food and beverage machinery, including baking, canning, bottling, confectionery, brewing, grain-milling, meat-packing, edible oil, sugar and dairy machinery and equipment (except dairy farm equipment).
Foundry machinery.
Glass-making machinery.
Hat-making machinery.
Laundry, dry-cleaning, and clothes pressing machinery (except domestic).
Leather-working machinery.
Packaging, wrapping, filling and labeling machinery.
Paint-making machinery.
Petroleum-refining machinery.
Pharmaceutical machinery.
Plastics molding and fabricating machinery.
Printing machinery.
Pulp, paper and paper products machinery.
Rod and wire-working machinery.
Rolling mill machinery.
Rubber and allied products machinery.
Rubber tire and tube machinery.
Sewing machines, industrial.
Shoe manufacturing and repairing machinery.
Spring-winding and forming machinery.
Textile preparatory and finishing machinery and equipment (including accessories designed exclusively for use with such machinery).
Tobacco-working machinery.
Woodworking machinery.

(d) *Construction and mining machinery:*

Asphalt mixing plants.
Concrete mixing, placing and finishing equipment.
Cranes (overhead, crawler, and locomotive), hoists and derricks.
Crawler and nonagricultural tractors.
Core drilling machinery.
Excavating and earth-moving machinery (including power shovels, ditchers, draglines and power scrapers).
Dredging machinery.
Heaters, stone, sand or bitumen.
Mining machinery (including mine cars and trucks).
Oil well equipment.
Ore-crushing and concentrating machinery.
Portable power driven tools.
Road building and maintenance machinery (including graders, pavers, rollers, etc.).
Rock crushers.
Snow plows.
Spreaders.
Well-drilling equipment.

(e) *Electrical equipment:*

Airways lighting.
Arc and resistance welding equipment, electrodes and supplies.
Capacitors.
Carbon, graphite and metal graphite products for electrical uses.
Circuit breakers.
Commercial lighting equipment.
Communication equipment including telephone, telegraph, signalling apparatus and public address systems.
Conduit fittings.
Electric motors, generators, and renewal parts (except automotive).
Electric motor-generator sets.
Electric storage batteries.
Electrical control equipment (including magnets and renewal parts), except control devices used for domestic installations.
Electrical industrial heating units and devices.
Electrical power conversion and rectifying equipment of any type or size.
Electrical wire, cable, and cable accessories (except when subject to Revised Price Schedule No. 82 as amended [4]).
Feeder voltage regulators.
Flood lighting equipment.
Fuses for the protection of electrical equipment.
Industrial and marine electrical lighting equipment.
Instruments for measuring electrical quantities (except automotive).
Knife and enclosed switches.
Lightning arresters.
Magnetos.
Metallic outlets and switchboxes.
Metallic and non-metallic ducts.
Outdoor and indoor substations.
Panel and distribution boards, except asbestos and cement boards.
Searchlight equipment, except completely assembled military searchlight equipment.
Special electrical metals and alloys (except steel with less than 6% alloy content) in any fabricated form used for electrical resistance, magnetic or glass sealing purposes, including special contact alloys and special filament coated iron wire.
Street and highway lighting equipment.
Switchgear and switchgear accessories.
Synchronous condensers.
Transformers, including specialty transformers.
Trolley line material.
Turbine generator sets.
Wiring devices.
X-ray and electro-therapeutic apparatus.

(f) *Railroad equipment* (for steam and electric railroads and surface, elevated and underground railways):

Freight cars.
Passenger cars.
Locomotives and tenders (including mining and industrial).
Car and locomotive parts and specialties, including:
Bearings, truck side.
Boilers, fireboxes, front ends, and cabs, and fittings, fixtures, devices or appliances mounted thereon.
Brakes and brake gear.
Coupler devices or attachments.
Devices and appliances mounted on locomotives for treatment, distribution and control of water, fuel, steam, sand, and electricity.
Doors and fixtures (except those subject to Revised Price Schedule No. 40—*Builders' Hardware and Insect Screen Cloth* [10]).
Draft gears, buffers and attachments.
Driving, foundation and running gear.
Heating, lighting, ventilating and air conditioning equipment.
Journal boxes, assembled.
Lubricating devices.
Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on cars or locomotives (not including artillery or other exclusively military or naval equipment designed for mounting on cars or locomotives).
Safety appliances and warning devices.
Sides, roofs, ends, running boards, brake steps.
Spring rigging, snubbers, shock absorbers.
Steel tires,
Train control apparatus.
Trucks, complete.
Underframes.
Wheels, cast iron and spun steel.
Machines, tools, devices and appliances designed specifically for the installation, operation, maintenance and protection of tracks, yards, signals, rolling stock and motive power.
Signal equipment, including highway crossing signals.
Stationary plants for handling fuel, sand, water and cinders.

(g) *Auxiliary equipment:*

Air-conditioning equipment (25 tons capacity or over).
Dust collecting equipment, industrial.
Furnaces and ovens, industrial.
Heat exchange equipment and pressure vessels, industrial.
Lubricating systems and devices, industrial.
Metal marking and numbering machines.
Material handling equipment, industrial (cars, trucks, racks, etc.).
Refrigerating equipment (25 H. P. or over).
Water softening and purifying equipment, industrial.

(h) *Miscellaneous:*

Elevators and conveyors.
Fans and blowers (including domestic hot air furnace fans), except pedestal, portable and ceiling household and office fans.
Gas welding and cutting equipment.
Gyroscopes.
Mechanical instruments, for measuring, testing, recording, or indicating, including aircraft, marine, scientific, laboratory, and precision instruments, (not including carpenter's tools, or surgical, optical, and dental instruments).
Portable heating, melting, burning and thawing equipment.
Pumps and compressors, except automotive, hand operated and farm pumps.
Surveying and drafting instruments (not including school, art and office supplies).
Weighing scales, industrial and platform.
Valves, automatic.

(i) *Miscellaneous parts and subassemblies:*

Anti-friction bearings.
Bi-metallic thermal strips, fabricated.
Chains, sprocket, and roller and silent.
Ferrous forgings, all types, as sold by the forger (whether machined or rough).
Galvanometer and pyrometer movements.
Gears, pinions, sprockets, and speed reducers (except when subject to Revised Price Schedule No. 105, as amended [4]).
Industrial clockwork systems used in connection with mechanical instruments.
Industrial power transmission equipment (belt tighteners and shifters, clutches, couplings and collars, hangers and brackets, motor bases, pillow blocks and bearing housings, pulleys and sheaves, universal joints, variable speed drives).
Springs for mechanical instruments.

(j) *Parts and subassemblies of any item set forth in this Appendix A when manufactured by the manufacturer of the complete item.*

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942 date is applicable.* (a) Any part or subassembly of any item mentioned in § 1390.32, Appendix A, when manufactured by a person other than the manufacturer of the complete item. This does not include any part or subassembly which is itself covered in Appendix A or which is mentioned in § 1390.34, Appendix C.

(b) Any part or subassembly of any industrial machinery or equipment not mentioned in § 1390.32 Appendix A, unless such part or subassembly is itself covered in Appendix A or is mentioned in § 1390.34, Appendix C. "Industrial machinery" means any machinery or equipment used in the extraction, production, or processing of commodities for any use, but does not include mobile or field units, motor vehicles or trailers, farm equipment as defined in § 1361.9 (a) (3) of Maximum Price Regulations No. 133—*Retail Prices for Farm Equipment* (7 F.R. 3185), or any product mentioned in Appendix C.

(c) *Miscellaneous.*

Brushes, industrial power-driven.
Chucks, mandrels, collets, and machine tool attachments.
Dies, molds and patterns (when sold separately and delivered).
Gaskets and packing.
Governors.
Ground steel stock for punches, dies, jigs, fixtures, etc.
Jigs and fixtures.
Machine knives, machine shear blades, and power driven saw blades.
Military searchlights, completely assembled.
Neon indicator attachments.
Perishable (expendable) tools.
Porcelain and steatite insulators.
Radio transmitting and receiving apparatus, including electronic devices for sound recording, sound and direction detection, communication, controlling, and measuring, electronic Tubes, vacuum and gas filled, and similar Light-Sensitive Devices, for applications other than sun lamps, light sources, and domestic radio receivers (See Revised Price Schedules No. 83—*Radio Receivers and Phonographs* [11] and No. 84—*Radio Receiver and Phonograph Parts.*[12]
Screw machine products (except those covered by Maximum Price Regulation No. 147—*Bolts, Nuts, Screws, and Rivets* [7]).
Sharpening and filing equipment.

§ 1390.34 *Appendix C: Illustrative list of products not covered by Maximum Price Regulation No. 136.*

(NOTE: Maximum prices for the following products are established by the General Maximum Price Regulation or by other price schedules, regulations, or orders issued by the Office of Price Administration.)

Abrasive wheels.
Aircraft gasoline and diesel engines.
Automotive electric motors and generators.
Automotive gasoline engines.
Automotive parts and subassemblies (except batteries) manufactured prior to 1942 or authorized by the War Production Board to be manufactured in 1942, when such parts and subassemblies are sold for use in private or commercial motor vehicles of 1942 or earlier models.
Automotive pumps.
Bolts, nuts, screws, and rivets (as defined in Maximum Price Regulation No. 147 [7]).
Carpenter's tools.
Castings, ferrous and non-ferrous, as sold by the foundry, whether rough or machined.
Christmas tree lighting sets.
Dairy farm equipment.
Domestic electrical appliances (except fans and blowers).
Domestic furnaces.
Domestic laundry, dry-cleaning, and clothes pressing machinery.
Domestic radios and phonographs.
Domestic stokers.
Drill pipe, casing and tubing.
Dry batteries.
Electrical control devices used for domestic installations.
Farm pumps.
Flashlights.
Frames, bolsters, couplers, and yokes (as defined in Revised Price Schedule No. 41—*Steel castings* [13]).

[4] *Supra*, note 4.

[7] *Supra*, note 7.

[10] 7 F.R. 1280, 1836, 2132.

[11] 7 F.R. 1360, 1836, 2000, 2132, 2302, 3125, 3820.

[12] 7 F.R. 1362, 1836, 2000, 2132, 2169, 2303, 2612, 2543, 3821.

[13] 7 F.R. 1281, 1836, 2001, 2132, 4667.

Hand hoist chains.
Hand tools.
Hand-operated pumps.
Household machines.
Incandescent and fluorescent bulbs and tubes.
Iron and steel products (as defined in Revised Price Schedule No. 6 [14]).
Manual valves.
Mechanical rubber goods (as defined in Maximum Price Regulation No. 149 [9]).
Nonferrous forgings.
Office machines.
Photographic equipment.
Porcelain bushings.
Portable, pedestal, and ceiling household and office fans.
Portable lamps.
Radio receiving set and phonograph parts not primarily designed for commercial, police, or military use, or for use in the Navy or Merchant Marine (See Revised Price Schedule No. 84—*Radio and Phonograph Parts* [12]).
Reducing bushings.
Round link and coil chains.
Rubber belts and belting.
Surgical, optical and dental instruments.
Washers.
Watches and clocks (except industrial clockwork systems used in connection with mechanical instruments).

Issued this 30th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6186; Filed, June 30, 1942; 5:16 p. m.]

PART 1335—CHEMICALS

[Amendment 2 to Revised Price Schedule 79 [1]]

CARBON TETRACHLORIDE

DEPOSITS FOR CONTAINERS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1335.609 (f) is amended to read as follows:

§ 1335.609 *Appendix A: Maximum prices.* * * *

(f) *Containers.* No charges for containers may be added to the maximum prices established above, except that a reasonable deposit for the return of the drum used in shipping may be added by the seller to the maximum prices set forth in § 1335.609 (b) (i) and (c) (i) above: *Provided*, That the maximum prices set forth in § 1335.609 (b) (i) and (c) (i) above shall be reduced by $1.25, and if delivery is completed in Washington, Oregon, or California such maximum prices shall be reduced by $1.65, for each drum on which deposit is required. Such deposit shall be immediately refunded by the seller upon the return of the drum in good condition, and the transportation charges with respect to such return shall be paid by the owner thereof.

§ 1335.608a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1335.609 (f)) to Revised Price Schedule No. 79 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6234; Filed, July 1, 1942; 5:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supplementary Regulation 4—to General Maximum Price Regulation [2]]

EXCEPTIONS [3]

SALES TO U. S. AGENCIES

A statement of the considerations involved in the issuance of this Supplementary Regulation, as amended, issued simultaneously herewith, has been filed with the Division of the Federal Register. Section 1499.29 is amended to read as follows:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(1) Sales or deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, of: (i) aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes; and (ii) amphibians, armored vehicles, automobiles, tanks, trailers and trucks, for military purposes.

(2) Component parts and subassemblies of any product set forth in subparagraph (1) above, regardless of the person to whom sold or delivered. The term "component parts and subassemblies" includes all metallic and nonmetallic component parts, adjuncts, and accessories which have been machined or fabricated. The term does not include raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those set forth in subparagraph (1) above.

(3) Any manufacturing service performed by a person other than the manufacturer in the production of any product set forth in subparagraph (1) or (2) above, if all or part of the material on which such service is performed is supplied by the manufacturer.

(4) Military propellants and explosives.

(5) Sales or deliveries of any commodity manufactured, or service supplied, pursuant to a contract or subcontract certified in writing to the Office of Price Administration, Washington, D. C., by the United States or any agency thereof, or by the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, as being a developmental contract or subcontract: *Provided*, That within ten days after entering into any such contract or subcontract the manufacturer of the commodity, or supplier of the service, files a report with the Office of Price Administration, Washington, D. C., containing a description of the product to be manufactured or service to be supplied, a summary of the terms of the contract or subcontract including all pricing provisions, a statement of the production plan of which this is a part and an estimate of the expected duration of such developmental work. For any contract or subcontract in effect on July 1, 1942, such report shall be filed prior to July 15, 1942. For the purposes of this subparagraph (5), a contract or subcontract is deemed to be "developmental" if the manufacturer or supplier under such contract or subcontract requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs, or if the purchaser under such contract or subcontract requires a period of time to select a product, or both. If the Office of Price Administration determines, after consultation with the certifying Government agency, that the period necessary for development has expired and in writing so notifies such agency and the manufacturer of the commodity, or supplier of the service, this exception shall not apply to all sales or deliveries of the commodity or service made after such notification.

(6) Sales or deliveries of any commodity manufactured, or service supplied, pursuant to a contract or subcontract which is deemed to be a "secret" contract or subcontract and is certified as such to the Office of Price Administration by the United States or any agency thereof, or by the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government. Such certification shall set forth the date of the secret contract and its number or other designation. After the Office of Price Administration shall have received notice from the certifying Government agency that such contract or subcontract is no longer deemed to be secret, this exception shall not apply to all subsequent sales or deliveries of the commodity or service.

(7) Emergency purchases by the United States or any agency thereof, or by the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, of any commodity for immediate delivery: *Provided*, That the person making such emergency purchases on behalf of the United States or any such Government files a report with the Office of Price Administration, Washington, D. C., within five days after such a purchase is made, certifying that it was made in a situation in which it was imperative to secure the commodity immediately and in which it was impossible to secure, or unfair to require, immediate delivery at the applicable maximum price, and setting forth (i) the name and address of the seller (ii) date of purchase (iii) date of delivery (iv) description of commodity purchased (v) quantity purchased (vi) price at which purchased, and (vii) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

(8) Prior to January 1, 1943, to sales or deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, of any commodity set forth in subparagraph (9) below, if the purchaser under such contract or subcontract requires a period of time to select a product, or both, and if the Office of Price Administration determines, after consultation with the certifying Government agency, that the period necessary for development has expired and in writing so notifies such agency and the manufacturer of the commodity, or supplier of the service, this exception shall not apply to all sales or deliveries of the commodity or service made after such notification.

(9) Sales or deliveries to the United States or any agency thereof of Brazilian rock quartz crystals suitable for piezo-electrical purposes.

(10) Sales or deliveries of metallic copper, lead, or zinc, or of ores or concentrates containing copper, lead or zinc, to the Metals Reserve Company, or its duly authorized agent or agents, pursuant to the premium price plan announced by the Federal Loan Agency, the War Production Board, and the Office of Price Administration.

(11) Sales or deliveries of aluminum scrap to the Metals Reserve Company, or its duly authorized agent or agents, pursuant to the program with respect to idle or excessive inventories of aluminum materials adopted and announced on February 24, 1942, by the War Production Board, Division of Industry Operations.

(12) Sales or deliveries of nickel-bearing scrap materials to the Metals Reserve Company, or its duly authorized agent or agents, pursuant to the program with respect to frozen stocks of metallic nickel adopted and announced on April 15, 1942, by the War Production Board Division of Industry Operations.

(13) Sales or deliveries after May 17, 1942, of any imported commodity to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, or to any person who will use the imported commodity purchased by him to fulfill a contract with the United States or any agency thereof, or with any such Government or any agency of any such Government, or a subcontract under any such contract: *Provided*, That this exception shall not apply to any lumber and shingles produced in and imported from Canada or to any commodity imported prior to April 1, 1942. For the purposes of this subparagraph (13), the term "imported commodity" means any commodity brought into the continental United States from outside the continental United States or brought into any territory of possession of the United States from outside such territory or possession.

(14) (i) Sales or deliveries to the Agricultural Marketing Administration for Lend-Lease purposes exclusively, of solid pack pie apricots in No. 10 cans.

(ii) Sales or deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or any agency thereof, of canned dried eggs.

(15) Sales or deliveries of any commodity by the War Department or the Department of the Navy of the United States through such Departments' sales stores, including commissaries and ships' stores ashore and by stores operated as army canteens, post exchanges or ships' service activities.

(b) Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, or a subcontract under any such contract, who believes that a maximum price established by the General Maximum Price Regulation impedes or threatens to impede production of a commodity, or supply of a service, which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of such maximum price in accordance with Procedural Regulation No. 6. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application. If, however, the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Supplementary Regulation No. 4 (§ 1499.29) shall become effective July 1, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6236; Filed, July 1, 1942; 5:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 3 to Supplementary Regulation 11 [3] to General Maximum Price Regulation]

EXCEPTED SERVICES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) in § 1499.46 is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* (a) The provisions of General Maximum Price Regulation, other than § 1499.11 (a) shall not apply to the following services until August 1, 1942:

(1) Transportation services of carriers, other than common carriers within the exemption conferred by § 302 (c) of the Emergency Price Control Act of 1942.

(2) Commercial storage and warehousing and services incident thereto.

(3) Services of stevedoring companies.

[1] 7 F.R. 1354, 1836, 2132, 2792.
[2] *Supra*, note 8.
[3] *Supra*, note 12.
[4] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941.
[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659 and 4738.
[6] 7 F.R. 3724, 3942, 4410, 4488, 4543, 4660 and 4740.
[7] 7 F.R. 4543, 4738.

(4) Services of car loading and car unloading companies.
(5) Services of transportation equipment rental companies.
(6) Services of freight forwarders, consolidators, or distributors, not offering such services to the general public as common carriers within the exemption conferred by section 302 (c) of said Act.
(7) Terminal services.
(8) Services of transportation brokers.
(9) Services of custom brokers.
(10) Services of transportation agents (other than employees of transportation companies).
(11) Packing, crating, marking and labelling of shipments.
(12) Pre-cooling, icing, ventilating, and heating of shipments and of transportation equipment.

* * * * *

(d) * * *

(4) Amendment No. 3 (§ 1499.46 (a)) to Supplementary Regulation No. 11 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6232; Filed, July 1, 1942; 5:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Supplementary Regulation 13[1] to General Maximum Price Regulation[2]]

TERRITORIES AND POSSESSIONS

ALASKA

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. A new § 1499.204 is added to read as set forth below:

§ 1499.204 *Sales and deliveries of certain commodities in the territory of Alaska.* (a) The provisions of the General Maximum Price Regulation shall be applicable to the territory of Alaska, except that in all sales and deliveries to a buyer in the territory of Alaska of all commodities not actually produced or manufactured in the territory of Alaska, the maximum price shall be:

(1) The direct cost to the seller of the commodity sold.

(2) Plus the amount of mark-up over the direct cost to the seller of the commodity sold during the period from November 7, 1941 to December 6, 1941, inclusive, which the seller added in his highest selling price for the same or similar commodity sold during such period, or if no sale was made during such period, the amount of such mark-up added by the seller in his highest selling price of such commodity during the last thirty days prior to November 7, 1941, in which a sale was made.

[1] 7 F.R. 4798.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

Provided: That the price determined in accordance with this section, if such price is not in line with the maximum prices of other similar sellers, may be adjusted by the Administrator of the Ninth Region of the Office of Price Administration, subject to review as provided in Procedural Regulation No. 7.[3]

(b) Where, a seller offers for sale or delivery to a buyer in the territory of Alaska any commodity not actually produced or manufactured in the territory of Alaska, and the maximum price of such commodity cannot be determined under the provisions of paragraph (a) hereof, the maximum price of such commodity shall be specifically authorized by the Administrator of the Ninth Region. The seller of such a commodity shall file a petition in accordance with the provisions of Procedural Regulation No. 7.[3] Such petition shall contain:

(1) A description of the commodity.
(2) A statement of the facts which prevent determination of the maximum price under paragraph (a).
(3) The price charged by sellers of the same competitive class for the same or similar commodity.
(4) A statement of the direct cost of the commodity to the seller.
(5) The price at which the seller intends to offer the commodity for sale.
(6) Such other facts which the seller deems relevant in the determination of a price for such commodity.

The Administrator of the Ninth Region shall authorize a price which is in line with the maximum prices of other similar sellers of the same or similar commodity, subject to review as provided in Procedural Regulation No. 7.[3]

(c) *Records and Reports.* (1) Every person within the territory of Alaska, offering to sell or deliver to a buyer in the territory of Alaska those cost-of-living commodities, included in § 1499.25, Appendix B of the General Maximum Price Regulation, which are not actually produced or manufactured in the territory of Alaska, shall file with the Territorial Office of the Office of Price Administration, not later than August 1, 1942, a report, setting forth:

(i) A list of all such commodities offered for sale by such person, and the selling price thereof.
(ii) The maximum price which the seller is permitted to charge for each such commodity under the provisions of this section.
(iii) The direct cost, as defined herein, of every such commodity listed.
(iv) The amount of mark-up of every such commodity listed.
(v) The highest price at which the seller sold a commodity, the same as or similar to such listed commodity during the period from November 7, 1941 to December 6, 1941, inclusive, or if the commodity was not sold during such period, then the highest selling price of such commodity during the last thirty days prior to November 7, 1941, in which a sale was made.
(vi) The amount of mark-up which the seller added in the price submitted under subdivision (v) above.

(2) Supplementary reports shall be filed by the seller whenever his price for a commodity is lower or higher than the price previously submitted under subparagraph (1) (ii).
(3) All reports shall be signed under oath.
(4) Every person offering to sell or deliver to a buyer in the territory of Alaska commodities, not included among the cost-of-living items set forth in § 1499.25, Appendix B, of the General Maximum Price Regulation, and which are not actually produced or manufactured in the territory of Alaska, shall prepare, not later than August 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement of the information required under subparagraph (1).
(5) Persons affected by Supplementary Regulation No. 13 shall submit such other reports to the Office of Price Administration, as it may from time to time require.
(6) The statements provided for under §§ 1499.11 (b) and 1499.13 (b) of the General Maximum Price Regulation shall not be required of sellers hereunder.
(d) The requirements in § 1499.13 (a) of the General Maximum Price Regulation for marking or posting cost-of-living commodities shall be applicable to the maximum prices established in §§ 1499.2 and 1499.3 of the General Maximum Price Regulation and paragraph (a) of this section, except that such maximum prices shall be marked or posted on and after August 1, 1942, instead of on and after the date prescribed in § 1499.13 (a) of the General Maximum Price Regulation.
(e) *Definitions.* As used in this section, the term:

(1) *"Direct cost to the seller"* means the price which the seller paid for the commodity, less discounts allowed to the seller, plus all cost-of-shipment actually incurred by the seller.
(2) *"Amount of mark-up"* means the amount in dollars and cents which added to the amount of direct cost constituted the seller's price. It does not mean the percentage of mark-up.
(3) *"Selling price"* means the price for which a commodity is sold, offered for sale, or listed for sale.
(4) *"Sales and deliveries to a buyer in the territory of Alaska"* does not include sales from a seller outside the territory of Alaska to a purchaser in the territory of Alaska. Export sales, from a seller in the Continental United States to a purchaser in Alaska shall be governed by the maximum prices established for export sales by the Maximum Export Price Regulation.[4]

[3] 7 F.R. 4779.
[4] 7 F.R. 3096, 3824, 4294, 4541.

(5) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

§ 1499.203 *Effective dates.* * * *

(b) Amendment No. 1 (§ 1499.204) to Supplementary Regulation No. 13 to the General Maximum Price Regulation shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6237; Filed, July 1, 1942; 5:15 p. m.]

PART 1340—FUEL

[Amendment 8 to Maximum Price Regulation 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

RIVER TRANSPORTATION

A statement of considerations involved in the issuance of this Amendment has been filed with the Division of the Federal Register.

A new subdivision (i) is added to § 1340.210 (a) (4) as set forth below:

§ 1340.210 *Maximum price instructions.* * * *

(a) * * *

(4) * * *: *Provided* (i) That where deliveries are made in river transportation facilities owned or subject to the control of the producer or distributor, or a subsidiary or affiliate of the producer or distributor, via the Kanawha and Ohio Rivers and from mines or preparation plants located in District No. 8, there may be added to the applicable maximum price established herein, a sum not in excess of the average charge made by the producer or distributor concerned, or by his subsidiary or affiliate during October 1941 for the same transportation service, or, in the case of a service which was not supplied in October 1941, the offering price therefor in October 1941, but in no event to exceed the lowest common carrier rate for the same service.

* * * * * *

§ 1340.211a *Effective dates of amendments* * * *

(i) Amendment No. 8 (§ 1340.210 (a) (4)) to Maximum Price Regulation No. 120 shall become effective July 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6254; Filed, July 2, 1942; 12:00 m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment 2 to Maximum Price Regulation 114[1]]

WOODPULP

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1347.232(d) is amended to read as follows:

§ 1347.232 *Appendix A: Maximum prices for woodpulp.* * * *

(d) (1) Producers of sulphite woodpulp of special chemical, high alpha, or glassine grades, producers of sulphate woodpulp of special chemical or condenser grades, and producers of woodpulps produced in whole or in part from rags, paper stock or any fibre material other than wood shall, before making any sale of woodpulp of any such grade, submit to the Administrator a sworn statement setting forth all the relevant facts, including:

(i) Grade and grade name of woodpulps proposed to be sold;
(ii) Special characteristics which bring the grade or grades involved within the provisions of this paragraph (d);
(iii) Proposed sales prices per air dry ton, and terms of sale (i. e. delivered, delivered with freight allowed, f.o.b. mill, ex dock Atlantic seaboard, or other);
(iv) Names and addresses of customers to whom such woodpulps have been sold in the fourth quarter of the year 1941, and thereafter;
(v) Prices per air dry ton at which these woodpulps have been sold to all such customers in the fourth quarter of 1941, and thereafter, and the terms of all such sales;
(vi) An itemized statement of the costs of production of such woodpulps per air dry ton.

(2) After the sworn statement referred to in subparagraph (1) has been received by the Office of Price Administration, the petitioner may sell and deliver any grade of woodpulp at its proposed price, if, but only if, it expressly agrees with each customer to adjust the price, if necessary, to conform with any order or ruling issued by the Administrator with respect thereto. If at the expiration of twenty-one days from the date of receipt of the said sworn statement, the Administrator does not issue an order establishing a maximum price lower than the petitioner's proposed price for the grade and fails to rule that the grade does not fall within the provisions of paragraph (d) of this section, the petitioner may complete any transactions made by him in the twenty-one day period aforesaid at his proposed price and may thereafter continue to sell such grade at prices not in excess of his proposed price unless and until the Administrator by order establishes a lower maximum price.

§ 1347.231a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1347.232 (d)) shall become effective July 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6258; Filed, July 2, 1942; 12:00 m.]

[1] 7 F.R. 2843.

PART 1375—EXPORT PRICES

REVISED MAXIMUM EXPORT PRICE REGULATION[1]

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.

Sections 1375.1 to 1375.9 inclusive are renumbered and revised to read as set forth below.

AUTHORITY: §§ 1375.1 to 1375.11 inclusive issued under Pub. Law 421, 77th Cong.

§ 1375.1 *Maximum export price.* On and after July 2, 1942, regardless of the terms of any contract of sale or purchase, or of any export license thereafter issued by the Board of Economic Warfare or other governmental agency, no exporter shall sell, offer to sell, transport, ship, or participate in the transportation or shipment of, any commodity at a price in excess of the following maximum export prices:

(a) In the case of an exporter other than the manufacturer or producer of the commodity the maximum export price shall be either:

(1) The price at which the commodity was acquired for export or the maximum domestic price which would be applicable to a current sale of the commodity to the exporter by the supplier thereof, plus the additions thereto authorized by paragraphs (a) and (b) of § 1375.2 and less the deductions provided by § 1375.3 (a); or

(2) The maximum domestic price, at the point from which the commodity is to be shipped for export, which would be applicable to a sale of the commodity by the exporter to a domestic purchaser similar to the purchaser outside the Continental United States, plus the additions thereto authorized by § 1375.2 (b) less the deductions provided by § 1375.3 (a). In the event that a maximum domestic price for such a sale of the commodity by the exporter is not determinable, a price in line with the maximum undelivered price which would be applicable to such a sale by the domestic jobber or wholesaler

[1] 7 F.R. 3096.

located nearest the point from which the commodity is to be shipped for export may be substituted as the basic price and the additions authorized by § 1375.2 (b) and the deductions provided by § 1375.3 (a) made thereto.

(b) In the case of an exporter who is the manufacturer or producer of the commodity to be exported, the maximum export price shall be his maximum domestic price for the commodity to a domestic purchaser similar to the purchaser outside the Continental United States or, in case there is no such price, shall be his maximum domestic price to such a similar purchaser for the most nearly similar commodity of equal or lower quality or grade or, in the absence of both of the foregoing, the highest price at which the commodity to be exported was sold to such a similar purchaser in the domestic market on the date the contract of export sale was entered into, plus the additions thereto authorized by paragraphs (a) and (b) of § 1375.2 and less the deductions provided by § 1375.3 (b).

(c) In the case of an exporter who is the manufacturer or producer of a commodity which is not sold domestically by any seller and for which there is no comparable domestic product, the maximum export price shall be the highest price charged in the export market by the manufacturer or producer to the same purchaser, or to a similar purchaser outside the Continental United States during the period March 1–April 15, 1942. No such price shall be charged until twenty days after an affidavit has been filed with the Office of Export Price Control, Office of Price Administration, Washington, D. C., stating that no comparable product sold in the domestic market exists, showing the maximum export price proposed to be charged on export sales of the commodity, and indicating the transaction or transactions in the March 1–April 15, 1942, period upon which the proposed price is based, unless approval of such price is given prior to the expiration of such twenty days. The Price Administrator may disapprove the prices proposed or deny the right to use this section of this Maximum Export Price Regulation on the ground that a comparable domestically sold product does exist.

(d) In the case of solid fuels exported to the Territories of Alaska and Hawaii, the Dominion of Canada and Newfoundland, the maximum export price shall be that established by Maximum Price Regulations Nos. 120, 121, and 122 to the extent that such regulations are applicable.

§ 1375.2 *Additions to cost or domestic price.* (a) An amount (stated either as a percentage or as a flat amount, depending upon the customary practice in the trade) not in excess of the average premium charged in the export trade for the particular services or functions performed during either the period July 1–December 31, 1940, or March 1–April 15, 1942, whichever average premium is the lower, may be added by the exporter to his cost of acquisition, maximum domestic price or other basic price, as provided in § 1375.1 of this Maximum Export Price Regulation. In determining the applicable premium, due recognition shall be given to existing differentials in the export premiums charged by different types of exporters, differences in premium resulting from variations in the size or value of exports or from variations in the volume of business done by various exporters, as well as to differentials in premium between exports to the Territories and possessions of the United States, Canada, and the various foreign nations: *Provided*, That no premium may be added to a maximum export price computed under § 1375.1 (a) (2) or § 1375.1 (c): *Provided further*, That the applicable average export premium shall not be increased by reason of the fact that more than one exporter participates in the process of exportation.

(b) An amount, in addition to the foregoing premium, may be added by the exporter to his cost of acquisition, maximum domestic price or other basic price as provided in § 1375.1 of this Maximum Export Price Regulation, to compensate for expenses, such as war risk insurance, consular fees, export packing charges, demurrage charges, and shipping charges, incident to the export and absorbed or to be absorbed by the exporter. When the price on a particular commodity or on particular types of export has been customarily computed by the individual exporter on a delivered f. a. s. or c. i. f. basis, inland or other shipping charges may be added as export expenses to the extent that the actual transportation and shipping charges exceed the charges customarily incurred and absorbed on export sales during the period July 1–December 31, 1941.

§ 1375.3 *Deductions from maximum export price.* (a) An exporter other than the manufacturer or producer shall deduct from the maximum export price the amount of any drawback of import duties, excise taxes, or export subsidy to which the exporter is entitled and lays claim, with allowance for the expenses incurred in obtaining such drawback.

(b) An exporter who is the manufacturer or producer shall deduct from the maximum export price the amount of any drawback of import duties, excise taxes, or export subsidy by which his cost of manufacture of the commodity being exported is reduced below the cost of manufacture of the same or a similar article sold domestically.

§ 1375.4 *Promulgation of specific maximum export premiums.* The Office of Price Administration may, from time to time, promulgate figures which shall reflect the average premium charged in the export trade for particular services or functions performed during either the period July 1–December 31, 1940 or March 1–April 15, 1942, whichever average premium is lower. Where the periods July 1–December 31, 1940 or March 1–April 15, 1942 are determined by the Price Administrator to be inappropriate base periods, or where the trade or industry finds great difficulty in discovering an appropriate premium in the base periods, the Office of Price Administration may publish a specific export premium for the trade or industry. In case of such promulgation, and pursuant to and subject to the terms of the promulgation, the premium therein stated shall become the maximum premium to be charged in the export trade. Such promulgation or promulgations, shall be in the form of amendments to this Maximum Export Price Regulation, and shall be inserted as subparagraphs of § 1375.5.

§ 1375.5 *Specific maximum export premiums.* (a) The maximum export premium to be charged on an export sale of any finished piece goods, as defined in Maximum Price Regulation No. 127[1] (whether covered by that regulation or not), shall be

(1) For finished piece goods covered by Maximum Price Regulation No. 127:

(i) If sold by the manufacturer or converter thereof, an amount not in excess of 6% of the domestic maximum price applicable to a sale by such person to a Class I domestic purchaser.

(ii) If sold by a person other than the manufacturer or converter thereof, an amount not in excess of 6% of the domestic maximum price applicable to a sale by such person to a Class I domestic purchaser.

(2) For finished piece goods other than those covered by Maximum Price Regulation No. 127:

(i) If sold by the manufacturer or converter thereof, an amount not in excess of 6% of the domestic maximum price applicable to a sale by such person to a domestic purchaser similar to the purchaser located outside the Continental United States.

(ii) If sold by a person other than the manufacturer or converter thereof:

(*a*) If the goods to be exported were acquired directly from the converter or manufacturer thereof, an amount not in excess of 13½% of the cost of acquisition;

(*b*) If the goods to be exported were acquired from a person other than the converter or manufacturer thereof, an amount not in excess of 8½% of the cost of acquisition.

§ 1375.6 *Exceptions.* (a) The provisions of this Maximum Export Price Regulation shall not be applicable to any export made pursuant to a contract of sale entered into prior to April 30, 1942 for which an export license is not required or which is made under a validly outstanding export license issued by the Board of Economic Warfare or the Department of State prior to April 30, 1942: *Provided*, That the exception here granted shall apply to exports for which an export license is not required or which are made under general or unlimited licenses issued by the Board of Economic Warfare only if the commodity is actually transported outside of the Continental United States prior to October 1, 1942.

[1] 7 F.R. 3119, 3242, 4180.

(b) The Administrator, subject to such terms and conditions as he shall determine to be necessary or desirable, may grant an exception to the provisions of this Maximum Export Price Regulation in any case in which a certificate is received by the Administrator from the Board of Economic Warfare certifying that such exception is necessary for considerations of political or military necessity or because of the requirements of economic warfare.

(c) The provisions of this Maximum Export Price Regulation shall not be applicable to any export under a contract of sale entered into prior to April 30, 1942, the price for which was determined under the export provisions of a specific price schedule or regulation issued by the Office of Price Administration prior to April 25, 1942.

§ 1375.7 *Records.* (a) Each exporter, in connection with any export for which a specific export license is required, either in the space provided under question 17 of the duplicate and triplicate copies of the export license application to be filed with the Office of Export Control, Board of Economic Warfare, or in the space provided in any form of export license application hereafter promulgated, shall state the following information:

(1) In the case of an exporter other than the manufacturer, the cost of acquiring the commodity or other basic price (exclusive of any expenses incident to export), or in the case of the manufacturer, the maximum domestic price or other basic price to which the additions authorized by paragraphs (a) and (b) of § 1375.2 are to be made, and

(2) The amount of the premium to be added pursuant to § 1375.2 (a).

(b) In addition, each exporter shall, for a period of not less than two years from the date of export, retain a record of each export transaction which shall contain all the facts pertinent thereto, including:

(1) (i) In the case of an export by a person other than the manufacturer, the cost of acquisition and name and address of the person from whom the commodity was acquired, or other basic price authorized by § 1375.1 (a).

(ii) In the case of an export by a manufacturer or producer the maximum domestic price or other basic price authorized by paragraphs (b) and (c) of § 1375.1.

(2) The name and address of the importer to whom the export sale was made, and

(3) The aggregate price charged, the amount of the premium added pursuant to § 1375.2 (a) and the amount of each additional item of expense added pursuant to § 1375.2 (b) together with a copy of the invoice, bill of lading or other statement rendered to the importer in connection with the export sale.

(c) Such records shall be available for inspection by duly authorized representatives of the Office of Price Administration and the Administrator may require their submission for periodical inspection if he deems such inspection necessary or desirable.

§ 1375.8 *Definitions.* (a) When used in this Maximum Export Price Regulation the term:

(1) "Export" or "export sale" means any sale of a commodity located within the Continental United States by a seller in the Continental United States to a purchaser outside thereof in which the commodity sold is transported from the Continental United States to a point outside thereof and includes any sale of the exported commodity by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the Continental United States: *Provided*, That it shall not include such a sale if the agent or subsidiary has processed, fabricated or otherwise substantially changed the form of the commodity exported, or if the sale by the agent or subsidiary is through a regularly established retail outlet owned or operated by the agent or subsidiary.

(2) "Exporter" means any individual, partnership, association or corporation, including a manufacturer, export agent, export merchant, or commission merchant, engaging or participating, as principal or agent, in an export sale.

(3) "Continental United States" means only the forty-eight States and the District of Columbia.

(4) "Maximum domestic price" means the highest price at which the particular seller may, under any applicable price schedule, regulation or order issued by the Office of Price Administration, sell, offer to sell, deliver or transfer a particular commodity to a given class of purchaser within the Continental United States.

(5) "Exporter who is the manufacturer or producer" shall include wholly owned subsidiaries, related companies all of whose stock is owned by a common parent, and persons to whose specifications and under whose supervision products are manufactured by another, as well as the actual manufacturer or producer.

(6) The term "domestic purchaser similar to the purchaser outside the Continental United States" means a domestic purchaser of the same general class as the purchaser outside the Continental United States, e. g., manufacturer, wholesaler, jobber, exclusive distributor, retailer, government agency, public institution, individual consumer, or other class of purchaser for which the seller has an established price.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1375.9 *Enforcement.* (a) Any person violating either directly or indirectly the provisions of this Maximum Export Price Regulation shall be subject to the civil and criminal penalties, civil enforcement actions, suits for treble damages or other enforcement procedures authorized by the Emergency Price Control Act of 1942.

(b) Any person having evidence of any violation of this Maximum Export Price Regulation or any maximum price schedule, regulation or order issued by the Office of Price Administration is urged to communicate with the nearest regional or field office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1375.10 *Existing maximum price schedules, regulations or orders.* No provision of any maximum price schedule, regulation or order heretofore promulgated by the Office of Price Administration shall be deemed to authorize any action inconsistent with the provisions of this Maximum Export Price Regulation and, to the extent that the provisions of any existing schedule, regulation or order are inconsistent or in conflict with the provisions of the Maximum Export Price Regulation, such provisions are hereby revoked and superseded.

§ 1375.11 *Effective date.* The Maximum Export Price Regulation (§§ 1375.1 to 1375.11, inclusive), shall become effective July 2, 1942.

Issued this 2d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6260; Filed, July 2, 1942; 12:02 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Maximum Price Regulation 174]

FREIGHT CAR MATERIALS SOLD BY CAR BUILDERS

In the judgment of the Price Administrator the application of the General Maximum Price Regulation[1] and other specific regulations and orders heretofore issued to sales of freight car materials by car builders would tend to hinder the interchange between car builders of surplus scarce materials in accordance with Supplementary General Limitation Order No. L–97–a–1, as amended, issued by the War Production Board.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Therefore under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, Maximum Price Regulation No. 174 is hereby issued.

AUTHORITY: §§ 1390.51 to 1390.58, inclusive, issued under Pub. Law 421, 77th Cong.

[1] 7 F.R. 3133, 3158.
[2] 7 F.R. 971.

§ 1390.51 *Prohibition against selling freight car materials above maximum prices.* Notwithstanding the provisions of the General Maximum Price Regulation, of any other regulation or order heretofore issued by the Office of Price Administration, or of any contract, agreement or other obligation, on and after May 26, 1942, no car builder shall sell to another car builder or to a railroad, pursuant to Supplementary General Limitation Order No. L–97–a–1, as amended, issued by the War Production Board, any freight car material, and no car builder or railroad shall buy from a car builder any such freight car material, at a price higher than the maximum price permitted by § 1390.52. The price at which any sale, delivery or offer to sell was made between May 26, 1942, and July 2, 1942, shall be adjusted so as not to exceed the maximum price herein permitted.

§ 1390.52 *Maximum prices for freight car materials sold by car builders.* (a) The maximum price for any freight car material or any sale by one car builder to another car builder or by a car builder to a railroad shall not exceed the total of the following:

(1) The selling car builder's net invoiced cost of such freight car material, or the maximum price otherwise established by the Office of Price Administration for the purchase of such material by the selling car builder, at the time of sale pursuant to such Supplementary General Limitation Order No. L–97–a–1, as amended, whichever is lower;

(2) Inbound freight paid by the seller on such freight car material, if any;

(3) Direct labor costs, if any, incurred by the selling car builder in partly or wholly fabricating or finishing such freight car material, determined on the basis of labor rates in effect on October 1, 1941; and

(4) Any State sales or retailer's occupational tax levied on such sale.

§ 1390.53 *Less than maximum prices.* Lower prices than those set forth in § 1390.52 may be charged, demanded, paid or offered.

§ 1390.54 *Records, and reports.* (a) Every car builder who sells any freight car material to another car builder or to a railroad, shall file a report with the Office of Price Administration, Washington, D. C., on or before the fifteenth day of each month, covering all sales made in the preceding calendar month. The first such report shall be filed on or before August 15, 1942 and shall cover all sales made between May 26, 1942 and August 1, 1942. Such report shall set forth (1) description of each item of freight car material sold; (2) quantity sold; (3) unit in which sold; (4) unit purchase price; (5) unit inbound freight, if any; (6) total unit cost (item 4 plus item 5); (7) direct labor cost of fabrication per unit, if any at October 1, 1941 rates; (8) unit selling price f. o .b. seller's plant (item 6 plus item 7); (9) unit state sales tax, if any; and (10) name of purchaser and destination.

(b) Every such car builder shall keep records of each sale containing the data used in preparing the reports required in paragraph (a) hereof.

(c) Every car builder shall keep such other records and file such other reports as the Office of Price Administration may at any time require in writing, either in addition to or in substitution for records and reports herein required.

§ 1390.55 *Petitions for amendment.* Any car builder seeking a modification of any provision of this Maximum Price Regulation No. 174 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1390.56 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 174 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 174 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest District, State or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1390.57 *Definitions.* (a) When used in this Maximum Price Regulation No. 174, the term:

(1) "Car builder" means any person engaged in the building of railroad freight cars either for his own use or for sale to others;

(2) "Freight car material" means any material which will ultimately be incorporated into the structure of a railroad freight car and which is sold by a car builder pursuant to Supplementary General Limitation Order No. L–97–a–1, as amended, issued by the War Production Board.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1390.58 *Effective date and termination date.* This Maximum Price Regulation No. 174 (§§ 1390.51 to 1390.58, inclusive) shall become effective July 2, 1942 and shall terminate on December 31, 1942.

Issued this 2d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6265; Filed, July 2, 1942; 11:59 a. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Revised Ration Order 7[1]]

NEW ADULT BICYCLE RATION REGULATIONS

Pursuant to the authority vested in me by Executive Order No. 9125, issued by the President on April 7, 1942; War Production Board Directive No. 1, issued January 24, 1942, and Supplementary Directive No. 1G, issued May 13, 1942.

Sections 1391.1 to 1391.12 are renumbered and amended to read as set forth below:

Sec.
1391.1 Definitions.

ADMINISTRATION AND PERSONNEL

1391.2 Personnel.
1391.3 Jurisdiction of Board.

RESTRICTION ON TRANSFERS

1391.4 Restriction on transfers.
1391.5 Transfers not restricted.

TRANSFERS FOR USE OR SALVAGE

1391.6 Transfers for use or salvage.
1391.7 Eligibility for certificates.
1391.8 Application to Board.
1391.9 Action by Board.
1391.10 Applications to Office of Price Administration.
1391.11 Certificates.
1391.12 Use of certificates.
1391.13 Surrender of certificates.
1391.14 Use of WPB orders.

NEW ADULT BICYCLE QUOTAS

1391.15 Establishment of quotas.
1391.16 Allotment of State and Board quotas.
1391.17 Board action subject to quota.
1391.18 Application by Board for quota adjustment.
1391.19 Application by State Director for quota adjustment.

APPEALS

1391.20 Grounds for appeal to State Director.
1391.21 Filing of appeals.
1391.22 Action on appeals.
1391.23 Review by Office of Price Administration.

TRANSFERS FOR RESALE

1391.24 Transfers for resale.
1391.25 Authorization for initial or increased inventory.
1391.26 Use by dealers and distributors of authorizations, and Parts B of certificates, authorizations and WPB orders.
1391.27 Records to be kept by dealers and distributors.
1391.28 Transmittal of authorizations and WPB orders issued prior to July 9, 1942.

MANUFACTURERS

1391.29 Report of transfers by manufacturers.

RIGHTS OF PARTIES UNDER CONTRACTS

Sec.
1391.30 Rights of parties under contracts when delivery is prohibited.

ENFORCEMENT

1391.31 Violations heretofore committed.
1391.32 Unlawful use or possession.
1391.33 Criminal prosecutions.
1391.34 Denial of materials.
1391.35 Complaints of violations.

EFFECTIVE DATE

1391.36 Effective date.

AUTHORITY: §§ 1391.1 to 1391.36, inclusive, issued under Pub. Law 671, Seventy-sixth Congress, as amended by Pub. Law 89, Seventy-seventh Congress, and by Pub. Law 507, Seventy-seventh Congress, Pub. Law 421, Seventy-seventh Congress, W. P. B. Directive No. 1, Supplementary Directive No. 1G, 7 F.R. 562, 3546.

[1] 7 F.R. 3666.

Definitions

§ 1391.1 *Definitions.* (a) When used in this Revised Ration Order No. 7:

(1) "Adult bicycle" means any pedal-propelled, non-motor two-wheeled vehicle, with a frame measurement from the center of the crank to the top of the seat post mast of more than 17 inches.

(2) Authorization refers to an authorization issued by the Office of Price Administration permitting the acquisition of new adult bicycles.

(3) "Board" means a War Price and Rationing Board.

(4) Certificate refers to a certificate issued pursuant to § 1391.7 authorizing the acquisition of a new adult bicycle.

(5) Certification refers to a letter of certification issued by the Office of Price Administration prior to July 9, 1942, authorizing the transfer to a dealer of new adult bicycles.

(6) "Consumer" means any person acquiring a bicycle for personal use, or for the use of his officer, agent, employee or volunteer worker, or for any industrial or business purpose other than sale or rental of such bicycle.

(7) "Dealer" means any person regularly engaged in the business of selling new adult bicycles at retail and includes a person purchasing a new adult bicycle for sale to his officer, agent, employee or volunteer worker.

(8) "Distributor" means any person, other than a manufacturer, regularly engaged in the business of offering new adult bicycles for sale to dealers and includes, but is not limited to, jobbers and wholesalers.

(9) "Government agency" means and includes any department, board, bureau, commission, office or other Government unit, whether Federal, State, local or foreign, and any corporation wholly owned by any such Government or Government unit.

(10) "Manufacturer" means any person engaged in the business of manufacturing or assembling new adult bicycles.

(11) "New adult bicycle" means an adult bicycle which has not been sold to and used by a consumer, and includes any such bicycle which has been stolen from a dealer or distributor and returned to him, regardless whether it was sold or used between the date it was stolen and the date of its return, but does not include a rental bicycle.

(12) OPA Inventory Unit refers to the Inventory Unit of the Office of Price Administration located in the Empire State Building, New York, N. Y.

(13) "Person" means any individual, partnership, corporation, association, business trust, Government or Government agency, or any organized group of persons.

(14) "Rental bicycle" means any bicycle which was segregated and used for rental purposes prior to April 2, 1942, and which was held for such purposes on that date.

(15) "Transfer" means sale, lease, trade, loan, gift, delivery, shipment, change of ownership or title or physical possession, conversion to use of a new adult bicycle held for sale whether or not a change of ownership or possession is involved, or construction from a new adult bicycle held for sale of any type of vehicle, including, but not limited to, a three-wheeled or a motor vehicle.

(16) WPB order refers to an order of the Director of Industry Operations of the War Production Board authorizing the acquisition of a new adult bicycle.

(b) Where the context so requires, words in the singular shall include the plural, and the masculine gender shall denote the feminine and neuter.

Administration and Personnel

§ 1391.2 *Personnel.* (a) Revised Ration Order No. 7 shall be administered by the Office of Price Administration through its War Price and Rationing Boards, and such other administrative personnel as it may designate.

(b) No person participating in the administration of Revised Ration Order No. 7 shall act officially in connection with any matter arising thereunder as to which he has any interest, by reason of business connection or relationship by blood or marriage.

§ 1391.3 *Jurisdiction of Board.* For purposes of Revised Ration Order No. 7 each Board shall have jurisdiction over every person who resides, or owns or operates a business, in the area which the Board is designated to serve, except as otherwise provided in § 1391.10, with respect to Federal agencies and the American Red Cross.

Restriction on Transfers

§ 1391.4 *Restriction on transfers.* Notwithstanding the terms of any contract, agreement, commitment, or other obligation, regardless of when made, no person shall make or accept a transfer of a new adult bicycle except in accordance with the provisions of Revised Ration Order No. 7.

§ 1391.5 *Transfers not restricted.* The following transfers of new adult bicycles are not restricted:

(a) Transfers for purposes of sale to any of the following persons:

(1) Manufacturers;

(2) Transferees of the entire assets of the business of a dealer, distributor or manufacturer;

(3) Persons who in good faith have lent money on the security of, or have financed the sale of, the new adult bicycle being acquired;

(4) Persons acquiring such a bicycle through distraint, levying by execution, attachment or similiar forms of judicial process, or repossession on default;

(5) Persons duly authorized by law to engage in the insurance business, or their agents, who acquire such a bicycle by exercising the right of subrogation, or in consequence of the payment of a claim.

Provided, however, That within 5 days after a transfer under this paragraph (a), the transferee shall report to the OPA Inventory Unit, in writing, the name and address of the transferor and the transferee, the number of new adult bicycles transferred and their make, model and serial numbers: *And provided further,* That a transferee under subparagraph (2) of this paragraph (a) shall also report the number of certificates, or WPB orders, authofizations, or Parts B thereof, transferred with the assets of the business, and also their serial numbers;

(b) Transfers to, or for the account of, the Army, Navy, or Marine Corps of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, or any person who acquires a new adult bicycle for export to and consumption or use in any foreign country, of the number of new adult bicycles specified in a WPB order, upon surrender to the transferor of the WPB order signed by such transferee;

(c) Physical delivery of such a bicycle by a person who acquired it pursuant to a Certificate issued under paragraph (b) of § 1391.7, or pursuant to an authorization issued prior to July 9, 1942, or by his agent, to his officer, agent, employee or volunteer worker for whose use he was authorized to acquire the bicycle;

(d) Delivery to a carrier for shipment or delivery by a carrier to a consignee: *Provided, however,* That the transfer thus effected between the consignor and the consignee shall not be deemed to be permitted by this paragraph but shall be and remain subject to the provisions of Revised Ration Order No. 7;

(e) Technical transfer of title for security purposes;

(f) Placing such a bicycle in a garage, repair shop, warehouse or other place for storage, or returning it to the person who placed it there;

(g) Transfers to consumers, or to dealers for sale, pursuant to a WPB order, or an authorization or a certification, issued prior to July 9, 1942: *Provided, however,* That no transfer shall be made to a dealer under this paragraph (g) unless the Office of Price Administration has certified to the transferor that the dealer has filed OPA Form R–701 with the OPA Inventory Unit.

Transfers for Use or Salvage

§ 1391.6 *Transfers for use or salvage.* A transfer of a new adult bicycle for use or salvage may be made to, and accepted by, a person to whom a Certificate authorizing acquisition for such purpose has been issued under § 1391.7.

§ 1391.7 *Eligibility for Certificates.* Subject to the quota provisions of Revised Ration Order No. 7, any of the following persons may obtain a certificate:

(a) A person who establishes the following:

(1) That he is engaged:

(i) In a gainful occupation; or

(ii) In work which contributes to the war effort or to the public welfare.

(2) That he needs a bicycle at least three days a week, to travel to and from,

or in the performance of, the work or occupation mentioned above.

Unless other circumstances require a contrary conclusion, an applicant shall be deemed to have established his need for a bicycle if he shows any of the following in connection with such work or occupation:

(i) He must travel quickly or frequently in delivering merchandise or messages, or in performing any other work or occupation mentioned above, and he would be better able to do so by bicycle than by walking or by using public transportation facilities; or

(ii) Without a bicycle and using the most convenient public transportation facilities, he would have to walk a total of at least 3 miles in going to and coming from his work or occupation; or

(iii) He would have to spend a total of at least 1½ hours, including necessary walking and waiting time, in going to and coming from his work or occupation by the use of public transportation facilities, which time could be reduced by at least 30 minutes through the use of a bicycle; or

(iv) The available public transportation facilities are overcrowded; or

(v) A bicycle is clearly needed because of other circumstances.

(3) That he does not already have the use of a bicycle which is adequate for his needs.

(4) That, since April 2, 1942, he has not sold or otherwise disposed of a bicycle which was adequate for the purpose for which a new adult bicycle is sought, unless at the time of such disposition he was not engaged in work or an occupation mentioned above or he did not need the bicycle.

(b) Any person may obtain a certificate authorizing the acquisition of new adult bicycles for the use of such person's officers, agents, employees or volunteer workers who, individually or collectively, satisfy the requirements of paragraph (a) of this section: *Provided, however,* That no person may obtain a certificate hereunder who has, since April 2, 1942, sold or otherwise disposed of a bicycle which was adequate for the purpose for which a new adult bicycle is sought unless at the time of such disposition he was not engaged in work or an occupation mentioned above or he did not need the bicycle.

(c) Any person regularly engaged in the insurance, junk or salvage business who desires to acquire a new adult bicycle which has been destroyed by fire or other accident, for the purpose of using it for scrap or for salvaging its parts.

§ 1391.8 *Application to Board.* A person, other than a Federal agency or the American Red Cross, who desires to obtain a Certificate shall file an application on OPA Form R–703 with his Board.

§ 1391.9 *Action by Board.* (a) Subject to the quota provisions of Revised Ration Order No. 7, the Board may grant or deny applications which are properly filed with it.

(b) The Board may issue a certificate to an applicant who meets the requirements of Revised Ration Order No. 7, if such applicant has properly executed and filed his application, and if the Board believes the facts stated in the application to be true.

(c) The Board may, in its discretion, request the applicant to appear in person at a designated time at the office to supply additional pertinent information.

(d) The action of the Board upon an application, the reasons therefor when denied, and the serial number of any certificate issued, shall be noted upon the application which shall then be filed by the Board among its records.

(e) The Board shall notify applicants of the action taken on their applications.

(f) The Board shall indicate whether a certificate authorizes acquisition of a new adult bicycle for use or for salvage, and shall enter on Parts A, B, and C of the certificate the number of bicycles which may be acquired pursuant thereto.

(g) The Board shall require the applicant to sign, in the presence of the clerk, executive secretary or a member of the Board, Parts A and C of the certificate issued to him. Two members of the Board shall sign the certificate.

(h) At intervals of not more than one week, a list of all certificates issued and of the names of the recipients shall be posted at the office of the Board and shall be made available for public inspection at such times and under such circumstances as will not interfere with the conduct of the official business of the Board, except that, the names of intelligence officers of the armed forces of the United States, or members of law enforcement agencies of the United States, or of any State or political subdivision thereof, whose work requires secrecy shall not be included in any such list.

§ 1391.10 *Applications to Office of Price Administration.* All Federal agencies and the American Red Cross shall, if they desire to obtain a certificate, file an application on OPA Form R–703 in the manner provided in paragraph (a) or (b) below:

(a) Any such applicant which hereafter authorizes the Procurement Division of the Treasury Department to acquire a new adult bicycle on its behalf shall file its application with the Procurement Division, for transmittal to the Office of Price Administration, Washington, D. C. Certificates issued pursuant to such applications will be delivered to the Procurement Division of the Treasury Department.

(b) All other such applicants shall file their applications directly with the Office of Price Administration, Washington, D. C.

§ 1391.11 *Certificates.* (a) If an application is granted, a serially numbered certificate in three parts, each bearing the same serial number, shall be issued on OPA Form R–704.

(b) A certificate which has not been used by the person to whom it was issued for the acquisition of a new adult bicycle within 30 days from date of issuance shall be null and void.

(c) A certificate or Part B of a certificate may be exchanged by the issuing Board or by the Office of Price Administration, Washington, D. C., if issued by it, for two or more certificates or Parts B of certificates, in the aggregate authorizing the transfer of not more than the number of bicycles specified in the document so exchanged. Such document shall thereafter be void. It shall be so marked and forwarded to the OPA Inventory Unit.

§ 1391.12 *Use of certificates.* (a) The person to whom a certificate has been issued may acquire the number of new adult bicycles specified therein from a transferor, if he signs Part A of the certificate in the presence of such transferor, and surrenders the certificate to him before accepting delivery of such new adult bicycles, *except that,* in purchases by mail from a mail order house, such signature need not be made in the presence of the transferor.

(b) If the signatures before the Board and the transferor, on Part A of the certificate, do not appear to have been executed by the same person, the dealer or other transferor shall refuse to sell or deliver a new adult bicycle to the person presenting the certificate and shall report these facts to the issuing Board.

(c) If the signatures before the Board and the transferor, on Part A of the certificate, appear to have been executed by the same person, the dealer or other transferor may deliver a new adult bicycle to such person pursuant thereto: *Provided, however,* That a mail order house may ship a new adult bicycle only to the person in whose name the certificate was issued and to his address appearing on the certificate.

(d) Upon delivery of a new adult bicycle, the transferor shall complete and return Part C of the certificate to the transferee to evidence that he acquired the bicycle in accordance with Revised Ration Order No. 7. The transferor shall complete, sign, and forward Part A of the certificate to the OPA Inventory Unit, within 3 days after delivery of such bicycle.

§ 1391.13 *Surrender of certificates.* (a) A certificate which has not been used by a consumer within 30 days after issuance shall be surrendered to the Board which issued it or to the Office of Price Administration, if issued by it.

(b) A person, other than a dealer, distributor or manufacturer, to whom a certificate has been given in exchange for a new adult bicycle shall forward Part B along with Part A thereof to the OPA Inventory Unit, within 3 days after delivery of such bicycle.

§ 1391.14 *Use of WPB orders.* Upon delivery of a new adult bicycle pursuant to a WPB Order issued on or after July 9, 1942, the transferor shall complete, sign, and forward Part A thereof to the OPA Inventory Unit, within 3 days after delivery of such bicycle.

New Adult Bicycle Quotas

§ 1391.15 *Establishment of quotas.* The Office of Price Administration will from time to time set quotas and reserve quotas stating the maximum number of new adult bicycles for the transfer of which Certificates may be issued under § 1391.7. Such quotas may be altered or revoked as the occasion may demand.

§ 1391.16 *Allotment of State and Board quotas.* The Office of Price Administration will forward to each State Director the quota allotted to his State. The State Director shall then forward to each Board its quota, if any.

§ 1391.17 *Board action subject to quota.* (a) No Board shall issue a certificate in excess of its quota.

(b) During any quota period in which the total number of applications, filed and anticipated, of applicants otherwise entitled to Certificates, exceeds a Board's quota, the Board shall determine which of them are to be granted by weighing the relative needs of the applicants, and the relative importance to the war program, public safety, health and morale of the operation of a bicycle by each applicant.

§ 1391.18 *Application by Board for quota adjustment.* Where a Board believes that the public interest requires an increase in its quota, the Board shall file an application for an additional quota allotment with the State Director setting forth in full the facts warranting such an increase. The State Director may draw upon his state reserve, if any, to augment the quota for such Board.

§ 1391.19 *Application by State Director for quota adjustment.* A State Director may apply to the Office of Price Administration for an allotment from the national reserve to replenish his state reserve. Such application shall be accompanied by a statement setting forth in full the facts on which such application is founded. The Office of Price Administration may draw upon the national reserve to replenish a state reserve.

Appeals

§ 1391.20 *Grounds for appeal to State Director.* Any applicant for a new adult bicycle whose application has been denied by a Board and who believes that such action is in conflict with Revised Ration Order No. 7 may file an appeal from such action with the State Director.

§ 1391.21 *Filing of appeals.* (a) An appeal from an action taken by a Board may be filed only within 30 days after such action has been taken.

(b) The applicant shall file a statement in writing and under oath setting forth the specific section of Revised Ration Order No. 7 which he believes to be inconsistent with the action taken by the Board and stating in full the facts on which he grounds his appeal.

§ 1391.22 *Action on appeals.* The State Director may require the Board or the appellant to furnish pertinent information, in addition to that furnished before the Board, with respect to any appeal pending before him. The State Director may affirm the decision of the Board, or may reverse or modify such decision and remand the matter to the Board for consistent action. The State Director's ruling shall be in writing and shall be communicated to the appellant and to the Board. If he reverses or modifies the decision, he shall send a copy of his ruling to the Office of Price Administration. He shall act on the appeal within 30 days after its filing.

§ 1391.23 *Review by Office of Price Administration.* If an appellant feels aggrieved by the ruling of the State Director, he may, within 30 days thereafter, file a written petition for review with the Office of Price Administration, Washington, D. C. If the Office of Price Administration, in its discretion, elects to review the matter, it may require the furnishing of additional pertinent information. The Office of Price Administration may affirm the ruling of the State Director, or may reverse or modify such ruling and remand the matter to the Board for consistent action. The ruling of the Office of Price Administration shall be in writing and shall be communicated to the appellant, to the Board, and to the State Director.

Transfers for Resale

§ 1391.24 *Transfers for resale.* A transfer of a new adult bicycle for purposes of sale may be made to, and accepted by, a dealer or distributor upon surrender to the transferor of an authorization or of Part B of a certificate, authorization, or WPB order, issued on or after July 9, 1942.

§ 1391.25 *Authorization for initial or increased inventory.* (a) A person desiring to establish a business for the sale of new adult bicycles, or a dealer or distributor whose business requires an increased stock of new adult bicycles or replacement for new adult bicycles which have been stolen, may apply in writing to the appropriate Regional Office of the Office of Price Administration for an authorization permitting acquisition of such new adult bicycles for purposes of sale. An application for an Authorization should contain a complete statement of the facts on which the application is based.

(b) An applicant for an authorization for increased stock to replace a stolen bicycle should state in his application that, in the event such bicycle is returned to him he will transfer it as a new adult bicycle and will surrender to the OPA Inventory Unit the certificate, authorization, or WPB order, or Part B therefor, pursuant to which such bicycle is transferred. Upon written application to the appropriate Regional Office of the Office of Price Administration, after any such bicycle has been returned to the applicant, the Office of Price Administration may, if the facts warrant it, waive the requirement that such bicycle be sold as a new adult bicycle.

(c) The Office of Price Administration may deny an application for an authorization, or may grant it, in whole or in part, if it believes that the facts stated in the application are true and that the action will serve the convenience and advantage of the community and of the Nation.

(d) Authorizations issued on or after July 9, 1942, shall be serially numbered and in two parts, each part bearing the same serial number.

(e) Upon written application to a Regional Office of the Office of Price Administration, an authorization issued on or after July 9, 1942, or Part B of such an authorization, may be exchanged by the Office of Price Administration for two or more authorizations or Parts B of authorizations, in the aggregate authorizing the transfer of not more than the number of bicycles specified in the document so exchanged. Such document shall thereafter be void. It shall be so marked and forwarded to the OPA Inventory Unit.

(f) Persons other than dealers, distributors or manufacturers, to whom an authorization has been surrendered in exchange for a new adult bicycle shall forward Parts A and B thereof to the OPA Inventory Unit, within 3 days after delivery of such bicycle.

§ 1391.26 *Use by dealers and distributors of authorizations, and Parts B of certificates, authorizations, and WPB orders.* (a) A dealer or distributor who has transferred a new adult bicycle to a consumer pursuant to a certificate or a WPB order, issued on or after July 9, 1942, or to another dealer or distributor pursuant to an authorization issued on or after July 9, 1942, and who has completed and forwarded Part A of such certificate, authorization, or WPB order, as required, may acquire, from a transferor, a new adult bicycle for purposes of sale, upon completion of Part B of such certificate, authorization, or order, and surrender thereof to such transferor.

(b) A dealer or distributor who has transferred a new adult bicycle to another dealer or distributor pursuant to Part B of a certificate, authorization, or WPB order, issued on or after July 9, 1942, may acquire, from a transferor, a new adult bicycle for purposes of sale, upon certifying on such document the name of the person from whom he received it and the number of new adult bicycles delivered by him pursuant thereto, and upon surrender thereof to such transferor. The dealer or distributor shall also note on such Part B the date on which he surrenders it to the transferor.

(c) New adult bicycles may be transferred under this section only in the number specified in the certificate, WPB order, or authorization, or Parts B thereof, pursuant to which such bicycles are transferred.

(d) A transferee of the entire assets of the business of a dealer or distributor who has filed with the O.P.A. Inventory Unit the report of such transfer specified in paragraph (a) § 1391.5, and who continues such business, may use any certificate, authorization, or W.P.B. order, or Parts B thereof transferred with the business, in accordance with the provisions of the Revised Ration Order No. 7 applicable to dealers and distributors.

(e) Within 3 days after the discontinuance of a business by a dealer or distributor, he shall forward to the O.P.A. Inventory Unit all certificates, authorizations, or W.P.B. orders, or Parts B thereof held by him.

§ 1391.27 *Records to be kept by dealers and distributors.* A dealer or dis-

tributor making or accepting a transfer of any new adult bicycle shall keep, and preserve for two years, in a serially numbered or original bound book, a record of such transfer which shall include the name and address of the transferor and transferee, the number of new adult bicycles transferred and their make, model and serial numbers, the date of the transfer and the serial numbers of the certificates, authorizations, or W.P.B. orders pursuant to which the transfer is made.

§ 1391.28 *Transmittal of authorizations and W.P.B. orders issued prior to July 9, 1942.* Within 5 days after the surrender to a distributor of an authorization or W.P.B. order issued prior to July 9, 1942, the distributor shall report on such authorization or W.P.B. order the number of new adult bicycles which he transferred pursuant thereto, sign such report, and forward such authorization or order to the O.P.A. Inventory Unit.

Manufacturers

§ 1391.29 *Report of transfers by manufacturers.* Each week, manufacturers shall complete OPA Form R–702 in duplicate and forward the original to the OPA Inventory Unit, together with certificates, authorizations, WPB orders, or Parts B of such certificates, authorizations, or WPB orders, pursuant to which shipments were made by them during the week covered by the report. The report shall be forwarded not later than Tuesday after the week covered by the report. The duplicate of the report shall be kept by the manufacturer for not less than two years.

Rights of Parties Under Contracts

§ 1391.30 *Rights of parties under contracts when delivery is prohibited.* No person who agreed to sell and deliver a new adult bicycle shall be liable for failure to perform such an agreement if performance is prevented by Supplementary Limitation Order L–52–a [2] of the War Production Board, as amended, or by Ration Order No. 7,[3] or by Revised Ration Order No. 7, or amendments thereto, *except that,* if a deposit or consideration has been paid to him on account of the purchase of the new adult bicycle, he shall be liable upon demand for the return of the consideration paid, or, in the event that the consideration has been materially altered in condition or cannot be returned, then its fair net value.

Enforcement

§ 1391.31 *Violations heretofore committed.* Persons who violated the provisions of Ration Order No. 7 [4] prior to July 9, 1942, shall be and remain subject to the punishment and penalties prescribed therefor.

§ 1391.32 *Unlawful use or possession.* It shall be unlawful for any person who has accepted a transfer of a new adult bicycle in violation of Revised Ration Order No. 7 or amendments thereto, to use or have in his possession or under his control such new adult bicycle.

§ 1391.33 *Criminal prosecutions.* (a) Any person who knowingly falsifies an application, authorization, certificate, or any record included within the terms of Revised Ration Order No. 7 or amendments thereto, or who otherwise knowingly furnishes false information to a Board, or to any other agent, employee, or officer of the Office of Price Administration, or who conspires with another person to perform any of the foregoing acts, may upon conviction be fined not more than $10,000 or imprisoned for not more than 10 years, or both, and shall be subject to the penalties therefor under any and all applicable laws.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of Revised Ration Order No. 7 or amendments thereto, may upon conviction be fined not more than $10,000 or imprisoned for not more than 1 year, or both, and shall be subject to the penalties therefor under any and all applicable laws.

§ 1391.34 *Denial of materials.* Any person who violates Revised Ration Order No. 7 or amendments thereto, may be restricted in his right to receive or to transfer any new adult bicycles and any other materials which are now, or in the future may be, under allocation by the Office of Price Administration or by the War Production Board.

§ 1391.35 *Complaints of violations.* Any person may report a violation of Revised Ration Order No. 7 or amendments thereto, to a War Price and Rationing Board, State Director or Regional, State, or District Office of the Office of Price Administration or to the Office of Price Administration, Washington, D. C. An official or employee of the office to which the report is made shall fill out a complaint, secure the signature of the complainant, if possible, and transmit the complaint for investigation and action in accordance with the instructions of the Office of Price Administration.

Effective Date

§ 1391.36 *Effective date.* Revised Ration Order No. 7 (§§ 1391.1 to 1391.36, inclusive) shall become effective July 9, 1942.

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6259; Filed, July 2, 1942; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 10 to Supplementary Regulation 1 [1] to General Maximum Price Regulation [2]]

EXCEPTION FOR MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraphs (a) (3) and (b) (1) of § 1499.26 are amended as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * *

(3) Any machine or part as defined in Maximum Price Regulation No. 136, as amended, except that any sale or delivery at retail of a machine or part sold or delivered by a person other than the manufacturer thereof shall be subject to the provisions of the General Maximum Price Regulation. For the purposes of this subparagraph, "sale at retail" means any sale to an ultimate user other than an industrial, commercial or governmental user, or any sale made at a store or shop where such sales are customarily made.

(b) The provisions of the General Maximum Price Regulation shall not apply to any sale or supply of the following services:

(1) Any machinery service as defined in Maximum Price Regulation No. 136, as amended.

* * * * *

(e) *Effective dates.* * * *

(11) Amendment No. 10 (§ 1499.26 (a) (3) and (b) (1) to Supplementary Regulation No. 1 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6256; Filed, July 2, 1942; 11:58 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O. D. T. 13]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART I—ESTABLISHMENT OF JOINT INFORMATION OFFICES

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and in order to enable common, contract and private carriers by motor vehicle to comply with the requirements of General Orders O.D.T. Nos. 3,[1] 4,[2] and 5 [3] as amended or revised and other future orders to be issued by the Office of Defense Transportation:

It is hereby ordered, That

Sec.
501.56 Definitions.
501.57 Establishment of joint information offices.

AUTHORITY: §§ 501.56 to 501.57, inclusive, issued under E.O. 8989, 6 F.R. 6725, and E.O. 9156, 7 F.R. 3349.

§ 501.56 *Definitions.* As used in this subpart:

The term "carrier" means any common carrier as defined in § 501.4 (c) of General Order O.D.T. No. 3, contract carrier as defined in § 501.16 (c) of General Order O.D.T. No. 4 and private carrier as defined in § 501.24 (c) of General Order O.D.T. No. 5.

§ 501.57 *Establishment of joint information offices.* On and after the effective date specified in this subpart any two or more carriers or any carrier association or group of associations may establish joint information offices, at such points and places throughout the United States as may be authorized by the Office of Defense Transportation, under the following conditions:

(a) Each joint information office shall be governed by a committee or board, selected by the carriers or members of the carrier association or associations establishing it. In selecting the governing committee or board representation shall be allowed to the various types of carriers establishing or utilizing the services of the office.

(b) The Office of Defense Transportation shall be advised forthwith as to the name and address of each person selected as a member of the governing committee or board or as manager of a joint information office and shall be furnished accurate information with respect to the character, experience and past and present occupation and employment of such persons and, on the basis thereof, shall have the right to disapprove such selections. Each person so selected may be removed at any time from such office of position by direction of the Office of Defense Transportation. No person employed as a manager or as an employee of a joint information office shall, during his employment, be employed by a carrier nor shall he be a member of the governing committee or board.

(c) The function of the joint information office shall be to assist carriers in complying with the requirements of General Orders O.D.T. Nos. 3, 4, and 5, as amended or revised, by obtaining and receiving information as to the availability of equipment and of traffic originated or controlled by or in the possession of or on order to carriers and by furnishing such information to any and all carriers who apply therefor, in the order of the receipt of their respective applications and without discrimination, preference, or partiality. The authority of such joint information office shall include all things reasonably necessary to carry out the functions above described, but shall not include the right to fix the compensation for the interchange of traffic or for the transportation of traffic interchanged, or the rental price of vehicles leased, or to designate any particular carriers to receive any given traffic or to lease, rent or exchange any given vehicle.

(d) A clearance statement shall be issued by each joint information office to each carrier with respect to a designated motor truck when such carrier representing that the movement of such motor truck to the point of destination specified is not prohibited by any order of the Office of Defense Transportation, has requested from such office information of the type designated in paragraph (c) of this section in order to permit compliance with any such order, and when:

(1) The designated motor truck is moving with less than capacity load and there is no information on file with respect to property available for transportation to, intermediate to, or beyond the point of destination of such motor truck; or

(2) When the carrier has accepted for transportation and loaded in such motor truck all property available for transportation to, intermediate to, or beyond the point of destination of such motor truck; or

(3) The designated motor truck is moving empty and there is no information on file with respect to other carriers desiring to utilize such carrier's motor truck to or toward the destination of such truck. Such clearance statement shall describe the motor truck or trucks involved and shall state the point of destination and the date and hour of the issuance of the statement. A copy of each such clearance statement shall be retained in the files of the joint information office and the original shall be given to and retained by the carrier. Such statements shall not be conclusive evidence of the facts concerning the availability of such traffic or the possibility of lease of such motor truck or trucks by other carriers.

(e) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by the appropriate State regulatory body, the divisions of revenues between carriers for traffic interchanged between them and the compensation to be paid and received for rental of equipment shall be as determined by the Office of Defense Transportation upon appropriate application.

(f) Disputes between carriers and the manager of a joint information office or the governing committee or board may be appealed to the Director of Motor Transport, Office of Defense Transportation, and his decision on any such appeal shall supersede the decision of the manager or the governing committee or board. In cases of disputes, the manager of the joint information office shall notify all parties thereto of their right to have the matter acted upon by such an appeal to the Director of Motor Transport.

(g) The manager of the joint information office shall maintain a record of all information filed with such office and shall keep such further records and make such reports as may be required by the Office of Defense Transportation. Each carrier shall advise the manager of the joint information office as to each transaction completed with another carrier resulting from information obtained at such office. The manager shall maintain a record of all such transactions between carriers for the exclusive information of the Office of Defense Transportation and its duly accredited representatives, and shall not divulge such information to any other person, including the members of the governing committee or board. All records, files and correspondence shall be available for examination by accredited representatives of the Office of Defense Transportation at all times.

(h) No membership fee shall be charged any carrier desiring to utilize the services of a joint information office as a condition precedent to the use of such services, but the cost of establishing and maintaining any such office may be apportioned, on an equitable basis, among the carriers participating in its establishment or utilizing its services, which basis of apportionment may be changed by direction of the Office of Defense Transportation. Non-discriminatory charges, in such amount as may be fixed by the governing committee or board, may be made to carriers for services rendered to them by a joint information office. The amount of such charges may be changed by direction of the Office of Defense Transportation. A statement of such charges currently in effect shall be conspicuously posted in each office at all times.

(i) No joint information office shall be established, or if heretofore established, shall be continued to be maintained, except in compliance with this order.

This subpart shall become effective July 2d, 1942, and shall remain in full force and effect until further order of this office.

Issued at Washington, D. C. this 2d day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–6257; Filed, July 2, 1942; 12:07 p. m.]

Notices

WAR DEPARTMENT.

COMMERCIAL MOTOR VEHICLES

LIBERALIZATION OF STATE LIMITATIONS ON SIZES AND WEIGHTS

1. The War Department has been advised by the Council of State Governments that for the duration of the war all forty-eight States have agreed to accept any of the following standards which are less restrictive than those presently prescribed by State law:

a. Permissible width. Ninety-six inches.

b. Permissible height. Twelve and one-half feet.

---

[1] 7 F.R. 3158, 3488, 3567, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.
[3] 7 F.R. 2596, 2679, 3547.
[4] F.R. 3666.

[1] 7 F.R. 3004, 4118, 4185.
[2] 7 F.R. 3005, 4119, 4185.
[3] 7 F.R. 3007, 4119, 4184, 4185.

c. Permissible length. (1) A single vehicle, 35 feet.
(2) A combination, 45 feet.
d. Permissible weight. (1) Per inch width of tire, 600 pounds.
(2) On single axle, 18,000 pounds.
(3) On two axles, 30,000 pounds.
(4) On three axles, 40,000 pounds.
(5) Of semi-trailers, 40,000 pounds.
(6) Of other combinations, 40,000 pounds.

Present legal standards more liberal than the foregoing will remain in effect unchanged.

2. As it is highly important to the war effort that all available motor transportation be utilized to the utmost extent, all commercial motor carriers employed in the transportation of personnel or supplies for the War Department or in which the War Department is interested will be advised of the foregoing action and urged to take full advantage thereof. In giving such advice, carriers should be cautioned that a partial check-up has indicated that to date there has been something less than the reported full acceptance of the proposed standards in the following States and that exact information should be obtained from the State highway authorities before movements contrary to the following are attempted:

a. Kentucky. Liberalization has been granted only when the entire cargo being transported is owned and shipped by the Federal Government or an agency thereof and the driver has in his possession a waybill including a statement duly signed by the shipping agency showing that the entire cargo being shipped is Government-owned and constitutes a shipment in the defense of the United States. Even then the shipment is apparently still subject to a maximum axle load of 16,000 pounds and a maximum vehicle length of 40 feet, and the consent of the Highway Department to the shipment must be obtained.

b. Louisiana. Change in such of the old limits as are below the new uniform standards is dependent upon legislative action.

c. Mississippi. (1) Forty thousand pounds gross load on three or more axles not less than 10 feet apart is authorized for movement at not more than 35 miles per hour over all U. S. highways in the State and those sections of State highways designated in a State Highway Commission Order of May 12, 1942, as shown in (2) below. Otherwise old standards apparently remain in effect.

(2) 6 Clarksdale to Pontotoc; 8 Grenada to Houston; 12 Tchula to Lexington and Durant to Ackerman; 16 Canton to Philadelphia; 24 Woodville to Hattiesburg; 13 Mendenhall to Columbia; 13–W Columbia to the Louisiana State line; 15 from the Tennessee State line to the Alabama State line; 17 Lexington to Pickens; 35 and 35–W Forest to Mt. Olive; 35–E Taylorsville to intersection with U. S. 84; 20 Mize to Taylorsville; 45–W Brooksville to Shannon; and an unnumbered route from Poplarville to Bogalusa.

d. Missouri. Any operation in excess of old standards is dependent upon the issuance of a special permit authorizing the movement. The procedure for obtaining such permits is apparently being simplified.

e. Nebraska. A proclamation of the Governor of May 15, 1942 which brought the State limitations up to the proposed standards in all other respects, failed to increase the previous limits of 42 feet on the length of tractor-semi-trailers.

f. New Jersey. Change in the only limit which does not already meet the proposed standards (the 28-foot length limit for 2-axle vehicles) is dependent upon legislative action.

g. Oklahoma. The previous 24,000-pound limit for 2-axle vehicles still applies.

h. Texas. Special permits must be obtained for movements in excess of 38,000 pounds gross load.

i. West Virginia. There has been no change in the old limits which already comply with the exception of a 16,000-pound limit on axle loads in agricultural areas.

3. Motor carriers encountering difficulties in operating under the standards set forth in paragraph 1 (except as noted in paragraph 2) should communicate directly with the State highway authorities or the State Governors in the first instance, and then, if necessary, with the Highway Transportation Division, Transportation Service, War Department, Washington, D. C. (Republic 6700, extension 6176) if the matter cannot be satisfactorily adjusted locally. Written reports giving full details should be sent to the Highway Transportation Division, Transportation Service, in all cases, whether or not settled locally. Such reports should give the name of the carrier involved, the nature of the load being carried, the place and cause of the stoppage of the movement, whether State or local officials were responsible therefor, the manner in which the situation was handled, the final outcome, and any other pertinent facts necessary to permit appropriate action to be taken with a view to preventing recurrences of the situation in the future in the event the stoppage was unjustified. (R.S. 161; 5 U.S.C. 22) [Section I, Cir. 190, W.D., June 15, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–6241; Filed, July 2, 1942; 10:01 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[No. 39]

APPLICATIONS FOR REGISTRATIONS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	Date application filed
James Betthauser, Betthauser Elevator, Norwalk, Wis.	June 22, 1942
Jacques Wood & Coal Co. (V. J. Jacques) 3201 Maple Ave., Los Angeles, Calif.	June 17, 1942
Robert A. Hays, 496 McDonough Blvd., Atlanta, Ga.	June 24, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before August 3, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated: June 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6249; Filed, July 2, 1942; 11:03 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

CONECUH COUNTY, ALABAMA

LOCALITIES DESIGNATED FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V—ALABAMA

Conecuh County: Locality I—Consisting of precinct 1, $1,185. Locality II—Consisting of precincts 2, 3, 8, 9, 10, 14, 15, and 16, $1,782. Locality III—Consisting of precincts 4, 11, 12, and 13, $2,048. Locality IV—Consisting of precincts 5, 6, and 7, $1,448.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved June 29, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42–6252; Filed, July 2, 1942; 11:45 a. m.]

PIKE COUNTY, ARKANSAS

LOCALITIES DESIGNATED FOR LOANS

Designation of localities in county in which loans, pursuant to title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VI—ARKANSAS

Pike County. Locality I—Consisting of the townships of Brewer, Missouri, Muddy Fork, Saline, Thompson, and Wolf Creek, $2,017.
Locality II—Consisting of the township of Clark, $1,412.
Locality III—Consisting of the townships of Caney Fork, Eagle, Mountain, Antoine, Pike City, Self Creek, and White, $1,121.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved June 29, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42–6253; Filed, July 2, 1942; 11:45 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

CONTRACTS FOR CANNED FRUITS AND VEGETABLES

OPPORTUNITY TO SHOW CAUSE REGARDING EXEMPTION AS SEASONAL INDUSTRY

In the matter of an exemption from the provisions of the Walsh-Healey Public Contracts Act of Contracts for certain canned fruits and vegetables.

The Secretary of War having made written findings that the inclusion in contracts awarded on or before December 31, 1942, for canned fruits and vegetables of the varieties hereinafter named of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) will seriously impair the conduct of Government business,

Notice is hereby given to all interested parties that they have until July 8, 1942, in which to show cause, if any they have, why the Secretary of Labor should not grant an exemption from the provisions of Section 1 of the Walsh-Healey Public Contracts Act to permit the award of contracts during such period for the following varieties of canned fruits and vegetables without the inclusion of the representations and stipulations of that section:

Apple butter, canned.
Berries (all varieties), canned.
Cabbage, canned.
Cucumbers, canned.
Fruit juices (all varieties), canned.
Kraut, canned.
Onions, canned.
Tomato paste, canned.
Sweet potatoes, canned.

Briefs or telegraphic communications may be filed with me on or before the date indicated above. No form of brief is prescribed, but an original and four copies must be submitted.

Dated: June 30, 1942.

WM. R. MCCOMB,
Assistant Administrator.

[F. R. Doc. 42–6250; Filed, July 2, 1942; 11:28 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 319]

AMERICAN EXPORT AIRLINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the application of American Export Airlines, Inc., for approval under Section 408 of the Civil Aeronautics Act of 1938, as amended, of the acquisition of control of American Export Airlines, Inc., by American Export Lines, Inc., a common carrier.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on July 7, 1942, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 1, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–6262; Filed, July 2, 1942; 12:04 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6336]

NORTHWESTERN BELL TELEPHONE COMPANY

INCREASED CHARGES FOR INTERSTATE TELEPHONE EXCHANGE SERVICE IN IOWA

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of June, 1942;

It appearing that on May 29, 1942 Northwestern Bell Telephone Company for the first time filed with this Commission tariffs containing schedules stating its rates, charges, classifications, regulations, practices and services for and in connection with interstate telephone exchange service rendered by it in certain Iowa communities and in adjacent localities in other states; such tariffs to become effective on July 1, 1942, and which are designated as Northwestern Bell Telephone Company, Tariff F.C.C. No. 20;

It further appearing that certain of the charges stated in said tariff schedules are higher than the charges for and in connection with such interstate telephone exchange service in effect on September 1, 1934, when such schedules should have been filed under the Commission's Telephone Division Order No. 1 and under section 203 of the Communications Act of 1934; that such schedules have not been filed with any regulatory agency, and the justness and reasonableness of such increases have not been reviewed by any regulatory agency; that the rights and interests of the public may be injuriously affected by such increases; and it being the opinion of the Commission that the operation of such increased charges should be suspended pending hearing and decision as to their lawfulness;

It is ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of Northwestern Bell Telephone Company for and in connection with interstate telephone exchange service rendered by it in Iowa, and in adjacent localities in other states;

It is further ordered, That the Commission, on its own motion, enter upon a hearing concerning the lawfulness of the charges contained in Northwestern Bell Telephone Company Tariff F.C.C. No. 20, Original Pages 14, 15, 22, 25, 26, 27, 29, 87, and 88, and that the operation of the charges contained in said tariff schedules be suspended, and the use of the charges therein stated be deferred until October 1, 1942, unless otherwise ordered by the Commission, and during said period of suspension, no change shall be made in such charges, unless otherwise ordered by special permission of the Commission; and that pending hearing and decision as to the lawfulness of such charges, or until October 1, 1942, Northwestern Bell Telephone Company may render interstate telephone exchange service in Akron, Burlington, Estherville, Hawarden, Lake Park, Muscatine, and Northwood, Iowa and in adjacent localities in other states, and may make service connections in all localities in Iowa where interstate telephone exchange service is rendered, at the lowest charges made for such service and service connections on and after December 31, 1939, upon the filing with this Commission of appropriate tariff schedules setting forth such charges: *Provided, however,* That the suspension and deferment of charges herein ordered shall not apply to any charges which have been decreased since December 31, 1939, and to charges applicable to any service classification initiated since December 31, 1939, if the latter charges have not been increased since said date;

It is further ordered, That in the event that a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, Northwestern Bell Telephone Company, and all other carriers participating in the interstate telephone exchange service provided under the tariff schedules

suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts received by each of them by reason of any charges made in excess of the charges in effect on December 31, 1939 for and in connection with such service; and each such carrier shall specify by whom and in whose behalf such amounts are paid.

It is further ordered, That Northwestern Bell Telephone Company and each such participating carrier shall file with this Commission a report, under oath, on or before the tenth day of each calendar month, commencing November 10, 1942, showing the amounts so received and accounted for as aforesaid during the previous calendar month;

It is further ordered, That Northwestern Bell Telephone Company be, and it is hereby, made respondent to this proceeding, and such respondent shall show cause, under oath, why the charges for interstate telephone exchange service rendered by respondent in Akron, Burlington, Estherville, Hawarden, Lake Park, Muscatine, and Northwood, Iowa, and in adjacent localities in other states, and the charges for service connections for and in connection with interstate telephone exchange service in Iowa, in excess of the charges made on December 31, 1939, for such service and service connections, should not be ordered rescinded and cancelled;

It is further ordered, That an investigation be, and the same is hereby, instituted to determine whether Northwestern Bell Telephone Company, or any of its officers and directors, have violated the Communications Act of 1934 in connection with the failure of Northwestern Bell Telephone Company to file with this Commission schedules showing the rates, charges, classifications, regulations, practices and services for Northwestern Bell Telephone Company and its connecting carriers for and in connection with interstate telephone exchange service rendered in Iowa and in adjacent localities in other states, in accordance with the requirements of section 203 (a) of the Communications Act of 1934 and of the Commission's Telephone Order No. 1, dated July 20, 1934;

It is further ordered, That a copy of this order shall be filed with the tariff schedules suspended in this proceeding in the office of the Federal Communications Commission; that copies hereof be served upon the Governor of the State of Iowa, and upon the Northwestern Bell Telephone Company and all other carriers participating in interstate telephone exchange service rendered by Northwestern Bell Telephone Company in Iowa, and in adjacent localities in other states; and that said participating carriers be, and they are hereby, each made a party respondent to this proceeding; and

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing at 10:00 a. m., beginning on the 20th day of July, 1942, in Davenport, Iowa; and that on or before ten days from the date of service of this order each of the respondents and each of the officers and directors of Northwestern Bell Telephone Company shall file with the Commission its and their respective verified answers to this order.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6242; Filed, July 2, 1942; 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

BLOHM'S SERVICE, INC.

SUSPENSION ORDER EXPIRATION DATE ADVANCED

Order on petition for reconsideration of Suspension Order No. 8 under Ration Order No. 5—Emergency Gasoline Rationing Regulations.

On June 18, 1942, in accordance with the provisions of Temporary Procedural Regulation No. 4 (7 F.R. 4296), Blohm's Service, Inc., Atlantic and 3d Avenues, Brooklyn, New York, filed a petition for reconsideration of Suspension Order No. 8, issued against the petitioner on June 15, 1942. This petition for reconsideration was accompanied by affidavits setting forth certain facts which the petitioner had not presented at the hearing on the charges against petitioner held in New York, New York on June 11, 1942. This written evidence having been duly considered by the Administrator,

It is hereby ordered:

Suspension Order No. 8, which became effective on Wednesday, June 17, 1942 shall expire at 12:01 A. M., July 2, 1942, rather than on the original expiration date, July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877).]

Issued this 22d day of June, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6233; Filed, July 1, 1942; 5:13 p. m.]

[Administrative Order No. 15]

MERLE FAINSOD

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) Merle Fainsod, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator, for the purpose of issuing orders under §§ 1499.-114 and 1499.115 of Maximum Price Regulation No. 165—Consumer Service and Temporary Procedural Regulation No. 5.

(b) Any order issued by said Merle Fainsod pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 30th day of June 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6235; Filed, July 1, 1942; 5:16 p. m.]

[Docket No. 3119-1]

PENNSYLVANIA RUBBER COMPANY

PETITION DENIED

Order 1 under Maximum Price Regulation 119[1]—Original Equipment Tires and Tubes.

On June 2, 1942 Pennsylvania Rubber Company, Jeannette, Pennsylvania, filed a petition for an exception pursuant to § 1315.1458 (a) of Maximum Price Regulation No. 119. Due consideration has been given to the petition, and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered that said petition be, and it hereby is, denied.

This Order No. 1 shall become effective July 2, 1942.

Issued this 2d day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6261; Filed, July 2, 1942; 12:01 p. m.]

WAR PRODUCTION BOARD.

SYNTHETIC NITRATION GRADE TOLUENE

The ATTORNEY GENERAL:

Reference is made to the letter of John Lord O'Brian, General Counsel, to you dated June 19, 1942, submitting for your consideration a proposed plan for the exchange by all manufacturers of synthetic nitration grade toluene of technical information respecting such manufacture. After consultation with you regarding that plan, I am requesting each of the manufacturers concerned to place that plan in operation as a measure requisite to the prosecution of the war; and pursuant to Section 12 of Public Law No. 603, 77th Congress, I hereby find, and so certify to you, that the doing of any act or thing, or the omission to do any act or thing, by such persons in compliance with such request is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JUNE 24, 1942.

[F. R. Doc. 42-6238; Filed, July 1, 1942; 5:18 p. m.]

[1] 7 F.R. 3059.
[2] 7 F.R. 971.

JUL 17 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 131

Washington, Saturday, July 4, 1942

The President

EXECUTIVE ORDER 9188

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 109 of the Naval Appropriation Act, 1943 (Public No. 441, 77th Congress), and section 2 of the War Department Civil Appropriation Act, 1943 (Public No. 527, 77th Congress), relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, effective July 1, 1942, compliance with the provisions of the said sections during the continuance of any of the wars in which the United States is now engaged.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 30, 1942.

[F. R. Doc. 42-6269; Filed, July 2, 1942; 2:32 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1941-16]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART C-1941

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148, 16 U.S.C. 590g to 590q), as amended, the 1941 Agricultural Conservative Program, as amended, is further amended as follows:

1. Section 701.201 (c), subparagraph (2) is amended to read as follows:

§ 701.201 *Allotments, yields, productivity indexes, payments and deductions.*

* * * * * * *

(c) *Peanuts.*

* * * * * * *

(2) *National and state acreage allotments.* The national and State peanut acreage allotments, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 274,907; Arkansas, 5,473; California, 1,257; Florida, 73,236; Georgia, 550,694; Louisiana, 353; Mississippi, 2,476; New Mexico, 3,673; North Carolina, 225,702; Oklahoma, 61,607; South Carolina, 18,375; Tennessee, 4,766; Texas, 246,373; and Virginia, 141,108. Total, 1,610,000.

2. Section 701.201 (c), subparagraph (5) is amended by adding the following:

(5) *Normal yields.*

* * * * * * *

The 1941 county average yields of peanuts, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Alabama: Autauga, 522; Baldwin, 590; Barbour, 620; Bibb, 590; Blount, 590; Bullock, 567; Butler, 618; Chambers, 662; Chilton, 584; Clarke, 441; Coffee, 771; Conecuh, 638; Covington, 728; Crenshaw, 689; Cullman, 590; Dale, 722; Dallas, 542; Elmore, 685; Escambia, 642; Etowah, 590; Geneva, 767; Hale, 515; Henry, 734; Houston, 755; Lee, 540; Lowndes, 496; Macon, 494; Madison, 590; Marengo, 449; Marion, 590; Marshall, 590; Mobile, 590; Monroe, 665; Montgomery, 624; Perry, 707; Pike, 700; Randolph, 590; Russell, 537; Shelby, 590; Sumter, 441; Talladega, 590; Tallapoosa, 590; and Wilcox, 450.

Arkansas: Crawford, 345; Cross, 631; Faulkner, 560; Franklin, 591; Hempstead, 392; Johnson, 502; Little River, 544; Logan, 335; Nevada, 307; Poinsett, 670; Pope, 583; St. Francis, 529; and Sebastian, 335.

California: Madera, 913; Merced, 1,167; Orange, 1,720; Riverside, 1,844; San Ber-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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nardino, 1,133; San Joaquin, 870; and Stanislaus, 1,500.

Florida: Alachua, 516; Bay, 650; Bradford, 516; Calhoun, 655; Citrus, 550; Columbia, 600; Dixie, 519; Escambia, 594; Gadsden, 523; Gilchrist, 491; Hamilton, 612; Holmes, 667; Hernando, 548; Jackson, 611; Jefferson, 508; Lafayette, 568; Leon, 429; Levy, 589; Madison, 587; Marion, 568; Okaloosa, 574; Santa Rosa, 715; Suwannee, 511; Union, 600; Wakulla, 510; Walton, 625; and Washington, 511.

Georgia: Appling, 630; Atkinson, 660; Bacon, 583; Baker, 652; Baldwin, 590; Ben Hill, 739; Berrien, 657; Bibb, 580; Bleckley, 665; Brooks, 669; Bryan, 597; Bulloch, 707; Burke, 682; Butts, 646; Calhoun, 666; Candler, 649; Chattahoochee, 495; Clay, 657; Coffee, 738; Colquitt, 749; Columbia, 701; Cook, 733; Coweta, 627; Crawford, 510; Crisp, 813; Decatur, 593; Dodge, 679; Dooly, 800; Dougherty, 603; Early, 718; Effingham, 686; Emanuel, 705; Evans, 583; Fayette, 597; Glasscock, 657; Grady, 712; Hancock, 590; Harris, 555; Heard, 566; Henry, 601; Houston, 765; Irwin, 836; Jasper, 566; Jeff Davis, 619; Jefferson, 677; Jenkins, 706; Johnson, 641; Jones, 480; Lanier, 670; Laurens, 616; Lee, 633; Lowndes, 682; McDuffie, 698; Macon, 626; Marion, 533; Meriwether, 592; Miller, 683; Mitchell, 721; Monroe, 580; Montgomery, 666; Muscogee, 551; Newton, 661; Peach, 764; Pierce, 619; Pike, 609; Pulaski, 693; Putnam, 590; Quitman, 723; Randolph, 704; Richmond, 699; Rockdale, 590; Schley, 558; Screven, 673; Seminole, 656; Spalding, 600; Stewart, 630; Sumter, 718; Talbot, 512; Tattnall, 632; Taylor, 622; Telfair, 615; Terrell, 767; Thomas, 612; Tift, 787; Toombs, 619; Troup, 618; Turner, 777; Twiggs, 586; Upson, 603; Ware, 619; Washington, 673; Wayne, 644; Webster, 702; Wheeler, 655; Wilcox, 712; Wilkes, 590; Wilkinson, 536; and Worth, 748.

Louisiana: Lincoln, 525; Rapides, 529; Union, 637; Washington, 836.

Mississippi: Forrest, 493; Greene, 477; Harrison, 485; Lauderdale, 478; Neshoba, 485; Rankin, 478; Smith, 512; Stone, 502; and Winston, 474.

New Mexico: De Baca, 940; Roosevelt, 1,100.

North Carolina: Beaufort, 1,099; Bertie, 1,168; Bladen, 1,062; Brunswick, 920; Camden, 1,181; Chowan, 1,270; Columbus, 1,098; Craven, 893; Cumberland, 961; Currituck, 1,146; Duplin, 913; Edgecombe, 1,169; Franklin, 929; Gates, 1,192; Greene, 926; Halifax, 1,167; Harnett, 898; Hoke, 948; Hertford, 1,169; Johnston, 880; Jones, 913; Lenoir, 893; Martin, 1,144; Nash, 1,254; New Hanover, 912; Northampton, 1,202; Onslow, 939; Pamlico, 892; Pasquotank, 1,177; Pender, 896; Perquimans, 1,232; Pitt, 1,061; Robeson, 1,045; Samson, 914; Scotland, 880; Tyrrell, 1,161; Wake, 800; Warren, 935; Washington, 1,144; Wayne, 952; and Wilson, 1,055.

Oklahoma: Atoka, 436; Bryan, 446; Caddo, 461; Canadian, 477; Carter, 439; Choctaw, 436; Cleveland, 515; Coal, 436; Creek, 477; Garvin, 480; Grady, 467; Harmon, 460; Haskell, 419; Hughes, 457; Jefferson, 428; Johnston, 461; Latimer, 393; Le Flore, 464; Lincoln, 442; Love, 456; McClain, 516; McCurtain, 436; McIntosh, 476; Marshall, 463; Mayes, 415; Murray, 453; Muskogee, 418; Okfuskee, 457; Oklahoma, 467; Okmulgee, 446; Osage, 398; Pawnee, 414; Payne, 398; Pittsburg, 459; Pontotoc, 498; Pottawatomie, 504; Pushmataha, 436; Rogers, 401; Seminole 460; Sequoyah, 375; Stephens, 431; Tulsa, 419; Wagoner, 442; and Washita, 460.

South Carolina: Abbeville, 574; Aiken, 675; Allendale, 671; Bemberg, 605; Barnwell, 634; Calhoun, 723; Charleston, 660; Chesterfield, 649; Colleton, 659; Darlington, 738; Dillon, 724; Edgefield, 604; Fairfield, 680; Florence, 841; Hampton, 703; Horry, 782; Kershaw, 697; Lancaster, 700; Lee, 670; Lexington, 804; Marion, 816; Orangeburg, 756; Richland, 718; Sumter, 818; and Williamsburg, 760.

Tennessee: Benton, 796; Decatur, 832; Fayette, 462; Hardeman, 550; Hickman, 804; Humphreys, 820; Perry, 808; and Shelby, 574.

Texas: Anderson, 494; Atascosa, 448; Bailey, 365; Bastrop, 448; Bee, 431; Bexar, 429; Blanco, 455; Bosque, 404; Bowie, 474; Brazos, 440; Brooks, 389; Brown, 449; Burnet, 448; Caldwell, 457; Callahan, 429; Cherokee, 588; Clay, 372; Coleman, 359; Comanche, 471; Cooke, 392; Coryell, 421; Dallas, 474; Denton, 481; De Witt, 448; Dickens, 378; Dimmit, 300; Duval, 351; Eastland, 427; Erath, 462; Fannin, 520; Fayette, 504; Fort Bend, 518; Freestone, 412; Frio, 392; Garza, 386; Gillespie, 491; Goliad, 422; Gonzales, 458; Grayson, 463; Grimes, 432; Guadalupe, 450; Hamilton, 425; Harris, 569; Henderson, 497; Hill, 433; Hood, 433; Hopkins, 478; Houston, 503; Jack, 410; Jim Hogg, 383; Jim Wells, 479; Johnson, 424; Jones, 404; Karnes, 429; Kent, 348; Lamar, 546; Lamb, 365; La Salle, 373; Lavaca, 447; Lee, 463; Leon, 446; Liberty, 518; Live Oak, 437; Llano, 434; Lubbock, 402; Lynn, 328; McCulloch, 365; McLennan, 435; McMullen, 402; Marion, 483; Mason, 451; Medina, 438; Milam, 461; Mills, 360; Montague, 387; Montgomery, 466; Morris, 458; Nacogdoches, 451; Palo Pinto, 427; Parker, 474; Polk, 487; Rains, 477; Red River, 481; Runnels, 373; Rusk, 462; San Saba, 402; Smith, 486; Somervell, 434; Stephens, 388; Tarrant, 460; Taylor, 355; Terry, 365; Titus, 468; Upshur, 460; Waller, 587; Webb, 352; Williamson, 457; Wilson, 467; Wise, 405; Wood, 468; and Zavala, 346.

Virginia: Brunswick, 740; Charles City, 955; Chesterfield, 810; Dinwiddie, 880; Greenville, 1,120; Hanover, 815; Isle of Wight, 1,210; James City, 1,085; Mecklenberg, 800; Nansemond, 1,210; New Kent, 1,110; Norfolk, 1,205; Nottoway, 970; Prince George, 890; Princess Anne, 1,090; Powhatan, 815; Southampton, 1,180; Surry, 1,130; Sussex, 1,075; and York, 1,120.

3. Section 701.201 (d) (2) is amended to read as follows:

(d) *Potatoes.*

* * * * * *

(2) *National and State acreage allotments.* The national and State potato acreage allotments for States in the commercial potato-producing area, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 17,000; California, 54,800; Colorado, 87,600; Connecticut, 9,622; Florida, 27,829; Georgia, 1,698; Idaho, 113,000; Kansas, 10,500; Kentucky, 6,050; Louisiana, 20,103; Maine, 150,503; Maryland, 7,675; Massachusetts, 7,226; Michigan, 121,702; Minnesota, 169,014; Missouri, 5,874; Nebraska, 60,817; Nevada, 1,100; New Hampshire, 2,430; New Jersey, 50,173; New York, 111,451; North Carolina, 33,697; North Dakota, 103,601; Ohio, 24,912; Oregon, 30,100; Pennsylvania, 84,304; Rhode Island, 3,250; South Carolina, 9,373; South Dakota, 10,068; Utah, 5,500; Vermont, 2,424; Virginia, 50,907; Washington, 24,900; Wisconsin, 94,472; and Wyoming, 18,900. Total, 1,532,575.

4. Section 701.201 (d) (5) is amended by adding the following:

(5) *Normal yields.*

* * * * * *

The 1941 county average yields of potatoes in the commercial potato-producing area, as established by the Secretary, are as follows:

Counties and Yields per Acre in Bushels

Alabama: Baldwin, 129; and Escambia, 134.

California: Contra Costa, 277; Inyo, 300; Kern, 348; Los Angeles, 244; Madera, 175; Modoc, 289; Riverside, 254; San Bernardino, 220; San Joaquin, 287; Santa Barbara, 366; Siskiyou, 315; and Tulare, 220.

Colorado: Alamosa, 167; Conejos, 147; Costilla, 154; Custer, 105; Delta, 171; Eagle, 219; Garfield, 197; La Plata, 162; Mesa, 180; Moffat, 91; Montezuma, 112; Montrose, 190; Morgan, 190; Pitkin, 217; Rio Grande, 203; Routt, 117; Saguache, 157; Sedgwick, 157; Teller, 114; and Weld, 180.

Connecticut: Fairfield, 215; Hartford, 279; Litchfield, 220; Middlesex, 220; New Haven, 210; New London, 210; Tolland, 279; and Windham, 242.

Florida: Alachua, 110; Bradford, 89; Broward, 112; Clay, 143; Dade, 158; De Soto, 78; Escambia, 107; Flagler, 90; Lee, 116; Palm Beach, 86; Putnam, 115; Saint Johns, 121; and Union, 119.

Georgia: Chatham, 185; and Effingham, 144.

Idaho: Ada, 240; Bannock, 201; Bingham, 251; Bonneville, 253; Canyon, 252; Cassia, 245; Elmore, 200; Franklin, 240; Fremont, 198; Gem, 200; Gooding, 217; Jefferson, 208; Jerome, 245; Lemhi, 230; Lincoln, 204; Madison, 209; Minidoka, 220; Owyhee, 252; Payette, 257; Power, 200; Teton, 140; Twin Falls, 245; Valley, 188; and Washington, 257.

Kansas: Douglas, 119; Jefferson, 110; Johnson, 107; Leavenworth, 110; Shawnee, 117; and Wyandotte, 112.

Kentucky: Jefferson, 114; and Oldham, 118.

Louisiana: Ascension, 75; Lafourche, 63; Pointe Coupee, 77; Rapides, 82; St. James, 71; and Terrebonne, 72.

Maine: Androscoggin, 240.3; Aroostook, 304.9; Cumberland, 222.0; Franklin, 205.0; Hancock, 236.8; Kennebec, 233.6; Knox, 208.6; Lincoln, 240.3; Oxford, 235.3; Penobscot, 275.0; Piscataquis, 262.2; Sagadahoc, 240.3; Somerset, 250.0; Waldo, 264.3; Washington, 260.0; and York, 190.8.

Maryland: Somerset, 155; and Worcester, 140.

Massachusetts: Barnstable, 200; Berkshire, 198; Bristol, 225; Essex, 197; Franklin, 222; Hampden, 252; Hampshire, 237; Middlesex, 244; Norfolk, 208; Plymouth, 201; and Worcester, 219.

Michigan: Allegan, 120; Alpena, 116; Antrim, 120; Barry, 115; Bay, 110; Berrien, 122; Calhoun, 113; Cass, 110; Charlevoix, 120; Cheboygan, 118; Emmet, 140; Genesee, 122; Grand Traverse, 115; Ingham, 105; Ionia, 119; Isabella, 117; Jackson, 107; Kalamazoo, 120; Kalkaska, 112; Kent, 117; Lapeer, 113; Leelanau, 115; Lenawee, 122; Livingston, 108; Macomb, 124; Mason, 110; Mecosta, 117; Menominee, 127; Missaukee, 110; Monroe, 122; Montcalm, 118; Newaygo, 117; Oakland, 101; Oceana, 112; Osceola, 118; Ottawa, 121; Otsego, 110; Presque Isle, 113; St. Clair, 122; Saginaw, 122; Tuscola, 114; Van Buren, 125; Washtenaw, 104; Wayne, 108; and Wexford, 111.

Minnesota: Aitkin, 102; Anoka, 85; Becker, 78; Beltrami, 120; Benton, 85; Carlton, 108; Cass, 108; Chisago, 86; Clay, 80; Clearwater, 100; Crow Wing, 100; Dakota, 100; Douglas, 86; Freeborn, 136; Hennepin, 103; Hubbard, 87; Isanti, 85; Itasca, 121; Kanabec, 85; Kittson, 89; Mahnomen, 81; Marshall, 92; Mille Lacs, 91; Morrison, 87; Mower, 88; Norman, 80; Otter Tail, East, 88; Otter Tail, West 88; Pine, 100; Pennington, 89; Polk, East, 84; Polk, West, 89; Ramsey, 98; Red Lake, 89; Roseau, 98; St. Louis, North, 123; St. Louis, South, 123; Sherburne, 85; Todd, 86; Wadena, 86; Washington, 93; Wilkin, 78; Winona, 100; and Wright, 82.

Missouri: Clay, 91; Ray, 107; and St. Louis, 110.

Nebraska: Banner, 67; Box Butte, 57; Cheyenne, 62; Dawes, 62; Kimball, 67; Morrill, 130; Scotts Bluff, 175; Sheridan, 60; and Sioux, 125.

Nevada: Lyon, 183; and Washoe, 178.

New Hampshire: Belknap, 229; Carroll, 266; Cheshire, 293; Coos, 297; Grafton, 246; Hillsboro, 225; Merrimack, 240; Rockingham, 218; Strafford, 210; and Sullivan, 255.

New Jersey: Atlantic, 160; Burlington, 190; Camden, 190; Cape May, 160; Cumberland, 202; Gloucester, 190; Hunterdon, 190; Mercer, 202; Middlesex, 202; Monmouth, 202; Morris, 190; Ocean, 190; Salem, 202; Sussex, 180; and Warren, 190.

New York: Albany, 176; Allegany, 145; Broome, 155; Cattaraugus, 155; Cayuga, 166; Chautauqua, 153; Chemung, 160; Chenango, 170; Clinton, 190; Columbia, 151; Cortland, 184; Delaware, 141; Dutchess, 153; Erie, 140; Essex, 190; Franklin, 190; Fulton, 126; Genesee, 158; Greene, 146; Herkimer, 178; Jefferson, 147; Lewis, 141; Livingston, 153; Madison, 200; Monroe, 165; Montgomery, 150; Nassau, 245; Niagara, 147; Oneida, 195; Onondaga, 172; Ontario, 178; Orange, 202; Orleans, 220; Oswego, 172; Otsego, 136; Putnam, 180; Rensselaer, 150; Rockland, 180; St. Lawrence, 141; Saratoga, 153; Schenectady, 172; Schoharie, 135; Schuyler, 135; Seneca, 135; Steuben, 140; Suffolk, 220; Sullivan, 135; Tioga, 153; Tompkins, 160; Ulster, 176; Warren, 150; Washington, 150; Wayne, 175; Westchester, 180; Wyoming, 150; and Yates, 135.

North Carolina: Beaufort, 160; Camden, 144; Carteret, 162; Craven, 155; Currituck, 144; Duplin, 150; Edgecombe, 135; Martin, 140; Pamlico, 162; Pasquotank, 144; Pitt, 150; Sampson, 135; Tyrrell, 145; Washington, 145; and Wayne, 150.

North Dakota: Cass, 83; Grand Forks, 85; Pembina, 95; Richland, 72; Steele, 83; Traill, 85; and Walsh, 92.

Ohio: Ashtabula, 147; Columbiana, 178; Erie, 119; Fulton, 152; Geauga, 151; Hardin, 115; Lorain, 146; Lucas, 143; Mahoning, 170; Medina, 148; Portage, 152; Sandusky, 121; Stark, 148; Trumbull, 148; and Wayne, 148.

Oregon: Baker, 146; Clackamas, 120; Columbia, 178; Crook, 267; Deschutes, 184; Hood River, 178; Klamath, 265; Lane, 155; Linn, 137; Malheur, 231; Marion, 117; Multnomah, 155; Umatilla, 121; Washington, 160; and Yamhill, 165.

Pennsylvania: Adams, 190; Allegheny, 175; Armstrong, 195; Beaver, 175; Bedford, 185; Berks, 180; Blair, 198; Bradford, 207; Bucks, 195; Butler, 192; Cambria, 202; Cameron, 175; Carbon, 190; Centre, 201; Chester, 195; Clarion, 197; Clearfield, 180; Clinton, 185; Columbia, 208; Crawford, 192; Cumberland, 195; Dauphin, 200; Delaware, 183; Elk, 193; Erie, 185; Fayette, 191; Forest, 191; Franklin, 209; Fulton, 200; Huntingdon, 185; Indiana, 193; Jefferson, 179; Juniata, 180; Lackawanna, 182; Lancaster, 200; Lawrence, 199; Lebanon, 193; Lehigh, 204; Luzerne, 199; Lycoming, 190; McKean, 180; Mercer, 180; Mifflin, 185;

Monroe, 195; Montgomery, 198; Montour, 182; Northampton, 212; Northumberland, 175; Perry, 192; Philadelphia, 165; Pike, 232; Potter, 195; Schuylkill, 182; Snyder, 170; Somerset, 209; Sullivan, 190; Susquehanna, 165; Tioga, 171; Union, 194; Venango, 187; Warren, 193; Washington, 199; Wayne, 205; Westmoreland, 194; Wyoming, 192; and York, 180.

Rhode Island: Bristol, 200; Kent, 160; Newport, 257; Providence, 160; and Washington, 300.

South Carolina: Beaufort, 189; Charleston, 161; Colleton, 137; Hampton, 145; and Jasper, 154.

South Dakota: Codington, 89; Deuel, 95; and Hamlin, 87.

Utah: Box Elder, 218; Cache, 204; Davis, 232; Millard, 196; Morgan, 215; Piute, 200; Utah, 223; and Weber, 224.

Vermont: Addison, 212.7; Bennington, 221.4; Caledonia, 290.3; Chittenden, 221.3; Essex, 285.8; Franklin, 223.6; Grand Isle, 199.0; Lamoille, 263.0; Orange, 253.5; Orleans, 253.7; Rutland, 227.2; Washington, 251.0; Windham, 278.2; and Windsor, 231.7.

Virginia: Accomac, 140; Elizabeth City, 119; Gloucester, 150; James City, 125; Mathews, 150; Middlesex, 150; Nansemond, 145; Norfolk, 140; Northampton, 150; Princess Anne, 140; Warwick, 120; and York, 130.

Washington: Benton, 179; Clark, 150; Kittitas, 320; Skagit, 236; Snohomish, 225; Spokane, 80; and Yakima, 292.

Wisconsin: Adams, 72; Barron, 97; Chippewa, 102; Columbia, 95; Dodge, 123; Forest, 92; Juneau, 94; Langlade, 109; Marathon, 92; Marinette, 99; Marquette, 72; Milwaukee, 101; Oconto, 106; Oneida, 84; Portage, 79; Racine, 115; Washington, 118; Waukesha, 96; Waupaca, 96; and Waushara, 72.

Wyoming: Goshen, 142; Laramie, 74; and Park, 169.

5. Section 701.201 (e) (2) is amended to read as follows:

(e) *Rice.*

* * * * *

(2) *National and State acreage allotments.* The national and State rice acreage allotments, as established by the Secretary, are as follows:

States and Allotments in Acres

Arkansas, 155,117; California, 112,998; Louisiana, 421,716; Missouri, 500; and Texas, 204,887. Total, 895,218.

6. Section 701.201 (e) (4) is amended by adding the following:

(4) *Normal yields.*

* * * * *

(iv) The 1941 State average yields per acre of rice, as established by the Secretary, are as follows:

States and Average Yields;
(Hundredweight)

Arkansas, 23.8; California, 31.0; Louisiana, 18.4; Missouri, 21.4; and Texas, 23.2.

7. Section 701.201 (f) (2) is amended to read as follows:

(f) *Tobacco.*

* * * * *

(2) *National and State acreage allotments.* The national and State acreage allotments of Burley tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 166; Arkansas, 85; Georgia, 136; Illinois, 37; Indiana, 10,751; Kansas, 451; Kentucky, 264,276; Missouri, 5,662; North Carolina, 7,948; Ohio, 13,662; Oklahoma, 8; South Carolina, 100; Tennessee, 62,836; Virginia, 10,535; and West Virginia, 4,053. Total, 380,706.

The national and State acreage allotments of flue-cured tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 500; Florida, 13,700; Georgia, 73,663; North Carolina, 511,224; South Carolina, 85,418; and Virginia, 77,610. Total, 762,115.

The national and State acreage allotments of dark air-cured tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Indiana, 379; Kentucky, 30,777; Missouri, 7; and Tennessee, 4,633. Total, 35,796.

The national and State acreage allotments of fire-cured tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Illinois, 14; Kentucky, 33,151; Missouri, 13; Tennessee, 35,176; Virginia, 15,976. Total, 84,330.

The national and State acreage allotment of Virginia sun-cured tobacco, as established by the Secretary, is as follows: Virginia, 3,100 acres.

The national and State acreage allotment of cigar filler tobacco Type 41, as established by the Secretary, is as follows: Pennsylvania, 30,500 acres.

The national and State acreage allotments of cigar filler and binder tobacco (other than Types 41 and 45), as established by the Secretary, are as follows:

States and Allotments in Acres

Connecticut, 11,715; Illinois, 15; Indiana, 17; Massachusetts, 5,140; Minnesota, 779; New Hampshire, 33; New York, 1,360; Ohio, 17,571; Pennsylvania, 423; Vermont, 30; and Wisconsin, 24,905. Total, 61,988.

The national and State acreage allotments of Georgia-Florida Type 62 tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Florida, 2,349; and, Georgia, 551. Total 2,900.

8. Section 701.201 (f) (4) is amended by the addition of the following:

(4) *Normal yields.*

* * * * *

(iv) The 1941 county average yields of Burley tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Alabama: Calhoun, 845; Cullman, 845; Jackson, 726; Lauderdale, 650; Limestone, 845; Madison, 674; Marshall, 845; Sumter, 845; Tuscaloosa, 600; and Winston, 660.

Arkansas: Baxter, 800; Benton, 850; Carroll, 857; Clay, 800; Fulton, 800; Sharp, 700; Van Buren, 800; Washington, 650; and White, 495.

Georgia: Banks, 849; Catoosa, 850; Cherokee, 819; Dade, 850; Fannin, 850; Floyd, 850; Gilmer, 860; Gordon, 847; Habersham, 850; Hall, 850; Hancock, 850; Monroe, 851; Murray, 850; Pickens, 850; Rabun, 852; Towns, 856; Union, 847; Walker, 850; and Whitfield, 864.

Illinois: Clark, 400; Crawford, 850; Effingham, 850; Hamilton, 833; Moultrie, 850; Vermilion, 849; Warren, 814; and Will, 800.

Indiana: Bartholomew, 909; Brown, 838; Clark, 778; Crawford, 693; Daviess, 675; Dearborn, 825; Decatur, 788; Dubois, 823; Fayette, 945; Floyd, 809; Fountain, 1,219; Franklin, 804; Grant, 1,140; Greene, 942; Harrison, 729; Hendricks, 1,420; Henry, 852; Howard, 823; Jackson, 725; Jefferson, 939; Jennings, 727; Johnson, 1,219; Lawrence, 774; Madison, 852; Martin, 852; Marion, 852; Monroe, 885; Morgan, 1,032; Ohio, 899; Orange, 824; Owen, 814; Parke, 852; Perry, 767; Putnam, 852; Randolph, 852; Ripley, 816; Rush, 936; Scott, 760; Shelby, 740; Spencer, 697; Sullivan, 823; Switzerland, 910; Tipton, 852; Union, 1,123; Wabash, 852; Warrick, 823; and Washington, 776.

Kansas: Atchison, 742; Brown, 869; Doniphan, 910; Jefferson, 821; Johnson, 913; Leavenworth, 885; Linn, 906; Miami, 841; and Wyandotte, 841.

Kentucky: Adair, 774; Allen, 815; Anderson, 804; Ballard, 700; Barren, 804; Bath, 815; Bell, 721; Boone, 950; Bourbon, 993; Boyd, 638; Boyle, 892; Bracken, 842; Breathitt, 688; Breckinridge, 709; Bullitt, 768; Butler, 715; Caldwell, 753; Calloway, 757; Campbell, 845; Carlisle, 770; Carroll, 946; Carter, 718; Casey, 793; Christian, 803; Clark, 938; Clay, 737; Clinton, 805; Crittenden, 748; Cumberland, 704; Daviess, 766; Edmonson, 739; Elliott, 726; Estill, 680; Fayette, 1,010; Fleming, 861; Floyd, 750; Franklin, 849; Fulton, 600; Gallatin, 940; Garrard, 845; Grant, 940; Graves, 801; Grayson, 704; Green, 754; Greenup, 709; Hancock, 722; Hardin, 783; Harlan, 600; Harrison, 892; Hart, 734; Henderson, 756; Henry, 865; Hickman, 792; Hopkins, 719; Jackson, 741; Jefferson, 799; Jessamine, 889; Johnson, 710; Kenton, 870; Knott, 600; Knox, 682; Larue, 805; Laurel, 734; Lawrence, 710; Lee, 610; Leslie, 610; Letcher, 620; Lewis, 789; Lincoln, 828; Livingston, 606; Logan, 874; Lyon, 741; McCracken, 666; McCreary, 730; McLean, 745; Madison, 862; Magoffin, 641; Marion, 836; Marshall, 691; Mason, 862; Meade, 750; Menifee, 686; Mercer, 869; Metcalfe, 730; Monroe, 730; Montgomery, 907; Morgan, 720; Muhlenberg, 686; Nelson, 872; Nicholas, 882; Ohio, 680; Oldham, 811; Owen, 887; Owsley, 680; Pendleton, 840; Perry, 599; Pike, 740; Powell, 635; Pulaski, 765; Robertson, 808; Rockcastle, 736; Rowan, 720; Russell, 748; Scott, 980; Shelby, 914; Simpson, 891; Spencer, 810; Taylor, 799; Todd, 780; Trigg, 761; Trimble, 940; Union, 785; Warren, 894; Washington, 858; Wayne, 830; Webster, 796; Whitley, 659; Wolfe, 725; and Woodford, 1,006.

Missouri: Adair, 854; Andrew, 965; Atchison, 860; Bates, 716; Bollinger, 641; Boone, 807; Buchanan, 965; Caldwell, 934; Callaway, 916; Carter, 500; Cape Girardeau, 748; Carroll, 864; Cass, 874; Chariton, 892; Clay, 965; Clinton, 966; Cole, 811; Cooper, 887; Daviess, 937; De Kalb, 934; Gentry, 854; Grundy, 876; Holt, 860; Howard, 864; Howell, 858; Jackson, 962; Knox, 829; Lafayette, 937; Lawrence, 600; Lewis, 800; Lincoln, 972; Linn, 916; Livingston, 801; McDonald, 854; Macon, 922; Marion, 826; Mercer, 682; Miller, 533; Monroe, 922; Moniteau, 910; Oregon, 942; Pike, 814; Platte, 966; Randolph, 801; Ray, 940; Reynolds, 500; Saint Clair, 845; Saline, 908; Schuyler, 808; Scotland, 808; Scott, 748; Shelby, 876; Stone, 665; Taney, 696; Warren, 600; Webster, 748; and Worth, 850.

North Carolina: Alleghany, 893; Ashe, 991; Avery, 951; Buncombe, 929; Burke, 856; Caldwell 856; Cherokee, 896; Clay, 942; Davidson, 857; Davie, 927; Forsyth, 762; Gaston, 762; Graham, 934; Haywood, 940; Henderson, 873; Jackson, 900; Mecklenburg, 975; McDowell, 844; Macon, 895; Madison, 898; Mitchell, 927; Polk, 762; Rutherford, 725; Swain, 877; Transylvania, 937; Watauga, 997; Wilkes, 753; and Yancey, 935.

Ohio: Adams, 829; Belmont, 1,312; Brown, 863; Butler, 759; Clark, 878; Clermont, 859; Clinton, 827; Coshocton, 901; Fairfield, 897; Fayette, 857; Gallia, 954; Greene, 1,023; Guernsey, 901; Hamilton, 865; Highland, 921; Hocking, 901; Jackson, 940; Lawrence, 852; Meigs, 771; Miami, 987; Monroe, 781; Montgomery, 988; Morgan, 901; Muskingum, 901; Noble, 875; Pickaway, 965; Pike, 782; Preble, 815; Ross, 896; Scioto, 837; Shelby, 988; Union, 725; Vinton, 813; Warren, 866; and Washington, 1,106.

Oklahoma: Delaware, 850; and Mayes, 850.

South Carolina: Abbeville, 875; Anderson, 875; Cherokee, 870; Chester, 875; Greenville, 870; Laurens, 875; McCormick, 875; Oconee, 874; Pickens, 874; Saluda, 875; Spartanburg, 874; Union, 875; and York, 868.

Tennessee: Anderson, 825; Bedford, 835; Bledsoe, 740; Blount, 980; Bradley, 869; Campbell, 860; Cannon, 734; Carter, 992; Cheatham, 899; Claiborne, 959; Clay, 732; Cocke, 880; Coffee, 630; Cumberland, 702; Davidson, 886; DeKalb, 815; Dickson, 880; Dyer, 934; Fentress, 761; Franklin, 805; Giles, 799; Grainger, 1,000; Greene, 925; Grundy, 805; Hamblen, 994; Hamilton, 731; Hancock, 997; Hawkins, 915; Hickman, 790; Houston, 900; Humphreys, 721; Jackson, 815; Jefferson, 1,003; Johnson, 1,111; Knox, 982; Lawrence, 783; Lewis, 677; Lincoln, 835; Loudon, 933; McMinn, 859; Macon, 830; Marion, 787; Marshall, 830; Maury, 842; Meigs, 810; Monroe, 880; Montgomery, 785; Moore, 846; Morgan, 602; Obion, 880; Overton, 769; Perry, 670; Pickett, 810; Polk, 793; Putnam, 822; Rhea, 885; Roane, 864; Robertson, 840; Rutherford, 810; Scott, 739; Sequatchie, 760; Sevier, 970; Smith, 840; Stewart, 791; Sullivan, 960; Sumner, 845; Trousdale, 840; Unicoi, 900; Union, 930; Van Buren, 609; Warren, 703; Washington, 980; Wayne, 770; White, 905; Williamson, 845; and Wilson, 868.

Virginia: Albemarle, 825; Amelia, 825; Amherst, 825; Appomatox, 825; Bedford, 875; Bland, 1,150; Botetourt, 950; Brunswick, 975; Buchanan, 960; Buckingham, 960; Campbell, 825; Carroll, 875; Charlotte, 825; Chesterfield, 825; Cumberland, 850; Dickenson, 960; Dinwiddie, 825; Floyd, 1,000; Fluvanna, 850; Franklin, 825; Frederick, 900; Giles, 825; Goochland, 825; Grayson, 1,090; Halifax, 825; Henrico, 850; Lee, 1,000; Lunenburg, 800; Mecklenburg, 860; Montgomery, 1,000; Nottoway, 825; Orange, 800; Powhatan, 860; Patrick, 825; Prince Edward, 850; Pulaski, 1,000; Rockbridge, 850; Russell, 1,190; Scott, 1,030; Smyth, 1,125; Spotsylvania, 850; Tazewell, 1,200; Washington, 1,125; Wise, 960; and Wythe, 1,030.

West Virginia: Boone, 687; Cabell, 696; Clay, 641; Jackson, 723; Kanawha, 630; Lincoln, 641; Logan, 611; Mason, 750; Mercer, 1,190; Mingo, 741; Monroe, 1,176; Putnam, 660; Roane, 661; Wayne, 739; Wirt, 628; and Wood, 609.

(v) The 1941 county average yields of flue-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields, per Acre in Pounds

Alabama: Autauga, 800; Butler, 746; Coffee, 800; Conecuh, 800; Covington, 836; Dale, 840; Etowah, 840; Geneva, 837; Henry, 797; Houston, 853; Jackson, 700; and Randolph, 700.

Florida: Alachua, 948; Baker, 820; Bay, 810; Bradford, 890; Calhoun, 820; Citrus, 712; Columbia, 910; Dixie, 820; Gadsden, 820; Gilchrist, 898; Hamilton, 940; Hernando, 921; Hillsborough, 850; Holmes, 878; Jackson, 879; Jefferson, 842; Lafayette, 850; Lake, 810; Leon, 865; Levy, 869; Madison, 900; Marion, 849; Nassau, 823; Okaloosa, 870; Pasco, 820; Polk, 820; St. Johns, 900; Santa Rosa, 870; Seminole, 900; Sumter, 889; Suwannee, 909; Taylor, 890; Union, 917; Wakulla, 900; and Washington, 855.

Georgia: Appling, 977; Atkinson, 1,018; Bacon, 975; Baker, 853; Barrow, 812; Ben Hill, 896; Berrien, 1,039; Brantley, 1,028; Brooks, 1,020; Bryan, 786; Bulloch, 919; Burke, 799; Calhoun, 976; Camden, 888; Candler, 844; Charlton, 943; Chatham, 861; Chattahoochee, 800; Cherokee, 817; Clarke, 816; Clayton, 757; Clinch, 947; Coffee, 1,030; Colquitt, 1,033; Cook, 1,041; Crawford, 812; Crisp, 925; Decatur, 858; DeKalb, 812; Dodge, 847; Dooly, 895; Dougherty, 893; Early, 878; Echols, 848; Effingham, 841; Emanuel, 825; Evans, 854; Fayette, 816; Glascock, 940; Glynn, 1,012; Grady, 880; Gwinnett, 813; Hall, 800; Heard, 812; Henry, 796; Houston, 880; Irwin, 995; Jeff Davis, 1,034; Jefferson, 828; Jenkins, 728; Johnson, 721; Lanier, 1,041; Laurens, 855; Lee, 943; Liberty, 846; Long, 859; Lowndes, 995; McIntosh, 970; Madison, 812; Marion, 776; Miller, 882; Mitchell, 900; Monroe, 812; Montgomery, 856; Pierce, 989; Pulaski, 805; Quitman, 760; Richmond, 812; Schley, 816; Screven, 811; Seminole, 905; Stewart, 759; Sumter, 900; Taliaferro, 827; Tattnall, 878; Taylor, 816; Telfair, 840; Terrell, 798; Thomas, 1,012; Tift, 991; Toombs, 830; Treutlen, 781; Troup, 812; Turner, 906; Walton, 801; Ware, 1,034; Washington, 816; Wayne, 998; Webster, 800; Wheeler, 850; Wilcox, 849; Wilkes, 812; Wilkinson, 818; and Worth, 1,000.

North Carolina: Alamance, 737; Alexander, 870; Anson, 872; Beaufort, 908; Bertie, 973; Bladen, 880; Brunswick, 869; Burke, 775; Cabarrus, 832; Caldwell, 807; Camden, 744; Carteret, 854; Caswell, 834; Catawba, 826; Chatham, 744; Chowan, 868; Cleveland, 818; Columbus, 1,018; Craven, 856; Cumberland, 860; Currituck, 826; Davidson, 823; Davie, 744; Duplin, 891; Durham, 717; Edgecombe, 946; Forsyth, 839; Franklin, 883; Gaston, 723; Gates, 786; Granville, 745; Greene, 921; Guilford, 841; Halifax, 974; Harnett, 871; Hertford, 978; Hoke, 878; Hyde, 934; Iredell, 813; Johnston, 914; Jones, 875; Lee, 845; Lenoir, 900; Lincoln, 685; Martin, 960; Mecklenburg, 806; Montgomery, 696; Moore, 763; Nash, 909; New Hanover, 847; Northampton, 821; Onslow, 904; Orange, 755; Pamlico, 803; Pender, 851; Perquimans, 826; Person, 821; Pitt, 872; Randolph, 771; Richmond, 833; Robeson, 955; Rockingham, 883; Rowan, 782; Sampson, 866; Scotland, 837; Stanly, 681; Stokes, 848; Surry, 824; Tyrrell, 826; Union, 843; Vance, 825; Wake, 820; Warren, 788; Washington, 791; Wayne, 901; Wilkes, 692; Wilson, 956; and Yadkin, 824.

South Carolina: Aiken, 617; Allendale, 748; Bamburg, 770; Barnwell, 830; Berkeley, 734; Calhoun, 690; Charleston, 700; Cherokee, 700; Chester, 767; Chesterfield, 820; Clarendon, 864; Colleton, 856; Darlington, 883; Dillon, 932; Dorchester, 857; Edgefield, 624; Fairfield, 679; Florence, 917; Georgetown, 931; Greenville, 801; Hampton, 752; Horry 1,076; Jasper, 830; Kershaw, 734; Lancaster, 785; Laurens, 700; Lee, 832; Lexington, 823; McCormick, 906; Marion, 926; Marlboro, 882; Newberry, 994; Orangeburg, 817; Richland, 721; Saluda, 834; Sumter, 891; Williamsburg, 927; and York, 650.

Virginia: Amelia, 840; Amherst, 750; Appomattox, 800; Bedford, 860; Brunswick, 780; Buckingham, 750; Campbell, 785; Carroll, 800; Charlotte, 828; Chesterfield, 780; Cumberland, 838; Dinwiddie, 785; Floyd, 700; Fluvanna, 750; Franklin, 862; Gloucester, 750; Goochland, 770; Greensville, 790; Halifax, 760; Henrico, 760; Henry, 750; Isle of Wight, 910; Lumenburg, 780; Mecklenburg, 780; Middlesex, 760; Nansemond, 840; New Kent, 800; Norfolk, 800; Nottoway, 800; Patrick, 815; Pittsylvania, 790; Powhatan, 790; Prince Edward, 845; Prince George, 740; Smyth, 750; Southampton, 750; Surry, 895; and Sussex, 800.

(vi) The 1941 county average yields of dark air-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Indiana: Dubois, 850; Perry, 1,087; Pike, 730; Posey, 860; Spencer, 863; and Warrick, 820.

Kentucky: Allen, 950; Breckenridge, 795; Butler, 808; Caldwell, 830; Calloway, 830; Carlisle, 880; Christian, 825; Crittenden, 851; Daviess, 922; Fulton, 851; Graves, 830; Grayson, 738; Hancock, 990; Hardin, 855; Henderson, 910; Hickman, 857; Hopkins, 796; Logan, 860; Lyon, 840; McCracken, 829; McLean, 875;

Marshall, 808; Monroe, 850; Muhlenberg, 737; Ohio, 850; Simpson, 960; Todd, 800; Trigg, 835; Union, 860; Warren, 965; and Webster, 840.

Missouri: Ripley, 860; and Texas, 860.

Tennessee: Bedford, 750; Benton, 822; Carroll, 586; Giles, 837; Henry, 809; Jackson, 800; Lewis, 600; Macon, 861; Montgomery, 855; Obion, 860; Overton, 659; Pickett, 660; Robertson, 824; Sumner, 836; Trousdale, 678; Warren, 650; Weakley, 830; and Williamson, 700.

(vii) The 1941 county average yields of fire-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Illinois: Johnson 851; Massac 860.

Kentucky: Ballard, 920; Caldwell, 830; Calloway, 830; Carlisle, 880; Christian, 825; Crittenden, 851; Fulton, 851; Graves, 830; Hickman, 857; Hopkins, 796; Livingston, 805; Logan, 860; Lyon, 840; McCracken, 829; Marshall, 808; Muhlenberg, 737; Simpson, 960; Todd, 800; and Trigg, 835.

Missouri: Butler, 860.

Tennessee: Carroll, 775; Cheatham, 876; Coffee, 739; Davidson, 921; Dickson, 823; Dyer, 495; Franklin, 741; Henry, 809; Henderson, 600; Hickman, 681; Houston, 832; Humphreys, 792; Lawrence, 833; Macon, 1,100; Montgomery, 822; Moore, 863; Obion, 860; Robertson, 889; Stewart, 840; Sumner, 864; Weakley, 840; and Williamson, 802.

Virginia: Albemarle, 700; Amelia, 830; Amherst, 795; Appomattox, 850; Bedford, 875; Botetourt, 900; Brunswick, 940; Buckingham, 795; Campbell, 850; Charlotte, 850; Chesterfield, 880; Cumberland, 830; Dinwiddie, 880; Floyd, 800; Franklin, 825; Frederick, 800; Greensville, 610; Halifax, 800; Henry, 700; Lunenburg, 885; Mecklenburg, 800; Nelson, 795; Nottoway, 880; Pittsylvania, 840; Powhatan, 830; Prince Edward, 860; Roanoke, 750; Rockbridge, 950; and Sussex, 770.

(viii) The 1941 county average yields of Virginia sun-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Virginia: Amelia, 830; Buckingham, 795; Caroline, 1,000; Charlotte, 850; Chesterfield, 840; Cumberland, 830; Dinwiddie, 800; Essex, 945; Fluvanna, 800; Goochland, 750; Hanover, 840; Henrico, 850; King and Queen, 910; King William, 910; Louisa, 800; Lunenburg, 800; Powhatan, 830; Prince George, 750; and Spottsylvania, 835.

(ix) The 1941 county average yields of cigar filler tobacco Type 41, as established by the Secretary, are as follows:

Counties and Yields Per Acre in Pounds

Pennsylvania: Berks, 1,238; Chester, 1,381; Dauphin, 1,148; Lancaster, 1,278; Lebanon, 1,200; and York, 1,293.

(x) The 1941 county average yields of cigar filler and binder tobacco (other than Types 41 and 45), as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Connecticut: Fairfield, 1,500; Hartford, 1,586; Litchfield, 1,500; Middlesex, 1,500; and Tolland, 1,585.

Illinois: Boone, 1,000.

Indiana: Randolph, 896; and Wayne, 896.

Massachusetts: Franklin, 1,568; Hampden, 1,568; and Hampshire, 1,568.

Minnesota: Benton, 914; Fillmore, 956; Freeborn, 1,021; Houston, 1,000; Meeker, 1,064; Mille Lacs, 1,010; Sherburne, 893; Stearns, 1,236; Winona, 686; and Scott, 1,000.

New Hampshire: Cheshire, 1,489.

New York: Cayuga, 1,187; Chemung, 1,298; Onondago, 1,262; Oswego, 1,148; Steuben, 1,231; and Wayne, 1,185.

Ohio: Butler, 1,155; Clark, 968; Darke, 936; Greene, 1,028; Miami, 951; Montgomery, 991; Preble, 975; Shelby, 898; and Warren, 1,081.

Pennsylvania: Bradford, 1,130; Clinton, 1,297; Juniata, 1,402; Lycoming, 1,375; Snyder, 1,280; Tioga, 1,099; and Union, 1,375.

Vermont: Windham, 1,489.

Wisconsin: Barron 1,058; Buffalo, 1,200; Chippewa, 1,239; Columbia, 1,303; Crawford, 1,371; Dane, 1,390; Dunn, 1,045; Grant, 1,243; Green, 1,308, Jackson, 1,103; Jefferson, 1,278; Juneau, 1,031; La Crosse, 1,355; Monroe, 1,316; Richland, 1,369; Rock, 1,342; Saint Croix, 1,356; Trempealeau, 1,155; and Vernon, 1,329.

(xi) The 1941 county average yields of Georgia-Florida Type 62 tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Florida: Gadsden, 1,018; Leon, 900; and Madison, 970.

Georgia: Decatur, 1,050; and Grady, 1,050.

Done at Washington, D. C., this 3d day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6304; Filed, July 3, 1942; 11:04 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

[Vesting Order No. 33]

VESTING ALL OF THE CAPITAL STOCK OF GENERAL DYESTUFF CORPORATION

§ 502.33 *Vesting Order No. 33.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All outstanding shares of the capital stock of General Dyestuff Corporation (a New York corporation), which shares are more fully described in Exhibit A attached hereto and made a part hereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Shares of the outstanding capital stock of General Dyestuff Corporation, the numbers of the certificates representing which, the number of shares represented by such certificates, and the names of the registered owners of which, are, respectively, as follows:

Certificate Nos.	Number of shares	Names of registered owners
117, 118, 119	23	J. Robt. Bonnar.
125	37	J. Robt. Bonnar.
101, 102, 103	1,975	W. H. Duisberg.
137, 138, 139	4,725	Elizabeth S. Halbach and F. H. Stafford, trustees.
107, 108	30	Henry F. Hermann.
104, 105, 106	225	Percy Kuttroff.
134	50	Geo. A. LaVallee.
109, 110, 111	300	R. Lenz.
126	100	R. Lenz.
114, 115, 116	300	H. W. Martin.
120	50	H. W. Martin.
132, 133	750	A. V. St. George.
128, 129, 130, 131	73	Lennart Swenson.
112, 113	15	A. T. Wingender.
121	25	A. T. Wingender.

[F. R. Doc. 42-6271; Filed, July 2, 1942; 3:21 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 26]

VESTING OF CERTAIN PROCESSES AND FORMULAE

§ 502.26 *Vesting Order No. 26.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property shall be and the same hereby is vested in the Alien Property Custodian to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All right, title and interest in the processes and formulae listed and described in Exhibit A attached hereto and made a part hereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 18, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Certain processes and formulae now in the possession of the Empire Trust Company, 120 Broadway, New York City, as described in a document dated January 16, 1942 and signed by Erwin T. Fritzsching.

The documents, drawings and descriptions, consisting of the indicated number of pages, covering the following processes and formulae:

Name of product	Process subdivisions	Number of pages
Cerolin	General Description and process based on laboratory work.	4
	Equipment for 1 lb.	1
	Flow sheet	1
	Testing Method	1
Cholesterin	Gewinnung von Cholesterin aus Wollfett.	2
Coumarin	Verfahran zur betriebsmaessigen Herstellung;	4
	Drawings	8
Diplosal	Herstellung	8
	Tabletten	1
	Drawings	1
Ergosterin	Ergosterin aus Trockenhefe. / Umkristallisieren von Roh-Ergosterin.	2

Name of product	Process subdivisions	Number of pages
Eucupin, Optochin, Vuzin.	Allegemeines zur Fabrikation von Eucupin.	2
	Herstellung von Eucupinbasicum.	2
	Eucupin bihydrochloricum.	1
	Aufarbeiten des zurueckgewonnenen Hydrocuprein; Optochin.	1
	Salzsaures Optochin	1
	Optochin-Waschalkohol	2
	Vuzin bihydrochloricum	2
	Kosten der wichtigen Apparate.	1
	Drawing 36/126 Tonn-Trommel.	1
	Drawing X 6. 148	1
Hormones (Oestradiol Glucoside, Progesterone, Testosterone Propionate, Prolactin, Cholesterol).	Oestradiol Glucoside	3
	Progesterone Concentrations.	7
	Testosterone Propionate (Plant Processing).	5
	Testosterone Propionate (Laboratory Processing).	3
	Dehydro Androsterone Acetate.	4
	Handling of Catalyst	6
	Androstenediol Benzoate.	4
	Androstenediol 17 Benzoate.	4
	Testosterone Benzoate	3
	Testosterone	2
	Testosterone Propionate	4
	Prolaktin	1
	Cholesterol	1
	Drawings	3
Hydrocuprein-Optochin.	Hydrocuprein	3
	Drawings	1
Nucleic Acid Sodium Nucleic	Nucleic Acid	4
	Purification of Crude Nucleic Acid.	2
	Sodium Nucleic	1
Quinine and Minor Alcaloids.	Processes	146
	Verzeichnis ueber Standard Prozesse.	
	Extraktionsanlage.	
	Extraktionsapparat.	
	Siebmaschine & Waage.	
	Chinin Bisulfuricum.	
	Drawings	57
Quinine Sulphate Powder Pills.	Process	2
	Drawings	4
Straphanthin	Fabrikation	8
Theophyllin	Fabrikation	11
	Verfahren	3
	Drawings	4
Vanillin	Drawings	4
	Vanillin aus Benzilidenverbindung.	2
	Drawings	1

[F. R. Doc. 42-6273; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 34]

VESTING OF THE ENTIRE COMMON CAPITAL STOCK OF BYK, INC. AND UNITED STATES TRADE-MARK NO. 372,098

§ 502.34 *Vesting Order No. 34.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

(a) All of the common capital stock of Byk, Inc. (a Delaware corporation) consisting of the following:

(1) Six shares registered in the name of Byk-Guldenwerke Chemische Fabrik, A. G., 11 Alsenstrasse, Berlin, N. W. 40, Germany.

(2) Three shares registered in the name of Dresdner Bank, 35 Behrenstrasse, Berlin W. 56, Germany.

(3) One share registered in the name of Reichs-Kredit Gesellschaft, A. G., 53 Franzosischestrasse, Berlin, W. 8, Germany.

(b) All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) of Byk-Guldenwerke Chemische Fabrik, A. G., No. 11 Alsenstrasse, Berlin N. W. 40, Germany, in and to that certain trade-mark registered in its name in the United States Patent Office under No. 372,098.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6274; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 35]

VESTING ALL OUTSTANDING SHARES OF THE COMMON CAPITAL STOCK OF SIEMENS, INCORPORATED

§ 502.35 *Vesting Order No. 35.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in

Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same is hereby vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All outstanding shares of the common capital stock of Siemens, Incorporated (a New York corporation) consisting of the following:

a. 25 shares owned by Siemens & Halske, A. G., Berlin, Germany.

b. 25 shares owned by Siemens-Schuckertwerke, A. G., Berlin, Germany.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC—1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6275; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 36]

VESTING 7,304 SHARES OF THE COMMON STOCK OF AJAX TRANSPORTATION COMPANY

§ 502.36 *Vesting Order No. 36.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

7,304 shares of the common capital stock of Ajax Transportation Company (a Missouri corporation) registered in the names of Hanns Frankenberg and Adolph Gaeng, nominees for Ubersee Finanz-Korporation, A. G. (Overseas Finance Corporation, Limited), and represented by certificate No. 15, together with all declared and unpaid dividends on the same.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1, within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6276; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 37]

VESTING 697 SHARES OF THE COMMON CAPITAL STOCK OF BISLERI COMPANY, INC. AND ONE UNITED STATES TRADE-MARK

§ 502.37 *Vesting Order No. 37.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

(a) 697 shares of the common capital stock of Bisleri Company, Inc. (a New York corporation) consisting of the following:

(1) 695 shares registered in the name of S. A. Felice Bisleri & Cia., Milan, Italy.

(2) 2 shares registered in the name of Michele Bonelli, Milan, Italy.

(b) That certain trade-mark (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) owned by S. A. Felice Bisleri & Cia., Milan, Italy, and registered in the United States Patent Office under No. 177,130.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6277; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 38]

VESTING 100 SHARES OF THE COMMON CAPITAL STOCK OF AMERICAN OBERMAIER CORPORATION

§ 502.38 *Vesting Order No. 38.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U. S. C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

100 shares of the common capital stock of American Obermaier Corporation (a New York corporation) owned by Obermaier & Cie, Neustadt, Germany.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6278; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 39]

VESTING OF ALL THE CAPITAL STOCK OF CASTLE RAYON CORPORATION

§ 502.39 *Vesting Order No. 39.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the capital stock of Castle Rayon Corporation (a New York corporation) consisting of 100 shares owned by Chatillon, S. A. I., Milano, Italy.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6279; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 40]

VESTING 1,000 SHARES OF THE CAPITAL STOCK OF BUTTE FARM LAND COMPANY

§ 502.40 *Vesting Order No. 40.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

1,000 shares of the capital stock of Butte Farm Land Company (a California corporation) the names of the owners of which and the number of shares owned by them, respectively, are as follows:

Names of owners:	*Number of shares*
Toyotara Ikuta	400
K. Ikuta	1
S. Yamada	199
Hideo Yamada	200
Sumi Yamada	100
Kazuko Yamada	100

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1, within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6280; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 41]

VESTING ALL OF THE OUTSTANDING CAPITAL STOCK OF AMERICAN LURGI CORPORATION

§ 502.41 *Vesting Order No. 41.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therin shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the outstanding capital stock (consisting of 600 shares of preferred and 150 shares of common) of American Lurgi Corporation (a New York corporation) registered in the name of Rotopulsor A. G., Fronwagplatz 9, Schaffhausen, Switzerland.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6281; Filed, July 2, 1932; 4:21 p. m.]

[General Order No. 2]

PART 503—GENERAL ORDERS

Correction

In the instructions for preparing Form APC 2, appearing on page 4635 of the issue for Tuesday, June 23, 1942, the reference to paragraph 1 (b) should read "(a) (2)"; the reference to paragraph 2 (b) should read "(b) (2)".

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

"CYCLE BILLING"

Section 222.12 is amended, effective July 2, 1942, by adding the following new paragraph at the end thereof:

(m) *"Cycle billing"*. (1) The provisions of subparagraph (2) shall be applicable, instead of the provisions of the opening paragraph of § 222.5 (c), to any Registrant who (i) on May 6, 1942, was using a system of recording and billing his charge accounts whereby such accounts were divided into several groups and a different monthly closing date and monthly billing period was used for each such group, and (ii) has received from the Federal Reserve Bank of his district a notification which is still in force stating that the Federal Reserve Bank is satisfied (*a*) that such billing system makes it impracticable for him to operate under § 222.5 (c) and (b) that it would be impracticable for him, in view of orders of the War Production Board restricting deliveries of office machinery, to change his system over to one that uses the calendar month as the billing period.

(2) A charge account maintained by such Registrant shall be deemed to be in default if any article (whether listed or unlisted) for which credit was extended in such account has not been paid for in full on or before the 40th day following the last day of the applicable monthly billing period during which such article was sold, except as provided in the three numbered paragraphs in § 222.5 (c).

(3) With respect to any article sold in such a charge account, the maximum maturity shall be the period provided in subparagraph (2) instead of that provided in § 222.5 (a). [The foregoing amendment was issued under the authority contained in sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; sec. 301, Pub. Law 354, 77th Congress; 12 U.S.C. 95 (a) and Sup., and Executive Order No. 8843, dated August 9, 1941.]

Board of Governors of the Federal Reserve System.

[SEAL] S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-6318; Filed, July 3, 1942; 12:02 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 24-10, Civil Air Regulations]

PART 24—MECHANIC CERTIFICATES

PERMANENT MECHANIC CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 7, 1941, Part 24 of the Civil Air Regulations is amended as follows:

1. By amending § 24.32 to read as follows:

§ 24.32 *Duration.* A mechanic's certificate shall be of 60 days' duration, and unless the holder is otherwise notified by the Administrator within such period, it shall continue in effect thereafter until otherwise specified by the Board, unless suspended or revoked: *Provided*, That a factory mechanic's rating shall terminate at any time that the holder thereof ceases to be employed by the manufacturer to whose products the rating is limited or whenever the facilities of such manufacturer are no longer available to or in use by the holder.

2. By striking § 24.33 and inserting in lieu thereof the following:

§ 24.33 *Unassigned.*

3. By adding a new § 24.55 to read as follows:

§ 24.55 *Recent experience requirements.* The holder of a mechanic's certificate shall not exercise the privileges thereunder, unless within the preceding twenty-four calendar months he has:

(a) Served as a mechanic under the terms of his certificate and rating for at least six months of such twenty-four-month period, or

(b) Demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

4. By adding a new § 24.56 to read as follows:

§ 24.56 *Reports.* The holder of a mechanic's certificate shall transmit to the Administrator, annually, during the month of January, a report for the preceding twelve-month period, setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require.

5. By adding a new § 24.57 to read as follows:

§ 24.57 *Expired certificates: special issuance.* The holder of a mechanic's certificate which has expired during the preceding twelve months may obtain a new certificate and the same rating theretofore held immediately prior to its expiration, upon application, by demonstrating to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

6. By amending the table of contents to conform to Items 2, 3, 4, and 5 of this amendment.

7. By adding to the table of contents in the proper numerical order the following:

§ 24.23 *Factory mechanic rating.*

§ 24.37 *Special issuance of certificate or rating.*

§ 24.38 *Revocation.*

§ 24.53 *Factory mechanic rating limitations.*

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6290; Filed, July 3, 1942; 10:33 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 72]

PART 408—ACCOUNTING SECTION

The second sentence of § 408.00k is amended to read as follows:

§ 400.00k *Insufficient payments.* • • • The appropriate account affected shall be credited with the amount of such insufficiency, with a contra debit to the account, "Charges to Reserve." (Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective July 1, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-6268; Filed, July 2, 1942; 12:36 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	*Gen. Lic. Group*
MACHINERY-CONSTRUCTION & CONVEYING	
Dredging machinery parts	O
MACHINERY-MINING, WELL & PUMPING	
Rock drills	C
Rotary pumps, all others	1, 47
TOYS, ATHLETIC & SPORTING GOODS	
Amusement park & playground devices & parts (include bowling alleys, merry-go-round, slides, swings, trapeze, climbing ropes, seesaws, horizontal bars, & other athletic contrivances)	C
Billiard tables & accessories (specify by name)	C
Children's wheel goods & parts (specify by name) (includes coaster express, & play wagons; sleds, automobiles, tricycles; & wheels & other parts)	C
Dolls & parts (specify type, i. e. composition, or stuffed) (include clothing)	C
Fishing rods	C
Fishing reels	C
Fishing tackle & parts, n. e. s.	C
Golf clubs	C
Ice skates	C
Roller skates	C
Toys & parts, mechanical (include coaster, express & play wagons; sleds, automobiles, tricycles; and wheels & other parts) (specify by name)	C
Toys, not mechanical of metal (include air rifles) (specify by name)	C
Toys, not mechanical, of wood (specify by name)	C
Toys & parts, except rubber, n. e. s. (include marbles (specify by name)	C
Athletic & sporting goods, n. e. s.	C

Part 802—General Licenses[2] is hereby amended by adding the following section:

§ 802.15 *Re-exportation of machinery, equipment or parts.* A general license is hereby issued permitting re-exportation to Mexico of machinery, equipment or parts of machinery and equipment owned and operated in Mexico, which is shipped into the United States for repair purposes, under six months bond, and also of replacement parts which are added to such machinery, equipment or parts of machinery and equipment while in the United States.

Section 804.7 *Special provisions concerning applications to export certain commodities* is hereby amended by adding the following paragraph:

(1) *Vehicles.* Applications for licenses to export vehicles with tires must include a statement of the number of tires to be exported with the vehicles.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Colonel, Infantry, Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42-6291; Filed, July 3, 1942; 10:44 a. m.]

[1] 7 F.R. 4952.

[2] 7 F.R. 5001.

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 2 to General Limitation Order L-38]

1. Paragraph (c) *Prohibiting sale of refrigerating and air conditioning equipment* of § 1071.1 *General Limitation Order L-38* as amended by Amendment No. 1, issued June 18, 1942, is hereby further amended by adding thereto the following subparagraph:

(3) Notwithstanding the provisions of (c) (1) of this order, after July 10, 1942, no unused self-contained drinking water coolers shall be sold, leased, traded, loaned, delivered, shipped, transferred or installed for the purpose of supplying drinking water for human consumption except to fill an order of

(i) The Army or Navy of the United States, the United States Maritime Commission or the Coast Guard, or

(ii) A manufacturer who has been specifically authorized by the Director of Industry Operations to accept such water coolers.

No application for such specific authorization will be granted unless made on Form PD-1A accompanied by a statement signed by the applicant representing that the applicant is a manufacturer engaged in producing materials to fill "defense orders" as defined in § 944.1 (b) of Priorities Regulation No. 1 as amended; that such water coolers are essential to the health of the applicant's employees employed in the applicant's shop or plant; and that such water coolers will not be used in the offices, restaurants, or cafeterias connected with such shop or plant. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6311; Filed, July 3, 1942; 11:16 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel, copper, brass, bronze and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1071.2 *Limitation Order L-126*—(a) *Definitions.* For the purpose of this order and all schedules issued pursuant thereto:

(1) "Refrigerating and air conditioning equipment" means any type of machinery, equipment or other apparatus (except a domestic mechanical refrigerator as defined in paragraph (a) (2) hereof and except a domestic ice refrigerator as defined in paragraph (a) (3) hereof) which is primarily designed to lower the temperature of matter, or to regulate the temperature or humidity of air, by mechanical, chemical or physical means, and includes all insulated enclosures, materials, parts, implements and devices used with such machinery, equipment or apparatus in causing it to perform its function of refrigeration or air conditioning.

(2) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating) but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(3) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Required specifications" includes requirements to standardize the types, sizes, models or forms of, or the specifications for, refrigerating and air conditioning equipment; to eliminate, reduce or conserve the use of critical materials in the production or use of such equipment; and to substitute less critical for more critical materials in the production or use of such equipment.

(b) *Issuance of schedules of required specifications.* The Director of Industry Operations may from time to time issue Schedules establishing Required Specifications with respect to the production or use of any Refrigerating and air conditioning equipment. On and after the effective date of any such Schedule, no Refrigerating and air conditioning equipment affected thereby shall be produced, fabricated, delivered, accepted or installed, if such production, fabrication, delivery, acceptance or installation is prohibited by the terms of such schedule.

(c) *Appeals.* Any person affected by this order or any schedule issued pursuant thereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such schedule would disrupt or impair a program of conversion from non-defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the

reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(d) *Applicability of Priorities Regulation No. 1.* This order (and any Schedule issued pursuant thereto) and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of the order (or schedule) shall govern.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L–126.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E. O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6307; Filed, July 3, 1942; 11:16 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule I to Limitation Order L–126]

REQUIRED SPECIFICATIONS SCHEDULE I—SELF-CONTAINED DRINKING WATER COOLERS

§ 1071.3 *Schedule I to Limitation Order L–126*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles self-contained drinking water coolers for supplying drinking water for human consumption.

(2) "Self-contained" means a single cabinet or housing for a drinking water cooler containing, or manufactured to contain, two or more of the following assemblies:

(i) Water cooling low side or evaporator with or without controls.

(ii) Bubbler valve fountain assembly or assemblies, or glass- or pitcher-filler assembly or assemblies.

(iii) Electric refrigeration condensing unit with or without controls.

(3) "Bubbler type" means any type of self-contained drinking water cooler which is designed primarily for supplying drinking water through or by means of a sanitary bubbler or drinking fountain.

(4) "Bottle type" means any type of self-contained drinking water cooler which is designed to be used only with an inverted bottle water container of any size for supplying drinking water.

(5) "Cafeteria type" means any type of self-contained drinking water cooler which is designed primarily for supplying drinking water through or by means of a glass- or pitcher-filler assembly.

(6) "Copper base alloy" means any alloy which contains 40% or more copper by weight.

(7) "Design of cabinet enclosure" means a particular combination of cabinet enclosure or housing, drain receptor or receptors, bubbler valve assemblies, and glass or pitcher filler assemblies. Any change in the size or location of any of these items constitutes a change in design.

(b) *Required specifications.* Pursuant to Limitation Order L–126 the following Required Specifications are hereby established for self-contained drinking water coolers:

(1) *Types, sizes and capacities.*

TYPE A—ELECTRIC BUBBLER STORAGE TYPE (FOR MARINE AND NAVY USE ABOARD SHIP—AIR-COOLED)

Size	Capacity, minimum	Peak load capacity in 15-minute period, minimum	Maximum fixture equipment authorized
		Gallons	
5	5 G. P. H.	1.87	1 bubbler assembly and 1 glass-filler.
10	10 G. P. H.	3.75	2 bubbler assemblies and 1 glass-filler.
20	20 G. P. H.	7.50	2 bubbler assemblies and 1 glass-filler.

NOTE.—Type A cooler capacities are based on the use of a waste water precooler using 60% spill. The above specified capacities are based on an ambient temperature of 100° F. inlet to 50° F. outlet drinking water.

TYPE B—ELECTRIC BUBBLER STORAGE TYPE (FOR LAND USE—AIR OR WATER COOLED)

Size	Capacity, minimum	Peak load capacity in 15-minute period, minimum	Maximum fixture equipment authorized
		Gallons	
5	5 G. P. H.	1.87	1 bubbler assembly, and 1 glass-filler if requested.
10	10 G. P. H.	3.75	1 bubbler assembly, and 1 glass-filler if requested.

NOTE.—Type B cooler capacities are based on the use of a waste water precooler using 60% spill. The above specified capacities are based on an ambient temperature of 100° F. while reducing water from 90° F. inlet to 50° F. outlet drinking water.

TYPE C—ELECTRIC BOTTLE TYPE (FOR LAND USE-AIR-COOLED)

Size	Capacity, minimum	Storage minimum	Peak load capacity 15-minute period minimum	Maximum fixture equipment authorized
		Qts.	*Gallons*	
2	2 G. P. H.	2	0.75	1 bumper ring for bottles; 1 self-closing faucet.

NOTE.—Type C cooler capacities are based on an ambient temperature of 90° F. while reducing water from 90° F. inlet to 50° F. outlet drinking water.

TYPE D—ELECTRIC CAFETERIA STORAGE TYPE (FOR LAND USE—AIR OR WATER COOLED)

Size	Capacity, minimum	Storage, minimum	Peak load capacity 15-minute period, minimum	Maximum fixture equipment authorized
		Gallons	*Gallons*	
10	10 G. P. H.	5	4	2 self-closing glass- or pitcher-fillers.
25	25 G. P. H.	12.5	10	2 self-closing glass- or pitcher-fillers; 1 outlet for remote use.

NOTE.—Type D cooler capacities are based on an ambient temperature of 100° F. while reducing water from 90° F. inlet to 50° F. outlet drinking water, capacity to be obtained without the use of waste water precooler.

TYPE E—ICED BUBBLER TYPE (GENERAL PURPOSE)

Size	Ice capacity, minimum	Maximum fixture equipment authorized
	Pounds	
1	50	1 bubbler; or 1 glass-filler.
2	100	2 bubblers; or 2 glass-fillers; or 1 bubbler and 1 glass-filler.

TYPE F—ICED BOTTLED TYPE

1	25	1 bumper ring for bottles; 1 self-closing faucet; 1 waste faucet.

(2) *Restrictions on materials.*—(i) In the manufacture of self-contained drinking water coolers, no producer shall use:

(a) Aluminum;

(b) Block tin tubing, or tin castings;

(c) Alloy steel, stainless steel, monel, or other nickel alloy metals, except in refrigerant and electric controls, and then only provided that such use is limited to the minimum amount practicable;

(ii) In the manufacture of self-contained drinking water coolers (exclusive of condensing units, motors, controls, and wiring) no producer shall use copper or copper base alloy except in the following parts: (i) low sides, (ii) precoolers, (iii) bubblers, (iv) water valves, (v) water lines, (vi) liquid and suction lines, (vii) refrigerant or temperature controls, (viii) glass-or pitcher-fillers, and then only provided that the total weight of such materials per unit does not exceed the respective maximum quantity set forth below for each type and size:

Type A, electric	Size 5, 11 pounds.	Size 10, 15 pounds.	Size 20, 20 pounds.
Type B, electric	Size 5, 10 pounds.	Size 10, 12 pounds.	
Type C, electric	Size 2, 5 pounds.		
Type D, electric		Size 10, 12 pounds.	Size 25, 12 pounds.
Type E, iced	Size 1, 6 pounds.	Size 2, 13 pounds.	
Type F, iced	Size 1, 1 pound.		

(iii) From and after the effective date of this Schedule, the provisions of Conservation Order M–9–c as amended shall no longer apply to the manufacture of self-contained drinking water coolers.

(c) *General restrictions.* (1) On and after the effective date of this schedule, no producer may produce more than one design of cabinet enclosure for any one type and size cooler as established in paragraph (b);

(2) On and after the effective date of this schedule, no self-contained drinking water coolers which do not conform to the types, sizes and capacities established by paragraph (b) hereof shall be produced or delivered by any producer or accepted by any person from such producer, except with the express permission of the Director of Industry Operations.

(3) The foregoing paragraphs (1) and (2) shall not prohibit:

(i) The delivery by a producer of such self-contained drinking water coolers (nor the receipt thereof from such producer) as were in his stock in finished form on the effective date of this Schedule, or which had on said date been cast, fabricated, formed, or processed in such manner that their manufacture in conformity with this Schedule would be impractical; or

(ii) The installation for use aboard ship of self-contained water coolers, the plans of which have already been drawn, and submitted to and accepted by or for the account of the Navy of the United States or the Maritime Commission. (P.D., Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3rd day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6308; Filed, July 3, 1942; 11:17 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule II to Limitation Order L–126]

REQUIRED SPECIFICATIONS SCHEDULE NO. II (REFRIGERATION CONDENSING UNITS) TO LIMITATION ORDER L–126

§ 1071.4 *Schedule II to Limitation Order L–126*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles refrigeration condensing units.

(2) "Refrigeration condensing unit" means a specific refrigerating machine combination, of the open type intended for remote installation, consisting of a compressor, receiver, base, and the usually furnished accessories, with or without motor, and with or without condenser. As used in this schedule, the term refrigeration condensing unit refers only to such units which are to be used in refrigerating and air conditioning equipment as defined in paragraph (a) (1) of Limitation Order No. L–126.

(3) "Open type" refrigeration condensing unit means that type of unit in which the motive power and compressor are interconnected in such a way that a refrigerant shaft seal is necessary.

(4) "Model" means a specific combination of the following items in a refrigeration condensing unit:

(i) Base.
(ii) Valves.
(iii) Condensor.
(iv) Number of cylinders.
(v) Bore and stroke.
(vi) Motor (H. P. rating).

Any change in any one of the above items constitutes a change in model, except that conversion of a water cooled to an evaporatively cooled condensing unit does not constitute such a change in model.

(5) "Compressor body" means that part of a compressor which consists of a specific combination of bore, stroke, valve and cylinder.

(6) "Duplex condensing unit" means any refrigeration condensing unit consisting of two or more compressors which are powered by one or more motors mounted on a common base, and which discharge into a common condenser.

(7) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Required specifications.* Pursuant to Limitation Order L–126, the following required specifications are hereby established for refrigeration condensing units:

(1) No producer shall:

(i) Manufacture any refrigeration condensing units in sizes below ⅛ h. p.

(ii) Manufacture any refrigeration condensing units up to and including 2 h. p., except in air cooled condensing models. Water cooled condensing models below 3 h. p. may be produced only after it has been demonstrated to the satisfaction of the Director of Industry Operations (in an appeal pursuant to paragraph (c) of Order L–126) that air cooled models are impractical or hazardous;

(iii) Manufacture any refrigeration condensing units above 2 h. p., except in water cooled and evaporatively cooled models;

(iv) Manufacture any duplex condensing units up to and including 20 h. p., except for multi-stage applications;

(v) Manufacture or assemble more types of basic compressor bodies than an amount equal to one-half the total number of types (by h. p. rating) of refrigeration condensing units produced by him.

(vi) Manufacture more than one refrigeration condensing unit model in any given h. p. rating for the suction temperature brackets of 5° F., 20° F., and 40° F. respectively, and for each of the following refrigerant classifications:

(a) Ammonia,
(b) Carbon Dioxide,
(c) Freon, Methyl Chloride, Sulphur Dioxide;

(vii) Deliver any refrigeration condensing unit model, of the belt-driven type, unless it includes a motor pulley and belt drive at the time of shipment.

(viii) Without specific authorization of the Director of Industry Operations, manufacture any refrigeration condensing unit in a h. p. rating not produced by him before May 1, 1942, nor manufacture any unit which is designed to use a refrigerant not used by him prior to May 1, 1942; or

(ix) Use any metals in the construction of the base of any refrigeration condensing unit employing a motor of ¾ h. p. and below, or a motor of above 20 h. p., except that ferrous metals may be used for necessary bolts, washers, nuts, straps, sole plates, pipe sleeves, and adjustable motor rails: *Provided*, That the restrictions in this subparagraph (ix) shall not apply to refrigeration condensing units for use in aircraft by the army or navy of the United States, or for use aboard ship by the Navy of the United States or the Maritime Commission.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) hereof shall apply to all refrigeration condensing units; *provided*, however, that the foregoing shall not prohibit

(i) Installations for use of units the plans of which have already been drawn, and submitted to and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, or Lend-Lease Countries, and

(ii) The delivery by any producer of such units (nor the receipt thereof from such producer) as were in his stock in finished form on the effective date of this Order, or which had on said date been cast, machined, or otherwise processed in such manner that their manufacture in conformance with this schedule would be impractical. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3rd day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6309; Filed, July 3, 1942; 11:16 a. m.]

PART 1099—BEDS, SPRINGS AND MATTRESSES

[Amendment 2 to General Limitation Order L–49]

Section 1099.1 (*General Limitation Order L–49* [1]) is hereby amended in the following particulars:

Paragraph (a) is hereby amended to read as follows:

(a) *Definitions.* For the purposes of this order:

(1) "Bedding products" means the following: coil, flat, box and fabric bedsprings (whether or not they are integral parts of beds or other sleeping equipment); innerspring mattresses and pads; studio couches, sofa beds and lounges designed for dual sleeping and seating purposes.

(2) "Base period" means the twelve months period ending June 30, 1941.

(3) "Iron and steel used" means the aggregate weight of iron and steel contained in a finished product.

(4) "Manufacturer" means any person who manufactures or assembles bedding products or parts made specifically for incorporation into bedding products.

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(11) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of coil, flat and fabric bedsprings shall use more iron and steel in his aggregate production of coil, flat and fabric bedsprings than 65% of the average monthly amount of iron and steel in the aggregate used by such manufacturer in the production of coil, flat and fabric bedsprings during the base period.

(12) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of box bedsprings shall use more iron and steel in the production of box bedsprings than 65% of the average monthly amount of iron and steel used by such manufacturer in the production of box bedsprings during the base period.

(13) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes shall use more iron and steel in his aggregate production of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes than 65% of the average monthly amount of iron and steel in the aggregate used by such manufacturer in the production of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes during the base period.

Subparagraphs (b) (4) and (b) (10) are hereby amended by substituting the words "bedding products" for the words "Group I or Group II products" wherever they appear.

Subparagraphs (b) (8), (b) (9) and (b) (10) are hereby amended by striking therefrom the words "(whether Class A, Class B or Class C)" wherever they appear.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6310; Filed, July 3, 1942; 11:16 a. m.]

[1] 7 F.R. 4333, 4569.

PART 1299—SUNN HEMP AND SUNN HEMP PRODUCTS

[Conservation Order M–187]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sunn hemp and sunn hemp products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1299.1 *Conservation Order M–187*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith in which case the provisions of this order shall govern.

(b) *Additional definitions.* As used in this order:

(1) "Sunn hemp" means fibers of the crotalaria or hibiscus variety, including but not limited to, Benares hemp, Bengal hemp and Madras hemp, grown in India, or fibers of the same type wherever grown.

(2) "Marine oakum" means a material for caulking ships, processed from sunn hemp or a combination of sunn hemp and other material, but with a fiber content of not less than 75% by weight of sunn hemp.

(3) "Processor" means any person who processes sunn hemp for the manufacture of marine oakum.

(4) "Damaged sunn hemp" means sunn hemp certified as damaged in applicable writings, which shall be deemed to be representations to the War Production Board, signed by representatives of the insurance company or companies required to meet the claim because of the damage involved, and by representatives of at least two processors, not connected with the person possessing the sunn hemp involved, certifying that the sunn hemp is unfit for the manufacture of marine oakum.

(5) "Full bale unbroken" means the original shipping bale which has not been opened except for the purpose of sampling.

(c) *Uses of sunn hemp.* No person shall use or put into process any sunn hemp for any use other than the manufacture of marine oakum: *Provided, however,* That this restriction shall not apply to:

(1) Other than full bales unbroken on July 3, 1942.

(2) 10 or less full bales unbroken of the bales possessed by any person on July 3, 1942.

(3) The manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the United States Army, Navy or Maritime Commission, but only in the amounts and to the extent required by the specifications, including performance specifications, applicable to the particular contract, subcontract or purchase order of the United States Army, Navy or Maritime Commission.

(d) *Deliveries of sunn hemp or marine oakum.* (1) No person shall sell or deliver, directly or indirectly, any sunn hemp or marine oakum unless to fill purchase orders placed by or for the account of:

(i) Any processor as defined in paragraph (b) (3).

(ii) Any person for manufacture pursuant to paragraph (c) (3).

(iii) The Board of Economic Warfare, the Defense Supplies Corporation or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended.

(iv) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(v) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown, Colonies and Protectorates, and Yugoslavia; or, on purchase orders placed by any agency of the United States Government, the government of any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(vi) Any person for use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage, in fishing for commercial fish markets or canneries, or for use in ship building.

(2) No person prohibited under paragraph (c) from using or putting into process any sunn hemp shall refuse to accept and fill purchase orders of the kind described in paragraph (d) (1) to the extent of his holdings of sunn hemp prohibited from use, provided such purchase orders are at regularly established prices and terms of sale or payment.

(e) *Inventories of sunn hemp or marine oakum.*

(1) No person shall put sunn hemp into process in an amount which will result in an inventory of marine oakum in excess of a 60 day supply, or of a practicable minimum working inventory, reasonably necessary to meet deliveries of marine oakum on the basis of his current method and rate of operation, whichever supply is greater.

(2) No person shall knowingly deliver sunn hemp and no person shall accept delivery thereof if the inventory of the person accepting delivery, based on the scheduled date of arrival, will exceed a 120 day supply of sunn hemp based on his current method and rate of operation.

(3) No person shall knowingly deliver marine oakum and no person shall accept delivery thereof if the inventory of the person accepting delivery, based on the scheduled date of arrival, will exceed a 60 day supply of marine oakum based on his current method and rate of operation.

(f) *Certifications.* (1) No person shall knowingly deliver sunn hemp unless the person requesting delivery shall furnish a cretificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order M-187, that he is authorized thereunder to accept delivery of sunn hemp, that he will use same only for the uses permitted under the order, and that delivery thereof, based on the scheduled date of arrival, will not result in an inventory in excess of a 120 day supply of sunn hemp based on his current method and rate of operation.

(2) No person shall knowingly deliver marine oakum unless the person requesting delivery shall furnish a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order M-187, that he is authorized thereunder to accept delivery of marine oakum, that he will use same only for the uses permitted under the order, and that delivery thereof, based on the scheduled date of arrival, will not result in an inventory in excess of a 60 day supply of marine oakum based on his current method and rate of operation.

(3) The vendor shall be entitled to rely on such certification unless he knows or has reason to believe it to be false.

(g) *General exceptions.* The restrictions of this order shall not apply to:

(1) The importation of sunn hemp or marine oakum.

(2) Any person whose interest in the particular sunn hemp or marine oakum is solely in its transportation or public warehousing or the discharge of applicable shipping or security documents.

(3) Any of the United States Government departments, agencies or corporations or the government of any of the countries described in paragraph (d) (v).

(4) Damaged sunn hemp as defined in paragraph (b) (4), provided any person possessing damaged sunn hemp shall file with the War Production Board on or before the third business day following its sale, delivery or use, a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the War Production Board that ------ bales of sunn hemp, bales Nos. ---------- ex ---------- (ship), which arrived at ---------- (port), on ---------- (date), have been deemed to be damaged by representatives of the insurance company or companies required to meet the claim because of the damage involved and by representatives of at least two processors, not connected with the person possessing the sunn hemp involved, certifying that the sunn hemp is unfit for the manufacture of marine oakum, as evidenced by their attached applicable writings.

(h) *Reports and communications.* (1) Each processor shall file with the War Production Board on or before July 30, 1942, a report showing the amount of sunn hemp purchased by him and the amount of sunn hemp processed by him during each of the years 1939, 1940, 1941, and the amount of marine oakum delivered by him in each mopth of 1941.

(2) Each person participating in any transaction involving sunn hemp or marine oakum shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(3) All reports required to be filed under, and all communications concerning, this order shall be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-187.

(i) *Records and inspection.* (1) Each person participating in any transaction involving sunn hemp or marine oakum shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production, sales and transactions in such material.

(2) All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Appeals.* Any persop affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.).

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6312; Filed, July 3, 1942; 11:17 a. m.]

PART 3009—CATTLE HIDES, CALF AND KIP SKINS

[Conservation Order M-194]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cattle hides, calf and kip skins for war purposes, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3009.1 *Conservation Order M-194—*(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purposes of this order:

(1) "Cattle hides" mean the hides or skins of bulls, steers, and cows, whether native or branded, foreign or domestic, including calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(2) "Tanner" means any person who during the preceding three years has tanned, or who during the operation of this order tans, more than 100 cattle hides during any one calendar month either for his own account or on contract for others.

(3) "Contractor" means any person who during the proceding three years has caused, or who during the operation of this order causes, more than 100 cattle hides during any one calendar month to be tanned for his account by others.

(4) "Processor" means any person who during the preceding three years has converted, or who during the operation of this order converts, more than 100 cattle hides during any one calendar month into a product or products other than leather.

(5) "Producer" means any person who takes off catle hides in the United States.

(6) "Collector" means a dealer, importer or any other person who during the preceding three years has collected, or who during the operation of this order collects, more than 500 cattle hides during any one calendar month from producers or other collectors for resale to tanners, contractors, or other collectors.

(7) "Purchase" includes the making of an agreement to purchase.

(c) *Restrictions on the purchase, sales and delivery of cattle hides.* (1) No tanner, processor or contractor, or agent or broker therefor, shall purchase or accept delivery of any cattle hides sold or taken off subsequent to July 2, 1942, unless specifically authorized by the Director of Industry Operations as hereinafter provided in subparagraph (2) and no person shall sell or deliver any hides purchased or taken off subsequent to said date to any tanner, processor or contractor, or agent or broker therefor,

unless such tanner, processor or contractor has been expressly authorized to purchase or receive such hides.

(2) Applications for authorization to purchase or accept delivery of cattle hides required by paragraph (1) above shall be made by tanners, processors and contractors on Forms PD 569, PD 569A stating the quantities, classes, selections and weights desired and the types of leather or other products to be produced. Such applications shall also state substitutable classes, selections and weights in the event that the requested hides cannot be allocated. The applications shall also contain such additional information as to inventories, capacity, and other matters as may be required by said forms.

Each application for imported cattle hides the importation of which is restricted by General Imports Order M–63 shall be accompanied by properly executed copies of all forms required by the Defense Supplies Corporation to authorize the purchase of foreign hides for its account.

Said applications shall be filed by such persons, on such dates and shall cover such periods as may be required by orders of the Director of Industry Operations supplemental to this order.

The Director of Industry Operations shall take such action upon all applications as he may deem necessary in the public interest and to promote the national defense.

In making allocations from the available supply of cattle hides an allocation will be made to each tanner, processor or contractor in an amount equal to the proportion of the total wettings of cattle hides during the year ended June 30, 1941 by or for the account of such tanner, processor or contractor, *Provided, however*, That increased allocations may be made to tanners, processors and contractors who have purchase orders for leather to be physically incorporated into mechanical leather products, or into shoes, accoutrements and other articles to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, or any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the extent necessary to enable such tanners, processors and contractors to fill such orders. Where such increased allocations result in depleting the supply of hides of a particular class and selection which would ordinarily be available to other tanners, processors and contractors, equitable adjustments may be made in the allocation of hides of other classes and selections so as to provide such tanners, processors and contractors with hides substitutable, as nearly as may be, for those hides used to make the aforesaid increased allocations. Specific allocations of cattle hides may be made by the Director of Industry Operations from time to time to tanners or processors who have not received permission to purchase hides by reason of lack in whole or in part of a prior purchase record and who establish that the tanning or processing of cattle hides by them is appropriate in the public interest and will promote the national defense.

Tanners, processors and contractors who secure authorization to purchase or accept delivery of cattle hides may execute such authorization through agents or brokers, if they so desire.

(d) *Restrictions on the use of cattle hides.* (1) No tanner, processor or contractor shall tan or process or cause to be tanned or processed any cattle hides purchased after July 2, 1942 or taken off after said date except into the types of leather or other product stated in his application for authorization to purchase or accept delivery of the same unless in the judgment of a qualified export who inspects said hides after they have been delivered and before tanning or processing has begun, or during the course of such tanning or processing, said hides or any part thereof are not suitable for such purpose. A certificate by said expert covering all hides diverted during any month from the purposes originally stated in the application for authorization shall be furnished to the Director of Industry Operations on or before the tenth day of the succeeding month. Said expert may be regularly in the employ of the tanner, processor or contractor, but must be approved in writing by the Director of Industry Operations.

(2) A tanner, processor or contractor may apply by letter to the Director of Industry Operations for permission to sort out any cattle hides which in the judgment of the aforesaid expert will not produce the type of leather or other product he wishes to make and to sell such hides to another tanner or processor who has authority to purchase the same.

(3) The Director of Industry Operations may direct any tanner or processor to hold any cattle hides (whether or not purchased pursuant to this Order) and ship the same to another tanner or processor who may be better able to tan or process the hides into types of leather or other product for which they are suitable.

(e) *Reports.* (1) Each producer who during the preceding three years has produced, or who during the operation of this order produces, more than 500 cattle hides (other than calf or kip skins) during any one calendar month or more than 200 calf or kip skins during any one calendar month shall report on Forms PD569C, PD569D to the War Production Board on or before the tenth day of each month all cattle hides taken off during the preceding month, those sold during the month, shipped and unshipped, and the unsold and on hand balance as of the end of the month, wherever stored.

(2) Each collector who during the preceding three years has acquired, or who during the operation of this order acquires more than 500 cattle hides (other than calf or kip skins) during any one calendar month or more than 200 calf or kip skins during any one calendar month shall report to the War Production Board on Forms PD569C, PD569D on or before the tenth day of each month all cattle hides acquired by him during the preceding month (including those in transit, on contract or purchased), cattle hides sold during said month, shipped and unshipped, and the balance unsold as of the last day of the month (including those in transit, on contract, purchased, or in storage).

(3) Each tanner or processor who during the preceding three years has tanned or processed, or who during the operation of this order tans or processes, more than 100 cattle hides (other than calf or kip skins) during any one calendar month or more than 100 calf or kip skins during any one calendar month shall report to the War Production Board on Forms PD–569, PD569A on or before the tenth day of each month with regard to the number of cattle hides tanned or processed during the preceding month, sales of cattle hides sold during said month, shipped and unshipped, and the amount of hides in his possession as of the last day of the month or in transit, on contract, purchased, or in storage. Tanners and processors having contracts to tan or process hides for others (including collectors and producers) shall include in such reports the names and addresses of such other persons and the number and types of hides covered by each of said contracts.

(4) All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cattle hides, calf and kip skins conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M–194, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all comunications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M–194.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of Priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6313; Filed, July 3, 1942; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Regulation 6]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Public, No. 421, 77th Cong., 2d Sess., Jan. 30, 1942), the following rules are hereby prescribed for the adjustment of maximum prices established by the Office of Price Administration for commodities or services which are essential to the war program and which are or will be the subject of Government contracts or subcontracts:

§ 1300.401 *Right to apply for adjustment.* Any person who has entered into or proposes to enter into a Government contract or a subcontract under any such contract, who believes that an established maximum price impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract may apply for adjustment of that maximum price in the manner set forth below.

Any Government agency may appear as an interested party in the case of any such application.

After an application has been filed and pending the issuance of an order granting or denying the application, the applicant may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess. If a request for review is filed by the applicant in accordance with § 1300.406 of this Procedural Regulation No. 6, the applicant, pending action by the Administrator, may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued by the Administrator denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess.

§ 1300.402 *Form of application.* An application for adjustment shall be made on Form OPA–6PR–1 set out in Appendix A, incorporated as § 1300.412 of this Procedural Regulation No. 6, and a separate form shall be filed for each commodity or service. Such forms may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A.

§ 1300.403 *Application must be verified.* An application for adjustment shall be signed by the applicant and shall contain a statement, signed and sworn to by the applicant, that the statements made in the application are known by him to be true and correct.

§1300.404 *Place for filing application and number of copies.* An original and two copies of an application for adjustment may be filed either with the appropriate Regional Office of the Office of Price Administration, or with the Office of Price Administration, Washington, D. C. Any application made with respect to a contract entered into or proposed to to be entered into (a) with the Department of the Navy, the total value of which exceeds $200,000, (b) with the War Department, the total value of which exceeds $5,000,000, (c) with any agency of the United States other than the War Department or the Department of the Navy, or (d) with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government, shall be filed with the Office of Price Administration, Washington, D. C. Any application filed in Washington, D. C., may be transmitted by the Office of Price Administration to the appropriate Regional Office for action by that Office. A list of the Regional Offices with an enumeration of the states included in each region is set forth in Appendix B, incorporated as § 1300.413 of this Procedural Regulation No. 6.

§ 1300.405 *Action by regional offices.* After due consideration, the Regional Office may, by order, grant, in whole or in part, or deny any application for adjustment which is properly pending before it. The decision of the Regional Office shall be accompanied by a statement of the reasons for its action. In cases of unusual difficulty or importance, the Regional Office shall refer the application for decision to the Administrator in Washington, D. C.

§ 1300.406 *Review by administrator.* Any applicant whose application for adjustment has been denied in whole or in part by the Regional Office may, within fifteen days after the date on which such order of denial was mailed to him, file with the Regional Office a request for review by the Administrator of the order of denial. Requests for review shall be filed on Form OPA–6PR–2, set out in Appendix C, incorporated as section 1300.414 of this Procedural Regulation No. 6. Such form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix C.

§ 1300.407 Action by administrator. After due consideration, the Administrator may, by order, grant, in whole or in part, or deny any application for adjustment which

(a) is properly before the Administrator on request for review of action by a Regional Office;

(b) is filed with the Office of Price Administration, Washington, D. C., and not transmitted to a Regional Office for action, or

(c) is filed with the appropriate Regional Office but is referred for decision to the Administrator by that Office. The decision of the Administrator shall be accompanied by a statement of the reasons for his action.

§ 1300.408 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in part by the Administrator may, within sixty days after the issuance of the Administrator's order finally denying such application, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1 (7 F.R. 971).

§ 1300.409 *Amendment of this regulation.* Any provision of this Procedural Regulation No. 6 may be amended or rescinded by the Administrator at any time. Such amendment or rescission shall be published in the FEDERAL REGISTER and shall take effect from the date of its publication, unless otherwise specified therein.

§ 1300.410 *Definitions.* As used in this Procedural Regulation No. 6, the terms:

(a) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(b) "Government contract" means any contract with the United States or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government.

(c) "Appropriate Regional Office" means:

(1) If the application for adjustment is made with respect to a contract entered into or proposed to be entered into with the War Department or the Department of the Navy, the Regional Office of the Office of Price Administration for the

region in which is located the field purchasing office or depot of the War Department, or the naval purchasing office with which the applicant is negotiating or expects to negotiate.

(2) If the application for adjustment is made with respect to a subcontract under a Government contract, the Regional Office of the Office of Price Administration (i) for the region in which is located the plant of the applicant in which the commodity involved is or will be produced or in which the service involved is or will be supplied or (ii) if such plants are located in more than one region, for any region in which any such plant is located.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

§ 1300.411 *Effective date.* This Procedural Regulation shall become effective July 3, 1942.

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

§ 1300.412 *Appendix A: Form OPA–6 PR–1.*

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Form OPA–6PR–1

Application for Adjustment of Maximum Prices for Commodities or Services Under Government Contracts or Subcontracts

NOTES: (1) Unless otherwise indicated, "commodity" refers to a particular size and specification and the applicant shall submit separate forms for commodities of varying specifications.

(2) A separate form should be filed for each commodity or service. If application is made with respect to a commodity or service, which is or will be subject to several contracts, submit, on extra sheets, answers to questions I–2a, I–2b, and I–2c for each contract.

(3) The term "contract" includes purchase orders, letters of intent, or other arrangements not yet completed.

(4) One original and two copies of the form, and of all supplementary statements, must be filed.

_____ here-
(Applicant)
by makes application to the Office of Price Administration, pursuant to Procedural Regulation No. 6, for adjustment of the maximum price established for the particular commodity or service described below, which is or will be the subject of Government contracts or subcontracts.

The following facts are furnished to the OPA in support of this application:

Name of company_____
Address_____
(Street) (City) (State)

I. *Description of Commodity or Service and Contract on which Adjustment is Sought:*

1. Brief description of commodity or service (indicate unit of measure):_____

2 (a) Serial number or other identification of contract, giving name and address of purchaser or prospective purchaser:
(1) Identification of contract_____
(2) Name of purchaser_____
(3) Address of purchaser_____
(Street) (City) (State)

(b) If price adjustment is sought with respect to deliveries under existing contracts, submit:
1. Date of contract_____
2. Estimated date of completion_____
3. Total quantity of commodity or service contracted for_____
4. Total quantity of commodity or service remaining to be delivered or supplied_____

(c) If price adjustment is sought for a proposed contract, submit:
1. Final delivery date to be stipulated by proposed contract_____
2. Estimated date at which deliveries will begin_____
3. Total quantity of commodity or service to be contracted for_____
4. Value of contract (proposed unit price times quantity)_____

(d) If contract is a subcontract, submit serial number or other identification of prime contract, whether or not there are intermediate subcontracts_____
3. Established maximum price per unit, pursuant to Maximum Price Regulation No. —_____
(indicate unit)
4. Requested unit price_____
5. Give names and addresses of the plants of the applicant in which the commodity or service is being or will be produced or supplied_____

II. *Importance of Commodity or Service in Company's Operations:*

Sales of particular commodity or service involved		Total company sales
Units	Dollars	Dollars

1. Actual sales for 1941_____
2. Actual sales Jan. 1, 1942, to_____1942.
(present date)
3. Estimated sales Jan. 1, 1942 to Dec. 31, 1942, assuming price adjustment requested is granted for the particular commodity or service involved.

III. *Unit Costs of Commodity or Service: General.* Explain on a separate sheet (in triplicate) attached to this form, the items included in Lines 3 and 4 of Columns I and II and the basis of allocation of such items of cost to the commodity or service involved. *Under no circumstances are Income and Excess Profits Taxes to be included as costs.*

Column I. (a) In this column give actual cost data if available. Actual cost data for the most recent quarter will be acceptable. If no actual cost data are available, give estimates as to current costs. *Indicate, however, by encircling the appropriate figures where estimates are being employed.* Both actual and estimated cost data should be based upon total sales of the particular commodity or service involved and not merely upon sales under the particular contract involved.

(b) *Direct materials.* In computing cost of direct materials, use costs as shown on your books. If material cost is estimated, use the same method in which your books are kept.

(c) *Direct Labor.* State cost of direct or production labor following the classifications in your own records; and for each classification: use actual wages of men employed on the job, or if not practicable, base cost on departmental or shop average wage rates for each classification.

(d) *Other Manufacturing Costs.* These costs should be stated in accordance with the method of allocation established in your company.

Column II. (a) In this column give estimated costs of producing the commodity or supplying the service for the remainder of 1942. These estimates should be based upon total volume of that commodity or service for the remainder of 1942, assuming price adjustment requested is granted.

(b) In submitting data for the remainder of 1942, compute cost estimates in accordance with the principles indicated in the above instructions for filling in Column I.

	I Current costs	II Estimated costs remainder of 1942
1. Direct materials		
2. Direct labor		
3. Other manufacturing costs		
4. Other expenses		
5. Total cost		
6. Number of units on which cost computation is based		
7. Period used for current costs		• • •

IV. Submit, in triplicate, a detailed explanation of the reasons for requesting price adjustment, including a detailed justification for any anticipated increased costs reported in Column II above together with a separate showing of the effect on unit costs of each such increase.

V. State whether the applicant has entered into, or will enter into, a government contract or subcontract, or will make deliveries, at the requested unit price—pursuant to Procedural Regulation No. 6—pending final action by the Office of Price Administration. Yes ( ) No ( ).

VI. Submit the following:

A. Balance Sheets as of the close of:
1. 1936 through 1941 (fiscal or calendar years).
2. Most recent accounting period.

B. Income Statements for:
1. 1936 through 1941 (fiscal or calendar years).
2. Most recent accounting period.

Instructions: (1) Income statements must show: (a) net sales (b) cost of commodities and/or services sold, stating separately, total direct labor costs, total direct material costs, and total other manufacturing costs (c) general and administrative expenses, segregating compensation to officers and directors, and (d) net profits, *before* income and excess profits taxes. All charges to operations representing accumulations of reserves must be shown in detail on the statements.

(2) If this application is submitted to the National Office of OPA, the applicant need not file with the application any required financial data which were previously submitted on *Form A—Annual Financial Report*—or *Form B—Interim Financial Report*—issued by the Office of Price Administration.

_____
Applicant

By _____
_____
Title

AFFIDAVIT

STATE OF _____
County of _____ *ss:*

The undersigned, _____, being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
Signature

Subscribed and sworn to before me this _____ day of _____A. D. 1942.

_____
Officer Administering Oath

§ 1300.413 *Appendix B: Regional offices and States and Territories covered.*

Region I. Boston Regional Office, 17 Court Street, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

Region II. New York Regional Office, 350 Fifth Avenue, New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.

Region III. Cleveland Regional Office, 263 Union Commerce Building, Ohio, Michigan, Indiana, Kentucky, and West Virginia.

Region IV. Atlanta Regional Office, Candler Building, Peachtree Street, Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, and Virginia.

Region V. Dallas Regional Office, Fidelity Union Building, Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.

Region VI. Chicago Regional Office, 2301 Civic Opera Building, 20 North Wacker Drive, Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.

Region VII. Denver Regional Office, 334 U. S. National Bank Building, Colorado, New Mexico, Utah, Idaho, Montana, and Wyoming.

Region VIII. San Francisco Regional Office, 1355 Market Street, California, Nevada, Arizona, Oregon, and Washington.

Region IX. Territorial Office, Office of Price Administration, Washington, D. C., Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

§ 1300.414 *Appendix C: Form OPA–6PR–2.*

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Form OPA–6PR–2

(To be filed with the appropriate Regional Office)

Request for Review of the Order Denying Application for Adjustment

_____, an applicant for adjustment of a maximum price pursuant to Procedural Regulation No. 6 of the Office of Price Administration, hereby requests the Price Administrator, Washington, D. C., to review an order of denial of such application for adjustment entered by the _____ Regional Office and mailed to the applicant on _____, 194__.

The applicant's objections to such order of denial are as follows: _____
(Applicant should state briefly and concisely, and separately number, his objections.)

_____
(Applicant)

By _____
(Title)

[F. R. Doc. 42–6316; Filed, July 3, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Revised Supplementary Regulation 4[1] to General Maximum Price Regulation[2]]

EXCEPTION FOR CERTAIN BEEF, VEAL, ETC.

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

A new subparagraph (16) is added to § 1499.29:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(16) Sales or deliveries to the Armed Forces of the United States or the Federal Surplus Commodities Corporation of beef and veal, or any products made or derived therefrom, under contracts entered into before July 13, 1942.

• • • • • •

(d) (2) Amendment No. 1 (§ 1499.29 (a) (16)) to Supplementary Regulation No. 4 to the General Maximum Price Regulation shall become effective as of July 1, 1942.

Issued this 2d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6283; Filed, July 2, 1942; 5:05 p. m.]

[1] 7 F.R. 3724, 3942, 4410, 4488, 4543, 4660, 4740.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

[3] 7 F.R. 4183.

Chapter XV—Board of War Communications

[Order No. 8–A]

PART 1707—CLOSURE OF DOMESTIC RADIO-TELEGRAPH CIRCUITS

MISCELLANEOUS EXEMPTIONS

Whereas, pursuant to Order No. 8[1] (§ 1707.1) of the Board of War Communications, the Federal Communications Commission has recommended that certain fixed public point-to-point radiotelegraph circuits within the United States be exempted from the closure provisions of Order No. 8;

It is hereby ordered, That the point-to-point radio-telegraph circuits described below be, and they are hereby, exempted from the closure provisions of Order No. 8;

§ 1707.2 *Exemptions*—(a) *R. C. A. Communications, inc.* (1) Between New York, N. Y. and San Francisco, California.

(2) Ultra-high frequency control circuit between New York, N. Y. and New Brunswick, New Jersey;

(b) *Mackay Radio and Telegraph Companies (California and Delaware).* (1) Between New York, N. Y. and San Francisco, California.

(2) Ultra-high frequency control circuit between New York, N. Y. and Brentwood, Long Island.

(3) Ultra-high frequency control circuit between Brentwood, Long Island and Southampton, Long Island.

(4) Ultra-high frequency control circuit between Southampton, Long Island and Amagansett, Long Island.

(5) Ultra-high frequency control circuit between San Francisco, California and Palo Alto, California;

(c) *Tropical Radio Telegraph Company.* (1) Between Hingham, Massachusetts, and Miami, Florida.

(2) Between Miami, Florida and New Orleans, Louisiana.

(3) Between Hingham, Massachusetts and New Orleans, Louisiana.

Provided, however, That the circuits designated in paragraphs (a), (b), and (c) shall be operated only for the domestic portion of the haul of messages of foreign origin or destination, or for the transmission of service messages under such regulations as the Director of Censorship may prescribe;

Provided further, That all outbound foreign messages, and all service messages between domestic points, handled over the foregoing circuits shall be submitted to censorship at the first point of radio transmission within the United States, and all transit and inbound foreign messages handled over such circuits shall be submitted to censorship at the first point of radio reception within the United States.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: June 25, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42–6306; Filed, July 3, 1942; 10:47 a. m.]

[Order No. 8–B]

PART 1707—CLOSURE OF DOMESTIC RADIO-TELEGRAPH CIRCUITS

EXEMPTION FROM CLOSURE OF RADIOTELEGRAPH CIRCUITS OF PRESS WIRELESS, INC.

Whereas pursuant to Order No. 8[1] of the Board of War Communications, the

[1] 7 F.R. 4183.

Federal Communications Commission has recommended that certain circuits operated by Press Wireless, Inc. be exempted from the closure provisions of Order No. 8;

It is hereby ordered, That the point-to-point radiotelegraph circuits described below operated by Press Wireless, Inc., be, and they are hereby, exempted from the closure provisions of Order No. 8;

§ 1707.2 *Exemptions.* • • •

(d) *Press wireless circuits.* Between New York, N. Y. and Los Angeles, California;

Ultra-high frequency control circuit between:

(1) New York, N. Y. and Baldwin Harbor, Long Island;

(2) New York, N. Y. and Hicksville, New York; and

(3) Los Angeles, California and Rolling Hills, California;

Domestic multiple address press circuits.

Provided, however, That the circuits designated in paragraph (d) shall be operated only for the domestic portion of the haul of Government, press or service messages of foreign origin or destination, or for the transmission of domestic multiple address press or service messages, such service messages to be handled under such regulations as the Director of Censorship may prescribe;

Provided further, That all outbound foreign messages, and all service and multiple address press messages between domestic points, over the foregoing circuits shall be submitted to censorship at the first point of radio transmission within the United States, and all transit and inbound foreign messages handled over such circuits shall be submitted to censorship at the first point of radio reception within the United States.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: June 25, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-6307; Filed, July 3, 1942; 10:47 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

REMOVAL OF VESSELS OR HULKS CONSTITUTING HAZARDS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401), as amended, are hereby further amended as follows:

§ 7.5 *General rules and regulations.* • • •

(b) • • •

(14) Whenever the Captain of the Port shall find that any vessel or hulk constitutes a fire hazard, a menace to navigation, a source of danger to other vessels or waterfront facilities, or is otherwise inimical to the maritime interests of the United States or the national war effort, by reason of abandonment, disuse, or neglect, he may compel the owner thereof to shift or remove any such vessel or hulk. If the Captain of the Port is unable to communicate with the owner, or if the owner fails to compl. with his instructions for the shifting or removal of such vessel or hulk, the Captain of the Port may, after consultation with the District Engineer, United States Army, shift, remove, or destroy such vessel or hulk and take all other corrective measures which he shall find to be necessary. Prior to such action being taken by the Captain of the Port, notice shall be sent by registered mail to the last recorded owner of such vessel or hulk.

FRANK KNOX,
Secretary of the Navy.

Approved:

FRANKLIN D ROOSEVELT,
The White House, June 30, 1942.

[F. R. Doc. 42-6289; Filed, July 3, 1942; 10:21 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CONTRACTS FOR CERTAIN DEHYDRATED FRUITS AND VEGETABLES

EXCEPTION GRANTED

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for certain dehydrated fruits and vegetables.

Whereas, the Secretary of War on June 19, 1942, made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healy Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) in contracts awarded on or before December 31, 1942, for dehydrated fresh fruits and vegetables (such products after dehydration not to contain more than 10% moisture) of the varieties hereinafter named will seriously impair the conduct of Government business; and

Whereas, the Secretary of War has requested that an exception be granted under section 6 of the Act to permit the award of contracts during the period until December 31, 1942, for dehydrated fruits and vegetables of the varieties hereinafter named without the inclusion of the representations and stipulations of section 1 of the Act; and

Whereas, the findings of the Secretary of War are that the processes followed and the labor employed in the dehydration of such fruits and vegetables are, to a great extent, the same as those involved in the canning industry and within the coverage of the exception order dated May 14, 1942; and

Whereas, it appears that justice and public interest will be served by the granting of the exception on the basis of the findings of the Secretary of War,

Now, therefore, I do hereby grant an exception, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35), permitting the award of contracts during the period from this date to December 31, 1942, without the inclusion of the representations and stipulations of section 1 of the Act, for the following varieties of dehydrated fruits and vegetables:

Apples, dehydrated.
Apple sauce, dehydrated.
Apricots, dehydrated.
Beans, lima, dehydrated.
Beans, string (or snap), dehydrated.
Beets, dehydrated.
Berries (all varieties), dehydrated.
Cabbage, dehydrated.
Carrots, dehydrated.
Catsup, dehydrated.
Corn, dehydrated.
Figs, dehydrated.
Fruit juices (all varieties), dehydrated.
Kraut, dehydrated.
Onions, dehydrated.
Peaches, dehydrated.
Pears, dehydrated.
Peas, dehydrated.
Prunes, fresh, dehydrated.
Pumpkin, dehydrated.
Spinach, dehydrated.
Sweet potatoes, dehydrated.
White potatoes, dehydrated.
Squash, dehydrated.
Tomato juice, dehydrated.
Tomato puree, dehydrated.
Tomato paste, dehydrated.
Tomatoes, dehydrated.

Nothing in this exception shall excuse non-compliance with the provisions of the Fair Labor Standards Act of 1938 or any rules or regulations issued thereunder.

Dated: July 2, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-6314; Filed, July 3, 1942; 11:36 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 42—RULES GOVERNING THE DESTRUCTION OF RECORDS OF TELECOMMUNICATION CARRIERS

The Commission on July 30, 1942, effective immediately, adopted the following amendments:

§ 42.1 *Accounts, records, etc., named in § 42.91.* Immediately after this section, add:

NOTE. The following shall not be considered violations of these rules and regulations:

(a) The furnishing of original filed messages to the United States Government in support of bills. (See notes following items 83 (a) and 84 (d) of § 42.91.)

(b) The transfer of messages or copies thereof pursuant to the Rules and Regulations of the United States Office of Censorship.

(c) The destruction of records when in the judgment of defense commanders or other military or naval authority such destruction is necessary to prevent such records from falling into the hands of an enemy of the United States.

§ 42.91 *Records described; applicability; permanent records.* Item 83. *Telegrams and cablegrams.* Change the title of this item to read *"Telegrams (other than ship messages) and cablegrams."* Delete the first sentence of paragraph (a) and substitute the following:

(a) All classes of original filed telegraph and cable messages transmitted at public tariff rates. • • •

Item 84. *Radiograms.* Change the title of this item to *"Ship messages."* Delete paragraph (a) and substitute the following:

(a) All classes of original filed ship messages (meaning messages transmitted by maritime mobile stations), transmitted at public tariff rates; also tissue or carbon copies of such messages made at coast and destination stations—15 months.

(Sec. 4 (i), 48 Stat. 1069; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6293; Filed, July 3, 1942; 10:47 a. m.]

[Order No. 78-C]

PART 42—RULES GOVERNING THE DESTRUCTION OF RECORDS OF TELECOMMUNICATION CARRIERS

RETENTION OF COPIES OF CERTAIN MESSAGES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of June 1942;

The Commission having under consideration its Rules Governing the Destruction of Records of Telecommunication Carriers, with particular reference to § 42.1 and items numbered 83, 84, and 90 of § 42.91 of these rules and the provisions of Commission Orders Nos. 78, 78-A, and 78-B;

It is ordered, That Commission Orders Nos. 78, 78-A, and 78-B be, and they are hereby, amended and superseded to provide as follows:

It is ordered, That, until further order of the Commission, each common carrier engaged in international telegraph communication by wire or radio shall retain in its files the original of each telegraph message, or a copy thereof, transmitted by it to any point beyond the continental United States, and a copy of each telegraph message received by it from any point beyond the continental United States;

It is further ordered, That, until further order of the Commission, each coastal station engaged in telegraph communication with maritime mobile stations shall retain in its files the original or a copy of each telegraph message transmitted by it to a maritime mobile station, and a copy of each telegraph message received by it from a maritime mobile station;

It is further ordered, That, until further order of the Commission, each maritime mobile station engaged in telegraph communication shall retain in its files the original or a copy of each telegraph message transmitted by it, and a copy of each telegraph message received by it; and

It is further ordered, That the foregoing provisions shall be construed to require the retention of all such original transmitted messages, or copies thereof, and copies of received messages as were filed at any time after December 31, 1940, with a carrier to whom this order applies;

Provided, however, That the rules Governing the Destruction of Records of Telecommunication Carriers shall remain in full force and effect, and that the provisions of this order shall be construed as imposing requirements additional to said Rules.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6292; Filed, July 3, 1942; 10:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O. D. T. No. 14]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART J—RACING

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and in order to assure maximum utilization of existing transportation equipment, materials, and supplies, including rubber; and to conserve and providently utilize such equipment, materials, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

Sec.
501.60 Definitions.
501.61 Racing of motor vehicles prohibited.

AUTHORITY: §§ 501.60 and 501.61, issued under E.O. 8989, 6 F.R. 6725, and E.O. 9156, 7 F.R. 3349.

§ 501.60 *Definitions.* As used herein:

(a) The term "person" means any individual.

(b) The term "motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power.

(c) The term "race" means any exhibition, contest, or competitive trial of speed, endurance, or performance, and includes contests between persons or against time, distance, or previously established records, but does not include tests conducted for and at the request of the armed forces of the United States.

§ 501.61 *Racing of motor vehicles prohibited.* No person shall drive, or cause to be driven, or participate in driving any motor vehicle in any race.

This subpart shall become effective July 10, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C. this 3rd day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6317; Filed, July 3, 1942; 11:58 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-285]

P. S. NICHOL LUMBER CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, registered distributor, Registration No. 6859.

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act"), and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

A. Whether or not P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, Registered Distributor, Registration No. 6859, (hereinafter sometimes referred to as "Registered Distributor"), whose address is St. Charles, Illinois, has violated any provisions of the Act, the Code, and Orders and Regulations of the Division, including the Marketing Rules and Regulations, Rules for Registration of Distributors, and the Distributor's Agreement (the "Agreement"), dated October 29, 1940, and filed by P. S. Nichol, pursuant to an Order of the Division, dated June 19, 1940, in General Docket No. 12, and particularly whether or not subsequent to November 6, 1940, the effective date of registration, such Registered Distributor:

1. During the period November 19, 1940 to April 10, 1941, both dates inclusive, accepted and retained distributor's discounts in the total amount of $24.20, from the effective minimum prices established

therefor, on coal purchased by said Registered Distributor from and produced by various code members and resold by said Registered Distributor to various purchasers in St. Charles, Illinois, and Geneva, Illinois, although such coal was physically handled by said Registered Distributor by delivering from railroad cars to consumers' bins in trucks owned by said Registered Distributor or by unloading from railroad cars into consumers' bins as set forth below:

Date of shipment	Car No.	Code member	Purchaser	Hauling or unloading charge[1]	Tonnage	Total discount
1940						
Nov. 19	IC 58220	Old Ben Coal Co.	L. Kocheres Hotel	0.45	43.95	$0.88
1941						
Jan. 2	IC 65238	West Ky. Coal Co.	Operadio Co.	.85	51.25	6.15
Jan. 30	IC 209336	West Ky. Coal Co.	Operadio Co.	.85	50.70	6.08
Jan. 11	IQ 74772	Old Ben Coal Co.	Stover Water Softener Co.	1.40	48.45	.97
Jan. 3	MP 59407	Old Ben Coal Co.	Colson's Dept. Store	1.95	47.50	.95
Jan. 15	MP 59484	Old Ben Coal Co.	Sacred Heart Convent	1.65	47.85	.96
Feb. 20	IC 209041	Old Ben Coal Co.	L. Kocheres Hotel	.45	47.80	.96
Apr. 10	IC 211802	West Ky. Coal Co.	Operadio Co.	.85	60.45	7.25

resulting in violations of Paragraph (d) of the Agreement;

2. During the period December 17, 1940, to February 9, 1942, both dates inclusive, prepaid the freight charges on railroad carloads of coal purchased for resale by said Registered Distributor from and produced by various code members and resold by said Registered Distributor to various purchasers, including 21 carloads of coal resold to the Operadio Company, St. Charles, Illinois; 2 carloads of coal resold to the Stover Water Softener Company, St. Charles Illinois; 1 carload of coal resold to Colson's Department Store, St. Charles, Illinois; and 1 carload of coal resold to Sacred Heart Convent, Geneva, Illinois, resulting in violations of section 4 II (i) 3 and 6 of the Act, Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules and Regulations, and paragraphs (c) and (e) of the Agreement;

3. Failed to report to the Statistical Bureau for District No. 10, the reconsignments of the shipments of coal purchased for resale by said Registered Distributor from and produced by Old Ben Coal Company, a code member in District No. 10, and resold by said Registered Distributor as follows:

Date of shipment	Car No.	Original consigned	Reconsigned to	Tonnage
1940				
Nov. 19	IC 58220	Operadio Co.	L. Kocheres Hotel	43.95
1941				
Jan. 3	MP 59407	Operadio Co.	Colson's Dept. Store	47.50
Jan. 15	MP 59484	Operadio Co.	Sacred Heart Convent	47.85
Feb. 20	IC 209041	Operadio Co.	L. Kocheres Hotel	47.80

resulting in violations of Rule 9 of section XII of the Marketing Rules and Regulations, and paragraphs (e) and (f) of the Agreement;

4. Made an unauthorized allowance of a cash discount of two per cent to the Operadio Company, St. Charles, Illinois, from the sales price of the 21 carloads of coal resold to Operadio Co. and referred to in paragraph 2 hereof, resulting in violations of section 4 II (e) and (i) 6 of the Act, Rule 1 of section III, Rule 1 (F) of section VII, and Rule 6 of section XIII of the Marketing Rules and Regulations, and paragraphs (b), (c) and (e) of the Agreement; and

5. (a) Failed to show on copies of invoices filed with the Statistical Bureau for District No. 10, the trucking charges and the prepayment of freight charges on 12 carloads of coal, purchased for resale by said Registered Distributor from and produced by West Kentucky Coal Company and resold by said Registered Distributor to Operadio Company, St. Charles, Illinois, during the period March 15, 1941 to January 8, 1942, both dates inclusive; and (b) failed to file with the Division, copies of the invoices issued to said Registered Distributor's customers covering shipments of coal purchased for resale by said Registered Distributor from and produced by West Kentucky Coal Company and resold by said Registered Distributor as follows:

Shipping date	Purchaser	Car No.	Tonnage
1940			
Dec. 17	Operadio Co.	IC 402092	61.15
1941			
Jan. 2	Operadio Co.	IC 65238	51.25
Jan. 10	Operadio Co.	IC 217277	55.70
Jan. 25	Fox Valley Laundry	IC 212184	53.60
Jan. 30	Operadio Co.	IC 209336	50.70
Jan. 30	Operadio Co.	IC 210658	40.70
1942			
Jan. 28	Fox Valley Laundry	N&W 28826	49.85

resulting in violations of Orders of the Division No. 156 dated December 18, 1937, and No. 313 dated February 24, 1941, and paragraphs (e) and (f) of the Agreement;

B. Whether or not the registration of said P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, should be revoked or suspended or other appropriate orders should be issued.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether or not the aforementioned P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, has committed violations in the respects heretofore described and whether or not the registration of said distributor should be revoked or suspended, or other appropriate penalties be imposed, be held at 10 a. m. on Angust 5, 1942, at Room 325, New Post Office Building, Chicago, Illinois.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of the aforementioned P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, with reference to the matters hereinbefore described, must be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

All persons are hereby notified that hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6294; Filed, July 3, 1942; 10:57 a. m.]

[Docket Nos. A-1498, A-1498, Part II]

DISTRICT BOARD 2—H. F. WILSON

MEMORANDUM OPINION AND ORDER SEVERING DOCKETS, ORDER GRANTING IN PART TEMPORARY RELIEF, AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Wilson Mine, Mine Index No. 1428, of H. F. Wilson.

The original petition in the above-entitled matters which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 2.

The petition proposed that price classifications and minimum prices be made effective from two shipping points, Somers on the Pittsburgh and Lake Erie Railroad, and Pricedale on the Monessen Southwestern Railway, for the coals of the Wilson Mine (Mine Index No. 1428) of H. F. Wilson, for all shipments except truck. While it appears that an adequate showing of necessity has been made for the granting of temporary relief by establishing temporary price classifications and minimum prices for the coals of the above-named mine for all shipments except truck from Somers on the Pittsburgh and Lake Erie Railroad, it appears that the original petitioner has not set forth sufficient facts to warrant making such price classifications and minimum prices effective from Pricedale on the Monessen Southwestern Railway for the coals of this mine for all shipments except truck, without a hearing, and for the further reason that the Monessen Southwestern Railway is not listed by the Interstate Commerce Commission as a common carrier.

Now, therefore, it is ordered, That the portion of Docket No. A-1498 relating to the coals of the Wilson Mine (Mine Index No. 1428), of H. F. Wilson, be and it hereby is, severed from the remainder of Docket No. A-1498 and designated as Docket No. A-1498 Part II.

It is further ordered, That a hearing in Docket No. A-1498 Part II under the applicable provisions of said Act and the rules of the Division be held on August 4, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Division proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 28, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Wilson Mine (Mine Index No. 1428), of H. F. Wilson, for all shipments except truck for shipment from Pricedale on the Monessen Southwestern Railway and from Somers on the Pittsburgh and Lake Erie Railroad.

It is further ordered, That, pending final disposition of Docket No. A-1498 Part II, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 2 For All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

Notice is hereby given that applications to stay, terminate or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6297; Filed, July 3, 1942; 10:57 a. m.]

[Docket No. B-268]

GOULD ROAD COAL CO.

ORDER CORRECTING ERRORS IN NOTICE OF AND ORDER FOR HEARING

In the matter of Arthur Pipo, doing business under the name and style of Gould Road Coal Company, Code Member.

It appears that the Notice of and Order for Hearing dated June 20, 1942, in the above-entitled matter was in error by setting forth therein the name of "Arthur Pipo" instead of "Andrew Pipo."

Now, therefore, it is ordered, That wherever the name "Arthur Pipo" appears in the said Notice of and Order for Hearing, the same is deleted and the name "Andrew Pipo" is inserted in lieu thereof.

It is further ordered, That the Notice of and Order for Hearing dated June 20, 1942, entered in the above-entitled matter shall in all other respects remain in full force and effect.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6296; Filed, July 3, 1942; 10:58 a. m.]

REVOCATION OF CERTAIN DISTRIBUTOR REGISTRATIONS

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Burton Coal Co., (J. Roy Browning, Trustee), Hannan Coal Company, Walter J. Kraft, The Ohio & Pennsylvania Coal Co., C. L. Perkins, (Perkins Coal Co.), The Schafer-Suhr Coal Co., J. A. Vinson, The West Virginia Coal & Coke Corporation.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part, hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the list of Registered Distributors.

Accordingly, it is so ordered.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

EXHIBIT A

Registration number and name	*Address*
1296 Burton Coal Co., (J. Roy Browning, Trustee).	332 South Michigan Avenue, Room 2051, Chicago, Ill.
3963 Hannan Coal Co.	9th and Cash Streets, Burlington, Iowa.
5248 Walter J. Kraft	7533 West Morrow Circle, Dearborn, Mich.
6974 The Ohio & Pennsylvania Coal Co.	958 Union Commerce Bldg., Cleveland, Ohio.
7236 C. L. Perkins (Perkins Coal Co.)	1246 Melrose Street, Chicago, Ill.
8056 The Schafer-Suhr Coal Co.	2325 East 105th Street, Cleveland, Ohio.
9283 J. A. Vinson	South Center Street, Goldsboro, N. C.
9603 The West Virginia Coal & Coke Corporation.	P. O. Box 1460, Cincinnati, Ohio.

[F. R. Doc. 42-6298; Filed, July 3, 1942; 10:57 a. m.]

[Docket No. B-284]

HOME FUEL & SUPPLY CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Home Fuel & Supply Company, a corporation, Code Member.

1. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), District Boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code, (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

2. The Division, on February 28, 1942, referred to District Board No. 17 information in its possession bearing on whether or not violations of the Act, the Code, orders, rules and regulations thereunder have been committed by the House Fuel & Supply Company, the Code member above named whose code membership became effective as of June 21, 1937, (hereinafter referred to as "Code member"), operator of the Bowen Mine, Mine Index No. 294, located in Las Animas County, Colorado, Subdistrict No. 7 of District No. 17, in connection with:

(A) Sales subsequent to September 30, 1940, of coal produced at said mine for truck shipment, at prices below the effective minimum f. o. b. mine prices established for said coal, as set forth in the Schedule of Effective Minimum Prices for District No. 17, For All Shipments, including the following transactions:

(a) Approximately 83.95 net tons of ¼" x 0 coal sold to the Trinidad Electric Railway Transmission and Gas Company, Trinidad, Colorado, during the period October 1, 1940 to January 17, 1941, both dates inclusive, and approximately 3.5 net tons of ¼" x 0 coal to L. L. Cunningham, Trinidad, Colorado, on or about November 14, 1940, at $1.50 per net ton delivered to said purchasers, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine and therefore pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than $2.25 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 13 for which a price was listed for said mine, thereby resulting in violations of section 4 Part II (e) of the Act and Part II (e) of the Code;

(b) Approximately 156.88 net tons of ⅞" x ¼" coal sold to various purchasers during the period October 7, 1940 to November 3, 1941, at $2.25 per net ton f. o. b. said mine, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine, and therefore pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than $3.15 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 10, for which a price was listed for said mine, thereby resulting in violations of section 4 Part II (e) of the Act and Part II (e) of the Code; and

(c) Approximately 4.05 net tons of ¼" x 0 coal sold to Frank Inman, Trinidad, Colorado, on or about December 20, 1940, at $1.50 per net ton f. o. b. said mine, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine, and therefore pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than $2.25 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 13, for which a price was listed for said mine, thereby resulting in a violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

(B) Sales and delivery, subsequent to September 30, 1940, of coal produced at said mine, for truck shipment, at prices below the effective minimum prices established for said coal, as set forth in the Schedule referred to in Paragraph (A) hereof, to which there should have been added the actual transportation, handling, or incidental charges from the transportation facilities at the mine from the points at which all such charges were assumed and directly paid by the purchasers including the following transactions:

Approximately 105.15 net tons of ⅞" x ¼" coal sold and delivered to various purchasers, during the period October 22, 1940 to November 6, 1941, both dates inclusive, at a delivered price of $3.25 per net ton, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine, and therefore, pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than $3.15 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 10, for which a price was listed for said mine, there should have been added the actual transportation, handling or incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by said purchasers, by Price Instruction and Exception No. 14 as amended and contained in Supplement No. 1 of said Schedule, thereby resulting in violations of section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code.

3. By letter dated May 18, 1942, the Division notified said Board that unless it took action in this matter the Division would take such action in lieu of the Board, as it deemed to be appropriate.

4. District Board No. 17 has not taken any action in this matter.

5. Section 6 (a) of the Act provides in part that in the event a District Board shall fail for any reason to take action authorized or required by this section then the Division may take such action in lieu of the District Board.

6. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act, to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provides, pursuant to section 6 (a) and other pertinent provisions of the Act, for the purpose of determining:

(a) Whether or not the Code member has wilfully violated section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code;

(b) Whether or not in the event that the Code member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the Code membership of the Home Fuel & Supply Company, Code member or directing said Code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act, be held on August 15, 1942, at 10 a. m. at a hearing room of the Division at the Court House, Trinidad, Colorado, to determine whether or not the aforementioned Code member has committed the violations in the respects heretofore described and whether or not the Code membership of said Code member should be revoked or an order should be entered directing the Code member to cease and desist from violating the Act and the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the statistical bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6295; Filed, July 3, 1942; 10:58 a. m.]

General Land Office.

STOCK DRIVEWAY WITHDRAWAL NO. 144, WYOMING NO. 18, MODIFIED

Under the authority of section 7 of the act of June 28, 1934, as amended by the act of June 26, 1936, 48 Stat. 1272, 49 Stat. 1976, 43 U.S.C. 315f, the following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, under the provisions of section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, such lands, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved for the use of the general public as an addition to Stock Driveway Withdrawal No. 144, Wyoming No. 18, subject to valid existing rights:

SIXTH PRINCIPAL MERIDIAN

T. 29 N., R. 79 W.,
Sec. 18, lot 1 and NE¼NW¼;
T. 29 N., R. 80 W.,
Sec. 2, SW¼ and S½SE¼,
Sec. 3, SW¼NE¼ and SE¼NW¼,
Sec. 12, W½SE¼ and SE¼SE¼,
Sec. 13, E½NE¼;
T. 39 N., R. 80 W.,
Sec. 5, N½,
Sec. 6, NE¼;
T. 40 N., R. 80 W.,
Sec. 20, E½NE¼,
Sec. 29, E½,
Sec. 32, E½;
T. 30 N., R. 81 W.,
Sec. 3, lot 3 and SE¼NW¼;
T. 31 N., R. 81 W.,
Sec. 33, W½NE¼, NE¼NW¼, NW¼SE¼, S½S½,
Sec. 34, S½SW¼ and SW¼SE¼;
aggregating 2,318.81 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

And the departmental orders of withdrawal of April 20, 1921, January 20, 1927, and March 28, 1932, for stock driveway purposes are hereby revoked so far as they affect the following-described lands:

T. 40 N., R. 80 W.,
Sec. 1, W½,
Sec. 2, E½,
Sec. 11, E½,
Sec. 13, W½NE¼ and NW¼,
Sec. 14, NE¼ and NE¼SE¼,
Sec. 19, NE¼ and S½,
Sec. 20, NW¼, NW¼SW¼, and S½SW¼,
Sec. 30, W½,
Sec. 31, NE¼, W½, and W½SE¼;
aggregating 2,883.74 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JUNE 24, 1942.

[F. R. Doc. 42-6288; Filed, July 3, 1942; 10:05 a. m.]

CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS TUESDAY, JUNE 30, 1942

Important. The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears.

State	Number of positions to which entitled	Number of positions occupied: Permanent	War service after 3/15/42	Total
IN ARREARS				
1. Virgin Islands	19	0	0	0
2. Puerto Rico	1,428	57	1	58
3. Hawaii	324	25	0	25
4. Alaska	55	14	0	14
5. California	5,279	1,629	3	1,632
6. Michigan	4,017	1,636	0	1,636
7. Louisiana	1,807	738	1	739
8. Arizona	382	179	0	179
9. Texas	4,902	2,572	3	2,575
10. Kentucky	2,175	1,222	1	1,223
11. Georgia	2,387	1,374	4	1,378
12. Alabama	2,165	1,292	0	1,292
13. South Carolina	1,452	888	1	889
14. Ohio	5,279	3,266	3	3,269
15. Mississippi	1,609	1,086	0	1,086
16. Arkansas	1,490	1,010	0	1,010
17. Nevada	84	58	0	58
18. North Carolina	2,730	1,954	2	1,956
19. New Jersey	3,179	2,371	3	2,374
20. Indiana	2,620	1,975	0	1,975
21. Oregon	833	654	1	655
22. New Mexico	406	328	0	328
23. Tennessee	2,228	1,803	2	1,805
24. Illinois	6,035	4,892	4	4,896
25. Florida	1,450	1,216	1	1,217
26. Idaho	401	337	0	337
27. Washington	1,327	1,130	0	1,130
28. Connecticut	1,306	1,123	1	1,124
29. Wisconsin	2,398	2,065	2	2,067
30. Delaware	204	182	0	182
31. Vermont	275	267	0	267
32. Rhode Island	545	538	1	539
IN EXCESS				
33. Missouri	2,892	2,924	0	2,924
34. Utah	421	427	0	427
35. Pennsylvania	7,566	7,735	10	7,745
36. New Hampshire	376	395	0	395
37. West Virginia	1,454	1,532	0	1,532
38. Massachusetts	3,299	3,513	4	3,517
39. Maine	647	711	0	711
40. Oklahoma	1,786	2,147	2	2,149
41. Montana	428	538	1	539
42. Colorado	858	1,094	1	1,095
43. Iowa	1,940	2,481	2	2,483
44. Minnesota	2,134	2,750	4	2,754
45. Wyoming	192	252	0	252
46. New York	10,301	14,041	58	14,099
47. Kansas	1,376	2,034	1	2,035
48. North Dakota	491	739	0	739
49. Virginia	2,046	3,378	1	3,379
50. South Dakota	491	915	0	915
51. Nebraska	1,096	1,983	0	1,983
52. Maryland	1,392	3,714	4	3,718
53. District of Columbia	507	11,147	1	11,148
Gains				3,309
Losses				1,366
Total appointments				102,454

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under sec. 3, rule VII, and the Attorney General's Opinion of August 25, 1934, 22,298.

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director and Chief Examiner.

[F. R. Doc. 42-6270; Filed, July 2, 1942; 2:50 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order 79]

VIRGINIAN RAILWAY CO.

REROUTING OF TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of July, A. D. 1942.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment and congestion of traffic; and

It further appearing, that congestion of traffic exists at Sewalls Point, Va., and at the railroad yards serving that point:

It is ordered,

1. That an embargo be, and it is hereby, placed upon cars loaded with coal consigned to South Amboy, N. J., moving on the Virginian Railway Company to Sewalls Point, Va., until the present accumulation of cars loaded with coal at Sewalls Point, or at the railroad yards serving that point, has been reduced to 150 cars.

2. That the Virginian Railway Company is hereby ordered and directed to divert cars loaded with coal consigned to South Amboy, N. J., now at Sewalls Point, or at the railroad yards serving that point, awaiting transfer to Pennsylvania Railroad car ferries for movement to South Amboy over the following route:

Virginian Railway Company to Jarratt, Va.,

Atlantic Coast Line Railroad Company to Richmond, Va.,

Richmond, Fredericksburg and Potomac Railroad Company to Potomac Yards, Va., and The Pennsylvania Railroad Company beyond.

until the number of such cars on hand at Sewalls Point, or at the railroad yards serving that point, is reduced to 150 cars; and thereafter the Virginian Railway Company is ordered and directed to limit the number of such loaded cars in transit to Sewalls Point to 150 cars.

3. That the car hire payments on cars diverted pursuant to this order covering both railroad and privately owned cars shall be on the basis of the handling of cars as originally routed.

4. That in executing the directions of the Commission contained in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; that such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers, and that, upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

It is further ordered, That this order shall take effect immediately and remain in force until further order of the Commission; that copies of this order and direction be served upon the Virginian Railway Company and upon the Car Service Division, Association of American Railroads, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission, division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-6315; Filed, July 3, 1942; 11:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order No. 16]

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

FURTHER AUTHORIZATION OF PAUL M. O'LEARY

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125[1] and by War Production Board Directive No. 1, as supplemented, the following order is prescribed:

The authority conferred upon Paul M. O'Leary, Acting Deputy Administrator in Charge of Rationing, by Administrative Order No. 8 (7 F.R. 4746) shall include and extend to the power and discretion to consider and determine petitions for reconsideration filed by any person against whom any suspension order has heretofore been or may hereafter be issued for violation of the Emergency Gasoline Rationing Regulations—Ration Order No. 5 and to issue any order which may be appropriate in the premises.

Issued and effective this 2nd day of July, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6282; Filed, July 2, 1942; 5:05 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-413]

PUBLIC SERVICE COMPANY OF OKLAHOMA, ET AL.

NOTICE REGARDING FILING

In the matter of Public Service Company of Oklahoma, Southwestern Light & Power Company, and Peoples Ice Company.

Public Utility Holding Company Act of 1935

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of June, A. D 1942.

Notice is hereby given that a supplemental joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than July 10, 1942, at 4:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such supplemental declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said supplemental joint declaration or application, which is on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

Public Service Company of Oklahoma and Southwestern Light & Power Company are the owners of promissory notes of Peoples Ice Company in the amounts of $1,462,500 and $625,500, respectively, bearing no interest and maturing February 15, 1942. It is proposed that such companies enter into an agreement extending the maturity of such notes to December 31, 1943. All of such companies are subsidiaries of The Middle West Corporation holding company system.

The notes proposed to be extended were issued pursuant to an order of the Commission dated December 24, 1941.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6272; Filed, July 2, 1942; 3:35 p. m.]

LEO G. SIESFELD & CO.

ORDER REVOKING REGISTRATION

In the matter of Leo G. Siesfeld, doing business as Leo G. Siesfeld & Co., Belle Harbor, New York.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2nd day of July, A. D. 1942.

The Commission having instituted proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Leo G. Siesfeld, doing business as Leo G. Siesfeld & Co., as a broker and dealer, should be suspended or revoked, a hearing having been held after due notice, briefs having been filed and oral argument heard, and the Commission being fully advised in the premises and having found that the said Leo G. Siesfeld has been convicted, while registered with the Commission as a broker and dealer, of a felony involving the purchase or sale of securities or arising out of the conduct of the business of a broker and dealer, and having found it in the public interest to revoke his registration without prejudice to a reapplication for registration as more fully set forth in the Findings and Opinion of the Commission herein this day issued;

[1] 7 F.R. 2719.

It is ordered, That the registration of said Leo G. Siesfeld as a broker and dealer be, and the same hereby is, revoked, without prejudice, however, to a reapplication for registration after sixty days from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6284; Filed, July 3, 1942; 10:04 a. m.]

GENERAL WATER GAS & ELECTRIC CO., ET AL.

[File No. 70-532]

DECLARATIONS EFFECTIVE AND APPLICATIONS GRANTED

In the matter of General Water Gas & Electric Company, Boise Water Corporation, Natatorium Company, and Kellogg Power and Water Company.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1942.

General Water Gas & Electric Company, a registered holding company, and its subsidiaries, Kellogg Power and Water Company and Boise Water Corporation, together with the latter company's subsidiary, Natatorium Company, having joined in appropriate applications and declarations filed with this Commission, with amendments thereto, under sections 6 (b), 10 and 12 of the Public Utility Holding Company Act of 1935 for approval of (1) the acquisition of the outstanding securities of Kellogg Power and Water Company, consisting of a $100,000 6% Demand Note and 65,000 shares of common stock (par value $1.00), by Boise Water Corporation from its parent, General Water Gas & Electric Company, in exchange for 1,650 shares of common stock (par value $100) to be issued by Boise Water Corporation, (2) the issuance and private sale of $950,000 principal amount of bonds at a price of 101½ by Boise Water Corporation, (3) the redemption of $1,000,000 principal amount of bonded debt by Boise Water Corporation from its parent, General Water Gas & Electric Company, in consideration of $750,000 cash and $250,000 par value of common stock of Boise Water Corporation, and (4) transactions incident thereto; and

Public hearings having been held on said applications and declarations after appropriate notice, and the Commission having examined the record and made and filed its Findings and Opinion based thereon;

It is ordered, That said applications and declarations, as amended, be, and they hereby are, approved and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U 24 and to the following further conditions:

1. That $250,000 par value of common stock of Boise Water Corporation be accepted by General Water Gas & Electric Company in lieu of a 5% Promissory Note, due 1963, in settlement of $250,000 principal amount of indebtedness of Boise Water Corporation to General Water Gas & Electric Company.

2. That the net property of Boise Water Company, as reflected on its books as of December 31, 1941, be decreased in the amount of $386,368.69, as proposed by Boise Water Company.

3. That the foregoing transactions shall be consummated within a reasonable time and prior to the payment of any dividend upon the stock of Boise Water Corporation.

4. That jurisdiction be and is hereby reserved over all accounting entries to be made in connection with the various transactions.

5. That jurisdiction be and is hereby reserved over all legal fees, trustees' fees and all other fees and expenses incurred in connection with the various transactions, except the expense of $4,752.70 representing the cost of an appraisal of Boise Water Corporation and Natatorium Company and the further expense of $2,250 incurred for an engineering review of the properties of Boise Water Corporation and Natatorium Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6285; Filed, July 3, 1942; 10:04 a. m.]

[File No. 70-544]

INTERNATIONAL UTILITIES CORPORATION AND GENERAL WATER GAS & ELECTRIC COMPANY

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July, A. D. 1942.

International Utilities Corporation and its subsidiary, General Water Gas & Electric Company, both registered holding companies, having filed joint applications and declarations, and an amendment thereto pursuant to sections 6 (a), 7, 10, and 12 (f) of the Public Utility Holding Company Act of 1935 concerning: (1) the proposed issuance and private sale to certain commercial banks by General Water Gas & Electric Company of that company's promissory notes in the aggregate principal amount of $2,100,000, payable in installments over a period of five years from the date thereof, with interest on the principal amounts remaining from time to time unpaid, at rates ranging from 2½% during the first year to 3½% during the fifth year, the proceeds of such issuance and sale to be used with other funds for the retirement of the outstanding 15-Year 5% First Lien and Collateral Trust Bonds of General Water Gas & Electric Company in the principal amount of $2,832,000; and (2) the extension of maturity date and subordination of a promissory note of General Water Gas & Electric Company in the principal amount of $385,700 held by International Utilities Corporation;

A public hearing having been duly held after appropriate notice; the Commission having examined the record in this matter and having entered its findings and opinion herein;

It is ordered, That said applications and declarations, as amended, be and the same are hereby granted and permitted to become effective forthwith, subject, however, to those terms and conditions set forth in Rule U-24 of this Commission, and upon the further condition that no dividend, nor other distribution, by purchase of shares of such stock, or otherwise, shall be paid, or made, upon the common stock of General Water Gas & Electric Company, pending the further order, or orders, of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6286; Filed, July 3, 1942; 10:04 a. m.]

[File No. 54-55; File No. 59-51]

SOUTHERN COLORADO POWER COMPANY AND SOUTHERN COLORADO POWER COMPANY

FILING NOTICE AND ORDER FOR CONSOLIDATED HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of July, A. D. 1942.

I

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder by Southern Colorado Power Company, a public utility company and a direct subsidiary of Standard Gas and Electric Company, a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Southern Colorado Power Company (hereinafter referred to as Colorado) proposes to consummate a plan for its reorganization and recapitalization pursuant to section 11 (e) of said Act for the purpose of enabling it to comply with the provisions of section 11 (b) (2) of said Act. The elements of the proposal are as follows:

(1) Coincident, or substantially coincident, with the consummation of the plan but not necessarily as a part thereof, Colorado proposes the retirement and redemption of the presently outstanding $6,828,300 First Mortgage 6% Gold Bonds, due July 1, 1947 by the issuance and sale of $5,500,000 of First Mortgage 3½% Thirty-Year Bonds and $1,200,000 of Ten-Year 3% Serial Notes and the employment of the proceeds thereof, together with treasury cash in the estimated amount of approximately $100,000, for that purpose.

(2) By amendment to the Articles of Incorporation of Colorado, the presently

outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock will be reclassified into 42,516 shares of new 4½% Cumulative Preferred Stock, par value $50 per share, or a total of $2,125,800 and 638,942 shares of new common stock, par value $5 per share, or a total of $3,194,710, or a new corporation will be formed with authorized capital stock sufficient to meet the requirements of the plan.

(3) The 42,516 shares of new 4½% Cumulative Preferred Stock and 638,942 shares of new common stock, resulting from the reclassification mentioned in paragraph (2) above, will be distributed to the holders of the presently outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock as follows:

(a) One share of new 4½% Cumulative Preferred Stock and 12 shares of new common stock for each share of 7% Cumulative Preferred Stock and all accumulated and unpaid dividends thereon. The holders of the Cumulative Preferred Stock will thus receive a total of 42,516 shares of the new 4½% Cumulative Preferred Stock and 510,192 shares of the new common stock.

(b) One share of new common stock for each share of Class A Common Stock. The holders of the Class A Common Stock will thus receive 110,000 shares of new common stock.

(c) One-quarter share of new common stock for each share of Class B Common Stock. The holders of the Class B Common Stock will thus receive 18,750 shares of the new common stock.

Under the proposed distribution all of the new 4½% Cumulative Preferred Stock will be allotted to the holders of the old 7% Cumulative Preferred Stock, 79.85% of the new common stock will be distributed to the 7% Preferred stockholders, 17.22% to the Class A common stockholders and 2.93% to the Class B common stockholders.

(4) The capital surplus resulting from the reclassification of the Class A Common Stock and Class B Common Stock together with the earned surplus of Colorado will be employed as follows:

Unamortized debt, discount and expense on first mortgage bonds	$186,172.20
Redemption premium on first mortgage bonds—2½%	169,085.00
Duplicate interest on first mortgage bonds for one month	33,817.00
Estimated expenses in connection with the consummation of the plan	43,870.00
Write-off of portion of railway plant	915,313.20
Reserve for adjustment of property	1,447,719.22
Total capital surplus resulting from reclassification	2,795,976.62

The application states that the plan was filed for the purpose of enabling the applicant and the Standard Gas and Electric Company holding-company system to meet the requirements of section 11 (b) (2) of said Act by simplifying the applicant's corporate structure and effecting a fair and equitable distribution of voting power among the holders of its securities. The application requests (1) an order approving the plan, and (2) a recital in the order approving the plan that the contemplated distribution of the new preferred stock and/or common stock is necessary and appropriate to the integration or simplification of the Standard Gas and Electric Company holding-company system and the itemization in the order of the new stock to be distributed under the plan (in order that no gain or loss may be recognized as provided in section 371 (b) and section 371 (f) of the Internal Revenue Code).

If this Commission should approve the above plan the company may, but does not obligate itself to, request this Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said Act to enforce and carry out the terms and provisions of the plan. Submission of the plan to the company's security holders for their approval or rejection is not contemplated.

II

The reports filed with the Commission by Colorado disclose that:

(1) Colorado is a public utility company organized under the laws of the State of Colorado with its principal offices located in Pueblo, Colorado. The company is engaged in the business of generating, transmitting and distributing electric energy in the State of Colorado and also owns and operates a street railway system in the City of Pueblo.

(2) The capitalization of Colorado as of December 31, 1941 was as follows:

First mortgage 6% gold bonds, due July 1, 1947	$6,763,400.00
7% cumulative preferred stock, 42,516 shares including 360 shares owned by Standard Gas & Electric Co. (par value $100 [1]	4,251,600.00
Class A common stock, 110,000 shares including 6,247 shares owned by Standard Gas & Electric Co. and 23,570 shares owned by Standard Power & Light Corporation [2] ($25 par value)	2,750,000.00
Class B common stock, 75,000 shares all owned by Standard Gas & Electric Co. (no par value) stated value $10	750,000.00
Earned surplus since Apr. 30, 1938	364,886.62

[1] Accumulated dividend arrearages on the preferred stock amounted to $29.50 per share aggregating $1,254,222 as of Mar. 31, 1942.
[2] A registered holding company and the parent of Standard Gas & Electric Co.

(3) The preferred stock has no voting power unless and until not less than two quarterly dividends have accrued and remain unpaid thereon, in which event and so long as at least two quarterly dividends shall accrue and remain unpaid, the holders of such stock shall be entitled to the same voting powers as the Class B Common Stock which has full voting power. Except as otherwise specifically provided by law Class A Common Stock has no voting power.

(4) The preferred stock presently has full voting rights inasmuch as more than two quarterly dividend payments are in arrears. The annual dividend requirement on the preferred stock is 7% but the dividend paid in each of the last nine years has been only 4¼% or less. As of March 31, 1942 the accumulated dividends on the preferred stock aggregated $29.50 per share or a total of $1,254,222. No dividends have been paid on the Class A Common Stock since May, 1932 and no earnings have been available for the payment of such dividends subsequent to 1933. No dividends have ever been paid on the Class B Common Stock.

(5) The preferred stock is entitled in each year to a cumulative preference in dividends over the Class A Common Stock and Class B Common Stock to the extent of 7% of its par value and in case of liquidation, dissolution or winding up, whether voluntary or involuntary, is entitled to a preference in assets to the extent of its par value and all dividends then accumulated. The preferred stock has no further right of participation in dividends or assets. The company may redeem all or any part of the preferred stock at 110% of the par value thereof plus the amount of all accumulated dividends after 60 days' notice by mail to the holders thereof. If there are no preferred stock dividend arrearages the Class A Common Stock is entitled to receive non-cumulative dividends at the rate of $3 per share before any dividends shall be paid on Class B Common Stock. If there are no preferred stock dividend arrearages and if the Class A Common Stock dividend requirements have been provided for, the Class B Common Stock is entitled to receive in any quarter dividends at the rate of $2 per share per annum after which the holders of the Class A Common Stock and the holders of the Class B Common Stock share equally in any remaining earnings. In case of liquidation, dissolution or winding up, the Class A Common Stock is entitled to $27.50 per share after payment to the preferred stock and any remaining assets are to be divided equally between the Class A common stockholders and Class B common stockholders. The company has the right to redeem the Class A Common Stock at $35 per share after 60 days' notice by mail.

(6) Standard Gas and Electric Company, a registered holding company and the parent of Colorado, owns the following securities of Colorado:

360 shares of 7% Cumulative Preferred Stock.
6,247 shares of Class A Common Stock.
75,000 shares of Class B Common Stock.

The aforementioned shares of the preferred stock and the Class A Common Stock are carried on the books of Standard Gas and Electric Company at $32,834 and $140,747.77, respectively, which are likewise the reported costs of these securities to the system company first acquiring them.

Standard Power and Light Corporation, a registered holding company, and the parent of Standard Gas and Electric Company, owns 23,570 shares of Colorado's Class A Common Stock which are carried on the books of Standard Power and Light Corporation at $636,390 which is also the reported cost of these securities to the system company first acquiring them.

(7) The net income of Colorado for the twelve months ended December 31, 1940 and December 31, 1941 was reported to be $244,401.97 and $260,900.91, respectively. The requirement for dividends on the preferred stock for each of these years was $297,612. As of March 31, 1942 the dividend arrearages on the 7% Cumulative Preferred Stock amounted to $29.50 per share aggregating $1,254,222.

(8) The balance sheet of Colorado contains, among other things:

(a) An excess of book cost over "Original Cost" of Utility Plant as defined in the Uniform System of Accounts prescribed by the Colorado Public Utilities Commission.

(b) Deferred charges being amortized over varying periods.

(c) Railway Plant carried at $1,412,346.

III

It appearing to the Commission on the basis of allegations contained in the foregoing section II that there are reasonable grounds to believe that:

(1) The voting power is unfairly and inequitably distributed among Colorado's security holders.

(2) The corporate structure of Colorado unduly and unnecessarily complicates the structure of the Standard Gas and Electric Company holding-company system, of which it is a part.

(3) All or part of the items in the balance sheet referred to in paragraph (8) of section II hereof may have to be disposed of by accounting adjustments which may have some effect on future income.

IV

It being the duty of the Commission under section 11 (b) (2) of the Act, to require, by order, after notice and opportunity for hearing, that each registered holding company and each subsidiary company thereof shall take such steps as the Commission shall find necessary to ensure that its corporate structure does not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of such holding company system; and

It also being appropriate and in the public interest and in the interest of investors and consumers to institute proceedings against Colorado under sections 15 (f) and 20 (a) of the Act directed toward a determination of whether appropriate orders should be entered pursuant to said sections; and

The Commission being required by the provisions of Section 11 (e) of said Act, before approving any plan thereunder, to find, after notice and opportunity for hearing that such plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected by such plan; and

It appearing appropriate that notice be given and hearings held for the purpose of determining what action should be ordered under sections 11 (b) (2), 15 (f) and 20 (a) and with respect to the proposed plan filed under section 11 (e); and

It further appearing to the Commission that said proceedings involve common questions of law and fact and should be consolidated and heard together;

It is hereby ordered, That hearings on (a) the proposed plan for reorganization and recapitalization filed pursuant to section 11 (e), and (b) the proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) herein instituted, be held on the 28th day of July, 1942 at 10:00 o'clock A. M., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318;

It is further ordered, That said proceedings be and the same are hereby consolidated;

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order, by registered mail to the above named party, to Standard Gas and Electric Company and Standard Power and Light Corporation, and that notice of said hearing is hereby given to all security holders of Southern Colorado Power Company, to all states, municipalities, or political subdivisions of states or foreign countries in which are located any of the utility assets of the holding-company system of Standard Gas and Electric Company or under the laws of which any of said subsidiary companies are incorporated, to all state commissions, state securities commissions and all agencies, authorities or instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Southern Colorado Power Company or over any of the business affairs of any of them, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER;

It is further ordered, That Southern Colorado Power Company mail a copy of this notice and order at least twenty days prior to July 28, 1942 to each of its stockholders at his last-known address;

It is further ordered, That any person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission on or before the 18th day of July, 1942, a written statement relative thereto; any person proposing to intervene shall file with the Secretary of the Commission on or before such date his application therefor, as provided by Rule XVII of the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of the issues presented by the pending applications or declarations (or both) or by the proceedings hereby instituted, that evidence having particular bearing on the following matters will be adduced:

(1) Whether the proposed plan filed pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of said Act.

(2) Whether the proposed plan is fair and equitable to the persons affected thereby.

(3) Whether the proposed plan is feasible.

(4) Whether the plan should be submitted to the stockholders of Southern Colorado Power Company for their approval or rejection.

(5) Whether the proposed transactions by Southern Colorado Power Company which are incidental to the consummation of the proposed plan comply with all of the requirements of the applicable provisions of the Act and Rules.

(6) Whether the allegations contained in sections II and III hereof are true and correct.

(7) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require pursuant to sections 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 and rules thereunder that Southern Colorado Power Company restate its plant and equipment, investment, reserves, surplus, capital or other accounts so as to segregate, eliminate and/or dispose of intangibles in the plant and equipment accounts and investment accounts; set up adequate reserves and make other accounting adjustments.

(8) What orders, if any, should be entered pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Act, to require Southern Colorado Power Company to take such steps as the Commission shall find necessary to comply with the provisions of said sections.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6287; Filed, July 3, 1942; 10:04 a. m.]

JUL 17 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 132

Washington, Tuesday, July 7, 1942

The President

PROCLAMATION 2561

DENYING CERTAIN ENEMIES ACCESS TO THE COURTS OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the safety of the United States demands that all enemies who have entered upon the territory of the United States as part of an invasion or predatory incursion, or who have entered in order to commit sabotage, espionage or other hostile or warlike acts, should be promptly tried in accordance with the law of war;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America and Commander in Chief of the Army and Navy of the United States, by virtue of the authority vested in me by the Constitution and the statutes of the United States, do hereby proclaim that all persons who are subjects, citizens or residents of any nation at war with the United States or who give obedience to or act under the direction of any such nation, and who during time of war enter or attempt to enter the United States or any territory or possession thereof, through coastal or boundary defenses, and are charged with committing or attempting or preparing to commit sabotage, espionage, hostile or warlike acts, or violations of the law of war, shall be subject to the law of war and to the jurisdiction of military tribunals; and that such persons shall not be privileged to seek any remedy or maintain any proceeding directly or indirectly, or to have any such remedy or proceeding sought on their behalf, in the courts of the United States, or of its States, territories, and possessions, except under such regulations as the Attorney General, with the approval of the Secretary of War, may from time to time prescribe.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 2d day of July, in the year of our Lord nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-sixth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-6322; Filed, July 3, 1942; 5:16 p. m.]

EXECUTIVE ORDER 9189

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 7 of the Military Appropriation Act, 1943, (Public Law 649, 77th Congress, 2nd Session) relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, from and including the effective date of said act, compliance with the provisions of the said section during the continuance of any of the wars in which the United States is now engaged.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 2, 1942.

[F. R. Doc. 42-6324; Filed, July 3, 1942; 2:05 p. m.]

EXECUTIVE ORDER 9190

AMENDING EXECUTIVE ORDER NO. 8197 OF JULY 11, 1939, PRESCRIBING REGULATIONS PERTAINING TO THE ADMINISTRATION OF THE ACT OF MAY 3, 1939

Executive Order No. 8197 of July 11, 1939 (4 F.R. 2953), is hereby amended to read as follows:

By virtue of the power vested in me as President of the United States, and by the act approved May 3, 1939, entitled "An Act to amend the Act entitled 'An Act authorizing the temporary detail of

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes', approved May 25, 1938" (53 Stat. 652), I hereby authorize and direct the Secretary of State to administer the said act of May 3, 1939, in accordance with the following regulations:

1. Only officers and employees of the Government of the United States possessing special scientific or other technical or professional qualifications shall be assigned under the said act, and no assignment shall be effected except at the formal request of the foreign government concerned and in agreement therewith.

2. No officer or employee shall be assigned under any government other than the governments of the other American republics, the Commonwealth of the Philippines, and Liberia; and all references in this order to foreign governments shall relate only to the said governments.

3. All requests of foreign governments for the loan of the services of officers and employees of the Government of the United States shall be communicated through the diplomatic channel to the Secretary of State.

4. If the Secretary of State considers that it would be in the public interest to comply with the requests, he shall so inform the appropriate department or agency and indicate the number of persons desired by the requesting government and the probable length of the assignment, and shall supply such other information as he may consider pertinent. The department or agency concerned shall submit to the Secretary of State the name or names of any of its officers or employees whose services are available, together with information respecting their education, previous experience, special qualifications (including language qualifications), basic salaries, family status, and such other information as the department or agency concerned may consider appropriate or as may be requested by the Secretary of State.

5. If, after consultation with the appropriate department or agency, the Secretary of State determines that the request of the foreign government may and should be complied with, he shall inform the requesting government of the names, positions, and qualifications of the personnel available and of the exact period for which their assignment could be authorized, and shall ascertain whether the detail of that personnel would be acceptable to the requesting government. The Secretary of State may, in his discretion, supply the requesting government with an estimate of the expenses involved in the assignment, and request it to indicate whether it desires to reimburse the Government of the United States in whole or in part for such expenses.

6. If personnel having the requisite qualifications are not available, or if the Secretary of State determines that the Government of the United States is unable for any reason to comply with the request of a foreign government, he shall so inform the requesting government.

7. The Secretary of State may, when he deems it in the public interest, accept such advances of funds as the foreign government concerned may express a desire to offer for use by the Government of the United States to pay the expenses of such detail in whole or in part, and the amount so received shall be transferred to the Secretary of the Treasury to be established as a trust fund, to be available for the purposes and under the provisions of the said act until the termination of the detail; and any unused balance of the trust fund shall be returned to the government making the advance.

8. All officers and employees detailed pursuant to the provisions of the said act shall receive from the department or agency in which they are employed reimbursement for travel expenses to and from the place of detail, and a monthly allowance determined by the Secretary of State to be adequate for quarters and subsistence; and if, in the opinion of the Secretary of State, the duties to be performed under the assignment render it necessary, officers and employees so detailed may also receive additional compensation from such department or agency in amounts to be determined by the Secretary of State but not to exceed 50 percent of the amounts of compensation they were receiving as officers or employees of the United States at the time of the assignment. Such monthly allowance and additional compensation shall be paid only for the period the officer or employee is actually in the foreign country serving under his assignment.

9. No officer or employee detailed pursuant to the provisions of the said act shall perform any services not contemplated by his assignment, and no such officer or employee shall receive any monthly allowance or additional compensation not authorized in accordance with these regulations.

10. The Secretary of State shall fix the period of each assignment and each extension of an assignment within the limitations provided in the said act.

11. The time required for travel to and from the place of assignment shall be included within the period of the assignment.

12. No reimbursement shall be accepted from any foreign government for any expenses not authorized in accordance with these regulations, and no funds advanced by a foreign government shall be used to pay any expenses not authorized in accordance with these regulations.

13. The Secretary of State is authorized to establish for administrative purposes such forms as he may consider necessary for the maintenance of uniform records.

14. The Secretary of State shall give each person assigned pursuant to the said act an appropriate letter of instruction, which shall include the name of the country to which the officer or employee is assigned; the period of the assignment; a description of the duties to be performed; the amount of the monthly allowance, and the amount of additional compensation if any, which has been authorized; and such additional instructions as the Secretary of State may deem appropriate. The Secretary of State shall also transmit to the department or agency concerned the information set forth in the letter of instruction.

15. The Secretary of State may prescribe such additional regulations not inconsistent herewith as he may deem necessary or desirable for carrying out the provisions of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 2, 1942.

[F. R. Doc. 42–6340; Filed, July 4, 1942; 10:34 a. m.]

EXECUTIVE ORDER 9185

ESTABLISHING THE SUSQUEHANNA NATIONAL WILDLIFE REFUGE, MARYLAND

Correction

The longitude given in the second line of the land description in the order appearing on page 4713 of the issue for Thursday, June 25, 1942, should have 01'' instead of 91''.

Commander in Chief of the Army and Navy

APPOINTMENT OF A MILITARY COMMISSION

By virtue of the authority vested in me as President and as Commander in Chief of the Army and Navy, under the Constitution and statutes of the United States, and more particularly the Thirty-Eighth Article of War (U.S.C., title 10, sec. 1509), I, Franklin Delano Roosevelt, do hereby appoint as a Military Commission the following persons:

Major General Frank R. McCoy, President
Major General Walter S. Grant
Major General Blanton Winship
Major General Lorenzo D. Gasser
Brigadier General Guy V. Henry
Brigadier General John T. Lewis
Brigadier General John T. Kennedy

The prosecution shall be conducted by the Attorney General and the Judge Advocate General. The defense counsel shall be Colonel Cassius M. Dowell and Colonel Kenneth Royall.

The Military Commission shall meet in Washington, D. C., on July 8th, 1942, or as soon thereafter as is practicable, to try for offenses against the law of war and the Articles of War, the following persons:

Ernest Peter Burger
George John Dasch
Herbert Hans Haupt
Henry Harm Heinck
Edward John Kerling
Hermann Otto Neubauer
Richard Quirin
Werner Thiel

The Commission shall have power to and shall, as occasion requires, make such rules for the conduct of the proceeding, consistent with the powers of military commissions under the Articles of War, as it shall deem necessary for a full and fair trial of the matters before it. Such evidence shall be admitted as would, in the opinion of the President of the Commission, have probative value to a reasonable man. The concurrence of at least two-thirds of the members of the Commission present shall be necessary for a conviction or sentence. The record of the trial, including any judgment or sentence, shall be transmitted directly to me for my action thereon.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 2, 1942.

[F. R. Doc. 42–6323; Filed, July 3, 1942; 5:16 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 26—THE FEDERAL LAND BANK OF ST. LOUIS

FEES FOR RELEASE OF PERSONAL LIABILITY

Part 26 of Title 6, Code of Federal Regulations, is amended by adding a new section, § 26.11, to read as follows:

§ 26.11 *Fees for release of personal liability in connection with Federal Land Bank and Commissioner loans.* When no reappraisal is necessary by a land bank appraiser, no fee is charged. When reappraisal is required, a $5.00 fee is charged. (Sec. 13 "Ninth", 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.) (Res. Ex. Com., June 15, 1942)

[SEAL] THE FEDERAL LAND BANK OF ST. LOUIS,
By W. L. RUST, *President.*

Attest:

E. B. HARRIS,
Assistant Secretary.

[F. R. Doc. 42–6362; Filed, July 6, 1942; 10:16 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

[Vesting Order No. 42]

BUFFALO ELECTRO-CHEMICAL COMPANY, INC.

VESTING 3,691 SHARES OF THE COMMON CAPITAL STOCK

§ 502.42 *Vesting Order No. 42.* Under the authority of section 5 (b) of the Trading with the enemy Act of October

6, 1917 (50 U.S.C.A. App. section 5 (b), as amended by section 301 of the First War Powers Act, 1941 (Pub. L. No. 354, 77th Cong. 1st Sess.)), and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

3,691 shares of the common capital stock of Buffalo Electro-Chemical Company, Inc. (a New York corporation), which shares are more fully described in Exhibit A attached hereto and made a part hereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1, within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on July 1, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

3,691 shares of the common capital stock of Buffalo Electro-Chemical Company, Inc., the names and addresses of the owners of which, and the number of shares owned by them, respectively, are as follows:

Names and addresses	*Number of shares*
Dr. Gustav Adolph, Muenchen-Solln, Germany	643
Frieda Kramer, Muenchen-Solln, Germany	386
Gerda Kramer, Muenchen-Solln, Germany	76
Dorothea Thoma Kramer, Muenchen-Solln, Germany	36
Albert Pietzsch, Hofbrunn Str. 11, Muenchen-Solln, Germany	510
Kurt Pietzsch, Muenchen-Solln, Germany	265
Irene Pietzsch, c/o Albert Pietzsch, Hofbrunn Str. 11, Muenchen-Solln, Germany	350
Renate Pietzsch, c/o Albert Pietzsch, Hofbrunn Str. 11, Muenchen-Solln, Germany	350
Rudolph Pietzsch, c/o Baurat Kurt Pietzsch, Lerchenplatz 6, Muenchen-Solln, Germany	75
Siegfried Pietzsch, c/o Baurat Kurt Pietzsch, Lerchenplatz 6, Muenchen-Solln, Germany	75
Werner Pietzsch, c/o Baurat Kurt Pietzsch, Lerchenplatz 6, Muenchen-Solln, Germany	75
Ingeborg Schickert (Estate), c/o Albert Pietzsch, Hofbrunn Str. 11, Muenchen-Solln, Germany	350
Ruth von Transehe, Hoellriegelskreuth bei Muenchen, Germany	500
Total	3,691

[F. R. Doc. 42-6385; Filed, July 6, 1942; 11:43 a. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 43]

AMBER MINES, INC.

VESTING ALL OF THE CAPITAL STOCK

§ 502.43 *Vesting Order No. 43.* Under the authority of section 5 (b) of the Trading with the enemy Act of October 6, 1917 (50 U.S.C.A. App. § 5 (b), as amended by section 301 of the First War Powers Act, 1941 (Pub. L. No. 354, 77th Cong. 1st Sess.)) and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the capital stock of Amber Mines, Inc. (a New York corporation) consisting of 1,000 shares of $50 par value common stock registered in the name of William J. Topken and held by him as nominee for Preussische Bergwerks und Huetten, A. G., Berlin, Germany.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on July 1, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6386; Filed, July 6, 1942; 11:43 a. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 44]

ORMA REALTY CORPORATION

VESTING ALL OF THE CAPITAL STOCK AND A PROMISSORY NOTE OF SAID CORPORATION

§ 502.44 *Vesting Order No. 44.* Under the authority of section 5 (b) of the Trading with the enemy Act of October 6, 1917 (50 U. S. C. A. App. § 5 (b), as amended by section 301 of the First War Powers Act, 1941 (Pub. L. No. 354, 77th Cong. 1st Sess.)) and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

1. All of the capital stock of Orma Realty Corporation (a New York corporation) consisting of 100 shares of common stock registered in the name of Banco di Sicilia, Direzione Generale, Palermo, Italy; and

2. Promissory note in the amount of $314,455, dated May 5, 1938, executed by the aforesaid Orma Realty Corporation, payable on demand to the aforesaid Banco di Sicilia, and bearing interest at the rate of 3%;

all of which is in the possession of The National City Bank of New York, 55 Wall Street, New York, New York, for the account of said Banco di Sicilia.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on July 1, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6387; Filed, July 6, 1942; 11:43 a. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 45]

COMPAGNIA ITALIANA TURISMO, INC.

VESTING ALL OF THE CAPITAL STOCK

§ 502.45 *Vesting Order No. 45.* Under the authority of section 5 (b) of the Trading with the enemy Act of October 6, 1917 (50 USCA App. section 5 (b), as amended by section 301 of the First War Powers Act, 1941 (Pub. L. No. 354, 77th Cong. 1st Sess.)), and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the capital stock of Compagnia Italiana Turismo, Inc. (a New York corporation) consisting of 1,500 shares of $25 par value common stock registered in the name of Compagnia Italiana Turismo, S. A., Rome, Italy.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on July 1, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6388; Filed, July 6, 1942; 11:43 a. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 46]

CISATLANTIC CORPORATION AND CISOCEANIC CORPORATION

RE: ALL OF THE CAPITAL STOCK AND CERTAIN FORGE SHOP EQUIPMENT

§ 502.46 *Vesting order No. 46.* Under the authority of section 5 (b) of the Trading with the enemy Act of October 6, 1917 (50 U.S.C.A. App. section 5 (b), as amended by section 301 of the First War Powers Act, 1941 (Pub. L. No. 354, 77th Cong. 1st Sess.)), and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

1. All of the capital stock of Cisatlantic Corporation (a New York corporation).

2. All of the capital stock of Cisoceanic Corporation (a New York corporation).

3. All forge shop equipment for a bomb manufacturing plant (which forge shop equipment has been represented to the undersigned to consist of one forging furnace, one 1500 ton hydraulic press, one reheating furnace, one 300/200 ton hydraulic draw-bench, one closing-in furnace, one set of handling equipment, one hydraulic shock absorber, one cushioned hydraulic accumulator, two hydraulic pumps with motors and controls, two fuel oil burning systems and two sets of dies) located at the Kent Street pier, care of Steamship Terminal Operating Corporation, Brooklyn, New York; all furnace brick stored with Bethlehem Steel Company, Bethlehem, Pennsylvania, which constitutes part of such forge shop equipment; and all right, title and interest of the aforesaid Cisatlantic Corporation, the aforesaid Cisoceanic Corporation, Edgar Ausnit, a Roumanian citizen, and/or Societatea Industria Romana Mechanica si Chimica (a Roumanian corporation), in and to such forge shop equipment.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on July 2, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6389; Filed, July 6, 1942; 11:44 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4746]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

DAVID CHALMERS TOBACCO COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, or smoking pipes, cigars, leather goods, and other articles of merchandise, (1) selling, etc., any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punchboards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punchboards or other lottery devices are to be used, or may be used, in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, David Chalmers Tobacco Company, Docket 4746, July 2, 1942]

In the Matter of David Chalmers Tobacco Company, a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C. on the 2d day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that the said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent David Chalmers Tobacco Company, a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of smoking pipes, cigars, leather goods and other articles of merchandise in commerce, as

"commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

2. Supplying to, or placing in the hands of, others push or pull cards, punchboards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punchboards or other lottery devices are to be used, or may be used, in selling or distributing said merchandise to the public;

3. Selling or otherwise distributing any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6377; Filed, July 6, 1942; 10:56 a. m.]

[Docket No. 4502]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JAMES J. REISS COMPANY, INC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or any other merchandise, (1) selling, etc., candy or any other merchandise so packed or assembled that sales of such candy or other merchandise to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards, or other lottery device, either with assortments of candy or other merchandise, or separately, which said push or pull cards, punch boards or other device, are to be used or may be used in selling or distributing said candy or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, James J. Reiss Company, Inc., Docket 4502, June 30, 1942]

In the Matter of James J. Reiss Company, Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, the stipulation of facts entered into between attorneys for the Commission and for the respondent and approved by the Commission, and briefs in support of and in opposition to the complaint: And the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, James J. Reiss Company, Inc., a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any other merchandise so packed or assembled that sales of such candy or other merchandise to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others, push or pull cards, punch boards, or other lottery device, either with assortments of candy or other merchandise, or separately, which said push or pull cards, punch boards or other device, are to be used or may be used in selling or distributing said candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days from the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R., Doc. 42-6378; Filed, July 6, 1942; 10:56 a. m.]

[Docket No. 4723]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CHAMPION SPECIALTY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of drug sundries, notions, novelties, premium merchandise, or any other merchandise, (1) selling, etc., any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Champion Specialty Company, Docket 4723, June 30, 1942]

In the Matter of Mrs. Ann B. Goldstein, Individually and Trading as Champion Specialty Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that she waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Mrs. Ann B. Goldstein, individually and trading as Champion Specialty Company, or trading under any other name, her representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of drug sundries, notions, novelties, premium merchandise or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to, or placing in the hands of, others push or pull cards, punch boards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used in selling or distributing said merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon her of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which she has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6379; Filed, July 6, 1942; 10:56 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50668]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

NIAGARA FALLS MUNICIPAL AIRPORT

REDESIGNATION AS AIRPORT OF ENTRY [1]

JULY 2, 1942.

The Niagara Falls Municipal Airport, Niagara Falls, New York, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from July 2, 1942. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6325; Filed, July 3, 1942; 4:27 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 620—MINIMUM WAGE RATE IN THE LUGGAGE, LEATHER GOODS AND WOMEN'S HANDBAG INDUSTRY

Wage order in the matter of the recommendation of Industry Committee No. 41 for a minimum wage rate in the Luggage, Leather Goods and Women's Handbag Industry.

Whereas on January 10, 1942, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 138, appointed Industry Committee No. 41 for the Luggage, Leather Goods and Women's Handbag Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Luggage, Leather Goods and Women's Handbag Industry in accordance with section 8 of the Act; and

Whereas the Committee included 6 disinterested persons representing the public, a like number of persons representing employers in the Luggage, Leather Goods and Women's Handbag Industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Luggage, Leather Goods and Women's Handbag Industry is carried on; and

Whereas on February 4, 1942, the Committee, after investigating economic and competitive conditions in the Luggage, Leather Goods and Women's Handbag Industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the Luggage, Leather Goods and Women's Handbag Industry; and

Whereas after notice published in the FEDERAL REGISTER on March 13, 1942, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on March 30, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator, and

Whereas, by notice given at the hearing, opportunity to request oral argument or submit written briefs was afforded all parties; and

Whereas no request for oral argument having been received, oral argument on the Committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for the Luggage, Leather Goods and Women's Handbag Industry, as defined by Administrative Order No. 138, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 41 for a Minimum Wage Rate in the Luggage, Leather Goods and Women's Handbag Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, New York, New York;

Now, therefore, it is ordered, That:

§ 620.1 *Approval of recommendation of Industry Committee.* The Committee's recommendation is hereby approved.

§ 620.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the Luggage, Leather Goods and Women's Handbag Industry.

§ 620.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Luggage, Leather Goods and Women's Handbag Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 620.4 *Definition of the Luggage, Leather Goods and Women's Handbag Industry.* For the purpose of this order the term "Luggage, Leather Goods and Women's Handbag Industry" means:

(a) The manufacture from any material of luggage including, but not by way of limitation, trunks, suitcases, traveling bags, brief cases, sample cases; the manufacture of instrument cases covered with leather, imitation leather, or fabric including, but not by way of limitation, portable radio cases; the manufacture of small leather goods and like articles from any material except metal; the manufacture of women's, misses', and children's handbags, pocketbooks, purses, and mesh bags from any material except metal; but not the manufacture of bodies, panels, and frames from metal, wood, fiber, or paper board for any of the above articles.

(b) The manufacture from leather, imitation leather, or fabric of cut stock and parts for any of the articles covered in paragraph (a) of this section.

§ 620.5 *Scope of the definition.* The definition of the Luggage, Leather Goods and Women's Handbag Industry covers all occupations in the industry which are necessary to the production of the articles within the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however*, That this definition does not include employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale, and *Provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 620.6 *Effective date.* This wage order shall become effective July 27, 1942.

Signed at New York, New York this 1st day of July 1942. Sections 620.1 to 620.6, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, sec. 208.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-6372; Filed, July 6, 1942; 10:48 a. m.]

[1] This document affects the tabulation in 19 CFR 4.13.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1491]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; commencing forthwith, the shipping points appearing in the aforesaid Supplement R for the coals of Mine Index No. 758 and Mine Index No. 2158 are effective in place of the shipping points heretofore established for these mines; and commencing forthwith, coals of Mine Index No. 2109 may be shipped by rail on the Baltimore and Ohio Railroad from Indiana, Pennsylvania, or Shelocta, Pennsylvania for a period of ninety days, or until permanent arrangements are made for a siding at Shelocta, Pennsylvania whichever shall be the sooner, at which time the coals of Mine Index No. 2109 may be shipped only from Shelocta, Pennsylvania.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement T

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3		
3181	Anderson, Gust	Anderson	8	B	Gillintown, Pa	NYC	44	(†)	(†)	E	E	E
1266	Davis, Foy, Miller and Bittner (John M. Davis)	Davis	36	C'	Friedens, Pa	B&O	100	(†)	(†)	E	E	E
2538	Davison & Son, T. H. (T. H. Davison)	Lyda	28	E	Josephine, Pa	PRR-B&O	56	(†)	(†)	E	E	E
3531	DeRomo, Michael	DeRomo (Strip)	8	B	Phillipsburg, Pa	PRR	45	(†)	(†)	E	E	E
3596	DeRomo, Michael	DeRomo (Deep)	8	B	Phillipsburg, Pa	PRR	45	(†)	(†)	E	E	E
3530	Fraser, John T	Nevling #2 (Strip)	14	B	Osceola Mills, Pa	PRR	45	(†)	(†)	E	E	E
3211	Hoffman Brothers (James E. Hoffman)	Hoffman No. 1	9	D	Karthaus, Pa	NYC	44	(†)	(†)	D	D	D
3509	Hoffman Brothers (James E. Hoffman)	Hoffman No. 2 (Strip)	9	E	Karthaus, Pa	NYC	44	(†)	(†)	D	D	D
3549	Humphrey, Lee B. (The Humphrey Brick & Tile Company)	Bedbug #2 (Strip)	5	Mercer	Brookville, Pa	P&S	119	(†)	(†)	H	H	H
2835	Laurel Run Coal Mining Co. (Blair Borger)	Borger	9	A	Gillintown, Pa	NYC	44	(†)	(†)	D	D	D
1513	Maust, C. A	Maust	41	E	Boynton, Pa	B&O	100	(†)	(†)	F	F	F
3578	O'Harah, Robert	Kennedy	5	D	Reynoldsville, Pa	PRR	122	(†)	(†)	E	E	E
2109	Stiver Bros. (Edgar Miller)	Klingensmith	22	Pittsburgh	Shelocta, Pa							
					Indiana, Pa.[1]	B&O	112	(†)	(†)	E	E	E
2158	Toth, John, Jr	Toth	37	B	Stoyestown, Pa.[3]	B&O	100	(†)	(†)	E	E	E
758	Walker, Ray S. (Bradford Coal Company)	Aurora #2 Pit	9	B	Frenchville, Pa.[4]	NYC	44	(†)	(†)	E	E	E

†Indicates no classification effective for these size groups.

[1] Denotes additional shipping point. The shipping point at Indiana, Pa., on the Baltimore & Ohio Railroad shall terminate ninety (90) days from the date of this order or when permanent arrangements are made for a siding at Shelocta, Pa., whichever shall be the sooner, at which time the coals of mine index No. 2109 may be shipped only from Shelocta, Pa.

[3] Denotes new shipping point. Shipping point at Hooverville, Pa., on the Baltimore and Ohio Railroad shall no longer be applicable.

[4] Denotes new shipping point. Shipping point at Karthaus, Pa., on the New York Central Railroad shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
Blank, Walter E., Jr	3597	Victory	41	Somerset	Little Pitts	----	----	210	----	----
DeRomo, Michael	3531	DeRomo (Strip)	8	Clearfield	B	----	----	225	----	----
DeRomo, Michael	3596	DeRomo (Deep)	8	Clearfield	B	----	----	225	----	----
E. & P. Coal Company (J. D. Evans).	3507	E. & P. Coal Co	3	Tioga	Bear Creek	----	----	302	----	----
Fraser, John T	3530	Nevling #2 (Strip)	14	Clearfield	B	----	----	225	----	----
Hoffman Brothers (James E. Hoffman).	3509	Hoffman #2 (Strip)	9	Clearfield	E	----	----	230	----	----
Humphrey, Lee B. (The Humphrey Brick & Tile Company).	3549	Bedbug #2 (Strip)	5	Jefferson	Mercer	----	----	210	----	----
Kelley, Logan M	3577	Kelmar #3	9	Centre	D	----	----	230	----	----
O'Harah, Robert	3578	Kennedy	5	Jefferson	D	----	----	225	----	----
Rummel, Elmer F	3543	Rummel	29	Somerset	C'	----	----	225	----	----
Wilkinson, C. B	620	Sterling #4	14	Clearfield	E	----	----	220	----	----
Zacherl Coal Co	3579	Steiner #8	1	Clarion	A	245	220	220	210	200
Zacherl Coal Co	3580	Harriger #11	1	Clarion	A'	240	215	215	205	195

[F. R. Doc. 42-6299; Filed, July 8, 1942; 10:58 a. m.]

[Docket No. A-1472]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R-II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No price classifications or effective minimum prices are granted herein to the Davis Mine (Mine Index No. 270) of D. M. & H. Coal Company (W. B. Davis), the Fekula Mine (Mine Index No. 1777) of Harry Fekula, of the Suck Mine (Mine Index No. 2107) of Stanley Sutter for rail shipments from Pricedale, Pennsylvania, on the Monessen Southwestern Railway, or from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad, for the reasons set forth in an Order severing that portion of Docket No. A-1472 which relates to them and designating it as A-1472 Part II, granting, in part, temporary relief, and scheduling a hearing therein.

Dated: June 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1161	Arthur and Company, J. S.	Moninger	Pittsburgh	7	Meadowlands, Pa.	PRR	74	C	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2418	Barclay, William & Samuel F. Miller (William Barclay).	Geo. Bentley	Pittsburgh	9	Courtney, Pa.	PRR	74	D	D	C	C	C	C	C	C	C	(†)	A	A	A	C	E	E
2416	Carnegie-Illinois Steel Corporation	Brown (Strip)	Pittsburgh	7	Taylor's Dump	Union	76	(†)	(†)	(†)	(†)	(†)	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2425	Carothers, W. E. (W. E. Carothers Coal Co.).	Shaffer #2	Pittsburgh	9	Wylie, Pa.	Union	76	D	D	C	C	C	C	C	C	C	(†)	A	A	A	C	E	E
2417	Collins & Schweinberg (Edgar Collins)	Sal Ray #2 (Strip)	Pittsburgh	7	Dravosburg, Pa.	Monon	River	C	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2414	Hillman Coal & Coke Company	Black Diamond	Pittsburgh	9	Monongahela, Pa.	PRR	74	D	D	C	C	C	C	C	C	C	(†)	A	A	A	C	D	D
					Monongahela, Pa.	Monon	River	D	D	C	C	C	C	C	C	C	(†)	A	A	A	C	D	D
1332	Hood Bros. Coal & Coke Co. (William J. Hood).	Hood	U. Freeport	9	Hunkers, Pa.	PRR	74	(†)	(†)	(†)	(†)	(†)	(†)	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2413	Parshall & Crow Coke Co. (Frank R. Crow, Jr.).	Mickey (Strip)	Pittsburgh	3	Leckrone, Pa.	B&O	80	(†)	(†)	(†)	(†)	(†)	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2231	Regea Bros. Coal Co. (Joseph S. Regea)	Regea Bros	L. Kittanning	1	Kaylor, Pa.	WA	21	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2422	Reynolds, Earl F. (Reynolds Coal Co.)	Reynolds (Strip)	Pittsburgh	9	Export, Pa.	PRR	74	(†)	(†)	C	C	C	C	D	D	D	(†)	B	B	B	D	E	E
2423	Solazo Bros. (John Solazo)	Solazo Bros. (Strip).	Kittanning	1	Halston, Pa.	B&LE	20	E	E	D	D	C	C	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1561	Toman, George P. (Toman Coal Co.)	Toman	Pittsburgh	5	Latrobe, Pa.	PRR	67	G	G	G	G	H	H	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2427	Wynn Coal & Coke Co. (Martin W. Ruane).	Robinson #3 (Strip).	Pittsburgh	3	Wynn, Pa.	PRR	31	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2199	Young & Taylor (I. V. Young)	Grant #2	Pittsburgh	7	Imperial, Pa.	Montour	72	F	F	H	H	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for these size groups.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 1332, 2414, 2418, 2422, 2425. Group No. 2: 1161, 1561, 2199, 2416. Group No. 6: 2427. Group No. 7: 2413. Group No. 12: 2231. Group No. 15: 2423.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement–T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4" (1)	Lump 4" (2)	Lump 3" (3)	Lump 2" (4)	Egg 2" x 4" (5)	Stove 1" x 4" (6)	Pea ¾" x 1¼" (7)	Run of mine (8)	2" N/S (9)	1¼" slack (10)	¾" slack (11)
ALLEGHENY COUNTY:														
Collins & Schweinberg (Edgar Collins).	2417	Sal Ray #2 (Strip)	Pittsburgh	285	275	265	240	220	220	210	220	190	180	170
Ross Coal Company (Peter Ross).	2411	Ross	Pittsburgh	285	275	265	250	240	230	225	225	190	180	170
BEAVER COUNTY														
Marcus, Sol (Marcus Coal Co.)	2424	Marcus (Strip)	U. Mercer	290	280	270	245	240	235	215	215	175	165	155
BUTLER COUNTY														
Solazo Bros. (John Solazo)	2423	Solazo Bros. (Strip)	Kittanning	325	305	285	265	260	245	245	230	190	180	170
FAYETTE COUNTY														
Astronskas, Jos. & Son (Joe Astronskas).	2407	Nilan Hill	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Barnes, Wm. A	2408	Barnes	Pittsburgh	280	270	260	245	225	210	210	210	200	195	175
Dearth Coke Company (Lawrence Parshall).	2412	Krulock (Strip)	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Haas, Elmer L.	2420	Haas	Freeport	275	265	255	240	220	210	210	210	195	190	175
Parshall & Crow Coke Co. (Frank R. Crow, Jr.)	2413	Mickey (Strip)	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Pease, William H.	2419	Wm. H. Pease	Freeport	275	265	255	240	220	210	210	210	195	190	175
Wynn Coal & Coke Co. (Martin W. Ruane).	2427	Robinson #3 (Strip)	Pittsburgh	290	280	270	250	230	220	215	230	205	200	175
WASHINGTON COUNTY														
Barclay, William & Samuel F. Miller (William Barclay).	2418	Geo. Bentley	Pittsburgh	310	300	290	260	250	235	225	245	210	200	175
Hillman Coal & Coke Company.	2414	Black Diamond	Pittsburgh	310	300	290	260	250	235	225	245	205	195	170
WESTMORELAND COUNTY														
Penn, Wm., Coal Company (Harvey C. Daugherty).	2410	Wm. Penn (Strip)	Pittsburgh	280	270	260	245	240	230	210	215	195	185	175
Reynolds, Earl F. (Reynolds Coal Co.).	2422	Reynolds (Strip)	Pittsburgh	280	270	260	245	240	230	210	215	195	185	175

[F. R. Doc. 42-6300; Filed, July 3, 1942; 10:59 a. m.]

[Docket No. A-1487]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of Price Classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.2 (*Mine index numbers*) is amended by adding thereto Supplement R–I, and § 330.10 (*Special prices*—(a) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R–II which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330; Minimum Price Schedule No. 1 for this District and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.2 *Mine index numbers*—Supplement R–I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
5	Wilkins Coal Co. (Arleigh Wilkins)	Black Crystal	[1] 1303	135	Marion, Ill.	MP.
20	New National Coal & Mining Co.	New National	[2] 1074	21	Belleville, Ill.	IC.

[1] Mine Index No. 1303 shall be included in Price Group 5 and shall take the same f. o. b. mine prices as other mines in Price Group 5, Schedule No. 1, District No. 10, for All Shipments Except Truck, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however*, That these f. o. b. mine prices apply on board transportation facilities at Marion, Illinois.

[2] Mine Index No. 1074 shall be included in Price Group 20 and shall take the same f. o. b. mine prices as other mines in Price Group 20, Schedule No. 1, District No. 10, for All Shipments Except Truck, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however*, That these f. o. b. mine prices apply on board transportation facilities at Belleville, Illinois.

§ 330.10 *Special prices—(c) Railroad locomotive fuel prices*—Supplement R–II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
5	Wilkins Coal Co. (Arleigh Wilkins)	Black Crystal	[1] 1303	135	Marion, Ill	MP. IC.
20	New National Coal & Mining Co.	New National	[2] 1074	21	Belleville, Ill	

[1] The railroad locomotive fuel price shall be: mine run—$2.15; screenings—$1.70 f. o. b. cars Marion, Illinois.
[2] The railroad locomotive fuel price shall be: 6" x 1¼" egg—$1.75; mine run—$1.70; screenings—$1.40 f. o. b. cars Belleville, Illinois.

[F. R. Doc. 42–6302; Filed, July 3, 1942; 10:59 a. m.]

[Docket No. A–1459]

PART 337—MINIMUM PRICE SCHEDULE, DISTRICT NO. 17

RELIEF GRANTED

Order granting certain temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 17 for establishment and revision of price classifications and minimum prices for certain mines in District No. 17.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting temporary and permanent relief in the establishment of price classifications and minimum prices for the coals produced at certain mines in District No. 17 and in a proposed revision of the effective minimum prices for the coals produced at the North Canyon Mine (Mine Index No. 266) in that district, operated by code member Willis E. Davis; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 337.4 (*Code member price index*) is amended by adding thereto Supplement R, and § 337.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein concerning the proposed revision of the minimum prices for the coals of the North Canyon Mine (Mine Index No. 266) in District No. 17 operated by code member Willis E. Davis nor concerning the establishment of price classifications and minimum prices for the coals produced at the I H I No. 2 Mine (Mine Index No. 513) in that district operated by code member Bill Haas for the reasons set forth in a separate Order entered this day severing from this docket and designating as Docket No. A–1459 Part II that portion of this docket relating to such coals, granting the temporary relief requested concerning the coals of the I H I No. 2 Mine and scheduling Docket No. A–1459 Part II for hearing.

Dated: June 25, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

DISTRICT NO. 17

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 337, Minimum Price Schedule for District No. 17, and supplements thereto.

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 17:

§ 337.4 *Code member price index*—Supplement R. Insert the following listings in proper alphabetical order:

Producer	Mine	Mine Index No.	County	Shipping Point	Subdistrict price group No.	Railroad	F. O. G. No.	Prices	
								Rail	Truck
Archuleta, Ben and William Loftus (Ben Archuleta).	Rugby No. 1	507	Huerfano		6				§ 337.21
Benassi, Tony (Toltec Coal Co.).	Benassi	502	Huerfano		1				§ 337.21
Cimino and Iuppa Coal Co. (Nick Cimino).	Starkville No. 3	499	Las Animas		8				§ 337.21
Cordova, J. P.	Cordova	505	Las Animas		8				§ 337.21
Davis Coal Co.	Davis No. 2	509	Colfax (N. M.)		10				§ 337.21
Dufur Bros. (A. M. Dufur).	Dufur Bros	494	La Plata		20				§ 337.21
Dufur, Xavier	Ft. Lewis	503	La Plata		19 6	C&S	110	§ 337.5	§ 337.21 § 337.21
Michell, Pio	Rapson No. 2	511	Las Animas	Rapson	17				§ 337.21
Nall, W. W		497	Rio Blanco		21				§ 337.21
Overholser, Jacob and Sid Corn (Sid Corn).	Cimarron Coal	496	Montrose		10				§ 337.21
Paulich Bros. Coal Co.	Block No. 2	510	Colfax (N. M.)		10				§ 337.21
Peachey Coal Company.	Highway	512	Huerfano	La Veta	1	D&RGW	111	§ 337.5	§ 337.21 § 337.21
Sapp, A. W. and Oliver Swain (A. W. Sapp).	Triple S	495	Archuleta		19				§ 337.21
Yasbez, Frank	Frank's #2	504	Colfax (N. M.)		10				§ 337.21

NOTE: The coals of the above-listed Highway Mine (mine index No. 512) of the Peachey Coal Co. and the Rapson No. 2 Mine (mine index No. 511) of Pio Michell shall take the minimum f. o. b. mine prices in cents per ton for shipment by rail transportation into Market Areas shown under subdistrict No. 1, § 337.5 and subdistrict No. 6, § 337.5, respectively, of the schedule of effective minimum prices for district No. 17.

§ 337.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T. Insert the following code member names, mine names, and counties under Subdistricts Nos. 1, 6, 8, 10, 17, 18, 19, 20 and 21, in proper order and the following prices:

Code member and mine name	County	Size groups												
		1	2	3	4	5	6	7	8	9	10	11	13	17
SUBDISTRICT NO. 1														
Benassi, Tony (Toltec Coal Company), Benassi	Huerfano	505	495	475	475	450	420	410	---	365	310	285	195	340
Peachey Coal Company, Highway Mine	Huerfano	505	495	475	475	450	420	410	---	365	310	285	195	340
SUBDISTRICT NO. 6														
Archuleta, Ben & William Loftus (Ben Archuleta) Rugby No. 1	Huerfano	455	445	425	425	400	390	375	---	350	315	---	195	340
Michell, Pio, Rapson No. 2	Las Animas	455	445	425	425	400	390	375	---	350	315	---	195	340
SUBDISTRICT NO. 8														
Cimino & Iuppa Coal Co. (Nick Cimino), Starkville No. 3	Las Animas	415	405	375	375	375	375	365	---	330	315	---	225	340
Cordova, J. P. Cordova Mine	Las Animas	415	405	375	375	375	375	365	---	330	315	---	225	340
SUBDISTRICT NO. 10														
Davis Coal Company, Davis No. 2	Colfax	430	420	400	400	375	375	365	360	350	315	250	225	340
Paulich Bros. Coal Co., Block No. 2	Colfax	430	420	400	400	375	375	365	360	350	315	250	225	340
Yasbez, Frank, Frank's No. 2	Colfax	430	420	400	400	375	375	365	360	350	315	250	225	340
SUBDISTRICT NO. 17														
Nall, W. W	Rio Blanco	---	365	350	350	325	---	---	---	300	225	---	185	275
SUBDISTRICT NO. 19														
Dufur, Xavier, Ft. Lewis	La Plata	---	375	375	375	375	---	---	---	375	265	---	160	300
Sapp, A. W. & Oliver, Swain (A. W. Sapp) Triple S	Archuleta	---	375	375	375	375	---	---	---	375	265	---	160	300
SUBDISTRICT NO. 20														
Dufur Bros. (A. M. Dufur) Dufur Bros	La Plata	---	325	325	325	325	---	---	---	325	215	---	160	300
SUBDISTRICT NO. 21														
Overholser, Jacob & Sid Corn (Sid Corn) Cimarron Coal	Montrose	---	---	365	---	350	---	---	---	300	---	---	150	---

[F. R. Doc. 42–6301; Filed, July 3, 1942; 11:00 a. m.]

[Docket No. A–1496]

PART 339—MINIMUM PRICE SCHEDULE, DISTRICT NO. 19

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 19 for establishment of price classifications and minimum prices for certain mines in District No. 19.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced at certain mines of code members in District No. 19; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 339.4 (*Code member price index*) is amended by adding thereto Supplement R–I, § 339.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R–II, and § 339.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

DISTRICT NO. 19

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 339, Minimum Price Schedule for District No. 19, and supplements thereto.

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 19:

§ 339.4 *Code member price index*—Supplement R–I. Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Railroad	F. O. G. No.	Prices	
								Rail	Truck
Burnell, Pat (Burnell Coal).	Gebo No. 1	238	Hot Springs	Gebo	No. 5	CB&Q	100	§ 339.5	§ 339.21
Meade, Lawrence J.	Meade	235	Fremont		No. 6				§ 339.21
Nell, Archie B.	Nell	236	Lincoln		No. 1				§ 339.21
Reynolds, Howard I	Little Ridge	234	Park		No. 5				§ 339.21
Todorovich, Ell	Crosby	237	Hot Springs		No. 5				§ 339.21

§ 339.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R–II

Minimum f. o. b. mine prices in cents per net ton for shipments via rail transportation into market areas shown. *Subdistrict No. 5—Gebo Kirby.* Burnell, Pat, Gebo No. 1 Mine—Mine Index No. 238. (Burnell Coal)]

Market areas	Size groups														
	1	2	3	4	5	6	7	8	9	10	11	12	13	15	16	17
45 and 46	365	365	350	330	330	330	330	275	-----	200	190	-----	-----	160	125	90
47–50, 52–54, 56–59, 63–70 and 75–78	375	375	370	360	360	360	360	255	240	200	190	-----	-----	150	150	90
200	415	415	400	380	380	380	360	305	225	200	185	-----	-----	150	150	90
201	420	420	415	405	405	405	390	295	225	200	185	270	-----	150	150	90
202 and 203	445	445	440	430	430	430	405	295	225	200	185	-----	-----	150	150	90
204 and 207	365	365	360	350	350	350	350	245	250	225	210	-----	-----	150	150	90
205, 206, 208 and 210	445	445	440	430	430	430	405	295	250	225	210	270	185	150	150	90
209 and 211	445	445	450	440	440	440	415	305	250	225	210	270	185	150	150	90
213 and 214	430	430	425	415	415	415	400	305	225	225	210	270	-----	150	150	145
234 and 241	460	460	455	445	445	445	420	320	250	250	240	270	185	150	150	150
237–240, 247–251	410	410	405	395	395	395	380	295	225	225	225	270	-----	150	150	150
All others	480	480	475	465	465	465	440	330	250	225	210	270	185	150	150	90

§ 339.21 *General prices in cents per net ton for shipment into all market areas—* Supplement T. Insert the following code member names, mine names and counties under Subdistricts No. 1, 5 and 6, and the following prices:

Code member—mine name	County	Size groups														
		1	2	3	4	5	6	7	8	9	10	11	12	14	15	16	17
SUBDISTRICT NO. 1																	
Neil, Archie B. Neil, Mine	Lincoln	400	400	385	370	370	370	310	275	225	225	210	275	---	185	185	125
SUBDISTRICT NO. 5																	
Burnell, Pat (Burnell Coal) Gebo No. 1	Hot Springs	500	500	495	485	485	485	460	350	270	245	---	290	---	170	170	100
Reynolds, Howard L., Little Ridge	Park																
Todorovich, Eli, Crosby Mine	Hot Springs																
SUBDISTRICT NO. 6																	
Meade, Lawrence J., Meade Mine	Fremont	325	325	325	300	275	275	275	250	150	150	---	195	125	115	---	---

[F. R. Doc. 42-6303; Filed, July 3, 1942; 10:58 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

REGULATIONS RELATING TO CURRENCY

JUNE 25, 1942.

These regulations are issued under the authority vested in the Governor of Hawaii pursuant to Executive Order No. 8389, as amended;[1] Section 5 (b) of the Trading with the Enemy Act, as amended by Title III of the First War Powers Act, 1941, General Orders No. 118, Office of the Military Governor, June 25, 1942, and pursuant to all other authority vested in the undersigned Governor of Hawaii:

§ 133.1 *Regulations of June 25, 1942, relating to currency.* (a) Effective at once, all United States currency now in circulation in the Territory of Hawaii will be withdrawn from circulation and will be replaced with new United States currency prepared for the Territory of Hawaii by the United States Treasury Department. The new currency will be the same in all respects as ordinary United States currency except that the word "Hawaii" will be overprinted in bold-face type on each end of the face of the note and the word "Hawaii" will be overprinted in large open-face type on the reverse side of the note. Such currency will be referred to in these regulations as "United States currency, Hawaiian Series".

(b) All United States currency physically within the Territory of Hawaii, except United States currency, Hawaiian Series, shall be exchanged on or before July 15, 1942, for United States currency, Hawaiian Series. Prior to July 15, 1942, any person in the Territory of Hawaii may freely exchange United States currency now in circulation for United States currency, Hawaiian Series, at any bank in the Territory without charge.

[1] 6 F.R. 2897, 3715, 6348, 6785.

(c) Effective July 15, 1942, the acquisition, disposition, holding, possession, transfer of, or other dealing in, or with respect to, any United States currency except United States currency, Hawaiian Series, within the Territory of Hawaii is hereby prohibited.

(d) Effective July 15, 1942, no person shall hold, or in any manner permit the holding of, United States currency of any series in any safe deposit box within the Territory of Hawaii, and no person shall thereafter deposit, or in any manner permit the deposit of, any such currency in any safe deposit box within such territory.

(e) All United States currency hereafter brought into the Territory of Hawaii shall be immediately delivered to such person as may be designated at the appropriate port of entry in Hawaii for exchange for United States currency, Hawaiian Series. Such exchange will be made without charge.

(f) No United States currency, Hawaiian Series, shall be exported or otherwise physically taken from the Territory of Hawaii. Any person desiring to export or otherwise take United States currency from the Territory of Hawaii may exchange United States currency, Hawaiian Series, for other United States currency without cost by making appropriate application to such person as may be designated at the port of exportation or withdrawal from Hawaii and by complying with the procedure prescribed by such designated person in connection therewith.

(g) Banks within the Territory of Hawaii and such other persons as may from time to time be specified shall, when so directed, file reports in triplicate on Form TFR–H25 with the Special Treasury Custody Committee as to the amount of United States currency of any series held by them in any capacity. Whenever the currency held by any bank or other person within the Territory of Hawaii is deemed to be in excess of the currency needs of such bank or person, or in excess of that required under existing circumstances in the Territory of Hawaii, such bank or person, upon the receipt of appropriate notice, shall forthwith deliver to the Special Treasury Custody Committee in Hawaii, or to a bank when so directed, such amounts of currency as may be prescribed and shall receive in lieu of such currence an equivalent dollar credit with such banking institution in the Territory of Hawaii or within the continental United States as the delivering bank or person may specify. Currency delivered to the Special Treasury Custody Committee pursuant to this provision shall be received for the account of the United States.

(h) Exception to any of the provisions may be made by means of licenses, rulings, or otherwise, when it is considered that such exception is in accord with the purpose of these regulations and is necessary or desirable in order to avoid unusual hardship or is necessary or desirable in view of the needs of the military or naval forces of the United Nations. Application for any such license may be filed with the Office of the Governor of Hawaii on Form TFT–H28, and the general procedure to be followed in handling applications for licenses will be that employed in the administration of Executive Order No. 8389, as amended. Unless the contrary is expressly provided, no license shall be deemed to authorize any transaction prohibited by reason of the provisions of any law, proclamation, order, or regulation other than these regulations. The decision with respect to the granting, denial, or other disposition of any application for a license shall be final.

(i) Rulings, instructions, interpretations, or licenses may, from time to time, be made or issued to carry out the purposes of these regulations and reports required in addition to those specifically called for herein with respect to any property or transactions affected hereby.

(j) These regulations shall not be deemed to authorize any transaction prohibited by or pursuant to Executive Order No. 8389, as amended, except such transactions as are necessarily incidental to the performance of acts specifically required by these regulations, and these regulations shall not be deemed to affect, alter, or limit General Orders No. 51, Office of the Military Governor, January 9, 1942.

(k) As used in these regulations:

(1) The term "currency" shall not be deemed to include coins.

(2) The term "person" means an individual, partnership, association, corporation, or other organization.

(l) These regulations and any rulings, licenses, instructions, or forms issued hereunder may be amended, modified, or revoked at any time.

Attention is directed to the penalties prescribed in General Orders No. 118 and to those contained in section 5 (b) of the Trading with the enemy Act, as amended.

[SEAL] J. B. POINDEXTER,
Governor of Hawaii.

[F. R. Doc. 42-6390; Filed, July 6, 1942; 11:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 92]

CLASSIFICATION RECORD

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 100, entitled "Classification Record," effective immediately upon the filing hereof with the Division of the Federal Register. The original supply of forms will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 15, 1942.

[F. R. Doc. 42-6320; Filed, July 3, 1942; 2:50 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS CORK AND CORK MANUFACTURES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	*Gen. Lic. group*
Cork:	
Bark	1
Corkwood	1
Refuse	1
Shavings	1
Waste	1
Cork manufactures (include natural, composition, & compfessed cork)	1

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42-6321; Filed, July 3, 1942; 3:46 p. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-61]

PRUDENTIAL SILK COMPANY, INC.

Prudential Silk Company, Inc., 2 Broadway, Paterson, New Jersey, formerly engaged in the processing of silk, and after restrictions had been placed upon the use of silk, the Company applied for and obtained allocations of reserved rayon yarn pursuant to the provisions of Supplementary Order M-37-a. Such allocations are made monthly on the basis of silk consumption during the first six months of 1941. Despite the fact that the Company had received notice that it had overstated its silk consumption for the first six months of 1941, it ordered and received, during the months of December, 1941, and January, 1942, 2,538 pounds of reserved rayon yarn in excess of that to which the Company was entitled on the basis of its silk consumption as confirmed to the War Production Board. During February and March, 1942, despite the fact that the Company had been instructed by the War Production Board to refrain from ordering or obtaining reserved rayon yarn until the matter of its overage had been adjusted, the Company accepted the delivery of 2,189 pounds of reserved rayon yarn in excess of that to which it was entitled during these two months upon the basis of its stated silk consumption during the first six months of 1941. Subsequently, the Company submitted a revised statement of its silk consumption during the first six months of 1941 and upon the basis of this revised statement, the Company ordered and received approximately 3,325 pounds of reserved rayon yarn in excess of that to which it was entitled during the months of December, 1941, through March, 1942. Upon the basis of the Company's earlier statement of its silk consumption during the first six months of 1941, as confirmed to the War Production Board, the Company ordered and received approximately 4,727 pounds of reserved rayon yarn in excess of the quantity to which it was entitled.

These violations of Supplementary Order M-37-a, dealing with the supply and distribution of rayon yarn, have impeded and hampered the war effort of the United States by diverting reserved rayon yarn to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.61 *Suspension Order S-61.* (a) Prudential Silk Company, Inc., its successors and assigns, shall not order or receive during any month, either for its own account or for the account of others, more than one-third of the reserved rayon yarn as the same is defined in Supplementary Order M-37-c to which it would be entitled except for the restrictions contained herein, except as specifically authorized by the Director of Industry Operations.

(b) Nothing contained in this Order shall be deemed to relieve Prudential Silk Company, Inc., its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations, except insofar as the same may be inconsistent with the provisions hereof.

(c) This Order shall take effect on July 5, 1942, and shall expire on October 5, 1942, at which time the restrictions contained in this Order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6319; Filed, July 3, 1942; 12:46 p. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Revocation of General Limitation Order L-35]

Section 976.11 (*General Limitation Order L-35*), as amended,[1] is hereby revoked, the subject matter of said Order now being covered by § 1297.1 (*Limitation Order L-158*).[2] This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Order L-35.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6347; Filed, July 4, 1942; 12:08 p. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Amendment 1 to Supplementary Limitation Order L-1-G]

Section 976.17, *Supplementary Limitation Order L-1-G*,[3] is hereby amended in the following particulars:

Subparagraph (1), "Truck Trailer", of Paragraph (a) "*Definitions*", is hereby amended to read as follows:

(1) "Truck Trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor, but does not include attachment third-axles whether dead or power-driven.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6343; Filed, July 4, 1942; 12:08 p. m.]

[1] 7 F.R. 470, 1732.
[2] *Infra*, this issue.
[3] 7 F.R. 4699.

PART 977—MANILA FIBER AND MANILA CORDAGE

[General Preference Order M-36, as Amended July 4, 1942]

Section 977.1 *General Preference Order M-36* is hereby amended to read as follows:

§ 977.1 *General Preference Order M-36*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purposes of this order (1) "Manila fiber" means fiber which is commonly known in the trade by this term and also known as Abaca or Manila hemp (either stripped or decorticated), Sumatra Abaca, and Panama Abaca, except that Manila fiber does not mean the fiber or grades T, O, W, or Y, as established by the Insular Government of the Philippine Islands.

(2) "Manila cordage" means cables and ropes 1/8" in diameter and larger, and twines used for fishing nets, in which Manila fiber either alone or in combination with other materials is used.

(3) "Class A cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will at least equal the fiber quality requirements of Federal Specifications T-R-601a.

(4) "Class B cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will give a Becker value not in excess of thirty-nine, such Becker value to be determined according to the methods set forth in said Federal Specifications T-R-601a.

(5) "Cordage processor" means any person other than the Navy Department who spins, twists, weaves or otherwise uses Manila fiber in the production of Manila cordage.

(6) "Processing" means any use of Manila fiber for the manufacture of any other article or commodity into which the Manila fiber goes or of which it becomes a part.

(7) "Dealer" means any person who procures Manila cordage for storage or for sale, and includes selling agents, and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such Manila cordage, but shall not include an importer.

(8) "Basic monthly poundage" with respect to any cordage processor shall be the average number of pounds per month of Manila cordage sold by such processor during the period January 1, 1939, to December 31, 1939.

(c) *Restrictions on deliveries of Manila fiber.* No person shall hereafter make or accept delivery of any Manila fiber unless specifically authorized by the Director of Industry Operations: *Provided, however,* That deliveries of Manila fiber may be made:

(1) By and to the Navy Department.

(2) By and to Defense Supplies Corporation.

(3) By and to persons importing or otherwise handling Manila fiber in accordance with written instructions from the Navy Department or from Defense Supplies Corporation, provided that such Manila fiber is to be delivered, either processed or unprocessed, directly, or through one or more other persons, to the Navy Department or to Defense Supplies Corporation.

(4) By importers to cordage processors pursuant to contracts entered into on or before the date of this amended order, provided that shipments of such Manila fiber leave the country of origin on or before April 30, 1942.

(5) By importers to cordage processors of Manila fiber rejected by the Navy Department or Defense Supplies Corporation as unfit for their use.

(6) By cordage processors to cordage processors of Manila fiber which at the time of any such delivery had been previously imported into the United States.

(d) *Restrictions on processing of Manila fiber.* (1) No person shall begin the processing of any Manila fiber except for the purpose of manufacturing Class A or Class B cordage for sale or delivery to fulfill the orders hereafter specified in paragraph (e) (2), or such cordage as may be required to meet the specifications of orders of the War and Navy Departments and the Maritime Commission.

(2) No cordage processor shall put into process more Manila fiber during the period from March 2, 1942, to January 1, 1943, than an amount thereof equal to 4.7 times his basic monthly poundage, and, in each month thereafter, no cordage processor shall put into process more Manila fiber than 37 per cent of his basic monthly poundage; *Provided, however,* That any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly period of processing most nearly approximating the respective calendar periods mentioned in this paragraph.

(3) Any cordage processor shall, notwithstanding the limitations of subparagraphs (d) (2) and (e) (1), and in addition to any action permitted thereunder:

(i) Process into Manila cordage any Manila fiber furnished to the said cordage processor by the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents, and sell and deliver such cordage to, or for the account of, the agencies furnishing the fiber.

(ii) Process into Manila cordage such additional amounts of Manila fiber and sell and deliver such additional amounts of Manila cordage as may from time to time be determined by the Director of Industry Operations to be necessary in the public interest and to promote the National Defense in order to meet the emergency and otherwise unobtainable requirements of Manila cordage of any of the agencies mentioned in subparagraph (3) (i) above.

(e) *Restrictions on sales and deliveries of Manila cordage.* (1) No cordage processor shall sell or deliver more Manila cordage during the period from March 2, 1942, to January 1, 1943, than an amount thereof equal to five times his basic monthly poundage, and, in each month thereafter, no cordage processor shall sell or deliver more Manila cordage than 41½ per cent of his basic monthly poundage: *Provided, however,* That any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods of processing most nearly approximating the respective calendar periods mentioned in this paragraph.

(2) In addition to the limitations in paragraphs (e) (1) and (e) (3), no cordage processor or dealer shall sell or deliver any Manila cordage and no person shall purchase or accept delivery of any Manila cordage from a cordage processor or dealer except to fill the following:

(i) Defense orders for which the use of Manila cordage has been specifically approved by the Director of Industry Operations. All applications for such approvals for delivery in any month shall be filed by the proposed purchaser or person desiring to accept delivery with the War Production Board on Form PD-576, on or before the 20th day of the month preceding the month in which it is desired to place such orders with cordage processors or dealers: *Provided, however,* That deliveries may continue to be made without further authorization by the Director of Industry Operations upon orders on any cordage processor's or dealer's books as of July 4, 1942, for Manila cordage for delivery to, or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission and the War Shipping Administration and its operating or general agents, for physical incorporation in other products to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission and the War Shipping Administration and its operating or general agents.

(ii) Purchase orders for the following categories and uses:

(*a*) Purse lines for use in commercial fishing;

(*b*) Lines not less than 4½" in circumference used exclusively in towage and by ocean-going vessels engaged in the carriage of cargo and passengers as common carriers;

(*c*) Manila drilling cables for use in drilling oil wells, gas wells, and mines;

(*d*) Manila torpedo lines for use in handling explosives;

(*e*) Manila shot lines.

(iii) Purchase orders for Manila cordage:

(*a*) Carrying a preference rating of A-1-j or higher, evidenced by a preference rating certificate, or

(*b*) For use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage or in fishing for commercial fish markets or canneries, for use in hoisting for the loading or discharge of cargo of such vessels, and for uses of shipbuilding:

Provided, however, That the Manila fiber for the manufacture of cordage covered by such purchase orders shall have been put in process by a cordage processor on or before July 4, 1942.

(iv) Orders placed by Defense Supplies Corporation:

Provided, however, That no cordage processor or dealer shall deliver any Manila cordage upon any order placed with him pursuant to subparagraph (e) (2) (ii) or (e) (2) (iii) (*b*), unless and until such processor or dealer shall have first received from the person placing such order a certificate signed on behalf of such person by a duly authorized individual in substantially the following form:

> The undersigned hereby represents that the Manila cordage covered by this order will be used by the undersigned only for the uses specified in subparagraph (e) (2) of General Preference Order M-36 as amended July 4, 1942, with the terms of which the undersigned is familiar.

(3) No person, other than the Army or Navy of the United States, the United States Maritime Commission, the Defense Supplies Corporation, or an importer, shall hereafter order or accept delivery of any Manila cordage if the amount of the Manila cordage held or under control of such person exceeds one and one half months' supply for such person; and no person, other than those hereinabove excepted, shall have outstanding at any one time orders for future deliveries of Manila cordage in an amount greater than one month's supply for such person. "Supply" as used in this paragraph means the average monthly amount of Manila cordage withdrawn from the inventory of such person, which has been resold or put into actual use by such person, in the three calendar months immediately preceding the calendar month in which said order is placed or delivery is accepted, or in the three calendar months of the previous year which immediately follow the calendar month of that year corresponding with the month in which said order is placed or delivery is accepted, whichever shall be the higher: *Provided, however,* That there shall be excluded from such amount any Manila cordage purchased from such person by the Navy Department, War Department, Maritime Commission, Defense Supplies Corporation, and, if such person is a dealer, any Manila cordage imported by such person.

(f) *Control of stocks of Manila fiber.* Control is hereby taken of the distribution and use of Manila fiber. Any Manila fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if and as specifically directed in any order of the Director of Industry Operations which may be issued whenever the Director of Industry Operations shall determine that a shortage of any particular grade of Manila fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such Manila fiber in the public interest or to promote the National Defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person shall dispose of or use Manila fiber in any manner inconsistent with any such order.

(g) *Exclusions from this order.* The terms and provisions of this order shall not apply to (1) sales and/or deliveries by any Cordage processor or dealer of Manila cordage of any class from stocks on hand or in process as of February 20, 1942, of the following types:

(i) Manila lariat rope
(ii) Manila yacht lariat rope
(iii) Manila transmission rope
(iv) Manila left laid spinning lines, not including cordage of cable construction suitable for use as drilling cables even though such products may have been purchased or sold for spinning lines.
(v) Manila cordage which has been offered for sale to and has been rejected by any two of the following:

(*a*) The Army of the United States
(*b*) The United States Navy, or
(*c*) The United States Maritime Commission.

(2) Any sales and/or deliveries by any cordage processor or dealer of Manila cordage which on December 19, 1941 was in the form of cut lengths of less than 200 feet.

(3) Any stock of Manila cordage which contains no Manila fiber of the following grades—AB Davao or non-Davao, 1 Davao, JI Davao, G Davao, -S2 Davao, and which is so processed that the Manila fiber therein contained is combined or mixed with at least an equal amount of fiber other than Manila fiber, in the hands of a dealer or cordage processor, or in transit on February 20, 1942, or made from Manila fiber actually placed on machines by a cordage processor on or prior to December 19, 1941.

(4) Any Manila cordage imported into the United States on or after July 4, 1942, and which has been offered for sale to, and rejected in writing by, any two of the following:

(i) The Army of the United States,
(ii) The United States Navy, or
(iii) The United States Maritime Commission.

(5) Delivery by or to any person having temporary custody of Manila cordage or Manila fiber solely for the purposes of transportation or the public warehousing thereof.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Manila fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense work to defense work, may appeal to the Director of Industry Operations by letter or telegram, Ref: M-36, setting forth the pertinent facts and the reason he considers he is entitled to relief, or upon such form or forms as may hereafter be prescribed. The Director of Industry Operations may thereupon take such action as he deems appropriate. Applications for specific exceptions from the limitations of paragraph (e) (3) should be made in writing by the person desiring to use the cordage.

(i) *Reports.* Every importer, processor or other person affected by this order shall file such monthly and other reports with the War Production Board as shall from time to time be required by said office, and shall submit from time to time to an audit and inspection by representatives of the War Production Board concerning all records required to be kept by this order.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions effected pursuant to this order.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications to the War Production Board.* All reports to be filed, appeals and other communications concerning this order, should be addressed to the War Production Board, Washington, D. C., Reference M-36.

(m) *Effective date.* This amendment shall take effect on July 4, 1942 except that paragraph (e) (2) (i) shall not take effect until September 1, 1942 and until said date the provisions of paragraph (e) (3) (i) of Amendment No. 3 shall continue in effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6357; Filed, July 4, 1942; 12:11 p. m.]

PART 983—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS

[Revocation of Limitation Order L-4]

Section 983.1 (*Limitation Order L-4*)[1], as amended, is hereby revoked, the sub-

[1] 6 F.R. 4819, 5954, 6683; 7 F.R. 516, 971.

ject matter of said order now being covered by § 1297.1 (*Limitation Order L–158*). This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Order L–4.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6344; Filed, July 4, 1942; 12:08 p. m.]

PART 983—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS

[Revocation of Supplementary Limitation Order L–4–C]

Section 983.5 (*Supplementary Limitation Order L–4–C*),[1] as amended, is hereby revoked, the subject matter of said order now being covered by § 1297.1 (*Limitation Order L–158*). This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Order L–4–C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6345; Filed, July 4, 1942, 12:08 p. m.]

PART 984—LEAD

[Supplementary Order M–38–j]

§ 984.11 *Supplementary Order M–38–j.* Pursuant to the provisions of General Preference Order M–38,[2] it is hereby ordered that:

(a) Until further order by the Director of Industry Operations, each refiner shall set aside from his production of lead during each calendar month beginning with the month of July, 1942, a quantity equal to 15% of the total quantity of lead produced by such refiner during the month before the immediately preceding month. No sales, deliveries or withdrawals shall be made from the quantity of lead so set aside except in accordance with the specific directions of the Director of Industry Operations.

(b) All comunications concerning this Supplementary Order shall be addressed to the War Production Board, Tin and Lead Branch, Washington, D. C., Reference: M–38–j. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6358; Filed, July 4, 1942; 12:11 p. m.]

Subchapter B—Division of Industry Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–64]

SAMUEL PARIS

Samuel Paris of Bradley Beach, New Jersey, is engaged in the business of buying and selling rayon yarn for his own account. On January 31, 1942, Samuel Paris purchased and accepted delivery of approximately 4,100 pounds of reserved rayon yarn from Albert M. Green Hosiery Mills, Inc., Milroy, Pennsylvania. This yarn had been allocated by the War Production Board to Albert M. Green Hosiery Mills, Inc., for its own use as a former user of silk, pursuant to the provisions of Supplementary Order M–37–a, and no authorization for delivery of this yarn to Samuel Paris had been obtained from the Director of Industry Operations. Despite the fact that Samuel Paris knew that the yarn was reserved yarn and that acceptance of such yarn was prohibited by Supplementary Order M–37–a, he accepted the delivery thereof in willful violation of the order and during the month of February, 1942, in further willful violation of Supplementary Order M–37–a resold the yarn despite the fact that he had obtained no authorization therefor from the Director of Industry Operations.

These violations of Supplementary Order M–37–a by Samuel Paris have impeded and hampered the War Effort of the United States by diverting reserved rayon yarn as the same is defined in this order to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered:

§ 1010.64 *Suspension Order S–64.* (a) Deliveries of material to Samuel Paris, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(b) No allocation shall be made to Samuel Paris, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(c) Samuel Paris, his successors and assigns, shall not apply for, order, or receive, either for his own account or for the account of others, reserved rayon yarn as the same is defined in Supplementary Order M–37–c, except as specifically authorized by the Director of Industry Operations.

(d) Nothing contained in this order shall be deemed to relieve Samuel Paris, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations.

(e) This order shall take effect on July 6th, 1942, and shall expire on October 6th, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6360; Filed, July 4, 1942; 12:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–66]

SUN RAY TEXTILES, INC.

Sun Ray Textiles, Inc., of Paterson, New Jersey, is engaged in the business of converting yarns and also acts in the capacity of a jobber of yarns. After restrictions were placed on the use of silk, the Company applied for and received allocations of reserved rayon yarn, pursuant to provisions of Supplementary Orders M–37–a and M–37–c. During the months of February and March, 1942, the Company sold and delivered to Park Silk Company, New York, New York, approximately 6,136 pounds of reserved rayon which had been allocated to it for its own use by the War Production Board, despite the fact that no authorization therefor had been obtained from the Director of Industry Operations. During the months of February and March, 1942, the Company accepted delivery of 2,881 pounds of reserved rayon yarn in exchange for certain other rayon yarn, despite the fact that the Company had not received authorization for such exchange from the Director of Industry Operations. These transactions constituted violations of Supplementary Orders M–37–a and M–37–c.

These violations of Supplementary Orders M–37–a and M–37–c, dealing with the supply and distribution of rayon yarn, have impeded and hampered the war effort of the United States by diverting reserved rayon yarn to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.66 *Suspension order S–66.* (a) Deliveries of material to Sun Ray Textiles, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(b) No allocation shall be made to Sun Ray Textiles, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(c) Sun Ray Textiles, Inc., its successors and assigns, shall not order or accept the delivery of reserved rayon yarn, as the same is defined in Supplementary Order M–37–c, and no person shall sell or deliver to Sun Ray Textiles, Inc., its successors and assigns, any such reserved rayon yarn, except as specifically authorized by the Director of Industry Operations.

(d) Nothing contained in this order shall be deemed to relieve Sun Ray Textiles, Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on July 6, 1942, and shall expire on September 6, 1942, at which time the restrictions contained in this Order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6361; Filed, July 4, 1942; 12:12 p. m.]

PART 1028—DOMESTIC COOKING APPLIANCES

[Amendment 1 to Supplementary General Limitation Order L–23–c]

Paragraph (b) (10) of § 1028.4, Supplementary General Limitation Order L–23–c,[1] is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law, 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6346; Filed, July 4, 1942; 12:08 p. m.]

PART 1172—ASBESTOS TEXTILES

[Conservation Order M–123 as Amended July 4, 1942]

Section 1172.1 (*Conservation Order M–123*) is hereby amended to read as follows:

§ 1172.1 *Conservation Order M–123.* (a) Unless otherwise specifically authorized by the Director of Industry Operations, no manufacturer of asbestos textiles shall use asbestos textiles or deliver asbestos textiles for use except

(1) In the manufacture of industrial packings or woven friction material; or

(2) On orders bearing a preference rating of A–10 or higher.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of asbestos textiles conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork-Asbestos Branch, Washington, D. C. Ref.: M–123.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6359; Filed, July 4, 1942; 12:12 p. m.]

PART 1223—SIMPLIFICATION AND STANDARDIZATION OF PAPER

[Limitation Order L–120]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export, of wood pulp and other materials and facilities used in the manufacture and distribution of paper, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1223.1 *Limitation Order L–120—*(a) *Issuance of schedules for the standardization and simplification of paper.* The Director of Industry Operations may from time to time issue schedules prescribing simplified and standardized practices and specifications for the manufacture, put up and manufacturer's packaging of paper, with particular respect to grades, weights, sizes, colors, coatings, finish, furnish, markings, minimum manufacturing quantities, quantity of sheets per unit, size and shape of roll or pack, and any other detail or condition of manufacture, put up or manufacturer's packaging. From and after the effective date of any such schedule, and until such schedule may expire by its own terms or be revoked by the Director of Industry Operations, no person shall manufacture any paper with respect to which such Schedule prescribes such practices or specifications otherwise than according to such practices and specifications.

(b) *Appeals.* Any person affected by this order or any schedule issued pursuant thereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, Reference L–120, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(c) *Applicability of Priorities Regulation No. 1.* This order (and any schedule issued pursuant thereto) and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof (or of any such schedule) may be inconsistent therewith, in which case the provisions of this order (or such schedule) shall govern.

(d) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L–120.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719;

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[1] 7 F.R. 3362, 3473.
[2] 6 F.R. 5090; 7 F.R. 2185.

[1] 7 F.R. 3571.

sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6348; Filed, July 4, 1942; 12:09 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

BOOK PAPERS USED IN COMMERCIAL AND ADVERTISING FIELDS

§ 1223.2 *Schedule I to Limitation Order No. L-120*—(a) *Definitions.* For the purpose of this schedule, including the caption and Appendix:

(1) The term "book papers used in the commercial and advertising fields" means the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, when manufactured for use in commercial printing or advertising.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not;

(3) "Color" and "colors" include ivory and India;

(4) The terms "grade", "item", "basis weight", "making order", "furnish" and "ash content" shall be construed as commonly understood in the papermaking trade.

(b) *General Limitations*—(1) *Grade, size, weight and color.* On and after the effective date of this Schedule, except as permitted by paragraph (c) hereof, no person shall manufacture any of the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, for use in commercial printing and advertising, in:

(i) Any grade or grades other than the grade or grades selected by such person for regular manufacture according to subparagraph (2) of this paragraph (b),

(ii) Any size other than the sizes indicated in (ii) under the appropriate caption,

(iii) Any basis weight other than the basis weights indicated in (iii) under the appropriate caption,

(iv) Any color other than the color or colors indicated in (iv) under the appropriate caption, or, if selection be permitted by the terms of (iv) under the appropriate caption, selected according to subparagraph (3) of this paragraph (b).

However, a sheet manufactured in a size permitted by (ii) under the appropriate caption may be cut into even fractions of the parent size.

(2) *Selection of grades for regular manufacture.* Each person who manufactures any of the kinds of paper referred to above, for use in commercial printing or advertising, shall, with respect to each such kind of paper made by him, select such grade or grades thereof, not to exceed the number indicated in (i) under the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the Director of Industry Operations of such selection, by notice in writing addressed to the War Production Board, Reference L-120, Schedule I. The manufacturer may thereafter apply to the Director of Industry Operations for leave to amend the original selection by dropping a grade or grades and substituting another or others, but unless and until such leave is granted by the Director of Industry Operations in writing the original selection shall be and remain binding.

(3) *Selection of colors for regular manufacture.* If by the terms of (iv) of the appropriate caption a kind of paper referred to above may be manufactured, for use in commercial printing or advertising, in colors other than ivory or India, each person who manufactures such kind of paper shall, with respect to each such kind of paper made by him, select such particular colors, not to exceed the number indicated in (iv) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the Director of Industry Operations of such selection, by notice in writing addressed to the War Production Board, Reference L-120, Schedule I. The manufacturer may thereafter apply to the Director of Industry Operations for leave to amend the original selection by dropping a color or colors and substituting another or others, but unless and until such leave is granted by the Director of Industry Operations in writing the original selection shall be and remain binding.

(4) *Ash content.* On and after the effective date of this schedule each person who manufactures any of the kinds of paper referred to above, for use in commercial printing or advertising, shall include in the furnish thereof sufficient non-fibrous material to produce in the finished paper a percentage of ash content, by weight, equal to at least the percentage figure specified in (v) under the appropriate caption.

(c) *Exceptions*—(1) *Exceptions for special making orders.* Regardless of subparagraph (1), (2) and (3) of paragraph (b) above, and in addition to the grade or grades, sizes, basis weights and colors indicated under the appropriate caption, but subject to the provisions of subparagraph (4) as to ash content and subject to all other provisions of Limitation Order L-120, and this schedule, a person may manufacture, for use in commercial printing or advertising, of any of the kinds of paper referred to above, to fill a single order by a single buyer for use by one printer or consumer:

(i) In a total quantity of at least thirty-six thousand (36,000) pounds, all in one grade, one color and one basis weight, any grade, color, basis weight, size or sizes required, provided that the quantity of each item is at least ten thousand (10,000) pounds;

(ii) In a total quantity of at least twenty thousand (20,000) pounds, all in one grade, one color, and one basis weight, any color and basis weight required, provided that the grade be one permitted by (i) under the appropriate caption and that the quantity of each size be at least ten thousand (10,000) pounds; and

(iii) In a quantity of at least five thousand (5,000) pounds, in one grade, one basis weight and one color permitted by (i), (iii) and (iv) under the appropriate caption, "an item of any size required."

(2) *Exceptions for export.* Regardless of the foregoing provisions of this schedule and of the provisions of General Limitation Order L-120, a person may manufacture for export (but may not, without express permission by the Director of Industry Operations, sell in the domestic market) any of the kinds of paper referred to above, for use in commercial printing or advertising, in any size or basis weight required, regardless of quantity, provided that the grade of such paper is a grade selected by such person for regular manufacture according to subparagraph (2) of paragraph (b) above.

(d) *Records and reports*—(1) *Reports of certain special making orders.* On and after the effective date of this schedule each person who manufactures any of the kinds of paper referred to above, for use in commercial printing or advertising, shall keep a complete record of each special making order manufactured by him containing special grades or weights as permitted by subparagraph (i) and (ii) of paragraph (c) above, and on the first day of each month, beginning on the first day of August 1942, shall report in writing to the War Production Board, with respect to each such order manufacured by him during the previous month, the kind and quantity of paper ordered, the grade or grades and the basis weight or basis weights required, the name and business of the purchaser, and the reason why in the opinion of the manufacturer the purchaser required a special grade or weight;

(2) *Records of uncoated book paper manufactured especially for the lithographic process.* On and after the effective date of this schedule each person who manufactures any order of uncoated book paper especially for use in the lithographic process, in commercial printing or advertising, the ash content of which is less than 15%, shall require from the purchaser a statement in writing to the effect that such paper will be used exclusively in the lithographic process, and shall keep, together with such statement, in a form readily available for inspection, a complete record of each such order including the kind and quantity of paper ordered, the name of the purchaser and, where known, the name of the processor.

This Schedule shall take effect twenty days after the date of issuance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

APPENDIX TO SCHEDULE I TO LIMITATION ORDER L-120

STANDARDIZATION AND SIMPLIFICATION OF BOOK PAPERS USED IN THE COMMERCIAL AND ADVERTISING FIELDS

English (Machine) Finish Book Papers

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights.* (Per 500 sheets 25" x 38") 30, 40, 45, 50 and 60.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of English (machine) finish book papers of four or more colors, he may manufacture English (machine) finish book papers in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making English (machine) finish book papers in an established line of four or more colors, he may manufacture English (machine) finish book papers in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45. At least 15% in basis weights 45 and over. However, if the paper is made for the lithographic process, the ash content in basis weights 45 and over shall be at least 10%, unless the furnish contains at least 25% of old paper stock, then at least 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing Schedule.

Uncoated Book Papers, Supercalendered

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing Schedule, provided they correspond to the two selected for English (machine) finish book papers.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights.* (per 500 sheets 25" x 38") 45, 50 and 60.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of uncoated book papers, supercalendered, of four or more colors, he may manufacture uncoated book papers, supercalendered, in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making uncoated book papers, supercalendered, in an established line of four or more colors, he may manufacture uncoated book papers, supercalendered, in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45. At least 15% in basis weights 45 and over. However, if the paper is made for the lithographic process, the ash content in basis weights 45 and over shall be at least 10%, unless the furnish contains at least 25% of old paper stock, then at least 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Eggshell (Antique) Book Papers.

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights:* (per 500 sheets 25" x 38") 50, 60 and 70.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of eggshell (antique) book papers of four or more colors, he may manufacture Eggshell (antique) book papers in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making eggshell (antique) book papers in an established line of four or more colors, he may manufacture eggshell (antique) book papers in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45. At least 15% in basis weights 45 and over. However, if the paper is made for the lithographic process, the ash content in basis weights 45 and over shall be at least 10%, unless the furnish contains at least 25% of old paper stock, then at least 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Plain or uncoated offset book papers.

(i) *Grades,* permitted any one manufacturer: Not more than one, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule, but any fancy finish may be applied to any item, a supercalendered finish may be applied to a making order for two thousand (2,000) pounds or more of any item conforming to the other conditions of this caption, and a watermark or a laid mark may be incorporated in a making order of five thousand (5,000) pounds or more of any item conforming to the other conditions of this caption.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50
41 x 54
44 x 64

Rolls: 25, 28, 32, 35, 38, 41, 42, 44, 45, 50, 54, and 64 inches wide.

(iii) *Basis weights:* (per 500 sheets 25" x 38") 50, 60, 70, 80 and 100.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of plain or uncoated offset book papers of four or more colors, he may manufacture plain or uncoated offset book papers in white and not more than five colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making plain or uncoated offset book papers in an established line of four or more colors, he may manufacture plain or uncoated offset book papers in white only.

(v) *Ash content.* At least 10%. However, if the furnish contains at least 25% of old paper stock, then 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Process (Machine) Coated Book Papers.

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing Schedule.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights:* (per 500 sheets 25" x 38") 50, 60 and 70.

(iv) *Colors:* White only.

(v) *Ash content:* No minimum.

(vi) *Exceptions for Special Making Orders:* Only as permitted by paragraph (c) of the foregoing Schedule.

Coated One Side Book Papers

(i) *Grades* permitted any one manufacturer: Not more than one body stock but there may be two qualities of coating, one for general use and the other suitable for varnishing and gloss ink printing, selected according to subparagraph (2)

of paragraph (b) of the foregoing Schedule.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights:* (per 500 sheets 25" x 38") 50, 60 and 70.

(iv) *Colors:* White only.

(v) *Ash content:* No minimum.

(vi) *Exceptions for Special Making Orders:* Only as permitted by paragraph (c) of the foregoing Schedule.

Glossy Coated Two Sides Book Papers

(i) *Grades* permitted any one manufacturer: Not more than three, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights:* (per 500 sheets 25" x 38") 50, 70, 80 and 100.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of glossy coated two sides book papers of four or more colors, he may manufacture glossy coated two sides book papers in white, ivory, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing Schedule.

If a manufacturer was as of December 1, 1941 not regularly making glossy coated two sides book papers in an established line of four or more colors, he may manufacture glossy coated two sides book papers in only white and either India or ivory, but not both India and ivory.

(v) *Ash content.* No minimum

(vi) *Exceptions for special making orders.* Only as permited by paragraph (c) of the foregoing schedule.

Dull Coated Book Papers

(i) *Grades,* permitted any one manufacturer: Not more than one, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50

Rolls: 25, 28, 32, 35, 38, 42, 44, 45 and 50 inches wide.

(iii) *Basis weights* (per 500 sheets 25" x 38") 70, 80 and 100.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of dull coated book papers of four or more colors, he may manufacture dull coated book papers in white, ivory, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making dull coated book papers in an established line of four or more colors, he may manufacture dull coated book papers in only white and ivory.

(v) *Ash content.* No minimum.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Coated Two Sides Offset Papers

(i) *Grades* permitted any one manufacturer: Not more than one, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 25 x 38
28 x 42
28 x 44
32 x 44
35 x 45
38 x 50
41 x 54

Rolls: 25, 28, 32, 35, 38, 41, 42, 44, 45, 50 and 54 inches wide.

(iii) *Basis weights:* (per 500 sheets 25" x 38") 70, 80 and 100.

(iv) *Colors.* White only.

(v) *Ash content.* No minimum.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Plain Coated Cover Papers

(i) *Grades* permitted any one manufacturer: Not more than one, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 20 x 26
23 x 35
26 x 40
35 x 46

Rolls: 20, 23, 26, 35, 40 and 46 inches wide.

(iii) *Basis weights* (per 500 sheets 20" x 26") 60 and 80.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of plain coated cover papers of four or more colors, he may manufacture plain coated cover papers in white, India and not more than five other colors, or white, ivory, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making plain coated cover papers in an established line of four or more colors, he may manufacture plain coated cover papers in only white and either India or ivory, but not both India and ivory.

(v) *Ash content.* No minimum.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

[F. R. Doc. 42-6349; Filed, July 4, 1942; 12:09 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

BOOK PAPERS USED IN BOOK PUBLISHING FIELD

§ 1223.3 *Schedule II to Limitation Order No. L-120*—(a) *Definitions.* For the purpose of this schedule, including the caption and Appendix,

(1) The term "book papers used in the book publishing field" means the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, when manufactured for use in books.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not;

(3) "Color" and "colors" include ivory and India;

(4) The terms "grade", "item", "basis weight", "making order", "furnish" and "ash content" shall be construed as commonly understood in the papermaking trade.

(b) *General Limitations*—(1) *Grade, size, weight and color.* On and after the effective date of this schedule, except as permitted by paragraph (c) hereof, no person shall manufacture any of the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, for use in books, in:

(i) Any grade or grades other than the grade or grades selected by such person for regular manufacture according to subparagraph (2) of this paragraph (b).

(ii) Any size other than the sizes indicated in (ii) under the appropriate caption,

(iii) Any basis weight other than the basis weights indicated in (iii) under the appropriate caption,

(iv) Any color other than the color or colors indicated in (iv) under the appropriate caption, or, if selection be permitted by the terms of (iv) under the appropriate caption, selected according to subparagraph (3) of this paragraph (b).

However, a sheet manufactured in a size permitted by (ii) under the appropriate caption may be cut into even fractions of the parent size.

(2) *Selection of grades for regular manufacture.* Each person who manufactures any of the kinds of paper referred to above, for use in books, shall, with respect to each such kind of paper made by him for use in books, select such grade or grades thereof, not to exceed the number indicated in (i) under the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the Director of Industry Operations of such selection, by notice in writing addressed to the War Production Board, Reference L-120, Schedule II. The manufacturer may thereafter apply to the Director of Industry Operations for leave to amend the original selection by dropping a grade or grades and substituting another or others, but unless and until such leave is granted by the Director of Industry Operations in writing the original selection shall be and remain binding.

(3) *Selection of colors for regular manufacture.* If by the terms of (iv) of the appropriate caption a kind of paper referred to above may be manufactured, for use in books, in colors other than ivory or India, each person who manufactures such kind of paper for use in books, shall, with respect to each such kind of paper made by him, select such particular colors, not to exceed the number indicated in (iv) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the Director of Industry Operations of such selection, by notice in writing addressed to the War Production Board, Reference L-120, Schedule II. The manufacturer may thereafter apply to the Director of Industry Operations for leave to amend the original selection by dropping a color or colors and substituting another or others, but unless and until such leave is granted by the Director or Industry Operations in writing the original selection shall be and remain binding.

(4) *Ash content.* On and after the effective date of this schedule each person who manufactures any of the kinds of paper referred to above, for use in books, shall include in the furnish thereof sufficient non-fibrous material to produce in the finished paper a percentage of ash content, by weight, equal to at least the percentage figure specified in (v) under the appropriate caption.

(c) *Exceptions*—(1) *Exception for special making orders.* Regardless of subparagraphs (1), (2) and (3) of paragraph (b) above, and in addition to the grade or grades, sizes, basis weights and colors indicated under the appropriate caption, but subject to the provisions of subparagraph (4) as to ash content and subject to all other provisions of Limitation Order L-120, and this schedule, a person may manufacture, for use in books, of any of the kinds of paper referred to above, to fill a single order by a single buyer for use by one printer or consumer:

(i) In a total quantity of at least thirty-six thousand (36,000) pounds, all in one grade, one color and one basis weight, any grade, color, basis weight, size or sizes required, provided that the quantity of each item is at least ten thousand (10,000) pounds;

(ii) In a total quantity of at least twenty thousand (20,000) pounds, all in one grade, one color, and one basis weight, any color and basis weight required, provided that the grade be one permitted by (i) under the appropriate caption and that the quantity of each size be at least ten thousand (10,000) pounds; and

(iii) In a quantity of at least five thousand (5,000) pounds, in one grade, one basis weight and one color permitted by (i), (ii) and (iv) under the appropriate caption, "an item of any size required."

(2) *Exceptions for export.* Regardless of the foregoing provisions of this schedule and of the provisions of General Limitation Order L-120, a person may manufacture for export (but may not, without express permission by the Director of Industry Operations, sell in the domestic market) any of the kinds of paper referred to above, for use in books, in any size or basis weight required, regardless of quantity, provided that the grade of such paper is a grade selected by such person for regular manufacture according to subparagraph (2) of paragraph (b) above.

(d) *Record and reports*—(1) *Reports of certain special making orders.* On and after the effective date of this schedule each person who manufactures any of the kinds of paper referred to above, for use in books, shall keep a complete record of each special making order manufactured by him containing special grades or weights as permitted by subparagraph (i) and (ii) of paragraph (c) above, and on the first day of each month, beginning on the first day of August 1942, shall report in writing to the War Production Board, with respect to each such order manufactured by him during the previous month, the kind and quantity of paper ordered, the grade or grades and the basis weight or basis weights required, the name and business of the purchaser, and the reason why in the opinion of the manufacturer the purchaser required a special grade or weight.

(2) *Records of uncoated book paper manufactured especially for the lithographic process.* On and after the effective date of this Schedule each person who manufactures any order of uncoated book paper especially for use in the lithographic process, in books, the ash content of which is less than 15%, shall require from the purchaser a statement in writing to the effect that such paper will be used exclusively in the lithographic process, and shall keep, together with such statement, in a form readily available for inspection, a complete record of each such order, including the kind and quantity of paper ordered, the name of the purchaser and, where known, the name of the processor.

This schedule shall take effect twenty days after the date of issuance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

APPENDIX TO SCHEDULE II TO LIMITATION ORDER L-120

STANDARDIZATION AND SIMPLIFICATION OF BOOK PAPERS USED IN THE BOOK PUBLISHING INDUSTRY

English (Machine) Finish Book Papers

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 41 x 61
44 x 66
46 x 69
38 x 50

Rolls: 38, 41, 44, 46, 50, 61, 66 and 69 inches wide.

(iii) *Basis weights.* (Per 500 sheets 25" x 38") 30, 40, 45, 50, 60.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of English (machine) finish book papers of four or more colors, he may manufacture English (machine) finish book papers in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making English (machine) finish book papers in an established line of four or more colors, he may manufacture English (machine) finish book papers in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45. At least 15% in basis weights 45 and over. However, if the paper is made for the lithographic process, the ash content in basis weights 45 and over shall be at least 10%, unless the furnish contains at least 25% of old paper stock, then at least 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Uncoated Book Papers, Supercalendered

(i) *Grades* permitted any one manufacturer: Not more than two selected according to subparagraph (2) of paragraph (b) of the foregoing schedule, provided they correspond to the two selected for English (machine) finish book papers.

(ii) *Sizes,* in inches:

Sheets: 41 x 61
44 x 66
46 x 69
38 x 50

Rolls: 38, 41, 44, 46, 50, 61, 66 and 69 inches wide.

(iii) *Basis weights* (per 500 sheets 25" x 38") 45, 50 and 60.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of uncoated book papers, supercalendered, of four or more colors, he may manufacture uncoated book papers, supercalendered, in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making uncoated book papers, supercalendered, in an established line of four or more colors, he may manufacture uncoated book papers, supercalendered, in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45. At least 15% in basis weights 45 and over. However, if the paper is made for the lithographic process, the ash content in basis weights 45 and over shall be at least 10%,

unless the furnish contains at least 25% of old paper stock, then at least 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Eggshell Book Papers

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(ii) *Sizes,* in inches:

Sheets: 41 x 61
44 x 66
46 x 69
38 x 50

Rolls: 38, 41, 44, 46, 50, 61, 66 and 69 inches wide.

(iii) *Basis weights.* (per 500 sheets 25" x 38"): 40, 50, 60 and 70.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of eggshell book papers of four or more colors, he may manufacture eggshell book papers in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making eggshell book papers in an established line of four or more colors, he may manufacture eggshell book papers in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45 at least 15% in basis weights 45 and over. However, if the paper is made for the lithographic process, the ash content in basis weights 45 and over shall be at least 10%, unless the furnish contains at least 25% of old paper stock, then at least 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Antique Bulking Book Papers

(i) *Grades* permitted any one manufacturer: Not more than two, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(ii) *Sizes,* in inches:

Sheets: 41 x 61
44 x 66
46 x 69
38 x 50

Rolls: 38, 41, 44, 46, 50, 61, 66 and 69 inches wide.

(iii) *Basis weights* (per 500 sheets 25" x 38"): 40, 50, 60 and 70.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of antique bulking book papers of four or more colors, he may manufacture antique bulking book papers in white, India, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making antique bulking book papers in an established line of four or more colors, he may manufacture antique bulking book papers in only white and India.

(v) *Ash content.* No minimum in basis weights lighter than 45. At least 8% in basis weights 45 and over.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Plain or Uncoated Offset Book Papers

(i) *Grades* permitted any one manufacturer: Not more than one, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule, but any fancy finish may be applied to any item, a supercalendered finish may be applied to a making order for two thousand (2,000) pounds or more of any item conforming to the other conditions of this caption, and a watermark or a laid mark may be incorporated in a making order of five thousand (5,000) pounds or more of any item conforming to the other conditions of this caption.

(ii) *Sizes,* in inches:

Sheets: 38 x 50
41 x 54
44 x 64
50 x 68¼

Rolls: 38, 41, 44, 50, 54, 64, and 68¼ inches wide.

(iii) *Basis weights.* (per 500 sheets 25" x 38"): 50, 60, 70, 80 and 100.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of plain or uncoated offset book papers of four or more colors, he may manufacture plain or uncoated offset book papers in white and not more than five colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making plain or uncoated offset book papers in an established line of four or more colors, he may manufacture plain or uncoated offset book papers in only white and India.

(v) *Ash content.* At least 10%. However, if the furnish contains at least 25% of old paper stock, then 7%.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

Glossy Coated Two Sides Book Papers

(i) *Grades* permitted any one manufacturer: Not more than three, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches:

Sheets: 41 x 61
44 x 66
46 x 69
38 x 50

Rolls: 38, 41, 44, 46, 50, 61, 66 and 69 inches wide.

(iii) *Basis weights.* (per 500 sheets 25" x 38"): 60, 70, 80 and 100.

(iv) *Colors.* If a manufacturer was as of December 1, 1941 regularly making an established line of glossy coated two sides book papers of four or more colors, he may manufacture glossy coated two sides book papers in white, ivory, and not more than five other colors, selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

If a manufacturer was as of December 1, 1941 not regularly making Glossy Coated Two Sides Book Papers in an established line of four or more colors, he may manufacture Glossy Coated Two Sides Book Papers in only White and either India or Ivory, but not both India and Ivory.

(v) *Ash content.* No minimum.

(vi) *Exceptions for special making orders.* Only as permitted by paragraph (c) of the foregoing schedule.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6350; Filed, July 4, 1942; 12:09 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

FINE WRITING PAPERS

§ 1223.4 *Schedule III to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the caption and Appendix:

(1) The term "fine writing papers" means the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below,

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not,

(3) "Color" and "colors" include ivory and India,

(4) "Standard grade" means, with respect to each manufacturer, a grade selected by such manufacturer according to subparagraph (2) of paragraph (b) of this schedule.

(5) "Standard color" means, with respect to each manufacturer, a color selected by such manufacturer according to subparagraph (3) of paragraph (b) of this schedule.

(6) "Standard size" means, with respect to each of the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, a size indicated in (ii) under the appropriate caption.

(7) "Standard weight" means, with respect to each of the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, an actual or substance weight indicated in (iii) under the appropriate caption.

(8) "Special size" means a size other than permitted by (ii) under the appropriate caption.

(9) "Special color" means a color other than permitted by (iv) under the appropriate caption.

(10) "Making order" means a single order by a single buyer for paper which cannot be supplied from stock but must be manufactured especially according to the purchaser's specifications, for use by one printer or con mer.

(11) The terms "grade", "item", "substance weight", "finish", "furnish" and "ash content" shall be construed as commonly understood in the papermaking trade.

(b) *General Limitations*—(1) *Grade, size, weight, color, etc.* On and after the effective date of this schedule, except to the extent expressly permitted by the terms of the appropriate caption, no person shall manufacture any of the kinds of paper commonly described in the trade by the terms used as captions in the Appendix below, in:

(i) Any grade or grades other than the grade or grades indicated in (i) under the appropriate caption and, if selection be required by (i) under the appropriate caption, selected according to subparagraph (2) of this paragraph (b),

(ii) Any size other than the sizes indicated in (ii) under the appropriate caption,

(iii) Any substance weight or actual weight other than the substance weights or actual weights indicated in (iii) under the appropriate caption,

(iv) Any color other than the color or colors indicated in (iv) under the appropriate caption, or, if selection be permitted by the terms of (iv) under the appropriate caption, selected according to subparagraph (3) of this paragraph (b), or

(v) Otherwise contrary to the provisions of the appropriate caption.

(2) *Selection of grades for regular manufacture.* If, with respect to any of the kinds of paper referred to above, it is indicated by (i) under the appropriate caption that a grade or grades thereof shall be selected, each manufacturer of such kind of paper shall select from the grade or grades indicated, not to exceed the number indicated, such grade or grades as he may desire to adopt for regular manufacture. Each manufacturer shall forthwith notify the Director of Industry Operations of such selection, by notice in writing addressed to the War Production Board, Reference L-120, Schedule III. A manufacturer may thereafter apply to the Director of Industry Operations for leave to amend the original selection by dropping a grade or grades and substituting another or others, but unless and until such leave is granted by the Director of Industry Operations in writing the original selection shall be and remain binding.

(3) *Selection of colors for regular manufacture.* If by the terms of (iv) of the appropriate caption a person is permitted to manufacture a kind of paper referred to above in colors other than ivory or India, such person shall select such particular colors, not to exceed the number indicated in (iv) of the appropriate caption, as he may desire to adopt for regular manufacture. Each manufacturer shall forthwith notify the Director of Industry Operations of such selection, by notice in writing addressed to the War Production Board, Reference L-120, Schedule III. A manufacturer may thereafter apply to the Director of Industry Operations for leave to amend the original selection by dropping a color or colors and substituting another or others, but unless and until such leave is granted by the Director of Industry Operations in writing the original selection shall be and remain binding.

(4) *Ash content.* On and after the effective date of this Schedule each person who manufactures any of the kinds of paper referred to above shall include in the furnish thereof sufficient nonfibrous material to produce in the finished paper a percentage of ash content, by weight, equal to at least the percentage figure specified in (v) under the appropriate caption.

(c) *Exceptions for export.* Regardless of the foregoing provisions of this Schedule and of the provisions of General Limitation Order L-120, a person may manufacture for export (but may not, without express permission by the Director of Industry Operations, sell in the domestic market) any of the kinds of paper referred to above in any size or substance weight required, regardless of quantity, provided that the grade of such paper is a grade selected by such person for regular manufacture according to subparagraph (c) of paragraph (b) above, and provided further that the substance weight is no heavier than the heaviest permitted by (iii) under the appropriate caption.

This schedule shall take effect twenty days after the date of issuance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6351; Filed, July 4, 1942; 12:10 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

CHEMICAL WOOD PULP TABLET PAPER

§ 1223.5 *Schedule IV to Limitation Order L-120*—(a) *Definitions.* (1) The term "chemical wood pulp tablet paper," "grade" "item" and "ash content" shall be construed as commonly understood in the papermaking trade.

(2) "Making order" means a single order by a single buyer for paper which cannot be supplied from stock but must be manufactured especially according to the purchaser's specifications, for use by one converter or consumer.

(3) "Substance weight" means the weight in pounds per 500 sheets size 17" x 22".

(b) *Other limitations.* On and after the effective date of this schedule no person shall manufacture chemical wood pulp tablet paper otherwise than:

(1) To fill a special making order;

(2) In the grade selected by such person for manufacture according to paragraph (c) below;

(3) In White (unless the total quantity of the order is at least 20,000 pounds);

(4) In substance weights 16 and 20; and, unless the total quantity of the order is at least 20,000 pounds, no person shall impress such paper with a special name watermark.

If the total quantity of such order is 20,000 pounds or more, a person may manufacture the same in any color or colors required and with any special name watermark or watermarks required, provided that the quantity with respect to each color and watermark is at least 20,000 pounds.

(c) *Selection of grade.* Each person who manufactures any chemical wood pulp tablet paper shall select for manufacture one grade thereof, shall notify the Director of Industry Operations, by notice in writing addressed to the War Production Board, Reference L-120, Schedule IV, of such selection, and shall manufacture no other grade. A manufacturer may thereafter apply to the Director of Industry Operations for leave to change his selection from one grade to another, but unless and until such leave is granted by the Director of Industry Operations the original selection shall be and remain binding.

(d) *Ash content.* On and after the effective date of this order each person who manufactures any chemical wood pulp tablet paper shall include in the furnish thereof sufficient nonfibrous material to produce in the finished paper a percentage of ash content, by weight, of at least 5% in substance weight 16 and at least 7% in substance weight 20.

(e) *Exceptions for export.* Regardless of the foregoing provisions of this schedule and of the provisions of General Limitation Order L-120, a person may manufacture for export (but may not, without express permission by the Director of Industry Operations, sell in the domestic market) chemical wood pulp tablet paper in the grade selected by such person according to paragraph (b) above, in any substance weight required, not exceeding substance weight 20.

This schedule shall take effect twenty days after the date of issuance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6352; Filed, July 4, 1942; 12:10 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

WHITE WOVE ENVELOPE PAPER (EXCLUDING EXTRA STRONG SULPHATE)

§ 1223.6 *Schedule V to Limitation Order L-120*—(a) *Definitions.* (1) "White wove envelope paper" means wove envelope paper manufactured from bleached sulphite, soda or sulphate wood pulp, excluding, however, wove envelope

paper manufactured principally from extra strong bleached sulphate.

(2) The terms "grade," "item" and "ash content" shall be construed as commonly understood in the papermaking trade.

(3) "Making order" means a single order by a single buyer for paper which cannot be supplied from stock but must be manufactured especially according to the purchaser's specifications, for use by one converter or consumer.

(4) "Substance weight" means the weight in pounds per 500 sheets size 17" x 22".

(b) *Other limitations.* On and after the effective date of this schedule no person shall manufacture white wove envelope paper (excluding extra strong sulphate) otherwise than:

(1) To fill a special making order;

(2) In the grade selected by such person for manufacture according to paragraph (c) below;

(3) In White (unless the total quantity of the order is at least 20,000 pounds);

(4) In substance weights 20, 24 and 28 only;

And, unless the total quantity of the order is at least 20,000 pounds, no person shall impress such paper with a special name watermark.

If the total quantity of such order is 20,000 pounds or more, a person may manufacture the same in any color or colors required and with any special name watermark or watermarks required provided that the quantity with respect to each color and watermark is at least 20,000 pounds.

(c) *Selection of grade.* Each person who manufactures any white wove envelope paper (excluding extra strong sulphate) shall select for manufacture one grade thereof, shall notify the Director of Industry Operations, by notice in writing addressed to the War Production Board, Reference L–120, Schedule V, of such selection, and shall manufacture no other grade. A manufacturer may thereafter apply to the Director of Industry Operations for leave to change his selection from one grade to another, but unless and until such leave is granted by the Director of Industry Operations the original selection shall be and remain binding.

(d) *Ash content.* On and after the effective date of this order each person who manufactures any white wove envelope paper (excluding extra strong sulphate) shall include in the furnish thereof sufficient non-fibrous material to produce in the finished paper a percentage of ash content, by weight, of at least 7%.

(e) *Exceptions for export.* Regardless of the foregoing provisions of this Schedule and of the provisions of General Limitation Order L–120, a person may manufacture for export (but may not, without express permission by the Director of Industry Operations, sell in the domestic market) white wove envelope paper (excluding extra strong sulphate) in the grade selected by such person according to paragraph (b) above, in any substance weight required, not exceeding substance weight 28.

This Schedule shall take effect twenty days after the date of issuance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6353; Filed, July 4, 1942; 12:10 p. m.]

PART 1260—TIRE MACHINERY AND EQUIPMENT

[General Limitation Order L–143]

The fulfillment of requirements of the War Program has created a shortage in the supply of certain critical materials used in the manufacture of tire machinery and equipment for the War Program, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the War Program.

§ 1260.1 *General Limitation Order L–143*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Tire machinery and equipment" means new, used or reconditioned or rebuilt machinery or equipment, of the kinds listed in List A, designed for use in the manufacture of solid or pneumatic rubber tires or tire tubes. The term shall not include "retreading and recapping equipment" which is subject to the limitations of General Limitation Order L–61.

(3) "New tire machinery and equipment" means tire machinery and equipment which has not been delivered to any person acquiring it for use.

(4) "Used tire machinery and equipment" means tire machinery and equipment which at any time has been delivered to any person acquiring it for use, but does not include reconditioned or rebuilt machinery and equipment.

(5) "Reconditioned or rebuilt tire machinery and equipment" means tire machinery and equipment which has been changed in any way in size or form or otherwise conditioned for resale or reuse.

(6) "Manufacturer" means any person producing, rebuilding or reconditioning tire machinery and equipment, whether for his own use or for sale.

(7) "Dealer" means any person regularly engaged in the business of buying or otherwise acquiring new, used or reconditioned or rebuilt machinery for resale.

(8) "Delivery" means any physical delivery of tire machinery and equipment not only to other persons, including affiliates and subsidiaries, but also physical deliveries from one branch, plant, division, section or place of storage of a single enterprise to another branch, plant, division, section or place of storage of the same or any other enterprise under common ownership or control.

(b) *General restrictions on production, rebuilding and reconditioning, delivery and acquisition*—(1) *Production.* On and after 15 days from the date of issuance of this order, no person shall, in any manner, produce or cause to be produced any new tire machinery or equipment or parts therefor, or accept delivery of any raw materials or semifabricated or fabricated parts to be incorporated in new tire machinery or equipment or parts therefor; except to fill an order accompanied by the authorization of the Director of Industry Operations provided for in paragraph (c) below.

(2) *Reconditioning and rebuilding.* On or after 15 days from the date of issuance of this order, no person shall, in any way, recondition or rebuild any tire machinery or equipment, either for his own use or for the use of another person, except pursuant to an authorization of the Director of Industry Operations provided for in paragraph (c) below.

(3) *Delivery and acquisition.* No person shall deliver or accept delivery of any tire machinery or equipment, except pursuant to an authorization of the Director of Industry Operations provided for in paragraph (c) below: *Provided, however,* That the provisions of this subparagraph (3) shall not apply to tire machinery or equipment physically in transit on the date of issuance of this order: *And provided further,* That the provisions of this subparagraph (3) shall not apply to tire machinery or equipment to be scrapped for its material content.

(c) *Procedure for securing authorization for acquisition or rebuilding.* (1) Any person seeking to acquire tire machinery or equipment may make application on Form PD–552, addressed to the War Production Board, Special Industrial Machinery Branch, and marked Ref. L–143, for an authorization by the Director of Industry Operations permitting the acquisition. Applicants authorized by the Director of Industry Operations to acquire tire machinery or equipment shall surrender to their suppliers the Form PD–552 containing the authorization. Manufacturers and dealers shall accept orders accompanied by an authorization on Form PD–552 unless the person placing the order is unwilling or unable to meet regularly established prices and terms of payment; and no manufacturer or dealer shall discriminate against such orders in establishing such prices or terms. Deliveries pursuant to such authorizations shall be made, where possible, out of existing stocks of finished tire machinery or equipment or parts therefor.

(2) Any person seeking to recondition or rebuild for his own use, or to cause to be reconditioned or rebuilt by any other person, any tire machinery or equipment shall make application on Form PD–552 addressed to the War Production Board, Special Industrial Machinery Branch, and marked Ref. L–143, for an authorization by the Director of Industry Operations permitting the reconditioning or rebuilding to be done by or for the applicant. Applicants who receive such authorization of the Director of Industry Operations shall surrender the Form PD–552 containing the authorization to the person who will do the rebuilding or reconditioning, if the work is to be done by one other than the applicant. Rebuilding or reconditioning pursuant to the authorization shall be done, where possible, out of existing stocks of raw materials, or semi-fabricated or fabricated parts.

(d) *Repair and maintenance parts.* Notwithstanding the prohibitions of paragraph (b), repair and maintenance parts for tire machinery or equipment may be produced, delivered or acquired in accordance with the following limitations:

(1) No person shall accept delivery of repair or maintenance parts except as follows:

(i) To repair an actual breakdown where the required repair or maintenance parts are not otherwise available; or

(ii) To acquire repair or maintenance parts of any kind, provided such acquisition will not increase the inventory of the purchaser to an amount in excess of quantities required to maintain a minimum practicable working inventory of such repair and maintenance parts.

(2) Any manufacturer may produce repair or maintenance parts in quantities not in excess of amounts required by him to maintain a minimum practicable working inventory of such maintenance and repair parts.

(e) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for default under any contract or order which shall result directly or indirectly from his compliance with the terms of this order.

(f) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Special Industrial Machinery Branch, Washington, D. C., Ref: L–143.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance by the Director of Industry Operations.

(j) *Records and reports.* (1) All manufacturers and dealers affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning production, deliveries, and orders for tire machinery and equipment, including copies of the applications and authorizations on Form PD–552 mentioned in paragraphs (b) and (c) above.

(2) All persons affected by this order shall execute and file with the Division of Industry Operations, War Production Board, such reports and questionnaires as said Division shall from time to time request.

(3) On or before 15 days from the date of issuance of this order, each manufacturer of, and dealer in, tire machinery and equipment shall file on Form PD–553 a record of his unfilled orders as of the date of issuance of this order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

LIST A

1. Tire Building Machines.
2. Tire and Tube Watch Case Vulcanizers.
3. Tire and Tube Pot Heaters.
4. Tire and Tube Molds.
5. Tire and Tube Matrices.
6. Tire Flat Rings.
7. Tube Mandril.
8. Horizontal Tire and Tube Vulcanizers.
9. Tire and Tube Mold Steel Backs.
10. Gooseneck Bead Presses.
11. Bead Winders.
12. Tire Building Drums.
13. Tire Vacuum Boxes.

[F. R. Doc. 42–6354; Filed, July 4, 1942; 12:10 p. m.]

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L–158]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel and other materials required for the production of replacement parts for passenger automobiles, light, medium and/or heavy motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1297.1 *Limitation Order L–158*—(a) *Certain orders hereby superseded.* This order, Limitation Order L–158, supersedes Limitation Order L–4 issued September 18, 1941 and all amendments thereto; supplementary Limitation Order L–4–C issued May 5, 1942 and all amendments thereto; Limitation Order L–35 issued January 22, 1942 and all amendments thereto.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for transportation of property, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than 11 persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles, means only the following enumerated parts (including components entering into such parts) used

for the repair or maintenance of such vehicles:

(i) For all such vehicles: (1) engines (component parts only), (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling systems, (19) fuel systems, (20 lubricating systems, (21) electrical systems including generators, motors, lights, reflectors and signal horns, (22) windshield safety glass.

(ii) In addition, but only for Medium and Heavy Motor Trucks, Truck-Tractors, Truck-Trailers, Passenger Carriers and Off-the-Highway Motor Vehicles: (23) power dividers and take offs, (24) transfer cases, (25) fusees and flares, (26) directional signals, (27) coupling devices, (28) trailer landing gears, (29) seats, (30) front fenders (only that type which support built in lighting), (31) defroster heaters, (32) truck refrigeration units, (33) liquid measuring gauges.

(iii) In addition, but only for Passenger Carriers: (34) body structural repair parts, (35) sash, (36) destination signs, (37) fare boxes, (38) guards and grab rails, (39) door operating mechanisms, (40) doors and door hardware, (41) signaling devices, (42) heating and ventilating equipment. For school bus bodies and cabs: only the foregoing parts, (34) to (42).

(iv) In connection with truck-body conversion: (43) cab assemblies.

(9) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in subparagraph (8), above.

(10) "Distributor" means any person not a Producer whose business consists, in whole or in part, of the sale of replacement parts, as defined in subparagraph (8) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function.

(11) "Inventory" means a stock of replacement parts, as defined in subparagraph (8) above, on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(12) "Third and fourth calendar quarters of 1942" means respectively the period from July 1, 1942, to September 30, 1942, and the period from October 1, 1942, to December 31, 1942.

(d) *Prohibitions on production.* (1) On and after the date of issue of this order, no producer shall manufacture any parts for passenger automobiles and light trucks except the replacement parts enumerated in paragraph (c) (8) (i) above.

(2) On and after July 31, 1942, no producer shall manufacture any parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles except the replacement parts enumerated in paragraph (c) (8) above.

(3) In the production of such replacement parts, no materials shall be used which are prohibited by "M" orders or other restrictions on use of critical materials as now or hereafter ordered by the Director of Industry Operations of the War Production Board.

(e) *Restrictions on production of replacement parts for passenger automobiles and light trucks.* During the third and fourth calendar quarters of 1942, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(1) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the corresponding calendar quarter of 1941; provided that such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in either calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below, shall not be included.

(2) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the corresponding calendar quarter of 1941; provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of either quarter, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(f) *Restrictions on production of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles.* During the third and fourth calendar quarters of 1942, a producer of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(1) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five per cent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the corresponding calendar quarter of 1941; provided that such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in either calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) Such producer may manufacture replacement parts not to exceed seventy-five per cent (75%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the corresponding calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of either quarter above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(g) *Exceptions to applicability of this order.* The terms and restrictions of this order shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States or the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States." (Lend-Lease Act)

(h) *Return of replacement parts.* Replacement parts returned to a producer by a distributor are not to be scheduled in the producer's inventory during the quarter in which the parts are received, but shall be included in the producer's inventory in the succeeding calendar quarter.

(i) *Restrictions on sales by distributors.* (1) On and after July 15, 1942, no distributor shall sell or deliver any replacement part (excepting cab assemblies and parts such as fusees and flares which are consumed in use) to a consumer unless such consumer delivers to such distributor concurrently with the purchase of a used part of similar kind and size for each new replacement part delivered to such consumer. No new replacement part shall be sold or delivered to a consumer to replace a part which the Distributor can recondition by use of available reconditioning facilities.

(j) *Restrictions on distributors' inventories.* (1) On and after August 15, 1942, no distributor, whose principal place of business is located in the Eastern or Central War Time Zone, shall order more than a thirty-day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts measured in total dollar cost value, shall exceed a sixty-day supply. Sixty-day supply means a supply in dollar cost value equal to two-thirds of the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(2) No distributor, whose principal place of business is located in any other War Time Zone, shall order more than a forty-five day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts, measured in total dollar cost value, shall exceed a ninety-day supply. Ninety-day supply means a supply in dollar cost value at distributor's cost equal to the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above, but only to the extent necessary to bring such distributor's inventory of those specific items up to a total dollar value equal to the sales of such items shipped from such inventories during the preceding month.

(4) No distributor may keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or condemned replacement parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(5) Replacement parts consigned to a distributor are not to be considered as part of the distributor's inventory.

(k) *Emergency orders for replacement parts.* Notwithstanding the provisions of paragraph (j) above, a distributor may order and accept delivery of any replacement part which he does not have in stock when required for repair of a designated vehicle which cannot be operated without such part. In such emergency, to secure a replacement part under this paragraph (k), a Distributor must file with his order to the Producer for said part a Certificate in the following form:

Certificate for Emergency Order

I hereby certify that the Replacement Part specified in the attached Order is essential for the repair of the following vehicle, which cannot now be operated without such Part:
Make: _____ Engine Number: _____
(signed) _____
Firm, Partnership or Corporation
By: _____
Title of Individual
_____
Address of Firm, Partnership or Corporation

A copy of each such Certificate must be retained by the Distributor issuing such certificate as a part of his records. A Producer or other Distributor to whom any such emergency order is submitted must give such order precedence in shipment over other orders not of an emergency nature.

(l) *Certificate by distributor required.* Whenever a distributor places an order for replacement parts, each order must be accompanied by a Certificate in the following form:

Certificate of Compliance with Order L–158

The quantity of Replacement Parts ordered on the attached purchase order does not exceed the quantity which I am entitled to purchase under the provisions of Limitation Order L–158, with the terms of which I am familiar.

(Signed) _____
Firm, Partnership or Corporation
By: _____
Title of Individual
_____
Address of firm, Partnership or Corporation

A copy of each such Certificate must be retained by the Distributor as part of his records.

(m) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(n) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(o) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(p) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(q) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. In order to facilitate conversion to complete war production appeals may be made to increase or to transfer to other producers quotas established in paragraphs (e) and (f) above. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(r) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Branch, Washington, D. C., Ref: L–158.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6355; Filed, July 4, 1942; 12:11 p. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[General Limitation Order L–159]

The fulfillment of requirements of the War Program of the United States has created a shortage in the supply of certain critical materials used in the manufacture of plastics molding machinery for the War Program, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the War Program.

§ 3002.1 *General Limitation Order L–159*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Plastics molding machinery" means new machinery, of the kinds listed in List A, designed for use in the molding of plastic materials. For the purposes of this sub-paragraph (a) (2) new machinery is machinery which has not been delivered to any person acquiring it for use.

(3) "Manufacturer" means any person producing plastics molding machinery whether for his own use or for sale.

(4) "Dealer" means any person regularly engaged in the business of buying or otherwise acquiring plastics molding machinery for resale.

(5) "Order" means any commitment or other arrangement for the delivery of plastics molding machinery, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for plastics molding machinery, when accompanied by a PD–3A certificate, to be delivered to and for the use of: The Army or Navy, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and

Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development. The provisions of this paragraph (a) (6) (i) shall not apply to orders for any privately operated plant or shipyard or other enterprise, whether or not financed or controlled by any of the agencies or organizations mentioned in this subparagraph (6) (i), or operated under their control or direction on a cost-plus-fixed-fee basis.

(ii) Any order for plastics molding machinery, when accompanied by a PD-3A certificate to be delivered to, or for the account of: The Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(iii) Any order for plastics molding machinery placed by any agency of the United States Government to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iv) Any order for plastics molding machinery bearing a preference rating of A-9 or higher assigned by a Preference Rating Certificate PD-3 or PD-3A countersigned prior to the effective date of this order, by a Preference Rating Order in the P-19 series issued prior to the effective date of this order, or by a Preference Rating Certificate PD-1 or PD-1A, or Preference Rating Order P-19-h (PD-200 or 200A) issued at any time. After the issuance of this order Preference Rating Certificate PD-3A shall be used only to assign preference ratings to Approved Orders of the kinds described in subdivisions (i) and (ii) of this subparagraph. Any Preference Rating Certificate or order of any of the kinds enumerated above may be used to secure plastics molding machinery only by the person to whom it was originally issued and only when such machinery is expressly specified on the certificate or order (or its Form PD-200 or 200A). Any person placing an approved order for plastics molding machinery bearing a rating assigned by any such certificate or order who does not deliver such certificate or order but retains the same, as permitted by Priorities Regulation No. 3, as amended from time to time, or by the terms of the Preference Rating Order shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, as amended from time to time, or such Preference Rating Order, certify to the person from whom the machinery is to be acquired that the certificate or order was originally issued to him and that the plastics molding machinery ordered was expressly specified on the certificate or order (or its Form PD-200 or 200A).

(v) Any order which the Director of Industry Operations authorizes for production or delivery pursuant to paragraph (b) (2) hereof.

Provided, however, That any order for plastics molding machinery on the books of any manufacturer or dealer on the date of issuance of this order, which is an approved order solely by reason of the provisions of paragraph (a) (6) (iv) or (v) above, shall cease to be an approved order if not delivered prior to the expiration of thirty days following the date of issuance of this order.

(b) *Restrictions on acceptance of orders for, production, delivery and acquisition of, plastics molding machinery*—(1) *General prohibitions.* No person shall accept any order for plastics molding machinery, or deliver or produce any plastics molding machinery in fulfillment of any order, whether accepted or not, unless such order is an approved order. No person shall accept delivery of any plastics molding machinery except pursuant to an approved order.

(2) *Procedure for authorization of orders on books.* Manufacturers or dealers may apply for authorization to deliver orders which are not approved orders, on their books on the date of issuance of this order as it affects classes of plastic molding machinery from time to time, by filing with the War Production Board, form PD-55 furnishing the information specified therein. The Director of Industry Operations may thereupon, if he shall deem it necessary or appropriate, authorize the delivery of any such orders, or the assignment of preference ratings thereto.

(c) *Repair and maintenance parts.* Notwithstanding the prohibition of paragraph (b), repair and maintenance parts for plastics molding machinery may be produced, delivered or acquired in accordance with the following limitations:

(1) No person shall accept delivery of repair and maintenance parts except as follows:

(i) To repair an actual breakdown where the required repair and maintenance parts are not otherwise available; or

(ii) To acquire repair and maintenance parts of any kind, providing such acquisition will not increase the inventory of the purchaser to an amount in excess of the average inventory of such kind of repair parts on hand during the last three months of the calendar year 1941.

(2) Manufacturers may produce repair or maintenance parts in minimum quantities sufficient to make the deliveries provided for in subparagraph (1) of this paragraph (c).

(d) *Existing contracts.* Fulfillment of contracts or orders in violation of this order is prohibited regardless of whether such contracts or orders are entered into before or after the date of issuance of this order. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with the terms of this order.

(e) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be adressed to: War Production Board, Special Industrial Machinery Branch, Washington, D. C. Ref.: L-159.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(i) *Records and reports.* (1) All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for plastics molding machinery.

(2) All persons affected by this order shall execute and file with the Division of Industry Operations, War Production Board, such reports and questionnaires as said Division shall from time to time request. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

LIST A

Plastic Injection molding presses
Plastic Compression molding presses, hydraulic, automatic, mechanical
Plastic Extrusion molding presses
Plastic Preforming presses
Plastic Laminating presses
Plastic Tube and Rod Molding presses
Plastic Tube Rolling machines
Plastic-bonded Plywood Veneer presses

[F. R. Doc. 42-6356; Filed, July 4, 1942; 12:11 p. m.]

PART 960—CHLORINE AND PRODUCTS CONTAINING AVAILABLE CHLORINE

[Amendment 1 to General Preference Order M–19, as Amended May 1, 1942]

Section 960.1 *General Preference Order M–19*,[1] as amended May 1, 1942, is hereby amended in the following respects:

1. By striking subparagraph (2) of paragraph (a) of said section and inserting the following in lieu thereof:

(2) "Products containing available chlorine" means any product other than "high test calcium hypochlorite" or "chloride of lime" which readily releases chlorine, including, but not by way of limitation, all combinations of chlorine with caustic soda, soda ash, or lime, such combinations being commonly known by one or more of the following names: sodium hypochlorite, liquid bleach, or sodium chlorite, and also including solutions of such products or any mixture containing such products.

2. By adding to paragraph (a) of said section two new subparagraphs, numbered (7) and (8), as follows:

(7) "High test calcium hypochlorite" means the chemical compound calcium hypochlorite having an available chlorine content of 65% or more, by weight;

(8) "Chloride of lime" means the chemical compound calcium hypochlorite having an available chlorine content of less than 65%, and not less than 30%, by weight, commonly known by one or more of the following names: chloride of lime, lime chlorinated or bleaching powder.

3. By adding to paragraph (b) of said section one new subparagraph numbered (6), as follows:

(6) Nothing herein contained shall be construed to restrict the use by any person of sodium hypochlorite where produced by the person requiring the same, at his own plant, for his own use, by means of electrolytic cells directly producing a sodium hypochlorite solution without using chlorine, products containing available chlorine, high test calcium hypochlorite or chloride of lime. No such person shall sell or deliver to any other person any sodium hypochlorite so produced. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6382; Filed, July 6, 1942; 11:19 a. m.]

PART 960—CHLORINE AND PRODUCTS CONTAINING AVAILABLE CHLORINE

[Supplementary Order M–19–a]

§ 960.2 *Supplementary Order M–19–a*—(a) *Definitions.* For the purposes of this order:

(1) "High test calcium hypochlorite" means the chemical compound calcium hypochlorite having an available chlorine content of 65% or more, by weight;

(2) "Chloride of lime" means the chemical compound calcium hypochlorite having an available chlorine content of less than 65%, and not less than 30%, by weight, commonly referred to as chloride of lime, lime chlorinated or bleaching powder;

(3) "Chlorine" means liquid and gaseous chlorine;

(4) "Producer" means any person engaged in the production of high test calcium hypochlorite or chloride of lime and includes any person who has such materials produced for him pursuant to toll agreement.

(b) *Restrictions on deliveries.* (1) On and after July 6, 1942, no producer shall make delivery of high test calcium hypochlorite or chloride of lime to any person unless and until he shall have been authorized or directed to do so by the Director of Industry Operations. During July, 1942 and prior to the beginning of each calendar month thereafter the Director of Industry Operations will issue to all producers specific authorizations or directions covering deliveries of high test calcium hypochlorite and chloride of lime which may or must be made by such producers during such month. Such authorizations or directions shall be based primarily upon insuring the satisfaction of all defense requirements and, insofar as possible, providing an adequate supply for essential civilian uses. Each producer of high test calcium hypochlorite or chloride of lime, upon being informed by the Director of Industry Operations of the deliveries which such Director has authorized or directed, shall forthwith notify his customers of the extent of such authorization or direction as the same may affect them.

(2) In the event any producer, after receiving notice from the Director of Industry Operations with respect to any delivery of high test calcium hypochlorite or chloride of lime which he is authorized or directed to make during any month, shall, for any reason, fail to make any such delivery, such producer shall forthwith give notice of such fact and the reason therefor to the Chemicals Branch of the War Production Board and shall not, in the absence of specific authorization or direction from the Director of Industry Operations, resell or otherwise dispose of the high test calcium hypochlorite or chloride of lime which he has so failed to deliver.

(c) *Schedules of deliveries.* Each producer of high-test calcium hypochlorite or chloride of lime, on or before the 10th day of July, 1942, and the 10th day of each month thereafter, shall file Form PD–574 in the manner prescribed therein with the Chemicals Branch of the War Production Board, Washington, D. C. After such form has been filed with such Chemicals Branch, any material change of circumstances or matters occurring thereafter pertaining to or affecting any information furnished on said Form PD–574 shall forthwith be reported to such Chemicals Branch.

(d) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(3) *Records.* In addition to the records required to be kept by Priorities Regulation No. 1, each producer shall keep and preserve for not less than two years, copies of all purchase orders for high test calcium hypochlorite or chloride of lime, whether accepted or rejected, and accurate and complete records concerning inventories, production and sales.

(4) *Violations or false statements.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: M–19–a. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6381; Filed, July 6, 1942; 11:19 a. m.]

PART 1236—CHROMIUM AND NICKEL IN AUTOMOTIVE VALVES

[Amendment 1 to Limitation Order L–128]

Paragraph (f) of § 1236.1 *Limitation Order L–128*[1] is hereby amended to read as follows:

(f) *Exemption of war agencies.* The prohibitions and restrictions contained in this order shall not apply to the manufacture, sale or delivery of exhaust valves under contracts or orders placed for delivery to, or for the account of, the United States Army, Navy or the United States Maritime Commission. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O.

[1] 7 F.R. 4538.

[1] 7 F.R. 3311, 3850.

9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6380; Filed, July 6, 1942; 11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[Revised Price Schedule No. 100,[1] as amended]

CAST IRON SOIL PIPE AND FITTINGS

The preamble and §§ 1306.301 to 1306.310, inclusive, are renumbered and amended to read as set forth below:

Cast iron soil pipe and fittings are extensively used in the construction industry to carry off drainage and waste. In the defense program they are widely employed in housing projects, cantonments and all types of factories and industrial plants. The increased need for cast iron soil pipe and fittings prompted Government efforts to secure expanded production by allocating needed pig iron to the industry, but the supply failed to keep pace with the augmented demands stemming from the defense program and the accompanying economic expansion. As a consequence, inflationary pressure caused price increases which outstripped advances in costs, and which served no purpose in bringing out appreciably increased production. Issuance of a price schedule accordingly was necessary to protect consumers, the industry, and the national economy.

The War Production Board, by its Limitation Order No. L-42, as amended, has directed that, on and after June 1, 1942, cast iron soil pipe shall be produced only in the weights set forth hereinafter in Appendix C, which weights are generally known in the industry as "Victory" cast iron soil pipe, and the production of "standard", "medium", and "extra heavy" pipe has been ordered discontinued from and after such date.

The issuance of such amended order by the War Production Board necessitates the establishment of maximum prices for the sale and delivery of "Victory Pipe".

In this Revised Price Schedule No. 100, as amended, the Office of Price Administration is utilizing the Birmingham, Alabama, single basing point system, presently in effect in the soil pipe industry. Such acceptance of this system, merely as a vehicle for determining maximum prices, should not be regarded as approval thereof, nor should this reservation be regarded as indicating disapproval.

A statement of the considerations involved in the issuance of this Revised Price Schedule No. 100, as amended, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

AUTHORITY: §§ 1306.301 to 1306.311, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1306.301 *Maximum prices for cast iron soil pipe and fittings.* (a) On and after June 1, 1942, regardless of the terms of any contract of sale or purchase or other commitment, no manufacturer, jobber, or wholesaler shall sell, offer to sell, deliver, or transfer any cast iron soil pipe and fittings described in Appendix B, incorporated herein as § 1306.310, and no person shall buy, offer to buy or accept delivery of such cast iron soil pipe and fittings from a manufacturer, jobber, or wholesaler at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1306.309.

(b) On and after June 1, 1942, regardless of the terms of any contract of sale or purchase or other commitment, no manufacturer, jobber, or wholesaler shall sell, offer to sell, deliver, or transfer any cast iron soil pipe described in Appendix C (§ 1306.311), and no person shall buy, offer to buy or accept delivery of such cast iron soil pipe from a manufacturer, jobber, or wholesaler at prices higher than the maximum prices set forth in Appendix A (§ 1306.309).

§ 1306.302 *Less than maximum prices.* Lower prices than those set forth in § 1306.309, Appendix A, may be charged, demanded, paid or offered.

§ 1306.303 *Evasion.* The price limitations set forth in this Revised Price Schedule No. 100, as amended, shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to cast iron soil pipe and fittings, alone or in conjunction with any other material or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1306.304 *Records and reports.* (a) Every manufacturer, jobber and wholesaler who sells, and every person who buys from a manufacturer, jobber or wholesaler cast iron soil pipe and fittings of a value of more than $200.00 per month after February 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the specifications and quantity of cast iron soil pipe and fittings purchased or sold.

(b) Every manufacturer, jobber or wholesaler who sells cast iron soil pipe and fittings for shipment originating from some place other than a foundry shall file with the Office of Price Administration before April 1, 1942, a notarized document containing a description and explanation of the free delivery zone or zones recognized by the seller on October 1, 1941, or a notarized statement that no such zone or zones were recognized.

§ 1306.305 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 100, as amended, are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 100, as amended, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1306.306 *Petitions for amendment.* Persons seeking any modification of this Revised Price Schedule No. 100, as amended, or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 [2] issued by the Office of Price Administration.

§ 1306.307 *Definitions.* (a) When used in this Revised Price Schedule No. 100, as amended, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other Government agency, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means a person operating a foundry or plant which produces cast iron soil pipe and fittings. Except for purposes of the records requirements of § 1306.304, the term includes, without restricting the generality of the foregoing, any manufacturer's representative, factory commission salesman, or other manufacturer's agent.

(3) "Jobber" and the term "wholesaler" means a person who purchases cast iron soil pipe for purposes of resale, normally maintains a line of pipe and fittings, and sells primarily to plumbers, contractors and industrial concerns.

(4) "Cast iron soil pipe and fittings" means cast iron soil pipe and fittings of the types listed in Appendices B and C of this Schedule.

(5) "Delivered price" means net price which may be charged by the seller for delivery at the proposed site of installation, including all commissions and all freight and delivery charges incident to transporting the pipe and fittings to the place of delivery as described in paragraph (c) (4) of § 1306.309, Appendix A.

(6) "Carload shipment" or the term "carload quantity" means a shipment or quantity of cast iron soil pipe and fittings, the aggregate weight of which totals at least the lowest applicable minimum carload weight as specified in the established tariff of the rail carrier involved, or for which a carload rate would be paid.

(7) "Jobbing point" means a site used by a manufacturer (other than a foundry site), jobber, or wholesaler for storing purchases of cast iron soil pipe and fittings and for distributing such commodities (such as a warehouse).

(8) "Proposed site of installation" means the site of the construction operation designated by the purchaser at which the soil pipe is to be installed.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1306.308 *Effective date.* Revised Price Schedule No. 100, as amended, (§§ 1306.301 to 1306.311, inclusive) shall become effective as of June 1, 1942.

§ 1306.309 Appendix A: *Maximum delivered prices for cast iron soil pipe and fittings.* (a) The minimum base discount from the list prices for cast iron soil pipe and fittings described in § 1306.310, Appendix B, shall be as follows:

2" to 6" Extra Heavy Pipe	52½
2" to 6" Medium Pipe	47½
2" to 6" Standard Pipe	42½
2" to 6" Fittings	37½
8" to 15" Pipe and Fittings	43½

(b) The minimum base discount from the list prices for "Victory" cast iron soil pipe described in § 1306.311, Appendix C, shall be as follows:

2" to 15" Victory Pipe	43½

(c) The maximum price for domestic sales of cast iron soil pipe, including "Victory" cast iron soil pipe, and fittings, delivered at the proposed site of installation shall be computed as follows:

(1) The applicable discount set forth in paragraph (a) or (b) of this Appendix A shall be reduced at the rate of ¼ point for each 25¢ per ton of freight computed at the lowest railroad tariff for a carload quantity from Birmingham, Alabama, to the jobbing point nearest to the proposed site of installation of the cast iron soil pipe and/or fittings. This adjusted discount shall be applied to the applicable list price for cast iron soil pipe and fittings described in § 1306.310, Appendix B, and for "Victory" cast iron soil pipe described in § 1306.311, Appendix C;

(2) A further delivery charge not to exceed the actual transportation charge paid for a shipment from the jobbing point to the proposed site of installation may be made: *Provided, however,* That where shipment is made direct from the foundry to the proposed site of installation a further charge may be made which shall not exceed an amount equal to a charge for transporting a shipment of identical weight from the jobbing point to the proposed site of installation calculated at the lowest applicable rate for a carrier of the type actually employed in making delivery. If either such delivery is made in a vehicle owned or controlled by the seller, the further delivery charge may not exceed the transportation charge for a shipment of identical weight calculated at the lowest applicable common railroad or motor carrier rate from the jobbing point to the proposed site of installation: *Provided further,* That no such further delivery charge may be demanded or collected:

(i) Unless the seller has filed the document or statement which he is required to file by § 1306.304 (b); and

(ii) Unless such further delivery charge is shown as a separate item on the billing or invoice; and

(iii) Unless the proposed site of installation of the cast iron soil pipe and/or fittings is outside the free delivery zone or zones recognized by the seller on October 1, 1941; or

(iv) If the delivery is made to a purchaser other than a jobber or wholesaler at the jobbing point.

(3) Where shipments are made by rail in carload quantities, or where shipments of 10 tons or more are made by common or contract carrier, the net delivered price at the jobbing point computed in accordance with paragraphs (c) (1) and (c) (2) of this Appendix A shall be reduced at least by a further discount of 10–10%.

(4) For purposes of this paragraph (c), the seller shall be considered as having delivered to the proposed site of installation when, in the case of a purchase from a jobber or wholesaler, or in the case of a purchase from a manufacturer by a person other than a jobber or wholesaler, a shipment by railroad arrives at the railroad siding nearest to the site designated by the purchaser, or when a shipment by motor carrier arrives at the site designated by the purchaser.

(d) The maximum price at which a person may export cast iron soil pipe and fittings shall be determined in accordance with the provisions of the Maximum Export Price Regulation [3] issued by the Office of Price Administration.

(i) Where the seller performs the service of wiring or otherwise bundling pipe and fittings for export shipment, an added charge of $1.00 per ton of pipe and fittings may be made.

(e) No additions to the maximum prices established in this Appendix A may be made for treating cast iron soil pipe and fittings with tar.

(f) Credit terms more onerous than those available or in effect on October 1, 1941, shall not be imposed by the seller.

§ 1306.310 Appendix B: *List prices on cast iron soil pipe and fittings.* The list prices of cast iron soil pipe and fittings shall be as follows:

[1] 7 F.R. 1394, 1795, 1836, 2106, 2132, 2509.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 3096.

Size	Standard									Extra heavy								
	2"	3"	4"	5"	6"	8"	10"	12"	15"	2"	3"	4"	5"	6"	8"	10"	12"	15"
Offsets and Eighth Bend Offsets to Offset 2"	.60	.95	1.00	2.50	3.15					.70	1.15	1.25	3.15	3.95				
Offsets and Eighth Bend Offsets to Offset 4"	.60	1.00	1.00	2.50	3.45					.75	1.25	1.25	3.15	4.30				
Offsets and Eighth Bend Offsets to Offset 6"	.75	1.10	1.10	2.85	3.45					.90	1.40	1.40	3.55	4.30				
Offsets and Eighth Bend Offsets to Offset 8"	.75	1.25	1.25	3.15	3.90					.90	1.55	1.55	3.95	4.75				
Offsets and Eighth Bend Offsets to Offset 10"	1.00	1.30	1.30	3.35	4.50					1.25	1.85	1.85	4.20	5.60				
Offsets and Eighth Bend Offsets to Offset 12"	1.15	1.60	1.60	3.70	5.10					1.40	2.00	2.00	4.65	6.35				
Offsets and Eighth Bend Offsets to Offset 14"	1.25	1.90	1.90	5.25	6.40					1.55	2.30	2.45	5.65	8.00				
Offsets and Eighth Bend Offsets to Offset 16"	1.35	2.10	2.00	5.50	6.00					1.70	2.60	2.60	6.40	8.60				
Offsets and Eighth Bend Offsets to Offset 18"	1.70	2.80	2.30	6.10	7.25					2.15	2.60	3.55	7.60	9.05				
Offsets and Eighth Bend Offsets to Offset 20"	2.00	2.75	2.60	6.35	7.65					2.60	3.40	4.30	7.95	9.85				
Offsets and Eighth Bend Offsets to Offset 22"	2.20	3.10	3.10	6.70	8.10					2.75	3.85	4.60	8.35	10.15				
Offsets and Eighth Bend Offsets to Offset 24"	2.45	3.70	3.70	6.90	8.50					3.05	4.80	5.05	8.65	10.80				
Extension Pieces to Extend 4"	.60	1.00	1.25	1.85	2.45					.75	1.25	1.55	2.80	3.05				
Extension Pieces to Extend 6"	.60	1.00	1.25	1.85	2.45					.75	1.25	1.55	2.80	3.05				
Extension Pieces to Extend 8"	.75	1.10	1.40	2.10	2.70					.90	1.40	1.70	2.60	3.40				
Extension Pieces to Extend 10"	.90	1.25	1.50	2.30	2.96					1.10	1.55	1.85	2.90	3.70				
Extension Pieces to Extend 12"	1.00	1.50	1.70	2.45	3.20	5.00				1.25	1.85	2.00	3.05	4.00	7.50			
Extension Pieces to Extend 14"	1.15	1.75	1.85	2.70	3.45					1.40	2.15	2.30	3.40	4.30				
Extension Pieces to Extend 16"	1.25	1.95	2.15	2.95	3.80					1.55	2.30	2.45	3.70	4.90				
Extension Pieces to Extend 18"	1.40	2.20	2.45	3.20	4.45					1.70	2.60	2.75	4.00	5.55				
Extension Pieces to Extend 20"	1.50	2.45	2.60	3.70	4.90					1.85	2.90	3.05	4.60	6.15				
Extension Pieces to Extend 22"	2.00	2.75	2.90	4.20	5.50					2.45	3.40	3.70	5.25	6.90				
Extension Pieces to Extend 24"	2.20	3.05	3.20	4.70	6.15					3.05	3.70	4.60	5.85	7.70				
Extension Pieces to Extend 30"			4.40		7.85							5.80		9.80				
Extension Pieces to Extend 36"			4.70		8.00							5.90		10.00				

Size	3 x 2"	4 x 2"	4 x 3"	5 x 2"	5 x 3"	5 x 4"	6 x 2"	6 x 3"	6 x 4"	6 x 5"	6 x 6"	8"	10"	12"	15"
	2 x 2"	3 x 2"	2 x 2"	4 x 2"	4 x 3"	4 x 4"	6 x 2"	6 x 3"	6 x 4"	6 x 5"	6 x 6"	8 x 8"	10 x 10"	12 x 12"	15"
Reducers.....Std.	.40	.40	.50	.50	.60	.60	.80	.80	.80	.80	.80	2.80	4.85	8.65	12.85
Reducers.....XH.	.50	.50	.65	.75	.75	.75	1.00	1.00	1.00	1.00	1.00	3.50	6.20	10.80	22.30

Size	2"	3"	4"	5"	6"	8"	10"	12"	15"
Increasers.....Std.	.90	1.25	1.25	1.60	1.60	1.85	1.85	4.00	8.00
Increasers.....XH.	1.10	1.55	1.55	2.00	2.00	2.30	2.30	5.00	10.00
Long Increasers Plain, 24".....Std.	1.35	1.35	2.00		2.00	2.00		3.70	5.45
Long Increasers Plain, 24".....XH.	1.35	1.55	2.45		2.45	2.45		4.60	6.80
Long Increasers Plain, 30".....Std.	1.65	1.65	2.00		2.00	2.00		3.70	5.45
Long Increasers Plain, 30".....XH.	2.00	2.00	2.45		2.45	2.45		4.60	6.80
Long Increasers Plain, 36".....Std.	2.00	2.00	2.35		3.70	3.70		4.30	6.25
Long Increasers Plain, 36".....XH.	2.46	2.90			4.60	4.60		5.40	7.60
Long Increasers Plain, 42".....Std.	2.50	2.85						4.95	
Long Increasers Plain, 48".....XH.	3.10	3.55						6.15	

Size	1¼" x 2"	1¼" x 2½"	1½" x 2"	1½" x 2½"	1½" x 3"	2" x 2½"	2½" x 3"	2½" x 4"	3" x 4"	3½" x 4"	4" x 5"	4½" x 6"	5" x 6"	6" x 8"	8" x 10"	10" x 12"	12" x 15"
Tapped Increasers, Short.....Std.	0.60	.....	0.90	1.00	1.00	.....	.....	1.00	1.35	1.25	1.50	2.00	2.00	2.50	.....	.....	.....
Tapped Increasers, Short.....XH.	.75	.....	1.10	1.25	1.25	2.00	2.50	1.60	1.60	1.55	1.90	2.30	2.30	2.50	.....	.....	.....
Tapped Increasers, Regular.....Std.	.75	.....	1.40	1.80	1.80	2.25	2.50	1.85	1.85	2.10	2.45	2.85	2.40	2.50	.....	.....	.....
Tapped Increasers, Regular.....XH.	.90	.....	1.70	1.80	1.80	2.25	2.50	2.25	2.60	2.60	2.80	3.20	2.75	2.50	.....	.....	.....
Long Tapped Increasers, 24".....Std.	.....	.....	.....	.....	.....	2.55	2.55	3.30	3.30	3.00	3.45	.....	3.33	3.75	4.20	.....	.....
Long Tapped Increasers, 24".....XH.	.....	.....	.....	.....	.....	2.65	2.65	3.40	3.40	3.45	.....	4.50	.....	.....	.....	.....	.....
Long Tapped Increasers, 30".....Std.	.....	.....	.....	2.65	2.65	3.00	3.00	3.75	.....	.....	.....	4.05	.....	6.20	.....	.....	.....
Long Tapped Increasers, 30".....XH.	.....	.....	.....	3.00	3.00	3.40	3.40	4.25	.....	.....	.....	.....	.....	7.10	.....	.....	.....
Long Tapped Increasers, 36".....Std.	.....	.....	.....	.....	3.45	3.50	3.50	4.50	.....	.....	.....	.....	.....	.....	.....	.....	.....
Long Tapped Increasers, 36".....XH.	.....	.....	.....	.....	.....	.....	4.10	5.10	.....	.....	.....	.....	.....	.....	.....	.....	.....
Long Tapped Increasers, 42".....Std.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Long Tapped Increasers, 48".....XH.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

Extras to be added for standard or extra heavy	1"	1¼"	1½"	2"	2½"	3"	3½"	4"	5"	6"	8"	10"	12"	15"
90 Deg. Cup Hub Inlet	1.00	1.25	1.25	1.00	2.00	1.25	2.00	1.50	2.00	2.50	.....	.....	.....	.....
90 Deg. Tapped Inlet				1.25				2.50						
Side Inlet, Regular or Long Hub Inlet				2.50										
Foot Rest on Short or Long Increasers				.75		1.00		1.50	2.00	2.50	4.00	6.00	10.00	15.00
Foot Rest on 1¼ Bends and Long ¾ Bends				.50				1.00	1.25	1.50	2.50	3.50	6.00	9.00
Brass Screw Cleanout on Side (Fitg. Size to Apply)				1.50		2.00		2.50	3.00	3.50	5.00	5.00	7.50	7.50

For 1¼", 1½", or 2" I. P. Tapping on one side.....Add $1.00 to above lists.
For 2½" I. P. Tapping on one side.....Add 1.50 to above lists.
For 2" Cup Hub Side Inlet.....Add 1.00 to above lists.

Size		2"	3 x 2	3"	4 x 2	4 x 3	4"	5 x 2	5 x 3	5 x 4	5"	6 x 2	6 x 3	6 x 4	6 x 5	6"	8"	10"	12"	15"
Tees, San Tees, Ys and ½ Ys	Std.	.55	.85	.85	.85	1.15	1.20	1.20	1.50	1.60	2.00	1.80	1.80	1.80	2.00	2.40	6.00	10.80	15.10	33.60
Tees, San Tees, Ys and ½ Ys	XH	.75	1.05	1.10	1.10	1.45	1.50	1.45	1.85	2.00	2.50	2.15	2.15	2.15	2.45	3.00	9.00	15.10	19.40	42.00
Tees and San Tees, All Hub Ends	Std.	2.25			3.45		4.65				5.65					7.35				
Tees and San Tees, All Hub Ends	XH	2.75			4.30		5.85				7.05					9.20				
Tapped Tees	Std.	.70			.85		1.00				1.60					2.50	5.00			
Tapped Tees (Tapped for 1¼", 1½" or 2" I. P.)	XH	.85			1.10		1.26				2.00					3.10	6.25			
Tapped San Tees (Tapped for 1¼", 1½" or 2" I. P.)	Std.	.75			.95		1.25				1.85					2.95				
Tapped San Tees (Tapped for 1¼", 1½" or 2" I. P.)	XH	.90			1.20		1.55				2.30					3.70				
Tapped Ys (Tapped for 1¼", 1½" or 2" I. P.)	Std.	.75			.95		1.25				1.85					2.95				
Tapped Ys (Tapped for 1¼", 1½" or 2" I. P.)	XH	.90			1.20		1.55				2.30					3.70				
Tapped Tees for 2½" or 3" I. P	Std.				1.90		2.00				2.65					3.10				
Tapped Tees for 2½" or 3" I. P	XH				2.35		2.80				3.30					3.90				
Tap'd San Tees and Ys for 2½" or 3" I. P	Std.			2.00			2.25				2.90					3.60				
Tap'd San Tees and Ys for 2½" or 3" I. P	XH			2.45			2.80				3.60					4.50				
Add 50c each to the above for 4" tapping																				
Long Tee, San Tee, and Y, 12" long	Std.	1.20		1.45			2.80													
Long Tee, San Tee, and Y, 12" long	XH	1.50		1.80			3.50									4.90				
Long Tee, San Tee, and Y, 18" long	Std.	2.00		2.60			3.50				4.20					6.15				
Long Tee, San Tee, and Y, 18" long	XH	2.45		3.25			4.30				5.25					5.80				
Long Tee, San Tee, and Y, 24" long	Std.	2.25		3.10			4.10				4.95					7.25				
Long Tee, San Tee, and Y, 24" long	XH	2.75		3.85			5.05				6.15					6.80				
Long Tee, San Tee, and Y, 30" long	Std.	2.45		3.55			4.65				5.70					8.45				
Long Tee, San Tee, and Y, 30" long	XH	3.05		4.45			5.85				7.10					7.70	9.00	24.00		
Long Tee, San Tee, and Y, 36" long	Std.	2.70		4.05			5.35				6.60					9.85	12.00	30.00		
Long Tee, San Tee, and Y, 36" long	XH	3.35		5.05			6.60				8.15									
Long Tapped Tees (12" long)	Std.	1.45		1.70			3.05													
Long Tapped Tees (12" long)	XH	1.80		2.10			3.80													
Long Tapped San Tees (18" long)	Std.	2.10		2.75			3.55				4.35					4.95				
Long Tapped Ys (18" long)	XH	2.60		3.40			4.45				5.40					6.15				
All Tapped for 1¼", 1½" or 2" I. P. (24" long)	Std.	2.35		3.20			4.35				5.25					6.20				
All Tapped for 1¼", 1½" or 2" I. P. (24" long)	XH	2.90		4.00			5.40				6.55					7.70				
All Tapped for 1¼", 1½" or 2" I. P. (30" long)	Std.	2.70		3.80			4.90				5.90					7.00				
All Tapped for 1¼", 1½" or 2" I. P. (30" long)	XH	3.35		4.75			6.15				7.40					8.75				
All Tapped for 1¼", 1½" or 2" I. P. (36" long)	Std.	2.90		4.30			5.50				6.75					7.90				
All Tapped for 1¼", 1½" or 2" I. P. (36" long)	XH	3.65		5.35			6.90				8.45					9.85				
Cross, San Cross, Dbl. Y and Dbl. ½ Y	Std.	1.25	1.85	1.65	1.80	1.80	1.80	4.95	4.95	4.95	4.95	6.15	6.15	6.15	6.15	6.15	9.00	16.20	22.70	50.40
Cross, San Cross, Dbl. Y and Dbl. ½ Y	XH	1.55	2.00	2.00	2.15	2.15	2.15	6.15	6.15	6.15	6.15	7.70	7.70	7.70	7.70	7.70	13.50	22.65	29.15	63.00
All Hub Cross and San Cross	Std.	2.50		3.80	4.75		5.00				6.15					7.70				
All Hub Cross and San Cross	XH	3.15		4.75	5.95		6.25				7.70					9.60				
Tapped Straight Cross (Tapped for 1¼", 1½" or 2" I. P.)	Std.	1.15		1.25			1.40				2.25					3.45				
Tapped Straight Cross (Tapped for 1¼", 1½" or 2" I. P.)	XH	1.40		1.55			1.70				2.50					4.30				
Tapped Sanitary Cross (Tapped for 1¼", 1½" or 2" I. P.)	Std.	1.25		1.50			1.75				2.75					4.10				
Tapped Sanitary Cross (Tapped for 1¼", 1½" or 2" I. P.)	XH	1.55		1.85			2.15				3.40					5.10				
Tapped Double Y (Tapped for 1¼", 1½" or 2" I. P.)	Std.	1.25		1.50			1.75													
Tapped Double Y (Tapped for 1¼", 1½" or 2" I. P.)	XH	1.55		1.85			2.15													
Long Crosses (12" long)	Std.	1.60																		
Long Crosses (12" long)	XH	2.00														6.10				
Long San Crosses (18" long)	Std.	2.75			4.65	4.65	4.65				5.40					7.65				
Long San Crosses (18" long)	XH	3.45			5.80	5.80	5.80				6.75					7.00				
Long Double Ys (24" long)	Std.	3.00			5.25	5.25	5.25				6.10					8.75				
Long Double Ys (24" long)	XH	3.75			6.55	6.55	6.55				7.65					7.95				
Long Double ½ Ys (30" long)	Std.						5.90				6.90					9.95				
Long Double ½ Ys (30" long)	XH						7.35				8.60					8.85				
Long Double ½ Ys (36" long)	Std.						6.50				7.70					11.05				
Long Double ½ Ys (36" long)	XH						8.10				9.65									
Inverted Ys	Std.	1.00	1.40	1.40	1.70	1.70	1.70	2.45	2.45	3.10	3.40	3.70	3.70	4.95	4.95	4.95				
Inverted Ys	XH	1.25	1.85	1.85	2.15	2.15	2.15	3.05	3.05	3.85	4.60	4.60	4.60	6.15	6.15	6.15				
Double Inverted Ys	Std.	2.45	3.10	3.10	3.70	3.70	3.70													
Double Inverted Ys	XH	3.05	3.85	3.85	4.60	4.60	4.60									3.40				
Tapped Inverted Ys (Tapped for 1¼" or 2" I. P.)	Std.	1.40		2.00			2.20				2.80					4.25				
Tapped Inverted Ys (Tapped for 1¼" or 2" I. P.)	XH	1.70		2.45			2.75				3.50					5.55	11.00	18.00	24.00	
Combination Y and ⅛ Bends	Std.	1.05	1.70	1.70	1.70	1.70	1.70	3.70	3.70	3.70	3.70	5.55	5.55	5.55	5.55	6.90	13.50	22.65	30.00	
Combination Y and ⅛ Bends	XH	1.30	2.15	2.15	2.15	2.15	2.15	4.60	4.60	4.60	4.60	6.90	6.90	6.90	6.90	8.30				
Double Combination Y and ⅛ Bends	Std.	1.90	2.80	2.80			3.30			5.50	5.50			8.30		10.35				
Double Combination Y and ⅛ Bends	XH	2.40	3.50	3.50			4.10			6.90	6.90			10.35						
Long Combination Y and ⅛ Bends, 18" long	Std.				3.60	4.00	4.45													
Long Combination Y and ⅛ Bends, 18" long	XH				4.50	5.00	5.55													
Long Combination Y and ⅛ Bends, 24" long	Std.	2.60		3.90	4.30	4.70	5.30			5.95										
Long Combination Y and ⅛ Bends, 24" long	XH	3.25		4.85	5.35	5.90	6.60			7.45										
Long Combination Y and ⅛ Bends, 30" long	Std.						6.05			6.90				7.70						
Long Combination Y and ⅛ Bends, 30" long	XH						7.55			8.60				9.60						
Long Combination Y and ⅛ Bends, 36" long	Std.			5.05		6.10	6.70			7.75				8.60	9.00	9.60				
Long Combination Y and ⅛ Bends, 36" long	XH			6.30		7.60	8.40			9.70				10.75	11.25	11.25				
Ventilating Branches	Std.	.90	1.15	1.15	1.15	1.40	1.40	4.35	4.35	4.35	4.35	6.15	6.15	6.15	6.15	6.15				
Ventilating Branches	XH	1.10	1.40	1.40	1.40	1.85	1.85	5.40	5.40	5.40	5.40	7.70	7.70	7.70	7.70	7.70				
Tapped Ventilating Branch	Std.					3.45														
Tapped Ventilating Branch	XH					4.00														
Double Ventilating Branches	Std.	2.45		3.10	3.70		3.70													
Double Ventilating Branches	XH	3.05		3.85	4.60		4.60													
Tapped Double Ventilating Branches	Std.				4.65															
Tapped Double Ventilating Branches	XH				5.80															
Upright Y Branch	Std.	1.85	1.85	1.85	1.85	3.10	3.10	3.70	4.35	4.90	5.50	4.90	4.90	5.50	6.13	7.35				
Upright Y Branch	XH	2.30	2.30	2.30	2.30	3.85	3.85	4.60	5.40	6.15	6.90	6.15	6.15	6.90	7.70	9.20				
Double Upright Ys take twice the list of single.																				
H Branch	Std.	.95	1.45	1.45	2.15		2.15													
H Branch	XH	1.20	1.80	1.80	2.70		2.70													
H Branch All Hub Ends	Std.	1.10	2.20	3.00	3.00		3.00													
H Branch All Hub Ends	XH	1.85	2.75	3.75	3.75		3.75													
Double H Branch	Std.						2.70													
Double H Branch	XH						3.40													
Reducing ¼ and ⅛ Bends	Std.		.90		1.25	1.30				1.90				2.40						
Reducing ¼ and ⅛ Bends	XH		1.10		1.50	1.60				2.20				3.00						

Size	2"	3 x 2	3"	4 x 2	4 x 3	4"	5 x 2	5 x 3	5 x 4	5"	6 x 2	6 x 3	6 x 4	6 x 5	6"	8"	10"	12"	15"
Reducing ¼ and ⅛ Bends w/BTS-Co	Std.													3.50					
Reducing ¼ and ⅛ Bends w/BTS-Co	XH													4.35					
Tee Saddle, Plain or Connolly	Std.	.75	.80	.80	.80	.90	.90	.90	.95	1.00	1.00	1.00	1.00	1.00	1.05	1.15			
Tee Saddle, Plain or Connolly	XH	.95	1.00	1.00	1.00	1.10	1.10	1.10	1.15	1.25	1.25	1.25	1.25	1.25	1.30	1.40			
Y and ½ Y Saddle, Plain or Connolly	Std.	.80	.90	.90	.90	.95	.95	.95	1.00	1.05	1.15	1.15	1.15	1.15	1.15	1.25	4.00		
Y and ½ Y Saddle, Plain or Connolly	XH	1.00	1.10	1.10	1.10	1.15	1.15	1.15	1.25	1.30	1.40	1.40	1.40	1.40	1.55	1.55	6.00		
Plain Pipe Bands	Std.	.90		1.00			1.15									1.60	4.50		
Plain Pipe Bands	XH	1.10		1.25			1.40									2.00	7.50		
Pipe Bands with Tee or Y Branch	Std.	1.05	1.20	1.20	1.30	1.35	1.50	1.60	1.60	1.75	1.85	1.95	1.95	2.10	2.20	2.50	9.40		
Pipe Bands with Tee or Y Branch	XH	1.30	1.45	1.45	1.60	1.70	1.85	2.00	2.00	2.15	2.30	2.45	2.45	2.60	2.75	3.10	11.75		
Washington Special Y Thimble	XH													2.10	2.35	2.60			

	Standard									Extra heavy								
	2"	3"	4"	5"	6"	8"	10"	12"	15"	2"	3"	4"	5"	6"	8"	10"	12"	15"
Traps, S, ¾ S, 1½ S, or P and Running, Plain	.90	1.15	1.50	4.30	4.95	10.00	18.00	28.00	60.00	1.10	1.40	1.85	5.40	6.15	13.00	23.00	35.00	75.00
Ditto with 2" Vent	1.20	1.35	2.20	4.65	5.25					1.50	1.70	2.75	5.70	6.50				
Ditto with 3" Vent		1.35	2.20	4.65	5.25						1.70	2.75	5.70	6.50				
Ditto with 4" Vent			2.20	4.65	5.25	12.00	21.60					2.75	5.70	6.50	15.00	27.00		
Ditto with 5" Vent				4.65	5.25								5.70	6.50				
Ditto with 6" Vent					5.25	12.00	21.60	32.00	75.00					6.50	15.00	27.00	40.00	90.00
Ditto with 8" Vent							21.60	32.00	75.00							27.00	40.00	90.00
Running Traps with 2" Double Vent	1.60	1.80	2.60							2.00	2.25	3.25						
Running Traps with 3" Double Vent		1.80									2.25							
Running Traps with 4" Double Vent			2.60	4.80	5.60	13.60	24.00					3.25	6.00	7.00	17.00	30.00		
Running Traps with 5" Double Vent				4.80									6.00					
Running Traps with 6" Double Vent					5.60	13.60	24.00	35.00	85.00					7.00	17.00	30.00	43.00	100.00
Running Traps with 8" Double Vent							24.00	35.00	85.00							30.00	43.00	100.00
Traps, S, ¾ S, 1½ S, or P and Running w/HH&C	1.25	1.85	2.50	4.95	5.55	10.75	22.00	32.00	68.00	1.55	2.30	3.10	6.15	6.90	13.75	27.75	40.00	85.00
Traps, ditto w/HH&C and 2" Heel Inlet	2.25	2.85	3.50	5.95	6.55	11.75				2.55	3.30	4.10	7.15	7.90	14.75			
Traps, Plain 1½ S or P Tapped ¾ "or 1½" in Heel			1.75									2.10						
Traps, San Francisco, 1½ S or P, 2" HH Inlet												2.40						
Traps, Deep Seal, S, ¾ S, 1½ S, or P and Rg	1.25	1.75	2.50	3.50	4.75					1.55	2.20	3.15	4.40	5.90				
Traps, ditto, with 2" Vent	1.60	2.00								2.00	2.50							
Traps, ditto, with 4" Vent			2.80	4.40	5.50							3.50	5.50	6.50				
Traps, Running with 4" Y or ½ Y Vent			4.95		6.50							6.15		8.00				
Traps, Running with 5 x 4" Red. with 4" SHV													6.00					
Traps, Running with 5 x 4" Red. with 4" DHV													7.00					

	Standard									Extra heavy								
	2"	3"	4"	5"	6"	8"	10"	12"	15"	2"	3"	4"	5"	6"	8"	10"	12"	15"
Traps, Running with 6 x 4" Red. with 4" SHV														7.00				
Traps, Running with 6 x 4" Red. with 4" Y Vent														8.00				
Traps, Improved Running, Single Cleanout	1.70	2.50	3.45	5.40	6.20					2.10	3.10	4.30	6.75	7.75				
Traps, Improved Running, Double Cleanout	2.40	3.20	3.90	6.60	7.40	20.00				3.00	4.00	4.90	8.25	9.25	25.00			
Spigot End Vent Caps	.60	.70	.90	1.85	2.00	6.00	9.60			.75	.85	1.10	2.25	2.50	7.50	12.00		
Spigot End Vent Caps 12" long	.70	1.15	1.30	3.60	4.15					.85	1.45	1.65	4.50	5.20				
Spigot End Vent Caps 14" long			1.95	3.80								2.45	4.75					
Spigot End Vent Caps 18" long	1.30		3.25	4.50	4.75					1.65		4.05	5.60	5.95				
Spigot End Vent Caps 20" long			3.50									4.35						
Spigot End Vent Caps 30" long			5.05									6.30						
Hub End Vent Caps	1.15	1.20	1.30	2.20	2.60					1.40	1.45	1.55	2.75	3.25				
Hub End Vent Caps 12" long	1.15	1.45	1.60	3.90	4.40					1.45	1.80	2.00	4.85	5.50				
Hub End Vent Caps 18" long	1.45		3.50	4.80	5.05					1.80		4.40	6.00	6.30				
Hub End Vent Caps 20" long			3.75									4.65						
Hub End Vent Caps 30" long			5.30									6.65						
Vent Cap with Set Screw	.60	.65	.80	1.25	1.55					.60	.65	.80	1.25	1.55				
Ready Vent Cap	.60	.65	.80	1.25	1.55					.60	.65	.80	1.25	1.55				
Fresh Air Inlet Standard Pattern	.90	1.00	1.10							1.15	1.25	1.40						
Fresh Air Inlet 4 x 12" Pattern			1.60									2.00						
Fresh Air Inlet Pittsburgh Pattern	.40	.50	.65	.85	1.25					.50	.60	.80	.95	1.50				
Floor Plates	.40	.60	.75	.80	1.00					.50	.75	.90	1.00	1.25	3.00			
Roof Irons	.95	.95	1.05	1.25	1.55					1.20	1.20	1.25	1.50	1.80				
Pipe Plugs	.25	.40	.45	.60	.75	1.20	2.60	3.45	5.60	.30	.45	.60	.75	.90	1.50	3.25	4.30	7.00
Sleeves	.60	.75	.75	1.25	1.85	2.80	4.85	8.65	17.85	.75	.90	.90	1.55	2.30	3.50	6.20	10.80	22.80
Bar Grates	.10	.15	.20	.25	.30	.45	.90											
Bar Grates with Legs	.20	.30	.40	.50	.60													
Plain Pipe Rests	.30	.40	.40	.75	.95	1.75	2.15	3.45	5.60	.40	.45	.45	.90	1.15	2.25	3.25	4.30	7.00
Open Pipe Rests	.30		.40							.40		.45						
Pipe Rests Tapped for I. P.	.65	.85	1.00	1.20	1.45	2.35	3.60			.75	1.00	1.15	1.40	1.75	3.00	4.35		
Single Hub Fittings	.50	.65	.70	1.25	1.85	2.50	3.90			.60	.90	.90	1.55	2.45	3.50	4.85		
Double Hub Fittings	.40	.50	.60	1.00	1.25	2.80	4.85	8.65	17.85	.45	.75	.75	1.25	1.55	3.50	6.20	10.80	22.80
Tapped Hubs										1.50	2.00	2.50						
Tee Cleanout with Round Handhole and Cover	1.05	1.70	1.85	2.45	3.70	8.00				1.25	2.15	2.30	3.05	4.60	7.50			
Tee Cleanout with Square HH&C	1.20	1.90	2.10	3.20	4.30					1.50	2.40	2.65	4.00	5.35	26.00	34.00	39.00	49.50
Washington Test Tee with Brass Plugs										3.00	3.75	4.25	5.50	8.00	16.25			
Washington Test Tee with Iron Plugs										1.90	2.00	2.50	3.75	5.00	11.00			
Washington Test Tee with no Plug										1.50	1.75	2.10	2.90	3.80				
Philadelphia Test Tee	1.30	1.60	1.90	2.75	3.85					1.60	2.00	2.40	3.45	4.80				
Tee Cleanout with Trap Screw on Branch	1.50	1.70	1.70	3.25	3.70	10.00	13.50	17.50		1.85	2.15	2.15	4.00	4.60	12.50	17.50	22.50	
San Tee or Y with BTS on Main or Branch	1.50	1.95	2.45	4.30	4.95					1.85	2.45	3.05	5.40	6.15				
Combination Y and ⅛ Bend with BTS on Main	1.85	2.45	3.10	4.95	6.15					2.30	3.05	3.85	6.15	7.70				
Combination Y and ⅛ Bend with BTS on Main, California Pattern	1.50	1.95	2.45							1.85	2.45	3.05						
Closet TY without Vent R or L Inlet			2.60									3.25						
Closet TY without Vent R and L Inlet			3.80									4.75						
Closet TY with Vent R or L Inlet			3.00									3.75						
Closet TY with Vent R and L Inlet			4.20									5.25						
Wisconsin San Tee with one 2" Inlet		3.00	3.20								3.70	4.00						
Wisconsin San Tee with two 2" Inlets		3.75	4.00								4.70	5.00						
Boston Long TY and Long Y with 2" Vent	2.05		2.70							2.30		3.15						
Double Angle Y Branches	1.90	3.90	3.60	4.60	5.80					2.40	4.00	4.60	5.75	7.25				

Size	3 x 2 x 2	3 x 2 x 3	3 x 2 x 4	3 x 3 x 3	3 x 3 x 4	3 x 4 x 3	4 x 3 x 3	4 x 3 x 4	4 x 3 x 4	4 x 4 x 4	5 x 3 x 4	5 x 4 x 4	5 x 4 x 5	6 x 3 x 4	6 x 4 x 4	6 x 4 x 5	6 x 4 x 6	6 x 5 x 4	6 x 5 x 5	6 x 5 x 6
Reducing San Tees and Ys	Std.	2.20	2.20	2.95	----	----	2.95	2.95	2.95	2.95	----	3.80	3.80	3.80	4.60	4.60	4.60	4.60	4.60	4.60	4.60
Reducing San Tees and Ys	XH	2.50	2.50	3.70	----	----	3.70	3.70	3.70	3.70	----	4.75	4.75	4.75	5.75	5.75	5.75	5.75	5.75	5.75	5.75
Special Pittsburgh Reducing San Tee and Y Branch	Std.	----	----	----	----	1.70	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
	XH	----	----	----	----	2.15	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
Reducing Combination Y and ⅛ Bend	Std.	----	----	----	----	----	----	----	3.20	----	----	----	7.00	----	----	----	----	----	----	----	----
	XH	----	----	----	----	----	----	----	4.00	----	----	----	8.00	----	----	----	----	----	----	----	----
Washington Pat. Comb. Y and ⅛ Bend	Std.	----	----	----	----	2.00	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
	XH	----	----	----	----	2.50	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
Combination San Tee with one 45 Deg. Angle Tap	Std.	----	----	----	2.35	3.00	----	----	----	3.00	----	----	----	----	----	----	----	----	----	----	----
	XH	----	----	----	2.60	3.35	----	----	----	3.35	----	----	----	----	----	----	----	----	----	----	----
Combination San Tee with two 45 Deg. Angle Taps	Std.	----	----	----	3.35	3.70	----	----	----	3.70	----	----	----	----	----	----	----	----	----	----	----
	XH	----	----	----	3.60	4.00	----	----	----	4.00	----	----	----	----	----	----	----	----	----	----	----
Combination San Cross with four 45 Deg. Angle Taps	Std.	----	----	----	4.65	5.80	----	----	----	5.80	----	----	----	----	----	----	----	----	----	----	----
	XH	----	----	----	6.00	6.15	----	----	----	6.15	----	----	----	----	----	----	----	----	----	----	----

Medium fittings take same lists as standard.

§ 1306.311 *Appendix C: List prices on "Victory" cast iron soil pipe.* The list prices and weights of "Victory" cast iron soil pipe shall be as follows:

"VICTORY" CAST IRON SOIL PIPE

Size	Single hub		Double hub	
	Weight per 5-foot length	Price per foot	Weight per 5-foot length	Price per foot
2"	20	$0.33	21	$0.35
3"	30	.44	31	.48
4"	40	.53	42	.58
5"	55	.84	57	.89
6"	65	.96	68	1.04
8"	100	1.65	105	1.85
10"	145	2.80	150	3.00
12"	190	3.90	200	4.30
15"	255	6.10	270	6.70

The above prices shall apply only to cast iron soil pipe produced at the designated weights with a variation not exceeding 5 per cent (over or under) on individual lengths, as per amendment to Schedule IV of War Production Board Limitation Order No. L-42.

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6336; Filed, July 3, 1942; 5:12 p. m.]

PART 1339—BURLAP AND BURLAP PRODUCTS

[Amendment 2 to Revised Price Schedule 18[1]]

BURLAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraphs (a) and (b) of § 1339.11 are amended to read as set forth below:

§ 1339.11 *Appendix A: Maximum prices for burlap.* (a) Prices per yard, ex dock port of discharge,[2] duty paid.[3]

Quality of burlap	Construction: Width (inches)	Construction: Weight (ounces per yard)	Cents
Common burlap	32	7	6.50
	36	7	7.30
	40	7	7.90
	45	7	9.00
	27	7¼	5.95
	36	7½	6.60
	32	7½	6.60
	36	7½	7.40
	40	7½	8.00
	45	7½	9.10
	48	7½	9.95
	50	7½	10.30
	52	7½	10.70
	54	7½	11.05
	56	7½	11.65
	60	7½	12.25
	27	8	6.05
	32	8	6.90
	36	8	7.70
	40	8	8.50
	45	8	9.50
	48	8	10.30
	54	8	11.45
	60	8	12.60
	32	9	7.90
	36	9	8.75
	40	9	9.65
	27	10	7.50
	32	10	8.70
	36	10	9.70
	37	10	9.95
	40	10	10.60
	45	10	11.95
	48	10	12.85
	54	10	14.50
	60	10	16.10
	36	10½	10.05
	40	10½	11.00
	40	11	11.35
	40	11½	11.70
	32	12	10.45
	36	12	11.55
	40	12	12.70
	40	14	15.30
Special finishes: Double calendered	36	10	10.95
	40	10	12.10
	48	10	14.50
	36	10½	11.15
	40	10½	12.35
	48	10½	14.80
	48	11	15.15
	40	11½	13.10
	48	11½	15.70
Cropped and mangled	36	10	11.20
	40	10	12.35
	36	10½	11.40
	40	10½	12.60
	40	14	15.90

The maximum prices set forth above are for burlap sold or delivered in quantities of 25 bales or more. For burlap sold in quantities of less than 25 bales the customary premiums may be charged, but in no case shall the prices f. o. b. shipping point exceed the maximum prices set forth above plus ten percent.

The maximum prices established by Revised Price Schedule No. 18 do not apply to burlap sold in quantities of less than one bale.

The maximum price for re-sewn burlap which contains more than one of the above constructions shall be the maximum price for the construction contained therein which has the lowest established maximum price.

(b) Charges for war risk insurance in excess of 2½% actually paid with respect to the burlap sold, may be added to the maximum prices set forth in paragraph (a) of this section: *Provided*, That in no event may such charges be added for war risk insurance based upon an insured valuation in excess of the total of (1) the maximum price enumerated in paragraph (a) for such burlap (without regard to the provision regarding sales in quantities of less than 25 bales), plus (2) the premium for war risk insurance, at the applicable rate, computed upon a valuation equivalent to such enumerated maximum price for such burlap: *Provided further*, That if any such excess war risk insurance charges are added to the applicable maximum prices, an invoice or similar document shall be delivered to the purchaser showing the amount of such charges.

§ 1339.10a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1339.11 (a) and (b)) to Revised Price Schedule No. 18 shall become effective July 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6330; Filed, July 3, 1942; 5:10 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 2 to Maximum Price Regulation 152[1]]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In paragraph (c) of § 1341.26 the date "July 1, 1942" is amended to read "July 15, 1942."

[1] 7 F.R. 1241, 1600.

[2] In the case of second hand or re-sewn burlap and in case the port of discharge for any lot of new burlap cannot be ascertained, the price enumerated herein shall apply f. o. b. the seller's point of shipment.

[3] For qualities or constructions not listed herein, the maximum price shall be a price determined by the Office of Price Administration to be in line with the maximum price for the nearest comparable quality and construction listed herein. Such determination shall be made upon written request addressed to the Office of Price Administration, Washington, D. C.

[1] 7 F.R. 3895, 3963, 4453.

§ 1341.32 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1341.26 (c)) to Maximum Price Regulation No. 152 shall become effective July 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6332; Filed, July 3, 1942; 5:12 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment No. 2 to Maximum Price Regulation No. 130[1]]

STANDARD NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1347.280 (a), subparagraphs (3), (4), and (5) are redesignated (4), (5), and (6); and a new subparagraph (3) is added. Section 1347.282 (b) is amended to read as set forth below.

§ 1347.208 *Definitions.* (a) • • •

(3) "Super Standard" Newsprint Paper is a quality of Standard Newsprint Paper, with an average basis weight per shipment of not less than 34 pounds, subject to normal trade variation, which has been specially manufactured and processed in a manner to render it more suitable than ordinary Standard Newsprint Paper for printing by the rotogravure process.

§ 1347.282 *Appendix A: Maximum prices for Standard Newsprint Paper.* • • •

(b) *Manufacturers' differentials for color and sheets.* Manufacturers may add to the maximum prices established herein a price differential not in excess of $3.50 per ton for "Super Standard" quality, as hereinbefore defined, when such paper or the container or wrapper thereof is marked in such fashion as to indicate clearly it is sold for rotogravure printing. The payment of this differential by the purchaser shall constitute a guarantee to the Administrator that the purchaser will use such paper only for rotogravure printing. Manufacturers may also add price differentials for color, sheets, the squaring of sheets, or special packing equivalent to the differentials actually charged in sales by the manufacturer of Standard Newsprint Paper during the period from October 1, 1941, to October 15, 1941, inclusive. If no sale of Standard Newsprint Paper in color, sheets, squared sheets or special packaging was made in such period, there may be added to the maximum prices the price differentials which would have been charged during such period, using such cost factors as would have been used to complete such differentials during the period from October 1, 1941, to October 15, 1941, inclusive.

§ 1347.281a. *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1347.280 (a) (3), (a) (4), (a) (5), and (a) (6); § 1347.282 (b)) to Maximum Price Regulation No. 130 shall become effective July 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6331; Filed, July 3, 1942; 5:10 p. m.]

PART 1393—ICE

[Maximum Price Regulation 154[1] as Amended—Ice]

Sec.
1393.1 Maximum prices for ice.
1393.2 Less than maximum prices.
1393.3 Adjustable pricing.
1393.4 Evasion.
1393.5 Enforcement.
1393.6 Applicability of the provisions of the General Maximum Price Regulation.
1393.7 Incorporation of the provisions of the General Maximum Price Regulation.
1393.8 Applications for adjustment by retail sellers.
1393.9 Petitions for amendment.
1393.10 Definitions.
1393.11 Effective dates of amendments.
1393.12 Appendix A: Maximum Prices for ice.

A statement of the considerations involved in the issuance of Maximum Price Regulation No. 154 As Amended, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The title, preamble, and §§ 1393.1 to 1393.9, inclusive, are renumbered and amended to read as set forth herein:

In the judgment of the Price Administrator, it is necessary to establish maximum prices for the sale of ice because the prices prevailing in March 1942 were abnormally low in relation to the prices in other industries. As the ice business is primarily seasonal in nature, it has been the custom in the ice business to make price increases only at the beginning of the summer season, which occurs in most regions of the United States in the month of April. Accordingly, in most cases, the prices for ice prevailing in March 1942 did not reflect increased costs incurred since the summer season of 1941, and consequently, as noted above, were abnormally low in relation to the prices prevailing in other industries in which price increases are not limited to a particular time of year. The maximum prices established by this Regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 154 As Amended is hereby issued.

AUTHORITY: §§ 1393.1 to 1393.13 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1393.1 *Maximum prices for ice.* On and after July 8, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver ice and no person in the course of trade or business shall buy or receive ice at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1393.12; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1393.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1393.12) may be charged, demanded, paid or offered.

§ 1393.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1393.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 154 as amended, shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of ice, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

Specifically, but not exclusively, the following practices are prohibited:

(a) The reduction or elimination of discounts in effect during April 1942, with respect to any particular class of purchasers, or, where the seller's maximum price for ice is established under § 1393.12 (a) (2), the reduction or elimination during any of the months from April to October, inclusive, of the discounts in effect during the corresponding month of 1941 with respect to any particular class of purchasers.

(b) Changes in the classification of purchasers of ice which were in effect during April 1942, or, where the seller's maximum price for ice is established under § 1393.12 (a) (2), changes during any months from April to October, inclusive, in the classification of purchasers of ice in effect during the corresponding month of 1941.

§ 1393.5 *Enforcement.* (a) Person violating any provision of this Maximum

[1] 7 F.R. 3183, 3521.

[1] 7 F.R. 3904, 4668, 4762.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339.

[2] 7 F.R. 971.

Price Regulation No. 154 as amended, are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for the suspension of licenses provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 154 as amended, or of any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1393.6 *Applicability of General Maximum Price Regulation.*[3] Except as provided in § 1393.7 the provisions of this Maximum Price Regulation No. 154 as amended supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of ice for which maximum prices are established by this Regulation.

§ 1393.7 *Incorporation of the provisions of the General Maximum Price Regulation.*[3] The provisions of § 1499.4 of the General Maximum Price Regulation relating to supplementary regulations; the provisions of § 1499.7 relating to Federal and State taxes; the provisions of §§ 1499.12, 1499.13 and 1499.14 relating to records; the provisions of § 1499.20 (g) (h) (i) (k) (m) (o) (p) (r) and (s) relating to definitions; and the provisions of § 1499.29 (b) (Supplementary Regulation No. 4[4]) relating to applications for price adjustments with respect to government contracts or subcontracts shall apply to sales of ice the maximum prices for which are established by this Maximum Price Regulation No. 154 as amended, and to all persons making such sales. The registration and licensing provisions of §§ 1499.15 and 1499.16 are applicable to every person subject to this Maximum Price Regulation No. 154 as amended, selling ice at wholesale or retail.

§ 1393.8 *Applications for adjustment by retail sellers.* (a) Any seller at retail (1) who finds that the maximum price of ice established for him under the provisions of § 1393.12 of this Maximum Price Regulation No. 154 as amended, is abnormally low in relation to the maximum prices of ice established for other sellers at retail, and that this abnormality subjects him to substantial hardship, or (2) who is able to show that the maximum price for ice established for him under the provisions of § 1393.12 of this Maximum Price Regulation No. 154 as amended, is so low as to cause him substantial hardship and make it impossible for him to continue selling or supplying ice, and that such discontinuance by him will cause his customers substantial inconvenience disproportionate to the needs of the national or local economy, may file an application for adjustment of that maximum price in accordance with Temporary Procedural Regulation No. 2[5] issued by the Office of Price Administration, or any other applicable Regulation hereafter issued by the Office of Price Administration. For the purposes of this paragraph (a) a sale to an industrial or commercial user for use but not for resale by such industrial or commercial user shall be deemed to be a sale at retail, and any person making such sales shall be deemed to be a seller at retail.

(b) In making application for adjustment under paragraph (a) of this section, any manufacturer of ice who sells ice at retail and also sells ice to distributors and peddlers for resale at retail may make application for adjustment on behalf of those distributors and peddlers who customarily purchase ice from him. If an adjustment of the manufacturer's maximum price is granted upon such application, a like adjustment of the maximum prices of the distributors and peddlers included in the application may be granted. In any such case the manufacturer's prices to such distributors and peddlers may be, but are not required to be, increased by an amount not in excess of the adjustment granted with respect to retail prices.

(c) Any seller at retail who finds that his maximum price for ice and the maximum prices for other retail sellers for ice are abnormally low in relation to the level of maximum prices established by this Maximum Price Regulation No. 154 as amended for manufacturers or wholesalers of ice and that this relationship subjects sellers at retail of ice generally to substantial hardship should immediately communicate such information in writing to the Retail Trade and Services Division, Office of Price Administration, Washington, D. C., so that the Price Administrator may take appropriate action.

§ 1393.9 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 154 As Amended, or any adjustment or exception not provided for in § 1393.8, may file Petitions for Amendment in accordance with the provisions of Procedural Regulation No. 1[5] issued by the Office of Price Administration.

§ 1393.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 154 as amended the term:

(1) "Platform sale" (or bridge, or dock sale) is a sale of ice, delivery of which is made to the purchaser at the seller's place of business.

(2) "Delivered sale" is a sale of ice delivered to a purchaser at a point other than the seller's place of business.

(3) "Highest price charged" shall be (i) the highest price which the seller charged for ice delivered by him during any designated period or (ii) if the seller made no such delivery during any designated period, his highest offering price for delivery during that designated period.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1393.11 *Effective dates of amendments.* (a) This Maximum Price Regulation No. 154 As Amended (§§ 1393.1 to 1393.12, inclusive) shall become effective July 8, 1942.

§ 1393.12 *Appendix A: Maximum prices for ice*—(a) *Determination of maximum prices*—(1) *Generally.* The seller's maximum delivered price and the seller's maximum platform price for any form, quantity, and quality of ice shall be the highest price charged by the seller for such form, quantity, and quality of ice during April 1942 on a delivered sale or on a platform sale respectively to a purchaser of the same class: *Provided*, That in the event the seller's only deliveries to any class of purchasers during April 1942 were made pursuant to a contract or contracts entered into prior to October 1, 1941, the seller's maximum delivered price and seller's maximum platform price to a purchaser of that class for any form, quantity, and quality of ice shall be (i) the highest delivered price or the highest platform price respectively for such form, quantity, and quality of ice for which provision is made in any contract entered into with a purchaser of said class after October 1, 1941 and prior to April 28, 1942, even though no deliveries were made under such contracts in April 1942, or (ii) if the seller has not entered into any contract with a purchaser of that class after October 1, 1941, and prior to April 28, 1942, a price determined in accordance with paragraph (b) of this section.

(2) *Alternative maximum prices.* During the months from April to October inclusive, a seller of ice may charge on a delivered sale or a platform sale for any form, quantity, and quality of ice, the highest price charged by the seller for such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively during the corresponding month of 1941 to a purchaser of the same class: *Provided*, That to avail himself of this alternative method of determining maximum prices the seller must be able to demonstrate by appropriate written records what his prices actually were during the corresponding months of 1941 and must preserve such records and make them available for examination by the Office of Price Administration.

(b) *Maximum prices determined by reference to maximum prices of most closely competitive seller*—(1) *Generally.* If the seller's maximum price for ice cannot be determined under paragraph (a) (1) of this section, and is not or cannot be determined under paragraph (a) (2) of this section, the seller's maximum delivered price and the seller's maximum platform price for any form, quantity, and quality of ice shall be the maximum price established under paragraph (a) (1) of this section for the most closely competitive seller of the same class for such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively to a purchaser of the same class.

(2) *Alternative maximum prices.* If a seller has customarily charged higher prices during the summer season than during the rest of the year, and if the seller's maximum price for ice cannot be determined under paragraph (a) (2) of this section, the seller may charge during the months from April to October inclusive, on a delivered sale or on a platform sale for any form, quantity, and quality of ice the maximum price established under paragraph (a) (2) of this section for the most closely competitive seller of the same class for such form, quantity, and quality of ice on a delivered sale or on a platform sale respectively to a purchaser of the same class.

(c) No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of ice than the seller required purchasers of the same class to pay during April 1942, except that during the months of April to October inclusive, where the seller's maximum price for ice is established by paragraph (a) (2) of this section, no seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of ice than the seller required purchasers of the same class to pay during the corresponding month of 1941.

(d) The charges made for any special service shall not exceed the charge made during April 1942 except that where, during the months from April to October, inclusive, the seller's maximum price for ice is established by paragraph (a) (2) of this section, the charges made for any special services shall not exceed the charges made during the corresponding month of 1941.

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6333; Filed, July 3, 1942; 5:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order 17]

SANITARY REFRIGERATOR CO.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.54 *Approval of maximum prices for sales of household ice refrigerators by Sanitary Refrigerator Company.* (a) On and after July 3, 1942, the maximum price, f. o. b. factory, for the sale by the Sanitary Refrigerator Company, Fond Du Lac, Wisconsin, of the following models of household ice refrigerators to any person, shall be the amount set forth opposite each model number:

Model No.:	*Maximum price*
MV-55	$16.88
MV-280	19.94
MV-110	21.94
MV-295	24.86
MV-2125	29.99

(b) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 17 (§ 1499.54) shall become effective July 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6326; Filed, July 3, 1942; 5:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order 18]

AMERICAN AGAR AND CHEMICAL CO.

The American Agar and Chemical Company of San Diego, California, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine for its San Diego plant the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application, and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

§ 1499.55 *Approval of maximum price for domestic Agar for sale by the American Agar and Chemical Company.* (a) On and after July 4, 1942, the San Diego plant of the American Agar and Chemical Company, a corporation having its principal place of business in San Diego, California, may sell and deliver and offer, agree, solicit, and attempt to sell and deliver Agar produced by it at its San Diego plant, and any person may buy from the San Diego plant of the American Agar and Chemical Company Agar produced by it at its San Diego plant at a price no higher than that hereinafter set forth: $3.00 per pound, f. o. b. San Diego, California.

(b) On or before September 15, 1942, the above-mentioned seller shall furnish the Office of Price Administration with a sworn statement reporting its cost of producing Agar per pound for each month during the period from April 1, 1942, to September 1, 1942. Thereafter the above-mentioned seller shall submit to the Office of Price Administration such reports of its cost of producing Agar as the Office of Price Administration may, from time to time, require.

(c) The maximum prices established in this Order shall include all charges for containers.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 18 (§ 1499.55) shall become effective July 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6327; Filed, July 3, 1942; 5:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order 19]

TREASURY DEPARTMENT AND METALS RESERVE CO. PRICES FOR CERTAIN ALLOY INGOT AND PURE NICKEL CUBES

The Treasury Department of the United States and the Metals Reserve Company have made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for a determination of a maximum price for a certain alloy ingot and for certain pure nickel cubes. Due consideration has been given to the application and an Opinion in support of this Order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.56 *Authorization of a maximum price for a certain alloy ingot and certain pure nickel cubes to the Treasury Department of the United States and the Metals Reserve Company.* (a) On and after July 4, 1942, the Treasury Department of the United States and Metals Reserve Company may sell and deliver and agree, offer, solicit, and attempt to sell and deliver alloy ingot of the following specifications at prices no higher than 22.00¢ per pound in carload lots and 22.25¢ per pound in less than carload lots delivered buyer's plant.

Electrolytic copper, 75 percent.

Electrolytic nickel, 25 percent.

Impurities—No greater than those normally occurring in an alloy made entirely from electrolytic copper and electrolytic nickel.

(b) On and after July 4, 1942, the Treasury Department of the United States and Metals Reserve Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver electrolytic nickel in cubes at a price no higher than 32¢ per pound delivered buyer's plant or warehouse.

[3] *Supra.*
[4] 7 F.R. 3724.
[5] 7 F.R. 3522.
[1] 7 F.R. 3153, 3330, 3666, 3990, 3991.
[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.
[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

(c) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 19 (§ 1499.56) shall become effective on July 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6328; Filed, July 3, 1942; 5:04 p. m.]

Chapter XIII—Office of Petroleum Coordinator for War

[Recommendation No. 45, Amendment]

PART 1508—MARKETING

ASPHALT PRODUCTS

To all State Highway Commissions, and to all Federal, state, county, and municipal bodies or agencies having jurisdiction over the construction, reconstruction, maintenance, or repair of roads and highways in Districts One, Two and Three, and to all suppliers of asphalt and asphaltic products and tar and tar products in the aforesaid Districts:

Pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, §§ 1508.44 to 1508.48 of this chapter (Recommendation No. 45, dated April 24, 1942) [1] are hereby amended to read as follows:

§ 1508.44 *Use of asphalt or tar products on roads and highways.* Subject to the provisions of § 1508.47 of this chapter, the use of asphalt or of any asphaltic product, including road oils, or of tar or any tar product, in the construction, reconstruction, paving, surfacing or resurfacing, and in the maintenance or repair, of any public road, street, highway or driveway, or public parkway, in the areas defined in § 1508.48 of this chapter, and the purchase, sale, delivery or withdrawal from storage of any asphalt or asphaltic product including road oil, or tar, or any tar product, for any such use, shall be deferred for the duration of the emergency, except in the case of public roads, streets, highways or driveways, or public parkways, certified by the Public Roads Administration of the Federal Works Agency to be necessary to the successful prosecution of the war, and for the construction, reconstruction, paving, surfacing or resurfacing, or the maintenance or repair, of which the Public Roads Administration certifies that the use of asphalt or an asphaltic product (not including road oil), or tar or a tar product, is essential. Certification by the Public Roads Administration shall be made after review and recommendation by the appropriate state highway department, except in cases of use by or on behalf of an agency of the Federal Government, pursuant to such procedure as the Commissioner of Public Roads may prescribe.

AUTHORITY: §§ 1508.44 to 1508.48, inclusive, issued under the President's letter of May 28, 1941, to the Secretary of the Interior (6 F.R. 2760).

[1] 7 F.R. 3669.

§ 1508.45 *Other surfacing.* Subject to the provisions of § 1508.47 of this chapter, no asphalt or asphaltic product, including road oils, or tar or any tar product, shall be used during the emergency in the construction, reconstruction, paving, surfacing or resurfacing, or in the maintenance or repair, of any roadway or other surface for vehicular use, walkway, yard, parking area, or any other similar surface subject to restricted use and not within a building (but not including airport or aircraft plant surfaces on which aircraft travel) except as may be approved by the Director of Marketing, Office of Petroleum Coordinator for War, Washington, D. C., in the area defined in § 1508.48 of this chapter.

§ 1508.46 *Transportation of asphalt and asphaltic products.* Asphalt and asphaltic products, including road oils, and tar and tar products, shall be transported by means of tank truck in all movements of 200 miles or less except where suitable tank truck transportation cannot be obtained.

§ 1508.47 *Date of applicability.* In any case where asphalt or any asphaltic product (not including road oils), or tar or any tar product, is being used for the purposes described in §§ 1508.44 and 1508.45 of this chapter in the area defined in paragraph (b) of § 1508.48 of this chapter, pursuant to a written contract, but only where equipment and material has been placed upon the location on or before the date of promulgation of this amendment, the use thereof shall be permitted for 20 days following such date, and the delivery thereof for such use shall be permitted for 10 days following such date, but shall be permitted thereafter only upon certification by the Public Roads Administration in the manner contemplated in § 1508.44 or approval as provided in § 1508.45 of this chapter. The use of road oils for the purposes described in §§ 1508.44 and 1508.45 of this chapter, and the delivery of road oils for such purposes, shall cease from and after the effective date of §§ 1508.44 to 1508.48, inclusive, of this chapter. The provisions of §§ 1508.44 to 1508.48, inclusive, of this chapter, shall be effective in the area defined in paragraph (a) of § 1508.48 of this chapter on the date of promulgation.

§ 1508.48 *Areas of applicability.* (a) The States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

(b) The States of Alabama, Arkansas, Florida west of the Apalachicola River, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

R. K. DAVIES,
Deputy Petroleum Coordinator for War.

JULY 2, 1942.

[F. R. Doc. 42-6375; Filed, July 6, 1942; 10:52 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 15]

PART 303—TERMINAL OPERATIONS

Whereas by Executive Order 9054, dated February 7, 1942, the President established the War Shipping Administration in order to assure the most effective utilization of the shipping of the United States for the successful prosecution of the war; and

Whereas the Administrator deems it appropriate to issue the following Order concerning the handling of vessels owned or under charter to the War Shipping Administration, the use of terminal facilities by agents or general agents (including any subsidiary or other Company whom the Administrator deems should be included for accounting purposes in order to determine fair and reasonable charges) of the War Shipping Administration, and rates and charges therefor.

Now, therefore, by virtue of the power vested in me by the aforesaid Executive Order: *It is hereby ordered,* That:

§ 303.1 *Designation of terminals within continental United States.* (a) Unless otherwise determined by the Administrator, terminals to be used in all ports shall be designated by the agents or general agents of the vessels with due regard for the most efficient and economical handling of the ship's business.

(b) Unless otherwise determined by the Administrator, and except as provided in § 303.3 the agent or general agent in ports within the continental limits of the United States may:

(1) (i) when the designated terminal is not owned or rented by the agent or general agent, pay and charge against the vessel the going tariff rates, less all refunds, in the ports for charges customarily assumed by the vessel for the use of such terminals when said tariff rates are duly filed and approved by a governmental regulating body;

(ii) when the terminal is rented by the agent or general agent, charge against the vessel a fair and reasonable proportion of the actual monthly cost to him for the terminal operating costs which will include rental, fire and liability insurance, light, heat, power, repairs and upkeep, pier superintendent, head receiving and delivery clerk, watchman or gateman, plus compensation insurance and taxes on such personnel.

(iii) when the terminal is owned by the agent or general agent, charge against the vessel a fair and reasonable proportion of a monthly rental rate for the terminal facilities as determined by the Administrator.

(2) pay and charge against the vessel the actual cost for checkers, tallyman, dock labor, coopers, and special cargo or ship's watchman, including compensation insurance and taxes on such labor.

§ 303.2 *Payment of tariff rates.* Where under the established tariff applicable to any terminal any of the above charges are charged against the cargo rather than against the vessel, such charges shall be paid by the cargo and not by the agent or general agent. The agent or general agent shall make collections from the cargo and remit such collections to the terminal company in accordance with the usual practice.

(a) Where some or all of the expense of the terminal is assumed by the vessel, the vessel's revenue shall be credited with all handling charges collected from the cargo.

§ 303.3 *Compensation of general agents or agents.* A general agent or agent who directly or through an affiliate performs general supervisory services at a terminal in connection with handling the vessel's business shall be compensated for his services, or a general agent or agent who employs a sub-agent to perform such services at a terminal shall compensate his sub-agent and be reimbursed on the following basis:

Manifest tons handled by each vessel at 5¢ per ton; with a minimum of $100.00 per vessel: *Provided, however,* That this schedule of fees shall not apply:

(a) When a public terminal or private terminal company not affiliated with the agent or general agent (as determined by the Administrator) performs such supervisory services under a stipulated tariff rate;

(b) In any port outside of the United States, its Territories and Possessions;

(c) In terminals where supervision is handled by special agreement with the War Shipping Administration;

(d) To liquid cargoes at any terminal or sugar, bulk, or other cargoes loaded or discharged at refineries, sugar docks, ore docks, coal docks, lumber or other mills or at private terminals not owned or leased by the agent or general agent or his affiliates. In such cases the agent may charge against the vessel the actual net cost for such dockage, clerking, checking and watching as is customarily and properly incurred for the account of the vessel.

§ 303.4 *Basis of compensation to general agents and agents.* As approved or required by the Administrator, the net of the terminal operations of each pier or terminal of each general agent or agent shall be taken into consideration in making determination under §§ 330.10 and 330.12 under General Order No. 12 and in accordance with fiscal regulations issued thereunder.

§ 303.5 *Reports of general agents and agents.* This order shall become effective with the handling of all vessels under G. A. A. 4-4-42 and T. C. A. 4-4-42. All general agents and agents operating terminals where any part of the cost of the operation is charged to vessels owned by or operated for the account of the War Shipping Administration will come within the provisions of this order. Each such general agent or agent shall submit immediately for approval to the Assistant Deputy Administrator for Fiscal Affairs a report containing full data as to location, complete description, rental rate, maintenance, upkeep, etc., of rented piers and similar information including cost and depreciated value of owned piers and such other information as the Administrator may require.

§ 303.6 *Method of computing charges.* All charges shall be billed and allocated against the vessel in accordance with such fiscal regulations as may from time to time be prescribed by the Assistant Deputy Administrator for Fiscal Affairs. In allowing such charges, the Administrator shall take into account charges made by the agent or general agent against any other agencies of the United States or for the use of terminal for lend-lease or defense aid cargo and may reduce the charges herein provided to the extent that charges are made against other agencies or for the use of terminal for lend-lease or defense aid cargo in excess of the rates provided by this order.

By order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr.,
Secretary.

JULY 3, 1942.

[F. R. Doc. 42-6371; Filed, July 6, 1942; 10:39 a. m.]

[General Order 12, Supp. 3]

PART 330—TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS

COMBINATION CARGO AND PASSENGER VESSELS

§ 330.21 *Vessels included.* Sections 330.21 to 330.28 of General Order No. 12, as amended by Supplement 1 thereto, are applicable to services rendered in connection with the operation of combination cargo and passenger vessels for the War Shipping Administration under the standard form of service agreement for vessels time chartered from others for the War Shipping Administration (TCA-4-4-42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac vice (GAA-4-4-42).

§ 330.22 *Effective period.* Sections 330.21 to 330.28 shall become effective at the earliest dates permissible under such service agreements.

§ 330.23 *Definition of terms.* The words defined in §§ 330.3, 330.4, 330.5 and 330.6 of General Order No. 12, as amended by Supplement No. 1 thereto, shall have the same meaning in §§ 330.21 to 330.28, *except* that the terms "general agent" and "agent" shall be deemed to include wholly owned subsidiaries or any other related or interested companies that the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expenses.

The term "passenger" as used in §§ 330.21 to 330.28 means each person carried on the vessel other than members of the gun crew, the master, and licensed and unlicensed personnel of the vessel, and military personnel when the vessel is operated as a troop transport.

§ 330.24 *Compensation of agents in continental United States ports.* Agents for combination cargo and passenger vessels shall be compensated for the handling of cargo at the same rates as provided in § 330.7 of General Order No. 12, as amended for Agents of cargo vessels. In addition, the agents of combination cargo and passenger vessels shall receive as compensation for services rendered in connection with transportation of passengers the following fees: $3 for each passenger carried outward, and $2 for each passenger carried homeward or between out ports.

§ 330.25 *Compensation of sub-agents at ports outside of continental United States.* As compensation for services rendered outside of the continental limits of the United States including Alaska, the agent may pay with respect to cargo handled or for other services performed at rates provided in § 330.8 of General Order No. 12. In addition, the agent may pay with respect to passengers the prevailing commercial rates, but not in excess of the following: $2 for each passenger embarked, and $1 for each passenger disembarked.

§ 330.26 *Compensation of general agents.* No compensation shall be paid to any general agent for his services in connection with the management and operation of the vessels where such vessels are chartered under a charter party that makes allowances for the general agents' services (whether designated as overhead or otherwise in the charter party), except, however, the general agent may receive payment for the amounts hereinabove provided for the account of sub-agents, where such services are performed by branch office of the general agent located outside the continental limits of the United States including Alaska.

In cases where the general agent does not receive an allowance for services under a charter party for the combination cargo and passenger vessel, he shall be compensated both (a) as agent to the extent provided in § 330.24, and (b) as general agent to the extent provided below. From the sums received under the agency formula he shall compensate all agents as provided in Article 6 of the standard form of service agreement (GAA-4-4-42). From his compensation as general agent he shall compensate all sub-agents performing services that are required to be performed by him under the service agreement. In addition to the agency fees, the general agent in such cases will be paid compensation as provided in § 330.9 of General Order No. 12, except that "payable tons" for combination cargo and passenger vessels shall be the gross tonnage of each such vessel multiplied by two, and, in the event that the general agent has been allocated cargo vessels as well as combination cargo and passenger vessels, the compensation payable to the general agent shall not be calculated separately for cargo vessels and combination cargo and passenger vessels, but, in such case, the combined payable tons of both types of vessels shall be used in determining the compensation due the general agent for services rendered in connection with both types of vessels.

§ 330.27 *Adjustments.* The compensation of agents and general agents shall be subject to adjustment in accordance with §§ 330.9, 330.10 and 330.11 of Part I of General Order No. 12.

§ 330.28 *Accounting.* The provisions of § 330.12 of General Order No. 12 are incorporated in §§ 330.21–330.28 and made a part hereof by reference.

By order of the War Shipping Administration.

[SEAL] W. C. PEET, JR.,
Secretary.

JULY 1, 1942.

[F. R. Doc. 42–6370; Filed, July 6, 1942; 10:39 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. B–265, B–269]

JOHN KEZELE AND MIKE MARTORANO

ORDER POSTPONING AND CHANGING PLACE OF HEARINGS

The above-entitled matters of John Kezele, Docket No. B–265, and Mike Martorano, Docket No. B–269, having been heretofore scheduled for hearings on July 27 and 28, 1942, respectively, at 10 a. m., at a hearing room of the Bituminous Coal Division (the "Division"), at the District Court Room, Denver, Colorado; and

The Acting Director deeming it advisable that said hearings should be postponed, and that the place of said hearings should be changed;

Now, therefore, it is ordered, That the hearings in the Matters of John Kezele, Docket No. B–265, and Mike Martorano, Docket No. B–269, be, and they hereby are, postponed from July 27 and 28, 1942, respectively, to August 12 and 13, 1942, at 10 a. m., respectively, at a hearing room of the Division at the Courthouse, at Trinidad, Colorado, before the officer or officers previously designated to preside at said hearings.

Dated: July 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6363; Filed, July 6, 1942; 10:34 a. m.]

[Docket No. A–1414]

DISTRICT BOARD 10

ORDER RESCHEDULING HEARING

In the matter of the petition of District Board No. 10 for the establishment of a price exception for railroad fuel of mine index No. 58.

The above-entitled matter having been heretofore scheduled for hearing on June 10, 1942, at Washington, D. C., by Order issued May 15, 1942, and having been indefinitely postponed by the Examiner subject to further Order of the Acting Director because the original petitioner failed to appear; and

It appearing that this matter should be rescheduled for hearing;

Now, therefore, it is ordered, That a hearing in the above-entitled matter be held on July 14, 1942, at 10 o'clock in the forenoon of that day at the place and before the officers heretofore designated.

Dated: July 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6364; Filed, July 6, 1942; 10:34 a. m.]

[Docket No. 1702–FD]

DUNDEE COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated June 5, 1941, having been filed on June 11, 1941, by the Bituminous Coal Producers Board for District No. 4, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by the Dundee Coal Company, Sugar Creek, Ohio, of the Bituminous Coal Code, or rules and regulations thereunder; and

An Order, after hearing on said complaint, having been issued herein on June 19, 1942, revoking the Code Membership of the said Dundee Coal Company, effective fifteen (15) days from the date of said Order and providing that prior to reinstatement of the Dundee Coal Company to Membership in the Code there shall be paid to the United States a tax in the amount of $8,892.38 as provided in section 5 (c) of the Act; and

Said Order having been duly served on the Dundee Coal Company on June 23, 1942; and

It appearing that the said Dundee Coal Company filed with the Bituminous Coal Division on July 1, 1942, its application dated June 29, 1942, for restoration of its Code Membership together with copy of receipt dated June 29, 1942, for payment of said tax in the amount of $8,892.38, issued by the Collector of Internal Revenue at Columbus, Ohio.

Now, therefore, it is ordered, That said application of the Dundee Coal Company, filed July 1, 1942, for restoration of its Code Membership be and the same is hereby granted.

It is further ordered, That said restoration of the Code Membership of the Dundee Coal Company be effective simultaneously with the effective date of said cancellation and revocation of its Code Membership.

Dated: July 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6365; Filed, July 6, 1942; 10:34 a. m.]

[Docket Nos. B–123 and B–124]

NAPIER AND HENSLEY

CEASE AND DESIST ORDER, ETC.

In the matter of John L. Napier and Shelby Hensley, individually and as co-partners, doing business under the name and style of Napier and Hensley, Code Member.

Order approving and adopting proposed findings of fact, proposed conclusions of law, and recommendation of the Examiner, and cease and desist order.

This proceeding was instituted upon complaints filed by the Bituminous Coal Division, pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board No. 8.[1] The complaints allege that John L. Napier and Shelby Hensley, copartners, a code member in District No. 8, operating mines designated as Mine Index Nos. 1516 and 1542, wilfully violated the Bituminous Coal Act of 1937, the Bituminous Coal Code, and the rules and regulations promulgated thereunder, and particularly, Price Instruction (A) 5, as set forth in the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments, wherein complainant prayed that the Division either cancel and revoke the code membership of John L. Napier and Shelby Hensley or, in its discretion, direct the code member to cease and desist from further violations of the Act, the Code, and the rules and regulations pursuant thereto.

Pursuant to an Order of the Acting Director dated January 14, 1942, and after due notice to interested persons, this matter came on for hearing on February 17, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Middlesboro, Kentucky. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. Appearances were entered in behalf of District Board No. 8 and John L. Napier and Shelby Hensley.

The Examiner, on June 1, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation. He found that code members Napier and Hensley wilfully violated section 4 II (e) of the Act and of the Code by (a) selling and delivering on or about July 15, 1941, 25 tons of high volatile run of mine coal (Size Group 6), produced at Mine Index Nos. 1516 and 1542 at $2.15 per net ton f. o. b. the Post Office, Pineville, Kentucky, whereas the effective minimum price established for such coal, as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments, is $2.15 per net ton f. o. b. the mine; (b) selling and delivering to the County of Bell, Kentucky, between October 15, 1940 and May 22, 1941, both dates inclusive, approximately 169.5 tons of high volatile stoker coal (Size Group 3) produced at Mine Index Nos. 1516 and 1542 at $2.15 per net ton f. o. b. Pineville, Kentucky, whereas the effective minimum price for such coal, as set forth in the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments is $2.15 per net ton f. o. b. the mine; (c) selling and delivering between October 15, 1940 and May 22, 1941, both dates inclusive, approximately 172 tons of high volatile run of mine coal (Size Group 6) produced at Mine Index Nos. 1516 and 1542 at $2.15 per net ton f. o. b. Pineville, Kentucky, whereas the effective minimum price established for such coal, as set forth in the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments is $2.15 per net ton f. o. b. the mine. The Examiner found that the code member failed to add the actual or reasonably estimated costs of transporting the coal from the mine to the points at which it was delivered to the respective purchasers, and thereby violated the provisions of Price Instruction 5, as set forth on page 3 of the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments.

Based upon his proposed findings of fact, the Examiner recommended that an order be entered directing John L. Napier and Shelby Hensley, copartners, as partners and as individuals, their officers, representatives, agents, servants, employees, and successors or assigns, and all persons acting or claiming to act for or in their behalf or interest, to cease and desist from further violations of the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments, or from otherwise violating the provisions of the Act, the Code, and the rules and regulations promulgated thereunder.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner. No exceptions thereto have been filed.

The undersigned has determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective forthwith, John L. Napier and Shelby Hensley, copartners, as partners and as individuals, their officers, representatives, agents, servants, employees, and successors or assigns, and all persons acting or claiming to act for or in their behalf or interest, be, and they hereby are, directed to cease and desist from further violations of the Schedule 3 of Effective Minimum Prices for District No. 8 for Truck Shipments, or from otherwise violating the provisions of the Act, the Code, and the rules and regulations promulgated thereunder.

It is further ordered, That if the code members or either of them fail or refuse to comply with this order, the Division may apply to a Circuit Court of Appeals within the circuit wherein they reside or carry on business for the enforcement thereof, or take such further action as may be appropriate in the premises.

Dated: July 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6366; Filed, July 6, 1942; 10:35 a. m.]

[1] Docket No. B–123 contains the complaint of District Board No. 8 against Napier and Hensley as operator of Mine Index No. 1542. Docket No. B–124 contains the complaint of District Board No. 8 against Napier and Hensley as operator of Mine Index No. 1516. At the hearing, Dockets Nos. B–123 and B–124 were consolidated.

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective July 6, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Aldine Mfg. Co., Philadelphia, Pennsylvania; Lamp shades; 5 learners; 240 hours for any one learner; 35 cents per hour; Hand sewing; January 6, 1943.

Garfield Specialty Co., Chicago, Illinois; Lamp shades; 1 learner; 240 hours for any one learner; 35 cents per hour; Hand sewing; October 6, 1942.

Ira L. Henry Co., Elm & Union Sts., Watertown, Wisconsin; Set-up paper boxes; 3 learners; 6 weeks (240 hours) for any one learner; 30 cents per hour; Basic hand and machine box making operations, except cutting, scoring and slitting; January 6, 1943.

Mari Anne Studio, Minneapolis, Minnesota; Lamp shades; 1 learner; 240 hours for any one learner; 35 cents per hour; Hand sewing; October 6, 1942.

Signed at New York, N. Y., this 3d day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42–6374; Filed, July 6, 1942; 10:48 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 6, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Kramer Tie Co., 26 E. 14 St., Bayonne, New Jersey; Men's neckwear; 5 learners (T); January 6, 1943.

Piedmont Spread Co., Wall St.; Cartersville, Georgia; Chenille robes; 10 learners (T); July 6, 1943.

Rice Stix Dry Goods Co., Factory #3, Blytheville, Arkansas; Men's & boys underwear; 10 percent (T); July 6, 1943.

W. P. Rowell & Co., Inc., 207 Main St., Worcester, Massachusetts; Men's pajamas, robes; 5 learners (T); July 6, 1943.

S. Weitz & Co., Inc., 3019 Pearl St., Lorain, Ohio; Men's topcoats & overcoats; 5 percent (T); July 6, 1943.

Single Pants, Shirts, and Allied Garments and Women's Apparel

Aalfs-Baker Mfg. Co., 1007 4th St., Sioux City, Iowa; Jackets, overalls, shirts; 40 learners (E); January 6, 1943.

Bernard Sportswear, Inc., Mill St., N. Village, Webster, Massachusetts; Shirts, slacks & jackets; 10 learners (T); July 6, 1943.

The Berry Garment Mfg. Co., 422–424 North Kansas Ave., Columbus, Kansas; Herringbone twill gov't. suits, overalls; 5 learners (T); January 6, 1943.

Brody-Lewis Mfg. Co., 203 South 10th St., Omaha, Nebraska; Trousers; 10 percent (T); July 2, 1943. (This certificate effective July 2, 1942.)

Cary & Co., Inc., 119 Chenango St., Binghamton, New York; Pants, overalls, etc.; 10 percent (T); July 6, 1943.

Clara De Fronzo, 28 Prospect Place, Newark, New Jersey; Doll dresses; 1 learner (T); July 2, 1943. (This certificate effective July 2, 1942.)

Excel Garment Mfg. Co., 310 Second Ave. N., Minneapolis, Minnesota; Sportswear, leather & sheep-lined garments, women's slacks, gov't. field jackets, coats & mackinaws; 10 percent (T); July 6, 1943.

Heltzer Bros. & Co., Inc., Elm & South Sts., Glens Falls, New York; Blouses, dresses; 10 learners (T); July 6, 1943. (This certificate replaces the one you now have bearing the expiration date of July 31, 1942.)

Indiana Rayon Corp., 230 East Osage St., Greenfield, Indiana; Men's & boys sportswear; 15 learners (E); July 6, 1943.

Jimy Mfg. Co.; Blackwood, New Jersey; Children's cotton dresses; 5 learners (T); June 22, 1943. (This certificate effective June 22, 1942.)

Kitzis Mfg. Co., 1222 Hudson Boulevard, Bayonne, New Jersey; Ladies dresses; 10 percent (T); July 6, 1943.

Marmon Sportswear Co., Mine St., Brockton, Pennsylvania; Ladies sportswear; 10 learners (T); July 6, 1943.

Regal Mfg. Co., 1208 Young St., Dallas, Texas; Washable service uniforms; 10 percent (T); July 6, 1943.

Shepps-Rosenbloom, 315 East 8th St., Los Angeles, California; Slacks, dresses, slacksuits; 1 learner (T); November 6, 1942.

Sidele Sportswear, Inc., 1806 East Venango St., Philadelphia, Pennsylvania; Ladies blouses; 10 percent (T); July 6, 1943.

Standard Garment Co., Inc., Bridal Ave., West Warwick, Rhode Island; Women's underwear; 35 learners (E); January 6, 1943.

Stone Mfg. Co., 25 East Court St., Greenville, South Carolina; Ladies cotton slips, maids lawn aprons, children's sunsuits, pajamas, underwear; 25 learners (E); January 2, 1943. (This certificate effective July 2, 1942.)

Van Deusen Dress Mfg. Co., 109 East Main St., Cobleskill, New York; Children's dresses; 10 learners (E); January 6, 1943.

Van Deusen Dress Mfg. Co., 109 East Main St., Cobleskill, New York; Children's dresses; 10 percent (T); July 6, 1943.

Cigar

T. E. Brooks & Co., York, Pennsylvania; Cigars; 6 learners; 320 hours for any one learner; 75% applicable wage; Cigar Machine Operating; January 6, 1943.

Consolidated Cigar Corp., North Prince & Ross Sts., Lancaster, Pennsylvania; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Consolidated Cigar Corp., Perth Amboy, New Jersey; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Consolidated Cigar Corp., 840 N. Prince St., Lancaster, Pennsylvania; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Consolidated Cigar Corp., Poughkeepsie, New York; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Consolidated Cigar Corp., Philadelphia, Pennsylvania; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Consolidated Cigar Corp., Camden, New Jersey; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Consolidated Cigar Corp., Coplay, Pennsylvania; Cigars; 10 percent; 320 hours for any one machine cigar maker or packer learner & 160 hours for any one machine stripper learner; 75% applicable wage; January 6, 1943.

Roy R. Smith Cigar Co., Red Lion, Pennsylvania; Cigars; 4 learners; 320 hours for any one machine operator; 75% applicable wage; January 6, 1943.

Gloves

Ireland Brothers; 27 West State St., Johnstown, N. Y.; 10 percent; Leather dress gloves; (T) July 6, 1943.

Hosiery

Phoenix Hosiery Co., 320 E. Buffalo St., Milwaukee, Wisconsin; Seamless & full-fashioned hosiery; 10 percent (T); July 6, 1943.

Knitted Wear

Reidler Knitting Mill, 757 W. Broad St., Hazelton, Pennsylvania; Knitted underwear; 5 percent (T); July 6, 1943.

Millinery

Parkside Hat Co., Inc., 155 So. Terrace Ave., Mt. Vernon, New York; Men's felt hats; 1 learner (T); October 6, 1942.

Textile

Aponaug Mfg. Co., Aponaug Road, Kosciusko, Mississippi; Cotton; 15 learners (T); July 6, 1943.

Best Mfg. Co., Oak & Rainey Sts., Gainesville, Georgia; Silk, rayon, nylon; 3 percent (T); July 6, 1943.

Dixie Mercerizing Co., (Spinning Dept.), Lupton City, Tennessee; Combed yarn spinners; 6 percent (T); July 6, 1943. (This certificate replaces the one bearing the expiration date of November 27, 1942.)

Frank Ix & Sons, Inc., Ware St., Charlottesville, Virginia; Weaving parachute & broadcloth from silk, rayon, acetate and nylon; 3 percent (T); July 6, 1943.

The Orinoka Mills, State & Wallace Sts., York, Pennsylvania; Cotton, rayon, wool; 3 percent (T); July 6, 1943.

Quality Fabrics Co., 540 South Cherry St., Myerstown, Pennsylvania; Coat & sleeve linings, army cloth; 9 learners (T); January 6, 1943.

Stehli & Co., Inc., Marshall & Martha Avenues, Lancaster, Pennsylvania; Textiles, silk; 3 percent (T); July 6, 1943.

Signed at New York, N. Y., this 3d day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42–6373; Filed, July 6, 1942; 10:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6010]

CITY OF JACKSONVILLE (WJAX)

NOTICE OF HEARING

In re application of City of Jacksonville (WJAX), dated November 1, 1940; for construction permit; class of service, broadcast; class of station, broadcast; location, Jacksonville, Florida; operating assignment specified: Frequency, 930 kc.; power, 5 kw.; hours of operation, unlimited (directional antenna for night use).

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: City of Jacksonville, Radio Station WJAX, No. 1 Broadcast Place, Jacksonville, Florida.

Dated at Washington, D. C., July 1, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–6337; Filed, July 4, 1942; 10:21 a. m.]

[Docket Nos. 6324, 6325]

BUFFALO BROADCASTING CORP. (WKBW) (WGR)

NOTICE OF HEARING

In re application of Buffalo Broadcasting Corporation (WKBW), dated November 26, 1941, for renewal of license and renewal of auxiliary license; class of service, broadcast; class of station, broadcast; location, Buffalo, New York; operating assignment specified: Frequency, 1520 kc.; power, 50 kw.; hours of operation unlimited (directional antenna).

In re application of Buffalo Broadcasting Corporation (WGR), dated January 19, 1942, for renewal of license and renewal of auxiliary license; class of service, broadcast; class of station, broadcast; location, Buffalo, New York; operating assignment specified: Frequency, 550 kc.; power, 1 kw. night (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described applications and has designated the matters for hearing for the following reasons:

1. To determine the qualifications of the applicant to continue the operation of Stations WKBW and WGR.

2. To determine the existence, nature, extent and effect of any agreements or understandings, written or oral, which involve control, ownership, or operation of Stations WKBW and WGR.

3. To obtain full information respecting the relationships existing between the licensee and the Churchill Tabernacle.

4. To examine the provisions of the agreement between the applicant and the Churchill Tabernacle, especially as to any rights which the said Churchill Tabernacle may reserve to itself or attempt to reserve to itself in the licenses for Stations WKBW and WGR.

5. To obtain full information respecting the sums of money paid by the licensee to the Churchill Tabernacle under the terms of its agreement with the latter.

6. To determine the manner in which such payments were accounted for by the licensee in financial reports submitted to the Commission.

7. To determine whether the financial reports submitted by the licensee in response to §§ 15.11 (formerly in force and effect) and 1.361, Federal Communications Commission Rules, have at all times been complete, true and accurate.

8. To determine whether applicant has participated in an arrangement involving assertion of property rights in a frequency and in an attempted lease thereof.

9. To determine whether the granting of the applications would be consistent with the provisions of section 301 and 309 (b) (1) of the Communications Act of 1934, as amended.

10. To determine whether the rights granted Buffalo Broadcasting Corporation as licensee of Stations WKBW and WGR have, without the consent of this Commission, been transferred, assigned, or otherwise disposed of, in violation of section 310 (b) of the Communications Act of 1934, as amended.

11. To determine the nature and extent of supervision exercised by the licensee over the programs broadcast from Stations WKBW and WGR.

12. To determine whether the information supplied by applicant in response to Broadcast Division Order No. 2 § 340.01 (both formerly in force and effect), and § 43.1 of the Commission's Rules and Regulations has at all times been complete, true and accurate.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Buffalo Broadcasting Corporation, Radio Stations WKBW and WGR, Rand Building, Broadway and Washington Streets, Buffalo, New York.

Dated at Washington, D. C., July 1, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–6338; Filed, July 4, 1942; 10:21 a. m.]

[Docket 6330]

RADIO BROADCASTING STATION WOPI, INC.

NOTICE OF HEARING

In re application of Radiophone Broadcasting Station WOPI, Inc., (WOPI), dated January 8, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Bristol, Tennessee; operating assignment specified: frequency, 550 kc.; power, 100 w. night, 250 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine extent of any interference which would result from the simultaneous operation of Station WOPI as proposed and Station WKRC, as well as the areas and populations affected thereby, and what other broadcast service is available to these areas and populations.

2. To determine whether the granting of this application would be consistent with § 3.29 Federal Communications Commission Rules and section 1 of the Standards of Good Engineering Practice.

3. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

4. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

5. To determine whether in view of the foregoing, the granting of the application would serve public interest convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Radiophone Broadcasting Station WOPI, Inc., Radio Station WOPI, 410 State Street, Bristol, Tennessee.

Dated at Washington, D. C., July 1, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–6339; Filed, July 4, 1942; 10:21 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order 76–A]

SERVICE ORDER VACATED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of July, A. D. 1942.

Good cause appearing therefor:

It is ordered, That Service Order No. 76,[1] made and entered May 26, 1942, be, and the same is hereby, vacated and set aside effective at once.

It is further ordered, That copies of this order and direction be served upon the Car Service Division, Association of American Railroads, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission, division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-6384; Filed, July 6, 1942; 11:03 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order 18]

AUTHORIZATION OF PAUL EDWARDS

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125[2] and by War Production Board Directive No. 1–J, the following order is prescribed:

(a) Paul Edwards, Director of the Office of Price Administration for Puerto Rico, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in Puerto Rico.

(b) Any order issued by said Paul Edwards pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 1st day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6334; Filed, July 3, 1942; 5:13 p. m.]

[Administrative Order 19]

AUTHORIZATION OF JACOB A. ROBLES

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125[2] and by War Production Board Directive No. 1–J, the following order is prescribed:

(a) Jacob A. Robles, Director of the Office of Price Administration for the Virgin Islands, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in the Virgin Islands.

(b) Any order issued by said Jacob A. Robles pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 1st day of July, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6335; Filed, July 3, 1942; 5:14 p. m.]

[Docket No. 3122-24]

C. HOFFBERGER COMPANY

ORDER GRANTING EXCEPTION

Order No. 2 under Maximum Price Regulation No. 122[1]—Solid Fuels Delivered from Facilities Other Than Producing Facilities—Dealers.

On June 10, 1942 C. Hoffberger Company filed a petition for adjustment or exception pursuant to § 1340.257 (a) of Maximum Price Regulation No. 122. Due consideration has been given to the petition, and an opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) C. Hoffberger Company, Monument and Forrest Streets, Baltimore, Maryland, may sell and deliver, agree and offer to sell and deliver to the city of Baltimore, Maryland the sizes of Pennsylvania anthracite set forth in paragraph (b) below, at prices not in excess of those stated therein. The city of Baltimore, Maryland may buy and receive, agree and offer to buy and receive such sizes of Pennsylvania anthracite at such prices from C. Hoffberger Company.

(b) Maximum prices for the sale of Pennsylvania anthracite by C. Hoffberger Company to the city of Baltimore, Maryland shall be the prices specified in a contract entered into between such persons on June 4, 1941, plus not more than the following amounts per net ton:

Sizes	*Amounts*
Domestic:	
Egg and nut	$0.753
Stove	1.003

(c) This Order No. 2 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This Order No. 2 shall become effective July 4, 1942. (Pub. Law 421, 77th Cong.)

Issued this 3d day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6329; Filed, July 3, 1942; 5:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-570]

AMERICAN GAS AND ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of July, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Gas and Electric Company; and

Notice is further given that any interested person may, not later than July 20, 1942 at 5.30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

American Gas and Electric Company proposes to convert into capital contributions the amounts owed it by the following subsidiaries:

Atlantic City Electric Co	$2,500,000
Indiana General Service Co	500,000
Indiana & Michigan Electric Co	500,000

The Company further proposes that such capital contributions will first be entered by each subsidiary company in its Capital Surplus Account and immediately thereafter by appropriate accounting entries, the same amounts will be transferred from Capital Surplus Account to a reserve account to be entitled "Reserve for Possible Adjustment for Utility Plant".

American Gas and Electric Company also proposes, from time to time, but prior to December 31, 1943, to make further cash capital contributions in all or such portion of the following amounts as may be needed by the subsidiary companies named:

Indiana General Service Co	$500,000
Indiana & Michigan Electric Co	1,500,000

Such cash capital contributions, if made, would likewise be credited by each such subsidiary company to its Capital Surplus Account and immediately thereafter by appropriate accounting entries, the same amounts will be transferred from Capital Surplus to a reserve account to be entitled "Reserve for Possible Adjustment of Utility Plant".

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6341; Filed, July 4, 1942; 11:27 a. m.]

[File No. 70-557]

NATIONAL POWER & LIGHT COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3rd day of July, A. D. 1942.

National Power & Light Company, a registered holding company, having filed a declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-42 thereunder, regarding a program for the acquisition by it of $330,000 principal amount of non-callable Fifty-Year Five Per Cent Collateral Trust Mortgage Gold Bonds, due July 1, 1951, of Lancaster County Railway and Light Company, which bonds have been assumed by National Power & Light Company; and

Said declaration having been filed on June 3, 1942, and an amendment thereto having been filed on June 20, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration, as amended, to become effective pursuant to said section 12 (c) and said Rule U-42, and finding with respect thereto that the program proposed for the acquisition of said bonds by National Power & Light Company is not in contravention of any rules or regulations under said Act.

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6342; Filed, July 4, 1942; 11:27 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 2]

USE OF ASPHALT OR TAR PRODUCTS ON ROADS OR HIGHWAYS

The ATTORNEY GENERAL:

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose Recommendation No. 45, Amendment, of the Deputy Petroleum Coordinator for War, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JULY 1, 1942.

[F. R. Doc. 42-6375; Filed, July 6, 1942; 10:52 a. m.]

[Certificate No. 3]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

The ATTORNEY GENERAL:

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose Recommendation No. 53 of the Petroleum Coordinator for War, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JULY 1, 1942.

[F. R. Doc. 42-6376; Filed, July 6, 1942; 10:52 a. m.]

[Certificate No. 4]

PRODUCTION AND DISTRIBUTION OF NEWSREELS

The ATTORNEY GENERAL:

I submit herewith a memorandum describing a proposed plan for the production and distribution of newsreels by United Newsreel Corporation. I hereby approve the general character of such plan within the purview of section 12 of Public Law No. 603, 77th Congress, but such approval shall not be deemed to be approval by me of the specific contractual arrangements described or referred to in the enclosed memorandum proposed to be entered into for the purpose of effectuating such plan.

I understand that this plan has your approval insofar as the anti-trust policies of the Department of Justice are concerned.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, in compliance with my approval as set forth above, by the persons concerned in the execution of such plan, is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JULY 3, 1942.

[F. R. Doc. 42-6383; Filed, July 6, 1942; 11:31 a. m.]

[1] Not filed with the Division of the Federal Register.

[2] 7 F.R. 2719.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941.

[2] 7 F.R. 971, 3663.

Reference

JUL 9 1942

THE NATIONAL ARCHIVES
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1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 133

Washington, Wednesday, July 8, 1942

The President

EXECUTIVE ORDER 9191

AMENDING THE FOREIGN SERVICE REGULATIONS OF THE UNITED STATES

By virtue of the authority vested in me by section 1752 of the Revised Statutes of the United States (22 U.S.C. 132), section VI–1 (*a*) of the Foreign Service Regulations of the United States is hereby amended by renumbering subparagraphs (2), (3), (4), (5), (6), and (7) thereof as subparagraphs (4), (5), (6), (7), (8), and (9), respectively, and including therein new subparagraphs (2) and (3) reading as follows:

(2) The Department of War.
(3) The Department of the Navy.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 3, 1942.

[F. R. Doc. 42–6392; Filed, July 6, 1942; 2:23 p. m.]

EXECUTIVE ORDER 9192

AMENDING EXECUTIVE ORDER No. 9140 OF APRIL 20, 1942, ESTABLISHING THE SAFFORD NATIONAL WILDLIFE REFUGE

ARIZONA

By virtue of the authority vested in me by the National Industrial Recovery Act (48 Stat. 195), and as President of the United States, it is ordered as follows:

The first paragraph of Executive Order No. 9140 [1] of April 20, 1942, establishing the Safford National Wildlife Refuge, in Arizona, is hereby amended to read:

"WHEREAS certain hereinafter-described lands in the State of Arizona, together with the improvements thereon, have been acquired by the United States in connection with the Safford Arizona Nursery of the Department of Agriculture under the authority of Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195, 200); and"

The third paragraph of the said Executive Order is hereby amended to read:

"NOW, THEREFORE, by virtue of the authority vested in me under the aforesaid National Industrial Recovery Act, and as President of the United States, it is ordered that, subject to valid existing rights, jurisdiction over the acquired lands, together with improvements thereon within the following-described area, comprising 240 acres, more or less, in Graham County, Arizona, be, and it is hereby, transferred to the Department of the Interior, together with such equipment in use in connection with said lands as may be designated by the Secretary of Agriculture; and the said lands are hereby reserved as a refuge and breeding ground for native birds and other wildlife:"

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 3, 1942.

[F. R. Doc. 42–6391; Filed, July 6, 1942; 2:23 p. m.]

[1] 7 F.R. 2961.

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

DESERTERS

Section 36.41 is hereby amended to read as follows:

§ 36.41 *Forfeiture of deposits and interest.* Paragraph 8, Army Regulations No. 35–2600 [1] applies. (R.S. 161; 5 U.S.C. 22) [Par. 8, AR 615–300, June 4, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–6418; Filed, July 7, 1942; 10:19 a. m.]

[1] Administrative regulations of the War Department relative to soldiers' deposits.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM BARS FOR USE ON BADGES

Section 79.56 (a) (2) (i) is hereby amended to read as follows:

§ 79.56 *Badges for marksmanship, gunnery, bombing, etc.*—(a) *Badges for qualification in the use of arms.*

* * * * *

(2) *Bars*—(i) *Original qualification.* To be of silver suspended from the basic badge and marked as follows to show the weapon, or weapon and course, and without showing the date of the qualification:

(*a*) Rifle.
(*b*) Pistol–D.
(*c*) Pistol–N.
(*d*) Auto Rifle.
(*e*) Machine Gun.
(*f*) Coast Arty.
(*g*) Mines.
(*h*) Field Arty.
(*i*) Bayonet.
(*j*) Tank Weapons.
(*k*) C. W. S. Weapons.
(*l*) Machine Rifle.
(*m*) Aerial Gunner.
(*n*) Aerial Bomber.
(*o*) Grenade.
(*p*) Small Bore Rifle.
(*q*) Small Bore Pistol.
(*r*) Submachine Gun.
(*s*) Small Bore M. G.
(*t*) Carbine.
(*u*) Antitank.
(*v*) 81-mm Mortar.
(*w*) 60-mm Mortar.
(*x*) TD 37-mm.
(*y*) TD 75-mm.
(*z*) TD 57-mm.
(*aa*) TD 3-inch.

(R.S. 1296; 10 U.S.C. 1391) [Par. 56d, AR 600–35, November 10, 1941, as amended by Cir. 207, W. D., June 26, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–6452; Filed, July 7, 1942; 11:42 a. m.]

tion to members of the armed forces of other United Nations, to enemy prisoners of war and civilian internees and detainees, and for other purposes, is published below for your information and guidance:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles imported into the United States, its Territories or possessions, including the Canal Zone and the Virgin Islands, consigned or addressed to members of the armed forces of the United Nations, other than those of the United States, who are on duty therein, which articles are intended for their personal or official use, shall be admitted free of all duties and internal-revenue taxes imposed upon or by reason of importation and all customs charges and exactions: *Provided, however,* That if the Secretary of the Treasury shall find that any of the other United Nations does not accord similar treatment to members of the armed forces of the United States, the privileges herein granted shall, after collectors of customs have been officially advised of such findings, be accorded to members of the armed forces of such nation only to the extent that similar treatment is accorded to members of the armed forces of the United States.

SEC. 2. In order to implement the provisions of article 38 of The Convention Between the United States of America and Other Powers, relating to the Treatment of prisoners of war, signed at Geneva on July 27, 1929, ratified by the President on January 16, 1932, and proclaimed on August 4, 1932 (47 Stat. (part 2) 2021, 2043), all articles consigned or addressed to enemy prisoners of war and enemy civilian internees and detainees in the United States, its Territories or possessions, including the Canal Zone and the Virgin Islands, shall be admitted free of all duties and internal revenue taxes imposed upon or by reason of importation and all customs charges and exactions.

SEC. 3. All articles made by members of the armed forces of the United Nations interned or detained as prisoners of war by any enemy country or made by nationals of the United States interned or detained by any enemy country as enemy nationals shall, when imported into the United States, its Territories or possessions, including the Canal Zone and the Virgin Islands, be admitted free of all duties and internal revenue taxes imposed upon or by reason of importation and all customs charges and exactions.

SEC. 4. The exemptions from duties, taxes, charges, and exactions provided for by this joint resolution shall be subject to compliance with such regulations as the Secretary of the Treasury shall prescribe.

SEC. 5. This joint resolution shall be effective as to articles entered for consumption or withdrawn from warehouse for consumption on or after the date of its enactment and before the expiration of six months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

The following regulations are hereby promulgated pursuant to the provisions of section 4 of the joint resolution:

§ 8.26a *Free entry of articles for use of armed forces of United Nations and enemy prisoners of war, and articles made by captured members of armed forces of United Nations and captured nationals of the United States.* (a) Collectors of customs shall accord entry free of duty, internal-revenue taxes, and customs charges and exactions to articles within the purview of the joint resolution which are entered, or withdrawn from warehouse, for consumption on or after June 27, 1942, and before the expiration of six months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

(b) If any question arises as to the status of the importer under sections 1 or 2 of the joint resolution or whether articles entered under section 1 are for official use, the collector shall report the available facts to the Bureau of Customs and await instructions.

(c) Collectors of customs shall accord free entry under section 3 of the joint resolution to articles of handicraft made by members of the armed forces of the United Nations interned or detained as prisoners of war or made by nationals of the United States interned or detained by any enemy country as enemy nationals. If free entry is claimed under section 3 for articles which appear to be the subject of a commercial transaction, the case shall be referred to the Bureau for instructions.

(d) The entry requirements prescribed in the Tariff Act of 1930, as amended, or the Customs Regulations of 1937 are applicable to articles for which free entry is claimed under any section of the joint resolution.

(e) Certified or other invoices shall not be required for articles accorded free entry under any section of the joint resolution. (Secs. 481, 484, 498, 46 Stat. 719, 722, 728; 19 U.S.C. 1481, 1484, 1498)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

F. R. Doc. 42–6450: Filed, July 7, 1942; 11:16 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50671]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO REDUCED RATE, ETC.

FREE ENTRY—FOREIGN MILITARY PERSONNEL AND PRISONERS OF WAR

JULY 3, 1942.

Articles for personal or official use of members of the armed forces of the United Nations other than the United States or for enemy prisoners of war, and articles made by captured members of the armed forces of the United Nations or captured nationals of the United States are entitled to free entry under Public Law 635, approved June 27, 1942.

Public Law 635, approved June 27, 1942, to accord the privileges of free importa-

matters be, and the same hereby are, consolidated.

It is further ordered, That pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless otherwise ordered.

Dated: June 26, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Mine index No.	Subdistrict No.	County	Seam	All lump 3" or larger; all egg and stove	All nut or pea 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
							1	2	3	4	5	6
300	Alaska Coal Co. c/o Owen W. Cox, Lewis, McKinley & W. V. Walton (W. V. Walton).	Alaska	2	5	Fayette	Fire Creek	330	250	280	215	105	100
010		Pines Creek	5		Raleigh	Poca. 6	315	(*)	(*)	(*)	(*)	(*)
242	Magurian, Simon	Simon's	4	4	McDowell	Fire Creek	290	(*)	(*)	(*)	(*)	170
313	Spice Pocahontas Coal Co	Keese	4		McDowell	Davy-Sewell	290	250	215			140

*When shown under a size group number, this symbol indicates coals previously classified in this size group.

[F. R. Doc. 42-6169; Filed, July 6, 1942; 10:35 a. m.]

[Docket No. A-1386]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF TO EDWARDSPORT EXCAVATING COMPANY

Memorandum opinion and order concerning temporary and provisionally final relief in the matter of the petition of the Bituminous Coal Producers Board for District No. 11 for the establishment of price classifications and minimum prices for truck shipment for the Edwardsport Mine of the Edwardsport Excavating Company.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on March 30, 1942, by the Bituminous Coal Producers Board for District No. 11 (hereinafter referred to as "District Board No. 11"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. Petitioner seeks the establishment of price classifications and minimum prices for coals produced at the Edwardsport Mine, Mine Index No. 1313, Knox County, Indiana, by the Edwardsport Excavating Company.

A petition to intervene was filed on April 6, 1942, by the Edwardsport Excavating Company.

An informal conference was held in this matter on April 17, 1942, at a hearing room of the Division in Washington, D. C. Telegraphic notice of the conference was sent to interested persons. Appearances were entered by petitioner, by the Edwardsport Excavating Company, and by the Public Service Company of Indiana, Inc.

Discussion at the informal conference revealed that the Edwardsport Mine, located in Vigo Township, Knox County, Indiana, consists of a number of coal properties leased by the Public Service Company of Indiana. All coal produced comes from the Sixth Vein and is consumed by the lessee at its Edwardsport generating plant in Knox County. Like all other Sixth Vein mines in Knox County, the Edwardsport Mine is a truck mine. It is operated by the strip method. The coal is extracted by the Edwardsport Excavating Company, a partnership consisting of Ollie Richardson and John Kerzan, Jr., acting as independent contractor under contracts with the Public Service Company. The independent contractor has "complete and sole supervision over and responsibility for the mining operations * * *"[1] It owns the stripping and loading shovels, a tipple located about a mile from the pit, and the trucks by which the coal is hauled from the mine to the tipple. At the tipple, the mine run coal is passed through a 2" bar screen; the oversized coal passes on to a belt-picking table where impurities are discarded; and thereafter both undersized and oversized coal, having been mixed in the same bin, is hauled by independent truckers as mine run coal to the power plant. The distance from the tipple to the power plant is about 3 miles. At the tipple, the mine run coal is crushed, for the power plant has use for coal only below 1½".

In 1941, 305,617 tons of coal were delivered to, and 288,500 tons of coal were consumed at, the Edwardsport power plant of the Public Service Company of Indiana. The source of 240,422 tons of this coal was the Edwardsport Mine. The remaining 25 percent of the tonnage delivered to the power plant was purchased from other truck mines in Knox County, in both the Fifth and Sixth Veins. According to E. W. Hebel, representative of the Public Service Company at the informal conference, the Edwardsport Mine alone could satisfy the entire fuel requirements of the power plant. However, coal is purchased from other mines in Knox County, it was said, partly as a favor to them and partly because it has been found that a mixture of Fifth and Sixth Vein coals affords more efficient generation.

The cost to the Public Service Company of the coal produced at the Edwardsport Mine as delivered to the power plant is $1.35 per ton. $1.25 of this amount goes to remunerate the independent contractor for the mining of the coal and trucking it to the generating plant, and 10 cents a ton is paid as royalties to the lessors.

Jonas Waffle, Chairman of District Board No. 11, explained that action has been taken only now to have minimum prices established for the Edwardsport Mine, although the Excavating Company became a code member in April 1940, because applications for orders exempting the various coal acreages constituting the Edwardsport Mine from the provisions of Section 4 of the Act had been filed by the Public Service Company under Section 4–A of the Act and had been pending before the Division. On February 28, 1941, counsel for the applicant and the General Counsel of the Division entered into a stipulation providing, *inter alia,* that if the Director's Order denying exemption in the Seaboard Air Line Railway Case were sustained by the United States Supreme Court, the Public Service Company "'consents to the entry of an order of the Director denying, on the merits * * *'" its application for exemption.[2] The Director's Order denying exemption to the Seaboard Air Line Railway was upheld by the Supreme Court.[3] An Order was then issued by the Acting Director, dated January 21, 1942, in which all pending exemption applications filed by the Public Service Company were denied, the denial to be effective within 60 days or as soon as temporary or final minimum prices were established for the Edwardsport Mine, whichever period was shorter.[4] (Docket No. 506–FD.)

Waffle stated that the Excavating Company requested the District Board on February 2, 1942, to initiate procedure for the procurement of price classifications for Edwardsport coals. Pursuant to a request of the Public Service Company, a conference was held February 13, 1942, at the office of the District Board between District Board officials and representatives of the independent contractor and of the power company. After the committee of the District Board to which the matter had been referred made its report, meetings were held by the Board at one of which representatives of the Excavating Company and of the Public Service Company were present. The District Board caused laboratory and screen analyses to be made of the coal produced at the mine. On the basis of these analyses and of data submitted to it by the Public Service Company, and as a result of the conferences and meetings, District Board No. 11 now proposes that the same price classifications and minimum prices be given coals produced at the Edwardsport Mine as are presently effective for coals produced at other Sixth Vein truck mines in Knox County.

The price recommended by District Board No. 11 for mine run coal produced at the Edwardsport Mine, such as has been delivered to the power plant, is $1.80 per ton f. o. b. the mine for truck shipment. If crushing and screening apparatus were installed at the mine or the tipple, and screenings 1½" and under (Size Group 14) were produced, the f. o. b. mine price would be $1.25 per ton.

Kerzan stated that he would have no objection to an f. o. b. mine price of $1.11 being established for Edwardsport screenings whereby the delivery cost to the power plant for Edwardsport coals would continue to be $1.35 a ton.

Hebel announced that the Public Service Company was opposed to granting the relief asked by the District Board for two reasons. In the first place, Hebel contended that the Division is without statutory authority to fix prices for coal that is produced by an independent contractor for the owner thereof who consumes it. The basis for this contention lies in a restricted interpretation of the decision in *Gray* v. *Powell.* Hebel asserted that *Gray* v. *Powell* only holds that the independent contractor who extracts coal for the owner must accept the Code. He denied that support may be found in the decision for the proposition that prices may be prescribed for transactions in which no sale of coal takes place.

The Act sets forth in Section 4–A the procedure that is to be followed in applying for exemption from the price fixing provisions of the Act. In this proceeding instituted pursuant to section 4 II (d) of the Act, no argument may be directed against existence in the Director of authority to fix prices. Moreover, it would seem that the company is estopped by its stipulation with the Division to claim exemption. In any event, it is clear that the scope of *Gray* v. *Powell* is not to be restricted to the holding that the determination of the Director that an independent contractor in extracting the consumer's coal was to be deemed the producer thereof was not to be disturbed. The court was faced with the contention of the Seaboard Air Line Railway that, when title is not transferred by the producer, price provisions of the Act do not apply. It was expressly held that a sale is not a necessary condition to the existence of the price fixing powers of the Director.

In the second place, Hebel expressed opposition, on behalf of the Public Service Company, to the prices themselves which have been proposed by District Board No. 11. Without himself proposing any specific prices to be substituted for those recommended by the District Board, Hebel contended that the recommended prices should not be established for the Edwardsport Mine because of an alleged requirement of the Act that differentiation in classification must be made between coals produced for commercial sale and those produced for use by the owner thereof. Hebel pointed out that an independent contractor who extracts coal for the use of the owner has no costs attributable to investment in land. Such a producer has no selling expenses; and his administrative expenses are substantially less than those borne by the producer of coal for the open market. Therefore, Hebel argued, in fixing minimum prices for the Edwardsport Mine, there should be subtracted from the minimum price per ton effective for commercial coal an amount which is equal to the costs of production per ton which the producer of such coal has to bear but which are not born by the Excavating Company.

However, the Act does not require that the price structure be so fashioned that each individual producer will realize only his costs of production; and, hence,

[1] Language of the stipulation entered into between the Public Service Company and the Bituminous Coal Division in certain dockets of which the representative of the Public Service Company at the informal conference requested that judicial notice be taken.

[2] The Language of the stipulation is thus quoted in the Acting Director's Order dated January 21, 1942.

[3] *Gray* v. *Powell,* 312 U. S. 666, 61 S. Ct. 824, 85 L. Ed. 1111 (1941).

[4] Orders subsequently entered on March 18, 1942, April 23, 1942, and May 21, 1942, have extended the effective date of denial to 150 days, 506 FD. etc.

the Act does not call for any differentiation in classification such as has been suggested by Hebel. The Act does require that in each defined minimum price area the average weighted costs of production be realized; but, once this requirement is satisfied, costs of production are not further involved in the process of price fixing contemplated by the Act. What is involved is the coordinating of prices in a fair and reasonable manner, for coals moving into common consuming market areas. As nearly as possible, the price structure is to preserve existing fair competitive opportunities and reflect the relative market value of coals.

It is claimed by Hebel that, in no event, ought the prices to be established for the Edwardsport coals result in an increase over their present delivered cost to the power plant. It is claimed that an increase will constitute a disruption of a fair competitive relationship now existing between the Edwardsport Mine and other truck mines in Knox County. It is true that maintenance of the differential presently existing between Edwardsport coals and those produced at other truck mines in the Sixth Vein in Knox County will not be detrimental to these other truck mines, because abolition of the differential will probably be of no benefit to the other truck mines. The Public Service Company will probably not purchase more of its fuel requirements from independent operators than it does now should the recommended prices be established.[1]

But it cannot be successfully contended that anything in the price provisions of the Act requires the maintenance of the existing differential between Edwardsport coals and those of commercial truck mines in the Sixth Vein. Preservation of the existing differential will not make for a preservation of existing fair competitive opportunities. No fair, competitive relationship can be said to exist between unregulated coals produced at the Edwardsport Mine and the regulated coals produced at other truck mines in Knox County.

On the contrary, discussion at the informal conference indicates that abolition of the differential by establishing the same prices for the Edwardsport Mine as are effective now for other Sixth Vein truck mines in Knox County will cause the price structure to reflect the relative value of Edwardsport coals as against other Sixth Vein truck coals produced in Knox County. The analyses made of the Edwardsport coals by District Board No. 11 show that these coals are analogous to other Sixth Vein coals produced in Knox County.

This has not been denied. Kerzan admitted that if the Edwardsport coals were sold in the open market he would "probably not" object to the price classifications advocated by the District Board on the basis of the quality of the Edwardsport coals. Furthermore, Waffle pointed out that, whereas the Director in the proceeding designated and known as "General Docket No. 15," had determined that the properly-related differential between Standard Fifth Vein and Sixth Vein coals in screening and industrial sizes was 15 cents on a delivered basis in favor of the Sixth Vein Coals, the differential on a delivered basis that will exist under the prices recommended by District Board No. 11 between the Edwardsport coals and Standard Fifth Vein screenings which could move into the power plant by rail will be 32 cents in favor of Edwardsport coal. Waffle stated that in his opinion the District Board "has been rather generous in not insisting" upon properly-related delivered prices between Edwardsport and Standard Fifth Vein screenings.

The statements of Waffle made at the informal conference show that District Board No. 11 proposed price classifications and minimum prices as proper for the coals produced at the Edwardsport Mine by the Edwardsport Excavating Company after full consideration of all pertinent data, including the points of view held by the producer and by the consumer, the Public Service Company.

As stated above, the fact that certain costs are not encountered by the producer of Edwardsport coals that are borne by producers of comparable quality in Knox County does not require that a price lower than that accorded coals of comparable quality be fixed for Edwardsport coals. There appears to be support for the contention that the prices proposed by the District Board properly relate the coals to comparable coals. However, the Public Service Company should not have to pay more for coal at the Edwardsport tipple than other consumers would have to pay. Provision should be made for the allowance to the Public Service Company of a credit from the price effective f. o. b. the mine equal to whatever royalties the company pays directly to the lessor for the production of coal at the mine.

I conclude that the proposed prices less the royalty will effectuate the provisions of subsections (a) and (b) of section 4 II of the Act and that they may and should be established.

It is, therefore, ordered, That pending final disposition of the above entitled matters temporary relief be and the same hereby is granted as follows:

1. Commencing forthwith § 331.24 (*General prices in cents per net ton for shipment into all market areas*) in the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments is amended by the establishment for the coals produced at the Edwardsport Mine, Mine Index No. 1313, by the Edwardsport Excavating Company of the minimum prices set forth in Supplement T, annexed to and made a part hereof.

2. § 331.21 (*Price instructions and exceptions*—(b) *Price exceptions*) in the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments be, and it hereby is, amended by the establishment of the following price exception:

So long as the Public Service Company of Indiana, Inc., continues to assume the burden of royalty payments involved in the production of coal at the Edwardsport Mine, Mine Index No. 1313, a credit from the minimum prices effective f. o. b. the Edwardsport Mine equal to such royalty payments may be extended to the Public Service Company of Indiana, Inc.

It is further ordered, That pleadings in opposition to the petition in the above entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted, may be filed with the Division within 30 days from the date of this order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final 45 days from the date of this order, unless it shall otherwise be ordered.

Dated: June 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[1] Hebel indicated that, if the delivered cost to the power plant of screenings produced at the Edwardsport Mine is above $1.35 per ton after prices are established, the Edwardsport Mine might be transformed into a captive mine.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Screen	Prices and size group Nos.														
				1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	
KNOX COUNTY																		
Edwardsport Excavating Co. (John Kerzan, Jr.)	1313	Edwardsport	6	250	245	240	230	225	220	180	185	170	165	135	125	70	40	

[F. R. Doc. 42-6368; Filed, July 6, 1942; 10:36 a. m.]

§ 335.24 (*General prices in cents per net ton for shipment into all market areas*) in the Schedule of Effective Minimum Prices for District No. 15 for Truck Shipments be and it hereby is amended in accordance with Final Supplement T attached hereto and made a part hereof.

It is further ordered, That pending final disposition of the matter involved in consolidated Docket Nos. A-58 and A-179, the Schedule of Effective Minimum Prices for District No. 15 for Truck Shipments be and it hereby is amended in accordance with Temporary Supplement T attached hereto and made a part hereof.

Dated: June 26, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[Docket No. A-1306 Part II]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of District Board No. 15 for the establishment of Price Classifications and minimum prices for the coals of Mine Index Nos. 1579 and 1587 and for revision of the price classifications and minimum prices for the coals of Mine Index Nos. 890 and 164 in District No. 15.

A petition having been filed by the Bituminous Coal Division on February 7, 1942, by District Board No. 15, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of price classifications and minimum prices for coals produced by code members James Trent, operating the Trent Mine, Mine Index No. 1579, and Pearson & Son operating the William Gray Mine, Mine Index No. 1587, for a change in the county designation of the mine of M. R. Phears, Mine Index No. 890, from Monroe County to Rails County, Missouri, and for a reclassification and regrouping of the Rich and Messina Mine, Mine Index No. 164, operated by R. and R. Coal Company from Production Group 7 to Production Group 8, thereby reducing the applicable minimum prices for coals produced in said mines:

A petition for intervention having been filed by the Bituminous Coal Producers Board for District 12;

A hearing having been held in this matter, pursuant to appropriate orders, before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Kansas City, Missouri, at which interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which the petitioner and District Board 12 appeared;

The parties having waived the preparation and filing of the Examiner's report, and a record in the proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact, Conclusions of Law, and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That fifteen (15) days from the date hereof,

DISTRICT NO. 15

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

FOR TRUCK SHIPMENTS

Code member index	Mine index No.	Mine	Production group No.	County	3" lump	1½" up	10" x 1½"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ⅜"	1¼" x ¾" (R)	1¼" x 0 (W)	1¼" x 0 (R)	¼" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
R. & R. Coal Co. (Arthur Rich)	164	Rich & Messina	8	Pittsburg, Okla.	435	435	385	385	------	335	------	210	295	165	------	------	------	140	------

[F. R. Doc. 42-6367; Filed, July 6, 1942; 10:35 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

[Dept. Circ. 530, 5th Rev.]

Subchapter B—Bureau of the Public Debt

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

JUNE 1, 1942.

Department Circular No. 530, Fourth Revision, dated April 15, 1941 (6 F.R. 2191), as amended, is hereby further amended and issued as a Fifth Revision to read as follows:

The following regulations governing United States Savings Bonds are published for the information and guidance of all concerned:

SUBPART A—APPLICABILITY

Sec.
315.1 Applicability of regulations.

SUBPART B—REGISTRATION

315.2 General.
315.3 Restrictions.
315.4 Authorized forms of registration, Series E.
315.5 Authorized forms of registration, Series F and G.
315.6 Unauthorized registration.
315.7 Forms of registration on reissue.

SUBPART C—LIMITATION ON TRANSFER

315.8 Not transferable.

SUBPART D—LIMITATION ON HOLDINGS

315.9 Amount which may be held.
315.10 Calculation of amount.
315.11 Disposition of excess.

SUBPART E—LOST, STOLEN, MUTILATED, DEFACED, OR DESTROYED BONDS

315.12 Relief in case of loss, etc.

SUBPART F—SAFEKEEPING FACILITIES

315.13 Safekeeping of bonds.

SUBPART G—INTEREST

315.14 General.
315.15 Appreciation bonds.
315.16 Current income bonds.

SUBPART H—GENERAL PAYMENT AND REDEMPTION PROVISIONS

315.17 Payment at maturity.
315.18 Redemption before maturity.
315.19 Form and execution of requests for payment.
315.20 Certifying officers.
315.21 General instructions to certifying officers.
315.22 Interested persons not to certify.
315.23 Presentation and surrender.
315.24 Partial redemption.

SUBPART I—MINORS AND PERSONS UNDER OTHER LEGAL DISABILITY

315.25 Payment to legal guardians.
315.26 Payment to minors.
315.27 Payment to parents of minors.
315.28 Payment to voluntary guardian of person under disability.

SUBPART J—SINGLE NAME; ADDITION OF COOWNER, ETC.

315.29 Reissue for certain purposes.
315.30 Reissue upon request of a minor.
315.31 Reissue only at Federal Reserve Banks and Treasury.

SUBPART K—TWO NAMES; COOWNERSHIP FORM

315.32 Payment or reissue.
315.33 Place of reissue.

SUBPART L—TWO NAMES; BENEFICIARY FORM

Sec.
315.34 Payment to registered owner.
315.35 Reissue during the lifetime of registered owner.
315.36 Payment or reissue to beneficiary.
315.37 Payment or reissue after death of the surviving beneficiary.
315.38 Conditions of reissue.

SUBPART M—FIDUCIARIES

315.39 Payment to fiduciaries.
315.40 Reissue in the name of a succeeding fiduciary.
315.41 Reissue in the name of, or payment to, the person entitled.
315.42 Bonds held by trustee where reissue not authorized.

SUBPART N—PRIVATE CORPORATIONS, ASSOCIATIONS, PARTNERSHIPS, ETC.

315.43 Payment to corporations or unincorporated associations.
315.44 Payment to partnerships.
315.45 Reissue or payment to successors of corporations, unincorporated associations, or partnerships.
315.46 Reissue or payment on dissolution.

SUBPART O—STATES, PUBLIC CORPORATIONS, AND PUBLIC BOARDS, COMMISSIONS AND OFFICERS

315.47 In names of states, public corporations and public boards.
315.48 In names of public officers.

SUBPART P—DECEASED OWNERS

315.49 Payment or reissue on death of owner.
315.50 Forms of registration on reissue.

SUBPART Q—CREDITORS' RIGHTS AND JUDICIAL PROCEEDINGS

315.51 Creditors' rights.
315.52 Determination of interest as between owner and coowner or beneficiary.
315.53 Evidence necessary.
315.54 Bankruptcy and insolvency.

SUBPART R—PLEDGE WITH SECRETARY OF TREASURY OR FEDERAL RESERVE BANKS

315.55 Deposit under Department Circulars No. 154 and No. 657.

SUBPART S—REISSUE AND DENOMINATIONAL EXCHANGE

315.56 General.
315.57 Requests for reissue.
315.58 Agencies authorized to make reissue.
315.59 Date of bonds on reissue.
315.60 Effective date.
315.61 Denominational exchange.

SUBPART T—FURTHER PROVISIONS

315.62 Regulations prescribed.
315.63 Preservation of rights.
315.64 Additional proof; bond of indemnity.
315.65 Correspondence and forms.
315.66 Supplements, amendments or revisions.

AUTHORITY: §§ 315.1 to 315.66, inclusive, issued under R.S. 161 (5 U.S.C. 22), the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941, sec. 3 (55 Stat. 7)

SUBPART A—APPLICABILITY

§ 315.1 *Applicability of regulations.* These regulations apply generally to all United States Savings Bonds of all series of whatever designation and bearing any issue dates whatever except as otherwise specifically provided herein.

SUBPART B—REGISTRATION

§ 315.2 *General.* United States Savings Bonds will be issued only in registered form. The name and complete post office address of the owner, as well as the name of the coowner or designated beneficiary, if any, and the date as of which the bond is issued will be inscribed thereon at the time of issue by an authorized issuing agent.[1] The form of registration used must express the actual ownership of and interest in the bond and, except as otherwise specifically provided in these regulations, will be considered as conclusive of such ownership and interest. No designation of an attorney, agent or other representative to request or receive payment on behalf of the owner, nor any restriction on the right of such owner to receive payment of the bond, other than as provided in these regulations, may be made in the registration or otherwise.

§ 315.3 *Restrictions.* Only residents (whether individuals or others) of the United States, including its territories and insular possessions, the Canal Zone and the Philippine Islands, and American citizens temporarily residing abroad, may be named as owners, coowners or designated beneficiaries, on bonds originally issued on or after April 1, 1940, or authorized reissues thereof.[2]

§ 315.4 *Authorized forms of registration, Series E.* Bonds of Series E may be registered only in the names of individuals (natutal persons), whether adults or minors, in their own right in one of the following forms of registration:

(a) *One person.* In the name of one person, for example: "John A. Jones."

(b) *Two persons; coownership form.* In the names of two (but not more than two) persons in the alternative as coowners, for example:

John A. Jones or Mrs. Ella S. Jones.

No other form of registration establishing coownership is authorized.

(c) *Two persons; beneficiary form.* In the name of one (but not more than one) person, payable on death to one (but not more than one) other person, for example:

John A. Jones, payable on death to Miss Mary E. Jones.

"Payable on death" may be abbreviated as "p. o. d." The first person named is hereinafter referred to as the owner or registered owner, and the second person named as the beneficiary or designated beneficiary. If it is desired that a bond revert to the United States upon the death of the owner as a donation, it may be registered in the name of the owner with the Treasurer of the United States named as beneficiary.

The full name of the owner and that of the coowner or beneficiary, if any, should be used and should be the name by which the person is ordinarily known and under which he does business; if there are two given names the initial of one may be used, and if a person is habitually known and does business by initial only of his given names, registration may be in such form. The name may be preceded by any applicable title such as "Dr.", "Rev.", etc., and in the case of women should be preceded by "Mrs." or "Miss". A married woman's own name should be used, not that of her husband, for example, "Mrs. Mary A. Jones", not "Mrs. Frank B. Jones". A minor, whether or not under legal guardianship, may be named as owner or coowner, if the bonds are purchased as a gift to him and a minor may name a coowner or beneficiary on bonds purchased by him from his wages, earnings, or other money in his possession; but bonds purchased by a parent or guardian with funds already belonging to a minor must be registered in the minor's name alone without the addition of a coowner or beneficiary. If a person named in the registration of the bond is under legal disability and a guardian or similar representative of his estate has been appointed by a court or is otherwise legally qualified, the registration should indicate such facts by the addition of appropriate words, for example, "Frank Jones, a minor under legal guardianship of Henry Smith". Bonds should not be registered in the name of a person under disability for reasons other than minority unless a legal representative of his estate has been appointed.

§ 315.5 *Authorized forms of registration, Series F and G.* Bonds of Series F or G may be registered in the names of individuals in their own right as set forth in § 315.4 above, and subject to the same conditions as therein set forth. Bonds of these two series may also be registered in the names of fiduciaries, corporations, associations or partnerships, except that they may not be registered in the names of commercial banks, that is, banks accepting demand deposits in the usual and general course of business. The following forms are authorized for such registration:

(a) *Executors, administrators, guardians, etc.* In the name of one or more executors, administrators, guardians, conservators, or other representatives of a single estate appointed by a court of competent jurisdiction or otherwise legally qualified, all of whose names must be included in the registration, followed by adequate identifying reference to the estate, for example:

"John Smith, executor of the will (or administrator of the estate) of Henry J. Smith, deceased", or "William C. Jones, guardian (or conservator, etc.) of the estate of James D. Brown, a minor (or an incompetent)."

If a guardian or other legal representative holds a common fund for the account of two or more estates or wards, bonds should be registered in the name of the representative for each such estate or ward separately, even though the representative was appointed in a single proceeding. A father or mother, as such, or as natural guardian, is not considered a fiduciary for purposes of registration.

(b) *Trustees.* In the name or names of one or more trustees or other fiduciaries of a single duly constituted trust estate, which will be considered as an entity, followed by adequate identifying reference to the trust instrument or other authority creating the trust, for example:

John C. Brown and the First National Bank, trustees under the will of Henry C. Brown, deceased, or The Second National Bank, trustee under an agreement with George E. White, dated February 1, 1935.

The names of all trustees must be given, unless they are too numerous, act as a board or hold office for a limited period of time. Registration may be in the title without the names of the trustees in the case of unincorporated lodges, churches, societies or similar organizations, title to whose property is held by trustees, and in the case of public officers, corporations or bodies acting as trustees under express authority of law, for example:

Trustees of the First Baptist Church, Akron, Ohio, an unincorporated association, or Treasurer of the State of Nebraska, in trust for the policyholders of X Corporation, under Section ____ of Nebraska Statutes.

If the instrument or other authority creating the trust establishes a board of trustees acting as a board and not as individuals, registration may be in the name of the board as such, for example:

Board of Trustees for the State Hospital for the Insane, under Section ____ of Nebraska Statutes.

Registration may not be made in the names of trustees under an agreement or other instrument purporting to create a trust where the funds used represent merely security for the performance of an obligation, except under a statute the terms of which expressly create an actual trust relationship.

(c) *Pension or retirement funds, etc.* Registration may be made in the names and title, or title, alone, of trustees of a pension or retirement fund or of an investment, savings, insurance, annuity, or similar fund or trust, but in all such cases the fund will be regarded as an entity regardless of the number of beneficiaries or the manner in which their respective interests are established or determined. Segregation of individual shares as a matter of bookkeeping or as a result of individual agreements with beneficiaries will not operate to constitute separate trusts under these regulations.

(d) *Private corporations and associations.* In the name of any private organization whether incorporated or unincorporated (except commercial banks as hereinbefore defined), using in each case the full legal name of the organization without mention of any officer or member but making reference, if desired, to a particular bookkeeping account or fund (not a trust), as follows:

(1) A private corporation, followed by the words "a corporation", for example: "Smith Manufacturing Company, a corporation";

(2) An unincorporated association, lodge, church, or society, or similar body, followed by the words "an unincorporated association", for example: "The Lotus Club, an unincorporated association". The term "an unincorporated association" should not be used to describe a trust fund, a partnership or a business conducted under a trade name;

(3) A partnership, considered as an entity, followed by the words "a partnership", for example: "Smith and Brown, a partnership".

(e) *States and public corporations.* In the full legal name or title of the owner or custodian of public funds, other than trust funds, as follows:

(1) Any sovereignty, as a State, or any public corporation, as a county, city, town or school district, for example: "State of Maine", or "Town of Rye, New York".

(2) Any board, commission or other public body duly constituted by law, for example: "Maryland State Highway Commission".

(3) Any public officer designated by title only, for example: "Treasurer, City of Chicago".

Registration may include reference to a particular bookkeeping account, if desired.

(f) *Schools.* Registration is not authorized in the name of an unincorporated or public school, or class or activity thereof. Bonds held for the benefit of such school, class or activity should be registered in the name of a school principal or other school officer, as trustee, by title only, for example: "Principal, Western High School, in trust for Class of 1940 Library Fund"; a written agreement of trust will not be required in cases of small amounts.

§ 315.6 *Unauthorized registration.* Savings bonds inscribed in a form not substantially in agreement with those authorized by this subpart will not be considered as validly issued and will be accepted only for a refund of the purchase price except in those cases in which reissue can be made under the provisions of these regulations.

§ 315.7 *Forms of registration on reissue.* Bonds reissued under the provisions of these regulations may be reissued in any form of registration permitted by the regulations in effect on the date of original issue.

SUBPART C—LIMITATION ON TRANSFER

§ 315.8 *Not transferable.* United States Savings Bonds are not transferable and are payable only to the owners named thereon except in case of the disability or death of the owner or as otherwise specifically provided herein, but in any event only in accordance with the provisions of these regulations. Accordingly, savings bonds may not be sold or hypothecated as collateral for a loan and may not be used as security for the performance of an obligation except as expressly provided in these regulations.

SUBPART D—LIMITATION ON HOLDINGS

§ 315.9 *Amount which may be held.* As provided by section 22 of the Second

[1] The date of maturity is also inscribed on Savings Bonds of Series A, Series B and Series D.

[2] Under the terms of Executive Order No. 8389, as amended, and the regulations issued thereunder, bonds may not be issued to nationals (as defined in said order) of blocked countries or to nationals of enemy countries, whether or not residing in the United States, unless such nationals are generally or specially licensed under the terms of the order.

Liberty Bond Act, as added February 4, 1935 (U.S.C. 1940, Ed., title 31, section 757c), and by regulations prescribed by the Secretary of the Treasury pursuant to the authority of that section, as amended by the Public Debt Act of 1941, 55 Stat. 7, the amounts of savings bonds of the several series issued during any one calendar year that may be held by any one person at any one time are limited as follows:

(a) Series A, B, C and D—$10,000 (maturity value) of each series.

(b) Series E—$5,000 (maturity value).

(c) Series F and G—$50,000 (issue price) for the calendar year 1941 and $100,000 (issue price) for each calendar year thereafter, of either series or of the combined aggregate of both.

The term "person" shall mean any legal entity, including but not limited to, an individual, a partnership, a corporation (public or private), an unincorporated association or a trust estate.

§ 315.10 *Calculation of amount.* In computing the amount of savings bonds of any one series issued during any one calendar year held by any one person at any one time, for the purpose of determining whether the amount is in excess of the authorized limit as set forth in the next preceding section, the following rules shall govern:

(a) The holdings of each person, as defined in the next preceding section, individually and in a fiduciary capacity, shall be computed separately.

(b) In the case of bonds of Series A, B, C, D and E, the computation shall be based upon maturity values. In the case of bonds of Series F and G, the computation shall be based upon issue prices.

(c) There must be taken into account (1) all bonds originally issued to and registered in the name of that person alone or in his name with another as coowner, and (2) all bonds reissued to add his name as coowner under the provisions of § 315.29 (a) hereof, or to designate him as a coowner instead of as a beneficiary, under the provisions of § 315.35 hereof.

(d) There must be taken into account all bonds of Series A, B, C and D acquired before March 1, 1941, on the death of another or the happening of any other event, but not those of which such person is merely the designated beneficiary upon the death of the registered owner, or those held for his benefit by a fiduciary, unless he became entitled to such bonds absolutely before March 1, 1941, as the result of the death of the registered owner or the termination of the trust, as the case may be.

(e) Nothing herein contained shall be construed to invalidate any holdings within, or to validate any holdings in excess of, the authorized limits, as computed under the regulations in force at the time such holdings were acquired.

§ 315.11 *Disposition of excess.* If any person at any time acquires savings bonds issued during any one calendar year in excess of the prescribed amount the excess must be immediately surrendered for refund of the purchase price.

SUBPART E—LOST, STOLEN, MUTILATED, DEFACED OR DESTROYED BONDS

§ 315.12 *Relief in case of loss, etc.* Under the provisions of the Government Losses in Shipment Act, relief either by the issue of a substitute bond or by payment may be given in case of the loss, theft, destruction, mutilation or defacement of a savings bond. In any such case immediate notice of the facts, together with a complete description of the bond (including series, year of issue, serial number and name and address of the registered owner) should be given to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago, Illinois. The Department will thereupon furnish an appropriate form and full instructions for presenting the evidence necessary to secure relief under the law and the regulations as contained in Department Circular No. 300, as amended. If such bond is subsequently recovered immediate notice of such recovery should be given to the Division of Loans and Currency (at the address above), in order that delay may be avoided upon a later presentation of the bond for payment.

SUBPART F—SAFEKEEPING FACILITIES

§ 315.13 *Safekeeping of bonds.* Arrangements may be made for the safe keeping of a savings bond by the Treasury or by a Federal Reserve Bank as fiscal agent of the United States. Application forms for safekeeping may be secured from postmasters, Federal Reserve Banks or the Treasury Department.

SUBPART G—INTEREST

§ 315.14 *General.* United States Savings Bonds are issued in two forms: (1) appreciation bonds, issued on a discount basis and redeemable before maturity at increasing fixed redemption values; and (2) current income bonds, bearing interest payable semiannually and redeemable before maturity at fixed redemption values less than the face amount of the bond. At present Series G constitutes the only issue of current income savings bonds.

§ 315.15 *Appreciation bonds.* No interest as such is paid on savings bonds issued on a discount basis. Such bonds increase in redemption value at the end of the first year from issue date and at the end of each successive half-year period thereafter until their maturity, when the full amount becomes payable. The increment in value represents interest and is payable only on redemption of the bonds, whether at or before maturity.

§ 315.16 *Current income bonds.* Each such bond bears interest at a specified rate computed on the face amount of the bond and payable semiannually, beginning six months from issue date. Except for redemption at par as provided in § 315.18 (c) of Subpart H hereof, full advantage of interest at the rate specified may be secured only if the bonds are held to maturity; if bonds are redeemed before maturity at current redemption values the difference between the face or full maturity value and the current redemption value then payable in accordance with the table printed on the face of each bond, will represent an adjustment of interest for the rate appropriate for the shorter term, as set forth in the tables attached to the circular announcing the issue of such bonds.

(a) *Method of interest payments.* Interest due on current income bonds will be paid on each interest payment date by check drawn to the order of the person or persons in whose name the bond is inscribed in the same form as their names appear in the inscription on the bond, except that in the case of a bond registered in the form "A, payable on death to B", the check will be drawn to the order of A alone until the Treasury receives notice of A's death, from which date the payment of interest will be suspended until such time as the bond is presented for payment or reissue. Interest so withheld will be paid to the person entitled to payment of the bond, or in case of reissue to the person in whose name the bond is reissued. Interest checks on bonds registered in the names of coowners will be mailed to the payee first named at his address of record unless otherwise specifically directed.

(b) *Reissue during interest period.* If a current income bond is reissued for any reason between interest payment dates, interest for the entire period will be paid, on the next interest payment date, by check drawn to the person in whose name the bond is reissued. Ordinarily, if a bond is received for reissue less than a month prior to an interest payment date reissue cannot be effected until after such interest payment date.

(c) *Change of address.* Prompt notice should be given to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago, Illinois, of any change of address by the owner of current income bonds. The notice should refer to all bonds for which it is desired that the address be changed and should describe each bond by date, serial number, series (including year of issue) and inscription appearing on the face of the bond.

(d) *Termination of interest.* In case of redemption prior to maturity of current income bonds interest will cease on the last day of the interest period next preceding the date of redemption. In case of partial redemption interest on the amount redeemed will cease on the last day of the interest period next preceding the date of partial redemption, and interest due thereafter will be paid only on the lower amount remaining after partial redemption.

(e) *Consolidation of checks.* Whenever possible a single check will be issued on each payment date for interest on all current income bonds of a single series due to any owner on that date.

(f) *Endorsement of checks.* Interest checks must be endorsed in accordance with the requirements of the Treasurer of the United States, by the payees, either personally or by an attorney in fact, or

in case of the death of the payee, by his executor or administrator. Forms for the appointment of such attorney may be obtained from the Treasurer of the United States or from any Federal Reserve Bank.

SUBPART H—GENERAL PAYMENT AND REDEMPTION PROVISIONS

§ 315.17 *Payment at maturity.* Pursuant to its terms, a savings bond of any series will be paid at or after maturity at its full face or maturity value, but only following presentation and surrender of the bond for that purpose with a request for payment properly signed and certified as herein provided.

§ 315.18 *Redemption before maturity.* Pursuant to its terms, a savings bond may not be called for redemption by the Secretary of the Treasury prior to maturity, but may be redeemed in whole or in part at the option of the owner, prior to maturity under the terms and conditions set forth in the offering circular of each series and in accordance with the provisions of these regulations, but only following presentation and surrender for that purpose with a request for payment duly signed and certified as provided herein.

(a) *Series A, B, C, D and E.* A bond of Series A, B, C, D or E will be redeemed in whole or in part at any time after 60 days from the issue date without advance notice, at the appropriate redemption value as shown on the face of the bond.

(b) *Series F and G.* A bond of Series F or G will be redeemed, in whole or in part, on one month's notice in writing, on the first day of any month not less than six months from the issue date, at the appropriate redemption value as shown on the face of the bond. The owner's option to redeem may be shown by a signed request for payment or by express written notice, and payment will be made as of the first day of the first month following by at least one full month the date of receipt of notice by the Treasury Department or a Federal Reserve Bank. For example, if the request or notice is received on June 15, the effective redemption date will be August 1. If express notice is given, the bond must be surrendered to the same agency to which the notice is given not less than fifteen days before the effective redemption date. (See § 315.16 (d) for provisions as to interest in case current income bonds are redeemed prior to maturity.)

(c) *Series G—Redemption at par before maturity.* Subject to the provisions of the preceding paragraph a bond of Series G (but not of Series F) will be redeemed at par before maturity, in whole or in part: (1) upon the death of the owner or a coowner if a natural person; or (2) if held by a trustee or other fiduciary upon the termination of the trust, in whole or in part, by reason of the death of any person. If the trust is terminated only in part, redemption at par will be made to the extent of not more than the pro rata portion of the trust so terminated and only in amounts corresponding to authorized denominations. Proof of death must be furnished and notice of intention to redeem at par before maturity must be received by the Treasury Department or a Federal Reserve Bank within four months after the date of death. Payment will ordinarily be made on the first available date: *Provided, however,* That payment will be postponed until the next interest payment date, upon request of the persons presenting the bond.

§ 315.19 *Form and execution of requests for payment.* Requests for payment of savings bonds, unless otherwise authorized in a particular case, must be executed on the form appearing on the back of the bond to be surrendered and unless otherwise specifically requested payment will be made pursuant to a duly executed request on the earliest day consistent with these regulations.

(a) *Date of request.* Ordinarily requests executed more than six months before the date of receipt of a bond by a Federal Reserve Bank or the Treasury Department will not be accepted.

(b) *Identification and signature of owner.* The registered owner in whose name the bond is inscribed, or such other person as may be entitled to payment under the provisions of these regulations, must appear before one of the officers authorized to certify requests for payment (See § 315.20 hereof), establish his identity and in the presence of such officer sign the request for payment in ink, adding in the space provided the address to which the check issued in payment is to be mailed. A signature made by mark (X) must be witnessed by at least one person in addition to the certifying officer and must be attested by endorsement in the blank space substantially as follows: "Witness to the above signature by mark", followed by the signature and address of the witness. If the name of the registered owner or other person entitled to payment, as it appears in the registration or in evidence on file at the Treasury Department, Division of Loans and Currency, has been changed by marriage or in any other legal manner, the signature to the request for payment should show both names and the manner in which the change was made, for example, "Miss Mary T. Jones, now by marriage Mrs. Mary T. Smith", or "Jung Smelt, now by court order John Smith". In case of a change of name other than by marriage the request should be supported by satisfactory proof of such change, unless already on file. No request signed in behalf of the owner or person entitled to payment by an agent or a person acting under a power of attorney will be recognized by the Treasury Department except in those cases arising under Subpart R hereof.

(c) *Certification of request.* After the request for payment has been signed by the owner the certifying officer should complete and sign the certificate appearing at the end of the form for request for payment, and the bond should then be presented and surrendered as provided in § 315.23 hereof.

§ 315.20 *Certifying officers.* The following officers are authorized to certify requests for payment:

(a) *At United States post offices.* Any postmaster, acting postmaster or inspector in charge, or other post office official or clerk heretofore or hereafter designated for the purpose. One or more of these officials will be found at every United States post office, classified branch or station. A post office official or clerk other than a postmaster, acting postmaster or inspector in charge, should certify in the name of the postmaster or acting postmaster, followed by his own signature and official title, for example, "John Doe, postmaster, by Richard Roe, postal cashier". Signatures of these officers should be authenticated by a legible imprint of the post office dating stamp.

(b) *Banks, trust companies and branches.* Any officer of any incorporated bank or trust company or branch thereof, domestic or foreign, including banks or trust companies incorporated in the United States or its organized territories, those doing business in the organized territories or insular possessions of the United States and the Commonwealth of the Philippines under Federal charter or organized under Federal law, Federal Reserve Banks, Federal Land Banks, and Federal Home Loan Banks; and Federal Reserve Agents and Assistant Federal Reserve Agents, located at the several Federal Reserve Banks. Certifications by any of these officers should be authenticated by either a legible impression of the corporate seal of the bank or trust company or, in the case of banks or trust companies and their branches which are authorized and duly qualified issuing agents for bonds of Series E, by a legible imprint of the issuing agent's dating stamp.

(c) *Issuing agents not banks or trust companies.* Any officers of corporations not banks or trust companies, and of all other organizations, which are duly qualified issuing agents for bonds of Series E. All certifications by such officers must be authenticated by a legible imprint of the issuing agent's dating stamp.

(d) *United States officials.* Judges, clerks and deputy clerks of United States courts, including United States courts for the organized territories, insular possessions and the Canal Zone; United States Commissioners; United States attorneys; United States collectors of Customs and their deputies; United States collectors of Internal Revenue and their deputies; commissioned officers of the United States Army, Navy, Marine Corps and Coast Guard, but only for members of their respective services, members of their families and civilian employees at Posts or Bases or Stations (such certifying officer should indicate his rank and state that the person signing the request is one of the class whose requests he is

authorized to certify); the officer in charge of any home, hospital or other facility of the Veterans' Administration, but only for patients and members of such facilities; certain officers of Federal penal institutions designated for that purpose by the Secretary of the Treasury and certain officers of the United States Public Health Service Hospitals at Lexington, Kentucky, and at Fort Worth, Texas, and of United States Marine Hospitals at Fort Stanton, New Mexico, and Carville, Louisiana, designated for that purpose by the Secretary of the Treasury (in each case, however, only for inmates or employees of the institution involved).

(e) *Officers authorized in particular localities.* Certain officers in the Treasury Department; the Governors and Treasurers of Hawaii, Puerto Rico and Alaska; the Governor and Commissioner of Finance of the Virgin Islands; the Governors and Administrative Naval and Marine officers of Guam and American Samoa; the Governor, paymaster or acting paymaster, and collector or acting collector of the Panama Canal; postmasters and acting postmasters in the Bureau of Posts of the Canal Zone; the United States High Commissioner to the Commonwealth of the Philippines, his Executive Assistant, and the Chief Clerk in his office, the Treasurer of the Commonwealth and the city treasurers of Manila and Baguio, and judges and clerks of courts of record of the Commonwealth whose signatures and official positions are certified by the Secretary of Justice.

(f) *In foreign countries.* In a foreign country requests for payment may be signed in the presence of and be certified by any United States diplomatic or consular representative, or manager or other officer of a foreign branch of a bank or trust company incorporated in the United States, whose signature is attested by an impression of the corporate seal or is certified to the Treasury Department. If such an officer is not available, requests for payment may be signed in the presence of and be certified by a notary or other officer authorized to administer oaths, but his official character and jurisdiction must be certified by a United States diplomatic or consular officer under seal of his office.

(g) *Special provision.* In the event none of the officers authorized to certify requests for payment of savings bonds is readily accessible, the Commissioner of the Public Debt is authorized to make special provision for any particular case.

§ 315.21 *General instructions to certifying officers.* Certifying officers should require positive identification of the person signing requests for payment and will be held fully responsible therefor. In all cases a certifying officer must affix to the certification his official signature, title, address and seal, or dating stamp, and the date of execution. Officers of Veterans Facilities, Public Health Service Hospitals, Marine Hospitals and Federal penal institutions, should use the seal of the particular institution or service, where such seal is available. If a certifying officer other than a post office official, officer of a bank or trust company or officer of an issuing agent, does not possess an official seal, that fact should be made known and attested.

§ 315.22 *Interested person not to certify.* No person authorized to certify requests for payment may certify a request for payment of a bond of which he is the owner, or in which he has an interest, either in his own right or in any representative capacity.

§ 315.23 *Presentation and surrender.* After the request for payment has been duly signed by the owner and certified as above provided, the bond should be presented and surrendered, if a bond of Series F or G, to a Federal Reserve Bank or Branch or to the Division of Loans and Currency, Merchandise Mart, Chicago, Illinois, or, if a bond of any other series, to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Usually payment will be expedited by surrender to a Federal Reserve Bank. In all cases presentation will be at the expense and risk of the owner, and, for his protection, the bond should be forwarded by registered mail if not presented in person. Payment will be made by check drawn to the order of the registered owner or other person entitled and mailed to him at the address given in his request for payment.

§ 315.24 *Partial redemption.* A savings bond of any series in a denomination other than the lowest authorized for that series may be redeemed in part at current redemption value, but only in amounts corresponding to authorized denominations, upon presentation and surrender of the bond in accordance with this sub-part. In any such case, before the request for payment is signed, there should be added to the first sentence of the request the words "to the extent of $------ (maturity value), and reissue of the remainder". Upon partial redemption of a savings bond the remainder will be reissued as of the original issue date as provided in Subpart S hereof. For payment of interest on bonds of Series G in case of partial redemption see Subpart G hereof.

SUBPART I—MINORS AND PERSONS UNDER OTHER LEGAL DISABILITY

§ 315.25 *Payment to legal guardians.* If the Treasury Department, Division of Loans and Currency, has been properly notified, by the form of registration or otherwise, that the owner of a savings bond is a minor or a person judicially declared incompetent to manage his estate and that a guardian or similar legal representative has been appointed for the estate of such minor or incompetent by a court having jurisdiction or is otherwise legally qualified, payment will be made only to such guardian or similar legal representative. In such case the request for payment appearing on the back of the bond should be signed by the guardian or other legal representative as such, for example, "John A. Jones, guardian (committee) of the estate of Henry W. Smith, a minor (an incompetent)". Unless the form of registration gives the name of the representative, there must be submitted in support of the request a certificate or a certified copy of the letters of appointment from the court making the appointment under the seal of the court, establishing that the appointment is in full force. Such certificate or certification (except in the case of corporate fiduciaries) should be dated not more than six months prior to the date of presentation of the bond for payment. See Subpart M hereof for payment provisions applicable to bonds registered in the names of guardians and similar fiduciaries.

§ 315.26 *Payment to minors.* If the Treasury Department, Division of Loans and Currency, has not received proper notice that a guardian or similar representative of the estate of a minor has been appointed or is otherwise duly qualified, payment will be made direct to such minor, provided he is, at the time payment is requested, of sufficient competency and understanding to sign his name to the request and to comprehend the nature of such act. In general the fact that the request for payment has been signed by a minor and duly certified in accordance with Subpart H hereof will be accepted as sufficient proof of such competency and understanding.

§ 315.27 *Payment to parents of minors.* If the Treasury Department has not been properly notified that a guardian or similar legal representative of the estate of a minor owner of a savings bond has been appointed or is otherwise legally qualified, and if such minor owner is not of sufficient competency and understanding to execute the request for payment, payment will be made to either parent of the minor with whom he resides, or if the minor does not reside with either parent, then to the person who furnishes his chief support. The parent or such other person should sign the request for payment in his own name, on behalf of the minor, in the form "Mrs. Mary Jones, on behalf of John C. Jones", and should sign a certificate, in substantially the following form, which may be typed on the back of the bond:

I certify that I am the ---------- (relationship) of John C. Jones and the person with whom he resides. He is ------ years of age and is not of sufficient competency and understanding to sign this request.

If a person other than a parent signs the request on behalf of the minor he should also certify that the minor does not reside with either parent and that he furnishes his chief support. The Treasury Department may in any particular case require further proof that the minor is not of sufficient competency and understanding to execute the request for payment and of the right of the person executing the request to act on behalf of the minor.

§ 315.28 *Payment to voluntary guardian of person under disability.* In any case where the adult owner of a bond has been judicially declared incompetent or such incompetency, in the opinion of the Secretary of the Treasury, is otherwise established, and no duly qualified legal representative of his estate is acting, and the entire gross value of his personal estate does not exceed $500, payment will be made to a member of his family or other person acting as voluntary guardian, upon presentation of proof satisfactory to the Secretary of the Treasury that the proceeds of the bond are necessary for the purchase of necessaries for the incompetent or for his wife or minor children or other persons dependent upon him for support. Applications for such payment should be made only on appropriate forms, which may be obtained from the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago, Illinois, or any Federal Reserve Bank. The request for payment should not be executed, nor the bond presented, until the application has been approved and instructions have been given by the Treasury Department.

SUBPART J—SINGLE NAME; ADDITION OF COOWNER, ETC

§ 315.29 *Reissue for certain purposes.* A savings bond of any series registered in the name of one person in his own right, or to which one person is shown to be entitled in his own right under these regulations, may be reissued upon appropriate request for the following purposes:

(a) *Addition of coowner.* Reissue in the name of the owner with that of another natural person as coowner, provided that bonds reissued in accordance with this paragraph will be considered for the purposes of computation of holdings under Subpart D of these regulations as originally issued in both names and no reissue will be effective which results in any one person holding bonds in excess of the established limitation for the series to which the bonds belong. Requests for reissue under this paragraph should be made on Form PD 1762.

(b) *Addition of a beneficiary.* Reissue in the name of the owner with the name of another natural person as designated beneficiary. Applications for reissue under the provisions of this paragraph should be made on Form PD 1077.

§ 315.30 *Reissue upon request of a minor.* Reissues under the provisions of this Subpart will be made upon request of owners, notwithstanding the fact that they are minors, provided they are of sufficient competency and understanding, and are under no legal disability other than minority.

§ 315.31 *Reissue only at Federal Reserve Banks and Treasury.* Reissues in accordance with the provisions of this Subpart may be made only at Federal Reserve Banks or at the Treasury Department. A coowner may be added only by reissue of the bond. Federal Reserve Banks, however, may, in appropriate cases, add the name of a beneficiary to bonds already outstanding without reissue, providing such addition is properly certified by the Federal Reserve Bank.

SUBPART K—TWO NAMES; COOWNERSHIP FORM

§ 315.32 *Payment or reissue.* A savings bond registered in the names of two persons as coowners in the form "John A. Jones or Mrs. Mary C. Jones", will be paid or reissued as follows:

(a) *During the lives of both coowners.* During the lives of both coowners the bond will be paid to either coowner upon his separate request without requiring the signature of the other coowner; and upon payment to either coowner the other person shall cease to have any interest in the bond. The bond will also be paid to both coowners upon their joint request, in which case payment will be made by check drawn to the order of both coowners in the form, for example, "John A. Jones and Mrs. Mary C. Jones", and the check must be endorsed by both payees. The bond will not be reissued in any form during the lives of both coowners except as specifically provided in these regulations.

(b) *After the death of one coowner.* If either coowner dies without having presented and surrendered the bond for payment to a Federal Reserve Bank or the Treasury Department, the surviving coowner will be recognized as the sole and absolute owner of the bond, and payment will be made only to him: *Provided, however,* That if a coowner dies after he has properly executed the request for payment and after the bond has actually been received by a Federal Reserve Bank or the Treasury Department, payment of the bond, or check if one has been issued, will be made to his estate (See Subpart P hereof). Upon proof of the death of one coowner and appropriate request by the surviving coowner the bond will be reissued in the name of such survivor alone, or in his name with another individual as coowner, or in his name payable on death to a designated beneficiary.

(c) *On death of both coowners in common disaster.* If both coowners die in a common disaster under such conditions that it cannot be established, either by presumption of law or otherwise, which coowner died first, the bond will be considered as belonging to the estates of both coowners.

(d) *After the death of a surviving coowner.* If a surviving coowner who became solely entitled to the bond under the provisions of paragraph (b) of this section dies without having submitted the bond for payment or reissue, the bond will be paid or reissued as though it were registered in the name of such last deceased coowner alone. In this case proof of the death of both coowners and of the order in which they died will be required.

§ 315.33 *Place of reissue.* Reissues authorized in this Subpart will be made in accordance with the provisions of Subpart S hereof, but only at a Federal Reserve Bank or the Treasury Department, and applications for such reissues should be made on forms provided for that purpose.

SUBPART L—TWO NAMES; BENEFICIARY FORM

§ 315.34. *Payment to registered owner.* A bond registered in the name of one person payable on death to another, for example, "Henry W. Ash, payable on death to John C. Black", will be paid to the registered owner during his lifetime upon his properly executed request as though no beneficiary had been named in the registration.

§ 315.35 *Reissue during the lifetime of registered owner.* A bond registered in the name of one person payable on death to another may not be reissued during the latter's lifetime to eliminate his name, but may be reissued on request of the registered owner on Form PD 1762, to name the beneficiary as coowner, subject to the same restrictions and conditions contained in § 315.29 (a). If the beneficiary should predecease the registered owner, upon proof of such death and upon request of the registered owner, the bond may be reissued in his name alone, or in his name with another individual as coowner, or in his name payable on death to a designated beneficiary.

§ 315.36 *Payment or reissue to beneficiary.* If the registered owner dies without having presented and surrendered the bond for payment or authorized reissue to a Federal Reserve Bank or the Treasury Department, and is survived by the beneficiary, upon proof of such death and survivorship, the beneficiary will be recognized as the sole and absolute owner of the bond, and it will be paid only to him, or may be reissued in his name alone, or otherwise reissued in accordance with Subpart J as though it were registered in his name alone: *Provided, however,* That if the bond with a properly executed request by the registered owner for payment or authorized reissue has actually been received by a Federal Reserve Bank or the Treasury Department, payment of the bond, or check, if one has been issued, will be made to the estate of the deceased owner in accordance with § 315.49.

§ 315.37 *Payment or reissue after death of the surviving beneficiary.* After the death of a surviving beneficiary who became entitled under the provisions of this Subpart, the bond will be paid or reissued in accordance with Subpart J as though it were registered in the name of the surviving beneficiary alone. In this case proof of the death of both the registered owner and the beneficiary and of the order in which they died will be required.

§ 315.38 *Conditions of reissue.* Reissue under this Subpart will be made in accordance with Subpart S hereof, but only at a Federal Reserve Bank or the Treasury Department and applications for such reissue should be made on forms provided for that purpose.

SUBPART M—FIDUCIARIES

§ 315.39 *Payment to fiduciaries.* A savings bond registered in the name of, or otherwise belonging to, a fiduciary estate, will be paid to the fiduciaries of such estate upon their request. The request for payment must be signed by all acting fiduciaries, except for payment at maturity, when a request by any one or more acting fiduciaries will be accepted, but payment will be made to all. If the bond is registered in the names of individual fiduciaries of the estate who are still acting, no further evidence of authority will be required. In other cases the request for payment must be supported by evidence as specified below:

(a) *Fiduciaries, by title only.* If the bond is registered in the titles without the names of the fiduciaries, satisfactory proof of the incumbency of the fiduciaries must be furnished, except in the case of public officers.

(b) *Succeeding fiduciaries.* If the fiduciaries in whose names the bonds were registered have been succeeded by other fiduciaries, satisfactory proof of successorship must be furnished.

(c) *Boards, committees, etc., as fiduciaries.* If the fiduciaries consist of a board, committee, commission, or public body, or are otherwise empowered to act as a unit, a request for payment before maturity must be supported by a duly certified copy of a resolution of the board or other body authorizing such action, except that in the case of a public board or commission a request signed in its name by a duly authorized officer thereof will ordinarily be accepted without further proof of the officer's authority. In any case the request must be signed in the name of the board or other body by an authorized officer or agent thereof.

(d) *Corporate fiduciaries.* If a public or private corporation or a political body, such as a State or county, is acting as a fiduciary, a request for payment must be signed in the name of the corporation or other body, in the fiduciary capacity in which it is acting, by an authorized officer thereof.

(e) *Registration not disclosing trust.* If the form in which the bond is registered does not show that it belongs to a fiduciary estate or does not identify the estate to which it belongs, satisfactory proof of ownership must be furnished.

§ 315.40 *Reissue in the name of a succeeding fiduciary.* If a person in whose name a savings bond is registered as a fiduciary has been succeeded as such fiduciary by another person, the bond will be reissued in the name of the succeeding fiduciary upon appropriate request and satisfactory proof of successorship.

§ 315.41 *Reissue in the name of, or payment to, the person entitled*—(a) *Distribution of trust estate in kind.* A savings bond to which a beneficiary of a trust has become lawfully entitled, in whole or in part, under the terms of the trust, will be reissued in his name to the extent of his interest, as a distribution in kind, upon the request of the trustee or trustees and their certification that such person is entitled and has agreed to reissue in his name: *Provided,* That if a trustee himself is so entitled in his own right, his request for reissue in his name must be supported by an order of court or other satisfactory proof that he is so entitled, unless a cofiduciary joins in the request: *Provided, further,* That if the form in which the bond is registered does not show that it belongs to a trust estate, the request for reissue must be supported by satisfactory proof of ownership.

(b) *After termination of trust estate.* If the person who would be lawfully entitled to a savings bond upon the termination of a trust does not desire to have such distribution to him in kind, as provided in the next preceding paragraph, the trustee or trustees should redeem the bond in accordance with the provisions of § 315.39 hereof before the estate is terminated. If, however, the estate is terminated without such payment or reissue having been made, the bond will thereafter be paid to or reissued in the name of the person lawfully entitled upon his request and satisfactory proof of ownership, supplemented, if there are two or more persons having any apparent interest in the bond, by an agreement executed by all such persons.

(c) *Upon termination of guardianship estate.* A savings bond registered in the name of a guardian or similar legal representative of the estate of a minor or incompetent, if the estate is terminated during the ward's lifetime, will be reissued in the name of the former ward upon the representative's request and certification that the former ward is entitled and has agreed to reissue in his name, or will be paid to or reissued in the name of the former ward upon his own request, supported in either case by satisfactory proof that his disability has been removed. Certification by the representative that a former minor has attained his majority, or that the legal disability of a female ward has been removed by marriage, if the State law so provides, will ordinarily be accepted as sufficient, but if the disability is removed by court order a duly certified copy of the order will be necessary. Upon the death of the ward a bond registered in the name of his guardian or similar representative will be reissued in accordance with the provisions of Subpart P as though it were registered in the name of the ward alone.

§ 315.42 *Bonds held by trustee where reissue not authorized.* Savings bonds which by their terms or under the regulations in force at the time of their issue may not be registered in the name of a fiduciary may be held without change of registration by a trustee or other fiduciary under the will of a deceased owner of the bonds, but will not be reissued in the name of the fiduciary. Upon proof of the appointment and authority of the fiduciary bonds so held will be paid to the fiduciary or upon termination of the trust will be reissued in the names of the persons entitled in their own right in accordance with the provisions of this Subpart.

SUBPART N—PRIVATE CORPORATIONS, ASSOCIATIONS, PARTNERSHIPS, ETC.

§ 315.43 *Payment to corporations or unincorporated associations.* A savings bond registered in the name of a private corporation or an unincorporated association will be paid to such corporation or unincorporated association upon request for payment on its behalf by a duly authorized officer thereof. The signature to the request should be in the form, for example, "The Jones Coal Company, a corporation, by William A. Smith, president", or "The Lotus Club, an unincorporated association, by John Jones, treasurer". A request for payment so signed and duly certified will ordinarily be accepted without further proof of the officer's authority.

§ 315.44 *Payment to partnerships.* A savings bond registered in the name of a partnership will be paid upon a request for payment signed by a general partner. The signature to the request should be in the form "Smith and Jones, a partnership, by John Jones, a general partner". A request for payment so signed and duly certified will ordinarily be accepted as sufficient proof that the person signing the request is duly authorized.

§ 315.45 *Reissue or payment to successors of corporations, unincorporated associations or partnerships.* A savings bond registered in the name of a private corporation, an unincorporated association or partnership, which has been succeeded by another corporation, unincorporated association or partnership as the result of merger, consolidation, reincorporation, conversion, reorganization, or otherwise by operation of law or in any manner whereby the ownership of the succeeding organization is substantially identical with that of its predecessor, will be paid to, or reissued in the name of, the succeeding corporation, unincorporated association or partnership upon appropriate request on its behalf supported by satisfactory proof of lawful successorship.

§ 315.46 *Reissue or payment on dissolution*—(a) *Corporations.* A savings bond registered in the name of a private corporation which is in process of dissolution will be paid to the authorized representative of the corporation upon a duly executed request for payment supported by satisfactory evidence of the representative's authority. Upon the termination of dissolution proceedings such bonds may be reissued in the names of those persons, other than the creditors, entitled to the assets of the corporation to the extent of their respective interests upon the duly executed request of the authorized representative of the corporation and upon proof of compliance with all statutory provisions governing the voluntary dissolution of such corporation, and that the persons in whose names reissue is requested are entitled and have agreed to such reissue: *Provided,* That if the dissolution proceedings are had under the direction of a court, proof of the authority of the representative and of the persons entitled to distribution must consist of certified copies of orders of the court.

(b) *Partnerships.* A savings bond registered in the name of a partnership which has been dissolved by death or withdrawal of a partner, or in any other manner, will be paid to or reissued in the names of the persons entitled thereto as the result of such dissolution to the extent of their respective interests, upon their request supported by satisfactory evidence of their title, including proof that the debts of the partnership have been paid or properly provided for.

SUBPART O—STATES, PUBLIC CORPORATIONS, AND PUBLIC BOARDS, COMMISSIONS AND OFFICERS

§ 315.47 *In names of States, public corporations, and public boards.* A savings bond registered in the name of a State or of a county, city, town, village or other public corporation, or in the name of a public board or commission, will be paid upon a request signed in the name of such State, corporation, board or commission by a duly authorized officer thereof. A request for payment so signed and duly certified will ordinarily be accepted without further proof of the officer's authority.

§ 315.48 *In names of public officers.* A savings bond registered in the title, without the name, of an officer of a State or public corporation, such as a county, city, town or village, will be paid upon request for payment signed by the designated officer. The fact that the request for payment is signed and duly certified will ordinarily be accepted as sufficient proof that the person signing is the incumbent of the designated office.

SUBPART P—DECEASED OWNERS

§ 315.49 *Payment or reissue on death of owner.* Upon the death of the owner of a savings bond, who was not survived by a coowner or designated beneficiary and who had not during his lifetime presented and surrendered the bond to a Federal Reserve Bank or the Treasury Department with a duly executed and proper request for an authorized reissue, the bond will be paid or reissued as hereinafter provided. The provisions of this section shall also apply to savings bonds registered in the names of executors or administrators except that proof of their appointment and qualification may not be required. Established forms for use in such cases and for requests for payment or reissue may be obtained from any Federal Reserve Bank or from the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago, Illinois, and should be used in every instance.

(a) *In course of administration.* If the estate of the decedent is being administered in a court of competent jurisdiction, the bond will be paid to the duly qualified representative of the estate or will be reissued in the names of the persons entitled to share in the estate upon the request of the duly appointed and qualified representative of the estate who should certify that the persons named are entitled to the extent specified for each and have consented to such reissue. The request for payment or reissue should be signed in the form, for example, "John A. Jones, administrator of the estate (or executor of the will) of Henry W. Jones, deceased". Reissue will be made to the persons entitled in their names alone, or with a coowner (provided no excess holdings will be created) or beneficiary upon appropriate request by such persons. A request for payment or reissue must be supported by proof of the representative's authority. Such proof may consist of a court certificate or a certified copy of the representative's letters of appointment issued by the court having jurisdiction; the certificate, or the certification to the letters, must be under the seal of the court, must contain a statement that the appointment is in full force, and should be dated within six months of the date of presentation of the bond for payment or reissue. If the representative is himself the person entitled and desires reissue in his own name, the request for reissue must be supported by an order of court, unless a co-administrator or co-executor joins in the request.

(b) *After settlement through court proceedings.* If the estate of the decedent has been settled in a court of competent jurisdiction, the bond will be paid to, or reissued in the name of, the persons entitled thereto as determined by the court: *Provided,* That if there are two or more persons having an apparent interest in the bond, an agreement should be executed by them. The request for payment or reissue, and the agreement, if necessary, must be supported by duly certified copies of the pertinent court records.

(c) *Without administration.* If no legal representative of the decedent's estate has been or is to be appointed, and if it is established to the satisfaction of the Secretary of the Treasury either that the gross value of the personal estate does not exceed $500, or that administration of the estate is not required in the State of the decedent's last domicile, the bond will be paid to, or reissued in the name of, the persons entitled to share in the estate, without requiring administration, pursuant to an agreement and request by them on the form prescribed by the Treasury Department and supported by the evidence called for by that form: *Provided, however,* That reissue will not be made in the name of a creditor of the estate. No payment or reissue will be permitted without administration if any of the persons entitled are minors or incompetents, except to them or in their names, in whole or to the extent of their interests in the decedent's entire personal estate, or upon compliance with the provisions of Subpart I hereof governing payment of savings bonds registered in the names of such persons.

§ 315.50 *Forms of registration on reissue.* In no case will bonds be reissued hereunder except in a form authorized upon original issue by the regulations in force at the time bonds surrendered were issued.

SUBPART Q—CREDITORS' RIGHTS AND JUDICIAL PROCEEDINGS

§ 315.51 *Creditors' rights.* A creditor of the owner of a savings bond may secure payment thereof to the extent of the owner's interest, or to the extent of the creditor's claim, whichever is smaller, through valid judicial proceedings: *Provided, however,* That no such proceedings will be recognized if they would give effect to an attempted voluntary transfer inter vivos of the bond or would defeat or impair the rights of survivorship conferred by these regulations upon coowners and beneficiaries. Payment, or partial payment in an amount not in excess of that to which the creditor is entitled will be made upon presentation and surrender of the bond with the request for payment duly executed, at the redemption value current 30 days after the proceedings have become final, or current at the time the bond is presented for payment, whichever is earlier. No reissue of the bond will be made to the creditor under the provisions of this section.

§ 315.52 *Determination of interest as between owner and coowner or beneficiary.* Conflicting claims as to ownership of or interest in a savings bond, as between the registered owner and the coowner, or the registered owner and a designated beneficiary may be determined by valid judicial proceedings, in which case the bond may be reissued in the names of the respective coowners or the owner and the beneficiary to the extent of their respective interests as determined by such proceedings, but only in authorized denominations.

§ 315.53 *Evidence necessary.* To establish the validity of judicial proceedings there must be submitted a certified copy of the judgment or decree of court and of any necessary supplementary proceedings, as well as a certificate from the clerk of the court under the court seal, showing that the judgment or decree is in full force and effect and has become final under the laws of the jurisdiction. The Secretary of the Treasury may in any case require such further information, documents and security as he may deem necessary.

§ 315.54 *Bankruptcy and insolvency.* Payment (but not reissue) of a savings bond will be made to a duly qualified trustee in bankruptcy or receiver of the estate of the registered owner, adjudicated bankrupt or insolvent, upon request for payment duly executed by such trustee or receiver and supported by satisfactory proof of his appointment and qualifications.

SUBPART R—PLEDGE WITH SECRETARY OF TREASURY OR FEDERAL RESERVE BANKS

§ 315.55 *Deposit under Department Circulars No. 154 and No. 657.* Notwithstanding any other provisions of this or any other circular, a savings bond may be pledged by the registered owner in lieu of surety under the provisions of Department Circular No. 154, amended: *Provided,* That the bond approving officer is the Secretary of the Treasury. In such cases an irrevocable power of attorney shall be executed authorizing the Secretary to request payment, and payment of the bond will, if it becomes necessary, be made upon such request at the then appropriate redemption value. No pledge to a bond approving officer other than the Secretary of the Treasury will be permitted. A savings bond may also be deposited as security with a Federal Reserve Bank under the provisions of Department Circular No. 657 by an institution certified under that circular as an issuing agent for savings bonds of Series E. In no other cases are

savings bonds suitable for use as collateral, nor will a power of attorney to request payment be recognized in any other case.

SUBPART S—REISSUE AND DENOMINATIONAL EXCHANGE

§ 315.56 *General.* Reissue of savings bonds in different names or in a different form of registration will be made only in the following instances and only in denominations and forms of registration authorized for the bonds surrendered:

(a) To correct an error in the original issue, upon request of the owner or coowner, supported by satisfactory proof of such error unless the error was made by the issuing agent;

(b) To show a change in the name of an owner, coowner or beneficiary upon his request, supported by satisfactory proof of the change if for any other reason than marriage;

(c) As otherwise specifically provided in these regulations.

§ 315.57 *Requests for reissue.* Requests for reissue should be signed by the person authorized under these regulations to make such requests, on appropriate forms which may be obtained from any Federal Reserve Bank or from the Treasury Department, Division of Loans and Currency. If the request is by reason of a change of name the signature should show both names, and the manner in which the change took place. A request for reissue must be signed in the presence of and be certified by an officer authorized under Subpart H hereof to certify requests for payment. A request may not be signed by a person under any legal disability other than minority. It may be signed by a minor who is of sufficient competency and understanding to sign his name to the request and to comprehend the nature of such act. In general the fact that a request for reissue has been signed by a minor and duly certified will be accepted as sufficient proof of such competency and understanding.

§ 315.58 *Agencies authorized to make reissue.* Reissues under (b) and (c) hereof may be made only at a Federal Reserve Bank or the Treasury Department.

§ 315.59 *Date of bonds on reissue.* The new bonds will be of the same series, will bear the same issue date, and will have the same rights and privileges as the bonds surrendered.

§ 315.60 *Effective date.* In any case of authorized reissue the Treasury Department reserves the right to treat the receipt by a Federal Reserve Bank or the Treasury Department of a bond and appropriate request for reissue thereof as determining the date upon which reissue is effective.

§ 315.61 *Denominational exchange.* Exchange as between authorized denominations will not be permitted except in cases of partial redemption or authorized reissue.

SUBPART T—FURTHER PROVISIONS

§ 315.62 *Regulations prescribed.* These regulations are prescribed by the Secretary of the Treasury as governing United States Savings Bonds issued under the authority of section 22 of the Second Liberty Bond Act, as amended, and pursuant to the various Department Circulars offering such bonds for sale. The provisions of Treasury Department Circular No. 300, as amended, have no application to such savings bonds except as to cases arising under Subpart E hereof.

§ 315.63 *Preservation of rights.* Nothing in these regulations contained shall be construed to limit or restrict any existing rights which holders of savings bonds heretofore issued may have acquired under the circulars offering such bonds for sale, or under the regulations in force at the time of purchase.

§ 315.64 *Additional proof; bond of indemnity.* The Secretary of the Treasury, in any case arising under these regulations, may require such additional proof as he may consider necessary or advisable in the premises; and may require a bond of indemnity with satisfactory sureties, or an agreement of indemnity, in any case where he may consider such a bond or agreement necessary for the protection of the interests of the United States.

§ 315.65 *Correspondence and forms.* Correspondence in regard to any transactions in United States Savings Bonds under the provisions of these regulations should be addressed to a Federal Reserve Bank or to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago, Illinois. Appropriate forms for use in connection with such transactions may be secured from any Federal Reserve Bank or from the Division of Loans and Currency.

§ 315.66 *Supplements, amendments or revisions.* The Secretary of the Treasury may at any time, or from time to time, prescribe additional, supplemental, amendatory or revised rules and regulations governing United States Savings Bonds.

[SEAL] H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-6393; Filed, July 6, 1942; 2:26 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-67]

BURCH CORPORATION

The Burch Corporation, Crestline, Ohio, is a foundry making castings from pig iron for jobbing or for its own use. The Company applied for an allocation of pig iron for the month of October, 1941, on Form PD-69, certifying that it had orders bearing A-2 preference ratings to be delivered during that month which required the use of 90 gross tons of pig iron. On the basis of this representation, the Company was allocated that amount of pig iron. However, during the month of October, the Company used only a small amount of pig iron to fill orders bearing a preference rating of A-2 or higher and only 22 tons to fill orders bearing a preference rating of A-10 or higher. The balance of the pig iron allocated to the Company was used to fill orders bearing a B rating or no rating.

The Burch Corporation also requested an allocation of pig iron for the month of February, 1942, on Form PD-69, certifying that it had orders bearing a preference rating of A-10 or higher which required the use of 120 gross tons of pig iron during that month. On the basis of its representation, it was allocated 120 gross tons of pig iron. However, during the month of February, the Company used only 21.18 gross tons of pig iron to fill orders bearing a preference rating of A-10 or higher and 76.04 gross tons to fill orders extended B rating or no ratings.

The Company's misrepresentations as to its rated orders and its use of pig iron for purposes other than those for which the pig iron was allocated to it constituted violations of Priorities Regulation No. 1 and General Preference Order M-17 and have resulted in the diversion of pig iron to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered, That:

§ 1010.67 *Suspension Order S-67.* (a) The Burch Corporation of Crestline, Ohio, its successors and assigns, shall not process, melt or otherwise use any pig iron except to fill orders bearing a preference rating higher than A-2 except as specifically authorized by the Director of Industry Operations.

(b) Nothing contained in this order shall be deemed to relieve The Burch Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect July 9, 1942, and shall expire on October 9, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6394; Filed, July 6, 1942; 3:22 p. m.]

PART 921—ALUMINUM

[General Preference Order M-1-h]

BAUXITE AND ALUMINA

Whereas, it is found that the increasing national war requirements, including the need for adequate reserves occasioned by the uncertainty of future shipments from abroad have created a shortage in the supply of bauxite and of alumina (as hereinafter defined) for war, for private account, and for export, and it is necessary in the public interest and to promote the defense of the United States to conserve the supply and direct the distribution thereof:

Now, therefore, it is hereby ordered, That:

§ 921.10 *General Preference Order M-1-h*—(a) *Definitions.* For the purposes of this order:

(1) "Bauxite" means a rock consisting of a mixture of several minerals in which the aluminum is present largely as hydrated oxides.

(2) "Restricted bauxite" means bauxite ores, concentrates, or tailings containing less than 15 per cent silica (as analyzed by tri-acid method on a dried basis at 110° C.), including all processed forms of bauxite, such as dried, calcined, sintered, or activated ore.

(3) "Alumina" means any aluminum oxide or any hydrate of aluminum.

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Producer" means any person who mines or otherwise produces bauxite or who manufactures alumina.

(6) "Processor" means any person who mines or otherwise produces, concentrates, dries, activates, calcines, sinters, or otherwise processes bauxite or alumina.

(7) "Dealer" means any person regularly engaged in the business of buying, and selling bauxite or alumina for his own account or for the account of others, without changing its form.

(b) *Limitation on use of "restricted bauxite" and "alumina".* No person shall accept delivery of, use or consume any "restricted bauxite" or "alumina" except as specifically authorized by the Director of Industry Operations.

(c) *Limitation on delivery of "restricted bauxite" and "alumina".* No supplier including any producer, processor, or dealer shall deliver any "restricted bauxite" or "alumina" unless the person to receive such material shall have been authorized by the Director of Industry Operations to accept such delivery.

(d) *Application for authorization to receive, use or consume "restricted bauxite" and "alumina".* Any person who wishes to be authorized to accept a delivery of, use or consume "restricted bauxite" or "alumina" may request such authorization by filing Form PD-567 (for bauxite) or Form PD-568 (for alumina) with the Aluminum and Magnesium Branch, War Production Board, Washington, D. C. Approval upon such form by the Director of Industry Operations shall constitute authorization for shipment of "restricted bauxite" or "alumina" by the supplier and for the receipt, consumption and use of such "restricted bauxite" or "alumina" by the applicant. The supplier, upon completing delivery of the material covered by the authorization, shall indicate upon a copy of such authorization the shipments made, and return such copy to the Aluminum and Magnesium Branch, War Production Board.

(e) *Limited exemption for uses of "restricted bauxite" and "alumina" in manufacture specifically authorized.* Notwithstanding the provisions of (b) above, any person having "restricted bauxite" or "alumina" on hand may continue to use or consume such material until September 1, 1942: *Provided, however,* That the quantity used or consumed by any such person during the period from July 1, 1942 to August 31, 1942, inclusive, shall not exceed one-third of the quantity so used or consumed by that person during the last six months of 1941.

(f) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(g) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(h) *Effective date.* This order shall take effect August 1, 1942, and shall continue in effect until revoked by the Director of Industry Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6443; Filed, July 7, 1942; 11:23 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13]

SPECIAL SALES OF IDLE OR FROZEN MATERIALS

§ 944.34 *Priorities Regulation 13*—(a) *Purpose.* The purpose of this regulation is to provide uniform rules governing special sales of idle or excess materials by persons who are not regularly engaged in the business of selling such materials, including distress and liquidation sales and sales by persons who, by reason of the effect of priority orders or for other reasons, cannot use such materials in the regular course of their business. This regulation does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation.

(b) *Definitions.* For the purposes of this regulation:

(1) "Sale" of a material includes any public or private sale, auction sale, sale upon foreclosure of any lien or mortgage, or delivery of such material in exchange for money or for any other material and the sale of any warehouse receipt, bill of lading or other document evidencing an interest in such material, but does not include the pledge or mortgage or other creation of any lien upon such material or the transfer of possession of such material without any transfer of title.

(2) "Special sale" means any sale *except:*

(i) A sale of any material in a form regularly sold by the seller in the course of his business; and

(ii) A sale of any tool, machinery, or other assembled commercial, industrial, production, agricultural, or household equipment; and

(iii) A sale of material in the form in which it is used by ultimate consumers thereof without being further processed or assembled with other materials or made a part of any building or structure; and

(iv) A sale of foodstuffs, medicines and other materials for internal human consumption.

"Special sale" also includes any sale made or caused to be made by any receiver, trustee in bankruptcy, public official or any other person acting in a fiduciary or representative capacity, and not in the course of carrying on the business of an insolvent or bankrupt person or other person whose business is in the hands of such fiduciary or representatives.

(3) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(4) "War material" means any material consisting in whole or in substantial part of one or more materials listed in Schedule "A" attached.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) "Producer" means any person who produces, manufactures, fabricates, processes, constructs or assembles any material and includes any person furnishing electric, gas, water, sanitation, steam, transportation, communication or other utility services to the public.

(7) "Director" means the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management.

(c) *Permitted special sales.* (1) Subject to paragraph (d) of this regulation, any person may make a special sale of any material other than a war material without restriction.

(2) Subject to paragraph (d) of this regulation, any person may make a special sale of any war material if the sale falls within one of the following cate-

gories, and no person may make any special sale of any war material if such sale does not fall within one of the following categories:

(i) A sale to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy Department, War Department, Board of Economic Warfare, Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and any other corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended; or

(ii) A sale pursuant to a specific authorization of the Director naming the seller and identifying the particular sale to be made; or

(iii) A sale by a producer to another producer engaged in the same business as the seller, but only if an order of the Director applicable generally to persons engaged in such business expressly permits such a sale; or

(iv) A sale of an individual lot of war material at an aggregate price of less than $100: *Provided*, That this exception shall not be construed to permit the dividing of holdings of war material into lots having a value of less than $100 and disposing of such lots under this subparagraph (2) (iv); or

(v) A sale to any person falling within a class indicated on Schedule "A" attached as being a class to whom the particular war material may be sold: *Provided*, That when any alloy, compound, mixture, or product is not listed as such on Schedule "A" and contains a significant amount of more than one war material, the sale shall be made only to a person to whom all such contained war materials may be sold.

(d) *Effect on other orders and regulations.* (1) Any sale which is not a special sale shall remain subject to the provisions of all applicable orders and regulations.

(2) The provisions of this regulation shall control all special sales although inconsistent with any order or regulation of the Director heretofore issued. Notwithstanding any provision of any such order or regulation which permits such sale, no special sale shall be made if forbidden by the provisions of this regulation; and any special sale permitted by the provisions of this regulation may be made, and deliveries thereunder accepted by the buyer, despite any provision of any such order or regulation forbidding the same *except that:*

(i) Nothing in this regulation shall affect any provision contained in any order or regulation of the Director which imposes any quota or other limitation on the amount any buyer may purchase, receive or produce, or which imposes any limitations on the amount of inventory of any person or any restrictions upon the use of any material; and

(ii) This regulation shall not affect any provision of any applicable order or regulation of the Director requiring a buyer to make any reports or to furnish any information in connection with a purchase; and

(iii) No seller shall make any special sale if he knows or has reason to believe that the purchase or acceptance or delivery by the buyer would violate any inventory or quota restrictions imposed on the buyer by any order or regulation or that the buyer is acquiring the material for a use which would be in violation of any order or regulation.

(e) *Records.* Any person making any special sale must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such sale. Such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

SCHEDULE "A"

EXPLANATORY NOTE

This schedule relates only to special sales made under paragraph (c) (2) (v) of this regulation. Any purchaser of material through a special sale must comply with all inventory, quota, and use restrictions imposed by all other orders and regulations.

When an alloyed material, or a physically or chemically compounded material, is shown in this table, the conditions that govern the sale of the alloyed or compounded material are those shown for the alloy or compound and not those shown for the constituent elements or parts. For example, the conditions under which stainless steel may be sold are those shown for the war material "Stainless Steel" and not those shown for "Chromium" or "Nickel" or "Steel". When any alloy, compound, mixture, or product is not listed as such on Schedule "A" and contains a significant amount of more than one war material, the sale shall be made only to a person to whom all such contained war materials may be sold.

The word "No" appearing in any column in this schedule means that a holder may not sell the particular war material to any person in the class to which that column applies unless the sale is otherwise permitted by this regulation.

The letters "PR" mean Preference Rating, and wherever they appear in any column, mean that the holder may sell the particular war material to any person in the class to which that column applies, but *only* provided that such person places with the holder an order for the material bearing a duly applied or extended preference rating equal to or higher than the rating shown immediately after the letters "PR". For example, "PR A-1-k", which appears opposite the war material "Nickel" in the column headed "Any producer permitted to buy for an authorized use" means that the holder may sell to any producer who places an order for a product containing nickel if that order bears a duly applied or extended preference rating of A-1-k or higher.

The letters "W. O. P." mean "Without Preference Rating" and wherever they appear in any column mean that the holder may sell the particular material to any person in the class to which that column applies without any preference rating from the buyer.

The letter "X" means "not applicable".

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d) (2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS						
Alloy Steel (see Steels).						
Aluminum:						
Aluminum	W. O. P.	No	W. O. P.*	W. O. P.*	No	*Only to approved reprocessors and wholesale dealers. Lists available at WPB offices.
Powder and Paste	W. O. P.	No	X	W. O. P.	W. O. P.	
Pigments and Paint (see Chemicals).						
Scrap*	W. O. P.	No	W. O. P.**	X	W. O. P.**	*Subject to limitations in M-1-d on sale of certain segregated scrap. **Only to approved reprocessors and scrap dealers. Lists available at WPB offices.
Antimony:						
Antimony	W. O. P.	No	No	W. O. P.	No	
Chemicals (see Chemicals).						
Antimonial Lead (see Lead).						
Scrap	W. O. P.	No	W. O. P.	X	W. O. P.	
Babbitt (see Tin).						
Beryllium (including scrap)	W. O. P.	No	No	W. O. P.	W. O. P.*	*Only when sold as scrap.
Brass (see Copper).						
Brass Mill Scrap (see Copper).						
Brass and Wire Mill Products (see Copper).						
Bronze (see Copper).						
Cadmium:						
Cadmium	No	No	No	W. O. P.	No	
Chemicals (see Chemicals).						
Scrap	No	No	No	X	W. O. P.	
Carbon Steel (see Steels).						
Cast Iron Products (see Iron).						
Chromium:						
Chromium	W. O. P.	PR A-1-k	X	W. O. P.	No	
Chemicals (see Chemicals).						
Scrap	W. O. P.	PR A-1-k	W. O. P.	X	W. O. P.	
Cobalt:						
Cobalt (including scrap)	W. O. P.	No	X	W. O. P.	W. O. P.*	*Only when sold as scrap
Chemicals (see Chemicals).						
Copper						
Copper Ingots and Refinery Shapes	W. O. P.	No	X	W. O. P.*	No	
Copper-Base Alloy Ingots (50% copper by weight).	W. O. P.	No	X	W. O. P.*	No	*Only to persons holding allocation certificates or specific authorization to buy.
Brass and Wire Mill Products	W. O. P.	PR A-1-k	X	W. O. P.*	No	
Copper and Brass Foundry Products	W. O. P.	PR A-1-k	X	W. O. P.*	No	
Copper and Copper-Base Alloy Scrap	W. O. P.	No	X	X	W. O. P.	
Brass Mill Scrap	W. O. P.*	No	X	X	W. O. P.	*Only to Brass Mills.

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d) (2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS—Continued						
Ferroalloys*						*May be sold as provided for principal non-ferrous element.
Inconel (see Nickel).						
Iridium (including scrap)	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	W. O. P.**	*Cannot be used for jewelry. **Only when sold as scrap.
Iron:						
Alloy Iron Castings*	W. O. P.	PR A-1-k	W. O. P.	X	W. O. P.	*Does not include materials commonly known as "ferroalloys", listed in Priorities Regulation No. 11 as "ferro-alloying agents".
Pig Iron	W.O.P.	No	No	No	No	
Wrought Iron	W.O.P.	PR A-9	W.O.P.	W.O.P.	No	
Cast Iron Product	W.O.P.	PR A-9	W.O.P.	W.O.P.	No	
Alloy Iron Scrap	W.O.P.	No	W.O.P.	X	W.O.P.	
Other Iron Scrap	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Lead:						
Lead	W.O.P.	W.O.P.	W.O.P.	W.O.P.	No	
Antimonial Lead	W.O.P.	W.O.P.	W.O.P.	W.O.P.	No	
Scrap	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Magnesium (including scrap)	W.O.P*	No	W.O.P*	W.O.P.	No	*Only to approved reprocessors. Lists available at WPB offices.
Mercury:						
Mercury	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Mercury Chemicals (see Chemicals).						
Molybdenum:						
Molybdenum (including scrap)	W.O.P.	No	No	W.O.P.	W.O.P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Monel (see Nickel).						
Nickel:						
Nickel (including Monel and Inconel)	W. O. P.	PR A-1-k	No	W. O. P.	No	
Solutions and Salts (see Chemicals).						
Scrap	W. O. P.	PR A-1-k	W. O. P.	X	W. O. P.	
Nickel Steel (see Steels).						
Pig Iron (see Iron).						
Platinum:						
Platinum (including scrap)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Rhodium (including scrap)	W. O. P.	W. O. P*	W. O. P.	W. O. P.	W. O. P.**	*Cannot be used for jewelry. **Only when sold as scrap.
Solder (see Tin Solder).						
Stainless Steel (see Steels).						
Steels:						
Carbon Steel in any single lot over 5 short tons.*	W. O. P.	No	No	No	No	*Holder shall consider as a single lot all steel of the same size and specification at one location.
Carbon Steel except any lot over 5 short tons:						
Plates*	W. O. P.	PR A-1-a	No	W. O. P.	No	*As defined in M-21-c.
Rails	No	No	No	No	No	
Structural	W. O. P.	PR A-1-a	No	W. O. P.	No	
Carbon Tool Steel	W. O. P.	PR A-1-a	No	W. O. P.	No	
Other Carbon Steel	W. O. P.	PR A-2	W. O. P.	W. O. P.	No	
Carbon Steel Scrap in any quantity	W. O. P.	W. O. P.	W. O. P.	X	W. O. P.	*General definition M-21-a. **Holder shall consider as a single lot all steel of the same size and specification at one location.
Alloy Steel* in any single lot over 2,000 pounds**	W. O. P.	No	No	No	No	*General definition M-21-a. *As defined in M-21-c.
Alloy Steel* except any lot over 2,000 pounds:						
Plates*	W. O. P.	PR A-1-a	No	W. O. P.	No	*As defined in M-21-c.
Stainless Steel*	W. O. P.	PR A-1-a	No	W. O. P.	No	*As defined in M-21-d.
Tool Steel	W. O. P.	PR A-1-a	No	W. O. P.	No	
Other Alloy Steel	W. O. P.	PR A-1-a	No	W. O. P.	No	
Alloy Steel Scrap in any quantity	W. O. P.	No	No	X	W. O. P.	
Tantalum (including scrap)	W. O. P.	No	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Terne Plate	W. O. P.	PR A-10	W. O. P.	W. O. P.	No	
Terne Plate Scrap	W. O. P.	No	W. O. P.	X	W. O. P.	
Tin:						
Tin (including scrap)	No	No	No	No	W. O. P.*	*Only when sold as scrap.
Babbitt	W. O. P.	PR A-9	W. O. P.	W. O. P.	W. O. P.	
Tin Solder	W. O. P.	PR A-9	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).						
Tin Plate	W. O. P.	PR A-10	W. O. P.	W. O. P.	No	
Tin Plate Scrap	W. O. P.	No	W. O. P.	X	W. O. P.*	*Subject to limitations of M-21-a.
Tool Steel (see Steels).						
Tungsten:						
Tungsten (including scrap)	W. O. P.	No	No	W. O. P.	W. O. P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Vanadium:						
Vanadium (including scrap)	W. O. P.	No	No	W. O. P.	W. O. P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Wrought Iron (see Iron).						
Zinc:						
Zinc	W. O. P.	PR A-9	W. O. P.	W. O. P.	No	
Sulphide chemicals (see chemicals)	W. O. P.	PR A-9	W. O. P.	W. O. P.	W. O. P.	
Dust	W. O. P.	W. O. P.	W. O. P.	X	W. O. P.	
Scrap	W. O. P.	W. O. P.	W. O. P.	X	W. O. P.	

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d) (2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART II—CHEMICALS						
Acetic Anhydride	W. O. P.	PR A-1-k	X	W. O. P.	X	
Acids:						
Acetic	W. O. P.	PR A-1-k	X	W. O. P.	X	
Arsenious	W. O. P.	No	X	W. O. P.	X	
Naphthenic	W. O. P.	No	X	No	X	
Acrylonitrile	W. O. P.	No	X	W. O. P.	X	
Alcohols:						
Butyl*	W. O. P.	No	X	W. O. P.	X	*Includes Isobutyl.
Capryl	W. O. P.	No	X	W. O. P.	X	
Ethyl* (160 proof and higher)	W. O. P.	PR A-1-k	X	W. O. P.	X	*Includes related compounds, see M-30.
Isopropyl	W. O. P.	No	X	W. O. P.	X	
Methyl (Methanol)	W. O. P.	W. O. P.	X	W. O. P.	X	
Methyl Ethyl Ketone	W. O. P.	No	X	W. O. P.	X	
Ammonia:						
By-product Ammonia*	W. O. P.	No	X	W. O. P.	X	*Includes salts and solutions.
Sulphate of Ammonia*	W. O. P.	No	X	W. O. P.	X	*Containing 20.5 percent nitrogen or less.
Synthetic Ammonia*	W. O. P.	No	X	W. O. P.	X	*Includes compounds.
Aniline	W. O. P.	No	X	W. O. P.	X	
Antimony Chemicals	W. O. P.	No	X	W. O. P.	X	
Aromatic Petroleum Solvents*	W. O. P.	PR A-2	X	W. O. P.	X	*As defined in M-150.
Babassu Oil (see Oils)						
Benzene	W. O. P.	No	X	W. O. P.	X	
Beryllium Chemicals	W. O. P.	PR A-1-k	X	W. O. P.	X	
Butyl Alcohol (see Alcohols).						
Cadmium Chemicals	W. O. P.	No	X	W. O. P.	X	
Calcium-Silicon	W. O. P.	No	X	W. O. P.	X	
Cashew Nut Shell Oil (see Oils).						
Chemical Cotton Pulp	W. O. P.	No	X	W. O. P.	X	
Chlorate Chemicals	W. O. P.	No	X	W. O. P.	X	
Chlorine	W. O. P.	No	X	W. O. P.	X	
Chlorinated Hydrocarbon Refrigerants	W. O. P.	No	X	W. O. P.	X	
Chlorinated Hydrocarbon Solvents*	W. O. P.	PR A-10	W. O. P.	W. O. P.	X	*Carbon tetrachloride, chlorethylene, perchlorethylene, and ethylene dichloride.
Chlorinated Rubber (see Rubber).						
Chromium Chemicals	W. O. P.	W. O. P.	X	W. O. P.	X	
Cobalt Chemicals	W. O. P.	No	X	W. O. P.	X	
Coconut Oil (see Oils).						
Cotton Pulp, Chemical (see Chemical Cotton Pulp).						
Cyanamid	W. O. P.	No	X	W. O. P.	X	
Diphenylamine	W. O. P.	No	X	W. O. P.	X	
Dyestuffs (controlled by M-103)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	X	
Ethyl Acetate	W. O. P.	PR A-1-k	W. O. P.	W. O. P.	X	
Ethyl Cellulose	W. O. P.	W. O. P.	X	W. O. P.	X	
Formaldehyde (see Resins).						
Glycerine	W. O. P.	PR A-10	X	W. O. P.	X	
Hexamethylene Tetramine (see Resins).						
High Lauric Acid Oils (see Oils).						
Mercury Chemicals	W. O. P.	W. O. P.	X	W. O. P.	X	
Methanol (see Alcohols).						
Naphthalene	W. O. P.	No	X	W. O. P.	X	
Naphthenates:						
Driers*	W. O. P.	PR A-2	W. O. P.	W. O. P.	X	*Driers containing more than 40% Naphthenates.
Other Naphthenic Mixtures*	W. O. P.	PR A-10	W. O. P.	W. O. P.	X	*With more than 1% Naphthenates, except mixtures which are cleaning compounds, greases, compounded lubricating oils and other lubricants.
Naphthenic Acid (see Acids, Naphthenic).						
Nickel Solutions and Nickel Salts	W. O. P.	PR A-1-k	W. O. P.	W. O. P.	X	
Oils:						
Cashew Nut Shell	W. O. P.	PR A-2	X	W. O. P.	X	
High Lauric Acid* (Coconut, Babassu Palm Kernel, Etc.)	W. O. P.	W. O. P.	X	W. O. P.	X	*Lauric Acid content of 35% and over.
Palm	W. O. P.	W. O. P.	X	W. O. P.	X	
Rapeseed	W. O. P.	W. O. P.	X	W. O. P.	X	
Sperm	W. O. P.	No	X	W. O. P.	X	
Tung & Oiticica	W. O. P.	PR A-2	X	W. O. P.	X	
Oiticica Oil (see Oils.)						
Palm Kernel Oil (see Oils.)						
Palm Oil (see Oils.)						
Paraformaldehyde (see Resins.)						
Perchlorate Chemicals (see Chlorate Chemicals.)						
Phenols	W. O. P.	No	X	W. O. P.	X	
Platinum Chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	X	
Polyvinyl Chloride	W. O. P.	No	X	W. O. P.	X	
Rapeseed Oil (see Oils.)						
Resins:						
Natural	W. O. P.	W. O. P.	X	W. O. P.	X	
Synthetic (and Formaldehyde, Paraformaldehyde, Hexamethylene-tetramine).	W. O. P.	W. O. P.	X	W. O. P.	X	

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d) (2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART II—CHEMICALS—Continued						
Rotenone	W. O. P.	W. O. P.	X	W. O. P.	X	
Rubber, Synthetic (see Rubber).						
Rutile (see Titanium Pigments).						
Shellac*	W. O. P.	No	X	W. O. P.	X	*Does not include lac which has been bleached, cut, or incorporated in protective or technical coatings.
Sodium Nitrate	W. O. P.	W. O. P.	X	W. O. P.	X	
Sperm Oil (see Oils).						
Synthetic Resins (see Resins).						
Synthetic Rubber (see Rubber).						
Tantalum Chemicals	W. O. P.	No	X	W. O. P.	X	
Tin Chemicals	W. O. P.	No	X	W. O. P.	X	
Titanium Pigments	W. O. P.	No	X	W. O. P.	X	*As defined in M-34, Amendment 1.
Toluene (Toluol)*	W. O. P.	No	W. O. P.	W. O. P.	X	
Tung Oil (see Oils).						
Tungsten Chemicals	W. O. P.	No	X	W. O. P.	X	
Vanadium Chemicals	W. O. P.	No	X	W. O. P.	X	
Vat Dyes (see Dyestuffs).						
Zinc Sulphide Pigments	W. O. P.	W. O. P.	X	W. O. P.	X	
PART III—MISCELLANEOUS						
Agave Fibre:						
Suitable for Cordage	W. O. P.	No	X	W. O. P.	No	
Not Suitable for Cordage	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Binder Twine*	W. O. P.	No	X	W. O. P.**	W. O. P.***	*Sale permitted to any person for agricultural purpose. **For resale for agricultural purpose. ***Only when sold as scrap.
Wrapping Twine	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Asbestos:						
Long fibre suitable for spinning or imported from South Africa.	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
All Other	W. O. P.	PR A-10	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Asbestos Textiles						
Bag Sheeting (see Cotton Textile Fabrics).						
Binder Twine (see Agave Fibre).						
Bristles, Pigs' and Hogs' (three inches and over)	W. O. P.	PR A-9	W. O. P.	W. O. P.	W. O. P.*	*Only when sold as scrap.
Burlap (see Jute).						
Cork:						
Unmanufactured	W. O. P.	No	X	W. O. P.	No	
Manufactured and By-Product Cork	W. O. P.	No	No	No	No	
Corundum*	W. O. P.	No	No	W. O. P.	No	*Emery, ruby, and sapphire not included.
Cotton Duck (see Duck).						
Cotton Textile Fabrics for:						
Agricultural Bags	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Bag Sheeting	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Osnaburg	W. O. P.	PR A-9	X	W. O. P.	No	*As defined in M-117.
Cotton, Egyptian*	W. O. P.	W. O. P.*	X	W. O. P.	X	*Only to chemical industry.
Cotton Linters	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.**	*Subject to restrictions in M-92.
Cotton Seed, SXP*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.**	*Report sales as required by M-109. **Only when sold as scrap.
Diamonds, Industrial*	W. O. P.	PR A-1-k	X	W. O. P.	W. O. P.**	*Widths 15" to 57". **Only when sold as scrap.
Duck, Cotton*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.*	*Only when sold as scrap.
Goose and Duck Feathers	X	W. O. P.	W. O. P.	W. O. P.	No	*May be sold to person growing hemp
Graphite, Madagascar Flake	W. O. P.	No	X	W. O. P.	X	*Restricted to military uses. **Only when sold as scrap.
Hemp Seed*	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.**	
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.	*Does not include jewel bearings.
Istle	W. O. P.	W. O. P.	X	W. O. P.	No	
Jewel Bearing Material*	W. O. P.	No	No	No	No	
Jute:						
Raw Jute	W. O. P.	W. O. P.	X	W. O. P.	No	*As defined in M-47. Other burlap same as "Jute Products."
Jute Products	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.	**Only when sold as scrap.
Burlap and Bags*	W. O. P.	No	X	W. O. P.	W. O. P.**	*Except that grown in South or Central America. **Only when sold as scrap.
Kapok*	W. O. P.	No	X	W. O. P.	W. O. P.**	*Also includes Andalusite and Sillimanite
Kyanite, Indian, Crude and Calcined*	W. O. P.	No	X	No	No	*Restricted to military uses. **Only when sold as scrap.
Leather*, Sole	W. O. P.	W. O. P.	No	W. O. P.	W. O. P.**	
Loofa Sponges	W. O. P.	PR A-1-a	X	W. O. P.	No	*As defined in M-36 as amended.
Mahogany and Philippine Mahogany	W. O. P.	PR A-10	X	W. O. P.	No	*Only when sold as scrap.
Manila Fibre and Cordage*						
Cordage	W. O. P.	PR A-1-k	No	W. O. P.	W. O. P.*	
Fibre	W. O. P.	W. O. P.	No	W. O. P.	No	
Mica:						
Strategic	W. O. P.	W. O. P.	X	W. O. P.	No	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	No	
OD Wool Clips, Rags and Waste (see Wool).						
Osnaburg (see Cotton Textile Fabrics).						
Quartz Crystals*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	X	*Report sales as required by M-146.

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d) (2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART III—MISCELLANEOUS—Continued						
Rubber:						
Latex and Crude	No	No	No	No	No	
Compounded Latex	No	No	No	No	No	
Chlorinated	W. O. P.	No	No	No	No	
Synthetic	W. O. P.	No	No	No	No	
Reclaimed	No	No	No	No	No	
Scrap	No	No	No	X	W. O. P.	
Rubber Yarn and Elastic Thread	W. O. P.	W. O. P.	X	W. O. P.	W. O. P.*	*Only when sold as scrap.
Silk, Raw	W. O. P.	No	X	W. O. P.	No	
Silk Waste, Noils, etc	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sole Leather (see Leather).						
Teak	W. O. P.	PR A-10	X	W. O. P.	X	
Wood Pulp	W. O. P.	No	X	W. O. P.	X	
Wool:						
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.*	*Only when sold as scrap.
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Rags and Waste	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrapping Twine (see Agave Fibre)						

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

[F. R. Doc. 42-6444; Filed, July 7, 1942; 11:24 a. m.]

PART 955—MATERIAL ENTERING INTO THE CONSTRUCTION OF DEFENSE PROJECTS

[Amendment 2 to Preference Rating Order P-19a]

By virtue of the authority vested in the Director of Industry Operations, it is hereby ordered that:

All serial numbers of Preference Rating Order P-19a[1] (§ 955.2) are hereby amended as follows:

1. Paragraph (a) (3) is hereby amended to read as follows:

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the builder or to another supplier.

2. Paragraph (a) is hereby further amended by adding the following subparagraph (5):

(5) "Expendible material" means material which will be wholly consumed by the builder at the location and during the construction of the defense project including, but not limited to, explosives, abrasives, perishable tools, forms, scaffolding, and the like. "Expendible material" shall not be deemed to include fuel, construction machinery or repair parts for construction machinery.

3. Paragraph (b) is hereby amended to read as follows:

(b) *Assignment of preference rating.* Preference rating ------ is hereby assigned to deliveries to the builder of expendible material and material which will be physically incorporated into the defense project.

4. Paragraph (c) and (d) are hereby revoked and the following paragraph (c) is hereby substituted therefor:

(c) *Application and extension of preference rating.* (1) The preference rating assigned hereby may be applied by the builder to deliveries of expendible material and material which will be physically incorporated into the defense project, in conformity with the provisions of Priorities Regulation No. 3 as amended.

(2) Any supplier to whom the preference rating hereby assigned has been applied or extended by the Builder or by another supplier may extend such rating in conformity with the provisions of Priorities Regulation No. 3 as amended.

5. Paragraph (f) is hereby amended to read as follows:

(f) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, the builder shall retain for a period of 2 years for inspection by representatives of the War Production Board, endorsed copies of all purchase orders or contracts to which the rating assigned hereby has been applied, whether accepted or rejected, segregated from all other purchase orders or contracts and filed in such manner that they can be readily segregated for such inspection.

6. Paragraph (i) is hereby revoked.

Issued this 7th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6445; Filed, July 7, 1942; 11:24 a. m.]

[1] 6 F.R. 3801; 7 F.R. 3877.

PART 1038—MADAGASCAR FLAKE GRAPHITE

[Conservation Order M-61 as Amended July 7, 1942]

Section 1038.1 *Conservation Order M-61*[1] is hereby amended so as to read as follows:

§ 1038.1 *Conservation Order M-61*—(a) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first change by a person in the form of material from that form in which it is received by him.

(2) "Madagascar flake graphite" means graphite mined in Madagascar of a grade that will stand on a 35 mesh screen.

(3) "Jobber" means a person who does not manufacture but regularly stocks crucibles for distribution to others.

(b) *Restrictions on use of Madagascar flake graphite.* No person shall put into process for any purpose any Madagascar flake graphite, except pursuant to the specific authorization of the Director of Industry Operations.

(c) *Restrictions on delivery of crucibles and other articles containing Madagascar flake graphite.* No person shall, without the specific authorization of the Director of Industry Operations, deliver any crucible containing Madagascar flake graphite to any person other than a jobber, and no person other than a jobber shall, without the specific authorization of the Director of Industry Operations, accept delivery of any such crucible, nor shall any person deliver or accept delivery of any article containing

[1] 7 F.R. 1064, 2272.

Madagascar flake graphite other than a crucible, except pursuant to the specific authorization of the Director of Industry Operations, unless such Madagascar flake graphite was put into process prior to February 17, 1942.

(d) *Restrictions on delivery of Madagascar flake graphite.* No person shall deliver and no person other than Metals Reserve Company shall accept delivery of any Madagascar flake graphite, except pursuant to the specific authorization of the Director of Industry Operations.

(e) *General exception.* Where and to the extent the use of any less scarce material is impracticable, the prohibitions, limitations and restrictions contained in paragraph (b) hereof shall not apply to the putting into process of Madagascar flake graphite when such graphite is to be physically incorporated into any item which is being produced for delivery under a contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development or for any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act), if in any such case the use of Madagascar flake graphite to the extent employed is required by the specifications of the prime contract; and the prohibitions and restrictions contained in paragraph (c) hereof shall not apply to the delivery or acceptance of delivery, pursuant to such a contract or subcontract, of any item if its manufacture was exempted under the provisions of this paragraph.

(f) *Applications for specific authorization.* (1) Any person other than a jobber seeking specific authorization from the Director of Industry Operations to accept delivery of any crucibles containing Madagascar flake graphite, shall apply periodically on Form PD–575 to the Director of Industry Operations for authority to do so and also for authority for his supplier to deliver such crucibles. This form must be used to obtain deliveries of crucibles containing Madagascar flake graphite on or after August 1, 1942 and must be filed with the War Production Board by the 20th day of the month prior to the first month in which any delivery of such crucibles is sought, except that in an emergency this form may be filed at any time. If deliveries of crucibles containing Madagascar flake graphite are sought prior to August 1, 1942, this form or Form PD–1A may be used at the applicant's option.

(2) Any person seeking specific authorization from the Director of Industry Operations to accept delivery of any Madagascar flake graphite to be used for the purpose of making crucibles or seeking specific authorization to put any Madagascar flake graphite into process for the purpose of manufacturing crucibles, shall apply monthly on Form PD–303B to the Director of Industry Operations for authority to do so and also for authority for a supplier to make any deliveries of such graphite which the applicant is authorized to receive.

(3) Any person seeking specific authorization from the Director of Industry Operations to accept delivery of any article containing Madagascar flake graphite other than a crucible, shall apply for such authority by letter and by the same letter he shall apply for authority for the proposed manufacturer of the article to put into process such Madagascar flake graphite and, if need be, for authority for such manufacturer to acquire Madagascar flake graphite for the purpose indicated. Such letter shall state the name of the applicant, the name of the proposed manufacturer of the article, the name of the person from whom the manufacturer is to acquire Madagascar flake graphite, if any, and the use to which the article is to be put.

(g) *Reports.* All persons having in their possession or processing Madagascar flake graphite or crucibles or other articles manufactured with Madagascar flake graphite, shall file reports with the War Production Board at such times and in such manner and form as it may prescribe, showing inventory, purchases, sales and consumption of such graphite or articles manufactured therewith and such other information as the War Production Board may from time to time require.

(h) *Miscellaneous provisions.*—(1) *Appeals.* Any person affected by this order who considers that compliance therewith would disrupt or impair war work may appeal to the War Production Board, Washington, D. C., Reference: M–61, setting forth the pertinent facts and the reason he considers he is entitled to relief.

(2) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the putting into process of material in all articles manufactured and to deliveries of articles or material made irrespective of whether such articles are manufactured or such deliveries are made pursuant to a contract made prior or subsequent to February 17, 1942. Insofar as any other order of the Director of Industry Operations or of the Director of Priorities may have the effect of limiting or curtailing to a greater extent than herein provided the delivery or putting into process of Madagascar flake graphite or the delivery of any products made therewith, the limitations of such other order shall be observed.

(4) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Mica-Graphite Branch, Washington, D. C. Ref: Order No. M–61.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6446; Filed, July 7, 1942; 11:24 a. m.]

PART 1107—TRACK-LAYING TRACTORS AND AUXILIARY EQUIPMENT

[Supplementary General Limitation Order L–53–b]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1107.3 *Supplementary Limitation Order L–53–b*—(a) *Definitions.* For the purpose of this order:

(1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads and obtaining traction from a crawler or track-type device.

(2) "Repair part" means any part manufactured for use in the repair of track-laying tractors.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any person engaged in the manufacture of track-laying tractors and of repair parts.

(5) "Certified minimum requirements" means that quantity of repair parts declared in writing by a purchaser pursuant to subparagraph (e) (1) of this order to be the minimum quantity immediately necessary to put the track-laying tractor for which such repair parts are intended into serviceable condition.

(6) "War project" means a construction project undertaken by, or contracted for by or for the account of, the Army, Navy, Maritime Commission or Defense Plant Corporation, or any other construction project granted a preference rating higher than A–2 under any order in the P–19 series.

(7) "Continental limits of the United States" includes the forty-eight states of the United States but does not include Alaska or the Panama Canal Zone.

(b) *Nonapplicability of Part of Priorities Regulation No. 1.* The provisions of § 944.2 through and including § 944.9 of Priorities Regulation No. 1 as amended shall not be applicable to any purchase order for repair parts.

(c) *Limitations on production.* No producer shall during the period July 1, 1942 to June 30, 1943, produce repair parts of a value (manufacturer's cost) in excess of 50% of the total value (manufacturer's cost) of his entire production during the calendar year 1941 of track-laying tractors and repair parts combined.

(d) *Limitations on sales by producer.* (1) No producer shall sell or deliver repair parts to any person except to:

(i) The Army, Navy or Maritime Commission,

(ii) An authorized distributor or dealer of repair parts located within the continental limits of the United States or Canada,

(iii) Any person for export outside the continental limits of the United States or Canada.

(2) No producer shall during the period July 1, 1942 to June 30, 1943, sell or deliver to or for the accounts of the Army and Navy repair parts of a value (manufacturer's cost) in excess of an aggregate of 40% of the total value (manufacturer's cost) of his production of repair parts during such period provided that nothing in this subparagraph (2) shall prevent the sale or delivery of repair parts, pursuant to paragraph (e) (1) of this order by an authorized distributor or dealer thereof to the Army or Navy for repair of track-laying tractors owned by the United States and which are to be used on a war project.

(3) No producer shall, during any calendar quarter, sell or ship to any authorized distributor or dealer of repair parts located within the continental limits of the United States or Canada a quantity of repair parts of a value (manufacturer's cost) in excess of 60% of the value of shipments to such distributor or dealer during the preceding six calendar month period.

(e) *Limitations on sales by distributors and dealers.* (1) No distributor of or dealer in repair parts shall sell or deliver any repair parts to any person, including the Army, Navy and Maritime Commission, unless such person has furnished to such distributor or dealer the information called for below, in a writing signed by such person and in substantially the following form, with respect to each track-laying tractor for which repair parts are sought to be purchased:

The undersigned certifies to the seller and to the War Production Board that the following statements are correct:

(i) ----------
(Make and model of track-laying tractor for which repair parts are sought.)

(ii) ----------
(Factory serial number)

(iii) ----------
(Owner of track-laying tractor)

(iv) ----------
(Type of work track-laying tractor is being repaired to perform (e. g., government construction, mining, logging, agriculture, etc.))

(v) ----------
(Minimum quantity of parts immediately necessary to put such track-laying tractor in serviceable condition)

Date

Name of Purchaser

Address of Purchaser

(2) No distributor or dealer of repair parts shall sell or deliver a quantity of repair parts to any person in excess of such person's certified minimum requirements.

(3) Whenever the inventory of repair parts in the possession or control of an authorized distributor or dealer of repair parts is insufficient to fill purchase orders presented to him for certified minimum requirements, he shall accept and give preference to the purchase orders for certified minimum requirements necessary to repair track-laying tractors to be used on war projects.

(f) *Records.* Each authorized distributor or dealer of repair parts shall keep and preserve for not less than 2 years each purchase order and certificate of minimum requirements pursuant to which he has sold repair parts. All persons affected by this order shall keep and preserve for not less than 2 years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The director of industry operations may thereupon take such action as he deems appropriate.

(k) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Construction Machinery Branch, Washington, D. C. Ref.: L–53–b. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6447; Filed, July 7, 1942; 11:23 a. m.]

PART 1192—DOMESTIC SEWING MACHINES

[Amendment 1 to General Limitation Order L–98]

Section 1192.1 *General Limitation Order L–98*[1] is hereby amended in the following particulars:

Paragraph (a) is hereby amended by adding at the end thereof the following new subparagraph:

(10) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

Paragraph (b) (2) (ii) is hereby amended to read as follows:

(ii) During the period of eight months, beginning May 1, 1942, he may manufacture repair parts subject to the following conditions:

(*a*) He may not put into process in the manufacture of repair parts more iron and steel than eight times 125% of the average monthly weight of iron and steel contained in the repair parts manufactured by him during the two year period ending December 31, 1941; and

(*b*) He may not put into process in the manufacture of repair parts more of any non-ferrous metal than eight times 100% of the average monthly weight of such metal contained in the repair parts manufactured by him during the two year period ending December 31, 1941;"

Paragraph (b) (3) is hereby amended to read as follows:

(3) No manufacturer shall on and after May 25, 1942, and no person other than a manufacturer shall on and after July 15, 1942, install any new sewing machine part, other than a repair part, in a new or used domestic sewing machine, except to complete the new domestic sewing machines, the production of which is permitted under the terms of subparagraph (b) (1).

Paragraph (b) (6) (i) is hereby amended to read as follows:

(i) In connection with his manufacture or sale of domestic sewing machines, attachments, sewing machine parts, or

[1] 7 F.R. 3079.

attachment parts, or of any commercial or industrial sewing machines, attachments or parts for such machines or attachments, to the extent that such manufacture or sale is not prohibited by the terms of this order or of any other order heretofore or hereafter issued by the Director of Priorities or by the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6448; Filed, July 7, 1942; 11:23 a. m.]

PART 1266—AIRCRAFT CONTROL AND PULLEY BEARINGS

[Amendment 1 to Limitation Order L-145]

Section 1266.1 *Limitation Order L-145*[1] is hereby amended as follows:

1. Paragraph (b) (2) is amended to read as follows:

(2) If on and after June 10, 1942, a producer is requested to accept a purchase order for aircraft control or Pulley Bearings of any size on Exhibit A as to which he is not designated an "authorized producer" but such producer has on hand completed bearings, or partially or wholly completed parts for such bearings sufficient to fill such order partially or in full, then he may deliver the completed bearings on hand, or complete such bearings out of the parts on hand and deliver the same, against such order.

2. Exhibit A to § 1266.1 is amended as follows:

(1) By striking out "Federal Bearings Company" as an authorized producer of size K37B.

(2) By striking out "Norma-Hoffmann Bearings Corp." as an authorized producer of K3L2 and inserting "Federal Bearings Company" instead and in place thereof.

(3) By adding "G4J17" to the list of sizes of bearings and inserting "Fafnir Bearings Company" as the authorized producer of such size.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6449; Filed, July 7, 1942; 11:23 a. m.]

[1] 7 F.R. 4327.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

REMOVAL OF LIABILITY OF WAR PROCUREMENT AGENCIES

Supplementary Order No. 7—Removal of Liability of War Procurement Agencies and Governments Whose Defense Is Vital to the Defense of the United States.

A statement of the considerations involved in the issuance of this Supplementary Order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

§ 1305.8 *Removal of liability of War Procurement Agencies.* (a) The prohibition contained in any price regulation of the Office of Price Administration against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not be construed to apply to (1) any war procurement agency of the United States or any contracting or paying finance officer thereof and (2) the government of any country the defense of which the President of the United State deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or to any agency of any such government. Any such war procurement agency or contracting or paying finance officer thereof and any such government or any agency thereof shall be relieved of any and every liability, civil or criminal, imposed by such regulation or by the Emergency Price Control Act of 1942.

(b) "War procurement agency," as used in this Supplementary Order includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department; and the following subsidiaries of the Reconstruction Finance Corporation, Rubber Reserve Corporation, Metals Reserve Corporation, Defense Plant Corporation and Defense Supplies Corporation, or any agency of any of the foregoing.

(c) "Price regulation," as used in this Supplementary Order, means a price schedule effective in accordance with the provisions of Section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(d) *Effective date of Supplementary Order No. 7.* This Supplementary Order No. 7 (§ 1305.8) shall become effective July 11, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6409; Filed, July 6, 1942; 5:21 p. m.]

PART 1306—IRON AND STEEL

[Amendment 6 to Revised Price Schedule 49[1]]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraphs (e) and (n) of § 1306.159 are amended to read as set forth below:

§ 1306.159 *Appendix A: Domestic and export maximum prices for iron and steel products.* • • •

(e) *Maximum prices for exports of iron or steel products.* Maximum prices for export sales of iron or steel products under this Revised Price Schedule No. 49 shall be computed in accordance with the Maximum Export Price Regulation,[2] and any amendments or revisions thereof. In the computation such maximum export prices, the export premiums over domestic maximum prices, of 5% for export agents and 10% for export merchants, previously established under this Price Schedule shall be considered as the maximum premium being charged in the trade on exports of iron and steel products during the period March 1–April 15, 1942.

• • • • • •

(n) *Special provisions for the sale of distress and stranded materials:* (1) In the case of distress or stranded material, the maximum price which may be charged by any person for resale within the United States shall be:

(i) The domestic ceiling price, as established by this Revised Price Schedule No. 49 or Revised Price Schedule No. 6[3] at the place at which the material is located, exclusive of any fees, commissions or charges for any agent, broker or other intermediary, whether such agent, broker or other intermediary act in a domestic or export transaction; plus

(ii) Ocean freight and marine or war risk insurance incurred since November 15, 1941, to the extent actually paid on such material, plus

(iii) Storage or demurrage charges directly attributable to failure to secure shipping space as a result of war or of stoppage or diversion by act of a governmental agency in the interests of national defense, not however to exceed 5% of the domestic ceiling price (as calculated without reference to this paragraph (n)) at the place at which the material is stored.

(2) The maximum price as established in this paragraph (n) may be an f. o. b. price at the place at which such material is stored.

(3) In any case in which a sale is made pursuant to the terms of this paragraph (n), a statement of the source of such material, the charges incurred upon it, and the destination and price actually charged shall be filed with the Office of Price Administration within 15 days after such sale is made. The statement shall include the name of the purchaser, the priority rating applicable to the sale, and an affirmation that the sale has been made in conformity to any priority or other orders of the War Production Board. The statement shall be in affidavit form.

(4) This paragraph (n) shall affect only voluntary sales, and shall not affect the price at which any iron or steel products may be requisitioned.

(5) This paragraph (n) shall be in effect until October 1, 1942, and shall be of null effect and validity after that date, unless specifically extended by the Price Administrator.

• • • • • •

§ 1306.158a *Effective dates of amendments.* • • •

(f) Amendment No. 6 to Revised Price Schedule No. 49 (paragraphs (e) and (n) of § 1306.159) shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6407; Filed, July 6, 1942; 5:21 p. m.]

PART 1306—RESALE PRICES OF IRON AND STEEL PRODUCTS

[Amendment No. 1 to Revised Price Schedule No. 87, as amended]

SCRAP RUBBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

A new "kind of scrap rubber" is added at the end of Table II in § 1315.1263:

§ 1315.1263 *Appendix A: Maximum prices for scrap rubber*—(a) *Chief consuming centers.*

• • • • •

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 2790, 2790, 2790, 2791, 2791, 2791, 3330, 3540, 3763, 3893, 4342.

[2] 7 F.R. 3096, 3824.

[3] 7 F.R. 1215, 1836, 2132, 2153, 2298, 2299, 2351, 3330.

TABLE II—MAXIMUM PRICES AT CONSUMING CENTERS

Kind of scrap rubber	Akron, Ohio; Buffalo, N. Y.; East St. Louis, Ill.; Gadsden, Ala.; Memphis, Tenn.; Naugatuck, Conn.	Los Angeles, Calif.
	Dollars per short ton	
• • •	• •	•
	Cents per pound	
• • •	• •	•
Miscellaneous inner tubes[23]	6	5½

[23] *Miscellaneous inner tubes.* This kind shall include all kinds of inner tubes for pneumatic tires, not elsewhere listed in Table II, and miscellaneous lots of any kinds of unsorted inner tubes for pneumatic tires.

§ 1315.1262 *Effective dates of amendments.* • • •

(b) Amendment No. 1 (§ 1315.1263 (a)) to Revised Price Schedule No. 87, as Amended, shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6401; Filed, July 6, 1942; 5:19 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 3 to Maximum Price Regulation 107[1]]

USED TIRES AND TUBES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1315.1354 (a), § 1315.1356 (a), § 1315.1360 (a), and § 1315.1361 (b) are amended to read as follows; a new § 1315.1356a is added; a new subparagraph (13) is added to § 1315.1358 (a); and a new Table III-B is added to § 1315.1361, immediately following the tables therein, as set forth below:

§ 1315.1354 *Posting of prices.* (a) Every person engaged in the business of selling used tires or tubes not mounted as part of the equipment of a vehicle, shall keep posted in a conspicuous place in each establishment at which such tires or tubes are offered for sale, a statement setting forth the maximum prices which he is permitted to charge under this Maximum Price Regulation No. 107, and the conditions of sale prescribed by § 1315.1353. For this purpose it shall be permissible to employ a copy of the lists of maximum prices printed in Appendices A and B (§§ 1315.1360 and 1315.1361) and of § 1315.1353.

• • • • • •

§ 1315.1356 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 107 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

• • • • • •

§ 1315.1356a *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 107 selling at wholesale or retail any used tire or tube covered by this Maximum Price Regulation No. 107. When used in this § 1315.1356a the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 18, 1942.

§ 1315.1358 *Definitions.* (a) • • •

(13) "Special purpose tube" means any rubber tube of the following brands produced by the following manufacturers:

Brand name	*Manufacturer*
Puncture Proof	The Firestone Tire & Rubber Co.
Life Protectors	The Firestone Tire & Rubber Co.
Puncture Proof	The General Tire & Rubber Co.
Retain-Air	The General Tire & Rubber Co.
Seal-O-Matic	The B. F. Goodrich Co.
Air Container	The B. F. Goodrich Co.
Quick Seal	The B. F. Goodrich Co. (Brunswick Tires and Tubes)
Quick Seal	The B. F. Goodrich Co. (Diamond Tires and Tubes)
Quick Seal	The B. F. Goodrich Co. (Hood Tires and Tubes)
Quick Seal	The B. F. Goodrich Co. (Miller Tires and Tubes)
Puncture Seal	The Goodyear Tire & Rubber Co.
Life Guards	The Goodyear Tire & Rubber Co.
Air-Core	The Kelly-Springfield Tire Co.

[1] 7 F.R. 1838, 1981, 2394, 3891.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

Brand name	Manufacturer
Puncture Sealing	The Poison Rubber Company
Sealed-Air	Seiberling Rubber Company
Master Seal	United States Rubber Company

§ 1315.1360 *Appendix A: Maximum prices for used passenger-car tires and tubes.* (a) (1) The maximum price for any used passenger-car tube, other than special purpose tubes, shall be one dollar and fifty cents ($1.50).

(2) The maximum price for any used special purpose tube shall be the price listed in Table III–B of Appendix B (§ 1315.1361).

* * * * *

§ 1315.1361 *Appendix B: Maximum prices for used truck and bus tires and tubes.*

* * * * *

(b) (1) The maximum price for any used truck or bus tube, other than special purpose tubes, shall be the price listed in Table II–B.

(2) The maximum price for any used special purpose tube shall be the price listed in Table III–B.

* * * * *

TABLE III–B—*Maximum prices for used special purpose tubes*

Tire size	Maximum prices
4.00–18	$3.00
4.00–19	3.10
4.50–18	3.30
4.50–19	3.40
4.75–19	4.15
4.40/4.50/4.75–21	4.60
5.00–16	3.40
4.75/5.00/5.25–19	4.75
5.00/5.25–17	4.80
5.25–17	4.80
5.25–18	4.95
5.50–16	4.70
5.50–17	5.05
5.50/6.00–17	5.45
5.50/6.00–18	5.60
5.50/6.00–19	5.65
5.50/6.00–20 (30 x 5)	8.05
6.00–16	5.45
6.00–20 (30 x 5)	6.70
6.25–16	6.00
6.00/6.25–16	5.45
6.50–15	6.40
6.50–16	6.60
6.50–20 (32 x 6 TT)	7.70
6.25/6.50–16	6.00
7.00–15	6.40
7.00–16	6.70
7.00–17	6.90
7.00–18	7.05
7.00–20 (32 x 6)	8.60
7.00–24	10.25
6.50/7.00–17	7.15
6.50/7.00–18	7.15
7.50–15	7.05
7.50–16	7.20
7.50–17	7.50
7.50–18 (32 x 7)	7.75
7.50–20 (34 x 7)	11.55
7.50–24 (38 x 7)	12.45
7.00/7.50–17	8.55
8.25–16	8.30
8.25–18	11.60
8.25–20	12.25
8.25–22	13.45
8.25–24 (40 x 8)	14.45
9.00–18	14.00
9.00–20 (36 x 8)	14.25
9.00–22	15.50
9.00–24 (40 x 8)	16.70
9.75–20	14.60
9.75–22	15.50
9.75–24	16.70
9.75/10.00–20 (38 x 9)	14.60
9.75/10.00–22	15.50
9.75/10.00–24 (42 x 9)	16.30
10.50–20	16.70
10.50–22	17.40
10.50–24	18.10
10.50/11.00–18	15.45
10.50/11.00–20 (40 x 10)	16.40
10.50/11.00–22	17.50
10.50/11.00–24 (44 x 10)	18.20
11.25–24	18.50
11.25/12.00–18	17.00
11.25/12.00–24	19.00
12.00–24	20.00
12.75–24	21.75
13.00–24	23.00
12.75/13.00–24	23.00

§ 1315.1359a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1315.1354 (a), 1315.1356 (a), 1315.1356a, 1315.1358 (a) (13), 1315.1360 (a), 1315.1361) to Maximum Price Regulation No. 107 shall become effective July 11, 1942.

(Public Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6417; Filed, July 6, 1942; 5:18 p. m.]

PART 1335—CHEMICALS

[Amendment 2 to Revised Price Schedule 38 [1]]

GLYCERINE

EXCESS FREIGHT ON CRUDE GLYCERINE AND RETURNABLE DRUMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (c) of § 1335.410 is amended to read as set forth below:

§ 1335.410 *Appendix A: Maximum prices for glycerine.* * * *

(c) *Excess freight on crude glycerine and returnable drums.* Where the transportation charge on a shipment of crude glycerine from point of manufacture to point of refining exceeds the transportation charge which would be applicable on the same shipment from the same point of manufacture by the same mode of transportation to another point of refining, the amount of such excess may be added to the delivered prices set forth in paragraph (b) above. Where a shipment of crude glycerine is made from a point of manufacture in returnable drums to a more distant point of refining as above, there may also be added to the delivered prices set forth in paragraph (b) above the amount by which the transportation charge for returning such drums exceeds the transportation charge which would be applicable on the return of the same drums from the nearest point of refining to the point of manufacture by the same mode of transportation. Such excess charges shall be shown as separate items in all records and invoices.

§ 1335.409a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1335.410 (c)) to Revised Price Schedule No. 38 shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6408; Filed, July 6, 1942; 5:21 p. m.]

[1] 7 F.R. 1277, 1836, 2000, 2132, 2997.

PART 1348—MERCURY

[Amendment 1 to Revised Price Schedule 93 [1]]

MERCURY

MISCELLANEOUS AMENDMENTS

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.

Sections 1348.7 and 1348.9 are hereby amended to read as set forth below and a new § 1348.8a is added:

§ 1348.7 *Definitions.* (a) When used in Revised Price Schedule No. 93, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Mercury" includes prime virgin mercury, redistilled mercury, reclaimed mercury, and all other kinds and grades of mercury.

(3) "Point of shipment" means the freight station of the railroad or other common carrier at which mercury is first delivered to such carrier for transportation directly to the buyer's receiving point. In the case of mercury shipped by water from outside the limits of the continental United States, "point of shipment" means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. In the case of mercury brought into the continental United States by overland shipment from Mexico, "point of shipment" means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico at which the shipment enters the United States.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

* * * * *

[1] 7 F.R. 1380, 1836, 2132.

§ 1348.9 *Appendix A: Maximum prices for mercury.*—(a) *Maximum base prices.* (1) The maximum base price for mercury produced in California, Oregon, Washington, Idaho, Utah, Nevada, or Arizona shall be $191.00 per 76-pound flask, f. o. b. point of shipment.

(2) The maximum base price for mercury produced outside the continental United States and Mexico, and entering the United States through Pacific Coast ports of entry shall be $191.00 per 76-pound flask, f. o. b. point of shipment.

(3) The maximum base price for mercury produced in Texas and Arkansas shall be $193.00 per 76-pound flask, f. o. b. point of shipment.

(4) The maximum base for mercury imported from Mexico shall be $193.00 per 76-pound flask, f. o. b. point of shipment, duty, if any, included.

(b) A dealer, regularly engaged in the business of buying and selling mercury on his own behalf, may sell such mercury as he buys and to which he acquires title, at not more than a price equal to the applicable maximum base price set forth above, *plus* a premium of 2% thereof, *plus* the actual transportation charges from the point of shipment paid or incurred by him: *Provided*, That the applicable maximum base price, the premium, and the transportation charges shall be shown separately in invoicing and billing.

(c) Commissions for brokers and agents. In the event that a consumer of mercury shall use or employ a broker or agent to purchase such mercury for the consumer's use, the consumer may pay for such mercury a sum not exceeding the applicable maximum base price set forth above, plus a commission of not more than 1% of such maximum price. The commission shall be payable only if (1) the commission is shown as a separate charge in invoicing and billing, and (2) the agent or broker does not split or divide the commission allowed him by a consumer with the seller or sellers of the mercury.

(d) The maximum prices hereinabove established are for every kind and grade of mercury sold in 76-pound flasks. These maximum prices apply pro rata to mercury sold in containers of more than 25 pounds capacity. All kinds and grades of mercury sold in containers of 25 pounds capacity or less shall be sold and bought for not more than the normal differentials from such maximum prices prevailing between October 1, and October 15, 1941.

§ 1348.8a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1348.7, 1348.8a and 1348.9) to Revised Price Schedule No. 93 shall become effective July 7, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6410; Filed, July 6, 1942; 5:22 p. m.]

[Order 2—Maximum Price Regulation 148 [1]]

PART 1364—FRESH, SMOKED AND CANNED MEAT PRODUCTS

DRESSED HOGS AND WHOLESALE PORK CUTS

DIRECTING SELLERS OF WHOLESALE PORK CUTS TO FILE REPORTS

An opinion setting forth the grounds upon which this Order is based has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 [2] and § 1364.27 (b) of Maximum Price Regulation No. 148, it is hereby ordered that:

§ 1364.50 *Directing sellers of wholesale pork cuts to file reports.* (a) Not later than July 15, 1942, every person making sales subject to Maximum Price Regulation No. 148 shall file with the Office of Price Administration in Washington, D. C., a List (or Lists) of Ceiling Prices. Schedule A of each List of Ceiling Prices shall set forth the seller's maximum prices for all wholesale pork cuts which the seller sold or delivered, or agreed, offered, solicited or attempted to sell or deliver or listed in the price list or lists upon the basis of which the seller made sales or deliveries, during the period February 16, 1942 to February 20, 1942, inclusive, and as to which the seller's maximum prices are governed by paragraphs (a), (b), (c), (d) and (f) of § 1364.22. Schedule B of each List of Ceiling Prices shall set forth the seller's maximum prices for all other wholesale pork cuts which the seller sold or delivered, or agreed, offered, solicited or attempted to sell or deliver or listed in the price lists upon the basis of which the seller made sales or deliveries during the one year period preceding February 15, 1942, and as to which the seller's maximum prices are governed by paragraphs (e), (f) and (g) of § 1364.22. The maximum price for every separate wholesale pork cut, as defined in § 1364.32, shall be distinctly and separately stated. A List of Ceiling Prices shall be filed by each seller for each branch house and each car route or truck route as to which, during the ninety day period prior to March 9, 1942, the seller had, or as to which the seller currently has separate price lists or separate charges for wholesale pork cuts. Every List of Ceiling Prices shall specify all cities and localities to which it is applicable and shall include a statement of the allowances for transportation differentials between each such point, which differentials may be stated on a mileage basis if the point of origin of the shipment is indicated: *Provided*, That allowances for transportation differentials need not be set forth if a separate List of Ceiling Prices is furnished for each city and locality supplied by the seller. Each List of Ceiling Prices shall be prepared by or for the person filing it in such a way as to set forth the information called for by this order in a compact, comprehensive, and orderly manner and shall be accompanied by a sworn statement, certifying that each List of Ceiling Prices submitted is true and correct, duly executed before a notary public or other officer authorized by law to administer oaths.

(b) This Order No. 2 (§ 1364.50) may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein. (Pub. Law 421, 77th Cong.)

This Order No. 2 shall become effective July 6, 1942. Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6396; Filed, July 6, 1942; 5:17 p. m.]

[1] 7 F.R. 3821, 4342.
[2] 7 F.R. 971.

PART 1372—SEASONAL COMMODITIES

[Amendment 2 to Maximum Price Regulation No. 142 [1]]

RETAIL PRICES FOR SUMMER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

A new sentence is added at the end of § 1372.2 (a), and a new subparagraph (8) is added to § 1372.7 (a) as set forth below:

§ 1372.2 *Maximum prices for sales of seasonal commodities at retail.* (a) * * * No maximum price for a garment of men's and boys' summer seasonal tailored clothing determined as provided by this section shall exceed the highest price at which the seller offered a garment of the same classification (as defined in § 1372.7 (8)) for delivery prior to July 11, 1942.

§ 1372.7 *Definitions.* (a) * * *

(8) "Classification," as applied to men's and boys' summer seasonal tailored clothing, means a class of garments within which uniform prices are customarily charged for equivalent workmanship and quality of material, such as "men's suits" and "students' suits."

§ 1372.8a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1372.2 (a) and 1372.7 (a) (8)) to Maximum Price Regulation No. 142 shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6404; Filed, July 6, 1942; 5:19 p. m.]

[1] 7 F.R. 3553, 3720.

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[Amendment No. 3 to Maximum Price Regulation No. 157 [1]]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new § 1378.4a is added to read as set forth below:

§ 1378.4a *Exceptions.* Maximum Price Regulation No. 157 shall not apply to sales or deliveries of any textiles, apparels, or related articles to any war procurement agency of the United States Government pursuant to emergency purchases made by such war procurement agency for immediate delivery: *Provided,* That the person making such emergency purchases on behalf of the war procurement agency of the United States Government files a report with the Office of Price Administration, Washington, D. C., within 5 days after a purchase is made, certifying that it was made in a situation in which it was imperative to secure the article immediately and in which it was impossible to secure, or unfair to require, immediate delivery at the applicable maximum price, and setting forth (1) the name and address of the seller, (2) date of purchase, (3) date of delivery, (4) description of article purchased, (5) quantity purchased, (6) price at which purchased, and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

§ 1378.12 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1378.4a) to Maximum Price Regulation No. 157 shall become effective July 7, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6399; Filed, July 6, 1942; 5:18 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 1 to Maximum Price Regulation 26 [2]]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In § 1381.62, item (12) following the table of maximum prices entitled "No. 1 Dimension, Green, Rough, or S4S, A. L. S." in paragraph (a), item (1) (ii) following table entitled "General Notes" in paragraph (a), and the table of weights in paragraph (d) (3) are amended to read as set forth below, and a new § 1381.61a is added:

§ 1381.62 *Appendix A: Maximum prices for Douglas fir, and other West Coast lumber where the shipment originates at the mill.* (a) The maximum prices for Douglas fir lumber f. o. b. mill per one thousand feet board measure where shipment originates at the mill, shall be as follows:

* * * * * *

NO. 1 DIMENSION, GREEN, ROUGH, OR S4S, A. L. S.

* * * * * *

(12) For paragraph 215 or 217, 1200F (Bending Stress), add $2.00 per M.

* * * * * *

GENERAL NOTES

[Applies to entire Appendix]

(1) * * *

(ii) Close grain, paragraph 301, add $2.00 per M; Dense, paragraph 302, add $5.00 per M.

* * * * * *

(d) * * *

(3) The use of the following estimated weights (even though higher than the actual weights) per one thousand feet board measure.

* * * * * *

FIR, DIMENSION, PLANK, AND SMALL TIMBERS

[Weight per M. B. M.]

S4S standard dry	S4S standard green	CM and S1S or S2S standard	
		Dry	Green
* *	* *	* *	* *

§ 1381.61a. *Effective dates of amendments.* (a) Amendment No. 1 (§ 1381.62 (a)) shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6405; Filed, July 6, 1942; 5:20 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[Maximum Price Regulation 176]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

In the judgment of the Price Administrator, the prices of rotary cut southern hardwood box lumber have risen in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rotary cut southern hardwood box lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, [3] issued by the Office of Price Administration, Maximum Price Regulation No. 176 is hereby issued.

AUTHORITY: §§ 1384.1 to 1384.13, inclusive, issued under Public Law 421, 77th Cong.

§ 1384.1 *Maximum prices for rotary cut southern hardwood box lumber.* On and after July 11, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver any rotary cut southern hardwood box lumber, and no person shall buy or receive in the course of trade or business any rotary cut southern hardwood box lumber, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1384.12; and no person subject to this Maximum Price Regulation No. 176 shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maximum Price Regulation No. 176 shall not be applicable to a shipment pursuant to an order of less than 5,000 board feet of rotary cut hardwood box lumber. Further, the provisions of this Maximum Price Regulation No. 176 shall not be applicable to sales or deliveries of rotary cut southern hardwood box lumber to a purchaser, if prior to July 11, 1942, such lumber has been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1384.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1384.12, may be charged, demanded, paid, or offered.

§ 1384.3 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 176 shall enter into an agreement permitting the adjustment of the price of rotary cut southern hardwood box lumber to prices which may be higher than the maximum prices in effect on the date of the agreement: *Provided,* That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be made in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

[1] 7 F.R. 4273, 4541, 4618.
[2] 7 F.R. 4573, 4701.
[3] 7 F.R. 971.

§ 1384.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 176 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rotary cut southern hardwood box lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1384.5 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 176 making sales or deliveries or purchases of rotary cut southern hardwood box lumber to the value of $500.00 or more in any one month after July 10, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of rotary cut southern hardwood box lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and sizes of such lumber purchased or sold, and the price paid or received.

(b) Every manufacturer of rotary cut southern hardwood box lumber required by paragraph (a) of this section to keep records of sales shall preserve for inspection by the Office of Price Administration for a period of not less than two years all records available on July 11, 1942, of sales of rotary cut southern hardwood lumber made by the manufacturer during October 1941. The records should include the thickness and length of rotary cut lumber sold, and, in the case of rotary cut lumber which was cut into a box-part finished size by means of a saw or comparable cutting device, the dimension specifications. In the event that a manufacturer does not have such records available on July 11, 1942, the manufacturer should notify the Office of Price Administration on or before August 1, 1942.

(c) Every person required by paragraph (a) of this section to keep records shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1384.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 176 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 176 or any Price Schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1384.7 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 176 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1384.8 *Definitions.* (a) When used in Maximum Price Regulation No. 176 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(2) "Cottonwood" means the botanical species included in the genera of Populas.

(3) "Rotary cut southern hardwood box lumber" means southern hardwood lumber.

(i) Cut on a rotary cutting machine (lathe);

(ii) Cut at a mill located in Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Missouri, Tennessee, or Kentucky;

(iii) Conforming to the grading rules set forth in § 1384.13, Appendix B, hereof, except that cut backs and cut downs in excess of the proportions set forth in paragraph (e) (1) of § 1384.13, Appendix B, shall be considered rotary cut box grade lumber; and

(iv) Which either has or has not been cut into box-part finished sizes by means of a saw or comparable cutting device.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1384.9 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation [2] shall not, on and after July 11, 1942, apply to sales and deliveries of rotary cut southern hardwood box lumber which are subject to this Maximum Price Regulation No. 176.

§ 1384.10 *Export sales.* The maximum price at which a seller may make an export sale of rotary cut southern hardwood box lumber, shall be determined in accordance with the provisions of the Maximum Export Price Regulation [3] issued by the Office of Price Administration.

§ 1384.11 *Effective date.* This Maximum Price Regulation No. 176 (§§ 1384.1 to 1384.13, inclusive) shall become effective July 11, 1942.

§ 1384.12 *Appendix A: Maximum prices for rotary cut southern hardwood box lumber.* (a) The maximum f. o. b. mill price for 1,000 board feet of rotary cut southern hardwood box lumber which is not cut into box-part finished sizes by means of a saw or comparable cutting device and which does not contain a higher proportion of cut downs and cut backs than set forth in paragraph (e) (1) of § 1384.13, Appendix B, shall be as follows:

Thickness (inches)	Length	
	Less than 62 inches	62 inches or over
5/6	$51	$53.55
5/4	51	53.55
6/6	50	52.50
5/16	50	52.50
7/42	49	51.45
3/4	49	51.45

For cottonwood, add $3.00 per 1,000 board feet.

(b) The maximum f. o. b. mill price for 1,000 board feet of cut downs and cut backs of rotary cut southern hardwood box lumber in excess of the proportions of cut downs and cut backs set forth in paragraph (e) (1) of § 1384.13, Appendix B, shall be two-thirds of the maximum price established in paragraph (a) of this section.

(c) The maximum f. o. b. mill price for 1,000 board feet of rotary cut southern hardwood box lumber which satisfies the accepted grade requirements for rotary cut egg case lumber, which is cut on a saw or comparable cutting device into standard egg case finished sizes (for cases with a capacity of 30 dozen eggs), and which is shipped to a purchaser direct from the producing mill, shall be the maximum prices established in paragraph (a) of this section plus $8.00. The maximum price established in this paragraph shall not be applicable to rotary cut egg case lumber where shipment to the purchaser originates from a place other than the producing mill; however, the maximum price shall apply to rotary cut egg case lumber which is shipped to the purchaser direct from the producing mill regardless of whether the seller is the mill operator or another person and regardless of whether the shipment is temporarily halted in transit in order to load the carrier with additional products.

(d) The maximum f. o. b. mill price for 1,000 board feet of rotary cut southern hardwood box lumber, other than lumber in standard egg case finished sizes (for cases with a capacity of 30 dozen eggs), which is cut into a particular box-part finished size by means of a saw or comparable cutting device shall be the price established in paragraph (a) of this section for rotary cut lumber in the length and thickness ordered by the purchaser, plus a differential consisting of the difference between the price charged by the producing mill during the period October 1 to 15, 1941 (1) for rotary cut lumber in that length and thickness not cut into box-part finished sizes by means of a saw or comparable cutting device, and (2) for rotary cut lumber of the same length and thickness cut by means of a saw or comparable cutting device into box-parts of the particular finished dimensions for which a maximum price is being computed. In case the producing mill cannot compute such a differential, the mill should determine and apply

[2] 7 F.R. 3153, 3330, 3666.
[3] 7 F.R. 3096, 3824, 4294.

the corresponding differential recognized during October 1 to 15, 1941 by the most closely competitive seller of the same class. The maximum price established by this paragraph for rotary cut lumber cut at a particular mill to box-part finished sizes by means of a saw or comparable cutting device shall apply to such lumber produced at that mill regardless of whether the lumber is sold by the mill operator or another person.

(e) A delivered price in excess of the maximum f. o. b. mill prices established in paragraphs (a), (b), (c) and (d) of this section may be charged, consisting of such maximum price plus actual transportation costs paid or incurred by the seller in delivering rotary cut lumber to the purchaser; such actual transportation costs must be shown as a separate item in the invoice or billing.

(f) The maximum prices established in this section shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941.

§ 1384.13 *Appendix B: Grading rules for rotary cut southern hardwood box lumber.* (a) All stock shall be sound (corky tupelo considered unsound), free from rot, or dote. A reasonable amount of pin wormholes, sound tight knots not exceeding three inches in diameter measuring the small way, shall be no defect. A reasonable discoloration or stain shall be no defect.

(b) All stock shall be machine cut to the specified thickness ordered, standard gears as furnished by the lathe manufacturer to be used.

(c) All stock shall be cut tight, and when shipped shall not contain more than 15% moisture content. Said percentage is to be arrived at by test of an equal number of sap and heart pieces. Stock shall be sufficiently flat to straighten under machines, without splitting.

(d) A trimming allowance of ½" in width and 1" in length, shall be allowed on all lengths 30" and over, one-half inch in length, and one-half inch in width on stock less than 30" long. Cut downs, whether sized before or after drying, shall carry ½" allowance in width.

(e) (1) All cut downs in widths that accumulate in cutting out defects and rounding logs are to be accepted provided that they do not exceed the percentages in the following schedule:

Prime width ordered	Less than 62 inches in length	62 inches and over in length
	Percent of total footage in car	*Percent of total footage in car*
5" and under	10	15
8½" to 10"	15	20
10½" to 12"	20	25
12½" to 14"	22½	27½
14½" to 16"	25	30
16½" to 18"	27½	32½
18½" to 20"	30	35
20½" and over.[1]		

[1] To be figured in proportion.

(2) All cut downs in widths shall run in multiples of 2", the narrowest width allowed to be 4"; however, no shipment shall contain more than 20% of the cut downs in 4" widths.

(3) Cut backs are allowable when cut to the following lengths, provided they are under the prime length of the order: 54", 48", 42", 36", 32" and 27".

(4) Cut backs, except half lengths of 54" and longer, by full width of order, are to be considered cut downs. It is agreed and understood that 27" is to be the official half length on stock 48" to 54" long. Cut backs which are considered as cut downs, must not exceed 5% of total footage in car.

(f) Checks or splits not longer than one-fourth the length of the piece are not considered defects provided the checks or splits are reasonably straight, do not diverge more than 1" per foot, and do not run over ¼" in width and in all widths.

(g) Specifications on all sizes, both width and length, shall not be specified in fractions of less than ½", except by special arrangement between the seller and the buyer.

(h) Each size is to be bundled separately and to be marked. Each bundle is to contain a uniform number of pieces. Twenty-five pieces of ¼" or 7/32", 30 pieces of 3/16", 35 pieces of 1/8", 40 pieces of 1/16", and 50 pieces of 1/8" are to be the standard number of pieces to each bundle.

Issued this 6th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6403; Filed, July 6, 1942; 5:19 p. m.]

PART 1389—APPAREL

[Maximum Price Regulation 177]

MEN'S AND BOYS' TAILORED CLOTHING

In the judgment of the Price Administrator it is necessary and proper to establish prices for men's and boys' tailored clothing which differ in some respects from the maximum prices established by the General Maximum Price Regulation.[1] The prices established by the following Regulation, in the judgment of the Price Administrator, are fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the said Act, and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, Maximum Price Regulation No. 177 is hereby issued.

Sec.
1389.101 Prohibition against dealing in men's and boys' tailored clothing above maximum prices.
1389.102 Categories of men's and boys' tailored clothing.
1389.103 Maximum prices for sales at retail of ready-made garments.
1389.104 Maximum prices for sales of ready-made garments otherwise than at retail.
1389.105 Maximum prices for all sales of men's and boys' tailored clothing "made to measure" and "tailored to the trade."
1389.106 Maximum prices for garments which cannot be priced under preceding sections.
1389.107 Provisions applicable to particular models of garments.
1389.108 Scope and application of this regulation.
1389.109 Evasion.
1389.110 Transfers of business or stock in trade.
1389.111 Federal and State taxes.
1389.112 Less than maximum prices.
1389.113 Registration and licensing.
1389.114 Records of sellers of ready-made garments at retail.
1389.115 Records of sellers of ready-made garments otherwise than at retail, and of all manufacturers.
1389.116 Records of sellers of "tailored to the trade" and "made to measure" garments.
1389.117 Enforcement.
1389.118 Procedure for adjustment and amendment.
1389.119 Definitions.
1389.120 Effective date.
1389.121 Appendix A. Amounts to be added to base-period prices of ready-made garments other than outercoats sold otherwise than at retail.
1389.122 Appendix B. Amounts to be added to base-period prices of outer coats.
1389.123 Appendix C. Amounts to be added to base-period prices of "tailored to the trade" and "made to measure" garments.

AUTHORITY: §§ 1389.101 to 1389.123 inclusive issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1389.101 *Prohibition against dealing in men's and boys' tailored clothing above maximum prices.* On and after July 11, 1942, regardless of any contract or other obligation:

(a) No person shall sell or deliver men's and boys' tailored clothing (defined in § 1389.119) at prices higher than the maximum prices established by this Maximum Price Regulation No. 177.

(b) No person in the course of trade or business shall buy or receive men's and boys' tailored clothing at prices higher than the maximum prices established by this Maximum Price Regulation No. 177.

(c) No person shall agree, offer, solicit or attempt to do any of the acts set forth in paragraphs (a) and (b).

The provisions of this section shall not be applicable to sales or deliveries of men's and boys' tailored clothing to a purchaser if, prior to July 11, 1942, such merchandise had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1389.102 *Categories of men's and boys' tailored clothing—(a) Classifications of garments.* For the purposes of this Maximum Price Regulation No. 177, garments shall be considered within the same classification if they are of the same type, are styled for the same age group, and are made of fabrics of the same weight class. For the purpose of making such determination:

(1) Types of garments shall be:
(i) Suits with short pants,
(ii) Suits with knicker or golf pants,
(iii) Suits with long pants,
(iv) Separate sport and sack coats,
(v) Short pants,
(vi) Knicker or golf pants,
(vii) Long pants,
(viii) Separate vests,
(ix) Top coats (defined in § 1389.119) and
(x) Over coats (defined in § 1389.119).

(2) Styles for age groups shall be the styles commonly known as:

(i) Juvenile or junior, sizes 2 to 12, inclusive,
(ii) Knicker, sizes 6 to 16, inclusive,
(iii) Cadet, sizes 10 to 18, inclusive,
(iv) Prep, sizes 14 to 22, inclusive,
(v) Student, sizes 32 to 40 inclusive, and
(vi) Men's and young men's, normally graded from size 36.

(3) Fabric weight classes shall be (except for top coats and overcoats):

(i) Tropical weight (defined in § 1389.119) and
(ii) Not tropical weight.

(b) *Similar garments.* One garment shall be considered similar to another garment if the first is in the same classification as the second, has the same use, is made with equivalent workmanship, and contains materials and trimmings which are of the same type and quality and would ordinarily sell at substantially the same price. In determining similarity, differences merely in design, and differences owing to compliance with War Production Board Conservation Order No. M 73A[3] of March 2, 1942 (§ 1055.2), shall be disregarded except that a one-pant suit shall not be considered similar to a two-pant suit.

§ 1389.103 *Maximum prices for sales at retail of ready-made garments.* Except as otherwise provided in this Maximum Price Regulation No. 177 the seller's maximum prices for sales at retail of men's and boys' ready-made tailored clothing shall be:

(a) *For garments other than outer coats—(1) In those cases in which the seller dealt in the same or similar garments during March 1942.* The highest price charged by the seller during such month—(i) for the same garment, or (ii) if no charge was made for the same garment, for the similar garment most nearly like it; or

(2) *In those cases in which the seller did not deal in the same or similar garments during March 1942.* The highest price charged during such month by the most closely competitive seller of the same class—(i) for the same garment, or (ii) if no charge was made for the same garment, for the similar garment most nearly like it; or

(3) *In those cases in which neither the seller nor any closely competitive seller of the same class dealt in the same or similar garments during March 1942.* A maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 177, determined by:

(i) Selecting from the same classification and price range the garment, priced under paragraph (a) (1) or (a) (2) of this section, of which the seller delivered the largest number during March 1942,

(ii) Dividing the maximum price for that garment by the replacement cost of that garment, and (iii) Multiplying the percentage so obtained by the replacement cost of the garment being priced under this subparagraph (3);

Except: That no maximum price determined pursuant to paragraph (a) of this section shall exceed the highest price charged by the seller during March 1942 for a garment of the same classification.

(b) *For outer coats—(1) In those cases which the seller dealt in the same or similar garments during September, October or November 1941.* The highest price charged by the seller during such months—(i) for the same garment, or (ii) if no charge was made for the same garment, for the similar garment most nearly like it, plus, in each case, the amount indicated by the table in Appendix B (§ 1389.122);

(2) *In those cases in which the seller did not deal in the same or similar garments during September, October or November 1941.* The highest price charged during such months by the most closely competitive seller of the same class—(i) for the same garment, or (ii) if no charge was made for the same garment, for the similar garment most nearly like it, plus, in each case, the amount indicated by the table in Appendix B (§ 1389.122);

(3) *In those cases in which neither the seller nor any closely competitive seller of the same class dealt in the same or similar garments during September, October and November 1941.* A maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 177, determined by:

(i) Selecting from the same classification and price range that garment, priced under paragraph (b) (1) or (b) (2) of this section, of which the seller delivered the largest number of units during September, October and November 1941,

(ii) Dividing the maximum price of that garment by the replacement cost of that garment, and

(iii) Multiplying the percentage so obtained by the replacement cost of the garment being priced under this subparagraph (3);

Except: That no maximum price determined pursuant to this paragraph (b), shall exceed the sum of the highest price charged by the seller during September, October and November 1941, for a garment of the same classification, plus the amount indicated by the table in Appendix B (§ 1389.122).

§ 1389.104 *Maximum prices for sales of ready-made garments otherwise than at retail.* Except as otherwise provided in this Maximum Price Regulation No. 177, the seller's maximum prices for sales of men's and boys' ready-made tailored clothing, otherwise than at retail, shall be:

(a) *For garments other than outer coats—(1) In those cases in which the seller booked the same or similar garments during July, August, September, October and November 1941.* The price at which the seller during such months booked the largest number of units of—(i) the same garment, or (ii) if the same garment was not booked, the similar garment most nearly like it; plus in each case the amount indicated by the table in Appendix A (§ 1389.121);

(2) *In those cases in which the seller did not book the same or similar garments during July, August, September, October and November 1941.* The current cost of the garment being priced plus the seller's normal percentage margin on garments of the same classification, calculated by:

(i) Determining the prices at which the largest number of units of each group of similar garments in the classification were booked during such months,

(ii) Computing the total dollar sales of garments sold at such prices,

(iii) Subtracting the total cost of garments so booked, and

(iv) Dividing the remainder by such total dollar sales;

Except: That no maximum price determined pursuant to paragraph (a) of this section shall exceed the sum of the highest price determined pursuant to paragraph (a) (2) (i) of this section, plus the amount indicated by the table in Appendix A (§ 1389.121);

(b) *For outer coats—(1) In those cases in which the seller delivered the same or similar garments during July, August, September, October and November 1941.* The price at which the seller delivered during such months the largest number of units of—(i) the same garment, or (ii) if the same garment was not delivered, the similar garment most nearly like it, plus in each case the amount indicated by the table in Appendix B (§ 1389.122);

(2) *In those cases in which the seller did not deliver the same or similar garments during July, August, September, October and November 1941.* The current cost of the garment being priced plus the seller's normal percentage margin on garments of the same classification, calculated by:

(i) Determining the prices at which the largest number of units of each group of similar garments in the classification were delivered during such months,

(ii) Computing the total dollar sales of garments delivered at such prices,

(iii) Subtracting the total cost of garments so delivered, and

(iv) Dividing the remainder by such total dollar sales;

Except. That no maximum price determined pursuant to paragraph (b) of this section shall exceed the sum of the highest price determined pursuant to paragraph (b) (2) (i) of this section, plus the amount indicated by the table in Appendix B (§ 1389.122).

[1] 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4639, 4738.
[2] 7 F. R. 971, 3663.
[3] 7 F. R. 1670

§ 1389.105 *Maximum prices for all sales of men's and boys' tailored clothing "made to measure" and "tailored to the trade."* Except as otherwise provided in this Maximum Price Regulation No. 177, the seller's maximum prices for all sales of men's and boys' tailored clothing in the courses of business known as "made to measure" and "tailored to the trade" shall be:

(a) *For garments other than outer coats*—(1) *In those cases in which the seller offered to sell the same or similar garments during January and February 1942.* The highest price at which the seller during such months offered—(i) the same garment, or (ii) if the same garment was not offered, the similar garment most nearly like it; plus in each case the amount indicated by the table in Appendix C (§ 1389.123);

(2) *In those cases in which the seller did not offer to sell the same or similar garments during January and February 1942.* The current cost of the garment being priced plus the seller's average percentage margin on garments of the same classification, calculated by:

(i) Computing the total dollar sales of garments in the classification booked during October, November and December 1941;

(ii) Subtracting the total cost of garments so booked, and

(iii) Dividing the remainder by such total dollar sales;

Except: That no maximum price determined pursuant to paragraph (a) of this section shall exceed the highest price at which the seller during January or February 1942 first offered a garment of the same classification, plus the amount indicated by the table in Appendix C (§ 1389.123).

(b) *For outer coats*—(1) *In those cases in which the seller offered to sell the same or similar garments during September and October 1941.* The highest price for which the seller during such months offered—(i) the same garment, or (ii) if the same garment was not offered, the similar garment most nearly like it; plus in each case the amount indicated by the table in Appendix C (§ 1389.123);

(2) *In those cases in which the seller did not deal in the same or similar garments during September and October 1941.* The current cost of the garment being priced plus the seller's average percentage margin on garments of the same classification, determined by:

(i) Computing the total dollar sales of garments in the classification booked during October, November and December 1941,

(ii) Subtracting the total cost of garments so booked, and

(iii) Dividing the remainder by such total dollar sales;

Except: That no maximum price determined pursuant to paragraph (b) of this section shall exceed the highest price at which the seller during September and October 1941 offered a garment of the same classification, plus the amount indicated by the table in Appendix C (§ 1389.123).

§ 1389.106 *Maximum prices for garments which cannot be priced under preceding sections.* In those cases in which the maximum price of a garment cannot be determined by the terms of §§ 1389.103, 1389.104 and 1389.105, the maximum price shall be a price determined by the seller pursuant to specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., an application setting forth:

(a) A description in detail of the garment for which a maximum price is sought; and

(b) A statement of the facts which differentiate such garment from garments priced under §§ 1389.103, 1389.104 and 1389.105; and shall furnish such further relevant information as may be required by the Office of Price Administration.

§ 1389.107 *Provisions applicable to particular models of garments*—(a) *Maximum prices for one-pant suits where seller dealt in two-pant suits during the base period.* In those cases in which the seller during the applicable base period dealt in, booked or offered (whichever shall be the basis of the maximum price) a two-pant suit which was otherwise the same as, or similar to, a one-pant suit to be priced under this Maximum Price Regulation No. 177, the figure to be used as the price charged for, or at which the seller booked or offered, the same or a similar suit shall be:

(1) *For sales at retail.* (i) Eighty-five percent of the price applicable to the two-pant suit which was otherwise the same, or if no such charge was made, for the otherwise similar two-pant suit most nearly like it, or (ii) the price applicable to the same one-pant suit, or if no such charge was made, for the similar one-pant suit most nearly like it, whichever is the lower;

(2) *For sales other than at retail.* (i) Eighty-three percent of the price applicable to the two-pant suit which was otherwise the same, or if no such charge was made, for the otherwise similar two-pant suit most nearly like it, or (ii) the price applicable to the same one-pant suit, or if no such charge was made, for the similar one-pant suit most nearly like it, whichever is the lower.

(b) *Specially manufactured garments.* The seller's maximum price for a garment of unusual measurements, commonly known as a special model or special order garment, or for a garment which is manufactured with different trimmings or construction, or both, than a garment dealt in during the base period, but which is otherwise the same or similar, shall be the maximum price of a garment which is otherwise the same, or if no such price can be determined, the maximum price of a garment which is otherwise similar, plus or minus a differential which is:

(1) In line with differentials which were customarily made by the seller during the base period, or

(2) If no such differentials were made, in line with differentials which were customarily demanded or offered by the seller during the base period.

§ 1389.108 *Scope and application of this regulation*—(a) *Relation to General Maximum Price Regulation.*[1] This Maximum Price Regulation No. 177 shall apply, and the General Maximum Price Regulation shall not apply, to sales or deliveries for which maximum prices are established by this Maximum Price Regulation No. 177.

(b) *Relation to Maximum Price Regulation No. 142.*[4] This Maximum Price Regulation No. 177 shall not apply, and Maximum Price Regulation No. 142—Retail Prices for Summer Seasonal Commodities—shall apply to sales and deliveries for which maximum prices are established by Maximum Price Regulation No. 142.

(c) *Relation to Maximum Price Regulation No. 157.*[5] This Maximum Price Regulation No. 177 shall not apply, and Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—shall apply to sales and deliveries for which maximum prices are established by Maximum Price Regulation No. 157.

(d) *Export sales.* The maximum price at which a person may export men's and boys' tailored clothing shall be determined in accordance with the provisions of the Maximum Export Price Regulation[6] issued by the Office of Price Administration.

§ 1389.109 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 177 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to men's and boys' tailored clothing, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) No seller shall use as a highest price charged for garments, or at which garments were booked, delivered or offered, during the applicable base period, a price which was applied only to sample or memorandum sales;

(2) No seller shall change the allowances, discounts, or other price differentials which he customarily made during the appropriate base period unless such change results in a lower net price.

§ 1389.110 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller of men's and boys' tailored clothing shall be or shall have been transferred on or after April 28, 1942, and the transferee shall carry on the business, or continue to deal in such clothing, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which the transferor would have been subject if no such transfer had taken place, and his obligation to keep, make available, prepare and file records shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 177.

§ 1389.111 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of men's and boys' tailored clothing, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such clothing and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during the applicable base period.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the applicable base period the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 177.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 177.

(b) *As to a tax or increase in a tax which becomes effective after the appropriate base period.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1389.112 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 177 may be charged, demanded, paid or offered.

§ 1389.113 *Registration and licensing.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation[1] are applicable to every person subject to this Maximum Price Regulation No. 177 selling men's and boys' tailored clothing at wholesale or at retail.

§ 1389.114 *Records of sellers of ready-made garments at retail*—(a) *Records to be kept.* Every person selling men's and boys' ready-made tailored clothing at retail shall keep and make available for examination by the Office of Price Administration:

(1) All his existing records relating to the prices which he charged for garments other than outer coats during March 1942;

(2) All his existing records relating to the prices which he charged for outer coats during September, October and November 1941; and

(3) Records of the kind he has customarily kept relating to the prices which he charges for men's and boys' ready-made tailored clothing on and after July 11, 1942.

(b) *Prices to be marked and posted.* On and after July 11, 1942 every person offering to sell men's and boys' ready-made tailored clothing at retail shall mark the maximum prices of such garments in a manner plainly visible to, and understandable by, the purchasing public. The maximum prices may be marked on the garments themselves or may be posted at the place in the establishment where the garments are offered for sale, and may be posted by price lines if the selling price of each garment is marked thereon. The maximum price shall be indicated in the form "Ceiling Price $____" or "Our Ceiling $____"

(c) *Statements to be prepared.* On or before August 1, 1942, every person selling men's and boys' ready-made tailored clothing at retail shall prepare, as fully as available information permits, and thereafter keep up to date and make available for examination by the Office of Price Administration, a statement showing:

(1) The highest prices which he charged for all garments other than outer coats during March 1942;

(2) The highest prices which he charged for outer coats during September, October and November 1941;

(3) The calculation by which he determines, on or after July 11, 1942, the maximum price of every garment which is not the same as—(i) a garment other than an outer coat delivered or offered for delivery in March 1942, or (ii) an outer coat delivered or offered for delivery in September, October and November 1941.

(d) *Lists to be filed.* On or before August 1, 1942, every person offering to sell men's and boys' tailored clothing at retail shall file with the appropriate War Price and Rationing Board a list showing the maximum price for each garment then offered for sale, with an appropriate identification of every such garment. Such list shall be kept up to date by filing on the tenth day of every succeeding month a supplemental list showing the maximum price and furnishing an appropriate identification of every garment offered for sale during the preceding month and not previously listed.

(e) *Sales slips and receipts.* Every seller at retail of men's and boys' tailored clothing who has customarily given purchasers sales slips or receipt shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the garment sold, and the price received for it.

§ 1389.115 *Records of sellers of ready-made garments otherwise than at retail, and of all manufacturers.*—(a) *Records to be kept.* Every person selling men's and boys' ready-made tailored clothing otherwise than at retail shall keep and make available for examination by the Office of Price Administration:

(1) All his existing records relating to the prices at which he booked garments other than outer coats during the base period, and to the qualities and characteristics of such garments;

(2) All his existing records relative to the prices at which he delivered outer coats during the base period, and to the qualities and characteristics of such garments; and

(3) Records of the kind he has customarily kept relative to the prices at which he sells or offers to sell such clothing on or after July 11, 1942, and to the qualities and characteristics of such clothing.

(b) *Statements to be filed.* Every person selling men's and boys' ready-made tailored clothing otherwise than at retail and every person manufacturing such clothing, however sold, shall prepare and file with the Office of Price Administration, Washington, D. C., on or before September 1, 1942, a statement describing as hereinafter provided:

(1) All garments other than outer coats booked, or sold at retail by a manufacturer, during the base period applicable to such sales, and stating the price at which the largest number of units of each garment was booked or sold to each class of purchaser;

(2) All outer coats delivered during the applicable base period, and stating the price at which the largest number of units of each garment was delivered to each class of purchaser; and

(3) All garments sold or delivered on and after July 11, 1942, stating the maximum price of such garment for each class of purchaser, and showing the calculation by which the seller determined the maximum price.

Every such person shall file a supplemental statement on or before the tenth

[1] *Supra*, note 1.
[4] 7 F. R. 3553, 3720.
[5] 7 F. R. 4273, 4541, 4618.
[6] 7 F. R. 3096, 3824, 4294, 4541.

day of every month, after September 1, 1942, describing as hereinafter provided all garments offered for sale during the preceding month and not previously listed, stating the maximum price of each garment for each class of purchaser and showing the calculation by which the seller determined the maximum price. The description of each garment shall contain (i) the lot or style numbers of the garment, (ii) a description of the materials of which the garment is made, by mill of origin, by mill range or fabric type, by weight and by fiber content, (iii) a description of the lining materials used in the garment by type of fabric, by thread count and by fiber content, and (iv) a list of the operations performed in processing and assembling the garment, marked to indicate whether such operation is a hand operation ("H") or a machine operation ("M"); but sellers other than manufacturers may describe garments by reference to a list filed by the manufacturer of the same, stating the name of the manufacturer and the lot or style numbers of the garments.

(c) *Notification and disclosure to retailers.* (1) Every person delivering men's and boys' ready-made tailored clothing to a purchaser for sale at retail shall, within ten days of the first delivery to such purchaser made after July 10, 1942, supply such purchaser with the text of §§ 1389.102, 1389.103, 1389.106, 1389.107, 1389.118 (a), 1389.119 (a) (4), (6), (10), (11), (12) and (14), and 1389.122 (a); *Provided:* That if such first delivery is made prior to August 1, 1942, the text of such sections may be supplied within ten days of August 1, 1942.

(2) Every person selling or delivering men's and boys' ready-made tailored clothing otherwise than at retail shall within ten days after receipt of a written request from any person to whom such clothing shall have been sold, delivered or offered for sale on or after July 11, 1942, disclose in writing to such person the maximum price or prices established for sales of such clothing to such person by the seller under this Maximum Price Regulation No. 177.

§ 1389.116 *Records of sellers of "tailored to the trade" and "made to measure" garments*—(a) *Records to be kept.* Every person selling men's and boys' "tailored to the trade" or "made to measure" tailored clothing shall keep and make available for examination by the Office of Price Administration:

(1) All his existing records relating to the prices at which he offered garments other than outer coats during January and February 1942, and to the qualities and characteristics of such garments;

(2) All his existing records relating to the prices at which he offered outer coats during September and October 1941, and to the qualities and characteristics of such garments; and

(3) Records of the kind he has customarily kept relating to the prices at which he sells or offers to sell such clothing on and after July 11, 1942, and to the qualities and characteristics of such clothing.

(b) *Prices to be listed and filed.* On and after August 1, 1942, every person offering to sell men's and boys' "tailored to the trade" or "made to measure" clothing at retail shall display to every customer a written list which shall plainly show with respect to every garment offered to such customer, the selling price at which the garment is offered, the maximum price of the garment, indicated in the form "Ceiling Price $-----" or "Our Ceiling $-----," and an appropriate identification of the garment so offered. A complete list containing the same information shall be filed by every such person with the appropriate War Price and Rationing Board on or before August 1, 1942, and shall be supplemented on or before the tenth day of every succeeding month by a similar list with respect to each garment offered for sale during the preceding month and not previously listed.

(c) *Statements to be filed by manufacturers.* Every manufacturer of men's and boys' "tailored to the trade" or "made to measure" clothing shall prepare and file with the Office of Price Administration, Washington, D. C., on or before September 1, 1942, a statement describing as hereinafter provided:

(1) All garments other than outer coats offered for sale during January and February 1942, and stating the highest price at which each garment was offered to each class of purchaser;

(2) All outer coats offered for sale during September and October 1941, and stating the highest price at which each garment was offered to each class of purchaser;

(3) All garments offered for sale on and after July 11, 1942, stating the maximum price of each garment for each class of purchaser, and showing the calculation by which the seller determined the maximum price.

Every such person shall file a supplemental statement on or before the tenth day of every month after September 1, 1942, describing as hereinafter provided all garments offered for sale during the preceding month and not previously listed, stating the maximum prices of each garment for each class of purchaser and showing the calculation by which the seller determined the maximum price. The description of each garment shall contain (i) the lot or style numbers of the garment, (ii) a description of the materials of which the garment is made, by mill of origin, by mill range or fabric type, by weight and by fiber content, (iii) a description of the lining materials used in the garment by type of fabric, by thread count and by fiber content, and (iv) a list of the operations performed in processing and assembling the garment, marked to indicate whether such operation is a hand operation ("H") or a machine operation ("M"); but sellers other than manufacturers may describe garments by reference to a list filed by the manufacturer of the same, stating the name of the manufacturer and the lot or style numbers of the garments.

(d) *Sales slips and receipts.* On and after 1942, every seller of men's and boys' "tailored to the trade" and "made to measure" clothing at retail shall give the purchaser a sales slip or receipt showing the date of delivery, the name and address of the seller, the garment sold and the price paid or to be paid for it.

(e) *Notification and disclosure to retailers.* (1) Every person delivering men's and boys' "tailored to the trade" and "made to measure" clothing to any purchaser for sale at retail shall within ten days of the first delivery to such purchaser made after July 10, 1942, supply such purchaser with the text of §§ 1389.102, 1389.105, 1389.106, 1389.107, 1389.118 (a), 1389.119 (a) (4), (9), (10), (11), (12) and (14) and 1389.123; *Provided:* That if such first delivery is made prior to August 1, 1942, the text of such sections may be supplied within ten days of August 1, 1942.

(2) Every person selling or delivering men's and boys' "tailored to the trade" and "made to measure" clothing otherwise than at retail shall within ten days after receipt of a written request from any person to whom such clothing shall have been sold, delivered or offered for sale after July 10, 1942, disclose in writing to such person the maximum price or prices established for sales of such clothing to such person by the seller under this Maximum Price Regulation No. 177.

§ 1389.117 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 177 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for the suspension of licenses provided by the Emergency Price Control Act of 1942.

§ 1389.118 *Procedure for adjustment and amendment.* (a) Any seller at retail who finds that the maximum price of any garment established for him under the provisions of § 1389.103 or § 1389.105 of this Maximum Price Regulation No. 177 is abnormally low in relation to the maximum prices of the same or similar garments established for other sellers at retail, and that this abnormality subjects him to substantial hardship, may file an application for adjustment of that maximum price in accordance with Temporary Procedural Regulation No. 2[2] issued by the Office of Price Administration.

(b) Any seller who finds that the highest maximum price permitted to him for any classification of garments by this Maximum Price Regulation No. 177 is unduly low in relation to commitments made prior to July 11, 1942, and any other person seeking a modification of such Regulation, may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1[3] issued by the Office of Price Administration.

§ 1389.119 *Definitions.* (a) When used in this Maximum Price Regulation No. 177, the term:

[2] *Supra*, note 2.
[3] 7 F. R. 3522, 3664.

(1) "Actual cost" of any garment means:

(i) In the case of a seller who did not manufacture the garment, the net price actually paid for a garment;

(ii) In the case of a seller who did manufacture the garment in question, the sum of the prices paid for materials, trimmings, and direct labor, whether employed or contracted, used in manufacturing the garment;

(2) "Base periods" are:

(i) For sales at retail of ready-made garments other than outer coats, the month of March 1942;

(ii) For sales at retail of ready-made outer coats, the months of September, October and November 1941;

(iii) For sales other than at retail of ready-made garments other than outer coats, the months of July, August, September, October and November 1941;

(iv) For sales other than at retail of ready-made outer coats, the months of July, August, September, October and November 1941;

(v) For all sales of "tailored to the trade" and "made to measure" garments other than outer coats, the months of January and February 1942; and

(vi) For all sales of "tailored to the trade" and "made to measure" outer coats, the months of September and October 1941;

(3) "Booking" means accepting orders (other than at retail) for delivery immediately or at any later time;

(4) "Current cost" means:

(i) In the case of a seller who did not manufacture the garment, the maximum price on and after July 11, 1942, which the seller is or would be allowed to pay for the garment when purchased from his customary sources of supply on his customary terms;

(ii) In the case of a seller who did manufacture the garment, the sum of the maximum prices which are applicable on and after July 11, 1942, to the materials and trimmings used in manufacturing the garment, when purchased from the seller's customary sources of supply on his customary terms, and the amounts paid for direct labor, whether employed or contracted, computed on the basis of wage rates paid by the seller on March 31, 1942, plus any increase subsequent thereto made pursuant to a collective bargaining contract or other wage agreement which contract or agreement (*a*) was entered into on or before April 27, 1942, and (*b*) provides for an unconditional increase in wage rates of a fixed amount or percent;

(5) "Garment" means any article or combination of articles of men's and boys' tailored clothing sold as a unit, and includes suits;

(6) "Highest price charged" means:

(i) The highest price which the seller charged for a garment delivered by him during the base period; or

(ii) If no such deliveries were made, his highest offering price for delivery during the base period; and the "highest price charged" shall be a price charged to a purchaser of the same class, except that if deliveries were made to purchasers of particular classes at prices agreed on before a general rise in the seller's prices, and deliveries were made to purchasers of other classes at higher prices, the highest prices charged to the former classes shall be adjusted in accordance with the differentials customarily allowed by the seller to such classes;

(7) "Outer coat" means a topcoat or overcoat as defined herein;

(8) "Overcoat" means any coat commonly known as an overcoat, topcoat, reversible (of which the outer shell is made of part or all wool fabric), fingertip, or detachable-lined coat made of a fabric weighing more than 22 ounces per lineal yard approximately fifty-four inches in width;

(9) A "price" at which any person booked, delivered, or offered any garment during any base period shall be a price at which such garment was booked, delivered or offered to a purchaser of the same class;

(10) "Replacement cost" means "current cost" as defined in this section;

(11) a "seller" of one class, such as a seller of ready-made garments, may be with respect to other transactions a seller of any other class, such as a seller of "made to measure" garments; but no person shall be deemed to be a "seller" within this Maximum Price Regulation No. 177 by reason of any sale or service with respect to which he is deemed to be a "contractor" within Maximum Price Regulation No. 172[4]—Charges of Contractors in Apparel Industry.

(12) "tailored clothing" means clothing ordinarily so known, which is cut, made and trimmed in the manner generally used for business and dress clothing, and excludes work clothing, rainwear and furnishings or haberdashery;

(13) "topcoat" means any coat commonly known as an overcoat, topcoat, reversible (of which the outer shell is made of a part or all wool fabric) fingertip, or detachable-lined coat, made of fabric weighing not more than twenty-two ounces per lineal yard approximately fifty-four inches in width;

(14) "tropical weight" means made of a fabric weighing not more than eleven ounces per lineal yard approximately fifty-four inches in width and containing 15% or more, by weight, or wool fiber, or made of any summer washable fabric of any weight;

(15) "wool" includes new wool, re-used wool, reprocessed wool, and mohair, and "part wool" means containing more than five percent by weight of wool fiber.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation[1] shall apply to other terms used herein.

§ 1389.120 *Effective date.* The effective date of this Maximum Price Regulation No. 177 shall be July 11, 1942.

§ 1389.121 *Appendix A: Amounts to be added to base-period prices of ready-made garments other than outer coats sold otherwise than at retail.* The amounts to be added to base-period prices in determining maximum prices when permitted by § 1389.104 (a) shall be:

(a) *For garments which are not tropical weight.* (1) Seven and one-half percent of that portion of the price which does not exceed thirty dollars in the case of suits, twenty dollars in the case of separate coats or ten dollars in the case of separate vests and pants; plus

(2) Five percent of that portion of the price which exceeds such limits;

(b) *For tropical weight garments.* (1) Eight and one-half percent of that portion of the price which does not exceed thirty dollars in the case of suits, twenty dollars in the case of separate coats and ten dollars in the case of separate vests and pants; plus

(2) Five percent of that portion of the price which exceeds such limits.

§ 1389.122 *Appendix B: Amounts to be added to base-period prices of outer coats*—(a) *For sellers at retail.* The amounts to be added to base-period prices in determining maximum prices when permitted by § 1389.103 (b) shall be:

(1) Fourteen percent of that portion of such price which does not exceed fifty dollars; plus

(2) Eight percent of that portion of such price which does exceed fifty dollars.

(b) *For sellers otherwise than at retail.* The amounts to be added to base-period prices in determining maximum prices when permitted by § 1389.104 (b) shall be:

(1) Fourteen percent of that portion of such price which does not exceed thirty dollars; plus

(2) Eight percent of that portion of such price which does exceed thirty dollars.

§ 1389.123 *Appendix C: Amounts to be added to base-period prices of "tailored to the trade" and "made to measure" garments*—(a) *Sales at retail.* The amounts to be added to base-period prices in determining maximum prices for sales at retail when permitted by § 1389.105 shall be:

(1) *For garments other than outer coats, not tropical weight.* (i) Seven and one-half percent of that portion of the price which does not exceed fifty dollars in the case of suits, thirty-three dollars and fifty cents in the case of separate coats and sixteen dollars and fifty cents in the case of separate pants and vests, plus

(ii) Five percent of that portion of the price which exceeds such limits;

(2) *For tropical weight garments.* (i) Eight and one-half percent of that portion of the price which does not exceed fifty dollars in the case of suits, thirty-three dollars and fifty cents in the case of separate coats and sixteen dollars and fifty cents in the case of separate pants and vests, plus:

[4] 7 F.R. 4882.

[1] *Supra*, note 1.

(ii) Five percent of that portion of the price which exceeds such limits;

(3) *For outer coats.* (i) Fourteen percent of that portion of the price which does not exceed fifty dollars, plus

(ii) Eight percent of that portion of the price which does exceed fifty dollars.

(b) *Sales otherwise than at retail.* The amounts to be added to base period prices in determining maximum prices for sales otherwise than at retail when permitted by § 1389.105 shall be:

(1) *For garments other than outer coats, not tropical weight.* (i) Seven and one-half percent of that portion of the price which does not exceed thirty dollars in the case of suits, twenty dollars in the case of separate coats and ten dollars in the case of separate pants and vests, plus

(ii) Five percent of that portion of the price which exceeds such limits;

(2) *For tropical weight garments.* (i) Eight and one-half percent of that portion of the price which does not exceed thirty dollars in the case of suits, twenty dollars in the case of separate coats and ten dollars in the case of separate pants and vests, plus

(ii) Five percent of that portion of the price which exceeds such limits;

(3) *For outer coats.* (i) Fourteen percent of that portion of the price which does not exceed thirty dollars, plus

(ii) Eight percent of that portion of the price which does exceed thirty dollars.

Issued this 6th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6414; Filed, July 6, 1942; 5:23 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[Amendment 3 to Revised Rationing Order 4[1]]

NEW AND USED TYPEWRITERS

In § 1398.102, the headnote is amended to read as set out below, subparagraph (8) to paragraph (a) is revoked and three new subparagraphs, (7), (8) and (9) are added to paragraph (b):

§ 1398.102 *Persons eligible to receive typewriters without application to Local War Price and Rationing Boards.* • • •

(b) *Used typewriters.* • • •

(7) The Procurement Division of the Treasury Department for the agencies of the federal government within the applicable quota assigned: *Provided*, That purchases for government agencies other than the Army, Navy, or Maritime Commission shall require the prior approval of the Director of Industry Operations of the War Production Board pursuant to application made to the Bureau of Governmental Requirements of the War Production Board. Any person who sells or delivers a typewriter in exchange for a purchase order issued by the Procurement Division of the Treasury Department shall retain a copy of such order in accordance with § 1398.107.

(8) State and local governments and agencies thereof in exchange for an authorization upon Form PD-577 issued by the Director of Industry Operations of the War Production Board pursuant to an application made to the Bureau of Governmental Requirements of the War Production Board and within the applicable quota for state and local governments and agencies thereof. Any person who sells or delivers a typewriter in exchange for Authorization Form PD-577 issued by the Director of Industry Operations of the War Production Board shall retain a copy of such order in accordance with § 1398.107.

(9) Persons acquiring typewriters for export pursuant to an export license issued by the Board of Economic Warfare, within the applicable quota assigned to the Board of Economic Warfare by the Office of Price Administration. When any typewriter is sold or delivered pursuant to the provisions of this subparagraph, the person who sells or delivers such typewriter to the exporter shall make a record of the number of the export license authorizing the export thereof in accordance with § 1398.107.

§ 1398.112 *Effective dates of amendments.* • • •

(c) Amendment No. 3, §§ 1398.102, headnote, (a) (8), (b) (7), (b) (8) and (b) (9) to Revised Rationing Order No. 4 shall become effective July 8, 1942.

(Pub. Law 421, 77th Cong., WPB Directive No. 1, Supplementary Directive No. 1D, and Conversion Order No. L-54-a, 7 F.R. 562, 7 F.R. 1792, 7 F.R. 2130)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6402; Filed, July 6, 1942; 5:19 p. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[Maximum Price Regulation 175]

ROUGH ROLLED, FIGURED, WIRE AND HEAT ABSORBING ROLLED GLASS

In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942 to establish as the maximum prices for rough rolled, figured, wire and heat absorbing glass the prices prevailing with respect thereto during the period October 1 to 15, 1941.

The maximum prices established by this Regulation are, in the judgment of the Price Administrator generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.[1] A statement of the considerations involved in the issuance of this Regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 175 is hereby issued.

Sec.

1408.1 Maximum prices for rolled and wire glass.
1408.2 Less than maximum prices.
1408.3 Conditional agreements.
1408.4 Evasion.
1408.5 Records and reports.
1408.6 Enforcement.
1408.7 Petitions for amendment.
1408.8 Definitions.
1408.9 General Maximum Price Regulation superseded.
1408.10 Maximum Export Price Regulation applicable.
1408.11 Effective date.
1408.12 Appendix A: Maximum prices for rolled and wire glass for the Eastern area.
1408.13 Appendix B: Maximum prices for rolled and wire glass for the Western area.

AUTHORITY: §§ 1408.1 to 1408.13 inclusive, issued under Public Law 421, 77th Cong.

§ 1408.1 *Maximum prices for rolled and wire glass.* On and after July 11, 1942, regardless of any contract, agreement, lease or other obligation, no manufacturer shall sell or deliver any rolled or wire glass and no person shall buy or receive any of the foregoing products in the course of trade or business from a manufacturer, at prices higher than the maximum prices set forth in Appendices A and B hereof, incorporated herein as § 1408.12 and § 1408.13, respectively; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this Section shall not be applicable to sales or deliveries of rolled or wire glass to a purchaser if prior to July 11, 1942, such rolled or wire glass had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1408.2 *Less than maximum prices.* Lower prices than those set forth in Appendices A (§ 1408.12) and B (§ 1408.13) may be charged, demanded, paid, or offered.

§ 1408.3 *Conditional agreements.* No manufacturer of rolled or wire glass shall enter into an agreement permitting the adjustment of the price to prices which may be higher than the maximum prices provided by §§ 1408.12 and 1408.13, in the event that this Maximum Price Regulation No. 175 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Price Administrator determines that an exception should be made in the public interest pending such consideration, the Price Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1408.4 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 175 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to rolled or wire glass alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1408.5 *Records and reports.* (a) Every manufacturer making sales or deliveries subject to this Maximum Price Regulation No. 175, of rolled or wire glass after July 10, 1942, shall keep for inspection by the Office of Price Administration for a period of two years complete and accurate records of each such sale or delivery showing the date thereof, the name and address of the buyer, the price received, and the quantity of each grade and classification of the product sold or delivered.

(b) Persons affected by this Maximum Price Regulation No. 175 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1408.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 175 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 175 or any Price Schedule, Regulation or Order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1408.7 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 175 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1408.8 *Definitions.* (a) When used in this Maximum Price Regulation No. 175, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means a person operating a factory or plant producing rough rolled, figured, wire or heat absorbing glass as well as any sales subsidiary or affiliate or any commission salesman.

(3) "Rolled and wire glass" includes rough rolled, figured, wire, and heat absorbing rolled glass.

(4) "Rough rolled" or "figured glass" is flat glass having surface patterns which diffuse light and reduce the transparency of the glass. These terms shall not include colored sheet glass or glass known in the trade as cathedral or opalescent.

(5) "Wire glass" is flat glass in which wire has been embedded.

(6) "Heat absorbing rolled glass" is rolled glass which reduces the transmission of solar heat radiation.

(7) "Paper packing" means the placing of sheets of paper between each sheet of glass and the sheet packed next to it.

(8) A "standard case" is a case containing the amount of glass by size and number of lights specified in the packing schedule of the manufacturer in effect on October 1, 1941, in accordance with the practices of the manufacturer in effect on that date.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1408.9 *General Maximum Price Regulation superseded.*[1] The provisions of this Maximum Price Regulation No. 175 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1408.10 *Maximum Export Price Regulation applicable.*[2] The maximum price at which a person may sell or deliver any commodity for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration on April 25, 1942.

§ 1408.11 *Effective date.* This Maximum Price Regulation No. 175 (§§ 1408.1 to 1408.13 inclusive) shall become effective July 11, 1942.

§ 1408.12 *Appendix A: Maximum prices for rolled and wire glass for the Eastern area.*—(a) *Application.* The provisions of this Appendix A apply to all sales of rolled or wire glass in which the point of destination is within the continental United States except where the point of destination is in the states of Oregon, Washington, California, Nevada, Idaho, or Arizona.

(b) *Transportation practices.* The maximum prices established herein are f. o. b. factory points. On shipments of less than 300 square feet the manufacturer need not absorb any of the cost of transportation from factory point to buyer's receiving point. On shipments of 300 square feet or more, however, the seller shall absorb all costs of transportation to the buyer's receiving point in excess of the charge at the lowest applicable common carrier rate for a shipment of identical quantity by the mode of transportation actually employed from the applicable factory point to the buyer's receiving point. As used in this paragraph (b), the term "applicable factory point" means the factory producing the same class of rolled and wire glass items, or similar or competitive items suitable for the same use, from which the lowest published common carrier rate for a shipment of identical quantity by the mode of transportation actually employed applies to the buyer's receiving point; and the term "buyer's receiving point" means:

(1) In the case of shipments by water, ex dock, and in the case of carload shipments by rail, f. o. b. conveyance at a siding, at or in the vicinity of the point of delivery designated by the buyer.

(2) In the case of shipments by motor vehicle and of less-carload shipments by rail, the point of delivery designated by the buyer.

(c) *Maximum prices for certain standard items of rolled and wire glass.*

TABLE 1—ROUGH ROLLED AND FIGURED GLASS

[*Class 1.—Rough Rolled, Hammered and Ribbed Glass.*[1] Includes rough, hammered, and ribbed glass under whatever name sold and certain figured glass sold under the following trade names: Dewdrop, Factrolite' Rylite, Industrex, Luminex, Luxlite, Pentecor, Plainlite, Riblite, Skytex, Solite, and Velvex]

PLAIN (WITHOUT WIRE)

Thickness	Stock sheets (per sq. ft.)	Cut sizes	
		2,000 sq. ft. and over (per sq. ft.)	Under 2,000 sq. ft. (per sq. ft.)
1/8"	$0.055	$0.065	[2] $0.077
3/32"	.09	.10	.15
1/4"	.15	.17	.11
5/16" or 1/2"		.25	.29

See footnotes at end of table.

[1] 7 F.R. 2317.

[1] 7 F.R. 3153, 3330, 3666, 39[illegible], 3991, 4339.

[2] 7 F.R. 971.

[1] *Supra*, note 1.

[2] 7 F.R. 3096, 3824, 4294.

TABLE 1—ROUGH ROLLED AND FIGURED GLASS—Continued

WIRE (NOT WELDED)

Thickness	Stock sheets (per sq. ft.)	Cut Sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut Sizes: Under 2,000 sq. ft. (per sq. ft.)
¼"	$0.17	$0.20	$0.20
⅜"	.11	[3].13	[3].14
7/16"	.19	.21	.22
7/16" or ½"		.30	.33
⅝"		.60	.60
¾"		.80	.80
⅞"		.100	1.00

[*Class 2.—Rolled Figured Glass of Florentine, Maze or Similar Patterns.* Includes figured glass sold under the following trade names: Astralite, Colonial, Crepe, Dewlite, Diffusex, Florex, Mazex, Meteor, Modernistic, Pebblex, Silverite, Sterlex, and Syenite]

PLAIN (WITHOUT WIRE)

1/16"	$0.08	$0.09	$0.10
2/32"	.12	.13	.14

WIRE (NOT WELDED)

1/16"	$0.20	$0.22	$0.22
¼"	.14	.16	.17

[*Class 3.—Rolled glass of pyramidal patterns.* Includes figured glass sold under the following trade names: Aurora, Oriental, Prestlite, Pyramid, and Reglex]

PLAIN (WITHOUT WIRE)

1/16"	$0.10	$0.12	$0.14
2/32"	.15	.18	.20

[*Class 4.—Rolled glass known as ornamental plate.* Includes figured glass sold under the following trade names: Artex and Muralex]

PLAIN (WITHOUT WIRE)

1/16"	$0.19	$0.20	$0.21
2/32"	.19	.20	.21

[*Class 5.—Rolled glass known as louvred plate.* Includes patterns sold under the following trade names: Banglite, Barlite, Bevelite, Flutex, Louvrex, and Reedex]

PLAIN (WITHOUT WIRE)

1/16"	$0.20	$0.25	$0.25
2/32"	.20	.25	.25

[1] For frosted or glare reducing finish on glass of one-quarter inch thickness or less of Class 1, 4 cents per square foot may be added on quantities of 2,000 square feet and over and 5 cents on quantities under 2,000 square feet to the price of the glass so treated.

[2] On cut sizes up to and including 14" x 20" deduct 1 cent from cut size price shown above.

[3] On cut sizes up to and including 14" x 20" deduct 2 cents from cut size price shown above.

TABLE 2—POLISHED FIGURED GLASS

	Thickness (inch)	Stock sheets (per sq. ft.)	Cut sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut sizes: Under 2,000 sq. ft. (per sq. ft.)
Classes 2, 3, and 4 of table 1 above	2/32	$0.50	$0.50	$0.55
Class 5 of table 1 above	2/32	.40	.50	.50
Polished Figured Wire Glass (Crepe, Modernistic, Pebblex, and Syenite)	¼	.55	.55	.60

TABLE 3—POLISHED WIRE GLASS (NOT WELDED [1])

(a) ¼" thick

Bracket	Stock sheets (per sq. ft.)	Cut sizes (per sq. ft.)
Up to 1¼ sq. ft.	$0.39	$0.48
1¼ to 2½ sq. ft.	.45	.55
2½ to 5 sq. ft.	.50	.63
5 to 10 sq. ft.	.53	.66
10 to 25 sq. ft.	.55	.67
25 to 50 sq. ft.	.56	.67
Over 50 sq. ft. and/or 48" wide	.58	.69

[1] For polished wire glass furnished with welded wire 5 cents per square foot may be added to the price quoted above for polished wire glass.

(b) ⅜" and ½" thick (cut sizes only)

Bracket	⅜" thick	½" thick
Up to 2½ sq. ft.	$0.60	$0.80
Over 2½ sq. ft.	.75	1.00

(c) ⅝" and ¾" thick (cut sizes only)

Bracket	⅝" thick	¾" thick
Up to 1½ sq. ft.	$1.50	$2.00
Over 1½ sq. ft.	1.75	2.50

TABLE 4—HEAT ABSORBING ROLLED GLASS —ROUGH, HAMMERED OR RIBBED [1]

Thickness (inch)	Stock sheets (per sq. ft.)	Cut sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut sizes: Under 2,000 sq ft. (per sq. ft.)
PLAIN (WITHOUT WIRE)			
¼	$0.10	$0.12	$0.14
¼	.15	.17	.19
WIRE (NOT WELDED)			
¼	$0.19	$0.21	$0.23

[1] For frosted or glare reducing finishes 5 cents per square foot may be added to the price quoted above for heat-absorbing glass.

TABLE 5—HEAT ABSORBING POLISHED WIRE GLASS ¼" THICK

Bracket	Stock sheets (per sq. ft.)	Cut sizes (per sq. ft.)
Up to 2½ sq. ft.	$0.55	$0.65
2½ to 5 sq. ft.	.60	.73
5 to 10 sq. ft.	.63	.76
10 to 25 sq. ft.	.65	.77
25 to 50 sq. ft.	.66	.77
Over 50 sq. ft. and/or 48" wide	.68	.79

(d) *General provisions affecting price applicable to all products unless otherwise specified.* On glass (except polished wire glass, q. v.) over 48" wide there may be charged 2 cents per square foot additional.

The manufacturer may require that unless otherwise specified, each order for two thousand square feet or over of cut sizes shall be of one size and thickness of glass to avail of the price applicable under that heading.

Fractions may be charged at the next higher inch.

Triangles may be charged on the basis of rectangles from which they are cut.

Circles may be charged on basis of squares from which they are cut.

(e) *Discounts.* On all of the prices and charges set forth under paragraphs (c) and (d) of this Appendix A, a discount of 10 percent shall be given by the manufacturer to all purchasers, and such discount shall be prominently set forth on any and all price lists issued subsequent to the effective date of this Maximum Price Regulation No. 175 as an integral part thereof.

(f) *Maximum prices for all rolled and wire glass not expressly listed above in tables 1–5 of this Appendix A.* The maximum price for rolled and wire glass not expressly listed above in tables 1 to 5 of paragraph (c) of this Appendix A shall be such that the cost to the purchaser from a manufacturer is not in excess of what it was or would have been to such purchaser on October 1, 1941 (upon the basis of the prices, trade, quantity, and cash discounts, charges, deposits and allowances whether published or unpublished then listed or quoted by the manufacturer) for like quantities, thicknesses, patterns, grades, qualities, classes, types, kinds, shapes or sizes (bracket, cut, etc.) of such rolled and wire glass exclusive of any premium or charges or any other inducement that may then have been offered by the purchaser or demanded by the manufacturer to negotiate the sale.

(g) *Leeways and tolerances.* (1) Stock sheets shall at the request of the purchaser be sold within as narrow limits as those specified by the manufacturer on October 1, 1941, and with no greater leeways allowed than those allowed on October 1, 1941, by the manufacturer.

(2) In sales of glass covered by this Maximum Price Regulation No. 175, no change shall be made in the tolerance permitted from the tolerances permitted on October 1, 1941.

(h) *Additional charges allowed.* No additional charges other than those listed herein shall be allowed.

1. *Paper packing:* (Other than corrugated or indented) ½ cent per square foot additional.
2. *Boxing:*

Standard cases	Glass measurement: Up to and including 60 united inches	Glass measurement: Over 60 united inches
Rough rolled, figured, and wire glass less than ⅜" thick	$3.00	$4.00
Heat absorbing glass	3.00	4.00
Polished figured and polished wire	4.00	5.00

	⅜" thick	7/16" to ⅝" thick	¾" to ⅞"
Heavy figured and wire glass (not polished): Up to and including 100 sq. ft.	$2.50	$3.00	$3.50
101 to and including 275 sq. ft.	4.00		

Minimum cases:

Up to and including 40 united inches (glass measurement)	$0.50
41 to and including 60 united inches (glass measurement)	.75
61 to and including 100 united inches (glass measurement)	1.25
Over 100 united inches (glass measurement)	3.00

Special boxing on orders less than standard but over minimum case

	Boxing charge per sq. ft. of glass packed
Rough rolled, figured, wire and heat absorbing rolled glass: Up to and including ¼" thickness	$0.02
⅜" thickness	.02½
7/16", ½", and ⅝" thickness	.03
¾" and ⅞" thickness	.04
Polished figured and polished wire glass: 7/32", ¼", and ⅜" thickness	.02½
7/16", ½", and ⅝" thickness	.03
¾" thickness	.04

[3] *Grinding, cutting and sandblasting.*

	Up to and including ½" thickness	⅝" to ⅞" inclusive
Rounding corners—per lineal inch	$0.00½	$0.00¾
Grinding edges—per lineal inch	.00½	.00¾
Cutting circles—per inch of diameter	.01¼	.01¾
	Up to 2,000 sq. ft.	2,000 sq. ft. and over
Sandblasting: Full face only—per sq. ft.	$0.05	$0.04
Both sides—per sq. ft.	.10	.08

Where the charge for grinding, cutting or sandblasting does not equal as much as ten cents per light, a charge of ten cents per light may be made for each operation.

For cutting to pattern the manufacturer may make the same charges which he would have made on October 1, 1941.

4. *Miscellaneous packaging.* Stock sheets (except polished wire) of more than one pattern, 1 cent per square foot over stock sheet price.

Stock sheets (except polished wire) or more than one width, 1 cent per square foot over stock sheet prices.

Stock sheets (except polished wire) of limited lengths 1 cent per square foot over stock sheet prices.

Stock sheets (except polished wire) of less than 300 square feet, 1 cent per square foot over stock sheet prices.

5. LCL and LTL stock cases may be charged at 2 cents per square foot additional where shipment is to other than a jobber's own warehouse.

(i) *Minimum charge.* On orders the total charge for which (including the charge for boxing and not in addition thereto) amounts to less than one dollar, a charge of one dollar may be made.

(j) *Taxes.* There may be added to the maximum price established by this regulation the amount of tax levied by any Federal excise statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be paid separately by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer, or user.

(k) *Credit extension.* The maximum prices established by this Maximum Price Regulation No. 175 shall not be increased by any charges for the extension of credit and shall be reduced by 1 percent for payment within 10 days of delivery.

§ 1408.13 *Appendix B: Maximum prices for rolled and wire glass for the Western area.* (a) *Application.* The provisions of this Appendix B apply to all sales of rolled or wire glass in which the point of destination is within the states of Oregon, Washington, California, Nevada, Idaho, or Arizona.

(b) *Transportation practices.* The maximum prices set forth herein shall include at least the same amount of freight absorption and equalization as was or would have been absorbed or equalized by the manufacturer on comparable shipments to the same place of destination on October 1, 1941, and each manufacturer shall continue in effect all freight absorption and freight equalization practices observed by him on October 1, 1941.

(c) *Maximum prices for certain standard items of rolled and wire glass.*

TABLE 1—ROUGH ROLLED AND FIGURED GLASS

[*Class 1.—Rough rolled, hammered, and ribbed glass.*[1] Includes rough, hammered, and ribbed glass under whatever name sold and certain figured glass sold under the following trade names: Dewdrop, Hylite, Pentecor, Luminex, Skytex, Solite, and Velvex. For figured glass sold under the trade names Fabric, Factrolite, Industrex, and Luxlite one cent per square foot may be added to the prices set forth for glass in this Class 1]

PLAIN (WITHOUT WIRE)

Thickness	Stock sheets (per sq. ft.)	Cut sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut sizes: Under 2,000 sq. ft. (per sq. ft.)
1/16"	$0.055	[2] $0.065	[2] $0.075
2/32"	.10	.12	.14
⅛"	.14	.16	.18
7/16" or ½"		.23	.25

See footnotes at end of table.

TABLE 1—ROUGH ROLLED AND FIGURED GLASS—Continued

WIRE (NOT WELDED)

Thickness	Stock sheets (per sq. ft.)	Cut sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut sizes: Under 2,000 sq. ft. (per sq. ft.)
¼"	$0.12	[2] $0.14	[2] $0.15
⅜"	.18	.19	.20
7/16" or ½"		.27	.27
⅝"		.60	.60
¾"		.80	.80
⅞"		1.00	1.00

[*Class 2.—Rolled figured glass of florentine, maze or similar patterns.* Includes figured glass sold under the following trade names: Astralite, Crepe, Dewlite, Diffusex, Florex, Mazex, Meteor, Modernistic, Pebblex, Sterlex, and Syenite]

PLAIN (WITHOUT WIRE)

1/16"	$0.075	$0.09	$0.10
2/32"	12	.14	.15

WIRE (NOT WELDED)

¼"	$0.15	$0.17	$0.18

[*Class 3.—Rolled glass of pyramidal patterns.* Includes figured glass sold under the following trade names: Aurora, Prestlite, Pyramid, and Reglex]

PLAIN (WITHOUT WIRE)

1/16"	$0.09	$0.11	$0.13
2/32"	.14	.17	.18

WIRE (NOT WELDED)

UP TO 42"			
¼"	$0.21	$0.25	$0.27
44" TO 54"			
¼"	.24	.27	.29

[*Class 4.—Rolled glass known as ornamental plate.* Includes figured glass sold under the following trade names: Artex and Muralex]

PLAIN (WITHOUT WIRE)

1/16"	$0.17	$0.18	$0.19
2/32"	.17	.18	.19

[*Class 5.—Rolled glass known as louvred plate.* Includes patterns sold under the following trade names: Banglite, Barlite, Bevelite, Flutex, Louvrex, and Reedex]

PLAIN (WITHOUT WIRE)

1/16"	$0.20	$0.25	$0.25
2/32"	.20	.25	.25

[1] For frosted or glare reducing finish on glass of one-quarter inch thickness or less of Class 1, 4½ cents per square foot may be added to the price of the glass treated.

[2] On cut sizes up to and including 14" x 20" deduct 1 cent from cut size price shown above.

[3] On cut sizes up to and including 14" x 20" deduct 2 cents from cut size price shown above.

TABLE 2—POLISHED FIGURED GLASS

	Approximate thickness	Stock sheets (per sq. ft.)	Cut sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut sizes: Under 2,000 sq. ft. (per sq. ft.)
Classes 2, 3, and 4 of table one above	2/32" and ¼"	$0.50	$0.50	$0.55
Class 5 of table one above	2/32"	.40	.50	.50
Polished figured wire glass	¼"	.55	.55	.60

TABLE 3—POLISHED WIRE GLASS (NOT WELDED)[1]

(a) ¼" thick.

Bracket	Stock sheets (per sq. ft.)	Cut sizes per sq. ft.
Up to 1¼ sq. ft.	$0.39	$0.48
1¼ to 2½ sq. ft.	.45	.55
2½ to 5 sq. ft.	.50	.63
5 to 10 sq. ft.	.53	.66
10 to 25 sq. ft.	.55	.67
25 to 50 sq. ft.	.56	.67
Over 50 sq. ft. and/or 48" wide	.58	.69

[1] For polished wire glass furnished with welded wire 5 cents per square foot may be added to the price quoted above for polished wire glass.

(b) ⅜" and ½" thick (cut sizes only).

Bracket	⅜" thick	½" thick
Up to 2½ sq. ft.	$0.60	$0.80
Over 2½ sq. ft.	.75	1.00

(c) ⅝" and ¾" thick (cut sizes only).

Bracket	⅝" thick	¾" thick
Up to 1½ sq. ft.	$1.50	$2.00
Over 1½ sq. ft.	1.75	2.50

TABLE 4—HEAT ABSORBING ROLLED GLASS—HAMMERED OR RIBBED[1]

Thickness	Stock sheets (per sq. ft.)	Cut sizes: 2,000 sq. ft. and over (per sq. ft.)	Cut sizes: Under 2,000 sq. ft. (per sq. ft.)
PLAIN (WITHOUT WIRE)			
¼"	$0.12	$0.14	$0.16
¾"	.19	.21	.23
WIRE (NOT WELDED)			
¼"	$0.23	$0.25	$0.27

[1] For frosted or glare reducing finishes, 4½ cents per square foot may be added to the price quoted above for heat-absorbing glass.

TABLE 5—HEAT ABSORBING POLISHED WIRE GLASS ABOUT ¼" THICKNESS

Bracket	Stock sheets (per sq. ft.)	Cut sizes (per sq. ft.)
Up to 2½ sq. ft.	$0.50	$0.59
2½ to 5 sq. ft.	.54	.64
5 to 10 sq. ft.	.57	.69
10 to 25 sq. ft.	.59	.70
25 to 50 sq. ft.	.60	.70
Over 50 sq. ft. and/or 48" wide	.62	.72

(d) *Maximum prices for all rolled and wire glass not expressly listed above in Tables 1–5 of this Appendix B.* The maximum price for rolled and wire glass not expressly listed above in tables 1 to 5 of paragraph (c) of this Appendix B shall be such that the cost to the purchaser from a manufacturer is not in excess of what it was or would have been to such purchaser on October 1, 1941 (upon the basis of the prices, trade, quantity, and cash discounts, charges, deposits and allowances whether published or unpublished then listed or quoted by the manufacturer and upon the basis of the freight and delivery practices recognized by the manufacturer on October 1, 1941) for like quantities, thicknesses, patterns, grades, qualities, classes, types, kinds, shapes or sizes (bracket, cut, etc.) of such rolled and wire glass exclusive of any premium or charges or any other inducement that may then have been offered by the purchaser or demanded by the manufacturer to negotiate the sale.

(e) ***Application of certain paragraphs of Appendix A to Appendix B.*** Paragraphs (d), (g), (h), (i), (j) and (k) of § 1408.12 (Appendix A) of this Maximum Price Regulation No. 175 shall be applicable to this Appendix B.

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6398; Filed, July 6, 1942; 5:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 11 to the General Maximum Price Regulation [1]]

COST-OF-LIVING COMMODITIES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.13 (b) is amended to read as set forth below:

§ 1499.13 *Maximum prices of cost-of-living commodities: Statement, marking or posting.* • • •

(b) On or before July 1, 1942, every person offering to sell cost-of-living commodities at retail shall file with the appropriate War Price and Rationing Board of the Office of Price Administration a statement showing his maximum price for each such commodity, together with an appropriate description or identification of it. Such statement shall be kept up to date by such person by filing on the tenth day of every succeeding month a statement of his maximum price for any cost-of-living commodity newly offered for sale during the previous month, together with an appropriate description or identification of the commodity.

§ 1499.23a *Effective dates of amendments.* • • •

(k) Amendment No. 11 (§ 1499.13 (b)) shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6411; Filed, July 6, 1942; 5:22 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4489, 4659, 4738.

PART 1499—COMMODITIES AND SERVICES

[Amendment 12 to Supplementary Regulation 1 [1] to General Maximum Price Regulation [2]]

EXCEPTIONS FOR CERTAIN COMMODITIES, SALES, AND DELIVERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Subparagraph (26) of paragraph (a) in § 1499.26 is amended to read, as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

• • • • • •

(26) Any used, damaged or waste materials sold, delivered or transferred by the War Department or the Department of the Navy of the United States.

(e) ***Effective dates.*** • • •

(13) Amendment No. 12 (§ 1499.26 (a) (26)) to Supplementary Regulation No. 1 shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6397; Filed, July 6, 1942; 5:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 11 to Supplementary Regulation 1 [1] to General Maximum Price Regulation [2]]

EXCEPTIONS FOR CERTAIN COMMODITIES, SALES, AND DELIVERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

A new subparagraph (28) is added to § 1499.26 (a), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales, and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

• • • • • •

(28) Bark obtained from hemlock, oak, chestnut and spruce.

• • • • • •

(e) Effective dates. • • •

(12) Amendment No. 11 (§ 1499.26 (a) (28)) to Supplementary Regulation No. 1 shall become effective as of May 11, 1942.

[1] 7 F.R. 3156, 3488, 3892, 4183, 4410, 4423, 4487, 4493.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493.

(Public Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6412; Filed, July 6, 1942; 5:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 20]

PARAFFINE COMPANIES, INC.

By letter of May 28, 1942, the Paraffine Companies, Inc. of San Francisco, California applied to the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine maximum prices for certain new products designated camouflage mineral surfaced roofing, camouflage mineral surfaced split sheet roofing, and camouflage Dutch lap shingles and for instructions as to the method to be used in determining such prices. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, it is hereby ordered:

§ 1499.57 *Authorization for Paraffine Companies, Inc. to determine maximum prices for camouflage mineral surfaced roofing, camouflage mineral surfaced split sheet roofing and camouflage Dutch lap shingles.* (a) The maximum prices which may be charged for camouflage mineral surfaced roofing, camouflage mineral surfaced split sheet roofing or camouflage Dutch lap shingles shall be determined in accordance with the following formula:

Determine the unit platform cost (cost of raw materials, direct labor, accessories, factory overhead, packaging and loading,) of the new product, using as the cost of each constituent item of the platform cost the highest replacement cost for each such item during March 1942 and the highest rate charged during March 1942 for similar labor. Determine the average unit platform cost (including accessories) in March 1942, of the most comparable product manufactured by the Paraffine Companies in March. Add to the platform cost of the new product the commercial burden (general, administrative, and selling expenses) at the percentage rate prevailing in March, 1942, for the most comparable product, determining this percentage on the basis of the platform cost of the most comparable product. To this figure add the cost of freight to the f. o. b. selling point; the result is the total cost to make and sell at the f. o. b. selling point. To this total cost there may be added a margin of profit in an amount not to exceed the same prevailing percentage of profit per unit in relation to sales as was realized in March on sales of the most comparable product at the f. o. b. selling point.

The most comparable product to the camouflage mineral surfaced roofing is Paraffine Companies' 90 lb. mineral surfaced roofing; the most comparable product to camouflage mineral surfaced split sheet roofing is Paraffine Companies' mineral surfaced split sheet roofing; the most comparable product to camouflage Dutch lap shingles is Paraffine Companies' Dutch lap shingles.

A separate determination of price shall be made for each product for each f. o. b. selling point; all colors of a new product shall be considered one product.

(b) All freight equalization practices and allowances and discounts applicable to the sale of the most comparable product of Paraffine Companies, Inc. whether based on quantity, class of purchaser or any other cause shall be applicable to sales of any products whose maximum prices are established under this Order.

(c) Within ten days after a maximum price has been determined in accordance with this Order, Paraffine Companies, Inc. shall report that price to the Office of Price Administration, stating that the price was determined in accordance with the formula set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining that price. This report shall be filed under oath or affirmation and shall be filed in triplicate.

(d) Any selling price determined under this Order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 20 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 20 (§ 1499.57) shall become effective July 7, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6400; Filed, July 6, 1942; 5:18 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

PART 1499—COMMODITIES AND SERVICES

[Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 21]

MANGANESE ORES SOLD BY METALS RESERVE CO.

The Metals Reserve Company, Washington, D. C., has made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for the determination of a maximum price for certain manganese ores. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, it is ordered:

§ 1499.58 *Maximum prices for certain manganese ores sold by the Metals Reserve Company, Washington, D. C.* (a) On and after July 7, 1942, the Metals Reserve Company, Washington, D. C. may sell and deliver to the Sloss Sheffield Steel and Iron Company of Birmingham, Alabama, and the Sloss Sheffield Steel and Iron Company may purchase approximately 5,000 gross tons of Cuban nodulized ore containing approximately 50.60% manganese and approximately 5,000 gross tons of Cuban crude manganese ore containing approximately 45.1% manganese at a price not in excess of 81¢ per long ton unit of manganese content, based on 45% manganese content, plus 1¢ for each 1% of manganese in excess of 45%, North Birmingham, Alabama stockpile of Metals Reserve Company.

(b) This Order No. 21 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 21 (§ 1499.58) shall become effective July 7, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6413; Filed, July 6, 1942; 5:22 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 4 to Rationing Order 32]

SUGAR RATIONING REGULATIONS

A new item is added to § 1407.243, as set forth below:

Schedules

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
• •	• •	•
No. 7 (July 10 to Aug. 22, 1942).	Stamp No. 7..	2 pounds.

§ 1407.222 *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1407.243) to Rationing Order No. 3 shall become effective July 7th, 1942.

(Pub. Law 421, 77th Cong. 2d Sess., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E.)

Issued this 7th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6455; Filed, July 7, 1942; 11:59 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

[T.D. 50669]

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

PART 1—DOCUMENTATION OF VESSELS

EFFECTIVENESS EXTENDED

46 CFR 1.71 and 1.73 amended, and 46 CFR 1.84 rescinded, to permit documents issued to vessels under the act of June 6, 1941, to be effective until ordered surrendered by the Commissioner of Customs.

Section 1.71 (a),[1] Part 1, title 46, Code of Federal Regulations, is hereby amended to read as follows:

§ 1.71 *Vessels entitled to documents under the Act of June 6, 1941.* (a) The following vessels of 20 net tons or over may be registered under the act of June 6, 1941, as extended:

(1) Any vessel (except a vessel constructed under the provisions of the Merchant Marine Act, 1936, as amended), not documented under the laws of the United States, acquired by or made available to the U. S. Maritime Commission under the act of June 6, 1941, or otherwise, or acquired by or made available to the War Shipping Administration under the act of June 6, 1941, as modified by Executive Order No. 9054, dated February 7, 1942, or otherwise.

(2) Vessels registered pursuant to this section shall not engage in the coastwise trade unless in possession of a valid unexpired permit to engage in that trade issued by the U. S. Maritime Commission under authority of section 5 (c) of the act of June 6, 1941, or by the War Shipping Administration under authority of that section as modified by Executive Order No. 9054, dated February 7, 1942.

Section 1.73 (c),[2] Part 1, title 46, Code of Federal Regulations, is hereby amended to read as follows:

§ 1.73 *Marine documents under the act of June 6, 1941, classes.* • • •

(c) Every marine document issued under the act of June 6, 1941, shall be valid until the effective date of an order of the Commissioner of Customs requiring its surrender, unless sooner terminated as provided for in any of the provisions of §§ 1.70 to 1.85 of this chapter.

Section 1.84, Part 1, title 46, Code of Federal Regulations, is hereby rescinded.

(Secs. 1.71, 1.73 amended, and 1.84 rescinded under authority contained in sec. 5, 55 Stat. 242, Public Law 610, 77th Congress. E.O. 9054, 9083; 7 F.R. 837, 1609)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: July 2, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6451; Filed, July 7, 1942; 11:16 a. m.]

[1] 6 F.R. 2794; 7 F.R. 2712.
[2] 6 F.R. 2794.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 42—RULES GOVERNING THE DESTRUCTION OF RECORDS OF TELECOMMUNICATION CARRIERS

Correction

Attention is directed to the following error which appeared in the Saturday, July 4, 1942, issue of the FEDERAL REGISTER (7 F.R. 5090):

"July 30, 1942" should read "June 30, 1942."

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6439; Filed, July 7, 1942; 10:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O.D.T. No. 15]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART E—COASTWISE MOVEMENT OF COAL BETWEEN UNITED STATES PORTS ON THE ATLANTIC OCEAN

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, in order to prevent terminal congestion at rail gateways and port areas in the movement of troops and materials and supplies of war, and to assure maximum utilization of the facilities, services, and equipment of common carriers by railroad for the preferential transportation of such traffic, and to prevent shortages of equipment necessary for such transportation, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to expedite the movement and provide for the maximum flow of such traffic; and to conserve and providently utilize the transportation facilities and services of railroads and ocean-going colliers, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

Sec.
502.30 Definitions.
502.31 Transportation of coal between certain Atlantic ports prohibited.
502.32 Records and reports.

AUTHORITY: §§ 502.30 to 502.32, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 502.30 *Definitions.* As used in this subpart:

(a) The term "vessel" means any self-propelled ship, having a gross register tonnage of one thousand tons or more, documented under the laws of the United States or owned by a citizen of the United States, which transports or which is capable of transporting cargo in bulk. The determination of the capability of any ship to transport cargo in bulk, within the meaning of this definition, shall be made by the Director of Defense Transportation and shall be final.

(b) The term "Hampton Roads area" shall include Sewall's Point and Lambert's Point, Virginia, and all piers, docks, and other points and places in Newport News and Norfolk, Virginia.

§ 502.31 *Transportation of coal between certain Atlantic ports prohibited.* No vessel shall accept for shipment, forward, or transport any shipment of coal between ports, points, or places in the United States on the Atlantic Ocean or its connecting or tributary waters, north of and including the Hampton Roads area, except:

(a) From the Hampton Roads area to a port, point or place east of Stonington, Connecticut;

(b) Pursuant to the terms of a special or general permit issued by the Director of Defense Transportation or by special permit issued by the Director of the Division of Coastwise and Intercoastal Transport of this Office.

§ 502.32 *Records and reports.* Every person owning, controlling, or operating a vessel engaged in the transportation of coal between ports, points, or places in the United States on the Atlantic Ocean or its connecting or tributary waters, shall prepare and maintain such records and make such reports with respect to the transportation of coal embraced in this subpart as this Office may hereafter require and shall keep such records available for convenient inspection by accredited representatives of this Office.

This subpart shall become effective July 22, 1942, and remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 6th day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6395; Filed, July 6, 1942; 3:46 a. m.]

[General Order O.D.T. No. 16]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART F—FREIGHT SHIPMENTS VIA PORTS IN THE UNITED STATES

By virtue of the authority vested in me by Executive Order No. 8989, approved December 18, 1941, and in order to coordinate and direct domestic traffic movements with the objective of preventing possible points of traffic congestion and to assure the orderly and expeditious movement of materials and supplies of war to points of need; to coordinate domestic traffic movement with ocean shipping in order to avoid terminal congestion at ports in the United States, and in order to maintain a maximum flow of traffic, the attainment of which purposes is essential to the prosecution of the war,

It is hereby ordered, That:

Sec.
502.40 Definitions.
502.41 Transportation of government export or overseas freight; block permits required.
502.42 Transportation of commercial freight; unit permits required.
502.43 No permits required for less-than-carload, less-than-carload via barge, and less-than-truckload commercial shipments.
502.44 Transportation of export or overseas freight within port areas for loading on vessels.
502.45 Shipments or proposed shipments intended for shipment by water.
502.46 Reconsignment.
502.47 When O.D.T. block, unit and local port permits may be issued.
502.48 Suspension of operation of provisions of this subpart; suspension or cancellation of O.D.T. block, unit, and local port permits.
502.49 Cancellation of Instruction O.D.T. No. 1; effective dates of this subpart.

AUTHORITY: §§ 502.40 to 502.49, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 502.40 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, association, municipal corporation, or other type of legal entity, or any trustee, receiver, assignee, or personal representative thereof.

(b) The term "carrier" means any person who transports property, including any person engaged in express or freight forwarding operations.

(c) The terms "export freight" and "overseas freight" mean any freight destined or intended for movement offshore, by water, from any port or point in the United States to any other port or place.

(d) The term "commercial freight" means any export or overseas freight which is shipped or transported by or in behalf of or for any person other than a governmental agency to himself or to another such person and in the movement of which a governmental agency has no special interest as owner or potential owner or otherwise.

(e) The term "bank" means any place designated, selected, or established by the Transportation Control Committee in cooperation with the Board of Economic Warfare and other interested governmental agencies at a port or point in the United States for the holding or storage of export or overseas freight pending the availability of space in a vessel for the transportation thereof.

(f) The terms "O.D.T. block permit" and "O.D.T. unit permit" mean a permit issued as herein provided as evidence of, or attesting to, the fact that cargo space is available in a vessel at a port or point in the United States for the transportation therefrom to its intended destination of the export or overseas freight to which such permit applies, or that such space will be available at such port or point for such transportation within a reasonable time after arrival of the freight thereat, or that a bank is maintained at such port or point at or in which such freight may be held or stored pending the availability of space in a vessel for the transportation of such freight to its intended destination.

(g) The term "O.D.T. local port permit" means a permit issued as herein provided as evidence of, or attesting to, the fact that cargo space in a vessel for the transportation of the shipment or proposed shipment of export or overseas freight described in the permit to its intended destination is at the time of issuance of the permit, or immediately thereafter will be, available in the port area in which the shipment or proposed shipment is located.

(h) The term "license" means an export license issued by the Office of Export Control of the Board of Economic Warfare.

§ 502.41 *Transportation of Government export or overseas freight; block permits required.* (a) No carrier shall accept for transportation or transport to or for any governmental agency, or in its behalf or for its benefit, to any port or point in the United States for transportation therefrom by water any carload, carload via barge, or truckload of export or overseas freight unless there is outstanding a valid and effective O.D.T. block permit in respect of such freight and port or point, issued as hereinafter provided, and unless the number of such permit has been endorsed or inscribed upon the face of the waybill, bill of lading, and other shipping documents in substantially the following form: O.D.T. block permit No. QMR–WB–1408–10, or unless the permit accompanies the freight while in transit.

(1) In respect of a shipment or proposed shipment originating in the United States, an O.D.T. block permit issued by the Traffic Control Division, Office of the Chief of Transport, Headquarters, Services of Supply, War Department, consistently with the provisions of § 502.47 hereof.

(2) In respect of a shipment or proposed shipment originating in the Dominion of Canada an O.D.T. block permit issued by T. C. Lockwood, Transport Controller of the Dominion of Canada, Montreal, Quebec, Canada, consistently with the provisions of § 502.47 hereof.

(b) Applications for an O.D.T. block permit for shipments or proposed shipments originating in the United States may be made to the government procurement or purchasing agency from which the shipper secured a government contract for the manufacture, production, or sale of the articles or commodities constituting the shipment or proposed shipment, and such agency shall immediately refer the application together with its recommendations, if any, as such agency may deem desirable, to the said Traffic Control Division for the issuance of an O.D.T. block permit consistently with the provisions of § 502.47 hereof.

§ 502.42 *Transportation of commercial freight; unit permits required.* (a) Except as provided in § 502.43, no carrier shall accept for transportation or transport to any port or point in the United States for shipment therefrom by water any commercial freight unless there is outstanding a valid and effective O.D.T. unit permit in respect of such freight and port or point, issued as hereinafter provided, and unless the number of such permit has been endorsed or inscribed upon the face of the waybill or bill of lading, transportation instructions and any other shipping documents in substantially the following form: O.D.T. unit permit No. 1P–2620–10, or unless the permit accompanies the freight while in transit.

(1) In respect of any shipment or proposed shipment, except such as are mentioned in paragraph (b) of this § 502.42, originating in the United States, and O.D.T. unit permit issued by the War Shipping Administration upon application therefor. Such application shall be presented to the owner or operator of the vessel intended to be employed accompanied by evidence that a valid license has been issued for such shipment. If there is or will be cargo space available in such vessel for such shipment or proposed shipment, such owner or operator shall transmit or convey the application, together with evidence of the issuance of said license, and evidence that space is or will be available on the vessel, to the War Shipping Administration for issuance of an O.D.T. unit permit consistently with the provisions of § 502.47 hereof.

(2) In respect of any shipment or proposed shipment, except such as are mentioned in paragraph (b) of this § 502.42, originating in the Dominion of Canada, an O.D.T. unit permit issued by T. C. Lockwood, Transport Controller of the Dominion of Canada, Montreal, Quebec, Canada, consistently with the provisions of § 502.47 hereof.

(b) In respect of any shipment or proposed shipment of 2,240 pounds or more, whether originating in the United States or the Dominion of Canada, and which is intended to or shall move by water from any port or point in the United States, destined for any port or point in any American Republic named in paragraph (c) of this § 502.42, an O.D.T. unit permit, issued by the War Shipping Administration upon application therefor. Such application shall be made by the shipper or his agent to the Office of Export Control, Board of Economic Warfare, Washington, D. C., upon a form prescribed by said Board. If said Board approves the application, the approval shall be noted thereon and the application forwarded to the War Shipping Administration for issuance of an O.D.T. unit permit consistently with the provisions of § 502.47 hereof.

(c) Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

§ 502.43 *No permits required for less-than-carload, less-than-carload via barge, and less-than-truckload commercial shipments.* Except as to shipments or proposed shipments mentioned in § 502.42 (b) hereof no O. D. T. unit per-

mit shall be required in respect of any less-than-carload, less-than-carload via barge, or less-than-truckload shipment of commercial freight: *Provided*, That the bill of lading, waybill, or other shipping or transportation document pertaining to such shipment bears on the face thereof the number of the contract with the owner or operator of the vessel in which such freight is to be shipped, and the number of the Board of Economic Warfare license issued for or pertinent to such shipment.

§ 502.44 *Transportation of export or overseas freight within port areas for loading on vessels.* No carrier shall accept for transportation or transport from storage, or from any point of manufacture, assembly, or sale, or from any bank, located in any port area any commercial freight shipment or proposed shipment of 2,240 pounds or more destined by water to any American Republic mentioned in paragraphs (b) and (c) of § 502.42 hereof, or any carload, carload via barge, or truckload shipment or proposed shipment of export or overseas freight, to any pier, wharf, or other place for loading upon any vessel, or to any vessel, in such port for transportation therefrom unless there has been issued as hereinbelow provided and there is outstanding a valid O.D.T. local port permit in respect of such shipment or proposed shipment:

(1) In respect of a shipment or proposed shipment of commercial freight, an O.D.T. local port permit issued by the War Shipping Administration consistently with the provisions of § 502.47 hereof.

(2) In respect of a shipment or proposed shipment of export or overseas freight, other than commercial freight, an O.D.T. local port permit issued by the Traffic Control Division, Office of the Chief of Transport, Headquarters, Services of Supply, War Department, consistently with the provisions of § 502.47 hereof.

§ 502.45 *Shipments or proposed shipments intended for shipment by water.* The provisions of this subpart are applicable to any shipments or proposed shipments embraced within its terms and intent regardless of the manner or style in which such shipments may be billed, or whether domestic or export rates are applied, or whether for public, railroad or private storage. Carriers and shippers must comply strictly with this subpart in respect of any such shipments.

§ 502.46 *Reconsignment.* No export or overseas freight shall be reconsigned or transported to any port or point in the United States other than that named in the O.D.T. block or unit permit covering such shipment for shipment by water from such port or point unless a new valid and effective O.D.T. block or unit permit has been issued in respect of such freight and port or point.

§ 502.47 *When O.D.T. block, unit and local port permits may be issued.* (a) No O.D.T. block permit or O.D.T. unit permit shall be issued unless, at the time of its issuance, there is cargo space available in a vessel at the port or point in the United States named in the permit for the transportation therefrom to its intended destination of the export or overseas freight described therein, or unless such space will be available at such port or point for such transportation within a reasonable time after the arrival of the freight at the port or point named or unless a bank is maintained at the named port or point in or at which such freight may be held or stored pending the availability of cargo space in a vessel for the transportation of such freight to its intended destination.

(b) No O.D.T. local port permit shall be issued unless at the time of its issuance, or immediately thereafter, there is or will be cargo space available in a vessel at the port or point named in the permit for the transportation therefrom of the export or overseas freight mentioned in the permit.

§ 502.48 *Suspension of operation of provisions of this subpart; suspension or cancellation of O.D.T. block, unit and local port permits.* (a) The operation of this subpart or any part thereof may be suspended indefinitely or for stated periods by orders in writing issued jointly by the Director of the Division of Traffic Movement and the Director of the Division of Rail Transport of the Office of Defense Transportation in respect of any freight or traffic, the movement of which to ports or points in the United States is so controlled or handled as, in the opinion of such Directors, not to create congestion of such ports or points, or when the needs or exigencies of the war or of the military or naval forces will be better served by any such suspension.

(b) Any O.D.T. block or unit permit may be suspended or cancelled by the authority or officer which or who issued it for error in its issuance or upon the occurrence of a change in the circumstances or shipping conditions at the port or point named in such permit whereby cargo space for the shipment involved is not likely to become available within a reasonable time, and the holding or storage of the shipment in a bank is impractical or impossible or would not serve the purposes of this subpart.

(c) Any O. D. T. local port permit may be suspended or cancelled by the authority or officer who or which issued it for error in its issuance or upon the occurrence of a change in the circumstances or shipping conditions at the port or point named in the permit whereby cargo space for the shipment involved has become unavailable.

§ 502.49 *Cancellation of Instruction O.D.T. No. 1; effective dates of this subpart.* (a) Instruction O.D.T. No. 1,[1] except § 502.11 thereof is hereby cancelled effective upon the date mentioned in paragraph (d) of this § 502.49.

(b) § 502.11 of Instruction O.D.T. No. 1 is hereby cancelled effective at midnight of July 31, 1942.

(c) § 502.42 of this subpart shall become effective August 1, 1942; and shall remain in full force and effect until the further order of this Office.

(d) All other sections and provisions of this subpart shall become effective July 10, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C., this 6th day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6441; Filed, July 7, 1942; 11:12 a. m.]

[1] 7 F.R. 4345, 4461.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-245]

DOWLING COAL COMPANY

NOTICE OF FILING OF APPLICATION FOR DISPOSITION OF PROCEEDING WITHOUT FORMAL HEARING

In the matter of Lawrence H. Dowling, doing business as Dowling Coal Company, registered distributor, Registration No. 2472.

Notice is hereby given that Lawrence H. Dowling, doing business as Dowling Coal Company, Registered Distributor, Registration No. 2472, (the "Distributor"), named in the above-entitled matter, filed an application dated June 22, 1942, pursuant to § 301.132 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division for disposition of this proceeding without formal hearing.

In said application, the Distributor admits having committed the acts and having failed to take action resulting in violations of the Code and regulations thereunder referred to in paragraphs 1, 2, 3 and 4 of the Notice of and Order for Hearing herein, consents to the entry of an order requiring him to return to Code Members all discounts and commissions received on said transactions and transactions referred to in paragraph 5 of said Notice of and Order for Hearing, and agrees to the entry of an order suspending his registration as a Distributor for a period of sixty (60) days from the date of service of said order and to an order requiring him to cease and desist from further violations.

The violations referred to in said paragraphs of the Notice of and Order for Hearing are as follows:

1. Acceptance and retention by the Distributor of a discount of 25 cents per net ton on approximately 274 tons of run of mine coal purchased by him from Forks Coal Mining Company, Code Member, and resold to Emerson Manufacturing Company during the period January 20 to March 28, 1941, whereas, the maximum allowable discount on such coal was 12 cents per net ton resulting in violation of paragraph (a) of the Distributor's Agreement filed with the Division.

2. Participating in a violation of order entered in General Docket No. 19 on October 9, 1940, by the purchase of approximately 54.15 tons of run of mine coal from J. Bruce Anderson, an individual doing business as Helen Jennings Coal Company, Code Member, and the resale thereof to Tilton Worsted Mills, Tilton, New Hampshire, on or about January 9, 1941, although effective minimum prices, temporary or final, had not been established by the Division for said coal, resulting in violation of paragraph (e) of the Distributor's Agreement.

3. Acceptance and retention by the Distributor of a discount of 17 cents per net ton on approximately 110 tons of run of mine coal purchased by him from said J. Bruce Anderson, Code Member, and resold to said Tilton Worsted Mills during the period January 20 to February 25, 1941, whereas, the maximum allowable discount on such coal was 12 cents per net ton, resulting in violation of paragraph (a) of the Distributor's Agreement.

4. Granting settlements or allowances of 25 cents per net ton to Manchester Gas Company and Public Service Company, both of Manchester, New Hampshire, on or about September 23, 1941, for alleged substandard preparation, on approximately 486 tons of nut and slack purchased by him from said J. Bruce Anderson, Code Member, without complying with section X of the Marketing Rules and Regulations, resulting in the sale of said coal below the effective minimum price therefor in violation of Section 4, Part II (e) of the Act and Part II (e) of the Code, and resulting in violations of Rule 1, subparagraphs (a), (b), (c) and (d) of said section X and paragraphs (b), (e) and (f) of the Distributor's Agreement.

5. Granting the settlements or allowances described in paragraph 4 above, also resulted in violations of Rules 2, 4 and 6, respectively, of section XIII of the Marketing Rules and Regulations, section 4, Part II (i), paragraphs 2, 4 and 6, respectively, of the Act, Part II (i), paragraphs 2, 4, and 6, respectively, of the Code, and paragraphs (c) and (e) of the Distributor's Agreement.

In his said application, the Distributor states that to the best of his knowledge and belief he has not committed any other violations of the Act, the Code or the regulations thereunder, whether of the same or of any other character, except as follows and as to such additional admitted violations, the Distributor agrees to the incorporation thereof in the Notice of and Order for Hearing herein by way of amendment or supplement thereto:

The Distributor made deliveries after thirty (30) days after the effective dates of spot orders for coal purchased from C. A. Hughes & Company, Cresson, Pennsylvania, Code Member, and New England Coal & Coke Company, subsales agent for Koppers Coal Company, Code Member.

Interested parties desiring to do so may file recommendations, or request for informal conference in respect to the above-described application within fifteen (15) days from the date of this notice.

Dated: July 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6421; Filed, July 7, 1942; 10:38 a. m.]

W. F. SEYMORE

ORDER REVOKING REGISTRATION

W. F. Seymore, Registered Distributor (Registration No. 8278), having advised the Division that he discontinued business as a distributor of bituminous coal on June 6, 1942, and having surrendered his Certificate of Registration as a registered distributor for cancellation, and it appearing that said registration as a distributor should be revoked;

It is, therefore, ordered, That the registration of W. F. Seymore as a distributor be, and the same is hereby revoked.

It is further ordered, That in event the said W. F. Seymore at any time subsequent hereto makes application for re-registration, as a distributor, the Division, in considering any such new application may proceed to determine to what extent, if any, the said W. F. Seymore may have violated any provisions of the Bituminous Coal Act of 1937, as amended, or any rules and regulations issued thereunder, while previously registered as a distributor, and attach such conditions to the granting of re-registration as may be consistent with such determination and the applicable provisions of the Act and the rules and regulations of the Division.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6429; Filed, July 7, 1942; 10:38 a. m.]

[Docket No. B-263]

CROZIER COAL COMPANY

ORDER POSTPONING HEARING AND REDESIGNATING EXAMINER

In the matter of E. F. Crozier and E. W. Crozier, individually and as copartners, doing business under the name and style of Crozier Coal Company, code member.

The above-entitled matter having been heretofore scheduled for hearing on July 15, 1942, at 10 a. m. at a hearing room of the Division at the U. S. District Court Room, Centerville, Iowa; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from July 15, 1942, at 10 a. m. to August 8, 1942, at 10 a. m. at a hearing room of the Division at the District Court Room, Centerville, Iowa.

It is further ordered, That Charles O. Fowler or any other officer of the Division that may be designated for that purpose shall preside at said hearing vice D. C. McCurtain.

Dated: July 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6422; Filed, July 7, 1942; 10:38 a. m.]

[Docket No. B-98]

H. G. LUCAS

ORDER CONDITIONALLY RESTORING CODE MEMBERSHIP

A written complaint in the above-entitled matter, dated October 13, 1942, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed with the Bituminous Coal Division (the "Division"), on October 16, 1941, by Bituminous Coal Producers Board for District No. 1, a district board, complainant; and

Pursuant to Notice of and Order for Hearing dated November 10, 1941, said matter having come on for hearing and having been heard before a duly designated Examiner of the Division at Altoona, Pennsylvania, on December 15, 1941; and

An Order having been issued herein on February 20, 1942, cancelling and revoking the membership of Harry G. Lucas in the Bituminous Coal Code (the "Code"), as of fifteen (15) days from the date of said Order, and providing, pursuant to Section 5 (c) of the Act, for the payment to the United States of a tax in the amount of $794.51 as a condition precedent to reinstatement of H. G. Lucas to membership in the Code; and

An agreement, dated May 26, 1942, between Harry G. Lucas and Walter L. Miller, Collector of Internal Revenue, Treasury Department of the United States, Pittsburgh, Pennsylvania, and letter, dated June 22, 1942, from D. S. Bliss, Deputy Commissioner of Internal Revenue, having been filed with the Division on June 23, 1942, from which it appears that said Harry G. Lucas makes application for conditional reinstatement to membership in the Code upon his agreement to pay said tax in the amount of $794.51 in installments as set forth in said agreement upon the understanding that in the event he fails to make any installment payment as provided in said agreement the entire balance of said tax then owing shall become due and payable and that the 19½% tax provided by section 3520 (b) (1) of the Internal Revenue Code shall be imposed upon all coal produced by said Harry G. Lucas and sold or otherwise disposed of by him on and after March 8, 1942.

Now, therefore, it is ordered, That the membership of Harry G. Lucas in the Code be and the same hereby is conditionally restored as of March 7, 1942, upon the following terms and conditions:

In the event of default in making any installment payment as provided in said agreement made May 26, 1942, between said Harry G. Lucas and Walter L. Miller, Collector of Internal Revenue, such con-

ditional restoration of code membership shall become wholly ineffective as of March 7, 1942, the entire balance of said tax then owing shall become due and payable and the 19½% tax provided by section 3520 (b) (1) of the Internal Revenue Code shall be imposed on all coal produced by said Harry G. Lucas and sold or otherwise disposed of by him on and after March 8, 1942.

It is further ordered, That upon the payment of said tax in full in accordance with the terms of said agreement, said Harry G. Lucas shall submit to the Division the receipt therefor issued by said Collector, or a statement by said Collector that said tax has been fully paid, and thereupon an order will be issued restoring said Harry G. Lucas to full membership in the Code.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6431; Filed, July 7, 1942; 10:38 a. m.]

[Docket No. B-271]

RICHARDS & SANFORD

ORDER POSTPONING HEARING

In the matter of Belmont Richards and George Sanford, individually and as copartners doing business under the name and style of Richards & Sanford, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on July 31, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Franciscan Hotel, Albuquerque, New Mexico; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from July 31, 1942, at 10 a. m., to August 17, 1942, at 10 a. m., at a hearing room of the Division at the Franciscan Hotel, Albuquerque, New Mexico, before the officer or officers heretofore designated to preside at said hearing.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6423; Filed, July 7, 1942; 10:39 a. m.]

[Docket No. 1661-FD]

BEACH COAL COMPANY

ORDER REVOKING AND CANCELLING CODE MEMBERSHIP

A complaint having been filed with the Bituminous Coal Division on June 16, 1941, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 4, and having been amended to allege wilful violation by Marie Beach, doing business as Beach Coal Company, a code member in District No. 4, of the Bituminous Coal Code or rules and regulations thereunder, as follows:

That the code member with full knowledge of the requirements of the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, and with intent to violate the same, sold, during the period between January and April 1941, approximately 8,000 tons of lump, egg, nut, stoker, run of mine, and nut-slack coals produced at the Smith Mine (Mine Index No. 1628) to the Leader Coal Company of Akron, Ohio, at prices 90 cents per ton below the effective minimum prices for such coals and that the code member failed to maintain records relating to the sales and shipments of coal by truck and failed to file copies of truck tickets evidencing the sales of coal shipped by truck or a listing of such sales;

Pursuant to Order of the Acting Director and after due notice to interested persons, a hearing in this matter having been held on Sepember 8, 1941, before W. A. Cuff, a duly designated Examiner of the Division, at a hearing room thereof in Akron, Ohio, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The preparation and filing of a report by the Examiner having been waived, and the record in the proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;[1]

Now, therefore, it is ordered, That pursuant to section 5 (b) of the Act, the code membership of Marie Beach, doing business as Beach Coal Company, operating the Smith Mine (Mine Index No. 1628), located in District No. 4, be, and it hereby is, revoked and cancelled.

It is further ordered, That prior to any reinstatement to membership in the Code, Marie Beach, doing business as the Beach Coal Company, shall be required to pay to the United States a tax in the amount of $6,720.21, as provided in Section 5 (c) of the Bituminous Coal Act of 1937.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6430; Filed, July 7, 1942; 10:39 a. m.]

[Docket Nos. A-1481 and A-1481, Part II]

DISTRICT BOARD 13

RELIEF GRANTED; NOTICE OF HEARING, ETC.

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

In the matter of the petition of District Board No. 13 for the revision of minimum prices for the coals of the Happy Hollow Mine (Mine Index No. 326) of J. A. Garrett and for the establishment of price classifications and minimum prices for the coals of the Cross Roads Mine (Mine Index No. 171) of Supreme Black Creek Coal Co., Inc., for all shipments except truck.

Memorandum opinion and order severing Docket No. A-1481, Part II from Docket No. A-1481; order granting temporary relief in part in Docket No. A-1481, Part II and notice of and order for hearing in Docket No. A-1481 Part II.

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 13 and revising the minimum prices applicable for the coals of the Happy Hollow Mine (Mine Index No. 326) of J. A. Garrett for all shipments except truck.

As indicated in an Order issued today in Docket No. A-1481, a reasonable showing of necessity has been made for the relief prayed by the petitioner except as to certain mines as explained therein, and except as to Mine Index No. 326, and the Cross Roads Mine (Mine Index No. 171) of Supreme Black Creek Coal Co., Inc.

The original petition prays for a decrease in the minimum prices applicable to the coals in Mine Index No. 326 in certain size groups for all shipments except truck. It also prays for the establishment of price classifications and minimum prices in additional size groups for the coals of Mine Index No. 171 for all shipments except truck from Natural Bridge, Alabama, only, whereas the price classifications and minimum prices for all shipments except truck heretofore established for this mine in other size groups, by Order issued March 17, 1942, in Docket No. A-1049 Part II, are for shipments from both Natural Bridge and Eldridge, Alabama.

It appears that a hearing is necessary to determine whether the decreased minimum prices for the coals of Mine Index No. 326 proposed by the original petitioner are proper and whether both Natural Bridge and Eldridge, Alabama, are necessary as shipping points for the coals of Mine Index No. 171.

Now, therefore, it is ordered, That the portion of Docket No. A-1481 relating to the coals of Mine Index Nos. 326 and 171 be, and it hereby is, severed from the remainder of Docket No. A-1481 and designated as Docket No. A-1481 Part II.

It is further ordered, That a hearing in Docket No. A-1481 Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on August 4, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the undersigned proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

[1] Not filed with the original document.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 30, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 13 for a decrease in the effective minimum prices for the coals of the Happy Hollow Mine (Mine Index No. 326) of J. A. Garrett for all shipments except truck as follows:

Size groups	1	2	7	13	22	23
From	295	295	275	280	270	260
To	250	250	230	230	225	220

and the determination as to whether both Natural Bridge and Eldridge, Alabama, are necessary as shipping points for the Size Groups 7, 19, 20, 21, 22, and 26 coals of the Cross Roads Mine (Mine Index No. 171) of the Supreme Black Creek Coal Co., Inc.

It is further ordered, That pending final disposition of Docket No. A-1481 Part II, temporary relief is granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 13 for All Shipments Except Truck is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Temporary Supplement R," annexed hereto and made a part hereof.

Notice is hereby given that applications to stay, terminate or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6432; Filed, July 7, 1942; 10:39 a. m.]

[Docket No. B-164]

REED & RENNICK

NOTICE OF AND ORDER FOR HEARING

In the matter of Kenneth Reed and George W. Rennick, individually and as co-partners, doing business under the name and style of Reed & Rennick, Code Member.

A complaint dated December 1, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, (the "Act"), having been duly filed on December 4, 1941, by Bituminous Coal Producers Board for District No. 11, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Kenneth Reed and George W. Rennick, individually and as co-partners, doing business under the name and style of Reed & Rennick (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on August 3, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the County Court House, Danville, Illinois.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Code or directing the Code member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging wilful violations by the above named Code member as follows:

That during the period October 1, 1940 to January 18, 1941, both dates inclusive, the said Kenneth Reed, whose address is Route #1, Covington, Indiana, and George W. Rennick, whose address is Cates, Indiana, individually and as co-partners, doing business under the name and style of Reed & Rennick, code member, whose code membership became effective as of August 1, 1940, sold to unknown purchasers the following described coals produced by said code member at the Reed & Rennick Mine, (formerly Cadman & Reed Mine), Mine Index No. 326, located in Fulton Township, Fountain County, Indiana, in District No. 11, at prices less than those prescribed therefor in the Schedule of Effective Minimum Prices for District No. 11 For Truck Shipments:

(a) Approximately 45 tons of 1¼" lump coal, Size Group 6, produced at said mine, at prices ranging from $1.00 to $2.40 per ton, whereas the effective minimum price for such coal is $2.45 per net ton, f. o. b. said mine.

(b) Approximately 126 tons of 1¼" x ⅞" nut coal, Size Group 10, produced at said mine, at prices ranging from 80 cents to $1.60 per ton, whereas the effective minimum price for such coal is $1.85 per net ton, f. o. b. said mine.

(c) Approximately 15 tons of ⅞" x 7/16" coal, Size Group 10, produced at said mine, at a price of $1.00 per ton, whereas the effective minimum price for such coal is $1.85 per net ton, f. o. b. said mine, resulting in violations of section 4 II (e) of the Act and Part II (e) of the Code.

That said code member failed to record on the copies of the truck tickets, sales slips, invoices, and other memoranda or records, the information required by section III (b), and particularly Paragraphs 1 and 8 of Order No. 307 of the Bituminous Coal Division, and failed to maintain and keep on file mine bulletins, as required by section IV of said Order, resulting in violations of the Act, the Code and rules and regulations promulgated thereunder.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6424; Filed, July 7, 1942; 10:40 a. m.]

[Docket No. A-1519]

DISTRICT 13 STOKER COAL PRICES

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for stoker coal for certain mines in District No. 13.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 4, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 30, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 13 for the establishment of a price classification and a minimum price for stoker coal for domestic use, 50 cents above the price established for Size Group 18 coals, for the following mines in Subdistrict No. 1, of District No. 13: Mine Index Nos. 3, 4, 6, 7, 8, 9, 11, 13, 14, 17, 18, 19, 21, 22, 23, 29, 77, 78, and 1306.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6425; Filed, July 7, 1942; 10:40 a. m.]

[Docket No. A-1495]

DISTRICT BOARD 14

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 14 for revision of price classifications and minimum prices for certain mines in District No. 14.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 10, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, at the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 1, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the petition.

The matter concerned herewith is in regard to the petition of District Board No. 14 for revision of the price classifications and minimum prices applicable to the coals of the mines enumerated in said petition in the manner and to the extent set forth therein.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6428; Filed, July 7, 1942; 10:41 a. m.]

[Docket No. A-1512]

DISTRICT BOARD 2—MCDONALD MINING CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Bituminous Coal Producers Board for District No. 2 for a change in the minimum prices established for the coals of the Verner Mine (Mine Index No. 1888) of McDonald Mining Company.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 12, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N.W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 5, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a change in the minimum prices and price classifications for coals produced in District No. 2 at the Verner Mine (Mine Index No. 1888) of McDonald Mining Company, from the present price classifications of J, J, H, H, H, H, J, J, and J, Size Groups 1 through 9, inclusive, to price classifications of C, C, C, C, F, F, H, H, and H, in Size Groups 1 through 9, inclusive.

Dated: July 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6426; Filed, July 7, 1942; 10:40 a. m.]

[Docket No. 1766-FD]

D. & W. COAL COMPANY, CODE MEMBER

ORDER RESCHEDULING HEARING

The hearing in the above-entitled matter having been reopened by Order of the Acting Director entered herein on April 23, 1942, for further hearing on May 8, 1942, at 10 a. m. at Room 437, New Federal Building, Pittsburgh, Pennsylvania; and

The foresaid reopened hearing, upon motion of the above-named code member, having been postponed by Order of the Acting Director dated May 7, 1942 to May 28, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Washington, D. C.; and

The said hearing having been opened on May 28, 1942, and upon motion by the above-named code member, having been continued by the presiding Examiner to a place and date to be thereafter determined by further order of the Acting Director; and

It appearing to the Acting Director that the time and place of said reopened hearing should now be designated:

Now, therefore, it is ordered, That the said reopened hearing in the above-entitled matter be held on July 16, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division, 734–15th Street, N. W., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to where such hearing will be held.

It is further ordered, That the said Order of the Acting Director dated April 23, 1942, shall in all other respects remain in full force and effect.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6427; Filed, July 7, 1942; 10:41 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P. and S. Docket No. 1492]

FAIRBURY LIVESTOCK CO.

ORDER OF INQUIRY, ORDER OF SUSPENSION, AND NOTICE OF HEARING

In re Julius J. Williams, doing business as the Fairbury Livestock Company, respondent.

This proceeding is instituted pursuant to the provisions of Title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181), and the following allegations are made:

1. The respondent is engaged in the busines of conducting or operating a stockyard at Fairbury, in the State of Nebraska, which stockyard has been ascertained by the Secretary of Agriculture to be a "stockyard" within the definition thereof as used in the act, and which has been posted as such by the Secretary of Agriculture under the act.

2. The respondent is also registered as a market agency engaged in the business of selling livestock on a commission basis at his stockyard at Fairbury, Nebraska.

3. In accordance with the requirement of the Packers and Stockyards Act, the respondent has heretofore filed and put into effect schedules of rates and charges for his services.

4. On or about June 26, 1942, the respondent made, filed and published, effective July 7, 1942, a new schedule of rates and charges designated as Supplement No. 3 to Tariff No. 1, containing rates and charges applicable to hogs at his stockyard, which are materially greater than those set forth in the schedule now on file.

5. Upon examination of the records and other information in the possession of the Department of Agriculture, there is reason to believe that the increases proposed by such new schedule are not justified, and that such increases are, in fact, unreasonable.

6. Supplement No. 3 does not state plainly the terms and conditions under which rates are to be charged.

It is concluded that a proceeding under title III of the act should be had for the purpose of determining the reasonableness and lawfulness of the rates and charges set forth in Supplement No. 3 to Tariff No. 1, and that pending a hearing and decision in such proceeding, the operation of such tariff should be suspended and its use deferred.

It is further concluded that a hearing should be had for the purpose of determining the lawfulness of all rates and charges of the respondent and of any rule, regulation, or practice affecting said rates and charges, and whether any stockyard service is rendered by the respondent without making a lawful charge therefor.

It is therefore ordered, That the operation and use of the tariff filed by the respondent on June 26, 1942, and designated as Supplement No. 3 to Tariff No. 1, shall be and it is hereby suspended and deferred until the expiration of thirty days beyond the time when such tariff would otherwise go into effect.

It is further ordered, That a hearing covering the allegations made herein shall be held before an examiner at a time and place of which the respondent will have at least ten days' notice. At such hearing, the respondent and all other interested persons will have a right to appear and present such evidence with respect to the matters and things alleged as may be relevant and material.

It is further ordered, That any and all interested persons who may wish to appear and present evidence relative to the issues in this proceeding shall give notice thereof by filing a statement to that effect with the Hearing Clerk, Office of the Solicitor, Department of Agriculture, Washington, D. C., on or before the first day of August, 1942.

It is further ordered, That a copy hereof be served upon the respondent by registered mail.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 6th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-6442; Filed, July 7, 1942; 11:13 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6131]

HENNESSY BROADCASTING CO.

ORDER DENYING PETITION, ETC.

In re application of Hennessy Broadcasting Company (new) Butte, Montana, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of July, 1942:

The Commission having under consideration the petition of Hennessy Broadcasting Company for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That a further hearing be held upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, conven-

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F. R. 2656).

fence and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6433; Filed, July 7, 1942; 10:45 a. m.]

[Docket No. 6132]

BARCLAY CRAIGHEAD

ORDER DENYING PETITION, ETC.

In re application of Barclay Craighead (new) Butte, Montana, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 1st day of July, 1942;

The Commission having under consideration the petition of Barclay Craighead for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That a further hearing be held upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6434; Filed, July 7, 1942; 10:45 a. m.]

[Docket No. 6267]

INDIANA BROADCASTING CORP.

ORDER DENYING PETITION, ETC.

In re application of Indiana Broadcasting Corporation (WIBC) Indianapolis, Indiana, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 1st day of July, 1942;

The Commission having under consideration the petition of Indiana Broadcasting Corporation for reconsideration and grant of the above-described application and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the issues heretofore released on the application be, and they are hereby, amended to read as follows:

1. To determine the extent of any interference which Station WIBC operating as proposed, would cause to the service of Station CBA, Sackville, N. B. (Appendix II, Table I, NARBA).

2. To determine the extent of any interference which would result from the simultaneous operation of Station WIBC as proposed and Station WINK during daytime hours.

3. To determine the areas and populations which may be expected to lose primary service during daytime hours, particularly from Station WINK, should Station WIBC operate as proposed, and what other broadcast service is available to these areas and populations.

4. To determine what new areas and populations would receive primary service as a result of the proposed change in facilities and what broadcast service is already available to such areas and populations.

5. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

7. To determine whether in view of the facts adduced under the foregoing issues the granting of the application would serve public interest, convenience and necessity.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6435; Filed, July 7, 1942; 10:45 a. m.]

[Docket No. 6288]

ASSOCIATED BROADCASTERS, INC.,

ORDER DENYING PETITION, ETC.

In re application of Associated Broadcasters, Inc. (new) Indianapolis, Indiana, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 1st day of July, 1942;

The Commission having under consideration the petition of Associated Broadcasters, Inc. for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6436; Filed, July 7, 1942; 10:45 a. m.]

[Docket No. 6302]

PENINSULA BROADCASTING CO. (WBOC)

ORDER DENYING PETITION, ETC.

In re application of Peninsula Broadcasting Company (WBOC), Salisbury, Maryland, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of July 1942;

The Commission having under consideration the petition of Peninsula Broadcasting Company for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of this application is consistent with the Commission's Memorandum Opinion of April 27, 1942;

2. To determine whether, in view of the foregoing, public interest, convenience, and necessity will be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6437; Filed, July 7, 1942; 10:45 a. m.]

[Docket No. 6090]

HERALD PUBLISHING CO.

ORDER DENYING PETITION, ETC.

In re application of Herald Publishing Company, Klamath Falls, Oregon, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 1st day of July 1942;

The Commission having under consideration the petition of the Herald Publishing Company praying in substance that no action be taken on its application or the application of Dorman Schaeffer which would prejudice the right of either applicant to proceed with the prosecution of its (or his) application, and being fully informed in the premises:

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That issues Nos. 1 to 4 set forth in the Commission's Order of March 10, 1942 be, and they are hereby, stricken; and

It is further ordered, That the further hearing be held upon the following issues:

1. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion, dated April 27, 1942.

2. To determine whether in view of the facts adduced under all of the issues, the granting of this application would serve public interest, convenience and necessity.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6438; Filed, July 7, 1942; 10:46 a. m.]

[Docket No. 6091]

DORMAN SCHAEFFER

ORDER DENYING PETITION, ETC.

In re application of Dorman Schaeffer, Klamath Falls, Oregon, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of July 1942;

The Commission having under consideration the petition of Dorman Schaeffer for reconsideration and grant of the above-described application and being fully informed in the premises:

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the issues set forth in the Commission's Order of March 10, 1942, be, and they are hereby, stricken; and

It is further ordered, That the further hearing be held upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the facts adduced under all of the issues, public interest, convenience and necessity will be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6440; Filed, July 7, 1942; 10:46 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order 20]

ROLAND J. STANGER

ORDER OF AUTHORIZATION

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as supplemented, and by Executive Order No. 9125, the following order of authorization is prescribed:

(a) In connection with investigations concerning alleged violations of the several Ration Orders and Rationing Regulations which have heretofore or may hereafter be issued, Roland J. Stanger, Chief of the Sanctions Unit of the Rationing Section, is, so long as he continues as chief of said unit, authorized to sign and issue subpoenas requiring any person whose attendance and testimony is necessary or proper to the conduct of said investigations to appear and testify or to appear and produce documents, or both.

(b) In connection with the investigations referred to in paragraph (a) above, said Roland J. Stanger is, for the said period, authorized to sign and issue notices of hearings and to hold and conduct hearings concerning said violations, to administer oaths and affirmations, and to exercise any discretion necessary or appropriate to the proper conduct of said hearings.

(c) The authority conferred by this order may be exercised at any place.

Issued and effective this 3rd day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6406; Filed, July 6, 1942; 5:20 p. m.]

CHARLES VEITCH

SUSPENSION ORDER MODIFIED

Order on petition for reconsideration of Suspension Order No. 2 under Ration Order No. 5 Emergency Gasoline Rationing Regulations.

On June 22, 1942, in accordance with the provisions of Temporary Procedural Regulation No. 4 (7 F.R. 4296), Charles Veitch, Mobilgas-Socony Vacuum Station, Dyckman Street, Inwood Plaza, New York, New York, filed a petition for reconsideration of Suspension Order No. 2, issued against the petitioner on June 15, 1942. This petition for reconsideration set forth certain facts which had not been presented at the hearing on the charges against the petitioner held in New York City, New York, on June 11, 1942. This written evidence having been duly considered by the Acting Deputy Administrator,

It is hereby ordered:

(a) That Suspension Order No. 2 be and it is hereby modified to expire 12:01 A. M., July 3, 1942;

(b) That as so modified said order be and it is hereby affirmed. (Pub. Law 421, 77 Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877))

Issued this 2d day of July 1942.

PAUL M. O'LEARY, *Acting Deputy Administrator.*

[F. R. Doc. 42-6416; Filed, July 6, 1942; 5:30 p. m.]

JAMES SCHWARTZ

SUSPENSION ORDER MODIFIED

Order on petition for reconsideration of Suspension Order No. 4 under Ration Order No. 5, Emergency Gasoline Rationing Regulations.

On June 28, 1942, in accordance with the provisions of Temporary Procedural Regulation No. 4 (7 F.R. 4296), James Schwartz d/b/a Jim and Paul Service Station, 3331 Broadway, New York, New York, filed a petition for reconsideration of Suspension Order No. 4, issued against the petitioner on June 15, 1942. This petition for reconsideration set forth certain facts which had not been presented at the hearing on the charges against the petitioner held in New York, New York, on June 11, 1942. This written evidence having been duly considered by the Acting Deputy Administrator,

It is hereby ordered:

(a) That Suspension Order No. 4 be and it is hereby modified to expire 12:01 A. M., July 3, 1942;

(b) That as so modified said order be and it is hereby affirmed. (Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877))

Issued this 2d day of July 1942.

PAUL M. O'LEARY, *Acting Deputy Administrator.*

[F. R. Doc. 42-6415; Filed, July 6, 1942; 5:30 p. m.]

[Docket No. 3122-21]

DAVID DUFF AND SON

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

Order No. 4 under Maximum Price Regulation No. 122[1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

On June 5, 1942 David Duff and Son, 640 Pleasant Street, New Bedford, Massachusetts, filed a petition for an increase in its maximum prices established by § 1340.261 of Maximum Price Regulation No. 122, and also requested permission for adjustable pricing as provided in § 1340.253 thereof.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, and § 1340.253 of Maximum Price Regulation No. 122, it is hereby ordered:

(a) On and after June 5, 1942, with respect to its sales of bituminous coal over its wharf to governmental, institutional and industrial purchasers under contract, David Duff and Son may enter into agreements to charge not more than the applicable maximum price subject to an agreement that if the disposition of its petition in Docket No. 3122-21 permits an increase in any of its maximum prices, it may then adjust prices upon deliveries made during the pendency of the petition, in accordance with the disposition thereof.

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time, and in any event is to be effective only to the date of final dis-

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941.
[2] 7 F.R. 971, 3663.

position of the petition by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(d) This Order No. 4 shall become effective the 7th day of July, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6420; Filed, July 7, 1942; 9:49 a. m.]

[Docket No. 3122-28]

T. A. D. JONES AND COMPANY, INC.

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

Order No. 3 Under Maximum Price Regulation No. 122[1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

On June 15, 1942, T. A. D. Jones and Company, Inc., 205 Church Street, New Haven, Connecticut filed a petition for an increase in its maximum prices established by Maximum Price Regulation No. 122, and also requested permission for adjustable pricing as provided in § 1340.253 thereof.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, and § 1340.253 of Maximum Price Regulation No. 122, it is hereby ordered:

(a) On and after June 15, 1942, with respect to its sales of bituminous coal for industrial use from its docks at New Haven and Bridgeport, Connecticut, T. A. D. Jones and Company, Inc. may enter into agreements to charge not more than the applicable maximum price subject to an agreement that if the disposition of its petition in Docket No. 3122-28 permits an increase in any of its maximum prices, it may then adjust prices upon deliveries made during the pendency of the petition, in accordance with the disposition thereof.

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time, and in any event is to be effective only to the date of final disposition of the petition by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(d) This Order No. 3 shall become effective the 7th day of July, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6419; Filed, July 7, 1942; 9:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-50, 59-39, 59-10]

NORTH AMERICAN LIGHT & POWER COMPANY, ET AL

ORDER POSTPONING HEARING

In the matter of North American Light & Power Company, North American Light & Power Company Holding-Company System, the North American Company, and the North American Company, et al.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of July, A. D. 1942.

The Commission having on June 18, 1942, issued its Notice of Filing of Applications No. 3 and No. 4 and Order for Hearing in the above entitled consolidated proceedings heretofore held pursuant to sections 11 (b), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 and said order having set the date for the hearing on July 9, 1942; and

It appearing to the Commission that it is necessary to postpone the date of said hearing and the applicants having consented to said postponement;

It is ordered, That the hearing in this matter be, and it hereby is, postponed to July 16, 1942, at 10:00 A. M., said hearing to be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk in Room 318.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6453; Filed, July 7, 1942; 11:42 a. m.]

[File No. 811-398]

NORTH AND SOUTH AMERICAN CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of July, A. D. 1942.

An application having been filed by North and South American Corporation pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said Act;

It is ordered, That a hearing on the aforesaid application be held on July 16, 1942 at ten o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Street, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held;

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside on such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6454; Filed, July 7, 1942; 11:42 a. m.]

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[1] 7 F.R. 3239, 3666, 3856, 3940, 3941.

[2] 7 F.R. 971, 3663.

JUL 10 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 134

Washington, Thursday, July 9, 1942

The President

EXECUTIVE ORDER 9193

AMENDING EXECUTIVE ORDER NO. 9095 ESTABLISHING THE OFFICE OF ALIEN PROPERTY CUSTODIAN AND DEFINING ITS FUNCTIONS AND DUTIES AND RELATED MATTERS

By virtue of the authority vested in me by the Constitution, by the First War Powers Act, 1941, by the Trading with the enemy Act of October 6, 1917, as amended, and as President of the United States, it is hereby ordered as follows:

Executive Order No. 9095 of March 11, 1942,[1] is amended to read as follows:

1. There is hereby established in the Office for Emergency Management of the Executive Office of the President the Office of Alien Property Custodian, at the head of which shall be an Alien Property Custodian appointed by the President. The Alien Property Custodian shall receive compensation at such rate as the President shall approve and in addition shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties. Within the limitation of such funds as may be made available for that purpose, the Alien Property Custodian may appoint assistants and other personnel and delegate to them such functions as he may deem necessary to carry out the provisions of this Executive Order.

2. The Alien Property Custodian is authorized and empowered to take such action as he deems necessary in the national interest, including, but not limited to, the power to direct, manage, supervise, control or vest, with respect to:

(a) any business enterprise within the United States which is a national of a designated enemy country and any property of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to or which is evidence of ownership or control of any such business enterprise, and any interest of any nature whatsoever in such business enterprise held by an enemy country or national thereof;

(b) any other business enterprise within the United States which is a national of a foreign country and any property of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to or which is evidence of ownership or control of any such business enterprise, and any interest of any nature whatsoever in such business enterprise held by a foreign country or national thereof, when it is determined by the Custodian and he has certified to the Secretary of the Treasury that it is necessary in the national interest, with respect to such business enterprise, either (i) to provide for the protection of the property, (ii) to change personnel or supervise the employment policies, (iii) to liquidate, reorganize, or sell, (iv) to direct the management in respect to operations, or (v) to vest;

(c) any other property within the United States owned or controlled by a designated enemy country or national thereof, not including in such other property, however, cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange and securities except to the extent that the Alien Property Custodian determines that such cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange and securities are necessary for the maintenance or safeguarding of other property belonging to the same designated enemy country or the same national thereof and subject to vesting pursuant to section 2 hereof;

(d) any patent, patent application, design patent, design patent application, copyright, copyright application, trademark or trademark application or right related thereto in which any foreign country or national thereof has any interest and any property of any nature whatsoever (including, without limitation, royalties and license fees) payable or held with respect thereto, and any interest of any nature whatsoever held

[1] 7 F.R. 1971.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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therein by any foreign country or national thereof;

(e) any ship or vessel or interest therein, in which any foreign country or national thereof has an interest; and

(f) any property of any nature whatsoever which is in the process of administration by any person acting under judicial supervision or which is in partition, libel, condemnation or other similar proceedings and which is payable or deliverable to, or claimed by, a designated enemy country or national thereof.

When the Alien Property Custodian determines to exercise any power and authority conferred upon him by this section with respect to any of the foregoing property over which the Secretary of the Treasury is exercising any control and so notifies the Secretary of the Treasury in writing, the Secretary of the Treasury shall release all control of such property, except as authorized or directed by the Alien Property Custodian.

3. Subject to the provisions of this Executive Order, all powers and authority conferred upon me by sections 3 (a) and 5 (b) of the Trading with the enemy Act, as amended, are hereby delegated to the Secretary of the Treasury or any person, agency, or instrumentality designated by him; *provided, however*, that when any property or interest, not belonging to a foreign government or central bank, shall be vested by the Secretary of the Treasury, such property or interest shall be vested in, and dealt with by, the Alien Property Custodian upon the terms directed by the Secretary of the Treasury. Except as otherwise provided herein, this Executive Order shall not be deemed to modify or amend Executive Order No. 8389, as amended,[1] or the President's Proclamation of July 17, 1941,[2] or Executive Order No. 8839, as amended,[3] or the regulations, rulings, licenses and other action taken thereunder, or in connection therewith.

4. Without limitation as to any other powers or authority of the Secretary of the Treasury or the Alien Property Custodian under any other provision of this Executive Order, the Secretary of the Treasury and the Alien Property Custodian are authorized and empowered, either jointly or severally, to prescribe from time to time, regulations, rulings, and instructions to carry out the purposes of this Executive Order. The Secretary of the Treasury and the Alien Property Custodian each shall make available to the other all information in his files to enable the other to discharge his functions, and shall keep each other currently informed as to investigations being conducted with respect to enemy ownership or control of business enterprises within the United States.

5. The Alien Property Custodian is authorized to issue appropriate regulations governing the service of process or notice upon any person within any designated enemy country or any enemy-occupied territory in connection with any court or administrative action or proceeding within the United States. The Alien Property Custodian also is authorized to take such other and further measures in connection with representing any such person in any such action or proceeding as in his judgment and discretion is or may be in the interest of the United States. If, as a result of any such action or proceeding, any such person obtains, or is determined to have, an interest in any property (including money judgments), such property, less an amount equal to the costs and expenses incurred by the Alien Property Custodian in such action or proceeding, shall be subject to the provisions of Executive Order No. 8389, as amended, *provided, however*, that this shall not be deemed to limit the powers of the Alien Property Custodian under section 2 of this Order; and *provided further*, that the Alien Property Custodian may vest an amount of such property equal to the costs and expenses incurred by the Alien Property Custodian in such action or proceeding.

6. To enable the Alien Property Custodian to carry out his functions under this Executive Order, there are hereby delegated to the Alien Property Custodian or any person, agency, or instrumentality designated by him all powers and authority conferred upon me by section 5 (b) of the Trading with the enemy Act, as amended, including, but not limited to, the power to make such investigations and require such reports as he deems necessary or appropriate to determine whether any enterprise or property should be subject to his jurisdiction and control under this Executive Order. The powers and authority conferred upon the Alien Property Custodian by Executive Order No. 9142[4] shall be administered by him in conformity with the provisions of this Executive Order.

7. In the exercise of the authority herein delegated, the Alien Property Custodian shall be subject to the provisions of Executive Order No. 8839 of July 30, 1941, and shall designate a representative to the Board of Economic Warfare in accordance with section 6 thereof.

8. All records and other property (including office equipment) of the Treasury Department which are used primarily in the administration of powers and duties to be exercised by the Alien Property Custodian, and such personnel as is used

[1] 6 F.R. 2897, 3715, 6348, 6785.
[2] 6 F.R. 3555.
[3] 6 F.R. 3823, 4795.
[4] 7 F.R. 2985.

primarily in the administration of such powers and duties and which was hired by the Treasury Department after September 1, 1941 (including officers whose chief duties relate to the administration of such powers and duties), as the Secretary of the Treasury and the Alien Property Custodian shall jointly certify for transfer, shall be transferred to the Office of the Alien Property Custodian. In the event of disagreement concerning the transfer of any personnel, records, or property, the determination shall be made by the Director of the Bureau of the Budget, pursuant to the formula here prescribed. Any personnel transferred pursuant to this Executive Order shall be transferred without loss of such Civil Service status or eligibility therefor as they may have.

9. This Executive Order shall not be deemed to modify or amend Executive Order No. 8843 of August 9, 1941,[5] and the regulations, rulings, licenses and other action taken thereunder. Any and all action heretofore taken by the Secretary of the Treasury or the Alien Property Custodian, or by any person, agency, or instrumentality designated by either of them, pursuant to sections 3 (a) and 5 (b) of the Trading with the enemy Act, as amended, or pursuant to prior Executive Orders, and any and all action heretofore taken by the Board of Governors of the Federal Reserve System pursuant to Executive Order No. 8843 of August 9, 1941, are hereby confirmed and ratified.

10. For the purpose of this Executive Order:

(a) The term "designated enemy country" shall mean any foreign country against which the United States has declared the existence of a state of war (Germany, Italy, Japan, Bulgaria, Hungary and Rumania) and any other country with which the United States is at war in the future. The term "national" shall have the meaning prescribed in section 5 of Executive Order No. 8389, as amended, *provided, however*, that persons not within designated enemy countries (even though they may be within enemy-occupied countries or areas) shall not be deemed to be nationals of a designated enemy country unless the Alien Property Custodian determines: (i) that such person is controlled by or acting for or on behalf of (including cloaks for) a designated enemy country or a person within such country; or (ii) that such person is a citizen or subject of a designated enemy country and within an enemy-occupied country or area; or (iii) that the national interest of the United States requires that such person be treated as a national of a designated enemy country. For the purpose of this Executive Order any determination by the Alien Property Custodian that any property or interest of any foreign country or national thereof is the property or interest of a designated enemy country or national thereof shall be final and conclusive as to the power of the Alien Property Custodian to exercise any of the power or authority conferred upon me by section 5 (b) of the Trading with the enemy Act, as amended.

(b) The term "business enterprise within the United States" shall mean any individual proprietorship, partnership, corporation or other organization primarily engaged in the conduct of a business within the United States, and any other individual proprietorship, partnership, corporation or other organization to the extent that it has an established office within the United States engaged in the conduct of business within the United States.

11. The Secretary of the Treasury or the Alien Property Custodian, as the case may be, shall, except as otherwise agreed to by the Secretary of State, consult with the Secretary of State before vesting any property or interest pursuant to this Executive Order, and the Secretary of the Treasury shall consult with the Secretary of State before issuing any Order adding any additional foreign countries to section 3 of Executive Order No. 8389, as amended.

12. Any orders, regulations, rulings, instructions, licenses or other actions issued or taken by any person, agency or instrumentality referred to in this Executive Order, shall be final and conclusive as to the power of such person, agency or instrumentality to exercise any of the power or authority conferred upon me by sections 3 (a) and 5 (b) of the Trading with the enemy Act, as amended; and to the extent necessary and appropriate to enable them to perform their duties and functions hereunder, the Secretary of the Treasury and the Alien Property Custodian shall be deemed to be authorized to exercise severally any and all authority, rights, privileges and powers conferred on the President by sections 3 (a) and 5 (b) of the Trading with the enemy Act of October 6, 1917, as amended, and by sections 301 and 302 of Title III of the First War Powers Act, 1941, approved December 18, 1941. No person affected by any order, regulation, ruling, instruction, license or other action issued or taken by either the Secretary of the Treasury or the Alien Property Custodian shall be entitled to challenge the validity thereof or otherwise excuse his actions, or failure to act, on the ground that pursuant to the provisions of this Executive Order, such order, regulation, ruling, instruction, license or other action was within the jurisdiction of the Alien Property Custodian rather than the Secretary of the Treasury or vice versa.

13. Any regulations, rulings, instructions, licenses, determinations or other actions issued, made or taken by any agency or person referred to in this Executive Order, purporting to be under the provisions of this Executive Order or any other proclamation, order or regulation, issued under sections 3 (a) or 5 (b) of the Trading with the enemy Act, as amended, shall be conclusively presumed to have been issued, made or taken after appropriate consultation as herein required and after appropriate certification in any case in which a certification is required pursuant to the provisions of this Executive Order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 6, 1942.

[F. R. Doc. 42–6502; Filed, July 8, 1942; 12:06 p. m.]

[5] 6 F.R. 4035.

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

[Vesting Order 25]

YAMANAKA AND COMPANY, LTD.

VESTING OF CERTAIN CORPORATE STOCKS

§ 502.25 *Vesting Order 25.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 USCA App. § 5 (b)), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301), and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

Shares of stock registered in the name of and owned by Yamanaka and Company, Ltd., Osaka, Japan, in the three subsidiary corporations the names of which appear after the descriptions of such shares, respectively, as follows:

(a) 4,000 shares of no par value common capital stock of Yamanaka and Company, Inc., 680 Fifth Avenue, New York, New York.

(b) 400 shares of $25 per value common capital stock of Yamanaka and Company, Inc., 846 North Michigan Avenue, Chicago, Illinois.

(c) 150 shares of no par value common capital stock of Yamanaka and Company, Inc., 424 Boylston Street, Boston, Massachusetts.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC–1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 16, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 42–6472; Filed, July 8, 1942; 10:22 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

Subchapter A—Meat Inspection Regulations

PART 31—INSPECTION DURING THE PRESENT WAR AT CERTAIN MEAT PACKING ESTABLISHMENTS ENGAGED IN INTRASTATE COMMERCE ONLY

[Amendment 16 to B. A. I. Order 211, Revised]

ORDER AMENDING MEAT INSPECTION REGULATIONS

Pursuant to the authority conferred upon the Secretary of Agriculture by the Act of Congress approved June 10, 1942 (Public Law 602, 77th Cong. 2d Session), Title 9, Chapter 1, Subchapter A, Code of Federal Regulations (B.A.I. Order 211, Revised), as amended, is hereby further amended, effective July 1, 1942, by adding the following new part:

Part 31—Inspection During the Present War at Certain Meat Packing Establishments Engaged in Intrastate Commerce Only.

§ 31.1 *Extension of B. A. I. Order 211, revised.* For the duration of the present war and not exceeding 6 months after the termination thereof, Title 9, Chapter 1, Subchapter A, Code of Federal Regulations (B.A.I. Order 211, Revised), as amended, is extended to apply to slaughtering, meat canning, salting, packing, rendering, and similar establishments, engaged in intrastate commerce only, at which a substantial quantity of meat or meat food product is prepared for purchase by Federal agencies when formal request is made to the Secretary of Agriculture by the proprietor or operator of the establishment: *Provided*, That the construction, equipment, facilities, and sanitation of the establishment are acceptable, under the said subchapter, for conducting and maintaining emergency inspection. (Pub. Law 602, 77th Cong.)

Done at Washington, D. C., this 7th day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42–6488; Filed, July 8, 1942; 11:37 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 229]

PART 239—CHARTER TRIPS FOR SPECIAL SERVICES

CHARTER TRIPS FOR SPECIAL SERVICES BY AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of July, 1942.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (f) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective July 10, 1942, § 239.1 of the Economic Regulations is hereby amended in its entirety to read as follows:

§ 239.1 *Charter trips for special services by air carriers holding certificates of public convenience and necessity*—(a) *Approval required for special service.* No air carrier holding a certificate of public convenience and necessity shall operate any charter trip or other special service (except flights originating and terminating in the territory comprised of Mexico, Central America, South America, and the countries and islands in the Caribbean area) either between points named in its certificate or otherwise, unless it shall have first secured approval thereof by the Military Director of Civil Aviation or his designee, or unless authorized by such further regulations as the Board may from time to time promulgate.

(b) *Reports required for flights originating and terminating in Mexico, Central America, South America, and Caribbean area.* Each charter trip or other special service originating and terminating in the territory comprised of Mexico, Central America, South America, and the countries and islands in the Caribbean area shall be reported to the Civil Aeronautics Board on or before the tenth day of the month following the date of its termination. The report shall contain the following information with respect to each flight:

1. The date.
2. The points served.
3. The number of miles flown (including the return flight).
4. The time required (including the time for return flight).
5. The aircraft equipment employed.
6. The purpose of the flight including the name of persons requesting the flight and a description of the cargo and passengers carried.
7. A statement indicating to what extent the flight interfered with scheduled operations of the air carrier.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–6493; Filed, July 8, 1942; 11:54 a. m.]

[Regulations, Serial No. 230]

PART 280—FORMS AND APPLICATIONS

REPORTS OF STOCK OWNERSHIP OF AFFILIATES OF AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of July, 1942.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), and 407 (c) thereof, and finding that its action is desirable in the public interest and is necessary and appropriate to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Board hereby makes and promulgates the following regulation:

§ 280.2 *Reports of stock ownership of affiliates of air carriers*—(a) *Definition of affiliate of air carrier.* For the purposes of this section a person shall be deemed to be an affiliate of an air carrier if it has direct or indirect control over such air carrier, or if it has the power to exercise control over such air carrier.

(b) *Stock reports by affiliates.* Except as provided in paragraph (c), every affiliate of an air carrier shall submit on or before January 25 of each year:

(1) A report showing, as of the preceding December 31, (i) The names and addresses of each of its stockholders or members holding more than 5 per centum of the entire capital stock or capital, as the case may be, of such affiliate, together with the name and address of any person for whose account if other than the holder, such stock is held, (ii) The number of shares, and percentage of the total shares issued, held by each such stockholder, and indicating whether such shares are voting, non-voting, common, or preferred; and

(2) A report setting forth, as of the preceding December 31, a description of the shares of stock or other interests held by the affiliate, or for its account, in any common carrier, air carrier, foreign air carrier, or any person engaged in any phase of aeronautics, and a description of the shares of stock or other interests held by the affiliate, or for its account, in any person whose principal business, in purpose or in fact, is the holding of stock in, or control of, common carriers, air carriers, foreign air carriers, or persons engaged in any phase of aeronautics, indicating:

(i) The name of the issuing company,

(ii) Whether such stock or other interest is voting, non-voting, common or preferred, convertible or non-convertible (if convertible an explanation of the option shall be set forth),

(iii) The par and book value of such stock or other interests held by the affiliate or for its account, and the amount pledged, unpledged, and held in fund and deposit accounts, and

(iv) The total amount of stock or other interests (by class and issue) having voting or conversion rights, which have been actually issued by the issuing company and are outstanding (whether or not held by the affiliate reporting hereunder). If convertible, an explanation of the option shall be set forth, and the total amount convertible shall be stated.

(c) *Exception for air carriers.* The reports required in paragraph (b) need not be filed as of December 31 of any year by any such affiliate if it is an air carrier required to file a report, as of December 31 of the same year, pursuant to section 407 (b) of the Act.

(d) *Effective date.* This regulation shall become effective on the 3d day of August, 1942. (Secs. 205 (a), 407 (c), 52 Stat. 984, 1000; 49 U.S.C., 425 (a), 487 (c))

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–6492; Filed, July 8, 1942; 11:54 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO RULE UNDER THE ACT RELATING TO SOLICITATION OF PURCHASES ON AN EXCHANGE TO FACILITATE A DISTRIBUTION OF SECURITIES

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, hereby:

1. Amends paragraph (d) (3) of § 240.10b–2 [Rule X–10B–2] to read as follows:

§ 240.10b–2 *Solicitation of purchases on an Exchange to facilitate a distribution of securities.*

* * * * * * *

(d) * * *

(3) The provisions of this exemption shall terminate at the close of business on January 31, 1943, unless the Commission otherwise determines.

2. And declares the special offering plans of the New York Stock Exchange, New York Curb Exchange, and San Francisco Stock Exchange, as now effective, to be effective until the close of business on January 31, 1943, unless the Commission otherwise determines, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may send at least ten days' notice to any of said Exchanges terminating the effectiveness of their respective plans.

Effective July 8, 1942
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–6478; Filed, July 8, 1942; 10:34 a. m.]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

RULE RELATING TO THE REMUNERATION WHICH MAY BE RECEIVED BY AN AFFILIATED PERSON OF A REGISTERED INVESTMENT COMPANY ACTING AS BROKER IN CONNECTION WITH OVER-THE-COUNTER SALES OF SECURITIES TO, OR BY, SUCH REGISTERED COMPANY OR ANY CONTROLLED COMPANY

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly by section 17 (e) (2) (C) and 38 (a) thereof, and deeming such action appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act, hereby adopts the following § 270.17e–1 [Rule N–17E–1]:

§ 270.17e–1 *Remuneration permitted affiliated persons of registered investment companies acting as brokers in over-the-counter transactions.* The commission, fee or other remuneration from any source of any person subject to section 17 (e) of the Investment Company Act of 1940 [Sec. 17 (e), 54 Stat. 816; 15 U.S.C. 80a–17] for acting as broker in connection with any sale referred to in paragraph (2) (c) thereof may exceed one per cent of the sale price of the securities sold if such remuneration does not exceed:

(a) In the case of securities which are listed or admitted to unlisted trading privileges on one or more national securities exchanges, the lowest broker's commission which any exchange upon which the securities are traded fixes as a minimum for effecting such a transaction on such exchange, or

(b) In the case of securities which are not listed or admitted to unlisted trading privileges on any national securities exchange, the lowest broker's commission which is fixed as a minimum for effecting a transaction in listed securities of a similar type, of an equal number of units and at the same price on any national securities exchange located in the same city as the principal office of the broker, or if there is no such exchange located in that city, then on any national securities exchange located in the nearest city where a national securities exchange is located:

Provided, That where a broker represents both purchaser and seller in the same transaction, the remuneration shall not be greater than the minimum commission prescribed by the appropriate exchange for either a purchase or a sale. [Rule N–17E–1, effective July 8, 1942]

(Sec. 17 (e), 54 Stat. 816; 15 U.S.C. 80a–17; Sec. 38 (a), 54 Stat. 841; 15 U.S.C. 80a–38)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–6479; Filed, July 8, 1942; 10:36 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 81]

PART 402—LOAN SERVICE DIVISION

MISCELLANEOUS CREDITS

Amending Part 402, Chapter IV, Title 4 of the Code of Federal Regulations.

Section 402.22–3 of the Code of Federal Regulations is revoked.

Section 402.22–1 is amended to read as follows:

§ 402.22–1 *Application of miscellaneous credits.* The Regional Manager, with the advice of Regional Counsel, may permit the payment of taxes, assessments, other levies and charges and ground rents, attorneys' fees, insurance adjusters' fees, surveys, appraisal fees, cost of reconditioning and charges or expenses necessary in connection with the consummation of the particular transaction before directing the application of any part of the funds referred to in § 402.22 (a).

When the home owner's written direction for the application of funds to taxes or other items is required and has not already been given, such written direction shall be obtained.

Excess Funds to Home Owner

"In cases where the consideration (whether land, interest therein, enhancement in value thereof, or funds) exceeds the amount by which the value of the Corporation's security is reduced or diminished and the home owner has requested that any such excess consideration which is represented by cash or part thereof be retained by him or turned over to him for his own use, the Regional Manager may grant the request. In cases where such excess does not exist, and the amount requested does not exceed $100.00, or where there is an excess and the amount requested does not exceed the excess by more than $100.00, the Regional Manager may grant the home owner's request that such portion of the cash proceeds be retained by or turned over to him, provided the Regional Manager determines that such allowance is necessary for the completion of the transaction, and that the Corporation's interest would not be adversely affected. Where the circumstances are exceptional and the amount requested by the home owner is in excess of that which the Regional Manager is authorized to grant, and the Regional Manager recommends that the request of the home owner be allowed, he shall forward the file, together with a summary of the case and his recommendation, with the opinion of the Regional Counsel, to the General Manager for direction.

Section 402.22–2 is amended to read as follows:

§ 402.22–2 *Other application of miscellaneous credits.* Miscellaneous credits shall be applied in accordance with Article 800–26 of the Manual. All miscellaneous credits of $25.00 or less shall be

applied as repayments, unless in individual cases the Regional Manager or the Control Supervisor specifically directs other application. All other miscellaneous credits shall be applied only upon specific direction of the Regional Manager or the Control Supervisor and should apply generally to the principal of a home owner's account in proportion to the reduction of security. However, it is recognized that the source of miscellaneous credits, the condition of the home owner's account and other circumstances of each case may warrant other application of these funds. Although it is not generally contemplated to use miscellaneous credits as prepayments of any account, such application may be warranted in unusual cases.

Reamortization. Where miscellaneous credits are so applied as to materially reduce the unmatured principal indebtedness, the home owner may request and the Regional Manager or the Control Supervisor may direct a reamortization of the loan balance within the remaining life of the loan or sales instrument, or the home owner may apply for an extension if the time required for repayment of the loan balance is greater than the remaining life of the present loan or sales instruments, subject to the provisions of § 402.10 (a) and (b).

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by Section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

(Effective July 6, 1942)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 42-6491; Filed, July 8, 1942; 11:49 a. m.]

[Bulletin 79]

PART 408—ACCOUNTING SECTION

Amending Part 408, Chapter IV, Title 24 of the Code of Federal Regulations.

The last sentence of the second paragraph of § 408.00 (h) is amended to read as follows:

Application of remittances. The authority granted herein may also be exercised by the Regional Manager or the Loan Service Control Supervisor, with the advice of Regional Counsel.

Section 408.00 (1) is amended by the addition of the following sentence at the end thereof:

Miscellaneous credits. Such application may also be directed by the Regional Manager or the Loan Service Control Supervisor, with the advice of the Regional Counsel.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by Section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

(Effective July 6, 1942)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 42-6490; Filed, July 8, 1942; 11:49 a. m.]

[Bulletin 78]

PART 410—PURCHASE AND SUPPLY

Amending Part 410, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 410.06 is amended to read as follows:

§ 410.06 *Sale of expendable and non-expendable property.* Sale of non-expendable property and sale or other disposition of expendable property (including waste paper) may be made by the Director of the Purchase and Supply Section with the prior approval of the General Manager. The provisions of this Section shall not apply to obsolete forms or to law books, law periodicals, law publications, and like materials for law libraries.

The second paragraph of § 410.07–1,[1] including subparagraphs (1) and (2), is amended to read as follows:

Authorization to incur expense. Such purchases and the making and executing of such contracts for the use of the Corporation in the Home and Field Offices, involving a cost of more than $500, shall be approved by the General Manager when for the use of any department, division or section of the Corporation except the Legal Department, as provided in § 406.17 of Part 406.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by Section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

(Effective July 1, 1942)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 42-6489; Filed, July 8, 1942; 11:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5160]

Subchapter A—Income and Excess-Profits Taxes

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

AMENDMENTS PURSUANT TO PUBLIC DEBT ACTS OF 1941 AND 1942

In order to conform Part 19, Title 26, Code of Federal Regulations, 1940 Sup. [Regulations 103] to the provisions of section 4 of the Public Debt Act of 1941, as amended by section 6 of the Public Debt Act of 1942 (Public Law 510, 77th Congress), approved March 28, 1942, such regulations are amended as follows:

1. The following is inserted immediately preceding § 19.22 (b) (4)–1:[2]

PUBLIC DEBT ACT OF 1942 (APPROVED MARCH 28, 1942)

* * * * *

SEC. 6. Section 4 of the Public Debt Act of 1941 (Public, Numbered 7, Seventy-seventh Congress, first session), is hereby amended to read as follows:

SEC. 4. (a) Interest upon obligations, and dividends, earnings, or other income from shares, certificates, stock, or other evidences of ownership, and gain from the sale or other disposition of such obligations and evidences of ownership issued on or after the effective date of the Public Debt Act of 1942 by the United States or any agency or instrumentality thereof shall not have any exemption, as such, and loss from the sale or other disposition of such obligations or evidences of ownership shall not have any special treatment, as such, under Federal tax Acts now or hereafter enacted; except that any such obligations which the United States Maritime Commission or the Federal Housing Administration had, prior to March 1, 1941, contracted to issue at a future date, shall when issued bear such tax-exemption privileges as were, at the time of such contract, provided in the law authorizing their issuance. For the purposes of this subsection a Territory, a possession of the United States, and the District of Columbia, and any political subdivision thereof, and any agency or instrumentality of any one or more of the foregoing, shall not be considered as an agency or instrumentality of the United States.

(b) The provisions of this section shall, with respect to such obligations and evidences of ownership, be considered as amendatory of and supplementary to the respective Acts or parts of Acts authorizing the issuance of such obligations and evidences of ownership, as amended and supplemented.

(c) Nothing contained herein shall be construed to amend or repeal sections 114 and 115 of the Revenue Act of 1941.

2. Section 19.22 (b) (4)–2 is amended to read as follows:

§ 19.22 (b) (4)–2 *Dividends from shares and stock of Federal agencies or instrumentalities — (a) Issued prior to March 28, 1942.* Section 26 of the Federal Farm Loan Act of July 17, 1916 (39 Stat. 380, 12 U.S.C., 1940 ed., 931), provides that Federal land banks and national farm-loan associations, including the capital and reserve or surplus therein and the income derived therefrom, shall be exempt from taxation, except taxes upon real estate. Section 7 of the Federal Reserve Act of December 23, 1913 (38 Stat. 258, 12 U.S.C., 1940 ed., 531), provides that Federal reserve banks, including the capital stock and surplus therein and the income derived therefrom, shall be exempt from taxation, except taxes upon real estate. Section 5 (h) of the Home Owners' Loan Act of 1933 (48 Stat. 133, 12 U.S.C., 1940 ed., 1464 (h)) provides that shares of Federal savings and loan associations shall, both as to their value and the income therefrom, be exempt from all taxation (except surtaxes, estate, inheritance, and gift taxes) imposed by the United States. Under the above-mentioned provisions, income consisting of dividends on stock of Federal land banks, national farm-loan associations, and Federal reserve banks is not, in the case of stock issued prior to March 28, 1942, subject to the income tax; and income consisting of dividends on share accounts of Federal savings and loan associations is not, in the case of shares issued prior to March 28, 1942, subject to the normal tax on income. For taxability of such income in the case of such stock or shares issued on or after March 28, 1942, see section 6 of the Public Debt Act of 1942 and paragraph (b) of this section. For the time at which a stock or share is issued within the meaning of this section, see paragraph (b) of this section.

Regardless of the exemption from income tax of dividends paid on the stock of Federal reserve banks, dividends paid by member banks are treated like dividends of ordinary corporations.

Dividends on the stock of the central bank for cooperatives, the production credit corporations, production credit associations, and banks for cooperatives, organized under the provisions of the Farm Credit Act of 1933, constitute income to the recipients, subject to both the normal tax and surtax (see section 63 of the Farm Credit Act of 1933 (48 Stat. 267, 12 U.S.C., 1940 ed., 1138c)).

(b) *Issued on or after March 28, 1942.* By virtue of the provisions of section 6 of the Public Debt Act of 1942, the tax exemption provisions set forth in paragraph (a) with respect to income consisting of dividends on stock of the Federal land banks, national farm-loan associations, and Federal reserve banks, or on share accounts of Federal savings and loan associations, are not applicable in the case of dividends on such stock or shares issued on or after March 28, 1942.

For the purposes of this section, a stock or share is deemed to be issued at the time and to the extent that payment therefor is made to the agency or instrumentality. The date of issuance of the certificate or other evidence of ownership of such stock or share is not determinative if payment is made at an earlier or later date. Where old stock is retired in exchange for new stock of a different character or preference, the new stock shall be deemed to have been issued at the time of the exchange rather than when the old stock was paid for. This paragraph may be illustrated by the following examples:

Example (1). A, the owner of an investment share account, consisting of 10 shares, in a Federal savings and loan association, has a single certificate issued prior to March 28, 1942, evidencing such ownership. In order that A may dispose of half of such shares, the association at his request issues, after March 27, 1942, two five-share certificates in substitution for the 10-share certificate. The shares evidenced by the two new certificates are deemed to have been issued prior to March 28, 1942, the shares having been paid for prior to such date.

Example (2). The X Bank, a member of a Federal reserve bank, owns 50 shares of Federal reserve bank stock, evidenced by a single stock certificate issued prior to March 28, 1942. On December 31, 1942, the X Bank reduces the amount of its capital stock as a result of which it is required to reduce the amount of its Federal reserve bank stock to 40 shares. It surrenders the 50-share certificate to the Federal reserve bank and receives a new 40-share certificate. The 40 shares evidenced by such certificate are deemed to have been issued prior to March 28, 1942. On December 31, 1943, the X Bank increases the amount of its capital stock as a result of which it is required to purchase 10 additional shares of the Federal reserve bank stock. The Federal reserve bank issues a 10-share certificate evidencing ownership of the new shares. Of the 50 shares then owned by the X Bank, 40 were issued prior to March 28, 1942, and 10 were issued after March 27, 1942.

Example (3). A, the owner of a savings share account, in the amount of $100, in a Federal savings and loan association, has a passbook containing a certificate issued prior to March 28, 1942, evidencing such ownership. Subsequent to March 27, 1942, A deposits $10,000 in the account. With respect to the $10,000 deposit, the share is deemed to have been issued after March 27, 1942.

3. Section 19.22 (b) (4)–3 is amended to read as follows:

§ 19.22 (b) (4)–3 *Interest upon notes secured by mortgages executed to Federal agencies or instrumentalities.* Section 26 of the Federal Farm Loan Act of July 17, 1916 (39 Stat. 380, 12 U.S.C., 1940 ed., 931), and section 210 of such Act, as added by section 2 of the Act of March 4, 1923 (42 Stat. 1459, 12 U.S.C., 1940 ed., 1111), provide that first mortgages executed to Federal land banks, joint-stock land banks, or Federal intermediate credit banks, and the income derived therefrom, shall be exempt from taxation. Accordingly, income consisting of interest on promissory notes held by such banks and secured by such first mortgages is not subject to the income tax.

4. Section 19.22 (b) (4)–4, as amended by Treasury Decision 5040, approved February 28, 1941, is amended as follows:

A. By inserting after the fifth paragraph of paragraph (a) the following new paragraph:

Section 26 of the Federal Farm Loan Act of July 17, 1916 (39 Stat. 380, 12 U.S.C., 1940 ed., 931), and section 210 of such Act, as added by section 2 of the Act of March 4, 1923 (42 Stat. 1459, 12 U.S.C., 1940 ed., 1111), provide that farm-loan bonds issued by Federal land banks and joint-stock land banks and debentures issued by Federal intermediate credit banks, with the income therefrom, shall be exempt from taxation. Accordingly, interest from such farm-loan bonds or debentures is not subject to the income tax.

B. By inserting "debentures," immediately following "bonds," in the first sentence of paragraph (b) and by inserting at the end of paragraph (b) the following new paragraph:

In the case of obligations issued as the result of a refunding operation, as, for example, where a corporation exchanges bonds for previously issued bonds, the refunding obligations are deemed, for the purposes of this section, to have been issued at the time of the exchange rather than at the time the original bonds were issued.

(Sec. 6 Public Debt Act of 1942 (Public Law 510, 77th Cong.) and sec. 3791 (a) (2) Internal Revenue Code (53 Stat. 467; 26 U.S.C., 3791 (a) (2)))

[SEAL] GUY T. HELVERING, *Commissioner of Internal Revenue.*

Approved: July 6, 1942.

JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

[F. R. Doc. 42-6468; Filed, July 7, 1942; 4:08 p. m.]

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[1] 5 F.R. 1066.

[2] 6 F.R. 1287.

[T. D. 5162]

Subchapter D—Social Security and Carriers Taxes

REGULATIONS AMENDED

In order to conform Part 400, Title 26, Code of Federal Regulations [Regulations 90] only as made applicable to the Internal Revenue Code (53 Stat., Part 1; 26 U.S.C.) by Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup. [Treasury Decision 4885] relating to the Federal unemployment tax for the calendar year 1939; Part 401 of such Title 26 [Regulations 91], relating to the employees' tax and the employers' tax under Title VIII of the Social Security Act (49 Stat. 636; 42 U.S.C., 1001 to 1011, inclusive); such Regulations 91 as made applicable to the Internal Revenue Code by such Treasury Decision 4885; Part 402 of such Title 26, 1940 Sup. [Regulations 106], relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code; 53 Stat. 175, 1381; 26 U.S.C., 1940 ed., 1400 to 1432, inclusive); and Part 403 of such Title 26, 1940 Sup. [Regulations 107], relating to the excise tax on employers under the Federal Unemployment Tax Act (subchapter C, chapter 9, Internal Revenue Code; 53 Stat. 183, 1387; 26 U.S.C., 1940 ed., 1600 to 1611, inclusive), to the Act approved April 8, 1942 (Public Law 520—77th Congress), such regulations are amended as follows:

1. By inserting the following caption and provision of law immediately preceding article 13 of Regulations 91, as amended by § 401.13, Title 26, Code of Federal Regulations [Treasury Decision 4801], and by § 401.13 of such Title 26, 1940 Sup. [Treasury Decision 5027]; by inserting such caption and provision of law immediately preceding article 13 of Regulations 91 as so amended and as made applicable to the Internal Revenue Code by 4085 Chapter I, note, of such Title 26, 1939 Sup. [Treasury Decision 4885]; and by inserting such caption and provision of law immediately preceding § 402.216 of Regulations 106:

SECTION 14 OF THE ACT APPROVED APRIL 8, 1942 (PUBLIC LAW 520—77TH CONGRESS)

The first proviso in subsection (d) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended to read as follows: *"Provided, however,* That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an

assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case such other formula as the Railroad Retirement Board may have prescribed pursuant to subsection (c) of section 1 of the Railroad Retirement Act of 1937 shall be applicable:".

The amendment in this section shall operate in the same manner and have the same effect as if it had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if it had been part of the Carriers Taxing Act of 1937 (50 Stat. 435) when that Act was enacted on June 29, 1937 * * *.

2. By inserting the following caption and provision of law immediately preceding article 206 (8), Regulations 90 only as made applicable to the Internal Revenue Code by Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup. [Treasury Decision 4885], added by 4931 § 400.206 (8) of such Title 26, 1939 Sup. [Treasury Decision 4931], and as amended by § 400.206 (8) of such Title 26, 1940 Sup. [Treasury Decision 5028]; and by inserting such caption and provision of law immediately preceding § 403.216 of Regulations 107:

SECTION 15 OF THE ACT APPROVED APRIL 8, 1942 (PUBLIC LAW 520—77TH CONGRESS)

The first proviso in subsection (e) of section 1 of the Railroad Unemployment Insurance Act, approved June 25, 1938, as amended, is hereby amended to read as follows: "*Provided, however*, That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case such other formula as it finds to be equitable:".

The amendment in this section shall operate in the same manner and have the same effect as if it had been part of the Railroad Unemployment Insurance Act when that Act was enacted on June 25, 1938 * * *.

(Sec. 808 Social Security Act (49 Stat. 638; 42 U.S.C., 1008), secs. 1429, 1609, and 3791 Internal Revenue Code (53 Stat. 178, 188, 467; 26 U.S.C., 1429, 1609, 3791), and secs. 14 and 15 Public Law 520—77th Cong.)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: July 6, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6470; Filed, July 7, 1942; 4:08 p. m.]

[T. D. 5161]

PART 410—EMPLOYERS' TAX, EMPLOYEES' TAX, AND EMPLOYEE REPRESENTATIVES' TAX UNDER THE CARRIERS TAXING ACT OF 1937

TAXES ON EMPLOYMENT BY CARRIERS

In order to conform Part 410, Title 26, Code of Federal Regulations [Regulations 100], relating to the employers' tax, employees' tax, and employee representatives' tax under the Carriers Taxing Act of 1937 (50 Stat. 435; 45 U.S.C., 1940 ed., 261 to 273, inclusive), and such regulations as made applicable to the Internal Revenue Code (53 Stat., Part 1; 26 U.S.C., 1940 ed.) by Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup. [Treasury Decision 4885], to section 14 of the Act approved April 8, 1942 (Public Law 520—77th Congress), each of such regulations is amended as follows:

1. Immediately preceding § 410.1, Title 26, Code of Federal Regulations [article 1], the following is inserted:

SECTION 14 OF THE ACT APPROVED APRIL 8, 1942 (PUBLIC LAW 520—77TH CONGRESS)

The first proviso in subsection (d) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended to read as follows: "*Provided, however*, That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case the Board may prescribe such other formula as it finds to be equitable:".

The amendment in this section shall operate in the same manner and have the same effect as if it had been part of the Railroad Unemployment Insurance Act when that Act was enacted on June 25, 1938 * * *.

(Sec. 808 Social Security Act (49 Stat. 638; 42 U.S.C., 1008), secs. 1429, 1609, and 3791 Internal Revenue Code (53 Stat. 178, 188, 467; 26 U.S.C., 1429, 1609, 3791), and secs. 14 and 15 Public Law 520—77th Cong.)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: July 6, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6470; Filed, July 7, 1942; 4:08 p. m.]

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1. Immediately preceding § 410.1, Title 26, Code of Federal Regulations [article 1], the following is inserted:

SECTION 14 OF THE ACT APPROVED APRIL 8, 1942 (PUBLIC LAW 520—77TH CONGRESS)

The first proviso in subsection (d) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended to read as follows: "*Provided, however*, That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case such other formula as the Railroad Retirement Board may have prescribed pursuant to subsection (c) of section 1 of the Railroad Retirement Act of 1937 shall be applicable".

The amendment in this section shall operate in the same manner and have the same effect as if it had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if it had been part of the Carriers Taxing Act of 1937 (50 Stat. 435) when that Act was enacted on June 29, 1937: *Provided, however*, That no interest or penalties shall accrue or be deemed to have accrued for the failure to make returns under, or pay taxes levied by, sections 1500 and 1520, respectively, of said Internal Revenue Code and sections 2 and 3, respectively, of said Carriers Taxing Act of 1937 with respect to the compensation of employees of any local lodge or division or of any general committee of a railway-labor-organization employer earned prior to the enactment of this amendment, if (1) the headquarters of such a local lodge or division was not located in the United States, or (2) all, or substantially all, the individuals constituting the membership of such a local lodge or division were employees of an employer not conducting the principal part of its business in the United States, or (3) the individuals represented by such a general committee were employees of an employer not conducting the principal part of its business in the United States, or (4) the service to such a general committee was rendered outside the United States, or (5) the office or headquarters of the individual rendering service to such a general committee was not located in the United States and if such returns are made and such taxes are paid within the time allowed for making returns and paying taxes with respect to the first calendar quarter beginning after the enactment of this amendment.

2. Section 410.3 (a), Title 26, Code of Federal Regulations [article 3 (a)] as amended by § 410.3 (a) of such Title 26, 1940 Sup., [Treasury Decision 5017], is amended by striking out the seventh and eighth paragraphs thereof and by inserting in lieu of such paragraphs the following:

If an individual performs services for an employer (other than a local lodge or division or a general committee of a railway-labor-organization employer) which does not conduct the principal part of its business within the United States, such individual shall be deemed to be in the service of such employer only to the extent that he performs services for it in the United States. Thus, with respect to services rendered for such employer outside the United States, such individual is not in the service of an employer.

If an individual performs services for an employer (other than a local lodge or division or a general committee of a railway-labor-organization employer) which conducts the principal part of its business within the United States, he is in the service of such employer whether his services are rendered within or without the United States. In the case of an individual, not a citizen or resident of the United States, rendering services in a place outside the United States to an employer which is required under the laws applicable in such place to employ, in whole or in part, citizens or residents thereof, such individual shall not be deemed to be in the service of an employer with respect to services so rendered.

3. Section 410.3 (b), Title 26, Code of Federal Regulations, [article 3 (b)] as amended by § 410.3 (b) of such Title 26, 1940 Sup., [Treasury Decision 5017], is stricken out and the following inserted in lieu thereof:

(b) *Employees of local lodges or divisions of railway labor organizations.* (1) An individual is in the service of a local lodge or division of a railway-labor-organization employer (see § 410.2 (f), Title 26, Code of Federal Regulations [article 2 (f)] only if:

(i) All, or substantially all, the individuals constituting the membership of such local lodge or division are employees of an employer conducting the principal part of its business in the United States; *or*

(ii) The headquarters of such local lodge or division is located in the United States. (See section 14 of the Act approved April 8, 1942 (Public Law 520—77th Congress), set forth preceding § 410.1 of such Title 26, 1942 Sup. [article 1].)

(2) An individual in the service of a local lodge or division is not an employee within the meaning of the law and these regulations unless, on or after August 29, 1935, he was either:

(i) In the service of a *carrier;* that is, on or after August 29, 1935, the individual must have been subject to the continuing authority of a carrier to supervise and direct the manner of the performance of services being rendered by such individual for compensation (see § 410.3 (a) of such Title 26 and 1940 Sup. and 1942 Sup. [paragraph (a) of this article]; *or*

(ii) In the "employment relation" to a *carrier;* that is, the individual on or after August 29, 1935, in accordance with established rules and practices in effect on the carrier, was on furlough subject to call for service within or without the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability. However, an individual shall not be deemed to be in the "employment relation" to a carrier unless during the last pay-roll period in which he rendered service to it, he was with respect to that service "in the service of an employer" (see § 410.3 (a) of such Title 26 and 1940 Sup. and 1942 Sup. [paragraph (a) of this article]).

(For definition of "carrier," see § 410.2 (a) of such Title 26 [article 2 (a)].)

(c) *Employees of general committees of railway labor organizations.* An individual is in the service of a general committee of a railway-labor-organization employer (see § 410.2 (f), Title 26, Code of Federal Regulations [article 2 (f)]) only if:

(1) He is representing a local lodge or division described in § 410.3 (b) (1) of such Title 26, 1942 Sup. [paragraph (b) (1) of this article]; *or*

(2) All, or substantially all, the individuals represented by such general committee are employees of an employer conducting the principal part of its business in the United States; *or*

(3) He acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer. In such case, if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only a part of his remuneration for such service shall be regarded as compensation (see § 410.5 of such Title 26 and 1940 Sup. and 1942 Sup. [article 5]). The part of his remuneration regarded as compensation shall be in the same proportion to his total remuneration as the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case such other formula as the Railroad Retirement Board may have prescribed pursuant to section 1 (c) of the Railroad Retirement Act of 1937, as amended, shall be applicable. (See section 14 of the Act approved April 8, 1942 (Public Law 520—77th Congress), set forth preceding § 410.1 of such Title 26, 1942 Sup. [article 1].)

4. Section 410.5 Title 26, Code of Federal Regulations [article 5], as amended by § 410.5 of such Title 26, 1940 Sup. [Treasury Decision 5029], is amended by adding at the end thereof the following:

(See section 14 of the Act approved April 8, 1942 (Public Law 520—77th Congress), set forth preceding § 410.1, Title 26, Code of Federal Regulations, 1942 Sup. [article 1] and see also § 410.3 (c) of such Title 26, 1942 Sup. [article 3 (c)] for special provisions relating to the compensation of certain general chairmen or assistant general chairmen of a general committee of a railway-labor-organization employer.)

5. Sections 410.803, 410.804, and 410.805 (a), Title 26, Code of Federal Regulations [articles 803, 804, and 805 (a)] are amended by adding at the end of each such article the following new paragraph:

(See, however, section 14 of the Act approved April 8, 1942 (Public Law 520—77th Congress), set forth preceding § 410.1, Title 26, Code of Federal Regulations, 1942 Sup. [article 1] for special provisions relating to interest and penalties in the case of certain local lodges and divisions and general committees of railway-labor-organization employers.)

(Sec. 12 Carriers Taxing Act of 1937 (50 Stat. 440; 45 U. S. C., 1940 ed., 272), secs. 1535 and 3791 of the Internal Revenue Code (53 Stat. 183, 467: 26 U. S. C., 1940 ed., 1535, 3791), and sec. 14 of the Act approved April 8, 1942 (Public Law 520—77th Congress))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: July 6, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6469; Filed, July 7, 1942; 4:08 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

[Docket No. A-1454]

ORDER PROVIDING FOR FINAL RELIEF

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

On May 29, 1942, 7 F.R. 4377, an Order Granting Temporary and Conditionally Final Relief having been issued in Docket No. A-1454 in which, *inter alia*, the shipping point of Brockway, Pennsylvania on the Pennsylvania Railroad was assigned to the Bona #2 Mine, Mine Index No. 745, of John Bona, for rail shipments, as requested by petitioner;

On June 23, 1942, petitioner having filed with the Bituminous Coal Division a document designated "Motion to Amend the Above Entitled Petition," in which it was stated that John Bona was unable to obtain a loading facility at Brockway, Pennsylvania for his mine, and which requested a shipping point at Hyde, Pennsylvania, on the Pittsburg, Shawmut and Northern Railroad for the Bona #2 Mine for rail shipments;

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the matter as hereinafter set forth, and for a consideration of the "Motion to Amend the Above Entitled Petition" as a Motion to Amend the Order of May 29, 1942, in this matter;

No petitions of intervention having been filed with the Division to the "Motion to Amend the Above Entitled Petition;"

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That § 321.7 (*Alphabetical list of code members*) in the Order Granting Temporary Relief and Con-

ditionally Providing for Final Relief in Docket No. A–1454, dated May 29, 1942, be amended to assign the shipping point of Hyde, Pennsylvania, on the Pittsburg, Shawmut and Northern Railroad to the Bona #2 Mine (Mine Index No. 745) of John Bona instead of Brockway, Pennsylvania, on the Pennsylvania Railroad, and to assign this mine to Freight Origin Group No. 118 instead of 120.

Dated: July 7, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6484; Filed, July 8, 1942; 10:44 a. m.]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

[Docket No. A–1330, Part II]

Findings of fact, conclusions of law, memorandum opinion and order in the matter of petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division (the "Division") on February 23, 1942, by District Board No. 13, pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act"). The petitioner requested the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13 which had not heretofore been established.

The petitioner proposed prices for all shipments except truck and for truck shipments, for the coals of the Brewer No. 2 Mine (Mine Index No. 1473) in the Gholson Seam, in which seam prices had not been established for any other mines. The petitioner also proposed a price of $2.43 per ton for coals of the three Lee Powell mines (Hillcrest Coal Company) (Mine Index Nos. 331, 755, and 1454), for railroad fuel use when sold to the A B & C Railroad. By Order dated March 25, 1942, 7 F.R. 2520, temporary relief was given as requested.[1] In that Order a price of $2.43 per ton was established for coal sold to the A B & C Railroad for railroad fuel use.

Pursuant to appropriate orders and after notice to interested persons, a hearing in this matter was held on May 6, 1942, before W. A. Cuff, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C.[2]

All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board No. 13 appeared. The preparation and filing of a report by the Examiner was waived and the record was thereupon submitted to the undersigned.

At the hearing, a motion was made by the petitioner that that portion of Docket No. A–1330, Part II, relating to the Brewer No. 2 Mine (Mine Index No. 1473) be withdrawn therefrom, without prejudice, for the reason that the Brewer No. 2 Mine had closed and was unlikely to reopen. Uncontroverted evidence clearly indicated that this was so. In agreement with the position taken by the petitioner, I find, therefore, that the motion should be granted and the temporary price classifications and minimum prices established for the Brewer No. 2 Mine (Mine Index No. 1473) for all shipments except truck, and for truck shipments, should be terminated.

The general railroad fuel price in District 13 is $2.20 per ton. This price applies to the vast majority of mines in the district for sale to all railroads, including the A B & C Railroad. Petitioner attempts to justify a $2.43 price here on the basis of past sales and of generally increased costs. The record does show that Hillcrest Coal Company has sold a few cars of railroad fuel to the A B & C Railroad at a price of $2.43. However, whether or not this sale was one merely for test purposes—which it appears to be—it is not the function of the Act of underwrite—as a minimum price—a price which is obtainable in a strong market. The standards for establishing minimum prices are set forth in the Act and they are to be followed. And the upward revision of the minima because of increased costs is a matter to be resolved in General Docket No. 21 on a price area and not an individual mine basis.

Upon the basis of the evidence, I find and conclude, therefore, that the request for the establishment of a minimum price of $2.43 for the coals of the Mary Frances Mine (Mine Index No. 331), the Big Four Mine (Mine Index No. 755), and the Mary Ann Mine (Mine Index No. 1454) for railroad locomotive fuel use for the A B & C Railroad should not be granted.

On the basis of the foregoing Findings of Fact, I conclude that the established $2.20 price effectuates the purposes of section 4 II (a) and (b) of the Act.

Now, therefore, it is ordered, That the price classifications and minimum prices established for the coals of the Brewer No. 2 Mine of the Paul Isbell Company (Mine Index No. 1473) for all shipments except truck, and for truck shipments be, and the same are hereby, terminated.

It is further ordered, That the request of the petitioner, District Board No. 13, for the establishment of a minimum price of $2.43 for the coals of the Mary Frances Mine (Mine Index No. 331), the Big Four Mine (Mine Index No. 755), and the Mary Ann Mine (Mine Index No. 1454) of Lee Powell (Hillcrest Coal Company), for railroad locomotive fuel use, for the A B & C Railroad, be, and the same hereby is, denied.

It is further ordered, That the temporary price of $2.43 established by an Order, dated March 25, 1942, for the coals of the Mary Frances Mine (Mine Index No. 331), the Big Four Mine (Mine Index No. 755, and the Mary Ann Mine (Mine Index No. 1454), for locomotive fuel use, for the A B & C Railroad be, and the same is hereby, terminated; and a price of $2.20 be, and the same is hereby, established as follows:

Commencing forthwith § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

DISTRICT NO. 13

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

PRICES F. O. B. MINES FOR SHIPMENT TO ALL RAILROADS AND FOR EXCLUSIVE USE OF RAILROADS

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above commercial prices as listed in other sections of this price schedule shall apply.

Mine Index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	JEFFERSON COUNTY, ALA.				
331	Powell, Lee (Hillcrest Coal Co.)	Mary Frances	1	Lower Nunnally	
755	Powell, Lee (Hillcrest Coal Co.)	Big Four	1	Upper Nunnally	
1454	Powell, Lee (Hillcrest Coal Co.)	Mary Ann	1	Upper Nunnally	

Shipping Point: Parkwood, Ala. (For railroad fuel only.) Railroad: AB&C.
These mines shall have a price of $2.20 to the AB&C Railroad only for all sizes customarily furnished railroads for Locomotive Fuel.

[F. R. Doc. 42–6483; Filed, July 8, 1942; 10:44 a. m.]

[1] These four mines were included in a group of mines in District No. 13, for which prices were originally proposed in Docket No. A–1330. Severance of that portion of that Docket which affected these four mines was ordered so as to enable a separate consideration thereof.

[2] A hearing originally set for April 28, 1942, before Examiner E. J. Hayes was postponed by Orders of the Acting Director and set for May 6, 1942, Examiner W. A. Cuff being designated Examiner vice E. J. Hayes.

Country	Monetary unit	Value in terms of U.S. money	Remarks
Great Britain	Pound Sterling	$3.2297	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.0031	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U.S. dollars.
Honduras	Lempira	.5466	Gold standard established 1931; lempira circulates as equivalent of half of U. S. dollar.
Hungary	Pengö	.2961	Exchange control established July 17, 1931.
India [British]	Rupee	.6180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Piaster		Pegged to French franc at the rate of 1 piaster=10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Ireland	Pound	3.2297	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Jan. 5, 1936.
Japan	Yen	.4440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat		Currency pegged to sterling Sept. 29, 1936, at 2.522 lati=£100; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent from its par of exchange with the United States dollar, or the Swedish krona, Bank of Latvia may change the rate at which it will keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia	Dollar	1.0031	British money is principal circulating medium.
Lithuania	Litas	.1663	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso	.2060	Declared on basis of the monetary unit, the peso, to be later defined by law.
Netherlands and colonies	Guilder (florin)	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition repealed by decree of June 28, 1938; Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling. By act of September 20, 1940, the Netherlands Indies guilder was declared independent of the guilder by law, that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2121 per kilogram fine.
Newfoundland	Dollar	1.0031	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	3.2297	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931; export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1939.
Nicaragua	Cordoba	1.0033	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.4337	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.0000	U.S. money is principal circulating medium.
Paraguay	Peso (Argentine)	1.6035	Peso nominally converted at 2.44% of face value; exchange control established June 29, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932.
Philippine Islands	Peso	.5000	Gold Exchange Standard established Apr. 27, 1936.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Colon	.5466	Conversion of notes into gold suspended Oct. 7, 1931.
Straits Settlements	Dollar	.5613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4337	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc		Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a level ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (Tical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey	Piaster	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound	3.2307	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics	Chervonetz	5.1823	
Uruguay	Peso	.6583	Conversion of notes into gold suspended Aug. 2, 1914; gold content of .758018 grams of pure gold established Nov. 24, 1934; new gold content of .658018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela	Bolivar	.3297	Exchange control established Dec. 12, 1936.
Yugoslavia	Dinar	.0236	Exchange control established Oct. 7, 1931.

(Sec. 25, 28 Stat. 552; sec. 403, 48 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U. S. C. 372)

JULY 1, 1942.

[F. R. Doc. 42–6486; Filed, July 8, 1942; 11:21 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1942 Department Circular No. 1]

PART 129—VALUES OF FOREIGN MONEYS

JULY 1, 1942.

§ 129.5 *Calendar year 1942.*

* * *

(c) *Quarter beginning July 1, 1942.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1942, expressed in any such foreign monetary units: *Provided, however*, That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the tariff act of 1930.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[Values of foreign monetary units at par as regards gold units; nongold units have no fixed par with gold]

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	$1.6335	Given valuation is of gold peso. Paper nominally converted at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound	3.2297	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium	Belga	.1695	By decree of Mar. 31, 1936. One belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the exchange of the Belgian franc and the franc of the Belgian Congo at 176.8258 francs for £1 sterling.
Bolivia	Boliviano	.6190	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Milreis	.0603	Based upon official rate for milreis in terms of the dollar as stabilization effected by Brazil. Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1930.
British Honduras	Dollar	1.0031	Conversion of notes into gold suspended.
Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.0031	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.0060	Obligation to sell gold at legal monetary par received for conversion at the rate of 4 paper pesos for 1 gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan		Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate pegged initially at 29½d. sterling, fixed at about 18. 2½d., or about 29½¢ U. S. per yuan.
Hong Kong	Dollar		Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 1935; exchange fund created to control exchange rate. Obligation to sell gold at legal monetary par suspended Nov. 1, 1934; gold content of .8424 grams of gold 9/10 fine established by monetary law of Nov. 19, 1938, effective Nov. 30, 1938. By law of May 25, 1934.
Colombia	Peso	.5714	
Costa Rica	Colon	.7570	
Cuba	Peso	1.0000	Conversion of notes into gold suspended Sept. 29, 1931.
Czechoslovakia	Koruna	.4337	U.S. money is principal circulating medium.
Denmark	Krone	1.6931	Conversion of notes into gold suspended Feb. 6, 1932.
Dominican Republic	Dollar	1.0031	Conversion of notes into gold suspended Sept. 21, 1931.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended June 28, 1983.
Egypt	Pound (100 piasters)	5.1823	Conversion of notes into gold suspended Oct. 12, 1931.
Estonia	Kroon	.4337	Provisions of monetary law of Oct. 1, 1936, providing for gold content of .7258 grams of gold 9/10 fine declared by Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
Finland	Markka	.0126	
France	Franc		
Germany	Reichsmark	.4023	Exchange control established July 13, 1931.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 2 to Supplementary Directive 1 H]

FURTHER AUTHORIZATION OF OFFICE OF PRICE ADMINISTRATION IN GASOLINE RATIONING

Section 903.9, Supplementary Directive 1 H,[1] is hereby amended to read as follows:

§ 903.9 *Further delegation of authority to the Office of Price Administration with reference to rationing of gasoline.*[2] (a) In order to permit the efficient rationing of gasoline, the authority delegated to the Office of Price Administration in § 903.1, Directive No. 1, is hereby extended to include the following:

(1) The exercise of rationing control over the sale, transfer, delivery or other disposition of gasoline by any person to any consumer, in cases in which such consumer is within the limitation area, and over the use of gasoline by any such consumer: *Provided*, That such authority shall not include the power to limit or restrict the quantity of gasoline obtainable by the Army, Navy, Marine Corps, or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire gasoline for export to and consumption or use in any foreign country; and

(2) The requiring of the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe, as a condition to the sale, transfer, delivery or other disposition of gasoline by any person to any other person in cases in which either person is within the limitation area.

(b) The authority of the Office of Price Administration under this supplementary directive shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of gasoline to, or acquisition or use of gasoline by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The Office of Price Administration is authorized, in accordance with the provisions of Executive Order No. 9125, and to the extent that it may deem necessary to the enforcement of the authority delegated in paragraphs (a) and (b) of this Supplementary Directive:

(1) To require records and reports and to make audits of the accounts and inspections of the facilities of any person wherever located, involved directly or indirectly in the sale, transfer, delivery, or other disposition of gasoline to or from any point in the limitation area, or to, from or within a State included in whole or in part in such area, and

(2) To require any person, wherever located, who is involved, directly or indirectly, at any stage in the distribution of gasoline which is ultimately sold, transferred, delivered or otherwise disposed of in the limitation area (whether by such person or by other persons), or is used in the limitation area, to comply with any rule, regulation or procedure promulgated or established pursuant to the authority delegated in paragraph (a) of this supplementary directive.

(d) As used in this supplementary directive, the term "gasoline" means any liquid fuel used for the propulsion of motor vehicles, aircraft or motorboats by means of internal combustion engines, except liquid fuel with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzene, benzol, and naphtha; the term "person" means any individual partnership, corporation, association, governmental or government agency, and any other organized group or enterprise; the term "consumer" means any person who uses gasoline for any purpose, including use as a component part of any manufactured article, material, or compound; and the term "limitation area" means the entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair, and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe, and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty, and that part of Franklin which lies east of the Apalachicola River in the State of Florida.

(e) The authority delegated by paragraphs (a) (b) and (c) of this supplementary directive may also be exercised within or with respect to the entire area within fifty (50) miles of the limitation area.

(f) This supplementary directive shall become effective July 9, 1942.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, Apr. 7, 1942, 7 F.R. 2719; Sec. 2 (a), Pub. No. 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2d Sess.; WPB Dir. No. 1, Jan. 24, 1942, 7 F.R. 562; Supp. Dir. No. 1 H, May 11, 1942, 7 F.R. 562, 3478; WPB Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended Mar. 14, 1942, 7 F.R. 2126.)

Issued this 8th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6499; Filed, July 8, 1942; 11:56 a. m.]

[1] 7 F.R. 3478, 3677.
[2] See Office of Price Administration, *infra*.

Subchapter B—Division of Industry Operations

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

APPENDIX TO SCHEDULE III TO LIMITATION ORDER NO. L-120[1]

FINE WRITING PAPERS

Rag Content Bond Paper

(i) *Grades.*

25 percent rag content
50 percent rag content
75 percent rag content
100 percent rag content
Extra 100 percent rag content

(ii) *Sizes*, in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

For white and ivory:	For colors:
17 x 22	17 x 22
17 x 28	22 x 34
19 x 24	24 x 38
22 x 34	28 x 34
24 x 38	
28 x 34	
34 x 44	

Typewriter sizes may be made in the 25%, 50%, and 100% rag content grades.

(iii) *Substance weights* (per 500 sheets 17 x 22): 13, 16, 20, and, for 100% rag content, check and safety base stock only, 24. Typewriter sizes may be manufactured in substance weights 11, 13, 16 and 20.

(iv) *Colors.* White, ivory and six other colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content* (if containing wood pulp): At least 5% in substance weights 13 and 16, at least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 2,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each watermark is at least 2,000 pounds. None otherwise.

(vii) *Exceptions:*

(.1) *Special sizes.* On "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 10,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 10,000 pounds.

(.3) *Extra 100% rag content.* Unrestricted in any respect.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

[1] 7 F.R. 5124.

Rag Content Ledger Paper

(i) *Grades.* Any four of the following, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule:

25 percent rag content
50 percent rag content
75 percent rag content
85 percent rag content
100 percent rag content

and, in addition to the four selected, extra 100% rag content.

(ii) *Sizes*, in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	22 x 34
17 x 28	24 x 38
19 x 24	28 x 34
22½ x 22½	

(iii) *Substance weights* (per 500 sheets 17 x 22): 24, 28, 32, and, in 100% Rag Content, 36.

(iv) *Colors.* White, blue and buff.

(v) *Ash content* (if containing wood pulp): At least 7%.

(vi) *Special name watermark.* In "making orders" for at least 2,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each watermark is at least 2,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 10,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 10,000 pounds.

(.3) *Extra 100% rag content.* Unrestricted in any respect.

(viii) *Remarks.* None.

Rag Onion and/or Manifold Paper

(i) *Grades:*

25% rag content
50% rag content (on Government orders only)
75% rag content (only in white)
100% rag content

(ii) *Sizes*, in inches, sheets only (no rolls except for "making orders" of at least 500 pounds).

For white:	For colors:
21 x 32	22 x 34
22 x 34	24 x 38
24 x 38	28 x 34
26 x 34	
28 x 34	

(iii) *Finishes and substance weights.* Only in those regularly manufactured by the particular manufacturer as of December 1, 1941 but no substance weight in excess of 9 pounds (per 500 sheets 17 x 22).

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content* (if containing wood pulp). No minimum.

(vi) *Special name watermark.* In "making orders" for at least 1,000 pounds, any special name watermark or watermarks, provided that each item of the order is standard as to grade, color, substance weight and finish, that the quantity of each size is at least 500 pounds, and that the quantity of each watermark is at least 1,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 500 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and finish and color and that there is at least 500 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 5,000 pounds, any color or colors required, provided that each item is standard as to grade, substance weight and finish, that the quantity of any size or sizes required is at least 500 pounds, and that the quantity of each color is at least 5,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Rag Content Index

(i) *Grades.*

25 percent rag content
50 percent rag content
100 percent rag content
Extra 100 percent rag content

(ii) *Sizes*, in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17½ x 22½	22½ x 35
19½ x 24½	24½ x 24½
22½ x 22½	24½ x 28½
22½ x 28½	24½ x 39

(iii) *Substance weights* (per 500 sheets 17 x 22): 24, 28, 32 and, for 100% rag content only, 36.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content* (if containing wood pulp): At least 7%.

(vi) *Special name watermark.* In "making orders" for at least 2,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each watermark is at least 2,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 10,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 10,000 pounds.

(.3) *Extra 100% rag content.* Unrestricted in any respect.

(viii) *Remarks.* None.

Rag Content Loose Leaf and/or Machine Posting Ledger Paper

(i) *Grades.* Any four of the following, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule:

25 percent rag content
50 percent rag content
75 percent rag content
85 percent rag content
100 percent rag content

and, in addition to the four selected, extra 100% rag content.

(ii) *Sizes*, in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

20½ x 24¾
25½ x 30½

(iii) *Substance weights* (per 500 sheets 25½ x 30½): 90, 110, 140, and 170.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content* (if containing wood pulp): At least 7%.

(vi) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 5,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 5,000 pounds.

(.3) *Extra 100% rag content.* Unrestricted in any respect.

(vii) *Remarks.* None.

Rag and Chemical Wood Pulp Machine Finish Cover Paper

(i) *Grades:* 2 Grades of rag content; 2 Grades of wood pulp; 1 Grade of ground wood content. Each selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

20 x 26
23 x 35
26 x 40

(iii) *Substance weights* (per 500 sheets 20 x 26): 50, 65, 80, and 130, and in Ground Wood Content Grade only, 40.

(iv) *Colors.* White, either ivory or India but not both, and six other colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content* (if containing wood pulp): At least 7%.

(vi) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 5,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 5,000 pounds.

(vii) *Remarks.*

(.1) The foregoing applies to Specialty Cover Papers (Coated, Waterproofed, Embossed, etc.) except that a manufacturer may make Specialty Cover Papers in sizes and weights which he was regularly manufacturing as of December 1, 1941 but in no other sizes and weights unless permitted by the terms of (vi) above.

(.2) Only the substance weights permitted by the foregoing may be made but combinations of such substance weights may be pasted together.

(.3) Normal after finishing operations, such as embossing or special decorations, are permitted, provided that the Antique finish base stock conforms to the foregoing.

Rag Content Writing and/or Linen Paper

(i) *Grades.* Not more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22
22 x 34

(iii) *Substance weights* (per 500 sheets 17 x 22): 20 and 24.

(iv) *Colors.* White and ivory and three other colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content* (if containing wood pulp): At least 7%.

(vi) *Special name watermark.* In "making orders" for at least 2,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each watermark is at least 2,000 pounds, None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 5,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 5,000 pounds.

(viii) *Remarks.* None.

Rag Content Wedding Paper

(i) *Grades.* Not more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds):

For white:	For ivory:
22 x 34	22 x 34
22½ x 28½	

(iii) *Substance weights* (per 500 sheets 17 x 22)—28, 32, and 36; (per 500 sheets 22½ x 28½)—120, 140, and 160.

(iv) *Colors.* White and ivory.

(v) *Ash content* (if containing wood pulp): At least 7%.

(vi) *Special name watermark.* In "making orders" for at least 2,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each watermark is at least 2,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 5,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 5,000 pounds.

(viii) *Remarks.* An order for pasted weights may be manufactured if the Rag Content Wedding Paper used is of a grade, size, weight and color conforming to the other provisions of this caption.

Blue Print, Direct Line and Reproduction Paper

Remarks. No person may manufacture blue print, direct line and reproduction paper otherwise than according to the following tables:

SHEETS

Grades	Dimensions in inches	Weights in pounds per 500 sheets
Negative 100% rag content	17 x 22	14
100% reproduction	17 x 22	17-20½-24
50% rag content	17 x 22	17-20½
25% rag content	17 x 22	17-20½
No rag content	17 x 22	17-20½

ROLLS

Grades	Inches wide	Substance weight (in pounds per 500 sheets 17 x 22)
All above	24, 30, 36, 42, 48, and 54.	Any of the above.

Rolls of other widths than the above may be manufactured in quantities of 10,000 pounds, provided the grade and substance weight conform to the above.

Chemical Wood Pulp Bond Paper (Sulphite Bond)

(i) *Grades.* Not more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing Schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

For white and ivory:

17 x 22	22 x 34
17 x 28	24 x 38
19 x 24	28 x 34
21 x 32	34 x 44

For colors:

17 x 22	22 x 34
17 x 28	24 x 38
19 x 24	28 x 34

And typewriter sizes.

(iii) *Substance weights* (per 500 sheets 17 x 22): 13, 16 and 20.

(iv) *Colors.* White, ivory and six other colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 5% in substance weights 13 and 16; At least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets,

or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Chemical Wood Pulp Ledger Paper (Sulphite Ledger)

(i) *Grades.* Not more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	28 x 34
17 x 28	22½ x 22½
19 x 24	22½ x 34½
22 x 34	24½ x 24½
24 x 38	

(iii) *Substance weights* (per 500 sheets 17 x 22): 24, 28 and 32.

(iv) *Colors.* White and buff.

(v) *Ash content:* At least 7%.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* None.

Chemical Wood Pulp Mimeograph Paper

(i) *Grades.* Not more than 2 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	22 x 34
17 x 28	28 x 34

(iii) *Substance weights* (per 500 sheets 17 x 22): 16 and 20.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 5% in substance weight 16 and at least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Chemical Wood Pulp Gelatin and Spirit Process Duplicating Copy Papers

(i) *Grades.* 2 grades of chemical wood pulp gelatin process duplicating copy paper; 2 grades of chemical wood pulp spirit process duplicating copy paper. Each selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds)

17 x 22	22 x 34
17 x 28	24 x 38
19 x 24	28 x 34
21 x 32	

(iii) *Substance weights* (per 500 sheets 17 x 22): 16 and 20 for colors; 13, 16 and 20 for white.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 5% in substance weights 13 and 16, and at least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Chemical Wood Pulp Writing Paper (Wove)

(i) *Grades.* Not more than two grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	22 x 34
17 x 28	24 x 38
19 x 24	28 x 34

(iii) *Substance weights* (per 500 sheets 17 x 22). 16 and 20, and, when expressly made for Addressógraph 3700 machine or check and/or safety base stock, 24.

(iv) *Colors.* White.

(v) *Ash content.* At least 5% in substance weight 16 and at least 7% in substance weights 20 and 24.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000

pounds, and that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.3) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors, required, provided that each item is standard as to grade and substance weight that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Chemical Wood Pulp Onion Skin And/Or Manifold Paper

(i) *Grades.* No more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

For white:	For colors:
21 x 32	22 x 34
22 x 34	24 x 38
24 x 38	28 x 34
26 x 34	
28 x 34	

(iii) *Finishes and substance weights.* Only those regularly manufactured by the particular manufacturer as of December 1, 1941, but no substance weight in excess of 10 pounds (per 500 sheets 17 x 22).

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* No minimum.

(vi) *Special name watermark.* In "making orders" for at least 2,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each watermark is at least 2,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 2,000 pounds, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color and that there is at least 2,000 pounds of each sheet size.

(.2) *Special colors.* In "making orders" for at least 5,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special size is at least 2,000 pounds, that the quantity of each standard size is at least 1,000 pounds, and that the quantity of each color is at least 5,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations of typewriter paper or the cutting of sizes which cut economically from a standard size.

Chemical Wood Pulp Index Bristol

(i) *Grades.* No more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

$20\frac{1}{2} \times 24\frac{3}{4}$
$25\frac{1}{2} \times 30\frac{1}{2}$

(iii) *Substance weights* (per 500 sheets $25\frac{1}{2} \times 30\frac{1}{2}$. 90, 110, 140, and 220.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 7%.

(vi) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(vii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Chemical Wood Pulp Printing Bristols

(i) *Grades.* Not more than 3 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds): $22\frac{1}{2} \times 28\frac{1}{2}$.

(iii) *Substance weights* (per 500 sheets $22\frac{1}{2} \times 28\frac{1}{2}$): 90, 100, 120, 140 and 160.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing Schedule.

(v) *Ash content.* At least 7%.

(vi) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required: *Provided,* That each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(vii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Chemical Wood Pulp Vellum and/or Wedding Paper

(i) *Grades.* Not more than 2 grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

White	Ivory, granite	Other colors
22 x 34	22 x 34	22 x 34
$22\frac{1}{2}$ x $28\frac{1}{2}$		35 x 45

(iii) *Actual weights.*

(.1) White, in pounds per 500 sheets for size 22" x 34", 48, 56, 64 and 72, and in pounds per 500 sheets for size $22\frac{1}{2}$" x $28\frac{1}{2}$", 100, 120, 140, 160 and 180.

(.2) Ivory and granite, in pounds per 500 sheets for size 22" x 34", 48, 56, 64, and 72.

(.3) Other colors, in pounds per 500 sheets for size 22" x 34", 48 and 56, and in pounds per 500 sheets for size 35" x 45", 118.

(iv) *Colors.* White, ivory, granite and six other colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 7%.

(vi) *Special name watermark or regular fancy laids or laid papers.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required: *Provided,* That each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required: *Provided,* That each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, and that the quantity in rolls is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* The above paper may be manufactured in deckle edge only for a "making order" of at least 5,000 pounds all of one standard grade, size, weight and color and one primary finish. Pasted weights may be supplied in even multiples of standard substance weights.

Converting Grades of Chemical Wood Pulp Papeterie

NOTE: Not to be manufactured except for "making orders" for, in sheets, at least 5,000 pounds of each item or, in rolls, at least 2,000 pounds, but the roll sizes within this 2,000 pounds may vary, provided that the grade, color and substance weight remain the same.

(i) *Grades.* Any three grades, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes.* Any size, sheet or roll, provided that, in sheets, the quantity of each size in any one item be at least 5,000 pounds and in rolls, the quantity of each item be at least 2,000 pounds, but the roll sizes within this 2,000 pounds may vary if the grade, color and substance weight remain the same.

(iii) *Substance weights* (per 500 sheets 17 x 22): In white and ivory, 16, 20, 24, and 28 and in colors, 20, 24, and 28.

(iv) *Colors.* White and Ivory and six other colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash Content.* At least 7%.

(vi) *Special name watermark or regular fancy laids or laid papers.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each sheet size is at least 5,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each sheet size is at least 5,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* The above paper may be manufactured in deckle edge only for a "making order" of at least 5,000 pounds all of one standard grade, size, weight and color and one primary finish.

Pasted weights may be supplied in even multiples of standard substance weights.

Register, Continuous Form, And/Or Sales Book Chemical Wood Pulp Bond Paper

NOTE: Not to be manufactured except for "making orders" for, in sheets, at least 5,000 pounds of each item or, in rolls, at least 2,000 pounds, but the roll sizes within this 2,000 pounds may vary, provided that the grade, color and substance weight remain the same.

(i) *Grades.* One grade only, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes.* Any size, sheet or roll, provided that, in sheets, the quantity of each size in any one item be at least 5,000 pounds, and in rolls, the quantity of each item be at least 2,000 pounds, but the roll sizes within this 2,000 pounds may vary if the grade, color and substance weight remain the same.

(iii) *Substance weights* (per 500 sheets 17 x 22): 10, 12, 15 and 20.

(iv) *Colors.* White and five colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 3% in substance weights 10 and 12; at least 5% in substance weight 15; at least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each sheet size is at least 5,000 pounds and that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(viii) *Remarks.* None.

Chemical Wood Pulp Opaque Circular Paper

(i) *Grades.* No more than one grade, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	28 x 34
17 x 28	35 x 45
22 x 34	38 x 50
25 x 38	

(iii) *Substance weights* (per 500 sheets 17 x 22): 13, 16, 20 and 24.

(iv) *Colors.* White.

(v) *Ash content.* At least 5% in substance weight 13; at least 7% in substance weight 16; at least 10% in substance weight 20 or more.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(.2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Ground Wood Content Bond Paper

(i) *Grades.* Not more than one grade selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	22 x 34
17 x 28	24 x 38
19 x 24	28 x 34

(iii) *Substance weights* (per 500 sheets 17 x 22): 16 and 20.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 5% in substance weight 16; at least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(.1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special size is at least

5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Ground Wood Content Mimeograph Paper

(i) *Grades.* Not more than one grade, selected according to subparagraph (2) of paragraph (b) of the foregoing schedule.

(ii) *Sizes,* in inches, sheets only (no rolls except for "making orders" of at least 2,000 pounds).

17 x 22	22 x 34
17 x 28	28 x 34

(iii) *Substance weights* (per 500 sheets 17 x 22): 16 and 20.

(iv) *Colors.* White and six colors selected according to subparagraph (3) of paragraph (b) of the foregoing schedule.

(v) *Ash content.* At least 5% in substance weight 16, at least 7% in substance weight 20.

(vi) *Special name watermark.* In "making orders" for at least 5,000 pounds, any special name watermark or watermarks required, provided that each item of the order is standard as to grade, color and substance weight, that the quantity of each special size is at least 5,000 pounds, that the quantity of each standard size is at least 2,000 pounds, and that the quantity of each watermark is at least 5,000 pounds. None otherwise.

(vii) *Exceptions.*

(1) *Special sizes.* In "making orders" for at least 5,000 pounds, if in sheets, or 2,000 pounds, if in rolls, any size or sizes (sheet or roll) required, provided that each item is standard as to grade, substance weight and color, that the quantity of each special sheet size is at least 5,000 pounds, and that the quantity in rolls, if any, is at least 2,000 pounds.

(2) *Special colors.* In "making orders" for at least 20,000 pounds, any color or colors required, provided that each item is standard as to grade and substance weight, that the quantity of each special sheet size is at least 5,000 pounds, that the quantity of each standard sheet size is at least 2,000 pounds, that the quantity in rolls, if any, is at least 2,000 pounds, and that the quantity of each color is at least 20,000 pounds.

(viii) *Remarks.* It is not intended by the foregoing to restrict normal finishing operations, or the cutting of other sizes which cut economically from a standard size.

Issued this 4th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6485; Filed, July 8, 1942; 11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Amendment 1 to Maximum Price Regulation 169[1]]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Added: §§ 1364.52 (a) (3) (iii), (a) (4), 1364.57 (b), 1364.60 (a), 1364.62 (a) (9), (a) (10), 1364.63 (a).

Amended: §§ 1364.51 and headnote, 1364.52 (a) (2) (ii), (a) (3), (b), 1364.53 text preceding (a), (c) (1), 1364.55, 1364.60 headnote, 1364.62 (a) (2), (a) (4), (a) (6).

Redesignated: Text of § 1364.57 designated (a), text of § 1364.60 designated (b), all as set forth below:

§ 1364.51 *Prohibition against selling or delivering beef or veal carcasses or wholesale cuts in violation of the provisions of this regulation.* On and after July 13, 1942, regardless of any contract, agreement or other obligation, no person shall sell or deliver any beef or veal carcass or wholesale cut, and no person in the course of trade or business shall buy or receive any beef or veal carcass or wholesale cut at a price higher than the maximum price permitted by § 1364.52 or contrary to the provisions of paragraph (b) of § 1364.57; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of beef or veal carcasses or wholesale cuts to a purchaser if, prior to July 13, 1942, such carcasses or wholesale cuts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.52 *Maximum prices for beef and veal carcasses and wholesale cuts.* * * *

(a) * * *

(2) * * *

(ii) In the event that fores and hinds of each grade when sold separately at the prices computed pursuant to subparagraph (2) (i), would yield a greater total sales realization than the total sales realization obtainable from the sales of the same fores and hinds of each grade in carcass form, at the seller's maximum price for a carcass of such grade, the seller shall adjust downward the prices of such fores and hinds to remove such excess. In making such adjustment, the seller shall not change the price differential in cents per pound between hinds and fores as established pursuant to subparagraph (2) (i). No such adjustment need be made if the seller sold no carcass of such grade during the period March 16 to March 28, 1942. The price so fixed and adjusted shall be the seller's maximum price for such quarter or saddle, and he may not thereafter charge any higher price.

(3) The maximum price for each grade of each fresh or frozen wholesale cut, other than boned and kosher cuts, shall be determined as follows:

* * * * *

(iii) In the event that the seller sold no quarter of a particular grade during the period March 16 to March 28, 1942, the maximum price for each wholesale cut derived from a quarter of such grade shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of his sales of such cut was made during such period.

(4) The maximum price for each grade and brand of each other wholesale cut (i. e., wholesale cuts which are boned, canned, ground or processed, and kosher wholesale cuts) shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of the seller's sales of such wholesale cut were made during such period.

* * * * *

(b) * * *

(1) The seller shall ascertain zones for all car routes operated from the same shipping point, upon the basis of 25¢ per cwt. differences in transportation and icing charges. If the car route is operated by truck such transportation and icing charges shall be determined by reference to the tariff of any common carrier trucker who has filed such tariff with the Interstate Commerce Commission.

(2) As used in this paragraph (b) of § 1364.52, the term "average transportation charge" means the transportation charge in any zone determined by adding to the lowest transportation and icing charge in such zone the highest transportation and icing charge in such zone and dividing the resulting sum by two.

(3) The seller shall deduct from the prices charged by him for products delivered in each zone during the period March 16 to March 28, 1942 the average transportation and icing charge in such zone.

(4) Using the prices computed under paragraph (b) (3) of this section, the seller shall determine f. o. b. shipping point prices for each grade of each carcass, side, quarter and saddle and for each grade of each wholesale cut in the manner provided for in subparagraphs (1), (2), (3) and (4) of paragraph (a) of this section.

(5) Maximum prices in each car route zone shall be determined by adding to the f. o. b. shipping point price determined under subparagraph (b) (5) of this section the average transportation charge in such zone.

* * * * *

§ 1364.53 *Duty to maintain and identify grades.* No person shall sell or offer for sale, and no person in the course of trade or business shall buy or receive any beef or veal carcass or wholesale cut unless each such carcass or cut has been identified by grade in accordance with the provisions of this section. No custom slaughterer shall ship or deliver any beef or veal carcass or wholesale cut unless each such carcass or cut has been identified by grade in accordance with the provisions of this section. Each person shall maintain uniform grades, as specified in paragraph (a) of this section; shall compute his maximum prices upon the basis of such uniform grades rather than upon the basis of his own grades, as provided in paragraph (b) of this section; and shall identify his products by grade letters, as provided by paragraph (c) of this section.

* * * * *

(c) (1) No person shall sell, deliver, or break any beef or veal carcass unless a stamp has been placed thereon with harmless marking fluid conforming to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in Appendix C hereof, and incorporated herein as § 1364.66, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each wholesale cut which may be derived from such carcass, except that in the case of a calf or veal carcass sold with the skin on, the grade letter shall be stamped only on the shanks and briskets. He shall similarly stamp upon all bull and stag carcasses their sex identification. The grade identification of each beef or veal carcass and wholesale cut must appear on the seller's invoice.

* * * * *

§ 1364.55 *Exempt sales.* The provisions of this Maximum Price Regulation No. 169 shall not apply to sales at retail; nor to sales to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States of (a) products the maximum prices of which are fixed by Maximum Price Regulation No. 156, and (b) any products sold under contracts entered into prior to July 13, 1942.

* * * * *

§ 1364.57 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 169 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to beef or veal carcasses or wholesale cuts, alone or in conjunction with any other commodity or by way of any commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or grading or the style in effect during the base period, March 16 to March 28, 1942, of cutting, trimming, curing, smoking, cooking, drying, or otherwise processing, or the canning, wrapping or packaging of wholesale cuts.

(b) Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed carcass, or of the wholesale cuts derived therefrom, to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased such carcass or cuts from the slaughterer at the slaughterer's maximum prices therefor: *Provided,* That this requirement shall not apply in cases where the purchaser does not acquire such carcasses or cuts for resale in any form. If the slaughterer sold no carcass or cut of the relevant grade during the base period March 16 to March 28, 1942, his maximum prices, within the meaning of this paragraph, for a carcass or wholesale cuts of such grade shall be the maximum prices of the most nearly competitive seller who sold a carcass or wholesale cuts of such grade during the base period. To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves slaughtered.

* * * * *

§ 1364.60 *Petitions for amendment or adjustment.* (a) The Office of Price Administration may by order adjust any maximum price established under § 1364.52 for any seller who petitions for such adjustment in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, in any case in which such seller shows:

(1) That such maximum price causes him hardship and is abnormally low in relation to the maximum prices established for competitive sellers;

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers will not cause or threaten to cause an increase in the level of retail prices.

(b) Persons seeking modification of any provision of this Maximum Price Regulation No. 169 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

* * * * *

§ 1364.62 *Definitions* (a) * * *

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers and delivers, and contracts and offers to do any of the foregoing. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller, except that all places of business owned or controlled by the same person, and selling in the same market area shall be regarded as a single seller. Each shipping point from which a car route or car routes originate shall be deemed a separate seller. If more than half of the sales at any one place of business are sales of kosher cuts or of cuts derived from kosher carcasses the sales at such place of business shall not be included with sales at any other place of business in computing maximum prices.

* * * * *

(4) "Wholesale cuts" means all cuts and combinations of cuts derived from the dressed beef or veal carcass, including but not limited to: (i) fore-quarters and hind-quarters and fore-saddles and hind-saddles; (ii) rough and trimmed, bone in and boneless, whole and sliced; (iii) fresh, frozen, cured, pickled, spiced, smoked, cooked, dried or otherwise processed; and including ground hamburger and sausage containing any proportion of beef or veal. Kosher wholesale cuts shall for the purposes of § 1364.52 be regarded as separate wholesale cuts, and kosher carcasses shall be regarded as separate carcasses.

Cuts of each grade and brand, and in each stage of processing, shall be considered separate wholesale cuts. Trimmings of each grade and in each stage of processing shall be considered separate wholesale cuts. Each type of canned and packaged meat, made entirely from beef or veal, shall be considered a separate wholesale cut.

* * * * *

(6) "Carload" means: (i) a shipment by rail of fresh, frozen or cured meat cuts or carcasses, to a single delivery point, of at least the minimum weight as set forth in the tariffs of railroad carriers, upon which shipment the railroad carload rate from the point of shipment to the point of destination is based: *Provided,* That where a smaller quantity is shipped which could move at a railroad carload rate rather than at a railroad less-than-carload rate because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload lot;

(ii) A shipment by motor truck or trucks, to a single delivery point, of 15,000 pounds or more of fresh, frozen,

[1] 7 F.R. 4653, 4798.

[2] 7 F.R. 971.

or cured meat cuts and/or carcasses as a single bulk sale transaction; and

(iii) Any single bulk sale transaction wherein the buyer takes delivery, at the sellers' place of business, of 15,000 pounds or more of fresh, frozen or cured meat cuts or carcasses.

* * * * *

(9) "Car route" means a shipment by rail or truck, other than a carload, to a place outside of the market area in which the shipping point is located. * * *

(10) "Market area" means any municipality or group of municipalities each of which has a common boundary with another: *Provided*, That such market area shall in no event extend in any direction further than fifty miles from the seller's shipping point.

* * * * * *

§ 1364.63 *Effective date.* * * *

(a) Amendment No. 1 (§§ 1364.52 (a) (3) (iii), (a) (4), 1364.57 (b), 1364.60 (a), 1364.62 (a) (9), (a) (10), 1364.63 (a), 1364.51 and headnote, 1364.52 (a) (2) (ii), (a) (3), (b), 1364.53 text preceding (a), (c) (1), 1364.55, 1364.60 headnote, 1364.62 (a) (2), (a) (4), (a) (6), text of 1364.57 designated (a), text of 1364.60 designated (b)) to Maximum Price Regulation No. 169 shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 7th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6505; Filed, July 8, 1942; 1:08 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 5 to Maximum Price Regulation 118[1]]

COTTON PRODUCTS

MISCELLANEOUS AMENDMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1400.104 is amended; in § 1400.106, the clause in (b) which immediately precedes (1) is amended and a new paragraph (d) is added; in § 1400.115 (a) (5) (ii) new inferior subdivisions (*l*) and (*m*) are added; in § 1400.118, the headnote is amended, a new subparagraph (3) is added to (a), the word "below" appearing in (d) (5) is amended to read "above", in (d) (10) (iii) (*a*) the maximum price for gingham reference number 24 is amended to read "14⅛" instead of "14½", a new class, A, is added to (d) (13) (vi), in (d) (14) (ii) (*a*) the size "21" x 40'"" under *standard gauze diaper* is amended to read "20" to 21" x 40'"", in (d) (18) new reference numbers 3 through 6 are added; and new subparagraphs (20) through (23) are added to (d).

§ 1400.104 *Wholesalers, jobbers, and retailers.* The provisions of this Maximum Price Regulation No. 118 are not applicable:

(a) To sales and deliveries of cotton products in the performance of a recognized distributive function[1] by any wholesaler, jobber, or retailer not controlling, controlled by, or under common control with the producer; [1a]

(b) To sales and deliveries of laundry textiles and laundry textile products to laundries and linen-supply houses by Rockweave Division, Callaway Mills, La Grange, Georgia; or

(c) To retail sales [1b] of cotton products by the producer thereof through a retail establishment owned, maintained and regularly operated by such producer prior to May 4, 1942: *Provided*, That the maximum prices established herein shall apply to all sales and deliveries to a converter or finisher.

§ 1400.106 *War procurement.* * * *

(b) *Contracts with and deliveries to war procurement agencies, contractors, and subcontractors.* The General Maximum Price Regulation,[2] Maximum Price Regulation No. 157,[3] and the maximum prices established in this Maximum Price Regulation No. 118 shall not apply to:

* * * * *

(d) *Finished piece goods supplied to war procurement agencies.* (1) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed in (2) below shall be exempt from maximum prices, by whatsoever Regulation or Schedule established, until July 15, 1942 On and after July 15, 1942, but not prior thereto, such sales and deliveries shall be subject to Maximum Price Regulation No. 157.

(2)

Reference No.	Type of goods	Specification
1	8.2 oz. twill	PQD 33-A, Type IV.
2	Dyed herringbone twill.	U. S. Army 6-261.
3	Dyed herringbone twill.	Marine Corps Specifications Feb. 1, 1940, corrected to June 10, 1940, revised Mar. 11, 1942.
4	Sanforized grey drill.	U. S. Army 6-247.
5	Dyed drill	CCC-D-651.
6	Silesia	U. S. Army 6-18-C.
7	Dyed sheeting	14-6A and dyed sheeting described in Philadelphia Quartermaster Invitation 669-42-Neg-272.
8	Water-repellent cloth.	PQD 127.

§ 1400.115 *Definitions.* (a) * * *

(5) "Cotton products" * * *

(ii) The term does not include * * *

(*l*) Products of the following persons: Bridgeton Textiles, Inc., Bridgeton, N. J.; Clinton Towel Co., Clinton, Mass.; Diamond Towel Mills, Philadelphia, Pa.; Eureka Mills, Inc., Philadelphia, Pa.; Frederick Neuburger & Co., Paterson, N. J.; Hall Textile Corp., Jamestown, N. Y.; Holt Manufacturing Co., Inc., Paterson, N. J.; R. L. Kaler Co., Hatfield, Pa.; Klein & Co., Philadelphia, Pa.; George McArthur & Sons, Baraboo, Wis.; Niagara Textile Co., Lockport, N. Y.; Oldham Towel Mills, Newportville, Pa.; Paul Manufacturing Co., Philadelphia, Pa.; Reading Towel Manufacturing Co., Reading, Pa.; Somerset Mills, Inc., Roxboro, N. C.; Standard Terry Mills, Souderton, Pa.; Vamoco Mills, Franklinton, N. C.; Virginia Towel Mills, Philadelphia, Pa.; Ward-Davidson Co., Philadelphia, Pa.; Charles F. Woehr Co., Philadelphia, Pa.

(*m*) Goods delivered by Stevens Manufacturing Company, Burlington, N. C., against orders taken prior to June 22, 1942.

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* (a) The effective dates of the maximum prices set forth in (d) below are as follows:

* * * * * *

(3) For bedspreads: May 4, 1942; for miscellaneous special products, reference numbers 3 through 6, and play cloth: July 7, 1942; for Class A wide industrial drills and four-leaf twills, tobacco seedbed covers, and wide print cloths: July 11, 1942.

* * * * * *

(13) *Wide industrial sheeting, drills, twills, broken twills, and sateens.* * * *

(vi) *Wide industrial drills and four-leaf twills.* * * *

Class	Yds. per lb., prorata to 37"	Cents per lb.
A	2.00 and under	49

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405.

[1a] 7 F.R. 3135, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[1b] 7 F.R. 4273, 4541, 4618.

[1] No sale is made in the performance of a recognized distributive function, within the meaning of this Maximum Price Regulation No. 118, unless it advances the goods sold to the next stage of distribution. Presumptively, sales by one jobber to another, or by one manufacturer to another engaged in the same type of business, are not sales in the performance of a recognized distributive function.

[1a] The term "producer," as used herein, includes converter, finisher, or fabricator.

[1b] The term "retail sales," as used herein, means sales in small quantities to ultimate consumers for direct household consumption, and not for further processing or resale in any form.

(18) *Miscellaneous special products.*

	Description	Producer	Maximum price
3	Special Dobby Tobacco Cloth, Style #440-13	Fitzgerald Cotton Mills	6¼ cents per sq. yd.
4	Wide fancy dobby Fitzgerald style #1029A, Locke style #600.	Fitzgerald Cotton Mills; Locke Cotton Mills.	45 cents per yd.
5	Baling fabric of the following specifications: Yarn made on woolen system in whole or predominantly of cotton waste; yarn number 1.6; thread count 12 x 12; minimum breaking strength 50 lbs. warp, 50 lbs. filling; weight, 12 oz. per sq. yd.	Any mill which during 1941 was primarily engaged in the production of tapestries, carpets, or plushes.	44.64 cents per lb.[1]
6	Luggage cloth	Stonewall Cotton Mills, Inc.	
	Type A: 37" 54 x 36 3.70 yds		16¾ cents per sq. yd.
	Type B: 37" 76 x 34 3.10 yds		21 cents per yd.

[1] This price is the maximum price for goods produced by mills falling within the class described in the column headed "Producer." The maximum price for any other producer shall be determined in accordance with § 1400.101 (b).

* * * * * *

(20) *Play cloth.* (i) The maximum prices for the following lines of play cloth, 5.00 to 5.10 yd., mill finish, shall be 12¾ cents per yard.

Seller	*Trade name*
Riverside & Dan River Cotton Mills, Inc.	28" Tot Wear.
Iselin-Jefferson Co.	Ruff and Tuff.
	Belle-vue Cheviot.

(ii) The above maximum price applies to the constructions of play cloth in the above sellers' lines during April, 1942. On or before July 15, 1942, the sellers shall file with the Office of Price Administration a statement of the construction of each fabric in each such line.

(21) *Tobacco seed bed covers.* The maximum price for tobacco seed bed covers shall be the maximum price for the grey cloth plus (i) in the case of covers without grommets, ¾ cent per square yard and (ii) in the case of covers with grommets approximately 18 inches apart on the sides and ends, one cent per square yard.

(22) *Bedspreads.* (i) As used in this subdivision, the term "bedspreads" means bleached dimity, jacquard woven, and yarn-dyed crinkle and dobby bedspreads.

(ii) The maximum price for any bedspread shall be the price established by § 1400.101 plus:

(*a*) 2½ cents per pound of cotton contained in the bedspread after weaving and before any finishing or fabrication; and

(*b*) In the case of the following bedspreads, an additional 2½ cents per pound of cotton contained in the bedspread after weaving and before any finishing or fabrication: styles designated Canterbury, Springtime, Fernside, Nina, Lenore, Woodstock, Grace, and Paloma of the Coverlet line manufactured and sold by Monument Mills, Housatonic, Massachusetts.

(23) *Wide print cloths.* (i) As used herein, the term:

(*a*) "Print cloth" means a woven fabric with warp yarns 28s to 32s, filling yarns 36s to 45s, and average yarns not less than 33s;

(*b*) "Class" means having total threads per square inch as follows:

Class	
Class A	160 to 100.
Class B	99 to 72.
Class C	71 or less.

(c) "Industrial" refers to grey fabrics which are produced under rigid physical specifications, are employed in various mechanical processes or are treated or processed so as to become an integral part of another industrial product rather than the whole product, and are not employed for other conventional textile uses, and shall include wide window shade cloth.

(ii) The maximum prices for print cloth over 42 inches in width shall be:

Class:	*Industrial (cents per lb.)*	*Other*
A	56½	53
B	58	54½
C	60	56

No premiums shall be charged for feeler motion, special packaging, specification requirements, or any other element of construction, regardless of whether the goods have in the past commanded a premium for such reason.

(iii) For seconds and shorts of the fabrics listed above the maximum price shall be 5 per cent less than the maximum prices there set forth.

§ 1400.117 *Effective dates of amendments.* * * *

(e) Amendment No. 5 shall become effective as follows:

(1) As of May 4, 1942, in respect to § 1400.118 (d) (22);

(2) As of June 15, 1942, in respect to § 1400.118 (d) (5), (d) (10) (iii) (*a*), and (d) (14) (ii) (*a*);

(3) As of July 1, 1942, in respect to § 1400.106;

(4) On July 7, 1942, in respect to §§ 1400.104, 1400.115 (a) (5) (ii) (*l*) and (*m*), 1400.118 (d) (18), and (d) (20);

(5) On July 11, 1942, in respect to the headnote to § 1400.118, § 1400.118 (a) (3), (d) (13) (vi), (d) (21), and (d) (23).

(Pub. Law 421, 77th Cong.)

Issued this 7th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6456; Filed, July 7, 1942; 12:09 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5A]

GASOLINE RATIONING REGULATIONS

Pursuant to the authority vested in me by Directive No. 1 of the War Production Board issued January 24, 1942, and by Supplementary Directive No. 1H,[1] issued July 8, 1942, *it is hereby ordered*, That:

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[1] See War Production Board, *supra*.

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1394.1901 Effective date.

AUTHORITY: §§ 1394.151 to 1394.1901, inclusive, issued pursuant to Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., 2nd sess., WPB Directive No. 1, Supp. Dir. No. 1H, 7 F.R. 562, and *supra*.

Definitions

§ 1394.151 *Definitions.* (a) When used in this Ration Order No. 5A:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(2) "Bulk coupon" means any gasoline ration coupon on the face of which the word "bulk" has been printed by authority of the Office of Price Administration.

(3) "Bulk transfer" means any transfer of gasoline other than into the fuel tank of a registered motor vehicle.

(4) "Bus" means any motor vehicle, other than a station wagon or suburban carryall, built primarily for the purpose of carrying passengers and having a rated seating capacity of eight or more.

(5) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material, or compound other than gasoline. The term includes dealers and distributors to the extent that they use gasoline, or acquire gasoline for use rather than for transfer.

(6) "Dealer" means any person, including a distributor, who operates a service station, filling station, garage, store, or other place of business at which gasoline is regularly transferred directly to consumers. The term also includes any person operating a tank truck or tank wagon for transfer of gasoline directly to consumers or dealers, who does not also maintain stationary gasoline storage tanks. All such persons shall be deemed to be dealers as to each such place of business. The term shall not include any person who is a licensed distributor because of direct motor fuel tax remittances made on amounts of gasoline sold at such place of business.

(7) "Distributor" means an intermediate distributor, a licensed distributor, or both.

(8) "Evidence" means a token authorized by the Office of Price Administration to represent a right to receive a transfer of gasoline and exchangeable for such gasoline. The term shall include coupons, acknowledgments of delivery, inventory coupons, exchange certificates on Form OPA R-548 issued by a Board in return for other evidences received, and export certificates on Form OPA R-560.

(9) "Fleet," when the term is used in connection with a motor vehicle, (whether a passenger automobile, motorcycle, truck or bus) indicates that such vehicle is one of four or more vehicles of such type, owned or leased by and operated by the same person and used principally in connection with the same occupation or related occupations.

(10) "Gasoline" means any liquid fuel used for the propulsion of motor vehicles, aircraft, or motor boats by means of internal combustion engines, except liquid fuel with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzene, benzol and naphtha.

(11) "Inboard motorboat" means any self-propelled water craft the motive power for which is furnished by a gasoline-operated internal combustion engine other than an outboard motor.

(12) "Intermediate distributor" means any person, other than a licensed distributor, who is engaged in the business of transferring for resale gasoline on which the state motor fuel tax is payable to the state by a licensed distributor; *Provided, however,* That any person who receives gasoline on consignment from a licensed distributor, title to the gasoline remaining in the licensed distributor until the time of transfer by the consignee, shall not be deemed to be an intermediate distributor but shall for all the purposes of Ration Order No. 5A be deemed to be an agent of such licensed distributor.

(13) "Inventory coupon" means a one-gallon or one-hundred-gallon coupon issued by a Board to represent unfilled storage capacity of a dealer or intermediate distributor, or for such other purpose as may be provided in Ration Order No. 5A.

(14) "Issuing Board" means the War Price and Rationing Board which issued a particular gasoline ration.

(15) "Licensed distributor" means any person who transfers, receives, or uses gasoline in such manner as to be required to account for the state motor fuel taxes imposed thereon directly to the motor fuel tax administration of any state wholly or partially within the limitation area. The term shall include any refiner, manufacturer, blender, importer, bulk distributor, wholesaler, dealer, or consumer remitting motor fuel tax monies directly to a state motor fuel tax administration or making motor fuel tax returns to such state. Any such person shall be deemed to be a licensed distributor in each of the states wholly or partially within the limitation area to which he makes direct motor fuel tax remittances or returns, but only in such states, and only as to those transfers for which he makes direct motor fuel tax remittances or returns.

(16) "Limitation area" means the entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair, and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant, and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe, and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Apalachicola River in the State of Florida.

(17) "Motorcycle" means any motor vehicle designed for operation on three wheels or less, but does not include tractors.

(18) "Motor vehicle" means any rubber-borne, self-propelled conveyance the motive power for which is furnished by a gasoline-operated internal combustion engine.

(19) "Motor vehicle dealer" means any person regularly engaged in the business of selling or reselling motor vehicles and includes persons engaged in selling repossessed motor vehicles.

(20) "Motor vehicle rental agency" means any person engaged in the business of leasing motor vehicles to others; and "boat rental agency" means any person engaged in the business of leasing inboard motorboats or outboard motors to others.

(21) "Non-highway use" means any use of gasoline other than for the propulsion of a registered motor vehicle or of a motor vehicle held by a motor vehicle dealer for sale or resale or of a motor vehicle operated on dealer license plates.

(22) "Occupation" means business; gainful work; or any work regularly performed by a person which contributes to the war effort or the public welfare; and includes the pursuit of a regular and recognized course of study.

(23) "Occupational mileage" means mileage driven by a person in carrying on his occupation or to and from a place where such occupation is carried on by him.

(24) "Passenger automobile" means any motor vehicle other than a motorcycle, built primarily for the purpose of transporting passengers and having a rated seating capacity of seven or less; and also includes station wagons and suburban carryalls, irrespective of seating capacity.

(25) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

(26) "Ration," as the context requires, means either a right to acquire and use gasoline, evidenced by coupons issued by a Board on the basis of an application, or the amount of gasoline acquired in exchange for such coupons.

(27) "Ration book" means any gasoline coupon book issued pursuant to Ration Order No. 5A.

(28) "Registered," as applied to a motor vehicle, means that such motor vehicle is duly licensed for general operation on public roads or highways by the appropriate agency of the Federal Government or by a state, territorial or foreign government.

(29) "State" includes the District of Columbia.

(30) "State motor fuel tax administration" means the commission, board, department, or officer having charge of receiving and auditing the reports of taxes levied by any state wholly or partially within the limitation area on the transfer, receipt, or use of gasoline.

(31) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply or furnish, and includes the acquisition of title by will, inheritance, foreclosure or legal process; it also includes the use by any dealer or distributor of any gasoline held by him; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of shipment, shall not be deemed to be a transfer to or by such carrier.

(32) "Transfer," as applied to a place of business, means any change from one person to another of the right to occupation of the premises and the right to possession and disposal of any gasoline stocks on hand, whether or not the transferor continues on the premises in another capacity. The term shall include, but not by way of limitation, a sale, lease, change in tenancy, inheritance, devise, eviction, foreclosure, or occupation by an executor, administrator, receiver, or trustee in bankruptcy, but not a mortgage or other security transfer unaccompanied by a change in the right to present possession.

(33) "Truck" means any motor vehicle, other than a motorcycle, built (or rebuilt) primarily for the purpose of transporting or hauling property or equipment.

(34) "Unit" means the value, in gallons of gasoline, assigned to a coupon contained in a ration book, by order or direction of the Office of Price Administration. Such order or direction may vary the value of a unit with respect to the class of the coupon, with respect to the type or quality of gasoline transferred, with respect to the type of motor vehicle or type of gasoline use for which such coupon is issued, or with respect to the area in which or time when the transfer of gasoline is made.

(35) "Vehicle available for public rental" means any registered motor vehicle leased from or held for rental by a motor vehicle rental agency.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall include the feminine and neuter.

Scope of Ration Order No. 5A

§ 1394.201 *Territorial limitations.* Except as otherwise expressly provided, Ration Order No. 5A shall apply only to the limitation area as defined in paragraph (a), subparagraph (16), of § 1394.151.

§ 1394.202 *Scope of restrictions.* Nothing in Ration Order No. 5A shall be construed to limit the quantity of gasoline which may be acquired:

(a) By the Army, Navy, Marine Corps, Coast Guard, or Maritime Commission of the United States;

(b) By any person, for export to and consumption or use in any foreign country.

§ 1394.203 *Effect on Ration Order No. 1.* No allotment of gasoline pursuant to Ration Order No. 5A for a particular use of a motor vehicle shall be construed to authorize such use where it would be in violation of Ration Order No. 1 (Revised) as amended, or to remove or avoid any disqualification of such vehicle under Ration Order No. 1 (Revised) as amended, which would otherwise result from such use.

Administration and Personnel

§ 1394.301 *Personnel.* (a) Ration Order No. 5A shall be administered by the Office of Price Administration through its War Price and Rationing Boards in the limitation area and such other administrative personel as it may select.

(b) The persons referred to in paragraph (a) of this section may be assisted in the issuance of Basic rations (as prescribed in § 1394.403) by the chief school officials of the several states, the city and county superintendents of schools, and by the persons who may be appointed to act as school site administrators and registrars. The school site administrators shall be appointed by the city or county school superintendents and the registrars shall be appointed by the school site administrators. The persons mentioned in this paragraph shall be under the supervision of the persons mentioned in paragraph (a) of this section and of the persons who appointed them.

(c) No person participating in the administration of Ration Order No. 5A shall act officially in connection with any matter arising thereunder as to which he has any interest, by reason of business connection or relationship by blood, marriage or adoption.

§ 1394.302 *Jurisdiction of Boards over issuance of rations.* For purposes of Ration Order No. 5A a Board shall have jurisdiction over:

(a) The issuance of basic rations: *Provided*, That during the period from July 9, 1942 to July 11, 1942, inclusive, such rations shall be issued only by registrars, in accordance with § 1394.403;

(b) The issuance of rations (other than basic rations) for motor vehicles customarily garaged or stationed in the area which the Board is designated to serve: *Provided*, That rations for fleet vehicles may, at the option of the applicant, be issued by the Board having jurisdiction over the area in which an office is maintained for directing the operations of such vehicles;

(c) The issuance of non-highway rations:

(1) For inboard motorboats, outboard motors or non-highway vehicles customarily kept or stationed in the area which the Board is designated to serve;

(2) For machinery or equipment located in the area which the Board is designated to serve;

(3) For other non-highway use;

(d) The issuance of a ration to any person who shows good cause for failure to make application to the Board having jurisdiction pursuant to the provisions of paragraphs (a), (b) or (c) of this section; any person applying for a ration pursuant to this paragraph, for a registered motor vehicle shall furnish the Board with the address of the place (if any) where such vehicle is customarily garaged or stationed;

(e) The issuance of a ration for use with a motor vehicle, inboard motorboat, or outboard motor which is customarily garaged, stationed or kept outside of the limitation area.

§ 1394.303 *Action on applications.* The Board shall render its decision on an application for a ration within ten (10) days after the date of submission of such application. In any case of apparent emergency, such decision shall be made within forty-eight (48) hours, if possible. The Board shall promptly notify the applicant of its decision.

§ 1394.304 *Records of applications.* (a) All applications for Basic rations submitted at an application site referred to in § 1394.403, shall, when passed upon, be forwarded to the Board having jurisdiction over the area in which such application site is located.

(b) Except as provided in paragraph (c) of this section, each Board shall maintain a file of all applications for gasoline rations passed upon by it or received by it from any other Board or from any application site.

(c) A Board, after passing upon an application for a ration for use with a motor vehicle, made before it pursuant to paragraph (d) of § 1394.302 shall forward such application through the State Director to the Board having jurisdiction under paragraph (b) of that section.

Basic Rations

§ 1394.401 *Persons entitled to basic rations.* The owner or the person entitled to the use of a registered passenger automobile or a registered motorcycle may obtain a Basic ration, for use with such automobile or motorcycle during the period from July 22, 1942, to July 21, 1943, inclusive, except that no Basic ration shall be issued for use with a passenger automobile or motorcycle which is:

(a) Owned or leased by a Federal, State, local or foreign government, or government agency; or

(b) Specially built (or rebuilt) as an ambulance or hearse; or

(c) A vehicle available for public rental; or principally used as a taxi or jitney; or

(d) Part of a fleet of passenger automobiles or motorcycles; or

(e) Held by a motor vehicle dealer for sale or resale.

§ 1394.402 *Basic ration books.* Class A coupon books, and Class D coupon books marked "Basic", shall be issued as basic rations. Class A books shall be issued for passenger automobiles and Class D books for motorcycles. Each basic ration book shall contain forty-eight (48) coupons, each having a value of one unit. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below:

Coupons numbered	*Valid period*
1	July 22, 1942, to Sept. 21, 1942, inc.
2	Sept. 22, 1942, to Nov. 21, 1942, inc.
3	Nov. 22, 1942, to Jan. 21, 1943, inc.
4	Jan. 22, 1943, to Mar. 21, 1943, inc.
5	Mar. 22, 1943, to May 21, 1943, inc.
6	May 22, 1943, to July 21, 1943, inc.

Coupons in Basic Class D books shall be valid for transfer of gasoline to a consumer at any time during the period from July 22, 1942, to July 21, 1943, inclusive.

§ 1394.403 *Application for and issuance of basic rations.* (a) Application for a basic ration book shall be made, on Form OPA R–534, by the owner or the person entitled to the use of the vehicle or by the authorized agent of either. During the period from July 9, 1942, through July 11, 1942, inclusive, application shall be made at any application site designated as such by the Office of Price Administration. Thereafter application shall be made to a Board: *Provided*, That, except for good cause shown for failure to apply at an application site, application may not be made to a Board prior to July 24, 1942. A separate application shall be made for each passenger automobile or motorcycle for which a basic ration is sought.

(b) Pursuant to such application, a basic ration shall be issued during the period from July 9, 1942 to July 11, 1942, inclusive, by any registrar appointed under paragraph (a) or (b) of § 1394.301. After July 11, 1942, a basic ration shall be issued by a Board. The Board shall remove from any Class A book issued subsequent to July 22, 1942, all expired coupons and one currently valid coupon for each full eight days which have elapsed in the *valid period* during which such book is issued. In the case of a Class D book, the Board shall remove one coupon for each full eight days which have elapsed since July 22, 1942.

(c) No more than one basic ration may be issued for a vehicle, except as provided in § 1394.1403, and no person may obtain more than one basic ration for the same vehicle, during the period from July 22, 1942 to July 21, 1943.

Supplemental Rations

§ 1394.501 *Supplemental rations.* (a) The following coupon books may be issued by a Board as supplemental rations to an owner or person entitled to the use of a registered passenger automobile or registered motorcycle (other than those specified in § 1394.502), to provide for occupational mileage driven in such vehicle by anyone, to the extent that such mileage is allowed by the Board pursuant to § 1394.504:

(1) Class B or Class C coupon books for use with passenger automobiles.

(2) Class D coupon books marked "Supplemental" for use with motorcycles.

(b) When issued as a supplemental ration, Class B books shall contain sixteen (16) coupons, and Class C and D books shall contain the number of coupons, specified in the tables set forth in § 1394.505, necessary to provide the mileage allowed by the Board. Each coupon in a Class B, Class C or Supplemental Class D book shall have a value of one unit. Coupons contained in such books shall authorize the transfer of gasoline to consumers only during the valid period of such books noted thereon by the Board. Class B rations and books shall be valid only for the period ascertained pursuant to § 1394.505. Class C and Supplemental Class D rations and books shall be valid for a period of three months commencing on July 22, 1942, or on the date of issuance, whichever is later.

(c) Applicants for supplemental rations are deemed to have available 150 miles per month of occupational driving by using the Basic ration to which they are entitled; and supplemental rations may be issued to provide only occupational mileage allowed by a Board in excess of 150 miles per month. However, no deduction for such 150 miles shall be made by the applicant in stating his required occupational mileage or by the Board in allowing occupational mileage, since a deduction of 150 miles from the total mileage allowed by the Board is automatically made when the Board applies the tables set forth in § 1394.505 pursuant to which supplemental rations are to be issued.

§ 1394.502 *Passenger automobiles or motorcycles for which supplemental rations may not be issued.* No supplemental rations may be obtained or shall be issued for use with a passenger automobile or motorcycle which is:

(a) Owned or leased by and operated by a Federal, State, local or foreign government or government agency; or

(b) Specially built (or rebuilt) as an ambulance or hearse; or

(c) A vehicle available for public rental; or a vehicle principally used as a taxi or jitney; or

(d) Part of a fleet of passenger automobiles or motorcycles; or

(e) Held by a motor vehicle dealer for sale or resale.

§ 1394.503 *Application for supplemental ration.* (a) Application for a Supplemental ration may be made to a Board on or after July 9, 1942, on Form OPA R–535, by the owner of or a person entitled to the use of a registered passenger automobile or registered motorcycle. A separate application shall be made for each vehicle. Application on behalf of an individual may not be made by an agent. In the event that two or more passenger automobiles for which supplemental rations are desired, are owned by persons living in the same household and related to each other by blood, marriage, or adoption, all applications for supplemental rations for such vehicles shall, except for good cause shown, be submitted at the same time.

(b) An applicant shall establish the average monthly occupational mileage in the limitation area required for each of the following purposes, for the three-month period beginning with the date on which such ration is required:

(1) Driving between home and a fixed place of work in connection with the principal occupation of the applicant or principal user of the vehicle;

(2) Driving in the course of such principal occupation;

(3) Driving to and from or in the course of any other occupation or occupations for which the vehicle is used.

(c) In establishing the average monthly occupational mileage required for any of the purposes specified in paragraph (b) of this section, for a vehicle registered in a state all or part of which lies within the limitation area, the applicant may include:

(1) If the vehicle is registered in a state which lies wholly within the limitation area, any mileage driven outside of the limitation area within fifty (50) miles, by shortest route, of the boundary of such state; or

(2) If the vehicle is registered in a state which lies partly within the limitation area, any mileage driven outside of the limitation area within fifty (50) miles, by shortest route, of the border of the limitation area within or on the boundary of such state.

(d) Where two or more vehicles are used in a ride-sharing arrangement of the type described in paragraph (a) of § 1394.504, a separate application for a supplemental ration shall be made for each such vehicle, but all such applications must, except for good cause shown, be submitted at the same time. Each such application shall include only the mileage driven in the vehicle for which it is made.

§ 1394.504 *Allowance of mileage.* (a) No occupational mileage shall be allowed by a Board for any purpose specified in paragraph (b) of § 1394.503 unless the applicant establishes, in connection with the use of the vehicle for that purpose, either:

(1) That a *bona fide* ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose of going to and from or carrying on their occupations: *Provided*, That each such person must certify to his participation in the ride-sharing arrangement by signing the application; or

(2) That no such ride-sharing arrangement could reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which and the purpose for which it is used; that transportation is needed for such purpose; and that no alternative means of transportation are available which would be reasonably adequate for such purpose.

(i) An applicant may establish that four or more persons cannot regularly be carried in the vehicle for which application is made by showing: the limited capacity of the vehicle; the absence of a fixed place of work; the necessity of traveling at unusual or irregular hours; the necessity of traveling over routes not feasible for other persons who might be carried; or such other reasons as the Board may find sufficient.

(ii) An applicant may establish the lack of reasonably adequate alternative means of transportation by showing the unavailability of other public or private means of transportation; or by showing that such alternative means, if available, are inadequate by reason of location, schedules or overcrowded condition, by reason of physical disability of the person needing transportation, by reason of the nature of the work for which transportation is needed, or for such other reasons as the Board may find sufficient.

(iii) In the event application is made for a supplemental ration to be used in transporting the applicant or principal user of the vehicle to or from his place of employment where an organized transportation plan (as defined in Ration Order No. 1 (revised) as amended) is in effect and four or more persons are not regularly carried in connection with their occupation in the vehicle for which such application is made, the application must be certified as indicated thereon, by an official in charge of such organized transportation plan.

(iv) In the event application is made for a supplemental ration in order to permit the use of the vehicle for which application is made in the pursuit of an occupation other than a gainful occupation, and four or more persons are not regularly carried in such vehicle in connection with their occupations, the application must be certified as indicated thereon, by a responsible official of the organization for or under the direction of which the work is performed.

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow mileage for any of the purposes listed in paragraph (b) of § 1394.503 for which applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. The Board shall allow only that portion of the claimed mileage (in the absence of a ride-sharing arrangement) with respect to which the applicant has established the inadequacy of alternative means of transportation (in accordance with paragraph (a) (2) (ii) of this section). The Board shall then determine the total average occupational mileage per month required by the applicant and allowed by it for the three-months' period specified in paragraph (b) of § 1394.503 and shall issue a supplemental ration, in accordance with the provisions of § 1394.505, to provide such mileage: *Provided*, That the Board may not allow an average of more than 470 miles per month for any occupational mileage other than preferred mileage as defined in § 1394.506. The Board may allow an average mileage in excess of 470 miles per month only if such excess consists of such preferred mileage.

(c) The Board shall deduct from the mileage it allows for a passenger automobile in accordance with paragraph (b), above, 150 miles per month for each additional passenger automobile (other than a fleet passenger automobile) owned by the applicant or by any person living in his household and related to him by blood, marriage or adoption, if the Board finds that such automobile is available to and adequate for the use of the applicant for the purpose for which the supplemental ration is sought. No such automobile shall be deemed available to the applicant if it is used, to a

substantial extent, for an occupational purpose of another person; nor shall such automobile be deemed available to the applicant during the effective period of a supplemental ration issued to another person whose mileage allowance was reduced on account of such automobile.

§1394.505 *Issuance of supplemental Rations.* (a) Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.504.

(1) In the case of a passenger automobile, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 470 miles per month or less: one Class B book having the valid period specified in Table I for the mileage allowed;

(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.504 exceeds 470 miles per month: one or more Class C books bearing expiration dates three months from July 22, 1942, or from the date of issuance, whichever is later, and containing the number of coupons specified in Table II for the mileage allowed.

(2) In the case of a motorcycle: one or more Class D books (to be marked "Supplemental"), bearing expiration dates three months from July 22, 1942, or from the date of issuance, whichever is later, and containing the number of coupons specified in Table I, if the mileage allowed is 470 miles per month or less, or specified in Table II, if the mileage allowed is in excess of 470 miles per month.

TABLE I[1]—DETERMINATION OF DURATION AND AMOUNT OF SUPPLEMENTAL RATION

[For vehicles with an allowed mileage of more than 150 but not more than 470 miles per month]

Passenger automobiles			Motorcycles	
Allowed mileage	Valid period of "B" book, in months and weeks		Allowed mileage	Number of coupons to be issued in Supplemental "D" book
	(Months)	(Weeks)		
0–150	(No "B" book)		0–150	(No Supplemental "D" book)
151–230	12		151–170	1
231–246	10		171–190	2
247–270	8		191–210	3
271–287	7		211–230	4
288–310	6		231–250	5
311–324	5	2	251–270	6
325–342	5		271–290	7
343–363	4	2	291–310	8
364–390	4		311–330	9
391–406	3	3	331–350	10
407–424	3	2	351–370	11
425–445	3	1	371–390	12
446–470	3		391–410	13
			411–430	14
			431–450	15
			451–470	16

[1] To be used only for vehicles entitled to Basic rations.

TABLE II[1]—PASSENGER AUTOMOBILES OR MOTORCYCLES—DETERMINATION OF AMOUNT OF SUPPLEMENTAL RATION

[For vehicles with an allowed mileage of more than 470 miles per month]

Allowed mileage. (All in excess of 470 miles per month must be preferred mileage):	Number of Coupons (Class "C" or Supplemental Class "D" Book)	Allowed mileage. (All in excess of 470 miles per month must be preferred mileage)—Continued.	Number of Coupons (Class "C" or Supplemental Class "D" Book)
471–490	17	791–810	33
491–510	18	811–830	34
511–530	19	831–850	35
531–550	20	851–870	36
551–570	21	871–890	37
571–590	22	891–910	38
591–610	23	911–930	39
611–630	24	931–950	40
631–650	25	951–970	41
651–670	26	971–990	42
671–690	27	991–1,010	43
691–710	28	1,011–1,030	44
711–730	29	1,031–1,050	45
731–750	30	1,051–1,070	46
751–770	31	1,071–1,090	47
771–790	32	1,091–1,110	48

[1] To be used only for vehicles entitled to Basic rations.

(In the event allowed mileage exceeds 1,110 miles, one additional coupon shall be issued for each 20 miles, or fraction thereof, of allowed mileage in excess of 1,110 miles. Additional books may be issued if necessary to provide additional coupons.)

(b) The Board shall remove and destroy all coupons in Class C or Class D books in excess of the number to be issued hereunder.

(c) For the purpose of paragraph (a) of this section, a passenger automobile is conclusively presumed to operate 15 miles, and a motorcycle 40 miles, per gallon of gasoline.

§ 1394.506 *Preferred mileage.* The mileage driven in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

(a) By a duly elected or appointed agent, officer, representative, or employee of a Federal, State, local, or foreign government or government agency, for performing the official business or carrying out an official function of such government or government agency, in a passenger automobile or motorcycle not owned or leased by such government or government agency.

(1) For the purpose of this paragraph:

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not (except as provided in (ii) hereof) be deemed performance of official business or carrying out an official function;

(ii) Travel by duly elected members of Federal or State legislative bodies—

between their places of residence and the city or town of legislative session;

within such city or town and within their respective legislative districts in connection with their functions as legislators (except daily or periodic travel between home or lodgings and a fixed place of work; or

elsewhere in pursuit of legislative business,

shall be deemed the carrying out of an official function.

(b) For the transportation of mail on behalf of the United States Government, in a passenger automobile or motorcycle not owned or leased by such government.

(c) By public school teachers or officials for the performance of official duties which require travel from school to school.

(d) For the wholesale delivery of newspapers, magazines and periodicals.

(e) For carrying non-portable photographic equipment or equipment for recording sound on film, for making photographs or collecting information for dissemination to the public through newsreels or the press, by a person or agency regularly engaged in such activities.

(f) By a licensed physician, surgeon, dentist, osteopath, chiropractor, midwife, or veterinarian or by a public health nurse, for making necessary professional calls or rendering necessary professional services; or by a licensed funeral director or embalmer, for rendering services necessary in connection with the preparation for interment and the interment of deceased persons.

(g) By a regularly practicing minister of any religious faith who serves a congregation, or by any religious practitioner qualified to minister to the religious needs of the members of a congregation, for giving religious comfort, assistance, advice or instruction.

(h) By a farmer, for transporting farm products and necessary farm supplies between farm and market, shipping point or point of delivery, or between one farm establishment and another.

(i) By employers, employers' organizations, or labor organizations, or by others:

(1) For the transportation of farm workers, commercial fishermen, seamen or marine workers between their residences or lodgings and their places of employment or between places of employment;

(2) For recruiting or training workers for employment as agricultural workers, transportation workers, commercial fishermen, seamen or marine workers, or for employment in any of the plants or establishments defined in subparagraphs (1), (2) or (3) of paragraph (k) hereof.

(j) By members of the armed forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended, for transportation to, from or between places at which their duties are performed.

(k) By a worker (including an executive, technician, or office worker, but not including salesmen) or by an employer, employer's representative or representative of a labor organization in travel to, from, within or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

(1) Naval, military or hospital establishments or facilities;

(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in the production or distribution of heat, light, power, gas, steam or water; or of irrigation, drainage, flood-control or sanitation systems; or of telephone, telegraph, radio, or other communications systems;

(3) Industrial or extractive establishments essential to the war effort, including: plants or establishments engaged in the extraction, production, processing, or assembling of any aircraft, motor vehicle, ship, marine equipment, armament, implement or engine of war, or necessary part thereof; or of any raw, semi-processed or finished materials, supplies or accessories necessarily used in the manufacture thereof; or of tools, machinery or appliances essential to the manufacture or use thereof; or of munitions or fuel; or of essential medical supplies or essential food or clothing.

(l) By engineers, architects, technicians, supervisors, repair and maintenance men or other workers (but not including salesmen) to enable them to render services or to transport materials and equipment necessary for construction, repair, installation, or maintenance work (other than the repair or maintenance of portable household appliances); or for rendering indispensable services of a specialized nature to agricultural, extractive or industrial establishments.

(1) "Services of a specialized nature" shall include: services related to the natural and artificial breeding of livestock; branding; crop or livestock inspection in connection with the marketing or processing thereof; selection, grading, or processing of lumber or timber; inspection in connection with the improvement of farm sanitation; protection of crops, livestock or farms from blights, diseases or pests; soil conservation; discovery and location of minerals; and acquisition of mineral bearing and pipe line tracts.

(m) By traveling salesmen engaged in the sale of necessary productive equipment for farms, factories, mines, oil wells, lumber camps and similar productive or extractive establishments, or of medical supplies, if the marketing of such equipment or supplies by salesmen is essential to the war effort.

(n) In a motorcycle, for delivery or messenger service.

Fleet Rations (for Fleet Passenger Automobiles and Motorcycles)

§ 1394.601 *Fleet rations for passenger automobiles and motorcycles.* (a) The following coupon books and coupons, for use with registered passenger automobiles and registered motorcycles which are part of a fleet, shall be issued by a Board as rations to persons entitled to receive them under the provisions of § 1394.602 to provide for occupational mileage to the extent that such mileage is allowed by a Board in accordance with § 1394.604:

(1) Class B or Class C coupon books for use with passenger automobiles;

(2) Class D coupon books marked "Fleet" for use with motorcycles;

(3) Bulk coupons issued pursuant to paragraph (b) of § 1394.1306.

(b) When issued as a fleet ration, Class B books shall contain sixteen (16) coupons and Class C and D books shall contain the number of coupons, specified in the tables set forth in § 1394.605, necessary to provide the mileage allowed by the Board. Coupons contained in such books shall authorize the transfer of gasoline to consumers only during the valid period of such books noted thereon by the Board. Class B rations and books shall be valid only during the period ascertained pursuant to § 1394.605. Class C and Fleet Class D rations and books shall be valid during a period of three months commencing on July 22, 1942, or on the date of issuance, whichever is later.

§ 1394.602 *Persons entitled to fleet rations.* (a) Subject to the provisions of paragraph (b) hereof, the owner or the person entitled to the use of a registered passenger automobile or a registered motorcycle which is part of a fleet may obtain a ration providing for occupational mileage to the extent that such mileage is allowed by a Board in accordance with § 1394.604.

(b) Such Fleet ration shall not be issued and may not be obtained for use with a passenger automobile or motorcycle which is:

(1) Owned or leased by and operated by a Federal, State, local or foreign government or government agency; or

(2) Specially built (or rebuilt) as an ambulance or hearse; or

(3) Used as a taxi or jitney, or as a vehicle available for public rental; or

(4) Held by a motor vehicle dealer for sale or resale.

Provided, That nothing herein contained shall be deemed to prohibit the issuance of a ration in accordance with §§ 1394.604 and 1394.605 for use with a vehicle available for public rental, pursuant to the provisions of paragraph (b) of § 1394.1104.

§ 1394.603 *Application for fleet rations.* (a) Application for fleet rations shall be made to a Board on or after July 9, 1942, on Form OPA R–551. An application may cover one or more vehicles and may be made by an agent. An applicant shall establish the average monthly mileage in the limitation area required for the use of each vehicle covered in the application in carrying on an occupation or occupations or the average monthly mileage in such area required for the use of each of a group of such vehicles used interchangeably for carrying on the same or a related occupation or occupations, for the three-month period beginning with the date on which such ration is required.

(b) In establishing the average monthly occupational mileage required for a vehicle or vehicles registered in a state all or part of which lies within the limitation area, the applicant may include:

(1) If the vehicle or vehicles are registered in a state which lies wholly within the limitation area, any mileage driven outside of the limitation area within fifty (50) miles, by shortest route, of the boundary of such state; or

(2) If the vehicle or vehicles are registered in a state which lies partly within the limitation area, any mileage driven outside of the limitation area within fifty (50) miles, by shortest route, of the border of the limitation area within or on the boundary of such state.

§ 1394.604 *Allowance of mileage.* (a) No occupational mileage shall be allowed by a Board unless the applicant establishes in connection with such mileage, either:

(1) That transportation is needed for such occupational purposes and that no alternative means of transportation are available which would be reasonably adequate;

(i) The lack of reasonably adequate alternative means of transportation may be established by showing the unavailability of other public or private means of transportation; or by showing that such alternative means, if available, are inadequate by reason of location, schedules or overcrowded condition, by reason of physical disability of the person needing transportation, by reason of the nature of the work for which transportation is needed, or for such other reasons as the Board may find sufficient.

(2) That a *bona fide* ride-sharing arrangement has been made in connection with the use of the vehicle or vehicles

for such purposes, pursuant to which at least four persons will regularly be carried in the vehicle in connection with their occupations: *Provided*, That the names and addresses of all persons participating in the ride-sharing arrangement shall be set forth in the application.

(b) Subject to the provisions of paragraph (a) of this section, the Board shall allow the total average mileage per month determined by it to be required for driving in the pursuit of an occupation, during the three-month period specified in § 1394.603, and shall issue a ration in accordance with the provisions of § 1394.605 to provide such mileage: *Provided*, That the Board may not allow an average of more than 470 miles per month for any vehicle nor an average of more than 470 miles per month per vehicle for any group of vehicles, for any occupational mileage other than preferred mileage as defined in § 1394.506.

§ 1394.605 *Issuance of fleet rations.* (a) Fleet rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.604.

(1) In the case of passenger automobiles, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 470 miles per month or less: Class B books having the valid period specified in Table III for the mileage allowed;

(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.604 exceeds 470 miles per month: Class C books bearing expiration dates three months from July 22, 1942, or from the date of issuance, whichever is later, and containing the number of coupons specified in Table IV for the mileage allowed;

(2) In the case of motorcycles: Class D books (to be marked "Fleet") bearing expiration dates three months from July 22, 1942, or from the date of issuance, whichever is later, and containing the number of coupons specified in Table III, if the mileage allowed is 470 miles per month or less, or specified in Table IV, if the mileage allowed is in excess of 470 miles per month.

TABLE III[1]—DETERMINATION OF AMOUNT OF FLEET RATION

[For vehicles with an allowed mileage of not more than 470 miles per month]

Passenger automobiles			Motorcycles	
Allowed mileage	Valid period of "B" book, in months and weeks		Allowed mileage	Number of coupons to be issued in Fleet Class "D" book
	(Months)	(Weeks)		
0–80	12		0–20	1
81–106	9		21–40	2
107–137	7		41–60	3
138–160	6		61–80	4
161–174	5	2	81–100	5
175–192	5		101–120	6
193–213	4	2	121–140	7
214–240	4		141–160	8
241–256	3	3	161–180	9
257–275	3	2	181–200	10
276–295	3	1	201–220	11
296–320	3		221–240	12
321–349	2	3	241–260	13
350–384	2	2	261–280	14
385–426	2	1	281–300	15
427–470	2		301–320	16
			321–340	17
			341–360	18
			361–380	19
			381–400	20
			401–420	21
			421–440	22
			441–460	23
			461–470	24

[1] To be used only for fleet passenger automobiles and motorcycles and other specified passenger automobiles and motorcycles not entitled to Basic rations.

TABLE IV[1]—PASSENGER AUTOMOBILES OR MOTORCYCLES—DETERMINATION OF AMOUNT OF FLEET RATION

[For vehicles with an allowed mileage of more than 470 miles per month]

Allowed mileage	Number of coupons in Class "C" or Fleet Class "D" book	Allowed mileage	Number of coupons in Class "C" or Fleet Class "D" book
471–500	25	721–740	37
501–520	26	741–760	38
521–540	27	761–780	39
541–560	28	781–800	40
561–580	29	801–820	41
581–600	30	821–840	42
601–620	31	841–860	43
621–640	32	861–880	44
641–660	33	881–900	45
661–680	34	901–920	46
681–700	35	921–940	47
701–720	36	941–960	48

[1] To be used only for fleet passenger automobiles and motorcycles and other specified passenger automobiles and motorcycles not entitled to Basic rations.

(In the event allowed mileage exceeds 960 miles, one additional coupon shall be issued for each 20 miles, or fraction thereof, of allowed mileage in excess of 960 miles. Additional books may be issued if necessary to provide additional coupons.)

(b) The Board shall remove and destroy all coupons in Class C or Class D books in excess of the number to be issued hereunder. If the applicant has requested that bulk coupons be issued to him, the Board shall issue such bulk coupons in lieu of coupons in books, in accordance with the procedure set forth in paragraphs (a) and (b) of § 1394.1306.

(c) For the purposes of paragraph (a) of this section, a passenger automobile is conclusively presumed to operate 15 miles, and a motorcycle 40 miles, per gallon of gasoline.

Service Rations

§ 1394.701 *Service rations.* Service rations shall be issued by a Board, for vehicles in the classes enumerated in paragraph (a) of § 1394.702, in order to provide the mileage required for operation of the vehicles for the purposes specified for such classes. Service rations shall be issued for four-month periods.

§ 1394.702 *Persons entitled to service rations.* (a) The owner or the person entitled to the use of a registered motor vehicle which is found by the Board to be in one or more of the classes listed below may obtain a service ration, providing the mileage in the limitation area determined by the Board to be required for the purpose or purposes specified for such class or classes:

(1) A motor vehicle owned or leased by and operated by a Federal, State, local or foreign government or government agency, used for the official business of such goverment or agency.

(2) A bus or truck, not operated by a Federal, State, local or foreign government or government agency, used for performing the official business or carrying out an official function of such government or government agency.

(3) A motor vehicle specially built (or rebuilt) as an ambulance or hearse, used for the transportation of invalids, injured, sick or deceased persons.

(4) A motor vehicle available for public rental or used as a taxi or for jitney service: *Provided*, That a lessee of a vehicle available for public rental may not obtain a service ration for such vehicle unless his use of the vehicle is for a purpose specified in this section.

(i) No service ration may be issued for a vehicle used as a taxi or jitney unless such vehicle is duly licensed for such use, where licensing is required under State or local law.

(5) A bus or truck used as a common carrier of persons or property; or used to transport passengers or property to, from, or between airports, railroad or carrier depots, or docks.

(6) A bus or truck used for carrying workers to, from, within or between their place or places of work.

(7) A bus or truck used:

(i) To transport students, teachers or school employees between home and regular places of study.

(ii) To transport persons between their homes and their places of worship, for attendance at religious services.

(iii) To transport children under eighteen years of age and their attendants between their homes and vacation camps.

(8) A bus or truck used:

(i) To transport members of the armed forces of the United States or State military forces organized pursuant to section 61 of the National Defense Act, as amended, to, from, within, or between places at which their duties are performed.

(ii) To transport persons participating in organized activities at military, naval, American Red Cross, or United Service Organizations, establishments or facilities, to, from, within, or between such establishments or facilities.

(iii) To transport selectees to, from, or between examination or induction stations.

(9) A bus or truck used to transport persons to, from, or between eleemosynary institutions, hospitals, invalid homes, sanitoria; or used for transporting persons or equipment for the purpose of furnishing medical examination or treatment.

(10) A bus or truck used for carrying on activities necessary to the civilian defense or to the prosecution of the war; or used for rescue activity or for meeting emergencies involving life, health or property.

(11) A truck used for transporting or hauling property, commodities, waste or salvage materials, tools, machinery or equipment; or for the transportation and operation of mounted machinery or equipment; or for towing.

(12) A motor vehicle, other than a passenger automobile or motorcycle, used for construction, excavation, grading or highway maintenance.

(b) No service ration shall be issued for a motor vehicle to enable it to be used, under charter or otherwise, for sightseeing purposes.

§ 1394.703 *Service ration for owners of leased vehicles.* No owner of a motor vehicle which is in the possession of another person under a lease or rental agreement, may obtain a service ration for such vehicle more than one month prior to the expiration date of such lease or rental agreement.

§ 1394.704 *Service ration books.* (a) Class S–1 or Class S–2 coupon books, or, in the case of motorcycles, Class D coupon books marked "Service," shall be issued as service rations. Coupons in Class S–1 and S–2 books shall each have a value of one unit.

(b) Coupons contained in a service ration book shall authorize the transfer of gasoline to a consumer only during the four-month period noted thereon by the Board.

§ 1394.705 *Application for service ration.* (a) Application for a service ration may be made to a board, on and after July 9, 1942, on Form OPA R–536. Application may be made by the owner or person entitled to the use of the vehicle, or by the authorized agent of either of them. A single application may be used for all vehicles for which the applicant seeks a service ration.

(b) The application shall state the mileage and gallonage in the limitation area required for each vehicle, or, in the case of a fleet, for each group of vehicles included therein, for one or more of the uses set forth in paragraph (a) of § 1394.702, during the four-month period beginning with the date on which the ration is required.

In stating the mileage and gallonage required for a vehicle or vehicles registered in a state all or part of which lies within the limitation area, the applicant may include:

(1) If the vehicle or vehicles are registered in a state which lies wholly within the limitation area, any mileage driven outside of the limitation area within fifty (50) miles, by shortest route, of the boundary of such state; or

(2) If the vehicle or vehicles are registered in a state which lies partly within the limitation area, any mileage driven outside of the limitation area within fifty (50) miles, by shortest route, of the border of the limitation area within or on the boundary of such state.

(c) No application for a service ration for a motor vehicle which is subject to the jurisdiction of the Interstate Commerce Commission (including carriers which have applied for or received certificates of convenience or necessity, or permits as contract carriers, but excluding private carriers, exempt carriers, and purely intrastate carriers) shall be granted unless such application bears the written approval of a local allocation office of the Office of Defense Transportation.

(d) Application for a service ration for a motorcycle which is subject to the jurisdiction of the Interstate Commerce Commission and which is operated both within and without the limitation area may, at the option of the applicant, be made by completing Form OPA R–536, in the manner prescribed by paragraphs (a) and (b) of this section, and by forwarding such application to any local allocation office of the Office of Defense Transportation. Such office will, if it approves the application, forward such application to the Office of Price Administration, in Washington, D. C., which will issue a Service ration in accordance with § 1394.706. The Office of Price Administration will, in its discretion, designate a special board to pass upon such applications.

§ 1394.706 *Issuance of service rations.* (a) The Board shall determine the number of gallons of gasoline required for the four-month period referred to in paragraph (b) of § 1394.705, for each vehicle or group of vehicles listed in the application, for one or more of the uses set forth in paragraph (a) of § 1394.702. The Board shall then issue S–1 or S–2 books (or in the case of motorcycles, D books marked "Service") containing coupons in sufficient number to provide the number of gallons of gasoline needed. The Board shall, when issuing such books, remove and destroy all coupons in excess of the number required to supply the gallonage determined to be needed. The Board shall note on the face of the books the date of issuance (or July 22, 1942, whichever is later) and the date of expiration of such books, in accordance with the provisions of paragraph (b) of § 1394.704. If the applicant has requested that bulk coupons be issued to him, the Board shall issue bulk coupons to the extent of the gallonage allowed by it for which bulk coupons are requested, if applicant meets the requirements of paragraph (a) of § 1394.1306.

(b) In issuing a service ration for any vehicle used as a taxi or jitney for which a basic ration may be issued (on the ground that such vehicle is not *principally* used as a taxi or jitney) the Board shall deduct from the mileage determined by it to be required for such vehicle, one hundred and fifty (150) miles per month for each month of the period for which the service ration is granted: *Provided*, That no such deduction shall be made if a supplemental ration has also been issued for such vehicle.

§ 1394.707 *Compliance with orders of Office of Defense Transportation.* No service ration shall be issued for a motor vehicle unless the applicant therefor certifies that such vehicle is operated in compliance with all applicable orders of the Office of Defense Transportation.

Special Rations

§ 1394.801 *Application for special ration.* (a) The owner or person entitled to the use of a motor vehicle, or of a boat or outboard motor used in the limitation area, who finds that transportation in such vehicle, or boat, is necessary for one or more of the purposes specified in paragraph (b) of this section, and who finds that a ration issued for such vehicle or boat is not sufficient to permit its necessary use for such purpose, may apply to a Board for a special ration. Application for a special ration on behalf of an individual may not be made by an agent. A special ration may be issued for any period up to six months from the date of application.

(b) Special rations may be issued in order to permit acquisition of gasoline for use in a motor vehicle, boat, or outboard motor for one or more of the following purposes:

(1) To obtain necessary medical attention or therapeutic treatment or to procure necessary food and supplies;

(2) To return a motor vehicle or boat, which was on May 15, 1942 away from the regular place of residence of the owner or person entitled to the use thereof, to such regular place of residence; or to move such vehicle or boat in connection with a *bona fide* change in such regular place of residence.

(3) To operate a motor vehicle or boat held by a motor vehicle or boat dealer for sale or resale, solely for the purpose of demonstrating such vehicle or boat to prospective purchasers or for delivery after sale, or to remove a purchased or repossessed motor vehicle or boat, or a vehicle or boat seized by a government authority, to a place of storage: *Provided*, That no ration in excess of five (5) gallons per month per vehicle shall be granted for any such purpose.

(4) To transport the personnel and equipment of a scientific expedition organized or sponsored by a recognized scientific or educational institution or organization, if the Board finds that such expedition is in the public interest.

(5) To carry persons to and from the polls for the purpose of voting in public elections (including primary elections); or to act as duly appointed election officials or poll watchers; or for use by a *bona fide* candidate for public office for purposes essential to the prosecution of his candidacy.

(6) To operate a motor vehicle for the purpose of *bona fide* tests or experiments contributing to the war effort.

(c) Application shall be made on Form OPA R–552 and the applicant shall state, in addition to such other information as may be required:

(1) The purpose for which a special ration is sought and the period (not exceeding six months) during which such ration will be needed;

(2) The type and number of ration books already issued for the vehicle, boat, or outboard motor, for which the application is made;

(3) The facts supporting the claim that transportation is necessary for the purpose;

(4) The alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose: *Provided*, That applicants for a special ration under subparagraphs (2), (3) and (6) of paragraph (b) of this section shall not be required to establish the inadequacy of alternative means of transportation, unless the ration is sought for delivery of a motor vehicle after sale thereof.

(5) The number of miles of driving, or, in the case of a boat or outboard motor, the amount of gasoline, in the limitation area claimed to be essential to the accomplishment of the purpose or purposes stated during the period for which the special ration is needed.

§ 1394.802 *Form and issuance of special rations.* (a) The Board may grant a special ration only if it finds:

(1) That such special ration is needed by the applicant for the purpose claimed;

(2) That a ration (if any) previously issued for such vehicle, boat or outboard motor, is not reasonably adequate or cannot be used for such purpose;

(3) That transportation is necessary to the accomplishment of such purpose;

(4) That no reasonably adequate alternative means of transportation are available (except as provided with respect to special rations sought under subparagraphs (2), (3) and (6) of paragraph (b) of § 1394.801 unless the ration is sought for delivery of a motor vehicle after sale thereof).

(b) If the Board grants the application, it shall determine the quantity of gasoline which is essential to the applicant for accomplishment of the purpose or purposes stated from the date of its decision to the end of the period (not exceeding six months) for which such ration is sought, and shall issue to the applicant a coupon book or books of any appropriate class, containing coupons in sufficient number to allow to the applicant the quantity of gasoline determined by it to be essential on the basis of the current gallonage value of a unit in such book. It shall mark "Special" any book which it so issues. It shall remove from the book and destroy any coupons in excess of the number representing the gallonage which it determines should be granted in accordance with the provisions of this paragraph.

Non-highway Rations

§ 1394.901 *Persons entitled to non-highway rations.* Any person who requires gasoline for a non-highway purpose may obtain a Non-Highway ration authorizing the acquisition of the amount of gasoline required for such purpose, except as provided in paragraph (b) of § 1394.904. Non-highway rations shall be issued for six-month periods.

§ 1394.902 *Non-highway ration books.* (a) Class E and Class R coupon books shall be issued as non-highway rations. Coupons in Class E and Class R books shall each have a value of one unit, and shall be valid for the transfer of gasoline to a non-highway consumer during the six-month period noted on such books by the Board.

(b) Each non-highway ration book issued with respect to a motorboat for non-occupational use in the limitation area shall be so designated on the inside cover.

§ 1394.903 *Application for non-highway ration.* (a) Applications for non-highway rations may be made to the Boards, on or after July 9, 1942, on Form OPA R–537. Application may be made by an agent.

(b) The applicant shall state the amount of gasoline needed for use in, or which he finds it necessary to acquire in, the limitation area for the six-month period following the date on which such ration is required, and the non-highway purpose or purposes for which such gasoline is needed.

§ 1394.904 *Issuance of non-highway rations.* (a) The Board shall determine the amount of gasoline required for the six-month period referred to in paragraph (b) of § 1394.903, and, subject to the provisions of paragraph (b) of this section, shall issue to the applicant one or more Class E or Class R books, or any combination of them, containing a sufficient number of coupons to enable the applicant to acquire the amount of gasoline so determined to be necessary for such period. The Board shall remove from the book and destroy any coupons in excess of the number allotted.

(b) If application is made for a non-highway ration for use with a motorboat or outboard motor operated wholly or in part for a non-occupational purpose within the limitation area, the Board shall not allow for the non-occupational purpose an amount of gasoline in excess of the number of gallons determined by the following formulae:

(1) In the case of an inboard motorboat, the number of gallons equal to four times the manufacturer's rated horsepower of the motor or motors but in any event not more than two hundred and fifty (250) gallons;

(2) In the case of an outboard motor, the number of gallons equal to five times the manufacturer's rated horsepower of such motor, but not in excess of forty (40) gallons.

The Board shall, in such case, issue a separate book for such non-occupational purpose, containing coupons in sufficient number to allow the quantity of gasoline so determined, and shall note on such book that it is issued for a non-occupational purpose.

(c) Except as provided in paragraph (a) of § 1394.1403, no more than one non-occupational ration may be issued for an inboard motorboat or an outboard motor during any six-month period.

Issuance of Coupon Books and Acknowledgments of Delivery by the Office of Price Administration

§ 1394.1001 *Issuance of ration books by Office of Price Administration.* (a) Coupon books of all types designated in Ration Order No. 5A may be issued by the Office of Price Administration, in its discretion, to the Army, Navy, Marine Corps, Coast Guard and the law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents or employees in the performance of official duties which depend upon secrecy.

(b) Any agency enumerated in paragraph (a) of this section which requires coupon books for use by such officers, agents, or employees, shall make written application therefor to the Office of Price Administration and shall state the number and type of books required, and the use for which such books are intended.

(c) If it grants the application, the Office of Price Administration, will issue such books in blank.

(d) The Office of Price Administration will also issue Service rations pursuant to paragraph (d) of § 1394.705.

§ 1394.1002 *Acknowledgments of delivery.* (a) The Office of Price Administration will issue forms, on Form OPA R–544, for acknowledgment of delivery, to be used for the acquisition of gasoline by or on behalf of the Army, Navy, Marine Corps, Coast Guard and Maritime Commission of the United States. Any such form bearing the signature of an authorized officer, agent or employee of any of such agencies shall be valid as an authorization of transfer of gasoline by any person to whom it is presented, to the extent of the gallonage thereon stated. In the event that an Acknowledgment form should not be available, gasoline may be acquired by or on behalf of any such agencies in exchange for a temporary receipt, in any form, if such temporary receipt supplies the information required by Form OPA R–544 and is signed by an authorized officer, agent, or employee of such agency; such temporary receipt shall show the address of the agency on behalf of which such receipt was issued. No person who transfers gasoline in return for such temporary receipt may use such receipt as an evidence for purpose of replenishment but shall either transmit such receipt to the agency on behalf of which the transfer was accepted, in exchange for an Acknowledgment of Delivery on Form OPA R–544, or to a Board in exchange for inventory coupons. Any Board to which such temporary receipt is so presented shall issue, in exchange for such receipt, inventory coupons having a gallonage value equal to the amount of gasoline found by it to have been transferred in good faith on the basis of such receipt. The Board, after issuing inventory coupons, shall submit such temporary receipt to the agency named thereon, for verification and return.

(b) Application for books of Acknowledgment forms shall be made in writing to the Office of Price Administration, from time to time, as such books are needed.

Restrictions on Use of Rations and Gasoline

§ 1394.1101 *Restrictions as to purpose.* No person to whom a special ration has been issued may use or permit the use of such ration for any purpose other than the one for which it was issued. No person to whom a Supplemental, Service, Fleet ration pursuant to § 1394.605, or Non-Highway ration has been issued may use or permit the use of such ration for a purpose other than one for which such ration may be obtained.

§ 1394.1102 *Rations not transferable.* No ration may be transferred or assigned; such ration may, however, subject to the provisions of § 1394.1104, be used by any one entitled to use the vehicle, boat or equipment for which it was issued, if such use is for a purpose for which such ration may be obtained and so long as there is no change in ownership of such vehicle, boat, or equipment.

§ 1394.1103 *Change of occupation of holder of Class C ration.* The holder of a Class C ration (or of a Class D ration based on allowed mileage in excess of 470 miles per month) shall report to the issuing Board any change in the principal occupation for the pursuit of which such ration was issued. Such report shall be transmitted to the Board within five (5) days after such change and shall describe fully the nature of the new occupation, the exact type of work performed, the business or industry in which such work is performed, and the purpose, if any, for which the motor vehicle will be used in such new occupation. If, on the basis of such report, the Board finds reason to believe that such motor vehicle will no longer be used for a preferred purpose listed in § 1394.506, it shall notify such holder, in writing, that his right to such ration is to be re-examined. Such notice shall be mailed to such holder at the address shown on his application (or at the address shown on his report), and shall require him to file a new application for a ration within ten (10) days after the mailing date shown on such notice. If no new application is filed within such time, the Board shall revoke such ration and shall recall all Class C books or coupons (or Class D books or coupons based on an allowed mileage in excess of 470 miles per month) issued in connection therewith. If a new application is filed, and if the Board determines that the motor vehicle will be used for a preferred purpose listed in § 1394.506, it shall take no further action. If the Board finds that the vehicle will no longer be used for a preferred purpose listed in § 1394.506, it shall revoke the ration and recall the coupons or coupon book originally issued and shall issue, in lieu thereof, such ration (if any) as it determines that the holder is entitled to receive on the basis of his new application and in accordance with the provisions of § 1394.505 or § 1394.605, as the case may be.

§ 1394.1104 *Use of rations issued for vehicles or boats available for public rental.* (a) A motor vehicle rental agency may permit a lessee to use a service ration issued to such agency for a vehicle leased by him, during the period of a *bona fide* lease for one week or less. In the case of any lease other than a *bona fide* lease for one week or less, the lessee may not use or be permitted to use the service ration issued to such agency for such vehicle, but shall apply for a ration on his own behalf, pursuant to the provisions of paragraph (b) of this section.

(b) A lessee of a vehicle available for public rental who leases such vehicle for a period of more than one week shall be deemed to be a person entitled to the use of such vehicle, within the meaning of §§ 1394.503 and 1394.602 of Ration Order No. 5A. Such lessee may apply for a ration for use in such vehicle on his own behalf, pursuant to the provisions of §§ 1394.503, 1394.603, or 1394.705, as the case may be, and his right to such ration shall be determined solely by the nature and extent of his use of the vehicle. Application by such lessee for a ration pursuant to §§ 1394.503 or 1394.603 shall be made on Form OPA R–551, and the allowed mileage for the vehicle shall be computed in the manner established by §§ 1394.604 and 1394.605 for fleet vehicles. Upon termination of the lease, any ration issued to such lessee shall expire and all coupons or coupon books issued to him shall be returned by him to the issuing Board.

(c) Each motor vehicle rental agency shall keep a record showing the name and address of each lessee, the date and duration of the lease, the mileage driven by the lessee and the number of gallons, if any, supplied to the lessee and the number of coupons (if any) in its ration books, used by the lessee during the period of the lease. The lessee shall be required to sign such record and his signature shall constitute a certification as to the truth thereof.

(d) A boat rental agency may permit a lessee to use a Non-Highway ration issued for an inboard motorboat or outboard motor leased to him, only during the period of a *bona fide* lease for one week or less. A lessee of such boat or motor who leases it for a period of more than one week may apply for a Non-Highway ration on his own behalf pursuant to the provisions of § 1394.903.

§ 1394.1105 *Restrictions on consumption of gasoline.* (a) Except as provided in § 1394.1102, paragraph (a) of § 1394.1104 and § 1394.1507, no person shall consume gasoline unless such gasoline was acquired by him or on his behalf in exchange for valid coupons: *Provided*, That:

(1) Any consumer may use for non-highway purposes (other than non-occupational boat operations in the limitation area) gasoline owned by him and in his possession prior to July 22, 1942;

(2) Any consumer may use gasoline owned by him and in his possession prior to July 22, 1942, for the operation of a registered motor vehicle, or for non-occupational boat operation if, at the time of transfer of such gasoline into the fuel tank of such vehicle or boat, he destroys currently valid coupons issued therefor equal in value to the number of gallons of gasoline so transferred: *Provided*, That gasoline placed in the fuel supply tank of such vehicle or boat prior to July 22, 1942, may be used therein without restriction.

(b) The provisions of this section shall not be applicable to the consumption of gasoline by the Army, Navy, Marine Corps, Coast Guard or Maritime Commission of the United States, or to the consumption by any one of gasoline brought into the limitation area in the fuel supply tank of a vehicle, boat or equipment.

§ 1394.1106 *Restrictions on blending of gasoline.* No person other than a licensed distributor or a consumer shall blend, dilute, or otherwise mix gasoline with any other liquid or combustible, and no person shall knowingly transfer or accept a transfer of gasoline blended, diluted or mixed in violation of this section.

§ 1394.1107 *Rations for racing or exhibition purposes.* No gasoline ration shall be issued, or may be used, under the provisions of Ration Order No. 5A, for the operation of any motor vehicle, or of any boat in the limitation area, in exhibitions or races for public entertainment or prizes.

§ 1394.1108 *Display of stickers.* No person may use a class A, B, C, or S ration issued for a registered motor vehicle unless a sticker identifying the class of ration issued, in such form as may be prescribed by the Office of Price Administration, is affixed to and conspicuously displayed on such vehicle. Such sticker shall be displayed on such vehicle at all times, whether such vehicle is driven within or without the limitation area, but the display of such sticker shall be in accordance with the laws of the State in which such vehicle is operated. A person to whom any ration in addition to a Class A ration has been issued shall

display only the sticker identifying such additional ration.

§ 1394.1109 *Restriction on use of gasoline in vehicle without ration.* On and after July 31, 1942, no gasoline may be used in a motor vehicle registered in a state lying wholly or in part within the limitation area, which is customarily garaged or stationed within the limitation area, unless a valid ration has been issued and is outstanding for use with such vehicle, and a sticker, indicating that a gasoline ration has been issued, is displayed on such vehicle in accordance with § 1394.1108.

Renewal of Rations and Issuance of Further Rations

§ 1394.1201 *Renewal of rations.* (a) Rations shall expire as provided in §§ 1394.1204 (b), 1394.1402, and 1394.1403. At any time within thirty (30) days prior to the expiration of any ration, or at any time thereafter, application for a further ration may be made. Such application shall be made in the same manner as the original application, except as provided in paragraph (b) of this section.

(b) If there have been no substantial changes since the date of the original application, in the applicant's gasoline needs, or in the nature, amount and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a further ration (other than a basic or special ration) may be made by executing the renewal certificate on such original application. The applicant shall, in such case, note on such renewal certificate any changes in the nature or amount of his use since the date of the original application.

(c) When issuing a further ration prior to the expiration date of a current ration of the same class, the Board shall note on the application and on the front cover of the coupon book (if any) representing such further ration the date on which such further ration shall become valid. Such date shall be the day following the expiration date of the current ration.

(d) Except as provided in §§ 1394.1202 and 1394.1203, no further ration of any class may be issued for use prior to (or may be used prior to) the expiration of the current ration of such class.

§ 1394.1202 *Issuance of further ration for use prior to expiration date of current ration.* (a) Any person who finds that, due to a change in occupation or in the location of place of business or residence, or other change in circumstances, or due to seasonal variation in the amount of occupational mileage needed, or miscalculation of needs, a ration of any class (other than a basic ration) issued to him fails to meet his requirements, may apply for a further ration of such class for use prior to the expiration date of his current ration. Such application shall be made in the same manner as the application for the current ration.

(b) The applicant shall append to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than thirty (30) days from the date of the application;

(2) The reason or reasons why a further ration will be needed for use prior to the expiration date of the current ration.

(c) If the Board determines that, for one or more of the reasons specified in paragraph (a) of this section, more mileage is needed or, in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may grant a further ration in accordance with the provisions of paragraph (b) of § 1394.1204.

(d) No further supplemental ration under § 1394.505, or fleet ration under § 1394.605, shall be granted, pursuant to this section, which would permit the applicant to exceed the maximum mileage to which he would be entitled under the provisions of paragraph (b) of § 1394.504, or paragraph (b) of § 1394.604, as the case may be.

§ 1394.1203 *Special cases.* (a) Any person to whom a ration of a class specified in paragraph (b) of this section has been issued, who finds that the vehicle or vehicles for which such ration was granted cannot be operated for fifteen (15) miles (or, in the case of a motorcycle, for forty (40) miles) or more on a gallon of gasoline, may apply for a further ration for use prior to the expiration of such current ration.

(b) Such application shall be made in the same manner as the application for the current ration and may be granted only if such current ration is in one of the following categories:

(1) A Class C ration;

(2) A Supplemental Class D ration based on an allowed mileage in excess of 470 miles per month;

(3) A Class B or D ration, for fleet vehicles, issued pursuant to § 1394.605.

(c) The applicant shall append to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than thirty (30) days from the date of the application;

(2) The nature of the use of the vehicle or vehicles for which the further ration is sought and the driving conditions under which such vehicle or vehicles are operated;

(3) The reason or reasons why a further ration is sought for use prior to the expiration of the current ration;

(4) That the vehicle or vehicles for which the application is made are in sound mechanical condition and are being operated in such manner as to secure maximum economy of gasoline.

(d) If the Board determines that the vehicle or vehicles for which application is made are being operated in such fashion as to obtain the maximum mileage per gallon of gasoline reasonably possible, it may grant a further ration in accordance with the provisions of paragraph (b) of § 1394.1204.

(e) No further supplemental ration under § 1394.505, or Fleet ration under § 1394.605, shall be granted, pursuant to this section, which would permit the applicant to exceed the maximum mileage to which he would be entitled under the provisions of paragraph (b) of § 1394.504, or paragraph (b) of § 1394.604, as the case may be.

§ 1394.1204 *General provisions.* (a) All of the provisions of Ration Order No. 5A applicable to the issuance of an original ration shall apply to the issuance of a further ration pursuant to §§ 1394.1201, 1394.1202 and 1394.1203, except as otherwise expressly provided in those sections.

(b) When granting a further ration for use prior to the original expiration date of a current ration, pursuant to the provisions of § 1394.1202 or § 1394.1203, the Board shall redetermine the expiration date of such current ration. Such redetermination shall be based on the Board's estimate of the date on which such current ration will be exhausted. The Board shall thereupon note such redetermined expiration date on the application for such current ration and on the coupon books issued therefor. The redetermined date shall be deemed the expiration date of such current ration for all the purposes of Ration Order No. 5A. The further ration shall then be issued in accordance with the provisions of paragraph (c) of § 1394.1201.

General Provisions With Respect to Issuance of Gasoline Rations

§ 1394.1301 *Appearances before Boards.* The Board may require any applicant for a ration to appear before it for examination and to produce such witnesses or evidence as it may deem material.

§ 1394.1302 *Presentation of registration card.* (a) Except as provided in paragraph (b) of this section, no gasoline ration (other than a ration pursuant to subparagraph (3) of paragraph (b) of § 1394.801), shall be issued for any motor vehicle other than a fleet vehicle unless a registration card or registration certificate authorizing the operation of such vehicle during all or part of the period for which such ration is to be issued, is presented to the registrar or the Board, as the case may be: *Provided, however,* That no registration card or registration certificate need be submitted in connection with an application made pursuant to paragraph (d) of § 1394.705.

(b) If no registration card or registration certificate has been issued or is outstanding for such motor vehicle, but such motor vehicle is currently registered for operation on public highways under the laws of the Federal government or of any State, territorial or foreign government, the applicant may sign and submit a certification, on such form as may be designated by the Office of Price Administration stating the reasons why no registration card or registration certificate is outstanding. If the Board (or the registrar) is satisfied that such motor vehicle is currently registered but that no registration card or registration certificate therefor has been issued or is outstanding, it may issue a gasoline ration for such vehicle. Such certification shall be filed with the application for such ration.

§ 1394.1303 *Notation on registration cards.* At the time of issuing a gasoline ration for a registered motor vehicle other than a fleet vehicle, except in the case of a ration issued pursuant to paragraph (d) of § 1394.705, or subparagraph (3) of paragraph (b) of § 1394.801, the person issuing such ration shall make a clear notation in ink, indelible pencil, or by typewriter, on the back of the motor vehicle registration card or registration certificate presented by the applicant, showing the date of issuance, the class of ration and the serial number of the ration book (if any) issued. If a ration has been issued on the basis of a temporary registration card or registration certificate, the applicant shall submit the permanent card or certificate, when issued, to a Board, for such notation. If the ration is issued without presentation of a registration card, pursuant to the provisions of paragraph (b) of § 1394.1302, no notation need be made at the time of issuance, but the applicant shall submit such card, if and when issued, to a Board for such notation.

§ 1394.1304 *Notation on ration books and applications.* (a) At the time of issuance of any ration book for a registered motor vehicle, the person issuing such book shall, unless a fleet identification is used as provided in paragraph (b) of this section, make a clear notation on the cover thereof, in ink, indelible pencil, or by typewriter, of the registration number of the vehicle for which it is issued and of the name and address of the registered owner of such vehicle. The Board shall also make a notation on the cover of such book (other than a basic book) and on the application therefor, of the date on which it becomes valid and of its expiration date. The person to whom a ration book is issued (other than an interchangeable book issued for a fleet vehicle pursuant to paragraph (b) of this section) shall note on such book, in the space provided therefor, the serial number of the use tax stamp issued for such vehicle.

(b) An applicant for a gasoline ration for fleet vehicles may request the Board to note on the ration books issued, the name or other identification of the fleet, in lieu of the registration number of a particular vehicle. The Board may grant such request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation. Any book on which a fleet identification is noted may be used, interchangeably, for all vehicles if the fleet bearing such identification.

(c) At the time of issuance of a non-highway ration book, the Board shall make a clear notation on such book in ink, indelible pencil, or by typewriter, of the name and address of the applicant and of the period during which such book shall be valid. Such period shall also be noted on the application.

§ 1394.1305 *Change in motor vehicle registration number.* (a) The holder of a ration book issued for a registered motor vehicle (other than a ration book bearing a fleet identification) shall, upon any change in the registration number of such vehicle, submit such ration book either to an appropriate State motor vehicle registration official or to a Board for the purpose of having the notation thereon changed to correspond to the new registration number. The book shall be submitted to such official at the time of issuance of the new registration number, or to such Board within five (5) days thereafter; if such submission is made to a Board, the registration card or registration certificate (or in lieu thereof, an appropriate certification in such form as may be designated by the Office of Price Administration) evidencing the new registration number shall be presented with the book. A State official to whom such book is presented may, and a Board to which such book is presented shall, obliterate the registration number appearing thereon and note thereon, in ink, indelible pencil, or by typewriter, the new registration number issued for such vehicle. Notation on such new registration card shall also be made, as prescribed in § 1394.1303. Such notation shall be countersigned or initialed by the person making the change.

(b) The holder of any book bearing a fleet identification shall, upon any change in the name, identification or designation of such fleet, submit such book to the Board which issued it for appropriate modification. Upon ascertaining the new name, identification or designation of such fleet, the Board shall change the designation on such book to correspond thereto.

(c) Nothing in this section shall be construed to authorize the continued use of a ration book after a change in ownership of the vehicle for which it was issued.

(d) Any alteration on the face or cover of any ration book, unless made and countersigned by a person authorized to do so under Ration Order No. 5A, shall render such book, and the coupons therein, invalid.

§ 1394.1306 *Authorization of bulk purchase.* (a) Any person who establishes to the satisfaction of a Board that he maintains a storage tank for supplying gasoline to one or more motor vehicles operated by him or for non-highway use, and that he has maintained such tank for such purposes prior to July 1, 1942, or that it is now necessary for supplying gasoline to such vehicles or for such use to maintain a storage tank or to acquire gasoline in a tank, tank truck, drum, or other container, may, when applying for a gasoline ration, request the Board to issue such ration in the form of bulk coupons, or partly in bulk coupons and partly in coupon books. Such person may also request the Board to make a notation on any coupon books issued to him indicating that coupons in such books may be used for a bulk transfer of gasoline.

(b) If applicant establishes the facts required by paragraph (a) hereof, the Board shall issue bulk coupons to the extent of the gallonage allowed by it for which bulk coupons are requested: *Provided,* That, with respect to applications for Supplemental rations, or for Fleet rations for passenger automobiles or motorcycles, as provided in § 1394.502 or § 1394.602, the Board shall first determine the type, number and expiration date of the coupon books to which the applicant is entitled; it shall then issue bulk coupons, to the extent requested by the applicant, having a gallonage value equal to the value in units of the coupons in the coupon books to which the applicant is entitled and in lieu of which such bulk coupons are issued; such bulk coupons shall expire on, and may not be used for the transfer of gasoline to a consumer after, the date on which such coupon books would expire: *Provided further,* That bulk coupons shall not be issued unless the applicant establishes the necessity for acquiring two hundred and fifty (250) gallons or more per month by bulk transfer.

§ 1394.1307 *Lost or destroyed coupons, or coupon books.* (a) In the event of the accidental loss, destruction or mutilation of any coupon books or bulk coupons, the holder thereof may apply to the Board having jurisdiction under § 1394.302, for replacement thereof.

(b) Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The class, date and place of issuance and expiration date of such book or coupons;

(3) A description of the motor vehicle, boat, equipment or process for which the book or coupons were issued;

(4) A statement of the number and type of unused coupons so lost, destroyed or mutilated;

(5) A description of the manner and circumstances of the loss, destruction or mutilation.

(c) If the Board is satisfied that such book or coupons have been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it may, in its discretion, issue a duplicate book or duplicate bulk coupons of the same class and in the same quantity as those sought to be replaced; it shall clearly note on the cover of any duplicate book issued the same expiration date, if any, that appeared on the original book.

(d) No person receiving a duplicate book or coupons under paragraph (c) hereof shall use, attempt to use, or permit the use of the original book or coupons, but shall surrender such original book or coupons, if damaged or mutilated, to the Board at the time of issuance of the duplicate book; in the event that a lost book or lost coupons are found after duplicates have been issued, such original book or coupons shall be surrendered to the Board forthwith.

§ 1394.1308 *Signature on coupon book.* No coupon book shall be valid until the person to whom such book is issued has

signed the certification provided for therein.

Expiration and Revocation of Rations

§ 1394.1401 *Surrender of expired coupons.* (a) No ration may be used and no coupon book shall be valid for the transfer of gasoline to a consumer after the expiration thereof.

(b) The person to whom a ration has been issued shall, within five (5) days after the expiration thereof, surrender to the issuing Board all expired coupon books and all unused coupons representing such ration.

§ 1394.1402 *Expiration of rations.* All Basic rations shall expire at midnight, July 21, 1943. All other rations shall expire at midnight of the date noted on the application therefor or on the coupon books issued therefor.

§ 1394.1403 *Expiration of rations upon cessation of use or change in ownership.* (a) Upon cessation of use or change of ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation or change, be surrendered to the issuing Board, by the person to whom such ration was issued. The transferee of such vehicle, boat or equipment shall be required to apply for a gasoline ration therefor on his own behalf, in accordance with the applicable provisions of Ration Order No. 5A: *Provided*, That such transferee may not obtain a ration unless a *bona fide* transfer is involved.

(b) Upon cessation of use of a ration (other than a Basic ration) for a purpose for which such ration may be obtained, such ration shall expire and all unused coupons and books issued therefore shall, within five (5) days after such cessation, be surrendered to the issuing Board by the person to whom such ration was issued.

§ 1394.1404 *Denial of gasoline rations.* No person whose name has been recorded by a Board, in accordance with the provisions of § 1394.46 of Ration Order No. 5 or § 1394.1406 of this Ration Order No. 5A for refusal to surrender a gasoline ration card or ration book upon direction of the Board, or for failure or refusal, without good cause shown, to appear before such Board for examination, shall be entitled to obtain a ration of any type under Ration Order No. 5A, while his name remains thus recorded.

§ 1394.1405 *Suspension and revocation of rations.* (a) All coupon books, bulk coupons and inventory coupons issued shall remain the property of the Office of Price Administration. The Office of Price Administration may refuse to issue, and may suspend, cancel, revoke, or recall any ration and may require the surrender and return of any coupon book, bulk coupon or inventory coupons during suspension or pursuant to cancellation, whenever it deems it to be in the public interest to do so.

(b) Upon certification by the Office of Defense Transportation that any person to whom a gasoline ration has been issued has been found by it to have violated an order of such Office, and upon recommendation by such Office that a gasoline ration issued to such person, or any part thereof, be revoked, the Office of Price Administration will revoke such ration, or such part thereof, pursuant to the provisions of paragraph (a) of this section.

§ 1394.1406 *Review by local boards of applications for gasoline ration.* (a) Any Board may review an application for a gasoline ration of any class, made in the area over which it has jurisdiction, or referred to it by another Board, and may, in its discretion, require a holder of a gasoline ration who resides or does business within the area over which the Board has jurisdiction to appear before it for examination in order to determine whether such holder was entitled to receive such ration. The Board may also require the holder of a supplemental or service ration, or of a Fleet ration issued pursuant to § 1394.605, or of a nonhighway or special ration, to appear before it for examination in order to determine whether such ration is being used in accordance with the provisions of § 1394.1101. The Board shall give written notice to the holder of the time and place fixed for such appearance. The notice shall be deemed sufficient if mailed to the address shown on the application at least five (5) days prior to such time. The Board may designate one or more of its members to perform the functions prescribed in this section.

(b) If the Board finds that the ration holder was not entitled to receive the ration issued, or, if it finds that a ration issued is being used for a purpose other than one for which such ration may be obtained, it shall revoke such ration and shall direct that any coupons or coupon books issued therefor be surrendered to it. If it finds that the holder is entitled to a ration of a different class or quantity than that issued, it may issue such ration as it finds the holder entitled to receive pursuant to the provisions of Ration Order No. 5A, in place of the ration revoked.

(c) The Board shall record the name of any ration holder who refuses to comply with a direction of the Board pursuant to paragraph (b) of this section or who fails or refuses to appear for examination in accordance with a notice sent by the Board pursuant to paragraph (a) of this section: *Provided*, That if a person whose name has been recorded for failure or refusal to appear for examination shows good cause to the Board for such failure or refusal his name shall be stricken from such record, upon compliance with the Board's direction with respect to the disposition of his ration. The Board shall notify the State Director immediately after recording any name, and immediately after striking any name from the record; and, upon receipt of such notification, the State Director shall notify the Regional Administrator. Any person whose name remains recorded shall be prohibited from securing any ration under the provisions of Ration Order No. 5A or of any Gasoline Ration Order hereafter promulgated by the Office of Price Administration.

Restrictions on Transfers

§ 1394.1501 *Restriction on transfer to consumers.* On and after July 22, 1942, and notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no person other than a dealer or distributor shall (except as provided in §§ 1394.1507 and 1394.1508) transfer or offer to transfer gasoline to a consumer.

§ 1394.1502 *Transfers to consumers.* On and after July 22, 1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a dealer or distributor may transfer gasoline from within or without the limitation area, to a consumer within the limitation area, and such consumer may accept such transfer of gasoline, only in exchange for valid coupons, except as provided in §§ 1394.1504, 1394.1505, and 1394.1506.

§ 1394.1503 *Transfers to consumers in exchange for coupons*—(a) *Coupons in books issued for registered motor vehicles.* Transfer may be made in exchange for coupons contained in Class A, B, C, D, S–1 or S–2 books, under the following conditions:

(1) At the time of transfer, the transferor must require presentation of the coupon book and must detach therefrom coupons having an aggregate unit value equal to the amount of gasoline transferred: *Provided*, That if the transferee is able to accept only a portion of the amount of gasoline represented by the unit value of a coupon, the transferor shall nevertheless detach an entire coupon. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book presented: *Provided*, That if such book bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for coupons in such book: *Provided further*, That bulk transfer may also be made, of an amount of gasoline not in excess of one unit, to enable a vehicle stranded for lack of fuel to reach a source of supply; in such case the transferor shall retain the ration book presented until the vehicle is brought to the place of transfer, for identification.

(3) Transfer may be made only during the valid period noted on the cover of the book presented or, in the case of a Class A book, only during the period of validity of the coupon in exchange for which the transfer is to be made.

(b) *Coupons in non-highway books.* Bulk transfer may be made in exchange for coupons contained in Class E and R books, under the following conditions:

(1) At the time of transfer, the transferor must require presentation of the coupon book and must detach therefrom coupons having an aggregate unit value equal to the number of gallons of gasoline transferred. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) No transfer in exchange for coupons in a Class E or R book may be made into the fuel tank of, or knowingly made for use in, a registered motor vehicle, or a motor vehicle held by a motor vehicle dealer for sale or resale.

(c) *Bulk coupons.* Transfer may be made in exchange for bulk coupons. The transferor must require surrender, at the time of transfer, of bulk coupons having a value in gallons equal to the number of gallons of gasoline transferred: *Provided*, That in the case of any delivery made in the absence of the transferor or his agent, by barge, pipe line, tank car, or other carrier, or in the absence of the transferee or his agent, coupons need not be surrendered simultaneously with delivery, but must be forwarded by the transferee to the transferor within twenty-four (24) hours after delivery.

§ 1394.1504 *Transfers in exchange for acknowledgment of delivery.* Transfer may be made in exchange for an Acknowledgment of Delivery, on Form OPA R–544, or in exchange for a temporary receipt issued in lieu thereof, in accordance with the provisions of § 1394.1002.

§ 1394.1505 *Transfers for export.* (a) Any person (other than a licensed distributor) who desires to obtain gasoline for export to any insular or territorial possession of the United States, or to any foreign country, may execute and submit Part A of an Export Certificate on Form OPA R–560, in duplicate, to any Board. Such certificate shall state the amount of gasoline required for export, the proposed date and port of exportation and the name and address of the person desiring to export the gasoline. The Board shall retain the duplicate copy of the certificate and shall endorse and return the original copy to such person. The original copy, bearing the endorsement of the Board, shall constitute an evidence to authorize the transfer of the amount of gasoline stated thereon: *Provided*, That such certificate bearing the endorsement of an authorized official of the Federal government or any agency thereof shall be valid without endorsement by a Board, as an evidence to authorize the transfer to such government or agency for the purpose of export, or for retransfer by such government or agency for such purpose.

(b) Within thirty (30) days after submission to and endorsement of such certificate by a Board, the person who has acquired gasoline pursuant to the provisions of paragraph (a) of this section shall submit to the Board which endorsed the certificate, a copy of a Shippers' Export Declaration (Commerce Form 7525) bearing the notation of an authorized customs official that to the best of his knowledge and belief the amount of gasoline thereon stated has been exported. The Board shall attach the copy of the declaration submitted to the copy of the certificate on file. If the Board is not satisfied with the authenticity of the copy of the declaration, or in the event none has been presented to the Board within thirty (30) days after endorsement of the certificate, the Board shall send the file of the case to the Office of Price Administration in Washington, D. C., for investigation.

(c) Any dealer or intermediate distributor who has exported gasoline to an insular or territorial possession of the United States or to a foreign country and who has not acquired such gasoline pursuant to the provisions of paragraph (a) of this section, may obtain replenishment for the amount of gasoline exported by executing and presenting to a Board Part B of an export certificate on Form OPA R–560 submitting therewith a copy of a Shipper's Export Declaration (Commerce Form 7525) bearing the notation of an authorized customs official that to the best of his knowledge and belief the amount of gasoline thereon stated was so exported. The Board, if it is satisfied with the authenticity of the copy of such declaration, shall endorse such certificate and return it to such person, and shall retain the copy of the declaration for its files. Such certificate bearing the endorsement of a Board shall be valid to authorize a transfer of the amount of gasoline thereon stated, and may be used by the transferor of such gasoline as evidence for purposes of replenishment.

(d) No person acquiring gasoline pursuant to the provisions of paragraph (a) of this section may use such gasoline for any purpose other than for export to an insular or territorial possession of the United States or to a foreign country.

(e) Nothing in this section shall be construed to authorize the export of gasoline other than in accordance with the laws of the United States and the rules and regulations of the Board of Economic Warfare or of any other department or agency of the United States.

§ 1394.1506 *Emergency transfers.* (a) Transfer may be made in exchange for an Emergency Receipt on Form OPA R–555, of the amount of gasoline stated thereon, subject to the provisions of paragraphs (b) and (c) of this section.

(b) Any person requiring gasoline in order to meet an emergency involving serious threat to life, health or valuable property, may obtain such gasoline by signing an Emergency Receipt on Form OPA R–555, in duplicate, and stating thereon the emergency purpose for which such gasoline is required and the reason why he is unable to present coupons in exchange for such gasoline. If such gasoline is required for use in a registered motor vehicle, he shall also state the license number of the vehicle in which such gasoline is to be used.

(c) Any dealer or distributor who has transferred gasoline in exchange for an Emergency Receipt, shall transmit such Emergency Receipt, in duplicate, to the Board having jurisdiction over the area in which his place of business is located. The Board, if it is satisfied that such dealer or distributor made a transfer, in good faith, of the amount of gasoline specified in such Emergency Receipt, shall issue to him, in exchange therefor, inventory coupons equal in gallonage value to the amount of gasoline so transferred. The Board shall retain one copy of such Receipt in its own files and shall transmit the second copy to the Board having jurisdiction over the area in which the transferee resides, as stated on the Receipt.

§ 1394.1507 *Transfer of vehicle, boat or equipment.* Nothing in Ration Order No. 5A shall be deemed to forbid the transfer of gasoline actually in the fuel supply tank of a vehicle, boat or equipment, in conjunction with a lawful and *bona fide* transfer of such vehicle, boat or equipment itself; or the consumption by the transferee in such vehicle, boat or equipment of gasoline actually in the fuel supply tank thereof at the time of transfer.

§ 1394.1508 *Transfer of consumer establishments.* (a) Nothing in Ration Order No. 5A shall be deemed to forbid the transfer of gasoline actually in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, in conjunction with a lawful and *bona fide* transfer of such enterprise or establishment itself, or a transfer of gasoline by legal process or operation of law.

(b) Any person to whom a transfer of the character described in paragraph (a) is made, shall forthwith report such transfer and the amount of gasoline involved, to the Board having jurisdiction over the area in which such gasoline is located. Such person, if a dealer or distributor, shall surrender to the Board, together with such report, coupons or other evidences having a value equal to the number of gallons of gasoline transferred. Such person, if not a dealer or distributor, may either:

(1) Transfer all or any part of such gasoline in exchange for coupons or other evidences having a value equal to the number of gallons of gasoline so transferred: *Provided*, That such coupons or other evidences shall forthwith be surrendered by him to the Board for cancellation; or

(2) Consume such gasoline to the extent of any gasoline ration issued to him: *Provided*, That he may consume such gasoline only for the purposes for which such ration may be issued and shall surrender to the Board, for cancellation, coupons equal in value to the amount of gasoline consumed or to be consumed.

§ 1394.1509 *Transfers from fuel tank to fuel tank of vehicles and boats forbidden.* No gasoline contained in the fuel tank of any registered motor vehicle, inboard motorboat, outboard motor or non-highway equipment shall be transferred therefrom to the fuel tank of any registered motor vehicle, or of any inboard motorboat or outboard motor operated in the limitation area for nonoccupational purposes.

§ 1394.1510 *Discrimination by dealers and distributors.* (a) On and after July 22, 1942, no distributor shall discriminate in the transfer of gasoline among distributors or dealers lawfully entitled to acquire gasoline under Ration Order 5A. Any refusal on the part of a distributor to transfer gasoline to a distributor or dealer to whom he has made a transfer on or subsequent to May 15, 1942, shall be *prima facie* evidence of a discrimination: *Provided*, That nothing herein shall be construed to require a transfer of gasoline which would result in a violation of any statute enacted or contract made to protect a trade-mark or trade name; nor a transfer to any dealer or distributor of an amount of gasoline in excess of that permitted by any regulation or order of any Department or agency of the United States.

(b) On an after July 22, 1942, no dealer or distributor shall discriminate, in the transfer of gasoline, among any consumers lawfully entitled to acquire gasoline under the provisions of Ration Order No. 5A.

§ 1394.1511 *Rights of parties to contracts for transfer of gasoline.* If the performance of any contract or agreement for the transfer of gasoline is prevented by Ration Order No. 5A, no party thereto shall be liable for failure to perform such contract or agreement: *Provided*, That any person who has received or has had the benefit of any deposit or other consideration on account of such contract, shall be liable upon demand to return such deposit or other consideration or to pay the fair value thereof, in the event the consideration has been materially altered in condition or cannot be returned.

§ 1394.1512 *Transfer for racing or exhibition use.* On and after July 22, 1942, no person shall knowingly transfer or offer to transfer gasoline, or use gasoline, for the operation of any motor vehicle, inboard motorboat or outboard motor in exhibitions or races for public entertainment or prizes.

§ 1394.1513 *Transfers to consumers outside of the limitation area.* On and after July 22, 1942, and notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no person shall, outside of the limitation area, transfer or offer to transfer gasoline to a consumer for use in a motor vehicle bearing a sticker indicating that a gasoline ration has been issued for such vehicle, under either of the following circumstances:

(a) If the motor vehicle is registered in a state which lies wholly within the limitation area, and the border of such state is within fifty (50) miles, by shortest route, of the place of transfer; or

(b) If the motor vehicle is registered in a state which lies partly within the limitation area, and the place of transfer is within fifty (50) miles, by shortest route, of the border of the limitation area within or on the boundary of such state.

Replenishment and Audit

Registration of Place of Business

§ 1394.1601 *Registration of inventory and capacity.* Every dealer and intermediate distributor having a place of business within the limitation area shall take an actual physical inventory of his total gasoline supplies on hand as of his first opening of business on or after July 22, 1942 (or if there is no interruption of business, as of 12:01 A. M. of that date) and shall, on July 22 or 23, 1942, register (on Form OPA R–545 in duplicate) with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(a) His total inventory of gasoline on hand as of his first opening of business on or after (or midnight beginning) July 22, 1942.

(b) His total gasoline storage capacity.

(c) His name, firm name, business address, and type of business.

(d) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by such dealer or intermediate distributor for each place of business within the limitation area where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located: *Provided, however*, That any person a part of whose operations in any one state falls within the definition of a licensed distributor and a part within the definition of an intermediate distributor shall be treated as a licensed distributor and shall not be authorized to register..

§ 1394.1602 *What constitutes gasoline on hand.* The registrant shall register all gasoline on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, or other containers, except gasoline in the fuel tank of a motor vehicle. The registrant shall not register gasoline in transit which did not arrive at his place of business prior to his first opening of business on or after (or midnight beginning) July 22, 1942. Gasoline shipped to a dealer or intermediate distributor prior to July 22, 1942, but received by him at any time after July 21, 1942, shall be deemed to be gasoline transferred to him subsequent to July 21, 1942, and shall require an exchange therefor of coupons or other evidences in the manner provided in §§ 1394.1607 and 1394.1609.

§ 1394.1603 *What constitutes storage capacity.* The registrant shall register the total capacity of all immobile gasoline storage facilities, but not the capacity of tank trucks, tank wagons, drums, or other movable containers: *Provided, however*, That a dealer who maintains no stationary gasoline storage tank shall register the total capacity of all his delivery facilities.

§ 1394.1604 *Issuance of registration certificates.* The Board, on determining that the information and certification submitted by the registrant are in good order, shall by authorized signature approve the same, file the duplicate, and return the original to the registrant, who shall retain it as a certificate of registration at the place of business to which it applies and shall present it as an identification at the time of transacting business with any Board.

§ 1394.1605 *Issuance of inventory coupons.* The Board shall, at the time of its approval of any registration certificate, issue to the registrant inventory coupons in the amount of the difference between the total gasoline storage capacity for each place of business and the total inventory of gasoline on hand as certified by the registrant. A one-hundred gallon inventory coupon or a quantity of Class A coupons may at any time subsequent to registration be exchanged at any Board in the limitation area by a dealer or intermediate distributor for an equivalent amount of one-gallon inventory coupons.

§ 1394.1606 *Restriction on use of inventory coupons.* Every dealer and intermediate distributor shall retain all inventory coupons issued to him at the place of business for which they were issued, and shall not exchange his inventory coupons except to the extent that any delivery exceeds the amount of consumer coupons or other evidences available for exchange: *Provided, however*, That one-gallon inventory coupons may be used to make up the difference between the number of gallons in any delivery and the number of gallons represented by the nearest composable sum of the values of consumer coupons or other evidences.

Restrictions on Transfers

§ 1394.1607 *Restriction on transfers.* Except as provided in § 1394.1609, no dealer or distributor, whether within or without the limitation area, shall transfer or offer to transfer gasoline to any other dealer or distributor within the limitation area, and no dealer or distributor within the limitation area shall receive a transfer of gasoline, except in exchange for a quantity of coupons or other evidences, at the time of the actual delivery of the gasoline or in advance thereof, equal in gallonage value to the amount of the gasoline so transferred: *Provided, however*, That coupons or other evidences need not be exchanged for a transfer of gasoline between licensed distributors.

§ 1394.1608 *Same; other applicable provisions.* Nothing in Ration Order No. 5A shall be construed to authorize any transfer of gasoline which would be in contravention of any regulation or order of any Department or agency of the United States.

§ 1394.1609 *Night deliveries; third party deliveries.* Where a distributor elects to make delivery of gasoline during hours when the purchaser is not open for business, or where actual delivery of gasoline to a dealer or intermediate distributor is made by common or contract carrier or by pipe line, the purchaser shall, where the exact amount of the delivery is known in advance, mail or deliver in advance to his distributor coupons or other evidences in an equal gallonage value, or may, at the discretion of the distributor, within twenty-four (24) hours of delivery forward to his distributor an amount of coupons or other evidences equal in gallonage value to the number of gallons so delivered.

§ 1394.1610 *Upstream transfers.* Any distributor who receives a transfer or return of gasoline from a dealer or intermediate distributor within the limitation area, other than in connection with a transfer to him of the place of business of such dealer or intermediate distributor, shall deliver to such dealer or intermediate distributor a quantity of his accumulated coupons or other evidences equal in gallonage value to the amount of gasoline so transferred or returned.

Use of Coupons

§ 1394.1611 *Preservation of coupons; coupon sheets.* Each dealer and distributor shall affix the coupons received by him directly from consumers to a Coupon Sheet (Form OPA R–542) in the manner directed thereon. Separate coupon sheets shall be maintained for coupons of each separate type, only coupons of the same class being attached to any one such sheet.

§ 1394.1612 *Preservation of acknowledgments; summaries of acknowledgments.* Each dealer and distributor shall attach the acknowledgments delivered to him by authorized purchasers to a Summary of Acknowledgments (Form OPA R–541), on which he shall enter in order for each such acknowledgment the date of purchase, name of purchaser, and number of gallons sold.

§ 1394.1613 *Summary of coupons.* Each dealer and distributor shall, prior to every delivery by him of coupons or other evidences, except exchange certificates, prepare in duplicate on Form OPA R–541 a Summary of Coupons and Acknowledgments in the manner directed thereon, certifying the number of each type of coupon and the number of acknowledgments to be delivered. The original of this summary shall be delivered by him attached to his coupons and other evidences. The copy shall be retained by him at his place of business for a period of not less than one year. All such summaries received by a distributor upon his delivery of gasoline to a dealer or intermediate distributor shall be recapitulated in his own summary; such summaries need not be included with coupons and other evidences forwarded by him, one such summary equalling the total gallonage represented by all coupons and other evidences (less the gallonage represented by exchange certificates) forwarded by him.

§ 1394.1614 *Exchange of coupons for certificates.* A distributor may at any time deliver to any Board in the limitation area coupons or other evidences (except exchange certificates) and obtain in return a certificate or certificates equal to the gallonage value of the coupons or other evidences remitted. The remitter shall attach to such coupons or other evidences a summary of coupons and acknowledgments on Form OPA R–541. The Board shall furnish him in return an Exchange Certificate (Form OPA R–548, of which a duplicate shall be retained for the files of the board) equal in gallonage value to the total gallonage value of the coupons or other evidences remitted by him: *Provided, however*, That every licensed distributor shall segregate all coupons or other evidences remitted by him according to the States to which are due the State motor fuel taxes on his own sales which such coupons or other evidences represent, shall prepare a separate summary of coupons and acknowledgments (Form OPA R–541) for each such State, and shall receive from the Board a separate exchange certificate for each such State. The Board shall on request furnish more than one such certificate for sales within any given State, each representing any fraction of the total gallonage value remitted for such State, so long as the sum of all such certificates equals the total gallonage value of the coupons or other evidences remitted.

§ 1394.1615 *Invalidity of Class A coupons after expiration of two-month period.* No dealer shall accept any coupon the period of validity of which, as shown on the face thereof, has expired; and no such coupon shall be an evidence of any gallonage value, except on coupon sheets to which it has been attached prior to the expiration of its period of validity.

Shortages

§ 1394.1616 *Certification of shortage.* Dealers and intermediate distributors shall be permitted from time to time to apply by certification (on Form OPA R–549, obtainable at the office of the Board) for compensation for losses of gasoline through evaporation, handling, accident, or other extraordinary circumstance; and dealers and distributors shall be permitted so to account for unavoidable loss of coupons. The certification of shortage shall be submitted to the Board having jurisdiction of the area in which such dealer or intermediate distributor has the place of business to which the shortage is to be attributed, and shall show the nature and quantity of such shortage with a full explanation of the reasons therefor. If, on consideration of the certification presented and of such other facts as it may require of the applicant, the Board is satisfied that he has established the fact and reasonableness of such shortage, the Board shall file the certification and issue to the applicant a quantity of inventory coupons equal to the amount of the proven loss.

Records and Audits

§ 1394.1617 *Records to be kept by dealers and intermediate distributors.* At the time of making any delivery of gasoline to any dealer or intermediate distributor in the limitation area or in a State any part of which lies within the limitation area, every distributor shall furnish to such dealer or intermediate distributor an invoice, delivery ticket, or other customary evidence of transfer, showing the name and address of the purchaser and the date and quantity of the purchase; and every such purchaser shall retain at his place of business for a period of at least one year from the date of his purchase of gasoline the invoice, delivery ticket, or other evidence so furnished him.

§ 1394.1618 *Reports of transfers into the limitation area.* Every dealer or intermediate distributor making any transfers of gasoline into the limitation area from an unrationed portion of a State within the limitation area shall maintain a record of all transfers made by him, whether outside or into the limitation area, showing the name and address and signature of receipt of the purchaser and the date and amount of the purchase or, in the case of deliveries by a third party, shall retain a bill of lading or other evidence of delivery. He shall preserve such record for a period of at least one year from the time of the transfer. Not later than the fifteenth day of each month he shall report and certify to the State office of the Office of Price Administration for the State in which he has his place of business the sum of all his transfers into the limitation area from each of his places of business without the limitation area during the previous calendar month. He shall accompany such report with (1) the signed summary of coupons and acknowledgments (Form OPA R–541) furnished him by each purchaser for each delivery into the limitation area, (2) a quantity of coupons or other evidences equal in gallonage value to the total sales indicated by all such summaries, and (3) a summary on Form OPA R–541 of such coupons and acknowledgments as may be attached by him.

§ 1394.1619 *Reports of transfers from the limitation area.* Every dealer or intermediate distributor within the limitation area making any transfers of gasoline to an unrationed portion of a State within the limitation area, or to a State outside the limitation area, shall within (7) days of the date of such transfer deliver to the Board having jurisdiction of the area in which is located the place of business from which such transfer was made a copy of an invoice, delivery ticket, or other customary evidence of transfer, showing the name and address and signature of receipt of the purchaser, and the date and quantity of the purchase; or, in the case of delivery by a third party, a bill of lading or other evidence of delivery. The Board shall file the copy so delivered to it, together with a certification by the applicant to its correctness, and, if satisfied that the receipt and representation are in good order, shall issue to the applicant a quantity of inventory coupons exactly equal in gallonage value to the amount of the transfer.

§ 1394.1620 *Reports by licensed distributors.* Every licensed distributor

shall prepare an additional copy of each of his monthly State motor fuel tax reports (and supporting schedules), which he shall submit to the State motor fuel tax administration at the time and in the manner required by such administration for the usual monthly report, attaching to such copy exchange certificates or other evidences in an amount equal to the total amount of gasoline transferred by him within or into the limitation area during the period for which such return is made. Gasoline which has been shipped and billed in exact amount to a purchaser during a calendar month, and which is included within the State motor fuel tax report for such month, shall be treated as gasoline transferred during such month, even though actual receipt of such gasoline by the purchaser may take place during the following calendar month. The licensed distributor shall also prepare in triplicate a Reconciliation Form (Form OPA R-550), reconciling the difference between all certificates or other evidences of gallonage value so submitted and the total gasoline gallonage disposed of as reported by the tax return, shall attach the original and one copy of the reconciliation form to the additional copy of his tax report, and shall retain the other copy of the reconciliation form at his place of business for a period of not less than one year: *Provided, however,* That, where special hardship results from the necessity of submitting the reconciliation form at the time that the State motor fuel tax report is due, application may be made, showing all relevant facts, to the Office of Price Administration, Washington, D. C., for leave to defer, for a period of not more than ten (10) days, the submission of the additional copy of his motor fuel tax report, the attached certificates or other evidences, and the reconciliation form.

§ 1394.1621 *Audit by State motor fuel tax administration.* On completion of its usual office audit of a licensed distributor's monthly motor fuel tax report, each State motor fuel tax administration will by authorized signature either verify or note errors on the additional copy of the report received by it, will inspect the reconciliation form and certificates or other evidences in order to determine whether there are any apparent irregularities, and will retain the copy of the reconciliation form for its own files. It will within fifteen (15) days forward the additional copy of the tax return, the attached certificates or other evidences, and the original of the reconciliation form to the Control and Audit Unit, Fuel Rationing Branch, Office of Price Administration, Washington, D. C. In the event of its discovering any error, discrepancy, misrepresentation or other irregularity in the monthly report by later inspection or audits, the motor fuel tax administration will notify the Control and Audit Unit of the Office of Price Administration of all the facts relating to any such irregularity.

New Registrations

§ 1394.1622 *Registration of new or reopened place of business.* Any dealer or intermediate distributor who opens or reopens within the limitation area a place of business not previously registered by such dealer or intermediate distributor under the provisions of §§ 1394.1601 to 1394.1605, inclusive, shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in § 1394.1601, and shall be issued inventory coupons equal in gallonage value to the total capacity of his unfilled gasoline storage facilities as of the time of registration.

§ 1394.1623 *Cessation of business.* Any dealer or intermediate distributor who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business within the limitation area without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located the original certificate of registration of such place of business and a quantity of coupons or other evidences equal in gallonage value to the total capacity of the gasoline storage facilities of such place of business.

§ 1394.1624 *Sale of place of business.* Any person acquiring from a dealer, and any person other than a licensed distributor acquiring from an intermediate distributor, a place of business already registered in accordance with the provisions of § 1394.1601, shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in §§ 1394.1601 to 1394.1605, inclusive; except that he shall be issued inventory coupons equal in gallonage value to the total capacity of the entire gasoline storage facilities of such place of business. He shall then deliver to the transferor of such place of business a quantity of inventory coupons equal in gallonage value to the total amount of gasoline on hand as of the time of transfer. The transferor shall deliver, to the Board having jurisdiction of the area in which the place of business transferred by him is located, the certificate of registration of such place of business, together with a quantity of coupons or other evidences equal in gallonage value to the total capacity of the entire gasoline storage facilities of such place of business.

§ 1394.1625 *Sale of place of business by licensed distributor.* Any person acquiring a place of business within the limitation area from a licensed distributor for the sale of gasoline as an intermediate distributor shall register in the manner provided in §§ 1394.1601 to 1394.1604, inclusive, at the Board having jurisdiction of the area in which such place of business is located, prior to making purchases or transfers of any gasoline. The Board shall furnish the registrant with inventory coupons equal to the total capacity of the gasoline storage facilities of the place of business registered. It shall be the duty of the registrant to forward forthwith to the licensed distributor from whom he acquires such place of business a quantity of inventory coupons exactly equal in gallonage value to the gasoline stocks on hand at the time of his acquisition of such place of business.

§ 1394.1626 *Purchase of intermediate distributor's business by licensed distributor.* Any licensed distributor who acquires from an intermediate distributor a place of business within the limitation area for management by his own employees as a unit of his own operations, shall at the time of acquisition deliver to such intermediate distributor, from coupons or other evidences accumulated by the licensed distributor in the course of his business, an amount of coupons or other evidences equal in gallonage value to the amount of gasoline on hand as of the time of transfer. The intermediate distributor shall immediately after the transfer deliver, to the Board having jurisdiction of the area in which the place of business transferred by him is located, his certificate of registration, together with a quantity of coupons or other evidences equal in gallonage value to the gasoline storage capacity, as of the date of transfer, of the place of business transferred.

§ 1394.1627 *Surrender or revocation of license of licensed distributor.* Any licensed distributor who ceases to do business as such, although continuing in the business of distributing gasoline, shall on the date of his ceasing to do business as a licensed distributor register as a dealer or intermediate distributor, as the case may be, in the manner provided by §§ 1394.1601 to 1394.1605, inclusive, each of his places of business within the limitation area which has not already been registered, certifying to the Board the total gasoline storage capacity and total gasoline inventory of each such place of business as of the date of his ceasing to do business as a licensed distributor.

§ 1394.1628 *Newly licensed distributor.* Any dealer or intermediate distributor who becomes a licensed distributor at any place of business within the limitation area shall deliver to the Board having jurisdiction of the area in which such place of business is located the certificate of registration of such place of business and coupons or other evidences equal in gallonage value to the total unfilled capacity of the gasoline storage facilities of such place of business as of the date of his commencing operations as a licensed distributor.

§ 1394.1629 *Change of storage capacity.* Any dealer or intermediate distributor in any manner altering the total capacity of the gasoline storage facilities of a place of business within the limitation area shall deliver for cancellation to the Board having jurisdiction of the area in which such place of business is located, his original certificate of registration, and shall obtain a new certificate of registration in the manner provided by §§ 1394.1601 to 1394.1604, inclusive. The Board shall attach to its copy of the new certificate the original and copy of the cancelled certificate. Where the capacity of the gasoline storage facilities is decreased, the dealer or intermediate distributor shall furnish to the Board a quantity of coupons or other evidences equal in gallonage value to the amount of the decrease. Where the capacity of his gasoline storage facilities is increased, the Board shall issue to the dealer or intermediate distributor in the manner described in § 1394.1605 a quantity of inventory coupons equal in gallonage value to the amount of the increase.

Inspections

§ 1394.1630 *Inspection of records and facilities.* All records, reports, forms, accounts, or other documents required by Ration Order No. 5A to be prepared and kept by any person, and the gasoline facilities of any person, shall be subject to the inspection of the Office of Price Administration and its employees, by the employees of any State motor fuel tax administration, and by such other personnel as the Office of Price Administration may designate. Such inspection may be made at the place of business of any such person during regular business hours, or, in the case of matters prepared on forms of the Office of Price Administration, at any time and place designated by the Office of Price Administration.

Adjustments and Appeals

§ 1394.1701 *Adjustment of errors made by registrars.* (a) Any person who claims that a registrar improperly refused to issue a basic ration book or made an error in issuing a basic ration book on the basis of his application, may apply to a Board, orally or in writing, for an adjustment of such error. Any person who claims that a basic ration book was denied or was incorrectly issued to him by a registrar, by reason of an error in his application, may make a new application, to a Board, for a basic ration book. Application pursuant to this paragraph shall be made to the Board having jurisdiction over the area in which such original application was made, or in which the motor vehicle for which the application was made is customarily garaged or stationed.

(b) The Board shall obtain and examine the original application or, if such original application cannot expeditiously be found, it shall require the applicant to prepare a duplicate of such application and to certify that it is an exact duplicate thereof. If the Board finds that an error was made, by the applicant or by the Registrar, it shall issue a Basic ration book, or correct the book issued by the Registrar, or issue a new book in place of the one issued by the Registrar, or take such other action in accordance with the provisions of Ration Order No. 5A, as may be necessary to correct the error. The Board shall, if it replaces a book, remove from the book issued by it coupons having a unit value equal, as nearly as possible, to the value in gallons of the coupons found to be detached from the book to be replaced.

§ 1394.1702 *Appeals from decisions of boards.* (a) An applicant may appeal to the State Director from an adverse decision of a Board by filing with the Board a statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than thirty (30) days after receipt of notice of the decision. Within three (3) days after receipt of the statement, the Board shall send it to the State Director together with is entire record on the application.

(b) The State Director may request the applicant to appear before him or to furnish such additional information as he may deem pertinent. The State Director shall render his decision on the appeal within five (5) days after receipt of the statement and record, and, in cases of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the applicant and the Board, in writing, of his decision. In the event that a decision of a Board is reversed or modified by the State Director, the record shall be remanded to the Board for action consistent with his decision.

§ 1394.1703 *Appeals from decisions of State Directors.* (a) An applicant may appeal to the Regional Administrator of the Office of Price Administration from an adverse decision of the State Director by filing with the State Director a statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than thirty (30) days after receipt of notice of the decision. Within three (3) days after receipt of the statement, the State Director shall send it to the Regional Administrator together with the entire record on the application.

(b) The Regional Administrator may request the applicant to appear before him or to furnish such additional information as he may deem pertinent. The Regional Administrator shall render his decision on the appeal within five (5) days after receipt of the statement and record and, in cases of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the applicant, the Board and the State Director, in writing, of his decision. In the event that a decision of a State Director is reversed or modified by the Regional Administrator, the record shall be remanded to the Board for action consistent with the decision of the Regional Administrator.

Enforcement

§ 1394.1801 *Criminal prosecutions.* (a) Any person who knowingly falsifies an application or any other record or certificate made pursuant to or required by the terms of Ration Order No. 5A, or who otherwise knowingly furnishes false information to a Registrar, a Board, or any other agent, employee or officer of the Office of Price Administration, or who conspires with another person to perform any of the foregoing acts, may upon conviction be fined not more than $10,000 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of Ration Order No. 5A, may upon conviction be fined not more than $10,000 and imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by all applicable statutes.

§ 1394.1802 *Suspension orders.* Any person who violates this Ration Order No. 5A may by administrative suspension order be prohibited from receiving any deliveries of, or selling or otherwise disposing of, any gasoline or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Administrator is necessary or appropriate in the public interest and to promote the national security.

Effective Date

§ 1394.1901 *Effective date.* Ration Order No. 5A (§§ 1394.151 to 1394.1901, inclusive) shall become effective July 9, 1942.

Issued this 7th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6500; Filed, July 8, 1942; 11:57 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Maximum Price Regulation 39]

WOVEN DECORATIVE FABRICS

A statement of the considerations involved in the issuance of this Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

The title, preamble and §§ 1325.51 to 1325.60, inclusive, of Revised Price Schedule No. 39[1]—Upholstery Furniture Fabrics—are amended, renumbered, and reissued as Maximum Price Regulation No. 39—Woven Decorative Fabrics.

In the judgment of the Price Administrator, the prices of woven decorative fabrics have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of these fabrics prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant changes as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the woven decorative fabric industry, which will be affected by this Regulation. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable, and will effectuate the purposes of said Act.

[1] 7 F.R. 1279, 1836, 2000, 2132.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 39 is hereby issued.

AUTHORITY: §§ 1400.151 to 1400.164, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1400.151 *Prohibition against dealing in woven decorative fabrics at prices above the maximum.* On and after July 13, 1942, regardless of any contract or obligation:

(a) No person shall sell or deliver any woven decorative fabric at a price higher than the maximum prices set forth in Appendices A and B, incorporated herein as §§ 1400.163 and 1400.164.

(b) No person shall agree, offer, solicit or attempt to do any of the foregoing:

Provided, That contracts entered into prior to July 13, 1942, at prices in compliance with Maximum Price Regulation No. 127 [2] may be carried out at the contract price.

(c) This Maximum Price Regulation No. 39 shall apply and the General Maximum Price Regulation [2a] shall not apply to sales of woven decorative fabrics for which maximum prices are established by this Regulation.

§ 1400.152 *Less than the maximum prices.* Prices lower than the maximum prices established by this Maximum Price Regulation No. 39, may be charged, demanded, paid or offered.

§ 1400.153 *Adjustable pricing.* No seller of woven decorative fabrics shall enter into an agreement permitting the adjustment of prices to prices which may be higher than the maximum prices established herein in the event that this Maximum Price Regulation No. 39 is amended or upon any other contingency: *Provided*, That in an appropriate situation, when a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator, may upon application grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1400.154 *Export sales.* The maximum price at which a person may sell or deliver woven decorative fabrics for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation [3] issued by the Office of Price Administration on April 25, 1942.

§ 1400.155 *Exempt sales.* The provisions of this Maximum Price Regulation No. 39 shall not apply to:

(a) Sales at retail.

(b) Printed woven decorative fabrics which are subject to Maximum Price Regulation No. 127.[4]

§ 1400.156 *Limitation of new constructions sold, transferred or delivered by manufacturers.* (a) During the year commencing July 13, 1942, and during each succeeding year, regardless of the terms of any contract of sale, or purchase, or other commitment, except as provided in paragraphs (b) and (c) of this section, no manufacturer shall sell, transfer or deliver more than his quota of new constructions of woven decorative fabrics (exclusive of altered constructions described in paragraph (b) below. This quota shall be 10% of the total number of constructions of woven decorative fabrics sold or delivered by the manufacturer during the period from January 1, 1941 to December 31, 1941, inclusive, but in no event shall be less than five constructions. No manufacturer shall transfer or deliver any such new construction of a woven decorative fabric after August 27, 1942, until (1) he has filed a report with the Office of Price Administration, Washington, D. C., in accordance with paragraph (a) (3) of § 1400.157 containing his interpretation of his new construction quota and (2) the Office of Price Administration, Washington, D. C., has approved this interpretation in writing. As used in this Maximum Price Regulation No. 39, the term, "new construction", means a construction of a woven decorative fabric first sold, offered for sale, transferred or delivered after July 13, 1942.

(b) Any manufacturer may alter an existing construction of a woven decorative fabric which may be sold, transferred or delivered without being counted as falling within his new construction quota: *Provided*, That he submits to the Office of Price Administration, Washington, D. C., an application containing his interpretation supported by sufficient evidence under the standards set forth in this paragraph (b) and that the Office of Price Administration, Washington, D. C., approves his interpretation in writing. These standards are (1) that the construction to be replaced was within the six months immediately prior to the date on which the application is filed an active number in the manufacturer's line, (2) material previously used in its manufacture is unavailable or is so restricted by a government regulation as to make production of the original fabric impractical and (3) that the proposed altered construction will closely resemble the construction it will replace with no substantial change in quality or appearance.

(c) Any manufacturer who can show that his new construction quota is so low as to cause or appear likely to cause serious financial hardship may file a petition for adjustment of his quota in accordance with §§ 1300.38 to 1300.41, inclusive, of Procedural Regulation No. 1.[5] In such a case the petitioner should submit (1) a complete statement of the facts upon which he relies and (2) the new construction quota for which he seeks approval.

(d) Nothing in this section shall be construed to limit the number of patterns of any specific construction of a woven decorative fabric which may be sold, offered for sale, transferred, or delivered.

§ 1400.157 *Reports and records*—(a) *Reports by manufacturers.* (1) On or before August 13, 1942, each manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report in the detail required by Revised Form No. 139:1 for each pattern sold, offered for sale, transferred or delivered during the period from July 11, 1941 to July 13, 1942, inclusive.

(2) For each pattern not covered by paragraph (a) (1) of this section, each manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report on Revised Form No. 139:1 which shall contain in addition to the other data required therein the maximum price proposed by the manufacturer in accordance with paragraph (b) (3) of § 1400.163.

(3) On or before August 13, 1942, each manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report containing (i) the total number of constructions which he sold or delivered during the period from January 1 to December 31, 1941, inclusive, (ii) the specifications of each in the manner required by section IV of Revised Form No. 139:1, and (iii) his interpretation of his proper new construction quota determined in accordance with the provisions of paragraph (a) of § 1400.156.

(b) *Reports by sellers other than manufacturers.* On or before August 13, 1942, every seller of woven decorative fabrics other than a manufacturer shall submit to the Office of Price Administration, Washington, D. C., a complete list of all of the woven decorative fabric patterns which he sold, offered for sale, transferred or delivered during the period from September 11, 1941, to July 13, 1942, inclusive, showing with respect to each (1) the quality or style number, (2) the date on which it was first offered for sale, (3) the maximum price therefor and the manner in which it was determined. This list shall be supplemented as soon as possible thereafter by reports containing the data indicated above for each pattern first offered for sale after July 13, 1942.

(c) *Reports already submitted.* Persons who have already submitted on Revised Form 139:1 any information required by this section need not duplicate such information but shall refer the Office of Price Administration in writing to the reports already submitted.

(d) *Records.* Every person making any sale of a woven decorative fabric after July 13, 1942, shall keep for inspection by the Office of Price Administration complete and accurate records of each such sale, showing the date therefor, the name and address of the buyer, the price received, the name or number of each pattern and the quantity of each woven decorative fabric sold.

§ 1400.158 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 39 shall not be evaded,

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3119, 3242, 4180, 4454, 4587, 4762.

[2a] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4736, 5027.

[3] 7 F.R. 3096, 3824, 4294, 4561.

[4] *Supra*, note 3.

[5] *Supra*, note 2.

whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to woven decorative fabrics alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1400.159 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 39 are subject to the criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 39, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1400.160 *Petitions for amendment and adjustment.* (a) Persons seeking modification of this Maximum Price Regulation No. 39 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

(b) The Office of Price Administration may by order adjust the maximum price established under this Regulation for any seller of a woven decorative fabric in any case in which such seller shows:

(1) That such maximum price causes him hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities, and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities will not cause or threaten to cause an increase in retail prices.

On and after July 13, 1942, all applications for adjustments under this paragraph (b) shall be filed in accordance with §§ 1300.38 to 1300.41, inclusive, of Procedural Regulation No. 1.[7]

§ 1400.161 *Definitions.* (a) When used in this Maximum Price Regulation No. 39, the term:

(1) "Person" means an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of the foregoing;

(2) "Manufacture" means any person who owns, operates or controls a factory, plant or mill in which woven decorative fabrics are manufactured and includes any person who supplies yarn to a factory, plant or mill for weaving and finishing into a woven decorative fabric on a commission basis;

(3) "Converter" means a person who purchases woven decorative fabrics in an unfinished or partially finished state and who resells them after finishing such goods or after causing them to be finished for his account;

(4) "Woven decorative fabric" means any finished textile fabric woven on a loom which is (i) composed of such fibers as cotton, silk, wool, mohair, synthetic fibers or any mixtures of the foregoing fibers and (ii) customarily used for furniture coverings, draperies or furniture or automobile slip-coverings; [8]

(5) "Pattern" means any design of a woven decorative fabric, irrespective of color, of a specific construction;

(6) "Construction" refers to the finished width of the fabric, the number of ends and picks per inch of each kind, size, ply, and twist of yarn used in the fabric, and, in the case of pile fabrics, the weight of the pile yarn per linear yard;

(7) "In line with" means having a justifiable relationship to the maximum price of a pattern of the nearest related construction of a woven decorative fabric with commensurate decreases or increases reflecting actual decreases or increases in the costs of the yarns used and of the weaving due to differences in (i) the number of picks, (ii) the number of ends, (iii) the finished width of the fabric, (iv) the type of the weave, and (v) the specifications of the yarns used;

(8) "Price list in effect" includes all of the prices quoted by the seller on the designated date, whether in a formal price list or otherwise.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1400.162 *Effective date.* This Maximum Price Regulation No. 39 (§§ 1400.151 to 1400.164, inclusive) shall become effective July 13, 1942.

§ 1400.163 *Appendix A: Maximum prices for sales by manufacturers.*[9] (a) (1) The maximum prices established herein are prices f. o. b. seller's point of shipment. In any case in which a price relied upon by a seller in determining a maximum price in accordance with this Maximum Price Regulation No. 39 includes any transportation charges, such price shall be appropriately adjusted by the subtraction therefrom of all such transportation charges.

(2) No seller shall discontinue or alter to the prejudice of a purchaser any discount, differential or service granted or rendered to purchasers of the same general class during the base period. "Base period" means the period from July 11 to September 10, 1941, inclusive, when used in connection with sales by manufacturers and the period from September 11 to November 10, 1941, inclusive, when used in connection with sales by persons other than manufacturers.

(b) The maximum price for a pattern of any specific construction of a woven decorative fabric sold by a manufacturer shall be:

(1) 105% of the price quoted for the same pattern of the same construction in the manufacturer's price list in effect on September 10, 1941, to a purchaser of the same general class, or,

(2) If the maximum price cannot be determined under paragraph (b) (1) of this section, 105% of the highest price at which such pattern of the same construction was sold or offered for sale during the period from July 11 to September 10, 1941, inclusive, to a purchaser of the same general class, or,

(3) If the maximum price cannot be determined under paragraphs (b) (1) or (2) of this section, a price in line with the maximum price for the nearest related pattern and construction to a purchaser of the same general class: *Provided*, That if a differential exists between the maximum prices for different patterns of the same construction, the maximum price for a new pattern of the same construction shall be the maximum price of the pattern or patterns of which the manufacturer has sold the greatest number of yards during the period between July 11 and September 10, 1941, inclusive: *Provided, further*. That no manufacturer shall transfer or deliver a woven decorative fabric which was not sold, offered for sale, transferred or delivered during the period between July 11, 1941 and July 13, 1942, inclusive, until he has submitted a report to the Office of Price Administration, Washington, D. C., in accordance with paragraph (a) (2) of § 1400.157, containing his interpretation of a proper maximum price determined under this subparagraph (3), and the Office of Price Administration, Washington, D. C., has approved this interpretation in writing, or,

(4) If the maximum price cannot be determined under paragraphs (b) (1), (2) or (3) of this section, the price approved in writing by the Office of Price Administration, Washington, D. C.

§ 1400.164 *Appendix B: Maximum prices for sales by persons other than manufacturers.* (a) The provisions of paragraph (a) of § 1400.163 shall apply to the maximum prices established herein.

(b) The maximum price for a pattern of any specific construction of a woven decorative fabric sold by a person other than a manufacturer shall be:

(1) 105% of the price quoted for the same pattern of the same construction in the manufacturer's price list in effect on November 10, 1941, to a purchaser of the same general class, or,

[7] *Supra*, note 2.

[8] Any person desiring an opinion as to whether a product is subject to the provisions of this Maximum Price Regulation No. 39 should address a written inquiry to the Office of Price Administration, Washington, D. C.

[9] In the event that a manufacturer sells a woven decorative fabric not produced by or for him as a manufacturer, he shall be governed with respect to such sales by the provisions of this Maximum Price Regulation No. 39 applicable to persons other than manufacturers.

(2) If the maximum price cannot be determined under paragraph (b) (1) of this section, 105% of the highest price at which such pattern of the same construction was sold or offered for sale during the period from September 11 to November 10, 1941, inclusive, to a purchaser of the same general class, or,

(3) If the maximum price cannot be determined under paragraphs (b) (1) or (2) of this section, the price determined by the applications of the following formula: The seller shall (i) select from the same general classification and price range as the pattern being priced under this paragraph (b) (3), the pattern of the most nearly comparable construction for which a maximum price is established under paragraphs (b) (1) or (2) of this section and of which the seller sold or delivered the largest number of units during the period from September 11, to November 10, 1941, inclusive; (ii) divide his maximum price for that pattern by his supplier's present maximum price [10] for such pattern; and (iii) multiply the percentage so obtained by the maximum price of the supplier for the pattern being priced under this subparagraph, or,

(4) If the maximum price cannot be determined under paragraphs (b) (1), (2) or (3), the price approved in writing by the Office of Price Administration, Washington, D. C.:

Provided, That until October 13, 1942, in the event that a seller other than a manufacturer has in his inventory on July 13, 1942, a pattern of a woven decorative fabric, the cost price of which to him exceeds by more than 5% his supplier's present maximum price established by this Maximum Price Regulation No. 39 or by any other price regulation or order issued by the Office of Price Administration, the maximum price for the pattern shall be determined in accordance with the General Maximum Price Regulation,[11] and the provisions of this section shall not be applicable. For each such pattern the seller shall keep records showing with respect to it: (i) the name or number; (ii) the name and address of the supplier; (iii) the cost price to the seller; (iv) the maximum price of the supplier; (v) the quantity of the pattern in the seller's inventory on July 13, 1942; and (vi) the maximum price as determined in accordance with the General Maximum Price Regulation.

Issued this 8th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6501; Filed, July 8, 1942; 11:58 a. m.]

[10] In determining his supplier's maximum price for the purpose of this subparagraph, the seller shall be permitted to rely upon the written representation of the supplier.

A converter in applying this formula should use as the supplier's maximum price the aggregate of the maximum price for the unfinished fabric plus the maximum price for the finishing operations established by regulations or orders of the Office of Price Administration.

[11] 7 F.R. 2153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

RESTRICTIONS ON DOGS AND CATS; ADMISSION FEES TO PARKS

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), Title 36, Part 2, Code of Federal Regulations, is amended in the following particulars:

Section 2.13, *Dogs and cats*, is amended by changing paragraph (a) to read as follows:

(a) Dogs and cats are prohibited on the Government lands in the parks and monuments unless such animals are on leash, crated, or otherwise under physical restrictive control at all times: *Provided, however*, That the Director may designate areas to which dogs and cats shall not be admitted: *Provided further*, That in special cases, the Director may authorize the keeping of dogs and cats by residents in a park or monument under such conditions as he may prescribe.

Section 2.40, *Permits*, is amended by changing paragraph (g) to read as follows:

(g) In Mount Rainier National Park, no permits are required for the operation of motor vehicles on the road to the Ohanapecosh campground area. Through traffic over the East Side Road by noncommercial passenger vehicles, and by trucks under 5,000 pounds gross weight, is permitted without charge.

Section 2.55, *Fees*, is amended by changing subparagraph (2) of paragraph (i), *Admission fees*, to read as follows:

(2) An admission fee shall be charged each person entering the following places, except children 16 years of age, or under, or groups of school children 16 years of age, or under, when accompanied by adults assuming responsibility for their safety and orderly conduct:

	Fee
Fort McHenry National Monument and Historic Shrine—Inner Fort	$0.10
Colonial National Historical Park—	
Moore House	.10
Yorktown Historical Museum	.10
Morristown National Historical Park—	
Ford Museum and Mansion	.10
Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park—Museum	.10
Chickamauga and Chattanooga National Military Park—Point Park	.10
Vicksburg National Military Park—Museum	.10
Salem Maritime National Historic Site—Derby House	.25
Vanderbilt Mansion National Historic Site—Mansion	.25
Lincoln Museum	.10
House Where Lincoln Died	.10
Lee Mansion in Arlington National Cemetery	.10

Approved: June 29, 1942.

[SEAL] E. K. BURLEW,
First Assistant Secretary.

[F. R. Doc. 42-6473; Filed, July 8, 1942; 10:32 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order No. 16]

PART 304—UNIFORM BILL OF LADING

Whereas on February 7, 1942, by executive order No. 9054 [1] the President of the United States, by virtue of the authority in him vested, established the War Shipping Administration under the direction of the Administrator, to perform, among other functions, control of the operation and use of all ocean vessels under the flag and control of the United States (except (1) combatant vessels of the Army, Navy, and Coast Guard; fleet auxiliaries of the Navy; and transports owned by the Army and Navy; and (2) vessels engaged in coastwise, intercoastal and inland transportation under the control of the Director of the Office of Defense Transportation), and the issuance of such directives concerning shipping operations as he may deem necessary or appropriate; and

Whereas it is deemed necessary and appropriate that in the exercise of the said functions a uniform bill of lading be used in the operation of all vessels the operation of which is so within the control of the Administrator;

Now, therefore, it is hereby ordered, That:

§ 304.1 *Effective date.* All operators of vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America shall, on or before July 31, 1942, on all outbound shipments from continental United States ports excluding Alaska, and as soon thereafter as possible on all other shipments, and on all subsequent shipments, use or cause to be used only the Uniform Bill of Lading designated as "War Shiplading 7/1/42," which shall be as follows:

§ 304.2 *Bill of lading.*

X Y Z SHIPPING COMPANY

RECEIVED from the Shipper hereinafter named, the goods or packages said to contain goods hereinafter mentioned, in apparent good order and condition, unless otherwise indicated in this bill of lading, to be transported subject to all the terms of this bill of lading with liberty to proceed via any port or ports within the scope of the voyage described herein, to the port of discharge or so near thereunto as the ship can always safely get and leave, always afloat at all stages and conditions of water and weather, and there to be delivered or transshipped on payment of the charges thereon. If the goods in whole or in part are shut out from the ship named herein for any cause, the Carrier shall have liberty to forward them under the terms of this bill of lading on the next available ship.

It is agreed that the custody and carriage of the goods are subject to the following terms on the face and back hereof which shall govern the relations, whatsoever they may be, between the shipper, consignee, and the Carrier, Master and ship in every contingency, wheresoever and whensoever occurring, and also in the event of deviation, or of unseaworthiness of the ship at the time of loading or inception of the voyage or subsequently, and none of the terms of this bill of lading shall be deemed to have been waived by the Carrier unless by express waiver signed by a duly authorized agent of the Carrier:

[1] 7 F.R. 837.

Ship: (M. S.)
(S. S.)---------- Voyage No. ------
Port of Loading ----------
Shipper ----------
Consignee: Order of ---- or assigns --------
If consigned to Shipper's Order arrival notice to be addressed to ----------
----
(Without liability to carrier, see Clause 12 hereof)
Port of Discharge from Ship ----------

(If goods to be transshipped at port of discharge)
Destination of Goods ----------

(See Clause 11 hereof)

THE SCOPE OF THE VOYAGE IS DESCRIBED IN CLAUSE 3 HEREOF. PARTICULARS FURNISHED BY SHIPPER OF GOODS

Marks and numbers	Quantity or number of pieces or packages	Description of goods	Gross weight pounds	Measurement
		---------- @ ---- per 100 lbs.		$ ----------
		---------- @ ---- per 2,240 lbs.		$ ----------
		---- ft. ---- in. @ ---- per cub. ft.		$ ----------
		---- ft. ---- in. @ ---- per 40 cub. ft.		$ ----------
		---------- @		$ ----------
				$ ----------
		*Freight to be prepaid—to collect		$ ----------

* *Cross out words not applicable.

In accepting this bill of lading the shipper, consignee and owner of the goods agree to be bound by all of its stipulations, exceptions, and condition, whether written, printed, or stamped on the front or back hereof, any local customs or privileges to the contrary notwithstanding.

In witness whereof, the Master of the said ship has affirmed to ----------
(Number) ---------- bills of lading, all of this tenor and date, ONE of which being accomplished, the others to stand void.

Dated at ----------
FOR THE MASTER:
(Name of Agent in Print)
By ----------
as Agent for the Master
By ----------

B/L No. ----------

1. This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States of America, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier or any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the ship and throughout the entire time the goods are in the custody of the Carrier. The Carrier shall not be liable in any capacity whatsoever for any delay, nondelivery or misdelivery, or loss of or damage to the goods occurring while the goods are not in the actual custody of the Carrier. If this bill of lading is issued in a locality where there is in force a Carriage of Goods by Sea Act or Ordinance or Statute of a similar nature to the International Convention for the Unification of Certain Rules Relating to Bills of Lading at Brussels of August 25, 1924, it is subject to the provisions stated in such Act, Ordinance and rules thereto annexed which may be in effect where this bill of lading is issued.

(a) The Carrier shall be entitled to the full benefit of, and right to, all limitations of, or exemptions from, liability authorized by any provisions of Sections 4281 to 4286 of the Revised Statutes of the United States and amendments thereto and of any other provisions of the laws of the United States or of any other country whose laws shall apply. If the ship is not owned by or chartered by demise to the War Shipping Administration or the Company designated herein (as may be the case notwithstanding anything that appears to the contrary) this bill of lading shall take effect only as a contract with the owner or demise charterer, as the case may be, as principal, made through the agency of the War Shipping Administration or the Company designated herein which acts as agent only and shall be under no personal liability whatsoever in respect thereof. If, however, it shall be adjudged that any other than the owner or demise charterer is carrier and/or bailee of the goods all limitations of and exonerations from liability provided by law or by the terms hereof shall be available to such other.

2. In this bill of lading the word "ship" shall include any substituted vessel, and any craft, lighter or other means of conveyance owned, chartered or operated by the Carrier used in the performance of this contract; the word "Carrier" shall include the ship, her owner, master, operator, demise charterer, and if bound hereby the time charterer, and any substituted carrier, whether the owner, operator, charterer, or master shall be acting as carrier or bailee; the word "shipper" shall include the person named as such in this bill of lading and the person for whose account the goods are shipped; the word "consignee" shall include the holder of the bill of lading, properly endorsed, and the receiver and the owner of the goods; the word "charges" shall include freight and all expenses and money obligations incurred and payable by the goods, shipper, consignee, or any of them.

3. The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not, also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the ship may sail beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and includes all canals, straits and other waters. The ship may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The ship may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the goods, known or unknown at the time of such loading and matters occurring after such loading, either with or without the goods or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, dry dock, with or without cargo aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

4. In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Carrier or the Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the ship or any part of her cargo, to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual or agreed place of discharge in such port, the Carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon failure to do so, may warehouse the goods at the risk and expense of the goods; or the Carrier or the Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft, or other place; or the ship may proceed or return, directly or indirectly, to or stop at any port or place whatsoever as the Master or the Carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the Carrier or the Master may retain the cargo on board until the return trip or until such time as the Carrier or the Master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the Carrier or the Master may discharge and forward the goods by any means, rail, water, land, or air at the risk and expense of the goods. The Carrier or the Master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Carrier shall be freed from any further responsibility. For any services rendered to the goods as hereinabove provided, the Carrier shall be entitled to a reasonable extra compensation.

5. The Carrier, Master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed of unarmed and with or without convoy.

In addition to all other liberties herein the Carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

6. Unless otherwise stated herein, the description of the goods and the particulars of the packages mentioned herein are those furnished in writing by the shipper and the Carrier shall not be concluded as to the correctness of marks, number, quantity, weight, gauge, measurement, contents, nature, quality or value. Single pieces or packages exceeding 4480 lbs. in weight shall be liable to pay extra charges in accordance with tariff rates in effect at time of shipment for loading, handling, transshipping or discharging and the weight of each such piece or package shall be declared in writing by the shipper on shipment and clearly and durably marked on the outside of the piece or package. The shipper and the goods shall also be liable for, and shall indemnify the Carrier in respect of any injury, loss or damage arising from shipper's failure to declare and mark the weight of any such piece or package or from inadequate or improper description of the goods or from the incorrect weight of any such piece or package having been declared or marked thereon, or from failure fully to disclose the nature and character of the goods.

7. Goods may be stowed in poop, forecastle, deck house, shelter deck, passenger space or any other covered in space commonly used in the trade and suitable for the carriage of goods, and when so stowed shall be deemed for all purposes to be stowed under deck. In respect of goods carried on deck all risks of loss or damage by perils inherent in such carriage shall be borne by the shipper or the consignee but in all other respects the custody and carriage of such goods shall be governed by the terms of this bill of lading and the provisions stated in said Carriage of Goods by Sea Act notwithstanding Sec. 1 (c) thereof, or the corresponding provisions of any Carriage of Goods by Sea Act that may be applicable. Specially heated or specially cooled stowage is not to be furnished unless contracted for at an increased freight rate. Goods or articles carried in any such compartment are at the sole risk of the owner thereof and subject to all the conditions, exceptions and limitations as to the Carrier's liability and other provisions of this bill of lading; and further the Carrier shall not be liable for any loss or damage occasioned by the temperature, risks of refrigeration, defects or insufficiency in or accidents to or explosion, breakage, derangement or failure of any refrigerator plant or part thereof, or by or in any material or the supply or use thereof used in the process of refrigeration unless shown to have been caused by negligence of the Carrier from liability for which the Carrier is not by law entitled to exemption.

8. Live animals, birds, reptiles and fish are received and carried at shipper's risk of accident or mortality, and the Carrier shall not be liable for any loss or damage thereto arising or resulting from any matters mentioned in Section 4, Subsection 2, a to p inclusive of said Carriage of Goods by Sea Act or similar sections of any Carriage of Goods by Sea Act that may be applicable, or from any other cause whatsoever not due to the fault of the Carrier, any warranty of seaworthiness in the premises being hereby waived by the shipper. Except as provided above such shipments shall be deemed goods, and shall be subject to all terms and provisions in this bill of lading relating to goods.

9. If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the Master, mariner, pilot or the servants of the Carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the Carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or non-carrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying ship or Carrier.

The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

10. General average shall be adjusted, stated and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Carrier, must be furnished before delivery of the goods. Such cash deposit as the Carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees or owners of the goods to the Carrier before delivery. Such deposit shall, at the option of the Carrier, be payable in United States money and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the General Average and refunds or credit balances, if any, shall be paid in United States money.

In the event of accident, danger, damage, or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers.

11. Whenever the Carrier or the Master may deem it advisable or in any case where the goods are consigned to a point where the ship does not expect to discharge, the Carrier or Master may, without notice, forward the whole or any part of the goods before or after loading at the original port of shipment, or any other place or places even though outside the scope of the voyage or the route to or beyond the port of discharge or the destination of the goods, by any vessel, vessels or other means of transportation by water or by land or by air or by any such means, whether operated by the Carrier or by others and whether departing or arriving or scheduled to depart or arrive before or after the ship expected to be used for the transportation of the goods. This Carrier, in making arrangements for any transshipping or forwarding vessel or means of transportation not operated by this Carrier shall be considered solely the forwarding agent of the shipper and without any other responsibility whatsoever.

The carriage by any transshipping or forwarding carrier and all transshipment or forwarding shall be subject to all the terms whatsoever in the regular form of bill of lading, freight note, contract or other shipping document used at the time by such carrier, whether issued for the goods or not, and even though such terms may be less favorable to the shipper or consignee than the terms of this bill of lading and may contain more stringent requirements as to notice of claim or commencement of suit and may exempt the on-carrier from liability for negligence. The shipper expressly authorizes the Carrier to arrange with any such transshipping or forwarding carrier that the lowest valuation of the goods or limitation of liability contained in the bill of lading or shipping document of such carrier shall apply even though lower than the valuation or limitation herein, provided that the shipper shall not be compelled to pay a rate higher than that applicable to the valuation contained in such bill of lading. Pending or during transshipment the goods may be stored ashore or afloat at their risk and expense and the Carrier shall not be liable for detention.

12. The port authorities are hereby authorized to grant a general order for discharging immediately upon arrival of the ship and the Carrier without giving notice either of arrival or discharge, may discharge the goods directly they come to hand, at or onto any wharf, craft or place that the Carrier may select, and continuously Sundays and holidays included, at all such hours by day or by night as the Carrier may determine no matter what the state of the weather or custom of the port may be. The Carrier shall not be liable in any respect whatsoever if heat or refrigeration or special cooling facilities shall not be furnished during loading or discharge or any part of the time that the goods are upon the wharf, craft, or other loading or discharging place. All lighterage and use of craft in discharing shall be at the risk and expense of the goods. Landing and delivery charges and pier dues shall be at the expense of the goods unless included in the freight herein provided for. If the goods are not taken away by the consignee by the expiration of the next working day after the goods are at his disposal, the goods may at Carrier's option and subject to Carrier's lien, be sent to store or warehouse or be permitted to lie where landed, but always at the expense and risk of the goods.

The responsibility of the Carrier in any capacity shall altogether cease and the goods shall be considered to be delivered and at their own risk and expense in every respect when taken into the custody of customs or other authorities. The Carrier shall not be required to give any notification of disposition of the goods.

13. The Carrier shall not be liable for failure to deliver in accordance with marks unless such marks shall have been clearly and durably stamped or marked by the shipper before shipment upon the goods or packages, in letters and numbers not less than two inches high, together with name of the port of discharge. Goods that cannot be identified as to marks or numbers, cargo sweepings, liquid residue and any unclaimed goods not otherwise accounted for shall be allocated for completing delivery to the various consignees of goods of like character, in proportion to any apparent shortage, loss of weight or damage. Loss or damage to goods in bulk stowed without separation from other goods in bulk of like quality, shipped by either the same or another shipper, shall be divided in proportion among the several shipments.

14. The goods shall be liable for all expense of mending, cooperage, baling or reconditioning of the goods or packages and gathering of loose contents of packages; also for any payment, expense, fine, dues, duty, tax, impost, loss, damage or detention sustained or incurred by or levied upon the Carrier or the ship in connection with the goods, howsoever caused, including any action or requirement of any government or governmental authority or person purporting to act under the authority thereof, seizure under legal process or attempted seizure, incorrect or insufficient marking, numbering or addressing of packages or description of the contents, failure of the shipper to procure consular, Board of Health or other certificates to accompany the goods or to comply with laws or regulations of any kind imposed with respect to the goods by the authorities at any port or place or any act or omission of the shipper or consignee.

15. Freight shall be payable on actual gross intake weight or measurement or, at Carrier's option, on actual gross discharged weight or measurement. Freight may be calculated on the basis of the particulars of the goods furnished by the shipper herein but the Carrier may at any time open the packages and examine, weigh, measure and value the goods. In case shipper's particulars are found to be erroneous and additional freight is payable, the goods shall be liable for any expense incurred for examining, weighing, measuring and valuing the goods. Full freight shall be paid on damaged or unsound goods. Full freight hereunder to port of discharge named herein shall be considered completely earned on shipment whether the freight be stated or intended to be prepaid or to be collected at destination; and the Carrier shall be entitled to all freight and charges due hereunder, whether actually paid or not, and to receive and retain them irrevocably under all circumstances whatsoever ship and/or cargo lost or not lost or the voyage broken up or abandoned. If there shall be a forced interruption or abandonment of the voyage at the port of shipment or elsewhere any forwarding of the goods or any part thereof shall be at the risk and expense of the goods. All unpaid charges shall be paid in full and without any offset, counterclaim or deduction in the currency of the port of shipment, or, at Carrier's option, in the currency of the port of discharge at the demand rate of New York exchange as quoted on the day of the ship's entry at the Custom House of her port of discharge. The Carrier shall have a lien on the goods, which shall survive delivery, for all charges due hereunder and may enforce this lien by public or private sale and without notice. The shipper and the consignee shall be jointly and severally liable to the Carrier for the payment of all charges and for the performance of the obligation of each of them hereunder.

16. Neither the Carrier nor any corporation owned by, subsidiary to or associated or affiliated with the Carrier shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the ship, by reason or by means of any fire whatsoever, unless such fire shall be caused by its design or neglect.

17. In case of any loss or damage to or in connection with goods exceeding in actual value $500 lawful money of the United States, per package, or, in case of goods not shipped in packages, per customary freight unit, the value of the goods shall be deemed to be $500 per package or per unit, on which basis the freight is adjusted and the Carrier's liability, if any, shall be determined on the basis of a value of $500 per package or per customary freight unit or pro rata in case of partial loss or damage unless the nature of the goods and a valuation higher than $500 shall have been declared in writing by the shipper upon delivery to the Carrier and inserted in this bill of lading and extra freight paid if required and in such case if the actual value of the goods per package or per customary freight unit shall exceed such declared value, the value shall nevertheless be deemed to be the declared value and any partial loss or damage shall be adjusted pro rata on the basis of such declared value.

Whenever the value of the goods is less than $500 per package or other freight unit, their value in the calculation and adjustment of claims for which the Carrier may be liable shall for the purpose of avoiding uncertainties and difficulties in fixing value be deemed to be the invoice value, plus freight and insurance if paid, irrespective of whether any other value is greater or less.

18. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the Carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the Carrier of the goods as described in the bill of lading. If the loss or damage is not apparent the notice must be given within three days of the delivery. The Carrier shall not be liable upon any claim for loss or damage unless written particulars of such claim shall be received by the Carrier within thirty days after receipt of the notice herein provided for.

19. In any event the Carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after the delivery of the goods or the date when the goods should have been delivered. Suit shall not be deemed brought until jurisdiction shall have been obtained over the Carrier and/or the ship by service of process or by an agreement to appear.

20. To avoid or alleviate preventions or delays in prosecution or completion of the voyage incident to the existence of hostilities, the Carrier has liberty and is authorized by the shipper and the owner of the goods to agree with the representatives of any government to submit the goods to examination at any place or places whatsoever and to delay delivery of the same until any restriction asserted by any governmental authority shall have been removed. The Carrier may put the goods in store ashore or afloat at the risk and expense of the owner of the same pending examination; and thereupon the Carrier's responsibility shall end. Any damage or deterioration occasioned by such examination or by delay and other risks of whatsoever nature shall be solely for account of the owner of the goods. All expenses incurred by the Carrier in relation to such detention of the goods shall be paid by the shipper or consignee or owner of the goods.

21. This Bill of Lading shall be construed and the rights of the parties thereunder determined according to the law of the United States.

22. Cargo skids and labor on quay are to be provided by ship's agent for account of consignee at current rates, and any cargo which may be ordered for delivery into fiscal deposits, must be taken by an official cartman appointed by the agent of the ship, at current rates for account and risk of consignee.

23. If any bagged or baled goods are landed slack or torn, receiver and/or consignee shall accept its proportion of the sweepings. Ship not responsible for loss of weight in bags or bales torn, mended or with sample holes.

24. Cotton: Description of the condition of the cotton does not relate to the insufficiency of or torn condition of the covering, nor to any damage resulting therefrom and Carrier shall not be responsible for damage of such nature.

25. Specie: Specie will not be shipped or landed by the Carrier; it must be put on board by the shipper, and will only be delivered on board on presentation of the bills of lading properly endorsed; it may be carried on at consignee's risk if delivery is not taken during the ship's stay in port, and in every case the liability of the Carrier shall cease when the specie leaves the ship's deck.

26. SPECIFIED DOCK DISCHARGE. If the carrier makes a special agreement, whether by stamp hereon or otherwise, to deliver the goods hereby receipted for at a specified dock or wharf at the port of discharge, it is mutually agreed that such agreement shall be construed to mean that the Carrier is to make such delivery only if, in the sole judgment of the Master, the ship can safely under her own power, proceed to, lie at, and return from said dock or wharf, always afloat at any time of tide, and only if such dock or wharf is available to the ship immediately the ship is ready to discharge the goods and, that otherwise, the ship shall discharge the goods in accordance with Clause 12 of this bill of lading, whereupon Carrier's responsibility shall cease.

27. FREIGHT COLLECT. *Carrier to place insurance on collect freight for account of carrier, shipper and consignee with losses, if any, payable to carrier. Consignee to pay premium for same; but if premium is higher than shipper or consignee would pay for marine and war risk on cargo difference to be absorbed by the owners.*

28. All agreements or freight engagements for the shipment of the goods are superseded by this bill of lading, and all its terms, whether written, typed, stamped, or printed, are accepted and agreed by the shipper to be binding as fully as if signed by the shipper, any local customs or privileges to the contrary notwithstanding. Nothing in this bill of lading shall operate to limit or deprive the Carrier of any statutory protection or exemption from or limitation of liability. If required by the Carrier, one signed bill of lading duly endorsed must be surrendered to the agent of the ship at the port of discharge in exchange for delivery order.

2. Said bill of lading when printed shall be of a uniform size 10" x 17", to be printed in type no smaller than 7 point, the back thereof to be printed in two columns. All operators shall at their own expense, under agency agreements now or hereafter in effect, cause said bill of lading to be printed as aforesaid, and any such operator shall indicate its name and may also print appropriate and

customary house flags, office addresses, etc., on the face thereof.

3. Prior to the issuance of said bills of lading for the carriage of goods on any vessel the operator or agent thereof shall obtain the written consent of the Master of said vessel to the execution of said bills of lading, acting for and on behalf of said Master.

4. The following special terms and conditions, in addition to the terms and conditions set forth in said uniform bill of lading, shall respectively be incorporated in all bills of lading in all trades and on all routes to which they are severally appropriate, and the said special terms and conditions shall follow the general terms and conditions set forth in said uniform bill of lading:

SPECIAL CLAUSES FOR PARTICULAR TRADES

I

At *Pernambuco*, the goods are to be dispatched at custom house within 24 hours of vessel's arrival, or they will be deposited by vessel's agents at consignee's risk and expense.

II

At *Santos*, the customs permits for the landing of these goods at wharf shall be taken out within twenty-four (24) hours after ship's arrival, or the goods may be deposited in hulk or elsewhere at consignee's risk and expense.

III

At *Buenos Aires*, should the authorities order the goods or any portion thereof to be discharged or deposited at the warehouse of the Empresa de las Catalinas the consignees are bound to accept and pay the official or special tariff applicable for the goods.

IV

At *Rosario*, the Gas Mole charges shall be for account of the goods.

V

If in any situation indicated in Article 4 or 5 of this bill of lading, the goods are discharged at any port or place north of *Suez*, an additional freight of _____ per ton, weight or measurement, ship's option, shall be paid by the shipper and/or consignee, and the same shall be a lien on the goods.

VI

Owing to congestion at customs and bonded stores, *Suez* cargo may be landed in open spaces at entire risk of owner of goods.

VII

At *Montevideo*, should it be found impossible for the ship to discharge owing to there being no berth, shed, deposit or wagons available, or for lack of space on wharf at berth assigned by port authorities, or for any other cause of "force majeure" or should anything else prevent the ship from discharging on arrival, which will be verified by a declaration of the Administracion Nacional del Puerto (Port Administration), the cargo will be discharged into lighters sent by the agents for the account and risk of the consignees.

VIII

Flour and lard shipped to *Rio de Janeiro* shall be landed at a Trapiche, designated by the Carrier's agent at that port, the custom of said port to the contrary notwithstanding.

IX

Handling charges at *Pacific Coast Ports:* Any provisions herein to the contrary notwithstanding, goods may be received and/or delivered by Carrier at ship's tackle and receipt and delivery beyond ship's tackle shall be entirely at the option of the Carrier and solely at the expense of the shipper or consignee.

X

If by reason of ice or other unforeseen accident or occurrence to or in the *Manchester Ship Channel* or its approaches the ship is prevented from proceeding to Manchester in the ordinary course and without delay, the goods shipped hereunder may at Carrier's option be delivered at the port of Liverpool against payment of the then current ocean rate of freight from the port of shipment to that port in addition to any inland freight and charges, or they may be forwarded by the Carrier for delivery at destination at the expense and risk of the owner thereof and against payment of the freight herein provided for.

XI

London Clause (A) The Carrier shall, at its option, be entitled to land the goods within mentioned on the quay, or to discharge them into craft hired by it immediately on arrival at dock, quay, river wharf or other wharf or landing place selected by the Carrier, and at consignee's risk and expense; the Carrier being entitled to collect the same charges on goods entered for landing at the docks, as on goods entered for delivery to lighters. Consignees desirous of conveying their goods elsewhere, shall, on making application to the ship's agent, or to the dock or wharf company, within 72 hours after ship shall have been reported, except as provided hereafter, be entitled to delivery in consignee's lighters or land conveyances at the following rates, to be paid with the freight to the ship's agent, against release, or the dock or wharf company, if so directed by the ship's agent, viz.: Following wooden goods in packages; clothes-pegs, handles, blind rollers, hubs, spokes, wheels, and oars, 1/3 per ton measurement; hops, 2/9 per ton weight; lumber and logs, 2/- per ton measurement or 2/6 per ton weight at ship's option; slates, 2/- per ton weight; wheaten flour, 1/3 per ton weight. All other general cargo 1/9 per ton weight or measurement at ship's option; minimum charge, one ton.

(B) Grain for overside delivery is to be applied for within twenty-four hours of ship's arrival (or thereafter immediately it becomes clear) at any dock, quay, river wharf or other wharf or landing place selected by the ship owners or agents. In the absence of sufficient consignee's craft, with responsible persons in charge, to receive as fast as ship can discharge overside into lighters during usual working hours, the Master or agent may land or discharge into lighters at the risk and expense of the consignee. The Carrier or agent may land or discharge continuously day and/or night, any grain landed or discharged for ship's convenience during usual working hours (consignee's craft being duly in attendance) and any grain that may be landed or discharged before or after usual working hours (whether craft are then in attendance or not) is to be given up free to consignee's craft applying for same within seventy-two hours from its landing or discharge; otherwise it will be subject to the usual dock, quay, river wharf or other wharf or landing place charges.

An extra freight of 7d. per ton shall be paid to the Carrier or agent on each consignment of grain whether any portion be landed or not. The grain is to be weighed at time of discharge, either on deck and/or dock, quay, river wharf or other wharf or landing place and/or craft at ship's option. Working out charges (including weighing) as fixed by the Port of London Authority for grain in bulk and/or ship's bags are to be paid by the consignee with the freight to the ship's agent or to the authorized representative of the dock, quay, river wharf or other wharf or landing place if so directed by the ship's agent in exchange for release. Neither party shall be liable for any interference with the performance of the contract herein contained, which is caused by strikes, or lock-out of seamen, lightermen, stevedores, or shore laborers, or railway or transport or other disturbances of any kind or in furtherance thereof, whether partial or otherwise, nor for any consequences thereof, and in such case the Carrier or agent shall be entitled to land or put into craft at the risk and expense of consignee. In case the grain shipped under this bill of lading forms part of a larger bulk, each bill of lading is to bear its proportion of shortage and damage, if any.

(C) *Acetone, asphalt, carbon black, celluloid, cotton, cotton waste, hay, hemp, hydrolene, istle, jute, lampblack, illuminating and oil of all kinds*, whether *animal, vegetable, or mineral*, and the liquid products of them or any of them, *pitch, rags, rosin, straw, tar, turpentine, varnish, wood spirits*, also any other goods of a more or less hazardous nature. Consignees to have craft in attendance immediately by ship's arrival at any discharging berth selected by the Carrier, to take delivery from ship or otherwise (at ship's option), of any of the above-mentioned commodities, the Carrier having the option of working continuously by day and/or night, and consignees to pay 1/3d. per ton weight or measurement at ship's option. If consignee's craft is not in attendance, the goods may be put into Captain's entry craft at risk and expense of consignees.

(D) Refrigerator cargo. Goods may be discharged immediately on arrival at dock, quay, river wharf or other wharf or landing place selected by the Carrier, who shall have the option of working continuously day and/or night and are to be removed by consignees within 24 hours after ship shall have been reported at the Custom House. Consignee is to pay 1/9d. per ton weight or measurement at ship's option, otherwise the Carrier has the right of removing or of calling upon the dock, quay or wharf authorities to receive or remove all or any part thereof for storage or realization at consignee's risk and expense.

(E) In the case of heavy timber of rafting size delivered into the water in one of the docks in the river Thames, each consignee of such timber shall pay two-thirds of the ship's dock dues payable in respect of the space occupied by his portion of such cargo so delivered into the water.

Craft which are in attendance for delivery under above clauses and stipulations shall wait free of demurrage their regular turn to receive goods or grain as required by Carrier, either from ship or quay or Captain's entry craft.

All Port of London Authority charges are to be paid by consignee of the goods, and the Carrier shall have the same lien, rights, and remedies on goods or grain referred to in the above clauses or under any other clauses of the bill of lading, as they have by law in respect to freight.

This London Clause is, in respect of goods destined to that port, to form part of this bill of lading, and any words at variance with them are hereby cancelled.

XII

On all shipments forwarded to *Lourence Marques, Mombasa*, and ports for transshipment, the landing, lighterage, and delivery charges, and pier dues at destination are to be paid by consignee.

5. The operator shall, upon previous advice to War Shipping Administration, incorporate in bills of lading any special arrangements on the face thereof and any other special clauses respectively appropriate to the trade and route undertaken.

6. If or when a short form of bill of lading shall have been approved incorporating by reference the aforesaid terms and conditions of carriage it shall be used with the same force and effect as though the said terms and conditions had been set forth in full therein.

7. Property of the United States of America required to be shipped pursuant to the Government Form of Bill of Lading (Standard Form No. 1058) shall continue to be so shipped and the carrier's bill of lading therein referred to shall be deemed to mean the bill of lading herein approved.

8. The bill of lading herein approved need not be employed for bulk cargoes (without count or mark) customarily carried pursuant to receipt forms of bills of lading issued under charters or other contracts of affreightment.

9. The right is reserved to approve other forms of bills of lading or clauses as the Administrator may deem appropriate in special circumstances.

By order of the War Shipping Administration.

W. C. PEET, Jr.,
Secretary.

JULY 6, 1942.

[F. R. Doc. 42-6457; Filed, July 7, 1942; 12:10 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

MEMORANDUM OPINION

In the Matter of Policy and Procedure for Handling Applications Relating to Stations in the Emergency, Aviation, Miscellaneous and Experimental Services.

It has become increasingly apparent that the public interest requires a curtailment in the use of materials for the construction or change of the transmitting facilities of certain stations operating in the Emergency, Aviation, Miscellaneous and Experimental Radio Services.

On June 12, 1942, the Board of War Communications made the following two recommendations to the War Production Board and to this Commission:

1. No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any amateur or Class 3 experimental station.

2. No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any Aeronautical Fixed (domestic) Station, Itinerant Aircraft Station, Flying School Station, or station operating in the Emergency and Miscellaneous Radio Services: *Provided, however*, That upon a proper showing that any such station serves an essential military need or a vital public need, which cannot otherwise be met, the Commission and the War Production Board will take action commensurate with the importance of the particular facility in question.

The Commission has adopted the recommendation numbered one, and hereafter as a matter of policy, until further notice, will grant no application for an authorization involving the use of any materials to construct or change the transmitting facilities of any Class 3 Experimental Station. With respect to amateur stations, the Commission will continue to follow its policy, adopted soon after December 7, 1941, of not granting any new station licenses.

In accordance with the recommendation numbered two, the Commission has adopted the policy, until further notice, of not granting any application for an authorization which involves the use of any materials to construct or change the transmitting facilities of any Aeronautical Fixed (domestic) Station, Itinerant Aircraft Station, Flying School Station, or station operating in the Emergency and Miscellaneous Radio Services;[1] except where it appears that the facilities to be constructed or changed will serve either (1) an essential military need, or (2) a vital public need which cannot otherwise be met.

Any application hereafter filed involving the use of any materials to construct or to change the transmitting facilities of any class of station set forth under recommendation (2) will be considered defective and returned to the applicant unless it is accompanied by a verified statement showing all the facts and circumstances which the applicant believes to demonstrate that the facilities to be constructed or changed will serve either (1) an essential military need, or (2) a vital public need which cannot otherwise be met.

In the case of any application now pending[2] before the Commission, or postmarked prior to the date hereof, a verified statement need not be submitted unless the Commission specifically requests such statement. Failure to file the required statement within the time designated by the Commission shall be deemed an abandonment of the pending application and such application will be retired to the closed files of the Commission and dismissed without prejudice.

In the event that the Commission is unable to determine that the proposed facilities will serve either an essential military need or a vital public need which cannot otherwise be met, the application will be designated for hearing.

Dated: July 7, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6496; Filed, July 8, 1942; 11:51 a. m.]

[1] The Emergency Radio and Miscellaneous Services include the following classes of stations:

Emergency Radio Service:
(a) State Police Stations.
(b) Municipal Police Stations.
(c) Zone Police Stations.
(d) Interzone Police Stations.
(e) Special Emergency Stations.
(f) Forestry Stations.
(g) Marine Fire Stations.

Miscellaneous Radio Service:
(a) Provisional Stations.
(b) Motion Picture Stations.
(c) Relay Press Stations.
(d) Geological Stations.
(e) Mobile Press Stations.

[2] Includes all such applications filed prior to the date hereof irrespective of present status.

PART 2—GENERAL RULES AND REGULATIONS

SUPERVISION OF CERTAIN BROADCASTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of July, 1942;

It is ordered, That subsection (a) (2) of § 2.53 of the General Rules and Regulations of the Federal Communications Commission be amended to read as follows:

(2) In the case of two or more stations, except amateur and broadcast, licensed in the name of the same person to use frequencies above 30,000 kilocycles only, a licensed radio operator of any class except amateur or holder of restricted radiotelephone or radiotelegraph operator permit who has the station within his effective control, may be on duty at any point within the communication range of such stations in lieu of the transmitter location or control point during the actual operation of the transmitting apparatus and shall supervise the emissions of all such stations so as to insure the proper operation in accordance with the station license.

By the Commission,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6497; Filed, July 8, 1942; 11:51 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Amendment 1 to General Order O.D.T. 14]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART J—RACING

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1942, and by Executive Order No. 9156, dated May 2, 1942, General Order O.D.T. No. 14,[1] Title 49, Chapter II, Part 501, Subpart J, is hereby amended to read as follows:

§ 501.61 *Racing of motor vehicles prohibited.* No person shall drive, or cause to be driven, or participate in driving any motor vehicle in any race.

[1] 7 F.R. 5091.

This subpart shall become effective July 31, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C., this 7th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6471; Filed, July 8, 1942; 9:47 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

LENORE LAKE NATIONAL WILDLIFE REFUGE, WASHINGTON

FISHING REGULATIONS

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II[1] (53 Stat. 1431), and in furtherance of the Regulations for the Administration of National Wildlife Refuges, dated December 19, 1940,[2] the following is hereby ordered:

§ 21.551 *Lenore Lake National Wildlife Refuge, Washington; fishing.* Noncommercial fishing is permitted in all waters of the Lenore Lake National Wildlife Refuge, Washington, each year during the season prescribed therefor by the Washington State Game Commission except during the migratory-waterfowl hunting season and the seven days preceding the said season, in accordance with the provisions of the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Washington. Fishing shall be by hook and line only, as defined by State law.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Washington State Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Washington State Game Commission or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(d) *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

(e) *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JUNE 29, 1942.

[F. R. Doc. 42-6474; Filed, July 8, 1942; 10:33 a. m.]

[1] 4 F.R. 2731.
[2] 5 F.R. 5284.

PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

CONCONULLY NATIONAL WILDLIFE REFUGE, WASHINGTON

FISHING REGULATIONS

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan II[1] (53 Stat. 1431), and in furtherance of § 12.3 of the Regulations for the Administration of National Wildlife Refuges, dated December 19, 1940,[2] the following is hereby ordered:

§ 21.176 *Conconully National Wildlife Refuge, Washington; fishing.* Noncommercial fishing is permitted in all waters of the Conconully National Wildlife Refuge, Washington, each year during the season prescribed therefor by the Washington State Game Commission except during the migratory-waterfowl hunting season and the seven days preceding the said season, in accordance with the provisions of the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Washington. Fishing shall be by hook and line only, as defined by State law.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Washington State Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Washington State Game Commission or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(d) *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

(e) *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JUNE 29, 1942.

[F. R. Doc. 42-6475; Filed, July 8, 1942; 10:34 a. m.]

PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

THIEF VALLEY NATIONAL WILDLIFE REFUGE OREGON

FISHING REGULATIONS

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II[1] (53 Stat. 1431), and in furtherance of § 12.3 of the Regulations for the Administration of National Wildlife Refuges, dated December 19, 1940,[2] the following is hereby ordered:

§ 21.897 *Thief Valley National Wildlife Refuge, Oregon; fishing.* Noncommercial fishing is permitted in all waters of the Thief Valley National Wildlife Refuge, Oregon, each year during the season prescribed therefor by the Oregon State Game Commission except during the migratory-waterfowl hunting season and the seven days preceding the said season, in accordance with the provisions of the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oregon. Fishing shall be by hook and line only, as defined by State law.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Oregon State Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Oregon State Game Commission or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(d) *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

(e) *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JUNE 29, 1942.

[F. R. Doc. 42-6476; Filed, July 8, 1942; 10:34 a. m.]

[1] 4 F.R. 2731.
[2] 5 F.R. 5284.

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

CREEDMAN COULEE NATIONAL WILDLIFE REFUGE, MONTANA

FISHING REGULATIONS

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II[1] (53 Stat. 1431), and in furtherance of § 12.3 of the Regulations for the Administration of National Wildlife Refuges, dated December 19, 1940,[2] the following is hereby ordered:

§ 22.196 *Creedman Coulee National Wildlife Refuge, Montana; fishing.* Noncommercial fishing is permitted on the Creedman Coulee National Wildlife Refuge, Montana, from July 15 to the eighth day prior to the opening day of the migratory-waterfowl hunting season of each year, inclusive, in all waters of the refuge, in accordance with the provisions of the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana. Fishing shall be by hook and line only, as defined by State law.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(d) *Use of boats.* The use of boats or floating devices of any sort is prohibited on all waters of the refuge except for official purposes.

(e) *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JUNE 29, 1942.

[F. R. Doc. 42-6477; Filed, July 8, 1942; 10:34 a. m.]

Notices

TREASURY DEPARTMENT.

Office of the Secretary.

[1942 Department Circular No. 689]

TWO PERCENT TREASURY BONDS OF 1949–51

JULY 8, 1942.

Dated and bearing interest from July 15, 1942, due December 15, 1951, redeemable at the option of the United States at par and accrued interest on and after December 15, 1949, interest payable June 15 and December 15.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2 percent Treasury Bonds of 1949–51. The amount of the offering is $2,000,000,000, or thereabouts.

II. DESCRIPTION OF BONDS

1. The bonds will be dated July 15, 1942, and will bear interest from that date at the rate of 2 percent per annum, payable on a semiannual basis on December 15, 1942, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature December 15, 1951, but may be redeemed at the option of the United States on and after December 15, 1949, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege and will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $100, $500, $1,000, $5,000, $10,000 and $100,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 10 percent of the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $25,000 will be allotted in full. The basis of the allotment on all other subscriptions will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made or completed on or before July 15, 1942, or on later allotment. In every case where payment is not so

completed, the payment with application up to 10 percent of the amount of bonds applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depositary will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-6494; Filed, July 8, 1942; 11:55 a. m.]

WAR DEPARTMENT.

Office of the Military Governor, Territory of Hawaii, Iolani Palace, Honolulu, T. H.

[General Orders No. 118]

ISSUE AND USE OF UNITED STATES CURRENCY IN HAWAII

JUNE 25, 1942.

United States Currency. 1. By virtue of the power vested in the Military Governor of the Territory of Hawaii, J. B. Poindexter, Governor of the Territory of Hawaii, is hereby authorized to make and administer regulations relating to the issuance and use of United States currency in the Territory of Hawaii, subject to such restrictions and limitations as may be promulgated by the Congress, President, or Secretary of the Treasury.

2. Whoever is found guilty of violating any of the provisions of such regulations, shall, upon conviction, be fined not more than five thousand dollars ($5,000), or, if a natural person, may be imprisoned for not more than five (5) years, or both, and any officer, director, or agent of any corporation who knowingly participates in such a violation may be punished by a like fine, imprisonment, or both.

By Order of the Military Governor.

[SEAL] THOMAS H. GREEN,
Brigadier General, A. U. S. Executive.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6495; Filed, July 8, 1942; 11:51 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 712]

ALLOCATION OF FUNDS FOR LOANS

JUNE 13, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Montana 2024A1 Blaine	$45,000
Montana 2025A1 Sheridan	37,000
Montana 2026A1 Valley	45,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6458; Filed, July 7, 1942; 3:01 p. m.]

[Administrative Order 713]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Missouri 2059GT1 Cole	$4,275,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6459; Filed, July 7, 1942; 3:01 p. m.]

[Administrative Order 714]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Florida 2014D3 Clay	$55,000
Georgia 2092A2 Brantley	26,000
Georgia 2095A2 Clinch	35,000
Idaho 2011B3 Kootenai	32,000
Kentucky 2018E1 Meade	300,000
Kentucky 2033H1 Daviess	132,000
Minnesota 2063E2 Scott	20,000
Missouri 2027D1 Andrew	10,000
Pennsylvania 2022B2 Jefferson	12,000
Wisconsin 2053D1 Eau Claire	90,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6460; Filed, July 7, 1942; 3:01 p. m.]

[Administrative Order 715]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Iowa 2034E2 Jones	$32,000
Iowa 2051C2 Winnebago	16,000
Louisiana 2020B1 Concordia	205,000
Oregon 2005B2 Clatsop	20,000
Oregon 2016B3 Malheur*	36,000
Pennsylvania 2006K2 Indiana	18,500
Washington 2008E3 Benton	40,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6461; Filed, July 7, 1942; 3:01 p. m.]

[Administrative Order 716]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Idaho 2010E2 Nez Perce	$76,000
Indiana 2015C2 Fayette	15,000
Indiana 2072B2 Clark	13,000
Michigan 2045D2 Cass	30,000
Minnesota 2032D1 Fillmore	598,500
Missouri 2050A2 Lafayette	15,000
North Carolina 2031B3 Halifax	13,000
South Carolina 2024B2 Marion	11,000
South Carolina 2027B2 Marlboro	27,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6462; Filed, July 7, 1942; 3:01 p. m.]

[Administrative Order 717]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Iowa 2043S2 York	$10,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6463; Filed, July 7, 1942; 3:01 p. m.]

[Administrative Order 718]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Indiana 2060S1 Morgan	$5,000
Minnesota 2085S2 Todd*	5,000
Missouri 2038S2 Reynolds	5,000
North Carolina 2056S1 Pamlico	5,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6464; Filed, July 3, 1942; 3:02 p. m.]

[Administrative Order 719]

ALLOCATION OF FUNDS FOR LOANS

JUNE 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
California 2018B2 San Diego	$ 18,000
Colorado 2017E3 Prowers	35,000
Indiana 2033C2 Hendricks	15,000
Indiana 2038C2 Johnson	12,500
Kansas 2034B1 Barton	125,000
Minnesota 2095B1 Lake of the Woods	346,500
Mississippi 2020D2 Yazoo	15,000
Missouri 2040A2 Pettis	25,000
Oregon 2018G1 Eugene	60,000
Tennessee 2051B2 Johnson*	35,000
Virginia 2031D3 Mecklenburg	3,000
Wisconsin 2064G4 La Crosse	646,200
Wisconsin 2064G5 La Crosse	237,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6465; Filed, July 7, 1942; 3:02 p. m.]

[Administrative Order 720]

ALLOCATION OF FUNDS FOR LOANS

JUNE 25, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Missouri 2044C1 Grundy	$118,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6466; Filed, July 7, 1942; 3:02 p. m.]

[Administrative Order 721]

ALLOCATION OF FUNDS FOR LOANS

JUNE 25, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Texas 2087C1 Karnes	$417,000
Texas 2092D1 Bandera	385,000
Texas 2094C1 Gonzales	688,000
Texas 2095D1 Medina	509,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-6467; Filed, July 7, 1942; 3:02 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order No. 103]

INVESTIGATION OF TELEGRAPH SERVICE

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C. on the 7th day of July, 1942;

The Commission having under consideration the request of the Board of War Communications that the Commission promptly undertake an investigation into the service rendered in the telegraph field and that work in this connection be expedited and the results and recommendations of the Commission forwarded to said Board as soon as possible; and

It appearing that rapid, efficient and adequate nation-wide and world-wide telegraph service is of the utmost public importance in time of war; and

It further appearing that such investigation of telegraph service is necessary in the public interest and in the interest of the successful prosecution of the war:

It is ordered, That an immediate investigation be undertaken to ascertain the facts concerning record communication service provided by carriers subject to the provisions of the Communications Act of 1934, as amended. Such investigation shall include but shall not be limited to

(a) the speed, accuracy, and general adequacy of such service;

(b) the manner and method of conducting operations by said carriers and the extent to which such operating methods are suitable and adequate to wartime needs;

(c) all matters pertaining to technical developments and improvements in such service; and

(d) the cause or causes for any inadequacies in service that may be found to exist; and

It is further ordered, That, in the conduct of such investigation the Commission, through its duly authorized members, agents, or employees, shall have access to, and the right of inspection of equipment and facilities and all relevant accounts, records, memoranda, documents, papers and correspondence kept or required to be kept by such carriers; and such carriers shall, upon request, file with or otherwise make available to the Commission such information including special reports, statistical, or other compilations in connection with such investigation as the Commission shall from time to time require; and

It is further ordered, That public hearings with respect to such investigation may be held at such times and places as the Commission may designate.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6498; Filed, July 8, 1942; 11:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order No. 79-A]

VIRGINIAN RAILWAY COMPANY

TRAFFIC REROUTING ORDER VACATED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of July, A. D. 1942.

Good cause appearing therefor:

It is ordered, That Service Order No. 79, made and entered July 2, 1942, be, and the same is hereby, vacated and set aside effective at once.

It is further ordered, That copies of this order be served upon the Virginian Railway Company and upon the Car Service Division, Association of American Railroads, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission, division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-6487; Filed, July 8, 1942; 11:15 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-560]

NEW BEDFORD GAS AND EDISON LIGHT COMPANY AND NEW ENGLAND GAS AND ELECTRIC ASSOCIATION

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 6th day of July, A. D. 1942.

New England Gas and Electric Association, a registered holding company, and its subsidiary, New Bedford Gas and Edison Light Company, having filed applications pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof, and Rule U-50 thereunder, regarding the following transaction:

(a) $1,000,000 principal amount Serial notes, Third Series, 3%, due May 31, 1957, proposed to be sold to two insurance companies at a price of $101.50;

(b) Notes payable to bank in amounts not exceeding in the aggregate $2,000,000, all of such notes to be issued prior to June 30, 1943 in such denominations as the company shall elect at the time of issue, to mature June 30, 1945 and to bear interest at the rate of 2¼% per annum.

New Bedford Gas and Edison Light Company has presently outstanding indebtedness aggregating $1,750,000 due

the First National Bank of Boston, represented by notes maturing on June 30, 1943. The company now proposes to replace a portion of the above $1,750,000 temporary indebtedness with $1,000,000 principal amount of long-term indebtedness.

The new notes payable to the bank will be issued from time to time in such amounts as may be necessary, first to immediately pay off the remaining balance of indebtedness to the First National Bank of Boston represented by notes aggregating $750,000, and secondly from time to time as necessary to pay for proposed extensions, additions and betterments to the plant and property of the company in the amount of $1,250,000.

The applicants request an exemption from the requirements of Rule U-50 with respect to the sale of the above securities.

Said applications having been filed on June 6, 1942, and an amendment having been filed thereto on June 12, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the said application under section 6 (b) of the said Act that the requirements of said section have been satisfied, and finding that the said issue and sale of securities should be exempted from competitive bidding by virtue of paragraph (a) (5) of Rule U-50;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications, pursuant to section 6 (b) of said Act and Rule U-50 be and hereby are granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6480; Filed, July 8, 1942; 10:36 a. m.]

[File No. 70-531]

NORTHWESTERN ILLINOIS UTILITIES, ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June 1942.

In the matter of Northwestern Illinois Utilities, Illinois Northwestern Telephone Company, and American Utilities Service Corporation.

The above named parties having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 10 and 12, and Rules U-42, U-43 and U-44, promulgated under said Act, regarding the following transactions:

Northwestern Illinois Utilities proposes to sell all of its telephone properties to Illinois Northwestern Telephone Company and Illinois Northwestern Telephone Company proposes to acquire all of such assets, issuing in payment therefor $75,000 of its common stock and $125,000 of its 4% promissory notes. Northwestern Illinois Utilities will deliver the common stock as above acquired to American Utilities Service Corporation in exchange for a like amount of the common stock of Northwestern Illinois Utilities, which will then be cancelled and retired; and Northwestern Illinois Utilities will deliver the note as above acquired to American Utilities Service Corporation in payment of a like principal amount of the present note indebtedness of Northwestern Illinois Utilities to American Utilities Service Corporation.

Additionally, Illinois Northwestern Telephone Company will issue, and American Utilities Service Corporation will acquire, for a consideration of $100,000, one thousand shares of common stock. American Utilities Service Corporation will pledge the note and stock of Illinois Northwestern Telephone Company with Continental Illinois Bank and Trust Company of Chicago, as Trustee under the Indenture securing the Collateral Trust Bonds of American Utilities Service Corporation.

Said applications and declarations having been filed on April 11, 1942 and the last amendment thereto having been filed on June 22, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations and applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said applications and to permit said declarations to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications be and the same hereby are granted and that said declarations be and become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6481; Filed, July 8, 1942; 10:36 a. m.]

JUL 13 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 135

Washington, Friday, July 10, 1942

The President

EXECUTIVE ORDER 9194

TRANSFERRING DUTIES AND FUNCTIONS WITH RESPECT TO ACQUISITION AND DISPOSITION OF REAL ESTATE FROM THE OFFICE OF THE JUDGE ADVOCATE GENERAL OF THE NAVY TO THE CHIEF OF THE BUREAU OF YARDS AND DOCKS

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law 354, 77th Congress), I do hereby direct and order, as follows:

1. The duties and functions exercised by the Office of the Judge Advocate General of the Navy with respect to the acquisition and disposition for the Navy Department of real estate, including all interests therein and temporary uses thereof, and of all property acquired under the provisions of Title II of the Second War Powers Act, 1942, approved March 27, 1942 (Public Law 507, 77th Congress), or any amendments thereof, are hereby transferred to the cognizance and jurisdiction of the Chief of the Bureau of Yards and Docks under the direction of the Secretary of the Navy, together with such appropriated funds as are necessary to carry out the purposes and intent of this order.

2. The Secretary of the Navy shall take all steps necessary and desirable to carry out this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 7, 1942.

[F. R. Doc. 42-6503; Filed, July 8, 1942; 12:06 p. m.]

EXECUTIVE ORDER 9195

REGULATIONS RELATING TO AERIAL FLIGHTS BY PERSONNEL OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, AND NATIONAL GUARD

For the purpose of carrying into effect the provisions of section 20 of the act of Congress approved June 10, 1922, as amended by section 6 of the act of July 2, 1926 (44 Stat. 780, 782), and of section 18 of the Pay Readjustment Act of 1942, approved June 16, 1942 (Public Law 607, 77th Congress, 2nd Session), relative to increased pay for personnel of the Army, Navy, Marine Corps, Coast Guard, and National Guard when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent flights, the following regulations are hereby promulgated and made applicable to all officers, warrant officers, nurses, and enlisted men of all branches of the Army, Navy, Marine Corps, Coast Guard, and National Guard.

1. Definitions as used in these regulations—

(a) The term "qualified aircraft pilot" shall be construed to include any commissioned or warrant officer or enlisted man of any branch of his respective service who on July 2, 1926, held any aeronautical rating as pilot in the Army Air Corps, or who has been or may hereafter be given by competent authority in the respective services an aeronautical designation or rating as an aviator or pilot of service types of aircraft in the Army, Navy, Marine Corps, Coast Guard, or National Guard.

(b) The term "qualified aircraft observer" shall be construed to include any commissioned or warrant officer or enlisted man who has been or may hereafter be given by competent authority in the respective services any aeronautical designation or rating as an observer in the Army, Navy, Marine Corps, Coast Guard, or National Guard.

(c) The term "student aviator" shall be construed to include any officer or warrant officer in the Navy, Marine Corps, or Coast Guard who is duly appointed and assigned to a course of instruction in piloting aircraft.

(d) The term "student aviation pilot" shall be construed to include any enlisted man in the Navy, Marine Corps, or Coast Guard who is duly appointed and as-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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signed to a course of instruction in aircraft pilot duties.

(e) The term "student aviation observer" shall be construed to include any officer, warrant officer, or enlisted man in the Navy, Marine Corps, or Coast Guard who is duly appointed and assigned to a course of instruction in aircraft observer duties.

(f) The term "student naval flight surgeon" shall be construed to include any naval medical officer who is duly appointed and assigned flight instruction leading to the designation of naval flight surgeon.

(g) The term "aerial flight" is defined as a journey in an aircraft. It begins when the aircraft takes off from rest at any point of support and terminates when it next comes to a complete stop at a point of support.

(h) The term "aviation accident" shall be construed to mean an accident in which an officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female), or enlisted man who is required to participate regularly and frequently in aerial flights is injured while an occupant of an aircraft or as the result of jumping from, being thrown from, or being struck by, an aircraft or any part or auxiliary thereof, or in which appropriate medical authority of the services attests that injury resulted from participation in duly authorized aerial flights.

(i) The term "Army Air Forces" includes Air Forces units and individuals assigned to duty with defense commands, task forces, base commands, and in theaters of operations.

2. Each officer or warrant officer who is a qualified aircraft pilot and who is not unfit for duties as such, and who is commissioned in the Army Air Corps or on duty with the Army Air Forces, or who is duly assigned to duty in any part of the aeronautic organization of the Navy, Marine Corps, or Coast Guard, including those assigned to special, administrative, or school duties, shall be required to participate regularly and frequently in aerial flights; orders requiring such flights shall be issued by the Commanding General of the Army Air Forces or by such officer or officers as he may designate for the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps for the Marine Corps, or by the Commandant of the Coast Guard for the Coast Guard, and such orders shall remain in force for the entire period of such commission, duty or assignment, except as hereinafter provided in paragraph 12.

3. Each officer or warrant officer who is a qualified aircraft observer, or a qualified aircraft pilot who is unfit for piloting duties, but is fit and desired for other flying duty, and who is commissioned in the Army Air Corps, or on duty with the Army Air Forces, or who is duly assigned to duty in any part of the aeronautic organization of the Navy, Marine Corps or Coast Guard, may be required to participate regularly and frequently in aerial flights; orders requiring such flights shall be issued by the Commanding General of the Army Air Forces or by such officer or officers as he may designate for the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps, or by the Commandant of the Coast Guard for the Coast Guard, and such orders shall remain in force for the entire period of such commission, duty or assignment, except as hereinafter provided in paragraph 12.

4. Each officer of the Medical Corps of the Army or of the Navy who is duly assigned to duty with any aeronautic headquarters or unit of the Army, Navy, Marine Corps, or Coast Guard, or assigned to duty at a station where there is an aeronautic unit, and who has qualified as a flight surgeon or as an aviation medical examiner may be required to participate regularly and frequently in aerial flights by the Commanding General of the Army Air Forces or by such officer or officers as he may designate for the Army, or by the Chief of Naval Personnel for the Navy and Marine Corps, and any orders for such requirement shall remain in force for the entire period of such assignment, except as hereinafter provided in paragraph 12.

5. Each officer, warrant officer or enlisted man of the Army who is duly assigned to a course of instruction for qualification as aircraft pilot or aircraft observer, and each officer, warrant officer, or enlisted man of the Navy, Marine Corps, or Coast Guard who is duly appointed a student aviator, a student aviation pilot, a student aviation observer, or a student naval flight surgeon, shall be required to participate regularly and frequently in aerial flights; orders for such requirement shall be issued by the Commanding General of the Army Air Forces or by such officer or officers as he may designate for the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps for the Marine Corps, or by the Commandant of the Coast Guard for the Coast Guard, and such orders shall remain in force for the entire period of his course of instruction, except as hereinafter provided in paragraph 12.

6. Each enlisted man who is on duty with the Army Air Forces or is serving in any part of the aeronautic organization of the Navy, Marine Corps, or Coast Guard, and who is a qualified aircraft

pilot or observer, shall be required to participate regularly and frequently in aerial flights by his commanding officer; orders for such requirement shall remain in force for the entire period of such assignment, except as hereinafter provided in paragraph 12; orders for such requirement and their revocation shall be reported to the Commanding General of the Army Air Forces or to such officer or officers as he may designate for the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps for the Marine Corps, or to the Commandant of the Coast Guard for the Coast Guard.

7. Each enlisted man who is on duty with the Army Air Forces or is serving in any part of the aeronautic organization of the Navy, Marine Corps, or Coast Guard, and who is not a qualified aircraft pilot or observer, may be required to participate regularly and frequently in aerial flights by his commanding officer, and orders for such requirement shall remain in force for the entire period of such assignment, except as hereinafter provided in paragraph 12; orders for such requirement and their revocation shall be reported to the Commanding General of the Army Air Forces or to such officer or officers as he may designate for the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps for the Marine Corps, or the Commandant of the Coast Guard for the Coast Guard.

8. Each officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female), or enlisted man other than those specified in paragraps 2, 3, 4, 5, 6, and 7, may be required to participate regularly and frequently in aerial flights; orders for such requirement shall be issued by the Commanding General of the Army Air Forces or by such officer or officers as he may designate for personnel commissioned in the Army Air Corps or on duty with the Army Air Forces, the Secretary of War or such officer or officers as he may designate for other branches of the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps for the Marine Corps, or by the Commandant of the Coast Guard for the Coast Guard, and orders for such requirement shall remain in force for the entire period of such assignment, except as hereinafter provided in paragraph 12.

9. Officers, warrant officers, and enlisted men of the National Guard in the active military service of the United States shall be subject to the requirements of paragraphs 2 to 8 hereof, inclusive. Officers, warrant officers, and enlisted men of the National Guard not in the active military service of the United States who come within the following classes will be considered as on duty requiring them to participate regularly and frequently in aerial flights, and no further orders requiring participation regularly and frequently in aerial flights will be required for those enumerated in (a), (b), (c), and (e):

(a) Officers and warrant officers belonging to Army Air Forces organizations of the National Guard who by applicable tables of organization are classified pilots or observers.

(b) Enlisted men belonging to Army Air Forces organizations of the National Guard who by applicable tables of organization are classified as flight chiefs, crew chiefs, or master photographers.

(c) Officers of the Medical Corps attached to Army Air Forces organizations of the National Guard, who by applicable tables of organization are classified as flight surgeons.

(d) In addition to the above, such officers, warrant officers, and enlisted men belonging to or attached to Army Air Forces organizations of the National Guard as may be detailed to such duty by written orders issued by the Senior Army Air Forces Commander of each State: *Provided*, That the number of additional enlisted men so detailed in any organization shall not exceed ten per centum of the maintenance enlisted strength of such organization including attached personnel.

(e) Officers, warrant officers, and enlisted men, who, under authority of the Secretary of War are in attendance at a course of instruction in aircraft pilot duties, aircraft observer duties, or flight surgeon duties at a service school.

10. For personnel of the Army, Navy, Marine Corps, Coast Guard, or National Guard (when in the active military service of the United States and when participating in exercises or performing duties provided for by sections 94, 97, and 99 of the National Defense Act, as amended), who are required by competent authority to participate regularly and frequently in aerial flights, the following requirements are prescribed: *Provided*, That any officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female), or enlisted man who has been required to participate regularly and frequently in aerial flights by orders of competent authority and who as a result of such orders has participated regularly and frequently in aerial flights, as defined in this Executive Order, and who subsequently becomes incapacitated for flying by reason of an aviation accident shall not be required to perform such aerial flights during such incapacity for a period not to exceed three months following the date of said accident:

(a) During one calendar month.	10 or more flights totaling at least three hours, or in lieu thereof to be in the air a total of at least four hours.
(b) During two consecutive calendar months, when the requirements of subparagraph (a) above have not been met.	20 or more flights totaling at least six hours, or in lieu thereof to be in the air a total of at least eight hours.
(c) During three consecutive calendar months, when the requirements of subparagraph (b) above have not been met.	30 or more flights totaling at least nine hours, or in lieu thereof to be in the air a total of at least twelve hours.

(d) For fractions of a calendar month the number of aerial flights and the time in the air required shall bear the same ratio to the number of flights and the time in the air required for a full calendar month as the period in question bears to a full calendar month.

(e) For fractions of two consecutive calendar months the period in question shall be considered as a unit and the number of aerial flights and time in the air required shall bear the same ratio to the number of aerial flights and time in the air required for a full calendar month as the period in question bears to a full calendar month.

(f) Where the commanding officer of any officer, warrant officer or enlisted man who has been required by orders of competent authority to participate in regular and frequent aerial flights certifies that due to military operations of the particular command under combat conditions, such officer, warrant officer or enlisted man was unable to perform the aerial flights required by subparagraph (c) hereof, such officer, warrant officer or enlisted man may comply with the requirements herein prescribed by performing sixty or more flights totaling at least eighteen hours, or, in lieu thereof, being in the air a total of at least twenty-four hours over a period of six consecutive calendar months.

NOTE: The above requirements for any particular period may be met at any time during such period.

(g) Each officer, warrant officer, or enlisted man who is required by competent authority to participate regularly and frequently in aerial flights and who is a qualified aircraft pilot, and who is fit for duty as such, shall make the flights above required as a pilot, except that an officer, warrant officer, or enlisted man who is both a qualified pilot of lighter-than-air aircraft and a qualified aircraft observer shall make the flights above required either as pilot or as observer as may be directed by competent authority.

(h) Each officer, warrant officer, or enlisted man who is required by competent authority to participate regularly and frequently in aerial flights, and who is a qualified aircraft observer but is not a qualified aircraft pilot shall make the flights above required as observer.

(i) Each officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female), or enlisted man other than a qualified aircraft pilot or a qualified aircraft observer who is required by competent authority to participate regularly and frequently in aerial flights shall make the flights above required in the capacity directed by the authority issuing the order requiring the flights.

11. For each officer, warrant officer, or enlisted man of the National Guard not in the active military service of the United States who is in an armory drill pay status and who is required to participate regularly and frequently in aerial flights the following requirements are prescribed:

(a) During one calendar month of any quarterly period.	4 or more flights totaling at least 72 minutes, or in lieu thereof to be in the air a total of at least 96 minutes.
(b) During two consecutive calendar months of any quarterly period, when the requirements of subparagraph (a) above have not been met.	8 or more flights totaling at least 144 minutes, or in lieu thereof to be in the air a total of at least 192 minutes.
(c) During three consecutive calendar months of any quarterly period when the requirements of subparagraph (b) above have not been met.	12 or more flights totaling at least 216 minutes, or in lieu thereof to be in the air a total of at least 288 minutes.

(d) Such required flights may be made at ordered drills of the Army Air Forces organization to which such officer, warrant officer, or enlisted man belongs or is attached, or at other times when so authorized by the senior Army Air Forces commanding officer of the State.

(e) For fractions of a calendar month, the number of aerial flights and the time in the air required shall bear the same ratio to the number of flights and the time in the air required for a full calendar month as the period in question bears to the entire month.

(f) The duties prescribed above shall be in addition to any other duty or duties which may be required of such officers, warrant officers, and enlisted men while in attendance at assemblies for drill and instruction, and while participating in exercises or performing duties provided for by sections 94, 97, and 99 of the National Defense Act, as amended.

12. A commanding officer shall suspend from flying any officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female), or enlisted man under his command who, in his opinion, is unfit for flying, except as a result of an aviation accident. When the suspension is for a minor illness or injury not the result of an aviation accident, the suspension and subsequent revocation thereof may be ordered by the commanding officer of the person concerned without reference to higher authority. In all other cases such action shall be reported with the reasons therefor, for confirmation to the Commanding General of the Army Air Forces or to such officer or officers as he may designate for personnel commissioned in the Army Air Corps or on duty with the Army Air Forces, the Secretary of War or such officer or officers as he may designate for other branches of the Army or to the officer who issued the order requiring the person concerned to participate regularly and frequently in aerial flights for the Navy, Marine Corps and Coast Guard. The confirmation of such action shall have the effect of suspending the order to participate regularly and frequently in aerial flights as to the person concerned from the date such suspension from flying was made. When any officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female), or enlisted man so suspended from flying becomes, in the opinion of his commanding officer, again fit for flying, the commanding officer shall revoke such suspension from flying, and such action shall be reported with reasons therefor, for confirmation to the authority who confirmed the suspension from flying. The confirmation of such revocation shall have the effect of terminating the suspension of the person concerned from the date of such revocation by his commanding officer: *Provided*, That in the case of suspension from flying by reason of sickness or injury incurred in line of duty and subsequent removal thereof, such suspension shall be considered as nullified from its beginning, and the person concerned shall be entitled to increased pay for flying provided the requirements of paragraph 10 above are complied with.

13. Authorized leaves of absence of personnel required by orders of competent authority to participate regularly and frequently in aerial flights shall not suspend such orders for pay purposes.

14. Compliance with the foregoing requirements constitutes participation in regular and frequent aerial flights within the meaning of the act approved July 2, 1926 (44 Stat. 780), and the act approved June 16, 1942 (Public Law 607, 77th Congress, 2nd Session), and no flight pay shall accrue to any person during any period in which the provisions of this order are not complied with: *Provided*, that nothing herein contained shall affect the flying pay of non-flying officers who perform the number of aerial flights required by any applicable act of Congress.

Except for the provisions of section 10 (f) hereof, which shall be effective from and after December 7, 1941, the provisions of this order shall be effective as of June 1, 1942, and shall supersede Executive Order No. 5865 of June 27, 1932, as amended by Executive Order No. 8706 of March 6, 1941.[1]

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 7, 1942.

[F. R. Doc. 42-6504; Filed, July 8, 1942; 12:06 p. m.]

[1] 6 F.R. 1333.

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[Tobacco 603 (Flue-cured) Part II]

PART 727—FLUE-CURED TOBACCO[1]

SUBPART E—1942

MARKETING QUOTA REGULATIONS, 1942–43, PART II

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of Part II of the Marketing Quota Regulations, Flue-cured Tobacco—1942–43 Marketing Year (Tobacco 603 Flue-cured, as issued by the Secretary of Agriculture on November 12, 1941), which regulations shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act.

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[1] 6 F.R. 5445, 5745; 7 F.R 213.

AUTHORITY: §§ 727.423 to 727.455, inclusive, are issued under 52 Stat. 47, 48, 65, 66, 202; 53 Stat. 1261, 1262; 54 Stat. 393, 728; 55 Stat. 88; 7 U.S.C. 1940 ed. 1301 et seq.

GENERAL

§ 727.423 *Definitions.* (a) As used in these regulations and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(1) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(2) "Authorized representative of the Secretary" means the Director, Southern Division, in the case of States in the Southern Region and the Director, and the Chief of the Marketing Quota Section, East Central Division, in the case of States in the East Central Region.

(3) "Committee" means a committee within a State, county or community established under the Soil Conservation and Domestic Allotment Act. "County Committee", "Local Committee", or "Community Committee" shall have corresponding meanings in the connection in which they are used.

(4) "County office" means the office of the County Agricultural Conservation Association, or the county or local committees or employees of such association, according to the sense in which such term is used.

(5) "Dealer" means a person who engages to whatever extent, in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(6) "East Central Region" means the area included in the States of Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia and West Virginia.

(7) "Farm" means any tract or tracts of land which are considered as a farm under the provisions of the 1942 Agricultural Conservation Program.

(8) "Field Assistant" means an employee of the Agricultural Adjustment Agency, United States Department of Agriculture, whose duties involve primarily the preparation and handling of auction warehouse and dealer records and reports as they relate to tobacco marketing quotas.

(9) "Floor sweepings" means all tobacco which is dropped on the warehouse floor in the course of the warehouse operations and is picked up by the warehouseman. Any tobacco accumulated in the course of the grading of tobacco for farmers shall not be included as floor sweepings.

(10) "Market" means the first disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter or exchange, or by gift inter vivos. "Marketing" and "marketed" shall have corresponding meanings to the term "market."

(11) "Nonwarehouse sale" means any marketing of tobacco other than a warehouse sale.

(12) "Operator" means the person who is in charge of the supervision and the conduct of the farming operations on the entire farm.

(13) "Person" means an individual, partnership, association, corporation, estate, trust, or any agency of a State or of the Federal Government. The term "person" shall include two or more persons having a joint or common interest.

(14) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight. The weight of redried or prized tobacco shall be increased so as to correspond with the original weight of such tobacco prior to redrying.

(15) "Producer" means a person who, as owner, landlord, tenant, share-cropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds of the marketing, under the provisions of his agreement relating to the production of tobacco.

(16) "Resale" means the disposition by sale, barter, or exchange of tobacco which has been marketed previously.

(17) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(18) "Scrap tobacco" means the residue accumulated in the course of preparing farm tobacco for market consisting chiefly of portions of tobacco leaves and leaves of poor quality.

(19) "Secretary of Agriculture" means the Secretary or Acting Secretary of Agriculture of the United States.

(20) "Southern Region" means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

(21) "State committee or State office" means the group of persons comprising the State Agricultural Conservation Committee appointed by the Secretary of Agriculture to assist within any State in the administration of the Soil Conservation and Domestic Allotment Act or the office of such persons.

(22) "Suspended sale" means any marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the particular sale day on which such marketing occurred.

(23) "Tobacco" means flue-cured tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as types 11, 12, 13 and 14, and collectively known as flue-cured tobacco.

(24) "Tobacco available for marketing" means all tobacco produced on a farm in the calendar year 1942 (and any tobacco produced on the farm prior to the calendar year 1942 and carried over to the 1942–43 marketing year) which is not disposed of by a "Tobacco Carry-Over Agreement", by use on the farm, or by storage prior to the issuance of a marketing card for the farm.

(25) "Trucker" means any person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(26) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a warehouse during the tobacco marketing season.

(27) "Warehouse sale" means a marketing by sale at auction through a warehouse in the regular course of business.

§ 727.424 *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

§ 727.425 *Tobacco subject to marketing quotas.* Any tobacco marketed during the period July 1, 1942, to June 30, 1943, inclusive, and any tobacco produced in the calendar year 1942 and marketed prior to July 1, 1942, shall be subject to the marketing quotas for the 1942–43 marketing year.

FARM MARKETING QUOTAS

§ 727.426 *Amount of farm marketing quota.* The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with Part I of the "Marketing Quota Regulations—Flue-cured Tobacco—1942–43 Marketing Year" (Tobacco 603 Part I). The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the farm acreage allotment. The excess tobacco on any farm shall be that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the number of acres harvested in excess of the farm acreage allotment.

§ 727.427 *Issuance of marketing card.* A marketing card shall be issued for every farm having tobacco available for marketing. The card shall be issued after information required for its preparation (including measurements of the harvested acreage of tobacco and an estimate of the actual production of tobacco) has been furnished to or obtained by the county office. If the farm operator refuses to furnish or prevents the county office from obtaining such information, the card shall show that all of the tobacco available for marketing from the farm is subject to penalty.

(a) *Within Quota Marketing Card (MQ–656 Flue-cured).* A "Within Quota Marketing Card" authorizing the marketing without penalty of the actual production of tobacco on the farm in the 1942 calendar year and any tobacco carried over from a prior marketing year shall be issued for a farm unless an excess marketing card is required to be

issued for the farm in accordance with paragraph (b) of this section.

(b) *Excess Marketing Card (MQ–657 Flue-cured).* An "Excess Marketing Card" showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1942 is in excess of the farm acreage allotment and such excess tobacco is not disposed of in accordance with § 727.428 hereof, or if the operator of the farm also operates another farm on which the harvested acreage of tobacco in 1942 exceeds the farm acreage allotment and such excess is not disposed of in accordance with § 727.428 hereof.

(2) If a within quota marketing card could be issued for the farm but the county committee determines that a zero percent excess marketing card is necessary to protect the interest of the government and to insure proper identification of and accounting for the disposition of tobacco produced on the farm and the proper use of the marketing card issued for the farm.

(3) If there is tobacco available for marketing from the farm but no tobacco acreage allotment was established and such tobacco is not disposed of as provided in § 727.428 hereof.

(4) If information required for preparation of the marketing card is not furnished or the county office is prevented from obtaining the necessary information.

(5) If there is tobacco available for marketing from the farm carried over from a prior marketing year and the harvested acreage in 1942 is not less than the 1942 acreage allotment by an amount equivalent to the acreage of carry-over excess determined as provided in paragraph (c) of this section.

(6) If a farm operated by a publicly owned experiment station produces tobacco for other than experimental purposes and such tobacco is not disposed of as provided in § 727.428 hereof.

(c) *Extent to which marketings from a farm are subject to penalty.* The extent to which marketings of tobacco from any farm having no carry-over tobacco are subject to penalty shall be that percentage of the tobacco available for marketing from the farm which the acreage of tobacco harvested in excess of the farm acreage allotment for the farm and not disposed of as provided in § 727.428 of these regulations, is of the acreage of tobacco harvested from the farm. Each marketing card showing a percentage excess of zero also shall show the maximum number of pounds of tobacco which may be marketed thereunder, which shall be the quantity of tobacco estimated by the county committee to be available for marketing from the 1942 crop produced on the farm. For any excess marketing card which shows a percentage of excess of more than zero, the county committee, if it has reason to believe it to be necessary in order to prevent marketing thereunder of tobacco produced on another farm, also shall have shown on the card the maximum number of pounds which may be marketed thereunder, such number of pounds to be determined in the same manner as for a card showing zero percent excess. The maximum number of pounds shown on any excess marketing card shall be increased by the county committee if the committee determines that the quantity of tobacco available for marketing from the 1942 crop produced on the farm is greater than the number of pounds previously estimated by the committee to be available for marketing.

The extent to which marketings of tobacco from any farm having tobacco available for marketing which has been carried over from a prior marketing year are subject to penalty shall be the percentage determined as follows:

(1) Determine the number of "carry-over acres" by dividing the number of pounds of tobacco carried over from the prior year by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" ((1) above) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" ((1) above) and the acreage of tobacco harvested in the current year.

(4) Determine the excess acreage by subtracting from the "total acres" ((3) above) the sum of the 1942 allotment and the "within quota carry-over acres" ((2) above).

(5) Determine the percent excess to be shown on the marketing card by dividing the "total acres" into the excess acreage (4 above).

(d) *Number of marketing cards and entries and signatures thereon.* One or more marketing cards may be issued for any farm as approved by the county committee. All entries on each marketing card shall be made in accordance with the instructions for issuing the marketing card and the operator's agreement on each marketing card shall be signed by the farm operator or on his behalf by his authorized representative.

§ 727.428 *Disposition of excess tobacco.* The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By executing a "Tobacco Carry-over Agreement," (Tobacco 628) and delivering, either to the county committee prior to the issuance of the marketing card or to a field assistant at the auction warehouse out of the first proceeds from the marketing of tobacco from the farm, a certified check, cashier's check or post office money order, or by a check drawn by the warehouseman, payable to Commodity Credit Corporation in an amount equal to the estimated actual yield of tobacco from the excess acreage times 85 percent of the parity price of flue-cured tobacco as of the beginning of the 1942–43 marketing year.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1942 crop produced on the farm, and posting of a bond or making of other arrangements approved by the county committee and an authorized representative of the Secretary which will guarantee payment of the amount of penalty which will become due upon the marketing of excess tobacco.

(c) By rendering the excess tobacco unmerchantable, the tobacco so rendered unmerchantable to be representative of the entire crop of tobacco produced on the farm in 1942 and the act of rendering the tobacco unmerchantable to be performed only by the farm operator (or his representative) under the supervision of the county committee (or a person designated by the committee).

§ 727.429. *Report on marketing card.* The operator of each farm on which tobacco is produced in 1942 shall return to the county office each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets for the area in which the farm is located. Failure to return the marketing card to the county office within the time specified (after formal notification) shall constitute failure to give proof of disposition of tobacco marketed from the farm in the event that satisfactory proof of such disposition is not furnished otherwise.

§ 727.430 *Additional reports by producers and identification of tobacco.* In addition to any other reports which may be required under these regulations, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall, upon written request by the Chairman of the State Committee and within ten days after the deposit of such request in the United States mails addressed to such person at his last known address, furnish the Secretary of Agriculture, by sending the same to the Chairman of the State Committee, a written report showing, as to the farm at the time of filing said report (a) the number of acres of tobacco harvested, (b) the total production of tobacco, (c) the amount of tobacco on hand and its location, and (d) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of marketing.

§ 727.431 *Rights of producers in marketing card.* Each producer having a share in the tobacco available for marketing from the farm shall be entitled to the use of the marketing card for marketing his proportionate share of the total amount of tobacco available for marketing from the farm: *Provided,* That the burden of any penalty with respect to carryover tobacco shall be borne by those persons having an interest in such tobacco.

§ 727.432 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from the farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 727.433 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. No marketing card shall be signed by the issuing officer until all other entries required to be made thereon have been made, except that the Operator's Agreement therein may be signed after the issuing officer has signed the card, but prior to the issuance of a memorandum of sale from the card. Only one person shall be designated as issuing officer but such person may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: *Provided,* That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 727.434 *Invalid cards.* A marketing card shall be invalid under any of the following conditions:

(a) If it is not issued or delivered in the form and manner prescribed;

(b) If entries are not made thereon as required;

(c) If it is lost, destroyed, stolen, or becomes illegible;

(d) If any erasure has been made;

(e) If any alteration has been made and not properly initialed; or

(f) If the amount due Commodity Credit Corporation with respect to a "Tobacco Carry-over Agreement" is not paid prior to the issuance of any memorandum of sale.

In the event any marketing card becomes invalid (other than by loss, destruction, theft, omission, alteration, or incorrect entry which can be corrected by a field assistant) the farm operator (or the person having the card in his possession) shall return it to the county office at which it was issued.

If any marketing card is lost, destroyed, stolen, or altered, the person having knowledge of such loss, destruction, theft, or alteration shall notify the county office to that effect, and the county office shall immediately notify the applicable field office.

If any marketing card which was reported as lost, destroyed, stolen, or altered is later received by the county office, the county office shall immediately notify the applicable field office of the receipt of such card.

After receipt of notice of loss, destruction or theft of any marketing card the county office may issue a duplicate marketing card to replace the lost, destroyed, or stolen card in accordance with instructions issued pursuant to these regulations.

In the event any marketing card was improperly issued, has been altered, or becomes illegible, upon the return of the card to the county office a new marketing card shall be issued immediately, or as soon thereafter as the necessary information is available.

If any entry is not made on a marketing card as required (either through omission or incorrect entry) and the proper entry is made by a field assistant then such card shall become valid. If the field assistant is unable to make the proper entry, he shall return the card to the county office where it shall be retained until such entry is made, or a new marketing card is issued, as provided above.

§ 727.435 *Additional cards and disposition of used cards.* Upon the return to the county office of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. Any marketing card issued to replace another card shall have entered thereon the total sales as shown on the marketing card which is replaced.

§ 727.436 *Report of probable misuse of marketing card.* Any information which causes any field assistant, a member of any local committee, or an employee of the county office to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the applicable field office and to the State office.

§ 727.437 *No transfers.* There shall be no transfer of marketing quotas (except as provided in Part I of these regulations) and the tobacco marketed under the marketing card issued for a farm shall consist only of tobacco produced on the farm.

MARKETING OF TOBACCO AND PENALTIES

§ 727.438 *Memorandum of sale to identify every marketing.* (a) Each marketing of tobacco from a farm shall be identified by a memorandum of sale issued from the marketing card (MQ–656 Flue-cured or MQ–657 Flue-cured) for the farm but if a memorandum of sale cannot be obtained within four weeks after the date of the marketing of any tobacco at a warehouse sale, such marketing of tobacco shall be subject to penalty and the amount of penalty shall be shown on the memorandum of sale cleared without marketing card (Tobacco 618). The memorandum of sale shall be issued only by a field assistant, with the following exceptions:

(1) A warehouseman, or his authorized representative, who has been authorized on form Tobacco 625, may issue a within quota memorandum of sale to identify a warehouse sale, if a field assistant is not available at the warehouse when the card is presented by the farmer and if no payment to Commodity Credit Corporation under a "Tobacco Carry-over Agreement" is due with respect to the tobacco to be covered by the memorandum. Each memorandum of sale issued by a warehouseman shall be presented promptly by him to the field assistant for verification with the warehouse records.

(2) A dealer operating a receiving point for scrap tobacco at a redrying plant (and other regular receiving points operated by such dealer or his agents or employees) or at an auction warehouse, and who keeps records showing the information specified in § 727.448 (f), who has been authorized on form Tobacco 625, may issue a within quota memorandum of sale covering a sale of scrap tobacco if the farm operator has signed the "Authorization" on the back of the memorandum of sale and a Bill of Nonwarehouse Sale (Tobacco 614) has been executed to cover such tobacco.

(b) The authorization to issue within quota memoranda of sale under paragraph (a) (1) or (2) above may be withdrawn from any warehouseman or dealer upon written notice by an authorized representative of the Secretary.

(c) Each excess memorandum of sale, after issuance by a field assistant, shall be checked by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown thereon to be due has been correctly computed, and the warehouseman or dealer shall be responsible for the correctness of such computations.

(d) If the quantity of tobacco previously identified by memoranda of sale issued from any within quota marketing card is in excess of the number of pounds assigned to the card, the person issuing the memorandum shall require the farm operator to sign the "Operator's Certificate" on the back of the memorandum and if he is satisfied that such signature is the same as the signature of the farm operator on the marketing card, he may issue the memorandum. If any person other than the operator presents the marketing card, the memorandum of sale shall not be issued unless the "Authorization" on the back of such memorandum has been properly executed and signed by the operator. The person who presents the marketing card may sign on behalf of the farm operator except when such memorandum is to be used to cover a sale of "scrap" tobacco, provided that such person places his address immediately beneath his signature. Any person authorized to issue a memorandum of sale under either of the above described circumstances who has reason to believe that the tobacco to be covered by the memorandum was not produced on the farm for which the marketing card containing the memorandum was issued, may or may not issue the memorandum as he considers advisable, but in either event he shall immediately make a written report of the circumstances in the case to the applicable field office for the belt in which the tobacco is sold.

§ 727.439 *Bill of nonwarehouse sale.* Each marketing of tobacco, except a

warehouse sale, shall be identified by a Bill of Nonwarehouse Sale (Tobacco 614) completely executed by the buyer and the farm operator, except for the entry of the serial number of the memorandum of sale. If the Bill of Nonwarehouse Sale is issued to cover scrap tobacco the word "scrap" shall be written thereon immediately above the words "Bill of Nonwarehouse Sale." The post card copy (Tobacco 614a) shall be mailed by the farm operator not later than the day following the day on which executed. The original of each Bill of Nonwarehouse Sale covering any marketing except scrap tobacco shall be presented to a field assistant for issuance of a memorandum of sale (or a memorandum of sale cleared without marketing card) and for recording in the Dealer's Record Book in case of a purchase by a dealer other than a warehouseman. The original of each such Bill of Nonwarehouse Sale shall be forwarded with the applicable Dealer's Record (Tobacco 615).

The original of each Bill of Nonwarehouse Sale covering scrap tobacco shall be delivered to a person at a receiving point who has been authorized to issue memoranda of sale. Such person may issue the memorandum of sale and enter the serial number of such memorandum on the original of the Bill of Nonwarehouse Sale and forward all such bills with the Record of Scrap Tobacco (Tobacco 613) to the applicable field office.

§ 727.440 *Marketings free of penalty.* Any tobacco marketed from a farm which is identified by a valid memorandum of sale from the marketing card issued for the farm shall be free of penalty to the extent shown by the memorandum of sale.

§ 727.441 *Marketings subject to penalty and collection of penalties*—(a) *Farm tobacco.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that proportion of each lot of tobacco which the tobacco available for marketing in excess of the farm quota (at the time of issuance of the marketing card) is of the total amount of tobacco available for marketing from the farm. The memorandum of sale issued to identify such marketing of tobacco shall show that portion of such marketing which is subject to penalty, and any portion of such marketing of tobacco which is not shown by the memorandum as being subject to penalty shall be free of penalty.

(b) *Dealer's tobacco.* Any marketing of tobacco by a dealer which such dealer represents to be a resale, but all or any part of which, when added to prior resales by such dealer as shown on the Dealer's Record, is in excess of the total amount of purchases as shown on such Dealer's Record shall be a marketing of tobacco subject to penalty unless and until the dealer furnishes proof acceptable to the Secretary showing that such tobacco is not subject to penalty. Any marketing of tobacco by a dealer which such dealer represents to be a resale of tobacco previously purchased by him but which, because of the difference in the price at which such tobacco is resold as compared with the price at which he had purchased the tobacco, cannot reasonably be regarded as tobacco previously purchased by him shall be taken to be a marketing of tobacco subject to penalty.

(c) *Tobacco not identified by a valid memorandum.* Any marketing of tobacco which is not identified by a valid memorandum of sale shall be subject to penalty.

(d) *Liability in case of error on memorandum.* The person liable for the payment of the penalty upon any marketing of tobacco shall not be relieved of such liability because of any error which may occur on the memorandum of sale.

§ 727.442 *Persons to pay penalty.* The person to pay the penalty due on any marketing of excess tobacco shall be one of the following as applicable:

(a) *Warehouseman.* If the tobacco is marketed by the producer through a warehouseman the penalty shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Dealer.* If the tobacco is acquired from the producer by a dealer, the penalty shall be paid by the dealer who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Agent.* If the tobacco is marketed by the producer through an agent who is not a warehouseman, the penalty shall be paid by the agent, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(d) *Warehouseman and dealer on dealer's tobacco.* Any penalty due upon tobacco subject to penalty under paragraph (b) of § 727.441 shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the dealer, but the dealer shall not be relieved of responsibility for payment of such penalty.

(e) *Producer marketing outside United States.* If the tobacco is marketed by the producer directly to any person outside the United States, the penalty shall be paid by the producer.

§ 727.443 *Rate of penalty.* The penalty shall be ten cents per pound upon the marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced and on the marketing of any other tobacco not identified under these regulations as being free from penalty.

§ 727.444 *Penalty for false identification or failure to account for disposition of tobacco.* If any producer falsely identifies or fails to account for disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in 1942 in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm and the penalty in respect thereof shall be paid and remitted by the producer.

§ 727.445 *Payment of penalty.* Penalties upon the marketing of tobacco shall become due at the time of the marketing and shall be paid by remitting the amount thereof to the applicable field or State office as shown in the Marketing Quota Instructions, Tobacco 622, not later than the end of the calendar week following the week in which the memorandum of sale was issued, or, in the event a memorandum is not issued, not later than four weeks after the date upon which the tobacco was sold. A draft, money order, or check, payable to the order of the Treasurer of the United States may be used to pay any penalty, but any such draft, or check shall be received subject to payment at par.

§ 727.446 *Application for return of penalty.* Any producer of tobacco and any other person who bore the burden of the payment of any penalty collected may file an application for return of the amount of such penalty which is in excess of that amount equal to ten cents per pound upon the number of pounds marketed in excess of the farm marketing quota. Any application for return of any penalty shall be filed on form Tobacco 624, "Application for Return of Penalty."

An application for the return of penalty filed by any producer of tobacco on a farm on which the tobacco available for marketing is in excess of the farm marketing quota shall not be approved unless (1) the marketing of tobacco from the farm has been completed and (2) disposition of all unmarketed excess tobacco has been made under the supervision of the county committee (or its representative) and has been approved by the county committee.

Return of penalty collected upon marketings of tobacco from any farm on which the tobacco available for marketing is in excess of the farm marketing quota shall be made only upon the basis of tobacco produced on the farm and, if the county committee has good cause to believe that any of the unmarketed excess tobacco as reported for the farm by the farm operator was not actually produced thereon, the application for such farm shall not be approved with respect to that tobacco which the committee has good cause to believe was not produced on the farm. The county committee shall approve an Application for Return of Penalty only for that number of pounds of unmarketed excess tobacco which the committee determines is representative of the entire amount of tobacco available for marketing from the farm in the 1942–43 marketing year, taking into account the value of the unmarketed excess tobacco (which is disposed of) as appraised by the county committee (or its representative) and the value of tobacco marketed from the farm.

RECORDS AND REPORTS

§ 727.447 *Warehouseman's records and reports*—(a) *Record of marketings.* Each warehouseman shall keep such records as will enable him to furnish to the Secretary of Agriculture a report of the following information with respect to each sale or resale of tobacco made at his warehouse; (1) the name of the seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the tobacco was produced), (2) the name of the purchaser, (3) the date of sale, (4) the number of pounds sold, (5) the sale price (6) the amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer). All purchases and resales for the warehouse leaf account shall be so identified in the records and a separate account shall be maintained with respect to the amount of floor sweepings picked up and the disposition of such floor sweepings. The quantity of floor sweepings, including bundles, leaves and scrap, picked up by the warehouse after each sale shall be reported in the space provided on the Auction Warehouse Report (Tobacco 616). Any warehouseman who grades tobacco for farmers shall maintain a separate account showing the approximate amount of grading house scrap obtained from the tobacco graded from each farm. In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each marketing of tobacco from the farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale record and bill of nonwarehouse sale record.* A record in the form of a valid memorandum of sale (or a memorandum of sale cleared without marketing card) shall be obtained by every warehouseman to cover each marketing of tobacco from a farm through the warehouse, and if a warehouseman buys tobacco directly from a farmer (other than at a warehouse auction sale as defined in these regulations) such warehouseman shall obtain a valid memorandum of sale to cover each such purchase of tobacco, together with a properly executed Bill of Nonwarehouse Sale (Tobacco 614). Any warehouseman who obtains possession of any grading house scrap in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap tobacco from such farm.

(d) *Suspended sale record.* Any warehouse bills for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "suspended", write thereon the serial number of the suspended sale, and record the bills on the Register of Suspended Sales (Tobacco 612); provided that if a field assistant is not available, the warehouseman may stamp such bills "suspended" and deliver them to a field assistant as soon as one is available.

(e) *Warehouse entries on dealers' records.* Each warehouseman shall enter on each Dealer's Record (Tobacco 615) the total of purchases and resales made by such dealer during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1942 the entry on the Dealer's Record shall clearly show such fact.

(f) *Daily report of warehouse business and report of penalties.* Each warehouseman shall make reports on form Tobacco 616, Auction Warehouse Report, and on form Tobacco 617, Report of Penalties, showing the information required on the respective reports. Form Tobacco 616 shall be prepared for each sale day and all reports for the sale days occurring during any week shall be forwarded to the applicable field office at or before the end of the next following calendar week. Form Tobacco 617 shall be prepared for each week and the report for each week shall be forwarded, together with remittances of the penalties due, as shown thereon, to the applicable field office or State office not later than the end of the next following calendar week.

(g) *Summary of warehouse accounts.* Each warehouseman shall assist field assistants to prepare summaries of the warehouse account by making available all records kept and reports made by the warehouse as required by these regulations.

(h) *Additional records and reports.* In addition to the records and reports provided above, each warehouseman shall keep such additional records and make such additional reports to the Secretary of Agriculture as an authorized representative of the Secretary may find necessary in order to enforce these regulations.

§ 727.448 *Dealer's records and reports.* Each dealer, except as provided in § 727.449 below, shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to the applicable field office the page "Receipt for Dealer's Record" contained in form Tobacco 615, "Dealer's Record" which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on form Tobacco 615, "Dealer's Record", showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1942, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1942.

(c) *Report of penalties.* Each dealer shall make a report on form Tobacco 617 showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.

(d) *Memorandum of sale record and bill of nonwarehouse sale record.* For each lot of tobacco purchased from a farmer each dealer shall obtain a record in the form of a valid memorandum of sale issued by a field assistant or by an authorized representative of a scrap tobacco receiving point in the case of scrap tobacco sold and delivered to such receiving point. No memorandum of sale shall be issued unless: (1) the farm operator or his authorized agent has signed the "Authorization" on the back of the memorandum and (2) unless a properly executed Bill of Nonwarehouse Sale (Tobacco 614) is presented covering such sale.

(e) *Record and report of scrap tobacco.* Each scrap tobacco receiving point which has been authorized to issue memoranda of sale on form Tobacco 625 shall keep a record and make reports on form Tobacco 613 (or form 41–Tob–63) "Record of Scrap Tobacco", showing all tobacco received. Such report shall be accompanied by Bills of Nonwarehouse Sale, form Tobacco 614, with respect to all tobacco covered by the report.

(f) *Additional records.* Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the following information with respect to each lot of tobacco purchased or sold by him: (1) the name of the seller (and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced), (2) the name of the purchaser, (3) the date of the transaction, (4) the number of pounds and the gross sale price, and (5) in the event of resale of tobacco bought by him and carried over from a crop produced prior to 1942, the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to the applicable field office as shown in the Marketing Quota Instructions, form Tobacco 622, not later than the end of the week following the calendar week covered by the reports.

§ 727.449 *Dealers exempt from regular records and reports.* Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 727.448 of these regulations; but each such dealer shall make such reports to the Secretary of Agriculture as an authorized representative of the Secretary may find necessary to enforce these regulations.

§ 727.450 *Records and reports of truckers, redryers, etc.* Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report with respect to each lot of tobacco received by him showing the name and address of the farm operator, the date of the receipt of the tobacco, the number of pounds received and the place to which it was delivered. Every person engaged in the business of

redrying, prizing or stemming tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report showing the information provided above for truckers and in addition the purpose for which the tobacco was received, the amount of advance made by him on the tobacco, and the disposition of the tobacco. Each such person shall make such reports to the Secretary of Agriculture as an authorized representative of the Secretary may find necessary to enforce these regulations.

§ 727.451 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer, processor, or as a person engaged in the business of redrying, prizing, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged, to the same extent for each such business as if he were engaged in no other business, except that a warehousman shall not be required to keep a record and make reports on form Tobacco 615, "Dealer's Record," if the transactions which would be recorded and reported on such forms are recorded on the records kept by the warehouse in its regular course of business and reported as required on form Tobacco 616.

§ 727.452 *Failure to keep record or make report.* Any warehouseman, processor, or common carrier of tobacco, or person engaged in the business of purchasing tobacco from producers, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under these regulations, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by an authorized representative of the Secretary.

§ 727.453 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing, or stemming tobacco for producers shall make available for examination, upon written request by an authorized representative of the Secretary, such books, papers, records, accounts, correspondence, contracts, documents and memoranda as he has reason to believe are relevant and are within the control of such person.

§ 727.454 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under these regulations for the 1942–43 marketing year shall be kept by him until June 30, 1944, and for such longer period of time as may be requested in writing by an authorized representative of the Secretary.

§ 727.455 *Information confidential.* All data reported to or acquired by the Secretary of Agriculture pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the Department of Agriculture and only such data so reported or acquired as the Secretary of Agriculture deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

Done at Washington, D. C., this 9th day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42–6533; Filed, July 9, 1942; 11:34 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 262—MISCELLANEOUS

LOCATION OF BOARD OFFICES

Amending § 262.15 of the regulations under the Railroad Retirement Act of 1937.

Pursuant to the general authority contained in section 10 of the Act of June 24, 1937 (sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j), § 262.15 of the Regulations of the Railroad Retirement Board under such Act (4 F.R. 1477) is amended, effective June 16, 1942, by Board Order 42–312 dated July 2, 1942, to read as follows:

§ 262.15 *Offices of the Board.* The main office established by the Board is located in Chicago, Illinois. The only other offices established by the Board are Regional Offices located at New York, New York; Cleveland, Ohio; Chicago, Illinois; Atlanta, Georgia; Minneapolis, Minnesota; Kansas City, Missouri; Dallas, Texas; Denver, Colorado; and San Francisco, California. (Offices of district managers or of any other field forces are not offices within the meaning of this section.) (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j)

By Authority of the Board.

[SEAL] RICHARD L. COOPER,
Secretary of the Board.

JULY 6, 1942.

[F. R. Doc. 42–6510; Filed, July 8, 1942; 3:37 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 93]

REVISION OF CERTAIN FORMS

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

1. Revision of DSS Form 260, entitled "Report of Obligations,"[1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

2. Revision of DSS Form 260–A, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

3. Revision of DSS Form 260–AA, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

4. Revision of DSS Form 260–B, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

5. Revision of DSS Form 260–C, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

6. Revision of DSS Form 260–D, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

7. Revision of DSS Form 260–E, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

8. Revision of DSS Form 260–F, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

9. Revision of DSS Form 260–G, entitled "Report of Obligations," [1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 42–6525; Filed, July 9, 1942; 11:10 a. m.]

[1] Filed as part of the original document.

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS; SHIPPING PRIORITY RATINGS

PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS

Sec.
808.1 Applicability.
808.2 Nonapplicability.
808.3 Space allocation for shipment of material weighing under 2,240 pounds.
808.4 Initial movement in exportation.
808.5 Application form prescribed.
808.6 Application procedure.
808.7 Notice permitting movement to port.
808.8 Confirmation of space by ship operator.
808.9 Validity of allocation.
808.10 Effective date.

AUTHORITY: §§ 808.1 to 808.10, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.

§ 808.1 *Applicability.* The regulations prescribed in this part apply to exportations of all articles and materials set forth in § 801.2 of this subchapter, except as provided in § 808.2, to be made by sea freight under any type of export license to any of the following destinations:

Argentina.
Bolivia.
Brazil.
Chile.
Colombia.
Costa Rica.
Cuba.
Dominican Republic.
Ecuador.
El Salvador.
Guatemala.
Haiti.
Honduras.
Mexico.
Nicaragua.
Panama.
Paraguay.
Peru.
Uruguay.
Venezuela.

The regulations prescribed in this part are in addition to all other regulations covering exportation.

§ 808.2 *Non-applicability.* (a) These regulations shall not apply to:

(1) Liquid articles or materials licensed for export to be shipped in bulk by tanker.

(2) Articles and materials to be exported under General License GUS.

(b) §§ 808.5 to 808.7, inclusive, shall not apply to any shipment of any article or material licensed for export when the gross weight of the particular shipment (even though it is a partial shipment of a larger licensed quantity) is less than 2,240 pounds.

§ 808.3 *Space allocation for shipment of material weighing under 2,240 pounds.* Bookings for shipment of material weighing under 2,240 pounds will be made by the ship operator directly with the exporter or his agent without the submission of an application or compliance with the procedure set forth in §§ 808.5 to 808.7, inclusive. All such bookings are subject to the control of the War Shipping Administration and the Board of Economic Warfare, who will fix the total amount of space on each ship which will be available for the carriage of such small shipments. Such available space will then be allocated in accordance with the priority ratings fixed by the Export Control Branch, as provided in Part 809 of this subchapter.[1]

§ 808.4 *Initial movement in exportation.* No shipment of an article or material weighing 2,240 pounds or more for which a license has been issued permitting the exportation thereof and which is located at any place other than the port of exit from the United States shall be moved to such port of exit until the exporter or his agent has received on the prescribed form, notice of tentative freight booking issued by the War Shipping Administration and the Unit Permit Number issued by the Office of Defense Transportation, or such other agency as it may designate. Shipments weighing less than 2,240 pounds may be moved to the port of exit only after receipt of the freight contract from the ship operator, the number of which shall be placed on the bill of lading together with the export license number.

§ 808.5 *Application form prescribed.* The form for application for shipping space is hereby prescribed:

Form No. BEW–138

APPLICATION FOR FREIGHT SPACE

BOARD OF ECONOMIC WARFARE
WAR SHIPPING ADMINISTRATION
Washington, D. C.

_____
(Date)

1. Merchandise listed below:
   (a) is now at the port of _____
   (b) is now ready for shipment to port of exit ( )
   (c) will all be ready for shipment in three weeks ( )
2. Licensee _____
3. Address _____
4. Point of origin: City _____ State _____
5. Consignee in foreign country _____ Address _____
6. Ultimate consignee in foreign country _____ Address _____
7. Purchaser in foreign country _____ Address _____
8. Foreign port of discharge _____
9. Gross weight (long tons approx.) _____
10. Cubic measurements (approx.) _____
11. If in package, indicate number and kind _____
12. Merchandise: (If this shipment is made under an export program or export project license (S. P.) list on the reverse of this form a detailed schedule of all articles contained in the shipment, including the appropriate Department of Commerce Schedule B number).
13. Check whichever is applicable: This is a complete shipment ( ), This is the first ( ), an intermediate ( ), the final ( ), partial ( ) shipment of merchandise authorized under the License ( ).
14. License No. _____
15. Date issued _____
16. Reference No. _____
17. Shipping rating _____
18. See (A) below _____
    (A) Was Preference Rating necessary to secure materials? (Indicate for each license)
19. Range of ports through which would ship: (Indicate preference by numbers) Atlantic ( ) Gulf ( ) Pacific ( )
20. Notice of tentative booking to be sent to _____

_____

_____

For BEW use only, Serial No. _____

_____ For official use only.

§ 808.6 *Application procedure.*—(a) *Submission of application.* Application for shipping space shall be submitted in quintuplicate on an exact facsimile of the form as set forth in § 808.5. If the application covers articles or materials which are to be exported under an export program or export project license (S. P.) an additional (sixth) copy of the application shall be submitted. The facsimile may be printed, mimeographed or otherwise reproduced on any type white paper size 8 inches by 14 inches.

(b) *Who may apply.* Any person to whom an export license has been granted or his agent may apply for shipping space. Any person planning to export under a general license or the agent of any such person may apply for shipping space.

(c) *Time to apply.* Application may be made when the goods are ready for shipment, or when any such goods will be ready for shipment within three weeks of the date of the application, or when such goods are actually at port of exit.

(d) *Where to file.* The application shall be filed with the Export Control Branch, Washington, D. C.

(e) *Preparation of application.* (1) A separate application may be submitted for each part of a licensed exportation as such part becomes ready for shipment, except that no application need be filed for a partial shipment if the partial shipment is less than 2240 pounds in gross weight.

(2) Where the applicant desires to ship material which is packed together into one shipment and which includes items from one or more licenses, in which licenses the consignees, ultimate consignees and purchasers are identical, only one application covering the total shipment need be submitted. In such case the applicant shall make appropriate references to each such license in the several blank spaces on the prescribed form.

(3) Where the application is for goods to be shipped under general license, the general license number shall be placed in the blank space requiring a license number.

(4) Where no shipping rating has been designated for an outstanding license, no entry shall be made in the space provided for such rating.

(5) In answer to the question pertaining to gross weight and cubic measurement (if shipped on a measurement basis) if exact figures are not ascertainable, an approximation may be made.

[1] Incorporated in this document.

(6) In the case of general (including in-transit), individual, and unlimited licenses, the description of merchandise shall be stated in the same terms required for description of articles and materials in applications for individual licenses.

§ 808.7 *Notice permitting movement to port.* Notice of tentative freight booking and the Office of Defense Transportation Unit Permit Number permitting shipment to the port of exit, (except when already at such port, in which cases no permit number will be issued), will be contained in the same document which will be forwarded to the person designated in the application. The subsequent procedure for delivery of this document to the carrier and actual arrangements for shipment to port of exit shall be as prescribed in appropriate regulations of the Office of Defense Transportation and War Shipping Administration.

§ 808.8 *Confirmation of space by ship operator.* A notice of tentative freight booking is not allocation for a specific ship. The allocation shall become effective only when confirmed by the ship operator to the person to whom the notice was issued, and the allocation may be cancelled, modified or otherwise regulated or controlled by proper authority.

§ 808.9 *Validity of allocation.* Allocation of space shall be valid only during the life of the export license upon which such allocation was made.

§ 808.10 *Effective date.* The regulations set forth in this Part 808 shall become effective on July 6, 1942, except §§ 808.3, 808.4, 808.7 and 808.8 which shall become effective August 1, 1942.

PART 809—SHIPPING PRIORITY RATINGS

Sec.

809.1 When required.
809.2 When not required.
809.3 By whom assigned.
809.4 When assigned.
809.5 Order of precedence.
809.6 Ratings assigned merchandise under general license.
809.7 Rating assigned under certain outstanding licenses.
809.8 Appeals for higher ratings.

AUTHORITY: §§ 809.1 to 809.8, inclusive, issued under sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.

§ 809.1 *When required.* No shipment by sea freight of any of the articles or materials set forth in § 801.2 of this subchapter shall be made to any of the destinations listed in § 808.1 under any type of license unless a shipping priority rating has first been assigned for such shipment, except as provided in § 809.2.

§ 809.2 *When not required.* No shipping priority rating shall be required for the shipment of:

(a) Liquid articles or materials licensed for export to be shipped in bulk by tanker.

(b) Articles and materials to be exported under General License GUS.

§ 809.3 *By whom assigned.* The Export Control Branch will assign shipping priority ratings.

§ 809.4 *When assigned.* (a) Shipping priority ratings will be assigned at the time of the issuance of an export license and will appear thereon, except as to articles and materials exported under general licenses.

(b) When articles and materials are to be exported under an export program or export project license (S. P.) shipping priority ratings will be assigned at the time of the issuance of the S. P. license for all articles and materials covered thereby, including articles and materials under general license.

§ 809.5 *Order of precedence.* Shipping priority ratings will have the following order of precedence: "AA", "A", "B", "C", "D".

§ 809.6 *Ratings assigned articles and materials under general licenses.* (a) The following ratings are assigned to articles and materials currently under general license:

GROUP 00—ANIMALS AND ANIMAL PRODUCTS, EDIBLE

Schedule "B" No.	Commodity	Shipping rating
0010	Cattle for breeding	D
0012	Other cattle	D
0013	Hogs	D
0016	Sheep	D
0019	Poultry, live	D
0020	Fresh or frozen beef and veal	B
0021	Pickled or cured beef and veal	B
0022	Horse meat	D
0027	Pork, fresh or frozen	B
0028	Pork, ham and shoulders, cured	B
0029	Bacon	B
0030	Cumberland and Wiltshire sides	B
0032	Pork, other, pickled or salted	B
0034	Mutton and lamb	B
0035	Sausage, not canned	B
0036.15	Canned corn beef, beef hash, and hamburger steak in tins or glass	B
0036.18	Canned roast, and boiled beef	B
0036.9	Beef, canned, other	B
0037	Pork, canned	B
0038	Sausage, canned	B
0039	Meat, other, canned	B
0040	Poultry and game, fresh	B
0041	Kidneys and liver, fresh, frozen or cured	B
0043	Tongues, fresh, frozen, pickled or cured	B
0044	Sausage ingredients, salted or otherwise cured	B
0045	Meats, other, n. e. s.	D
0060	Milk and cream, fresh and sterilized	D
0061	Milk and cream, condensed and sweetened	B
0062	Milk and cream, evaporated and unsweetened	B
0063	Dried whole milk and partially skimmed	B
0064	Milk, skimmed dried	B
0067.5	Cheese, processed, blended, and spreads	B
0067.9	Cheese, other	B
0069	Infants' foods, malted milk, etc	B
0071	Fish, fresh, other than salmon	D
0072	Oysters, fresh in the shell	D
0073	Oysters, fresh, shucked, frozen, or in ice	D
0074	Shrimp, fresh, frozen, or in ice	D
0075	Shrimp, dried	C
0078	Cod, haddock, hake, pollock, cusk	B
0079	Fish, salted, pickled, or dry cured, other	B
0087	Shrimp, canned	D
0088	Shellfish, other, except shrimp canned	D
0089 F	Clams and oysters	D
0090	Fish and fish products, other, n. e. s.	D
0092	Eggs in the shell	B
0093.05	Egg products, dried	B
0093.07	Egg products, frozen	B
0093.98	Egg products, otherwise preserved	B
0094	Meat extracts and bouillon cubes	D
0095	Gelatin	D
0095 F	Egg albumen	D
0099	Animal products edible, other, n. e. s.	D

GROUP 0—ANIMAL PRODUCTS, INEDIBLE

Schedule "B" No.	Commodity	Shipping rating
0645.1	Men's boots and shoes, McKay sewed, leather uppers	C
0645.3	Men's boots and shoes, welt, leather uppers	C
0645.4	Men's boots and shoes, stitchdown, leather uppers	C
0646.9	Men's boots and shoes, other, leather uppers	C
0646	Youths' and boys' boots and shoes, leather uppers	C
0647.1	Women's and misses' boots and shoes, McKay sewed, leather uppers	C
0647.2	Women's and misses' boots and shoes, turn or turned, leather uppers	C
0647.3	Women's and misses' boots and shoes, welt, leather uppers	C
0647.4	Women's and misses' boots and shoes, stitchdown, leather uppers	C
0647.5	Women's and misses' boots and shoes, cemented sole, leather uppers	C
0647.9	Women's and misses' boots and shoes, other, n. e. s. leather uppers	C
0648	Infants' and children's boots and shoes, leather uppers	C
0650	Slippers (for housewear, all leather)	C
0656.1	Leather soled boots and shoes, other than leather uppers	C
0656.9	Other boots and shoes, other than leather soles or uppers	C
0659	Discontinued models, old styles, and secondhand shoes	C
0672	Leather gloves and mittens	C
0688	Women's and children's leather handbags, pocket books, and purses	D
0689	Women's and children's handbags, pocket books, and purses, other	D
0692	Leather card cases, change purses, wallets, and similar articles	D
0693	Card cases, coin purses, etc., other than leather	D
0695.1	Luggage and related articles, leather	D
0695.9	Luggage and related articles, other materials	D
0697.1	Belts to be worn on the person, leather	D
0697.9	Belts to be worn on the person, other materials	D
0698.9	Leather wearing apparel	D
0699	Other leather manufactures	D
0711	Civet cat, undressed	D
0713	Silver and black fox, undressed	D
0714	Red fox, undressed	D
0716	Fox, other, undressed	D
0718	Muskrat, Northern, undressed	D
0719	Muskrat, Southern, undressed	D
0721	Raccoon, undressed	D
0722	Skunk, undressed	D
0723	Opossum, undressed	D
0725	Mink, undressed	D
0729	Other undressed furs	D
0733	Silver and black fox, dressed or dyed	D
0737	Muskrat, dressed or dyed	D
0744	Fur-seal, dressed or dyed	D
0749	Furs, other, dressed or dyed	D
0753	Fur wearing apparel	D
0758	Fur waste, fur pieces, and damaged fur skins	D
0759	Fur manufactures, other	D
0900	Horses for breeding	D
0901	Horses, other	D
0903	Mules, asses and burros	D
0909	Other live animals	D
0961 F	Mother of pearl shells, unmanufactured	D
0999.98	Other animal products, inedible	C

GROUP 1—VEGETABLE FOOD PRODUCTS AND BEVERAGES

GRAINS AND PREPARATIONS

Schedule "B" No.	Commodity	Shipping rating
1011	Barley	D
1013	Malt	C
1021	Buckwheat	D
1031	Corn	B
1032	Cornmeal	B
1033	Hominy and corn grits	B
1036	Kafir and milo	D
1037	Corn cereal foods, ready to eat	B
1041	Oats	B
1043	Oatmeal, groats, and rolled oats, in bulk (sacks or bags)	B
1044	Oatmeal, groats, and rolled oats, in packages (cases and cartons)	B
1055	Paddy or rough rice	B
1057	Milled rice, including brown rice, broken rice and rice screenings	B
1058	Rice flour, meal and polish	B
1061	Rye	B
1071	Wheat	B
1073	Wheat flour, wholly of United States wheat	B
1074	Other wheat flour	B
1077	Macaroni, spaghetti, noodles, vermicelli, and macaroni products	B

GROUP 1—VEGETABLE FOOD PRODUCTS AND BEVERAGES—Continued

GRAINS AND PREPARATIONS—con.

Schedule "B" No.	Commodity	Shipping rating
1078	Biscuits and crackers	B
1080	Wheat cereal foods, ready to eat (include Shredded, Puffed, and Flaked Wheat, Triscuit, Force, Krumbles, Wheaties, Kellogg's Pep, and other wheat and bran preparations)	B
1081	Wheat cereal foods, to be cooked (include Cream of Wheat, Farina, Wheatena, Ralston, Pettijohns, Wheathearts, etc.)	B
1090	Wheat Semolina	B
1095	Cereal foods, n. e. s.	B
1099	Other grains and preparations	D

FODDERS AND FEEDS

Schedule "B" No.	Commodity	Shipping rating
1101	Hay	D
1115	Cottonseed cake	D
1116	Linseed cake	D
1119	Oil cake, other	D
1121	Cottonseed meal	D
1122	Linseed meal	D
1123	Babassu cake and meal	D
1124	Soybean oil cake meal	D
1129	Oil cake meal, other	D
1140	Fish meal for feed	D
1160	Mixed feeds for poultry and dairy	D
1182	Oyster shells	D
1185	Mixed and prepared feeds, other	D
1187	Rolled barley for feed to Hawaii only	D
1190	Wheat feeds, bran middlings, etc	D
1199	Feeds, other, including apple pomace	D

VEGETABLES AND PREPARATIONS

Schedule "B" No.	Commodity	Shipping rating
1201.1	Beans, dried, except seed	B
1201.5	Seed beans	B
1202.1	Dried peas, except seed	B
1202.5	Seed peas	B

FRESH VEGETABLES

Schedule "B" No.	Commodity	Shipping rating
1207	Beans	C
1208	Onions	B
1209	Peas, green	C
1210	Peppers	C
1211	Potatoes, white	B
1213	Tomatoes	C
1224	Other fresh vegetables	C

VEGETABLES, CANNED

Schedule "B" No.	Commodity	Shipping rating
1241	Asparagus	B
1242	Baked beans, and pork and beans	B
1243	Corn	B
1244	Peas	B
1245	Soups (include vegetable, meat and fish soups)	B
1246	Tomatoes	B
1247	Tomato paste and puree	B
1248	Tomato juice	B
1249	Other canned vegetables and juices	B
1250	Pickles	C
1251	Ketchup, chili sauce, and other tomato table sauces	C
1252 F	Pickles, sauces and relishes	C
1252.1	Mayonnaise and salad dressings	D
1252.9	Other sauces and relishes	D
1253	Vinegar	C
1256	Yeast	B
1259	Other vegetable preparations	C
1229 F	Farinaceous substances	B

FRESH FRUITS

Schedule "B" No.	Commodity	Shipping rating
1302	Grapefruit	D
1303	Lemons and limes	D
1305	Oranges	D
1307	Pineapples	D
1306 F	Olives	D
1309	Cherries	D
1310	Apples in baskets	D
1311	Apples in boxes	D
1312	Apples in barrels	D
1313	Berries	D
1314.1	Watermelons	D
1314.5	Other melons	D
1315	Grapes	D
1316	Pears	D
1317	Peaches	D
1318	Prunes and plums	D
1319.1	Apricots	D
1319.9	Other fresh fruits	D

DRIED AND EVAPORATED FRUITS

Schedule "B" No.	Commodity	Shipping rating
1320 F	Dates, dried	D

CANNED FRUITS

Schedule "B" No.	Commodity	Shipping rating
1350	Other fruit preparations	D

NUTS

Schedule "B" No.	Commodity	Shipping rating
1374	Apricot and peach pits and kernels	D
1376.1	Pecans, shelled	D
1376.5	Pecans, not shelled	D
1377.1	Walnuts, shelled	D
1377.5	Walnuts, not shelled	D
1379	Other nuts, except cashews	D

SUGAR AND RELATED PRODUCTS

Schedule "B" No.	Commodity	Shipping rating
1639	Chewing gum	C
1643	Glucose liquid	C
1644	Glucose, dry	C

BEVERAGES

Schedule "B" No.	Commodity	Shipping rating
1701	Malt extract and malt sirup	C
1702	Malt liquors in bottles	C
1703	Malt liquors in cans	C
1704	Malt liquors in other containers	C
1714	Rum	D
1716	Whiskey	C
1719	Other distilled liquors and compounds containing spirits	C
1750	Wines	D
1761	Mineral water, natural and artificial	D
1766	Sirups and flavors for beverages	D
1772	Pineapple juice	D
1775	Grapefruit juice	D
1776	Orange juice	D
1779	Other fruit juice	D
1780	Other beverages	D

GROUP 2—VEGETABLE PRODUCTS, INEDIBLE, EXCEPT FIBRE AND WOOD

DRUGS, HERBS, LEAVES AND ROOTS

Schedule "B" No.	Commodity	Shipping rating
2201	Cascara bark (if exported under $100 medicinal general license)	B
2205	Ginseng (if exported under $100 medicinal general license)	B
2206	Mandrake root (if exported under $100 medicinal general license)	B
2209.98	Crude vegetable drugs, n. e. s. (if exported under $100 medicinal general license)	B

SEEDS, EXCEPT OILSEEDS

Schedule "B" No.	Commodity	Shipping rating
2401	Alfalfa seeds	C
2402	Red clover seeds	C
2405	Clover seeds other	C
2406	Timothy seeds	C
2407	Kentucky blue grass seeds	C
2408	Red top seeds	C
2419	Grass and field seeds other	C
2467	Flower seeds	C
2468.5	Carrot seeds	C
2468.9	Vegetable seeds other, except fennel seeds	C

NURSERY AND GREENHOUSE STOCK

Schedule "B" No.	Commodity	Shipping rating
2535	Flowers and foliage, cut, fresh, preserved	D
2599	Nursery or greenhouse stock, all other	D

TOBACCO AND MANUFACTURES

Schedule "B" No.	Commodity	Shipping rating
2601	Bright flue cured leaf tobacco	C
2602	Burley leaf tobacco	C
2603	Dark fired Kentucky and Tennessee leaf tobacco	C
2604	Dark Virginia leaf tobacco	C
2605	Maryland and Ohio export leaf tobacco	C
2606	Green River leaf tobacco	C
2607	One sucker leaf tobacco	C
2608	Black fat, Waterbaler, and dark African leaf tobacco	C
2611	Cigar leaf	C
2616	Perique leaf tobacco	C
2617	Tobacco trimmings and scrap	C
2618	Tobacco stems	C
2620	Cigars and cheroots	C
2622	Cigarettes	C
2623	Chewing tobacco, plug, and other	C
2624	Smoking tobacco	C
2629	Tobacco manufactures other	C

MISCELLANEOUS VEGETABLE PRODUCTS

Schedule "B" No.	Commodity	Shipping rating
2811	Cornstarch and corn flour	B
2813	Other starch	B
2931	Broomcorn	D
2935	Brooms	D
2951	Hops	C
2999.98	Other inedible vegetable products	C

GROUP 3—TEXTILE FIBERS AND MANUFACTURES

Schedule "B" No.	Commodity	Shipping rating
3002	Raw cotton other, 1⅛ inches and over	B
3003	Raw cotton upland, under 1⅛ inches	B
3008	Cotton rags, except paper stock	C
3009	Cotton batting, unglazed wadding, carded cotton and roving	C
3010.3	Cotton hard wastes of yarns and threads, including wiping	D
3010.4	Cotton card strips	D
3010.5	Comber waste	D
3010.6	Other soft wastes	D
3015	Cotton Sewing Thread	B
3016	Crochet, darning, and embroidery cotton	D
3017	Cotton tire cord on cones or warps	B
3018	Cotton twine, rope, and cordage	B
3020	Unbleached cord tire fabric	B
3021	Other unbleached tire fabrics	B
3031.1	Gray drills, twills, and warp sateens, 40 inches wide and narrower	B
3031.2	Gray sheetings, 40 inches wide and narrower	B
3033.1	Gray drills, twills and warp sateens, wider than 40 inches	B
3033.2	Gray sheetings wider than 40 inches	B
3036	Tobacco and cheese cloth 36 x 32 count and lower construction	B
3037	Other printcloth yarn fabric construction above 36 x 32 count	B
3039	Other gray cloth, n. e. s.	B
3040	Bleached drills, twills and warp sateens, 40 inches wide and narrower	B
3041.1	Drills, twills, and warp sateens, 40 inches wide and narrower, dyed in the piece	B
3041.2	Printed drills, twills, and warp sateens, 40 inches wide and narrower	B
3042.1	Bleached sheeting, 40 inches wide and narrower	B
3042.2	Piece dyed sheeting, 40 inches wide and narrower	B
3043	Printed sheeting, 40 inches wide and narrower	B
3045.1	Finished drills, twills, and warp sateens, wider than 40 inches	B
3046.1	Sheeting, bleached, wider than 40 inches	B
3047.1	Sheeting dyed and printed over 40 inches	B
3048	Carded broadcloth bleached	B
3049.1	Carded broadcloth dyed in piece	B
3049.2	Carded broadcloth printed	B
3050	Cheese cloth and gauze, bleached or dyed	B
3051.1	Printcloth bleached	B
3052.1	Printcloth dyed in piece	B
3052.2	Printcloth Printed	B
3055.1	Cotton flannels, bleached or colored	B
3055.9	Other napped cotton fabrics in the piece	B
3057	Denims colored	B
3058	Suitings, twill-coverts, cottonades	B
3060	Chambrays, cheviots, and shirtings	B
3061	Other colored yarn fabrics, n. e. s.	B
3067	Voiles, organdies, lawns and batiste, combed	C
3070	Piques, combed	C
3073	Marquisettes, combed	C
3074	Other combed and carded goods, n. e. s.	C
3076	Cotton and wool mixtures, cotton chief value	C
3079	Cotton and rayon mixtures, cotton chief value	C
3080	Cotton knit fabric in piece	C
3082	Cotton table damask in piece	D
3084	Tapestry and other upholstery and drapery materials, Jacquard and dobby-woven	D
3087	Cotton plushes	D
3088	Other cotton pile fabrics	C
3089.5	Cotton remnants and fabrics, n. e. s. sold by the pound	B
3090	Cotton handkerchiefs	C
3091.1	Cotton work gloves, mits, and gauntlets, fabric	C
3091.2	Cotton dress gloves and all other	D
3093	Cotton hosiery, women's	C
3094	Cotton hosiery, children's	C
3095	Cotton hosiery, men's	C
3095.05	Cotton underwear knit, men's	C
3095.98	Cotton underwear knit, boys'	C
3097	Cotton underwear knit, women's and children's	C
3098	Cotton nightwear knit, women's and children's	C
3099.15	Cotton knit sweaters, jersey pullovers and sweatshirts, men's	C
3099.19	Cotton knit sweaters, jersey pullovers and sweatshirts, boys'	C
3099.50	Cotton knit sweaters, shawls, and mufflers, women's and children's	C
3099.95	Other men's cotton knit apparel, n. e. s.	C
3099.98	Cotton knit apparel, n. e. s. except men's	C

GROUP 3—TEXTILE FIBERS AND MANUFACTURES—Continued

Schedule "B" No.	Commodity	Shipping rating
3113.05	Cotton woven jackets and windbreakers, men's	C
3113.98	Cotton woven jackets and windbreakers, boys'	C
3114	Cotton overalls, breeches, pants, aprons and men's work clothing, n. e. s.	C
3115.05	Cotton woven nightwear, men's	C
3115.98	Cotton woven nightwear, boys'	C
3116.15	Cotton underwear woven, men's	C
3116.19	Cotton underwear woven, boys'	C
3117.1	Cotton work shirts, woven	C
3117.25	Other cotton shirts, woven, men's (except knit)	C
3117.29	Other cotton shirts, woven, boys' (except knit)	C
3120.05	Other cotton clothing of woven fabrics, n. e. s. men's	C
3120.98	Other cotton clothing of woven fabrics, n. e. s. boys'	C
3122	Cotton dresses and ensembles, women's	C
3124	Cotton woven underwear and nightwear, women's and children's, not knit	C
3127	Cotton outerwear, children's, not knit	C
3129	Cotton woven apparel, n. e. s. women's and children's	C
3140	Cotton woven belting for machinery	B
3160	Cotton braids, ribbons, trimmings, bindings, lacings, tape-labels, and webbing	C
3161	Cotton narrow fabrics, other, n. e. s.	C
3171	Cotton blankets	C
3173	Cotton quilts, comfortables and quilted bed-pads	C
3175	Cotton bedspreads, candlewick, chenille, and tufted	D
3176	Cotton bedspreads, plain, crinkle, dobby and Jacquard woven	D
3178	Cotton bed sheets and pillow cases	C
3181	Cotton curtains and draperies	D
3185	Cotton laces, embroideries and articles thereof, n. e. s.	D
3187	Terry woven towels, wash cloths and bath mats	O
3188	Cotton buck, damask and plain woven towels and toweling	C
3189	Cotton housefurnishings, other, n. e. s.	C
3199	Cotton manufactures, other, n. e. s.	C
3675	Wool knit bathing suits	C
3679	Other wool knit wearing apparel	C
3680.05	Wool overcoats, suits, and pants, men's	C
3680.98	Wool overcoats, suits, and pants, boys'	C
3681	Wool clothing, women's and children's	C
3689	Wool and mohair manufactures, other	C
3696.5	Hair waste and scrap hair	D
3697	Hair felt and hair felt manufactures	D
3699	Hair manufactures, other, n. e. s.	D
3842	Thread and yarn for sewing, embroidering, hand-knitting and crocheting	B
3848	Rayon knit fabric in the piece	C
3849.2	Rayon woven, upholstery and drapery fabrics wider than 42 inches (except pile)	D
3849.9	Rayon remnants and mill ends	C
3850	Rayon house furnishings	D
3852	Rayon woven dresses, skirts, blouses and other outer wear for women and children	C
3853.1	Rayon knit or crochet dress and ensembles	C
3853.2	Rayon knit outerwear, n. e. s. women's and children's	C
3854.9	Hosiery, other synthetic textiles, women's and children's	C
3856	Synthetic textile socks, men's	C
3857.1	Rayon knit underwear	C
3857.2	Rayon woven underwear	C
3857.7	Rayon knit or woven sleeping and lounging garments	C
3858.1	Rayon ribbons	C
3903	Felt base floor coverings	C
3911	Oilcloth for shelf, table and wall	C
3913	Window-shade cloth	D
3914.1	Book cloth, pyroxylin coated or impregnated	C
3914.2	Book cloth, starch filled	C
3915	Pyroxylin coated or impregnated fabrics	C
3917	Other coated or impregnated fabrics, n. e. s.	C
3918	Waterproof outer garments	C
3921	Corsets, brassieres, and girdles	C
3928	Neckties, cravats, mufflers and scarfs, of all fibers	C
3940	Hat braids, stripe and sheets of natural fibers or synthetic textiles	D
3942	Hats and hat bodies of straw, palm leaf, etc. harvest	D
3944	Hats and hat bodies of straw, palm leaf, etc. other, sewed	D
3945	Hats and hat bodies of straw, palm leaf, etc. other, woven	D

GROUP 3—TEXTILE FIBERS AND MANUFACTURES—Continued

Schedule "B" No.	Commodity	Shipping rating
3951	Hats, fur felt, men's and boys'	D
3952	Hats, fur felt, women's and girls'	D
3953	Hats, wool-felt	D
3957	Hats, caps and berets, knit and crocheted	D
3958	Other hats, caps, and berets of woven fabric	D
3963	Artificial or ornamental flowers, fruits, vegetables, grasses, grains, leaves, stems, or parts thereof, of all materials	D
3970.98	Mattresses, cotton, moss, and hair	D
3980	Absorbent cotton, gauze, and sterilized bandages	B
3999	Textile manufactures, other, n. e. s.	C

GROUP 4—WOOD

Schedule "B" No.	Commodity	Shipping rating
4001	Ash and Hickory logs and timber	D
4002	Cottonwood and aspen logs and timber	D
4004	Walnut logs and timber	D
4006	Hardwood burls	D
4009	Other hardwood logs and timber	D
4026	Railroad ties, hewn creosoted or otherwise treated	B
4029	Railroad ties other than treated	B
4031	Creosoted piling	B
4032	Piling other than creosoted	B
4034	Telegraph, trolley and electric-light poles	B
4039	Firewood and other unmanufactured wood	D
4079	Hardwood sawed timber	D
4085	Other sawed timber creosoted or otherwise treated	D
4108	Redwood boards, planks, and scantlings	D
4117	Ash boards, planks, and scantlings	D
4118	Birch, beech, and maple boards, planks, and scantlings	D
4119	Chestnut boards, planks, and scantlings	D
4120	Cottonwood boards, planks, and scantlings	D
4121	Gum, red and sap boards, planks, and scantlings	D
4122	Gum, tupelo and black boards, planks, and scantlings	D
4123	Hickory boards, planks, and scantlings	D
4124	Oak boards, planks, and scantlings	D
4125	Poplar boards, planks, and scantlings	D
4126	Walnut boards, planks, and scantlings	D
4127	Mahogany boards, planks, and scantlings	D
4128	Magnolia boards, planks, and scantlings	D
4131	Oak flooring	D
4132	Other hardwood flooring	D
4134	Wagon-oak planks	O
4136	Small hardwood dimension stock except squares	D
4137	Oak squares	D
4138	Hardwood squares other than oak	D
4139	Other hardwood board, planks, and scantlings	D
4140	White ponderosa, and sugar pine box shooks	C
4141	Southern pine box shooks	C
4142	Hemlock and spruce box shooks	C
4143	Gum box shooks	C
4149	Other box shooks	C
4156	Railroad ties, sawed, creosoted or otherwise treated	B
4159	Other railroad ties, sawed	B
4201.1	Tight staves, new	B
4201.5	Tight staves, used	B
4202	Slack staves	B
4203	Tight heading	B
4204	Slack heading	B
4205	Tight shooks	B
4206	Slack shooks	B
4209.1	Tight empty barrels, casks, and hogsheads, new	C
4209.5	Tight empty barrels, casks, and hogsheads, used	C
4213	Plywood, other than Douglas fir	D
4215	Veneers, fancy face or figured	D
4216	Veneers, utility or commercial	D
4221	Veneer packages for fruits and vegetables	C
4222	Lath wood	D
4225	Shingles	D
4226	Doors, wood	D
4228	Trim and moldings	D
4230	Venetian blind wood slats	D
4231	Venetian blinds, wood	D
4232	Sash and blinds, n. e. s., wood	D
4239	Other millwork and house fixtures	D

GROUP 4—WOOD—Continued

Schedule "B" No.	Commodity	Shipping rating
4242	Wood chairs	D
4244	Wood office furniture and store fixtures	D
4247	Wood furniture, other, chief value of wood	D
4248	Wood furniture, other, chief value of upholstery	D
4260	Boat oars and paddles	C
4285	Plow and similar bent handles	B
4286	Hoe, fork, shovel, and other long handles	B
4288	Striking tool handles	B
4291	Pencil slats eastern red cedar	D
4292	Pencil slats incense cedar	D
4298	Woodenware	D
4299	Other wood manufactures	C

GROUP 5—NONMETALLIC MINERALS

Schedule "B" No.	Commodity	Shipping rating
	PETROLEUM PRODUCTS	
5011.98	Other crude oil, not conforming to specifications in 5011.03 and 5011.07	B
5017.07	Other motor fuel and gasoline from which by commercial distillation there can be separated more than 3 percent of a total fraction having an A. S. T. M. end point of 300° F. which will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. knock-test method of 80 or more	B
5017.98	Other motor fuels and gasoline not conforming to specifications in 5016.05, 5016.98, and 5017.07	B
5033	Lubricating oil, red and pale	B
5034	Lubricating oil, black	B
5035.1	Cylinder lubricating oil, bright stocks	B
5035.2	Cylinder lubricating oil, steam refined stocks	B
5038	Insulating or transformer oils	B
5039	Light lubricating oils in small packages	B
5040.98	Lubricating oils, n. e. s.	B
5041	Lubricating greases	B
5059	Petroleum products, n. e. s.	B
	GLASS AND GLASS PRODUCTS	
5212	Plate glass	C
5215	Cylinder crown and sheet glass	C
5217.9	Laminated glass and manufactures other than bulletproof glass	D
5218	Rolled glass	D
5220	Rolled, cylinder, crown, and sheet glass, obscured by coloring prior to solidification, not less than ¼ inch in thickness	D
5230.98	Glass, other	D
5232	Glass containers, unfilled, pharmaceutical and proprietary ware, including prescription bottles, ampoules, and vials	B
5234	Beverage bottles, including soda, beer, and alcoholic-beverage bottles	D
5236	Other unfilled glass containers	D
5237.1	Machine-made tumblers, drinking glasses and stemware, plain, cut, engraved, or otherwise decorated	D
5237.2	Hand-made tumblers, drinking glasses and stemware, plain, cut, engraved, or otherwise decorated	D
5239.1	Machine-made table glassware, n. e. s., plain, cut, engraved, or otherwise decorated	D
5239.2	Hand-made table glassware, n. e. s., plain, cut, engraved, or otherwise decorated	D
5255	Lamp chimneys and lantern globes	C
5261	Globes and shades for lighting fixtures	B
5291	Chemical glassware	B
5292	Electric insulators of glass	D
5299	Glassware, other	D
	CLAY AND CLAY PRODUCTS	
5303	Fire clay	B
5309	Other clays (include fuller's earth)	C
5320	Pottery, table and kitchen articles and utensils	D
5332	Pottery, closet bowls and water-closet sets	C
5333	Pottery, lavatories, sinks, etc.	C
5334	All other pottery sanitary fixtures and fittings, and parts, n. e. s.	C
5335	Electrical porcelain for less than 6600 volts	B
5336	Electrical porcelain for 6600 volts and over	B
5338	Pottery, other	D
5363	Silica brick, standard 9-inch series	B
5364	Silica brick, other shapes	B

GROUP 5—NONMETALLIC MINERALS—Con.

Schedule "B" No.	Commodity	Shipping rating
	CLAY AND CLAY PRODUCTS—con.	
5366	Fire-clay brick, standard 9-inch series	B
5367	Fire-clay brick, all other shapes	B
5368	Fire brick, other	B
5369	All other brick	D
5370	Earthen floor and wall tiles	D
5375.98	High temperature or refractory cement, other	D
5379.05	Clay roofing tile, structural clay and hollow tiles, sewer pipes, and conduits	D
5379.98	Terra cotta and ceramic manufactures, other	D
	OTHER NONMETALLIC MINERALS	
5406	Grindstones (include pulpstones)	D
5470	Natural asphalt and bitumen, unmanufactured	D
5471	Natural asphalt and bitumen, manufactures, n. e. s.	D
5483	Gypsum, crude, crushed or ground	D
5484	Gypsum, calcined	C
5485	Gypsum plaster board and wall board	C
5487	Other gypsum and manufactures of	D
5714	Sulphur, crude	B
5715	Sulphur, crushed, ground, refined, sublimed, and flowers	B
5724	Salt	B
5880	Charcoal (except animal charcoal or bone char, deodorizing decolorizing, and gas-absorbing carbons)	D
5960.98	Other nonmetallic mineral products except precious	D

GROUP 6—METALS & MANUFACTURES, EXCEPT MACHINERY AND VEHICLES

6958	Silver plated knives, forks, and steak sets	D
6959	Silver plated ware, other	D

GROUP 8—CHEMICALS AND RELATED PRODUCTS

	COAL TAR PRODUCTS	
8060	Vanillin	C
	MEDICINAL AND PHARMACEUTICAL PREPARATIONS	
8111–8180.98	If exportable under the $25 or $100 general licenses	B
	CHEMICAL SPECIALTIES	
8230	Baking powder	B
8234	Tobacco saucing or extract for flavoring tobacco	C
8295.5	Natural flavoring extracts	C
8295.9	Synthetic flavoring extracts	C
8299.5	Licorice extract and mass	C
	PIGMENTS, PAINTS AND VARNISHES	
8432	Kalsomine cold water paints, dry	D
	SOAP AND TOILET PREPARATIONS	
8710	Soaps, medicated	C
8712	Soap, toilet or fancy	C
8713	Soap, laundry	C
8716	Soap, powdered or flake	C
8718	Shaving creams	C
8719	Shaving cakes, powders and sticks	C
8724	Scouring bricks, pastes, powders, soaps, and household washing powders	C
8729	Other soap, n. e. s.	C
8734	Dental creams	C
8735	Other dentifrices	C
8740	Talcum powder in packages	D
8742	Face and compact powder	D
8750	Cold creams	D
8751	Vanishing creams	D
8752	Other creams, lotions and balms	D
8755	Rouges	D
8756	Lip stick	D
8757	Cosmetics, other, n. e. s.	D
8759	Manicuring preparations	D
8762	Depilatories and deodorants	D
8765	Hair preparations	D
8766	Perfumery and toilet waters	D
8770	Toilet preparations, other, n. e. s.	D

GROUP 9—MISCELLANEOUS

Schedule "B" No.	Commodity	Shipping rating
	PHOTOGRAPHIC AND PROJECTION GOODS	
9121.2	Motion-picture film, exposed, negative, features, 35 mm. (4,000 linear feet or over)	A
9121.3	Motion-picture films, exposed, negative, features, 16 mm. (1,600 linear feet or over)	A
9121.4	Motion-picture films, exposed, negative, short subjects, 35 mm. (less than 4,000 linear feet)	A
9121.6	Motion-picture films, exposed, negative, short subjects, 16 mm. (less than 1,600 linear feet)	A
9121.7	Motion-picture film, exposed, negative, newsreels	A
9121.8	Motion-picture film, exposed, negative, trailers, inserts and replacements	A
9121.9	Motion-picture film, exposed, negative, 8 mm	B
9122	Motion-picture film, exposed, negative, sound track	A
9123.2	Motion-picture film, exposed, positive, features, 35 mm. (4,000 linear feet or over)	A
9123.3	Motion-picture film, exposed, positive, features, 16 mm. (1,600 linear feet or over)	A
9123.4	Motion-picture film, exposed, positive, short subjects, 35 mm. (less than 4,000 linear feet)	A
9123.6	Motion-picture film, exposed, positive, short subject, 16 mm. (less than 1,600 linear feet)	A
9123.7	Motion-picture film, exposed, positive, newsreels	A
9123.8	Motion-picture film, exposed, positive, trailers, inserts and replacements	A
9123.9	Motion-picture film, exposed, positive, 8 mm	B
9124	Motion-picture film, exposed, positive, sound track	A
	OFFICE SUPPLIES, MISCELLANEOUS	
9301	Pencils, mechanical, of plastic material	D
9302	Pencils, mechanical, except plastic material	D
9304.1	Pencils, not mechanical, black lead	C
9304.2	Pencils, not mechanical, other	C
9305.3	Leads, pencil	C
9305.5	Pencil parts	C
9306	Crayons	C
9309	Fountain and stylographic pens of plastic material	C
9310	Fountain and stylographic pens, except plastic material	C
9312	Fountain and stylographic pen parts	C
9315	Metallic pen points	C
9319	Other penholders and parts	C
9321	Writing ink	C
9329	Other ink, n. e. s.	C
9391	Paste and mucilage	C
9395	Typewriter ribbons	B
	BOOKS, MAPS, PICTURES, AND OTHER PRINTED MATTER (NOT CLASSIFIABLE AS TECHNICAL DATA)	
9510	Bound educational textbooks	B
9512	Other bound books excluding textbooks	B
9514	Unbound books in sheets	B
9516	Catalogs and pamphlets	C
9522	Geographic maps and charts	B
9523	Music in books and sheets	B
9553	Newspapers, current	B
9555	Periodicals	B
9560	Calendars, printed or unprinted	D
9563	Lithographically printed matter	D
9565	Playing cards	C
9569.01	Plans and specifications for aircraft	A
9569.05	Plans and specifications for manufacturing of aviation gasoline	A
9569.06	Plans and specifications for manufacturing of aviation lubricating oil	A
9569.07	Plans and specifications for manufacturing of tetraethyl lead	A
9569.98	Other printed matter, n. e. s.	B
	CLOCKS AND WATCHES	
9580	Watches without jewels	C
9581	Watches with jewels	C
9589	Watch parts	C
	ART WORKS	
9610	Paintings, etchings, engravings and statuary	D

GROUP 9—MISCELLANEOUS—Continued

Schedule "B" No.	Commodity	Shipping rating
	JEWELRY	
9627	Men's jewelry of materials other than metal (synthetic resin, cellulose compounds, etc.)	D
9628	Women's jewelry of materials other than metal (synthetic resin, cellulose compounds, etc.)	D
9629	Other articles, except jewelry, of materials other than metal (synthetic resin, cellulose compounds, etc.)	D
	MISCELLANEOUS	
9693	Asphalt roofing	C
9699	Other composition roofing, n. e. s.	C
9791	Incandescent mantles	B
9792	Lanterns, wick	B
9793	Gasoline pressure lamps, lanterns, and parts	B
9794	Other lamps, except electric	C
9799	Other lighting devices, except glass and parts, n. e. s.	C
9800	Matches	C
9821	Sponges, natural or synthetic	D
9827	Combs, except wholly of metal or rubber	C
9828	Tobacco pipes of all materials	D
9829	Other smokers' articles	D
9831	Umbrellas and parasols	D
9846	Soda-fountain equipment and bar supplies	D
9849	Fishing tackle and equipment suitable only for commercial fishing	B
9853	Shoe findings (except leather and rubber)	C
9860	Trunks	D
9998.1	Food for relief or charity	B
9998.2	Clothing for relief or charity	B
9998.3	Blankets and bedding for relief or charity	B
9998.4	Drugs and biological supplies for relief or charity	B
9998.5	Surgical, sanitary and hospital supplies and equipment for relief or charity	B
9998.9	Other commodities for relief or charity	B
	Commodities exported pursuant to general licenses n. e. s. (including exportations under the $25 general license, etc.)	D

(b) If articles and materials under general license are to be exported under an export program or export project license (S. P.), the ratings in § 809.6 (a) shall not apply, but all articles and materials shipped under such S. P. license shall have the rating assigned to such S. P. license.

§ 809.7 *Rating assigned under certain outstanding licenses.* A shipping priority rating of "D" is hereby assigned to all outstanding individual licenses. In those cases where individual licenses have heretofore been granted without the assignment of a shipping priority rating.

§ 809.8 *Appeals for higher rating.* (a) In cases of unusual hardship, exporters may appeal for a higher rating for articles and materials under general license than those prescribed under § 809.6 (a), by filing an individual application for export license setting forth reasons why a higher rating should be allowed.

(b) When articles and materials are to be exported under individual license an exporter who desires a higher rating than that which has been assigned may appeal as provided in § 804.9 of this subchapter.

(c) When articles and materials are to be exported under an export program or export project license (S. P.) an exporter who desires a higher rating than

that which has been assigned, may apply in writing for a reconsideration, attaching to his request the original document upon which the rating has been affixed.

Dated: July 6, 1942.

GEORGE V. PARKHURST,
Acting Chief, Export Control Branch, Office of Exports, Board of Economic Warfare.

[F. R. Doc. 42-6509; Filed, July 8, 1942; 2:10 p. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation No. 14]

§ 944.25 *Priorities Regulation No. 14—*(a) *Applicability to Canada of provisions regarding military requirements.* Whenever any order or regulation heretofore or hereafter issued by the Director of Industry Operations of the War Production Board (or the Director of Priorities of the Office of Production Management) regulates in any manner the production, delivery, sale or use of any material and includes specific provisions with reference to transactions with or for the account of one of the United States Government agencies listed below, or transactions related thereto, the corresponding Canadian agency or agencies named below shall be deemed to be included in such reference, unless such order or regulation specifically excludes the Canadian agency or agencies:

U. S. Agencies	*Corresponding Canadian Agencies*
U. S. Army or War Department.	Canadian Army and Air Force.
U. S. Navy or Navy Department.	Canadian Navy.
U. S. Maritime Commission.	Wartime Merchant Shipping, Ltd. Trafalgar Shipbuilding Co., Ltd.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6511; Filed, July 8, 1942; 4:09 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Amendment 2 to Preference Rating Order P-46,[1] amended to March 26, 1942]

The following paragraph (m) is hereby added to Preference Rating Order P-46 amended to March 26, 1942 (§ 978.1).

(m) *Sales of materials from excess stocks.* Any producer may sell to any other producer materials from the seller's excess stocks or inventories, provided that a preference rating of A-5 or higher assigned by this order, or any preference rating certificate, order, or other direction issued by the Director of Industry Operations, is applied or extended to the producer selling such materials; and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6512; Filed, July 8, 1942; 4:09 p. m.]

[1] 7 F.R. 2348, 4699.

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Amendment 1 to Conservation Order M-81, as Amended June 27, 1942]

Section 1068.1 *Conservation Order M-81,*[1] is hereby amended as follows:

1. The date "February 11, 1942," wherever the same appears in paragraphs (d) (2), (d) (4), and (d) (5), is amended to read "July 1, 1942".

2. Paragraph (d) is further amended to include the following subparagraph:

(6) Nothing in this paragraph (d) shall be construed to permit (i) the use for the manufacture of cans of any component parts which were lithographed, cut, or otherwise prepared for assembly in violation of any applicable order of the Director of Industry Operations; (ii) the sale or delivery of any cans manufactured in violation of any applicable order of the Director of Industry Operations; or (iii) the use of any cans obtained by a canner in violation of any applicable order of the Director of Industry Operations.

3. Item 3 of miscellaneous foods in Table II is amended to read as follows:

Condensed milk, as defined by the Federal Security Administrator, FEDERAL REGISTER, July 2, 1940, § 18.525, page 2444 and § 18.530, page 2445, as amended, FEDERAL REGISTER, August 8, 1941, pages 3973 and 3974. 14-oz. or 15-oz. cans.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6538; Filed, July 9, 1942; 12:00 p. m.]

[1] 7 F.R. 4836.

PART 1171—ELEVATORS

[General Conservation Order L-89]

The fulfillment of the requirements of the War Program of the United States has created a shortage in the supply of certain materials, used in the production of elevators, for the War Program, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the War Program:

§ 1171.1 *General Conservation Order L-89—*(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction (except hydraulic elevators or elevators to be used aboard ship).

(3) "Operation" means the method of actuating the controller.

(4) "Control" means the system of regulation by which the starting, stopping, direction of motion, acceleration, speed, and retardation of an elevator are governed.

(5) "Rheostatic control" means a system in which control is accomplished primarily by varying resistance and/or reactance in the armature and/or field circuit of the hoisting motor.

(6) "Single speed alternating-current control" means a system of control for a single speed induction elevator motor which is arranged to run at one practically constant speed.

(7) "Manufacture" means the production or construction of an elevator, or the production of any parts, equipment or accessories to be attached to or incorporated in any elevator; or the assembly of any parts, equipment or accessories for the purpose of producing or constructing an elevator or any portion thereof; but does not include assembly or installation of the finished sections or portions of an elevator at the site of ultimate use of the elevator, or the production of parts, equipment or accessories by any person who is not engaged in the business of producing, constructing or installing elevators.

(8) "Restricted order" means any order (i) for an elevator equipped with other than single speed alternating current or direct current rheostatic control, or equipped with other than manually operated doors or gates; or (ii) for changing the method of operation or control of any elevator; or (iii) for parts, equipment or accessories (including hatchway or car doors, gates, cabs, car slings, and platforms) to be incorporated in or installed on any elevator.

(b) *Restrictions on acceptance of orders for and manufacture and delivery of elevators.* (1) No person shall hereafter accept any Restricted Order, or manufacture or deliver any elevator, parts, equipment or accessories in fulfillment of any Restricted Order, unless the Order is accompanied by an authorization by the Director of Industry Operations permitting the placing and acceptance of such Order, in accordance with the provisions of paragraph (c) (1) below.

(2) Regardless of the terms of any order, contract of sale or purchase, or other commitment, or of any preference rating certificate or blanket preference rating order, no person shall

(i) Commence the manufacture of, or deliver any elevator, parts, equipment or accessories in fulfillment of any Restricted Order heretofore received and now on the books but not yet in the process of manufacture, except pursuant to the authorization of the Director of Industry Operations provided for in paragraph (c) (1) below; or

(ii) Continue for more than thirty days from the date of this Order, the manufacture of any elevator, parts, equipment or accessories now in the process of manufacture in the fulfillment of any Restricted Order, except pursuant to the authorization of the Director of Industry Operations provided for in paragraph (c) (2) below.

(3) For the purposes of this paragraph (b) delivery of an elevator or of elevator equipment or accessories shall be deemed to take place when the elevator, equipment, or accessories, or any part or portion thereof, are placed in the hands of a common or contract carrier or other means of transportation for shipment to the purchaser.

(c) *Procedure for securing authorization for restricted orders.* (1) The authorization from the Director of Industry Operations required by the provisions of paragraph (b) with respect to future Restricted Orders and Restricted Orders now on the books but not yet in the process of manufacture, may be obtained only by the purchaser, who may make application therefor to War Production Board, General Industrial Equipment Branch, on Form PD-411 marked Ref. L-89. The Director of Industry Operations will grant the authorization only if he finds that the failure of the purchaser to receive the elevator, parts, equipment or accessories in question will result in serious detriment to the War Program.

(2) Applications for the authorization of the Director of Industry Operations required by the provisions of paragraph (b) with respect to Restricted Orders now in the process of manufacture, shall be made by the manufacturer as soon as possible after the issuance of this Order. The application shall be accompanied by a report on Form PD-562 showing the manufacturer's unfilled orders of all kinds (except for repair and maintenance) scheduled for delivery during the current and succeeding months, together with information showing the extent of completion of each such order. Such application will be granted by the Director of Industry Operations only if and to the extent that he finds that fabrication or assembly of materials for such order has been accomplished to a substantial degree, that such materials will have no substantial value for any other use, except scrap, and that fulfillment of the order will not be detrimental to the promotion of the War Program.

(d) *Restrictions of use of materials.* No non-ferrous metals, or stainless or alloy steel may be used in the construction of the car enclosure, hoistway doors, car or landing thresholds, face plates of operating or signal fixtures, or for other than functional parts of the lighting fixtures. No cork or cork products, or rubber tile (reclaimed or otherwise) may be installed on the platform, or as a wainscot in the elevator car.

(e) *90-day exemption of Army, Navy and Maritime Commission.* Until 90 days after the date of issuance of this order, the provisions of this order shall not apply to orders for any elevators or equipment or accessories by, and for the use of, the Army, Navy, Maritime Commission, or War Shipping Administration to the extent that any applicable specifications of the Army, Navy, Maritime Commission or War Shipping Administration require construction, design or materials not in accordance with the provisions of this order. As used in this paragraph, the terms "Army", "Navy", "Maritime Commission" and "War Shipping Administration" shall not include any privately operated plant or shipyard, financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(f) *Non-applicability to maintenance and repair.* The prohibitions and restrictions of paragraph (b) hereof shall not apply to the manufacture of repair or maintenance parts; or to deliveries (1) to fill any order of less than $500.00 for parts to be used for repair or maintenance of a single elevator, or (2) to fill any order for $500.00 or more for repair or maintenance parts for a single elevator when and only when there has been an actual breakdown or suspension of the operation of the elevator because of the necessity of repair or maintenance, and the essential repair or maintenance parts therefor are not otherwise available. As used in this paragraph "maintenance" shall mean the upkeep of an elevator or elevator structure in sound working condition; and "repair" shall mean the restoration, without change of design, of any portion of an elevator or elevator structure to sound working condition, when such portion has been rendered inoperative or unsafe or unfit for service by wear and tear, damage, destruction or failure of parts, or other similar causes.

(g) *Miscellaneous provisions—*(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

All persons affected by this order shall execute and file with the Division of Industry Operations, War Production Board, such reports and questionnaires as said Division shall from time to time request.

Each manufacturer shall file, not later than the 10th day of each month following the month of issuance of this order, a report on Form PD-562 showing his elevator and equipment deliveries (except for repair or maintenance) during the preceding month, and his unfilled orders (except orders for repair or maintenance) scheduled for delivery during the current and succeeding months.

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M Order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M Order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who wilfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director of Industry Operations setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Branch, Washington, D. C. Ref.: L-89. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6534; Filed, July 9, 1942; 11:48 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[General Order 1]

DELEGATION TO REGIONAL ADMINISTRATORS OF AUTHORITY TO SIGN AND ISSUE SUBPOENAS IN RATIONING INVESTIGATIONS

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as supplemented, and by paragraph 3 of Executive Order No. 9125, the following order is prescribed:

§ 1305.9 *Order delegating to Regional Administrators authority to sign and issue subpoenas in rationing investigations.* (a) In connection with any investigation related to the administration or enforcement of the rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to that authority, the several Regional Administrators of the Office of Price Administration are each authorized, within their respective Regions, to sign and issue subpoenas requiring any person to appear and testify, or to appear and produce books or records or any other documentary or physical evidence, or both.

(b) The authority conferred upon the several Regional Administrators by paragraph (a) of this General Order No. 1 (§ 1305.9) shall be exercised in conformity with the provisions of sub-paragraph (4) of paragraph (a) of section 2 of the Act of June 28, 1940 (54 Stat. 676), as amended by the Act of May 31, 1941 (Public, No. 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public, No. 507, 77th Cong.)

(c) This General Order No. 1 (§ 1305.9) shall take effect July 9, 1942. (Pub. Law 507, 77th Cong.; E.O. 9125; W.P.B. Directive No. 1; Pub. Law 421, 77th Cong.)

Issued this 8th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6517; Filed, July 8, 1942; 4:48 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 19 to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Sections 1315.402 (b) and (d) (2) (i), 1315.405 (g), 1315.501 (d) (2) (i), 1315.502 (c) (2) (i), 1315.503 (c) (2), 1315.801 (b), (c) (1) and (f) (4), 1315.802 (b) and (d) (5) and 1315.804 (a) (3) are amended to read as follows: the text of § 1315.601 is designated as paragraph (a) and a new paragraph (b) is added thereto; new paragraphs (ff), (gg) and (hh) are added to § 1315.151; a new paragraph (d) is added to § 1315.603; and a new subparagraph (1) is added to § 1315.608 (a); and a new subdivision (iii) is added to § 1315.402 (d) (5), as set forth below:

Definitions

§ 1315.151 *Definitions.* • • •

(ff) "New vehicle" means any unused or rebuilt vehicle, including passenger cars, trucks, tractors, trailers, farm implements, and off-the-road equipment which has not yet been transferred by the manufacturer, rebuilder, or dealer in such vehicles, to the person who will use such vehicle for its intended purpose.

(gg) "Original equipment" means tires or tubes to be mounted on, and which are essential to, the operation of an unused or rebuilt vehicle which has been transferred by the manufacturer, rebuilder, or dealer in such vehicles, to the person who will use such vehicle for its intended purpose.

(hh) "Implement tire" means a tire that has the word "implement" or the name of a type of farm equipment other than a tractor or combine molded into the sidewall of the tire by the manufacturer.

Tires and Tubes for Vehicles Eligible Under List A

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§ 1315.402 *Eligibility of List A vehicles for new tires and tubes, retreaded or recapped tires.* • • •

(b) The Board may issue a certificate authorizing the transfer of a new tire to an applicant who satisfies the requirements of paragraphs (c) and (d) of this section if, but only if:

(1) The applicant establishes that the tire for which application is made is to replace a tire which is not capable of being retreaded or recapped, or which cannot be retreaded or recapped for safe use at the speeds at which the applicant may reasonably be expected to operate, or which is to be mounted as original equipment.

• • • • • •

(d) (2) (i) Except when the applicant applies for a spare tire, or when the applicant applies for tires and tubes to be mounted as original equipment on an unused or rebuilt vehicle which he has purchased, or contracted to purchase for its intended use, certificates may be granted only for replacement purposes.

• • • • • •

(d) (5) (iii) This paragraph (d) (5) does not apply when the applicant can establish to the satisfaction of the Board that he has no tires to turn in because the tires which are to be replaced have been stolen or if the applicant is a governmental agency forbidden by law to make such disposition of Government property, or for any similar reason, or if the applicant purchases a spare for a vehicle which was acquired by him without a spare, or purchases tires as original equipment for a vehicle.

• • • • • •

§ 1315.405 *Eligibility classification; List A.* • • •

(g) Tractors, combines and other farm implements if they cannot be adapted to operate without tires and tubes.

(1) Certificates for the purchase of tractor or implement tires only, may be granted to equip tractors or combines. Applicants for other types of farm equipment may be granted certificates for the purchase of implement tires only.

(2) Certificates may be granted under this section either for replacement or for original equipment purposes. If the application is for tires and tubes to be mounted as original equipment, the applicant must submit the vendor's affidavit required by § 1315.601 (b).

(3) The Board shall indicate on Parts A and B of the certificate the type of tires, namely tractor or implement, for which the certificate is being issued.

(i) A dealer who receives a certificate so marked, may sell to the certificate holder only the type of tire called for on Part A of the certificate. The dealer shall write in on Parts C and D of the certificate under the item calling for the description of the tires delivered, the type of tire, whether implement or tractor, which he has sold. He may use the replenishment portion (Part B) of such certificate to replenish his stock either with tractor or implement type tires at his option.

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Retreaded and Recapped Tires and New Passenger Tires of an Obsolete Type For Vehicles Eligible Under List B

§ 1315.501 *Eligibility of List B passenger automobiles for retreaded or recapped tires.* • • •

(d) (2) (i) Except when the applicant applies for a spare tire, or when the applicant applies for retreaded or recapped tires and tubes to be mounted as original equipment on an unused or rebuilt vehicle which he has purchased or contracted to purchase for its intended use, certificates may be granted only for replacement purposes.

• • • • • •

§ 1315.502 *Eligibility of List B Trucks for retreaded or recapped tires.* • • •

(c) (2) (i) Except when the applicant applies for a spare tire, or when the applicant applies for retreaded or recapped tires and tubes to be mounted as original equipment on an unused or rebuilt vehicle which he has purchased or contracted to purchase for its intended use, certificates may be granted only for replacement purposes.

• • • • • •

§ 1315.503 *Eligibility of List A and List B passenger automobiles for new passenger tires of an obsolete type.* • • •

(c) (2) That the tire or tube for which application is made is to replace a tire or tube no longer serviceable at the speeds at which the applicant may reasonably be expected to operate, or that the tires and tubes for which application is made are to be mounted on an unused or rebuilt vehicle which the applicant has purchased or contracted to purchase for its intended use.

• • • • • •

Applications for Certificates

§ 1315.601 *List A applications for authority to purchase new tires and tubes and retreaded or recapped tires.* (a) • • •

(b) Any person who purchases or who contracts to purchase a vehicle to be used for its intended purpose and not for resale, from a manufacturer, rebuilder, or dealer in such vehicles, may apply to a Board for a certificate authorizing the transfer of tires and tubes to be mounted as original equipment on such vehicle prior to taking possession under his contract of purchase. The Board shall not issue a certificate for tires and tubes to be mounted as original equipment unless the applicant submits a satisfactory explanation in affidavit form from the vendor or rebuilder stating the reasons why the vehicle was not fully equipped with tires and tubes when transferred by him to the applicant.

(1) Among the reasons which may satisfactorily explain the lack of original equipment are the following: That the vehicle or equipment was shipped to him without tires or tubes by order of a governmental agency, or if shipped with tires or tubes that such tires and tubes were removed by order of a governmental agency; that the vendor ordered the vehicle or equipment from its manufacturer without tires and tubes; or that tires and tubes originally on the vehicle were stolen or destroyed without fault of the vendor.

• • • • • •

§ 1315.603 *List B applications for authority to purchase retreaded or recapped tires or retreading or recapping services.* • • •

(d) Any person who purchases or who contracts to purchase a vehicle to be used for its intended purpose and not for resale, from a manufacturer, rebuilder, or dealer in such vehicles, may apply to a Board for a certificate authorizing the transfer of retreaded or recapped tires and tubes to be mounted as original equipment on such vehicle prior to taking possession under his contract of purchase. The Board shall not issue a certificate for tires and tubes to be mounted as original equipment unless the applicant submits a satisfactory explanation in affidavit form from the vendor or rebuilder stating the reasons why the vehicle was not fully equipped with tires and tubes when transferred by him to the applicant.

(1) Among the reasons which may satisfactorily explain the lack of original equipment are the following: that the vehicle or equipment was shipped to him without tires or tubes by order of a governmental agency, or if shipped with tires or tubes that such tires and tubes were removed by order of a governmental agency; that the vendor ordered the vehicle or equipment from its manufacturer without tires and tubes; or that tires and tubes originally on the vehicle were stolen or destroyed without fault of the vendor.

• • • • • •

§ 1315.608 *Allotment by the Board upon applications for List A vehicles.* (a) • • •

(1) Certificates for new implement or tractor tires and tubes which are granted on the basis of an application for original equipment to be mounted on a tractor, combine, or other farm implement eligible under § 1315.405 (g), shall not be charged against the Board's monthly quota.

• • • • • •

Transfers and Deliveries of New Tires and Tubes, Retreaded or Recapped Tires and Camelback

§ 1315.801 *Permitted and prohibited transfers of new tires and tubes.* • • •

(b) *Restriction on transfers from stocks to vehicles.* (1) Except as provided in subparagraphs (2) and (3) of this paragraph (b), no person who on December 11, 1941, or at any time thereafter was a retailer, distributor, wholesaler, or manufacturer of new tires or tubes or who manufactured, rebuilt, or dealt in vehicles equipped with tires or tubes may mount any new tire or tube on any vehicle owned, operated, or controlled by him or may otherwise transfer such tire or tube, unless such person has been issued a certificate by a Board authorizing the transfer of such tire or tube for the vehicle upon which it is to be mounted, or unless he mounts such tire as an agent of a person who owned and physically possessed such tire or tube prior to December 11, 1941, or who has received the tire on certificate. The instructions set forth in §§ 1315.705 and 1315.706 in regard to the certificate should be followed.

(2) A manufacturer of new tires or tubes may mount new tires and tubes on a vehicle owned by him or otherwise subject to his control which is used exclusively for testing such tires and tubes and not in connection with any other use. The use of tires, tubes and camelback for testing purposes not expressly permitted by this subparagraph (2), may be authorized by the Office of Price Administration, Washington, D. C.

(3) Any manufacturer of vehicles may mount new tires and tubes on a new vehicle manufactured or assembled by him, as part of the equipment of such vehicle unless he has been prohibited from doing so by general or special instructions of the Director of Priorities or the Director of Industry Operations of the War Production Board.

(c) *Permitted transfers by certain persons.* (1) Except as provided in paragraph (b) of this section, any person who on December 11, 1941 was not a retailer, distributor, wholesaler or manufacturer of new tires or tubes or who did not manufacture, rebuild, or deal in vehicles equipped with tires or tubes may transfer any new tires or tubes which were owned and physically possessed by him prior to December 11, 1941 including the placing of such tires or tubes upon the wheel or rim of any vehicle owned or operated by him, provided no change in ownership, possession or control occurs.

• • • • • •

(f) *Other transfers.* • • •

(4) *Equipment for new vehicles.* Any person may deliver new tires and tubes as part of the equipment of a new vehicle, *Provided:* (i) That the sale of the new vehicle equipped with new tires and tubes is not prohibited by any order or regulation issued by the Office of Price Administration, the Director of Priorities or the Director of Industry Operations of the War Production Board; (ii) that the new vehicle is not equipped with spares, unless the sale of such vehicle so equipped has been authorized expressly by the War Production Board; and (iii) that the tires and tubes delivered are mounted on such vehicle at the time of its sale and were mounted prior to July 1, 1942, or if mounted after that date, that such mounting was not prohibited by the Director of Priorities or the Director of Industry Operations of the War Production Board.

§ 1315.802 *Permitted and prohibited deliveries of retreaded or recapped tires.* • • •

(b) *Restriction on transfer from stocks to vehicles.* (1) Except as provided in subparagraph (2) of this paragraph no person who on February 19, 1942, or at any time thereafter engaged in retreading or recapping tires for others, or was otherwise dealing in retreaded or recapped tires or who manufactured, rebuilt or dealt in vehicles equipped with tires may mount any retreaded or recapped tire on any vehicle owned, operated, or controlled by him unless such person has been issued a certificate by a Board authorizing the transfer of such tire or tube for the vehicle upon which it is to be mounted, or unless he mounts such tire as an agent of a person who owned and physically possessed such tire or tube prior to February 19, 1942, or who has received the tire or tube on certificate. The instructions set forth in §§ 1315.705 and 1315.706 in regard to the certificate for retreaded or recapped tires should be followed.

(2) Any manufacturer of vehicles may mount retreaded or recapped tires on a new vehicle manufactured or assembled by him, as part of the equipment of such vehicle unless he has been prohibited from doing so by general or special instructions of the Director of Priorities or the Director of Industry Operations of the War Production Board.

• • • • • •

(d) *Other deliveries.* • • •

(5) *Retreaded tires for new vehicles.* Any person may deliver retreaded or recapped tires as part of the equipment of a new vehicle: *Provided;* (i) That the sale of the new vehicle equipped with retreaded or recapped tires and tubes is not prohibited by any order or regulation issued by the Office of Price Administration, the Director of Priorities, or the Director of Industry Operations of the War Production Board; (ii) that the new vehicle is not equipped with spares unless the sale of such vehicle so equipped has been authorized expressly by the War Production Board; and (iii) that the tires and tubes delivered are mounted on such vehicle at the time of its sale and were mounted prior to July 1, 1942, or if mounted after that date, that such mounting was not prohibited by the Director of Priorities or the Director of Industry Operations of the War Production Board.

§ 1315.804 *Transfer of new tires or tubes, retreaded or recapped tires or camelback to certain Governmental Agencies, to manufacturers of new vehicles and for export.* (a) • • • •

(3) For export to and consumption in any foreign country, for government or private account, otherwise than as provided in subparagraph (2) of this paragraph, but only when the exporter has been issued an individual export license for the tires and tubes to be exported.

• • • • • •

[1] 7 F.R. 1027, 1089, 2106, 2107, 2541, 2683, *infra.*

§ 1315.1199a *Effective dates of amendments.* • • •

(s) Amendment No. 19 (§§ 1315.151, 1315.402, 1315.405, 1315.501, 1315.502, 1315.503, 1315.601, 1315.603, 1315.608, 1315.801, 1315.802, and 1315.804) to Revised Tire Rationing Regulations shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong., O.P.M. Supp. Order No. M–15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 562, 925).

Issued this 8th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6518; Filed, July 8, 1942; 4:49 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment No. 20 to Revised Tire Rationing Regulations [1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

"GRADE II" DEFINED

Paragraph (ee) of § 1315.151 is amended to read as follows:

§ 1315.151 *Definitions.* • • •

(ee) "Grade II", as applied to tires, means those tires which have a maximum price of less than 85% of the maximum price for tires established in paragraphs (a), (b), (f), and (n) of §§ 1315.110 and 1315.111 of Price Schedule No. 63 [2] as amended [3] or hereafter amended, issued by the Office of Price Administration.

• • • • •

§ 1315.1199a *Effective dates of amendments.* • • •

(t) Amendment No. 20 (§ 1315.151) to Revised Tire Rationing Regulations shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong., O.P.M. Supp. Order No. M–15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 562, 925)

Issued this 8th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6515; Filed, July 8, 1942; 4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation [4]—Amendment 13 to Supplementary Regulation 1 [5]]

SPIRITUOUS LIQUORS PRODUCED IN TERRITORIES OR POSSESSIONS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

[1] 7 F.R. 1027, 1069, 2106, 2107, 2541, 2633, 2945, 2948, 3235, 3237, 3551, 3830, 4176, 4336, 4493, 4543, 4544, 4617, *supra.*
[2] 7 F.R. 35, 206.
[3] 7 F.R. 1323, 1836, 2132, 3036, 3719.
[4] 7 F.R. 3153.
[5] 7 F.R. 3158.

§ 1499.26 is amended by adding a new subparagraph (29) to paragraph (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries and certain services.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

• • • • • •

(29) Rum, liqueurs, cordials, bitters, and other spirituous liquors produced in any Territory or possession of the United States: *Provided, however,* That this regulation shall apply to all sales of such commodities in the Territory or possession of origin. (On and after July 15, 1942, the exception provided in this paragraph shall not apply to the named commodities when sold by the importer thereof, unless the invoice issued in connection with the sale states clearly and legibly on its face that the commodity involved is not subject to Office of Price Administration price ceilings.)

(e) *Effective dates.* • • •

(14) Amendment No. 13 (§ 1499.26 (a) (29)) to Supplementary Regulation No. 1 shall become effective July 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6516; Filed, July 8, 1942; 4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order No. 22]

HAMPDEN NOVELTY MANUFACTURING CO., INC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.59 *Approval of maximum price for sale of picture frame by Hampden Novelty Manufacturing Co., Inc.* (a) The maximum price for the sale by Hampden Novelty Manufacturing Co., Inc., 686 Main Street, Holyoke, Massachusetts, of the picture frame manufactured by the Company of pressed wood flour, 11½'' long by 9½'' wide, shall be $0.325 per unit.

(b) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 22 (§ 1499.59) shall become effective July 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6514; Filed, July 8, 1942; 4:48 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991.

PART 1306—IRON AND STEEL

[Revised Price Schedule 100, as Amended]

CAST IRON SOIL PIPE AND FITTINGS

Correction

In the table appearing on page 5134 of the issue for Tuesday, July 7, 1942, the figure "8.00" opposite "¼ Bends 2'' Heel or Side Inlet" in the column for 8'' Standard should read "8.60".

PART 1393—ICE

[Correction to Maximum Price Regulation 154, as Amended [1]]

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

The phrase, "October 1, 1942" in § 1393.12 (a) (1) is corrected to read "October 1, 1941."

§ 1393.11 *Effective dates of amendment.* • • •

(b) Correction (§ 1393.12 (a) (1)) to Maximum Price Regulation No. 154 As Amended shall become effective July 10, 1942.

(Pub. Law 421 77th Cong.)

Issued this 9th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6536; Filed, July 9, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 10 to General Maximum Price Regulation [1]]

APPLICATIONS FOR ADJUSTMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.18 is amended to read as set forth below:

§ 1499.18 *Applications for Adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this General Maximum Price Regulation for any seller at retail in any case in which such seller shows:

(1) That such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Temporary Procedural Regulation No. 2.[2]

(b) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this General Maximum Price Regulation for any seller other than a seller at retail in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1.[3]

(c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this General Maximum Price Regulation may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this General Maximum Price Regulation to eliminate the danger of inflation.

This section shall apply to all maximum price regulations which have incorporated § 1499.18 in their provisions.

§ 1499.23a *Effective dates of amendments.* • • •

(j) Amendment No. 10 (§ 1499.18) to General Maximum Price Regulation shall become effective July 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6535; Filed, July 9, 1942; 11:55 a. m.]

[1] 7 F.R. 5139.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.
[3] 7 F.R. 3522, 3664.

PART 1389—APPAREL

[Maximum Price Regulation 178]

WOMEN'S FUR GARMENTS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of women's fur garments. Such action is required as the General Maximum Price Regulation [1] does not provide a satisfactory method for the pricing of women's fur garments based on deliveries made in March 1942. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by this Maximum Price Regulation No. 178.

In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 178 are and will be generally fair and equitable and will effectuate the purposes of the Act.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 178 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, Maximum Price Regulation No. 178 is hereby issued.

Sec.
1389.151 Prohibition against sales of women's fur garments above maximum prices.
1389.152 Maximum prices for sales of women's fur garments by wholesalers and retailers.
1389.153 Maximum prices for sales of women's fur garments by a manufacturer.
1389.154 The maximum prices for women's fur garments which cannot be priced under § 1389.152 or § 1389.153.
1389.155 Export sales.
1389.156 Federal and state taxes.
1389.157 Less than maximum prices.
1389.158 Applicability of the General Maximum Price Regulation.
1389.159 Invoices, sales slips and receipts.
1389.160 Records.
1389.161 Reports.
1389.162 Evasion.
1389.163 Enforcement.
1389.164 Petitions for amendment.
1389.165 Definitions.
1389.166 Effective date.
1389.167 Appendix A.

AUTHORITY: §§ 1389.151 to 1389.167, inclusive, issued pursuant to Pub. Law 421, 77th Congress.

§ 1389.151 *Prohibition against sales of women's fur garments above maximum prices.* On or after July 10, 1942, regardless of any contract, agreement, lease, or other obligation:

(a) No person shall sell or deliver any women's fur garments at higher prices than the maximum prices established by this Maximum Price Regulation No. 178.

(b) No person, in the course of trade or business, shall buy or receive any women's fur garments at higher prices than the maximum prices established herein.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1389.152 *Maximum prices for sales of women's fur garments by wholesalers and retailers.* (a) The maximum prices for the sale of any women's fur garment by wholesalers or retailers, except as provided in paragraph (b) of this section, shall be the sum of:

(1) The cost of the garment to the seller, and

(2) The percentage markup received by the seller upon the sale of the same classification of garments of the same kind of skin:

(i) *On sales at wholesale,* during the months of June, July and August, 1941, inclusive;

(ii) *On sales at retail,* during the months of July to December, 1941, inclusive.

Provided, That in no event shall the maximum price be higher than the highest price charged by the seller for the same category of women's fur garment delivered during the periods mentioned in (i) or (ii) of this paragraph.

(b) The maximum price for the sale of any women's fur garment by a retailer to a wholesaler or to another retailer, and by a wholesaler to another wholesaler shall be the cost to the seller.

§ 1389.153 *Maximum prices for sales of women's fur garments by a manufacturer.* Except as provided in paragraph (b) of this section, the maximum price for the sale of any women's fur garment by a manufacturer shall be: *Provided,* That in no event shall it exceed the highest price charged by the seller for the same category of women's fur garment delivered during the months of June, July and August, 1941:

(a) *On sales to wholesalers and retailers.*

(1) The sum of:

(i) The direct cost of the garment to the manufacturer, and

(ii) The same percentage margin over direct cost received by the manufacturer upon the sale of the same classification of women's fur garments of the same kind of skin, which were delivered in June, July and August, 1941.

(2) Upon the sale of a woman's fur coat, where a muslin pattern is required and is made especially for the purchaser and at his request, a manufacturer may add an amount not exceeding $15 to the maximum price established pursuant to paragraph (a) of this section.

(b) Any manufacturer who has established, pursuant to § 1499.2 (a) of the General Maximum Price Regulation,[3] a maximum price for a category of women's fur garment by a delivery of the same or similar garment in March 1942, may sell, deliver or offer for sale, on or before September 1, 1942, those garments, which have been completely manufactured, or are in the process of manufacturing and have reached the sewing stage on July 10, 1942, at the price so established: *Provided,* That on or before July 20, 1942, he file with the Office of Price Administration in Washington, D. C., a duly verified affidavit setting forth for each category of garment:

(1) The name and address of the manufacturer;

(2) A description of the category of each women's fur garment;

(3) The name and address of the purchaser to whom the women's fur garment of the same category was delivered in March 1942;

[1] 7 F.R. 971, 3663.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.
[3] 7 F.R. 971, 3663.

(4) The ceiling price established under § 1499.2 of the General Maximum Price Regulation [3] by such delivery;

(5) The number of garments manufactured and in stock on July 10, 1942;

(6) The number of garments in the process of manufacture which have reached the sewing stage on July 10, 1942.

(c) *On sales at retail*, the maximum selling price established pursuant to paragraph (a) or (b) of this section may be increased by an amount not exceeding 20%: *Provided*, That a manufacturer who customarily sells more than 75% of his output at retail and maintains an establishment selling at retail shall charge no higher prices than those established in paragraph (a) or (b) of this section for his sales at retail.

§ 1389.154 *The maximum prices for women's fur garments which cannot be priced under § 1389.152 or § 1389.153.* The seller's maximum price for women's fur garments which cannot be priced under § 1389.152 or § 1389.153 shall be a maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 178. Such price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine his maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth:

(a) A description in detail of the commodity for which the maximum price is sought;

(b) A statement of the reasons why he cannot price this garment under § 1389.152 or § 1389.153; and

(c) Such other information as the Office of Price Administration may deem necessary.

If such authorization be given, it will be accompanied by instructions as to the method of determining the maximum price. Within ten days after such price has been determined, the seller shall report such price to the Office of Price Administration upon a form duly filled out and filed under oath or affirmation, which will be furnished him. The price so reported will be subject to adjustment by the Office of Price Administration.

§ 1389.155 *Export sales.* The maximum price at which a person may export women's fur garments shall be determined in accordance with the provisions of the Maximum Export Price Regulation [4] issued by the Office of Price Administration.

§ 1389.156 *Federal and state taxes.* Any tax upon, or incident to, the sale or delivery of any women's fur garment, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during the applicable base period.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the applicable base period the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 178.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 178.

(b) *As to a tax or increase in a tax which becomes effective after the appropriate base period.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1389.157 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 178 may be charged, demanded, paid or offered.

§ 1389.158 *Applicability of the General Maximum Price Regulation.* [5] (a) This Maximum Price Regulation No. 178 shall apply and the General Maximum Price Regulation [2] shall not apply, except as provided in paragraph (b) of this section, to sales of women's fur garments.

(b) The provisions of § 1499.4 (*Supplemental Regulations*), § 1499.5 (*Transfers of business or stock in trade*), § 1499.13 (*Maximum price of cost-of-living commodities; statement, marketing or posting*), § 1499.15 (*Registration*), § 1499.16 (*Licensing*), and § 1499.18 (*Applications for adjustment by retail sellers*), of the General Maximum Price Regulation [3] shall apply to all sales for which maximum prices are established by this Maximum Price Regulation No. 178 and to all persons making such sales. References in § 1499.18 of the General Maximum Price Regulation [3] to §§ 1499.2 and 1499.3 thereof, for the purposes of this Maximum Price Regulation No. 178 shall be deemed to refer to §§ 1389.152, 1389.153, and 1389.154.

(c) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation [3] are applicable to every person selling at wholesale or retail any women's fur garment covered by this Maximum Price Regulation No. 178.

§ 1389.159 *Invoices, sales slips and receipts.* (a) Every person selling at retail whose sales are subject to the maximum prices established by this Maximum Price Regulation No. 178 who has customarily given a purchaser sales slips or similar evidence of purchase shall continue to do so. Upon request from a purchaser any such seller, regardless of previous custom, shall give the purchaser a receipt showing: (1) the date, (2) the name and address of the seller, (3) the name or description of each women's fur garment sold, and (4) the price received for such garment.

(b) Every person other than a person selling at retail, whose sales are subject to the maximum prices established by this Maximum Price Regulation No. 178, shall, in connection with each such sale, deliver an invoice or other similar document showing: (1) the date, (2) the name and address of the seller and purchaser, (3) the style number of each of the different styles sold, (4) the quantity of each different style sold, (5) the price contracted for or charged by the seller for each different style of garment sold, and (6) all discounts, allowances and other price differentials.

§ 1389.160 *Records.* In addition to the records required to be kept by § 1499.11 of the General Maximum Price Regulation [3], every person selling women's fur garments in the course of trade or business, on and after July 10, 1942, shall keep for inspection by the Office of Price Administration the following:

(a) *As to manufacturers.* (1) A record of each sale of women's fur garments, showing the category, the sales price, the name and address of the purchaser, the basis of establishing the maximum price, including the direct cost to the manufacturer, and the markup.

(2) All records which will show the maximum prices charged for each category of women's fur garment sold in June, July and August, 1941, and the average percentage markup over cost of each classification of women's fur garment of each kind of skin, which was sold in the months of June, July, and August, 1941.

(3) A separate record of all sales made at retail, showing the information required in subparagraph (1) of this paragraph.

(4) A separate record of all special sizes, including a full description of the garment.

(b) *As to wholesalers.* (1) A record of each sale of women's fur garment, showing the category and the sales price.

(2) A record of the cost to the seller of each women's fur garment and the percentage markup.

(3) All records showing the maximum price charged for each category of women's fur garment during the months of June, July and August, 1941, inclusive, and the percentage markup received by the seller for each classification of garment for each type of skin.

(c) *As to retailers.* (1) A record of the cost to the seller of each woman's fur garment and the percentage markup.

(2) All records showing the maximum price charged for each category of woman's fur garment during the months of July to December, 1941, inclusive, and the percentage markup received by the seller for each classification of garment for each type of skin.

§ 1389.161 *Reports.* (a) On or before August 15, 1942, every manufacturer of women's fur garments shall submit to the Office of Price Administration at Washington, D. C., in the detail required by the form to be furnished by the Office of Price Administration a statement showing:

(1) the maximum price received for the sale of each category of women's fur garments during the months of June, July and August, 1941;

(2) the percentage margin over cost received for each classification of garment of each kind of skin sold during June, July and August, 1941.

(b) There shall also be submitted to the Office of Price Administration such other reports as it may from time to time require.

§ 1389.162 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 178 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any women's fur garment, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) Specifically, but not by way of limitation, it is forbidden for any seller to, for the purpose of evading the price limitations set forth in this Maximum Price Regulation No. 178, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling, or otherwise affiliated with the seller.

§ 1389.163 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 178 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 178 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1389.164 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 178 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 [7] issued by the Office of Price Administration.

§ 1389.165 *Definitions.* (a) When used in this Maximum Price Regulation No. 178 the term:

(1) "Women's fur garments" shall include all women's and misses' fur jackets, strollers, coats, capes, wraps, muffs, scarfs, and stolls;

(2) The separate classifications of women's fur garments shall be as follows:

(i) Jackets and capes up to 26 inches in length;

(ii) Strollers, capes and wraps from 32 inches in length up to, but not including, 36 inches in length;

(iii) Coats, capes and wraps 36 inches in length or longer;

(iv) Muffs;

(v) Scarfs;

(vi) Stolls;

(3) "Category of women's fur garment" means each different type within each classification of women's fur garment, as defined in (2) above, for which price differentials have customarily been established. Such separate categories shall include, but not by way of limitation, the following:

(i) "Kind of skin," which means the animal from which the pelt was taken; e. g., rabbit, muskrat, mink, beaver, red fox, silver fox, etc.;

(ii) Geographical differences in origin of fur; e. g., southern muskrats, Michigan muskrats, etc.;

(iii) Size ranges, as enumerated in Appendix A, § 1389.167;

(iv) Dyes or blends; e. g., in rabbits, sealine, beaverette, lapin, striped coneys, etc. In muskrats, Hudson seal dyed, mink blend, sable blend, etc.;

(v) Parts of skin used; e. g., bellies, backs, paws, tails, pieces, etc.;

(vi) Methods of manufacturing; e. g., "let out," skin to skin, plates, etc.

(4) "Retailer" means a person who sells at retail except a manufacturer who sells at retail;

(5) A "sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer;

(6) "Wholesaler" means a person who sells at wholesale;

(7) A "sale at wholesale" means a sale by a person who receives delivery of a women's fur garment and resells it, without substantially changing its form, to any person other than the ultimate consumer;

(8) "Cost to the seller" means the price paid by the seller for the woman's fur garment, but which shall in no event be higher than the maximum price permitted to be charged by this Maximum Price Regulation No. 178 or any other price regulation which may hereafter be issued;

(9) "Percentage markup" shall be determined by the following procedure:

(i) From the total of all the selling prices at which each separate purchase of each classification of garment of each kind of skin was first offered for sale during the applicable base period, there shall be subtracted:

(ii) The total of the cost to the seller of those garments, and

(iii) The remainder thus obtained shall be divided by the total of the selling prices as determined in (i) of this paragraph;

(10) "Manufacturer" shall include any person who fabricates a woman's fur garment from skins owned by him;

(11) "Applicable base period" shall mean, as to manufacturers and wholesalers, June, July and August, 1941, inclusive, and as to retailers, July to December, 1941, inclusive;

(12) "Direct cost of garment to manufacture" shall mean the sum of (i) the actual cost of the skins and the trimmings, but which shall in no event exceed the maximum price permitted to be charged by the seller under the General Maximum Price Regulation [3] or any other applicable price regulation, and (ii) direct labor cost, which shall be computed on the basis of wage rates paid in the month of March 1942, or if wages were not paid, then the prevailing wage rates in the industry at that time, plus any increase subsequent thereto pursuant to a collective bargaining contract or other wage agreement, which contract was entered into on or before April 27, 1942, and provides for an unconditional increase in wage rates of a fixed amount or percentage;

(13) "Same percentage margin over cost" is determined by subtracting the total direct cost of all the garments of the same classification and type of skin from the total of their selling prices and dividing the resultant figure by the total of the direct cost;

(14) "Special sizes" shall include all sizes over 44 and all garments specially manufactured on individual orders at measurements which differ from the normal sizes and require additional materials.

(b) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation [3] and the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1389.166 *Effective date.* This Maximum Price Regulation No. 178 (§§1389.151

[3] *Supra*, note 1.
[4] 7 F.R. 5059.
[5] *Supra*, note 1.
[6] *Supra*, note 1.
[7] *Supra*, note 2.
[8] *Supra*, note 1.
[9] *Supra*, note 1.

to 1389.167, inclusive) shall become effective July 10, 1942.

§ 1389.167 *Appendix A.* The size ranges for women's fur garments are as follows:

(a) Jackets and Capes:

(1) Juniors' sizes 9 to 17, inclusive.
(2) Misses' sizes 10 to 20 and size 38, inclusive.
(3) Women's sizes 40 to 44, inclusive.
(4) Women's sizes—specials.

(b) Strollers, capes, and wraps:

(1) Juniors' sizes 9 to 17, inclusive.
(2) Misses' sizes 10 to 20 and size 38, inclusive.
(3) Women's sizes 40 to 44, inclusive.
(4) Women's sizes—specials.

(c) Coats, Capes, and Wraps:

(1) Juniors' sizes 9 to 17, inclusive.
(2) Misses' sizes 10 to 20 and size 38, inclusive.
(3) Women's sizes 40 to 44, inclusive.
(4) Women's sizes—specials.

Issued this 9th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6537; Filed, July 9, 1942; 11:56 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—ANCHORAGE REGULATIONS

REGULATIONS FOR CONTROL OF VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES

LOWER DETROIT RIVER, MICHIGAN

Pursuant to the authority contained in section 1, Title II of the Espionage Act, approved June 15, 1917, 40 Stat. 220 (U.S.C. title 50, sec. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the regulations relating to the control of vessels in the territorial waters of the United States (5 F.R. 2442), as amended, are hereby further amended as follows:

Section 6.1, which reaffirmed and continued in force all existing rules and regulations of any department, agency or instrumentality of the United States governing anchorage and movements of vessels in the territorial waters of the United States, is amended by changing Rule 2 of the regulations governing the navigation of the Lower Detroit River, Michigan, promulgated by the Secretary of War (Code of Federal Regulations, Title 33, § 207.540) to read as folows:

Rule 2. Downbound freight vessels of 100 gross tons or over or tugs regularly engaged in commercial towing shall pass through the Livingston Channel as far as the Detroit River Light. Deep laden vessels shall enter Lake Erie through the 1,200 foot channel passing east of the lighthouse, while light draft vessels and moderately laden vessels may enter Lake Erie through the old downbound channel west of the light.

All downbound craft of less than 100 gross tons, except tugs regularly engaged in commercial towing, and all passenger or excursion vessels regardless of size, shall pass through the Amherstburg Channel.

All upbound vessels shall enter the Detroit River via the Channel east of the Detroit River Lighthouse and pass through the Amherstburg Channel.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: July 3, 1942.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 42-6520; Filed, July 9, 1942; 10:09 a. m.]

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and Executive order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401), as amended, are hereby further amended as follows:

Section 7.5 (b) is amended by adding the following subparagraph:

§ 7.5 *General rules and regulations.*
* * *
(b) * * *

(15) Whenever the Captain of the Port finds that the movement of any vessel through or into any part of local waters, as defined in § 9.1 of this chapter (6 F.R. 5342), as amended, would endanger such vessel or any other vessel, or would be inimical to the maritime interests of the United States, or the national war effort, by reason of dangerous navigation conditions within those waters, or by reason of conditions on such a vessel, including but not limited to, fire hazards, unseaworthy condition of the hull, or unsafe machinery, the Captain of the Port may prevent such a vessel from proceeding through or into such waters until the unsatisfactory condition or conditions so found are corrected, and he may, in the case of a like finding, after any vessel has entered such waters, compel the anchoring, mooring, or removal of such vessel from such waters.

Section 7.10 (d), which reaffirmed and continued in force the rules and regulations governing the movement and anchorage of vessels and rafts in the St. Mary's River from Point Iroquois on Lake Superior to Point Detour on Lake Huron, except the waters of the St. Mary's Falls Canal (Code of Federal Regulations, Title 33, Parts 207 and 323), is amended by changing Rule 19 to read as follows:

§ 7.10 *Anchorage regulations for certain ports of the United States.* * * *
(d) * * *

Rule 19. When both the Middle Neebish Channel and the West Neebish Channel are available to traffic, vessels of 100 gross tons or over shall pass upbound through the Middle Neebish Channel and downbound through the West Neebish Channel. Vessels over the prescribed tonnage making regular local stops in either of those channels may run counter to the general traffic direction only on written permit issued by the Captain of the Port, for such terms and under such conditions of renewal or revocation as he may prescribe. A vessel thus running counter to general traffic shall keep off the channel range when an approaching vessel is on or entering that range.

West Neebish Channel shall be closed to all small craft of less than 100 gross tons, except that owned or operated by the United States of America or the Dominion of Canada and/or tugs regularly engaged in commercial towing. All such traffic, either upbound or downbound, shall use the Middle Neebish Channel under the provisions of the Rules and Regulations Relating to Anchorage and Navigation in the St. Mary's River, as hereby amended.

The following new section is inserted:

§ 7.10 (e) *Special regulations for navigating the channels in Lake St. Clair, Michigan.* Small craft of less than 100 gross tons, except tugs regularly engaged in commercial towing, shall not approach closer than 1000 feet to a cargo vessel of over 100 gross tons in the channels in Lake St. Clair between the southerly end of the dike at the St. Clair Flats Canal and Peach Island Light at the head of the Detroit River.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: July 3, 1942.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 42-6519; Filed, July 9, 1942; 10:09 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Ex Parte No. MC-35]

Subchapter B—Carriers by Motor Vehicle

PART 210—EXEMPTIONS

EXEMPTION OF CASUAL, OCCASIONAL OR RECIPROCAL TRANSPORTATION OF PASSENGERS BY MOTOR VEHICLE

AMENDING EFFECTIVE DATE OF ORDER

Upon consideration of the record in the above-entitled matter; and good cause appearing:

It is ordered, That the order entered in said matter on March 21, 1942, [§ 210.1[1] of the Code of Federal Regulations] as subsequently modified to become effective July 15, 1942, be, and it is hereby, further modified so as to become effective on September 1, 1942.

Dated at Washington, D. C., this 2nd day of July, A. D. 1942.

By the Commission, Commissioner Lee.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-6532; Filed, July 9, 1942; 11:32 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 6]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS AIR BASE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, secs. 315–315p), it is ordered as follows:

The public lands in the following-described areas are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an air base:

MOUNT DIABLO MERIDIAN

T. 21 N., R. 18 E., secs. 24, 25, 36;
T. 20 N., R. 19 E., secs. 4, 5, 6;
T. 21 N., R. 19 E., secs. 7 to 11, 14 to 23, 26 to 35, inclusive.

The areas described, including both public and non-public lands, aggregate 19,816.23 acres.

The order of the Secretary of the Interior of October 18, 1935, establishing Nevada Grazing District No. 2, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

JUNE 26, 1942.

[F. R. Doc. 42-6506; Filed, July 8, 1942; 10:32 a. m.]

[1] 7 F.R. 3531.

[Public Land Order 7]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN AIR BASE

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, sec. 315), it is ordered as follows:

The following-described public lands are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an air base:

NEW MEXICO PRINCIPAL MERIDIAN

T. 17 S., R. 8 E., secs. 1, 3, 10, 11, 12, 14, and 15,
containing 4,482.80 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing New Mexico Grazing District No. 4, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

JUNE 29, 1942.

[F. R. Doc. 42-6507; Filed, July 8, 1942; 10:32 a. m.]

[Public Land Order 8]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR NATIONAL DEFENSE PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with national defense purposes.

GILA AND SALT RIVER MERIDIAN

T 12 S., R. 8 E., sections 9 to 16, inclusive.

This order shall take precedence over, but shall not rescind or revoke, Executive Order No. 6910 of Noverber 26, 1934, as amended, withdrawing public lands in Arizona and other states for classification and other purposes, so far as it affects any of the lands described herein.

HAROLD R. ICKES,
Secretary of the Interior.

JUNE 30, 1942.

[F. R. Doc. 42-6508; Filed, July 8, 1942; 10:32 a. m.]

Bituminous Coal Division.

[Docket No. B-209]

HARRY NICKLOW

CEASE AND DESIST ORDER, ETC.

Order approving and adopting the proposed findings of fact, proposed conclusions of law of the Examiner, and cease and desist order.

This proceeding was instituted upon a complaint duly filed with the Bituminous Coal Division on February 10, 1942, by District Board No. 1. The complaint alleged that code member had wilfully violated the Bituminous Coal Code or the rules and regulations thereunder, and prayed that the Division either cancel and revoke the code membership, or, in its discretion, direct the code member to cease and desist from violation of the Code and rules and regulations thereunder.

A hearing was held on March 25, 1942, before Joseph A. Huston, a duly designated Examiner of the Division at the hearing room thereof at Altoona, Pennsylvania. All interested persons were afforded an opportunity to be present, adduce evidence, cross examine witnesses and otherwise be heard. District Board 1 appeared. Code member appeared without counsel.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusion of Law and Recommendation in this matter, dated May 28, 1942, in which he found that code member wilfully violated the provisions of section 4 II (e) of the Act by selling during the period of October 1, 1940, to April 1, 1941, 146 tons of mine run coal produced at the Nicklow Mine, Mine Index No. 1844, located in Somerset County, Pennsylvania, at a price of $1.75 per ton, whereas the effective minimum price for that particular coal was $2.10 per ton f. o. b. the mine. He recommended that an order be entered cancelling and revoking the code membership of said Harry Nicklow, and providing that prior to the reinstatement to membership in the Code, said Harry Nicklow shall pay to the United States a tax in the sum of $119.58 in accordance with the provisions of section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting

briefs to the said Examiner's Report and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusion of law of the Examiner should be approved and adopted as his findings of fact and conclusion of law. The undersigned feels, however, that the effectuation of the purposes of the Act will be accomplished in this matter by the entry of a cease and desist order, and hence does not adopt the recommendation of the Examiner that an order be entered revoking and cancelling the code membership of Harry Nicklow.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusion of law of the Examiner be, and the same hereby are approved and adopted as the findings of fact and conclusion of law of the undersigned.

It is further ordered, That the code member, Harry Nicklow, his representatives, agents, servants, employees, attorneys, heirs, administrators, successors or assigns, cease and desist and they are hereby permanently enjoined and restrained from selling or offering to sell coal below the effective minimum price therefor, or from otherwise violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, the Marketing Rules and Regulations, and all appropriate orders of the Division.

It is further ordered, That the Division may, upon failure of code member herein to comply with this order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit wherein the code member resides or carries on business for the enforcement hereof or take any other appropriate action.

Dated: July 8, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6526; Filed, July 9, 1942; 11:22 a. m.]

[Docket No. 1791-FD]

A. C. (CLYDE) ROUNSAVILL

CEASE AND DESIST ORDER, ETC.

Order approving and adopting proposed findings of fact, proposed conclusions of law and recommendation of the Examiner, and order to cease and desist.

This proceeding was instituted upon a complaint filed on July 25, 1941 by the Bituminous Coal Producers Board for District No. 13 with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937. The complaint alleges that A. C. (Clyde) Rounsavill, a code member in District No. 13, wilfully violated the Bituminous Coal Code and the rules and regulations thereunder, and prays that the Division either cancel and revoke the code membership of A. C. (Clyde) Rounsavill, or, in its discretion, direct him to cease and desist from violations of the Code and rules and regulations thereunder. After due notice to interested persons, a hearing in this matter was held on February 18, 1942, before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Chattanooga, Tennessee.[1] All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by complainant and by code member.

Examiner Dahlquist submitted, on June 4, 1942, his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation. The Examiner found that acceptance of the Bituminous Coal Code by A. C. (Clyde) Rounsavill, Jasper, Tennessee, was received by the Bituminous Coal Division on July 8, 1940. At that time code member was operating the Rounsavill Mine, Mine Index No. 895. This mine, which was assigned minimum prices for truck coal in Docket No. A-205 (November 25, 1940), was located on one side of Big Ridge, Marion County, Tennessee, on a strip of ground rented by code member.

The Examiner stated that this strip of ground was about 300 feet in width and extended a half mile through the hill to the other side of Big Ridge. Around March 1941 code member ran into a squeeze; and at the end of that month, or during the early part of April 1941, according to Examiner Dahlquist, code member began prospecting on the other side of the hill in order indirectly to get around, rather than drive directly through the squeeze pinching the original entry. The Examiner found that code member drove the second entry on the same 300 foot strip of ground and that, without pulling up the tracks at the first opening but no longer mining there, code member worked the new opening from about May 14, 1941, through August 1, 1941. The utmost depth to which code member drove the new mine was 35 feet; the coal so produced was soft and stained, described by Rounsavill as "outcrop coal."

The Examiner found that during the month of May 1941, as charged by complainant, Rounsavill sold about 174.06 tons of mine run coal produced at the second opening to H. A. Griffith, a registered distributor, Registration No. 3730. It was further found by the Examiner that code member did not report to the Division the termination or suspension of operations on the other side of Big Ridge, nor the commencement of operations at the new opening.

Code member asserted that the driving of the second entry did not constitute the opening of a new mine but was simply a continuation or part of his operation of Mine Index No. 895. In reply to this contention, Examiner Dahlquist referred to the fact that there was no evidence in the record to show that the coal which code member had been obtaining from the second opening was of the same quality and texture as that obtained from the original mine. The Examiner furthermore was of the opinion that the "distinct independence of the two mines" was confirmed by the establishment by the Division in October 1941 of separate price classifications and minimum prices for the second opening, which was designated Mine Index No. 1264.

Examiner Dahlquist pointed out that code member's position was not strengthened by his claim that the second opening was still part of the original mine. Run of mine coal produced at Mine Index No. 895 bore a minimum price of $2.35 per ton f. o. b. the mine, as provided in the Schedule of Effective Minimum Prices for District No. 13 for Truck Shipments. To this, as required by Price Instruction No. 7, was to be added to the actual cost of transportation in the event that the producer provided transportation of the coal to the consumer. The Examiner found that Rounsavill had sold the May output of the second mine to H. A. Griffith at a price of $2.10 per ton as delivered by code member to a purchaser from Griffith and that code member allowed Griffith a distributor's discount of 10 cents per ton. Code member thus had been selling coal far below the minimum price established for Mine Index No. 895 even if such price was applicable to coal produced at Mine Index No. 1264. The Examiner said "I am not persuaded that code member establishes his innocence of the charge of selling unpriced coal by asserting instead that he is guilty of selling coal below the established minimum."

The Examiner concluded that code member had violated the Order in General Docket No. 19 and Order No. 288 by selling, during May 1941, 174.06 tons of mine run coal produced at a mine for which price classifications and minimum prices had not yet been established, and by failing to report to the Division the change in operations at his Rounsavill Mine No. 1 that occurred in May 1941. The Examiner recommended that an order be entered requiring code member to cease and desist from further violations of the Code and rules and regulations thereunder.

An opportunity was offered to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner, and supporting briefs. No exceptions or supporting briefs have been filed.

The undersigned has determined that the proposed findings of fact and proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

[1] A petition to intervene, dated September 11, 1941, filed by the Truck Coal Mines Association of Chattanooga, Tennessee, was denied by the Division on October 6, 1941, since petitioner was not a proper party intervener.

It is further ordered, That A. C. (Clyde) Rounsavill, code member, his representatives, agents, servants, employees, attorneys, successors or assigns, and all other persons acting or claiming to act in his behalf, cease and desist and they are hereby enjoined and restrained from violations of the Bituminous Coal Act of 1937, the Bituminous Coal Code and rules and regulations made thereunder and, in particular, the Order in General Docket No. 19 and Order No. 288.

It is further ordered, That upon failure or neglect of code member to comply with this Order, the Division may forthwith apply to the Circuit Court of Appeals of the United States where said code member resides or carries on business for the enforcement thereof, or may take any other appropriate action.

Dated: July 8, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6527; Filed, July 9, 1942; 11:22 a. m.]

[Docket No. B-210]

MILLER, HENRY AND HENRY

CEASE AND DESIST ORDER, ETC.

Order approving and adopting the proposed findings of fact, proposed conclusions of law of the Examiner, and cease and desist order.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on February 10, 1942, by District Board No. 1. The complaint alleged that code member had wilfully violated the Bituminous Coal Code or the rules and regulations thereunder, and prayed that the Division either cancel and revoke the code membership, or, in its discretion, direct the code member to cease and desist from violation of the Code and rules and regulations thereunder.

A hearing was held in this matter on March 26, 1942 before Joseph A. Huston, a duly designated Examiner of the Division at the hearing room thereof at Altoona, Pennsylvania. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. District Board 1 appeared and code member appeared without counsel.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusion of Law and Recommendation in this matter, dated May 29, 1942, and found that code member violated Section 4 II (e) of the Act by selling during the period of November 28, 1940 to July 31, 1941, 648 tons of run of mine coal produced at the code member's mine, Mine Index No. 2618, located in Somerset County, Pennsylvania, in District No. 1, at a price of $1.75 per ton, whereas the effective minimum price for said coal was $2.25 per ton f. o. b. the mine. The Examiner recommended that an order be entered cancelling and revoking the code membership of Earl Miller, Clyde Henry and Harry Henry individually and as co-partners doing business under the name and style of Miller, Henry and Henry, and providing that prior to any reinstatement to membership in the Code of this code member there shall be paid to the United States a tax in the sum of $568.62 in accordance with the provision of section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting briefs to the said Examiner's Report and no such exceptions or supporting briefs have been filed.

The undersigned has considered the records in this matter and has determined that the proposed findings of fact and proposed conclusion of law of the Examiner should be approved and adopted as his findings of fact and conclusion of law. The undersigned feels, however, that the purposes of the Act will be served by the entry in this matter of a cease and desist order, and hence does not adopt the recommendation of the Examiner that an order be entered revoking and cancelling the code membership of the code members here involved.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusion of law of the Examiner be, and the same hereby are approved and adopted as the findings of fact and conclusion of law of the undersigned; and

It is further ordered, That Earl Miller, Clyde Henry and Harry Henry individually and as co-partners doing business under the name and style of Miller, Henry and Henry, code member, its representatives, agents, servants, employees, attorneys, heirs, administrators, successors or assigns, cease and desist and hereby are permanently enjoined and restrained from selling or offering to sell coal below the effective minimum price therefor, or from otherwise violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District No. 1 For Truck Shipments, the Marketing Rules and Regulations, and all appropriate orders of the Division.

It is further ordered, That the Division may, upon failure of the code members herein to comply with this order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit where they reside or carry on business for the enforcement hereof or take any other appropriate action.

Dated: July 8, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6528; Filed, July 9, 1942; 11:22 a. m.]

[Docket No. A-341]

WHEELING VALLEY COAL CORPORATION, ET AL.

MEMORANDUM OPINION AND ORDER REOPENING CAUSE

In the matter of the petition of Wheeling Valley Corporation, Cove Hill Coal Company, and the Buffalo Coal and Coke Company, code members in District No. 6, for a reduction in the effective minimum prices for ex-river shipments into market areas 11, 12 and 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by Wheeling Valley Coal Corporation, the Cove Hill Coal Company, and Buffalo Coal and Coke Company, code member producers in District 6, requesting reductions in the effective minimum prices for coals shipped ex-river into Market Areas 11, 12, and 13. District Boards 1, 2, 4 and 6 filed petitions of intervention. The Bituminous Coal Consumers' Counsel filed a notice of appearance.

Pursuant to Orders of the Director and after due notice to all interested persons, a hearing in this matter was held before Charles O. Fowler, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine winesses and otherwise be heard. The preparation and filing of a report by the Examiner was waived.

On September 29, 1941, the Director issued his Findings of Facts, Conclusions of Law and Opinion and an Order denying the prayers for relief contained in the petition.

On November 27, 1941, petitioners filed a petition with the Circuit Court of Appeals for the Fourth Circuit asking that the Director's Order of September 29, 1941 be reviewed and that upon review it be reversed.

Prior to the cause being argued upon the petition for review, petitioners filed a motion for leave to apply to the Division to reopen the cause and for other relief and stating that if the cause were reopened before the Division, the petitioners would take steps to dismiss their appeal. A memorandum in opposition to the unrestricted approval of this motion was filed by District Boards 2, 3, and 4. The restricted approval contended for by these district boards was opposed by the Division at the argument before the court on June 15, 1942. On June 16, 1942, the court issued an order granting the motion of petitioners without restriction and authorizing petitioners to apply to the Division to reopen the cause.

On June 24, 1942, petitioners filed a motion requesting that the cause be reopened and permission be granted petitioners to amend their petition of November 8, 1940 so as to include therein an additional and alternative request for relief.

Upon consideration of the motion, I find and conclude that the motion to reopen the cause and amend the petition of November 8, 1940, should be granted.

Now, therefore, it is ordered, That the motion to reopen the cause in Docket No. A-341 be, and it is hereby, granted and leave is granted petitioner to file an amended petition.

Dated: July 8, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6529; Filed, July 9, 1942; 11:22 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

Prevailing Minimum Wages in the Knitting, Knitwear, and Woven Underwear Industry

Notice of Opportunity to Show Cause

Whereas, the Secretary of Labor on February 3, 1942, pursuant to the provisions of section 1 (b) of the Act of June 30, 1936, (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), otherwise known as the Walsh-Healey Public Contracts Act, determined the prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to said Act in the Knitted and Men's Woven Underwear and Commercial Knitting Industry to be 40 cents per hour or $16.00 per week of 40 hours arrived at either upon a time or piece rate basis; and

Whereas, it appears desirable to extend the aforementioned determination to certain related products such as knitted outerwear, and to change the title of the determination to conform to the new definition; and

Whereas, it appears that substantially every article included in the Knitting, Knitwear, and Woven Underwear Industry, as defined herein, is covered by a wage order of the Administrator of the Wage and Hour Division for one of the following industries or divisions of industries:

1. Sportswear and Other Odd Outerwear Division of the Apparel Industry,
2. Cloaks, Suits, and Separate Skirts Division of the Apparel Industry,
3. Caps and Cloth Hats Division of the Apparel Industry,
4. Belts Division of the Apparel Industry,
5. Knitted Outerwear Industry,
6. Women's Apparel Industry,
7. Single Pants, Shirts, and Allied Garments Industry,
8. Woolen Industry,
9. Knitted and Men's Woven Underwear and Commercial Knitting Industry,
10. Miscellaneous Apparel Industry; and

Whereas, all of the aforementioned wage orders established 40 cents per hour as the minimum wage required to be paid to those employees in said industries who are subject to the Fair Labor Standards Act of 1938; and

Whereas, it appears that substantially all employees subject to the proposed wage determination for the Knitting, Knitwear, and Woven Underwear Industry are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, said wage orders have the effect of establishing a prevailing minimum wage of not less than 40 cents per hour in the Knitting, Knitwear, and Woven Underwear Industry as defined herein;

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause, on or before July 29, 1942, why the Secretary of Labor should not make a determination pursuant to the provisions of section 1 (b) of the Act of June 30, 1936, Pub. no. 846, 74th Congress (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act, that the prevailing minimum wage for persons employed in the Knitting, Knitwear, and Woven Underwear Industry is 40 cents per hour or $16.00 per week of 40 hours, provided that learners and handicapped workers may be employed in accordance with the applicable regulations under the Fair Labor Standards Act, this determination to be effective and the minimum wage thereby established to apply to all contracts awarded by agencies of the United States on and after the date specified therein, subject to the provisions of the aforementioned Act of June 30, 1936, contemplating any of the following:

(a) The manufacturing, dyeing, or other finishing of any knitted fabric made from any yarn or mixture of yarns, and the manufacturing of knitted towels and cloths;

(b) The knitting from yarn or manufacturing from purchased knitted fabric of all knitted garments, sections of garments, or garment accessories, except gloves, mittens, hosiery, and men's and boys' suits, overcoats, topcoats, tailored uniforms and men's summer wash suits;

(c) The manufacturing of underwear from any woven fabric.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Division of Public Contracts, Department of Labor, Washington, D. C., and should be filed with the Administrator not later than July 29, 1942. An original and four copies should be filed.

Dated: July 8, 1942.

WM. R. McCOMB,
Assistant Administrator.

[F. R. Doc. 42-6530; Filed, July 9, 1942; 11:25 a. m.]

Wage and Hour Division.

Learner Employment Certificates

Notice of Issuance

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the Federal Register as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 9, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

Name and Address of Firm, Industry, Product, Number of Learners and Expiration Date

Apparel

New York Handkerchief Mfg. Co., 1021 West Adams St., Chicago, Illinois; Handkerchiefs; 5 percent (T); January 9, 1943.

Wyckoff Button Hole Works, 182 Wyckoff Ave., Brooklyn, New York; Button holes; 4 learners (T); July 9, 1943.

Single Pants, Shirts and Allied Garments and Women's Apparel Industries

Crown Pants Co., 29 S. Washington St., Hammonton, New Jersey; Men's pants and slacks; 9 learners (T); July 9, 1943.

Jacob Miller's Sons Co., 16th & Reed Sts., Philadelphia, Pennsylvania; Men's dress shirts; 20 learners (T); January 9, 1943.

John W. Shaw Co., Inc., 329 North Main St., Decatur, Illinois; Ladies wash dresses, cotton suits; 10 percent (T); July 9, 1943.

Trouser Corporation of America, Meadow Ave. & Maple St., Scranton, Pennsylvania; Men's and boys' trousers; 85 learners (E); January 9, 1943.

David L. Wilder, Marshall at Market St., Norristown, Pennsylvania; Men's pants; 5 learners (T); July 7, 1943. (This certificate effective July 7, 1942.)

Hosiery

Belle Meade Hosiery Mills, Inc., 51st & Centennial Boulevard, Nashville, Tennessee; Seamless hosiery; 5 learners (T); July 9, 1943.

Harriman Hosiery Mills, Harriman, Tennessee; Seamless hosiery; 10 percent (T); July 9, 1943.

Knitted Wear

Burkey Underwear Co., Second & Pine Sts., Hamburg, Pennsylvania; Knitted underwear; 10 learners (T); July 9, 1943.

Textile

Parkersburg Silk Mills, Inc., Parkersburg, West Virginia; Silk and rayon; 3 percent (T); July 9, 1943.

Signed at New York, N. Y., this 7th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6524; Filed, July 9, 1942; 10:40 a. m.]

Learner Employment Certificates

Notice of Issuance

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to be employers listed below effective July 9, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

Name and Address of Firm, Product, Number of Learners, Learning Period, Learner Wage, Learner Occupations, Expiration Date

Thoma Paper Box Co., Inc., 650 Clinton St., Buffalo, New York; Set-up paper boxes; 10 percent; 6 weeks (240 hours) for any one learner; 30 cents per hour; Basic hand and machine box making operations, except cutting, scoring and slitting; January 6, 1943. (This certificate effective July 6, 1942.)

Wahpeton Pottery Co., 315 6th St., Wahpeton, North Dakota; Pottery; 2 learners; 8 weeks for any one learner; 25 cents per hour; Finishers, glazers, claymen; November 9, 1942. (This certificate effective July 6, 1942.)

Signed at New York, N. Y., this 7th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6523; Filed, July 9, 1942; 10:40 a. m.]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

Regulation of Consumer Credit

Adoption of Revised Statement of Borrower Form

Pursuant to Executive Order No. 8843 of August 9, 1941,[1] the Board of Governors of the Federal Reserve System issued its Consumer Credit Regulation, as amended, being Part 222, Chapter II, Title 12, Code of Federal Regulations.[2] In accordance with §§ 222.6 (d) and 222.7 (d) of such Part, as amended, the Board of Governors of the Federal Reserve System has prescribed a revised Statement of Borrower form (Form F.R. 564-a).[3] However, any Registrant may, at his option, continue to use the original Statement of Borrower form (Form F.R. 564)[4] until July 31, 1942, provided Question 2 thereof is deleted and the word "instalment" is deleted from Question 3.

Board of Governors of the Federal Reserve System.

[SEAL] S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-6521; Filed, July 9, 1942; 10:09 a. m.]

CIVIL SERVICE COMMISSION.

Condition of the Apportionment at Close of Business Tuesday, June 30, 1942

Important. The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears.

State	Number of positions to which entitled	Number of positions occupied: Permanent	War service after Mar. 15, 1942	Total
IN ARREARS				
1. Virgin Islands	19	0	0	0
2. Puerto Rico	1,428	57	1	58
3. Hawaii	324	23	0	25
4. Alaska	55	14	0	14
5. California	5,279	1,614	18	1,632
6. Michigan	4,017	1,633	3	1,636
7. Louisiana	1,807	738	1	739
8. Arizona	382	179	0	179
9. Texas	4,902	2,563	12	2,575
10. Kentucky	2,175	1,219	4	1,223
11. Georgia	2,387	1,373	5	1,378
12. Alabama	2,165	1,287	5	1,292
13. South Carolina	1,452	887	2	889
14. Ohio	5,279	3,246	23	3,269
15. Mississippi	1,660	1,083	3	1,086
16. Arkansas	1,490	1,009	1	1,010
17. Nevada	84	57	1	58
18. North Carolina	2,730	1,952	4	1,956
19. New Jersey	3,179	2,354	19	2,374
20. Indiana	2,620	1,969	6	1,975
21. Oregon	833	653	2	655
22. New Mexico	406	327	1	328
23. Tennessee	2,228	1,802	3	1,805
24. Illinois	6,035	4,881	15	4,896
25. Florida	1,450	1,211	6	1,217
26. Idaho	401	336	1	337
27. Washington	1,327	1,125	5	1,130
28. Connecticut	1,306	1,119	5	1,124
29. Wisconsin	2,398	2,056	11	2,067
30. Delaware	294	181	1	182
31. Vermont	275	264	3	267
32. Rhode Island	545	538	1	539
IN EXCESS				
33. Missouri	2,892	2,918	6	2,924
34. Utah	421	427	0	427
35. Pennsylvania	7,566	7,726	19	7,745
36. New Hampshire	376	394	1	395
37. West Virginia	1,454	1,528	4	1,532
38. Massachusetts	3,299	3,494	23	3,517
39. Maine	647	709	2	711
40. Oklahoma	1,796	2,145	4	2,149
41. Montana	428	536	3	539
42. Colorado	858	1,089	6	1,095
43. Iowa	1,940	2,479	4	2,483
44. Minnesota	2,134	2,737	17	2,754
45. Wyoming	192	252	0	252
46. New York	10,301	13,983	116	14,099
47. Kansas	1,376	2,031	4	2,035
48. North Dakota	491	738	1	739
49. Virginia	2,046	3,374	5	3,379
50. South Dakota	491	911	4	915
51. Nebraska	1,006	1,981	2	1,983
52. Maryland	1,392	3,708	10	3,718
53. District of Columbia	507	11,137	11	11,148
Gains				3,309
Losses				1,366
Total appointments				102,454

Note: Number of employees occupying apportioned positions who are excluded from the apportionment figures under Sec. 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 22,298.

This report supersedes previous report dated: June 30, 1942.[1]

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director and Chief Examiner.

[F. R. Doc. 42-6513; Filed, July 8, 1942; 4:42 p. m.]

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[1] 6 F.R. 4035.

[2] 6 F.R. 4443, 4838, 5507; 7 F.R. 1826, 3351, 5080. Part 222 corresponds to Regulation W, Board of Governors of the Federal Reserve System.

[3] Filed as part of the original document.

[4] 6 F.R. 6620.

[1] 7 F.R. 5095.

FEDERAL POWER COMMISSION.

[Docket No. DI–166]

GEORGIA POWER COMPANY

ORDER CHANGING PLACE AND DATE OF HEARING

JULY 7, 1942.

It appearing that: The Commission on June 23, 1942, at the request of Georgia Power Company, directed that the above entitled proceeding come on for hearing on August 3, 1942, at 9:45 a. m. in Room 238 in the Federal Building, Macon, Georgia;

The Commission, upon its own motion and for good cause shown *orders* that: The hearing in this proceeding be held beginning on September 14, 1942, at 9:45 a. m. (E. W. T.) in the Federal Building, Atlanta, Georgia.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42–6522; Filed, July 9, 1942; 10:09 a. m.]

INTERSTATE COMMERCE COMMISSION.

DOUBLE AND TRIPLE LOADING OF CARLOAD SHIPMENTS IN SINGLE CARS

NOTICE OF CONFERENCE

JULY 8, 1942.

Various parties have brought to the attention of the Commission the fact that no general tariff or tariffs specifying the services and charges therefor to govern the handling of two or more carload shipments in one car have been filed. Among those who have corresponded with the Commission on the matter are the Shippers' Conference of Greater New York, the Rubber Manufacturers Association, Inc., the Commerce and Industry Association of New York, Inc., the Merchants Association of New York, and St. Joseph Lead Company. The subject has been a matter of correspondence with officials of the Association of American Railroads, but the Commission has not been definitely advised of the arrangements that have been made for double and triple loading of equipment, and uncertainty exists as to the extent that such arrangements are available, the method of handling such cars, and the charges therefor. It appears that in some instances the charges assessed are not in accordance with the applicable tariffs, because the latter were designed for the handling of single cars, and it is not possible in all cases to observe the provisions of such tariffs when two or more shipments are loaded in the same car, particularly if different shippers and different consignees are involved. It has been suggested that a national tariff should be filed covering the entire situation.

In order to develop the situation and determine what, if anything, the Commission should do in the premises, a conference will be held between Division 2 and its staff and carriers and any interested shippers, at the office of the Commission, Washington, on Friday, July 17, 1942, at 10 A. M. The Commission will appreciate the courtesy of being given advance notice of intention to attend the conference.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42–6531; Filed, July 9, 1942; 11:32 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–326, 59–22]

NORTH AMERICAN GAS AND ELECTRIC CO., ET AL.

NOTICE OF AND ORDER TO RECONVENE HEARING AND TO CONSIDER AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of July, A. D. 1942.

In the Matter of North American Gas and Electric Company, Washington Gas and Electric Company, and Southern Utah Power Company, Applicants;

North American Gas and Electric Company, Washington Gas and Electric Company, Nathan A. Smyth and Leo Loeb, Trustees of the Estate of Washington Gas and Electric Company, Southern Utah Power Company, Dominion Electric Power, Limited, Oregon Gas and Electric Company, Columbia Electric Development Company, Dominion Electric Power Company, Colonial Ice Company, Loeb & Eames, Inc., Pleasant Hill Gas Company, Respondents.

North American Gas and Electric Company, Washington Gas and Electric Company and Southern Utah Power Company having filed an application and amendments thereto, pursuant to sections 7, 10 and 11 (e) of the Public Utility Holding Company Act of 1935, concerning a plan for simplification of the capital structure of the said Washington Gas and Electric Company and the acquisition of certain utility properties by the said Washington Gas and Electric Company, which plan provided for the surrender by North American Gas and Electric Company of the common stock owned by it in said Washington Gas and Electric Company; and

The Commission having thereupon instituted a proceeding against the North American Gas and Electric Company holding company system pursuant to sections 11 (b) (1) and 11 (b) (2) of the Act; and the above matters having been more particularly described in a Notice of and Order for Hearing entered on June 6, 1941 herein, which among other things consolidated these matters for purposes of hearing; and hearings on such matters having been held on July 7, 1941 and subsequent dates, and said hearings having been continued on August 21, 1941, subject to the call of the trial examiner; and

It appearing that on September 29, 1941 said Washington Gas and Electric Company filed a Petition for Reorganization under the provisions of Chapter I of the Bankruptcy Act in the District Court of the United States for the Southern District of New York pursuant to which Nathan A. Smyth and Leo Loeb were appointed Trustees of the Estate of the Debtor therein on October 10, 1941; and

North American Gas and Electric Company having filed on January 22, 1942 Amendment No. 15 to the aforesaid application wherein the said applicant proposes that the Commission:

1. Declare the common stock of Washington Gas and Electric Company to be worthless and without value whatsoever,

2. Order North American Gas and Electric Company to surrender said stock to the Trustees in Bankruptcy of Washington Gas and Electric Company without consideration therefor, and

3. Declare by order that North American Gas and Electric Company has ceased to be a holding company pursuant to the provisions of section 5 (d) of the Act.

The Commission having re-examined the corporate structure of North American Gas and Electric Company and its system, and having examined the exhibits A, B, C, D, E and F attached hereto, particularly in the light of the events above described which have occurred subsequent to the hearings held herein; and

It appearing to the Commission on the basis of said examination that there is evidence tending to show that:

1. North American Gas and Electric Company has lost through foreclosure or surrender its principal investments which were pledged as collateral for bank loans outstanding at the time of its reorganization in 1937 pursuant to section 77B of the Bankruptcy Act (2 S. E. C., 207).

2. The companies whose securities are presently listed as investments in subsidiaries or other companies by North American Gas and Electric Company are engaged in business as follows:

(a) Washington Gas and Electric Company, a registered holding company and public utility company is presently being reorganized under the provisions of Chapter X of the Bankruptcy Act in the District Court of the United States for the Southern District of New York;

(b) Southern Utah Power Company, a public utility company, is a direct subsidiary of Washington Gas and Electric Company, and indirectly a subsidiary of North American Gas and Electric through the ownership of the common stock of Washington Gas and Electric Company;

(c) Loeb & Eames, Inc., a wholly-owned subsidiary of North American Gas and Electric Company, is a firm engaged in furnishing consulting, engineering and management service;

(d) Colonial Ice Company is engaged in the ice, fuel and cold storage business, and its total capitalization consists of 15,000 shares of common stock outstanding of which North American Gas and Electric Company owns 28.33%;

(e) Long Bell Lumber Company is engaged in production and manufacture of lumber and wood products and has approximately 197,683 shares of common stock outstanding, of which North American Gas and Electric Company owns .5%.

3. North American Gas and Electric Company is shortly about to lose its investment in Washington Gas and Electric Company by reason of pending proceeding under Chapter I of the Federal Bankruptcy Act against Washington Gas and Electric Company.

4. Its remaining assets are such that the continued existence of North American Gas and Electric Company as a holding company appears to be unwarranted.

5. The above described plan of reorganization filed pursuant to sections 7, 10, and 11 (e) of the Public Utility Holding Company Act of 1935 appears to have been rendered moot by the events happening subsequent to the hearings previously held herein, particularly with respect to Washington Gas and Electric Company.

6. The capital structure and the financial condition of North American Gas and Electric Company is such that it is unable to render financial assistance to its subsidiaries and cannot otherwise perform any of the functions for which it was originally organized.

7. The protection of investors in the North American Gas and Electric Company holding company system requires that said company be ordered to liquidate and dissolve in order to comply with section 11 (b) of the Act, and that its assets or the proceeds from the sale or other disposition thereof be distributed to the holders of securities of North American Gas and Electric Company who may be found to be entitled to participate in such distribution, pursuant to the applicable provisions of the Act.

8. The holders of the common stock of North American Gas and Electric Company have no equity in the assets of such company either on an asset or earnings basis and it appears inequitable for the holders of the common stock to control the management and affairs of the company.

It therefore appearing appropriate to the Commission that the hearings herein should be reconvened for the purpose of considering the above described amendment filed by North American Gas and Electric Company and the allegations as set forth above and to consider what other action may be appropriate to be ordered by the Commission under section 11 (b) of the Act in view of the changes which have occurred within the holding company system subsequent to the hearings previously held;

It is ordered, That the hearings be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 A. M., E. W. T., on the 3d day of August 1942, at which time said North American Gas and Electric Company shall be given an opportunity to be heard as to the proposals set forth in Amendment No. 15;

It is further ordered, That at such hearing, without limiting the issues to be considered herein, particular attention will be given to the following matters:

1. Whether the application for a plan of reorganization pursuant to sections 7, 10 and 11 (e) of the Act should be dismissed on the ground that such plan is moot.

2. Whether, in the event that the Commission deems it appropriate to issue an order pursuant to section 5 (d) of the Act, such order should be subject to terms and conditions for protection of investors in the securities of North American Gas and Electric Company, and what terms and conditions would be appropriate under such circumstances.

3. Whether an order should be entered pursuant to section 11 (b) of the Act requiring the immediate liquidation and dissolution of said North American Gas and Electric Company.

4. Whether the book value of the assets of North American Gas and Electric Company as shown by the balance sheet of December 31, 1941 fairly reflect the liquidating values of such assets.

5. Whether the assets of North American Gas and Electric Company should be sold, exchanged or otherwise disposed of, and the proceeds therefrom distributed to the bondholders.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice; and

It is further ordered, That the Secretary of the Commission shall serve notice of reconvening the hearing aforesaid by mailing a copy of this order, by registered mail, to North American Gas and Electric Company, Nathan A. Smyth and Leo Loeb, Trustees of the Estate of Washington Gas and Electric Company, and all other respondents herein, not less than 15 days prior to the date hereinbefore fixed as the date of reconvening the hearing; and that notice of reconvening of said hearing is hereby given to all security holders of North American Gas and Electric Company by publication of this order in the FEDERAL REGISTER; and

It is further ordered, That North American Gas and Electric Company give notice hereof to each holder of record of income debentures and shares of common stock of North American Gas and Electric Company by mailing to each of said persons a copy of this notice at their last known place of address at least 10 days prior to the date of this hearing; and

It is further ordered, That any person proposing to intervene in these proceedings who has not heretofore done so shall file with the Secretary of the Commission on or before the 29th day of July, 1942, his application therefor as provided by Rule XVII of the Rules of Practice; and

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, the proceedings herein under sections 11 (b) (1) and 11 (b) (2) and the application for approval of said plan filed under sections 7, 10 and 11 (e).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

EXHIBIT A

NORTH AMERICAN GAS AND ELECTRIC COMPANY

[Balance Sheet—December 31, 1941. Company figures—subject to audit]

ASSETS

Investments—Stated on the basis of values approved by the Board of Directors upon reorganization effective April 30, 1937 or, if acquired subsequently, at dates of acquisition:		
Subsidiary Companies—		
Washington Gas and Electric Company—		
100,000 shares Common Stock (100% of outstanding shares)	$112,500.00	
Less—Reserve	112,500.00	
		$0
Southern Utah Power Company—		
$19,000.00—6% Debentures, due February 1, 1961	11,000.00	
Loeb & Eames, Inc.—		
750 shares Common Stock (100% of outstanding shares)	14,895.43	
6% Demand Note Receivable	7,000.00	
Open Account Receivable	15,200.00	
Other Companies—		
Colonial Ice Company—		
4,250 shares Common Stock	159,375.00	
Long Bell Lumber Company—		
Certificate of Beneficial Interest covering 1,000 shares Common Stock	(27,875.00	
		$235,345.43
Current Assets:		
Cash in Bank	11,286.64	
United States Savings Bonds (face amount $7,000.00) at Current Redemption Value	5,400.00	
Special Deposits and Investment Held for Payment of Debenture Interest, per contra—United States Savings Bonds (face amount $6,000.00) at—		
Current Redemption Value	$4,680.00	
Cash	9,309.27	
	13,989.27	
Accrued Interest Receivable from Subsidiary Company	475.00	31,150.91
		266,496.34

LIABILITIES

6% Cumulative Income Debentures, Due January 1, 1949:		
Issued	$427,561.51	
Issuable [a]	25,208.69	
		$452,740.20
Current Liabilities:		
Accounts Payable	34.94	
Interest Payable on Debentures (see current assets segregated for payment thereof, per contra)—		
Interest due January 2, 1942 at 2%	$9,054.80	
Interest due on Issuable Debentures	4,934.47	13,989.27
Accrued Taxes—		
General	358.01	
Federal Income—Subject to review by U. S. Treasury Department	2,109.98	
Miscellaneous	770.61	
		17,262.81
Cumulative Interest in Arrears on debentures		52,065.12
Capital Stock, Common:		
Authorized 100,000 shares, par value $0.80 per share:		
Issued 79,891 shares	$63,912.80	
Issuable 2,521 [a]	2,016.80	
		$65,929.60
Earned Surplus (Deficit) Since Date of Reorganization, April 30, 1937		(321,501.39)
		266,496.34

[a] Under the terms of the Plan of Reorganization these securities are issuable upon surrender of securities outstanding prior to reorganization, represented principally by Gold Debentures of predecessor, 6% Series due January 1, 1944.

EXHIBIT B

NORTH AMERICAN GAS AND ELECTRIC COMPANY

[Statement of Income and Earned Surplus (Deficit) For Twelve Months Ended December 31, 1941. Company figures—subject to audit]

Gross earnings:		
Interest on Southern Utah Power Co. Debentures		$1,140.00
Increment in redemption value of United States Savings Bonds		260.00
Interest on Loeb & Eames, Inc., Notes		420.00
Interest on Loeb & Eames, Inc., Open Account		1,138.50
Dividends on Colonial Ice Co. Common Stock		19,125.00
Dividends on Loeb & Eames, Inc., Common Stock		6,300.00
Total		28,383.50
General Expenses:		
Office Supplies and Expenses	$75.95	
Stationery and Printing	24.26	
Telephone and Telegraph	18.06	
Miscellaneous Expense	104.15	
Corporate Expense	570.00	
Directors' Fees	640.00	
Audit Fees	375.00	
Total	$1,807.44	
Taxes:		
State Franchise Taxes	$56.71	
Federal Capital Stock Tax	737.30	
Total	794.01	
Total Expenses		2,601.45
Gross Income		25,782.05
Income Deductions:		
Interest on Income Debentures		27,591.73
Net Income (loss)		(1,809.68)
Earned Surplus (Deficit)—December 31, 1940		(238,637.97)
Add (Deduct):		
Loss on Sale of Investments		(156.24)
Provision for reserve against investment in Common Stock of Washington Gas and Electric Company		(112,500.00)
Discount on reacquired debentures	$22,707.02	
Prior years' interest accrued on above debentures	4,100.94	26,807.96
Reversal of prior years' Federal income tax accrual		4,794.54
Earned Surplus—December 31, 1941		(321,501.39)

EXHIBIT C

LOEB & EAMES, INC.

[Balance Sheet—December 31, 1941]

ASSETS

Current Assets:		
Cash in bank and working funds	$41,815.28	
United States Savings Bonds (face amount $10,000) at current redemption value	7,900.00	
United States Treasury Notes—Tax Series A-1943 & B-1943 (at cost plus accrued interest thereon to December 31, 1941)	4,813.44	
Note Receivable	287.61	
Accounts Receivable	10,426.29	
Due from affiliated companies	196.67	
		$65,439.29
Investments (at Cost):		
Affiliated company—		
Washington Gas and Electric Company, 55 shares 7% Cumulative Preferred Stock	$283.51	
Other		
International Utilities Corporation		
14 shares $3.50 Prior Preferred Stock, Series 1931		
8 shares $1.75 Preferred Stock, Series 1931	4,900.00	
100 shares Class B Stock		
Subscription warrant for purchase of Class B Stock		
General Public Utilities, Inc., 941 shares Common Stock	6,322.74	
		11,506.25
Furniture and Fixtures	$8,755.12	
Less: Reserve for depreciation	7,155.12	
Balance (stated at nominal value)		1,600.00
Deferred Charges and Prepaid Accounts:		
Deferred charges	$412.18	
Prepaid Insurance	498.07	
		910.25
		79,455.79

LIABILITIES

Current Liabilities (Exclusive of Amounts payable to North American Gas and Electric Company, as below):		
Accounts payable	$674.01	
Accrued taxes—		
General	862.21	
Federal income and excess profits	11,891.48	
Miscellaneous	501.53	
		$13,929.23
Due to North American Gas and Electric Company, Parent Company:		
6% demand note payable	$7,000.00	
Open Account payable	15,200.00	
		22,200.00
Capital Stock:		
Common Stock—par value $10.00 per share—Authorized, issued and outstanding, 750 shares		7,500.00
Earned Surplus		35,826.56
		79,455.79

EXHIBIT D

LOEB & EAMES, INC.

[Statement of Income and Earned Surplus—For the Year Ended December 31, 1941]

Income:		
Supervision services (contract basis)	$75,206.90	
Investigation and report services	33,226.82	
Dividend income on—		
International Utilities Corporation $3.50 Prior Preferred Stock	49.00	
Special services (supervision of stock transfers, dividend payments, etc.)	2,559.21	
Increment in redemption value of United States Savings Bonds and accrued interest on United States Treasury Tax Notes	207.20	
		$111,251.13
Expenses and Taxes:		
Salaries—Executive and clerical	51,931.86	
General expenses	17,323.07	
	69,254.93	
Less salaries and general expenses reimbursed	510.22	
	68,744.71	
Provision for depreciation [a]	502.89	
Taxes—		
General	4,296.66	
Federal income and excess profits	12,075.47	
		85,619.73
Gross income		25,631.40
Interest on Note and Account Payable to Parent Company		1,558.50
Net income		24,072.90
Balance of Earned Surplus, December 31, 1940		21,986.55
		46,059.45
Deduct:		
Dividends on common stock	$6,300.00	
Organization expense written off	3,932.89	
		10,232.89
Balance of Earned Surplus, December 31, 1940		35,826.56

[a] The Company, in its accounts and financial statements, follows the practice of making charges against income, for depreciation, equal to the cost of current replacements and additions to furniture and fixtures. The amount charged to income in 1941, as shown above, is greater than the amount to be deducted for depreciation in the Federal income tax return, which latter amount is computed on the basis of historical book cost of furniture and fixtures.

Capital Stock:
Cumulative Preferred; No Par Value, Liquidating Value $100 Per Share; Authorized 20,000 Shares:
$7 Series Outstanding 745 Shares $74,500.00
Series "B"—Outstanding 6,676 Shares (28 shares deducted in treasury) 667,600.00 $742,100.00
Common, No Par Value—Authorized and outstanding 15,000 shares 300,000.00
$1,042,100.00

Surplus:
Capital Surplus arising from retirement of Preferred Stock 149,783.47
Earned Surplus 454,768.31
604,551.78

Total Liabilities 2,363,423.85

EXHIBIT F

COLONIAL ICE COMPANY

[Statement of Earnings and Earned Surplus—Year Ended December 31, 1941]

Revenues:		
Ice		$852,278.74
Fuel		307,744.41
Cold Storage		116,948.07
Rentals of Ice Plants		19,671.23
Non-Operating, Net		11,912.57
Total		1,307,555.02
Operating Expenses:		
Operations		869,124.18
Maintenance		68,305.97
Taxes (Other than Federal income taxes)		51,306.37
Total		988,736.52
Gross Income		318,818.50
Income Deductions:		
Interest		992.84
Provision for Retirements and Replacements		60,000.00
Federal income and excess profits taxes		57,590.00
Total		118,582.84
Net Income		200,235.66
Earned Surplus at December 31, 1940		367,801.65
		568,037.31
Deductions From Earned Surplus:		
Dividends on Preferred Stocks		45,769.00
Dividends on Common Stock		67,500.00
Total		113,269.00
Earned Surplus at December 31, 1941		454,768.31

[F. R. Doc. 42-6482; Filed, July 8, 1942; 10:41 a. m.]

EXHIBIT E

COLONIAL ICE COMPANY

[Balance Sheet—December 31, 1941]

ASSETS

Plant, Property and Equipment, Including Work in Progress (See Note)		$2,003,276.45
Current Assets:		
Cash		$73,452.75
United States Treasury Notes Tax Series A-1943 and B-1943, and Accrued Interest thereon		17,032.96
Notes Receivable (Pledged to Secure Notes Payable)	$12,406.31	
Other Notes Receivable	6,075.00	
Accounts Receivable	90,581.87	
Total	117,063.18	
Less: Reserve for Doubtful Accounts	12,111.60	
		104,951.58
Accrued Storage Charges Receivable		46,601.29
Accrued Interest Receivable		161.46
Inventories (Less Reserve of $1,926.67)		69,382.78
		311,582.76
Other Assets:		
Investment in Associated Ice Delivery Companies	14,141.00	
Real Property (Undivided one-half interest)	15,545.56	
Other Investments	425.87	
Special Deposits	290.00	
		30,342.43
Deferred Charges:		
Prepaid Accounts		18,222.21
Total Assets		2,363,423.85

NOTE: Plant, Property and Equipment are stated at purchase prices at the dates when the various properties were acquired, such purchase prices having been in part determined by the value placed by the Directors on no par value stocks issued in connection therewith, plus subsequent additions at cost, less earnings (or amounts equivalent thereto) of the property for the periods prior to dates of transfer of title per resolutions of the Board of Directors, less proceeds from sales of Plant, and less retirements and miscellaneous credits.

LIABILITIES

Current and Accrued Liabilities:	
Notes Payable, Banks (Unsecured)	$9,000.00
Notes Payable, Banks (Secured by Notes Receivable)	12,406.31
Contract Payable	4,948.48
Accounts Payable	41,979.65
Dividend Payable on January 1, 1942	1,303.75
Ice Coupons Outstanding	2,666.77
Accrued for Federal Income Taxes	37,974.32
Other Accrued Taxes	13,594.90
Other Accrued Liabilities	10,582.77
Total Current and Accrued Liabilities	$134,457.04
Contract Payable—Due After One Year	2,400.00
Unearned Cold Storage Revenue	20,499.85
Reserve for Retirements and Replacements	539,415.18

JUL 13 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 136

Washington, Saturday, July 11, 1942

The President

EXECUTIVE ORDER 9196

GOVERNMENT PURCHASES OF PRISON-MADE GOODS

Under and by virtue of the authority vested in me as President of the United States, and in order to remove any doubts which might otherwise exist and to insure the effective utilization of all existing productive facilities, it is hereby ordered that Executive Order No. 325A of May 18, 1905, be, and the same is hereby, suspended for the period of the war and for six months thereafter to the extent necessary to permit officers and agencies of the Federal Government charged with the purchase or procurement of articles necessary in the conduct of the war to procure, directly or indirectly, through any contractor or subcontractor or otherwise, articles of any kind produced in any Federal, State or territorial prison, provided such articles are not produced pursuant to any contract or other arrangement under which prison labor is hired out to, or employed or used by, any private person, firm or corporation.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 9, 1942.

[F. R. Doc. 42-6544; Filed, July 9, 1942; 3:54 p. m.]

EXECUTIVE ORDER 9197

TRANSFERRING CERTAIN LANDS FROM THE SECRETARY OF AGRICULTURE TO THE SECRETARY OF WAR FOR MILITARY PURPOSES

SOUTH DAKOTA

WHEREAS certain lands within the hereinafter-described area in the State of South Dakota have been acquired, or are in process of acquisition, under the authority of Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), in connection with the Bad Lands-Fall River Land Utilization Project of the Department of Agriculture; and

WHEREAS by Executive Order No. 7908 of June 9, 1938,[1] all the right, title, and interest of the United States in those lands acquired, or in the process of acquisition, under the authority of the aforesaid National Industrial Recovery Act and the Emergency Relief Appropriation Act of 1935 were transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the said Bankhead-Jones Farm Tenant Act, and the related provisions of Title IV thereof; and immediately upon the acquisition of legal title to those lands now in the process of acquisition the said order, under the terms thereof, will become applicable to all the additional right, title, and interest thereby acquired by the United States; and

WHEREAS it appears that the use of such lands by the Secretary of War for military purposes would best carry out the land-conservation and land-utilization program for which such lands were acquired, and would be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me by section 32 of Title III of the said Bankhead-Jones Farm Tenant Act, and upon recommendation of the Secretary of Agriculture, it is ordered that all lands within the following-described area acquired, or in process of acquisition, by the United States, together with the improvements thereon, be, and they are hereby, transferred to the Secretary of War for military purposes: *Provided, however* that the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete their acquisition:

FALL RIVER COUNTY, SOUTH DAKOTA

Beginning at the Northwest Corner of section 2, which is also the Northwest Corner

[1] 3 F.R. 1389.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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of Lot 4, section 2, T. 10 S., R. 1 E. Provo—Fall River County, South Dakota; thence East along the North line of sections 2 and 1, T. 10 S., R. 1 E. and continuing East along the North line of sections 6, 5, 4, 3, T. 10 S., R. 2 E. to the intersection of said line with the West right of way line of the C. B. & Q. R. R.; thence Southeasterly along the West right of way line of C. B. & Q. R. R. to the intersection of said line with the North-South Center line of section 11, T. 10 S., R. 2 E.; thence South along the North-South Center line of sections 11, 14, 23, to the center of section 26, T. 10 S., R. 2 E.; thence West along the East-West Center line of sections 26, 27, 28, and 29 to the West line of section 29, T. 10 S., R. 2 E.; thence South along the East line of sections 30, 31 to the Southeast Corner of section 31, T. 10 S., R. 2 E.; thence West to the Southwest Corner of section 35, T. 10 S., R. 1 E.; thence North along the West line of sections 35, 26, 23, 14, 11, and 2 to the point of beginning.

It is intended that the lands transferred by this order shall be returned to the Secretary of Agriculture, for use, administration, and disposition pursuant to Title III of the said Bankhead-Jones Farm Tenant Act, when they are no longer needed for military purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 9, 1942.

[F. R. Doc. 42–6545; Filed, July 9, 1942; 3:54 p. m.]

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3695]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE RENESOL CORPORATION, ET AL

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of "Renesol" or other similar medicinal preparation, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisement (1) represents, directly or through inference, that said preparation is not habit forming, or that it is safe or harmless; or (2) fails to reveal that the use of said preparation in excessive doses may result in serious injury to the physical and mental health of the user; prohibited, subject to provision, however, as respects said second prohibition, that such advertisement need contain only the statement, "Caution: Use Only As Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both, contain a warning to the above effect, and to further provision that such directions for use do not recommend dosage of said preparation in excess of that recommended in respondents' directions as revised during the trial of this case. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Renesol Corporation, et al., Docket 3695, July 6, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July, A. D. 1942.

In the Matter of The Renesol Corporation, a Corporation, and Maurice Goldberg and Charles Goldblatt, Individuals

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, certain agreed facts, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before examiners of the Commission theretofore duly designated by it, report of the trial examiners and exceptions thereto, and briefs in support of and in opposition to the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent The Renesol Corporation, its officers, agents, representatives and employees, and respondents Maurice Goldberg and Charles Goldblatt, individuals, their representatives, agents and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of the medicinal preparation designated "Renesol", or any other medicinal preparation which is substantially similar in composition or possesses substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, or disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in such commerce of the medicinal preparation designated "Renesol", which advertisement:

(1) Represents, directly or through inference, that said preparation is not habit forming, or that it is safe or harmless; or

(2) Fails to reveal that the use of said preparation in excessive doses may result in serious injury to the physical and mental health of the user: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use Only As Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both, contain a warning to the above effect: *And provided further*, That such directions for use do not recommend dosage of said preparation in excess of that recommended in respondents' directions as revised during the trial of this case.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–6558; Filed, July 10, 1942; 11:04 a. m.]

[Docket No. 4572]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MANHATTAN BREWING COMPANY

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, (1) using any brand or trade name containing the word "Wisconsin" to describe or refer to any beer which is not brewed in the State of Wisconsin; and (2) representing in any manner that beer which is not brewed in Wisconsin is brewed in such state; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Manhattan Brewing Company, Docket 4572, July 6, 1942]

§ 3.6 (l) *Advertising falsely or misleadingly—Indorsements and testimonials:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported:* § 3.18 *Claiming indorsements or testimonials falsely:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Domestic product as imported.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, (1) using any brand or trade name containing the word "Canadian" to describe or refer to any beer or ale which is not brewed in Canada; (2) representing in any manner that beer or ale which is not brewed in Canada is brewed in that country; (3) representing in any manner that beer or ale which is not imported beer or ale is imported beer or ale; and (4) using any pictorial representation which simulates in appearance the British Royal Coat of Arms; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Manhattan Brewing Company, Docket 4572, July 6, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent read into the record herein, in which answer respondent admits all of the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Manhattan Brewing Company, a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its beer and ale in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using any brand or trade name containing the word "Wisconsin" to describe or refer to any beer which is not brewed in the State of Wisconsin.

(2) Using any brand or trade name containing the word "Canadian" to describe or refer to any beer or ale which is not brewed in Canada.

(3) Representing in any manner that beer which is not brewed in Wisconsin is brewed in such state.

(4) Representing in any manner that beer or ale which is not brewed in Canada is brewed in that country.

(5) Representing in any manner that beer or ale which is not imported beer or ale is imported beer or ale.

(6) Using any pictorial representation which simulates in appearance the British Royal Coat of Arms.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–6557; Filed, July 10, 1942; 11:04 a. m.]

[Docket No. 4668]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CLIMAX CLEANER MANUFACTURING COMPANY

§ 3.6(t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.66 (h) *Misbranding or mislabeling—Qualities or properties:* § 3.66 (j 10) *Misbranding or mislabeling—Results.* In connection with offer, etc., in commerce, of respondent's "Climax Wall Paper Cleaner", or other similar product, (1) representing in any manner that respondent's product will not crumble when used for cleaning all types of wall paper; and (2) using the words "non-crumbling" or "crumble-less" or any other words or combination of words of similar import or meaning to designate or describe a wall paper cleaner which will crumble when used on certain types of wall paper; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Climax Cleaner Manufacturing Company, Docket 4668, July 7, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before James A. Purcell, a trial examiner of the Commission theretofore duly designated by it, which testimony consisted of a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record in lieu of testimony in support of the complaint and in opposition thereto, report of the trial examiner upon the evidence, and briefs in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, The Climax Cleaner Manufacturing Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of its product designated "Climax Wall Paper Cleaner," or any other product containing the same or similar ingredients, whether sold under the same name or any other name, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing in any manner that respondent's product will not crumble when used for cleaning all types of wall paper;

(2) Using the words "non-crumbling" or "crumble-less" or any other words or combination of words of similar import

or meaning to designate or describe a wall paper cleaner which will crumble when used on certain types of wall paper.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6559; Filed, July 10, 1942; 11:04 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50676]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

BURLINGTON (VT.) MUNICIPAL AIRPORT

DESIGNATION AS AIRPORT OF ENTRY WITHOUT TIME LIMIT[1]

JULY 6, 1942.

The Burlington Municipal Airport, Burlington, Vermont, is hereby designated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), effective June 29, 1942. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

[F. R. Doc. 42-6539; Filed, July 9, 1942; 2:05 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 622—MINIMUM WAGE RATE IN THE CIGAR INDUSTRY

In the matter of the recommendation of Industry Committee No. 37 for a minimum wage rate in the cigar industry.

Whereas, on November 21, 1941, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 131, appointed Industry Committee No 37 for the Cigar Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Cigar Industry in accordance with section 8 of the Act; and

Whereas, the Committee included five disinterested persons representing the public, a like number of persons representing employers in the Cigar Industry, and a like number of persons representing employees in the industry; and each group was appointed with due regard to geographical regions in which the Cigar Industry is carried on; and

Whereas, on December 12, 1941, the Committee, after investigating economic and competitive conditions in the Cigar Industry, filed with the Administrator a report containing its recommendations for a 40 cent minimum hourly wage rate in the cigar manufacturing branch of the Cigar Industry and a 35 cent an hour minimum wage rate in the leaf processing branch of the Cigar Industry; and

Whereas, after notice published in the FEDERAL REGISTER on December 27, 1941, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on January 13 and 14, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas, the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas, all persons appearing at said public hearing were given leave to submit written briefs on or before February 10, 1942; and

Whereas, oral argument was held on February 17, 1942, before Thomas W. Holland as the Administrator of the Wage and Hour Division, and oral reargument was held on April 1, 1942, before the present Administrator; and

Whereas, a transcript of the oral argument had before the former Administrator Holland on February 17, 1942, has been transmitted to the present Administrator; and

Whereas, the Administrator, upon reviewing all the evidence adduced in the proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the industry committee recommendation for the Cigar Industry, as defined by Administrative Order No. 131, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of the Act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 37 for a Minimum Wage Rate in the Cigar Industry" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York;

Now, therefore, it is ordered that:

§ 622.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 622.2 *Wage rate.* (a) Wages at a rate not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the cigar manufacturing branch of the Cigar Industry who is engaged in commerce or in the production of goods for commerce; and

(b) Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the leaf processing branch of the Cigar Industry who is engaged in commerce or in the production of goods for commerce.

§ 622.3 *Posting of notice.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the cigar manufacturing or leaf processing branches of the Cigar Industry shall post and keep posted in a conspicuous place in every department of such plant where such employees are working such notice of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 622.4 *Definition of Industry.* For the purpose of this order the Cigar Industry is defined as consisting of:

(a) The cigar manufacturing branch of the Cigar Industry; and

(b) The leaf processing branch of the Cigar Industry, which are defined as follows:

(1) "The cigar manufacturing branch of the Cigar Industry" means the manufacture of cigars, from *any* types of tobacco.

The term "cigar" wherever used in this definition comprehends all types of cigars, including cheroots, stogies, and little cigars.

The manufacture of cigars from *non-cigar* types of leaf tobacco and the scrap tobacco therefrom includes the preliminary processing of such tobacco which is performed in the manufacturing plant as an integral part of the manufacturing operations.

(2) "The leaf processing branch of the Cigar Industry" means the preparation or marketing (including wholesaling) of *cigar* types of leaf tobacco (as defined by the Bureau of Agricultural Economics of the United States Department of Agriculture) and the scrap tobacco therefrom for use in the manufacture of cigars and other tobacco products.

The term "preparation" as used herein includes all operations involved in making *cigar* leaf tobacco and scrap tobacco therefrom suitable for use in the manufacture of cigars, whether performed by employees of warehousemen, manufacturers, leaf dealers, or others. It includes, but not by way of limitation, the operations of grading, sorting, packing, sweating, fermenting, stemming, and conditioning. It does not include, however, such preliminary processing of *cigar* types of tobacco or scrap tobacco therefrom as is performed in a manufacturing plant as an integral part of the manufacturing operations attending the production of tobacco products other than cigars, nor does it include operations performed by a farmer or on a farm as an incident to or in conjunction with farming operations.

§ 622.5 *Scope of the definition.* The definition of the Cigar Industry covers all occupations in the industry which are necessary to the production of cigars or to the preparation or marketing of cigar types of tobacco and scrap tobacco therefrom, including clerical, maintenance, and selling occupations: *Provided, however,* That this definition does not include employees of an independent wholesaler or manufacturer who are engaged in marketing and distributing the manufactured products of the industry which have been purchased by said wholesaler or manufacturer for resale and who perform no functions other than those relating to marketing and distributing. Where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 622.6 *Effective date.* This Wage Order shall become effective August 10, 1942.

Signed at New York this 8th day of July, 1942. §§ 622.1 to 622.6, inclusive, issued under the authority contained in sec. 8, 52, Stat. 1064; 29 U.S.C., Sup. IV, sec. 208.

L. METCALFE WALLING, *Administrator.*

[F. R. Doc. 42-6556; Filed, July 10, 1942; 10:37 a. m.]

PART 623—MINIMUM WAGE RATE IN THE TOBACCO INDUSTRY

In the matter of the recommendation of Industry Committee No. 38 for a minimum wage rate in the tobacco industry.

Whereas, on December 3, 1941, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 132, appointed Industry Committee No. 38 for the Tobacco Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Tobacco Industry in accordance with section 8 of the Act; and

Whereas, the Committee included five disinterested persons representing the public, a like number of persons representing employers in the Tobacco Industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Tobacco Industry is carried on; and

Whereas on December 17, 1941, the Committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendations for 40-cent minimum hourly wage rates in the Tobacco Industry; and

Whereas after notice duly published in the FEDERAL REGISTER on December 27, 1941, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on January 19, 20 and 21, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas all persons who appeared at the hearing were given leave to file briefs on or before March 11, 1942, and to present oral argument before me on March 17, 1942; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the Committee's recommendations for the Tobacco Industry as defined by Administrative Order No. 132, are made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Industry Committee No. 38 for Minimum Wage Rates in the Tobacco Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46 Street, New York, New York.

Now, therefore, it is ordered, That:

§ 623.1 *Approval of recommendations of industry committee.* The Committee's recommendations are hereby approved.

§ 623.2 *Wage rates.* (a) Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Tobacco Industry who is engaged in commerce or in the production of goods for commerce.

§ 623.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Tobacco Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 623.4 *Definition of the tobacco industry.* For the purpose of this order the term "tobacco industry" means the manufacture of cigarettes, snuff, chewing tobacco, and smoking tobacco from *any* types of tobacco; and the preparation or marketing (including wholesaling) of *non-cigar* types of leaf tobacco (as defined by the Bureau of Agricultural Economics of the United States Department of Agriculture) and the scrap tobacco therefrom for use in the manufacture of tobacco products, including cigars.

(a) The term "cigar" wherever used in this definition comprehends all types of cigars including cheroots, stogies, and little cigars.

(b) the manufacture of cigarettes, snuff, chewing tobacco, and smoking tobacco from *cigar* types of leaf tobacco and scrap tobacco therefrom includes the preliminary processing of such tobacco which is performed at the manufacturing plant as an integral part of the manufacturing operation.

(c) The term "preparation" as used herein includes all operations involved in making *non-cigar* leaf tobacco and the scrap tobacco therefrom suitable for sale or for use in the manufacture of all types of tobacco products including cigars whether performed by employees of warehousemen, manufacturers, leaf dealers, or others. It does not include sales operations that are customarily performed on the sales floor of loose leaf tobacco auction warehouses or the direct loading of tobacco off the floor of such warehouses for shipment. It includes the production of Black Fat, Water Baler, and Dark African. It includes, but not by way of limitation, the operations of grading, sorting, conditioning, redrying, stemming, packing and storing. It does not include, however, such preliminary processing of *non-cigar* types of tobacco and scrap tobacco therefrom as is performed in the manufacturing plant as an integral part of the manufacturing operations attending the production of cigars; nor does it include operations performed by a farmer or on a farm as an incident to or in conjunction with farming operations.

§ 623.5 *Scope of the definition.* The definition of the tobacco industry covers all occupations in the industry which are necessary to the production of the articles enumerated in the definition or to the preparation or marketing of *non-cigar* types of leaf tobacco and scrap tobacco therefrom, including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not include employees of an independent wholesaler or manufacturer who are engaged in marketing and distributing the manufactured products of the industry which have been purchased by said wholesaler or manufacturer for resale and who perform no functions other than those relating to marketing and distributing. Where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 623.6 *Effective date.* This Wage Order shall become effective August 10, 1942.

Signed at New York, New York, this 8th day of July, 1942. §§ 623.1 to 623.6, inclusive, issued under the authority contained in section 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.

L. METCALFE WALLING, *Administrator.*

[F. R. Doc. 42-6555; Filed, July 10, 1942; 10:37 a. m.]

[1] This document affects the tabulation in 19 CFR 4.13.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 8 to Supplementary Order M–15–b–1]

Section 940.5 *Supplementary Order M–15–b–1* is hereby amended by substituting the attached list designated List 12 for List 12 now attached thereto.

This order shall take effect as of the date of its issuance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

LIST 12

[Revised effective July 10, 1942]

Specifications for the manufacture of insulated wire and cable. No person shall consume rubber, latex or reclaimed or scrap rubber in the manufacture of insulated wire and cable enumerated below in subdivision (b) except in accordance with the specifications herein prescribed unless expressly exempted in paragraph (1) of subdivision (b) hereof.

Compounds and constructions specified herein in subdivisions (a) and (b) for insulated wire and cable shall be used to fill all orders, including war orders and orders placed by any department or agency of the United States Government, except as expressly exempted in paragraph (1) of subdivision (b) hereof.

(a) *Compounds*

Use	Compound grade	Maximum percent by volume: Crude rubber	Maximum percent by volume: Total RHC	Performance reference
(1) Insulation.	W–A	55	65	Performance Type RP or ASTM–D–353–1944.
	W–B	35	50	ASTM–EA–D–353. ASTM–EA–D–674.
	W–C	13	55	N.E.C. grade—2/11/42.
(2) Jackets.	W–D	50	75	ASTM–EA–D–532.

(1) The total rubber hydrocarbon (RHC) is the sum total of the crude rubber and the rubber value of the reclaimed rubber expressed on a volume basis.

(ii) If the per cent by volume of crude rubber is reduced below the maximum specified, it is permissible to substitute an equivalent amount of rubber hydrocarbon (RHC) in the form of reclaimed rubber, but in no case shall the specified maximum percentage of total rubber hydrocarbon (RHC) be exceeded.

(iii) The performance references are given for the purpose of guidance as to performance expectation and represent typical compounds, but they do not form a part of this Order.

(b) *Insulated wire and cable.*

(1) *Exceptions.* The specifications hereinafter set forth need not be followed in the manufacture of insulated wire and cable of the following types:

(i) Submarine cable designed for communications, light and power.

(ii) Oil and gas well logging cable.

(iii) Military field communication wire, search light and fire control cable and Radar Detector Cable.

(iv) Cord and cable designed for naval shipboard use, aviation use or for use on guns or other weapons.

(v) Rubber compound tape designed for splicing and terminal use with products listed in (i) (ii), (iii) and (iv) above.

(vi) Any other type of insulated wire and cable, provided the purchase order is accompanied by a certificate signed by a contracting or inspecting official of the Army, Navy, Maritime Commission or other governmental agency listed in subparagraphs (a) (4) (i) (aa) or (a) (4) (ii) of Supplementary Order No. M–15–b, as amended, certifying that the use of compounds specified by this Order is inadequate and that the use of the compounds specified by the purchase order is necessary for direct military or naval use.

(2) *Wire and cable.* Insulations and jackets of each of the classes of wire and cable listed below shall be made from one of the grades of compounds listed in subdivision (a) of this specification, the appropriate grade of compound to be used for insulation or jacket being that hereinbelow specified opposite the description or designation of such class.

Type of service	Outer covering	Operating voltage	Compounds for—Insulation	Compounds for—Jacket
(i) Building wire, telephone drop wire, Police and Fire alarm Systems, and general service, designed for use in dry locations.	Fibrous or lead	0–3000	W–C	None.
	Lead	3001–5000	W–C	None.
	Fibrous	3000–5000	W–B	None.
(ii) For general service designed for use in wet locations.	Fibrous or lead	5001 and over	W–C	None.
	Lead or impervious sheath	0–3000	W–C	None.
	Lead or impervious sheath	3001 and over	W–B	None.
(iii) For special service wire and cable designed for:	Fibrous [1]	All Voltages	W–A	None.
(aa) Copper temperatures above 60° C.	Fibrous or lead	0–600	W–A	None.
(bb) Motor leads.	Fibrous, lead or impervious sheath.	All voltages	W–A	None.
(cc) Severe mechanical conditions.				
(dd) High frequency communications.				
(ee) Railway signal service.		0–5000	W–B	W–D
(iv) Designed for portable Heavy Duty Service of the following kinds only:				
(aa) Electric power shovels and dredges.				
(bb) Mining locomotives and machinery.				
(cc) Welding machinery and power leads.				
(dd) Portable drills and tools.				
(ee) Electrically driven construction machinery, including air compressors, cement mixers, conveyors, hoists, cranes, locomotives and public conveyances.				
(ff) Oil well exploration cable.				
(gg) Shot fire cable, for use in gaseous mines as required by the U. S. Bureau of Mines.		0–600	W–C	None.
(v) Portable appliance service cords	Fibrous [2]	0–600	W–B	None.
(vi) Automotive ignition cable	Fibrous	All voltages		

[1] Except that W–B compound may be used in the insulation of lead covered underground distributing telephone cables.

[2] Provided that a compound containing not more than 50% by volume of rubber hydrocarbon (RHC) obtained by the use of reclaimed rubber only, may be used as a jacket in the manufacture of PWP type cord.

*For "Uni-insulation" the use of (W–A) compound is permitted in (ii) and (iii).

(3) *Cable tape.* Compounds for manufacturing cable tape shall contain no crude rubber and not more than 30% by volume of rubber hydrocarbon (RHC) obtained by use of reclaimed rubber, and shall be applied only to one face.

(4) *Grounded neutral conductor.* No rubber, latex, reclaimed or scrap rubber shall be used as insulation on wire designed for the grounded neutral conductor, known as the "identified" or "white" wire of a 0–600 V A–C wiring system, including the service drop and service, the mains, feeders and branch circuit conductors up to the final outlet, but not including portable heavy duty or portable appliance service cords listed in subparagraphs (2) (iv) and (2) (v) above, nor the wires designed for lighting fixtures.

(5) *Jackets, belts and sheaths.* Rubber jackets, belts or sheaths shall not be used for mechanical protection in wire or cable except as provided in subparagraphs (2) (iv) and (2) (v) above.

(6) *Walls.* No insulated wire shall be manufactured or specified by any person with heavier walls than those provided by American Standards Association's standard; and required by the rating of the equipment serviced, except for non-leaded submarine cable.

(7) *Splicing tape and terminals.* Rubber compounds for splicing tape and terminals shall conform to specifications set forth in List 16 attached to Order M–15–b–1, except that compounds designed for tape for the following uses may be manufactured in the same quality as the insulation specified:

(i) For operating voltages in excess of 3000 volts.

(ii) For cables to be used in wet locations.

(iii) For operation at conductor temperatures of 70° C or higher.

[F. R. Doc. 42–6568; Filed, July 10, 1942; 11:54 a. m.]

PART 1049—INCANDESCENT AND FLUORESCENT LAMPS

[Amendment 2 to General Limitation Order L–28]

Section 1049.1 *General Limitation Order L–28*, Amendment No. 1 issued June 8, 1942, is hereby further amended in the following particulars:

Paragraphs (b) (4) and (b) (5) are hereby amended by inserting the words "of metal" immediately after the word "weight" wherever such word occurs.

Paragraph (b) (8) is hereby amended by striking out the words "lamp part, excluding bases," and substituting therefor "lamp leads, filament supports or terminals".

Paragraph (b) (10) is hereby amended by striking out the period at the end thereof and adding the following:

"or the Panama Canal."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6569; Filed, July 10, 1942; 11:54 a. m.]

PART 1055—WOOL

[Amendment 2 to General Conservation Order M–73–a as amended April 27, 1942]

Section 1055.2 *General Conservation Order M–73–a*, as amended April 27, 1942 is hereby amended in the following respects:

(1) Paragraph (b) (4) is hereby amended to read as follows:

(4) "Boys" shall mean all clothing normally graded up and down from size 14, but shall not include sizes smaller than 7.

(2) Paragraph (b) (5) is hereby amended to read as follows:

(5) "Children's male)" shall mean boys' clothing falling between sizes 7 to 12, inclusive.

(3) Paragraph (c) (1) (viii) is hereby amended to read as follows:

(viii) A pleated, tucked or continuous waistband pair of trousers, except a continuous waistband trouser for children (male).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6574; Filed, July 10, 1942; 11:56 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 3 to General Limitation Order L–38]

Paragraph (b) *Definitions* of § 1071.1 *General Limitation Order L–38*, as amended, is hereby further amended by adding thereto the following subparagraph:

(9) "Other authorized channel of distribution" means any person (including a factory branch or subsidiary of a producer) engaged in the business of selling unused refrigerating and air conditioning equipment to dealers for resale. A factory branch or subsidiary of a producer shall be so included only if it is customarily billed in the same manner as are independent distributors by such producer, and if it was performing the functions of distributor for such producer as of May 15, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6567; Filed, July 10, 1942; 11:54 a. m.]

PART 1166—FEMININE APPAREL FOR OUTER WEAR AND CERTAIN OTHER GARMENTS

[General Limitation Order L–85 [1] as Amended]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, nylon, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1166.1 *General Limitation Order L–85—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purposes of this order:

(1) "Feminine apparel" means:

(i) Outer wear for both sexes in infants' and toddlers' ranges 1 to 4.

(ii) Outer wear for both sexes in children's range sizes 2 to 6x.

(iii) All outer wear for misses, juniors and women.

(2) "Put into process" means the first cutting of cloth in the manufacture of any feminine apparel for sale, resale, or on commission, including but without being limited to the following: manufacturers to the trade, tailors, furriers, custom dressmakers, retailers and home dressmakers.

(3) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool, or reused wool.

(4) "Coat" means any outer garment, made of cloth, usually worn over other outer apparel and shall include a cape and a topper, but shall not include a jacket.

(5) "Suit" means any garment consisting of a separate jacket and separate skirt of either matching or contrasting material to be sold at a unit price.

(6) "Two piece dress" means any garment consisting of a separate skirt and a top or jacket made to be sold together as one garment and at a unit price.

(7) "Daytime dress" means any dress other than an evening dress.

(8) "Evening dress" means a dress of floor or ankle length made for formal or semi-formal wear.

(9) "Skirt for evening wear" means a skirt of floor or ankle length made for formal or semi-formal wear.

(10) "Jacket" means a short coat of the type usually worn with a skirt or slacks or over other apparel, or used as a riding coat with riding breeches, jodhpurs, or a similar garment.

(11) "Legging set" means a combination of a coat and leggings or pants, of the type known as a "double duty outfit".

(12) "Snow suit" means a combination of a jacket and leggings or pants made for outdoor wear.

(13) "French cuff" means a cuff over a cuff, or a double cuff.

(14) "French facing" means a facing extending to the arm hole or beyond.

(15) "Topper" means a short box coat of not less than 30 inches in length.

(16) "Unlined" means, as applied to coats, toppers or jackets, without linings other than a shallow yoke lining and sleeve lining.

(17) "Patch pocket" means a pocket made by superimposing a patch of cloth upon the body cloth of a garment.

(18) "Sweep" means the maximum circumference of a garment.

(19) "Measurements"—unless otherwise stated, particular measurements set

[1] 7 F. R. 2722, 2942, 3771, 3898.

forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of daytime dresses, coats, and jackets are to be from the nape of the neck to bottom of finished garment. No skirt of a two-piece dress shall exceed its maximum specified length at any point in its circumference and no skirt of a one-piece dress shall exceed its maximum specified length by more than one-half inch at any point in its circumference.

(ii) All measurements for length of separate skirts and suit skirts for all sizes and ranges are to be from the top of the waistband at center back to the bottom of finished garment. No skirt shall exceed its maximum length at any point in its circumference.

(iii) All measurements for evening dresses are to be taken from the center of the hollow of the neck to the end of the finished garment in front. No evening dress shall exceed its maximum specified length by more than two inches at any point in its circumference.

(iv) All measurements for sleeve circumference are to be made at bottom of finished sleeve or at part attached to cuff.

(20) All weights of wool cloth in ounces are based on the standard yards of women's wear woolen or worsted fabrics approximately 54'' in width.

(21) Unless otherwise expressly defined, all trade terms shall have their usual and customary trade meanings.

(c) *General provisions with respect to finished garments.* Except as provided in paragraph (m) (1), the prohibitions and restrictions of this order shall not apply to articles of feminine apparel, the cloth for which was put into process prior to:

(1) April 9th, 1942 for wool cloth garments.

(2) April 9th, 1942 for fall and winter garments.

(3) June 19th, 1942 for summer garments, or to articles of feminine apparel in existence on that date, or to second-hand articles of feminine apparel.

(d) *General exceptions.* The prohibitions and restrictions of this order shall not apply to:

(1) Infants' and toddlers' apparel:

(i) Made of silk, rayon, cotton, linen and mixtures thereof in sizes 1 to 4.

(ii) Made of wool cloth in sizes 1 to 2.

(iii) Made of wool cloth in sizes 3 and 4, except that the provisions of paragraph (i) (2) shall apply.

(2) Bridal gowns.

(3) Maternity dresses.

(4) Feminine apparel for persons of heights of 5 feet 8½ inches or over, without shoes, of abnormal size, or with physical deformities, but only to the extent that it is necessary to use in such clothing additional material for proportionate length, sweep, and width.

(5) Burial gowns.

(6) Robes and vestments as required by the rules of religious orders and sects and the judiciary.

(7) Historical costumes for theatrical productions: *Provided, however,* That no feminine apparel manufactured or sold pursuant to this paragraph shall be used for any purpose other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order applicable to such other use.

(8) Feminine apparel manufactured for or sold to the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, War Shipping Board or the Office of Scientific Research.

(9) Feminine apparel manufactured in foreign countries and imported and received in customs in the United States prior to June 1, 1942.

(10) Uniforms for commissioned officers of the United States Army and Navy or the United States Public Health Service.

(e) *General restrictions on manufacture and sale of all feminine apparel.* (1) No person shall put into process any cloth for the manufacture of, or sell or deliver, any feminine apparel:

(i) With French cuffs on sleeves.

(ii) With double material back yokes except:

(a) Knitted fabrics with double material back yokes the under parts of which are not made of wool cloth.

(b) In nurses' uniforms.

(iii) With balloon, dolman or leg-of-mutton sleeves.

(iv) Made of fabrics which have been reduced from normal width or length by tucking, pleating, or shirring, except:

(a) Feminine apparel made of fabric so reduced by air-tucking by not more than 10%.

(b) Skirts, the fabrics of which before being so reduced did not exceed the maximum measurements for sweep of such skirts herein prescribed.

(c) Feminine apparel with only minor trimmings of such fabrics.

(v) With inside pockets of wool cloth.

(vi) With patch pockets of wool cloth on a lined wool garment.

(vii) With pocket flaps on any patch pockets on a wool cloth garment.

(viii) With interlinings containing any virgin wool, or reprocessed, or reused wool of commercially spinnable length made from cloth woven on or after April 9, 1942.

(ix) With French facings.

(x) With a vestee or dickey of wool cloth.

(xi) With a lining known as a bodice attached to any skirt.

(xii) Made of wool cloth with a wool cloth lining.

(2) No person shall sell or deliver more than two articles of feminine apparel at a unit price, or any articles of feminine apparel at a unit price which cannot be purchased from the manufacturer thereof at a unit price.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(f) *Curtailment on coats and raincoats*—(1) *Cloth coats and raincoats.* No person shall sell or deliver, or put any cloth into process for the manufacture for sale and delivery of any women's, misses', or junior misses' cloth coat or raincoat:

(i) With an attached cape, hood, muff, scarf, bag, or hat, or with a separate cape, hood, muff, scarf, bag, skirt, slack, or hat, at a unit price.

(ii) Exceeding the measurements for length and sweep prescribed in Schedule A attached hereto.

(iii) With a belt wider than 2 inches.

(iv) With sleeves:

(a) Cut on the bias of a plaid material, except a set in sleeve.

(b) With wool cloth cuffs.

(c) With inside facings exceeding 2 inches.

(v) For evening wear made of or lined with wool cloth.

(vi) With wool cloth lining under any fur trimmings, unless such wool lining is an integral part of the body of the coat.

(2) *Fur coats.* No person shall sell or deliver, or put any cloth into process for the manufacture of for sale or delivery of, any fur coat with a cloth lining exceeding in sweep 64 inches for a box coat, or 74 inches for a fitted coat, for a size 16, the maximum measurements for sweep of other sizes to be 2 inches more for each full larger size and 2 inches less for each full smaller size; or exceeding in length the measurements prescribed for lengths of cloth coats of the same type in Schedule A attached hereto.

(g) *Curtailment on women's, misses' and junior misses' dresses.* No person shall sell or deliver, or put any cloth into process for the manufacture for sale or delivery of, any:

(1) Daytime dress:

(i) Of one or two pieces, with an attached bolero, hood, cape, shawl, or scarf, or with a separate jacket, coat, cape, bolero, hood, shawl, scarf, or vest, at a unit price.

(ii) Of two pieces, with a jacket or top exceeding in length the measurements prescribed therefor in Schedule B attached hereto.

(iii) With a petticoat, overskirt or apron.

(iv) With a belt or sash exceeding 2 inches in width.

(v) With long sleeves with wool cuffs.

(vi) With a hem exceeding 2 inches in width.

(vii) Made of wool cloth weighing 9 ounces or less, or material other than wool cloth exceeding in length or sweep the measurements prescribed therefor in Schedule C attached hereto.

(viii) Made of wool cloth weighing more than 9 ounces exceeding in length the measurements prescribed therefore in Schedule C attached hereto, or in sweep the measurements prescribed therefor in Schedule E attached hereto.

(ix) With three quarters or full length sleeves exceeding in circumference the measurements prescribed therefor in Schedule C attached hereto.

(2) Evening dresses:

(i) With an attached jacket, shawl, fichu, cape, bolero, scarf, or hood, or with a separate bolero, jacket, shawl, fichu, cape, scarf, hood, or handkerchief at a unit price.

(ii) Of two pieces, with a jacket or top exceeding in length the measurements prescribed therefor in Schedule B attached hereto.

(iii) Made of non-transparent material (including velvet) and exceeding in sweep or length the measurements prescribed therefor in Schedule D attached hereto.

(iv) With an overskirt or an apron.

(v) With a belt or sash exceeding 2 inches in width.

(vi) With three-quarters or full length sleeves exceeding in circumference the measurements prescribed therefor in Schedule C attached hereto.

(vii) With a hem exceeding 2 inches in width.

(viii) Made of non-transparent material (including velvet) with an attached slip, or a separate slip at a unit price.

(ix) Made of wool cloth.

(h) *Curtailment on women's, misses' and junior misses' suits, jackets, skirts, culottes, blouses, slacks, and playclothes.* No person shall sell or deliver, or put any cloth into process for the manufacture for sale and delivery of, any women's, misses' or junior misses':

(1) Suits:

(i) The jacket of which does not conform to the provisions of subparagraph (2) of this paragraph (h).

(ii) With an attached coat, blouse, or vest, or with a separate coat, blouse or vest at a unit price.

(iii) With a skirt exceeding in length or sweep the measurements prescribed therefor in Schedule P attached hereto.

(iv) With a skirt with a hem exceeding 2 inches in width.

(v) With a skirt with a belt or suspenders at a unit price.

(2) Jackets:

(i) Exceeding in length the measurements prescribed therefor in Schedule B attached hereto.

(ii) With a hem exceeding 1½ inches in width.

(iii) With a bi-swing back, vented back, pleated back, or Norfolk style back.

(iv) With a belt, except jackets cut through at the waist and having inserted belts, at a unit price.

(v) With sleeves:

(a) Cut on the bias of a plaid material, except a set in sleeve.

(b) With wool cloth cuffs.

(c) With inside facings exceeding 2 inches.

(vi) With an attached hood, cape, scarf, muff, bag, hat, shawl, or vest, or with a separate hood, coat, cape, scarf, muff, bag, hat, shawl, or vest, at a unit price.

(3) Separate skirts or culottes:

(i) Exceeding in length or sweep the measurements prescribed therefor in Schedule E attached hereto, except as provided in (ii) below.

(ii) For evening wear, made of non-transparent material and exceeding in length or sweep the measurements prescribed therefor in Schedule D attached hereto.

(iii) With a hem exceeding 2 inches.

(iv) With a belt or suspenders at a unit price.

(v) For evening wear, made of wool cloth.

(4) Blouses:

(i) With an attached hood, shawl, or scarf, or with a separate hood, shawl, or scarf, at a unit price.

(ii) With more than one patch pocket.

(iii) With three-quarters or full length sleeves exceeding in circumference the measurements prescribed therefor in Schedule H attached hereto.

(iv) Exceeding in overall length the measurements prescribed therefor in Schedule H attached hereto.

(v) With sleeves exceeding in underarm length the measurements prescribed therefor in Schedule H attached hereto.

(5) Slacks:

(i) Exceeding in overall outseam length or bottom widths the measurements prescribed therefor in Schedule F attached hereto.

(ii) With patch pockets.

(iii) With flaps on pockets.

(6) Slack suits or ski suits with jackets or tops that do not conform to the provisions of subparagraph (2) of this paragraph (h).

(7) Slacks, riding breeches, jodhpurs, ski suits, overalls or coveralls, with an attached hat, bag, scarf, hood, shawl, belt, or shoes, or with a separate hat, bag, scarf, hood, shawl, belt, or shoes at a unit price.

(8) Slacks, riding breeches, jodhpurs, ski pants, play suits, overalls, or coveralls, with a cuff.

(9) Play suits:

(i) Of more than two units, at a unit price.

(ii) With a skirt which does not conform to the provision of subparagraph (3) of this paragraph (h).

(iii) With an attached hat, scarf, hood, shawl, or shoes or with a separate hat, scarf, hood, shawl or shoes at a unit price.

(10) Ski pants:

(i) Exceeding in outseam overall length or bottom width the measurements prescribed therefor in Schedule G attached hereto.

(ii) With attached bib or suspenders, or separate bib or suspenders at a unit price.

(i) *Curtailment on teen age, girls' and children's dresses, coats, snow and ski suits, skirts, jackets, slacks, playclothes, and rainwear.* No person shall sell or deliver, or put into process any cloth for the manufacture for sale and delivery of, any teen age, girls', or children's:

(1) Dresses:

(i) Of one or two pieces with attached jacket, redingote, coat, cape, pants, or bolero or a separate jacket, redingote, coat, cape, pants or bolero at a unit price.

(ii) Of two pieces, with a jacket or top exceeding in length the measurements prescribed therefor in Schedule I attached hereto.

(iii) With an attached hood, shawl, or scarf, or a separate hood, shawl, or scarf at a unit price.

(iv) Exceeding in length, sweep, or hem the measurements prescribed therefor in Schedule J attached hereto.

(v) With a petticoat, overskirt or apron, or pinafore.

(vi) With a belt or sash exceeding 2 inches in width.

(vii) With suspenders exceeding in width 1½ inches.

(2) Coats:

(i) With attached cape, hood, scarf, muff, cap, helmet, hat, bag, skirt, gloves, or mittens, or a separate cape, hood, scarf, muff, cap, helmet, hat, bag, skirt, gloves, or mittens, at a unit price.

(ii) Of teen age sizes 10 to 16 with pants or leggings, at a unit price.

(iii) Exceeding in length or sweep the measurements prescribed therefor in Schedule K attached hereto.

(iv) With a hem exceeding 2 inches in width.

(v) With a belt exceeding 2 inches in width.

(vi) With sleeves:

(a) Cut on the bias of a plaid material, except a set in sleeve.

(b) With wool cloth cuffs.

(c) With inside facings exceeding 2 inches.

(vii) With wool cloth lining under any fur trimmings, unless such wool lining is an integral part of the body of the coat.

(3) Jackets:

(i) Exceeding in length or hem the measurements prescribed therefor in Schedule I attached hereto.

(ii) With a bi-swing, vented, pleated, or Norfolk style back.

(iii) With a belt, except jackets cut through at the waist and having inserted belts, at a unit price.

(iv) With a hem exceeding 2 inches.

(v) With sleeves:

(a) cut on the bias of a plaid material, except a set-in sleeve.

(b) with wool cloth cuffs.

(c) with inside facings exceeding 2 inches.

(vi) With an attached hood (except collarless mackinaws or ski jackets), muff, mittens, hat, bag, scarf, cap, shawl, or vest, or with a separate hood, muff, mittens, hat, bag, scarf, cap, shawl, or vest, at a unit price.

(4) Skirts:

(i) Exceeding in length or sweep the measurements prescribed therefor in Schedule L attached hereto.

(ii) With a hem exceeding 2 inches in width.

(iii) Of wool cloth with a wool cloth lining.

(iv) Of teen age sizes, with attached suspenders, or separate suspenders at a unit price.

(v) With a belt, hood, muff, mittens, hat, bag, scarf, cap, shawl, or vest, at a unit price.

(5) Suits:

(i) Of more than two pieces, at a unit price.

(ii) With an attached cape, blouse, or vest, or a separate coat, cape, blouse, or vest, at a unit price.

(iii) The jacket of which does not conform to the provisions of subparagraph (3) of this paragraph (i).

(iv) The skirt of which does not conform to the provisions of subparagraph (4) of this paragraph (i).

(6) Culottes:

(i) Which do not conform to the provisions of subparagraph (4) of this paragraph (i).

(7) Rainwear:

(i) Coats or capes:

(*a*) With permanently attached hood for sizes larger than girls' size 14.

(*b*) With a collar and a permanently attached hood.

(c) With a detachable hood.

(*d*) With an attached scarf, hat, bag, skirt, slacks, leggings, pants, mittens, or cap, or a separate hood, scarf, hat, bag, skirt, slacks, leggings, mittens or cap, at a unit price.

(ii) Coats and jackets which do not conform to the provisions of subparagraph (2) and (3) of this paragraph (i).

(8) Snow and ski suits:

(i) With a collar and an attached hood.

(ii) With a detachable hood.

(iii) With an attached cape, muff, scarf, bag, hat, coat, or mittens, or a separate hood, cape, muff, scarf, bag, hat, coat, or mittens, at a unit price.

(iv) With a belt exceeding 2 inches.

(v) With more than one pair of pants or leggings.

(vi) The jacket of which does not conform to the provisions of subparagraph (3) of this paragraph (i).

(vii) Of more than 2 units, at a unit price.

(9) Slacks and slack suits:

(i) Exceeding restrictions and prohibitions applicable to jackets and snow and ski suits.

(ii) Exceeding in overall outseam length or bottom width the measurements prescribed therefor in Schedule M attached hereto.

(iii) With patch pockets.

(iv) With flaps on pockets.

(v) Of teen age sizes, with attached suspenders, or separate suspenders at a unit price.

(10) Slacks, riding breeches, jodhpurs, ski pants, play suits, overalls or coveralls with a cuff.

(11) Slacks, riding breeches, jodhpurs, or coveralls, with an attached hat, bag, scarf, hood, shawl, belt, or shoes, or a separate hat, bag, scarf, hood, shawl, belt, or shoes, at a unit price.

(12) Playsuits:

(i) Exceeding restrictions and prohibitions applicable to jackets, skirts, and snow and ski suits.

(ii) With an attached hat, bag, scarf, hood, shawl or shoes, or a separate hat, bag, scarf, hood, shawl or shoes, at a unit price.

(j) *Curtailment on nurses' uniforms.* No person shall sell or deliver or put any cloth into process for the manufacture of for sale and delivery of, any:

(1) Nurses' uniforms:

(i) Exceeding in length or sweep the measurements prescribed therefor in Schedule N attached hereto.

(ii) With a hem exceeding 3 inches in width.

(iii) With a belt exceeding 2 inches in width.

(2) Maids' uniforms:

(i) Exceeding in length or sweep the measurements prescribed therefor in Schedule O attached hereto.

(ii) With a hem exceeding 2 inches in width.

(iii) With a belt exceeding 2 inches in width.

(k) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificates required under paragraph (m) shall be retained by the vendee for a period of one year after receipt.

(l) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of wool, silk, rayon, cotton, nylon, and linen conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegraph, Reference Order L–85, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(m) *Certificate.* (1) Any person making sales or deliveries to persons other than ultimate consumers, of any articles of feminine apparel in existence on, or the cloth for which was put into process prior to the effective date of this order, except second-hand articles, shall attach to the purchaser's copy of invoice for such feminine apparel, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our invoice No. ——— of ——— day of ———, 19-- were in existence or the cloth for same was put into process prior to the effective date of General Limitation Order L–85, as amended.

——— by ———
Name of Seller Authorized Individual

(2) Any person putting cloth into process for the manufacture of any feminine apparel after the effective date of this order, shall endorse upon, or attach to the purchaser's copy of invoice for such feminine apparel sold by him, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our invoice No. of day of , 19 have been manufactured and are being sold in accordance with the provisions of General Limitation Order L–85, as amended.

——— by ———
Name of Seller Authorized Individual

(3) Any jobber, wholesaler, and other person making sales or deliveries to persons other than ultimate consumers of articles of feminine apparel which he did not manufacture, except apparel in existence or put into process prior to the effective date of this order, shall endorse upon, or attach to the purchaser's copy of invoice for feminine apparel sold by him, a certificate in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our invoice No. of day of 19 were purchased by us from a manufacturer who furnished us with a certificate stating that they had been manufactured and sold in accordance with the provisions General Limitation Order L–85, as amended and we have no reason to believe that the said manufacturer's certificate is false in any respect, and our sale to you is in accordance with all of the provisions of the said order, with the terms of which we are familiar.

——— by ———
Name of Seller Authorized Individual

(4) Any person ordering feminine apparel for an ultimate consumer of unusual height or abnormal size shall attach to the order for such feminine apparel to the manufacturer thereof, a certificate signed by an individual authorized to sign for such person in substantially the following form:

The undersigned hereby certifies to his manufacturer and to the War Production Board that the articles of feminine apparel covered by our order No. ——— of ——— day of ———, 19-- are ordered for a person of unusual height ——— or abnormal size ———.

——— by ———
Name of Buyer Authorized Individual

(5) Any person making sales or deliveries to ultimate consumers of any articles of feminine apparel made for a person of unusual height or abnormal size shall attach to the purchaser's copy of sales ticket for such feminine apparel, a certificate signed by an individual authorized for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our sales check No. ——— of ——— day of ———, 19-- were made for a person of unusual height ——— or abnormal size ——— as defined by the War Production Board Order L–85, as amended.

——— by ———
Name of Seller Authorized Individual

(n) *Violation.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

SCHEDULE A—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS MISSES' COATS AND CAPES, DAYTIME AND EVENING—Continued.

Misses' sizes	10	12	14	16	18	20
Length box coat	40½	41	41½	42	42½	43
Sweep box coat	60	62	63½	65	66½	68
Length fitted coat	41½	42	42½	43	43½	44
Sweep fitted coat	66	67	68½	70	71½	73
Hem	2	2	2	2	2	2
Junior misses' sizes	9	11	13	15	17	19
Length box coat	39	39½	40	40½	41	41½
Sweep box coat	56	57	58½	60	61½	63
Length fitted coat	40	40½	41	41½	42	42½
Sweep fitted coat	66½	67½	68½	70	71½	73
Hem	2	2	2	2	2	2
Little women's sizes (short)	14½	16½	18½	20½	22½	24½
Length box coat	41½	42	43	43½	44½	44½
Sweep box coat	60	62	64	66	68	70
Length fitted coat	42½	43	43½	44½	45½	45½
Sweep fitted coat	70	72	74	76	78	80
Hem	2	2	2	2	2	2
Women's regular sizes	36	38	40	42	44	46	48	50	52
Length box coat	43½	44	44½	45	45½	46	46	46	46½
Sweep box coat	62	64	66	68	70	72	74	76	78
Length fitted coat	44½	45	45½	46	46½	47	47	47	47½
Sweep fitted coat	72	74	76	78	80	82	84	86	88
Hem	2	2	2	2	2	2	2	2	2
Women's stout sizes	38½	40½	42½	44½	46½	48½	50½	52½
Length box coat	44½	45	45½	46	46½	46½	46½	47
Sweep box coat	64	66	68	70	72	74	76	78
Length fitted coat	45½	46	46½	47	47½	48	48	48
Sweep fitted coat	74	76	78	80	82	84	86	88
Hem	2	2	2	2	2	2	2	2

SCHEDULE A—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS MISSES' COATS AND CAPES, DAYTIME AND EVENING

Misses' sizes	10	12	14	16	18	20
Length box coat	40½	41	41½	42	42½	43
Sweep box coat	60	62	63½	65	66½	68
Length fitted coat	41½	42	42½	43	43½	44
Sweep fitted coat	66	67	68½	70	71½	73
Hem	2	2	2	2	2	2
Junior misses' sizes	9	11	13	15	17	19
Length box coat	39	39½	40	40½	41	41½
Sweep box coat	56	57	58½	60	61½	63
Length fitted coat	40	40½	41	41½	42	42½
Sweep fitted coat	66½	67½	68½	70	71½	73
Hem	2	2	2	2	2	2
Little women's sizes (short)	14½	16½	18½	20½	22½	24½
Length box coat	41½	42	43	43½	44½	44½
Sweep box coat	60	62	64	66	68	70
Length fitted coat	42½	43	43½	44½	45½	45½
Sweep fitted coat	70	72	74	76	78	80
Hem	2	2	2	2	2	2
Women's regular sizes	36	38	40	42	44	46	48	50	52
Length box coat	43½	44	44½	45	45½	46	46	46	46½
Sweep box coat	62	64	66	68	70	72	74	76	78
Length fitted coat	44½	45	45½	46	46½	47	47	47	47½
Sweep fitted coat	72	74	76	78	80	82	84	86	88
Hem	2	2	2	2	2	2	2	2	2
Women's stout sizes	38½	40½	42½	44½	46½	48½	50½	52½
Length box coat	44½	45	45½	46	46½	46½	46½	47
Sweep box coat	64	66	68	70	72	74	76	78
Length fitted coat	45½	46	46½	47	47½	48	48	48
Sweep fitted coat	74	76	78	80	82	84	86	88
Hem	2	2	2	2	2	2	2	2

SCHEDULE B—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS WOMEN'S, MISSES' AND JUNIOR MISSES' SEPARATE AND SIMULATED JACKETS OR TOPS

Misses' sizes	10	12	14	16	18	20
Women's odd sizes	35	37	39	41	43	45	47	49	51
Length box coat	44½	44½	45	45½	46	46	46	46½	47
Sweep box coat	62	64	66	68	70	72	74	76	78
Length fitted coat	45½	45½	46	46½	47	47	47	47½	48
Sweep fitted coat	72	72	74	76	78	80	82	86	88
Hem	2	2	2	2	2	2	2	2	2
Junior misses' sizes	9	11	13	15	17	19
Length box coat	39	39½	40	40½	41	41½
Sweep box coat	56	57	58½	60	61½	63
Length fitted coat	40	40½	41	41½	42	42½
Sweep fitted coat	66½	67½	68½	70	71½	73
Hem	2	2	2	2	2	2
Misses' sizes	10	12	14	16	18	20
Length	23½	24½	25	25½	25½	25½
Hem	1½	1½	1½	1½	1½	1½
Junior misses' sizes	9	11	13	15	17
Length	22	23	23½	23½	23½
Hem	1½	1½	1½	1½	1½
Little women's sizes	14½	16½	18½	20½	22½	24½
Length	23½	24½	25½	25½	25½	26½
Hem	1½	1½	1½	1½	1½	1½
Women's regular sizes	36	38	40	42	44	46	48	50	52
Length	24½	25	25½	25½	25½	26	26½	26½	26½
Hem	1½	1½	1½	1½	1½	1½	1½	1½	1½
Women's stout sizes	38½	40½	42½	44½	46½	48½	50½	52½
Length	26	26½	26½	26½	26½	27	27½	27½
Hem	1½	1½	1½	1½	1½	1½	1½	1½
Women's odd sizes	35	37	39	41	43	45	47	49	51
Length	26	26½	26½	26½	27	27½	27½	27½	28
Hem	1½	1½	1½	1½	1½	1½	1½	1½	1½

All items on suit jackets or separate jackets not to exceed 1½ inch.

SCHEDULE C—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS WOMEN'S AND MISSES' DAYTIME DRESSES, BEAUTICIANS' AND WAITRESSES' UNIFORMS AND HOOVER APRONS

Misses' sizes	10	12	14	16	18	20
Lengths	41	42	42½	43	43½	44
Wool sweep 9 oz. or less	68	69	70½	72	73½	75
Other than wool sweep	74	75	76½	78	79½	81
Hem	2	2	2	2	2	2
Sleeve circumference	13	13¼	13½	14	14½	15

Junior misses' sizes	9	11	13	15	17	19
Lengths	39½	40½	41	41½	42	42½
Wool sweep 9 oz. or less	68	69	70½	72	73½	75
Other than wool sweep	74	75	76½	78	79½	81
Hem	2	2	2	2	2	2
Sleeve circumference	13	13¼	13½	14	14½	15

Little women's sizes (short)	14½	16½	18½	20½	22½	24½	26½
Lengths	42½	43	43½	44	44	44½	45
Wool sweep 9 oz. or less	70	72	74	76	78	80	82
Other than wool sweep	76	78	80	82	84	86	88
Hem	2	2	2	2	2	2	2
Sleeve circumference	14½	15	15½	16	16	16½	16½

Women's regular sizes	36	38	40	42	44	46	48	50	52
Lengths	44½	45	45½	46	46½	46½	47	47	47½
Wool sweep 9 oz. or less	72	74	76	78	80	82	84	86	88
Hem	2	2	2	2	2	2	2	2	2
Other than wool sweep	78	80	82	84	86	88	90	92	94
Sleeve circumference	14½	15½	15½	16	16½	16½	17½	18	18

Women's stout sizes	38½	40½	42½	44½	46½	48½	50½	52½
Lengths	45	46	46½	47	47	47½	47½	48
Wool sweep 9 oz. or less	74	76	78	80	82	84	86	88
Other than wool sweep	80	82	84	86	88	90	92	94
Hem	2	2	2	2	2	2	2	2
Sleeve circumference	15	15½	16	16½	17	17½	18	18

Women's odd sizes	35	37	39	41	43	45	47	49	51
Lengths	45	45½	46	46½	47	47	47	47½	48
Wool sweep 9 oz. or less	74	76	78	80	82	84	86	88	90
Other than wool sweep	78	80	82	84	86	88	90	92	94
Hem	2	2	2	2	2	2	2	2	2
Sleeve circumference	15	15½	16	16½	17	17½	18	18	18

NOTE: See Skirt Schedule E for Sweep of Wool Cloth weighing more than 9 oz.
NOTE: Sleeve Circumference is at bottom of sleeve or at part attached to cuff.

SCHEDULE D—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS MISSES' WOMEN'S, AND JUNIOR'S EVENING DRESSES AND EVENING SKIRTS

EVENING DRESSES

Misses' sizes	10	12	14	16	18	20
Lengths	58	58½	58¾	59	59¼	59½
Sweep	144	144	144	144	144	144
Hem	2	2	2	2	2	2

Junior misses' sizes	9	11	13	15	17
Lengths	56½	57	57¼	57½	57¾
Sweep	144	144	144	144	144
Hem	2	2	2	2	2

Women's sizes	36	38	40	42	44	46	48	50
Lengths	59½	59¾	60	60¼	60½	60¾	61	61
Sweep	144	144	144	144	144	144	144	144
Hem	2	2	2	2	2	2	2	2

EVENING SKIRTS

Misses' sizes	10	12	14	16	18	20
Lengths	44	44½	45	45	45	45
Sweep	144	144	144	144	144	144
Hem	2	2	2	2	2	2

Junior misses' sizes	9	11	13	15	17
Lengths	43	43	43½	43½	43½
Sweep	144	144	144	144	144
Hem	2	2	2	2	2

Women's sizes	36	38	40	42	44	46	48	50
Lengths	45	45½	45½	45½	45½	45½	45½	45½
Sweep	144	144	144	144	144	144	144	144
Hem	2	2	2	2	2	2	2	2

SCHEDULE E—MAXIMUM MEASUREMENTS FOR ALL SIZES AND RANGES, VARIOUS WOMEN'S, MISSES' AND JUNIOR MISSES' SKIRTS AND CULOTTES

Misses' skirts	10	12	14	16	18	20
Length, including Waistband	26¾	27½	27¾	28	28¼	28½
Sweep, wool cloth more than 9 oz.	60	61	62½	64	65½	67
Sweep, all fabrics and wool cloth not more than 9 oz.	76	77	78½	81	82½	84
Hem	2	2	2	2	2	2

Junior misses' sizes	9	11	13	15	17	19
Length, including waistband	26	26¾	27	27¼	27½	28
Sweep, wool cloth more than 9 oz.	60	61	62½	64	65½	67
Sweep, all fabrics and wool cloth not more than 9 oz.	77	78	79½	81	82½	84
Hem	2	2	2	2	2	2

Women's regular sizes	36	38	40	42	44	46	48	50	52
Length, including waistband	28¾	29	29¼	29½	29¾	29¾	30	30	30
Sweep, wool cloth more than 9 oz.	66	68	70	72	74	76	78	80	82
Sweep, all fabrics and wool cloth not more than 9 oz.	81	83	85	87	89	91	93	95	97
Hem	2	2	2	2	2	2	2	2	2

SCHEDULE F—MAXIMUM OUTSEAM OVERALL LENGTH INCLUDING WAISTBAND AND TURN-UP, WOMEN'S, MISSES' AND JUNIOR MISSES' SLACKS

Misses' sizes	10	12	14	16	18	20
Length wool cloth	43	43¾	44⅜	44½	44⅞	45¼
Bottom width, wool cloth	18	18½	19	19	19½	20
Length, other than wool cloth	43¾	44½	44⅞	45¼	45⅝	46
Bottom width, other than wool cloth	18½	19	19½	19½	20	20½

Junior misses' sizes	9	11	13	15	17
Length, wool cloth	42⅞	43¼	43⅝	44	44⅜
Bottom width, wool cloth	18	18½	19	19	19½
Length, other than wool cloth	43½	44	44½	44¾	45
Bottom width, other than wool cloth	18½	19	19½	19½	20

Women's regular sizes	36	38	40	42	44	46	48
Length, wool cloth	45¾	45¾	45¾	46¼	46¼	46¾	46¾
Bottom width, wool cloth	20	21	22	22	23	23	23½
Length, other than wool cloth	46	46½	46½	47	47	47½	47½
Bottom width, other than wool cloth	20½	21½	22½	22¾	23½	23½	24

SCHEDULE G—MAXIMUM OUTSEAM, OVERALL LENGTH INCLUDING WAISTBAND AND TURN-UP FOR WOMEN'S, MISSES' AND JUNIOR MISSES' SKI AND SNOW PANTS

Misses' sizes	10	12	14	16	18	20
Length	41	41½	42	42½	42¾	43
Bottom width	13½	14	14½	15	15½	16

Women's sizes	36	38	40	42
Length	43½	44	44½	45
Bottom width	16¼	16½	16¾	17

SCHEDULE H—MAXIMUM OVERALL LENGTH FROM THE NAPE OF NECK INCLUDING TURN-UP FOR HEM, MISSES' AND LADIES' BLOUSES

Misses' and ladies' sizes	32	34	36	38	40	42	44	46
Body length, including hem	22½	22¾	23	23¼	23½	23¾	24¼	24¾
Underarm sleeve length	18½	19	19¼	19¼	19¼	19¼	19¾	19¾
Sleeve circumference	14	14½	15	15½	16	16½	17	17½

NOTE: Sleeve circumference at bottom of finished sleeve or part attached to cuff.

SCHEDULE I—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE JACKETS AND TOPS FOR SEPARATES, SUITS AND SNOW WEAR

Children's sizes	3	4	5	6	6X
Length for separates and suits	16½	17	17½	18	18½
Length for snow wear	16½	17	17½	18	18½
Hem	2	2	2	2	2

Girls' sizes	7	8	10	12	14
Length for separates and suits	18½	19	19½	20	20½
Length for snow wear	19	20	21	21½	22
Hem	1½	1½	1½	1½	1½

Teen age sizes	10	12	14	16
Length for separates and suits	22	23	23¼	23½
Length for snow wear	22	23	23¼	23½
Hem	1½	1½	1½	1½

SCHEDULE J—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE DRESSES

Children's sizes	3	4	5	6	6X
Daytime lengths, all fabrics	19	21	23	25	26
Daytime sweep, wool cloth	55	56	57	58	58½
Daytime hem, wool cloth	3	3	3	3	3
Daytime sweep, other than wool cloth	55	56	57	58	58½
Daytime hem, other than wool cloth	3½	3½	3½	3½	3½
Evening lengths, all fabrics	33	34	35	36	37
Evening sweep, all fabrics	80	80	80	80	80
Evening hem	1	1	1	1	1

Girls' sizes	7	8	10	12	14
Daytime lengths, all fabrics	27½	29	31	34	36
Daytime sweep, wool cloth	64	65	66	67	68
Daytime hem, wool cloth	3	3	3	3	3
Daytime sweep, other than wool cloth	64	65	66	67	68
Daytime hem, other than wool cloth	3½	3½	3½	3½	3½
Evening lengths, all fabrics	44	46	48	50	52
Evening sweep, all fabrics	120	120	120	120	120
Evening hem	1	1	1	1	1

Girls' stout sizes (chubbies)	7½	8½	10½	12½	14½
Daytime lengths, all fabrics	27½	29	31	34	36
Daytime sweep, wool cloth	70	71	72	73½	75
Daytime hem, wool cloth	3	3	3	3	3
Daytime sweep, other than wool cloth	70	71	72	73½	75
Daytime hem, other than wool cloth	3½	3½	3½	3½	3½
Evening lengths, all fabrics	44	46	48	50	52
Evening sweep, all fabrics	120	120	120	120	120
Evening hem	1	1	1	1	1

Teen age sizes	10	12	14	16
Daytime lengths, all fabrics	38½	40	40½	41
Daytime sweep, wool cloth	67	68	69	70
Daytime hem, wool cloth	2	2	2	2
Daytime sweep, other than wool cloth	73	74	75	76
Daytime hem, other than wool cloth	2	2	2	2
Evening lengths, all fabrics	56	56½	56¾	57
Evening sweep, all fabrics	144	144	144	144
Evening hem	1	1	1	1

Teen age stout sizes (chubbies)	10½	12½	14½	16½
Daytime lengths, all fabrics	38½	40	40½	41
Daytime sweep, wool cloth	72	73	74	75
Daytime hem, wool cloth	2	2	2	2
Daytime sweep, other than wool cloth	78	79	80	81
Daytime hem, other than wool cloth	2	2	2	2
Evening lengths, all fabrics	56	56½	56¾	57
Evening sweep, all fabrics	144	144	144	144
Evening hem	1	1	1	1

SCHEDULE K—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE COATS AND CAPES

Children's sizes	3	4	5	6	6X
Length	19	21	23	25	26
Sweep (coat only)	48	49	50	51½	52½
Length (legging set only)	19	21	23	25	26
Sweep (legging set only)	50	51	52	53½	54½
Hem	2	2	2	2	2

Girls' sizes	7	8	9	10
Length	28	30	31	32
Sweep (legging set only)	59	61	62	63
Hem	2	2	2	2

Girls' sizes	7	8	9	10	12	14
Length box coat	28	30	31	32	34	36
Sweep box coat	48	49	50	51	52	53
Length fitted coat	28	30	31	32	34	36
Sweep fitted coat	58	59	60	61	62	63
Hem	2	2	2	2	2	2

Girls' stout sizes (chubbies)	7½	8½	10½	12½	14½
Length box coat	28	30	32	34	36
Sweep box coat	55	56	57	58	60
Length fitted coat	28	30	32	34	36
Sweep fitted coat	63	64	66	68	70
Hem	2	2	2	2	2

Teen age stout sizes (chubbies)	10½	12½	14½	16½
Length box coat	38	39	39½	40
Sweep box coat	59	60½	62	63½
Length fitted coat	39	40	40½	41
Sweep fitted coat	67	69	70	72
Hem	2	2	2	2

Teen age sizes	10	12	14	16
Length box coat	38	39	39½	40
Sweep box coat	55	56½	58	59½
Length fitted coat	39	40	40½	41
Sweep fitted coat	62	64	66	68
Hem	2	2	2	2

SCHEDULE L—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE SKIRTS

Children's sizes	3	4	5	6	6X
Length, including waistband	13	14	15	16	16½
Sweep, wool cloth, more than 9 oz	48	50	52	54	57
Sweep, all fabrics and wool cloth not more than 9 oz	48	50	52	54	57
Hem	2	2	2	2	2

Girls' sizes	7	8	10	12	14
Length, including waistband	18½	19	20	22	24
Sweep, wool cloth, more than 9 oz	56	57	58	60	62
Sweep, all fabrics and wool cloth not more than 9 oz	64	65	66	68	70
Hem	2	2	2	2	2

Girls' stout sizes (chubbies)	7½	8½	10½	12½	14½
Length, including waistband	18½	19	19½	22	24
Sweep, wool cloth, more than 9 oz	61	62	63	64	66
Sweep, all fabrics and wool cloth not more than 9 oz	69	70	71	72	74
Hem	2	2	2	2	2

Teen age sizes	10	12	14	16
Length, including waistband	24	24½	25	26
Sweep, wool cloth, more than 9 oz	59	60	62	63
Sweep, all fabrics and wool cloth not more than 9 oz	76	77	78	79
Hem	2	2	2	2

Teen age stout sizes (chubbies)	10½	12½	14½	16½
Length, including waistband	24	24½	25	26
Sweep, wool cloth, more than 9 oz	64	65	67	69
Sweep, all fabrics and wool cloth not more than 9 oz	78	79	81	83
Hem	2	2	2	2

SCHEDULE M—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE SLACKS AND OVERALLS

Children's sizes	3	4	5	6	6X
Length including waistband and turnup, wool cloth	23	24½	26	27½	28
Circumference at bottom of slack	14¼	14½	14¾	15	15¼
Length including waistband and turnup, other than wool cloth	23½	25¼	26½	28	28½
Circumference at bottom of slack	15½	15	16	16¼	16½

Girls' sizes	7	8	10	12	14
Length including waistband and turnup, wool cloth	32	33	36½	39	40
Circumference at bottom of slack	16¾	17	17¼	17½	17¾
Length including waistband and turnup, other than wool cloth	32½	33½	37	39½	40½
Circumference at bottom of slack	17¼	17½	18	18¼	18½

Teen age sizes	10	12	14	16
Length including waistband and turnup, wool cloth	39½	40½	41½	42½
Circumference at bottom of slack	17½	17¾	18	18½
Length including waistband and turnup, other than wool cloth	40	41	42	43
Circumference at bottom of slack	18	18¼	18½	19

SCHEDULE N—MAXIMUM MEASUREMENTS FOR ALL SIZES AND RANGES, VARIOUS MISSES', JUNIOR MISSES', AND WOMEN'S NURSES' UNIFORMS

Misses' sizes	10	12	14	16	18	20
Length, preshrunk fabrics	42½	43	43½	44	44½	45
Length, non-shrunk fabrics	45	45½	46	46½	47	47½
Sweep, all fabrics	66	68	70	72	74	76
Hem, all fabrics	3	3	3	3	3	3

Junior misses' sizes	9	11	13	15	17
Length, preshrunk fabrics	41	41½	42	42½	43
Length, non-shrunk fabrics	43½	44	44½	45	45½
Sweep, all fabrics	66	68	70	72	74
Hem, all fabrics	3	3	3	3	3

Women's sizes	34	36	38	40	42	44	46
Length, preshrunk fabrics	44	44½	45	45½	46	46½	47
Length, non-shrunk fabrics	46½	47	47½	48	48½	49	49½
Sweep, all fabrics	72	74	76	78	80	82	84
Hem, all fabrics	3	3	3	3	3	3	3

SCHEDULE O—MAXIMUM MEASUREMENTS FOR ALL SIZES AND RANGES, VARIOUS MISSES' AND WOMEN'S MAIDS' UNIFORMS

Misses' sizes	12	14	16	18	20
Length, preshrunk fabrics	42	42½	43	43½	44
Length, non-shrunk fabrics	44	44½	45	45½	46
Sweep, all fabrics	56	58	60	62	64
Hem, all fabrics	2	2	2	2	2

Women's sizes	34	36	38	40	42	44	46
Length, preshrunk fabrics	43	43½	44	44½	45	45	45
Length, nonshrunk fabrics	45	45½	46	46½	47	47	47
Sweep, all fabrics	60	62	64	66	68	70	72
Hem, all fabrics	2	2	2	2	2	2	2

SCHEDULE P—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS MISSES' JUNIOR MISSES' AND WOMEN'S SUIT SKIRTS

Misses' sizes	10	12	14	16	18	20
Length including waistband	26¾	27½	27¾	28	28½	28½
Sweep, wool cloth more than 9 oz	60	61	62½	64	65½	67
Sweep, wool cloth not more than 9 oz	68	69	70½	72	73½	75
Fabrics, other than wool	74	75	76½	78	79½	81
Hem	2	2	2	2	2	2

SCHEDULE P—MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS MISSES', JUNIOR MISSES' AND WOMEN'S SUIT SKIRTS—Continued

Junior misses' sizes	9	11	13	15	17	19
Length including waistband	26	26¾	27	27¼	27½	28
Sweep, wool cloth more than 9 oz.	60	61	62½	64	65½	67
Sweep, wool cloth 9 oz. or less	68	69	70½	72	73½	75
Fabrics, other than wool	74	75	76½	78	79½	81
Hem	2	2	2	2	2	2

Women's regular sizes	36	38	40	42	44	46	48	50	52
Length including waistband	28¾	29	29¼	29½	29¾	29¾	30	30	30
Sweep, wool cloth more than 9 oz.	66	68	70	72	74	76	78	80	82
Sweep, wool cloth 9 oz. or less	72	74	76	78	80	82	84	86	88
Fabrics, other than wool	78	80	82	84	86	88	90	92	94
Hem	2	2	2	2	2	2	2	2	2

[F. R. Doc. 42–6575; Filed, July 10, 1942; 11:56 a. m.]

PART 1210—INDUSTRIAL POWER TRUCKS

[General Limitation Order L–112]

The fulfillment of the requirements of the defense of the United States has created a shortage in the supply of certain critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1210.1 *General Limitation Order L–112*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, airports or depots. The term shall not include automotive tractors, trucks, or wheeltype industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(3) "Manufacturer" means any person who manufactures or assembles industrial power trucks.

(4) "Parts producer" means any person, other than a manufacturer, who manufactures parts to be incorporated in industrial power trucks.

(5) "Standard model" as applied to a manufacturer, means one model only of each type and capacity of industrial power truck listed in List A attached hereto, described in such manufacturer's catalogue or bulletin on the date of issuance of this order.

(6) "Approved standard model" means a standard model listed hereafter and from time to time by supplementary order or orders, as provided in paragraph (d) (2).

(b) *Restriction on placing of orders and deliveries.* No manufacturer shall hereafter accept any order for an industrial power truck except an order rated A–9 or better on Preference Rating Certificate PD–1A or PD–3A. No manufacturer shall deliver, and no person shall accept delivery of, any industrial power truck except to fill an order (1) placed prior to the date of issuance of this order, rated A–1–K or better, or (2) placed on or after the date of issuance of this order, rated A–9 or better on PD–1A or PD–3A: *Provided, however,* That the terms of this order shall not apply to any industrial power truck placed in the hands of a common or contract carrier, before the date of this order, for shipment to a purchaser.

(c) *Conservation of material*—(1) *Restrictions upon use of copper.* Parts producers and manufacturers shall be governed by the provisions of paragraph (b) of Limitation Order L–106, (§ 933.9) as amended, in their use of copper products or copper base alloy products (as defined in that order) in the production of parts for industrial power trucks.

(2) No manufacturer shall begin the manufacture of any industrial power truck if such truck contains any of the following materials, or accept delivery of any of the following materials for use in the manufacture of any industrial power truck:

(i) Rubber in any form, except in tires, storage batteries, radiator hose or wire or cable insulation.

(ii) Protective plating in any form, except when necessary to the operation of functional parts.

(iii) Steel plate, where substitution of a less critical material is practicable.

(iv) Lead for counter weights, except that reclaimed lead may be used when required by space limitations.

(v) Steel battery trays, where steel battery boxes are provided.

Provided, however, That the restrictions of this subparagraph (2) shall not apply to parts in the manufacturer's stock which, as of the date of issue of this order, were completed, or processed to the point where other use is impracticable: *And provided further,* That the restrictions of this subparagraph (2) shall not apply to the manufacture or delivery of repair and maintenance parts.

(3) *Other regulations.* Nothing in this paragraph (c) shall be construed to permit any manufacturer to sell, deliver or otherwise transfer, or any person to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts or finished parts or products in contravention of the terms of any regulation or order of the War Production Board.

(d) *Standardization of models.* (1) No manufacturer shall hereafter begin the manufacture of any industrial power truck which is not a standard model. The design and structure of any standard model shall be only as specified or described in such manufacturer's catalogue or bulletin; except that electric fork trucks with capacities from 2,000 pounds to 6,000 pounds may be built in both center and end control types; and that alterations may be made in counter weights, die pullers (power winch), height of lift, voltage, battery capacity, explosion or fire prevention features, and the length or width or type of fork or ram: *Provided, however,* That nothing herein shall be construed to prevent any change required by the limitations of paragraphs (c) (1) and (c) (2) hereof, or any change which results in further conservation of critical materials.

(2) On and after August 15, 1942, no manufacturer shall begin the manufacture of any standard model which is not an approved standard model. Approved standard models for each manufacturer shall be only those industrial power trucks listed hereafter and from time to time by order or orders supplementary to this order. The provisions of subparagraph (d) (1) hereof relative to changes in design and structure shall be applicable to approved standard models.

(3) On or before August 31, 1942 and on or before the 15th day of each month thereafter, each manufacturer shall submit to the Director of Industry Operations, on Form PD–385, his proposed production schedule for the third month after the month in which such Form PD–385 is filed. The Director of Industry Operations may thereupon approve such production schedule or may make modifications therein. Unless authorized by the Director of Industry Operations, no manufacturer shall alter such production schedule after approval by the Director of Industry Operations.

(e) *Ninety-day exemption of Army, Navy and Maritime Commission.* Until ninety days after the date of issuance of this order, this order shall not apply to deliveries to and for the use of the Army, Navy, Maritime Commission, or War Shipping Administration to the extent that industrial power trucks of a design or structure prohibited by the terms of this order are required by any applicable specifications of the Army, Navy, Maritime Commission, or War Shipping Administration. As used in this paragraph, the terms "Army," "Navy," "Maritime Commission," and "War Shipping Administration" shall not include any privately operated plant or shipyard, financed or controlled by any of those agencies, or operated on a cost-plus-fixed-fee basis.

(f) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for default, under any contract or order, which shall result directly or indirectly from his compliances with the terms of this order.

(3) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time request.

(4) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(5) *Violations.* Any person who willfully violates any provision of this order, or who willfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(6) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director of Industry Operations, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(7) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Branch, Washington, D. C.; Ref.: L–112. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

List A

No lift, high platform	1,000 lbs. to 20,000 lbs.
No lift, low platform	1,000 lbs. to 20,000 lbs.
Low lift, high platform	2,000 lbs. to 20,000 lbs.
Low lift, low platform	2,000 lbs. to 20,000 lbs.
High lift, low platform	2,000 lbs. to 10,000 lbs.
Fork or ram	2,000 lbs. to 60,000 lbs.
Crane	2,000 lbs. to 20,000 lbs.
Tractor	[1] 1,500 lbs. to 6,000 lbs.
Motorized low lift	2,000 lbs. to 6,000 lbs.
Straddle trucks	10,000 lbs. to 30,000 lbs.

[1] Max. D.B.P.

[F. R. Doc. 42–6571; Filed, July 10, 1942; 11:55 a. m.]

PART 1216—HEAVY POWER AND STEAM EQUIPMENT

[Amendment 3 to Limitation Order L–117]

Section 1216.1 is hereby amended as follows:

1. The portion of paragraph (a) (4) of Limitation Order L–117 following paragraph (a) (4) (ii) is hereby amended to read as follows:

(iii) Any order for heavy power and steam equipment bearing a preference rating of A–9 or higher assigned by Preference Rating Certificate PD–2; PD–3, PD–3A, PD–4, PD–5 or Preference Rating Order P–5b issued prior to May 18, 1942, or by Preference Rating Certificates PD–1, PD–1A, certificates of the PD–25 series, preference rating orders of the P–19 series, or a specific rating assigned by the Director of Industry Operations for repair and maintenance (when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts or the like, and the needed equipment is not otherwise available) issued at any time.

Any preference rating certificate or order of any of the kinds enumerated in paragraphs (i), (ii), or (iii) above may be used to secure heavy power and steam equipment only by or for the actual use of the person to whom it was originally issued and only when such heavy power and steam equipment is expressly specified in the certificate or order (or its Form PD–200 or 200A), except that in the case of preference rating orders of the P–19 series other than P–19h, such equipment need not be expressly specified. Any person placing an approved order for heavy power and steam equipment bearing a rating assigned by such certificate or order who does not deliver the certificate or order but retains the same as permitted by Priorities Regulation No. 3, as amended from time to time, shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3 certify to the person from whom the heavy power and steam equipment is to be acquired that the certificate or order was originally issued to him or to a person for whose actual use he is constructing a plant or other facilities and (except in the case of preference rating orders of the P–19 series other than P–19h) that the particular heavy power and steam equipment was expressly specified in the certificate or order (or its Form PD–200 or 200A).

2. Paragraphs (b) (1) and (b) (2) are hereby amended to read as follows:

(1) From and after May 18, 1942, no person shall, except pursuant to specific directions by the Director of Industry Operations, accept any order for heavy power and steam equipment or manufacture, deliver or sell any heavy power and steam equipment in fulfillment of any order, whether accepted or not, unless such order is an approved order.

(2) From and after May 18, 1942, no person shall, except pursuant to specific directions by the Director of Industry Operations, contract for, purchase, lease or accept delivery of any heavy power and steam equipment except pursuant to an approved order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., a amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6572; Filed, July 10, 1942; 11:55 a. m.]

PART 1225—CONSTRUCTION LUMBER

[Limitation Order L–121, as Amended July 10, 1942]

Section 1225.1 *General Limitation Order L–121* is hereby amended to read as follows:

§ 1225.1 *General Limitation Order L–121*—(a) *Definitions.* For the purposes of this order:

(1) "Construction lumber" means any sawed softwood lumber of any of the following specifications, whether rough, dressed on one or more sides or edges, dressed and matched, ship-lapped or grooved for splines:

(i) Any joists, planks, beams, stringers or timbers of any softwood species, in Grade No. 1 and higher grades, in nominal sizes of 3 inches thick and thicker, by 4 inches wide and wider, by 10 feet long and longer;

(ii) Any common dimension of any softwood species, except Idaho white pine, Northern and Eastern white pine, and sugar pine, in Grade No. 1 and Grade No. 2 (or their equivalents), in nominal sizes of 2 inches thick, by 4 to 14 inches wide (inclusive), by 10 feet long and longer;

(iii) Any common boards in nominal sizes of 1 inch thick, by 4, 6, 8, 10, and 12 inches wide, by 8 feet long and longer, in the following species and grades (or their equivalents):

(*a*) Western red cedar, Douglas fir, West Coast hemlock and Sitka spruce: Grade No. 1.

(*b*) Southern pine: Grade No. 1 and Grade No. 2.

(*c*) Redwood: Grade No. 2.

(*d*) Ponderosa pine, Eastern spruce, Engelmann spruce and Western white spruce: Grade No. 2 and Grade No. 3.

(*e*) Cypress, white fir, Eastern hemlock, Western larch, lodgepole pine, Idaho white pine, Northern and Eastern white pine, Norway pine, sugar pine and tamarack: Grade No. 3.

(iv) Any drop siding, standard patterns No. 105 and No. 106, in standard lengths 4 feet and longer, in the following species and grades (or their equivalents):

(*a*) Western red cedar, Douglas fir, West Coast hemlock and Sitka spruce: Grade D.

(*b*) Eastern hemlock: Grade No. 1.

(*c*) Southern pine: Grade C and Grade No. 2.

(*d*) Cypress and Eastern spruce: Grade No. 2.

(*e*) Western larch, Idaho white pine, Northern and Eastern white pine, Norway pine, Ponderosa pine, sugar pine,

lodgepole pine, Engelmann spruce, and Western white spruce: Grade No. 3.

(v) Any finished flooring, standard match, 25/32 inch thick by 2⅜ inches and 3¼ inches face widths, in standard lengths 4 feet and longer, in the following species and grades (or their equivalents):

(a) Southern pine: Grade C and Grade No. 2.

(b) Douglas fir, West Coast hemlock, and Sitka spruce: Grade D.

(c) Eastern hemlock: Grade No. 1.

"Construction Lumber" does not include any of the standard grades of factory lumber, shop lumber, or box lumber; or the standard grade of No. 1 Heart Common in Western red cedar, cypress and redwood; or railway ties.

(2) "Producer" means any manufacturing plant, concentration plant or other establishment which processes, by sawing, edging, planing or other comparable method, twenty-five percent or more of the total volume of logs and lumber purchased or received by it; except that "Producer" does not include any sawmill which produced less than 5,000 feet, board measure, of softwood lumber, per average day of eight hours of continuous operation, during the ninety days preceding May 13, 1942, and does not include any establishment known in the trade as a local retail yard whose operations are confined principally to distributing lumber locally and which processes as an incident thereto for the servicing of customers, and does not include any sawmill engaged in local retail distribution in areas not served by retail yards, to the extent that it is so engaged.

(3) "Volume" means the board foot volume of lumber processed from logs, processed from other lumber or sold, as the case may be, within six months immediately prior to the transaction affected by this order.

(b) *General limitations.* (1) During the period of ninety days next following May 13, 1942, no producer shall sell, ship or deliver (including delivery by a producer to any distribution yard of such producer) any construction lumber, except that:

(i) (a) Any producer may sell, ship and/or deliver (either directly or through one or more intervening persons) any construction lumber to be delivered to or for the account of the Army, the Navy, the Maritime Commission, the Panama Canal, or Lend-Lease Governments or which is to be physically incorporated into buildings, structures or material, or used for packing, boxing, crating or stowing for shipment of material, which will be so delivered; but in the case of sales, shipments or deliveries through intervening persons, only if there is endorsed on the purchase order or contract for such construction lumber the following statement, signed by the purchaser or by a responsible official duly designated for such purpose by the purchaser:

All construction lumber covered by this purchase order (or contract) is to be sold, shipped, and/or delivered in compliance with paragraph (b) (1) (i) (*a*) of Limitation Order L–121 with the terms of which I am familiar.

Name

By:

Date

(*b*) Any producer may sell, ship and/or deliver (either directly or through one or more intervening persons) any construction lumber to or for the account of any contractor or subcontractor of the Army, the Navy, the Maritime Commission, the Panama Canal, the Defense Plant Corporation or Lend-Lease Governments, when such construction is to be used for plant construction or expansion for the manufacture or processing of material for the Army, the Navy, the Maritime Commission, the Panama Canal, the Defense Plant Corporation, or Lend-Lease Governments, or for the training of personnel of the Army or the Navy, if such construction or expansion project is rated on Preference Rating Certificate PD–3, PD–3A or PD–4 or under any of the P–19 series of preference rating orders or the P–14 series of preference rating orders; but only if there is endorsed on the purchase order or contract for such construction lumber the following statement, signed by a contracting or inspecting official of the Army, the Navy, the Maritime Commission, the Panama Canal, the Defense Plant Corporation, or Lend-Lease, as the case may be:

The construction lumber covered by this purchase order (or contract) is required by the purchaser, actually to be put into construction during the period Order L–121 is in effect, and sixty days thereafter. The construction lumber is to be used for construction (or expansion) of facilities for the manufacture or processing of material for the Army, the Navy, the Maritime Commission, the Panama Canal, or Lend-Lease Governments, or for the training of personnel of the Army or the Navy, which construction (or expansion) is rated on Preference Rating Certificate (or Order) Number ———, Serial Number ———.

(c) Any producer may sell, ship and/or deliver (either directly or through one or more intervening persons) any construction lumber to or for the account of any operator as defined in Preference Rating Order P–56 or any operator as defined in Preference Rating Order P–58 or any producer as defined in Preference Rating Order P–73, for the purposes stated in such orders; but only if there is endorsed on the purchase order or contract for such construction lumber the following statement, signed by the purchaser or by a responsible official duly designated for such purpose by the purchaser:

All construction lumber covered by this purchase order (or contract) is to be sold, shipped, and/or delivered in compliance with paragraph (b) (1) (i) (*c*) of Limitation Order L–121 with the terms of which I am familiar.

Name

By:

Date

(*d*) Any producer may sell, ship and/or deliver any construction lumber (either directly or through one or more intervening persons) to any person if such construction lumber is ultimately to be used for the construction, extension, remodeling, repair or maintenance of buildings or structures for the storage of agricultural products produced by farmers, planters, ranchmen, dairymen, or nut or fruit growers, or if such construction lumber is to be used for the packing, boxing, crating or stowing for shipment of such products; but only if there is endorsed on the purchase order or contract for such construction lumber the following statement, signed by the purchaser or by a responsible official duly designated for such purpose by the purchaser:

All construction lumber covered by this purchase order (or contract) is to be sold, shipped, and/or delivered in compliance with paragraph (b) (1) (i) (*d*) of Limitation Order L–121 with the terms of which I am familiar.

Name

By:

Date

(*e*) Any producer may sell, ship and/or deliver any construction lumber (either directly or through one or more intervening persons) to any person if such construction lumber is to be used for the repair or maintenance, in the shops of the owner, of railway rolling stock; but only if there is endorsed on the purchase order or contract for such construction lumber the following statement signed by the purchaser or by a responsible official duly designated for such purpose by the purchaser:

All construction lumber covered by this purchase order (or contract) is to be sold, shipped, and/or delivered in compliance with paragraph (b) (1) (i) (*e*) of Limitation Order L–121 with the terms of which I am familiar.

Name

By:

Date

Each endorsement made under the provisions of the order shall constitute a representation to the producer and to the War Production Board that the construction lumber referred to therein will be used in accordance with the said endorsement.

(ii) Any construction lumber which was actually in transit on May 13, 1942, may be delivered to its ultimate destination;

(iii) Any producer may sell, ship and/or deliver any construction lumber to any other producer;

(iv) Any producer may sell, ship and/or deliver any construction lumber upon the specific authorization of the Director of Industry Operations on Form PD–423 for the specific sale, shipment and/or delivery of such construction lumber.

(2) No person shall accept any delivery of lumber, the delivery of which is prohibited by this order.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(i) *Applicability of other orders.* Insofar as any other order issued by the Director of Industry Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order the restrictions of such other order shall govern, unless otherwise specified therein.

(j) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Lumber and Lumber Products Branch, Washington, D. C., Ref: L–121.

This amendment shall take effect immediately. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6573; Filed, July 10, 1942; 11:55 a. m.]

PART 1272—MACHINE TOOL ELECTRICAL SPECIFICATIONS

[Limitation Order L–147]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools for defense, for private account and for export; customers' requests for special electrical equipment and for special methods of application of electrical equipment to machine tools prevent producers of machine tools from obtaining maximum production; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1272.1 *Limitation Order L–147*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, engaged in producing machine tools.

(2) "Machine tool" means any power driven machine for the cutting, abrading, grinding, shaping or forming of metals, excluding machines which are portable by hand.

(3) "Special electrical specifications" means:

(i) Any electrical control, motor, wiring, or other electrical device or feature used in the electrification of machine tools not customarily or usually supplied by a producer on machine tools produced by him and not required by the American War Standard—Machine Tool Electrical Standards—C74–1942, approved by the American Standards Association June 8, 1942; or

(ii) Any method of application to a machine tool of any electrical control, motor, wiring, or other electrical device or feature not customarily or usually employed by a producer and not required by the American War Standard—Machine Tool Electrical Standards—C74–1942, approved by the American Standards Association June 8, 1942.

(b) *Electrical specifications for machine tools ordered after July 15, 1942.* After July 15, 1942, no person shall place and no producer shall accept any purchase order for any machine tool calling for special electrical specifications unless permission to place and accept such order has been granted by the Director of Industry Operations or his duly authorized representative.

Application for such permission will be entertained only upon receipt of a letter from the person desiring to place a purchase order with special electrical specifications, in triplicate, addressed to the Tools Branch, Ref.: L–147, War Production Board; such letter must set forth the specific circumstances and reasons why special electrical specifications are necessary.

(c) *Electrical specifications in orders for machine tools placed prior to July 15, 1942.* No machine tool ordered prior to July 15, 1942 shall be made up according to special electrical specifications notwithstanding the purchase order therefor contained special electrical specifications except in the following cases:

(1) In any case where the special electrical specifications have been approved for production by the producer's engineering department prior to the date of this order.

(2) In any case where the motor, control, wiring, or other electrical device called for by the special electrical specifications for a specific machine tool:

(i) Has been received by the producer of the machine tool prior to the date of this order, or

(ii) Is received within thirty days after the date of this order, and the machine tool has not already been transferred to another purchaser pursuant to paragraph (d) of this order.

(d) *Machine tools awaiting delivery of motors and controls.* Whenever any machine tool ordered prior to July 15, 1942 has been completed except for the application of any motor, control or other electrical device or feature called for by special electrical specifications permitted by paragraph (c) of this order and its completion is delayed only because of nondelivery to the producer of such motor, control or other electrical device, the producer shall request the purchaser of such machine tool to accept delivery with such motor, control or other electrical device as is available to the producer, provided this meets the American War Standard—Machine Tool Electrical Standards—C74–1942 referred to in paragraph (a) (3) of this order.

In the event that the purchaser refuses to accept the machine tool under such terms, the producer shall nevertheless complete such tool with the available motor, control or other electrical device and deliver the same in fulfillment of the next order scheduled under General Preference Order No. E–1–b for a purchaser in the same group which such machine tool is suitable to fill: *Provided, however,* Where good and sufficient reason is furnished to the Director of Industry Operations or his duly authorized representative, he may authorize the holding of such machine tool for the original purchaser until receipt of the motor, control or other electrical device called for in the special electrical specifications.

(e) *Governmental orders containing special electrical specifications.* The limitations contained in this order shall not apply to machine tools ordered by the Army, Navy, or Maritime Commission for their own use.

(f) *Other limitation and conservation orders.* Nothing in this order shall excuse any producer from complying with such further orders conserving and limiting the use of specific materials which the War Production Board may have heretofore issued or may hereafter issue.

(g) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such

reports and questionnaires as said Board shall from time to time require.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director of Industry Operations by addressing a letter to the War Production Board, Washington, D. C., Ref: L-147, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Tools Branch, Washington, D.C. Ref.: L-147.

(k) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6570; Filed, July 10, 1942; 11:55 a. m.]

Chapter XI—Office of Price Administration

PART 1303—ZINC

[Amendment 1 to Maximum Price Regulation 166 [1]]

ZINC OXIDES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1303.201 is amended by adding a new paragraph (c), and a new § 1303.211a is added as set forth below:

§ 1303.201 *Maximum prices for zinc oxides.* * * *

(c) Permission to charge and to pay maximum prices set forth in this Maximum Price Regulation No. 166 is made effective as of May 11, 1942.

§ 1303.211a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1303.201 (c) and 1303.211a) to Maximum Price Regulation No. 166 shall become effective July 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6546; Filed, July 9, 1942; 4:31 p. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[Maximum Price Regulation 175]

ROUGH ROLLED, FIGURED, WIRE AND HEAT ABSORBING ROLLED GLASS

Correction

That portion of Table 1 under the caption "Plain (Without Wire)" appearing on page 5189 of the issue for Wednesday, July 8, 1942, is corrected to read as follows:

PLAIN (WITHOUT WIRE)

Thickness	Stock sheets (per sq. ft.)	Cut sizes	
		2,000 sq. ft. and over (per sq. ft.)	Under 2,000 sq. ft. (per sq. ft.)
1/8"	$0.055	[2] $0.065	[2] $0.075
5/32"	.09	.10	.11
3/16"	.15	.17	.19
1/4" or 1/2"		.25	.27

See footnotes at end of table.

PART 1305—ADMINISTRATION

[Supplementary Order 8]

REMOVAL OF THE PANAMA CANAL ZONE FROM THE OPERATION OF ALL PRICE REGULATIONS

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

§ 1305.10 *Removal of the Panama Canal Zone from the operation of all price regulations.* (a) Sales and deliveries of commodities in the Panama Canal Zone shall not be subject to any price regulation issued, or which may be issued, by the Office of Price Administration, unless specific provision making a price regulation applicable to the Canal Zone shall hereafter be included in such regulation.

(b) "Panama Canal Zone" includes the Panama Canal and the Canal Zone.

(c) "Price regulation", as used in this supplementary order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(d) Effective date of Supplementary Order No. 8. This Supplementary Order No. 8 (§ 1305.10) shall become effective July 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6579; Filed, July 10, 1942; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order No. 23]

FILTROS, INC.

AUTHORIZATION TO DETERMINE PRICES FOR UNFINISHED PLATE

On May 14, 1942, Filtros, Inc. of East Rochester, New York filed application with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine maximum prices for unfinished Filtros plates and for instructions as to the method to be used in determining such prices. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, it is hereby ordered:

§ 1499.60 *Authorization for Filtros Inc. to determine maximum prices for unfinished Filtros plate.* (a) The maximum prices which may be charged for unfinished Filtros plates by Filtros Inc. shall be prices determined in accordance with the following formula: From the average platform cost (cost of raw materials, direct labor, factory overhead, packing and loading) of a finished Filtros plate in March 1942 deduct the total cost of the machining and packing involved in the production of a finished plate which cost does not enter into the production of an unfinished plate. To the figure thus derived, add the commercial burden (general, administrative, and selling expenses) on a percentage basis at the same rate as that used in March, 1942 in arriving at the total cost of finished plates. To this figure there may be added a margin of profit in an amount not to exceed the average percentage of profit in relation to sales realized during March 1942 on finished plates.

(b) Any discounts applicable to the sale of finished Filtros plates whether based on quantity, class of purchaser or any other cause shall be applicable to sales of unfinished Filtros plates.

(c) Within ten days after a maximum price has been determined in accordance with this order, Filtros Inc. shall report that price to the Office of Price Administration, stating that the price was determined in accordance with the formula set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining that price. This report shall be filed under oath or affirmation and shall be filed in triplicate.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 23 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 23 (§ 1499.60) shall become effective July 11, 1942. (Pub. Law 421, 77th Cong.)

Issued this 10th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6580; Filed, July 10, 1942; 12:02 p. m.]

Chapter XVII—Office of Civilian Defense

PART 1902—INSIGNIA

[Regulations 2, Amendment 1 to Supplementary Order 2 [1]]

DIMENSIONS OF ARM BANDS AND BRASSARDS

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and pursuant to § 1902.2 of this chapter (section 2 of Office of Civilian Defense Regulations No. 2), the Director of Civilian Defense hereby amends the provisions regarding the dimensions of arm bands and brassards in §§ 1902.52 (a), 1902.53 (a), 1902.55 (a), and 1902.56 (a) (sections 2 (a), 3 (a), 5 (a), and 6 (a) of Supplementary Order No. 2, dated May 28, 1942, to Office of Civilian Defense Regulations No. 2) to read as follows:

Arm bands and brassards shall be 10 to 18 inches long and 4 inches wide. The width may be 4½ inches when necessary to accommodate appropriate lettering where such lettering is permitted. The prescribed insignia shall be 3½ inches in diameter and shall be placed in the center of the arm band or brassard. (E.O. 8757, 9088, 9134; 6 F.R. 2517; 7 F.R. 1775, 2887)

JAMES M. LANDIS,
Director of Civilian Defense.

JULY 9, 1942.

[F. R. Doc. 42-6563; Filed, July 10, 1942; 11:12 a. m.]

[1] 7 F.R. 4274.

[1] 7 F.R. 4585, 4701.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

ADMISSION FEES

Correction

In the fourth line of § 2.55 (1) (2) appearing on page 5246 of the issue for Thursday, July 9, 1942, the age limit should read 18 instead of 16 years.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS [1]

MISCELLANEOUS AMENDMENTS

JURISDICTION

§ 2.1003 *Jurisdiction of Adjudication Division.* The adjudication division in each regional office or facility, under the direction of an adjudication officer, will be responsible for the preparation and adjudication of claims for disability and death compensation or pension and burial allowance within the jurisdiction of field adjudication activities. (July 10, 1942)

§ 2.1005 *Jurisdiction of rating board.* * * *

(b) The rating boards will have original jurisdiction to rate claims involving disability and death compensation or pension under the jurisdiction of the field office, and will have authority to make recommendatory ratings under section 31, Title III, Public No. 141, 73d Congress, as amended. (July 10, 1942)

§ 2.1009 *Revision of rating board decisions.* (a) No rating board will reverse or amend, except upon new and material evidence, a decision rendered by the same or any other rating board, or by any appellate authority, except where such reversal or amendment is clearly warranted by a change in law or by a specific change in interpretation thereof specifically provided for in a Veterans' Administration issue: *Provided,* That a rating board may reverse or amend a decision by the same or any other rating board where such reversal or amendment is obviously warranted by a clear and unmistakable error shown by the evidence in file at the time the prior decision was rendered, but in each such case there shall be attached to each copy of the rating a signed statement by the rating board definitely fixing the responsibility for the erroneous decision. (See also § 3.1201.) *Provided, further,* That where the severance of service connection is considered warranted on the facts of record the case file will be forwarded without rating to the director of the service concerned in central office, for review, accompanied by a full and clear statement of the underlying reasons and facts. Where the submission with recommendation for severance of service connection is based upon a change of diagnosis it is essential that the requisite medical certificate accepted as showing that the previous diagnosis was not correct be of record in the case file.

(b) Whenever a rating board may be of the opinion that a revision or an amendment of a previous decision is warranted on the facts of record in the case at the time the decision in question was rendered, a severance of service connection not being involved, the complete file will be forwarded to the director of the service concerned in central office, accompanied by a complete and comprehensive statement of the facts in the case and a detailed explanation of the matters supporting the conclusion that a revision or amendment of the prior decision is in order. A rating decision will not be effected in any such case pending the return of the case file following central office consideration. The effective date of the rating authorizing benefits in such cases will be the date of administrative determination, except where otherwise provided. (See currently effective adjudication procedure)

(c) Determinations in effect on March 19, 1933 will not be reversed in those cases comprehended within the provisions of sections 27 and 28, Public No. 141, 73d Congress, except as provided in these sections. These cases, therefore, will not be referred to central office under paragraph (b) above upon a difference of opinion. In the event clear and unmistakable error is discovered the rating board will take action as provided in paragraph (a) of this section.

(d) In those instances wherein the severance of service connection is involved (the burden of proof being on the Government), and the case file upon submission to the central office under paragraph (a) hereof has been returned for appropriate action hereunder, the claimant will be immediately notified in writing of the contemplated action and the detailed reasons therefor and will be given a reasonable period, not to exceed 60 days, from the date on which such notice is mailed to his last address of record, for the presentation of additional evidence pertinent to the question. This procedure is for application except (1) in case of fraud; (2) in case of a change in law; (3) in case of a change of interpretation of law specifically provided in a Veterans Administration issue; or (4) where the evidence establishes the service connection to be clearly illegal.

(e) When a reduction of an award for a service-connected disability is considered warranted by reason of a change in the physical condition, the claimant will be notified in writing of the proposed action and the detailed reasons therefor and will be informed that sixty days from the date on which such notice is mailed to him his case will be reviewed upon the basis of any evidence that he may desire to submit in the meantime

[1] Revision of §§ 2.1003, 2.1005, 2.1009, 2.1013, 2.1023, 2.1027, 2.1041, 2.1045, 2.1057, 2.1069, 2.1094, 2.1130, 2.1137–38, 2.1141–43, 2.1148–49, 2.1166, 2.1170, 2.1185 and new sections 2.1110, 2.1150, 2.1171–72.

as to why such reduction should not be effectuated. The claimant will also be given the opportunity to appear before the rating agency which reviews his case at the expiration of the sixty day period. The rating agency, after consideration of the representations made by the veteran at the hearing or of any additional evidence submitted, will take such action as may be indicated to develop the evidence further, if necessary, but if it is considered that the available evidence warrants a reduction, an appropriate rating will be rendered, and the provisions of § 35.021 (c) (2) will be applied as to the effective date of reduction upon the basis of such rating. (July 10, 1942)

§ 2.1013 *Adjudication of applications of veterans residing in Washington, D. C.* Applications for disability compensation or pension submitted by veterans residing in Washington, D. C., will be adjudicated in the claims division, veterans claims service, central office, functioning as a field office within the meaning of the term as used in Regulations and Procedure. (July 10, 1942)

§ 2.1023 *Jurisdiction in death claims.* (a) Applications for death compensation or pension, accrued disability and death compensation or pension (except when all or a part thereof has been deposited to the credit of the veteran in funds due incompetent beneficiaries), and burial allowance, will be adjudicated by the appropriate field station, regardless of the date of death of the veteran, when all service rendered by the deceased veteran in the military or naval forces was subsequent to July 15, 1903, and prior to October 8, 1940, except when:

(1) The veteran at time of death was, or the claimant for death benefits is, a Veterans Administration employee.

(2) Any claimant for death benefits resides without the continental limits of the United States. (Alaska cases are under jurisdiction of Seattle office.)

(3) The veteran's (or dependent's) burial expenses were paid, or are payable, in foreign currency, or when rates of foreign exchange would be involved in payment.

(4) A widow, child or parent claimant for death compensation or pension is already receiving, or has previously applied for such benefit on account of the death of another person.

(5) A widow claimant for death compensation or pension had a former husband who is or was also a veteran.

(6) A child claimant for death compensation or pension has or had more than one parent (natural, adoptive or step-parent) who is or was a veteran.

(7) Rights have been forfeited under any act.

(8) There is entitlement pursuant to special acts.

(9) Insurance or Adjusted Compensation is involved. (Insurance will not be considered to be involved in any case where all allowable insurance benefits have been paid.)

(10) Jurisdiction is otherwise vested in or assumed by central office. (July 10, 1942.)

FILING OF CLAIMS AND SUPPORTING EVIDENCE

§ 2.1027 *Informal claims.* Any communication from or action by a claimant or his duly authorized representative, which clearly indicates an intent to apply for benefits under Public No. 2, No. 141, No. 484, 73d Congress, as amended, or Public No. 196, 76th Congress, as amended by sections 7 and 8, Public No. 866, 76th Congress, may be considered an informal claim for compensation or pension, or an informal claim under section 31, Public No. 141, 73d Congress, as amended by section 12, Public No. 866, 76th Congress. When an informal claim is received and a formal application is forwarded for execution by the claimant, such application shall be considered as evidence necessary to complete the initial application, and unless a formal application is received within one year from the date it was transmitted for execution by the claimant, no award shall be made by virtue of such informal claim. If received within one year in such instances it will be considered filed as of the date of receipt of the informal claim by the Veterans Administration. However, a communication received from a service organization, pension attorney, or pension agent may not be accepted as an informal claim, if a power of attorney was not executed at the time the communication was written. In cases not covered by this rule, where the probability of an informal claim appears to be indicated, but the facts are too obscure or complicated for determination, the file will be referred to the director of the service concerned for decision upon the facts in the particular case. (July 10, 1942) (54 Stat. 1196, 1197; 38 U.S.C. 501a, 703b)

PROOF OF RELATIONSHIP AND DEPENDENCY

§ 2.1041 *Definition of natural mother or father under Public No. 2, 73d Congress.* These terms mean a natural mother or father of a veteran, or mother or father of a veteran through legal adoption. The phrase "natural mother" means the biological female parent, whether the veteran was legitimate or illegitimate. In establishing relationship where the dependency of a mother is for consideration the submission of evidence of birth will suffice, as evidence of the mother's marriage in establishing relationship under these circumstances would serve no useful purpose. Where the dependency of a father, as defined in § 35.10 (g) (A. D. 284) is involved, evidence establishing the parentage, through marriage or otherwise, will be required. (July 10, 1942)

§ 2.1045 *Illegitimate children; parents of.* (a) For the purposes of Public No. 141, 73d Congress, as amended, the mother of an illegitimate child will be considered to be within the meaning of the word "mother" and "parent" as used in the War Risk Insurance Act, or World War Veterans Act, 1924, as amended.

(b) The father of an illegitimate child will be considered to be within the meaning of the word "father" as used in the foregoing acts upon proof of the existence of the family relationship usual between parent and child at the time the latter entered the service. (July 10, 1942)

§ 2.1057 *Conditions which determine dependency.* • • •

(b) In determining the amount of income in a given case, account will be taken of the net income from property of every character owned by the mother or father or other members of the family under legal age, and of the earnings received by such father or mother or such other members of the family under legal age. Account will not be taken of the incomes of other members of the family of legal age, but only of the actual contributions made by such members of the family. Amounts received under State and Federal laws in the form of old age assistance are to be considered as income for the purpose of determining the dependency of parents. If it is considered that the parent is dependent, notwithstanding the income from this or other source, an appropriate determination may be made to that effect. The entire corpus of the estate of the claimant as well as income will be considered in determining dependency. (July 10, 1942)

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DETERMINATIONS AS TO BASIC ENTITLEMENT

§ 2.1069 *Forfeiture*—(a) *Public No. 2, 73d Congress.* Section 15 of this Act, and section 9, Public 304, 75th Congress, provide for the forfeiture of pension or compensation to a person who knowingly makes false statements in connection with a claim.

(b) *Prior forfeiture bars payment under Public No. 2, 73d Congress, as amended.* By reason of section 11, Public No. 2, 73d Congress, and paragraph 2, section 14 of the Act of August 9, 1921, a claimant whose rights were forfeited under section 504, World War Veterans Act, is not entitled to benefits under Public No. 2, 73d Congress, as amended. However, when disability compensation or pension based upon service connected disability has been forfeited by a veteran because of submission of false or fraudulent evidence, compensation or pension payable except for the forfeiture, from and after the date of suspension of payments to the veteran, shall be paid to his wife, child or children, and/or dependent parents, such payments not to exceed the amount payable in case such veteran had died from such service connected disability. Payment in such case may not be made for any period prior to October 17, 1940, as provided in section 9 of Public No. 866, 76th Congress. No compensation or pension shall be paid to any dependent who has participated in the fraud for which the forfeiture was imposed. Where payments were suspended prior to October 17, 1940, because of forfeiture, a claim, which may be informal, for benefits under section 9, Public No. 866, 76th Congress, will be necessary. In those cases where payments are suspended on or subsequent to October 17, 1940, because of forfeiture of rights by a veteran because of submission of false or fraudulent evidence, action to determine the rights of the veteran's dependents of record will be taken without the requirement of an application by the veteran's wife, child or children, and/or dependent parents.

(c) *No forfeiture of pensions for violation of hospital rules.* Pension benefits, including those termed "compensation" by section 33, Public No. 141, 73d Congress, are not subject to deductions because of violations of hospital rules. (A. D. 258) (July 10, 1942) 54 Stat. 1196; 38 U.S.C. 555a, 715a)

SERVICE CONNECTION FOR NEUROPSYCHIATRIC DISEASES

§ 2.1094 *Neuropsychiatric diseases included.* The neuropsychiatric diseases included in the second proviso, section 200, World War Veterans Act, 1924, as amended, include the following:

(a) *Psychoses.* Manic-depressive, dementia praecox, paranoid, associated with organic diseases or injuries.

(b) *Psychoneuroses and neuroses.* Neurasthenia, psychasthenia, hysteria, anxiety neurosis, occupational neurosis, compulsion neurosis, tics.

(c) *Vaso-motor and trophic disorders.* Raynaud's disease, angio-neurotic oedema, erythro-melalgia, Buerger's disease (thromboangiitis obliterans, endarteritis obliterans).

(d) *Neurological diseases.* Diseases of the cranial and peripheral nerves, diseases of the spinal cord, diseases of the pons, medulla and basal ganglia, diseases of the cerebellum, diseases of the meninges, diseases of the brain (embolism, hemorrhage into the brain, thrombosis, hydrocephalus, tumors, abscess, muscular dystrophies and myopathies, chorea, athetosis, tremors, paralysis agitans, multiple sclerosis). (See § 2.1139 in considerations under Publics No. 196 and No. 866, 76th Congress)

(e) *Endocrinopathies.* Diseases of the thyroid gland (except neoplasms, simple enlargements and abscesses), diseases of the parathyroid glands, diseases of the pituitary (hypopituitarism, Froehlich's syndrome, dystrophia adiposogenitalis; hyperpituitarism-acromegaly), diseases of the gonads, diseases of the adrenal glands, polyglandular syndromes.

(f) *The epilepsies.* (July 10, 1942)

SERVICE CONNECTION FOR DENTAL DISABILITIES

§ 2.1110 *Protection of service connection in dental cases.* When service connection for a dental condition, compensable or non-compensable under present rating schedules, which was granted under Veterans Bureau Regulation No. 17, effective February 23, 1922, or subsequent regulations, is considered clearly and unmistakably erroneous, the procedure provided in § 2.1009 (a) will be for application as in any other case wherein severance of service connection is involved. However, service connection for a dental condition, non-compensable under present rating schedules, granted prior to February 23, 1922, the date of promulgation of Veterans Bureau Regulation No. 17, is subject to reconsideration under the provisions of existing laws and regulations and may be severed, when warranted by the facts, without submission to central office. (July 10, 1942)

NOTE: See § 2.1104 for provisions formerly contained in Veterans Bureau Regulation No. 17.

PRINCIPLES GOVERNING STATUTORY RATINGS

§ 2.1130 *Statutory award for loss of use of creative organ, or one or more feet or hands.* Under the last paragraph of section 202 (3) of the World War Veterans Act, as amended July 3, 1930, as reenacted by Public No. 141, 73d Congress, any veteran shown to have suffered the loss or the use of a creative organ or one or more feet or hands as the result of an injury received in the active service in line of duty between April 6, 1917, and November 11, 1918, shall be entitled to a statutory award of $25.00 per month, independently of any other compensation which may be payable under said Act: *Provided, however,* That if such disability was incurred while the veteran was serving with the United States military forces in Russia, the dates herein stated shall extend from April 6, 1917 to April 1, 1920. This statutory award shall be payable from the date the loss of the use of the creative organ or one or more feet or hands is shown to exist, subject to the provisions of § 35.021 and when payable shall be added to any other compensation payable to the veteran. Section 6 of Public No. 866, 76th Congress, amended the last paragraph of section 202 (3), World War Veterans Act, 1924, as amended, Public No. 141, 73d Congress, by increasing to $35.00 monthly the compensation payable for the loss of the use of one or more feet or hands. The effective date of the award in such case, if otherwise in order, will be October 17, 1940, the date of the enactment of Public No. 866, 76th Congress. (July 10, 1942) (54 Stat. 1196; 38 U.S.C. 473a)

§ 2.1137 *Rating of reactivation in cases of arrested tuberculosis.* In rating tuberculous disabilities to which the statutory award is not applicable, as when the diagnosis for the period of the disability upon which the rating is based is expressed in terms reflecting activity, the rating of the disability for such period shall be made in accordance with the Schedule of Disability Ratings, 1925, and Extensions thereto and/or the Schedule for Rating Disabilities, 1933, and Extensions. If a period of complete arrest is interrupted by activity, the payment for arrested tuberculosis will cover only the period of arrest and will be terminated as of the date of determined reactivation, from which a rating will be made consistent with the physical findings pending reattainment of complete arrest. (July 10, 1942)

RESTORATION OR GRANT OF BENEFITS FOR CLAIMANTS SUFFERING FROM PARALYSIS, PARESIS, OR BLINDNESS, OR WHO ARE HELPLESS OR BEDRIDDEN DUE TO MISCONDUCT

§ 2.1138 *Application of Publics No. 196 and 866, 76th Congress.* (a) On and after July 19, 1939, the date of enactment of Public No. 196, 76th Congress, any World War veteran suffering from paralysis, paresis, or blindness, or who is helpless or bedridden, as the result of any disability, and who was in receipt of compensation therefor on March 19, 1933, and on or after October 17, 1940, the date of enactment of Public No. 866, 76th Congress, any World War veteran suffering from paralysis, paresis, or blindness, or who is helpless or bedridden as the result of any disability may be awarded compensation under the Laws and interpretations governing this class of cases prior to the enactment of Public No. 2, 73d Congress, subject to the limitations, except as to misconduct or wilful misconduct, contained in sections 27 and 28 of Public No. 141, 73d Congress, as amended: *Provided,* That compensation authorized under section 26 of Public No. 141, 73d Congress, will not be reduced or discontinued as a result of the application of the enactment: *And provided further,* That no payment of disability compensation under Public No. 866, 76th Congress, will be made for any period prior to the date of application therefor, which may be informal where there is of record a formal application, Form 526.

(b) In the application of the limitations contained in sections 27 and 28 of Public No. 141, 73d Congress, except as to misconduct or wilful misconduct, it will be borne in mind that all reasonable doubts will be resolved in favor of the veteran. The delimiting dates of the World War under existing legislation will be applied; for the purposes of Publics No. 196 and 866, 76th Congress, the ending date of the World War will, therefore, be April 1, 1920, for those who served with the United States military forces in Russia.

(c) The compensation award or disability rating in the case of any World War veteran restored to the rolls or determinable under Public No. 196, 76th Congress, or granted disability benefits under section 7 of Public No. 866, 76th Congress, will be adjusted at any time upon the happening of a change in any of the contingencies upon which the current status is predicated, such as a change in family relationship, a change in physical condition, etc., as disclosed by competent evidence or a report of physical examination, and the effective date of the adjustment will be in accordance with the applicable regulations. (July 10, 1942) [54 Stat. 1196; 38 U.S.C. 703b]

APPLICATION OF RATING SCHEDULE

§ 2.1141 *Use of 1925 and 1933 schedules.* (a) Disability ratings will conform to the 1925 schedule in effect March 19, 1933, known as the Schedule of Disability Ratings, 1925, and Extensions thereto, continued under section 28, Title III, Public No. 141, 73d Congress, and/or the current edition of the 1933 schedule authorized by § 35.03, pursuant to Public No. 2, 73d Congress, known as the Schedule for Rating Disabilities, 1933, and Extensions, according to the facts in each case. (July 10, 1942)

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§ 2.1142 *Special action where evaluations provided under rating schedules are*

considered inadequate or excessive. Exceptional cases to which the application of either schedule is not understood, or with regard to which the 1933 schedule evaluation is considered inadequate or excessive, may be submitted for advisory opinion or for reevaluation to the director, veterans claims service, central office. Severe disabilities considered total, but for which current procedure does not authorize a total rating, questionable special monthly pension cases, and questionable double total and permanent disability cases, will be similarly submitted. Where total disability is claimed and a submission hereunder is contemplated a Form 527, Employment Affidavit, will be obtained and other indicated development of the evidence accomplished prior to the release of the records by the custodial office. The submission in any case comprehended by this section will include the case file, a recent medical examination, and definite recommendation from the submitting agency concerning service connection and evaluation of every disability, under the applicable schedule or schedules as interpreted by the submitting agency, and concerning schedular changes deemed advisable by reason of the particular situation encountered. (§ 35.03) (July 10, 1942)

§ 2.1143 *Protected ratings, 1925 schedule.* Evaluations under the 1925 rating schedule, including the percentage rating, the occupational determination and variant thereunder, and the occupational analogy, are to be continued without reduction in the absence of clear and unmistakable error, or as regards percentage ratings, in the absence of subsequent medical examinations adequately covering the specified disabilities and showing a material change in the physical condition. When the record shows that an extension to the 1925 rating schedule has not been applied, the rating will be brought under the extensions, but a reduction will not be effected in the absence of an examination fully adequate for the purpose of the extension. Differences of opinion as to classification between adjacent severity grades, or as to the rating applicable within a prescribed flexible range, or as to the analysis of disabilities into several factors, the ratings for which have been in the past combined, or mere differences in description or diagnosis of substantially the same degree of disability, will not warrant correction of the evaluation on the ground of clear and unmistakable error unless the rating exceeds a prescribed limit, or is grossly disproportionate to the degree of disability sustained. The protective provisions of section 28, Public No. 141, 73d Congress, are for application in all appropriate instances within the purview of section 5, Public No. 304, 75th Congress, wherein the disease or injury was incurred prior to July 2, 1921, in a reenlistment entered into subsequent to November 11, 1918, where there was prior service between April 6, 1917 and November 11, 1918. (July 10, 1942)

§ 2.1148 *Effective dates of evaluations, 1925 and 1933 schedules in original ratings.* (a) Evaluations under the 1933 schedule will be effective as of the date of receipt of the application by the Veterans Administration under Title I, Public No. 2, 73d Congress, and regulations issued pursuant thereto, or the date the evidence shows a compensable or pensionable degree of disability to have existed, whichever is the later, but in no event prior to March 20, 1933; except that changed evaluations due to amendment of the rating schedule will be effective from the date of the receipt of the claim (original, reopening or increase), or the date the evidence shows entitlement, whichever is the later, but in no event prior to the effective date of the amendment to the schedule: *Provided, however,* That where the claim was in a pending or appellate status as of that date the evaluation will be made effective as of the date of administrative determination (date rating or decision is signed) by the original or appellate rating agency. The effective date of the evaluation will not, however, necessarily control award action.

(b) Evaluations under the 1925 schedule and extensions thereto will be effective as of the date of receipt of the application by the Veterans Administration under Title III, Public No. 141, 73d Congress, or the date the evidence shows entitlement, whichever is the later, but in no event prior to March 28, 1934. (July 10, 1942)

§ 2.1149 *Effective dates of evaluations, 1925 and 1933 schedules, in claims for increase.* Evaluations under the 1933 schedule and extensions and the 1925 schedule and extensions thereto, in claims for increase, will be effective from the date of the receipt of the evidence, i. e., affidavits of physicians or other evidence submitted by the veteran showing an additional disability, or an increase in the condition for which he is receiving compensation or pension; or the date of the official report of physical examination made in a Veterans Administration facility, or by a designated examiner in connection with compensation, pension, or treatment pursuant to proper authority. The effective date of the evaluation will not, however, necessarily control award action (See § 3.1216). (July 10, 1942)

§ 2.1150 *General principles as to effective disability evaluations under governing schedules.* Within the limits mentioned in the preceding §§ 2.1148 and 2.1149, the question of evaluating disabilities based on applications for monetary benefits must be determined on the facts in the individual case for consideration. If the disability is static in nature and the information in connection therewith furnished in the Form 526 is substantiated by a subsequent examination, the percentage evaluations in accordance with the terms of the rating schedules will be applicable from the date of claim. Where the disease or injury is not static in nature but is disclosed on examination within such a reasonable time after the filing of the claim that the exercise of sound medical judgment would permit a determination that the condition was existent at the time the claim was filed, the effective date of the evaluations assigned in accordance with the terms of the rating schedules will be the date of claim. Accordingly, when in the exercise of sound medical judgment the evidence is considered sufficient to establish an evaluation of the disability from the date of application, original or for increase, an appropriate rating will be made and payments authorized effective from the date of application, if otherwise in order. (July 10, 1942)

PERMANENT TOTAL DISABILITY RATINGS UNDER THE WORLD WAR VETERANS ACT, 1924, AS AMENDED, AND THE SCHEDULE OF DISABILITY RATINGS, 1925, AS REINSTATED BY SECTION 28, PUBLIC NO. 141, 73D CONGRESS

§ 2.1166 *Total disability ratings under Public No. 2, 73d Congress, and the 1933 Schedule.* * * *

(f) See Extension No. 4 to the 1933 Rating Schedule for changes in the requirements and procedure relating to total disability generally. (July 10, 1942)

§ 2.1170 *Continuance of total disability ratings.* Total disability ratings made pursuant to the criteria established under the prior general and service pension laws, the War Risk Insurance Act, as amended, or the World War Veterans' Act, 1924, as amended, for pension, disability allowance, or disability compensation purposes, when warranted by the severity of the condition, and not granted purely because of hospitalization or home-treatment, and total ratings made pursuant to existing legislation will not be reduced, in the absence of clear error, without physical examination showing material improvement in physical condition. Examination reports showing material improvement must be evaluated in conjunction with all the facts of record and consideration must be given particularly to whether the veteran attained improvement under the ordinary conditions of life, i. e., while actually at work, or whether the symptoms have been brought under control by prolonged rest, or generally, by following a regimen which precludes work, and if the latter, reduction from total disability rating will not be considered pending reexamination after a period of employment (three to six months). (July 10, 1942)

§ 2.1171 *Continuance of total disability ratings in tuberculosis cases.* Total ratings of long standing for active tuberculosis will not be reduced pending attainment of definite arrest, or at least the subsidence of any marked symptoms under the ordinary conditions of life, i.e., while employed. The fact of attaining inactivity or arrest following prolonged total disability on account of active tuberculosis will not in itself be taken as establishing that the improvement can be maintained under the ordinary conditions of life. (July 10, 1942.)

§ 2.1172 *Stabilization of disability evaluations.* (a) The approved policy of the Veterans Administration requires that all rating agencies handle cases affected by change of medical findings or diagnosis, wherein service connection or entitlement is in effect, including claims under § 35.013, so as to produce the greatest degree of stability of disability evaluations consistent with the laws and regulations governing disability compensation and pension. In pursuance of this vital policy it is essential that the entire record of examinations and the medical-industrial history be reviewed to ascertain whether the recent examination is full and complete, including all special examinations indicated as a result of general examination and the entire case history. This applies especially to hospital examinations incident to treatment of intercurrent diseases and exacerbations, including bedside examinations, examinations by designated physicians, and examinations in the absence of, or without taking full advantage of, laboratory facilities and the cooperation of specialists in related lines. Examinations less full and complete than those on which payments were authorized or continued, will not be used as the basis of reduction. The type of disease, and the relationship between the former diagnosis and findings and the new diagnosis and findings must be closely examined. Ratings on account of diseases subject to temporary or episodic improvement, e. g., manic-depressive or other psychosis, epilepsy, psychoneurosis, coronary sclerosis (coronary occlusion or the anginal syndrome), bronchial asthma, gastric or duodenal ulcer, many skin diseases, etc., will not be reduced on any one examination except in those instances where all the evidence of record clearly warrants the conclusion that permanent improvement of physical or mental condition has been demonstrated. Ratings on account of diseases which become comparatively symptom free (findings absent) after prolonged rest, e. g., phlebitis, myocardial or coronary insufficiency, active pulmonary tuberculosis, etc., will not be reduced on examinations reflecting the results of bed rest. When the new diagnosis reflects mental deficiency or psychopathic inferiority only, the possibility of only temporary remission of the psychosis, psychoneurosis, or other superimposed disease will be borne in mind. When syphilis of the central nervous system or alcoholic deterioration are diagnosed following a long prior history of psychosis, psychoneurosis, epilepsy, or the like it is rarely possible to exclude persistence, in masked form, of the preceding innocently acquired manifestations. With new diagnosis or findings reflecting change from organic etiology to functional etiology, as organic disease of the heart, to neurocirculatory asthenia, vaso-motor instability, or psychoneurosis, or as arthritis to psychoneurosis under similar circumstances, substantially the same degree of disability may persist under the new diagnosis as under the old one. Even though material improvement in the physical or mental condition is clearly reflected, the rating agency will consider whether the evidence makes it reasonably certain that the improvement will be permanent and can be maintained under the ordinary conditions of life, i. e., while employed, or, if unemployed, while actively seeking employment. This instruction does not alter the long established policy of the Veterans Administration of placing disability ratings on a permanent basis whenever existing conditions will permit.

(b) If, after according due consideration to all the evidence developed by the several items discussed in the preceding paragraph, doubt remains, the rating agency will continue the rating in effect, citing the former diagnosis with the new diagnosis in parenthesis and following the appropriate code there will be added the reference "rating continued pending reexamination _____ months from this date, § 2.1172." The rating board will determine upon the basis of the facts in each individual case whether 18, 24 or 30 months will be allowed to elapse before the reexamination is made. (July 10, 1942)

§ 2.1185 *Reexaminations to be requested when necessary.* * * *

(c) In nonservice-connected cases under § 35.013, wherein a permanent total rating may be in effect, or be hereafter granted, based on other than obviously static disabilities, reexamination will be conducted within thirty months of the date the permanent total rating was first granted. Further examination will not be requested routinely and will only be accomplished if considered necessary based upon the particular facts of the individual case. In cases in which the permanent total disability is confirmed by reexamination or by the history of the case, or with obviously static disabilities, future reexaminations will not be requested. (July 10, 1942)

PART 3—ADJUDICATION: VETERANS' CLAIMS

DISALLOWANCE AND AWARDS

§ 3.1214 *Effective dates of awards of increased disability compensation or pension by reason of amendments to the rating schedule.* * * *

(b) *By reason of increased disability.* (1) The effective date of an award based upon an increased disability rating under an amendment to the rating schedule or governing regulation, as the case may require, will be the date of receipt of the claim (original, reopening or increased) by the Veterans Administration, or the date the evidence establishes the existence of the increased disability, whichever is the later, but in no event prior to the date of the amendment or regulation involved, *Provided, however,* That where the claim was in a pending or appellate status as of that date the effective date of the award will be the date of administrative determination by the original or appellate rating agency. (July 10, 1942)

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§ 3.1218 *Award where identical amounts are involved.* In order to avoid unnecessary awards action where the monetary benefits under existing legislation are the same in the amounts payable the monetary benefit previously awarded will be continued. (July 10, 1942)

§ 3.1235 *Statutory awards, section 202, World War Veterans Act, 1924, as amended, as reenacted by Public No. 141, 73d Congress.* The statutory awards provided in section 202 of the World War Veterans Act, 1924, as amended, are payable under sections 27 or 28, Title III, Public No. 141, 73d Congress, as follows:

(a) Under section 202 (2), compensation under a rating of temporary total disability for a period of six months following discharge from a hospital after treatment therein for a period of one year for tubercular disease of a compensable degree and after a condition of complete arrest thereof has been reached.

(b) Under section 202 (3):

(1) First paragraph, the statutory rates for specified conditions as provided therein.

(2) Second paragraph, compensation under a temporary total rating for a period of three years following discharge from a hospital after treatment therein for a tuberculous disease of a compensable degree for a period of one year and after it has been determined that a condition of arrest will not be reached by further hospitalization.

(3) Third paragraph, the additional compensation of $25.00 monthly independent of any other compensation, for the loss of the use of a creative organ or one or more feet or hands. Effective October 17, 1940, the additional compensation for loss of use of one or more feet or hands is $35.00 monthly (Public No. 866, 76th Congress). (July 10, 1942) (54 Stat. 1196; 38 U.S.C. 473a)

* * * * * * 473a)

§ 3.1236 *Special monthly pension or compensation under Public No. 2, 73d Congress.* The special monthly pension or compensation provided by paragraphs (k), §§ 35.011 and 35.012 is applicable but once in any one case. In other words, if the veteran has suffered the anatomical loss of one eye and one hand his monthly pension or compensation under Public No. 2, 73d Congress, will be increased by $25 and not by $50. Effective July 19, 1939, the amount of increased compensation for the anatomical loss or loss of use of an eye, one or more feet or hands, is $35 monthly (Public No. 198, 76th Congress.) (July 10, 1942) (53 Stat. 1070; 38 U.S.C. Ch. 12a)

§ 3.1237 *Additional allowance for nurse or attendant.* If and while a veteran is so helpless on account of a service connected compensable condition as to be in need of a nurse or attendant, (see §§ 2.1176, 2.1177, and 2.1178), there will be allowed in addition to the compensation payable under Title III, Public No. 141, 73d Congress, the sum of $50.00 per month on and after March 28, 1934: *Provided, however,* Where a veteran in receipt of additional compensation or pension based upon the need for a nurse or attendant, regular aid or attendance, or frequent and periodical aid or attendance is being furnished hospital treatment, institutional or domiciliary care by the United States or a political subdivision thereof and is being furnished with nursing or attendant's service, the award of compensation or pension will be the amount authorized by the rating decision exclusive of any

additional amount on account of the need for a nurse or attendant, regular aid and attendance, or frequent and periodical aid and attendance. The reduced rate of compensation or pension in such instances will be effective as of the beginning of the maintenance of the disabled veteran in an institution by the United States or a political subdivision thereof. The compensation or pension in all cases contemplated herein is subject to the limitations contained in § 35.06. In every case where a beneficiary who is receiving an allowance for a nurse or attendant enters the hospital a report will be forwarded to the rating board, field office, or the central disability board, claims division, veterans claims service, showing the inclusive dates of hospital treatment. (A. D. 201.) Where the additional allowance for a nurse or attendant has been properly authorized to patients with amputations, or in those cases wherein the basic condition requiring a nurse or attendant is essentially permanent as defined in currently effective adjudication procedure, or in terminal cases, a redetermination by the rating board following dehospitalization is not required for reinstatement of this benefit. Upon receipt of the necessary notice that such veteran is no longer being maintained in an institution by the United States or a political subdivision thereof appropriate awards action for the purpose stated above will be accomplished at once and in such instances it will not be necessary to await receipt of the hospital report prior to resuming the additional allowance. In other cases not involving amputations or conditions essentially permanent the additional allowance for a nurse or attendant may be reawarded only upon a determination by the rating board that the veteran concerned is in further need of such services. The additional allowance for nurse or attendant is not to be reinstated for the purpose of applying the provisions of § 2.1009, paragraph (e), which are applicable only to the proper running award. Where the veteran is not hospitalized and evidence is received indicating there is no further need for nurse or attendant, the provisions of § 2.1009, paragraph (e) are for application. (July 10, 1942)

§ 3.1248 *Continuance of award to child pursuing a course of instruction after it reaches the age of eighteen years.* When an unmarried child of a veteran entitled to disability compensation, pension, or emergency officers retired pay under Public No. 2 or Public No. 78, 73d Congress, as amended, is or may hereafter be pursuing a course of instruction within the purview of § 35.10 (a), payment of an apportioned share of compensation, pension, or emergency officers retired pay may be continued or made to, for, or on behalf of the child after it has reached the age of eighteen years, but not after it reaches the age of twenty-one years. (July 10, 1942)

§ 3.1299 *Action where veteran returns to active duty status.* Compensation or pension may not be paid concurrently with the receipt of active service pay, and where any person in receipt of compensation or pension returns to active duty status with any of the armed forces of the United States, or active service in the United States Coast Guard, benefits will be suspended effective the day preceding reentrance. Payments may be resumed the day following release from active duty, provided the person is otherwise entitled. The period of active service must be verified by Form 3101 series. (July 10, 1942)

§ 3.1302 *Naval pension allowance.* The naval pension allowance (sections 4756–4757, Revised Statutes) may not be paid concurrently with disability compensation awarded under section 28, Public No. 141, 73d Congress, as section 28 thereof does not grant to veterans of the World War rights to benefits which did not exist under the World War Veterans Act, 1924, as amended, as interpreted by the Comptroller General (7 Comp. Decision 556) and the Attorney General (February 28, 1933). However, all persons in receipt of compensation or pension under Public No. 2, 73d Congress, as amended, will be entitled to receive a naval pension allowance in addition to and concurrently with such compensation or pension payable thereunder, provided entitlement thereto is otherwise established. (A. D. 81–B) (July 10, 1942)

§ 3.1303 *Right of election between disability compensation or pension and emergency officers retirement pay.* A veteran who elected to receive emergency officers retirement pay in lieu of disability compensation is not estopped from exercising the right of election between compensation or pension and emergency officers retirement pay under Public No. 2, 73d Congress, or Public No. 141, 73d Congress, as amended. However, when a claimant elects to receive compensation or pension under Public No. 2, 73d Congress, or Public No. 141, 73d Congress, as amended, rather than emergency officers retirement pay, or emergency officers retirement pay in lieu of compensation or pension under Public No. 2, 73d Congress, or Public No. 141, 73d Congress, as amended, he has not thereafter, without further changes in the law which would authorize such action, any right to reverse his election and accept the other benefit. (A. D. 226) (July 10, 1942)

(§§ 2.1003 to 3.1303, inclusive (with the exceptions noted in the text), issued under the authority contained in section 48, Stat. 9; 38 U.S.C. 707)

FRANK T. HINES,
Administrator.

[F. R. Doc. 42-6565; Filed, July 10, 1942; 11:18 a. m.]

PART 10—INSURANCE[1]

MISCELLANEOUS AMENDMENTS

TOTAL DISABILITY PROVISION FOR UNITED STATES GOVERNMENT LIFE INSURANCE

§ 10.3170 *Renewal of United States Government life insurance on the five year level premium term plan.* Pursuant to the provisions of an amendment approved May 14, 1942, amending section 301 of the World War Veterans Act, 1924, as amended (U. S. Code, Supp. V, title 38, section 512), all or any part of United States Government Life Insurance on the five year level premium term plan, in any multiple of $500 and not less than $1,000, may be renewed without medical examination for a second, third, or fourth five year period, upon application therefor and payment of the premium at the five year level premium term rate required, at the attained age of the insured, before the expiration of the current five year period. The renewal of insurance for a second, third, or fourth five year period will become effective as of the day following the expiration of the preceding five year period, and the premium for such renewal will be at the five year level premium term rate for the attained age of the applicant on that day: *Provided*, That no insurance may be renewed under the amendment approved May 14, 1942, to section 301 of the World War Veterans Act, 1924, as amended, by any person who has exercised his optional right to change to another plan of insurance. If the five year period shall have expired between January 24, 1942 and October 14, 1942, and if all premiums have been paid for said period, the insurance may be renewed for another five year period upon payment of the back premiums on or before October 14, 1942. The renewal of the insurance in accordance with the law and regulations will be evidenced by the following certificate:

UNITED STATES GOVERNMENT LIFE INSURANCE
CERTIFICATE OF RENEWAL

FIVE YEAR LEVEL PREMIUM TERM INSURANCE

Policy Number_____		Monthly	$_____
K_____		Quarterly	$_____
Age of Insured_____		Semiannual	$_____
Amount of insurance $_____		Annual	$_____

Name of insured _____

Pursuant to the provisions of the amendment approved May 14, 1942, to section 301 of the World War Veterans Act 1924, as amended, and in consideration of the payment of the monthly premium at the rate for the attained age of insured in the amount as stated above on the day this certificate becomes effective and on the same day of each month thereafter for a period of sixty months, the insurance under said policy of which this agreement becomes a part, is renewed as five year level premium term insurance for the period beginning _____ 19____, and ending _____, 19____.

The insurance renewed is subject to the conditions, benefits, and privileges contained in the policy except that any nonforfeiture provisions and any table of guaranteed surrender values of the policy shall be null and void from and after the effective date of this certificate. This insurance ceases on the ending date shown above, and no further premium will be payable unless the insurance has been exchanged for some other plan of insurance on or before that date.

Effective as of _____, 19____.

FRANK T. HINES,
Administrator of Veterans' Affairs.

Countersigned at Washington, D. C.
Examined and issued _____, 19____.

_____
Registrar.

Veterans Administration
Insurance Form 745a
Revised July 1942.

(May 14, 1942) (Pub. No. 556, 77th Cong.)

[1] Revisions of §§ 10.3170, 10.3400, 10.3402.

NATIONAL SERVICE LIFE INSURANCE

§ 10.3400 *Applications.* Persons in the active service in the land or naval forces (including the Coast Guard) of the United States, on October 8, 1940, and persons entering such service after that date (including those selected for training and service in the land or naval forces of the United States under the Selective Training and Service Act of 1940) under orders to active duty for a period of not less than thirty-one days, upon written application by any such person and payment of premiums while in such active service, shall be granted National Service Life Insurance on the five-year level premium term plan for not more than $10,000 or less than $1,000 in multiples of $500, in accordance with paragraphs (a) and (b) of this section. Such insurance must become effective while the applicant is in active service and in accordance with the provisions of § 10.3402 No person may carry at any one time a combined amount of insurance in excess of $10,000 under the War Risk Insurance Act, as amended, the World War Veterans Act, 1924, as amended, and the National Service Life Insurance Act of 1940, as amended. Application for National Service Life Insurance should be made on forms prescribed by the Administrator, but any statement in writing which in substance meets the requirements of this regulation, shall be considered as an application provided that the first monthly premium is paid, advanced or authorized to be deducted or allotted from pay at time of such application.

(a) Every person who is commissioned and ordered into, or who is examined, accepted, and enrolled in, the active service in the land or naval forces after October 8, 1940, shall be granted such insurance without medical examination, provided application therefor is made while the applicant is in the active service and within 120 days after entrance into such service. Entrance into active service shall include a re-entrance, but the provisions of section 602 (a) of the Act shall not apply where the re-entrance is a continuation of previous active service without interruption: *Provided*, Any person in the active service on December 20, 1941, shall be granted such insurance without medical examination upon application made within 120 days thereafter and while in such active service.

(b) Any person in the active service not eligible for insurance under paragraph (a) above, shall be granted such insurance upon application made at any time while in the active service: *Provided*, The applicant is in good health at the time of such application and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs. (July 15, 1942.) (Pub. No. 360, 77th Congress)

§ 10.3402 *Effective date.* The effective date of a National Service Life Insurance policy granted under section 602 (a), (b), (c) or (d) of the National Service Life Insurance Act of 1940 as amended, shall not be established prior to October 8, 1940, nor prior to the entrance of the applicant into active service. The effective date of the policy shall not be established later than the first day of the month following the date of application, nor after termination of active service.

Subject to the foregoing limitations the effective date of a National Service Life Insurance policy may be established upon written request by the applicant as follows:

(a) As of the date on which valid application and tender of premium are made: *Provided*, That a premium advanced by the service department under the provisions of Public Law 451, 77th Congress, and regulations of the department promulgated thereunder shall be deemed to be a tender of the first premium.

(b) As of first day of month in which valid application and tender of premium are made.

(c) As of first day of month following that in which valid application is made and premium tendered or allotment of pay or authorization for deduction of premium executed, such allotment or authorization to be effective with the month in which such application is made: *Provided*, The amount of premium is deducted from the applicant's service pay in accordance with the allotment or authorization.

(d) As of first day of any month, but not more than six months, prior to the month in which valid application and tender of premium are made, provided that there be paid (a) an amount equal to the full reserve on the insurance at the end of the month prior to the month in which application is made, and (b) the full premium on the amount of insurance for the month in which application is made.

(e) Unless otherwise specified by the applicant, the effective date of National Service Life Insurance shall be established as follows:

(1) As of the date on which valid application and tender of premium are made: *Provided*, That a premium advanced by the service department under the provisions of Public Law 451, 77th Congress, and regulations of the department promulgated thereunder shall be deemed to be a tender of the first premium.

(2) If the first premium be not tendered or advanced as provided above, such insurance shall be effective as of the first day of the month following the month in which valid application is made and allotment of pay or authorization for deduction of premium executed, such allotment or authorization to be effective with the month in which such application is made: *Provided*, The amount of the premium is deducted from the applicant's service pay in accordance with the allotment or authorization. (July 15, 1942) (Public, Nos. 360 and 451, 77th Cong.)

FRANK T. HINES,
Administrator.

[F. R. Doc. 42-6564; Filed, July 10, 1942; 11:18 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CONTRACTS FOR CERTAIN CANNED FRUITS AND VEGETABLES

EXCEPTION FROM THE PROVISIONS OF THE WALSH-HEALEY PUBLIC CONTRACTS ACT

Whereas the Secretary of War on June 19, 1942, made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) in contracts awarded on or before December 31, 1942; for canned fruits and vegetables of the varieties hereinafter named will seriously impair the conduct of Government business; and

Whereas the Secretary of War has requested that an exception be granted under section 6 of the Act to permit the award of contracts during the period up to and including December 31, 1942, for canned fruits and vegetables of the varieties hereinafter named without the inclusion of the representations and stipulations of section 1 of the Act; and

Whereas a Notice of Opportunity to Show Cause why such an exception should not be granted has been sent to trade unions, publications, and labor unions, and has been duly published in the FEDERAL REGISTER (7 F.R. 5069); and

Whereas no objection or protest, pursuant to the Notice of Opportunity to Show Cause, has been received; and

Whereas it appears that justice and public interest will be served by the granting of the exception on the basis of the findings of the Secretary of War,

Now, therefore, I do hereby grant an exception, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35), permitting the award of contracts during the period from this date up to and including December 31, 1942, without the inclusion of the representations and stipulations of section 1 of the Act, for the following varieties of canned fruits and vegetables:

Apple butter, canned.
Berries (all varieties), canned.
Cabbage, canned.
Cucumbers, canned.
Fruit juices (all varieties), canned
Kraut, canned.
Onions, canned.
Tomato paste, canned.
Sweet potatoes, canned.

Nothing in this exception shall excuse non-compliance with the provisions of the Fair Labor Standards Act of 1938 or

of any rules or regulations issued thereunder.

Dated: July 9, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-6566; Filed, July 10, 1942; 11:30 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 91—ALASKA GAME REGULATIONS

MARTEN; CONTINUOUS CLOSE SEASON AREAS

Regulations Respecting Game Animals, Land Fur-Bearing Animals, Game Birds, Nongame Birds, and Nests and Eggs of Birds in Alaska

Pursuant to the authority and direction contained in section 10 of the Alaska Game Law of January 13, 1925 (43 Stat. 739), as amended by acts of February 14, 1931, 46 Stat. 1111; June 25, 1938, 52 Stat. 1169, and October 10, 1940, 54 Stat. 1103, (48 U.S.C. 198); I, Harold L. Ickes, Secretary of the Interior, upon consultation with and recommendation from the Alaska Game Commission, and having determined when, to what extent, and by what means game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds may be taken, possessed, transported, bought, or sold in Alaska, in accordance with such determinations do hereby amend regulation 6, schedule b of the regulations respecting game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds in Alaska (7 F.R. 2062, adopted March 4, 1942 and effective July 1, 1942), to the extent herein set out, and hereby adopt, effective July 1, 1942, said amended regulation as a suitable regulation permitting and governing the taking of game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds in Alaska:

Section 91.38, *Areas in which there are continuous close seasons on specified game animals, land fur-bearing animals, and game birds, except for scientific or propagating purposes* (regulation 6, schedule b) is amended by inserting the following after paragraph (p):

(q) *Marten.* On Prince of Wales, Baranof, and Chichagof Islands.

In testimony whereof, I have hereunto set my hand and caused the official seal of the United States Department of the Interior to be affixed in the city of Washington, this 26th day of June 1942.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-6547; Filed, July 10, 1942; 10:12 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-204]

HERMAN J. MORRISON, CODE MEMBER

CEASE AND DESIST ORDER, ETC.

Order approving and adopting proposed findings of fact, proposed conclusions of law of the Examiner and cease and desist order.

A complaint having been filed with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board No. 1, alleging that Herman J. Morrison, a code member in District No. 1, has wilfully violated the Bituminous Coal Act of 1937, the Code, and the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments as follows:

By selling and delivering (in his own trucks) to the Brockway Clay Products Company, Brockway, Pennsylvania, between October 1940 and July 1941, approximately 8,547 tons of run of mine coal (Size Group 3) produced at the code member's Morrison Mine (Mine Index No. 1803) at $2.15 per net ton delivered to the purchaser's plant at Brockway, whereas the effective minimum price set forth for such coal in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments is $2.15 per net ton f. o. b. the mine, thus failing to add to the f. o. b. mine price an amount at least equal, as nearly as may be, to the actual transportation charges from the mine to the purchaser;

By failing to comply with the provisions of Orders Nos. 296, 297, 307, 308, and 312 during the period of their applicability, in that code member failed to maintain and file with the Division the various records, sales slips, memoranda and reports as prescribed in said orders;

Pursuant to Orders of the Acting Director and after due notice to all interested persons, a hearing in this matter having been held on March 27, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Altoona, Pennsylvania, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

On May 29, 1942, the Examiner having filed his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations in which he found that the code member between October 1940 and July 1941 had violated the provisions of sections 4 II (e) and 4 II (g) of the Act and Price Instruction No. 6 of the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments by selling and delivering to the Brockway Clay Products Company 8,547 tons of run of mine coal produced at his Morrison Mine at prices below the minimum established for coal so sold and delivered, and in addition had violated Orders Nos. 296, 297, 307, 308 and 312; and the Examiner having further found that upon being informed of the illegality of his conduct, code member immediately rectified it by demanding and receiving from Brockway Clay Products Company $1,282.26 representing transportation charges on the coal sold thereto, has made arrangements to comply in the future with the orders referred to;

The Examiner having recommended that the code member be ordered to cease and desist from further violations;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs, and no such exceptions or supporting briefs having been filed;

The undersigned having determined after consideration of the record that the proposed findings of fact and proposed conclusions of law of the Examiner be and the same are hereby approved and adopted as the findings of fact and conclusions of law of the undersigned;

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

It is further ordered, That code member Herman J. Morrison, his representatives, agents, servants, employees, attorneys, successors, or assigns, and all persons acting or claiming to act in his behalf or interest, cease and desist, and they hereby are permanently enjoined and restrained from selling or offering to sell coal produced by them at prices below the applicable effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, or otherwise violating the Bituminous Coal Act of 1937, the Code, and rules and regulations thereunder.

It is further ordered, That if code member fails or refuses to comply with this order, the Division may forthwith apply to a Circuit Court of Appeals of the United States, within the circuit wherein code member resides or carries on business, for the enforcement thereof, or take other appropriate action for the enforcement of this Order.

Dated: July 9, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6560; Filed, July 10, 1942; 11:06 a. m.]

[Docket No. 1793-FD]

HERMAN SANDERS, CODE MEMBER

REVOCATION OF CODE MEMBERSHIP, ETC.

Order approving and adopting the proposed findings of fact, proposed conclusions of law, and recommendation of the Examiner and revoking and cancelling code membership.

A complaint pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 having been filed with the Bituminous Coal Division on July 3, 1941, and an amended and supplemented complaint having been filed December 19, 1941, by the Bituminous Coal Producers Board for District No. 13, alleging that Herman Sanders, a code member in District No. 13 has violated the provisions of the Bituminous Coal Code or rules and regulations thereunder, and praying that the Division either cancel or revoke the code membership of said Herman Sanders or, in its discretion, direct this code member to cease and desist from violation of the Code and rules and regulations thereunder;

Pursuant to an Order of the Acting Director and after due notice to interested persons a hearing having been held before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Chattanooga, Tennessee, on February 18, 1942;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in the matter, dated June 6, 1942, in which it was recommended that an order be entered revoking and cancelling the code membership of Herman Sanders, and providing that prior to any reinstatement to code membership, this code member shall be required to pay to the United States a tax of $509.95 as provided in section 5 (c) of the Act based upon the following findings:

Herman Sanders wilfully violated sections 4 II (e) and 4 II (g) of the Act and of the Code by selling and delivering during the period January 1, 1941, to June 30, 1941, a total of 637.83 tons of coal produced at his Sanders Mine (Mine Index No. 1070) at a price below the minimum established therefor in the Schedule of Effective Minimum Prices for District 13 for Truck Shipments, plus the cost of transporting such coal from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by the purchaser;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs and no such exceptions or briefs having been filed;

The undersigned having determined after consideration of the record that the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

Now, therefore, it is ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

It is further ordered, That effective fifteen (15) days from the date hereof, pursuant to section 5 (b) of the Act, the code membership of the code member, Herman Sanders, be and it hereby is, revoked and cancelled.

It is further ordered, That prior to any reinstatement of the code member, Herman Sanders, to membership in the Code, this code member shall pay to the United States a tax in the amount of $509.95, as provided in section 5 (c) of the Bituminous Coal Act of 1937.

Dated: July 9, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6561; Filed, July 10, 1942; 11:06 a. m.]

General Land Office.

RELEASES OF LAND GRANT CLAIMS BY RAILROAD CARRIERS[1]

JUNE 29, 1942.

The Department of the Interior has approved the releases of land grant claims filed under section 321, Part II, Title III, Transportation Act of 1940, and the regulations thereunder (43 CFR 273.61-273.67; Circ. 1480, Oct. 10, 1940), by the railroad carriers listed below, the dates of the approvals of the releases being indicated after the names of the respective carriers. The land grant predecessors involved are shown in parentheses after each releasing carrier.

Gulf, Mobile and Ohio Railroad Company, November 15, 1940. (Mobile and Ohio Railroad Company, from Mobile, Alabama, via Corinth, Mississippi, to Cairo, Illinois, 493 miles.)

Nashville, Chattanooga and St. Louis Railway, November 22, 1940. (Tennessee and Coosa Railroad Company, from Gadsden, Alabama, to Gunter's Landing, Alabama, 36.74 miles.)

Chicago, Burlington and Quincy Railroad Company, November 22, 1940. (Burlington and Missouri River Railroad Company, from Burlington, Iowa, to East Plattsmouth, Iowa, 279.98 miles; Burlington and Missouri River Railroad Company in Nebraska, from Plattsmouth, Nebraska, to Kearney Junction, Nebraska, 190.75 miles; Hannibal and Saint Joseph Railroad Company, from Hannibal, Missouri, to St. Joseph, Missouri, 206 miles.)

Chicago and North Western Railway Company, November 25, 1940. (Chicago, St. Paul and Fond du Lac Railroad Company, between Fond du Lac, Wisconsin, and Menominee, Michigan, 116 miles; Marquette and State Line Railroad Company, between Menominee, Michigan, and Negaunee, Michigan, 125.2 miles; Cedar Rapids and Missouri River Railroad Company, Cedar Rapids, Iowa, to Council Bluffs, Iowa, 271.6 miles, Branch, Lyons, Iowa, to Clinton, Iowa, 2.6 miles.)

Chicago, St. Paul, Minneapolis and Omaha Railway Company, November 25, 1940. (Sioux City and St. Paul Railroad Company, Minnesota line to Le Mars, Iowa, 56.25 miles; St. Paul and Sioux City Railroad Company, St. Paul, Minnesota, to Iowa line, 190 miles; West Wisconsin Railway Company, Tomah, Wisconsin, to Hudson, Wisconsin, 156.9 miles; North Wisconsin Railway Company, Hudson, Wisconsin, via Trego, to Bayfield, Wisconsin, 186.10 miles; Chicago and Northern Pacific Air line Railway Company, Trego, Wisconsin, to Superior, Wisconsin, 57.80 miles.)

[1] See Circular 1480, 6 F.R. 422 and Notice, 6 F.R. 2634.

Dubuque and Sioux City Railroad Company, November 27, 1940. (Iowa Falls and Sioux City Railroad Company, Dubuque, Iowa, to Sioux City, Iowa, 326.58 miles.)

Seaboard Air Line Railway Company, November 27, 1940. (Florida Central and Peninsular Railroad Company, Fernandino to Waldo, Waldo to Tampa, Waldo to Cedar Keys, 307.65 miles, Jacksonville to the Apalachicola River, 209 miles, all in Florida.)

Southern Railway Company, November 27, 1940. (Selma, Rome and Dalton Railroad Company, Selma, Alabama, to Jacksonville, Alabama, 143.93 miles.)

Illinois Central Railroad Company, November 28, 1940. (Cairo, Illinois, to East Dubuque, Illinois, and from Centralia, Illinois, to Chicago, Illinois, 707.73 miles.)

Alabama Great Southern Railroad Company, November 28, 1940. (Alabama and Chattanooga Railroad Company, from Mississippi line, near Meridian, Mississippi, via Gadsden, Alabama, to the Georgia line, and to Wauhachee, Tennessee, near Chattanooga, Tennessee, 272 miles.)

Louisville and Nashville Railroad Company, November 28, 1940. (Pensacola and Atlantic Railroad Company, Pensacola, Florida, to the Apalachicola River in Florida, 161 miles; Florida and Alabama Railroad Company of Florida, Pensacola, Florida, to Flomaton, Alabama, 44 miles; Alabama and Florida Railroad Company of Alabama, Flomaton, Alabama, to Montgomery, Alabama, 110 miles; South and North Alabama Railroad Company, Montgomery, Alabama, to Decatur, Alabama, 183 miles.)

Alabama and Vicksburg Railroad Company, November 28, 1940. (Vicksburg and Meridian Railroad Company, Jackson, Mississippi, via Meridian, to the Alabama line, 113.5 miles.)

Gulf and Ship Island Railway Company, November 28, 1940. (Brandon, Mississippi, to Mississippi City, Mississippi, 20 miles.)

Vicksburg, Shreveport and Pacific Railway Company, November 28, 1940. (Vicksburg, Shreveport and Texas Railroad Company, Delta, Louisiana, via Shreveport, to Texas line, 190 miles.)

Missouri-Kansas-Texas Railroad Company, November 28, 1940. (Union Pacific Railway Company, southern branch, Fort Riley, Kansas, to southern boundary of Kansas, 160.5 miles.)

Pere Marquette Railway Company, November 28, 1940. (Flint and Pere Marquette Railroad Company, Ludington, Michigan, to Flint, Michigan, 170.66 miles.)

Chicago, Rock Island and Pacific Railway Company, November 29, 1940. (Mississippi and Missouri Railroad Company, Davenport, Iowa, to Council Bluffs, Iowa, 317.75 miles.)

St. Joseph and Grand Island Railway Company, November 29, 1940. (St. Joseph and Denver City Railroad Company, Elwood, Kansas, to Hastings, Nebraska, 226 miles.)

Choctaw, Oklahoma and Gulf Railroad Company, November 29, 1940. (Memphis and Little Rock Railroad Company, Argenta, Arkansas, opposite Little Rock, to the Mississippi River, opposite Memphis, Tennessee, 131 miles.)

Chicago, Milwaukee, St. Paul and Pacific Company, November 29, 1940. (McGregor Western Railway Company, South McGregor, Iowa, via Calmar, to Sheldon, Iowa, 251 miles; Southern Minnesota Railroad Company, La Crescent, Minnesota, via Houston, to Airlie, Minnesota, 297.37 miles; Hastings and Dakota Railroad Company, Hastings, Minnesota, to Ortonville, Minnesota, 202.1 miles; Tete Des Morts Branch of the Dubuque and Pacific Railroad Company, from mouth of Tete Des Morts River, to the main line, near Dubuque, Iowa, 10.78 miles; Ontonagon and Brule River Railroad Company, Ontonagon, Michigan, to near Rockland, Michigan, 20 miles.)

Missouri Pacific Railroad Company, December 6, 1940. (Cairo and Fulton Railroad Company, Bird's Point, Missouri opposite mouth of Ohio River, via Little Rock, to Texarkana,

Arkansas, 304.5 miles; Little Rock and Fort Smith Railroad Company, Argenta, Arkansas, to Fort Smith, Arkansas, 165.16 miles; Pacific Railroad Company of Missouri, St. Louis, Missouri, to Pacific, Missouri, 34.2 miles; Central Branch Union Pacific Railroad Company, Atchison, Kansas, to Waterville, Kansas, 100 miles; St. Louis and Iron Mountain Railroad Company, Pilot Knob, Missouri, to southern boundary of Missouri, 97.64 miles.)

Central of Georgia Railway Company, December 18, 1940. (Mobile and Girard Railroad Company, Girard, Alabama, to Troy, Alabama, 84 miles.)

Grand Trunk Western Railroad Company, December 20, 1940. (Port Huron and Lake Michigan Railroad Company, Port Huron, Michigan, to Flint, Michigan, 60 miles.)

Chicago and North Western Railway Company, December 21, 1940. (Winona and St. Peter Railroad Company, Winona, Minnesota, to Watertown, North Dakota, 323.22 miles.)

Wisconsin Central Railway Company, December 21, 1940. (Wisconsin Central Railroad Company, Portage, Wisconsin, to Ashland, Wisconsin, 257 miles.)

Southern Pacific Railroad Company, Central Pacific Railway Company, Southern Pacific Land Company, and Southern Pacific Company, December 28, 1940. (Oregon Central Railroad Company, and Oregon and California Railroad Company, Portland, Oregon to California line, and from Portland, via Forest Grove, to McMinnville, Oregon, 407.5 miles; California and Oregon Railroad Company, Roseville, California, to Oregon line, 304 miles; Central Pacific Railroad Company, San Jose, California, via Sacramento, to Ogden, Utah, 860.66 miles; Southern Pacific Railroad Company, main line, San Jose, California, to Tres Pinos, California, and from Alcalde, California, via Mohave, to Needles, California, 495.52 miles; Southern Pacific Railroad Company, branch line, Mohave, California, via Los Angeles, to the Colorado River, near Yuma, Arizona, 346.97 miles.)

St. Louis-San Francisco Railway Company, December 30, 1940. (Pacific Railroad, Southwest Branch, St. Louis, via Springfield, Missouri, to the state line near Seneca, 321 miles; Kansas and Neosho Valley Railroad Company, Kansas City, Kansas, south to the state line, near Baxter Springs, 160 miles.)

The California, Arizona and Santa Fe Railway Company, January 14, 1941. (Southern Pacific Railroad Company, between Needles and Mohave, California, 242.5 miles.)

The Atchison, Topeka and Santa Fe Railway Company, January 17, 1941. (Atchison, Topeka and Santa Fe Railroad Company, Atchison, Kansas, to Coolidge, Kansas, 460.35 miles; The Leavenworth, Lawrence and Galveston Railroad Company, Lawrence, Kansas, to the southern boundary of the State, 142.8 miles.)

Great Northern Railway Company, January 23, 1941. (St. Paul and Pacific Railroad Company, main line, Brainerd branch, and St. Vincent Extension, St. Paul, Minnesota, to Breckenridge, Minnesota, and from Minneapolis, Minnesota, to St. Vincent, and Noyes, Minnesota, 610.61 miles.)

The New York Central Railroad Company, January 28, 1941. (Amboy, Lansing and Traverse Bay Railroad Company, between Lansing and Jonesville, in Michigan, 60 miles.)

The Michigan Central Railroad Company, January 28, 1941. (Jackson, Lansing and Saginaw Railroad Company, from Lansing to Mackinaw City, in Michigan, 261.37 miles.)

Chicago, St. Paul, Minneapolis and Omaha Railway Company, January 28, 1941. (St. Paul and Pacific Railroad Company, between St. Paul and Stillwater, in Minnesota, 17.61 miles.)

Grand Rapids and Indiana Railway Company, January 29, 1941. (Grand Rapids and Indiana Railroad Company, Petoskey to south boundary of Michigan, 333 miles.)

Chicago, Milwaukee, St. Paul and Pacific Railroad Company, January 31, 1941. (Minnesota Central Railway Company, Minneapolis, Minnesota, to the state line, near Lyle, Minnesota, 115 miles.)

The Atchison, Topeka and Santa Fe Railway Company, March 1, 1941. (Santa Fe Pacific Railroad Company, Isleta, New Mexico, through Arizona to the Colorado River, near Needles, California, 550 miles.)

Winona and St. Peter Railroad Company, March 3, 1941. (Winona, Minnesota, to Watertown, North Dakota, 323.22 miles.)

Duluth, South Shore and Atlantic Railway Company, March 4, 1941. (Marquette, Houghton and Ontonagon Railroad Company, Marquette, Michigan, to L'Anse, Michigan, 65.26 miles.)

Union Pacific Railroad Company, March 13, 1941. (The Union Pacific Railroad Company, Omaha, Nebraska, to Ogden, Utah, 1,038.68 miles; Leavenworth, Pawnee and Western Railroad Company, Kansas City, Kansas, to Denver, Colorado, 638.6 miles; Denver Pacific Railway and Telegraph Company, Denver, Colorado, to Cheyenne, Wyoming, 116 miles.)

Northern Pacific Railway Company, April 16, 1941. (Northern Pacific Railroad Company, Ashland, Wisconsin, to Wallula, Washington, and from Pasco, Washington, via Tacoma, to Portland, Oregon, 2,037.81 miles; St. Paul and Northern Pacific Railroad Company, Watab, Minnesota, to Brainard, Minnesota, 60.21 miles; St. Paul and Duluth Railroad Company, in Minnesota, St. Paul to Duluth, 154.42 miles; Stillwater and St. Paul Railroad Company, in Minnesota, Stillwater to White Bear, 12 miles.)

The Minneapolis and St. Louis Railroad Company, May 10, 1941. (The Des Moines Valley Railroad Company, from Des Moines, Iowa, via Fort Dodge, to Ruthven, Iowa, 139 miles.)

New Orleans Pacific Railway Company, August 27, 1941. (The Texas and Pacific Railway Company, New Orleans, Baton Rouge and Vicksburg Railroad Company, from White Castle, Louisiana, to Shreveport, Louisiana, 260 miles.)

[SEAL] FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 42-6548; Filed, July 10, 1942; 10:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

AUTHORIZATION OF WILLIAM B. GROGAN TO ACT IN ABSENCE OF ADMINISTRATOR

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, Department of Labor,

Do hereby authorize William B. Grogan, Deputy Administrator, to act as Administrator and to exercise any or all of the powers of the Administrator under the Fair Labor Standards Act of 1938 when the Administrator is unable to act by reason of sickness or absence from New York City.

This order shall be effective as of July 9, 1942.

Signed at New York, New York, this 8th day of July 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-6554; Filed, July 10, 1942; 10:37 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION.

ORDER FOR FILING OF CERTIFIED STATEMENT

Pursuant to the provisions of paragraph (1) of subsection (h) of section 12B of the Federal Reserve Act, as amended (Sec. 101 (h) (1), 49 Stat. 688; 12 U.S.C., Sup., 264 (h) (1), it is ordered, That each insured bank file with the Corporation on or before July 15, 1942, the following described certified statement forms: (1) Certified Statement—Part One, Based on Deposits for the Six Months Ending June 30, 1942, Form 545N [1] in quadruplicate; and (2) Recapitulation of the Monthly Totals of Certified Statement—Part Two, for the Six Months Ending June 30, 1942, Form 555N, in triplicate.

By the Federal Deposit Insurance Corporation.

[SEAL] E. F. DOWNEY,
Secretary.

[F. R. Doc. 42-6549; Filed, July 10, 1942; 10:17 a. m.]

NONMEMBER STATE BANKS

CALL FOR REPORT OF CONDITION

Resolution of Board of Directors adopted July 2, 1942, authorizing Call for Report of Condition.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, (sec. 101 (k) (3), 49 Stat. 693; 12 U.S.C., Sup., 264(k)(3), be it resolved that each insured State nonmember bank, except a District bank, be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Tuesday, June 30, 1942, on Form 64 [1]—Call No. 17. Said report of condition shall be prepared in accordance with the booklet entitled, "Instructions for the Preparation of Reports of Condition on Form 64, December, 1938".

By the Federal Deposit Insurance Corporation.

[SEAL] E. F. DOWNEY,
Secretary.

[F. R. Doc. 42-6550; Filed, July 10, 1942; 10:17 a. m.]

NONMEMBER MUTUAL SAVINGS BANKS

CALL FOR REPORT OF CONDITION

Resolution of Board of Directors adopted July 2, 1942 authorizing Call for Report of Condition.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, (Sec. 101 (k) (3), 49 Stat. 693; 12 U.S.C., Sup., 264 (k) (3), be it resolved that each insured nonmember mutual savings bank be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Tuesday, June 30, 1942, on Form 64 (Savings).[1] Said report of condition shall be prepared in accordance with the booklet entitled, "Instructions for the Preparation of Reports of Condition on Form 64 (Savings) by Insured Mutual Savings Banks, December, 1940".

By the Federal Deposit Insurance Corporation.

E. F. DOWNEY,
Secretary.

[F. R. Doc. 42-6551; Filed, July 10, 1942; 10:17 a. m.]

[1] Filed as part of original document.

OFFICE OF PRICE ADMINISTRATION.

CONTINENTAL CHEMICAL & ORE CO., INC.

MAXIMUM PRICE FOR FLUORSPAR

Order 3 under Maximum Price Regulation 126 [2]—Fluorspar.

Under date of May 11, 1942, Continental Chemical & Ore Co., Inc., Silver City, New Mexico, applied to the Office of Price Administration for the determination of a maximum price at which it might sell its acid grade fluorspar, the specification of which is 97.2% to 97.5% plus calcium fluoride, and a maximum of 1% silica. Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, the Office of Price Administration will determine the maximum price at which fluorspar of a particular grade may be sold by a producer when the conditions named in that Section exist. Due consideration has been given to that application, and an Opinion in support of this Order No. 3, has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

(a) Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $27.16 per ton f. o. b. Silver City, New Mexico, for acid grade fluorspar, the specification of which is 97.2% to 97.5% plus calcium fluoride, and a maximum of 1% silica, is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by Continental Chemical & Ore Co., Inc., Silver City, New Mexico, and the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 shall become effective July 11, 1942.

Issued this 10th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6576; Filed, July 10, 1942; 12:00 m.]

[1] Filed as part of original document.
[2] 7 F.R. 3189.

[Docket No. 3120-29]

ALLBURN COLLIERIES COMPANY

ORDER GRANTING EXCEPTION

Order No. 15 under Maximum Price Regulation No. 120 [1]—bituminous coal delivered from mine or preparation plant.

On May 16, 1942 the Allburn Collieries Company, McCarr, Kentucky, filed a petition for adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Allburn Collieries Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, by all methods of transportation except truck or wagon, the kinds and grades of bituminous coal delivered from its Allburn Mine (Mine Index No. 8) set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such kinds and grades of bituminous coal delivered from the Allburn Mine at such prices from the Allburn Collieries Company.

(b) Coal in Size Group 20 produced at the Allburn Mine (Mine Index No. 8) of the Allburn Collieries Company may be sold at a price no higher than $2.50 per ton f. o. b. the mine, for rail shipment.

(c) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 15 shall become effective July 11, 1942.

Issued this 10th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6577; Filed, July 10, 1942; 12:00 m.]

CALUMET STEEL DIVISION, BORG-WARNER CORPORATION, CHICAGO HEIGHTS, ILLINOIS

ORDER GRANTING PARTIAL EXCEPTION

Order No. 15 under revised Price Schedule No. 6 [3]—iron and steel products.

On March 14, 1942, the Calumet Steel Division of the Borg-Warner Corporation, Chicago Heights, Illinois, hereinafter referred to as the Petitioner, filed its petition for an exception to the terms of Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (b) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) That Calumet Steel Division, Borg-Warner Corporation, Chicago Heights, Illinois, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, carbon steel merchant bars as set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive, carbon steel merchant bars at such prices from the Calumet Steel Division of the Borg-Warner Corporation, Chicago Heights, Illinois.

(b) Carbon steel merchant bars produced on Petitioner's 8" bar mill at a price not in excess of $2.35 cwt., Base, Chicago.

(c) Permission herein granted to Calumet Steel Division, Borg-Warner Corporation, Chicago Heights, Illinois, in this Order No. 15 is subject to the condition that a monthly statement be filed with the Office of Price Administration setting forth the quantity and a brief description of all sales or shipments made pursuant to the terms of this Order accompanied by a monthly statement of profit and loss.

(d) This Order shall apply only to shipments made after July 15, 1942.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 15 may be revoked or amended at any time by the Price Administrator.

(g) This order No. 15 shall become effective July 15, 1942.

Issued this 10th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6578; Filed, July 10, 1942; 12:01 p. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404.
[2] 7 F.R. 971, 3663.
[3] 7 F.R. 1215, 1836, 2132, 2153, 2298, 2299, 2351, 3115.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-558]

LOUISIANA PUBLIC SERVICE CORPORATION AND AMERICAN UTILITIES SERVICE CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

[2] 7 F.R. 971.

office in the City of Philadelphia, Pennsylvania, on the 8th day of July 1942.

American Utilities Service Corporation, a registered holding company, and Louisiana Public Service Corporation, its subsidiary company, having filed a declaration pursuant to Rules U-42 and U-44 promulgated under the Public Utility Holding Company Act of 1935 concerning the sale by said Louisiana Public Service Corporation to Louisiana Power and Light Company of all of its electric properties for the sum of $437,155.95 in cash (such purchase price being subject to certain adjustments); also the sale of all of the materials, supplies and accounts receivable with respect to such properties; the acquisition and retirement by said American Utilities Service Corporation of not exceeding $400,000 principal amount of its Collateral Trust 6% Bonds, Series A; and

An amendment covering the form of communication to be sent to bondholders asking for tenders pursuant to Rule U-62 having been filed; and

Said declaration having been filed June 3, 1942 and the last amendment having been filed June 30, 1942; and

Notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the price at which said bonds will be acquired will exceed or almost equal their principal amount; and

The Commission finding that said declaration satisfies the standards of Rules U-42, U-44 and U-62;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration as amended be and become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6541; Filed, July 9, 1942; 3:01 p. m.]

[File No. 70-522]

SOUTHERN NATURAL GAS COMPANY AND SOUTHERN PRODUCTION COMPANY, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of July 1942.

Applications and a declaration, and amendments thereto, having been filed with this Commission by Southern Natural Gas Company, a registered holding company, and Southern Production Company, Inc., a wholly-owned subsidiary of Southern Natural Gas Company, pursuant to sections 6 (b), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-45 promulgated pursuant to said Act, regarding (a) the issue and sale by Southern Production Company, Inc., and the acquisition by Southern Natural Gas Company at the principal amount thereof, of $500,000, principal amount of 3% Serial Notes, and (b) the sale by Southern Natural Gas Company, and the acquisition by Southern Production Company, Inc., of an interest in certain oil leases for $13,170 in cash; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein;

It is ordered, That, subject to the terms and conditions prescribed in Rule U-24, said applications, as amended, be and hereby are granted forthwith, and said declaration, as amended, be and hereby is granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6540; Filed, July 9, 1942; 3:01 p. m.]

[File No. 70-569]

INTERNATIONAL UTILITIES CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than July 23, 1942, at 5:30 p. m. E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request, that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed, or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a regular quarterly dividend on its $3.50 Prior Preferred Stock at the rate of 87½¢ per share on the 98,967 shares of such stock presently outstanding. The aggregate amount of this dividend will be $86,596.13.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6542; Filed, July 9, 1942; 3:01 p. m.]

[File Nos. 70-549, 70-551, 70-563]

ASSOCIATED ELECTRIC CO., ET AL.

NOTICE OF AND ORDER FOR RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of July, 1942.

In the matter of Associated Electric Company, File No. 70-549; in the matter of NY PA NJ Utilities Company, File No. 70-551; in the matter of Pennsylvania Electric Company, Keystone Public Service Company, Penelec Water Company, and Associated Electric Company, File No. 70-563.

The Commission on June 17, 1942, having issued its Notice of Filing and Order for Hearing and Order for Consolidation in the above entitled matters; and notice having been given of the following matters:

NY PA NJ Utilities Company, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to exchange its present holdings of 1,572 shares of $2.80 Cumulative Preferred Stock, no par value, and 115,000 shares of Common Stock, $1.00 par value (being the entire common stock of) of Keystone Public Service Company, with Associated Electric Company, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, for $1,832,500 principal amount of The Metropolitan Edison Corporation Secured Consolidated Refunding Gold Bonds, 6% Series, due 1961, now held by Associated Electric Company. As part of the transaction Associated Electric Company proposes to deliver the said bonds to The Pennsylvania Company for Insurance on Lives and Granting Annuities as trustee under the indenture dated as of August 1, 1936, between NY PA NJ Utilities Company and The Pennsylvania Company for Insurance on Lives and Granting Annuities. NY PA NJ Utilities Company will obtain the release of 1,408 shares of $2.80 Cumulative Preferred Stock and 118,000 Common Stock of Keystone Service Company now pledged as collateral with the Indenture Trustee.

Associated Electric Company proposes to acquire for cash from Keystone Public Service Company $856,000 principal amount of NY PA NJ Utilities Company 5% Debentures, due January 15, 1952, for a sum of $727,600, plus accrued interest; and the investment of Keystone Public Service Company in Citizens Transit Company, for $50,670.87.

Associated Electric Company proposes further to donate to Keystone Public Service Company as a capital contribution 1,572 shares of the preferred stock of Keystone Public Service Company.

Keystone Public Service Company proposes to sell for redemption, at the redemption price of $52.50 per share, the 10,367 shares of preferred stock of Keystone Public Service Company then outstanding.

Pennsylvania Electric Company, a subsidiary of Associated Electric Company, proposes to acquire the assets of Keystone Public Service Company and assume all liabilities, the cash consideration to be paid by Pennsylvania Electric Company to be based on the estimated original cost of the fixed assets of Keystone Public Service Company (exclusive of amounts includable in accounts 100.5 and 107) plus current and other assets less liabilities (including the liability on the call of the preferred stock of Keystone Public Service Company) and reserve for retirements applicable to the original cost of fixed assets.

Pennsylvania Electric Company also proposes to issue and sell at private sale $500,000 principal amount of notes maturing serially, the proceeds to be derived from the sale of said notes to be used by Pennsylvania Electric Company together with other funds to redeem the preferred stock of Keystone Public Service Company.

Keystone Public Service Company proposes then to dissolve and to transfer to Associated Electric Company the net cash proceeds received by it from Pennsylvania Electric Company in consideration for its assets transferred to Pennsylvania Electric Company.

Pennsylvania Electric Company proposes to acquire for cash that portion of the property of Penelec Water Company used to supply water to the Seward generating plant of Pennsylvania Electric Company, the consideration to be paid by Pennsylvania Electric Company to be based on the estimated original cost of the property to be acquired, less provision for retirements applicable thereto, such estimate amounting to $311,308.55, at March 31, 1942.

A hearing having been held thereon on June 24 and June 25, 1942, and said hearing having been continued, on motion of counsel for applicant-declarant, NY PA NJ Utilities Company, subject to call, and counsel for applicants and declarants having indicated that additional evidence is to be offered on various issues; and it appearing appropriate to the Commission that the hearing herein be reconvened and that at said reconvened hearing opportunity be afforded to interested persons to introduce relevant evidence or otherwise be heard;

It is ordered, That the hearing in the above entitled matter be reconvened before the trial examiner, previously designated, on July 24, 1942, at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in room 318.

It is further ordered, That without limiting the scope of the issues, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the consideration to be paid by Associated Electric Company for the securities of Keystone Public Service Company to NY PA NJ Utilities Company is reasonable.

2. Whether the consideration to be paid by Associated Electric Company for the debentures of NY PA NJ Utilities Company to Keystone Public Service Company is reasonable;

3. Whether the consideration to be paid by Associated Electric Company for the investment of Keystone Public Service Company in Citizens Transit Company is reasonable;

4. Whether the consideration to be paid by Pennsylvania Electric Company for the portion of the property of Penelec Water Company used to supply water to the Seward generating plant of Pennsylvania Electric Company is reasonable;

5. Whether the acquisition by Associated Electric Company of the investment in Citizens Transit Company is in the public interest and in the interest of investors of Associated Electric Company;

6. Whether the fees, and particularly the legal fees, are fair and reasonable;

7. Whether the terms and conditions of any of all of the proposed transactions are detrimental to the public interest or the interests of investors or consumers;

8. Whether terms and conditions are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or order promulgated thereunder;

9. Generally, whether all actions proposed to be taken comply with the requirements of such Act and rules, regulations or order promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6543; Filed, July 9, 1942; 3:01 p. m.]

[File No. 70-465]

PENNSYLVANIA ELECTRIC CO. ET AL.

NOTICE OF AND ORDER FOR RECONVENING HEARING, NOTICE OF FILING PLAN AND ORDER FOR HEARING THEREON

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of July, A. D. 1942.

In the matter of Pennsylvania Electric Company, The Clarion River Power Company, Erie Lighting Company, Solar Electric Company, Youghiogheny Hydro-Electric Corporation, Associated Maryland Electric Power Corporation, and Associated Electric Company.

Pennsylvania Electric Company, a subsidiary of Associated Electric Company, a registered holding company, having filed applications and declarations in connection with its issue and sale of bonds and preferred stock and its acquisition of the assets of certain of its subsidiaries and of associate companies; and

As part of such program, Pennsylvania Electric Company having proposed the acquisition of the assets, subject to liabilities, of The Clarion River Power Company, its subsidiary, in consideration of a credit in the amount of $5,184,075.83 on the open account indebtedness of The Clarion River Power Company owing to Pennsylvania Electric Company; and

It being represented that, as per books, as at October 31, 1941, The Clarion River Power Company had outstanding the following securities and claims against it.

Security or claim	Amount outstanding	Held by Pennsylvania Electric Co.	Held by public
Common stock—$100 par value (shares)	650	650	------
Participating capital stock $100 par value (shares)	44,530	40,262.3	4,267.7
Open account indebtedness	$8,065,000	$8,065,000	------

In order to expedite consideration of the financing, applicants-declarants having requested that the determination of the rights of the public holders of the Participating Capital Stock of The Clarion River Power Company be reserved and that they would submit a plan or program with respect to the rights and interests of the public holders of said stock;

The Commission, having on February 17, 1942, issued its order in the above entitled matter, permitting the declarations to become effective and approving the applications, upon certain conditions, and the Commission having expressly reserved jurisdiction as follows:

To determine whether and the extent to which the indebtedness of The Clarion River Power Company to Pennsylvania Electric Company should be subordinated to the publicly-held Participating Capital Stock and the extent to which payments should be made by Pennsylvania Electric Company, as acquirer of the assets of The Clarion River Power Company, to said holders of Participating Capital Stock in satisfaction of their interests;

And Ford R. Jennings and George N. Fleming having filed a declaration pursuant to Rule U-62 to solicit the public holders of the Participating Capital Stock of The Clarion River Power Company and having indicated in such solicitation material that "the Committee proposes in due course to request the Securities and Exchange Commission to retain jurisdiction of the proceedings to the extent of determining the amount of its compensation and expenses and those of its counsel after the work of the Committee has been completed, and to assess such compensation and expenses against either the Pennsylvania Electric Company or The Clarion River Power Company or both;" and

The Commission on April 21, 1942 having permitted the declaration of Ford R. Jennings and George N. Fleming to be-

come effective subject to a reservation of jurisdiction over the question of fees and expenses, if any, to be allowed said Committee; and

Pennsylvania Electric Company and Associated Electric Company having filed a plan or proposal and an amendment thereto for disposing of the "alleged claim of the public holders of Participating Capital Stock of The Clarion River Power Company" by offering to set aside in a special account the sum of $21,338.50, being on the basis of $5 per share for the 4,267.7 shares of Participating Capital Stock held by the public, for distribution to said public holders; and

The proposal and offer, as amended, being made by said companies upon the following conditions:

(a) That the Commission enter an order approving the proposal and offer as fair and equitable;

(b) That an order be entered by such other regulatory authority as counsel for applicants-declarants deem necessary approving said proposal and offer;

(c) That the proposal and offer be formally approved by 75% in face amount of the publicly held Participating Capital Stock by a writing or writings signed by such holders or their duly authorized representatives, but that "nothing herein contained shall be deemed to be or shall be construed as an admission that the approval of any of such public holders is necessary or required if the other conditions herein set forth are satisfied; and the Pennsylvania Electric Company expressly reserves the right to pay over to such number of holders as it deems advisable their pro rata share of the sum above mentioned, regardless of whether the public holders of 75% of such stock approve or not";

(d) That if Pennsylvania Electric Company shall desire, it may require that in addition to receiving approvals from public holders of 75% of the stock, the certificates representing the stock of each such approving holder shall be deposited with an escrow agent who shall receive payment on behalf of such holders in the pro rata share allocable thereto against delivery to the company of such certificates of stock and a release in favor of The Clarion River Power Company and the Pennsylvania Electric Company signed by such holder;

(e) That the conditions which applicants attach to their proposal and offer must be complied with on or before December 31, 1942.

The applicants-declarants having requested that the Commission pass upon the proposal and offer in accordance with the terms and provisions of section 11 (e) of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated by the Commission pursuant thereto; and

It appearing to the Commission that the hearing in the matter should be reconvened, to consider the questions over which the Commission reserved jurisdiction and the plan or program filed;

It is ordered that a hearing be held under the applicable provisions of the Public Utility Holding Company Act and rules of the Commission thereunder, on August 13, 1942, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing room clerk in room 318. At such hearing all security holders will be heard with respect to the questions over which the Commission reserved jurisdiction, the fairness of the plan submitted, and any matters affecting their interests.

It is further ordered that Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at any such hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered that without limiting the generality of the foregoing and without limiting the scope of the proceedings as specified herein, particular attention will be directed at said hearing to the following matters and questions:

1. Whether and to what extent the public holders of the Participating Capital Stock of The Clarion River Power Company should share in the assets of that company and/or of Pennsylvania Electric Company as acquirer of the assets of The Clarion River Power Company;

2. Whether and to what extent the interest of Pennsylvania Electric Company in The Clarion River Power Company should be subordinated to the interest of the public holders of the Participating Capital Stock;

3. Whether such plan or proposal is necessary and appropriate to effectuate the provisions of Section 11 of the Act;

4. Whether the proposed plan or proposal is fair and equitable to the public holders of the Participating Capital Stock of The Clarion River Power Company;

5. Whether in view of the conditions contained in said plan said plan can be considered feasible;

6. Whether and to what extent provision should be made in said plan or otherwise for compensation for the Committee (Ford R. Jennings and George N. Fleming) and its counsel;

7. Whether any modification should be made in said plan or proposal.

It is further ordered, That notice of said hearing be and is hereby given to the applicants-declarants and notice is hereby given to all security holders of The Clarion River Power Company, such notice to be given by Pennsylvania Electric Company or The Clarion River Power Company as hereinafter provided and also by publication of this order in the FEDERAL REGISTER and by general release of the Commission, distributed to the mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That The Clarion River Power Company or Pennsylvania Electric Company shall give notice of the hearing by sending a copy of this notice of and order for hearing to all the holders of the Participating Capital Stock of The Clarion River Power Company; such notice to be mailed by The Clarion River Power Company or Pennsylvania Electric Company not later than fifteen days prior to the date of the hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6553; Filed, July 10, 1942; 10:22 a. m.]

[File Nos. 70-254, 70-267, 70-292]

CENTRAL STATES POWER & LIGHT CORPORATION

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of July 1942.

The Commission on the 22nd day of July 1941, having issued an order permitting declarations to become effective regarding the proposed utilization of approximately $5,300,000, derived by the declarant from sale of certain of its assets, to the acquisition of a portion of its First Mortgage and First Lien Gold Bonds, 5½% series, due January 1, 1953, pursuant to tenders at 100 and accrued interest; the Commission having modified the aforesaid order on the 28th day of February 1942, by permitting declarant to utilize such funds to purchase its first mortgage bonds in the open market at 100 and accrued interest;

The time within which such bonds might be acquired in accordance with the order of the Commission as modified, having expired on March 31, 1942;

Declarant having filed an amendment herein stating that, of the proceeds derived from the sale of its properties as aforesaid, $17,265 remains unexpended and that additional funds in an approximate amount of $128,500 are also available for the purchase of such bonds and requesting that it be permitted to utilize such funds to acquire an additional portion of its first mortgage bonds at 100 and accrued interest either by purchase in the open market or pursuant to solicitation of tenders or both; and

It appearing to the Commission that declarant's request should be granted

It is ordered, That such request be, and it hereby is, granted, subject, however, to the terms and conditions of Rule U-24 and the requirements as to post-amendments and supplementary solicitations set forth in paragraphs (d) and (f) of Rule U-62, which requirement as to post-amendments shall be deemed applicable in the event that any person shall be directly or indirectly employed to solicit bondholders in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6552; Filed, July 10, 1942; 10:22 a. m.]

WAR PRODUCTION BOARD.

Division of Industry Operations, Bureau of Priorities.

FORM PD-4X-1 PRESCRIBED

Notice is hereby given that pursuant to paragraph (b) of Priorities Regulation No. 12 of the War Production Board (§ 944.33) the attached form of Rerating Direction, PD-4X-1, has been prescribed for use in connection with the rerating by the armed services of deliveries of aircraft and components thereof. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

PD-4X-1

WAR PRODUCTION BOARD

BUREAU OF PRIORITIES

WASHINGTON D. C.

Rerating Direction

(To be used only by Government Officials for rerating orders for aircraft and components)

Issued to: _____
(Name of Prime Contractor)

Address: _____

Pursuant to Priorities Regulation No. 12 deliveries indicated below are rerated as follows:

Description of product	Type or model	Production period	New preference rating	Quantity for production period*	Allocation classification and purchaser's symbols under priorities reg. No. 10

*Based on production schedules in Reports 8, 9 or 10 of the Aircraft Branch, War Production Board, or on other official production schedules of Army Air Forces or Bureau of Aeronautics.

This form may be issued only by Government officials to rerate deliveries, under prime contracts, directly to the Army, Navy, and other Government war agencies as listed in Priorities Regulation No. 1. Reratings of deliveries to be made to the above-named contractor must be made on Form PD-4Y and in compliance with Priorities Regulation No. 12 of the War Production Board.

By authority of:

J. S. KNOWLSON, *Director of Industry Operations.*

_____
(Signature of Gov't Issuing Officer)

_____
(Address)

_____
(Date)

_____
(Initiating Agency)

Instructions to Issuing Officer: This form must be issued in quadruplicate and copies provided each of the following
1. Prime contractor.
2. Supply Service or Bureau.
3. Contracting or Inspection Officer.
4. Army-Navy Munitions Board.

[F. R. Doc. 42-6581; Filed, July 10, 1942; 12:03 p. m.]

JUL 15 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 137

Washington, Tuesday, July 14, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

APPRAISAL FEES FOR PARTIAL RELEASES

Section 24.5 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.5 *Appraisal fees for partial releases.* The following appraisal fees are charged in connection with partial releases, except those for highway purposes:

For appraisals involving less than $500	$5.00
For appraisals involving from $500 to $1,500	7.50
For appraisals involving from $1,500 to $5,000	10.00
For appraisals involving more than $5,000	12.50

In connection with partial releases for highway purposes, a flat fee of $8.00 is charged, and is deducted from the highway award. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C., 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) [Res. Ex. Com. July 18, 1935; Res. Bd. Dir., June 15, 1942]

The Federal Land Bank of Louisville, acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] By E. RICE, *President.*

[F. R. Doc. 42-6633; Filed, July 13, 1942; 10:14 a. m.]

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

APPLICATION FEES FOR PARTIAL RELEASES

Section 24.6 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.6 *Application fees for partial releases.* The following application fees are charged in connection with partial releases, except those for highway purposes, in connection with which no application fee is charged:

Land bank loans	$7.50
Commissioner first mortgage loans	10.00
Combined land bank and Commissioner loans	10.00

These fees in connection with land bank and combined land bank Commissioner loans do not include the appraisal fee. However, the $10.00 fee required to be submitted in connection with a Commissioner first mortgage loan does include and is in lieu of the appraisal fee set forth in § 24.5 above. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C., 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) [Res. Ex. Com., December 6, 1936; Res. Bd. Dir., June 15, 1942]

The Federal Land Bank of Louisville, acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] By E. RICE, *President.*

[F. R. Doc. 42-6631; Filed, July 13, 1942; 10:14 a. m.]

PART 29—THE FEDERAL LAND BANK OF WICHITA

RELEASE OF PERSONAL LIABILITY FEES

Title 6, Code of Federal Regulations, is amended by adding the following new section:

§ 29.7 *Release of personal liability fees.* The following fees shall be charged in connection with applications for release of personal liability, to be paid at the time of the filing of the application, to-wit:

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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(a) Single Federal Land bank or Land Bank.

Commissioner loans:	
If no appraisal is required	$7.50
If appraisal is required	17.50

(b) Joint Federal Land Bank and Land Bank.

Commissioner loans:	
If no appraisal is required	$10.00
If appraisal is required	20.00

(c) An additional fee of $7.50 if an investigation is required outside the Ninth Farm Credit District.

If the release is not granted and no appraisal has been made, the entire fee will be refunded. If the release is not granted and an appraisal has been made, $10 will be retained and the balance of the fee will be refunded. If the release is not granted and both an investigation outside the Ninth Farm Credit District and an appraisal have been made, $17.50 will be retained and the balance of the fee refunded. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.4019) [Res. Ex. Com., July 1, 1942]

[SEAL] THE FEDERAL LAND BANK OF WICHITA,
C. G. SHULL, *President*.

[F. R. Doc. 42–6632; Filed, July 13, 1942; 10:13 a. m.]

PART 32—THE FEDERAL LAND BANK OF SPOKANE

FEES

Part 32 of Title 6, Code of Federal Regulations, is amended by adding the following section:

§ 32.6 *Release of personal liability on mortgage loans.* On each application filed for a release from personal liability on a single Federal land bank or Land Bank Commissioner loan, or on joint Federal land bank and Land Bank Commissioner loans, a fee is charged as follows: If no appraisal report required—$5.00; if appraisal report required—$20.00. (Sec. 13. "Ninth" 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth" 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) (Res. Bd. Dir., June 17, 1942)

[SEAL] THE FEDERAL LAND BANK OF SPOKANE,
J. C. MCCAUSTLAND,
Vice-President.

[F. R. Doc. 42–6630; Filed, July 13, 1942; 10:13 a. m.]

Chapter II—Commodity Credit Corporation

[1942 C. C. C. Wheat Form 1]

PART 228—1942 WHEAT LOANS

INSTRUCTIONS CONCERNING WHEAT LOANS[1]

Commodity Credit Corporation has authorized the making of loans and the purchase of eligible paper secured by wheat stored on farms or in approved public grain warehouses. These instructions state the requirements of Commodity Credit Corporation with reference to making such loans on wheat and the purchase of notes secured by wheat.

Sec.

228.1 Definitions.
228.2 Areas in which loans are available.
228.3 Loan rates.
228.6 Protein premium.
228.8 Variation for grades.
228.10 Determination of dockage, smut, and garlic.
228.11 Determination of quantity of wheat.
228.12 Maturity and interest rate.
228.13 Public warehouses.
228.14 Warehouse receipts.
228.15 Farm storage.
228.16 Liens.
228.17 Insurance.
228.18 Approval of 1942 wheat loans by a member of the county committee.
228.19 Source and preparation of documents.
228.20 Source of loans.
228.21 Purchase of loan.
228.22 Offices of the regional directors of Commodity Credit Corporation.
228.23 Release of collateral held by Commodity Credit Corporation.
228.24 Partial releases of collateral.

AUTHORITY: §§ 228.1 to 228.24 inclusive issued under sec. 302 (a) 52 Stat. 43, par. (10), 55 Stat. 860, 7 U.S.C. 1302.

§ 228.1 *Definitions.* For the purpose of these instructions and the notes and loan agreements or mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Producer eligibility.* (1) A producer will be eligible for a wheat loan at full loan rate if: (i) The 1942 acreage of wheat on the farm does not exceed the wheat acreage allotment or permitted acreage established for the farm under the 1942 Agricultural Conservation Program; (ii) his aggregate share of the 1942 acreage of wheat on all farms in the county does not exceed his aggregate share of the wheat allotment or permitted acreage for such farms; and (iii) the sum of the 1942 acreages of wheat, cotton, corn, and tobacco on the farm does not exceed the sum of the allotments or permitted acreages of such crops on the farm.

(2) A producer on any farm on which the wheat acreage allotment is exceeded solely because of volunteer wheat reaching maturity, and the farm marketing excess wheat is stored on the farm, and who is otherwise eligible to receive a wheat loan, will be eligible for a loan; (i) at full loan rate on all wheat not included in the farm marketing excess and (ii) at 50 percent of the full loan rate on the farm marketing excess wheat.

(3) A producer on a farm on which the wheat acreage allotment or permitted acreage is exceeded, except as provided in (2) above, will be eligible for a loan at 60 percent of the full loan rate on the farm marketing excess wheat as established under the wheat marketing program for the 1942–43 marketing year.

(4) A producer otherwise eligible to receive a wheat loan (other than the 60 percent loan in (3) above) will not be eligible if the State committee determines that such person's aggregate share of the 1942 wheat acreage on all farms in the State exceeds his aggregate share of the allotment or permitted acreage for such farms to such an extent as to offset substantially the performance on the farm or farms on which he might otherwise be eligible for loan.

(b) *Eligible wheat.* Wheat of acceptable quality as defined below which was produced in 1942, the beneficial interest to which is and always has been in an eligible producer as defined under paragraph (a) of this section; or wheat represented by a "Certificate of Indemnity," Form FCI–274, issued by the Federal Crop Insurance Corporation to an eligible producer.

(1) Wheat of any class grading No. 3 or better or wheat grading No. 4 or 5 solely on the factor of test weight, but otherwise grading No. 3 or better when stored on the farm or in approved warehouses. (To be acceptable, however, warehouse-stored wheat grading No. 4 or 5 must be evidenced by a statement of the warehouseman on the warehouse receipt, the inspection certificate, or the warehouseman's supplemental certificate substantially as follows: "This wheat grades No. _____ solely on account of test weight.") Wheat of the classes hard red spring or durum shall contain not more than 14½ percent moisture and wheat of other classes shall contain not more than 14 percent moisture, except that:

(i) *When stored in warehouses* wheat containing not more than 15½ percent moisture in States west of the Mississippi River and 17 percent moisture in States east of the Mississippi River, grading tough or because of carrying notation as to weevil or other insects injurious to stored grain, but otherwise eligible, may be processed at the producer's expense and such wheat will thereafter be considered eligible for loan purposes provided the original warehouse receipt and warehouseman's supplemental certificate, in addition to other original documents, are accompanied by a certificate of the approved warehouseman issuing said receipts as follows:

The wheat represented by attached warehouse receipt No. _____, dated _____, covering loan wheat has been processed at the request of the eligible producer and redelivery will be made of the same country-run quality, quantity, grade, and protein as shown on the said warehouse receipt and accompanying original inbound inspection, weight, and other required documents free of "tough" and "weevily" notation. Lien for processing charges will not be claimed by warehouseman from Commodity Credit Corporation or any subsequent holder of said warehouse receipt.

_____ (Signed) _____
(Address) (Warehouseman)
Date _____, 19__

(ii) *When stored on the farm* in all counties in the States of Michigan, Pennsylvania, New York, New Jersey, Maryland, Delaware, and Virginia, and in all counties in the States of Indiana and Ohio north of or intersected by the fortieth parallel meridian, wheat of the classes hard red winter, soft red winter, white, and mixed wheat of the above classes grading tough but containing not more than 14½ percent moisture, if otherwise meeting the requirements of Commodity Credit Corporation, and in good sound condition, will be eligible for a loan at a discount of 2 cents per bushel from the rate for such wheat testing 14 percent or less in moisture content.

(2) Wheat of the class mixed wheat, consisting only of mixtures of those eligible classes of wheat on which loan rates are established, provided such mixtures are the natural product of the field.

(c) *Eligible storage.* Eligible storage shall include public grain warehouses and farm storage meeting the following respective requirements:

(1) Public grain warehouses must meet the requirements of Commodity Credit Corporation, and must have executed the Uniform Grain Storage Agreement. Such warehouses may be situated either at terminal, subterminal, or country points.

(2) Farm storage shall consist of farm bins and granaries which are of such substantial and permanent construction as to afford safe storage of the wheat for a period of 2 years and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather, as determined by the county agricultural conservation committees.

(d) *Lending agency.* Any bank, cooperative marketing association, or other

[1] §§ 228.4, 228.5, 228.7, 228.9, *infra*, p. 5333.

corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E.

(e) *Eligible paper.* For the purpose of the Contract to Purchase, eligible paper shall consist of producers' notes secured by chattel mortgages for wheat stored on the farm, or warehouse receipts representing wheat stored in approved warehouses. Notes must be dated on or subsequent to June 1, 1942, and prior to January 1, 1943, and executed in accordance with these instructions with state documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 228.2 *Areas in which loans are available.* Loans are available on eligible wheat stored in approved public grain warehouses.

Loans are available on eligible wheat stored on farms in the following areas:

All counties in California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New York, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming; and in the following counties of the following States:

New Mexico: Bernalillo, Colfax, Curry, Guadalupo, Harding, McKinley, Mora, Quay, Rio Arriba, Roosevelt, San Juan, Santa Fe, San Miguel, Sandoval, Socorra, Taos, Terrance, Union, and Valencia.

Oklahoma: Alfalfa, Beaver, Bookham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas: Archer, Armstrong, Bailey, Baylor, Briscoe, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hartley, Hardeman Haskell, Hemphill, Hockley, Hutchinson, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Stonewall, Swisher, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 228.3 *Loan rates.* Loan rates on wheat of the designated grades and subclasses stored in approved public grain warehouses or stored on farms in counties where farm storage is permitted are set out in 1942 C. C. C. Wheat Form 1—Supplement 1 and State supplements thereto (1942 C. C. C. Wheat Form 1—Supplement 2—Kansas, etc.).

§ 228.6 *Protein premium.* A premium shall be added to the loan rate of the subclasses of hard red spring and hard red winter, and of the subclass hard white wheat. Mixed wheat, regardless of the classes of wheat contained in the mixture, will not be eligible for protein premium. Protein premium will be added to the loan rate of farm-stored wheat only where the producer presents a protein certificate issued by a laboratory satisfactory to Commodity Credit Corporation. If the wheat is stored in approved warehouses, the producer must present a protein certificate attached to the warehouse receipt, or present a warehouse receipt or warehouseman's supplemental certificate with protein content indicated thereon. Schedule of protein premiums will be found in 1942 C. C. C. Wheat Form 1—Supplement 1.

§ 228.8 *Variation for grades.* Loan rates for eligible grades and subclasses shall be in accordance with schedule of premiums and discounts shown in 1942 C. C. C. Wheat Form 1—Supplement 1.

§ 228.10 *Determination of dockage, smut, and garlic.* The percentage of dockage shall be determined in accordance with the Official Grain Standards of the United States and the weight of said dockage shall be deducted from the gross weight of the wheat in determining the net quantity available for loan.

In the States of California, Idaho, Oregon, Utah, and Washington, the quantity of smut shall be stated in percentage in accordance with the method set out in paragraph (a) under "Smutty wheat" in the handbook of Official Grain Standards of the United States, Revised, 1941, and shall be stated in terms of half percent, whole percent, or whole and half percent, and the quantity of smut so determined in pounds shall be deducted from the weight of clean wheat after deduction of other dockage. Elsewhere the smut condition of the wheat shall be determined on a degree basis in accordance with paragraph (b) under "Smutty wheat," Official Grain Standards of the United States. Where applicable, the words "Light smutty" or "Smutty" shall be added to, and made a part of, the grade designation.

The garlic condition of wheat shall be determined in accordance with the Official Grain Standards of the United States, and such condition shall be made a part of the grade designation by adding the words "Light garlicky" or the word "Garlicky," as determined under such standards. Discounts for smut and garlic are shown in 1942 C. C. C. Wheat Form 1—Supplement 1.

§ 228.11 *Determination of quantity of wheat.* Loans shall be made at values expressed in cents per bushel. A bushel will be 60 pounds of clean wheat free of dockage, when determined by weight, or 1.25 cubic feet of wheat testing 60 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the net quantity of the collateral when stored as sacked grain. In determining the quantity of wheat in farm storage by measurement, fractional pounds of the test weight per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 60-pound wheat:

For wheat testing:	*Percent*
65 pounds or over	108
64 pounds or over, but less than 65 pounds	107
63 pounds or over, but less than 64 pounds	105
62 pounds or over, but less than 63 pounds	103
61 pounds or over, but less than 62 pounds	102
60 pounds or over, but less than 61 pounds	100
59 pounds or over, but less than 60 pounds	98
58 pounds or over, but less than 59 pounds	97
57 pounds or over, but less than 58 pounds	95
56 pounds or over, but less than 57 pounds	93
55 pounds or over, but less than 56 pounds	92
54 pounds or over, but less than 55 pounds	90
53 pounds or over, but less than 54 pounds	88
52 pounds or over, but less than 53 pounds	87
51 pounds or over, but less than 52 pounds	85
50 pounds or over, but less than 51 pounds	83

§ 228.12 *Maturity and interest rate.* Notes secured by wheat stored in public warehouses shall mature on demand but not later than April 30, 1943, and notes secured by wheat stored on farms shall mature on demand but not later than April 30, 1944. All loans will bear interest at the rate of 3 percent per annum.

§ 228.13 *Public warehouses.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts representing eligible wheat issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement and has been approved by the Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of the Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses will be furnished State or county agricultural conservation committees by regional directors. Uniform storage and handling charges and terms of the storage agreement are outlined in the Uniform Grain Storage Agreement. Warehousemen shall not have outstanding at any time warehouse receipts in excess of the normal working or licensed capacity of the warehouse. All wheat pledged as security for a loan on C. C. C. Grain Form B must be stored in the same warehouse. Producers should arrange for cleaning of wheat containing in excess of 2 percent dockage in order to avoid excessive transportation, conditioning, and storage charges. Wheat containing smut or garlic should not be commingled with wheat free of smut or garlic.

§ 228.14 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer and dated on or prior to the date of the related note and properly endorsed in blank so as to vest title in the holder, and must be issued by approved warehousemen.

(a) Warehouse receipts issued for wheat delivered by wagon or truck should contain substantially the following:

(1) The warehouse receipt should set forth in its written terms that the wheat is insured for not less than market value against the hazards of fire, lightning, inherent explosion and windstorm, cyclone, and tornado, or in lieu of this statement it must have stamped or printed thereon the word "Insured."

(2) The warehouse receipt must be free of all liens for charges prior to unloading in or delivery to the warehouse. Liens for storage charges will be recognized by Commodity Credit Corporation only from May 15, 1942, or the dates of the warehouse receipts, whichever is later.

(3) The warehouse receipt must set forth in the written or printed terms the gross weight or bushels, grade and sub-class, test weight, protein content (if any), degree or percentage of smut or garlic and dockage, and such other information as is required by the Uniform Warehouse Receipts Act.

(4) The warehouse receipt must show the moisture content except in the States of California, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. (In those areas where moisture content is required, but it is not customary for country warehousemen to determine the exact moisture percentage, a warehouse receipt representing wheat stored in a country warehouse will be accepted if the moisture content is not shown, provided the grade of wheat does not show the word "tough." In such cases, the warehouseman will be responsible to deliver wheat not grading "tough" or "sample" due to moisture content.)

Any warehouse receipt which does not contain all the required information as outlined above must be accompanied by a warehouseman's supplemental certificate. Such supplemental certificate must be in duplicate, properly identified to the warehouse receipt, and must contain the information required above.

(b) Warehouse receipts properly executed and issued for wheat delivered by rail or barge must be accompanied by a warehouseman's supplemental certificate in duplicate which should contain the information required in paragraph (a) of this section and which will be used in lieu of the following certificates:

(1) Inbound weight and inspection certificates, and protein certificates properly identified to the wheat covered thereby. In the States of California, Idaho, Nevada, Oregon, Utah, Washington, and in other areas where licensed inspectors are not available at terminal and subterminal warehouses, Commodity Credit Corporation will accept inspection certificates based on representative samples which have been forwarded to and graded by licensed grain inspectors. The official inbound weight and inspection certificates must represent wheat unloaded in the warehouse issuing said receipt.

(2) The protein content, as determined by a recognized protein testing laboratory, must be shown on each supplemental certificate accompanying warehouse receipt representing wheat of the subclasses of hard red spring and hard red winter and of the subclass hard white wheat, except that protein content need not be shown for the subclasses hard winter and yellow hard winter produced in States or areas tributary to markets where protein content is not customarily required.

§ 228.15 *Farm storage.* Wheat stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by State committees and regional directors of the Agricultural Adjustment Agency. In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will inspect and approve storage facilities and will arrange for measuring, sampling, grading, and sealing the wheat collateral in approved structures. Chattel mortgages covering farm-stored wheat must be executed and filed in accordance with the applicable State law. Where the borrower is a tenant, and the wheat collateral is stored on the farm, the expiration date of the lease shall be given in section 1 (e) of the chattel mortgage. If the expiration date of the lease is prior to June 30, 1944, the borrower must secure from the owner and other interested parties, consent that the collateral may remain in the described storage structure until June 30, 1944, without any charge to the Commodity Credit Corporation other than that agreed to be paid to the borrower for storing the collateral. The consent agreement is set forth in the chattel mortgage. Each producer must designate in section 1 (b) of the chattel mortgage a shipping point reasonably convenient for the delivery of the wheat as determined by the county committee. A separate note and chattel mortgage must be submitted for wheat stored on each quarter section of land.

The Commodity Credit Corporation will accept delivery of all the producer's wheat in the bin or bins in which all or a portion of the grain therein is under loan. Such delivery will be limited to the number of bushels that was in the bin at the time the loan was made, less any amount which has been previously removed. The producer will be given credit for the number of bushels so delivered at the loan rate applicable to the grade and class of wheat delivered. If no loan rate has been established for the grade of wheat delivered, the actual delivery value will be furnished by the regional director of Commodity Credit Corporation serving the area.

A storage allowance of 7 cents per bushel will be advanced at the time the loan is made only on the number of bushels placed under loan, except that no storage allowance shall be advanced or earned on loans made on "volunteer" wheat at 50 percent of the full loan value. A storage payment of 7 cents per bushel shall be earned by the producer (1) if the wheat is delivered to the Commodity Credit Corporation on or after April 30, 1943, or (2), if pursuant to demand by the Corporation for the repayment of the loan, the wheat is delivered to the Commodity Credit Corporation prior to April 30, 1943, provided such demand for repayment was not due to any fraudulent representation on the part of the producer or the wheat was damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to April 30, 1943, with the consent or approval of the Commodity Credit Corporation, a storage payment will be earned in accordance with the terms of the mortgage supplement. Earned storage shall be computed after delivery has been completed and any storage advance not earned shall be repaid to the Corporation. A storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage. Any deficiencies due the Corporation will be deducted from any credits which may be due the producer from the Corporation.

In the event the producer's loan is not previously called and the producer has not elected to deliver his wheat in satisfaction of his loan between April 30, 1943, and June 30, 1943, a storage payment of ½ cent per bushel per month for each complete month after June 30, 1943, will be earned, not to exceed 5 cents per bushel through June 30, 1944. The full payment of 5 cents per bushel shall be earned by the producer (1) if the wheat is delivered to Commodity Credit Corporation on or after April 30, 1944, or (2) if, pursuant to demand by the Commodity Credit Corporation between July 1, 1943, and April 30, 1944, for the repayment of the loan, the wheat is delivered to the Commodity Credit Corporation prior to April 30, 1944, provided such demand for payment was not due to any fraudulent representation on the part of the producer, or because the wheat was damaged, threatened with damage, abandoned, or otherwise impaired.

§ 228.16 *Liens.* The wheat collateral must be free and clear of all liens, or if liens exist on the collateral, proper waivers must be secured from each lienholder. The names of the holders of all existing liens on the pledged or mortgaged wheat, such as landlord, laborers, threshers, or mortgagees, must be listed in the space provided in the chattel mortgage or note and loan agreement. The waiver and consent to pledge or mortgage the wheat and the payment of the proceeds of the loan and the proceeds of the sale of the wheat solely to the producer as contained in the mortgage or note and loan agreement must be signed personally by all lien holders listed or by their duly authorized agents; or, if corporation, by an officer authorized to execute such instruments. Lien holders may sign C. C. C. Form AB, completely identifying the related note, in lieu of signing the appropriate section of the chattel mortgage or note and loan agreement. The proceeds of the loan may be made

payable to the producer and/or such other person or concern as the producer may direct in the space provided on the note. Producers should be sure that wheat offered as collateral for a loan is not covered by previous real estate or other mortgages. The producer shall be held personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code for any fraudulent representation of fact made in the execution of the note and mortgage or loan agreement.

§ 228.17 *Insurance*—(a) *Wheat stored on farms.* Commodity Credit Corporation will not require producers to insure their 1942 farm-stored wheat placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note "paid" and return it to the borrower. In case of a partial loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the note will be credited at the loan value, plus interest for the number of bushels on which the loss occurred. Where either total or partial loss occurs and such loss is assumed by Commodity Credit Corporation, no repayment of any storage advance will be required of the borrower even though the loss took place prior to April 30, 1943. No loss will be assumed if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan.

(b) *Wheat stored in approved warehouses.* The warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, and windstorm, cyclone, and tornado for the full market value of wheat stored in their warehouses as long as receipts are outstanding.

§ 228.18 *Approval of 1942 wheat loans by a member of the county committee.* C. C. C. Grain Form A (Revised) and C. C. C. Grain Form B must be approved by a member of the county agricultural conservation committee. The date of approval must not be prior to the date of the note or note and loan agreement.

(a) *Farm storage note.* A member of the county committee signing in the space provided on the Grain Producer's Note (C. C. C. Grain Form A (Revised)) certifies for and on behalf of the committee that to its best knowledge and belief the wheat securing said note and the storage structure(s) in which said wheat is stored have been inspected and sealed and the quantity, quality, and loan value determined in accordance with regulations of the Secretary of Agriculture; that the representations set forth in the chattel mortgage are true and correct; that the chattel mortgage covering said wheat has been properly executed and will be filed for record in accordance with the requirements of Commodity Credit Corporation; that satisfactory evidence of authority of all parties executing note, chattel mortgage, lienwaiver(s), and consent for storage has been received, and any documentary evidence of authority will be held by the committee; that the original or a duplicate copy of said mortgage bearing receipt of the county recording official is held by the committee; that all lienholders have waived the priority of their liens and consents granted for storage if necessary, and that the storage advance has been included in the amount of the note in accordance with the provisions of the Agricultural Adjustment Agency instructions.

(b) *Warehouse storage note and loan agreement.* A member of the county committee signing in the space provided on the Grain Producer's Note and Loan Agreement (C. C. C. Grain Form B) certifies for and on behalf of the committee that to its best knowledge and belief the representations set forth by the producer are true and correct; that the amount of the loan on the described wheat has been correctly determined on the basis of the warehouse receipts or certificates of indemnity in accordance with these instructions and supplements thereto; and that all existing liens on the pledged wheat are listed in section 7.

§ 228.19 *Source and preparation of documents.* Forms will be furnished county agricultural conservation committees in the areas designated in § 228.2 and copies for the purpose of information may be obtained from such committees or from the office of the regional director serving the area, listed in § 228.22. All loan documents shall be prepared in the office of the county agricultural conservation committee. All blanks in C. C. C. Grain Forms A (Revised), AA (Revised), and B must be filled in with ink, typewriter, or indelible pencil, and such documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation only when such corrections are properly initialed by the producer. The county agricultural conservation associations will collect a service fee for all loans.

§ 228.20 *Source of loans.* Loans may be obtained from Commodity Credit Corporation or any approved lending agency. Notes representing loans made direct with Commodity Credit Corporation should indicate Commodity Credit Corporation as payee and should be mailed to the regional director serving the area. Notes representing loans made with other agencies should bear the name and address of the lending agency as payee.

§ 228.21 *Purchase of loan.* Commodity Credit Corporation will purchase, without recourse, eligible paper only from approved lending agencies in accordance with the terms of the Contract to Purchase (1940 C. C. C. Form E). Paper held by lending agencies must be submitted to the regional director serving the area in which the wheat is stored. Lending agencies should report weekly on 1940 C. C. C. Form F all payments or collections on producers' notes. An amount equivalent to 1½ percent interest per annum on the principal amount collected must be submitted with such weekly reports.

§ 228.22 *Offices of the regional directors of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them under these instructions are shown below:

Address of Regional Director	*Area*
208 South La Salle Street, Chicago, Ill.	Connecticut, Delaware, Illinois (except East St. Louis), Indiana, Eastern Iowa (including Howard, Chickasaw, Bremer, Black Hawk, Tama, Poweshiek, Mahaska, Wapello, Davis, and all counties east of those listed), Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Southern Wisconsin (including all counties except 18 listed in the Minneapolis area).
1108 Federal Reserve Bank Building, Kansas City, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Western Iowa (including all counties west of those listed above), Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.
326 McKnight Building, Minneapolis, Minn.	Minnesota, Montana, North Dakota, South Dakota, Northern Wisconsin (including the following counties: Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Iron, Pepin, Pierce, Polk, Rush, St. Croix, Sawyer, Vilas, Washburn, Florence, Forest, Oneida, Price, La Crosse, Lincoln, Taylor, Trempealeau).
Artisans Building, 225 Southwest Broadway, Portland, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 228.23 *Release of collateral held by Commodity Credit Corporation.* A producer may obtain release of the collateral by paying to the lending agency or the Commodity Credit Corporation, whichever holds the note, the principal amount of the note, plus interest. If the note is held by an out-of-town lending agency or the Commodity Credit Corporation, the producer may request the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm storage wheat loan, the county agricultural conservation committee should be requested to release the mortgage by filing an instrument of release or by a margin release on the county records.

§ 228.24 *Partial releases of collateral will be made as follows:* (a) In the case of farm-stored wheat, producers may obtain release of all or part of the collateral in a bin by paying to the holder of the note the loan value, plus storage advances and accrued interest, for the wheat released. Form Commodity Loan 29 must be executed in accordance with instructions issued by Agricultural Adjustment Agency for each partial redemption and one copy must be submitted to the office of the regional director serving the area.

(b) In the case of warehouse-stored wheat, each partial release must cover all the wheat under one warehouse receipt number. Producers may obtain release of one or more warehouse receipts by paying to the holder of the note the amount of the loan, plus interest for the wheat represented by the warehouse receipt. If the notes are held by an out-of-town lending agency or Commodity Credit Corporation, or if the wheat is stored in a terminal warehouse, the warehouse receipt(s) may be forwarded to an approved lending agency as directed by the producer for collection.

(c) Commodity Credit Corporation will purchase notes on which partial releases have been made by lending agencies provided the note is credited by the lending agencies for the full amount of the loan on the wheat released, plus interest at the rate of 3 percent per annum, and 1½ percent interest per annum on such principal amount collected has been submitted to the regional director serving the area.

[SEAL] J. B. HUTSON,
President.

MAY 27, 1942.

[F. R. Doc. 42-6611; Filed, July 11, 1942; 11:34 a. m.]

[1942 C. C. C. Wheat Form 1—Supp. 1]

PART 228—1942 WHEAT LOANS[1]

INSTRUCTIONS CONCERNING WHEAT LOANS

Sec.
228.4 Amount of loans at terminal markets.
228.5 Amount of loan at country points.
228.7 Protein premiums.
228.9 Variations for grades.

§ 228.4 *Amount of loans at terminal markets.* Loan rates on wheat of the designated grades and subclasses stored in approved public grain warehouses at the following terminal markets shall be as follows:

Market	Grade and subclass	Loan rate per bushel
Kansas City, Mo.; Kansas City, Kans.; St. Joseph, Mo.; Omaha, Nebr.; Council Bluffs, Iowa.	No. 2 Hard Winter	$1.27
	No. 2 Red Winter	1.27
	No. 1 Dark Northern Spring	1.30
	No. 1 Northern Spring	1.28
	No. 2 Soft White	1.26
	No. 2 Hard White	1.27
	No. 2 Mixed Wheat	1.24
Chicago, Ill.; Milwaukee, Wis.; St. Louis, Mo.; East St. Louis, Ill.	No. 2 Hard Winter	$1.32
	No. 2 Red Winter	1.32
	No. 1 Northern Spring	1.32
	No. 2 Mixed Wheat	1.29
San Francisco, Los Angeles, Stockton, Oakland, Calif.	No. 1 Soft White	1.27
	No. 1 White Club	1.27
	No. 1 Western White	1.27
	No. 1 Hard Winter	1.27
	No. 1 Western Red	1.27
	No. 1 Mixed Wheat	1.24
	No. 1 Dark Northern Spring	1.32
	No. 1 Northern Spring	1.30
	No. 2 Hard Winter	1.27
	No. 2 Red Winter	1.27
	No. 2 Amber Durum	1.29
	No. 2 Red Durum	1.12
	No. 2 Hard White	1.27
	No. 2 Soft White	1.26
Minneapolis, St. Paul, Duluth, Minn.; Superior, Wis.	No. 2 Hard Amber Durum	*1.31
	No. 2 Amber Mixed Durum	1.25
	No. 2 Mixed Durum or Mixed Wheat containing 10 percent or more Durum	1.12
	No. 2 Mixed Wheat (Less than 10 percent Durum)	1.24
Portland, Oreg.; Seattle, Vancouver, Longview, Tacoma, Wash.	No. 1 Hard Federation, White Federation, Basrt and Bluestem Grading Hard White	1.22
	No. 1 Soft White	1.21
	No. 1 Western White	1.21
	No. 1 Hard Winter	1.21
	No. 1 White Club	1.21
	No. 1 Red Winter	1.21
	No. 1 Western Red	1.21
	No. 1 Northern Spring	1.21
	No. 1 Mixed Wheat	1.18
Galveston, Houston, Tex.; New Orleans, La.	No. 2 Hard Winter	1.34
	No. 2 Red Winter	1.34
	No. 2 Mixed Wheat	1.31
Cairo, Ill.	No. 2 Hard Winter	1.33
	No. 2 Red Winter	1.33
	No. 2 Mixed Wheat	1.30
Evansville, Ind.; Louisville, Ky.; Cincinnati, Ohio.	No. 2 Hard Winter	1.34
	No. 2 Red Winter	1.34
	No. 2 Mixed Wheat	1.31
Philadelphia, Pa.; Baltimore, Md.	No. 2 Hard Winter	1.43
	No. 2 Red Winter	1.43
	No. 2 Soft White	1.43
	No. 2 Mixed Wheat	1.40
Albany, N. Y.	No. 2 Hard Winter	1.44
	No. 2 Red Winter	1.44
	No. 2 Soft White	1.44
	No. 2 Mixed Wheat	1.41

[1] §§ 228.4, 228.5, 228.7, 228.9, issued under the authority contained in sec. 302 (a), 52 Stat. 43, par. 10, 55 Stat. 860; 7 U.S.C. 1302.

Mixed wheat rates listed above will not apply if mixed wheat contains 10 percent or more of a class other than those listed for such terminal market.

All wheat eligible for loan at the foregoing loan rates must have been shipped on a *domestic freight rate basis.* The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any wheat shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to wheat delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required under the Instructions (C. C. C. Wheat Form 1): *Provided,* In the event the amount of paid in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement: *Provided further,* That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts for which a legend, signed by the warehouseman, has been typewritten in the following form or certificate of such warehouseman containing such an undertaking or such forms as may hereafter be approved by Commodity Credit Corporation:

FREIGHT CERTIFICATE FOR TERMINALS

The _____ represented by attached
Commodity
warehouse receipt No. _____ was received
by rail freight from _____
Town
_____ _____ point of origin,
County State
as evidenced by freight bill described as follows:
Way Bill, Date _____ No. _____
Car No._____ Int._____
Freight Bill, Date_____ No. _____
Carrier _____
Transit Weight_____ Freight Rate In_____
Amount Collected_____
Number Unused Transit Stops_____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____ _____
Date of Signature Warehouseman's Signature
_____
Address

Otherwise a deduction of six cents (6¢) per bushel shall be made.

§ 228.5 *Amount of loan at country points.* (a) Except for the States and counties hereinafter set forth, Commodity Credit Corporation will determine the loan rate on wheat in storage on the farm or in country warehouses by deducting from the designated terminal market value an amount equal to 3 cents more than the all-rail interstate freight rate (in effect on May 1, 1942) from the country warehouse points, or the shipping point designated by the producer, to such terminal market; except that in the appropriate counties of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, and Wisconsin such rates shall be computed on the basis of the average freight rate from all shipping points other than subterminal markets in each county to the appropriate terminal market.

Each approved warehouse will be advised as to the loan rate applicable to wheat stored in such warehouse. Producers may obtain from the county committee the loan rates applicable to wheat stored on each farm and in the public warehouses. Loan rates will be published in C. C. C. Wheat Form 1—Supplement 2, for each State.

The loan rate of eligible wheat stored in approved warehouses (other than those situated in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for

counties hereinafter set forth, Commodity Credit Corporation will determine the loan rate on wheat in storage on the farm or in country warehouses by deducting from the designated terminal market value an amount equal to 3 cents more than the all-rail interstate freight rate (in effect on May 1, 1942) from the country warehouse points, or the shipping point designated by the producer, to such terminal market; except that in the appropriate counties of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, and Wisconsin such rates shall be computed on the basis of the average freight rate from all shipping points other than subterminal markets in each county to the appropriate terminal market.

Each approved warehouse will be advised as to the loan rate applicable to wheat stored in such warehouse. Producers may obtain from the county committee the loan rates applicable to wheat stored on each farm and in the public warehouses. Loan rates will be published in C. C. C. Wheat Form 1—Supplement 2, for each State.

The loan rate of eligible wheat stored in approved warehouses (other than those situated in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for

such wheat to such terminal market: *Provided*, In the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing loan wheat in such position as determined by Commodity Credit Corporation. Arrangements have been made for the railroads to indicate transit balance of the through rate on the inbound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges: *Provided*, That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts for which a legend, signed by the warehouseman, has been typewritten in the following form or a warehouseman's suplemental certificate containing such information:

FREIGHT CERTIFICATE FOR OTHER THAN TERMINAL POINTS

The _____ represented by attached warehouse receipt No. _____ was received by rail freight from _____ _____ _____ point of origin, as evidenced by freight bill described as follows:
(Commodity)
Town County State
Way Bill, Date _____ No. _____
Car No. _____ Int. _____
Freight Bill, Date _____ No. _____
Carrier _____ Transit
Weight _____
Freight Rate In _____ Amount Collected _____
Transit balance, if any, of through freight rate to _____ of ____¢ per 100 pounds.
Number Unused Transit Stops _____
The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____ _____
Date of Signature Warehouseman's Signature
_____
Address

(b) Separate schedules of loan rates will be issued for the States and counties hereinafter set forth:

Colorado: The counties of Alamosa, Archuleta, Chaffee, Conejos, Costilla, Custer, Delta, Dolores, Eagle, Fremont, Garfield, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Miguel.

Idaho: All counties south of Idaho County.

New Mexico: The counties of Colfax, Curry, Harding, Quay, Rio Arriba, Roosevelt, San Juan, Taos, McKinigley, Mora, San Miguel, Union.

Utah: All counties.

Wyoming: The counties of Lincoln, Sublette, Sweetwater, Teton, Uinta.

All counties in the following States: Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, West Virginia.

The loan rate of eligible wheat stored in approved warehouses in the foregoing area which was shipped by rail in the movement of natural market direction as approved by Commodity Credit Corporation, shall be determined by adding 3 cents per bushel to the country loan rate for the county from which the wheat is shipped and an amount equal to the transit value of the freight paid from point of origin to markets designated by Commodity Credit Corporation, except that eligible wheat originating in Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, or West Virginia and stored in Cairo, Illinois; Evansville, Indiana; Louisville, Kentucky; Cincinnati, Ohio; Baltimore, Maryland; or Philadelphia, Pennsylvania shall receive the loan rate shown in these instructions. Lending agencies and county committees are advised that in each instance such transit value must be verified by the regional director of the Commodity Credit Corporation serving the area. In such cases, the loan documents must be accompanied by the original paid freight bills or certificates of the warehouseman and other required documents as set forth in § 228.5 (a) above. If eligible loan wheat is stored in approved warehouses located at transit points, taking a penalty by reason of back haul, or out-of-line of natural market movement, such penalty or other costs by reason of such movement, as determined by Commodity Credit Corporation, shall be deducted from loan rates as determined above. In such cases, the warehouse receipts in addition to the required documents as set forth in C. C. C. Wheat Form 1, § 228.14, must be accompanied by the original or duplicate original paid freight bills, or certificates of the warehouseman as to such paid freight bills as indicated above.

§ 228.7 *Protein premiums.*

Protein content (percent)	Premium above loan rate otherwise computed— At Los Angeles, San Francisco, Stockton and Oakland, Calif.; Minneapolis, St. Paul, and Duluth, Minn.; Superior, Wis.; Portland, Oreg.; Seattle, Vancouver, Longview, and Tacoma, Wash.; and all country points where the loan value is based on such terminal markets	At Kansas City and St. Joseph, Mo.; Kansas City, Kans.; Omaha, Nebr.; Council Bluffs, Iowa; Galveston and Houston, Tex.; New Orleans, La.; and all country points where the loan rate is based on such terminal markets
	Cents per bushel	*Cents per bushel*
12.9 or less	0	0
13.0-13.9	1	0
14.0-14.4	2	1
14.5-14.9	3	1
15.0-15.4	4	2
15.5-15.9	5	2
16.0-16.4	6	3
16.5 or over	7	3

§ 228.9 *Variations for grades.* Loan rates for eligible grades and subclasses shall be at the following schedule of premiums and discounts:

(a) Where the loan rate is based on No. 2 wheat, the loan rate on No. 1 wheat shall be 1 cent more than the loan rate on No. 2; the loan rate on No. 3 wheat shall be 2 cents less than the loan rate on No. 2; the loan rate on No. 4 wheat shall be 5 cents less than the loan rate on No. 2; and the loan rate on No. 5 wheat shall be 8 cents less than the loan rate on No. 2.

(b) Where the loan rate is based on No. 1 wheat, the loan rate on Np. 2 wheat shall be 1 cent less than the loan rate on No. 1; the loan rate on No. 3 wheat shall be 3 cents less than the loan rate on No. 1; the loan rate on No. 4 wheat shall be 6 cents less than the loan rate on No. 1; and the loan rate on No. 5 wheat shall be 9 cents less than the loan rate on No. 1.

(c) The loan rate on No. 1 Heavy Dark Northern Spring shall be 1 cent more than the loan rate on No. 1 Dark Northern Spring, and the loan rate on No. 1 Heavy Northern Spring shall be 1 cent more than the loan rate on No. 1 Northern Spring, and the loan rate on No. 1 Red Spring shall be 2 cents less than the loan rate on No. 1 Northern Spring.

(d) The loan rate on Yellow Hard Winter shall be 2 cents less than the loan rate on Hard Winter.

(e) The loan rate on Hard White shall be 1 cent more than the loan rate on Soft White, except as otherwise provided in C. C. C. Wheat Form 1 or supplements thereto.

(f) The loan rate on Durum wheat shall be 7 cents less than the loan rate on Amber Durum wheat.

(g) The loan rate on mixed wheat in areas where the loan rates are determined other than on the terminal markets listed above shall be 3 cents per bushel below the loan rate established for the comparable numerical grade if it were not mixed as set forth in C. C. C. Wheat Form 1—Supplement 2, for each State.

(h) The discount for smut determined on a percentage basis shall be as follows:

	Cents per bushel
½% to 1%, inclusive	1.05
1½% to 3%, inclusive	1.35
3½% to 7%, inclusive	1.95
7½% to 15%, inclusive	2.55

The discounts for smut and garlic determined on a degree basis shall be as follows:

	Cents per bushel
Light smutty	3
Smutty	6
Light Garlicky	1
Garlicky	12

A discount of only 6 cents will be made for Garlicky wheat if the grade certificate (for farm-stored wheat) or the warehouse receipt or warehouseman's certificate indicates that the wheat contains not in excess of 50 green garlic bulblets or its equivalent in 1000 grams of wheat. For wheat produced in the States of Delaware, New Jersey, Pennsylvania, Maryland, North Carolina, Virginia, and West Virginia, the discount for light garlicky wheat shall be 2 cents per bushel and for garlicky wheat shall be 6 cents per bushel.

[SEAL] J. B. HUTSON,
President.

MAY 28, 1942.

[F. R. Doc. 42-6610; Filed, July 11, 1942; 11:34 a. m.]

[1942 C. C. C. Flaxseed Form 1]

PART 229—1942 FLAXSEED LOANS

INSTRUCTIONS CONCERNING FLAXSEED LOANS

Commodity Credit Corporation has authorized the making of loans in accordance with these instructions upon the security of flaxseed stored on farms, and in approved public warehouses.

Sec.
229.1 Definitions.
229.2 Areas in which loans will be made.
229.3 Amount of loans.
229.4 Maturity and interest rate.
229.5 Determination of quantity of flaxseed.
229.6 Farm storage.
229.7 Chattel mortgages.
229.8 Public warehouses.
229.9 Warehouse receipts.
229.10 Liens.
229.11 County agricultural conservation committee.
229.12 Source of loans.
229.13 Purchase of loans.
229.14 Offices of Commodity Credit Corporation.
229.15 Release of collateral.

AUTHORITY: §§ 229.1 to 229.15 inclusive issued under Sec. 302 (a) 52 Stat. 43; 7 U.S.C. 1302.

§ 229.1 *Definitions.* For the purpose of these instructions and the notes and chattel mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer.* Any person, partnership, association, or corporation producing flaxseed in 1942 as landowner, landlord, or tenant.

(b) *Eligible flaxseed.* Flaxseed grading No. 1 or No. 2, which was produced in 1942, the beneficial interest to which is and always has been in the eligible producer. Flaxseed containing more than 30 percent damage or which contains more than 11 percent moisture, or which is musty, sour, heating, hot, or which has any commercially objectionable odor, or which is otherwise low quality, is not eligible for loan.

(c) *Eligible storage.* Eligible storage shall include public grain warehouses and farm storage meeting the following respective requirements:

(1) Public grain warehouses which have met the requirements of Commodity Credit Corporation and have executed the Uniform Grain Storage Agreement, amended to cover flaxseed. Such warehouses may be situated at either terminal or country points.

(2) Farm storage shall consist of farm bins, and granaries which are of such substantial and firm construction as to afford safe storage of the flaxseed for a period of 2 years and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather, as determined by the county agricultural conservation committee.

(d) *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E.

(e) *Eligible paper.* Eligible paper shall consist of notes of the producers secured by chattel mortgages or warehouse receipts representing flaxseed in existence and undamaged from the perils of fire, lightning, inherent explosion, cyclone, tornado, windstorm and flood, dated prior to January 31, 1943, and executed in accordance with these instructions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 229.2 *Areas in which loans will be made.* Loans will be made on eligible flaxseed stored in approved public grain warehouses or in acceptable storage structures located on farms.

§ 229.3 *Amount of loans.* Loan values on flaxseed shall be based on numerical grades as provided in the Official Grain Standards of the United States. (a) The basic loan value for eligible flaxseed, stored in approved terminal warehouses with storage charges prepaid through June 30, 1943, shall be as follows:

Market	Loan rate for No. 1	Loan rate for No. 2
Chicago, Duluth, Minneapolis, St. Paul, Portland	$2.40	$2.35
Los Angeles, San Francisco, Kansas City	2.45 / 2.35	2.40 / 2.30

The foregoing applies to flaxseed delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required: *Provided*, In the event the amount of paid in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan value the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement; *Provided further*, That Commodity Credit Corporation will accept in lieu of such bills the approved warehouseman's supplemental certificate, or warehouse receipts on which a legend, signed by the warehouseman, has been stamped or typewritten in the following form or certificate of such warehouseman containing such an undertaking, or such form as is approved by Commodity Credit Corporation:

FREIGHT CERTIFICATE FOR TERMINALS

The _____ represented by
(Commodity)
attached warehouse receipt No. _____ was received by rail freight from point of _____ _____ _____ origin, as evidenced by freight bill described as follows:
Town County State
Way Bill, Date No. _____ Car No. _____
Int. _____ Freight Bill, Date _____ No. _____ Car No. _____ Transit Weight _____ Freight Rate In _____ Amount Collected _____ Number Unused Transit Stops _____
The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____
Date of Signature
_____
Warehouseman's Signature
_____
Address

A deduction of six cents (6¢) per bushel shall be made if evidence is not submitted that paid rail freight bills have been registered for transit privileges.

(b) The loan value for No. 1 and No. 2 flaxseed stored on farms and in approved country warehouses shall be determined by deducting from the applicable basic terminal loan value an amount equal to 4 cents per bushel more than the all-rail interstate freight rate in effect May 1, 1942, to the appropriate terminal market. A county average of freight rates from all shipping points in each county to the appropriate terminal market shall be determined in order that county loan rates may be established. Loan values applicable to each county will be contained in C. C. C. Flaxseed Form 1—Supplement No. 1, for each State.

(c) Loan values for flaxseed stored in approved warehouses other than those situated in the terminal markets designated in paragraph (a) of this section which was shipped by rail shall be determined by the regional director of Commodity Credit Corporation. Values at such storage points shall be determined on the basis of terminal values listed in paragraph (a) of this section with appropriate adjustment for freight.

(d) As evidence that storage charges have been prepaid through June 30, 1943, entitling the borrower to the above loan rates, the warehouse receipt must have stamped or typed thereon, or attached thereto, the following legend:

Storage charges for the period ending June 30, 1943, on the flaxseed represented by this warehouse receipt have been paid or otherwise provided for and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

_____ Signed _____
Date Warehouseman

In the absence of evidence of prepaid storage a deduction of 7 cents per bushel will be made from the loan value otherwise applicable.

§ 229.4 *Maturity and interest rate.* Notes secured by farm-stored flaxseed or by warehouse receipts representing flaxseed shall mature on demand, or June 30, 1943. All loans will bear interest at the rate of 3 percent per annum. Notes evidencing such loans must be dated on or before January 31, 1943.

§ 229.5 *Determination of quantity of flaxseed.* A bushel shall be 56 pounds of clean flaxseed free of dockage, when determined by weight, or 1.25 cubic feet

of flaxseed testing 56 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the quantity of the collateral when stored as sacked grain. In determining the quantity of flaxseed in farm storage by measurement, fractional pounds of the bushel test weight for flaxseed testing less than 56 pounds per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 56-pound flaxseed:

	Percent
For flaxseed testing 56 pounds or over	100
For flaxseed testing 55 pounds or over but less than 56 pounds	98
For flaxseed testing 54 pounds or over, but less than 55 pounds	96
For flaxseed testing 53 pounds or over, but less than 54 pounds	94
For flaxseed testing 52 pounds or over, but less than 53 pounds	92
For flaxseed testing 51 pounds or over, but less than 52 pounds	90
For flaxseed testing 50 pounds or over, but less than 51 pounds	88
For flaxseed testing 49 pounds or over, but less than 50 pounds	85
For flaxseed testing 48 pounds or over, but less than 49 pounds	83
For flaxseed testing 47 pounds or over, but less than 48 pounds	81

§ 229.6 *Farm storage.* Flaxseed stored on the farm must have been stored in the granary for a reasonable period, determined by the county agricultural conservation committee, prior to its inspections for measurement, sampling and sealing. In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will inspect and approve storage facilities and will arrange for measuring, sampling, grading and sealing the flaxseed collateral in approved structures. Chattel mortgages covering farm-stored flaxseed must be executed and filed in accordance with the applicable State law. Producers should obtain information and assistance from the county agricultural conservation committees in regard to the execution and filling of such chattel mortgages. Where the borrower is a tenant farmer and the flaxseed collateral is stored on the farm, the expiration date of the lease shall be given in the chattel mortgage. If the expiration date of the lease is prior to August 31, 1943, the landlord shall execute the Consent for Storage in the chattel mortgage. The consent agreement shall also be signed by any other party or parties entitled to possession. Each producer must designate in the chattel mortgage a shipping point reasonably convenient for the delivery of the flaxseed as determined by the county committee. Notes and mortgages will not be acceptable which provide a shipping point other than the normal shipping point customarily used by the producers in the locality in which the flaxseed was produced. A separate note and chattel mortgage must be submitted for flaxseed stored on each quarter section of land.

§ 229.7 *Chattel mortgages.* All documents must be carefully examined as to compliance with State requirements.

§ 229.8 *Public warehouses.* Commodity Credit Corporation will accept only negotiable insured warehouse receipts covering flaxseed pledged as collateral to notes on C. C. C. Grain Form B issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement, amended to cover flaxseed. Warehousemen desiring approval should communicate with the Commodity Credit Corporation office serving the area, at which office a list of approved warehouses and their locations is available. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. Approved warehousemen shall not issue and have outstanding at any time warehouse receipts in excess of the normal working capacity or licensed capacity of the warehouse. Warehousemen shall be required to deliver either the identical flaxseed or country-run flaxseed equal to that described in the warehouse receipts and accompanying certificates or documents.

§ 229.9 *Warehouse receipts.* Warehouse receipts must be dated on or prior to the date of the related note and properly assigned by an endorsement in blank so as to vest title in the holder, or issued to bearer, and must be issued by approved warehousemen. Unless the warehouse receipts are stamped or printed "insured" there must be attached or included in the certificate of the warehouseman the statement that the flaxseed is insured for not less than the market value, against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for storage charges will be recognized by Commodity Credit Corporation only from May 15, 1942, or the dates of the warehouse receipts, whichever is later: *Provided*, storage charges have not been prepaid through June 30, 1943, in which event lien for storage charges will be recognized only from July 1, 1943. Such receipts must set out in their written or printed terms the gross weight or bushels, the grade, the percentage of sound flaxseed, test weight, and all other facts and statements required to be stated in the written or printed terms of the negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act or to be accompanied by a certificate of the warehouseman, identified to such warehouse receipts, setting out such information and shall be based on the inbound movement or delivery of the grain to an approved warehouse.

§ 229.10 *Liens.* The flaxseed collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or note and loan agreement. The names of the holders of all existing liens on the pledged or mortgaged flaxseed, such as landlord, laborers, threshers, or mortgagees, must be listed in the space provided therefor in the mortgage or loan agreement. The waiver and consent to the pledge or mortgage of the flaxseed and the payment of the proceeds of the loan and the proceeds of the sale of the flaxseed solely to the producer as contained in the mortgage or loan agreement must be signed personally by all lienholders listed or by their duly authorized agents; or, if corporation, by the designated officer thereof customarily authorized to execute such instruments. (In lieu of signing the section of the chattel mortgage or loan agreement entitled "List of Lienholders and Their Waivers and Consent to Pledge," lienholders may sign a separate form which must completely identify the related note.) The producer will direct in the notes that the proceeds of the loan be made payable to him and/or such other person or concern as he may direct thereon. Producers should read carefully all real estate or other mortgages previously given by them in order to determine whether or not crops are covered thereby. Any fraudulent misrepresentation of fact made in the execution of the note and related forms shall render the producer personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code.

§ 229.11 *County agricultural conservation committee.* Forms will be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. The producers' notes contain approvals which should not bear a date prior to the date of the note or loan agreement and which must be signed in each instance by a member of the county agricultural conservation committee of the county in which the flaxseed was produced, for warehoused flaxseed, and the county in which the flaxseed is stored, for farm-stored flaxseed. Pursuant to instructions issued by the Secretary of Agriculture, the State and county committees will determine or cause to be determined the quantity and grade of the flaxseed collateral and the amount of the loan. All loan documents will be completed and approved by the county committee, who will retain all documents except the producer's note. In order to meet the cost of the local expenses, county agricultural associations will collect a service fee for all loans.

§ 229.12 *Source of loans.* Loans may be obtained from banks and other local lending agencies, which in turn may sell the paper evidencing such loans to Commodity Credit Corporation. Producers may also obtain loans direct from the Corporation on notes made payable to the Corporation, which shall be delivered to the office serving the area in which the flaxseed is stored, delivered, or postmarked prior to February 1, 1943. Upon approval of the loan by Commodity Credit Corporation, payment will be made pursuant to the directions of the producer as set forth in the note.

§ 229.13 *Purchase of loans.* Commodity Credit Corporation will purchase without recourse, eligible paper, as defined above, only from lending agencies which have executed and delivered to the office of Commodity Credit Corporation to which notes are submitted Contract to Purchase, 1940 C. C. C. Form E, obtainable only from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request or at least 10 days prior to maturity in the absence of written demand. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest from the respective dates to the date of payment of the purchase price at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly on 1940 C. C. C. Form F all payments or collections on producers' notes held by them, and to remit with such report to Commodity Credit Corporation, an amount equivalent to 1½ percent interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 229.14 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors previously referred to herein and the areas served by them under these instructions are:

Address	*Area*
208 South La Salle Street, Chicago, Ill.	Delaware, Illinois (except East St. Louis), Indiana, Eastern Iowa, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.
1108 Federal Reserve Bank Bldg., Kansas City, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Western Iowa, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.
326 McKnight Building, Minneapolis, Minn.	Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.
225 Southwest Broadway Artisan's Building, Portland, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

§ 229.15 *Release of collateral.* The producer may obtain the return of notes secured by flaxseed at any time prior to maturity, upon the payment of the principal amount due thereon, plus accrued interest and charges. No allowance will be made for storage by Commodity Credit Corporation. The loan paper may be sent to an approved bank for collection or the producer may ascertain the amount due and remit directly to the officer of Commodity Credit Corporation holding the paper. Partial releases of collateral will be made as follows:

(a) In the case of farm-stored flaxseed, the producer must identify to Commodity Credit Corporation the seal number of the bin to be released. Such release must cover all the flaxseed in any one bin. Such release will be made upon payment of the amount loaned on the particular bin of flaxseed, plus interest.

(b) In the case of elevator-stored flaxseed, producers desiring to obtain partial release should notify the office of Commodity Credit Corporation serving the area in which the flaxseed is stored, describing the flaxseed to be released, by warehouse receipt numbers. Each partial release must cover all the flaxseed under one warehouse receipt. The warehouse receipt representing flaxseed will be released against payment of the amount loaned on the flaxseed to be released, plus interest on such amount and any charges applicable thereto.

[SEAL] J. B. HUTSON,
President.

JUNE 6, 1942.

[F. R. Doc. 42-6614; Filed, July 11, 1942; 11:35 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

VIRGIN ISLANDS

SUGAR COMMERCIALLY RECOVERABLE FROM SUGARCANE

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.52 *Sugar commercially recoverable from sugarcane in the Virgin Islands.* The amount of sugar commercially recoverable from the sugarcane grown on a farm in the Virgin Islands and marketed (or processed by the producer) for the extraction of sugar shall be the amount obtained by multiplying the number of short tons of such sugarcane by the average number of hundredweights of sugar, raw value, recovered per short ton of sugarcane at the mill where such sugarcane is ground. Such average number of hundredweights of sugar recovered per short ton of sugarcane shall be established by dividing the total number of hundredweights of sugar produced (in terms of the average polarization of such sugar) at the mill where the sugarcane is ground by the total number of short tons of sugarcane ground during the applicable grinding season, and by converting the resulting quotient to raw value basis in accordance with the provisions of Title I of the Sugar Act of 1937, as amended. (50 Stat. 910; 7 U.S.C. 1132)

Done at Washington, D. C., this 13th day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6643; Filed, July 13, 1942; 11:27 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter II—Aircraft

PART 21—USE OF ARMY AIRCRAFT

AIRCRAFT ACCIDENTS

Section 21.10[1] is hereby amended to read as follows:

§ 21.10 *Aircraft accidents; damage to persons or private property.* (a) In case of damage to private property, the senior individual surviving or, if all members of the crew are incapacitated, the first officer to reach the scene will:

(1) Interview the property owner to establish whether or not a claim will be submitted.

(2) Secure statement on W.D., A.A.F. Form No. 17 (Damage to Private Property Certificate) signed by the owner as to whether a claim will or will not be made.

(3) Secure from witnesses as many affidavits as possible concerning the cause, nature, and extent of damage.

(4) Owners of damaged property will be informed that the Government is responsible only for damage done by the aircraft or incident to its repair or removal.

(b) The provisions of this section apply also to damage to persons so far as applicable. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 95-120, June 18, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6607; Filed, July 11, 1942; 10:17 a. m.]

PART 22—ASSISTANCE TO CIVIL AIRCRAFT[2]

USE OF GOVERNMENT AIRDROMES OR LANDING FIELDS

Sections 22.1, 22.3, 22.4, 22.6, and 22.7 are hereby changed to read as follows:

§ 22.1 *Use of Government airdromes or landing fields for privately owned aircraft.* (a) Owners of private aircraft will not be permitted to use any active Government airdrome as a base. However, the use of such airdrome by operators of private aircraft may be permitted in the discretion of the commanding officer of the post, upon condition that the aircraft is not operated for profit, that it is housed in privately owned hangars not located in Government land, except as hereinafter provided, and that assistance will not be required from the personnel of the post as to maintenance, repair, or operation.

(b) In the case of Government owned airdromes announced from time to time

[1] 6 F.R. 2619.

[2] The regulations contained in §§ 22.1, 22.3, 22.4, 22.6 and 22.7 are also contained in AR 95-50, dated June 18, 1942, the particular paragraph being shown in brackets at end of sections. Sections 22.2 and 22.5 were continued in effect without change in revision of AR 95-50.

as being on an active status, operators of private and commercial aircraft may be permitted, when airdrome facilities are available, to use such facilities subject in each case to the approval of the War Department and under such regulations as are now or may hereafter be prescribed.

(c) With regard to airdromes leased by the Government, owners of private and commercial aircraft may obtain permits from the lessor to use the facilities at such airdromes under the rules and regulations that apply to the use of the airdromes by army organizations. In all cases, however, this permit must have the approval of the War Department.

(d) Operators of aircraft making use of facilities at any Army Air Forces airdrome will be required to conform to the local rules and regulations in force at that post.

(e) While owners of private aircraft are not permitted to use any Government airdrome or landing field as a base, the post commander may in an emergency permit them to use such landing field, provided the aircraft require no Government supplies or property. [Par. 2]

§ 22.3 *Rules to be observed.* (a) Civil aircraft utilizing the air navigation facilities owned or operated by the War Department will at all times comply with the air and ground rules and regulations promulgated by the War Department, the Commanding General, Army Air Forces, or the commanding officer of the establishment to which the facilities being employed pertain.

(b) These rules and regulations may be obtained by application to The Adjutant General, Washington, D. C.

(c) Any violation of these rules and regulations will be made the subject of a report to The Adjutant General. [Par. 4]

§ 22.4 *Emergency sales.* Commanding officers of Army Air Forces stations are authorized to make emergency sales of aircraft fuel, oil, equipment, and supplies, and to furnish mechanical service, temporary shelter, and other assistance for cash in emergencies where such supplies or assistance is required in order that aircraft may continue on its course to the nearest airport operated by private enterprise. [Par. 5]

§ 22.6 *Emergency storage and overhauling.* (a) Civil aircraft damaged to such an extent that major repairs are required may be given emergency storage at the request of the pilot, provided necessary facilities are available, at the rates for shelter shown in § 22.7, but a major or minor overhauling of civil aircraft will not be made at Army Air Forces stations by Army personnel.

(b) Damaged aircraft may, when facilities are available, be stored in its original damaged condition, but the Government will not assume any responsibility for its safekeeping and the owner will be required to take charge of it and remove it from Government storage at the earliest date possible. [Par. 7]

§ 22.7 *Prices to be charged*—(a) *General.* All articles will be sold and assistance furnished at the fair market value prevailing locally, but in no case will aviation supplies be sold for less than cost price plus 15 percent for transportation, handling, etc.

(b) *In case of nonavailability of supplies in nearby localities.* In cases where similar supplies are not available in nearby localities the price charged will be cost price plus 15 percent.

(c) *Aviation supplies, except gasoline and oil.* On all aviation supplies, except gasoline and oil, the price listed in Army Air Forces catalogs will be considered as the cost price.

(d) *Gasoline and oil.* Cost prices on aviation gasoline and oil will be published semiannually by the Commanding General, Army Air Forces, based on the prevailing contract price.

(e) *Mechanical services.* (1) Mechanical services furnished will be charged for on the same basis as the local rate for similar work if such rates can be determined by Army Air Forces station commanders.

(2) In case there are no local firms employing similar types of mechanics and a fair local value for such services cannot be determined, mechanical service will be charged for at the rate of $1.25 per hour per mechanic.

(f) *Shelter.* Charges for shelter of civil aircraft will be made at the rate of $1 per single-engine airplane per day and $3 per dual or multiple engine airplane per day, where no local price for shelter has been established. The free storage of airplanes owned and operated, not for profit, by Regular Army personnel, Reserve officers when on active duty, and officers of the National Guard when in the Federal service, is authorized when facilities are available and the storage can be accomplished without interruption to normal operations. [Par. 8]

(Sec. 5 (c), 44 Stat. 571; 49 U.S.C. 175)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6600; Filed, July 11, 1942; 10:15 a. m.]

Chapter IX—Transport

PART 94—PRIORITIES FOR AIR TRANSPORTATION

Sections 94.1 to 94.8, published in the FEDERAL REGISTER June 18, 1942,[1] are superseded by §§ 94.1 to 94.5, as follows:

Sec.
94.1 Priority classifications.
94.2 By whom priorities may be granted.
94.3 Priority transportation on scheduled air carriers.
94.4 Special instructions for passengers and priority requesting agencies.
94.5 Priority air cargo stamp and passenger air priority certificate.

AUTHORITY: §§ 94.1 to 94.5, inclusive, issued under sec. 1, 39 Stat. 645; 10 U.S.C. 1361.
SOURCE: Priorities for Air Transportation Directive No. 4, June 4, 1942.

[1] 7 F.R. 4525.

§ 94.1 *Priority classifications*—(a) *Priority for air transportation.* (1) Priority for air transportation will be extended to and only to:

(i) Personnel engaged upon essential war work, including members of the armed forces, other employees of the government, representatives of allied governments, and civilian personnel.

(ii) Essential war materials.

(2) These priorities will only be authorized for urgent passenger travel or shipments vital to the war effort; they will not include usual inspection trips except for highest officials engaged in the war effort. Merely because an individual is a member of the armed forces or is engaged in war work will not in itself entitle him to priority in the use of air transport. Priorities will not be granted where the mission of the individual can be satisfactorily accomplished if travel is performed by train.

(3) Priority for air trips requiring less than two hours and where destination can be reached by rail within six hours of desired departure time from originating point will be granted only upon specific approval by the Chief of Transportation Service or his air priority control offices, and this approval will be given only in cases of emergency.

(4) Air Transport priority establishes, in order of time, the precedence of movements of air passengers and air cargo on scheduled air carriers. The purpose is to assure that space on air carriers is made available when required for the national war effort.

(b) *Priority classifications and identifications.* General classification for priority are shown below and will normally take precedence in the order listed. However, the Chief of Transportation Service, Services of Supply, War Department, shall have authority to change the priority classification assigned any individual or cargo movement when such re-classification appears to be to the best interest of the national war effort and his decision shall be final. In such cases, the importance and urgency of the mission to be accomplished in connection with the war effort shall determine the priority assigned the individual or shipment for air transportation.

(1) *Class 1*—(i) *Personnel.* Personnel of the White House or others for whom priority air transportation is directed for accomplishment of a particular mission by the President, the Secretary of War, or the Secretary of the Navy.

(ii) *Identification.* Priority certificate (See § 94.5 (b)) giving Classification No. 1; or direct instructions from the Chief of Transportation Service, Services of Supply, by letter, telegram, or telephone (no certificate required).

(2) *Class 2*—(i) *Personnel.* Airplane Pilots of the Ferrying Commands of the Army, Navy, and Marine Corps traveling under orders issued by these Commands or their subordinate Unit Commanders, their Adjutants or Operations Officers, when such orders specifically direct travel by military or fastest available commercial aircraft. This priority shall authorize one hundred (100) pounds of baggage per passenger, including both free and excess baggage.

(ii) *Identification.* Orders which identify the passengers as Ferrying Command Pilots and which direct travel by "Military or fastest available commercial aircraft". If traveling under secret orders the pilots will present a priority certificate (See § 94.5 (b)) giving Classification No. 2, and duly authenticated by Unit Commanders, Adjutants or Operations Officers of the Ferrying Commands.

(3) *Class 3*—(i) *Personnel.* Military personnel (Army, Navy, Marine Corps, Coast Guard and Allied Military Personnel) or other persons whose air travel is specifically ordered by the Military authorities and civilians for whom emergency air travel is essential to expedite war production, construction or other activities in connection with the war program.

(ii) *Identification.* Military Special Orders (not merely an air transportation request or authorization) which include the phrase "TD by Air" (Travel directed by air); or priority certificate (See § 94.5 (b)) marked priority Class 3; or direct instructions from the Chief of Transportation Service by letter, telegram or telephone (no certificate required).

(4) *Class 4*—(i) *War materials.* Army and Navy equipment, ammunition, supplies, and materials essential to the war effort specifically ordered moved by priority air transportation by the War Department, (Chief of Transportation Service, Services of Supply) or a branch office of the Chief of Transportation Service.

(ii) *Identification.* Direct instructions by letter, telegram, or telephone from the Chief of Transportation Service, Services of Supply, or a branch office of the Chief of Transportation Service; or identified en route by a priority label or stamp which will be affixed to the shipment by the airline at point of origin of air shipment. [Sec. I]

§ 94.2 *By whom priorities may be granted*—(a) *Class 1 Priority.* President of the United States; Secretary of War; Secretary of the Navy; Chief of Transportation Service, Services of Supply, or officers in charge of Air Priority Control offices of the Chief of Transportation Service.

(b) *Class 2 priority.* Commanders of Airplane Pilots Ferrying Commands, their subordinate unit commanders, their adjutants and operations officers, Chief of Transportation Service, Services of Supply, or officers in charge of Air Priority Control offices of the Chief of Transportation Service.

(c) *Class 3 priority.* Commanding officers of the armed forces who are authorized to issue travel orders; the Chief of Transportation Service, Services of Supply; officers in charge of Air Priority Control offices established by the Chief of Transportation Service; and others who may be specifically authorized by the Chief of Transportation, Services of Supply.

(d) *Class 4 priority.* Chief of Transportation Service, Services of Supply, and officers in charge of Air Priority Control offices established by the Chief of Transportation Service.

(e) *General.* Only persons authorized to grant priorities may issue certificates. Priorities may be directed by letter, telegram or telephone, giving the same general information as called for in a certificate, as well as by certificate. [Sec. I]

§ 94.3 *Priority transportation on scheduled air carriers*—(a) *Priority for air travel.* A priority for air travel is a demand upon an air carrier for a space reservation between points in accordance with the priority classifications issued to facilitate the prompt execution of a mission essential to the war effort. With the exception noted in priority class 2, it shall include movement of the normal allowance (40 pounds) of free baggage.

(b) *Directives*—(1) *Issuance.* Directives governing priority will be issued by the Office of the Military Director of Civil Aviation in accordance with priorities established by the Chief of Transportation Service, Services of Supply, as the necessity becomes apparent, governing the transportation of persons and cargo by air necessary to the successful prosecution of the war effort.

(2) *Obligation of air carriers.* Compliance with directives is mandatory upon the air carriers to whom they are issued.

(c) *Origin of request for air priority.* (1) Requests for priority air transportation will be made upon the Air Priority Division, Office of the Chief of Transportation Service, Washington, D. C., Room 5317, Department of Commerce Building (Telephone Executive 2460, Branch 1240) or upon Air Priority Control Offices established by the Chief of Transportation Service, Services of Supply, by:

(i) Government Departments or Agencies having knowledge of the necessity for air transportation requested.

(ii) Army or Navy officers assigned as plant resident inspectors, engineers, or representatives at production plants, or on construction projects.

(iii) In the case of individuals and plants engaged in the War program, at which no Army or Navy representative is assigned, requests for priority will normally be made through the Government Department or Agency in whose interest the travel or transportation is required but in emergency may be made direct to the Air Priorities Division, Office of the Chief of Transportation Service, Services of Supply, or to the Air Priority Control Office.

(2) The Army or Navy officer or the Government Department or Agency representative upon whom the request for priority air transportation is made, will make such investigation as is necessary to assure himself that the transportation requested is necessary to the successful prosecution of the war effort, and submit the request to the closest air priority office.

(3) The Air Priority Division Office in Washington, D. C., and Air Priority Control Offices established by the Chief of Transportation Service will not make actual reservations for air transportation but will function only in the establishment of priorities. Reservations or shipping arrangements must be made direct with the air carriers through the usual channels.

(d) *Policy for administering priorities*—(1) *Registration and order of consideration of air priorities.* Passengers or cargo with the same priority classification shall take precedence in the order that they are registered with the priority branch offices established by the Chief of Transportation Service, Services of Supply, where such are located, or with the local Air Transport Priority Representative, by the airline making the reservation.

(2) *Displacement of priority passengers or cargo.* Priority passengers or cargo will not be displaced enroute by other priority passengers or cargo of the same classification but will be displaced by passengers or cargo of higher classification. When it becomes necessary to displace priority passengers or cargo, the Priority Representative on duty will designate the priority to be removed based on instructions from the Chief of Transportation Service.

(e) *Responsibility of Government Departments and Agencies.* (1) Government Departments and Agencies must exercise care to assure that requests for priority air travel are limited to movements essential to the successful prosecution of the war effort.

(2) Government Departments and Agencies are requested to appoint an official or officials who will have authority to act as liaison representative between their particular department or agency and the Chief of Transportation Service, Service of Supply, or individuals or firms requesting priority air transportation. The names and telephone numbers of these liaison representatives will be reported to the Air Priority Division, Chief of Transportation Service, Room 5317, Department of Commerce Building, (Executive 2460, Extension 1240) for reference. [Sec. II]

§ 94.4 *Special instructions for passengers and priority requesting agencies.* (a) Unless specifically authorized by the Chief of Transportation Service, Services of Supply, air priorities may not be exercised on a specific flight or specific airline except when no alternative flights or lines will serve the purpose of the mission.

(b) When air priorities for passengers or cargo are desired, except when already authorized by previously issued orders or certificates, the following information should be submitted with the request:

(1) Name of the passenger or number, dimensions and weights of items in shipment.

(2) Address of the passenger, or person in care of whom passenger or shipment can be located and/or address of location of shipment.

(3) Telephone number of passenger, or telephone number of person in care of whom shipment can be located.

(4) Consignee and consignor (for cargo requests).

(5) Can shipment be divided (for cargo).

(6) Brief statement setting forth why air priority is necessary.

(7) Points between which priority is requested.

(8) Earliest time at which passenger or shipment will be available for air transportation.

(9) Latest arrival possible at destination to complete the mission.

(10) Name and authority of person requesting the priority.

(c) Priority air travel or shipment having been approved, the passenger or shipper shall notify the air carrier concerned without delay of the reservation desired, and of the priority certificate or orders directing travel by air. Immediately upon receipt of this information, the airline will register the priority with the Air Priority Control Office or the local air transport priority representative. Air Priority Control Officers, airlines, or local air transport priority representatives may require that priority credentials be presented at any time in advance of the flight departure. In the case of priority cargo the airline will be advised of the priority by the Air Priority Control Office, or local air transport priority representative.

(d) Passengers who are entitled to priority and intend to exercise same should so inform the airline at the time reservation is made.

(e) When tickets are purchased, check to see if they are properly stamped to indicate priority classification.

(f) Passengers who fail to establish their priority status at point of origin of their trip may not exercise priority at a point enroute on any one continuous trip. Such priorities may be established only by the Chief of Transportation Service, Services of Supply, or his priority branch office.

(g) After a priority reservation has been established and space confirmed to the passenger, air lines are not required to honor the same priority for a subsequent flight, unless the original reservation is cancelled at least three hours prior to scheduled departure of the original flight. Exceptions will be made when the passenger secures the specific approval of the Chief of Transportation Service, Services of Supply, his priority branch offices or the authorized person who granted the priority, or when the failure to use or cancel the original reservation resulted from circumstances beyond the control of the passenger.

(h) Priority certificates must be surrendered to the air carrier when ticket is purchased. Passengers making stopovers enroute must be provided with individual priority certificates for each portion of their journey unless reservations have been booked in advance and their tickets have been stamped to show their priority classification. Tickets or portions of tickets on which reservations have not been made will not be stamped to indicate priority. [Sec. III]

§ 94.5 *Priority air cargo stamp and passenger air priority certificate*—(a) *Facsimile of priority air cargo stamp.*

PRIORITY CARGO

Priority Class #_____
Due Destination_____ A. M.
By (Date)_____ P. M.
Shipment of_____pieces
(Sig.)_____

(b) *Passenger air priority certificate.*

Pursuant to authority of the Chief of Transportation Service, Services of Supply, War Department

AIR PRIORITY CLASSIFICATION NO._____

Is assigned to_____ of
(Name of Passenger)
_____ for the travel
(Business or Governmental Connection)
described below, which is in the interest of_____
(Govt. Dept. or Agency)

From: _____
A. M.
Must reach destination by_____ P. M.
(Date and Time)
To:_____
A. M.
Earliest possible departure_____ P. M.
(Date and Time)

This travel and the priority assigned thereto is necessary to the successful prosecution of the war effort.

Location of the Priority Office and City at which issued:

_____
Date:_____
(Signature of person authorized to grant priorities)_____
(Rank)_____
(Title)_____

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6606; Filed, July 11, 1942; 10:16 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4316]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GENE HUGHES DRUG STORES, INC. ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety.* In connection with offer, etc., of respondents' "Slendoids" or "Slendoids Nu-Form Capsules" preparation, or other similar preparations, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (1) that respondents' preparation is a cure or remedy for obesity or that it constitutes a safe, competent, or effective treatment therefor; (2) that the use of respondents' preparation will tone up the entire system or turn fat into energy; and (3) that the use thereof will relieve the body of excess fat without harmful results; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gene Hughes Drug Stores, Inc., et al., Docket 4316, July 6, 1942]

In the Matter of Gene Hughes Drug Stores, Inc., a Corporation, Also Trading as Sacramento Pharmacal Company; and Eugene P. Hughes, an Individual Trading as Sacramento Pharmacal Company, and as Officer of Gene Hughes Drug Stores, Inc.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondents upon the record; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Gene Hughes Drug Stores, Inc., a corporation, trading as Sacramento Pharmacal Company or trading under any other name, its officers, representatives, agents, and employees, and Eugene P. Hughes, an individual trading as Sacramento Pharmacal Company or trading under any other name, and as officer of the corporate respondent Gene Hughes Drug Stores, Inc., his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of their preparation known as "Slendoids" and as "Slendoids Nu-form Capsules," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating, or causing to be disseminated, any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference,

(a) That respondents' preparation is a cure or remedy for obesity or that it constitutes a safe, competent, or effective treatment therefor;

(b) That the use of respondents' preparation will tone up the entire system or turn fat into energy;

(c) That the use of respondents' preparation will relieve the body of excess fat without harmful results;

(2) Disseminating, or causing to be disseminated, any advertisement by any

means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of respondents' preparation, which advertisement contains any of the representations prohibited in paragraph (1) hereof and the respective subdivisions thereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6609; Filed, July 11, 1942; 11:13 a. m.]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE MILK CAP STATISTICAL BUREAU, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of paper disc milk bottle caps, and on the part of respondents, The Milk Cap Statistical Bureau, its manager and executive secretary, the members of its executive committee, and its various member-manufacturers, and their agents, etc., entering into, carrying out, or aiding or abetting the carrying out of any agreement, understanding, combination, conspiracy, or concert of action between and among any two or more of said respondents, with or without the cooperation of others not parties hereto, for the purpose or with the capacity, tendency, or effect of restricting, restraining, monopolizing, or eliminating competition, in the sale in commerce of said paper disc milk bottle caps, and, pursuant thereto, (1) fixing or maintaining prices for the sale of various types of paper disc milk bottle caps in said commerce; (2) fixing or maintaining uniform discounts, terms, conditions of sale or freight charges to be observed in the sale of paper disc milk bottle caps in said commerce; (3) fixing or maintaining uniform quantity prices or price differentials on quantity purchases based upon quantity purchases from all sources as are fixed and determined by jobber rating books or dairy rating books or other similar devices; (4) consulting, or communicating in any manner, with the respondent Bureau, or any of its officials, for the purpose of obtaining consent or agreement relative to prices at which paper disc milk bottle caps should be sold; (5) limiting the number or quantity of paper disc milk bottle caps which jobber customers or dairy customers may contract for, with, or purchase from, the respondent manufacturers; (6) preventing the sale of paper disc milk bottle caps to so-called "super-jobbers" or mill agents or cooperative buying agencies and confining the sale of such products exclusively to jobbers and dairy consumers; (7) forwarding, by the respondent manufacturers, to the respondent Bureau, invoices, or copies thereof, showing the details in respect to prices, discounts and terms of sale at which paper disc milk bottle caps are being sold; (8) compiling, publishing, or distributing a "Jobber Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies jobbers of paper disc milk bottle caps according to the total number of paper disc milk bottle caps purchased annually; (9) compiling, publishing, or distributing a "Dairy Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies dairies according to the total number of paper disc milk bottle caps used annually; and (1) holding and sponsoring meetings of the respondent manufacturers for the discussion and interchange of information relative to prices, discounts, conditions, charges, or terms to be fixed for the sale of paper disc milk bottle caps; prohibited, subject to the provision, however, as respects said ninth prohibition, that nothing therein contained shall be construed to prevent respondents, or any of them, from compiling, publishing, or distributing for the use of respondent manufacturers and others, such information as to the annual paper disc milk bottle cap requirements of the respective dairies as may enable each manufacturer to check or determine the propriety of any orders or contracts which may be received by it, if and when such information is not used for the purpose or with the effect of establishing corresponding ratings or classifications of dairies, or corresponding price differentials, that are uniform among respondents. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Milk Cap Statistical Bureau, et al., Docket 4448, July 8, 1942]

In the Matter of The Milk Cap Statistical Bureau, an Unincorporated Trade Association; George J. Lincoln, Jr., as Manager and Executive Secretary of The Milk Cap Statistical Bureau; Ray W. Blodgett, George W. Rohrbeck, Robert H. Schulz, as Members of the Executive Committee of The Milk Cap Statistical Bureau; Atlas Paper Box Company, a Corporation; Great Lakes Bottle Cap Company, a Corporation; Robert S. Leonard Company, a Corporation; L. Levingston Company, a Corporation; Fowler E. Macy and Edna B. Macy, Copartners Doing Business Under the Firm Name Fowler E. Macy Company; Mid-West Bottle Cap Company, a Corporation; National Manufacturing Company, a Corporation; Ohio Bottle Cap Company, a Corporation; Piqua Cap Company, a Corporation; Sealright Company, Inc.; Smith-Lee Company, Inc.; All Members, Respectively, of The Milk Cap Statistical Bureau; Standard Cap and Seal Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into between counsel representing all the respondents, excepting Standard Cap and Seal Corporation, and W. T. Kelley, Chief Counsel for the Commission, which provides among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondents herein, excepting Standard Cap and Seal Corporation, findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, The Milk Cap Statistical Bureau; its manager and executive secretary, George J. Lincoln, Jr.; the members of its executive committee, Ray W. Blodgett, George W. Rohrbeck, and Robert H. Schulz; and its members, Atlas Paper Box Company, a corporation; Great Lakes Bottle Cap Company, a corporation; Robert S. Leonard Company, a corporation; L. Levingston Company, a corporation; Fowler E. Macy and Edna B. Macy, copartners doing business under the firm name Fowler E. Macy Company; Mid-West Bottle Cap Company, a corporation; National Manufacturing Company, a corporation; Ohio Bottle Cap Company, a corporation; Piqua Cap Company, a corporation; and Sealright Company, Inc. and Smith-Lee Company, Inc., and their agents, representatives and employees, in connection with the offering for sale, sale and distribution of paper disc milk bottle caps, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, carrying out, or aiding or abetting the carrying out of any agreement, understanding, combination, conspiracy, or concert of action between and among any two or more of said respondents, with or without the cooperation of others not parties hereto, for the purpose or with the capacity, tendency, or effect of restricting, restraining, monopolizing, or eliminating competition, in the sale in commerce of said paper disc milk bottle caps and from doing any of the following acts and practices pursuant thereto:

1. Fixing or maintaining prices for the sale of various types of paper disc milk bottle caps in said commerce;

2. Fixing or maintaining uniform discounts, terms, conditions of sale or freight charges to be observed in the sale of paper disc milk bottle caps in said commerce;

3. Fixing or maintaining uniform quantity prices or price differentials on quantity purchases based upon quantity purchases from all sources as are fixed and determined by jobber rating books or dairy rating books or other similar devices;

4. Consulting, or communicating in any manner, with the respondent Bureau, or any of its officials, for the purpose of

obtaining consent or agreement relative to prices at which paper disc milk bottle caps should be sold;

5. Limiting the number or quantity of paper disc milk bottle caps which jobber customers or dairy customers may contract for, with, or purchase from, the respondent manufacturers;

6. Preventing the sale of paper disc milk bottle caps to so-called "super-jobbers" or mill agents or cooperative buying agencies and confining the sale of such products exclusively to jobbers and dairy consumers;

7. Forwarding, by the respondent manufacturers, to the respondent Bureau, invoices, or copies thereof, showing the details in respect to prices, discounts and terms of sale at which paper disc milk bottle caps are being sold;

8. Compiling, publishing, or distributing a "Jobber Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies jobbers of paper disc milk bottle caps according to the total number of paper disc milk bottle caps purchased annually;

9. Compiling, publishing, or distributing a "Dairy Rating Book" or other similar device, for the use of respondent manufacturers, which rates or classifies dairies according to the total number of paper disc milk bottle caps used annually: *Provided, however,* That nothing herein contained shall be construed to prevent respondents, or any of them, from compiling, publishing, or distributing for the use of respondent manufacturers and others, such information as to the annual paper disc milk bottle cap requirements of the respective dairies as may enable each manufacturer to check or determine the propriety of any orders or contracts which may be received by it, if and when such information is not used for the purpose or with the effect of establishing corresponding ratings or classifications of dairies, or corresponding price differentials, that are uniform among respondents.

10. Holding and sponsoring meetings of the respondent manufacturers for the discussion and interchange of information relative to prices, discounts, conditions, charges, or terms to be fixed for the sale of paper disc milk bottle caps.

It is further ordered, That this proceeding be, and the same hereby is, dismissed as to respondent Standard Cap and Seal Corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6642; Filed, July 13, 1942; 11:01 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50677]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

FORT YUKON AIRFIELD, ALASKA

REDESIGNATION AS AIRPORT OF ENTRY[1]

JULY 9, 1942.

The Fort Yukon Airfield, Fort Yukon, Alaska, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from July 6, 1942. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6586; Filed, July 10, 1942; 3:34 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1479]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for revision of price exception 5 in the schedules of effective minimum prices for District No. 14.

An orginial petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting revision of Price Exception 5 in the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Shipments to permit all code members in the district under specified conditions to sell their stained off-grade coals in certain size groups at prices to the extent of 15¢ per net ton below the otherwise applicable minimum prices for such coals; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 334.1 (*Price instructions and exceptions*—(b) *Price exceptions*) and § 334.21 (*Price instructions and exceptions*—(b) *Price exceptions*) in the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Shipments are revised by amending Price Exception 5 thereof to read as follows: "Prices listed herein for all code members in all production groups may be reduced to the extent of 15¢ per net ton for stained off-grade coals in Size Groups 1 through 8 inclusive and Size Group 18, provided District Board No. 14, upon the petition of the producer or upon the Board's own motion and subject to the approval of the Bituminous Coal Division, determines that such coal is stained off-grade coal. All orders, agreements and invoices shall contain a complete description of such stained off-grade coals."

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and application to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6639; Filed, July 13, 1942; 10:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 67, 2d Ed.]

PART 622—CLASSIFICATION

DEFERMENT; DEPENDENCY; MISCELLANEOUS AMENDMENTS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.31[1] to read as follows:

§ 622.31 *Class III-A: Man deferred by reason of dependency.* In Class III-A shall be placed any registrant who has one or more dependents as defined in § 622.32 and who is not engaged in a civilian activity which is necessary to war production or which is supporting the war effort. (For exceptions see § 622.36.)

2. Amend § 622.31-1[2] to read as follows:

[1] This document affects the tabulation in 19 CFR 4.13.

[1] 6 F.R. 6609; 7 F.R. 3056.
[2] 7 F.R. 3056.

§ 622.31-1 *Class III-B: Man deferred both by reason of dependency and activity.* In Class III-B shall be placed any registrant who has one or more dependents as defined in § 622.32 and who is engaged in a civilian activity which is necessary to war production or which is supporting the war effort. (For exceptions see § 622.36.)

3. Amend § 622.32[1] to read as follows:

§ 622.32 *"Dependent" defined.* To be considered as a dependent of a registrant:

(a) A person must be the wife or child of the registrant with whom the registrant maintains a bona fide family relationship in their home, or a person must depend for support upon the registrant and be either the wife or child (with whom the registrant does not maintain a bona fide family relationship in their home), divorced wife, parent, brother, sister, grandparent, grandchild, a person under 18 years of age whose support the registrant has assumed in good faith, or a person of any age physically or mentally handicapped whose support the registrant has assumed in good faith; and

(b) Such status must have been acquired prior to December 8, 1941, and at a time when the registrant's selection was not imminent.

4. Amend § 622.33[1] to read as follows:

§ 622.33 *Certain relatives defined.* (a) The term "child" includes an unborn child, a child legally adopted, or a child born out of wedlock, but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

(b) The term "parent" includes a person who is supported in good faith by the registrant in a relationship similar to that of parent and child.

(c) The term "brother" or "sister" shall include only a person having one or both parents in common with the registrant who is either under 18 years of age or is physically or mentally handicapped.

5. Delete § 622.34 in its entirety.

6. Amend § 622.35[2] to read as follows:

§ 622.35 *Director to prescribe what constitutes support.* From time to time, the Director of Selective Service may prescribe the circumstances under which a person may be considered to be dependent for support upon a registrant.

7. Amend Part 622 by adding a new section to be designated as § 622.36[2] to read as follows:

§ 622.36 *Director may direct that dependents be disregarded.* The Director of Selective Service, notwithstanding any other provision of these regulations, may direct that any or all registrants having dependents as defined in § 622.32 be classified or reclassified in the same manner as registrants who do not have such dependents.

8. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 11, 1942.

[F. R. Doc. 42-6634; Filed, July 13, 1942; 10.17 a. m.]

[Amendment 68, 2d Ed.]

PART 632—INDUCTION CALLS

SELECTION TO FILL INDUCTION CALL

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 632.3[1] to read as follows:

§ 632.3 *Selection of men to fill induction call.* (a) Each local board, when it receives a call, shall select a sufficient number of specified men to fill the call. It shall first select specified men who have volunteered for induction. To fill the balance of the call, it shall select specified men from such group or groups as the Director of Selective Service may designate, provided that within a group selection shall be made in sequence of order numbers.

(b) A specified man to whom an Alien's Personal History and Statement (Form 304) has been mailed shall not be selected to fill a call unless and until the armed forces have indorsed upon such form that he "is, if otherwise qualified" acceptable to the armed forces.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 11, 1942.

[F. R. Doc. 42-6635; Filed, July 13, 1942; 10:17 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

ASPHALT AND ASPHALT PRODUCTS

Section 801.2 *Prohibited exportations*[2] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	*Gen. lic. group*
ASPHALT	
Asphalt & bitumen, natural, manufactures, including asphalt cement, emulsion and prepared road asphalt	C
Asphalt & bitumen, natural, unmanufactured	C
MISCELLANEOUS	
Asphalt roofing	C

This amendment shall become effective July 11, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

GEORGE V. PARKHURST,
Acting Chief,
Export Control Branch,
Office of Exports.

[F. R. Doc. 42-6585; Filed, July 10, 1942; 2:41 p. m.]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

PART 803—UNLIMITED LICENSES

ANIMALS AND ANIMAL PRODUCTS; IRON AND STEEL MANUFACTURES

Section 801.2, *Prohibited exportations* is hereby amended in the following particulars:

The descriptions of, and the general license group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group
Animals and animal products, inedible:		
Live animals, n. e. s. (include goats and fur-bearing animals)	0909	K
Pigeons, live	0909	None
Animals, edible:		
Pigeons, live	0019	None
Poultry, live (except pigeons)	0019	K

§ 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the lists of commodities set forth in paragraphs (a) and (b) thereof the following:

Pigeons, live

§ 803.2 *Commodities and countries of destination* is hereby amended by adding to the list of commodities set forth in paragraph (b) thereof the following:

Iron & Steel Mfrs.—Tools. Other hand tools and parts (including metal measuring tapes and rules).

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order

[1] 7 F.R. 3056.
[2] 6 F.R. 6609; 7 F.R. 3770.

[1] 6 F.R. 6848; 7 F.R. 2092.
[2] 7 F.R. 4952, 5080, 5115.

No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

GEORGE V. PARKHURST,
Acting Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42-6593; Filed, July 11, 1942; 9:21 a. m.]

PART 809—SHIPPING PRIORITY RATINGS

APPEALS FOR HIGHER RATINGS

Paragraph (b) of § 809.8 *Appeals for higher ratings*[1] is hereby amended to read as follows:

(b) When articles and materials are to be exported under an individual license, an exporter who desires a higher rating than that which has been assigned may appeal by submitting, in triplicate, an "Appeal for Higher Shipping Priority Rating". Such appeal shall state the name of the licensee, the export license number, the rating assigned thereunder, a description of the articles and materials (as described in the license), and the reasons why a higher rating should be assigned. In addition, the following information will be stated relative to the articles and materials to be exported.

(1) Portion of the shipment which has been exported.

(2) Portion of the shipment which is at point of exit from the United States ready to be exported.

(3) Name of point of exit through which export is scheduled to be made.

(4) Location of goods at point of exit: in railroad cars, railroad storage, other?

(5) Portions of the shipment which remain to be forwarded to points of exit.

(6) Where information is available, state the stage of manufacture of such portions: completed, in process, not started?

(7) Date or dates when these portions are scheduled to move to point of exit.

(8) Name of city or town from which these portions will move.

(9) Name and address of shipper in city or town specified in subparagraph (8).

(10) Whether or not the material is manufactured to specifications normally in use in the United States. (If manufactured to foreign specifications, explain.)

If the appeal is granted, a notice of higher shipping priority rating will be forwarded to the applicant, to be attached to the license.

(Sec. 6, 54 Stat. 714 Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

GEORGE V. PARKHURST,
Acting Chief, Export Control Branch, Office of Exports.

JULY 9, 1942.

[F. R. Doc. 42-6584; Filed, July 10, 1942; 2:41 p. m.]

[1] 7 F.R. 5271.

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 933—COPPER

[Amendment 3 to Conservation Order M-9-c, as Amended May 7, 1942]

CURTAILING THE USE OF COPPER IN CERTAIN ITEMS

Section 933.4 (*Conservation Order M-9-c*[1]) is hereby amended in the following respects:

(a) Paragraph (c) is hereby amended to read as follows:

(c) *Applicability of order to certain Governmental agencies.* (1) Until August 1, 1942, the prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacture, processing, assembling or finishing of any item or article, or part therefor, which is being produced for purchase by, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) The prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacture, processing, assembling or finishing of any item or article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order."

(b) The following "Military Exemption List" is added to the order, after the end of List "A-1" of Copper Conservation Order M-9-c as amended May 7, 1942:

Military Exemption List of Copper Conservation Order M-9-c as amended May 7, 1942

Binoculars.

Valves (for use on board ship).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6587; Filed, July 10, 1942; 4:10 p. m.]

[1] 7 F.R. 3424, 3660, 3745, 4205, 4480, 4535 and infra.

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S-65]

Warwick Laboratories Corporation of Brooklyn, N. Y. is engaged in the manufacture of automotive parts and is subject to the provisions of Preference Rating Order P-54,[1] Limitation Order L-4,[2] and Priorities Regulation No. 1.[3]

During the months of November and December, 1941, the Company obtained a large quantity of brass hooks and nickel steel split rivets by means of an A-3 Preference Rating Order P-54. The Company did not use the material so obtained for the purpose specified in Preference Rating Order P-54 and thereby violated that order and Priorities Regulation No. 1.

During the period from September 15, 1941 to December 31, 1941 the Company manufactured 205,144 universal joint cover units which was 31,141 units in excess of the amount it was permitted to manufacture under the provisions of Limitation Order L-4 and the manufacture thereof constituted a violation of that order.

During the period from September 15, 1941 to December 31, 1941 the Company manufactured 15,520 gallons of hydraulic brake fluid for use in passenger automobiles and light trucks which was 7,775 gallons in excess of the amount it was permitted to manufacture under the provisions of Limitation Order L-4 and the manufacture thereof constituted a violation of that order.

These violations of Preference Rating Order P-54, Limitation Order L-4, and Priorities Regulation No. 1 have impeded and hampered the war effort of the United States by diverting materials to uses not authorized by the Director of Industry Operations. In view of the foregoing facts,

It is hereby ordered:

§ 1010.65 *Suspension Order S-65.* (a) Deliveries of material or equipment to Warwick Laboratories Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied or assigned to such deliveries by any Preference Rating Certificate, Preference Rating Order, General Preference Order, or any other order or regulation of the Director of Industry Operations, except as the Director of Industry Operations may specifically direct.

(b) No allocation to Warwick Laboratories Corporation, its successors and assigns, shall be made of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, except as specifically authorized by the Director of Industry Operations.

(c) Nothing contained in this order shall be deemed to relieve Warwick Laboratories Corporation, its successors and assigns, from any restrictions, prohibitions, or provisions contained in any other order or regulation of the Director of Industry Operations except insofar as the same may be inconsistent herewith.

(d) This order shall take effect on July 12, 1942 and shall expire on October 12, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6588; Filed, July 10, 1942; 4:10 p. m.]

[1] 6 F.R. 4731, 5273, 5677; 7 F.R. 30, 515, 1792, 2579, 2678, 3882.

[2] 7 F.R. 5117, 5127.

[3] 6 F.R. 4489, 6680; 7 F.R. 1493, 1835, 2235, 3311, 3428, 4832.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-68]

GREAT WESTERN BRASS FOUNDRY

Harry Rushton, doing business in Denver, Colorado, as Great Western Brass Foundry, buys brass and copper and casts saddle horns, brass parts for plumbing items, and makes lead traps with brass parts for plumbing fixtures.

Subsequent to January 1, 1942, Great Western Brass Foundry used copper in the production of saddle horns without regard for the limitation placed by Conservation Order M-9-c[1] upon the use of copper for this item. At the time of the manufacture the foundry, through Mr. Rushton, knew of the restrictions imposed by Order M-9-c. Consequently, this use of copper was a willful violation of Conservation Order M-9-c.

This willful violation of Conservation Order M-9-c has impeded and hampered the war effort of the United States by diverting scarce materials to a use prohibited by the War Production Board. In view of the foregoing facts,

It is hereby ordered, That:

§ 1010.68 *Suspension order S-68.* (a) Harry Rushton, individually or doing business as the Great Western Brass Foundry, his successors and assigns, are prohibited from receiving, processing, or delivering copper or copper base alloy, as defined in Conservation Order M-9-c, except as specifically authorized by the Director of Industry Operations.

(b) Harry Rushton, doing business as the Great Western Brass Foundry, shall submit within ten days from the effective date of this order, a schedule of its inventories of copper, copper base alloy, and finished and semi-finished brass and copper items to the Inventory and Requisitioning Branch, War Production Board, Washington, D. C.

(c) Nothing contained in this order shall be deemed to relieve Harry Rushton, individually or doing business as Great Western Brass Foundry, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 13, 1942, and shall expire on October 13, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6589; Filed, July 10, 1942; 4:10 p. m.]

[1] 7 F.R. 3424, 3660, 3745, 4205, 4480, 4535 and *infra*.

PART 962—IRON AND STEEL

[Supplementary Order M-21-e, as Amended July 11, 1942]

TIN PLATE AND TERNE PLATE

Supplementary Order M-21-e (§ 962.6) is amended to read as follows, effective immediately:

§ 962.6 *Supplementary Order M-21-e*—(a) *Definitions.* For the purposes of this order:

(1) *Tin plate* means steel sheets coated with tin (including primes, seconds, and waste-waste) and includes:

(i) *Electrolytic tin plate,* in which the tin coating is applied by electrolytic deposition.

(ii) *Hot dipped tin plate,* in which the tin coating is applied by immersion in molten tin.

(2) *Terne plate* means steel sheets coated with terne metal (including primes, seconds, and waste-waste) and includes:

(i) *Short ternes,* meaning steel sheets generally referred to as black plate, coated with terne metal, and

(ii) *Long ternes,* meaning steel sheets other than black plate, coated with terne metal.

(3) *Terne metal* means the lead-tin alloy used as the coating for terne plate.

(4) *Process* means cut, draw, stamp, spin, or otherwise shape.

(5) *Put into process* means the first change by a manufacturer in the form of material from that form in which the tin plate or terne plate is received by him.

(b) *Restrictions on use of tin plate and terne plate.* Except to the extent specified in Schedule A or with specific permission of the Director of Industry Operations:

(1) No person shall use tin plate, or terne plate in the production of any item or part thereof.

(2) No person shall use hot dipped tin plate with a pot yield exceeding 1.25 pounds per base box.

(3) No person shall use electrolytic tin plate with a tin coating in excess of .50 pound per base box.

(4) No person shall use short ternes with a terne coating in excess of 1.30 pounds per base box.

(5) No person shall use long ternes with a terne coating in excess of 4 pounds per base box.

(c) *Restrictions on use of terne metal.* Except with the specific permission of the Director of Industry Operations,

(1) No person shall use terne metal except in the production of terne plate.

(2) No person shall coat short ternes with terne metal containing over 15 percent tin.

(3) No person shall coat long ternes with terne metal containing over 10 percent tin.

(d) *Restrictions on production, sale, and delivery of tin plate and terne plate.* (1) No person shall produce, sell, or deliver tin plate or terne plate to or for the account of any person if he knows or has reason to believe that such material will be used in violation of the terms of this order or any other or further order or direction of the Director of Industry Operations.

(2) A person producing, selling, or delivering tin plate or terne plate may rely on the certificate of his customer that such material will not be sold or used except in compliance with this order and all other orders of the Director of Industry Operations. Such statement shall be a representation to the War Production Board and shall be preserved by the seller for a period of at least two years.

(e) *Exceptions as to materials in inventory.* (1) Exceptions granted prior to July 11, 1942, permitting use of material in inventory, are hereby confirmed. All other exceptions are revoked as of July 11, 1942.

(2) The provisions of paragraph (b) shall not apply to roofing materials or to furnace pipe and fitting materials in inventory on May 16, 1942, to be sold or delivered for maintenance and repair purposes regardless of rating or on orders for defense housing, as permitted by the Defense Housing Critical List.

(3) The provisions of paragraph (b) shall not apply to materials in inventory (other than materials referred to in paragraph (e) (2)) which on May 16, 1942 had been put into process, or had been painted, lacquered, lithographed, or enameled.

(f) *Exception for Army, Navy, and Maritime Commission orders.* The provisions of paragraphs (b) and (c) shall not apply in the case of articles to be purchased by or for the account of the Army or Navy of the United States, or the United States Maritime Commission, or to be physically incorporated into products to be so purchased, to the extent that the use of tin plate or terne plate is required by the specifications

(including performance specifications) of the Army or Navy of the United States, or the United States Maritime Commission applicable to the contract, subcontract, or purchase order, provided, however, that the seller of such material must obtain from his customer a statement in duplicate (except when the sale or delivery of such material is made to a warehouse, in which case the warehouse must obtain such statement from its customer) setting forth the name of the article to be manufactured, the use for which it is intended, and the government contract number, and provided that the seller shall immediately forward a duplicate of such statement to the War Production Board, Iron and Steel Branch, Washington, D. C., Ref.: M–21–e.

(g) *Reports of frozen stocks.* Any person who possesses stocks of tin plate or terne plate and who is unable to sell, deliver, or use such material because of the provisions of this order shall file in duplicate immediately with the War Production Board, Iron and Steel Branch, Washington, D. C., Ref.: M–21–e, an itemized list of such material giving quantity (in net tons), size, gauge, and weight of coating.

(h) *Restrictions on tin consumption.* During the first calendar quarter of 1942 and during each calendar quarter thereafter, no person shall use tin in the production of tin plate or terne plate in excess of the quota assigned to such person by the Director of Industry Operations.

(i) *Special directions.* The Director of Industry Operations may from time to time issue special directions as to production, sale, delivery, and use of tin plate and terne plate, which may include directions as to the tin or lead content thereof.

(j) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him or would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of tin plate and/or terne plate conserved, or that compliance with this order would disrupt or impair a program of conversion from non-war to war work, may apply to the War Production Board, Iron and Steel Branch, Washington, D. C., Ref.: M–21–e, setting forth the pertinent facts and the reasons he considers he is entitled to relief. No appeal will be considered until the provisions of paragraph (g) have been complied with. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(k) *Applicability of other orders.* Insofar as any other order of the Director of Industry Operations may have the effect of limiting to a greater extent than herein provided the use of any material in the production of any item, the limitation of such order shall be observed.

(l) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Iron and Steel Branch, Washington, D. C.—Ref.: M–21–e. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July, 1942

J. S. KNOWLSON,
Director of Industry Operations.

SCHEDULE A

Permitted Uses	Permitted materials	Maximum permitted coating of tin or of terne metal
1. Cans	As specifically authorized by or pursuant to Conservation Order M–81, as amended.	
2. Closures	As specifically authorized by or pursuant to Conservation Order M–104, as amended.	
3. Baking pans for institution and commercial bakers	Hot Dipped Tin Plate	1.25 lbs. per base box.
4. Dairy ware and equipment, including dairy pails, milk strainer pails, hooded milking pails, milk kettles, setter or cream cans, weigh cans, measures and test ware, bottle conveyors, ice cream freezers, milk filters, receiving tanks, separators, strainers, upper and lower troughs and covers for surface type heaters and coolers, and testing equipment.	Electrolytic Tin Plate Hot Dipped Tin Plate	0.50 lbs. per base box. 3.30 lbs. per base box (2# Charcoal).
5. Cheese Vats	Hot Dipped Tin Plate Hot Dipped Tin Plate	11 lbs. per base box. 3.30 lbs. per base box (2# Charcoal).
6. Gas meters	Electrolytic Tin Plate Short Ternes Long Ternes	0.50 lbs. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
7. Oil Lanterns	Short Ternes Long Ternes	1.30 lbs. per base box. 4 lbs. per base box.
8. Textile spinning cylinders, card screens, spools and bobbins.	Hot Dipped Tin Plate	1.25 lbs. per base box.
9. Gasoline Tanks	Short Ternes Long Ternes	1.30 lbs. per base box. 4 lbs. per base box.
10. Radiators for internal combustion engines.	Short Ternes Long Ternes	1.30 lbs. per base box. 4 lbs. per base box.
11. Chaplets, skimgates and tin forms for foundry use.	Hot Dipped Tin Plate Short Ternes Long Ternes	1.25 lbs. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
12. Torpedoes for oil and gas well shooting	Short Ternes Long Ternes	1.30 lbs. per base box. 4 lbs. per base box.
13. Carbide non-explosive emergency lights.	Short Ternes Long Ternes	1.30 lbs. per base box. 4 lbs. per base box.

[F. R. Doc. 42-6616; Filed, July 11, 1942; 12:00 m.]

PART 968—SILK WASTE, SILK NOILS AND GARNETTED OR RECLAIMED SILK FIBER

[General Preference Order M–26, as Amended July 11, 1942]

Section 968.1 (*General Preference Order M–26*) is hereby amended to read as follows:

§ 968.1 *General Preference Order M–26*—(a) *Restrictions on deliveries.* No person shall hereafter deliver, or accept delivery of, any silk waste, silk noils or garnetted or reclaimed silk fiber except upon purchase orders for physical incorporation into material or equipment to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, its Operating or General Agents.

(b) *Restrictions on processing.* No person shall process any silk waste, silk noils or garnetted or reclaimed silk fiber, except by dressing and spreading the same, or upon purchase or manufacturing orders therefor for physical incorporation into material or equipment to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, its Operating or General Agents.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of silk waste, silk noils and garnetted or reclaimed silk fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Ref.: M–26, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(d) *Certification.* Each order placed pursuant to paragraphs (a) and (b) hereof shall be accompanied by a certificate signed by, or on behalf of the person placing the said purchase or manufacturing order, in substantially the following form:

> This order is for silk waste, silk noils or garnetted or reclaimed silk fiber, as the case may be, for physical incorporation into material or equipment to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission, or the War Shipping Administration, its Operating or General Agents.

(e) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as shall from time to time be required by said Board.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: "War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Ref.: M–26"

(h) *Violations.* Any person who wilfully violates any provision of this Order, or who, in connection with this Order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6622; Filed, July 11, 1942; 12:01 p. m.]

PART 1073—FIRE PROTECTIVE EQUIPMENT

[General Limitation Order L–39,[1] as amended July 11, 1942]

Section 1073.1 (*General Limitation Order L–39*) is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war effort, for private account and for export, of materials entering into the production of fire protective equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 1073.1 *General Limitation Order L–39*—(a) *Definitions.* For the purpose of this order:

(1) "Fire protective equipment" means:

- Automatic fire alarm systems.
- Automatic sprinkler systems.
- Couplings, playpipes and allied fittings.
- Fire hydrants.
- Hose dryers.
- Hose racks.
- Indicator posts.
- Lightning rods.
- Piped extinguisher systems.
- Portable fire extinguishers, including back pack types.
- Portable generators.
- Stirrup pumps.
- Water spray nozzles.

and all other fire protective devices and appliances for preventing and extinguishing fires, excepting: self-propelled and trailer types of fire apparatus, and parts and accessories therefor.

(2) "Stirrup pump" means a manually operated portable piston type pump used to draw water or other liquid from a separate container to extinguish or control fires.

(3) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 percent of the weight of all metal in the alloy.

(b) *General restrictions*—(1) *Restrictions on use of scarce materials in fire protective equipment.* Except as provided in paragraph (c) below, or upon specific authorization of the Director of Industry Operations, no person shall incorporate in fire protective equipment, or parts thereof, any aluminum, bismuth, cadmium, chromium, copper, copper base alloy, lead, mercury, monel metal, nickel, tin, stainless steel, zinc; asbestos, rubber, neoprene or other synthetic rubber, except to the extent permitted by Appendix A hereof.

(2) *Restrictions on 2½" brass fire hose couplings.* Except on specific authorization of the Director of Industry Operations, no 2½" brass fire hose couplings in the possession or control of any fire hose manufacturer or distributor on April 27, 1942, shall be transferred, sold or used.

(3) *Restrictions on foam extinguishers.* No person shall purchase or accept delivery of any foam extinguisher except for use in the protection of inflammable liquids, and no person shall sell or deliver any foam extinguisher which he knows or has reason to believe will be used in violation of this paragraph.

(4) *Restrictions on manufacture of stirrup pumps.* Except as provided in paragraph (c) (2) below, no person shall manufacture any stirrup pumps or parts thereof, except to fill purchase orders from the United States Army, Navy, Maritime Commission, War Shipping Administration, Defense Supplies Corporation, or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, "An Act to Provide for the Defense of the United States." (Lend-Lease Act).

(5) *Restrictions on manufacture of foam and alkali metal (loaded stream) extinguishers.* No person shall in any quarter complete the manufacture of any type of foam, alkali metal salt solution (loaded stream), or back pack extinguishers in excess of 25% of the total of such type (irrespective of size) manufactured during the twelve month period ending November 30, 1941, except to fill purchase orders or contracts from any purchaser listed in subparagraphs (i), (ii) or (iii) below. In determining the number of extinguishers manufactured during said twelve month base period ending November 30, 1941, extinguishers manufactured to fill contracts or purchase orders from any of the following shall be excluded:

(i) The United States Army, Navy, Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The government of any of the following countries: the United Kingdom, Canada, and other dominions; Crown Colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to or for the account of any country listed above, or any other country including those in the western hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(c) *General exceptions.* (1) Paragraphs (b) (1) and (b) (2) shall not apply to:

(i) Completed fire protective equipment or parts thereof (excepting brass couplings), which were finished and ready for assembly on February 27, 1942, provided such fire protective equipment or parts are delivered to fill purchase orders bearing a preference rating of A–2 or higher, or

(ii) Brass fire hose couplings provided such couplings are delivered to fill purchase orders from the United States Navy, Maritime Commission, or War Shipping Administration, and are for use on board ship, or are delivered to fill purchase orders from the Panama Canal, or

(iii) Brass fire hose fittings, brass fog spray nozzles and brass fog spray nozzle applicators (and attachments for such applicators) for a period of 90 days after July 11, 1942, provided said items are delivered to fill purchase orders from the United States Navy, Maritime Commission, or War Shipping Administration, and are for use on board ship, or are delivered to fill purchase orders from the Panama Canal, or

(iv) Carbon dioxide extinguishers manufactured in accordance with specifications of the United States Army, Navy, Maritime Commission, or War Shipping Administration, provided such carbon dioxide extinguishers are delivered to fill purchase orders bearing a preference rating of A–1–j or higher.

(2) Paragraph (b) (4) shall not apply to stirrup pumps manufactured entirely from other than non-ferrous metal parts which were fabricated or semi-fabricated on the 11th day of July, 1942.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or im-

[1] 7 F.R. 1597, 3083, 3363, 3807, 3989.

prisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Communications.* All reports required to be filed hereunder, or communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Branch, Washington, D. C.—Ref.: L–39. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

APPENDIX A—TO GENERAL LIMITATION ORDER L–39 AS AMENDED JULY 11, 1942

Pursuant to the provisions of paragraph (b) of the above order, the following materials may be incorporated in the manufacture of fire protective equipment, or in component parts thereof, to the extent indicated:

(1) Aluminum, primary or secondary:

(i) In extinguishers for use in airplanes;

(ii) As foil in electric condensers for automatic fire alarm systems, approved by Underwriters' Laboratories, Inc., or Factory Mutual Laboratories, to the extent essential to the efficient functioning of such condensers; or

(iii) (Secondary aluminum only) in zinc die castings not in excess of 2 percent by weight; or up to 4 percent upon specific authorization of the Director of Industry Operations;

(2) Bismuth, as a component of fusible link alloy:

(3) Cadmium:

(i) As a component of fusible link alloy or solder;

(4) Chromium:

(i) For plating of parts of automatic fire alarm systems and sprinkler heads to the extent essential to the efficient functioning of such systems or heads; or

(ii) As a component of stainless steel the use of which is permitted by paragraph (10) hereof;

(5) Copper or copper base alloys, in:

(i) Pumps for carbon tetrachloride extinguishers, and other pumps for extinguishers manufactured within 90 days after July 11, 1942, for delivery to or for the account of the United States Army, Navy, Maritime Commission, or War Shipping Administration.

(ii) Lock nuts on removable hose connections:

(iii) Bodies, ends, inner chambers, valves and their component parts for vaporizing liquid, 2½ gallon foam extinguishers, or loaded stream extinguishers:

(iv) Fittings, strainers, syphon tubes and valves for carbon dioxide and gas operated dry powder extinguishers;

(v) Twin and special nozzles of pump type extinguishers;

(vi) Snap clamps, clamp pins and expansion rings on "Jones" type fire hose couplings;

(vii) Latch assembly and expansion rings of "British" type fire hose couplings to the extent essential to the efficient functioning of the parts;

(viii) Swivels, wires and expansion rings on screw type fire hose couplings;

(ix) Swivels, wire, rollers and expansion rings of suction hose couplings;

(x) Hose and hydrant adaptors;

(xi) Swivels, wires, clappers and seats of Siamese connections;

(xii) Playpipes made only from drawn or brazed sheet brass or cast brass, not more than 2½" in diameter at the base, and no more than 15" long:

(xiii) Ball type and cylinder type shut-off nozzles;

(xiv) Nozzle tips;

(xv) Portable deluge nozzles, not including tips and handles;

(xvi) The following hydrant fittings to the extent essential to their efficient functioning: valve seat discs, guides, operating valve stems, stuffing boxes, nuts, bolts, bushings, rivets and retainer rings;

(xvii) The following indicator post fittings to the extent essential to their efficient functioning: valve stems, seats, discs, packing glands and glands of bonnet openings;

(xviii) The following parts of portable generators and fixed pipe systems, to the extent essential to their efficient functioning: generator bodies except bases; shut-off valves except handles; screens and check valves;

(xix) Water spray nozzles with orifice openings in head of ⅛" diameter and smaller, and in scroll for amounts up to and including those attached to ¾" pipe;

(xx) Lightning rods for electrical power stations and industrial plant stacks;

(xxi) Valve seats, discs, stems and guides;

(xxii) The following parts of automatic sprinkler systems and automatic fire alarm systems, approved by Underwriters' Laboratories, Inc. or Factory Mutual Laboratories:

Actuating units of Aero Alarms.
Air Check Housing.
Air Tubing A.
Angle Pieces.
Armature Links.
Arm Links.
Attaching Collars.
Auxiliary Levers.
Baffles.
Balls.
Ball Rivets.
Bearing Plates.
Bearings.
Bell Line Bleeders.
Bolts.
Bonnets.
Brushes.
Bucket Wheels.
Burrs.
Bushings.
Caps.
Center Pieces.
Clappers.
Clapper Latches.
Clapper Latch Levers.
Clapper Stops.
Clips.
Condenser Parts.
Conductors.
Connections.
Connection Links.
Connectors.
Contact Holders.
Contact Operating Levers.
Contact Plungers.
Contact Posts.
Contacts.
Contact Sockets.
Couplings.
Covers.
Cylinder Valve Supports.
Deflectors.
Diaphragms.
Diaphragm Plates.
Diaphragm Plungers.
Diaphragm Rods.
Discs.
Disc Clamps.
Disc Holders.
Disc Rods.
Ejector Bodies.
Elbows.
Enclosing Boxes and Covers.
Escapement Levers, holders, and ratchets.
Frames for Sealed Sprinkler Heads.
Fulcrum Levers.
Gaskets.
Gates.
Glands.
Gland Clamps.
Gland Holders.
Glass Holders.
Guide Rods.
Guide Rod Plates.
Hammers.
Hooks.
Housings.
Inlet Restrictions.
Inserts.
Jumpers.
Keys.
Knee Pieces.
Labels of Inspecting Laboratories.
Latches.
Latch Rollers.
Lever Heads.
Lever Rollers.
Levers for Sprinkler Heads.
Liners.
Links.
Lock Bars.
Lock Spacers.
Lower Shells.
Manifold Blocks.

Manual Pull Gans.
Manual Pull Levers.
Mercoid Plates.
Mercury Check Header Bars and Manifolds.
Monitor Valve Holders.
Monitor Valve Seats.
Nipples.
Nozzle Strainers.
Nuts.
Operating Levers.
Pawls.
Pilots.
Pilot Valve Parts.
Pin Holders.
Pinions.
Pins.
Plates.
Plugs.
Plungers.
Plunger Discs.
Pressure Regulator Parts.
Pull Cables.
Pull Rods.
Pump Valve Levers.
Pump Valve Seats.
Quadrants.
Reduction Levers.
Release Frames.
Releasing Levers.
Relief Valve Housings.
Reseating Latches.
Reset Buttons.
Restrictions.
Reset Lugs.
Restriction Tubes.
Retaining Plates.
Rocker Arms.
Roll Rams.
Rollers.
Screens.
Screws.
Sealing Eyes.
Sealing Wires.
Seat Holders.
Seats.
Shafts.
Sight Slides.
Siren Valve Bodies.
Siren Valve Seats.
Snap Action Frames.
Snap Action Rolls.
Socket Pieces.
Spacers.
Spring Guides.
Spring Lugs.
Spring Retainers.
Springs.
Stems.
Studs.
Supports.
Switches.
Switch Carriages.
Switch Holders.
Sylphons.
Sylphon Bases.
Sylphon Caps.
Terminals.
Test Connectors.
Test Fingers.
Test Tubing Connections.
Tie Rods.
Tongue Flanges.
Tongue Latches.
Tongue Plates.
Tube Solder Plates.
Tubing and Fittings.
Upper Shells.
Valve Holders.
Valve Guides.
Valve Rods.
Valves, not over 2 inches.
Valve Stems.
Velocity Bodies.
Velocity Check Plugs.
Velocity Clappers.
Vent Adaptors.
Vent Bodies.
Vent Elbows.
Vent Ties.
Washers.
Wedges.
Weight Bottom Plates.
Weight Guide Rods.
Weight Guides.
Weight Latches.
Weight Pawls.
Weight Stops.
Wire and Cable.
Yokes.
Yokes Collars.

(6) Lead:

(i) As a component of fusible link alloy or solder;

(ii) In underground pipe connections to the extent essential to efficient functioning of such connections, and in hose connections for hydrants;

(iii) In copper base alloys, the use of which is permitted by paragraph (5) hereof;

(iv) As required for extinguisher nozzles;

(7) Mercury, as required in check valves for automatic alarm systems;

(8) Nickel, as a component of stainless steel the use of which is permitted by subparagraph (10) hereof;

(9) Tin:

(i) As a component of fusible link alloy;

(ii) In copper base alloys the use of which is permitted by paragraph (5) hereof, but only where no tin-free alloy can be used and only to the extent essential to efficient functioning;

(iii) In condenser parts for automatic fire alarms;

(iv) Up to 30 percent by weight, in metals used in the coating of copper or of copper alloys for anti-corrosion protection;

(v) Up to 5 percent by weight in metal for coating steel shells;

(vi) In solder up to 30 percent by weight; or up to 50 percent upon specific authorization by the Director of Industry Operations.

(10) Stainless steel:

(i) In hinge pins; or

(ii) In the construction of mercury check valves.

(11) Zinc:

(i) In automatic fire alarm systems, to the extent essential to efficient functioning;

(ii) In copper alloys, the use of which is permitted by paragraph (5) hereof;

(iii) In die cast parts;

(iv) As protection of iron or steel parts against corrosion; or

(v) As sheet to the extent that corrosion-resistant metal is essential to efficient functioning.

(12) Asbestos in gaskets on fixed foam applicator pipes and hydrants;

(13) Crude or reclaimed rubber for diaphragms or gaskets, and reclaimed rubber for hose for fire extinguishers;

(14) Synthetic rubber other than neoprene, to the extent essential to efficient functioning.

[F. R. Doc. 42–6617; Filed, July 11, 1942; 12:00 m.]

PART 1115—FUEL OIL

[Amendment 1 to Limitation Order L–56, as amended [1]]

Section 1115.1 *Limitation Order L–56,* as Amended, paragraphs (b) (9), (b) (10) and (b) (11) is hereby amended to read as follows:

(b) *Definitions.* • • •

(9) "Area One" means the area specified in paragraph (a) of Exhibit "A" hereof.

(10) "Area Two" means the area specified in paragraph (b) of Exhibit "A" hereof.

(11) "Area Three" means the area specified in paragraphs (c) and (d) of Exhibit "A" hereof.

Section 1115.1 *Limitation Order L–56,* as Amended, paragraph (i) is hereby amended to read as follows:

(i) *Appeals and applications.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate.

Any appeal involving a defense housing project shall be filed with the local Federal Housing Administration office which shall review such appeal and transmit it, together with specific recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, Department of the Interior, Washington, D. C., for further proceedings. All other appeals shall be filed as follows:

If appellant is located in Area One or in the area specified in paragraph (c) of Area Three, Exhibit "A", the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, 122 East 42d Street, New York, New York.

If appellant is located in the area specified in paragraph (d) of Area Three, Exhibit "A", the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, 855 Subway Terminal Building, Los Angeles, California.

If appellant is located in Area Two, Exhibit "A", the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, Suite 1336, 120 South LaSalle Street, Chicago, Illinois.

The District Director of Marketing shall promptly investigate and consider the matter and shall seek to bring about a voluntary settlement of the controversy in accordance with the provisions of this Order. In the event that no settlement can be reached, then the District Director of Marketing shall forward the appeal and record thereon, together with his recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, Washington, D. C.

Section 1115.1 *Limitation Order L–56,* as Amended, Exhibit "A" is hereby amended to read as follows:

[1] 7 F.R. 3547.

Exhibit "A"

(a) *Area One:* The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Appalachicola River in the State of Florida.

(b) *Area Two:* The States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee and Wisconsin.

(c) *Area Three:* All of the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

(d) The States of Oregon and Washington.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6615; Filed, July 11, 1942; 12:00 m.]

PART 1119—METAL PLASTERING BASES AND METAL PLASTERING ACCESSORIES

[Amendment 2 to Limitation Order L–59 [1]]

Paragraph (b) of § 1119.1 (*Limitation Order No. L–59*) is hereby amended to read as follows:

(b) *General restrictions*—(1) *Class A manufacturers.* Except as provided in subparagraphs (4), (5) and (6) of section (b) of this order, as amended, during the four-months' period from July 1, 1942 to October 31, 1942, inclusive, no Class A manufacturer shall incorporate into metal plastering bases and/or metal plastering accessories, other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories, any metal in excess of ⅛ of 10% (by weight) of the total quantity of that metal which was incorporated into metal plastering bases and/or metal plastering accessories, other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941; nor shall such manufacturer incorporate into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of ⅛ of 25% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941.

(2) *Class B manufacturers.* Except as provided in subparagraphs (3), (4), (5) and (6) of this paragraph, as amended, during the four-months' period from July 1, 1942 to October 31, 1942, inclusive, no Class B manufacturer shall incorporate into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of ⅛ of 50% (by weight) of the total quantity of that metal which was incorporated into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941; nor shall such manufacturer incorporate into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of ⅛ of 35% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar years 1940 and 1941.

(3) Except as provided in subparagraphs (4), (5), and (6) of this paragraph, as amended, and notwithstanding subparagraph (2) of this paragraph, as amended, during the four months' period from July 1, 1942, to October 31, 1942, inclusive, any Class B manufacturer who had not produced any metal plastering bases and/or metal plastering accessories previous to July 1, 1940, shall not incorporate into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of ⅛ of 50% (by weight) of the total quantity of that metal which was incorporated into metal plastering bases and/or metal plastering accessories other than zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar year 1941; nor shall such manufacturer incorporate into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories any metal in excess of ⅛ of 35% (by weight) of the total quantity of that metal which was incorporated into zinc-coated metal plastering bases and/or zinc-coated metal plastering accessories by that manufacturer during the calendar year 1941.

(4) Notwithstanding the provisions of subparagraphs (1), (2) and (3) of this paragraph as amended, in the case of each manufacturer who was engaged in the manufacture of metal plastering bases and/or metal plastering accessories prior to July 1, 1940, there shall be deducted from the quotas established by subparagraphs (1), (2) and (3) of this paragraph, as amended, the amount by which the quota of the previous four-months' period as established by this Order was exceeded by such manufacturer whether by permission of the War Production Board, upon appeal or otherwise.

(5) To the extent that any manufacturer does not incorporate into metal plastering bases and/or metal plastering accessories any quantity of zinc which he is permitted, by subparagraphs (1) and (2 of this paragraph, as amended, to incorporate into metal plastering bases and/or metal plastering accessories he may increase by an equal amount the weight of iron and/or steel which he incorporates into metal plastering bases and/or metal plastering accessories.

(6) To the extent that any manufacturer does not incorporate into any metal plastering bases and/or any metal plastering accessories metal out of the quota which he is permitted by subparagraphs (1), (2) and (3) of this paragraph, as amended, he may, with the consent of the Director of Industry Operations, transfer the unused portion of such quota for the four months' period from July 1, 1942, to October 31, 1942, to any other manufacturer, and such other manufacturer may incorporate metal equal in weight to such unused portion of such quota into any metal plastering bases and/or any metal plastering accessories notwithstanding the provisions of subparagraphs (1), (2) and (3) of this paragraph, as amended.

(7) On and after fifteen days from the date of issuance of this Order, no person shall take delivery of any material for manufacture into any metal plastering bases and/or metal plastering accessories except deliveries pursuant to an order or contract placed by him which bears a preference rating assigned under the Production Requirements Plan.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6623; Filed, July 11, 1942; 12:02 p. m.]

PART 1122—METAL HOUSEHOLD FURNITURE

[Amendment 3 to General Limitation Order L–62 [1]]

Section 1122.1 (*General Limitation Order L–62*) is hereby amended in the following particular:

Paragraph (b) (7) is hereby amended to read as follows:

(7) Notwithstanding the provisions of paragraph (c), any manufacturer who possessed in his inventory prior to March 20, 1942, iron, steel, zinc or zinc alloy die casting containing not over 2% of aluminum in the net weight thereof which had been so fabricated or processed into Venetian blind parts prior to March 20, 1942, that it cannot be used for any purpose other than the production of the Venetian blind parts that it was originally fabricated or processed for, may to the extent that he uses such iron, steel, zinc or zinc alloy die casting for such production exceed the restrictions imposed upon him by paragraphs (b) (1), (b) (2), (b) (3) of this order, provided that the restrictions imposed upon him by paragraph (b) (4) are otherwise fully complied with, and further provided that no manufacturer shall after August 31, 1942, process, fabricate, work on or assemble any materials for use in the production of Venetian blinds, nor shall any manufacturer produce or assemble any Venetian blinds after that date.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6619; Filed, July 11, 1942; 12:01 p. m.]

PART 1138—ANTIMONY

[General Preference Order M–112, as Amended July 11, 1942]

Section 1138.1 (*General Preference Order M–112*) is hereby amended to read as follows:

§ 1138.1 *General Preference Order M–112*—(a) *Definitions.* For the purposes of this order:

(1) "Antimony" means and includes:

(i) Ores and concentrates, including beneficiated or treated forms, containing antimony, commercially recognized;

(ii) Antimony metal, otherwise known as "regulus" and the element antimony in commercially pure form;

(iii) Liquated antimony, sometimes known, respectively, as "needle antimony", "crude antimony", or "crudum", which is in any case the result of separating antimony sulphide from antimony ores by fusion, without essential chemical change;

(iv) Any alloy containing 50 per cent or more by weight of antimony, as defined in (i), (ii), and (iii) above;

(v) Chemical compounds which result from the primary processing of antimony ores and concentrates.

(vi) Mixtures or fusions (including frits) containing antimony oxide.

(b) *Deliveries and allocations*—(1) *Restrictions on deliveries.* Hereafter no person shall deliver or accept delivery of antimony except pursuant to specific authorization by the Director of Industry Operations; provided that until further order and in the absence of a specific direction to the contrary by the Director of Industry Operations the following deliveries of antimony are permitted:

(i) Amounts totaling not more than 50 tons of contained antimony during any one calendar month by any person who produces antimony ores and concentrates from mines located within the continental United States or Alaska.

(ii) To any person in lots of 25 pounds or less (contained antimony), provided that the total quantity of antimony which any person may receive in one calendar month from all sources of supply pursuant to the authorization contained in this paragraph shall be limited to 25 pounds of contained antimony;

(iii) To the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., section 606 (b)), or to any duly authorized agent of any such Corporation.

(2) *Allocations.* The Director of Industry Operations will from time to time allocate the supply of antimony and specifically direct the manner and quantities in which deliveries to particular persons and for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for antimony to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Applications and reports.* (1) Unless otherwise ordered or specifically directed by the Director of Industry Operations, no person shall be entitled to receive an allocation of antimony unless not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the War Production Board and with each supplier with whom he may place a purchase order for antimony an application for such material on form PD–381, and in addition, if the quantity of antimony requested on any such application or applications for any month exceeds in the aggregate 448 pounds (contained antimony), shall have filed with the War Production Board a report on form PD–380, or such other form as said Board may from time to time prescribe.

(2) Any person who on the first day of any calendar month has in his possession or under his control a quantity of antimony in excess of 672 pounds (contained antimony), shall file a report with the War Production Board on form PD–380, on or before the 20th day of such month, whether or not such person applies for an allocation of antimony for delivery during the succeeding month.

(3) Failure by any person to file an application pursuant to the provisions of paragraph (c) (1) of this order may be construed as notice to the Director of Industry Operation and to all suppliers

[1] 7 F.R. 2296, 3713.

[1] 7 F.R. 2234, 2786, 3573, 3574.

of antimony that such person does not desire an allocation of antimony for the succeeding month.

(d) *Special directions.* The Director of Industry Operations may from time to time issue specific directions with respect to the kind or quantity of antimony, including antimony in the inventory of a person at the effective date of this order, which may be used in the manufacture or composition of any product or material, and the Director may also in his discretion, require the use of antimony-bearing lead scrap, secondary antimony-bearing lead alloys or any other practicable substitute in lieu of antimony, in the production of any materials or products.

(e) *Restrictions on use of antimony in certain products*—(1) *Prohibited uses.* No person shall use antimony in any form, including the antimony content of any alloy, scrap or secondary material, in the preparation, processing or manufacture of:

(i) White inorganic pigments for non-ceramic enamels, paints, lacquers, or printing inks, except as a reinforcing or chemical agent not to exceed 2% by weight of pure pigment contained.

(ii) White pigments, opacifiers, or frits for non-acid-resisting ceramic enamels;

(iii) Toys or decorative or ornamental objects or parts thereof.

(2) *Limitation on use in metals and alloys.* Hereafter, no person shall use more than 0.5% by weight of antimony in the composition of any metal or alloy, unless a higher percentage of antimony content is required by specification, and in no event shall such antimony content exceed the maximum specified.

(3) *Limitation on use of antimony for automotive batteries.* (i) The quantity of new antimony which may be used by any person in the production of alloys for automotive batteries shall be limited in any calendar month to not more than 7 per cent of the total contained antimony used by him for such purposes during the same period. (The balance of antimony required by such person in the production of such alloys shall be obtained from antimony-bearing scrap or secondary alloys.)

(ii) The antimony content of alloys used by any person in the production of grids for automotive batteries shall be limited as nearly as practicable to a maximum of 7% by weight, and shall in no event exceed 7.5% by weight, unless otherwise ordered or directed by the Director of Industry Operations.

(f) *Exceptions to paragraphs* (e) (1) *and* (e) (3). The prohibitions and restrictions contained in paragraphs (e) (1) and (e) (3) of this order shall not apply to the use of antimony in any product or part thereof which is being produced for purchase by or for the account of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard, where the use of antimony to the extent employed, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard applicable to the contract, subcontract, or purchase order.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *General Imports Order M–63 unaffected.* Nothing contained in this order shall be construed as altering or modifying in any way the provisions of General Imports Order M–63 applicable to antimony.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Tungsten-Antimony Branch, War Production Board, Washington, D. C., Reference: M–112. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6621; Filed, July 11, 1942; 12:01 p. m.]

PART 1227—AROMATIC PETROLEUM SOLVENTS

[Amendment 1 to General Preference Order M–150 [1]]

Section 1227.1 (*General Preference Order M–150*) is amended by adding to paragraph (a) (1) of said section the following:

• • •, and such term also includes all grades of xylol derived from coal tar and all other sources.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6620; Filed, July 11, 1942; 12:01 p. m.]

PART 1229—ARSENIC

[Amendment 1 to General Preference Order M–152 [2]]

Section 1229.1 (*General Preference Order M–152*) is hereby amended by adding to paragraph (c) of said section two subparagraphs, numbered (3) and (4), as follows:

(3) The requirements of subparagraph (1) of this paragraph with respect to filing Form PD–490 with suppliers shall not apply to any person seeking delivery of five hundred (500) pounds or less of arsenic in any calendar quarter: *Provided, however,* That each such person shall file with his supplier, at the time of placing his order, a certificate to the effect that if the delivery covered by such order is made he will not have received during the current quarter in excess of five hundred (500) pounds of arsenic. No supplier shall make any such delivery unless he shall have received such a certificate.

(4) Each producer and each distributor, unless relieved of filing form PD–490 under the provisions of subparagraph (3) of this paragraph, shall list on form PD–490 or PD–491, as the case may be, the aggregate amount of deliveries which he proposes to make in the succeeding quarter to persons seeking delivery of five hundred (500) pounds or less of arsenic during such quarter.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6618; Filed, July 11, 1942; 12:00 m.]

PART 1061—PORTABLE ELECTRIC LAMPS AND SHADES

[Amendment 3 to General Limitation Order L–33 [1]]

Paragraph (b) (5) of § 1061.1 *General Limitation Order L–33*, as amended April 30, 1942, is hereby amended to read as follows:

(5) Notwithstanding the provisions of paragraph (b) (4), but subject to the limitations of paragraph (i) hereof, (i) A producer of portable lamps may use in the production of such lamps any metal, metal parts or lamp cords which on March 23, 1942 were in a fabricated or semi-fabricated form, in his inventory or in the inventory of his suppliers, and

(ii) Any producer of lamp shades may use in the production of lamp shades, any silk which was in his inventory on March 23, 1942:

Provided, That such producer does not produce more portable lamps or lamp shades during any period than his quota of portable lamps or lamp shades, respectively, under the provisions of paragraph (b) (2) and (b) (3). (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6649; Filed, July 13, 1942; 11:43 a. m.]

[1] 7 F.R. 3887.
[2] 7 F.R. 3854.

[1] 7 F.R. 2274, 3234, 3662, 3883.

PART 1094—COTTON DUCK

[Interpretation 1 of General Preference Order M–91, as Amended [1]]

The following official Interpretation is hereby issued by the Director of Industry Operations with respect to § 1094.1, General Preference Order No. M–91, as amended:

Enameling duck is a fabric made with flat warp (two ends drawn together in each harness eye) of single yarns, and with either single or plied yarns in the filling, in weights 10¼ ounces to 38 inches and lighter.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–6647; Filed, July 13, 1942; 11:43 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M–126 as Amended July 13, 1942]

§ 1176.1 *General Conservation Order M–126* [2]—(a) *Restrictions with respect to List A products.* Except as provided in paragraph (c):

(1) *Raw material deliveries and fabrication.* From and after May 20, 1942, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on List A or part thereof, and from and after June 19, 1942, no person shall put into process any iron or steel to make any item on List A or part thereof.

(2) *Assembly.* From and after August 3, 1942, no person shall assemble any item on List A or part thereof containing any iron or steel.

(3) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A or part thereof which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

(b) *Restrictions with respect to Supplementary List A products.* Except as provided in paragraph (c):

(1) *Raw material deliveries.* From and after the applicable governing date (as hereafter defined) of any item on Supplementary List A, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on Supplementary List A, or part thereof.

(2) *Fabrication*—(i) *Limitation.* During the 30 days next following the applicable governing date of any item on Supplementary List A, no person shall put into process any iron or steel to make any item on Supplementary List A, or part thereof, in an aggregate weight greater than 75 percent of the average monthly weight of all metals put into process by him during 1941 in the making of such items and parts, and no person shall put into process any iron or steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on Supplementary List A, no person shall process any iron or steel to make any item on Supplementary List A, or part thereof.

(3) *Assembly.* From and after the date 60 days after the applicable governing date of any item on Supplementary List A, no person shall assemble any item on Supplementary List A, or part thereof, containing any iron or steel.

(4) *Finished item deliveries.* No person shall deliver or accept delivery of any item on Supplementary List A, or part thereof, which he knows or has reason to know was fabricated, assembled or delivered in violation of the provisions of this paragraph (b).

(c) *Exemption for Army-Navy-Maritime orders.* The provisions of paragraph (a) shall not apply to Army-Navy-Maritime orders for any item on List A or part thereof until August 4, 1942; and the provisions of paragraph (b) shall not apply to Army-Navy-Maritime orders for any item on Supplementary List A or part thereof for a period of 60 days after its governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any iron or steel for the making of any item on List A or Supplementary List A, or part thereof, unless such item or part is on List C. The provisions of paragraphs (a) and (b) shall not apply to Army-Navy-Maritime orders for any item on List C or part thereof.

(d) *Restrictions with respect to other products*—(1) *Roofing and siding.* No person shall manufacture any iron or steel into roofing or siding except:

(i) For delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) For delivery on a preference rating of A–1–k or higher assigned by a PD–3A preference rating certificate or by a preference rating order in the P–19 series; or

(iii) For defense housing, as permitted by the Defense Housing Critical List; or

(iv) For the manufacture of railroad freight cars, street cars, busses, trucks or trailers; or

(v) For delivery to an ultimate purchaser for maintenance and repair purposes regardless of rating. With respect to this paragraph (d) (1) (v), no person may manufacture from May 5, 1942 to December 31, 1942, more than 20 percent of the roofing and siding made by him from iron or steel during the calendar year 1940; or in the calendar year 1943 and subsequent calendar years, more than 25 percent of the roofing and siding made by him from iron or steel during the calendar year 1940.

Any person manufacturing or selling any such roofing or siding may rely on the certificate of his customer that such roofing or siding will only be sold or used as permitted by this paragraph (d) (1).

(2) *Other products.* From and after May 5, 1942, no person shall use any iron or steel to make any article not on List A or Supplementary List A, or any part thereof, where and to the extent that the use of other material (excluding material on List D) is practicable. Alloy steel shall not be used when the use of carbon steel is practicable, and no more iron or steel shall be used in connection with the manufacture of any such article than is essential. The provisions of this paragraph (d) (2) shall not apply in the case of articles or parts to be purchased by or for the account of the Army or Navy of the United States or the United States Maritime Commission, or to be physically incorporated into products to be so purchased to the extent that the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission applicable to the contract, subcontract or purchase order.

(e) *Restrictions with respect to other scarce materials.* No person whose use of iron or steel is restricted by paragraphs (a), (b), (c) or (d) shall use as a substitute therefor any material on List D.

(f) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(2) *Appeal.* Any appeal from the provisions of this order must be made on Form PB–500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order.* The prohibitions and restrictions contained in

[1] 7 F.R. 1671, 2596, 4029.
[2] 7 F.R. 3364, 3518, 3881, 4380, 4778.

this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on or subsequent to May 5, 1942 or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director of Industry Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(5) *Violations.* Any person who wilfully violates any provision of this order or who wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order with respect to putting into process, processing, and assembling shall not apply to the installation of an item or part for the ultimate consumer on his premises when any putting into process, processing or assembling of such item or part is incidental to such installation and is done on such premises.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (2)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use steel or iron weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair.

(8) *Definitions.* For the purposes of this order:

(i) With respect to any item on Supplementary List A, or part thereof, "Governing Date" means the date set forth opposite such item in Column 2 of Supplementary List A.

(ii) "Army-Navy-Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States or the United States Maritime Commission, where the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States or the United States Maritime Commission applicable to the contract, sub-contract or purchase order.

(iii) The terms "iron" and "steel" shall not be deemed to include screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes.

(iv) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape.

(v) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(vi) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

LIST A

Item

Access panels, except as required by Underwriters Code.
Acoustical ceilings.
Advertising novelties.
Air-conditioning systems [1]—except for hospital operating rooms and industrial plants.
Amusement park devices and roller coasters [1]
Area walls.
Ash sieves.
Asparagus tongs.
Atomizers, perfume—boudoir.
Attic fans.
Autographic registers [1]
Automobile accessories—except as required by law.
Automotive replacement parts, non-functional.
Awning frames and supports.
Bag, purse and pocketbook frames.
Barber and beauty shop furniture.
Baskets—except for commercial cooking and manufacturing uses.
Bath tubs.
B-B shot for air rifles.
Beds—except hospital.
Bed spring frames—except for hospital link fabric spring type bed.
Beer kegs—except hoop and fittings for wooden kegs.
Beer mugs.
Beer stands.
Beer steins.
Bench legs—except industrial.
Binoculars—except U. S. Government Agencies.
Bird cages and stands.
Bird houses and feeders.
Biscuit boxes.
Blackboards.
Blade stroppers, mechanical.
Bleachers and grandstands.[1]
Book ends
Bottle holders.
Boxes and trays for jewelry, cutlery, combs, toilet sets.
Bread racks.
Bridge splash guards.
Building ornaments.
Butter chips.
Butter knives.
Cabinets—except
(a) Hospital operating and examining rooms.
(b) Office furniture as permitted in Limitation Orders L–13–a, and L–62.
Cake cutters.
Cake tongs.
Candy display dishes.
Canopies for electric brooders.
Canopies and supports.
Cans or containers for Anti-freeze, under 5 gal. size:
Artist supplies.
Bouillon cubes.[1]
Candy.
Caviar.
Chalk.
Coffee.
Gloves.
Incense.
Lawn seed.
Nuts.
Pencils.
Pet food.
Phonograph needles.
Playing cards.
Razor blades.
Sponges.
Staples.
Tennis balls.
Tobacco products.
Toilet water.
Yarn.
Carpet rods.
Carving set holders.
Cash boxes.
Cash registers.[1]
Casket hardware.
Cattle stanchions—except hangers and fasteners.
Ceilings.
Cheese dishes.
Chicken crates.
Chick feeders.
Christmas tree holders.
Christmas tree ornaments.
Cigar and cigarette holders and cases.
Cigarette lighters.
Cigar slippers.
Clock cases—except on recording and controlling industrial instruments.
Clothes line pulleys.
Clothes line reels.
Clothes racks and dryers.
Clothes trees.
Coal chute and door, household.
Coal pans.
Cocktail glasses.
Cocktail sets.
Cocktail shakers.
Coffee roasting machinery.[1]
Compacts.
Cooking stoves, commercial electric.[1]
Copy holders.
Corn cribs.
Corn poppers and machines.
Counter tops.
Croquet sets.
Crumb trays.
Culverts.
Cupboard turns.
Cups of all kinds, drinking.
Curb guards.
Decorative iron products.
Dictaphone racks.
Dinner bells.
Dishwashing machines [1]—except hospitals.
Dispensers, hand, for—
Hand lotions.
Paper products.
Soap.
Straws.
Document stands.
Door chimes.
Door knockers.
Door closers—except fire prevention as required by Underwriters Code.
Door handles—except shipboard use.
Door stops.
Drain boards and tub covers, household.
Drawer pulls.
Dress forms.
Dummy police.
Dust collecting systems and Equipment—except on A–1–j or higher.[1]
Ediphone racks.
Egg slicers.
Electric water coolers—except on PD–1a or PD–3a certificates.
Enamel store fronts.
Erasing knives.
Escalators.[1]
Feed troughs.
Fence posts—except on A–2 or higher.
Fences, chain link—except on A–2 or higher.
Finger bowls.
Fireplace equipment—except dampers.
Fireplace screens.
Fish aquariums.
Flagpoles.
Flashlight tubes.
Floor and ceiling plates for piping.
Floor and counter covering trim.
Floor polishing machines.
Flour, salt and pepper shakers.
Flower boxes, pot holders, and vases.
Flower shears.
Fly traps.
Foot baths—except hospitals.
Foot scrapers.
Fountain pens—except functional parts.
Fountains, ornamental.
Furniture [1]—except—
(a) Wood furniture.
(b) As listed in Limitation Orders L–13–a and L–62.
(c) Hospital operating and examining rooms.
(d) Hospital beds and cots.
Garage hoists, car lifts and racks.
Golf bag supports.
Grain storage bins—except strapping, hardware, and reinforcing materials.
Grass shears.
Grilles:
Ornamental.
Sewers [1]—except on A–2 or higher and reinforcing for concrete sewers.
Gutters, spouting, conductor pipe, and fittings for single family dwellings.
Hair curlers, non-electric.
Hair dryers.
Hand mirrors.
Hangers and track for garage doors for private use.
Hanger rings on brushes, brooms, etc.
Hat frames.
Hat-making machinery.[1]
Hedge shears.
Helmets—except on A–2 or higher.
Hose reels—except—
(a) Fire fighting equipment.
(b) Industrial uses in direct fire hazard areas.
House numerals.
Ice box exteriors—except portable blood banks.
Ice cream freezers, household.
Ice cube trays.
Ink well holders.
Incinerators—except industrial, commercial and as allowed in Defense Housing Critical List.
Insulation, metal reflecting type.
Jam boxes.
Jelly molds.
Jewelry.
Jewelry cases.
Kitchenware of stainless steel.
Knitting needles.
Lard or vegetable oil tubs—except 5 lbs and over and straps for wood containers.
Laundry chutes.
Laundry trays—except reinforcing mesh.
Lavatories—except hangers.
Lawn sprinklers.
Letter chutes.
Letter openers.
Letter trays.
Lighting poles and standards.[1]
Lipstick holders.
Lobster forks.
Lobster tongs.
Lockers—except—
(a) Oil refinery use.
(b) Office equipment as limited by Limitation Order L–13–a.
Looseleaf binding wire, rings, posts and metal parts.
Mail boxes—except as required by U. S. postal regulations.
Mailing tubes.
Marine hardware for pleasure boats.
Marquees.
Match boxes.
Material for housing, not otherwise specified in this order—except as allowed in Defense Housing Critical List.
Mechanical book binding wire.
Measuring pumps and dispensers [1] for gasoline station, garage and household use, including but not limited to—
Gasoline dispensing pumps.
Grease pumps.
Oil pumps, except barrel pumps and lubesters.
Kerosene pumps.
Air pumps.
Menu holders.
Milk bottle cases.
Millinery wire and gimps.
Mop wringers.
Music stands.
Napkin rings.
Necktie racks.
Newspaper boxes or holders.
Novelties and souvenirs of all kinds.
Office machinery used for [1]—
Change making.
Coin handling.
Check cancelling.
Check cutting.
Check dating.
Check numbering.
Check signing.
Check sorting.
Check writing.
Envelope handling.
Envelope opening.
Envelope sealing.
Envelope stamping.
Envelope mailing.
Folding contents of envelope.
Ornamental hardware and mouldings.
Outdoor fireplace parts.
Packing twine holders.
Pail clasps.
Paint spray outfits—except industrial.
Paper rollers, household.
Park and recreational benches.
Parking meters.
Pen holders.
Permanent wave machines.
Pet beds.
Pet cages.
Pet dishes.
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic accessories.
Physical reducing machines.
Picture and mirror hardware.
Pie plates—except commercial or institutional.
Pipe cases.
Pipe-cleaner knives.
Plant and flower supports.
Pleasure boats.
Pneumatic tube delivery systems [1] except industrial.
Polishing-wax applicators.
Polishing-wax sprayers.
Portable bath tubs.
Posts for fencing—except on A–2 or higher.
Poultry incubator cabinets.
Push carts.
Push plates and kick plates, doors.
Racquets.
Radiator enclosures.
Radio antennae poles [1]—except on ratings of A–2 or higher.
Refrigerator containers and trays, household.
Rotary door bells.
Salesmen's display cases and sales kits.
Salt and pepper holders.
Sample boxes.
Scaffolding.
Screen frames—except industrial processing.
Scrubbing boards.
Service food trays.
Sewer pipe, exterior installations [1]—except for vents and within 5 ft. of buildings.

[1] Maintenance and repair excepted.

Sheet iron or hoop iron packings for cookies and sweet goods.
Shirt and stocking dryers.
Shoe cleaning kits.
Shower receptors—except frames.
Shower stalls—except frames.
Show window lighting and display equipment.
Sign hanger frames.
Sign posts.
Signets.
Silos [1]—except strapping and reinforcing.
Sink aprons and legs.
Sink metal drainboards, both integral and removable.
Sitz baths.
Skates, roller and ice.
Ski racks.
Slide fasteners.
Snow shovels and pushers, hand and power propelled [1]—except A–1–j or higher.
Spittoons.
Sporting and athletic goods.
Spray containers, household.
Stadiums.[1]
Stamped bakery equipment.
Stamps (except for marking metal).
Starter shingle strips.
Statues.
Steel wool for household use made from other than waste.
Store display equipment and show cases.
Structural steel home construction.
Subway turnstiles.[1]
Sugar cube dryer trays.
Sugar holders.
Swivel chairs.
Table name-card holders.
Table tops for household use.
Tablets.
Tags: Key: name; price; identification—except:
(a) Personnel identification tags or badges where metal tags or badges are required for protection of governmental agencies.
(b) Personnel identification tags or badges containing not more than ¾ ounce of iron and steel where metal tags or badges are required for protection of industrial plants.
(c) Metal tags required by federal or state law for livestock and poultry.
(d) Pin attached or wire attached tickets for price marking soft goods.
(e) Metal tags for marking and identification of export shipments of iron and steel.
Tanks (strapping excluded):
Dipping—for animals.
Watering—for animals.
Feeding—for animals.
Storage, beer.
Storage, water [1]—except:
(a) In tropical climates.
(b) Heights in excess of 100 ft.
(c) Boilers, hot water and storage.
(d) Pneumatic pressure tanks under 31 gallons.
Teapots.
Telephone bell boxes—except bases and where required for safety.
Telephone booths.
Telescopes—except U. S. Government Agencies.
Terrazzo spacers and decorative strips—except hospital operating rooms.
Thermos jugs and bottles over 1 qt.
Thermometer bases, household.
Tile, steel-back.
Tongs, food-handling and household use.
Tool boxes—except industrial.
Tool cases—except industrial.
Tool handles—except power-driven.
Urinals.
Wagon bodies, frames, and wheels, all metal [1]—except for construction.
Voting machines.
Wardrobe trunks.
Wastebaskets.
Water color paint boxes.
Weather stripping.
Wheelbarrows—except wheels.
Whiskey service sets.
Window display advertising.
Window stools.
Window ventilators—except industrial and hospitals.
Wine coolers.
Wine service sets.
Wire parcel handles and holders.
Wire racks and baskets—except
(a) Industrial.
(b) Scientific laboratory equipment.
(c) Animal cages for biological work.
Work benches—except shipboard and industrial where required for safety.

[1] Maintenance and repair excepted.

SUPPLEMENTARY LIST A

Item	*Governing date*
Accessories, soda fountain [1]	July —, 1942
Adhesive tape sleeves	July —, 1942
Automobile heaters, except for passenger carriers, as defined in L–158, police cars, ambulances, trucks and fire wagons [1]	July —, 1942
Balers, paper for household use	
Ball park equipment, including but not limited to:	
Cages.[1]	
Fences.	
Lighting systems, except lamp bulbs.	
Metal bases.	
Protective netting.[1]	
Railings.	
Rollers.	
Score boards.	
Screens.[1]	
Seats.[1]	
Tampers	July —, 1942
Barber and beauty shop supplies, machines and equipment [1]	July —, 1942
Barn pushers and scrapers	July —, 1942
Barware and bar accessories	July —, 1942
Beach umbrellas	July —, 1942
Beverage bottle cases, including but not limited to beer and all soft drinks	July —, 1942
Blocks, hat	July —, 1942
Bowling Alleys, bowling pins and accessories [1]	July —, 1942
Bread and cake boxes, household	July —, 1942
Bread slicers for home use, except knives	July —, 1942
Brushes and brush backs, except industrial	July —, 1942
Buckles for	
Shoes, except for waterproof shoes	
Pocketbooks	July —, 1942
Buttons for clothing, except for overalls, overall suits and dungarees	July —, 1942
Cabinets for diathermy, sinusoidal and galvanic apparatus	July —, 1942
Cafeteria and restaurant equipment of stainless steel [1]	July —, 1942
Cake icing equipment	July —, 1942
Calendar and memo pad stands	July —, 1942
Calliopes or steam organs	July —, 1942
Canes	July —, 1942
Carillons	July —, 1942
Casket carriers [1]	July —, 1942
Carrousels (merry-go-rounds)	July —, 1942
Cases, Vanity	July —, 1942
Chamber pots	July —, 1942
Chicken house scrapers	July —, 1942
Circus and carnival apparatus, equipment [1] and devices, including but not limited to:	
Animal cages.[1]	
Animal stands.	
Tent standers.	
Trailers.[1]	
Trapeze bars	July —, 1942
Clothing trim and dress ornaments	July —, 1942
Coasters and trivets for glass and hot containers	July —, 1942
Coin changers, except for public transportation	July —, 1942
Combs, hair combs except curry combs	July —, 1942
Containers for cosmetics and toiletries	July —, 1942
Closures for toiletries and cosmetics	July —, 1942
Crochet hooks	July —, 1942
Cross ties and other timber anti-checking devices	July —, 1942
Curtain stretchers	July —, 1942
Desk equipment, including, but not limited to:	
Desk sets.	
Desk pads.	
Fountain pen and pencil stands.	
Paper weights.	
Letter openers.	
Name plates.	
Dishwashing racks, household	July —, 1942
Display forms	July —, 1942
Door mats	July —, 1942
Drapery and curtain fasteners and rings	July —, 1942
Dust covers and enclosures, except industrial [1]	July —, 1942
Easels—all types	July —, 1942
Embalming tables [1]	July —, 1942
Exercising and reducing machines [1]	July —, 1942
Exhibition and fair apparatus and equipment,[1] including but not limited to:	
Lighting equipment.	
Racks.	
Stands.	
Fences, chain link, A–2 or higher	July —, 1942
Fences, railings and barriers (except livestock and poultry enclosures for essential industrial use)	July —, 1942
Flatware, except cooking and eating utensils	July —, 1942
Floats for pageants, parades, advertising, etc., except trucks	July —, 1942
Floor scrapers, except power-driven	July —, 1942
Floral tools and floral hoes	July —, 1942
Frames, clothes drying	July —, 1942
Frames for artists' canvas and darning and needle work	July —, 1942
Fruit juice extractors, household [1]	July —, 1942

Item	*Governing date*
Galley and mess equipment of stainless steel [1]	July —, 1942
Game and gambling devices	July —, 1942
Garbage grinders, household [1]	July —, 1942
Garden trowels	July —, 1942
Garment hangers	July —, 1942
Gas toasters, household	July —, 1942
Glassware holders and trim (except on cooking utensils)	July —, 1942
Grass whips	July —, 1942
Hair combs, except curry combs	July —, 1942
Hand seals for documents	July —, 1942
Hand weeders	July —, 1942
Handles, broom and mop	July —, 1942
Harness and saddlery fittings, except for draft, work and ranch animals [1]	July —, 1942
Heat resisting pads for kitchen use	July —, 1942
Highway railroad flasher lights (except lamp bulbs) [1]	July —, 1942
Highway guard rail, wire, strip and posts [1]	July —, 1942
Highway guard rail reflectors [1]	July —, 1942
Hitching posts	July —, 1942
Hoops, galvanized wire for flower garden trim	July —, 1942
Hospital equipment [1]:	
Anesthesia tables, except for use in operating rooms.	
Arm immersion stands.	
Back rests.	
Bassinet.	
Bed cradles.	
Bed feeding and reading trays.	
Bath cabinets, except for hospital use.	
Bedside panel screens.	
Bed trays.	
Blanket warming cabinets.	
Book trucks, except wheel tires.	
Bowl stands, except for use in operating rooms.	
Chairs, other than examining or specialist chairs or dental chairs.	
Chart holders, except necessary hardware.	
Chiropractic adjustment tables.	
Clothes hampers.	
Commodes, except receptacle.	
Couch tables.	
Dish trucks, except wheel tires.	
Dental cabinets.	
Dressing stands.	
Dressing carriage, except frame and necessary hardware.	
Examining tables, non-adjustable.	
Ice trucks, except wheel tires.	
Instrument cabinets, except for use in operating rooms.	
Instrument tables, except for use in operating rooms.	
Linen trucks, except wheel tires.	
Laundry trucks, except wheel tires.	
Linen hampers.	
Needle cabinets, except for use in operating rooms.	
Nurses' work tables.	
Orthopedic and fracture carts except wheel tires and frames.	
Overbed and swing overbed tables.	
Record and chart desks and racks.	
Shelf trucks, except wheel tires and frame (not food).	
Solution and irrigator stands, except for use in operating rooms.	
Step-on cans, except receptacle, and mechanism other than those for use in operating rooms.	
Sterilizer stands, except frame and top.	
Stools, except for use in operating rooms and except mechanism for adjustable stools.	
Supply and treatment cabinets.	
Stretchers, wheel type, except wheel tires and frame.	
Tables, examining, adjustable, except frame and operating mechanism.	
Thermometer baskets.	
Utensil racks.	
Vasoscillator — oscillating beds.	
Wall shelf stands, except for use in operating rooms.	
Wheel chairs, except essential hardware	July —, 1942
Humidors	July —, 1942
Ice cream cabinets of stainless steel	July —, 1942
Ironing boards and stands	July —, 1942
Kaleidoscopes	July —, 1942
Key cases, chains and rings	July —, 1942
Keys for opening cans	July —, 1942
Lanterns, magic	July —, 1942
Lawn brooms	July —, 1942
Lawn edgers	July —, 1942
Lawn rakes	July —, 1942
Lawn rollers [1]	July —, 1942
Lawn tampers	July —, 1942
Lawn seeders [1]	July —, 1942
Logs, artificial for gas and electric fireplaces	July —, 1942
Luggage, except locks [1]	July —, 1942
Memorial tablets	July —, 1942
Metal dust covers and enclosures, except industrial	July —, 1942
Monograms and initials	July —, 1942
Outing spades	July —, 1942
Pads, inking and stamps	July —, 1942
Parasols, shafts and handles	July —, 1942
Pet equipment, including but not limited to (except license tags):	
Chains.	
Collars.	
Feeders.	
Houses.	
Leashes.	
Muzzles.	
Carriers	July —, 1942
Picnic and outing boxes and accessories	July —, 1942
Play pens, boxes and enclosures, children's	July —, 1942
Pitchers, except for hospital use	July —, 1942
Pocketbook ornaments	July —, 1942
Racetrack apparatus and equipment,[1] including but not limited to:	
Mutuel ticket machines.	
Pari-mutuel boards.	
Race finish photographic equipment.	
Starting gates	July —, 1942
Railings, barriers, and fences (except livestock and poultry enclosures) and essential industrial use	July —, 1942
Railroad rail joints over 24" in length [1]	July —, 1942
Reading stands	July —, 1942
Refrigerators and refrigeration equipment of stainless steel, except essential machinery parts	July —, 1942
Regalia	July —, 1942
Rodeo equipment, including but not limited to:	
Animal trappings.	
Gates.[1]	
Fences.	
Rolling boardwalk chairs [1]	July —, 1942
Rolling pins	July —, 1942
Scales, coin operated	July —, 1942
Scenery and stage hardware equipment [1], for dramatic theatrical and operatic use, except lamp bulbs, including but not limited to:	
Battens.	
Cables.	
Lights.	
Reflectors.	
Stage drops.	
Score boards	July —, 1942
Shoe ornaments	July —, 1942
Shutters, window, except where required in industrial use by underwriters [1]	July —, 1942
Sidewalk scrapers	July —, 1942
Siphon chargers	July —, 1942
Skating rink apparatus and equipment [1]	July —, 1942
Sleds, except runners	July —, 1942
Sleighs, except runners	July —, 1942
Smokers' accessories	July —, 1942
Sod lifters	July —, 1942
Spading forks, children's	July —, 1942
Sprinkling cans, garden	July —, 1942
Stairs and threshold treads, household, institutional and commercial buildings, except for fire escape and essential industrial use [1]	July —, 1942
Stands and racks for colonic irrigation apparatus	July —, 1942
Stretchers, glove, sock and sweater	July —, 1942
Sun dials	July —, 1942
Sun lamps and infra-red lamps, except for professional and hospital use, and except where lamps and reflectors are used for drying and baking	July —, 1942
Swimming pool equipment [1], including but not limited to:	
Diving boards.	
Diving stands.	
Ladders.	
Slides	July —, 1942
Tickers, stock	July —, 1942
Ticket vending machines, except for public transportation	July —, 1942
Trailer bodies [1], except tank and dump bodies and essential hardware, structural and bracing members for bodies essentially of wood construction	July —, 1942
Transplanting trowels	July —, 1942
Treads, stair and household, threshold, institutional and commercial buildings [1]	July —, 1942
Trophies	July —, 1942
Truck bodies [1], except tank and dump bodies and essential hardware, structural and bracing members for bodies essentially of wood construction	July —, 1942

[1] Repair and Maintenance excepted.

Item—Continued	*Governing date*
Trunks, except locks [1]	July —, 1942
Turf edgers	July —, 1942
Umbrellas, garden	July —, 1942
Umbrella shafts and handles	July —, 1942
Vanity cases	July —, 1942
Vending machines, ticket, except for public transportation	July —, 1942
Waste paper receptacles	July —, 1942
Watch straps	July —, 1942
Water troughs [1]	July —, 1942
Weather vanes	July —, 1942
Weed cutters and pullers, including dandelions, thistle and dock	July —, 1942

[1] Repair and maintenance excepted.

LIST C

Air-conditioning systems—for ships, hospitals, and tropics use only.
Bench legs.
Binoculars.
Cabinets—for mobile units such as maintenance company equipment (truck mounted), spare parts, trucks and mobile reproduction units.
Cans or containers for candy and coffee.
Cooking stoves—commercial electric.
Electric water coolers—for hospital and tropics use only.
Flashlight tubes.
Helmets.
Hose reels.
Loose-leaf binding wire, rings, posts and metal parts.
Measuring pumps and dispensers for gasoline stations and garages, including but not limited to: gasoline dispensing pumps, grease pumps, oil pumps, kerosene pumps, air pumps.
Paint spray outfits.
Photographic accessories.
Pie plates.
Pneumatic tube delivery systems—for ships and airports only.
Scaffolding—for the use in shipyards, air fields and other places where use of wood scaffolding is impracticable.
Slide fasteners.
Stamped bakery equipment.
Tags—identification (names).
Thermos jugs and bottles over 1 quart, including insulated food and liquid carriers.
Tool boxes.
Wheelbarrows.
Wire racks and baskets.
Work benches where wooden benches will not stand up under ordinary use.

LIST D—(OTHER SCARCE MATERIALS)

Metals—all.
Rubber.

[F. R. Doc. 42-6646; Filed, July 13, 1942; 11:44 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Amendment 1 to General Conservation Order M-126 as Amended July 13, 1942]

Paragraph (a) (1) of General Conservation Order M-126 [1] as amended July 13, 1942 (§ 1176.1) is hereby amended by adding the words "or process" between the words "shall put into process" and the words "any iron or steel", to be and read as follows:

[1] *Supra*, this issue.

(a) *Restrictions with respect to List A Products.* Except as provided in paragraph (c):

(1) *Raw material deliveries and fabrication.* From and after May 20, 1942, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on List A or part thereof, and from and after June 19, 1942, no person shall put into process or process any iron or steel to make any item on List A or part thereof.

Issued this 13th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6652; Filed, July 13, 1942; 12:02 p. m.]

PART 1295—ANILINE

[Conservation Order M-184]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aniline, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1295.1 *Conservation Order M-184*—(a) *Definitions.* For the purposes of this order:

(1) "Aniline" means aniline, aniline oil, and the salts of aniline.

(2) "Producer" means any person who produces or imports aniline and includes any person who has aniline produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased, or purchases, aniline from a producer for purposes of resale.

(b) *Restrictions on use and delivery of aniline.* On and after September 1, 1942 no person shall use, deliver or accept delivery of aniline except as specifically directed or authorized by the Director of Industry Operations upon application pursuant to paragraph (d) (1) hereof, subject to the exemptions specifically provided for in paragraph (c) hereof.

(c) *Uses and deliveries specifically exempted.* The restrictions provided for in paragraph (b) hereof shall not apply to:

(1) The use by the United States Army or Navy of aniline produced by them.

(2) The use by any person of not to exceed five hundred (500) pounds of aniline in any one month;

(3) The delivery by any producer or distributor of not to exceed five hundred (500) pounds of aniline to any one person in any one month, and the acceptance thereof by any such person, provided that each producer or distributor before making any such delivery, with the exception provided for below, shall have received a certificate from the deliveree to the effect that if the delivery covered by such certificate is made the deliveree will not have received during the current month in excess of five hundred (500) pounds of aniline, and provided, further, that the aggregate amount of such deliveries by any producer or distributor during any one month shall not exceed two thousand five hundred (2500) pounds of aniline. No such certificate shall be required for deliveries of fifty (50) pounds or less of aniline to any one person in any one month.

(d) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director of Industry Operations:

(1) Each person seeking authorization to use or accept delivery of aniline during any month, including producers or distributors seeking authorization to use or accept delivery of aniline, shall file Form PD-583 in the manner prescribed therein on or before the 10th day of the month preceding the month for which authorization for use or delivery is requested, provided, however, that application for authorization may be made in any form setting forth the information called for by Form PD-583 by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration on or before the 20th day of such preceding month.

(2) Each producer and distributor shall file Form PD-584 in the manner prescribed therein on or before August 20, 1942 and on or before the 20th day of each month thereafter, provided, however, that reports setting forth the information called for by Form PD-584 may be made in any form by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration on or before August 25, 1942 and on or before the 25th day of each month thereafter.

(e) *Notification of customers.* Producers and distributors of aniline shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected hereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of aniline, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-184. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6648; Filed, July 18, 1942; 11:43 a. m.]

PART 1298—SITKA SPRUCE LOGS

[General Preference Order M-186]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Sitka spruce for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1298.1 *General Preference Order M-186*—(a) *Definitions.* For the purposes of this order:

(1) "Sitka spruce logs" means Grade No. 1 and Grade No. 2 logs of the botanical species of Picea sitchensis and logs which meet the specifications of Grade No. 1 and Grade No. 2 logs of that species (including cants and flitches of such logs), which are produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, or in Alaska.

(2) Grades of Sitka spruce logs specified in subparagraph (1) means such grades as understood in the particular district on August 1, 1941. For the purpose of this paragraph, Sitka spruce logs produced in Alaska shall be graded in the district to which they are first delivered.

(3) "District" means any one of four districts as follows:

(i) Puget Sound district, including all counties in the State of Washington lying west of the crest of the Cascade Mountains except those named in the Willapa Bay and Grays Harbor, and Columbia River districts.

(ii) Willapa Bay and Grays Harbor district, including the counties of Grays Harbor and Pacific in the State of Washington.

(iii) Columbia River district, including the counties of Wahkiakum, Cowlitz, Clarke, and Skamania in the State of Washington, and Clatsop, Columbia, Washington, Clackamas, and Hood River in the State of Oregon.

(iv) Willamette Valley district, including all counties in the State of Oregon lying west of the crest of the Cascade Mountain Range except those named in the Columbia River district.

(4) "Logger" means any person who produces Sitka Spruce logs.

(b) *Restrictions on delivery.* (1) On and after July 20, 1942, no person shall make delivery of Sitka spruce logs, and no person shall accept delivery of, or consume or process Sitka spruce logs, except as authorized by the Director of Industry Operations. This restriction shall apply to all stocks of Sitka spruce logs held within the continental limits of the United States (including Alaska) as of the date of this order, whether in private or in government hands; but shall not apply to cants and flitches held for aircraft use by manufacturers of aircraft. The Director of Industry Operations may from time to time allocate the supply of Sitka spruce logs or any part sawed therefrom, and specifically direct the manner and quantities in which deliveries to particular persons shall be made or withheld. He may also direct or prohibit particular uses of Sitka spruce logs, or any part sawed therefrom. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director of Industry Operations, without regard to any preference ratings assigned to particular contracts or purchase orders. The Director may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential civilian requirements.

(2) Notwithstanding the foregoing restrictions, Sitka spruce logs in transit on July 20, 1942, may be delivered to their immediate destination.

(c) *Applications and reports.* (1) Unless otherwise ordered by the Director of Industry Operations, no person (other than an aircraft manufacturing plant receiving Sitka spruce logs for aircraft uses) shall be entitled to receive an allocation of Sitka spruce logs unless, not later than the 20th day of the month (beginning with the month of July 1942) next preceding the month in which delivery is desired, he shall have filed with the Western Log and Lumber Administrator of the War Production Board an application on Form PD593.

(2) Any person, other than a logger or aircraft manufacturer, who, on July 13, 1942, has in his possession or under his control Sitka spruce logs in excess of 100,000 feet, log scale, shall file with the Western Log and Lumber Administrator of the War Production Board, not later than the fifth day after such date, an inventory report on Form PD594.

(3) Failure by a person to file an application pursuant to paragraph (c) (1) of this order may be construed as notice to the Director of Industry Operations that such person does not desire an allocation of Sitka spruce logs for the next succeeding month.

(4) All persons engaged in scaling Sitka spruce logs shall promptly forward to the Western Log and Lumber Administrator of the War Production Board, a copy of each scaling certificate issued by such person.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, and all other applicable priorities regulations, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Sitka Spruce logs conserved, or that compliance with this order would disrupt or impair a program of conversion, from non-defense to defense work, may appeal to the War Production Board, by letter or other written communication, in duplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Western Log and Lumber Administrator, War Production Board, Portland, Oregon, Ref: M-186.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, the Director of Industry Operations may prohibit such person from making or obtaining further deliveries of or from processing or using material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate. (P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6650; Filed, July 13, 1942; 11:43 a. m.]

Subchapter B—Director General for Operations

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 2 of Priorities Regulation 11]

The following official interpretation is issued with respect to Priorities Regulation No. 11 (§ 944.32) [1]:

Paragraph (d) (1) (iii) of Priorities Regulation No. 11, as amended, requires

[1] 7 F.R. 4423, 4615, 4698, 4848.

each PRP Unit, immediately upon receipt of its certificate "to cancel or reduce its outstanding purchase orders" calling for delivery within the quarter to the amount authorized. To comply with this provision, it is sufficient to notify suppliers to deliver within the quarter amounts totaling not in excess of the amount authorized, permitting any balance of orders to remain on the supplier's books for future delivery. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6651; Filed, July 13, 1942; 11:46 a. m.]

Chapter XI—Office of Price Administration

PART 1330—CONTAINERS

[Correction to Amendment 1[1] To Revised Price Schedule 96[2]]

DOMESTIC FUEL OIL STORAGE TANKS

The headnotes of paragraph (c) in § 1330.111 and paragraph (c) in § 1330.112 added by Amendment No. 1 are corrected to read as set forth below:

§ 1330.111 *Appendix B: Maximum prices for domestic fuel oil storage tanks for the midwestern area.* • • •

(c) *Permissible additions to maximum prices when delivery is within the midwestern area:*

• • • • •

§ 1330.112 *Appendix C: Maximum prices for domestic fuel oil storage tanks for the Pacific coast area.* • • •

(c) *Permissible additions to maximum prices when delivery is within the Pacific coast area:*

• • • • •

§ 1330.109a *Effective dates of amendments.* • • •

(b) Correction (headnotes of §§ 1330.111 (c) and 1330.112 (c)) to Amendment No. 1 to Revised Price Schedule No. 96 shall be effective as of May 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6590; Filed, July 10, 1942; 5:02 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 2 to Maximum Price Regulation 26[3]]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Sections 1381.57, 1381.61, are amended to read as set forth below.

§ 1381.57 *Petitions for amendment and adjustment.* (a) Persons seeking any modification of this Maximum Price Regulation No. 26, or any adjustment or exception not provided for therein may file petition for amendment in accordance with the provisions of Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

(b) On and after July 10, 1942, and until September 10, 1942, any person who has entered into or proposes to enter into a contract for the sale of aircraft fir who believes that the maximum price set forth in Appendix A, § 1381.62, impedes or threatens to impede the production of aircraft fir which is essential to the war program and which is or will be the subject of such contract may file an application for adjustment of such maximum prices in accordance with Procedural Regulation No. 6,[5] issued by the Office of Price Administration: *Provided*, That all such applications shall be filed with the Office of Price Administration, Washington, D. C. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, offers, contracts, and deliveries may be made at the price requested in such application: *Provided*, That final settlement shall be made in accordance with the order, and if required, refunds shall be made. After September 10, 1942 deliveries on contracts made prior to that date pursuant to orders issued under this paragraph may be completed at the prices authorized by such orders, but after that date no new contracts may be made at prices higher than the maximum prices in Appendix A, § 1381.62.

§ 1381.61 *Effective date.* (a) Maximum Price Regulation No. 26 (§§ 1381.51 to 1381.62, inclusive) shall become effective June 29, 1942: *Provided*, That firm commitments entered into prior to June 29, 1942, for any Douglas fir lumber subject to Revised Price Schedule No. 26 as it stood before the issuance of this Maximum Price Regulation No. 26, and in conformity with its terms, may be completed according to the contract.

(b) The following contracts for delivery of aircraft fir may be completed according to their terms, regardless of any other provisions of this Maximum Price Regulation No. 26:

REQUISITION 2184 DOUGLAS FIR
Contract # and firm

930 Spruce, Inc., 844 Henry Building, Seattle, Wash.
931 Weyerhaeuser Sales Co., Longview, Wash.
1465 Weyerhaeuser Sales Co., Longview, Wash.
1466 Spruce, Inc., 844 Henry Building, Seattle, Wash.
2625 Balfour-Guthrie & Co. Ltd., 1425 Dexter Horton Building, Seattle, Wash.
2626 Grays Harbor Export Co., 2008 Exchange Building, Seattle, Wash.

REQUISITION 2184 DOUGLAS FIR—Continued
Contract # and firm

2627 C. D. Johnson Lumber Co., 1330 American Bank Building, Portland, Oreg.
2628 Weyerhaeuser Sales Co., Longview, Wash.
2654 Spruce, Inc., 844 Henry Building, Seattle, Wash.
4979 Dant & Russell, Inc., 1108 Porter Building, Portland, Oreg.
6936 Robinson Manufacturing Co., 1127 Hibernia Building, New Orleans, La.
7066 Weyerhaeuser Sales Co., Longview, Wash.
7185 Spruce, Inc., 844 Henry Building, Seattle, Wash.
9642 Oregon-American Lumber Co., Vernonia, Oreg.
9904 Austin-Dodds Lumber Co., Eugene, Oreg.
9905 Rosboro Lumber Co., Springfield, Oreg.
9906 Dant & Russell, Inc., 1108 Porter Building, Portland, Oreg.
9907 Puget Sound Associated Mills, 1411 Fourth Avenue Building, Seattle, Wash.
10258 Karlen-Davis Co., 711 Tacoma Building, Tacoma, Wash.
10383 Grays Harbor Export Co., Exchange Building, Seattle, Wash.
10599 L. H. & L. Lumber Co., Carleton, Oreg.
12474 White River Lumber Co., Enumclaw, Wash.
12493 St. Paul & Tacoma Lumber Co., Tacoma, Wash.
12494 Silver Falls Timber Co., Silverton, Oreg.

§ 1381.61a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1381.57, 1381.61, and 1381.61a) to Maximum Price Regulation No. 26 shall become effective July 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6592; Filed, July 10, 1942; 5:04 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 1 to Maximum Price Regulation 161[1]]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraphs (b) and (c) of § 1381.160 are amended and a new § 1381.159a is added as set forth below.

§ 1381.160 *Appendix A—Maximum delivered prices for West Coast logs.* • • •

(b) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any other point than the waters named or the buyer's manufacturing plant shall be determined as follows: from the prices in paragraph (a) of this section, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the waters of the particular district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided*, That regardless of the result of such computation, the prices shall in no event exceed the prices set forth in paragraph (a) of this section applicable to deliveries into the waters of Puget Sound, Willapa Bay and Grays Harbor, and the Columbia River: *And provided*, That the maximum delivered prices per 1,000 ft. log scale for No. 1 and No. 2 Sitka spruce logs shall be the full maximum prices set forth in paragraph (a) of this section regardless of the point of delivery.

(c) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any point in the Willamette Valley district shall be determined as follows: from the prices set forth in paragraph (a) of this section for delivery in the Columbia River district, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the Columbia River district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided*, That regardless of the result of such computation, the prices for the Willamette Valley district shall in no event exceed the prices set forth in paragraph (a) of this section for delivery in the Columbia River district: *And provided*, That the maximum delivered prices per 1,000 ft. log scale for No. 1 and No. 2 Sitka spruce logs shall be the full maximum prices set forth in paragraph (a) of this section regardless of the point of delivery.

§ 1381.159a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1381.160 (b) and (c) and 1381.159a) to Maximum Price Regulation 161 shall become effective July 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6591; Filed, July 10, 1942; 5:04 p. m.]

PART 1305—ADMINISTRATION

[General Order 2]

FURTHER DELEGATION TO REGIONAL ADMINISTRATORS OF CERTAIN FUNCTIONS AND POWERS RELATED TO RATIONING

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as supplemented, and by paragraph 3 of Executive Order No. 9125, the following order is prescribed:

§ 1305.11 *Order delegating to Regional Administrators authority to administer oaths and conduct hearings in connection with rationing administration and enforcement.* (a) In connection with the administration or enforcement of the rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to that authority, the several Regional Administrators of the Office of Price Administration are each authorized, within their respective Regions, to administer oaths and affirmations, to hold and preside over hearings, to issue notices of hearing, and to exercise any discretion necessary or appropriate to the conduct of such hearings.

(b) Any power, authority, or discretion conferred by this General Order No. 2 (§ 1305.11) upon any Regional Administrator may be exercised by said Regional Administrator through such officer or employee of the Office of Price Administration as said Regional Administrator may designate for that purpose.

(c) This General Order No. 2 (§ 1305.11) shall take effect July 11, 1942.

(Pub. Law 507, 77th Cong.; E.O. 9125; WPB Directive No. 1; Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6627; Filed, July 11, 1942; 12:54 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 5 to Rationing Order 3[1]]

SUGAR RATIONING REGULATIONS

Section 1407.73, paragraph (a) of § 1407.91, § 1407.92, paragraph (a) of § 1407.146, paragraph (c) of § 1407.148, and § 1407.166 are amended; in § 1407.141, paragraphs (b) and (c) are amended and a new paragraph (d) is added; and a new paragraph (e) is added to § 1407.222, as set forth below:

Consumers

§ 1407.73 *Consumer handicapped by transportation difficulties.* (a) A registered consumer to whom a War Ration Book has been issued who, because of transportation difficulties, finds it a hardship to take delivery of sugar at the times and in the amounts specified in § 1407.243, may apply for a Certificate authorizing him to take delivery of a quantity of sugar not in excess of twelve (12) pounds. The application therefor shall be made to the Board on OPA Form No. R-315 by the consumer personally, by an adult member of his family unit, by an authorized agent, or by any other person authorized to register for him. The Board, in its discretion, may grant the application: *Provided*, That the amount allowed such consumer shall not exceed twelve (12) pounds of sugar. Before issuing a certificate in such case, the Board shall detach from the War Ration Book of the consumer Stamps having a weight value equal to the amount for which the Certificate is issued; if the amount so allowed is greater than the weight value of the unexpired Stamps in his War Ration Book to which a weight value has been assigned in § 1407.243 the War Ration Book shall be surrendered to the Board and held until Stamps may be detached having a weight value equal to such amount.

Institutional and Industrial Users

§ 1407.91 *Adjustments.* (a) In the first application for a Certificate the adjustment shall be the deduction of the amount of the present inventory, as defined in § 1407.84; in all subsequent applications the adjustments shall take into account any excess of such present inventory over the total of all prior allotments and provisional allowances, and corrections for any errors, omissions, or mistakes on prior applications, or for changes required by actions taken pursuant to Rationing Order No. 3.

• • • • • •

§ 1407.92 *Use of allotment.* (a) Except as may be authorized by the Office of Price Administration, a registering unit which obtains an allotment pursuant to § 1407.86 may use sugar allotted on a sugar base only for the purpose or for the production of the product upon the basis of which such sugar base has been established or for a purpose or for the production of a product included within the same class according to the classes hereinafter set forth, to-wit:

Class 1—Meals or food services.

Class 2—Bread and bakery products.

Class 3—Cereal products, batters, mixes, desserts, and puddings.

Class 4—Ice cream, frozen custards, cheese, frozen eggs, sugared egg yolks, and other dairy products except condensed milk.

Class 5—Ices, sherbets, bottled beverages, flavoring extracts, syrups, and drink mixes.

Class 6—Pickles, mince meat, catsup, chili sauces, salad dressings, soups, tomato sauces, preserves, jams, jellies, fruit butters, glace fruits, fruit nectars, and maraschino cherries.

Class 7—Drugs, medicines, and insecticides.

Class 8—Confectionery, candy, chocolate, chewing gum, and cocoa.

(b) Except as may be authorized by the Office of Price Administration, or by Rationing Order No. 3, no person shall use more sugar in any allotment period for purposes for which allotments may be obtained pursuant to Rationing Order No. 3 than the total amount of the allotment of such person for such period, plus the unused portion of any allotment granted for prior periods: *Provided*, That a person may use sugar at any time after such sugar has been allotted to him.

Sugar Purchase Certificates, War Ration Books, and War Ration Stamps

§ 1407.141 *Nature and validity of certificates and stamps.* • • •

(b) Each Stamp authorizes delivery of sugar to a consumer only during the ration period assigned to such Stamp in § 1407.243. A Stamp received by a registering unit from a consumer in accordance with the Rationing Order No. 3 authorizes such registering unit to take delivery of sugar, in an amount equal to the weight value of such Stamp within

[1] 7 F.R. 3774.
[2] 7 F.R. 1387, 3774.
[3] 7 F.R. 4573, 4701, 5180.
[4] 7 F.R. 971, 3663.
[5] 7 F.R. 5087.
[1] 7 F.R. 4426.
[1] 7 F.R. 2966, 3242, 3783, 4545.

twenty (20) days from the close of the ration period assigned to such Stamp if it is surrendered to another registering unit, or to receive a Certificate having an equal weight value if it is surrendered to the Board: *Provided*, That such Stamp must be surrendered to such other registering unit or to the Board within ten (10) days after the close of such ration period.

(c) A Certificate authorizes the person to whom it is issued to take delivery of sugar within sixty (60) days from the valid date of the Certificate. A Certificate duly transferred to a registering unit by endorsement authorizes the delivery of sugar to such registering unit within sixty (60) days from the valid date of the Certificate, or thirty (30) days from the date contained in the endorsement to such registering unit, whichever is later.

(d) A primary distributor receiving Certificates, or a registered wholesaler receiving Stamps or Certificates, from a registering unit upon request may deliver to such registering unit a quantity of sugar equal to the weight value of the Stamps and Certificates so received, plus an additional quantity equal to either: (1) an amount, not in excess of 10% of the weight value of the Stamps or Certificates so received, required to make a total quantity equal to that contained in a Shipping Unit; or (2) an amount not in excess of ninety-nine (99) pounds, required to permit delivery in shipping packages customarily used by the person making the delivery.

If the amount of sugar delivered is greater than the weight value of the Certificates and Stamps received the person accepting the delivery shall be charged with such excess and shall surrender Stamps or Certificates of weight value equal to such excess before accepting delivery of any additional sugar from any person.

§ 1407.146 *Acquisition of sugar for carriage, storage, or security; disposal.* (a) Any person lawfully in possession of or entitled to receive sugar may deliver such sugar to any other person for carriage, storage, or security purposes without the receipt of Stamps or Certificates. The sugar may thereafter be delivered by such other person, without the receipt of Stamps or Certificates, either to the person from whom the sugar was received, or to a person to whom the right to receive such sugar has been transferred pursuant to Rationing Order No. 3.

* * * * * * *

§ 1407.148 *Destroyed, mutilated, lost, or stolen Certificates, Stamps, and War Ration Books.* * * *

(c) If a War Ration Book or a Certificate held by a consumer is lost, destroyed, or stolen, the consumer may apply for a replacement War Ration Book or Certificate. The application therefor shall be made to the Board upon OPA Form No. R-315 by the consumer personally or by an adult member of his family unit or by an authorized agent. The Board, in a proper case, shall grant the application. If the application is granted, the Board shall remove from any replacement War Ration Book all Stamps that were removed from the lost, destroyed, or stolen Book and all Stamps applicable to all rationing periods that have expired. The Board shall not issue a War Ration Book or Certificate to replace one that has been lost, stolen, or destroyed until a period of not less than two months has elapsed since the date of the application to the Board for a replacement War Ration Book: *Provided*, That in a deserving case a War Ration Book or Certificate may be issued to replace a lost, stolen, or destroyed War Ration Book or Certificate before the expiration of such two month period if the Board is satisfied beyond reasonable doubt that such War Ration Book or Certificate was lost, stolen, or destroyed.

Petitions for Adjustment: Appeals: New Business, Miscellaneous

§ 1407.166 *Exchange of sugar and tolling agreement.* (a) Any person may exchange sugar of different types with any other person if the weights of the sugars exchanged are equal. No Stamps or Certificates shall be necessary to authorize deliveries of sugars involved in such exchanges.

(b) A registered industrial user or the Army or Navy of the United States or any of the persons or agencies listed in paragraph (b) of § 1407.183, hereinafter in this paragraph referred to as transferor, may surrender a Certificate without obtaining sugar or may deliver sugar without obtaining Stamps or Certificates to a registered industrial user, hereinafter referred to as transferee, for use by the transferee for the production of a product to be delivered to the transferor and for which the sugar so delivered, or the sugar authorized to be delivered by such Certificate, could have been used by the transferor pursuant to Rationing Order No. 3. Except as the Office of Price Administration may otherwise authorize the provisions of this paragraph shall apply only if the transferor delivered sugar between January 1, 1941, and December 31, 1941, to another industrial user to be used for the manufacture of the same product; or if the means of production of the transferor have been temporarily so disrupted that production is impracticable; or if the transferor is the Army or Navy of the United States or any of the persons or agencies listed in paragraph (b) of § 1407.183.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(d) Amendment No. 5 (§§ 1407.73; 1407.91 (a); 1407.92; 1407.146 (a); 1407.148 (c); 1407.166; 1407.141 (b), (c), and (d); to Rationing Order No. 3 shall become effective July 11, 1942.

(Pub. Law 421, 77th Cong. 2d Sess., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued the 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6624; Filed, July 11, 1942; 12:53 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 26]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Correction

Section 1388.1701 (b) (3), appearing on page 4906 of the issue of Wednesday, July 1, 1942, is corrected to read as follows:

"Rooms and other housing accommodations within hotels or rooming houses; *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses".

In § 1388.1751 (d) the word "void" is misspelled.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Maximum Price Regulation 136]

MACHINES AND PARTS

Corrections

In § 1390.3 (a) (2) appearing on page 5048 of the issue for Friday, July 3, 1942, the first word in the last line should read "complied". In § 1390.12 (b) (2), page 5051, the last sentence should read as follows:

"If such lessor desires such rental to become the maximum rental applicable to all subsequent leases and deliveries of such machine or part, a statement that the report is also being filed pursuant to § 1390.13 should be included".

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5 A]

GASOLINE RATIONING REGULATIONS

Correction

In § 1394.705 (d) appearing on page 5233 of the issue for Thursday, July 9, 1942, the word "motorcycle" should read "motor vehicle".

PART 1335—CHEMICALS

[Amendment 4 to Revised Price Schedule 68[1]]

HIDE GLUE STOCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

A new item 4a is added to paragraph (a) of § 1335.510 as set forth below:

§ 1335.510 *Appendix A: Maximum prices for hide glue stock.* (a) * * *

4a. Limed Calf Cheekings, $2.25.

§ 1335.509a *Effective dates of amendments.* * * *

[1] 7 F.R. 1338, 1836, 2000, 2132, 2241, 2948, 3125.

(d) Amendment No. 4 (Item 4a of § 1335.510 (a)) shall be effective as of May 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6654; Filed, July 13, 1942; 12:14 p. m.]

PART 1340—FUEL

[Amendment 5 to Maximum Price Regulation 137[1]]

PETROLEUM PRODUCTS SOLD AT RETAIL

PRICE IN GREAT FALLS, MONTANA, AREA

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new paragraph (d) is added to § 1340.91:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(d) *Montana.* Maximum prices as determined under § 1340.91 (a) (1) and (2) for service station operators within the Great Falls, Montana tank wagon area who reduced their prices on third grade and regular grade gasoline between February 25 and February 28, 1942, inclusive, are increased by the amount of such decrease but by not more than 1½ cents per gallon.

§ 1340.93a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1340.91 (d)) shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6662; Filed, July 13, 1942; 12:18 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 3 to Maximum Price Regulation 152[2]]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Three new paragraphs (h), (i), and (j) are added to § 1341.22.

§ 1341.22 *Canner's maximum prices for canned vegetables.* * * *

(h) (1) Any canner who sold and delivered a particular brand of canned vegetable packed by him during the calendar year 1941 on an established prepaid freight, freight allowed, or delivered price basis may add to the maximum price per dozen f. o. b. factory computed for each grade and container size of such canned vegetable under paragraphs (a), (b), and (c) of this section the average freight factor which he added to his f. o. b. factory price during the calendar year 1941 for such grade and container size of such brand of canned vegetable. The resulting price shall be the canner's maximum delivered price for such brand of canned vegetable for the area in which such average freight factor applied in 1941.

(2) Every canner who makes sales and deliveries of a particular brand of canned vegetable on a prepaid freight, freight allowed or delivered price basis shall file with the Office of Price Administration on or before August 15, 1942, a statement under oath or affirmation showing his maximum price per dozen f. o. b. factory, the average freight factor which he added to his f. o. b. factory price during the calendar year 1941, and the maximum delivered price for each kind, grade, brand and container size of canned vegetable packed after the 1941 pack.

(i) If any canned snap beans (green or wax) were packed more than once during the calendar year 1941 at the same factory, the maximum price per dozen f. o. b. factory for each kind, grade and container size of canned snap beans (green or wax) packed after the 1941 pack shall be:

(1) The weighted average price per dozen charged by the canner f. o. b. factory for such grade and container size during the first 60 days after the beginning of the spring 1941 pack and the first 60 days after the beginning of the fall 1941 pack; plus

(2) Eight percent of the weighted average price per dozen f. o. b. factory as determined under paragraph (i) (1) of this section; plus

(3) The actual increase per dozen cans in the cost of the raw agricultural commodity as of May 4, 1942, over the cost of the raw agricultural commodity for the entire 1941 pack.

(4) In determining the canner's maximum price for canned snap beans (green or wax):

(i) The "weighted average price" shall be the total gross sales dollars charged for each grade and container size divided by the number of dozens sold for such grade and container size, for the 60 day period after the beginning of the spring 1941 pack and the 60 day period after the beginning of the fall 1941 pack.

(ii) Except insofar as provided to the contrary in this paragraph (i) all other paragraphs of this section shall apply to the canner who packed canned snap beans (green or wax) more than once during the calendar year 1941. The second sentence of paragraph (a) (4) in § 1341.30 shall not apply to the canner of canned snap beans.

(j) If the maximum price for some grades and container sizes of a particular kind of canned vegetable can be computed under paragraphs (a), (b), and (c) of this section, and the maximum price of the remaining grades and container size of such canned vegetable cannot be so computed, the canner shall select from the grades and container sizes the maximum prices for which have been computed under paragraphs (a), (b), and (c) of this section that grade and container size of which the canner packed the largest number of dozens during the calendar year 1941, and add or subtract from the maximum price of that grade and container size the same differentials, in dollars and cents, that existed between that grade and container size, and the grade and container size being priced, in the quoted 1941 future price list of such canner, or if no such quotations were made in 1941, such canner's 1941 opening spot price list.

§ 1341.32 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1341.22 (h), (i), (j), 1341.30 (a) (4)) shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6660; Filed, July 13, 1942; 12:17 p. m.]

PART 1355—LEAD

[Amendment 3 to Revised Price Schedule 70[1]]

LEAD SCRAP MATERIALS; SECONDARY LEAD, INCLUDING CALKING LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Section 1355.64 (a) is amended to read as follows, and a new proviso is added to §§ 1355.66 (a) (1) and 1355.67 (a) (1), respectively, as set forth below:

§ 1355.64 *Appendix A: Maximum prices for lead scrap materials other than battery lead scrap*—(a) *Maximum prices.* "Base price" means the price listed in § 1355.69, Appendix F, at the point of shipment. If the point of shipment is not listed therein, the price listed for the nearest point in distance to the point of shipment shall prevail.

Grade or type of lead scrap material	*Maximum price per pound (f. o. b. pt. of shipment)*
Soft lead scrap	Base price less .55¢
Hard lead scrap	Base price less .55¢
Cable lead scrap	Base price less .55¢
Battery lugs	Base price less .65¢
Lead content of lead-covered copper cable	Base price less .65¢

The maximum price of the copper contained in lead-covered copper cable shall be determined in accordance with Revised Price Schedule No. 20,[3] as amended—*Copper scrap and copper alloy scrap.*

* * * * * * *

§ 1355.66 *Appendix C: Maximum prices for battery lead plates purchased*

[1] 7 F.R. 1341, 1886, 2000, 2132, 2188, 2542, 3823.

[2] Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 3404, 3489.

[1] 7 F.R. 3165, 3749, 4273.

[2] 7 F.R. 3895, 3963, 4453.

and sold by brokers—(a) *Maximum prices for brokerage sales*—(1) *Single shipments of 8,000 pounds or more.* • • •

Provided, That the seller may charge and the buyer may pay for the copper content of terminals of submarine batteries in addition to the maximum price established by this section, the maximum price provided by Revised Price Schedule No. 20, as amended—*Copper scrap and copper alloy scrap*—for such copper scrap. This proviso shall apply, but not exclusively, to any sale of a certain lot of submarine battery elements, Philadelphia Navy Yard Catalogue B–762, Lot No. 1, Catalogue dated April 7, 1942.

• • • • •

§ 1355.67 *Appendix D: Maximum prices for battery lead scrap purchased by smelters or battery manufacturers*—(a) *Battery lead plates, with or without lugs attached*—(1) *Single shipments of 8,000 pounds or more.* • • •

Provided, That the seller may charge and the buyer may pay for the copper content of terminals of submarine batteries in addition to the maximum price established by this section, the maximum price provided by Revised Price Schedule No. 20, as amended—*Copper scrap and copper alloy scrap*—for such copper scrap. This proviso shall apply, but not exclusively, to any sale of a certain lot of submarine battery elements, Philadelphia Navy Yard Catalogue B–762, Lot No. 1, Catalogue dated April 7, 1942.

• • • • •

§ 1355.63a *Effective dates of amendments.* • • •

(d) Amendment No. 3 (§§ 1355.64 (a), 1355.66 (a) (1), and 1355.67 (a) (1)) to Revised Price Schedule No. 70 shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6664; Filed, July 13, 1942; 12:20 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 6 to Maximum Price Regulation 127 [1]]

FINISHED PIECE GOODS

A statement of the considerations involved in this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1400.78, four new subparagraphs (39) to (42), inclusive, are added to paragraph (c) and six new paragraphs (d), (e), (f), (g), (h), and (i) are added; a new § 1400.78a is added; in § 1400.80 the headnote is amended, the existing text is designated paragraph (a) and a new paragraph (b) is added; in paragraph (a) of § 1400.81, subparagraph (4) is amended and nine new subparagraphs (11) to (19), inclusive, are added; in § 1400.82, subparagraphs (1) and (4) of paragraph (b) are amended, subparagraph (5) of paragraph (b) is revoked, the caption headings of Tables I and II in subparagraphs (2) and (3), respectively, of paragraph (g) are amended, and a new paragraph (n) is added, as set forth below:

§ 1400.78 *Exempt sales.* The provisions of this Maximum Price Regulation No. 127 shall not apply to the following: • • •

(c) Sales or purchases of: • • •

(39) Ecclesiastical fabrics

(40) Metallic fabrics

(41) Loom-finished fabrics: *Provided*, That any person claiming exemption granted by this subparagraph (41) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration: *Provided further*, That any such person shall file with the Office of Price Administration, Washington, D. C., before the 10th day of each month a report showing the total yards of finished piece goods delivered under such exemption during the preceding month.

(42) Woven or printed decorative pattern fabrics, composed in an amount of 75% or more by weight of synthetic yarn which pattern fabrics are sold exclusively to necktie manufacturers: *Provided*, That any person claiming the exemption granted by this subparagraph (42) shall, before making any sales or deliveries of such fabrics, file his name and address with the Office of Price Administration, Washington, D. C., certifying that only such fabrics as are sold exclusively to necktie manufacturers will be sold under such exemption.

(d) Sales of finished piece goods by furrier suppliers: *Provided*, That any person claiming the exemption granted by this paragraph (d) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he falls within the definition of furrier supplier as set forth in § 1400.81 (a) (16) of this Maximum Price Regulation No. 127.

(e) Sales of finished piece goods to custom shirtmakers by a custom shirtmakers' supply houses: *Provided*, That any person claiming the exemption granted by this paragraph (e) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(f) Sales of finished piece goods by a woman's shoe fabric supplier: *Provided*, That any such person claiming the exemption granted by this paragraph (f) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a woman's shoe fabric supplier as defined in § 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

(g) Sales of finished piece goods by a milliners' supply house: *Provided*, That any person claiming the exemption granted by this paragraph (g) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(h) Sales of finished piece goods by a tailor trimming store: *Provided*, That any person claiming the exemption granted by this paragraph (h) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(i) Sales of finished piece goods by a dressmakers' supply house: *Provided*, That any person claiming the exemption granted by this paragraph (i) shall, before making any sales or deliveries of finished piece goods under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

§ 1400.78a *War procurement.* (a) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed below shall be exempt from maximum prices, by whatsoever Regulation or Schedule established, until July 15, 1942. On and after July 15, 1942, but not prior thereto, such sales and deliveries shall be subject to Maximum Price Regulation No. 157.[2]

(1) P. Q. D. No. 33–A (8.2 combed uniform twill).

(2) 27 T 25 (bleached and shrunk twill).

(3) Marine Corps Specification November 22, 1937 (Shrunk khaki suiting).

(4) P. Q. D. No. 95 (6 oz. combed twill).

(5) P. Q. D. No. 1 (wind resistant cloth).

(6) 6–100B (lining twill).

(7) P. Q. D. No. 17–A (mosquito netting).

(8) 27 C 13 (INT) a (balloon cloth).

(9) 6–39–G (balloon cloth).

(10) AN–CCC–C–399 (airplane cloth).

(11) Marine Corps Specification April 18, 1934, Revised to March 10, 1942 (marine shirting).

(12) M 54 (rubberized fabric).

(13) 27 L 6 (black lining twill).

(14) Specifications described in invitation Neg. 336 (balloon cloth substitute).

§ 1400.80 *Petitions for amendment or adjustment.* (a) • • •

(b) A petition for adjustment may be filed by any converter whose production of finished piece goods is sold predominantly to manufacturers exclusively engaged in the production of relatively expensive dresses and who, by virtue of the terms of this Maximum Price Regulation No. 127, would suffer hardship with respect to his entire business: *Provided*, That

(1) Any such petition shall contain or be accompanied by a sworn statement showing:

(i) A list of the names and addresses of the dress manufacturers to whom the petitioner sells the principal part of his production.

(ii) The percentage of his total production which is sold to the enumerated customers.

(iii) The petitioner's gross sales during the years 1940 and 1941.

(iv) A full statement of all facts upon which petitioner relies in showing that hardship will result from the operation of this Maximum Price Regulation No. 127.

(v) A specific statement of the adjustment requested.

(2) Any person who has properly filed a petition for adjustment under this paragraph, and who has received notice that such petition has been docketed may, pending formal action upon such petition by the Office of Price Administration, sell and deliver finished piece goods in accordance with the prices which would be permissible under the General Maximum Price Regulation: *Provided, however*, That final settlement shall be made at prices no higher than are finally approved by the Office of Price Administration, and, if required, refunds shall be made.

EXPLANATORY NOTE:—For the purpose of this paragraph, the Office of Price Administration has determined that only a dress manufacturer whose minimum wholesale price line is $16.00 or more would constitute a "manufacturer of relatively expensive dresses" except that in the case of dresses produced from all cotton fabrics such price line may be as low as $3.75.

(3) The Price Administrator may grant such adjustment upon such terms and conditions as shall appear reasonable and necessary under all the circumstances.

§ 1400.81 *Definitions.* (a) • • •

(4) "Class II purchaser" includes a retailer (whether independent retailer, chain store or mail order house), private hospital or other similar private institution, hotel, steamship company, canvasser, tailor supply store, tailor trimming store, decorative goods jobber, interior decorator, milliners' supply house, dressmakers' supply house, custom shirtmakers' supply house, and any similar class of purchaser not specifically enumerated herein.

• • • • • •

(11) "Women's shoe fabric supplier" means a person engaged in the business of and whose principal business consists of supplying to shoe manufacturers and shoe ornament manufacturers fabrics destined for use as outer fabrics, heel coverings, linings and ornaments for women's novelty shoes (a substantial part of such business being done in outer fabrics), and who, by business custom, has customarily given to such manufacturer a warranty that the fabric is suitable as a shoe fabric.

(12) "Ecclesiastical fabrics" means finished piece goods woven, printed, dyed or embossed in colors, patterns or designs prescribed by religious law or tradition, and sold exclusively for use in the manufacture of religious accessories.

(13) "Metallic fabrics" means finished piece goods which contain woven metal in the amount of five percent or more by weight.

(14) "Loom-finished fabrics" means yarn-dyed or warp-printed piece goods which (i) are woven on a non-automatic loom; (ii) are produced in quantities of less than 3000 yards per warp design, per month; (iii) use not more than two looms per pattern per design, (iv) require no finishing other than calendering or framing after leaving the loom, and (v) constitute a type not commercially traded in as grey goods.

(15) "Furrier supplier" means a person customarily engaged in the business of and whose principal business with respect to finished piece goods consists of supplying to manufacturers, repairers and alterers of fur garments, finished piece goods in cut lengths of specified yardage.

(16) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing, and shall be deemed to include stores operated as Army canteens, post exchanges or ship's service activities.

(17) "Tailor trimming store" includes a tailor supply house, and means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to tailors engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(18) "Dressmakers' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to dressmakers engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(19) "Milliners' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to persons engaged in the producing, repairing or altering of millinery.

§ 1400.82 *Appendix A: Maximum prices for finished piece goods.* • • •

(b) *Basic grey goods cost.* (1) Except as otherwise specifically provided in this paragraph and in paragraph (d) of this section, the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

• • • • • •

(4) If for any reason the basic grey goods cost cannot be determined under subparagraphs (1) and (2) of this paragraph, then the basic grey goods cost shall be no higher than the established maximum price for such grey goods on July 14, 1942.

• • • • • •

(g) *Tables of division factors.* • • •

(2) • • •

TABLE I—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING 75% OR MORE OF COTTON BY WEIGHT

Finishing cost,[1] cents per yard	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
•	•	•	•	•

[1] Determined in accordance with paragraph (e) above.

(3) • • •

TABLE II—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING LESS THAN 75% COTTON BY WEIGHT

Finishing cost [1] cents per yard	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
•	•	•	•	•

[1] Determined in accordance with paragraph (e) above.

(n) *Premiums*—(1) *Sales of cut lengths.*

A premium not exceeding 10% of the otherwise applicable maximum net price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece to fill a specific order: *Provided*, That such premium may not be charged where the finished piece goods are produced in such cut lengths as a part of the original finishing operation: *Provided further*, That such premium may not be charged on a sale to a wholesaler or jobber.

§ 1400.85 *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§§ 1400.78 (c), (d), (e), (f), (g), (h), and (i), 1400.78a, 1400.81 (a) (4), (11), (12), (13), (14), (15), (16), (17), (18), and (19), 1400.82 (b) (1), (b) (4), (b) (5), (g) (2), (g) (3), and (n)) to Maximum Price Regulation No. 127 shall become effective July 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 13th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6663; Filed, July 13, 1942; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 12 to General Maximum Price Regulation]

RETAIL SELLERS OPERATING MORE THAN ONE ESTABLISHMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith,

[1] 7 F.R. 3199, 3242.

[2] 7 F.R. 4273, 4541, 4618.

has been filed with the Division of the Federal Register.

A new § 1499.4a is added as set forth below:

§ 1499.4a *Determination of maximum prices by sellers at retail operating more than one retail establishment.* A seller who owns more than one establishment selling commodities at retail and who has had a fixed practice, which prevailed during March 1942, of selling commodities at retail at uniform or at substantially uniform prices in all such establishments or in all such establishments located in a particular area may make written application to the Office of Price Administration, Retail Trade and Services Division, Washington, D. C., for authorization to determine and use uniform maximum prices under this General Maximum Price Regulation in all of such establishments in which it has been the practice to charge uniform or substantially uniform prices. Such application shall state (a) the name and address of the principal office of the seller; (b) the number of separate retail establishments owned by the seller and the address of each such establishment; (c) the kind of merchandise carried in such retail establishments; (d) whether commodities are purchased centrally by the seller and distributed by the seller to such retail establishments or are purchased separately by such establishments; (e) a description of the fixed practice of the seller of selling commodities at uniform or substantially uniform prices in all such retail establishments or in all such retail establishments located in particular areas indicating the length of time during which such practice has been in effect and whether uniform selling prices are determined in a central office; (f) the names and addresses of the seller's most closely competitive sellers of the same class on a national or regional basis; and (g) any other facts which the seller wishes to submit in support of the application. If such authorization is given, it will be accompanied by instructions as to the method by which the seller may determine and use uniform maximum prices under this General Maximum Price Regulation.

§ 1499.23a *Effective dates of amendments.* • • •

(1) Amendment No. 12 (§ 1499.4a) to General Maximum Price Regulation shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6661; Filed, July 13, 1942; 12:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 14 to Supplementary Regulation 1[2]]

AGENCIES FOR THE BLIND

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1499.26 is amended by adding new subparagraphs (2) and (3) to paragraph (b) and new subdivisions (x) and (xi) to paragraph (d) (1), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.*

• • •

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries:

• • • • • •

(2) Sales by non-profit-making agencies for the blind of any commodity on which seventy-five percent of the direct labor in man-hours has been performed by blind persons.

(3) Talking books manufactured by the American Foundation for the Blind and sold to the Library of Congress.

• • • • • •

(d) *Definitions.* (1) When used in this Supplementary Regulation No. 1, the term:

• • • • • •

(x) "Non-profit-making agency for the blind" means any institution operated in the interest of blind persons, the net income of which institution does not inure in whole or in part to the benefit of shareholders or individuals.

(xi) "Blind persons" means persons whose visual acuity does not exceed 20/200 in the better eye with correcting lenses; or whose visual acuity is greater than 20/200 but who have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(e) *Effective dates.* • • •

(15) Amendment No. 14 (§ 1499.26 (b) (2) (3), (d) (1) (x) (xi)) to Supplementary Regulation No. 1 shall become effective July 14, 1942. (Pub. Law 421, 77th Cong.)

Issued this 13th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6659; Filed, July 13, 1942; 12:16 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991.
[2] 7 F.R. 3153, 3486, 3892, 4163, 4410, 4428, 4487, 4488, 4493.

PART 1499—COMMODITIES AND SERVICES

MILLER METAL PRODUCTS CO.

APPROVAL OF PRICES FOR SALE OF CERTAIN ICE CHESTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order No. 25.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,[2] and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.62 *Approval of maximum prices for sale of 148 ice chests to Farm Security Agency by Miller Metal Products Company.* (a) The maximum price for the sale of 148 ice chests by the Miller Metal Products Company of Baltimore, Maryland, to the Farm Security Agency pursuant to an acceptance, dated May 5, 1942, of a proposal of the Miller Metal Products Company, shall be $15.00 per unit, f. o. b. McAllen, Texas.

(b) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 25 (§ 1499.62) shall become effective July 13, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6658; Filed, July 13, 1942; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

NATIONAL GYPSUM CO.

AUTHORIZATION FOR DETERMINATION OF PRICES FOR CERTAIN NEW PRODUCTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order No. 26.

On May 22 and June 9, 1942, the National Gypsum Company of Buffalo, New York filed applications with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine maximum prices for certain new products and for instructions as to the method to be used in determining prices for such products to be manufactured by them. These new products are (1) gypsum wallboard consisting of panels of standard one-half inch thick gypsum wallboard laminated together to form a one inch thick two-faced panel, (2) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board, (3) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board which has been previously laminated to another gypsum board and (4) standard smooth surface asphalt roll roofing laminated to a fully completed standard gypsum board which has been previously laminated to a fiber insulation building board.

Due consideration has been given to the applications and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration it is hereby ordered:

§ 1499.63 *Authorization for National Gypsum Company to determine maximum prices for certain new products.* (a) The maximum prices which may be charged by National Gypsum Company for (1) gypsum wallboard consisting of panels of standard one-half inch thick gypsum wallboard laminated together to form a one-inch thick two-faced panel, (2) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board, (3) standard smooth surface asphalt roll roofing laminated to a fully completed panel of standard gypsum board which has been previously laminated to another gypsum board and (4) standard smooth surface asphalt roll roofing laminated to a fully completed standard gypsum board which has been previously laminated to a fiber insulation building board shall be determined in accordance with the following formula:

Determine in accordance with the provisions of the General Maximum Price Regulation the f. o. b. mill selling price on a carload basis of the square footage of gypsum board which is to be used in the manufacture of 1,000 square feet of the new product. Determine in accordance with the provisions of the General Maximum Price Regulation the selling price to jobbers on a carload basis, f. o. b. gypsum board mill, of the square footage of fiber insulation board which is to be used in the manufacture of 1,000 square feet of the new product. Develop in terms of percentage on average May 1942 prime cost (material cost plus direct labor) the gross margin between the total selling price as determined above of the quantities of gypsum board and/or fiber insulation board which are to be used in the manufacture of 1,000 square feet of the new product and the average May prime cost of that gypsum board and/or fiber insulation board. Compute the total of those of the following additional cost factors involved in fabricating the new product per 1,000 square feet of the new product: cost of asphalt roll roofing f. o. b. gypsum plant, adhesive, direct labor, wrapping paper, and direct labor in wrapping. The labor factors shall be determined on the basis of the highest rate charged during March 1942 for similar labor. To this total of additional cost factors involved, add the percentage of gross margin as developed above. Add the resultant figure to the selling prices, as determined above, of the gypsum board and fiber insulation board entering into 1,000 square feet of the new product.

A separate determination of price shall be made for each product for each plant at which it is manufactured using the cost factors set forth in the formula which are applicable to that new product at each such plant.

(b) All freight equalization practices and allowances and all trade or cash discounts applicable to the sale of gypsum board, whether based on quantity, class of purchaser or any other cause shall be applicable to the sale of any products whose maximum prices are established under this Order.

(c) Within ten days after a maximum price has been determined in accordance with this Order, the National Gypsum Company shall report that price to the Office of Price Administration, stating that the price was determined in accordance with the formula set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining that price. This report shall be filed under oath or affirmation and shall be filed in triplicate.

(d) Any selling price determined under this Order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 26 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 26 (§ 1499.63) shall become effective July 13, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6655; Filed, July 13, 1942; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized under § 1499.3 (b) of General Maximum Price Regulation[1]—Order 27]

GLIDDEN CO. OF CLEVELAND, OHIO

PRICES FOR PAINT APPLICATOR AND REPLACEMENT SLEEVE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,[2] and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation it is hereby ordered:

§ 1499.64 *Approval of maximum price for sale of paint applicator and replacement sleeve by the Glidden Company of Cleveland, Ohio.* (a) The maximum price for the sale by the Glidden Company of Cleveland, Ohio, of the paint applicator bearing the trade name "Roll-it-on", consisting of a thin metal cylinder about 6" long and 3/8" in diameter attached to an appropriate handle, and the removable sleeve fitting over the said metal cylinder shall be $0.85 for the applicator and sleeve together, and $0.40 for the replacement sleeve alone.

(b) This Order No. 27 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 27 (§ 1499.64) shall become effective July 13, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6656; Filed, July 13, 1942; 12:15 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4788, 5027.
[2] Copies may be obtained from Office of Price Administration.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 9—GENERAL LICENSES FOR MOVEMENTS OF VESSELS WITHIN, OR DEPARTURE FROM, TERRITORIAL WATERS

GENERAL LICENSE NO. 1 AMENDED

By virtue of the authority vested in me by § 6.6 (d) of this chapter (6 F.R. 5222), Part 9 thereof (6 F.R. 5342), as amended, is hereby further amended by revising paragraphs (a) and (b) of § 9.1 to read as follows:

§ 9.1 *General License No. 1.*[1] (a) Vessels under 100 feet in over-all length when operating within 100 feet of any Navy Yard, shipbuilding plant, power plant, oil terminal, marine terminal, munitions plant, Military or Navy arsenal or depot, warehouse, freight pier, bridge pier or abutment, or shore terminal or facility of any tunnel. This restriction does not extend to (1) barges, scows, rafts, and similar craft having no means of self propulsion, or (2) vessels which are proceeding to, or departing from, a pier or other waterfront facility with the prior permission of the owner or operator of such pier or facility.

(b) The waters of the State of Rhode Island commonly known as the West Passage of Narragansett Bay and Sakonnet River.

R. R. WAESCHE,
Commandant, U. S. Coast Guard.

Approved: July 8, 1942.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 42-6582; Filed, July 10, 1942; 12:59 p. m.]

[1] 6 F.R. 5342; 7 F.R. 43, 1721, 2176, 2477, 3218.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 341—SHIP WARRANT REGULATIONS

VESSELS OPERATED IN COAL TRADE TO NEW ENGLAND

JUNE 19, 1942.

Subject to and effective immediately upon approval by the President, and pursuant to the authority vested in me by Executive Order, February 7th, 1942 (No. 9054), the Ship Warrant Regulations, as amended, issued by the United States Maritime Commission on August 14, 1941, under the authority contained in the Act, approved July 14, 1941 (Public Law 173—Seventy-Seventh Congress), and Executive Order of August 26, 1941 (No. 8871), and adopted by the War Shipping Administration on February 18, 1942, are hereby changed so that Part 241, Ship Warrant Regulations of the Maritime Commission will hereafter be known as Part 341, Ship Warrant Regulations, War Shipping Administration and the respective sections formerly numbered §§ 241.1 to 241.73 are hereby changed to §§ 341.1 to 341.73, and are further amended, as follows:

(1) Amend § 341.1 (a)[1] by striking out the semicolon at the end thereof, and inserting a comma and the following:

• • • or unless the vessel is a documented or undocumented barge (or tug customarily engaged in towing such a barge) operated in the coal trade to New England;

(2) Amend § 341.31 (a) (as amended January 8, 1942, F. R. Doc. 42–152)[1] by striking out the semicolon at the end thereof, and inserting a comma and the following:

• • • and to barges of any gross tonnage, operated in the coal trade to New England;

(3) Amend the first sentence of § 341.31 (c) as amended January 8, 1942, (F. R. Doc. 42–152)[1] to read as follows:

Class SW–3 shall consist of vessels of less than 1,000 gross tons, other than (1) railroad car ferries, (2) tug boats, (3) salvage and other vessels used in servicing vessels, and (4) barges operated in the coal trade to New England. • • •

By Order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr.,
Secretary.

Approved: July 3, 1942.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 42–6608; Filed, July 11, 1942; 10:26 a. m.]

[1] 6 F.R. 4537; 7 F.R. 164.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

PART 410—APPLICATIONS FOR PERMITS[1]

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 3d day of July, A. D. 1942.

The matter of applications under the above title being under consideration:

It is ordered, That the following regulations be issued to continue in effect until the further order of the Commission:

Sec.
410.1 Form of application.
410.2 Filing of application.
410.3 Service of application.
410.4 Notice of the filing of application.

AUTHORITY: §§ 410.1 to 410.4, inclusive, issued under section 410, 56 Stat. 291; 49 U.S.C. 1010.

§ 410.1 *Form of application.* Applications under section 410 of the Interstate Commerce Act for a permit authorizing operation as a freight forwarder, in interstate or foreign commerce, subject to part IV of the act shall be in the form (FF 1) attached hereto and made a part hereof,[2] and shall contain the information called for, in accordance with the instructions attached hereto and made a part hereof.

§ 410.2 *Filing of application.* The verified original application and four additional true copies thereof shall be filed with the Interstate Commerce Commission.

§ 410.3 *Service of application.* A true copy of the application shall be served, in person or by mail, upon the Governor of each State in which applicant proposes to engage in forwarder service.

§ 410.4 *Notice of the filing of an application.* Notice of the filing of the application for a freight forwarder permit shall be in the form (FF 2) attached hereto and made a part hereof,[2] and shall be delivered in person or sent by mail to each freight forwarder, known to applicant, with whose services the operations described in such notice would be competitive.

By the Commission, division 4.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42–6645; Filed, July 13, 1942; 11:51 a. m.]

[1] See Interstate Commerce Commission *infra*, this issue.

[2] Filed as part of the original document.

Notices

DEPARTMENT OF STATE.

TRANSPORTATION OF CERTAIN ALIENS

GENERAL LICENSE 1

Pursuant to Executive Order 2729–A, promulgated by the President on October 12, 1917 under section 3 (b) of the Trading-with-the-enemy Act of October 6, 1917 (40 Stat. 412), the Secretary of State hereby issues the following license.

GENERAL LICENSE 1

Section 1. *Definitions.* For the purpose of this general license:

(a) The term "United States", as used herein, shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof.

(b) The term "permit to depart" means a copy of the application for a permit to depart (form AD–1) duly executed by an alien, approved and appropriately endorsed by the Secretary of State as provided in the regulations issued by the Secretary of State, with the concurrence of the Attorney General, on November 19, 1941 (22 CFR 58.31 (b); 6 F.R. 5929), pursuant to Proclamation 2523, promulgated by the President on November 14, 1941 (6 F.R. 5821; see also *ibid.* 5869), under the provisions of the act of May 22, 1918 (40 Stat. 559) as amended by the act of June 21, 1941 (55 Stat. 252).

(c) The term "permit to enter" is defined in the regulations issued by the Secretary of State, with the concurrence of the Attorney General, on November 19, 1941 (22 CFR 58.41 (c); 6 F.R. 5929), in accordance with Proclamation 2523 promulgated by the President on November 14, 1941 (6 F.R. 5821) under the act of May 22, 1918 (40 Stat. 559) as amended by the act of June 21, 1941 (55 Stat. 252).

Section 2. *General license granted.* A general license is hereby granted, authorizing for the purpose of section 3 (b) of the Trading-with-the-enemy Act:

(a) The transportation of any citizen or subject of an enemy, or ally-of-an-enemy, nation, from any point within the United States to any point outside the United States: *Provided*, That such citizen or subject has a valid permit to depart, a valid exit visa, a valid border-crossing identification card issued on or after December 7, 1941, or a valid re-entry permit issued with the concurrence of the Secretary of State as to destination, or that he is exempted under § 58.23 of title 22 of the regulations (6 F.R. 5927) from the necessity of obtaining a permit to depart: *Provided further*, However, that if such citizen or subject obtains a permit to depart, an exit visa, a border-crossing identification card, or a re-entry permit, the license hereby granted shall extend only to transportation to the destination for which such documents were granted, or the destination specified therein.

(b) The transportation of any citizen or subject of an enemy, or ally-of-an-enemy, nation who has a valid permit to enter the United States issued on or after December 7, 1941, or who is exempted under § 58.44 or § 58.45 of title 22 of the regulations (6 F.R. 5930) from the necessity of obtaining a permit to enter, provided that such transportation shall be from a point outside the United States to a point in the United States in the ordinary course of the alien's journey, and shall not include travel through the Panama Canal Zone or any restricted military or naval area, unless permission to travel through the Panama Canal Zone or such area shall have been procured from the appropriate authorities of the United States.

(c) The transportation within the United States of any citizen or subject of an enemy, or ally-of-an-enemy, nation, whose transportation has been authorized by the Attorney General or by the Secretary of War, under Proclamations 2525 (6 F.R. 6321), 2526 (6 F.R. 6323), and 2527 (6 F.R. 6324), and rules and regulations thereunder.

Section 3. *Reservation of the power to withdraw the general license.* This general license may be withdrawn with reference to the carriage of any citizen or subject of an enemy, or ally-of-an-enemy, nation, or any class thereof, by order of the Secretary of State, and nothing in this order shall be construed as exempting any alien from the necessity of complying with any other laws, regulations, or requirements relating to travel to or from the United States.

[SEAL] CORDELL HULL,
Secretary of State.

JULY 8, 1942.

[F. R. Doc. 42–6583; Filed, July 10, 1942; 12:32 p. m.]

WAR DEPARTMENT.

[Civilian Exclusion Order No. 100]

COUNTIES OF MODOC, LASSEN, PLUMAS, BUTTE, TEHAMA, SHASTA AND SISKIYOU, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JUNE 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1,[1] and 6,[2] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military area No. 2 described as follows:

All of the Counties of Modoc, Lassen and Plumas, State of California, and all those portions of the Counties of Butte, Tehama, Shasta and Siskiyou, State of California, lying easterly of a line beginning at the intersection of the westerly line of U. S. Highway No. 97 and the Oregon-California State Line; thence southerly along the westerly line of U. S. Highway No. 97 to its intersection with the westerly line of U. S. Highway No. 99; thence southerly along the westerly line of U. S. Highway No. 99 to the junction of U. S. Highway Nos. 99W and 99E at or near Red Bluff; thence southerly along the westerly line of U. S. Highway No. 99E to its intersection with the Sutter-Butte County line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, July 4, 1942, or during the same hours on Sunday, July 5, 1942, to the Civil Control Station located at: 509 Main Street, Chico, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–6602; Filed, July 11, 1942; 10:15 a. m.]

[1] 7 F.R. 2320.

[2] 7 F.R. 4436.

[Civilian Exclusion Order No. 101]

COUNTIES OF SIERRA, NEVADA, YUBA, AND SUTTER, STATE OF CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JUNE 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6,[2] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military area No. 2 described as follows:

All of the Counties of Sierra and Nevada, State of California, and all those portions of the Counties of Yuba and Sutter, State of California, lying easterly of the westerly line of U. S. Highway No. 99E.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Sunday, July 5, 1942, or during the same hours on Monday, July 6, 1942, to the Civil Control Station located at: 319 C Street, Marysville, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–6601; Filed, July 11, 1942; 10:15 a. m.]

[Civilian Exclusion Order No. 102]

COUNTIES OF ALPINE, MONO, PLACER, ELDORADO, AMADOR, CALAVERAS, TUOLUMNE, MARIPOSA, AND MADERA, STATE OF CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

JUNE 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6,[2] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All of the Counties of Alpine and Mono, State of California, and all those portions of the Counties of Placer, Eldorado, Amador, Calaveras, Tuolumne, Mariposa and Madera, State of California, lying easterly of a line beginning at the intersection of the westerly

line of U. S. Highway No. 99E and the Yuba-Placer County Line; thence southerly along the westerly line of U. S. Highway No. 99E to its intersection with the southerly line of a paved road running easterly from Lincoln, California; thence in an easterly direction along the southerly line of said paved road to U. S. Highway No. 40 at or near Newcastle; thence in a northeasterly direction along the southeasterly line of U. S. Highway No. 40 to its intersection with the westerly line of California State Highway No. 49 at or near Auburn, California; thence southerly along the westerly line of said Highway No. 49 to its intersection at or near Mariposa with the westerly line of the paved, improved and unimproved road running in a southerly direction to Mormon Bar and Ben Hur; thence southerly along the westerly line of said paved, improved and unimproved road through Mormon Bar and Ben Hur to a point at or near Raymond where the same intersects the southerly line of a road running in an easterly direction from Raymond to Coarse Gold; thence easterly along the southerly line of said road to its intersection with California State Highway No. 41 at or near Coarse Gold; thence in a southerly direction along the westerly line of California State Highway No. 41 to its intersection with the Madera-Fresno County Line southwest of Friant.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Sunday, July 5, 1942, or during the same hours on Monday, July 6, 1942, to the Civil Control Station located at: Municipal Civic Auditorium, Lincoln, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, July 13, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed.

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6603; Filed, July 11, 1942; 10:16 a. m.]

[Civilian Exclusion Order No. 103]

FRESNO COUNTY, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JULY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6[2], this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military area No. 2 described as follows:

All of that portion of the County of Fresno, State of California, lying easterly and northerly of a line beginning at a point at which the westerly line of California State Highway No. 41 intersects the Madera-Fresno County Line; thence southerly along the westerly line of said Highway No. 41 to its intersection with the city limits of the City of Fresno; thence easterly and southerly along said city limits to a point where the same intersects California State Highway No. 180; thence easterly along the southerly line of said State Highway No. 180 to its intersection with the Fresno-Tulare County Line east of Pinehurst; thence easterly along said county line to the Fresno-Inyo County Line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 a. m. and 5:00 p. m., Wednesday, July 8, 1942, or during the same hours on Thursday, July, 9, 1942, to the Civil Control Station located at: Clovis Union High School Gymnasium, corner Fifth and Baron Streets, Clovis, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S.
Army Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6604; Filed, July 11, 1942; 10:16 a. m.]

[Civilian Exclusion Order No. 104]

COUNTIES OF INYO, TULARE, AND KERN, STATE OF CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JULY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6,[2] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All of the County of Inyo, State of California, and all those portions of the Counties of Tulare and Kern, State of California, lying easterly and northerly of a line beginning at the point of intersection of State Highway No. 180 and the Tulare-Fresno County Line east of Pinehurst; thence westerly along the southerly line of said highway to its intersection with the westerly line of State Highway No. 65; thence southerly along the westerly line of said highway to a point at or near Ducor where the same intersects the southerly line of a paved road running easterly from Ducor to Fountain Springs; thence easterly along the southerly line of said road to the point at or near Fountain Springs where the same intersects the westerly line of a paved road running in a southeasterly direction from Fountain Springs to Glennville; thence southeasterly along the westerly line of said road from Fountain Springs to the point at or near Glennville where the same intersects the southerly line of a paved and improved road running east from Glennville past Kern County Park; thence easterly along the southerly line of said road to its intersection with the paved road between Isabella and Kernville at a point about one mile south of Kernville; thence in a southerly direction along the westerly line of said road to the point at or near Isabella where the same intersects State Highway No. 178; thence in an easterly direction along the southerly line of said highway through Walker Pass to the point where the same intersects U. S. Highway No. 6; thence northeasterly along the easterly line of said highway No. 6 to the point approximately three miles north of Freeman where the same intersects the paved road running easterly to Inyokern; thence easterly along the southerly line of said paved road to its intersection with U. S. Highway No. 395; thence southeasterly along the westerly line of said highway No. 395 to the Kern-San Bernardino County Line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 a. m. and 5:00 p. m., Wednesday, July 8, 1942, or during the same hours on Thursday, July 9, 1942, to the Civil Control Station located at: Lincoln Junior High School, corner Howard and Hermosa Streets, Lindsay, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this Order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6605; Filed, July 11, 1942; 10:16 a. m.]

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[1] 7 F.R. 2320.
[2] 7 F.R. 4436.

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. B-189, B-190]

WHEELING VALLEY COAL CORPORATION, AND COVE HILL COAL COMPANY

NOTICE OF FILING OF JOINT APPLICATION FOR DISPOSITION OF PROCEEDINGS WITHOUT FORMAL HEARINGS

Notice is hereby given that Wheeling Valley Coal Corporation ("Wheeling Valley") and Cove Hill Coal Company ("Cove Hill"), named in the above entitled matters, filed a joint application dated July 2, 1942, pursuant to section 301.132 of the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division (the "Division") for disposition of these proceedings without formal hearings.

In said application, Wheeling Valley and Cove Hill admit all of the violations referred to in the respective Notices of and Orders for Hearing herein dated April 18, 1942, consent to the entry of orders of revocation of their respective Code Memberships and agree to pay to the United States, penalty taxes in the aggregate amount of Eleven Thousand Five Hundred Dollars and Thirty-seven Cents ($11,500.37), in approximately equal shares, as a condition to the restoration of their respective code memberships and consent to the entry of cease and desist orders against them respectively as more particularly hereinafter set forth:

A. *As to Wheeling Valley—Docket No. B-189*

Wheeling Valley consents to the entry of an order of revocation of its code membership based upon the admitted violations alleged in paragraphs I and II of the Complaint in B-189, as follows:

I. The sale of 7521.95 net tons of coal produced at its Richland and Costanzo Mines to J. Q. Clarke Coal Company, Inc., Registered Distributor, from October 1, 1940, to February 4, 1941, both dates inclusive, in violation of Part II (e) and (h) of the Code and Rule 1 of section III of the Marketing Rules and Regulations.

II. The sale of 448 net tons of coal produced at its Richland and Costanzo Mines (509.25 net tons having been alleged in said Complaint) sold to said J. Q. Clarke Coal Company, Inc., Registered Distributor, from October 17, 1940, to February 3, 1941, both dates inclusive, in violation of Part 4 II (e) and (h) of the Code and Rule 1 of section III of the Marketing Rules and Regulations.

The penalty tax agreed to be paid thereon by the Code Member amounts to $5,750.14, half of which the Code Member agrees to pay immediately upon being served with the order of revocation and the balance in eight equal monthly installments beginning with the first day of August 1942, pursuant to an arrangement with the Bureau of Internal Revenue.

Wheeling Valley consents to an order directing it to cease and desist from the violations alleged in paragraphs I and II of the Complaint and the violations alleged in the subsequent paragraphs thereof as follows:

III. By selling and delivering 2,226.05 tons of 2" nut slack coal during December 1940, and 3,881.45 net tons of 2" nut slack coal during January 1941, produced at its Devenny No. 1 Mine to Weirton Steel Company, West Virginia, below the effective minimum prices therefor in violation of Part II (e) and (g) of the Code.

IV. By selling 7,236.60 net tons of various sizes of coal during the months of October 1940, through March, 1941, produced at its Richland Mine to the Universal Cyclops Steel Corporation, Titusville, Pennsylvania, below the effective minimum prices therefor in violation of Part II (e) of the Code.

V. By selling and delivering 5,729.95 net tons of coal during the months of October 1940 through December 1940 produced at its Richland and Costanzo Mines to the Globe Brick Company, Kenilworth, West Virginia, below the effective minimum prices therefor in violation of Part II (e) of the Code.

VI. By selling a mixture of 5,615.3 tons of 2" lump coal produced at its Devenny No. 1 Mine and its Richland Mine to said Globe Brick Company at prices below the effective minimum prices therefor and by filing invoices with the Statistical Bureau for District No. 6 falsely reporting that all of said coal originated at its Devenny No. 1 Mine and not showing thereon that any of said coal originated at its Richland Mine in violation of Part II (e) and (i), (8) of the Code, Order issued October 9, 1940, in General Docket No. 19 and Rule 8 of section XIII of the Marketing Rules and Regulations.

VII. By substituting 73,038.05 net tons of egg coal produced at its Richland and Costanzo Mines upon an order for run of mine coal and delivering the same to the Pennsylvania Railroad Company during the period October 1, 1940 to March 31, 1941, both dates inclusive, in violation of Part II (e) of the Code and Rule 1 (f) of section XI of the Marketing Rules and Regulations.

VIII. By paying to Pocahontas Coal Corporation a commission of 12 cents per net ton on approximately 5,502.90 tons of coal sold during the period December 31, 1940 to January 31, 1941, both dates inclusive, which commissions were 7 cents per net ton in excess of the maximum discount allowable to a registered distributor on sale of on-line railroad fuel in violation of Rule 13 of section II of the Marketing Rules and Regulations.

IX. By selling and delivering 261.69 net tons of 2" nut slack coal during November, 1940 and 644.25 net tons of 1¼" slack coal during December, 1940 produced at its Devenny No. 1 Mine to the Toronto Paper Company although minimum prices, temporary or final, for such deliveries, had not been established, in violation of Order issued October 9, 1940 in General Docket No. 19.

B. *As to Cove Hill—Docket No. B-190*

Cove Hill consents to the entry of an order of revocation of its code membership based upon its admitted violations alleged in Paragraph II of the Complaint as follows:

By selling and delivering 5,981.25 tons of various sizes of coal produced at its Three Springs No. 1 Mine and Three Springs No. 2 Mine to the Crescent Brick Company, New Cumberland, Maryland, during the months January, February and March, 1941, and 204 tons of 4" lump coal on December 31, 1940, in violation of Part II (e) and (g) of the Code.

The penalty tax agreed to be paid thereon by the Code Member amounts to $5,750.23, half of which the Code Member agrees to pay immediately upon being served with the order of revocation and the balance in eight equal monthly installments beginning with the first day of August, 1942, pursuant to an arrangement with the Bureau of Internal Revenue.

Cove Hill consents to an order directing it to cease and desist from the viola-

tions alleged in Paragraph II of the Complaint and the violations alleged in the other paragraphs thereof as follows:

I. By selling and delivering 141,074.75 tons of various sizes of coal during the months of October, 1940 through March, 1941, produced at its Three Springs Nos. 1 and 2 Mines to the Weirton Steel Company, Weirton, West Virginia, below the effective minimum prices therefor, in violation of Part II (e) and (g) of the Code.

III. By selling and delivering 5,234.40 tons of 1¼" slack and 2" nut and slack coal during the months of October, 1940 through January, 1941, produced at its Three Springs 1 and 2 Mines to the Toronto Paper Company although minimum prices, temporary or final, for such deliveries had not been established by the Division, in violation of Order issued October 9, 1940, in General Docket No. 19.

IV. By selling and delivering 2,150.11 tons of 2" x 5" coal produced at its Three Springs Nos. 1 and 2 Mines to various purchasers although minimum prices, temporary or final, for such deliveries, had not been established by the Division in violation of Order issued October 9, 1940 in General Docket No. 19.

In said application, applicants state that to the best of their belief and knowledge they have not committed any violations of the Act, the Code, or regulations thereunder, other than those referred to in said Notices of and Orders for Hearing herein dated April 18, 1942.

Also, in said application, applicants state that

> All of the transactions involved in these matters were handled by the Costanzo Coal Mining Company as sales agent for the two code members, and it is so alleged in the respective notices of and orders for hearing, dated April 18, 1942. The Costanzo Coal Mining Company in Docket No. 1540–FD has had a severe penalty imposed upon it in the suspension of its distributor's registration. (Nine months) The code members were passive participants in all of the transactions and no culpability should attach to them in any event.

Interested parties desiring to do so may file recommendations, or requests for informal conference in respect to the above-described application within fifteen (15) days from the date of this notice.

Dated: July 9, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6562; Filed, July 10, 1942; 11:07 a. m.]

[Docket Nos. A–1511, A–1511, Part II]

DISTRICT BOARD 2

MEMORANDUM OPINION AND ORDER SEVERING DOCKETS, ORDER GRANTING IN PART TEMPORARY RELIEF, AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Co.); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Co.); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Co.; and the Bertone Mine, Mine Index No. 511, of Sam Bertone.

The original petition in the above-entitled matters which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 2.

The petition proposed that price classifications and minimum prices be made effective from two shipping points, Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad, and Pricedale, Pennsylvania, on the Monessen Southwestern Railway, for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for All Shipments Except Truck. While it appears that an adequate showing of necessity has been made for the granting of temporary relief by establishing temporary price classifications and minimum prices for the coals of the above-named mines for All Shipments Except Truck, from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad, it appears that the original petitioner has not set forth sufficient facts to warrant making such classifications and minimum prices effective from Pricedale, Pennsylvania, on the Monessen Southwestern Railway for the coals of these mines for All Shipments Except Truck, without a hearing, and for the further reason that the Monessen Southwestern Railway is not listed by the Interstate Commerce Commission as a common carrier, and that, while it is a common carrier within the State of Pennsylvania, it has not on file with the Public Utility Commission of Pennsylvania appropriate tariffs or freight rates for the shipment of coal from Pricedale, Pennsylvania.

Now, therefore, it is ordered, That the portion of Docket No. A–1511 relating to the coals of the Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511 of Sam Bertone, be, and it hereby is, severed from the remainder of Docket No. A–1511, and designated as Docket No. A–1511, Part II.

It is further ordered, That a hearing in Docket No. A–1511 Part II under the applicable provisions of said Act and the rules of the Division be held on August 24, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Division proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 17, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for All Shipments Except Truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

It is further ordered, That, pending final disposition of Docket No. A–1511, Part II, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 2 for All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

Notice is hereby given that application to stay, terminate or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6638; Filed, July 13, 1942; 10:30 a. m.]

[Docket Nos. A–1504, A–1504 Part II]

DISTRICT BOARD 4

MEMORANDA OPINION AND ORDER SEVERING DOCKETS AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; and requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for all shipments except truck to permit the establishment of price classifications and minimum prices for coals prepared at a preparation plant not a part of the mine at which said coals were produced.

In the matter of the petition of District Board No. 4 for the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for all shipments except truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine in which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

The original petition in the above-entitled matter which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 4, and further requested the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

A petition to intervene was filed in this matter on July 2, 1942, by District Board No. 7.

As was found in an Order issued today in Docket No. A–1504, a reasonable showing of necessity has been made for the granting of relief prayed for by the petitioner with certain exceptions stated therein, and except as to that part of the petition requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck. With respect to the establishment of the additional price instruction, it appears that the original petitioner has not set forth sufficient facts to warrant the establishment of said price instruction without a hearing. It appears, therefore, that an adequate showing of necessity has not been made for the granting of temporary relief in the matter of establishing said price instruction.

Now, therefore, it is ordered, That the portion of Docket No. A–1504 relating to the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be, and it hereby is, severed from the remainder of Docket No. A–1504 and designated as Docket No. A–1504, Part II.

It is further ordered, That a hearing in Docket No. A–1504, Part II under the applicable provisions of said Act and the rules of the Division be held on August 7, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On that day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Division proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 1, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in respect to the petition of District Board No. 4 for the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6637; Filed, July 13, 1942; 10:30 a. m.]

[Docket No. A–1521]

DISTRICT BOARD 7—CRAB ORCHARD IMPROVEMENT CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 7 for changes in the minimum prices and price classifications for the coals of the Eccles No. 5 Mine, Mine Index No. 62, of the Crab Orchard Improvement Company in size groups 1 and 2.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 27, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be ad-

mitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 20, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition of District Board No. 7 requesting a change from "B" classification to an "A" classification in Size Groups 1 and 2 for coals produced by the Eccles No. 5 mine, Mine Index No. 62, of the Crab Orchard Improvement Company.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6636; Filed, July 13, 1942; 10:30 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[Memorandum 867 Supp. 2]

EXPENDITURE OF CERTAIN FUNDS

Making applicable to the expenditure of funds made available by an Act making appropriations for the Department of Agriculture for the month of July 1942, for continuing the items entitled "Farm Tenancy" and "Loans, Grants, and Rural Rehabilitation", contained in the Department of Agriculture Appropriation Act, 1942, certain orders, rules, regulations, and delegations of authority issued under authority of the Department of Agriculture Appropriation Act, 1942.

By virtue of and pursuant to the authority vested in me by An Act Making Appropriations for the Department of Agriculture for the Month of July 1942 (Public Law 661, approved July 9, 1942, 77th Congress, Second Session), I hereby order and direct that the expenditure of funds appropriated or advanced by or pursuant to said act for continuing the items contained in the Department of Agriculture Appropriation Act, 1942, entitled "Farm Tenancy" and "Loans, Grants, and Rural Rehabilitation", and the administration of all activities conducted with such funds, shall be in accordance with the orders, rules, regulations, and delegations of authority heretofore issued and in effect on June 30, 1942, relating to the expenditure of funds appropriated or advanced to this Department by or pursuant to the items entitled "Farm Tenancy" and "Loans, Grants, and Rural Rehabilitation", contained in the Department of Agriculture Appropriation Act, 1942, to the extent that such orders, rules, regulations, and delegations of authority are consistent with the provisions of An Act Making Appropriations for the Department of Agriculture for the Month of July 1942. Whenever any authority heretofore granted limited the amount of money which might be expended thereunder, such limit shall be deemed applicable to the total amount to be expended under such authorization out of funds appropriated by prior acts and funds appropriated by or advanced pursuant to An Act Making Appropriations for the Department of Agriculture for the Month of July 1942. Any redelegations of authority in effect on the date of this order shall continue in effect subject to any powers heretofore granted to revoke such redelegations.

When and if an appropriation act for the Department of Agriculture for the fiscal year 1943 is enacted, the provisions of this memorandum, to the extent that they are consistent with such act, shall remain in effect and be applicable to the funds appropriated or advanced thereunder.

The foregoing shall remain in effect until my further order.

Issued as of July 1, 1942.

[SEAL] PAUL H. APPLEBY,
Acting Secretary.

[F. R. Doc. 42-6613; Filed, July 11, 1942; 11:34 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 13, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Finkle Coat Mfg. Co., 14 Third St., Chelsea, Massachusetts; Men's & boys leather and wool jackets; 2 learners (T); July 13, 1943.

Lansdale Shirt Factory, 526 N. Broad St., Lansdale, Pennsylvania; Men's cotton shorts; 5 learners (T); January 13, 1943.

Rice Stix Dry Goods Co., Factory #20, Slater, Missouri; Men's & boys underwear of woven fabric; 5 percent (T); July 13, 1943.

Single Pants, Shirts, and Allied Garments and Women's Apparel

Ace Corporation, 119 East Front Street, Trenton, New Jersey; Children's dresses; 10 percent (T); July 13, 1943.

Atlantic Pants Mfg. Co., Inc., 1001 Elizabeth Ave., Elizabeth, New Jersey; Single pants; 10 percent (T); July 13, 1943.

The B. V. D. Corp., Cambridge, Maryland; Pajamas, sport shirts; 10 learners (T); July 13, 1943.

The B. V. D. Corp., 527 West Pratt St., Baltimore, Maryland; Underwear, shorts & drawers, sport shirts, pajamas; 10 percent (T); July 13, 1943.

Biltrite Mfg. Co., 200 East Main St., Bound Brook, New Jersey; Infants & children's wear; 10 learners (T); July 13, 1943.

Blue Ridge Shirt Mfg. Co., 114 North Elk Ave., Fayetteville, Tennessee; Work shirts; 58 learners (E); January 13, 1943.

Comfort Corset Corp., 2311 West St., Union City, New Jersey; Corsets, corselettes, girdles, brassieres; 4 learners (T); July 13, 1943.

Day's Tailor-d Clothing, Inc., 2902 A St., Tacoma, Washington; Men's & boys trousers, blazers; 10 percent (T); July 13, 1943.

Kentucky Pants Co., Inc., 130 East Dixie Ave., Elizabethtown, Kentucky; Cotton pants, rayon pants; 10 percent (T); July 13, 1943.

Lark Dress Co., Walnut & Fifth Sts., Shamokin, Pennsylvania; Women's & misses dresses; 20 learners (E); January 13, 1943.

Lin-Bel Dress Co., Inc., 415 63rd St., West New York, New Jersey; Dresses; 5 learners (T); July 13, 1943.

Little Dorothy Dress Co., 369 Hope St., Fall River, Massachusetts; Children's cotton garments; 5 percent (T); July 13, 1943.

McMinnville Garment Co., McMinnville, Tennessee; Men's pants; 10 percent (T); July 13, 1943.

M & G Sportwear Co., 613 Main St., Rockland, Maine; Trousers; 8 learners (T); July 13, 1943.

Nirenberg & Salzman, Inc., North Mohawk St., Cohoes, New York; Officer's cotton shirts U. S. A., dress & polo shirts; 30 learners (E); January 13, 1943.

Raritan Mfg. Co., State St., Perth Amboy, New Jersey; Shirts; 5 percent (T); July 13, 1943.

Ritmore Sportswear Co., 1220 West Sixth Ave., Cleveland, Ohio; Dresses, skirts, slacks; 5 learners (T); July 13, 1943.

Y. Rosen & Son, 180 Central Ave., Newark, New Jersey; Children's dresses; 10 percent (T); July 13, 1943.

Southeastern Mfg. Co., Lumpkin St., Monroe, Georgia; U. S. Army trousers; 10 percent (T); July 13, 1943.

The Sterling Co., 1723 North Washington St., Kokomo, Indiana; Dresses—cotton & rayon, nightwear—flannelette, women's industrial cotton; 10 percent (T); July 13, 1943.

Topps Mfg. Co., 501-505 Main St., Rochester, Indiana; Work pants, shirts & coveralls; 20 learners (E); January 13, 1943.

Trafalgar Shirt Co., 201 North Penn St., York, Pennsylvania; Men's dress shirts; 20 learners (E); January 13, 1943.

Roland Weinbaum Inc., 4 Brooks Ave., Quincy, Massachusetts; Ladies' housecoats; 5 learners (T); July 13, 1943.

Zulicks Underwear Mill, 128 Center Ave., Schuylkill Haven, Pennsylvania; Rayon underwear & Sportswear; 5 learners (T); July 13, 1943.

Gloves

Menominee Glove Co., Sheridan Road, Menominee, Michigan; Leather dress gloves; 50 learners (E); January 13, 1943.

Springfield Knitting Mills Co., 36 New Dwight St., Springfield, Massachusetts; Knit wool gloves; 20 learners (E); January 13, 1943.

Hosiery

Apex Hosiery Co., Inc., Fifth & Luzerne Sts., Philadelphia, Pennsylvania; Full-fashioned hosiery; 10 percent (T); July 13, 1943. (This certificate replaces the present certificate for 5 percent bearing the expiration date of November 13, 1942.)

Cherokee Hosiery Mill, 242 Highland Ave., Hickory, North Carolina; Full-fashioned hosiery; 5 learners (T); January 13, 1943.

Conover Knitting Co., Conover, North Carolina; Seamless hosiery; 5 percent (T); July 13, 1943.

Conover Knitting Co., Ashe Ave., Newton, North Carolina; Seamless hosiery; 5 percent (T); July 13, 1943.

Crystal Hosiery Mill, Peacock Ave., Denton, North Carolina; Seamless hosiery; 5 learners (T); July 13, 1943.

Dayton Hosiery Mills, Dayton, Tennessee; Seamless hosiery; 17 learners (E); March 13, 1943.

Efland Knitting Co., Efland, North Carolina; Seamless hosiery; 5 learners (T); July 13, 1943.

Elizabeth James Mills #2, Logan St., Marion, North Carolina; Full-fashioned hosiery; 10 learners (T); March 13, 1943.

Finer Full Fashioned Hosiery Co., Inc., Route #3, Charlotte, North Carolina; Full-fashioned hosiery; 5 learners (T); July 13, 1943.

Gold Seal Knitting Mills, 4th & Bern Sts., Reading, Pennsylvania; Full-fashioned hosiery; 2 learners (T); January 13, 1943.

Hiwassee Hosiery Mill, Inc., Edwards St., Cleveland, Tennessee; Seamless hosiery; 10 learners (T); July 13, 1943. (This certificate replaces the one for 5 learners bearing the expiration date of October 16, 1942.)

Mock, Judson, Voehringer Co., of North Carolina, Inc., Howard & Hiatt Sts., Greensboro, North Carolina; Full-fashioned hosiery; 5 percent (T); July 13, 1943.

Montgomery Knitting Mill, Commerce St., Summerville, Georgia; Seamless hosiery; 10 percent (T); July 13, 1943. (This certificate replaces the one for 5 percent bearing the expiration date of October 9, 1942.)

Mountain Hosiery Mills, Englewood, Tennessee; Seamless hosiery; 5 learners (T); July 13, 1943.

Paul Knitting Mills, Commerce at La Grange, Pulaski, Virginia; Seamless hosiery; 10 percent (T); July 13, 1943.

Philadelphia Hosiery Mills, Philadelphia, Tennessee; Seamless hosiery; 5 percent (T); July 13, 1943.

Scott Hosiery Mills, Inc., Richboro Road, Newton, Pennsylvania; Full-fashioned hosiery; 3 learners (T); July 13, 1943.

Wrenn Hosiery Co., Liberty Drive, Thomasville, North Carolina; Seamless hosiery; 30 learners (E); March 13, 1943.

Yorkshire Hosiery Co., 213 North 10th St., Reading, Pennsylvania; Seamless hosiery; 5 learners (T); July 13, 1943.

Knitted Wear

The Ford Mfg. Co., 123 Second St., Waterford, New York; Knitted underwear; 5 percent (T); July 13, 1943.

Jasco Knitting Mills Co., 165 Green St., New York, New York; Commercial knitting; 1 learner (T); July 13, 1943.

Nescopeck Knitting Mills, 213 W. Third St., Nescopeck, Pennsylvania; Knitted outerwear; 10 learners (T); July 13, 1943.

Millinery

Frank M. Borel Co., 251 Post St., San Francisco, California; Custom-made millinery; 2 learners (T); November 13, 1942.

Textile

Bernson Silk Mills Inc., Buena Vista, Virginia; Silk, rayon & nylon fabrics; 15 learners (E); January 13, 1943.

The Duplan Corp., 1245 White St., Winston-Salem, North Carolina; Manufacturing and processing of yarn or thread; 120 learners (E); January 13, 1943.

Gosnold Mills Corp., South Orchard St., New Bedford, Massachusetts; Cotton, rayon; 45 learners (T); July 13, 1943.

Jefferson Mills, Inc., Pulaski, Virginia; Nylon, rayon & silk; 3 percent (T); July 13, 1943.

Micolas Cotton Mills, Opp, Alabama; Cotton yarns and cloth; 3 percent (T); July 13, 1943.

Mock, Judson, Voehringer Co., of North Carolina, Inc., Howard & Hiatt Sts., Greensboro, North Carolina; processing yarn and thread; 3 percent (T); July 13, 1943.

Modern Throwing Co., Division, Bridge & Goepp Sts., Bethlehem, Pennsylvania; Throwing of silk, rayon and nylon yarns; 6 percent (T); July 13, 1943.

Pilot Mills Co., 1100 North Wilmington St., Raleigh, North Carolina; Cotton; 3 percent (T); July 13, 1943.

R. & G. Silk Throwing Co., Inc., Iron St., Bloomsburg, Pennsylvania; Silk & rayon; 3 learners (T); July 13, 1943.

Shannock Narrow Fabric Co., Bacon St., Pawtucket, Rhode Island; Cotton, rayon, nylon; 3 percent (T); July 13, 1943.

Whitley Cotton Mills, Inc., Clayton, North Carolina; Cotton; 3 percent (T); July 13, 1943.

Signed at New York, N. Y., this 11th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6641; Filed, July 13, 1942; 10:58 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6361]

MICHIGAN BELL TELEPHONE COMPANY

INVESTIGATION OF RATES FOR RADIOTELEPHONE SERVICE THROUGH STATIONS WFR, WFS, AND WFV

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 7th day of July, 1942;

It appearing that there have been filed with the Commission tariffs containing schedules stating new charges, classifications, regulations and practices for and in connection with radiotelephone service through Michigan Bell Telephone Company's Detroit, Michigan, coastal harbor stations WFR, WFS, and WFV; which tariffs were effective on the 29th day of June, 1942; and which are contained in Michigan Bell Telephone Company Tariff F. C. C. No. 3;

It further appearing that the said tariff schedules state, certain charges, classifications, regulations and practices for and

in connection with such radiotelephone service which may be unjust and unreasonable and which may injuriously affect the interests of the public;

It is ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of Michigan Bell Telephone Company for and in connection with the radiotelephone service through coastal harbor stations WFR, WFS, and WFV;

It is further ordered, That Michigan Bell Telephone Company be, and the same is hereby, made respondent to this proceeding, and said respondent shall show cause, under oath, (1) why its regulations providing for payments of a part of its radio link charges to the vessels involved, as stated in its Tariff F. C. C. No. 3, should not be ordered rescinded and cancelled, and (2) why its radio link charges for radiotelephone service through coastal harbor stations WFR, WFS, and WFV should not be ordered to be made uniform for communications with vessels at all points; and said respondent shall file with the Commission its verified answer to this order on or before thirty days from the date of service of this order;

It is further ordered, That the respondent, Michigan Bell Telephone Company, shall file concurrently with such answer, its verified statement setting forth the following information in detail:

(1) The factors, circumstances, and estimates of revenues, expenses, and investment on which the respondent based its determination of the rates, charges, classifications, regulations, practices and services for and in connection with radiotelephone service through its coastal harbor stations WFS, WFR, and WFV, as established and published by it in its Tariff F. C. C. No. 3;

(2) An estimate of the annual revenues expected to be received from the rendition of telephone radio link service through its coastal harbor stations WFS, WFR, and WFV, classified as to whether attributable to General Service, Dispatching Service, and other services;

(3) An estimate by main account classifications of the annual direct expenses expected to be incurred in the rendition of such radio link service, such direct expenses being defined as the expenses incurred solely because of the rendition of such service and which would not be incurred but for such rendition;

(4) An estimate by main account classifications of such portion of the joint expenses expected to be incurred as may be properly allocable to the rendition of such radio link service, showing in detail the bases and methods of all allocations, such joint expenses being defined as expenses which cannot be identified as direct expenses attributable solely to any particular service;

(5) The estimates of annual depreciation expense, required by paragraphs (3) and (4) above, shall be accompanied by a statement of supporting detail, if available, as to estimated service lives, remaining lives, expired lives, and salvage; and all estimates of other expenses required by such paragraphs shall be accompanied by a statement of supporting detail as to the facts on which such estimates were based;

(6) The direct investment made by respondent, as of the most recent date available, for the purpose of rendering such radio link service, such direct investment being defined as the original cost of facilities used solely because of the rendition of such service and which would not be used but for such rendition;

(7) Such portion of the joint investment made by respondent, as of the same date as in paragraph (6) above, as may be properly allocable to the rendition of such radio link service, showing in detail the bases and methods of allocations, such joint investment being defined as the original cost of facilities used in the rendition of such service which cannot be identified as direct investment attributable solely to any particular service;

(8) An estimate, if available, of the depreciation and amortization reserve requirements applicable respectfully to such direct and such joint investment as are given in response to paragraphs (6) and (7) above;

(9) The accumulated depreciation reserve, estimated if not known, associated respectively with such direct and such joint investment as are given in response to paragraphs (6) and (7) above, as of the same date as in paragraph (6) above;

(10) If any of the statements of expenses and investment, as are given in response to paragraphs (3), (4), (5), (6), and (7), above, include amounts paid or to be paid an affiliate, respondent shall furnish a complete detailed statement showing:

(a) The name of the affiliate;

(b) The kind and character of affiliation;

(c) The cost to the affiliate of the specific services or facilities furnished to respondent for such payment; the term affiliate being defined as any corporation directly or indirectly controlling or controlled by, or under direct or indirect common control with, respondent, by means of voting stock or otherwise;

It is further ordered, That a copy of this order shall be served upon Michigan Bell Telephone Company and all other carriers participating in the telephone service rendered through coastal harbor stations WFR, WFS, and WFV; and that said participating carriers be and they are hereby, each made a party respondent to this proceeding; and

It is ordered, That this proceeding be and the same is hereby assigned for hearing at 10 a. m. on the 12th day of August, 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6612; Filed, July 11, 1942; 11:37 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. IT-5540, IT-5619, IT-5625, IT-5597, IT-5608]

ARKANSAS POWER & LIGHT CO., ET AL

ORDER DISMISSING ORDERS TO SHOW CAUSE

JULY 7, 1942.

In the Matter of Arkansas Power & Light Company, Duquesne Light Company, Florida Power Corporation, Louisville Gas & Electric Company, and New Orleans Public Service Company.

It appearing to the Commission that:

(a) Orders were adopted directing Arkansas Power & Light Company, Duquesne Light Company, Florida Power Corporation, Louisville Gas & Electric Company and New Orleans Public Service Company to show cause under oath or at a public hearing why said companies had failed to comply with Electric Plant Accounts Instruction 2-D of the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees and its Order of May 11, 1937, requiring the filing of reclassification of accounts and original cost studies and why the Commission should not institute appropriate proceedings against them for their failure to comply with Instruction 2-D and the Order of May 11, 1937, as follows:

Date of order and company

January 17, 1939; Arkansas Power & Light Co.
February 7, 1940; Louisville Gas & Electric Co.
April 16, 1940; Duquesne Light Co.
April 16, 1940; Florida Power Corporation.
April 16, 1940; New Orleans Public Service Co.

(b) Subsequent to the adoption of the orders to show cause, the Commission was advised that the reclassification of accounts and original cost studies were to be filed, whereupon the matters set down for hearing were postponed *sine die;*

(c) The reclassification of accounts and original cost studies have been filed by the above-named companies.

The Commission *orders* that: The orders to show cause referred to in paragraph (a) hereof be and the same are hereby dismissed: *Provided, however*, That this action shall not be construed as approving the figures contained in the reclassification of accounts and original cost studies: *And provided further*, That the Commission reserve the full right to make such examination and analysis of the studies submitted including examination of the books and other documents in the possession of the companies named herein as the Commission may deem warranted, and to order such adjusting entries as may be appropriate.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-6594; Filed, July 11, 1942; 10:13 a. m.]

INTERSTATE COMMERCE COMMISSION.

NOTICE TO ALL FREIGHT FORWARDERS WHO ARE, OR MAY BE, SUBJECT TO PART IV OF THE INTERSTATE COMMERCE ACT

JULY 13, 1942.

Inclosed herewith are 2 copies of an order of the Commission entered by Division 4 on July 3, 1942, prescribing the form to be used by freight forwarders in applying for permits under the provisions of sections 410 and 411 of the Interstate Commerce Act.[1] Also inclosed are 2 copies each of the application form FF1 and the form of notice, FF2.[2]

The order requires that an original and four copies of the application be filed with the Commission, that one copy be served on the Governor of each State in which the freight forwarder proposes to operate, and that a copy of the notice be served on each known freight forwarder competitor. Additional copies of the forms of application and notice will be sent upon request. Applicants may print or typewrite copies of these forms in accordance with the General Instructions, and should do so in all cases in which more than 10 copies are needed.

Attention is directed to the fact that freight forwarders who were in operation on May 16, 1942, must file applications for permits on or before November 12, 1942, which is 180 days after May 16, in order to continue to operate lawfully prior to the issuance of a permit. The applications must be received at this Commission on or before November 12, 1942, not merely mailed by that date.

Section 416 (a) of the act requires all freight forwarders subject to the act to designate an agent upon whom service of all notices, orders, and processes may be made in proceedings before the Commission. There is likewise inclosed a form which may be used for this purpose.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-6644; Filed, July 13, 1942; 11:51 a. m.]

[1] See Title 49, Part 410, *supra.*

OFFICE OF PRICE ADMINISTRATION.

A. J. LINDEMANN & HOVERSON CO.

APPROVAL OF MAXIMUM PRICE

Order No. 9 Under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On May 12, 1942, A. J. Lindemann & Hoverson Co., Milwaukee, Wisconsin, filed an application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of a maximum price for an oil range, designated in the application as Model E-596.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) A. J. Lindemann & Hoverson Co. may sell, offer to sell or deliver Model E-596 at a price no higher than $27.22, f. o. b. factory, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum price of Model D-595, as established under Revised Price Schedule No. 64.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 9 shall become effective on the 13th day of July 1942.

Issued this 11th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6625; Filed, July 11, 1942; 12:53 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404.

[Administrative Order 22]

MERLE FAINSOD

AUTHORIZATION TO ACT FOR ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) Merle Fainsod is hereby authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator, for the purpose of issuing orders disposing of petitions or applications filed by a supplier of a service under § 1499.19 of the General Maximum Price Regulation,[2] by dismissing the same without prejudice to the right of the applicant to take further action or by dismissing the same and transferring them to other dockets.

(b) Any order issued by said Merle Fainsod pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 11th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6626; Filed, July 11, 1942; 12:54 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2182, 4404.

[2] Copies obtainable from the Office of Price Administration.

BOSTON STOVE FOUNDRY COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 10 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On March 16, 1942, Boston Stove Foundry Company, Reading, Massachusetts, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for two combination gas, coal and oil stoves, designated in the application as Models Nos. 620 and 624.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2] For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Boston Stove Foundry Company may sell, offer to sell or deliver Models Nos. 620 and 624 at prices no higher than those specified:

Model No. 620-------- $102.91 f. o. b. factory.
Model No. 624-------- $117.28 f. o. b. factory.

subject to discounts, allowances and terms (including prepayment of freight) no less favorable than those in effect with respect to the maximum prices of Models Nos. 862 and 864, respectively, as established under § 1356.1 of Revised Price Schedule No. 64.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 10 shall become effective on the 13th day of July 1942.

Issued this 11th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6657; Filed, July 13, 1942; 12:16 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2182, 4404.

[2] Copies obtainable from the Office of Price Administration.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-413]

PUBLIC SERVICE CO. OF OKLAHOMA, ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July, A. D. 1942.

In the Matter of Public Service Company of Oklahoma, Southwestern Light & Power Company, and Peoples Ice Company.

The Commission having heretofore on the 24th day of December, 1941 issued its order permitting a declaration to become effective pursuant to section 7 of the Act regarding the issue and sale by Peoples Ice Company to Public Service Company of Oklahoma and Southwestern Light & Power Company (subsidiaries of The Middle West Corporation, a registered holding company) of promissory notes in the amounts of $1,462,500 and $625,500 respectively, bearing no interest, to be dated December 15, 1941 and maturing February 15, 1942, such order being subject to the condition that failing payment of the notes at maturity on February 15, 1942 such notes would be surrendered and cancelled by Public Service Company of Oklahoma and Southwestern Light & Power Company; and

Public Service Company of Oklahoma, Southwestern Light & Power Company and Peoples Ice Company now having filed a supplemental declaration and application (or both) on April 1, 1942, proposing that such companies enter into an agreement extending the maturity of such notes to December 31, 1943, and an amendment thereto having been filed on June 18, 1942, notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said supplemental declaration or application (or both), as amended, and that said supplemental declaration shall not become effective or that said supplemental application be granted except pursuant to further order of the Commission and that at said hearing there be considered, among other things, the various matters hereinafter set forth;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 28, 1942 at 10 o'clock A. M. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said supplemental declaration or application, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the extension of the maturity of said notes is solely for the purpose of financing the business of Peoples Ice Company and, if so, whether it is appropriate in the public interest or for the protection of investors or consumers that terms and conditions be imposed with respect to such extension.

2. Whether the proposed extension of maturity and the security to be issued is reasonably adapted to the security structure of Peoples Ice Company and other companies in The Middle West Corporation holding company system.

3. Whether the proposed extension and security to be issued is reasonably adapted to the earning power of Peoples Ice Company.

4. Whether the terms and conditions of the extension of maturity are detrimental to the public interest or the interest of investors or consumers.

5. Whether the acquisition of the securities by Public Service Company of Oklahoma and Southwestern Light & Power Company will be detrimental to the carrying out of the provisions of section 11 of the Act.

6. Whether the acquisition of the securities by Public Service Company of Oklahoma and Southwestern Light & Power Company will serve the public interest by tending toward the economic and efficient development of an integrated public utility system.

7. Whether the condition providing for the surrender and cancellation of such notes recited in the order of December 24, 1941, should be modified.

It is further ordered, That any person desiring to be heard at such hearing shall file with the Secretary of the Commission on or before the 23rd day of July, 1942 his application therefor as provided by Rule XVII of the Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6595; Filed, July 11, 1942; 10:13 a. m.]

[File No. 812-278]

THE LEHMAN CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July, A. D. 1942.

An application having been filed by The Lehman Corporation pursuant to section 10 (e) of the Investment Company Act of 1940 for an order suspending until August 20, 1942, the operation of the provisions of section 10 to which reference is made in section 10 (e);

It is ordered, That a hearing on the aforesaid application be held on July 17, 1942, at ten o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held.

It is further ordered, That Robert P. Reeder, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside on such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6596; Filed, July 11, 1942; 10:13 a. m.]

[File No. 70-568]

EDISON SAULT ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by Edison Sault Electric Company pursuant to the Public Utility Holding Company Act of 1935 and particularly section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder. All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Edison Sault Electric Company, a subsidiary of American States Utilities Corporation, a registered holding company, proposes to issue and sell to three insurance companies $990,000 principal amount of First Mortgage Bonds, Series A 3¾%, due July 1, 1972, at 104. The expenses of the transaction are estimated at $61,809, of which amount $36,920 is a premium payable on the redemption of outstanding bonds, referred to hereinafter, and $10,000 is a selling agents' fee or commission to be paid to Battles & Co., Inc., Smith, Landeryou & Co., and White, Weld & Co. The company proposes to apply the proceeds as follows: (a) $923,000 (apart from the premium of $36,920 hereinabove referred to) to redeem presently outstanding First Mortgage Sinking Fund Bonds, Series A 4½% and Series B 4½% due October 1, 1961; (b) $42,500 to reduce short term bank loans now outstanding in the amount of $142,500; and (c) $2,300 (balance) to be paid into the treasury of the company.

The company seeks to have the proposed issuance and sale of the bonds exempted from Rule U-50 (b) and (c) by virtue of Rule U-50 (a) (5) and seeks to have its application for such exemption acted upon prior to its application for exemption of the proposed sale of the bonds pursuant to section 6 (b). The company states that its principal generating unit is a hydro-electric generating plant located at Sault Ste. Marie, Michigan which is owned by the United States of America, and that its present occupancy is as a tenant at will, a thirty-year lease having expired June 30, 1942. The company further states that in view of its tenancy status the salability of the bonds to the public is seriously impaired. The company also estimates that costs incident to a public sale would be about $11,000 more than the proposed refunding plan.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and rules of the Commission thereunder be held on July 29, 1942, at 10:00 o'clock A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing-room clerk in Room 318. At such hearing, cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration or application otherwise to be considered in this proceeding, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of the bonds are solely for the purpose of financing the business of the company.

(2) Whether the proposed issuance and sale of the bonds have been expressly authorized by the state commission of the state in which the company is organized and doing business.

(3) Whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in any order granting an exemption of the issue and sale of the bonds from the provisions of section 6 (a) of the Act.

(4) Whether it is appropriate in the public interest or for the protection of investors or consumers that the proposed issue or sale of the bonds be excepted from the scope of Rule U-50.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6597; Filed, July 11, 1942; 10:14 a. m.]

[File Nos. 54-50; 59-39; 59-10]

NORTH AMERICAN LIGHT & POWER CO. ET AL.

ORDER GRANTING APPLICATIONS SUBJECT TO CONDITIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July, A. D. 1942.

In the Matter of North American Light & Power Company; North American Light & Power Company Holding-Company System and The North American Company, et al.

The Commission having directed, by an order entered in these proceedings on December 30, 1941, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that North American Light & Power Company be liquidated and its existence terminated;

Said order having further directed that said company and The North American Company proceed with due diligence to submit to this Commission a plan or plans for the prompt liquidation of North American Light & Power Company and the termination of its existence, in a manner consistent with the provisions of said Act;

The Commission having in said order expressly reserved jurisdiction to enter such further orders in these proceedings as may be necessary or appropriate for the purpose of carrying out the steps required by section 11 of said Act and said order of December 30, 1941;

North American Light & Power Company having filed two applications herein designated as Applications Nos. 1 and 2; a hearing having been held; and the Commission being fully advised in the premises and having this day issued and filed its findings and opinion herein;

Now, therefore, on the basis of said findings and opinion, and pursuant to the applicable provisions of said Act, the applicable rules thereunder, and the Commission's said order of December 30, 1941,

It is ordered, That the plan proposed in Application No. 1, with respect to the dissolution and complete liquidation of Power & Light Securities Company, be and it hereby is approved as submitted, and that said application be and it hereby is granted subject to the provisions of Rule U-24.

Further ordered, That the plan proposed in Application No. 2, with respect to the liquidation and payment at principal and accrued interest of the $3,376,500 principal amount of publicly held debentures of North American Light & Power Company, be and it hereby is approved subject to the following conditions:

(1) That interest shall not cease to accrue on said publicly held debentures as of July 1, 1942, but shall cease to accrue thereon not less than 30 days following initial publication of appropriate notice designating the date on which interest shall cease to accrue; and

(2) That North American Light & Power Company shall submit for the approval of this Commission an amended form of notice to be given as contemplated by paragraph (1) above, together with a statement of the manner in which such notice is to be given.

Further ordered, That North American Light & Power Company be and it hereby is directed to carry out with due diligence and expedition the transactions proposed in Application No. 1 as submitted and the transactions proposed in Application No. 2 as modified herein.

Further ordered, That North American Light & Power Company and The North American Company be and they hereby are authorized and directed as soon as practicable to submit to the Commission for its approval such further plan or plans as may be necessary or appropriate for compliance with the Commission's aforesaid order of December 30, 1941.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6598; Filed, July 11, 1942; 10:13 a. m.]

[File Nos. 59-17; 59-11; 54-25]

THE UNITED LIGHT AND POWER CO., ET AL.

NOTICE OF FILING OF APPLICATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 10th day of July 1942.

In the Matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, File No. 59-17; The United Light and Power Company and Its Subsidiary Companies, Respondents, File No. 59-11; and The United Light and Power Company, Applicant, File No. 54-25.

The Commission having previously, by order dated March 20, 1941 entered in these proceedings, directed, among other things, the liquidation and dissolution of

The United Light and Power Company and said order having required the respondents to proceed with due diligence to comply therewith and to make application to the Commission for the entry of such further orders as may be necessary or appropriate for such purpose; and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate with respect to other matters in these proceedings; and the Commission having on April 9, 1942, granted the respondents herein an extension of one year within which to comply with said order of March 20, 1941;

Notice is hereby given that The United Light and Power Company and its subsidiary company, The United Light and Railways Company, both registered holding companies, have filed with this Commission applications and declarations, designated as "Application No. 14", pursuant to sections 11 (b) (1), 11 (b) (2) and 11 (e) of the Act and any other applicable sections of the Act or Rules thereunder, with respect to various proposed transactions in connection with a Plan providing for the completion of the liquidation and dissolution of The United Light and Power Company. All interested persons are referred to Application No. 14 which is on file in the offices of the Commission for a full statement of the transactions therein proposed, which are summarized below:

1. The authorized Common Stock of The United Light and Railways Company now consisting of 1,000,000 shares of $35 par value will be increased to 4,000,000 shares of Common Stock of $6 par value, each share to have one vote.

2. The outstanding 708,520 shares of Common Stock of The United Light and Railways Company, all owned by The United Light and Power Company, will be exchanged for 3,947,677 shares of the new Common Stock.

3. The amount of outstanding capital represented by the outstanding Common Stock of The United Light and Railways Company will be reduced from $24,798,200 to $23,686,062 and the difference of $1,112,138 will be credited to paid-in surplus.

4. The new Common Stock of The United Light and Railways Company will be distributed to the stockholders of The United Light and Power Company in complete liquidation of their rights as such stockholders on the following basis:

(a) Six shares of the Common Stock of The United Light and Railways Company of the par value of $6 per share shall be distributed to the holder of each share of the $6 Cumulative Preferred Stock of The United Light and Power Company;

(b) One-tenth of a share of the Common Stock of The United Light and Railways Company of the par value of $6 per share shall be distributed to the holder of each share of the Class A Common Stock of The United Light and Power Company; and

(c) One-tenth of a share of the Common Stock of The United Light and Railways Company of the par value of $6 per share shall be distributed to the holder of each share of the Class B Common Stock of The United Light and Power Company.

On the foregoing basis the new Common Stock of The United Light and Railways Company will be divided among the stockholders of The United Light and Power Company substantially as follows:

(a) 91.20% to the Preferred Stockholders;

(b) 6.13% to the Class A Common Stockholders; and

(c) 2.67% to the Class B Common Stockholders.

5. Each Common stockholder of The United Light and Power Company entitled to a fraction of a share of the Common Stock of The United Light and Railways Company shall receive, in lieu thereof, non-interest bearing, non-dividend bearing and non-voting scrip in bearer form to be issued by The United Light and Railways Company. Scrip, when sufficient to aggregate one or more full shares, may be surrendered to The United Light and Railways Company, prior to but not after July 1, 1944, in exchange for full shares of Common Stock of The United Light and Railways Company. After July 1, 1944, scrip not surrendered shall be entitled to no rights whatsoever.

6. The right of stockholders of The United Light and Power Company to receive common stock or scrip certificates of The United Light and Railways Company shall expire July 1, 1944.

7. Upon the entry by the Commission of an order approving the proposed Plan and requiring its consummation, and until the distribution date (defined in paragraph 8 below), the general voting power now vested exclusively in the holders of Class B Common Stock of The United Light and Power Company shall be distributed among all three classes of stockholders according to the basis of exchange heretofore set forth.

8. As soon as practicable after the Commission has entered an order approving the Plan and requiring its consummation, The United Light and Power Company shall request the Commission, pursuant to section 11 (e) of the Act, to apply to a Federal court to enforce and carry out the terms and provisions of the Plan. If the court shall approve the Plan as fair and equitable and shall enter a decree enforcing the Plan and requiring its consummation, the distribution of Common Stock and scrip of The United Light and Railways Company to the stockholders of The United Light and Power Company in accordance with the Plan shall be made on and after the thirtieth day following the date on which such court decree becomes final and is no longer subject to judicial review. The date upon which such distribution shall be commenced is herein referred to as the "distribution date."

9. All funds and assets of The United Light and Power Company of whatever character remaining after payment of its liabilities and expenses will be contributed by The United Light and Power Company to the paid-in surplus of The United Light and Railways Company.

10. As soon as practicable after the distribution date, The United Light and Power Company shall be dissolved.

The applicants request the Commission to enter an order

(a) finding that the Plan is necessary to effectuate the provisions of section 11 (b) of the Act and to enable The United Light and Power Company to comply with the Commission's order of March 20, 1941, and is fair and equitable to the persons affected by the Plan;

(b) approving the Plan and authorizing, directing, and requiring The United Light and Power Company and The United Light and Railways Company to consummate the Plan without the necessity of obtaining any further authorization from the Commission with respect to any action contemplated thereby; and

(c) providing that the holders of the Preferred and Common Stocks of The United Light and Power Company shall have only the rights specifically set forth in the Plan and that all other rights of such stockholders shall cease and become void.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that the hearings herein be reconvened for the purpose of considering Application No. 14,

It is ordered, That the hearings in this proceeding be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk in Room 318, at 10:00 A. M. on the 4th day of August 1942. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by our Rules of Practice, Rule XVII, on or before August 1, 1942. At said reconvened hearing on that day the issues will be limited to a consideration of the matters presented by Application No. 14.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to assert all powers granted to the Commission under section 18 (c) of the Act and to the trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed action is necessary to effectuate the provisions of section 11 (b) of the Act and the Commission's Orders of March 20 and August 5, 1941 in these proceedings;

2. Whether the proposed Plan is fair and equitable to the persons affected thereby;

3. Whether the proposed capital structure of The United Light and Railways Company meets the standards of the applicable sections of the Act;

4. Whether the proposed increase and distribution of the new shares of Common Stock will unduly complicate the structure, or unfairly or inequitably distribute voting power among the security holders, of the holding-company system or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding-company system;

5. Whether the terms and conditions with respect to the proposed distribution of the new Common Stock, including the basis of its allocation among the stockholders of The United Light and Power Company, are appropriate and consistent with the applicable standards of the Act;

6. Whether the accounting entries proposed to be recorded are appropriate and in accordance with sound accounting principles and practice;

7. Whether the fees and expenses to be paid, directly or indirectly, in connection with any of the proposed transactions are for necessary service and are reasonable in amount;

8. In the event the Commission finds the proposed transactions generally appropriate, what terms and conditions, if any, should be imposed;

9. Generally, whether the proposed transactions are in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the Rules thereunder.

It is further ordered, That notice of this reconvened hearing is hereby given to all stockholders of The United Light and Power Company and to all other persons and that a copy of this notice shall be mailed to all persons who have entered their appearance herein and that publication of this notice shall be made in the FEDERAL REGISTER.

It is further ordered, That the limiting of the matters to be considered at said reconvened hearing to the issues presented by Application No. 14 shall be without prejudice to the subsequent consideration in these proceedings of other issues under the applicable provisions of the Act and the Rules.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6599; Filed, July 11, 1942; 10:14 a. m.]

[File No. 70-565]

THE UNITED GAS IMPROVEMENT COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July 1942.

The United Gas Improvement Company, a Pennsylvania corporation and a registered holding company, having filed an application and declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10 and 12 (b) thereof, and Rule U-45 promulgated thereunder, regarding an advance of $454,000 with interest at 3% per annum, to The Philadelphia Gas Works Company, its wholly-owned subsidiary, which in turn proposes to expend a like amount in connection with its operation (through a lease arrangement) of the municipal gas properties and facilities owned by the City of Philadelphia. It is represented that such funds are to be used for additions to existing plant and distribution facilities required for industries manufacturing war materials and for government housing projects. It is anticipated that the amount so advanced, together with interest thereon, will be included in the expenses of operating the said municipal gas properties and will be recovered by The Philadelphia Gas Works Company and in turn by The United Gas Improvement Company through charges in the price of gas over a period not exceeding five years; and

Said application and declaration having been filed June 19, 1942, and an amendment thereto having been filed on June 24, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Said party having requested that the effective date of said application and declaration be advanced; and

The Commission finding with respect to said application under section 10 of said Act that in so far as applicable, no adverse findings are necessary under sections 10 (b) and 10 (c) (1), and that the proposed transaction has the tendency required in section 10 (c) (2); and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration pursuant to section 12 (b) and Rule U-45 promulgated thereunder to become effective, and

The Commission being satisfied that the effective date of said declaration and the date of granting said application should be advanced;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be and the same hereby is granted forthwith and that the aforesaid declaration be and the same is hereby permitted to become effective forthwith; however neither the granting of this application nor permitting the declaration to become effective shall be construed as prejudicing any action the Commission may deem appropriate or necessary to take in respect to the guaranty of The United Gas Improvement Company of the lease arrangement between The Philadelphia Gas Works Company and the City of Philadelphia or relative to the future status under Section 11 of the Act, of The Philadelphia Gas Works Company in The United Gas Improvement Company holding company system.

By the Commission (Commissioner Healy being absent and not participating).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6629; Filed, July 13, 1942; 10:12 a. m.]

[File No. 70-562]

GREENWICH WATER COMPANY AND GREENWICH WATER SYSTEM, INC.

ORDER PERMITTING APPLICATION AND DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July, A. D. 1942.

Greenwich Water System, Inc., and its subsidiary Greenwich Water Company, both indirect subsidiaries of American Water Works and Electric Company, Incorporated, a registered holding company, having filed joint applications and declarations, with amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 10 and 12 thereof and Rules U-42, U-43, and U-49 promulgated thereunder regarding the sale by Greenwich Water Company of 11,400 shares of its common capital stock, $25 par value per share, to its parent Greenwich Water System, Inc. for $285,000 cash and Greenwich Water Company's retirement of its total note indebtedness in the principal amount of $285,000 held by Greenwich Water System, Inc., and

Said joint applications and declarations having been filed on June 1, 1942, and certain amendments having been filed thereto, the last of said amendments having been filed on June 25, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said joint declarations and applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the said applications, as amended, pursuant to Rules U-43 and U-49, and to permit the said declarations, as amended, to become effective, pursuant to Rules U-42 and U-43, and the Commission finding with respect to said application for the acquisition of the common stock that no adverse findings are necessary under section 10 (b), section 10 (c) (1), and section 10 (f), and that section 10 (c) (2) is not applicable; and finding with respect to said application for the issuance and sale of the common stock that the exemption in the third sentence of section 6 (b) applies; and

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finding with respect to the declarations for the issuance and acquisition of the common stock and the retirement and sale of the notes that the requirements of sections 12 (c) and 12 (f) are satisfied;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications, as amended, be and hereby are granted forthwith and that the aforesaid declarations, as amended, be and hereby are permitted to become effective forthwith.

By the Commission (Commissioner Healy being absent and not participating).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6628; Filed, July 13, 1942; 10:13 a. m.]

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FEDERAL REGISTER

VOLUME 7 — NUMBER 138

Washington, Wednesday, July 15, 1942

The President

EXECUTIVE ORDER 9198

TRANSFER OF MERCHANT MARINE TRAINING FUNCTIONS

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941, and in order to expedite the prosecution of the war effort, it is hereby ordered as follows:

1. The functions transferred to the Commandant of the United States Coast Guard by Section 5 of Executive Order No. 9083[1] are transferred to the Administrator of War Shipping Administration.

2. All records, property (including office equipment, floating equipment, and real property), and personnel of the United States Coast Guard as the Director of the Bureau of the Budget shall determine to have been used primarily in the administration of the functions transferred by this order shall be transferred to the Administrator of the War Shipping Administration for use in the administration of such functions: *Provided*, That no officers or men of the regular Coast Guard shall be so transferred and *Provided*, further, that no officers or men of the Coast Guard Reserve now on active duty shall be so transferred without their consent.

3. So much of the unexpended balances of appropriations, allocations, or other funds available or to be made available for the use of the United States Coast Guard in the exercise of the functions transferred by this order as the Director of the Bureau of the Budget with the approval of the President shall determine, shall be transferred to the Administrator of the War Shipping Administration for use in connection with the exercise of the functions so transferred. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this order shall be restricted to the purposes for which such monies were appropriated.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
11 July 1942.

[F. R. Doc. 42-6665; Filed, July 13, 1942; 12:58 p. m.]

[1] 7 F.R. 1609.

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 35—PAYMENT OF BILLS AND ACCOUNTS

Sections 35.5, 35.6 and 35.9 are retained without change in revision of AR 35-6040 and §§ 35.7 and 35.8 are hereby amended to read as follows:

§ 35.7 *What payment is authorized; general*—(a) *Payments under contracts for indefinite amounts not authorized.* Contracts containing provisions obligating the United States to pay unlimited or indefinite amounts are not authorized, but requirements may be stated as accurately as possible, with provisions for increases or decreases not exceeding given percentages. See 5 Comp. Gen. 450; 8 id. 354.

(b) *Payments under contracts for nonpersonal services*—(1) *Method of procurement.* Nonpersonal services will be engaged in accordance with the requirements of the laws governing the procurement of supplies.

(2) *Distinction between personal and nonpersonal services.* See 9 Comp. Gen. 169.

(3) *Payment for fractional parts of months.* The act of June 30, 1906 (34 Stat. 763), 5 U.S.C. 84; providing that, for pay purposes, each month shall be re-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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garded as having 30 days, relates only to compensation of officers and employees of the United States for personal services, and has no application to contracts for nonpersonal service, as for the hire of a wagon and team, payment for which for a fractional part of a month should be on the basis of the actual number of days in the month. See 22 Comp. Dec. 711.

(4) *Forms of agreements for services of continuous nature.* Services of a continuous nature must be supported by a formal contract when the yearly amount exceeds $500, or an informal agreement when the yearly amount is $500 or less, same to be numbered and filed in the General Accounting Office. See 6 Comp. Gen. 642. When service is temporary, notation to that effect should appear on the voucher.

(5) *Rates effective "until further notice."* In the absence of competition there is no objection to entering into agreements for public utilities services at stipulated rates "until further notice," without necessity for new agreements or annual renewals except to cover changes in rates or service, unless the interests of the Government require otherwise in a particular case, the original agreements and all changes to be filed in the General Accounting Office, and the vouchers to cite the agreement involved and bear a statement by a responsible officer of the public utility concerned as to the rates charged. Payment may not be made for service in an amount stipulated in a substitute agreement which is in excess of the rate stated in the original contract, effective "until further notice," prior to the date of actual receipt of the substitute agreement by the proper administrative representative of the Government. See 15 Comp. Gen. 920, MS. Comp. Gen. A-65231, December 15, 1936.

(c) *Payment of taxes and duties on purchases by Government*—(1) *Customs duties on foreign purchases.* In the absence of specific legislation authorizing purchases made by the Government to come into the United States free of customs duty, the particular appropriation for a purchase is properly chargeable with the amount of the customs duty assessed thereon by the United States, the fact that the importation came through in a certain fiscal year does not require it to be considered as a service rendered in that fiscal year so as to be charged against an appropriation in the fiscal year in which the importation was made instead of the appropriation involved in the particular purchase. (See 26 Comp. Dec. 610.) Checks issued in payment of customs duties on imported merchandise will be drawn payable to and forwarded to the collector or deputy collector of customs at the port where entry was made.

(2) *Philippine export tax.* Appropriated funds may not be used to pay an export tax on property of the United States shipped from the Philippines sought to be imposed pursuant to the authority granted in the Philippine Independence Act of March 24, 1934 (48 Stat. 456), as amended by the Act of August 7, 1939 (53 Stat. 1226), to lay an export tax on "every Philippine article shipped from the Philippines to the United States." See 21 Comp. Gen. 226. (R.S. 161; 5 U.S.C. 22) [Par. 4, AR 35-6040, June 12, 1942]

§ 35.8 *Adjustments*—(a) *Mistakes in bids.* Where a contractor claims payment in addition to the contract price on the ground of a mistake in bid, the contract price only will be paid and any protest on the part of the contractor will be forwarded through the Chief of Finance to the General Accounting Office. (See 8 Comp. Gen. 397.)

(b) *Transportation costs*—(1) *Savings in freight charges.* Shipment from a point nearer destination than the f. o. b. point named in a contract does not entitle the contractor to the saving in freight charges. (See 3 Comp. Gen. 56.) Where a contract provides for delivery f. o. b. destination, and shipment is made on Government bill of lading, which entitles the Government to certain land-grant deductions from the regular commercial rates, the contractor is not entitled to the benefits obtained by the Government on account of said land-grant deductions. (See MS. Comp. Gen. A-30249, April 8, 1930.)

(2) *Adjustments by General Accounting Office.* Where contractors are permitted to make shipments of supplies from points other than those named in the contract, which contract, in pursuance of advertisement for bids to that effect, permits such procedure and provides an apportionment feature for excess transportation costs, and the contractor is not willing to allow deductions for freight charges from the actual shipping point to destination, or claims an additional amount on account of paying freight or other delivery charges that should have been borne by the Government, disbursing officers will submit vouchers in question to the General Accounting Office for direct settlement. (See 8 Comp. Gen. 500.)

(c) *Coal contracts*—(1) *Changes in base scale.* Standard Government forms of coal contracts provide for adjustment of prices on account of increases or decreases in cost of production due to changes in wage scale. See 8 Comp. Gen. 231; 16 id. 805; Finance Circular No. 19.

(2) *Ash content.* Standard Form No. 45, Standard Government Purchase Contracts—Coal, which forms a part of contracts for coal, provides for adjustment of prices where coal is sampled and found to contain excess ash content.

(d) *Inferior goods.* Acceptance of inferior goods does not entitle the contractor to other than payment on the basis of the reasonable value of the goods. (See 5 Comp. Gen. 993; 15 id. 422.) Disbursing officers will submit vouchers in such cases to the Chief of Finance for instructions as to payment.

(e) *Set-off.* Where a contractor is indebted to the Government under one contract, the Government may offset, without separate action, an amount owing to the contractor under another contract. (*Barry v. United States* (1913), 229 U.S. 47. See 7 Comp. Gen. 186.) The right of set-off does not apply to unliquidated demands, but the Government has the equitable right to withhold payment of moneys due under one contract to a contractor who is in default under another contract until his indebtedness thereunder can be liquidated. See 7 Comp. Dec. 213.

(f) *Delay in performance*—(1) *When damages provided for in contract.* (i) Where no specific provision is made in a contract for either liquidated or actual damages, the contractor is, upon failure to complete the contract within the specified time, chargeable with all expenses caused the Government by the delay as actual damages. (See 8 Comp. Gen. 455; 16 id. 277, 410.)

(ii) Where there has been delay in performance under a contract which does not contain a provision for damages, payment in full will not be made except as set forth in (iv) below unless a certificate is furnished by the contracting officer, or the officer delegated by him to supervise performance, that no actual damage has been caused the Government by the delay. (See MS. Comp. Gen. A-8698, September 30, 1929.)

(iii) In the case of delays in the completion of informal contracts involving less than $500, the purchasing officer may furnish for file with the voucher a statement of the damage resulting from the delay, or certify that no damage resulted from the delay, and payment may be made in accordance with the certificate. (See 2 Comp. Gen. 385.) See also subdivision (iv) of this subparagraph.

(iv) Certificates will not be required in cases where, due to the nature of the supplies involved or of the purpose for which they were procured, it is apparent either that the contractor was not responsible for the delay, or that the delay resulted in no damage, but in all other cases involving delay in delivery, credit may not be allowed by the General Accounting Office for payment without deduction unless it be shown, by a certificate or otherwise, either that the contractor was not responsible for the delay, or that the delay did not result in any actual damage to the United States. See MS. Comp. Gen. B-23662, March 3, 1942.

(2) *When damages provided for in contract*—(i) *Deductions of damages.* Whenever, under a standard Government form of contract containing a provision for liquidated damages, the contractor fails for any reason to execute completely the contract within the period stipulated in the original contract or valid agreements supplemental thereto, or change orders, such period to include any extensions in the time for completion made in accordance with the provisions of the contract, the disbursing officer when making payment thereunder will withhold the liquidated damages covering the entire period of delay regardless of cause, and claim credit for the net amount only, leaving in the appropriation the amount so withheld, subject to final adjustment by the General Accounting Office. Amounts withheld on account of liquidated damages will not again become available for obligation or for payment by disbursing officers. Any protest made by the contractor against the deduction of liquidated damages will be forwarded, together with a statement of all payments made, citations to all vouchers, and a detailed statement from the contracting officer, through the Chief of Finance to the General Accounting Office. See 16 Comp. Gen. 374.

(ii) *Discounts and price changes.* (a) Where a contract contains a liquidated damage clause based on the contract price, but not to exceed a stated percentage of the stipulated value of the articles or materials not delivered, and also an offer of discount for prompt payment, liquidated damages for delayed performance should be deducted on the basis of the gross contract price, irrespective of discount which likewise is to be computed on the gross contract price, irrespective of liquidated damages.

(b) Where a contract originally specifying a delivered price, subsequently modified for acceptance f. o. b. contractor's works at a reduced price because of delivery by Government bill of lading, contains a liquidated damage clause based on the contract price, but not to exceed a stated percentage of the stipulated value of the articles or materials not delivered, and also an offer of discount for prompt payment, liquidated damages and discount should be computed on the basis of the reduced contract price, and without regard to each other; that is, each on the basis of the gross new contract price.

(c) Where a contract containing a liquidated damage clause based on the contract price, but not to exceed a stated percentage of the stipulated value of the articles or materials not delivered, contains also guarantees by the contractor that the equipment will be in accordance with the specifications, and provisions for either rejection, acceptance at a price reduction, or deduction of a specified amount, as a penalty, for overweight, liquidated damage assessments for delayed performance should be computed on the new contract price where price reduction is made because of the overweight, but, where a penalty is assessed for the overweight, and no new contract price is effected thereby, liquidated damages and discount should be computed on the basis of original contract price. See 18 Comp. Gen. 784.

(iii) *Progress payments.* Partial payments as distinguished from final payment, may be made on periodical progress reports without deduction of liquidated damages for time intervening between the effective date of an order for suspension of work and the effective date of an order to resume work, or delivery of supplies. See 8 Comp. Gen. 80.

(iv) *Change orders.* Liquidated damages need not be deducted for delays resulting from changes in specifications covered by change orders issued in accordance with provisions of standard forms of contracts. The change order should specify the changes, increase or decrease in price, and the number of days added thereby. See MS. Comp. Gen. A-26558, April 1, 1929.

(v) *Termination.* Where a contractor abandons his contract, necessitating the termination thereof by the Government and the subsequent reletting of the uncompleted portion of the work to another contractor, no liquidated damages accrue to the United States after the date of termination in the absence of a provision in the contract that liquidated damages will not cease to accrue at the time of termination. See 7 Comp. Gen. 409, 11 id. 81; 15 id. 903; 17 id. 503.

(g) *Default*—(1) *Disposition of amounts collected.* Amounts collected on account of actual damages or excess costs charged to defaulting contractors should be credited to Miscellaneous Receipts (see MS. Comp. Gen. A-26073, March 20, 1929, August 8, 1929; 10 Comp. Gen. 510), but amounts collected on account of the rejection of unsatisfactory supplies may be credited to the appropriations from which the original payments were made. See 8 Comp. Gen. 103.

(2) *Information on voucher.* When deduction is made from a payment to a defaulting contractor on account of the excess cost of an open-market purchase against his account, the voucher should bear reference to the vouchers in connection with which the excess costs were incurred.

(3) *Cash discounts.* A defaulting contractor, in the absence of any provision in the contract that cash discount offered was to be taken into account in determining such excess cost, is chargeable with the discount in determining the excess cost unless no attempt was made to secure a like discount from the dealer

from whom the open-market purchase was made. See 4 Comp. Gen. 807; 15 id. 177.

(4) *Rights of sureties.* Settlement with the contractor and surety is made by the General Accounting Office in accordance with the following: A surety which completes work under a contract on which it is surety is subrogated to the rights of the contractor against the Government for the unpaid balance due from the United States on that contract and also to the rights of the Government against the contractor for the excess cost of completing the work or furnishing the materials and supplies, and, therefore, the surety is entitled to be paid by the Government the cost to the surety of completing the work but no profit. The contractor is entitled to be paid for work performed by it, if any funds are available for such payment after reimbursing the surety. The total payments by the Government must not exceed the contract price. (See 16 Comp. Dec. 351, 490; 26 id. 467; 5 Comp. Gen. 995; 8 id. 36, 58, 266, 318, 435.) It is the practice to require releases from the contractor and the surety. (See 5 Comp. Gen. 995, 999; 8 id. 266, 272) Payment into court of the balance should not be made. (See 14 Comp. Gen. 567) The amount remaining due may be paid to the assignee of a receiver where the court orders the receiver to accept the assignee's offer to complete the work in consideration of receiving all the payments and retained percentages due. See 3 Comp. Gen. 623. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 35-6040, June 12, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6666; Filed, July 13, 1942; 3:56 p. m.]

Chapter III—Claims and Accounts

PART 38—ALLOTMENTS OF PAY

DEATH OF ALLOTTER OR ALLOTTEE

Sections 38.3 and 38.4 are hereby amended to read as follows:

§ 38.3 *Effect of death of allotter.* Allotments are in the nature of powers of attorney, which are revoked by the death of the principal. Chief of Finance, Allotment Division, Washington, D. C., will make no further payments of an allotment after receipt of advice of the allotter's death, even though it is known that deductions were made from the allotter's pay and not paid to the allottee. Such amounts become a part of the estate of the allotter and will be settled by the General Accounting Office, Washington, D. C., upon presentation of claim. See 10 Comp. Dec. 208, 26 id. 855. (Sec. 16, 30 Stat. 981; 40 Stat. 384; 10 U.S.C. 894; 52 Stat. 354) [Par. 22, AR 35-5520, Mar. 4, 1941, as amended by Cir. 212, W.D., July 1, 1942]

§ 38.4 *Effect of death of allottee—(a) Action by Chief of Finance, Allotment Division, Washington, D. C.* Upon receipt of information of the death of any person to whom an allotment is payable by him, the Chief of Finance, Allotment Division, will report the death to the officer responsible for the preparation and submission of allotments.

(b) *Allotment checks not collected or negotiated.* When allotment checks are not collected or negotiated prior to the death of the allottee, even though indorsed, the amounts thereof do not become a part of the allottee's estate or subject to any expense incurred by, or on behalf of, the allottee before or after death. (See 26 Comp. Dec. 855) All such checks should be returned to the Chief of Finance, Allotment Division, Washington, D. C. Unless the allotter has been separated from the service and has received final payment, the Chief of Finance, Allotment Division, Washington, D. C., will upon receipt of the returned check give authority to credit the amount on the current pay rolls or pay vouchers. (Sec. 16, 30 Stat. 981; 40 Stat. 384; 10 U.S.C. 894; 52 Stat. 354) [Par. 23, AR 35-5520, March 4, 1941, as amended by Cir. 212, W.D., July 1, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6667; Filed, July 13, 1942; 3:56 p. m.]

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

COMMISSIONS FOR MEDICAL, DENTAL, AND VETERINARY STUDENTS

Sections 73.220 (s) and 73.221 (a) are hereby amended to read as follows:

§ 73.220 *Commissions for medical students.* (a) Authority is granted to Corps Area Commanders to waive the provisions of § 61.69 (d)[1] and § 73.205 (b)[2] for the appointment as second lieutenant, Army of the United States (Medical Administrative Corps), of male citizens of the United States above the age of eighteen years who are bona fide accepted matriculants at approved medical schools within or without the United States. Officers so appointed will not be ordered to active duty until eligible for appointment as first lieutenant, Army of the United States (Medical Corps). (Act of Sept. 22, 1941, 55 Stat. 728; 10 U.S.C. Sup. 484) [Letter A.G.O. dated May 8, 1942, AG 210.1 MA-AUS (4-25-42) RB-SPGA, as amended by letter A.G.O. dated July 3, 1942, AG 210.1 MA-AUS (7-3-42) RB-SPMC-PS-M]

* * * * *

§ 73.221 *Commissions for dental and veterinary students.* (a) Authority is granted to Corps Area commanders to waive the provisions of § 61.69 (d)[1] and § 73.205 (b)[2] for the appointment as second lieutenant, Army of the United States (Medical Administrative Corps), of male citizens of the United States above the age of eighteen years who are bona fide accepted matriculants at approved Dental and Veterinary schools within or without the United States. Officers so appointed will not be ordered to active duty until eligible for appointment as first lieutenant, Army of the United States (Dental or Veterinary Corps). (Act of Sept. 22, 1941, 55 Stat. 726; 10 U.S.C. Sup. 484) [Letter A.G.O. dated May 18, 1942, AG 210.1 MA-AUS (5-18-42) RB, as amended by letter A.G.O. dated July 3, 1942, AG 210.1 MA-AUS (7-3-42) RB-SPMC-PS-M]

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[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42 6668; Filed, July 13, 1942; 3:56 p. m.]

[1] 6 F.R. 3084.
[2] 6 F.R. 5660; 7 F.R. 739.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 01-3, Civil Air Regulations]

PART 01—AIRWORTHINESS CERTIFICATES

REMOVAL, RELEASE AND PRESERVATION OF AIRCRAFT WRECKAGE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 10th day of July, 1942.

Acting pursuant to sections 205 (a), 601, and 702 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective July 25, 1942, Part 01 of the Civil Air Regulations is amended as follows:

1. By striking § 01.31 and inserting in lieu thereof a new § 01.31 through 01.312 as follows:

§ 01.31 *Removal, release and preservation of wreckage.*

§ 01.310 *Removal.* (a) No aircraft or part thereof, involved in an air carrier accident or in an accident resulting in serious or fatal injury to any person, or accident known or believed to have resulted from structural failure in flight shall be moved or disturbed, except:

(1) When necessary for giving assistance to persons injured or trapped in the wreckage;

(2) When necessary in the interest of public safety;

(3) When specific permission shall have been granted by an authorized representative of the Civil Aeronautics Board, or of the Administrator of Civil Aeronautics;

(4) When prompt movement of the aircraft is necessary to protect it from further serious damage and it is impossible to secure immediate communication with any person authorized in subparagraph (3) to direct the removal.

(b) Any movement of the aircraft, or any part thereof, under paragraph (a) shall be so accomplished as to entail the minimum possible disturbance of the material concerned. Prior to such movement a record of the original position and condition of the wreckage (as complete and accurate as possible under the circumstances) shall be made unless the danger to public safety is such as to permit of no delay whatever, or unless an authorized representative of the Civil Aeronautics Board has directed otherwise.

(c) The requirements of this section shall be applicable with respect to all accidents as described in paragraph (a) hereof, which occur within the United States and with respect to all air carrier accidents without regard to where they occur.

§ 01.311 *Release.* No aircraft or part thereof, involved in an air carrier accident or in an accident resulting in serious or fatal injury to any person, or accident known or believed to have resulted from structural failure in flight, shall be released for repair, salvage, disposal, or any other purpose except upon specific permission granted by an authorized representative of the Civil Aeronautics Board.

§ 01.312 *Preservation.* An aircraft, aircraft engine, propeller or appliance, or any part or parts thereof, involved in an accident, shall be preserved and removed to such place or places as directed by the Civil Aeronautics Board or any authorized representative thereof for purposes of safekeeping, inspection, testing or any other purpose consistent with the powers and duties granted the Civil Aeronautics Board under section 702 (a) of the Civil Aeronautics Act of 1938, as amended: *Except*, That the wreckage of an aircraft involved in a type of accident other than the categories described in § 01.310 need not be preserved unless specifically directed by the Civil Aeronautics Board or an authorized representative thereof.

2. By striking § 01.32 and inserting in lieu thereof the following:

§ 01.32 Unassigned.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6708; Filed, July 14, 1942; 12:07 p. m.]

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 6 of Part 600]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF AMBER CIVIL AIRWAY NO. 6

JULY 11, 1942.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

By inserting after "Smiths Grove, Kentucky, radio range station," in § 600.-10105[1] the following:

"The intersection of the center lines of the on course signals of the northeast leg of the Smiths Grove, Kentucky, radio range and the south leg of the Louisville, Kentucky, radio range."

This amendment will become effective 0001 E.S.T., July 15, 1942.

C. I. STANTON,
Acting Administrator.

[F. R. Doc. 42-6680; Filed, July 14, 1942; 10:09 a. m.]

[1] 7 F.R. 1417, 4939.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4415]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PEGGIE MORAN COMPANY, INC. ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondents' "Peggie Moran Savon" cosmetic, or any other similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said product, which advertisements represent, directly or through inference, that respondents' product possesses any value in the removal of excess flesh or excess weight from the body or from any particular part or area of the body; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Peggie Moran Company, Inc., et al., Docket 4415, July 7, 1942]

In the Matter of Peggie Moran Company, Inc., a Corporation, and Irene Johnston, Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence in support of the allegations of the complaint and in opposition thereto, taken before a Trial Examiner of the Commission theretofore duly designated by it, the report of the Trial Examiner upon the evidence and the exceptions to such report, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Peggie Moran Company, Inc., a corporation, and Irene Johnston, Inc., a corporation, and their officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondents' cosmetic product designated "Peggie Moran Savon", or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Acts, which advertisement represents, directly or by implication, that respondents' product possesses any value in the removal of excess flesh or excess weight from the body or from any particular part or area of the body.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' product, which advertisement contains any representation prohibited in paragraph 1 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6690; Filed, July 14, 1942; 11:28 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50678]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

FREE ENTRY, EFFECTS OF UNITED STATES PERSONNEL AND EVACUEES[1]

JULY 10, 1942.

Personal and household effects of certain classes of persons in the service of the United States, their families, and evacuees entitled to free entry under Public Law 633, approved June 27, 1942.

Public Law 633, approved June 27, 1942, to exempt from duty and tax the personal and household effects of persons evacuated to the United States under Government orders, and of certain classes of persons in the service of the United States, or of their families, is published below for your information and guidance:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, under such regulations as the Secretary of the Treasury may prescribe, the personal and household effects of any person in the service of the United States, or of his family, or of any person evacuated to the United States under Government orders, may be brought into the United States or any of its possessions, pursuant to Government orders or instructions,

[1] This document adds new section 8.26b in Title 19, Code of Federal Regulations.

without the payment of any duty or tax imposed upon, or by reason of, importation.

SEC. 2. This Act shall be effective with respect to articles entered for consumption or withdrawn from warehouse for consumption on or after December 8, 1941, and shall have no force or effect on or after the day following the proclamation of peace by the President. The free entry herein authorized shall apply to any effects described in section 1 which are in customs custody on the effective date of this Act, notwithstanding the provisions of sections 490 and 491 of the Tariff Act of 1930, as amended.

The following regulations are hereby promulgated pursuant to the provisions of section 1 of the Act:

§ 8.26b *Free entry of personal and household effects of certain classes of persons in the service of the United States, of their families, and of evacuees.* (a) Under Public Law 633, approved June 27, 1942, free entry may be accorded to the personal and household effects of any person evacuated to the United States under Government orders and to the personal and household effects of any person in the service of the United States, or of his family, which are forwarded to the United States by reason of Government instructions regarding the movement of the owner or the articles, whether or not the owner returns to this country.

(b) The Act does not apply to articles imported for sale, but the term "personal effects" as used therein is not confined to that class of articles described in the first provision of paragraph 1798, Tariff Act of 1930, as amended (U.S.C. 1940 ed., sec. 1201, par. 1798); nor is any period of use, such as is prescribed by paragraph 1632, Tariff Act of 1930 (U.S.C. 1940 ed., sec. 1201, par. 1632), applicable to household effects entered under this Act.

(c) All articles for which free entry is claimed under the Act shall be entered or withdrawn in accordance with the requirements prescribed by the Tariff Act of 1930. The Bureau has not prepared forms of declarations or certificates to be filed in connection with such entries or withdrawals. Collectors of customs shall, therefore, accord free entry under the statute upon the production of satisfactory proof that the articles are entitled to the benefit thereof.

(d) Certified or other invoices shall not be required for articles accorded free entry under the Act.

(e) The Act is effective with respect to articles entered, or withdrawn from warehouse, for consumption on and after December 8, 1941, and before the proclamation of peace by the President. Duties and taxes paid on articles entered or withdrawn on or after December 8, 1941, may therefore be refunded provided such refunds are not precluded by the provisions of section 514 or 520 (c) (2), Tariff Act of 1930, as amended (U.S.C. 1940 ed., title 19, §§ 1514, 1520 (c) (2)). (Secs. 431, 484, 498, 46 Stat. 719, 722, 728; 19 U.S.C. 1481, 1484, 1498.)

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6669; Filed, July 13, 1942; 4:22 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

FLATHEAD IRRIGATION DISTRICT

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

JUNE 23, 1942.

Section 130.24 of the Order, as amended by the Assistant Secretary of the Interior on June 3, 1941 (6 F.R. 2950), is further amended to read as follows:

§ 130.24 *Charges.* Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented by later contracts dated February 27, 1929, March 28, 1934, and August 26, 1936, notice is hereby given that an assessment of $68,200 is fixed for the season of 1943 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines of the Flathead Irrigation District. This assessment involves an area of approximately 68,260.5 acres, does not include any land held in trust for Indians, and covers all proper general charges and project overhead. (38 Stat. 583, 39 Stat. 142, 44 Stat. 945, 45 Stat. 210; 25 U.S.C. 385 and 387) [Regs. Asst. Sec. Int. June 3, 1941, 6 F.R. 2950, as amended Asst. Sec. Int. June 23, 1942]

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-6677; Filed, July 14, 1942; 10:10 a. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

MISSION IRRIGATION DISTRICT

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

JUNE 23, 1942.

Section 130.26 of the Order, as amended by the Assistant Secretary of the Interior on June 3, 1941 (6 F.R. 2951), is further amended to read as follows:

§ 130.26 *Charges.* Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as suplemented by later contracts dated June 2, 1934, and August 26, 1936, notice is hereby given that an assessment of $9,000 is fixed for the season of 1943 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines of the Mission Irrigation District. This assessment involves an area of approximately 11,600.1 acres, does not include any lands held in trust for Indians, and covers all proper general charges and project overhead. (38 Stat. 583, 39 Stat. 142, 45 Stat. 210, 46 Stat. 291; 25 U.S.C. 385 and 387) [Regs. Asst. Sec. Int. June 3, 1941, 6 F.R. 2951, as amended Asst. Sec. Int. June 23, 1942]

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-6678; Filed, July 14, 1942; 10:10 a. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

JOCKO VALLEY IRRIGATION DISTRICT

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

JUNE 23, 1942.

Section 130.28 of the Order, as amended by the Assistant Secretary of the Interior on June 3, 1941 (6 F.R. 2951), is further amended to read as follows:

§ 130.28 *Charges.* Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented by a later contract dated August 26, 1936, notice is hereby given that an assessment of $4,800 is fixed for the season of 1943 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines of the Jocko Valley Irrigation District. This assessment involves an area of 5,468 acres, does not include any land held in trust for Indians, and covers all proper general charges and project overhead. (38 Stat. 583, 39 Stat. 142, 45 Stat. 210, 46 Stat. 291; 25 U.S.C., 385 and 387) [Regs. Asst. Sec. Int. June 3, 1941, 6 FR. 2951, as amended Asst. Sec. Int. June 23, 1942.]

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-6679; Filed, July 14, 1942; 10:10 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

[Docket No. A-1325]

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of Bituminous Coal Consumers' Counsel for the establishment of the same price classifications and minimum prices for the coals produced at mines in Sub-District 4 of District 13 for shipments by river as are applicable to such coals for truck shipments.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Bituminous Coal Division by the Bituminous Coal Consumers' Counsel on February 17, 1942, requesting that the price schedules of District 13 be amended so as to permit shipments via the Tennessee River at the same f. o. b. mine prices as are now applicable for shipment by truck, and that pending a decision on the general question of river prices, immediate temporary relief be granted permitting all producers in Subdistrict 4 of District 13 to ship coal to the United States Government for use at the Huntsville Arsenal[1] at the same prices f. o. b. the mine as are now applicable for shipment by truck;

Petitions of intervention having been filed by District Boards 8, 9, and 13;

A hearing having been held on March 19, 1942, before a duly designated Examiner of the Division at a hearing room thereof in Chattanooga, Tennessee, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

Temporary relief having been granted in this matter by orders of the undersigned dated May 11, 1942, 7 F.R. 3535, and June 22, 1942, 7 F.R. 4703;

The parties having waived the preparation and filing of the Examiner's Report, the undersigned having made Findings of Fact, Conclusions of Law, and having rendered an Opinion in this matter, which are filed herewith;

It is therefore ordered, That effective seven (7) days from the date hereof, the Schedule of Effective Minimum Prices for District No. 13 for All Shipments Except Truck be, and the same hereby is amended by adding thereto Subdistrict No. 5 as follows:

1. Section 333.5 (*Identification of subdistrict numbers*) is hereby amended as follows:

All mines previously grouped in Subdistrict 3 and Subdistrict 4 be and they hereby are grouped also in Subdistrict 5 for the purpose of minimum prices for free alongside shipments via the Tennessee River; and

2. Sections 333.26 and 333.27 are hereby added to the Schedule as follows: By the addition of Supplement R–I, § 333.26 (*Prices for river (free alongside deliveries) and ex-river shipments*), and Supplement R–II, § 333.27 (*Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*), attached hereto and made a part hereof, providing for prices for river (free alongside deliveries) shipments on shipments of coal via the Tennessee River from mines in Subdistrict 5 to free alongside consumers in the States of Tennessee and Alabama.

It is further ordered, That all temporary relief hereto granted in this proceeding is terminated effective seven (7) days from the date hereof.

It is further ordered, That the relief is granted to the extent set forth above and in all other respects is denied.

Dated: July 9, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[1] The original petition makes reference only to the Huntsville Arsenal of the War Department of the United States Government. At the hearing the petitioner moved to amend the petition to include a prayer for relief for the Red Stone Ordnance Plant, a munitions unit of the War Department adjoining the arsenal. The motion was granted by the Examiner.

SCHEDULE OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

SUB-DISTRICT 5—TENNESSEE-GEORGIA

Special River Price Instructions and Exceptions—Supplement R–I

§ 333.26 *Prices for river (free alongside deliveries) and ex-river shipments*—(a) *Definition of river (free alongside) deliveries.* "River (free alongside) deliveries", as used in this Schedule, means:

(1) Deliveries in barges or other floating equipment alongside river docks or other barge unloading facilities to purchasers for consumption in their plants which adjoin such docks or other barge unloading facilities;

(2) Deliveries in barges or other floating equipment to purchasers for consumption on floating equipment operated by them;

(3) Deliveries in barges or other floating equipment alongside river docks or other barge unloading facilities to those retail dealers (not located in the Cincinnati, Louisville, Memphis, Chicago or Minneapolis-St. Paul areas as herein defined), for resale at retail, who operate such river docks or other barge unloading facilities and whose yard and storage facilities (in which the coal purchased free alongside is stored, when it is stored) adjoin such river docks or other barge unloading facilities; and

(4) Deliveries to any person at the mine or at a point nearer the mine than the river docks or other barge unloading facilities for transportation in barges or other floating equipment to a purchaser who takes free alongside delivery, within the meaning of paragraph (a) (1) or (a) (2) of this section.

(b) *Definition of ex-river deliveries.* "Ex-river deliveries", as used in this Schedule, means deliveries involving river transportation other than those defined in paragraph (a) of this section.

(c) *Special cases.* (1) Any code member or Consumers Counsel Division, on behalf of any consumer or retail dealer (which consumer or retail dealer falls within the definition of a purchaser of ex-river coal, as defined in paragraph (b) of this section, but who (i) in the past customarily purchased coal moving by river at such prices and under such conditions that the coal moving by river was not competitive with coal of comparable quality moving by rail, truck or ex-lake dock, or (ii) in the past regularly purchased coal moving by river at a savings over available prices for comparable coal moving by rail, truck, or ex-lake dock) may file a petition requesting that such consumer or retail dealer be enabled to purchase at the minimum f. o. b. mine prices for free alongside delivery; and the Division shall, after hearing and upon satisfactory showing, authorize the sale of river coal to such purchaser by one or more code members at minimum f. o. b. mine prices for free alongside delivery, subject to such conditions as may be necessary to accomplish the objectives of the Act and to maintain the prescribed minimum prices. Any such petition filed by a code member or Consumers Counsel Division, as herein provided, and the procedure subsequent thereto shall be governed by the rules and regulations governing the procedure in respect to applications under section 4 II (d) of the Bituminous Coal Act of 1937.

Similarly, any code member or Consumers Counsel Division may file a petition requesting appropriate relief on behalf of any consumer or retail dealer, who in the absence of established minimum f. o. b. mine prices and by virtue of some future development, would have customarily purchased coal moving by river at such prices and under such conditions that the coal moving by river would not be competitive with coal of comparable quality moving by rail, truck or ex-lake dock, or would have regularly purchased coal moving by river at a savings over available prices of comparable coal moving by rail, truck or ex-lake dock. Such future development may pertain to the location of the plan or facilities of the consumer or retail dealer, the cost of river transportation or other similar matters.

Any State or political subdivision of a State, which is a consumer of ex-river coal, may, on its own behalf, file petitions such as those which a code member or the Consumers Counsel Division may file, as above provided.

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–II

Code member index	Mine	Mine index No.	County	Seam	Lump: over 2" egg: top size over 3"	Egg: top size 3" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ⅞" and under	Stoker: top size ¾" and under, bottom size ⅜" and under	Straight and modified M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1¼" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ¾" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
Abeel, D. W.	Abeel	716	Marion	Soddy #10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Abraham, F. C.	F. C. Abraham	1054	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Adams, Chris	Adams	1135	Grundy	Sewanee	315	315	305	260	250	245	235	245	235	205	205	205	200	165	260
Adams, Chris	Hilltop	1242	Grundy	Sewanee	315	315	305	260	250	245	235	245	235	205	205	205	200	165	260
Adams, Chris		125	Marion	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	205	200	165	285
Ake Coal Co., Inc.	Ake	695	Hamilton	Soddy #5	305	305	295	250	240	220	225	225	225	205	205	195	190	155	260
Alexander, C. B.	Alexander	138	Hamilton	Soddy #7	315	315	305	260	250	220	235	235	235	205	205	195	190	155	260
Alexander, Tom J.	Whetstone	1085	Hamilton	Soddy #13	(†)	(†)	295	(†)	(†)	(†)	225	225	225	205	205	(†)	(†)	(†)	250
Alexander, Tom J.	Alexander	1129	Hamilton	Soddy #13	(†)	(†)	295	(†)	(†)	(†)	225	225	225	205	205	(†)	(†)	(†)	250
Alexander, Tom J.	Flat Top	866	Rhea	Nelson	(†)	(†)	295	(†)	(†)	(†)	235	235	235	205	205	195	190	(†)	270
Allison, E. L.	Allison				325	325	315	270	(†)	(†)									
Atchison Coal Co., Inc. c/o Jno. M. Smith	Bell	175	Bledsoe	Sewanee	305	305	300	255	250	245	235	235	235	210	210	200	190	155	255
Avery, Claude H.	Avery #1	1542	Dade	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Bailey, George W.	Bailey	1222	Dade	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Baker, J. D.	Baker	827	Van Buren	Sewanee	315	315	315	260	(†)	(†)	(†)	(†)	(†)	200	(†)	195	(†)	(†)	260
Barnes & Barnes (Cecil M. Barnes)	Barnes	1184	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	195	(†)	(†)	285
Barnes & McLain (J. R. McLain)	Suck Creek	696	Hamilton	No. 10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Barnes & McLain	Suck Creek #2	1, 234	Hamilton	No. 10	306	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Barnes & McLain	Hickman	1, 235	Hamilton	No. 10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Barnett, C. L. (C. L. Barnett Coal Company).	No. 12	91	Marion	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	195	175	140	284
Beam, Sam	Piney	1, 189	Van Buren	Sewanee	315	315	315	260	(†)	(†)	235	(†)	(†)	200	(†)	195	(†)	(†)	260
Bean, C. R.	Middle Creek	607	Hamilton	Soddy #10	306	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Blevins & Westmoreland (T. J. Blevins)	Westmoreland	709	Marion	Sewanee	(†)	(†)	305	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Bolton, Holland & Robertson (Frank Bolton).	Bolton & Holland	1, 359	Marion	Bluff	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Bolton & Rogers (James C. Bolton)	Sale Creek	1, 490	Hamilton	Pick	305	305	295	250	240	220	235	235	235	205	205	(†)	(†)	(†)	260
Brawley, E. K.	Brawley	1, 031	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	225	225	215	205	175	260
Breedlove, Bill	Raines	181	Dade	Etna	315	315	315	260	250	245	235	235	235	200	195	195	190	(†)	260
Brook, E. C.	Bee Fork	1505	Van Buren	Bon Air	315	315	315	260	(†)	(†)	235	(†)	(†)	200	195	(†)	(†)	(†)	260
Brook, E. C.	Robinson Springs	1034	Van Buren	Sewanee	315	315	315	260	250	245	235	235	235	205	205	195	175	140	285
Brook, E. C.	Rocky Branch	1405	Van Buren	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	(†)	(†)	(†)	260
Brown, G. M.	No. 10 Hill	1079	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	195	(†)	(†)	260
Buchanan, Blaine (Sims Neck Coal Co.).	Sims Neck	1042	Hamilton	Soddy #10	305	305	295	250	(†)	(†)	225	225	225	205	205	195	(†)	(†)	250
Cagle & Gruesback	Pocahontas	79	Bledsoe	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	284
Cain, George D.	Cain	1227	Sequatchie	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Cain, George D.	Cain #2	1537	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Cain, George D.	Mays	711	Marion	#10	(†)	(†)	295	250	(†)	(†)	225	225	225	205	205	205	(†)	(†)	250
Cain & Mattinger	Kilgore	1140	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	205	(†)	(†)	260
Caldwell, Herbert	Levan	717	Marion	Sewanee #7	315	315	305	260	250	245	235	235	235	205	205	195	190	155	260
Caldwell, Howard	Turner	892	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Caldwell, Virgil	Cantrell	1220	Marion	Bluff	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Cantrell, C. J.	Cantrell	974	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Cantrell, C. J.	Cantrell	712	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Cantrell, William A.	Carrick	901	Grundy	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Carrick, Baxter	Consolidated C. Co.	1186	Grundy	Sewanee	315	315	305	260	250	245	235	235	235	205	205	195	190	155	260
Carrick, Jack	Chicamauga	705	Hamilton	Soddy No. 7	315	315	305	260	250	220	225	225	225	205	205	195	190	155	260
Chicamauga Coal Co.		1298	Hamilton	Soddy No. 10	305	305	295	250	240	220	225	225	225	205	205	(†)	(†)	(†)	260
Chicamauga Coal Co.		1089	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	205	200	165	260
Church, John	John Church	1262	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	(†)	(†)	(†)	260
Church, John	John Church #2		Marion	Sewanee	(†)	(†)	305	(†)	(†)	(†)	235	235	235	215	215	205	200	165	265
Church, Martin	Martin Church		Grundy	Sewanee	305	305	300	255	250	245	235	235	235	205	205	205	200	165	260
Coalmont Coal & Coke Company	Coalmont	96	Grundy	Sewanee	315	315	305	260	250	245	235	235	235	205	205	195	190	155	260
Conry, Oscar	Conry	1114	Grundy	Sewanee	305	305	295	250	240	220	235	235	235	205	205	195	190	155	260
Cox, Charles J.	Shadrick	891	Hamilton	Soddy #12	(†)	(†)	305	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	265
Craig, N. A.	Craig's	740	Walker	#1 Durham	315	315	315	260	250	245	235	235	235	200	195	195	190	155	260
Cumberland Mt. Coal Co.		1434	Warren	Bon Air	315	315	315	260	(†)	(†)	235	(†)	(†)	200	195	(†)	(†)	(†)	260
Cumberland Mountain Coal Co.	Rhodes Coal Bank	1092	Van Buren	Bon Air	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Dalton, Billie	Bolton	1082	Marion	Bluff	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–II—Continued

Code member index	Mine	Mine index No.	County	Seam	Lump: over 2" egg: top size over 3"	Egg: top size 3" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ⅞" and under	Stoker: top size ¾" and under, bottom size ⅜" and under	Straight and modified M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1¼" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ¾" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA —continued																			
Dalton, David Crockett	Dalton	944	Marion	Bluff	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Dick, T. M.	Brown	889	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Dicks Coal Mining Company (L. T. Dicks).	Dick's	700	Hamilton	Walden's Ridge #10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Dunwoody, Jim	Dunwoody	145	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	285
Dunwoody, Jim	Patton	1185	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	285
Durham Coals, Inc.	Durham	92	Walker	No. 4 & No. 5	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Edgeman, Roberts, Saints & Roberts (William G. Lusk).	Lusk	1361	Sequatchie	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Eldridge, Walter H.		1083	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Ellis & Collins (Geo. Ellis)	Hunziker	1017	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	205	(†)	(†)	260
Etna Coal & Coke Company, Inc.	Etna #2	713	Marion	Etna	(†)	(†)	305	(†)	(†)	(†)	235	235	235	225	225	(†)	(†)	(†)	260
Floyd, John Early	Floyd	913	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Fultz, E. D.	Fultz	1127	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Gables, F. R. (Dicks Coal Mining Co).	Gables	1281	Hamilton	No. 10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Garner, D. W.	Garner	177	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	285
Gillen, Fred A.	Bear Creek	739	Walker	Durham	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Glade Creek Coal Co.	Hart No. 2	732	Van Buren	Sewanee	315	315	315	260	240	(†)	235	(†)	(†)	200	(†)	195	(†)	155	260
Glen Mining Co., Mary	Brandon	810	Hamilton	Soddy #12	305	305	295	250	240	220	235	235	235	205	205	195	190	155	250
Goforth, E. L.	Bryant	853	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Goforth, E. L.	Goforth	714	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Goforth, E. L.	Morrison	847	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Goforth, E. L.	Goforth #3	1293	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Goforth, J. H.	Goforth	1062	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Goforth, J. H.	Stone Coal Bank No. 2	1344	Sequatchie	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Goodson, W. B.	Nix Coal Co.	1119	Hamilton	Soddy #1			295	250	(†)	(†)	225	225	225	205	205	195	(†)	(†)	250
Gothard, D. L.	Card Coal Co.	698	Hamilton	Soddy #7	315	315	305	260	250	220	235	235	235	205	205	195	190	155	260
Gothard, Elsea & Alexander		701	Hamilton	Soddy #13	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Graham, Homer	Cannon	159	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Graham, Homer	Graham	1051	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Grant & Mayes (Joe Grant)	Rankins	818	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Griffith Coal Co.	Rounsavill #2	1304	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Griffith Coal Company	Griffith	1063	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Griffith Coal Co. (H. A. Griffith)	Griffith No. 2	1339	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Griffith, H. A. (Griffith Coal Co.)	Griffith #3	1552	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Grimes, J. F.	Prior Ridge	1161	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Guess, J. C.	Battle Creek	1206	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	285
Hampton, W. H.	Hampton	975	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Hannah, C. J.	C. J. Hannah	912	Hamilton	#10	305	305	295	250	(†)	(†)	225	225	225	205	195	(†)	(†)	(†)	250
Harris, Albert	John's Ridge	1146	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	205	(†)	(†)	260
Hartman, W. C.	Hartman	825	Sequatchie	#10	305	305	295	250	(†)	(†)	225	225	225	205	205	195	(†)	(†)	250
Henderson, A. L.	Floyd Tract—Pocket	1535	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Henry Bros. (Clarence Henry)	Henry Bros.	1452	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Higgins, Howard	Higgins	812	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Hill, Phillip	Hill	1025	Hamilton	#9	305	305	295	250	(†)	(†)	225	225	225	205	205	195	(†)	(†)	250
Hitchcox, Cecil	Bob Bell	689	Bledsoe	Bluff	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Hodge & Narramore (R. L. Hodge)	Hodge	1013	Van Buren	Sewanee	315	315	315	260	(†)	(†)	235	(†)	(†)	200	(†)	195	(†)	(†)	260
Hogwood & Bailey	Hogwood & Bailey	813	Marion	Bluff	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Hobler, W. A.	Rawlston	1195	Marion	Soft (Bottom)	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Holland, John	Holland	811	Marion	Top	340	340	330	260	250	245	235	235	235	205	205	195	175	140	285
Holland & Wallace	Murphy	738	Dade	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Hughes, N. B.	Hughes	715	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	285
Hunt, C. N.	Hunt	1513	Hamilton	No. 12	305	305	295	250	240	220	235	235	235	205	205	195	190	155	260
Hunziker, C. P.	Hunziker No. 1	1310	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Jenkins, W. R.	Jenkins #2	1406	Dade	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Johnson Creek Coal Co.	White	1303	Sequatchie	Sewanee #2	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Johnson, Joe	Dee Johnson	1050	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Jones, W. W.	Jones	951	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Kelly, Joe A.		1113	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Knight & Jackson	Pat O'Brien	830	Dade	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Layne, Amos	Dykes Hollow	1540	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Layne, Edd	Lake Point	1210	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Layne, Estel	Dunkins #2	978	Sequatchie	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–II—Continued

Code member index	Mine	Mine index No.	County	Seam	Lump: over 2" egg: top size over 5"	Egg: top size 5" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ⅓" and under	Stoker: top size ¾" and under, bottom size ¾" and under	Straight and modified M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ½" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA—continued																			
Rector, Marvin	Raulston	849	Marion	Top	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Reynolds, Henry E	Reynolds	946	Marion	Bolton	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Rice, Mack P	Boldin Branch	925	Van Buren	Sewanee	315	315	315	260	(†)	(†)	235	(†)	(†)	200	(†)	195	(†)	(†)	260
Ridley, Cecil R	Ridley #10	1191	Marion	Battle Creek	(†)	(†)	330	(†)	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	285
Ringer, B. F		26	Dade	Old Dade	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Roberson, D. F	Dennis F Roberson	820	Marion	Bluff	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Roberson Fork Coal Co. (R. H. Anderson).	Sexton	730	Sequatchie	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Roberson, Hy	By Roberson	821	Marion	Bluff	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Roberts, John	Robert's Mine	1144	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	205	(†)	(†)	260
Rollins, J. F	Rollins	1299	Marion	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	195	175	140	285
Rounsavill, Clyd	Rounsavill	865	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Rounsavill, Clyd	Rounsavill #3	1265	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Sackrider, H. A	Watts Bar Coal Mine	1346	Rhea	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Sanders, Herman	Sanders	1070	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Sanders, Lawrence	Lawrence Sanders	831	Dade	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Scarborough & Clark	Scarborough	741	Walker	#4 Durham	(†)	(†)	305	(†)	(†)	(†)	235	235	235	225	225	(†)	(†)	(†)	260
Schlageter, Roy Lee	Brown	1159	Hamilton	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Scisson, Henry	Scisson	857	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Sears, Frank	C. M. W. #2	1430	Marion	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Sequatchie Coal Co	Sequatchie	731	Sequatchie	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Sewanee Fuel & Iron Company of Tennessee.	Nyack	94	Grundy	Sewanee	315	315	305	260	250	245	235	235	235	215	215	205	200	165	260
Shaderick, C. H	Shaderick	722	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Shaderick & Cookston	Shaderick & Cookston	898	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Shadwick, John	Middle Ridge	151	Hamilton	No. 10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Shoemake, C. J	Shoemake	900	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Shook, James R	Big Ridge	873	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Shook, James R	Shook #2	1, 266	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Shrum, A. P	Shrum	894	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Simmons, Arthur	Simmons	1, 020	Van Buren	Sewanee	315	315	315	260	(†)	(†)	235	(†)	(†)	205	(†)	195	(†)	(†)	260
Simmons, S	Simmons Mine	801	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Sitz & Sons, William	Pine Ridge	860	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Slatten, Luther	Harris	1, 091	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Small & Mansfield (I. A. Small)	Graysville	727	Rhea	#5 Sewanee	305	305	295	250	240	235	235	235	235	205	205	195	190	155	250
Smith, Briggs	Metz	690	Bledsoe	Sewanee	315	315	305	260	250	245	235	235	235	205	205	200	190	155	260
South Pittsburg Coal Company	So. Pittsburg	723	Marion	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	195	175	140	285
Spangler, D. S	Spangler	706	Hamilton	Soddy #10	(†)	(†)	295	250	(†)	(†)	225	225	225	205	205	195	(†)	(†)	250
Stansbury & Stansbury (A. H. Stansbury).	Stansbury	1348	Marion	Etna & #7	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Stansbury & Stansbury (A. H. Stansbury).	Stansbury #2	1504	Marion	Etna #3	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Summers & Ladd (Robert Summers)	Brown	710	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Sunshine Coal & Coke Co	Hudson	815	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Sunshine Coal & Coke Co	Signal Mt	707	Hamilton	Soddy #10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Sunshine Coal & Coke Co	Sun-Whitwell	724	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Sunshine Coal & Coke Co	"Sun-Gle" Group	1097	Sequatchie	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Sunshine Coal & Coke Co., c/o Moe B. Flanigan.	Elbert Tate	1602	Sequatchie	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Tate, Ed	Tate	1043	Sequatchie	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	205	(†)	(†)	260
Tate & Johnson Coal Co. (R. L. Tate)	Tate & Johnson	822	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Tate, Will	Tate	823	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Tennessee Consolidated Coal Company.	Palmer	93	Grundy	Sewanee	315	315	305	260	250	245	235	235	235	215	215	205	200	165	260
Tennessee Products Corporation	Whitwell	95	Marion	Sewanee	315	315	305	260	250	245	235	235	235	215	215	205	200	165	260
Tennessee River Coal Co	Waterfall	1509	Rhea	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Tennessee River Coal Co., The	Cumberland	728	Rhea	Nelson	325	325	315	270	260	255	235	235	235	205	205	195	190	155	270
Thomas, H. R	H. R. Thomas	708	Hamilton	Soddy #10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
Thomas, J. W	Thomas	921	Grundy	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	(†)	(†)	260
Thomas, Virgil C	Virgil C. Thomas	907	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Thomas, Virgil C	Virgil Thomas No. 2	1530	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Trussell, Oscar	Trussell #1	850	Marion	Sewanee	315	315	305	260	(†)	(†)	235	235	235	205	205	(†)	200	(†)	260
Trussell, Oscar	Trussell #2	1267	Marion	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260

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Code member index	Mine	Mine index No.	County	Seam	Lump: over 2", exc. top size over 5"	Egg: top size 5", and under, bottom size 2", and under	Lump: 2" and under	Nut: top size 2", and under, bottom size 1" and under	Stoker: top size 1½", and under, bottom size ¾" and under	Stoker: top size ¾", and under, bottom size ¼" and under	Steam: mod- ified M/R	Resultants: 6" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: ¾" and under	Screenings: ¾" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA—continued																			
Trussell, Oscar	Trussell #1	1341	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Trussell, Oscar	Trussell #4	1342	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Trussell, Oscar	Trussell #5	1341	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Tuder, J. J	Tuder	1734	Marion	Sewanee #3	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Turner, Jim	Turner	724	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Vaughn, Layne & Sullivan	Cumberland Mt. Coal Co.	1155	Sequatchie	Sewanee	315	(1)	305	290	(1)	(1)	235	235	235	205	205	205	200	165	200
Walden, Lee	Walden	742	Walker, Ga.	Durham	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Waldens Ridge Coal Corp	Daisy	929	Hamilton	#10	305	305	305	290	250	245	235	235	235	205	205	205	200	165	200
Walker, Paul	Lefford	1702	Hamilton	No. 12	305	305	305	290	250	245	235	235	235	205	205	205	200	165	200
Wallace, L. E	Wallace	1982	Rhea	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Wallace, Leonard	Wallace	1160	Dade, Ga.	Elna	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Weaver & Medley (J. W. Weaver)	Weaver & Medley	1304	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Webb Coal Co. (Forrester Webb)	Webb	1496	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Werner Lumber Co., Sam (Rosalie Werner)	Werner	726	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Westmoreland, J. C. Manning (Morris Westmoreland)	Jenkins	844	Marion	Elna	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Whitlow, W. T	Whitlow	1498	Marion	Sewanee	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Williams, George	Elliott & Wallace	1778	Marion	Elna	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Wilson, Curtis W	Curcton	1153	Marion	Hattie Creek	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Yokley, George	Moutlake	180	Hamilton	Nos. 10 and 5	305	305	305	290	250	245	235	235	235	205	205	205	200	165	200
Yother & Sons	Stob	1017	Hamilton	#7	315	315	305	290	250	245	235	235	235	205	205	205	200	165	200
Yother & Sons	Murphy	1033	Hamilton	#5	305	305	305	290	250	245	235	235	235	205	205	205	200	165	200

(1) Indicates no classification effective for these size groups.

NOTE 1: *Seasonal discounts.* Seasonal discounts for domestic coal as provided in Price Instructions and Exceptions may be applied to the prices for free alongside delivery, as hereinbefore defined, there shall be added to the f. o. b. mine price not less than a reasonable charge for rail, truck, river or other transportation and handled to the point at which the purchaser takes possession of the coal. The reasonableness of the charge at any given time shall be determined with due regard to the light of the charges then currently quoted or used by competing river transporters and others rendering similar services.

NOTE 2: Transportation charges for domestic delivery, as hereinbefore defined, shall be added to the f. o. b. mine price not less than a reasonable charge for rail, truck, river or other transportation and handled to

NOTE 3: For sizes included see Size Group Table, § 333.22.

[F. R. Doc. 42-6640; Filed, July 13, 1942; 10:31 a. m.]

[Docket No. A-1392]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER CORRECTING TYPOGRAPHICAL ERROR

Order correcting typographical error in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

In Supplement R–I, § 328.11 (*Alphabetical list of code members*) attached to and made a part of an Order Granting Temporary Relief and Conditionally Providing for Final Relief issued May 6, 1942, 7 F. R. 3872, in the above-entitled matter, the mine index number of the Calora Mine of The Sampson Elkhorn Coal Co. was inadvertently printed as Mine Index No. 446. It appears that this is a typographical error, that the correct mine index number for the Calora Mine is Mine Index No. 466, and that it should so appear in the above-mentioned Supplement R.

Accordingly it so ordered.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-6683; Filed, July 14, 1942; 10:36 a. m.]

[Docket No. A-1534]

PART 337—MINIMUM PRICE SCHEDULE, DISTRICT NO. 17

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 17 for establishment of price classifications and minimum prices for certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced at certain mines in District No. 17;

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 337.4 (*Code member price index*) § 337.5 (*General prices; minimum for shipment via rail transportation*) and § 337.21 (General *prices in cents per net ton for shipment into all market areas*) in the Schedules of Effective Minimum Prices for District No. 17 for All Shipments Except Truck and for Truck Shipments are supplemented to include for the coals produced at the Koehler Mine (Mine Index No. 518) of code member St. Louis, Rocky Mountain and Pacific Company located in Colfax County in the State of New Mexico in Subdistrict 9 in District No. 17, with rail shipping point at Koehler, New Mexico on the Atchison, Topeka & Santa Fe Railway with Freight Origin Group No. 90, price classifications and minimum prices in cents per net ton f. o. b. the transportation facilities at the mine as follows:

For Shipments Via Rail Transportation The price classifications and minimum prices set forth in § 337.5 in that Schedule, as amended, applicable to the coals produced in Subdistrict 9 by all other code members except the coals of the Sugarite Mine of that Company.

FOR SHIPMENT BY TRUCK

Size groups	1	2	3	4	5	6	7
Prices	430	420	400	400	375	375	365

Size groups	8	9	10	11	13	17
Prices	360	350	315	250	225	340

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein with respect to the coals produced at the Sun Mine (Mine Index No. 515) of code member Thomas E. Barton for the reason that the price classifications and minimum prices requested for such coals were established in the Order Granting Temporary Relief and Conditionally Providing for Final Relief entered on June 23, 1942, 7 F.R. 5042, in Docket No. A–1486.

Dated July 11, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-6682; Filed, July 14, 1942; 10:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[W.P.B. Regulation No. 1]

DELEGATING POWERS WITH RESPECT TO PRIORITIES TO DIRECTOR GENERAL FOR OPERATIONS; AND RATIFYING ACTIONS OF DIRECTOR OF PRIORITIES AND DIRECTOR OF INDUSTRY OPERATIONS

Section 903.0, War Production Board Regulation No. 1,[1] is hereby amended to read as follows:

[1] 7 F.R. 561, 2126, 4155.

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9040 of January 24, 1942, and Executive Order No. 9125 of April 7, 1942, the following regulation is hereby issued:

§ 903.0 *Regulation No. 1.* (a) (1) The Director General for Operations shall perform the functions and exercise all the powers, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and by the Act of March 27, 1942, including the power of the Chairman of the War Production Board under paragraph (e) of Directive No. 1[2] of the War Production Board (§ 903.1) to delegate to the Office of Price Administration additional powers with respect to the exercise of rationing control and to amend the delegation with respect thereto contained in said Directive No. 1.

(2) The Director General for Operations shall review, clear and approve for execution all requests or proposals originating from other Federal agencies, private industry, or other sources for priority action with respect to the procurement, production, transmission or transportation of materials, articles, power, fuel, and other commodities; issue or provide for the issuance of all priority orders, warrants, certificates or ratings with respect to the supply, production, transmission or transportation of materials, articles, power, fuel, and other commodities, and, with reference to specific priority authorities vested by law in established departments and agencies of the Government, certify to such departments and agencies, when he deems such action necessary to the most effective prosecution of war procurement and production, that preferential treatment is essential for certain materials, commodities, facilities or services.

(3) The Director General for Operations shall, in consultation with the United States Maritime Commission, determine when, to what extent, and in what manner, priorities shall be accorded to deliveries of material as provided in section 2 (a) (3) of Public No. 46, 77th Congress, First Session, entitled "An Act to Make Emergency Provision for Certain Activities of the United States Maritime Commission, and for Other Purposes," approved May 2, 1941. Deliveries of material shall take priority as provided in said Act in accordance with such determinations and the orders issued in pursuance thereof by the Director General for Operations.

(4) The Director General for Operations shall perform the functions and exercise all the powers, authority and discretion conferred upon the Chairman of the War Production Board by Executive Orders 8942,[3] 9024, 9040, and 9138,[4] under the Act of October 10, 1940, as amended, and the Act of October 16, 1941, as amended, except the power, authority and discretion conferred upon the Chairman of the War Production Board by paragraph 1b of Executive Order 9040 to establish policies and to

[2] 7 F.R. 562.

[3] 6 F.R. 5909.

[4] 7 F.R. 2919.

issue rules and regulations with respect to requisitioning under said Acts.

(b) The Director General for Operations may exercise the powers, authority and discretion conferred upon him by this regulation through such officers of the War Production Board and such other officials of the Government (including the Contracting and Procurement Officers and Inspectors of the War and Navy Departments) and in such manner as he may determine.

(c) All existing rules, regulations, orders, directions, certificates and other actions of the Director of Industry Operations or of his predecessor, the Director of Priorities of the Office of Production Management, are hereby ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended, and any references therein or in any rule, regulation, order, direction, certificate or other action hereafter issued or taken, to the Director of Industry Operations, or to his predecessor, the Director of Priorities, shall be deemed to be references to the Director General for Operations. Any such rules, regulations, orders, directions, certificates and other actions hereafter issued or taken in the name of the Director of Industry Operations in any manner heretofore authorized shall be valid for all purposes to the same extent as if issued or taken in the name of the Director General for Operations, unless such authorization shall have been specifically revoked. (E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, Apr. 7, 1942, 7 F.R. 2719; sec. 2 (a), Pub. No. 671, 76th Cong., 3d sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2d sess.; W.P.B. Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended Mar. 14, 1942, 7 F.R. 2126)

Issued this 9th day of July 1942.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 42-6681; Filed, July 14, 1942; 10:12 a. m.]

Subchapter B—Division of Industry Operations

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-26, as Amended July 14, 1942]

RESTRICTION OF PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

Section 1029.1 *Limitation Order L-26*,[1] as amended, is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following Order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1029.1 *Limitation Order L-26*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, corporation, or other form of enterprise.

(2) "Producer" means any person engaged in the manufacture of farm machinery and equipment or of attachments and repair parts for farm machinery and equipment.

(3) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements used for the production or care of crops, livestock, or other produce on a farm (or elsewhere in the case of poultry) including irrigation and drainage equipment, horseshoes, horseshoe nails and harness hardware, but excluding attachments and repair parts for farm machinery and equipment and also excluding all of the following: Tracklaying type tractors, hand tools other than those listed on Schedule A described below, special equipment ordered by the United States Department of Agriculture, buildings and repairs thereto, fencing, poultry nettings and wire, gates or wire fencing, bale ties or straps, well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

(4) "Attachments and repair parts" means all types of attachments to and all types of parts customarily used in conjunction with farm machinery and equipment or for the repair thereof.

(5) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(6) "Schedule A" means either that schedule of quota percentages (originally issued December 31, 1941) designated as "Schedule A," attached hereto and made a part hereof, as amended from time to time, or "Schedule A-1" (originally issued March 30, 1942) attached hereto and made a part hereof, as amended from time to time: *Provided*, That:

(i) To be entitled to use the percentages set forth in said Schedule A-1, a producer shall file with the War Production Board prior to March 30, 1942, his election to do so;

(ii) If such election is filed, a producer shall use only those percentages set forth in said Schedule A-1, and that if no such election is filed, a producer shall use only those percentages set forth in said Schedule A; and

(iii) Nothing in said Schedule A-1 shall entitle a producer to use an amount of any material in excess of the amount he would be entitled to use if limited to the percentages set forth in said Schedule A.

(c) *General restrictions.* (1) During the period November 1, 1941, to October 31, 1942, inclusive, no producer shall:

(i) For sale in the Continental United States, manufacture a number of any item of farm machinery and equipment listed in Schedule A in excess of that number obtained by multiplying the quota percentage designated in Schedule A for such item by the number produced by said producer during the calendar year 1940 or sold by him during such calendar year (whichever basis said producer may choose but the basis chosen shall be applied to all farm machinery and equipment manufactured by him): *Provided, however*, That wherever Schedule A lists an item of farm machinery and equipment but in lieu of a quota percentage lists producers by name and their respective quotas by number of units, no such producer shall maufacture more than his respective quota number of such item and a producer not named shall not manufacture any of such item.

(ii) For sale in the Continental United States, use in the production of attachments and repair parts listed in Schedule A, an amount of any material in excess of that amount obtained by multiplying the quota percentage designated in Schedule A for each item of attachments and repair parts by the amount of that material used by said producer in the production of such attachments and repair parts during the calendar year 1940, or so used in such attachments and repair parts sold by him during such calendar year (whichever basis said producer may choose, but the basis chosen shall be applied to all attachments and repair parts manufactured by him), the amount of material being determined by the net weight of each such material physically incorporated in the final product plus a reasonable minimum allowance for loss in any and all stages of the process of manufacture.

(iii) Manufacture for shipment, or ship:

(*a*) To all foreign countries (except Canada), including territories and possessions of the United States, a quantity of farm machinery and equipment and attachments and repair parts in the aggregate in excess of 112% of the net shipping weight of the total quantity thereof manufactured by said producer during the calendar year 1940 for shipment to those countries (in the aggregate) which are listed in Schedule B-1, attached hereto and made a part hereof, as amended from time to time; or

(*b*) To Canada a number of any class or type of farm machinery and equipment and attachments and repair parts (as listed in Schedule B-2 attached hereto and made a part hereof, as amended from time to time) in excess of that number obtained by multiplying the quota percentage designated in said Schedule B-2 for such class or type by the number shipped by said producer to Canada during the calendar year 1940.

Provided, That each said producer shall file reports on all such shipments as required by paragraph (f) (2); and *Provided further*, That this order and all transactions affected thereby shall be subject to all rules and regulations governing export control issued by the Board of Economic Warfare pursuant to the powers and functions vested therein by section (1) (a) (1) of the Executive Order No. 8900 of September 15, 1941, as amended; to the "Proclaimed List of Certain Blocked Nationals" issued from time to time pursuant to the authority contained in Proclamation No. 2497 of July 17, 1941; and to the rules and regulations of all Government departments which may be now or hereafter authorized to regulate exports to foreign countries.

(iv) Sell in the continental United States, or export to foreign countries or to territories and possessions of the United States including the Philippine Islands, any farm machinery and equipment or attachments and repair parts which is in excess of the quantities authorized to be manufactured for such sale or export by the provisions of (i), (ii) and (iii) above: *Provided*, That nothing herein shall prevent the sale or export by such producer of any farm machinery and equipment or attachments and repair parts which were completely manufactured or completely fabricated and ready for shipment in knockdown form on October 31, 1941.

(2) Every producer shall wherever possible use conservation measures, such as substitution, redesign, and respecification, to eliminate scarce material normally used; and shall plan his production schedule in accordance with the relative urgency and national need for different kinds of farm machinery and equipment and attachments and repair parts, subject to the provisions of this order. The War Production Board may from time to time require the elimination or diminution of the use of any material, with or without the substitution of other materials, and may specify the use in the manufacture of farm machinery and equipment and attachments and repair parts to which specific types of material can be put.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than 2 years accurate and complete records concerning inventories, purchases, production, and sales.

(e) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* (1) All persons affected by this order as amended shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer affected by paragraph (c) (1) (iii) of this Order as amended shall file:

(i) By the 10th day after May 18, 1942, a report on Form PD-388 of his shipments during the calendar years 1940 and 1941 to each country listed in Schedule B-1 (and to Canada), to which he made such shipments during those years, and also of his shipments during the calendar months of November 1941, December 1941, January 1942, February 1942, March 1942, and April 1942, to each foreign country (including Canada and all countries listed on Schedule B-1), and

(ii) By the 10th day of each month thereafter a report on Form PD-387 of his shipments during the preceding month (starting with May 1942) to each such foreign country.

(g) *Violations.* Any person who wilfully violates any provision of this Order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such Person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(i) *Communications.* All reports to be filed, appeals and other communications concerning this order shall be addressed to the War Production Board, Farm Machinery and Equipment Branch, Washington, D. C., Ref.: L-26.

(j) *Revocation or modification.* This order and Schedule A may be revoked, amended, or modified by the War Production Board at any time as to all or any one or more producers affected hereby, and by special directions issued to any producer, the War Production Board may change any quota of such producer.

(k) *Expiration date.* This order shall expire November 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

SCHEDULE A[1]

FARM MACHINERY AND EQUIPMENT BRANCH, DIVISION OF INDUSTRY OPERATIONS, WAR PRODUCTION BOARD

Quotas for the Production of Farm Machinery, Equipment, Attachments and Parts Therefor for Use in the United States for the Manufacturing Year November 1, 1941, to October 31, 1942

NOTE: Quotas are expressed as percentages of each manufacturer's products for the 1940 calendar year. Each manufacturer may apply the percentages either to his total production or total sales, as he may elect, but must adhere to whichever method is chosen for all items in his line.

[1] Originally issued December 31, 1941.

[1] 7 F.R. 34, 2504, 2787, 3713, 4647.

Group 1: Planting, Seeding and Fertilizing Machinery

	Quota (percent)
Division 1: Corn planters	
Item 1. One horse single row	35
2. Two row horse drawn	63
3. Two row, tractor drawn or mounted	100
4. Three and four row tractor drawn	84
Division 2: Combination corn and cotton planters	
Item 1. One horse single row	66
2. Two horse single row	87
3. Two row, horse drawn	62
4. Two row tractor drawn or mounted	178
5. Three and four row, horse or tractor drawn	58
Division 3: Potato planters	
Item 1. Horse or tractor drawn	72
Division 4: Transplanters	
Item 1. One and two row, horse or tractor drawn	124
Division 5: Listers with planting attachments	
Item 1. One row horse or tractor drawn	194
2. Two row horse or tractor drawn	80
Division 6: Beet drills	
Item 1. Horse or tractor drawn	100
Division 7: Grain drills	
Item 1. Horse or tractor drawn	73
Division 8: Garden planters	
Item 1. Hand	104
2. Horse or tractor drawn	121
Division 9: Broadcast seeders	
Item 1. Wheel, horse drawn	68
2. Endgate	72
3. Hand (wheelbarrow and other)	100
Division 10: Fertilizing distributors	
Item 1. Horse or tractor drawn	83
Division 11: Lime spreaders (sowers)	
Item 1. Wheel type, horse or tractor drawn	82
2. Endgate type	99
Division 12: Manure spreaders	
Item 1. Four wheel horse or tractor drawn	99
2. Two wheel, tractor drawn	107
Division 13: Other planting, seeding and fertilizing machinery	
Item 1. Other planting, seeding and fertilizing machinery expressed in terms of total weight of all metals and rubber	88
Division 14: attachments and parts	
Item 1. Attachments and parts for all items in Group No. 1 expressed in terms of total weight of all metals and rubber	140

Group 2: Plows and Listers

Division 1: Moldboard plows	
Item 1. Horse drawn, walking one horse	
Type 1. Steel bottom	64
2. Chilled bottom	60
Item 2. Walking, two horse and larger	68
3. Sulky, one bottom	63
4. Gang, two bottom and larger	52
5. Tractor drawn or mounted	
Type 1. One bottom	82
2. Two bottom	72
3. Three bottom	57
4. Four bottom	34
5. Five bottom and larger	30
Division 2: Disc plows, horse drawn	
Item 1. Single disc and larger	73
Division 3: Disc plows, tractor drawn	
Item 1. Two disc	72
2. Three disc	73
3. Four disc	57
4. Five disc	73
5. Six disc and larger	71

Group 2: Plows and Listers—Continued

	Quota (percent)
Division 4: One way disc plows or tillers	
Item 1. One way disc plows or tillers	67
Division 5: Listers (middle busters without planting attachment)	
Item 1. One row, horse or tractor drawn	67
2. Two row horse or tractor drawn	8
Division 6: Subsoil plows	
Item 1. Subsoil plows	50
Division 7: Plowstocks	
Item 1. Plowstocks	72
Division 8: Steel plow shapes or shares	
Item 1. Steel plow shapes or shares and other plows and listers expressed in terms of total weight of all metals and rubber	140
Division 9: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 2 expressed in terms of total weight of all metals and rubber	140

Group 3: Harrows, Rollers, Pulverizers and Stalk Cutters

Division 1: Harrows	
Item 1. Spike tooth sections, horse or tractor drawn	71
2. Spring tooth sections, horse or tractor drawn	73
3. Disc Harrows	78
Division 2: Smooth land rollers	
Item 1. Smooth land rollers	61
Division 3: Soil pulverizers and packers	
Item 1. Soil pulverizers and packers	67
Division 4: Stalk cutters	
Item 1. Stalk cutters	89
Division 5: Other harrows and rollers	
Item 1. Other harrows and rollers expressed in terms of total weight of all metals and rubber	72
Division 6: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 3 expressed in terms of total weight of all metals and rubber	120

Group 4: Cultivators and Weeders

Division 1: Cultivators	
Item 1. Horse drawn	
Type 1. One horse (all types)	68
2. One row, walking (two horse)	74
3. One row, riding (two horse)	48
4. Two row riding	61
Item 2. Tractor drawn or mounted	
Type 1. One row tractor drawn or mounted	90
2. Two row tractor drawn or mounted	
3. Three and four row tractor drawn or mounted	70
4. Five and six row tractor drawn or mounted	62
Item 3. Beet Cultivators, horse or tractor drawn or mounted	100
4. Field cultivators, horse or tractor drawn	77
5. Garden Cultivators (hand)	111
Division 2: Rotary hoes, horse or tractor drawn	
Item 1. Rotary hoes, horse or tractor drawn	69
Division 3. Rod weeders, horse or tractor drawn	
Item 1. Rod weeders, horse or tractor drawn	71
Division 4: Other cultivators and weeders	
Item 1. Other cultivators and weeders expressed in terms of total weight of all metals and rubber	98

Group 4: Cultivators and Weeders—Continued

	Quota (percent)
Division 5: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 4 expressed in terms of total weight of all metals and rubber	150

Group 5: Harvesting Machinery

Division 1: Grain binders	
Item 1. Grain binders	75
Division 2: Rice binders	
Item 1. Rice binders	100
Division 3: Combines (harvester-threshers)	
Item 1. Width of cut, 6 feet and under	92
2. Width of cut, over 6 feet, including 10 feet	56
3. Width of cut, over 10 feet	75
Division 4: Corn binders	
Item 1. Corn binders (row binder) horse or tractor drawn	76
Division 5: Corn pickers (pull and mounted type)	
Item 1. One row	134
2. Two row	86
Division 6: Ensilage harvesters (corn, hay)	
Item 1. Ensilage harvesters (corn, hay)	65
Division 7: Potato diggers	
Item 1. Walking plow type	100
2. Other, horse or tractor drawn	78
Division 8: Pea and bean harvesters	
Item 1. Pea and bean harvesters	105
Division 9: Beet lifters, horse or tractor drawn	
Item 1. Beet lifters, horse or tractor drawn	130
Division 10: Other harvesting machinery	
Item 1. Other harvesting machinery expressed in terms of total weight of all metals and rubber	90
Division 11: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 5 expressed in terms of total weight of all metals and rubber	160

Group 6: Haying Machinery

Division 1: Mowers	
Item 1. Horse drawn	82
2. Tractor drawn or mounted, with power take-off	83
3. Tractor drawn, other	86
Division 2: Rakes	
Item 1. Rakes, sulky (dump)	74
2. Rakes, (side del.) including comb. side rakes and tedders	82
3. Sweep	91
Division 3: Hay loaders	
Item 1. Hay loaders	95
Division 4: Stackers	
Item 1. Stackers	95
Division 5: Hay press combines (windrow pick-up)	
Item 1. Hay press combines (windrow pick-up)	353
Division 6: Other haying machinery	
Item 1. Other haying machinery expressed in terms of total weight of all metals and rubber	95
Division 7: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 6 expressed in terms of total weight of all metals and rubber	150

Group 7: Machines for Preparing Crops for Market or Use

Division 1: Grain threshers, incl. rice and alfalfa threshers	
Item 1. Threshers width of cylinder under 28 inches	75

Group 7: Machines for Preparing Crops for Market or Use—Continued

	Quota (percent)
Division 1—Continued.	
Item 2. Threshers, width of cylinder 28 inches and over	44
Division 2: Pea and bean threshers	
Item 1. Pea and Bean threshers	108
Division 3: Peanut pickers	
Item 1. Peanut pickers	

Name	Quota number of units
Belle City Mfg. Co., Racine, Wisconsin	400
Turner Mfg. Co., Statesville, N. C.	500
Benthall Machine Co., Suffolk, Virginia	450
Frick Co., Waynesboro, Pennsylvania	400
Ellis Keystone Agri. Works, Pottstown, Pa.	300
A. B. Farquhart Co., York, Pa.	500
Lilliston Implement Co., Albany, Georgia	800
Doyleston Agri. Co., Doyleston, Pa.	50
Massey-Harris, Racine, Wisconsin	50
Harrington Mfg. Co., Lewiston, North Carolina	150

	Quota (percent)
Division 4: Ensilage cutters (silo fillers)	
Item 1. Ensilage cutters (silo fillers)	90
Division 5: Feed cutters (Hand and Power)	
Item 1. Feed cutters (hand and power)	91
Division 6: Corn shellers	
Item 1. Corn shellers (Hand)	75
2. Corn shellers (Power)	
Type 1. Spring (2, 4, 6 and 8 holes)	95
2. Cylinder (150 bu. and under)	80
3. Cylinder (over 150 bu.) (small grain only)	46
Division 7: Corn huskers and shredders	
Item 1. Corn huskers and shredders	58
Division 8: Hay presses	
Item 1. Horse	98
2. Engine or belt power	50
Division 9: Feed grinders and crushers	
Item 1. Hand	100
2. Power, burr type	80
3. Hammer and roughage mills	100
Division 10: Grain cleaners and graders (small grain only)	
Item 1. Grain cleaners and graders (small grain only)	68
Division 11: Potato sorters and graders	
Item 1. Potato sorters and graders	86
Division 12: Cane mills (farm size)	
Item 1. Cane mills (farm size)	100
Division 13: Syrup evaporators (maple)	
Item 1. Complete sets of pans, not including furnaces	78
2. Furnaces	80
Division 14: Cider mills and fruit presses	
Item 1. Cider mills and fruit presses	87
Division 15: Other machines for preparing crops for market or use	
Item 1. Other machines for preparing crops for market or use expressed in terms of total weight of all metals and rubber	90
Division 16: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 7 expressed in terms of total weight of all metals and rubber	140

Group 8: Tractors

Division 1: Tractors, wheel type special purpose	
Item 1. Belt h.p. under 30 with steel tires	75
2. Belt h.p. under 30 with rubber tires	75
3. Belt h.p. 30 and over with steel tires	76
4. Belt h.p. 30 and over with rubber tires	76

Group 8: Tractors—Continued

	Quota (percent)
Division 2: Tractors wheel type all purpose	
Item 1. Belt h.p. under 30 with steel tires	81
2. Belt h.p. under 30 with rubber tires	81
3. Belt h.p. 30 and over with steel tires	72
4. Belt h.p. 30 and over with rubber tires	72
Division 3: Garden tractors	
Item 1. Garden tractors	100
Division 4: Attachments and parts	
Item 1. Attachments and parts expressed in terms of total weight of all metals and rubber	160

Group 9: Engines

Division 1: Engines under 1 H. P.	
Item 1. Air cooled	18
Division 2: One or more but under 5 H. P.	
Item 1. Air cooled	93
2. Water cooled	75
Division 3: Five or more but under 10 H. P	
Item 1. Water cooled	68
Division 4: Ten or more but under 20 H. P. water cooled	
Item 1. Water cooled	26
Division 5. Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 9 expressed in terms of total weight of all metals and rubber	140

Group 10: Farm Wagons and Trucks

Division 1: Wagons, farm without boxes	
Item 1. Wagons, farm without boxes	98
Division 2: Trucks, farm, not motor trucks	
Item 1. Trucks, w/ steel tires	50
2. Trucks, w/ rubber tires	99
Division 3: Wagon and truck boxes, farm	
Item 1. Wagon and truck boxes, farm	98
Division 4: Trailers, farm, 2 wheel	
Item 1. Trailers, farm, 2 wheel	75
Division 5: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 10 expressed in terms of total weight of all metals and rubber	140

Group 11: Miscellaneous Farm Machines and Equipment

Division 1: Dairy machinery and equipment	
Item 1. Milking machines (complete units)	206
2. Cream separators	
Type 1. Capacity 350 lb. per hr. or less	67
2. Capacity 351–500 lb. per hr.	213
3. Capacity 501 lb. and over per hr	157
3. Milk coolers	
Type 1. Immersion and other can coolers	150
2. Reach-in	130
3. Walk-in	179
4. Butter-making equipment	144
5. Other farm dairy equipment expressed in terms of total weight of all metals and rubber	122
6. Attachments and parts for all items in Group No. 11 expressed in terms of total weight of all metals and rubber	190

Group 12: Spraying Outfits (Complete)

Division 1: Sprayers	
Item 1. Power sprayers (not including engine)	97
2. Traction sprayers	85
3. Hand sprayers (with tank, barrel, knapsack, etc.), capacity less than 6 gallons	100

Group 12: Spraying Outfits (Complete)—Con.

	Quota (percent)
Division 1: Sprayers—Continued.	
Item 3—Continued.	
Type 1. Compressed air	
2. Knapsack, self-contained	
3. Trombone pump type	
4. Bucket pump type single cylinder	
5. Bucket pump type double cylinder	
6. Atomizing single action	
7. Atomizing continuous	
4. Sprayers with tank, barrel, knapsack, etc., capacity 6 gallons or more w/ cpt equipment	98
Type 1. Barrel pump w/ cpt equipment	
2. Sprayers, wheelbarrow w/ cpt equipment	
Division 2: Spray pumps, power	
Item 1. Spray pumps, power	96
Division 3: Attachments and parts	
Item 1. Attachments and parts for all items in Divisions 1 and 2 of Group 12 expressed in terms of total weight of all metals and rubber	140
Division 4: Dusters	
Item 1. Dusters	
Type 1. Power	103
2. Traction	103
3. Dusters (hand)	110
Division 5: Attachments ano parts	
Item 1. Attachments and parts for all items in Division 4 of Group No. 12 expressed in terms of total weight of all metals and rubber	140

Group 13: Elevators, Farm

Division 1: Elevators, portable	
Item 1. Buckets less than 12 inches	74
2. Buckets more than 12 inches	74
Division 2: Elevators, stationary	
Item 1. Buckets more than 12 inches	62
Division 3: Elevators, farm attachments and parts	
Item 1. Elevators, farm attachments and parts for all items in Group No. 13 expressed in terms of total weight of all metals and rubber	140

Group 14: Domestic Water Systems, Pneumatic

Division 1: Deep well, all sizes	
Item 1. Deep well, reciprocal	49
2. Deep well, jet pumps	142
Division 2: Shallow well	
Item 1. Under 250 gallons per hour	75
2. 250 to 499 gallons per hour	100
3. 500 gallons per hour and over	100
Division 3: Tanks	
Item 1. Tanks	
Division 4: Attachments and parts	
Item 1. Attachments and parts for all items in Group 14, Divisions 1, 2 and 3, expressed in terms of total weight of all metals and rubber	140
Division 5: Pumps water	
Item 1. Pitcher pumps	90
2. Hand pumps	100
3. Windmill pumps	100
Division 6: Power pumps, horizontal type	
Item 1. Up to and including 75 gallons per minute, 100 pounds pressure	100
Division 7: Cylinders, for sale separately	
Item 1. Cylinders, for sale separately	110
Division 8: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 14, Divisions 5, 6, and 7, expressed in terms of total weight of all metals and rubber	160

Group 14: Domestic Water Systems, Pneumatic—Continued

	Quota (percent)
Division 9: Wind mills	
Item 1. Pump jacks	95
2. Wind mill heads	85
3. Wind mill towers	85
4. Attachments and parts for all items in Group No. 14, Division 9, expressed in terms of total weight of all metals and rubber	140

Group 15: Barn and Barnyard Equipment

Division 1: Feed and litter carriers, overhead (Box and Gearing)	
Item 1. Feed and litter carriers	100
Division 2: Feed trucks	
Item 1. Feed trucks	100
Division 3: Hay carriers	
Item 1. Hay carriers	100
Division 4: Track for carriers (feet)	
Item 1. Track for carriers (feet)	100
Division 5: Hay forks (harpoon, grapple, etc.)	
Item 1. Hay forks (harpoon, grapple, etc.)	100
Division 6: Stanchions	
Item 1, Stanchions	75
Division 7: Manager partitions and fittings	
Item 1. Manger partitions and fittings	26
Division 8: Stalls and fittings	
Item 1. Stalls and fittings	50
Division 9: Individual livestock drinking cups	
Item 1. Individual livestock drinking cups	100
Division 10: Outside livestock watering bowls	
Item 1. Outside livestock watering bowls	70
Division 11: Hog troughs	
Item 1. Hog troughs	0
Division 12: Stock tanks	
Item 1. Stock tanks, steel	52
2. Stock tanks, wooden	351
Division 13: Stock feeders	
Item 1. Stock feeders	50
Division 14: Stock pens, steel	
Item 1. Stock pens, steel	50
Division 15: Feed cookers	
Item 1. Feed cookers	91
Division 16: Tank heaters (electric and others)	
Item 1. Tank heaters (electric and others)	100
Division 17: Barn door hangers and track	
Item 1. Barn door hangers and track	55
Division 18: Other equipment	
Item 1. Other equipment expressed in terms of total weight of all metals and rubber	81
Division 19: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 15, expressed in terms of total weight of all metals and rubber	150

Group 16: Poultry Farm Equipment

Division 1: Incubators	
Item 1. Lamp and electrical (1,000 egg and smaller	60
2. Commercial (over 1,000 egg capacity)	102
Division 2: Brooders	
Item 1. Floor	
Type 1. Oil	100
2. Coal	100
3. Gas	86
4. Electric	115
2. Battery (heated)	
Type 1. Three deck	75
2. Four deck	75
3. Five deck	75
Division 3: Poultry growing batteries	
Item 1. Poultry growing batteries	75

Group 16: Poultry Farm Equipment—Con.

	Quota (percent)
Division 4: Laying batteries	
Item 1. Laying batteries	25
Division 5: Poultry feeders	
Item 1. Poultry feeders	70
Division 6: Poultry waterers	
Item 1. Glass jar type, less than one gallon	90
2. One gallon and up (metal)	90
Division 7: Other equipment	
Item 1. Other equipment expressed in terms of total weight of all metals and rubber	87
Division 8: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 16 expressed in terms of total weight of all metals and rubber	160

Group 17: Miscellaneous farm equipment

Division 1: Beekeepers' supplies	
Item 1. Beekeepers' supplies (except beehives)	100
2. Beehives (wooden, except for necessary nails and steel strips and wire for foundation frames)	133
Division 2: Portable corn cribs	
Item 1. Portable corn cribs	0
Division 3: Grain bins	
Item 1. Grain bins	11
Division 4: Gates, farm	
Item 1. Gates, farm	20
Division 5: Lighting plants elec., residence, etc.	
Item 1. Capacity 300 watts or less (battery type)	93
2. Capacity over 300 watts to 10 kilowatts	118
Division 6: Silos	
Item 1. Silos	90
Division 7: Wheelbarrows	
Item 1. Wooden	100
2. Steel (tubular)	0
Division 8: Wood-sawing machines (circular)	
Item 1. Wood-sawing machines (circular)	70
Division 9: Hand tools	
Item 1. Hoes, rakes, shovels, forks, scythes	75
Division 10: Horse shoes, horse shoe nails	
Item 1. Horse shoes, horse shoe nails	90
Division 11: Electric fence controllers	
Item 1. Electric fence controllers	120
Division 12: Harness hardware	
Item 1. Harness hardware	100

Group 18: Irrigation Equipment

Division 1: Irrigation pumps	
Item 1. Turbine pumps	
Type 1. Turbine pumps 0-to-1,200 GPM	80
2. Turbine pumps 1,200 GPM and up	
Subtype a. Electric	0
b. Belt driven	(1)
3. Repair parts, all turbine pumps	116
Item 2. Centrifugal pumps	
Type 1. Centrifugal pumps	80
2. Repair parts centrifugal pumps	132
Division 2: Electric motors for irrigation pumps	
Item 1. Electric motors for turbine pumps	
Type 1. Electric motors for turbine pumps	80
2. Repairs parts for electric motors for turbine pumps	100

[1] That amount only for which contracts or purchase orders are received bearing a preference rating of A-3 or higher.

Group 18: Irrigation Equipment—Continued

	Quota (percent)
Division 2—Continued.	
Item 2. Electric motors for centrifugal pumps	
Type 1. Electric motors for centrifugal pumps	50
2. Repair parts for electric motors for centrifugal pumps	100
Division 3: Distribution equipment	
Item 1. Distribution equipment	100
2. Repair parts for distribution equipment	125

SCHEDULE A-1 [1]

FARM MACHINERY AND EQUIPMENT BRANCH, DIVISION OF INDUSTRY OPERATIONS, WAR PRODUCTION BOARD

Quotas for the Production During the Period November 1, 1941, to October 31, 1942, of Farm Machinery, Equipment, Attachments and Repair Parts Therefor for Sale in the United States

INSTRUCTIONS FOR USING SCHEDULE A-1

(1) The quota for most of the items of farm machinery and equipment listed herein is expressed in terms of designated percentages of the number of items produced by a manufacturer during the calendar year 1940 or sold by him during that year, as he may elect, but, as provided in Limitation Order L-26 as amended, once the election is made the manufacturer must adhere to that basis for all items to be produced by him during the period November 1, 1941, to October 31, 1942.

(2) Whenever two or more items are bracketed together and only one quota percentage is assigned thereto, such percentage shall be applied to the total obtained by adding the number of each such bracketed item produced in 1940. The quota thus arrived at may consist entirely of any one of such bracketed items or, at the producer's election, may be split up between any or all such item or items manufactured, but in no event shall the total quantity of such item or items manufactured between November 1, 1941, and October 31, 1942, exceed such specified percentage. For example, suppose a producer manufactured or sold during 1940 the following units under Group 14:

Group 14: Domestic Water System, Pneumatic

Division 1: Deep well, all sizes

	Units	Quota (percent)
Item 1. Deep well, reciprocal	250	95
2. Deep well, jet pumps	400	
Division 2: Shallow well		
Item 1. Under 250 gal. per hour	620	
2. 250-499 gal. per hour	1,110	
3. 500 gal. per hour and over	130	
Total	2,510	

He should apply the percentage shown on Schedule A-1 opposite the brackets (95% for these items) to the above total which results in 2,385 Units. This number is his total 1942 quota for the above five items. He may build 2,385 units of any one of the five items listed, or split this number any way he chooses into two, three, four, or all five of the types of pumps listed above, provided the total production of all five does not exceed 2,385 units.

Example	1st option	2d option	3d option	4th option
Division 1:				
Item 1. Reciprocal	------	385	237	------
Item 2. Jet Pumps	2,385	1,000	380	------
Division 2:				
Item 1. Under 250 Gal.	------	------	589	------
Item 2. 250-499 Gal.	------	1,000	1,055	385
Item 3. 500 and over	------	------	124	2,000
Total	2,385	2,385	2,385	2,385

(3) The quota percentages for Attachments and Repair Parts (and a few other items) are expressed in terms of total weight of all metals and rubber, rather than in units.

NOTE: The opportunity mentioned in (1) above to elect between total production or total sales during 1940 is of course applicable to items covered in (2) and (3) and similarly binding upon the manufacturer for all items in his line.

CONSOLIDATIONS—SCHEDULE A-1

Group 1: Planting, Seeding and Fertilizing Machinery

	Quota (percent)
Division 1: Corn and cotton planters 1 horse	
Item 1. One horse single row (Corn)	55
2. One horse single row (Corn & Cotton)	55
Division 2: Corn and cotton planters, 2 horse & tractor	
Item 1. Two row horse drawn	79
2. Two row tractor drawn or mounted	79
3. Three and four row tractor drawn or mounted	79
4. Two horse single row	79
5. Two row, horse drawn	79
6. Two row tractor drawn or mounted	79
7. Three & four row, horse or tractor	79
Division 3: Potato planters	
Item 1. Horse or tractor drawn	72
Division 4: Transplanters	
Item 1. One & two row, horse or tractor drawn	124
Division 5: Listers (middle busters without planting attachments)	
Item 1. 1 Row horse or tractor drawn	83
2. 2 Row horse or tractor drawn	83
Division 6: Listers with planting attachments	
Item 1. 1 Row horse or tractor drawn	83
2. 2 Row horse or tractor drawn	83
Division 7: Beet drills	
Item 1. Horse or tractor drawn	100
Division 8: Grain drills	
Item 1. Horse or tractor drawn	73
Division 9: Garden planters	
Item 1. Hand	104
2. Horse or tractor drawn	121
Division 10: Broadcast seeders	
Item 1. Wheel, horse drawn	68
2. Endgate	72
3. Hand (wheelbarrow and other)	100
Division 11: Fertilizing distributors	
Item 1. Horse or tractor drawn	83

[1] Originally issued March 30, 1942.

Group 1: Planting, Seeding and Fertilizing Machinery—Continued

	Quota (percent)
Division 12: Lime spreaders (sowers)	
Item 1. Wheel type, horse or tractor drawn	83
2. Endgate type	83
Division 13: Manure spreaders	
Item 1. 4 wheel, horse or tractor drawn	100
2. 2 wheel, tractor drawn	100
Division 14: Other planting, seeding, and fertilizing machinery	
Item 1. Other planting, seeding, and fertilizing machinery expressed in metals and rubber	88
Division 15: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 1 expressed in terms of total weight of all metals and rubber	140

Group 2: Plows and Listers

Division 1: Moldboard plows	
Item 1. Horse drawn, walking one horse	65
Type 1. Steel bottom	65
2. Chilled bottom	65
2. Walking, two horse and larger	65
3. Sulky, one bottom	65
4. Gang, two bottom and larger	65
5. Tractor drawn or mounted:	
Type 1. One bottom	69
2. Two bottom	69
3. Three bottom	69
4. Four bottom	69
5. Five and larger	69
Division 2: Disc plows, horse drawn	
Item 1. Single disc and larger	73
Division 3: Disc plows, tractor drawn	
Item 1. Two disc	72
2. Three disc	73
3. Four disc	67
4. Five disc	73
5. Six disc and larger	71
Division 4: One way disc plows or tillers	
Item 1. One way disc plows or tillers	67
Division 5: Listers (middle busters without planting attachments)	
See Group 1, Division 5.	
Division 6: Subsoil plows	
Item 1. Subsoil plows	50
Division 7: Plowstocks	
Item 1. Plowstocks	72
Division 8: Steel plow shapes or shares	
Item 1: Steel plow shapes or shares and other plows and listers expressed in terms of total weight of all metals and rubber	140
Division 9: Attachments and parts	
Item 1. Attachments and parts for all items in Group 2, expressed in terms of total weight of all metals and rubber	140

Group 3: Harrows, Rollers, Pulverizers and Stalk Cutters

Division 1: Harrows	
Item 1. Spike tooth sections, horse or tractor drawn	71
2. Spring tooth sections, horse or tractor drawn	73
3. Disc harrows	78
Division 2: Smooth land rollers	
Item 1. Smooth land rollers	61
Division 3: Soil pulverizers and packers	
Item 1. Soil pulverizers and packers	67
Division 4: Stalk cutters	
Item 1. Stalk cutters	89
Division 5: Other harrows and rollers	
Item 1. Other harrows and rollers expressed in terms of total weight of all metals and rubber	72

Group 3: Harrows, Rollers, Pulverizers and Stalk Cutters—Continued

	Quota (percent)
Division 6: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 3 expressed in terms of total weight of all metals and rubber	120

Group 4: Cultivators and Weeders

Division 1: Cultivators	
Item 1. Horse drawn	
Type 1 One horse (all types)	68
2. One row, walking (two horse)	60
3. One row, riding (two horse)	60
4. Two row riding	60
2. Tractor drawn or mounted	
Type 1. One row tractor drawn or mounted	90
2. Two row tractor drawn or mounted	90
3. Three & four row tractor drawn or mounted	78
4. Five & six row tractor drawn or mounted	78
3. Beet cultivators, horse or tractor drawn or mounted	100
4. Field cultivators, horse or tractor drawn	77
5. Garden cultivators (hand)	111
Division 2: Rotary hoes, horse or tractor drawn	
Item 1. Rotary hoes, horse or tractor drawn	69
Division 3. Rod weeders, horse or tractor drawn	
Item 1. Rod weeders, horse or tractor drawn	71
Division 4: Other cultivators and weeders	
Item 1. Other cultivators and weeders expressed in terms of total weight of all metals and rubber	98
Division 5: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 4 expressed in terms of total weight of all metals and rubber	150

Group 5: Harvesting Machinery

Division 1: Grain binders	
Item 1. Grain binders	75
Division 2: Rice binders	
Item 1. Rice binders	100
Division 3: Combines (harvester-threshers	
Item 1. Width of cut, 6 feet and under	92
2. Width of cut, over 6 feet, including 10 feet	70
3. Width of cut, over 10 feet	70
Division 4: Corn binders	
Item 1. Corn binders (row binders) horse or tractor drawn	76
Division 5: Corn pickers (pull and mounted type)	
Item 1. One row	134
2. Two row	86
Division 6: Ensilage harvesters (corn, hay)	
Item 1. Ensilage harvesters (corn, hay)	85
Division 7: Potato diggers	
Item 1. Walking plow type	100
2. Other, horse or tractor drawn	78
Division 8: Pea and bean harvesters	
Item 1. Pea and bean harvesters	105
Division 9: Beet lifters, horse or tractor drawn	
Item 1. Beet lifters, horse or tractor drawn	130
Division 10: Other harvesting machinery	
Item 1. Other harvesting machinery expressed in terms of total weight of all metals and rubber	99

Group 5: Harvesting Machinery—Continued

	Quota (percent)
Division 11: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 5 expressed in terms of total weight of all metals and rubber	160

Group 6: Haying Machinery

Division 1: Mowers	
Item 1. Horse drawn	82
2. Tractor drawn or mounted, w/power take-off	82
3. Tractor drawn, other	82
Division 2: Rakes	
Item 1. Rakes, sulky (dump)	74
2. Rakes, (side del.) including comb, side rakes and tedders	82
3. Sweep	91
Division 3. Hay loaders	
Item 1. Hay loaders	95
Division 4: Stackers	
Item 1. Stackers	95
Division 5: Hay press combines (windrow pick-up)	
Item 1. Hay press combines (windrow pick-up)	353
Division 6: Other haying machinery	
Item 1. Other haying machinery expressed in terms of total weight of all metals and rubber	95
Division 7: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 6 expressed in terms of total weight of all metals and rubber	150

Group 7: Machines for Preparing Crops for Market Use

Division 1: Grain threshers, incl. rice and alfalfa threshers	
Item 1. Threshers, width of cylinder under 28 inches	75
2. Threshers, width of cylinder 28 inches and over	44
Division 2: Pea and bean threshers	
Item 1. Pea and bean threshers	106
Division 3: Peanut pickers	
Item 1. Peanut pickers	

Name	Quota by No. of units
Belle City Mfg. Co., Racine, Wis	400
Turner Mfg. Co., Statesville, N. C	500
Benthall Machine Co., Suffolk, Va	450
Frick Co., Waynesboro, Pa	400
Ellis Keystone Agri. Works, Pottstown Pa	300
A. B. Farquhar Co., York, Pa	500
Lilliston Implement Co., Albany, Ga	800
Doylestown Agri. Co., Doylestown Pa	50
Massey-Harris Co., Racine, Wis	50
Harrington Mfg. Co., Lewiston, N. C	150

	Quota (percent)
Division 4: Ensilage cutters (silo fillers)	
Item 1: Ensilage cutters (silo fillers)	90
Division 5: Feed cutters (hand and power)	
Item 1. Feed cutters (hand and power)	91
Division 6: Corn shellers	
Item 1. Corn shellers (hand)	75
2. Corn shellers (power)	75
Type 1. Spring (2, 4, 6, and 8 holes)	59
2. Cylinder (150 bu. and under)	59
3. Cylinder (over 150 bu.)	59
Division 7: Corn huskers and shredders	
Item 1. Corn huskers and shredders	58
Division 8: Hay presses	
Item 1. Horse	98
2. Engine or belt power	50
Division 9: Feed grinders and crushers	
Item 1. Hand	100
2. Power burr type	100
3. Hammer and roughage mills	100

Group 7: Machines for Preparing Crops for Market Use—Continued

	Quota (percent)
Division 10: Grain cleaners and graders (small grain only)	
Item 1. Grain cleaners and graders (small grain only)	68
Division 11: Potato sorters and graders	
Item 1. Potato sorters and graders	86
Division 12: Cane mills (farm size)	
Item 1. Cane mills (farm size)	100
Division 13: Syrup evaporators (maple)	
Item 1. Complete sets of pans, not including furnaces	78
2. Furnaces	80
Division 14: Cider mills and fruit presses	
Item 1. Cider mills and fruit presses	87
Division 15: Other machines for preparing crops for market or use	
Item 1. Other machines for preparing crops for market or use expressed in terms of total weight of all metals and rubber	90
Division 16: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 7 expressed in terms of total weight of all metals and rubber	140

Group 8: Tractors

Division 1: Tractors, wheel type special purposes	
Item 1. Belt H. P. under 30 with steel tires	75
2. Belt H. P. under 30 with rubber tires	75
3. Belt H. P. 30 and over with steel tires	76
4. Belt H. P. 30 and over with rubber tires	76
Division 2. Tractors, wheel type all purpcses	
Item 1. Belt H. P. under 30 with steel tires	81
2. Belt H. P. under 30 with rubber tires	81
3. Belt H. P. 30 and over with steel tires	72
4. Belt H. P. 30 and over with rubber tires	72
Division 3: Garden tractors	
Item 1. Garden tractors	100
Division 4: Attachments and parts	
Item 1. Attachments and parts expressed in terms of total weight of all metals and rubber	160

Group 9: Engines

Division 1. Engines under 1 H. P.	
Item 1. Air cooled	18
Division 2: One or more but under 5 H. P.	
Item 1. Air cooled	93
2. Water cooled	75
Division 3: Five or more but under 10 H. P.	
Item 1. Water cooled	68
Division 4: Ten or more but under 20 H. P. water cooled	
Item 1. Water cooled	26
Division 5: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 9 expressed in terms of total weight of all metals and rubber	140

Group 10: Farm Wagons and Trucks

Division 1: Wagons, farm, without boxes	
Item 1. Wagons, farm, without boxes	98
Division 2: Trucks, farm, not motor trucks	
Item 1. Trucks w/steel tires	56
2. Trucks w/rubber tires	56
Division 3: Wagon and truck boxes, farm	
Item 1. Wagon and truck boxes, farm	98
Division 4: Trailers, farm, 2 wheel	
Item 1. Trailers, farm, 2 wheel	75

Group 10: Farm Wagons and Trucks—Con.

	Quota (percent)
Division 5: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 10 expressed in terms of total weight of all metals and rubber	140

Group 11: Miscellaneous Farm Machines and Equipment

Division 1: Dairy machinery and equipment	
Item 1. Milking machines (complete units	206
2. Cream separators	
Type 1. Capacity 350 lb. per hr. or less	67
2. Capacity 351–500 lb. per hr.	213
3. Capacity 501 lb. and over per hr	157
3. Milk coolers	
Type 1. Immersion and other can coolers	150
2. Reach-in	130
3. Walk-in	179
4. Butter-making equipment	144
5. Other farm dairy equipment expressed in terms of total weight of all metals and rubber	122
6. Attachments and parts for all items in Group No. 11 expressed in terms of total weight of all metals and rubber	190

Group 12: Spraying Outfits (Complete)

Division 1: Sprayers	
Item 1. Power sprayers (not including engine)	97
2. Traction sprayers	85
3. Hand sprayers (with tank, barrel, knapsack, etc.) capacity less than 6 gallons	100
Type 1. 1. Compressed Air.	
2. Knapsack, self-contained.	
3. Trombone Pump type.	
4. Bucket pump type single cylinder.	
5. Bucket pump type double cylinder.	
6. Atomizing single action.	
7. Atomizing continuous.	
4. Sprayer with tank, barrel, knapsack, etc. capacity 6 gallons or more w/cpt equipment	98
Type 1. Barrel pump w/cpt equipment	
2. Sprayers, wheelbarrow w/cpt equipment	
Division 2: Spray pumps, power	
Item 1. Spray pumps, power	96
Division 3: Attachments and parts	
Item 1. Attachments and parts for all items in Division 1 and 2 of Group 12 expressed in terms of total weight of all metals and rubber	140
Division 4: Dusters	
Item 1. Dusters	
Type 1. Power	103
2. Traction	103
3. Dusters (hand)	110
Division 5: Attachments and parts	
Item 1. Attachments and parts for all items in Division 4 of Group No. 12 expressed in terms of total weight of all metals and rubber	140

Group 13: Elevators, Farm

Division 1: Elevators, portable	
Item 1. Bucket less than 12 inches	74
2. Bucket more than 12 inches	74
Division 2: Elevators, stationary	
Item 1. Buckets more than 12 inches	62

Group 13: Elevators, Farm—Continued

	Quota (percent)
Division 3: Elevators, farm attachments and parts	
Item 7. Elevators, farm attachments and parts for all items in Group No. 13 expressed in terms of total weight of all metals and rubber	140

Group 14: Domestic Water Systems, Pneumatic

Division 1: Deep well, all sizes	
Item 1. Deep well, reciprocal	95
2. Deep well, jet pumps	95
Division 2: Shallow well	
Item 1. Under 250 gals. per hr	95
2. 250–499 gals. per hr	95
3. 500 gals. per hr. and over	95
Division 3: Tanks	
Item 1. Tanks	
Division 4: Attachments and parts	
Item 1. Attachments and parts for all items in Group 14, Divisions 1, 2, and 3, expressed in terms of total weight of all metals and rubber	140
Division 5: Pumps, water	
Item 1. Pitcher pumps	90
2. Hand pumps	100
3. Windmill pumps	100
Division 6: Power pumps, horizontal type	
Item 1. Up to and including 75 gal. per minute, 100% pressure	100
Division 7: Cylinders, for sale separately	
Item 1. Cylinders, for sale separately	110
Division 8: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 14, Divisions 5, 6, and 7, expressed in terms of total weight of all metals and rubber	160
Division 9: Windmills	
Item 1. Pump jacks	95
2. Windmill heads	85
3. Windmill towers	85
4. Attachments and parts for all items in Group No. 14, Division 9, expressed in terms of total weight of all metals and rubber	140

Group 15: Barn and Barnyard Equipment

Division 1: Feed and litter carriers, overhead (box and gearing)	
Item 1. Feed and litter carriers	100
Division 2: Feed trucks	
Item 1. Feed trucks	100
Division 3: Hay carriers	
Item 1. Hay carriers	100
Division 4: Track for carriers (feet)	
Item 1. Track for carriers (feet)	100
Division 5: Hay forks (harpoon, grapple, etc.)	
Item 1. Hay forks (harpoon, grapple, etc.)	100
Division 6: Stanchions	
Item 1. Stanchions	75
Division 7: Manger partitions and fittings	
Item 1. Manger partitions and fittings	25
Division 8: Stalls and fittings	
Item 1. Stalls and fittings	50
Division 9: Individual livestock drinking cups	
Item 1. Individual livestock drinking cups	100
Division 10: Outside livestock watering bowls	
Item 1. Outside livestock watering bowls	70
Division 11: Hog troughs	
Item 1. Hog troughs	0
Division 12: Stock tanks	
Item 1. Stock tanks, steel	52
2. Stock tanks, wooden	351
Division 13: Stock feeders	
Item 1. Stock feeders	50

Group 15: Barn and Barnyard Equipment—Continued

	Quota (percent)
Division 14: Stock pens, steel	
Item 1. Stock pens, steel	50
Division 15: Feed cookers	
Item 1. Feed cookers	91
Division 16: Tank heaters (electric and others)	
Item 1. Tank heaters (electric and others)	100
Division 17: Barn door hangers and track	
Item. 1. Barn door hangers and track	55
Division 18: Other equipment	
Item 1. Other equipment expressed in terms of total weight of all metals and rubber	81
Division 19: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 15 expressed in terms of total weight of all metals and rubber	150

Group 16: Poultry Farm Equipment

Division 1: Incubators	
Item 1. Lamp and electrical (1,000 egg and smaller)	60
2. Commercial (over 1,000 egg capacity	102
Division 2: Brooders	
Item 1. Floor	
Type 1. Oil	104
2. Coal	104
3. Gas	104
4. Electric	104
2. Battery (heated)	
Type 1. Three deck	75
2. Four deck	75
3. Five deck	75
Division 3: Poultry growing batteries	
Item 1. Poultry growing batteries	75
Division 4: Laying batteries	
Item 1. Laying batteries	25
Division 5: Poultry feeders	
Item 1. Poultry feeders	70
Division 6: Poultry waterers	
Item 1. Glass jar type, less than one gallon	90
2. One gallon and up (metal)	90
Division 7: Other equipment	
Item 1. Other equipment expressed in terms of total weight of all metals and rubber	87
Division 8: Attachments and parts	
Item 1. Attachments and parts for all items in Group No. 16 expressed in terms of total weight of all metals and rubber	160

Group 17: Miscellaneous Farm Equipment

Division 1: Beekeepers' supplies	
Item 1. Beekeepers' supplies (except beehives)	100
2. Beehives (wooden, except for necessary nails and steel strips, and wire for foundation frames)	133
Division 2: Portable corn cribs	
Item 1. Portable corn cribs	0
Division 3: Grain bins	
Item 1. Grain bins	11
Division 4: Gates, farm	
Item 1. Gates, farm	20
Division 5: Lighting plants, elec. residence, etc.	
Item 1. Capacity 300 watts or less (battery type)	93
2. Capacity over 300 watts to 10 kilowatts	118
Division 6: Silos	
Item 1. Silos	90
Division 7: Wheelbarrows	
Item 1. Wooden	100
2. Steel (tubular)	0

Group 17: Miscellaneous Farm Equipment—Continued

	Quota (percent)
Division 8: Woodsawing machines (circular)	
Item 1. Wood-sawing machines (circular)	70
Division 9: Hand tools	
Item 1. Hoes, rakes, shovels, forks, and scythes	75
Division 10: Horse shoes, horse shoe nails	
Item 1. Horse shoes, horse shoe nails	90
Division 11: Electric fence controllers	
Item 1. Electric fence controllers	120
Division 12: Harness hardware	
Item 1. Harness hardware	100

Group 18: Irrigation equipment

Division 1: Irrigation pumps	
Item 1. Turbine pumps	
Type 1. Turbine pumps 0-to-1,200 GPM	80
2. Turbine pumps 1,200 GPM and up	0
Sub-type a. Electric	0
b. Belt driven	(1)
3. Repair parts, all turbine pumps, expressed in terms of total weight of all metals and rubber	116
Item 2. Centrifugal pumps	
Type 1. Centrifugal pumps	80
2. Repair parts, centrifugal pumps, expressed in terms of total weight of all metal and rubber	132
Division 2: Electric motors for irrigation pumps	
Item 1. Electric motors for turbine pumps	
Type 1. Electric motors for turbine pumps 0-to-1200 GPM	80
2. Electric motors for turbine pumps 1200 GPM and up	0
3. Repair parts for electric motors for all turbine pumps expressed in terms of total weight of all metal and rubber	100
2. Electric motors for centrifugal pumps	
Type 1. Electric motors for centrifugal pumps	50
2. Repair parts for electric motors for centrifugal pumps expressed in terms of total weight of all metal and rubber	100
Division 3: Distribution equipment	
Item 1. Distribution equipment	100
2. Repair parts for distribution equipment expressed in terms of total weight of all metal and rubber	125

[1] That amount only for which contracts or purchase orders are received bearing a preference rating of A-3 or higher.

SCHEDULE B–1

LIST OF COUNTRIES USED IN DETERMINING QUOTA PERCENTAGE OF 112% BASED ON 1940 SHIPMENTS THERETO

Argentina.
Bolivia.
Brazil.
Chile.
Colombia.
Costa Rica.
Cuba.
Dominican Republic.
Ecuador.
Guatemala.
Haiti.
Honduras.
Mexico.
Nicaragua.
Panama Republic.
Paraguay.
Peru.
Salvador.
Uruguay.
Venezuela.
Alaska.
Hawaii.
Philippines.
Puerto Rico.
Virgin Islands.
Ireland.
U. S. S. R.
China (Free).
Mozambique (P. E. A.)
Belgian Congo.
Iran (Persia).
French West Indies.
Union of South Africa.
Rhodesia.
British East Africa.
Egypt.
Gold Coast.
Nigeria.
India.
Arabia (Saudi).
Iraq.
Palestine.
Burma.
British Malaya.
British Guiana.
British Honduras.
Bermuda.
Jamaica.
Trinidad and Tobago.
Other British West Indies.
Newfoundland and Labrador.
United Kingdom.
Australia
New Zealand.
Ceylon.
East Indies (Netherlands).
West Indies (Netherlands).
Surinan (Netherlands).
Iceland.

SCHEDULE B–2

Group 1	Quota percentage
Corn Planters and Drills (1-H., 2- and 4-Row or Tractor Type	90
Drills—Regular	75
Potato Planters	50
Manure Spreaders	100
Fertilizer Sowers	90
Other Planting and Seeding, including Turnip Sowers, Lime Spreaders and Sowers, etc	80
Cultivators (1-Horse, including Scuffers)	80
Corn Cultivators	75
Field Cultivators and all others	90
Rod Weeders	75
Stalk Cutters	75
Drag Harrows, Spike Tooth	80
Spring Tooth Harrows	80
Disc Harrows	90
Harrow Carts	60
Soil Pulverizers	60
Rollers and Packers	60
Ploughs, Walking, 1-Furrow	60
Ploughs, Walking, 2-Furrow and over	80
Ploughs, Sulky, 1-Furrow	75
Ploughs, Riding, 2-Furrow and over	60
Ploughs, Tractor	85
Ploughs, Disc	70
Ploughs, One-Way Disc, Narrow Ploughs or Tiller Combines	90

Group 1—Continued	*Quota percentage*
Ploughs, Breaker	50
All other types of Ploughs	50
Group 2	
Mowers (Horse and Tractor)	85
Hay Loaders	110
Side Rakes and Tedders	90
Dump Rakes	95
Hay Presses	100
Other Haying Machines (including Hay Tedders and Sweep Rakes)	60
Binders, Grain, Horse	72
Binders, Grain, Tractor	60
Binders, Corn (Horse and Tractor)	125
Reaper-Threshers (Combines)	80
Swathers	75
Threshers, Stationary	60
Other Harvesting Machines (including Push Harvesters, Headers, Reapers, Pickups and Barge Elevators)	75
Tractors, Wheel	78
Power Units	60
Engines, Stationary	60
Cream Separators	200
Milking Machines	200
Milk Coolers	150
Wagon Boxes	75
Wagon Gears and Trucks	90
Sleighs	90
Corn Shellers	100
Ensilage Cutters	90
Fanning Mills	85
Knife Grinders	100
Hammermills	100
Grinders and Feed Cutters	150
Potato Diggers	80
Potato Sprayers	100
Wheelbarrows (Wood only)	100
Windmills	80
Group 3	
Pumps	90
Pump Jacks	90
Pumps for Sprayers	90
Fruit Sprayers	90
Other Miscellaneous Equipment (Saw Frames, etc.)	80
All other Sundry Farm Equipment not itemized (such as Barn and Stable Equipment, Farm Lighting Plants, Poultry Equipment, etc.)	90
Attachments and Repairs	140

[F. R. Doc. 42-6692: Filed, July 14, 1942; 11:26 a. m.]

Subchaper B—Director General for Operations

PART 944—REGULATIONS APPLICABLE TO OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 of Priorities Regulation 3]

The following official interpretation is hereby issued with respect to Priorities Regulation No. 3, as amended (§ 944.23):[1]

(a) *Extension of ratings by prime contractors.* When a delivery to be made directly to the Army, Navy, or other war agency by a prime contractor has been rated on a PD-3A Preference Rating Certificate, and the prime contractor uses such rating to obtain delivery of material to him, such use of the rating is an "extension" rather than an "application" of the rating within the meaning of Priorities Regulation No. 3, as amended. The "assignment" and the "application" of the rating are deemed to occur simultaneously upon issuance of the PD-3A certificate.

It follows that, in such cases, the prime contractor comes within the provisions of paragraph (c) of Regulation No. 3 which permits, within certain limits, the extension of a rating for purposes of replacing material in inventory or obtaining operating supplies for the processing of materials to the delivery of which the rating is extended.

It should be noted, however, that under Priorities Regulation No. 11,[2] persons subject to the Production Requirements Plan are not, in general, permitted to extend any ratings, and that the foregoing interpretation does not relieve from this restriction those prime contractors who qualify or are required to qualify under the plan. It should also be noted that subparagraph (2) of paragraph (c), concerning the extension of ratings to operating supplies, is not available to persons using more than $5,000 per quarter of metals in the forms indicated.

(b) *Previous forms of certification still valid.* The form of certification for use in applying or extending a rating prescribed by paragraph (d) of Regulation No. 3 is not mandatory. It is permissible to use, instead, the form of certification prescribed in the particular preference rating certificate or order which assigned the preference rating in question.

(c) *Certification with respect to orders previously placed.* Paragraph (d) of Regulation No. 3 provides that the certification applying or extending a preference rating is to be endorsed on or attached to the contract or purchase order. If the order has been placed before the rating is applied or extended, it is permissible to furnish the certification on a separate document specifically identifying the purchase order in question. Such a document may refer to one or more different purchase orders.

(d) *Application or extension by telegraph.* When a purchase order is placed by telegraph and it is permissible to apply or extend a rating, the substance of the required certification may be contained in the telegram. The requirements for manual signature or authorization under Priorities Regulation No. 7[3] (§ 944.27) will be satisfied if the outgoing telegram is signed or authorized in the manner provided in that regulation.

(e) *Acceptances of P orders need not be filed.* Paragraph (d) (2) of the regulation states that the certification may be used "in lieu of furnishing any copy of any preference rating order." This eliminates not only the requirement of furnishing a copy to the person with whom the order is placed but also the requirement of some preference rating orders for filing an accepted copy with the Director General for Operations or his predecessor, the Director of Priorities.

(f) *Additional information required.* The standard form of certification may be used in lieu of information previously required with respect to the grade of the rating or the identity of the preference rating order or certificate assigning the rating. Paragraph (d) (4), however, specifies that any other information required by the terms of any applicable order must still be furnished if available to the person placing the purchase order. Such additional information includes, where available, Government code numbers and contract numbers required by the form of certification appearing on Preference Rating Certificate PD-3A. Likewise the requirements with respect to filing copies of purchase orders which extend ratings originating on PD-3A certificates remain applicable.

The additional information required does not include information which merely serves as an additional identification of the preference rating order assigning the rating, such as the words "Material for Maintenance, Repair, or Operating Supplies" specified in Order P-100[4] or the words "Material for Emergency Repairs of Plumbing Equipment or Heating Equipment" required by Order P-84.[5] The ratings assigned by both of these preference rating orders may now be applied or extended merely by complying with Regulation No. 3. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6691; Filed, July 14, 1942; 11:26 a. m.]

[1] 7 F.R. 250, 1566, 4422, 4833.

[2] 7 F.R. 4433, 4615, 4698, 4848, 5359.

[3] 7 F.R. 1062.

[4] 6 F.R. 6548; 7 F.R. 925, 1009, 1626, 1794, 2236, 2866.

[5] 7 F.R. 1997, 4167.

Chapter XI—Office of Price Administration

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 6 to Maximum Price Regulation 118[1]]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

New paragraph (e) is added to § 1400.106 and new paragraphs (a) (4) and (d) (24) through (d) (28) are added to § 1400.118, as set forth below; and in § 1400.118 (b) (3) the phrase "within 30 days" is revoked.

§ 1400.106 *War procurement.* • • •

(e) Any person who has entered into or proposes to enter into a contract with a war procurement agency, a contractor, or a subcontractor and who believes that a maximum price established by this Maximum Price Regulation No. 118 impedes or threatens to impede production of any cotton products which are essential to the war program and which are or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum price established by Maximum Price Regulation No. 118, in accordance with Procedural Regulation No. 6[2] issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application: *Provided,* That final settlement shall be made in accordance with the order and, if required, refunds shall be made.

§ 1400.118 *Specific and formula maximum prices for certain cotton products; construction reports.* (a) The effective dates of the maximum prices set forth in (d) below are as follows:

• • • • •

(4) For corduroy, cottonades and whipcords, terry products, and carded-yarn fancies: July 13, 1942; for blankets, blanketing, and blanket-robe cloth: May 4, 1942.

(d) • • •

(24) *Corduroy*—(i) *Definition.* As used herein, the term "corduroy" means a filling pile fabric made entirely of cotton with ribs, each cut or to be cut by an individual knife, running parallel to the selvage.

(ii) *Grey uncut corduroy.* (*a*) The maximum prices for gray uncut corduroy set forth below shall be subject to terms of net 10 days, f. o. b. mill.

(*b*) The maximum prices for grey uncut corduroy shall be:

Class	Yds. per lb.	Thread count per sq. inch	Maximum price (cents per pound)
A	1.70 or lighter	175 or less	55
B	1.69 or heavier	175 or less	46
C	1.69 or heavier	176-210	50
D1	1.70 or lighter	176-210	63½
D2	1.70 or lighter	211 and over	65½

(iii) *Men's wear finished corduroy.* (*a*) The maximum prices for finished men's wear corduroy set forth below shall be subject (except in the case of remnants) to terms of 9 per cent 10 days or 8 per cent 60 days, f. o. b. mill, with anticipation at 6 per cent per annum allowed where the seller restricts the buyer to shorter terms or the buyer makes any payment within 60 days. The maximum prices for remnants are net cash, f. o. b. mill.

(*b*) The base maximum prices for men's wear finished corduroy shall be:

Reference No.	Group Designation	Minimum Specifications			Cents per yard	
		Ribs per inch	Grey Weight (ounces per yd. pro rata to 36")	Other	36"	54"
1	Standard Thickset	11 to 12	12.2		66	99
2	Standard Thickset Prints	11 to 12	12.2	A design shall be printed on both the face and back of the cloth, except in the case of a single-side printed pattern sold at the price of thick-set prints in commercial quantities of not less than 5000 yards between July 21, 1941 and May 4, 1942.	77	115½
3	Standard 8 Shaft	approx 8	12.25		61½	92¼
4	Boy's Wear 8 Shaft	approx 8	8.5		51¾	77⅝
5	Boy's Wear 8 Shaft Print	approx 8	11.25	A design shall be printed on both the face and back of the cloth.	63¾	94⅞
6	Trim Corduroy	approx 8	8		50	75
7	Carded Pin Wale	14	8.25	The minimum grey thread count per square inch shall be 176.	68¼	102⅜

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5524.

[2] 7 F.R. 5087.

(c) In addition to the base maximum price, additional charges may be made as follows (except for Carded Pin Wale).

	Cents per yd. 36"	54"
For blues, browns, and teals	2	3
For other high shades which have customarily commanded this premium	3	4½
For special shades or finishes	(1)	(1)

[1] A premium not to exceed the premium charged by him for such shades or finishes during 1941.

(d) In addition to the otherwise applicable maximum price, the seller may charge such differentials based on the class of customer as he charged over his basic price during 1941.

(e) The above maximum prices are to be discounted as follows for irregulars:

	Per cent
Seconds	10
Firsts, 10 to 20 yards	10
Seconds, 5 to 20 yards	15
Remnants, 1 to 5 yards	9 and 20

(iv) *Women's wear finished corduroys.* (a) The maximum prices for finished women's wear corduroy set forth below shall be subject (except in the case of remnants) to terms of 6 per cent 10 days 60 extra, or 7 per cent 10 days, f. o. b. mill, with anticipation at the rate of 6 per cent per annum allowed where the seller restricts the buyer to shorter terms or the buyer makes any payment within 70 days. The maximum prices for remnants are net cash, f. o. b. mill.

(b) The base maximum prices for women's wear corduroy shall be:

Reference Number	Group Designation	Minimum specifications: Ribs per inch	Grey Weight (ounces per yd., pro rata to 36")	Other	Cents per yard: 36"	54"
1	Women's Wear 8 Shaft	8 to 9	8.25	The minimum thread count shall be 176 in the grey.	54½	82½
2	Carded Pin Wale	14	8.25		66½	100
3	Chenille Type	Approx 3	8		49½	74½

(c) For special shades or finishes a seller may charge, in addition to the base maximum price, a premium not to exceed the premium charged by him for such shades or finishes during 1941.

(d) In addition to the otherwise applicable maximum price, a seller may charge such differentials, based on the class of customer, as he charged over his basic prices during 1941.

(e) The above maximum prices are to be discounted as follows for irregulars:

	Percent
Seconds	10
Seconds, 5 to 20 yards	15
Remnants, 1 to 5 yards	7 and 20

(v) *Classification of private lines.* For the purposes of the maximum prices established herein, private lines and styles are classified as set forth below. Each seller named below shall maintain for each corduroy listed below the same grey construction as that which he has filed with the Office of Price Administration.

Seller	Standard Thickset	Standard Thickset Prints	Standard 36" 8 Shaft	Boys' Wear 8 Shaft	Boys' Wear 8 Shaft Print	Trim Corduroy	36" Carded Pin Wale	36" Women's Wear 8 Shaft	Chenille Type Corduroy
Brookhaven Textiles, Inc.	Everoy	855, 875			Hardicord		Rollicord	Luxuroy	Elderdowne.
Charles Bernstein & Son, Inc.	Thickord					Trim Cord	Toggeroy	Corduroyal, 900, 1100.	
Concord Fabrics	1100	1250		1050	900		1650	1000	1200.
Cone Export & Commission Co.	Gladstone	Classmate		Goodworth	King Cord	Grenadier	Gaycord	Princess	
Crompton-Richmond Co., Inc.	600-A, 900	Quality T, Quality C.	846, 946	836, 406	15/1	826	Favoroy	Glory Cord	Comfy Cord.
Hockmeyer Bros.	770	Texturoy	226			201	1700		
Howlett & Hockmeyer Co.	550	Printed Thickset	N600		3480/1		Sturdi Kord	202	
A. D. Juilliard & Co	82	Fancikord					Cooleroy	N 4900	2670/13.
Merrimack Mfg. Co., Inc.	K 1						Durbar	27, Merricord	Candy Tuft.
Parker Wilder & Co							K C	100, 1000	
Turner Halsey Co., Inc.							100, 1000	200, 2000	

(25) *Cottonades and whipcords.* (i) The maximum prices for cottonades and whipcords set forth below shall be discounted (a) where payment is made within 10 days of delivery, by 3 percent; and (b) where payment is made within the next 60 days, by 2 percent and by interest at 6 per cent per annum for such portion of the 60-day period as the buyer, at his option or pursuant to agreement with the seller, anticipates by earlier payment.

(ii) For seconds and short lengths, the maximum prices set forth below shall be discounted as follows:

Seconds, short lengths:	*Cents per yard*
20 to 40 yards	1
10 to 19.99 yards	2½

(iii) The maximum prices for napped-back cottonades shall be:

Reference No.	Width	Weight (yds. per lb.)	Finish	Trade name	Cents per yard
1	30"	1.74	Sanforized	"Stronghold"	27
2	30"	1.99	Sanforized	"Dixie"	25
3	30"	1.95	Regular	"Stronghold"	23½
4	30"	2.40	Regular	"Dixie"	30½
5	36"	1.45	Sanforized	"Champion"	32½
6	36"	1.66	Sanforized	"Equity"	30
7	36"	1.63	Regular	"Champion"	27
8	36"	2.00	Regular	"Equity"	25

(iv) The maximum prices for napped-back whipcords shall be:

Reference No.	Width	Weight (yds. per lb.)	Finish	Trade name	Cents per yard
1	30"	1.99	Sanforized	"Hill Crest"	25
2	30"	2.40	Regular	"Hill Crest"	20¾
3	36"	1.45	Sanforized	"Brigadier"	33¾
				"Corona"	33¾
				"Battle Axe"	33¾
				"Bengo"	33¾
4	36"	1.66	Sanforized	"Cadet"	30
5	36"	2.00	Regular	"Cadet"	25
6	36"	1.50	Regular	"Mount Eagle" (dobby)	37½
7	36"	1.35	Sanforized	"Mount Eagle" (dobby)	42

(26) *Terry products.* (i) The following maximum prices for terry products shall be subject to the terms shown below in connection with each seller's line.

(ii) For seconds of terry products other than name woven terry products, the maximum prices shall be 10 per cent less than those set forth in (v) below; for seconds of name-woven terry products, the maximum prices shall be 15 per cent less than those set forth in (v) below.

(iii) For terry products of any style for which a maximum price is not listed in (v) below, the maximum price shall be a price in line with [*] the maximum price set forth in (v) below for the most nearly comparable terry product made by the same manufacturer.

(iv) In addition to the base maximum prices, a seller may charge for special services a premium not in excess of such extra charge as he made for the same special services during the base period.

(v) The following are base maximum prices for the styles of terry products listed below:

(a) CALLAWAY MILLS, LA GRANGE, GEORGIA

TABLE I—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (Inches)	Maximum price (dollars per dozen)
Group I—Con. Wash cloths	21	138	12 x 12	1.90
	22	108	12 x 12	1.90
	23	127	12 x 12	1.90
	24	124	12 x 12	1.90
	25	128	12 x 12	1.90
Group II: Bath towels	26	312	22 x 44	6.69
	27	335	22 x 44	6.69
	28	332	22 x 44	6.69
	29	334	22 x 44	6.69
	30	336	22 x 44	6.69
	31	337	22 x 44	6.69
Guest towels	32	212	16 x 28	3.53
	33	235	16 x 28	3.53
	34	232	16 x 28	3.53
	35	234	16 x 28	3.53
	36	236	16 x 28	3.53
	37	237	16 x 28	3.53
Wash cloths	38	112	12 x 12	1.50
	39	135	12 x 12	1.50
	40	132	12 x 12	1.50
	41	134	12 x 12	1.50
	42	136	12 x 12	1.50
	43	137	12 x 12	1.50
Group III: Bath towels	44	318	24 x 48	10.92
	45	329	24 x 48	10.92
	46	330	24 x 48	10.92
	47	331	24 x 48	10.92
Guest towels	48	218	16 x 30	5.20
	49	229	16 x 30	5.20
	50	230	16 x 30	5.20
	51	231	16 x 30	5.20
Wash cloths	52	118	12 x 12	1.96
	53	129	12 x 12	1.96
	54	130	12 x 12	1.96
	55	131	12 x 12	1.96
Group IV: Bath towels	56	333	24 x 46	7.67
	57	313	22 x 44	5.81
Guest towels	58	233	16 x 28	4.13
	59	213	16 x 28	3.41
Wash cloths	60	133	12 x 12	1.80
	61	113	12 x 12	1.40
Group V: Beach towels	62	700	36 x 64	16.76
	63	701	36 x 64	16.76
	64	704	36 x 64	16.76
	65	706	36 x 64	16.76
Group VI: Bath towel	66	325	27 x 50	17.50
Guest towel	67	225	16 x 32	6.25
Wash cloth	68	125	13 x 13	2.75
Bath mats	69	406	22 x 36	18.00
	70	413	22 x 34	14.00
	71	418	22 x 36	18.00
	72	420	22 x 36	18.00
	73	424	22 x 36	18.00
	74	430	22 x 36	18.00
	75	438	22 x 36	18.00
Wash cloth	76	Vigorub	13 x 13	2.75
Guest towel	77	Vigorub	14 x 28	5.00
Bath towel	78	Vigorub	29 x 50	12.50
Bath sheet	79	Vigorub	38 x 68	21.00
Bath mat	80	Vigorub	22 x 38	18.00

(b) CANNON MILLS COMPANY, KANNAPOLIS, N. C.

TABLE 1—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels not in matched sets.	1	3268	20 x 40	2.36
	2	3269	20 x 40	2.20
	3	3272	20 x 40	2.78
	4	3633	20 x 40	2.35
	5	6107	22 x 44	2.88
	6	6111	22 x 44	3.15
	7	7128	22 x 44	3.93
Face towels not in matched sets.	8	3232	16 x 26	1.40
	9	3340	16 x 26	1.67
	10	9740	11½ x 18½	1.83
	11	9784	11½ x 18½	1.83
Wash cloths not in matched sets.	12	1323	12 x 12	.67
	13	1334	12 x 12	.41
	14	1362	15 x 15	1.39
	15	1378	12 x 12	.72
	16	1427	11 x 11	.44
	17	1459	12 x 12	.57
	18	9024	12 x 12	.75
	19	9140	12 x 11	.56
	20	9142	12 x 12	.85
				Per yard
Towelings	21	1711	17½"	.18
	22	1713	19½"	.21
	23	1745	35"	.30
	24	1753	36"	.38
	25	1761	35"	.24
	26	1793	18"	.17
Bath towels, face towels, wash cloths, bath mats:				
				Per dozen
Matched sets	27	911	24 x 48	8.50
	28	912	16 x 30	4.25
	29	913	12½ x 12½	1.45
	30	3117	20 x 40	2.71
	31	9097	12 x 12	.75
	32	3152	20 x 40	3.13
	33	1396	12 x 12	.77
	34	3153	20 x 40	3.13
	35	1397	12 x 12	.77
	36	3154	22 x 42	3.24
	37	3155	17 x 25	2.06
	38	1398	12 x 12	.77
	39	3842	20 x 40	2.34
	40	3339	15 x 26	1.37
	41	1395	13 x 13	.77
	42	4949	19½ x 40	2.44
	43	4950	16 x 25	1.40
	44	4951	11½ x 11½	.44
	45	5571	20 x 40	2.86
	46	9051	12 x 12	.75
	47	5573	20 x 40	2.61
	48	5574	15 x 26	1.55
	49	1382	12 x 12	.77
	50	6105	24 x 48	4.04
	51	6103	22 x 44	3.51
	52	3373	18 x 36	2.30
	53	3305	16 x 27	1.72
	54	1383	12 x 12	.70
	55	6502	22 x 44	4.43
	56	6510	16 x 27	2.33
	57	468	12 x 12	.88
	58	6536	22 x 44	4.70
	59	6538	16 x 27	2.33
	60	480	12 x 12	.95
	61	6548	22 x 44	3.38
	62	6550	15 x 26	1.55
	63	488	12 x 12	.74
	64	7101	24 x 48	4.98
	65	7103	22 x 44	4.19
	66	7105	16 x 28	2.35
	67	7201	18 x 36	2.98
	68	6900	30 x 70	14.25
	69	1439	12 x 12	.88
	70	9542	22 x 44	4.41
	71	9544	16 x 27	2.25
	72	9056	12 x 12	.92
	73	9959	21 x 39	7.50
	74	9381	36 x 68	12.34
	75	9570	22 x 44	4.83
	76	9572	16 x 27	2.32
	77	9058	12 x 12	.92

[*] See footnote 5, § 1400.101, for definition of "in line with".

(b) CANNON MILLS COMPANY
KANNAPOLIS, N. C.—Continued

TABLE I—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels, face towels, wash cloths, bath mats—Con.				
Matched sets	78	9594	25 x 48	7.77
	79	9596	16 x 30	3.86
	80	9078	13 x 13	1.45
	81	9961	22 x 36	13.75
	82	9600	22 x 44	5.94
	83	9601	16 x 27	2.57
	84	9617	20 x 40	2.86
	85	9618	15 x 26	1.55
	86	9227	12 x 12	.77
	87	9628	22 x 44	4.41
	88	9629	16 x 27	2.25
	89	9211	12 x 12	.92
	90	9630	22 x 44	4.41
	91	9631	16 x 27	2.22
	92	9212	12 x 12	.92
	93	9632	22 x 44	4.41
	94	9633	16 x 27	2.22
	95	9213	12 x 12	.92
	96	9641	22 x 44	3.91
	97	9642	16 x 27	2.22
	98	9220	12 x 12	.98
	99	9649	22 x 44	5.95
	100	9652	16 x 27	2.85
	101	9224	12 x 12	1.10
	102	9651	22 x 44	5.95
	103	9650	16 x 27	2.85
	104	9223	12 x 12	1.10
	105	9653	22 x 44	4.14
	106	9654	16 x 27	2.22
	107	9060	12 x 12	.92
	108	9655	20 x 40	3.37
	109	9646	16 x 27	2.15
	110	9656	20 x 40	3.12
	111	9658	15 x 27	2.00
	112	9228	12 x 12	.77
	113	9657	20 x 40	3.37
	114	9648	16 x 27	2.15
	115	9222	12 x 12	.92
	116	9701	24 x 46	9.00
	117	9702	16 x 30	4.25
	118	9103	12 x 12	1.45
	119	9709	22 x 44	5.25
	120	9711	16 x 27	2.32
	121	9107	12 x 12	1.10
	122	9959	21 x 32	7.50
	123	9719	22 x 44	5.44
	124	9720	16 x 27	2.47
	125	9170	12 x 12	1.10
	126	9953	21 x 32	7.50
	127	9726	24 x 46	7.76
	128	9727	16 x 28	4.11
	129	9174	12½ x 12½	1.45
	130	9728	27 x 52	14.00
	131	9730	24 x 48	10.50
	132	9732	22 x 44	7.48
	133	9738	16 x 30	4.75
	134	9109	12½ x 12½	2.00
	135	9975	22 x 36	18.00
	136	9729	24 x 46	7.76
	137	9731	16 x 28	4.11
	138	9176	12½ x 12½	1.45
	139	9963	22 x 36	13.75
	140	9733	24 x 44	7.46
	141	9734	16 x 27	3.25
	142	9178	12 x 12	1.25
	143	9742	22 x 44	5.44
	144	9746	16 x 27	2.47
	145	9180	12 x 12	1.10
	146	9957	21 x 32	7.50
	147	9760	22 x 44	5.00
	148	9761	16 x 27	2.32
	149	9192	12 x 12	1.10
	150	9973	21 x 32	7.50
	151	9762	22 x 44	5.25
	152	9763	16 x 27	2.32
	153	9194	12 x 12	1.10
	154	9971	21 x 32	7.50
	155	9766	27 x 52	14.00
	156	9776	24 x 48	10.50
	157	9778	22 x 44	7.48
	158	9780	16 x 30	4.75
	159	9101	12½ x 12½	2.00
	160	9977	22 x 36	18.00
	161	9768	22 x 44	5.25
	162	9770	16 x 27	2.32
	163	9196	12 x 12	1.10
	164	9965	21 x 32	7.46
	165	9777	24 x 44	7.46
	166	9779	16 x 27	3.25
	167	9152	12½ x 12½	1.25
	168	9919	22 x 34	10.80

(b) CANNON MILLS COMPANY
KANNAPOLIS, N. C.—Continued

TABLE I—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels, face towels, wash cloths, bath mats—Con.				
Matched sets	169	9781	22 x 44	5.44
	170	9783	16 x 27	2.47
	171	9154	12 x 12	1.10
	172	9923	21 x 32	7.50
	173	9789	24 x 44	7.46
	174	9791	16 x 27	3.25
	175	9158	12 x 12	1.25
	176	9631	22 x 34	10.80
Pot holders	177	9604	7 x 7	.72
	178	9921	6 x 6½	.41
Household cloths	179	1497	13 x 12	.52
	180	1499	15 x 16	.85
Infants' bath blankets, wash cloths, bibs, and play rugs.	181	365	36 x 36	5.67
	182	1103	35 x 35	4.20
	183	1110	11 x 13½	1.64
	184	1111	11 x 13½	1.65
	185	1121	11 x 13½	2.51
	186	1130	16¾ x 14	2.53
	187	1131	16¾ x 14	2.53
	188	1136	35 x 35	8.26
	189	1137	35 x 35	8.26
	190	1418	14 x 17	2.29
	191	1420	14 x 17	2.29
	192	1422	9 x 11	1.14
	193	1424	9 x 11	1.15
	194	9136	11 x 13½	2.19
	195	9138	11¼ x 11½	1.64
	196	9747	20 x 36	5.79
	197	9907	42 x 42	19.29

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	198	317	16 x 27	1.67
	199	331	18 x 36	1.99
	200	335	18 x 36	2.41
	201	341	18 x 36	2.20
	202	361	22 x 44	5.33
	203	367	25 x 48	6.51
	204	369	20 x 40	3.40
	205	375	22 x 44	3.94
	206	387	27 x 54	7.57
	207	703	20 x 40	3.26
	208	705	22 x 44	3.84
	209	709	23 x 46	4.30
	210	711	25 x 50	4.99
	211	733	20 x 40	2.78
	212	745	20 x 40	2.67

(b) CANNON MILLS COMPANY
KANNAPOLIS, N. C.—Continued

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	213	749	22 x 44	3.50
	214	761	26 x 50	4.72
	215	781	20 x 40	2.46
	216	783	20 x 40	2.45
	217	785	22 x 44	2.99
	218	788	22 x 44	3.26
	219	789	22 x 44	3.40
	220	791 W	16 x 27	1.62
	221	791 Col.	16 x 27	1.67
Wash Cloths	222	1313	12 x 12	.57
Bath Mats	223	952	20 x 30	4.43
	224	954	22 x 38	5.74
	225	2370	20 x 30	6.09
	226	2380	22 x 36	8.52
	227	2390	24 x 42	10.30

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

A-TOWELS

For name woven in color through center, the seller may add 10 cents per dozen to the prices set forth below for style numbers 396, 398, 792, 794, 796 and 798.

For name woven in color through center, the seller may add 15 cents per dozen to the prices set forth below for style number 756.

For name woven in color through center or across both ends the seller may add 20 cents per dozen to the prices set forth below for style numbers 710, 770 and 900.

For purchases in quantities of twenty-five dozen of style numbers 396, 398, 710, 756, 770, 792, 794, 796, 798 and 900, the seller may add 10 cents per dozen to the 50-dozen-lot prices set forth below.

Style numbers 396, 398, 710, 756, 770, 792, 794, 796, 798 and 900, may be obtained in red, blue, jade, gold and cantex green.

For turned selvages for all styles listed in this Table III-A, the seller may add 15 cents per dozen to the prices set forth below.

The YMCA and YWCA styles 336 and 338 and the Country Club style numbers 796 and 798 are packed twenty-five dozen to a case.

The maximum prices set forth in this Table III-A, are to be discounted as follows for purchases in larger quantities:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
396, 398, 710, 756, 770, 792, 794, 796, 798 and 900	100	15	50
	250	20	50
	500	25	50
	1000	30	50
	1000	10	250
302			

TABLE No. III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 50 dozen lots	Maximum price (dollars per dozen) 100 dozen lots
Name woven in white through center	228	396 and 398	17 x 27	2.77	2.62
	229	396 and 398	17 x 36	3.58	3.43
	230	396 and 398	20 x 40	4.49	4.34
	231	396 and 398	22 x 44	5.35	5.20
	232	396 and 398	22 x 48	5.67	5.52
	233	396 and 398	24 x 48	6.11	5.96
	234	756	19 x 38	3.74	3.59
	235	756	19 x 40	3.93	3.80
	236	756	21 x 41	4.29	4.11
	237	756	21 x 44	4.56	4.41
	238	756	23 x 46	5.26	5.11
	239	756	25 x 50	5.89	5.74

(b) CANNON MILLS COMPANY, KANNAPOLIS, N. C.—Continued

TABLE No. III—NAME-WOVEN INSTITUTIONAL MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 50 dozen lots	Maximum price (dollars per dozen) 100 dozen lots
Name woven in white through center	240	792 and 794	20 x 40	3.37	3.22
	241	792 and 794	22 x 44	3.90	3.75
	242	796 and 798	17 x 27	2.56	2.41
	243	796 and 798	17 x 36	3.27	3.12
	244	796 and 798	20 x 40	3.80	3.65
	245	796 and 798	22 x 44	4.41	4.26
	246	796 and 798	22 x 48	4.97	4.82
	247	796 and 798	24 x 48	5.37	5.22
Name woven in white through center or across both ends.	248	710	22 x 44	5.70	5.55
	249	710	24 x 44	6.07	5.92
	250	710	24 x 48	6.67	6.52
	251	710	25 x 50	7.31	7.16
	252	710	27 x 50	7.63	7.48
	253	710	27 x 54	8.10	7.95
	254	770	22 x 44	6.48	6.33
	255	770	24 x 44	7.05	6.90
	256	770	24 x 48	7.37	7.22
	257	770	25 x 50	7.99	7.84
	258	770	27 x 50	8.41	8.26
	259	770	27 x 54	9.09	8.94
	260	900	22 x 44	6.88	6.73
	261	900	24 x 44	7.30	7.15
	262	900	24 x 48	7.73	7.58
	263	900	25 x 50	8.25	8.10
	264	900	27 x 50	8.82	8.67
	265	900	27 x 54	9.60	9.45
Name woven through center in colors red, blue or gold.	266	392	16 x 27	1.97	1.92
				Maximum price (dollars per dozen)	
Name woven through center in red or blue with YMCA and blue only with YWCA.	267	336 and 338	22 x 44	4.32	
Country Club	268	796 and 798	22 x 44	4.33	

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

B—WASH CLOTHS

For name woven lengthwise through center in any of the colors blue, gold, jade, maize and cantex green, on styles 905 and 907, the seller may add 5 cents per dozen to the prices set forth below.

For enclosure of any of the wash cloths listed in this Table III-B, in individual glassine envelopes printed in one color, the seller may add 12 cents per dozen to the prices set forth below.

The maximum prices set forth in this Table III-B, are to be discounted as follows for purchases in larger quantities:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
905	500	2½	250
907	500	2½	250
905	1000	5	250
907	1000	5	250
2000	250	5	100
2000	500	7½	100
2000	1000	10	100

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 250 dozen lots
Name woven across center in color.	269	905	12 x 12	$0.79
	270	907	12 x 12	1.00
				100 dozen lots
Name woven in white or color.	271	2000	11 x 11	.99

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

C—BATH MATS

The style numbers listed below may be obtained in the colors, blue, gold, jade, maize and cantex green.

For name woven lengthwise through center in a colored name and stripe, the seller may add 15 cents per dozen to the prices set forth below for style number 962.

For name woven lengthwise through center in a colored name stripe, or for a mat with solid colored filling throughout, the seller may add 35 cents per dozen to the prices set forth below for style numbers 964 and 968.

For an all white mat in Style No. 1068, the seller shall deduct 50 cents per dozen from the prices listed below for white and slate mats.

For purchases in quantities of 50 dozen on all of the items listed in this Table III-C, the seller shall deduct 25 cents per dozen from the 25 dozen lot prices set forth below; and for purchases in quantities of 100 dozen, the seller shall deduct 50 cents per dozen from the 25 dozen lot prices set forth below.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 25 dozen lots
Name woven lengthwise through center in white, except style No. 1068 which may also be woven across both ends in white.	272	962	20 x 30	5.67
	273	962	22 x 34	6.46
	274	962	22 x 36	6.98
	275	964	20 x 30	6.33
	276	964	20 x 36	7.42
	277	964	22 x 38	8.11
	278	968	20 x 30	7.91
	279	968	22 x 36	10.13
	280	968	24 x 42	12.70
	281	1068	20 x 30	11.03
		Slate		
	282	1068	22 x 36	14.47
		Slate		
	283	1068	26 x 40	18.48
		Slate		

(c) CONE EXPORT AND COMMISSION COMPANY, NEW YORK CITY

TABLE I—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels	1	7891	20 x 40	2.09
	2	7967	20 x 40	2.08
	3	7977	20 x 40	2.71
	4	8077	20 x 40	2.71
	5	8119	20 x 40	2.70
	6	8120	20 x 40	2.70
	7	8218	18 x 36	1.93
	8	8219	22 x 44	2.72
	9	8220	22 x 44	3.29
Wash cloths	10	791	12 x 12	.44
	11	3701	12 x 12	.44
	12	6834	12 x 12	.67
	13	7114	11 x 11	.39
	14	7115	11 x 11	.39
	15	7289	12 x 12	.47
	16	7545	12 x 12	.49
	17	7583	12 x 12	.52
	18	7893	11 x 11	.39
	19	8016-2	12 x 12	.62
	20	8029-2	13 x 13	.93
	21	8032-2	13 x 13	1.13
	22	8119-2	12 x 12	.52
				Per yard
Towelings	23	7840	18"	.17
				Per dozen
Matched sets	24	7832	22 x 44	4.44
	25	7834	18 x 36	2.88
	26	7835	16 x 28	2.24
	27	7841	13 x 13	.85
	28	7852	24 x 48	5.23
	29	7919	22 x 44	4.41
	30	7919-1	16 x 28	2.18
	31	7919-2	12 x 12	.93
	32	8028	22 x 44	4.41
	33	8028-1	16 x 28	2.18
	34	8028-2	12 x 12	.92
	35	8038	20 x 40	3.37
	36	8038-1	16 x 28	2.07
	37	8038-2	12 x 12	.90
	38	8040	20 x 40	3.37
	39	8040-1	16 x 28	2.07
	40	8040-2	12 x 12	.90
	41	8085	22 x 44	5.18
	42	8085-1	16 x 28	2.59
	43	8085-2	12 x 12	1.13
	44	8097-1	16 x 28	2.59
	45	8097-2	12 x 12	1.13
	46	8106	22 x 44	4.41
	47	8106-1	16 x 28	2.18
	48	8106-2	12 x 12	.92
	49	8110	22 x 44	5.45
	50	8110-1	16 x 28	2.69
	51	8110-2	13 x 13	1.13
	52	8111	22 x 44	4.44
	53	8111-1	16 x 28	2.45
	54	8111-2	13 x 13	.93
	55	8168	22 x 44	4.14
	56	8168-1	16 x 28	2.17
	57	8168-2	12 x 12	.92
	58	8199	22 x 44	3.99
	59	8199-1	16 x 28	2.07
	60	8199-2	12 x 12	.87
	61	8202	22 x 44	3.99
	62	8202-1	16 x 28	2.07
	63	8202-2	12 x 12	.90

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	64	Ruffrub Br.	22 x 44	3.51
	65	7065	18 x 36	2.04
	66	7076	20 x 40	2.96
	67	7078	22 x 44	3.41
	68	7177	20 x 40	3.61
	69	7294	20 x 40	2.46
	70	7345	22 x 44	4.04
	71	7403	22 x 44	5.22
Wash cloths	72	6604	12 x 12	.60
				Per yard
Towelings	73	7840	18"	.17

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

For name woven in a colored stripe, the seller may add to the following prices 10 cents per dozen.

For selvages turned over and hemmed, the seller may add to the following prices 15 cents per dozen.

For purchases in quantities of twenty-five dozen, the seller may add 10 cents per dozen to the 50-dozen-lot prices set forth below.

The maximum prices set forth in this Table III are to be discounted as follows for purchases in larger quantities:

Dozen of a name	Cents per dozen less than	Dozen lots
250	5	100
500	10	100
1000	15	100

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 50 dozen lots	Maximum price (dollars per dozen) 100 dozen lots
TOWELS					
Name woven in white	74	1000	20 x 40	4.07	3.92
	75	1005	20 x 40	4.07	3.92
	76	1001	22 x 44	4.60	4.45
	77	1006	22 x 44	4.60	4.45
	78	6992	20 x 40	4.53	4.38
	79	6990	22 x 44	5.10	4.95
	80	6982	24 x 48	5.98	5.83
				Maximum price (dollars per dozen)	
	81	1015 YMCA	22 x 44	4.60	
	82	1016 YMCA	22 x 44	4.60	

(d) MARSHALL FIELD & COMPANY, 82 WORTH STREET, NEW YORK CITY

TABLE I—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels, Face towels, Wash cloths, Bath mats, Towelings.	1	8228	20 x 40	2.87
	2	8330	19 x 38	2.34
	3	8376	22 x 44	2.99
	4	70102	12 x 12	.67
	5	8160	25 x 50	8.76
	6	8060	16 x 32	4.35
	7	7760	15 x 15	2.00
	8	9960	22 x 34	12.00
	9	8191	25 x 50	8.96
	10	8091	16 x 32	4.52
	11	7791	13 x 13	2.04
	12	9991	22 x 34	12.00
	13	8236	20 x 40	2.97
	14	7736	12 x 12	.75
	15	8239	20 x 40	2.87
	16	7739	12 x 12	.75
	17	8362	22 x 44	4.07
	18	8262	16 x 28	2.18
	19	7762	12 x 12	.93
	20	8375	20 x 40	3.11
	21	8275	16 x 28	2.06
	22	7775	12 x 12	.85
	23	8403	22 x 44	5.20
	24	8203	16 x 28	2.95
	25	7703	12 x 12	1.08
	26	8411	22 x 44	5.69
	27	8211	16 x 28	3.09
	28	7711	12 x 12	1.13
	29	8443	22 x 44	7.23
	30	8244	16 x 28	3.85
	31	7744	12 x 12	1.53
	32	9944	22 x 34	12.33
	33	8445	22 x 44	5.18
	34	8245	16 x 28	2.58
	35	7745	12 x 12	1.13
	36	8448	22 x 44	5.69
	37	8248	16 x 28	3.09
	38	7748	12 x 12	1.13
	39	8454	22 x 44	4.87
	40	8254	16 x 28	2.73
	41	7754	12 x 12	1.03
	42	8455	22 x 44	7.70
	43	8255	16 x 30	3.85
	44	7755	13 x 13	1.79
	45	9955	22 x 34	12.30
	46	8456	22 x 44	6.95
	47	8256	16 x 30	3.60
	48	7756	13 x 13	1.54
	49	9956	22 x 34	10.80

(d) MARSHALL FIELD & COMPANY, 82 WORTH STREET, NEW YORK CITY—Con.

TABLE I—CONSUMER MERCHANDISE—Con.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels, Face towels, Wash cloths, Bath mats, Towelings.	50	8457	22 x 44	5.69
	51	8257	16 x 28	3.09
	52	7757	12 x 12	1.13
	53	8459	22 x 44	5.70
	54	8259	16 x 28	3.08
	55	7759	12 x 12	1.13
	56	8463	22 x 44	4.87
	57	8263	16 x 28	2.73
	58	7763	12 x 12	1.02
	59	8465	22 x 44	5.78
	60	8265	16 x 28	2.58
	61	7765	12 x 12	1.13
	62	8474	22 x 44	7.45
	63	8274	16 x 30	3.85
	64	7774	13 x 13	1.59
	65	9974	22 x 34	12.31
	66	8480	22 x 44	6.73
	67	8280	16 x 30	3.35
	68	7780	13 x 13	1.49
	69	9980	22 x 34	10.31
	70	8484	22 x 44	7.45
	71	8284	16 x 30	3.85
	72	7784	13 x 13	1.59
	73	9984	22 x 34	12.31
	74	8489	22 x 44	4.40
	75	8289	16 x 28	2.32
	76	7789	12 x 12	.97
	77	8497	22 x 44	4.41
	78	8297	16 x 28	2.32
	79	7797	12 x 12	.97
	80	8500	25 x 50	10.50
	81	8200	16 x 32	4.75
	82	7700	15 x 15	2.25
	83	9000	22 x 34	15.00
	84	8502	25 x 50	5.50
	85	8402	22 x 44	4.44
	86	8302	18 x 36	3.13
	87	8202	16 x 28	2.34
	88	7702	12 x 12	.89
	89	8508	25 x 50	7.28
	90	8408	22 x 44	5.46
	91	8208	16 x 28	2.93
	92	7708	12 x 12	1.08
	93	8546	25 x 50	7.01
	94	8446	22 x 44	5.46
	95	8246	16 x 28	2.98
	96	7746	12 x 12	1.07
	97	8568	25 x 50	11.80
	98	8268	16 x 32	5.03

(d) MARSHALL FIELD & COMPANY, 82 WORTH STREET, NEW YORK CITY—Con.

TABLE I—CONSUMER MERCHANDISE—Con.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels, Face towels, Wash cloths, Bath mats, Towelings.	99	7768	13 x 13	2.29
	100	9968	22 x 34	15.00
	101	8570	25 x 50	11.80
	102	8270	16 x 32	5.03
	103	7770	13 x 13	2.29
	104	9670	22 x 34	13.00
	105	8571	25 x 50	9.05
	106	8271	16 x 32	4.53
	107	7771	13 x 13	2.05
	108	9971	22 x 34	12.00
	109	8590	25 x 50	5.51
	110	8490	22 x 44	4.45
	111	8390	18 x 36	3.14
	112	8290	16 x 28	2.34
	113	7790	12 x 12	.88
	114	8594	25 x 48	8.78
	115	8294	16 x 28	3.85
	116	7794	13 x 14	1.59
	117	9994	22 x 36	12.33
	118	8595	25 x 48	8.02
	119	8295	16 x 28	3.60
	120	7795	13 x 14	1.44
	121	9995	22 x 36	10.83
	122	9964	7 x 7	.54
	123	9965	7 x 7	.54
	124	8005	18 x 36	2.41
	125	8027	16 x 27	1.57
	126	8036	18 x 36	1.93
	127	8038	19 x 38	3.15
	128	8042	21 x 42	3.73
	129	8045	20 x 40	2.41
	130	8065	20 x 40	2.78
	131	8075	22 x 44	3.41
	132	8084	22 x 44	4.35
	133	8088	24 x 46	5.09
	134	7730	12 x 12	.60

(e) MOORESVILLE COTTON MILLS, MOORESVILLE, N. C.

TABLE I—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels not in matched sets.	1	176	22 x 44	4.44
	2	177	24 x 48	5.08
	3	346	24 x 46	4.98
	4	410	18 x 36	2.24
	5	411	18 x 36	2.24
	6	437	18 x 36	1.66
	7	455	20 x 40	2.39
	8	457	20 x 40	2.60
	9	459	20 x 40	2.34
	10	461	20 x 40	2.08
	11	610	22 x 44	3.25
	12	611	22 x 44	3.35
	13	644	22 x 44	2.87
	14	704	20 x 40	2.35
	15	705	20 x 40	2.36
	16	722	20 x 40	2.50
	17	772	22 x 44	3.90
	18	774	22 x 44	3.65
	19	781	20 x 40	2.07
	20	785	22 x 44	2.35
	21	786	22 x 44	2.61
	22	1740	18 x 36	2.87
	23	1760	22 x 44	4.41
	24	1770	24 x 48	5.08
Face towels not in matched sets.	25	178	15½ x 28	2.59
	26	779	17 x 34	1.66
	27	1653	17 x 34	1.66
	28	1715	17 x 34	1.66
	29	1780	15½ x 28	2.59
	30	1781	17 x 34	1.56
Wash cloths not in matched sets.	31	6	12 x 12	.65
	32	9	11 x 11	.44
	33	10	11 x 11	.44
	34	11	12 x 12	.57
	35	12	14 x 14	.70
	36	14	14 x 14	.83
	37	33	14 x 14	.73
	38	34	12 x 12	.53
	39	41	12 x 12	.57

(e) MOORESVILLE COTTON MILLS, MOORESVILLE, N. C.—Continued

TABLE I—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No	Style No.	Size (inches)	Maximum price (dollars per dozen)
Wash cloths not in matched sets.	40	43	12 x 12	.52
	41	55	11 x 11	.44
	42	116	12 x 12	.82
Bath mats not in matched sets.	43	166	12 x 12	.41
	44	1018	22 x 32	8.02
	45	1050	22 x 32	7.27
Matched sets	46	340	24 x 46	4.44
			15 x 28	1.92
	47	630	12 x 12	.72
			22 x 44	3.23
			15 x 28	1.81
			12 x 12	.62
	48	636	22 x 44	3.35
			15 x 28	1.81
			12 x 12	.62
	49	653	22 x 44	3.38
			15 x 28	1.86
			12 x 12	.77
	50	655	22 x 44	3.81
			15 x 28	2.07
			12 x 12	.72
	51	716	20 x 40	2.76
			15 x 28	1.81
			12 x 12	.77
	52	721	20 x 40	3.00
			15 x 28	2.06
			12 x 12	.77
	53	729	20 x 40	2.96
			15 x 28	1.91
			12 x 12	.77
	54	731	20 x 40	3.46
			15 x 28	2.16
			12 x 12	.77
	55	734	20 x 40	3.77
			15 x 28	2.31
			12 x 12	.82
	56	770	22 x 44	3.64
			15 x 28	2.16
			12 x 12	.82
	57	827	22 x 44	4.16
			15 x 28	2.32
			12 x 12	.82
	58	830	22 x 44	4.31
			15 x 28	2.32
			12 x 12	.87
	59	844	24 x 46	5.19
			15 x 28	2.72
			12 x 12	1.03
	60	859	22 x 44	5.43
			15 x 28	2.73
			12 x 12	1.03
	61	911	20 x 40	2.76
			15 x 28	1.91
			12 x 12	.77
Bath sheets	62	1209	31 x 62	5.21
	63	1216	31 x 62	7.83
	64	1217	31 x 62	7.83
	65	1219	31 x 62	8.01
	66	1277	31 x 62	8.23

(f) WELLINGTON SEARS COMPANY, 65 WORTH STREET, NEW YORK CITY

TABLE I—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels not in matched sets.	1	M-35	24 x 46	7.25
	2	128	45 x 68	19.50
	3	759	26 x 51	10.75
	4	814	27 x 50	12.25
	5	815	30 x 55	14.00
	6	911	27 x 50	12.25
	7	912	30 x 55	14.00
	8	920	32 x 64	16.50
	9	1126	46 x 68	23.00
	10	1137	60 x 80	46.00
	11	1159	58 x 80	46.00
	12	1169	58 x 80	46.00
	13	1662	18 x 36	3.50
	14	1663	22 x 44	5.25
	15	1664	22 x 44	5.25
	16	1665	20 x 40	4.25
	17	WP-21	17 x 34	2.65

(f) WELLINGTON SEARS COMPANY, 65 WORTH STREET, NEW YORK CITY—Con.

TABLE I—CONSUMER MERCHANDISE—Con.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels not in matched sets—Con.	18	24	17 x 88	6.75
	19	295	36 x 70	11.50
	20	4071	19 x 38	3.34
	21	4102	20 x 40	2.90
	22	4179	36 x 68	13.50
	23	4199	36 x 68	13.50
	24	4209	32 x 64	10.50
	25	4219	36 x 70	14.25
	26	4349	32 x 64	10.50
	27	4359	36 x 68	13.50
	28	4379	36 x 68	13.50
	29	4419	32 x 64	10.50
Wash cloths not in matched sets.	30	M-6	11 x 11½	.75
	31	8	16 x 16	1.95
	32	10	14 x 14½	1.75
	33	16	12½ x 18	1.70
	34	33	11¾ x 11¾	.80
	35	66	12¾ x 12¾	.90
	36	81	11¾ x 11¾	1.35
	37	1926	9 x 9	.65
	38	WP-4104	12 x 12	.65
	39	4106	12 x 12½	.72
	40	4116	12 x 12	.75
	41	11/6T	14 x 15	.37
	42	11/12T	14 x 15	.73
	43	13/6T	6½ x 7	.35
	44	13/12T	6½ x 7	.69
Bath mats not in matched sets.	45	M-268	20 x 30	7.75
	46	276	22 x 36	11.00
	47	288	25 x 44	14.75
	48	1007	23 x 38	18.50
	49	1008	23 x 38	25.00
	50	1018	23 x 38	29.00
				Per yard
Toweling	51	WP-295	36"	.58
				Per dozen
Matched sets	52	130	16 x 28	2.75
Martex	53	133	22 x 44	5.25
	54	134	25 x 48	7.25
	55	135	29 x 50	9.25
	56	136	12 x 12	1.10
	57	140	16 x 28	2.15
	58	141	18 x 36	3.15
	59	143	22 x 44	4.25
	60	144	25 x 48	6.00
	61	145	29 x 50	7.75
	62	146	13 x 13	1.00
	63	147	36 x 68	12.50
	64	180	16 x 28	2.15
	65	181	18 x 36	3.15
	66	183	22 x 44	4.25
	67	184	25 x 48	6.00
	68	185	29 x 50	7.75
	69	186	13 x 14	1.00
	70	187	36 x 68	12.50
	71	188	21 x 32	10.00
	72	90	12 x 12	1.20
	73	760	16 x 28	2.50
	74	761	18 x 36	4.00
	75	763	26 x 46	7.25
	76	972	29 x 50	10.50
	77	973	25 x 46	7.25
	78	976	15 x 28	2.50
	79	977	11½ x 11½	1.00
	80	92	12 x 12	1.20
	81	139	20 x 32	11.75
	82	1210	16 x 28	3.25
	83	1212	22 x 44	5.65
	84	1330	16 x 30	6.25
	85	1333	22 x 44	11.75
	86	1336	12 x 14	3.00
	87	1370	16 x 28	6.25
	88	1373	22 x 44	11.75
	89	1376	13 x 13	3.00
	90	1390	16 x 28	6.00
	91	1393	22 x 44	11.75
	92	1396	12 x 12	2.85
	93	1610	16 x 28	6.00
	94	1613	22 x 44	11.75
	95	1616	12 x 12	2.85
	96	1620	16 x 28	6.25
	97	1623	22 x 44	12.25
	98	1626	13 x 13	3.00
	99	1630	16 x 28	5.25
	100	1633	22 x 44	8.25
	101	1636	12 x 12	2.60
	102	1640	16 x 28	5.75
	103	1643	22 x 44	10.75
	104	1646	12 x 12	2.85
	105	1650	16 x 28	5.50

(f) WELLINGTON SEARS COMPANY, 65 WORTH STREET, NEW YORK CITY—Con.

TABLE I—CONSUMER MERCHANDISE—Con.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Martex—Con.	106	1653	22 x 44	8.50
	107	1656	12 x 12	2.60
	108	1670	16 x 28	6.50
	109	1673	22 x 44	13.75
	110	1676	12 x 14	3.00
	111	1680	16 x 28	5.25
	112	1683	22 x 44	8.25
	113	1686	12 x 12	2.60
	114	1700	16 x 28	3.15
	115	1703	22 x 44	6.25
	116	1704	24 x 48	7.25
	117	1705	29 x 50	10.75
	118	2411	16 x 28	3.85
	119	2414	24 x 46	7.75
	120	2417	12 x 12	1.45
	121	2419	22 x 34	15.50
	122	2770	16 x 28	4.15
	123	2774	24 x 46	8.00
	124	2776	12 x 12	1.75
	125	2778	22 x 36	15.50
	126	2960	16 x 30	6.25
	127	2964	24 x 46	12.25
	128	2965	29 x 50	16.00
	129	2966	12 x 14	1.95
	130	2968	22 x 36	24.00
	131	2969	45 x 68	41.00
	132	2970	16 x 30	5.75
	133	2974	24 x 46	11.25
	134	2975	29 x 50	15.00
	135	2976	12 x 14	1.85
	136	2978	22 x 36	21.50
	137	2990	16 x 28	5.25
	138	2995	26 x 48	14.50
	139	2996	12 x 12	1.70
	140	2998	22 x 36	19.50
	141	3040	16 x 30	6.25
	142	3044	24 x 46	12.25
	143	3046	12 x 12	1.75
	144	3048	22 x 36	22.50
	145	3120	16 x 30	5.00
	146	3124	24 x 46	10.50
	147	3126	12 x 12	1.55
	148	3128	22 x 34	19.50
	149	3140	16 x 28	4.25
	150	3143	22 x 44	8.00
	151	3146	12 x 12	1.50
	152	3148	22 x 34	15.50
	153	3200	16 x 28	3.25
	154	3201	18 x 36	4.35
	155	3203	22 x 44	6.25
	156	3204	25 x 48	8.25
	157	3206	13 x 13	1.30
	158	3208	21 x 32	12.50
	159	3220	16 x 28	5.50
	160	3224	25 x 48	12.50
	161	3226	12½ x 12½	1.90
	162	3228	22 x 36	19.50
	163	3230	16 x 30	3.95
	164	3234	24 x 46	7.75
	165	3235	27 x 52	10.50
	166	3236	13 x 13	1.50
	167	3237	20 x 34	10.25
	168	3238	22 x 36	19.00
	169	3239	45 x 70	31.00
	170	3240	16 x 30	5.00
	171	3243	22 x 44	8.25
	172	3245	26 x 50	14.00
	173	3246	13 x 13	1.85
	174	3248	22 x 36	19.00
	175	3249	36 x 70	28.50
	176	3250	15 x 27	3.85
	177	3253	22 x 44	7.60
	178	3256	12 x 12	1.30
	179	3258	20 x 34	11.50
	180	3260	15 x 27	3.65
	181	3263	22 x 44	7.00
	182	3266	12 x 12	1.30
	183	3268	20 x 34	11.00
	184	3290	16 x 28	4.25
	185	3293	22 x 44	8.00
	186	3296	12 x 12	1.50
	187	3298	20 x 34	12.50
	188	3300	16 x 28	4.25
	189	3304	24 x 46	8.25
	190	3306	12 x 12	1.55
	191	3308	20 x 34	12.50
	192	3310	15 x 27	3.95
	193	3313	22 x 44	7.25
	194	3316	12 x 12	1.30
	195	3318	20 x 34	11.50
	196	3320	15 x 27	3.65
	197	3323	22 x 44	7.00
	198	3326	12 x 12	1.30
	199	3328	20 x 34	11.00

(*f*) WELLINGTON SEARS COMPANY, 65 WORTH STREET, NEW YORK CITY—Con.

TABLE I—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Martex—Con.	200	3360	16 x 28	5.25
	201	3365	26 x 49	14.50
	202	3366	12 x 12	1.70
	203	3370	16 x 28	4.50
	204	3374	24 x 46	10.50
	205	3376	12 x 12	1.65
	206	3378	22 x 36	19.50
	207	3380	16 x 28	5.50
	208	3384	26 x 48	12.50
	209	3386	12½ x 12½	1.90
	210	3388	22 x 36	19.00
	211	3400	16 x 28	4.25
	212	3403	22 x 44	8.00
	213	3404	24 x 46	10.50
	214	3406	12 x 13	1.50
	215	3408	22 x 34	19.00
	216	3410	16 x 28	5.50
	217	3414	25 x 48	12.50
	218	3416	12½ x 12½	1.90
	219	3418	22 x 36	19.50
	220	3420	16 x 28	5.50
	221	3425	26 x 48	15.25
	222	3426	12 x 12	1.75
	223	3430	16 x 28	4.50
	224	3433	22 x 44	8.50
	225	3436	12 x 12	1.55
	226	3438	20 x 34	12.50
	227	3440	16 x 28	4.25
	228	3443	22 x 44	7.75
	229	3446	12 x 12	1.50
	230	3448	20 x 34	12.50
	231	3450	15 x 27	3.95
	232	3453	22 x 44	7.25
	233	3456	12 x 12	1.30
	234	3458	20 x 34	11.50
	235	3460	15 x 27	4.25
	236	3463	22 x 44	8.00
	237	3466	12 x 12	1.45
	238	3468	20 x 34	12.50
	239	3470	16 x 28	4.50
	240	3473	22 x 44	8.50
	241	3476	12 x 12	1.50
	242	3478	20 x 34	12.50
	243	3480	16 x 28	4.25
	244	3483	22 x 44	7.25
	245	3484	25 x 48	9.75
	246	3485	12 x 12	1.45
	247	3488	21 x 32	12.75
	248	3490	16 x 28	4.25
	249	3491	12 x 18	2.25
	250	3493	22 x 44	8.50
	251	3496	12 x 12	1.55
	252	3500	16 x 30	6.25
	253	3503	22 x 44	10.25
	254	3505	26 x 50	15.50
	255	3506	13 x 13	2.00
	256	3508	22 x 36	22.50
	257	3509	36 x 70	34.00
West Point matched sets.	258	274	16 x 32	2.49
	259	275	24 x 46	5.25
	260	277	12 x 12	.83
	261	4019	36 x 70	11.50
	262	4060	16 x 28	2.15
	263	4061	18 x 36	2.90
	264	4063	22 x 44	3.85
	265	4064	24 x 46	4.75
	266	4065	26 x 52	5.85
	267	4066	12 x 12	.83
	268	4069	36 x 70	11.50
	269	4140	16 x 28	2.15
	270	4143	22 x 44	3.85
	271	4144	24 x 44	4.50
	272	4146	12 x 12	.83
	273	4149	36 x 70	11.50
	274	4360	15 x 27	3.00
	275	4363	22 x 44	5.85
	276	4366	12 x 12	1.07
	277	4368	20 x 34	8.00
	278	4420	16 x 28	1.95
	279	4421	18 x 36	2.80
	280	4423	22 x 44	3.90
	281	4424	24 x 48	4.80
	282	4425	12 x 12	.85
	283	4480	16 x 28	1.85
	284	4481	18 x 36	2.65
	285	4483	22 x 44	3.65
	286	4484	24 x 48	4.50
	287	4486	12 x 12	.83
	288	4490	15 x 27	3.00
	289	4493	22 x 44	5.85
	290	4496	11¾ x 11¾	1.07
	291	4498	20 x 34	7.58
	292	4499	16 x 28	1.85

(*f*) WELLINGTON SEARS COMPANY, 65 WORTH STREET, NEW YORK CITY—Con.

TABLE I—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
West Point matched sets—Con.	293	4501	18 x 36	2.65
	294	4503	22 x 44	3.65
	295	4504	24 x 48	4.50
	296	4506	12 x 12	.82
	297	4540	15 x 27	3.00
	298	4543	22 x 44	6.00
	299	4546	12 x 12	1.18
	300	4547	L. C.	5.80
	301	4548	20 x 34	7.98
	302	4550	16 x 28	1.85
	303	4551	18 x 36	2.65
	304	4553	22 x 44	3.65
	305	4554	24 x 48	4.50
	306	4556	12 x 12	.82
	307	4560	16 x 28	1.90
	308	4562	20 x 40	3.45
	309	4563	22 x 44	4.00
	310	4566	12 x 12	.78
	311	4590	15 x 27	2.73
	312	4593	22 x 44	5.58
	313	4596	12 x 12	1.08
	314	4598	20 x 32	7.98
	315	4610	16 x 28	2.23
	316	4613	22 x 44	4.25
	317	4616	12 x 12	.93
	318	4620	15 x 27	2.63
	319	4623	22 x 44	5.25
	320	4626	12 x 12	1.02
	321	4630	15 x 27	3.00
	322	4633	22 x 44	5.95
	323	4636	12 x 12	1.08
	324	4638	20 x 34	7.99
	325	4640	16 x 28	2.73
	326	4643	22 x 44	5.25
	327	4646	12 x 12	1.08
	328	4650	16 x 28	1.85
	329	4651	18 x 36	2.65
	330	4653	22 x 44	3.65
	331	4654	24 x 48	4.50
	332	4656	12 x 12	.82
	333	4700	16 x 28	1.70
	334	4701	18 x 36	2.15
	335	4702	20 x 40	2.75
	336	4703	22 x 44	3.60
	337	4706	12 x 12	.72
	338	4710	16 x 28	2.22
	339	4713	22 x 44	4.65
	340	4716	12 x 12	.87

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	340a	WP-128	16 x 27	1.88
	341	131	18 x 36	2.80
	342	142	20 x 40	3.40
	343	148	24 x 48	4.82
	344	284	22 x 44	3.85
	345	4042	20 x 40	3.50
	346	4044	22 x 44	3.95
	347	4045	24 x 48	4.82
	348	4047	25 x 50	5.00
	349	FAX-508 ½" Col C. Str	16 x 20	1.35
	350	511	16 x 27	1.60
	351	512 ½" Col C. Str	16 x 27	1.65
	352	513	16 x 27	1.65
	353	523 Rib	20 x 40	2.73
	354	527 Rib	22 x 44	3.45
	355	553	18 x 36	2.13
	356	557	20 x 40	2.46
	357	563	22 x 44	2.95
	358	571	18 x 36	2.30
	359	575	20 x 40	2.67
	360	579	22 x 44	3.20
	361	593	20 x 40	2.85
	362	595	22 x 44	3.40

(*f*) WELLINGTON SEARS COMPANY, 65 WORTH STREET, NEW YORK CITY—Con.

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels—Con.	363	609	22 x 44	3.95
	364	623	24 x 48	4.80
	365	5003	17 x 29	2.35
	366	5005	17 x 34	2.07
	367	5009	20 x 40	3.25
	368	5015	16 x 27	1.55
	369	5018	22 x 44	3.80
	370	5034	18 x 36	2.00
	371	5047	22 x 44	4.95
	372	5081	22 x 44	3.93
	373	5151	18 x 36	1.88
Wash cloths	374	62	12 x 12	.18
Bath mats	375	50	22 x 34	5.80
	376	53	20 x 30	4.85
Toweling	377	571	18	Per yard .19
	378	575	20	.21
	379	579	22	.23

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

A—MARTEX DIVISION

For name woven towels in Style numbers 31, 32, 51 and 52, the seller may add 10 cents per dozen to the maximum prices listed below.

For name woven towels in Style numbers 1, 7, 10, 18, 30, 46, 045, and 45, the seller may add 20 cents per dozen to the maximum prices listed below.

The maximum prices set forth for towels in the style numbers listed below in this Table III–A, are to be discounted as follows for purchases in larger quantities.

Style No.	Dozen of a name	Cents per dozen less than—	Dozen lots
31, 32, 51, and 52	250	5	100
	500	10	100
	1,000	15	100
1, 7, 10, 18, 30, 46, 045 and 45.	200	10	100
	500 or over	15	100

For a single selvage for towels listed in Table III–A, the seller shall deduct 20 cents per dozen from the maximum prices listed below.

The maximum prices set forth for wash cloths in this Table III–A, are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen
S/74	500	2½
	1000	5
S/77	500	7½
S/78	1000	12½

For name woven in center in color or for colored filling in bath mats in the styles listed below, the seller may add the following premiums:

Style No.	Size (inches)	Cents per dozen
201	20 x 30	25
268	20 x 30	25
1950	20 x 30	25
1960	22 x 36	35
278	22 x 36	35
1960	22 x 36	50
288	24 x 42	50
1960	24 x 42	50

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE—Continued

A—MARTEX DIVISION—continued

The maximum prices for all bath mats, listed in this Table III–A, are to be discounted as follows for purchases in larger quantities:

Dozen of a name:	Cents per dozen
50	25
100	50

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) (50 dozen lots)	Maximum price (dollars per dozen) (100 dozen lots)
Towels	380	1	22 x 44	7.25	7.10
	381	1	24 x 44	7.87	7.72
	382	1	24 x 48	8.39	8.24
	383	1	25 x 50	8.91	8.76
	384	1	27 x 50	9.48	9.33
	385	1	27 x 54	10.20	10.05
	386	7	22 x 44	7.27	7.12
	387	7	24 x 44	7.89	7.74
	388	7	24 x 48	8.41	8.26
	389	7	25 x 50	8.93	8.78
	390	7	27 x 50	9.51	9.36
	391	7	27 x 54	10.23	10.08
	392	10	20 x 40	5.17	5.02
	393	10	22 x 44	5.90	5.75
	394	10	24 x 44	6.27	6.12
	395	10	24 x 48	6.86	6.71
	396	10	25 x 50	7.51	7.36
	397	10	27 x 50	7.81	7.66
	398	10	27 x 54	8.29	8.14
	399	18	20 x 40	5.16	5.01
	400	18	22 x 44	5.89	5.74
	401	18	24 x 44	6.26	6.11
	402	18	24 x 48	6.85	6.70
	403	18	25 x 50	7.50	7.35
	404	18	27 x 50	7.82	7.67
	405	18	27 x 54	8.29	8.14
	406	30	20 x 40	5.16	5.01
	407	30	22 x 44	5.90	5.75
	408	30	24 x 44	6.26	6.11
	409	30	24 x 48	6.86	6.71
	410	30	25 x 50	7.50	7.35
	411	30	27 x 50	7.82	7.67
	412	30	27 x 54	8.30	8.18
	413	31	17 x 27	2.76	2.61
	414	31	20 x 40	4.00	3.85
	415	31	22 x 44	4.61	4.46
	416	31	22 x 48	5.17	5.02
	417	31	24 x 48	5.57	5.42
	418	32	17 x 27	2.76	2.61
	419	32	20 x 40	4.00	3.85
	420	32	22 x 44	4.61	4.46
	421	32	22 x 48	5.18	5.03
	422	32	24 x 48	5.57	5.42
	423	045	22 x 44	6.67	6.52
	424	045	24 x 44	7.24	7.09
	425	045	24 x 48	7.56	7.41
	426	045	25 x 50	8.18	8.03
	427	045	27 x 50	8.61	8.46
	428	045	27 x 54	9.28	9.13
	429	45	22 x 44	6.85	6.70
	430	45	24 x 44	7.47	7.32
	431	45	24 x 48	7.84	7.69
	432	45	25 x 50	8.47	8.32
	433	45	27 x 50	8.99	8.84
	434	45	27 x 54	9.72	9.57
	435	46	22 x 44	6.67	6.52
	436	46	24 x 44	7.24	7.09
	437	46	24 x 48	7.56	7.41
	438	46	25 x 50	8.18	8.03
	439	46	27 x50	8.61	8.46
	440	46	27 x 54	9.28	9.13
	441	51	17 x 27	2.97	2.82
	442	51	20 x 40	4.69	4.54
	443	51	22 x 44	5.55	5.40
	444	51	22 x 48	5.87	5.72
	445	51	24 x 48	6.32	6.17
	446	52	17 x 27	2.97	2.82
	447	52	20 x 40	4.69	4.54
	448	52	22 x 44	5.55	5.40
	449	52	22 x 48	5.87	5.72
	450	52	24 x 48	6.32	6.17
Wash cloths	451	74	11 x 11	$2.50 dozen lots .99	
	452	78	12 x 12		1.18
	453	77	12 x 12		1.22

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE—Continued

A—MARTEX DIVISION—continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) (50 dozen lots)	Maximum price (dollars per dozen) (100 dozen lots)
Bath mats	454	201	20 x 30		$5 dozen lots 6.33
	455	201	20 x 36		7.41
	456	268	20 x 30		7.92
	457	1950	20 x 30		8.47
	458	1960	20 x 30		9.50
	459	278	22 x 36		8.59
	460	1950	22 x 36		11.38
	461	1960	22 x 36		11.78
	462	1960	24 x 42		14.20
	463	288	25 x 45		15.25

B—FAIRFAX DIVISION

For name woven in white in styles 820, 822, 826, 828, the seller shall deduct 10 cents per dozen.

For name woven in color in style No. 834, the seller may add 20 cents per dozen.

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE—Continued

B—FAIRFAX DIVISION—continued

The maximum prices for towels listed in this Table III–B, are to be discounted as follows for purchases in larger quantities:

Dozen of a name	Costs per dozen less than	Dozen lot
250	5	100
500	10	100
1,000	15	100

For bath towels with a side hem selvage in sizes 18 by 36 inches, and smaller, the seller may add 15 cents per dozen to the maximum prices set forth below, and for larger sizes, 20 cents per dozen may be added.

For bath mat with name woven in white in style number 90, the seller shall deduct 15 cents per dozen from the maximum prices set forth below; for name woven in two lines, 15 cents per dozen may be added to the maximum prices set forth below.

For purchases of bath mats in quantities of 50 dozen or more, the seller shall deduct 25 cents per dozen.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)	Maximum price (dollars per dozen)
TOWELS				*50 dozen lots*	*100 dozen lots*
Name woven through center warp in color	464	820/22	17 x 27	2.66	2.51
			17 x 36	3.36	3.21
			20 x 40	3.90	3.75
			22 x 44	4.50	4.35
			22 x 48	5.07	4.92
			24 x 48	5.46	5.31
	465	826/28	17 x 27	2.87	2.72
			17 x 36	3.67	3.52
			20 x 40	4.59	4.44
			22 x 44	5.44	5.29
			22 x 48	5.76	5.61
			24 x 48	6.21	6.06
Name woven in white either center warp or cross border.	466	834	22 x 44	6.37	6.22
			24 x 44	6.95	6.80
			24 x 48	7.26	7.11
			25 x 50	7.88	7.73
			27 x 50	8.30	8.15
			27 x 54	8.98	8.83
WASH CLOTHS				*500 dozen lots*	*1,000 dozen lots*
Name woven in color	467	95	13 x 13	1.10	1.79
BATH MATS				*25 dozen lots*	*50 dozen lots*
Name woven through center warp in color	468	90	20 x 30	5.77	5.52
			22 x 34	6.56	6.31
			22 x 36	7.07	6.82

(*g*) WOODWARD BALDWIN AND COMPANY, 43 WORTH STREET, NEW YORK CITY, SELLING AGENTS FOR GEORGIA KINCAID MILLS, GRIFFIN, GEORGIA

TABLE I—CONSUMER MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels not in matched sets	1	3646	16 x 28	0.81
	2	3666	18 x 36	1.20
	3	3672	17 x 32	1.04
	4	3686	20 x 40	1.47
	5	3690	20 x 40	2.36
	6	5050	18 x 36	1.28
	7	5340	20 x 40	1.47
	8	5712	36 x 72	8.38
	9	5822	14 x 28	.86
	10	5824	17 x 36	1.33
	11	5908	14 x 28	.85
	12	5958	20 x 40	1.72
	13	6152	18 x 36	2.15
	14	6182	18 x 36	1.78

(g) WOODWARD BALDWIN AND COMPANY, 43 WORTH STREET, NEW YORK CITY, SELLING AGENTS FOR GEORGIA KINCAID MILLS, GRIFFIN, GEORGIA—Continued

TABLE I.—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Bath towels not in matched sets	15	6246	20 x 40	2.46
	16	6342	20 x 40	1.80
	17	6354	20 x 40	2.34
	18	6412	22 x 44	3.41
	19	6450	22 x 44	2.36
	20	6480	22 x 44	2.62
	21	6486	22 x 44	2.99
	22	6508	22 x 44	2.67
	23	6640	24 x 48	4.20
	24	6672	24 x 46	3.78
	25	6772	22 x 44	3.16
	26	6846	20 x 40	2.35
	27	6848	20 x 40	2.29
	28	6850	20 x 40	2.29
	29	6914	20 x 40	2.35
	30	6916	20 x 40	2.35
	31	7320	20 x 40	2.56
	32	7326	20 x 40	2.66
	33	7382	20 x 40	2.86
	34	7430	22 x 44	3.04
	35	7476	22 x 44	4.66
	36	7574	22 x 44	3.63
Face towels not in matched sets	37	5040	15 x 27	1.34
	38	6012	16 x 27	1.77
	39	7130	16 x 27	1.71
	40	7174	16 x 27	2.17
	41	8228	16 x 27	2.38
Wash cloths not in matched sets	42	4014	14 x 14	.65
	43	4027/29	11½ x 11½	.34
	44	4028	12 x 12	.42
	45	4030	12 x 12	.42
	46	4036	12 x 12	.52
	47	4038	12 x 12	.41
	48	4042	12 x 12	.52
	49	4050	12 x 12	.41
	50	4054	12 x 12	.36
	51	4056	11 x 11	.36
	52	4150	12 x 12	.52
	53	4178	11 x 11	.36
	54	4282	12 x 12	.70
	55	4288	13 x 13	.83
	56	4330	12 x 12	.77
	57	8028	12 x 12	.77
	58	8032	12 x 12	.78
				Per yard
Toweling	59	3006	16"	.15
	60	3007	36"	.23
	61	3021	16"	.15
	62	3023	18"	.18
	63	3025	20"	.20
	64	3027	22"	.22
	65	3029	24"	.24
	66	3073	36"	.32
Matched sets	67	8400	22 x 44	3.69
	68	8200	16 x 27	2.09
	69	8000	13 x 13	.78
	70	8401	22 x 44	3.69
	71	8201	16 x 27	2.09
	72	8500	22 x 44	4.93
	73	8300	16 x 27	2.33
	74	8100	12 x 12	1.03
	75	8501	22 x 44	3.99
	76	8301	16 x 27	2.07
	77	8101	12 x 12	.78
	78	8502	22 x 44	5.05
	79	8302	16 x 27	2.50
	80	8102	12 x 12	1.25
	81	8503	22 x 44	4.71
	82	8303	16 x 27	2.25
	83	8103	12 x 12	1.00
	84	8504	22 x 44	3.82
	85	8304	16 x 27	2.08
	86	8104	12 x 12	.78
	87	8505	22 x 44	3.82
	88	8305	16 x 27	2.08
	89	8105	12 x 12	.78
	90	8506	22 x 44	3.99
	91	8306	16 x 27	2.07
	92	8106	12 x 12	.78
	93	8507	22 x 44	4.93
	94	8307	16 x 27	2.33
	95	8107	12 x 12	1.03
	96	8508	22 x 44	4.71
	97	8308	16 x 27	2.25
	98	8108	12 x 12	1.00
	99	8509	22 x 44	5.05
	100	8309	16 x 27	2.50
	101	8109	12 x 12	1.25

(g) WOODWARD BALDWIN AND COMPANY, 43 WORTH STREET, NEW YORK CITY, SELLING AGENTS FOR GEORGIA KINCAID MILLS, GRIFFIN, GEORGIA—Continued

TABLE I—CONSUMER MERCHANDISE—Continued

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
				Per Yard
Matched sets	102	8550	22 x 44	5.02
	103	8350	16 x 27	2.47
	104	8150	12 x 12	1.25
	105	8551	22 x 44	5.02
	106	8351	16 x 27	2.47
	107	8151	12 x 12	1.25
	108	8552	22 x 44	5.19
	109	8352	16 x 27	2.50
	110	8152	12 x 12	1.25
	111	8553	22 x 44	5.19
	112	8353	16 x 27	2.50
	113	8153	12 x 12	1.25

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	114	5007	14½ x 29	1.09
	115	6001	22 x 44	3.93
	116	6005	20 x 40	3.45
	117	6007	22 x 44	4.00
	118	6009	20 x 40	2.46
	119	6013	20 x 40	3.35
	120	6025	16 x 27	1.99
	121	6033	18 x 36	1.91
	122	6035	18 x 36	1.99
	123	6037	18 x 36	2.15
	124	6093	16 x 27	1.62
	125	6123	16 x 27	1.54
	126	6124	16 x 27	1.59
	127	6203	20 x 40	2.35
	128	6207	20 x 40	2.73
	129	6209	20 x 40	2.73
	130	6401	22 x 44	3.26
	131	6403	22 x 44	5.08
	132	6407	22 x 44	3.40
	133	6411	22 x 44	3.40
	134	6413	22 x 44	3.60
	135	6607	24 x 48	4.44
Wash cloths	136	4001	12 x 12	.57
	137	4007	12 x 12	.65
	138	4009	12 x 12	.80
Bath mats	139	8701	22 x 34	5.59
	140	8706	20 x 30	4.26

TABLE III—NAME-WOVEN INSTITUTIONAL MERCHANDISE

For name woven in color in Style numbers 9000/2, 9012/14, and 9034, the seller may add 10 cents per dozen to the maximum prices set forth below.

For name woven in color in Style numbers 9004 and 9026/28, the seller may add 20 cents per dozen to the maximum prices set forth below.

The maximum prices set forth in this Table III are to be discounted as follows for purchases in larger quantities:

Dozen of a name	Cents per dozen less than	Dozen lots
250	5	100
500	10	100
1000	15	100

For colored filling in bath mats, the seller may add 35 cents per dozen to the maximum prices listed below.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)	Maximum price (dollars per dozen)
				50 dozen lots	*100 dozen lots*
Towels	141	9000/2	17 x 27	2.56	2.41
	142	9000/2	17 x 36	3.26	3.11
	143	9000/2	20 x 40	3.79	3.64
	144	9000/2	22 x 44	4.40	4.25
	145	9000/2	22 x 48	4.96	4.81
	146	9000/2	24 x 48	5.35	5.20
	147	9004	22 x 44	6.48	6.33
	148	9004	22 x 48	7.10	6.95
	149	9004	24 x 44	7.05	6.90
	150	9004	24 x 48	7.38	7.23
	151	9004	27 x 54	9.10	8.95
	152	9012/14	17 x 27	2.77	2.62
	153	9012/14	17 x 36	3.57	3.42
	154	9012/14	20 x 40	4.49	4.34
	155	9012/14	22 x 44	5.35	5.20
	156	9012/14	22 x 48	5.67	5.52
	157	9012/14	24 x 48	6.11	5.96
	158	9034	20 x 40	3.38	3.23
	159	9034	22 x 44	3.91	3.76
	160	9026/28	22 x 44	5.72	5.57
	161	9026/28	22 x 48	6.14	5.99
	162	9026/28	24 x 44	6.09	5.94
	163	9026/28	24 x 48	6.68	6.53
	164	9026/28	27 x 54	8.13	7.98
				Dollars per dozen	
Towels	165	9006	22 x 44	4.32	
	166	9008	22 x 44	4.32	
				25 dozen lots	*50 dozen lots*
Bath mats	167	9100	22 x 34	7.59	7.34

(27) *Blankets, blanketing, and blanket-robe cloth.* (i) The maximum prices established herein for blankets, blanketing, and blanket-robe cloth shall apply to such products regardless of whether they are made in a cotton or in a woolen or worsted mill.

(ii) The maximum prices for blankets, blanketing, and blanket-robe cloth set forth below are subject to terms of 2 per cent 10 days, 60 extra, with anticipation for payment allowed (*a*) at the rate of 3 per cent per annum for any payment made prior to July 13, 1942, and (*b*) at the rate of 6 per cent per annum for any payment made on or after July 13, 1942. Where longer terms are granted, no extra charge shall be made for the extension of credit and anticipation shall be allowed at the rates specified immediately above.

(iii) No seller shall discontinue or alter to the prejudice of a purchaser any discount or service granted or rendered to purchasers of the same general class during the period in which it opened its 1942 line. Section 1400.108 (b) (3) shall not apply to sales of blankets, blanketing, and blanket-robe cloth.

(iv) The maximum price for seconds shall be not more than 90 per cent of the base maximum prices set forth in (viii) and (ix) below.

(v) In addition to the base maximum prices set forth in (viii) and (ix) below, additional put-up charges may be made as follows:

	Cents per blanket
For bagging of blankets	3
For boxing of blankets	20

Provided, That where the base maximum price is predicated on one type of put-up the allowable charge hereunder for such put-up shall be deducted from the base maximum price before the allowable charge for the actual put-up furnished is added.

(vi) (*a*) In addition to the base maximum prices set forth in (viii) and (ix) below, the charges set forth in (*b*), (*c*), and (*d*) below may be made for binding: *Provided*, That where the base maximum price is predicated on one type of binding, the allowable charge hereunder for such binding shall be deducted from the base maximum price before the allowable charge for the actual binding furnished is added.

(*b*) The following are maximum charges for the binding of blankets, ends only.

	Sateen	Rayon taffeta	Acetate satin	Reversible rayon satin
	Cents	*Cents*	*Cents*	*Cents*
1"	8	10	12	----------
1¼"	10	12½	15	----------
2"	12	15	18	----------
3"	15	18¾	22½	42½
4"	20	25	30	50
5"	25	31¼	37½	----------
6"	30	37½	45	----------

(c) For binding of blankets all around (i. e., ends and sides) the maximum charge shall be 2½ times the maximum charges shown in (b) above.

(d) For binding with mortised corners, a charge of 7½ cents per blanket higher than the maximum charges provided for in (b) and (c) above may be made.

(vii) For stitching or hemming a seller may make a charge in addition to the base maximum prices set forth in (viii) and (ix) below: *Provided*, That such charge may be made only if an extra charge was made therefor at the opening of the 1942 season and shall not exceed the charge then made for the same type of stitching or hemming.

(viii) The base maximum price for blankets, blanketing, or blanket-robe cloth of any style not specifically listed in (ix) below shall be determined in accordance with the following classification: *Provided*, That in the event that a seller desires to manufacture or sell a blanket, blanketing, or blanket-robe cloth for which no maximum price is established by (viii) or (ix) below, the maximum price shall be a price specifically authorized by the Office of Price Administration upon application by the seller.

Class	Type	Subtype	Description	Base maximum price
I			Blankets manufactured on cotton system entirely of American cotton, stitched ends, with or without borders, unwrapped:	
	A [1]		Single-woven plaid pairs and solid white, gray, or tan pairs:	*Per pound of finished weight*
		A-1	Finished weight less than 4 oz. per sq. yd.	55½ cents.
		A-2	Finished weight 4.01 to 4.30 oz. per sq. yd.	54¼ cents.
		A-3	Finished weight 4.31 to 4.75 oz. per sq. yd.	53¼ cents.
		A-4	Finished weight 4.76 or more oz. per sq. yd.	52½ cents.
	B [1]		Single-woven solid-color (other than white, gray, and tan) pairs.	1 cent more than type A.
	C		Double-woven pairs or singles (except Jacquards).	53¼ cents.
	D		Single-woven white or gray sheet blankets (single blankets only.).	54¾ cents.
	E		Single-woven colored (other than gray) sheet blankets (single blankets only).	55¾ cents.
	F		Single-woven bleached white sheet blankets (single blankets only).	57½ cents.
	G		Single-woven bleached colored sheet blankets (single blankets only).	58½ cents.
II			Blankets manufactured of 95 percent cotton and 5 percent wool or entirely of cotton, raw edge, with or without borders:	*Per pound of finished weight, including weight of binding*
	H		Blankets made of 5 percent wool (other than re-processed or re-used) and of Asiatic cotton, with American cotton warp and core yarns: single-woven plaid or solid-colored pairs and singles, bagged.	60 cents. [2]
	H-1		Blankets made of American cotton warp and core yarns, balance Asiatic cotton: single-woven plaid or solid-colored pairs and singles, bagged.	57 cents.
	J		Blankets made of American cotton or cotton waste warp and core yarns, and a blend of 5 percent (of weight of blanket) wool, reprocessed or re-used wool, and of cotton and/or waste, Asiatic and/or American: single-woven plaid or solid-colored pairs and singles, not bagged.	55 cents. [3]
	J-1		Blankets of the same fiber content as type J except for the substitution of cotton or cotton waste for the 5 percent wool: single-woven plaid or solid-colored pairs and singles, not bagged.	52½ cents.
	K		Double-woven plain color fancy or reversible pairs or single blankets (except Jacquards):	
		K-II	Same fiber content and put-up as type H.	62 cents. [2]
		K-II-1	Same fiber content and put-up as type H-1.	59 cents. [2]
		K-J	Same fiber content and put-up as type J.	57 cents. [3]
		K-J-1	Same fiber content and put-up as type J-1.	54½ cents. [3]
III			All-cotton jacquard blankets (except crib blankets) made with American cotton warp and core yarns, balance of Asiatic cotton:	
	L		Double-woven pairs, 72" x 84", finished weight 7½ pounds (including weight of binding), bagged, raw edge.	63½ cents. [3]
	L-1		Double-woven pairs, 70" x 80", finished weight 5 pounds (including weight of binding), bagged, raw edge.	66 cents. [3]
	M		Double-woven single blankets, 66" x 80", finished weight 2¼ pounds, hemmed ends, not bagged.	69¼ cents.

[1] For blankets of type A or B cut into singles and stitched the base maximum price shall be one-half of the pair price plus 1¾ cents per single.

[2] For blankets of types H, H-1, J, J-1 and K manufactured without core yarns the base maximum price shall be 2 cents per pound less than that shown above.

[3] The base maximum price for singles of types L and L-1 shall be one-half the base maximum price of the pair.

Class	Type	Subtype	Description	Base maximum price
III			All-cotton jacquard blankets, etc.—con.	*Per pound of finished weight, including weight of binding*
	M-1		All other blankets in Class III	134 percent of the opening price for the 1940 season, or 100 percent of the opening price for the 1942 season, whichever is lower.
IV			Jacquard blankets manufactured on the cotton system entirely of American cotton.	(4).
V			Crib blankets	(4).
VI			Blanket-robe cloth made on the cotton system entirely of American cotton.	(4).
VII			Blanket-robe cloth made of American cotton warp and/or core yarns, balance Asiatic cotton.	(4).
VIII			Blankets made of a mixture of cotton and rayon or of a mixture of cotton, rayon, and wool, with or without borders, bagged, raw edge.	
	N		Blankets made of American cotton warp and core yarns, 25 percent cut staple rayon, balance Asiatic cotton: single-woven plaid and solid-color pairs and singles.	59½ cents.
	O		Same fiber content as type N: double-woven plain-color, fancy, or reversible pairs or singles (except Jacquards).	61½ cents.
	P		Blankets made of 25 percent cut staple rayon, 5 percent wool (other than re-processed or re-used), American cotton warp and core yarns, balance Asiatic cotton: fancy, or reversible pairs or singles (except Jacquards).	64½ cents.

[4] All current styles of products in these classes are listed in (ix) below.

(ix) The following are the base maximum prices for blankets, blanketing, and blanket-robe cloth of the styles listed below.

(a) BEACON MANUFACTURING COMPANY, 180 MADISON AVENUE, NEW YORK, N. Y.

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds		Binding	Put-up	Base maximum price	
					Pairs	Singles			Pairs	Singles
1	Foreign Cotton Jacquard Pairs	Class III	Fauna	70 x 80	4.71		4" Sateen	Bagged	$3.40	
2	Foreign Cotton Jacquard Pairs	Class III	P Plaid	72 x 84	5.12		4" Sateen	Bagged	3.65	
3	Foreign Cotton Jacquard Singles	Class III	Midway	60 x 80		2.00	Hemmed	Bagged		$1.50
4	Foreign Cotton Jacquard Singles	Class III	York	70 x 80		2.44	Hemmed	Bagged		1.675
5	Foreign Cotton Jacquard Singles	Class III	Kismet	70 x 80		2.44	3" Sateen	Bagged		1.775
6	Foreign Cotton Jacquard Singles	Class III	Mistral	66 x 80		2.30	3" Sateen	Bagged		1.775
7	Foreign Cotton Jacquard Singles	Class III	Winton	70 x 80		2.44	3" Sateen	Bagged		1.775
8	Foreign Cotton Jacquard Singles	L	Salem	72 x 84		2.50	4" Sateen	Bagged		1.945
9	Foreign Cotton Jacquard Singles	Class III	Curlew	72 x 84		2.85	4" Acetate Satin	Bagged		2.50
10	Foreign Cotton Jacquard Singles	Class III	Savoy	72 x 84		3.00	4" Acetate Satin	Bagged		2.50
11	Foreign Cotton Jacquard Singles	Class III	Priscilla	72 x 84		3.00	4" Acetate Satin	Bagged		2.50
12	Foreign Cotton Jacquard Singles	Class III	Yukon	72 x 84		3.75	4" Sateen	Bagged		3.25
13	Foreign Cotton Jacquard Singles	Class III	Toba	60 x 80		2.04	Hemmed	Bagged		1.50
14	Foreign Cotton Jacquard Singles	Class III	Huron	70 x 80		2.44	Hemmed	Bagged		1.675
15	Foreign Cotton Jacquard Singles	Class III	Agawam	70 x 80		2.44	3" Sateen	Bagged		1.775
16	Foreign Cotton Jacquard Singles	Class III	Wigwam	72 x 84		2.85	4" Acetate Satin	Bagged		2.50
17	Foreign Cotton Jacquard Singles	Class III	Inca	72 x 84		3.75	4" Sateen	Bagged		3.25
18	Foreign Cotton Jacquard Singles	Class III	Magnet	66 x 80		2.25	3" Sateen	Bagged		1.775
19	Foreign Cotton Jacquard Singles	Class III	Mingo	60 x 80		2.05	2" Sateen Around	Bagged		1.775
20	Foreign Cotton Jacquard Singles (Special).	Class III	Waste	66 x 80		1.87	Hemmed	Unwrapped		1.05
21	Foreign Cotton Jacquard Singles (Special).	Class III	Waste	70 x 80		2.50	Hemmed	Unwrapped		1.40
22	Foreign Cotton Jacquard Pairs	L	Northfield	72 x 84	5.50		4" Sateen	Bagged	3.6925	
23	95% Cotton 5% Wool Plaid Pairs	H	Opal	66 x 80	2.75		3" Sateen	Bagged	1.80	
24	95% Cotton 5% Wool Plaid Pairs	H	Lenox	70 x 80	3.00		3" Sateen	Bagged	1.95	
25	95% Cotton 5% Wool Plaid Pairs	H	Comet	72 x 84	3.75		4" Sateen	Bagged	2.45	
26	95% Cotton 5% Wool Plaid Pairs	H	Biltmore	72 x 84	4.00		4" Sateen	Bagged	2.60	
27	95% Cotton 5% Wool Plaid Singles	H	Alton	66 x 80		1.375	3" Sateen	Bagged		.975
28	95% Cotton 5% Wool Plaid Singles	H	Falcon	70 x 80		1.50	3" Sateen	Bagged		1.05
29	95% Cotton 5% Wool Plaid Singles	H	Castle	72 x 84		1.875	4" Sateen	Bagged		1.325
30	95% Cotton 5% Wool Plaid Singles	H	Parkway	72 x 84		2.00	4" Sateen	Bagged		1.40
31	95% Cotton 5% Wool Reversible Single.	K(II)	Amboy	70 x 80		2.50	3" Sateen	Bagged		1.70
32	American Cotton Sheet Blankets	F	110	70 x 84		1.25	Stitched	Unwrapped		.7187
33	American Cotton Sheet Blankets	F	120	70 x 90		1.34	Stitched	Unwrapped		.7705
34	American Cotton Sheet Blankets	F	130	70 x 99		1.48	Stitched	Unwrapped		.851
35	American Cotton Sheet Blankets	F	140	70 x 108		1.61	Stitched	Unwrapped		.9257
36	American Cotton Sheet Blankets	F	150	80 x 90		1.53	Stitched	Unwrapped		.8797
37	American Cotton Sheet Blankets	F	160	80 x 99		1.68	Stitched	Unwrapped		.966
38	American Cotton Sheet Blankets	F	170	80 x 108		1.84	Stitched	Unwrapped		1.058
39	American Cotton Sheet Blankets	F	230	72 x 90		1.64	Stitched	Unwrapped		.943
40	American Cotton Sheet Blankets	F	240	72 x 99		1.80	Stitched	Unwrapped		1.035
41	American Cotton Sheet Blankets	F	250	72 x 108		1.97	Stitched	Unwrapped		1.1327
42	American Cotton Sheet Blankets	F	260	81 x 90		1.85	Stitched	Unwrapped		1.0637
43	American Cotton Sheet Blankets	F	270	81 x 99		2.03	Stitched	Unwrapped		1.1672
44	American Cotton Sheet Blankets	F	280	81 x 108		2.21	Stitched	Unwrapped		1.2707
45	American Cotton Sheet Blankets (Colored).	G	125	70 x 90		1.34	Stitched	Unwrapped		.7839
46	American Cotton Sheet Blankets (Colored).	G	165	80 x 99		1.68	Stitched	Unwrapped		.9828
47	American Cotton Sheet Blankets (Colored).	G	235	72 x 90		1.64	Stitched	Unwrapped		.9594
48	American Cotton Sheet Blankets (Colored).	G	245	72 x 99		1.80	Stitched	Unwrapped		1.053

(a) BEACON MANUFACTURING COMPANY, 180 MADISON AVENUE, NEW YORK CITY, N. Y.—Continued

No.	Fiber content and description	Type	Style	Size	Finished weight pounds		Binding	Put-up	Base maximum price	
					Singles	Per yard			Singles	Per yard
49	Foreign Cotton Jacquard Single.	Class III	Clyde	60 x 80	2.47		Hemmed	Bagged	$1.90	
50	Foreign Cotton Jacquard Single.	Class III	Clyde	60 x 82	2.51		Hemmed	Bagged	2.227	
51	American Cotton Crib Blanket Plaid.	Class V	Bo Peep	26 x 34	.20		Stitched	Unwrapped	.1791	
52	American Cotton Crib Blanket Plaid.	Class V	Toyland	30 x 40	.30		Stitched	Unwrapped	.2458	
53	Foreign Cotton Crib Blanket Solid.	Class V	S	26 x 34	.24		Stitched	Unwrapped	.227	
54	Foreign Cotton Crib Blanket Solid.	Class V	W	30 x 40	.36		Stitched	Unwrapped	.327	
55	Foreign Cotton Crib Blanket Solid.	Class V	RS	30 x 40	.45		Stitched	Unwrapped	.45	
56	Foreign Cotton Crib Blanket Jacquard.	Class V	Y	26 x 34	.28		Stitched	Unwrapped	.227	
57	Foreign Cotton Crib Blanket Jacquard.	Class V	T	27 x 36	.34		Stitched	Unwrapped	.327	
58	Foreign Cotton Crib Blanket Jacquard.	Class V	I	30 x 40	.45		Stitched	Unwrapped	.45	
59	Foreign Cotton Crib Blanket Jacquard.	Class V	IX	36 x 50	.71		Stitched	Unwrapped	.625	
60	Foreign Cotton Crib Blanket Jacquard.	Class V	IXS	36 x 50	.74		3" Sateen Around	Unwrapped	.7854	
61	Foreign Cotton Crib Blanket Jacquard.	Class V	IXA	36 x 50	.74		3" Acetate Satin Around	Unwrapped	.825	
62	Foreign Cotton Crib Blanket Jacquard.	Class V	SX	36 x 50	.76		4" Acetate Satin Around	Boxed	1.0666	
63	Foreign Cotton Crib Blanket Reversible.	Class V	GA	36 x 50	.90		4" Acetate Satin Around	Boxed	1.30	
64	Foreign Cotton Crib Blanket Jacquard.	Class V	G	36 x 50	.93		5" Acetate Satin Around	Boxed	1.30	
65	Foreign Cotton Crib Blanket Solid.	Class V	LG	42 x 60	1.26		5" Acetate Satin Around	Boxed	1.75	
66	Foreign Cotton Crib Blanket Reversible.	Class V	F 89	36 x 50	1.13		4" Reversible Satin Around	Boxed	1.65	
67	Foreign Cotton Crib Blanket Jacquard.	Class V	F	36 x 50	1.18		6" Acetate Satin Around	Boxed	1.65	
68	Foreign Cotton Crib Blanket Jacquard.	Class V	E	45 x 60	1.64		6" Acetate Satin Around	Boxed	2.60	
69	Foreign Cotton Crib Blanket Jacquard.	Class V	A	30 x 36	.41		Stitched	Unwrapped	.3895	
70	Foreign Cotton Jacquard Robecloth.	Class VII	XX	72" wide		1.05	None	Rolls		$.90
71	Foreign Cotton Jacquard Robecloth.	Class VII	BD	72" wide		1.05	None	Rolls		1.00
72	Foreign Cotton Jacquard Robecloth.	Class VII	BDY	72" wide		1.05	None	Rolls		.955
73	Foreign Cotton Solid Robecloth	Class VII	IXG	72" wide		1.25	None	Rolls		.804
74	Foreign Cotton Jacquard Robecloth.	Class VII	DXS	72" wide		1.05	None	Rolls		.75
75	Foreign Cotton Solid Robecloth	Class VII	SW	72" wide		.80	None	Rolls		.5896
76	Foreign Cotton Solid Robecloth	Class VII	WX	72" wide		1.00	None	Rolls		.67
77	Foreign Cotton Jacquard Robecloth.	Class VII	GX	72" wide		1.32	None	Rolls		.87
78	Foreign Cotton Jacquard Robecloth.	Class VII	LX	72" wide		1.25	None	Rolls		.90
79	Foreign Cotton Solid Robecloth	Class VII	DX	72" wide		1.42	None	Rolls		.95
80	Foreign Cotton Reversible Robecloth.	Class VII	DX Rev	72" wide		1.42	None	Rolls		.99
81	Foreign Cotton Chinchilla Robecloth.	Class VII	BR Chin	72" wide		1.02	None	Rolls		.77
82	Foreign Cotton Embossed Robecloth.	Class VII	EM	36" wide		.625	None	Rolls		.4151
83	Foreign Cotton Chinchilla Robecloth.	Class VII	Chin 50	72" wide		1.30	None	Rolls		.87
84	Foreign Cotton Jacquard Robecloth.	Class VII	FE	72" wide		1.30	None	Rolls		.938
85	Foreign Cotton Jacquard Robecloth.	Class VII	EB	36" wide		.525	None	Rolls		.46
86	Foreign Cotton Jacquard Robecloth.	Class VII	BDE	36" wide		.525	None	Rolls		.51
87	Foreign Cotton Jacquard Robecloth.	Class VII	S	72 x 84	2.50		Stitched	Unwrapped	2.475	
88	Foreign Cotton Jacquard Robecloth.	Class VII	BDR	72 x 84	2.51		Stitched	Unwrapped	2.875	
89	Foreign Cotton Jacquard Robecloth.	Class VII	BDL	72 x 84	2.81		Stitched	Unwrapped	3.175	
90	Foreign Cotton Jacquard Robecloth.	Class VII	L499	72 x 90	3.01		Stitched	Unwrapped	2.875	
91	Foreign Cotton & Rayon Robecloth.	Special	POLAIRE	72" wide		1.23	None	Rolls		.95

(b) CATLIN FARISH CO., INC., 79 WORTH STREET, NEW YORK, N. Y.
[Selling agents for—Arnco Mills, Newnan, Ga., and Arnall Mills, Sargent, Ga.]

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds		Binding	Put-up	Base maximum price	
					Pairs	Singles			Pairs	Singles
100	American Cotton Plaid Pairs & Singles.	A1	Madrid	60 x 76	1¾	⅞	Stitched Ends	Unwrapped	$0.971	$0.503
101	American Cotton Plaid Pairs & Singles.	A2	Madrid	66 x 76	2	1	Stitched Ends	Unwrapped	1.085	.56
102	American Cotton Plaid Pairs & Singles.	A2	Madrid	70 x 80	2¼	1⅛	Stitched Ends	Unwrapped	1.22	.6275
103	American Cotton Plaid Pairs & Singles.	A3	Crescent	70 x 80	2½	1¼	Stitched Ends	Unwrapped	1.331	.6825
104	American Cotton Plaid Pairs & Singles.	A3	Crescent	72 x 84	2¾	1⅜	Stitched Ends	Unwrapped	1.464	.7495
105	American Cotton White Sheet Blankets.	D	Dellwood	70 x 84		1.32	Stitched Ends	Unwrapped		.7227
106	American Cotton White Sheet Blankets.	D	Dellwood	70 x 90		1.40	Stitched Ends	Unwrapped		.7665
107	American Cotton White Sheet Blankets.	D	Dellwood	70 x 99		1.55	Stitched Ends	Unwrapped		.8486
108	American Cotton White Sheet Blankets.	D	Dellwood	80 x 99		1.77	Stitched Ends	Unwrapped		.969
109	American Cotton White Sheet Blankets.	D	Dellwood	80 x 108		1.93	Stitched Ends	Unwrapped		1.057
110	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Ramer	72 x 84	3½	1¾	4" Sateen	Bagged	2.30	1.25
111	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Ansley	72 x 84	4	2	4" Sateen	Bagged	2.60	1.40
112	95% Cotton 5% Wool Plaid Pairs & Singles.	J	Dover	66 x 80	2½	1¼	3" Sateen	Not Bagged	1.52½	.8375
113	95% Cotton 5% Wool Plaid Pairs & Singles.	J	Dover	72 x 84	3⅛	1⅝	3" Sateen	Not Bagged	1.937	1.044
114	95% Cotton 5% Wool Plaid Pairs & Singles.	J	Elberta	66 x 80	2¾	1⅜	3" Sateen	Not Bagged	1.6625	.906
115	95% Cotton 5% Wool Plaid Pairs & Singles.	J	Elberta	70 x 80	3	1½	3" Sateen	Not Bagged	1.80	.975
116	75% Cotton 25% Rayon Plaid Pairs & Singles.	N	Luray	72 x 84	3¼	1⅝	4" Rayon Satin	Bagged	2.53	1.416
117	75% Cotton 25% Rayon Solid Color Singles.	O	Lorain	70 x 80		2½	4" Rayon Satin	Bagged		1.8375
118	75% Cotton 25% Rayon Solid Color Singles.	O	Lorain	72 x 84		2¾	4" Rayon Satin	Bagged		1.991
119	75% Cotton 25% Rayon Solid Color Singles.	O	Lorain	72 x 90		3	4" Rayon Satin	Bagged		2.145

(c) CHATHAM MANUFACTURING COMPANY, 67 WORTH STREET, NEW YORK CITY, N. Y.

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds		Binding	Put-up	Base maximum price	
					Pairs	Singles			Pairs	Singles
150	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Willow	72 x 84	3½	1¾	4" Rayon Taffeta	Bagged	$2.35	$1.30
151	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Willow	72 x 90	3¾	1⅞	4" Rayon Taffeta	Bagged	2.50	1.37½
152	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Winston	72 x 84	4	2	4" Rayon Taffeta	Bagged	2.65	1.45
153	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Pinehurst	80 x 90	4½	2¼	4" Rayon Taffeta	Bagged	2.95	1.60

(d) ESMOND MILLS, ESMOND, R. I.
[Clarence Whitman & Sons, Inc., selling agents, 21 East 26th Street, New York City, N. Y.]

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds			Binding	Put-up	Base maximum price		
					Pairs	Singles	Per yd.			Pairs	Singles	Per yd.
200	Foreign Cotton Jacquard Singles.	M	Homer	66 x 80		2¼		Hemmed	Unwrapped		$1.558	
201	Foreign Cotton Jacquard Singles.	M	Thunderbird	66 x 80		2¼		Hemmed	Unwrapped		1.558	
202	Foreign Cotton Jacquard Singles (Special).	Class III	Heath	66 x 80		2¼		Hemmed	Unwrapped		1.30	
203	Foreign Cotton Jacquard Singles (Special).	Class III	Hawthorne	66 x 80		2¼		Hemmed	Unwrapped		1.30	
204	Foreign Cotton Jacquard Pairs & Singles.	L	Husky Pair	72 x 84	5½			4" Sateen	Bagged	$3.6925	1.945	
205	Foreign Cotton Jacquard Pairs & Singles.	L-1	Husky Pair	70 x 80	5			4" Sateen	Bagged	3.50	1.85	
206	Foreign Cotton Crib Blankets.	Class V	710	30 x 40			.37	Stitched	Unwrapped		.33	
207	Foreign Cotton Crib Blankets.	Class V	1750	30 x 40			.47	Stitched	Unwrapped		.4508	
208	Foreign Cotton Crib Blankets.	Class V	800	36 x 50			.74	2" Sateen Around	Unwrapped		.748	
209	Foreign Cotton Crib Blankets.	Class V	814	36 x 50			.74	2" Sateen Around	Unwrapped		.788	
210	Foreign Cotton Crib Blankets.	Class V	7500	36 x 50			.78	3" Acetate Satin Around.	Boxed		.90	
211	Foreign Cotton Crib Blankets.	Class V	7501	36 x 50			.78	3" Acetate Satin Around.	Boxed		.945	
212	Foreign Cotton Crib Blankets.	Class V	200	36 x 50			.91	4" Acetate Satin Around.	Boxed		1.10	

(d) ESMOND MILLS, ESMOND, R. I.—Continued

[Clarence Whitman & Sons, Inc., selling agents, 21 East 26th Street, New York City, N. Y.]

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds			Binding	Put-up	Base maximum price		
					Pairs	Singles	Per yd.			Pairs	Singles	Per yd.
213	Foreign Cotton Crib Blankets.	Class V	244	36 x 50		.91		4" Acetate Satin Around.	Boxed		$1.155	
214	Foreign Cotton Crib Blankets.	Class V	120	36 x 50		.98		6" Acetate Satin Around.	Boxed		1.65	
215	Foreign cotton Robe Cloth	Class VII	136P	72" wide			.73	None	Rolls			$0.525
216	Foreign cotton Robe Cloth	Class VII	132SX	72" wide			.94	None	Rolls			.625
217	Foreign cotton Robe Cloth	Class VII	66A	72" wide			1.48	None	Rolls			.95
218	Foreign cotton Robe Cloth	Class VII	Bunny Cloth	72" wide			1.29	None	Rolls			.804
219	Foreign cotton Robe Cloth	Class VII	Downy Puff	72" wide			1.29	None	Rolls			.804
220	Foreign cotton Robe Cloth	Class VII	3700	72" wide			1.06	None	Rolls			.725
221	Foreign cotton Robe Cloth	Class VII	2900	72" wide			1.15	None	Rolls			.80
222	Foreign cotton Robe Cloth	Class VII	55	72" wide			1.33	None	Rolls			.90
223	Foreign cotton Robe Cloth	Class VII	41 S. C.	72" wide			1.23	None	Rolls			.938
224	Foreign cotton Robe Cloth	Class VII	Chenette	72" wide			1.15	None	Rolls			.75
225	Foreign cotton Robe Cloth	Class VII	Downy Spun Snow Cloth #2.	72" wide			1.14	None	Rolls			.84

(e) HOUSTON TEXTILE COMPANY, INC.

[Cone Export & Commission Co., selling agents, 50 Worth Street, New York City, N. Y.]

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds			Binding	Put-up	Base maximum price		
					Pairs	Singles	Per yd.			Pairs	Singles	Per yd.
250	American Cotton plaid, pairs & singles.	A-1	Wisteria	60 x 76	1¾	⅞		Stitched	Unwrapped	$0.971	$0.503	
251	American Cotton plaid, pairs & singles.	A-2	Jessamine	66 x 76	2	1		Stitched	Unwrapped	1.085	.56	
252	American Cotton plaid, pairs & singles.	A-2	Daffodil	70 x 80	2¼	1⅛		Stitched	Unwrapped	1.29	.6275	
253	American Cotton plaid, pairs & singles.	A-3	Rose	66 x 76	2¼	1⅛		Stitched	Unwrapped	1.198	.6165	
254	American Cotton plaid, pairs & singles.	A-3	Lily	70 x 80	2½	1¼		Stitched	Unwrapped	1.331	.6825	
255	American Cotton plaid, pairs & singles.	A-3	Arbutus	72 x 84	2¾	1⅜		Stitched	Unwrapped	1.464	.7495	
256	American Cotton Gray & Tan pairs & singles.	A-3	Lantana	70 x 80	2½	1¼		Stitched	Unwrapped	1.331	.683	
257	American Cotton, Solid Colored singles.	C	Carnation	70 x 80		3		Hemmed	Unwrapped		1.5975	
258	American Cotton, Jacquard singles.	Class IV	308	64 x 76		2.18		Hemmed	Unwrapped		1.25	
259	American Cotton, Jacquard singles.	Class IV	310	64 x 76		2.18		Hemmed	Unwrapped		1.25	
260	American Cotton, Jacquard singles.	Class IV	408	70 x 80		2.50		Hemmed	Unwrapped		1.385	
261	American Cotton, Jacquard singles.	Class IV	410	70 x 80		2.50		Hemmed	Unwrapped		1.385	
262	American Cotton Crib Blankets.	Class V	Slumberland	36 x 50		.62		Stitched	12 to paper		.387	
263	American Cotton Crib Blankets.	Class V	Nursery	30 x 40		.406		Stitched	12 to paper		.268	
264	American Cotton Crib Blankets.	Class V	Kuddleup	30 x 40		.344		Stitched	12 to paper		.228	
265	American Cotton Crib Blankets.	Class V	Kiddynap	28 x 37		.25		Stitched	12 to paper		.181	
266	American Cotton Crib Blankets.	Class V	Rockabye	26 x 34		.18		Stitched	12 to paper		.139	
267	American Cotton Jacquard Crib Blankets.	Class V	Fido	30 x 40		.50		Stitched	12 to paper		.363	
268	American Cotton Jacquard Crib Blankets.	Class V	Jack Rabbit	30 x 40		.50		Stitched	12 to paper		.363	
269	American Cotton Jacquard Crib Blankets.	Class V	Fido	36 x 50		.75		Stitched	12 to paper		.499	
270	American Cotton Jacquard Crib Blankets.	Class V	Jack Rabbit	36 x 50		.75		Stitched	12 to paper		.499	
271	American Cotton Jacquard Crib Blankets.	Class V	Fido	36 x 50		.75		2" Sateen Around	12 to paper		.646	
272	American Cotton Jacquard Crib Blankets.	Class V	Jack Rabbit	36 x 50		.75		2" Sateen Around	12 to paper		.646	
273	American Cotton Jacquard Robe Cloth.	Class VI		70" wide			1	None	Rolls			$0.55

(f) LEAKSVILLE MANUFACTURING COMPANY

[Cannon Mills, Inc., selling agents, 70 Worth Street, New York City, N. Y.]

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds		Binding	Put-up	Base maximum price	
					Pairs	Singles			Pairs	Singles
200	95% Cotton 5% Wool, Plaid Pairs & Singles.	H	Rainbow	72 x 80	3½	1¾	4" Sateen	Bagged	$2.30	$1.25
01	95% Cotton 5% Wool, Plaid Pairs & Singles.	H	Rainbow	72 x 84	3¾	1⅞	4" Sateen	Bagged	2.45	1.325
302	95% Cotton 5% Wool, Plaid Pairs & Singles.	H	Reliance	72 x 84	4	2	4" Sateen	Bagged	2.60	1.40
303	95% Cotton 5% Wool, Solid Colored Single.	H	Eventide	72 x 84		2¼	4" Sateen	Bagged		1.55
304	95% Cotton 5% Wool, Reversible Single.	K-H	Cordova	70 x 80		2½	4" Sateen	Bagged		1.75
305	95% Cotton 5% Wool, Reversible Single.	K-H	Sundown	72 x 84		3	4" Sateen	Bagged		2.06
306	95% Cotton 5% Wool, Reversible Single.	K-H	Twilight	72 x 84		3	5" Acetate Satin	Bagged		2.31
307	95% Cotton 5% Wool, Solid Colored Single.	Special	Minerva	72 x 84		3	5" Mortised Acetate Satin	Boxed		2.50
308	100% Cotton Solid Colored Single	Special	Southland	72 x 84		2¾	5" Acetate Satin	Bagged		2.41
309	100% Cotton Reversible Pairs	K-H 1	Hartford	70 x 80	5				3.325	

(g) W. S. LIBBEY COMPANY, 40 WORTH STREET, NEW YORK CITY, N. Y.

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds			Binding	Put-up	Base maximum price		
					Pairs	Singles	Per yd.			Pairs	Singles	Per yd.
350	Foreign Cotton Jacquard Pairs.	L	Duplaid 8	72 x 84	5½			4" Sateen	Bagged	$3.6925		
351	Foreign Cotton Jacquard Pairs.	L-1	Duplaid 7	70 x 80	5			4" Sateen	Bagged	3.50		
352	Foreign Cotton Jacquard Singles.	L	Prince	72 x 84		2¾		4" Sateen	Bagged		$1.945	
353	Foreign Cotton Jacquard Singles.	L-1	Crown	70 x 80		2½		4" Sateen	Bagged		1.85	
354	Foreign Cotton Jacquard Singles.	M	Ace	66 x 80		2¼		Hemmed	Unwrapped		1.558	
355	Foreign Cotton Jacquard Singles.	Class III	King	72 x 84		3¼		4" Sateen	Bagged		2.22	
356	Foreign Cotton Jacquard Singles (Special).	Class III	Trojan T9	54 x 72		1¾		Hemmed	Unwrapped		1.06	
357	Foreign Cotton Jacquard Singles (Special).	Class III	Trojan T4	60 x 80		2		Hemmed	Unwrapped		1.31	
358	Foreign Cotton Jacquard Singles (Special).	Class III	Trojan T1	66 x 80		2¼		Hemmed	Unwrapped		1.394	
359	Foreign Cotton Jacquard Singles (Special).	Class III	Trojan T2	70 x 80		2½		Hemmed	Unwrapped		1.461	
360	Foreign Cotton Robe Cloth	Class VII	Robe Cloth	72" wide			1.00	None	Rolls			$0.625

(h) MARSHALL FIELD & COMPANY, INC., MANUFACTURING DIVISION, 82 WORTH STREET, NEW YORK CITY, N. Y.

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds			Binding	Put-up	Base maximum price		
					Pairs	Singles	Per yd.			Pairs	Singles	Per yd.
400	American Cotton Plaid Pairs & Singles.	A2	Spray	66 x 76	2	1		Stitched	Unwrapped	$1.085	$0.56	
401	American Cotton Plaid Pairs & Singles.	A2	Spray	70 x 80	2¼	1⅛		Stitched	Unwrapped	1.22	.6255	
402	American Cotton Plaid Pairs & Singles.	A3	Draper	66 x 76	2¼	1⅛		Stitched	Unwrapped	1.198	.6165	
403	American Cotton Plaid Pairs & Singles.	A3	Draper	70 x 80	2½	1¼		Stitched	Unwrapped	1.331	.6825	
404	American Cotton Plaid Pairs & Singles.	A3	Draper	72 x 84	2¾	1⅜		Stitched	Unwrapped	1.464	.7495	
405	American Cotton White Sheet Blankets.	D	Ridgeway	72 x 90		1.66		Stitched	6 to paper		.9089	
406	American Cotton White Sheet Blankets.	D	Ridgeway	72 x 99		1.83		Stitched	6 to paper		1.002	
407	American Cotton White Sheet Blankets.	D	Ridgeway	81 x 90		1.87		Stitched	6 to paper		1.024	
408	American Cotton White Sheet Blankets.	D	Ridgeway	81 x 99		2.05		Stitched	6 to paper		1.122	
409	American Cotton White Sheet Blankets.	D	Ridgeway	81 x 108		2.24		Stitched	6 to paper		1.226	
410	American Cotton Colored Sheet Blankets.	E	Rockingham	72 x 90		1.66		1" Rayon Taffeta	6 to paper		1.025	
411	American Cotton Colored Dobby Check.	E	Dobby Check	72 x 90		2.18		1" Rayon Taffeta	6 to paper		1.315	
412	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Hampshire	72 x 84	3½	1¾		4" Sateen	Bagged	2.30	1.25	
413	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Carolina	72 x 84	4	2		4" Sateen	Bagged	2.60	1.40	
414	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Tudor	72 x 84	4½	2¼		4" Sateen	Bagged	2.90	1.55	
415	95% Cotton 5% Wool Reversible Single.	K-H	Rochelle	70 x 80		2½		3" Sateen	Bagged		1.70	
416	95% Cotton Plaid Pairs & Singles.	J	Kent	66 x 80	2¾	1⅜		3" Sateen	Not Bagged	1.6625	.906	

(*h*) MARSHALL FIELD & COMPANY, INC., MANUFACTURING DIVISION, 82 WORTH STREET, NEW YORK CITY, N. Y.—Continued

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds			Binding	Put-up	Base maximum price		
					Pairs	Singles	Per yd.			Pairs	Singles	Per yd.
417	95% Cotton Plaid Pairs & Singles.	J	Kent	70 x 80	3	1½		3" Sateen	Not Bagged	$1.80	$0.975	
418	Foreign Cotton Solid Color Single.	K-III	Sedgefield	72 x 84		2½		4" Acetate Satin	Bagged		1.775	
419	Foreign Cotton Jacquard Pairs.	L	Paramount	72 x 84	5½			4" Sateen	Bagged	3.6925		
420	Foreign Cotton Jacquard Pairs.	L-I	Triumph	70 x 80	5			4" Sateen	Bagged	3.50		
421	Foreign Cotton Jacquard Singles.	L	Para	72 x 84		2¾		4" Sateen	Bagged		1.945	
422	Foreign Cotton Jacquard Singles.	L-I	Trump	70 x 80		2½		4" Sateen	Bagged		1.85	
423	Foreign Cotton Jacquard Singles.	L	Patriotic	72 x 84		2¾		4" Sateen	Bagged		1.945	
424	Foreign Cotton Jacquard Singles.	L	Nobility	72 x 84		2¾		4" Acetate Satin	Bagged		2.045	
425	Foreign Cotton Jacquard Singles.	M	Dakota	66 x 80		2¼		Hemmed	Not bagged		1.558	
426	Waste Jacquard Singles	Special	Pinto	64 x 76		1¾		Hemmed	Not Bagged		1.10	
427	Waste Jacquard Singles	Special	Pontiac	70 x 80		2		Hemmed	Not Bagged		1.25	
428	75% Cotton 25% Rayon Plaid Pairs & Singles.	N	Aragon	72 x 84	3¼	1⅞		4" Acetate Satin	Bagged	2.531	1.416	
429	75% Cotton 25% Rayon Solid Color Singles.	O	Aiken	72 x 90		3½		4" Acetate Satin	Boxed		2.392	
430	Foreign Cotton Jacquard Robe Cloth.	Class VII	Robe Cloth	72-inch			1.06	None	Rolls			$0.5825

(*i*) MANETTA MILLS

[Cannon Mills, Inc., selling agents, 70 Worth Street, New York City, N. Y.]

No.	Fiber Content and Description	Type	Style	Size	Finished Weight, Pounds		Binding	Put-up	Base Maximum Price	
					Pairs	Singles			Pairs	Singles
450	American Cotton Plaid Pairs & Singles.	A-1	Salvador	60 x 76	1¾	⅞	Stitched	Unwrapped	$0.971	$0.503
451	American Cotton Plaid Pairs & Singles.	A-1	Mascot	66 x 80	2	1	Stitched	Unwrapped	1.11	.5725
452	American Cotton Plaid Pairs & Singles.	A-2	Midland	66 x 76	2	1	Stitched	Unwrapped	1.085	.56
453	American Cotton Plaid Pairs & Singles.	A-2	Monroe	70 x 80	2¾	1⅜	Stitched	Unwrapped	1.22	.6275
454	American Cotton Plaid Pairs & Singles.	A-3	Madison	70 x 80	2¾	1⅜	Stitched	Unwrapped	1.265	.65
455	American Cotton Plaid Pairs & Singles.	A-3	Bulwark	72 x 84	2¾	1⅜	Stitched	Unwrapped	1.464	.7495
456	American Cotton White & Gray Pairs & Singles.	A-4	Weldon	55 x 72	2	1	Stitched	Unwrapped	1.05	.5425
457	American Cotton White & Gray Pairs & Singles.	A-4	Weymouth	60 x 76	2¼	1⅛	Stitched	Unwrapped	1.181	.698
458	American Cotton Plaid Singles	A-3	Marengo	39 x 66		.503	Stitched	Unwrapped		.317
459	American Cotton Plaid Singles	A-3	Silverdale	45 x 72		.688	Stitched	Unwrapped		.381
460	American Cotton Plaid Singles	A-3	Ferndale	54 x 72		.813	Stitched	Unwrapped		.45
461	American Cotton White Sheet Blankets.	D	Special	70 x 90		1.375	Stitched	6 to Paper		.7528
462	American Cotton White Sheet Blankets.	D	Special	70 x 84		1.28	Stitched	6 to Paper		.7008
463	American Cotton White Sheet Blankets.	D	Special	70 x 99		1.51	Stitched	6 to Paper		.8297
464	American Cotton White Sheet Blankets.	D	Special	70 x 108		1.65	Stitched	6 to Paper		.9033
465	American Cotton White Sheet Blankets.	D	Starland	70 x 90		1.50	Stitched	6 to Paper		.8213
466	American Cotton White Sheet Blankets.	D	Starland	70 x 99		1.65	Stitched	6 to Paper		.9033
467	American Cotton White Sheet Blankets.	D	Starland	70 x 108		1.80	Stitched	6 to Paper		.9855
468	American Cotton White Sheet Blankets.	D	Starland	80 x 90		1.75	Stitched	6 to Paper		.9581
469	American Cotton White Sheet Blankets.	D	Starland	80 x 99		1.93	Stitched	6 to Paper		1.057
470	American Cotton White & Gray Singles.	A-4	Weymouth	60 x 80		1.19	Stitched	Unwrapped		.641
471	American Cotton White & Gray Singles.	A-4	Weymouth	60 x 84		1.25	Stitched	Unwrapped		.6717
472	American Cotton White & Gray Singles.	A-4	Weymouth	60 x 90		1.33	Stitched	Unwrapped		.7157
473	American Cotton White & Gray Singles.	A-4	Weymouth	60 x 108		1.60	Stitched	Unwrapped		.8772
474	American Cotton Crib Blankets	Class V	Banner	26 x 34		.203	Stitched	12 to Paper		.105
475	American Cotton Crib Blankets	Class V	Santa Claus	28 x 37		.25	Stitched	12 to Paper		.1725
476	American Cotton Crib Blankets	Class V	Pennant	30 x 40		.281	Stitched	12 to Paper		.20
477	American Cotton Crib Blankets	Class V	Junior	36 x 50		.406	Stitched	12 to Paper		.2925
478	95% Cotton 5% Wool Plaid Pairs & Singles.	J(NoCore)	Cedarlane	66 x 80	2½	1¼	3" Sateen	Not Bagged	1.475	.8125
479	95% Cotton 5% Wool Plaid Pairs & Singles.	J(NoCore)	North Lake	66 x 80	2¾	1⅜	3" Sateen	Not Bagged	1.6075	.8788
480	95% Cotton 5% Wool Plaid Pairs & Singles.	J(NoCore)	Grand View	70 x 80	3	1½	3" Sateen	Not Bagged	1.74	.947

(*i*) MANETTA MILLS—Continued

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds		Binding	Put-up	Base maximum price	
					Pairs	Singles			Pairs	Singles
481	95% Cotton 5% Wool Plaid Pairs & Singles.	J(NoCore)	Heathcote	70 x 80	3¼	1⅜	3" Sateen	Bagged	$1.9025	$1.04
482	95% Cotton 5% Wool Plaid Pairs & Singles.	J(NoCore)	Mt. Royal	72 x 84	3½	1¾	3" Sateen	Bagged	2.035	1.1075
483	95% Cotton 5% Wool Solid Color Pair & Single.	J(NoCore)	Daytona	70 x 80	3	1½	3" Sateen	Not Bagged	1.74	.945
484	95% Cotton 5% Wool Solid Color Single.	Special	Pent House	72 x 84		2½	3" Sateen	Bagged		1.55
485	95% Cotton 5% Wool Part Waste Gray Single.	Special	Belvedere	66 x 80		2	Stitched	Not Bagged		1.06
486	American Cotton Part Waste Gray pairs & Single.	Special	Elgin	60 x 74	2	1	Stitched	Unwrapped	.96	.50
487	American Cotton Part Waste Gray pairs & Single.	Special	Essex	68 x 76	2½	1¼	Stitched	Unwrapped	1.21	.625
488	American Cotton Part Waste Gray Single.	Special	Enterprise	66 x 80		2	Stitched	Unwrapped		.91

(*j*) NASHUA MANUFACTURING COMPANY, 40 WORTH STREET, NEW YORK, N. Y.

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds		Binding	put-uP	Base maximum price	
					Pairs	Singles			Pairs	Singles
500	American Cotton Plaid, Pairs & Singles.	A2	Aurora	66 x 76	2	1	Stitched	Unwrapped	$1.085	$0.56
501	American Cotton Plaid, Pairs & Singles.	A2	Aurora	70 x 80	2¾	1⅜	Stitched	Unwrapped	1.22	.6275
502	American Cotton Plaid, Pairs & Singles.	A3	Snowden	70 x 80	2½	1¼	Stitched	Unwrapped	1.331	.6825
503	American Cotton Plaid, Pairs & Singles.	A3	Snowden	72 x 84	2¾	1⅜	Stitched	Unwrapped	1.464	.7495
504	American Cotton White, Gray, Tan Pairs & Singles.	A3	Alpine	66 x 76	2¼	1⅛	Stitched	Unwrapped	1.198	.6165
505	American Cotton White, Gray, Tan Pairs & Singles.	A3	Alpine	70 x 80	2½	1¼	Stitched	Unwrapped	1.331	.6825
506	American Cotton White, Gray, Tan Pairs & Singles.	A3	Alpine	72 x 84	2¾	1⅜	Stitched	Unwrapped	1.464	.7495
507	American Cotton White, Gray, Tan Pairs & Singles.	A4	Two Storks	70 x 80	2¾	1⅜	Stitched	Unwrapped	1.444	.7395
508	American Cotton White, Gray, Tan Pairs & Singles.	A4	Two Storks	72 x 84	3	1½	Stitched	Unwrapped	1.575	.805
509	American Cotton Solid Color Pairs & Singles.	B	Durall	72 x 84	3	1½	Stitched	Unwrapped	1.605	.82
510	American Cotton White Sheet Blankets.	D	Alpine	70 x 84		1.32	Stitched	Unwrapped		.7227
511	American Cotton White Sheet Blankets.	D	Alpine	70 x 90		1.40	Stitched	Unwrapped		.7665
512	American Cotton White Sheet Blankets.	D	Alpine	70 x 99		1.55	Stitched	Unwrapped		.8486
513	American Cotton White Sheet Blankets.	D	Alpine	70 x 108		1.69	Stitched	Unwrapped		.9253
514	American Cotton White Sheet Blankets.	D	Alpine	80 x 90		1.61	Stitched	Unwrapped		.8815
515	American Cotton White Sheet Blankets.	D	Alpine	80 x 99		1.77	Stitched	Unwrapped		.969
516	American Cotton White Sheet Blankets.	D	Alpine	80 x 108		1.93	Stitched	Unwrapped		1.057
517	American Cotton White Sheet Blankets.	D	Two Storks	63 x 90		1.50	Stitched	Unwrapped		.8213
518	American Cotton White Sheet Blankets.	D	Two Storks	63 x 99		1.65	Stitched	Unwrapped		.9034
519	American Cotton White Sheet Blankets.	D	Two Storks	63 x 108		1.80	Stitched	Unwrapped		.9855
520	American Cotton White Sheet Blankets.	D	Two Storks	72 x 90		1.72	Stitched	Unwrapped		.9417
521	American Cotton White Sheet Blankets.	D	Two Storks	72 x 99		1.89	Stitched	Unwrapped		1.035
522	American Cotton White Sheet Blankets.	D	Two Storks	72 x 108		2.06	Stitched	Unwrapped		1.128
523	American Cotton White Sheet Blankets.	D	Two Storks	81 x 90		1.93	Stitched	Unwrapped		1.057
524	American Cotton White Sheet Blankets.	D	Two Storks	81 x 99		2.13	Stitched	Unwrapped		1.166
525	American Cotton White Sheet Blankets.	D	Two Storks	81 x 108		2.32	Stitched	Unwrapped		1.27
526	American Cotton Solid Color Sheet Blankets.	E	All Year	72 x 90		1.72	1" Rayon Satin	Unwrapped		1.079
527	American Cotton Double Woven Pair.	C	Sango	70 x 80	6		4" Sateen	Unwrapped	3.395	
528	American Cotton Double Woven Single.	C	Sango	70 x 80		3	Stitched	Unwrapped		1.5975
529	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Homerest	72 x 84	3½	1¾	3" Sateen	Bagged	2.25	1.20
530	95% Cotton 5% Wool Plaid Pairs & Singles	H	Dreemor	72 x 84	3¾	1⅞	4" Sateen	Bagged	2.45	1.325
531	95% Cotton 5% Wool Plaid Pairs & Singles	H	Nokold	72 x 84	4	2	4" Sateen	Bagged	2.60	1.40
532	95% Cotton 5% Wool Dobby Plaid Pair & Single	H	Sandman	72 x 84	4¼	2¼	4" Acetate Satin	Bagged	2.85	1.575
533	95% Cotton 5% Wool Plaid Pairs & Singles	J	Belden	66 x 80	2¾	1¾	3" Sateen	Not Bagged	1.6625	.906

(*j*) NASHUA MANUFACTURING COMPANY, 40 WORTH STREET, NEW YORK, N. Y.—Continued

No.	Fiber content and description	Type	Style	Size	Finished weight pounds: Pairs	Finished weight pounds: Singles	Binding	Put-up	Base maximum price: Pairs	Base maximum price: Singles
534	95% Cotton 5% Wool Plaid Pairs & Singles	J	Belden	70 x 80	3	1½	3" Sateen	Not Bagged	$1.80	$0.975
535	Foreign Cotton Plaid Pairs & Singles	H1	Clinton	66 x 80	2¾	1⅜	3" Sateen	Not Bagged	1.6875	.9028
536	Foreign Cotton Plaid Pairs & Singles	H1	Clinton	70 x 80	3	1½	3" Sateen	Not Bagged	1.83	.975
537	Foreign Cotton Plaid Pairs & Singles	H1	Clinton	70 x 90	3⅜	1 11/16	3" Sateen	Not Bagged	2.044	1.082
538	Foreign Cotton Plaid Pairs & Singles	H1	Elmore	70 x 80	4	2	4" Sateen	Bagged	2.48	1.31
539	Part Waste Blanket	Special	Household Favorite	66 x 80	4⅛	2 1/16	Stitched	Unwrapped	1.584	.83
540	Part Waste Blanket	Special	Household Favorite	70 x 80	4⅛	2 1/16	Stitched	Unwrapped	1.724	.88
541	75% Cotton 25% Rayon Plaid Pair.	N	Regon	72 x 84	3¾		3" Acetate Satin	Bagged	2.456	2.086
542	75% Cotton 25% Rayon Solid Color Single	O	Daron	72 x 84	2¾		3" Acetate Satin	Boxed		2.244
543	70% Cotton 25% Rayon 5% Wool Solid Color Single	P	Penton	72 x 84	2¾		4" Acetate Satin	Boxed		2.405
544	70% Cotton 25% Rayon 5% Wool Solid Color Single	P	Penton	72 x 90	3		4" Acetate Satin	Boxed		[2] .555
545	American Cotton Robe Cloth Dobbies Solid Colors & Reversibles			72" Wide	[1] 16					

[1] Ounces per yard.
[2] Per yard.

(*k*) PEPPERELL MANUFACTURING COMPANY, 40 WORTH STREET, NEW YORK, N. Y.

No.	Fiber Content and Description	Type	Style	Size	Finished weight, Pounds: Pairs	Finished weight, Pounds: Singles	Binding	Put-up	Base Maximum Price: Pairs	Base Maximum Price: Singles
550	American Cotton Plaid Pairs & Singles.	A1	Hardy Pear	60 x 76	1⅜	⅞	Stitched	Unwrapped	$0.971	$0.503
551	American Cotton Plaid Pairs & Singles.	A2	Hardy Pear	66 x 76	2.00	1	Stitched	Unwrapped	1.085	.56
552	American Cotton Plaid Pairs & Singles.	A2	Hardy Pear	70 x 80	2¼	1⅛	Stitched	Unwrapped	1.22	.6275
553	American Cotton White Sheet Blankets.	D	Double Duty	72 x 90		1.50	Stitched	6 to paper		.9213
554	American Cotton White Sheet Blankets.	D	Double Duty	72 x 99		1.75	Stitched	6 to paper		.9581
555	American Cotton White Sheet Blankets.	D	Double Duty	81 x 90		1.75	Stitched	6 to paper		.9581
556	American Cotton White Sheet Blankets.	D	Double Duty	81 x 99		2.00	Stitched	6 to paper		1.095
557	American Cotton Colored Sheet Blankets.	E	Koolnite	70 x 90		2.00	2" Acetate Satin	Bagged		1.295
558	American Cotton Solid Color Single.	C	Guardsman	70 x 80		3.00	Stitched	Bagged		1.5975
559	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Liberty	66 x 80	2.75	1.375	3" Sateen	Unwrapped	1.77	.945
560	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Planet	70 x 80	3.00	1.50	3" Sateen	Unwrapped	1.92	1.02
561	95% Cotton 5% Wool Plaid Pairs & Singles.	H	Packard	72 x 84	3.50	1.75	3" Sateen	Unwrapped	2.22	1.17
562	70% Cotton 25% Rayon 5% Wool Blankets.	P	Patty Pepperell	70 x 80		2.50	4" Acetate Satin	Bagged		1.9125
563	70% Cotton 25% Rayon 5% Wool Blankets.	P	Peggy Pepperell	72 x 90		3.00	4" Acetate Satin	Boxed		2.405
564	66⅔% Cotton 33⅓% Rayon Plaid Pairs & Singles.	Special	Shadowland	72 x 84	4.00	2.00	4" Acetate Satin	Bagged	2.65	1.475
565	American Cotton Crib Blankets	Class V	Cub	30 x 40		.397	Stitched	24 to paper		.309
566	American Cotton Crib Blankets	Class V	Tinytot	26 x 34		.20	Stitched	24 to paper		.149
567	American Cotton Crib Blankets	Class V	Jewel	27 x 36		.25	Stitched	24 to paper		.198
568	American Cotton Crib Blankets	Class V	Darling	30 x 40		.328	Stitched	24 to paper		.243
569	American Cotton Crib Blankets	Class V	Farmerette	30 x 40		.463	Stitched	12 to paper		.36
570	American Cotton Crib Blankets	Class V	Checkerboard Bunny.	36 x 50		.844	3 inch Sateen Around	Boxed		.765
571	Foreign Cotton Crib Blankets	Class V	Warmtot	27 x 36		.412	Stitched	12 to paper		.315
572	Foreign Cotton Crib Blankets	Class V	Balloon	30 x 40		.563	Stitched	Boxed		.441
573	Foreign Cotton Crib Blankets	Class V	Pony Cart	36 x 50		.719	Stitched	Boxed		.558
574	Foreign Cotton Crib Blankets	Class V	Baby Days	36 x 50		.813	3 inch Acetate Satin Around	Boxed		.633
575	Foreign Cotton Crib Blankets	Class V	Snowhite	36 x 50		.75	3 inch Acetate Satin Around	Boxed		1.1026
576	Foreign Cotton Crib Blankets	Class V	Daisy Chain	36 x 50		.969	3 inch Acetate Satin Around	Boxed		1.193
577	Foreign Cotton Crib Blankets	Class V	Sweet Dreams	36 x 50		1.13	4 inch Acetate Satin Around	Boxed		1.305
578	Foreign Cotton Crib Blankets	Class V	Purity	36 x 50		1.13	4 inch Acetate Satin Around	Boxed		1.44
579	Foreign Cotton Crib Blankets	Class V	Wamba	36 x 56		1.25	4 inch Acetate Satin Around	Boxed		.806
580	Foreign Cotton Crib Blankets	Class V	Deepdown Carriage Cover.	30 x 36		.688	3 inch Acetate Satin Around	Boxed		1.44
581	Foreign Cotton Crib Blankets	Class V	Deepdown	36 x 50		1.13	4 inch Acetate Satin Around	Boxed		

(*l*) WHITTENTON MANUFACTURING COMPANY, INC., 261 FIFTH AVE., NEW YORK CITY, N. Y.

No.	Fiber content and description	Type	Style	Size	Finished weight, pounds: Pairs	Finished weight, pounds: Singles	Finished weight, pounds: Per yd.	Binding	Put-up	Base maximum price: Pairs	Base maximum price: Singles	Base maximum price: Per yd.
600	American Cotton Jacquard Singles.	Class IV	Darby	54 x 72		1.48		Hemmed	Unwrapped		$1.026	
601	American Cotton Jacquard Singles.	Class IV	Darby	64 x 76		1.84		Hemmed	Unwarpped		1.202	
602	American Cotton Jacquard Singles.	Class IV	Darby	60 x 80		1.80		Hemmed	Unwrapped		1.222	
603	American Cotton Jacquard Singles.	Class IV	Darby	60 x 80		2.00		Hemmed	Unwrapped		1.281	
604	American Cotton Jacquard Singles.	Class IV	Darby	70 x 80		2.10		Hemmed	Unwrapped		1.334	
605	American Cotton Jacquard Singles.	Class IV	Art	66 x 80		2.22		Hemmed	Unwrapped		1.413	
606	American Cotton Jacquard Singles.	Class IV	Radford	70 x 80		2.34		Hemmed	Unwrapped		1.474	
607	American Cotton Jacquard Pairs.	Class IV	Darby	72 x 84	4.61			4" Sateen	Bagged	$3.115		
608	American Cotton Jacquard Robe Cloth.	Class VI		70" wide			1.03	None	Rolls			$0.646

(28) CARDED YARN FANCIES

Type of fabric	Reference No.	Construction: Width	Construction: Thread count	Construction: Weight, yds. per lb.	Description	Maximum price, cents per yd.
Shirting Fancies	1	37"	100 x 60	4.10	300 Ends, Med. Col. Dobby	15¾
	2	37"	100 x 60	4.10	350 Ends	14½
	3	37"		4.15	1044 Ends, Rayon, 2 Beam Dobby.	16⅛
	4	37"		4.15	500 Ends, Dark Col., 1044 Ends, Rayon, 2 Beam Dobby.	17½
	5	37"		4.10	500 Ends, Dark Col. Dobby	16¾
	6	37"		4.20	1000 Ends, Rayon	15¾
	7	37"			108 Ends, Rayon Extra & 1137 Ends Repl.	16½
	8	37"		4.55	Leno Weave	15¾
	9	37"	112 x 52	3.35	Shirting Twill	14¾
	10	39"	88 x 44	3.35	Oxford	14⅞
	11	40⅜"	88 x 44	3.35	Twill Oxford Shirting	15½
	12	37"	68 x 64	5.19	Leno Shirting	14¾
	13	39"	80 x 80	4.00	Barber Cloth, Black Woven Stripes, Plain Weave.	15
	14	37"	100 x 44	3.15	Himalaya Filling	16
	15	37"	80 x 56	4.10	Himalaya Filling, Special Draw Warp.	14¼
Cotton & Flax Mixture (50% Cotton, 50% Flax).	16	38"	32 x 28	2.70		19½
Carded Yarn Fancy-Gabardine (Upholstery Fabric).	17	40"	38 x 38	2.18		23½
Scrims-2 Ply Warp and Filling.	18	52"	110 x 76	1.40		39
Wide-Single Yarn Dobbies	19	37"	32 x 32	2.80		17
	20	37½"	32 x 32	4.09		13¾
	21	52"	36 x 32	1.88		24.60
	22	54"	36 x 36	1.50		27.83
	23	52"	64 x 50	1.60		30.13
	24	52"	69 x 38	1.60		28.13
	25	54"	96 x 60	1.55		31.23
	26	52"	64 x 56	1.60		31
	27	52"	96 x 52	1.45		36¾
Wide Drapery-Repp	28	52"	96 x 36	1.52		30.50
Heavy Yarn, 2 Ply Hop-Sacking.	29	38"	18 x 18	2.50		17
	30	38"	20 x 20	2.50		17½
	31	38"	22 x 22	2.10		20
Heavy Yarn, 2 Ply Hop-Sacking.	32	38"	20 x 20	1.53		25
Dobby Whipcord	33	39½"	112 x 48	1.36		34½
	34	38"	112 x 48	1.40		33¾
Drapery, Single Warp & Filled Yarn Fill.	35	49"	50 x 26	1.52		29½
Brassiere Cloth	36	40½"	80 x 52		1464 Ends Rayon Warp, 33 Fill, 14.	21¾
	37	40½"	84 x 52	2.65	147 Ends Rayon Replacing 1239 Ends Rayon Extra Warp, 33 Fill, 14.	21¾
	38	40¼"	76 x 40	3.20	966 Ends Rayon Extra Warp, 33 Fill, 14.	17½
	39	40½"	80 x 50		1062 Ends Rayon Extra Warp, 33 Fill, 14.	21½
	40	40½"	80 x 56	2.65	1000 Ends Rayon Extra Basis Warp, 33 Fill, 14.	21½
	41	40½"	74 x 38	3.50	692 Ends Rayon Extra Warp, 33 Fill, 14.	16
	42	40½"	72 x 56		984 Ends Rayon Extra Warp, 33 Fill, 14.	21
	43	40½"	72 x 44		744 Ends Rayon Extra Warp 33 Fill, 14.	18
	44	40½"	72 x 44	3.10	858 Ends Rayon Extra Warp, 33 Fill, 14.	18¾
	45	40½"	72 x 52	3.20	Dobby Warp, 33 Fill, 14	18
	46	40½"	136 x 64		Dobby Warp, 40 Fill, 14	22½
	47	40½"	96 x 62	2.45	Batiste	19¼
	48	40½"	96 x 62	2.20	Batiste	20½
	49	40½"	96 x 62	2.30	Batiste	20

(28) CARDED YARN FANCIES—Continued

Type of fabric	Reference No.	Construction: Width	Construction: Thread count	Construction: Weight, yds. per lb.	Description	Maximum price, cents per yd.
All-carded dotted swiss	50	35½''	60 x 72	6.85	Filling Clip Spot	12¾
	51	35½''	60 x 66	7.15	Filling Clip Spot	12¾
Waffle Cloth	52	40''	112 x 100	3.40		20½
	53	40''	128 x 112	3.20		23¼
	54	40''	108 x 84	3.35		19⅛
Pique	55	38''	140 x 88	3.38		18¾
	56	38''	140 x 88	3.45		18¾
	57	40''	132 x 80	2.15	507 Vat Dyed Color Backing Threads—2 Beams.	28
	58	40''	120 x 60	1.85	262 Colored Ends	24
	59	40''	120 x 84	2.30	2 Beams	21¾
	60	38''	140 x 68	3.10		18
Seersucker	61	37''	89 x 72	3.45		17
	62	39''	80 x 80	3.77		18¼
Carded Lawn	63	40''	88 x 80	4.70		14½
	64	40''	80 x 88	5.00		13½
	65	36''	72 x 56	10.25		8½
	66	40''	64 x 60	6.25		9
Pongee	67	38''	72 x 100	6.25		13¾
Marquisettes—Carded	68	38''	40 x 16	12.00		4⅛
	69	41''	37 x 18	11.80		4¾
	70	36''	44 x 18	10.80		5¼
Umbrella Cloth	71	26''	72 x 76	4.55		11⅜
Rain Coat Twill	72	38''	118 x 60	2.00		22¾
	73	38''	118 x 60	2.50		18¾
	74	38''	118 x 60	2.75		17½
Narrow, Heavy Dobby Fabrics.	75	36''	50 x 24	2.18		18
	76	39''	48 x 29	1.96		20¾
	77	38''	80 x 22	2.50		16¾
	78	38½''	80 x 24	2.05		20⅛
	79	38½''	80 x 24	2.25		19½
	80	39''	80 x 24	2.18		18⅛
	81	39''	80 x 36	2.20		19
	82	37½''	32 x 34	3.00		15¼
	83	37½''	66 x 40	2.35		18¾

§ 1400.117 *Effective dates of amendment.* • • •

(f) Amendment No. 6 to Maximum Price Regulation No. 118 shall become effective as follows:

(1) As of May 4, 1942, in respect to § 1400.118 (d) (27);

(2) On July 13, 1942, in respect to § 1400.118 (b) (3) and (d) (24), (25), (26), and (28).

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5653; Filed, July 13, 1942; 12:07 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Amendment 2 to Maximum Price Regulation 169 [1]]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Amended: §§ 1364.58 (a) text preceding (1), 1364.62 (a) (2) and 1364.63 as set forth below:

§ 1364.58 *Records and reports.* (a) Not later than July 25, 1942, every person making sales subject to § 1364.52 of this Maximum Price Regulation No. 169, shall file with the Office of Price Administration in Washington, D. C., a sworn statement certifying:

• • • • • •

§ 1364.62 *Definitions.* (a) • • •

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers and delivers, and contracts and offers to do any of the foregoing. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller, except that all places of business owned or controlled by the same person, and selling in the same market area shall be regarded as a single seller. Each shipping point from which a car route or car routes originate shall be deemed a separate seller. If more than half of the sales at any one place of business are sales of kosher cuts or of cuts derived from kosher carcasses, or if more than half of such sales are to the hotel and restaurant trade, the sales at such place of business shall not be included with sales at any other place of business in computing maximum prices.

• • • • •

§ 1364.63 *Effective date.* Maximum Price Regulation No. 169 (§§ 1364.51 to 1364.66) shall become effective July 13, 1942, except that it shall not become effective until July 20, 1942 as to sales of sausage, or as to sales by any seller of product derived from cattle or calves not slaughtered by such seller.

(a) Amendment No. 1 (§§ 1364.52 (a) (3) (iii), (a) (4), 1364.57 (b), 1364.60 (a), 1364.62 (a) (9), (a) (10), 1364.63 (a), 1364.51 and headnote, 1364.52 (a) (2) (ii), (a) (3), (b), 1364.53 text preceding (a), (c) (1), 1364.55, 1364.60 headnote, 1364.62 (a) (2), (a) (4), (a) (6), text of 1364.57 designated (a), text of 1364.60 designated (b)) to Maximum Price Regulation No. 169 shall become effective July 13, 1942, except that it shall not become effective until July 20, 1942 as to sales of sausage, or as to sales by any seller of product derived from cattle or calves not slaughtered by such seller.

(b) Amendment No. 2 (§§ 1364.58 (a) text preceding (1), 1364.62 (a) (2) and 1364.63) to Maximum Price Regulation No. 169 shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 13th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6673; Filed, July 13, 1942; 4:57 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 1 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

Sections 1394.503 (c), 1394.603 (b), 1394.1109, and 1394.1513 are hereby revoked; paragraph (b) of § 1394.705 is amended; and a new § 1394.1902 is added; as set forth below:

§ 1394.503 *Application for supplemental ration.* • • •

(c) (Revoked)

§ 1394.603 *Application for fleet rations.* • • •

(b) (Revoked)

§ 1394.705 *Application for service ration.* • • •

(b) The application shall state the mileage and gallonage in the limitation area required for each vehicle, or, in the case of a fleet, for each group of vehicles included therein for one or more of the uses set forth in paragraph (a) of § 1394.702, during the four-month period beginning with the date on which the ration is required.

§ 1394.1109 *Restriction on use of gasoline in vehicle without ration.* (Revoked)

§ 1394.1513 *Transfers to consumers outside of the limitation area.* (Revoked).

Effective Date

§ 1394.1902 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1394.503 (c), 1394.603 (b), 1394.705 (b), 1394.1109, and 1394.1513) to Ration Order No. 5A shall become effective July 13, 1942. (Pub. No. 671, 76th Cong., 3d sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2d sess., Pub. No. 421, 77th Cong., 2d sess., W. P. B. Directive No. 1, Supp. Dir. No. 1 (H), 7 F.R. 562, 3478, 3877, 5216).

Issued this 13th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6670; Filed, July 13, 1942; 4:55 p. m.]

[1] 7 F.R. 4653, 4798.

[1] 7 F.R. 5225.

PART 1499—COMMODITIES AND SERVICES

[Supplementary Regulation 9 [1] to the General Maximum Price Regulation [2]]

ORDER OF REVOCATION

A statement of the considerations involved in the issuance of this Order issued simultaneously herewith, has been filed with the Division of the Federal Register.

It is hereby ordered:

That § 1499.39, *Maximum prices for the sale of mops by The Lighthouse for the Blind*, Supplementary Regulation No. 9, be hereby revoked, effective July 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 13 day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6672; Filed, July 13, 1942; 4:56 p. m.]

[1] 7 F.R. 4231.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

PART 1499—COMMODITIES AND SERVICES

[Order 24]

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]]

MARTIN DENNIS COMPANY

The Martin Dennis Company, 859 Summer Avenue, Newark, New Jersey, has made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application, and an Opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, it is ordered:

§ 1499.61 *Approval of maximum prices for prepared chromium containing residue from sodium chromate process for sale by the Martin Dennis Company.* (a) On and after July 13, 1942, the Martin Dennis Company of Newark, New Jersey, may sell and deliver and offer, agree, solicit, and attempt to sell and deliver to any persons, and such persons may purchase the dried, finely pulverized, airfloated chromium containing residue remaining from the roasting of cromium ore in the production of sodium chromate after extraction of the sodium chromate, when packed in paper bags, at prices no higher than $15.00 per ton, f. o. b. plant.

(b) This order No. 24 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 24 (§ 1499.61) shall become effective July 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6671; Filed, July 13, 1942; 4:55 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

PART 1381—SOFTWOOD LUMBER

[Revised Price Schedule No. 19 [1]—Southern Pine Lumber]

The title, preamble, and §§ 1312.26 to 1312.34, inclusive, are amended to read as follows:

[Maximum Price Regulation 19]

SOUTHERN PINE LUMBER

In the judgment of the Price Administrator, the prices of those items of Southern pine lumber not previously subject to Revised Price Schedule No. 19 have risen in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of these items and species prevailing between October 1 and October 15, 1941. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. In the computation of the maximum prices, costs of distribution, including wholesaler's functional discounts and commission salesmen's commissions prevailing prior to this Regulation have been taken into account and the prices have been so constructed as to permit the manufacturers to continue these discounts and commissions. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, [2] issued by the Office of Price Administration, Maximum Price Regulation No. 19 is hereby issued.

Sec.

1381.201 Maximum prices for Southern pine lumber.
1381.202 Less than maximum prices.
1381.203 Conditional agreements.
1381.204 Evasion.
1381.205 Records and reports.
1381.206 Enforcement.

[1] 7 F.R. 1242, 1836, 2132, 2842.

[2] 7 F.R. 971, 3363.

Sec.
1381.207 Petitions for amendment.
1381.208 Definitions.
1381.209 Applicability of General Maximum Price Regulation.
1381.210 Sales for export.
1381.211 Effective date.
1381.212 Appendix A: Maximum prices for Southern pine lumber where shipment originates at a mill.

AUTHORITY: §§ 1381.201 to 1381.212, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1381.201 *Maximum prices for Southern pine lumber.* On and after July 18, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Southern pine lumber for domestic or export use, and no person shall buy or receive in the course of trade or business any Southern pine lumber:

(a) At prices higher than the maximum prices set forth in Appendix A, § 1381.212, where the shipment originates at a mill.

(b) At prices higher than the maximum prices set forth in Appendix A, § 1381.212, plus $3.50 per thousand feet board measure, where a shipment originating at a mill satisfies all of the tests of a "direct-mill retail sale" as set forth in § 1381.208 (a) (10).

(c) At prices higher than the maximum prices established by the General Maximum Price Regulation,[1] where the shipment originates at a distribution yard, whether wholesale or retail.

(d) No person shall offer, agree, solicit, or attempt to do any of the foregoing.

(e) The provisions of this Maximum Price Regulation No. 19 shall not be applicable to sales or deliveries of Southern pine lumber to a purchaser, if prior to July 18, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1381.202 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1381.212, may be charged, demanded, paid or offered.

§ 1381.203 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 19 shall enter into an agreement permitting the adjustment of the price of Southern pine lumber to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1381.204 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 19 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Southern pine lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lumber through a distribution yard, whether wholesale or retail;

(2) Unreasonably refusing to ship except in mixed cars or trucks, or in specified or restricted random lengths, or under other circumstances entitling the seller to a premium;

(3) Quoting prices above the maximum prices on condition that the buyer take a mixed car or truck;

(4) Making charges for delivery which exceed the actual cost to the seller of such delivery except as otherwise provided in § 1381.212 (d);

(5) Falsely or wrongly grading or invoicing lumber;

(6) Grading as a special grade lumber which can be graded as a standard grade;

(7) Selling as specified lengths a shipment of lumber which is substantially equivalent to standard or random lengths, or reselling as specified lengths a shipment purchased by the seller as standard or random lengths;

(8) Breaking up an order which would normally be a single order into a series of smaller orders in order to reduce the quantity below the limitations of § 1381.208 (a) (10);

(9) Refusing to sell except on a delivered basis;

(10) Quoting a delivered price on the basis of estimated weights higher than those permitted by § 1381.212 (d).

§ 1381.205 *Records and reports.* (a) On and after July 18, 1942, every person who, during any calendar month, offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys or receives a total of 34,000 pounds or more of Southern pine lumber in the course of trade or business, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date therof, the name and address of the buyer and the seller, the price paid or received, and the quantity, size, grade, specifications and condition of seasoning of the lumber in each such purchase or sale, and whether it is Shortleaf Yellow pine or Longleaf Yellow pine as defined in § 1381.208.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1381.206 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 19, are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 19, or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1381.207 *Petition for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 19, or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1381.208 *Definitions.* (a) This Maximum Price Regulation No. 19 and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States, or any government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Southern pine" means all of the species included in the definitions of Shortleaf Yellow pine and Longleaf Yellow pine.

(3) "Shortleaf Yellow pine" means the species of shortleaf pine (Pinus eschinata), loblolly pine (Pinus taeda), slash pine (Pinus caribaea), such longleaf pine (Pinus palustris) as contains less than six annual rings per inch and less than one-third summerwood, or any other Pinus species, except Longleaf Yellow pine as defined in paragraph (a) (4) of this section, known commercially as "Southern pine".

(4) "Longleaf Yellow pine" means the botanical species of Pinus palustris which contains not less than six annual rings per inch and not less than one-third summerwood.

(5) "Mill" means a manufacturing plant, concentration yard, or other establishment which processes by sawing or planing at least 25 percent of the volume of Southern pine logs or lumber purchased or received by it and which sells less than 75 percent of the volume of its Southern pine lumber to consumers or contractors in less than carload quantities.

(6) "Distribution yard" means a wholesale or retail lumber yard which purchases or receives Southern pine logs or lumber for purposes of sorting, storing, and resale or redistribution, which regularly maintains a stock of lumber, and which (i) processes, by sawing or planing, less than 25 percent of the volume of such logs or lumber so purchased or received by it, *or* (ii) regardless of the percentage of such processing, sells more than 75 percent of the volume of its Southern pine lumber to consumers or contractors in less than carload quantities.

(7) A shipment is deemed to "originate at a mill" when the lumber reaches the purchaser without having been stored as an integral part of the yard stock of a distribution yard as defined in subparagraph (6) of this paragraph.

(8) A shipment is deemed to "originate at a distribution yard", whether wholesale or retail, when, and only when, the shipment is made out of a stock of lumber which was an integral part of the seller's stock at the time the sale was made.

(9) "Volume" means the board foot measure of lumber processed from logs or other lumber, or sold, as the case may be, within six months immediately prior to the transaction subject to this Maximum Price Regulation No. 19.

(10) "Direct-mill retail sale", for the purpose of determining whether the $3.50 mark-up provided in § 1381.201 (b) may be added, means a sale in which the shipment originates at a mill, and which satisfies all of the following tests:

(i) It must be a sale to a consumer or contractor for use in building, construction, remodeling, repair, maintenance or fabrication, and must not be a sale for resale in substantially the same form.

(ii) Where a shipment is by rail it must be a sale in less than carload quantity. Where shipment is by water or by truck it must be a sale of not more than 18,000 feet board measure. For the purpose of this subparagraph the size of the sale is determined by the size of the order, and the size of the order is determined by the over-all quantity involved in a single transaction.

(iii) It must be accompanied by all of the following services: delivery to the job site, when so ordered by the purchaser, and in such quantities and at such times as the purchaser specifies; tallying and checking at destination; the privilege of exchanging goods and returning unused material; and the readiness and ability of the seller immediately to replace deficiencies and adjust complaints from stocks kept on hand for the purpose.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1381.209 *Applicability of General Maximum Price Regulation.*[3] Except as provided in § 1381.201 (c), the provisions of this Maximum Price Regulation No. 19 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1381.210 *Export sales.* The maximum price at which a person may export Southern pine lumber shall be determined in accordance with the provisions of the Maximum Export Price Regulation[4] issued by the Office of Price Administration.

On F. A. S. sales to Lend-Lease Administration, British Purchasing Commission, British Air Commission, and other government agencies or their contractors, an addition of $3.50 per M Ft. may be made for marking, bundling, assembling, switching, unloading, tallying, dock insurance and other services necessary to the proper dispatch of offshore cargo of lumber.

§ 1381.211 *Effective date.* Maximum Price Regulation No. 19 (§§ 1381.201 to 1381.212, inclusive) shall become effective July 18, 1942: *Provided*, That firm commitments entered into prior to July 18, 1942, for any items of Southern pine lumber subject to Revised Price Schedule No. 19 as it stood before being superseded by this Regulation, and in conformity with its terms, may be completed according to the contract if delivery is made before November 1, 1942.

§ 1381.212 *Appendix A: Maximum prices for Southern pine lumber where shipment originates at a mill.* (a) The maximum prices for Shortleaf Yellow pine lumber f. o. b. mill per one thousand feet board measure where shipment originates at the mill, shall be as follows:

TABLE 1—FINISH S4S, KILN DRIED—SHORT LEAF

Grade	Standard length [1]	8' length	10' length	12' length	14' length	16' length	18' and 20' length
B & Better:							
1 x 2 and 3	$62.00	$59.00	$62.00	$62.00	$63.00	$64.00	$65.00
1 x 4	60.00	57.00	60.00	60.00	61.00	62.00	63.00
1 x 5	64.00	61.00	64.00	64.00	65.00	66.00	67.00
1 x 6	60.00	57.00	60.00	60.00	61.00	62.00	63.00
1 x 7	64.00	61.00	64.00	64.00	65.00	66.00	67.00
1 x 8	60.00	57.00	60.00	60.00	61.00	62.00	63.00
1 x 9	64.00	61.00	64.00	64.00	65.00	66.00	67.00
1 x 10	68.00	65.00	68.00	68.00	69.00	70.00	71.00
1 x 11	71.00	68.00	71.00	71.00	72.00	73.00	74.00
1 x 12	84.00	81.00	84.00	84.00	85.00	86.00	87.00
Random widths [2]	64.00	61.00	64.00	64.00	65.00	66.00	67.00
5/4 and 6/4 x 2 & 3	72.50	69.50	72.50	72.50	73.50	74.50	75.50
5/4 and 6/4 x 4	70.50	67.50	70.50	70.50	71.50	72.50	73.50
5/4 and 6/4 x 5	74.50	71.50	74.50	74.50	75.50	76.50	77.50
5/4 and 6/4 x 6	70.50	67.50	70.50	70.50	71.50	72.50	73.50
5/4 and 6/4 x 7	74.50	71.50	74.50	74.50	75.50	76.50	77.50
5/4 and 6/4 x 8	70.50	67.50	70.50	70.50	71.50	72.50	73.50
5/4 and 6/4 x 9	74.50	71.50	74.50	74.50	75.50	76.50	77.50
5/4 and 6/4 x 10	78.50	75.50	78.50	78.50	79.50	80.50	81.50
5/4 and 6/4 x 11	81.50	78.50	81.50	81.50	82.50	83.50	84.50
5/4 and 6/4 x 12	94.50	91.50	94.50	94.50	95.50	96.50	97.50
Random widths [2]	74.00	71.00	74.00	74.00	75.00	76.00	77.00
7/4 & 8/4 x 2 & 3	75.00	72.00	75.00	75.00	76.00	77.00	78.00
7/4 & 8/4 x 4	73.00	70.00	73.00	73.00	74.00	75.00	76.00
7/4 & 8/4 x 5	77.00	74.00	77.00	77.00	78.00	79.00	80.00
7/4 & 8/4 x 6	73.00	70.00	73.00	73.00	74.00	75.00	76.00
7/4 & 8/4 x 7	77.00	74.00	77.00	77.00	78.00	79.00	80.00
7/4 & 8/4 x 8	73.00	70.00	73.00	73.00	74.00	75.00	76.00
7/4 & 8/4 x 9	77.00	74.00	77.00	77.00	78.00	79.00	80.00
7/4 & 8/4 x 10	81.00	78.00	81.00	81.00	82.00	83.00	84.00
7/4 & 8/4 x 11	84.00	81.00	84.00	84.00	85.00	86.00	87.00
7/4 & 8/4 x 12	97.00	94.00	97.00	97.00	98.00	99.00	100.00
Random widths [2]	77.00	74.00	77.00	77.00	78.00	79.00	80.00
Bark strips 1 x 3 and 1 x 4 (S2S)	48.00						
Finish:							
1 x 2 and 3	56.00	53.00	56.00	56.00	57.00	58.00	59.00
1 x 4	54.00	51.00	54.00	54.00	55.00	56.00	57.00
1 x 5	59.00	56.00	59.00	59.00	60.00	61.00	62.00
1 x 6	54.00	51.00	54.00	54.00	55.00	56.00	57.00
1 x 7	59.00	56.00	59.00	59.00	60.00	61.00	62.00
1 x 8	54.00	51.00	54.00	54.00	55.00	56.00	57.00
1 x 9	59.00	56.00	59.00	59.00	60.00	61.00	62.00
1 x 10	60.00	57.00	60.00	60.00	61.00	62.00	63.00
1 x 11	63.00	60.00	63.00	63.00	64.00	65.00	66.00
1 x 12	73.00	70.00	73.00	73.00	74.00	75.00	76.00
Random widths [2]	57.00	54.00	57.00	57.00	58.00	59.00	60.00
5/4 & 6/4 x 2 & 3	62.00	59.00	62.00	62.00	63.00	64.00	65.00
5/4 & 6/4 x 4	60.00	57.00	60.00	60.00	61.00	62.00	63.00
5/4 & 6/4 x 5	65.00	62.00	65.00	65.00	66.00	67.00	68.00
5/4 & 6/4 x 6	60.00	57.00	60.00	60.00	61.00	62.00	63.00
5/4 & 6/4 x 7	65.00	62.00	65.00	65.00	66.00	67.00	68.00
5/4 & 6/4 x 8	60.00	57.00	60.00	60.00	61.00	62.00	63.00
5/4 & 6/4 x 9	65.00	62.00	65.00	65.00	66.00	67.00	68.00
5/4 & 6/4 x 10	66.00	63.00	66.00	66.00	67.00	68.00	69.00
5/4 & 6/4 x 11	69.00	66.00	69.00	69.00	70.00	71.00	72.00
5/4 & 6/4 x 12	79.00	76.00	79.00	79.00	80.00	81.00	82.00

See following page for footnotes.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[2] *Supra*, note 2.

[3] *Supra*, note 3.

[4] 7 F.R. 5059.

TABLE 1—FINISH S4S, KILN DRIED—SHORT LEAF—Continued

Grade	Standard length [1]	8′ length	10′ length	12′ length	14′ length	16′ length	18′ and 20′ length
C Finish—Continued.							
Random widths [2]	$63.00	$60.00	$63.00	$63.00	$64.00	$65.00	$66.00
7/4 & 8/4 x 2 & 3	63.00	60.00	63.00	63.00	64.00	65.00	66.00
7/4 & 8/4 x 4	61.00	58.00	61.00	61.00	62.00	63.00	64.00
7/4 & 8/4 x 5	66.00	63.00	66.00	66.00	67.00	68.00	69.00
7/4 & 8/4 x 6	61.00	58.00	61.00	61.00	62.00	63.00	64.00
7/4 & 8/4 x 7	66.00	63.00	66.00	66.00	67.00	68.00	69.00
7/4 & 8/4 x 8	61.00	58.00	61.00	61.00	62.00	63.00	64.00
7/4 & 8/4 x 9	66.00	63.00	66.00	66.00	67.00	68.00	69.00
7/4 & 8/4 x 10	67.00	64.00	67.00	67.00	68.00	69.00	70.00
7/4 & 8/4 x 11	70.00	67.00	70.00	70.00	71.00	72.00	73.00
7/4 & 8/4 x 12	80.00	77.00	80.00	80.00	81.00	82.00	83.00
Random widths [2]	64.00	61.00	64.00	64.00	65.00	66.00	67.00
Bark strips 1 x 3 and 1 x 4 (S2S)	42.00						

[1] Standard lengths are 8′ to 20′ inclusive, in multiples of 2′, and in shipments of standard lengths 5% of 8′ shall be permitted.

[2] Random widths are 5″ to 12″ inclusive, and must contain not less than 20% of 10″ and/or 11″ and 10% of 12″ widths.

Additions and deductions per 1,000 feet board measure

For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S1s, s2s, s3s and matched, shiplap, or any other dressing, standard or thinner, add $2.00.
4. Ripping or resawing, add $1.00 for each cut.
5. Casing, base, jambs, aprons and pulley stiles, add $7.50.
6. Nosed stepping, add $3.00.
7. Sanding one face, add $3.00.
8. Wrapping, add $3.00.

For grade:
9. A, add $5.00 to B and better prices.

For condition:
10. Air dried, stain no defect, deduct $6.00.
11. Air dried, stain a defect, deduct $4.00.
12. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
13. "Special soft texture finish," add as provided in paragraph (e) of this section.

For size:
14. 13″ and wider, add $3.50 per inch to 12″ prices.
15. Extra standard thickness, thicker than American Lumber Standards, add $1.00.
16. Where the buyer requires restricted random widths, each width shall be invoiced separately at the specified width price.

For length:
17. "Short finish":
(a) 4′ length, deduct $15.00 from standard length prices.
(b) 6′ length, deduct $10.00 from standard length prices.
18. Where required by the buyer for cutting any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than ½″ is allowed; add $2.00 where a tolerance of not more than ¼″ is allowed.

TABLE 2—BOARDS AND STRIPS; AIR DRIED, S1S, S2S, S3S, S4S, S2S AND MATCHED, OR SHIPLAP, STANDARD OR THINNER

Grade	Standard length [1]	8′ length	10′ length	12′ length	14′ length	16′ length	18′ and 20′ lengths
No. 1:							
1 x 2	$37.00	$37.00	$38.00	$38.00	$38.00	$39.50	$40.00
1 x 3	37.00	37.00	38.00	38.00	38.00	39.50	40.00
1 x 4	35.00	35.00	36.00	36.00	36.00	37.50	38.00
1 x 5	38.00	38.00	39.00	39.00	39.00	40.50	41.00
1 x 6	35.00	35.00	36.00	36.00	36.00	37.50	38.00
1 x 7	35.00	35.00	36.00	36.00	36.00	37.50	38.00
1 x 8	36.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 9	36.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 10	38.00	38.00	39.00	39.00	39.00	40.50	41.00
1 x 11	41.00	41.00	42.00	42.00	42.00	43.50	44.00
1 x 12	46.00	46.00	47.00	47.00	47.00	48.50	49.00
Random widths [2]	37.00	37.00	38.00	38.00	38.00	39.50	40.00
		6′ and 8′					
No. 2:							
1 x 2 and 3	29.00	29.00	30.50	31.00	31.00	31.50	33.00
1 x 4	26.00	26.00	27.50	28.00	28.00	28.50	30.00
1 x 5	28.50	28.50	31.50	31.50	32.00	32.50	34.50
1 x 6	28.00	28.00	29.50	30.00	30.50	31.00	33.00
1 x 7	28.00	28.00	29.50	30.00	30.50	31.00	33.00
1 x 8	28.00	28.00	29.50	30.00	30.50	31.00	33.00
1 x 9	28.00	28.00	29.50	30.00	30.50	31.00	33.00
1 x 10	28.50	28.50	31.50	31.50	32.00	32.50	34.50
1 x 11	31.50	31.50	34.50	34.50	35.00	35.50	37.50
1 x 12	33.00	33.00	36.00	36.50	37.00	37.50	40.50
Random widths [2]	28.25	28.25	31.25	31.25	31.75	32.25	34.25
No. 3:							
1 x 3	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 4	22.00	22.00	23.50	24.00	24.00	24.50	26.00
1 x 5	23.50	23.50	26.50	26.50	27.00	27.50	29.50
1 x 6	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 7	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 8	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 9	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 10	23.50	23.50	26.50	26.50	27.00	27.50	29.50
1 x 11	23.50	23.50	26.50	26.50	27.00	27.50	29.50
1 x 12	24.00	24.00	27.00	27.50	28.00	28.50	31.50
Random widths [2]	23.00	23.00	26.00	26.00	26.50	27.00	29.00

See following page for footnotes.

TABLE 2—BOARDS AND STRIPS; AIR DRIED, S1S, S2S, S3S, S4S, S2S AND MATCHED, OR SHIPLAP, STANDARD OR THINNER—Continued

Grade	Standard length [1]	8′ length	10′ length	12′ length	14′ length	16′ length	18′ and 20′ lengths
No. 4 and dunnage:							
1 x 3	$19.00	$19.00	$20.50	$21.00	$21.50	$22.00	$24.00
1 x 4	18.00	18.00	19.50	20.00	20.00	20.50	22.00
1 x 5	19.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 6	19.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 7	19.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 8	19.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 9	19.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 10	19.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 11	19.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 12	20.00	20.00	23.00	23.50	24.00	24.50	27.50
Random widths [2]	19.00	19.00	22.00	22.00	22.50	23.00	25.00

END-MATCHED AND CENTER MATCHED, KILN DRIED OR AIR DRIED, 12″ TO 96″, NESTED AND BUNDLED

Size	Grade No. 2	Grade No. 3
1 x 5	28.00	23.50
1 x 6	29.50	24.50

[1] Standard lengths are 4′ to 20′ inclusive, in multiples of 2′, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

No. 1	5% 8-Foot.
No. 2	5% 4-Foot.
	5% 6-Foot.
	5% 8-Foot.
No. 3, No. 4, and Dunnage 8″ and wider	5% 4-Foot.
	5% 6-Foot.
	5% 8-Foot.
No. 3, No. 4, and Dunnage, 3″ to 6″ width	May be 25% under 10-Foot.

[2] Random widths are 4″ to 12″ inclusive, and must contain not less than 20% 10 and/or 11″, and 10% of 12″ widths in all shipments where the widths are not specifically restricted.

Additions and deductions per 1,000 feet board measure

For working:
1. Rough, deduct $1.00.
2. Ripping or resawing, add $1.00 for each cut.
3. End-matching, add $2.00.
4. Barn siding, or any other dressing, add $2.00.

For grade:
5. 85% heart facial area, add $6.00 or for 85% heart cubical content, add $4.00.

For condition:
6. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
7. Green, deduct $2.00.
8. Kiln dried, add $1.00.

For size:
9. 5/4, 6/4, and 7/4, No. 1 and No. 2 common, add $4.00.
10. 5/4, 6/4, and 7/4, No. 3 common, add $3.00.
11. 5/4, 6/4, and 7/4, No. 4 common and dunnage, add $2.00.
12. Extra thickness, thicker than American lumber standards, add $1.00.
13. Where the buyer requires an average width, charge the specified width price for the required average width.
14. Where the buyer requires restricted random widths, each width shall be invoiced separately at the specified width price.

For length:
15. Where a restricted standard length, 8′ to 16′ or longer is specified by the buyer, add $1.00.
16. Where a restricted standard length, 10′ to 16′ or longer is specified by the buyer, add $2.00.
17. Where required by the buyer, for cutting to any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than ½″ is allowed; add $2.00 where a tolerance of not more than ¼″ is allowed.
18. Where the buyer requires an average length, other than 14′, charge the price for the specified length corresponding to the average length required. Where an average of 14′ is required, charge the 16′ price, provided that at least 30% of the shipment is 16′ and longer.
19. Odd or fractional lengths shall be counted and priced as next longest even length.

TABLE 3—DIMENSION, AIR DRIED, S1S, S2S, S3S OR S4S

Grade	Random length	8′ length	9′ length	10′ length	12′ length	14′ length	16′ length	18′ length	20′ length	22′–24′ lengths
No. 1:										
2 x 2	$35.00	$35.00	$36.00	$35.00	$35.00	$36.00	$37.00	$38.50	$39.50	$45.00
2 x 3	34.00	34.00	35.00	34.00	34.00	35.00	36.00	37.50	38.50	44.00
2 x 4	33.00	33.00	34.00	33.00	33.00	34.00	35.00	36.50	37.50	43.00
2 x 5	36.50	36.50	36.50	38.00	38.00	38.00	39.00	42.50	44.50	49.00
2 x 6	37.00	32.00	33.00	32.00	32.00	33.00	33.50	35.50	36.50	42.00
2 x 8	33.00	33.00	34.00	33.00	33.00	34.00	34.50	36.50	37.50	43.00
2 x 10	36.50	36.50	36.50	38.00	38.00	38.00	39.00	42.50	44.50	49.00
2 x 12	38.50	38.50	38.50	40.00	40.00	40.00	41.00	44.50	46.50	51.00
No. 2:										
2 x 2	31.00	31.00	32.00	31.00	31.00	32.00	33.00	34.50	35.50	41.00
2 x 3	30.00	30.00	31.00	30.00	30.00	31.00	32.00	33.50	34.50	40.00
2 x 4	29.00	29.00	30.00	29.00	29.00	30.00	31.00	32.50	33.50	39.00
2 x 5	29.50	29.50	30.50	32.50	31.50	31.50	31.50	35.00	37.00	42.50
2 x 6	27.00	27.00	28.00	27.00	27.00	28.00	28.50	30.50	31.50	37.00
2 x 8	28.00	28.00	29.00	28.00	28.00	29.00	29.50	31.50	32.50	38.00
2 x 10	29.50	29.50	30.50	32.50	31.50	31.50	31.50	35.00	37.00	42.50
2 x 12	31.50	31.50	32.50	32.50	32.50	32.50	33.50	37.00	38.00	43.50
No. 3:										
2 x 2	23.00	24.00	25.00	24.00	24.00	23.00	26.00	27.50	28.50	30.50
2 x 3	22.00	23.00	24.00	23.00	23.00	24.00	25.00	26.50	27.50	29.50
2 x 4	21.00	22.00	23.00	22.00	22.00	23.00	24.00	25.50	26.50	28.50
2 x 5	21.50	22.50	23.50	25.50	24.50	24.50	24.50	28.00	30.00	32.00
2 x 6	19.00	20.00	21.00	20.00	20.00	21.00	21.50	23.50	24.50	26.50
2 x 8	20.00	21.00	22.00	21.00	21.00	22.00	22.50	24.50	25.50	27.50
2 x 10	21.50	22.50	23.50	25.50	24.50	24.50	24.50	28.00	30.00	33.00
2 x 12	23.50	24.50	25.50	25.50	25.50	25.50	26.50	30.00	31.00	34.00

Additions and Deductions per 1,000 Feet Board Measure

For Working:
1. Rough, Deduct $1.00.
2. Shiplap, Center Matched, Dressed and Matched or Grooved, or any Other Dressing, Add $2.00.
3. Ripping or Resawing, Add $1.00 for Each Cut.
4. Log Cabin Siding, Add $6.50.
5. End-Matched and Center Matched, Add $4.00.

For Grade:
6. No. 1 Dense Par. 414 Sizes 2 x 2 to 2 x 8" Inclusive, Add $2.50 to No. 1 Common Prices.
7. No. 1 Dense Par. 414 Sizes 2 x 10 and 2 x 12", Add $4.00 to No. 1 Common Prices.
8. No. 2 Dense Par. 417 Sizes 2 x 2 to 2 x 8" Inclusive, Add $2.50 to No. 2 Common Prices.
9. No. 2 Dense Par. 417 Sizes 2 x 10 and 2 x 12", Add $4.00 to No. 2 Common Prices.
10. No. 2 Medium Grain Par. 416 Sizes 2 x 2 to 2 x 8" Inclusive, Add $1.00 to No. 2 on Common Prices.
11. No. 2 Medium Grain Par. 416 Sizes 2 x 10 and 2 x 12", Add $3.00 to No. 2 Common Prices.
12. Sound and Square Edge, Add $2.50 to No. 2 Common Prices.
13. 85% Heart Facial Area, Add $6.00; or for 95% Heart Cubical Content, Add $4.00.

For Condition:
14. Anti-Stain Treatment (Any Form), Add $.50 to Air Dried Prices, But Not to Kiln Dried Prices.
15. Green, Deduct $2.00.
16. Kiln Dried, Add $1.00.

For Size:
17. Extra Thickness, Thicker than American Lumber Standards, Add $1.00.

For Length:
18. Where the buyer requires an average length other than 14', charge the specified length price for the specified length corresponding to the average length required. Where the buyer requires an average length of 14', charge the 16' price, provided, that at least 30% of the shipment is 16' and longer.
19. Where required by the buyer for cutting any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than ½" is allowed; add $2.00 where a tolerance of not more than ¼" is allowed.
20. Odd or fractional lengths, except 9', shall be counted and priced as the next longest even length.
21. Lengths longer than 24', add $2.00 to the 24' price for each additional 2'.

TABLE 4—FACTORY FLOORING, HEAVY ROOFING, DECKING, AND HEAVY SHIPLAP, S1S, S2S, D AND M, SHIPLAP, GREEN

Grade	Standard lengths[1]	8' length	9' length	10' length	12' length	14' length	16' length	18' length	20' length	22' and 24' lengths
Dense standard factory:										
2 x 4, 6, and 8"	$35.25	$35.25	$36.25	$35.25	$35.25	$36.25	$36.75	$38.75	$39.75	$44.75
2 x 10	40.50	40.50	40.50	42.00	42.00	42.00	43.00	46.00	48.00	52.50
2 x 12	42.50	42.50	42.50	44.00	44.00	44.00	45.00	48.50	50.50	55.00
No. 1 factory:										
2 x 4, 6, and 8"	32.75	32.75	33.75	32.75	32.75	33.75	34.25	36.25	37.25	42.25
2 x 10	36.50	36.50	36.50	38.00	38.00	38.00	39.00	42.00	44.00	48.50
2 x 12	38.50	38.50	38.50	40.00	40.00	40.00	41.00	44.50	46.50	51.00
No. 2 factory:										
2 x 4, 6, and 8"	28.00	28.00	29.00	28.00	28.00	29.00	29.75	31.50	32.50	38.00
2 x 10	29.50	29.50	30.50	32.50	31.50	31.50	31.50	35.00	37.00	42.50
2 x 12	31.50	31.50	32.50	32.50	32.50	32.50	33.50	37.00	38.00	43.50
Dense standard factory:										
2½ to 5" x 4, 6, and 8"	37.00	37.00	38.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2½ to 5" x 10	42.00	42.00	43.00	44.50	44.50	44.50	45.50	49.00	51.00	55.50
2½ to 5" x 12	49.00	49.00	50.00	51.50	51.50	51.50	52.50	56.00	58.00	62.50
No. 1 factory:										
2½ to 5" x 4, 6, and 8"	34.00	34.00	35.00	34.00	34.00	35.00	35.50	37.50	38.50	44.00
2½ to 5" x 10	38.00	38.00	38.00	39.50	39.50	39.50	40.50	44.00	46.00	50.50
2½ to 5" x 12	45.00	45.00	45.00	46.50	46.50	46.50	47.50	51.00	53.00	57.50
No. 2 factory:										
2½ to 5" x 4, 6, and 8"	30.00	30.00	31.00	30.00	30.00	31.00	31.50	33.50	34.50	40.00
2½ to 5" x 10	34.00	34.00	34.00	35.50	35.50	35.50	36.50	40.00	42.00	46.50
2½ to 5" x 12	41.00	41.00	41.00	42.50	42.50	42.50	43.50	47.00	49.00	53.50

[1] Standard lengths are 8' to 24' inclusive, in multiples of 2'.

Additions and deductions per 1,000 feet board measure

For working:
1. Rough, deduct $2.00.
2. Grooved for splines, add $1.00 to 2" prices, $2.00 to 2½" to 5" prices.
3. Beveling and/or outgauging, add $4.00

For condition:
4. Air dried, add $2.00 to 2" price, $4.00 to 2½" to 5" prices.
5. Kiln dried, add $3.00 to 2" price, $4.00 to 2½" to 5" prices.
6. Anti-stain treatment (any form), add $.50 to 2" air dried prices; $1.00 to 2½" to 5", air dried prices, but not to kiln dried prices.

For size:
7. Fractional thicknesses (non-standard), add $3.00.
8. Odd or fractional widths shall be counted and priced as the next even wider width.

For length:
9. Lengths longer than 24', add $2.00 to the 24' price for each additional 2'.
10. Odd or fractional lengths, except 9', shall be counted and priced as the next longer even length.

TABLE 5—FLOORING, PLAIN END, KILN DRIED, STANDARD LENGTHS[1]

HEART FACE SPECIFICATION

	Grade A	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain:						
1 x 3	$85.00	$80.00	$66.00	$51.00	----------	----------
1 x 4	83.00	78.00	64.00	49.00	----------	----------
5/4 x 3	100.00	95.00	80.00	62.00	----------	----------
5/4 x 4	98.00	93.00	78.00	60.00	----------	----------
Near edge grain:						
1 x 3	78.00	73.00	59.00	46.00	----------	----------
1 x 4	76.00	71.00	57.00	44.00	----------	----------
5/4 x 3	93.00	88.00	73.00	57.00	----------	----------
5/4 x 4	91.00	86.00	71.00	55.00	----------	----------
Flat grain:						
1 x 3	70.50	65.50	56.50	44.50	$33.50	----------
1 x 4	68.50	63.50	54.50	42.50	32.50	----------
5/4 x 3	85.50	80.00	71.00	59.00	----------	----------
5/4 x 4	83.00	78.00	69.00	57.00	----------	----------

See following page for footnote.

TABLE 5—FLOORING, PLAIN END, KILN DRIED, STANDARD LENGTHS—Continued

NO HEART SPECIFICATION

	Grade A	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain:						
1 x 3	$73.00	$68.00	$60.00	$42.00	----------	----------
1 x 4	71.00	66.00	58.00	40.00	----------	----------
5/4 x 3	85.00	80.00	71.00	50.00	----------	----------
5/4 x 4	83.00	78.00	69.00	48.00	----------	----------
Near edge grain:						
1 x 3	66.00	61.00	53.00	37.00	----------	----------
1 x 4	64.00	59.00	51.00	35.00	----------	----------
5/4 x 3	78.00	73.00	64.00	45.00	----------	----------
5/4 x 4	76.00	71.00	62.00	43.00	----------	----------
Flat grain:						
1 x 3	58.00	53.00	50.00	35.00	$30.00	$20.00
1 x 4	57.00	52.00	49.00	34.00	28.00	19.00
5/4 x 3	71.00	66.00	62.00	44.00	35.00	24.00
5/4 x 4	69.00	64.00	60.00	42.00	34.00	23.00

[1] Standard Lengths are 4' to 20' inclusive, and the following percentages of Short Lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9-foot.
C	5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
D and No. 2	5% 4 and/or 5-foot. 5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
No. 3	Not to exceed 20% 4 and 6-foot lengths.

Additions and deductions per 1,000 feet board measure

For working:
1. End-Matching, Add $2.00.
2. Bark Back, Deduct $5.00.

For condition:
3. Air Dried, Deduct $1.00.

For length:
4. Specified Lengths, All Grades, 14', add $1.00, 16' and longer, add $3.00.
5. Restricted Standard Lengths, A, B, and C, 12' and up, Add $2.00.
6. Restricted Standard Lengths, D, No. 2 and No. 3, 8' and up, add $1.50.

TABLE 6—FLOORING (NO HEART SPECIFICATION) END-MATCHED, KILN DRIED

2' TO 8' NESTED AND BUNDLED

Size	Grade B and better	Grade C	Grade D	Grade No. 2
Edge grain:				
1 x 3	$60.00	$53.00	$38.00	----------
1 x 4	58.00	51.00	36.00	----------
Near edge grain:				
1 x 3	55.00	50.00	35.00	----------
1 x 4	54.00	49.00	34.00	----------
Flat grain:				
1 x 3	45.00	42.00	28.00	$23.00
1 x 4	44.00	41.00	27.00	22.00
12" TO 96" NESTED AND BUNDLED				
9/16 or 5/8 x 3	----------	$38.50	----------	$32.50
9/16 or 5/8 x 4	----------	35.50	----------	27.50

Additions and deductions per 1,000 feet board measure

For working:
1. Plain end, deduct $2.00.

For condition:
2. Air dried, deduct $1.00.

TABLE 7—SIDING, KILN DRIED, STANDARD LENGTHS[1]

Pattern and size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Patterns, 115, 117, 118, 119: Plain End 6"	$46.00	$43.00	$39.00	$31.00	$25.00
All Other Patterns:					
Plain End 6"	51.00	48.00	39.00	31.00	25.00
Plain End 8"	57.00	54.00	40.00	32.00	25.00
Plain End 10"	65.00	58.00	43.00	----------	----------
Bevel Siding:					
5/16" x 4", 5", 6", and 8"	45.00	42.00	33.00	28.00	20.00
½" x 4", 5", 6", and 8"	39.00	36.00	28.00	24.00	17.00
Square Edge Siding: ½" x 6", S4S	44.00	41.00	34.00	28.00	16.00

[1] Standard Lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9-foot.
C	5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
D and No. 2	5% 4 and/or 5-foot. 5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
No. 3	Not to exceed 20% 4' and 6' lengths.

Additions and Deductions per 1,000 Feet Board Measure

For workings:
1. End-Matching, Add $2.00.
For condition:
2. Air Dried, Deduct $1.00.
For grade:
3. A, Add $5.00 to B and Better Prices.
For lengths:
4. Specified Lengths, All Grades, 14', Add $1.00, 16' and longer, Add $3.00.
5. Restricted Standard Lengths, A, B, and C, 12' and up, Add $2.00.
6. Restricted Standard Lengths, D, No. 2 and No. 3, 8' and up, Add $1.50.

TABLE 8—STANDARD BEADED OR V-GROOVED CEILING, PLAIN END, KILN DRIED, STANDARD LENGTHS [1]

Size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
5/16 and 3/8 x 3 and 4" (single or double run)	$39.00	$36.00	$28.00	$24.00	$17.00
5/16 and 3/8 x 6" (single or double run)	41.00	38.00	30.00	26.00	17.00
9/16 x 3" and 4"	40.00	38.00	30.00	26.00	17.00
9/16 x 5" and 6"	42.00	40.00	32.00	28.00	19.00
1 1/16 to 2 5/32 x 3" and 4"	49.00	46.00	34.00	29.00	22.00
1 1/16 to 2 5/32 x 5" and 6"	50.00	47.00	35.00	30.00	23.00

[1] Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths have not been specifically restricted:

A and B	5% 8 and/or 9-Foot.
C	5% 6 and/or 7-Foot. 5% 8 and/or 9-Foot.
D, and No. 2	5% 4 and/or 5-Foot. 5% 6 and/or 7-Foot. 5% 8 and/or 9-Foot.
No. 3	Not to exceed 20% 4 and 6-foot lengths.

Additions and Deductions per 1,000 Feet Board Measure

For Working:
1. End-Matching, Add $2.00.
2. Bark Back, Deduct $5.00.
For Condition:
3. Air Dried, Deduct $1.00.
For Grade:
4. A, Add $3.00 to B and Better Prices.
For Length:
5. Specified Lengths, All Grades, 14' and longer, Add $2.00.
6. Restricted Standard Lengths, A, B, and C, 12' and Up, Add $1.50.
7. Restricted Standard Lengths, D, No. 2, and No. 3, 8' and Up, Add $1.00.

TABLE 9—STANDARD BEADED OR V-GROOVED PARTITION, KILN DRIED, STANDARD LENGTHS [1]

Size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
1 1/16 x 4	$49.00	$46.00	$34.00	$29.00	$16.00
1 1/16 x 6	51.00	48.00	36.00	31.00	18.00
3/4 x 4	54.00	51.00	36.00	30.00	18.00
3/4 x 6	56.00	53.00	38.00	32.00	20.00

[1] Standard Lengths are 4' to 20' inclusive, and the following percentage of Short Lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9-foot.
C	5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
D, and No. 2	5% 4 and/or 5-foot. 5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
No. 3	Not to exceed 20% 4 and 6-foot lengths.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Bark Back, Deduct $5.00.
2. End-Matching, Add $2.00.
For condition:
3. Air Dried, Deduct $1.00.
For grade:
4. A, Add $3.00 to B and Better prices.
For length:
5. Specified Lengths, All Grades, 14', and longer Add $2.00.
6. Restricted Standard Lengths, A. B, & C, 12', and up, Add $1.50.
7. Restricted Standard Lengths, D, and No. 2, 8', and up, Add $1.00.

TABLE 10—SHOP, ROUGH, KILN DRIED

Size and length	Grade No. 1	Grade No. 2
1", R/W [1] and L [2]	$42.00	$32.00
5/4, 6/4, 7/4 and 8/4, R/W [1] and L [2]	46.00	36.00

[1] Random widths are 4" and wider.
[2] Random lengths are 6' and longer.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Any standard dressing, add $1.00.
2. Ripping or resawing, add $1.00 for each cut.
For condition:
3. Green, Deduct $3.00.
4. Anti-stain treatment (any form), add 50c to Air Dried prices, but not to Kiln Dried prices.
5. Air Dried, Deduct $1.00.
For size:
6. Extra standard thickness, thicker than American lumber standards, add $1.00.
For length:
7. Restricted random lengths, 10' to 16' or longer, add $1.00.
8. Specified lengths, 12' and longer, add $2.00.

TABLE 11—NO. 1 BOX AND NO. 2 BOX, AIR DRIED, S1S, S2S, S3S, S4S, S2S AND MATCHED OR SHIPLAP, STANDARD OR THINNER

	Standard length [1]	8' length	10' length	12' length	14' length	16' length	18' and 20' lengths
NO. 1							
1" (edge widths)	$32.00	$32.00	$33.25	$33.50	$33.75	$34.75	$36.00
1 x 3	33.00	33.00	34.25	34.50	34.50	35.50	36.50
1 x 4	30.50	30.50	31.75	32.00	32.00	33.00	34.00
1 x 5	33.25	33.25	35.25	35.25	35.50	36.50	37.75
1 x 6	31.50	31.50	32.75	33.00	33.25	34.25	35.50
1 x 7	31.50	31.50	32.75	33.00	33.25	34.25	35.50
1 x 8	32.00	32.00	33.25	33.50	33.75	34.75	36.00
1 x 9	32.00	32.00	33.25	33.50	33.75	34.75	36.00
1 x 10	33.25	33.25	35.25	35.25	35.50	36.50	37.75
1 x 11	36.25	36.25	38.25	38.25	38.50	39.50	40.75
1 x 12	39.50	39.50	41.50	41.75	42.00	43.00	44.75
NO. 2							
1" (edge widths)	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 3	28.00	28.00	29.50	30.00	30.00	30.50	32.00
1 x 4	26.00	25.00	26.50	27.00	27.00	27.50	29.00
1 x 5	27.50	27.50	30.50	30.50	31.00	31.50	33.50
1 x 6	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 7	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 8	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 9	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 10	27.50	27.50	30.50	30.50	31.00	31.50	33.50
1 x 11	30.50	30.50	33.50	33.50	34.00	34.50	36.50
1 x 12	32.00	32.00	35.00	35.50	36.00	36.50	39.50
1" Box Bark Strip	21.00	21.00	21.50	21.50	22.00	22.00	23.50

[1] Standard lengths are 8' to 16' inclusive, in multiples of 2' and the following percentage of short lengths may be included in all shipments in which the lengths are not specifically restricted:

No. 1 or No. 2 ..... 5% 8-foot.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Rough, Deduct $1.00.
2. Ripping or Resawing, Add $1.00 for Each Cut.
For condition:
3. Anti-Stain Treatment (Any Form), Add $.50 to Air Dried Price, But Not to Kiln Dried Price.
4. Green, Deduct $2.00.
5. Kiln Dried, Add $1.00.
For size:
6. 5/4, 6/4, 7/4, and 8/4, Add $4.00.
7. Extra Standard Thickness, Thicker Than American Lumber Standards, Add $1.00.
For length:
8. Where a Restricted Standard Length, 12' to 16' or longer is specified by the buyer, add $1.00.
9. Where required by the buyer, for cutting to any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than ½" is allowed; add $2.00 where a tolerance of not more than ¼" is allowed.
10. Where the buyer requires an average length, other than 14', charge the price for the specified length corresponding to the average length required. Where an average of 14' is required, charge the 16' price, provided that at least 30% of the shipment is 16' and longer.
11. Odd or fractional lengths shall be counted and priced as next longest even length.

TABLE 12—BYRKIT LATH, AIR DRIED, OR KILN DRIED

Size	Standard lengths [1]	4', 6', and 8'
1 x 4	$26.00	$24.00
1 x 6	30.00	27.00

[1] Standard lengths are 4' and up.

TABLE 13—STANDARD PLASTERING LATH, KILN DRIED

Length	Grade No. 1	Grade No. 2	Grade No. 3
4'	$6.00	$5.00	$3.50
32"	3.50	2.00	

Additions and Deductions per 1,000 Pieces

For condition:
1. Green, deduct 50¢.
2. Air dried, deduct 25¢.
For grade:
3. Fence lath, add $2.50 to 4' No. 1 price.

TABLE 14—O. G. BATTS, KILN DRIED, STANDARD LENGTHS

Size	Grade B & better	Grade C	Grade D	Grade No. 2
9/16 or 5/8 x 3	$42.00	$40.00	$32.00	$28.00
9/16 or 5/8 x 4	40.00	38.00	30.00	26.00

Additions and Deductions per 1,000 Feet Board Measure

For condition:
1. Air dried, deduct $1.00.
For length:
2. Specified lengths, add $2.00.

TABLE 15—BED SLATS, S4S, KILN DRIED OR AIR DRIED—8 PIECES TO A SET (BUNDLED)

Grade	Per set 39"	Per set 42"	Per set 54" to 56"
No. 1—1 x 3	$0.37	$0.38	$0.48
No. 2—1 x 3	.30	.31	.41

TABLE 16—CAR MATERIAL

LINING (KILN DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

	9' length	10' length	12' length	14' length	16' length	18' & 20' length
Select (par. 59 AAR rules):[1] 1 x 4 and 1 x 6	$60.00	$55.00	$57.00	$60.00	$62.00	$68.00
Common (par. 60 AAR rules):[1] 1 x 4 and 1 x 6	40.00	35.00	37.00	40.00	42.00	45.00

VERTICAL SHEATHING (KILN DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

Select (par. 51 AAR rules):[1] 1 x 4 and 1 x 6	$60.00	$55.00	$57.00	$60.00	$62.00	$68.00
Common (par. 52 AAR rules):[1] 1 x 4 and 1 x 6	50.00	45.00	47.00	50.00	52.00	58.00

LONGITUDINAL SHEATHING (KILN DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

Select (par. 53 AAR rules):[1]						
2 x 4	$67.00	$57.00	$57.00	$57.00	$62.00	$67.00
2 x 6	72.00	62.00	62.00	62.00	67.00	72.00
Common (par. 54 AAR rules):[1]						
2 x 4	47.00	42.00	42.00	42.00	45.00	47.00
2 x 6	52.00	47.00	47.00	47.00	50.00	52.00

FLOORING (DECKING) (KILN DRIED OR AIR DRIED, AND DRESSED TO ALL PATTERNS AND SIZES)

Select (Par. 57 AAR rules):[1]						
2 x 6 and 2 x 8	$72.00	$62.00				
2½ and 2½ x 6" and 8"	77.00	67.00				
2¼ and 3" x 6" and 8"	82.00	72.00				
Common (par. 58 AAR rules):[1]						
2 x 6 and 2 x 8	44.50	42.50				
2½, 2½, 2¾ and 3" x 6" and 8"	47.50	45.50				
For dense flooring (decking) add $2.50						

[1] Specifications for Car Material (Designated Above "A. A. R. Rules") Correspond to the Specifications Issued by the Association of American Railroads, as Set Forth in its Pamphlet M-907-33, Adopted, 1910; Revised, 1933.

Additions and Deductions per 1,000 Feet Board Measure

For Working:
1. Rough, Deduct $2.00.
2. Where Material is required dressed two sides only, deduct $1.00.

For Grade:
3. Edge Grain, Add $15.00 to Select Price Only.
4. For Grade and Specifications Other than Those Contained in A. A. R. Rules, the Maximum Price Shall be the Price for the A. A. R. Grade and Specifications which Most Closely Correspond to the Grades and Specifications of the Car Material Item Involved in the Sale Governed by the Schedule.

For Length:
5. Odd and Fractional Lengths, Except 9', Shall be Counted and Priced as Next Longest Even Length.

For Inspection:
6. For Final Inspection at the Point of Destination Rather than at the Shipping Point, Add $5.00.

TABLE 17—TIMBERS, GREEN, ROUGH, S8S OR S2S

Sizes	No. 1 Common		No. 2 Common	
	Specified lengths (8' to 16')	Specified lengths (18' and 20')	Specified lengths (8' to 16')	Specified lengths (18' and 20')
3 x 3 to 4 x 4	$32.00	$36.00	$29.00	$33.00
3 x 5 and 4 x 5	32.00	36.00	29.00	33.00
3 x 8 to 5 x 8	30.00	34.00	27.00	31.00
3 x 6 to 6 x 6	34.00	38.00	30.00	34.00
6 x 8 and 8 x 8	35.00	39.00	31.00	35.00
3 x 10 to 5 x 10	36.00	40.00	32.00	36.00
6 x 10 to 10 x 10	42.00	46.00	38.00	42.00
3 x 12 to 5 x 12	40.00	44.00	36.00	40.00
6 x 12 to 12 x 12	50.00	54.00	46.00	50.00
3 x 14 to 7 x 14	48.00	52.00	44.00	48.00
8 x 14 to 14 x 14	54.00	58.00	50.00	54.00
3 x 16 to 7 x 16	56.00	60.00	52.00	56.00
8 x 16 to 16 x 16				

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Shiplap or T and G add $2.00.
2. Grooved 2 edges, add $3.00.
3. Beveling and/or outgauging, add $4.00.

	Sizes 3 x 3 to 10 x 10	Sizes 3 x 12 to 16 x 16
For grade, add to No. 1 common prices:		
4. Square Edge and Sound	$1.00	$2.00
5. Dense, No. 1 Common	5.00	7.00
6. Dense, Square Edge and Sound	6.00	9.00
7. Dense, No. 1 Structural	7.00	10.00
8. Dense Structural, Square Edge and Sound	9.00	12.00
9. Dense Structural	11.00	14.00
10. Dense Select Structural	13.00	16.00
11. 85% Heart Facial Area	10.00	15.00
12. 90% Heart Facial Area	13.00	18.00
13. 85% Heart Cubical Content	8.00	12.00
For lengths:		
14. Over 20' add to 18' and 20' prices for all grades:		
22' and 24'	5.00	5.00
26'	6.00	6.00
28'	7.00	7.00
30'	8.00	10.00
32'	10.00	12.00
34'	12.00	14.00
36'	14.00	17.00
38'	17.00	20.00
40'	20.00	25.00

15. Odd or fractional lengths, except 5' and 7', shall be counted and priced as next longest even length.
16. Where the buyer specifies an average length, charge the specified length price for the required lineal average.
17. Where the buyer specifies a cubic average, the price shall be that of the length in 12 x 12 required to equal the specified cubic average.

For condition:
18. Anti-stain treatment (any form) 3 x 3 to 10 x 10, add $1.00; 3 x 12 and up, add $2.00.
19. Kiln dried, 20% moisture, add $4.00.
20. Air dried, 25% moisture, add $4.00.

For size:
21. Fractional thickness, add $3.00 to nearest listed thickness.
22. Fractional widths, price nearest even wider width.
23. 2" Timbers, Square Edge and Sound and grades above, add $2.00 to the comparable 3" price, except for 2 x 14 and 2 x 16, add $3.00.
24. Where the buyer specifies an average girth measurement, charge the price of specified size for the required girth average.

(b) The maximum prices for Longleaf Yellow pine lumber f. o. b. mill per one thousand feet board measure where shipment originates at a mill, shall be as follows:

TABLE 1—FINISH, S4S, KILN DRIED—LONG LEAF

Grade	Standard lengths [1]	8' length	10' length	12' length	14' length	16' length	18' and 20' length
B and Better:							
1 x 2 and 3	$60.00	$60.00	$60.00	$60.00	$61.00	$62.00	$63.00
1 x 4	57.00	57.00	57.00	57.00	58.00	59.00	60.00
1 x 5	65.00	65.00	65.00	65.00	66.00	67.00	68.00
1 x 6	57.00	57.00	57.00	57.00	58.00	59.00	60.00
1 x 8	57.00	57.00	57.00	57.00	58.00	59.00	60.00
1 x 10	65.00	65.00	65.00	65.00	66.00	67.00	68.00
1 x 12	79.00	79.00	79.00	79.00	80.00	81.00	82.00
Random widths [2]	61.00	61.00	61.00	61.00	62.00	63.00	64.00
5/4 and 6/4 x 4	72.00	72.00	72.00	72.00	73.00	74.00	75.00
5/4 and 6/4 x 5	80.00	80.00	80.00	80.00	81.00	82.00	83.00
5/4 and 6/4 x 6	72.00	72.00	72.00	72.00	73.00	74.00	75.00
5/4 and 6/4 x 8	72.00	72.00	72.00	72.00	73.00	74.00	75.00
5/4 and 6/4 x 10	80.00	80.00	80.00	80.00	81.00	82.00	83.00
5/4 and 6/4 x 12	92.00	92.00	92.00	92.00	93.00	94.00	95.00
Random widths [2]	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 4	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 5	80.00	80.00	80.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 6	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 8	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 10	80.00	80.00	80.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 12	95.00	95.00	95.00	95.00	96.00	97.00	98.00
Random widths [2]	78.00	78.00	78.00	78.00	79.00	80.00	81.00
Grade C:							
1 x 2 and 3	56.00	56.00	56.00	56.00	57.00	58.00	59.00
1 x 4	53.00	53.00	53.00	53.00	54.00	55.00	56.00
1 x 5	61.00	61.00	61.00	61.00	62.00	63.00	64.00
1 x 6	53.00	53.00	53.00	53.00	54.00	55.00	56.00
1 x 8	53.00	53.00	53.00	53.00	54.00	55.00	56.00
1 x 10	61.00	61.00	61.00	61.00	62.00	63.00	64.00
1 x 12	75.00	75.00	75.00	75.00	76.00	77.00	78.00
Random widths [2]	56.00	56.00	56.00	56.00	57.00	58.00	59.00
5/4 and 6/4 x 4	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 5	73.00	73.00	73.00	73.00	74.00	75.00	76.00
5/4 and 6/4 x 6	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 8	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 10	73.00	73.00	73.00	73.00	74.00	75.00	76.00
5/4 and 6/4 x 12	85.00	85.00	85.00	85.00	86.00	87.00	88.00
Random widths [2]	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 4	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 5	76.00	76.00	76.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 6	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 8	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 10	76.00	76.00	76.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 12	88.00	88.00	88.00	88.00	89.00	90.00	91.00
Random widths [2]	71.00	71.00	71.00	71.00	72.00	73.00	74.00

[1] Standard lengths are 8' to 20' inclusive, in multiples of 2', and in shipments of standard lengths 5% of 8-foot shall be permitted.
[2] Random widths are 5" to 12" inclusive, and must contain not less than 20% of 10" and/or 11" and 10% of 12" widths.

Additions and deductions per 1,000 feet board measure

For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S1S, S2S, S2S and matched, shiplap, or any other dressing, standard or thinner, add $2.00.
4. Ripping or resawing, add $1.00 for each cut.
5. Casing, base, jambs, apron and pulley stiles, add $7.50.
6. Nosed stepping, add $3.00.
7. Sanding one face, add $3.00.
8. Wrapping, add $5.00.

For grade:
9. A, add $5.00 to B and Better prices.

For condition:
10. Air dried, A, B, and C, deduct $5.00.
11. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For size:
12. 13" and wider, add $3.50 per inch to 12" prices.
13. Extra standard thickness, thicker than American Lumber Standards, add $1.00.
14. Where the buyer requires restricted random widths, each width shall be invoiced separately at the specified width price.

For length:
15. Short finish:
    (A) 4' lengths, deduct $25.00 from the standard length prices.
    (B) 6' lengths, deduct $15.00 from the standard length prices.
16. Where required by the buyer for cutting any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than ½" is allowed; add $2.00 where a tolerance of not more than ¼" is allowed.

TABLE 2—BOARDS AND STRIPS, AIR DRIED, S1S, S2S, S3S, S4S, S2S AND MATCHED, OR SHIPLAP, STANDARD OR THINNER

Grade	Standard length [1]	8′ length	10′ length	12′ length	14′ length	16′ length	18′ and 20′ length
No. 1:							
1 x 2	$42.00	$42.00	$43.00	$43.00	$43.00	$44.50	$45.00
1 x 3	43.00	43.00	44.00	44.00	44.00	45.50	46.00
1 x 4	39.00	39.00	40.00	40.00	40.00	41.50	42.00
1 x 5	44.00	44.00	45.00	45.00	45.00	46.50	47.00
1 x 6	42.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 7	43.00	43.00	44.00	44.00	44.00	45.50	46.00
1 x 8	43.00	43.00	44.00	44.00	44.00	45.50	46.00
1 x 9	44.00	44.00	45.00	45.00	45.00	46.50	47.00
1 x 10	44.00	44.00	45.00	45.00	45.00	46.50	47.00
1 x 11	51.00	51.00	52.00	52.00	52.00	53.50	54.00
1 x 12	55.00	55.00	56.00	56.00	56.00	57.50	58.00
Random widths [2]	44.00	44.00	45.00	45.00	45.00	46.50	47.00
		6′ and 8′					
No. 2:							
1 x 2	34.00	34.00	35.50	36.00	36.00	36.50	38.00
1 x 3	35.00	35.00	36.50	37.00	37.00	37.50	39.00
1 x 4	31.00	31.00	32.50	33.00	33.00	33.50	35.00
1 x 5	36.00	36.00	37.50	38.00	38.50	39.00	41.00
1 x 6	34.00	34.00	35.50	36.00	36.50	37.00	39.00
1 x 7	34.00	34.00	35.50	36.00	36.50	37.00	39.00
1 x 8	34.00	34.00	35.50	36.00	36.50	37.00	39.00
1 x 9	36.00	36.00	39.00	39.50	40.00	40.50	42.50
1 x 10	36.00	36.00	39.00	39.50	40.00	40.50	42.50
1 x 11	39.00	39.00	42.00	42.50	43.00	43.50	46.50
1 x 12	43.00	43.00	46.00	46.50	47.00	47.50	50.50
Random widths [2]	35.00	35.00	38.50	37.00	37.50	38.00	40.00
No. 3:							
1 x 2	26.00	26.00	27.50	28.00	28.00	28.50	30.00
1 x 3	28.00	28.00	29.50	30.00	30.00	30.50	32.00
1 x 4	21.00	21.00	22.50	23.00	23.00	23.50	25.00
1 x 5	28.00	28.00	29.50	30.00	30.50	31.00	33.00
1 x 6	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 7	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 8	27.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 9	28.00	28.00	31.00	31.00	31.50	32.00	34.00
1 x 10	28.00	28.00	31.00	31.00	31.50	32.00	34.00
1 x 11	28.50	28.50	31.50	32.00	32.50	33.00	36.00
1 x 12	29.00	29.00	32.00	32.50	33.00	33.50	36.50
Random widths [2]	27.00	27.00	28.50	29.00	29.50	30.00	32.00
No. 4 and dunnage:							
1 x 3	24.00	24.00	25.50	26.00	26.00	26.50	28.00
1 x 4	17.00	17.00	18.50	19.00	19.00	19.50	21.00
1 x 5	24.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 6	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 7	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 8	23.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 9	24.00	24.00	27.00	27.00	27.50	28.00	30.00
1 x 10	24.00	24.00	27.00	27.00	27.50	28.00	30.00
1 x 11	24.50	24.50	27.50	28.00	28.50	29.00	32.00
1 x 12	25.00	25.00	28.00	28.50	29.00	29.50	32.50
Random widths [2]	23.00	23.00	24.50	25.00	25.50	26.00	28.00

[1] Standard lengths are 4′ to 20′ inclusive, in multiples of 2′, and the following percentage of short lengths may be included in all shipments in which the lengths are not specifically restricted:

No. 1	5% 8-foot 5% 4-foot 5% 6-foot 5% 8-foot
No. 2	5% 4-foot 5% 6-foot 5% 8-foot
No. 3, No. 4, & dunnage, 8″ and wider	5% 4-foot 5% 6-foot 5% 8-foot

No. 3, No. 4, and dunnage, 3″ to 6″ widths may be 25% under 10 foot.

[2] Random widths are 4″ to 12″ inclusive, and must contain not less than 20% of 10″ and/or 11″, and 10% of 12″ widths in all shipments where the widths are not specifically restricted.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Rough, deduct $1.00.
2. Ripping or resawing, add $1.00 for each cut.
3. End—matching, add $2.00.
4. Barn siding, or any other dressing, add $2.00.

For grade:
5. No. 1 common, 85 or 90% heart facial area, add $20.00.
6. No. 2 common, 85 or 90% heart facial area, add $12.00.

For condition:
7. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
8. Green, deduct $2.00.
9. Kiln dried, add $1.00.

For size:
10. 5/4, 6/4, and 7/4 No. 1 common, add $7.00.
11. 5/4, 6/4, and 7/4 No. 2 and No. 3 common, add $4.00.
12. 5/4, 6/4, and 7/4 No. 4 common and dunnage, add $2.00.
13. Extra thickness, thicker than American lumber standards, add $1.00.
14. Where the buyer requires an average width, charge the specified width price for the required average width.
15. Where the buyer requires restricted random widths, each width shall be invoiced separately at the specified width price.

For length:
16. Where a restricted standard length, 8′ to 16′ or longer is specified by the buyer, add $1.00.
17. Where a restricted standard length, 10′ to 16′ or longer is specified by the buyer, add $2.00.
18. Where required by the buyer, for cutting to any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than 1/2″ is allowed, add $2.00 where a tolerance of not more than 1/4″ is allowed.
19. Where the buyer requires an average length, other than 14′, charge the price for the specified length corresponding to the average length required. Where an average of 14′ is required, charge the 16′ price, provided that at least 30% of the shipment is 16′ and longer.
20. Odd or fractional lengths shall be counted and priced as next longest even length.

TABLE 3—DIMENSION, AIR DRIED, S1S, S2S, S3S, S4S

Grade	Random length	8′ length	9′ length	10′ length	12′ length	14′ length	16′ length	18′ length	20′ length	22′ and 24′ length
No. 1:										
2 x 2	$43.00	$43.00	$44.00	$42.00	$42.00	$42.00	$44.00	$45.00	$45.00	$50.00
2 x 3	42.00	41.00	44.00	41.00	41.00	41.00	42.00	44.00	44.00	49.00
2 x 4	40.00	40.00	41.00	39.00	39.00	39.00	41.00	42.00	42.00	47.00
2 x 5	49.00	44.00	50.00	46.00	47.00	48.00	50.00	52.00	52.00	56.00
2 x 6	39.00	38.00	41.00	38.00	38.00	38.00	39.00	41.00	41.00	46.00
2 x 8	40.00	38.00	41.00	39.00	39.00	39.00	40.00	42.00	42.00	47.00
2 x 10	49.00	44.00	50.00	46.00	47.00	48.00	50.00	52.00	52.00	56.00
2 x 12	54.00	50.00	57.00	53.00	53.00	54.00	57.00	59.00	59.00	63.00
No. 2:										
2 x 2	40.00	39.00	40.00	38.00	38.00	38.00	40.00	42.00	42.00	45.00
2 x 3	39.00	38.00	39.00	39.00	38.00	38.00	39.00	41.00	41.00	45.00
2 x 4	37.00	36.00	37.00	35.00	35.00	35.00	37.00	39.00	39.00	42.00
2 x 5	43.00	40.00	43.00	42.00	42.00	42.00	43.00	45.00	45.00	49.00
2 x 6	36.00	35.00	36.00	35.00	35.00	35.00	36.00	38.00	38.00	42.00
2 x 8	37.00	35.00	37.00	36.00	36.00	36.00	37.00	39.00	39.00	42.00
2 x 10	43.00	40.00	43.00	42.00	42.00	42.00	43.00	45.00	45.00	49.00
2 x 12	45.00	40.00	45.00	43.00	43.00	44.00	45.00	47.00	47.00	52.00
No. 3:										
2 x 2	27.00	28.00	29.00	28.00	28.00	28.00	29.00	29.00	29.00	31.00
2 x 3	27.00	28.00	29.00	28.00	28.00	28.00	29.00	29.00	29.00	31.00
2 x 4	24.00	25.00	26.00	25.00	25.00	25.00	26.00	26.00	26.00	28.00
2 x 5	25.00	26.00	27.00	26.00	26.00	26.00	27.00	27.00	27.00	30.00
2 x 6	24.00	25.00	26.00	25.00	25.00	25.00	26.00	26.00	26.00	28.00
2 x 8	24.00	25.00	26.00	25.00	25.00	25.00	26.00	26.00	26.00	28.00
2 x 10	25.00	26.00	27.00	26.00	26.00	26.00	27.00	27.00	27.00	30.00
2 x 12	25.00	26.00	27.00	26.00	26.00	26.00	27.00	27.00	27.00	30.00

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Rough, deduct $1.00.
2. Shiplap, center-matched, dressed and matched, or grooved, or any other dressing, add $2.00.
3. Ripping or resawing, add $1.00 for each cut.
4. Log cabin siding, add $6.50.
5. End-matched and center-matched, add $4.00.

For grade:
6. Par. 333, add $2.50 to No. 2 common prices.
7. 85 or 90% heart facial area, No. 1 and No. 2 common, sizes 2 x 2 to 2 x 8, add $15.00.
8. 85 or 90% heart facial area, No. 1 and No. 2 common, sizes 2 x 10 and 2 x 12, add $20.00.
9. Square edge and sound, add $2.50 to No. 1 common prices.

For conditions:
10. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
11. Green, lengths 24′ and under, deduct $2.00.
12. Kiln dried, add $1.00.

For size:
13. Extra thickness, thicker than American Lumber Standards, add $1.00.

For length:
14. Where the buyer requires an average length other than 14′, charge the specified length price for the specified length corresponding to the average length required. Where the buyer requires an average length of 14′, charge the 16′ price, provided, that at least 30% of the shipment is 16′ and longer.
15. Where required by the buyer for cutting any specified exact length, except standard lengths, add $1.00 where a tolerance of not more than ½″ is allowed; add $2.00 where a tolerance of not more than ¼″ is allowed.
16. Odd or fractional lengths, except 9′, shall be counted and priced as the next longest even length.
17. Lengths longer than 24′ apply the length differential provided for timbers longer than 24′ as set forth in Table 17.

TABLE 4—FOR ALL STANDARD THICKNESS, BY 6″ AND 8″ WIDTHS FACTORY FLOORING, HEAVY ROOFING, DECKING, AND HEAVY SHIPLAP, ROUGH, GREEN [1]

	Standard or specified length 8′ to 14′	Standard or specified length 16′ to 20′	Standard or specified length 22′ to 24′
#1 Factory flooring	$38.00	$42.00	$47.00
Standard factory flooring	46.00	50.00	55.00
Select merchantable factory flooring	52.00	56.00	61.00
#2 Factory flooring	35.00	39.00	44.00

[1] Standard lengths are 8′ to 24′ inclusive, in multiples of 2 feet.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. S1S, S2S, S3S, and S4S, add $2.00.
2. Shiplap or dressed and matched, add $3.00.
3. Grooved two edges, add $4.00.
4. Beveling and/or outgauging, add $4.00.

For condition:
5. Air dried, add $2.00 to 2″ prices, $4.00 to 2½″ to 5″ prices.
6. Kiln dried, add $3.00 to 2″ prices, $4.00 to 2½″ to 5″ prices.
7. Anti-stain treatment (any form), add 50¢ to 2″ air dried prices; $1.00 to 2½″ to 5″, air dried prices, but not to kiln dried prices.

For size:
8. Fractional thicknesses (non-standard), add $3.00.
9. Odd or fractional widths shall be counted and priced as the next even wider width.

For length:
10. Lengths longer than 24′, add $2.00 to the 24′ price for each additional 2′.
11. Odd or fractional lengths, except 9′, shall be counted and priced as the next longer even length.

TABLE 5—FLOORING, PLAIN END, KILN DRIED, STANDARD LENGTHS[1]

	Grade A	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
HEART FACE SPECIFICATION						
EDGE GRAIN						
1 x 3	$100.00	$95.00	$80.00	$60.00		
1 x 4	98.00	93.00	78.00	58.00		
5/4 x 3	122.00	117.00	100.00	75.00		
5/4 x 4	120.00	115.00	98.00	73.00		
NEAR EDGE						
1 x 3	93.00	88.00	73.00	55.00		
1 x 4	91.00	86.00	71.00	53.00		
5/4 x 3	115.00	110.00	93.00	70.00		
5/4 x 4	113.00	108.00	91.00	68.00		
FLAT GRAIN						
1 x 3	78.00	73.00	65.00	50.00	$42.00	
1 x 4	76.00	71.60	63.00	48.00	42.00	
5/4 x 3	100.00	95.00	85.00	55.00	45.00	
5/4 x 4	100.00	95.00	83.00	55.00	45.00	
NO HEART SPECIFICATION						
EDGE GRAIN						
1 x 3	$80.00	$75.00	$67.00	$52.00	$45.00	
1 x 4	78.00	73.00	65.00	50.00	45.00	
5/4 x 3	105.00	100.00	85.00	60.00		
5/4 x 4	103.00	98.00	83.00	58.00		
NEAR EDGE GRAIN						
1 x 3	73.00	68.00	60.00	47.00	40.00	
1 x 4	71.00	66.00	58.00	45.00	40.00	
5/4 x 3	98.00	93.00	78.00	55.00		
5/4 x 4	96.00	91.00	76.00	53.00		
FLAT GRAIN						
1 x 3	61.00	56.00	54.00	40.00	32.00	$21.00
1 x 4	61.00	56.00	54.00	40.00	32.00	21.00
5/4 x 3	77.00	73.00	67.00	47.00	38.00	
5/4 x 4	76.00	72.00	66.00	45.00	38.00	
9/16 x 4		45.00	43.00	35.00	30.00	

[1] Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9 foot.
C	5% 6 and/or 7 foot. 5% 8 and/or 9 foot.
D, and No. 2	5% 4 and/or 5 foot. 5% 6 and/or 7 foot. 5% 8 and/or 9 foot.
No. 3	Not to exceed 20% 4' and 6' lengths.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. End-matching, add $2.00.
2. Bark back, deduct $5.00.

For condition:
3. Air dried, deduct $1.00.

For length:
4. Specified length, all grades, 14', add $1.00, 16' and longer, add $3.00.
5. Restricted standard lengths, A, B, and C, 12' and up, add $2.00.
6. Restricted standard lengths, D, No. 2, and No. 3, 8' and up, add $1.50.

TABLE 6—FLOORING, NO HEART SPECIFICATION, END-MATCHED, KILN DRIED

[2' to 8' nested in bundles]

	Grade B and better	Grade C	Grade D	Grade No. 2
Edge grain:				
1 x 3 18" to 96"	$65	$58	$43	
1 x 4 18" to 96"	63	56	41	
Near edge grain:				
1 x 3 18" to 96"	60	55	40	
1 x 4 18" to 96"	59	54	39	
Flat grain:				
1 x 3 18" to 96"	47	44		
1 x 3 12" to 96"			39	$31
1 x 4 18" to 96"	46	43		
1 x 4 12" to 96"			38	30

Additions and Deductions per 1,000 Feet Board Measure

For working: 1. Plain end, deduct $2.
For condition: 2. Air dried, deduct $1.

TABLE 7—SIDING, KILN DRIED, STANDARD LENGTHS[1]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Drop siding patterns 115, 117, 118:					
Plain end 6"	$48	$45	$41	$36	$25
Plain end 8"	50	47	43	37	25
Drop siding all other patterns:					
Plain end 6"	56	51	45	36	27
Plain end 8"	57	54	47	38	27
Bevel siding:					
⅜ x 4", 5", 6", and 8"	45	42	33	28	20
½ x 4", 5", 6", and 8"	39	36	28	24	17
Square edge siding:					
½ x 6 stk	44	41	34	28	16

[1] Standard lengths are 4' to 20' inclusive, and the following percentage of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9 foot.
C	5% 6 and/or 7 foot. 5% 8 and/or 9 foot.
D and No. 2	5% 4 and/or 5 foot. 5% 6 and/or 7 foot. 5% 8 and/or 9 foot.
No. 3	Not to exceed 20% 4' and 6' lengths.

Additions and Deductions per 1,000 Feet Board Measure

For working: 1. End-matching, add $2.
For grade: 2. A, add $5 to B and better prices.
For condition: 3. Air dried, deduct $1.
For length:
4. Specified lengths, all grades, 14' add $1, 16' and longer, add $3.
5. Restricted standard length, A, B, and C, 12' and up, add $2.
6. Restricted standard lengths, D, No. 2, and No. 3, 8' and up, add $1.50.

TABLE 8—STANDARD BEADED OR V-GROOVED CEILING, KILN DRIED, STANDARD LENGTHS[1]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Plain end:					
5/16 & 3/8 x 3" x 4" SIS	$37	$35	$27	$24	$16
5/16 x 3/16 x 6" SIS	39	37	29	26	18
5/16 & 3/8 x 3" x 4" S2S	40	38	29	27	16
5/16 x 3/16 x 6" S2S	43	40	30	27	19
5/16 x 3" x 4" S2S	41	39	31	28	18
11/16 to 2 3/32 x 2" x 4"	55	52	39	34	18
11/16 to 2 3/32 x 6"	56	53	40	35	24

[1] Standard lengths are 4' to 20', inclusive, and the following percentages of short lengths may be included in all shipments, in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9-foot.
C	5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
D and No. 2	5% 4 and/or 5-foot. 5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
No. 3	Not to exceed 20% 4' and 6' lengths.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. End-matching, add $2.
2. Bark back, deduct $5.

For grade:
3. "A," add $3 to B and better prices.

For condition:
4. Air dried, deduct $1.

For length:
5. Specified length, all grades, 14' and longer, add $2.
6. Restricted standard length, A, B, and C, 12' and up, add $1.50.
7. Restricted standard length, D, No. 2 and No. 3, 8' and up, add $1.

TABLE 9—CEILING, END MATCHED, KILN DRIED—NESTED IN BUNDLES, 12" TO 96"

	Grade B and better	Grade C	Grade D	Grade No. 2
⅜ x 4 18" to 96"	$31.00	$28.00		
⅜ x 4 12" to 96"				$26.00

TABLE 10—STANDARD BEADED OR V-GROOVED PARTITION, KILN DRIED, STANDARD LENGTH[1]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
11/16 to 2 3/32 x 3" x 4"	$55.00	$52.00	$39.00	$34.00	$18.00
11/16 to 2 3/32 x 6"	56.00	53.00	40.00	35.00	24.00

[1] Standard Lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted.

A and B	5% 8 and/or 9-foot.
C	5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
D and No. 2	5% 4 and/or 5-foot. 5% 6 and/or 7-foot. 5% 8 and/or 9-foot.
No. 3	Not to exceed 20% 4' and 6' lengths.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Bark Back, Deduct $5.00.
2. End Matching, Add $2.00.

For grade:
3. "A," Add $3.00 to B and Better Prices.
4. 85% Heart Facial Area, B and Better and C Grades, Add $20.00.
5. 85% Heart Facial Area, D and Lower Grades, Add $12.00.

For condition:
6. Air Dried, Deduct $1.00.

For length:
7. Specified Length, All Grades, 14' and Longer, Add $2.00.
8. Restricted Standard Lengths, A, B, and C, 12' and Up, Add $1.50.
9. Restricted Standard Lengths, D, and No. 2, 8' and Up, Add $1.00.

TABLE 11—STANDARD PLASTERING LATH, KILN DRIED

	No. 1	No. 2	No. 3
4'	$5.25	$4.50	$3.00
32"	3.50	2.00	

Additions and Deductions per 1,000 Pieces

For condition:
1. Green, Deduct 50¢.
2. Air Dried, Deduct 25¢.

TABLE 12—O. G. BATTS, KILN DRIED

	Grade B and better	Grade C	Grade D	Grade No. 2
9/16 or 5/8 x 3	$43.00	$41.00	$33.00	$20.00
9/16 or 5/8 x 4	41.00	39.00	31.00	28.00

Additions and Deductions per 1,000 Feet Board Measure

For condition:
1. Air Dried, Deduct $1.00.

For length:
2. Specified Lengths, Add $2.00.

TABLE 13—BED SLATS, S4S, KILN DRIED OR AIR DRIED—8 PIECES TO A SET (BUNDLED)

Grade	Per set 30"	Per set 42"	Per set 54" to 56"
No. 1			
1 x 3	$0.37	$0.38	$0.46
No. 2			
1 x 3	.30	.31	.41

TABLE 14—CAR MATERIAL

LINING (KILN DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

	9' length	10' length	12' length	14' length	16' length	18' and 20' length	22' and 24' length
Select (par. 59 A. A. R. rules),[1] 1 x 4 and 1 x 6	$60.00	$55.00	$57.00	$60.00	$62.00	$68.00	
Common (par. 60 A. A. R. rules),[1] 1 x 4 and 1 x 6	45.00	40.00	42.00	45.00	47.00	50.00	

VERTICAL SHEATHING (KILN DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

Select (par. 51 A. A. R. rules),[1] 1 x 4 and 1 x 6	$60.00	$55.00	$57.00	$60.00	$62.00	$68.00	
Common (par. 52 A. A. R. rules),[1] 1 x 4 and 1 x 6	55.00	50.00	52.00	55.00	57.00	63.00	

LONGITUDINAL SHEATHING (KILN DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

Select (par. 53 A. A. R. Rules)[1]							
2 x 4	$75.00	$65.00	$65.00	$65.00	$70.00	$75.00	$85.00
2 x 6 and 2 x 8	80.00	70.00	70.00	70.00	75.00	80.00	90.00
Common (par 54 A. A. R. Rules)[1]							
2 x 4	52.00	47.00	47.00	47.00	50.00	52.00	62.00
2 x 6 and 2 x 8	57.00	52.00	52.00	52.00	55.00	57.00	67.00

FLOORING (DECKING) (KILN DRIED OR AIR DRIED AND DRESSED TO ALL PATTERNS AND SIZES)

Select (Par. 57 A. A. R. Rules)[1]							
2 x 6 and 2 x 8"	$80.00	$70.00					
2½ to 3" x 6 and 8"	85.00	75.00					
Common (Par. 58 A. A. R. Rules)[1]							
2 x 6 and 2 x 8	60.00	55.00					
2½ to 3" x 6" and 8"	65.00	60.00					

[1] Specifications for car material (designated above "A. A. R. Rules") correspond to the specifications issued by the Association of American Railroads, as set forth in its pamphlet M 907-33, adopted, 1910; revised, 1933.

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. Rough, deduct $2.00.
2. Where material is required dressed 2 sides only, deduct $1.00.

For grade:
3. Edge grain, add $15.00 to select prices only.
4. For grade and specification other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grade and specification which most closely corresponds to the grades and specifications of the car material item involved in the sale governed by the schedule.

For length:
5. Odd and fractional lengths, except 9', shall be counted and priced as next longest even length.

For inspection:
6. For final inspection at the point of destination rather than at the shipping point, add $5.00.

TABLE 18—TIMBERS, GREEN, ROUGH.

	8′ to 14′ specified lengths No. 1 common	8′ to 14′ specified lengths square edge and sound	8′ to 14′ specified lengths merchantable, 05
3 x 3 to 4 x 4	$40.00	$42.00	$44.00
3 x 5 to 5 x 5	40.00	42.00	43.00
3 x 6 to 6 x 6	38.00	40.00	42.00
3 x 8 to 6 x 8	40.00	42.00	44.00
7 x 8 and 8 x 8	42.00	44.00	47.00
3 x 10 to 5 x 10	50.00	52.00	55.00
6 x 10 to 10 x 10	49.00	51.00	54.00
3 x 12 to 5 x 12	64.00	66.00	69.00
6 x 12 to 10 x 12	62.00	64.00	67.00
11 x 12 and 12 x 12	62.00	64.00	67.00
3 x 14 to 7 x 14	73.00	75.00	80.00
8 x 14 to 12 x 14	71.00	73.00	77.00
13 x 14 and 14 x 14	73.00	75.00	79.00
3 x 16 to 7 x 16	85.00	87.00	92.00
8 x 16 to 14 x 16	83.00	85.00	87.00
15 x 16 and 16 x 16	85.00	87.00	89.00
3 x 18 to 9 x 18	97.00	99.00	104.00
10 x 18 to 16 x 18	95.00	97.00	102.00
17 x 18 and 18 x 18	97.00	99.00	104.00
3 x 20 to 10 x 20	112.00	114.00	119.00
12 x 20 to 18 x 20	110.00	112.00	117.00
19 x 20 and 20 x 20	112.00	114.00	119.00

Additions and Deductions per 1,000 Feet Board Measure

For working:
1. S1S, S2S, S3S, S4S, shiplap or T and G, add $2.00.
2. Grooved two edges, add $3.00.
3. Beveling and/or outgauging, add $4.00.

For grade:
4. 1905 prime, under 8″, add $10.00 to merchantable, 05 prices.
5. 1905 prime, 8″ and over, add $8.00 to merchantable, 05 prices.
6. Square edge and sound, 85% heart facial area, make following additions to merchantable 1905 prices:

	24′ and under	25′ to 30′	31′ to 40′
8 x 8 and under	$10.00	$14.00	$20.00
Over 8 x 8	12.00	16.00	22.00

7. Square edge and sound, 90% heart facial area, add $3.00 to 85% heart facial area, square edge and sound prices.
8. Square edge and sound, 85% heart girth, add $10.00 to the 85% heart facial area, square edge and sound prices.
9. Square edge and sound, 90% heart girth, add $13.00 to the 85% heart facial area, square edge and sound prices.
10. Square edge and sound, 85% heart cubical content, 8 x 8 and larger, not over 2″ out of square, add $5.00 to merchantable 1905 prices.
11. Prime structural, add to merchantable 1905 prices as follows:

24′ and under	25′ to 30′	31′ to 40′
$13.00	$17.00	$23.00

12. Select Structural, Add to Merchantable 1905 as follows:

Joist, plank, beams and stringers	$30.00	$35.00	$40.00
Posts and timbers	25.00	30.00	35.00

13. Select structural, *heart requirement waived*, deduct $15.00 from select structural price.
14. No. 1 structural, same price as merchantable 1905.
15. Structural, square edge and sound, add $3.00 to merchantable 1905 price.
16. Merchantable structural, add $5.00 to merchantable 1905 price.
17. No. 2 timbers, deduct $8.00 from merchantable 1905 price.

For condition:
18. Anti-stain treatment (any form) 3 x 3 to 10 x 10, add $1.00; 3 x 12 and up, add $2.00.
19. Kiln dried 20% moisture, add $4.00.
20. Air dried 23% moisture, add $4.00.

For size:
21. Fractional thickness, add $3.00 to nearest listed thickness.
22. Fractional widths, price nearest even wider width.
23. 2″ timbers, merchantable, 05 and grades above, add $2.00 to the comparable 3″ price, except for 2 x 14 and 2 x 16, add $3.00.
24. Where the buyer specifies an average girth measurement, charge the price of specified size for the required girth average.

For length:
25. 16′, 18′, and 20′, add $2.00 to 8′ to 14′ price.
26. 22′ and 24′, add $3.00 to 20′ price.
27. 25′, to 30′, add $1.00 per lineal foot to 24′ price.
28. 31′, to 36′, add $2.00 per lineal foot to 30′ price.
29. 37′, to 42′, add $3.00 per lineal foot to 36′ price.
30. 43′, to 50′, add $5.00 per lineal foot to 42′ price.
31. 51′, to 55′, add $8.00 per lineal foot to 50′ price.
32. 56′, to 60′, add $12.00 per lineal foot to 55′ price.
33. Odd or fractional lengths, except 5′ and 7′, shall be counted and priced as next longest even length.
34. Where the buyer specifies an average length, charge the specified length price for the required lineal average.
35. Where the buyer specifies a cubic average, the price shall be that of the length in 12 x 12 required to equal the specified cubic average.

(c) For mixed car or mixed truck shipments, $1.00 additional per 1,000 feet board measure may be charged. A mixed car shipment consists of three or more items as hereinafter defined, provided at least three items amount to not less than 2,000 board feet each, or at least six items amount to not less than 1,000 board feet each, or at least twelve items amount to not less than 500 board feet each. A mixed truck shipment consists of three or more items as hereinafter defined, provided at least three items amount to not less than 500 board feet each, or at least six items amount to not less than 250 board feet each. An item consists of one width, thickness, or pattern of finish, casing, base, mouldings, partition, ceiling, siding, plain end flooring, end matched flooring, factory flooring, shiplap, boards, strips, dimension or timbers, of either Shortleaf or Longleaf Yellow pine.

(d) (1) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraphs (a) and (b) of this section may be charged, consisting of such maximum prices plus the transportation costs permitted by this paragraph: *Provided*, That (i) the invoice shows the point of origin of the shipment, the destination, and the applicable railroad or truck rate, or, in place of such rate, where shipment is by motor vehicle owned or controlled by the seller, the amount added for transportation; and (ii) the invoice is marked "direct mill shipment".

(2) Where shipment is exclusively by motor vehicle owned or controlled by the seller, the charge may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the railroad charge at the carload rate for the most nearly comparable haul. If the actual cost is less than such railroad charge, only the actual cost may be added to the maximum price.

(3) Where shipment is by common or contract carrier, the amount added for transportation may be no greater than the actual amount paid to the carrier, except as provided in subparagraph (4) of this paragraph (d): *Provided*, That where shipment is by both rail and truck (either owned or controlled by the seller or a common or contract carrier), the following shall govern:

(i) Where shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery, provided such cost is shown separately on the invoice.

(ii) Where a truck haul precedes the rail shipment, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for such truck haul.

(4) In computing transportation costs, the following practices are permitted:

(i) The charging of a sum equivalent to the one-quarter of a dollar nearest to such transportation costs;

(ii) The averaging of transportation charges where a single order for which a single flat delivered price has been quoted and accepted is shipped from more than one mill to a single destination: *Provided*, That the following procedure is followed:

(*a*) The seller shall set forth in each invoice the transportation charges for the particular shipment, and indicate that the particular shipment is part of a larger order.

(*b*) At the completion of the transaction, the seller shall render a final invoice to the purchaser for the complete order, showing the individual prices of each item separately f. o. b. mill, the quantity of each item shipped from each mill, the exact amount of actual transportation charge applying to each shipment, and a reconciliation of the total amount so computed with the agreed delivered sales price and the maximum price permitted by this Maximum Price Regulation No. 19.

(*c*) The seller must send a copy of such final invoice to the Office of Price Administration in Washington, D. C., within ten days of the completion of the last shipment.

(iii) The use of the following estimated weights (even though higher than the actual weights) per one thousand feet board measure.

THE FIGURES GIVEN REFER TO DRY WEIGHT, EXCEPT WHERE OTHERWISE SPECIFIED

	Long-leaf	Short-leaf
	Pounds	*Pounds*
Flooring:		
1 x 3″	2,000	1,800
1 x 4″ (for hollow back deduct 100 lbs.)	2,100	1,900
1¼ x 3″	2,200	2,000
1¼ x 4″	2,300	2,100
Ceiling and partition:		
5/16″ ceiling	1,000	900
7/16″ ceiling	1,200	1,100
9/16″ ceiling	1,500	1,400
13/16″ ceiling (and Boston partition)	1,800	1,700
¾″ partition	1,900	1,800
25/32″ partition and ceiling use same weights as flooring		
Drop siding:		
1 x 6″ (Pat. 116)	2,000	2,000
1 x 8″ and 10″ (Pat. 116)	2,100	2,100
1 x 6″ (Pat. 117)	1,700	1,700
1 x 8″ and 10″ (Pat. 117)	1,800	1,800
1 x 6″ (other patterns)	1,800	1,800
1 x 8″ and 10″ (other patterns)	1,900	1,900
Bevel and SE siding from 1″	1,100	1,000
Bevel and SE siding from 1¼″	1,400	1,300
Finish:		
1 x 2″ to 1 x 10″ S1S or S2S 25/32″	2,600	2,500
1 x 12″ S1S or S2S 25/32″	2,700	2,600
1 x 2″ to 1 x 10″ S3S or S4S 25/32″	2,500	2,400
1 x 12″ S3S or S4S 25/32″	2,600	2,500
1¼″ x 2″ to 2 x 10″ S1S or S2S	2,900	2,800
1¼″ x 12″ to 2 x 12″ S1S or S2S	3,000	2,900
1¼″ x 2″ to 2 x 10″ S3S or S4S	2,800	2,700
1¼″ x 12″ to 2 x 12″ S3S or S4S	2,900	2,800
1″ finish dressed to 13/16″ add	100	100
2″ finish dressed to 1¾″ add	200	200
1 x 2″ to 2 x 10″ rough	3,400	3,200
1 x 12″ to 2 x 12″ rough	3,500	3,300
Casing—Base—Jambs:		
Moulded casing, all widths	2,100	2,000
Moulded base, all widths	2,100	2,000
Jambs—1″	2,100	2,100
Jambs—1¼ to 2″	2,300	2,200
Strips and boards (1 inch):		
1 x 2″ to 1 x 10″ S1S or S2S 25/32″	2,700	2,500
1 x 12″ S1S or S2S 25/32″	2,800	2,600
1 x 2″ to 1 x 10″ S3S or S4S 25/32″	2,600	2,400
1 x 12″ S3S or S4S 25/32″	2,700	2,500
1 x 2″ to 1 x 4″ D. & M.	2,100	1,900
1 x 6″ D. & M. or shiplap	2,400	2,200
1 x 6″ to 1 x 10″ D. & M. or shiplap	2,500	2,300
1 x 12″ D. & M. or shiplap	2,600	2,400
1 x 2″ to 1 x 10″ rough	3,400	3,200
1 x 12″ rough	3,500	3,300
For ¼″ dressed boards deduct	100	100
For ¼″ boards, all workings, deduct	500	500
For 13/16″ boards, all workings, deduct	300	300
For 13/16″ boards, all workings, add	100	100
For resawing, deduct for each cut	200	200
For rippling, no deduction		
For 1¼″ and 1½″ add	300	300
2″ dimension, factory flooring and roof decking:		
2 x 2″ to 2 x 8″ rough	3,400	3,300
2 x 10″ to 2 x 12″ rough	3,500	3,400
2 x 2″ to 2 x 6″ dressed to 1¾″	2,700	2,500
2 x 10″ and 2 x 12″ dressed to 1¾″	2,800	2,600
For 1¾″ add	400	400
For D. & M., S1. & Gr. for splines, deduct	200	200
2 x 4″ to 2 x 12″ rough green	4,500	4,500
2 x 4″ to 2 x 12″ green, dressed 1¾″	3,800	3,800
HEAVY JOISTS, TIMBERS, ETC., (OVER 2″ THICK)		
Rough, green	4,500	4,500
S4S ¼″ scant, green	4,200	4,200
S4S ⅜″ scant, green	4,000	4,000
S4S ½″ scant, green	3,800	3,800
T & G, SL & Gr. for splines, deduct	300	300
CAR SIDING, LINING AND ROOFING		
1 x 4″ and 1 x 6″ T & G 13/16″	2,200	2,200
1 x 4″ and 1 x 6″ S2S 13/16″	2,600	2,600
For 25/32″ deduct	100	100
LONGITUDINAL SHEATHING AND STOCK CAR SLATS		
2 x 4″ T & G1¾″	2,400	2,400
2 x 4″ T & G 1¾″	2,300	2,300
2 x 4″ T & G 1½″	2,100	2,100
2 x 4″ S2S to 1¾″	2,900	2,900
2 x 4″ S2S to 1¾″	2,700	2,700
2 x 4″ S2S to 1½″	2,500	2,500
2 x 6″ T & G to 1¾″	2,500	2,500
2 x 6″ T & G to 1¾″	2,400	2,400
2 x 6″ T & G to 1½″	2,200	2,200
2 x 6″ S2S to 1¾″	2,900	2,900
2 x 6″ S2S to 1½″	2,700	2,700
2 x 6″ S2S to 1½″	2,500	2,500
CAR DECKING		
2 x 6″ and 2 x 8″ S2S & T & G 1¾″ dry	2,800	2,600
2½ x 6″ to 3 x 8″ S2S & T & G dry	2,900	2,700
2 x 6″ to 3 x 8″ S2S & T & G green	3,500	3,500
2 x 6″ to 3 x 8″ dry	3,200	3,000
2 x 6″ to 3 x 8″ S2S green	4,200	4,200
2 x 6″ to 3 x 8″ S1S ½″ scant dry	3,400	3,200
2 x 6″ to 3 x 8″ rough dry	3,600	3,400
2 x 6″ to 3 x 8″ rough green	4,500	4,500
MISCELLANEOUS		
Plastering lath, 48″ K. D.	500	500
Plastering lath, 48″ green	1,000	1,000
Plastering lath, 32″ K. D.	340	340
Fence lath, ½″ x 1½″—48″ K. D.	800	800
Bed slats, 1 x 3″—4′ 6″, per set of 8	20	20
Bed slats, 1 x 3″—3′ 3″, per set of 8	15	15
Byrkit lath, 4″ or 6″	1,800	1,800
O G Batts, use same weights as 9/16 ceiling: (For hollow back, deduct 100 lbs.)		

(e) An addition of $7.50 per 1,000 feet board measure to the prices of the corresponding items set forth in Table 1 of paragraph (a) of this section may be made for "special soft texture finish" produced by the following manufacturers, subject to the following conditions:

(1) Before the manufacturer offers "special soft texture finish" for sale, any manufacturer intending to sell "special soft texture finish" and charge the premium provided by this paragraph must register with the Lumber Branch of the Office of Price Administration in Washington, D. C. as a producer of "special soft texture finish." Any such manufacturer must certify in his application for registration that he sold "special soft texture finish" and obtained a premium for it between October 1, 1941 and March 31, 1942. Upon filing such application, this manufacturer's "special soft texture finish" may be offered and delivered at the $7.50 premium, but final payment may not be made or accepted until such manufacturer's registration has been approved and his name published in the FEDERAL REGISTER at the end of this paragraph (e) (1). The following producers have qualified as producers of "special soft texture finish":

• • • • • •

(2) Such lumber must be clearly marked as "special soft texture finish."

(3) The $7.50 additional charge shall be quoted and invoiced separately.

(f) For grades and classes of lumber recognized by the Southern Pine Association Standard Specifications for Southern Pine Lumber, dated July 1, 1939, and not specifically priced in this section, the seller shall determine a tentative price by taking the price of the most nearly comparable grade or item specifically priced in paragraphs (a) and (b) of this section, and applying thereto the average differential between the two items maintained by the seller during the period January 1 to August 1, 1941. If the seller had no established differential during that period, he shall apply the average differential maintained by his most closely competitive seller during that period. If neither the seller nor a competitive seller had such a differential, the seller shall apply a differential based on comparative grade value.

The tentative price so determined shall be submitted for approval to the Lumber Branch of the Office of Price Administration in Washington, D. C. together with a statement as to the manner of determining the price which shall include the following facts:

(1) The paragraph number of the Southern Pine Association Standard Specifications for Southern Pine Lumber, dated July 1, 1939, which states the specifications of the item to be priced.

(2) The item specifically priced in paragraphs (a) and (b) of this section which was considered as the most nearly comparable.

(3) The weighted average f. o. b. mill prices received by the seller or by his most nearly competitive seller for each of these items during the period January 1 to August 1, 1941.

The Office of Price Administration shall adjust or approve the price so submitted and shall publish the approved maximum price in the FEDERAL REGISTER as an order under this Maximum Price Regulation No. 19. The price so approved and published shall thereafter be the maximum price for such item for that seller. After such tentative price has been submitted to the Office of Price Administration for approval, the seller may quote and deliver at that price, but the seller may not accept payment and the buyer may not make payment until such publication in the FEDERAL REGISTER.

(g) For grades and classes of lumber recognized by the Southern Pine Association Gulf Coast Classification and not specifically priced in this section, dated March 15, 1923, the seller shall determine a tentative price by taking the price of the most nearly comparable grade or item specifically priced in paragraphs (a) and (b) of this section, and applying thereto the average differential between the two items maintained by the seller during the period January 1 to August 1, 1941. If the seller had no established differential during that period, he shall apply the average differential maintained by his most closely competitive seller during that period. If neither the seller nor a competitive seller had such a differential, the seller shall apply a differential based on comparative grade value.

The tentative price so determined shall be submitted for approval to the Lumber Branch of the Office of Price Administration in Washington, D. C. together with a statement as to the manner of determining the price which shall include the following facts:

(1) The paragraph number of the Southern Pine Association Gulf Coast Classification which states the specifications of the item to be priced.

(2) The item specifically priced in paragraphs (a) and (b) of this section which was considered as the most nearly comparable.

(3) The weighted average f. o. b. mill prices received by the seller or by his most nearly competitive seller for each of these items during the period January 1 to August 1, 1941.

The Office of Price Administration shall adjust or approve the price so submitted and shall notify the seller in writing the approved maximum price for such item which price shall thereafter be the maximum price for such item for that seller. After such tentative price has been submitted to the Office of Price Administration for approval, the seller may quote and deliver at that price, but the seller may not accept payment and the buyer may not make payment until such written notice has been received by the seller.

(h) No additions may be made for workings, specification, services, or other extras not expressly provided for herein: *Provided*, That the seller may apply to the Office of Price Administration in Washington, D. C. for instructions as to additions for workings, specifications, services, or other extras not provided for. In such application the seller shall describe in detail the workings, specifications, services or other extras not provided for. Pending receipt of such instructions the seller may quote and deliver at a price which is agreed by the parties to be subject to adjustment to the price determined by the Office of Price Administration, but the seller may not accept payment and the purchaser may not make payment until such instructions have been received.

(i) Where moisture content requirements are waived by the purchaser, the maximum price shall be the price herein established for green lumber. In such a sale the seller may not use the estimated weight for green lumber in computing transportation costs, but must use either the actual weight of the lumber or the permitted estimated weights for dry lumber.

(j) The maximum prices herein established shall not be increased by any charges for the extension of credit, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased by the seller on August 1, 1941. The cash and credit periods recognized by the seller on August 1, 1941, shall not be reduced.

(k) All invoices of lumber must show the size, grade, condition of seasoning, working, and other specifications of the lumber, and whether it is Shortleaf Yellow pine or Longleaf Yellow pine lumber and, in the case of a sale on a delivered basis, the information required by § 1381.212 (d).

(l) No person shall pay, and no person shall charge or receive a commission for purchasing Southern pine lumber which is based on the amount or value of lumber purchased, if the amount of the commission plus the purchase price is higher than the maximum price permitted by this Maximum Price Regulation No. 19.

(m) The maximum price for sales on combination grades shall be the maximum price in this section established for the lowest grade named in the combination.

(n) A gross price above the maximum price herein established shall not be quoted, even if accompanied by a discount the effect of which is to bring the net price below such maximum price.

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6693; Filed, July 14, 1942; 11:53 a. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 9]

COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

APPLICATIONS FOR ADJUSTMENT OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this Supplementary Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.[1] For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

§ 1305.12 *Applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts.* (a) Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, or a subcontract under any such contract, who believes that a maximum price established by any price regulation of the Office of Price Administration impedes or threatens to impede production of a commodity, or supply of a service, which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of such maximum price in accordance with Procedural Regulation No. 6.[2] Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application. If, however, the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess.

(b) "Price Regulation," as used in this Supplementary Order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order heretofore or hereafter issued thereunder.

(c) *Effective date.* (1) This Supplementary Order No. 9 (§ 1305.12) shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6694; Filed, July 14, 1942; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 30]

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [3]]

CHRYSLER AIRTEMP SALES CORPORATION

Chrysler Airtemp Sales Corporation, Dayton, Ohio, has made application pursuant to § 1499.3 (b) of The General Maximum Price Regulation for the determination of a maximum price for the sale and delivery of "Formdux",[2] and fittings and connectors therefor. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[3] For the reasons set forth in the Opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to § 1499.3 (b) of The General Maximum Price Regulation issued by the Office of Price Administration, it is ordered:

§ 1499.67 *Maximum prices for "Formdux" and fittings and connectors therefor sold by the Chrysler Airtemp Sales Corporation.* (a) Specific authorization is hereby given to the Chrysler Airtemp Sales Corporation to sell and deliver "Formdux" and fittings and connectors therefor at the prices set forth in a price list which was filed with the Office of Price Administration under date of May 20, 1942: Subject to the following discounts:

Purchaser:	Discounts (Percent)
Dealer or Jobber—Carload shipment of 30 thousands lbs. or more	15–15–10–5
Dealer or Jobber—Truckload shipment of 10 thousand lbs. or more	15–15–10
Purchaser—Continued.	**Discounts (Percent)**
Dealer or Jobber—Less than carload shipment	15–15
Installing Contractor	15

(b) Chrysler Airtemp Sales Corporation shall keep and maintain for inspection by the Office of Price Administration full and complete itemized records showing the cost of "Formdux" and fittings and connectors therefor, and the cost of distribution, including services, and itemized sales records, showing the date of sale, the price received and the specifications and quantity of items sold, and shall make such reports with respect thereto as may be required by this Office.

(c) This Order No. 30 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 30 (§ 1499.67) shall become effective July 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6695; Filed, July 14, 1942; 12:00 m.]

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[1] Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 5087.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

PART 1499—COMMODITIES AND SERVICES

[Order 31]

[Maximum Prices Authorized Under § 1499.3 of the General Maximum Price Regulation [1]]

PHILIP CAREY MANUFACTURING COMPANY

Application has been made pursuant to § 1499.3 (b) of The General Maximum Price Regulation for the determination of a maximum price for the sale and delivery by the Philip Carey Manufacturing Company, Cincinnati, Ohio, of "Formdux".[2] Due consideration has been given to the application and an Opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[3] For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to § 1499.3 (b) of The General Maximum Price Regulation issued by the Office of Price Administration, it is ordered:

§ 1499.68 *Maximum prices for "Formdux" sold by The Philip Carey Manufacturing Company.* (a) Specific authorization is hereby given to The Philip Carey Manufacturing Company, Cincinnati, Ohio, to sell and deliver "Formdux" to the Chrysler Airtemp Sales Corporation at the prices set forth in a price list which was filed with the Office of Price Administration under date of May 21, 1942.

(b) The Philip Carey Manufacturing Company shall keep and maintain for inspection by the Office of Price Administration full and complete itemized records showing the cost of labor and materials used in the manufacture and preparation for delivery of "Formdux" and itemized sales records, showing the date of sale, the price received and the specifications and quantity of "Formdux" sold, and shall make such reports with respect thereto as may be required by this Office.

(c) This Order No. 31 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 31 (§ 1499.68) shall become effective July 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6696; Filed, July 14, 1942; 12:00 m.]

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[2] "Formdux" is a new composition duct material used for conducting air in heating and cooling systems.

[3] Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Amendment 13 to General Maximum Price Regulations [1]]

PRECIOUS STONES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1499.20 (z) is amended to read as set forth below.

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

* * * * *

(z) "Precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond (other than an industrial diamond) weighing more than 1.00 carat, or any semi-precious stone after sale by the cutter, when the cutter has received more than $100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones". If two or more diamonds (other than industrial diamonds) with an aggregate weight of 1.50 carats are set in one mounting, the diamonds shall be deemed precious.

§ 1499.23a *Effective dates of amendments.* * * *

(m) Amendment No. 13 (§ 1499.20 (z)) to this General Maximum Price Regulation shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6697; Filed, July 14, 1942; 12:00 m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O. D. T. 3, Revised]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART B—COMMON CARRIERS OF PROPERTY

By virtue of the authority vested in me by Executive Order No. 8989, issued December 18, 1941, and by Executive Order No. 9156, issued May 2, 1942, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers by motor vehicle for the preferential transportation of ma-

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

terials of war and to prevent shortages in motor vehicle equipment necessary for such transportation, as contemplated by section 6 (8) of the Interstate Commerce Act; to conserve and providently utilize vital equipment, material, and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order O. D. T. No. 3,[1] as amended,[2] Title 49, Chapter II, Part 501, Subpart B, is hereby revised and amended to read as follows:

It is hereby ordered, That:

Sec.
501.4 Definitions.
501.5 Elimination of waste.
501.6 Loading and operating requirements.
501.7 Exemptions.
501.8 Special or general permits.
501.9 Submission of plans for joint action.
501.10 Interchange of traffic; holding shipments; billing and rates applicable.
501.11 Records and reports.
501.12 Carrier liability.
501.13 Division of revenues.
501.14 Filing of tariffs.

AUTHORITY: §§ 501.4 to 501.14, inclusive, issued under E.O. 8989, 6 F.R. 6725, and E.O. 9156, 7 F.R. 3349.

§ 501.4 *Definitions.* As used herein:

(a) The term "person" means any individual, firm, copartnership, corporation, municipal corporation, association, including a farm cooperative association as defined in the Agricultural Marketing Act, approved June 15, 1929, as amended, or other type of legal entity, or any trustee, receiver, assignee, or personal representative thereof.

(b) The term "property" means anything, except passengers, capable of being transported by motor truck.

(c) The terms "common carrier" and "carrier" mean any person which holds itself out to engage in the transportation of property for the general public in over-the-road service by motor truck for compensation, regardless of the designation of such person under any Federal or State statute.

(d) The terms "motor truck" and "truck" mean either (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, (5) or any other rubber-tired vehicle propelled or drawn by mechanical power when used in the transportation of property.

(e) The term "gross weight" means the aggregate weight of a motor truck and its lading.

(f) The term "rated load carrying ability" as applied to a truck means the weight which the tires mounted on the load bearing wheels of such truck are capable of carrying as determined in the manner set forth in Appendix No. 1 attached hereto.

(g) The terms "capacity load" or "loaded to capacity" as applied to a truck mean either (1) the quantity of property, by weight which may be carried in said truck, determined by deducting the weight of said truck from its rated load carrying ability, or (2) the maximum quantity of property, by volume, which may be stowed by efficient methods and safely transported in the load bearing space of the truck, whichever quantity is the lesser in weight.

(h) The term "over-the-road service" means all operations of a motor truck except (1) those within an area which includes any municipality or urban community and a zone extending twenty-five (25) air miles from the boundaries thereof; (2) those within and between contiguous municipalities or urban communities; and (3) those not more than twenty-five (25) miles in length, except those operations by a carrier between its terminals.

(i) The term "highway" means the roads, highways, streets and ways in any State.

(j) The term "circuitous route" means any highway route or routes or combination thereof, the mileage of which exceeds the mileage of the most direct highway route by ten (10) per cent or more. Highway mileage of such route shall be as shown in the current edition of the Rand McNally Road Atlas of the United States, Canada, and Mexico.

(k) The term "special equipment" means any low-bed motor truck, or any motor truck the primary carrying capacity of which is occupied by mounted machinery.

§ 501.5 *Elimination of waste.* Every common carrier shall:

(a) Eliminate wasteful operation and duplication of parallel services, and curtail schedules and services to the extent necessary to carry out the purposes of this subpart;

(b) Curtail the speed of motor trucks to 40 miles per hour or less;

(c) Conserve and properly maintain tires, motor trucks, and other facilities necessary in conducting the business of such common carrier;

(d) Lease or rent motor trucks whenever practicable and to the extent necessary to carry out the purposes of this subpart.

§ 501.6 *Loading and operating requirements.* (a) No common carrier shall operate any motor truck in over-the-road service unless it is loaded to capacity, except as follows:

(1) A motor truck, while outbound from the origin point of a trip to the point most distant therefrom to which the truck is operated on such trip, and also while inbound, may be operated on a portion of the route or routes traveled while empty or partially laden, if, during the course of the outbound or inbound movement, the truck is laden with a capacity load while operated over a considerable portion or segment of the route or routes traveled in over-the-road service, and if the carrier uses due diligence as hereinafter provided in maintaining a capacity load upon the truck at all times while en route.

(2) No carrier shall be deemed to have used due diligence as provided in subparagraph (1) of this paragraph (a) in loading or maintaining a capacity load upon a truck unless, consistent with any prior commitments involving the use of said truck en route, the carrier and its representatives, including the representative in immediate control and possession of the truck, shall have endeavored in good faith, prior to its departure from any point with less than a capacity load, to obtain sufficient freight for loading the truck with a capacity load at such point and, failing in this, shall have endeavored in good faith to secure as much freight as possible for loading on said truck at such point, by making appropriate inquiry at and registering with the joint information office, established pursuant to General Order O. D. T. No. 13[3] or by a State with the approval of the Office of Defense Transportation, at or near such point and, if there be no such office at or near such point, by making appropriate inquiry of other carriers at their offices or terminals, or both, located at such point. Nor will due diligence be deemed to have been used unless, consistent with prior commitments involving the use of the truck en route, the carrier and his said representative or representatives shall have accepted for shipment and transported all freight to the load capacity of the truck found to have been available by such inquiry, for transportation to the point of destination of the motor truck or to any point intermediate to or beyond such destination point; nor unless, when a truck has been discharged of all lading at any point on a trip and upon such inquiry no freight is found available for transportation on said truck pursuant to the provisions of said subparagraph (1), the carrier shall have endeavored in good faith to lease or rent such truck, consistent with prior commitments involving the use of the truck en route, to another person for transportation of property.

(3) Nothing in this subpart contained shall be construed to require the loading of a motor truck to such an extent that the gross weight of the truck will exceed the actual safe capacity of any bridge or other structure en route, as determined by State or local authorities, or will exceed the maximum gross weight limitations prescribed by the applicable State law, proclamation, or regulation, Federal statute, or Executive Order, whichever is currently controlling, but such truck shall be loaded as nearly to the extent required by this subpart as may be consistent with such applicable limitations.

(4) A motor truck which has been so disabled en route that a capacity load cannot be transported or carried thereon may be operated in over-the-road service empty or partially laden to the nearest point where the common carrier operating said truck maintains, provides, or can obtain repair services.

(b) No common carrier shall:

(1) Operate in over-the-road service any motor truck, the gross weight of which exceeds by more than twenty (20) percent its rated load-carrying ability, or

(2) Accept or receive any property for transportation over a circuitous route, except when adequate common carrier service on or along such route is not otherwise available; or except when operation over the direct route may be unsafe, impossible, or more destructive of tires.

(c) The provisions of this subpart shall not be so construed or applied as to require any common carrier to perform any transportation service, the performance of which by it is not authorized or sanctioned by law or to render any such service beyond its transportation capacity.

§ 501.7 *Exemptions.* (a) The provisions of paragraph (a) of § 501.6 shall not apply to or include the following:

(1) Any motor truck while actually transporting exclusively high explosives, such as, and including, dynamite, blasting caps, detonation fuses, black powder, gun powder, and other like explosives, susceptible to detonation by a blasting cap, and the accessories necessary for the use of the foregoing;

(2) Any motor truck while operated under direction of the armed forces of the Federal or a State government;

(3) Any motor truck when engaged exclusively in the transportation of repair or service men and their supplies or equipment;

(4) Any motor truck operated exclusively in connection with the construction and maintenance of essential telegraph, telephone, organized radio communications, electric light and power, gas, and water supply utilities, and pipelines, railroads, street railways and public highways.

(5) Any motor truck operated in emergencies exclusively for the purpose of making deliveries of medicines or other supplies or equipment necessary for the protection or preservation of life, health or public safety;

(6) Any motor truck operated exclusively for the purpose of collecting and disposing of sewage or garbage or rendering other sanitation services, pursuant to governmental order, regulation or contract.

(b) The provisions of paragraph (a) and subparagraph (1) of paragraph (b) of § 501.6 shall not apply to the operation of any special equipment;

(c) The provisions of this subpart shall not apply to:

(1) Any motor truck, the primary carrying capacity of which is occupied by a mounted tank or tanks;

(2) Any motor truck controlled and operated by any person or persons principally engaged in farming, when used in the transportation of agricultural commodities and products thereof, from a farm or farms, or in the transportation of farm supplies to a farm or farms.

§ 501.8 *Special or general permits.* The provisions of this subpart shall be subject to any special or general permit issued by this Office to meet specific needs or exceptional circumstances, or to prevent undue hardship.

§ 501.9 *Submission of plans for joint action.* Whenever joint action between two or more common carriers is contemplated in order to accomplish any of the purposes of this subpart, such common carriers may formulate and submit to this Office for consideration, a plan or plans designed to accomplish such purposes by one or more of the methods described below:

(a) Alternate or stagger motor truck schedules between two or more points;

(b) Reciprocally exchange shipments of property between two or more points;

(c) Pool traffic, revenues, or both, between two or more points;

(d) Jointly load for transportation or operate a motor truck or trucks between two or more points;

(e) Divert traffic, operate joint terminals or joint pick-up or delivery vehicles;

(f) Establish arrangements with other carriers for the interchange of equipment;

(g) Appoint one of their own number or any other person or carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, carry, unload, distribute, and deliver property; receive, account for, and distribute gross or net revenues therefrom, or otherwise handle or conduct the carrier's business as common carriers of property upon just and reasonable terms and conditions: *Provided,* That this subpart shall not be construed to authorize any common carrier or carriers to operate in any of the methods described in this section unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or a State regulatory body.

§ 501.10 *Interchange of traffic; holding shipments; billing and rates applicable.* (a) Every common carrier whether by rail, motor, water, or otherwise, shall accept and receive from any common carrier as defined herein and transport all shipments of every kind. Such shipments shall be handled and transported in the same expeditious and efficient manner as shipments of a like nature received from any other source.

(b) No common carrier shall hold, carry over, store, or warehouse any shipment at any one station, except the final destination of the shipment, for longer than 36 hours, or at two or more such stations for an aggregate period of more than 48 hours, except where there is no other common carrier by rail, motor, water, or otherwise, capable of transporting the shipment consistent with the provisions of this subpart.

(c) Whenever a shipment is interchanged or diverted pursuant to the provisions of this § 501.10 the shipment shall be accepted and received by the carrier with which interchange is made or to which diverted at the connecting or diverting carrier's station or at the consignor's door, as the case may be, and such carrier shall load, transport, forward, or deliver, as the case may be, such shipment as the agent of the carrier which first accepted the shipment for transportation and under and pursuant to its rates, rules, regulations and practices, and shall honor and conform to its bill of lading or other billing, except as to any routing instructions therein inconsistent with the requirements of this section.

§ 501.11 *Records and reports.* Every common carrier shall prepare and maintain such records, and make such reports, as this Office may hereafter require for the purpose of this subpart, and keep such records available and open for inspection at all reasonable times for examination by an accredited representative of this Office.

§ 501.12 *Carrier liability.* Common carrier responsibility to the owner of any property being transported and among the carriers participating in such transportation shall be as provided by law for initial, terminating, intermediate, or delivering carriers.

§ 501.13 *Division of revenues.* Every common carrier by rail, motor, water, or otherwise, shall establish just, reasonable and equitable divisions of revenues derived from transportation performed pursuant to this subpart. Unless the division of revenues from any interchanges or diversion of shipments made pursuant to the provisions of this subpart shall have been agreed upon by the interested carriers, or shall have been prescribed by the Interstate Commerce Commission, or by the appropriate State regulatory body, such revenues shall be divided as this Office shall order.

§ 501.14 *Filing of tariffs.* Every common carrier required by law to file tariffs of rates, charges, rules, or practices shall file forthwith with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect only for the duration of the present emergency unless otherwise ordered, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rates, charges, rules, regulations, or practices of such common carrier which may be necessary to accord with this subpart, together with a copy of this subpart; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one-day's, or the absolute minimum period of, notice.

Subpart B of Part 501 of Chapter II of Title 49 of the Code of Federal Regulations (General Order O.D.T. No. 3) be and the same is hereby cancelled effective as of the date this subpart becomes effective: *Provided, however,* That the provisions of this subpart which are consistent with the provisions of said Subpart B shall be deemed and construed to be in continuation thereof.

[1] 7 F.R. 3004.
[2] 7 F.R. 4118; 7 F.R. 4185.
[3] 7 F.R. 5066.

This subpart shall become effective and shall supersede said Subpart B (General Order O.D.T. No. 3) on August 1, 1942.

Issued at Washington, D. C. this 13th day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

APPENDIX NO. 1

Under the terms of § 501.4 (f) of this subpart, the rated load carrying ability of the tires mounted on the running wheels of a motor truck shall be determined by multiplying the number of tires mounted on the running wheels of such motor truck, of the size and description actually used, by the number of pounds appearing opposite the description of such tires in this Appendix.

Example: A motor truck uses 10 running tires, size 9.00–20, ten ply. The rated load carrying ability of each such tire, in pounds per tire, as shown in this Appendix, is 3450. Multiply 10 (number of tires) by 3450 (rated load carrying ability of each tire). The result is 34,500 pounds, which is the "rated load carrying ability" of the motor truck as defined in § 501.4 (f).

TRUCK TYPE TIRES USED IN MOTOR TRUCK OPERATIONS

Description of tires		Rated load carrying ability in pounds per tire
Size	Number of plies	
5.00–16	4	730
5.00–16	6	835
5.50–16	4	840
5.50–16	6	955
6.00–16	4	990
6.00–16	6	1, 130
6.00–16	8	1, 250
6.00–17	6	1, 400
6.00–20	8	1, 700
6.00–20/30 x 5	8	1, 950
6.00–24/34 x 5	4	1, 095
6.25–16	6	1, 210
6.25–16	8	1, 135
6.50–16	6	1, 290
6.50–16	8	1, 500
6.50–17	6	1, 575
6.50–18	6	1, 700
6.50–20	8	1, 950
6.50–20/32 x 6	8	1, 500
Light Truck 15"	6	1, 700
Light Truck 15"	8	1, 415
7.00–15	8	1, 575
7.00–15	4	1, 485
7.00–16	6	1, 650
7.00–16	8	1, 550
7.00–17	8	1, 725
7.00–17	8	1, 800
7.00–18	8	1, 950
7.00–20	10	2, 200
7.00–20/32 x 6	10	2, 575
7.00–24/36 x 6	6	1, 595
7.50–15	8	1, 825
7.50–15	10	2, 225
7.50–16	6	1, 660
7.50–16	8	1, 850
7.50–17	8	2, 000
7.50–18	8	2, 100
7.50–18/32 x 7	10	2, 500
7.50–20	8	2, 250
7.50–20/34 x 7	10	2, 700
7.50–24	8	2, 550
7.50–24/38 x 7	10	3, 100
8.25–15	10	2, 275
8.25–15	12	2, 600
8.25–16	6	1, 770
8.25–16	8	2, 000
8.25–16	10	2, 350
8.25–18	12	2, 925
8.25–20	10	2, 750
8.25–20	12	3, 150
8.25–22	10	2, 950
8.25–24	10	3, 125
8.25–24	12	3, 600
9.00–15	10	2, 575
9.00–15	12	3, 200
9.00–18	10	3, 225
9.00–18	12	3, 600
9.00–20	10	3, 450
9.00–20/36 x 8	12	3, 850

TRUCK TYPE TIRES USED IN MOTOR TRUCK OPERATIONS—Continued

Description of tires		Rated load carrying ability in pounds per tire
Size	Number of plies	
9.00–22	10	3, 675
9.00–24	10	3, 925
9.00–24/40 x 8	12	4, 375
10.00–15 (9.75–15)	12	3, 375
10.00–18 (9.75–18)	12	3, 775
10.00–20 (9.75–20)	12	4, 000
10.00–20/38 x 9	14	4, 350
10.00–22 (9.75–22)	12	4, 275
10.00–24 (9.75–24)	12	4, 550
10.00–24/42 x 9	14	4, 925
11.00–18 (10.50–18)	12	4, 200
11.00–20 (10.50–20)	12	4, 500
11.00–20 (10.50–20)	14	4, 850
11.00–22 (10.50–22)	12	4, 750
11.00–24 (10.50–24)	12	5, 000
11.00–24 (10.50–24)	14	5, 400
12.00–18 (11.25–18)	14	5, 125
12.00–20 (11.25–20)	14	5, 475
12.00–20/40 x 10	16	5, 875
12.00–22	14	5, 800
12.00–24 (11.25–24)	14	6, 150
12.00–24/44 x 10	16	6, 600
13.00–20 (12.75–20)	16	6, 750
13.00–24 (12.75–24)	16	7, 575
14.00–20 (13.50–20)	16	8, 200
14.00–20 (13.50–20)	18	8, 700
14.00–24 (13.50–24)	16	9, 150
14.00–24 (13.50–24)	18	9, 700
No. 10	6	1, 100
No. 11	6	1, 100
No. 12	6	1, 200
No. 13	6	1, 300
No. 14	6	1, 400
No. 15	6	1, 500
No. 16	6	1, 600
No. 17	8	1, 700
No. 18	8	1, 800
No. 19	8	1, 900
No. 20	10	2, 000
No. 22	10	2, 200
No. 28	10	2, 800
No. 34	10	3, 400
No. 40	12	4, 000
No. 42	12	4, 200
No. 44	12	4, 400
No. 48	12	4, 800
No. 50	12	5, 000
No. 52	12	5, 200

PASSENGER TYPE TIRES USED IN MOTOR TRUCK OPERATIONS

440/450–21	4	800
440/450–21	6	900
475/500–19	4	895
475/500–19	6	1, 005
475/500–20	4	925
475/500–20	6	1, 035
500–16	4	710
550–16	4	810
550–16	6	900
525/550–17	4	955
525/550–17	6	1, 075
525/550–18	4	1, 000
525/550–18	6	1, 125
525/550–19	4	1, 040
525/550–19	6	1, 170
600–16	4	915
600–16	6	1, 065
600–17	4	1, 025
600–17	6	1, 155
600–18	4	1, 070
600–18	6	1, 205
600–19	4	1, 115
600–19	6	1, 255
600–20	4	1, 190
600–20	6	1, 350
625–16	4	985
625–16	6	1, 140
625–16	4	1, 050
625/650–16	6	1, 215
625/650–16	4	1, 050
650–16	6	1, 215
650–16	4	1, 175
650–17	6	1, 320
650–17	4	1, 225
650–18	6	1, 375
650–18	4	1, 270
650–19	6	1, 430
650–19	4	1, 320
650–20	6	1, 500
650–20	4	1, 095
700–15	6	1, 330
700–15	4	1, 145
700–16	6	1, 395
700–16	4	1, 300
700–17	6	1, 465
700–17	4	1, 355
700–18	6	1, 525
700–18	4	1, 405

PASSENGER TYPE TIRES USED IN MOTOR TRUCK OPERATIONS—Continued

Description of tires		Rated load carrying ability in pounds per tire
Size	Number of plies	
700–19	6	1, 585
700–20	4	1, 500
700–20	6	1, 700
750–15	4	1, 180
750–15	6	1, 500
750–16	4	1, 225
750–16	6	1, 560
750–16	4	1, 400
750–17	6	1, 645
750–17	4	1, 530
750–18	6	1, 710
750–18	4	1, 580
750–19	6	1, 775
750–19	4	1, 700
750–20	6	1, 840
750–20	4	1, 700
825–15	6	1, 625
825–15	4	1, 520
825–16	6	1, 700
825–16	6	1, 840
900–15	6	1, 875
900–16		

[F. R. Doc. 42–6706; Filed, July 14, 1942; 12:05 p. m.]

[Amendment 3 to Gen. Order O.D.T. 3]

[Amendment 3 to Gen. Order O.D.T. 4]

[Amendment 4 to Gen. Order O.D.T. 5]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART B—COMMON CARRIERS OF PROPERTY

SUBPART C—CONTRACT CARRIERS OF PROPERTY

SUBPART D—PRIVATE CARRIERS OF PROPERTY

By virtue of the authority vested in me by Executive Order No. 8989, approved December 18, 1941, and by Executive Order No. 9156, approved May 2, 1942:

It is hereby ordered, That the return trip provisions contained in paragraph (b), § 501.6, of General Order O.D.T. No. 3;[1] paragraph (b), § 501.18, of General Order O.D.T. No. 4;[2] and paragraph (b), § 501.26, of General Order O.D.T. No. 5,[3] be and the same are hereby revoked, effective July 13, 1942.

Issued at Washington, D. C. this 13th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–6707; Filed, July 14, 1942; 12:05 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B–3]

C. E. WERNER, JR.

ORDER SUSPENDING REGISTRATION OF DISTRIBUTOR

This proceeding having been initiated by the Bituminous Coal Division, pursuant to section 4 II (h) of the Bituminous Coal Act of 1937 and § 304.14 of the Rules and Regulations for the Registration of Distributors in order to investigate and determine whether C. E. Werner, Jr., a registered distributor, Registration No. 9584, of Chattanooga, Tennessee, has violated the provisions of the Act, the Rules and Regulations for the Registration of Distributors, the Marketing Rules and Regulations Incidental to the Sale and Distribution of Coal, and the Agreement by Registered Distributor signed by respondent;

A Notice of and Order for Hearing having been issued and the respondent having submitted his answer;

Pursuant to appropriate orders, a hearing in this matter having been held on January 23, 1942, before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Chattanooga, Tennessee, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard, at which the respondent appeared;

The preparation and filing of a report by the Examiner having been waived and the record in this proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and Opinion, which is filed herewith;[1]

Now, therefore, it is ordered, That the registration of C. E. Werner, Jr., as a registered distributor, Registration No. 9584, be, and it hereby it, suspended for a period of sixty (60) days beginning fifteen (15) days after the date of this Order: *Provided, however*, That if the respondent shall not have complied with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors at least five days prior to the expiration of said suspension period, said suspension hall continue in full force and effect until five days after the affidavit required by said section 304.15 shall have been filed with the Division.

It is further ordered, That the effect of such suspension shall not be evaded directly or indirectly by the use of any device such as a sales agency agreement or any other device; that such suspension shall not excuse respondent from all duties and functions imposed upon him by the Act and the rules, regulations and orders of the Division.

It is further ordered, That the respondent return to the producers all improperly collected discount and that a statement by the respondent that such refunds have been made shall be included in the affidavit filed by the respondent, pursuant to § 304.15 of the Distributors' Rules.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6684; Filed, July 14, 1942; 10:36 a. m.]

[1] Not filed with the Division of the Federal Register.

[1] 7 F.R. 3004.
[2] 7 F.R. 3005.
[3] 7 F.R. 3007.

General Land Office.

[Public Land Order 9]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS PRACTICE BOMBING RANGES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942 and the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, secs. 315–315p), it is ordered as follows:

The following-described public lands are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as practice bombing ranges:

NEW MEXICO PRINCIPAL MERIDIAN

T. 4 S., R. 21 E.,
Sec. 26;
T. 15 S., R. 22 E.,
Sec. 25;
T. 4 S., R. 23 E.,
Sec. 33;
T. 7 S., R. 24 E.,
Sec. 19, Lots 7 and 12;
T. 16 S., R. 24 E.,
Sec. 26;
T. 6 S., R. 25 E.,
Sec. 9, SE¼;
Sec. 10, SW¼;
Sec. 15, NW¼;
T. 9 S., R. 27 E.,
Sec. 11;
T. 10 S., R. 30 E.,
Secs. 5 and 8;
T. 8 S., R. 31 E.,
Sec. 8, E½;
Sec. 9, W½;
containing 5,680.70 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing New Mexico Grazing District No. 6, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

This order shall take precedence over, but shall not rescind or revoke, the Executive Order of March 11, 1926 (Potash Reserve No. 6, New Mexico No. 1), withdrawing lands for classification and in aid of legislation, so far as such order affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 3, 1942.

[F. R. Doc. 42–6674; Filed, July 14, 1942; 10:09 a. m.]

[Public Land Order 10]

SOUTH DAKOTA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN ORDNANCE STORAGE DEPOT SITE

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an Ordnance Storage Depot Site:

BLACK HILLS MERIDIAN

T. 10 S., R. 1 E.,
Sec. 1, lots 3, 4, S½NW¼, NW¼SW¼;
Sec. 2, lots 2, 3, 4, S½NE¼, N½SE¼, SW¼SE¼;
T. 10 S., R. 2 E.,
Sec. 19, SE¼SE¼;
Sec. 22, SE¼SE¼;
Sec. 23, SW¼SW¼;
Sec. 29, N½NW¼, SW¼NW¼;
Sec. 30, E½NE¼, SW¼SE¼;
Sec. 31, lots 1, 2, 3, 4, E½W½.

The areas described aggregate 1,175.32 acres.

This order shall take precedence over, but shall not rescind or revoke, Executive Order No. 6909 of November 21, 1934, as amended by Executive Order No. 8361 of March 2, 1940, and Executive Order No. 7908 of June 9, 1938, so far as such orders affect the above-described lands.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 8, 1942.

[F. R. Doc. 42–6675; Filed, July 14, 1942; 10:09 a. m.]

[Circular 1512]

EAST MOUNTAIN CITY, NEVADA

REGULATIONS FOR OPENING OF TOWN LOTS TO PREEMPTION ENTRY

1. *Statutory authority.* The lots in the town site of East Mountain City, Nevada, will be disposed of under sections 2382 to 2386, Revised Statutes. The town site plat was approved June 5, 1941.

2. *Price.* The minimum price for all lots of 4,200 square feet or less is $10 per lot, and for all lots in excess of 4,200 square feet will be computed by adding to the minimum price of $10 the sum of $4 for each additional 1,000 square feet or fractional part thereof in excess of 4,200 square feet.

3. *Preemption claims.* Any person who has established settlement on any lot prior to April 25, 1939, the date of the commencement of the survey in the field, and maintained such settlement to the date of proof, is entitled to make a preemption entry for such lot and one other lot on which he has made substantial and permanent improvements at the minimum price. A preemption claim is not necessarily forfeited by the settler transferring his interest to another, subsequently to accrual of the right, but patent, if issued, will be in the name of the settler and not the transferee.

The notice of intention to make preemption proof should be made on Form 4–348 and should give the date of settlement and the value and character of the improvements, and in order that all bona fide preemption rights may be

determined prior to the date of public sale, claimants should file their notices of intention to submit proof on or before September 10, 1942.

On the filing of the notice of intention by the applicant the Register will issue notice for publication, which the applicant must have published at his expense in four consecutive issues prior to the date set for the proof in the "Independent," a weekly newspaper published on Friday at Elko, Nevada. Proof, consisting of the affidavit of the applicant and of at least two of the advertising witnesses, may be made before the Register of the District Land Office at Carson City, Nevada, or before any other officer authorized to take proofs under the homestead laws, and must show the claimant's age, citizenship, and facts regarding the extent of his residence on one lot and the nature and value of the improvements on the second lot and the dates each of the improvements were placed thereon in cases where two lots are included in an application. Proof of publication must be shown by the affidavit of the publisher. The purchase price of the lot or lots must be paid to the Register when the proof is made.

4. *Citizenship.* Each purchaser of a lot must furnish evidence that he is a native born or naturalized citizen of the United States. If he is a naturalized citizen, satisfactory evidence thereof must be submitted. This may consist of the original certificate of naturalization, which will be promptly returned to the applicant after examination by the General Land Office. In lieu thereof, claimant may show the facts as to his citizenship status, which should include a statement as to the date of his naturalization, the title and location of the court in which the proceedings were instituted, and when available, the number of the document in question, if the proceedings were instituted since September 26, 1906. In cases of naturalization prior to September 27, 1906, there should also be given the date and place of the applicant's birth, and the foreign country of which he was a citizen or subject. If the claimant is a married woman the facts establishing her citizenship and that of her husband must be shown in accordance with Circular No. 1248, April 18, 1931 (53 I. D. 374; 43 CFR 137.3, 137.4).

[SEAL] FRED W. JOHNSON,
Commissioner.

Approved: July 7, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-6676; Filed, July 14, 1942; 10:10 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5991]

J. MARION WEST, ET AL.

OPPORTUNITY FOR HEARING

In re application of J. Marion West, Wesley W. West, and P. M. Stevenson (New); dated April 30, 1940; for construction permit; class of service, broadcast; class of station, broadcast; location, Houston, Texas; operating assignment specified: Frequency, 610 kc.; power, 1 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the petition of the applicants for consideration of the above-entitled application under Memorandum Opinion of April 27, 1942, and designated the matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: J. Marion West, Wesley W. West and P. M. Stevenson, Sterling Building, Houston, Texas.

Dated at Washington, D. C., July 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6685; Filed, July 14, 1942; 10:56 a. m.]

[Docket No. 6343]

PAWTUCKET BROADCASTING COMPANY (WFCI)

OPPORTUNITY FOR HEARING

In re application of Pawtucket Broadcasting Company (WFCI); dated January 8, 1942; for construction permit; class of service, broadcast; class of station, broadcast; location, Pawtucket, R. I.

Operating assignment specified: Frequency, 1420 kc.; power, 5 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission, on July 1, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commision's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Pawtucket Broadcasting Company, Radio Station WFCI, 450 Main Street, Pawtucket, Rhode Island.

Dated at Washington, D. C., July 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6689; Filed, July 14, 1942; 10:57 a. m.]

[Docket No. 6080]

FLORIDA BROADCASTING CO. (WMBR)

OPPORTUNITY FOR HEARING

In re application of Florida Broadcasting Company (WMBR); dated November 15, 1940; for construction permit; class of service, broadcast; class of station, broadcast; location, Jacksonville, Florida; operating assignment specified: Frequency, 1,460 kc.; power, 5 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of April 27, 1942 and designated the above-entitled matter for hearing on the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commision's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Florida Broadcasting Company, Radio Station WMBR, 118 West Adams Street, Atlantic National Bank Building, Jacksonville, Florida.

Dated at Washington, D. C., July 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6686; Filed, July 14, 1942; 10:56 a. m.]

[Docket No. 6341]

CROSLEY CORP. (WLW)

OPPORTUNITY FOR HEARING

In re application of The Crosley Corporation (WLW); dated, June 19, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Cincinnati, Ohio; operating assignment specified: Frequency, 700 kc.; power, 650 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant to grant the above entitled application, filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commision's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commissioner's Rules of Practice and Procedure.

The applicant's address is as follows: The Crosley Corporation, Radio Station WLW, 1329 Arlington Street, Cincinnati, Ohio.

Dated at Washington, D. C., July 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6687; Filed, July 14, 1942; 10:56 a. m.]

[Docket No. 6342]

LOUIS WASMER, INC. (KHQ)

OPPORTUNITY FOR HEARING

In re application of Louis Wasmer, Inc. (KHQ); dated, October 25, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Spokane, Washington; operating assignment specified: Frequency, 590 kc.; power, 5 kw. night, 10 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity wil be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commissioner's Rules of Practice and Procedure.

The applicant's address is as follows: Louis Wasmer, Inc., Radio Station KHQ, Radio Central Building, Sprague Avenue and Post Street, Spokane, Washington.

Dated at Washington, D. C., July 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6688; Filed, July 14, 1942; 10:57 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Amendment 1 to Special Order O.D.T. B-5]

COORDINATED OPERATION OF PASSENGER CARRIERS BY MOTOR VEHICLE BETWEEN POINTS IN NORTH CAROLINA AND VIRGINIA

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Atlantic Greyhound Corporation, Charleston, West Virginia, Carolina Coach Company, Carolina Coach Company of Virginia, and Carolina Coach Company of Virginia as operator of J. C. Gilley d/b/a/ Carolina-Virginia Lines, Raleigh, North Carolina, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, Special Order O.D.T. No. B-5 is hereby amended to read as follows:

It is hereby ordered, That:

1. Atlantic Greyhound Corporation, Carolina Coach Company, Carolina Coach Company of Virginia and Carolina Coach Company of Virginia as operator of J. C. Gilley d/b/a/ Carolina-Virginia Lines (hereinafter called "carriers"), respectively, in the transportation of passengers on routes served by them between points in the States of North Carolina and Virginia, as common carriers by motor vehicle shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply; and

(b) Divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections.

2. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective on July 15, 1942, and remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 13th day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6703; Filed, July 14, 1942; 12:05 p. m.]

[Special Order O.D.T. B-7]

COORDINATED OPERATION OF PASSENGER CARRIERS BY MOTOR VEHICLE ON CERTAIN ROUTES IN PENNSYLVANIA, DELAWARE AND MARYLAND

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by The Short Line, Inc. of Penn., West Chester, Pennsylvania, Red Star Motor Coaches, Inc., Salisbury, Maryland, and Pennsylvania, Greyhound Lines, Inc., Cleveland, Ohio, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war.

It is hereby ordered, That:

1. The Short Line, Inc. of Penn., Red Star Motor Coaches, Inc., and Pennsylvania Greyhound Lines, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the

routes served by them between Philadelphia, and Rehoboth Beach, Delaware, and between Philadelphia, Pennsylvania, and Salisbury, Maryland, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Publish joint time tables;

(d) Cancel all excursion fares;

(e) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel, information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. The Short Line, Inc. of Penn. shall operate a through service of not to exceed one round trip daily between Philadelphia, Pennsylvania, and Rehoboth Beach, Delaware, and a through service of not to exceed three round trips daily between Wilmington, Delaware, and Rehoboth Beach, Delaware. Red Star Motor Coaches, Inc. shall operate no through service between such points.

3. Red Star Motor Coaches, Inc., shall operate a through service of not to exceed four round trips daily between Philadelphia, Pennsylvania, and Salisbury, Maryland. Pennsylvania Greyhound Lines, Inc., shall operate a through service of not to exceed three round trips daily between such points.

4. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This Order shall become effective July 15, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 13th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6704; Filed, July 14, 1942; 12:05 p. m.]

[Special Order O.D.T. B-8]

COORDINATED OPERATION OF PASSENGER CARRIERS BY MOTOR VEHICLE BETWEEN NEW YORK CITY AND POINTS IN ULSTER AND SULLIVAN COUNTIES NEW YORK

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Royal Cadillac Service, Inc., Monticello, New York, and Crescent Express Lines, Inc., New York, New York, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That: 1. Royal Cadillac Service, Inc., and Crescent Express Lines, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between New York City and points in Ulster and Sullivan Counties, New York, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective July 15, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 13th day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6705; Filed, July 14, 1942; 12:05 p. m.]

OFFICE OF PRICE ADMINISTRATION.

NAVAJO FLUORSPAR MINES

ORDER DETERMINING MAXIMUM PRICE

Order No. 4 under Maximum Price Regulation No. 126 [1]—Fluorspar.

Under date of June 12, 1942, Navajo Fluorspar Mines, Grants, New Mexico, applied to the Office of Price Administration for the determination of a maximum price at which it might sell fluorspar crude ore having a 70% ore content. By a letter dated June 18, 1942, it explains that 70% crude ore refers to a content of 70% CaF_2 on a dry basis. Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, the Office of Price Administration will determine the maximum price at which fluorspar crude ore of a particular grade may be sold by a producer when the conditions named in that section exist. Due consideration has been given to that application, and an Opinion in support of this Order No. 4, has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

(a) Under the provisions of §1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $10.00 per net ton, f. o. b. Grants, New Mexico, for crude ore fluorspar based on 70% ore content (that is 70% CaF_2 on a dry basis) is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by Navajo Fluorspar Mines, Grants, New Mexico, and the maximum price at which said company may sell or deliver said grade of fluorspar crude ore.

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 4 shall become effective July 15, 1942.

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6702; Filed, July 14, 1942; 11:57 a. m.]

[1] 7 F.R. 3189.

[Amendment 2 to Administrative Notice No. 1 [1]]

EXCEPTIONS GRANTED TO MACHINERY MANUFACTURERS

The Office of Price Administration during the fall and winter of 1941-42 requested manufacturers of many types of machinery and related equipment not to increase prices. Each manufacturer was advised that an application for an exception would be considered if the maintenance of the requested prices resulted in undue hardship. A number of applications for exceptions accompanied by supporting data were received and exceptions were granted by letter to certain manufacturers, a list of which was included in Administrative Notice No. 1. Additional applications for exceptions, accompanied by supporting data, were also received and exceptions granted by letter to certain manufacturers, but these were inadvertently not included in the list in Administrative Notice No. 1.

Certain additional exceptions have also been granted since the issuance of Administrative Notice No. 1.

Pursuant to authority vested in The Administrator by the Emergency Price Control Act of 1942 it is hereby ordered that:

A new paragraph be added at the end of Administrative Notice No. 1 as set forth below.

Exceptions are granted to the below-named machinery manufacturers establishing as maximum prices for the specified products, the prices set forth below:

Manufacturer	Product	Maximum prices [1]
Baash-Ross Tool Co	Service Charges in Los Angeles Division	Jan. 1, 1942, prices.
Schlumberger Well Surveying Corp	Photoclinometer Service Electrical Logging Service.	Nov. 1, 1941, prices.
S. R. Bowen Fishing Tool Co	Service Men Charges Only	Dec. 1, 1941, prices.
Universal Crusher Co	Rock crushers, hammer pulverizers, screens, elevators, contractors outfits, belt conveyors, and mineral reducing machinery.	Dec. 30, 1941, prices. Nov. 16, 1941 prices.
Cameron Iron Works, Inc	Drilling Control Equip. Completion Equipment. Mud Valves. Core Barrels. Flanges, fittings, bolting material, adapters. Labor, service, rentals and job work. Ring grip unions.	Oct. 15, 1941, prices.
Page Engineering	Buckets R. M. ⅜ yd. ½ yd. ¾ yd. 1 yd. R. C. ⅜ yd. ½ yd. ¾ yd. 1 yd. R. H. ⅜ yd. ½ yd. ¾ yd. 1 yd. Special size Automatic.	Oct. 10, 1941, prices.
Bay City Shovels, Inc	Buckets—"RM-S" "RC-S" "RM" "RC". Shovels and cranes	Nov. 1, 1941, prices.
Allen's Foundry & Machine Works	Pumping units A-50-TC. A-110-TC. A-80-TC. A-140-TC.	Oct. 28, 1941.
Allis Chalmers Mfg. Co	Non-agricultural tractor parts	Oct. 27, 1941, prices.
International Harvester Co	Non-agricultural tractor parts	Nov. 20, 1941, prices.
Symington Gould Corp	Certified freight car draft gear No. 403	$21.50 each (when sold to Waugh Equipment Co.
Technical Oil Tool Corp., Ltd	Toteo Recorder	Lease rates and initial sale price, Jan. 14, 1942.

[1] The maximum price for any such product is the price listed less all applicable discounts and allowances.

* * * * *

All manufacturers of motors, generators and industrial control equipment have been granted permission to make sales of such equipment between February 12, 1942, and April 10, 1942, at their prices and discounts in effect on February 12, 1942, except that three percent shall be deducted, before application of discount, from the price of any equipment having a list price in effect on February 12, 1942, different from that in effect on October 1, 1941. Deliveries made at any time pursuant to sales made in such period at such prices are within the scope of this exception.

The Price Administrator hereby confirms the granting of these exceptions.

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6701; Filed, July 14, 1942; 11:57 a. m.]

[1] 7 F.R. 2984, 3690.

[Docket No. 1120-24-P]

CAMPBELL COAL COMPANY

ORDER GRANTING EXCEPTIONS

Order No. 16 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 19, 1942, Campbell Coal Company, Piedmont, West Virginia filed a "Protest and Petition for Amendment and Adjustment" with respect to the maximum prices established for its coals in §§ 1340.212 (b) (1) and (2) of Maximum Price Regulation No. 120. In accordance with Rule 1300.33 of Procedural Regulation No. 1, issued by the Office of Price Administration, this matter is being treated as a petition for exception, as well as a protest. Due consideration has been given to the petition, and an opinion in support of this Order No. 16 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Campbell Coal Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver the kinds and grades of bituminous coal set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit, and attempt to buy and receive such kinds and grades of bituminous coal at such prices from Campbell Coal Company;

(b) Coals in size groups 1 and 2, produced at the Hampshire Mine (Mine Index No. 195) of Campbell Coal Company, located in Allegany County, Maryland in District No. 1, may be sold at not more than $3.25 per net ton, f. o. b. the mine for shipment by rail or by truck or wagon;

(c) This Order No. 16 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(e) This Order No. 16 shall become effective July 15, 1942.

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6699; Filed, July 14, 1942; 11:58 a. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404.
[2] 7 F.R. 971, 3663.

[Docket No. 1120–50–P]

BELLINGHAM COAL MINES, INC.

ORDER GRANTING EXCEPTION

Order No. 17 under Maximum Price Regulation No. 120[1]—Bituminous Coal Delivered from Mine or Preparation Plant.

On May 28, 1942, Bellingham Coal Mines, Inc., 1016 Seaboard Building, Seattle, Washington, Filed a "Protest Against and Petition for Adjustment of Maximum Price Regulation No. 120". Pursuant to § 1300.33 of Procedural Regulation No. 1,[2] the matter has been treated as one for adjustment or exception. Due consideration has been given to the petition, and an opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, it is hereby ordered:

(a) Bellingham Coal Mines, Inc., may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds and grades of bituminous coal delivered from its Bellingham No. 1 Mine (Mine Index No. 3) set forth in paragraph (b) below, at prices not in excess of those stated therein. Except as limited in paragraph (b) (2) below, any person may buy and receive such kinds and grades of bituminous coal delivered from Mine Index No. 3 at such prices from Bellingham Coal Mines, Inc.

(b) (1) Coals produced in Size Groups 7 and 9 at the Bellingham No. 1 Mine (Mine Index No. 3) of Bellingham Coal Mines, Inc., may be sold at not more than $4.75 per ton, for all shipments except truck or wagon.

(2) Coals produced in Size Group 24 at the Bellingham No. 1 Mine (Mine Index No. 3) of Bellingham Coal Mines, Inc., may be sold at not more than $3.55 per ton, for shipment by rail to Superior Portland Cement Company, Concrete, Skagit County, Washington, and Olympic Portland Cement Company, Bellingham, Whatcom County, Washington.

(3) Coals produced in Size Groups 7 and 9 at the Bellingham No. 1 Mine (Mine Index No. 3) of Bellingham Coal Mines, Inc., may be sold at not more than $5.45 per ton, for shipment by truck or wagon.

(c) The action taken in this Order No. 17 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 17 shall become effective July 15, 1942.

Issued this 14th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6700; Filed, July 14, 1942; 11:58 a. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404.
[2] 7 F.R. 971, 3663.

[Docket Nos. 3120–27, 3120–45, 3120–53]

TRUCK MINES IN DISTRICT NO. 10

CERTAIN EXCEPTIONS GRANTED

Amendment No. 1 to Order No. 4[1] under Maximum Price Regulation No. 120[2]—Bituminous Coal Delivered from Mine or Preparation Plant.

The preamble, and subdivisions (ii), (iii), and (iv) of paragraph (b) (2) of Order No. 4 under Maximum Price Regulation No. 120 are amended, subdivision (iii) is added to paragraph (b) (1), paragraph (c) is redesignated (e) and a new paragraph (c) is added, paragraph (e) is redesignated as paragraph (f) (1) and a new paragraph (f) (2) is added, as set forth below:

Upon the basis of representations made by the Bituminous Coal Producers Board for District No. 10 and several bituminous coal producers in District No. 10, a study was made of data on file with the Bituminous Coal Division of the United States Department of the Interior for the purpose of determining whether certain truck mines in that district are eligible for exception from the maximum prices provided in Maximum Price Regulation No. 120[3] under the provisions of § 1340.207 (a) of that regulation. Due consideration has been given to the information thus obtained, and an opinion in support of this Order No. 4 has been issued and filed with the Division of the Federal Register.

Careful consideration has also been given to the data adduced in support of petitions filed by three of these mines, the Peru Deep Vein Coal Company (Docket No. 3120–45), the Union Coal Company (Docket No. 3120–27), and the Spring Valley Coal Mining Company (Docket No. 3120–53). For the reasons set forth in the opinion accompanying Order No. 4 and the opinion accompanying Amendment No. 1 to Order No. 4 under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[4] issued by the Office of Price Administration, it is hereby ordered:

* * * * *

(b) * * *

(1) SECTION 1. * * *

(iii) The South Wilmington Coal Company may charge prices not to exceed $4.50 per ton for coals in size group 4, $4.25 per ton for coals in size group 6 and $4.00 per ton for coals in size group 7, from its mine (Mine Index No. 504)

(2) SECTION 2. * * *

(ii) The Peru Deep Vein Coal Company may charge prices not to exceed $4.85 per ton for coals in size group 1, $4.85 per ton for coals in size group 3, $3.80 per ton for coals in size group 5, $3.50 per ton for coals in size group 8, $3.50 per ton for coals in size group 19, and $2.40 per ton for coals in size group 14, from its mine (Mine Index No. 73).

(iii) The Union Coal Company may charge prices not to exceed $4.85 per ton for coals in size group 1, $4.85 per ton for coals in size group 3, $3.80 per ton for coals in size group 8, $3.50 per ton for coals in size group 19, $2.25 per ton for coals in size group 25, and $3.00 per ton for coals in size group 27, from its mine (Mine Index No. 175).

(iv) The Spring Valley Mining Company may charge prices not to exceed $4.85 per ton for coals in size group 1, $4.85 per ton for coals in size group 3, $3.80 per ton for coals in size group 6, $2.80 per ton for coals in size group 11, from its mine (Mine Index No. 164).

* * * * *

(c) The Union Coal Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver by rail the bituminous coal produced at its mine (Mine Index No. 175) at prices f. o. b. the mine not in excess of the maximum prices established for coals produced, in Price Group No. 31. Any person may buy and receive and agree, offer, solicit and attempt to buy and receive such bituminous coal delivered by rail from said mine at such prices.

* * * * *

(f) (1) * * *

(2) Amendment No. 1 to Order No. 4 shall become effective July 15, 1942.

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6698; Filed, July 14, 1942; 11:59 a. m.]

[1] 7 F.R. 3952.
[2] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404.
[3] 7 F.R. 971, 3663.

JUL 17 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 139

Washington, Thursday, July 16, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 394, Second Revision]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED

Introductory note. In reissuing this circular to replenish the supply no change has been made in the list of bulbs, corms, and tubers that are exempted from the certification requirements of the quarantine. Some modifications have been made in the names, however, principally the common names, in order to bring them into line with standard plant nomenclature.

§ 301.48–6a *List of true bulbs, corms, and tubers exempted from Japanese beetle certification.* Under § 301.48–6 [regulation 6 of quarantine No. 48], true bulbs, corms, and tubers are exempt from Japanese beetle certification when dormant, except for storage growth, and when free from soil. The exemption includes single dahlia tubers or small dahlia root divisions when free from stems, cavities, and soil. Dahlia tubers, other than single tubers or small root divisions meeting these conditions, require certification.

The following list of bulbs, corms, and tubers, issued effective July 20, 1942, is for the information of inspectors of the Bureau and for the use of shippers within the regulated areas. The key letter (B) before the name stands for true bulb, (C) for corm, and (T) for tuber. Plant roots of a bulbous nature not given on this list are, in most cases, fleshy rhizomes, and are therefore not exempt from certification.

(C) Acidanthera.
(T) Alstroemeria.
(B) Amaryllis.
(C) Amorphophallus (Devilstongue).
(B) Anemone nemorosa, A. ranunculoides, A. deltoidea.
(C) Antholyza (Madflower).
(C) Babiana (Baboonroot).
(T) Begonia (tuberous rooted).
(T) Boussingaultia (Madeira vine).
(C) Brodiaea.
(B) Bulbocodium (Meadowsaffron).
(C) Calochortus (Mariposa-lily or Globe-tulip).
(B) Camassia.
(B) Chionodoxa (Glory-of-the-snow).
(B) Colchicum (Autumn-crocus).
(T) Colocasia (Caladium esculentum and fancy-leaved varieties).
(B) Cooperia (Evening-star and rain-lily).
(B) Corydalis bulbosa, C. tuberosa.
(B) Crinum.
(C) Crocus.
(C) Cyclamen.
(T) Dahlia (see statement in introductory paragraph).
(C) Dierama (Elfinwands).
(T) Dioscorea batatas (Cinnamon-vine).
(T) Eranthis (Winter-aconite).
(B) Erythronium (fawnlily, troutlily or Dogtooth violet).
(B) Eucharis (Amazonlily).
(C) Freesia.
(B) Fritillaria (Fritillary).
(B) Galanthus (Snowdrop).
(B) Galtonia (Hyancinthus candicans) (Summer-hyacinth).
(C) Gladiolus.
(T) Gloriosa rothschildiana.
(T) Gloxinia (see Sinningia).
(B) Hippeastrum.
(B) Hyacinthus (Hyacinth, Dutch, and Roman).
(B) Hymenocallis.
(B) Iris, bulbous (Dutch, Spanish, and English).
(B) Ismene (Peruvian-daffodil).
(B) Ixia.
(B) Ixiolirion.
(B) Lachenalia (Cape-cowslip).
(B) Lapeirousia (Lapeyrousia, Anomatheca).
(B) Leucojum (Snowflake).
(B) Lilium (Lily bulbs, imported and domestic).
(B) Lycoris.
(B) Milla (Mexican-star).
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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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(7 CFR § 301.48-6; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington, D. C., this 13th day of July, 1942.

[SEAL] AVERY S. HOYT, *Acting Chief.*

[F. R. Doc. 42-6724; Filed, July 15, 1942; 11:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4257]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JACK HERZOG AND COMPANY

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of furs, fur garments or other commodities, in commerce, receiving or accepting directly or indirectly anything of value as brokerage, commission, or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondents' own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondents are acting in fact for or in behalf, or are subject to the direct or indirect control of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Jack Herzog and Company, Docket 4257, July 8, 1942]

In the Matter of Jack Herzog, Michael Herzog, George Herzog, and Louis Herzog, Individually and Trading as Jack Herzog and Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondents Jack Herzog, Michael Herzog, George Herzog, and Louis Herzog, individually and trading as Jack Herzog and Company, which answer admits all of the material allegations of the complaint to be true and waives all other intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion herein that said respondents, Jack Herzog, Michael Herzog, George Herzog, and Louis Herzog, individually and trading as Jack Herzog and Company, have violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act), (U.S.C. Title 15, Sec. 13);

It is ordered, That the respondents, Jack Herzog, Michael Herzog, George Herzog, and Louis Herzog, individually and trading as Jack Herzog and Company, or under any other name, jointly or severally, their agents, employees and representatives, directly or through any corporate or other device in or in connection with the purchasing of furs, fur garments or other commodities in commerce, as commerce is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from:

Receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondents' own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondents are acting in fact for or in behalf, or are subject to the direct or indirect control of the purchaser.

It is further ordered, That the respondent shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6725; Filed, July 15, 1942; 11:51 a. m.]

[Docket No. 4299]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

L. W. POWERS COMPANY

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of women's ready-to-wear apparel and other commodities in commerce, receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, L. W. Powers Company, Docket 4299, July 8, 1942]

In the Matter of Lawrence W. Powers, an Individual Trading as L. W. Powers Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent, Lawrence W. Powers, an individual trading as L. W. Powers Company, which answer admits all of the material allegations of fact set forth in said complaint and waives all other intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion herein that said respondents, Jack Herzog, Michael Herzog, George Herzog, and Louis Herzog, individually and trading as Jack Herzog and Company, have violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C. Title 15, Sec. 13);

It is ordered, That respondent Lawrence W. Powers, an individual trading as L. W. Powers Company, or under any other name, his agents, employees and representatives, directly or through any corporate or other device, in or in connection with the purchase of women's ready-to-wear apparel and other commodities in commerce, as commerce is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from:

Receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6726; Filed, July 15, 1942; 11:51 a. m.]

[Docket No. 4231]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ISAAC S. DICKLER

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of furs, fur garments or other commodities in commerce, receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Isaac S. Dickler, Docket 4231, July 8, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent, Isaac S. Dickler, which answer admits all of the material allegations of fact set forth in said complaint to be true and waives all other intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion herein that said respondent has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C. Title 15, Sec. 13);

It is ordered, That respondent Isaac S. Dickler, an individual, his agents, employees and representatives, directly or through any corporate or other device in or in connection with the purchase of furs, fur garments or other commodities in commerce, as commerce is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from:

Receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6727; Filed, July 15, 1942; 11:51 a. m.]

[Docket No. 4229]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HARRY M. BITTERMAN, INC., ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of fur garments or other commodities in commerce, and among other things, as in order set forth, and on the part of respondents Harry M. Bitterman, Inc., its officers, etc., engaged in purchase of fur garments for a number of concerns, receiving or accepting directly or indirectly anything of value as a commission, brokerage or other compensation, or any allowance or discount in lieu thereof, from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondents' own account, or (b) when such purchases are made by respondents as agents or buying representatives of the purchaser, or (c) when in making such purchases respondents are acting in fact for, or in behalf, of, or are subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Harry M. Bitterman, Inc., et al., Docket 4229, July 8, 1942]

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale of fur garments or other commodities in commerce, and among other things, as in order set forth, and on the part of respondents I. and A. Berger, Inc., and four other concerns (and their officers, etc.), engaged in selling fur garments in interstate commerce to buyers involved in instant proceeding and to numerous other customers, paying or granting directly or indirectly anything of value as a commission, brokerage or other compensation, or any allowance or discount in lieu thereof, to Harry M. Bitterman, Inc., a corporation, Harry M. Bitterman, individually or as an officer of Harry M. Bitterman, Inc., Irving Dash, individually or as office manager of Harry M. Bitterman, Inc., or to any corporation, partnership, firm or individual, on or in connection with the sale of fur garments or other commodities (a) when such sales

are made to such corporation, partnership, firm or individual, or (b) when such sales are made through such corporation, partnership, firm or individual acting as agent or buying representative of the purchaser, or (c) when such corporation, partnership, firm or individual in making such purchases is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Harry M. Bitterman, Inc., et al., Docket 4229, July 8, 1942]

In the Matter of Harry M. Bitterman, Inc., a Corporation; Harry M. Bitterman, Individually and as President and One of the Directors of Harry M. Bitterman, Inc.; Herman Bitterman, Individually and as Secretary-Treasurer of Harry M. Bitterman, Inc.; Irving Dash, Individually and as Office Manager of Harry M. Bitterman, Inc.; I. and A. Berger, Inc., a Corporation; B. Ordover & Sons, Inc., a Corporation; Peter Petras and George Alevras, Individuals Trading as Petras & Alevras; Arthur Petras, an Individual Trading as A. Petras & Company; Morris Minsk, an Individual

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer filed by each of the respondents named in the caption hereof except Herman Bitterman, individually and as Secretary-Treasurer of Harry M. Bitterman, Inc., and the respective answers of said respondents having admitted all material allegations of fact set out in the complaint to be true and having waived all intervening procedure and further hearing as to said facts and the Commission having made its findings as to the facts and conclusion herein that said respondents Harry M. Bitterman, Inc., a corporation, Harry M. Bitterman, individually and as President and as one of the Directors of Harry M. Bitterman, Inc., Irving Dash, individually and as Office Manager of Harry M. Bitterman, Inc., and I. and A. Berger, Inc., a corporation, B. Ordover & Sons, Inc., a corporation, Peter Petras and George Alevras, individuals trading as Petras & Alevras, Arthur Petras, an individual trading as A. Petras & Company, and Morris Minsk, an individual, have violated the provisions of subsection (c) of Section 2 of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C., Title 15, Sec. 13);

It is ordered, That the respondents Harry M. Bitterman, Inc., a corporation, its officers, agents, and employees; Harry M. Bitterman, individually and as President and as one of the Directors of Harry M. Bitterman, Inc., his representatives, agents, and employees; and Irving Dash, individually and as Office Manager of Harry M. Bitterman, Inc., his representatives, agents and employees; jointly or severally, directly or indirectly, through any corporate or other device, on or in connection with the purchase of fur garments or other commodities in commerce as commerce is defined in the aforesaid Clayton Act as amended, do forthwith cease and desist from:

(1) Receiving or accepting directly or indirectly anything of value as a commission, brokerage or other compensation, or any allowance or discount in lieu thereof, from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondents' own account, or (b) when such purchases are made by respondents as agents or buying representatives of the purchaser, or (c) when in making such purchases respondents are acting in fact for, or in behalf, or are subject to the direct or indirect control, of the purchaser.

It is further ordered, That respondents I. and A. Berger, Inc., a corporation, and B. Ordover & Sons, Inc., a corporation, their officers, agents and employees; Peter Petras and George Alevras, individuals trading as Petras & Alevras, or under any other name; Arthur Petras, an individual trading as A. Petras & Company, or under any other name; and Morris Minsk, an individual; their representatives, agents and employees; directly or indirectly, through any corporate or other device, on or in connection with the sale of fur garments or other commodities in commerce as commerce is defined in the aforesaid Clayton Act as amended, do forthwith cease and desist from:

(1) Paying or granting directly or indirectly anything of value as a commission, brokerage or other compensation, or any allowance or discount in lieu thereof, to Harry M. Bitterman, Inc., a corporation, Harry M. Bitterman, individually or as an officer of Harry M. Bitterman, Inc., Irving Dash, individually or as office manager of Harry M. Bitterman, Inc., or to any corporation, partnership, firm or individual, on or in connection with the sale of fur garments or other commodities (a) when such sales are made to such corporation, partnership, firm or individual, or (b) when such sales are made through such corporation, partnership, firm or individual acting as agent or buying representative of the purchaser, or (c) when such corporation, partnership, firm or individual in making such purchases is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That for the reasons set out in the findings as to the facts herein that the case growing out of the complaint issued herein be, and the same hereby is, closed as to Herman Bitterman, individually and as Secretary-Treasurer of Harry M. Bitterman, Inc., without prejudice to the right of the Commission, should the facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6728; Filed, July 15, 1942; 11:52 a. m.]

[Docket No. 4687]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

H. W. LEDERER, PRESIDENT OF THE BIBLE INSTITUTE, INC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Business connections or arrangements with others:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or private business as educational, religious or research institution:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation:* § 3.6 (l) *Advertising falsely or misleadingly—Free goods or service:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—History:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Operations as educational or religious:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business being educational, religious or research institution.* In connection with offer, etc., of Bibles, prayer books or other religious publications, and among other things, as in order set forth, (1) using the word "Institute" as part of the trade or corporate name under which their said business is conducted, or using the word "Institute", or any word of similar import, to in any way describe or refer to said business; (2) representing in any manner or by any method that said respondents are engaged in work of a religious nature, or that they are connected with any institution; (3) representing in any manner or by any method that the business of said respondents is conducted by a trustee; (4) representing in any manner or by any method that said respondents furnish free religious publications for Sunday Schools or other church activities; and (5) representing in any manner or by any method that the business conducted by said respondents is endowed by philanthropic or any other interests in order to permit a wider distribution of religious publications, or for any other purpose; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, H. W. Lederer, President of The Bible Institute, Inc., et al., Docket 4687, July 9, 1942]

In the Matter of H. W. Lederer, Individually and as President of The Bible Institute, Inc., a New York Corporation, The Bible Institute, a Delaware Corporation, and American Plate Glass Company, a Corporation; The Bible Institute, Inc., a New York Corporation; The Bible Institute, a Delaware Corporation; and American Plate Glass Company, a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of July A. D., 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the original answer and amended answer of respondents, in which amended answer respondents withdraw the specific and general denials of fact set forth in said original answer with certain exceptions, admit all of the material allegations of fact in said complaint with certain qualifications, and waive all intervening procedure and further hearing as to said facts, and a stipulation executed by all of said respondents, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent H. W. Lederer, his representatives, agents and employees, directly or through respondent The Bible Institute, Inc., The Bible Institute, or any other corporate or other device, and respondents The Bible Institute, Inc., and The Bible Institute, their officers, agents and employees, in connection with the offering for sale, sale or distribution of Bibles, prayer books and other religious or other publications in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the word "Institute" as part of the trade or corporate name under which their said business is conducted, or using the word "Institute", or any word of similar import, to in any way describe or refer to said business;

(2) Representing in any manner or by any method that said respondents are engaged in work of a religious nature, or that they are connected with any institution;

(3) Representing in any manner or by any method that the business of said respondents is conducted by a trustee;

(4) Representing in any manner or by any method that said respondents furnish free religious publications for Sunday Schools or other church activities;

(5) Representing in any manner or by any method that the business conducted by said respondents is endowed by philanthropic or any other interests in order to permit a wider distribution of religious publications, or for any other purpose.

It is further ordered, That respondent H. W. Lederer, his representatives, agents and employees, directly or through respondent American Plate Glass Company, or any other corporate or other device, and respondent American Plate Glass Company, its officers, agents and employees, in connection with the offering for sale, sale or distribution of handbag or other mirrors or glass products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing, directly or by implication, that said respondents are manufacturers of the glass products offered for sale and sold by them;

(2) Representing, directly or by implication, that said respondents own, control, or operate plants or branch offices in Chicago, Illinois, Pittsburgh, Pennsylvania, New York City, New York, or elsewhere;

(3) Representing, directly or by implication, that the business conducted by said respondents is a substantial one, consisting of a number of departments, and requires the services of a superintendent;

(4) Representing, directly or by implication, that said respondents are in any way connected with any glass manufacturing company, except as a purchaser of glass products for resale.

It is further ordered, That the respondents shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6729; Filed, July 15, 1942; 11:52 a. m.]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

[Docket No. 4444]

JOHN CARNER, AS OFFICER OF FRETTED INSTRUMENT MANUFACTURING CORPORATION, ETC., ET AL.

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Manufacture or preparation:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with offer, etc., in commerce, of guitars and mandolins, or other stringed musical instruments, (1) simulating genuine resonating or amplifying musical instruments by equipping their products with polished perforated discs or plates; (2) simulating genuine resonating or amplifying musical instruments by painting the inside of their products with aluminum paint, or treating it in any other manner so as to give it the appearance of being equipped with an aluminum cone; and (3) representing directly or by implication that their products, or any of them, are equipped with a resonating or amplifying device; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, John Carner, as Officer of Fretted Instrument Manufacturing Corporation, etc., et al., Docket 4444, July 9, 1942]

In the Matter of John Carner, Individually and as an Officer of Fretted Instrument Manufacturing Corporation; and United Guitar Corporation; Morris Brooks, Individually and as an Officer of Fretted Instrument Manufacturing Corporation; Frank Solvino and Frank Masiello, Individually and as Officers of United Guitar Corporation; Fretted Instrument Manufacturing Corporation, a Corporation; and United Guitar Corporation, a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the joint answer of the respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint introduced before duly appointed trial examiners of the Commission designated by it to serve in this proceeding, the report of the trial examiners and exceptions thereto, and briefs in support of and in opposition to the complaint: And the Commission having made its findings as to the facts and its conclu-

sion that respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Fretted Instrument Manufacturing Corporation, a corporation, United Guitar Corporation, a corporation, their officers, directors, representatives, agents and employees; respondents John Carner, individually and as an officer of respondent corporations; Morris Brooks, individually and as an officer of respondent Fretted Instrument Manufacturing Corporation; Frank Solvino and Frank Masiello, individually and as officers of respondent United Guitar Corporation—directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of guitars and mandolins, or other stringed musical instruments in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Simulating genuine resonating or amplifying musical instruments by equipping their products with polished perforated discs or plates;

(2) Simulating genuine resonating or amplifying musical instruments by painting the inside of their products with aluminum paint, or treating it in any other manner so as to give it the appearance of being equipped with an aluminum cone;

(3) Representing directly or by implication that their products, or any of them, are equipped with a resonating or amplifying device.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6730; Filed, July 15, 1942; 11:52 a. m.]

[Docket No. 4259]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CENTRAL BUYING SERVICE, INC.

§ 3.45 (c) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of millinery or other commodities, in commerce, receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation, or any allowance or discount in lieu thereof, from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Central Buying Service, Inc., Docket 4259, July 8, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer duly filed by respondent Central Buying Service, Inc., a corporation, which answer admits all of the material allegations of fact set forth in said complaint to be true and waives all other intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion herein that respondent Central Buying Service, Inc., a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C. Title 15, Sec. 13):

It is ordered, That the respondent, Central Buying Service, Inc., a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device in or in connection with the purchase of millinery or other commodities in commerce, as commerce is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from:

Receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation, or any allowance or discount in lieu thereof, from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6731; Filed, July 15, 1942; 11:52 a. m.]

[Docket No. 4240]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

DAVID M. WEISS

§ 3.45 (c) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of fur garments or other commodities, in commerce, receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, David M. Weiss, Docket 4240, July 8, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent David M. Weiss, which answer admits all of the material allegations of the complaint to be true, waives further hearing as to said facts and all other intervening procedure, and the Commission having made its findings as to the facts and conclusion herein that said respondent, David M. Weiss, has violated the provisions of subsection (c) of section 2 of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C. Title 15, Sec. 13);

It is ordered, That the respondent, David M. Weiss, an individual, his agents, employees and representatives, directly or through any corporate or other device in or in connection with the purchase of furs, fur garments or other commodities in commerce, as commerce is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from:

Receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondent's own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondent is acting in fact for or in behalf, or is subject to the direct or indirect control, of the purchaser.

It is further ordered, That the respondent shall within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6732; Filed, July 15, 1942; 11:53 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5163]

Subchapter A—Income and Excess-Profits Taxes

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

AMENDMENTS TO REGULATIONS RELATING TO INVENTORIES

Section 19.22 (d)-2 of Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) is amended as follows:

1. Paragraph (c) is changed to read as follows:

§ 19.22 (d)-2 *Requirements incident to adoption and use of the elective method.* • • •

(c) Goods of the specified type included in the opening inventory of the taxable year for which the method is first used shall be considered as having been acquired at the same time and at a unit cost equal to the actual cost of the aggregate divided by the number of units on hand. The actual cost of the aggregate shall be determined pursuant to the inventory method employed by the taxpayer under the regulations applicable to the preceding taxable year with the exception that restoration shall be made with respect to any write-down to market values resulting from the pricing of former inventories;

2. Paragraph (f) is changed to read as follows:

(f) Goods of the specified type on hand as of the close of the taxable year preceding the taxable year for which this inventory method is first used, whether such preceding taxable year began before or after December 31, 1938, shall be included in the taxpayer's closing inventory for such preceding taxable year at cost determined in the manner prescribed in paragraph (c) of this section;

(Secs. 22 (d) (3) and 62 of the Internal Revenue Code (53 Stat. 877, 32; 26 U.S.C., 1940 ed., 22 (d) (3), (62).)

[SEAL] GUY T. HELVERING, *Commissioner of Internal Revenue.*

Approved: July 14, 1942.

JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

[F. R. Doc. 42-6715; Filed, July 14, 1942; 4:34 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, as Amended July 15, 1942]

Section 1042.2 *Supplemental General Imports Order M-63-a*[1] is hereby amended to read as follows:

§ 1042.2 *Supplemental General Imports Order M-63-a.* Until further order of the Director of Industry Operations, the provisions of General Imports Order M-63, as amended June 2, 1942, and June 30, 1942, shall not apply to materials on List III of said order located in, and to be shipped overland, by air, or by inland waterway from Canada or Mexico.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of July 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42-6720; Filed, July 15, 1942; 10:47 a. m.]

[1] 7 F.R. 4201.

PART 1075—CONSTRUCTION

[Supplementary Conservation Order L-41-b]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain fuels, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

In accordance with the provisions of § 1075.1 (*Conservation Order L-41*)[1] which the following order supplements:

§ 1075.3 *Supplementary Conservation Order L-41-b.* (a) Conservation Order L-41 shall not apply to construction commenced prior to January 1, 1943, which is necessary to the conversion or substitution of heating equipment to permit the use of fuel other than oil, electricity, natural gas or mixed natural and manufactured gas, in the following states:

Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, Washington, West Virginia, and the District of Columbia.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of July 1942.

J. S. KNOWLSON, *Director of Industry Operations.*

[F. R. Doc. 42-6718; Filed, July 15, 1942; 10:47 a. m.]

[1] 7 F.R. 2730, 3712, 3774, 4326.
[2] 7 F.R. 2536, 2966, 4167, 5020.

Subchapter B—Director General for Operations

PART 998—METAL OFFICE FURNITURE AND EQUIPMENT

[Amendment 4 to Supplementary Limitation Order L-13-a]

Section 998.2 *Supplementary Limitation Order L-13-a*,[2] is hereby amended in the following particulars:

Paragraph (b) (10) is hereby amended to read as follows:

(10) The restrictions contained in this order shall not apply to specific orders, contracts or subcontracts for metal shelving or metal lockers to be delivered to or for the account of the Army or Navy of the United States and the United States Maritime Commission, provided that:

(i) Such metal lockers are delivered to or for the account of the Army or Navy of the United States or the United States Maritime Commission prior to July 15, 1942, and

(ii) Such metal shelving is delivered to or for the account of the Army or Navy of the United States or the United States Maritime Commission prior to August 1, 1942, and further provided that no steel shall be sheared for the production of such metal shelving after July 15, 1942.

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraph:

(12) On and after July 1, 1942, no manufacturer (whether Class A, Class B or Class C) shall process, fabricate, work on or assemble any iron or steel for use in the production of metal shelving, nor shall any manufacturer (whether Class A, Class B or Class C) manufacture or assemble any metal shelving, except as provided in Paragraph (b) (10) or (b) (11) of this order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of July 1942.

AMORY HOUGHTON, *Director General for Operations.*

[F. R. Doc. 42-6738; Filed, July 15, 1942; 11:56 a. m.]

PART 1043—METAL SIGNS

[Amendment 2 to General Limitation Order L-29]

Section 1043.1 *General Limitation Order L-29*[1] is hereby amended in the following particulars:

Paragraph (b) (4) is hereby amended to read as follows:

(4) Any person affected by this order shall sell material in his inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and all other applicable orders and regulations.

Paragraph (f) is hereby amended to read as follows:

(f) *Reports.* Any person affected by this order shall file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7

[1] 7 F.R. 2295, 4201.

F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6719; Filed, July 15, 1942; 10:47 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Amendment 2 to General Conservation Order M-126 as amended July 13, 1942]

The governing date of every item heretofore put on Supplementary List A by Conservation Order M-126 as amended July 13, 1942[1] is July 15, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6737; Filed, July 15, 1942; 11:56 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 2 to Revised Price Schedule 50[2]]

GREEN COFFEE

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (c) of § 1351.7 is revoked and, in § 1351.1, paragraph (b) (2), paragraph (e), paragraph (f), and paragraph (g) are amended to read as set forth below:

§ 1351.1 *Maximum prices for green coffee.* * * *

(b) The maximum price shall include all commissions and all other charges, except that * * *

(2) If the services of a broker or brokers are required either in a port of entry or in a secondary market, a commission or commissions, which in the aggregate shall not exceed 1% of the maximum prices named in § 1351.1 (c) of Revised Price Schedule No. 50 or a maximum price determined by trade differentials in effect prior to December 8, 1941, as provided for in § 1351.1 (c) of the Schedule, may be added to such maximum prices. This addition may be made only when such commissions have been actually paid, and shall be based upon the net maximum price before the addition of charges permitted by paragraphs (b) (1), (e), (f), and (g) of § 1351.1 of the Schedule.

* * * * *

(e) For any green coffee sold ex warehouse rather than ex dock New York City or other port of entry, the cost of actually "putting the coffee into the warehouse" may be added by the seller who incurred the cost. "Putting the coffee into the warehouse" shall include only the following charges: (1) transportation charges from dock to warehouse, (2) "handling in and out" and (3) warehouse storage charges for not more than 30 days.

(f) The delivered price for any type or grade of green coffee shall in no case exceed the maximum price plus transportation charges incurred from the dock or warehouse in New York City or other port of entry to the place of destination: *Provided*, That such transportation charges shall not exceed the cost of transporting an equal quantity of coffee from the same port of entry directly to the place of destination, computed at the lowest transportation rate for the mode of transportation employed.

(g) Any person making sales of green coffee in lots of 25 bags or less may add to the maximum prices specified above an amount not in excess of 3% of the comparable selling price of lots of more than 25 bags: *Provided*, That no such premium may be added on resales of coffee which have been sold pursuant to Amendments Nos. 1 or 2 to Conservation Order M-135,[3] issued by War Production Board.

§ 1351.9 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1351.1 (b) (2), (e), (f) and (g)) to Revised Price Schedule No. 50 shall become effective July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6709; Filed, July 14, 1942; 2:17 p. m.]

PART 1377—WOODEN CONTAINERS

[Amendment 2 to Maximum Price Regulation 160[1]]

SEASONAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.

Subparagraph (2) of § 1377.58 (a) is amended to read as set forth below.

§ 1377.58 *Definitions.* (a) When used in this Maximum Price Regulation 160 the term:

* * * * *

(2) "Wooden agricultural container" means any wooden box, basket, crate, cup, till, tray, hamper, lug, carrier, or similar container, and the constituent parts thereof, used for handling, shipping, or storing perishable fruits and vegetables; but does not include cooperage products, or any used containers, or any sawn shook agricultural containers, or veneer covers for such containers, produced in California, Washington, Oregon, Idaho, Montana, Wyoming, Utah, Nevada, Arizona, New Mexico, and Colorado. The term also includes wirebound dressed poultry boxes sold by the Northern Package Corporation, 175 Colfax Avenue North, Minneapolis, Minnesota.

§ 1377.59a *Effective dates of amendments.* * * *

(b) Amendment No. 2 to Maximum Price Regulation No. 160 (§ 1377.58 (a) (2)) shall become effective July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6710; Filed, July 14, 1942; 2:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of General Maximum Price Regulation[1]—Order 32]

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation it is hereby ordered:

§ 1499.69 *Approval of maximum prices for sale to ultimate consumer of coal tar pitch base Stelco Roof Cement by the Stelwagon Manufacturing Company of Philadelphia, Pennsylvania.* (a) The maximum prices for the sale by the Stelwagon Manufacturing Company of Philadelphia, Pennsylvania to an ultimate consumer other than an industrial or commercial user of coal tar pitch base Stelco Roof Cement shall be as follows:

	Per pound
In drums	$0.045
In half drums	.048
In 50-pound pails	.061
In 10-pound cans	.09

(b) This Order No. 32 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 32 (§ 1499.69) shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6741; Filed, July 15, 1942; 12:02 p. m.]

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[1] 7 F.R. 5353, 5358.
[2] 7 F.R. 1305, 1836, 2132, 2945.
[3] 7 F.R. 4337, 4852.
[1] 7 F.R. 3114, 3445, 4451.
[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

Chapter XVII—Office of Civilian Defense

[Administration Order 27]

PART 1900—ORGANIZATION

ESTABLISHMENT OF FOREST FIRE FIGHTERS SERVICE

Pursuant to authority granted by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 of April 15, 1942, and Executive Order No. 9165 of May 19, 1942, the Director of Civilian Defense hereby confirms the establishment, within the Office of Civilian Defense, of the Forest Fire Fighters Service:

Sec.
1900.10 Purpose.
1900.11 Insigne.
1900.12 Organization and supervision.

AUTHORITY: §§ 1900.10 to 1900.12, inclusive, issued under E.O. 8757, 6 F.R. 2517; E.O. 9134, 7 F.R. 2887; E.O. 9165, 7 F.R. 3765.

§ 1900.10 *Purpose.* The Forest Fire Fighters Service has been established, in accordance with the policy of the Facility Security Program of the Office of Civilian Defense, to safeguard forest lands and other timber facilities and resources, to prevent and control fires which might endanger such facilities and resources, and to minimize the effects of any such fires. It shall cooperate with the forest fire protection agencies of the Department of Interior and Department of Agriculture, with State Forestry officials and private forest fire protective organizations.

§ 1900.11 *Insigne.* The basic insigne prescribed for the Forest Fire Fighters Service shall consist of a pine tree, in red, placed in the center of a white equilateral triangle embossed on a circular field of blue. The basic insigne may be included in arm bands and brassards, lapel pins and buttons, sleeve insigne for uniforms, collar and cap emblems for uniforms, automobile stickers and plates, and Certificates of Membership. The use and wear of all official articles embodying the prescribed insigne shall be governed by §§ 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2)[1] and any other rules, regulations, orders, or instructions issued by the Director.

§ 1900.12 *Organization and supervision.* (a) The Forest Fire Fighters Service shall operate under the supervision of the Office of Civilian Defense, Facility Security Branch, and shall be directed by the Timber and Related Facilities Committee which shall consist of appropriate officials in the Department of Interior and the Department of Agriculture, appointed by and responsible to the Director of Civilian Defense.

(b) The Director of Civilian Defense shall appoint, upon the recommendation of the Timber and Related Facilities Committee, a National Coordinator of the Forest Fire Fighters Service to direct its operations subject to the Timber and Related Facilities Committee, and such National Coordinator shall appoint, with the approval of the Director of Civilian Defense, State Coordinators from Federal, State or private forest fire protection agencies.

(c) The State Coordinators shall appoint Local Coordinators from Federal, State or private forest fire protection agencies.

(d) The Local Coordinators shall appoint from the enrolled membership of the Forest Fire Fighters Service, within each locality, a Squad Leader who will have under his control a working unit of from 8 to 10 Forest Fire Fighters.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

JULY 11, 1942.

[F. R. Doc. 42-6714; Filed, July 14, 1942; 4:39 p. m.]

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[1] 7 F.R. 3242.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit O.D.T. 6-G[1]]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART E—LOCAL DELIVERY CARRIERS

DELIVERIES OF LIQUIDS IN BULK

In accordance with the provisions of paragraph (e) of § 501.36 of General Order O.D.T. No. 6[2] as amended,[3] Chapter II of this Title, Part 501, Subpart E, *It is hereby authorized*, That:

§ 521.2006 *Deliveries of liquids in bulk.* Any vehicle, the primary carrying capacity of which is occupied by a mounted tank or tanks designed to carry bulk liquids, when operated by a local carrier in the transportation and delivery of liquids in bulk, is hereby exempted from the provisions of General Order O.D.T. No. 6, as amended, Title 49, Chapter II, Part 501, Subpart E, for a period of sixteen (16) days commencing July 16, 1942, and ending July 31, 1942. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 6, 7 F.R. 3008, 7 F.R. 3532, and 7 F.R. 4184)

Issued at Washington, D. C., this 14th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6716; Filed, July 15, 1942; 9:08 a. m.]

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[1] 7 F.R. 4186; 7 F.R. 4933.
[2] 7 F.R. 3008.
[3] 7 F.R. 3532; 7 F.R. 4184.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1516]

DISTRICT BOARD 3—CORNELL COKE CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Bituminous Coal Producers Board for District No. 3 for preliminary and permanent relief regarding the establishment of additional price classifications and minimum prices for the Yale Mine (Mine Index No. 584) of Cornell Coke Company.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party.

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 19, 1942, at 10:00 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 15, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Bituminous Coal Producers Board for District No. 3 requesting preliminary and permanent relief regarding a change in the established classification of "J" in Size Groups 1 to 10, inclusive, to a dual classification of "DJ" for rail shipments, for the coals of the Yale Mine (Mine Index No. 584) of the Cornell Coke Company; the "D" classification to apply to the coal of any

size groups having a sulphur content under 1.35 percent; the "J" classification to apply to the coal of any size group if the sulphur content is in excess of 1.35 percent; and for the establishment of a "B" classification in Size Groups Nos. 11 to 16, inclusive.

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6733; Filed, July 15, 1942; 11:54 a. m.]

[Docket No. B-62]

DICKINSON FUEL CO.

ORDER GRANTING EXTENSION OF TIME

In the matter of J. E. Dickinson and S. E. Tigert, Partners, doing business as Dickinson Fuel Company, registered distributor, Registration No. 2323, Respondent.

On July 13, 1942, respondent filed a petition for extension of ten days within which to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner;

It appearing that the request is reasonable;

Now therefore it is ordered, That the time for filing exceptions to the Examiner's Report be and it hereby is extended until July 24, 1942.

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6734; Filed, July 15, 1942; 11:54 a. m.]

[Docket No. 1802-FD]

BEAVER FORK COAL COMPANY, CODE MEMBER

ORDER DISMISSING COMPLAINT

A written complaint having been filed on July 21, 1941, by Triangle Coal Company, Alliance, Ohio, Code member, District No. 4, as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by Beaver Fork Coal Company, a Code member, defendant in the above-entitled matter, of the Act, the Bituminous Coal Code (the "Code"), and the effective minimum prices established thereunder by selling on June 9, 1941, approximately 50 tons of mine run coal at prices less than the effective minimum price established therefor; and

The complainant, having been advised by letter, dated March 26, 1942, that the aforesaid complaint would be dismissed without prejudice unless within fifteen (15) days from the date thereof the complainant submitted to the Division additional evidence to support the aforesaid complaint or requested the Division to schedule the above-entitled matter for hearing; and

Said complainant having failed to submit such additional evidence or to request the Division to schedule the above-entitled matter for hearing within the fifteen (15) days as required:

Now, therefore, it is ordered, That said complaint of Triangle Coal Company, filed by it with the Division on July 21, 1941, alleging wilful violation by Beaver Fork Coal Company of the Act, the Code and the effective minimum prices established thereunder, be, and the same hereby is dismissed without prejudice.

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6735; Filed, July 15, 1942; 11:54 a. m.]

[Docket No. B-262]

G. W. ROSE COAL CO.

NOTICE OF FILING OF APPLICATION FOR DISPOSITION OF COMPLIANCE PROCEEDING WITHOUT FORMAL HEARING

In the matter of G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, Code Member.

Notice is hereby given that an application dated June 8, 1942 for the disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the "Division") on June 10, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Bituminous Coal Division, by G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, the above-named Code member (the "Code member").

In said application the Code member:

1. Admits that the allegations of the complaint dated May 13, 1942, filed against the applicant by Bituminous Coal Producers Board for District No. 8 on May 14, 1942, are in all respects true and that as alleged in said complaint he wilfully violated the Bituminous Coal Code and the effective minimum prices established thereunder by selling, delivering and offering to sell to various purchasers on various dates between October 2, 1940 and August 23, 1941, approximately 104 tons of High Volatile Size Group 5, (for truck shipment), 1¼" x 2" nut coal produced by the applicant in District No. 8 from the applicant's mine (Mine Index No. 2388) at a price of $1.55 per net ton f. o. b. the mine, the effective minimum price established for such sales, deliveries, and offers to sell being $2.25 per net ton f. o. b. the mine.

2. States that to the best of his belief and knowledge he has not committed any violation of the Act, the Code, or the regulations thereunder other than the violation specifically referred to and admitted in said application.

3. States that upon facts represented and admitted therein, the applicant consents to the entry of an Order directing him to Cease and Desist from violations of the Code and the regulations thereunder.

All interested parties desiring to do so may file with the Division recommendations or requests for formal conference in respect to such application within fifteen (15) days from the date of this notice.

Dated: July 13, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6736; Filed, July 15, 1942; 11:54 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT IN CERTAIN INDUSTRIES

NOTICE OF AMENDMENT OF CERTIFICATES

In the matter of amendment of the certificates applying to the employment of learners under section 14 of the Fair Labor Standards Act in the single pants, shirts and allied garments, women's apparel, sportswear, rainwear, robes and leather and sheep-lined garments divisions of the apparel industry.

All holders of special learner certificates in the single pants, shirts and allied garments, women's apparel, sportswear, rainwear, robes and leather and sheep-lined garments divisions of the apparel industry issued pursuant to Regulations Applicable to the Employment of Learners in the Apparel Industry, published in the FEDERAL REGISTER on September 7, 1940, or issued pursuant to Regulations Applicable to the Employment of Learners in the Single Pants, Shirts and Allied Garments and Women's Apparel Industries, published in the FEDERAL REGISTER on September 23, 1941 and made effective on September 29, 1941 by later amendment, are notified that the terms of such certificates are hereby amended as of July 20, 1942 to provide for the employment of learners in accordance with the terms of the Regulations Applicable to the Employment of Learners in the single pants, shirts and allied garments, women's apparel, sportswear, rainwear, robes and leather and sheep-lined garments divisions of the apparel industry, (Part 522, §§ 522.160 to 522.165—Chapter V, Wage and Hour Division, published in the FEDERAL REGISTER, June 25, 1942), effective July 20, 1942.

Each holder of a certificate in these industries will be sent a copy of the amended terms of the certificate. Any holder who has not received the amendment by July 20, 1942 should apply to the Hearings Branch, Wage and Hour Division, New York, New York, for his copy.

Signed at New York, New York this 11th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6722; Filed, July 15, 1942; 11:31 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of Issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 16, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Star Coat Front Co., 90 Wareham St., Boston, Massachusetts; coat fronts (canvas); 5 learners (T); July 16, 1943.

Single Pants, Shirts, and Allied Garments and Women's Apparel

Nelly Ann Dress Co., 140 West 54th St., Chicago, Illinois; ladies cotton dresses and slack outfits, ladies defense garments; 10 percent (T); July 16, 1943.

Pendleton Woolen Mills, Plant No. 2, 746 S. Los Angeles St., Los Angeles, California; slacks, leisure jackets, shirts, frontier jackets and trousers and robes; 10 percent (T); July 16, 1943.

A. Morganstern & Co., Fredericksburg, Virginia; pants; 10 percent (T); July 16, 1943.

Millinery

Adler Manufacturing Co., 19 Townsend St., Port Chester, New York; millinery novelties; 10 percent (T); January 16, 1943.

Signed at New York, N. Y., this 14th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6723; Filed, July 15, 1942; 11:31 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-27]

CANNED FRUIT COCKTAIL, ETC.

PROPOSED DEFINITION AND STANDARD OF IDENTITY, STANDARD OF QUALITY, AND STANDARD OF FILL OF CONTAINER

Proposed Order

It is proposed that, by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046, 21 U.S.C. 1940 ed. 341, sec. 403 (h), 52 Stat. 1047, 21 U.S.C. 1940 ed. 343 (h), and sec. 701, 52 Stat. 1055, 21 U.S.C. 1940 ed. 371); the Reorganization Act of 1939 (53 Stat. 561–565, 5 U.S.C. 1940 ed. 133–133r); Reorganization Plans Nos. I and IV (53 Stat. 1423; 5 U.S.C. 1940 ed. Plan No. 1 and 54 Stat. 1234, 5 U.S.C. 1940 ed. Plan No. IV); and on the basis of the evidence received at the above-entitled hearings duly held pursuant to notices thereof issued by the Federal Security Administrator on December 11, 1940 (5 F.R. 4899) and April 10, 1942 (7 F.R. 2748), the following order be promulgated.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the Assistant General Counsel, Room 2242, South Building, 14th Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof.

QUALITY

Findings of Fact

1. The use of canned fruit cocktail for cocktail, salad, and dessert purposes makes an appetizing appearance a relatively important factor in its quality. (R., pp. 84, 208–9, 226, 231, 233, 315–6)[1]

2. Insofar as the appearance of canned fruit cocktail is not controlled by natural factors it is largely dependent upon the size and shape of the units of peach, pear and pineapple; upon the absence from the food of cracked or crushed grapes or grapes from which the cap stems have not been removed; upon the absence of adhering peel on the units of pear and peach; upon the freedom of the units of peach, pear, grape and cherry ingredient from blemishes; and upon the uniformity of color of the units of cherry ingredient, when artificially colored cherries are used. (R., pp. 198–9, 203–4, 205, 206–9, 231, 315–7, 318, 326, 330, 334, 337, 344–5, 350–1, 354–5, 386–7, 389)

3. Canned fruit cocktail is not of good quality when the units of peach, pear and pineapple are too large for use as a cocktail or dessert or are not of reasonably uniform shape. Such defects impair the utility and appearance of the food. The presence of an excessive number of small units tends to make the product unsightly and to increase the difficulty of heat processing, with resulting disintegration. The size and shape of grapes and of the units of the cherry ingredient are controlled by the natural dimensions of the fruits, and are not sufficiently variable to affect adversely the quality of the product. (R., pp. 105–6, 199–200, 202–3, 315–6, 318–20, 363–5, 377–83, 388)

4. Throughout the life of the product the units of peach, pear, and pineapple when diced have been diced in machines in which the cutting knives are ordinarily set at one-half inch intervals. Such machines do not always cut units to perfectly uniform size, and the heat processing results in a small amount of shrinkage in the size of the units. (R., pp. 201, 243, 251, 320–1)

5. The diced units of peach, pear and pineapple are sifted and sorted to remove those which are too large, too small, or misshapen. (R., pp. 199, 320–1)

6. When cut and sorted in the customary manner such units are usually about one-half inch in each dimension, but there are occasional units having one or more dimensions as great as three-fourths inch. There are also many units having one or more dimensions as small as five-sixteenths inch. (R., pp. 201–3, 320–1, 322–4)

7. When the units of pineapple are sectors rather than dice, they are prepared from rings as such rings are commonly cut for canning. The length and thickness of the sectors is determined by the size of the rings. (R., pp. 203–4, 326)

8. The sectors of pineapple ordinarily conform to the following dimensions: The length of the outside arc is more than ⅜ inch but is not more than ¾ inch; the thickness is more than 5/16 inch but is not more than ½ inch; the length

[1] The page references to certain relevant portions of the record are for the convenience of the reader. However, the findings are based upon a consideration of all the evidence of record at the hearing and not solely on that portion of the record to which reference is made.

(measured along the radius from inside arc to outside arc) is more than ¾ inch but not more than 1¼ inch. (R., pp. 203–4)

9. It is impossible in the exercise of due care under good manufacturing practices to avoid some units of peach, pear and pineapple which fail to conform to the specifications set forth in findings 6 and 8 because of the irregularity of the natural shape of the fruits and because of the impracticability of completely efficient sorting. In addition, when the units are heated in the can, some breakage results. For these reasons a tolerance on units of peach, pear and pineapple which do not conform to such measurements is necessary. (R., pp. 199–200, 202, 204, 322–4, 326–8)

10. The experience of the fruit cocktail canning industry over a period of years demonstrates that where due care is exercised under good commercial practices, not more than 20 percent by weight of the units of peach, 20 percent by weight of the units of pear, or 20 percent by weight of the units of pineapple will fail to conform to such specifications for size. A convenient and accurate method of determining whether the diced units fall below five-sixteenths inch in edge dimensions is to determine whether they pass through the meshes of a sieve designated as five-sixteenths inch in table I of "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. (R., pp. 197–8, 199–200, 202–4, 322, 324–5, 327–30, 374–5)

11. When the units of peach, pear, and pineapple conform to such tolerance, canned fruit cocktail is of acceptable quality to consumers generally in respect of the shape and size of such units for the reason that such units are reasonably uniform in size and shape and are acceptable for the customary uses of the food. When the units do not conform to such tolerance, the food is inferior in quality and frequently would not serve the purposes for which it is bought. (R., pp. 197–8, 200–1, 231–3, 319–20, 328–9, 374–5, 385–8, 394–5)

12. Canned fruit cocktail is not of good quality when significant quantities of peel remain on the units of peach and pear since adhering peel on such units is unsightly and unpleasant to eat. (R., pp. 206–8, 231–3, 317, 337, 391)

13. Peach peel and pear peel are ordinarily easily removed in their entirety in the preparation of the units of fruit for canning. (R., pp. 338–40, 371–2)

14. Occasionally, even when due care is exercised under good manufacturing practices, some adhering peel will escape attention in the hand-sorting of the units and for this reason a tolerance on adhering peel is necessary. (R., pp. 339–40)

15. The experience of the industry demonstrates that a reasonable tolerance for adhering peel on the units of peach and pear in canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices, is not more than one square inch for each pound of such fruit. For the purpose of applying this tolerance, the weight of such units of peach or pear is computed as that proportion of the weight of the net contents of the container which the weight of such drained units bears to the total weight of fruit drained from the container. (R., pp. 206–9, 341–4, 372–3, 374–5)

16. When the units of peach and pear conform to such tolerance on adhering peel canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from adhering peel for the reason that such units are relatively free from peel, and are acceptable for the customary uses of the food. When the units do not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought. (R., pp. 206, 209, 231–2, 341–2, 374–5, 391, 394–5)

17. When the units of peach, pear, grape and the cherry ingredient are blemished with scab, hail injury, scar tissue, discoloration, or other abnormalities, they are unappetizing and canned fruit cocktail containing them is not of good quality. Freedom from a substantial quantity of such blemished units is a significant factor in consumers' preference among canned fruit cocktails. Blemishes on pineapple are not a significant occurrence in the canning of canned fruit cocktail. (R., pp. 231–2, 344–5, 347–8, 350–1, 367–8, 392)

18. Some peaches, pears, grapes and cherries are so blemished in their natural condition. Such blemished fruits are ordinarily removed by hand-sorting both by the producer of the fruit and the fruit cocktail manufacturer, but removal cannot be accomplished with absolute efficiency. For this reason a tolerance on blemished units of peach, pear, grape and the cherry ingredient is necessary. (R., pp. 215–17, 345–6, 348–9, 350–2)

19. The experience of the industry has demonstrated that a tolerance of 20 percent of blemished units of peaches, pears or grapes and of 15 percent of blemished units of the cherry ingredient is a reasonable tolerance for canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices. (R., pp. 216–17, 346–7, 349–50, 352–3, 368–70, 374–5)

20. When the units of peach, pear, grape and the cherry ingredient conform to such tolerance on blemished units, canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from blemishes on such units for the reason that such units are relatively free from blemishes and are acceptable for the customary uses of the food. When the units do not conform to such tolerance, the food is inferior in quality and frequently would not serve the purposes for which it is bought. (R., pp. 206–8, 231–2, 346–7, 353, 374–5, 392, 394–5)

21. When the grapes in canned fruit cocktail are crushed or cracked to the extent of being severed into two parts, the canned fruit cocktail is unsightly and unappetizing. Freedom from such grapes is a significant factor in consumers' preferences among canned fruit cocktails. (R., pp. 231–2, 317–8, 330–2, 389–90)

22. If not carefully handled mature grapes crush easily. Such crushed grapes are ordinarily segregated and discarded, along with grapes which are so cracked, prior to the time they are placed in the can. In the hand-sorting of the fruit, however, some crushed grapes escape attention. Heat-processing of canned fruit cocktail so as to prevent spoilage unavoidably cracks some of the grapes into two parts after they are packed in the container. For these reasons a tolerance on crushed grapes and grapes so cracked is necessary. (R., pp. 204–5, 332–3)

23. The experience of the industry has demonstrated that by the exercise of due care under good manufacturing practices not more than 10 percent of the grapes in the finished canned fruit cocktail are cracked to the extent of being severed into two parts or crushed to the extent that their normal shape is destroyed, and that a tolerance of 10 percent of such cracked and crushed grapes is a reasonable tolerance on such grapes for canned fruit cocktail. (R., pp. 204–5, 333–4, 374–5)

24. When the units of grape conform to such tolerance the canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from crushed and cracked grapes for the reason that the food is reasonably free from cracked or crushed grapes and is acceptable for the customary uses of canned fruit cocktail. When the units do not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought. (R., pp. 204, 231–2, 317–8, 330, 374–5, 389–90, 394–5)

25. Grapes are attached by a small cap stem to the larger stem of an entire bunch. When a grape is removed from the bunch, the cap stem frequently remains attached to the grape. Such stems are inedible and unsightly and their presence is a significant factor in consumers' preference among canned fruit cocktails. (R., pp. 205–6, 317–8, 334)

26. Canned fruit cocktail which contains any significant quantity of grapes with attached cap stems is not of good quality. (R., pp. 205–6, 317–8, 334)

27. It is the practice in the industry to remove such cap stems by the use of a stemming machine, followed by inspection and hand removal. Even under careful supervision such operation involves occasional oversights which make a tolerance on attached cap stems necessary. (R., pp. 205, 334–5)

28. The experience of the industry demonstrates that by the exercise of due care under good manufacturing practices, not more than 10 percent of the grapes in the finished canned fruit cocktail have their cap stems attached, and that a tolerance of 10 percent of grapes with attached cap stems is a reasonable tolerance on such grapes for canned fruit cocktail. (R., pp. 205–6, 335, 374–5)

29. When the grapes conform to such tolerance on attached cap stems canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from grapes with attached cap stems for the reason that it is reasonably free from cap stems and is acceptable for all the customary uses of fruit cocktail. When it does not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought. (R., pp. 205–6, 317–8, 335–6, 374–5, 394–5)

30. If the units of cherry ingredient in canned fruit cocktail are artificially colored and each unit is not evenly colored, the appearance of the canned fruit cocktail is impaired and its desirability is lessened. Uniformity of distribution of color on each unit of the cherry ingredient is a significant factor in consumers' preference among fruit cocktails. (R., pp. 208, 354–5, 393)

31. Artificial coloring does not contribute the same intensity of color to all cherries and for this reason a tolerance on cherries other than uniformly red in color is necessary. (R., pp. 355–7, 370)

32. Under normal canning operations not more than 15 percent of the cherries remaining after they have been hand-graded are other than uniformly red in color, and a tolerance of 15 percent is a reasonable tolerance on artificially colored cherries other than uniformly red in color. (R., pp. 208, 357–8, 373–4, 374–5)

33. When the artificially colored cherry ingredient conforms to such tolerance canned fruit cocktail is of acceptable quality to consumers generally because its appearance is not materially impaired. When it does not conform to such tolerance it is inferior in quality. (R., pp. 354–5, 358, 374–5, 393, 394–5)

34. When canned fruit cocktail falls below standard in quality in any respect, a statement on the label as follows: "Below Standard in quality. Good Food—Not high grade", is a simple, informative and adequate statement of that fact. Because the food is a mixture of several fruits it is not practicable to state on the label in what particular the food falls below standard in quality. Such statement serves its purpose when it appears on the label in the following manner and form:

The statement "Below Standard in Quality Good Food—Not High Grade" is printed in two lines of Cheltenham bold condensed caps. The words "Below Standard in Quality" constitute the first line, and the second immediately follows. If the quantity of the contents of the container is less than 1 pound, the type of the first line is 12-point, and of the second, 8-point. If such quantity is 1 pound or more, the type of the first line is 14-point, and of the second 10-point. Such statement is enclosed within lines, not less than 6 points in width, forming a rectangle. Such statement with enclosing lines, is on a strongly contrasting, uniform background, and is so placed as to be easily seen when the name of the food or any pictorial representation thereof is viewed, wherever such name or representation appears so conspicuously as to be easily seen under customary conditions of purchase. (R., pp. 209–10, 217–21, 223, 360, 397–8)

Upon the basis of the foregoing detailed findings of fact, it is found that the promulgation of the following regulation fixing and establishing a standard of quality for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, and specifying the manner and form of a label statement of substandard quality, will promote honesty and fair dealing in the interest of consumers; and that it gives consideration to and makes due allowance for the differing characteristics of the several varieties of the fruits present in canned fruit cocktail.

Regulation

§ 27.041 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—Quality; label statement of substandard quality.* (a) The standard of quality for canned fruit cocktail is as follows:

(1) Not more than 20 percent by weight of the units in the container of peach or pear, or of pineapple if the units thereof are diced, are more than ¾ inch in greatest edge dimension, or pass through the meshes of a sieve designated as 5/16 inch in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the National Bureau of Standards, U. S. Department of Commerce. If the units of pineapple are in the form of sectors, not more than 20 percent of such sectors in the container fail to conform to the following dimensions: The length of the outside arc is not more than ¾ inch but is more than ⅜ inch; the thickness is not more than ½ inch but is more than 5/16 inch; the length (measured along the radius from the inside arc to the outside arc) is not more than 1¼ inches but is more than ¾ inch.

(2) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one grape in a container containing less than ten grapes, is cracked to the extent of being severed into two parts or is crushed to the extent that their normal shape is destroyed.

(3) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one grape in a container containing less than ten grapes, has the cap stem attached.

(4) There is present in the finished canned fruit cocktail not more than one square inch of pear peel per each one pound of drained weight of units of pear plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of the units of pear bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in § 27.042.

(5) There is present in the finished canned fruit cocktail not more than one square inch of peach peel per each one pound of drained weight of units of peach plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of units of peach bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in § 27.042.

(6) Not more than 15 percent of the units of cherry ingredient, and not more than 20 percent of the units of peach, pear, or grape, in the container is blemished with scab, hail injury, scar tissue or other abnormality.

(7) If the cherry ingredient is artificially colored, the color of not more than 15 percent of the units thereof in a container containing more than six units, and of not more than one unit in a container containing six units or less, is other than evenly distributed in the unit or other than uniform with the color of the other units of the cherry ingredient.

(b) If the quality of canned fruit cocktail falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.020 (a), in the manner and form therein specified.

FILL OF CONTAINER

Findings of Fact

1. Canned fruit cocktail is purchased and used by consumers primarily for its fruit content although the liquid present is a necessary and valuable adjunct; and the quantity of fruit units present is a significant factor in consumers' preference among canned fruit cocktails. (R., pp. 242, 252–3)

2. The maximum quantity of fruit units which can be placed in each size of container is limited by the undesirable effects of forcing too large a quantity of fruit units into the container. Such undesirable effects are that when the quantity of fruit units present is too large, the quantity of liquid present must be so limited that the length of time required for heat-processing would be unduly extended, and this excessive processing would frequently disintegrate the units of fruit and would often damage their flavor and color. In addition sufficient space for enough liquid adequately to sweeten the fruit cocktail would not be available in the case of sweetened canned fruit cocktails. (R., pp. 242–3, 253–4)

3. A quantity of fruit units which may be placed in the container under all ordinary circumstances without detrimental effect on the fruit is such quantity as results in a drained weight of units of fruit of not less than 65 percent by weight of the water capacity of the container. Such quantity represents the amount of fruit by weight which experienced producers regard as the maximum quantity of fruit which can always be present, upon the basis of observation and test of a large number of cans of fruit cocktail. (R., pp. 241, 242–3, 249, 250–4)

4. The weight of water which a container will hold is a convenient method of specifying the capacity of the container and is well-known to canners generally. The method for determining the water capacity of containers prescribed in § 10.010 (a) of the general regulations under the Federal Food, Drug, and Cosmetic Act, as follows, gives accurate, reliable and uniform results under all conditions:

(1) In the case of a container with lid attached by double seam, cut out the lid without removing or altering the height of the double seam.

(2) Wash, dry, and weigh the empty container.

(3) Fill the container with distilled water at 68° Fahrenheit to 7/8 inch vertical distance below the top level of the container, and weigh the container thus filled.

(4) Subtract the weight found in (2) from the weight found in (3). The difference shall be considered to be the weight of water required to fill the container.

In the case of a container with lid attached otherwise than by double seam, remove the lid and proceed as directed in clauses (2) to (4) inclusive, except that under clause (3) fill the container to the level of the top thereof. (R., pp. 243–4, 248–9, 261–2)

5. In order that uniform determinations may be made it is necessary that a fixed method for determining the weight of fruit present be prescribed. A method which gives accurate, uniform, and reliable results under all normal conditions, and which is well-known to canners generally is as follows:

Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table 1 of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit. (R., pp. 239–41, 254–5)

6. Containers of canned fruit cocktail which contain fruit units in a quantity less than 65 percent by weight of the water capacities of the containers, as determined by the foregoing methods, are not so filled as to promote honesty and fair dealing in the interest of consumers in the absence of a label statement that they are below standard in fill. (R., pp. 249–50)

7. When canned fruit cocktail is below standard in fill of container the statement on the label, "Below Standard in Fill" is a simple, understandable, and adequate statement of that fact when appearing on the label in the following manner and form:

The statement "Below Standard in Fill" is printed in Cheltenham bold condensed caps. If the quantity of the contents of the container is less than 1 pound, the statement is in 12-point type; if such quantity is 1 pound or more, the statement is in 14-point type. Such statement is enclosed within lines, not less than 6 points in width, forming a rectangle. Such statement with enclosing lines, is on a strongly contrasting, uniform background, and are so placed as to be easily seen when the name of the food or any pictorial representation thereof is viewed, wherever such name or representation appears so conspicuously as to be easily seen under customary conditions of purchase. (R., pp. 361–3)

Upon the basis of the foregoing detailed findings of fact it is found that the promulgation of the following regulation fixing and establishing a standard of fill of container for canned fruit cocktail, canned cocktail fruits, canned fruit for cocktail, and specifying the manner and form of a label statement of substandard fill of container will promote honesty and fair dealing in the interest of consumers.

Regulation

§ 27.042 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—Fill of container; label statement of substandard fill.* (a) The standard of fill of container for canned fruit cocktail is a fill such that the total weight of drained fruit is not less than 65 percent of the water capacity of the container, as determined by the general method for water capacity of containers prescribed in § 10.010 (a). Such total weight of drained fruit is determined by the following method:

Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

(b) If canned fruit cocktail falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.020 (b), in the manner and form therein prescribed.

[SEAL] WATSON B. MILLER,
Acting Administrator.

JULY 12, 1942.

[F. R. Doc. 42–6717; Filed, July 15, 1942; 10:20 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3118–25]

GRANITE TEXTILE MILLS, INC.

ORDER GRANTING PERMISSION TO AGREE TO ADJUST PRICES UPON DELIVERY MADE DURING PENDENCY OF THIS PETITION IN ACCORDANCE WITH DISPOSITION THEREOF

Order No. 1 under Maximum Price Regulation No. 118[1]—Cotton Products.

On June 4, 1942, Granite Textile Mills, Inc., Midland Park, New Jersey, filed a petition for amendment, exception or adjustment to Maximum Price Regulation No. 118, pursuant to the provisions of § 1400.114 of Maximum Price Regulation No. 118. Pending consideration of this petition and for the reasons set forth in an Opinion which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, it has been determined to allow petitioner to enter into adjustable pricing contracts. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and, in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Granite Textile Mills, Inc., may enter into agreements with the purchasers of its products manufactured at Granite Textile Mills, Inc., located at Midland Park, New Jersey, to adjust prices upon deliveries made during the pendency of its petition for amendment, exception or adjustment, in accordance with the disposition of said petition.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally disposed of.

(c) Unless the context otherwise requires, the definitions set forth in § 1400.115 of Maximum Price Regulation No. 118 shall apply to the terms used herein.

(d) This Order No. 1 shall become effective on the 16th day of July 1942.

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6740; Filed, July 15, 1942; 12:02 p. m.]

[Docket No. 3041–3]

HUGHES TOOL CO.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 1 under Revised Price Schedule No. 41[3]—Steel Castings.

On July 2, 1942, Hughes Tool Company, 300 Hughes Street, Houston, Texas filed a petition for an exception pursuant to § 1306.108 of Revised Price Schedule No. 41, as amended. Due consideration has been given to the petition, and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration: *It is hereby ordered:*

(a) Hughes Tool Company, Houston, Texas, in ascertaining the maximum price which it may charge for steel armor castings for tanks produced by it at its plant in Houston, Texas, may add to the maximum prices otherwise established for such castings by Revised Price Schedule No. 41, the lowest applicable railroad charge for the transportation of an identical quantity of steel armor castings for tanks from its foundry in Houston, Texas, to the consumer's plant only to the extent that such charge exceeds the lowest applicable railroad charge for the transportation of an identical quantity of such steel castings from its foundry in Houston, Texas, to New Orleans, Louisiana.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1306.109 of Revised Price Schedule No. 41 shall apply to the terms used herein.

(e) This Order No. 1 shall become effective July 15, 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6739; Filed, July 15, 1942; 12:03 p. m.]

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 1281, 2001, 4667.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 7–610 and 7–611]

EASTERN SUGAR ASSOCIATES—NEW YORK CURB EXCHANGE

ORDER DISPOSING OF APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July, A. D. 1942.

In the matter of applications by the New York Curb Exchange for permission to extend unlisted trading privileges to Eastern Sugar Associates Voting Trust Certificates for Preferred $5 Cumulative Stock, $1 Par Value; Voting Trust Certificates for Common Stock, $1 Par Value.

The New York Curb Exchange having made application to the Commission pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12–1, for permission to extend unlisted trading privileges to Voting Trust Certificates for Preferred $5 Cumulative Stock, $1 Par Value and Voting Trust Certificates for Common Stock, $1 Par Value of Eastern Sugar Associates, and

After appropriate notice, a public hearing having been held in this matter; and the Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act that the Application of the New York Curb Exchange to extend unlisted trading privileges to the Voting Trust Certificates for Preferred $5 Cumulative Stock, $1 Par Value of Eastern Sugar Associates be and the same is hereby approved.

It is further ordered, That the Application of the New York Curb Exchange for permission to extend unlisted trading privileges to the Voting Trust Certificates for Common Stock, $1 Par Value of Eastern Sugar Associates be and the same is hereby denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–6711; Filed, July 14, 1942; 3:05 p. m.]

[File No. 31–522]

KENTUCKY NATURAL GAS CORPORATION (DEL.)

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July 1942.

An application pursuant to section 3 (a) (3) of the Public Utility Company Act of 1935 having been duly filed with this Commission by Kentucky Natural Gas Corporation, a corporation organized and existing under the laws of the State of Delaware, for exemption for itself and all its subsidiaries from the provisions of the Act;

It appearing to the Commission that it is appropriate and in the public interest, and interest of investors and consumers, that hearing be held with respect to said matter;

It is ordered, That a hearing on such application shall be held on July 28, 1942, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause may be shown why such application should be granted.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be here or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 21, 1942.

It is further ordered, That without limiting the scope of the issues presented by said application, particular attention will be directed at such hearing to the following matters and questions:

1. Whether Kentucky Natural Gas Corporation is only incidentally a holding company being primarily engaged or interested in a business other than that of a public utility company.

2. Whether it owns substantially all the outstanding securities of its public utilities subsidiaries.

3. Whether it is necessary or appropriate in the public interest or for the protection of the investors and consumers to impose terms and conditions in respect of said application.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–6712; Filed, July 14, 1942; 3:05 p. m.]

[File No. 70–553]

UTILITIES POWER & LIGHT OPERATING CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of July 1942.

Utilities Power & Light Operating Corporation having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) and Rule U-46 promulgated under said Act, regarding the following transaction:

Utilities Power & Light Operating Corporation, a wholly-owned service company subsidiary of Ogden Corporation, a registered holding company, proposes to dissolve and to distribute its remaining assets consisting of cash and an account receivable, aggregating $10,000, to Ogden Corporation as a liquidating dividend.

Said declaration having been filed on May 27, 1942, and the last amendment thereto having been filed on June 27, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pur-

[1] 7 F.R. 971.

suant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hear thereon; and

The Commission deeming it appropriate in the public interest and for the protection of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6713; Filed, July 14, 1942; 3:05 p. m.]

JUL 20 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 140

Washington, Friday, July 17, 1942

The President

PROCLAMATION 2562

AMENDMENTS OF REGULATIONS RELATING TO MIGRATORY BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Secretary of the Interior, under authority and direction of and in compliance with section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), the administration of which act was transferred to the said Secretary on July 1, 1939 by Reorganization Plan No. II (53 Stat. 1431), has adopted and submitted to me the following amendments, which he has determined to be suitable amendments of certain of the regulations approved by Proclamation No. 2345 of August 11, 1939,[1] as last amended by Proclamation No. 2518 of October 16, 1941,[2] permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of migratory birds and parts, nests, and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936:

AMENDMENTS OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

Under authority and direction of section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), the administration of which act was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (53 Stat. 1431), I, Harold L. Ickes, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of said conventions and act to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and, in accordance with such determinations, do hereby amend, as specified, the regulations approved by Proclamation No. 2345 of August 11, 1939, as last amended by Proclamation No. 2518 of October 16, 1941, and as so amended do hereby adopt such regulations as suitable regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds," is amended to read as follows:

Regulation 4.—Open Seasons on and Possession of Certain Migratory Game Birds

Waterfowl (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; Ross' geese, and swans), coots, rails and gallinules, woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons may be taken each day from sunrise to sunset, except in Alexander County, Illinois, geese may be taken only from sunrise to 12:00 o'clock noon, during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the num-

[1] 4 F.R. 3621.
[2] 6 F.R. 5303.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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bers permitted by regulations 3 and 5 of these regulations, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Alaska, Puerto Rico, or in the District of Columbia during the period constituting the open season where taken and for an additional period of 30 days next succeeding said open season, but no such bird shall be possessed in any State, Alaska, Puerto Rico, or the District of Columbia at a time when such State, Alaska, Puerto Rico, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except insofar as may be permitted by the Secretary of the Interior under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Waterfowl and coot. The open seasons on waterfowl (except geese in Alexander County, Illinois, snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; Ross' geese, and swans), and coot, in the several States, Alaska, and Puerto Rico, shall be as follows, both dates inclusive:

In Maine, Michigan, Minnesota, Montana, New Hampshire, North Dakota, Ohio (except Pymatuning Reservoir and one quarter of a mile distant in any direction from said Reservoir), South Dakota, Vermont, Wisconsin, and Wyoming, September 26 to December 4.

On the Pymatuning Reservoir in Ashtabula County, Ohio, and one quarter of a mile distant in any direction from said Reservoir, October 15 to December 23.

In California (except on the Colorado River and within ten miles of its western bank), Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Missouri, Nebraska, Nevada, New Jersey, New York (except certain hereinafter designated portions of Essex, Clinton, and Washington Counties) including Long Island, Oklahoma, Oregon, Pennsylvania, Rhode Island, Utah, Washington, and West Virginia, October 15 to December 23.

On the Colorado River in California and within ten miles of its western bank, November 2 to January 10.

In those portions of Essex and Clinton Counties, New York, east of the Delaware and Hudson Railroad tracks and that part of Washington County east of the aforesaid tracks to and including the town of South Bay and all of the waters of South Bay and one mile distant from such waters in any direction, September 26 to December 4.

In Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, New Mexico, North Carolina, South Carolina, Tennessee, Texas, and Virginia, November 2 to January 10.

In Puerto Rico, December 15 to February 12.

In Fur Districts 1 and 3 in Alaska, as defined in the regulations governing the taking of game in Alaska adopted June 8, 1940 (5 F. R. 2288), September 21 to November 29; and in the remainder of Alaska, September 1 to November 9: *Provided*, That scoters, locally known as sea coots, may be taken in open coastal waters only, beyond outer harbor lines, in Maine and New Hampshire from September 15 to September 30; and in Connecticut, Massachusetts, New York including Long Island, and Rhode Island, from September 15 to October 15, and thereafter from land or water during the open seasons for other waterfowl in these States.

Geese, in Alexander County, Illinois, October 15 to December 13.

Rails and gallinules (except coot). The open season on rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Alabama, November 20 to January 31.

Louisiana, September 15 to December 15.

Maine, and Wisconsin, September 26 to December 4.

Massachusetts, and New York, including Long Island, October 15 to December 23.

Minnesota, September 16 to November 30.

Puerto Rico, December 15 to February 12.

California, District of Columbia, Hawaii, Idaho, Montana, Nevada, Oregon, Tennessee, and Washington, no open season.

Woodcock. The open seasons on woodcock shall be as follows, both dates inclusive:

That part of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany and north of the tracks of the main line of the Boston & Albany Railroad extending from Albany to the Massachusetts State line, and in Vermont, and Wisconsin, October 1 to October 15.

That part of New York lying south of the line above described and in Connecticut, and Indiana, October 15 to October 29.

That part of New York known as Long Island, and in New Jersey, and Rhode Island, November 1 to November 15.

Arkansas, and Oklahoma, December 1 to December 15.

Delaware, and Maryland, November 15 to November 29.

Louisiana, and Mississippi, December 15 to December 29.

Maine, New Hampshire, and Ohio, October 10 to October 24.

Massachusetts, October 20 to November 3.

Michigan, in Upper Peninsula, October 1 to October 15; in remainder of State, October 15 to October 29.

Minnesota, October 3 to October 18.

Missouri, November 10 to November 24.

Pennsylvania, October 24 to November 7.

Virginia, November 20 to December 4.

West Virginia, October 17 to October 31.

Mourning or turtle dove. The open seasons on mourning or turtle dove shall be as follows, both dates inclusive:

In Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina, December 1 to December 30.

Arizona, California, Kansas, Nevada, New Mexico, and Oklahoma, September 1 to October 12.

Delaware, Kentucky, Maryland, and Virginia, September 16 to October 15.

Idaho, September 1 to September 10.

Illinois, and Missouri, September 1 to September 30.

Minnesota, September 16 to September 30.

Oregon, September 1 to September 15.

Tennessee, October 1 to October 30.

Texas, in Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Throckmorton, Young, Palo Pinto, Parker, Johnson, Ellis, Kaufman, Van Zandt, Rains, Hopkins, Franklin, and Red River Counties, and all counties north thereof, September 1 to October 12; in remainder of State, September 16 to October 27.

White-winged dove. The open seasons on white-winged dove shall be as follows, both dates inclusive:

Arizona, September 1 to September 15.

Texas, September 16 to September 25.

Band-tailed pigeon. The open seasons on band-tailed pigeon shall be as follows, both dates inclusive:

Arizona, New Mexico, and Washington, September 16 to October 15.

California, December 1 to December 30.

Oregon, September 1 to September 30.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds," is amended to read as follows:

Regulation 5.—Daily Bag and Possession Limits on Certain Migratory Game Birds

A person may take in any one day during the open seasons prescribed therefor in regulation 4 of these regulations not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers hereinafter specified, except that no person on the opening day of the season may possess any migratory game birds in excess of the daily limits herein prescribed.

Ducks. Ten in the aggregate of all kinds including in such limit not more than 1 wood duck, or more than 3 singly or in the aggregate of redheads and buffleheads; and any person at any one time may possess not more than 20 ducks in the aggregate of all kinds but not more than 1 wood duck, nor more than 6 of either or both of redheads or buffleheads.

Geese and brant (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; and Ross' geese). Two in the aggregate of all kinds including blue geese, and, in addition, four blue geese, or a total of not more than 6 blue geese if no other kinds are taken, but any person at any one time may possess not more than 6 geese, including brant, in the aggregate of all kinds of which not more than 4 in any combination may be of species other than blue geese, provided a person may possess 6 blue geese if he has no other kinds of geese, including brant.

Rails and gallinules (except sora and coot). Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Sora. Fifteen, and any person at any one time may possess not more than 15.

Coot. Twenty-five, and any person at any one time may possess not more than 25.

Woodcock. Four, and any person at any one time may possess not more than 8.

Mourning or turtle dove and white-winged dove. Ten in the aggregate of both kinds, and any person at any one time may possess not more than 10 in the aggregate of both kinds.

Band-tailed pigeon. Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, including coot and gallinules, woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons taken in Canada, Mexico, or other foreign country and brought into the United States, as to those taken in the United States.

Regulation 6, "Shipment, Transportation, and Possession of Certain Migratory Game Birds," is amended to read as follows:

Regulation 6.—Shipment, Transportation; and Possession of Certain Migratory Game Birds

Migratory game birds of a species on which open seasons are prescribed by regulation 4 of these regulations, legally taken, and parts thereof, may be transported in or out of Alaska, subject to regulations under The Alaska Game Law (43 Stat. 739), as amended, Puerto Rico, or the State where taken, during the respective open seasons in Alaska, Puerto Rico, or in that State. Such birds when legally taken in and exported from Canada or Mexico, and if from Mexico when they are accompanied by a Mexican export permit, may be transported into the United States during the open seasons where killed.

Not more than the number of such birds permitted by regulation 5 of these regulations to be taken by one person in one day, or in 2 days in the case of woodcock and ducks (except wood ducks), nor more than 6 geese, including brant, in the aggregate of all kinds of which not more than 4 in any combination may be species other than blue geese shall be transported by any one person in 1 calendar week out of Alaska, Puerto Rico, or the State where taken or from Canada or Mexico into the United States.

No such birds, or parts thereof, shall be transported from any State, Alaska, Puerto Rico, or the District of Columbia to or through another State, Alaska, Puerto Rico, or the District of Columbia, or to or through Canada or Mexico, contrary to the laws of the place in which they were taken or from, to, or through which they were transported; nor shall any such birds be imported into the United States from Canada or Mexico contrary to the laws of the place in which they were taken or from, to, or through which they were transported.

Any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Alaska, Puerto Rico, or District during the period constituting the open season where taken, and for an additional period of 30 days next succeeding said open season. Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof.

Migratory game birds imported from countries other than Canada and Mexico. Migratory game birds of a species on which open seasons are prescribed by regulation 4 of these regulations, legally taken in and exported from a foreign country (other than Canada and Mexico, for which provision is hereinbefore made) may be transported by any one person in 1 calendar week in numbers not exceeding those permitted by regulation 5 of these regulations to be taken by one person in 1 day, or in 2 days in the case of woodcocks, ducks (except wood ducks), but not more than 6 geese, including brant, in the aggregate of all kinds of which not more than 4 in any combination may be species other than blue geese, to any State, Alaska, or Puerto Rico during the open season prescribed by said regulation 4 for such State, Alaska, or Puerto Rico on that species, and to the District of Columbia during the open season so prescribed for Maryland, and may be possessed in such State, Alaska, or Puerto Rico for an additional period of 30 days immediately succeeding such open season, if transportation and possession of such birds are not prohibited by such State, Alaska, Puerto Rico, or District and if transported in packages marked as hereinbefore provided in this regulation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 7th day of July, 1942.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

AND WHEREAS upon consideration it appears that the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United

States of America, do hereby approve and proclaim the foregoing amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of July in the year of our Lord nineteen hundred and forty-

[SEAL.] two, and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-6759; Filed, July 16, 1942; 10:59 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[1942 C.C.C. Soybean Form 1—Instructions]

PART 230—1942 SOYBEAN LOANS

INSTRUCTIONS CONCERNING SOYBEAN LOANS AND PURCHASES

Commodity Credit Corporation has authorized the making of loans on farm-stored soybeans or the purchase of soybeans stored in approved warehouses or delivered to designated delivery points in accordance with these instructions.

Sec.

230.1 Definitions.
230.2 Loans.
230.3 Purchases.
230.4 General.

AUTHORITY: §§ 230.1 to 230.4 inclusive issued under Sec. 302 (a) 52 Stat. 43; 7 U.S.C. 1302.

§ 230.1 *Definitions.* For the purpose of these instructions and the forms used in connection with loans and purchases made hereunder, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer.* Any person, partnership, association, or corporation producing soybeans in 1942 as landowner, landlord or tenant.

(b) *Eligible soybeans for loans.* Soybeans eligible for loans must be stored on farms and shall be any class grading No. 3 or better with respect to factors other than moisture and having a moisture content not in excess of 14 percent, which were produced in 1942, the beneficial interest to which is and always has been with the eligible producer, except that soybeans grading weevily or which are musty, sour, heating, or have any objectionable foreign odor, shall not be eligible soybeans for loan.

(c) *Eligible soybeans for purchase.* Soybeans eligible for purchase stored in or delivered to an approved warehouse shall be soybeans grading No. 4 or better which were produced in 1942, the beneficial interest to which is and always has been in the eligible producer, except that soybeans which grade weevily, or which are musty, sour, heating, or have any commercially objectionable foreign odor shall not be eligible for purchase.

(d) *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person which has executed a Contract to Purchase (1940 C. C. C. Form E) and filed such contract with a regional office of Commodity Credit Corporation.

(e) *High, medium, and low oil content.* High oil content soybeans of classes I and II are soybeans which are classified as classes I and II under the Official Grain Standards of the United States for soybeans and which have a fat content of not less than 17½ percent on a 10 percent moisture basis. All soybeans of varieties approved by the State War Board of U. S. classes I and II (yellow and green) produced in the High Oil Content Area shall be deemed to be high oil content soybeans. The High Oil Content Area is comprised of the States of North Dakota, South Dakota, Nebraska, Kansas, Missouri, Kentucky, West Virginia, Maryland, Delaware, and all States north and east thereof: *Provided*, That: (1) there shall be excluded from such area any county in any State described above if it is determined on the basis of representative samples of classes I and II (yellow and green) soybeans that the soybeans generally grown in such county have a fat content less than 17½ percent on a 10 percent moisture basis; and (2) there shall be included in such area any county in any State not enumerated above if it is determined on the basis of representative samples of classes I and II (yellow and green) soybeans that the soybeans of such classes generally grown in such county have a fat content of not less than 17½ percent on a 10 percent moisture basis.

Medium oil content soybeans of classes I and II shall be soybeans which are classified as classes I and II under the Official Grain Standards of the United States for soybeans and which have a fat content of less than 17½ percent on a 10 percent moisture basis. All soybeans of classes I and II produced in areas other than the High Oil Content Area as defined above shall, in the absence of proof to the contrary, be deemed to be medium oil content soybeans.

High oil content soybeans of classes III, IV, and V (brown, black, and mixed) shall be soybeans which are classified as classes III, IV, and V under the Official Grain Standards of the United States for soybeans and which have a fat content of not less than 17½ percent on a 10 percent moisture basis.

Low oil content soybeans of classes III, IV, and V (brown, black, and mixed) shall be soybeans which are classified as classes III, IV, and V under the Official Grain Standards of the United States for soybeans and which have a fat content of less than 17½ percent on a 10 percent moisture basis. All soybeans of classes III, IV, and V produced in the United States shall, in the absence of proof to the contrary, be deemed to be low oil content soybeans unless grown in a county as to which it is determined on a basis of representative samples of classes III, IV, and V that soybeans of such classes generally grown in such county have a fat content of not less than 17½ percent on a 10 percent moisture basis, in which case the soybeans shall be deemed to be high oil content soybeans.

§ 230.2 *Loans*—(a) *Amount.* The basic loan values for No. 1 and No. 2 soybeans shall be in accordance with the following schedules:

(1) Soybeans of classes I and II (green and yellow):

(i) $1.65 per bushel for high oil content.

(ii) $1.55 per bushel for medium oil content.

(2) Soybeans of classes III, IV, and V (brown, black, and mixed):

(i) $1.55 per bushel for high oil content.

(ii) $1.45 per bushel for low oil content.

(3) Soybeans of any class grading No. 3 with respect to factors other than moisture and having not more than 14 percent moisture shall be discounted 3 cents per bushel below the basic loan value for No. 1 or No. 2.

(b) *Maturity and interest.* Loans on eligible soybeans will be available after the 1942 harvest begins and through March 31, 1943. Loans will mature on demand, but not later than June 30, 1943. Consent for storage of the soybeans on the farm until September 1, 1943, will be required. The loan rate includes a 5-cent per bushel storage allowance which may be retained by the borrower if the soybeans are delivered to Commodity Credit Corporation in payment of the loan at maturity or prior thereto if payment is demanded for a reason other than damage to the collateral or misrepresentation by the borrower. If delivery is made prior to maturity due to damage or threatened damage to the collateral the producer shall refund to the Corporation an amount equal to ½ cent per bushel per month for each month or fraction thereof he fails to store the beans, to June 30, 1943, not to exceed a total of 5 cents per bushel. Loans will be made on a note and chattel mortgage basis, using C.C.C. Grain Form A (Revised) (note) and C.C.C. Grain Form AA (Revised) (chattel mortgage).

(c) *Determination of quantity of soybeans.* Loans shall be made at values expressed in cents per bushel, a bushel being determined to be 60 pounds when determined by weight or 1.25 cubic feet of soybeans testing 60 pounds per bushel when determined by measurement. In determining the quantity of soybeans stored by measurement, fractional pounds of the test weight per bushel for soybeans testing less than 60 pounds will be disregarded, and the quantity determined by measurement shall be adjusted by the following respective percentages:

For soybeans testing—	Percent
60 pounds or over	100
59 pounds or over, but less than 60 pounds	98
58 pounds or over, but less than 59 pounds	97
57 pounds or over, but less than 58 pounds	95
For soybeans testing—	Percent
56 pounds or over, but less than 57 pounds	93
55 pounds or over, but less than 56 pounds	92
54 pounds or over, but less than 55 pounds	90
53 pounds or over, but less than 54 pounds	88
52 pounds or over, but less than 53 pounds	87

(d) *Farm storage.* Soybeans shall have been stored in the granary for a reasonable period, determined by the county committee, prior to inspection for measurement, sampling, and sealing. In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will inspect and approve storage facilities and will arrange for measuring, sampling, grading, and sealing the soybean collateral in approved structures. Chattel mortgages covering farm-stored soybeans must be executed and filed in accordance with the applicable State law. Producers should obtain information and assistance from the county agricultural conservation committees in regard to the execution and filing of such chattel mortgages. Where the borrower is a tenant, the expiration date of the lease must be given in the chattel mortgage and if such date is prior to September 1, 1943, the landlord must execute the Consent for Storage in the chattel mortgage. The Consent for Storage agreement must also be executed by any other party or parties entitled to possession prior to September 1, 1943. Each producer must designate in the chattel mortgage a shipping point reasonably convenient for the delivery of the soybeans as determined by the county committee. A separate note and chattel mortgage must be submitted for soybeans stored on each quarter section of land.

(e) *Source of loans.* Loans may be obtained through banks and other lending agencies as defined in § 230.1 hereof, or direct from the Commodity Credit Corporation.

(f) *Purchase of loans.* Commodity Credit Corporation will purchase without recourse, notes evidencing loans only from lending agencies which have executed and delivered to a regional office of Commodity Credit Corporation, Contract to Purchase, 1940 C.C.C. Form E. Notes held by lending agencies must be tendered to the Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request or at least 10 days prior to maturity in the absence of written demand. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the outstanding face amount of such notes, plus accrued interest from the date of disbursement by the lending agency to the date of payment of the purchase price at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly on 1940 C.C.C. Form F all repayments or collections on producers' notes held by them and to remit with such report to the office of Commodity Credit Corporation, an amount equivalent to 1½ percent per annum on the principal amount collected from the date of disbursement by the lending agency to the date of repayment.

(g) *Release of collateral.* A borrower may obtain the return of his note and redeem the collateral at any time prior to delivery of the collateral to Commodity Credit Corporation, upon payment of the principal amount due thereon, plus accrued interest. Borrowers may repay directly notes that are held by lending agencies or if the notes are held by Commodity Credit Corporation, they may request that notes be forwarded to a local bank for collection, or remit an amount sufficient to pay the outstanding principal and interest. Partial payment of a note and partial release of collateral may be arranged with the county agricultural conservation committee.

§ 230.3 *Purchases*—(a) *Amount.* The basic price to be paid for No. 1 and No. 2 soybeans shall be in accordance with the following schedule:

(1) Soybeans of classes I and II (green and yellow):

(i) $1.60 per bushel for high oil content.

(ii) $1.50 per bushel for medium oil content.

(2) Soybeans of classes III, IV, and V (brown, black, and mixed):

(i) $1.50 per bushel for high oil content.

(ii) $1.40 per bushel for low oil content.

(3) The following schedule of discounts shall be applicable to soybeans grading lower than No. 2:

(i) Test weight—½ cent per bushel for each pound or fraction thereof under 54 pounds;

(ii) Moisture—1½ cents per bushel for each ½ percent moisture in excess of 14 percent, moisture readings to be rounded to the nearest ½ percent;

(iii) Splits—¼ cent per bushel for each 5 percent or fraction thereof in excess of 15 percent;

(iv) Damage—1 cent per bushel for each 1 percent or fraction thereof in excess of 3 percent, but not in excess of 5 percent, plus 2 cents for each 1 percent or fraction thereof in excess of 5 percent;

(v) Foreign material other than dockage—1½ cents per bushel for each 1 percent in excess of 2 percent.

(b) *Place of purchase and period available.* Purchases of eligible soybeans placed in storage in an approved warehouse or delivered to a designated point for shipment will be made at any time after harvest and through June 30, 1943. The rates established apply to a 60-pound bushel of soybeans free from dockage. Lists of approved warehouses and approved points of delivery shall be obtainable from county agricultural conservation committees.

(c) *Source of purchases.* Purchases will be made pursuant to C.C.C. Purchase Form B, Memorandum of Purchase, which must be executed by the producer and approved by a member of the county agricultural conservation committee or other designated person. Memorandums of purchase will be forwarded by agricultural conservation committee to the regional office of Commodity Credit Corporation for approval and payment.

§ 230.4 *General*—(a) *Liens.* Soybeans offered as collateral or for purchase must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or the memorandum of purchase. The names of all existing lienholders such as landlord, laborers, threshers, or mortgagees must be listed in the space provided therefor in the mortgage or memorandum of purchase. The waiver and consent to sell or mortgage the soybeans and payment of the proceeds to the producer as contained in the mortgage or purchase memorandum must be signed personally by all lienholders listed or by their duly authorized agents; or, if corporation, by an officer thereof customarily authorized to execute such instruments. Waivers of lienholders may be executed on separate instruments if complete identification of the commodity and the producer is shown.

(b) *County agricultural conservation committees.* Local county agricultural conservation committees will administer the loan and purchase program within a county and will determine eligibility of producers and soybeans. All loan and purchase forms will be obtainable from offices of county committees and must be approved by the committee prior to disbursement of proceeds. A service fee in connection with each loan will be collected by the county committee to cover the expenses incurred in the operation of the program.

(c) *Regional office of Commodity Credit Corporation.* The regional office of Commodity Credit Corporation, 208 South La Salle Street, Chicago, Illinois, will handle all soybean loans for the Corporation. All direct loans and memorandums of purchase should be forwarded to such office for disbursement. In submitting reports of repayments or soybean notes for purchase, lending agencies should address the regional office at Chicago only.

Dated: June 24, 1942.

[SEAL] C. C. FARRINGTON,
Acting President.

[F. R. Doc. 42-6760; Filed, July 16, 1942; 11:15 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 204—RESERVES OF MEMBER BANKS

MISCELLANEOUS AMENDMENTS

On July 14, 1942, the Board of Governors of the Federal Reserve System amended Part 204 in the following respects to become effective immediately:

1. Section 204.2 (a) is amended by striking from the last paragraph thereof the words "by the Banking Act of 1935."

2. Section 204.2 (c) is amended by striking out the word "checks" and sub-

stituting in lieu thereof the word "items" and by changing the period at the end of the section to a colon and adding the following:

Provided, however, That the Federal Reserve Bank may, in its discretion, refuse at any time to permit the withdrawal or other use of credit given in its reserve account for any item for which the Federal Reserve Bank has not received payment in actually and finally collected funds.

3. Section 204.3 (c) is amended by striking out the words "and the personal liability of the directors permitting violations of the laws."

4. Section 204.4 is hereby repealed.

(Sec. 11 (c), (e), (i), 38 Stat. 262, sec. 10, 40 Stat. 239, sec. 4, 40 Stat. 970, sec. 207, 49 Stat. 706, sec. 324, 49 Stat. 714, Public No. 656, 77th Congress; 12 U.S.C. 248 (c), (e), (i), 462, 466, 12 U.S.C., Sup., 462b, 461, 462a1, 465)

By the Board of Governors of the Federal Reserve System.

[SEAL] S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-6765; Filed, July 16, 1942; 11:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 231]

GRADUATES OF FORT WORTH NAVAL TRAINING SCHOOL

ISSUANCE OF COMMERCIAL PILOT CERTIFICATES

Graduates of Naval Training School, Fort Worth, Texas, may be issued commercial pilot certificates by the Administrator of Civil Aeronautics.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 11th day of July 1942.

It appearing that:

(a) Certain Naval aviators of the United States Navy and Marine Corps are receiving special training in the operation of Douglas DC-3 aircraft at the Naval Training School, Fort Worth, Texas;

(b) The United States Navy desires to assign graduates of this course to air carriers for the training as members of the flight crew aboard air carrier aircraft engaged in air transportation;

(c) In order for such Naval aviators to operate air carrier aircraft engaged in air transportation they must be possessed of commercial pilot certificates and appropriate ratings issued pursuant to the Civil Air Regulations;

(d) Such Naval aviators cannot obtain commercial pilot certificates under the present provisions of the Civil Air Regulations governing the issuance of such certificates to the holders of military ratings;

(e) The training received by such Naval aviators is equivalent to that prescribed by the Civil Air Regulations for the issuance of a commercial pilot certificate and that it is desirable that such persons be issued such certificates;

The Board finds that:

Its action is desirable in the public interest and is necessary for the furtherance of the war effort;

Now, therefore, the Civil Aeronautics Board acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 601 thereof, makes and promulgates the following special regulation, effective immediately:

Notwithstanding any provisions of the Civil Air Regulations to the contrary, any Naval aviator who is a graduate of the special course in the operation of Douglas DC-3 aircraft given at the Naval Training School, Fort Worth, Texas, may be issued a valid commercial pilot certificate and appropriate rating for the operation of Douglas DC-3 aircraft, and any such graduate who is also possessed of a Navy Qualified Instrument Rating may be issued the instrument rating prescribed by the Civil Air Regulations.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6767; Filed, July 16, 1942; 11:52 a. m.]

CERTAIN NAVY OR MARINE CORPS PILOTS USE AS ADDITIONAL CREW MEMBERS

[Regulations, Serial No. 232]

Navy or Marine Corps pilots assigned to duty for training with an air carrier may be used as additional members of crew in scheduled air carrier operations.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 13th day of July 1942.

It appearing that:

(a) The United States Navy desires to have certain of its personnel assigned as additional crew members of scheduled air carrier aircraft for the purpose of familiarizing such personnel with air carrier operations and procedures;

(b) Section 61.50 limits the use of pilots in scheduled air carrier operations to those who have been rated competent for the particular air carrier operation by the Administrator;

(c) Section 61.7802 prohibits any person, other than a first or second pilot, from manipulating the controls of a scheduled air carrier aircraft while in flight: *Provided,* That at the discretion of the first pilot such restriction does not apply to authorized inspectors of the Administrator or to properly qualified company personnel or to properly qualified personnel of other air carriers;

(d) It appears desirable to permit air carriers to assign members of the Navy or Marine Corps as additional crew members during scheduled air transportation in order that such personnel will have an opportunity for observing and acquiring experience in the conduct of scheduled air carrier operations and procedures;

The Board finds that:

Its action is desirable in the public interest, and is necessary to the furtherance of the war effort;

Now, therefore, the Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 601 of said Act makes and promulgates the following special regulation, effective immediately:

Notwithstanding any provisions of the Civil Air Regulations to the contrary, any Naval aviator of the Navy or Marine Corps, possessed of an appropriate and valid commercial pilot certificate or airline transport pilot certificate, who is assigned to duty for training with an air carrier, may be used by the air carrier to which he is assigned as an additional member of the flight crew of aircraft engaged in scheduled air transportation and, at the discretion of the first pilot, such Naval aviator may manipulate the controls of such aircraft: *Provided,* That no such Naval aviator, possessing only a commercial pilot certificate, shall manipulate the controls of such aircraft during operations under instrument conditions unless he is also possessed of a valid instrument rating issued by the Administrator.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6766; Filed, July 16, 1942; 11:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3972]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

D. D. D. CORPORATION

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y10) *Advertising falsely or misleadingly—Scientific or other relevant facts.* Disseminating, etc., in connection with offer, etc., of respondent's D. D. D. Prescription, or any other substantially similar medicinal preparation, any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (1) that respondent's preparation D. D. D. Prescription is a cure or remedy for eczema, or that it has any therapeutic value in the treatment thereof in excess of affording relief from the symptom of itching; (2) that respondent's preparation D. D. D. Prescription is a cure or remedy for pimples or hives, or that it has any therapeutic value in the treatment thereof, in excess of affording relief from the symptom of itching; (3) that respondent's preparation has any therapeutic value in the treatment of any disorder of the skin caused by internal or systemic conditions, in excess of affording relief from the symptoms of itching; (4) that said preparation has any therapeutic value in the treatment of blotches or rashes appearing on the skin, when due to systemic or constitutional conditions; (5) that respondent's preparation has any therapeutic value in the treatment of athlete's foot, insect bites, and cases of ivy and oak poisoning, in excess of that afforded by the alleviation of the symptom of itching, or that afforded by the use of an antipruritic, astringent, antiseptic, and mildly germicidal agent; or which represent, directly or through inference, (6) through the use of the words "and other externally caused skin eruptions", or other words or phrases of similar import or meaning, in connection with diseases or conditions which may be of a systemic or internal origin, that such diseases and conditions are in fact, solely of external origin or that respondent's preparation has therapeutic value in the treatment of such diseases and conditions regardless of their origin; or (7) through the use of the words "stop itching" or other words or phrases of similar import or meaning, that respondent's preparation will either permanently or temporarily eliminate the disease or condition causing the symptom of itching or has any therapeutic value in excess of that afforded by the alleviation of the symptom of itching, or that afforded by the use of an antipruritic, astringent, antiseptic, and mildly germicidal agent; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45l) [Modified cease and desist order, D. D. D. Corporation, Docket 3972, July 8, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1942.

This proceeding coming on for further hearing before the Federal Trade Commission and it appearing that on April 19, 1941, the Commission made its findings as to the facts herein and concluded therefrom that respondent had violated the provisions of the Federal Trade Commission Act and issued and subsequently served its order to cease and desist; and it further appearing that on February 12, 1942, the United States Circuit Court of Appeals for the Seventh Circuit rendered its opinion and on April 4, 1942 issued its decree modifying the aforesaid order of the Commission in certain particulars and affirming said order in other particulars.

Now therefore, pursuant to the provisions of Subsection (l) of Section 5 of the Federal Trade Commission Act, the Commission issues this, its modified order to cease and desist in conformity with said decree:

It is ordered, That the respondent, D. D. D. Corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of its medical preparation, D. D. D. Prescription, or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating, or causing to be disseminated, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference,

(a) That respondent's preparation D. D. D. Prescription is a cure or remedy for eczema, or that it has any therapeutic value in the treatment thereof in excess of affording relief from the symptom of itching;

(b) That respondent's preparation D. D. D. Prescription is a cure or remedy for pimples or hives, or that it has any therapeutic value in the treatment thereof, in excess of affording relief from the symptom of itching;

(c) That respondent's preparation has any therapeutic value in the treatment of any disorder of the skin caused by internal or systemic conditions, in excess of affording relief from the symptoms of itching;

(d) That said preparation has any therapeutic value in the treatment of blotches or rashes appearing on the skin, when due to systemic or constitutional conditions;

(e) That respondent's preparation has any therapeutic value in the treatment of athlete's foot, insect bites, and cases of ivy and oak poisoning, in excess of that afforded by the alleviation of the symptom of itching, or that afforded by the use of an antipruritic, astringent, antiseptic, and mildly germicidal agent;

(f) Through the use of the words "and other externally caused skin eruptions," or other words or phrases of similar import or meaning, in connection with diseases or conditions which may be of a systemic or internal origin, that such diseases and conditions are in fact, solely of external origin or that respondent's preparation has therapeutic value in the treatment of such diseases and conditions regardless of their origin;

(g) Through the use of the words "stop itching" or other words or phrases of similar import or meaning, that respondent's preparation will either permanently or temporarily eliminate the disease or condition causing the symptom of itching or has any therapeutic value in excess of that afforded by the alleviation of the symptom of itching, or that afforded by the use of an antipruritic, astringent, antiseptic, and mildly germicidal agent.

(2) Disseminating, or causing to be disseminated, any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said medicinal preparation D. D. D. Prescription, which advertisement contains any of the representations prohibited in Paragraph 1 hereof and the respective subdivisions thereof.

It is further ordered, That respondent shall within thirty (30) days after the service upon it of this order file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6753; Filed, July 16, 1942; 10:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 802—GENERAL LICENSES

METAL DRUMS AND CONTAINERS

Paragraphs (a) and (c) of § 802.14 *Metal drums and containers*[1] are amended to read as follows:

(a) General licenses are hereby issued permitting exportation to all destinations of metal drums and containers having a capacity of ten gallons or less, when filled with commodities the exportation of which has been authorized by license: *Provided,* That the drums and containers are of a type reasonably suited for the exportation of such commodities.

* * * * *

(c) General licenses are hereby issued permitting exportation to destinations designated by numbers 1 through 81 in § 802.2 (a), of metal drums and containers, regardless of capacity, when filled with chemicals or petroleum products the exportation of which has been authorized by an individual export license issued prior to July 15, 1942.

This amendment shall become effective July 15, 1942. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Export Control Branch,
Office of Exports.

[F. R. Doc. 42-6743; Filed, July 15, 1942; 4:46 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 955—MATERIAL ENTERING INTO THE CONSTRUCTION OF DEFENSE PROJECTS

[Amendment 1 to Preference Rating Order P-19]

By virtue of the authority vested in the Director General for Operations, it is hereby ordered that:

All serial numbers, except Nos. 1 through 81, of Preference Rating Order P-19 (§ 955.1)[2] are hereby amended as follows:

Paragraph (a) (3) is hereby amended to read as follows:

(3) "Supplier" means any person with whom a contract or purchase order has

[1] 7 F.R. 5007.
[2] 6 F.R. 3592.

been placed for delivery of Material to the builder or to another supplier.

Paragraph (a) is hereby further amended by adding the following subparagraph (5):

(5) "Expendible material" means material which will be wholly consumed by the builder at the location and during the construction of the Defense Project including (but not limited to) explosives, abrasives, perishable tools, forms, scaffoldings, and the like. "Expendible material" shall not be deemed to include fuel, construction machinery or repair parts for construction machinery.

Paragraph (b) is hereby amended to read as follows:

(b) *Assignment of preference rating.* Preference Rating ---------- is hereby assigned to deliveries to the builder of expendible material and material which will be physically incorporated into the Defense Project.

Paragraphs (c) and (d) are hereby revoked, and the following paragraph (c) is hereby substituted therefor:

(c) *Application and extension of preference rating.* (1) The preference rating assigned hereby may be applied by the builder to deliveries of expendible material and material which will be physically incorporated into the Defense Project in conformity with the provisions of Priorities Regulation No. 3 [2] as amended.

(2) Any supplier to whom the preference rating hereby assigned has been applied or extended by the builder or by another supplier may extend such rating in conformity with the provisions of Priorities Regulation No. 3 [2] as amended.

Paragraph (f) is hereby amended to read as follows:

(f) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, the builder shall retain for a period of 2 years for inspection by representatives of the War Production Board, endorsed copies of all purchase orders or contracts to which the rating assigned hereby has been applied, whether accepted or rejected, segregated from all other purchase orders or contracts and filed in such manner that they can be readily segregated for such inspection.

Paragraph (i) is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6756; Filed, July 16, 1942; 10:51 a. m.]

[2] 7 F.R. 250, 1566, 4422, 4833, 5404.

PART 1028—DOMESTIC COOKING APPLIANCES

[Amendment 1 to Supplementary Limitation Order L-23-b [1]]

Section 1028.3 (Supplementary Limitation Order L-23-b) is hereby amended in the following particulars:

Paragraph (a) is hereby amended by adding at the end thereof the following new subparagraphs:

(5) "New domestic electric range" means any domestic electric range which has never been used by an ultimate consumer, including, but not limited to any such range which has been used merely for demonstration purposes unless such use occurred prior to May 2, 1942.

(6) "Manufacturer" means any person who manufactures or assembles any new domestic electric range.

(7) "Dealer" means any person (other than a manufacturer or distributor) engaged in the business of making sales at retail of new domestic electric ranges to the public.

(8) "Distributor" means any person engaged in the business of selling new domestic electric ranges to dealers for resale.

(9) "Factory sales value" means the manufacturer's maximum wholesale price, as determined by Price Schedule No. 64, issued by the Office of Price Administration, as amended from time to time.

Paragraph (c) is hereby amended to read as follows:

(c) *Restrictions on the distribution of new domestic electric ranges.* On and after May 2, 1942, notwithstanding the terms of any contract, agreement, or commitment to the contrary, no person shall transfer any new domestic electric range, (whether manufactured before or after May 2, 1942) except that:

(1) Any new domestic electric range may be transferred in fulfillment of any order or contract bearing a preference rating of A-9 or higher, assigned prior to July 16, 1942.

(2) Any new domestic electric range which was actually in transit on May 2, 1942, may be delivered to its immediate destination.

(3) Any new domestic electric range may be transferred pursuant to specific authorization of the Director General for Operations on Form PD-423.

(4) On and after July 16, 1942:

(i) Any new domestic electric range may be transferred in fulfillment of any contract, subcontract or purchase order for delivery of any such range to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, provided that such range is not acquired for resale purposes;

(ii) Any new domestic electric range may be transferred in fulfillment of any purchase order or contract to which a preference rating of A-10 of higher has been assigned pursuant to any of the following preference rating orders: P-19-d, P-55 [3] or P-110;

(iii) Any new domestic electric range which was in the inventory of a dealer on July 16, 1942, may be transferred by any person to any other person without limit as to the number of transfers of any such range which may be made, provided that any transfer of such a range to an ultimate consumer (other than a transfer coming under the provisions of subparagraphs (1), (2), (3), (4) (i) or (4) (ii) of this paragraph (c)) must be in accordance with the provisions of subdivision (v) of this paragraph (c) (4);

(iv) Any new domestic electric range which has a factory sales value of $80.00 or more may be freely transferred, provided that any transfer to an ultimate consumer (other than a transfer coming under the provisions of subparagraphs (1), (2), (3), (4) (i) or (4) (ii) of this paragraph (c)) must be made in accordance with the provisions of subdivision (v) of this paragraph (c) (4);

(v) Any transfer of a new domestic electric range to an ultimate consumer (other than a transfer coming under the provisions of subparagraph (1), (2), (3), (4) (i) or (4) (ii) of this paragraph (c)) permitted by this order, may be made only if the transferee signs a certificate in writing (which shall constitute a representation to the transferor and to the War Production Board), either

(*a*) That a new domestic electric range is required to replace one which is worn-out, damaged beyond repair or destroyed, or

(*b*) That no other cooking equipment is available, that the premises are wired for the installation of a domestic electric range, and that electric utility service facilities for range operation are installed.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6755; Filed, July 16, 1942; 10:51 a. m.]

[1] 7 F.R. 3323.

PART 1046—SUPPLIERS

[Exemption 7 to Suppliers' Inventory Limitation Order L-63 [1]]

§ 1046.10 *Exemption 7 to Suppliers' Inventory Limitation Order L-63.* Pursuant to paragraph (b) (6) of Suppliers' Inventory Limitation order No. L-63 as amended, the Director General for Operations hereby exempts from the provision of said order all suppliers located outside of the 48 States of the United States and the District of Columbia.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6757; Filed, July 16, 1942; 10:51 a. m.]

[1] 7 F.R. 2630, 3081, 3390, 3662, 3878, 4480.
[2] 6 F.R. 4842; 7 F.R. 217, 1636.

PART 1112—OFFICE MACHINERY

[Amendment 1 to General Limitation Order L-54-c [1]]

Section 1112.4, General Limitation Order L-54-c, is hereby amended in the following respects:

Subparagraphs (1) and (2) of paragraph (c) are amended to read as follows:

(1) *List A quotas.* Between June 1, 1942 and November 30, 1942, inclusive, each manufacturer of the kinds of new office machinery listed in List A shall not manufacture a dollar value (based on retail list prices) of such new office machinery, exclusive of the value of special machines to be delivered under paragraph (e) (1) (ii) and of machines to be delivered free of restrictions pursuant to the provisions of paragraph (e) (1) (iv), in excess of six times the percentage specified in List A of average monthly dollar value (based on retail list prices) of such kinds of new office machinery billed to customers by such manufacturer during calendar year 1941. On and after December 1, 1942, no manufacturer shall produce any of the kinds of new office machinery listed in List A.

(2) *List B quotas.* Between June 1, 1942 and December 31, 1942, inclusive, each manufacturer of the kinds of new office machinery listed in List B shall not manufacture a dollar value (based on retail list prices) of such new office machinery, exclusive of the value of special machines to be delivered under paragraph (e) (1) (ii) and of machines to be delivered free of restrictions pursuant to the provisions of paragraph (e) (1) (iv), in excess of seven times the percentage, specified in List B, of average monthly dollar value, (based on retail list prices) of such kinds of new office machinery billed to customers by such manufacturer during the calendar year 1941.

Subparagraph (6) of paragraph (c) is amended to read as follows:

(6) *Further limitation on production rate.* No manufacturer shall increase his over-all rate of production of new office machinery, including machinery to be delivered under paragraphs (e) (1) (ii) and (e) (1) (iv), above the over-all rate of production of new office machinery at which he was operating during the month of April 1942, unless expressly authorized by the Director General for Operations.

Paragraph (e) (1) (iii) (*a*) is amended to read as follows:

(*a*) *Army and Navy and Maritime Commission.* From time to time, the Director General for Operations will notify manufacturers and dealers on Form PD-423 of quantities of new office machinery which shall be delivered to the Army, the Navy, or the Maritime Commission, without further authorization and in preference to any other deliveries, except when specifically instructed otherwise by the Director General for Operations. On and after the effective date of this order, manufacturers and dealers may not deliver new office machinery on Preference Rating Certificates PD-3 and PD-3A, except to fill back orders of the Army or Navy of the United States pursuant to paragraph (e) (1) (i).

Paragraph (e) (1) (iv) (*a*) and (*b*) are amended to read as follows:

(*a*) Any manufacturer may distribute his stock of any particular kind, model or type of new office machinery free of all restrictions upon delivery imposed under this order by complying with the following restrictions:

(*1*) On or before 30 days after the date of issuance of the original Order L-54-c, such manufacturer shall notify the War Production Board of his intention to deliver any particular kind, model or type of new office machinery free of all restrictions upon delivery imposed under this order, and shall state in his notification the number of machines of each kind, model or type, to be so delivered, specifying the portion of such number already completed and on hand, and the portion subsequently to be assembled.

(*2*) On or before 30 days after the date of issuance of the original Order L-54-c, such manufacturer shall halt all fabrication of parts for such kind, model or type of new office machinery.

(*3*) On or before 60 days after the date of issuance of the original Order L-54-c, such manufacturer shall halt all assembly of such kind, model or type of new office machinery.

(*b*) The notification to the War Production Board, specified in subparagraph (iv) (*a*) (*1*) above, shall take the following form:

Director General for Operations—Ref: L-54-c War Production Board, Washington, D. C.

Pursuant to the provisions of paragraph (e) (1) (iv) of Order L-54-c, the undersigned hereby elects to distribute his stock of the machines listed below without restriction. As a condition of such election, the undersigned will comply with the following order of the War Production Board.

1. To halt all fabrication of parts for new office machinery, of the kinds, models, and types listed below, on or before 30 days after the date of issuance of General Limitation Order L-54-c.

2. To halt all assembly of new office machinery, of the kinds, models and types listed below, on or before 60 days after the date of issuance of General Limitation Order L-54-c.

The following types, kinds and models are subject to this order: (Here insert types of machine, model or style number, unit retail list price, use or application of machine, and the number of machines of this model sold on ratings of A-1-j or better during the first quarter of 1942. Also state the number of machines of this model to be distributed without restriction, specifying the portion of that number already completed and on hand, and the portion to be assembled.)

---------- Company.
By ----------

Paragraph (f) is amended to read as follows:

(f) *Deliveries to dealers and returns to manufacturers.* Without further authorization, manufacturers or dealers may deliver new office machinery to dealers in the following two instances only:

(1) To replace new office machinery delivered by such a dealer to fill an order authorized by the terms of this order L-54-c; or to fill an order authorized by the terms of this Order L-54-c actually received by such dealer. In both instances, the dealer shall furnish to the manufacturer or other dealer a photostat or certified copy of the PD-1A or other authorized basis for delivery of new office machinery. Reproduction of any PD-1A or other document for such purpose is hereby permitted. Without further authorization, dealers may return new office machinery to any manufacturer willing to accept the same, and manufacturers may accept delivery of such new office machinery from dealers.

(2) To store or display such new office machinery on the dealer's premises, provided that the new office machinery so stored or displayed is in the absolute control and ownership of the manufacturer and may be removed, transferred or shipped by such manufacturer at any time in his discretion.

Items (2), (4), and (6) of List A are amended to read as follows:

	Percent
(2) Continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine----------	75
(4) Dictating machines and collateral equipment. Also, machines (except those which are produced for and are delivered to and for the use of the Army, Navy, or Maritime Commission) embodying amplifiers and other facilities for recording telephone conversations, conferences, and wireless messages with near and far voice control--------	25
(6) Microfilm machines designed for office functions----------	67

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6758; Filed, July 16, 1942; 10:51 a. m.]

[1] 7 F.R. 4202.

PART 3004—LITHIUM COMPOUNDS

[General Preference Order M-191]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lith-

ium compounds for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3004.1 *General Preference Order M–191*—(a) *Definitions.* (1) "Lithium compounds" means all salts of the element lithium except crude lithium sodium phosphate and in addition includes lithium metal, lithium hydride, and lithium hydroxide. The term does not include lithium bearing ores;

(2) "Producer" means any person engaged in the production of lithium compounds and includes any person who has any such compound produced for him pursuant to toll agreement;

(3) "Distributor" means any person who purchases or has purchased lithium compounds for resale as such.

(b) *Restrictions on deliveries.* (1) On and after September 1, 1942, no producer or distributor, except as provided in paragraph (b) (3) hereof, shall make delivery of lithium compounds to any person unless and until he shall have been authorized to do so by the Director General for Operations; and no person shall accept delivery of lithium compounds if such delivery would be in violation hereof. Prior to the beginning of each calendar month beginning with September, 1942, the Director General for Operations will issue to all producers and directly or indirectly to all distributors specific authorizations or directions covering deliveries of lithium compounds which may or must be made by such producer or distributor during such month, and he may also during any month, including July and August, 1942, issue such other authorizations or directions as he may deem appropriate or necessary, either with respect to deliveries to be made or with respect to use or uses to which material to be delivered or then on hand is to be put or not to be put. Each producer or distributor, upon being informed of the deliveries which such Director has authorized or directed, shall forthwith notify each of his customers affected thereby.

(2) In the event that any producer or distributor, after receiving notice from the Director General for Operations with respect to a delivery of lithium compounds which he is authorized to make during any month, shall be unable to make such delivery, whether because of receipt of notice of cancellation from his customer or otherwise, such producer or distributor shall forthwith give notice of such fact to the Chemicals Branch of the War Production Board, and shall not in the absence of specific authorization from the Director General for Operations resell or otherwise dispose of the lithium compounds which he is unable to deliver as aforesaid.

(3) This paragraph (b) shall not prevent the delivery to, or acceptance of delivery by, any person in any calendar month of lithium compounds in a quantity of twenty-five lbs. or less, in terms of lithium oxide equivalent.

(c) *Placing of orders and scheduling of deliveries.* (1) Every person who seeks delivery of lithium compounds in any month in a quantity in excess of twenty-five lbs., in terms of lithium oxide equivalent, whether for own use or resale, shall place his order with his supplier for his requirements for each calendar month, commencing with September, 1942, and shall submit with his order Form PD–585, properly executed by him. Where such supplier is a distributor, such order and Form PD–585 shall be filed with such distributor on or before the 10th day of the month preceding the month in which delivery is sought, and such Form PD–585 shall be filed in triplicate. Where such supplier is a producer, such order and Form PD–585 shall be filed with such producer on or before the 15th day of such preceding month and such Form PD–585 shall be filed in duplicate. Where the order filed with a producer is the order of a distributor, the distributor must file with the producer in addition to his own Form PD–585, in duplicate, the original and one copy of each Form PD–585 filed with him pursuant to this paragraph (c) (1) by each customer of his.

(2) Each producer of lithium compounds shall, on or before the 20th day of each month file with the Chemicals Branch of the War Production Board, Washington, D. C., Form PD–586 (in triplicate), properly executed, which shall list among other things a schedule of deliveries of lithium compounds which such producer proposes to make in the succeeding month. The original of each Form PD–586 shall be accompanied by the original of each Form PD–585 submitted to the producer by each customer of his. After such forms have been filed with such Chemicals Branch, any material change of circumstances or matters occurring thereafter pertaining to said Form PD–586 shall forthwith be reported to such Chemicals Branch.

(d) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(4) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C.—Ref.: M–191.

(6) *Violations or false statements.* Any person who wilfully violates any provisions of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6754; Filed, July 16, 1942; 10:51 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[General Order 3]

DELEGATION TO REGIONAL ADMINISTRATORS OF AUTHORITY TO SEND LICENSING WARNING NOTICES

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following order is prescribed.

§ 1305.13 *Order delegating to Regional Administrators authority to send licensing warning notices*—(a) The functions, duties, powers, authority and discretion conferred upon the Price Administrator by section 205 (f) of the Emergency Price Control Act of 1942 shall be exercised by the Price Administrator through the several Regional Administrators of the Office of Price Administration, to the following extent:

(1) Each of the several Regional Administrators of the Office of Price Administration is authorized, within his Region, to send a warning notice by registered mail to any person who, in the judgment of such Regional Administrator, has violated any of the provisions of a license issued under section 205 (f) of the Emergency Price Control Act of 1942, or has violated any of the provisions of any regulation, order, or requirement under section 2 or section 202 (b) of said Act, or any of the provisions of any price schedule effective in accordance with the provisions of section 206 of said Act, which is applicable to such person.

(2) Any warning notice sent by any Regional Administrator pursuant to the authority conferred by this General Order No. 3 (§ 1305.13) shall have the same force and effect as if sent by the Price Administrator.

(b) This General Order No. 3 (§ 1305.13) shall take effect July 18, 1942.

(Pub. Law 421, 77th Cong.).

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6751; Filed, July 15, 1942; 5:06 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 10]

JUDICIAL SALES

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

§ 1305.14 *Judicial sales excluded from operation of price schedules and maximum price regulations, except as specified.* (a) Except as provided in paragraphs (b) and (c) hereof, no provisions of any price schedule or maximum price regulation heretofore or hereafter issued by the Office of Price Administration shall be deemed to apply to any sale, at auction or otherwise, in liquidation of assets, held pursuant to the provisions of any order of sale made or entered by a State or Federal court (hereinafter referred to as a "judicial sale").

(b) This Supplementary Order No. 10 shall not apply to or affect any price schedule or maximum price regulation insofar as the same fixes the maximum price for the following commodities:

(1) *Machinery products.* (i) Second-hand machine tools as defined in and covered by Revised Price Schedule No. 1, or any amendment thereto.

(ii) New machine tools as defined in and covered by Revised Price Schedule No. 67, or any amendment thereto.

(iii) (*a*) Farm equipment.

(*b*) Any second-hand farm equipment having an appraised value in excess of $100. For the purpose of this subdivision (iii), "farm equipment" shall be defined as provided in Maximum Price Regulation No. 133, or any amendment thereto.

(iv) (*a*) Machines and parts.

(*b*) Any second-hand machine or part having an appraised value in excess of $250. For the purpose of this subdivision (iv), "machines and parts" shall be defined as provided in Maximum Price Regulation No. 136, or any amendment thereto.

(2) *Commodities under restrictive order.* (i) Commodities which in the hands of the seller or his legal successor or representative may not be sold or transferred, or may be sold or transferred only to specified persons or classes of persons, or under specified conditions, under applicable rules, regulations or orders of the War Production Board, Office of Price Administration or other governmental agency, or any official of any such.

(ii) And such other commodities as may from time to time hereafter be specifically added by amendment to this paragraph. All commodities enumerated in this paragraph (b), sold or offered for sale at any judicial sale, shall remain subject to all price schedules and maximum price regulations issued by the Office of Price Administration with respect to such commodity.

(c) This order shall not apply to the following sales:

(1) Sales in the course of trade by a trustee in bankruptcy, receiver, administrator, executor, fiduciary or other officer of a court, engaged in continuing a business under court order.

(2) Privately conducted sales and auctions not held pursuant to an order of sale of a State or Federal court.

(3) Sheriffs' sales, constables' or bailiffs' sales, marshals' sales and other sales or auctions held under writ.

(4) Sales by governmental bodies or agencies, held pursuant to statute or ordinance, or both.

All such sales shall remain subject to the provisions of all applicable price schedules and maximum price regulations of the Office of Price Administration.

(d) Whenever used in this Supplementary Order No. 10 the term:

(1) "Court" shall include a judge, referee in bankruptcy, commissioner, special master or other judicial officer.

(2) "Commodity" shall have the definition set forth in section 302 (c) of the Emergency Price Control Act of 1942.

(3) "Legal successor or representative" shall include a receiver, trustee in bankruptcy, administrator, executor or fiduciary.

(e) *Effective date of Supplementary Order No. 10:* This Supplementary Order No. 10 (§ 1305.14) shall become effective July 20, 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6749; Filed, July 15, 1942; 5:09 p. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[Amendment 6 to Revised Price Schedule 7 [1]]

COMBED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Inferior subdivisions (*a*) (2), (*b*) and (*c*) in § 1307.12 (d) (4) (iii) are amended to read as set forth below:

§ 1307.12 *Appendix A: Maximum prices for combed yarns and for mercerizing, bleaching, and/or gassing thereof.* * * *

(d) *Maximum prices for combed yarns not covered by contract prior to December 24, 1941, and for mercerizing, bleaching and/or gassing.* * * *

(4) *Premiums.* * * *

(iii) *Jobbers* (*a*) * * *

(2) Sell combed yarn in lots of 1 to 3 unbroken cases at a premium of 5 percent: *Provided*, That except as set forth below no jobber shall avail himself of this premium in connection with sales in any calendar month in excess of 3,000 pounds to the same customer or 20,000 pounds to all his customers.

(*b*) Thos. D. Toy & Co., 118 East 25th Street, New York, New York, may sell combed yarn:

(*1*) In broken case lots as provided in (*a*) (*1*) of this subdivision;

(*2*) In lots of 1 to 3 unbroken cases at a premium of 5 percent:

Provided, That it may not avail itself of this premium in connection with sales in any calendar month in excess of 5,000 pounds to the same customer or 60,000 pounds to all its customers.

(*c*) Ernest W. Hayward & Co., 407 Fourth Avenue, New York, New York, may sell combed yarn:

(*1*) In broken case lots as provided in (*a*) (*1*) of this subdivision;

(*2*) In lots of 1 to 3 unbroken cases at a premium of 5 percent:

Provided, That it may not avail itself of this premium in connection with sales in any calendar month in excess of 3,000 pounds to the same customer or 40,000 pounds to all its customers.

* * * * * *

§ 1307.11 *Effective dates of amendments.* * * *

(n) Amendment No. 6 (§ 1307.12 (d) (4) (iii)) to Revised Price Schedule No. 7 shall become effective July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6746; Filed, July 15, 1942; 5:05 p. m.]

PART 1340—FUEL

[Amendment 22 to Revised Price Schedule 88 [1]]

PETROLEUM AND PETROLEUM PRODUCTS

CRUDE PETROLEUM, PETTUS FIELD, TEX.

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

A new inferior subdivision (vii) is added to § 1340.159 (c) (1), as follows:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(1) *Crude petroleum.* * * *

(vii) *Texas.* The maximum price at the well for crude distillate produced in the Pettus field, Bee County, Texas, shall be $1.50 per barrel.

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[1] 7 F.R. 1221, 1836, 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664.

[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3895, 3963.

§ 1340.158a *Effective dates of amendments.* * * *

(v) Amendment No. 22 (§ 1340.159 (c) (1) (vii)) to Revised Price Schedule No. 88 shall become effective July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6750; Filed, July 15, 1942; 5:09 p. m.]

PART 1385—NAVAL STORES

[Maximum Price Regulation 179]

PINE OIL

In the judgment of the Price Administrator the prices of pine oil have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of pine oil prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 179 is hereby issued.

Sec.
1385.1 Prohibition.
1385.2 Less than maximum prices.
1385.3 Adjustable pricing.
1385.4 No sales above the General Maximum Price Regulation.
1385.5 Federal and state taxes.
1385.6 Evasion.
1385.7 Records and reports.
1385.8 Enforcement.
1385.9 Petitions for amendment.
1385.10 Definitions.
1385.11 Maximum prices for pine oil.
1385.12 Effective date.

AUTHORITY: §§ 1385.1 to 1385.12, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1385.1 *Prohibition against dealing in pine oil at prices higher than maximum prices.* On and after July 18, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver pine oil and no person shall buy or receive pine oil in the course of trade or business at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1385.13, and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of pine oil to a purchaser if prior to July 18, 1942, such pine oil had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1385.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A hereof (§ 1385.11) may be charged, demanded, paid or offered.

§ 1385.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1385.4 *General Maximum Price Regulation.*[2] The provisions of this Maximum Price Regulation No. 179 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation: *Provided, however,* That nothing herein contained shall be construed to authorize any person to charge for pine oil any price in excess of the price for such pine oil as determined under § 1499.2 of the General Maximum Price Regulation (§ 1499.1 through § 1499.25) issued on April 28, 1942.

§ 1385.5 *Federal and state taxes.* Any tax upon, or incident to the sale, delivery, processing, or use of pine oil imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such pine oil and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during any part of the six-month period ending March 31, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during any part of the six-month period ending March 31, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 179.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 179.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1385.6 *Evasion.* Price limitations set forth in this Maximum Price Regulation No. 179 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to pine oil, alone or in conjunction with any other commodity or by way of commission, service transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

§ 1385.7 *Records and reports.* (a) Every person making sales of pine oil after July 17, 1942, shall keep for inspection by Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or resale, showing the date thereof, the name and address of the buyer, and the seller, the price contracted for or received and the quantity of each type and grade of such pine oil purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may, from time to time, require.

§ 1385.8 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 179, are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 179 or any Price Schedule, Regulation or Order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field or regional offices of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1385.9 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 179 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1385.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 179 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Pine oil" includes the various grades of natural and synthetic pine oil, and alpha terpineol whether made by steam distillation, destructive distillation or synthesis as hereinafter specified.

(3) "Zone 1" includes that part of the continental United States east of the eastern boundary of the states of North Dakota, South Dakota, Nebraska, Oklahoma, and Texas and shall also include the area adjacent to and served from the cities of Omaha, Nebraska; Oklahoma City and Tulsa, Oklahoma; Dallas, Fort Worth and Houston, Texas.

(4) "Zone 2" includes that part of the continental United States not included in Zone 1.

(5) "Basic pine oil" includes all natural pine oil, steam and destructively distilled, of the following minimum specifications with the exception of B 3 Reagent manufactured by the Hercules Powder Company:

Specific Gravity @ 15.6/15.6° C---------- 0.930 mimimum.
Refractive Index @ 20°C--- 1.475 minimum.
Unpolymerized Residue---- 5% maximum.
A. S. T. M. Distillation Range:
Not more than 5% @ 180° C.
Not less than 95% @ 225° C.
Moisture content not more than 1%.
Acidity: not more than 0.5% calculated as acetic acid.

(6) "Alpha Terpineol" includes all natural alpha terpineol of the following minimum specifications:

Specific Gravity @ 15.6/15.6°C---------- 0.938 minimum.
Refractive Index @ 20° C. 1.4832 minimum.
Unpolymerized Residue-- 2.5% maximum.
Total Alcohols---------- 95% minimum to 98½% maximum.
A. S. T. M. Distillation Range:
Not more than 5% @ 210° C.
Not less than 95% @ 225° C.
Moisture content not more than 0.5%.
Acidity: not more than 0.5% calculated as acetic acid.

(7) "Synthetic pine oil" includes all synthetic pine oil of the following minimum specifications with the exception of Beta Pine Oil manufactured by Newport Industries, Incorporated:

Specific Gravity @ 15.6/15.6° C---------- 0.916 minimum.
Refractive Index @ 20° C--- 1.470 minimum.
Unpolymerized Residue---- 3½% maximum.
A. S. T. M. Distillation Range:
Not more than 5% @ 190° C.
Not less than 95% @ 230° C.
Moisture content not more than 0.5%.
Acidity: not more than 0.5% calculated as acetic acid.

(8) "Synthetic Alpha Terpineol" includes all synthetic alpha terpineol of the following minimum specifications:

Specific Gravity @ 15.6/15.6° C---------- 0.940 minimum.
Refractive Index @ 20° C--- 1.482 minimum.
Unpolymerized Residue ---- 1% maximum.
Total Alcohols---------- 95% minimum.
A. S. T. M. Distillation Range:
Not more than 5% @ 214° C.
Not less than 95% @ 225° C.
Moisture content not more than 0.5%.
Acidity: not more than 0.5% calculated as acetic acid.

(9) "Light gravity pine oil" includes all natural pine oil or related products of the following minimum specifications:

Specific Gravity @ 15.6/15.6° C---------- 0.900 minimum.
Refractive Index @ 20° C--- 1.475 minimum.
Unpolymerized Residue---- 5% maximum.
A. S. T. M. Distillation Range:
Not more than 5% @ 180° C.
Not less than 95% @ 225° C.
Moisture content not more than 1%.
Acidity: not more than 0.5% calculated as acetic acid.

(10) For the purposes of conversion from gallons to pounds a gallon shall be deemed to weigh 7.8 pounds.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1385.11 *Appendix A: Maximum prices for pine oil.* (a) The maximum prices for pine oil shall be either the seller's maximum price as determined under § 1499.2 of the General Maximum Price Regulation[3] or the maximum prices established by this appendix A incorporated herein as § 1385.11, whichever is lower.

(b) The following maximum prices in dollars per gallon are established for pine oil f. o. b. producer's plant:

Class	Tank cars	Carload drums or barrels	Less carload drums or barrels
Basic pine oil	$0.55	$0.60	$0.63
Alpha terpineol	1.05	1.10	1.13
Light gravity pine oil	.50	.55	.58

(c) *Synthetic pine oil.* The maximum price per gallon for synthetic pine oil in tank cars f. o. b. producer's plant shall not exceed its cost of production plus an amount equal to the average dollar and cents mark-up for tank car sales over the average cost of production obtained by its producer for natural basic pine oil during 1941. To this price may be added 5 cents per gallon for sales in carload drum or barrel quantities and 8 cents per gallon for sales in less than carload drum or barrel quantities.

(d) *Synthetic alpha terpineol.* The maximum price per gallon for synthetic alpha terpineol in tank cars f. o. b. producer's plant shall not exceed its cost of production plus an amount equal to the average dollar and cents mark-up for tank car sales over the average cost of production obtained by its producer for natural alpha terpineol during 1941. To this price may be added 5 cents per gallon for sales in carload drum or barrel quantities and 8 cents per gallon for sales in less than carload drum or barrel quantities.

(1) For the purposes of paragraphs (c) and (d) of this section "cost of production" shall mean only the sum of the costs of—

(i) Raw materials,
(ii) Direct and indirect labor,
(iii) Factory overhead or burden.

(e) *Sales in Zone 1.* For sales f. o. b. warehouse in Zone 1, the maximum prices for pine oil shall be the less than carload f. o. b. drum price plus 10 cents per gallon.

(f) *Sales in Zone 2.* For sales f. o. b. warehouse in Zone 2, the maximum prices for pine oil shall be the less than carload f. o. b. drum price plus 18 cents per gallon.

(g) *Export sales.* The maximum price at which a person may export pine oil shall be determined in accordance with the provisions of the Maximum Export Price Regulation[3] issued by the Office of Price Administration.

(h) *Containers.* The maximum prices established by this Maximum Price Regulation No. 179 shall not be increased by any charges for containers. Seller may, however, require the return of containers. When sales are made upon a container returnable basis, seller may require a reasonable deposit for the return of such containers, but such deposit must be refunded to the buyer upon the return of the container in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to seller shall in all cases be borne by seller.

(i) *Credit charges.* The maximum prices established by this Maximum Price Regulation No. 179 shall not be increased by any charges for the extension of credit.

§ 1385.12 *Effective date.* This Maximum Price Regulation No. 179 (§§ 1385.1 to 1385.12) shall become effective July 18, 1942.

Issued this 15th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6745; Filed, July 15, 1942; 5:04 p. m.]

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[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339.

[3] *Supra*, note 2.

[3] 7 F.R. 5054.

PART 1499—COMMODITIES AND SERVICES

[Amendment 15 to General Maximum Price Regulation [1]]

PROVISION FOR CERTAIN SUPPLEMENTARY REGULATIONS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[4]

A new undesignated center headnote "Special Provisions" and text thereto is added to § 1499.2 as set forth below.

§ 1499.2 *Maximum prices for commodities and services: General provisions.*

* * * * *

"Special Provisions"

The maximum prices established by this section for certain commodities or services or in certain transactions may be modified by supplementary regulation issued under this section.

§ 1499.23a *Effective dates of amendments.*

* * * * *

(o) Amendment No. 15 (§ 1499.2 "Special Provisions") to General Maximum Price Regulation shall become effective July 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6744; Filed, July 15, 1942; 5:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation [1]—Amendment 15 to Supplementary Regulation 1 [2]]

EXCEPTIONS FOR CERTAIN COMMODITIES, CERTAIN SALES AND DELIVERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[4]

Subparagraph (1) of § 1499.26 (b) is amended to read as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* * * *

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries:

(1) By persons engaged in reconditioning and selling damaged commodities received in direct connection with the adjustment of losses, from insurance companies, transportation companies or agents of the United States Government: *Provided*, Such persons have registered with and have been approved by the Office of Price Administration as engaged principally and primarily in such business, and whose other activities do not include selling new or second-hand commodities for their own account.

* * * * *

(e) *Effective dates.* * * *

(16) Amendment No. 15 (§ 1499.26 (b) (1)) to Supplementary Regulation No. 1 shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6748; Filed, July 15, 1942; 5:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 33]

ACER & WHEDON, INC.

Application has been made pursuant to § 1499.3 (b) of The General Maximum Price Regulation for the determination of a maximum price for the sale and delivery by Acer & Whedon, Inc., Medina, New York, of fittings and connectors to be used in the installation of "Formdux".[3] Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[4] For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to § 1499.3 (b) of The General Maximum Price Regulation issued by the Office of Price Administration, it is ordered:

§ 1499.70 *Maximum prices for sale by Acer & Whedon, Inc., of fittings and connectors to be used in the installation of "Formdux".* (a) Specific authorization is hereby given to Acer & Whedon, Inc., Medina, New York, to sell and deliver to Chrysler Airtemp Sales Corporation fittings and connectors to be used in the installation of "Formdux" at the prices set forth in a price list which was filed with the Office of Price Administration May 27, 1942.

(b) Acer & Whedon, Inc., shall keep and maintain for inspection by the Office of Price Administration full and complete itemized records showing the cost of labor and materials used in the manufacture and preparation for delivery of such fittings and connectors, and itemized sales records, showing the date of sale, the price received and the specifications and quantity of fittings and connectors sold, and shall make such reports with respect thereto as may be required by this Office.

(c) This Order No. 33 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 33 (§ 1499.70) shall become effective July 16th, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6747; Filed, July 15, 1942; 5:05 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 9 to Rationing Order 2A [1]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

Section 1360.310 (h) is amended to read as set forth below; in § 1360.336 two new paragraphs (h) and (i) are added and paragraph (c) is revoked:

Definitions

§ 1360.310 *Definitions.* * * *

(h) "Pool car" means (1) any new passenger automobile which was not shipped by a manufacturer prior to January 16, 1942, to a person other than a person owned or controlled by the manufacturer, and (2) any new passenger automobile substituted for a pool car by authorization of the Office of Price Administration pursuant to the provisions of § 1360.337: *Provided, however*, That no new passenger automobile segregated by the manufacturer on or before March 2, 1942, for export, shall be deemed a "pool car."

Restriction of Transfers

§ 1360.336 *Removal of certain automobiles from the pool.* Subject to the provisions of § 1360.337, the Office of Price Administration may, in its discretion, from time to time, issue authorization to remove from the pool certain new passenger automobiles which fall under one or more of the following classifications:

(h) Automobiles, the physical condition of which has been substantially impaired.

(i) Automobiles with respect to which the following substitutions are offered:

(1) The automobile offered to be placed in the pool has a lower list price than, and bears the same body type as, the automobile sought to be removed. As used in this subparagraph, list price means the price prescribed in Appendix A (§ 1360.61) of Revised Price Schedule No. 85 issued by the Office of Price Administration or any amendments thereto;

(2) The automobile offered to be placed in the pool is a four-door sedan and the automobile sought to be removed is a body type other than a four-door sedan;

(3) The automobile offered to be placed in the pool is a two-door sedan and the automobile sought to be removed from the pool is a body type other than a two-door or four-door sedan;

(4) The extra equipment attached to the automobile offered to be placed in the pool is of less value than that attached to the automobile sought to be removed and both such automobiles are of the same make and body type. As used in this subparagraph, extra equipment means all equipment not included in the list price of new passenger automobiles as prescribed in Appendix A (§ 1360.61) of Revised Price Schedule No. 85 issued by the Office of Price Administration or any amendment thereto.

Provided, That as a condition to authorizing any removal pursuant to paragraphs (a) through (h), inclusive of that section, the Office of Price Administration may require substitution of a hard-top new passenger automobile for each automobile removed: *And provided*, That as a condition of authorizing any removal pursuant to paragraph (i), the Office of Price Administration shall require the substitution offered thereunder.

Effective Dates

§ 1360.442 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1360.310, 1360.336) to Rationing Order No. 2A shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6774; Filed, July 16, 1942; 12:01 p. m.]

PART 1415—PROTECTIVE COATINGS

[Maximum Price Regulation 180]

COLOR PIGMENTS

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 180 is hereby issued.

Sec.

1415.1 Maximum prices for color pigments.
1415.2 Less than maximum prices.
1415.3 Adjustable pricing.
1415.4 Evasion.
1415.5 Records and reports.
1415.6 Enforcement.
1415.7 Applicability of General Maximum Price Regulation.
1415.8 Petitions for amendment.
1415.9 Definitions.
1415.10 Applicability.
1415.11 Export sales.
1415.12 Effective date.
1415.13 Appendix A: Maximum prices for color pigments.

AUTHORITY: §§ 1415.1 to 1415.13, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1415.1 *Maximum prices for color pigments.* (a) On and after May 11, 1942 regardless of any contract, agreement, lease, or other obligation, no producer of color pigments shall sell or deliver color pigments, and no person shall buy or receive color pigments from any such producer in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A (§ 1415.13); and no such person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of color pigments to a purchaser if prior to May 11, 1942 such color pigments had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) Any color pigments not specifically referred to in Appendix A (§ 1415.13) shall be subject to the provisions of the General Maximum Price Regulation,[2] issued April 28, 1942.

§ 1415.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1415.13) may be charged, demanded, paid or offered.

§ 1415.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1415.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 180 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to color pigments, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1415.5 *Records and reports.* (a) Every person making purchases or sales of color pigments for which maximum prices are established by this Maximum Price Regulation No. 180 on or after May 11, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity in pounds or tons purchased or sold.

(b) The provisions of § 1499.11 of the General Maximum Price Regulation [2] relating to base period records shall apply to sellers of color pigments for which maximum prices are established by this Maximum Price Regulation No. 180.

(c) Every person making sales of color pigments for which maximum prices are established by this Maximum Price Regulation No. 180 shall preserve all his existing records relating to his offering prices for such color pigments on January 2, 1942.

(d) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a), (b) and (c) of this section as the Office of Price Administration may from time to time require.

§ 1415.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 180 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 180 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field or Regional Office of the Office of Price Administration, or its principal Office in Washington, D. C.

§ 1415.7 *Applicability of General Maximum Price Regulation.*[2] Except as provided in §§ 1415.1 (b) and 1415.5 (b), the provision of this Maximum Price Regulation No. 180 supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of color pigments for which maximum prices are established by this regulation.

§ 1415.8 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 180 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

§ 1415.9 *Definitions.* (a) When used in this Maximum Price Regulation No. 180 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Color pigment" means any organic or inorganic pigment or mixtures thereof, and includes such pigments or mixtures thereof in pulp or flushed form, except that white, mineral earth, synthetic iron oxide, or carbonaceous black pigments shall not be considered color pigments within this definition.

(3) "Dry color" means a color pigment in dry form.

(4) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192.

[3] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066.

[4] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[2] "Formdux" is a new composition duct material used for conducting air in heating and cooling systems.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(5) "Most closely competitive seller of the same class". "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (ii) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (iii) dealing in the same type of commodities or services, and (iv) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (a) is selling the same or a similar commodity or service, and (b) is closely competitive in the sale of such commodities or services, and (c) is located nearest to the seller.

(6) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner. But "offering price" shall not include a price intended to withhold a commodity from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(7) "Producer" means a person who manufactures color pigments.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 180.

§ 1415.10 *Applicability.* The provisions of this Maximum Price Regulation No. 180 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1415.11 *Export sales.* The maximum price at which a person may export color pigment shall be determined in accordance with the provisions of the Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1415.12 *Effective date.* This Maximum Price Regulation No. 180 (§§ 1415.1 to 1415.13, inclusive) shall become effective as of May 11, 1942.

§ 1415.13 *Appendix A: Maximum prices for color pigments*—(a) *Producers sales of chrome yellow, chrome green, molybdate orange, or zinc yellow color pigments.* The maximum price which a producer of chrome yellow, chrome green, molybdate orange, or zinc yellow color pigments may charge for any such color pigment shall be such seller's maximum price for such color pigment as determined under the General Maximum Price Regulation [2] plus the amount indicated in whichever one of the subparagraphs (1), (2), or (3) of this paragraph is applicable. The maximum price for any color pigment thus determined shall in no case exceed the sum of said amount and the offering price of such producer to a purchaser of the same class on January 2, 1942, for such color pigment. If the producer had no such offering price the maximum price shall not exceed the sum of said amount plus the offering price to a purchaser of the same class for such color pigment on January 2, 1942 of the most closely competitive seller of the same class.

(1) *Dry colors, full strength:* Where the above named color pigments are sold as full strength dry colors the following amounts respectively may be added to the maximum prices established by the General Maximum Price Regulation.

	Cents per pound
C. P. or toner chrome yellow	0.5
C. P. or toner chrome green	.25
C. P. or toner molybdate orange	.35
C. P. or toner zinc yellow	.35

(2) *Pulp or flushed form.* Where the above named color pigments are sold in pulp or flushed form, the amounts specified in subparagraph (1) of this paragraph may be added to the maximum prices established by the General Maximum Price Regulation only in proportion to the full strength dry color content of such pulp or flushed color pigments.

(3) *Reduced colors.* Where the above named color pigments are sold as reduced colors no amounts may be added to the maximum prices established by the General Maximum Price Regulation.

(b) *Producers sales of dry colors for delivery in Oregon, Washington or California.* The maximum price which a producer of dry colors may charge for any such dry color in the case of any shipment or delivery to Oregon, Washington or California shall be such seller's maximum price for such dry color delivered in Washington, California, or Oregon as determined under the General Maximum Price Regulation [2] or paragraph (a) of this section, whichever is applicable, plus 0.6 cent per pound. The maximum price so determined, in the case of dry colors other than chrome yellow, chrome green, molybdate orange or zinc yellow dry colors, shall in no case exceed the sum of the offering price of such producer to a purchaser of the same class on January 2, 1942, for such dry color plus 0.6 cent per pound. If the producer had no such offering price his maximum price shall not exceed the sum of the offering price to a purchaser of the same class for such dry color on January 2, 1942, of the most closely competitive seller of the same class plus 0.6 cent per pound.

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6768; Filed, July 16, 1942; 11:59 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[2] 7 F.R. 3096, 3824, 4294, 4541.

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order No. 34]

DAVISON CHEMICAL CORPORATION

DESSICATING COVER PLATES FOR ENGINE PACKING

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.71 *Approval of maximum prices for sales of dessicating cover plates for engine packing by the Davison Chemical Corporation.* (a) The maximum prices for the sale by the Davison Chemical Corporation, Baltimore, Maryland, of dessicating cover plates for engine packing manufactured by that corporation, shall be:

Part number	Price per unit
695-420-X1032:	
Quantities of 1,000	$0.57
Quantities of 5,000	.45
Quantities of 10,000	.43
695-420-X1030:	
Quantities of 1,000	.60
Quantities of 5,000	.48
Quantities of 10,000	.47
695-420-X1031:	
Quantities of 1,000	1.00
Quantities of 5,000	.84
Quantities of 10,000	.83
695-420-X1033:	
Quantities of 1,000	1.44
Quantities of 5,000	1.29
Quantities of 10,000	1.28
695-420-X1027:	
Quantities of 100	.79
695-420-X1026:	
Quantities of 3,000	.42
695-420-X1025:	
Quantities of 7,000	.71
695-420-X1028:	
Quantities of 7,000	.76
695-420-X1029:	
Quantities of 35,000	.80

(b) This Order No. 34 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 34 (§ 1499.71) shall become effective July 17, 1942. (Pub. Law 421, 77th Cong.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6772; Filed, July 16, 1942; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Supplementary Regulation 14 to General Maximum Price Regulation [1]]

MILK PRICES IN NEW YORK METROPOLITAN AREA

§ 1499.73 *Modification of maximum prices established by section 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk.* (i) The maximum price per quart for fluid milk as herein defined sold at retail in the New York metropolitan area as herein defined shall be:

	Cents
Glass (bottle) container	12
Paper (single-service) container	13

or the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, whichever is higher. The "New York metropolitan area" means the City of New York, the counties of Nassau, Suffolk (except Fisher's Island), and Westchester, all in the State of New York. The word "milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk.

(b) *Effective dates.* (1) Supplementary Regulation No. 14 (§ 1499.73) shall become effective July 16, 1942. (Pub. Law 421, 77th Cong.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6773; Filed, July 16, 1942; 12:00 m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991. 4339, 4487, 4659, 4738, 5027, 5192, 5276.

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 161, 4405, 4417, 4417a, 4418, 4426, 4428, 4429, 4430, 4431, 4432, 4433, 4438, 4439, 4440, 4441, 4442, 4470, 4482, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167, 54 Stat. 1028 (5 U.S.C. 22, 46 U.S.C. 375, 391, 391a, 392, 404, 406, 407, 408, 409, 410, 411, 224, 226, 228, 229, 214, 463, 475, 481 489, 367, 526–526t, 463a) and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the inspection and navigation regulations, and approval, withdrawal of approval, and relisting of approval of miscellaneous items of equipment for the better security of life at sea, are prescribed:

Subchapter C—Motorboats and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT

Section 28.4–3 (c) is amended to read as follows:

§ 28.4–3 *Buoyant materials.* • • •

(c) *Kapok.* It shall be prime Japara kapok of the best quality, well teased, and free from seeds or other foreign matter. In testing the buoyancy characteristics, the processed kapok shall be packed to a density of three pounds per cubic foot. After having been submerged in fresh water for forty-eight hours the kapok shall then provide buoyancy in a ratio of not less than fifty-one pounds net weight per cubic foot.

Subchapter D—Tank Vessels

PART 32—REQUIREMENTS FOR HULLS, MACHINERY AND EQUIPMENT

Section 32.5–4 is amended to read as follows:

§ 32.5–4 *Penalty for overloading safety valves*—TB/ALL. The penalty for overloading of safety valves shall be in accordance with § 64.13 of this chapter.

PART 33—LIFESAVING APPLIANCES

Section 33.4–4 is amended by the addition of a new paragraph (c) reading as follows:

§ 33.4–4 *Stowage of the boats and rafts*—TB/ALL. • • •

(c) TB/ALL. Where practicable, lifeboat chocks shall be so fitted that the lifeboats they serve shall not require lifting before launching.

Sections 33.6–1 to 33.6–4, inclusive, are deleted and the following substituted in their stead:

Life Preservers

§ 33.6–1 *Number required*—TB/ALL. All tank vessels shall be provided with one approved life preserver for each person carried.

§ 33.6–2 *Distribution and stowage*—TB/ALL. Life preservers shall be distributed throughout the cabins, staterooms, berths, and other places convenient for each person on such tank vessels.

§ 33.6–3 *Shipboard inspections*—TB/ALL. At each annual inspection of any tank vessel, and oftener if deemed necessary, it shall be the duty of the inspectors making the inspection to examine and inspect all life preservers in the equipment of such vessel for compliance with the requirements of §§ 37.6–1 to 37.6–7, inclusive. When any block of compressed cork used in a compressed cork-type life preserver is found to be in a broken or granulated condition, such compressed cork block shall be condemned as unfit for further use. When life preservers are found to be in accordance with the requirements, the inspector shall plainly stamp them with a stamp bearing the word "Passed," his initials, the inspector's port, and date: *Provided*, That at the annual inspection of a vessel, or oftener if necessary, at least 5 per cent of all kapok life preservers, or such greater number as may be deemed necessary or desirable, shall be subjected to a buoyancy test by being entirely submerged for a period of two hours, after which they shall be capable of sustaining in fresh water 16½ pounds net weight for each 20 ounces of kapok. Any such life preserver failing to meet the required test shall be immediately condemned and removed from the vessel's equipment, and a full detailed report of every such failure shall be immediately forwarded to the Supervising Merchant Marine Inspector of the district having jurisdiction.

PART 36—LICENSED OFFICERS AND CERTIFICATED MEN

Section 36.1–19 is amended to read as follows:

§ 36.1–19 *Licenses to officers of vessels owned by the United States*—T/ALL. Any person who has served at least one year as master, commander, pilot, or engineer of any steam vessel owned and operated by the United States in any service in which a license as master, mate, pilot, or engineer was not required at the time of such service shall be entitled to license as master, mate, pilot, or engineer, if the inspectors, upon written examination, as required for applicants for original license, may find him qualified: *Provided*, That the operating experience of any such applicant has been such as to qualify him to serve in the capacity for which he makes application to be licensed.

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

Sections 37.6–1 to 37.6–10, inclusive, and §§ 37.7–1 to 37.7–5, inclusive, are deleted and the following substituted in their stead:

Life Preservers

§ 37.6–1 *General provisions, approval*—TB/ALL. The standard specifications for block-cork life preservers, balsa-wood block life preservers, and kapok life preservers are set forth in this part in order to enable manufacturers to produce equipment which fully meets the approval requirements by strict adherence to all details of the standard specifications. Manufacturers who desire to manufacture such standard life preservers are not required to submit samples of such equipment for approval, but may commence such manufacture after submitting an affidavit in form as provided in § 37.7–1 and receiving confirmation that their name has been placed on the list of equipment manufacturers under affidavit and the assignment of an official approval number for each type of equipment.

Manufacturers who desire to manufacture life preservers of a character and type in any degree different from the standards contained in this part which equipment is to be sold for use on vessels subject to these regulations, shall submit samples in duplicate and plans and specifications in quadruplicate, in order that they may be considered for approval. Each type of equipment so submitted and approved will receive a separate approval number.

§ 37.6–2 *General characteristics*—TB/ALL. Every life preserver shall conform to the following general requirements:

(a) Construction, materials, and workmanship shall be at least equivalent to that of a standard type.

(b) The buoyancy shall not be dependent upon air compartments or loose granulated material.

(c) Life preservers shall be simple in design, reversible, and capable of being quickly adjusted, supporting the wearer

in the water in an upright or slightly backward position.

§ 37.6–3 *Buoyant materials*—TB/ALL. The buoyant materials in general use are block cork, balsa wood, and kapok which, when used in the construction of life preservers, shall conform to the following requirements:

(a) *Block cork.* The cork shall be of good quality cleaned cork, free from any imperfections affecting its durability, and shall be untreated and weigh not more than 12 pounds per cubic foot. It shall be free from cracks or bark checks greater than one-half the thickness by ⅜ inch wide. Where blocks are made of separate pieces, such pieces shall be fastened together with non-corrosive, buoyant materials.

(b) *Balsa wood.* Balsa wood shall be of the genus Ochroma thoroughly kiln dried and heat treated to a moisture content not to exceed 5 percent and shall weigh not more than 8 pounds per cubic foot. It shall be sound, free from rot, dote, knots, pith, checks, and other defects.

(c) *Kapok.* It shall be prime Japara kapok of the best quality, well teased, and free from seeds or other foreign matter. In testing the buoyancy characteristics, the processed kapok shall be packed to a density of three pounds per cubic foot. After having been submerged in fresh water for forty-eight hours the kapok shall then provide buoyancy in a ratio of not less than fifty-one pounds net weight per cubic foot.

§ 37.6–4 *Specifications for standard type block-cork life preserver*—TB/ALL. (a) *Type.* The type shall conform to Figure 1 and shall be reversible and vest-like, with recesses under arms to allow front and back sections to fit around the upper part of the wearer and held in place by straps, the whole to be of such construction and character as to support the wearer in an upright or slightly backward position. Children's life preservers are to be of the same general form of construction and conform in every respect, as regards material and design, to the standard approved life preserver with the exception that the size is to be reduced one-third.

(b) *Buoyant material.* It shall contain eight blocks of cork of the following approximate dimensions: 4 blocks 11" x 5" x 1⅞" and 4 blocks 6" x 5" x 1⅞". The corners and edges of the blocks shall be slightly rounded or beveled. The weight of the finished cork in each life preserver shall be not less than 4 pounds and not more than 4.5 pounds.

(c) *Buoyancy test.* The life preserver shall be submerged in a tank of fresh water for a period of 48 hours. The adult life preserver shall then support in fresh water a net weight of 16½ pounds or 11 pounds for children's type.

(d) *Cover.*[1] The cover shall be of unbleached, uncolored drill or twill, without filling or sizing, weighing not less than 7.2 ounces to the square yard. It shall be in not more than two pieces, one piece for either side.

(e) *Marking.* Each life preserver shall be plainly marked on the front compartment with either the word "Adults" or the word "Children" as the case may be. It shall also be plainly stenciled with the name and address of the manufacturer and with the official approval number assigned to the life preserver.

(f) *Smooth surface.* The outside surface, edges, and corners of the buoyant material shall be of such smoothness as will prevent undue destruction of the covering material and present a suitable smooth surface for legible stenciling and stamping by inspectors.

(g) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched.

(h) *Straps.* The straps shall have a tensile strength of at least 175 pounds and shall be of double-woven cotton tape 1¼ inches in width having selvedge or cord edges. One strap on each side secured by double stitching and extending 12 inches beyond the end of the life preserver, and two neck straps 12 inches in length. All straps are to be sewn to the body of the life preserver by double stitching.

(i) *Thread.* The thread shall be of a size and strength not less than Barbour's linen, three cord, No. 25 machine thread. Any thread other than of linen shall require the approval of the Commandant.

§ 37.6–5 *Specifications for standard type balsa-wood life preserver*—TB/ALL—(a) *Type.* This shall be the same as for cork as provided in § 37.6–4 (a).

(b) *Buoyant material.* It shall contain eight blocks of balsa wood of the following approximate dimensions: 4 blocks 11" x 5" x 1⅞" and 4 blocks 6" x 5" x 1⅞". The corners or edges of the blocks shall be slightly rounded or beveled. The weight of the finished balsa wood used in each life preserver shall not be less than 2⅔ pounds nor more than 3 pounds.

(c) *Buoyancy test.* This shall be the same as provided in § 37.6–4 (c).

(d) *Cover.*[1] This shall be the same as provided in § 37.6–4 (d).

(e) *Marking.* This shall be the same as provided in § 37.6–4 (e).

(f) *Smooth surface.* This shall be the same as provided in § 37.6–4 (f).

(g) *Stitching.* This shall be the same as provided in § 37.6–4 (g).

(h) *Straps.* This shall be the same as provided in § 37.6–4 (h).

(i) *Thread.* This shall be the same as provided in § 37.6–4 (i).

§ 37.6–6 *Specifications for standard type kapok life preserver*—TB/ALL—(a) *Type.* This type shall be the same as provided in § 37.6–4 (a) except that it shall conform to Figure 2.

(b) *Buoyant materials.* The life preserver shall be filled with not less than 20 ounces of kapok of the kind provided in § 37.6–3 (c).

(c) *Buoyancy test.* This shall be the same as provided in § 37.6–4 (c).

(d) *Cover.*[1] This shall be the same as provided in § 37.6–4 (d).

[1] The amendment to this section does not supersede the requirements of § 153.10 (b), published in the FEDERAL REGISTER April 18, 1942, requiring new life preservers for use on ocean and coastwise vessels to have slate colored covers rendered fire-resistive by treatment with approved fire-resistive substance.

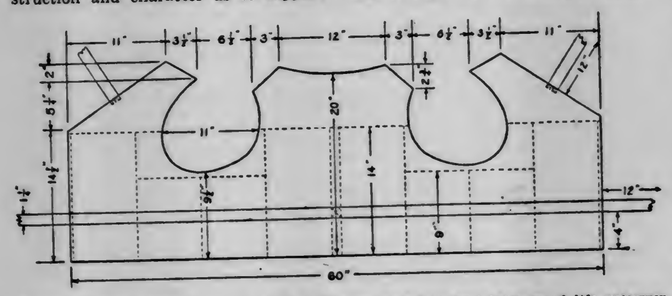


FIGURE 1.—Approximate dimensions of a standard type cork and balsa wood life preserver cutting pattern. Dotted lines indicate stitching.

(e) *Marking.* This shall be the same as provided in § 37.6–4 (e).

(f) *Stitching.* This shall be the same as provided in § 37.6–4 (g).

(g) *Straps.* This shall be the same as provided in § 37.6–4 (h).

(h) *Thread.* This shall be the same as provided in § 37.6–4 (i).

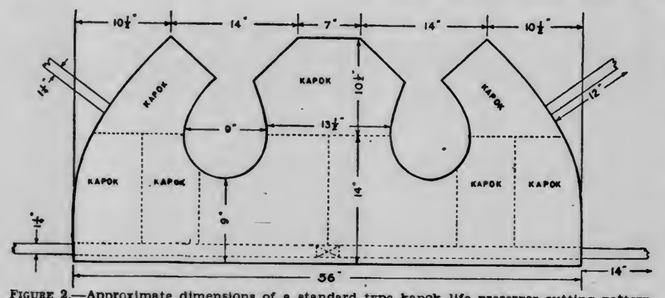


FIGURE 2.—Approximate dimensions of a standard type kapok life preserver cutting pattern. Dotted lines indicate stitching of pockets and drawstring tunnel.

§ 37.6–7 *Factory inspection*—TB/ALL. An inspector shall examine all life preservers at the place of manufacture. After satisfying himself that they have been manufactured according to the requirements of these rules, he shall select indiscriminately from each lot of 250 at least one life preserver to be tested for buoyancy.

Where such life preservers are found to conform to all the requirements of these rules, the inspector shall stamp them with the word "Approved", the initials of his name, the date of examination, and the location of his local office.

§ 37.7–1 *Manufacturer's affidavit*—TB/ALL.

AFFIDAVIT OF MANUFACTURER OF STANDARD TYPE LIFE PRESERVER

State of _____, County of _____ on this _____ day of _____, 19____, I, the undersigned, _____, hereby certify that
(Name)
I am the _____ of the
(Title)
_____ located at
(Name of company)
_____, that I am authorized to make this affidavit; and that the standard type _____ life preservers of our manufacture furnished directly or through agents or dealers for use on vessels subject to the jurisdiction of the United States Coast Guard, comply with the applicable provisions of the regulations prescribed.

(Signature) _____

Subscribed and _____ to before
(Sworn or Affirmed)
me this _____ day of _____, 19____.

(Signature) _____
Notary Public.

[SEAL]

[1] Indicate adult or child size and name or description of buoyant material.

Subchapter F—Marine Engineering

PART 51—MATERIALS

The first sentence of § 51.1–13 (a) is amended to read as follows:

§ 51.1–13 *Stamping plates and specimens.* (a) Plates shall be stamped by the manufacturer, before they are tested, with his name or trade-mark, the word "Marine", the letter indicating the grade of the steel, and the minimum tensile strength of the plate per square inch of cross sectional area expressed in thousands. • • •

Section 51.2–10 is amended to read as follows:

§ 51.2–10 *Marking.* The quality classification to be marked on all Class A plates in accordance with § 51.1–13 shall be the word "Marine", followed by the letter designating the grade of the steel.

PART 52—CONSTRUCTION

Section 52.15–6 is amended by changing paragraph (c) to read as follows:

§ 52.15–6 *Feed valves.* • • •

(c) All boilers except small donkey boilers and those in installations fitted with the unit feed system, shall be equipped with two connections for supplying feed water, and where practicable, these connections shall be through separate openings.

Section 52.15–6 is further amended by changing paragraph (d) to be designated as paragraph (e) and by inserting a new paragraph (d) reading as follows:

(d) When the unit feed system is fitted, it shall comply with the following requirements:

(1) There shall be at least two boilers in the installation.

(2) Each boiler shall be provided with an independently driven main feed pump capable of 10% overload above the maximum designed boiler capacity.

(3) There shall also be provided an auxiliary, independently driven feed pump of equal capacity with the main feed pump which can be operated in place of, and in conjunction with, the main feed pump. In vessels having two boilers, there shall be provided one such auxiliary pump for each boiler. In vessels where three or more boilers are installed not more than two boilers are to be served by one of the auxiliary pumps.

(4) Feed check and stop valves and feed-water regulators, where fitted, shall be installed in the feed lines as prescribed in paragraphs (a) and (b).

(5) Feed-water heaters and feed-water regulators, where installed, shall be fitted with bypasses. Feed-water regulator bypasses shall be fitted with stop and check valves or combined stop-check valves or shall be so arranged that the regular stop and check valves are in operation while the bypass is in use.

(6) No auxiliary feed line or connection need be fitted.

§ 52.15–7 (a) is amended to read as follows:

§ 52.15–7 *Blow-off valves.* (a) Boilers shall be fitted with a surface and a bottom blow-off valve or cock attached directly to the boiler or to a distance piece. The surface blow-off valve shall be located within the permissible range of the water level, or fitted with a scum pan or pipe at this level. The bottom blow-off valve shall be attached to the lowest part of the boiler or fitted with an internal pipe leading to the lowest point inside the boiler: *Provided*, That water-tube boilers designed for working pressures of 350 pounds per square inch or over are not required to be fitted with a surface blow-off valve.

PART 54—INSPECTION

Section 54.18–2 (d) is amended by changing the second undesignated paragraph to read as follows:

§ 54.18–2 *Tests and inspection of new boilers.* • • •

(d) • • •

This inscription must not be obliterated during the life of the boiler. In the event that the inscription is to be lagged over or otherwise covered, the data specified shall be transferred to a name plate to be attached to the boiler outside of the covering, or to the uptake, which name plate must be kept clean so that it can be easily read by inspectors at any time.

PART 55—PIPING SYSTEMS

The headnote of § 55.19–3 is amended to read as follows:

§ 55.19–3 *Detail requirements—Piping systems.* • • •

Section 55.19–3 (d) is amended to read as follows:

(d) Electric-resistance-welded or lap-welded steel or iron pipe without diameter limitation, or furnace butt-welded steel or iron pipe of not over 2 inches nominal pipe size may be used for all purposes where the pressure does not exceed 350 pounds per square inch except where seamless drawn-steel pipe is required. (See paragraph (c))

Section 55.19–3 (n) is amended to read as follows:

(n) All valves having nominal diameters exceeding 2 inches, used for pres-

sures exceeding 125 pounds, shall have flanged ends and bolted bonnets. (For boiler mountings, see § 52.15–2 (b))

Section 55.19–3 (s) is amended to read as follows:

(s) All valves and fittings shall be tested by the manufacturer to a hydrostatic test pressure in accordance with the requirements of tables P–10 and P–11, and shall be legibly marked with the manufacturer's name or registered trademark, and the maximum working pressure in pounds per square inch for which he guarantees the valves in service.

The headnote of § 55.19–10 is amended to read as follows:

§ 55.19–10 *Detail requirements—Class I piping.* • • •

PART 56—FUSION WELDING

Section 56.20–4 is amended as follows:

Delete paragraphs (c), (d), (e), and (f) and insert the following new paragraphs (c), (d), (e), and (f) in their stead.

(c) Test plates for longitudinal seams: For drums having one or more longitudinal seams, at least one set of test plates shall be provided for each drum when welded separately, or for each 50 feet of aggregate longitudinal seams when a number of shells of the same design and grade of material are placed end to end and the longitudinal seams of each are welded continuously. The test plates shall be attached to one end of one longitudinal seam being welded as shown in Figure W–5 (a) so that the weld metal in the test plates is deposited continuously with that in the drum seams. Drums of Grades E, F, or G marine boiler plate, however, shall be welded separately and shall be provided with at least one set of test plates for each drum except for cases covered by paragraph (d).

(d) Test plates for circumferential seams: For drums having circumferential seams but no longitudinal seams, at least one set of test plates welded separately shall be provided for each drum or for each 50 feet of aggregate circumferential seams of drums of the same grade of material being welded in succession whose plate thicknesses fall within a range of ¼ inch and whose diameters vary by not more than 6 inches.

(e) The test plates shall be welded by the same welder or welders employed on the drums. They shall be of the same thickness as the plates being welded and shall be of sufficient size to provide two specimens of each type required except that in the case of drums having no longitudinal seams, the test plates need be long enough to provide only one set of specimens and in the case retests are required, an additional set of plates may be welded separately.

(f) For plates ¾ inch or less in thickness one reduced section specimen and two free bend specimens shall be tested. For plates over ¾ inch in thickness one reduced section tensile specimen, one free bend specimen and one guided side bend specimen shall be tested.

Delete Figure W–3 (a) and designate Figure W–3 (b) as Figure W–3.

Delete Figure W–4 and insert the following new Figure W–4 in its stead:

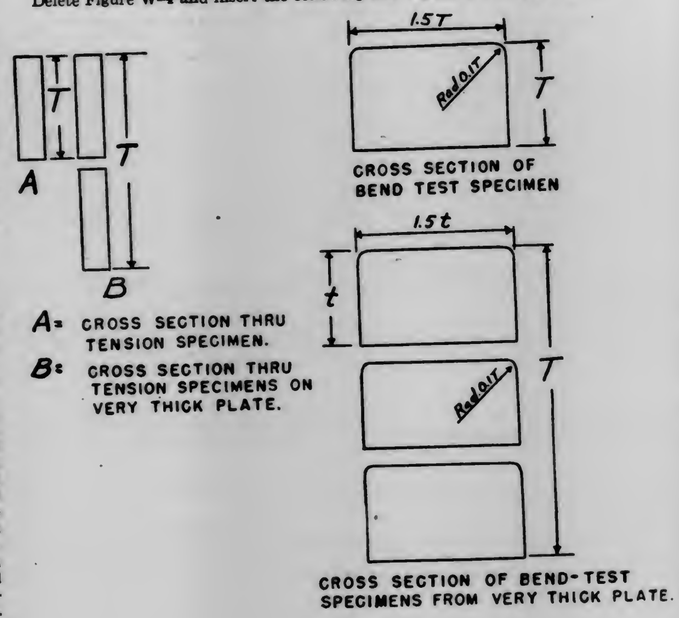


FIGURE W–4

Delete Figures W–5 (a) and W–5 (b) and insert the following new Figures W–5 (a), W–5 (b), and W–5 (c) in their stead:

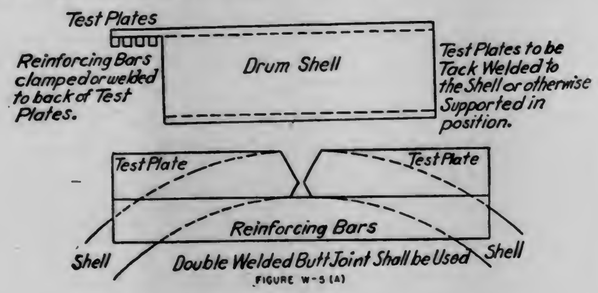


FIGURE W–5 (A)

DISCARD	THIS PIECE
FREE BEND	SPECIMEN
REDUCED SECTION	TENSION TEST SPECIMEN
FREE BEND	SPECIMEN
FREE BEND	SPECIMEN
REDUCED SECTION	TENSION TEST SPECIMEN
FREE BEND	SPECIMEN
DISCARD	THIS PIECE

TEST PLATES FOR MATERIAL 3/4 INCH OR LESS IN THICKNESS
FIGURE W–5 (B)

DISCARD	THIS PIECE
GUIDED SIDE BEND	SPECIMEN
REDUCED SECTION	TENSION TEST SPECIMEN
FREE BEND	SPECIMEN
GUIDED SIDE BEND	SPECIMEN
REDUCED SECTION	TENSION TEST SPECIMEN
FREE BEND	SPECIMEN
DISCARD	THIS PIECE

TEST PLATES FOR MATERIAL OVER 3/4 INCH IN THICKNESS
FIGURE W–5 (C)

Delete paragraph (j) and insert the following new paragraph (j) in its stead:

(j) The bond specimens shall be taken from opposite sides of the reduced section tensile specimen in their respective test plates as shown in Figures W–5 (b) and W–5 (c).

Delete paragraphs (n) to (u), inclusive, and insert the following new paragraphs (n) to (q), inclusive, in their stead.

(n) The tension test specimen shall be transverse to the welded joint and shall be the full thickness of the plate after the weld reinforcement has been machined flush. The form and dimensions shall be as shown in Figure W–2 (b). When the capacity of the available testing machine does not permit testing a specimen of the full thickness of the plate, the specimen may be cut with a thin saw into as many portions of the thickness as is necessary, as shown in Figure W–4, each of which shall meet the requirements. The tensile strength shall not be less than the minimum of the specified tensile range of the plate used.

(o) The free bend specimens shall be of the form and dimensions shown in Figure W–3. For plates of ¾ inch or less in thickness one of the specimens shall be bent with the face of the weld in tension and the other with the root of the weld in tension. The free bend specimen for plates over ¾ inch in thickness shall be bent with the face of the weld in tension. Each free bend specimen shall be bent cold under free-bending conditions until the elongation measured within or across approximately the entire weld on the outer surface of the bend is at least 30 per cent. When the capacity of the available testing machine will not permit testing a full thickness specimen, the specimen may be cut with a thin saw into as many portions of the thickness as necessary, as shown in Figure W–4, provided each such piece retains the proportion of 1½ to 1 width to thickness, each of which shall meet the requirements. Cracks at the corners of the specimens or small defects in the convex surface, the greatest dimensions of which do not exceed 1/16 inch need not be considered as failures.

(p) The guided bend specimen shall be bent with the side of the weld in tension. Its width shall be equal to the full thickness of the plate and its thickness, after machining, shall be 0.350 inch to 0.380 inch to permit bending in a jig having the contour of the standard jig shown in Figure W–1F. The specimen shall withstand being bent cold to the full capacity of the jig without developing any crack exceeding ⅛ inch in any direction. Where the plate thickness exceeds 2 inches, the specimen shall be cut in two so that each portion does not exceed 2 inches in width. Each such portion shall be tested and shall meet the requirements.

(q) One retest shall be made for each of the original specimens which fails to meet the requirements. Should the retests fail to meet the requirements, the welds which they represent must be shipped out, rewelded and new test plates provided. This will apply to each shell in cases where a number of shells of the same design and grade of material are placed end to end and the longitudinal seams are welded continuously.

Section 56.20–6 is amended by deleting paragraphs (c) and (d) and inserting the following new paragraphs (c) and (d) in their stead:

§ 56.20–6 *Class II.* • • •

(c) For Class II pressure vessels test plates shall be provided as required for Class I pressure vessels except that when there are several vessels of the same grade of material being welded in succession whose plate thicknesses fall within a range of ¼ inch and whose diameters vary by not more than 6 inches, no more than one set of test plates need be provided for each 300 lineal feet of either or both longitudinal and girth joints.

(d) For Class II pressure vessels, the minimum elongation for free bend specimens shall be 20 per cent.

Section 56.20–7 is amended to read as follows:

§ 56.20–7 *Class III.* (a) This class includes unfired pressure vessels containing steam or air in which the pressure does not exceed 30 pounds per square inch and pressure vessels containing liquids in which the pressure does not exceed 200 pounds per square in and/or the temperature does not exceed 250° F. The plate thickness for vessels of this class shall not exceed ¾ inch. Class III pressure vessels shall not be used for the storage of lethal or noxious gases or lethal or noxious liquids.

(b) The type of joints shall be as required by §§ 56.20–10 (b) and (d).

(c) The maximum allowable working pressure of vessels of this class shall be computed by Formula (1) of § 52.2–3 (b) using an efficiency, E, of 0.65 for joints of the double welded butt type where the plate thickness is not less than ¼ inch, and 0.55 for joints of the single welded butt or welded lap types.

(d) Lap joints as provided for in § 56.20–10 (b) shall not be used in the construction of vessels for the storage of gases of any kind at pressures in excess of 100 pounds per square inch nor for the storage of any liquid at a temperature exceeding its boiling point at atmospheric pressure.

(e) Test plates are not required for Class III welded pressure vessels.

Section 56.20–10 (b) is amended to read as follows:

§ 56.20–10 *Joints.* • • •

(b) The longitudinal joints of Class III vessels may be of the double-welded butt type for thicknesses of ¾ inch or less, or of the double-welded lap type for thicknesses of ⅜ inch or less, or of the single-welded butt type for thicknesses of ¼ inch or less. If of the lap type the throat dimension of each of the welds shall be not less than ⅝ *T*, where *T* represents the thickness of the plate. Both edges of the lap shall be welded and the surface overlap shall not be less than 4*T*.

PART 57—SUPPLEMENTARY DATA AND REQUIREMENTS

Section 57.21–6 (c) is amended to read as follows:

§ 57.21–6 *Stayed furnaces and combustion chambers.* • • •

(c) Where it is desired to apply a riveted patch to the wall of a stayed furnace or combustion chamber, the defective portion of the plate shall be cut away until solid material is reached, the patch shall be riveted to the water side, and the staybolts renewed, the same to extend through the new plate.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.15 (e) is amended to read as follows:

§ 59.15 *Construction of metallic lifeboats of class 1A.* • • •

(e) *Scope.* These specifications apply only to the application of fusion welding to lifeboats, life rafts and similar vessels subject to pressures not to exceed 15 pounds per square inch.

Section 59.15 (h) is amended to read as follows:

(h) *Design of joints.* The following joints are acceptable: Butt joints or lapped joints, fillet welded at both edges.

Section 59.15 (k) is amended to read as follows:

(k) *Inspection and tests.* Inspectors shall have access to lifeboats, life rafts, etc., under construction in order to ascertain whether the material and technique is such as to insure dependable workmanship. Two tension and two bend test specimens of welding shall be taken from the first lifeboat or life raft constructed by fusion welding in any one order; thereafter two tension and two bend test specimens of welding shall be taken from one boat in each lot of twenty-five lifeboats and from one raft in each lot of twenty-five rafts in the same order. The tension test specimens shall be made with a reduced section having a gage length of 4 inches. The edges of the bend test specimens may be parallel. Both tension and bend test specimens shall be made with the weld in the center. The reenforcement shall be ground off, and the tension test specimen shall show under test a tensile strength at least equal to that of the base metal. The bend test shall be made in a vise with the face of the weld in tension and must withstand being bent to a radius of twice its thickness without showing cracks or flaws. The inspector making the tests shall satisfy himself that the workmanship is such that the boat or raft so constructed is at least equal in strength and dependability to an approved metallic lifeboat or raft of riveted construction.

Section 59.55 is amended to read as follows:

§ 59.55 *Life preservers*—(a) *Number required.* All vessels shall be provided with one approved life preserver for each person carried. Passenger vessels shall be provided with an additional number suitable for children equal to at least 10 per cent of the total number of persons carried.

(b) *Distribution, stowage, and notices.* (1) Life preservers, including those especially provided for children, shall be properly distributed throughout the staterooms, berthings, and other places convenient for passengers and crew.

(2) Lockers, boxes, and closets in which life preservers are stowed shall be plainly marked, and the life preservers contained therein shall be readily available.

(3) Life preservers stowed overhead shall be so supported that they can be quickly released and distributed among passengers. Where life preservers are stowed overhead at a height greater than 7 feet from the deck below, efficient means shall be provided for their immediate release and distribution, to be operated by persons standing on the deck.

(4) A printed notice shall be posted in every cabin and stateroom and in conspicuous places about the deck, informing passengers of the location of the life preservers and describing and illustrating the method of applying or adjusting them.

(c) *General provisions, approval.* The standard specifications for block-cork life preservers, balsa-wood block life preservers, and kapok life preservers, are set forth in this section in order to enable manufacturers to produce equipment which fully meets the approval requirements by strict adherence to all details of the standard specifications. Manufacturers who desire to manufacture such standard life preservers are not required to submit samples of such equipment for approval, but may commence such manufacture after submitting an affidavit in form as provided in § 59.55 (k) and receiving confirmation that their name has been placed on the list of equipment manufacturers under affidavit and the assignment of an official approval number for each type of equipment.

Manufacturers who desire to manufacture life preservers of a character and type in any degree different from the standards contained in this section, which equipment is to be sold for use on vessels subject to these regulations, shall submit samples in duplicate, and plans and specifications in quadruplicate, in order that they may be considered for approval. Each type of equipment so submitted and approved will receive a separate approval number.

(d) *General characteristics.* Every life preserver shall conform to the following general requirements:

(1) Construction, materials, and workmanship shall be at least equivalent to that of a standard type.

(2) The buoyancy shall not be dependent upon air compartments or loose granulated material.

(3) Life preservers shall be simple in design, reversible, and capable of being quickly adjusted, supporting the wearer in the water in an upright or slightly backward position.

(e) *Buoyant materials.* The buoyant materials in general use are block cork, balsa wood, and kapok, which, when used in the construction of life preservers shall conform to the following requirements:

(1) *Block cork.* The cork shall be of good quality cleaned cork, free from any imperfections affecting its durability, and shall be untreated and weigh not more than 12 pounds per cubic foot. It shall be free from cracks or bark checks greater than one-half the thickness by ⅜ inch wide. Where blocks are made of separate pieces, such pieces shall be fastened together with noncorrosive, buoyant materials.

(2) *Balsa wood.* Balsa wood shall be of the genus Ochroma thoroughly kiln dried and heat treated to a moisture content not to exceed 5 per cent and shall weigh not more than 8 pounds per cubic foot. It shall be sound, free from rot, dote, knots, pith, checks, and other defects.

(3) *Kapok.* It shall be prime Japara kapok of the best quality, well teased, and free from seeds or other foreign matter. In testing the buoyancy characteristics, the processed kapok shall be packed to a density of three pounds per cubic foot. After having been submerged in fresh water for forty-eight hours the kapok shall then provide buoyancy in a ratio of not less than fifty-one pounds net weight per cubic foot.

(f) *Specifications for standard type block-cork life preserver* — (1) *Type.* The type shall conform to Figure 1, and shall be reversible and vestlike, with recessed under arms to allow front and back sections to fit around the upper part of the wearer and held in place by straps, the whole to be of such construction and character as to support the wearer in an upright or slightly backward position. Children's life preservers are to be of the same general form and construction and conform in every respect, as regards material and design, to the standard approved adult life preserver with the exception that the size is to be reduced one-third.

NOTE: Diagram of Figure 1 appears at 46 CFR: 37.6–4.

(2) *Buoyant material.* It shall contain eight blocks of cork of the following approximate dimensions: 4 blocks 11" x 5" x 1⅞" and 4 blocks 6" x 5" x 1⅞". The corners and edges of the blocks shall be slightly rounded or beveled. The weight of the finished cork in each life preserver shall be not less than 4 pounds and not more than 4.5 pounds.

(3) *Buoyancy test.* The life preserver shall be submerged in a tank of fresh water for a period of 48 hours. The adult life preserver shall then support in fresh water a net weight of 16½ pounds or 11 pounds for children's type.

(4) *Cover.*[1] The cover shall be of unbleached, uncolored drill or twill, without filling or sizing, weighing not less than 7.2 ounces to the square yard. It shall be in not more than two pieces, one piece for either side.

(5) *Marking.* Each life preserver shall be plainly marked on the front compartment with either the word "Adults" or the word "Children" as the case may be. It shall also be plainly stenciled with the name and address of the manufacturer and with the official approval number assigned to the life preserver.

(6) *Smooth surface.* The outside surface, edges, and corners of the buoyant material shall be of such smoothness as will prevent undue destruction of the covering material and present a suitable smooth surface for legible stenciling and stamping by inspectors.

(7) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched.

(8) *Straps.* The straps shall have a tensile strength of at least 175 pounds and shall be of double-woven cotton tape 1¼ inches in width having selvedge or cord edges. One strap on each side secured by double stitching and extending 12 inches beyond the end of the life preserver, and two neck straps 12 inches in length. All straps are to be sewn to the body of the life preserver by double stitching.

(9) *Thread.* The thread shall be of a size and strength not less than Barbour's linen, three-cord, No. 25 machine thread. Any thread other than of linen shall require the approval of the Commandant.

(g) *Specifications for standard type balsa-wood life preserver*—(1) *Type.* This shall be the same as for cork as provided in § 59.55 (f) (1).

(2) *Buoyant material.* It shall contain eight blocks of balsa wood of the following approximate dimensions: 4 blocks 11" x 5" x 1⅞" and 4 blocks 6" x 5" x 1⅞". The corners or edges of the blocks shall be slightly rounded or beveled. The weight of the finished balsa wood used in each life preserver shall not be less than 2⅔ pounds nor more than 3 pounds.

(3) *Buoyancy test.* This shall be the same as provided in § 59.55 (f) (3).

(4) *Cover.*[1] This shall be the same as provided in § 59.55 (f) (4).

(5) *Marking.* This shall be the same as provided in § 59.55 (f) (5).

(6) *Smooth surface.* This shall be the same as provided in § 59.55 (f) (6).

(7) *Stitching.* This shall be the same as provided in § 59.55 (f) (7).

(8) *Straps.* This shall be the same as provided in § 59.55 (f) (8).

(9) *Thread.* This shall be the same as provided in § 59.55 (f) (9).

(h) *Specifications for standard type kapok preserver.* (1) *Type.* This type shall be the same as provided in § 59.55 (f) (1) except that it shall conform to Figure 2.

(2) *Buoyant materials.* The life preserver shall be filled with not less than 20 ounces of kapok of the kind provided in § 59.55 (e) (3).

(3) *Buoyancy test.* This shall be the same as provided in § 59.55 (f) (3).

(4) *Cover.*[1] This shall be the same as provided in § 59.55 (f) (4).

(5) *Marking.* This shall be the same as provided in § 59.55 (f) (5).

(6) *Stitching.* This shall be the same as provided in § 59.55 (f) (7).

(7) *Straps.* This shall be the same as provided in § 59.55 (f) (8).

(8) *Thread.* This shall be the same as provided in § 59.55 (f) (9).

NOTE: Diagram for Figure 2 appears at 46 (CFR 37.6–6 (h)).

(i) *Factory inspection.* An inspector shall examine all life preservers at the place of manufacture. After satisfying himself that they have been manufactured according to the requirements of these rules, he shall select indiscriminately from each lot of 250 at least one life preserver to be tested for buoyancy.

Where such life preservers are found to conform to all the requirements of these rules, the inspector shall stamp them with the word "Approved", the initials of his name, the date of examination, and location of his local office.

(j) *Shipboard inspections.* At each annual inspection of any vessel, and oftener if deemed necessary, it shall be the duty of the inspectors making the inspection to examine and inspect all life preservers in the equipment of such vessel for compliance with the requirements of this section. When any block of compressed cork used in a compressed cork-type life preserver is found to be in a broken or granulated condition, such compressed cork block shall be condemned as unfit for further use. When life preservers are found to be in accordance with the requirements, the inspector shall plainly stamp them with a stamp bearing the word "Passed," his initials, the inspector's port, and date: *Provided,* That at the annual inspection of a vessel, or oftener if necessary, at least 5 percent of all kapok life preservers, or such greater number as may be deemed necessary or desirable, shall be subjected to a buoyancy test by being entirely submerged for a period of two hours, after which they shall be capable of sustaining in fresh water 16½ pounds net weight for each 20 ounces of kapok. Any such life preserver failing to meet the required test shall be immediately condemned and removed from the vessel's equipment, and a full detailed report of every such failure shall be immediately forwarded to the Supervising Merchant Marine Inspector of the district having jurisdiction.

(k) *Manufacturer's affidavit.*

AFFIDAVIT OF MANUFACTURER OF STANDARD TYPE LIFE PRESERVERS

State of _____, County of _____ on this _____ day of _____, 19____, I, the undersigned, _____ hereby certify that
(Name)
I am the _____ of the
(Title)
_____ located at
(Name of company)
_____, that I am authorized to make this affidavit; and that the standard type _____ life preservers of our
(See Note 1)
manufacture furnished directly or through agents or dealers for use on vessels subject to the jurisdiction of the United States Coast Guard, comply with the applicable provisions of the regulations prescribed.

(Signature)_____

Subscribed and _____ to before
(Sworn or Affirmed)
me this _____ day of _____, 19____.

(Signature)_____
Notary Public.

[SEAL]

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.12 (e) is amended to read as follows:

§ 60.12 *Construction of metallic lifeboats of class 1A.* • • •

(e) *Scope.* (See § 59.15 (e) of this chapter, which is identical with this paragraph.)

Section 60.12 (h) is amended to read as follows:

(h) *Design of joints.* (See § 59.15 (h) of this chapter, which is identical with this paragraph.)

Section 60.12 (k) is amended to read as follows:

(k) *Inspection and tests.* (See § 59.15 (k) of this chapter, which is identical with this paragraph.)

Section 60.48 is amended to read as follows:

§ 60.48 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

PART 62—LICENSED OFFICERS AND CERTIFICATED MEN

Section 62.15 is amended to read as follows:

[1] See note 1, page 5488.

[1] Indicate adult or child size and name or description of buoyant material.

§ 62.15 *Licenses to officers of vessels owned by the United States.* Any person who has served at least one year as master, commander, pilot, or engineer of any steam vessel owned and operated by the United States in any service in which a license as master, mate, pilot, or engineer was not required at the time of such service shall be entitled to license as master, mate, pilot, or engineer, if the inspectors, upon written examination, as required for applicants for original license, may find him qualified: *Provided*, That the operating experience of any such applicant has been such as to qualify him to serve in the capacity for which he makes application to be licensed.

Section 62.18 (f) is amended to read as follows:

§ 62.18 *Station bills, drills, and reports of masters.* • • •

(f) *Penalty.* For any neglect or omission on the part of the officer in command of such vessels to strictly enforce the provisions of this section, he may be proceeded against in accordance with the provisions of section 4450, R.S., as amended, looking to a suspension or revocation of his license.

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 76.18 (e) is amended to read as follows:

§ 76.18 *Construction of metallic lifeboats of class 1A.* • • •

(e) *Scope.* (Sec § 59.15 (e) of this chapter, which is identical with this paragraph.)

Section 76.18 (h) is amended to read as follows:

(h) *Design of joints.* (See § 59.15 (h) of this chapter, which is identical with this paragraph.)

Section 76.18 (k) is amended to read as follows:

(k) *Inspection and tests.* (See § 59.15 (k) of this chapter, which is identical with this paragraph.)

The first undesignated paragraph of § 76.50 is amended to read as follows:

§ 76.50 *Certificated lifeboatmen; manning of boats.* There shall be for each boat or life raft a number of lifeboatmen at least equal to that specified in the following table:

If the prescribed complement is—	The minimum number of certificated lifeboatmen shall be—
Less than 26 persons	1
From 26 to 40 persons	2
From 41 to 61 persons	3
From 62 to 85 persons	4
Above 85 persons	5

The first undesignated paragraph of § 76.51 is amended to read as follows:

§ 76.51 *Manning of the boats.* A licensed officer or able seaman shall be placed in charge of each boat or pontoon raft; he shall have a list of its lifeboatmen, and other members of its crew which shall be sufficient for her safe management, and shall see that the men placed under his orders are acquainted with their several duties and stations: *Provided*, That if the raft carries 15 persons or less a licensed officer or able seaman need not be placed in charge of such raft: *Provided, further*, That one-half the number of rafts carried shall have a capacity of exceeding 15 persons.

Section 76.52 is amended to read as follows:

§ 76.52 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

PART 77—FIRE APPARATUS; FIRE PREVENTION

Section 77.12 is amended by deleting the last two paragraphs thereof and by changing the headnote to read as follows:

§ 77.12 *Connecting pipe composition.* • • •

Section 77.12a *Pumps on motor vessels*, reading as follows, is added to Part 77:

§ 77.12a *Pumps on motor vessels.* Motor vessels of 50 gross tons and over, carrying passengers for hire, shall be equipped with pumps for throwing water according to the tonnage as prescribed in § 77.5, for steam vessels, and equipped as prescribed in §§ 77.5 to 77.7, inclusive, of this part.

Section 77.21a, reading as follows, is added to Part 77:

§ 77.21a *Fire-resisting bulkheads.* (See § 61.22 of this chapter, which is identical with this section.)

PART 78—LICENSED OFFICERS AND CERTIFICATED MEN

Section 78.15 is amended to read as follows:

§ 78.15 *Licenses to officers of vessels owned by the United States.* (See § 62.15 of this chapter, which is identical with this section.)

Section 78.18 *Station bills, drills, and reports of masters*, paragraph (d) *Drills, tests, and inspections*, is amended by changing the word "secured" in the second sentence of the second paragraph thereof to "tended."

Section 78.18 (f) is amended to read as follows:

§ 78.18 *Station bills, drills, and reports of masters.* • • •

(f) *Penalty.* (See § 62.18 (f) of this chapter, which is identical with this paragraph.)

PART 79—INSPECTION OF VESSELS

Section 79.10 *Bulkheads*, is deleted.

PART 83—DUTIES OF INSPECTORS

Section 83.9 is amended by deleting the last paragraph thereof and by changing the headnote to read as follows:

§ 83.9 *Testing of boilers and hose.* • • •

Part 83 is amended by the addition of a new § 83.9a which reads as follows:

§ 83.9a *Deep-sea sounding apparatus or shallow-water alarm.* It shall be the duty of the local inspectors to require all passenger or freight steam vessels of 1,500 gross tons and upward, navigating the Great Lakes, except paddle-wheel steam vessels, to be equipped with an efficient mechanical deep-sea sounding apparatus, or an efficient shallow-water alarm, in addition to the ordinary deep-sea hand lead. The mechanical deep-sea sounding apparatus or efficient shallow-water alarm above required shall be installed, kept in working order, and ready for immediate use.

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

The first undesignated paragraph of § 94.50 is amended to read as follows:

§ 94.50 *Certificated lifeboatmen; manning of the boats.* (See § 76.50 of this chapter, which is identical with this section.)

The first undesignated paragraph of § 94.51 is amended to read as follows:

§ 94.51 *Manning of the boats.* (See § 76.51 of this chapter, which is identical with this section.)

Section 94.52 is amended to read as follows:

§ 94.52 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

PART 95—FIRE APPARATUS: FIRE PREVENTION

Section 95.12 is amended by deleting the last two paragraphs thereof and by changing the headnote to read as follows:

§ 95.12 *Connecting pipe composition.* • • •

Section 95.12a, reading as follows, is added to Part 95:

§ 95.12a *Pumps on motor vessels.* Motor vessels of 50 gross tons and over, carrying passengers for hire, shall be equipped with pumps for throwing water according to tonnage as prescribed in § 95.5, for steam vessels, and equipped as prescribed in §§ 95.5 to 95.7, inclusive, of this part.

Section 95.14a, reading as follows, is added to Part 95:

§ 95.14a *Water sprinkling systems.* (See § 61.15 of this chapter, which is identical with this section.)

Section 95.21a, reading as follows, is added to Part 95:

§ 95.21a *Fire-resisting bulkheads.* (See § 61.22 of this chapter, which is identical with this section.)

PART 96—LICENSED OFFICERS AND CERTIFICATED MEN

Section 96.15 is amended to read as follows:

§ 96.15 *Licenses to officers of vessels owned by the United States.* (See § 62.15 of this chapter, which is identical with this section.)

Section 96.18 *Station bills, drills, and reports of masters*, paragraph (d) *Drills, tests, and inspection*, is amended by changing the word "secured" in the second sentence of the second paragraph thereof to "tended."

Section 96.18 (f) is amended to read as follows:

§ 96.18 *Station bills, drills, and reports of masters.* • • •

(f) *Penalty.* (See § 62.18 (f) of this chapter, which is identical with this paragraph.)

PART 97—INSPECTION OF VESSELS

Section 97.9 *Bulkheads* is deleted.

Section 97.10 *Water sprinkling system* is deleted.

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.44 is amended to read as follows:

§ 113.44 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

Section 113.45 is amended by the addition of a new third undesignated paragraph, reading as follows:

§ 113.45 *Wooden life floats.* • • •

At each annual inspection of any vessel, and oftener if deemed necessary, it shall be the duty of the inspectors making the inspection to examine and inspect all wooden life floats in the equipment of such vessel for compliance with the requirements of this section. When found to be in accordance with the requirements, the inspector shall plainly stamp such wooden life floats with a stamp bearing the word "Passed," his initials, the inspector's port, and date.

PART 114—FIRE APPARATUS; FIRE PREVENTION

Section 114.14 is amended by deleting the last two paragraphs thereof and by changing the headnote of the section to read as follows:

§ 114.14 *Connecting pipe composition.* • • •

Section 114.14a, reading as follows, is added to Part 114:

§ 114.14a *Pumps on motor vessels.* Motor vessels of 50 gross tons and over, carrying passengers for hire, shall be equipped with pumps for throwing water according to the tonnage as prescribed in § 114.7, for steam vessels, and equipped as prescribed in §§ 114.7 to 114.9, inclusive, of this part.

Section 114.15a, reading as follows, is added to Part 114:

§ 114.15a *Water-sprinkling systems.* (See § 61.15 of this chapter, which is identical with this section.)

Section 114.22a, reading as follows, is added to Part 114:

§ 114.22a *Fire-resisting bulkheads.* All passenger vessels shall be fitted above the bulkhead deck with fire-resisting bulkheads which shall be continuous from side to side of the vessel and arranged to the satisfaction of the Coast Guard. For additional requirements see part 144—Construction or Material Alteration of Passenger Vessels of the United States of 100 Gross Tons and Over Propelled by Machinery, of this chapter.

PART 115—LICENSED OFFICERS

Section 115.15 is amended to read as follows:

§ 115.15 *Licenses to officers of vessels owned by the United States.* (See § 62.15 of this chapter, which is identical with this section.)

Section 115.18 *Station bills, drills, and reports of masters*, paragraph (d) *Drills, tests, and inspection*, is amended by changing the word "secured" in the second sentence of the second paragraph thereof to "tended."

Section 115.18 (f) is amended to read as follows:

§ 115.18 *Station bills, drills, and reports of masters.* • • •

(f) *Penalty.* (See § 62.18 (f) of this chapter, which is identical with this paragraph.)

PART 116—INSPECTION OF VESSELS

Section 116.14 *Bulkheads* is deleted.

Section 116.15 *Water sprinkling systems* is deleted.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN; REGULATIONS DURING EMERGENCY

Section 155.28 *Chief engineer of motor vessels* is amended by deleting the word "motor" in the last column of the table and inserting in lieu thereof, the word "steam."

Section 155.30 *Second assistant engineer of motor vessels* is amended by deleting the word "motor" in the last column of the table and inserting in lieu thereof, the word "steam."

Section 155.35, reading as follows, is added to Subchapter O, Part 155:

§ 155.35 *Licenses to officers of vessels owned by the United States.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.1–19, 62.15, 78.15, 96.15, and 115.15 of this chapter:

(a) Any person who has served at least six months as master, commander, pilot, or engineer of any steam vessel owned and operated by the United States in any service in which a license as master, mate, pilot, or engineer was not required at the time of such service, shall be entitled to license as master, mate, pilot, or engineer, if the inspectors, upon written examination, as required for applicants for original license, may find him qualified: *Provided*, That the operating experience of any such applicant has been such as to qualify him to serve in the capacity for which he makes application to be licensed.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

Safety Valves

Type 34–SO bronze safety valves, 1½", 2", and 2½" sizes (Maximum working pressure of 300 pounds per square inch and maximum temperature of 450° F.) (Dwg. No. 325, dated 26 February 1941), manufactured by Texsteam Corporation, Houston, Texas.

Low-Pressure Heating Boiler

Agitair Hot Water Generator (Maximum working pressure of 30 pounds per square inch) (Dwgs. WH 100 and WH 103 A), manufactured by Air Devices, Inc., New York, N. Y.

Life Preservers

Adult Seaway kapok work jacket (Dwg. No. S–A–K–J–10, dated 15 March 1942), Approval No. B–151, manufactured by Seaway Manufacturing Company, Inc., New Orleans, La.

Adult kapok life preservers: No. 17M with 20 ounces of kapok, Approval No. B–152; No. 17M with 24 ounces of kapok, Approval No. B–153; No. 5T with 20 ounces of kapok, Approval No. B–154; and No. 5T with 24 ounces of kapok, Approval No. B–155; (Dwgs. dated 20 April 1942), manufactured by Cluff Fabric Products, Inc., New York, N. Y.

Adult kapok life preserver, Type MC, Approval No. B–156, manufactured by Grand Novelty Company, New York, N. Y.

Thread for Life Preservers

Kingston 10/3, grey, glazed finish cotton thread, manufactured by the American Thread Company, New York, N. Y.

Lifesaving Suits

Goodall Styles CF and RC "Overboard" suits, submitted by the Goodall Rubber Company, Inc., Philadelphia, Pa. (In conjunction with life preservers bearing approval numbers B–97, B–152, B–153, B–154, B–155, or B–156)

Universal Lifesaving Suit, submitted by Alexander Sandler, Los Angeles, Calif. (In conjunction with life preservers bearing approval numbers B–97, B–152, B–153, B–154, B–155, or B–156)

Life Preserver Lights

Delta life preserver light, Type A–2050 (Dwg. dated 23 May 1942), manufactured by Delta Electric Company, Marion, Indiana.

Taunton life preserver light, Type M.S.L. 1263 (Dwg. M.S.L. 1263, dated 15 May 1942), manufactured by Taunton Pearl Works, Taunton, Mass.

Life preserver light, Model A (Dwg. No. 302–B–1, rev. 10 June 1942), manufactured by Colvin-Slocum Boats, Inc., New York, N. Y.

Model NR life preserver light 3450 (Dwg. dated 16 June 1942, rev. 10 June 1942), manufactured by Fulton Manufacturing Corporation, Wauseon, Ohio.

Emergency Light

Portable emergency light (Navy Dept. Bureau of Ships Dwg. No. 9–S–5311–L, Alt. 1—Hand Lantern, Type J–1S), man-

ufactured by Delta Electric Company, Marion, Indiana.

Flashlights for Lifeboat Use

Type F–90 Safety Flashlight, manufactured by Stewart R. Browne Mfg. Co., New York, N. Y.

Bright Star Flashlight No. 723M, manufactured by Bright Star Battery Co., Clifton, N. J.

Life Floats

Rectangular, hollow, balsa wood life floats, manufactured by Winner Manufacturing Co., Inc., Trenton, N. J. (Dwg. No. BF–10, dated 30 March 1942), approved in the following sizes:

Capacity in persons	Over-all length	Over-all width	Thickness of body	Reserve buoyancy
	′ ″	′ ″	*Inches*	*Pounds*
10	7 0	3 6	9	400
10	7 1	3 2	9	400
15	7 6	4 0	10	600
25	9 0	5 0	11	900

Water Spray Nozzle

1½″ Rockwood Waterfog Nozzle, No. N–21, manufactured by the Rockwood Sprinkler Corp., Worcester, Mass.

Corrections in Listings

The approval listings of the following lifesaving suits which were published 3 April 1942 (7 F.R. 2581) are corrected to read as follows:

Lifesaving Suits

Morner lifesaving suit, submitted by The Watertight Slide Fastener Corporation, New York, N. Y. (In conjunction with life preservers bearing approval numbers B–97, B–152, B–153, B–154, B–155, or B–156)

Vaco lifesaving suit, submitted by Vaco, Inc., New York, N. Y. (In conjunction with life preservers bearing approval numbers B–97, B–152, B–153, B–154, B–155, or B–156)

Approval Withdrawn

Approval is withdrawn from the following items of equipment:

Life Preserver Light

Withdrawal of approval of snap on or pocket water actuated light for attaching to life preservers, manufactured by Triumph Explosives, Inc., Elkton, Maryland. (Original approval listed 4 March 1942, 7 F.R. 1701)

Signal Pistol and Parachute Flares

Withdrawal of approval of signal pistol, submitted by Sculler Safety Corporation, New York, N. Y., handle marked "Federal Laboratories, Inc., Pittsburgh, Pa., No. 1"; and parachute flare cartridges. (Original approvals listed in "Instruments, Machines, and Equipments Approved, Vessels Inclined, and Rulings," edition of 25 September 1936, published by the former Bureau of Marine Inspection and Navigation)

R. R. WAESCHE,
Commandant.

JULY 14, 1942.

[F. R. Doc. 42–6721; Filed, July 15, 1942; 10:56 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B–5]

T. A. D. JONES AND CO., INC.

ORDER CANCELLING HEARING, ETC.

Order withdrawing notice of and order for hearing, cancelling hearing, and terminating matter without prejudice.

The above-entitled matter having been instituted by a Notice of and Order for Hearing dated September 16, 1941, an answer having been filed herein by said respondent on October 9, 1941, and the hearing having been postponed by Order of the Acting Director dated October 18, 1941, to a date and place to be thereafter designated by an appropriate order; and

The Acting Director, upon the basis of further investigation, deeming it advisable that said Notice of and Order for Hearing should be withdrawn, that the said hearing should be cancelled and that the above-entitled matter should be terminated without prejudice;

Now, therefore, it is ordered, That the said Notice of and Order for Hearing dated September 16, 1941, be and the same hereby is withdrawn; and

It is further ordered, That the hearing heretofore scheduled in the above-entitled matter be and the same hereby is cancelled; and

It is further ordered, That the above-entitled matter be and the same hereby is terminated without prejudice.

Dated: July 15, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6761; Filed, July 16, 1942; 11:27 a. m.]

[Docket No. B–48]

SUN COAL COMPANY, CODE MEMBER

ORDER GRANTING APPLICATION, ETC.

Order granting application filed pursuant to § 301.132 of the rules of practice and procedure, terminating code membership, cancelling hearing, providing for payment of tax for restoration of code membership and to cease and desist upon restoration.

A complaint dated September 9, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on September 24, 1941 with the Bituminous Coal Division (the "Division"), by the Bituminous Coal Producers Board for District No. 8, complaint (the "Complainant"), alleging, as amended by Order granting motion to amend dated February 28, 1942, that Sun Coal Company, a corporation organized and existing under the laws of the State of Tennessee, Code Member, whose address is Knoxville, Tennessee, operator of the Sun Mine (Mine Index No. 453), Caryville, Tennessee, in District No. 8, wilfully violated the Act, the Bituminous Coal Code (the "Code"), promulgated thereunder and Orders and Rules and Regulations of the Division, by selling, delivering and offering for sale for shipment by rail, to numerous purchasers in various market areas, substantial quantities of coal produced by it at its aforesaid mine, at prices below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 8, For All Shipments Except Truck, (the "Schedule") as more fully set forth in the complaint as amended herein; and

The complaint herein and the complaint, as amended, and the Notice of and Order for Hearing, dated December 6, 1941, with amendments thereto, all having been duly served upon the Code Member and the hearing herein having been postponed by Order dated April 23, 1942, to a date and place to be thereafter designated by an appropriate order; and

The Code Member having duly filed with the Division, on January 19, 1942, an application based upon admission for disposition of compliance proceedings without formal hearing dated January 16, 1942, pursuant to Section 301.132 of the Rules of Practice and Procedure before the Division; on February 9, 1942, a supplemental application dated February 6, 1942; on April 13, 1942, a motion for reconsideration of application based upon admissions for the disposition of compliance proceedings without formal hearing dated April 11, 1942; and on April 22, 1942, a second supplemental application dated April 21, 1942; and

Notice dated May 7, 1942, of the filing of said application, as supplemented, having been published in the FEDERAL REGISTER on May 8, 1942, pursuant to Section 301.132 of the Rules of Practice and Procedure, and copies thereof having been duly mailed to interested parties including the Complainant; and

Said Notice of filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said Notice file recommendations or requests for informal conferences in respect to said application, as supplemented, and it appearing that the Complainant within said fifteen (15) day period filed a recommendation dated May 12, 1942, that said application, as supplemented, be accepted; and

It further appearing that in said application, as supplemented, Code Member producer admitted that during the period from March 7, 1941, to March 31, 1941, both dates inclusive, it committed the violations alleged in the complaint herein by describing, billing and selling 2854.45 net tons of 2½″ x 6″ egg coal and 6″ block coal as 2½″ x 5″ egg coal and 5″ block coal, respectively, in violation of the effective minimum prices; and

It further appearing in said application, as supplemented, that the Code Member represents that it has not, to the best of its knowledge and belief, committed any violations of the Act, the Code or regulations thereunder other than those described in said application, as supplemented; and

It further appearing in said application, as supplemented, that the Code Member consents to the entry of an order revoking its membership in the Code and imposing a tax in the amount of Three Thousand Four Hundred Twelve and Thirty-nine One-Hundredths ($3,412.39) Dollars, as a condition precedent to the restoration of its membership in the Code and agrees to pay such tax as a condition to such restoration; and

It further appearing in said application, as supplemented, that the Code Member consents to the entry of a cease and desist order directing it to cease and desist from further violations of the Act, the Code, and rules and regulations thereunder.

Now therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act, authorizing it to adjust complaints of violations and to compose the differences of the parties thereto and upon the application, as supplemented, of the Code Member, for disposition without formal hearing of the charges contained in the complaint herein, as amended, pursuant to § 301.132 of the Rules of Practice and Procedure, and upon the recommendation of the Complainant and upon evidence in the possession of the Division:

It is hereby found as follows:

A. Sun Coal Company is a corporation organized and existing by virtue of the Laws of the State of Tennessee, with its principal place of business at Knoxville, Tennessee, and is primarily engaged in the business of mining and producing bituminous coal.

B. Sun Coal Company filed with the Division on June 21, 1937, its acceptance dated June 15, 1937, of the Code. Said Code Acceptance was made effective by the Division as of June 21, 1937, and Sun Coal Company is now a Code Member in District No. 8, operating the Sun Mine, Mine Index No. 453, located at or near Caryville, Tennessee, in Sub-District No. 6 of District No. 8.

C. Sun Coal Company, during the period from March 7, 1941 to March 31, 1941, both dates inclusive, wilfully violated the effective minimum prices, the Act, the Code promulgated thereunder and rules and regulations of the Division

(1) By selling to numerous purchasers in various market areas for shipment by rail 1243.45 net tons of 6″ block coal produced by it at its said mine at a price of $3.25 f. o. b. said mine, whereas the effective minimum price established for said coal for shipment by rail into various market areas was $3.35, as set forth in the Schedule; and

(2) By selling to numerous purchasers in various market areas for shipment by rail 1611.00 net tons of 2½″ x 6″ egg coal produced by it at its said mine at prices from $2.65 to $2.86 f. o. b. said mine, whereas the effective minimum prices established for said coal for shipment by rail into various market areas were $2.75 to $2.96, respectively, as set forth in the Schedule.

It is hereby further found, Pursuant to the provisions of section 5 (b) of the Act that the membership of the Sun Coal Company in the Code should be revoked with respect to the violations described in paragraph C. (1) and (2) above.

It is hereby further found that the amount of tax, imposed by section 5 (b) and (c) of the Act, with respect to the coal described in paragraph C. (1) and (2) above, amounting to 2854.45 net tons, and required to be paid as a condition precedent to restoration of membership of the Sun Coal Company in the Code, is Three Thousand Four Hundred Twelve and Thirty-nine One-Hundredths ($3,412.39) Dollars, which amount is 39% of the aggregate of the effective minimum prices of such coal at the mine of Eight Thousand Seven Hundred Forty-nine and Seventy-three One-Hundredths ($8,749.73) Dollars.

It is hereby further found that the Sun Coal Company should be directed to cease and desist from violations of the Act, the Code and rules and regulations thereunder.

Now therefore, on the basis of the above findings and the said admissions and the consent filed by the Sun Coal Company, pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That the aforesaid application, as supplemented, of the Sun Coal Company be and the same hereby is accepted and granted; and

It is further ordered, That pursuant to section 5 (b) of the Act, the membership of Sun Coal Company in the Code be and the same hereby is revoked and canceled; and

It is further ordered, That such cancellation and revocation of the code membership of the said Sun Coal Company shall become effective fifteen (15) days from the date of service of this Order on said Sun Coal Company; and

It is further ordered, That the hearing herein heretofore postponed by Order dated April 23, 1942, to a date and place to be thereafter designated by an appropriate Order be and the same hereby is canceled; and

It is further ordered, That prior to restoration to membership of the Sun Coal Company in the Code, there shall be paid to the United States Government a tax in the amount of Three Thousand Four Hundred Twelve and Thirty-nine One-hundredths ($3,412.39) Dollars, as provided in section 5 (c) of the Act; and

It is further ordered, That any order of restoration of the membership of the Sun Coal Company in the Code shall require that the Sun Coal Company, its representatives, officers, servants, agents, employees, attorneys, receiver, and successors or assigns and all persons acting or claiming to act in its behalf or interest cease and desist and they be permanently enjoined and restrained from violating the Act, the Code, the rules and regulations thereunder and the Schedule of Effective Minimum Prices For District No. 8 For All Shipments Except Truck.

Dated: July 15, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6762; Filed, July 16, 1942; 11:27 a. m.]

[Docket No. A–1476]

DISTRICT BOARD NO. 186

ORDER ADVANCING HEARING

In the Matter of the Petition of District Board No. 18 for the establishment of Certain Minimum Prices.

A hearing in the above-entitled matter having been scheduled to be held on July 28, 1942, at a hearing room of the Bituminous Coal Division in Washington, D. C.; and

District Board No. 18 having requested that such hearing be advanced to an earlier date; and no opposition having been interposed in this matter; and good cause having been shown why such request should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is advanced from 10 o'clock in the forenoon of July 28, 1942, until 10 o'clock in the forenoon of July 20, 1942.

The time for filing petitions of intervention in this matter is hereby advanced to July 18, 1942.

In all other respects the Notice of and Order for Hearing entered in this matter on June 24, 1942, shall remain in full force and effect.

Dated July 15, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–6763; Filed, July 16, 1942; 11:27 a. m.]

FARMERS UNION STATE EXCHANGE, OMAHA, NEBRASKA

SUPPLEMENTING ORDER

In the Matter of the Application of the Farmers Union State Exchange, Omaha, Nebraska, for Registration as a Bona Fide and Legitimate Farmers' Cooperative Organization.

The above-named registered farmers' cooperative organization, Registration No. 2879, having advised the Division that The Farmers Grain and Supply Company, St. Paul, Nebraska, a farmers' cooperative organization, to whom registrant resells coal, has been reorganized under the name of "St. Paul Cooperative Grain Association," and that the farmers' cooperative organizations, hereinafter described, are no longer engaged in business, have changed their methods of operation or for other reasons should not be included in the list of bona fide and legitimate farmers' cooperative organizations, to whom registrant resells coal purchased by it at an authorized discount from the established minimum prices;

It is ordered, That Exhibit "A" of the Order in the above-entitled matter, dated November 15, 1940, as amended July 15, 1941, and March 14, 1942, be, and it is hereby further amended by making the following changes and deletions:

CHANGE OF NAME

As appearing in exhibit "A"	Changed to read	Address
The Farmers Grain & Supply Co.	St. Paul Cooperative Grain Association.	St. Paul, Nebr.

DELETIONS

Name and address

Farmers Union Mercantile Co., Bancroft, Nebr.

Farmers Union Store, Columbus, Nebr.

Farmers Union Retail Store, Moorcroft, Wyo.
Farmers Union Elevator and Milling Co., Seward, Nebr.
Farmers Elevator Co., Superior, Nebr., Rt. 3.
Farmers Cooperative Society, Sutton, Nebr.
Farmers Union Cream Station, Taylor, Nebr.
Farmers Elevator Co., Brock, Nebr.
Farmers Business Association, Duncan, Nebr.
Farmers Union Cream Station, Waco, Nebr.

Dated: July 15, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6764; Filed, July 16, 1942; 11:27 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order 23]

PAUL M. O'LEARY

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 [1] and by War Production Board Directive No. 1, as supplemented, the following order is prescribed:

(a) Paul M. O'Leary, Acting Deputy Administrator in Charge of Rationing, is authorized and directed to exercise the following functions, duties, powers, authority, and discretion in connection with rationing:

(1) To determine whether any person has violated any regulation or order heretofore or hereafter issued by the Office of Price Administration or the Administrator pursuant to WPB Directive No. 1, as heretofore or hereafter supplemented, and to issue such suspension orders and take such other action as may be appropriate in the premises.

(2) To consider and determine all petitions for reconsideration of suspension orders heretofore or hereafter issued, and take such action thereon as may be appropriate in the premises.

(b) Any decision made, order issued, and other action taken by said Paul M. O'Leary pursuant to this delegation of authority shall have the same force and effect as if made, issued, or taken by the Administrator.

(c) This order shall take effect this 15th day of July 1942.

Issued this 15th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6752; Filed, July 15, 1942; 5:06 p. m.]

FLUORSPAR PROCESSING COMPANY

[Docket No. 3126-2]

APPROVAL OF MAXIMUM PRICE

Order No. 5 Under Maximum Price Regulation No. 126 [2]—Fluorspar.

By a letter mailed on or about April 20, 1942, the Office of Price Administration approved a price of $27.40 per ton f. o. b. Salida, Colorado, for sales of acid grade fluorspar, having a chemical analysis substantially as follows:

2% SiO_2, 97.25% CaF_2, and possibly some iron,

made by the petitioner, Fluorspar Processing Company, 126½ East Pikes Peak Avenue, Colorado Springs, Colorado. Petitioner is a "producer" (of fluorspar) as the term is defined in Maximum Price Regulation No. 126, and subject to the maximum prices as therein fixed. In accordance with § 1376.11 of said Maximum Price Regulation, petitioner has filed a Petition for Adjustment requesting approval of the aforementioned price, which Petition was filed with the Secretary, Office of Price Administration, Washington, D. C., June 25, 1942. It is found that said Petition has been filed in proper form, and that the petitioner is entitled to the approval of the price therein set out. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

(a) Under the provisions of § 1376.11 of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $27.40 per ton f. o. b. Salida, Colorado, for acid grade fluorspar having a chemical analysis substantially as follows:

2% SiO_2, 97.25% CaF_2, and possibly some iron,

is approved for sales made, or to be made, by Fluorspar Processing Company, 126½ East Pikes Peak Avenue, Colorado Springs, Colorado, and is the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 5 shall become effective July 17, 1942.

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6769; Filed, July 16, 1942; 11:58 a. m.]

[Docket No. 3126-3]

AMERICAN FLUORSPAR CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 6 under Maximum Price Regulation No. 126 [2]—Fluorspar.

By a letter mailed on or about March 18, 1942, the Office of Price Administration approved a price of $11.50 per ton f. o. b. Salida, Colorado, with customary bonuses or penalties for permissible variations in effective CaF_2 content, for sales of sorted and crushed (steel) fluorspar, 85% CaF_2—5% SiO_2, or comparable, made by the petitioner, American Fluorspar Corporation, 126½ East Pikes Peak Avenue, Colorado Springs, Colorado Petitioner is a "producer" (of fluorspar) as the term is defined in Maximum Price Regulation No. 126, and subject to the maximum prices as therein fixed. In accordance with § 1376.11 of said Maximum Price Regulation, petitioner has filed a Petition for Adjustment requesting approval of the aforementioned price, which Petition was filed with the Secretary, Office of Price Administration, Washington, D. C., June 26, 1942. It is found that said Petition has been filed in proper form, and that the petitioner is entitled to the approval of the price therein set out. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

(a) Under the provisions of § 1376.11 of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $11.50 per ton f. o. b. Salida, Colorado, for sorted and crushed (steel) fluorspar, 85% CaF_2—5% SiO_2, or comparable, with customary bonuses or penalties for permissible variations in effective CaF_2 content, is approved for sales made, or to be made, by American Fluorspar Corporation, 126½ East Pikes Peak Avenue, Colorado Springs, Colorado, and is the maximum price at which said company may sell or deliver sorted and crushed (steel) fluorspar.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 6 shall become effective July 17, 1942.

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6770; Filed, July 16, 1942; 11:58 a. m.]

HARRY M. WILLIAMSON & SON

[Docket No. 3126-5]

APPROVAL OF MAXIMUM PRICE

Order No. 7 under Maximum Price Regulation No. 126 [2]—Fluorspar.

By a letter mailed on or about April 1, 1942, the Office of Price Administration approved a price of $28.00 per ton f. o. b. Boulder, Colorado, for sales of acid grade fluorspar having a chemical analysis substantially as follows:

98% CaF_2 and 1% SiO_2,

made by the petitioner, Harry M. Williamson & Son, 615 U. S. National Bank Building, Denver, Colorado. Petitioner is a "producer" (of fluorspar) as the term is defined in Maximum Price Regulation No. 126, and subject to the maximum prices as therein fixed. In accordance with § 1376.11 of said Maximum Price Regulation, petitioner has filed a Petition for Adjustment requesting approval of the aforementioned price, which Petition was filed with the Secretary, Office of Price Administration, Washington, D. C., July 6, 1942. It is found that said Petition has been filed in proper form, and that the petitioner is entitled to the approval of the price therein set out. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

(a) Under the provisions of § 1376.11 of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $28.00 per ton f. o. b. Boulder, Colorado, for acid grade fluorspar, having a chemical analysis substantially as follows:

98% CaF_2 and 1% SiO_2,

is approved for sales made or to be made by Harry M. Williamson & Son, 615 U. S. National Bank Building, Denver, Colorado, and is the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective July 17, 1942.

Issued this 16th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6771; Filed, July 16, 1942; 11:59 a. m.]

[1] 7 F.R. 2719.
[2] 7 F.R. 3189.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-56, 59-33, 70-263, 70-371, 70-367, 70-430, 70-431]

COLUMBIA GAS & ELECTRIC CORPORATION, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING; NOTICE OF AND ORDER CONSOLIDATING PROCEEDINGS

At its regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of July 1942.

In the Matter of Columbia Gas & Electric Corporation, and Columbia Oil & Gasoline Corporation, File No. 54-56; Columbia Gas & Electric Corporation, Columbia Oil & Gasoline Corporation, Panhandle Eastern Pipe Line Company, Michigan Gas Transmission Corporation, Indiana Gas Distribution Corporation, and The Ohio Fuel Gas Company, File Nos. 59-33, 70-263, 70-371, 70-387, 70-430, 70-431.

I

Notice is hereby given that a declaration or application (or both), pursuant to the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, has been filed by Columbia Gas & Electric Corporation, a registered holding company, and by Columbia Oil & Gasoline Corporation, a nonutility subsidiary thereof.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Columbia Gas & Electric Corporation (Columbia Gas) and Columbia Oil & Gasoline Corporation (Columbia Oil) propose to consummate a plan, pursuant to section 11 (e) of said Act, for the purpose of enabling both companies to comply with the provisions of section 11 (b) (1) of said Act and the Order of the Commission thereunder dated March 31, 1942, with respect to their interests in Panhandle Eastern Pipe Line Company (Panhandle), a direct subsidiary of Columbia Oil and an indirect subsidiary of Columbia Gas, and for the purpose of enabling Columbia Oil to comply with the provisions of section 11 (b) (2) of said Act. The elements of the proposed plan are as follows:

1. Columbia Oil will surrender to Panhandle the 10,000 shares of Panhandle's Class B Preferred Stock held by Columbia Oil, against payment to Columbia Oil of the cash sum of $1,000,000 plus accrued dividends to the date of surrender and payment;

2. Columbia Oil will sell to Phillips Petroleum Company, for the cash sum of $10,436,826, subject to interest and dividend adjustments, Columbia Oil's holdings of common stock of Panhandle, constituting 404,326 shares or 50.1% of the common shares outstanding;

3. Columbia Oil will wind up its affairs on the following terms and conditions:

(a) It will pay in full all of its indebtedness, including its debentures now held by Columbia Gas, together with accrued interest thereon to the date of payment;

(b) It will distribute to the holders of its common stock, in full settlement of all their rights and interest in the corporation, the sum of $1.00 per share in cash;

(c) All of its remaining assets will be transferred to Columbia Gas as holder of all of its outstanding preferred stock.

The plan provides that neither it nor the transactions contemplated therein shall become binding upon Columbia Oil unless and until they are authorized and consented to by affirmative vote of the holders of the requisite amount of common and preferred stock of Columbia Oil at a stockholders' meeting duly called to act thereon, as provided by the laws of the State of Delaware and its Certificate of Incorporation, as amended. As an incident to such plan, it is requested that the Commission find, under Rule U-50 of the General Rules and Regulations under said Act, that competitive bidding will not be required with respect to the proposed sale of common stock of Panhandle Eastern by Columbia Oil to the Phillips Petroleum Company.

II

A consolidated proceeding (hereinafter referred to as the previous consolidated proceeding) is now pending before the Commission, which proceeding results from a consolidation of proceedings upon applications and declarations previously filed by Columbia Gas, Columbia Oil and Panhandle with proceedings instituted by the Commission involving such companies under sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Act. Various Orders have been entered by the Commission in said previous consolidated proceeding, including an order dated January 21, 1942 approving certain transactions involved in the said applications and declarations, and an Order dated March 31, 1942, providing:

(i) That pursuant to section 11 (b) (1) of the Act Columbia Gas and Columbia Oil take all necessary and appropriate steps to sever the relationship of Columbia Gas with Panhandle, by disposing, or causing the disposition, of Columbia Gas' direct and indirect ownership, control, and holding of securities issued by and the properties of Panhandle and its subsidiaries;

(ii) That pursuant to section 11 (b) (2) of the Act the voting power of the Class B preferred Stock of Panhandle be cancelled, provided that there may be submitted any alternative plan to cure the unfair and inequitable distribution of voting power, including any plan for the retirement or redemption of said Class B Preferred Stock, and provided that if such plan is approved it will supersede the order in this respect.

These Orders disposed of all matters involved in said previous consolidated proceeding except for certain portions of the applications and declarations, including those dealing with the exchange therein proposed of the preferred stock of Columbia Oil held by Columbia Gas for the oil and gas subsidiaries of Columbia Oil, the proceedings under section 15 (f), and the proceedings under section 11 (b) (2) with respect to the distribution of voting power among the security holders of Columbia Oil. In accordance with the Order of the Commission dated January 15, 1942, hearings were held with respect to these remaining matters, and the record therein was closed on May 20, 1942. Prior to the time set for the filing of briefs with respect to the matters therein involved, Columbia Oil and Columbia Gas requested that the filing of such briefs be deferred and further action with respect to such matters be suspended pending the filing and consideration of the present plan. This request was granted by the Commission.

Columbia Gas and Columbia Oil have stated that the filing of the present plan is subject to the prior entry of an Order by the Commission that the filing of such plan be without prejudice to the pending applications and declarations and to the reassertion of any legal positions heretofore taken by Columbia Gas or Columbia Oil with respect to any portion of the present consolidated proceeding in the event the present plan pursuant to section 11 (e) is, for any reason, not finally consummated.

III

The Commission being required by the provisions of section 11 (e) of said Act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or modified, is necessary to effectuate the provisions of section 11 (b) and fair and equitable to the persons affected by such plan; and

It appearing to the Commission that the request of Columbia Gas and Columbia Oil that consideration of the pending applications and declarations be deferred pending the consideration of said section 11 (e) plan, but that the filing of said plan, as such, should not prejudice Columbia Gas and Columbia Oil with re-

spect to such applications and declarations if the plan is, for any reason, not consummated, is appropriate; and

It further appearing to the Commission that the proceedings with respect to the section 11 (e) plan involve common questions of law and fact with the proceedings under section 11 (b) (2) and should be consolidated for consideration by the Commission together therewith;

It is hereby ordered, That hearings on the proposed plan filed pursuant to section 11 (e) be held on the 28th day of July, 1942, at 10:00 A. M. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing-room clerk in Room 318.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearings. The officer so designated to preside at such hearings is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the filing of briefs and all further action with respect to the above-described previous consolidated proceeding, as such, be and the same hereby are deferred and suspended pending further Orders of the Commission, without prejudice to the further prosecution of the pending applications and declarations and to the reassertion of any legal position heretofore taken by Columbia Gas or Columbia Oil with respect to any portion of the above-described previous consolidated proceeding in the event that said section 11 (e) plan is, for any reason, not finally consummated.

It is further ordered, That the proceedings with respect to the plan filed pursuant to section 11 (e) be and the same hereby are consolidated with the proceedings under section 11 (b) (2) with respect to the distribution of voting power among the security holders of Columbia Oil to the extent of the consideration by the Commission of the issues therein involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing and of the action herein by mailing a copy of this Order by registered mail to the above-named parties, as well as to all other parties and persons previously granted the right to be heard and participate in the above-described previous consolidated proceedings, and that notice of said hearing is hereby given to all security holders of Columbia Gas and Columbia Oil, to all states, municipalities, or political subdivisions of states or foreign countries in which are located any of the utility assets of Columbia Gas, or under the laws of which any of the subsidiary companies are incorporated, to all state commissions and all agencies, authorities or instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over any of the business affairs of either of the above-named parties, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication of this Order in the FEDERAL REGISTER.

It is further ordered, That all parties and persons granted the right to intervene or to be heard and participate in the above-described previous consolidated proceedings shall be and hereby are given the same rights with respect to the present consolidated proceeding.

It is further ordered, That any other person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission, on or before the 25th day of July, 1942, a written statement relative thereto, and that any person proposing to intervene shall file with the Secretary of the Commission, on or before such date, application therefor, as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by the pending plan filed pursuant to section 11 (e), the following matters and questions will be considered:

(1) Whether the proposed plan filed pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of said Act;

(2) Whether the proposed plan is fair and equitable to the persons affected thereby;

(3) Whether it is appropriate that the sale by Columbia Oil to Phillips Petroleum Company of the common stock of Panhandle Eastern held by Columbia Oil be exempted from the competitive bidding requirements of Rule U-50;

(4) Whether the fees and expenses and other considerations to be paid or received, directly or indirectly, in connection with the proposed plan or transactions incidental thereto are necessary and are reasonable in amount;

(5) What terms and conditions, if any, may be necessary or appropriate in the public interest or the interest of investors or consumers.

It is further ordered, That all matters contained in the record of the above-described previous consolidated proceeding be and the same hereby are specifically incorporated in the record of the present proceeding.

It is further ordered, That jurisdiction be and is hereby reserved to separate or consolidate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, or to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6742; Filed, July 15, 1942; 3:33 p. m.]

WAR MANPOWER COMMISSION.

POLICY TO PREVENT PIRATING OF WAR WORKERS

In our rapidly expanding war industries, thousands of skilled workers are required. In certain occupations there are not enough skilled workers to meet the immediate and future requirements of war industries. This shortage of skilled workers has created needless labor turnover and uncontrolled migration of skilled labor. Such turnover and migration result in wasteful and ineffective utilization of skilled workers, which is likely to impede the war production program to an increasing extent in those areas in which war production is concentrated.

Having so found, after consultation with the members of the War Manpower Commission, and having further found, after such consultation, that the measures herein provided are necessary to promote the effective mobilization and maximum utilization of the Nation's manpower in the prosecution of the war, by virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9139,[1] establishing the War Manpower Commission, I hereby declare the following War Manpower Commission policy:

I. If the maximum utilization of the manpower in a designated area has been or is likely to be impeded because of (a) the concentration of essential war production in any such area, (b) the shortage of workers for designated occupations therein, (c) an excessive rate of turnover among such workers, or (d) the migration of such workers to other areas, the appropriate regional representative of the War Manpower Commission shall confer with the representatives of management and labor in such area and with such regional or local representatives of the War Production Board, the United States Army, the United States Navy, the United States Maritime Commission, the United States Employment Service, the United States Civil Service Commission and such other agencies or departments as may be affected, with a view to securing the concurrence of all affected parties in a cooperative plan for the effective recruitment and utilization of workers in such area and for the effective elimination of practices which result in the withdrawal of workers from employers engaged in essential activities in such area. Upon the approval of such a cooperative plan by all affected parties, or upon the failure of such affected parties to concur in such a cooperative plan with reasonable promptness, the appropriate regional representative of the War Manpower Commission shall submit a full report thereof to the Chairman of the War Manpower Commission.

II. Upon approving a cooperative plan which effectuates the purposes set forth in this policy and which has been concurred in with respect to any designated

[1] 7 F.R. 2919.

area, or upon approving a report that such a plan is needed and has been sought, but has not been concurred in by all affected parties with reasonable promptness, the Chairman of the War Manpower Commission will give notice that such area constitutes a critical labor area, and that with respect to such area, specified occupations and activities constitute, respectively, critical occupations and essential war production activities.

III. After the publication of such a notice with respect to a given area it is essential that no employer:

(a) Solicit (for the purpose of hiring) or hire, within or without such critical labor area, for work to be performed wholly or principally within such area, or

(b) Solicit (for the purpose of hiring) or hire, within such critical labor area, for work to be performed wholly or principally without such area,

any worker who on or after the effective date of this policy was employed at any place in an occupation, designated as a critical occupation and an activity designated as an essential war production activity, except (1) through a public employment office of the United States Employment Service, or (2) in accordance with standards, methods or conditions approved by the Chairman of the War Manpower Commission or his authorized representative, or (3) in accordance with the cooperative plan for such area which may include clause (1) or clause (2) hereof or both such clauses. As used in this policy, the phrase "solicit (for the purpose of hiring)" means any activity, including any written or oral communication or publication, designed or intended to induce any individual to accept employment in a given plant, factory, or other establishment.

IV. Any worker or employer, or group of workers or employers, dissatisfied with any act or failure to act pursuant to this policy shall be given a fair opportunity to present his or their case to an Industrial Area Management-Labor Committee. Such Committee shall make recommendations concerning such cases as well as other matters pertinent to the carrying out of this policy in its area, to the War Manpower Commission Area director for appropriate action. The Chairman of the War Manpower Commission shall prescribe rules, regulations and procedures for the carrying out of the responsibilities of Area Committees under this policy, including procedures for the review of the recommendations of the Area Committees, by Regional Management-Labor Committees and by the National Management-Labor Policy Committee.

V. All lawful and appropriate steps will be taken to utilize the services, facilities and authorities of other departments and agencies of the Federal Government to the fullest extent to achieve or promote compliance with the provisions of this policy.

PAUL V. MCNUTT,
Chairman,
War Manpower Commission.

JULY 16, 1942.

[F. R. Doc. 42-6775; Filed, July 16, 1942; 11:55 a. m.]

JUL 20 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 141

Washington, Saturday, July 18, 1942

The President

EXECUTIVE ORDER 9200

AMENDING SUBDIVISION II OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 404), paragraph 3, Subdivision II of Schedule A of the Civil Service Rules is hereby amended to read as follows:

3. Chief and Assistant Chief of the Foreign Service Buildings Office and Chief of the Office of Foreign Service Furnishings.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 16, 1942.

[F. R. Doc. 42-6803; Filed, July 17, 1942; 11:16 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 75—ADMISSION TO THE UNITED STATES MILITARY ACADEMY [1]

Section 75.4,[2] 75.5,[3] and 75.7 (a) and (b)[4] are hereby amended to read as follows:

§ 75.4 *Strength of corps of cadets.* Under the act of Congress approved June 3, 1942, the Corps of Cadets shall hereafter consist of 2,496 cadets, appointed in number and from sources as follows:

8 from each State at large	384
4 from each congressional district	1,740
4 from each Territory (Hawaii and Alaska)	8
6 from the District of Columbia	6
4 from natives of Puerto Rico	4
2 from Panama Canal Zone	2
172 from the United States at large *	172
180 from among the enlisted men of the Regular Army and of the National Guard, in number as nearly equal as practicable	180
Total	2,496

* Of whom 3 are appointed upon the recommendation of the Vice President, 40 are selected from among the honor graduates of those educational institutions designated as "honor military schools," and 40 are chosen from among the sons of veterans who were killed in action or died prior to July 2, 1921, of wounds received or disease contracted in line of duty during the World War.

Section 2 of the act of Congress approved June 3, 1942, provides:

When on the date of admission of a new class the total number of cadets is below the number authorized, the Secretary of War may bring the Corps of Cadets to full strength by appointing qualified alternates and candidates recommended by the academic board, two-thirds thereof from qualified alternates and one-third thereof from qualified candidates: *Provided*, That any appointment made under this section shall be an additional and shall not constitute an appointment otherwise authorized by law. [Par. 5]

§ 75.5 *Filipino cadets.* In addition to the 2,496 mentioned above, the Secretary of War is authorized to permit not exceeding four Filipinos, to be designated one for each class by the President of the Commonwealth of the Philippine Islands, to receive instruction at the United States Military Academy, under the provision of the act of Congress approved May 28, 1908, as amended.

These students execute an agreement to comply with all regulations for the police and discipline of the Academy, to be studious, and to give their utmost efforts to accomplish the course in various departments of instruction.

(b) The act of Congress approved June 30, 1941, making appropriations for the

[1] The regulations contained in §§ 75.4, 75.5 and 75.7 (a) and (b) are also contained in Information Relative to the Appointment and Admission of Cadets to the United States Military Academy, West Point, N. Y., November 28 1941 as amended.
[2] 6 F.R. 6131.
[3] 6 F.R. 613; 7 F.R. 270.
[4] 6 F.R. 613; 7 F.R. 271.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Military Establishment for the fiscal year ending June 30, 1942, contains a proviso which reads as follows:

• • • That no part of this or any other appropriation contained in this Act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status on July 1, 1937, under appropriations for the War Department • • •

[Par. 6]

§ 75.7 *Selection of candidates*—(a) *From States at large, congressional districts, and territories.* (1) The selection of candidates, by competitive examination or otherwise, for appointment from any State at large or congressional district, is entirely in the hands of the Senator or Representative in Congress who has the vacancy at his disposal, and all applications for appointment from those sources should be addressed to the proper Senator or Representative.

(2) For each vacancy from a State at large or congressional or Territorial district, four candidates should be nominated, one to be named as principal, one as first alternate, one as second alternate, and one as third alternate. The first alternate, if qualified, will be admitted in the event of the failure of the principal; the second alternate, if qualified, will be admitted in the event of the failure of both the principal and the first alternate; and the third alternate, if qualified, will be admitted in the event of the failure of principal, first, and second alternate.

(3) These candidates must, at date of admission, be between the ages of 17 and 22 years.

(b) *From "honor military schools."* Honor graduates of "honor military schools" are selected for appointment as cadets of the United States Military Academy in the following manner:

(1) There is maintained in the office of the Adjutant General a roster of "honor military schools" as determined by annual War Department inspections of educational institutions. At an early date in each year The Adjutant General will anticipate the vacancies in the Corps of Cadets which are open to honor graduates and will make an equitable distribution of those vacancies amongst the "honor military schools" and notify them accordingly. Each designated institution will at a specified time notify The Adjutant General of the names of the selected honor graduates, designating them as principal, first, second, and third alternate candidates. In considering graduates for this designation the institution is not limited to those graduating during the current year.

(2) An honor graduate, designated as principal, of a selected institution will be appointed a cadet of the United States Military Academy upon the certificate of the head of the institution that the appointee is an honor graduate of that institution of a year for which the institution was designated an honor military school. No student will be rated as honor graduate unless he has in his school work shown proficiency in subjects amounting to not less than the 15 units prescribed by the regulations for admission to the United States Military Academy. A certificate will be forwarded to the Adjutant, United States Military Academy, West Point, N. Y., when the appointment is made. In the event that the honor graduate designated as principal does not accept the appointment or fails to qualify for admission, the first alternate will, if qualified, be appointed; in the event that neither the principal nor the first alternate qualifies, the second alternate will, if qualified, be appointed; and in the event that the principal, first, and second alternate candidates fail to qualify, the third alternate will, if qualified, be appointed.

(3) These candidates must at date of admission be between the ages of 17 and 22 years.

(4) All honor graduates are appointed subject to the same tests for mental and physical qualifications as are required of other candidates. (See §§ 75.13 and 75.14 (a)) [Par. 8 and 9]

(R.S. 161; 5 U.S.C. 22)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–6785; Filed, July 17, 1942; 10:19 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 2536]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LUSTBERG, NAST & COMPANY, INC

§ 3.6 (c) *Advertising falsely or misleadingly—Composition:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of coats, shirts, mackinaws, jackets, or other garments, (1) using the term "Buck Skein", either alone or in conjunction with the outline of a deer's head, or any other colorable simulation of the word "buckskin", in advertising, or otherwise, to describe, designate, or refer to any product which is not made from the skin of a deer or elk; and (2) representing directly or by implication in any advertisement, or on labels, or otherwise, that any product made of wool or cotton or any other woven fabric is made of buckskin or other type of leather; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Lustberg, Nast & Company, Inc., Docket 2536, July 10, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of July A. D., 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission; the respondent's answer thereto; testimony and other evidence in support of and in opposition to the amended complaint introduced by attorneys for the Commission and for the respondent before duly appointed trial examiners of the Commission designated by it to serve in this proceeding and, by stipulation between attorneys for the Commission and the respondent, the testimony introduced in support of the original complaint; reports of the trial examiners and exceptions thereto; briefs in support of and in opposition to the amended complaint, and oral argument. And the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Lustberg, Nast & Company, Inc., a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of coats, shirts, mackinaws, jackets, or other garments, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the term "Buck Skein," either alone or in conjunction with the outline of a deer's head, or any other colorable simulation of the word "buckskin," in advertising, or otherwise, to describe, designate, or refer to any product which is not made from the skin of a deer or elk;

(2) Representing directly or by implication in any advertisement, or on labels, or otherwise, that any product made of wool or cotton or any other woven fabric is made of buckskin or other type of leather.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–6794; Filed, July 17, 1942; 10:47 a. m.]

[Docket No. 4550]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INLAND EMPIRE BAKERS' ASSOCIATION, INC., ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of bread and other bakery products, and on the part of respondent Bakers' Association, various individuals as officers thereof, and certain members thereof individually and in their representative capacity, and all other members, and on the part of the officers, etc. of said Association and the respective members thereof, (1) entering into, continuing or carrying out, or aiding or assisting in the continuing or carrying out, of any agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, for the purpose or with the effect of establishing or maintaining uniform prices for bakery products; and (2) by cooperative or concerted action, or agreement or understanding between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, (a) fixing, establishing or maintaining uniform prices for bakery products; (b) entering into discussions for the purpose or with the effect of agreeing upon, arriving at, adopting, fixing or maintaining uniform prices for bakery products; and (c) coercing or attempting to coerce any person, partnership or corporation engaged in selling bakery products into establishing or maintaining uniform prices fixed by respondents; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Inland Empire Bakers' Association, Inc., et al., Docket 4550, July 10, 1942]

In the Matter of Inland Empire Bakers' Association, Inc., a Corporation, Its Officers, Directors and Members; L. L. Francis, Individually and as President of Inland Empire Bakers' Association, Inc.; Mel Jacobsen, Individually and as Vice President of Inland Empire Bakers' Association, Inc.; V. B. Pringle, Individually and as Secretary and Executive Manager of Inland Empire Bakers' Association, Inc.; Silver Loaf Baking Company, a Corporation; E. A. Boge, Doing Business Under the Name and Style of Boge Brothers Bakery; and Olaf Jacobsen, Doing Business Under the Name and Style of Jacobsen's Bakery

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of the allegations of the complaint and in opposition thereto, taken before a trial examiner of the Commission theretofore duly designated by it, the report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Inland Empire Bakers' Association, Inc., a corporation; L. L. Francis, individually and as president of said Association; Mel Jacobsen, individually and as vice president of said Association; V. B. Pringle, individually and as secretary and executive manager of said Association; Silver Loaf Baking Company, a corporation, a member of said Association; E. A. Boge, trading as Boge Brothers Bakery, individually and as a member of said Association; Olaf Jacobsen, trading as Jacobsen's Bakery, individually and as a member of said Association; all other members of said Association, as representatives for whom the said members named above were made respondents herein; and the officers, representatives, agents and employees of said Association and of the respective members thereof, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of bread and other bakery products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Entering into, continuing or carrying out, or aiding or assisting in the continuing or carrying out, of any agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, for the purpose or with the effect of establishing or maintaining uniform prices for bakery products.

2. Doing by cooperative or concerted action, or agreement or understanding between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, any of the following acts or things:

(a) Fixing, establishing or maintaining uniform prices for bakery products.

(b) Entering into discussions for the purpose or with the effect of agreeing upon, arriving at, adopting, fixing or maintaining uniform prices for bakery products.

(c) Coercing or attempting to coerce any person, partnership or corporation engaged in selling bakery products into establishing or maintaining uniform prices fixed by respondents.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6795; Filed, July 17, 1942; 10:47 a. m.]

[Docket No. 4463]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GRAND RAPIDS FURNITURE CO., INC.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place:* § 3.96 (b) *Using misleading name—Vendor—Products.* In connection with offer, etc., in commerce, of respondent's furniture, (1) using the words "Grand Rapids", or any simulation thereof, as a part of respondent's corporate name; (2) using the words "Grand Rapids", or any simulation thereof, to designate, describe, or refer to furniture which is not in fact manufactured in Grand Rapids, Michigan; and (3) misrepresenting in any manner the place of origin or manufacture of respondent's furniture; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Grand Rapids Furniture Co., Inc., Docket 4463, July 13, 1942]

In the Matter of Grand Rapids Furniture Co., Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint (no testimony or other evidence being offered by respondent), the report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Grand Rapids Furniture Co., Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's furniture in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Grand Rapids", or any simulation thereof, as a part of respondents corporate name.

2. Using the words "Grand Rapids", or any simulation thereof, to designate, describe, or refer to furniture which is not in fact manufactured in Grand Rapids, Michigan.

3. Misrepresenting in any manner the place of origin or manufacture of respondent's furniture.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6792; Filed, July 17, 1942; 10:47 a. m.]

[Docket No. 4715]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INCOME AUDIT SERVICE CORPORATION, ET AL.

§ 3.48 (b) *Disparaging competitors and their products—Goods—Law compliance:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Government standards or specifications:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Law or legal requirements:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Unique nature or advantages.* In connection with offer, etc., of respondents' "Income Audit Service," bookkeeping system or service, or any bookkeeping, accounting or business record system, and among other things, as in order set forth, representing directly or by implication, (1) that respondents' agents, salesmen or canvassers are officers, agents, or representatives of, or that they are in any manner connected with, the United States Government or any department or agency thereof; and (2) that respondents' bookkeeping, accounting and business record system or "Income Audit Service" is necessary or required under the laws of the United States or under the rules, regulations or orders of any department or agency thereof; or that other income tax record systems or services must be replaced by respondents' said system or service; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Income Audit Service Corporation, et al., Docket 4715, July 13, 1942]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Government source or origin:* § 3.69 (b) *Misrepresenting oneself and goods—Law or legal requirements:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Source or origin—Government:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Unique nature or advantages.* In connection with offer, etc., of respondents' "Income Audit Service", bookkeeping system or service, or any bookkeeping, accounting or business record system, representing directly or by implication, (1) that respondents' bookkeeping, accounting and business record system or "Income Audit Service" is produced by or sold and distributed under the direction of the United States Government or any department or agency thereof; and (2) that prospective purchasers who fail to purchase and use respondents' said "Income Audit Service" or record keeping system will be subject to arrest or imprisonment because of their failure to purchase and use said services; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Income Audit Service Corporation, et al., Docket 4715, July 13, 1942]

In the Matter of Income Audit Service Corporation, a Corporation, and Frank H. Hibberd, Individually and as an Officer of Said Income Audit Service Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondents upon the record; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Income Audit Service Corporation, its officers, representatives, agents and employees, and Frank H. Hibberd, individually and as an officer of said Income Audit Service Corporation, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a bookkeeping system or service sold and distributed under the name, "Income Audit Service", or any bookkeeping, accounting or business record system whether sold under the name, "Income Audit Service" or any other name in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(1) That respondents' agents, salesmen or canvassers are officers, agents, or representatives of, or that they are in any manner connected with, the United States Government or any department or agency thereof.

(2) That respondents' bookkeeping, accounting and business record system or "Income Audit Service" is necessary or required under the laws of the United States or under the rules, regulations or orders of any department or agency thereof; or that other income tax record systems or services must be replaced by respondents' said system or service.

(3) That respondents' bookkeeping, accounting and business record system or "Income Audit Service" is produced by or sold and distributed under the direction of the United States Government or any department or agency thereof.

(4) That prospective purchasers who fail to purchase and use respondents' said "Income Audit Service" or record keeping system will be subject to arrest or imprisonment because of their failure to purchase and use said services.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6793; Filed, July 17, 1942; 10:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5164]

PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

SUBPART H—TRANSPORTATION OF DISTILLED SPIRITS, ALCOHOL, AND DENATURED ALCOHOL BY TANK TRUCKS

By virtue of sections 3108 (a), 3124 (a) (6), and 3176, Internal Revenue Code, and the Acts of January 24, 1942, and March 27, 1942 (Public Laws 412 and 508—77th Congress), Treasury Decision 5121 (26 CFR, Part 171, Subpart H) is amended to read as follows:

§ 171.40 *General.* Notwithstanding the provisions of Regulations 3, 4, 5, and 10 (26 CFR, Parts 182, 183, 184, and 185), and subject to the conditions prescribed hereinafter, distilled spirits, unfinished spirits, alcohol, specially denatured alcohol, and completely denatured alcohol described below may be transported in tank trucks controlled and operated by the consignor or the consignee, or by a motor carrier. The term "motor carrier" shall mean a motor carrier licensed under the Motor Carrier Act of 1935, or an applicable state law.

(a) Distilled spirits of 160 degrees or more of proof withdrawn under the provisions of Treasury Decision 5111 (26 CFR, Part 171, Subpart G):

(1) From a registered distillery, fruit distillery, or an internal revenue bonded warehouse, pursuant to withdrawal permits on Form 1444 issued to the United States or any governmental agency thereof; or

(2) For transfer in bond from a registered distillery, fruit distillery, or an internal revenue bonded warehouse to a denaturing plant.

(b) Unfinished spirits, as defined by Treasury Decision 5132 (26 CFR, Part 171, Subpart I), which are, either before or after redistillation, transferred between registered distilleries, fruit distilleries, internal revenue bonded warehouses, industrial alcohol plants, industrial alcohol bonded warehouses, and denaturing plants, or withdrawn pursuant to permits on Form 1444 issued to the United States or any governmental agency thereof.

(c) Alcohol produced under the provisions of Part II, Subchapter C, Chapter 26, Internal Revenue Code:

(1) Withdrawn from an industrial alcohol plant, or an alcohol bonded warehouse, pursuant to withdrawal permits on Form 1444 issued to the United States or any governmental agency thereof; or

(2) Transferred between industrial alcohol plants, alcohol bonded warehouses, and denaturing plants pursuant to withdrawal permits, Form 1436, 1438, 1463, 1464, or 1465.

(d) Specially denatured alcohol withdrawn from denaturing plants or bonded dealers in specially denatured alcohol, as the case may be, pursuant to withdrawal permits, Forms 1464, 1477, 1485, or 1486: *Provided*, That the consignee has installed tanks for the storage of specially denatured alcohol in accordance with the provisions of § 182.99 of Regulations 3 (26 CFR, Part 182).

(e) Completely denatured alcohol shipped from denaturing plants:

(1) To other denaturing plants as authorized by § 182.743 of Regulations 3 (26 CFR, Part 182); or

(2) In conformity with § 182.728 of Regulations 3 (26 CFR, Part 182) to the following persons:

(i) A person or concern acting as agent of the shipping denaturer, where title to the completely denatured alcohol does not pass from the denaturer, for transfer to packages for sale to others, and such packages are furnished by the denaturer;

(ii) The denaturer himself at other premises;

(iii) Other producers of completely denatured alcohol at points not on the denaturing plant premises of such other producers, for transfer to packages; or

(iv) Manufacturers for their exclusive use and not for resale. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.41 *Permits and bonds*—(a) *New carriers.* Motor carriers, in order to transport specially denatured alcohol, tax-free alcohol, or tax-free distilled spirits by tank trucks, must procure permits so to do, in accordance with section 3114, Internal Revenue Code, and Regulations 3 (26 CFR, Part 182), and file bond, Form 49. The terms of the bond shall be modified to cover distilled spirits of 160 degrees or more of proof withdrawn for tax-free purposes, in addition to tax-free alcohol and specially denatured alcohol, and shall be in the penal sum of $50,000 for each tank truck used, and not more than $200,000 for the total of all tank trucks used. Where such permit is obtained and bond is filed, the permit will also authorize transportation of such products in barrels or drums without additional bond requirement.

(b) *Transportation by consignors or consignees.* A consignor or consignee, in order to transport in tank trucks distilled spirits, alcohol, and specially denatured alcohol described in § 171.40, must file application on Form 144 and procure permit, Form 145, authorizing such transportation, and file consent of surety, Form 1533, on his bond, Form 30, 30½, 1571, 1432-A, 1435, 1475, or 1480, as the case may be, extending the terms thereof to be liable for such distilled spirits, alcohol, or specially denatured alcohol transported by him as follows:

(1) In the case of tax-free alcohol and distilled spirits, the bond, Form 30, 30½, 1571, 1432-A, or 1435, shall be extended to be liable for an amount equal to the tax, together with interest, if such alcohol or distilled spirits are transported, used, or sold contrary to law or regulations now or hereafter in force.

(2) In the case of specially denatured alcohol, bond, Form 1432-A, 1435, 1475, or 1480 shall be extended to be liable for the tax, together with penalties and interest, on all specially denatured alcohol withdrawn, transported, used, or sold in violation of laws or regulations now or hereafter in force.

If the maximum of the present bond is not sufficient when computed as set forth in paragraph (a), the consent of surety (or a new bond in lieu thereof) must assume the additional liability.

These requirements shall not apply where specially denatured alcohol, tax-free alcohol, or tax-free distilled spirits are withdrawn by the United States or any governmental agency thereof and are transported in tank trucks operated by employees of the United States.

(c) *Present permits and bonds.* Basic permits and bonds now held by motor carriers, and by consignors and consignees, which authorize the transportation of tax-free alcohol and specially denatured alcohol, may, on application and the filing of consents of surety, be modified to authorize tank truck shipments of specially denatured alcohol, tax-free alcohol, and tax-free distilled spirits, and to contain an undertaking to be liable for the tax, or an amount equal to the tax, as provided in paragraph (b) (1) or (2) of this section, as the case may be. The consent of surety (or, if preferred, a new bond) must be modified so that the principal and surety will be responsible to the extent of $50,000 on each tank truck used, and not more than $200,000 for the total of all tank trucks used.

(d) *Consents of surety; unfinished spirits.* Proprietors of registered distilleries and fruit distilleries, in order to have transferred to them unfinished spirits for redistillation from other registered distilleries or fruit distilleries, or from internal revenue bonded warehouses, shall file consent of surety, Form 1533, on their distillery bond, Form 30 or 30½, as the case may be, extending the terms thereof to assume liability for payment of the tax on the unfinished spirits from the time they leave the premises of the distillery or warehouse from which they are removed. Where the distillery bond, Form 30 or 30½, is filed without surety, supported by consent of surety on the distiller's warehouse bond, Form 1571, the required consent shall extend the terms of both bonds to assume such liability. Where the distillery bond, Form 30 or 30½, as the case may be, is in less than the maximum penal sum and is insufficient to cover the tax on the unfinished spirits to be received for redistillation, plus the quantity of spirits that will be produced at the distillery during a period of 15 days, the consent of surety or a new or additional bond will be required in a sufficient penal sum, not in excess of the maximum penal sum.

Proprietors of alcohol plants and alcohol bonded warehouses, in order to have transferred to them unfinished spirits for redistillation from registered distilleries, fruit distilleries, or internal revenue bonded warehouses, shall file consent of surety, Form 1533, on their bonds, Form 1432–A or 1435, extending the terms thereof to assume liability for payment of the tax on the unfinished spirits from the time they leave the premises of the distillery or warehouse from which they are removed.

The consent of surety shall be in substantially the following form:

> To extend the terms of said bond to assume liability for the payment of any tax that may become due on unfinished spirits removed for redistillation from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, pursuant to Section 2883, Internal Revenue Code, as amended by the Act of March 27, 1942, and regulations, for transfer to the principal from the time the spirits leave the premises of the distillery or warehouse from which removed, including the transportation, withdrawal without redistillation, redistillation, storage, and disposition of the spirits as provided by law and regulations.

Proprietors of internal revenue bonded warehouses, in order to have unfinished spirits transferred to them by tank trucks from registered distilleries, fruit distilleries, or other internal revenue bonded warehouses, shall file consents of surety, Form 1533, on their bonds, Form 1571, undertaking to be liable for the tax on the spirits so transferred from the time they leave the premises of the distillery or warehouse from which they are removed. If the outstanding bond is not in the maximum penal sum, the consent of surety (or a new bond, if preferred) shall include an undertaking to be responsible for such tax, subject to the maximum bond limitation of $200,000. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.42 *Procedure*—(a) *Distilled spirits, alcohol, and specially denatured alcohol.* Distilled spirits, alcohol, and specially denatured alcohol transferred by tank trucks will be shipped pursuant to the applicable provisions of Regulations 3, 4, 5, and 10 (26 CFR, Parts 182, 183, 184, and 185), concerning transfers in bond by tank cars, including the provisions relating to gauging, filling, and labeling.

(b) *Unfinished spirits.* Unfinished spirits transported by tank trucks will be shipped pursuant to the applicable provisions of Treasury Decision 5132. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.43 *Shipment*—(a) *From plants where storekeeper-gaugers are assigned.* Tank trucks used for transporting the distilled spirits, unfinished spirits, alcohol, and specially denatured alcohol, after filling, when shipped from premises where a storekeeper-gauger is stationed, shall be sealed by the storekeeper-gauger at the consignor's premises in such manner as will secure all openings affording access to the tank. Serially-numbered cap seals furnished by the Government will be used for this purpose. The numbers of the cap seals, the name of the carrier (licensed carrier, consignor or consignee), the state license tag number of the tank truck, the driver's full name, the driver's permit number, and the state issuing such permit will be recorded by the storekeeper-gauger on Form 1520, 1439, 1453, 1453–A, or 1473, as the case may be. One copy of the form will be forwarded by the storekeeper-gauger to the district supervisor of the district in which the consignor's premises are located. The storekeeper-gauger will place one copy of the form in a sealed envelope addressed to the consignee, and give the same to the driver of the tank truck for delivery to the consignee. On receipt at the consignee's premises, the storekeeper-gauger or the consignee will receipt for the shipment, verify the information shown on the form, and note thereon any discrepancies relative to the shipment. The Form 1520, 1439, 1453, 1453–A, or 1473 will be forwarded by the storekeeper-gauger or the consignee immediately to the district supervisor of the district in which the consignor is located.

(b) *From premises of bonded dealers.* Tank trucks used for transportation of specially denatured alcohol by bonded dealers, after filling, shall be sealed by appropriate seals, serially numbered, furnished by the shipper. The seals should be dissimilar from the cap seals used by the Bureau of Internal Revenue. The serial numbers of seals used, and the data with respect to the carrier set forth in paragraph (a) of this section, will be recorded by the dealer on Form 1453–A or 1473. One copy of the form will be forwarded by the dealer to the district supervisor of the district in which the dealer is located. One copy of the form will be forwarded to, and verified by, the consignee, and forwarded by him to the district supervisor in the same manner as stated in paragraph (a).

(c) *Completely denatured alcohol.* Tank trucks used for the transportation of completely denatured alcohol shall, after filling, be sealed by the shipper in such manner as will secure all openings affording access to the tank. Appropriate serially numbered seals, as provided in paragraph (b) of this section, furnished by the shipper will be used for this purpose. The name of the carrier (licensed carrier, consignor or consignee), the state license tag number of the tank truck, the driver's name, the driver's permit, and the serial numbers of the seals used will be recorded by the proprietor of the denaturing plant on his commercial records. Similar data will be recorded in the same manner by the consignee. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.44 *Action by district supervisor.* The district supervisor will check daily on receipt the Form 1520, 1439, 1453, 1453–A, and 1473, and make any inquiry which he deems necessary with respect to any discrepancy. In the event of failure to receive a form from the storekeeper-gauger at the consignee's premises or from the consignee, as the case may be, within the time normally required for the truck to make the shipment and the form to be sent by mail, the district supervisor will make an appropriate investigation. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.45 *Accounting.* The distilled spirits, unfinished spirits, alcohol, and denatured alcohol shipped, transported, and received under these regulations will be accounted for in accordance with the applicable provisions of Regulations 3, 4, 5, and 10, and Treasury Decisions 5111 and 5132 relating to shipments by tank cars. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.46 *Termination of regulations.* The regulations in this subpart shall cease to be effective upon the termination of the unlimited national emergency proclaimed by the President on May 27, 1941. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: July 15, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42–6778; Filed, July 16, 1942; 2:56 p. m.]

TITLE 31—MONEY AND FINANCE

Chapter II—Fiscal Service

[1942 Dept. Circ. 657, 3d Amendment]

PART 317—REGULATIONS GOVERNING AGENCIES FOR THE ISSUE OF WAR SAVINGS BONDS, SERIES E

JULY 17, 1942.

Department Circular No. 657, dated April 15, 1941,[1] as amended and supplemented, is hereby further amended by adding the following new paragraph (f) to section 3 of the circular (31 CFR 317.3):

§ 317.3 *Qualification of Issuing Agent.* • • •

(f) Consignment of bond stock without pledge of collateral. Nothwithstanding the provisions of the foregoing subsections, any issuing agent designated hereunder may be qualified as such an agent without being required to pledge collateral security for War Savings Bond stock, Series E, upon filing an Application-Agreement, Form No. 1785, with the Federal Reserve Bank of the district: *Provided, however,* That the Secretary of the Treasury in specific cases may restrict, in whole or in part, the amount of such bond stock requested by any such agent without the pledge of collateral security. Upon approval of the Application-Agreement, Form No. 1785, the Federal Reserve Bank will issue a certificate of qualification to the issuing agent on Form No. 385–B. If the qualification applied for is not certified, appropriate notice thereof will be transmitted to the issuing agent making application.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42–6786; Filed, July 17, 1942; 10:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 94]

LOST, DAMAGED, WORN-OUT, TRANSFERRED PROPERTY

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Addition of a new form designated as DSS Form 268, entitled "Report of Worn-out Property,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

2. Addition of a new form designated as DSS Form 269, entitled "Report of Loss or Damage of Property,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

3. Addition of a new form designated as DSS Form 271, entitled "Report of Transfer of Property"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing additions shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 26, 1942.

[F. R. Doc. 42–6777; Filed, July 16, 1942; 2:03 p. m.]

[Order No. 44]

WESTERN STATE HOSPITAL PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Western State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 44. Said project, located at Staunton, Augusta County, Virginia, will be the base of operations for work at the Western State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Western State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Director of State Hospitals of the State of Virginia, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Virginia State Hospitals. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JULY 15, 1942.

[F. R. Doc. 42–6804; Filed, July 17, 1942; 11:43 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 802—GENERAL LICENSES

Section 802.9, *General intransit license,*[1] is hereby amended by substituting a comma for the period at the end of subparagraph (1) of paragraph (c) and adding thereafter the following: "with exception of shipments from the Canadian Government to the British Forces in Iraq." (Sec. 6, 54 Stat. 714, Public Law 75; 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

JULY 15, 1942.

[F. R. Doc. 42–6776; Filed, July 16, 1942; 1:20 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1104—BICYCLES

[Amendment 1 to Limitation Order L–52]

Section 1104.1 *General Limitation Order L–52*[2] is hereby amended in the following particulars:

Paragraph (b) (4) is hereby amended by striking therefrom the following words: "During the three months' period ending June 30, 1942" and inserting therefor the following words: "On and after April 1, 1942".

Paragraph (b) (5) is hereby amended by inserting the words "and for each three months' period thereafter", after the words "ending June 30, 1942".

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(7) From July 1, 1942 to August 31, 1942, inclusive, no bicycle manufacturer shall manufacture more bicycles than two times 32% of the average monthly number of bicycles produced by him in the calendar year 1941.

(8) On and after September 1, 1942, no bicycle manufacturer shall process, fabricate, work on or assemble any materials for use in the production of any bicycles, nor shall any bicycle manufacturer manufacture or assemble any bicycles after that date.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7

[1] 6 F. R. 1985, 5040, 6142; 7 F.R. 4430.

[1] Filed as part of the original document.

[1] 7 F.R. 5004.

[2] 7 F.R. 1980.

F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6789; Filed, July 17, 1942; 10:43 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M-126 as amended July 13, 1942]

In § 1176.1 (f) (2) appearing on page 5353 of the issue for Tuesday, July 14, 1942, Form PD-500 appears incorrectly as "Form PB-500". In Supplementary List A, page 5357, the item "Pads, inking and stamps" should read "Pads, inking and stamping".

PART 1178—FISHING TACKLE

[Interpretation 1 to General Limitation Order L-92]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1178.1, General Limitation Order L-92, dated April 23, 1942: [1]

Except as provided in paragraph (b) (6) (added by Amendment No. 1, issued June 1, 1942) Limitation Order L-92 provides, in paragraph (b) (2), that "no manufacturer shall process, fabricate, work on or assemble any iron and steel for use in the production of any fishing tackle product other than fish hooks". These provisions do not prohibit a manufacturer from converting fish hooks containing iron and steel into lures, baits or flies, provided that no critical material, and no iron and steel (other than that contained in the fish hooks) is used by him in the process.

Paragraph (b) (3) of Order L-92 provides that no manufacturer shall "produce more fish hooks than 12½% of the number of fish hooks produced by him in the year 1941." This limitation applies only to the manufacturer who actually fabricates fish hooks and does not apply to a manufacturer who merely converts fish hooks into some other fishing tackle product by adding non-critical materials.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6791; Filed, July 17, 1942; 10:43 a. m.]

[1] 7 F.R. 3035, 4171.

PART 1247—CHURCH GOODS

[Amendment 1 to General Limitation Order L-136]

Paragraph (a) (2) of § 1247.1 (*General Limitation Order L-136* [1]) is hereby amended by inserting immediately after the word "silk" the following: "(except silk which was woven or knit into cloth or other finished products on or before June 13, 1942)".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6790; Filed, July 17, 1942; 10:43 a. m.]

PART 3019—TOILETRIES AND COSMETICS

[General Limitation Order L-171]

The fulfillment of requirements for the war effort of the United States has created a shortage in the supply for the war effort, for private account and for export of the materials entering into the production and marketing of toiletries and cosmetics; and the following order and the schedules issued pursuant thereto are deemed necessary and appropriate in the public interest and to promote the war effort.

§ 3019.1 *General Limitation Order L-171*—(a) *Issuance of Schedules.* [2] The Director General for Operations may from time to time issue schedules limiting production of toiletry and cosmetic products and establishing simplified practices with respect to the types, sizes, forms, packaging, or other qualifications for toiletry and cosmetic products. After the effective date of any such schedule no such materials or products shall be manufactured or processed except such as conform to the issued schedule and except as specifically permitted by such schedule. Any schedule issued pursuant hereto may also contain any other restrictions concerning such materials and products that may be deemed necessary and appropriate, such as restrictions on the sale, purchase, transfer, delivery and/or uses thereof.

(b) *Appeals.* Any person affected by this order or any schedule issued pursuant hereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such schedule would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, (Ref.: L-171) setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(c) *Applicability of Priorities Regulation No. 1.* This order (and any schedule issued pursuant hereto) and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order (or such schedule) shall govern.

(d) *Records.* All persons affected by this order or any schedule issued pursuant hereto shall keep and preserve for not less than 2 years accurate and complete records concerning inventories, production and sales, and shall also preserve any other records, certificates and the like which may be required by any schedule issued pursuant hereto.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant hereto, shall, unless otherwise directed, be addressed to: War Production Board, Toiletries and Cosmetics Branch, Washington, D. C., Ref: L-171.

(f) *Violations.* Any person who willfully violates any provision of this order, or any schedule issued pursuant hereto, or who, in connection with this order or any such schedule, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6796; Filed, July 17, 1942; 10:43 a. m.]

PART 3019—TOILETRIES AND COSMETICS

[Schedule I to General Limitation Order L-171]

§ 3019.2 *Schedule I to General Limitation Order L-171* [1]—(a) *Definitions.* For the purposes of this schedule:

(1) "Toiletry or cosmetic product" means any product intended to be rubbed, poured, sprinkled or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance thereof. The term shall include, but shall not be limited to, any product coming within any of the classifications named

[1] 7 F.R. 4477.
[2] *Infra.*

[1] *Supra.*

in Lists 1, 2 and 3, attached to this schedule, but shall not include soaps, other than shampoos and shaving soaps.

(2) "Marketable unit" means any single jar, bottle, tube, holder or other container containing a toiletry or cosmetic product which is suitable for marketing.

(b) *General restrictions.* Pursuant to General Limitation Order L-171:

(1) No person shall, under his name or brand, produce, cause to be produced, or sell during the 365-day period immediately following the date of issuance of this schedule, a larger total quantity by weight (in the case of solids or semi-solids) or volume (in the case of liquids), or a larger total number of marketable units of any toiletry or cosmetic product coming within the classifications named in Lists 1, 2 and 3, attached to this schedule, than is permitted below:

Permitted production or sales (quantity)	Permitted production or sales (marketable units)
List 1—No limitation	No limitation.
List 2—100% of 1941 quantity	90% of 1941 number.
List 3—80% of 1941 quantity	72% of 1941 number.

In any case where a toiletry or cosmetic product comes within a classification named in both List 2 and List 3, neither the total production nor sales of such product shall under any circumstances exceed the amounts permitted by List 2.

(2) Except as specifically authorized by the Director General for Operations, after the date of issuance of this schedule, no person shall, under his name or brand, produce, cause to be produced, or sell any toiletry or cosmetic product which had not been manufactured in a commercial batch and offered for sale or otherwise marketed by him during the 365-day period immediately prior to the date of issuance of this schedule: *Provided, however,* That nothing contained herein shall be construed to prohibit the substitution of a non-critical material for a critical material in any toiletry or cosmetic product.

(c) *Reports.* All persons affected by this schedule shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 1

Baby Powder (containing no zinc or titanium oxide).
Eye Wash (containing no organic materials).
Shaving Cream, soap or liquid (containing no coconut oil, alcohol or added glycerin).
Soap Shampoo (containing no coconut oil, alcohol or added glycerin).
Talcum Powder (containing no zinc or titanium oxide).
Tooth Cleanser, liquid, paste & powder (containing no alcohol, glycerin, coconut oil derivatives, or wetting agents).

LIST 2

Baby Powder (containing zinc or titanium oxide).
Bath Salts
Brilliantine.
Cleansing Cream.
Cleansing Lotion (non-alcoholic).
Cologne.
Compact for wet application.
Cosmetic Stockings.
Cuticle Softener (containing no sulfonated oils).
Deodorant & Anti-perspirant.
Depilatory.
Eyebrow Pencil.
Eyeshadow.
Eye Wash (containing organic materials).
Face & Hand Lotion.
Face Pack.
Face Powder.
Hair Dye & Tint.
Hair Lotion (non-alcoholic).
Hair Oil.
Hair Pomade.
Hair Rinse.
Hair Straightener.
Lip Pomade.
Lipstick.
Lubricating Cream.
Mascara.
Nail Polish Paste (containing no tin oxide).
Nail Polish Powder (containing no tin oxide).
Perfume.
Permanent Waving Lotion.
Powder, cream, paste & liquid (including Blemish Concealer).
Protective Cream.
Rouge.
Shampoo (containing coconut oil, alcohol or added glycerin).
Shaving Cream, soap or liquid (containing coconut oil, alcohol or added glycerin).
Suntan Preparation.
Theatrical Makeup.
Toilet Powder (including after-shave, bath, body, dusting & sachet powder, and talcum powder containing zinc or titanium oxide).
Toilet Water.
Tooth Cleanser (containing alcohol, glycerin, coconut oil derivatives, or wetting agents).
Waveset.

LIST 3

After-shave Lotion.
Astringent.
Bath Milk.
Bath Oil.
Bleach Cream & Lotion (including Freckle Remover).
Body Rub.
Bubble Bath.
Cleansing Lotion (alcoholic).
Cuticle Softener (containing sulfonated oils).
Eyelash Curler.
Hair Lacquer.
Hair Lotion (alcoholic).
Lash & Brow Dye.
Liquid Lip Color.
Mouth Wash.
Nail Bleach.
Nail Enamel.
Nail Enamel Remover.
Nail Polish Paste (containing tin oxide).
Nail Polish Powder (containing tin oxide).
Plucking Cream.
Skin Freshener.
Tooth Whitener.
Any other toiletry or cosmetic product not included in Lists 1 and 2 above.

[F. R. Doc. 42-6797; Filed, July 17, 1942; 10:44 a. m.]

PART 3019—TOILETRIES AND COSMETICS

[Schedule II to General Limitation Order L-171]

§ 3019.3 *Schedule II to General Limitation Order L-171* [1]—(a) *Definition.* For the purpose of this schedule:

(1) "Toiletry or cosmetic product" means any product intended to be rubbed, poured, sprinkled or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance thereof. The term shall include, but shall not be limited to, any product coming within any of the classifications named in Lists 1, 2 and 3, attached to Schedule I to General Limitation Order L-171, but should not include soaps, other than shampoos and shaving soaps.

(b) *General restrictions.* Pursuant to General Limitation Order L-171, and subject to the restrictions of Schedule I thereto, the following limitations are hereby established for the packaging of toiletry or cosmetic products:

(1) No person shall, under his name or brand, pack or cause to be packed any toiletry or cosmetic product (other than perfume) in more than three different consumer sizes of containers.

(2) No person shall, under his name or brand, pack or cause to be packed any odor of perfume in more than four different consumer sizes of containers.

(3) Any person who, during the 365-day period immediately prior to the date of this schedule, under his name or brand, packed or caused to be packed any toiletry or cosmetic product in fewer than the number of containers permitted by subparagraphs (1) and (2) of this paragraph (b), may, under his name or brand, pack or cause to be packed one additional consumer size of container, provided that it is larger in volume than the size or sizes packed during such period.

(4) No person shall, under his name or brand, pack or cause to be packed for the professional or service user, any toiletry or cosmetic product in more than two (or, in the case of permanent waving lotions, three) different sizes of containers containing 1-gal. or less (in the case of liquids) or 5 lbs. or less (in the case of solids or semi-solids), plus any bulk size or sizes of containers containing more

[1] *Supra.*

than the amounts specified above which such person, under his name or brand, packed or caused to be packed, prior to the date of this schedule; provided, however, that in any case where a person, under his name or brand, packed or caused to be packed fewer than the permitted number of sizes during the 365-day period immediately prior to the date of this schedule, he shall be prohibited from adding any other professional or service size. A stand- or dispensing-bottle may be used in addition to the sizes permitted by this subparagraph (4).

(c) *Applicability of restrictions.* The restrictions of paragraph (b) of this schedule shall not be construed to prohibit a person from using containers which were in his stock or which had been manufactured on his order before the date of this schedule. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6798; Filed, July 17, 1942; 10:44 a. m.]

Chapter XI—Office of Price Administration

PART 1400—TEXTILES FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 1 to Maximum Price Regulation 39[1]]

WOVEN DECORATIVE FABRICS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (b) (1) of § 1400.164 is amended and a new § 1400.162a is added as set forth below:

§ 1400.164 *Appendix B: Maximum prices for sales by persons other than manufacturers.* • • •

(b) • • •

(1) 105% of the price quoted for the same pattern of the same construction in the seller's price list in effect on November 10, 1941 to a purchaser of the same general class, or,

• • • • • •

§ 1400.162a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1400.164 and 1400.162a) to Maximum Price Regulation No. 39 shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong).

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6781; Filed, July 16, 1942; 4:58 p. m.]

[1] 7 F.R. 5243.

PART 1410—WOOL

[Amendment 6 to Revised Price Schedule 58,[1] as amended]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (e) of § 1410.51 and subparagraph (4) to paragraph (b) of § 1410.62 are amended to read as set forth below:

§ 1410.51 *Maximum prices for wool and wool tops and yarns.* • • •

(e) The maximum prices determined in accordance with this Revised Price Schedule No. 58, as amended, shall be the maximum prices for all transactions except:

(1) The maximum prices for grease wool futures contracts traded on the Wool Associates of the New York Cotton Exchange, Inc. shall be 103.5 cents per pound;

(2) The maximum price applicable to deliveries of grease wool on said Exchange shall be the seller's maximum price[2] determined in accordance with paragraph (b) or (c) of this section: *Provided*, That for the purposes of this subparagraph (2) the price of the futures selling contract shall determine the price at which such wool is so delivered;

(3) The maximum price for grease wool sold by a person who received delivery of such wool on said Exchange shall be the higher of (i) the seller's maximum price for such wool determined in accordance with paragraph (c) or (d) of this section, or (ii) the price at which such person purchased the futures contract pursuant to which delivery of such wool was made; and

(4) The maximum price for wool top futures contracts on said Exchange shall be 140 cents per pound; except that such maximum price shall be increased or decreased by one cent per pound for each 1% that the war risk insurance rate on wool imported from Australia prevailing on the date such contract is made is, respectively, above or below 7½%:

Provided, That contracts entered into prior to December 18, 1941, calling for a price higher than the maximum price may be carried out at the contract price.

§ 1410.62 *Appendix B: Maximum prices for wool tops and noils.* • • •

(b) *Wool noils.* • • •

(4) *Invoices.* After June 9, 1942, every person making a sale of noils for which maximum prices are established in this Appendix shall deliver to the purchaser an invoice or similar document which shall show, in addition to the other items specifically required in this Revised Price Schedule No. 58, as amended: (i) the class, kind, type, condition and grade of noils shipped or delivered, indicating the processes to which they were subjected; (ii) the ceiling price per pound; and (iii) if the sale was of a blend, the quantity of each class, kind, type, condition and grade of noil included.

§ 1410.60 *Effective dates of amendments.* • • •

(h) Amendment No. 6 (§§ 1410.51 (e) and 1410.62 (b) (4)) to Revised Price Schedule No. 58, as amended, shall become effective July 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-6783; Filed, July 16, 1942; 4:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.18 (c) of General Maximum Price Regulation—Order No. 1]

M'GOUGH BAKERIES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.351 *Maximum price for sales of bread by McGough Bakeries to Veterans Hospital at Biloxi, Mississippi.* (a) Pending the issuance of a final order herein, the McGough Bakeries Corporation of Hattiesburg, Mississippi, is hereby authorized and permitted to sell and deliver bread to the Veterans Administration for the Veterans Hospital located at Biloxi, Mississippi, for a period of not exceeding three months from July 1, 1942 at a price no higher and upon terms no more favorable to said corporation than that requested by the Veterans Administration, to wit, the price and terms contained in that certain bid submitted by said McGough Bakeries Corporation June 18, 1942, and heretofore accepted for the furnishing of bread to said hospital: *Provided*, That final settlement shall be made in accordance with the final order to be entered herein upon said request and application of said Veterans Administration, and if required by said final order, refunds shall be made by said corporation pursuant thereto.

(b) The McGough Bakeries Corporation shall not later than August 15, 1942, submit to the Office of Price Administration an affidavit sworn to by a responsible officer of said corporation setting forth a detailed cost study, including, among other things, a statement of profit and loss from all operations for the calendar year 1941, and for the first six months of the calendar year 1942, and a statement of the cost of food ingredients, labor, wrapping, delivery, and other costs of bread (including the break down per loaf) at present as compared with prior costs not extending beyond January 1, 1941.

[1] 7 F.R. 2397, 2543, 2580, 3088, 3271, 4117, 4296, 4299, 4428.

[2] Determined by the seller in good faith prior to final grading and appraisal by Exchange inspectors.

(c) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(d) Unless sooner modified or revoked, this order shall remain in effect until the issuance of a final order herein as heretofore provided.

(e) This Order No. 1 (§ 1499.351) shall become effective July 17, 1942.

(Pub. Law 421—77th Cong.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6782; Filed, July 16, 1942; 5:00 p. m.]

PART 1301—MACHINE TOOLS

[Amendment 12 to Revised Price Schedule 67[1]]

NEW MACHINE TOOLS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2] In § 1301.57 the text is designated paragraph (a) and a new paragraph (b) is added as set forth below:

§ 1301.57 *Petitions for amendment.*

(a) • • •

(b) Notwithstanding any other provision of this Revised Price Schedule No. 67, on and after June 23, 1942, after a petition for amendment has been filed requesting an increase in any maximum price established by this Schedule and pending disposition thereof, the petitioner may enter into or offer to enter into contracts and may make deliveries at the price requested in the petition. If the petition is denied in whole or in part the contract price shall be revised downward to the maximum price previously in effect or to the maximum price established by the amendment granting in part the price increase requested, and, if any payment has been made at the requested price, the petitioner shall refund the excess to the purchaser.

§ 1301.59a *Effective dates of amendments.* • • •

(1) Amendment No. 12 (§ 1301.57) to Revised Price Schedule No. 67 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6829; Filed, July 17, 1942; 11:50 a. m.]

PART 1302—ALUMINUM

[Amendment 4 to Revised Price Schedule 2[1]]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1302.8 new paragraphs (e) and (f) are added and in § 1302.10 a new paragraph (b) is added as set forth below:

§ 1302.8 *Definitions.* • • •

(e) "Point of shipment" means the point at which aluminum scrap or secondary aluminum ingot is first loaded on a conveyance for transportation directly to the buyer. This is usually the seller's plant, warehouse or yard, but if the material is shipped directly to the buyer from some point other than the seller's plant, warehouse or yard, such other point is the point of shipment.

(f) "At the buyer's receiving point" means that aluminum scrap or secondary aluminum ingot has arrived at the buyer's plant and is ready for unloading.

§ 1302.10 *Appendix A: Maximum prices for aluminum scrap.* • • •

(b) *Delivery charges.* (1) If aluminum scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If aluminum scrap is delivered to the buyer's receiving point by vehicle owned or controlled by the seller or by private carrier not owned or controlled by the buyer, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.60
10	15	1.80
15	20	1.95
20	25	2.10
25	30	2.25
30	35	2.40
35	40	2.55
40	50	2.80
50	60	3.00
60	70	3.20
70	80	3.40
80	90	3.60
90	100	3.80
100	110	3.95
110	120	4.10
120	130	4.25
130	140	4.40
140	150	4.55
150	160	4.70
160	170	4.85
170	180	5.00
180	190	5.15
190	200	5.30
200	210	5.45
210	220	5.60
220	230	5.75
230	240	5.90
240	250	6.05
250	260	6.20
260	270	6.35
270	280	6.50
280	290	6.65
290	300	6.80
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of aluminum scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the table above.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(3) The seller shall furnish to the buyer on the invoice or on a separate statement the point or points of shipment, the amount of the load picked up at each point, the charge for the delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

§ 1302.9a *Effective dates of amendments.* • • •

(d) Amendment No. 4 to Revised Price Schedule No. 2 (§§ 1302.8 (e), 1302.8 (f), and 1302.10 (b)) shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6830; Filed, July 17, 1942; 11:48 a. m.]

PART 1303—ZINC

[Amendment 2 to Revised Price Schedule 3[1]]

ZINC SCRAP MATERIALS AND SECONDARY SLAB ZINC

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new § 1303.12 is added as set forth below. Sections 1303.9 (c) and 1303.10 (e) are amended to read, in each instance, as set forth in the immediately following paragraph.

• • •[2] *Terms of sale.* Terms of sale shall be as set forth in § 1303.12.

§ 1303.12 *Appendix C: Terms of sale.* The maximum prices set forth in this Revised Price Schedule No. 3 are f. o. b. point of shipment, except in the case of secondary slab zinc in carload lots, the maximum price for which is delivered, buyer's receiving point. Any other commodity covered by Revised Price Schedule No. 3 may, however, also be sold, offered for sale, delivered, or transferred at prices delivered buyer's receiving point. In such cases, the maximum delivered price shall not exceed the f. o. b. point of shipment price plus whichever of the following transportation charges is applicable:

(a) When transportation to the buyer's receiving point is by public (common or contract) carrier, the actual transportation charge incurred;

(b) When transportation to the buyer's receiving point is by vehicle owned

[1] 7 F.R. 1205, 1836, 2132.

[2] Insert respectively §§ 1303.9 (c) and 1303.10 (e).

or controlled by the seller or is by private carrier not owned or controlled by the buyer, an amount not in excess of the following:

Distance in miles		Dollars per ton
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65

For distances of more than 300 miles, an amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of any commodity covered by Revised Price Schedule No. 3, from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(i) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the table above.

(2) The distance shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from point of shipment to buyer's receiving point. In the event of partial loading of a truck at each of two or more pickup points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(c) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(d) When used in this § 1303.12, the term "point of shipment" means the point at which any commodity covered by Revised Price Schedule No. 3 is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

§ 1303.11 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1303.9 (c), 1303.10 (e) and 1303.12) to Revised Price Schedule No. 3 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6831; Filed, July 17, 1942; 11:49 a. m.]

PART 1308—SCRAP AND SECONDARY MATERIAL CONTAINING NICKEL

[Amendment 5 to Revised Price Schedule 8[1]]

PURE NICKEL SCRAP, MONEL METAL SCRAP, STAINLESS STEEL SCRAP, AND OTHER SCRAP MATERIALS CONTAINING NICKEL; SECONDARY MONEL INGOT, SECONDARY MONEL SHOT, AND SECONDARY COPPER-NICKEL SHOT

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1308.10 a new paragraph (c) is added, and in § 1308.12 a new paragraph (e) is added to read as set forth below:

§ 1308.10 *Appendix A: Maximum prices for pure nickel scrap, monel metal scrap, stainless steel scrap, and other scrap materials containing nickel.* • • •

(c) *Delivery charges.* (1) If pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupro-nickel alloy scrap or stainless steel scrap are delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupro-nickel alloy scrap or stainless steel scrap are delivered to the buyer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the buyer, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

[1] 7 F.R. 1224, 1836, 2132, 3123, 3270, 3519, 4493.

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupro-nickel alloy scrap or stainless steel scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the buyer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (c).

(iv) The seller shall furnish to the buyer, on the invoice or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

§ 1308.12 *Effective dates of amendments.* • • •

(e) Amendment No. 5 (§§ 1308.10 (c) and 1308.12 (e)) to Revised Price Schedule No. 8 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6832; Filed, July 17, 1942; 11:50 a. m.]

PART 1309—COPPER

[Amendment 2 to Revised Price Schedule 12[1]]

BRASS MILL SCRAP

A Statement of the Considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1309.18 new paragraphs (d), (e) and (f) are added and § 1309.19 is amended to read as set forth below:

§ 1309.18 *Definitions.* • • •

(d) "Point of shipment" means the point at which brass mill scrap is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse or yard, but where the scrap is shipped directly to the buyer's receiving point from some point other than the seller's plant, warehouse or yard, such other point is the point of shipment. In the case of scrap shipped by water from outside the limits of the continental United States, the point of shipment means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. If such scrap is brought into the continental United States by overland shipment from Mexico or Canada, the point of shipment means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico or Canada, as the case may be, at which the scrap first entered the United States.

(e) "At the buyer's receiving point" means that brass mill scrap has arrived at the buyer's plant and is ready for unloading.

(f) "Shipment at one time" includes all brass mill scrap which, under a single contract of purchase or other agreement and within any three consecutive calendar days excluding Saturdays, Sundays and legal holidays, is (1) received at one or more points of shipment by the public carrier transporting such scrap to the buyer's receiving point, or (2) loaded on the buyer's conveyance at one or more points of shipment, or (3) received at the buyer's receiving point from one or more points of shipment when delivery is made by other than a public carrier or the buyer's conveyance.

§ 1309.19 *Appendix A: Maximum prices*—(a) *Introductory.* This Revised Price Schedule No. 12 establishes maximum prices for all grades of brass mill scrap except cupro-nickel alloy scrap, maximum prices for which are established by Revised Price Schedule No. 8,[2] covering nickel-bearing scrap materials.

[1] 7 F.R. 1234, 1836, 2132, 3520.

[2] 7 F.R. 1224, 1836, 2132, 3123, 3270, 3519.

[3] The maximum prices are established for material which is clean, dry, and free from foreign materials, and which meets generally accepted maximum standards in the trade. Scrap which fails to meet such standards must be sold at a price below the maximum price.

(b) *Maximum prices f.o.b. point of shipment.*[3] (1) The maximum price for any grade of brass mill scrap for which no specific price is established by paragraph (b) (2) of this section shall be a price properly reflecting the differential which normally prevailed during the period July 22, 1941 to February 11, 1942 between the price for such grade and the price for the most nearly similar grade for which a specific maximum price is established by paragraph (b) (2) of this section.

(2) The following are the specific maximum prices established by this Revised Price Schedule No. 12:

Grade	Maximum prices per pound of material (cents)		
	Heavy scrap	Rod ends	Turnings
Copper	10¼	10¼	9½
Commercial bronze:			
Containing 95% or more copper	9½	9¼	8¾
Containing minimum of 90% up to 95% copper	9⅜	9⅛	8⅝
Red brass:			
Containing minimum of 80% copper	9⅛	8⅞	8⅜
Best quality brass:			
Containing minimum of 71% up to 80% copper	8¾	8½	8
Yellow brass	8½	8⅜	7⅞
Muntz metal	8	7¾	7¼
Nickel silver:			
Containing minimum 5% nickel	9¼	9	4½
Containing minimum 10% nickel	10⅛	9⅞	5 1/16
Containing minimum 15% nickel	10⅞	10⅝	5 7/16

(c) *Quantity premiums.* (1) To the maximum price established for any grade of brass mill scrap by paragraph (b) of this section there may be added the applicable one of the following quantity premiums:

(i) For the shipment at one time of 40,000 pounds or more made up of any grade or grades of brass mill scrap in any form—1¢ per pound.

(ii) For the shipment at one time of 15,000 pounds or more made up of any grade or grades of heavy brass mill scrap or any grade or grades of brass mill rod ends and turnings, but not of heavy brass mill scrap mixed with brass mill rod ends or turnings—⅝¢ per pound.

(2) In computing the weight of material necessary for a quantity premium, all containers, dunnage and other tare must first be deducted and the actual weight of the remaining material, at the buyer's plant, must be used.

(d) *Delivery charges.* (1) If brass mill scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If brass mill scrap is delivered to the buyer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the buyer, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of brass mill scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the buyer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (d).

(iv) The seller shall furnish to the buyer, on the invoice or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(e) *Exceptions.* (1) Nothing in this Revised Price Schedule No. 12 or in the General Maximum Price Regulation[4] shall apply to sales or deliveries of brass mill scrap by any person to the Copper Recovery Corporation, the Metals Reserve Company, or their agents, pursuant to Salvage Program IRB-8 with respect to idle and excessive inventories of copper and copper base alloy products, adopted and announced by the War Production Board, Division of Industry Operations,

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4659.

by a letter dated May 11, 1942: *Provided*, That the provisions of this Revised Price Schedule No. 12 shall apply to all sales, deliveries or transfers of brass mill scrap by the Copper Recovery Corporation, the Metals Reserve Company or their agents.

(2) Any buyer of brass mill scrap, other than a brass mill, may file a petition for exception from the provisions of this Revised Price Schedule No. 12 in accordance with Procedural Regulation No. 1.[1] No exception will be granted under this paragraph unless the price which petitioner proposes to pay for such scrap is satisfactory to the Office of Price Administration and the petition establishes that:

(i) The petitioner has been authorized by the War Production Board to purchase brass mill scrap;

(ii) The scrap has been specially prepared to meet the petitioner's special requirements; and

(iii) If the petitioner purchased such scrap prior to July 21, 1941, petitioner paid a premium for such scrap over the brass mills' published buying prices for similar material.

§ 1309.18a *Effective dates of amendments.* • • • (b) Amendment No. 2 (§§ 1309.18 (d), 1309.18 (e), 1309.18 (f), 1309.19 and 1309.18a (b)) to Revised Price Schedule No. 12 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6837; Filed, July 17, 1942; 11:48 a. m.]

PART 1309—COPPER

[Amendment 1 to Revised Price Schedule 20, as amended [1]]

COPPER SCRAP AND COPPER ALLOY SCRAP

A Statement of the Considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1309.71, paragraph (b), subparagraphs (3), (4), (9), (10), (12), (13), (18), (19), (23), and (32) in paragraph (c), paragraph (d), subparagraph (2) in paragraph (e), paragraph (g), and paragraph (h) are amended to read as set forth below, a new paragraph (i) in § 1309.71 and a new § 1309.70a are added:

§ 1309.71 *Appendix A: Maximum prices.* • • •

(b) *Maximum prices f. o. b. point of shipment.* (1) Minimum specifications are established in paragraph (c) of this section for each of the grades of copper scrap and copper alloy scrap for which a specific maximum price is established in paragraph (b) (2) of this section. The maximum price for any grade of copper scrap or copper alloy scrap which does not meet any of such specifications shall be a price properly reflecting the reduction in prices affected by Price Schedule No. 20 and the amendments thereto, and the differential which normally prevailed in the twelve-month period immediately prior to February 5, 1942, between the price for such grade and the price for the most nearly similar grade for which a specific maximum price is established in paragraph (b) (2) of this section.

(2) The following are maximum prices, f. o. b. freight cars, trucks or other means of transportation at the point of shipment [2] and include all commissions and service charges:

Item No. and grade of scrap	*Maximum price per pound of material (cents)*
1 No. 1 Copper Wire	9.75
1 No. 1 Heavy Copper	9.75
1 No. 2 Copper Wire and Mixed Heavy Copper	[3] 8.75
1 Light Copper	[3] 7.75
1 Lead-covered Copper Wire and Cable	Formula A
1 Insulated Copper Wire and Cable	Formula B

[3] If the copper content of No. 2 Copper Wire or Mixed Heavy Copper is more than 96% or less than 96% but not less than 95%, or if the copper content of Light Copper scrap is more than 92% or less than 92% but not less than 90%, then in any such case the maximum price per pound of material shall be increased or decreased at the rate of 0.11775¢ for each 1% variation in copper content with proportionate adjustments for variations of less than 1%. If the copper content of light copper scrap is less than 90% but not less than 85%, the maximum price per pound of material shall be determined in accord with Formula E: Refinery brass.

[2] If the consumer receives less than 5,000 pounds of any one of these grades in a shipment at one time, he may determine the approximate analysis of the material for purposes of classification and pricing by inspection instead of by assay: *Provided*, That in any such event the maximum prices per pound of material shall be the following:

	Cents
No. 2 copper wire and mixed heavy copper	8.75
Light copper	7.75
High-grade bronze	11.00
High-grade bronze borings	10.75
High lead bronze	10.00
High lead bronze borings	9.75

If the consumer receives 5,000 pounds or more but less than 40,000 pounds of any one of these grades, except high-grade bronze borings or high lead bronze borings, in a shipment at one time, he may determine the approximate analysis of the material for purposes of classification and pricing by inspection instead of by assay: *Provided*, That in any such event the maximum prices per pound of material shall be the following:

	Cents
No. 2 copper wire and mixed heavy copper	8.75
Light copper	7.60
High-grade bronze	10.75
High lead bronze	9.75

If the consumer receives 5,000 pounds or more of high-grade bronze borings or high lead bronze borings or 40,000 pounds or more of any other of these grades in a shipment at one time, he must make a chemical analysis of the material for purposes of classification and pricing.

[2] Any copper scrap or copper alloy scrap sold "where is" shall be sold at a price less than the applicable maximum price by an amount reflecting the cost of loading the material for shipment to the consumer.

Item No. and grade of scrap—Continued

	Maximum price per pound of material (cents)
2 Bell Metal	15.50
2 High-grade Bronze Gears	13.25
2 High-grade Bronze	[4] Formula C
2 High-grade Bronze Borings	[4] [5] Formula C
2 Babbitt-lined Brass Bushings	13.00
2 High Lead Bronze	[4] Formula D
2 High Lead Bronze Borings	[4] [5] Formula D
2 Red Trolley Wheels	10.75
2 No. 1 Tinned Copper Wire	9.75
2 Bronze Paper Mill Wire Cloth	9.50
2 Aluminum Bronze (Ford) Gears	9.00
2 Soft Red Brass (No. 1 Composition)	9.00
2 Soft Red Brass Borings (No. 1 Composition Borings)	[6] 8.75
2 Unlined Standard Red Car Boxes	8.25
2 Lined Standard Red Car Boxes	7.75
2 Cocks and Faucets	8.00
2 Red Brass Breakage (Irony Composition)	[6] 7.50
2 Yellow Brass Castings	6.25
3 Clean Fired Rifle Shells	8.25
3 Brass Pipe	8.00
3 Old Rolled Brass	7.75
3 Admiralty Condenser Tubes	8.00
3 Muntz Metal Condenser Tubes	7.50
3 Plated Rolled Brass Sheet, Pipe and Reflectors	7.50
4 Refinery Brass	Formula E [7]
5 Automobile Radiators	7.00 [8]

[4] If these borings contain a total of more than 2% combined iron, oil, and other moisture, the price per pound of material shall be reduced 1% for each 1% of combined iron, oil, and other moisture in excess of 2%. For the purpose of classification and pricing, the weight of iron, oil, and other moisture shall first be deducted from the weight of the material and the metallic content of the remaining material determined by analysis. If the consumer receives less than 5,000 pounds of any of these borings in a shipment at one time, he may determine the amount of iron, oil, and other moisture by inspection instead of by actual test.

[5] If red brass breakage (irony composition) contains more than 10% iron, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of iron in excess of 10%. If the consumer receives less than 5,000 pounds of this material in a shipment at one time, he may determine the amount of iron by inspection instead of by actual test.

[6] If a consumer receives less than 20 tons of refinery brass in a shipment at one time, he may buy and pay for the material by determining its approximate copper content by sorting and inspection instead of by assay: *Provided*, That in such event the maximum price shall not exceed 4.75¢ per pound of material.

[7] If automobile radiators contain any iron, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of iron. If the top and bottom tanks have been removed, the maximum price for the remaining unsweated radiator core shall be the price for automobile radiators reduced by 0.25¢ per pound.

Formula A: Lead-Covered Wire and Cable. The maximum price for Lead-covered Copper Wire and Cable shall be a price determined by multiplying the weight of the copper wire or cable, less the weight of the lead covering and any insulation, by the maximum price established by this paragraph (b) (2) for such wire or cable had it been sold or delivered without such lead covering and insulation, and adding to the resulting product the maximum price, established by Revised Price Schedule No. 70,[3] for the lead content of such wire or cable. No payment shall be made for insulation.

Formula B; Insulated Copper Wire or Cable. The maximum price for Insulated Copper Wire or Cable shall be a price determined by multiplying the weight of the copper wire or cable, less the weight of the insulation, by the maximum price established by this paragraph (b) (2) for such wire or cable had it been sold or delivered without such insulation, and deducting from the resulting product 0.15¢ for each pound of the weight of such wire or cable including the weight of insulation. No payment shall be made for insulation.

Formula C: High-grade Bronze. The maximum price for High-grade Bronze shall be a price determined in accordance with the following formula and no payment may be made or received for any other elements contained:

(c) *Specifications.* • • •

If lead content is—	The maximum price per pound of material shall be—
0.00% to 0.50%	Copper content × 10.25¢ + tin content × 42.00¢.
0.51% to 1.00%	Copper content × 10.00¢ + tin content × 40.00¢.
1.01% to 2.00%	Copper content × 9.75¢ + tin content × 38.00¢.
2.01% to 3.00%	Copper content × 9.50¢ + tin content × 37.00¢.

High-grade bronze borings. The maximum price for high-grade bronze borings shall be a price determined in accordance with this Formula C less 0.25¢ per pound of material.

Formula D: High lead bronze. The maximum price for high lead bronze shall be a price determined in accordance with the following formula and no payment may be made or received for any other elements contained:

If zinc content is—	The maximum price per pound of material shall be—
0.00% to 1.25%	Copper content × 9.50¢ + tin content × 37.00¢.
1.26% to 3.00%	Copper content × 9.25¢ + tin content × 36.00¢.
3.01% to 4.00%	Copper content × 9.00¢ + tin content × 36.00¢.

High lead bronze may have an antimony content equal to one-twentieth of the lead content. If High lead bronze contains a higher or lower antimony content, then in any such case the maximum price determined in accordance with this Formula D shall be decreased or increased at the rate of 0.10¢ per pound of material for each 0.10 percent variation in antimony content with proportionate adjustments for variations of less than 0.10 percent.

High lead bronze borings. The maximum price for High Lead Bronze Borings shall be a price determined in accordance with this Formula D less 0.25¢ per pound of material.

[3] 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823.

Formula E: Refinery brass. The maximum price for Refinery Brass shall be a price determined in accordance with the following formula and no payment may be made or received for any other elements contained:

If copper content by electrolytic assay is—	The maximum price per pound of material shall be—
60.01% or more	Dry Copper content × 8.00¢.
50.01% to 60.00%	Dry copper content × 7.75¢.

Dry copper content means copper content as determined by electrolytic assay less 1.3 units (26 pounds of copper per ton of material).

(3) No. 2 copper wire and mixed heavy copper shall consist of copper wire or pieces not exceeding 12 inches in width or diameter or 48 inches in length, shall have a copper content of not less than 95%, and shall be free of silicon bronze, copper-nickel alloys, and copper-clad steel.

(4) Light copper shall consist of miscellaneous copper, shall have a copper content of not less than 85%, and shall be free of radiators, bronze or brass screens, readily removable iron, lead-coated copper, and old electrotype shells.

• • • • •

(9) High-grade bronze shall consist of castings such as sleeves, pumps and similar scrap; shall have a copper content of not less than 81%, a tin content of not less than 6%, a lead content of not more than 3%, and total other impurities of not more than 0.75% exclusive of zinc and nickel, and shall be free of bell metal, high-grade bronze gears, trolley wheels, and free iron.

(10) High-grade Bronze Borings shall consist of clean bronze borings and turnings, shall have a copper content of not less than 81%, a tin content of not less than 6%, a lead content of not more than 3%, and total other impurities of not more than 0.75% exclusive of zinc and nickel, and shall be free of grindings and all foreign material.

• • • • •

(12) High lead bronze shall consist of castings such as bearings, bushings, pumps and similar scrap; shall have a copper content of not less than 70%, a tin content of not less than 6%, a zinc content of not more than 4%, an antimony content of not more than 1.75%, and total other impurities of not more than 0.50% exclusive of nickel, and shall be free of Lined or Unlined Standard Red Car Boxes and free iron.

(13) High lead bronze borings shall consist of clean bronze borings and turnings, shall have a copper content of not less than 70%, a tin content of not less than 6%, a zinc content of not more than 4%, an antimony content of not more than 1.75%, and total other impurities of not more than 0.50% exclusive of nickel, and shall be free of grindings and all foreign material.

• • • • •

(18) Soft red brass (No. 1 Composition) shall consist of miscellaneous red brass castings; shall have a copper content of not less than 81%, a tin content of not less than 3½%, and a lead content of not less than 3% nor more than 7%; and shall be free of iron, pot pieces, burnt brass, cocks and faucets, lined or unlined standard red car boxes, manganese bronze castings, silicon bronze castings, and aluminum bronze castings.

(19) Soft red brass borings (No. 1 composition borings) shall consist of clean red brass borings and turnings; shall have a copper content of not less than 81%, a tin content of not less than 3½%, and a lead content of not less than 3% nor more than 7%; shall be free of borings or turnings from aluminum bronze castings, manganese bronze castings or silicon bronze castings, grindings and all foreign material.

• • • • •

(23) Red brass breakage (irony composition) shall consist of red brass castings, including carburetors, and shall be free of die cast, aluminum and iron carburetors and yellow brass.

• • • • •

(32) Automobile radiators shall consist of mixed unsweated automobile radiators.

(d) *Rejections.* (1) The consumer shall examine and sort the scrap contained in each lot in order to determine the rejections contained therein, except when the lot consists exclusively of turnings or borings or when it is sold or delivered as Refinery Brass. The maximum price for each grade of copper scrap and copper alloy scrap contained in such lot shall then be determined as follows:

(i) If the lot contains less than 10% rejections by weight, the maximum price for each grade shall be the maximum price for such grade established by paragraph (b) of this section.

(ii) If the lot contains 10% or more rejections by weight [4], the maximum price for each grade shall be the higher of the following [5]:

(a) The maximum price established by paragraph (b) of this section for the lowest-priced grade contained in such lot, or

(b) The maximum price for each grade established by paragraph (b) of this section, reduced in each case by 0.25¢ per pound of material.

(2) In determining whether a lot contains 10% or more rejections by weight, the net weight of the lot after deducting the weight of all containers, dunnage and other tare shall be used.

(e) *Quantity premiums.* • • •

(2) In computing the weight of material necessary for a quantity premium:

(i) There must first be deducted from the total weight of the shipment, the weight of (a) all containers, dunnage, and other tare, (b) all insulation or lead covering on Insulated Copper Wire and Cable or Lead-covered Copper Wire and

[4] The rejections in any such lot may not be included in computing the weight necessary to obtain any quantity premium permitted by paragraph (e) of this section.

[5] If the same maximum price is established by paragraph (b) of this section for each of the grades contained in such lot, the second alternative must be used to determine the maximum price for each such grade.

[1] 7 F.R. 3404.
[2] 7 F.R. 971, 3663.

Cable, (c) all rejections which are not either copper scrap or copper alloy scrap, and (d) all other rejections in any lot containing 10 percent or more rejections.

(ii) The actual weight, at the consumer's plant, of the remaining material must be used.

* * * * *

(g) *Delivery charges.* (1) If copper scrap or copper alloy scrap is delivered to the consumer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the consumer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If copper scrap or copper alloy scrap is delivered to the consumer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the consumer, the maximum delivery charge which the consumer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of copper scrap or copper alloy scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the consumer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the consumer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the consumer shall be separately computed in accordance with the provisions of this paragraph (g).

(iv) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(3) Anything hereinbefore contained to the contrary notwithstanding, if a quantity premium permitted by paragraph (e) of this section is paid on copper scrap or copper alloy scrap shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which the consumer may pay, in addition to the established maximum price f. o. b. point of shipment, shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad—the carload rate from that one of the several points of shipment which has the lowest carload rate to the consumer's receiving point.

(ii) Entirely by public carrier truck—the established truckload rate for the lowest minimum weight from that one of the several points of shipment which has the lowest truckload rate to the consumer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the consumer—the rate set forth in subparagraph (2) of this paragraph (g) from that one of the several points of shipment which has the lowest rate to the consumer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the consumer, or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (3): *Provided*, That the rate governing any method of shipment not actually employed may be disregarded.

(h) *Credit charges.* An amount not to exceed ½ of 1% per month for the extension of credit beyond thirty days after delivery may be charged over and above the maximum prices established by this Revised Price Schedule No. 20, as amended.

(i) *Exceptions*—(1) *Conversion of railroad scrap.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation [6] shall apply to the sale, delivery or transfer of copper scrap or copper alloy scrap to a foundry by a person owning, operating or maintaining rolling stock: *Provided*, That:

(i) The copper scrap and copper alloy scrap results from such person's use or processing of castings or other articles of the type produced by the foundry;

(ii) The foundry converts such copper scrap and copper alloy scrap into castings or other articles of the type from which the scrap resulted; and

(iii) Such person delivers the scrap to the foundry and the foundry returns an equivalent amount of castings or other articles of the type from which the scrap resulted in accordance with the terms of a written agreement approved by the War Production Board.

(2) *Idle and excessive inventories.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation shall apply to sales or deliveries of copper scrap or copper alloy scrap by any person to the Copper Recovery Corporation, the Metals Reserve Company, or their agents, pursuant to Salvage Program IRB–8 with respect to idle and excessive inventories of copper and copper base alloy products, adopted and announced by the War Production Board, Division of Industry Operations, by a letter dated May 11, 1942: *Provided*, That the provisions of this Revised Price Schedule No. 20, as amended, shall apply to all sales, deliveries or transfers of copper scrap or copper alloy scrap to a consumer by the Copper Recovery Corporation, the Metals Reserve Company or their agents.

(3) *Intra-organization transactions.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation shall apply to sales or deliveries of copper scrap or copper alloy scrap between a parent corporation and a wholly owned subsidiary corporation, or between two or more subsidiary corporations wholly owned by the same parent corporation. For the purposes of this subparagraph, a subsidiary corporation shall be deemed to be wholly owned by a parent corporation only if the parent corporation owns all of the capital stock of the subsidiary corporation, except that, if required by the law of the state of incorporation of the subsidiary corporation, necessary qualifying shares may be owned by persons other than the parent corporation.

(4) *Briquetted copper scrap sold or delivered to a brass and bronze ingot manufacturer.* Any brass and bronze ingot manufacturer may file a petition for exception pursuant to the provisions of Procedural Regulation No. 1 [7] requesting permission to pay the premiums for briquetted copper scrap provided in § 1309.71 (f) (1) (i). The Office of Price Administration may impose such conditions on the granting of permission under this subparagraph as it deems necessary to prevent evasion of the provisions of Revised Price Schedule No. 20, as amended. No permission will be granted under this subparagraph unless the petitioner establishes that:

(i) In the three calendar months directly preceding the month in which the petition is filed with the Office of Price Administration, the petitioner produced a total of less than 600,000 pounds of brass and bronze ingot. In this connection, petitioner must state:

(*a*) Production in pounds of brass and bronze ingot for each such calendar month.

(*b*) Production in pounds of all other non-ferrous products, in which copper scrap was used, for each such calendar month.

[6] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[7] 7 F. R. 971, 3663.

(ii) In the calendar month directly preceding the month in which the petition is filed with the Office of Price Administration the petitioner was unable to purchase the amount of No. 1 and No. 2 copper scrap allocated to him by the War Production Board pursuant to Copper Supplementary Order M–9–b,[8] as amended. In this connection, petitioner must state:

(*a*) Amount of No. 1 and No. 2 copper scrap so allocated to him for such calendar month.

(*b*) Amount of No. 1 and No. 2 copper scrap purchased by him in such calendar month.

(iii) Petitioner regularly purchased copper scrap in briquetted form in the six-month period from January 1, 1941 to July 1, 1941. If petitioner did not regularly purchase copper scrap in briquetted form during the period January 1, to July 1, 1941, petitioner must explain in detail why he now desires to purchase copper scrap in briquetted form. In this connection, petitioner must state:

(*a*) Total amount of copper scrap received between January 1 and July 1, 1941.

(*b*) Total amount of copper scrap received in briquetted form between January 1 and July 1, 1941.

(*c*) What changes, if any, have occurred in petitioner's plant or production and how, if at all, they have affected his demands for copper scrap in briquetted form.

§ 1309.70a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1309.71 (b), (c) (3), (c) (4), (c) (9), (c) (10), (c) (12), (c) (13), (c) (18), (c) (19), (c) (23), (c) (32), (d), (e) (2), (g), (h), (i), and 1309.70a) to Revised Price Schedule No. 20, as amended, shall become effective

(1) As to §§ 1309.71 (i) (1), (i) (2) and (i) (3) as of May 11, 1942,

(2) As to §§ 1309.71 (d), (e) (2), (i) (4), (g), and 1309.70a on July 21, 1942, and

(3) As to §§ 1309.71 (b), (c) (3), (c) (4), (c) (9), (c) (10), (c) (12), (c) (13), (c) (18), (c) (19), (c) (23), (c) (32), and (h) on August 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6825; Filed, July 17, 1942; 11:50 a. m.]

PART 1316—COTTON TEXTILES

[Amendment 3 to Revised Price Schedule 11]

FINE COTTON GREY GOODS [1]

The statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Section 1316.7 is amended to read as follows:

§ 1316.7 *Reports.* Persons affected by Revised Price Schedule No. 11 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1316.12a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1316.7) to Revised Price Schedule No. 11 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6833; Filed, July 17, 1942; 11:49 a. m.]

PART 1355—LEAD

[Amendment 4 to Revised Price Schedule 70 [4]]

LEAD SCRAP MATERIALS; SECONDARY LEAD, INCLUDING CALKING LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1355.62 (1) is revoked and a new § 1355.70 is added as set forth below. Sections 1355.64 (b), 1355.65 (b), 1355.66 (c), 1355.67 (c), and 1355.68 (b) are amended to read, in each instance, as set forth in the immediately following paragraph:

* * * [5] *Terms of sale.* Terms of sale shall be as set forth in § 1355.70.

§ 1355.70 *Appendix G: Terms of sale.* The maximum prices set forth in this Revised Price Schedule No. 70 are f. o. b. point of shipment. Any commodity covered by Revised Price Schedule No. 70 may, however, be sold, offered for sale, delivered, or transferred at prices delivered buyer's receiving point. In such cases, the maximum delivered price shall not exceed the f. o. b. point of shipment price plus whichever of the following transportation charges is applicable:

(a) When transportation to the buyer's receiving point is by public (common or contract) carrier, the actual transportation charge incurred;

(b) When transportation to the buyer's receiving point is by vehicle owned or controlled by the seller or is by private carrier not owned or controlled by the buyer, an amount not in excess of the following:

Distance in miles		Dollars per ton
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65

For distances of more than 300 miles, an amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of any commodity covered by Revised Price Schedule No. 70, from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(1) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the table above.

(2) The distance shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from point of shipment to buyer's receiving point. In the event of partial loading of a truck at each of two or more pickup points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(c) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(d) When used in this § 1355.70, the term "point of shipment" means the point at which any commodity covered by Revised Price Schedule No. 70 is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

§ 1355.63a *Effective dates of amendments.* * * *

[8] Copies may be obtained from Office of Price Administration.

[4] 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823.

[5] Insert respectively §§ 1355.64 (b), 1355.65 (b), 1355.66 (c), 1355.67 (c), and 1355.68 (b).

[1] 7 F.R. 1231, 1836, 2000, 2132, 2737, 3163.

[2] 7 F.R. 3472.

(e) Amendment No. 4 (§§ 1355.62 (1), 1355.64 (b), 1355.65 (b), 1355.66 (c), 1355.67 (c), 1355.68 (b), and 1355.70) to Revised Price Schedule No. 70 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6834; Filed, July 17, 1942; 11:50 a. m.]

PART 1372—SEASONAL COMMODITIES

[Amendment 3 to Maximum Price Regulation 142 [1]]

RETAIL PRICES FOR SUMMER SEASONAL COMMODITIES

RELATIONSHIP TO GENERAL MAXIMUM PRICE REGULATION

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1372.3 paragraph (c) is amended to read as set forth below and a new paragraph (d) is added:

§ 1372.3 *Relationship between Maximum Price Regulation 142 and the General Maximum Price Regulation.*[2] • • •

(c) The provisions of §§ 1499.12, 1499.13, and 1499.14 of the General Maximum Price Regulation relating to records and of §§ 1499.4, 1499.18 and 1499.19, relating to supplemental regulations, adjustment and amendment shall apply to all sales, the maximum prices for which are established by this Maximum Price Regulation No. 142, and to all persons making such sales.

(d) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 142 selling at retail any seasonal commodity covered by this Maximum Price Regulation No. 142. When used in this paragraph, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1372.8a. *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1372.3 (c) (d)) to Maximum Price Regulation No. 142 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6835; Filed, July 17, 1942; 11:52 a. m.]

[1] 7 F.R. 3553, 3720.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192.

PART 1382—HARDWOOD LUMBER

[Amendment 3 to Maximum Price Regulation 146 [1]]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

A new paragraph (d) is added to § 1382.12 as set forth below:

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.* • • •

(d) Maximum prices for "recurring special" grades or items of Appalachian hardwood lumber produced by particular mills, determined pursuant to paragraph (b) (2) of this section.

The maximum f. o. b. mill prices for 1,000 feet of Appalachian hardwood lumber in a rough air dried condition shipped from mills in the Appalachian area of the following particular producers, and in the following "recurring special" grades or items, shall be as follows:

[1] 7 F.R. 3776, 4179, 4852.
[2] Copies may be obtained from Office of Price Administration.

(1) W. M. RITTER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Hat Block	Poplar	2½	11 to 17	8 to 16	$136.00
1	Hat Block	Poplar	3	11 to 17	8 to 16	148.00
1	Hat Block	Poplar	4	7 to 17	8 to 16	163.00
1	Hat Block	Poplar	5	Av. 12 or more	65% or more 14, 15 and 16	168.00
2	No. 1 Common	Poplar	2	7 and 8	8 to 16	68.00
2	No. 2 Common	Poplar	2	7 and 8	60% 14, 15 and 16	53.00
3	FAS, 1 Face	Poplar	4/4	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	57.00
3	FAS, 1 Face	Poplar	5/4	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	65.00
3	FAS, 1 Face	Poplar	1	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	76.00
3	FAS, 1 Face	Poplar	1¼	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	78.00
3	FAS, 1 Face	Poplar	1½	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	80.00
3	FAS, 1 Face	Poplar	2	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	85.00
3	FAS, 1 Face	Poplar	2½	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	98.00
3	FAS, 1 Face	Poplar	3	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	108.00
3	FAS, 1 Face	Poplar	4	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	128.00
3	FAS, 1 Face	Poplar	5		8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	3	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	4	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	5	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	6	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	7	8 to 16. 60% or more 14 to 16	91.00
4	No. 1 Finish Strips	Poplar	1	8	8 to 16. 60% or more 14 to 16	107.00
4	No. 1 Finish Strips	Poplar	1	10	8 to 16. 60% or more 14 to 16	121.00
4	No. 1 Finish Strips	Poplar	1	12	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	3	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	4	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	5	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	6	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	7	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	8	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	10	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	12	8 to 16. 60% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	3	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	4	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	5	8 to 16. 50% or more 14 and 16	57.00
6	C Finish Strips	Poplar	1	6	8 to 16. 50% or more 14 and 16	57.00
6	C Finish Strips	Poplar	1	7	8 to 16. 50% or more 14 and 16	61.00
6	C Finish Strips	Poplar	1	8	8 to 16. 50% or more 14 and 16	

(1) W. M. RITTER LUMBER COMPANY—Continued

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
6	C Finish Strips	Poplar	1	10	8 to 16. 50% or more 14 and 16	$64.00
6	C Finish Strips	Poplar	1	12	8 to 16. 50% or more 14 and 16	74.00
7	No. 2 Common Finish Strips	Poplar	1	3	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	4	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	5	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	6	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	7	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	8	8 to 16. 50% or more 14 and 16	49.00
7	No. 2 Common Finish Strips	Poplar	1	10	8 to 16. 50% or more 14 and 16	56.00
7	No. 2 Common Finish Strips	Poplar	1	12	8 to 16. 50% or more 14 and 16	61.00
8	FAS Squares	Poplar	5	5	8 to 16. 75% to 85% 14, 15 and 16	153.00
8	FAS Squares	Poplar	6	6	8 to 16. 75% to 85% 14, 15 and 16	163.00
8	FAS Squares	Poplar	7	7	8 to 16. 75% to 85% 14, 15 and 16	173.00
8	FAS Squares	Poplar	8	8	8 to 16. 75% to 85% 14, 15 and 16	183.00
9	No. 1 Common Squares	Poplar	5	5	6 to 16. 60% to 70% 14, and 16	103.00
9	No. 1 Common Squares	Poplar	6	6	6 to 16. 60% to 70% 14, and 16	113.00
9	No. 1 Common Squares	Poplar	7	7	6 to 16. 60% to 70% 14, and 16	123.00
9	No. 1 Common Squares	Poplar	8	8	6 to 16. 60% to 70% 14, and 16	133.00
10	Panel and Wide No. 1	Poplar	3/4	18 to 23	8 and longer. 60% or more 14 and 16	86.00
10	Panel and Wide No. 1	Poplar	1	18 to 23	8 and longer. 60% or more 14 and 16	118.00
10	Panel and Wide No. 1	Poplar	1	24 and up	8 and longer. 60% or more 14 and 16	130.00
10	Panel and Wide No. 1	Poplar	1¼	18 to 23	8 and longer. 60% or more 14 and 16	128.00
10	Panel and Wide No. 1	Poplar	1½	18 to 23	8 and longer. 60% or more 14 and 16	145.00
10	Panel and Wide No. 1	Poplar	2	18 to 23	8 and longer. 60% or more 14 and 16	165.00
11	Wall Panel and Core Stock	Poplar	1	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	50.00
11	Wall Panel and Core Stock	Poplar	1¼	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	51.00
11	Wall Panel and Core Stock	Poplar	1½	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	53.00
12	Clear Strips	Basswood	1	4 to 5½	8 to 16. 60% or more 14 and 16	70.00
13	Clear Face Strips	Basswood	1	2½ to 5½	8 to 16. 60% or more 14 and 16	61.00
14	No. 1 Common Strips	Basswood	1	2½ to 5½	6 to 16. 50% or more 14 and 16	49.00
15	FAS (Special)	Plain White Oak	2½	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	155.00
15	FAS (Special)	Plain White Oak	3	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	170.00
15	FAS (Special)	Plain White Oak	4	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	195.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	10 to 16	125.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	17 to 19	150.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	20 to 22	175.00
16	Industrial FAS-A and Better	Plain White Oak	1¼ to 1¾	3½ and wider	10 to 16	135.00
16	Industrial FAS-A and Better	Plain White Oak	1¼ to 1¾	3½ and wider	17 to 19	160.00
16	Industrial FAS-A and Better	Plain White Oak	1¼ to 1¾	3½ and wider	20 to 22	185.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	10 to 16	160.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	17 to 19	185.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	20 to 22	210.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	10 to 16	185.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	17 to 19	210.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	20 to 22	235.00
17	Industrial FAS-A	Plain White Oak	1	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	79.00
17	Industrial FAS-A	Plain White Oak	1¼	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	85.00
17	Industrial FAS-A	Plain White Oak	1½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	87.00
17	Industrial FAS-A	Plain White Oak	2	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	92.00
18	Industrial FAS-B	Plain White Oak	1	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	66.00
18	Industrial FAS-B	Plain White Oak	1¼	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	69.00
18	Industrial FAS-B	Plain White Oak	1½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	71.00
18	Industrial FAS-B	Plain White Oak	2	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	80.00
18	Industrial FAS-B	Plain White Oak	2½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	100.00
18	Industrial FAS-B	Plain White Oak	3	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	110.00
18	Industrial FAS-B	Plain White Oak	4	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	130.00
19	Body Builders	Plain White Oak	5/4	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	38.00
19	Body Builders	Plain White Oak	3/4	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	42.00
19	Body Builders	Plain White Oak	1	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	49.00
19	Body Builders	Plain White Oak	1¼	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	51.00
19	Body Builders	Plain White Oak	1½	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	52.00
19	Body Builders	Plain White Oak	2	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	57.00
19	Body Builders	Plain White Oak	2½	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	66.00
19	Body Builders	Plain White Oak	3	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	69.00
20	Sound Sill	Plain White Oak	2	6–7–8–10–12–13	6 to 16. 50% or more 14 and 16	62.00
21	Sound Square Edge	Plain White Oak	1	3 and wider. Av. 7	6 to 16. 50% or more 14 and 16	30.00
22	Fencing	Plain White Oak	1	6	16	47.00
23	Clear Face Strips	Plain White Oak	1	4 to 5½	8 to 16. 50% or more 14 and 16	69.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1	6 and wider. Av. 10 or more	18 to 24. Av. 20	147.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1¼	6 and wider. Av. 10 or more	18 to 24. Av. 20	157.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1½	6 and wider. Av. 10 or more	18 to 24. Av. 20	162.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	2	6 and wider. Av. 10 or more	18 to 24. Av. 20	172.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	2½	6 and wider. Av. 10 or more	18 to 24. Av. 20	182.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	3	6 and wider. Av. 10 or more	18 to 24. Av. 20	197.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	4	6 and wider. Av. 10 or more	18 to 24. Av. 20	247.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	10 to 16, inc	150.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	17 to 20, inc	175.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	21 to 24, inc	200.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	10 to 16, inc	175.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	17 to 20, inc	200.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	21 to 24, inc	225.00
25	Bending Oak	White Oak	2¾ to 5	3 to 8	10 to 16, inc	200.00
25	Bending Oak	White Oak	2¾ to 5	3 to 8	17 to 20, inc	225.00
25	Bending Oak	White Oak	2¾ to 5	3 to 8	21 to 24, inc	250.00
26	Quartered Clear Face Strips	Quartered White Oak	1	3 to 5½	8 to 16. 50% or more 14 and 16	95.00
27	Comb Grain FAS	White Oak	1	6 and wider. Av. 7	8 to 16. 60% or more 14 and 16	125.00
27	Comb Grain FAS	White Oak	1¼	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	135.00
27	Comb Grain FAS	White Oak	1½	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	145.00
27	Comb Grain FAS	White Oak	2	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	160.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	75.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1¼	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	82.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1½	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	90.00

(1) W. M. RITTER LUMBER COMPANY—Continued

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet	Price
28	Comb Grain No. 1 Common and Selects.	White Oak	2	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	$100.00
29	Plain FAS	Red Oak	2½	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	130.00
29	Plain FAS	Red Oak	3	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	145.00
29	Plain FAS	Red Oak	4	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	170.00
30	Plain FAS Step Plank	Red Oak	1¼	10 to 14	8 to 16	112.00
30	Plain FAS Step Plank	Red Oak	1½	10 to 14	8 to 16	117.00
31	Plain Clear Face Strips	Red Oak	1	4 to 5½	8 to 16. 50% or more 14 and 16	54.00
32	Plain No. 1 Common Strips	Plain White Oak	1	3 to 6½	6 to 16. 50% or more 14 and 16	45.00
33	FAS Star (Export)	Plain White Oak	1¼	6 to 17	8 to 16	79.00
33	FAS Star (Export)	Plain White Oak	1½	6 to 17	8 to 16	85.00
33	FAS Star (Export)	Plain White Oak	2	6 to 17	8 to 16	87.00
33	FAS Star (Export)	Plain White Oak	⅜	6 to 17	8 to 16	92.00
34	(9") (Export)	Plain White Oak	½	4 and up	6 to 16	36.00
34	(9") (Export)	Plain White Oak	⅝	4 and up	6 to 16	43.00
34	(9") (Export)	Plain White Oak	¾	4 and up	6 to 16	46.00
34	(9") (Export)	Plain White Oak	⅞	4 and up	6 to 16	51.00
34	(9") (Export)	Plain White Oak	1	4 and up	6 to 16	60.00
34	(9") (Export)	Plain White Oak	1¼	4 and up	6 to 16	65.00
34	(9") (Export)	Plain White Oak	1½	4 and up	6 to 16	67.00
34	(9") (Export)	Plain White Oak	1¾	4 and up	6 to 16	72.00
34	(9") (Export)	Plain White Oak	2	4 and up	6 to 16	72.00
34	(9") (Export)	Plain White Oak	2½	4 and up	6 to 16	97.00
34	(9") (Export)	Plain White Oak	3	4 and up	6 to 16	107.00
34	(9") (Export)	Plain White Oak	4	4 and up	6 to 16	127.00
34	(9") (Export)	Plain White Oak	¾	6 and up	6 to 16	37.00
35	Banco (Export)	Plain White Oak	1	6 and up	6 to 16	40.00
35	Banco (Export)	Plain White Oak	1¼	6 and up	6 to 16	47.00
35	Banco (Export)	Plain White Oak	1½	6 and up	6 to 16	50.00
35	Banco (Export)	Plain White Oak	2	6 and up	6 to 16	58.00
35	Banco (Export)	Plain White Oak	2½	6 and up	6 to 16	81.00
35	Banco (Export)	Plain White Oak	⅝	4 and up	6 to 16	35.00
36	(8) (Export)	Plain White Oak	¾	4 and up	6 to 16	39.00
36	(8) (Export)	Plain White Oak	1	4 and up	6 to 16	44.00
36	(8) (Export)	Plain White Oak	1¼	4 and up	6 to 16	46.00
36	(8) (Export)	Plain White Oak	1½	4 and up	6 to 16	47.00
36	(8) (Export)	Plain White Oak	2	4 and up	6 to 16	54.00
36	(8) (Export)	Plain White Oak	2½	4 and up	6 to 16	57.00
36	(8) (Export)	Plain White Oak	3	4 and up	6 to 16	62.00

(2) CHERRY RIVER BOOM AND LUMBER COMPANY

1	Panel and No. 1 Wide	Poplar	1	Regular	Regular	$105.00
2	Flitch-sawed Mill Run	Beech	1			36.00
3	Box Grade	Chestnut	1	Regular	Regular	28.00
4	FAS—Red Face	Birch	1	Regular	Regular	112.00
4	FAS—Red Face	Birch	1¼	Regular	Regular	115.00
5	No. 1 Common—Red Face	Birch	1	Regular	Regular	68.00
5	No. 1 Common—Red Face	Birch	1¼	Regular	Regular	75.00
6	Dunnage	Mixed Hardwoods	1			12.00

(3) MOORE, KEPPEL & COMPANY

1	Sound Square Edge or Structural	White Oak	1			$26.00
1	Sound Square Edge or Structural	White Oak	1¼ and 1½			40.00
1	Sound Square Edge or Structural	White Oak	2			42.00
1	Sound Square Edge or Structural	White Oak	3			100.00
2	Export and Better	White Oak	4			30.00
3	No. 2 Common and Better Sound Wormy.	Beech	1¼			12.00
4	Dunnage or Burning Boards	Mixed Hardwoods	1			20.00
5	No. 3 Common	Mixed Beech, Birch, Maple, Oak and Hickory.	1	Regular	Regular	

(4) ELK RIVER COAL & LUMBER COMPANY

1	Sound Square Edge or Structural	White Oak	2	10		$44.00
2	Scoots or Burning Boards	Mixed Hardwoods	1			18.00
3	Bung No. 1 Common	Poplar	1	Regular	Regular	50.00
4	Bung No. 2-A Common	Poplar	1	Regular	Regular	49.00
5	Bung No. 2-B Common	Poplar	1	Regular	Regular	35.00
6	Core Grade	Poplar	1			35.00
7	Clear Strips	Poplar	1	Regular	Regular	65.00
8	No. 1 Common Strips	Poplar	1	Regular	Regular	45.00
9	No. 1 Common and Selects	Poplar	1	Regular	Regular	61.00
				6 and up		

(5) BEMIS HARDWOOD LUMBER COMPANY

1	Core Grade	Poplar	1			$31.00

(6) MORRISON, GROSS & COMPANY

1	Sound Square Edge	White Oak and Red Oak.	1			$34.00
1	Sound Square Edge	White Oak and Red Oak.	2			42.00

(7) CONASAUGA RIVER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common Bung	Poplar	1	Regular	Regular	$57.00
2	FAS Squares	Poplar	4	4		115.00
2	FAS Squares	Poplar	8	8		165.00
2	FAS Squares	Poplar	10	10		172.00
3	No. 1 Common and Sound Squares	Poplar	4	4		70.00
3	No. 1 Common and Sound Squares	Poplar	8	5		73.00

(8) PARDEE & CURTIN LUMBER COMPANY

1	No. 1 Common and Selects	Red Oak	1	4½ and wider	6 and longer. 50% 7, 8, 14 and 16	$56.00
2	FAS	Red Oak	1¼	11 to 14	Regular	105.00

(9) TENNESSEE EASTMAN CORPORATION

1	Sound Square Edge	White Oak	2	8		$40.00
1	Sound Square Edge	White Oak	2	8½		44.00
1	Sound Square Edge	White Oak	2	10		41.00
1	Sound Square Edge	White Oak	2	12		42.00
2	Sound Square Edge	White Oak	3			43.00
3	Sound Square Edge	White Oak	3½			43.00
4	FAS Comb Grain	White Oak	1			125.00

§ 1382.10a *Effective dates of amendments.*

* * * * * * * *

(c) Amendment No. 3 (§ 1382.12 (d)) to Maximum Price Regulation No. 146 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6836; Filed, July 17, 1942; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 35]

WARD REFRIGERATOR AND MFG. CO

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.72 *Approval of maximum price for sale of model V-5 ice-box by Ward Refrigerator and Manufacturing Company.* (a) The maximum price for the sale by the Ward Refrigerator and Manufacturing Company, 6501 South Alameda Street, Los Angeles, California of Model No. V-5, of wood household ice-boxes manufactured by that company shall be $37.70, uncrated, and $40.70, crated, per unit, f. o. b., Los Angeles, California.

(b) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 35 (§ 1499.72) shall become effective July 18, 1942.

(Pub. Law, 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6827; Filed, July 17, 1942; 11:51 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5028.

Chapter XV—Board of War Communications

[Order 12]

PART 1711—REMOVAL AND IMPOUNDING OF RADIO EQUIPMENT IN PUERTO RICO AND THE VIRGIN ISLANDS

Whereas, The Board of War Communications has determined that the national security and defense and the successful prosecution of the war demand the removal and impounding of all radio communication equipment in Puerto Rico and the Virgin Islands which is either owned by or in the possession of licensed amateurs or which is not presently being operated pursuant to a license from the Federal Communications Commission;

Now, therefore, by virtue of the authority vested in the Board by the Communications Act of 1934, as amended, and Executive Order No. 8964 of December 10, 1941;

It is hereby ordered as follows:

§ 1711.1 *Puerto Rico and Virgin Islands, removal and impounding of amateur equipment.* (a) The Federal Communications Commission is authorized to remove the apparatus and equipment of every amateur radio station in Puerto Rico and the Virgin Islands.

(b) The Commission is further authorized to remove the apparatus and equipment of every radio station in Puerto Rico and the Virgin Islands, the operation of which is not authorized under Commission license or construction permit.

(c) All apparatus and equipment removed pursuant to the terms of this order shall be impounded by the Commission at such places and under such conditions as the Commission shall prescribe.

(d) Whenever necessary, the Commission shall collaborate with the War and Navy Departments to carry out the terms of this order.

(e) Nothing in this order shall apply to apparatus or equipment which is owned by or in the possession of the United States Government, or in the process of manufacture under contract for or on behalf of the United States Government.

Subject to such further order as the Board may deem appropriate. (48 Stat. 1064; 47 U.S.C. 151-609; E.O. 8964, 9183; 6 F.R. 6367, 7 F.R. 4509)

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: July 9, 1942,

E. M. WEBSTER,
Acting Secretary.

[F. R. Doc. 42-6787; Filed, July 17, 1942; 10:19 a. m.]

[Order 13]

PART 1712—TRANSMITTING TUBE QUESTIONNAIRE

Whereas, The Board of War Communications has determined that complete information should be obtained with respect to the transmitting tubes of each standard broadcast station;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8546 of September 24, 1940;

It is hereby ordered, That:

§ 1712.1 *Filing of questionnaire regarding transmitting tubes.*—Each licensee of a standard broadcast station shall furnish the information concerning transmitting tubes specified in the attached questionnaire by filing one copy of such questionnaire, properly completed, with the Board on or before August 1, 1942.

Subject to such further order as the Board may deem appropriate. (E.O. 8546, 9183; 5 F.R. 3817, 7 F.R. 4509.)

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: June 10, 1942.

E. M. WEBSTER,
Acting Secretary.

[F. R. Doc. 42-6788; Filed, July 17, 1942; 10:19 a. m.]

[Order No. 14]

PART 1713—AUTHORIZATION OF DEPARTMENT OF WAR TO USE, CONTROL, SUPERVISE, INSPECT OR CLOSE STATIONS AND FACILITIES FOR WIRE OR RADIO COMMUNICATION IN THE TERRITORY OF ALASKA

Whereas, the Board of War Communications has determined that the national security and defense and the successful conduct of the war demand that all non-military stations and facilities for radio or wire communication in the Territory of Alaska shall be subject to use, control, supervision, inspection or closure by the Department of War;

Now, therefore, by virtue of the authority vested in the Board of War Communications by Executive Orders Nos. 8546, 8964, and 9089[1] of September 24, 1940, December 10, 1941, and March 6, 1942, respectively;

It is hereby ordered, That:

§ 1713.1 *Radio or wire communication facilities in Alaska.* All non-military stations and facilities for radio or wire communication in the Territory of Alaska shall be subject to such use, control, supervision, inspection or closure by the Department of War in accordance with the terms of the said Executive Orders as the Secretary of War may deem necessary for the national security and defense and the successful conduct of the war: *Provided, however*, That nothing herein shall apply to facilities controlled by the Department of Navy under Order No. 2[2] of the Board.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: July 15, 1942.

E. M. WEBSTER,
Acting Secretary,
Captain, U. S. Coast Guard.

[F. R. Doc. 42-6805; Filed, July 17, 1942; 11:35 a. m.]

[1] 5 F.R. 3817, 6 F.R. 6367, 7 F.R. 1777, respectively.
[2] 7 F.R. 2006.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-34]

HIGH POINT COAL COMPANY, CODE MEMBER

ORDER GRANTING APPLICATION, ETC.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure, terminating code membership, cancelling hearing and providing for payment of tax for restoration of code membership and to cease and desist upon restoration.

A complaint, dated September 15, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on September 16, 1941 with the Bituminous Coal Division (the "Division"), by the Bituminous Coal Producers Board for District No. 8, complainant (the "Complainant"), alleging, as amended by Order granting motion to amend dated February 28, 1942, that High Point Coal Company, a corporation organized and existing under the Laws of the State of Tennessee, Code Member, whose address is Knoxville, Tennessee, operator of the Mine No. 1 (Mine Index No. 241), Caryville, Tennessee, in District No. 8, willfully violated the Act, the Bituminous Coal Code (the "Code") promulgated thereunder and orders and rules and regulations of the Division, by selling, delivering and offering for sale for shipment by rail, to numerous purchasers in various market areas, substantial quantities of coal produced by it at its aforesaid mine, at prices below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 8 For All Shipments Except Truck, (the "Schedule") as more fully set forth in the complaint as amended herein; and

The complaint herein and the complaint as amended and the Notice of and Order for Hearing, dated December 8, 1941, with amendment thereto, having been duly served upon the Code Member and the hearing herein having been postponed by order dated April 23, 1942, to a date and place to be thereafter designated by an appropriate order; and

The Code Member having duly filed with the Division, on January 19, 1942, an application based upon admissions for disposition of compliance proceedings without formal hearing, dated January 16, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division; on February 9, 1942, a supplemental application, dated February 6, 1942; on February 18, 1942, a second supplemental application, dated February 16, 1942; and on April 13, 1942, a motion for reconsideration of application based upon admissions for disposition of compliance proceedings without formal hearing, dated April 11, 1942; and

Notice, dated May 7, 1942, of the filing of said application, as supplemented, having been published in the FEDERAL REGISTER on May 8, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure, and copies thereof having been duly mailed to interested parties including the Complainant; and

Said Notice of filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said notice file recommendations or requests for informal conferences in respect to said application, as supplemented, and it appearing that the Complainant within said fifteen (15) day period filed a recommendation dated May 12, 1942, that said application, as supplemented, be accepted; and

It further appearing that in said application, as supplemented, Code Member producer admitted that during the period from March 18, 1941 to March 31, 1941, both dates inclusive, it committed the violations alleged in the complaint herein by describing, billing and selling 423.55 net tons of 2½" x 6" egg coal as 2½" x 5" egg coal in violation of the effective minimum prices; and

It further appearing in said application, as supplemented, that the Code Member represents that it has not, to the best of its knowledge and belief, committed any violations of the Act, the Code or regulations thereunder other than those described in said application, as supplemented; and

It further appearing in said application, as supplemented, that the Code Member consents to the entry of an order revoking its membership in the Code and imposing a tax in the amount of Four Hundred Sixty-five and Ninety One-Hundredths ($465.90) Dollars, as a condition precedent to the restoration of its membership in the Code and agree to pay such tax as a condition to such restoration; and

It further appearing in said application, as supplemented, that the Code Member consents to the entry of a cease and desist order directing it to cease and desist from further violations of the Act, the Code, and rules and regulations thereunder;

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act authorizing it to adjust complaints of violation and to compose the differences of the parties thereto and upon the application, as supplemented, of the Code Member, for disposition without formal hearing of the charges contained in the complaint herein, as amended, pursuant to § 301.132 of the Rules of Practice and Procedure, and upon the recommendation of the Complainant and upon evidence in the possession of the Division:

It is hereby found as follows:

A. High Point Coal Company is a corporation organized and existing under and by virtue of the Laws of the State of Tennessee, with its principal place of business at Knoxville, Tennessee, and is primarily engaged in the business of mining and producing bituminous coal.

B. High Point Coal Company filed with the Division on June 21, 1937, its acceptance, dated June 15, 1937, of the Code. Said code acceptance was made effective by the Division as of June 21, 1937, and High Point Coal Company is now a Code Member in District 8, operating the Mine No. 1 and Mine No. 2, Mine Index Nos. 241 and 242, respectively, located at or near Caryville, Tennessee, in Sub-District No. 6 of District No. 8.

C. High Point Coal Company, during the period from March 18, 1941 to March 31, 1941, both dates inclusive, wilfully violated the effective minimum prices, the Act, the Code promulgated thereunder and rules and regulations of the Division by selling to numerous purchasers in various market areas for shipment by rail 423.55 net tons of 2½" x 6" egg coal produced by it at its No. 1 Mine at prices of $2.75 to $2.86 f. o. b. said mine, whereas, the effective minimum prices established for said coal for shipment by rail into various market areas was $2.80 to $2.91, respectively, as set forth in the Schedule.

It is hereby further found, Pursuant to the provisions of section 5 (b) of the Act that the membership of the High Point Coal Company in the Code should be revoked with respect to the violations described in paragraph C. above.

It is hereby further found, That the amount of tax, imposed by section 5 (b) and (c) of the Act with respect to the coal described in paragraph C. above amounting to 423.55 net tons, and required to be paid as a condition precedent to restoration of membership of the High Point Coal Company in the Code, is Four Hundred Sixty-five and Ninety One-Hundredths ($465.90) Dollars, which amount is 39% of the aggregate of the effective minimum prices of such coal at the mine of One Thousand One Hundred Ninety-four and Sixty-two One-Hundredths ($1,194.62) Dollars.

It is hereby further found, That the High Point Coal Company upon any restoration of its code membership should be directed to cease and desist from violations of the Act, the Code and rules and regulations thereunder.

Now, therefore, On the basis of the above findings and said admissions and the consent filed by the High Point Coal Company pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That the aforesaid application, as supplemented, of the High Point Coal Company be and the same hereby is accepted and granted; and

It is further ordered, That pursuant to section 5 (b) of the Act, the membership of High Point Coal Company in the Code be and the same hereby is revoked and canceled; and

It is further ordered, That such cancellation and revocation of the code membership of the said High Point Coal Company shall become effective fifteen (15) days from the date of service of this Order on said High Point Coal Company; and

It is further ordered, That the hearing herein heretofore postponed by Order dated April 23, 1942, to a date and place to be thereafter designated by an appropriate Order be and the same hereby is canceled; and

It is further ordered, That prior to restoration to membership of the High Point Coal Company in the Code; there shall be paid to the United States Government, a tax in the amount of Four Hundred Sixty-five and Ninety One-Hundredths ($465.90) Dollars, as provided in section 5 (c) of the Act; and

It is further ordered, That any order of restoration of the membership of the High Point Coal Company in the Code shall require that the High Point Coal Company, its representatives, officers, servants, agents, employees, attorneys, receiver, and successors or assigns and all persons acting or claiming to act in its behalf and interest, cease and desist and they be permanently enjoined and restrained from violating the Act, the Code, the rules and regulations thereunder and Schedule of Effective Minimum Prices for District No. 8 For All Shipments Except Truck.

Dated: July 15, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6800; Filed, July 17, 1942; 11:13 a. m.]

[Docket No. B-268]

GOULD ROAD COAL CO.

ORDER POSTPONING HEARING

In the matter of Andrew Pipo doing business under the name and style of Gould Road Coal Company, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on August 1, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Common Pleas Court Room, Steubenville, Ohio; and

The Acting Director deeming it advisable that said hearing be postponed;

Now, therefore, it is ordered, That the above-entitled matter be and the same is hereby postponed from 10 a. m. on August 1, 1942, to 10 a. m. on August 7, 1942, at the place and before the officer or officers previously designated.

It is further ordered, That the Notice of and Order for Hearing dated June 20, 1942, shall in all other respects remain in full force and effect, except as amended by Order of July 2, 1942.

Dated: July 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6801; Filed, July 17, 1942; 11:13 a. m.]

APPLICATION FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	Date application filed
Carbo Coke Sales Co., 318 Wabasha St., St. Paul, Minn.	July 7, 1942
Milman Coal Co., 40 Park Pl., Newark, N. J.	May 21, 1942
L. F. Kaine Coal Co., 1 Broadway, New York, N. Y.	June 27, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before August 17, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated: July 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6802; Filed, July 17, 1942; 11:13 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LOGGING OPERATIONS IN CERTAIN IDAHO COUNTIES

OPPORTUNITY FOR REVIEW OF DETERMINATION

Notice of opportunity to petition for review of determination denying the application for the partial exemptions of logging operations in the counties of Benewah, Bonner, Boundary, Shoshone, Kootenai and Latah in the State of Idaho and adjacent areas, from the maximum hours provisions of the Fair Labor Standards Act of 1938, as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas, applications have been made by sundry parties engaged in logging operations in the counties of Benewah, Bonner, Boundary, Shoshone, Kootenai and Latah in the State of Idaho, for the partial exemption of such logging operations from the maximum hours provisions of the Fair Labor Standards Act pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas, the Administrator of the Wage and Hour Division gave notice of a public hearing to be held at Coeur D'Alene, Idaho, on May 23, 1941, before Mr. Harold Stein, who was authorized to take testimony, hear argument, and determine:

Whether logging operations in Benewah, Bonner, Boundary, Shoshone, Kootenai, and Latah Counties in the State of Idaho and in adjacent areas constitute a branch of the lumber industry and of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 as amended of the regulations issued thereunder, and if so, the appropriate limits of such industry; and

Whereas, following such hearing the said Harold Stein duly made his findings of fact and determined as follows:

1. Logging operations in the State of Idaho and adjacent areas include the building of roads, and camps, the felling, sawing, trimming, and bucking of white pine, cedar, fir, and other species of timber, and the skidding and hauling of the logs to the railroad, mill, or river by truck, rail, flume, or other means, as well as the manufacture of cedar poles.

2. "Truck logging" operations in northern Idaho and adjacent areas differ from other types of logging in these areas only in that the logs are hauled by motor truck instead of by other means.

3. Truck logging operations in northern Idaho and adjacent areas do not constitute a separable branch of the lumber industry within the meaning of section 7 (b) (3) of the Fair Labor Standards

Act and Part 526 of the regulations issued thereunder, but must be considered as part of the same industry as other logging operations in this area, regardless of whether the logs are hauled by truck, rail, or other methods, or whether operations are confined to the production of white pine or include other species of timber.

4. Although the operations of many small truck logging enterprises in these areas are restricted to periods of six months or less each year, partly as a result of climatic or other natural conditions and partly because of economic considerations, other small scale truck logging operations in this area are carried on for periods greatly in excess of six months each year. The large lumber companies in this area carry on truck logging operations for annual periods ranging from eight to eleven months. Railroad logging operations are carried on for periods of eight to twelve months per year. Truck logging, railroad logging, or a combination of the two methods are carried on in this area during the entire year.

5. Logging operations in northern Idaho and adjacent areas take place during a period too long in relation to the period of exemption afforded by section 7 (b) (3) of the Act to warrant a finding that such logging is of a seasonal nature.

The application is denied; and

Whereas, said Findings and Determination were duly filed with the Administrator on July 6, 1942, and are now on file in Room 1619, National Offices of the Wage and Hour Division, Department of Labor, 165 West 46th Street, New York, New York, and available for examination by all interested parties;

Now, therefore, pursuant to the provisions of § 526.7 of the aforesaid regulations, notice is hereby given that any person aggrieved by the said determination may, within fifteen days after the date this notice appears in the FEDERAL REGISTER, file a petition with the Administrator at the offices of the Wage and Hour Division, 165 West 46th Street, New York, New York, requesting that he review the action of the said representative upon the record of hearing. Such petition shall set forth the grounds upon which the petition for review is based.

Signed at New York, New York, this 16th day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-6799; Filed, July 17, 1942; 10:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6284]

PULITZER PUBLISHING CO. (KSD)

NOTICE OF HEARING

In re application of The Pulitzer Publishing Company, (KSD) dated May 28, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, St. Louis, Missouri; operating assignment specified: Frequency, 940 kc.; power, 50 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the character of the proposed program service.

2. To determine what new areas and populations would receive primary service as a result of the proposed change in facilities and what broadcast service is already available to such areas and populations.

3. To determine what areas and populations would lose primary service from Station KSD as a result of the proposed change in facilities and what other broadcast service is available to such areas and populations.

4. To determine whether the granting of the application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of Station KSD operating as proposed.

5. To determine the extent of any interference which would result from the simultaneous operation of Station KSD as proposed and Station KTKC.

6. To determine the areas and populations which would be deprived of primary service, particularly from Station KTKC, as a result of the operation of Station KSD as proposed, and what other broadcast service is available to these areas and populations.

7. To determine the extent of any interference which would result from the simultaneous operation of Station KSD as proposed and Station CBM, Montreal, Quebec, as presently operated or as permitted under the terms of the NARBA (Appendix I, Table III).

8. To determine whether the proposed directional antenna can be adjusted so as to obtain and maintain the expected radiation pattern.

9. To determine what methods would be used to maintain the proposed directional antenna in correct adjustment and whether such methods are technically feasible.

10. To determine whether public interest, convenience and necessity requires that the license of Station WTAD, Quincy, Illinois, be modified so as to authorize operation on 550 kc in lieu of its present operation on 930 kc.

11. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

12. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion, dated April 27, 1942.

13. To determine whether in view of the foregoing, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

The Pulitzer Publishing Company, Radio Station KSD, 12th & Olive Streets, St. Louis, Missouri.

Dated at Washington, D. C., July 11, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6821; Filed, July 17, 1942; 11:35 a. m.]

[Docket No. 6344]

R. G. LeTOURNEAU (WRLC)

NOTICE OF HEARING

In re application of R. G. LeTourneau (WRLC), dated January 27, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Toccoa, Georgia; operating assignment specified: Frequency, 1420 kc.; power, 1 kw. day; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a writen appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

R. G. LeTourneau, Radio Station WRLC, 1200 Prather Bridge Road, Toccoa, Georgia.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6822; Filed, July 17, 1942; 11:35 a. m.]

[Docket No. 6345]

WHEB, INC.

NOTICE OF HEARING

In re application of WHEB, Incorporated (WHEB), dated January 7, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Portsmouth, New Hampshire; operating assignment specified: Frequency, 750 kc.; power, 10 kw. day (directional antenna); hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

WHEB, Incorporated, Radio Station WHEB, P. O. Box 336, Portsmouth, New Hampshire.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6823; Filed, July 17, 1942; 11:35 a. m.]

[Docket No. 6346]

WNOE, INC.

NOTICE OF HEARING

In re application of WNOE, Incorporated (WNOE), dated January 7, 1942, for construction permit; class of service; broadcast; class of station, broadcast; location, New Orleans, La.; operating assignment specified: Frequency, 1,060 kc.; power, 50 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942 and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

WNOE, Incorporated, Radio Station WNOE, St. Charles Hotel, 211 St. Charles Street, New Orleans, La.

Dated at Washington, D. C., July 11, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6824; Filed, July 17, 1942; 11:36 a. m.]

[Docket No. 6348]

COURIER JOURNAL AND LOUISVILLE TIMES (WHAS)

NOTICE OF HEARING

In re application of Courier-Journal and Louisville Times Company (WHAS), dated September 24, 1941, for construction permit; class of service, broadcast; class of station, broadcast; operation assignment specified: Frequency, 840 kc.; Power, 750 kw.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Courier-Journal and Louisville Times Company, Radio Station WHAS, 300 West Liberty Street, Louisville, Kentucky.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6816; Filed, July 17, 1942; 11:36 a. m.]

[Docket No. 6350]

ISLE OF DREAMS BROADCASTING CORP. (WIOD)

NOTICE OF HEARING

In re application of Isle of Dreams Broadcasting Corporation (WIOD), dated January 17, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Miami, Florida; operating assignment specified: Frequency, 610 kc.; power, 5 kw. (night), 10 kw. (day); hours of operation, unlimited (directional antenna).

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Isle of Dreams Broadcasting Corporation, Radio Station WIOD, 600 Biscayne Boulevard, Miami, Florida.

Dated at Washington, D. C., July 13, 1942.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6817; Filed, July 17, 1942; 11:36 a. m.]

[Docket No. 6351]

INTERMOUNTAIN BROADCASTING CORP. (KDYL)

NOTICE OF HEARING

In re application of Intermountain Broadcasting Corporation (KDYL), dated August 25, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Salt Lake City, Utah; operating assignment specified: Frequency, 880 kc.; power, 10 kw.; hours of operation, unlimited (directional antenna).

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Intermountain Broadcasting Corporation, Radio Station KDYL, Ezra Thompson Building, 143 S. Main St., Salt Lake City, Utah.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6818; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6353]

PITTSBURG BROADCASTING CO., INC. (KOAM)

NOTICE OF HEARING

In re application of The Pittsburg Broadcasting Company, Inc. (KOAM), dated, April 26, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Pittsburg, Kansas; operating assignment specified: Frequency, 860 kc.; power, 5 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this memorandum would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Pittsburg Broadcasting Company, Inc., Radio Station KOAM, Commerce Building, Fourth and Broadway, Pittsburg, Kansas.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6819; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6354]

JOHN EWING

NOTICE OF HEARING

In re application of John Ewing (new), Dated October 28, 1941, For Construction Permit; Class of Service, Broadcast; Class of Station, Broadcast; Location, New Orleans, La.; Operating Assignment Specified: Frequency, 1,060 kc.; power, 10 kw. night, 50 kw. day; Hours of operation, unlimited (Directional Antenna).

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commision's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

John D. Ewing, P. O. Box 1387, Shreveport, La.

Dated at Washington, D. C., July 13, 1942.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6820; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6355]

NEW HAVEN BROADCASTERS

NOTICE OF HEARING

In re application of H. Ross Perkins and J. Eric Williams d/b as New Haven Broadcasters (NEW), dated July 7, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, New Haven, Connecticut; operating assignment specified: Frequency, 1170 kc.; power, 1000 w.; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing up the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

H. Ross Perkins and J. Eric Williams, d/b as The New Haven Broadcasters, % H. Ross Perkins, 41 South Main Street, Essex, Conn.

Dated At Washington, D. C. July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6811; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6356]

HUGH FRANCIS MCKEE

NOTICE OF HEARING

In re application of Hugh Francis McKee (new), dated May 28, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Portland, Oreg.; Operating Assignment Specified: Frequency, 1,450 kc.; power, 250 w.; hours of operation, share—KBPS.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of Section 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Hugh Francis McKee, 1903 S. E. 26th Avenue, Portland, Oregon.

Dated at Washington, D. C., July 11, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6812; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6357]

PETER Q. NYCE

NOTICE OF HEARING

In re application of Peter Q. Nyce (new), dated March 15, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Alexandria, Virginia; operating assignment specified: Frequency, 740 kc.; power, 1 kw. day; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Peter Q. Nyce, 1266 National Press Building, Washington, D. C.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6813; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6359]

LEXINGTON BROADCASTING CO.

NOTICE OF HEARING

In re application of Lexington Broadcasting Company (new), dated December 16, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Lexington, North Carolina; operating assignment specified: Frequency, 1,370 kc. (1,400 kc. NARBA); power 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Lexington Broadcasting Company, c/o J. F. Spruill, Secretary, corner Main and 2d Street, Lexington, North Carolina.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6814; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6360]

FORT SMITH NEWSPAPER PUBLISHING CO.

NOTICE OF HEARING

In re application of Fort Smith Newspaper Publishing Company (new), dated March 3, 1941, for construction permit, class of service, broadcast; class of station, broadcast; location, Fort Smith, Arkansas; operating assignment specified: Frequency, 550 kc.; Power, 1 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Fort Smith Newspaper Publishing Company, 507 Rogers Avenue, Ft. Smith, Arkansas.

Dated at Washington, D. C., July 13, 1942.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6815; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6220]

HERMAN RADNER

ORDER AMENDING ISSUES

In re application of Herman Radner (new), Dearborn, Michigan; for construction permit.

It is ordered, On the Commission's own motion this 11th day of July, 1942, that all of the issues heretofore released on the above described application be, and they are hereby, amended to read as follows:

1. To determine the relationships, the nature, extent and effect thereof existing between the applicant, the personnel of the proposed station and WIBM, Inc., licensee of Station WIBM, Jackson, Michigan.

2. To determine the areas and populations now receiving primary service from Station WIBM which would receive primary service from the station proposed herein.

3. To determine the character of the proposed program service.

4. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Stations WMAQ, Chicago, Illinois, and WISR, Butler, Pennsylvania.

5. To determine the areas and populations which would be deprived of primary service, particularly from Stations WMAQ and WISR, as a result of the operation of the proposed station, and what other broadcast service is available to these areas and populations.

6. To determine the areas and populations which would gain primary service from the operation of the proposed station and what other broadcast service is available to these areas and populations.

7. To determine whether the proposed station would provide primary service to (a) the business districts, (b) the residential districts and (c) the metropolitan district of Detroit, Michigan, as contemplated by the Standards of Good Engineering Practice.

8. To determine whether the applicant, by modifying his proposal so as to provide for the use of a directional antenna, and using the requested power or increased power, could render a better service to the Detroit, Michigan area than would be rendered by station operation as now proposed, and avoid causing objectionable interference to the services of existing stations.

9. To determine whether there are other assignments available for this area which would enable the applicant to provide service more nearly in accordance with the Standards of Good Engineering Practice.

10. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

11. To determine whether the granting of this application and the operation of the proposed station would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

12. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

It is further ordered, That the hearing date on the above entitled application, namely July 15, 1942, be, and it is hereby, continued to July 28, 1942.

By the Commission, Clifford J. Durr, Commissioner.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6806; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6347]

KCMO BROADCASTING CO. (KCMO)

NOTICE OF HEARING

In re application of KCMO Broadcasting Company (KCMO), Dated November 10, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Kansas City, Missouri; operating assignment specified: Frequency, 810 kc.; power, 10 kw. (DA-night) 50 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

KCMO Broadcasting Company, Radio Station KCMO, 1515 Commerce Trust Building, 922 Walnut Street, Kansas City, Missouri.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6807; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6349]

SOUTHERN UTAH BROADCASTING CO. (KSUB)

NOTICE OF HEARING

In re application of Southern Utah Broadcasting Company (KSUB), dated March 14, 1942; for construction permit; class of service, broadcast; class of station, broadcast; location, Cedar City, Utah; operating assignment specified: frequency, 1,340 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provision of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Southern Utah Broadcasting Company, radio Station KSUB, El Escalante Hotel, First, N and Main Streets, Cedar City, Utah.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6808; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6352]

HARWELL V. SHEPARD (KDNT)

NOTICE OF HEARING

In re application of Harwell V. Shepard (KDNT), dated October 1, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Denton, Texas; operating assignment specified: Frequency, 1,450 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Harwell V. Shepard, Radio Station KDNT, 300 W. Ross Street, Denton, Texas.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6809; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6358]

CAPITAL CITY BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Capital City Broadcasting Co., Inc., (new), dated November 18, 1940, for construction permit, class of service, broadcast; class of station, broadcast; location, Topeka, Kansas; operating assignment specified: Frequency, 1,210 kc.; power, 5 kw. day; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues.

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Capital City Broadcasting Co., Inc., 800 Kansas Avenue, Topeka, Kansas.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6810; Filed, July 17, 1942; 11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 1147-1-P]

PACIFIC COAST FORGE CO.

ORDER GRANTING EXCEPTION

Order No. 2 under Maximum Price Regulation No. 147 [1]—Bolts, Nuts, Screws and Rivets.

On July 1, 1942, Pacific Coast Forge Company, 3800 Iowa Avenue, Seattle, Washington, filed a protest to Maximum Price Regulation No. 147 as applied to said Company's sales to purchasers within the United States intended for consumption in Alaska. Due consideration has been given to the protest and it has been considered as a petition for an exception pursuant to the provisions of § 1368.7 (b) of Maximum Price Regulation No. 147 and an opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Pacific Coast Forge Company, on sales to purchasers within the United States intended for consumption in Alaska, may sell or offer to sell at prices not in excess of the prices established by Maximum Price Regulation No. 147 for its sales for delivery on the Pacific Coast and intended for consumption in the United States.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(d) This Order No. 2 shall become effective July 16, 1942.

Issued this 16th day of July, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6784; Filed, July 16, 1942; 4:58 p. m.]

[1] 7 F.R. 3808.

[Docket No. 3006-12]

PHOENIX IRON COMPANY

ORDER GRANTING EXCEPTION

Order No. 16 under Revised Price Schedule No. 6 [1]—Iron and Steel Products.

On April 20, 1942, the Phoenix Iron Company, Phoenixville, Pennsylvania, filed a petition for amendment, adjustment, or exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 thereof. Due consideration has been given to the petition, and an opinion in support of this Order No. 16 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) The Phoenix Iron Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, iron and steel products as set forth in paragraph (b), at prices not in excess of those stated therein.

[1] 7 F.R. 1215, 1836, 2132, 2153, 2298, 2299, 2351, 3115.

[2] 7 F.R. 971.

(b) The maximum price which may be charged by the Phoenix Iron Company on its export sales and sales for export of carbon steel structural shapes shall not be in excess of $2.50 per hundred pounds, base, f. o. b. Phoenixville, Pennsylvania.

(c) The Phoenix Iron Company shall furnish monthly data showing profit or loss and cost of production on the output of its mill. Such data shall be filed not later than the fifteenth day of each next succeeding month.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(f) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(g) This Order No. 16 shall become effective July 18, 1942.

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6826; Filed, July 17, 1942; 11:51 a. m.]

DORTCH STOVE WORKS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 11 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On January 8, 1942, Dortch Stove Works, Inc., of Franklin, Tennessee, made application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for eight coal and wood ranges, Models Nos. 28–42, 11–42, 82–42, 26–42, 21–42, 31–42, 136–42, and 33–42.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Dortch Stove Works, Inc., may sell, offer to sell or deliver the following models at prices no higher than those specified:

	F. o. b. factory
Model No. 28–42 @	$44.26
Model No. 11–42 @	42.02
Model No. 82–42 @	39.80
Model No. 26–42 @	39.03
Model No. 21–42 @	37.56
Model No. 31–42 @	36.79
Model No. 136–42 @	34.73
Model No. 33–42 @	30.81

Subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum prices of Models Nos. 28–14, 11–00, 82–14, 26–14, 21–00, 31–00, 36–14 and 33–00, respectively, as established under Revised Price Schedule No. 64.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 11 shall become effective on the 18th day of July 1942.

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6828; Filed, July 17, 1942; 11:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-575]

PLYMOUTH COUNTY ELECTRIC COMPANY, AND NEW ENGLAND GAS AND ELECTRIC ASSOCIATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commision held at its office in the City of Philadelphia, Pa. on the 15th day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association, a registered holding company, and its auxiliary, Plymouth County Electric Company; and

Notice is further given that any interested persons may not later than August 3, 1942, at 5:30 p. m. E. S. W. T. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing therein. At any time thereafter, such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application which is on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

Plymouth County Electric Company proposes to issue and sell to New England Gas and Electric Association 6,960 shares of additional common stock, of the par value of $25.00 per share, at a price of $31.25 per share. The proceeds from the sale of this stock are to be used for the purpose of paying floating indebtedness incurred by Plymouth County Electric Company for extensions, additions and improvements to its plant and property amounting to $217,500 as of May 31, 1942. Such floating indebtedness is represented by open account advance from New England Gas and Electric Association of $150,000, together with a four-month note for $67,500 payable to The First National Bank of Boston with interest at 3% per annum.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6779; Filed, July 16, 1942; 3:44 p. m.]

[File No. 70-573]

BROCKTON EDISON COMPANY, AND MONTAUP ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of July 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Brockton Edison Company (hereinafter called Brockton) and Montaup Electric Company (hereinafter called Montaup), both subsidiaries of Eastern Utilities Associates, a registered holding company; and

Notice is further given that any interested person may, not later than July 31, 1942, at 5:30 p. m. E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

1. Brockton proposes to issue and sell $1,900,000 of ten-year 3% notes. Said notes to be sold at not less than the principal amount thereof plus accrued interest to the date of delivery to one or more insurance companies in a private transaction not involving a public offering. They will be issued under an Indenture of Trust of Brockton.

2. Montaup proposes to issue and sell to Brockton 12,750 shares of its common stock at par ($100 per share). The proceeds thereof will be used by Montaup to reimburse itself for expenditures heretofore made for capital additions and to provide a portion of funds required to complete such additions.

3. Of the $1,900,000 to be received by Brockton from the sale of the said notes, $1,275,000 will be invested in common stock of Montaup as above indicated. Of the remaining $625,000, $460,000 will be applied by Brockton to the payment of short term bank loans incurred to provide funds for capital additions, and $165,000 will be used to reimburse Brockton for funds previously used for capital additions and now needed to maintain a minimum cash position.

4. Montaup proposes to issue to Blackstone Valley Gas and Electric Company, (hereinafter called Blackstone), a subsidiary of said Eastern Utility Associates, 30,000 shares of its common stock in payment of a $3,000,000 note of Montaup now held by Blackstone. This is being done pursuant to a provision in said note whereunder said note is convertible at the option of either Montaup or Blackstone into common stock of Montaup at the rate of 1 share of such common stock for each $100 principal amount of such note. Blackstone proposes to file an application regarding this acquisition.

The declarants and applicants have requested that Commission action should be accelerated and an order issued by August 6, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6780; Filed, July 16, 1942; 3:44 p. m.]

Reference

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

Jul 22 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 142

Washington, Tuesday, July 21, 1942

The President

PROCLAMATION 2563

[STATE OF WAR BETWEEN UNITED STATES AND HUNGARY, BULGARIA, AND RUMANIA]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Congress of the United States in the exercise of its constitutional authority has declared, by joint resolutions approved by the President of the United States on June 5, 1942, that a state of war exists between the United States of America and Hungary, Rumania, and Bulgaria; and

WHEREAS by sections 21, 22, 23, and 24 of title 50 of the United States Code, provision is made for the regulation of the conduct and apprehension of natives, citizens, denizens, or subjects of a hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby make proclamation to all whom it may concern that a state of war exists between the United States and Hungary, Rumania, and Bulgaria.

And acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the United States Code, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens, or subjects of Hungary, Rumania, and Bulgaria, being of the age of fourteen years and upward, who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized, shall be as follows:

All natives, citizens, denizens, or subjects of Hungary, Rumania, and Bulgaria are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof; and to refrain from actual hostility or giving information, aid, or comfort to the enemies of the United States or interfering by word or deed with the defense of the United States or the political processes and public opinions thereof; and to comply strictly with the regulations which may be from time to time promulgated by the President.

All natives, citizens, denizens, or subjects of Hungary, Rumania, and Bulgaria, being of the age of fourteen years or upward, who shall be within the United States and not actually naturalized, who fail to conduct themselves as so enjoined, in addition to all other penalties prescribed by law, shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by sections 23 and 24 of title 50 of the United States Code and as prescribed in regulations duly promulgated by the President.

And pursuant to the authority vested in me as aforesaid I hereby declare and prescribe the following regulation, which I find necessary in the premises and for the public safety:

Any native, citizen, denizen, or subject of Hungary, Rumania, or Bulgaria, of the age of fourteen years and upward, and not actually naturalized, who, in the judgment of the Attorney General or the Secretary of War, as the case may be, is aiding, or about to aid, the enemy, or who may be at large to the danger of the public peace or safety, or who, in the judgment of the Attorney General or the Secretary of War, as the case may be, is violating, or is about to violate any regulation adopted and promulgated by the President, or any criminal law of the United States or of the States or Territories thereof, shall be subject to summary arrest as an alien enemy and to confinement in a place of detention, as may be directed by the President or by any executive officer hereafter designated by the President of the United States.

And pursuant to the authority vested in me, I hereby charge the Attorney General with the duty of executing the above regulation and all regulations hereafter adopted and promulgated regard-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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ing the conduct of natives, citizens, denizens or subjects of Hungary, Rumania, and Bulgaria within continental United States, Puerto Rico, and the Virgin Islands, and the Secretary of War with the duty of executing the above regulation and all regulations hereafter adopted and promulgated regarding the conduct of natives, citizens, denizens, or subjects of Hungary, Rumania, and Bulgaria in Alaska, the Canal Zone, the Hawaiian Islands, and the Philippine Islands. Each of them is specifically directed to cause the apprehension of any native, citizen, denizen, or subject of Hungary, Rumania, or Bulgaria who in the judgment of each is subject to apprehension as an alien enemy under such regulations. In carrying out such regulations within the continental United States, Puerto Rico, and the Virgin Islands, the Attorney General is authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies, and municipalities thereof and of the District of Columbia as he may select for the purpose. Similarly the Secretary of War in carrying out such regulations in Alaska, the Canal Zone, the Hawaiian Islands, and the Philippine Islands is authorized to use such agents, agencies, officers, and departments of the United States and of the territories, dependencies, and municipalities thereof as he may select for the purpose. All such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of War, as the case may be.

For the purposes of entry into and departure from the United States, paragraph (8) of proclamation No. 2525 of December 7, 1941,[1] shall be applicable to natives, citizens, denizens, or subjects of the countries herein mentioned.

This proclamation and the regulations contained herein and hereafter adopted shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17th day of July, in the year of our Lord nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-6874; Filed, July 20, 1942; 10:32 a. m.]

[1] 6 F.R. 6321.

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[1942 C.C.C. Rye Form 1—Instructions; 1942 C.C.C. Barley Form 1—Instructions; 1942 C.C.C. Grain Sorghums Form 1—Instructions]

PART 231—1942 RYE, BARLEY, AND GRAIN SORGHUMS LOANS

INSTRUCTIONS CONCERNING LOANS ON 1942 RYE, BARLEY, AND GRAIN SORGHUMS

Commodity Credit Corporation has authorized the making of loans and the purchase of eligible paper secured by 1942 rye, barley, or grain sorghums stored on farms or in approved public grain warehouses. These instructions state the requirements of Commodity Credit Corporation with reference to making such loans and purchases.

PART 231—1942 RYE, BARLEY, AND GRAIN SORGHUMS LOANS

Sec.

231.1 Definitions.
231.2 Area in which loans will be made.
231.3 Amount of loans.
231.4 Maturity and interest rate.
231.5 Determination of quantity of grain.
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231.10 Insurance.
231.11 Approval of loans by a member of the county committee.
231.12 Source and preparation of documents.
231.13 Source of loans.
231.14 Purchase of loan.
231.15 Offices of the regional directors of Commodity Credit Corporation.
231.16 Release of collateral held by Commodity Credit Corporation.
231.17 Partial releases of collateral.

AUTHORITY: §§ 231.1 to 231.17 inclusive issued under sec. 302 (a) 52 Stat. 43; 7 U.S.C., 1302.

§ 231.1 *Definitions.* For the purpose of these instructions and the notes and loan agreements or mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Grain.* Rye, barley, and grain sorghums.

(b) *Producer eligibility.* Any person, partnership, association, or corporation producing rye, barley, or grain sorghums as landlord, landowner, or tenant upon whose farm: (1) the sum of the 1942 acreages of wheat, cotton, corn, and tobacco does not exceed the sum of the allotments or permitted acreages of such crops determined for the farm under the 1942 Agricultural Conservation Program, and (2) 20 percent or more of the cropland is devoted to the conservation uses as defined in section I (i) (1) of the 1942 Agricultural Conservation Program, or 25 percent or more of the cropland is devoted to erosion-resisting use, or 60 percent or more of the soil building allowance for the farm under the 1942 Agricultural Conservation Program is earned.

(c) *Eligible grain.* (1) Eligible rye shall be rye grading No. 2 or better or grading No. 3 solely on the factor of test weight, but otherwise grading No. 2 or better, produced in 1942, the beneficial interest to which is and always has been in the eligible producer. Rye grading tough, light smutty, smutty, light garlicky, garlicky, or rye containing in excess of 1 percent ergot shall not be eligible for a loan. Rye containing in excess of three-tenths of 1 percent, but not in excess of 1 percent ergot, shall be eligible for a loan at discounts set out in § 231.3 (a) hereof.

(2) Eligible barley shall be barley of any class grading No. 5 or better, the beneficial interest to which is and always has been in the eligible producer. Barley grading tough, stained, blighted, smutty, garlicky, weevily, ergoty, or bleached shall not be eligible for loan.

(3) Eligible grain sorghums shall be grain sorghums grading No. 4 or better except that grain sorghums grading weevily or smutty, or containing in excess of 13 percent moisture when stored on the farm or in excess of 14 percent when stored in a warehouse, shall not be eligible for a loan.

(d) *Eligible storage.* Eligible storage shall include public grain warehouses and farm storage meeting the following requirements:

(1) Public grain warehouses which have met the requirements of Commodity Credit Corporation and have executed the Uniform Grain Storage Agreement.

(2) Farm storage shall consist of farm bins and granaries which are of such substantial and firm construction as to afford safe storage for the grain for a period of 2 years and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather as determined by the county agricultural conservation committee.

(e) *Lending agency.* Any bank, cooperative marketing association or other corporation, partnership, or person making loans in accordance with these instructions which has executed the Contract to Purchase on 1940 C.C.C. Form E.

(f) *Eligible paper.* Eligible paper shall consist of notes of the producer secured by chattel mortgages or warehouse receipts representing grain in existence and undamaged executed in accordance with these instructions and approved by a member of the county agricultural conservation committee, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 231.2 *Area in which loans will be made.* Loans will be made on eligible grain when stored in (a) approved warehouses or (b) when stored in private bins or granaries approved by county agricultural conservation committees. State agricultural conservation committees may declare counties ineligible for farm storage in the event such storage is hazardous because of insect infestation.

§ 231.3 *Amount of loans.* The following loan rates apply to grain stored on the farm or in approved warehouses when evidence is submitted that storage charges have been prepaid through the maturity date of the note. Evidence of prepaid storage must be a stamped or typed legend on or attached to the warehouse receipt which is signed by the warehouseman and substantially stating:

Storage charges for the period ending (April 30, 1943, for rye and barley) (June 30, 1943, for grain sorghums) on the grain represented by this warehouse receipt have been paid or otherwise provided for and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

---------- Signed ----------
Address Warehouseman

Seven cents will be deducted from the applicable loan rate for grain stored in warehouses for which evidence of prepaid storage is not submitted.

(a) The loan value for eligible rye grading No. 2 or better, or rye grading No. 3 solely on the factor of test weight but otherwise grading No. 2 or better, shall be 60 cents per bushel, except that the loan value for eligible rye containing in excess of three-tenths of 1 percent (0.3 percent) but not in excess of 1 percent (1 percent) shall be discounted 1 cent for each one-tenth of 1 percent (0.1 percent) ergot in excess of three-tenths of 1 percent (0.3 percent).

(b) Loan values on barley except Mixed Barley (Class IV) shall be based for all classes on the numerical grades as provided in the Official Grain Standards of the United States, in accordance with the following:

	For all States except when stored in Arizona, California, Idaho, Nevada, Oregon, Washington, and Utah	Stored in Arizona, California, Idaho, Nevada, Utah, Oregon, and Washington
	Cents per bushel	*Cents per bushel*
No. 1 barley	55	60
No. 2 barley	54	59
No. 3 barley	52	57
No. 4 barley	49	54
No. 5 barley	45	50

Mixed Barley shall be discounted 2 cents per bushel.

(c) Loan values on grain sorghums will be based on the numerical grade, irrespective of subclass, except Mixed Grain Sorghums (Class V) in accordance with the following:

	Cents per bushel
No. 1 grain sorghums	55
No. 2 grain sorghums	53
No. 3 grain sorghums	50
No. 4 grain sorghums	45

Mixed Grain Sorghums shall be discounted 2 cents per bushel.

§ 231.4 *Maturity and interest rate.* Rye and barley loans will mature on demand but not later than April 30, 1943. Grain sorghums loans will mature on demand but not later than June 30, 1943. Rye and barley loans must be dated on or prior to December 31, 1942. Grain sorghums loans must be dated on or prior

to January 31, 1943. All loans will bear interest at the rate of 3 percent per annum.

§ 231.5 *Determination of quantity of grain.* Loans shall be made at values expressed in cents per bushel, a bushel being determined to be 48 pounds of clean barley and 56 pounds of clean rye or grain sorghums, free of dockage, when determined by weight, or 1.25 cubic feet of grain having test weight of 48 pounds for barley or 56 pounds for rye or grain sorghums when determined by measurement. In determining the quantity of grain in farm storage by measurement fractional pounds of the bushel test weight will be disregarded and the quantity determined shall be adjusted by the following respective percentages:

(a) For rye and grain sorghums testing—

	Percent
56 pounds or over	100
55 pounds or over, but less than 56 pounds	98
54 pounds or over, but less than 55 pounds	96
53 pounds or over, but less than 54 pounds	95
52 pounds or over, but less than 53 pounds	93
Grain sorghums testing—	
51 pounds or over, but less than 52 pounds	91
50 pounds or over, but less than 51 pounds	89
49 pounds or over, but less than 50 pounds	87

(b) For barley testing—

48 pounds or over	100
47 pounds or over, but less than 48 pounds	98
46 pounds or over, but less than 47 pounds	96
45 pounds or over, but less than 46 pounds	94
44 pounds or over, but less than 45 pounds	92
43 pounds or over, but less than 44 pounds	90
42 pounds or over, but less than 43 pounds	88
41 pounds or over, but less than 42 pounds	85
40 pounds or over, but less than 41 pounds	83
39 pounds or over, but less than 40 pounds	81
38 pounds or over, but less than 39 pounds	79
37 pounds or over, but less than 38 pounds	77
36 pounds or over, but less than 37 pounds	75
35 pounds or over, but less than 36 pounds	73

§ 231.6 *Farm storage.* Grain stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by State committee and regional directors of the Agricultural Adjustment Agency. In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will arrange for the inspection and approval of storage structures and the measuring, sampling, grading, and sealing of the collateral grain. Chattel mortgages covering the grain must be executed and filed in accordance with the applicable State law. In the event the borrower is a tenant and the collateral grain is stored on the farm, the expiration date of the lease must be shown in the chattel mortgage, and if such date is prior to a date 60 days beyond the maturity date of the note (June 30, 1943, for rye and barley, and August 30, 1943, for grain sorghums) the Consent for Storage section of the chattel mortgage must be executed by the owner of the premises and any other party that might be entitled to possession of the premises. Each producer must designate in the chattel mortgage a shipping point reasonably convenient for the delivery of the collateral grain as determined by the county committee. A separate note and chattel mortgage must be submitted for grain stored on each quarter section of land.

Commodity Credit Corporation will accept delivery of all the producer's grain in the bin or bins in which all or a portion of the grain therein was placed under loan: *Provided*, That such delivery will be limited to the number of bushels that was in the bin at the time the loan was made, less any amount which has been previously removed. The producer will be given credit for the number of bushels so delivered at the loan rate applicable to the quality of grain delivered. In the event a loan rate has not been established for the quality of grain delivered the regional director of Commodity Credit Corporation will determine the value.

§ 231.7 *Public warehouses.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts representing eligible grain issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement and has been approved by the Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. Uniform storage and handling charges and terms of the storage agreement are outlined in the Uniform Grain Storage Agreement. All grain pledged as security for a loan must be stored in the same warehouse. Grain moved by rail freight to a warehouse will not command a higher loan value than grain stored on farms or in warehouses located at country points.

§ 231.8 *Warehouse receipts.* Warehouse receipts must be dated on or prior to the date of the related note and must be properly assigned by an endorsement in blank so as to vest title in the holder, or issued to bearer and must be issued by approved warehouses. Unless the warehouse receipts are stamped or printed "insured" or "fully insured" there must be attached thereto or included in a certificate of the warehouseman a statement that the grain is insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorms, cyclone and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for storage charges, unless prepaid through maturity, will be recognized only from June 1, 1942, or the date of the warehouse receipt, whichever is later. Receipts must set out in their written or printed terms, the gross weight or bushels, the grade, test weight, and all other factors and statements required to be stated in the written or printed terms of a negotiable warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act, or are to be accompanied by a certificate of the warehouseman, identified to such warehouse receipt, including such information. Warehouse receipts for No. 3 rye, to be eligible, must contain a statement that the rye grades No. 2 or better except for test weight. Receipts for grain sorghums, other than No. 1, must bear statement that the moisture content does not exceed 14 percent.

§ 231.9 *Liens.* The grain collateral must be free and clear of all liens, or if liens exist on the collateral, proper waivers must be secured from each lienholder. The names of the holders of all existing liens on the pledged or mortgaged grain such as landlord, laborers, threshers, or mortgagees, must be listed in the space provided in the chattel mortgage or note and loan agreement. The waiver and consent to pledge or mortgage the grain and the payment of the proceeds of the loan and the proceeds of the sale of the grain solely to the producer as contained in the mortgage or note and loan agreement must be signed personally by all lienholders listed or by their duly authorized agents; or, if corporation, by an officer authorized to execute such instruments. Lienholders may sign C.C.C. Form AB, completely identifying the related note, in lieu of signing the appropriate section of the chattel mortgage or note and loan agreement. The proceeds of the loan may be made payable to the producer and/or such other person or concern as the producer may direct in the space provided on the note. Producer should be sure that grain offered as collateral for a loan is not covered by previous real estate or other mortgages. The producer shall be held personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code for any fraudulent representation of fact made in the execution of the note and mortgage or loan agreement.

§ 231.10 *Insurance*—(a) *Grain stored on farms.* Commodity Credit Corporation will not require producers to insure their 1942 farm-stored grain placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note "paid" and return it to the borrower. In case of a partial loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the note will be credited at the loan value, plus interest, for the number of bushels on which the loss occurred. No loss will be assumed if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan.

(b) *Grain stored in approved warehouse.* The warehouseman shall provide insurance against the perils of fire, lightning, inherent explosion, and windstorm, cyclone, and tornado for the full market value of grain stored in their warehouses as long as receipts are outstanding.

§ 231.11 *Approval of loans by a member of the county committee.* C.C.C. Grain Form A (Revised) and C.C.C. Grain Form B must be approved by a member of the county agricultural conservation committee. The date of approval must not be prior to the date of the note or note and loan agreement.

(a) *Farm storage note.* A member of the county committee signing in the space provided on the Grain Producer's Note (C.C.C. Grain Form A (Revised)) certifies for and on behalf of the committee that to its best knowledge and belief the grain securing said note and the storage structure(s) in which said grain is stored have been inspected and sealed and the quantity, quality, and loan value determined in accordance with regulations of the Secretary of Agriculture; that the representations set forth in the chattel mortgage are true and correct; that the chattel mortgage covering said grain has been properly executed and will be filed for record in accordance with the requirements of Commodity Credit Corporation; that satisfactory evidence of authority of all parties executing note, chattel mortgage, lienwaiver(s), and consent for storage has been received, and any documentary evidence of authority will be held by the committee; that the original or a duplicate copy of said mortgage bearing receipt of the county recording official is held by the committee; that all lienholders have waived the priority of their liens and consents granted for storage if necessary in accordance with the provisions of the Agricultural Adjustment Agency instructions.

(b) *Warehouse storage note and loan agreement.* A member of the county committee signing in the space provided on the Grain Producer's Note and Loan Agreement (C.C.C. Grain Form B) certifies for and on behalf of the committee that to its best knowledge and belief the representations set forth by the producer are true and correct; that the amount of the loan on the described grain has been correctly determined on the basis of the warehouse receipts in accordance with these instructions and supplements thereto; and that all existing liens on the pledged grain are listed in § 231.7.

§ 231.12 *Source and preparation of documents.* Forms will be furnished county agricultural conservation committees and copies for the purpose of information may be obtained from such committees or from the office of the regional director serving the area, listed in § 231.15 hereof. All loan documents shall be prepared in the office of the county agricultural conservation committee. All blanks in C.C.C. Grain Forms A (Revised), AA (Revised), and B must be filled in with ink, typewriter, or indelible pencil, and such documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation only when such corrections are properly initialed by the producer. The county agricultural conservation associations will collect a service fee for all loans.

§ 231.13 *Source of loans.* Loans may be obtained from Commodity Credit Corporation or any approved lending agency. Notes representing loans made direct with Commodity Credit Corporation should indicate Commodity Credit Corporation as payee and should be mailed to the regional director serving the area. Notes representing loans made with other agencies should bear the name and address of the lending agency as payee.

§ 231.14 *Purchase of loan.* Commodity Credit Corporation will purchase, without recourse, eligible paper only from approved lending agencies in accordance with the terms of the Contract to Purchase (1940 C.C.C. Form E). Paper held by lending agencies must be submitted to the regional director serving the area in which the grain is stored. Lending agencies should report weekly on 1940 C.C.C. Form F all payments or collections on producers' notes. An amount equivalent to 1½ percent interest per annum on the principal amount collected must be submitted with such weekly reports.

§ 231.15 *Offices of the regional directors of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them under these instructions are shown below:

Address of regional director and area

208 South La Salle Street, Chicago, Illinois: Connecticut, Delaware, Illinois (except East St. Louis), Indiana, Eastern Iowa (including Howard, Chickasaw, Bremer, Black Hawk, Tama, Poweshick, Mahaska, Wapello, Davis, and all counties east of those listed), Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Southern Wisconsin (including all counties except 18 listed in the Minneapolis area).

1108 Federal Reserve Bank Building, Kansas City, Missouri: Alabama, Arkansas, Colorado, Georgia, Florida, Western Iowa (including all counties west of those listed above), Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.

326 McKnight Building, Minneapolis, Minnesota: Minnesota, Montana, North Dakota, South Dakota, Northern Wisconsin (including the following counties: Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Iron, Pepin, Pierce, Polk, Rush, St. Croix, Sawyer, Vilas, Washburn, Florence, Forest, Oneida, Price, La Crosse, Lincoln, Taylor, Trempealeau).

225 Southwest Broadway, Artisan's Building, Portland Oregon: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 231.16 *Release of collateral held by Commodity Credit Corporation.* A producer may obtain release of the collateral by paying to the lending agency or the Commodity Credit Corporation, whichever holds the note, the principal amount of the note, plus interest. If the note is held by an out-of-town lending agency or the Commodity Credit Corporation, the producer may request the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm storage loan, the county agricultural conservation committee should be requested to release the mortgage by filing an instrument of release or by a margin release on the county records.

§ 231.17 *Partial releases of collateral will be made as follows:*

(a) In the case of farm-stored grain, producers may obtain release of all or part of the collateral in a bin by paying to the holder of the note the loan value and accrued interest, for the grain released. Form Commodity Loan 29 must be executed in accordance with instructions issued by Agricultural Adjustment Agency for each partial redemption and one copy must be submitted to the office of the regional director serving the area.

(b) In case of warehouse-stored grain, each partial release must cover all the grain under one warehouse receipt number. Producers may obtain release of one or more warehouse receipts by paying to the holder of the note the amount of the loan, plus interest for the grain represented by the warehouse receipt. If the notes are held by an out-of-town lending agency or Commodity Credit Corporation, or if the grain is stored in a terminal warehouse, the warehouse receipt(s) may be forwarded to an approved lending agency as directed by the producer for collection.

(c) Commodity Credit Corporation will purchase notes on which partial releases have been made by lending agencies provided the note is credited by the lending agencies for the full amount of the loan on the grain released, plus interest at the rate of 3 percent per annum, and 1½ percent interest per annum on such principal amount collected has been submitted to the regional director serving the area.

[SEAL] C. C. FARRINGTON,
Acting President.

JUNE 24, 1942.

[F. R. Doc. 42-6858; Filed, July 18, 1942; 11:41 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of the Alien Property Custodian

[General Order 4]

PART 503—GENERAL ORDERS

NOTICE OF CLAIM ARISING AS RESULT OF VESTING ORDER; FORM ADOPTED

§ 503.4 *General Order No. 4.* By virtue of the authority vested in me by the Trading with the Enemy Act, as amended, and by Executive Order No. 9095, as amended, and pursuant to law:

The form appended hereto including, without limitation, the instructions set forth therein, is hereby promulgated as

Form APC-1.[1] The said form shall be executed and filed as therein directed and all information therein required shall be supplied.

Executed at Washington, D. C. on July 16, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6879; Filed, July 20, 1942; 10:05 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 7, Part 600]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF GREEN CIVIL AIRWAY NO. 6 AND BLUE CIVIL AIRWAY NO. 9

JULY 18, 1942.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600[2] of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 600.10005 *Green civil airway No. 6. (Corpus Christi, Tex., to Norfolk, Va.)* the words "South Boston, Va., radio marker station." and substituting in lieu thereof the following:

"The intersection of the center lines of the on course signals of the northeast leg of the Greensboro, N. C., radio range and the southeast leg of the Lynchburg, Va., radio range."

2. By striking in § 600.10308 *Blue civil airway No. 9 (Columbia, Mo., to Duluth, Minn.)* the words "Columbia, Mo." appearing in the caption, and substituting in lieu thereof the following words:

"Kirksville, Mo."

3. By striking in § 600.10308 *Blue civil airway No. 9. (Columbia, Mo., to Duluth, Minn.)* the words "From the Columbia, Mo., radio range station via the Kirksville, Mo., radio range station." and substituting in lieu thereof the following:

"From the Kirksville, Mo., radio range station via".

This amendment shall become effective 0001 E. S. T., August 1, 1942.

C. I. STANTON,
Acting Administrator.

[F. R. Doc. 42-6875; Filed, July 20, 1942; 10:20 a. m.]

[1] Filed as part of the original document. Copies may be obtained from the office of the Alien Property Custodian.

[2] 7 F.R. 1417, 1748, 2381, 2864, 4131, 4939, 5387.

[Amendment 11, Part 601]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

REDESIGNATION RADIO FIXES GREEN CIVIL AIRWAY NO. 6, BLUE CIVIL AIRWAY NO. 9, RED CIVIL AIRWAY NO. 21; REDESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS GREEN CIVIL AIRWAY NO. 5, BLUE CIVIL AIRWAY NO. 9 AND RED CIVIL AIRWAY NO. 21

JULY 18, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and §§ 60.112, 60.22 and 60.23 of the Civil Air Regulations and Special Regulation of the Civil Aeronautics Board, Serial No. 197, I hereby amend Part 601[1] of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 601.40309 *Blue civil airway No. 9. (Columbia, Mo., to Duluth, Minn.)* the words "Columbia, Mo" appearing in the caption and substituting in lieu thereof the following words:

"Kirksville, Mo."

2. By striking in § 601.10309 *Blue civil airway No. 9 airway traffic control areas (Columbia, Mo., to Duluth, Minn.)* the words "Columbia, Mo." appearing in the caption, and substituting in lieu thereof the following words:

"Kirksville, Mo."

3. By striking in § 601.4006 *Green civil airway No. 6. (Corpus Christi, Tex., to Norfolk, Va.)* the following words:

"South Boston, Va., radio marker station, or".

4. By striking in § 601.40221 *Red civil airway No. 21. (Detroit, Mich., to Woodward, Pa.)* the words "Detroit, Mich." appearing in the caption, and substituting in lieu thereof the words:

"Cleveland, Ohio".

5. By striking in § 601.10221 *Red civil airway No. 21. (Detroit, Mich., to Woodward, Pa.)* the words "Detroit, Mich." appearing in the caption, and substituting in lieu thereof the words:

"Cleveland, Ohio".

6. By striking in § 601.1005 *Green civil airway No. 5 airway traffic control areas (Los Angeles, Calif., to Washington, D. C.)* the entire paragraph following the caption, and substituting in lieu thereof the following:

"All of Green civil airway No. 5."

This amendment shall become effective 0001 E. S. T., August 1, 1942.

C. I. STANTON,
Acting Administrator.

[F. R. Doc. 42-6876; Filed, July 20, 1942; 10:20 a. m.]

[1] 7 F.R. 378, 529, 597, 841, 1016, 1424, 1748, 2864, 2865, 3466, 4196.

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

[Order 238—Amendment to Order 122]

PART 2—SPECIAL STUDIES AND SERVICES BY BUREAUS OF THE DEPARTMENT OF COMMERCE

LIMITATIONS OF AUTHORITY

In accordance with the provisions of the Act of May 27, 1935 (49 Stat. 292; 5 U.S.C., 601b, c, d), authorizing the Department of Commerce to make special statistical studies and to perform other specified services upon the payment of the cost thereof, § 2.2 of the order of the Secretary No. 122 of June 7, 1941[1] is hereby amended to read as follows:

§ 2.2 *Limitations of authority.* The minimum charge for any study, compilation or transcript shall be $1. Bureau chiefs are authorized to approve projects up to an estimated cost of $300. All projects estimated to cost more than $300 must be submitted to the Secretary for approval. No study under the authority of this Act shall be approved which would violate existing or future Acts requiring that information furnished by contributors be held confidential.

This amendment shall be effective July 17, 1942.

Approved July 17, 1942.

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 42-6859; Filed, July 18, 1942; 11:30 a. m.]

[1] 6 F.R. 2784.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4607]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MAR-GOL HEALTH PRODUCTS CORP.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's "Roberta Blueberry Juice", fruit juice, or other similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparations, which advertisements represent, directly or through inference, that respondent's product (1) has any properties or value other than that of a beverage having a food value limited to that of the blueberries from which the juice is extracted; (2) has any therapeutic value in the treatment of stomach disorders, ulcers, constipation, accumulation of impurities, impaired digestion, intestinal bleeding, acidosis, anemia, arthritis, liver trouble, or menstrual disorders; (3) has any therapeutic value in the treatment of diabetes; (4) contains any organic mineral elements in quantities sufficient to supply any mineral deficiency; (5) is a builder and cleanser of red blood, or that it is a flushing agent which promotes cell and tissue metabolism, or that it has great healing power or resistance-building properties; (6) is beneficial for nerve matter, especially upon heart nerves, or that it promotes cell building, blood fluidity, or makes body fluid alkaline; (7) acts on the glands or that it has properties beneficially affecting maintenance of mucous and other gland secretions; (8) enters into sensitive tissues, ligaments, and arterial walls, or is a powerful antiseptic, or that it will increase energy: and (9) has properties effective in stimulating the liver, promoting bile flow, beautifying the complexion, building bone and teeth, or in repairing tissue; or which represent, as aforesaid, that the use of its said product is effective as a tonic, eliminator, alkalizer, body builder, regulator, or as an antiseptic or beautifier; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Mar-Gol Health Products Corp., Docket 4607, July 14, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before Arthur F. Thomas, a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, report of the trial examiner upon the evidence, briefs filed in support of the complaint and in opposition thereto, and oral argument before the Commission; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Mar-Gol Health Products Corp., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of its fruit juice product known as "Roberta Blueberry Juice," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly,

(1) Disseminating, or causing to be disseminated, any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference,

(a) That respondent's product has any properties or value other than that of a beverage having a food value limited to that of the blueberries from which the juice is extracted.

(b) That respondent's product has any therapeutic value in the treatment of stomach disorders, ulcers, constipation, accumulation of impurities, impaired digestion, intestinal bleeding, acidosis, anemia, arthritis, liver trouble, or menstrual disorders.

(c) That respondent's product has any therapeutic value in the treatment of diabetes,

(d) That respondent's product contains any organic mineral elements in quantities sufficient to supply any mineral deficiency,

(e) That respondent's product is a builder and cleanser of red blood, or that it is a flushing agent which promotes cell and tissue metabolism, or that it has great healing power or resistance-building properties,

(f) That respondent's product is beneficial for nerve matter, especially upon heart nerves, or that it promotes cell building, blood fluidity, or makes body fluid alkaline,

(g) That respondent's product acts on the glands or that it has properties beneficially affecting maintenance of mucous and other gland secretions,

(h) That respondent's product enters into sensitive tissues, ligaments, and arterial walls, or is a powerful antiseptic, or that it will increase energy.

(i) That respondent's product has properties effective in stimulating the liver, promoting bile flow, beautifying the complexion, building bone and teeth, or in repairing tissue.

(j) That the use of respondent's product is effective as a tonic, eliminator, alkalizer, body builder, regulator, or as an antiseptic or beautifier;

(2) Disseminating, or causing to be disseminated, any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of respondent's product, which advertisement contains any of the representations prohibited in paragraph (1) hereof and the respective subdivisions thereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6857; Filed, July 18, 1942; 10:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50682]

PART 19—CARTAGE AND LIGHTERAGE

IDENTIFICATION CARDS[1]

Article 1036, Customs Regulations of 1937, amended to prescribe the procedure in connection with the use of revised customs Form 3873 (Identification Card of Licensed Cartman or Lighterman or Employee Thereof).

Section 19.10 of the Customs Regulations of 1937 [Article 1036] is hereby amended to read as follows:

§ 19.10 *Identification cards.* Each licensed cartman or lighterman and each employee thereof who receives or transports imported merchandise which has not been released from customs shall possess an identification card, customs Form 3873, with his photograph securely affixed thereto with glue or other adhesive substance. The cards shall also bear his signature in the space provided. Such identification card shall be issued by the collector only upon application on customs Form 3078 of the licensed cartman or lighterman. The application shall be filed personally at the customhouse by the person for whom the application for the identification card is made, together with two photographs of such person in addition to the one to be affixed to the application. The fingerprints of such person shall be taken on customs Form 3872 at the time of the filing of the application. The identification card shall become valid when the United States customs seal has been impressed thereon, which seal shall not be impressed until after the card has been otherwise completed. Each identification card shall be prepared in duplicate. The original, after having impressed thereon the customs seal, shall be presented to the person in whose name the card is issued and shall be in his possession at all times when he is engaged in receiving or transporting the imported merchandise. The duplicate shall be retained as an office record. It shall be the responsibility of each person to whom an identification card is issued to protect it with an appropriate transparent cover so that the face and back of the card are visible without removing the cover. Whenever the employment of the holder of an identification card is changed to another licensed cartman or lighterman, the card, supported by an application in proper form, shall be submited promptly to the collector so that the change may be made officially on the card and on the customhouse records. The card shall be submitted promptly to the collector when there is a change of address of the holder. New cards shall be issued when necessary. Should an identification card be presented by a person other than the one to whom it was issued, such card shall be forthwith confiscated. The identifica-

[1] This document affects 19 CFR 19.10

tion card shall be surrendered when the holder thereof leaves the employment of a licensed cartman or lighterman for employment of some other character. All outstanding identification cards issued to a licensed cartman or lighterman, and to the employees thereof, shall be taken up by the collector upon the suspension, revocation, or lapse of the license of the cartman or lighterman.

Supplies of the revised customs Forms 3078, 3872, and 3873, are now available and may be secured by requisition on customs Form 3039. Outstanding identification cards on the old issue of customs Form 3873 are not required to be exchanged for the new form. (Secs. 565, 624, 46 Stat. 747, 759; 19 U.S.C. 1565, 1624) [Article 1036]

[SEAL] G. H. GRIFFITH,
Acting Commissioner of Customs.

Approved: June 27, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6840; Filed, July 17, 1942; 3:57 p. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-27]

PART 27—CANNED FRUIT: DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

CANNED FRUIT COCKTAIL

Order

By virtue of authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act, 52 Stat. 1046 and 1055, 21 U.S.C. secs. 341 and 371; the Reorganization Act of 1939, 53 Stat. 561 ff., 5 U.S.C. sec. 133–133r; and Reorganization Plans No. 1 (53 Stat. 1423, 4 F.R. 2727) and No. IV (5 F.R. 2421); and upon the basis of evidence received at the hearing herein; the following order is promulgated hereby:

Findings of Fact

1. The food, canned fruit cocktail, was originated for commercial distribution by a California canner about 1930 and he applied the name, fruit cocktail, to it.

2. The food was designed for use, either alone or in combination with other ingredients, as a cocktail, salad or dessert. One of these uses was as a fruit base to which other fruits may be added in the preparation of the food for table use.

3. The original fruit cocktail was marketed after extensive experimentation with component fruits and packing media.

4. As first marketed it consisted of certain fixed fruits within certain fixed ranges of proportions, packed in sugar sirups so controlled as to obtain certain fixed ranges of density in the finished product.

5. The component fruits were peach, pear, grape, pineapple and cherry.

6. The fruit units used were of suitable sizes and shapes and were mixed prior to or during canning.

7. The sugar sirups used were of two densities, each designed to contribute a particular degree of sweetness to the finished fruit cocktail. The liquid drained from the finished fruit cocktail fell within the following density ranges, as measured by the Brix hydrometer:

Not less than 18° but less than 22°;
22° or more but not more than 35°.

8. Following such commercial introduction other canners commenced the manufacture and sale of canned fruit cocktail, and its sales have increased until the product ranks high among canned fruits in point of quantity canned.

9. When other canners began to make canned fruit cocktail they adopted the name, the fruits used, the relative proportions of the fruits, and the densities of the sugar sirups used, all as established by the originator of the product.

10. Throughout the life of the food it has been known as and labeled "fruit cocktail" without exception other than the occasional, synonymous use of the terms "fruits for cocktail" and "cocktail fruits", and such names are common or usual names of the food.

11. Except as noted in finding 50, such names have never been employed to designate any other commercial canned food.

12. Throughout the life of the product it has been prepared from a mixture of peach, pear, grape, pineapple and cherry and from no other fruits, except at noted in finding 50.

13. Such fruits, when in forms of units suitable for fruit cocktail, are sufficiently firm to withstand mixing and heating processes necessary in the preparation of the food under good canning technology as it now exists; whereas, all the other available fruits which are otherwise suitable are not so adapted.

14. Each of such fruits contributes its distinctive flavor to the flavor combination originally desired and since maintained.

15. Such combination of fruit flavors is an essential identifying characteristic of canned fruit cocktail.

16. Although many housewives prefer to serve fruit cocktails of a more zestful flavor induced by the use of such fresh fruits as oranges, grapefruit, bananas and apricots, and frequently add these fruits to canned fruit cocktail before serving it, nevertheless, canning technology has not yet developed to the point that such fruits, when included in the canned product, retain the characteristics desired by such housewives.

17. Each of the fruits used in canned fruit cocktail contributes to the combination of colors considered desirable in this food for its use as a cocktail, salad, or dessert.

18. Such combination of colors is an essential identifying characteristic of fruit cocktail.

19. Peaches of any yellow variety are suitable for use in canned fruit cocktail. Peaches of white varieties are unsuitable because they do not contribute the essential orange-yellow color.

20. Pears of any variety are suitable for use in canned fruit cocktail.

21. Any grapes of a "white" (pale green), seedless variety are suitable for use in canned fruit cocktail. Dark-colored varieties of grapes are not suitable for the reason that they would stain the other fruits. The seed of varieties having seed are objectionable in the product.

22. Pineapple of any variety is suitable for use in canned fruit cocktail.

23. Cherries of any light, sweet variety, cherries artificially colored red, and cherries artificially colored red and artificially flavored, singly but not in combination are suitable for use in canned fruit cocktail. Cherries of red sour and dark sweet varieties are unsuitable for use because they would stain the other fruits.

24. In the preparation of cherries artificially colored red and cherries artificially colored red and artificially flavored the cherries are subject to processes which eliminate most, if not all, of the natural juices, color and flavor, so that the finished product differs in color, flavor and food value from natural cherries.

25. The presence of cherries artificially colored red or cherries artificially colored red and artificially flavored is a significant factor in consumers' preference for and choice of canned fruit cocktail.

26. The varieties of fruits specified in findings 19–23, inclusive, are the only varieties used in canned fruit cocktail, and the presence of fruits of such varieties is an essential identifying characteristic of canned fruit cocktail.

27. Each of the fruits used in canned fruit cocktail must be mature.

28. Such fruits are suitable for use in canned fruit cocktail when fresh or when previously canned.

29. It is necessary that the fruits used in canned fruit cocktail be prepared as follows: The peaches are peeled, pitted, and diced; the pears are peeled, cored and diced; the grapes are stemmed; the pineapple is peeled, cored and cut into sectors or dice; and the cherries are stemmed, pitted and cut into approximate halves.

30. Except as noted in finding 51 the fruits in canned fruit cocktail have always been used in such forms of units.

31. Such forms of units are an essential identifying characteristic of canned fruit cocktail.

32. In addition to the identity of the fruits present, a factor essential in maintaining the characteristic flavor and color combinations of canned fruit cocktail is the proportion of each fruit present.

33. Canned fruit cocktail is customarily divided into individual servings, the number being proportionate to the size of the containers; 4½ ounces represents an ordinary serving.

34. It is essential to the maintenance of the characteristic blend of flavors and colors in each individual serving that each 4½ ounces of the food, and any fraction thereof greater than two ounces contain not less than two sectors or 3 dice of pineapple and not less than one-half cherry, these being the more expensive fruit ingredients.

35. Throughout the life of the food, except as noted in finding 53, the fruits therein have been mixed within the following ranges of proportions by weight of the fruit in the finished food, from which the packing medium has been drained:

Peach, not less than 30 nor more than 50 percent.

Pear, not less than 25 nor more than 45 percent.

Grape, not less than 6 nor more than 20 percent.

Pineapple, not less than 6 nor more than 16 percent.

Cherry, not less than 2 nor more than 6 percent.

36. Such ranges are necessary because of the impossibility of obtaining uniformity of the mixture by the methods employed in good manufacturing practice.

37. Combination of the fruits within such ranges of proportions is an essential identifying characteristic of canned fruit cocktail.

38. The presence of a liquid packing medium in canned fruit cocktail is essential to permit it to be processed by heat so as to prevent spoilage.

39. The presence of a liquid packing medium is an essential identifying characteristic of canned fruit cocktail.

40. The liquid packing medium used throughout the life of the product, except as noted in finding 53, has been one of two optional sugar sirups, which are distinguished by the density and sweetness of the liquids in the finished product.

41. Consistent with trade practice previously established in connection with other canned fruits packed in sirups of similar sweetness and densities, such sirups were designated in the industry and are commonly known to consumers as "heavy" and "extra heavy".

42. The sirup of lighter density and sweetness is that in which the liquid, 15 days or more after canning, is not less than 18° Brix but less than 22° Brix.

43. The sirup of heavier density and sweetness is that in which the cut-out liquid, 15 days or more after canning, is not less than 22° Brix but not more than 35° Brix.

44. The density of any such packing medium, before it is mixed with the fruit ("ingoing"), differs from its density as present in the finished canned fruit cocktail ("cut-out"), by reason of the blending of such packing medium with the liquid from the fruit.

45. The charge in density of the packing medium in the sealed and heat-processed can progresses to an equilibrium which is reached within fifteen days from the date of sealing in the can.

46. By following accepted commercial practices, at least the minimum of the desired density range of the cut-out liquid can be obtained with certainty.

47. Canned fruit cocktail is sealed in a container and is so processed by heat as to prevent spoilage.

48. The liquid in the finished canned fruit cocktail does not have a density of more than 35° Brix. Such a limitation is necessary to distinguish the food from other sweetened fruit products, such as preserves, and is an essential identifying characteristic of canned fruit cocktail.

49. Based upon experience with and understanding of the composition of canned fruit cocktail, the purchaser thereof understands it to be a food composed of the kinds and varieties of fruits hereinbefore stated, in the forms of units and in the proportions hereinbefore stated, and in one of the two optional sirups hereinbefore designated.

50. Occasionally in the past and recently more frequently, fruit mixtures of degraded and cheaper composition have been sold under the name of canned fruit cocktail in order to take advantage of the increasing popularity of that food at the expense of the purchasing public.

51. Such frauds have been of three kinds: (a) the substitution of cheaper fruits; (b) the use of large proportions of the cheaper fruits recognized as ingredients of canned fruit cocktail, and therefore of smaller proportions of the expensive fruits than the proportions necessary for the customary uses of the product; (c) the use of slivers, fragments, or other misshapen units of fruit commonly regarded as unsuitable for use in canned fruit cocktail.

52. The growing tendency toward these debasing practices causes other canners to engage in similar practices in order to meet competition. This leads to the reasonable expectation that a continuation of the trend will result in the further degradation and loss of identity of the product known to the consumer as canned fruit cocktail; all at the expense of honesty and fair dealing in the interest of consumers.

53. Since 1937 various new packing media have been used in relatively small portions of the pack of canned fruit cocktail.

54. The special dietary uses of foods low in carbohydrates have recently led to the use of water as the sole packing medium of some canned fruit cocktail.

55. Water may be added directly to the mixture of fruits, through the use of the packing media of such fruits originally canned in water. Whenever any quantity of water is introduced into fruit juice, directly or indirectly, the entire liquid of the packing medium is considered to be water and not fruit juice for the purposes of a packing medium in canned fruit cocktail, because of the inherent opportunities for fraud in introducing water into fruit juices.

56. There has recently been a growing increase of the use as packing media of the juices of the fruits present in fruit cocktail. Such juices may be expressed from one or more of such fruits or they may be drained from such fruits originally canned in such juice.

57. Such juices sometimes require straining or filtering to remove insoluble fruit solids which would cloud the liquid of the canned fruit cocktail.

58. There have also been introduced sirups in which sugar has been replaced by invert sugar sirup, or in part by dextrose or corn sugar, corn sirup, or corn sirup solids, as well as sirups in which water is replaced by the fruit juices specified in finding 56. Such sirups, including sugar sirups, may be prepared for direct addition to the fruits or drained from any of the fruits previously canned in the respective ingredients of such sirups. If any water is used, directly or indirectly, in the preparation of such sirups, according to established trade practice they are considered to be plain sirups and not fruit juice sirups.

59. Equal quantities of the solids of all such saccharine agents yield sirups of practically equivalent specific gravities. Therefore, densities of the new sirups have consistently followed the traditional densities of the sugar sirups used as packing media in canned fruit cocktail, under the same designations as to density of "heavy" and "extra heavy".

60. Sugar is the refined product in crystallized form commonly obtained from sugar cane or sugar beet; it is chemically known as sucrose.

61. When sugar in solution is subjected to certain treatments with the enzymes invertase or certain acids, it is wholly or partly converted into levulose and dextrose, the quantities of levulose and dextrose produced being equal. This chemical reaction is commonly known as the inversion of sugar.

62. Invert sugar sirup is an aqueous solution of sugar or partly refined sugar which has been wholly or in large part inverted with the enzyme invertase or with hydrochloric or other acid, and which, if acid is used, has been neutralized with a carbonate.

63. The quantity of ash present in invert sugar sirup is in general indicative of the degree of refinement of the sugar in such sirup.

64. An invert sugar sirup which is insufficiently refined and which has an abnormally high ash content contributes a characteristic flavor, odor, and color which renders it unsuitable for use as a saccharine substance in preparing packing media for canned fruit cocktail.

65. An invert sugar sirup which is sufficiently refined to be suitable for use as a saccharine substance in preparing a packing medium for canned fruit cocktail contains not more than 0.3 percent ash in its solids, and is colorless, odorless and flavorless except for sweetness.

66. When a sugar solution is used as the packing medium for canned fruit cocktail, the natural acids of the fruits, aided by the heat processing, invert a part of the sugar.

67. When sugar is used in a packing medium, it is immaterial whether its inversion occurs before or after the addition of the packing medium to the fruit, and immaterial whether it is the dry substance or a concentrated aqueous solution. For all practical purposes in the preparation of canned fruit cocktail, therefore, such refined invert sugar sirups, when diluted to the proper den-

sity, are the same as sugar sirups prepared by dissolving sugar in water.

68. Dextrose is the anhydrous or hydrated, refined monosaccharide obtained by complete hydrolysis of any starch, including cornstarch.

69. Corn sirup is the product obtained by incomplete hydrolysis of cornstarch and is a concentrated aqueous solution of dextrose and maltose, which are members of the class of substances known as reducing sugars, and the nonsugar substance dextrin. When sufficiently hydrolized for use as a saccharine substance in a packing medium for canned fruit cocktail, its solids contain not less than 58 percent reducing sugars.

70. Corn sirup solids is dried corn sirup; it differs from corn sirup only in that water is removed by drying. When sufficiently hydrolized for use as a saccharine substance in a packing medium for canned fruit cocktail, its solids contain not less than 58 percent reducing sugars. Since the liquid component of corn sirup is water and since added water is necessary in the preparation of fruit cocktail it is immaterial whether the corn sirup is in a liquid or dry state and, for all practical purposes in the preparation of canned fruit cocktail, corn sirup may be considered to include dried corn sirup.

71. Important factors on the basis of which packing media of different packs of canned fruit cocktail are differentiated from each other are their density, flavor, food value, and sweetness; each of such factors is a significant element in the production cost and sale price of canned fruit cocktail, and in consumers' preference.

72. The density, and hence the degree of sweetness, of a sweetened packing medium is not fixed precisely but only within a specified range. Therefore the same kind of packing medium may vary in density and sweetness within its own range to a noticeable degree irrespective of the saccharin substance from which it is made.

73. Different varieties of the same fruit, and fruits of the same variety of different degrees of maturity, and fruits of the same variety and substantially the same degree of maturity but obtained from different localities or from different parts of the same tree, frequently differ in acidity, sugar content, and other properties, and such differences affect the sweetness of the sweetened packing media of the different packs of canned fruit cocktail containing such fruits, so that even though a packing medium of a fixed density made from the same saccharin substance is used for each of such packs of canned fruit cocktail there is some detectable difference in sweetness between such finished packs of canned fruit cocktail.

74. One of the differences, among others, between the saccharin substances used in the preparation of the packing media for canned fruit cocktail is a difference in their degree of sweetness, sugar being the sweetest, dextrose being about two-thirds as sweet as sugar, and corn sirup being about one-half as sweet as sugar.

75. When equal weights of the solids of sugar (whether inverted or not), of dextrose, and of corn sirup (whether added as corn sirup or as dried corn sirup), are each dissolved in water to make solutions of the same volume, the densities and calorific food values of such solutions are not materially different from each other.

76. There are slight differences in the cost of the different saccharin substances from which sweetened packing media are made, but such differences are not of material significance to consumers.

77. By reason of their lesser sweetening properties, dextrose or corn sirup, or any mixture of these, are always used in combination with sugar when used in preparing sweetened packing media for canned fruit cocktail and the quantity of dextrose or corn sirup used is always limited to such amounts that the packing medium in the finished canned fruit cocktail is substantially of the same degree of sweetness as one of like density prepared from sugar alone.

78. The degree of sweetness of any packing medium in which dextrose of corn sirup, or any mixture of these, is used in combination with sugar becomes progressively less in relation to the density of such packing medium as the quantity of dextrose or corn sirup, or any mixture of these, is increased, so that, in the absence of a limitation of such quantity, the density within the range specified for any given packing medium would cease to provide a basis for identifying such packing medium as to sweetness.

79. A sweetened packing medium prepared from a mixture of sugar and dextrose in a proportion of two parts of sugar and one part of dextrose, or from a mixture of sugar and corn sirup in a proportion of three parts of sugar and one part of corn sirup, or from a mixture of sugar, dextrose, and corn sirup in such proportion that the weight of the dextrose multiplied by two plus the weight of the corn sirup multiplied by three equals the weight of the sugar, is substantially as sweet as a finished packing medium of like density prepared from sugar alone.

80. There is no substantial difference in the degree of sweetness between canned fruit cocktail packed in any one of the packing media specified in finding 79 and the same kind of canned fruit cocktail packed in any one of the other packing media therein specified. Such difference as may exist between such packing media is ordinarily not noticeable to consumers in the finished packs of canned fruit cocktail unless they make comparative tasting tests and some consumers cannot distinguish between them upon making such tests.

81. When sugar is replaced with dextrose or corn sirup, or any mixture of these, in proportions greater than those specified in finding 79, so as to produce a packing medium equivalent in sweetness to one prepared from sugar alone, the relationship between density and sweetness normally expected in sweetened packing media is destroyed.

82. Cherries of any light, sweet variety, cherries artificially colored red, cherries artificially colored red and artificially flavored, water, fruit juice, heavy sirup, extra heavy sirup, heavy fruit juice sirup and extra heavy fruit juice sirup, prepared as described in the preceding findings, are optional ingredients permissible in canned fruit cocktail, the common names of which are the terms whereby they are herein listed.

Upon the basis of the foregoing detailed findings of fact, it is found that the promulgation of the attached proposed regulation fixing and establishing a definition and standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, and requiring certain optional ingredients thereof to be named on the label will promote honesty and fair dealing in the interest of consumers.

Regulation

§ 27.040 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—identity; label statement of optional ingredients.* (a) Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, is the food prepared from the mixture of fruit ingredients prescribed in paragraph (b), in the forms and proportions therein prescribed, and one of the optional packing media specified in paragraph (c). It is sealed in a container and is so processed by heat as to prevent spoilage.

(b) The fruit ingredients referred to in paragraph (a), the forms of each, and the percent by weight of each in the mixture of drained fruit from the finished canned fruit cocktail are as follows:

(1) Peaches of any yellow variety, which are pitted, peeled, and diced, not less than 30 percent and not more than 50 percent;

(2) Pears of any variety, which are peeled, cored, and diced, not less than 25 percent and not more than 45 percent;

(3) Whole grapes of any seedless variety, not less than 6 percent and not more than 20 percent;

(4) Pineapples of any variety, which are peeled, cored, and cut into sectors or into dice, not less than 6 percent and not more than 16 percent; and

(5) One of the following optional cherry ingredients, each of which is stemmed, pitted, and cut into approximate halves, not less than 2 percent and not more than 6 percent;

(i) Cherries of any light, sweet variety;

(ii) Cherries artificially colored red; or

(iii) Cherries artificially colored red and artificially flavored.

Each such fruit ingredient is prepared from mature fruit which is fresh or canned. Notwithstanding the preceding provisions of this paragraph, each 4½ ounces avoirdupois of the finished canned fruit cocktail and each fraction thereof greater than 2 ounces avoirdupois contain not less than 2 sectors or 3 dice of pineapple and not less than 1 approximate half of the optional cherry ingredient.

(c) The optional packing media referred to in paragraph (a) are as follows:

(1) Water;

(2) Fruit juice;

(3) Heavy sirup;

(4) Extra heavy sirup;

(5) Heavy fruit juice sirup; and

(6) Extra heavy fruit juice sirup.

Each of packing media (3) and (4) is prepared with water as its liquid ingredient, and each of packing media (5) and (6) is prepared with fruit juice as its liquid ingredient. Except as provided in paragraph (d) (6), each of packing media (3) to (6), inclusive, is prepared with any one of the following saccharine ingredients: sugar; or any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; or any combination of sugar and corn sirup in which the weight of the solids of the corn sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup in which the weight of the solids of the dextrose used multiplied by 2, added to the weight of the solids of the corn sirup used multiplied by 3, is not more than the weight of the solids of the sugar used. The respective densities of packing media (3) to (6), inclusive, as measured on the Brix hydrometer, fifteen days or more after the fruit cocktail is canned, are within the range prescribed for each in the folowing list:

Number of packing medium:	*Brix measurement*
(3) and (5)	18° or more but less than 22°.
(4) and (6)	22° or more but not more than 35°.

(d) For the purposes of this section—

(1) The term "water" means, in addition to water, both the liquid drained from any fruit ingredient previously canned in water as its sole packing medium and any mixture of water and fruit juice, including the liquid drained from any fruit ingredient previously canned in such mixture.

(2) The term "fruit juice" means the fresh or canned, expressed juice or juices of one or more of the mature fruits named in subsection (b), including the liquid drained from any fruit ingredient previously canned in such juice or juices as its sole packing medium, to which no water has been added, directly or indirectly. Fruit juice may be strained or filtered.

(3) The term "sugar" means refined sucrose or invert sugar sirup. The term "invert sugar sirup" means an aqueous sirup of inverted or partly inverted, refined or partly refined sucrose, the solids of which contain not more than 0.3 percent by weight of ash and which is colorless, odorless and flavorless except for sweetness.

(4) The term "dextrose" means the hydrated or anhydrous, refined monosaccharide obtained from hydrolized starch.

(5) The term "corn sirup" means an aqueous solution obtained by the incomplete hydrolysis of corn starch and includes dried corn sirup; the solids of corn sirup and dried corn sirup contain not less than 58 percent by weight of reducing sugars.

(6) When the optional packing medium is prepared with fruit juice and invert sugar sirup or corn sirup other than dried corn sirup, it shall be considered to be heavy sirup or an extra heavy sirup, as the case may be, and not a heavy fruit juice sirup or an extra heavy fruit juice sirup.

(7) The term "heavy sirup" or "extra heavy sirup" includes a sirup, which conforms in all other respects to the provisions of this section, in the preparation of which there is used the liquid drained from any fruit ingredient previously canned in a packing medium consisting wholly of the liquid and saccharine ingredients of a heavy sirup or extra heavy sirup.

(8) Except as provided in subparagraph (6) of this paragraph, the term "heavy fruit juice sirup" or "extra heavy fruit juice sirup" includes a sirup, which conforms in all other respects to the provisions of this section, in the preparation of which there is used the liquid drained from any fruit ingredient previously canned in a packing medium consisting wholly of the liquid and saccharine ingredients of heavy fruit juice sirup or extra heavy fruit juice sirup.

(e) (1) The optional ingredients specified in paragraphs (b) (5) (ii) and (iii) and (c) (1) to (6), inclusive, are hereby designated as optional ingredients which, when used, shall be named on the label by the name whereby each is so specified.

(2) Such names shall immediately and conspicuously, without intervening written, printed, or graphic matter, precede or follow the name "fruit cocktail", "cocktail fruits", or "fruits for cocktail" wherever it appears on the label so conspicuously as to be easily seen under customary conditions of purchase.

The regulations hereby promulgated shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER. (52 Stat. 1046, 53 Stat. 561ff; 21 U.S.C., sec. 341; 5 U.S.C., sec. 133–133r; and Reorganization Plans Nos. I and IV, 4 F.R. 2727, 5 F.R. 2421)

[SEAL] WATSON B. MILLER,
Acting Administrator.

JULY 17, 1942

[F. R. Doc. 42-6856; Filed, July 18, 1942; 10:31 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

SUPPLEMENT 4 TO REVISION II

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement 4 containing certain additions to, amendments to, and deletions from The Proclaimed List of Cetrain Blocked Nationals, Revision II of May 12, 1942 (7 F.R. 3587), is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.
H. MORGENTHAU, JR.,
Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director, Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

JULY 17, 1942.

GENERAL NOTES: (1). The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions:

If the title includes a full personal name, that is, a given name or initial and surname, the title is listed under the *surname*.

Personal-name prefixes such as *de, la, von*, etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cía.; Comp.
Compañía Anónima; C. A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

PART I—LISTINGS IN AMERICAN REPUBLICS

ADDITIONS

Argentina

Arbolito, S. de R. L.—Chacabuco 430, Buenos Aires.

Bergdolt, Alberto.—Piedras 736–44, Buenos Aires.

Bruggemann, Heinrich.—Aguero 1549, Buenos Aires.

Cebral, Antonio.—Congreso 2287, Buenos Aires.

Chiesa, Ello.—Esmeralda 320, Buenos Aires.

Cine Ideal Monroe.—Monroe 3245, Buenos Aires.

Combescot, Jean.—Sarmiento 354, Buenos Aires.

Fábrica de Jabones y Productos Químicos "El Puma".—Estados Unidos 176, Bahía Blanca.

Fábricas Reunidas de Utiles Sanitarios S. A.—Callao 1063, Buenos Aires.

Fernández Prado, Manuel.—Comodoro Rivadavia.

Frasca, Felice (Dr.).—Bartolomé Mitre 311, Buenos Aires.

Freund, Arturo.—Avenida San Martín 7161, Buenos Aires.

Grieco, José Andrés.—Esmeralda 320, Buenos Aires.

Heines, Sixta.—Bartolomé Mitre 3925, Buenos Aires.

Lynen, Gustavo.—Estados Unidos 176, Bahía Blanca.
Mezger, Alberto.—Chacabuco 430, Buenos Aires.
Moreira, Juan Carlos.—Cangallo 559, Buenos Aires.
Oehley, Max.—Alsina 971, Buenos Aires.
"Rolaf".—Avenida San Martín 7161, Buenos Aires.
Sigmaringo, Eduardo F.—Avenida Presidente Roque Sáenz Peña 501, Buenos Aires.
Vendemiati, Pablo.—Lavalle 1118, Buenos Aires.
Wagenpfeil, Enrique.—Monroe 3245, Buenos Aires.
Wolters, Juan.—Moreno 970, Buenos Aires.

Bolivia

Carpintero, Juan A.—La Paz.
Casa "Marmo".—Bolivar 646, Oruro.
Christiansen, Walter.—Cochabamba.
Copa Pérez, Marcelino.—Oruro.
Delius, Antonio.—La Paz.
Gross, Margarita Vladislavić de.—Bolivar 95–97, Potosi.
Hubert y Cía.—La Paz and Cochabamba.
"IBUSA" Industrias Bolivianas Unidas S. A.—Casilla 215, La Paz.
Laguna, Martinić y Cía.—Calvo 23–25 (Casilla 70), Sucre.
Marmo, Kimimichi.—Bolivar 646, Oruro.
Sato, Hiroaki.—Eucaliptus and Oruro.
Thames, José.—La Paz.
Vilaseca Ríos, Antonio.—Potosi.

Brazil

"CIMA" S. A., Companhia Industrial Mercantil e Agrícola.—Rua Libero Badaró 137, São Paulo.
Metz, Carl.—Rio de Janeiro.

Chile

Acción Chilena.—Huérfanos 1039, Santiago.
Agrícola "Porvenir", Soc.—Independencia 601, Valdivia.
Aninat, Armando.—Quilpué.
Artuffo, Esteban.—Huérfanos 2566, Santiago.
Blunck, Gualterio.—Huérfanos 972, Santiago.
Bosco, Hermanos.—Esmeralda 1132, Valparaiso.
Buchholz, Gustavo.—Higuera 133, Cerro Alegre, Valparaiso.
"Casa Cotroneo".—Ecuador 133, Viña del Mar.
Central de Homeopatía Hahnemann.—Santo Domingo 1022, Santiago.
Cigarrería Richter.—Camilo Henríquez 524, Valdivia.
Club Alemán Plaza.—Camilo Henríquez 540, Valdivia.
Club Alemán Unión.—Independencia 451, Valdivia.
D'Assurances Générales, Cie.—Prat 221, Santiago.
Demelt von Bach, Guillermo.—San Francisco esquina San José (Casilla 1697), Puerto Varas.
Deutscher, Verein Plaza.—Camilo Henríquez 540, Valdivia.
Deutscher Verein Unión.—Independencia 451, Valdivia.
Dufour, Emile.—Agustinas 711, Santiago.
Echeverría, Renard y Cía. Ltd.—Santiago.
"El Radio Expreso".—Huérfanos 2566, Santiago.
"Estación de Servicio Londres".—San Ignacio 224, Valparaiso.
Exss, Gustavo.—San José de la Mariquina.
Fábrica Calzado Weiss.—Pérez Rosales 1390, Valdivia.
Ferrero C., Santiago. — Chacabuco 2621, Valparaiso.
Fischer, Ottmar.—Picarte 1129, Valdivia.
Gandulfo Baumann, Salvador.—Cochrane 819, Valparaiso.
Gantz S., Guillermo.—Casilla 17, La Unión.
Hahn B., Reinaldo.—Agustinas 972, oficina 339, y Avenida Larraín 6478, Santiago.
"Havastele" Agencia Noticiosa.—Agustinas 711, Santiago.
Hochstetter y Cía., Ltda.—Santo Domingo 1022, Santiago.
Hoffmann Thater, Otto.—Pérez Rosales 786, Valdivia.
Hoffmann Thater, Pablo.—Portal Fernández Concha 960, dept. 218, Santiago.
Holzapfel, Clemente.—Casilla 33, Valdivia.
Hübner, George.—Berger 2076, Chorrillos, Viña del Mar.
Imprenta "Artuffo".—Huérfanos, 2566, Santiago.
Industrial Kunstmann, S. A., Soc.—Picarte 449, Valdivia.
Industrial y Comercial Hoffmann, S. A.—Valdivia.
Keller R., Carlos.—Morandé 720, Santiago.
Kunstmann Munninch, Victor.—Picarte 449, Valdivia.
Lacquaniti G., Alberto.—Ecuador 133 (Casilla 233), Viña del Mar.
Librería Médica Universal.—Huérfanos 972, Santiago.
Ludwig, Carlos (Dr.).—Casilla 227, Puerto Montt.
Maderera "Valdivia" S. A., Cía.—Arauco 22, Valdivia.
Martens B., Ernesto.—Independencia 623, Valdivia.
Mayenberger, Alfonso.—Huérfanos, 972, Santiago.
Mayenberger, Hermann.—Huérfanos 972, Santiago.
Mücke Hoffmann, Francisco.—Casilla 18, Ancud.
Neef Rave, Arturo.—Prat 769 y Balmaceda s/n, Valparaiso.
Oettinger Stegmaier, Adolfo.—Picarte 449, Valdivia.
Osterloh y Cía., O.—Prat 834, Valparaiso.
Pitto, Solari y Cía., Ltda.—Avenida Uruguay 152 (Casilla 4070), Valparaiso.
Pohl y Cía., Alberto.—Villarica s/n, Loncoche.
Raddatz Raddatz, Otto.—Salvador 19 (Casilla 5D), Puerto Varas.
Raible W., Otto.—Luis Beltrán 1832, Santiago.
Rathje, Ricardo.—Yungay 251, Valdivia.
Renftel, Kurt.—Nueva York 80, Santiago.
Richter, Hellmuth.—Camilo Henríquez 524, Valdivia.
Rosende S., Germán.—Huérfanos 1294, Santiago.
Saelzer Boettinger, Jorge.—Valdivia.
Saelzer, Hermann.—Valdivia.
Saelzer y Schwarzenberg, Ltda.—San Carlos 115 y Pérez Rosales 600, Valdivia; Ramírez esquina Bulnes y Ramírez 914, Osorno; and all branches in Chile.
Scassi-Buffa, Odoardo.—Arlegui 155, Viña del Mar., and all branches in Chile.
Schiappacasse, Benedetto.—21 de Mayo 1254, Tocopilla.
Schmidt Romforth, Heriberto.—Errázuriz 301, piso 1°, Valparaiso.
Schüler, Carlos, Libertad 9, Valdivia.
Schüler, Pablo.—Valdivia.
Schutz y Cía., Ltda., A.—Maipú esquina M. Pérez, Valdivia, and all branches in Chile.
Schwarzenberg Thater, Pablo.—Valdivia.
Soto Carrasco, Heriberto.—Dieciocho 346 (Casilla 1084), Santiago.
Spann, Herman.—Quinto "El Progreso," La Cruz; and Independencia 2085 (Casilla 3157), Valparaiso.
Specht y Cía., Ltda., Hugo.—J. R. Gutiérrez 282, Santiago.
Suplemento Ilustrado del Diario "El Radio Expreso".—Huérfanos 2566. Santiago.
Talleres Gráficos del Diario Alemán.—Unión Literaria 1925, Santiago.
"Trabajo".—Rosas 1281, Santiago.
Transportes Fluviales S. A.—Yungay 231, Valdivia.
Vega Blantlot, Roberto.—Huérfanos 1039. Santiago.
Venezian de Sanctis, Sergio.—Errázuriz 401, Valparaiso.
Vuillemin, Rémy.—Prat 221, Santiago.
Vuillemin & Eberhard Ltda.—Prat 221, Santiago.
Weiss, Alfredo.—General Lagos 1394, Valdivia.
Weiss e Hijos, Alfredo.—Picarte 398, Valdivia.
Wendler, Otto.—Picarte 483, Valdivia.
Werkmeister, Federico.—Avenida Pratt 470, Valdivia.
Werkmeister y Cía.—Avenida Pratt 470 (Casilla 97), Valdivia.
Westkusten Beobachter.—Nueva York 80, Santiago.
Wulle Krapht, Juan.—Quinta "El Progreso", La Cruz; and Independencia 2085 (Casilla 3157), Valparaiso.
Zárate Martínez, Luis.—San Ignacio 224, Valparaiso.
Ziegele y Cía., A.—Picarte 46 (Casilla 59–D), Valdivia.

Colombia

Bieler, Werner.—Medellín.
Club de Ventas de Artículos "Delta".—Medellín.
Croce, Giovanni Roberto.—Carretera del Sur (Charquito), Bogotá.
Croce, Fábrica de Materiales de Construcción de Giovanni Roberto.—Carretera del Sur (Charquito), Bogotá.
Eggers, Christian.—Bogotá.
Hotel Tivoli-Natili.—Paseo Bolivar, 20 de Julio, Progreso, Barranquilla.

Industria de Sombreros Ital-Colombiana.—Calle Obando, Carrera Alondra, Barranquilla.
"ISIC" Industria de Sombreros Italo-Colombiana.—Calle Obando, Carrera Alondra, Barranquilla.
Lacorazza, José.—Plaza de San Nicolás, Barranquilla.
Lacorazza, Romualdo.—Plaza de San Nicolás, Barranquilla.
Lacorazza, Hermanos.—Plaza de San Nicolás, Barranquilla.
Massazza, Giametto.—Calle 59 No. 52–53, Medellín.
Natili, Antimo.—Barranquilla.
Schultze, Erich.—Carrera 37 No. 26–01, Bogotá.
Varani, Atilio.—Paseo Bolívar, 20 de Julio, Progreso, Barranquilla.
Varani, Ernesto.—Paseo Bolívar, 20 de Julio, Progreso, Barranquilla.

Costa Rica

Almacén Feoli, S. A.—San José.
Brenes Torres, Rodolfo.—San José.
Domínguez F., Germán.—Aserrí.
Garage del Correo.—San José.
Iezzi, Alfredo.—San José.
La Casa Ursus.—San José.
Royo, Emilio.—28 Miles and Puerto Limón.
Schroeder, Ricardo.—Puerto Limón.

Cuba

Gómez Varela, Ramón.—10 de Octubre 13 (bajos), Habana.

Dominican Republic

Langa, Antonio.—Ciudad Trujillo.

Ecuador

Dirani B., Humberto.—Chile 8 (Apartado 111), Quito.

Guatemala

Albrecht, Jorge y Fritz.—San Felipe Retalhuleu.
Feddersen, Teodoro.—Senahú, Alta Verapaz.
Finca "El Zapote".—San Rafael Pie de la Cuesta, San Marcos.
Mahler, Herederos de Max.—San Rafael Pie de la Cuesta, San Marcos.

Honduras

Schweinfurth, Werner.—Tegucigalpa.
Vives Monjil, Enrique (Dr.).—Tegucigalpa.

Paraguay

Bernardes, Manuel.—Asunción.
Bodega Alemana.—Presidente Franco 160, Asunción.
Casa Nobilis.—Palma 158, Asunción.
Doljak, Antonio.—Palma 158, Asunción.
Doljak y Cía.—Palma 158, Asunción.
Egusquiza, J.—Asunción.
El Nacionalista.—Asunción.
Laug, Otto.—Presidente Franco 160, Asunción.
Salum Hermanos.—Estrella 136, Asunción.

Peru

Agrícola Tanguche, Ltda., Soc.—Trujillo.
Agro-Química Peruana Ltda., Cía.—Junín 312, Lima; and Tingo María, Departamento de Huanuco.
Alvarez, Victor M.—Copacabaña 510, Lima.
Asca, Armando.—Iquitos 1129, Lima.
Berry, G. Harold.—Lampa 836, Lima.
Nagatsuna, Hideo.—Junín 312 y Montero Rosas 1154–B, Lima.
Ogura Hermanos.—Paruro 883, Lima.

Uruguay

Avenatti, Vittorio.—Rivera.
Bergengruen, Paul Rudolf.—21 de Setiembre 3077, Montevideo.
Bongoll, Guillermo. — Bequeló 2332, Montevideo.
Cominotti, Pietro.—Carmelo.
de Santis, Doménico.—Paysandú.
Frick, Carlos.—Durazno.
Frick-Davie, Carlos (Dr.).—Plaza Libertad 1356, Montevideo.
Lamenza, Emilio.—San José.
Mageri, Arturo.—Estancia "La Estiria", Trinidad, Departamento de Flores.
Piccinino, Carminantonio Donato.—Florida.
Popelka, Victor.—Salto.
Putti, Guido.—Mercedes.
Rainusso, Emilio.—La Paz.
Rauhut, Rodolfo.—Camino Propios 2499, Montevideo.
Schering, Productos Farmacéuticos.—Yi 1227, Montevideo.
Schmidt, Guillermo. — Paysandú 935, piso 3, Montevideo.
Solaro, Stéfano.—Salto.

Venezuela

Commercial de Crédito, Cía. Anón.—Apartado 69, Caracas.
de Egilegor, Manuel.—Punceres a Escalinatas 15 y 19 (Apartados 447 y 474), Caracas.
Domus.—Gradillas a Sociedad 4, Caracas.
Essig, Julius.—Torre a Veroes 11, Caracas.
Hotel Cervantes.—Punceres a Escalinatas 15 y 19 (Apartados 447 y 474), Caracas.
Industrias del Hierro.—Puerto Cabello.
Joyería Florencia.—Torre a Veroes 11, Caracas.
Marquez, Cesar A.—Apartado 827, Caracas.
Spitzer, Isodoro.—Apartado 1705, Caracas.
Tillich, Georg.—Apartado 645, Caracas.

AMENDMENTS

Argentina

Relative to A. E. G., Compañía Argentina de Electricidad S. A.—Bernardo de Irogoyen 330, Buenos Aires, and all branches in Argentina, see footnote 1.

Bolivia

For Elsner y Cía., Juan.—La Paz, substitute Elsner y Cía., Juan.—La Paz, and all branches in Bolivia.
Relative to Nachtmann, Anna K.—La Paz, see footnote 2.
For Schmidt, Willie. — Casilla 102, Oruro, substitute Schmidt, Willy.—Casilla 102, Oruro.

Brazil

For Branco, Alrain Vidal.—Florianópolis, Santa Catharina, substitute Branco, Alfrain Vidal.—Florianópolis, Santa Catharina; and all branches in Brazil.
For Cardoso, Emilio (Jr.).—Florianópolis, Santa Catharina, substitute Cardoso, Emidio (Emilio) (Jr.).—Florianópolis, Santa Catharina; and all branches in Brazil.
For Charutos Dannemann, Cia. de.—Rua Portugal 1, Bahia; and Rio de Janeiro substitute Dannemann, Companhia de Charutos.—Rua Portugal 1, Bahia; and Rio de Janeiro, and Charutos Dannemann Cia. de.—Rua Portugal 1, Bahia; and Rio de Janeiro.
For Cunha, Orlando.—Florianópolis, Santa Catharina, substitute Cunha, Orlando Ferreira.—Florianópolis, Santa Catharina; and all branches in Brazil.
For do Krappe, Leo G. Sezefro.—Florianópolis, Santa Catharina, substitute Krappe, Leo G. Sezefredo.—Florianópolis, Santa Catharina; and all branches in Brazil.
For Manchinas Alnorma Ltda., Soc. de.—Rua São Pedro 89, Rio de Janeiro, substitute "Alnorma", Soc. de Machinas Ltda.—Rua São Pedro 89, Rio de Janeiro.
For Machinas de Escrever Olympia Ltda.—Dua Theóphilo Ottoni 86 (Caixa Postal 2754), Rio de Janeiro, substitute Olympia, Machinas de Escrever Ltda.—Rua Theóphilo Ottoni 86 (Caixa Postal 2754), Rio de Janeiro.
For Marelli Motores S. A.—Rua Luiz de Camões 22, Rio de Janeiro, substitute Motores Marelli S. A.—Rua Camerino 91–93, Rio de Janeiro.
For Mimósa Photo Stubbe Stuebing e Cia., Ltda.—Rua General Câmara 106, Rio de Janeiro, substitute Mimósa Photo.[1]—Rua General Câmara 106, Rio de Janeiro, and Photo Mimósa.[1]—Rua General Câmara 106, Rio de Janeiro.
For Sabbá e Cia., Perez.—Manáos, substitute Peres, Sabbá e Cia.—Rua Guilherme Moreira 221, Manáos Amazonas.
For Sapaco, S. A.—Avenida Agua Branca 524, São Paulo, and all branches in Brazil, substitute Sapaco para Commercio e Industria, Cia.—Batatuba, São Paulo; Avenida Agua Branca 524, São Paulo; and all branches in Brazil.

Colombia

For Almacén Bremen.—Manizales, substitute Almacén Bremen.—Pereira.
Relative to Oficina Técnica Industrial Comercial.—Medellín, and "OTICO" Oficina Técnica Industrial Comercial.—Medellín, see footnote 2.

Costa Rica

Relative to Almacén Romolus.—San José, see footnote 3.
For do Prado, Edgar.—Apartado 1830, San José, substitute Prado Pérez, Edgardo.—Apartado 1830, San José.

[1] Not to be confused with C. A. D. E., Compañía Argentina de Electricidad S. A., Balcarce 184, Buenos Aires.
[2] Not to be confused with A. Nachmann & Company, Comercio 407 (Casilla 950), La Paz.
[1] Owned by J. G. Stuebing.
[2] Not to be confused with Oficina Técnica Industrial, Alberto Walliser, Medellín.
[3] Not to be confused with Rómulo Artavia. Apartado 653, San José, or his shipping mark "Romulo".

Relative to Feoli y Cia., S. A.—San José, see footnote 1.

For Rojas, Rafael.—San José, substitute Rojas Matamoras, Rafael.—San José.

Mexico

For Agencia Comercial y Marítima.—Pasaje América 213, México, D. F., and all branches in Mexico, substitute Agencia Comercial y Marítima.—Edificio Boker, 16 de Septiembre 58, México, D. F., and all branches in Mexico.

For Castro, Antonio.—Antanas 39, México, D. F., substitute Castro, Antonio.—Sullivan 15–2, México, D. F.

Relative to El Centro Mercantil.—Avenida Madero y Mejía, Ciudad Juárez, see footnote 2.

For Heynen, Eversbusch & Co.—Pasaje América 213, México, D. F., and all branches in Mexico, substitute Heynen, Eversbusch & Co.—Edificio Boker, 16 de Septiembre 58, México, D. F., and all branches in Mexico.

For Kasai Uyehala, Moriji.—Colonia Morelos, Agua Prieta, substitute Kasai Furuya, Reikichi.—Calle 4a y Avenida 4a, Agua Prieta.

Peru

For Agricola La Colmena S. A., La Cía.—Ica, Nazca, and Lima, substitute Agrícola La Colmena S. A., La Cía.—Banco del Herrador 569, Lima; Ica; and Nazca.

For Endo, S.—Hacienda Cartavio, substitute Endo, S.—Trujillo.

Uruguay

Relative to Diez Abella, Wellington.—Yi 1227 y Segundo Vázquez 1134, Montevideo, see footnote 3.

DELETIONS

Argentina

Chingotto, Vicente.—Pavón 730, Avellaneda.

I. F. A., Sociedad Anónima Industria Frigorífica Argentina.—Defensa 533, Buenos Aires.

Industria Frigorífica Argentina, S. A.—Defensa 533, Buenos Aires.

Bolivia

Bustillos y Cía.—Casilla 167, Potosí.

Brazil

Azeredo, J. R.—Rua da Alfândega 104, Rio de Janeiro.

Bedrikow, Adolpho.—Rua 15 de Novembro 233, São Paulo.

Industrias Refrigeração Polonor, S. A.—Rua Barra Funda 698, São Paulo.

Institutos Terapêuticos Reunidos "Labofarma", S. A.—Rua Glicério 497, São Paulo, and all branches in Brazil.

"Labofarma", S. A., Institutos Terapêuticos Reunidos.—Rua Glicério 497, São Paulo.

[1] Not to be confused with Feoli e Hijos, Nicolás.

[2] Not to be confused with El Centro Mercantil, S. A., Plaza de la Constitución y Avenida 16 de Septiembre (Apartado 902), México, D. F.

[3] Distributor for Schering, Productos Farmacéuticos, in Uruguay.

Machado e Cia., P.—Rua Pessôa Anta 111–117 (Caixa Postal 185), Fortaleza, Ceará; and Cratheus, Ceará.

Rubino, Onorato.—Rua Evaristo da Veiga 67, Rio de Janeiro.

Chile

Editorial "Cultura".—Huérfanos 1165, Santiago.

Fuentes Parra, Francisco Javier.—Huérfanos 1165, Santiago.

Librería Cultura.—Huérfanos 1165, Santiago.

Colombia

Cardone, Gayetano.—Barranquilla.

Cardone, Vicente.—Barranquilla.

Cardone, Hermanos.—Carrera Mercado, Real y Comercio, Barranquilla.

"COTENAL" Compañía de Tejidos Nacionales S. A.—Carrera 7a No. 39–76, Bogotá.

Tejidos Nacionales S. A., Cía. de—Carrera 7a No. 39–76, Bogotá.

Cuba

Bisutería, S. A.—Neptuno 204, Habana.

Honduras

Berlioz, Jorge.—Tegucigalpa.

Empresa Espinosa.—Tegucigalpa.

Espinosa Valladares, Salvador.—Tegucigalpa.

Mexico

Alt Heidelberg.—Nuevo León 16, México, D. F.

Drogas Tacuba, S. A.—Calzada México-Tacuba 701, México, D. F.

Electromotor, S. A.—Avenida Isabel la Católica 43, México, D. F.

Faber, Hans.—Nuevo León 16, México, D. F.

Isaías y Knapp, Francisco.—Tuxtla Gutiérrez, Chiapas.

Negociación Papelera Mercurio, S. A.—Alamo 140 (Apartado 574), México, D. F.

Ordóñez Cía., Sucr.—Tuxtla Gutiérrez, Chiapas.

Restaurant Alt Heidelberg.—Nuevo León 16, México, D. F.

Nicaragua

Delgadillo, V. M.—Avenida Primera 508, Managua.

Delgadillo y Cía., Victor M.—Avenida Primera 508, Managua.

Peru

Nacional de Sombreros Ltda., Cía.—Unión (Mercaderes) 484, Lima.

Parva Domus S. A.—Lampa 420 y Calle Tingo María, Lima.

Quiroz & Ruiz.—Abancay 281, Lima.

PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS

ADDITIONS

Iran

Habachian, H. M. Ismail.—Tabriz.

Terdjimanian, V. K.—Timcheh Sadr Azam, Tehran.

Zendjandji, Hadji Mohammed.—Serai Amir, Tabriz.

Iraq

Habba, Sadiq.—Baghdad.

Portugal and Possessions

Portugal

Agencia Comerciale Francesa–A. Vincent Ltda.—Rua Ivens 56, Lisbon.

Almeida, Fernando de.—Travessa dos Fieis de Deus 128, Lisbon.

Azinhais, Eurico.—Largo da Graca 63, and Rua da Penha de Franca 246, Lisbon.

Beja, Jose dos Santos.—Rua da Barroca 109, Lisbon.

Beja, Palmira Martins.—Rua da Barroca 109, Lisbon.

Carp, M., Ltda.—Rua Bartolomeu Dias 120, Lisbon, and all branches in Portugal.

Civil do Sobralinho Ltda., Soc.—S. Pedro de Alverca, Vila Franca de Xira.

Correia, J. M.—Rua Filipe Folque 42, and Praca D. Pedro IV (or Rossio) 59, Lisbon.

Grebler, Albert.—Lisbon.

Hentze, Richard.—c/o Schuette & Cia. Ltda., Praca Luiz de Camoes 36, Lisbon.

Industrial Tejo, Soc.—Praca do Municipio 20, Lisbon.

Jahncke, Bernard.—Rua do Cais de Santarem 24, Lisbon.

Maissa, Elio Francisco.—Rua do Ouro 87, and Ave. Elias Garcia 31, Lisbon.

Martins & Filhos Ltda., Antonio Gomes.—Lordelo do Ouro, Oporto.

Meiners, Jorge.—Rua da Prata 198, Lisbon.

Mendes, J., & Co.—Olhao.

Moraes Ltda., Eduardo de.—Calcada do Sacramento 14, Lisbon.

Moura & Leitao Ltda.—Rua da Assuncao 99, Lisbon.

Neto, Abel de Oliveira.—Rua Viriato 11, Lisbon.

Pereira & Martins Ltda.—Rua da Barroca 109, and Praca dos Restauradores 13, Lisbon.

Popescu, Giorgi.—Hotel Metropole, Lisbon.

Popescu, Pascal.—Hotel Metropole, Lisbon.

Productora Algarvia Ltda.—Olhao.

Russo, Enrico.—Ave. Elias Garcia 153, Lisbon.

Schaub, Friedrich.—Lisbon.

Solacolu, Mircea.—Hotel Metropole, Lisbon.

Sousa, Pedro Jesus de.—Vila Real de Santo Antonio.

Tobis Portuguesa.—Alameda das Linhas de Torres 156, Lisbon.

Turci, Captain Edmondo.—Lisbon.

Von Ratibor, Prince Ernst.—Estoril.

Von Ratibor, Princess Ernst.—Estoril.

Warren, William.—Travessa do Navegantes 10, Cascaes.

Mozambique

Lobo, Braz Xavier.—Ave. Paiva Manso, Lourenço Marques.

Requadt, August.—Chanculo, nr. Lourenço Marques.

Requadt, Wilhelm.—Chanculo, nr. Lourenço Marques.

Spain and Possessions

Spain

Andreani, Attilio.—Ave. Jose Antonio 65, Madrid.

Capilla Hurtado, Jose.—Calle Sagunto 37, Valencia, and Calle Arquitecto, Grao-Valencia.

Carandini, Carlos.—Ronda Universidad 31, Barcelona.

Carandini, C. y G. Ltda.—Ronda Universidad 31, Barcelona.

Ehlis, Hans.—Paseo de Gracia 105, and Calle Pintor Fortuny 4, Barcelona, and at San Cugat del Valles, Barcelona.

Especialidades Terapeuticas, S. A. (S. A. E. T.).—Calle Provenza 427, Barcelona.

Ferrero, Cecilia.—Hotel New York, Madrid.

Frischkorn, Johann.—Hotel Nacional, and Morejon 2, Madrid.

Hentze, Richard.—Calle Angel Guimara 3, Barcelona.

Industrias Electroliticas Jose Capilla Hurtado.—Calle Arquitecto Alfaro, Grao-Valencia.

Lettieri, Gino.—Quintana 5, Madrid.

Lettieri, Marcelo.—Quintana 5, Madrid.

Meessen, Nicolas.—Ayala 112, Madrid, and Puerto 10, Malaga.

Mey, Reinhard A.—Calle Sagunto 37, Valencia.

Nacional Suiza de Seguros.—Via. Layetana 21–23, Barcelona, and Hernando Colon 13, Seville.

Oggerin, Helmuth.—Madrid.

S. A. E. T.—S. A. Especialidades Terapeuticas.—Calle Provenza 427, Barcelona.

S. U. P. R. E.—S. A. Suministros para Relojeria.—Calle Cururulla 2, Barcelona.

Santos, Hijos de Sabino.—Ayala 10, Madrid, and Mansilla de Las Mulas, Leon.

Scherer Huber, Adolfo.—Calle de Mallorca 193, Barcelona.

Suministros para Relojeria S. A. (S. U. P. R. E.).—Calle Cucurulla 2, Barcelona.

Turci, Captain Edmondo.—Ritz Hotel, Madrid.

Canary Islands

Espinosa, Antonio.—San Francisco 1, Santa Cruz, Teneriffe.

Sweden

Bahner, Ludwig.—Lund.

Bore, Omsesidigt, Forsakringsbolaget.—Kungsgatan 48, Stockholm.

Enhornings Kemisk-Tekniska A/B.—Kungsgatan 4B, Stockholm.

Internát A/B.—Lund.

Moll, August.—Stuartsgatan 6, Gothenburg.

Schaffer & Budenberg A/B.—Klara Sodra Kyrkogatan 18, Stockholm.

Skandinaviska Travaruagenturen Ake Wettergren. — Kungstradgardsgatan 20, Stockholm.

Strafoder A/B.—Karlavagen 43, Stockholm.

Stromdahl, Axel Rudolf.—Karlavagen 43, Stockholm.

Svenska Lyxstrumpfabriken A/B.—Lund.

Svenska Torrelement A/B. — Vollmar Yxkullsgatan 15A, Stockholm.

Switzerland

Beatus A. G. Zurich (Beatus S. A. Zurich).—Stampfenbachstr. 69, and Todistr. 36, Zürich.

Deutsche Hilfsvereins-Stiftung.—Alban-Vorstadt 12, Basel.

Grebler, Albert.—La Chaux de Fonds.

Gretener, Th.—Bahnhofstr. 16, Dietikon.

Heimoz, Marcel.—Place Centrale 25, Lausanne.

Industrielle de Mecanique Horlogere S. A. a Puteaux (Seine) Succursale de Moutier, Cie.—Ave. Belle Vue 12, Moutier.

In-Und Auslandische-Werte A. G. fur.—Am Platz 13, Schaffhausen.

Lista A. G., Tabakextrakt-und-Nikotinfabrik.—Liestal.

Martini & Rossi.—Rue de Montchoisi 42, Geneva.

Oerlikon (Werkzeugmaschinenfabrik Oerlikon Bührle & Co.).—Birchstr. 155, Zürich.

Poli, Sergio.—Ruelle du Grand Pont 6, Lausanne.

Spagnoli, Jacques. — Mousquines 2, Lausanne.

Stocker, Ernst.—Splugenstr. 9, Zürich.

Straub, F. & Meier, C.—Schwarzwaldalle 29, Basel.

Turkey

Albohor, M.—Agopyan Han 5, Voyvoda Cad., Istanbul.

Assouad, Victor.—P. O. Box 9, Iskenderum (Alexandretta).

Frank, Hans ve Seriki.—Agopyan Han 5, Voyvoda Cad., Istanbul.

Issakides, Aristides. — Sultanhamam, Ihsaniye Han 5–6, Istanbul.

Muhendis Tarnopol (Tarnopol Muhendis).—Hezaren Cad. 69, Galata, Istanbul, and all branches in Turkey.

Sark Ticaret Aristides Issakides.—Sultanhamam, Ihsaniye Han 5–6, Istanbul.

Tarnopol, Alexander (Isak).—Hezaren Cad. 69, Galata, Istanbul.

Tarnopol, Muhendis (Muhendis Tarnopol).—Hezaren Cad. 69, Galata, Istanbul, and all branches in Turkey.

Thilmany, R.—Agopyan Han 5, Voyvoda Cad., Istanbul.

Tubino, Ricardo.—Istanbul.

AMENDMENTS

Portugal and Possessions

Portugal

For Garagem Grandella (Guilherme Pereira, Jnr.), substitute Garagem Crandella.

For Mendes Correia Jnr., Joaquim, Rua Filipe Folque 42, substitute Correia, Joaquim Mendes, Rua Filipe Folque 42 and Praca D. Pedro IV (or Rossio) 59.

In relation to Mendes Ltda., for Rossio 59, substitute Praca D. Pedro IV (or Rossio) 59.

For Pereira Jnr., Guilherme-Garagem Grandella, substitute Pereira Jnr., Guilherme.

For Thobe, Hans Carl Walter, Rua Fonte da Luz 147, Foz do Douro, substitute Thobe, Walter (Hans Carl Walter Thobe), Ave. da Boa Vista, Oporto.

For Vincent, A. Ltda., substitute Vincent, A. Ltda. (Agencia Comerciale Francesa).

Mozambique

In relation to East African Trading Society, for Caixa Postal 47, substitute Caixa Postal 487.

Spain

In relation to C. I. M. S. A.–Comercial Industrial Mediterranea S. A., for Paseo de Gracia 46, Barcelona; and Ave. Jose Antonio 67, Madrid, substitute Almagro 26, Madrid.

In relation to Comercial Industrial Mediterranea S. A. (C. I. M. S. A.), for Paseo de Gracia 46, Barcelona; and Ave. Jose Antonio 67, Madrid, substitute Almagro 26, Madrid.

In relation to Comercial Maritime de Transportes, S. A., Cia., add ss. "Ellen" (ex "Nere Ametza") and s.s. "San Eduardo".

In relation to Lohse, Juan, for Calle Fuenterrabia 42, San Sebastian, substitute Via. Layetana 53, Barcelona; and Calle Fuenterrabia 42, San Sebastian.

Sweden

In relation to Nordiska Travaruagenturen, Ake Wettergren for Kungstradgardsgatan 20, substitute Regeringsgatan 22.

For Orion Forsaljnings Svenska A/B, substitute Svenska Orio Forsaljnings A/B.

Switzerland

In relation to La Soudiere Suisse, add and Albangraben, Basel.

Turkey

In relation to Zandonati de R., for Bornova Kazakoglu S. 22, substitute Bornova Kurtulus Cad. 1, and Kurtulus 854 ncu S. 35.

DELETIONS

Iraq

Bata Shoe Co.—Baghdad.

Société Anonyme Egyptienne de Chaussures Bata, Alexandrie Dept., Iraq.—Baghdad.

Portugal

Burguette, Antonio Serrao.—S. Pedro de Alverca, Vila Franca de Xiva.

Dias, Ventura Henriques.—Rua do Comercio 42, Lisbon.

Vallet & Bohm.—Rua da Alfandega 108, Lisbon.

Sweden

Weibull, W. A/B.—Landskrona.

Turkey

Metaxas, N. Z.—Frenkyan Han, Galata, Istanbul.

[F. R. Doc. 42–6861; Filed, July 18, 1942; 11:55 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets Nos. A–185, A–265, A–857]

PARTS 337 AND 338—MINIMUM PRICE SCHEDULES, DISTRICT NOS. 17 AND 18

ALBUQUERQUE AND CERRILLOS COAL CO.; DISTRICT BOARDS 17 AND 18

Memorandum opinion and order modifying, and approving and adopting as modified, the proposed findings of fact, proposed conclusions of law, and recom-

mendation of the examiner in the Matter of the petition of the Albuquerque and Cerrillos Coal Company, applying for relief in making certain prices applicable only to shipments of coal for use by the Federal Government and Agencies thereof when shipped from Subdistrict 2 of District No. 18 into Market Areas 228 (in New Mexico), 229, 232, and 236; in the matter of the petition of Bituminous Coal Producers Board for District No. 18 for changes in the classifications and minimum prices for coals produced and sold in District No. 18; in the matter of the petition of District Board No. 17 for revision of the effective minimum prices for certain coals produced at the mines in Subdistricts 7, 8, and 9 in District No. 17.

These are proceedings instituted upon petitions filed with the Bituminous Coal Division, pursuant to secton 4 II (d) of the Bituminous Coal Act of 1937.

In Docket No. A–185, Albuquerque and Cerrillos Coal Company ("Albuquerque and Cerrillos"), a code member and operator of the Jones Mine (Mine Index No. 11) in Subdistrict 2 of District 18, requests a revision of the effective minimum prices for its coals for shipment by rail into Market Areas 228, 229, 232, and 236 upon sales to agencies of the United States Government. The petition of Albuquerque and Cerrillos alleges that the effective minimum prices do not properly take into account freight rate differences created by the land grant and land grant equalization rates for shipments to agencies of the United States Government in Market Areas 228, 229, 232, and 236 and therefore prays that the effective minimum prices for the coals produced at its Jones Mine be reduced to the extent necessary to enable them to deliver at five cents less than the coals of Subdistrict 9 of District 17 at destinations in Market Areas 228, 229, and 232 on shipments made pursuant to government contracts, rather than at higher prices, as required by the currently effective minimum prices; and that the effective minimum prices for shipments on government contracts to points in Market Area 236 be reduced by amounts ranging from 50 cents on Size Group 9 to $1.15 on Size Group 2.

Albuquerque and Cerrillos further seeks a modification of the District 18 price schedule to provide that Size Group 3 coals should include 6" x 3" and 1½" lump in order to make it identical with Size Group 5 of District 17's price schedule.

In Docket No. A–265, District Board 18 seeks a revision of the effective minimum prices of coals in Size Groups 1 to 9, inclusive, produced in Subdistrict 1 of District 18 for shipment by rail to certain destinations in Market Area 232 upon sales to agencies of the United States Government, and a revision in the effective minimum prices of coals in Size Groups 1 to 9, inclusive, produced in Subdistrict 2 of District 18 for shipment by rail into Market Areas 227 and 229, and to certain destinations in Market Area 232 upon sales to agencies of the United States Government. Specifically District Board 18 prays that relief be granted as follows:

(1) That the effective minimum prices of coals in Size Groups 1 through 9 produced in Subdistrict 1 of District 18 be reduced by $1.00 per ton when sold to agencies of the United States Government which move the coal on land grant freight rates or land grant equalization rates, for shipment to destinations on the Atchison, Topeka and Santa Fe Railway Company, in Market Area 232, south of Belen, New Mexico, and to and including Rincon, New Mexico, and all destinations on the Silver City branch of said railroad west of Rincon, New Mexico; and that when these coals are sold to agencies of the United States Government which move the coal on commercial freight rates, the effective minimum prices be reduced $1.10 for such shipment to the aforesaid destinations;

(2) That the effective minimum prices of coals in Size Groups 1 through 9 of Subdistrict 2 of District 18 be reduced by 85 cents [1] per ton when sold to agencies of the United States Government which move the coal on land grant freight rates or land grant equalization rates for shipment to destinations in Market Areas 227 and 229, and that portion of Market Area 232 from Rincon, New Mexico, to and including El Paso, Texas, on the Atchison, Topeka and Santa Fe Railway lines and to destinations on the Southern Pacific Company tracks in the State of Arizona, except for Mora, Arizona, via Fairbank, to and including Nogales, Arizona; and that when these coals are sold to those agencies of the United States which move the coals on commercial freight rates, the effective minimum prices be reduced 50 cents per ton for such shipment to the aforesaid destinations.

In Docket No. A–857, District Board 17 seeks a revision of the effective minimum prices of the coals in Size Groups 1 to 11, inclusive, produced at the mines in Subdistricts 7, 8, and 9 of District 17 for shipment by rail into Market Area 228 and to certain destinations in Market Area 232 upon sales to agencies of the United States Government which move coals on commercial freight rates as follows: For shipments to all destinations in New Mexico in Market Area 228 on the Atchison, Topeka and Santa Fe Railway, 60 cents per ton, and on the Southern Pacific, 30 cents per ton; and for shipments to destinations in Market Area 232, including all points on the Southern Pacific in New Mexico, except Deming, and on the Southern Pacific in Arizona from Mora via Fairbank, to and including Nogales, Arizona, 30 cents per ton.

District Board 17 filed a petition of intervention in Dockets Nos. A–185 and A–265, District Board 18 filed a petition of intervention in Docket No. A–185. Pursuant to an Order of the Director, a consolidated hearing in the matters originally involved in Dockets Nos. A–185 and A–256 was held and thereafter temporary relief was granted in part.

Albuquerque and Cerrillos Coal Company filed a statement protesting against the temporary relief. District Board 18 filed an amended petition and an amended supplemental petition, averring that conditions had so changed since the original hearing that further evidence should be received. District Board 17 by letter concurred in the request for the reopening of the hearing. In accordance with such request, the Director issued an order for rehearing and consolidated Docket No. A–857 with the hearing for the consolidated matters in Dockets Nos. A–185 and A–265.

Pursuant to said Order, a hearing in these consolidated matters was held before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. Appearances were entered on behalf of the Albuquerque and Cerrillos Coal Company, District Boards 17 and 18, and the Consumers' Counsel Division (now the Office of Bituminous Coal Consumers' Counsel). A brief was filed by the Bituminous Coal Consumers' Counsel.

Thereafter, on May 20, 1942, Examiner Mitchell submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation ("Examiner's Report"). On June 6, 1942, exceptions to the Examiner's Report were filed by the Bituminous Coal Consumers' Counsel.

I. *Examiner's report.* The Examiner found that government coal contracts, though the tonnage involved is relatively small, are of considerable importance to producers in Subdistricts 1 and 2 of District 18 and Subdistrict 9 of District 17, particularly since the coals consumed by the Government in Market Areas 227, 228, 229, 232, and 236 are those in the domestic sizes for which the sources of disposal are few. The Examiner found further that in purchasing its coal supplies in those areas, the government agencies issue invitations to bid on the contracts, and, as a rule, make awards on the basis of cost per million B. t. u.'s.

The Examiner found further that prior to the establishment of effective minimum prices by the Division, efforts were made to coordinate prices for Districts 17 and 18 applicable to government contracts, which resulted in proposed schedules of special effective minimum prices for government shipments to certain destinations in Market Areas 227, 228, 229, and 232. The Examiner noted that the Consumers' Counsel protested those proposals, contending that the prices were so high as to discriminate against the Government. The Examiner noted further that subsequently, the proposed schedules were disapproved by the Director in General Docket No. 15, and that thereupon, shipments on government contracts to these market areas were governed by f. o. b. mine prices applicable to commercial shipments.

The Examiner found that the present requests for relief were intended to take into account the discontinuance, with slight exception, of the land grant freight rates and land grant equalization rates formerly applicable to Subdistricts 1 and 2 of District 18 and Subdistrict 9 of District 17, so that the commercial freight rates now usually apply on shipments to the United States Government. The Examiner found also that the present requests for relief were intended to take into account the analyses more recently used by the United States Government purchasing agents in making awards on the basis of the lowest cost per million B. t. u.'s.

The Examiner rejected the prayers for relief in so far as they sought revisions of the effective minimum prices to reflect differences in B. t. u., adopting the contentions of Consumers' Counsel that to formulate effective minimum prices on the basis of the value criterion of one consumer would militate against the Congressional intent to remove burdens upon interstate commerce in bituminous coal by creating a bewilderingly complex price schedule. The Examiner found, however, that the coals of Subdistrict 2 of District 18 and of Subdistrict 9 of District 17 are comparable, and have, in the past, actively competed for Government business in Market Areas 227, 228, 229, and 232. The Examiner found that in order to enable these comparable coals to compete on a fair basis, their effective minimum prices should be so adjusted as to permit them to deliver thereto at a parity when for governmental use; but that since only inconclusive evidence appears as to past ability of Subdistricts 7 and 8 of District 17 to ship into these market areas, the relief prayed for such coals should be denied.

The Examiner found further that the requested relief for such coals produced in Subdistrict 1 of District 18 moving on land grant and commercial freight rates to government agencies is based upon the same principle as the requested for the coals of Subdistrict 2 of District 18. The Examiner found that some tonnage had been shipped from Subdistrict 1 into Market Area 232 in the past, but that the Subdistrict 1 coals are decidedly inferior analytically to the Subdistrict 2 coals and those of Subdistrict 9 of District 17. The Examiner concluded that the Subdistrict 1 coals in Size Groups 1 through 9, when offered for sale or sold to the United States Government for shipment by rail to certain destinations in Market Area 232 on the Atchison, Topeka and Santa Fe, should be permitted to be reduced by 80 cents per ton, which, the Examiner stated, consisted of 75 cents to compensate for the freight differential between Subdistricts 1 and 2 at representative destinations in Market Area 232 on the Atchison, Topeka and Santa Fe, and five cents to compensate for the inferior quality of the District 1 coals.

The Examiner found further that the prayer by Albuquerque and Cerrillos that it be permitted a reduction on shipments to Market Area 236 was not supported by evidence. The Examiner also found that the petition of Albuquerque and Cerrillos for relief for its 1½" lump coals had merit, and that 1½" lump coal should be included in the same size group and priced the same as 6" x 3" coals.

II. *Exceptions to the Examiner's report.* Exceptions to the Examiner's Report were filed by only the Consumers' Counsel. The exceptions of Consumers' Counsel relate to the findings and recommendation of the Examiner that the effective minimum prices for the coals in Size Groups 1 through 9 from Subdistrict 1 of District 18 may be reduced by 80 cents per ton when offered for sale or sold to the United States of America or agencies thereof for rail shipment to destinations on the Atchison, Topeka and Santa Fe Railway Company in Market Area 232, south of Belen, New Mexico, and to and including Rincon, New Mexico, and all destinations on the Silver City Branch of said railroad west of Rincon, New Mexico. Consumers' Counsel notes that the Examiner had stated that the 80-cent permissible reduction consisted of 75 cents to compensate for the freight differential between Subdistricts 1 and 2 of District 18 at representative destinations in Market Area 232 on the Atchison, Topeka and Santa Fe, and five cents to compensate for the inferior quality of Subdistrict 1's coals. Consumers' Counsel submits that if the coals of Subdistrict 1 are inferior in quality to the extent of five cents per ton then they are worth that much not only to the United States Government, but also to all other consumers and purchasers; and that if such finding regarding the inferiority of Subdistrict 1 coals be adopted, final relief should provide that the same reduction for inferior quality shall apply on sales, not only to the United States Government, but also to non-governmental consumers and other purchasers. Consumers' Counsel also submits that if the Subdistrict 1 coals are inferior in quality, the inferiority also remains in said coals when they are shipped to other destinations than those in Market Area 232; and that any relief recognizing said inferiority in quality should also provide that the same reductions in the effective minimum prices applicable to Subdistrict 1 coals shall apply when offered for sale or sold to any consumers and purchasers, governmental and non-governmental, in any and all market areas where the coals of Subdistrict 1 of District 18 compete with comparable coals of Subdistrict 2 of District 18 and of Subdistrict 9 of District 17.

III. *Merits of the cases.* In General Docket No. 15, the coals of Subdistricts 1 and 2 of District 18 and of Subdistrict 9 of District 17 were coordinated on the basis of the factors listed in sections 4 II (a) and 4 II (b) of the Act, which included analytical comparability. The petitions here do not complain that the analytical standards used in General Docket No. 15 did not reflect the true comparability of these coals; the petition, in so far as it complains of the failure of the effective minimum prices to reflect analysis, is concerned with the basis upon which such analytical comparability is to be determined. I agree with the Examiner that B. t. u. content alone should not be the basis for an adjustment of the effective minimum prices, since adoption of such a criterion would lead to such a bewildering complex price schedule as to render proper administration of the Act intensely difficult. Having determined that B. t. u. content should not alone be the basis for an adjustment of effective minimum prices, I find that the prayers contained in these several petitions, seeking revisions of the effective minimum prices because of the differences in analytical qualities among the coals herein involved, must be denied, and the original coordination, in so far as analytical comparability is concerned, left as presently constituted.

Consumers' Counsel, as has been noted, excepted to the findings of the Examiner and the form of the recommended relief with respect to Subdistrict 1 of District 18 coals, in Size Groups 1 through 9, to the effect that the minimum prices for such coals "may be reduced by 80 cents per net ton." Consumers' Counsel points out that the Examiner had stated that 75 cents of the 80-cent reduction recommended consisted of the freight differential between Subdistricts 1 and 2 of District 18 at representative destinations in Market Area 232 on the Atchison, Topeka and Santa Fe. Consumers' Counsel contends that in order to avoid the allowance of reductions in amounts more than those necessary to achieve coordination at the various destinations, if the recommended relief be approved, that the relief should provide, in substance, that the minimum prices for the Subdistrict 1, District 18 coals may be reduced by an amount necessary to permit such sizes to be delivered to the specified destinations in Market Area 232 at prices equal to the delivered prices for coals of comparable sizes from Subdistrict 2 of District 18 and Subdistrict 9 of District 17 (less five cents should the relief take into account inferior quality), but in no event shall the reduction be more than 80 cents per ton.

I find that Subdistrict 1 coals in Size Groups 1 through 9 should be permitted to take an absorption to an amount necessary to permit such sizes to be delivered to the specified destinations in Market Area 232 at prices equal to the delivered prices for coals of comparable sizes from Subdistrict 2 of District 18 and Subdistrict 9 of District 17, but that the permissible reduction should be restricted to a maximum of 75 cents per ton.

On the basis of the entire record, I find that the findings of fact and conclusions of law made by the Examiner

[1] District Board 18 also sought a further reduction if the relief requested in Docket No. A–784 should not be granted. The petition of District Board 18 in Docket No. A–784 requested a reduction in the minimum prices effective for shipment of the coals produced by the Albuquerque and Cerrillos Coal Company to destinations in Market Areas 227 and 228, extending from Belen, New Mexico, east to Texico, New Mexico, and Farwell, Texas, and south from Clovis, New Mexico, to and including Carlsbad, New Mexico, in amount equal to the increase in commercial freight rates for such shipments on the Atchison, Topeka and Santa Fe Railway Company, effective as of February 15, 1941. By Order of August 5, 1941, the Director denied this requested relief.

are supported by the evidence and should be adopted, except in so far as they concern the effective minimum prices for the coals in Size Groups 1 through 9 from Subdistrict 1 of District 18 when offered for sale or sold to the United States Government for shipment by rail to certain destinations in Market Area 232 on the Atchison, Topeka and Santa Fe. As to such shipments, I find that the exceptions taken by the Bituminous Coal Consumers' Council have merit to the extent noted above.

I conclude that the proposed findings of fact and proposed conclusions of law of the Examiner, as modified herein, should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof § 338.1 (*Price instructions and exceptions*) in the Schedule of Effective Minimum Prices for District No. 18 For All Shipments Except Truck be, and it hereby is, amended by adding thereto the following Price Instructions and Exceptions:

(o) When coals within Size Groups 1 through 9 from Subdistrict 2 are offered for sale or sold to the United States of America or agencies thereof, for rail shipment to destinations in Market Areas Nos. 227, 228, in New Mexico, 229 and 232, the prices listed herein for such coals may be reduced by an amount necessary to permit such sizes to be delivered in said market areas at prices equal to the delivered price for coals of the comparable sizes from Subdistrict 9 of District 17.

(p) When coals within Size Groups 1 through 9 from Subdistrict 1 are offered for sale or sold to the United States of America or agencies thereof, for rail shipment to destinations on the Atchison, Topeka and Santa Fe Railway Company in Market Area 232, south of Belen, New Mexico, and to and including Rincon, New Mexico, and all destinations on the Silver City Branch of said railroad west of Rincon, New Mexico, the effective minimum prices listed herein for such coals may be reduced by an amount necessary to permit such sizes to be delivered to these destinations at prices equal to the delivered prices for coals of comparable sizes from Subdistrict 2 of District 18 and Subdistrict 9 of District 17, but in no event shall the reduction be more than 75 cents per ton.

It is further ordered, That effective fifteen (15) days from the dat hereof § 338.4 (*Size group table*) in the Schedule of Effective Minimum Prices for District No. 18 For All Shipments Except Truck be, and it hereby is, amended by changing the definition of Size Group 3 to read: "Lump and grate, 1½" and 6" x 3"."

It is further ordered, That effective fifteen (15) days from the date hereof § 337.1 (*Price instructions and exceptions*) in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments Except Truck be, and it hereby is, amended by adding thereto the following Price Instruction and Exception:

When coals within Size Groups 1 through 11 from Subdistrict 9 are offered for sale or sold to the United States of America or agencies thereof for rail shipment to destinations in New Mexico in Market Area 228 on the Atchison, Topeka and Santa Fe Railway Company and on the Southern Pacific Company, and to destinations in Market Area 232, including points on the Southern Pacific Company in New Mexico except Deming and in Arizona on the line from Mora via Fairbank to and including Nogales, the prices listed herein for such coals may be reduced by an amount necessary to permit such sizes to be delivered in said market areas at prices equal to the delivered price for coals of comparable sizes from Subdistrict 2 of District 18.

It is further ordered, That the prayers for relief contained in the several petitions filed herein, except as granted above, be, and they hereby are, in all other respects denied.

Dated: July 17, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6880; Filed, July 20, 1942; 11:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1141—MOTOR FUEL

[Limitation Order L-70, as Amended [1]]

§ 1141.1 *Limitation Order L-70*—(a) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to the provisions of any applicable Priorities Regulation issued by the War Production Board, as amended from time to time.

(b) *Additional definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, except Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Service station" means any place of business or part thereof, where motor fuel is delivered into the fuel supply tanks of motor vehicles or motor boats.

(4) "Supplier" means any person, other than a service station, who delivers motor fuel, directly or indirectly, for redelivery or for consumption.

(5) "Bulk consumer" means any person who is an ultimate user of motor fuel, which such person receives directly from a supplier: *Provided*, that the term "bulk consumer" shall not include an ultimate user of motor fuel to the extent that such ultimate user resells or redelivers motor fuel delivered to him. Any person who acquires by lease or otherwise, both a storage tank and dispensing pump located at a service station, shall be deemed a bulk consumer only where:

(i) Such person shall have the exclusive control and possession of such facilities for a period of not less than 30 consecutive days;

(ii) Such facilities shall be used solely for the storage of motor fuel belonging to such person and for the servicing of motor vehicles, motor boats or equipment owned or operated by such person, and no motor fuel shall be resold from such facilities;

(iii) The dispensing pump or pumps shall be painted a battleship grey and shall have the following statement conspicuously marked on both the face and back of the pump: "For private use of (insert name of person) only";

(iv) Deliveries shall be made directly to such facilities by the supplier of such person and shall be entirely segregated from and in no way connected with deliveries to the service station; and

(v) A service station leasing or otherwise delivering possession of such facilities to such person shall require and receive from such person on the first day of each month a signed statement showing the total quantity of motor fuel delivered to such facilities during the previous month. The service station shall promptly deliver a correct copy of such statement to his supplier or suppliers in order that an adjustment may be made in the normal gallonage of such service station as provided in paragraph (e) hereof.

(6) "Curtailment area" means the area specified in Exhibit "A".

(7) "Quota month" means the month for which a quota is to be determined.

(8) "Base gallonage" means one-third of the number of gallons of motor fuel actually delivered to any service station or bulk consumer during the period December 1, 1941—February 28, 1942, inclusive.

(9) "Seasonal adjustment" means the difference between one-third of the number of gallons of motor fuel delivered to any service station or bulk consumer during the period December 1, 1940—February 28, 1941, inclusive, and the number of gallons of motor fuel delivered to such service station or bulk consumer during the month of 1941 corresponding to the quota month.

(10) "Normal gallonage", subject to the adjustment provided in paragraph (e) hereof, means the gallonage represented by the base gallonage of any service station or bulk consumer to which has been added or subtracted the seasonal adjustment of such service station or bulk consumer: *Provided*, That in no case shall the normal gallonage of any service station as computed herein be less than 75% of the gallonage actually delivered to such service station during the month of 1941 corresponding to the quota month.

(11) "Allowable percentage" means that percentage specified in Exhibit "B".

(12) "Monthly quota" means that amount of motor fuel which any service station or bulk consumer in the curtailment area has the right to obtain from his supplier or suppliers during the quota month and shall be determined by multiplying the normal gallonage of such service station or bulk consumer by the allowable percentage: *Provided*, That the monthly quota of bulk consumers shall be the full quantity of motor fuel required for any of the preferential deliveries specified in paragraph (f) plus the allowable percentage of the difference between the adjusted normal gallonage and the quantity required for such preferential deliveries.

(13) "Curtailment period" means the period during which this order is in effect.

(c) *Limitation on shipment of motor fuel from the curtailment area.* (1) Subject to the limitations of paragraph (c) (2), no supplier shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of any motor fuel from any point within the curtailment area to any point in the United States outside the curtailment area: *Provided*, That this paragraph shall not apply to:

(i) The delivery of motor fuel from the curtailment area into contiguous areas for return delivery into the curtailment area;

(ii) The return delivery into contiguous areas of motor fuel delivered into the curtailment area from such contiguous areas for return delivery;

(iii) The delivery outside the curtailment area of benzol or of any motor fuel manufactured wholly from crude oil or natural gas produced within the curtailment area;

(iv) Deliveries from bulk plants within the curtailment area to such points outside the curtailment area as were actually served by such bulk plants by tank truck during the period December 1, 1941–February 28, 1942, inclusive.

(2) No supplier shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of any motor fuel from any point within the area specified in subparagraph (1) of Exhibit "A" hereof to any point outside of such area: *Provided*, That this paragraph, with reference to the areas specified in Exhibit "A", shall not apply to:

(i) The delivery of motor fuel from the area specified in subparagraph (1) into contiguous areas for return delivery into the area specified in subparagraph (1);

(ii) The return delivery into contiguous areas of motor fuel delivered into the area specified in subparagraph (1) from such contiguous areas for return delivery.

(d) *Limitation on delivery of motor fuel.* Until but not after July 21, 1942, within the area specified in subparagraph (1) of Exhibit "A" hereof and unless and until modified (except as hereinafter provided in this paragraph) within the areas specified in subparagraph (2) and (3) of Exhibit "A" hereof, no supplier shall deliver or cause to be delivered, directly or indirectly, in any month to any service station or bulk consumer within the curtailment area, and no such service station or bulk consumer shall accept delivery of any motor fuel in excess of the monthly quota of such service station or bulk consumer. When it is necessary in order to increase the efficient use of transportation facilities, a supplier may deliver and a service station or bulk consumer may accept delivery, during any month, of motor fuel in excess of his monthly quota provided the following conditions are all fully complied with:

(i) No such deliveries shall be made prior to the last 3 days of any month.

(ii) The amount delivered shall not exceed the full capacity of the type of transportation facility theretofore ordinarily used in making deliveries to such service station or bulk consumer or the quantity which the service station or bulk consumer is entitled to receive during the first ten days of the following month, whichever quantity is the smaller.

(iii) The invoice covering such delivery shall contain a statement signed by the service station or bulk consumer showing the number of gallons delivered under the provisions of this paragraph which are in excess of the monthly quota.

(iv) Such service station's or bulk consumer's monthly quota for the following month shall be reduced by the amount of the excess delivered under the provisions of this paragraph, and further deliveries to such service station or bulk consumer shall be delayed so as to provide for an even distribution of supplies over the entire month as provided in paragraph (k).

(e) *Adjustments of normal gallonage.* (1) In those areas in which the provisions of Exhibit "B" are in effect, the supplier or suppliers of any service station or bulk consumer shall adjust the normal gallonage of such service station or bulk consumer upward or downward in the following instances:

(i) In any case where deliveries to a service station or bulk consumer during any of the periods specified in paragraph (b) (8) or (b) (9) hereof were so abnormally large or small as to fail to reflect the seasonal variations normally expected at such service station or in such bulk consumer's current requirements for consumption for the quota month.

(ii) In any case where deliveries to a service station or bulk consumer during the periods specified in paragraph (b) (8) or (b) (9) hereof were such as to reflect an abnormal contraction or expansion in the volume of business for such service station or of the requirements for consumption by such bulk consumer.

(iii) In any case where any service station was not open for business or any bulk consumer had no requirements for current consumption during any or all of the periods specified in paragraph (b) (8) or (b) (9) of this order.

(iv) In any case where a service station leases or otherwise delivers possession of one or more of its storage tanks and dispensing pumps to a bulk consumer, the normal gallonage of such service station shall be reduced by an amount which it is estimated will be the total quantity of motor fuel delivered to the bulk consumer into such facilities during the month for which a monthly quota is established. Any difference between the actual amount delivered into such facilities during such month and the estimated amount shall be deducted from or added to the normal gallonage of the service station for the following month.

In making adjustments under paragraphs (e) (1) (i), (e) (1) (ii) and (e) (1) (iii), the supplier shall take into consideration any historical data which may exist with respect to deliveries made to the service station or bulk consumer, but no consideration shall be given to the supposition that a greater volume of motor fuel would have been delivered to such service station had it been under different operation or had it been handling the motor fuel of the present supplier instead of motor fuel delivered by some other supplier. If the adjustment is to be made under paragraph (e) (1) (iii) and the service station was open for business during the month of the previous year corresponding to the month for which a monthly quota is to be established, then the number of gallons delivered to the service station or bulk consumer during such month shall be considered as the normal gallonage for such service station unless it is established that abnormal conditions seriously affected the quantity delivered during such month. Such adjustments shall represent the normal and expected volume of business at any such service station of the normal and expected requirements for consumption by any such bulk consumer during the quota month, which volume of business or which requirements for consumption would occur if there were no restrictions of deliveries.

(2) In the event that any supplier has any reason to believe that any adjustment of the normal gallonage of any service station or bulk consumer has been improperly made or denied by such supplier or by any other supplier supplied directly or indirectly by him, then such supplier shall either withhold further deliveries until any excessive upward adjustment has been compensated or increase deliveries until any excessive downward adjustment has been compensated.

(f) *Preferential deliveries.* (1) On or before July 21, 1942, in any part of the curtailment area specified in subparagraph (1) of Exhibit "A" of this order, any supplier shall deliver to any bulk consumer such bulk consumer's minimum necessary requirements of motor fuel for uses specified in § 1394.18 (b), 1394.18 (c), or 1394.22 (c), of Ration Order No. 5 [2] or for the operation of commercial, industrial and agricultural machinery and equipment: *Provided*, That where Forms or other statements are required, by Ration Order No. 5, no delivery of motor fuel may be made unless the execution of such Forms or other statements is effected in accordance with the terms of such order.

(2) On or before July 21, 1942, in any part of the curtailment area specified in subparagraph (1) of Exhibit "A" of this order, any supplier or service station shall

[1] 7 F.R. 2103, 2722, 3549, 3650, 4171.

[2] 7 F.R. 3482, 3554, 3577, 3782, 4233, 4453, 4493, 4733, 4883.

deliver to any person other than a bulk consumer such person's minimum necessary requirements of motor fuel for uses specified in §§ 1394.18 (b), 1394.18 (c), 1394.19 (b), or 1394.22 (c) of Ration Order No. 5: *Provided*, That where Cards, Forms, or other statements are required by Ration Order No. 5, no delivery of motor fuel may be made unless the presentation or execution of such Cards, Forms or other statements is effected in accordance with the terms of such order.

(3) In any part of the curtailment area specified in subparagraphs (2) and (3) of Exhibit "A" of this order, a supplier shall deliver to any bulk consumer such bulk consumer's minimum necessary requirements of motor fuel for any of the uses specified in paragraph (f) (3) (ii). The bulk consumer shall deliver to his supplier the statement specified in paragraph (f) (3) (i).

(i) Such statement shall be in the following form, signed manually or as provided in Priorities Regulation No. 7[1] (§ 944.27) by an official duly authorized for such purpose:

Motor fuel delivered pursuant to this representation will be used only for purposes authorized in paragraph (f) of Limitation Order L-70, as Amended, with the terms of which Order the undersigned is familiar.

Legal Name of Bulk Consumer.

By:---

Signature of Duly Designated Official.

Such statement shall constitute a representation to the Director General for Operations and to the supplier of such motor fuel that such motor fuel is for the uses specified in paragraph (f) (3) (ii), and such supplier shall be entitled to rely upon such representation unless he knows or has reason to believe it to be false.

(ii) The following uses shall be considered preferential uses:

(*a*) The operation of vehicles and boats necessary for the public health and safety, including, among others, ambulances and vehicles operated by practicing physicians, surgeons, nurses, and veterinarians, and those engaged in civilian defense activities while the area is under martial law, enemy attack, or immediate threat of enemy attack.

(*b*) The operation of vehicles and boats owned or operated by or in the service of Federal, state or local governments.

(*c*) The operation of commercial vehicles so classified by law, including cabs, and the operation of commercial boats.

(*d*) The operation of commercial, industrial and agricultural machinery and equipment.

(*e*) The operation of school buses.

(g) *Replacement for Army and Navy deliveries.* In those areas in which the provisions of Exhibit "B" are in effect, any service station which makes deliveries of motor fuel for official use in vehicles or boats owned or operated by the United States Army or the United States Navy, which deliveries are not a normal part of such service station's regular business, shall be entitled to replacement from his supplier of the amount thereof and may accept delivery of such replacement in addition to the monthly quota for such service station.

(h) *Right to obtain deliveries.* In those areas in which the provisions of Exhibit "B" are in effect:

(1) A service station or bulk consumer, who has been obtaining his supplies of motor fuel pursuant to a regular delivery schedule, shall have the right to obtain his monthly quota of motor fuel from the supplier, or if more than one, then proportionately from the suppliers who sold and delivered motor fuel to such service station or bulk consumer during the preceding month. If a service station or bulk consumer has received deliveries of motor fuel during the period of 12 calendar months immediately preceding the then current calendar month from more than one supplier pursuant to no regular delivery schedule, then the said service station or bulk consumer shall have the right to obtain the amount of his monthly quota of motor fuel proportionately from all the suppliers who delivered motor fuel to him during the said 12-month period.

(2) If any supplier does not have a sufficient quantity of motor fuel to supply the demands of service stations or bulk consumers to the extent that he is obligated under this paragraph to supply such demands, then, if he has been obtaining his supplies of motor fuel pursuant to a regular delivery schedule, he shall have the right to obtain the amount of such deficiency from his supplier, or if more than one, then proportionately from the suppliers, who delivered motor fuel to him during the preceding month. If he has received deliveries of motor fuel during the period of 12 calendar months immediately preceding the then current calendar month pursuant to no regular delivery schedule, then he shall have the right to obtain the amount of such deficiency of motor fuel proportionately from all the suppliers who delivered motor fuel to him during the said 12 month period.

(3) Every supplier shall be obligated to deliver motor fuel to other suppliers, bulk consumers and service stations as provided in this paragraph.

(4) No supplier shall be required by contract or otherwise to deliver motor fuel to any other supplier in quantities greater than are required to enable such other supplier to deliver the monthly quotas and such additional replacements as are provided for in paragraph (g) hereof of the service stations or bulk consumers supplied directly or indirectly by him.

(i) *Other restrictions on deliveries.* No person shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of or use motor fuel for the operation of motor vehicles or motor boats in automobile or motor boat races in the curtailment area.

(j) *Restrictions of deliveries to violators.* No supplier shall deliver motor fuel to any other supplier, service station or bulk consumer where such supplier knows or has reason to believe that such other supplier, service station or bulk consumer is in violation of the terms of this order.

(k) *Methods of distribution.* (1) Suppliers shall deliver to service stations or bulk consumers in such a manner, so far as practicable, as to allow an even flow of supplies of motor fuel over the entire month: *Provided*, That (except as specified in paragraph (k) (3) on the tenth and twentieth of any month in the curtailment period no more than one-third and two-thirds respectively of such service station's or bulk consumer's total monthly quota shall have been delivered to him.

(2) Service stations shall make deliveries into the tanks of motor vehicles in such a manner as to allow for an even disbursing of their monthly quota throughout the entire month.

(3) Within that part of the curtailment area specified in subparagraph (1) of Exhibit "A" hereof, in addition to the supplies of motor fuel which are permitted under paragraph (k) (1), a supplier may deliver and a service station may accept delivery of motor fuel (between 12:01 a. m. July 19, 1942 and 11:59 p. m. July 21, 1942) in a quantity not in excess of two-thirtyfirsts of such service station's motor fuel quota for the month of July.

(l) *Service station hours of distribution.* No service station within the curtailment area shall deliver to any persons any motor fuel during more than 12 hours of any calendar day or during more than 72 hours of any calendar week: *Provided*, That:

(i) Within that part of the curtailment area specified in subparagraph (1) of Exhibit "A" hereof, deliveries of motor fuel may be made at any time to the military forces of the United States or to any person in the event of an emergency involving life, health or property; or

(ii) Within that part of the curtailment area specified in subparagraphs (2) and (3) of Exhibit "A" hereof, deliveries of motor fuel may be made at any time to any person exclusively for any of the uses specified in paragraph (f).

Each service station shall post prominently in a conspicuous place a notice of the hours during which motor fuel will be delivered at such service station. The hours selected and posted shall remain in effect at least seven consecutive days and shall not be changed during such period.

(m) *Reallocation of monthly quotas of closed service stations.* In those areas in which the provisions of Exhibit "B" are in effect, when a service station discontinues business at any time after May 1, 1942, and the fact of such discontinuance is evidenced by a signed statement from the owner of the service station premises or from the lessee (if the lessee's leasehold interest is firm for a period exceeding six months from the date of such discontinuance) that the business of such service station has been discontinued and will not be conducted again prior to the lapse of a period of not less than six months, the supplier of such service station shall add one-half of the applicable monthly quota thereof to the monthly quota of each of the two service stations located nearest, measured by road distance, to such closed service station and supplied from the supplier's same bulk plant. If more than one supplier has been supplying the closed service station, that portion of the monthly quota supplied by each supplier shall be reallocated in the same manner as above provided for a single supplier. Upon reallocating the monthly quota of the closed service station the supplier shall notify the Director of Marketing, Office of Petroleum Coordinator for War, Washington, D. C., in writing as to the date on which such service station was closed, its monthly quota for the last quota month, the names and addresses of the service stations to which such monthly quota has been assigned, together with a copy of the signed statement above referred to. A service station whose monthly quota has been reallocated as above provided shall not receive deliveries of motor fuel for a period of six months from the date it discontinued business. If after the six months' period such service station is reopened for business, its monthly quota shall be reassigned to it and the monthly quotas of the service stations to which such monthly quota was assigned shall be reduced accordingly.

(n) *Reports.* On or before the 20th day following the end of each quota month, in those areas in which the provisions of Exhibit "B" are in effect, all suppliers shall file a statement on Form PD-369 of the amount of motor fuel delivered in each state within the curtailment area and in the District of Columbia during such month stating separately, direct deliveries.

(i) To Federal, state and local governments;

(ii) To suppliers for direct delivery to Federal, state and local governments; and

(iii) To service stations and bulk consumers under their monthly quotas.

(o) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, as amended from time to time,[2] each supplier or other person receiving any representation authorized herein, shall each retain for a period of at least two years, for inspection by representatives of the War Production Board, endorsed copies of all such representations filed in such manner that they can be readily segregated for such inspection. In addition, each supplier shall keep, thus filed, and for such other purposes as may from time to time be prescribed by the Director General for Operations, for a period of at least two years, accurate and complete records of deliveries of motor fuel, the dates of actual deliveries, and the person and states (or the District of Columbia) involved in each delivery.

(p) *Appeals.* Any person affected by this order who, after he has sought an adjustment from his supplier pursuant to paragraph (e) hereof, or who for any other reason still considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may, if he is located in any area specified in subparagraph (1) of Exhibit "A" hereof, or in that portion of the States of New York, Pennsylvania, Florida, Maryland, West Virginia, and Virginia, specified in subparagraphs (2) and (3) of Exhibit "A" hereof, appeal to the District Director of Marketing, Office of Petroleum Coordinator for War, 122 East 42nd Street, New York, New York, or, if located in the States of Oregon and Washington as specified in subparagraph (2) of Exhibit "A" hereof, appeal to the District Director of Marketing, Office of Petroleum Coordinator for War, 855 Subway Terminal Building, Los Angeles, California, or, if located in that portion of the State of Tennessee specified in subparagraph (3) of Exhibit "A" hereof, appeal to the District Director of Marketing, Office of Petroleum Coordinator for War, Suite 1336, 120 South LaSalle Street, Chicago, Illinois, or, if located in that portion of the State of Alabama specified in subparagraph (3) of Exhibit "A" hereof, appeal to the District Director of Marketing, Office of Petroleum Coordinator for War, 245 Mellie Esperson Building, Houston, Texas, by letter in quadruplicate, setting forth the pertinent facts and the reasons why he considers himself entitled to relief and, in the case of an appeal under paragraph (e), including specifically a statement that he has been unable to obtain a satisfactory adjustment from his supplier and giving all information required on Form PD-367. The District Director of Marketing shall promptly investigate and consider the matter and shall seek to bring about a voluntary settlement in accordance with the provisions of this Order. In the event that no settlement can be reached, the District Director of Marketing shall forward the appeal and record thereon, together with his recommendation, to the Director of Marketing, Office of Petroleum Coordinator for War, Washington, D. C.

(q) *Directions as to deliveries.* In those areas in which the provisions of Exhibit "B" are in effect, the Director General for Operations may, from time to time, issue specific directions directing or forbidding deliveries of motor fuel.

(r) *Reports and correspondence.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Office of Petroleum Coordinator, Attention: Director of Marketing, Washington, D. C. Ref: L-70.

(s) *Violations or false statements.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT "A"

Order L-70 shall apply in the following areas:

1. The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben (and on or after August 22, 1942, the counties of Niagara, Erie, Orleans, Genesee, Wyoming, Monroe and Livingston) in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Appalachicola River in the State of Florida: *Provided*, That if any part of any incorporated or unincorporated city, town or village or if any part of any service station is located within the aforementioned area, all of such city, town, village or service station shall be considered as within such area.

2. The States of Oregon and Washington and (until but not after August 21, 1942) in all of the counties of Niagara, Erie, Orleans, Genesee, Wyoming, Monroe and Livingston in the State of New York.

3. That part of the States of New York, Pennsylvania, Maryland, West Virginia and Virginia not included in subparagraph (1) hereof; the entire eastern part of the State of Tennessee up to and including all of the counties of Scott, Fentress, Cumberland, White, Warren, Coffee, Bedford, Marshall and Lincoln; the entire eastern part of the State of Alabama up to and including the counties of Madison, Marshall, Etowah, St. Clair, Talladega, Clay, Tallapoosa, Macon, Bullock, Pike, Coffee and Geneva; and the counties of Holmes, Jackson, Washington, Calhoun, Bay, Gulf and that part of Franklin which lies west of the Appalachicola River in the State of Florida: *Provided*, That if along the western boundary of the aforementioned area any part of any incorporated or unincorporated city, town or village or if any part of any service station is located within such area, all of such city, town, village or service station shall be considered as within such area.

EXHIBIT "B"

1. Until but not after July 21, 1942, the allowable percentage for the area specified in subparagraph (1) of Exhibit "A" hereof shall be 50%. Thereafter the pro-

[1] 7 F.R. 1062.

[2] 6 F.R. 4489, 6680; 7 F.R. 1493, 1835, 2235, 3311, 3428, 4832.

visions of paragraph (1) of Exhibit "B" shall not be deemed to be in effect.

2. Unless and until modified by the Director General for Operations, the allowable percentage for the area specified in subparagraph (2) of Exhibit "A" hereof shall be 66⅔%.

3. Effective July 22, 1942 and thereafter unless and until modified by the Director General for Operatons, the allowable percentage for the area specified in subparagraph (3) of Exhibit "A" hereof shall be 75%: *Provided, however,* That no person shall deliver or accept delivery of any abnormally large quantities of motor fuel between the date of issuance of this Order as Amended and July 22, 1942. The monthly quotas for July 1942 shall be reduced proportionately.

[F. R. Doc. 42-6876; Filed, July 18, 1942; 2:03 p. m.]

PART 1028—DOMESTIC COOKING APPLIANCES

[Amendment 2 to Supplementary General Limitation Order L-23-c[1]]

Paragraph (b) (5) and (b) (6) of § 1028.4 (*Supplementary General Limitation Order L-23-c*) is amended to read as follows:

(5) From and after June 30, 1942, no Class C manufacturer shall use in any calendar quarter in the production of domestic cooking appliances iron and steel in excess of three times 70% of the monthly average of iron and steel used by him in the manufacture of domestic cooking appliances during the base period.

(6) From and after June 30, 1942, no Class C manufacturer shall use in any calendar quarter in the production of domestic heating stoves iron and steel in excess of three times 50% of the monthly average of iron and steel used by him in the manufacture of domestic heating stoves during the base period.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6892; Filed, July 20, 1942; 11:27 a. m.]

PART 1072—SOLE LEATHER

[Amendment 2 to General Preference Order M-80, as Amended to May 22, 1942[2]]

Subparagraphs (1) and (2) of paragraph (e) of General Preference Order M-80, as amended to May 22, 1942 (§ 1072.1) are hereby amended to read as follows:

(1) Unless specifically authorized by the Director General for Operations, no person shall hereafter sell, deliver, or put into process any reserved cut stock from manufacturers leather, except to fill orders for cut soles of military weight and quality for delivery to or for the account of:

(i) The United States Army (excluding purchase orders placed by or for delivery to Post Exchanges);

(ii) The United States Navy (excluding purchase orders placed by or for delivery to Ships' Stores or Commissary);

(iii) The United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation and Metals Reserve Company;

(iv) The Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(2) Unless specifically authorized by the Director General for Operations, no person shall hereafter use any finders cut stock set aside pursuant to paragraph (d) (2) hereof, except to fill orders for repair tap soles or for cut outer soles of military weight and quality for delivery to or for the account of the United States governmental agencies and the governments of the countries set forth in (e) (1) above.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6884; Filed, July 20, 1942; 11:27 a. m.]

PART 1239—OFFICERS' MILITARY INSIGNIA

[General Limitation Order L-131]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1239.1 *General Limitation Order L-131*—(a) *Definitions.* For the purposes of this order:

(1) "Officers' military insignia" means all items of military identification made of metal, which are purchased by the personnel of the armed forces of the United States and which are not ordinarily issued by the Quartermaster of the United States Army, Marine Corps or Navy.

(2) "Gold color officers' military insignia" means the following officers' military insignia:

(i) The initials "U. S." designed to be worn on an officer's uniform;

(ii) Cap insignia of an officer;

(iii) The insignia designating the arm of service to which the officer belongs;

(iv) The insignia designating the rank of the officer as a Second Lieutenant or a Major in the Army or an Ensign or Lieutenant Commander in the Navy;

(v) Such other insignia as the Director General for Operations shall, from time to time, specify at the request of the War or Navy Department.

(3) "Dies and moulds" means any machine attachment employed to imprint materials so as to produce officers' military insignia.

(4) "Use" means the first change made by a person in the form of material from that form in which it is received by him.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(6) "Restricted materials" means aluminum, cork, magnesium, nickel and nickel silver, rubber, tin, cadmium, rhodium, chromium, copper and copper base alloys.

(7) "Insignia finding" means that part of an officers' military insignia which is used to fasten insignia to the uniform of the officer, including but not limited to, posts, screw-backs, clutches, pin stems and safety catches.

(8) "Insignia front" means that part of an officers' military insignia which is not an insignia finding.

(9) "Transfer" means to sell, deliver, or in any other way transfer the possession of, or title to, any officers' military insignia.

(b) *General restrictions.* (1) On and after July 20, 1942, no person shall use in the manufacture or assembly of any officers' military insignia any restricted material: *Provided, however,*

(i) That he may use copper base alloys containing not more than 65% by weight, of copper to manufacture or assemble any insignia findings for any gold color officers' military insignia.

(ii) That he may use copper base alloys containing not more than 85% by weight, of copper to manufacture or assemble any insignia fronts for any gold color officers' military insignia.

(2) On and after July 20, 1942, no person shall transfer any officers' military insignia to any person whatsoever, except

(i) To post exchanges of the United States Army and Marine Corps;

(ii) To ship service stores of the United States Navy;

(iii) To such other outlets as the Director General for Operations shall from time to time specify at the request of the War or Navy Department;

(iv) To transfer any officers' military insignia back to the person from whom it was obtained;

(v) That any person more than 75% of whose sales of officers' military insignia during the five calendar months ending May 31, 1942, were made directly to officers of the armed forces of the United States may sell to any officer any such insignia which is contained in his inventories on July 20, 1942.

(vi) To deliver to its immediate destination any officers' military insignia which is actually in transit on July 20, 1942; or

(vii) That the outlets specified in paragraph (b) (2) (i), (ii) and (iii) may transfer officers' military insignia to officers of the armed forces of the United States; or

(viii) Any officer of the armed forces of the United States may transfer any officers' military insignia, to which he has title, to any other such officer.

(3) On and after July 20, 1942, no person shall strike or cause to have struck, or operate any dies or moulds, in addition to those he is operating on July 20, 1942; except

(i) To replace presently operating dies and moulds after wear, tear or damage has rendered the same unfit for service;

(ii) To conform to specification changes ordered by the Director General for Operations at the request of the Army and Navy Munitions Board, the War Department or the Navy Department.

(c) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories and sales of officers' military insignia.

(d) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time specify.

(e) *Audit and inspection.* All records required to be kept by this order, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Appeal.* Any person affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by filing and completing Form PD-417 and forwarding the same to the War Production Board, Washington, D. C., Ref: L-131.

(g) *Communications.* All reports to be filed, appeals and other communications concerning this Order should be addressed to the Consumers' Durable Goods Branch, War Production Board, Washington, D. C., Ref: L-131.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or further obtaining deliveries of or from processing or using material under priority control and may be deprived from priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6889; Filed, July 20, 1942; 11:27 a. m.]

PART 1292—USED SILK HOSIERY

[Conservation Order M-182]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of used silk hosiery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1292.1 *Conservation Order M-182*—(a) *Definitions.* For the purpose of this order:

(1) "Used silk hosiery" means any men's or women's hose, stockings or socks which contain any silk and which have been worn or otherwise used or damaged so that they can be sold only as second-hand material.

(2) "Dealer" means any person who purchases used silk hosiery for resale or for conversion into yarn or fabric, and the term shall also include exporters, importers, agents or brokers, whether or not they hold title to the used silk hosiery.

(b) *Restrictions on sales and deliveries of used silk hosiery.* Except as permitted in paragraph (d), no dealer shall hereafter sell, transfer title to, or deliver, and no person, other than a dealer, shall hereafter purchase, accept transfer of title to, or deliveries of used silk hosiery.

(c) *Restrictions on use of used silk hosiery.* Except as permitted in paragraph (d), no person shall cut or process used silk hosiery for any purpose except upon a purchase order therefor for physical incorporation into materials to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission, or the War Shipping Administration where such order is accompanied by a certificate in substantially the following form signed by or on behalf of the person placing said order.

This order is for used silk hosiery for physical incorporation into material to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission, or the War Shipping Administration.

(d) *General exceptions.* The prohibitions or restrictions of this order shall not apply to:

(1) Deliveries by or to any person having temporary custody of used silk hosiery for the sole purpose of transportation or public warehousing.

(2) Sales or deliveries to reprocessors of hosiery for mending, cleaning or other repair and sales of such reconditioned hosiery for use as hosiery.

(3) Sales or deliveries by retail stores or to such stores by their retail customers either on return for credit or otherwise.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of used silk hosiery conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference: M-182, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as shall from time to time be required by said Board.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C.—Reference: M-182.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6893; Filed, July 20, 1942; 11:27 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and

[1] 7 F.R. 3571, 5119.
[2] 7 F.R. 3851, 4616.

appropriate in the public interest and to promote the national defense:

§ 1293.1 *Limitation Order L–157*—(a) *Issuance of Schedules of Simplification of Lines.* The Director General for Operations may, from time to time, issue schedules [1] establishing simplified practices with respect to types, sizes, forms, specifications or other qualifications for any hand tools. From and after the effective date of any such schedule, no such products shall be produced or fabricated or delivered by or accepted from any producer or fabricator except in conformity with the issued Schedule, and except as specifically permitted by such schedule.

(b) *Appeals.* Any person affected by this order or any schedule issued pursuant thereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such Schedule would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may, thereupon, take such action as he deems appropriate.

(c) *Applicability of Priorities Regulation No. 1.* This order (and any schedules issued pursuant thereto) and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision of this order or such schedule may be inconsistent therewith, in which case the provisions of this order (or such schedule) shall govern.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Building Materials Branch, Washington, D. C., Ref: L–157.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6891; Filed, July 20, 1942; 11:27 a. m.]

[1] *Infra.*

PART 1293—HAND TOOLS SIMPLIFICATION

[Schedule I to Limitation Order L–157]

HAND SHOVELS, SPADES, SCOOPS AND TELEGRAPH SPOONS

§ 1293.2 *Schedule I to Limitation Order L–157* [1] (a) *Definition.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates hand shovels, spades, scoops or telegraph spoons.

(b) *Simplified practices.* Pursuant to Limitation Order No. L–157 the sizes, types, grades, finishes, lifts, gauges and handles set forth in Appendix A hereto are hereby established for the manufacture of hand shovels, spades, scoops or telegraph spoons.

(c) *Effective date of simplified practices.* On and after September 1, 1942, no hand shovels, spades, scoops or telegraph spoons which do not conform to the sizes and standards established by paragraph (b) hereof (and set forth in the Appendix hereto) shall be produced or delivered by any producer or accepted by any person from any such producer except with the express permission of the Director General for Operations; and after the expiration of 20 days from the date of issuance of this Schedule, no material for the manufacturing of hand shovels, spades, scoops or telegraph spoons shall be accepted for delivery by any producer which does not conform to the sizes and standards set forth in Appendix A attached hereto.

(d) *Records covering materials, work in process, etc.* Each producer shall retain in his files records showing his inventory of raw materials, work in process and finished hand shovels, spades, scoops and telegraph spoons (by types and sizes), as of the expiration of 20 days after the date of issuance of this Schedule, and such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[1] *Supra.*

APPENDIX A TO SCHEDULE I—LIMITATION ORDER L–157

Explanations and limitations—(1) *Grades.* A, B, and C designate qualities of complete hand shovels, spades, scoops, or telegraph spoons; A designating the best quality. A-grade tools are equipped with grade XX or SA handles; B-grade tools are equipped with grade X or SC handles. SA, SB, and SC grades are approximately equivalent to XX, X, and No. 1, respectively, which are the handle-grade designations commonly employed by the shovel industry. Grades SA, SB, and SC are defined in Simplified Practice Recommendation R76, *Ash Handles*, issued by the United States Department of Commerce, National Bureau of Standards.

Nothing in this provision shall be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as possible to the respective grades of ash for which they are substituted; provided that the buyer consents, and all handles other than ash be marked with the name of the specie of wood of which they were made.

(2) *Blades.* No alloy blades shall be manufactured except for corrugated coal shovels in 17 gauge and round and square point shovels in 14 gauge, which may be manufactured from intermediate manganese (1300 series). Such alloy blades shall be sold or delivered by any producer or accepted from any producer only for use in mining operations.

(3) *Blade finishes.* Black or natural finish is obtained by dipping the blade in its natural state, except that it may be wire brushed to remove scale or rust, in lacquer, or lacquer with an asphaltum base, or other suitable protective coating; the blade shall not be pickled before being wire brushed. Full polished finish is obtained by pickling the blade, finishing on roughing and finishing polishing wheels, and dipping it in lacquer, lacquer with an asphaltum base, or other suitable protective coating. No hand shovels, spades, scoops, or telegraph spoons shall be finished in other than black or natural finish, except moulders' shovels and grain scoops, which may be full polished on the face only.

(4) *Gauges.* The gauges referred to are the steel manufacturers' standard gauges, and are subject to the manufacturers' standard tolerances. The gauge of blades is to be determined by averaging five measurements taken as specified in Federal Specification GGG–S–326.

(5) *Handle finish.* Neither long handles, nor the stems of D handles, shall be painted or otherwise finished than by standing or waxing, except intrenching shovels, which are to be painted in accordance with the War Department's specification. Any metal used in the construction of D handles may be given a protective coating, or the entire D may be so coated, but only so far along the stem as is necessary to cover any metal used in the construction of the D.

(6) *Handle lifts.* Each kind and size of hand shovel, spade, scoop, and telegraph spoon shall be manufactured with only one lift, which shall be in accordance with the individual manufacturer's present standard practice, except corrugated coal shovels, which may be made with lifts of 21, 17, 14, and 11 inches, and eastern pattern scoops, which may be made with lifts of 21 and 13 inches.

TABLE 1—SHOVELS

Kind	Grades	Gage	Blade: Multiple size [1] No.	Hollow back	Closed back	Plain back and solid shank or solid socket [2]	Steps
				Inches	*Inches*	*Inches*	
1. Barn or general purpose	C	16	2	12 x 21			
2. Coal, corrugated [3]	A, B, C	17	2	14 x 23			
			4	15 x 24			
3. Coal dust, or bug dust	B or C	16	4	14 x 21			
4. Round Point	A, B	16	2	10 x 21¼	10 x 21¼	9⅝ x 11⅞	(4)
			2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
	A, B	14	4	11 x 22⅜	11 x 22⅜	11 x 13⅜	(4)
			6	12 x 23¾	12 x 23¾	12 x 14¼	(4)
	C	15	2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
			4	11 x 22⅜	11 x 22⅜	11 x 13⅜	(4)
5. Square Point	A, B	16	2	10 x 21¼	10 x 21¼	9⅝ x 11⅞	(4)
			2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
	A, B	14	4	11 x 22⅜	11 x 22⅜	11 x 13⅜	(4)
			6	12 x 23¾	12 x 23¾	12 x 14¼	(4)
	C	15	2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
			4	11 x 22⅜	11 x 22⅜	11 x 13⅜	(4)
6. Irrigating	B	15	2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
7. Mining—stiff point and spring point	A, B	14	2		10 x 21¾	10 x 12¾	(4)
8. Moulders'	A, B, C	15	2	10 x 21¾	10 x 21¾	10 x 12¾	
9. Ore	A, B	14	4	11 x 21¾			
10. Telegraph	A	13	2			10 x 12¾	
11. Track	A	13	2	10 x 21¾	[5] 10 x 21¾	[6] 10 x 12¾	(4)
12. Intrenching shovel [7]			2				

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handled shovels of a given number (size).
[2] The trimmed blank for a solid shank shovel is to be the same size as the blank for a similar type and size of plain back shovel.
[3] To be made in lifts of 21, 17, 14, and 11 inches.
[4] With or without steps; one type only.
[5] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[6] If step is made as an integral part of blade, add ⅜ inch to the length of the multiple.
[7] To be in accordance with U. S. Army Specification No. 17–172.

TABLE 2—SPADES

Kind	Grades	Gage	Blade: Multiple size [1] Length or size No.	Hollow back and closed back	Plain back and solid shank [2]	Steps
				Inches	*Inches*	
13. Ditch or post	A, B	14	14 inches	7½ x 23	7⅛ x 14	One type.
			16 inches	7½ x 25	7⅛ x 16	One type.
			18 inches	7½ x 27	7⅛ x 18	One type.
14. Drain-round point	A, B	14	14 inches	7½ x 23	7⅛ x 14	One type.
			16 inches	7½ x 25	7⅛ x 16	One type.
			18 inches	7½ x 27	7⅛ x 18	One type.
15. Garden	C	13	No. 2	8 x 21¾ [3 4]	7⅝ x 12 ¼ [4]	One type.
16. Nursery	A	13	No. 2		7⅝ x 13¾ [4]	One type.

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle spades of a given size.
[2] The trimmed blank for a solid shank spade is to be the same size as the blank for a similar type and size of plain back spade.
[3] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[4] If step is made as an integral part of the blade, add ⅜ inch to the length of the multiple.

TABLE 3—SCOOPS AND TELEGRAPH SPOONS

Kind	Grades	Gage	No.	Blade		
				Multiple size [1]		
				Hollow back	Plain back and solid shank [2]	Steps
SCOOPS				*Inches*	*Inches*	
17. Ash pit (western pattern, low lift)	C	16	4	13 x 24½		Turned.
18. Break-down, diamond point	A, B	15	5	14 x 24½		
19. Coal yard, (western pattern, flat point)	A, B	16	6	14¼ x 26		
			10	15¾ x 27		
20. Eastern pattern or locomotive [3]	A, B, C	16	2	12½ x 23½		
			4	13 x 24½		
			6	13½ x 25½		
			8	14¼ x 26		
21. Grain-corrugated (western pattern)	C	17	10	15¾ x 27		
			12	15¾ x 28		
			14	16¼ x 29		
22. Gravel, round point	A	16	2	12¼ x 23½		Turned.
TELEGRAPH SPOONS						
23. Eastern pattern	A	13			10 x 12¾ [4]	
24. Western pattern	A	13			10 x 12¾ [4]	

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle scoops of a given size number.
[2] The trimmed blank for a solid shank spoon is to be the same size as the blank for a similar type and size of plain back spoon.
[3] To be furnished in lifts of 21 and 13 inches.
[4] May be made from smaller multiples, if desired.

[F. R. Doc. 42-6890; Filed, July 20, 1942; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[Amendment 9 to Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

PRICES IN DISTRICT 23

A statement of considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.[2]

A new subdivision (i) is added to paragraph (b) (1) of § 1340.233; a new subdivision (i) is added to paragraph (b) (2) thereof, as set forth below:

§ 1340.233 *Appendix V: Maximum Prices for bituminous coal produced in District No. 23.* • • •

(b) • • •

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.

• • • • • •

(i) *Special price instructions.* (a) Maximum prices for the following size groups of coals produced at the Black Diamond Mine (Mine Index No. 32) of the Pacific Coast Coal Company, shall be the following amounts per net ton: Size Group 2, $6.80; Size Group 10, $6.40; Size Group 9, $6.05; Size Group 10, $5.95; Size Group 12, $5.85; Size Group 15, $5.85; Size Group 17, $5.15; Size Group 18, $4.95; Size Group 21, $4.95; Size Group 22, $4.95; Size Group 24, $4.30; Size Group 25, $2.75.

(b) Maximum prices for the following size groups of coals produced at the Cedar Mountain Mine (Mine Index No. 8) of the Consolidated Coal Mines, Inc., shall be the following amounts per net ton: Size Group 2, $5.90; Size Group 3, $5.90; Size Group 11, $4.65; Size Group 16, $4.15; Size Group 24, $2.50.

(c) Maximum prices for the following size groups of coal produced at the Newcastle (Coal Creek) Mine (Mine Index No. 22) of the Strain Coal Company shall be the following amounts per net ton: Size Group 2, $5.60; Size Group 3, $5.60; Size Group 4, $5.60; Size Group 5, $5.60; Size Group 7, $4.80; Size Group 8, $4.80; Size Group 9, $4.65; Size Group 10, $4.70; Size Group 11, $4.50; Size Group 12, $4.50; Size Group 13, $4.10; Size Group 14, $4.10; Size Group 15, $4.10; Size Group 16, $4.00; Size Group 22, $3.00; Size Group 24, $2.50.

(d) Maximum prices for the following size groups of coal produced at the McKay Mine (Mine Index No. 819) of the Dale Coal Company shall be the following amounts per net ton: Size Group 2, $7.15; Size Group 8, $6.15; Size Group 9, $6.20; Size Group 10, $5.70; Size Group 12, $5.60; Size Group 15, $5.60; Size Group 17, $5.20; Size Group 18, $5.00; Size Group 21, $4.70; Size Group 22, $4.70; Size Group 24, $4.05; Size Group 25, $2.50.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

• • • • • •

(i) *Special price instructions.* (a) Maximum prices for the following size groups of coals produced at the Black Diamond Mine (Mine Index No. 32) of the Pacific Coast Coal Company shall be the applicable effective minimum price per net ton as of April 1, 1942 plus the following respective amounts per net ton: a sum not exceeding $1.20 in the case of Size Groups 1 to 25 inclusive except Size Group 18, and a sum not exceeding $1.45 in the case of Size Group 18.

(b) Maximum prices for the following size groups of coals produced at the Newcastle (Coal Creek) Mine (Mine Index No. 22) of Strain Coal Company, shall be the applicable effective minimum price per net ton as of April 1, 1942 plus the following respective amounts per net ton: a sum not exceeding 85 cents in the case of Size Groups 1 to 25 inclusive except Size Group 18, and a sum not exceeding $1.10 in the case of Size Group 18.

(c) Maximum prices for the following size groups of coals produced at the Cedar Mountain Mine (Mine Index No. 8) of the Consolidated Coal Mines, Inc. shall be the applicable effective minimum price per net ton as of April 1, 1942 plus a sum not exceeding $1.00, in the case of Size Groups 2, 3, 4, 11, 16 and 24.

(d) Maximum prices for the following size groups of coals produced at the McKay Mine (Mine Index No. 819) of the Dale Coal Company shall be the applicable effective minimum price per net ton as of April 1, 1942 plus the following respective amounts per net ton: a sum not exceeding $1.75 in the case of Size Group 2, a sum not exceeding 95 cents in the case of Size Groups 8, 10, 12, 15, 21, 22 and 24, a sum not exceeding $1.45 in the case of Size Group 9, a sum not exceeding $1.35 in the case of Size Group 17, and a sum not exceeding $1.60 in the case of Size Group 18.

§ 1340.211a *Effective dates of amendments.* • • •

(j) Amendment No. 9 (§ 1340.233 (b) (1), (b) (2)) to Maximum Price Regulation No. 120 shall become effective July 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6818; Filed, July 17, 1942; 4:54 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 181]

NEW-FORMULA CONDENSED SOUPS PACKED UNDER WPB CONSERVATION ORDER M-81

In the judgment of the Price Administrator, the maximum prices established by the General Maximum Price Regulation [1] for the sale of canned soups are not applicable to those canned condensed soups whose packing in tin plate or terneplate after June 30, 1942, is governed and alone permitted under Conservation Order M-81, and amendments thereto, issued by the War Production Board.

This Maximum Price Regulation No. 181 is issued by the Price Administrator in order to establish for the canners and other sellers of such canned condensed soups maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which canned condensed soups are manufactured, a price for their products equal to the highest of any of the following prices therefor as determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

A Statement of the Considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 181 is hereby issued.

Sec.

1341.51 Prohibition against selling or buying, above maximum prices, new-formula condensed soups packed under WPB Conservation Order M-81.
1341.52 Canner's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.
1341.53 Wholesaler's and retailer's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.
1341.54 Inability to fix maximum prices under preceding sections.
1341.55 Information and advice to purchasers from canners and wholesalers.
1341.56 Distinctive labeling.
1341.57 Transfers of business or stock in trade.
1341.58 Less than maximum prices.
1341.59 Evasion.
1341.60 Records and reports.
1341.61 Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1341.62 Marking and posting by retailers; applicability of the marking and posting provisions of the General Maximum Price Regulation.
1341.63 Enforcement.
1341.64 Petitions for amendment.
1341.65 Applicability.
1341.66 Applicability of the General Maximum Price Regulation.
1341.67 Export sales.
1341.68 Definitions.
1341.69 Effective date.

AUTHORITY: §§ 1341.51 to 1341.69, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.51 *Prohibition against selling or buying, above maximum prices, new-formula condensed soups packed under WPB Conservation Order M-81.* (a) On and after July 18, 1942, regardless of any contract or other obligation, no person shall sell or deliver any canned condensed soup which it is permissible to pack after June 30, 1942, under Conservation Order M-81, and amendments thereto, at a price higher than the maximum prices established by this Maximum Price Regulation No. 181;

(b) No person in the course of trade or business shall buy or receive any such canned condensed soup at a price higher than the maximum prices established by this Maximum Price Regulation No. 181;

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1341.52 *Canner's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.* (a) Except as hereinafter provided in paragraph (c) of this section, the canner in computing his maximum price per dozen for each variety and can size of canned condensed soup which it is permissible to pack after June 30, 1942, under Conservation Order M-81, and amendments thereto,

(1) Shall divide the weighted average price per dozen charged during the calendar year 1941 for the related variety of canned soup then sold, in the can size which had the largest retail sale for that variety during the calendar year 1941, by the weighted average direct cost per dozen of such soup during the calendar year 1941; and

(2) Shall multiply the figure so obtained by the direct cost per dozen of the variety and can size of canned condensed soup being priced hereunder.

(b) In determining the canner's maximum price:

(1) The "weighted average price" for any canned soup packed during the calendar year 1941 shall be the total gross sales dollars charged for each variety and can size divided by the number of dozens sold of such variety and can size during the calendar year 1941.

(2) The "weighted average direct cost per dozen" for any canned soup packed during the calendar year 1941 shall be the following costs in dollars and cents per dozen which entered into the production of canned soups up to and including the putting of the finished product in a warehouse on behalf of the canner: Raw material, can, carton, label, direct labor, and factory expenses, including maintenance, rent, heat, light, power, water, refrigeration, and indirect labor. The weighted average direct cost per dozen for each variety shall be the total direct cost divided by the number of dozens of such variety of canned soups produced during the calendar year 1941.

(3) The "direct cost per dozen" of any canned condensed soup being priced hereunder shall be computed in dollars and cents per dozen for the following factors which enter into the production of canned condensed soups up to and including the putting of the finished product in a warehouse on behalf of the canner: Raw material, can, carton, label, direct labor, and factory expenses, including maintenance, rent, heat, light, power, water, refrigeration, and indirect labor, provided that, with the exception of raw material, such direct costs shall be determined on the basis of material prices, labor rates, and overhead rates in effect on March 30, 1942. If the canner is actually producing or has actually produced any canned condensed soup being priced hereunder, he shall to that extent determine the direct cost per dozen of such canned condensed soups in dollars and cents based upon his actual production experience. If the canner is not actually producing or has not actually produced any canned condensed soup being priced hereunder, he shall estimate to the best of his ability the direct cost per dozen in accordance with his customary system of determining direct cost. The maximum price based upon such estimated direct cost shall be subject to adjustment by the Office of Price Administration at any time.

(c) If since January 1, 1941, a canner at any time sold and delivered all or part of his canned soups at a uniform price, he may sell and deliver all or part of his canned condensed soups at one or more uniform maximum prices, as hereinafter determined. The maximum price per dozen cans for the canned condensed soups, governed by this Maximum Price Regulation No. 181, which are to be sold on any uniform price line basis shall be:

(1) The average of the respective maximum prices for the varieties and can sizes of the canned condensed soups which are to be included in the uniform price line, as individually determined under paragraph (b) of this section; weighted according to

(2) The number of dozens of the related varieties of canned soups which were sold during the one-year period immediately preceding the date of computation hereunder, without regard to can size, except that in case of any price revision made under paragraph (d) of this section the number of dozens of the varieties and can sizes of canned condensed soups included in the price line which have been sold during such period shall also be included.

(d) If during any three-months period subsequent to October 1, 1942, the total sales volume, since the last price computation hereunder, of any variety sold as part of a price line has varied more than 25% in proportion to the total sales volume, during the same period, of all soups included in the price line, the canner must recompute his uniform maximum price at the end of such three-months period in accordance with the provisions of paragraph (c) of this section. But in no event shall the maximum price thus computed exceed the maximum price for such price line as first computed hereunder.

(e) No canner shall change his customary allowances, discounts, or other price differentials unless such charge results in the same or a lower price.

§ 1341.53 *Wholesaler's and retailer's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.*—(a) Every wholesaler and retailer, in computing the maximum price per dozen or per can for each brand, variety, and can size of canned condensed soup which it is per-

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540.
[2] Copies may be obtained from Office of Price Administration.

[1] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

missible to pack after June 30, 1942, under Conservation Order M-81, and amendments thereto:

(1) Shall divide his maximum price per dozen or per can, as determined under the General Maximum Price Regulation, for the same brand, related variety, and that can size which had the largest sale during the calendar year 1941, by his replacement cost per dozen or per can of that soup; and

(2) Shall multiply the figure so obtained by the maximum price per dozen or per can which some person, selected by him, from whom he was regularly purchasing such related canned soup during the first three months of the year 1942, is entitled to charge him under this Maximum Price Regulation No. 181 for the canned condensed soup being priced hereunder.

(b) No canned condensed soup shall be sold by any wholesaler or retailer until he has computed hereunder his maximum price for such soup, and when computed such maximum price shall be his maximum price from that time forward.

(c) No wholesaler or retailer shall change his customary allowances, discounts, or other price differentials unless such change results in the same or a lower price.

§ 1341.54 *Inability to fix maximum prices under preceding sections.* If for any person the maximum price cannot be determined under §§ 1341.52 and 1341.53 of this Maximum Price Regulation No. 181, the maximum price shall be a price determined by such person after specific authorization from the Office of Price Administration. A person who seeks such authorization shall file with the Office of Price Administration, Washington, D. C., an application setting forth (a) a description in detail of the brand, variety and can size of the canned condensed soup for which a maximum price is sought; and (b) a statement of the facts which differentiate such variety and can size of canned condensed soup from the most similar variety and can size for which he has determined a maximum price, stating such most similar variety and can size, and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined a canner shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

§ 1341.55 *Information and advice to purchasers from canners and wholesalers.* (a) Any person, except a retailer, selling canned condensed soups covered by this Maximum Price Regulation No. 181 shall, before making any sales of such soups to any person to whom he was regularly selling any related variety of canned soup during the first three months of the year 1942, disclose in writing all maximum prices which he is entitled to charge such purchaser under this Maximum Price Regulation No. 181.

(b) Any person, except a retailer, selling canned condensed soups covered by this Maximum Price Regulation No. 181 shall, within 5 days after the receipt by him of the text, or copy thereof, of Instructions to Wholesalers and Retailers, to be distributed to canners by the Office of Price Administration, prepare and supply a copy of such Instructions to every person to whom he actually or regularly sells the canned condensed soups covered by this Maximum Price Regulation No. 181. The text of such Instructions will be prepared by the Office of Price Administration and will include specific directions to wholesalers and retailers as to the manner in which maximum prices shall be computed hereunder.

§ 1341.56 *Distinctive labeling.* Every canner, and any other person for whose account canned condensed soups covered by this Maximum Price Regulation No. 181 are packed or labeled, shall label each such soup sold by him in a manner calculated clearly to distinguish it, in the eyes of the ordinary casual purchaser at retail, from canned soups not covered by this Maximum Price Regulation No. 181, and shall file with the Office of Price Administration, Washington, D. C., on or before August 15, 1942, a sample of each new label required hereunder together with a sample of each label heretofore used, during the calendar years 1941 and 1942, on those respective canned soups not covered by this Regulation which were the most closely related to the canned condensed soups sold under this Maximum Price Regulation No. 181.

§ 1341.57 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of a canner are sold or otherwise transferred on or after July 18, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of § 1341.60.

§ 1341.58 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 181 may be charged, demanded, paid, or offered.

§ 1341.59 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 181 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to canned soups, alone or in conjunction with any other commodity or by way of any commission, service transportation, or other charge, or discount, premium, or other privilege, by tying-agreement, or other trade understanding, or otherwise.

§ 1341.60 *Records and reports.* (a) Every person who makes sales of canned condensed soups shall:

(1) Preserve for examination by the Office of Price Administration all their existing records which were the basis for the computations required by § 1341.52 and § 1341.53, and (2) preserve all records of the same kind as he has customarily kept, relating to the prices which he charged for canned condensed soups sold on and after July 18, 1942, and (3) file with the appropriate field office of the Office of Price Administration on or before August 15, 1942, for canners, and within 20 days respectively after the maximum prices for all canned condensed soups sold by them can first be determined hereunder, for wholesalers, a statement certified under oath or affirmation showing the maximum prices determined hereunder for each variety and can size of canned condensed soups, and all his customary allowances, discounts, and other price differentials, with the qualification that except as hereinafter provided retailers shall not be required to file their maximum prices, and (4) preserve a true copy of such statement for examination by any person during ordinary business hours. Any person who claims that substantial injury would result to him from making such statement available to any other person shall so notify the appropriate field office of the Office of Price Administration, and if he is a retailer he shall include with the notification a true copy of such certified statement. The information contained in such a statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 181.

(b) In addition to the foregoing, every canner who makes sales of canned condensed soups shall file with the Office of Price Administration, Washington, D. C., on or before August 15, 1942, a statement certified under oath or affirmation showing:

(1) The weighted average direct cost per dozen, as defined in § 1341.52 hereof, of those varieties of canned soups packed during the calendar year 1941 which are related to the canned condensed soups being priced hereunder, in the respective can sizes which had the largest retail sale during the calendar year 1941;

(2) The weighted average price per dozen, as defined in § 1341.52 hereof, charged by the canner during the calendar year 1941 for the canned soups specified in paragraph (b) (1);

(3) The direct cost per dozen, as defined in § 1341.52 hereof, of the canned condensed soups which are being priced hereunder. If all or part of the direct cost is estimated by the canner a statement shall also be submitted showing the basis for such estimates;

(4) The maximum price for each variety and can size of such canned condensed soups, as determined under this Maximum Price Regulation No. 181;

(5) The uniform maximum price for any price line established under this Maximum Price Regulation No. 181, together with a schedule showing the varieties and can sizes of canned condensed soup included in such price line and the total sales volume of each such soup during the one-year period immediately preceding the date on which the uniform maximum price was computed hereunder; and

(6) A schedule showing the percentage of dry solids and the recommended dilution with water for:

(i) The canned condensed soups being priced hereunder; and

(ii) The related varieties of canned soups sold during the calendar year 1941.

(c) In addition to the foregoing, every canner whose uniform maximum price for the canned condensed soups included in any price line is revised under § 1341.52, paragraph (d) hereof, shall within 20 days after the termination of the three-months period specified in such section and paragraph file with the Office of Price Administration in Washington, D. C.,

(1) The uniform maximum price, as revised;

(2) A statement of the extent to which the sales volume of each variety included in the price line has changed since the preceding price computation; and

(3) A statement of the respective sales volumes, in dozens of cans of each of the soups included in the price line, during the one-year period immediately preceding the termination of the three-months period specified above.

§ 1341.61 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[1] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at wholesale or retail any canned condensed soup covered by this Maximum Price Regulation No. 181. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1341.62 *Marking and posting by retailers; applicability of the marking and posting provisions of the General Maximum Price Regulation.*[1] The marking and posting provisions of § 1499.13 (a) of the General Maximum Price Regulation are applicable to every person selling at retail any canned condensed soup covered by this Maximum Price Regulation No. 181.

§ 1341.63 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 181, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.64 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 181 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

[1] *Supra*, note 1.
[2] 7 F.R. 971, 3663.

§ 1341.65 *Applicability.* The provisions of this Maximum Price Regulation No. 181 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.66 *Applicability of the General Maximum Price Regulation.*[1] The provisions of this Maximum Price Regulation No. 181 supersede the provisions of the General Maximum Price Regulation, except as provided in § 1341.61 and § 1341.62 hereof, with respect to the sales and deliveries of canned condensed soups packed in tinplate or terneplate for which maximum prices are established by this Maximum Price Regulation No. 181.

§ 1341.67 *Export sales.* The maximum price at which a person may export any canned condensed soup otherwise governed by this Maximum Price Regulation No. 181 shall be determined in accordance with the provisions of the Maximum Export Price Regulation [3] issued by the Office of Price Administration.

§ 1341.68 *Definitions.* (a) When used in this Maximum Price Regulation No. 181 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing, the United States, any agency thereof, any other Government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Canner" means a person who purifies by heat and hermetically seals in containers made in whole or in part of tinplate, terneplate, or blackplate or any combination thereof, but not including nonmetal containers even though the closures, crowns, or caps of such nonmetal containers are made in whole or in part of tinplate, terneplate, or blackplate.

(3) "Canned condensed soup" means any condensed soup, purified by heat and hermetically sealed in the metal containers heretofore referred to in paragraph (a) (2) of this section, of a kind and formula which it is permissible to pack after June 30, 1942, under the provisions of Conservation Order M-81, and amendments thereto, issued by the War Production Board, whether such soup was packed before or after June 30, 1942.

(4) "Price per dozen" shall mean "price per dozen f. o. b. factory" or "delivered price per dozen" according to the seller's customary practice, during the calendar year 1941, of charging the class of purchaser as to which a maximum price is being determined.

(5) "Related variety" of canned soup means that canned soup which was the most similar in formula to the canned condensed soup as to which a maximum price is being determined.

(6) "Replacement cost" shall be the net price paid by the seller, on June 30, 1942, or the net price which the seller would have had to pay to replace such commodity on that date.

(7) "Retail sale" means a sale, by other than a canner and in the original can, to an ultimate consumer other than an industrial or commercial user.

(8) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales are made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.69 *Effective date.* This Maximum Price Regulation No. 181 (§§ 1341.51 to 1341.69 inclusive) shall become effective July 18, 1942.

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 6854; Filed, July 17, 1942; 4:54 p. m.]

[3] 7 F.R. 3096, 3824, 4294, 4541, 5059.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment 1 to Maximum Price Regulation 140 [1]]

SANITARY NAPKINS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1347.157 (a) is amended and two new sections, 1347.157a and 1347.160a are added as set forth below:

§ 1347.157 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 140 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emegency Price Control Act of 1942.

* * * * * * *

§ 1347.157a *Licensing; applicability of registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 140 selling at wholesale or retail any sanitary napkins covered by this Maximum Price Regulation No. 140. When used in this section the terms "selling at wholesale" and "selling at retail" have the definition, given to them by §§ 1499.20 (p) and 1499.20 (o), respectively of the General Maximum Price Regulation.

[1] 7 F.R. 3410.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5192.

§ 1347.160a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1347.157 (a), 1347.157a and 1347.160a (a)) to Maximum Price Regulation No. 140 shall become effective the 21st day of July, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6847; Filed, July 17, 1942; 4:49 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment 3 to Maximum Price Regulation 114 [1]]

WOODPULP

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new paragraph (e) is added to § 1347.232.

§ 1347.232 *Appendix A: Maximum prices for woodpulp.* * * *

(e) All woodpulps defined, designated, or named herein shall be described whenever sold, invoiced, offered for sale or contracted to be sold, under the appropriate name provided by this Maximum Price Regulation No. 114, if any, either in place of or in addition to any other designation employed by the seller.

§ 1347.231a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1347.232 (e)) to Maximum Price Regulation No. 114 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6846; Filed, July 17, 1942; 4:51 p. m.]

PART 1377—WOODEN CONTAINERS

[Amendment 3 to Maximum Price Regulation 160 [2]]

SEASONAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1377.54 is amended as set forth below:

§ 1377.54 *Relation between Maximum Price Regulation 160 and the General Maximum Price Regulation.* [3] (a) The General Maximum Price Regulation shall apply to any sale of wooden agricultural containers which are not seasonal as that term is herein defined. This Maximum Price Regulation No. 160 supersedes the General Maximum Price Regulation as to the seasonal wooden agricultural containers, except as provided in paragraphs (b) and (c) of this section.

(b) The provisions of §§ 1499.12 and 1499.14 of the General Maximum Price Regulation, relating to records and of §§ 1499.18 and 1499.19, relating to Adjustment and Amendment, shall apply to all sales, the maximum prices for which are established by this Maximum Price Regulation No. 160, and to all persons making such sales.

(c) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 160 selling at wholesale or retail any seasonal wooden agricultural container covered by this Maximum Price Regulation No. 160. When used in this paragraph the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1377.60 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1377.54 (a) (b) (c)) to Maximum Price Regulation No. 160 shall be effective as of July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6849; Filed, July 17, 1942; 4:50 p. m.]

PART 1386—SOAPS AND GLYCERINE

[Commodity Practices Regulation 1]

BAR OR PACKAGE SOAPS OR CLEANSERS

In the judgment of the Price Administrator it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942 and to prevent manipulative practices which are equivalent to or are likely to result in price increases and evasions of the General Maximum Price Regulation [1] in the sale of bar or package soaps or cleansers to prescribe and limit further changes in weight and quality of such products.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, Commodity Practices Regulation No. 1 is hereby issued.

Sec.

1386.1 Prohibition against changes in weight or quality of bar or package soaps or cleansers sold or delivered by manufacturers thereof.
1386.2 Definitions.
1386.3 Records and reports.
1386.4 Enforcement.
1386.5 Exceptions.
1386.6 Petitions for amendment.
1386.7 Applicability.
1386.8 Effective date.

AUTHORITY: §§ 1386.1 to 1386.8, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1386.1 *Prohibition against changes in weight or quality of bar or package soaps or cleansers sold or delivered by manufacturers thereof.* (a) On and after July 21, 1942, regardless of the terms of any contract, lease or other obligation, no manufacturer thereof may sell, offer to sell, or deliver to any person bar or package soaps or cleansers which differ in weight or quality from a bar or package soap or cleanser delivered or offered for current delivery by such manufacturer in the market area where such person is located during the thirty day period ending July 17, 1942, except as provided in paragraph (b) of this section.

(b) Notwithstanding the provisions of paragraph (a) of this section, a manufacturer may improve the quality of any bar or package soap or cleanser delivered or offered for current delivery by him during the thirty day period ending July 17, 1942, but in determining the maximum price for the improved bar or package soap or cleanser under the General Maximum Price Regulation it shall be deemed to be the same commodity as the non-improved bar or package soap or cleanser.

§ 1386.2 *Definitions.* (a) This Commodity Practices Regulation No. 1 and the terms appearing therein shall be construed as follows:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Manufacturer" means a person who packages soaps or cleansers or cuts or forms or stamps the same into bars.

(3) "Soap" means the product formed by the saponification or neutralization of fats, oils, waxes, rosins, or their acids (fatty acids) with organic or inorganic bases, or any detergent composition containing such product.

(4) "Bar soap or cleanser" means the following kinds of soap or cleanser in the size or type of bar which is customarily sold to household consumers:

(i) Toilet soap.
(ii) Laundry soap.
(iii) Bar cleansers.

(5) "Package soap or cleanser" means the following kinds of soap or cleanser in the size or type of package which is customarily sold to household consumers:

(i) Granulated, powdered or sprayed soap.
(ii) Soap chips and flakes.
(iii) Washing powder.
(iv) Cleansers and scouring powders.

(6) "Differ in weight" refers to a difference in marked weight in the case of package soaps or cleansers which have a marked weight or in packed weight in the case of package soaps or cleansers which have no marked weight or in cut weight in the case of bar soaps or cleansers.

(7) "Marked weight" is the net weight of the contents thereof as marked on a package of soap or cleanser which is not in bar form.

(8) "Packed weight" means the net weight of the contents of a package of soap or cleanser not in bar form immediately after packaging.

(9) "Cut weight" means the weight of a bar of soap or cleanser immediately after being cut, formed or stamped, into bars.

(10) "Differ in quality" refers to:

(i) A difference in serviceability per unit weight in the use for which the soap or cleanser is customarily intended, or

(ii) A difference in anhydrous soap content.

(11) "Improve the quality" refers to:

(i) An increase in the anhydrous soap content of a bar or package soap or cleanser, or

(ii) An increase in the serviceability per unit weight in the use for which the soap or cleanser is customarily intended.

(12) "Anhydrous soap content" means the anhydrous soap content as determined by the official methods for testing soap set out in Federal Specification P-S-536 for Soap and Soap Products; General Specifications for Sampling and Testing.

(13) "Market area" means the geographical area in which a manufacturer has delivered or offered for current delivery a particular bar or package soap or cleanser during the thirty day period ending July 17, 1942.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Commodity Practices Regulation No. 1.

§ 1386.3 *Records and reports.* (a) Every manufacturer shall by September 17, 1942 prepare and file with the Office of Price Administration in Washington, D. C. a detailed description of each weight and quality of bar or package soap or cleanser delivered or offered for current delivery by him during the thirty day period ending July 17, 1942 and of the geographical area in which he delivered or offered for current delivery such bar or package soap or cleanser during said period.

(b) Every such manufacturer shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1386.4 *Enforcement.* (a) Persons ity Practices Regulation No. 1 are subject to the criminal penalties and civil enforcement actions provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Commodity Practices violating any provision of this Commod- Regulation No. 1 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field or Regional Office of the Office of Price Administration, or its principal Office in Washington, D. C.

§ 1386.5 *Exceptions.* (a) An exception to the provisions of this Commodity Practices Regulation No. 1 may be granted to any manufacturer who can establish

(1) That compliance with the provisions of this Commodity Practices Regulation No. 1 will cause him substantial hardship,

(2) That the granting of such exception will not lead to manipulative practices which will defeat or impair the purposes of the Emergency Price Control Act of 1942, and

(3) That the granting of such exception will not lead to evasions of the General Maximum Price Regulation.[1]

(b) Petitions for exception shall be filed in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1386.6 *Petitions for amendment.* Persons seeking any modification of this Commodity Practices Regulation No. 1 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 [2] issued by the Office of Price Administration.

§ 1386.7 *Applicability.* (a) The provisions of this Commodity Practices Regulation No. 1 shall be applicable only to sales or deliveries of bar or package soaps or cleansers to persons in the United States, its territories and possessions, and the District of Columbia.

(b) The provisions of this Commodity Practices Regulation No. 1 shall not be applicable to sales or deliveries of bar or package soaps or cleansers to the United States or any agency thereof.

§ 1386.8 *Effective date.* This Commodity Practices Regulation No. 1 (§§ 1386.1 to 1386.8, inclusive) shall become effective July 21, 1942.

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6850; Filed, July 17, 1942; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 14 to General Maximum Price Regulation]

ADJUSTMENTS IN CASES OF SPECIAL DEALS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[1]

A new § 1499.4b is added as set forth below:

§ 1499.4b *Adjustment of maximum prices in cases of special deals:* Any seller, other than a seller at retail, whose maximum price for a commodity to purchasers of a particular class is based on a "special deal" given by him to such purchasers which he can demonstrate was to have terminated not more than 123 days from the date on which it first became effective, may adjust his maximum price to such purchasers to the highest price at which such commodity was delivered by him to a purchaser of that class during the 30 days immediately preceding the date on which the special deal first became effective.

A seller at retail whose maximum price for a commodity to purchasers of a particular class is based on a special deal given by him to such purchasers as the result of a special deal given to him by his supplier may adjust his maximum price to such purchasers to the highest price at which such commodity was delivered by him to a purchaser of that class during the 30 days immediately preceding the date on which the special deal given by him first became effective. Such adjusted maximum price shall not apply to the particular commodities purchased by the retailer under the special deal given to him by his supplier.

The words "special deal," as used in this section, mean any reduction in the price of a commodity to purchasers of a particular class from the price in effect for purchasers of that class on the day immediately preceding the date on which the special deal first became effective, including but not limited to a reduction in such price resulting from offers of free goods, combination sales, and increased quantity and other discounts to purchasers of such class.

A seller who makes an adjustment in his maximum price pursuant to this section shall, within 10 days thereafter, submit a statement to the regional office of the Office of Price Administration for the region in which the seller's place of business is located, except that if the seller makes sales of the commodity in more than one region, the statement shall be submitted to the Office of Price Administration, Washington, D. C. Such statement shall set forth:

(a) The seller's maximum price for the commodity prior to the adjustment permitted by this section;

(b) A description of the special deal given by the seller including all the terms thereof, the class or classes of purchasers to which it was applicable, the dates during which it was in effect, and copies of

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[1] 7 F.R. 2843.
[2] 7 F.R. 4337.
[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.
[2] 7 F.R. 971, 3663.

[1] *Supra*, note 1.
[2] *Supra*, note 2.

[1] Copies may be obtained from Office of Price Administration.

price lists, advertisements and trade announcements pertaining to such special deal;

(c) In the case of a seller at retail, a description of the special deal given to him by his supplier including all the terms thereof, the dates during which it was in effect and copies of price lists and trade announcements pertaining to such special deal;

(d) In the case of a seller other than a seller at retail, detailed evidence demonstrating that the special deal was to have terminated on or before a date not more than 123 days from the date on which the special deal first became effective;

(e) The adjusted maximum price established by the seller pursuant to this section; and

(f) A description of all prices and terms of payment which the seller has had in effect for the commodity since January 1, 1941.

The adjusted maximum price reported by the seller pursuant to this section shall be subject to adjustment at any time by the Office of Price Administration.

§ 1499.23a *Effective dates of amendments.* • • •

(n) Amendment No. 14 (§ 1499.4b) to General Maximum Price Regulation shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6851; Filed, July 17, 1942; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES[1]

[Amendment 2 to Revised Supplementary Regulation 4[2] to General Maximum Price Regulation]

INTERNATIONAL PAYROLL MACHINE CO.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

In § 1499.29 a new subparagraph (17) is added to paragraph (a), as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(17) Deliveries prior to October 1, 1942, pursuant to sales, to the United States or any agency thereof, of the standard Model F-4 payroll machine manufactured by the International Payroll Machine Company of Reading, Pennsylvania. (i) The provisions of this subparagraph may be amended or revoked by the Price Administrator at any time.

(d) Effective dates of amendments. • • •

(3) Amendment 2 (§ 1499.29 (a) (17)) to Revised Supplementary Regulation No. 4 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6852; Filed, July 17, 1942; 4:53 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment 21 to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Section 1315.504 (a) (10) is added as follows:

Retreaded and Recapped Tires and New Passenger Tires of an Obsolete Type for Vehicles Eligible Under List B.

§ 1315.504 *Eligibility classification—List B.* • • •

(a) On a passenger car used principally to provide one or more of the following transportation services: • • •

(10) Transportation of members of the Army or Navy of the United States between residence and post of duty (but not for transfers from post to post), or on official business, where no military vehicle is available.

(i) No certificate shall be issued under this paragraph unless the applicant presents with his application a statement from his commanding officer which sets forth the following: (*a*) the application is for tires or tubes for necessary transportation between residence and post of duty (but not for transfer from post to post), or on official business; (*b*) no quarters can be provided for the applicant at his post of duty or where his work is to be performed, or applicant's duties require frequent travel on official business; (*c*) no other practicable means of transportation are available and no military vehicle can be supplied for applicant's use; and (*d*) the commanding officer will take all reasonable steps to insure (*1*) that the applicant will limit his use of the vehicle to the purpose for which the application is made except for a minimum incidental use for necessary personal purposes other than pleasure driving and (2) that every effort is made by the applicant to transport as many passengers as possible, consistent with the capacity of the vehicle.

(ii) The Board shall issue a certificate under this paragraph only if the conditions of subdivision (i) are complied with and, in addition, if it is satisfied that the use of a passenger automobile is necessary for the accomplishment of the purpose for which the applicant needs tires or tubes, and that no other practicable means of transportation are available.

§ 1315.1199a *Effective dates of amendments.* • • •

(u) Amendment No. 21 (§ 1315.504) to Revised Tire Rationing Regulations shall become effective July 25, 1942.

(Pub. Law 421, 77th Cong. 2nd Sess., Jan. 30, 1942, OPM Supp. Order No. M-15c, WPB Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026.)

Issued this 18th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6865; Filed, July 18, 1942; 12:43 p. m.]

PART 1394—RATIONING OF FUEL, AND FUEL PRODUCTS

[Amendment 2 to Ration Order 5A[1]]

GASOLINE RATIONING REGULATIONS

ALLOWANCE OF MILEAGE

A new subparagraph (1) is added to paragraph (b) of § 1394.504; a new subparagraph (2) (i) is added to paragraph (b) of § 1394.604, as set forth below:

§ 1394.504 *Allowance of mileage.* • • •

(b) • • •

(1) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a Board having jurisdiction over an area which it determines to be adequately served by subway, elevated railroad, or suburban commutation railroad service shall allow mileage claimed with respect to which a ride-sharing arrangement has been made only if the applicant also establishes that the use of such subway, elevated, or suburban commutation service would not be reasonably adequate for the purpose for which such mileage is claimed. The Board shall review all applications granted in which mileage has been allowed on the basis of proof of a ride-sharing arrangement alone; it shall require the applicant to establish the inadequacy of such transportation services with respect to such mileage and shall revoke any ration issued pursuant to such application to the extent that the applicant has not established such inadequacy. In reviewing such applications, the Board shall follow the procedure set forth in § 1394.1406.

§ 1394.604 *Allowance of mileage.* • • •

(b) • • •

(2) • • •

(i) In allowing mileage claimed with respect to which a ride-sharing arrangement has been established, pursuant to this subparagraph, the Board shall be governed by the provisions of subparagraph (1) of paragraph (b) of § 1394.504.

§ 1394.1902 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1394.504 (b) (1) and 1394.604 (b) (2) (i)) to Ration Order No. 5A shall become effective July 18th, 1942.

(Pub. No. 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2d sess., Pub. No. 421, 77th Cong., 2d sess., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H), 7 F.R. 562)

Issued this 18th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6862; Filed, July 18, 1942; 12:42 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 7 to Maximum Price Regulation 118[1]]

COTTON PRODUCTS

CERTAIN HUCK TOWELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

New paragraphs (a) (5) and (d) (29) are added to § 1400.118 as set forth below:

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* (a) The effective dates of the maximum prices set forth in paragraph (d) of this section are as follows:

• • • • • •

(5) For huck towels conforming to Federal Specification DDD-T-531 (with or without woven name or colored stripe, stamped or unstamped). July 18, 1942.

• • • • • •

(d) • • •

(29) *Huck towels.* The maximum price for huck towels manufactured in accordance with Federal Specification DDD-T-531 (with or without woven name or colored stripe, stamped or unstamped) shall be $1.73 per dozen, terms net, f.o.b. shipping point.

§ 1400.117 *Effective dates of amendment.* • • •

(g) Amendment No. 7 to Maximum Price Regulation No. 118 shall become effective July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6863; Filed, July 18, 1942; 12:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Maximum Price Regulation 165[1]]

CONSUMER SERVICE

EXCEPTED SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.107 is amended to read as follows,

§ 1499.107 *Excepted services.* The provisions of this Maximum Price Regulation No. 165 shall not apply to:

(a) The services set forth in Supplementary Regulation No. 11 to the General Maximum Price Regulation or any amendments thereto; or

(b) Any of the following services:

(1) Transportation services of carriers other than common carriers within the exemption conferred by section 302 (c) of the Emergency Price Control Act of 1942.

(2) Commercial storage and warehousing and services incident thereto.

(3) Terminal services.

§ 1499.119a *Effective dates of amendments.* (a) • • •

(b) Amendment No. 2 (§ 1499.107) to Maximum Price Regulation No. 165 shall become effective at 12:01 a. m., July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6864; Filed, July 18, 1942; 12:42 p. m.]

PART 1340—FUEL

[Amendment 6 to Maximum Price Regulation No. 122[1]]

SOLID FUELS DELIVERED FROM FACILITIES OTHER THAN PRODUCING FACILITIES—DEALERS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new § 1340.257a is added as set forth below:

§ 1340.257a *Incorporations of provisions of the General Maximum Price Regulation.*[2] The provisions of § 1499.18 (*Applications for adjustment*) of the General Maximum Price Regulation shall apply to all persons subject to this Maximum Price Regulation No. 122.

§ 1340.260a *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§ 1340.257a) to Maximum Price Regulation No. 122 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6896; Filed, July 20, 1942; 11:43 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Revised Price Schedule No. 13[1]]

DOUGLAS FIR PLYWOOD

The title, the preamble, and §§ 1312.1 to 1312.10,[1] inclusive, are renumbered and amended to read as follows:

[Maximum Price Regulation No. 13]

DOUGLAS FIR PLYWOOD

In the judgment of the Price Administrator, the prices of Douglas fir plywood have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Douglas fir plywood prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 13 is hereby issued.

Sec.

1413.1 Maximum prices for Douglas fir plywood
1413.2 Less than maximum prices
1413.3 Conditional agreements
1413.4 Evasion
1413.5 Records and reports
1413.6 Enforcement
1413.7 Petitions for amendment
1413.8 Definitions
1413.9 Applicability of General Maximum Price Regulation
1413.10 Export sales
1413.11 Effective date
1413.12 Appendix A: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes listed in § 1276.1 (b) of Limitation Order L-150.[2]
1413.13 Appendix B: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes not listed in § 1276.1 (b) of Limitation Order L-150, and which qualifies as "work in process" under § 1276.1 (c) (1) of the Limitation Order.
1413.14 Appendix C: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes not listed in § 1276.1 (b) of Limitation Order L-150, and which is shipped pursuant to a "military order" as defined in § 1276.1 (c) (2) of the Limitation Order.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.
[2] 7 F.R. 5056, 5059.
[3] Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 1027, 1089, 2106, 2167, 2541, 2633.

[1] 7 F.R. 5225, 5362, 5426.

[1] 7 F.R. 3038, 3211, 3522, 3578, 3624, 3905, 4405, 5524.
[2] Copies may be obtained from the Office of Price Administration.
[3] 7 F.R. 4734, 5028.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[1] 7 F.R. 1235, 1836, 2132.
[2] 7 F.R. 971, 3663.
[3] 7 F.R. 4482.

Sec.
1413.15 Appendix D: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes which are produced after July 1, 1942 upon specific written authorization of the Director of Industry Operations of the War Production Board pursuant to § 1276.1 (b) of Limitation Order L–150.
1413.16 Appendix E: Maximum prices for exterior type Douglas fir plywood.
1413.17 Appendix F: Maximum delivered prices for Douglas fir plywood.

AUTHORITY: §§ 1413.1 to 1413.17 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1413.1 *Maximum prices for Douglas fir plywood.* (a) On and after July 25, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Douglas fir plywood, where shipment originates at the mill rather than at a distribution plant, and no person shall buy or receive in the course of trade or business any Douglas fir plywood so shipped, at prices higher than the maximum prices set forth in the Appendices A to F hereof, inclusive, incorporated herein as §§ 1413.12 to 1413.17, inclusive; and no person subject to this Maximum Price Regulation No. 13 shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maximum Price Regulation No. 13 shall not be applicable to sales or deliveries of Douglas fir plywood to a purchaser, if prior to July 25, 1942, such plywood had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) The maximum prices established by this Maximum Price Regulation No. 13 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased during the period March 1 to 15, 1941.

§ 1413.2 *Less than maximum prices.* Lower prices than those set forth in Appendices A to F, inclusive, §§ 1413.12 to 1413.17, inclusive, may be charged, demanded, paid, or offered.

§ 1413.3 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 13 shall enter into an agreement permitting the adjustment of the price of Douglas fir plywood to prices which may be higher than the maximum prices in effect on the date of the agreement: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be made in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1413.4 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 13 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to Douglas fir plywood, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing plywood through a distribution plant;

(2) Use of estimated average shipping weights when the seller has not filed such estimated weights with the Office of Price Administration in accordance with paragraph (a) (2) of § 1413.17, Appendix F.

(3) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in paragraph (a) of § 1413.17, Appendix F.)

§ 1413.5 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 13 making sales or deliveries or purchases of one or more carloads of Douglas fir plywood in any one month, after July 25, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Douglas fir plywood, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, the place from which shipment to the purchaser originated, and the price paid or received.

(b) Every manufacturer of Douglas fir plywood shall keep records showing, and shall submit to the Lumber Branch of the Office of Price Administration, Washington, D. C. on or before November 1, 1942, a report showing (1) the total production of all grades and sizes of moisture resistant type Douglas fir plywood and the total production of Plywall (Douglas fir plywood wallboard) during the period March 1, 1942 to May 31, 1942; and (2) the total production of all grades and sizes of moisture resistant type Douglas fir plywood, the total production of Plywall (Douglas fir plywood wallboard), and the total production of Sound 1 Side Plypanel during the period July 1, 1942 to September 30, 1942.

(c) Every seller and purchaser subject to this Maximum Price Regulation No. 13 shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports in addition to or in place of the report required in paragraph (b) of this section to the Office of Price Administration as that Office may from time to time require or permit.

§ 1413.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 13 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 13 or any Price Schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest field, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1413.7 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 13 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1413.8 *Definitions.* (a) When used in Maximum Price Regulation No. 13, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Mill" means a factory or plant which processes Douglas fir peeler logs into Douglas fir plywood.

(3) "Less than carload" means a quantity of one or more grades or sizes of Douglas fir plywood, the aggregate weight of which is less than 38,000 pounds. Either Douglas fir doors or Douglas fir millwork, or both, may be included with plywood in computing such aggregate weight.

(4) "Distribution plant" means a wholesale or retail warehouse or yard which purchases or receives Douglas fir plywood from a mill or another distribution plant for purposes of unloading and resale or redistribution, and which regularly maintains a stock of plywood.

(5) "Sound 1 Side Plypanel" means a grade of moisture resistant type Douglas fir plywood which satisfies the following standards: The face shall be of one or more pieces of firm smoothly cut veneer. When of more than one piece, it shall be well joined and reasonably matched for grain and color at the joints. It shall be free from knots, splits, checks, pitch pockets and other open defects. Streaks, discolorations, sapwood, shims and neatly made patches shall be admitted. The face shall present a smooth surface suitable for painting. The back shall present a solid surface with all knots in excess of one inch patched and with the following permitted: Not more than six knotholes or borer holes 5/8 of an inch or less in greatest dimension, splits 1/8 of an inch or less in width and pitch pockets not in excess of one inch wide or three inches long or that do not penetrate through veneer to glue line. There may be any number of patches and plugs in the back.

(6) Grades of Douglas fir plywood, other than Sound 1 Side Plypanel, shall be in accord with the standards of the United States Department of Commerce, National Bureau of Standards, as contained in Commercial Standard CS45–40 (Douglas Fir Plywood, Domestic Grades), Fourth Edition, effective August 20, 1940.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1413.9 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation [1] shall not, on and after July 25, 1942, apply to sales and deliveries of Douglas fir plywood where shipment originates at the mill rather than at a distribution plant.

§ 1413.10 *Export sales.* The maximum price at which a seller may make an export sale of Douglas fir plywood, shall be determined in accordance with the provisions of the Maximum Export Price Regulation [2] issued by the Office of Price Administration.

§ 1413.11 *Effective date.* This Maximum Price Regulation No. 13 (§§ 1413.1 to 1413.17, inclusive) shall become effective July 25, 1942.

§ 1413.12 *Appendix A: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes listed in § 1276.1 (b) of Limitation Order L–150.* (a) The maximum prices for moisture resistant type Douglas fir plywood in grades and sizes listed in § 1276.1 (b) of Limitation Order L–150 [3] shall be as follows:

(1) PLYSCORD

(Douglas fir plywood sheathing)

(i) *Maximum prices for Plyscord in widths of 36" and 48" and in lengths of 96":*

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply, rough	$25.30	$26.40
3/8" 3 ply, rough	30.30	31.75
1/2" 3 or 5 ply at mill's option, rough	40.45	43.00
5/8" 3 or 5 ply at mill's option, rough	50.55	53.95

(ii) *Long standard lengths.* For panels in widths of 36" and 48" and in lengths of 9', 10', 11' and 12', the following additional charges may be made:

$5.25 per M Sq. Ft. for 9' lengths.
$8.00 per M Sq. Ft. for 10' lengths.
$13.25 per M Sq. Ft. for 11' lengths.
$16.00 per M Sq. Ft. for 12' lengths.

(2) PLYWALL

(Douglas fir plywood wallboard)

(i) *Maximum prices for plywall in widths of 48" and in lengths of 60", 72", 84", and 96":*

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4"	$28.00	$29.20
3/8" 3 ply S2S to 5/16"	38.50	40.90
1/2" 5 ply S2S to 1/4"	52.50	56.15
1/4" studding strips (per M lineal feet)	5.30	5.30

(ii) *Long standard lengths.* For panels in widths of 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

$5.25 per M Sq. Ft. for 9' lengths.
$8.00 per M Sq. Ft. for 10' lengths.
$13.25 per M Sq. Ft. for 11' lengths.
$16.00 per M. Sq. Ft. for 12' lengths.

(3) PLYFORM

(Douglas fir plywood concrete form panels)

(i) *Maximum prices for Plyform in widths of 36" and 48" and in lengths of 60", 72", 84", and 96":*

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4" (Form liners)	$44.00	$47.00
5/16" 5 ply S2S to 1/2"	76.10	83.15
5/8" 5 ply S2S to 5/16"	81.40	89.00
13/32" 5 ply S2S to 5/8"	85.50	93.15
13/16" 5 ply S2S to 3/4"	94.30	103.05

(ii) *Plyform with oiled faces.* For Plyform with oiled faces, a charge not to exceed $1.00 per M Sq. Ft. may be added to the maximum prices established in paragraph (a) (3) (i) immediately above.

(4) AUTOMOBILE AND INDUSTRIAL PLYWOOD—ROUGH PANELS

Maximum prices for automobile and industrial plywood—rough panels:

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
1/4" rough—3 ply—sizes up to 48" x 96"	$29.20	$31.95
5/16" rough—3 ply—sizes up to 48" x 96"	29.20	31.95
3/8" rough—3 ply—sizes up to 48" x 96"	35.00	38.50
1/2" rough—5 ply—sizes up to 48" x 96"	48.80	53.40
5/16" rough—5 ply—sizes up to 48" x 96"	58.75	58.90
3/8" rough—5 ply—sizes up to 48" x 96"	58.75	64.35
13/16" rough—5 ply—sizes up to 48" x 96"	63.70	69.80
3/4" rough—5 ply—sizes up to 48" x 96"	68.65	75.20
7/8" rough—5 ply—sizes up to 48" x 96"	78.60	86.05
7/8" rough—7 ply—sizes up to 48" x 96"	82.30	90.10

(5) PLYPANEL—SOUND 1 SIDE

Maximum prices for Plypanel—Sound 1 Side in Widths of 24", 30", 36", and 48" and in Lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4" or 1/4"—3 ply S2S to 5/16":		
24" width	$29.65	$30.80
30" and 36" width	30.45	31.55
48" width	32.00	33.20
5/16" 3 ply S2S to 1/4":		
24" width	27.55	28.75
30" and 36" width	28.40	29.55
48" width	30.00	31.20
7/16" 3 ply S2S to 3/8":		
24" width	38.05	40.35
30" to 36" width	38.85	41.20
48" width	40.50	42.90
5/16" 5 ply S2S to 1/2":		
24" width	52.05	55.55
30" to 36" width	52.85	56.35
48" width	54.50	58.15
13/16" 5 ply S2S to 5/8":		
24" width	62.00	67.95
30" to 36" width	62.80	68.85
48" width	64.40	70.60
13/16" 5 ply S2S to 3/4":		
24" width	70.35	77.05
30" to 36" width	71.10	77.85
48" width	72.70	79.70

(6) PLYPANEL—SOUND 2 SIDES

Maximum prices for Plypanel—Sound 2 Sides in widths of 24", 30", 36", and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 3/8" or 1/4"—3 ply S2S to 5/16":		
24" width	$35.65	$38.85
30" and 36" width	36.65	39.80
48" width	38.50	41.85
5/16" 3 ply S2S to 1/4":		
24" width	32.15	35.35
30" and 36" width	33.15	36.30
48" width	35.00	38.35
7/16" 3 ply S2S to 3/8":		
24" width	43.25	47.45
30" and 36" width	44.20	48.45
48" width	46.05	50.45
5/16" 5 ply S2S to 1/2":		
24" width	58.95	64.55
30" and 36" width	59.85	65.50
48" width	61.70	67.60
13/16" 5 ply S2S to 5/8":		
24" width	69.95	76.65
30" and 36" width	70.90	77.65
48" width	72.70	79.65
13/16" 5 ply S2S to 3/4":		
24" width	79.25	86.75
30" and 36" width	80.10	87.70
48" width	81.90	89.75

(b) The following additions to the maximum price established in paragraph (a) of this section may be made for the specified special extras:

(1) *Selected sound cores and crossbands:*

$2.50 per M Sq. Ft. for 3 Ply.
$7.50 per M Sq. Ft. for 5 Ply.
$12.50 per M Sq. Ft. for 7 Ply.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5365, 5445.
[2] 7 F.R. 5059.
[3] 7 F.R. 4482.

(2) *Core stock:* (In lengths not over 48")

Add to maximum price for Sound 2 Side in 48" widths:

$10.00 per M Sq. Ft. for widths up to 96".

$15.00 per M Sq. Ft. for widths up to 108".

$20.00 per M Sq. Ft. for widths up to 120".

$25.00 per M Sq. Ft. for widths up to 132".

$30.00 per M Sq. Ft. for widths up to 144".

(3) *Redrying:*

$3.00 per M Sq. Ft. (No addition for ⅛" or 3/16" sanded panels).

(4) *Special gluing specifications:*

$5.00 per M Sq. Ft. for 3 Ply.
$10.00 per M. Sq. Ft. for 5 Ply.
$15.00 per M Sq. Ft. for 7 Ply.

NOTE: This shall include all special glue specifications and assembly requirements. Each panel so manufactured shall be stamped with the word "Special".

(5) *Treating panels with waterproofing agent (oiling):* $2.50 per M Sq. Ft. (This addition may not be made for Plyform.)

(6) *Treating panels with edge sealer:* $1.00 per M Sq. Ft. (This addition may not be made for Plyform.)

(7) *Treating panels with resin sealer (one or two sides):* $10.50 per M Sq. Ft.

(8) *Bundling in paper packing:* $0.35 per 1/16" in thickness per M Sq. Ft.

(9) *Wire or twine bundling:* $0.50 per M Sq. Ft. for small cut-to-size panels, 3 Ply (containing less than 9 Sq. Ft. per panel) tied with either twine or wire. $1.00 per M Sq. Ft. for small cut-to-size panels, 5 Ply or heavier (containing less than 9 Sq. Ft. per panel) tied with either twine or wire.

(10) *Segregating and/or lot-marking on car of two or more lots:* $2.50 per lot for each lot over one.

(c) The following deduction from the maximum prices for moisture resistant type Douglas fir plywood stated in paragraph (a) of this section shall be made for unsanded stock in grades other than Plyscord and Automobile and Industrial Plywood:

Deduct $1.25 per M Sq. Ft. from the maximum price for the thickness to which the panel would regularly be sanded.

(d) No additions to the maximum prices for moisture resistant type Douglas fir plywood stated in paragraph (a) of this section may be made for special extras not expressly provided for in this section: *Provided*, That the seller may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for instructions as to additions for special extras for which no express provision has been made. Pending receipt of such instructions the seller may quote and deliver at a price which is agreed by the parties to be subject to adjustment to the price determined by the Office of Price Administration, but the seller may not accept payment and the purchaser may not make payment until such instructions have been received.

§ 1413.13 *Appendix B: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes not listed in § 1276.1 (b) of Limitation Order L–150, and which qualifies as "work in process" under § 1276.1 (c) (1) of the Limitation Order.* (a) The maximum prices for moisture resistant type Douglas fir plywood in grades and sizes not listed in § 1276.1 (b) of Limitation Order L–150,[5] and which qualifies as "work in process" under § 1276.1 (c) (1) of the Limitation Order, shall be the maximum prices established in Revised Price Schedule No. 13.[7]

§ 1413.14 *Appendix C: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes not listed in § 1276.1 (b) of Limitation Order L–150, and which is shipped pursuant to a "military order" as defined in § 1276.1 (c) (2) of the Limitation Order.* (a) The maximum price for moisture resistant type Douglas fir plywood (1) in grades and sizes not listed in § 1276.1 (b) of Limitation Order L–150,[5] (2) which does not qualify as "work in process" under § 1276.1 (c) (1) of the Limitation Order, and (3) which is shipped pursuant to a "military order" as defined in § 1276.1 (c) (2) of the Limitation Order, shall be computed by adjusting the maximum prices established in § 1413.12, Appendix A, of this Maximum Price Regulation No. 13 in acordance with the differentials which would have been recognized by the seller during the period of March 1 to 15, 1941: *Provided*, That the seller must, within thirty days of entering into a contract for the sale of plywood subject to the provisions of this section, file a notarized report with the Lumber Branch of the Office of Price Administration, Washington, D. C., setting forth full details of the transaction including the name and address of the purchaser, the point of origin and the point of delivery of the plywood, the specifications for the plywood, and the price charged. Where the Office of Price Administration within thirty days of receipt of the report rules that the seller has made an excessive charge for furnishing the plywood, the seller must readjust the sale price in accordance with the ruling of the Office of Price Administration. If the Office of Price Administration does not rule on the price within such time, the price submitted shall be considered approved.

§ 1413.15 *Appendix D: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes which are produced after July 1, 1942 upon specific written authorization of the Director of Industry Operations of the War Production Board, pursuant to § 1276.1 (b) of Limitation Order L–150.* (a) On and after July 25, 1942, no person shall sell moisture resistant type Douglas fir plywood in grades and sizes which are produced after July 1, 1942 upon specific written authorization of the Director of Industry Operations of the War Production Board, pursuant to § 1276.1 (b) of Limitation Order No. L–150,[5] unless:

(1) The producing mill files with the Lumber Branch of the Office of Price Administration, Washington, D. C., a notarized statement describing the special grade or size and the price at which it desires to sell such plywood; and

(2) The Office of Price Administration expressly approves such price.

§ 1413.16 *Appendix E: Maximum prices for exterior type Douglas fir plywood.* (a) The maximum prices for exterior type Douglas fir plywood in widths of 12" to 48" in even 2" breaks and in lengths of 96" and shorter shall be as follows:

	Per M Sq. ft. in carload lots, f. o. b. mill		
	Sound 2 sides	Industrial grade	Sound 1 side
¼" sanded			
5/16" unsanded			
5/16" sanded			
⅜" unsanded	$47.50	$45.50	$43.50
⅜" sanded	48.50	46.50	44.50
7/16" unsanded	53.00	53.00	51.00
7/16" sanded			
½" unsanded	61.00	59.00	57.00
½" sanded			
9/16" unsanded	81.50	79.00	76.50
9/16" sanded			
⅝" unsanded	88.00	86.00	84.00
⅝" sanded			
11/16" unsanded	96.00	93.50	91.50
11/16" sanded			
¾" unsanded	103.50	101.50	99.50
¾" sanded	112.00	110.00	107.50
⅞" sanded	121.00	119.00	117.00
1 1/16" unsanded			
1 1/16" sanded			
1" unsanded	143.00	140.50	138.50
1" sanded			
1 1/16" unsanded	152.00	149.50	147.00
1 1/16" sanded			
1 1/8" unsanded	160.50	158.50	156.50
1 1/8" sanded			
1 3/16" unsanded	170.50	168.00	166.00
1 3/16" sanded			
1 1/4" unsanded	180.00	178.00	176.00
1 1/4" sanded			
1 5/16" unsanded	190.50	188.00	185.50

(b) The following additions to the maximum prices established in paragraph (a) of this section may be made for the specified special extras:

(1) *Wide widths:* Add to maximum price for 48" widths:

	Per M sq. ft.
Over 48" to 60", inclusive, sanded or unsanded	$8.15
Over 60" to 72", inclusive, sanded or unsanded	10.90
Over 72" to 84", inclusive, unsanded only	16.30
Over 84" to 96", inclusive, unsanded only	24.50
Up to 96" wide where length is not more than 48"	5.45

(2) *Long lengths:* Add to the maximum price for 96" lengths:

	Per M sq. ft.
Over 96" to 108", inclusive, sanded or unsanded	$5.45
Over 108" to 120", inclusive, sanded or unsanded	8.15
Over 120" to 132", inclusive, sanded or unsanded	13.60
Over 132" to 144", inclusive, sanded or unsanded	16.30

(3) *Treating panels with waterproofing agent (oiling):* $2.75 per M Sq. Ft.

(4) *Treating panels with resin sealer:* $8.15 per M Sq. Ft.

(5) *Bundling in paper packing:* $0.40 per 1/16" in thickness per M Sq. Ft.

(6) *Bundling; carton packed, steel strapped:* $0.65 per 1/16" in thickness per M Sq. Ft.

(7) *Sizes containing less than one square foot:* 10 percent of the maximum price stated in paragraph (a) of this section.

(c) No additions to the maximum prices for exterior type Douglas fir plywood stated in paragraph (a) of this section may be made for special extras not expressly provided for in this section: *Provided*, That the seller may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for instructions as to additions for special extras for which no express provision has been made. Pending receipt of such instructions the seller may quote and deliver at a price which is agreed by the parties to be subject to adjustment to the price determined by the Office of Price Administration, but the seller may not accept payment and the purchaser may not make payment until such instructions have been received.

§ 1413.17 *Appendix F: Maximum delivered prices for Douglas fir plywood.* (a) A delivered price in excess of the maximum f. o. b. mill prices set forth in §§ 1413.12 to 1413.16, inclusive, Appendices A to E, inclusive, may be charged by the seller and paid by the buyer, consisting of such maximum prices plus actual transportation costs paid or incurred by the seller in transporting the plywood from the mill to the location designated by the purchaser. However, for the purposes of this section, the following two practices shall not be deemed a deviation from the use of actual transportation costs:

(1) The computation of transportation costs on the basis of the applicable freight rate and a system of estimated average weights used by the seller during the month of July 1941: *Provided*, That a copy of such system of estimated average weights has been filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., before the use of such system in a transaction subject to Maximum Price Regulation No. 13; and

(2) the charging of a sum equivalent to the one-twentieth of a dollar nearest to the transportation costs per 1,000 square feet of plywood computed in accordance with subparagraph (1) above.

(b) The seller must in all cases give the buyer the option of purchasing Douglas fir plywood f. o. b. the mill and making his own arrangements for transportation. Refusing to sell plywood except on a delivered basis is prohibited.

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6898; Filed, July 20, 1942; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Price Regulation[1]—Order 36]

DOW CHEMICAL COMPANY

The Dow Chemical Company of Midland, Michigan, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum prices for two new products which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

§ 1499.74 *Approval of maximum prices for O-Phenoxybenzoic Acid and Tri (penta-chlor phenyl) Phosphate in experimental quantities only.* (a) The Dow Chemical Company, Midland, Michigan, may sell and deliver and agree, solicit and attempt to sell and deliver, and any person may buy from the Dow Chemical Company O-Phenoxybenzoic Acid and Tri (penta chlor phenyl) Phosphate for experimental purposes in the quantities and at the prices not in excess of those hereinafter set forth:

O-Phenoxybenzoic Acid at $9.00 per pound f. o. b., Midland, Michigan, in a total quantitiy of not more than five pounds.

Tri (penta chlor phenyl) Phosphate at $2.50 per pound f. o. b. Midland, Michigan in a total quantity of not more than ten pounds.

(b) This Order No. 36 may be revoked or amended at any time.

(c) This Order No. 36 (§1499.74) shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6894; Filed, July 20, 1942; 11:41 a. m.]

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[5] Note 5 *supra*.

[7] 7 F.R. 1235.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATIONS

CERTAIN BRANCHES OF FURNITURE MANUFACTURING INDUSTRY

In the matter of an amendment to the determination of the prevailing minimum wages in the Wood Furniture Branch and in the Public Seating Branch of the Furniture Manufacturing Industry.

This matter is before me pursuant to section 1 (b) of the act of June 30, 1936 (49 Stat. 2036, 41 U.S.C. Supp. III, 35), entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On May 3, 1939, I issued a determination (4 F.R. 1915) that the prevailing minimum wages for employees engaged in the performance of contracts with agencies of the United States subject to the Walsh-Healey Public Contracts Act in the Wood Furniture Branch of the Furniture Manufacturing Industry are—

(1) 35 cents an hour for the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Maryland, West Virginia, Delaware, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, and the District of Columbia;

(2) 30 cents an hour for the States of Virginia, Kentucky, North Carolina, Georgia, South Carolina, Florida, Alabama, Tennessee, Arkansas, Louisiana, Oklahoma, Texas, and Mississippi; and

(3) 50 cents an hour for the States of California, Washington, and Oregon;

and that the prevailing minimum wage for such employees in the Public Seating Branch of the Furniture Manufacturing Industry is 37½ cents an hour.

On June 11, 1942, the Administrator of the Division of Public Contracts of the Department of Labor issued a Notice of Opportunity to Show Cause on or before July 6, 1942, why my determination for the Wood Furniture Branch should not be amended by (a) increasing the prevailing minimum wage to 40 cents an hour for the District of Columbia and all States other than California, Washington, and Oregon for which the prevailing minimum shall continue to be 50 cents an hour, the rate specified in my determination of May 3, 1939, and (b) amending the definition of the Wood Furniture Branch to which this prevailing minimum wage shall apply to be substantially the same as the definition of the Wood Furniture Manufacturing

Industry contained in the Wage Order of the Administrator of the Wage and Hour Division issued on November 3, 1941, for that industry, and why my determination for the Public Seating Branch should not be amended by increasing the prevailing minimum wage from 37½ cents an hour to 40 cents an hour.

The notice sets forth that: (1) The minimum wage required to be paid by wood furniture manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on November 3, 1941, pursuant to the Wage Order; (2) the definition of the Wood Furniture Manufacturing Industry in the Wage Order includes all of the products covered by my determination for the Wood Furniture Branch and certain of the products covered by my determination for the Public Seating Branch; (3) substantially all employers subject to my determination for the Wood Furniture Branch are engaged in commerce or in the production of goods for commerce and consequently the Wage Order has the effect of establishing 40 cents an hour as the prevailing minimum wage in the Wood Furniture Branch for the District of Columbia and all states other than California, Washington, and Oregon for which the prevailing minimum is 50 cents an hour; (4) the processes of manufacture and the prevailing minimum wage rates in the production of the articles covered by the Wage Order but not covered by my determination for the Wood Furniture Branch are similar to the processes and prevailing minimum wage rates in the production of the articles covered by that determination; and (5) the processes of manufacture and prevailing minimum wage rates in the production of the articles covered by my determination for the Public Seating Branch but not covered by the Wage Order are similar to the processes and prevailing minimum wage rates in the production of articles covered by the Wage Order.

This notice was sent to members of the industry, to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER (7 F.R. 4504). No objections, protests, or any statements in opposition to the proposed amendments have been received. Statements in support of the proposed amendments have been received from four manufacturers, one union, and one association.

Upon consideration of all the facts and circumstances, I hereby determine that:

§ 202.27[1] *Furniture manufacturing industry*—(a) *Definitions*—(1) *Wood Furniture Branch.* The definition of the Wood Furniture Branch of the Furniture Manufacturing Industry is amended to mean the manufacturing, assembling, upholstering, and finishing, from wood, reed, rattan, willow, and fiber, of upholstered and other household, office, lawn, camp, porch, and juvenile and toy furniture, including but without limitation porcelain top breakfast furniture and radio, phonograph and sewing machine cases and cabinets; the manufacturing and assembling from wood, of furniture parts for the above, separately, set up or knocked down including but without limitation parlor furniture frames and chairs in the white: *Provided, however,* That this definition shall not include the manufacture of any product covered by the prevailing minimum wage determination of the Secretary of Labor for the Public Seating Branch of the Furniture Manufacturing Industry.

The manufacturing of any products covered under this definition shall be deemed to begin following the delivery of the wood from the kiln or from the air-dried dimension shed.

* * * * *

(b) *Minimum wages*—(1) *Wood Furniture Branch.* The prevailing minimum wages for persons employed in the performance of contracts with agencies of the United States Government, subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, 35), for the manufacture and furnishing of the products of the Wood Furniture Branch of the Furniture Manufacturing Industry shall be (i) 40 cents an hour, or $16.00 for a week of 40 hours, arrived at either on a time or piece-work basis for the District of Columbia and all states other than California, Washington, and Oregon and (ii) 50 cents an hour, or $20.00 for a week of 40 hours, arrived at either on a time or piece-work basis, for the States of California, Washington, and Oregon;

(2) *Public Seating Branch.* The prevailing minimum wage for persons employed in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C., Supp. III, 35), for the manufacture and furnishing of the products of the Public Seating Branch of the Furniture Manufacturing Industry as defined in my determination of May 3, 1939, shall be 40 cents an hour, or $16.00 for a week of 40 hours, arrived at either on a time or piece-work basis.

This determination shall be effective and the minimum wages hereby established shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after August 15, 1942.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under the Fair Labor Standards Act of 1938 or any wage order thereunder, or under any other law, or agreement, more favorable to employees than the requirements of this determination.

* * * * *

(49 Stat. 2036; 41 U.S.C. 35)

Dated: July 16, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-6860; Filed, July 18, 1942; 11:20 a. m.]

[1] 6 F.R. 3437.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III—Grazing Service

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS

MODIFICATION OF NEVADA GRAZING DISTRICT NO. 2

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269, 43 U. S. Code, sec. 315, *et seq.*), as amended, the departmental order of October 18, 1935, establishing Nevada Grazing District No. 2,[1] is hereby modified in order to correct an error in the land description as follows:

NEVADA

Mount Diablo Meridian

That part reading: "T. 39 N., R. 20 E." is amended to read: "T. 30 N., R. 20 E."

ABE FORTAS,
Acting Secretary of the Interior.

JUNE 30, 1942.

[F. R. Doc. 42-6873; Filed, July 20, 1942; 10:21 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

POSTPONEMENT OF EFFECTIVE DATE OF SECOND PARAGRAPH OF RULE 27 OF TARIFF CIRCULAR 20

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 16th day of July, A. D. 1942.

The Commission having under consideration the petition dated November 5, 1941, filed on behalf of all carriers by B. T. Jones, their duly authorized agent, requesting further postponement from July 20, 1942, of the effective date of the second paragraph of Rule 27 of Tariff Circular 20 in all tariffs containing routing in accordance with Plan (2) of Rule 4 (k) of Tariff Circular 20;

It is ordered, That the date shown in the second paragraph of Rule 27 of Tariff Circular 20 as heretofore postponed to July 20, 1942, is hereby further postponed until six months after the termination of the War in which the United States is now engaged unless prior to such date the Commission shall prescribe a specific effective date: *Provided, however,* That such extension shall be effective only as to tariffs which publish routing in the manner provided in Plan (2) of Rule 4 (k) of Tariff Circular 20.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-6897; Filed, July 20, 1942; 11:38 a. m.]

[1] Affects tabulation in § 502.1e.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1450]

DELTA ISSUE

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 10 for the establishment of a price exception of the Delta Mine.

This proceeding having been instituted upon a petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 10, requesting the following price exception in the Schedule of Effective Minimum Prices for District No. 10, for All Shipments Except Truck and for Truck Shipments for the coals of the Delta Mine, Mine Index No. 36, of the Delta Coal Mining Company, a code member in District No. 10:

At Mine Index No. 36 the resultant coal, which is a mixture of coal which passes through the dewatering screens with openings not larger than 10 mesh nor smaller than ½ mm., or the equivalent thereof, after the production of washed coal in other sizes, may be sold at a price not less than 85 cents per net ton.

Petitioner having also requested that no determination of a price classification and minimum price be made until petitioner has had an opportunity to properly evaluate the coal of the producer, the Delta Mine; petitioner having proposed, therefore, that the minimum price be established on a temporary basis subject to further proposal by the District Board, after further investigation and taking of other samples;

Pursuant to an appropriate order and after notice to interested persons, a hearing having been held in this matter on June 23, 1942, before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The preparation and filing of a report by the Examiner having been waived, and the record thereupon having been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law herein and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That, commencing forthwith and pending final disposition of the above-entitled matter, the Schedules of Effective Minimum Prices for District No. 10 for All Shipments Except Truck be, and it is hereby amended to include in the Price Exceptions and Instructions the following price exception:

At Mine Index No. 36 the resultant coal, which is a mixture of coal which passes through the dewatering screens with openings not larger than 10 mesh nor smaller than ½ mm., or the equivalent thereof, after the production of washed coal in other sizes, may be sold at a price not less than 85 cents per net ton: *Provided, however,* That Mine Index No. 36, selling sludge under this price exception, shall file with the Bituminous Coal Division, at 734 Fifteenth Street NW., Washington, D. C., and with District Board No. 10, within 10 days after the date of such sale, a complete description of such sale as is required by the Marketing Rules and Regulations of the Division, Order No. 313, or any other Order of the Division. The filing herein shall be in addition to that required for filing with the field office.

It is further ordered, That jurisdiction be, and it hereby is, reserved by the Acting Director to modify or revoke the price exception granted herein, and

It is further ordered, That the request herein be, and it is hereby granted to the extent set forth above and in all other respects denied.

Dated: July 17, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6881; Filed, July 20, 1942; 11:24 a. m.]

[Docket No. 1708-FD]

SHEBAN MINING COMPANY, CODE MEMBER

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER, AND REVOKING CODE MEMBERSHIP

A complaint pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division on June 11, 1941, by the Bituminous Coal Producers Board for District No. 4, alleging that Karam Sheban (Sheban Mining Company), code member in District No. 4, has wilfully violated the provisions of the Bituminous Coal Code or rules and regulations thereunder, and praying that the Division either cancel or revoke the defendant's code membership or in its discretion, direct the code member to cease and desist from violation of Code and rules and regulations thereunder;

A hearing having been held before C. R. Larrabee, a duly designated Examiner of the Division at a hearing room thereof in Youngstown, Ohio, on April 8, 1942;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in the matter, dated June 10, 1942, in which it was found that the code member had wilfully violated the provisions of sections 4 II (e) and 4 II (g) of the Act, the Code, and the Schedule of Effective Minimum Prices for District No. 4 For Truck Shipments, and in which it was recommended that an order be entered cancelling and revoking its code membership;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs and no such exceptions or supporting briefs having been filed;

The undersigned having determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as the findings of fact and conclusions of law of the undersigned and that his recommendation should also be adopted;

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be and the same are hereby approved and adopted as the findings of fact and conclusions of law of the undersigned; and

It is further ordered, That pursuant to section 5 (b) of the Act, the code membership of Karam Sheban (Sheban Mining Company) be and it hereby is revoked and cancelled, effective fifteen (15) days from the date hereof; and

It is further ordered, That pursuant to section 5 (c) of the Act, the code member, prior to reinstatement to membership in the Code, shall pay to the United States a tax in the amount of $3,515.08.

Dated: July 17, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R Doc. 42-6882; Filed, July 20, 1942; 11:24 a. m.]

[Docket No. B-10]

J. B. WILLIAMSON, CODE MEMBER

ORDER REOPENING AND RESCHEDULING MATTER FOR HEARING

A hearing having been held in the above-entitled matter on November 24 and 25, 1941, at a hearing room of the Bituminous Coal Division (the "Division") at Room 4086, New Post Office Building, Cleveland, Ohio, before W. A. Cuff, Trial Examiner, which hearing was concluded on November 25, 1941; and

It appearing that the record of said hearing has not been submitted by the Official Reporter to the Division; and

It further appearing to the undersigned that in order to obtain a full and complete record of all the facts and circumstances relating to the matters alleged in the complaint herein that the hearing in the above-entitled matter should be reopened and rescheduled as hereinafter provided.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and the same hereby is reopened.

It is further ordered, That the reopened hearing on the subject matters of the complaint in the above-entitled matter be held on July 31, 1942, at 10:00 a. m. at a hearing room of the Division at Room 518, Bulkley Building, at Cleveland, Ohio.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at such hearing vice W. A. Cuff.

It is further ordered, That the Notice of and Order for Hearing dated October 7, 1941, entered in the above-entitled

matter shall, in all other respects, remain in full force and effect.

Dated: July 17, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6883; Filed, July 20, 1942; 11:24 a. m.]

Bureau of Mines.

EXPERIMENT STATION, BOULDER CITY, NEVADA

WAGE FIXING PROCEDURES

For the purpose of determining the prevailing rate of wages to be paid certain classes of Government employees at the Bureau of Mines Experiment Station, Boulder City, Nevada, and to enable the payment to such employees of time and one-half for work in excess of 40 hours per week, the following procedure is established:

I. *Wage Board*

A Wage Board, composed of three representatives of the Department, one selected from the Office of the Secretary of the Interior, and at least one of the other two members selected from the Bureau of Mines, is hereby established to determine prevailing wages for similar work in the locality of the Station for persons employed by the Government in the various trades and occupations in the construction or operation and maintenance of the Station excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior. The representative selected from the Office of the Secretary of the Interior shall act as Chairman of the Board.

II. *Procedure To Be Followed by Board*

In determining the prevailing wages of various trades and occupations being considered by the Board in the locality of the Station, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these trades and occupations from local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations to the Secretary of the Interior as to the rates of wages to be paid to the Government employees of the classes above specified at the Experiment Station. The wages recommended shall become effective upon the date they are approved by the Secretary of the Interior, unless otherwise directed by him: *Provided*, That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

III. *Effective Period of Approved Wage Determinations*

Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided*, That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, selected from the Office of the Secretary of the Interior,
R. G. Knickerbocker and J. D. Secrest, selected from the Bureau of Mines.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-6899; Filed, July 20, 1942. 11:54 a. m.]

BOULDER CITY EXPERIMENT STATION WAGE BOARD

RECOMMENDATIONS TO SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior, dated April 30, 1942, and entitled *Wage Fixing Procedures, Bureau of Mines Experiment Station, Boulder City, Nevada*, the Wage Board has determined prevailing wage rates for certain classes of laborers and mechanics for work of a similar nature prevailing in the vicinity of the Boulder City Experiment Station.

The Board has conducted a field investigation of wage rates paid in the vicinity of the Experiment Station. Conferences were held with representatives of labor organizations and the principal employers of labor in the vicinity of the Station.

In addition to the testimony secured during the field investigation, the Wage Board has considered wage rate data included in collective bargaining agreements; decisions of the Secretary of Labor made pursuant to the Davis-Bacon Act, as amended; statements of wages paid to and benefits earned by employees of the Bureau of Power and Light, City of Los Angeles, and the Southern California Edison Company; and tabular analyses of wages and other compensation paid by the Bureau of Reclamation on the Boulder Canyon Project.

The Wage Board finds that the hourly wage rates listed below are prevailing for similar work in the vicinity of the Station, and recommends them for your adoption.

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/M employees
Armature and rotor winder	$1.25	$1.25
Ball mill operator	1.50	1.50
Blacksmith	1.37½	1.37½
Blacksmith's helper	1.00	1.00
Bricklayer	1.50	1.50
Bricklayer's helper [1]	.80	.80
Carpenter	1.25	1.25
Carpenters helper [1]	.80	.80
Cement finisher	1.50	1.50
Compressor operator	1.25	1.25
Concrete mixer operator	1.25	1.25
Crushing plant operator	1.50	1.50
Dust collector operator	1.25	1.25
Electrician	1.50	1.50
Electrician's helper	.90	.90
Electrode stripper	1.25	1.25
Electrolytic cell operator	1.50	1.50
Engineer, stationary boiler	1.50	1.50
Evaporator operator	1.50	1.50
Filter operator	1.25	1.25
Flotation plant operator	1.50	1.50
Furnace operator	1.50	1.50
General mechanic	1.50	1.50
Kiln operator	1.50	1.50
Laborer, general	.80	.80
Laborer, leadman	1.00	1.00
Laborer, special, crushing plant, electrolytic plant, flotation plant, furnace plant, leaching plant, milling plant, kiln	.90	.90
Leaching plant operator	1.50	1.50
Lead burner	1.50	1.50
Lead burner's helper	1.00	1.00
Machinist	1.50	1.50
Machinist's helper	1.00	1.00
Mechanic, air conditioner	1.50	1.50
Mechanic's helper	1.00	1.00
Motor truck driver (under 7½ tons)	.87½	.87½
Motor truck driver (7½–10 tons)	1.00	1.00
Moulder	1.50	1.50
Oiler and greaser	1.00	1.00
Painter, brush	1.25	1.25
Painter, spray	1.87½	1.87½
Painter, swing stage & structural steel	1.50	1.50
Painter's helper [1]	.80	.80
Pipefitter	1.50	1.50
Pipefitter's helper	1.00	1.00
Plumber	1.50	1.50
Plumber's helper	1.00	1.00
Power-shovel operator, light duty	1.60	1.60
Pump operator	1.12½	1.12½
Rigger	1.50	1.50
Sampler	1.25	1.25
Sheet metal worker	1.25	1.25
Sheet metal workers' helper [1]	.80	.80
Spray dryer operator	1.25	1.25
Structural steel worker	1.50	1.50
Table operator, concentrator	1.50	1.50
Welder	1.50	1.50
Welder's helper	1.00	1.00

[1] Classifications of labor thus designated not to be used for new employments.

It is the understanding of the Wage Board that Bureau of Mines employees paid in accordance with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to 40-hour week act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

No reduction in current rates. The Wage Board recommends that no present employee of the Bureau of Mines suffer a reduction in hourly wage rates as a result of the promulgation of wage changes based upon these recommendations.

Wage rates for foremen. The Wage Board finds with respect to foremen who do not work with the tools of the trade that there is a prevailing differential between wages paid to foremen and wages paid to laborers and mechanics, namely, that foremen receive not less than twelve and one-half cents per hour in excess of the rate paid to the workers they supervise. The Wage Board recommends that the basic hourly wage rate for foremen employed by the Government at the Experiment Station be fixed at twelve and one-half cents per hour in excess of the basic hourly rate established for the classification of labor supervised.

The foregoing recommendations approved and adopted by the Boulder City Experiment Station Wage Board this tenth day of June, 1942.

DUNCAN CAMPBELL,
Chairman.
J. D. SECREST,
Member.
R. G. KNICKERBOCKER,
Member.

Approved: July 6, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-6900; Filed, July 20, 1942; 11:54 a. m.]

General Land Office.

FARMERS' BANCO, ARIZONA

REVOCATION OF TEMPORARY WITHDRAWAL OF ACCRETED LANDS

Whereas, this Department by letter of September 28, 1927, ordered a temporary withdrawal of all accreted lands in Ts. 8 and 9 S., R. 24 W., and Ts. 9 and 10 S., R. 25 W., G. & S. R. M., Arizona, which might be found to belong to the public domain pending final determination of the title to the land in the Farmers' Banco, and,

Whereas, under date of April 15, 1942, this Department was informed by the Department of Justice that no reason then existed for treating these lands differently from other lands of the United States,

Now, therefore, the Order of September 28, 1927, having served its purpose is hereby revoked, leaving the lands subject to all other withdrawals and appropriations now affecting them.

OSCAR L. CHAPMAN,
Assistant Secretary.

JUNE 18, 1942.

[F. R. Doc. 42-6870; Filed, July 20, 1942; 10:21 a. m.]

STOCK DRIVEWAY WITHDRAWAL NO. 144, WYOMING NO. 18, MODIFIED

Under the authority of section 7.of the act of June 28, 1934, as amended by the act of June 26, 1936, 48 Stat. 1272, 49 Stat. 1976, 43 U. S. C. 315f, the following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, under the provisions of section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, such lands, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved for the use of the general public as an addition to Stock Driveway Withdrawal No. 144, Wyoming No. 18, subject to valid existing rights:

SIXTH PRINCIPAL MERIDIAN

T. 37 N., R. 80 W.,
Sec. 22, NE¼SE¼ and S½S½,
Sec. 23, S½;
T. 37 N., R. 81 W.,
Sec. 33, W½W½;
aggregating 680 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

And the departmental orders of withdrawal of April 20, 1921, and May 16, 1927, for stock driveway purposes are hereby revoked so far as they affect the following-described lands:

T. 37 N., R. 80 W.,
Sec. 26, S½NE¼ and NW¼,
Sec. 27, S½N½,
Sec. 28, NW¼NE¼ and S½NE¼;
T. 35 N., R. 82 W.,
Sec. 4, N½,
Sec. 5, E½NE¼,
Sec. 14, SE¼;
aggregating 1,081.19 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JULY 7, 1942.

[F. R. Doc. 42-6872; Filed, July 20, 1942; 10:22 a. m.]

[Public Land Order 11]

OREGON

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A CAMP SITE

By virtue of the authority vested in the President, and pursuant to Executive Order 9146 of April 24, 1942,[1] it is ordered as follows:

The public lands in the following-described areas are hereby withdrawn, subject to valid existing rights and to existing classifications and reservations for power purposes, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as a camp site:

WILLAMETTE MERIDIAN

T. 36 S., R. 1 E.,
Secs. 27 to 34, inclusive;
T. 37 S., R. 1 E.,
Secs. 3 to 10, 15 to 18, inclusive;
T. 34 S., R. 1 W.,
Secs. 30, 31;
T. 35 S., R. 1 W.,
Secs. 6, 7;
Sec. 18, N½, SW¼, W½SE¼, NE¼SE¼;
Sec. 19, W½, W½E½;
Sec. 30, W½, W½E½;
Sec. 31, W½;
T. 36 S., R. 1 W.,
Secs. 25, 26;
Sec. 27, E½;
Sec. 34, E½;
Secs. 35, 36;
T. 37 S., R. 1 W.,
Secs. 1, 2, 11, 12, 13;
T. 34 S., R. 2 W.,
Secs. 25, 26;
Sec. 33, S½;
Sec. 34, NE¼ S½;
Secs. 35, 36;
T. 35 S., R. 2 W.,
Secs. 1 to 4, 9 to 16, 22 to 27, 34 to 36, inclusive;
T. 36 S., R. 2 W.,
Sec. 1;
Sec. 13, Lot 7.

[1] 7 F.R. 3067.

The areas described, including both public and non-public lands, aggregate 41,152.27 acres.

This order shall take precedence over but shall not rescind or revoke, Executive Order No. 6910 of November 26, 1934, as amended, as to any of the above-described lands affected thereby.

It is intended that the lands herein described shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

JULY 8, 1942.

[F. R. Doc. 42-6871; Filed, July 20, 1942; 10:22 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LUGGAGE, LEATHER GOODS, AND WOMEN'S HANDBAG INDUSTRY

HEARING ON EMPLOYMENT OF LEARNERS AT LESS THAN THE MINIMUM WAGE RATE

Whereas the Administrator of the Wage and Hour Division duly appointed Industry Committee No. 41 for the purpose of recommending to the Administrator the highest minimum wage rate (not in excess of 40 cents per hour) which will not substantially curtail employment in the Luggage, Leather Goods and Women's Handbag Industry; and

Whereas the said Committee duly filed its Report and Recommendation on February 4, 1942, to the effect that every employer shall pay not less than 40 cents per hour to each of his employees in the Luggage, Leather Goods and Women's Handbag Industry as defined in Administrative Order No. 138 dated January 10, 1942; and which recommendation was approved by the Administrator to become effective on July 27, 1942, and

Whereas Industry Committee No. 41 was unanimous in its recommendation to the Administrator that "if, after proper inquiry, the Administrator deems it advisable, he hold a hearing for the Luggage, Leather Goods and Women's Handbag Industry to consider the problem of learners."

Now, therefore, notice is hereby given of a public hearing to commence at 10:00 A. M. on August 3, 1942 in the College Room of the Hotel Astor at 44th Street

and Broadway, New York, New York, before Merle D. Vincent of the Hearings Branch of the Wage and Hour Division, hereby duly authorized as Presiding Officer to conduct said hearing, to take testimony for the purpose of determining:

(a) What, if any, occupation, or occupations in the Luggage, Leather Goods and Women's Handbag Industry require a learning period, and if any occupation is found to require a learning period;

(b) The factors which may have a bearing upon curtailment of opportunities for employment within the Luggage, Leather Goods and Women's Handbag Industry; and

(c) Under what limitation as to wages, time, number, proportion, and length of service, special certificates may be issued for the employment of learners in the Luggage, Leather Goods and Women's Handbag Industry.

At this hearing opportunity to present evidence relevant to above questions will be afforded any interested person, provided the Presiding Officer shall have received from such person, prior to noon, Saturday, August 1, 1942, a notice of intention to appear, setting forth his name and address, the company or organization which he represents, and the approximate length of time required for such presentation. Any interested party unable to appear in person may file a brief or a statement which will be considered if received by August 1, 1942.

As used in this notice, the term "Luggage, Leather Goods and Women's Handbag Industry" is defined as follows:

(a) The manufacture from any material of luggage including, but not by way of limitation, trunks, suit cases, traveling bags, brief cases, sample cases; the manufacture of instrument cases covered with leather, imitation leather, or fabric including, but not by way of limitation, portable radio cases; the manufacture of small leather goods and like articles from any material except metal; the manufacture of women's, misses', and children's handbags, pocketbooks, purses, and mesh bags from any material except metal; but not the manufacture of bodies, panels, and frames from metal, wood, fibre, or paper board for any of the above articles.

(b) The manufacture from leather, imitation leather, or fabric of cut stock and parts for any of the articles covered in section (a).

The definition of the Luggage, Leather Goods, and Women's Handbag Industry covers all occupations in the industry which are necessary to the production of the articles within the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That this definition does not include employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale.

On the close of the hearing, the Presiding Officer shall file a complete record of the proceeding with, and shall make findings of fact and recommendations to the Administrator.

Signed at New York, N. Y., this 16th day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-6838; Filed, July 17, 1942; 1:44 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 204 and 334]

AMERICAN AIRLINES, INC.

NOTICE OF FURTHER ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, under section 406 of the Civil Aeronautics Act of 1938, as amended, of American Airlines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that further oral argument is now assigned to be held on Monday, July 27, 1942, at 10:00 o'clock a. m., (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C.

Dated, July 18, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6883; Filed, July 20, 1942; 11:30 a. m.]

[Docket No. 335]

EASTERN AIR LINES, INC.

NOTICE OF FURTHER ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith of Eastern Air Lines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that further oral argument is hereby assigned to be held on July 24, 1942, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 18, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6887; Filed, July 20, 1942; 11:30 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration

[Docket Nos. FDC-12, FDC-29]

CREAM, NEUFCHATEL, COTTAGE, AND CREAMED COTTAGE CHEESES

DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of fixing and establishing a definition and standard of identity for cream cheese (Docket No. FDC-12); in the matter of fixing and establishing definitions and standards of identity for neufchatel cheese, cottage cheese, and creamed cottage cheese (Docket No. FDC-29).

Proposed Order

It is proposed that, by virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701 (e); 52 Stat. 1046, 1055; 21 U.S.C. 341, 371 (e), 1940 ed.); the Reorganization Act of 1939 (53 Stat. 561 ff.; 5 U.S.C. 133-133v (Supp. V, 1939)); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234); and upon the basis of evidence of record at the above-entitled hearings duly held pursuant to the notices issued respectively on August 18, 1939 (4 F.R. 3683) and on January 6, 1941 (6 F.R. 679), the following order be made:

Findings of Fact[1]

Finding 1. There are produced and marketed various cheeses of the class of soft uncured cheeses which have similar characteristics but which are separate and distinct identities. R. pp. 63, 93-94, 138-157, 232-234, 659-661, 675, 679-683, 741-744, 924-925, 1988-1991, 2018-2020, 2271, 2711-2712; U. S. Dept. Agri. Bulletins Nos. 608-669)

Finding 2. The organoleptic characteristics, that is, the appearance, smell, feel, and taste, serve in general to distinguish each of such soft uncured cheeses from the others. (R. pp. 138-140, 148-149, 232-233, 246, 659-662, 681-682, 703-704, 924-925, 940, 1228-1229, 1258, 1359, 1463, 1625, 1732-1733, 1735-1736, 1787, 1917-1918, 1944-1945, 1967-1969, 2017-2020, 2271, 2712)

Finding 3. The basic constituents of each such cheese are the same, namely, the coagulated proteins of milk, a portion of the soluble nonfat milk solids, and widely varying proportions of water and milk fat. (R. pp. 1839, 1917-1918, 1951-1952, 2206, 2321; U. S. Dept. Agri. Bulletins Nos. 608 and 896)

Finding 4. The proportions in which these basic constituents are present in a soft uncured cheese determine, to a large extent, the organoleptic characteristics on the basis of which it is distinguished from other kinds of cheeses. (R. pp. 93-94, 246, 260-261, 272, 680-682, 746, 1376, 1640-1641, 1656, 1674, 1681, 1684, 1686-1687, 1813-1814, 1917-1920, 1926-1927, 1935-1938, 1940, 1969-1970, 1982-1983, 1985-1986, 1988, 2030-2034, 2075-2076, 2271)

Finding 5. The percentage of milk fat present in the dairy product from which such soft uncurred cheese is made is one of the important factors which determine the composition of the finished cheese. (R. pp. 148-149, 704, 1229, 1375-1376, 1433-1434, 1586-1587, 1669, 1673, 1819, 1919, 2178-2183; O. P. Ex. 141, 2192-2193, 2246-2248)

Finding 6. The desired percentage of fat in the dairy product from which a soft uncured cheese is made may be obtained by "adjustment" when necessary, that is, by adding skim milk, milk, or cream as may be required to raise or lower the fat content of the starting material to the desired percentage. The starting material, after adjustment when necessary, is generally referred to as the "starting mix" or "mix." (R. pp. 234, 1407-1408, 1432-1434, 1750, 2178-2183)

Finding 7. The proportions in which the basic constituents are present in a soft uncured cheese are determined by the composition of the starting mix used and the method of manufacture employed. (R. pp. 232-234, 680-682, 704, 1226-1728, 1750, 1775-1776, 2178-2183; O. P. Ex. 141)

Finding 8. The growth of certain bacteria usually present in raw milk may, and frequently does, contribute objectionable odors and flavors to a soft uncured cheese, that is, flavors and odors not normally associated with that type of cheese. The development of such flavors and odors is avoided and the desired flavor and odor characteristic of such soft uncured cheese is obtained by pasteurizing the starting mix from which such cheese is made and then inoculating it with a culture of harmless lactic-acid-producing bacteria, usually called "starter", selected on the basis of their ability to produce the desired characteristic flavor and odor. (R. pp. 29, 141, 155, 183, 189, 234, 731, 1747-1748, 1893-1894, 2034, 2598-2599, 2742-2745)

Finding 9. Basically, the process by which soft uncured cheeses are made consists of pasteurizing the starting mix, adding starter, holding the mix at a suitable temperature for developing acidity and coagulating the curd, and draining the whey from the curd. A small quantity of rennet is sometimes added to produce a firmer curd. The curd is usually seasoned with salt. (R. pp. 29-30, 93, 141-142, 234-238, 235-237, 248, 668, 680, 704, 731, 774, 779, 801, 1743-1744, 1748, 1890, 2030, 2577-2578, 2716-2717, 2733, 2752, 2788-2789)

Finding 10. The food commonly or usually known as cream cheese is one of the several soft uncured cheeses. (R. pp. 63, 139, 230, 232, 660-661, 683, 743, 770, 1917)

Finding 11. Cream cheese, made basically as stated in finding 9, is made from cream, with or without added milk or skim milk or both. The fat content of the starting mix varies from about 10 to about 20 percent by weight, depending on the proportions of fat and water desired in the finished cream cheese. The starting mix is usually homogenized. The separation of the curd and the whey is sometimes facilitated by warming. Pressure is sometimes applied to facilitate drainage of whey, and the curd is sometimes chilled. (R. pp. 28-29, 141, 155, 234, 984, 1612, 1668, 1684, 1702, 1714, 1920 (a), 2179, 2203, 2248)

Finding 12. All finished cream cheese leaks water to some extent. (R. pp. 75, 226, 259, 884-885, 1594)

Finding 13. Any noticeable leakage of water from cream cheese is undesirable as it renders the cheese unattractive and creates merchandising problems. (R. pp. 153, 193, 227, 259, 270, 273, 277, 351, 373-374, 885, 984-985)

Finding 14. About 1927 it was discovered that the addition of small quantities of harmless vegetable gum in the preparation of cream cheese would prevent noticeable leakage of water, and such gum was first used and is today used by some manufacturers solely for this purpose. (R. pp. 193, 226, 374, 626, 752, 754-755, 790, 799, 819-821, 833-834, 884, 1358, 1593, 1620-1621, 2323-2325)

Finding 15. The vegetable gums most commonly used in the preparation of cream cheese for the purpose of preventing excessive leakage of water are carob or locust bean gum, karaya gum, and tragacanth gum. (R. pp. 31, 153, 239, 774-775, 790-791, 821, 1360, 1595-1596, 1798-1799)

Finding 16. Gelatin and algin (sodium alginate) will also prevent such leakage, and they are sometimes used for such purpose in the preparation of cream cheese. (R. pp. 31, 45, 68, 76, 142, 154, 209, 240, 244, 2036-2059; O. P. Ex. No. 7)

Finding 17. The amount of gum, gelatin, or algin, or any mixture of two or more of these, as the case may be, necessary for such purpose does not exceed 0.5 percent by weight of the finished cream cheese. (R. pp. 206-207, 885, 984, 1027, 1624, 1993, 2036-2059; O. P. Ex. No. 7)

Finding 18. Because the nondairy substances vegetable gum, gelatin, and algin have come into use as optional ingredients in soft uncured cheeses comparatively recently, consumers are not generally familiar with the fact that they are so used and normally do not expect such substances to be present in soft uncured cheeses. (R. pp. 46, 655, 772, 779, 861-862)

Finding 19. Traditionally, cream cheese has been a relatively high-fat, low-moisture soft uncured cheese and most of the product marketed today as cream cheese contains from 35 to 40 percent or more of fat and from 55 to 50 percent or less of moisture. (R. pp. 1053, 1230, 1617, 1619, 1929, 2097-2098, 2108, 2179, 2181; Govt. Ex.'s Nos. 2 and 4)

Finding 20. In good commercial practice the percentages of fat and moisture in the finished cream cheese vary as much as 2 percent above or below the percentages which the manufacturer desires to obtain in the finished product. (R. pp. 1367-1368, 1484-1485, 1561, 1670-1673, 1729-1730, 1775, 1914-1915, 2001-2002, 2093, 2098-2100, 2179-2180, 2185-2186)

Finding 21. The appearance, smell, feel, and taste of cream cheese become less characteristic of that product as the fat content is lowered and the moisture content is correspondingly raised. The line of demarcation is not clearly fixed, but when the fat is less than about 33 percent and the moisture is more than about 55 percent, the finished product (unless subjected to the hot-pack process hereinafter described) commences to acquire characteristics of appearance, smell, feel, and taste closely related to but different from those of cream cheese. (R. pp. 265-267, 746, 799-800, 1599-1600, 1607, 1619, 1700, 1732, 1935-1938, 1982-1984, 2249-2250)

Finding 22. With all due allowances made for the variations in the fat and moisture content referred to in finding 20, a reasonable minimum limit for the fat content of the finished cream cheese is 33 percent, and a reasonable maximum limit for the moisture content is 55 percent. (R. pp. 1325-1326, 1498, 1617, 1619, 1647-1648, 1679-1680, 1700, 1780, 1792, 2097-2098, 2179-2181)

Finding 23. Following the discovery that the use of gum in cream cheese would prevent excessive leakage of moisture, it became the practice of some manufacturers to heat the gum together with the curd, and to disperse it in the curd usually by homogenization. This modification became known as the "hot-pack" process and, to distinguish the process followed prior to such modification, the earlier process became known as the "cold-pack" process. (R. pp. 30-31, 74-76, 79, 138, 142-143, 238-245, 790, 834-835, 1225, 1248-1249, 1349-1351, 1355-1358, 1642)

Finding 24. By subjecting the gum-containing curd to the hot-pack process, it was possible to produce a finished product containing a substantially higher percentage of moisture and a correspondingly lower percentage of fat than the product which had been manufactured and marketed as cream cheese prior to discovery of the hot-pack process. (R. pp. 74-76, 142-143, 238-239, 268-270, 280-282, 834-835, 1264, 1593-1594, 1620-1621, 1639, 1823, 2181-2183, 2260)

Finding 25. Most of the soft uncured cheese made by the hot-pack process which is marketed today contains from about 23 percent to about 30 percent of fat and from about 60 percent to about 65 percent of moisture. (R. pp. 289, 295, 335, 337, 346, 350, 361, 372, 588, 621, 653, 672, 718-719, 766, 792-793, 798, 880, 907-908, 927, 930, 954, 1012, 1230, 1234, 1296, 1300-1302, 1322-1323, 1498, 1579, 1617, 1619, 1640-1641, 1644, 1781, 1788-1789, 1792, 1802, 1832, 1856-1857, 1933-1934, 2069-2071; Govt. Ex.'s Nos. 2 and 4)

[1] The above-entitled hearings having been consolidated for the purpose of considering the identities of the several kinds of cheeses which were the subject of said hearings on the basis of all the evidence of record at both hearings (R. p. 1218), the findings of fact are based upon all such evidence of record. The page references to certain relevant portions of the record are for the convenience of the reader; however, the findings of fact are not based solely on that portion of the record to which reference is made but on consideration of all the evidence of record.

Finding 26. The desired percentage of fat and moisture in soft uncured cheese made by the hot-pack process may be obtained by adjustment through adding to the curd appropriate quantities of cream, milk, skim milk, or any mixture of two or all of these, before the curd is heated and homogenized. (R. pp. 1356–1358, 1452–1453, 1457, 1459, 1607, 1649, 1660, 1726–1728, 1738, 1805–1807, 1915–1917, 1920 (a), 2000–2002, 2246–2248)

Finding 27. A low-fat, high-moisture soft uncured cheese made by the hot-pack process cannot be readily distinguished from cream cheese by the ordinary purchaser. (R. pp. 46–47, 75, 80, 82, 156–157, 245, 260–261, 268, 317–318, 358, 383–384, 653, 1043, 1264, 1339, 1498, 1499–1510, 1526, 1921–1922, 1970, 1991, 2066)

Finding 28. Such cheese has from the beginning and is today distinguished by manufacturers, wholesalers, and retailers by such qualifying words as "low test", "cheap", "second grade", "No. 2", "hot-pack", and often by some arbitrary brand name. (R. pp. 288, 295, 337, 361, 386, 538, 683, 744, 930, 951, 1224–1225, 1248, 1271–1273, 1282, 1310, 1347–1351, 1425–1427, 1440–1441, 1497–1498, 1613, 1790, 1831–1832, 1930, 1935, 2105)

Finding 29. Such cheese was produced by some of the smaller manufacturers to enable them to compete profitably with large manufacturers of cream cheese. The competitive situation thus created led to the production, in some quantity at least, of the low-fat, high-moisture product by all or substantially all manufacturers of cream cheese. (R. pp. 288–291, 306, 330, 335, 348, 352, 386–387, 588, 601, 613, 656, 718, 737, 767, 896, 946, 964, 981–983, 989, 1012, 1230, 1249–1250, 1310, 1930, 2110, 2206–2207)

Finding 30. The manufacturing cost of soft uncured cheese is determined primarily by the fat content in the finished cheese. Low-fat, high-moisture cheese is therefore less expensive than cream cheese, and manufacturers usually sell it to distributors and retailers at a lower price than that of cream cheese. (R. pp. 272, 949, 1225–1227; 1241–1242, 1388–1390, 1426, 1437–1438, 1528, 2027–2028, 2254; Govt. Ex.'s Nos. 4 to 10, incl.; O. P.'s Ex. No. 15)

Finding 31. Retailers frequently sell the low-fat, high-moisture soft uncured cheese to consumers at the price of cream cheese and sometimes even at higher prices. There is no uniform differentiation between the two cheeses on the basis of retail prices. (R. pp. 1609, 2137, 2216; Govt. Ex.'s Nos. 4 to 10, incl.; O. P.'s Ex. No. 15)

Finding 32. The low-fat, high-moisture soft uncured cheese is not known to consumers by any of the designations whereby manufacturers, wholesalers, and retailers distinguish it from cream cheese because it has been sold to them under the name "cream cheese"; consumers generally do not know that kind of cheese by any other name. (R. pp. 28, 312–313, 345, 354–355, 378, 611, 778, 815, 861, 863, 946, 951, 979, 1020, 1037–1038, 1234, 1245, 1339, 1588–1589, 1783, 1791, 2105)

Finding 33. In the administration of the Federal Food and Drugs Act of June 30, 1906, the Secretary of Agriculture promulgated the following standard of identity for cream cheese:

> Cream cheese is the unripened cheese made by the Neufchatel process from whole milk enriched with cream. It contains, in the water-free substance, not less than sixty-five percent (65%) of milk fat.

This standard was advisory in character and did not have the force and effect of law. (R. pp. 21–23, 2320–2325)

Finding 34. When such advisory standard was promulgated, the hot-pack process was not known and such treatment of cream cheese was not then contemplated. (R. pp. 2320–2325)

Finding 35. The ratio of fat to non-fat solids prescribed by such advisory standard limited the composition of cream cheese fairly satisfactorily as long as it was manufactured by the cold-pack process and without gum, because leakage limited the amount of moisture which could be incorporated in such cheese. (R. pp. 2320–2325)

Finding 36. When excess moisture is held in the cheese by use of the hot-pack process, such advisory standard is ineffective because it does not limit the moisture content of the product. (R. pp. 181–182, 217, 1993, 2320–2325)

Finding 37. Although such low-fat, high-moisture soft uncured cheese made by the hot-pack process simulates cream cheese in appearance and texture, the composition of such finished cheese is more nearly like the composition of neufchatel cheese. (R. pp. 1683–1687, 1700–1701, 1706–1707, 2197–2207)

Finding 38. The soft uncured cheese made from whole milk by the process described generally in finding 9 is commonly or usually known as neufchatel cheese. Although it is not made in substantial quantities at the present time, it is defined in Webster's dictionary and by experts as a cheese made from sweet milk with or without cream. Neufchatel cheese is made by the cold-pack process, but there are no technical difficulties in applying the hot-pack process to the curd so produced. (R. pp. 1683–1686, 1705, 1713; 1737, 1922–1927. 2088, 2167, 2173, 2267–2271)

Finding 39. Neufchatel cheese has traditionally contained a percentage of fat within the range next lower than that of cream cheese and a percentage of moisture within the range next higher than that of cream cheese. Prior to the development of the hot-pack process, it was the only soft uncured cheese with fat and moisture contents falling within such ranges. (R. pp. 1683–1687, 1927–1929, 2197–2207)

Finding 40. When the usual method of manufacture is employed, neufchatel cheese contains a minimum of about 20 percent of fat and a maximum of about 65 percent of moisture. (R. pp. 1684, 1688, 1928–1929, 2197–2206, 2279)

Finding 41. Prior to about 1920, a very substantial volume of neufchatel cheese was marketed. However, the volume of sales of this product gradually declined and since about 1925 practically no neufchatel cheese has been marketed, and today only one manufacturer is known to market a soft uncured cheese under that name. Commencing about 1916 it became the practice of manufacturers, for competitive reasons, to progressively lower the fat content and increase the moisture content of the product, so that by about 1920 most of it was made from partly skimmed milk but continued to be sold as neufchatel cheese. The result of this practice was a progressively inferior or "cheaper" product. Consumer demand for it declined until its manufacture was virtually discontinued. (R. pp. 1684–1686, 1922–1926)

Finding 42. The food commonly or usually known as cottage cheese is one of the several soft uncured cheeses. (R. pp. 1710–1711, 1742, 2711–2712, 2714)

Finding 43. Cottage cheese is made from skimmed milk, the process being, basically, that described in finding 9. The percentage of milk fat contained in the starting mix varies from traces to something less than 1½ percent. The separation of the curd and whey is facilitated by warming or cutting or both; the curd is drained and is sometimes washed with water during or after draining, followed by further draining; after draining, the curd is sometimes chilled, or pressed, or both. (R. pp. 1740, 1872-1873, 1910, 2012, 2577–2578)

Finding 44. The extent of the warming and draining, and also whether rennet is used of not, and whether the curd is washed or unwashed, chilled or unchilled, cut or uncut, pressed or not, during the process of manufacture, are all factors which affect the physical form of the finished cottage cheese, so that such cheese is sometimes of a relatively granular or crumbly form, or of a relatively smooth texture, or in the form of flakes; and in some forms it may be dryer than in others. But all such differences are merely minor differences in the same kind of cheese. (R. pp. 1873, 2012, 2577–2578, 2584, 2588–2590, 2605–2606, 2627, 2638–2639, 2690–2691, 2708–2712, 2726–2727, 2764–2788)

Finding 45. The choice of a particular texture in cottage cheese is determined by the intended use of the cheese. In some localities it is customary to distinguish between textures of cottage cheese by such descriptive words as "bakers", "pot", "cup", "hoop", "block", "dry", "pressed", "popcorn", "flake", but the meaning of such words is not uniform. Such a descriptive word which identifies cottage cheese of a particular texture in one locality may identify such cheese of a different texture in another locality. (R. pp. 2584–2587, 2606, 2638–2639, 2690–2691, 2708–2712, 2721–2722, 2726–2727, 2730, 2764–2769, 2775–2788; O. P. Ex. 11)

Finding 46. Most cottage cheese marketed contains less than 80 percent of moisture, and a limitation of moisture in cottage cheese to not more than 80 percent is a reasonable limit. (R. pp. 1739–1740, 1871–1872, 2005, 2588–2589, 2649, 2655–2657, 2676–2677; O. P. Ex. 11)

Finding 47. The calcium content of milk varies, the amount present depending on such factors as seasons, geographical locations, the kind of feed fed to the cows, and perhaps others. (R. pp. 1874–1877, 1906–1907, 2003)

Finding 48. When cottage cheese is made from skim milk deficient in calcium, the curd is too soft and "mushy" to give the finished cheese the desired characteristic texture. (R. pp. 1874–1877, 2003–2004, 2015)

Finding 49. Calcium deficiency in skim milk from which cottage cheese is made is corrected by adding calcium chloride to the starting mix. (R. pp. 1751, 1874–1877, 2003, 2015, 2600, 2677, 2716)

Finding 50. The maximum calcium chloride required to correct any likely calcium deficiency in skim milk is never in excess of 0.02 percent by weight of the starting mix. (R. pp. 1875–1877, 1894–1895, 2003, 2654–2655, 2677–2678)

Finding 51. The food commonly or usually known as creamed cottage cheese is one of the several soft uncured cheeses. (R. pp. 1740, 2005, 2577–2579, 2649)

Finding 52. Creamed cottage cheese is cottage cheese which has been creamed by adding thereto and admixing therewith sweet cream, or a mixture of sweet cream and sweet milk or sweet skim milk or both. The cottage cheese ordinarily used for making creamed cottage cheese contains from fractions up to about 1 percent of milk fat. Creamed cottage cheese contains in excess of 4 percent of milk fat. The cream or the mixture of cream and milk or skim milk or both which is added to cottage cheese is the principal source of milk fat in creamed cottage cheese. Such cream or such mixture, as the case may be, is added in such quantity that the fat derived from this source is not less than 4 percent by weight of the finished creamed cottage cheese. (R. pp. 1740–1746, 1749–1750, 1877–1881, 1883–1885, 1888, 1899–1900, 1904–1906, 2017–2018, 2022–2023, 2579, 2593–2594, 2601–2603, 2753–2755, 2761; Govt. Ex. 13)

Finding 53. Some manufacturers have added gelatin to cottage cheese and to creamed cottage cheese. The addition of gelatin to such products does not affect the preparation of the curd, but it eliminates the "watery" appearance of the curd and gives it a glossy appearance, and gives the impression that the finished product is richer or higher in butterfat than it actually is. (R. pp. 2006–2009, 2024–2027, 2579–2580, 2595, 2652–2654, 2725)

Finding 54. Most of the soft uncured cheese marketed as creamed cottage cheese contains not more than 80 percent of moisture, which is a reasonable limit for moisture in creamed cottage cheese. (R. pp. 1877–1879, 2017, 2649–2650, 2655–2657, 2680–2681, 2687; O.P. Ex. 11)

Finding 55. The amount of moisture and the amount of milk fat contained in each of the cheeses heretofore described can be accurately determined by the methods of analysis for cheese described in the publication entitled "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940: the moisture content under the heading "Moisture—Official", on page 301, and the milk fat content under the heading "Fat—Official", on page 302. Such methods are well-known to, and recognized by, food chemists and the publication referred to is a publication well-known and readily available to food chemists. (R. p. 152)

Finding 56. The milk used in the manufacture of any soft uncured cheese is sweet milk of cows, and the skim milk so used is such cows' milk from which the fat has been separated. (R. pp. 1745, 1897, 1911–1912, 2590–2596)

Finding 57. There is a kind of soft uncured cheese which, according to some testimony, appears to be made by a process slightly different from the process employed in making cottage cheese. Its minimum fat content is somewhere within the range of 10 to 12 percent, but this kind of cheese contains less fat than neufchatel cheese. This kind of cheese differs in identity from cottage cheese, from creamed cottage cheese, and from neufchatel cheese. Most soft uncured cheese of this composition has been sold under the designation "farmer cheese". There is evidence of record that a designation of this product by the term "farmer cheese" would be misleading to consumers. (R. pp. 2012–2013, 2019–2021, 2620–2621, 2624–2626, 2628–2629, 2635–2637, 2659–2666, 2697–2703, 2763, 2767–2770, 2785; Govt. Ex. 13)

Finding 58. Soft uncured cheeses, like milk, cream, and most other dairy products, are comparatively perishable. The principal causes of spoilage are microorganisms, including bacteria, yeasts, and molds. (R. pp. 69–71, 404–407A, 410–415, 417–418, 428–439, 442, 454, 456, 459, 476, 479–480, 490, 498, 521, 835, 862, 2010, 2018)

Finding 59. The length of time during which soft uncured cheeses remain fit for use depends on the rate of the development of microorganisms, and the rate of such development depends on such factors as the sanitary quality of the raw material from which such cheeses are made, the sanitary precautions taken during the process of manufacture, packaging, and distribution, the method of packaging, and the efficiency of refrigeration during storage and distribution. When cream cheese and the low-test, high-moisture product which has been sold as such are prepared from raw materials of reasonable sanitary quality and when reasonable precautions as to sanitation and refrigeration are taken in manufacturing, packaging, and distribution, such cheeses remain free from spoilage for a period of from about two to three weeks, except when the finished curd is subjected to the hot-pack process this period may be somewhat longer. The same is true of cottage cheese and creamed cottage cheese, except that they do not remain free from spoilage for so long a period. (R. pp. 69–70, 417–418, 437, 442A–443A, 456, 465, 665–667, 710–714)

Finding 60. Bacterial growth will eventually cause soft uncured cheeses to spoil irrespective and independent of yeast and mold development. Such growth commences immediately after or even during the manufacture of the products and, as it progresses, the cheeses deteriorate until they become unfit for use. (R. pp. 428–438, 452–454, 490, 1108)

Finding 61. Yeast growth in soft uncured cheeses will result in objectionable or "off" flavors. Such off flavors make the cheeses unfit for use, but they ordinarily do not develop until about the time that the cheeses become spoiled from bacterial or mold development. The length of the period from the time of manufacture until such off flavors develop depends largely on the extent of the yeast spore contamination of such products during the process of manufacture. However, the character of the yeast spore is such that excessive contamination of soft uncured cheese made from a pasteurized starting material can be avoided by observing proper sanitary precautions. (R. pp. 69–70, 442A–443A, 456, 498, 500–502, 527, 665–667, 807–808)

Finding 62. It is difficult to prevent the development of mold on soft uncured cheeses. Contamination with mold sphores during the process of manufacture cannot be entirely avoided. The rate and extent of mold development increase with increasing degrees of contamination, such as are likely to occur when the products are cut into small pieces and wrapped by hand, and with increases in the moisture content of the products. However, when rigid precautions as to sanitation and refrigeration are taken (such as should be taken with respect to relatively perishable foods and which are taken in the manufacture of most soft uncured cheese), visible mold seldom develops during the period that the cheeses remain otherwise fit for consumption. When the precautions are not so rigid, visible mold may develop anywhere from 1 to 5 days prior to the time when the cheeses become otherwise unfit for consumption. (R. pp. 69–70, 308, 404–407, 415–416, 442A–443A, 456–457, 459, 463–466, 482–483, 497–498, 500–502, 505–512, 581–582, 665–667, 684–685, 699, 758–759, 761–762, 794–795, 809)

Finding 63. Consumers know that soft uncured cheeses are relatively perishable and therefore consumers usually purchase such products in small quantities and consume them before they become unfit for use by reason of the development of microorganisms. (R. pp. 278, 712–713, 862–863)

Finding 64. Comparatively recently about 10 manufacturers have added one or the other of the chemical substances sodium propionate and calcium propionate to some of their soft uncured cheeses for the purpose of retarding the development of yeast and mold in such products. (R. pp. 302–303, 308–310, 365, 368–369, 419–421, 438, 455, 464, 501–503, 570–571, 665–667, 780, 1034, 1113–1115, 2795)

Finding 65. Sodium propionate and calcium propionate have undesirable characteristic flavors. When sodium propionate or calcium propionate is used in soft uncured cheese in the usual quantity of 0.15 percent (the quantity recommended by the advocates of propionates), the characteristic flavor is not

readily noticeable in the product. In the quantity of 0.2 percent the flavor is definitely noticeable. (R. pp. 442–443, 483–485, 542, 548, 796, 811–812)

Finding 66. The evidence does not establish (1) a need for the use of propionates to inhibit or otherwise control the development of microorganisms in soft uncured cheeses; (2) that purchasers or consumers of such cheeses which are of good merchandisable quality at the time of sale, suffer loss by reason of failure to consume the product before the development of yeast or mold; (3) that, upon the assumption that the use of propionates would extend the commercial life of such cheeses by from 1 to 4 days and reduce the volume of returns to manufacturers because of excess yeast and mold development, consumers would derive any subsantial benefit from such extension; and (4) the scope and extent of the inhibitory effect of propionates on the various microorganisms present in soft uncured cheeses, such as whether all mold or only certain kinds, are retarded; whether th development of yeasts is retarded; and the effect upon bacteria, including lactic-acid-forming bacteria. The experiments and market survey which constitute, primarily, the basis for the testimony relating to the effect of propionates do not take account of the material factor of the degree of contamination by mold, yeast, and other microorganisms of the samples involved, or of such other material factors as the age and method of storing and handling of most of such samples; the experiments were not scientifically controlled, and were preliminary in character.

Finding 67. One manufacturer has occasionally added vitamin D to cream cheese (R. pp. 1051–1952, 1087–1090), but the record fails to establish that cream cheese is a suitable carrier for vitamin D or that there is a need for the addition of this ingredient to cream cheese.

On the basis of the foregoing findings of fact, it is found and concluded that:

(1) It would not promote honesty and fair dealing in the interest of consumers to establish a definition and standard of identity for low-fat, high-moisture soft uncured cheese made by the hot-pack process, under the name "cream cheese" or a name which includes the words "cream cheese".

(2) It will promote honesty and fair dealing in the interest of consumers to establish a definition and standard of identity for such low-fat, high-moisture cheese under the name "neufchatel cheese".

(3) The evidence does not provide an adequate basis for determination that it would promote honesty and fair dealing in the interest of consumers to establish a definition and standard of identity under the name "farmer cheese" for the soft uncured cheese sometimes sold under that name.

(4) It will not promote honest and fair dealing in the interest of consumers to include gelatin as an ingredient in cottage cheese and in creamed cottage cheese.

(5) The evidence does not provide an adequate basis for a determination that the inclusion as optional ingredients in soft uncured cheese of sodium propionate, calcium propionate, and vitamin D would promote honesty and fair dealing in the interest of consumers.

(6) Promulgation of the regulations hereinafter prescribed, fixing and establishing definitions and standards of identity for cream cheese, neufchatel cheese, cottage cheese, and creamed cottage cheese, will promote honesty and fair dealing in the interest of consumers.

Wherefore each of the following regulations is hereby promulgated:

§ 19.515 *Cream cheese—identity; label statement of optional ingredients.* (a) Cream cheese is the soft uncured cheese prepared by the procedure set forth in paragraph (b) of this section. The finished cream cheese contains not less than 33 percent of milk fat and not more than 55 percent of moisture, as determined, respectively, by the methods prescribed under "Fat—Official" on page 302 and under "Moisture—Official" on page 301 of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

(b) (1) Cream or a mixture of cream with milk or skim milk or both is pasteurized and may be homogenized. To such cream or mixture harmless lactic-acid-producing bacteria, with or without rennet, are added and it is held until it becomes coagulated. The coagulated mass may be warmed; it may be stirred; it is then drained. The curd may be pressed, chilled, worked, seasoned with salt; it may be heated, with or without added cream or milk or skim milk or any mixture of two or all of these, until it becomes fluid and it may then be homogenized or otherwise mixed.

(2) In the preparation of cream cheese one or any mixture of two or more of the optional ingredients gum karaya, gum tragacanth, carob bean gum, gelatin, or algin may be used; but the quantity of any such ingredient or mixture is such that the total weight of the solids contained therein is not more than 0.5 percent of the weight of the finished cream cheese.

(3) For the purposes of this section milk means sweet milk of cows and skim milk means milk from which the milk fat has been separated.

(c) When an optional ingredient listed in paragraph (b) (2) is present in cream cheese, the label shall bear the statement "_____ Added" or "With Added _____", the blank being filled in with the word or words "Vegetable Gum" or "Gelatin" or "Algin" or any combination of two or all of these, as the case may be. Wherever the name "Cream Cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement herein specified showing the optional ingredients present shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 19.520 *Neufchatel cheese—identity; label statement of optional ingredients.* (a) Neufchatel cheese is the soft uncured cheese prepared by the procedure set forth in paragraph (b) of this section. The finished neufchatel cheese contains not less than 20 percent but less than 33 percent of milk fat and not more than 65 percent of moisture, as determined, respectively, by the methods prescribed under "Fat—Official" on page 302 and under "Moisture—Official" on page 301 of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

(b) (1) Milk or a mixture of cream with milk or skim milk or both is pasteurized and may be homogenized. To such milk or mixture harmless lactic-acid-producing bacteria, with or without rennet, are added and it is held until it becomes coagulated. The coagulated mass may be warmed; it may be stirred; it is then drained. The curd may be pressed, chilled, worked, seasoned with salt; it may be heated, with or without added cream or milk or skim milk or any mixture of two or all of these, until it becomes fluid and it may then be homogenized or otherwise mixed.

(2) In the preparation of neufchatel cheese one or any mixture of two or more of the optional ingredients gum karaya, gum tragacanth, carob bean gum, gelatin, or algin may be used; but the quantity of any such ingredient or mixture is such that the total weight of the solids contained therein is not more than 0.5 percent of the weight of the finished neufchatel cheese.

(3) For the purposes of this section milk means sweet milk of cows and skim milk means milk from which the milk fat has been separated.

(c) When an optional ingredient listed in paragraph (b) (2) of this section is present in neufchatel cheese, the label shall bear the statement "_____ Added" or "With Added_____", the blank being filled in with the word or words "Vegetable Gum" or "Gelatin" or "Algin" or any combination of two or all of these, as the case may be. Wherever the name "Neufchatel Cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement herein specified showing the optional ingredients present shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 19.525 *Cottage cheese—identity.* (a) Cottage cheese is the soft uncured cheese prepared by the procedure set forth in paragraph (b) of this section. The finished cottage cheese contains not more than 80 percent of moisture, as determined by the method prescribed under "Moisture—Official" on page 301 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

(b) (1) Sweet skim milk is pasteurized; calcium chloride may be added in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of such skim milk; harmless lactic-acid-producing bacteria, with or without rennet, are added and it is held until it becomes coagulated. The coagulated mass may be cut; it may be warmed; it may be stirred; it is then drained. The curd may be washed with water and further drained; it may be pressed, chilled, worked, seasoned with salt.

(2) For the purposes of this section skim milk means the milk of cows from which the milk fat has been separated.

§ 19.530 *Creamed cottage cheese—identity.* (a) Creamed cottage cheese is the soft uncured cheese prepared by mixing cottage cheese with pasteurized cream or a pasteurized mixture of cream with milk or skim milk or both. Such cream or mixture is used in such quantity that the milk fat added thereby is not less than 4 percent by weight of the finished creamed cottage cheese. The finished creamed cottage cheese contains not more than 80 percent of moisture as determined by the method prescribed under "Moisture—Official" on page 301 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

For the purposes of this section milk means sweet milk of cows and skim milk means milk from which the milk fat has been separated.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the Assistant General Counsel, Room 2240, South Building, 14th Street and Independence Avenue SW., Washington, D. C. written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof.

[SEAL] WATSON B. MILLER,
Acting Federal Security Administrator.

JULY 17, 1942.

[F. R. Doc. 42-6855; Filed, July 18, 1942; 10:31 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4327]

CLARA STANTON, DRUGGIST TO WOMEN

ORDER CORRECTING COMMISSION'S FINDINGS AS TO THE FACTS

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of July, A. D. 1942.

In the matter of Clara Stanton, an individual, trading as Clara Stanton, Druggist to Women.

This matter coming on this day for consideration by the Commission, and it appearing that in Paragraph Four of the findings as to the facts entered herein on November 18, 1941, Calcium Carbide is listed as an ingredient of respondent's preparation, "Anti-Fat Tablets", and it further appearing that the ingredient is in fact, as the record shows and the Commission found, Calcium Carbonate and not Calcium Carbide, and the listing of the ingredient as the latter substance was inadvertent error, and the Commission having duly considered the matter and being now fully advised in the premises;

It is ordered, That Paragraph Four of the findings as to the facts entered herein on November 18, 1941, be, and the same hereby is, corrected and amended *nunc pro tunc* by striking the word "Carbide" immediately following the word "Calcium", and by inserting in lieu thereof the word "Carbonate", so that the entire line as corrected and amended reads "Calcium Carbonate ⅛ gr."

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6877; Filed, July 20, 1942; 11:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

DURHAM TIRE EXCHANGE

SUSPENSION ORDER

Suspension Order No. 2 under Revised Tire Rationing Regulations[1] restricting transactions by B. D. Farthing, Eugene Neuwirth, and the Durham Tire Exchange.

B. D. Farthing and Eugene Neuwirth, individually, and as copartners doing business as Durham Tire Exchange, 126 Morgan Street, Durham, North Carolina, hereinafter called respondents, are engaged in recapping and retreading tires and are subject to the provisions of the Revised Tire Rationing Regulations, dated February 19, 1942, issued by the Office of Price Administration. A notice of hearing was duly served on respondents, stating specifically that respondents were charged with having made false and unlawful representations to the Office of Price Administration in an application for authorization to purchase camelback. Pursuant to said notice a hearing upon this charge was held on May 11, 1942, in Durham, North Carolina, at which time and place there appeared a representative of the Atlanta Regional Office of the Office of Price Administration and respondents. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Deputy Administrator,

It is hereby determined:

That respondents on February 24, 1942, wilfully violated the said Revised Tire Rationing Regulations by falsely stating in said application for authorization to purchase camelback, the number of molds or curing tables owned, controlled or operated by said Durham Tire Exchange which were capable of retreading a tire 7.50–20 or larger. Because of the violation committed by respondents as aforesaid, camelback has been diverted from primary defense needs to non-essential uses.

It is the judgment of the Deputy Administrator that such violation by respondents contributed to the shortage in the supply of this essential material for defense, for private account, or for export, and that a continuance of the situation resulting from such violation or a repetition of such violation will result in an increased shortage in the supply of this critical material. Therefore, in order properly to allocate such materials in a manner necessary and appropriate in the public interest, and to promote national defense, it is hereby ordered:

(a) Within ten (10) days after the effective date of this Suspension Order No. 2 respondents, their successors or assigns, shall transfer twenty-two hundred (2,200) pounds of camelback to the Gate City Motor Company, Greensboro, North Carolina, or to the United States Rubber Company. Such transfer shall be made in the manner authorized by § 1315.803 (d) (1) of the Revised Tire Rationing Regulations, and shall be for a consideration not to exceed the amount paid by respondents for the twenty-two hundred (2,200) pounds of camelback delivered to respondents in March, 1942 on the authorization of the certificate issued to respondents pursuant to the application therefor falsely made as aforesaid, and not to exceed the maximum prices for said camelback as set forth in Maximum Price Regulation No. 131, issued by the Office of Price Administration April 28, 1942, whichever is the lower. The camelback to be delivered by respondents, their successors or assigns, pursuant to this Suspension Order No. 2 shall be as nearly as possible of the same sizes, types, gauges and qualities and in the same amounts of each thereof as were delivered to respondents in March, 1942 by the Gate City Motor Company as aforesaid. If respondents, their successors or assigns, at the time this order becomes effective do not have under their control and cannot transfer twenty-two hundred (2,200) pounds of camelback as ordered herein they shall nevertheless transfer camelback as ordered herein in such amounts as they are able. Respondents, their successors or assigns, shall exhibit to Philip Weltner, Regional Attorney, Office of Price Administration, Candler Building, Peachtree Street, Atlanta, Georgia, within said ten (10) days after the effective date of this Suspension Order No. 2, satisfactory evidence of such transfer of camelback, and in addition shall surrender to said Philip Weltner, Regional Attorney, such replenishment portions of certificates and receipts as would, but for this order, authorize them to purchase under the provisions of § 1315.803 (c) of the Revised Tire Rationing Regulations camelback in the amount equal to the

[1] 7 F.R. 1027.

difference between the amount of camelback transferred pursuant to this order and twenty-two hundred (2,200) pounds. It is the intention of this paragraph (a) and it is to be interpreted to accomplish the result that respondents, their successors or assigns, will, by compliance herewith, be placed in the same position with respect to the quantity of camelback at their disposal as they would have been in if they had not made false representations in the application of February 24, 1942, as aforesaid, and received camelback pursuant thereto.

(b) During the period in which this Suspension Order No. 2 shall be in effect, respondents, their successors and assigns, shall accept no deliveries or transfers of, nor in any manner receive from any source, any camelback, or other retreading or recapping material.

(c) During the period in which this Suspension Order No. 2 shall be in effect, respondents, their successors and assigns, shall accept no purchase orders, nor enter into any contracts or commitments, for the recapping or retreading of tires, nor in any manner sell, transfer, or deliver any recapped or retreaded tires, nor recap or retread any tires, nor in any way use or consume any camelback or other retreading or recapping material except that in any instance where a contract for the retreading or recapping of tires has been entered into by respondents, and such tires have been prepared in any degree for retreading or recapping, or have been retreaded or recapped, prior to the effective date of this Suspension Order No. 2, the transaction may be completed and the retreaded or recapped tires delivered in accordance with the Revised Tire Rationing Regulations.

(d) During the period in which this Suspension Order No. 2 shall be in effect, no person, firm, or corporation shall sell, transfer, or in any manner deliver any camelback, or other retreading or recapping material, to respondents, their successors or assigns, regardless of whether such camelback has been previously purchased and completely paid for.

(e) This Suspension Order No. 2 shall take effect July 20, 1942, and, unless sooner terminated, shall expire at 12:01 A. M. September 19, 1942. (Sec. 2 (a) Public Law No. 671, 76th Cong., 3d Sess., as amended, Public Law No. 89, 77th Cong., 1st Sess., Public Law No. 507, 77th Cong., 2d Sess.; Sec. 201 (b), Public Law No. 421, 77th Cong., 2d Sess.; O.P.M. Supp. Ord. M–15–c, Dec. 27, 1941, 6 F.R. 6792; W.P.B. Dir. No. 1, Jan. 24, 1942, 7 F.R. 562; W.P.B. Supp. Dir. No. 1B, Feb. 9, 1942, 7 F.R. 925; O.P.A. Rev. Tire Rat. Reg., Feb. 19, 1942, 7 F.R. 1027; E.O. 9125, April 7, 1942, F.R. Doc. 42–3138, filed April 8, 1942)

Issued this 15th day of July 1942

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42–6853; Filed, July 17, 1942; 4:54 p. m.]

[Docket Nos. 3122–13, 3122–28]

WYATT, INCORPORATED AND T. A. D. JONES AND COMPANY, INC.

ORDER GRANTING ADJUSTMENTS

Order No. 5 under Maximum Price Regulation No. 122 [1]—Solid Fuels Delivered from Facilities Other Than Producing Facilities—Dealers.

Petitions for amendment of Maximum Price Regulation No. 122 were filed by Wyatt, Incorporated, 157 Church Street, New Haven, Connecticut on May 30, 1942 and by T. A. D. Jones and Company, Inc., 205 Church Street, New Haven, Connecticut on June 15, 1942. The petitions are being treated as petitions for adjustment pursuant to the provisions of § 1340.257a of Maximum Price Regulation No. 122 [2] which incorporates by reference the provisions of § 1499.18 (c) of the General Maximum Price Regulation.[3] Due consideration has been given to the petitions, and an opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] it is hereby ordered:

(a) (1) Wyatt, Incorporated may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, to industrial consumers, the kinds, sizes and qualities of bituminous coal specified in paragraph (b) (1) below, at prices not in excess of those stated therein. Industrial consumers may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds, sizes and qualities of bituminous coal at such prices from Wyatt, Incorporated.

(2) T. A. D. Jones and Company, Inc. may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, to industrial consumers, the kinds, sizes and qualities of bituminous coal specified in paragraph (b) (2) below, at prices not in excess of those stated therein.

Industrial consumers may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds, sizes, and qualities of bituminous coal at such prices from T. A. D. Jones and Company, Inc.

(b) (1) Maximum prices for the sale of the following kinds, sizes and qualities of bituminous coal by Wyatt, Incorporated from its New Haven dock to industrial consumers shall be the maximum prices determined in accordance with § 1340.261 of Maximum Price Regulation No. 122, plus not more than the following amounts per net ton:

(i) 31 cents per ton in the case of Class C ¾" coals (Size Group 9) produced in District No. 7 by Raleigh Wyoming Mining Company, Mine Index No. 73; Algona Coal and Coke Company, Mine Index No. 2; and American Coal Company, Mine Index No. 46;

(ii) 41 cents per ton in the case of Class B ⅝" coals (Size Group 9) produced in District No. 7 by Red Jacket Coal Corporation, Mine Index No. 208; and Marianna Smokeless Coal Corporation, Mine Index Nos. 223 and 266;

(iii) 36 cents per ton in the case of Class B 1¼" coals (Size Group 8) produced in District No. 7 by the McAlpin Coal Company, Mine Index No. 112; and Marianna Smokeless Coal Corporation, Mine Index Nos. 223 and 266;

Provided, That in the event of decreases in the mine prices charged to Wyatt, Incorporated for these kinds, sizes and qualities of bituminous coal, from those charged to it on the date of filing its petition, May 30, 1942, then the maximum prices as above adjusted shall be reduced accordingly for application to sales to industrial consumers of the coal purchased by it at such decreased prices.

(2) Maximum prices for the sale of the following kinds, sizes and qualities of bituminous coal by T. A. D. Jones and Company, Inc. from its New Haven and Bridgeport docks to industrial consumers shall be the maximum prices determined in accordance with §1340.261 of Maximum Price Regulation No. 122, plus not more than the following amounts per net ton:

From New Haven Dock:

(i) 46 cents per ton in the case of Class C ¾" coals (Size Group 9) produced in District No. 7 by Algoma Coal and Coke Company, Mine Index No. 2; American Coal Company, Mine Index No. 46; Mill Creek Coal and Coke Company, Mine Index No. 65; Premier Pocahontas Collieries Company, Mine Index No. 151; Johnstown Coal and Coke Company, Mine Index Nos. 47 and 48;

(ii) 29 cents per ton in the case of Class C 1¼" coals (Size Group 8) produced in District No. 7 by Johnstown Coal and Coke Company, Mine Index Nos. 47 and 48, and Premier Pocahontas Collieries Company, Mine Index No. 151; and Class D 1¼" coals (Size Group 8) produced in District No. 8 by Page Pocahontas Coal Corporation, Mine Index No. 362;

(iii) 12 cents per ton in the case of Class E high volatile 2" x 1" coals (Size Group 9) produced in District No. 8 by Tierney Mining Company, Mine Index No. 461, and Eastern Coal Corporation, Mine Index Nos. 183, 325, 449;

From Bridgeport Dock:

(iv) 31 cents per ton in the case of Class C 1¼" coals (Size Group 8) produced in District No. 7 by Premier Pocahontas Collieries Company, Mine Index No. 151;

(v) 26 cents per ton in the case of Class E high volatile 2" modified coals (Size Group 18) produced in District No. 8 by Truax-Traer Coal Company, Mine Index Nos. 1, 318, 386, 416, 468;

(vi) 12 cents per ton in the case of Class E high volatile 2" x 1" coals (Size Group 9) produced in District No. 8 by Tierney Mining Company, Mine Index No. 461, and Eastern Coal Corporation, Mine Index Nos. 183, 325, 449;

Provided, That in the event of decreases in the mine prices charged to T. A. D. Jones and Company, Inc., for these kinds, sizes, and qualities of bituminous coal, from those charged to it on the date of filing its petition, June 15, 1942, then the maximum prices as above adjusted shall be reduced accordingly for application to sales to industrial consumers of the coal purchased by it at such decreased prices.

(c) This order No. 5 may be revoked or amended by the Price Administrator at any time.[4]

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) All prayers of the petitions not granted herein are denied.

(f) This Order No. 5 shall become effective July 21, 1942.

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6895; Filed, July 20, 1942; 11:44 a. m.]

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4939, 4487, 4659, 4738, 5027.
[3] 7 F.R. 971, 3663.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–538]

KENTUCKY-TENNESSEE LIGHT AND POWER COMPANY

ORDER CONSENTING TO WITHDRAWAL OF DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of July, A. D. 1942.

Kentucky-Tennessee Light and Power Company having filed with the Commission a declaration with respect to the sale of all of its physical properties and other assets located in the City of Frankfort, Kentucky, and immediate vicinity, in accordance with the terms and provisions of an agreement dated April 13, 1942, by and between the company and John Kirtley and Louis Cox, residents of the Commonwealth of Kentucky; and

Said agreement of April 13, 1942, having expired by its terms on July 1, 1942, and said declarants having filed a request for withdrawal of the said declaration;

The Commission having considered said request and deeming it appropriate that the same should be granted;

It is ordered, That said declaration be and is hereby permitted to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–6841; Filed, July 17, 1942; 4:20 p. m.]

[File Nos. 37–28, 60–19]

ATLANTIC UTILITY SERVICE CORPORATION, ET AL.

NOTICE OF AND ORDER FOR HEARING, ORDER OF CONSOLIDATION, AND ORDER FOR POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of July, A. D. 1942.

In the Matter of Atlantic Utility Service Corporation, File No. 37–28; Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and Gilbert Associates, Inc., File No. 60–19.

Atlantic Utility Service Corporation having filed with the Commission an application for approval as a mutual service company, pursuant to the Public Utility Holding Company Act of 1935, and particularly section 13 thereof; hearings having been held on said application, the last of said hearings having been held on May 11, 1942, and said hearing having been continued to July 21, 1942; and

The Commission, by order dated June 24, 1942, having consolidated the application filed by Atlantic Utility Service Corporation for hearing with applications and declarations filed by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, NY PA NJ Utilities Company, and Associated Utilities Corporation (File Nos. 70–529 and 70–530), and the record in the latter two matters having been closed; and

It having come to the attention of the Commission that as a result of plans of Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and officials of Atlantic Utility Service Corporation, a new service company by the name of Gilbert Associates, Inc., has been formed by the officials of said Atlantic Utility Service Corporation; and

It further having been brought to the attention of the Commission that the capitalization of Gilbert Associates, Inc., consists of common stock, a portion of which has been, or is to be, subscribed for by department heads of Atlantic Utility Service Corporation, and the balance of which is reserved for sale to other employees of said Atlantic Utility Service Corporation; and

It further appearing that substantial cash advances will be made to Gilbert Associates, Inc., by subsidiaries and affiliates of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, for the purpose of supplying working capital to said Gilbert Associates, Inc.; and

It further appearing that Gilbert Associates, Inc., has represented that it is prepared to serve, advise, and consult with the subsidiaries and affiliates of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, in the following category of services:

1. General engineering,
2. General purchasing,
3. Rate and research consultation,
4. Labor relations counselling,
5. Safety direction and engineering,
6. Chemical engineering, and
7. Other services, such as in connection with cost accounting, blue printing, duplicating, etc.; and

It further appearing that such services are to be rendered at the request of the subsidiaries and affiliates of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and that the charges for such services will be cost to Gilbert Associates, Inc., plus 10%, but in no event to be less than a stated minimum charge; and

It further appearing that various subsidiaries and/or affiliates of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, have entered into, or are about to enter into, service contracts with Gilbert Associates, Inc.; and

It appearing to the Commission that proceedings should be instituted pursuant to the provisions of sections 2 (a) (8) (B), 2 (a) (11) (D), 12 (f), 13 (b), 13 (e), 13 (f), and 18 of the Public Utility Holding Company Act of 1935 for the purpose of determining whether the organization, transactions, operations and activities of Gilbert Associates, Inc., and the relationship of Atlantic Utility Service Corporation, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation thereto conform to the standards of the applicable provisions of the Act; and

It further appearing to the Commission that matters concerning the application of Atlantic Utility Service Corporation, and the transactions involving the organization, operations, and activities of Gilbert Associates, Inc., and the relationship of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation thereto are related and involve common questions of law and fact and questions as to the relationship of each company to the other, and that evidence adduced with respect to said issues in each of the matters may have a bearing on the other, and that substantial savings in time, effort and expense and substantial progress toward the speedy and effective carrying out of the purposes of the Act and of the applicable provisions thereof will result if the hearings in said matters are consolidated, so that they will be heard as one matter, and that evidence adduced in each matter may stand as evidence in the other for all purposes;

It is ordered, That proceedings "In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and Gilbert Associates, Inc." be and hereby are instituted.

It is further ordered, That the said application filed by Atlantic Utility Service Corporation be and hereby is consolidated for hearing with this cause, "In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and Gilbert Associates, Inc."

It is further ordered, That the hearing heretofore scheduled, "In the Matter of Atlantic Utility Service Corporation," for July 21, 1942, be and hereby is postponed to July 30, 1942, and said consolidated hearing be held on July 30, 1942, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. (On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held.)

It is further ordered, That at said consolidated hearing consideration be given to the following matters:

(1) Whether, by virtue of its relationship to Atlantic Utility Service Corporation, the manner of its organization, the source of its working capital, the character of its proposed service contracts, and the mode of its operations, Gilbert Associates, Inc., is a subsidiary or affiliated service company of the holding company system of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation;

(2) What requirements, if any, this Commission should impose to insure the maintenance of competitive conditions in the negotiation and entering into of any contracts between Gilbert Associates, Inc., and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, or any of their subsidiaries or affiliates;

(3) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers, or to prevent the circumvention of the provisions of the Public Utility Holding Company Act, and especially sections 12 and 13 thereof, and of any rules or regulations promulgated thereunder to impose any conditions in regard to the organization, capitalization, contracts, and operations of Gilbert Associates, Inc.;

(4) Generally, whether the manner of the organization, the source of the working capital, the character of the proposed service contracts, and the mode of operations of Gilbert Associates, Inc., are consistent with the applicable standards of the Act, and especially sections 12 (f), 13 (b) and 13 (e), or of section 13 (f) thereof, and the Rules promulgated thereunder.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6842; Filed, July 17, 1942; 4:20 p. m.]

[File No. 70-572]

MIDLAND UNITED COMPANY, TRUSTEES, ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 15th day of July, A. D., 1942.

In the Matter of Midland United Company, trustees Traction Light & Power Company, Shirley Realty Company and Indiana Industrial Land Company.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than August 1, 1942 at 1:00 p. m. E. W. T., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed:

Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Trustee of Midland United Company, a company in reorganization in the United States District Court of Delaware, proposes to acquire from Traction Light & Power Company all of its assets which consist of 17,906.19 shares of the common stock of Public Service Company of Indiana, Inc., and cash which as at March 31, 1942 approximated $64,000 in exchange for all of the outstanding capital stock consisting of 500 shares of common stock, par value $100 a share, and $288,550 in principal amount of promissory notes. Upon the acquisition by Traction Light & Power Company of said capital stock and promissory notes, Traction Light & Power Company is to be dissolved.

In an entirely unrelated series of transactions which have, however, been embraced in the instant filing, the Trustee of Midland United Company proposes to sell 1,012.61 shares of the common stock of Shirley Realty Company and $1,850 in principal amount of outstanding notes of Shirley Realty Company to Indiana Industrial Land Company for a total cash consideration of $23,677.71. Upon the acquisition of the above described securities Indiana Industrial Land Company will own the entire capitalization of Shirley Realty Company. Indiana Industrial Land Company proposes to thereupon acquire the assets of Shirley Realty Company consisting of real estate and mineral rights and effect the dissolution of Shirley Realty Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6843; Filed, July 17, 1942; 4:20 p. m.]

[File Nos. 70-282; 59-11; 59-17, 54-25]

COMMUNITY POWER AND LIGHT COMPANY, ET AL.

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of July, 1942.

In the Matter of Community Power and Light Company, the Kansas Utilities Company, et al., File No. 70-282; The United Light and Power Company, Continental Gas & Electric Corporation, and Eastern Kansas Utilities, Inc., et al., File Nos. 59-11, 59-17 and 54-25.

Continental Gas & Electric Corporation, a registered holding company and a subsidiary of The United Light and Power Company, and Eastern Kansas Utilities, Inc. (a newly organized company), having jointly filed with the Commission applications and declarations designated as "Application No. 9" pursuant to sections 6, 7, 9, 10, 11 and 12 of the Public Utility Holding Company Act of 1935 and the applicable rules thereunder with respect to the transactions necessary to enable Eastern Kansas Utilities, Inc., to acquire the public utility and other assets of The Kansas Utilities Company and also to enable Continental Gas & Electric Corporation to acquire the common stock of Eastern Kansas Utilities, Inc.; and Community Power and Light Company, a registered holding company, and its subsidiary, The Kansas Utilities Company, having jointly filed applications and declarations pursuant to the provisions of section 12 of the Act and the applicable rules thereunder to enable The Kansas Utilities Company to sell its utility and other assets and to apply the proceeds of such sale to the redemption of securities outstanding, and payment of its debt; and the above described applications and declarations having been consolidated for the purpose of a hearing; and

A public hearing having been held after appropriate notice and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said applications and to permit said declarations to become effective pursuant to the applicable sections of the Act and rules thereunder; and

The Commission having found with respect to said applications and declarations under sections 9 and 10 of said Act that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act and that the transactions have the tendency required by section 10 (c) (2) of the Act and with respect to sections 12 (c) and 12 (d) and Rules U-42 and U-44 that the applicable requirements thereof are met;

It is hereby ordered, Pursuant to the applicable provisions of said Act and the applicable rules thereunder, subject to the terms and conditions prescribed in Rule U-24, that the applications and declarations with respect to the transactions therein described be and are hereby granted and permitted to become effective respectively;

It is further ordered, That Eastern Kansas Utilities, Inc. shall dispose of all its interest in its ice and cold storage business within one year from the date hereof; and

It is further ordered, That Eastern Kansas Utilities, Inc. be and is hereby made a party to these proceedings to the extent necessary to enable it to join in said Application Number 9 and for the purpose of obtaining authority to consummate the transactions in which it has an interest.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6844; Filed, July 17, 1942; 4:21 p. m.]

[File No. 37-42]

APPLIANCE CREDIT CORPORATION

ORDER DISMISSING DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of July, A. D. 1942.

Appliance Credit Corporation, a subsidiary of New England Gas and Electric Association, a registered holding company, having filed a declaration with respect to its organization and conduct of business of a subsidiary service company, pursuant to section 13 of the Public Utility Holding Company Act of 1935 and Rules and Regulations promulgated thereunder; and

The Commission by its order of April 25, 1942, having permitted declarations to become effective and granted applications with respect to the dissolution and liquidation of Appliance Credit Corporation and the acquisition of its assets subject to its liabilities by Negea Service Corporation, a subsidiary of New England Gas and Electric Association (File No. 70-514); and

It appearing to the Commission that in light of such dissolution and liquidation that the said declaration of Appliance Credit Corporation with respect to its organization and conduct of business of a subsidiary service company should be dismissed;

It is ordered, That said declaration be and is hereby dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS
Secretary

[F. R. Doc. 42-6845; Filed, July 17, 1942; 4:21 p. m.]

[File No. 70-24]

HOBART LIGHT & WATER COMPANY, ET AL.

NOTICE OF FILING OF AMENDMENT AND ORDER OPENING RECORD AND SETTING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of July, A. D. 1942.

In the matter of Hobart Light & Water Company, Northern Indiana Public Service Company, and Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company.

The Commission having on April 23, 1940, issued its Notice of and Order for Hearing in the above captioned matter setting a hearing thereon for May 9, 1940; hearings having been held on the scheduled date and on August 20, 1940, after appropriate notice to interested parties; certain documents, including the application-declaration with three amendments thereto, having been placed in the record, no witnesses appearing or otherwise presenting testimony; further amendments having now been filed to such application-declaration which materially change the nature of the transactions as originally proposed so that it now appears to the Commission necessary and appropriate that a public hearing be held on the application-declaration, as amended.

All interested persons are referred to said application-declaration, as amended, which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

The estate of Midland Utilities Company proposes to sell all of the assets of Hobart Light & Water Company, except cash on hand, to Northern Indiana Public Service Company. The proposed consideration is $500,000, to be evidenced by 69,500 shares of common capital stock of Northern Indiana Public Service Company. The application-declaration indicates that sections 6 (b), 10, 12 (f), and Rule U-43 may be applicable to these proposed transactions.

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration as amended shall not become effective or said application as amended be granted except pursuant to further order of this Commission, and that at said hearing there be considered, among other things, the various matters hereinafter set forth.

It is ordered, That the record heretofore closed in this proceeding be opened and that a hearing be held on said matters, as amended, on August 4, 1942, at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application, as amended, should be granted and such declaration, as amended, become effective.

It is further ordered, That Charles Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed price of $500,000 is, under all the circumstances of this case, fair and equitable, and whether or not 69,500 shares of common stock of Northern Indiana Public Service Company, the proposed consideration to the estate of Midland United for all the assets of Hobart Light & Water Company, is, under the circumstances of this case, a fair and reasonable consideration;

2. Whether or not Northern Indiana Public Service Company, considering the provisions of section 11 (b) (1) of the Act, should be allowed to acquire the water assets of Hobart Light & Water Company;

3. In the event that it is found that Northern Indiana Public Service Company may appropriately acquire the water properties of Hobart Light & Water Company, what entries on its books may properly be made by Northern Indiana Public Service Company to reflect the carrying value of such assets;

4. What entries on its books may properly be made by Northern Indiana Public Service Company to record the acquisition of the electric fixed property of Hobart Light & Water Company, and the taking over of the retirement reserve applicable thereto.

5. Whether terms and conditions are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations or orders promulgated thereunder;

6. Generally, whether all actions proposed to be taken comply with the requirements of such Act and rules, regulations, or orders promulgated thereunder.

Notice of such hearing is hereby given to such declarant and applicants and to any other person whose participation in such proceeding may be in the public interest and for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6866; Filed, July 20, 1942; 10:19 a. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER COMPANY, ET AL.

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of July 1942.

In the Matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, Iowa-Nebraska Light and Power Company, Respondents, (File No. 59-17); The United Light and Power Company and its Subsidiary Companies, Respondents, (File No. 59-11); and The United Light and Power Company, Applicant (File No. 54-25).

The United Light and Power Company, The United Light and Railways Company, a subsidiary of The United Light and Power Company, and Continental Gas & Electric Corporation, a subsidiary

of The United Light and Railways Company, all registered holding companies, having filed joint applications and declarations with the Commission, designated as "Application No. 10", pursuant to sections 11 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 thereunder, with respect to the transactions necessary to enable Continental Gas & Electric Corporation to sell all of its interest—consisting of capital stock, notes, and open-account indebtedness—in three subsidiary utility companies, Panhandle Power and Light Company, Cimarron Utilities Company and Guymon Gas Company, to Community Power and Light Company, a nonaffiliated registered holding company, for a consideration of $7,250,000 cash, subject to certain adjustments; and

A public hearing having been held after appropriate notice and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said applications and to permit said declarations to become effective; and

The Commission having found with respect to said applications and declarations that the applicable requirements of sections 11 and 12 (d) of the Act and Rule U-44 thereunder have been met;

It is hereby ordered, pursuant to the applicable provisions of the Act and the Rules, subject to the terms and conditions prescribed in Rule U-24, that said applications and declarations be, and the same hereby are, granted and permitted to become effective, respectively;

It is further ordered, That jurisdiction be, and it hereby is, reserved with respect to the use of said proceeds of sale remaining after the expenditure of $1,500,000 by Continental Gas & Electric Company for the purchase of common stock of Eastern Kansas Utilities, Inc., its newly-formed subsidiary.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6867; Filed, July 20, 1942; 10:23 a. m.]

[File No. 70-574]

ASSOCIATED GAS AND ELECTRIC CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of July, A. D. 1942.

In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees, Associated Gas and Electric Corporation.

Notice is hereby given that declarations and applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

Notice is further given that any interested persons may, not later than July 30, 1942 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing therein. At any time thereafter such declarations or applications as filed or as amended may become effective or may be granted as provided in Rule U-23 and Rule U-100 (a) of the rules and regulations promulgated pursuant to the Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations and applications which are on file in the office of said Commission for a statement of the transactions therein proposed. These transactions are summarized below:

The Trustees of Associated Gas and Electric Corporation propose to distribute the assets received by them from Howard C. Hopson, Amy H. Starch, Norma H. Jones, Perle M. Hopson and the so-called Hopson Service and Investment Companies (collectively hereinafter referred to as the "Hopson group"), pursuant to an agreement dated as of August 4, 1941 between the said Trustees, Stanley Clarke, Trustee of Associated Gas and Electric Company, New England Gas and Electric Association, and the Hopson group. The assets were received by the Trustees of Associated Gas and Electric Corporation and Associated Gas and Electric Company in settlement of the claims against the Hopson group on the part of the Company and the Corporation and all direct and indirect subsidiaries of Associated Gas and Electric Corporation and affiliated interests thereof. Since receiving such assets, the Trustees have marshaled them and prepared a formula for the distribution of such assets. These assets as of June 15, 1942 consist primarily of the following:

	Principal amount	Market value June 3, 1942, or estimated value where no market available
Cash		$523,412.82
SECURITIES AND OTHER ASSETS		
Ageco and Agecorp debt securities	$5,129,215	717,461.38
Utilities Employees Securities Co., income notes, due 1961	864,470	475,458.50
Associated General Utilities Co. debt securities	885,020	125,729.70
Other associated system securities	206,600	186,000.50
		15,318.00
Nonsystem securities		25,335.00
Notes receivable		5,000.00
Miscellaneous assets		
Total, cash, securities, and other assets		2,073,710.90

Claims against the Hopson group which are recommended for allowance against the Hopson assets consist of claims of the distributee companies to recover profits realized at the expense of such companies by the Hopson group through the operations of the so-called Service Companies (claims approximating $6,250,000) and claims arising out of security transactions pursuant to which assets were diverted to the Hopson group (claims approximating $15,600,000). The distribution formula recommended by the Trustees contemplates the distribution of securities to Associated Gas and Electric Company, Associated Gas and Electric Corporation, Utilities Employees Securities Company, Associated General Utilities Company, Inc., Lake Shore Gas Company, Pennsylvania Electric Company, General Gas & Electric Corporation, NY PA NJ Utilities Company, Long Island Water Corporation, New Jersey Power & Light Company, New York State Electric & Gas Corporation, and York Railways Company. It also includes the distribution of cash dividends to Associated Gas and Electric Company, Employees Welfare Association, Incorporated (Delaware), Associated Real Properties, Inc., Dover Casualty Insurance Company, Atlantic Utilities Service Corporation and to various subsidiaries of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation.

Provision is also made for the execution and delivery on the part of the Trustees of Associated Gas and Electric Corporation to Denis J. Driscoll and Willard L. Thorp and Stanley Clarke, as Trustees over the Hopson fund, the formers' noninterest bearing note in the amount of approximately $489,052.40. This note shall be junior to administration expenses of the Estate of Associated Gas and Electric Corporation and to the Trustees Certificate in the principal amount of $5,000,000. It is represented that the execution and the delivery of the note is part of the over-all program for the distribution of the Hopson assets, to substitute the distribution of cash dividends to distributee companies where the distribution of securities may complicate the structure of the subsidiaries.

Applicants-declarants represent that sections 6 (a), 7, 9 (a), and 10 are applicable to the transactions. They also submit that the acquisitions by the distributee companies are exempt pursuant to the terms of Subdivision (5) of Rule U-42 of the rules and regulations promulgated under the Act, and further in the instances where such exemptive provisions do not apply request that the Commission, pursuant to Rule U-100 (a), exempt distributee companies from the provisions of Rule U-20 (c) and from the provisions of sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6868; Filed, July 20, 1942; 10:23 a. m.]

[File No. 70-282]

COMMUNITY POWER AND LIGHT COMPANY, ET AL.

ORDER APPROVING PLAN PERMITTING DECLARATIONS TO BECOME EFFECTIVE, AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of July, A. D. 1942.

In the Matter of Community Power and Light Company, General Public Utilities, Inc., Southwestern Public Service Company et al.

Community Power and Light Company, General Public Utilities, Inc. and Southwestern Public Service Company, each of which is a registered holding company, and companies subsidiary thereto, having filed applications and declarations, and amendments thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the Rules and Regulations of this Commission promulgated thereunder, whereby said applicants request approval of a plan submitted pursuant to said section 11 (e), a report upon such plan by this Commission pursuant to section 11 (g) of said Act and authorization for certain particular transactions, constituting component parts of said plan, and actions incidental thereto, including, among other things, a merger of said three registered holding companies, and, in connection with such proposed merger the transmission of certain solicitation material to the common stockholders of Community Power and Light Company and of General Public Utilities, Inc., intra-system sales and acquisitions of certain properties and securities, the liquidation of certain subsidiary companies, the recapitalization of certain remaining subsidiaries, the acquisition of certain properties from nonaffiliated interests, the refinancing of the surviving parent company, Southwestern Public Service Company, as well as the exemption, pursuant to Rule U-100, of such investment houses and brokers and the members, officers and employees of such investment houses, or brokerage firms or companies as may render services (without compensation, other than reimbursement for expenditures made) in connection with the solicitation of assents of stockholders to said merger agreement, from any disqualification which might otherwise be imposed upon such companies or individuals by reason of Rule U-62 (g) (2) in respect of future participation in the purchase or sale of any securities which may hereafter be issued and sold by said Southwestern Public Service Company;

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission having found, subject to the conditions and reservations hereinafter set forth, (1) that the plan, for which approval is so sought, is necessary to effectuate the provisions of section 11 (b) of the Act, (2) that the plan is fair and equitable to the persons affected thereby, (3) that the requirements of Rule U-62 (g) (2) as applied to the prospective activities of investment houses and brokers and of the members, officers and employees of such houses and firms, in respect of the buying and selling of any securities which may hereafter be issued and sold by Southwestern Public Service Company, are neither necessary nor appropriate in the public interest or for the protection of investors or consumers, and (4) that all other applicable requirements of said Act have been satisfied;

It is hereby ordered, That said plan be, and the same is hereby, approved, that said applications, as amended, be, and the same are hereby granted, and that said declarations, as amended, be, and the same are hereby, permitted to become effective forthwith, subject, however, to the following conditions and reservations:

(1) Southwestern Public Service Company, upon the consummation of the merger proposed to be made in pursuance of the plan for which approval is sought in this proceeding, and the acquisition by said company of the properties to be acquired by it which are presently owned by Panhandle Light and Power Company, Cimarron Utilities Company and Guymon Gas Company, will immediately enter upon a program of amortization of the amount designated in said corporation's pro forma balance sheet, (reflecting said acquisitions and certain other transactions filed in this proceeding, as "Excess Cost of Net Assets Acquired over Value Recorded in Accounts of Predecessor", said amount being $442,790.94. Such amortization shall be effected by the writing off of said aggregate amount through charges against income or earned surplus to be made in substantially equal amounts annually over a period of five years from the date of the acquisitions;

(2) Southwestern Public Service Company, upon the consummation of the merger above mentioned, shall create upon its books a reserve in the amount of $200,000 against any losses which may hereafter be realized upon the securities to be acquired by it through said merger, or otherwise pursuant to said plan, proposed to be carried upon the books of said corporation as investments;

(3) Upon consummation of the abovementioned merger, Southwestern Public Service Company shall not declare or pay any dividend upon the common stock of that corporation, nor shall it make any other payment or distribution thereon, by purchase, or otherwise, in money or other property, pending the further order, or orders, of this Commission, except that such restriction shall not apply to any payment which may be made in connection with any rights, or asserted rights, of appraisal and payment which any stockholder of Community Power and Light Company and/or General Public Utilities, Inc., may have under any state statute applicable to said proposed merger;

(4) That within one year from the date of the entry of this order, unless such time shall be further extended by this Commission, Southwestern Public Service Company, the surviving parent company, shall take such action as may be necessary to divest itself of all ownership and all control of:

(a) The physical properties in east-central Texas to be owned by said Southwestern Public Service Company after consummation of the proposed merger and related transactions which are, at present, owned by Texas-New Mexico Utilities Company and by Gulf Public Service Company, respectively;

(b) Gulf Public Service Company or of the physical properties owned or controlled by it;

(c) Flagstaff Electric Light Company;

(d) Arizona Electric Power Company;

(e) Holbrook Light and Power Company;

(f) Southwestern Ice Company;

(g) Royal Palm Ice Company; and

(h) Arkansas Utilities Company.

(5) That no charge shall be made to the capital surplus account of Southwestern Public Service Company, after said merger is consummated, pending the further order or orders, of this Commission;

(6) That jurisdiction be, and is hereby, reserved with respect to the issuance and sale of the securities proposed to be issued and sold to the public by Southwestern Public Service Company, and with respect to the imposition of conditions relative to such securities and their issuance and sale, until the terms and provisions of such new securities and of the sale thereof shall be submitted to this Commission in definitive form, and a further order, or further orders entered in respect thereof;

(7) That jurisdiction be, and is hereby, reserved in respect of the reasonableness, and approval or disapproval, of fees and expenses incurred, and to be incurred, in connection with the subject plan, and transactions incident thereto;

(8) That jurisdiction be, and is hereby, reserved to this Commission to entertain such further proceedings, to make such further and supplemental findings, and to take such additional and further action, as may be found by it to be appropriate in the premises in connection with said plan and the several transactions incident to the consummation thereof;

(9) That the several transactions, approval or authorization of which is granted by this order, shall be carried out in accordance with the terms and conditions of, and for the purposes stated in the declarations and applications, as amended, filed in this proceeding;

(10) That the material to be transmitted to the common stockholders of Community Power and Light Company and of General Public Utilities, Inc., shall be accompanied by a copy of the report of this Commission on the plan which is the subject of this proceeding, which report is being entered and issued concurrently with the entry of this order.

It is further ordered, That Southwestern Public Service Company shall take the several actions, recited in those conditions of this order numbered (1), (2), and (4), as in said conditions set forth, and shall comply with those restrictions recited in that condition numbered (4) of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6869; Filed, July 20, 1942; 10:24 a. m.]

JUL 23 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 143

Washington, Wednesday, July 22, 1942

The President

EXECUTIVE ORDER 9203

AUTHORIZING THE PROCUREMENT DIVISION TO USE MANILA FIBER ACQUIRED PURSUANT TO ACT OF JUNE 7, 1939

WHEREAS the Procurement Division of the Treasury Department has acquired by purchase stocks of Manila fiber pursuant to the provisions of the act of June 7, 1939 (53 Stat. 811); and

WHEREAS the Chairman of the War Production Board has reported to me that a shortage of stocks of Manila fiber suitable for cordage appears to be imminent; and

WHEREAS the United States is now at war:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by section 4 of the said act of June 7, 1939, it is ordered as follows:

The Procurement Division of the Treasury Department is hereby authorized to make use of such Manila fiber by sale or other disposition to the United States Navy, to the United Kingdom, or to Canadian manufacturers designated by the Government of the Dominion of Canada, in such amounts as may be determined from time to time by the Chairman of the War Production Board to be necessary to promote the national defense.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 20, 1942.

[F. R. Doc. 42-6922; Filed, July 21, 1942; 11:29 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 29—THE FEDERAL LAND BANK OF WICHITA

RELEASE OF PERSONAL LIABILITY FEES

Correction

Paragraphs (a) and (b) of § 29.7, appearing on page 5328 of the issue for Tuesday, July 14, 1942, should read as follows:

(a) Single Federal Land Bank or Land Bank Commissioner Loans:

If no appraisal is required	$ 7.50
If appraisal is required	17.50

(b) Joint Federal Land Bank and Land Bank Commissioner Loans:

If no appraisal is required	$10.00
If appraisal is required	20.00

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 605—MINIMUM WAGE RATE IN THE WOMEN'S APPAREL INDUSTRY

RESTRICTION OF INDUSTRIAL HOME WORK

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor by Part 605, Chapter V, Title 29, Code of Federal Regulations issued a wage order for the Women's Apparel Industry establishing for such industry a minimum wage rate of 40 cents per hour, effective September 29, 1941, published in the FEDERAL REGISTER September 13, 1941; and

Whereas such wage order was issued upon the basis of the recommendation of Industry Committee No. 27 for the Women's Apparel Industry, appointed under Administrative Order No. 103, and after a hearing held in Washington, D. C., on July 28 and 29, 1941, for the purpose of taking evidence on the recommendation of Industry Committee No. 27 for the Women's Apparel Industry, and on the further question of whether prohibition, restriction or regulation of home work is necessary to carry out the purpose of any order issued carrying such recommendation into effect; and

Whereas in considering the evidence on the recommendation of Industry Committee No. 27 for the Women's Apparel Industry and on the further question of such regulation of home work the Administrator deferred making a decision in respect to industrial home work and did not include in such wage order

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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any provision relating to home work; and

Whereas after notices published in the FEDERAL REGISTER on November 18, 1941, December 30, 1941, January 20, 1942, and February 11, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing for the purpose of taking further evidence on the question of prohibition, restriction or regulation of home work under the wage order approving and carrying into effect the recommendation of Industry Committee No. 27 for the Women's Apparel Industry, at New York City, New York on March 5 and 6, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas after notice published in the FEDERAL REGISTER on April 7, 1942, announcing that all persons who appeared at the hearing held on March 5 and 6, 1942, were given leave to file briefs with the Administrator, and that the Administrator would hear oral argument upon the complete record of said hearing, the Administrator heard the oral argument of all such persons as had made appearance at said hearing and were desirous of being heard, on April 27, 1942, New York City, New York; and

Whereas, the Administrator upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to section 8 (f), which provides as follows:

> Orders issued under this section shall • • • contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein • • •;

has concluded that it is necessary to include terms and conditions in the above-mentioned wage order for the Women's Apparel Industry with respect to industrial home work to carry out the purpose of such order to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of Industrial Home Work in the Women's Apparel Industry" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 1560 Broadway, New York City, New York;

Now, therefore, it is ordered that Part 605 of Chapter V, Title 29, Code of Federal Regulations is hereby amended so as to include the following section, to be designated as § 605.7:

§ 605.7 *Restriction of home work.* No work in the Women's Apparel Industry, as defined in §§ 605.4 and 605.5,[1] Part 605, Chapter V, Title 29, Code of Federal Regulations, shall be done in or about a home, apartment, tenement, or room in a residential establishment, after November 30, 1942, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Women's Apparel Industry prior to March 5, 1942, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and who is unable to adjust to factory work because of age or physical or mental disability or is unable to leave because his presence is required to care for an invalid in the home.

This amendment shall become effective December 1, 1942.

Signed at New York, New York, this 8th day of July 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-6919; Filed, July 21, 1942; 10:36 a. m.]

[1] 6 F.R. 4701.

PART 605—MINIMUM WAGE RATE IN THE WOMEN'S APPAREL INDUSTRY

EMPLOYMENT OF HOME WORKERS

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

> Orders issued under this section shall • • • contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. • • •

And whereas § 605.7 of the wage order for the Women's Apparel Industry issued pursuant to section 8 (f) of the Act provides as follows:

> No work in the Women's Apparel Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after November 30, 1942, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Women's Apparel Industry prior to March 5, 1942, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

And whereas section 11 (c) of the Act provides as follows:

> Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective on December 1, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

AUTHORITY: §§ 605.100 to 605.112, inclusive, issued under 52 Stat. 1065, 1066; 29 U.S.C. 208, 211; § 605.7 *infra*.

§ 605.100 *Effective date.* The following regulations, §§ 605.100–605.112 inclusive, Chapter V, Title 29, Code of Federal Regulations, applicable to the employment of industrial home workers in the Women's Apparel Industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 605.7, Part 605, Chapter V, Title 29, Code of Federal Regulations. These regulations shall become effective December 1, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

§ 605.101 *Definitions.* As used in these regulations, the term "industrial home work" means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, for an employer, or goods from material furnished directly by or indirectly for such employer.

The term "Women's Apparel Industry" as used herein means and includes the Women's Apparel Industry as defined by §§ 605.4 and 605.5, Part 605, Chapter V, Title 29, Code of Federal Regulations.

§ 605.102 *Applications on official forms.* Certificates authorizing the employment of industrial home workers in the Women's Apparel Industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 605.103 *Terms and conditions for the issuance of certificates.* If the application is in proper form and sets forth facts showing that the worker:

(1) (a) Was engaged in industrial home work in the Women's Apparel Industry prior to March 5, 1942; or

(b) Is or will be engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations; and

(2) Is unable to adjust to factory work because of age or physical or mental disability; or

(3) Is unable to leave home because the worker's presence is required to care for an invalid in the home.

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Women's Apparel Industry.

No home worker shall perform industrial home work for more than one employer in the Women's Apparel Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Women's Apparel Industry.

§ 605.104 *Investigation may be ordered to determine whether the facts justify the issuance of a certificate.* An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 605.105 *Termination of certificates.* Certificates shall be valid under the terms set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 605.106 *Revocation and cancellation.* Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall be issued to the offending employer for a period of one year. In any proceeding for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 605.107 *Preservation of certificate.* A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 605.108 *Records and reports.* The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by Regulations, Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the Women's Apparel Industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on April 1 and October 1 of each year, the home work handbooks of each employee employed by him during the preceding six-month period in industrial home work in the Women's Apparel Industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained pursuant to these regulations but who were not employed in industrial home work in the Women's Apparel Industry during such period.

§ 605.109 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to Regulations, Part 524. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 605.110 *Delegation of authority to grant, deny, or cancel a certificate.* The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny, or cancel home work certificates.

§ 605.111 *Petition for review.* Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 605.112 *Petition for amendment of regulations.* Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations is set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes. The foregoing sections are issued pursuant to § 605.7 of the regulations of the Wage and Hour Division and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938.

Signed at New York, N. Y., this 8th day of July 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-6920; Filed, July 21, 1942; 10:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

[Amendment No. 9]

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

PART 804—INDIVIDUAL LICENSES

MISCELLANEOUS AMENDMENTS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	Gen. Lic. Group
Rochelle salts	1, 47

Section 804.8 *Certificates of necessity*[2] is hereby amended by deleting from the list in paragraph (b) thereof the following items:

Caustic soda.
Soda ash.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Export Control Branch,
Office of Exports.

JULY 18, 1942.

[F. R. Doc. 42-6903; Filed, July 20, 1942; 12:35 p. m.]

[1] 7 F.R. 4952, 5080, 5115, 5343.
[2] 7 F.R. 5012.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 9 to supplementary order M-15-b-1 [1]]

Section 940.5 (*Supplementary Order M-15-b-1*) is amended as follows:

1. By changing paragraph (b) (1) to read as follows:

(b) • • •

LIST 1

(1) Mechanical goods of the following types:

Belting
Hose
Packing
Dam and lock gate seals
Hog scraper (beater) paddles
Loom pickers
Milk and milking machine equipment
Pipe coupling rings
Press die pads
Printing rubber products
Rubber lined tanks, drums and rubber protected industrial equipment
Abrasive implements
Mine and industry safety parts

2. By changing paragraph (b) (2) and (b) (10) to read as follows:

(b) • • •

(2) Superseded by Revised List 1.

(10) Superseded by Revised List 1.

3. By attaching thereto the attached List designated "List 1—(Revised effective July 21, 1942)".

This order shall take effect as of the date of its issuance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 1

(Revised effective July 21, 1942)

Specifications for the manufacture of the following mechanical goods:

Belting
Hose
Packing
Dam and lock gate seals
Hog scraper (beater) paddles
Loom pickers
Milk and milking machine equipment
Pipe coupling rings
Press die pads
Printing rubber products
Rubber lined tanks, drums and rubber protected industrial equipment
Abrasive implements
Mine and industry safety parts

(a) *Revocation of certain specifications.* The specifications set forth in the following lists attached to Supplementary Order No. M-15-b-1, as such lists and specifications exist as of the effective date of this revised List 1, are superseded by the specifications set forth in this revised List 1: Hose and tubing of the kinds listed, List 1; conveyor, elevator, and flat transmission belts and belting of the kinds listed, List 2; and fire hose and mill hose, List 10.

(b) *Restrictions on the use of rubber, latex, synthetic rubber, reclaimed or scrap rubber.* No person shall consume rubber, latex, synthetic rubber or reclaimed or scrap rubber in the manufacture of any of the items enumerated below except in accordance with the specifications herein prescribed, or except in the case of any War Order in connection with which there is delivered to the person manufacturing such product, a certificate signed by a contracting or inspecting official of the Army, Navy, Maritime Commission or other proper governmental agency, certifying that the use of compounds or constructions not permitted by these specifications is necessary for military or naval use, or for use on board ship.

Except as provided in the preceding paragraph, the specifications herein prescribed shall be used to fill all orders, including War Orders and orders placed by any other department or agency of the United States Government.

(c) *Specifications.*

I. COMPOUNDS

A. RUBBER COMPOUNDS

Grade	Maximum percent by volume	
	Crude rubber	Total R. H. C.
M-A	95	95
M-B	90	90
M-C	85	85
M-D	80	80
M-E	75	75
M-F	70	70

I. COMPOUNDS—Continued

A. RUBBER COMPOUNDS—Continued

Grade	Maximum percent by volume	
	Crude rubber	Total R. H. C.
M-G	65	75
M-G-1	65	65
M-H	60	75
M-H-1	60	60
M-H-2	60	80
M-J	55	75
M-J-1	55	55
M-K	50	70
M-K-1	50	50
M-L	45	65
M-L-1	45	45
M-M	40	65
M-M-1	40	60
M-M-2	40	40
M-N	35	65
M-N-1	35	50
M-O	30	65
M-P	25	65
M-P-1	25	60
M-P-2	25	25
M-Q	20	70
M-Q-1	20	60
M-Q-2	20	45
M-Q-3	20	25
M-R	15	60
M-R-1	15	55
M-R-2	15	20
M-R-3	15	15
M-S	10	60
M-S-1	10	15
M-S-2	8	11
M-S-3	6	15
M-S-4	4	9
M-S-5	3	8
M-S-6	2	15
M-T	0	50
M-T-1	0	6

B. SYNTHETIC RUBBER COMPOUNDS

Grades			Maximum percent by volume
Butadiene	Chloroprene	Polysulfide	Total S. R. V.
M-SB	M-SN	M-ST	95
M-SB-1	M-SN-1	M-ST-1	90
M-SB-2	M-SN-2	M-ST-2	85
M-SB-3	M-SN-3	M-ST-3	80
M-SB-4	M-SN-4	M-ST-4	75
M-SB-5	M-SN-5	M-ST-5	70
M-SB-6	M-SN-6	M-ST-6	65
M-SB-7	M-SN-7	M-ST-7	60
M-SB-8	M-SN-8	M-ST-8	55
M-SB-9	M-SN-9	M-ST-9	50
M-SB-10	M-SN-10	M-ST-10	45
M-SB-11	M-SN-11	M-ST-11	40
M-SB-12	M-SN-12	M-ST-12	35
M-SB-13	M-SN-13	M-ST-13	30
M-SB-14	M-SN-14	M-ST-14	25

• • • • •

NOTE 1: The rubber hydrocarbon (R. H. C.) is the sum total of crude rubber and the average rubber value of reclaim expressed on a volume basis.

NOTE 2: The synthetic rubber value (S. R. V.) is the total synthetic rubber expressed on a volume basis.

NOTE 3: Where rubber or reclaim is mixed with synthetic compounds or where a mixture of synthetics is used, the R. H. C. volume plus the S. R. V. volume shall not exceed the maximum S. R. V. by volume of the grade specified.

NOTE 4: In those products listed for rubber grades only, synthetic rubbers may be used as they become available, provided the maximum S. R. V. by volume does not exceed the maximum R. H. C. listed for the specific grade.

NOTE 5: Compounds of lower rubber and rubber hydrocarbon (R. H. C.) content may be used in manufacturing mechanical rubber products listed herewith, provided the physical requirements, where specified, are met.

NOTE 6: All compounds shall be black unless otherwise specified.

II. *Belting specifications*

NOTE: The following specifications for conveyor, elevator and transmission belting appearing in subdivisions II-A, II-B and II-C hereof, do not apply to rubber belting utilizing a solid woven carcass, provided such construction uses no more crude rubber or reclaimed rubber hydrocarbon than is permitted in laminated belting of equivalent size and thickness; nor do they apply to constructions using combinations of fabric and other reinforcing materials, provided total rubber and rubber hydrocarbon do not exceed those which are used in an equivalent grade, fabric ply, construction belt.

A. *Conveyor belting*

1. *Compounds permitted.* Compounds for each of the grades of conveyor belting listed in Table A below shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this revised List 1, the appropriate grade of compounds to be used for covers and frictions being that hereinbelow specified therefor opposite the description or designations of such class in Table A.

TABLE A

Grade of belt	Conveyor cover compound	Pulley cover compound	Friction compound	Grade specification		Average friction range in pounds	Combined cover gauge maximum in inches
				Average tensile range P. S. I.			
				Pulley cover	Conveyor cover		
No. 1	M-N	M-R	M-N	600-1,000	1,700-2,200	16-19	7/32
No. 2	M-R	M-R	M-P	800-1,000	800-1,600	12-15	7/32

NOTE 1: A skim coat of same quality as friction and no exceeding .010 shall be permitted on 42 oz. or heavier belt duck on Grade 1 only.

NOTE 2: Breaker may be used on Grade 1 only and where used is to be included in cover thickness.

NOTE 3: All friction and covers to be black only.

2. *Grades of belts permitted.* (i) All belts designed for the following uses shall be of Grade 2 quality only, and the thicknesses for each group shall not exceed those specified for such group:

Group 1. Sum of thicknesses of conveyor and pulley covers shall not exceed 1/4":

Fruits
Vegetables
Lime slacked
Charcoal
Grains and seeds
Beets
Flour
Soap
Portable conveyor for handling above material

Group 2. Sum of thicknesses of conveyor and pulley covers shall not exceed 3/8":

Sand
Soil
Soda
Powdered stone & chemicals
Earth
Fine gravels to 1/2"
Pulverized coal
Coke breeze
Concentrates
Wet pulp
Portable conveyor for handling above material

Group 3. Sum of thicknesses of conveyor and pulley covers shall not exceed 1/8":

Sulphur
Salts
Sugar
Small size bituminous coal up to 4"
Small coke up to 2"
Ashes
Culm
Clay
Shells
Gravel 1/2" to 2"
Concrete mix
Cement
Lime unslacked
Phosphate pebble
All portable conveyors except for services in Groups 1 and 2

(ii) Either Grade 1 or Grade 2 belting may be used for belts designed for services other than specified in Groups 1, 2 & 3 above.

(iii) Conveyor belting designed for the handling of boxes, bales, bags, cases, sacks, paper, dry pulp and wood chips shall not be made in whole or in part of rubber, latex, reclaimed or scrap rubber or synthetic rubber.

B. *Elevator belting*

1. *Compounds permitted.* Compounds for each of the grades of elevator belting listed in Table B below shall be made from one of the grades of compounds listed in subdivision (c)-I-A of this specification, the appropriate grade of compounds to be used for covers and frictions being that hereinbelow-specified therefor opposite the description or designation of such class in Table B.

[1] 7 F.R. 967, 2344, 2345, 2346, 2449, 2595, 2782, 3389, 4448, 5019, 5296.

TABLE B

Grade of belt	Pulley cover compound	Bucket cover compound	Friction compound	Grade specification: Average tensile range P. S. I. Bucket cover	Grade specification: Average tensile range P. S. I. Pulley cover	Grade specification: Average friction range in pounds	Maximum combined cover gauge in inches
No. 1	M-N	M-R	M-N	800–1,000	1,700–2,200	16–19	3/64
No. 2	M-R	M-R	M-P	800–1,000	800–1,000	12–15	3/64

NOTE 1: A skim coat of same quality as friction and not exceeding .010 shall be permitted only on Grade 1. When used it must be included in the cover thickness.
NOTE 2: Breaker fabric may be used on Grade 1 only.
NOTE 3: All frictions and covers shall be black only.

2. *Grades of belts permitted.* (i) All belts designed for the following uses shall be of Grade 2 quality only, and the thicknesses for each group shall not exceed those specified for such group:

Group 1. Sum of thicknesses of the bucket & pulley covers shall not exceed 1/8":

Pulverized coal
Soap
Lime slacked

Group 2. Sum of thicknesses of the bucket & pulley covers shall not exceed 1/8":

Coke Breeze
Powdered stone & chemicals
Concentrates
Sand
Clay
Soil

Group 3. Sum of thicknesses of the bucket & pulley covers shall not exceed 3/32":

Gravel up to 2"
Small bituminous coal up to 2"
Trap rock up to 2"
Salt
Sugar
Cement
Lime unslacked

Group 4. Friction surface only:

Grains
Seeds

(ii) Either Grade 1 or Grade 2 belting may be used for belts designed for services other than specified in Groups 1, 2, 3 & 4 above.

(iii) Elevator belting designed for the handling of boxes, bales, cases, sacks, paper, dry pulp and wood chips shall not be made in whole or in part of rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

C. *Flat transmission belting*

Flat transmission belts and belting shall be manufactured in two grades only, as follows:

Grade of belt	Crude rubber maximum by weight in pounds	Total R. H. C. maximum by weight in pounds
No. 1	.46	.73
No. 2	.15	.47

NOTE 1: The maximum crude rubber and total R. H. C. by weight as specified above shall be based on a unit of 1,200 sq. in. per single ply of fabric.

NOTE 2: All flat belts and belting designed to transmit power to any farm machinery and equipment shall be Grade 2 quality, except those designed to transmit power to Hammermills which may be Grade 1.
NOTE 3: Grade 1 belting is permitted with 1/32" Grade M-N rubber cover when designed for service under severe chemical conditions. No rubber covers are permitted for belts designed for any other service.
NOTE 4: All compounds except seaming rubber shall be black only.
NOTE 5: No rubber or reclaim shall be used in the manufacture of loom harness strapping.

D. *Vee belts*

1. Vee belts shall be manufactured in two grades only, as follows:

Grade of belt	Crude rubber maximum by volume of total belt	Total R. H. C. maximum by volume of total belt
	Percent	*Percent*
No. 1	40	55
No. 2	1	50

NOTE 1: The crude rubber and R. H. C. is based on total volume of belt. In determining the belt volume the published nominal cross-sectional dimensions shall be used where these exist and mold cross-sectional dimensions shall be used in all other cases. The percentage calculations shall be based on the volume of net finished belt but manufacturing waste shall be included in the crude rubber and R. H. C. contents.
NOTE 2: All compounds shall be black only except cord treatments.

2. All belts of the following classifications shall be of Grade 2 quality only:

F. H. P.
Belts designed for replacement for passenger automobiles.
Belts designed for replacement for trucks under 1½ tons.
Agricultural belts except those of C section and larger, double Vee and round belts of any section, designed for use for agricultural machinery. Farm tractor belts not included.
Household equipment belts.

III. *Hose specifications*

The tube, friction, layers, fillers and covers for each of the following types of hose shall be made from one of the grades of compounds listed in subdivision (c)–I–A or (c)–I–B of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of such type.

Hose furnished to these specifications for hose shall be inspected and tested in accordance with A. S. T. M. Method D–380, latest revision.

A. COMMERCIAL TYPES

Type of product	Compound: Tube	Compound: Friction	Compound: Layer or Filler	Compound: Cover	Construction and/or service restrictions
Acid-Conducting and suction	M-H	M-P	M-R	M-P	Tube 3/16 inch maximum; Cover, 3/16 inch maximum.
Air brake: Truck and busses	M-N	M-N		M-P	Maximum wall: 13/64" on sizes under 5/8" I. D. 3/8" on sizes 5/8" and over.
Air-Curb	M-T	M-T		M-T	Maximum wall: 3/16 inch. Made only in 1/4" and 3/8" I. D. sizes.
Air and air tool: Industrial, grade 1	M-N	M-P		M-M	Maximum wall: 11/32" for sizes with 3/8" I. D. and smaller, 13/32" for sizes 3/4" I. D. to 1½" I. D., inclusive. ½" for sizes 1¾" I. D. to 3", inclusive. 5/8" for sizes over 3" I. D. Service: Designed for use only for heavy duty service, in mines, quarries and outside construction, including shipyards where tools are oiled through the hose and abrasion on cover is severe.
Grade 2	M-Q-1	M-P		M-P	Maximum wall: 5/32" for sizes 3/8" I. D. or smaller, 11/32" for sizes 3/4" I. D. to 1½", incl. 7/16" for sizes over 1½" I. D. Service: Designed for use for all industrial air or air tool service not specifically covered in Grade 1.
Braided cover tubing	M-T				Maximum wall: 3/64" on sizes 3/4" I. D. and under 3/32" on sizes over 3/4" I. D.
Butane and propane	M-SB-9 or M-SN-9 or M-ST-6	M-SB-8 or M-SN-8 or M-ST-6		M-SB-8 or M-SN-8 or M-ST-6	Maximum wall: 7/64" on sizes 1" I. D. and under. 2 3/64" on sizes over 1" I. D.
Cable covering—Electric	M-T	M-T		M-T	Maximum wall: 3/64".
Car heater	M-T	M-T		M-T	Maximum wall: 3 1/64".
Cement handling Cement gun, incl. grouting	M-E	M-H	M-P	M-P	Tube: 3/16" maximum. Cover: 1/16" maximum.
Cement & material—dry	M-E	M-N	M-P	M-P	Tube: 3/16" maximum for sizes 1" I. D. and under. ¾" maximum for sizes over 1" I. D. Cover: 3/64" maximum all sizes. Not permitted for rock wool insulation.
Concrete placing	M-E	M-N	M-P	M-P	Tube: 1/2" maximum. Cover: 1/16" maximum.
Chemical	M-T	M-R		M-T	Maximum wall: 2/32" on sizes ¾" I. D. and under. 1 3/32" on sizes over ¾" I. D.
Coupling: Flexible	M-Q-1	M-R			Tube: 3/64" maximum.
Creamery (sanitary)	M-Q-1	M-M		M-N	Tube: 3/64" maximum. Cover: 1/16" maximum. Service: For meat packing or food handling plants only.
Divers: Floating	M-A	M-H		M-A	Maximum wall: 5/16".
Sinking	M-N	M-N		M-M	Maximum wall: 5/16".
Dredging sleeves	M-H	M-N		M-P	Tube: ¼" maximum. Cover: 3/64" maximum. Skim coat: Not permitted.
Expansion joints	M-A	M-E	M-M	M-M	Tube: ½" maximum for sizes 8" I. D. and under. 3/16" maximum for size over 8" I. D. Cover: 1/16" maximum all sizes. Service: Expansion joints are normally used in rigid line to absorb thrust or excessive motion or to isolate vibration and/or noise.
Fire extinguisher tubing	M-T	M-T		M-T	Maximum wall: 3/16".
Flanged flexible pipe	M-E	M-N	M-P	M-P	Tube: 3/16" maximum for sizes 12" I. D. and under. ¼" maximum sizes over 12". Cover: 3/64" maximum all sizes.
Fuel line, automotive, truck and bus	M-K or M-SB-10 or M-SN-10				Service: Rubber shall be used only in connection with metal lining. Synthetic rubber shall be used either with or without metal lining.
Fuel oil and gasoline (not service station pump hose)	M-N or M-SB-9 or M-SN-9 or M-ST-6	M-P or M-SB-9 or M-SN-9 or M-ST-6		M-N or M-SB-9 or M-SN-9 or M-ST-6	Maximum wall: 1 1/32" all sizes.
Garden	M-T				Maximum wall: 5/32" (No cover permitted).
Grease—Low pressure non-industrial	M-T	M-T		M-T	Maximum wall: 5/32".
Hydraulic brake	M-E	M-A		M-A	Maximum wall: 0.195 inch for 1/4" I. D., 0 .230 inch for 7/32" I. D.
Hydraulic control and industrial grease—High pressure	M-M or M-SB-9 or M-SN-9	M-M or M-SB-9 or M-SN-9		M-P or M-SB-9 or M-SN-9	O. D.: To fill available 1 time couplings.

A. COMMERCIAL TYPES—Continued

Type of product	Compound				Construction and/or service restrictions
	Tube	Friction	Layer or Filler	Cover	
Medium pressure	M-M or M-SB-9 or M-SN-9	M-M or M-SB-9 or M-SN-9		M-P or M-SB-9 or M-SN-9	Maximum wall: ¼" on sizes ¾" I. D. and under. 5/16" on sizes over 3½" I. D.
Low pressure	M-M or M-SB-9 or M-SN-9			M-P or M-SB-9 or M-SN-9	Maximum wall: ⅛" all sizes.
Jetting and hydraulic	M-N	M-P		M-M	Maximum wall: 3/16" on sizes 4" I. D. and under. 1 1/16" on sizes over 4" I. D.
Arbor-Pipe forming	M-H	M-H			Tube: 3/64" maximum.
Phosphate flexible	M-E	M-H	M-P	M-P	Tube: ¼" maximum. Cover: 1/16" maximum.
Oil suction and discharge (a) Rough bore.	M-M	M-N	M-P	M-P	Tube: 1/16" maximum for sizes 4" I. D. and under. 7/64" maximum for sizes over 4" I. D. Lining or layer: 1/16" maximum. Cover: 3/32" maximum all sizes.
(b) Smooth bore	M-SB-9 or M-SN-9 or M-ST-6	M-SB-8 or M-SN-8 or M-ST-6 or M-N	M-SB-8 or M-SN-8 or M-ST-6 or M-P	M-SB-8 or M-SN-8 or M-ST-6 or M-P	Tube: 7/64" maximum for sizes 4" I. D. and under. 9/64" maximum for sizes over 4" I. D. Lining or layer: 1/16" maximum. Cover: 3/32" maximum.
Pinch valve	M-E	M-H		M-E	Maximum wall: ½" on sizes 4" I. D. and under. ⅜" on sizes over 4" I. D.
Pump and windshield wiper tubing.	M-T	M-T		M-T	Maximum wall: 7/64" on sizes ½" I. D. and under. 5/32" on sizes over ½" I. D.
Radiator	M-T	M-T		M-T	Maximum wall: 1/16".
Rotary drilling	M-E	M-H	M-M	M-M	Tube: 5/32" maximum. Cover: 3/32" maximum.
Sand blast	M-E	M-N		M-P	Tube: Under 1"—3/16" maximum, all other ¼". Cover: 3/64" maximum, all sizes.
Shaft covering, flexible		M-T		M-T	Cover: 1/16" maximum.
Spray—agricultural: High pressure	M-N	M-P		M-M	Maximum wall: 5/16" on sizes under ¾" I. D. 1 1/32" on ¾" I. D. 1 3/32" on 1" I. D. Service: Designed for working pressure in excess of 500 P. S. I.
Low pressure	M-T	M-T		M-T	Maximum wall: 3/32".
Spray—paint	M-N or M-SB-9 or M-ST-6	M-P or M-SB-9 or M-ST-6		M-P or M-SB-9 or M-ST-6	O. D.: To fit existing and available paint spray couplings. Color: Cover may be brown or black.
Steam: Grade 1	M-E	M-E		M-E	Tube: 3/16" maximum. Cover: 1/16" maximum. Service: Designed for saturated steam pressures from 100 to 200 p. s. i. or temperatures between 338 deg. and 388 deg. F.
Grade 2	M-H	M-E		M-P	Tube: 5/16" maximum for sizes 1" I. D. and under. 2/32" maximum for sizes over 1" I. D. Cover: 1/16" maximum. Service: Designed for saturated steam pressures from 40 to 100 p. s. i. or temperatures between 287 deg. and 338 deg. F.
Grade 3	M-Q-1	M-M		M-R	Tube: 7/64" maximum. Cover: 3/64" maximum. Service: Designed for saturated steam pressure up to 40 p. s. i. or temperatures up to 287 deg. F.
Suction: Fire engine hard	M-T	M-R	M-T	M-T	Tube: 3/64" maximum. Layer and Filler: 1/16" maximum. Cover: 1/16" maximum.
Fire engine soft	M-P	M-P			Tube: 3/16" maximum.
Hard rubber	M-R	M-R		M-T	Tube: ¼" maximum on sizes 1" I. D. and under. 5/32" maximum on sizes over 1". Cover: 1/32" maximum.
Rotary slush pump	M-N	M-P	M-P	M-P	Tube: 3/32" maximum. Cover: 1/16" maximum.
Sand suction	M-E	M-H	M-P	M-P	Tube: Under 12"—5/16" maximum, 12" to 24"—3/8" maximum. All other—7/16" Cover: 1/16" maximum all sizes.
Water—Smooth bore	M-T	M-R	M-T	M-T	Tube: 1/16" maximum 3" I. D. and under. 3/64" maximum over 3" I. D. to 6" I. D. incl. 3/32" maximum over 6" I. D. Layer and filler: 1/16" maximum. Cover: 3/64" maximum 4½" I. D. and under. 1/16" maximum over 4½" I. D.

A. COMMERCIAL TYPES—Continued

Type of product	Compound				Construction and/or service restrictions
	Tube	Friction	Layer or Filler	Cover	
Tank car and tank truck	M-N or M-SB-9 or M-SN-9 or M-ST-6	M-P or M-SB-9 or M-SN-9 or M-ST-6		M-N or M-SB-8 or M-SN-8 or M-ST-6	Maximum wall: 1 1/32" on sizes under 2" I. D. 7/16" on sizes 2" I. D. to 4" I. D. ⅜" on sizes 4" I. D. and over.
Tender tank	M-Q-1	M-N	M-Q-1	M-Q-1	Tube: 5/64" maximum. Layer: 3/64" maximum. Cover: 1/16" maximum.
Vacuum brake (truck and bus).	M-N	M-N		M-P	Maximum wall: 1/64" on sizes under ½" I. D. 3/16" on sizes ½" I. D. and over.
Vacuum: Household	M-T	M-T			Tube: 1/32" maximum. No cover permitted.
Industrial	M-Q-1	M-N		M-P	Tube: 1/16" maximum. Cover: 1/32" maximum.
Dust collector	M-E	M-P	M-P	M-P	Tube: 1/16" maximum. Cover: 3/64" maximum.
Dust blower or exhaust	M-E	M-P	M-P	M-P	Tube: 3/64" maximum. Cover: 1/64" maximum.
Water-cold	M-T	M-T		M-T	Maximum wall: ¼" on sizes 1" and under. 5/16" on sizes over 1" to 1½" incl. 1 3/32" on sizes over 1½" to 4" incl. ½" on sizes over 4".
Welding	M-P	M-P		M-P (Black) M-N (Red)	Maximum wall: ⅛" on sizes 3/16" I. D. and under. 3/16" on sizes over 3/16" I. D. Color: Cover may be red or black. Twin: Twin welding hose is permitted, provided the amount of crude rubber and R. H. C. used in the construction does not exceed that of two single lines of same size and strength.

B. *Fire hose and mill hose*

1. The following specifications (which, with respect to the use of Rubber, are identical with Federal Emergency Alternate Specifications E-ZZ-H-451a) shall apply to the manufacture of fire hose and mill hose.

2. Fire hose and mill hose shall be manufactured only in the following sizes and the maximum amount of Rubber per 100 feet for each size shall not be greater than the amount specified for each size as follows:

Nominal size:	*Maximum amount of rubber permitted, per 100 feet* *Pounds*
1½ inches	4
2½ inches	7
3 inches	8.5
3½ inches	10

3. The rubber lining shall be made either from calendered sheets of not less than three plies lap-jointed and vulcanized into one solid body, or from a single ply extruded tube. The lap joints of calendered tubes shall be as small as is consistent with best manufacturing practice.

4. The rubber lining shall be of a thickness not less than .04 of an inch at any point when measured on specimens buffed just to the point where the fabric impressions left by the jacket are removed.

5. Each set of hose couplings shall be provided with three rubber gaskets of good quality. One gasket shall fit accurately the swivel of the couplings, and one (not less than ⅛ of an inch thick) shall be placed under the end of each expansion ring. When the coupling is made up snugly, as in service, the gasket in the swivel shall not be compressed to such as extent as to project beyond the inside surface of the coupling.

6. The hose shall have an internal diameter as shown by a tapered plug gauge of not less than the nominal size of the hose, except that in the case of 2½ inch hose, the internal diameter so measured shall not be less than 2 1/16 inches.

7. Unless otherwise specified, hose shall be furnished in lengths averaging not less than 50 feet, measured from back to back of couplings and under a pressure of 10 pounds per square inch. No length before sampling shall be less than 48 feet.

8. The hose with couplings attached shall meet the following hydrostatic proof pressure test requirements without leakage in the hose or at the couplings or breaking any threads in the jacket.

	Numerical requirements for—				
	Single jacket		Double jacket		
	1¼ inch	3¼ inch	1¼ inch	2½ inch	3 and 3¼ inch
Test pressure for initial requirements—pounds per square inch			10	10	10
Test pressure—pounds per square inch	300	300	400	400	400
Test pressure for kink test—pounds per square inch			350	350	250
Elongation at test pressure maximum %			8	8	8
Twist to right—maximum degrees per foot			20	12.5	12.5
Twist to left—maximum degrees per foot	0	0	0	0	0
Warp—maximum inches			20	20	20
Rise—maximum inches			0	0	0

The kink test may be required on only one sample per 100 lengths.
A twist to the right is indicated by a clockwise rotation of the coupling, looking from the hose toward the coupling. A twist to the left is indicated by a counter clockwise rotation. A maximum twist to the left of 2 degrees per foot will be permitted while pressure is being raised, but any final twist must be to the right.
Warp is defined as deviation from a straight line.

9. A three foot sample, when subject to a burst test while lying straight, shall not burst below the pressure specified in the following table:

Kind of hose:	*Burst pressure pounds per square inch*
Single jacket	450
Double jacket	600

10. The hose shall meet the following tests with respect to the rubber lining:

(i) Tensile strength of at least 800 pounds per square inch when tested across the fold.

(ii) Ultimate elongation of at least 300%.

(iii) Tensile strength, as determined with test pieces ½ inch wide prepared from strips cut transversely across the fold which have been subjected to the action of dry heat of 158 degrees + or — 2 degrees Fahrenheit for 96 hours, shall be not less than 75% of the strength before heating.

11. The adhesion of the rubber lining to the jacket shall be such that a weight of 8 pounds suspended from a strip 1½ inches wide will cause separation at a rate not greater than 1 inch per minute. This requirement does not prohibit that construction wherein there is no adhesion between the jacket and lining along the fold, provided the surface over which there is no adhesion is not greater than 35% of the total surface.

C. Railroad hose

The tube, cover, intermediate layer and friction for each of the classes of hose listed below shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound for each part being that hereinbelow specified therefor opposite the description or designation of such class in Tables A, B, C and E of this subdivision III–C. The physical properties of the compounds and tests on the hose shall meet the minimum requirements specified.

1. *Air brake and air signal hose.*

TABLE A

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Adhesion in pounds
Tube	M–P	0.094	800	300%	12 between tube and duck.
Friction	M–N				15 between plies of duck.
Cover	M–M	.063	1,200	300%	12 between cover and duck.

(i) *Cotton reinforcement.* The reinforcement shall consist of not less than four plies of cotton duck cut on a bias of approximately 45 degrees and applied evenly and firmly with not less than ½" lap not sewed. The plies of duck shall be well frictioned on both sides with M–N grade compound which shall firmly join the plies to the rubber tube and cover and to each other.

(ii) *Rubber caps.* Each length of hose shall have a rubber cap firmly vulcanized on each end.

(iii) *Sampling.* For each lot of 300 or less lengths of each size of hose, one extra length shall be furnished for test.

(iv) *Hydrostatic test.* The 17-in. section of hose shall be subjected to a hydrostatic pressure of 200 lbs. per sq. in. applied at the rate of not less than 100 lb. per sq. in. in 6 seconds. The expansion in circumference at this pressure shall be not more than ¾ in. for airbrake or 11/16 in. for air-signal hose. The hose shall show no leaks or other defects. After the above test, the same section of hose shall be subjected to a hydrostatic pressure of 500 lb. per sq. in. maintained for 10 minutes without leaking, bursting or showing other defects; after which the pressure shall be increased until the hose bursts, which shall not occur at a pressure less than 700 lb. per sq. in.

(v) *Dimensions and tolerances.* The dimensions and tolerances of the hose shall be as follows:

	Length in inches	Outside diameter in inches	Inside diameter in inches	Thickness of end cap, in inches
Air-brake hose:				
Maximum	22½	2⅛	1 7/16	1/32
Minimum	22	2 1/16	1⅜	3/32
Air-signal hose:				
Maximum	22½	1⅞	1 3/16	1/32
Minimum	22	1 13/16	1⅛	3/32

(vi) *Label.* The label shall be in accordance with AAR Specifications EM–601–42.

2. *Tender tank hose.*

TABLE B

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Adhesion in pounds
Tube	M–Q–1	0.070	600	*Percent* 200	10 between tube and duck.
Friction	M–N				12 between plies of duck.
Intermediate	M–Q–1	.070			10 between int. layer and duck.
Cover	M–Q–1	.060	600	200	10 between cover and duck.

(i) *Cotton reinforcement.* The reinforcement shall consist of plies of cotton duck cut on a bias of approximately 45 degrees and applied evenly and firmly with not less than ½" lap not sewed. The plies of duck shall be well frictioned on both sides with M–N grade compound which shall firmly joint the plies to the rubber tube, cover, and intermediate layer and to each other. A distinct intermediate layer of rubber shall be readily visible when the finished hose is cut open. At each end of the hose there shall be an extra ply of duck under the cover and extending for 6 inches from the end of the hose.

(ii) *Helical wire reinforcement.* The helical reinforcement shall be of thoroughly galvanized or copperized spring steel wire No. 9 BWG (0.148 inch). It shall be wound with not over 1 inch pitch throughout the length of the hose up to a point distant 3½" from each end of the hose. At this point the wire shall be turned to a straight line parallel with the axis of the hose and shall extend to a point 1 inch from the ends of the hose.

(iii) *Intermediate rubber layer.* The intermediate layer of rubber shall be formed completely around the wire and bonded to the duck.

(iv) *Sampling.* For lots of 25 to 100 lengths, an 18 inch prolong shall be built on one length of hose. This prolong will then be cut off by the inspector for testing. For lots less than 25, no prolong shall be supplied.

(v) *Boiling water test.* Samples of the tube, removed from the hose and buffed to a uniform thickness shall be immersed in boiling water for a period of 8 hours. After removal and drying for 24 hours the type A test specimen shall be died from the immersed sample and tested. The tensile strength shall not be less than 50% of the original.

(vi) *Bend test.* A complete length of hose shall be bent 180 degrees until two ends are parallel. The diameter of the inside of the bend shall be equal to three times the nominal inside diameter of the hose. The hose when bent in this position shall show no kinking.

(vii) *Tolerance.* (1) The inside diameter may vary by not more than 1/32" either way from that specified.

(2) The outside diameter over soft ends of hose shall conform to the following table:

Nominal inside diameter in inches	Maximum in inches	Minimum in inches
2¼	3¼	3 1/16
2½	3½	3 5/16
3	4	3 13/16
3½	4½	4 5/16
4	5	4 13/16
4½	5½	5 5/16

(viii) *Label.* The label shall be in accordance with AAR Specification EM–601–42.

3. *Cold water hose.*

TABLE C

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Adhesion in pounds
Tube	M–T	0.050	400	*Percent* 150	{5 sizes ¾" and under. 6 over ¾".
Friction	M–T				6 all sizes.
Cover	M–T	.047	550	200	{5 sizes ¾" and under. 6 over ¾".

(i) *Cotton reinforcement.* The reinforcement shall consist of cotton duck for wrapped hose and braided fabric for braided hose. The plies of duck shall be well frictioned on both sides with M–T grade compound which shall firmly join the plies to the reclaim rubber tube and cover and to each other. The plies of braided fabric shall be separated by a friction layer of M–T grade compound which shall firmly join the plies to the reclaim rubber tube and cover and to each other.

(ii) *Sampling.* From each lot of 1000 feet or less of each size of hose, a three foot section shall be taken for test purposes.

(iii) *Hydrostatic test, dimensions, plies and tolerances.* The straight burst, the inside and outside diameters, minimum number of plies, shall be as specified in the following Table D.

TABLE D

Size, I. D.	Outside diameter, maximum	Minimum number of plies		Straight burst, minimum
		Wrapped	Braided	
½	1 5/16	3	2	600
¾	1 11/16	3	2	600
1	1 15/16	4	2	500
1¼	2 3/8	4	3	500
1½	2 13/16	4	3	450
2	3 5/16	4		450
2½	3 13/16	5		450
3	4 5/16	5		450
3½	4 13/16	5		350
4	5 5/16	5		300

NOTE: The inside diameter may vary either way from that specified by not more than 1/32" for sizes ¾" and smaller, and by not more than 1/16" for larger sizes.

(iv) *Label.* The label shall be in accordance with AAR Specification EM–604–42.

(v) *Color.* All compounds shall be black.

4. *Air, gas and oxygen hose.*

TABLE E

	Grade	Minimum gauge	Minimum tensile P. S. I.	Minimum elongation	Minimum adhesion in pounds
Tube:				*Percent*	
3/16" and under	M–P	.050	600	200	7
7/32" to 1" incl	M–Q–1	.063	600	200	8
Over 1"	M–Q–1	.078	600	200	8
Friction:					
3/16" and under	M–P				7
Over 3/16"	M–P				10
Cover:					
3/16" and under	M–P (Black)	.020	700	250	5
3/16" and under	M–N (Red)	.020	700	250	5
Over 3/16"	M–P	.063	800	250	8

NOTE: ½" gas and oxygen hose, if required, shall conform to same specifications as 3/16" and under for tube, friction and cover.

(i) *Cotton reinforcement.* The reinforcement shall consist of cotton duck for wrapped hose and braided fabric for braided hose. The plies of duck shall be well frictioned on both sides with M–P grade of compound which shall firmly join the plies to the rubber tube and cover and to each other. The plies of braided fabric shall be separated by a friction layer of M–P grade compound which shall firmly join the plies to rubber tube and cover and to each other.

(ii) *Sampling.* From each lot of 1,000 feet or less of each size of hose, a three foot section shall be taken for test purposes.

(iii) *Hydrostatic test, dimensions, plies and tolerances.* The straight burst, the inside and outside diameters, minimum number of plies, and tolerances and dimensions shall be as specified in the following Table F.

TABLE F

Size, I. D.	Outside diameter, maximum	Minimum number of plies		Straight burst, minimum
		Wrapped	Braided	
	Inches			
¼"	5/8	4	2	900
5/16"	13/16	4	2	700
3/8"	¾	4	2	600
½" gas and oxygen	7/8	4	2	550
½"	1 1/16	4	3	800
¾"	1 11/32	4	3	700
1"	1 11/16	4	3	700
1¼"	1 15/16	5	3	600
1½"	2 5/16	6	3	550

NOTE 1: The inside diameter tolerance shall be plus or minus 1/32" on sizes 3/16" and under; plus or minus 1/32" on sizes ½" and ¾", and plus or minus 1/16" on sizes over ¾".

NOTE 2: The minimum O. D. on the ¼", 5/16" and 3/8" sizes of gas and oxygen hose shall not be less than 1/16" under the maximum specified O. D.

(iv) *Label.* The label shall be in accordance with AAR Specification EM–603–42.

(v) *Color.* All compounds shall be black except the cover on hose for acetylene-hydrogen which shall be red.

IV. *Packing specifications—commercial types*

Packing of the following types shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grades of compound to be used being that hereinbelow specified therefor opposite description or designation of such types.

Description	Grade	Non-fabric reinforced compound	Fabric-reinforced		Construction and/or service restrictions
			Face compound	Friction compound	
Standard rubber sheet, including cut or extruded strip, gaskets or packing rings, or molded packings not elsewhere defined.	1	M–M–2			(a) Designed for use against foodstuffs or chemicals where contamination or the importing of undesirable odors or taste is to be avoided. (b) Designed for use against saturated steam at pressures in excess of 50 P. S. I. (c) Shore hard 75 minimum. (d) Color may be red or black.
Packing known heretofore as Red or Black Sheet Packing.	2	M–8			Designed for service other than lists for Grade 1. Shore hard 75 minimum.
Soft rubber sheet, including cut or extruded strip gaskets, packing rings, or molded packings not elsewhere defined.	1 2 3	M–K M–N M–P–1			Soft rubber sheets in grades 1, 2, and 3 are to be used only in packing designed for services where a grade softer than standard rubber sheet is absolutely necessary. Grade 1—Shore hard 45–55. Grade 2—Shore hard 55–65. Grade 3—Shore hard 65–75.
Cloth insertion sheet, including cut strip or gaskets.			M–S	M–R	
Strip packing:					
Cloth inserted	1		M–S	M–R	Special packing designed for use only for bolted tanks.
Plain	2	M–P–1			
Diaphragm sheet including cut diaphragms Supersensitive.	1		M–B	M–E	Grades 1 and 2 designed for control diaphragm service. Color of Grade 1 may be black or amber.
Standard	2		M–N	M–N	Grade 1 shall be used only in packing designed for exceedingly flexible diaphragm not exceeding 1/32 in. in thickness.
Piston packing hydraulic known heretofore as white hydraulic.				M–K	No skim coat, cushion layer, or covers permitted.
Rod packing: Duck rubber slab construction, known heretofore as low pressure ring, low pressure spiral, or cross expansion packing.			M–P–1	M–P–1	Skim coat shall not exceed 0.010 in. Covers shall not exceed 0.016 in. Cushion layers (except Skim) not permitted.

Description	Fabric reinforced friction compound	Core compound	Crude rubber by weight	Construction and/or service restrictions
Rod packing:				
Duck-rubber	M–P–1	M–S		No skim coat, or rubber cover permitted. Made with or without central rubber core. Round or square cross section.
Rolled				
Rod packing:				
Molded V	M–N			Skim coats permitted. Cushion layers and rubber covers not permitted.
Shape or lip				
Rod packing:				
Molded channel with metal core, known as semimetallic.	M–N			Skim coats permitted. Cushion layers and rubber covers not permitted.
Rod packing:				
Rubber bonded				
Plastic			5% maximum	Color: not specified.
Rod packing:				
Rubber bonded				
Metal foil			2% maximum	Color: not specified.
Compressed asbestos sheet			13% maximum	Color: not specified.
Rubberized woven asbestos cloth or braid, including unmolded gaskets or rod packings prepared from same:				A rubber cushion or core may be used.
Metallic		M–S	10% maximum (based on weight of fabric).	
Non-metallic		M–8	12% maximum (based on weight of fabric).	

NOTE: All compounds shall be black only except where otherwise specified.

V. *Dam and lock gate seal specifications*

The tread, cushion, friction and coat for dam and lock gate seals shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of each construction element in Table A of this subdivision V.

TABLE A

Construction element	Compound	Minimum tensile strength in pounds per square inch	Minimum elongation	Shore hardness	Minimum ply adhesion in pounds
			Percent		
Tread	M–N	1,500	350	60–70	
Cushion	M–B	2,000	700	35–47	
Friction and coat	M–H				16

VI. *Hog scraper (beater) paddle specifications*

Compounds for each of the grades of hog scraper paddles listed in Table A of this subdivision VI shall be made from one of the compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compounds to be used for covers, friction and coats being that hereinbelow specified therefor opposite the description or designation of such class in such Table A.

TABLE A

Description	Cover compound	Friction compound	Coat or skim compound
Rubber covered	M–R	M–N	M–E.
Friction surface		M–N	M–E.

NOTE 1: The skim or coat shall not exceed .010 inch in thickness. Where skim coats are not used, a cushion layer of same quality as the skim may be used provided it does not exceed the combined gauges of the permissible skims.

NOTE 2: Maximum combined gauges of covers shall not exceed 3/16 inch.

NOTE 3: All compounds shall be black.

VII. *Loom pickers*

Compounds for each of the types of loom pickers shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of such type:

Type product:	*Compound*
Loom pickers for cotton weaving	M–P–1.
Loom pickers for rayon weaving	M–K–1.
Reversible drop box pickers for cotton or rayon	M–K–1.

NOTE: The compound specified above shall be employed only as a friction for the fabric.

VIII. *Milk and milking machine equipment specifications*

Compounds for each of the following type of rubber parts for milk and milking machine equipment shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation of such type.

Type product:	*Compound*
Milking inflations	M–A.
Milking tubing (single line)	M–H–1.
Milking tubing (twin line)	M–M–1.
Bottle filler rubbers	M–H–1.
Miscellaneous parts such as special gaskets, gland rings, bowl rings, etc	M–K.

NOTE: All compounds, except milking inflations, shall be black.

IX. *Pipe coupling ring specifications*

Compounds for each of the grades of pipe coupling rings listed in Table A below shall be made from one of the grades of compounds listed in subdivisions (c)–I–A and (c)–I–B of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such grade in Table A of this subdivision IX.

TABLE A

Grade	Compound	Service restriction
1	M–H	Designed for use only for coupling rubbers having an annular section compressed in application and afterward functioning without other means of support, and for repair clamp gaskets.
2	M–N	All other rubber couplings not specifically covered under Grade 1.
3	M–SB–8 or M–SN–6.	All couplings made from synthetic.

NOTE: No crude rubber or synthetic rubber shall be used in the manufacture of pipe coupling rings designed for handling cold, clear water (i. e., water which is not artificially heated, and which is fresh, as distinguished from salt sea water or water contaminated by sewage or other impurities).

X. *Press die pad specifications*

Compounds for press die pads shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite description or designation.

Grade	Compound	Shore durometer
No. 1	M–A	Under 40.
No. 2	M–E	40 and over.

NOTE: In order to reverse the pad so that both sides can be used, pads shall not be manufactured with the rubber compound vulcanized to a steel plate.

NOTE: All compounds shall be black.

XI. *Printing rubber products specifications*

Compounds for each of the types of printing rubber products shall be made from one of the grades of compounds listed in subdivisions (c)–I–A and (c)–I–B of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such type.

Type product	Shore durometer	Compound
Printing plate gums	46–55	M–M–1 or M–SB–8 or M–SN–7.
Printing plate gums	55–65	M–J–1 or M–SB–9 or M–SN–8.
Printing plate gums	66–90	M–Q–1 or M–SB–10 or M–SN–9.
Printing plate insert and backing fabrics		M–R–1 or M–SB–8 or M–SN–8.
Offset blankets		M–J–1 or M–SB–7 or M–SN–6.
Newspaper blankets		M–L–1 or M–SB–8 or M–SN–7 or M–ST–5.
Cutting rubber		M–J–1 or M–SB–7 or M–SN–6.
Printing rolls		M–J–1 or M–SB–7 or M–SN–6.
Engraving rubber face stock	30–55	M–M–1 or M–SB–8 or M–SN–7.
Engraving rubber face stock	56–75	M–N–1 or M–SB–8 or M–SN–7.
Engraving rubber face stock	76–90	M–P–1 or M–SB–9 or M–SN–8.
Engraving rubber friction		M–Q–1 or M–SB–8 or M–SN–7.
Engraving rubber filler		M–Q–1 or M–SB–10 or M–SN–9.
Box die gums		M–N–1 or M–SB–7 or M–SN–6.

NOTE 1: In any combination of compounds, any one or group of compounds may be higher in crude rubber and R. H. C. volume than the designated compound grade provided the total volume of crude rubber and R. H. C. of all compounds is not in excess of that permitted.

NOTE 2: Any synthetic rubber, if available, may be substituted on a volumetric basis for a portion of the R. H. C.

NOTE 3: The thickness of face stocks on engraving rubber shall not exceed 1/8".

XII. *Rubber lined tanks, drums and rubber protected industrial equipment specifications*

Compounds for each of the following types of rubber lined tanks, drums and rubber protected industrial equipment shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such type in Table A of this subdivision XII.

TABLE A

Type of equipment	Compound	Construction and/or service restrictions
Rubber lined drums and tanks (hard or soft rubber).	M–F.	1/8" maximum thickness designed for use for temperatures up to and including 150° F. 3/16" maximum thickness designed for use for temperatures in excess of 150° F.
Rubber lined pipes and fittings.	M–F.	1/8" maximum thickness in pipes up to and including 3" diameter, regardless of anticipated temperature; also in pipes over 3" in diameter designed for use where temperature is not in excess of 150° F. 3/16" maximum thickness for pipes over 3" in diameter designed for use where temperature is in excess of 150° F.

NOTE 1: The lining of tank cars is to be in accordance with I. C. C. specifications.

NOTE 2: No crude rubber shall be used in the lining of tanks, pipe, and fittings for any operation connected with the plating of materials.

NOTE 3: No crude rubber shall be used in lining or covering tanks and drums, pipe and fittings, or any other items listed in Note 7 of this subdivision XII where designed for purely abrasive services where no corrosive liquids are present.

NOTE 4: No outside rubber covering shall be permitted extending more than a vertical distance of 2" below the outside top edge of any rubber lined tank or more than 2" from the outside edge of any rubber lined cover.

NOTE 5: Where oxidizing chemicals and chemicals having a solvent action on rubber are involved, an additional 1/16" thickness may be employed.

NOTE 6: Where closed vessels or tanks operating under a vacuum of 18" of mercury or more are involved, an additional thickness of 1/16" may be used.

NOTE 7: Rubber protected fume ducts, fans, racks, frames, trays, screens, buckets, pails, dippers, agitators, funnels and measures (for handling corrosive materials and explosives), pumps, blowers, exhauster and pump lining, valves, and valve parts, miscellaneous rubber covered industrial equipment shall employ same restrictions and compounds as "Rubber lined tanks and drums."

NOTE 8: In no case shall the thickness of any rubber lining exceed 3/16".

XIII. *Abrasive implements specifications*

Crude rubber may be used in the manufacture of only rubber bonded implements designed for the types of work listed below. The appropriate grade of compound to be employed is that listed as M–M–2 in subdivision (c)–I–A of this revised List 1.

Ball and roller race.
Cut-off and thin slotting.
Stainless welds.
Heat sensitive and non-ferrous alloys.
Centerless and control.
Soft polishing and bonded cork.
Rubber asbestos products.
Shank mounted.
Disc mounted tie gum.
Weld grinding at bottom of slots.

XIV. *Mine and industry safety parts specifications*[1]

Compounds for each of the mine and industry safety parts listed below shall be made from one of the grades of compounds listed in subdivision (c)–I–A of this revised List 1, the appropriate grade of compound to be used being that hereinbelow specified therefor opposite the description or designation of such grade in Table A of this subdivision XIV.

TABLE A

Type of product	Compound		Construction
Face pieces, respirators, goggles and accessories not elsewhere listed.	M–K–1		
Corrugated tubes	M–L		
Flutter valve, valve mechanisms and valve assemblies.	M–B		
	Friction	Cover	
Hose mask hose, as required by Bureau of Mines.	M–N	M–P	Maximum cover, .094 inch. I. D., 1 inch only. Maximum O. D., 1 1/16 inches.

[F. R. Doc. 42–6924; Filed, July 21, 1942; 11:26 a. m.]

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 10 to Supplementary Order M–15–b–1 [1]]

§ 940.5 (*Supplementary Order M–15–b–1*) is amended as follows:

1. By changing paragraph (b) (6) to read as follows:

(6) Rubber footwear, List 6.

2. By substituting the attached List 6 for List 6 now attached to such order.

This order shall take effect as of the date of its issuance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 6

(Revised effective July 21, 1942)

Specifications for the manufacture of rubber footwear

(1) All rubber footwear shall be manufactured in black color only.

(2) No crude rubber shall be used for label plasters.

(3) Production of civilian footwear shall be confined to the following items and the average amount of crude rubber per pair used in the manufacture of each item shall not be greater than the indicated maximum weight.

Item	*Average weight of crude rubber per pair maximum (in pounds)*
Men's short boot (14" height, square top)	1.00
Men's 4-buckle cloth farm-weight arctic	.65
Men's 4-buckle cloth lightweight arctic	.55
Boys' 3-buckle cloth lightweight arctic	.45
Youths' 3-buckle cloth lightweight arctic	.40
Women's 2-snap gaiter (rubber)	.25
Misses' 2-snap gaiter (rubber)	.25
Child's 2-snap gaiter (rubber)	.20
Men's work rubber	.50
Men's dress rubber (soft back)	.30
Men's clog	.125
Boys' dress rubber (soft back)	.25
Youths' storm rubber	.25
Women's toe rubber	.10
Growing girls' storm and women's over (maximum 16/8 heel)	.20
Misses' storm rubber	.20
Child's storm rubber	.17

(4) Production of severe occupational footwear shall be confined to the following items and the average amount of crude rubber per pair used in the manufacture of each item shall not be greater than the indicated maximum weight.

Item	*Average weight of crude rubber per pair maximum (in pounds)*
Men's short boot (plain toe)	1.50
Men's short boot (steel toe)	1.57
Men's storm king boot (plain toe)	2.00
Men's storm king boot (steel toe)	2.07
Men's hip boot (plain toe)	2.30
Men's hip boot (steel toe)	2.37
Men's 15" lace mine pac (plain toe)	1.50
Men's 15" lace mine pac (steel toe)	1.57
Men's workshoe (plain toe)	.25
Men's workshoe (steel toe)	1.02

(5) Variations from the average weight of crude rubber per pair maximum for civilian and severe occupational footwear are permitted as follows:

Plus 10%
Minus Unlimited

[F. R. Doc. 42–6925; Filed, July 21, 1942; 11:26 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 of § 944.7 of Priorities Regulation 1 as Amended June 26, 1942]

The following interpretation is hereby issued with respect to paragraph (b) of § 944.7 of Priorities Regulation No. 1, as amended June 26, 1942.[1]

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating

[1] See Amendment 9, *supra*.

[1] 6 F.R. 6681; 7 F.R. 4832.

to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, deliveries to the customers who first applied or extended the rating are to be preferred and, subject to the exceptions indicated in paragraphs (c) and (d) of § 944.7, production schedules must be adjusted accordingly.

For example, suppose one customer places in January an order rated A–1–a for August delivery and a second customer places in June an order bearing the same rating for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer, as he could under the regulation before the recent amendment. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6923; Filed, July 21, 1942; 11:26 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 1 to Schedule "A" Attached to Priorities Regulation 13]

Part III of Schedule "A" attached to Priorities Regulation No. 13 (§ 944.34) [1] is hereby amended with respect to the provisions relating to "Rubber Yarn and Elastic Thread" as shown on the attached schedule. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[1] 7 F.R. 5167.

AMENDMENT NO. 1 TO SCHEDULE "A"

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (d)(2) of this regulation					Remarks
	Producers as defined in this regulation		Reprocessors who are authorized to buy	Wholesale dealers in the material in the form held by holder	Scrap dealers who are authorized to buy	
	Producers who produce material in the form in which it was purchased by holder	Other producers permitted to buy for an authorized use				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Rubber yarn and elastic thread.	No	No	X	No	W.O.P.*	Only when sold as scrap.*

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

[F. R. Doc. 42–6902; Filed, July 20, 1942; 12:04 p. m.]

PART 1173—RUBBER YARN AND ELASTIC THREAD

[Amendment 4 to Conservation Order M–124]

Section 1173.1 *Conservation Order M–124* [1] is hereby amended in the following respects:

Paragraph (b) is amended to read as follows:

(b) Except as provided in Priorities Regulation No. 13 and except as provided in paragraph (d) below, no person shall sell or make delivery of or purchase, order or accept delivery of any rubber yarn, latex yarn or elastic thread.

Paragraph (d) is amended to read as follows:

(d) *Exceptions to restrictions.* The restrictions imposed by paragraphs (b) and (c) above shall not apply to:

(1) The processing or use of any rubber yarn, latex yarn or elastic thread which, prior to March 29, 1942, had been placed on a knitting or other processing machine, braider or loom.

(2) The processing or use of any rubber yarn, latex yarn or elastic thread which, prior to March 29, 1942, had been removed from the vendor's container, wrapping, packing or "put-up" and placed on quills, cones, cops, spools, bobbins, tubes, beams or warps.

(3) The sale and delivery and the processing or use of any rubber yarn, latex yarn or elastic thread which, on March 29, 1942, was in a retail merchant's stock as such, or in the possession of any individual not ordinarily engaged in the business of selling, knitting, weaving, or otherwise using such yarn or thread.

(4) The processing or use by any person of any rubber yarn, latex yarn or elastic thread to be incorporated in products required to be delivered under orders placed with that person by, or contracts held by that person with:

(i) The War Department of the United States,

(ii) The Navy Department of the United States,

(iii) The United States Maritime Commission,

(iv) The United States Coast Guard, or

(v) Any agency of the United States Government for materials, supplies, or equipment to be delivered to or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

Provided, however, That such rubber yarn, latex yarn or elastic thread shall be only used to the minimum extent necessary to comply with the specifications of the prime contract involved.

(5) The processing or use by any person of any covered rubber yarn, covered latex yarn, or covered elastic thread, of a count of 61 or finer, in the manufacture of:

(i) Industrial shoes, belting and flexible metallic hose.

(ii) Repair cords and webs.

(iii) Surgical elastic bandage.

(iv) Surgical stockings.

(v) Edging for baby pants.

(vi) Trusses (including umbilical belts).

(vii) Webbing for respirators, hose masks, gas masks and inhalators.

(viii) Webbing for artificial limbs.

(ix) Industrial goggles.

(x) Supports for abdomen, back and breast, but only to the extent permitted pursuant to General Limitation Order L–90, as such order may be amended as of the date of such processing or use.

(xi) Sanitary belts and men's athletic supporters, but only to the extent permitted pursuant to General Limitation Order L–137, as such order may be amended as of the date of such processing or use.

(6) The sale and delivery of any rubber yarn, latex yarn, or elastic thread, by or to the Defense Supplies Corporation, or to any person designated by it to purchase, sell, deliver and accept delivery of such yarn or thread for its account.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6901; Filed, July 20, 1942; 12:04 p. m.]

[1] 7 F.R. 2472, 2580, 3234, 3932.

PART 1260—TIRE MACHINERY AND EQUIPMENT

[Amendment 1 to General Limitation Order L–143]

Section 1260.1 (*General Limitation Order L–143*) [1] is amended by substituting "30 days" for "15 days" appearing in paragraphs (b) (1) and (b) (2) thereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6921; Filed, July 21, 1942; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment 22 to Revised Tire Rationing Regulations [2]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Section 1315.405 (f) (5) is amended to read as follows:

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.405 *Eligibility classification; List A.* * * *

(f) A truck operated exclusively for one or more of the purposes stated in the preceding sections or for one or more of the following purposes: * * *

(5) Transportation of such raw materials, semimanufactured goods, and finished products, including foods and farm products, as are essential to the war effort or to the public health and safety. No certificate shall be issued under this subparagraph for a tire or tube to be mounted on a truck, other than a common carrier, used for transportation of commodities to the ultimate consumer for personal, family, or household use, or for transportation to any person of alcoholic beverages, soft drinks and similar beverages, tobacco products, confections, candy, flowers, toys, novelties, jewelry, furs, radios, phonographs, musical instruments, or any luxury goods, or for furnishing transportation for incidental maintenance service (including the cleaning of office buildings or similar activities), or for the purpose of repairing any portable household effects, or for the purpose of providing materials or service solely for landscaping or beautification of any construction project or other establishment, except as such transportation or deliveries can be made in conjunction with and incidental to the transportation of commodities or services recognized as eligible herein without diverting the truck from its normal route or schedule. Certificates may be issued under this subparagraph for tires or tubes to equip a truck used to deliver newspapers, periodicals and books, at wholesale only.

§ 1315.1199a *Effective dates of amendments.* * * *

(v) Amendment No. 22 (§ 1315.405) to Revised Tire Rationing Regulations shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong., Jan. 30, 1942, O.P.M. Supp. Order No. M–15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026)

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–6908; Filed, July 20, 1942; 5:12 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[Amendment 6 to Revised Price Schedule 53 [1]]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new subparagraph (10) is added to paragraph (b) of § 1351.151, and a new § 1351.156a is added, as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(10) On and after July 25, 1942, subparagraphs (1) to (5), both inclusive, and subparagraph (7) of this paragraph (b) shall have no application to the following fats and oils and the maximum prices thereof shall be the following prices:

(i) *Imported vegetable oils, bulk—c. i. f.* New York, in cents per pound, as follows:

Coconut oil:	
Crude, Manila	8.35
Crude, Manila, San Francisco	8.00
Cochin type	9.35
Cochin type, San Francisco	9.00
Refined Edible, f. o. b., New York, ex tax	9.85
Refined Edible, f. o. b., San Francisco, ex tax	9.50
Palm oil—African:	
Soft, basis 12% f. f. a	8.25
Semi, basis 35% f. f. a	8.25
Niger, or hard, basis over 45% f. f. a	8.25
Congo Plantation, basis 10% f. f. a	8.32
Malayan and Sumatra, basis 5% f. f. a	8.50
Palm kernel oil, crude	8.35
Rapeseed oil, denatured	11.50
Teaseed oil, crude, in drums	30.00

(*a*) The usual or normal differentials for grades above or below these prices for basic grades shall continue to apply.

(*b*) The usual or normal differentials for type of container shall continue to apply.

(*c*) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(*d*) Duties, processing taxes and excise taxes may be added to the above c. i. f. prices, and to the prices of refined edible coconut oil.

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484.

[1] 7 F.R. 5126.

[2] 7 F.R. 1027, 1089, 2106, 2167, 2541, 2633.

(ii) *Imported vegetable oils, tankcars—f. o. b.* New York, duties and taxes paid, in cents per pound, as follows:

Andiroba, drums, carlots	11.00
Babassu oil	11.10
Castor oil:	
No. 1	13.05
No. 3	12.75
Dehydrated, bodied	17.85
Cohune oil	11.10
Muru-muru oil	14.03
Oiticica oil:	
Commercial grade, liquid	25.00
Condensed, drums, carlots	23.00
Ouricuri oil	11.10
Pataua oil	40.00
Perilla oil, crude	24.50
Sesame oil	14.30
Sunflower seed oil, semi-refined	14.30
Tucum oil	12.68
Tung oil (Chinawood oil), drums, carlots	39.00
Ucuhuba crude vegetable tallow, barrels or drums, carlots	8.75

(*a*) The usual or normal differentials for grades above or below these prices for basic grades shall continue to apply.

(*b*) The usual or normal differentials for type of container shall continue to apply.

(*c*) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(iii) *Tallows and greases—f. o. b.* producer's plant, tankcars, unless otherwise specified, as follows:

	Titre, minimum	F. F. A. basis	M. I. U. basis (percent)	F. A. C., maximum	Cents per pound
NEW YORK					
Edible	41.5	1	1	5	9⅝
Fancy	41.5	4	1	7	8⅞
Choice	41	5	1	11	8⅜
Extra	40.5	6	1	13	8⅛
Special	40.5	12	1	21	8⅛
#1 tallow	40.5	15	2	39	8⅛
No. 1 pig skin	34	2	1	9	9
Choice white	37	5	1	11	8⅞
A white	37	10	1	15	8¾
B white	36	10	2	19	8½
Yellow	36	15	2	37	8⅜
House	36	20	2	39	8¼
Brown	39	40	2	45	7¾
Brown, drums	39	40	2	45	7½
Fleshing #1	37	10	2	15	8½
Fleshing #2	37	45	3	45	7⅜
CHICAGO					
Edible	41.5	1	1	5	9⅝
Choice	41	5	1	11	8¾
Prime packers	41	4	1	11	8⅝
Special	40.5	10	1	19	8½
#1 tallow	40.5	12	2	21	8⅜
#3 tallow	40.5	20	2	37	8¼
#2 tallow	40	35	2	45	8⅛
Renderer's prime	40.5	6	1	13	8⅝
No. 1 pig skin	34	2	1	9	9
Choice white	37	5	1	11	8⅞
A white	37	10	1	15	8¾
B white	36	10	2	19	8½
Yellow	36	15	2	37	8¼
Yellow country, drums	37	20	2	39	8⅛
Brown	39	40	2	45	7¾
Brown, drums	39	40	2	45	7½
CALIFORNIA					
Fancy	41.5	4	1	7	8¾
Choice	41	5	1	11	8⅜
Prime	40.5	6	1	13	8⅛
Special	37	12	2	21	8⅛
Yellow	39	20	2	39	8¼
Dark brown	39	40	2	45	7¾
Dark brown, drums	39	40	2	45	7½

(*a*) Grades other than those listed above shall take their customary premium or discounts from the nearest grade described.

(*b*) The usual or normal differentials for type of container shall continue to apply.

(*c*) The maximum landed prices, with duties and taxes paid, of imported tallows and greases shall be the maximum tank-car prices of the nearest domestic grade at point of entry.

(*d*) Bleaching qualities do not change classifications.

(iv) *Marine animal oils*—tank cars, f. o. b. American ports, all duties and taxes paid, in cents per pound, as follows:

Whale oil, crude, No. 1	11.25
Sperm oil, crude, No. 1	7.75
Seal oil, No. 1	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast	8.90
Sardine oil, hydrogenated 52°, f. o. b. producer's plant, Pacific coast	10.90
Herring oil, crude, f. o. b. Seattle	8.90

(*a*) The usual or normal differentials for grades, above or below those listed, shall continue to apply.

(*b*) The usual or normal differentials for type of container shall continue to apply.

(*c*) No marine animal oil shall be sold at a premium because of its vitamin content, unless such oil is purchased for use because of its vitamin content and contains more than 75 vitamin D units per gram. If purchased for its vitamin content, it may command the usual and normal premium for such vitamin oil, which it commanded on October 1, or November 26, 1941: *Provided*, That this schedule shall not apply to any vitamin oil for which a maximum price has been or may be established by a Maximum Price Regulation.

§ 1351.156a *Application for adjustment.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or a subcontract under such contract, who believes that a maximum price established by Revised Price Schedule No. 53 impedes or threatens to impede production of a commodity covered by this schedule which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this schedule, in accordance with procedural regulations which will be issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such applications, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application: *Provided*, That final settlement shall be made in accordance with the order and, if required, refunds shall be made.

§ 1351.159 *Effective dates of amendments.* • • •

(f) Amendment No. 6 to Revised Price Schedule No. 53 shall become effective as follows:

(1) As to § 1351.151 (b) (10) (i), (ii) and (iv), and § 1351.156a July 25, 1942;

(2) As to § 1351.151 (b) (10) (iii) August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6907; Filed, July 20, 1942; 5:10 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Supp. 1 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

§ 1394.2001 *Designation of unit value in gallons of gasoline.* (a) The value of the unit represented by coupons in A, B, C, D, E, R, S-1 and S-2 ration books is hereby designated and fixed as follows:

(1) Four (4) gallons of gasoline, with respect to A, B and C book coupons;

(2) One and five-tenths (1.5) gallons of gasoline, with respect to D book coupons;

(3) One (1) gallon of gasoline, with respect to E book coupons, and five (5) gallons of gasoline, with respect to R book coupons;

(4) Five (5) gallons of gasoline, with respect to S-1 or S-2 book coupons.

(b) This Supplement No. 1 (§ 1394.2001) shall become effective July 22, 1942, and shall continue in force and effect until amended by further order or direction of the Office of Price Administration (Pub. Law 421, 77th Cong., W. P. B. Directive No. 1, Supp. Dir. No. 1-H).

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6905; Filed, July 20, 1942; 5:11 p. m.]

[1] 7 F.R. 5225.

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation—Amendment 16 to Supplementary Regulation 1 [1]]

EXCEPTIONS TO GENERAL MAXIMUM PRICE REGULATION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In § 1499.26 (a) subparagraph (2) is amended to read as set forth below and subparagraph (7) is revoked:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities: • • •

(2) All zinc scrap materials, except those covered by Revised Price Schedule No. 3,[2] including, but not limited to, zinc skimmings, zinc ashes, sal skimmings, and flue dust; all lead scrap materials, except those covered by Revised Price Schedule No. 70,[3] including, but not limited to, lead drosses, lead slags, lead ashes, and lead sludges; residues of tin, solder, babbitt, and type metal including, but not limited to drosses, scruffs, acidy drosses, fumes, sludges, and slags; and antimony residues, slags, skimmings, and drosses.

• • • • • • •

(e) Effective dates. • • •

(17) Amendment No. 16 (§ 1499.26 (a) (2) and (7) to Supplementary Regulation No. 1 shall become effective July 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6904; Filed, July 20, 1942; 5:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation—Amendment 4 to Supplementary Regulation 2 [4]]

POSTPONEMENT OF EFFECTIVE DATES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

Subparagraphs (4) and (5) in § 1499.27 (a) are hereby revoked.

§ 1499.27 *Postponement of effective dates.* • • •

(d) Effective dates. • • •

(3) Amendment No. 4 (§ 1499.27 (a) (4) and (5)) to Supplementary Regulation No. 2 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6910; Filed, July 20, 1942; 5:13 p. m.]

[2] 7 F.R. 3158, 3488, 3892.
[3] 7 F.R. 1205, 1836, 2132.
[4] 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542.
[5] 7 F.R. 3153, 3330, 3660, 3990, 3991, 4339, 4487, 4659, 4736, 5027, 5192, 5276.
[6] 7 F.R. 3489, 3751, 3782, 3904.

PART 1340—FUEL

[Amendment 10 to Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

PRICES IN DISTRICT 14

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In § 1340.225, immediately succeeding the table in paragraph (b) (1) thereof, a new subdivision (i) is added to read as set forth below:

§ 1340.225 *Appendix N: Maximum prices for bituminous coal produced in District No. 14.* • • •

(b) • • •

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.

• • • • • • •

(i) *Special price instructions.* (*a*) On and after May 18, 1942, the maximum price for Size Group 16 coal made by crushing Size Group 8 coal produced from the Boyd Excelsior Mine (Mine Index No. 13) of the Boyd Excelsior Operating Company and purchased for use in producing metal by combining such coal with ore, shall be $4.75 per net ton.

§ 1340.211a *Effective dates of amendments.* • • •

(k) Amendment No. 10 to Maximum Price Regulation No. 120 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6909; Filed, July 20, 1942; 5:17 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5 B]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

Pursuant to the authority vested in me by Directive No. 1 of the War Production Board, issued January 24, 1942, and by Supplementary Directive No. 1 J, issued June 30, 1942,

It is hereby ordered, That:

AUTHORITY: §§ 1394.2101 to 1394.3052, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law No. 421, 77th Cong., W. P. B. Directive No. 1, Supp. Dir. No. 1 J, 7 F.R. 562.

DEFINITIONS

§ 1394.2101 *Definitions.* (a) When used in Ration Order No. 5 B:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(2) "Bulk coupon" means any gasoline ration coupon on the face of which the word "bulk" has been printed by authority of the Office of Price Administration.

(3) "Bulk transfer" means any transfer of gasoline other than into the fuel tank of a licensed motor vehicle.

(4) "Bus" means any motor vehicle, other than a station wagon or suburban carryall, built or re-built primarily for the purpose of carrying passengers, licensed by the Department of Interior of the Insular Government of Puerto Rico to carry passengers for hire, and having a rated seating capacity of eight or more persons.

(5) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material, or compound other than gasoline. The term includes dealers, intermediate distributors, and oil companies to the extent that they use gasoline, or acquire gasoline for use rather than for transfer.

(6) "Dealer" means any person who operates a service station, filling station, garage, store, pump, or other place of business at which gasoline is regularly transferred directly to consumers. The term also includes any person operating a tank truck or tank wagon for transfer of gasoline directly to consumers, who does not also maintain stationary gasoline storage tanks.

(7) "Evidence" means a token which, under the provisions of Ration Order No. 5 B, represents a right to receive a transfer of gasoline.

(8) "Fleet", when the term is used in connection with a motor vehicle (whether a passenger automobile, motorcycle, truck or bus), indicates that such vehicle is one of four or more vehicles of such type, owned or leased by and operated by the same person and used principally in connection with the same occupation or related occupations.

(9) "Gasoline" means any liquid fuel, used for the propulsion of motor vehicles, aircraft, or boats by means of internal combustion engines, except liquid fuel with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzene, benzol, and naphtha.

(10) "Heavy truck" means a truck duly licensed as a heavy or a heavy-public truck by the Department of Interior of the Insular Government of Puerto

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404.

Rico, or a truck not required to be so licensed which has a rated capacity of more than one ton.

(11) "Inboard motorboat" means any self-propelled water craft the motive power for which is furnished by a gasoline-operated internal combustion engine other than an outboard motor.

(12) "Intermediate distributor" means any commission agent or area representative of an oil company regularly engaged in the business of actually transferring gasoline for resale.

(13) "Inventory coupon" means a one-gallon or 100-gallon coupon issued by a Board to represent unfilled storage capacity of a dealer or intermediate distributor, or for such other purpose as may be provided in Ration Order No. 5 B.

(14) "Island of Puerto Rico" means the main island of that name and all the adjacent islands belonging to the United States, including Vieques, Cabra, Culebra, Mona, Caja de Muerto, and Santiago.

(15) "Light truck" means a truck duly licensed as a commercial or a commercial-public truck by the Department of Interior of the Insular Government of Puerto Rico, or a truck not required to be so licensed which has a rated capacity of one ton or less.

(16) "Motorcycle" means any motor vehicle designed for operation on three wheels or less, but does not include tractors.

(17) "Motor vehicle" means any rubber-borne, self-propelled conveyance the motive power for which is furnished by a gasoline-operated internal combustion engine.

(18) "Motor vehicle dealer" means any person regularly engaged in the business of selling or reselling motor vehicles and includes persons engaged in selling repossessed motor vehicles.

(19) "Motor vehicle rental agency" means any person engaged in the business of leasing motor vehicles to others, and "boat rental agency" means any person engaged in the business of leasing inboard motor boats or outboard motor boats to others.

(20) "Non-highway use" means any use of gasoline other than for the propulsion of a licensed motor vehicle or of a motor vehicle held by a motor vehicle dealer for sale or resale or of a motor vehicle operated on dealer license plates.

(21) "Occupation" means business, gainful work, or any work regularly performed by a person which contributes to the war effort or to the public welfare, and includes the pursuit of a regular and recognized course of study.

(22) "Ocupational mileage" means mileage driven by a person in carrying on his occupation or to and from a place where such occupation is carried on by him.

(23) "Oil company" means any person who imports gasoline into Puerto Rico.

(24) "Passenger automobile" means any motor vehicle other than a motorcycle, built primarily for the purpose of transporting passengers and having a rated seating capacity of seven or less; and also includes station wagons and suburban carryalls, irrespective of seating capacity.

(25) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

(26) "Public car," or "Público," means any passenger motor vehicle licensed by the Department of Interior of the Insular Government of Puerto Rico as a public car authorized to carry passengers for hire.

(27) "Ration," as the context requires, means either a right to acquire and use gasoline, evidenced by coupons issued by a Board on the basis of an application, or the amount of gasoline acquired in exchange for such coupons.

(28) "Ration book" means any gasoline coupon book issued pursuant to Ration Order No. 5 B.

(29) "Licensed," as applied to a motor vehicle, means that such motor vehicle is duly licensed for operation on public roads or highways by the appropriate agency of the Federal Government of the United States, the Insular Government of Puerto Rico, the government of a state of the United States, or any territorial or foreign government.

(30) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply, or furnish and includes the acquisition of title by will, inheritance, foreclosure or legal process; it also includes the use by any dealer or intermediate distributor, of any gasoline held for transfer; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of a shipment, shall not be deemed to be a transfer to or by such carrier.

(31) "Transfer," as applied to a place of business, means any change from one person to another of the right to occupation of the premises and the right to possession and disposal of any gasoline stocks on hand, whether or not the transferor continues on the premises in another capacity. The term shall include, but not by way of limitation, a sale, lease, change in tenancy, inheritance, devise, eviction, foreclosure, or occupation by an executor, administrator, receiver, or trustee in bankruptcy, but not a mortgage or other security transfer unaccompanied by a change in the right to present possession.

(32) "Truck" means any motor vehicle, other than a motorcycle, built or re-built primarily for the purpose of transporting or hauling property or equipment.

(33) "Vehicle available for public rental" means any registered motor vehicle leased from or held for rental by a motor vehicle rental agency, but does not include a public car.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall denote the feminine and neuter.

SCOPE OF RATION ORDER NO. 5 B

§ 1394.2151 *Territorial limitations.* Ration Order No. 5 B shall apply to the Island of Puerto Rico.

§ 1394.2152 *Scope of restrictions.* (a) Nothing in Ration Order No. 5 B shall be construed to limit the quantity of gasoline which may be required by the Army, Navy, Marine Corps, Coast Guard, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority (the National Advisory Commission for Aeronautics, and the Office of Scientific Research and Development.

ADMINISTRATION AND PERSONNEL

§ 1394.2201 *Personnel.* (a) Ration Order No. 5 B shall be administered by the Office of Price Administration through War Price and Rationing Boards in Puerto Rico and such other administrative personnel as it may designate.

(b) The persons referred to in paragraph (a) of this section may be assisted during the registration period by the Commissioner of Education of Puerto Rico, the city and town principals and superintendents of schools, and by the school teachers or other persons who may be appointed to act as registrars. The registrars, including the head registrars, if a head registrar is needed at the school registration site, shall be appointed jointly by the War Price and Rationing Board and the school superintendent, or if there is no superintendent, by the school principal, of the city, town, or area in which the registration is to be held. The persons mentioned in this paragraph shall serve without compensation and shall be under the supervision of the persons who appointed them.

(c) No person participating in the administration of Ration Order No. 5 B shall act officially in connection with any matter arising hereunder as to which he has any interest, by reason of business connection or relationship by blood or marriage.

§ 1394.2202 *Jurisdiction of Boards.* For the purpose of Ration Order No. 5 B, a Board shall have jurisdiction over:

(a) The issuance of Basic rations: *Provided*, That on July 22, 1942 and July 23, 1942 basic rations shall be issued only by registrars in accordance with § 1394.2253.

(b) The issuance of rations other than basic rations for motor vehicles customarily garaged or stationed in the area which the Board is designated to serve: *Provided*, That rations for fleet vehicles may be issued by the Board having jurisdiction over the area in which an office is maintained for directing the operations of such vehicles or by the Board upon which jurisdiction over such vehicles may be conferred by specific order of the Director of the Office of Price Administration for Puerto Rico.

(c) The issuance of non-highway rations:

(i) For inboard motorboats, outboard motors or non-highway vehicles customarily kept or stationed in the area which the Board is designated to serve.

(ii) For machinery or equipment located in the area which the Board is designated to serve.

(iii) For other non-highway use.

(d) The issuance of a ration to any person who shows good cause for failure to make application to the Board having jurisdiction pursuant to the provisions of paragraph (a), (b), or (c) of this section. Any person applying for a ration for a motor vehicle pursuant to this paragraph shall furnish the Board with the address of the place (if any) where such vehicle is customarily garaged or stationed.

(e) The issuance of a ration for use with any motor vehicle, inboard motorboat, or outboard motor which is customarily garaged, stationed or kept outside of Puerto Rico.

§ 1394.2203 *Action on applications.* The Board shall render its decision on an application for a ration within ten (10) days after the date of such application. In any case of apparent emergency, such decision shall be made within forty-eight (48) hours, if possible. The Board shall promptly notify the applicant of its decision.

§ 1394.2204 *Records of applications.* (a) All applications for basic rations submitted at a school registration site shall, at the end of the registration period, be forwarded to the Board having jurisdiction over the area in which such registration site is located.

(b) Except as provided in paragraph (c) of this section, each Board shall maintain a file of all applications for gasoline rations passed upon or received by it from any other Board or from any school registration site.

(c) A Board, after passing upon an application for a service ration made in duplicate on Form OPA PRR–3 pursuant to § 1394.2404 (a), shall send the duplicate copy of such application to the Director of the Office of Price Administration for Puerto Rico.

(d) A Board, after passing upon an application for a ration for use with a motor vehicle, made before it pursuant to § 1394.2202 (d), shall forward such application to the Board having jurisdiction under paragraph (a), (b), or (c) of that section.

BASIC RATIONS

§ 1394.2251 *Persons entitled to basic rations.* (a) The owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle may obtain during the period from July 23, 1942 to January 31, 1943 a basic ration for use with such vehicle, except that no basic ration shall be issued for use with a passenger automobile or motorcycle which is:

(a) A public car, taxi, or vehicle available for public rental;

(b) Owned or leased by a Federal, Insular, municipal, or foreign government or government agency;

(c) Specially built or re-built as an ambulance or hearse;

(d) Part of a fleet of passenger automobiles or motorcycles; or

(e) Held by a motor vehicle dealer for sale or resale.

§ 1394.2252 *Basic ration books.* Class A coupon books and Class D coupon books marked "basic" shall be issued as basic rations. Class A books shall be issued for passenger automobiles and Class D books, for motorcycles. Each basic ration book shall contain forty-eight (48) coupons. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below.

The first, or outer, four coupons of page—	*Valid period*
1, containing coupons numbered 1	Aug. 1, 1942, to Aug. 15, 1942, inclusive.
2, containing coupons numbered 2	Sept. 1, 1942, to Sept. 15, 1942, inclusive.
3, containing coupons numbered 3	Oct. 1, 1942, to Oct. 15, 1942, inclusive.
4, containing coupons numbered 4	Nov. 1, 1942, to Nov. 15, 1942, inclusive.
5, containing coupons numbered 5	Dec. 1, 1942, to Dec. 15, 1942, inclusive.
6, containing coupons numbered 6	Jan. 1, 1943, to Jan. 15, 1943, inclusive.
The second, or inner, four coupons of page—	
1, containing coupons numbered 1	Aug. 16, 1942, to Aug. 31, 1942, inclusive.
2, containing coupons numbered 2	Sept. 16, 1942, to Sept. 30, 1942, inclusive.
3, containing coupons numbered 3	Oct. 16, 1942, to Oct. 31, 1942, inclusive.
4, containing coupons numbered 4	Nov. 16, 1942, to Nov. 30, 1942, inclusive.
5, containing coupons numbered 5	Dec. 16, 1942, to Dec. 31, 1942, inclusive.
6, containing coupons numbered 6	Jan. 16, 1943, to Jan. 31, 1943, inclusive

Coupons in basic Class D books shall be valid for transfer of gasoline to a consumer at any time during the period from August 1, 1942 to January 31, 1943, inclusive.

§ 1394.2253 *Application for and issuance of basic ration books.* (a) Application for a basic ration book shall be made on Form OPA PRR–1, by the owner or the person entitled to the use of the vehicle or by the authorized agent of either. On July 22, 1942 and July 23, 1942, application shall be made at any designated school registration site. Thereafter application shall be made to a Board: *Provided*, That except for good cause shown for failure to apply at a school registration site, application for a Basic ration may not be made to a Board prior to August 7, 1942. A separate application shall be made for each passenger automobile or motorcycle for which a Basic ration is sought.

(b) Pursuant to such application a basic ration book shall be issued on July 22, 1942 or July 23, 1942, inclusive, by any registrar appointed under § 1394.2201 (b). After July 23, 1942, all basic rations shall be issued by Boards. The Board shall remove all expired coupons from any Class A book issued subsequent to August 15, 1942. In the case of a Class D book, the Board shall remove eight (8) coupons for each full month which has elapsed since August 1, 1942.

(c) Not more than one Basic ration may be issued for a vehicle, except as provided in § 1394.2803.

SUPPLEMENTAL RATIONS

§ 1394.2301 *Supplemental rations.* (a) The following coupon books may be issued by a Board as supplemental rations to an owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle (other than those specified in § 1394.2302), to provide for occupational mileage driven in such vehicle by the owner or the person entitled to the use of the vehicle, to the extent that such mileage is allowed by the Board pursuant to § 1394.2304:

(1) Class B or Class C coupon books for use with passenger automobiles.

(2) Class D coupon books marked "supplemental" for use with motorcycles.

(b) The ration periods for which Class B and C books shall be issued shall be three months in length and shall commence on August 1, 1942 and each November 1, February 1, May 1, and August 1 thereafter.

(c) The ration period for which Supplemental Class D books shall be issued shall be six months in length and shall commence on August 1, 1942 and each February 1 and August 1 thereafter.

(d) The ration period for which each book is issued shall be noted on the cover thereof by the Board, and the coupons in such book shall authorize the transfer of gasoline to a consumer only during such period.

§ 1394.2302 *Passenger automobiles or motorcycles for which supplemental rations may not be issued.* No supplemental rations may be obtained or shall be issued for use with a passenger automobile or motorcycle which is:

(a) A public car, taxi, or vehicle available for public rental;

(b) Owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency;

(c) Specially built (or re-built) as an ambulance or hearse;

(d) Part of a fleet of passenger automobiles or motorcycles; or

(e) Held by a motor vehicle dealer for sale or resale.

§ 1394.2303 *Application for supplemental ration.* (a) Application for a supplemental ration for each vehicle shall be made separately to a Board on or after July 22, 1942, on Form OPA PRR–2, by the owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle. Application on behalf of an individual may not be made by an agent. In the event that two or more passenger automobiles for which supplemental rations are desired are owned by persons living in the same household and related to each other by blood, marriage, or adoption, all applications for supplemental rations for such vehicles shall, except for good cause shown, be submitted at the same time.

(b) An applicant shall establish his average monthly occupational mileage required for each of the following purposes during the ration period for which such ration is valid:

(1) Driving between home and a fixed place of work in connection with the principal occupation of the applicant or principal user of the vehicle;

(2) Driving in the course of such principal occupation;

(3) Driving to and from or in the course of any other occupation or occupations for which the vehicle is used.

(c) Where two or more vehicles are used in a ride-sharing arrangement of the type described in § 1394.2304 (a), a separate application for a supplemental ration shall be made for each such vehicle, but all such applications must, except for good cause shown, be submitted at the same time. Each such application shall include only the mileage driven in the vehicle for which it is made.

§ 1394.2304 *Allowance of mileage.* (a) No occupational mileage shall be allowed by a Board for any purpose specified in § 1394.2303 (b), unless the applicant establishes, in connection with the use of the vehicle for that purpose, either:

(1) That a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose of going to and from or carrying on their occupations: *Provided*, That each such person must certify to his participation in the ride-sharing arrangement by signing the application; or

(2) That no such ride-sharing arrangement can reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which and the purpose for which it is used; that transportation is needed for such purpose; and that no alternative means of transportation are available which would be reasonably adequate for such purpose.

(i) An applicant may establish that four or more persons cannot regularly be carried in the vehicle for which application is made by showing the limited capacity of the vehicle, the absence of a fixed place of work, the necessity of traveling at unusual or irregular hours, the necessity of traveling over routes not feasible for other persons who might be carried, or such other reasons as the Board may find sufficient.

(ii) An applicant may establish the lack of reasonably adequate alternative means of transportation by showing the unavailability of other public or private means of transportation; by showing that such alternative means, if available, are inadequate by reason of location, schedules or extremely overcrowded condition; by reason of physical disability of the person needing transportation; by reason of the nature of the work for which transportation is needed; or for such other reasons as the Board may find sufficient.

(iii) In the event application is made for a supplemental ration in order to permit the use of the vehicle for which application is made in the pursuit of an occupation other than a gainful occupation, and four or more persons are not regularly carried in such vehicle in connection with their occupations, the application must be certified, as indicated thereon, by a responsible official of the organization for or under the direction of which the work is performed.

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow mileage for any of the purposes listed in § 1394.2303 (b) for which the applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. In the absence of a ride-sharing arrangement the Board shall allow only that portion of the claimed mileage with respect to which the applicant has established the inadequacy of alternative means of transportation in accordance with paragraph (a) (2) (ii) of this section. The Board shall then allow the applicant an average occupational mileage per month required by the applicant: *Provided*, That the Board may not allow an average of more than 256 miles per month for occupational mileage unless the mileage in excess of 256 miles consists of preferred mileage as defined in § 1394.2306. The total occupational mileage allowed any applicant shall not exceed 480 miles per month.

§ 1394.2305 *Issuance of supplemental rations.* (a) Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.2304 for the unexpired portion of the ration period for which the ration book issued is valid.

(1) In the case of a passenger automobile, the Board shall issue:

(i) In the event that the occupational mileage allowed by the Board is 256 miles per month or less, sufficient coupons in one Class B book to provide the gallonage determined by the Board to be necessary for the mileage allowed for the three-month ration period. For the purpose of determining the gallonage necessary for such mileage the Board shall conclusively presume that a passenger automobile obtains an average of 12 miles per gallon.

(ii) In the event that the mileage allowed by the Board pursuant to §§ 1394.2304 and 1394.2306 exceeds 256 miles per month, a sufficient number of coupons in one Class C book to provide the gallonage determined by the Board to be necessary for the mileage allowed for the three-month ration period. The Board shall compute the gallonage necessary for such mileage by dividing the mileage allowed by the average actual number of miles obtained per gallon in the automobile: *Provided*, That the Board shall not accept as the actual number of miles obtained per gallon a figure less than 12 miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the vehicle. In the event that such number of coupons determined to be necessary provides less gallonage than would be provided by a Class B book, the Board shall issue one complete Class B book, rather than a Class C book.

(2) In the case of a motorcycle, the Board shall issue sufficient coupons in one Class D book, to be marked "supplemental", to provide the gallonage determined by the Board to be necessary for the six-month ration period. The Board shall compute the gallonage necessary for such mileage by dividing the mileage allowed by the average actual number of miles obtained per gallon in the motorcycle: *Provided*, That the Board shall not accept as the actual number of miles obtained per gallon a figure less than 35 miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the motorcycle.

(b) The Board shall remove and immediately destroy all coupons in Class B, C or D books in excess of the number to be issued hereunder.

§ 1394.2306 *Preferred mileage.* The mileage driven, in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

(a) By a duly elected or appointed agent, officer, representative, or employee of a Federal, Insular, municipal, or foreign government or government agency for performing the official business or carrying out an official function of such government or government agency in a passenger automobile or motorcycle now owned or leased by such government or government agency.

(1) For the purpose of this paragraph:

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official business or carrying out an official function;

(ii) Travel by duly elected members of the Insular legislature between their places of residence and San Juan, Puerto Rico, for the sole purpose of attending the legislative sessions, shall be deemed the carrying out of an official function.

(b) For the transportation of mail on behalf of the United States Government, in a passenger automobile or motorcycle not owned or leased by such government.

(c) By public school teachers or officials for the performance of official duties which require travel from school to school.

(d) For the wholesale delivery of newspapers.

(e) By a licensed physician, surgeon, osteopath, chiropractor, midwife, or veterinarian, or by a public health nurse, for making necessary professional calls or rendering necessary professional services; or by a licensed funeral director or embalmer, for rendering services necessary in connection with the preparation for interment and the interment of deceased persons.

(f) By a regularly practicing minister of any religious faith who actually serves a congregation, or by any religious practitioner qualified to minister to the religious needs of the members of a congregation, for giving religious comfort, assistance, advice or instruction.

(g) By a farmer, for transporting farm products and necessary farm supplies between farm and market, shipping point or point of delivery, or between one farm establishment and another.

(h) By members of the armed forces of the United States for transportation to, from, or between places at which their duties are performed, and between their residences and places at which their duties are performed.

(k) By a worker (including an executive, technician, or office worker, but not including salesmen) or by an employer, employer's representative or representative of a labor organization in travel to, from, within, or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

(1) Naval, military or hospital establishments or facilities;

(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in the production or distribution of heat, light, power, gas, steam or water; or of irrigation, drainage, flood-control or sanitation systems; or of telephone, telegraph, radio, or other communications systems; or newspapers.

(l) By engineers, architects, technicians, supervisors, repair and maintenance men or other workers (but not including salesmen) to enable them to render services or to transport materials and equipment necessary for construction, repair, installation, or maintenance work (other than the repair or maintenance of portable household appliances); or for rendering indispensable services of a specialized nature to agricultural, extractive or industrial establishments. "Services of a specialized nature" shall include services related to the natural breeding of livestock; crop or livestock inspection in connection with the marketing or processing thereof; inspection in connection with the improvement of farm sanitation; protection of crops, livestock or farms from blights, diseases or pests; and soil conservation.

(l) By traveling salesmen engaged in the sale of necessary productive equipment for farms, factories, mines, oil wells, lumber camps and similar productive or extractive establishments, or of medical supplies, if the marketing of such equipment or supplies by salesmen is essential to the war effort.

(m) In a motorcycle, for delivery or messenger service.

FLEET RATIONS (FOR FLEET PASSENGER AUTOMOBILES AND MOTORCYCLES)

§ 1394.2351 *Fleet rations for passenger automobiles and motorcycles.* (a) The following coupon books and coupons, for use with licensed passenger automobiles and licensed motorcycles which are part of a fleet, shall be issued by a Board:

(1) Class B or Class C coupon books for use with passenger automobiles;

(2) Class D coupon books marked "fleet" for use with motorcycles;

(3) Bulk coupons issued pursuant to § 1394.2756.

(b) When issued as a fleet ration, Class B, C and D books shall contain the number of coupons, and shall be valid during the periods, provided in § 1394.2301 (b) and (c). Coupons contained in such books shall authorize the transfer of gasoline to consumers only during the valid period of such books noted thereon by the Boards.

§ 1394.2352 *Persons entitled to fleet rations.* (a) Subject to the provisions of paragraph (b) hereof, the owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle which is part of a fleet may obtain a ration providing for occupational mileage to the extent that such mileage is allowed by a Board in accordance with § 1394.2354.

(b) Such fleet ration shall not be issued and may not be obtained for use with a passenger automobile or motorcycle which is:

(1) A public car, taxi, or vehicle available for public rental;

(2) Owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency;

(3) Specially built (or re-built) as an ambulance or hearse;

(4) Held by a motor vehicle dealer for sale or resale.

Provided, That nothing herein contained shall be deemed to prohibit the issuance of a ration in accordance with §§ 1394.2354 and 1394.2355 for use with a vehicle available for public rental, pursuant to the provisions of § 1394.2654 (b).

§ 1394.2353 *Application for fleet rations.* Application for fleet rations shall be made to a Board on or after July 22, 1942, on Form OPA PRR-4. An application may cover one or more vehicles and may be made by an agent. An applicant shall establish the average monthly mileage required for the use of each vehicle covered in the application in carrying on an occupation or occupations, or the average monthly mileage required for the use of each of a group of such vehicles used interchangeably for carrying on the same or a related occupation or occupations, for the three-month ration period, in the case of passenger automobiles, or for the six-month ration period, in the case of motorcycles.

§ 1394.2354 *Allowance of mileage.* (a) No occupational mileage shall be allowed by a Board unless the applicant establishes in connection with such mileage that the transportation is needed for occupational purposes and that either:

(1) No alternative means of transportation are available which would be reasonably adequate;

(i) The lack of reasonably adequate alternative means of transportation may be established in the same manner as provided in § 1394.2304 (a) (2) (ii);

(2) Or that a bona fide ride-sharing arrangement has been made in connection with the use of the vehicle or vehicles for such purposes, pursuant to which at least four persons will regularly be carried in the vehicle in connection with their occupations: *Provided*, That the names and addresses of all persons participating in the ride-sharing arrangement shall be set forth in the application.

(b) Subject to the provisions of paragraph (a) of this section, the Board shall allow the total average mileage per month determined by it to be required in the pursuit of an occupation, and shall issue a ration in accordance with the provisions of § 1394.2355 to provide such mileage: *Provided*, That the Board may not allow an average of more than 256 miles per month for any vehicle, nor an average of more than 256 miles per month per vehicle for any group of vehicles, unless the mileage in excess of 256 miles consists of preferred mileage as defined in § 1394.2306. The total occupational mileage allowed to any applicant shall not exceed more than 480 miles per month per vehicle.

§ 1394.2355 *Issuance of fleet rations.* (a) Class B, C, and D books marked "fleet" shall be issued as fleet rations to provide the total mileage allowed by the Board in the same manner as such books are issued pursuant to § 1394.2305 as supplemental rations.

SERVICE RATIONS

§ 1394.2401 *Service rations.* (a) The owner or the person entitled to the use of a licensed motor vehicle which is found by the Board to be in one or more of the classes listed below may obtain a service ration providing gallonage necessary for the mileage allowed by the Board for the purpose or purposes specified for each class.

(1) A public car (público), taxi, or vehicle available for public rental which on February 1, 1942 was licensed by the Department of Interior of the Insular Government of Puerto Rico to carry passengers for hire, and which is so licensed at the time of application for a ration: *Provided*, That the Board may issue a service ration for such a vehicle for which a license to carry passengers for hire was issued after February 1, 1942 if the Board is satisfied that such license was applied for in good faith: *Provided further*, That any applicant for a service ration for such vehicle which is operating in a manner other than that for which it was licensed shall not be eligible for a service ration for the vehicle. A lessee of a vehicle available for public rental may not obtain a service ration for such vehicle unless his use of the vehicle is for a purpose specified in this section.

(2) A passenger automobile owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency, and used exclusively for the official business of such government or government agency.

(3) A bus which is part of a regular system for the transportation of persons and for which a certificate of necessity and convenience, or a franchise, has been issued by the Public Service Commission of the Insular Government of Puerto Rico.

(4) Any light or heavy truck used as a carrier of persons or property in connection with a regular business or occupation, or a light or heavy truck owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency, and used exclusively for the official business of such government or government agency.

(5) A motor vehicle specially built or re-built as an ambulance or hearse used for the transportation of invalids, injured, sick, or deceased persons.

§ 1394.2402 *Service ration for owners of leased vehicles.* (a) No owner of a motor vehicle which is in the possession of another person under a lease or rental agreement may obtain a service ration for such vehicle more than five days prior to the expiration date of such lease or rental agreement.

§ 1394.2403 *Service ration books.* (a) Class S–1 or Class S–2 books, or, in the case of motorcycles, Class D coupon books marked "service", shall be issued as service rations.

(b) Rations periods for service rations shall be as follows:

(1) The ration period for S–1 books issued at any time for use with a public car, taxi, or vehicle available for public rental shall be two months in length and shall commence on August 1, 1942 and each October 1, December 1, February 1, April 1, June 1, and August 1, thereafter.

(2) The ration period for S–1 books issued at any time for use with light trucks shall be three and one-half months in length and shall commence on August 1, 1942, November 16, 1942, March 1, 1943, June 16, 1943, and each three and one-half months successively thereafter.

(3) The ration period for S–1 books issued at any time for use with a government passenger automobile shall be five months in length and shall commence on August 1, 1942, January 1, 1943, June 1, 1943, and each five months successively thereafter.

(4) The ration period for S–2 books issued at any time for use with buses shall be four months in length and shall commence on August 1, 1942 and each December 1, April 1, and August 1, thereafter.

(5) The ration period for S–2 books issued at any time for use with heavy trucks shall be 12 months in length and shall commence on August 1, 1942, and each August 1 thereafter.

(6) The ration period for D books marked "service" issued for use with motorcycles shall be six months in length and shall commence on August 1, 1942, and on each February 1 and August 1 thereafter.

(c) The ration period for which each coupon is issued shall be noted on the cover thereof by the Board. Coupons contained in such book shall authorize the transfer of gasoline to a consumer only during such period.

§1394.2404 *Application for service ration.* (a) Application for a service ration may be made to a Board by the owner or the person entitled to the use of the vehicle, or the agent of either of them, on and after July 22, 1942 on Form OPA PRR–3 in duplicate. One application form may be used for all vehicles for which the applicant seeks a service ration.

(b) The applicant shall furnish the information required by Form OPA PRR–3 with respect to the type of vehicle for which a service ration is sought. In the case of a public car (público), bus, or taxi, the applicant shall describe the route travelled or the area served by the vehicle or vehicles for which application is made, and shall furnish such further information as the Board may deem relevant to the determination of the mileage to be allowed.

§ 1394.2405 *Issuance of service rations.* (a) Service rations shall be issued to eligible applicants in the manner indicated below.

(1) *Public cars and taxis.* Not more than one S–1 coupon book, containing 96 coupons, which shall be valid for the two-month ration period: *Provided*, That the Board may issue additional coupons in S–1 books for use with a public car or taxi for which the applicant holds, and presents at the time of application for a service ration, a certificate of necessity and convenience or a special permit to operate on a franchise from the Public Service Commission of the Insular Government of Puerto Rico. Sufficient coupons shall be issued to provide the gallonage necessary for such vehicle during the two-month ration period to cover the routes prescribed by, or to comply with the requirements of the certificate, permit, or franchise issued by, the Public Service Commission. The Board shall compute the gallonage necessary for the mileage allowed them by dividing the mileage allowed by the average actual number of miles per gallon obtained by the vehicle: *Provided*, That the Board shall not accept as the average actual number of miles obtained per gallon a figure less than 12 miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable by the most efficient possible operation of the vehicle.

(2) *Government passenger automobiles and motorcycles.* Sufficient coupons in not more than one S–1 coupon book in the case of an automobile, or in not more than one D coupon book marked "service," in the case of a motorcycle, or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required during the five-month ration period, in the case of a passenger automobile, or the six-month ration period, in the case of a motorcycle, solely for the performance of official government business. For the purpose of determining the gallonage necessary for the mileage allowed vehicles pursuant to this paragraph, the Board shall conclusively presume that the automobile is operated an average of twelve miles per gallon and the motorcycle, 35 miles per gallon.

(3) *Buses.* Sufficient coupons in S–2 coupon books or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required for the four-month ration period for the operation of the bus on the routes or according to the schedules prescribed for it by the Public Service Commission of the Insular Government of Puerto Rico. The Board shall compute the gallonage necessary for the mileage allowed a bus by dividing the mileage allowed by the average actual number of miles obtained per gallon by the bus: *Provided*, That the Board shall not accept as the average actual number of miles obtained per gallon a figure less than eight miles per gallon unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the bus.

(4) *Light trucks.* Sufficient coupons in one S–1 coupon book or bulk coupons, if they are requested, to provide the gallonage necessary for the minimum mileage required by the light truck for the three-and-one-half-month ration period in carrying persons or property in connection with a regular business or occupation or if the truck is owned or leased and operated by a government or government agency, solely in connection with the official business of the government or government agency. For the purpose of determining the gallonage necessary for the mileage allowed light trucks pursuant to this paragraph the Board shall conclusively presume that the truck is operated an average of twelve miles per gallon. Only one S–1 book shall be issued for use with a light truck except in accordance with the provisions of § 1394.2406.

(5) *Heavy trucks.* Sufficient coupons in one S–2 coupon book or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required by the heavy truck for the one-year ration period in carrying persons or property in connection with a regular business or occupation, or, if the truck is owned or leased and operated by a government or government agency, solely in connection with the official business of the government. Only one S–2 book shall be issued for use with a heavy truck except in accordance with the provisions of § 1394.2406.

(6) *Ambulances and hearses.* Sufficient coupons in S–2 coupon books to provide the gallonage necessary for the minimum mileage required by the ambulance or hearse for the four-month ration period to transport invalids, injured, sick, and deceased persons.

§ 1394.2406 *Issuance of essential service rations to trucks.* (a) On or after August 15, 1942, a Board, in its discretion, may issue one or more additional S–1 books, in the case of light trucks, and one or more additional S–2 books, in the case of heavy trucks, for any truck the principal use of which is made in one or more of the following essential services:

(1) To maintain fire-fighting services;

(2) To maintain necessary public police services, or to enforce laws relating specifically to the protection of public health or property;

(3) To maintain garbage disposal and other sanitation services;

(4) To carry mail;

(5) To transport ice, water, milk, and fuel;

(6) To transport farm products, including sugar, coffee, fruits, and other food crops, to processing plants, storage houses, or wholesale or retail establishments, but not from retail establishments to consumers;

(7) To transport foods and food supplies to wholesale or retail establishments, but not from retail establishments to consumers;

(8) To transport medicines or medical equipment;

(9) To transport waste and scrap material;

(10) To maintain the essential services of public utilities system;

(11) To transport material and equipment for farm, highway, industrial, or government construction, maintenance, or repair.

The Board shall issue such additional coupon books only if a request therefor on the original application is signed by the applicant on or after August 15, 1942, and only if the Board is satisfied that the operation of such truck in excess of the mileage obtained by the use of an initially issued book is absolutely essential to the life, health, and safety of the people of Puerto Rico.

(b) The Board shall issue sufficient coupons in S coupon books to provide the gallonage necessary for the minimum mileage required by the truck solely in the performance of an essential service or services for the entire ration period for which the initial Service ration was issued. The Board shall compute the gallonage necessary for the mileage allowed a truck for the performance of essential services by dividing the mileage allowed by the average actual number of miles obtained per gallon in the truck: *Provided*, That the Board shall not accept as the average actual number of miles obtained per gallon a figure less than 12 miles per gallon in the case of a light truck, or 10 miles per gallon, in the case of a heavy truck, unless it is satisfied beyond all reasonable doubt that such figure represents the average actual minimum mileage obtainable per gallon by the most efficient possible operation of the truck. For the purpose of determining the essential trucking mileage in the entire ration period for which coupons should be issued in addition to those initially issued, the Board shall assume that the initially issued coupons represent gallonage sufficient for the number of miles actually obtained or obtainable rather than the number of miles which the Board at any time presumed would be obtained.

(c) The Board shall remove and destroy all coupons in Class S books in excess of the number to be issued hereunder.

SPECIAL RATIONS

§ 1394.2451 *Application for special ration.* (a) The owner or person entitled to the use of a motor vehicle, or of a motorboat or outboard motor, who finds that transportation in such vehicle, or boat, is necessary for one or more of the purposes specified in paragraph (b) of this section, and who finds that a ration issued for such vehicle or boat is not sufficient to permit its necessary use for such purpose, may apply to a Board for a special ration. Application for a special ration on behalf of an individual may not be made by an agent. A special ration may be issued for any period not exceeding six months from the date of application.

(b) Special rations may be issued in order to permit acquisition of gasoline for use in a motor vehicle, motorboat, or outboard motor for one or more of the following purposes:

(1) To obtain or render necessary medical attention or therapeutic treatment or to procure strictly necessary food and supplies;

(2) To operate a motor vehicle or motorboat held by a motor vehicle or boat dealer for sale or resale, solely for the purpose of demonstrating such vehicle or boat to prospective purchasers or for delivery after sale, or to test the motor of such vehicle, or to remove a purchased or repossessed motor vehicle or motorboat, or a vehicle or boat seized pursuant to judicial process or by a government authority, to a place of storage: *Provided*, That no ration in excess of five (5) gallons per month per vehicle or boat shall be granted for any such purpose.

(3) To move a vehicle or boat in connection with a bona fide change in a place of residence.

(c) Application shall be made on Form OPA PRR–6 and the applicant shall state, in addition to such other information as may be required:

(1) The purpose for which a special ration is sought and the period during which such ration will be needed;

(2) The type and number of ration books already issued for the vehicle, boat, or outboard motor, for which the application is made;

(3) The facts supporting the claim that transportation is necessary for the purpose;

(4) The alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose: *Provided*, That applicants for a special ration under subparagraph (2) of paragraph (b) of this section shall not be required to establish the inadequacy of alternative means of transportation unless the ration is sought for delivery of a motor vehicle after sale thereof.

(5) The number of miles of driving or, in the case of a boat or outboard motor, the amount of gasoline claimed to be essential to the accomplishment of the purpose or purposes stated during the period for which the special ration is needed.

§ 1394.2452 *Form and issuance of special rations.* (a) The Board may grant a special ration only if it finds:

(1) That such special ration is needed by the applicant for the purpose claimed;

(2) That any ration previously issued for such vehicle, boat, or outboard motor is not reasonably adequate or cannot be used for such purpose;

(3) That transportation is necessary to the accomplishment of such purpose;

(4) That no reasonably adequate alternative means of transportation are available (except as provided with respect to special rations sought under § 1394.2451 (b) (2)).

(b) If the Board grants the application, it shall determine the quantity of gasoline which is essential to the applicant for the period for which such ration is sought for the purpose or purposes stated and shall issue a coupon book or books of any appropriate class containing sufficient coupons to allow the applicant the quantity of gasoline determined by it to be essential. It shall mark "special" any book which it so issues. The Board shall remove from the book and immediately destroy any coupons in excess of the number issued.

NON-HIGHWAY RATIONS

§ 1394.2501 *Non-highway rations.* (a) Any person who requires gasoline for a non-highway purpose may obtain a Class E or Class R coupon book as a non-highway ration authorizing the transfer of the amount of gasoline required for such purpose during the six-month period for which such books shall be valid. Each non-highway ration book issued with respect to a motorboat or outboard motor for non-occupational use shall be so designated by the Board on the inside cover.

(b) The ration periods for Class E and Class R coupon books issued as non-highway rations shall be six months in length and shall commence on August 1, 1942, and on each February 1 and August 1 thereafter.

§ 1394.2502 *Application for non-highway ration.* (a) Applications for non-highway rations may be made to the Boards, on or after July 22, 1942, on Form OPA PRR–5. Application may be made by an agent.

(b) The applicant shall state the amount of gasoline needed for the six-month ration period and the Non-Highway purpose or purposes for which such gasoline is needed.

§ 1394.2503 *Issuance of non-highway rations.* (a) The Board shall determine the amount of gasoline required for the six-month ration period and shall issue to the applicant, subject to the provisions of paragraph (b) of this section, sufficient coupons in one or more Class E or Class R coupon books, or any combination or them, to provide the gallonage determined to be necessary for the six-month ration period. The Board shall remove from the book and immediately destroy any coupons in excess of the number allotted, and shall note the ration period on the cover of each book issued.

(b) If application is made for a non-highway ration for use with a motorboat or outboard motor operated wholly or in part for a non-occupational purpose, the Board shall not allow for the non-occupational purpose an amount of gasoline in excess of the number of gallons determined by the following formulae:

(1) In the case of an inboard motorboat, the number of gallons equal to four times the manufacturer's rated horsepower of the motor or motors, but in any event not more than 144 gallons for the six-month ration period.

(2) In the case of an outboard motor, the number of gallons equal to five times the manufacturer's rated horsepower of

such motor, but not in excess of 24 gallons for the six-month ration period.

(c) Except as provided in § 1394.2803 (a), no more than one non-occupational ration may be issued for an inboard motorboat or an outboard motor during any six-month ration period.

ARMY, NAVY, AND CERTAIN OTHER AGENCIES

§ 1394.2551 *Issuance of ration books by Office of Price Administration.* (a) Coupon books of all types designated in Ration Order No. 5B may be issued by the Director of the Office of Price Administration for Puerto Rico, in his discretion, to the Army, Navy, Marine Corps, Coast Guard and the law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents, or employees in the performance of official duties which depend upon secrecy.

(b) Any agency enumerated in paragraph (a) of this section which requires coupon books for use by such officers, agents, or employees shall make application therefor to the Director of the Office of Price Administration for Puerto Rico and shall state the number and type of books required and the use for which such books are intended.

§ 1394.2552 *Acknowledgments of Delivery and Allotment Authorizations.* (a) The Army, Navy, Marine Corps, Coast Guard, and Maritime Commission of the United States may obtain gasoline in exchange for a duly executed Acknowledgment of Delivery on Form OPA R–544. Such form shall bear the signature of an authorized officer, agent, or employee of any such agencies and shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

(b) The Army, Navy, Marine Corps, and Coast Guard of the United States, may obtain gasoline, and any person authorized by one of such agencies may obtain gasoline needed for the performance of services for such agency, in exchange for an Allotment Authorization executed by an authorized officer thereof. Such Allotment Authorization shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

§ 1394.2553 *Use of gasoline obtained by Army and other exempt agencies.* (a) Gasoline obtained pursuant to § 1394.2552 may be used without restriction by the agency for which the Acknowledgment of Delivery form or allotment authorization is issued.

(b) Gasoline obtained pursuant to § 1394.2552 may not be used in a vehicle, boat, or motor not owned, leased, or operated by the agency issuing such Acknowledgment of Delivery form or Allotment Authorization unless the person obtaining such gasoline surrenders, to the officer executing such form or transferring such gasoline, valid ration coupons having a gallonage value equal to the amount of gasoline transferred or authorized to be transferred by the Acknowledgment or Allotment Authorization. Coupons so surrendered shall be destroyed by the agency receiving them.

(c) For the purpose of this section the term "Army" shall include Post Exchanges operated by the Army of the United States, and the term "Navy" shall include Naval Stores operated by the United States Navy.

GALLONAGE VALUE OF COUPONS

§ 1394.2601 *Value of coupons.* (a) Each gasoline ration coupon of the class hereinafter designated shall have the following value in gallons of gasoline:

Class:	Gallons
A	1
B	4
C	1½
D	½
E	3
R	3
S–1	3
S–2	3

(b) The value of each coupon in gallons of gasoline may be changed and established from time to time by order or direction of the Office of Price Administration.

RESTRICTIONS ON USE OF RATIONS AND GASOLINE

§ 1394.2651 *Restrictions as to purpose.* (a) No person to whom a special ration has been issued may use or permit the use of such ration for any purpose other than the one for which it was issued. No person to whom a supplemental, service, fleet, or non-highway ration has been issued may use or permit the use of such ration for a purpose other than that for which such ration may be obtained.

§ 1394.2652 *Rations not transferable.* (a) No ration may be transferred or assigned. A ration may, however, subject to the provisions of § 1394.2654 be used by anyone entitled to use the vehicle, boat or equipment for which it was issued, if such use is for a purpose for which such ration may be obtained and so long as there is no change in ownership of such vehicle, boat or equipment.

§ 1394.2653 *Change of occupation of holder of Class C ration.* (a) The holder of a Class C ration (or of a Class D ration based on allowed mileage in excess of 256 miles per month) shall report to the issuing Board any change in the principal occupation for the pursuit of which such ration was issued. Such report shall be transmitted to the Board within five (5) days after such change and shall describe fully the nature of the new occupation, the exact type of work performed, the business or industry in which such work is performed, and the purpose, if any, for which the motor vehicle will be used in such new occupation. If, on the basis of such report, the Board finds that such motor vehicle will no longer be used for a preferred purpose listed in § 1394.2306, it shall notify such holder, in writing, that his right to such ration is to be reexamined. Such notice shall be mailed to such holder at the address shown on his application (or at the address shown on his report), and shall require him to file a new application for a ration within ten (10) days after the mailing date shown on such notice. If no new application is filed within such time, the Board shall revoke such ration and shall recall all Class C books or coupons (or Class D books or coupons based on an allowed mileage in excess of 256 miles per month) issued in connection therewith. If a new application is filed, and if the Board determines that the motor vehicle will be used for a preferred purpose listed in § 1394.2306, it shall take no further action. If the Board finds that the vehicle will no longer be used for a preferred purpose listed in § 1394.2306, it shall revoke the ration and recall the coupons or coupon book originally issued and shall issue, in lieu thereof, such ration, if any, as it determines that the holder is entitled to receive on the basis of his new application.

§ 1394.2654 *Use of rations issued for vehicles or boats available for public rental.* (a) A motor vehicle rental agency may permit a lessee to use a Service ration issued to such agency for a vehicle leased by him, during the period of a bona fide lease for one week or less. In the case of any lease other than a bona fide lease for one week or less, the lessee may not use or be permitted to use the service ration issued to such agency for such vehicle, but shall apply for a ration on his own behalf, pursuant to the provisions of paragraph (b) of this section.

(b) A lessee of a vehicle available for public rental who leases such vehicle for a period of more than one week shall be deemed to be a person entitled to the use of such vehicle, within the meaning of §§ 1394.2303 and 1394.2352. Such lessee may apply for a ration for use of such vehicle on his own behalf, and his right to such ration shall be determined solely by the nature and extent of his use of the vehicle. Application by such lessee for a ration pursuant to §§ 1394.2303 or 1394.2353 shall be made on Form OPA PRR–4, and the allowed mileage for the vehicle shall be computed in the manner established by §§ 1394.2354 and 1394.2355 for fleet vehicles. Upon termination of the lease, any ration issued to such lessee shall expire and all coupons or coupon books issued to him shall be returned by him to the issuing Board.

(c) Each motor vehicle rental agency shall keep a record showing the name and address of each lessee, the date and duration of the lease, the mileage driven by the lessee and the number of gallons, if any, supplied to the lessee and the number of coupons (if any) in its ration books, used by the lessee during the period of the lease. The lessee shall be required to sign such record and his signature shall constitute a certification as to the truth thereof.

(d) A boat rental agency may permit a lessee to use a non-highway ration issued for an inboard motorboat or outboard motor leased to him, only during the period of a bona fide lease for one week or less. A lessee of such boat or motor who leases it for a period of more than one week may apply for a non-highway ration on his own behalf pursuant to the provisions of § 1394.2503.

§ 1394.2655 *Restrictions on consumption of gasoline.* (a) Except as provided in §§ 1394.2652, 1394.2654 (a), and 1394.2857, no person shall consume gasoline unless such gasoline was acquired by him or on his behalf in exchange for valid coupons or evidences: *Provided,* That:

(1) Any consumer may use for non-highway purposes (other than non-occupational boat operations) gasoline owned by him and in his possession prior to August 1, 1942.

(2) Any consumer may use gasoline owned by him and in his possession prior to August 1, 1942, for the operation of a licensed motor vehicle, or for non-occupational boat operation if, at the time of transfer of such gasoline into the fuel tank of such vehicle or boat, he destroys currently valid coupons issued therefor equal in value to the number of gallons of gasoline so transferred: *Provided,* That gasoline actually placed in the fuel supply tank of such vehicle or boat prior to August 1, 1942, may be used therein without restriction.

(b) The provisions of this section shall not be applicable to the consumption of gasoline by the Army, Navy, Marine Corps, Coast Guard or Maritime Commission of the United States, or to the consumption by anyone of gasoline brought into Puerto Rico in the fuel supply tank of a vehicle, boat or equipment.

§ 1394.2656 *Restrictions on blending and use of blended gasoline.* (a) No person shall blend, dilute, or otherwise mix gasoline with any other petroleum product, and no person shall knowingly transfer or accept a transfer of, or consume, gasoline so blended, diluted, or mixed.

§ 1394.2657 *Rations for racing or exhibition purposes.* (a) No gasoline ration shall be issued, or may be used, under the provisions of this ration order, for the operation of any motor vehicle or boat in exhibitions or races for public entertainment or prizes.

§ 1394.2658 *Display of sticker.* (a) No person may use a class A, B, C, or S ration issued for a registered motor vehicle unless a sticker identifying the class of ration issued, in such form as may be prescribed by the Office of Price Administration, is affixed to and conspicuously displayed on such vehicle. Such sticker shall be displayed on such vehicle at all times. A person to whom any ration in addition to a Class A ration has been issued shall display only the sticker identifying such additional ration.

§ 1394.2659 *Restriction on use of gasoline in vehicle without ration.* (a) On and after August 1, 1942, no gasoline may be used in Puerto Rico in a motor vehicle licensed in Puerto Rico unless a valid ration has been issued and is outstanding for use with such vehicle, and a sticker, indicating that a gasoline ration has been issued, is displayed on such vehicle in accordance with § 1394.2658.

RENEWAL OF RATIONS AND ISSUANCE OF FURTHER RATIONS

§ 1394.2701 *Renewal of rations.* (a) Rations shall expire as provided in §§ 1394.2802 and 1394.2803. At any time within ten (10) days prior to the expiration of any ration, or at any time thereafter, application for a further ration may be made. Such application shall be made in the same manner as the original application, except as provided in paragraph (b) of this section.

(b) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount, and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a further ration other than a Basic ration may be made by executing the renewal certificate on such original application. The applicant shall, in such case, note on such renewal certificate any change in the nature or amount used since the date of the original application.

(c) When issuing a further ration prior to the expiration date of a current ration of the same class, the Board shall note on the application and on the front cover of the coupon book representing such further ration the date on which such further ration shall become valid. Such date shall be the day following the expiration date of the current ration.

(d) Except as provided in § 1394.2702, no further ration of any class may be issued for use prior to, or may be used prior to, the expiration of the current ration of such class.

§ 1394.2702 *Issuance of further ration for use prior to expiration date of current ration.* (a) Any person who finds that, due to a change in occupation or in the location of place of business or residence, or other change in circumstances, or due to seasonal variation in the amount of occupational mileage needed, or miscalculation of needs, a ration of any class other than a Basic ration issued to him fails to meet his requirements, may apply for a further ration of such class for use prior to the expiration date of his current ration. Such application shall be made in the same manner as the application for the current ration.

(b) The applicant shall append to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than ten (10) days from the date of the application;

(2) The reason or reasons why a further ration will be needed for use prior to the expiration date of the current ration.

(c) If the Board determines that, for one or more reasons specified in paragraph (a) of this section, more mileage is needed or, in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may grant a further ration in accordance with the provisions of § 1394.2703 (b).

§ 1394.2703 *General provisions.* (a) All of the provisions of Ration Order No. 5B applicable to the issuance of an original ration shall apply to the issuance of a further ration.

(b) When granting a further ration for use prior to the original expiration date of a current ration, pursuant to the provisions of § 1394.2702, the Board shall destroy the originally issued coupon book and shall issue another book containing coupons sufficient to provide the gallonage to which the applicant is entitled for the remainder of the period during which such book is valid.

GENERAL PROVISIONS WITH RESPECT TO ISSUANCE OF GASOLINE RATIONS

§ 1394.2751 *Appearances before Boards.* (a) The Board may require any applicant for a ration to appear before it for examination and to produce such witnesses or evidence as it may deem material.

§ 1394.2752 *Presentation of license certificate.* (a) No gasoline ration, other than a ration issued pursuant to §1394.2451 (b) (2), shall be issued for any motor vehicle other than a fleet vehicle unless a license certificate issued by the Department of Interior of the Insular Government of Puerto Rico, or a registration card or registration certificate of a state of the United States or of any foreign or territorial government, authorizing the operation of such vehicle during all or part of the period for which such ration is to be issued, is presented to the registrar or the Board.

§ 1394.2753 *Notation on license certificate.* (a) At the time of issuing a gasoline ration for a licensed motor vehicle other than a fleet vehicle, except in the case of a ration issued pursuant to § 1394.2451 (b), the person issuing such ration shall make a clear notation in ink, indelible pencil, or by typewriter, on the front of the license certificate presented by the applicant, showing the date of issuance, the class of ration and the serial number of the ration book issued.

§ 1394.2754 *Notation on ration books and applications.* (a) At the time of issuance of any ration book for a licensed motor vehicle, the person issuing such book shall, unless a fleet identification is used as provided in paragraph (b) of this section, make a clear notation on the cover thereof, in ink, indelible pencil, or by typewriter, of the license number of the vehicle for which it is issued and of the name and address of the licensed owner of such vehicle. The Board shall also make a notation on the cover of such book, other than a basic book, and on the application therefor, of the date on which it becomes valid and of its expiration date.

(b) An applicant for a gasoline ration for fleet vehicles may request the Board to note on the ration books issued the name or other identification of the fleet, in lieu of the license number of a particular vehicle. The Board may grant

such request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation. Any book on which a fleet identification is noted may be used, interchangeably, for all vehicles in the fleet bearing such identification.

(c) At the time of issuance of a nonhighway ration book, the Board shall make a clear notation on such book in ink, indelible pencil, or by typewriter, of the name and address of the applicant and of the period during which such book shall be valid. Such period shall also be noted on the application.

§ 1394.2755 *Change in motor vehicle license number.* (a) The holder of a ration book issued for a licensed motor vehicle, other than a ration book bearing a fleet identification, shall, upon any change in the license number of such vehicle, submit such ration book, together with the license certificate or registration card evidencing the new number, to a Board within five (5) days after such change for the purpose of having the notation thereon changed to correspond to the new license number. The person authorized to make the change for the Board to which such book is presented shall obliterate the license number appearing thereon; note thereon, in ink, indelible pencil, or by typewriter, the new license number issued for such vehicle, and countersign or initial the change made on the book. Notation on the new license certificate or registration card shall also be made, as prescribed in § 1394.2753.

(b) The holder of any book bearing a fleet identification shall, upon any change in the name, identification, or designation of such fleet, submit such book to the Board which issued it for appropriate modification. Upon ascertaining the new name, identification or designation of such fleet, the Board shall change the designation on such book to correspond thereto.

(c) Nothing in this section shall be construed to authorize the continued use of a ration book after a change in ownership of the vehicle for which it was issued.

(d) Any alteration on the face or cover of any ration book, unless made and countersigned by a person authorized to do so under Ration Order No. 5B, shall render such book, and the coupons therein, invalid.

§ 1394.2756 *Authorization of bulk purchase.* (a) Any person who establishes to the satisfaction of a Board that he maintains a storage tank for supplying gasoline to one or more motor vehicles or units of non-highway equipment operated by him, and that he has maintained such tank for such purposes prior to June 1, 1942, or that it is now necessary for supplying gasoline to such vehicles or for such use to maintain a storage tank or to acquire gasoline in a tank, tank truck, drum, or other container, may, when applying for a gasoline ration, request the Board to issue such ration in the form of bulk coupons, or partly in bulk coupons and partly in coupon books. Such person may also request the Board to make a notation on any coupon books issued to him indicating that coupons in such books may be used for a bulk transfer of gasoline.

(b) If the applicant establishes the facts required by paragraph (a) hereof, the Board shall issue bulk coupons to the extent of the gallonage allowed by it for which bulk coupons are requested: *Provided*, That, with respect to applications for supplemental rations or for fleet rations for passenger automobiles or motorcycles the Board shall first determine the type, number and expiration date of the coupon books to which the applicant is entitled; it shall then issue bulk coupons, to the extent requested by the applicant, having a gallonage value equal to the value in units of the coupons in the coupon books to which the applicant is entitled and in lieu of which such bulk coupons are issued. Such bulk coupons shall expire on, and may not be used for the transfer of gasoline to a consumer after, the date on which such coupon books would expire: *Provided further*, That bulk coupons shall not be issued unless the applicant establishes the necessity for acquiring two hundred and fifty (250) gallons or more per month by such coupons.

§ 1394.2757 *Lost or destroyed coupons, or coupon books.* (a) In the event of the accidental loss, destruction or mutilation of any coupon books or bulk coupons, the holder thereof may apply for replacement thereof to the Board having jurisdiction.

(b) Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The class, date and place of issuance, and expiration date of such book or coupons;

(3) A description of the motor vehicle, boat, equipment, or process for which the book or coupons were issued;

(4) A statement of the number and type of unused coupons so lost, destroyed, or mutilated;

(5) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the Board is satisfied that such book or coupons have been lost or destroyed, or so damaged, or mutilated as to be rendered unfit for use, it may issue, in its discretion, a duplicate book or duplicate bulk coupons of the same class and in the same quantity as those sought to be replaced. It shall clearly note on the cover of any duplicate book issued the same expiration date that appeared on the original book.

(d) No person receiving a duplicate book or coupons under paragraph (c) of this section shall use, attempt to use, or permit the use of the original book or coupons, but shall surrender such original book or coupons; if damaged or mutilated, to the Board at the time of issuance of the duplicate book. In the event that a lost book or lost coupons are found after duplicates have been issued, such original book or coupons shall be surrendered to the Board forthwith.

§ 1394.2758 *Signature on coupon book.* (a) No coupon book shall be valid until the person to whom such book is issued has signed the certification provided for therein.

EXPIRATION AND REVOCATION OF RATIONS

§ 1394.2801 *Surrender of expired coupons.* (a) No coupon book issued in Puerto Rico shall be valid for the transfer of gasoline to a consumer in Puerto Rico after the expiration thereof, or to any consumer at any time outside of Puerto Rico.

(b) The person to whom a ration has been issued shall, within five (5) days after the expiration thereof, surrender to the issuing Board all expired coupon books and all unused coupons representing such ration.

§ 1394.2802 *Expiration of rations.* (a) All Basic rations shall expire at midnight, January 31, 1943. All other rations shall expire at midnight of the date noted on the application or on the coupon books issued therefor.

§1394.2803 *Expiration of rations upon cessation of use or change in ownership.* (a) Upon cessation of use or bona fide transfer of ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation or change, be surrendered to the issuing Board by the person to whom such ration was issued. The transferee of such vehicle, boat or equipment may apply for a gasoline ration in accordance with the applicable provisions of Ration Order No. 5B.

(b) Upon cessation of use of a ration, other than a basic ration, for a purpose for which such ration may be obtained, such ration shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation, be surrendered to the issuing Board by the person to whom such ration was issued.

§ 1394.2804 *Denial of gasoline rations.* (a) No person whose name has been recorded by a Board, in accordance with the provisions of section 1406 for refusal to surrender a gasoline ration book upon direction of the Board, or for failure or refusal, without good cause shown, to appear before such Board for examination, shall be entitled to obtain a ration of any type under Ration Order No. 5B while his name remains thus recorded.

§ 1394.2805 *Suspension and revocation of rations.* (a) All coupon books, bulk coupons and inventory coupons issued shall remain the property of the Office of Price Administration for Puerto Rico may suspend, cancel, revoke, or recall any ration, and may require the surrender and return of any coupon book, bulk coupon or inventory coupons during suspension or pursuant to cancellation, whenever he deems it to be in the public interest to do so.

(b) Upon certification by the Office of Defense Transportation that any person to whom a gasoline ration has been issued has been found by it to have violated an order of such Office, which now or may hereafter be made applicable to Puerto Rico, and upon recommendation by such Office that a gasoline ration issued to such person, or any part thereof, be revoked, the Director of the Office of Price Administration for Puerto Rico may revoke such ration, or such part thereof, pursuant to the provisions of paragraph (a) of this section.

§ 1394.2806. *Review by local Boards of applications for gasoline ration.* (a) Any Board may review an application for a gasoline ration of any class, made in the area over which it has jurisdiction, or referred to it by another Board in order to determine whether the holder of the ration was entitled to receive it. The Board may also require the holder of a supplemental, service, fleet, nonhighway, or special ration to appear before it for examination in order to determine whether such ration is being used in accordance with the provisions of Ration Order No. 5B. The Board shall give the holder written notice of the time and place fixed for such appearance. The notice shall be deemed sufficient if mailed to the address shown on the application at least five (5) days prior to such time. The Board may designate one or more of its members to perform the functions prescribed in this section.

(b) If the Board finds that the ration holder was not entitled to receive the ration issued, or, if it finds that a ration issued is being used for a purpose other than one for which such ration may be obtained, it shall revoke such ration and shall direct that any coupons or coupon books issued therefor be surrendered to it. If it finds that the holder is entitled to a ration of a different class or quantity than that issued, it may issue such ration as it finds the holder entitled to receive pursuant to the provisions of Ration Order No. 5B in place of the ration revoked.

(c) The Board shall record the name of any ration holder who refuses to comply with a direction of the Board pursuant to paragraph (b) of this section or who fails or refuses to appear for examination in accordance with a notice sent by the Board pursuant to paragraph (a) of this section: *Provided*, That if a person whose name has been recorded for failure or refusal to appear for examination shows good cause to the Board for such failure or refusal his name shall be stricken from such record, upon compliance with the Board's direction with respect to the disposition of his ration. The Board shall notify the Director of the Office of Price Administration for Puerto Rico immediately after so recording any name and immediately after striking any name from the record. Any person whose name remains recorded shall be prohibited from securing any ration under the provisions of Ration Order No. 5B or any other gasoline ration order heretofore or hereafter promulgated by the Office of Price Administration.

RESTRICTION ON TRANSFERS

§ 1394.2851 *Restriction on transfer to consumers.* (a) On and after August 1, 1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer, intermediate distributor or oil company shall (except as provided in §§ 1394.2553, 1394.2856 and 1394.2857) transfer or offer to transfer gasoline to a consumer, and no consumer shall accept transfer of such gasoline.

§ 1394.2852 *Transfers to consumers.* (a) On and after August 1, 1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a dealer, intermediate distributor, or oil company may transfer gasoline to a consumer in Puerto Rico, and such consumer may accept such transfer of gasoline, only in exchange for valid coupons or other evidences issued in Puerto Rico.

§ 1394.2853 *Transfer to consumers in exchange for coupons.* (a) A transfer of gasoline may be made in exchange for coupons contained in Class A, B, C, D, S–1 or S–2 books, under the following conditions:

(1) At the time of transfer, the transferor shall require presentation of the coupon book and must detach therefrom coupons having an aggregate gallonage value equal to the amount of gasoline transferred: *Provided*, That if the transferee is able to accept only a portion of the amount of gasoline represented by the gallonage value of a coupon, the transferor shall nevertheless detach an entire coupon. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book presented: *Provided*, That if such book bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for coupons in such book: *Provided further*, That bulk transfer may also be made of an amount of gasoline, not in excess of one unit, to enable a vehicle stranded for lack of fuel to reach a source of supply. In such case the transferor shall retain the ration book presented until the vehicle is brought to the place of transfer for identification.

(3) Transfer may be made only during the valid period noted on the cover of the book presented, or, in the case of a Class A book, only during the period of validity of the coupon in exchange for which the transfer is to be made.

(b) Bulk transfer may be made in exchange for coupons contained in Class E and R books, under the following conditions:

(1) At the time of transfer, the transferor must require presentation of the coupon book and must detach therefrom coupons having an aggregate gallonage value equal to the number of gallons of gasoline transferred. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) No transfer in exchange for coupons in a Class E or R book may be made into the fuel tank of, or knowingly made for use in, a licensed motor vehicle or a motor vehicle held by a motor vehicle dealer for sale or resale.

(c) Transfer may be made in exchange for bulk coupons. The transferor shall require surrender, at or before the time of transfer, of bulk coupons having a value in gallons equal to the number of gallons of gasoline transferred: *Provided*, That in the case of any delivery made in the absence of the transferor or his agent, by tank car or other carrier, or the absence of the transferor or his agent, coupons need not be surrendered simultaneously with delivery, but must be forwarded by the transferee to the transferor within forty-eight (48) hours after delivery.

§ 1394.2854 *Transfers in exchange for Acknowledgment of Delivery and Allotment Authorization.* (a) Transfer may be made in exchange for an Acknowledgment of Delivery or an Allotment Authorization duly executed by an appropriate officer of the armed forces of the United States in accordance with the provisions of § 1394.2552.

§ 1394.2855 *Emergency transfers.* (a) Transfer may be made in exchange for an Emergency Receipt on Form OPA R–555, which may be obtained from any dealer.

(b) Any person requiring gasoline in order to meet an emergency involving serious threat to life, health, or valuable property, may obtain such gasoline by signing an Emergency Receipt in triplicate and stating thereon the emergency purpose for which such gasoline is required and the reason why he is unable to present coupons in exchange for such gasoline. If such gasoline is required for use in a licensed motor vehicle, he shall also state the license number of the vehicle in which such gasoline is to be used.

(c) Any dealer, intermediate distributor, or oil company who has transferred gasoline in exchange for an Emergency Receipt, shall transmit such Emergency Receipt, in triplicate, to the Board having jurisdiction over the area in which his place of business is located. The Board, if it is satisfied that the transferor made a transfer, in good faith, of the amount of gasoline specified in such Emergency Receipt, shall issue to him, in exchange therefor, inventory coupons equal in gallonage value to the amount of gasoline so transferred. The Board shall retain one copy of such Receipt in its own files, shall transmit the second copy to the Board having jurisdiction over the area in which the transferee resides, as stated on the Receipt, and shall send the third copy to the Director of the Office of Price Administration for Puerto Rico.

§ 1394.2856 *Transfer of vehicle, boat or equipment.* (a) Nothing in Ration Order No. 5B shall be deemed to forbid the transfer of gasoline actually in the fuel supply tank of a vehicle, boat or equipment, in conjunction with a bona fide transfer of such vehicle, boat, or equipment itself; or the consumption by the transferee in such vehicle, boat, or equipment of gasoline actually in the

fuel supply tank thereof at the time of transfer.

§ 1394.2857 *Transfer of consumer establishments.* (a) Nothing in Ration Order No. 5B shall be deemed to forbid the transfer of gasoline actually in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, in conjunction with a bona fide transfer of such enterprise or establishment itself, or a transfer of gasoline by legal process or operation of law.

(b) Any person to whom a transfer of the character described in paragraph (a) of this section is made shall forthwith report such transfer and the amount of gasoline involved to the Board having jurisdiction over the area in which such gasoline is located. Such person, if a dealer or intermediate distributor, shall surrender to the Board, together with such report, coupons or other evidences having a value equal to the number of gallons of gasoline transferred. Such person, if not a dealer or intermediate distributor, may either:

(1) Transfer all or any part of such gasoline in exchange for coupons or other evidences having a value equal to the number of gallons of gasoline so transferred: *Provided*, That such coupons or other evidences shall forthwith be surrendered by him to the Board for cancellation; or

(2) Consume such gasoline to the extent of any gasoline ration issued to him: *Provided*, That he may consume such gasoline only for the purpose for which such ration may be issued and shall surrender to the Board, for cancellation, coupons equal in value to the amount of gasoline consumed or to be consumed.

§ 1394.2858 *Transfers from fuel tank to fuel tank of vehicles and boats forbidden.* (a) No gasoline contained in the fuel tank of any licensed motor vehicle, inboard motorboat, outboard motor, or non-highway equipment shall be transferred therefrom to the fuel tank of any licensed motor vehicle, or of any inboard motorboat or outboard motor operated in Puerto Rico.

§ 1394.2859 *Discrimination by dealers and intermediate distributors.* (a) On and after August 1, 1942, no dealer or intermediate distributor shall discriminate in the transfer of gasoline among any consumers lawfully entitled to acquire gasoline under the provisions of Ration Order No. 5 B by selling only to favored consumers or classes of consumers, or only to regular customers, and refusing to sell to others who are entitled to acquire gasoline under the provisions of Ration Order No. 5 B. Nothing in this section, however, shall be construed to prohibit a dealer or intermediate distributor from adopting restrictions which apply to all consumers or from holding reserve stocks for delivery to persons presenting Acknowledgments of Delivery or Allotment Authorizations duly executed by the authorized officer of the armed forces of the United States.

REPLENISHMENT AND AUDIT

§ 1394.2901 *Registration of inventory and capacity.* (a) No dealer or intermediate distributor having a place of business in Puerto Rico shall make or receive any transfer of gasoline between the hours of 4:00 p. m. and midnight on July 31, 1942. During such hours every dealer shall take an actual physical inventory of his total gasoline supplies on hand and shall register, on Form OPA R–545, in duplicate, with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(b) His total inventory of gasoline on hand as of the close of business on July 31, 1942.

(c) His total gasoline storage capacity.

(d) His name, firm name, business address, and type of business.

(e) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by such dealer or intermediate distributor for each place of business in Puerto Rico where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located.

§ 1394.2902 *What constitutes gasoline on hand.* (a) The registrant shall register all gasoline on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, or other containers, except gasoline in the fuel tank of a motor vehicle. The registrant shall not registered gasoline in transit which did not arrive at his place of business prior to the close of business on July 31, 1942. Gasoline shipped to a dealer or intermediate distributor on or prior to July 31, 1942, but received by him at any time after July 31, 1942, shall be deemed to be gasoline transferred to him subsequent to July 31, 1942, and shall require an exchange therefor of coupons or other evidences in the manner provided in §§ 1394.2907 and 1394.2909.

§ 1394.2903 *What constitutes storage capacity.* (a) The registrant shall register the total capacity of all immobile gasoline storage facilities, but not the capacity of tank trucks, tank wagons, drums, or other movable containers: *Provided, however*, That a registrant who maintains no stationary gasoline storage tanks shall register the total capacity of all his delivery facilities.

§ 1394.2904 *Issuance of registration certificates.* The Board, on determining that the information and certification submitted by the registrant are in good order, shall by authorized signature approve the same, file the duplicate, and return the original to the registrant, who shall retain it as a certificate of registration at the place of business to which it applies and shall present it as an identification at the time of transacting business with any Board.

§ 1394.2905 *Issuance of inventory coupons.* (a) The Board shall, at the time of its approval of any registration certificate, issue to the registrant inventory coupons in the amount of the difference between the total gasoline storage capacity for each place of business and the total inventory of gasoline on hand as certified by the registrant. A one-hundred gallon inventory coupon or a quantity of class A coupons may at any time subsequent to registration be exchanged at any Board in Puerto Rico by a dealer or intermediate distributor for an equivalent amount of one-gallon inventory coupons.

§ 1394.2906 *Restriction on use of inventory coupons.* (a) Every dealer and intermediate distributor shall retain all inventory coupons issued to him at the place of business for which they were issued, and shall exchange his inventory coupons only when a delivery to him exceeds the number of consumer coupons or other evidences available for exchange: *Provided, however*, That one-gallon inventory coupons may be used at any time to make up the difference between the number of gallons in any delivery and the nearest number of gallons which can be represented by the use of consumer coupons or other evidences.

§ 1394.2907 *Restriction on transfers.* (a) Except as provided in § 1394.2908 no dealer or intermediate distributor in Puerto Rico shall transfer or offer to transfer to, or shall receive a transfer of gasoline from any other dealer or intermediate distributor except in exchange for a quantity of coupons or other evidences, at or before the time of the actual delivery of the gasoline, equal in gallonage value to the amount of the gasoline so transferred.

§ 1394.2908 *Night deliveries; third party deliveries.* (a) Where an oil company or intermediate distributor elects to make delivery of gasoline during hours when the purchaser is not open for business, the purchaser shall, where the exact amount of the delivery is known in advance, mail or deliver in advance to the transferor coupons or other evidences in an equal gallonage value, or may, at the discretion of the transferor, within twenty-four (24) hours of delivery forward to the transferor an amount of coupons or other evidences equal in gallonage value to the number of gallons so delivered.

§ 1394.2909 *Upstream transfers.* Any oil company or intermediate distributor who receives a transfer or return of gasoline from a dealer or intermediate distributor in Puerto Rico, other than in connection with a transfer to him of the place of business of such dealer or intermediate distributor, shall deliver to such dealer or intermediate distributor a quantity of his accumulated coupons or other evidences equal in gallonage value to the amount of gasoline so transferred or returned.

§ 1394.2910 *Preservation of coupons; Coupon Sheets.* (a) Each dealer and intermediate distributor shall affix the coupons received by him directly from consumers to a Coupon Sheet (Form OPA R–542) in the manner directed thereon. Separate coupon sheets shall be maintained for coupons of each separate type; only coupons of one class shall be attached to any one sheet.

§ 1394.2911 *Preservation of Acknowledgments.* (a) Each dealer and intermediate distributor shall attach the Acknowledgments and Allotment Authorizations delivered to him by authorized purchasers to a Summary of Acknowledgments (Form OPA R–541) on which he shall enter for each such Acknowledgment and Allotment Authorization in order the date of purchase, name of purchaser, and number of gallons sold.

§ 1394.2912 *Summary of Coupons.* (a) Each dealer and intermediate distributor shall, prior to every delivery by him of coupons or other evidences, except exchange certificates, prepare in duplicate on Form OPA R–541 a Summary of Coupons and Acknowledgments in the manner directed thereon, certifying the number of each type of coupon and the number of evidences to be delivered. The original of this summary shall be delivered by him attached to his coupons and other evidences. The copy shall be retained by him at his place of business for a period of not less than one year. Dealers and intermediate distributors shall forward such summaries to their vendors.

§ 1394.2913 *Exchange of coupons for certificates.* (a) A dealer or intermediate distributor may at any time deliver to any Board in Puerto Rico coupons or other evidences (except exchange certificates) and obtain in return a certificate or certificates equal to the gallonage value of the coupons or other evidences remitted. The remitter shall attach to such coupons or other evidences a summary of coupons and acknowledgments on Form OPA R–541. The Board shall furnish him in return an Exchange Certificate (Form OPA R–548, of which a duplicate shall be retained for the files of the Board) equal in gallonage value to the total gallonage value of the coupons or other evidences remitted by him.

§ 1394.2914 *Invalidity of Class A coupon after expiration of bi-monthly period.* (a) No dealer shall accept any coupon the period of validity of which has expired; and no such coupon shall be an evidence of any gallonage value, except on coupon sheets to which it has been attached prior to the expiration of its period of validity.

§ 1394.2915 *Certification of shortage.* (a) Dealers and intermediate distributors shall be permitted from time to time to apply on Form OPA R–549 for compensation for losses of gasoline through evaporation, handling, accident, or other extraordinary circumstances; and dealers, intermediate distributors and oil companies shall be permitted so to account for unavoidable loss of coupons. The certification of shortage shall be submitted to the Board having jurisdiction of the area in which such dealer or intermediate distributor has the place of business to which the shortage is to be attributed, and shall show the nature and quantity of such shortage with a full explanation therefor. If, on consideration of the certification of such other facts as it may require of the applicant, the Board is satisfied that the applicant has established the fact and reasonableness of such shortage, the Board shall file the certification and issue to the applicant a quantity of inventory coupons equal to the amount of the proven loss: *Provided*, That the Board shall not issue, as compensation for a shortage resulting from shrinkage or evaporation, certificates having a gallonage value in excess of 1% of the gallonage delivered each month.

§ 1394.2916 *Records to be kept by dealers and intermediate distributors.* At the time of making delivery of gasoline to any dealer or intermediate distributor in Puerto Rico, every oil company shall furnish to such dealer or intermediate distributor an invoice, delivery ticket, or other customary evidence of transfer, showing the name and address of the purchaser and the date and quantity of the purchase; and every such purchaser shall retain at his place of business for a period of at least one year from the date of his purchase of gasoline the invoice, delivery ticket, or other evidence so furnish him.

§ 1394.2917 *Reports by oil companies.* (a) Every oil company shall, on or before the 10th day of each month, commencing with the month of September, 1942, submit to the Director of the Office of Price Administration for Puerto Rico a written report for the previous calendar month showing:

(1) The gasoline gallonage on hand at the close of business on the last day of the month preceding the month for which the report is made;

(2) The gallonage imported during the month for which the report is made;

(3) The gallonage transferred to and received from other oil companies during the month for which the report is made;

(4) The gallonage on hand at the close of business on the last day of the month for which the report is made;

(5) The gallonage transferred to the armed forces of the United States during the month for which the report is made;

(6) The gallonage transferred to intermediate distributors, dealers, or consumers during the month for which the report is made.

Every oil company shall attach to such report all evidences received in exchange for gasoline so transferred by it during the month for which the report is made. The oil company shall include in its report a reconciliation of any difference between the total gallonage reported so transferred and the total gallonage represented by the evidences attached to the report.

§ 1394.2918 *Reports by Collector of Customs.* (a) As soon after the first of each month as is practicable, commencing with the month of August, 1942, the United States Collector of Customs for the Island of Puerto Rico shall prepare and send to the Director of the Office of Price Administration for Puerto Rico a written report for the previous calendar month containing the following information:

(1) The total gasoline gallonage imported into the Island of Puerto Rico during the previous month, and the gallonage alloted to each oil company.

(2) The total gallonage and the gallonages of each oil company exported from the Island of Puerto Rico during the previous month.

(3) The total gasoline inventory of the oil companies, and the inventory of each individual oil company, at the close of business on the last day of the month for which the report is made.

§ 1394.2919 *Explanation by oil companies.* (a) The Director of the Office of Price Administration for Puerto Rico may, at any time, request any oil company to explain a discrepancy existing between the figures supplied in its monthly report and the number of evidences turned in by it to the Office of Price Administration for Puerto Rico and the monthly report made by the Collector of Customs. Any failure or refusal to explain such discrepancies shall constitute prima facie evidence that such oil company has transferred gasoline without accepting evidences therefor.

§ 1394.2920 *Registration of new or reopened place of business.* (a) Any dealer or intermediate distributor who opens or reopens in Puerto Rico a place of business not previously registered by such dealer or intermediate distributor shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in § 1394.2901, and shall be issued inventory coupons equal in gallonage value to the total capacity of his unfilled gasoline storage facilities as of the time of registration.

§ 1394.2921 *Cessation of business.* (a) Any dealer or intermediate distributor who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located the original certificate of registration of such place of business and a quantity of coupons or other evidences equal in gallonage value to the total capacity of the gasoline storage facilities of such place of business.

§ 1394.2922 *Sale of place of business.* (a) Any person acquiring from a dealer or intermediate distributor a place of business already registered in accordance with the provisions of § 1394.2901 shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in §§ 1394.2901 to 1394.2909, inclusive; except that he shall be issued inventory coupons equal in gallonage value to the total capacity of the entire gasoline storage facilities of such place of business. He shall then deliver to the transferor of such place

of business a quantity of inventory coupons equal in gallonage value to the total amount of gasoline on hand as of the time of transfer. The transferor shall deliver, to the Board having jurisdiction of the area in which the place of business transferred by him is located, the certificate of registration of such place of business, together with a quantity of coupons or other evidences equal in gallonage value to the total capacity of the entire gasoline storage facilities of such place of business.

§ 1394.2923 *Change of storage capacity.* (a) Any dealer or intermediate distributor in any manner altering the total capacity of the gasoline storage facilities of a place of business shall deliver for cancellation, to the Board having jurisdiction of the area in which such place of business is located, his original certificate of registration, and shall obtain a new certificate of registration in the manner provided by §§ 1394.2901 to 1394.2904, inclusive. The Board shall attach to its copy of the new certificate the original and copy of the cancelled certificate. Where the capacity of the gasoline storage facilities is decreased, the dealer or intermediate distributor shall furnish to the Board a quantity of coupons or other evidences equal in gallonage value to the amount of the decrease. Where the capacity of his gasoline storage facilities is increased, the Board shall issue to the dealer or intermediate distributor in the manner described in § 1394.2905 a quantity of inventory coupons equal in gallonage value to the amount of the increase.

§ 1394.2924 *Inspection of records and facilities.* (a) All records, reports, forms, accounts, or other documents required by Ration Order No. 5 B to be prepared and kept by any person, and the gasoline facilities of any person, shall be subject to the inspection of the Office of Price Administration and its employees or by such persons as the Office of Price Administration may designate for the purpose of making inspections. Such inspections may be made at the place of business of any such person during regular hours, or, in the case of matters prepared on forms of the Office of Price Administration, at any time and place designated by the Office of Price Administration.

ADJUSTMENTS AND APPEALS

§ 1394.2951 *Adjustment of errors made by registrars.* (a) Any person who claims that a registrar improperly refused to issue a basic ration book or made an error in issuing a basic ration book on the basis of his application, may apply to a Board, orally or in writing, for an adjustment of such error. Any person who claims that a basic ration book was denied or was incorrectly issued to him by a registrar, by reason of an error in his application, may make a new application, to a Board, for a basic ration book. Application pursuant to this paragraph shall be made to the Board having jurisdiction over the area in which such original application was made, or in which the motor vehicle for which the application was made is customarily garaged or stationed.

(b) The Board shall obtain and examine the original application or, if such original application cannot expeditiously be found, it shall require the applicant to prepare a duplicate of such application and to certify that it is an exact duplicate thereof. If the Board finds that an error was made, by the applicant or by the registrar, it shall issue a basic ration book, or correct the book issued by the registrar, or issue a new book in place of the one issued by the registrar, or take such other action in accordance with the provisions of this order as may be necessary to correct the error. The Board shall, if it replaces a book, remove from the book issued by it coupons having gallonage value equal, as nearly as possible, to the value in gallons of the coupons found to be detached from the book to be replaced and, in the case of an A or D book, any expired coupons.

§ 1394.2952 *Appeals from decisions of Boards.* (a) An applicant may appeal to the Director of the Office of Price Administration for Puerto Rico from an adverse decision of a Board by filing with the Board a sworn statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than ten (10) days after receipt of notice of the decision. Within three (3) days after receipt of the statement, the Board shall send it to the Director together with its entire record on the application.

(b) The Director may request the applicant to appear before him or to furnish such additional information as he may deem pertinent. The Director shall render his decision on the appeal within five (5) days after receipt of the statement and record, and, in cases of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the applicant and the Board, in writing, of his decision. In the event that a decision of a Board is reversed or modified by the Director, the record shall be remanded to the Board for action consistent with his decision.

ENFORCEMENT

§ 1394.3001 *Criminal prosecution.* (a) Any person who knowingly falsifies an application or any other record or certificate made pursuant to or required by the terms of Ration Order No. 5 B, or who otherwise knowingly furnishes false information to a registrar, a Board, or any other agent, employe or officer of the Office of Price Administration, or who conspires with another person to perform any of the foregoing acts, may upon conviction be fined not more than $10,000 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of Ration Order No. 5 B may, upon conviction, be fined not more than $10,000 and imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by all applicable statutes.

§ 1394.3002 *Suspension orders.* (a) Any person who violates Ration Order No. 5 B may, by administrative suspension order, be prohibited from receiving any deliveries of, or selling or otherwise disposing of, any gasoline or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Director of the Office of Price Administration for Puerto Rico is necessary or appropriate in the public interest and to promote the security of the Island of Puerto Rico.

EFFECTIVE DATE

§ 1394.3051 *Effective date.* Ration Order No. 5 B (§§ 1394.2102 to 1394.3051) shall become effective July 22, 1942.

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. D. Doc. 42-6911; Filed, July 20, 1942; 5:17 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Maximum Price Regulation 183]

PUERTO RICO

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 183 is hereby issued.

Sec.

1418.1 Maximum prices.
1418.2 Less than maximum prices.
1418.3 Adjustable pricing.
1418.4 Evasion.
1418.5 Records and reports.
1418.6 Licensing.
1418.7 Registration of licensees.
1418.8 Enforcement.
1418.9 Applicability of General maximum Price Regulation.
1418.10 Petitions for amendment and applications for adjustment.
1418.11 Definitions.
1418.12 Applicability.
1418.13 Effective dates.
1418.14 Tables of maximum prices.

AUTHORITY: §§1418.1 to 1418.14, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

(1) On and after July 20, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver rice in the Territory of Puerto Rico and no person shall buy or receive rice in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (a) Table I; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this subparagraph shall not

[1] 7 F.R. 971, 3663.

be applicable to sales or deliveries of rice to a purchaser if prior to July 20, 1942, such rice had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1418.2 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 183 may be charged, demanded, paid, or offered.

§ 1418.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1418.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 183 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1418.5 *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation No. 183 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 183 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and the mark-up charged by the seller to the buyer.

(b) *Prices to be marked and posted.* On and after the date any commodity becomes subject to this Maximum Price Regulation No. 183, every person offering to sell at retail any such commodity shall mark the maximum price of such commodity in a manner plainly visible to and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $_____" or "Our Ceiling $_____".

(c) *Lists to be filed.* On or before 30 days following the date commodities become subject to this Maximum Price Regulation No. 183, every person offering to sell at retail commodities subject to this regulation, shall file with the Office of Price Administration for the Territory of Puerto Rico a list showing the maximum price for each commodity subject to this Maximum Price Regulation No. 183 then offered for sale, together with an appropriate identification of each such commodity. Such statement shall be kept up-to-date by such person by filing on the tenth day of every succeeding calendar month a statement of his maximum price for any commodity subject to this regulation newly offered for sale during the previous calendar month, together with an appropriate description or identification of the commodity.

(d) *Sales slips and receipts.* Every seller at retail of the commodities subject to this Maximum Price Regulation No. 183 who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

§ 1418.6 *Licensing*—(a) *License required.* A license as a condition of selling, is hereby required of every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 183.

(b) *License granted.* Every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 183 is hereby granted a license as a condition of selling any such commodity. Such license shall be effective on the effective date of this regulation, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that said regulation or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation superseded.* This section supersedes the provisions of § 1499.16 of the General Maximum Price Regulation [2] insofar as said section may be applicable to persons selling any commodity for which a maximum price is established by this Maximum Price Regulation No. 183.

§ 1418.7 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1418.8 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 183 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 183, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the Office of Price Administration for the Territory of Puerto Rico or the principal Office in Washington, D. C.

§ 1418.9 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 183 supersede the provisions of the General Maximum Price Regulation, except as otherwise provided herein, with respect to sales or deliveries of commodities for which maximum prices are established by this regulation.

§ 1418.10 *Petitions for amendment and applications for adjustment.* Persons seeking any modification of this Maximum Price Regulation No. 183, or an adjustment or exception not provided for herein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, or applications for adjustment in accordance with the provisions of Procedural Regulation No. 7,[3] issued by the Office of Price Administration.

§ 1418.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 183, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any purchaser for resale or to a commercial or industrial user.

(3) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[3] 7 F.R. 4779.

(4) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipments actually incurred by the seller.

(5) "Sales and deliveries to buyers in the Territory of Puerto Rico" does not include sales from a seller outside the Territory of Puerto Rico to a purchaser in the Territory of Puerto Rico. Export sales, from a seller in the continental United States to a purchaser in the Territory of Puerto Rico shall be governed by the maximum prices established for export sales by the Maximum Export Price Regulation.[4]

(6) "Pocket" means a bag or other container of 100 pounds net of rice.

(7) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(8) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1418.12 *Applicability.* The provisions of this Maximum Price Regulation No. 183 shall be applicable to the Territory of Puerto Rico.

§ 1418.13 *Effective dates.* (a) This Maximum Price Regulation No. 183 (§§ 1418.1 to 1418.14, inclusive) shall become effective July 20, 1942.

§ 1418.14 *Tables of maximum prices—*(a) *Table I: Maximum prices for rice—*(1) The maximum prices for rice sold or delivered at wholesale and retail to buyers in the Territory of Puerto Rico shall be:

(i) The direct cost of the rice to the seller,

(ii) Plus the following mark-up:

	Sales at wholesale (mark-up per 100 lb. bag or pocket)	Sales at retail (mark-up per pound)
VARIETIES		
Blue Rose	$0.50	$0.01
Early Prolific	.50	.01
Lady Wright	.50	.01
Zenith	.50	.01
American Pearl (Japan)	.50	.01
Calady	.50	.01
Rexoro	.70	.01
Edith	.70	.01
Nira	.70	.01
Fortuna	.70	.01
NON-VARIETAL CLASSES		
Screenings	.40	.01
Brewers	.35	.01

(2) The mark-ups set forth above are the maximum mark-ups for the highest grades of the varieties of rice specified. Mark-ups on lower grades of any variety specified shall not be in excess of the mark-up for the highest grade. For a variety of rice not specified above, the mark-ups shall be the same as the mark-up for a specified variety having a direct cost in line with the direct cost of the unspecified variety. If a mark-up cannot be determined hereunder, the maximum price shall be the price established for the seller thereof by § 1499.2 and § 1499.3 of the General Maximum Price Regulation.

(3) The seller's cost and the amount of mark-up prescribed in suparagraphs (1) and (2) of this paragraph, shall be stated as separate items in the billing by the seller at wholesale. Not more than one such mark-up may be added to a sale and delivery of the same lot of rice by the wholesalers thereof and not more than one such mark-up may be added to the sale and delivery of the same lot of rice by the retailers thereof.

Issued this 20th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6906; Filed, July 20, 1942; 5:10 p. m.]

[4] 7 F.R. 5054.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-224]

JOHN A. McNULTY, JR., CODE MEMBER

ORDER ADOPTING PROPOSED FINDINGS OF FACT AND PROPOSED CONCLUSIONS OF LAW OF EXAMINER, AND DISMISSING COMPLAINT

This proceeding was instituted upon a complaint filed on February 12, 1942, with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board No. 9 against John A. McNulty, Jr., a code member producer in District No. 9. The complaint alleged that the code member wilfully violated section 4 II (e) of the Act and the rules and regulations promulgated thereunder, and prayed that the Division revoke and cancel the code membership of the code member or, in its discretion, direct the code member to cease and desist from further violations of the Act.

Pursuant to an Order of the Acting Director dated March 9, 1942, and after due notice to interested persons, a hearing in this matter was held on April 20, 1942, before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof at Owensboro, Kentucky. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. John A. McNulty, Jr., appeared at the hearing.

The Examiner, on June 23, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation. He found that John A. McNulty, Jr., had not wilfully violated section 4 II (e) of the Act or the rules and regulations thereunder or Price Instruction 5 in the Schedule of Effective Minimum Prices for District No. 9 for Truck Shipments as alleged in the complaint. He further found that code member did not fail to add to the effective minimum f. o. b. mine price the cost of transporting coal from the mine to the point at which it was delivered. Based upon his proposed findings of fact, the Examiner recommended that an order be entered dismissing the complaint.[1]

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner. No exceptions thereto have been filed.

The undersigned had determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the complaint filed by District Board No. 9 against John A. McNulty, Jr., a code member producer in District No. 9, be, and it hereby is, dismissed.

Dated: July 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6913; Filed, July 21, 1942; 10:56 a. m.]

[1] The Examiner's Report contains some confusing expressions regarding the recommended dismissal of this matter. The code member filed an answer to the complaint wherein he denied that he had wilfully violated the price schedule and denied that he had in any way violated section 4 II (e) of the Act or the Code in failing to add the cost of transportation, and accordingly, prayed dismissal of the complaint. Code member also filed a motion to dismiss the complaint on the ground "that he is not now, nor was at the time complained of in the complaint, engaged in interstate commerce." I read the recommendation of the Examiner as not being based upon this motion filed by the code member, for he expressly stated that that motion should be denied, but as being based upon his findings that there had not been proved a violation of the effective minimum prices.

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 20, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

M. S. Kondazian & Sons, Inc., 76 Coolidge Hill Road, Watertown, Massachusetts; Mens suits, clothing, overcoats and topcoats; 5 percent (T); July 20, 1943.

Lebow Brothers, 100 West Baltimore Street, Baltimore, Maryland; Men's suits, overcoats, dress clothes, Army & Navy officer's uniforms; 10 learners (T); July 20, 1943.

Single Pants, Shirts and Allied Garments and Women's Apparel

American Athletic Co., 1630 South Flower St., Los Angeles, California; Caps and shirts; 4 learners (T); July 20, 1943.

Belgrade Dress Company, 1107 Bridge St., New Cumberland, Pennsylvania; Children's dresses; 7 learners (T); July 20, 1943.

Beverly Vogue Co., 127 East 9th Street, Los Angeles, California; Girdles, pantie girdles & foundation garments; 5 learners (T); July 20, 1943.

Chicago Sportswear Co., 317 West Adams Street, Chicago, Illinois; Skirts and sportswear; 10 learners (T); July 20, 1943.

Dixie Undergarment Co., 513–52nd Street, West New York, New Jersey; Children's underwear; 4 learners (T); July 20, 1943.

Forest City Dress Company, Forest City, Pennsylvania; Children's dresses; 20 learners (E); January 20, 1943.

Hicks-Hayward Company, 309 South Santa Fe Street, El Paso, Texas; Cotton work trousers and shirts; 10 percent (T); July 20, 1943.

The O. L. Hinds Company, 165 St. Paul Street, Burlington, Vermont; Children's playsuits and snowsuits; 10 percent (T); January 20, 1943.

The Jay Garment Co., South Meridian Street, Portland, Indiana; Jackets and worksuits, children's playclothing, men's work clothing; 10 percent (T); July 20, 1943.

Kansas City Boyswear Mfg. Co., 710 Central Street, Kansas City, Missouri; Boy's outergarments; 40 learners (E); January 20, 1943.

Kay's Sportswear, 20 Courtlandt Street, New Brunswick, New Jersey; Housecoats and linen sportswear; 5 learners (T); July 20, 1943.

M. Kutcher, 2149 North Warnock Street, Philadelphia, Pennsylvania; Infants' dresses; 5 learners (T); July 20, 1943.

Lassar and Bick Company, 127 East 9th Street, Los Angeles, California; Sport coats; 5 learners (T); January 20, 1943.

Lee-Wald Garment Co., 2314 McGee Street, Kansas City, Missouri; Jackets, slacks, shorts and suits; 10 learners (T); July 20, 1943.

Louis Lewin Company, 1108 South Fourth Street, Clinton, Indiana; Cotton work clothes; 10 learners (T); July 20, 1943.

Lusco Contracting Co., Inc., 115 South 4th Avenue, Mt. Vernon, New York; Ladies' blouses; 10 learners (T); July 20, 1943.

Mayfield Sewing Co., Mayfield, Pennsylvania; Children's dresses; 20 learners (E); January 20, 1943.

Louis Nitishin, 1301 Iturbide Street, Laredo, Texas; Children's dresses; 10 learners (T); July 20, 1943.

Nu Mode Creation, 1036 South La Brea Street, Los Angeles, California; Combination slip and brassiere; 2 learners (T); July 20, 1943.

Paul Rehfisch, 4352 Melrose Avenue, Los Angeles, California; Maternity slack suits; 2 learners (T); July 20, 1943.

Rome Manufacturing Co., Second Avenue, Rome, Georgia; H. B. Twill trousers, cotton work pants, cotton work shirts and jackets; 10 percent (T); July 20, 1943.

Silvers Sportswear, 1017 South Grand Avenue, Los Angeles, California; Ladies' sportswear; 18 learners (E); November 20, 1942.

Standard Shirt Factory, 229 W. Market St., York, Pennsylvania; U. S. Marine shorts and dress shirts; 5 learners (T); July 20, 1943.

Titan Manufacturing Co., 201 North Water Street, Milwaukee, Wisconsin; Men's trousers and shirts; 5 learners (T); July 20, 1943.

Washington Manufacturing Corp., 7 Railroad Avenue, Washington, New Jersey; Ladies' underwear; 10 percent (T); July 20, 1943.

Wolf Manufacturing Company, Inc., Chelmsford Street, Lowell, Massachusetts; children's outerwear; 4 learners (T); January 20, 1943.

Artificial Flower and Feather

California Artificial Flower Co., 400 Reservoir Ave., Providence, R. I.; Artificial Flowers and Feathers; 110 learners (T); August 31, 1942.

Gloves

Century Glove Corp., (Work Glove Division) 200 Wright Street, Newark, New Jersey; Work gloves; 30 learners (E); January 20, 1943.

Thomas Donlon Glove Shop, 108 South Washington St., Herkimer, New York; Ladies' dress gloves; 10 percent (T); July 20, 1943.

Hosiery

Amos & Smith Hosiery Company, Pilot Mountain, North Carolina; Full fashioned hosiery; 10 percent (T); July 20, 1943.

Bisher Hosiery Mill, Salisbury Street, Denton, North Carolina; Seamless Hosiery; 10 learners (T); March 20, 1943.

Hosiery Dept. of Mauney Mills, Inc., Railroad Avenue, Kings Mountain, North Carolina; Seamless Hosiery; 5 learners (T); July 20, 1943.

Pohatcong Hosiery Mills, Inc., Park Avenue, Washington, New Jersey; Full-fashioned hosiery; 10 percent (T); July 20, 1943.

Rodgers Hosiery Company, Inc., Brookwood Drive & Hillcrest St., Athens, Georgia; Full-fashioned hosiery; 10 percent (T); July 20, 1943.

Knitted Wear

Buffalo Knitting Mills, Applegate Avenue, Pen Argyl, Pennsylvania; Knitted outerwear; 10 learners (E); November 20, 1942.

Hollyvogue Knitting Mills, 1209 East 14th Street, Los Angeles, California; Knitted outerwear; 5 learners (T); July 20, 1943.

Textile

Copland Fabrics, Inc., Burlington, North Carolina; Rayon; 3 learners (T); July 20, 1943.

Edna Mills Corporation, Way and Harrison Streets, Reidsville, North Carolina; Cotton; 3 percent (T); July 20, 1943.

Liberty Throwing Company, Inc., Pringle and Zerby Avenue, Kingston, Pennsylvania; Rayon; 3 percent (T); July 20, 1943.

Liberty Throwing Company, Inc., Walnut and Church Streets, Nanticoke, Pennsylvania; Rayon; 3 percent (T); July 20, 1943.

Signed at New York, N. Y., this 18th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-6912; Filed, July 21, 1942; 10:36 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 715, 738]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF FURTHER POSTPONEMENT OF HEARING

In the matter of temporary foreign air transportation between the United States and Europe by Pan American Airways, Inc.

In the matter of the petition for removal of certain restrictions relating to air transportation between the United States and Europe by Pan American Airways, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that public hearing now assigned to be held on July 22, 1942, is hereby postponed to July 29, 1942, 10 a. m. (Eastern War Time) in the Foyer of the Auditorium, Department of Commerce Building, 14th Street and Constitution Ave. NW., Washington, D. C., before an Examiner of the Board.

Dated Washington, D. C., July 20, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6926; Filed, July 21, 1942; 11:35 a. m.]

INTERSTATE COMMERCE COMMISSION.

ADJUSTMENT OF CONFLICT BETWEEN GENERAL MAXIMUM PRICE REGULATION AND MINIMUM RATE SCHEDULES

NOTICE TO ALL CONTRACT CARRIERS BY MOTOR VEHICLE OR BY WATER SUBJECT TO PARTS II OF III OF THE INTERSTATE COMMERCE ACT

JULY 17, 1942.

The Office of Price Administration, in a communication dated July 11, 1942, addressed to contract carriers subject to the Interstate Commerce Act, has called their attention to the "General Maximum Price Regulation" issued by it on April 28, 1942, pursuant to the provisions of the Emergency Price Control Act of 1942, which is now scheduled to become effective August 1, 1942. In the communication mentioned, the O.P.A. refers to the procedure to be followed in filing applications for amendments to such regulation. The following is quoted from the communication:

> Pursuant to the provisions of the Emergency Price Control Act of 1942, and under the terms of the General Maximum Price Regulation of April 28, 1942, the maximum charges of all carriers other than common carriers are set for each carrier at the highest March [1942] rates for the same service.
>
> Carriers complaining of undue hardship may petition for amendment in accordance with the provisions of Procedural Regulation No. 1, a copy of which may be obtained from any of the Regional Offices listed below or from the Washington Office. Such petitions should include, along with all other pertinent information, a statement of the rates for which authorization is sought and of the highest rates in effect during March, 1942, for the same service.

The regulation above referred to does not set aside or modify the provisions of sections 218 and 306 (e) of the Interstate Commerce Act, which require contract carriers by motor vehicle and by water, respectively, to file with the Commission schedules containing the minimum rates or charges of such carriers actually maintained and charged for transportation in interstate or foreign commerce.

In certain instances there may be a conflict between minimum rates named in the schedules filed with the Commission, and the maximum prescribed in the regulation by the Office of Price Administration. When, by the regulation of the O.P.A. a motor or water contract carrier is required to observe as a maximum the minimum rates or charges set out in the carrier's schedule on file with the Commission, obviously either a new schedule of minimum charges must be filed with the Commission which does not exceed the maximum basis prescribed by the O.P.A., or a conflict with the Emergency Price Control Act of 1942 will be created.

It has seemed to both the Office of Price Administration and to the Commission that it is most desirable that there should be no question of conflict between the price regulations and the Commission's orders as to minimum rates, and that a simple and expeditious procedure should be devised for the determination of a rate fair to the carrier as a minimum and to the shipper as a maximum. This requires cooperation between the two governmental agencies. The plan suggested in the communication of the Office of Price Administration is the result.

Accordingly, whenever the regulation of the O.P.A. requires the observance of a maximum charge lower than that imposed as a minimum by an effective order of this Commission, or whenever a contract carrier considers the facts justify a higher maximum basis than prescribed by the regulation, the contract carrier may file a petition with the Office of Price Administration for amendment of its regulation so as to permit the charging of the higher minimum basis prescribed by the Commission's order or the higher basis justified by the factual situation. Such petitions may be filed before or after the effective date of the regulation, August 1, 1942, but the mere filing of the petition does not set aside the regulation. As time is short, any petition for relief under the amendment should be prepared with care and filed at once.

Arrangements have been made by the Interstate Commerce Commission and the Office of Price Administration for cooperation and expeditious action in passing upon such petitions. Two copies of each petition should be mailed to the Interstate Commerce Commission, Washington, D. C., at the time the petition is sent to the Office of Price Administration. The procedure set forth in "Procedural Regulation No. 1" of the Office of Price Administration will govern the making and filing of the petition for amendment of the regulation as to maximum rates. As stated in the communication addressed to contract carriers by the Office of Price Administration, the petition should include (1) a statement of the rates for which authorization is sought, and (2) of the highest rates in effect during March, 1942, for the same service, together with (3) a complete statement of the facts upon which applicant relies in seeking modification of the regulation.

When contract carriers are required by the regulation to reduce minimum rates or charges now on file on or before the effective date of the Regulation, contract carriers by motor vehicle may use Special Permission No. M-32403 and contract carriers by water may use Special Permission No. 10497 to make such reduced minimum rates or charges effective in schedules filed with the Commission on not less than one day's notice.

If modification of the regulation is made by the Office of Price Administration so as to become effective on the date the regulation becomes effective, these special permissions may be used for making the necessary changes in contract carrier schedules without the filing of individual applications for short notice. But when modification is authorized effective on some later date the special permissions above described may not be used, and application for any short notice desired should be filed in accordance with the Commission's applicable tariff circulars.

In instances as to which the regulation of the Office of Price Administration requires changes in the contracts of contract carriers by motor vehicle now on file with the Commission, pursuant to the Commission's findings and orders in *Contracts of Contract Carriers*, 1 M.C.C. 628, and *Filing of Contracts by Contract Carriers*, 2 M.C.C. 55, new contracts or amendments to existing contracts should be filed promptly.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-6885; Filed, July 20, 1942; 11:38 a. m.]

RESTRICTIONS ON USE OF LIGHTING DEVICES IN COASTAL AREAS

NOTICE TO MOTOR CARRIERS

JULY 20, 1942.

Pending the issuance by the Engineer Board of the Corps of Engineers, United States Army, of general regulations applicable to all areas, various Army commands have issued orders requiring "dimouts" in their respective coastal areas for the protection of shipping and local defense agencies have prescribed regulations designed to aid in effectuating that purpose.

As the orders and regulations referred to have various origins, it is possible they may lack uniformity and that motor carriers may experience some difficulty in fully complying with all requirements. Nevertheless it is the duty of motor carriers subject to the Motor Carrier Safety Regulations, Revised, operating in a coastal area or areas to comply as fully as possible with Army orders and local regulations issued pursuant thereto, effective within such area or areas, which restrict the use of lighting devices, reflectors and emergency signals. Any motor carrier complying with Army orders or local regulations promulgated in furtherance thereof with respect to "dimout" or "blackout" requirements will not be deemed to be in violation of the pertinent regulations of the Commission.

It is important that motor carriers instruct their employees, particularly drivers, in accordance with the terms of this Notice.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-6886; Filed, July 20, 1942; 11:38 a. m.]

JUL 24 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 144

Washington, Thursday, July 23, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

VIRGIN ISLANDS; SUGARCANE WAGE RATES, 1942

Determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1942.

Whereas section 301 (b) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

> That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payments;

and

Whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing in Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during 1942.

Now, therefore, I, Paul H. Appleby, Under Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination:

AUTHORITY: § 802.51, issued under sec. 301 (b) of the Sugar Act of 1937, as amended (50 Stat. 909; 7 U.S.C. 1131 (b)).

§ 802.51 *Fair and reasonable wages for the Virgin Islands for the calendar year 1942.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met if all persons employed on the farm in 1942 in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is or will be made under such act, shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *Harvesting rates.* For all workers engaged in the harvesting of sugarcane: Not less than $1.36 per 8-hour day. For a working day longer or shorter than 8 hours, the rate shall be not less than 17 cents per hour.

(b) *Production and cultivation rates.* For all workers engaged in the production and cultivation of sugarcane: Not less than $1.04 per 8-hour day. For a working day longer or shorter than 8 hours, the rate shall be not less than 13 cents per hour.

(c) *Piece rates.* Persons employed on a piece-rate basis shall be paid at rates which will result in earnings of not less than the applicable hourly rates provided in paragraph (a) or (b) of this section.

(d) *General provisions.* (1) The producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot, and medical services; and the producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(2) Nothing in this determination shall be construed to mean that a producer may qualify for a payment under

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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the said act who has not paid in full the amount agreed upon between the producer and the laborer.

Done at Washington, D. C., this 21st day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 42-6978; Filed, July 22, 1942; 11:39 a. m.]

PART 802—SUGAR DETERMINATIONS

VIRGIN ISLANDS; SUGARCANE PRICES

Determination of fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane.

Whereas section 301 (d) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing at Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane:

Now, therefore, I, Paul H. Appleby Under Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination with respect to the requirements of section 301 (d) of the said act:

AUTHORITY: § 802.53 issued under sec. 301 (d) of the Sugar Act of 1937, as amended (50 Stat. 910; 7 U.S.C. 1131).

§ 802.53 *Fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane.* Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) Purchased sugarcane is paid for at the rate of not less than the f. o. b. mill value of 6 pounds of 96° raw sugar per hundredweight of such sugarcane. The average New York price of 96° raw sugar, for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar (other than bags and bagging, storage in company warehouses, war risk insurance, or any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the federal government of any agency thereof) shall be deemed as the f. o. b. mill value of such sugar.

(b) There is paid, per hundredweight of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced from a hundredweight of sugarcane of the 1942 crop over the net proceeds from the sale of blackstrap molasses produced from a hundredweight of sugarcane from the 1941 crop.

(c) The cost of transportation of purchased sugarcane for distances in excess of one kilometer from the limits of the field where such sugarcane is harvested, or from the way station nearest the field, whichever is shorter, is absorbed by the processor.

Done at Washington, D. C., this 21st day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 42-6979; Filed, July 22, 1942; 11:39 a. m.]

by adding thereto Supplement R-I, § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplement R-II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of the Wilson Mine (Mine Index No. 1428), of H. F. Wilson, for all shipments except truck, for the reasons set forth in the order designating that portion of Docket No. A-1498 relating to such coals as Docket No. A-1498, Part II, and granting, in part, temporary relief therein.

Dated: July 2, 1942.

DAN H. WHEELER,
Acting Director.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 60-69, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

AIRCRAFT IN CONTACT FLIGHT TO CONFORM TO AIRPORT TRAFFIC PATTERN

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of July 1942.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective July 15, 1942, Part 60 of the Civil Air Regulations is amended as follows:

1. By striking § 60.3303 [1] and inserting in lieu thereof the following:

§ 60.3303 *Unassigned.*

2. By striking § 60.344 [2] and inserting in lieu thereof the following:

§ 60.344 *Airport traffic pattern.* Aircraft in contact flight within three miles horizontally of the center of an airport or other landing area shall conform to the circle rule provided in § 60.3301 unless flying at an altitude in excess of 1,500 feet above such airport or other landing area.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6976; Filed, July 22, 1942; 11:32 a. m.]

[Amendment 60-70, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

AIRCRAFT RIGHT-OF-WAY DURING LANDING

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of July 1942.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective July 15, 1942, Part 60 of the Civil Air Regulations is amended as follows:

By striking the phrase "§ 60.3303 (d)" in § 60.3404 and substituting in lieu thereof the phrase "§ 60.3302."

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6975; Filed, July 22, 1942; 11:32 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1498]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in the above-entitled matter; and that the following action is necessary in order to effectuate the purposes of the Act.

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended

[1] 7 F.R. 1077.
[2] 7 F.R. 2532.

EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum

PAYMENTS EXCEPT TRUCK

of code members—Supplement R-I

loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Sub-district No.	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2431	Cardine, Joseph (Fernill Coal Co.)	Dixie	Pittsburgh	3	30	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2434	Fress, M. W. & A. R. Sowers	Fresa & Sowers #7 (Deep)	Pittsburgh	3	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
2001	Martin & Wolfe (Thomas J. Wolfe)	Dore	Pittsburgh	3	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
1625	Morocco & Warren (Tony Morocco)	Maloile (Strip)	Pittsburgh	9	71	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F
2432	Norris, Chas.	Norris	Pittsburgh	1	73	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
2433	Tuel & Jones Coal Co. (Evan Jones)	Pleasant Hills #1 (Strip)	Pittsburgh	7	73	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
188	Union Collieries Company	Renton #5 (W)	Pittsburgh	8	47	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
188	Union Collieries Company	Renton #6 (Id.)	T. Freeport	8	47	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
189	Union Collieries Company	Renton #8 (Id.)	T. Freeport	8	41	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2 PAYMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

§ 322.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Sub-district No.	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2431	Cardine, Joseph (Fernill Coal Co.)	Dixie	Pittsburgh	3	30	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2434	Fress, M. W. & A. R. Sowers	Fresa & Sowers #7 (Deep)	Pittsburgh	3	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
2001	Martin & Wolfe (Thomas J. Wolfe)	Dore	Pittsburgh	3	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
1625	Morocco & Warren (Tony Morocco)	Maloile (Strip)	Pittsburgh	9	71	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F
2432	Norris, Chas.	Norris	Pittsburgh	1	73	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
2433	Tuel & Jones Coal Co. (Evan Jones)	Pleasant Hills #1 (Strip)	Pittsburgh	7	73	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
188	Union Collieries Company	Renton #5 (W)	Pittsburgh	8	47	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
188	Union Collieries Company	Renton #6 (Id.)	T. Freeport	8	47	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
189	Union Collieries Company	Renton #8 (Id.)	T. Freeport	8	41	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B

†Freight Origin Group No. 47 will take the same necessary and permissible adjustments as Freight Origin Groups Nos. 42 and 79.
†Indicates no classification effective for this size group.
•Indicates classifications and prices previously established for this size group.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) of Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 2, 1625, 2437; Group No. 7, 2001, 2431, 2434; Group No. 12, 2432.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ⅜" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Miller, John G.	2430	Miller	Pittsburgh	300	290	280	255	230	230	220	240	200	190	180
BUTLER COUNTY														
Norris, Chas. D.	2432	Norris	M. Kittanning	325	305	285	265	260	245	245	230	190	180	170
FAYETTE COUNTY														
Cinci, Serafino (Cinci Coal Company).	2433	Cinci #3	Pittsburgh	310	300	290	270	250	240	235	240	210	200	185
Fresa, M. W. & A. R. Sowers.	2431	Fresa & Sowers #7 Deep.	Pittsburgh	290	280	270	250	230	220	215	230	205	200	175
Pennsylvania Coal Company (Myers Nobel).	2436	Sandy Ann	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Rugh, Alfred L.	2428	Rugh	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Taylor Coal Co. (Edwin J. Taylor).	2435	Collins	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
GREENE COUNTY														
Cardine, Joseph (Fornill Coal Co.).	2431	Dixie	Pittsburgh	275	265	255	245	230	220	215	220	190	180	165
WESTMORELAND COUNTY														
Horvath Coal Co. (W. G. Horvath).	2421	Horvath	Pittsburgh	280	270	260	245	240	230	210	215	195	185	175

[F. R. Doc. 42-6914; Filed, July 21, 1942; 10:58 a. m.]

[Docket No. A-1501]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R–II, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R–III, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Freight origin group No.	Railroad	Size group Nos.: 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1124	Cornell Coke Company, The (Joseph Pursglove, Jr.).	McDonald	M. V. Freeport	Rock Forge, W. Va.	70	B&O	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
1345	Davisson, Harry E.	Shuttleworth (Strip)	Pittsburgh	Clarksburg, W Va	60	B&O	F	F	F	F	F	F	F	F	F	F	(††)	(††)	(††)	(††)	(††)	(††)
1219	Dearth Coke Company (Lawrence Powell).	Lemley #1 (Strip)	Pittsburgh	Opekiska, W. Va.	60	Monon. River	F	F	F	F	F	F	F	F	F	F	(††)	(††)	(††)	(††)	(††)	(††)
1347	Greer Gas Coal Company	Harley #2	Pittsburgh	Brownton, W. Va.	60	B&O	F	F	F	F	F	F	F	F	F	F	(††)	(††)	(††)	(††)	(††)	(††)
1343	Klink, S. C. & Son (S. C. Klink).	Eleanor	Sewickley	Lowsville, W. Va.	52	Monon	J	J	J	J	J	J	J	J	J	J	(††)	(††)	(††)	(††)	(††)	(††)
1348	McCoy, Robert L.	Jaynes #1	Pittsburgh	Benton Ferry, W. Va.	50	B&O	DE	DE	DF	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
745	McCoy, Robert L.	Jaynes #2	Pittsburgh	Benton Ferry, W. Va.	50	B&O	DE	DE	DF	DE	DE	DE	DF	DF	DF	DF	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
671	Reynolds, W. A.	Reynolds	Coalhurst	Tioga, W. Va.	11	SC&M	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1349	Seritenfield, D. L.	Heldreth (Strip)	Pittsburgh	Everson, W. Va.	61	B&O	F	F	F	F	F	F	F	F	F	F	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
1317	Stout, H. V.	Nancy #2 (Strip)	Pittsburgh	Byron, W. Va.	60	B&O	F	F	F	F	F	F	F	F	F	F	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
1350	Teresa Coal Company, c/o Teresa Oil Co.	Robinson Run #1–A	Pittsburgh	Maidsville, W. Va.	52	Monon	J	J	J	J	J	J	J	J	J	J	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
1351	Teresa Coal Company, c/o Teresa O'Hara.	Robinson Run #1–B	Pittsburgh	Maidsville, W. Va.	52	Monon	F	F	F	F	F	F	F	F	F	F	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
1352	Teresa Coal Company, c/o Teresa O'Hara.	Robinson Run #1–D (Strip).	Pittsburgh	Maidsville, W. Va.	52	Monon	F	F	F	F	F	F	F	F	F	F	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)

†Indicates no classification effective for these size groups.
‡Indicates classifications and prices previously established for these size groups.
For River Shipments Mine Index No. 1210 will take the same prices as mines with index numbers 42, 54, 100, 106, 113, 119, 121, 127, 130, 132, 1226 & 1233 shown in Effective Minimum Price Schedule No. 1 for District No. 3, Docket A–1059, and adjustments thereto.
1152, 1210, 1212, 1232, 1233, 1234 shown in Minimum price Schedule No. 1 for District No. 3, Docket A–1059, and adjustments thereto. For Ex-River Shipments, Mine Index No. 1210 will take the same prices as mines with index numbers 42, 54, 100, 106, no longer be applicable. Shipping point at Clarksburg, W. Va., on the Baltimore & Ohio Railroad shall

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–II.

NOTE: For railroad fuel prices add these mine index numbers to the respective groups set forth in Minimum Price Schedule, Group No. 1: 745, 1345, 1347, 1348, 1349, 1350 (a), 1351 (a), 1352 (a); Group No. 3: 1124; Group No. 4: 1343 (a); Group No. 5: 671.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movements via all lakes*—Supplement R–III. For railroad fuel prices add these mine index numbers to the respective groups set forth in Minimum Price Schedule Group No. 1: 745, 1345, 1347, 1348, 1349, 1350, 1351, 1352; Group No. 3: 1124; Group No. 4: 1343; Group No. 5: 671.

TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

Code member index	Mine index No.	Mine	Seam	County	Size groups: Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size, but over 1¼"	Lump 1¼" and under, egg 1¼" and under, bottom size	All nut and pea 2" and under	Run of mine resultant over 2"	1¼" and 2" slack	¾" slack
					1	2	3	4	5	6	7
Castle, Joseph W	1353	Castle	Bakerstown	Preston	235	235	235	210	210	200	190
Davisson, Harry E	1345	Shuttleworth (Strip).	Pittsburgh	Harrison	223	218	218	193	193	178	168
Greer Gas Coal Company.	1347	Hartley #2	Pittsburgh	Barbour	223	218	218	193	193	178	168
Klink, S. C. & Son (S. O. Klink).	1343	Eleanor	Sewickley	Monongalia	208	203	203	178	178	163	153
McCoy, Robert L	1348	Jaynes #1	Pittsburgh	Harrison	223	218	218	193	193	178	168
Scritchfield, D. L	1349	Heldreth (Strip).	Pittsburgh	Harrison	223	218	218	193	193	178	168
Teresa Coal Company % Teresa O'Hara.	1350	Robinson Run #1-A.	Pittsburgh	Monongalia	223	218	218	193	193	178	168
Teresa Coal Company % Teresa O'Hara.	1351	Robinson Run #1-B.	Pittsburgh	Monongalia	223	218	218	193	193	178	168
Teresa Coal Company % Teresa O'Hara.	1352	Robinson Run #1-D (Strip).	Pittsburgh	Monongalia	223	218	218	193	193	178	168

[F. R. Doc. 42–6917; Filed, July 21, 1942; 10:56 a. m.]

[Docket Nos. A–1489 and A–1502]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that the above-entitled matters raise similar and related issues; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–II, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 328.42 (*General prices for low volatile coals*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Price classifications and minimum prices are established herein for the coals of the Browning Coal Company mine of G. E. Browning for all shipments except truck under Mine Index No. 830, instead of under Mine Index No. 2336, as proposed in the original petition in Docket No. A–1489 for the reason that records of the Division indicate that Mine Index No. 830 is the correct mine index number for this mine.

The relief prayed in the original petition in Docket No. A–1489 is not granted herein as to the coals of the Derifield Mine (Mine Index No. 2538) of Arthur Derifield for truck shipments for the reason that such relief has already been granted the mine in Supplement No. 2 for the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments, when it was known as the McBrayer Mine and operated by Ward McBrayer.

The original petitioner in Docket No. A–1489 proposed a minimum price of $2.35 for the coals of Mine Index No. 5577 in Size Group 4 for truck shipments. Since it appears that a minimum price of $2.25 has been established in Size Group 4 for comparable and analogous coals, and since the petition does not allege any facts in support of the proposed minimum price of $2.35 for the Size Group 4 coals of Mine Index No. 5577, a minimum price of $2.25 has been established by the Order herein for the coals of this mine.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

DISTRICT NO. 8

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27	Mine index No.
Baker, Grady G	G. B. Coal Co	Clintwood	7	Fremont, Va.[1]	C&O	10	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	3222
Blevens, Matt	Blevens	Lilly	6	Eastern Bermudi, Ky.	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	1704
Boggess, J. L. (Willard Coal Company).	Willard	No. 7	1	Hitchins, Ky.[1]	C&O	61	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	567
Browning, G. E.	Browning C. Co.	Clintwood	7	Fremont, Va.	C&O	10	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	830
Bryant, W. & Claud Foley.	Bryant & Foley	Jellico	6	Saxton, Ky	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5167
Collins & Merrill Coal Company (George E. Evans, Jr.).	Collins No. 4	Elkhorn No. 3	1	Garrett, Ky	C&O	61	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5591
Collins & Merrill Coal Company (George E. Evans, Jr.).	Collins No. 5	Elkhorn No. 3	3	Garrett, Ky.[1]	C&O	61	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	811
Cutsinin Coal Co	Cutsinin No. 14	No. 4	6	Combs, Ky	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5599
Dale, Walter	Toney	No. 2 Gas	4	Peyton, W. Va	C&O	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	3314
Ewing, Green	Green Ewing	Hazard No. 7	3	Dwarf, Ky	L&N	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5558
Fuson, Wells D	Fuson & Sing	Straight Creek	6	Pineville, Ky	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	1659
Greene, A. M	Wilton-Jellico No. 40.	Jellico	6	Woodbine, Ky.[1]	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	1679
Greene, A. M	Wilton-Jellico No. 50.	Jellico	6	Woodbine, Ky	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5577
Jaeina, Frank	Looney Creek	"B"	2	Cumberland, Ky	L&N	80	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	3160
Jessee & Johnson (C. B. Jessee).	Jessee & Johnson	Lower Banner	7	Allen, Va	C&O	10	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	903
Lower Banner Coal Co. (W. C. Thomas).	Lower Banner C. Co.	Lower Banner	7	Coeburn, Va	N&W	30	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5592
Melva Coal Company, The (O. R. Martin).	Melva No. 4	Elkhorn No. 1 & 2.	1	Drift, Ky	C&O	61	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5463
Melva Coal Company, The (O. R. Martin).	Melva No. 5	Elkhorn No. 1	1	Drift, Ky	C&O	61	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5462
Moses, J. W.	Moses	River Gem	6	Savoy, Ky	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5307
Moses, L. J. & Hillery (Hillery Moses).	Moses Mine	Blue Gem	6	Jellico, Tenn	L&N and Sou.	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	2900
Moyers, Byrd	Moyers No. 3	Mason	6	Kelos, Ky	L&N and Sou.	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	1589
Moyers, Byrd	Moyers No. 2	Mason	6	Kelos, Ky	L&N and Sou.	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	2585
Owens, P. A	Owens	Jellico	6	Woodbine, Ky	L&N	111	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5559
Parsons, Haven R. (Parsons Mine).	Parsons	No. 3	7	Manns, Va	N&W	20	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	2181
Quick Flame Coal Company (Herbert Ayers).	Quick Flame	Mason	6	Kelos, Ky	L & N and Sou.	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	5882
Reedy, R. L. (Reedy Coal Company)	Reedy	Upper Banner	7	Swords Creek, Va	N&W	190	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	2246
Red Jacket Coal Corporation.	Junior	Cedar Grove & Thacker.	8	Matewan, W. Va	N&W	130	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	267
Red Jacket Coal Corporation.	Mitchell Branch	Cedar Grove	8	Matewan, W. Va	N&W	130	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	335
Red Jacket Coal Corporation.	No. 32 Top	Cedar Grove	8	Matewan, W. Va	N&W	130	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	396
Red Jacket Coal Corporation.	No. 32 Bottom	Thacker	8	Matewan, W. Va	N&W	130	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	395
Robbins, R. A	Gobbiers Knob	Kelly	7	Norton, Va	N&W and L&N	205	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	2536
Shelter & Britton (I. M. Shelter).	Shelter & Britton	Hignite	6	Kelos, Ky	L&N and Sou.	113	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	1536

Footnotes on page 5634.

§ 328.11 *Alphabetical list of code members*—Supplement R–I—Continued

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
5578	Taylor Coal Company (M. G. Taylor).	Taylor	Mason	6	Ferndale, Ky.	L&N	111	O	O	K	J	G	E	G	D	E	J	(†)	(†)	(†)	(†)	(†)	(†)	O	M	K	F	C	C	G	M	J	(†)	(†)	(†)	(†)	(†)
5549	Taylor, J. H	Taylor	Straight Creek	6	Pineville, Ky.	L&N	111	F	F	E	D	C	C	A	B	C	H	(†)	(†)	(†)	(†)	(†)	A	F	F	E	C	B	C	A	J	H	(†)	(†)	(†)	(†)	A
3663	Tye, Marshall	Tye	Blue Gem	6	Pleasant View Ky.	L&N	111	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	A	A	A	A	A	A	C	D	K	(†)	(†)	(†)	(†)	(†)
2678	Vernon & Hooker (J. W. Vernon).	Vernon & Hooker	Widow Kennedy.	7	Swords Creek, Va.	N&W	20	K	K	E	E	E	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	K	K	E	C	B	B	E	M	K	(†)	(†)	(†)	(†)	(†)
422	Virginia Jellico Coal Company, Inc.	King Mountain #2	Jellico	6	Clairfield, Tenn.	L&N and Sou.	113	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(*)	(*)	(*)	A	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(*)	A
5550	Wallen, French & Noe (W. E. Wallen).	Lilly Block	Horse Creek	6	Corbin, Ky.	L&N	111	M	M	K	J	G	E	G	E	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	G	E	E	G	M	K	(†)	(†)	(†)	(†)	(†)
2111	Walt, Fred	George Watts	No. 3	6	Robbins, Tenn.	Sou.	70	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)

[1] Denotes new shipping point. Shipping Point at Allen, Va., shall no longer be applicable.
[2] Denotes new shipping point. Shipping Point at Mt. Savage, Ky., shall no longer be applicable.
[3] Denotes new shipping point. Shipping Point at Lackey, Ky., shall no longer be applicable.
[4] Denotes new shipping point. Shipping Point at Grays, Ky., shall no longer be applicable.
*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

§ 328.21 *Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having *railway* loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group Nos. 1	2	3	4	5	6	7	8	9	10
1457	McClung, B. A.	McClung	9	Sewell	Quinwood, W. Va.	C&O and NYC	231	D	D	C	A	A	B	B	C	C	(†)
3058	Russ & Stilwell (S. W. Stilwell)	Russ & Stilwell	9	Raven Red Ash	Red Ash, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H
5598	Short & Russ (C. E. Russ)	Short & Russ	9	Red Ash	Red Ash, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H
5122	Webb & Vance (Neely Webb)	Webb & Vance	9	(Raven) Red Ash	Red Ash, Va.	N&W	21	C	C	D	D	A	A	A	A	H	H

†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under egg 3" x 6"	Lump ¾" and under, egg 3" x 6"	Egg 2" x 1", egg 2" x 3"	Stove 3" and under nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
BOYD COUNTY, KY.											
Erwin, W. M.	Erwin (Cossett)	5575		265	245	210	220	205	200	150	145
Collins & Merritt Coal Company (George E. Evans, Jr.).	Collins No. 4	5591	Elkhorn No. 3	285	265	225	230	215	215	165	160
Melva Coal Company, The (G. R. Martin).	Melva No. 4	5463	Elkhorn No. 1 & 2.	285	265	225	230	215	215	170	165
Melva Coal Company, The (G. R. Martin).	Melva No. 5	5462	Elkhorn No. 1	285	265	225	230	215	215	170	165
GREENUP COUNTY, KY.											
Bartram, Marve A.	Bartram	5565	Clod	265	245	210	220	205	200	150	145
Picklesimer, Milt	Picklesimer	5560	Clod	265	245	210	220	205	200	150	145
White, Elzie	Witten No. 1	5564	No. 7 (Clod)	265	245	210	220	205	200	150	145
White, Elzie	Witten No. 2	5576	No. 7 (Clod)	265	245	210	220	205	200	150	145
Woods, George	Woods	5561	Clod	265	245	210	220	205	200	150	145
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Pace, P. E.	Pace	5590	Harlan	270	250	225	230	210	215	175	170
SUBDISTRICT NO. 5—LOGAN											
WYOMING COUNTY, W. VA.											
Eastern Gas & Fuel Associates (Koppers Coal Division)	Kopperston No. 1	530	Eagle	(*)	(*)	(*)	(*)	215	(*)	(*)	(*
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY.											
Garrison, Brodis B.	Virginia Sue	5553	Straight Creek	295	275	225	245	215	215	165	160
Quick Flame Coal Co. (Herbert Ayers).	Quick Flame	5582	Mason	285	265	220	240	215	210	155	150
Taylor Coal Company (M. G. Taylor).	Taylor	5578	Mason	255	235	215	220	205	205	145	140
Taylor, J. H.	Taylor	5549	Straight Creek	295	275	225	245	215	215	165	160
KNOX COUNTY, KY.											
Owens, P. A.	Owens	5559	Jellico	235	235	225	225	205	215	155	150
Warren, Lee & Andy Roberts (Lee Warren).	Warren & Roberts.	5551	Blue Gem	335	315	235	260	225	225	145	140
LAUREL COUNTY, KY.											
Wallen, French & Noe (W. E. Wallen).	Lilly Block	5550	Horse Creek	265	245	220	220	205	210	155	150
LESLIE COUNTY, KY.											
Cutshin Coal Co.	Cutshin No. 14	5599	No. 4	275	255	220	225	205	210	155	150

*Indicates previously classified these size groups.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under egg 3" x 6"	Lump ¾" and under, Egg 2" x 4", egg 2" x 3"	Stove 3" and under nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Continued											
WAYNE COUNTY, KY.											
Denney, Lee		5552	No. 3	255	235	215	210	200	205	155	150
WHITLEY COUNTY, KY.											
Greene, A. M.	Wilton-Jellico No. 50.	5577	Jellico	255	235	225	225	205	215	155	150
CAMPBELL COUNTY, TENN.											
Morgan Coal Company (Newton Morgan).	Morgan Mine	5537	Blue Gem	335	315	235	260	225	225	155	150
SUBDISTRICT NO. 7—VIRGINIA											
RUSSELL COUNTY, VA.											
Davis, T. W.	T. W. Davis #2	5617	Widow Kennedy	275	255	220	240	225	210	155	150
WISE COUNTY, VA.											
Lower Banner Coal Co. (W. C. Thomas).	Lower Banner C. Co.	5592	Lower Banner	265	245	220	220	215	210	155	150

FOR TRUCK SHIPMENTS

§ 328.42 *General prices for low volatile coals*—Supplement T–II

Code member index	Mine	Mine index No.	Seam	All Lump: Eggs Larger than 3" Top	Stoves: 3" Top Size	Nut or Pea: 1¼" Top or Less	Screened M/R	Straight M/R	1¼" Screenings	¾" Screenings
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS											
TAZEWELL COUNTY, VA.											
Short & Russ (C. E. Russ)	Short & Russ	5595	Red Ash	305	305	300	250	280	215	155	150

[F. R. Doc. 42-6918; Filed, July 21, 1942; 10:57 a. m.]

(60) days from the date of this Order, unless it shall otherwise be ordered.

It appears that the M. B. Rose Mine (Mine Index No. 49) of M. B. Rose was heretofore erroneously listed as in the No. 6 seam and that consequently price classifications and minimum prices applicable to the coals of mines in the No. 6 seam were established for Mine Index No. 49 in General Docket No. 15. Mine Index No. 49 is actually in the No. 9 seam and accordingly price classifications and minimum prices applicable to the coals of mines in the No. 9 seam are established herein for Mine Index No. 49.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine Index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
[1] 1014	Ford, Sam	Sam	9	10	Beaver Dam	[10]
[1] 1011	Hale, Sam Ed	Hale	9	10	Greenville	[10]
[2] 49	Rose, M. B.	M. B. Rose	9	10	Charleston	[10]
[2] 841	Tradewater Valley Coal Co.	Tradewater Valley	6	10	Dawson Springs	[10]

[1] The f. o. b. mine prices for coal shipped by Mine Index Nos. 1014, 1011, 49 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Price Schedule for District No. 9, for All Shipments Except Truck for any use, including Railroad Locomotive Fuel and Bituminous Coal Consumed by Employees, contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto, the prices shown for Dawson Daylight Coal Company, Dawson Daylight No. 6 mine, Mine Index No. 10, in Price Schedule for District No. 9, for All Shipments Except Truck.

[2] The f. o. b. mine prices for coal shipped by Mine Index No. 841 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Tradewater Valley Coal Co., Tradewater Valley Mine, Mine Index No. 6 in Price Schedule for District No. 9, for All Shipments Except Truck.

TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1,2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	17	18, 19, 20	21, 22	23, 24	25	26, 27	28, 29
HOPKINS COUNTY																					
Rose, M. B.	49	M. B. Rose	#9	205	195	185	175	170	160	160	150	140	110	80						120	115
MUHLENBERG COUNTY																					
Hale, Sam Ed	1011	Hale	#9	205	195	185	175	170	160	160	150	140	110	80						120	115
OHIO COUNTY																					
Ford, Sam	1014	Sam	#9	205	195	185	175	170	160	160	150	140	110	80						120	115

[F. R. Doc. 42-6915; Filed, July 21, 1942; 10:57 a. m.]

[Docket No. A-1493]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, except as to the coals of the M. B. Rose Mine (Mine Index No. 49) of M. B. Rose with respect to which the temporary relief herein granted shall become effective ten (10) days from the date of this order, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[Docket No. A-1513]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, as amended, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10 for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this "Supplement T" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION No. 3																		
HENRY COUNTY																		
Crescent Coal Co. No. 2 (Daniel Bates).	1580	Crescent Coal Co. #2	6	255	250	245	235	230	225	185	165	160	155	155	155	125	115	60
SECTION No. 5																		
M'DONOUGH COUNTY																		
Willey, Eli	1582	Eli Willey #2	2	255	250	245	235	230	225	170	165	160	155	155	155	125	115	60
SCHUYLER COUNTY																		
Shanks, Archie	1583	Archie Shanks #2	2	255	250	245	235	230	225	170	165	160	155	155	155	125	115	60

[F. R. Doc. 42-6916; Filed, July 21, 1942; 10:56 a. m.]

[Order 340 Amending Order 303]

PART 301—RULES OF PRACTICE AND PROCEDURE

SERVICE BY MAIL; NUMBER OF COPIES REDUCED

On September 26, 1940, (5 F.R. 3874) Order No. 303 entitled "An Order Providing For Expeditious Establishment of Temporary Effective Minimum Prices For Coal For Which Minimum Prices Have Not Been Established in General Docket No. 15 or General Docket No. 15-A; And Providing That No Code Acceptance Filed On And After October 1, 1940, Shall Become Effective Until 30 Days After Its Filing Unless Minimum Prices, Temporary Or Final, Are Established By The Division For Coal Of Acceptant's Mine" was issued.

Section 301.118 of this order provides that "Copies of petitions or recommendations in connection with Code members' petitions which are filed by a District Board with the Division pursuant to this order shall be served by mail, on or before the date such petitions or recommendations are filed with the Division, upon all other District Boards and upon each Code member whose mine is located within the district."

In the interest of conserving paper, postage, and related expenses, it appears desirable and proper for the said section to require petitions or recommendations filed by District Boards with the Bituminous Coal Division to be served by mail only upon all other District Boards and upon each code member whose name appears in the petition or recommendation, or in accompanying supplements; rather than upon all other District Boards and upon all code members whose mines are located in the districts of the petitioners.

Accordingly, it is ordered, That:

Commencing ten (10) days from the issuance of this order, § 301.118 of Order No. 303 should be, and hereby is, amended to read, as follows:

§ 301.118 *Service.* Copies of petitions or recommendations in connection with Code members' petitions which are filed by a District Board with the Division pursuant to this order shall be served by mail, on or before the date such petitions or recommendations are filed with the Division, upon all other District Boards and upon each Code member whose name appears in the petition or recommendation, or in accompanying supplements. (Sec. 2 (a), 50 Stat. 72, 15 U.S.C. Supp. Sec. 829 (a)).

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-6971; Filed, July 22, 1942; 11:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 95]

FILING FOLDER

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 54, entitled "Filing Folder," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY, *Director.*

APRIL 13, 1942.

[F. R. Doc. 42-6935; Filed, July 21, 1942; 2:10 p. m.]

[1] Filed as part of the original document.

Chapter VIII—Board of Economic Warfare

[Amendment No. 10]

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

WATCHES WITH JEWELS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	*Gen. Lic. Group*
Watches, with jewels	1, 47

This amendment shall become effective July 18, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: July 18, 1942.

F. R. KERR,
Chief, Exports Control Branch,
Office of Exports.

[F. R. Doc. 42-6927; Filed, July 21, 1942; 12:29 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 2 of General Imports Order M-63, as Amended June 2, 1942]

1. Section 1042.1 *General Imports Order M-63*, as Amended June 2, 1942[2] is hereby amended by making the following changes in List I, List II, and List III:

Change	Material	Commerce import class No.
Add to List I	Silver:	
	Ores and base bullion, valuable chiefly for silver content.	6819.5
	Concentrates, valuable chiefly for silver content.	[1] N.S.C.
	Bullion, refined	6819.6
	Coin, foreign	6819.8
	Sweepings and scrap, including silver sulphides.	6819.9
	Semi-processed items, valuable chiefly for silver content.	[1] N.S.C.
	Compounds, mixtures, and salts, valuable chiefly for silver content.	[1] N.S.C.
Move from List I to List II.	Balsa wood:	
	Logs	4029.1
	Sawed boards, planks, deals, and sawed timber.	4118.0
Move from List I to List III.	Cottonseed oil fatty acids.	226.22
	Hempseed	2238.0
	Sesame seed	2234.0
	Sunflower seed	2240.0
	Wool (apparel, finer than 44's). On the skin.	3521.0

[1] 7 F.R. 4952, 5080, 5115, 5343.
[2] 7 F.R. 4199, 4404, 4878.

Change	Material	Commerce import class No.
Add to List II	Cottonseed hull fibre	[1] N.S.C.
	Goat and kid skin furs	0711.4
	Mahogany, rough (not further manufactured than sawed).	4202.1
	Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved).	4204.1
	Mica splittings	5561.7
Move from List II to List III.	Rapeseed	2237.0
Add to List III	Agave carpet yarns, dyed or undyed.	[1] N.S.C.
	Lamb and sheep fur	0711.3
	Hempseed oil	226.03
	Sesame oil	1428.2; 2249.0
	Fatty acids and salts from animal oils.	[1] N.S.C.
	Hydrogenated or hardened oils and fats, vegetable or animal.	226.10
	Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for.	226.12
	Fatty acids, not specifically provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified	
	Linseed oil	226.21
	Soybean oil	226.23
	Other not elsewhere specified.	226.24
	Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere specified, or from fatty acids thereof.	226.26
	Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified.	226.28
	Vegetable soapstock	[1] N.S.C.
	Other vegetable oil foots	[1] N.S.C.
	Tea, not specially provided for.	1521.0

[1] N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

2. This amendment shall take effect on July 21, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6943; Filed, July 21, 1942; 3:54 p. m.]

PART 933—COPPER

[Supplementary Conservation Order M-9-c-4]

§ 933.15 *Supplementary Conservation Order M-9-c-4*—(a) *Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy metal. It shall include alloy metal produced from scrap.

(3) "Copper or copper base alloy pipe or tubing" means any pipe, tube or tubing into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 5% of copper or copper base alloy by weight).

(4) "Copper or copper base alloy building material" means any of the following items, whether fabricated or unfabricated, into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 5% of copper or copper base alloy by weight):

Grilles
Gutters, leaders, downspouts, expansion joints and accessories thereto.
Mouldings.
Nails
Ornamental metal work.
Railings.
Reglets.
Roof, roofing, flashing valleys, and other roofing items.
Sheet, roll, and strip for building construction.
Stair and threshold treads.
Terrazzo strips.
Termite shields.
Weatherstripping and insulation.

(For copper and copper base alloy screening, see Conservation Order M-9-c (§ 933.4) as amended April 9, 1942 and May 7, 1942.)

(5) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap.

(6) "Scrap" means all copper or copper base alloy materials or objects which are the waste or by-product of industrial fabrication or which have been discarded on account of obsolescence, failure or other reason.

(7) "To install in or connect to a building" means to attach or build material to or into a structure but does not mean to attach or build material to or into a machine, heater, refrigerator or other device which itself has been or may be attached or built into the structure.

(b) *Restrictions on installation.* Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, on and after July 22, 1942, no person shall install in or connect to a building any copper or copper base alloy pipe or tubing for use as a service line or for plumbing or heating purposes and no person shall install in or connect to a building any copper or copper base alloy building material, except that:

(1) Any person may install in or connect to a building copper or copper base alloy pipe, tubing or building material in an aggregate amount not in excess of 25 pounds for each necessary repair of a building provided that such pipe, tubing or building material is used to repair or replace copper or copper base alloy pipe, tubing or building material; and

(2) Any person may install in or connect to a building any copper or copper base alloy pipe, tubing or building material purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Coast Guard, or the Panama Canal: *Provided, however*, That nothing in this order shall supersede any applicable instructions to any officers of the foregoing, including without limitation the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy or of the List of Prohibited Items for Construction Work dated April 1, 1942, issued by the Army and Navy Munitions Board, as amended from time to time; and

(3) Any person may install in or connect to a building any copper or copper base alloy pipe, tubing or building material upon the written authorization of the Director General for Operations authorizing the specific installation. Applications for such authorization may be made by letter setting forth the reasons why the person believes such material should be installed in or connected to a building.

(c) *Restrictions on delivery.* Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, on and after July 22, 1942, no person shall deliver any copper or copper base alloy pipe, tubing or building material for the purpose of installation in or connection to a building, as such operation is defined in paragraph (a) (7) hereof, otherwise than as permitted by paragraph (b) of this order, and no person shall accept delivery thereof for such a purpose. The foregoing shall not prevent

(1) Delivery to, or acceptance of delivery by, a scrap dealer or a brass mill; or

(2) Delivery to, or acceptance of delivery by, Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Act as amended (except Defense Plant Corporation) or any person acting as agent for any such corporation (except Defense Plant Corporation); or

(3) Delivery to, or acceptance of delivery by, any person of any copper or copper base alloy pipe, tubing or building material upon the written authorization of the Director General for Operations authorizing the specific delivery. Applications for such authorization may be made by the person seeking to make delivery, by letter setting forth the reasons why the Person believes such material should be delivered.

(d) *Communications to the War Production Board.* All requests for authorizations and communications referring to this Order, shall, unless otherwise directed, be addressed to: War Production Board, Copper Branch, Washington, D. C. Ref: M-9-c-4.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6964; Filed, July 22, 1942; 11:10 a. m.]

PART 942—COTTON LINTERS AND HULL FIBRE

[General Preference Order M-12, as Amended July 22, 1942]

"Part 942—Cotton Linters" is hereby amended to read "Part 942—Cotton Linters and Hull Fibre."

Section 942.1 *General Preference Order M-12*, as amended and extended[1] is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton linters and hull fibre, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 942.1 *General Preference Order M-12*—(a) *Definitions.* For the purposes of this order:

(1) "Cotton linters" means the residual fibres removed by mechanical process from cottonseed and produced in three qualities commonly referred to as "mill runs," "first cuts" and "second cuts."

(2) "Hull fibre" means the fibres removed by mechanical process from cottonseed hulls.

(3) "Motes" means the fibrous waste materials resulting principally from the moting operation of linter machines.

(4) "Chemical cotton pulp" means pulp manufactured by chemically purifying cotton linters or hull fibre, sometimes described as "cotton linter pulp" or "cottonseed hull shavings pulp."

(5) "Producers of chemical cotton pulp" means those persons specifically designated as such by the Director General for Operations of the War Production Board.

(6) "Mill" means any plant producing cotton linters, hull fibre or motes.

(b) *Restrictions on delivery and use.* (1) On and after August 1, 1942, no person shall deliver cotton linters or hull fibre to any person other than producers of chemical cotton pulp and no person other than such producers shall accept delivery of or use cotton linters or hull fibre subject to the exemption provided for in paragraph (b) (3) and to the provisions covering special permits set forth in paragraph (e).

(2) Producers of chemical cotton pulp shall use cotton linters and hull fibre only in the manufacture of chemical cotton pulp;

(3) The restrictions provided for in paragraph (b) (1) and (b) (2) hereof shall not apply to delivery, acceptance of delivery or use of cotton linters or hull fibre acquired prior to August 1, 1942: *Provided, however*, That any such delivery, acceptance of delivery or use shall be subject to all restrictions with respect thereto imposed under General Preference Order M-12 as in effect prior to this amendment.

(c) *Compulsory acceptance of orders.* Each producer and each importer of cotton linters and/or hull fibre shall, to the extent of his production or importation, fill all orders of producers of chemical cotton pulp for cotton linters and/or hull fibre, in the order in which received and without regard to preference ratings, at not to exceed regularly established prices and terms of sale or payment.

(d) *Production of cotton linters, hull fibre and motes.* (1) Each producer of cotton linters, hull fibre or motes shall comply with such directions as may be given from time to time by the Director General for Operations of the War Production Board with respect to the operation of his mill, which directions shall be based primarily upon insuring that each mill shall be so operated that the maximum quantity of cotton linters shall be recovered from the cottonseed processed; that each mill shall produce cotton linters or hull fibre only of such quality as shall be suitable for use by producers of chemical cotton pulp and that motes, if produced, shall not contain any cotton linters or hull fibre which could be removed by the efficient operation of the mill;

(2) If both first cuts and second cuts are produced at any mill, the production of first cuts during any month shall not exceed 20% of the total production of cotton linters and hull fibre for the month;

(3) First cuts, second cuts, mill runs, hull fibre and motes shall be baled separately.

(e) *Special permits.* Special authorization for delivery, acceptance of delivery and use of cotton linters and hull fibre may be granted by the Director General for Operations upon application of any person affected by this order in, among others, the following cases:

(1) To permit delivery and use of imported cotton linters equal to United States Grade No. 3, purchased on or prior to November 5, 1941;

(2) To permit delivery and use of imported cotton linters equal to United States Grade No. 2 or higher;

(3) To permit delivery and use of domestic cotton linters obtained by the delinting of cottonseed used for planting purposes.

(f) *Grading of imports.* Each person, other than the United States Government or any agency thereof or a pro-

[1] 6 F.R. 4212, 4710, 5648.

ducer of chemical cotton pulp, importing cotton linters, hull fibre or motes into the United States shall cause all imported cotton linters, hull fibre and motes to be sampled and graded in accordance with instructions, rules and regulations of the Board of Cotton Linters Examiners of the United States Department of Agriculture.

(g) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations, each person producing cotton linters, hull fibre or motes shall file Form PD–110 (Revised 8–1–42) in the manner prescribed therein on or before September 5, 1942, and on or before the 5th day of each month thereafter.

(h) *Notification of customers.* Producers and distributors of cotton linters, hull fibre or motes shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(i) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of cotton linters, hull fibre or motes, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C.—Ref: M–12. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6966; Filed, July 22, 1942; 11:11 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 2 to Priorities Regulation 10]

Section 944.31 *Priorities Regulation No. 10*,[1] paragraph (a) (2) is hereby amended to read as follows:

(2) All purchase orders or contracts placed prior to July 1, 1942, calling for delivery after July 31, 1942. Any person who has placed such a purchase order or contract may at any time hereafter, and shall, as soon as possible, and in any case, before August 31, 1942, notify the person with whom such purchase order or contract has been placed of the symbols applicable thereto.

(P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6965; Filed, July 22, 1942; 11:12 a. m.]

PART 1015—CELLOPHANE AND SIMILAR TRANSPARENT MATERIALS DERIVED FROM CELLULOSE

[Amendment 1 to Limitation Order L–20 as Amended June 8, 1942]

Section 1015.1 (*Limitation Order L–20*, as amended June 8, 1942) [2] is hereby amended as follows:

Subparagraph (27) of paragraph (b) is hereby amended to read as follows:

(27) All window cartons, except for food products.

Paragraph (b) is hereby amended to add the following subparagraph (28):

(28) All carton overwraps where used as a protection for the carton rather than for the product itself.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6961; Filed, July 22, 1942; 11:10 a. m.]

PART 1046—SUPPLIERS

[Exemption 6 to Suppliers' Inventory Limitation Order L–63]

§ 1046.9 *Exemption 6 to Suppliers' Inventory Limitation Order L–63.*[3] (a) Pursuant to paragraph (b) (6) of Suppliers' Inventory Limitation Order No. L–63 as amended, the Director General for Operations hereby exempts from the provisions of said order, the types of material set forth in paragraph (b) of this exemption.

Accordingly, it is not necessary for Suppliers to include in the monthly record and report required by paragraph (e) of said Order L–63, those materials set forth in paragraph (b) hereof.

Also, the inventory limitations imposed by paragraphs (b) (1) and (b) (2) of said Order L–63, are not applicable to said materials but are applicable to other materials falling within the definitions of supplies in said order.

(b) This exemption is applicable to

(1) Functional replacement parts for machinery and equipment: *Provided*, That in no event shall the distributor accept delivery of any such parts where his inventory thereof is, or will by virtue of such delivery become in excess of six times his sales during the second preceding calendar month.

(2) Machinery or equipment which is purchased by the supplier at a cost per unit in excess of $500.

(3) Any material which is subject to rationing by the Office of Price Administration. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6962; Filed, July 22, 1942; 11:10 a. m.]

PART 1149—IMPORTED EGYPTIAN COTTON

[Amendment 1 to Conservation Order M–117]

Section 1149.1 (*Conservation Order M–117* [1]) is hereby amended to read as follows:

§ 1149.1 *Conservation Order M–117*—(a) *Definitions.* For the purposes of this order:

(1) "Reserved Egyptian cotton" means raw cotton in unopened bales (including bales opened only for sampling or testing) of the following specifications:

Variety, Giza 7. Grade: "Good to Fully Good" and better. Staple: Nothing below "Good" staple.
Variety, Sudan.
Variety, Sakha 4.
Variety, Sakellaridis.
Variety, Malaki (Giza 26).
Variety, Karnak (Giza 29). All five varieties with grade—"Fully Good" and better and staple—nothing below "Good" staple.

in accordance with the recognized Egyptian standards of gradings: *Provided, however*, That with respect to Egyptian cotton heretofore imported into the United States, the term "Reserved Egyptian Cotton" shall include any Giza 7 cotton grading "good to fully good" and better and having a staple length of nothing below 1 5/16" staple, and any of the other five above-mentioned varieties grading "fully good" and better and having a staple length of nothing below 1 7/16" staple.

(2) "Stitching thread" means finished cotton thread used for stitching, including home sewing, in which reserved Egyptian cotton has heretofore been customarily used and shall also include any cotton yarns, single or plied and having a thread twist, in which such cotton has heretofore been customarily used, sold to another person to be manufactured solely into finished stitching thread, but shall not include crochet, embroidery or other fancy threads in which reserved Egyptian cotton may have heretofore been used.

(3) "Import" means to transport in any manner into the continental United States from any foreign country, and for purposes of this order, Egyptian cotton shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(b) *Restrictions on sales, deliveries and use of reserved Egyptian cotton imported into the United States prior to July 27, 1942.* (1) No person shall put into process sell or deliver any reserved Egyptian cotton imported into the United States prior to July 27, 1942, except for the purpose of filling the following categories of purchase orders:

(i) Defense orders for fabrics or items specifically requiring the use of reserved Egyptian cotton by the terms or specifications (including performance specifications) of the prime contract involved.

(ii) For use in the manufacture of stitching thread, subject, however, to the limitations of paragraph (d).

(2) No person shall sell or deliver any reserved Egyptian cotton imported into the United States prior to July 27, 1942, unless he shall have first received from the purchaser a certificate signed by such purchaser or by a person authorized to sign in his behalf in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board, subject to the provisions of Section 35 (A) of the United States Criminal Code (18 U.S.C. 80) that the reserved Egyptian cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M–117 for such cotton and for no other purpose; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purpose by the said order. This purchase order is for reserved Egyptian cotton imported into the United States prior to July 27, 1942.

Name of purchaser
By ---
(Authorized person)

Title
Date ---

(c) *Restrictions on sales, deliveries and use of reserved Egyptian cotton hereafter imported into the United States.* (1) No person, unless specifically authorized by the Director General for Operations, shall use, sell, deliver, purchase or accept delivery of reserved Egyptian cotton imported into the United States after July 27, 1942.

(2) Applications for authority to use, sell, deliver, purchase or accept delivery of any reserved Egyptian cotton hereafter imported into the United States shall be made by letter addressed as provided in paragraph (i) stating the number of bales covered by the application, the number of bales of such cotton on hand, the use to which such cotton is to be put, and the number of the contract and the originating Government agency on any purchase order therefor other than for use in the manufacture of stitching thread. No applications will be granted except pursuant to paragraph (f) for any use other than for physical incorporation into material or equipment to be manufactured on defense orders or for the manufacture of stitching thread.

(3) Notwithstanding the provisions of subparagraphs (1) and (2) such reserved Egyptian cotton may be used, sold, delivered, purchased and delivery thereof accepted upon purchase orders for such cotton:

(i) Placed on or before September 30, 1942, for physical incorporation into material or equipment to be delivered to, or for the account of, the Army or Navy of the United States or the United States Maritime Commission but only in the minimum amount required to meet the specifications (including performance specifications) of the prime contract involved: *Provided*, That the vendee shall furnish to the vendor prior to any delivery thereunder a certificate in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that he is entitled to the delivery of the reserved Egyptian cotton, covered by the annexed purchase order, pursuant to the terms of paragraph (c) (3) (i) of Conservation Order No. M–117.

Name of purchaser
By ---
(Authorized individual)

(ii) For delivery to the Board of Economic Warfare, the Commodity Credit Corporation or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(d) *Restrictions on the manufacture of stitching thread.* No person shall, during the period from July 1, 1942, to and including December 31, 1942, or, if his books are so kept, and he so elects, during the period from July 1, 1942, to and including January 2, 1943, use more reserved Egyptian cotton in the manufacture of stitching thread than 37½ percent of the amount of such cotton used by him during the year 1941 for the same purposes.

(e) *Grading.* The Director General for Operations may require that any lot of Egyptian cotton entered into the United States after July 1, 1942, be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board which may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton sample whereof has been so submitted, is or is not reserved Egyptian cotton. If upon the examination of any Egyptian cotton entered into the United States after July 1, 1942, by representatives of the United States Customs Service, any doubt or dispute arises as to whether such cotton is reserved Egyptian cotton, samples thereof shall be referred for classification for the purposes of this order only to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of reserved Egyptian cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M–117, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General For Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Each person who, on July 27, 1942, holds or owns any cotton of any specification grown in Egypt shall cause an inventory to be taken as of such date showing to the extent such information is known to him, the number of bales of each variety, staple length and grade of Egyptian cotton on hand and, to the extent known to each such person, the name of the owner or owners thereof and the address of each owner. All holders of such cotton must be prepared to execute and file with the War Production Board a report of the amount of such cotton held or owned on the said date of this order on such forms as may be prescribed by said Board. Owners and holders of such cotton must be prepared to furnish or cause the original importer to furnish the War Production Board, upon request, with import documents relating thereto, including the customs invoices on which such cotton was entered into the United States and the grade or grades established for the purpose of levying customs duties thereon. In addition, all holders and users of such cotton must be prepared to execute and file with the War Production Board such monthly or quarterly reports on forms that may be prescribed for the purpose and in the detail that may be required by the War Production Board showing stocks on hand, additions to

[1] 7 F.R. 4196, 4833.
[2] 7 F.R. 4329.
[3] 7 F.R. 2630, 3081, 3390, 3662, 3878, 4480.

[1] 7 F.R. 2539.

stocks, withdrawals from stocks, consumption by uses and such other reports or questionnaires as may be required by the War Production Board from time to time.

(h) *Records.* All owners and processors of reserved Egyptian cotton affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales, and copies of all invoices of both purchases and sales relating to such cotton.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: M–117.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6967; Filed, July 22, 1942; 11:11 a. m.]

PART 1194—CANS MADE OF BLACKPLATE

[Conservation Order M–136]

The fulfillment of requirements for defense of the United States has created a shortage in the supply of blackplate for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1194.1 *Conservation Order M–136*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Blackplate" means any sheet steel, other than tinplate and terneplate, suitable for manufacture into cans. The term includes "rejects" arising out of the manufacture of blackplate, but does not include waste or scrap blackplate arising out of the manufacture of cans.

(3) "Chemically treated blackplate" means any blackplate which has been chemically treated to resist rust or corrosion.

(4) "Can" means any container which is intended for packing, packaging, or putting of products of any kind and which is made in whole or in part of blackplate, and includes closures, crowns, or caps for cans, but does not include any closure, crown, or cap to be used on, or as a part of a glass container.

(5) "Canner" means any person engaged in the business of packing in cans products of any kind for sale to others, whether such person buys some or all of his cans from third parties or whether he manufactures some or all of his cans himself. The term does not include a person who packs products which are not to be sold, or a person who packs products for the individual home consumption of another person furnishing the products to be packed.

(6) "Can manufacturer" means any person engaged in the business of producing cans for sale to others or for his own use in packing products of any kind.

(7) "Pack" means the quantity of blackplate, by area measurement, equivalent to the area of tinplate, terneplate, and blackplate which was required for the manufacture of all sized cans made of such materials and used by the canner for packing a particular product during the period specified.

(b) *Restrictions upon the manufacture, sale, and delivery of cans.* (1) Until further order of the Director General for Operations, no can manufacturer shall manufacture, sell, or deliver to any canner, jobber, or distributor, any cans, except to the extent expressly permitted by this order, and except under purchase orders or contracts validated by delivery to such can manufacturer of a canner's certificate, manually signed by an authorized official, in substantially the form attached hereto as Exhibit "I". No certificate shall be required for the purchase of cans for packing products which are not to be sold, either from retail stores purchasing such cans for resale, or from persons purchasing such cans from retail stores.

(2) No cans for packing any product shall be manufactured with ears, bails, or handles, when such cans are smaller than a 10-lb. syrup or honey can, or an 8-lb. lard pail.

(c) *Restrictions upon the purchase, acceptance of delivery, and use of cans.* (1) Until further order of the Director General for Operations, no canner shall buy, accept delivery of, or use any cans except to the extent expressly permitted by this order, and all canners shall observe the restrictions imposed by Tables A and B, annexed hereto, relating to can sizes, and the extent and form of packing the particular products therein listed. Subject to the other provisions of this order, a canner may use for packing the products listed in said tables, only cans of sizes specified for packing a particular product, or cans of sizes larger than the largest size indicated for packing that product. If any general provision or restriction of this order conflicts or appears to conflict, with any specific provisions or restriction of Table A or Table B, then such specific provision or restriction shall control.

(2) For packing a product listed in Table A or Table B, a canner may use during the calendar year 1942, cans requiring for their manufacture an area of blackplate, not in excess of the combined area of tinplate, terneplate, and blackplate which was required for the manufacture of the cans made of such materials and used by him during the calendar year 1940, for packing that product. A canner shall deduct from his blackplate quota for packing a particular product, the area of tinplate and terneplate which was required for the manufacture of the cans made of such materials and used by him during the calendar year 1942, or packing that product. Cans made in whole or in part of chemically treated blackplate shall be used only for packing the products listed in Table B.

(d) *Other restrictions.* No can manufacturer or canner shall use, for sealing cans to be used for packing any product listed in Table A, any compound containing crude rubber or latex, which was not prepared for this purpose on or before the date of issuance of this order.

(e) *Exceptions.* (1) Notwithstanding the restrictions imposed by this order, pertaining to sizes of cans, a can manufacturer may use for the manufacture of cans of sizes for which the material was designed: (i) any component parts of such cans which were lithographed, cut, or otherwise prepared for assembly on or before the date of issuance of this order, and (ii) any sheets of blackplate which were in the possession of the can manufacturer or produced for his account on or before the date of issuance of this order.

(2) Subject to quota restrictions, but notwithstanding the restrictions imposed by this order, pertaining to sizes of cans, a canner may use, or obtain from any can manufacturer and use, for packing products other than those listed in Table A or Table B, cans which were manufactured on or before the date of issuance of this order, and cans which were manufactured from component parts which were lithographed, cut, or otherwise prepared for assembly on or before the date of issuance of this order, as provided in paragraph (e) (1). Nothing in this paragraph (3) shall be construed to modify Order M–126, or any other applicable order of the Director General for Operations.

(f) *Miscellaneous provisions*—(1) *Applicability of order.* The restrictions imposed by this order shall not apply in the following cases only: (i) when cans are to be delivered pursuant to a letter of intent, purchase order, or contract, supported by a preference rating of higher than A–2, to any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the Army, Navy, Maritime Commission, or War Shipping Administration of the United States or to such other governmental agency as the Director General for Operations may designate; and (ii) when cans are to be set aside pursuant to Order M–86 and orders supplemental thereto, whether or not purchase orders or contracts for such canned goods have been placed by any governmental agency.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of blackplate conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense work to defense work, may appeal in writing to the War Production Board, Ref: M–136, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Containers Branch, War Production Board, Washington, D. C.—Ref: M–136.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT "I"

War Production Board, Washington, D. C. Ref: M–136

Canner's Certificate

Certificate required by Conservation Order M–136. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in its present form or as it may be amended from time to time, remains in effect. When executed by a jobber or distributor, this certificate shall constitute a representation to the can manufacturer and to the War Production Board that such jobber or distributor will not resell such cans except upon a receipt of a similar certificate from his purchaser, if required by Order M–136.

In accordance with Conservation Order M–136, as amended (Cans Made of Blackplate), the undersigned hereby certifies to the can manufacturer and to the War Production Board that the undersigned applicant is familiar with the terms of said order, and that said applicant will not use any cans purchased from

---
(Name of can manufacturer)

(Address of can manufacturer)

in violation of the terms of said order.

Date_____ _____
(Legal name of applicant)

_____ By_____
(Address of applicant) (Authorized official)

_____
(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U.S.C.A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

Table A

1. *Abrasives* and *Grinding and Buffing Compounds.* Not to be packed dry.
2. *Cements* and *Dressings,* including only furnace, radiator, belting, linoleum and pipe joint. Not to be packed dry. 1-qt. or 1-gal. cans.
3. *Soldering Pastes and Boiler Sealing Compounds.*
4. *Liquid Glues* and *Adhesives.* 1-gal. cans.
5. *Rubber Cements,* solvent and latex. 1-gal. cans.
6. *Gasket Assembling Compounds.* 1-qt. or 1-gal. cans.
7. *Dry-Solvents,* including but not limited to toilet bowl and drain cleaners. 10-oz. cans.
8. *Phenols* and *Creosols.* 1-gal. cans.
9. *Disinfectants, Germicides, Fungicides,* and *Insecticides,* including but not limited to Cynogas. 1-gal. cans.
10. *Sodium Silicate.* 5-gal. cans.
11. *Paste Soap.* 3-lb. cans.
12. *Benzol,* including but not limited to naphtha. 1-gal. cans.
13. *Oil Paints,* and *Oleoresinous Paints,* ready-mixed, semi-paste, including but not limited to White Lead in oil, and colors in oil. 1-qt. or 1-gal. cans. Until September 30, 1942, not more than 50 percent of pack during the corresponding quarter of 1940 may be in 1-qt. cans, and after September 30, 1942, no paints shall be packed in cans smaller than 1-gal.
14. *Resin-emulsion Water Paints,* paste, for exterior use only, with dry protein content not to exceed 1 percent of total weight of paint. 1-qt. or 1-gal. cans. Until September 30, 1942, not more than 50 percent of pack during the corresponding quarter of 1940 may be in 1-qt. cans, and after September 30, 1942, no paints shall be packed in cans smaller than 1-gal.
15. *Varnishes.* 1-qt. or 1-gal. cans. Until September 30, 1942, not more than 50 percent of pack during the corresponding quarter of 1940 may be in 1-qt. cans, and after September 30, 1942, no varnishes shall be packed in cans smaller than 1-gal.
16. *Drying Oils.* 1-gal. cans.
17. *Printing, Duplicating, and Lithographing Ink,* 1-oz., 8-oz., 10-oz. 12-oz., 14-oz., 1-lb., 1½-lb., 2-lb., 3½-lb., 4-lb., 5-lb., 8-lb., 9-lb., 10-lb., 25-lb., or 50-lb. cans.
18. *Graphite,* only with liquid content.
19. *Lubricating Greases.* 10-lb. or 25-lb. cans.
20. *Dry Modifications of Milk,* including but not limited to malted milk. 1-lb., 5-lb., 10-lb., or 25-lb. cans. Not to be packed after September 30, 1942.
21. *Baking Powder.* Ends only for cans 6-oz. to 32-oz., inclusive. A canner's blackplate quota from the date of issuance of this order until September 30, 1942, is the area of blackplate required for making the ends only of fiber wall cans sufficient to pack 25 percent of the baking powder packed by the canner in 1941 in cans of 32-oz. and less.

Table B

1. Any product permitted to be packed by Order M–81, as amended from time to time, in the size can specified for such product, but only to the extent of the quota specified by Order M–81 for such product, after making deduction for tinplate and terneplate used, as provided by subparagraph (c) (2) of this order.

[F. R. Doc. 42–6968; Filed, July 22, 1942; 11:11 a. m.]

PART 1233—THERMOPLASTICS

[Amendment 1 to General Preference Order M–154]

Section 1233.1 (*General Preference Order M–154*[1]) is hereby amended as follows:

Paragraph (d) is hereby amended by striking the words and figures "15th of July, 1942" in the opening paragraph and substituting in their place the words and figures "15th of August, 1942."

The opening paragraph of paragraph (b) is hereby amended to read as follows:

(b) *Placing of orders.* No producer shall accept and no person shall tender an order for delivery of thermoplastics, where such delivery is to be made on or after August 15, 1942, unless such order is accompanied by a certificate manually signed by the person (or his duly authorized agent) tendering such order containing representations by the person seeking delivery of thermoplastics: • • •

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6969; Filed, July 22, 1942; 11:11 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Supplementary Order L–144–a]

§ 1261.2 *Supplementary Order L–144–a.* Pursuant to paragraph (b) (2) (vi) of General Limitation Order L–144[2] which this order supplements, the Director General for Operations hereby determines that the following use of laboratory equipment is necessary and appropriate in the public interest:

(a) Use of any high school type microscope (single tube, double nose-piece, and without condenser) manufactured prior to June 12, 1942 or thereafter assembled from parts manufactured prior to said date.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

[1] 7 F.R. 4842.
[2] 7 F.R. 4452.

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6963; Filed, July 22, 1942; 11:10 a. m.]

PART 3018—AMERICAN EXTRA STAPLE COTTON

[Conservation Order M-197]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of American extra staple cotton for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3018.1 *Conservation Order M-197*—(a) *Definitions.* For the purposes of this order:

(1) "Reserved American extra staple cotton" means any raw cotton in unopened bales (including bales opened only for the purposes of sampling or testing) of the following specifications, grown within the Western Hemisphere,

SXP Variety, grading No. 2 or higher and with staple of 1 1/16" or longer.

Pima Variety (including both United States and Peruvian), grading No. 2 or higher and with staple of 1 1/2" or longer.

Sea Island Variety, grading No. 2 1/2 or higher and with staple of 1 1/2" or longer.

in accordance with the official grading standards of the United States.

(2) "Stitching thread" means finished cotton thread used for stitching including home sewing in which reserved American extra staple cotton or reserved Egyptian cotton as defined in Conservation Order No. M-117 has heretofore been customarily used and shall also include any cotton yarns, single or plied and having a thread twist, in which such cotton has heretofore been customarily used, sold to another person to be manufactured solely into finished stitching thread, but shall not include crochet, embroidery or other fancy threads in which reserved American extra staple cotton or reserved Egyptian cotton may have heretofore been used.

(3) "Import" means to transport in any manner into the continental United States from any foreign country, and for purposes of this order, American extra staple cotton shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(b) *Restrictions on sales, deliveries and uses of reserved American extra staple cotton ginned in the United States or imported into the United States prior to July 27, 1942.* (1) No person shall put into process, sell or deliver any reserved American extra staple cotton ginned in the United States or imported into the United States, as the case may be, prior to July 27, 1942, except for the purpose of filling the following categories of purchase orders:

(i) Defense orders for fabrics or items specifically requiring the use of reserved American extra staple cotton or reserved Egyptian cotton by the terms or specifications (including performance specifications) of the prime contract involved.

(ii) For use in the manufacture of stitching thread subject, however, to the limitations of paragraph (d).

(2) No person shall sell or deliver any reserved American extra staple cotton ginned within the United States or imported into the United States prior to July 27, 1942, unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board, subject to the provisions of Section 35 (A) of the United States Criminal Code (18 U.S.C. 80) that the reserved American extra staple cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M-197 for such cotton and for no other purposes; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purpose by the said order. This purchase order is for reserved American extra staple cotton ginned within or imported into the United States prior to July 27, 1942.

Name of Purchaser

By ---
(Authorized Person)

Title

Date

(c) *Restrictions on sales, deliveries and use of reserved American extra staple cotton hereafter ginned within or imported into the United States.* (1) No person, unless specifically authorized by the Director General for Operations, shall use, sell, deliver, purchase or accept delivery of reserved American extra staple cotton ginned within or imported into the United States after July 27, 1942.

(2) Applications for authority to use, sell, deliver, purchase or accept delivery of any reserved American extra staple cotton hereafter ginned within or imported into the United States shall be made by letter addressed as provided in paragraph (i) stating the number of bales covered by the application, the number of bales of such cotton on hand, the use to which such cotton is to be put, and the number of the contract and the originating Government agency on any purchase order therefor other than for use in the manufacture of stitching thread. No applications will be granted except pursuant to paragraph (f) for any use other than for physical incorporation into material or equipment to be manufactured on defense orders or for the manufacture of stitching thread.

(3) Notwithstanding the provisions of subparagraphs (1) and (2), such reserved American extra staple cotton may be used, sold, delivered, purchased and delivery thereof accepted upon purchase orders for such cotton:

(i) Placed on or before September 30, 1942, for physical incorporation into material or equipment to be delivered to, or for the account of, the Army or Navy of the United States or the United States Maritime Commission, but only in the minimum amount required to meet the specifications (including performance specifications) of the prime contract involved: *Provided*, That the vendee shall furnish to the vendor prior to any delivery thereunder a certificate in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that he is entitled to the delivery of the reserved American extra staple cotton, covered by the annexed purchase order, pursuant to the terms of paragraph (c) (3) (i) of Conservation Order M-197.

Name of Purchaser

By ---
(Authorized Individual)

(ii) For delivery to the Board of Economic Warfare, the Commodity Credit Corporation or any corporation organized under the authority of Section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(d) *Restrictions on the manufacture of stitching thread.* No person shall, during the period from July 1, 1942, to and including December 31, 1942, or, if his books are so kept, and he so elects, during the period from July 1, 1942, to and including January 2, 1943, use more reserved American extra staple cotton in the manufacture of stitching thread, than:

(1) 37 1/2% of the total amount of reserved American extra staple cotton and reserved Egyptian cotton (as defined in Conservation Order M-117, § 1149.1)[1] used by such person for the manufacture of stitching thread in the year 1941, minus

(2) The actual amount of reserved Egyptian cotton used or scheduled to be used by such person in the second half of 1942 for the manufacture of stitching thread pursuant to the limitations described in Conservation Order M-117.

(e) *Grading.* The Director General for Operations may require that any lot of American extra staple cotton entered into the United States after July 1, 1942, or ginned within the United States after said date, be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board which may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton sample whereof has been so submitted, is or is not reserved American extra staple cotton. If upon the examination of any American extra staple cotton entered into the United States after July 1, 1942, by representatives of the United States Customs Service, any doubt or dispute arises as to whether such cotton is reserved American extra staple cotton, samples thereof shall be referred for classification for the purposes of this order only to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of reserved American extra staple cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-197, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Each person who, on July 27, 1942, holds or owns any cotton of any specification grown in the Western Hemisphere shall cause an inventory to be taken as of such date showing, to the extent such information is known to him, the number of bales of each variety, staple length and grade of American extra staple cotton on hand, and, to the extent known to each such person, the name of the owner or owners thereof and the address of each owner. All holders of such cotton must be prepared to execute and file with the War Production Board a report of the amount of such cotton held or owned on the said date of this order on such forms as may be prescribed by said Board. Owners and holders of such cotton must be prepared to furnish or cause the original importer to furnish the War Production Board, upon request, with import documents relating thereto, including the customs invoices on which such cotton was entered into the United States and the grade or grades established for the purpose of levying customs duties thereon. In addition, all holders and users of such cotton must be prepared to execute and file with the War Production Board such monthly or quarterly reports on forms that may be prescribed for the purpose and in the detail that may be required by the War Production Board showing stocks on hand, additions to stocks, withdrawals from stocks, consumption by uses and such other reports or questionnaires as may be required by the War Production Board from time to time.

(h) *Records.* All owners and processors of reserved American extra staple cotton affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales, and copies of all invoices of both purchases and sales relating to such cotton.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C.—Reference: M-197.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6970; Filed, July 22, 1942; 11:11 a. m.]

[1] 7 F.R. 2539, and *supra*.

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Supplementary Amendment No. 1 of Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses.

Paragraph (b) (3) of §§ 1388.11, 1388.61, 1388.111, 1388.161, 1388.211, 1388.261, 1388.311, 1388.361, 1388.411, 1388.461, 1388.511, 1388.561, 1388.611, 1388.661, 1388.711, 1388.761, 1388.811, 1388.861, 1388.911, 1388.961, 1388.1011, 1388.1651, 1388.1701, 1388.1751, and 1388.1801 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, and 28, respectively,[1] is hereby amended to read as follows:

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

This Supplementary Amendment No. 1 of Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6934; Filed, July 21, 1942; 12:32 p. m.]

[1] Issues of May 30; June 12, 16, 27; July 1, 14, 1942.

PART 1388—DEFENSE-RENTAL AREAS

HOTELS AND ROOMING HOUSES

Supplementary Amendment No. 1 of Maximum Rent Regulations For Hotels and Rooming Houses.

Sections 1388.1501, 1388.1551, 1388.1601, 1388.1851, 1388.1901, 1388.1951, and 1388.2001 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, and 32A, respectively,[1] are hereby amended by adding the following paragraph (e) to each of these sections:

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum

[1] Issues of June 27, July 1, 1942.

rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

This Supplementary Amendment No. 1 of Maximum Rent Regulations for Hotels and Rooming Houses shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6928; Filed, July 21, 1942; 12:32 p. m.]

PART 1405—FERRO-ALLOYS

[Amendment 1 to Maximum Price Regulation 138 [1]]

STANDARD FERROMANGANESE

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Paragraph (d) of § 1405.10 is amended to read as set forth below, a new paragraph (e) is added and a new § 1405.11a is added:

§ 1405.10 *Appendix A: Maximum prices for standard ferromanganese.* • • •

(d) Standard ferromanganese when crushed and pressed into briquettes weighing 3 pounds, with binding material, and containing 2 pounds of manganese content by weight may be sold at the following maximum prices:

	Cents per lb. of briquettes
(1) Carload lots, unpacked	6.06
(2) Carload lots, packed	6.31
(3) Ton lots, packed	6.56
(4) Less than gross ton lots:	
(i) Down to 200 lbs., packed	6.81
(ii) Less than 200 lbs., packed	7.06

These maximum prices for standard ferromanganese briquettes are f. o. b. seller's usual shipping point with an allowance to purchaser for railway freight charges to point of destination, provided, however, that this allowance need not be in excess of railway freight charges from seller's usual shipping point to St. Louis, Missouri.

(e) The maximum prices set forth above shall not be increased by any charges for the extension of credit and shall be reduced by ½ of 1% for payment within 10 days of delivery.

[1] 7 F.R. 3212.

[2] Copies may be obtained from the Office of Price Administration.

§ 1405.11a *Effective dates of amendments.* Amendment No. 1 (§ 1405.10 (d), (e)) to Maximum Price Regulation No. 138 shall become effective July 25, 1942.

Issued this 21st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6932; Filed, July 21, 1942; 12:35 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation — Order 37]

NICKEL ANODE PRICES—METALS RESERVE CO.

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.251 *Maximum prices for new and partly used nickel anodes sold by nickel platers to the Metals Reserve Company.* (a) On and after July 22, 1942, any nickel plater may sell to the Metals Reserve Company, Washington, D. C., or its duly authorized agent or agents, and the Metals Reserve Company or its duly authorized agent or agents may purchase new nickel anodes, at a price not in excess of 46¢ per pound (weight without hooks), f. o. b. present location of material and partly used nickel anodes at a price not in excess of 43¢ per pound (weight without hooks), f. o. b. present location of material.

(b) *Maximum prices for new and partly used nickel anodes sold by the Metals Reserve Company for nickel plating purposes.* On and after July 22, 1942, the Metals Reserve Company, Washington, D. C. or its duly authorized agent or agents may sell and deliver to any person designated by the Director of Industry Operations, War Production Board, and any such person may purchase for nickel plating purposes, new nickel anodes at a price not in excess of 46¢ per pound (weight without hooks) f. o. b. present location of material, and partly used nickel anodes at a price not in excess of 43¢ per pound (weight without hooks), f. o. b. present location of material. Nothing in this section, however, shall supersede or modify the provision of Amendment No. 2 [3] to Revised Price Schedule No. 8.[3]

(c) This Order No. 37 may be revoked or amended by the Office of Price Administration at any time.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[3] 7 F.R. 3270.

[3] 7 F.R. 1224, 1836, 2132, 3123, 3270, 3519, 4493.

(d) This Order No. 37 (§ 1499.251) shall become effective July 22, 1942.

(Public Law 421, 77th Cong.)

Issued this 21st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6933; Filed, July 21, 1942; 12:32 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1389]

DISTRICT BOARD 11—PYRAMID COAL CO.

ORDER OF DISMISSAL

In the matter of the petition of District Board No. 11 for the establishment of a deduction of 10 cents per net ton for freight rate differentials applicable on shipments from the Bobolink Mine (Mine Index No. 11) of the Pyramid Coal Corporation, to Market Area No. 33 (Terre Haute, Indiana), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The above-entitled petition having been duly set for hearing before J. D. Dermody, a duly designated Examiner of the Division, on July 14, 1942; and

The original petitioner having filed a motion to withdraw the petition and having failed, therefore, to appear at the hearing; and there being no objection to the dismissal of the petition herein; and it appearing that no right will be prejudiced thereby:

It is ordered, That the above-entitled petition be dismissed without prejudice.

Dated: July 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6973; Filed, July 22, 1942; 11:15 a. m.]

[Docket No. A-1459, Part II]

DISTRICT BOARD 17

ORDER POSTPONING AND CHANGING PLACE OF HEARING

In the matter of the petition of District Board No. 17 for establishment and revision of price classifications and minimum prices for the I. H. I. No. 2 Mine and the North Canyon Mine.

A hearing in the above-entitled matter having been scheduled to be held at Washington, D. C., on July 22, 1942; and

It now appearing advisable that such hearing be postponed and the place of hearing changed to Denver, Colorado;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of July 22, 1942, until 10 o'clock in the forenoon of August 11, 1942, and that the place of hearing be changed from Washington, D. C., to a hearing room of the Bituminous Coal Division at Room 337, Post Office Building, Denver, Colorado.

It is further ordered, That the time for filing petitions of intervention in this matter be, and it hereby is, extended from July 17, 1942, to August 6, 1942.

In all other respects the Notice of and Order for Hearing issued in this matter on June 25, 1942, shall remain in full force and effect.

Dated: July 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6974; Filed, July 22, 1942; 11:15 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

ST. LOUIS MARKETING AREA

EXCEPTIONS, AMENDMENTS TO MARKETING AGREEMENT

Notice of report and opportunity to file written exceptions with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and to order No. 3, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area.

Pursuant to § 900.12 (a), General Regulations, as Amended, Agricultural Marketing Administration, United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 0312, South Building, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER.

The proceeding was initiated by the Agricultural Marketing Administration as the result of a written application for hearing filed by the Sanitary Milk Producers, Inc., and the filing of specific proposals for amendments by this organization of producers, by the Square Deal Milk Producers Association of Illinois, by the Cooperative Milk Producers Association of Missouri, by handlers, and by the Dairy and Poultry Branch, Agricultural Marketing Administration. After consideration and investigation, the conclusion was drawn that a hearing should be held, and a notice of hearing was accordingly issued on June 2, 1942. The hearing was convened June 12, 1942, at St. Louis, Missouri.

The major issues developed at the hearing were concerned with (1) the classification of milk, (2) the method of determining class prices, and (3) the level of prices for milk both inside and outside the marketing area. Minor issues developed in connection with the application of location differentials provided under the order and with the possible pricing of off-flavor milk.

With respect to these issues it is concluded from the record that:

1. Skim milk, flavored milk and milk drinks, and buttermilk should be reclassified from Class II to Class I milk.

2. Prices should be revised so as to reflect the economic conditions which affect the market supply of and demand for milk in the marketing area, to maintain an adequate supply of pure and wholesome milk, and to be in the public interest.

3. A special price relative to off-flavor milk should not be included.

4. No change should be made in the application of the location differentials.

It is concluded also that the base period used in ascertaining prices which will give milk produced for sale in the marketing area a purchasing power equivalent to its purchasing power during the base period, in accordance with sections 2 and 8e (50 Stat. 246; 7 U.S.C., 1940 ed. 602, 608e), should be August 1919–July 1929.

The proposed amendments to the order, as amended, and the proposed marketing agreement, as amended, which follow, are recommended as the detailed means by which these conclusions may be effectuated.

This report filed at Washington, D. C., this 22d day of July 1942.

PROPOSED AMENDMENTS TO MARKETING ORDER

Proposed amendments to the marketing order, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area.

These proposed amendments are prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, and have not received the approval of the Secretary of Agriculture.

It is found, upon the evidence introduced at the public hearing, convened in St. Louis, Missouri, on June 12, 1942, such findings being in addition to the findings made upon the evidence introduced at prior public hearings on the original issuance of the order and on the amendments thereto (which findings are hereby ratified and affirmed save only as such findings are in conflict with the findings hereinafter set forth):

Findings

1. That the prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to section 2 and section 8 (e) (50 Stat. 246; 7 U.S.C., 1940 ed. 602, 608c), are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk, and that the minimum prices set forth in these amendments to the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

2. That the order, as amended by these amendments, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

3. That the issuance of these amendments, and all of their terms and conditions, tend to effectuate the declared policy of the act.

Provisions

a. Delete from § 903.1 (a) (9) the colon and the proviso which reads, "Provided, That a handler operating a plant or plants from which no milk is disposed of for fluid consumption in the marketing area shall be a nonhandler with respect to such plant or plants."

b. Insert a period (.) at the end of § 903.1 (a) (9).

c. Delete § 903.3 (b) and substitute therefor the following:

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk the skim milk and butterfat of which is established (a) by use or disposition as other than milk, skim milk, flavored milk and milk drinks (of any butterfat test), and buttermilk; and (b) as actual plant shrinkage, but not to exceed 3 percent of the total receipts of milk from producers.

d. Delete § 903.3 (c) and substitute therefor the following:

(c) *Interhandler and nonhandler transfers of milk.* Milk or skim milk received by a handler from another handler shall be classified as Class I milk, and cream so received shall be classified as Class II milk: *Provided*, That if a different classification is agreed upon in writing between the receiving handler and the selling handler and is submitted to the market administrator on or before the 5th day after the end of the delivery period, then the milk, skim milk, or cream shall be classified according to such written agreement: *And provided further*, That the amount so reported in any class shall not be greater than the amount used in that class by the receiving handler.

Milk or skim milk moved in fluid form from a handler's fluid milk plant to a plant from which no milk is disposed of for fluid consumption (regardless of whether the latter plant is operated by such handler or by a nonhandler) shall be Class II milk. Milk or skim milk moved in fluid form from a handler's plant to a nonhandler's plant from which fluid milk is distributed shall be Class I milk, except that any of this milk or skim milk in excess of the amount of fluid milk, proved to the satisfaction of the market administrator to have been distributed by the nonhandler during the delivery period, shall be classified as Class II milk: *And provided further,*

That all milk or skim milk moved in fluid form to plants more than 110 airline miles from the City Hall in St. Louis shall be classified as Class I milk. Milk or skim milk disposed of in fluid form from a handler's plant to retail establishments which disposed of milk for both fluid and other uses shall be Class I milk.

e. Delete § 903.3 (d) and substitute therefor the following:

(d) *Purchases of milk from persons who are handlers under other Federal milk agreements or orders.* Milk or skim milk approved by the proper health authorities for consumption in fluid form in the marketing area which has been received from a person who is a handler, as defined under another Federal marketing agreement or order, shall be deducted from each class in the proportion that the quantity used in each class by the receiving handler bears to the total quantity of milk received by him, after excluding such handler's receipts of milk from other handlers.

f. Delete § 903.3 (e) (2) and substitute therefor the following:

(2) To determine the hundredweight of Class I milk: convert to gallons the quantity of milk disposed of in the form of milk, skim milk, flavored milk and milk drinks (of any butterfat test), and buttermilk, and multiply the total by 0.086: *Provided*, That there shall be added any difference of milk determined under subparagraph (1) of this paragraph, over the Class I milk thus far determined plus the hundredweight of Class II milk determined pursuant to paragraph (3) of this paragraph.

g. Delete from § 903.4 (a) (1) the figure "1.00" and substitute therefor the figure "1.10."

h. Delete from § 903.4 (a) (2) the figure "0.30" and substitute therefor the figure "0.40."

i. Delete the proviso of § 903.4 (a) (3) and substitute therefor the following:

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and add 20 percent thereof: *Provided*, That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining these adjustments the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, are not so published, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, as published by the United States Department of Agriculture, shall be used, and the following adjustments shall be made in lieu of the adjustments provided for under (1) and (2) immediately above: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption delivered at Chicago is above 7½ cents per pound or (2) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

PROPOSED MARKETING AGREEMENT AS AMENDED

Proposed marketing agreement, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area, prepared by the Administrator of the Agricultural Marketing Administration, United States Department of Agriculture.

This proposed marketing agreement, as amended, is prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, and has not received the approval of the Secretary of Agriculture.

Whereas the parties hereto, in order to effectuate the declared policy of the said act, desire to enter into this marketing agreement, as amended.

Now, therefore, the parties hereto agree as follows:

1. The terms and provisions of § 903.1 through § 903.13 of Order No. 3, as Amended, Regulating the Handling of Milk in the St. Louis, Missouri, Marketing Area, issued effective December 1, 1940, as amended, by Amendment No. 1, issued effective December 5, 1941, shall be the terms and provisions of this marketing agreement, as amended, as if set out in full herein, with the exception that wherever the word "order" is used the words "marketing agreement" shall be substituted therefor; and

2. The following sections shall also be a part of the marketing agreement, as amended, in addition to § 903.1 through § 903.13 of said order, as amended:

§ 903.14 *Counterparts and additional parties*—(a) *Counterparts of marketing agreement, as amended.* This marketing agreement, as amended, may be executed in multiple counterparts, and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to the marketing agreement, as amended.* After this marketing agreement, as amended, first takes effect, any handler may become a party to this marketing agreement, as amended, if a counterpart hereof is executed by him and delivered to the Secretary. This marketing agreement, as amended, shall take effect as to such new contracting parties at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this marketing agreement, as amended, shall then be effective as to such new contracting party.

§ 903.15 *Record of milk handled during the month of _____ 1942, and authorization to correct typographical errors.* (a) *Record of milk handled during the month of _____ 1942.* The undersigned certifies that he handled during the month _____ 1942, _____ hundred weight of milk covered by this marketing agreement, as amended, and disposed of within the marketing area.

(b) *Authorization to correct typographical errors.* The undersigned hereby authorizes the Chief, or Acting Chief, Dairy and Poultry Branch, Agricultural Marketing Administration, to correct any typographical errors which may have been made in this marketing agreement, as amended.

§ 903.16 *Signature of parties.* In witness whereof, the contracting handlers, acting under the provisions of the act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

[SEAL] ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-6980; Filed, July 22, 1942; 11:39 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

RAILROAD CARRIER INDUSTRY

NOTICE OF FINAL DATE FOR SUBMISSION OF WRITTEN BRIEFS IN THE MATTER OF THE MINIMUM WAGE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 44

Notice is hereby given that the Administrator of the Wage and Hour Division will receive at his office, 165 West 46th Street, New York, New York, from persons who entered an appearance at the hearing held on July 15, 1942, on the minimum wage recommendation of Industry Committee No. 44 for the Railroad Carrier Industry, written briefs bearing on the issues which are before him in this matter, provided that at least twelve copies of each such brief shall be submitted to him before 4:30 P. M., Wednesday, August 5, 1942.

Signed at New York, New York, this 21st day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-6944; Filed, July 22, 1942; 10:37 a. m.]

CIVIL AERONAUTICS BOARD.

AIR TRAFFIC RULES

ORDER RENUMBERING AMENDMENTS NOS. 60-1 THROUGH 60-5 ADOPTED BETWEEN MAY 11 AND JUNE 12, 1942

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of July 1942.

It appearing that:

(a) Section 60.97, entitled "Transportation of explosives", having been recently amended on four different occasions and that it is, therefore, desirable to include these amendments and an additional amendment to § 60.96, relating to whether information, in the reprinting of the new Part 60 which is presently in the form of page proof; and

(b) In order to provide for the inclusion of these amendments in the new printing, it will be necessary to renumber such amendments as amendments of the edition of October 4, 1940;

Now, therefore, it is ordered, That amendments Nos. 60-1, 60-2, 60-3, 60-4, and 60-5 of the present reprinting of Part 60 be, and hereby are, renumbered 60-64, 60-65, 60-66, 60-67, and 60-68, respectively, as amendments of the edition of October 4, 1940, and it is further ordered that the present reprinting of Part 60, Air Traffic Rules, be, and hereby is, designated as the edition of July 15, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-6977; Filed, July 22, 1942; 11:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6304]

AMERICAN BROADCASTING CORPORATION OF KENTUCKY (WLAP)

ORDER DENYING PETITION, ETC.

In re application of American Broadcasting Corporation of Kentucky (WLAP), Lexington, Kentucky, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July, 1942;

The Commission having under consideration the petition of American Broadcasting Corporation of Kentucky for a grant of the above-described application, and being fully informed in the premises:

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of this application is consistent with the Commission's Memorandum Opinion of April 27, 1942;

2. To determine whether, in view of the foregoing, public interest, convenience, and necessity will be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6953; Filed, July 22, 1942; 11:05 a. m.]

[Docket No. 5985]

BUTLER BROADCASTING CORP.

ORDER DENYING PETITION, ETC.

In re application of Butler Broadcasting Corporation (New), Hamilton, Ohio, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 14th day of July, 1942;

The Commission having under consideration the petition of Butler Broadcasting Corporation, filed June 24, 1942, and being fully informed in the premises;

It is ordered, That the petition, be, and it is hereby, denied;

It is further ordered, That the above-described applications be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6947; Filed, July 22, 1942; 11:04 a. m.]

[Docket No. 6367]

KANAWHA VALLEY BROADCASTING CO. (WGKV)

NOTICE OF HEARING

In re application of Kanawha Valley Broadcasting Company (WGKV), dated December 19, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Charleston, W. Va.; operating assignment specified: Frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Kanawha Valley Broadcasting Company, Radio Station WGKV, Empire Building, 208 Dickinson Street, Charleston, West Virginia.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6958; Filed, July 22, 1942; 11:07 a. m.]

[Docket No. 5965]

J. C. KAYNOR

ORDER DENYING PETITION, ETC.

In re application of J. C. Kaynor (new); Ellensburg, Washington; for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 14th day of July, 1942;

The Commission having under consideration the petition of J. C. Kaynor, filed May 29, 1942, requesting that the above-entitled application be granted, or, in the alternative, that it be retained in the Commission's files until such time as it may lawfully be granted:

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That the above-entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of the application would be in conformity wth the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience or necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6946; Filed, July 22, 1942; 11:04 a. m.]

[Docket No. 6249]

KINGSPORT BROADCASTING CO., INC. (WKPT)

ORDER AMENDING ISSUES

In re application of Kingsport Broadcasting Company, Inc. (WKPT), Kingsport, Tennessee; for Construction permit.

It is ordered, On the Commission's own motion, on this 16th day of July 1942, that the issues heretofore released on the above-entitled application be, and they are hereby, amended, to read as follows:

1. To determine whether the operation of Station WKPT at the proposed transmitter site would be consistent with the Standards of Good Engineering Practice, particularly as to population residing within the "blanket area" (250 mv/m contour).

2. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.

3. To determine whether Station WKPT, operating as proposed, would provide primary service to the business district of Kingsport, Tennessee, as contemplated by the Standards of Good Engineering Practice.

4. To determine the extent of any interference which would result from the operation of Station WKPT as proposed herein to the services of Station CKSO, Sudbury, Ontario, and CMBC, Havana, Cuba (Appendix II, Table I, NARBA).

5. To determine the extent of any interference which would result from the simultaneous operation of Station WKPT as proposed herein and Station WGRC as proposed in Docket No. 6052, as well as the areas and populations affected thereby and what other broadcast service is available to these areas and populations.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b), Communications Act of 1934, as amended.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

8. To determine whether in view of the facts adduced under the foregoing issues and the issues relating to the application of Northside Broadcasting Corporation, licensee of Station WGRC, Docket No. 6052, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6950; Filed, July 22, 1942; 11:05 a. m.]

[Docket No. 6366]

MASSACHUSETTS BROADCASTING CORP. (WCOP)

NOTICE OF HEARING

In re application of Massachusetts Broadcasting Corporation (WCOP), dated March 24, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Boston, Massachusetts; operating assignment specified: Frequency, 1,150 kc.; power, 1 kw. (DA-Night); hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Massachusetts Broadcasting Corporation, Radio Station WCOP, Copley-Plaza Hotel, 138 St. James Avenue, Boston, Massachusetts.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6957; Filed, July 22, 1942; 11:06 a. m.]

[Docket No. 6052]

NORTHSIDE BROADCASTING CORP. (WGRC)

ORDER DENYING PETITION, ETC.

In re application of Northside Broadcasting Corporation (WGRC), New Albany, Indiana, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of July, 1942;

The Commission having under consideration the petition of Northside Broadcasting Corporation for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the petition be, and it is hereby, denied, and

It is further ordered, That the issues heretofore released on the application be, and they are hereby, amended to read as follows:

1. To determine the extent of any interference which would result from the simultaneous operation of Station WGRC as proposed herein, and Stations WTAR and WEAU.

2. To determine the areas and populations which may be expected to lose primary service, particularly from Stations WTAR and WEAU should Station WGRC operate as proposed, and what other broadcast service is available to these areas and populations.

3. To determine the extent of any interference which would result from the operation of Station WGRC as proposed, to the services of Stations CKSO, Sudbury, Ontario, and CMBC, Havana, Cuba, (Appendix II, Table I, North American Regional Broadcasting Agreement).

4. To determine whether Station WGRC, operating as proposed, would provide primary service to the metropolitan district of Louisville, Kentucky, as recommended by the Standards of Good Engineering Practice.

5. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.

6. To determine the extent of any interference which would result from the simultaneous operation of Station WGRC, as proposed, and Station WKPT as proposed in Docket No. 6249, as well as the areas and populations affected thereby, and what other broadcast service is available to these areas and populations.

7. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b), Communications Act of 1934, as amended.

9. To determine whether in view of the facts adduced under the foregoing issues and the issues relating to the application of Kingsport Broadcasting Company, Inc. (WKPT), Docket No. 6249, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6948; Filed, July 22, 1942; 11:04 a. m.]

[Docket No. 6224]

STUART BROADCASTING CO. (WROL)

ORDER GRANTING PETITION, ETC.

In re application of S. E. Adcock, d/b as Stuart Broadcasting Company (WROL), Knoxville, Tennessee, for construction permit.

The Commission having under consideration the petition of S. E. Adcock, d/b as Stuart Broadcasting Company, requesting a continuance of the hearing now set for July 21, 1942 on the above-entitled application,

It is ordered, This 15th day of July, 1942, that the petition be, and the same is hereby, granted, and

It is further ordered, That the hearing be, and the same is hereby, continued until August 20, 1942, and

It is further ordered, On the Commission's own motion that the hearing issues on the above-entitled application be, and the same are hereby, amended to read as follows:

1. To determine what new areas and populations would receive primary service as a result of the proposed change in facilities and what broadcast service is already available to such areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WROL as proposed herein and Station KWFT.

3. To determine the areas and populations which may be expected to lose primary service during nighttime hours, particularly from Station KWFT, should Station WROL operate as proposed, and what other broadcast service is available to these areas and populations.

4. To determine the extent of any interference which would result from the simultaneous operation of Station WROL as proposed herein and Station KWFT as proposed in application B3-ML-1057, as well as the areas and populations affected thereby, and what other broadcast service is available to these areas and populations.

5. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion dated April 27, 1942.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

7. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6949; Filed, July 22, 1942; 11:04 a. m.]

[Docket No. 6299]

SACANDAGA BROADCASTING CORP.

ORDER DENYING PETITION, ETC.

In re application of Sacandaga Broadcasting Corporation (New) Gloversville, New York, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July 1942;

The Commission having under consideration the petition of Sacandaga Broadcasting Company for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience or necessity.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6951; Filed, July 22, 1942; 11:05 a. m.]

[Docket No. 6303]

WLEU BROADCASTING CORP. (WLEU)

ORDER DENYING PETITION, ETC.

In re application of WLEU Broadcasting Corporation (WLEU), Erie, Pennsylvania, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July 1942;

The Commission having under consideration the petition of WLEU Broadcasting Corporation for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of this application is consistent with the Commission's Memorandum Opinion of April 27, 1942;

2. To determine whether, in view of the foregoing, public interest, convenience, and necessity will be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6952; Filed, July 22, 1942; 11:05 a. m.]

[Docket No. 6374]

POSTAL TELEGRAPH-CABLE CO. (NEW YORK)

HEARING AND INVESTIGATION

In the matter of increased rates of Postal Telegraph-Cable Co. (New York) for service to certain points in Kentucky and Ohio.

At a session of the Federal Communications Commissions held at its offices in Washington, D. C., on the 14th day of July, 1942;

It appearing, that there has been filed with the Commission Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, effective July 20, 1942, which provides for the discontinuance of certain public telegraph offices at various named points in Kentucky and Ohio, and for an increase in the rates and charges applicable to telegraph messages delivered at such points;

It further appearing, that said Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, makes increases in rates and charges and states regulations and practices effecting such increases in rates and charges for the transmission of telegraph messages in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of the said tariff supplement should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, insofar as they relate to the discontinuance of certain named public telegraph offices at points in Kentucky and Ohio;

It is further ordered, That the operation of said tariff supplement, insofar as it provides for an increase in the rates and charges for delivery of interstate or foreign telegraph messages to certain named public telegraph offices at points in Kentucky and Ohio, be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such points in Kentucky and Ohio, be deferred until October 20 1942, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in such rates, charges, regulations and practices, or in the rates, charges, regulations and practices sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted, into the lawfulness of the rates, charges, classifications, regulations, practices and services of Postal Telegraph-Cable Company (New York) for and in connection with service to and from the points in Kentucky and Ohio named in the provisions of the tariff supplement suspended herein;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, Postal Telegraph-Cable Company (New York), and all other carriers participating in service provided under the tariff provi-

sions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That Postal Telegraph-Cable Company (New York) and each participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing November 10, 1942, showing the amounts received and accounted for as aforesaid, during the previous calendar month;

It is further ordered, That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff supplement herein suspended in part; that copies hereof be served upon the carrier parties to such supplement and tariff; and that said carrier parties be, and they are hereby, each made a party respondent to this proceeding;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing at 10 a. m. on the 19th day of August, 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6954; Filed, July 22, 1942; 11:06 a. m.]

[Docket No. 4361]

RADIO SERVICE CORPORATION

ORDER DENYING PETITIONS, ETC.

In re application of Radio Service Corporation of Utah (KSL) Salt Lake City, Utah, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July, 1942;

The Commission having under consideration the petitions of Radio Service Corporation of Utah, (1) for the grant of the above-described application, and (2) that the application "be kept pending and in full force and effect before the Commission in order that the same may be prosecuted at such time as may be deemed consistent with the war effort and in the public interest, convenience and necessity", and the Commission being fully informed in the premises;

It is ordered, That the petitions be, and they are hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6945; Filed, July 22, 1942; 11:04 a. m.]

[Docket No. 6337]

RADIO STATION WJOB

NOTICE OF HEARING

In re application of O. E. Richardson, Fred L. Adair, and Robert C. Adair, d/b as radio station WJOB (WJOB); dated December 27, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Hammond, Indiana; operating assignment specified, frequency, 1230 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: O. E. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB, 447 State Street, Hammond, Indiana.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6955; Filed, July 22, 1942; 11:06 a. m.]

[Docket No. 6365]

VALRADIO, INC. (KXO)

NOTICE OF HEARING

In re application of Valradio, Inc. (KXO); dated February 3, 1942, for modification of license; class of service, broadcast; class of station, broadcast; location, El Centro, California; operating assignment specified: Frequency, 1230 kc.; power, 100 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Valradio, Inc., Radio Station KXO, 793 Main Street, El Centro, California.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6956; Filed, July 22, 1942; 11:06 a. m.]

[Docket No. 6368]

YORK BROADCASTING CO. (WORK)

NOTICE OF HEARING

In re application of York Broadcasting Company (WORK), dated April 18, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, York, Pennsylvania, operating assignment specified (under C. P.): Frequency, 1350 kc.; power, 1 kw. (DA-night), hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of §1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: York Broadcasting Company, Radio Station WORK, Koch Bldg., 13 South Beaver Street, York, Pennsylvania.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6959; Filed, July 22, 1942; 11:07 a. m.]

[Docket No. 6369]

WCAU BROADCASTING CO.

NOTICE OF HEARING

In re application of WCAU Broadcasting Company (New), dated December 9, 1941, for construction permit; class of service, television broadcast; class of station, television broadcast; location, Philadelphia, Pa., operating assignment specified: Frequency, Ch. #5. 84000-90000 kcs., ESR: 1128; power ----; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of §1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WCAU Broadcasting Company, Radio Station WCAU, 1622 Chestnut Street, Philadelphia, Pennsylvania.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6960; Filed, July 22, 1942; 11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3147-7]

OLIVER IRON AND STEEL CORP.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 3 under Maximum Price Regulation No. 147[1]—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 8, 1942, Oliver Iron and Steel Corporation, South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition, and an opinion in support of this Order No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2] For the reasons set forth in the opinion, under the Authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum price it may charge on a shipment of track bolts from Pittsburgh, Pennsylvania, to Brownson, Nebraska, made July 3, 1942 of 58,061 pounds on Contract W-7334-ENG-4, Purchase Order 58 of the War Department, Office of Area Engineer, Sioux Ordnance Depot, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147 from Pittsburgh, Pennsylvania as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 3 shall become effective July 22, 1942.

Issued this 21st day of July, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6929; Filed, July 21, 1942; 12:33 p. m.]

[1] 7 F.R. 3808.

[2] Copies may be obtained from the Office of Price Administraton.

[3] 7 F.R. 971.

[Docket No. 3147-5]

OLIVER IRON AND STEEL CORP.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 4 under Maximum Price Regulation No. 147[1]—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 1, 1942, Oliver Iron and Steel Corporation, South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition, and an opinion in support of this Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2] For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum prices it may charge for track bolts shipped or to be shipped from Pittsburgh, Pennsylvania to Denver, Colorado, Knobnoster, Missouri, La Junta, Colorado, Springfield, Illinois, Great Falls, Montana, and Salem, Oregon, pursuant to orders of the War Department, Office of Chief of Engineers, Washington, D. C., Requisition Nos. 5135-3, 6396-3, 5925-3, 5122-4, 6470-3 and 6675-3 respectively, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147, from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 4 shall become effective July 22, 1942.

Issued this 21st day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6930; Filed, July 21, 1942; 12:34 p. m.]

[Docket No. 3147-8]

OLIVER IRON AND STEEL CORP.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 5 under Maximum Price Regulation No. 147[1]—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 9, 1942, Oliver Iron and Steel Corporation, (hereinafter called "petitioner"), South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the

[4] 7 F.R. 971, 3663.

petition, and an opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[1] For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by § 1368.7 (a) of Maximum Price Regulation No. 147, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum prices it may charge for track bolts to be shipped from Pittsburgh, Pennsylvania to Benicia, California, Deming, New Mexico, Gainesville, Texas and Chamblee, Georgia, pursuant to an order expected from the War Department, Office of Chief Engineers, in accordance with a quotation made by the petitioner on July 6, 1942, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147, from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 5 shall become effective July 22, 1942.

Issued this 21st day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6931; Filed, July 21, 1942; 12:34 p. m.]

[1] Copies may be obtained from the Office of Price Administration.
[2] 7 F.R. 971, 3663.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-535]

COLUMBIA GAS & ELECTRIC CORPORATION, AND COLUMBIA CORPORATION

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of July 1942.

Columbia Gas & Electric Corporation, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed an application and declaration and amendments thereto under sections 10 (c) and 12 (c), respectively, of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder, regarding the proposed expenditure of not in excess of $9,477,000 to acquire part of its three series of outstanding debentures by purchases on the New York Stock Exchange, and by a direct purchase of $27,800 principal amount from Columbia Corporation, a wholly-owned subsidiary of Columbia Gas & Electric Corporation; and

Columbia Corporation having filed a joint declaration pursuant to section 12 (f) of the Act and Rule U-43 promulgated thereunder, regarding the proposed sale to Columbia Gas & Electric Corporation; and

A public hearing on said application and declaration having been held after appropriate notice; the Commission having examined the record and having made and filed its Findings herein:

It is ordered, That said application, as amended, be and hereby is granted, and that said declaration, as amended, be and hereby is permitted to become effective forthwith, subject, however, to the transactions therein set forth being carried out in conformity with the representations made, and for the purposes stated, in said application and declaration, as amended, and in compliance with the following terms and conditions:

(1) That at least ten days before purchases are commenced, Columbia Gas shall advise each known holder of its debentures fully with respect to its intention to make purchases and the method to be employed, and shall furnish to each known debenture holder and members of the New York Stock Exchange a copy of our Findings and Opinion herein, together with a corporate and consolidated balance sheet as of a recent date, condensed comparative corporate and consolidated income statements for the past three calendar years, an interim income statement indicating the estimated effect of prospective Federal Income and Excess Profits Taxes, and a statement of other factors expected to influence income; the form of letter and accompanying documents to be submitted to the staff of the Public Utilities Division of this Commission prior to release by Columbia Gas; and that Columbia Gas shall cause to be published, at least twice, in a daily periodical of general circulation a public notice of its intention to make such purchases; and such purchases shall not commence within five days subsequent to the publication of second notice;

(2) That all purchases other than from Columbia Corporation shall be effected on the New York Stock Exchange, and Columbia Gas shall not solicit or cause to be solicited the sale of any of its debentures;

(3) That, except for the proposed acquisition from Columbia Corporation, no debentures shall knowingly be purchased from any officer or director of Columbia Gas, its subsidiaries or its affiliates, or from such subsidiaries or affiliates;

(4) That Columbia Gas shall furnish to the Commission, promptly at the end of each week, a schedule showing for each day covered by such report the principal amount of debentures of each maturity purchased, the price at which purchased, and the name of the broker through whom purchased; such information to be kept confidential by Columbia Gas and the Commission, subject to further Order of the Commission;

(5) That no purchases shall be made after the expiration of four months from the date of this Order, subject, however, to the right of Columbia Gas to apply for an extension or extensions of such period;

(6) That Columbia Gas shall promptly, upon completion or abandonment of the proposed purchase program, publicly notify the debenture holders to that effect;

(7) That the Commission reserves jurisdiction, in its discretion, to rescind or modify this Order upon notice to Columbia Gas at any time prior to the expiration of such four months' period, or any extensions thereof; any such rescission or modification to be applicable only to such portion of the $9,452,000 as shall not have been previously expended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6939; Filed, July 21, 1942; 3:21 p. m.]

[File Nos. 59-17, 59-11, 54-25]

THE UNITED LIGHT AND POWER COMPANY, ET AL.

NOTICE OF FILING OF RESPONDENTS' APPLICATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of July 1942.

In the Matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, (File No. 59-17); The United Light and Power Company and its subsidiary companies, Respondents, (File No. 59-11); and The United Light and Power Company, Applicant, (File No. 54-25)

The Commission having previously, by order dated August 5, 1941, under section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered among other things that The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company and Continental Gas & Electric Corporation dispose of certain of their interests in the companies designated in such order of August 5, 1941; and said order having provided that the respondents should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose; and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate;

Notice is hereby given that the United Light and Power Company, the United Light and Railways Company, American Light & Traction Company, and Continental Gas & Electric Corporation, all registered holding companies, have filed on July 13, 1942 an application, designated as "Application No. 15", requesting the entry of an order by this Commission under section 11 (c) of the Act, extending the time for compliance with the order of this Commission issued on August 5, 1941, for a period of one year, or until August 5, 1943.

All interested persons are referred to Application No. 15 which is on file in the offices of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearings should be reconvened for the purpose of considering said Application No. 15;

It is ordered, That the hearings in this proceeding be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk in Room 318, at 10:00 A. M. on the 3d day of August 1942. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided for by our Rules of Practice, Rule XVII, on or before August 1, 1942. At said reconvened hearing on that day the issues will be limited to a consideration of the matters presented by Application No. 15.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to assert all powers granted to the Commission under section 18 (c) of the Act and to the trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said Application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether or not the respondents have exercised due diligence in their efforts to comply with the order of this Commission dated August 5, 1941.

(2) Whether an extension of one year in which to comply with our order of August 5, 1941, as requested by the respondents, is necessary or appropriate in the public interest or for the protection of investors or consumers.

Notice of such hearing is hereby given to the respondents and applicants herein, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors and consumers.

It is further ordered, That the Secretary of this Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to the respondents and applicants and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6940; Filed, July 21, 1942; 3:21 p. m.]

[File No. 70-578]

AMERICAN UTILITIES SERVICE CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of July 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Utilities Service Corporation; and

Notice is further given that any interested parties may, not later than August 6, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing may be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

American Utilities Service Corporation, a registered holding company proposes to pledge with the Continental Illinois National Bank and Trust Company of Chicago (Trustee under the Indenture securing its Collateral Trust 6% Bonds, Series A) 2,000 shares of common stock, $100 par value, of Northwestern Wisconsin Electric Company (a subsidiary) and 31,598 shares of common stock, no par value, of Southeastern Telephone Company (a subsidiary) in accordance with a provision of the Trust Indenture requiring the pledge of securities existing through the conversion of securities previously pledged to the Trustee.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6941; Filed, July 21, 1942; 3:21 p. m.]

[File No. 70-576]

NEW ENGLAND POWER SERVICE COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of July 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Power Service Company, a subsidiary service company of New England Power Association, a registered holding company; and

Notice is further given that any interested person may, not later than July 31, 1942, at 5:30 p. m. E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized below:

New England Power Service Company proposes to borrow from banks from time to time sums not exceeding in the aggregate more than $500,000, and to issue therefor a note or notes to mature in not more than six months, the funds so to be borrowed to be used solely to finance work under war contracts. Said notes will be either unsecured or secured by an assignment of claims for money due under any or all of said war contracts, and will be issued upon such reasonable terms and conditions as will enable New England Power Service Company to obtain the necessary funds economically and expeditiously.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6942; Filed, July 21, 1942; 3:24 p. m.]

[File No. 1-2282]

CHOLLAR EXTENSION MINING COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 17th day of July, A. D. 1942.

The San Francisco Mining Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 10¢ Par Value Common Stock of the Chollar Extension Mining Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on July 27, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-6938; Filed, July 21, 1942; 3:24 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 5]

COMPOUNDING OF SYNTHETIC RUBBER

THE ATTORNEY GENERAL:

I submit herewith a proposed agreement entitled "Agreement on Exchange of Technical Information and Patent Rights Relating to the Compounding of Synthetic Rubber", dated July 3, 1942, between Rubber Reserve Company, a corporation created by Reconstruction Finance Corporation, and certain rubber manufacturing companies named therein.

I understand that this agreement has your approval insofar as the antitrust policies of the Department of Justice are concerned.

I hereby approve said agreement for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing or the omission to do any act or thing, in compliance with my approval herein expressed, by the parties to said agreement,[1] is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JULY 11, 1942.

[F. R. Doc. 42-6936; Filed, July 21, 1942; 3:16 p. m.]

[1] *Infra.*

PARTIES TO SYNTHETIC RUBBER AGREEMENT

CERTAIN DETAILS OF AGREEMENT REFERRED TO IN CERTIFICATE NO. 5 OF THE CHAIRMAN, WAR PRODUCTION BOARD, DATED JULY 11, 1942.

Pursuant to section 12 of Public Law No. 603 approved June 11, 1942, I do hereby make public the following details of the Agreement referred to in the above certificate:[1]

Date: July 3, 1942.

Parties: Rubber Reserve Company, The Goodyear Tire & Rubber Company, The Firestone Tire & Rubber Company, United States Rubber Company, and The B. F. Goodrich Company.

FRANCIS BIDDLE, *Attorney General.*

JULY 18, 1942.

[F. R. Doc. 42-6937; Filed, July 21, 1942; 3:16 p. m.]

[1] *Supra.*

Reference

JUL 27 1942

THE NATIONAL ARCHIVES LITTERA SCRIPTA MANET 1934 OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 145

Washington, Friday, July 24, 1942

The President

EXECUTIVE ORDER 9204

COORDINATION OF FEDERAL ACTIVITIES AFFECTING THE FISHERY INDUSTRY

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 838), and as President of the United States, and for the purpose of developing and assuring sustained production of aquatic food supplies essential to the conduct of the present war, and for the further purpose of coordinating the policies, plans, and programs relating to the war effort that affect the fishery industries and the aquatic food supplies of the United States, its territories, and possessions, it is hereby ordered as follows:

1. The Secretary of the Interior is designated as Fishery Coordinator. The Secretary is authorized to designate an officer of the Department of the Interior as Deputy Fishery Coordinator and to delegate to such Deputy any of the functions, duties, and powers of the Coordinator. For the purposes of this order, the Secretary of the Interior shall designate such part or parts of the Fish and Wildlife Service of the Department of the Interior as he may determine, as the Office of Fishery Coordination.

2. Under the general direction of the Fishery Coordinator and the supervision of the Deputy Fishery Coordinator, the Office of Fishery Coordination shall perform the following-described functions and duties:

(a) Maintain close liaison with appropriate Federal, interstate, state, and local agencies, and with fishery and allied industries, and obtain currently from them information for the use of appropriate Federal agencies relative to the conservation, production, processing, packing, transportation, marketing, and consumption of fish and other fishery products, and to the construction, procurement, conversion, substitution, replacement and repair of fishery industry facilities. To facilitate this exchange of information the head of each such Federal agency shall designate a liaison officer who shall be responsible for keeping the Office of Fishery Coordination currently informed on all plans and operations of such agency which may affect the activities enumerated above, except plans or operations of a confidential or secret nature pertaining to the prosecution of the war.

(b) Make specific recommendations to appropriate Federal, interstate, state, and local agencies, and to fishery and allied industries, for the purpose of encouraging coordination of effort and maximum utilization of their services and facilities, all with a view toward insuring an adequate and sustained production and supply to meet the requirements for fish and other fishery products as determined by appropriate Federal war agencies. To this end the Office of Fishery Coordination, with the approval of the Coordinator or Deputy Coordinator, may advise interstate, state, and local agencies regarding conservation practices of the fishery industry; advise appropriate Federal agencies with respect to the materials, equipment, and supplies required by the fishery industry; and advise the War Production Board, when and to the extent requested by the Board, with respect to supply, allocation, and procurement problems of the fishery industry.

3. Subject to the provisions of section 3 of the First War Powers Act, 1941, the Secretary of the Interior may (a) make available for the use of the Office of Fishery Coordination, for the purpose of carrying out the functions and duties prescribed in this order, such statistical, information, fiscal, personnel, and other general services and facilities as are now available within the Department of the Interior or as may be made available to it through other agencies of the Government, and (b), within the limits of available funds, employ for the use of the Office of Fishery Coordination other necessary personnel and make provisions for necessary supplies, facilities, services, and for actual and necessary transporta-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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tion, subsistence, and other expenses incidental to the performance of the functions and duties referred to in this order.

4. This order shall become effective as of the date hereof and shall continue in force and effect so long as Title I of the First War Powers Act, 1941, remains in force.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 21, 1942.

[F. R. Doc. 42–6998; Filed, July 23, 1942; 10:24 a. m.]

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4453]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED DIATHERMY, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of "United Short Wave Diathermy", or other similar device or apparatus, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said device or apparatus which advertisement represents, directly or through inference, that said device or apparatus (1) is safe or harmless; (2) has any therapeutic value in the treatment of arthritis characterized by infection, bursitis where the condition is acute, sinus trouble in which there is a retention of pus, or any disease or condition involving an acute inflammatory process; (3) constitutes a competent or effective treatment for rheumatism, arthritis, neuritis, bursitis, lumbago, sciatica, neuralgia, sinus trouble, or colds, or for the alleviation of pain resulting from any of said disorders or ailments, unless such advertisement is specifically limited to those cases of such disorders or ailments which do not involve acute inflammatory processes; or which advertisement (4) fails to reveal clearly, conspicuously, and unequivocally that said device or apparatus is not safe to use unless and until a competent medical authority has determined as a result of diagnosis that the use of diathermy is indicated and has prescribed the frequency and rate of application of such diathermy treatments and the user has been thoroughly and adequately instructed by a trained technician in the use of such diathermy device or apparatus; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, United Diathermy, Inc., Docket 4453, July 20, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, briefs filed herein, and oral arguments by counsel, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, United Diathermy, Inc., its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of an electrical device or apparatus designated as "United Short Wave Diathermy," or any other device or apparatus of substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly disseminating or causing to be disseminated, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement concerning the electrical device or apparatus designated "United Short Wave Diathermy"; or disseminating or causing to be disseminated any advertisement, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of the electrical device or apparatus designated "United Short Wave Diathermy," which advertisement:

1. Represents, directly or through inference, that said device or apparatus is safe or harmless;

2. Represents, directly or through inference, that said device or apparatus has any therapeutic value in the treatment of arthritis characterized by infection, bursitis where the condition is acute, sinus trouble in which there is a retention of pus, or any disease or condition involving an acute inflammatory process;

3. Represents, directly or through inference, that said device or apparatus constitutes a competent or effective treatment for rheumatism, arthritis, neuritis, bursitis, lumbago, sciatica, neuralgia, sinus trouble, or colds, or for the alleviation of pain resulting from any of said disorders or ailments, unless such advertisement is specifically limited to those cases of such disorders or ailments which do not involve acute inflammatory processes;

4. Fails to reveal clearly, conspicuously, and unequivocally that said device or apparatus is not safe to use unless and until a competent medical authority has determined as a result of diagnosis that the use of diathermy is indicated and has prescribed the frequency and rate of application of such diathermy treatments and the user has been thoroughly and adequately instructed by a trained technician in the use of such diathermy device or apparatus.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–7012; Filed, July 23, 1942; 11:01 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50687]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PART 11—SAMPLING, WEIGHING AND TESTING OF SUGARS, SIRUPS, AND MOLASSES; ASCERTAINING CLEAN CONTENT OF WOOL AND HAIR; ENTERING, SAMPLING, WEIGHING, GAUGING, AND STORING PETROLEUM PRODUCTS

WAREHOUSE WITHDRAWAL OF LEATHER AND MOLASSES

Articles 497 (e) and 697 (b) (3) of the Customs Regulations of 1937 amended to provide for the use of customs Form 7505 (Duty-Paid Warehouse Withdrawal for Consumption) for withdrawals from warehouse for consumption of leather and molasses.

Paragraphs (e) of article 497 and (b) (3) of article 697 of the Customs Regulations of 1937 [§§ 8.90 (d) and 11.5 (b) (3)] are hereby amended by deleting "7506" after "customs Form" and substituting "7505" in each case. (Par. 1530 (c), (g); secs. 1, 624, 46 Stat. 666, 667, 759; 19 U. S. C. 1Q01,1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 20, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42–7018; Filed, July 23, 1942; 11:20 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1526]

PART 329—MINIMUM PRICE SCHEDULE DISTRICT NO. 9

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
[1] 1022	Cox, W. R.	Cox No. 3	9	10	Beaver Dam	IC.
[1] 1021	Gillard, Herman	Short Orchard	9	10	Greenville	IC.
[1] 1012	Hoheimer, George	Hoheimer	11	10	Horton	IC.
[1] 1017	McCormick, Goldie	No. 9	9	10	Beaver Dam	IC.
[1] 1015	Young Brothers	Young Bros.	9	30	Browder	L&N.
[1] 1018	Dillingham & Saint (R. O. Dillingham)	Sugar Creek	6	30	Empire Mine	L&N.

[1] The f. o. b. mine prices for coal shipped by mine index Nos. 1022, 1021, 1012, 1017, 1015 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in minimum Price Schedule for District No. 9, for All Shipments Except Truck.

[2] The f. o. b. mine prices for coal shipped by Mine Index No. 1018 to any market area in any size group and for any use including Railroad Locomotive Fuel are the same as the prices shown for Dawson Daylight Coal Company, Dawson Daylight No. 6 mine, Mine Index No. 19, in Minimum Price Schedule for District No. 9, for All Shipments Except Truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	17	18, 19, 20	21, 22	23, 24	25	26, 27	28, 29
BUTLER COUNTY																					
Cardwell, Lawson & Rufus Tarence.	1024	Cardwell & Tarence.	Stray	235	225	215	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
CHRISTIAN COUNTY																					
Ford, Ernest	1025	Ford	No. 6	230	220	210	200	195	185	185	180	175	160	100	..	..	..	..	..	170	165
HANCOCK COUNTY																					
Rice, O. T. & Ben Dejarnette.	1016	R & D No. 2.	Stray	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
HOPKINS COUNTY																					
Dillingham & Saint (R. O. Dillingham).	1018	Sugar Creek	No. 6	230	220	210	200	195	185	185	180	175	160	100	..	..	..	..	..	170	165
Robinson, R. F.	1019	Robinson No. 2.	No. 6	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
MUHLENBERG COUNTY																					
Gillard, Herman	1021	Short Orchard.	No. 9	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
Young Brothers	1015	Young Bros.	No. 9	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
OHIO COUNTY																					
Cox, W. R.	1022	Cox No. 3	No. 9	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
Hoheimer, George	1012	Hoheimer	No. 11	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
McCormick, Goldie	1017	No. 9	No. 9	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115
Phelps, Delsie	1026	Phelps & Childers.	No. 9	205	195	185	175	170	160	160	150	140	110	50	..	..	..	..	..	120	115

[F. R. Doc. 42-6972; Filed, July 22, 1942; 11:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XI]

PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO OTHER AMERICAN REPUBLICS [1]

PART 809—SHIPPING PRIORITY RATINGS [2]

Section 808.7 *Notice permitting movement to port* is hereby amended to read as follows:

§ 808.7 *Notice permitting movement to port.* Notice of tentative freight booking and the Office of Defense Transportation Unit Permit Number permitting shipment to the port of exit (except when merchandise is already at such port, in which event the Unit Permit Number will authorize delivery thereof to the vessel's berth) will be contained in the same document, which will be forwarded to the person designated in the application. The subsequent procedure for delivery of this document to the carrier and actual arrangements for shipment to port of exit shall be as prescribed in appropriate regulations of the Office of Defense Transportation or War Shipping Administration.

Paragraph (a) of § 809.6 *Ratings assigned articles and materials under general licenses* is hereby amended by the assignment of the following new shipping ratings to the following listed commodities.

Schedule "B" No.	Commodity	Shipping rating
1766	Sirups and flavors for beverages	C
4140	Box shooks, white, ponderosa and sugar pine	B
4141	Box shooks, southern pine	B
4142	Box shooks, hemlock and spruce	B
4143	Box shooks, gum	B
4149	Box shooks, other	B
5375.98	Refractory cement (excepting chromite refractories, but including plastic brick cement)	B

Section 809.6 *Ratings assigned articles and materials under general licenses* is hereby amended by adding the following paragraphs:

(c) When articles and materials under general licenses are moving in transit through the United States in shipments originating in Canada, and shipping priority ratings have previously been assigned to such shipment by the Canadian Government, such shipment shall automatically be given the same rating hereunder. In the event that no rating has been assigned to such shipment by the Canadian Government, the merchandise included therein shall have the ratings assigned by paragraph (a) of this section, provided such merchandise is listed therein. If such merchandise is not listed in said § 809.6 (a), a rating of "D" is hereby assigned thereto.

(d) A rating of "D" is hereby assigned to all articles and materials moving under general intransit license from points of origin other than Canada.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

JULY 21, 1942.

[F. R. Doc. 42-6990; Filed, July 22, 1942; 12:31 p. m.]

[1] 7 F.R. 5267.
[2] 7 F.R. 5268, 5344.

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 904—PROCUREMENT

[Directive No. 5]

BUILDERS HARDWARE MANUAL FOR THE INSTALLATION OF HARDWARE FOR BUILDINGS

ADOPTION OF MANUAL

Pursuant to the authority vested in me by Executive Orders No. 9024 [1] of January 16, 1942, and No. 9125 [2] of April 7, 1942, the following policy is prescribed for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, Public Buildings Administration and National Housing Agency.

§ 904.4 *Directive No. 5.* (a) Reference is made to War Production Board Builders Hardware Manual dated July 15, 1942, as from time to time amended, covering the installation of hardware in buildings.

(b) Said manual shall apply to and shall govern the installation of hardware for the following types and similar types of buildings constructed by, or the construction of which is financed by, any such Departments or Agencies, the contracts for which are placed after October 15, 1942, in case of the Army, the Navy, or the Maritime Commission, and after August 15, 1942, in the case of the other Agencies named above: Part I *Public Type Buildings* including Administrative, Office, and Monumental Buildings; Auditorium and Recreation Buildings; Communications Buildings; Dormitories and Nurses' Homes; Education Buildings and Laboratories; Hospital, Dispensary, and Infirmary Buildings; and Waterworks, and Sewage Disposal Plant Buildings: Part II *Residential Housing,* Part III *Cantonments and Similar Type Buildings:* Part IV *Industrial Type Buildings and Buildings for Army and Navy Bases Other Than Previously Covered in Part III* including Assembly Explosive Loading, Packing, Screening, Detonator Loading, Pelleting, Magazine, Powder Buildings, Blending Mixing Buildings Tracer and High Explosive Press Loading Buildings, Tracer Igniter and Incendiary Buildings Melting and Pouring Buildings, Drilling and Thread Cleaning Buildings, Percussion Element Line Buildings, Preliminary Dry Houses, Change Buildings; Ordnance and Factory Buildings, Power House, Warehouses, Fire House, Pump House, and Shipping Room Buildings; Office, Administration, Instruction, First Aid Buildings, Guard Houses, etc.; Officer's Quarters; and Cafeterial Buildings.

(c) Authority to depart from the provisions of this Directive may, upon specific request, be granted by the Director General for Operations of the War Production Board, or by such person or persons as he may designate for this purpose.

Issued this 23rd day of July 1942.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329, E.O. 9040, Jan. 24, 1942, 7 F.R. 527, E.O. 9125, April 7, 1942, 7 F.R. 2719; Sec. 2 (a), Pub. No. 671, 76th Cong., 3d sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2d sess., W.P.B. Reg. No. 1, Jan 26, 1942, 7 F.R. 561, as amended Mar. 14, 1942 and July 9, 1942, 7 F.R. 5395)

DONALD M. NELSON,
Chairman.

[F. R. Doc. 42-7034; Filed, July 23, 1942; 11:46 a. m.]

[1] 7 F.R. 329.
[2] 7 F.R. 2719.

Subchapter B—Director General for Operations

PART 962—IRON AND STEEL

[Amendment 6 to Supplementary Order M-21-b]

WAREHOUSES AND DEALERS

Paragraph (d) of Supplementary Order M-21-b (§ 962.3 [1]) is hereby amended to read as follows:

(d) *Limitations on deliveries by warehouses and dealers.* (1) Except as hereinafter provided, deliveries of all steel and iron products by a warehouse or dealer shall be subject to the same restrictions as those imposed by any order of the Director General for Operations on deliveries of such products by a producer. In addition, except as provided below, on and after August 1, 1942, no warehouse or dealer shall deliver steel or iron products except on an order bearing a preference rating of A-1-a or higher which has been duly assigned pursuant to regulations, orders, or certificates: *Provided, however,* That

(i) A warehouse or dealer may deliver steel or iron products on orders for essential repair or maintenance purposes on ratings lower than A-1-a when such orders are properly rated according to authority granted to the purchaser by the Director General for Operations: *Provided,* That deliveries of the following types of steel or iron products in this manner by any warehouse or dealer during any calendar quarter do not exceed the indicated percentage of the total quarterly quota of such warehouse or dealer for such type of products:

	Percent
Stainless steel products	3
Tool steel products	3
Other alloy steel products	3
All other steel or iron products	5

(ii) A warehouse or dealer may deliver flat rolled steel products which were received by the warehouse or dealer as material below prime grade on an order bearing a preference rating of A-3 or higher which has been duly assigned pursuant to regulations, orders, or certificates.

(iii) A warehouse or dealer may deliver cast iron soil pipe in sizes larger than 4" nominal I. D. and cast iron culvert pipe only on an order bearing a preference rating of A-10 or higher which has been duly assigned pursuant to regulations, orders, or certificates.

(iv) A warehouse or dealer may deliver nails, bale ties, black or galvanized welded pipe up to and including 3½" O. D. standard pipe size, merchant quality fence wire, woven wire fence, poultry netting, barbed wire, staples, fence posts, gates, steel roofing and siding, and cast iron soil pipe up to and including 4" nominal I. D. on lower rated or unrated orders, except as restricted by any other Order of the Director General for Operations.

(2) No warehouse or dealer shall make a delivery to any one customer to one destination at any one time from warehouse stock in quantities representing a minimum carload or more except with the specific approval of the War Production Board unless such carload contains ten or more different items, each item to be of a specific quality, length, and cross-section, and no item of which shall weigh more than 8,000 pounds: *Provided, however,* That the provisions of this paragraph (d) (2) do not apply to deliveries of oil well casing, oil well drill pipe, oil well tubing and oil well line pipe.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7001; Filed, July 23, 1942; 10:17 a. m.]

[1] 6 F.R. 4587, 5255, 5995, 6736; 7 F.R. 1626, 3324, 3681.

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Supplementary Preference Rating Order P-46a]

SERVICE CONNECTIONS

In accordance with the provisions of § 978.1 *Preference Rating Order P-46,* as amended, [1] which the following order supplements;

§ 978.2 *Supplementary Preference Rating Order P-46a.* The provisions of paragraph (f) (3) (ii) (b) of Preference Rating Order P-46 amended shall not apply to service connections made by producers to facilities of the Army or Navy of the United States or the Maritime Commission, upon the direct order of the Army, Navy, or Maritime Commission: *Provided,* That the total length of the main extension or the service line does not exceed 250 feet, and the total cost of materials required for the extension does not exceed $1,500 in the case of underground construction and $500 in the case of other jobs. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E. O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7007; Filed, July 23, 1942; 10:18 a. m.]

[1] 6 F.R. 4784, 4866, 4921, 5008, 5041, 5649, 5995, 6373; 7 F.R. 2348, 4699, 5272.

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Supplementary Order M-81-b [1]]

LUBRICATING OIL

§ 1068.3 *Supplementary Order M-81-b.* Notwithstanding the provisions of § 1068.1 *Conservation Order M-81,* as amended, which this order supplements, and until September 30, 1942, any can manufacturer may manufacture, and any canner may buy, accept delivery of, and use for packing lubricating oil, 1-qt., 5-qt., or larger cans made in whole or in part of terneplate; provided that no sheets of terneplate which were not in the possession of the can manufacturer on or before February 11, 1942, shall be used in the manufacture of such cans. A canner's terneplate quota from the date of issuance of this supplementary order until September 30, 1942, for packing lubricating oil, is hereby fixed at 10 percent of the area of tinplate, terneplate, and blackplate which was required for the manufacture of cans made of such materials and used by him for this purpose during the calendar year 1940. No cans for packing lubricating oil, made of terneplate or any other metal, shall be manufactured, sold, or used for packing lubricating oil after September 30, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7002; Filed, July 23, 1942; 10:17 a. m.]

[1] 7 F.R. 4836, 5272.

PART 1075—CONSTRUCTION

[Amendment 2 to Conservation Order L-41]

Section 1075.1 Conservation Order L-41 [1] is hereby amended in the following respects.

1. Paragraph (b) is amended to read as follows:

(b) *Prohibited construction.* No person shall begin construction, or order,

[1] 7 F.R. 2730, 3712, 3774, 4326.

purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to begin construction, unless the construction is within one of the following classes:

(1) The construction is to be the property of the Army or Navy of the United States, the United States Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, or the Office of Scientific Research and Development.

(2) The construction consists of any building, structure or project which is used directly in the discovery, development or depletion of mineral deposits.

(3) The construction is of a type subject to the provisions of any order in the M–68 series (Part 1047) relating to the production and distribution of petroleum. Any such construction is permitted only to the extent authorized by the applicable order in the M–68 series.

(4) The construction is of telephone facilities or equipment, other than buildings, and is authorized or permitted under the terms of Conservation Order L–50 (§ 1095.1).

(5) The construction is of facilities, other than buildings, to be owned by a producer as defined in Preference Rating Order P–46 (§ 978.1) pertaining to utilities and is to be used directly in providing one or more of the services set forth in paragraph (a) (1) of said order.

(6) The construction is of irrigation ditches and no materials except earth or other unprocessed material and drain tile made of burned clay tile, not more than 12 inches in diameter and without bell joints, are incorporated.

(7) The construction can be completed with materials which are either on hand or can be obtained without making application for priorities assistance, and

(i) The construction is residential and the estimated cost is less than five hundred dollars, or

(ii) The construction is agricultural and the estimated cost is less than one thousand dollars, or

(iii) The construction is other restricted construction and the estimated cost is less than five thousand dollars, or

(iv) The construction is to reconstruct or restore residential construction damaged or destroyed after December 31, 1941, by fire, flood, tornado, earthquake, act of God, or the public enemy.

(8) The construction is to reconstruct or restore other restricted construction damaged or destroyed after the date of issuance of this amendment by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is necessary for the prosecution of the war or to protect public health or safety; provided that within five days of the damage or destruction notice thereof is given by telegraph to the War Production Board setting forth (i) the cause of the damage or destruction, (ii) the function of the building, structure or project which has been damaged or destroyed, (iii) the type of construction, (iv) why immediate reconstruction or restoration is necessary, and (v) the estimated cost of reconstruction; and provided further, that within two weeks of the giving of such telegraphic notice, application for authorization to begin construction is filed in accordance with the provisions of paragraph (f) of this section.

Nothing contained in this subparagraph (8) shall be interpreted as a commitment that priorities assistance will be accorded to any particular construction authorized by the provisions of this subparagraph (8), and the Director General for Operations may at any time either order said construction to cease or require any modification thereof that seems to him to be proper.

(9) The construction has been or is hereafter authorized by the Director of Priorities of the Office of Production Management or by the Director of Industry Operations or the Director General for Operations of the War Production Board by the issuance of

(i) One of the Preference Rating Orders or Certificates listed on Schedule A attached hereto, as that Schedule may be amended from time to time, according priorities assistance to the construction; or

(ii) An order specifically authorizing the construction.

Provided, however, That the exceptions set forth in paragraphs (b) (7) (i), (b) (7) (ii), and (b) (7) (iii) shall not be construed to authorize separate or successive construction operations the aggregate cost of which over any continuous twelve-month period exceeds the amount specified in the applicable paragraph for the particular building, structure or project; not including in said aggregate cost the cost of any construction thereon during said period authorized under the provisions of paragraph (b) (9).

2. Schedule A is hereby amended by striking out:

P–46 Certain types of utilities See order construction.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–6999; Filed, July 23, 1942; 10:17 a. m.]

PART 1100—ANTI-FREEZE

[Amendment 1 to General Limitation Order L–51]

ALCOHOL

Section 1100.1 (*General Limitation Order L–51*[1]) is hereby amended by the addition of a paragraph lettered (i) as follows:

(i) *Exemption from general inventory restrictions.* The restrictions on inventories provided by Priorities Regulation No. 1 (§ 944.14) shall not be applicable to anti-freeze manufactured from alcohol; provided, however, that no person shall knowingly make, and no person shall accept, delivery of such anti-freeze if the inventory of the person accepting delivery is or will by virtue of such acceptance become, in excess of the quantity required, whether for own use or resale, for the season April 1, 1942, to March 31, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7000; Filed, July 23, 1942; 10:17 a. m.]

[1] 7 F.R. 3573.

PART 1169—MAHOGANY AND PHILIPPINE MAHOGANY

[Amendment 1 to General Conservation Order M–122]

Paragraph (b) of § 1169.1 (*General Conservation Order M–122*[1]) is hereby amended in the following respects:

By adding after subparagraph (3) thereof the following new subparagraph:

(4) Orders placed by dealers for war-use mahogany and war-use Philippine mahogany to replace an equal number of board feet of war-use mahogany and war-use Philippine mahogany delivered subsequent to May 26, 1942 or hereafter for the uses specified in paragraph (d), subparagraph (2) of this order: *Provided, however,* That such orders are not for the replacement of FAS wormy, N.O. wormy or No. 1 common (N) wormy with FAS and selects, and that such order bears a certification in the following form signed by a responsible official of the dealer placing the purchase order:

All war-use mahogany and war-use Philippine mahogany covered by this purchase order is ordered for the purpose of replacing an equal number of board feet of war-use mahogany and war-use Philippine mahogany delivered subsequent to May 26, 1942 for the uses specified in paragraph (d), subparagraph (2) of General Conservation Order M-122, and such replacement lumber will be delivered only for those specific purposes.

Name ---------- By: ----------

Date

War-use mahogany and war-use Philippine mahogany replaced in dealers' stocks pursuant to the provisions of this paragraph (b), subparagraph (4) shall be delivered only for the purposes specified in paragraph (d), subparagraph (2) of this order.

By renumbering subparagraph (4) as subparagraph (5).

[1] 7 F.R. 3931, 4481.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7003; Filed, July 23, 1942; 10:17 a. m.]

PART 1177—SPICES

[Interpretation 1 of Conservation Order M–127]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1177.1 *Conservation Order M–127*[1]:

Order M–127 controls the distribution of each of certain designated spices by placing quantitative quotas on certain persons' deliveries or use of that spice in any form. A quantity of a spice in dry form (unground or ground) weighs considerably more than the same quantity of that spice after it has been processed by distillation or extraction into another form. This has raised a question as to the computation and application of quotas involving more than one form of the same spice.

Order M–127 is interpreted as requiring that, in such cases, quotas be computed and applied on the basis of a common weight equivalent. A person whose quota is computed as a certain number of pounds of a dry spice is not entitled to the same number of pounds of the same spice in distilled or extracted form. He is entitled to only the number of pounds of the distilled or extracted spice which is produced from the number of pounds of the dry spice representing his quota. Similarly, a person whose quota is computed as a certain number of pounds of a distilled or extracted spice is entitled to the amount of the same spice in dry form which would yield the number of pounds of distilled or extracted spice representing his quota. The same principle of equivalents applies where a quota represents previous deliveries or use of a spice in several forms or is to be applied to a spice in several forms. For example, 100 pounds of dry cloves, when distilled, normally yields 16 pounds of oil of cloves. In such case, a person whose quota is computed as 100 pounds of dry cloves is entitled to make up that quota with 100 pounds of dry cloves, with 16 pounds of oil of cloves, or with any combination of both in which each pound of oil of cloves substitutes for 6¼ pounds of dry cloves. Similarly, assuming the 100–16 yield ratio, a person whose quota is, for example, 16 pounds of oil of cloves or a person whose quota is, for example, 50 pounds of dry cloves and 8 pounds of oil of cloves would have the same options in making up his quota.

Spices are produced from certain portions of plants and trees. Different portions of the same plant or tree may yield different products that are sold under somewhat similar names. This has raised the question as to which of several products from the same plant or tree are spices for the purposes of Order M–127. The spices now subject to the order, by virtue of Supplementary Order No. M–127–a, as amended, are the products, or derivatives thereof, produced from the portions of the plants or trees indicated below:

Pepper (black, white), from the berry of the plant *Piper nigrum L.*

Pimento (allspice), from the fruit of the tree *Pimenta officinalis Lindl.*

Cassia (cinnamon), from the bark of the tree *Cinnamonum zeylanicum Nees* or *C. cassia (L.) Blume.*

Cloves, from the flower bud of the tree *Caryophyllus aromaticus L.*

Ginger, from the root of the plant *Zingiber officinale Roscoe.*

Nutmeg, from the seed kernel of the fruit of the tree *Myristica fragrans Houtt.*

Mace, from the covering directly surrounding the seed kernel of the fruit of the tree *Myristica fragrans Houtt.*

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7008; Filed, July 23, 1942; 10:18 a. m.]

[1] 7 F.R. 3444, 4450.

PART 1218—QUARTZ CRYSTALS

[Amendment 1 of General Conservation Order M–146]

Section 1218.1 (*General Conservation Order M–146*[1]) is hereby amended as follows:

By adding the following subparagraphs under paragraph (g):

(5) Radio oscillators and filters and optical parts to be used in the replacement of parts which are defective, cracked, or broken, provided the equipment or instruments requiring such parts are implements of war or are needed solely in activities directly connected with defense, public health, welfare, or security.

(6) Radio oscillators and filters to be exported to any foreign country for use in radio systems owned, used, and operated by a governmental department or agency of such foreign country or for use by a commercial airline operating in such foreign country;

By adding the following sentence after the quotation marks appearing at the end of the certificate form in said paragraph (g) to-wit:

Provided, however, No such certificate shall be required in the case of purchases or transferes for use in implements of war where the purchaser or transferee is the United States or one of its departments or agencies, or a foreign country or one of its departments or agencies.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7004; Filed, July 23, 1942; 10:18 a. m.]

[1] 7 F.R. 3718.

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[Amendment 3 to General Inventory Order M–161]

SALT

Section 1255.1[1] is hereby further amended by adding to Schedule (A) attached thereto the following:

Salt (Sodium Chloride) in bulk.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7005; Filed, July 23, 1942; 10:18 a. m.]

[1] 7 F.R. 4174, 4778, 4779.

PART 3009—CATTLE HIDES, CALF AND KIP SKINS

[Supplementary Order M–194–a]

§ 3009.2 *Supplementary Order M–194–a.* Pursuant to Order M–194,[1] which this order supplements, the Director General for Operations hereby determines that:

Applications by tanners, processors and contractors under paragraph (c) (2) of Order No. M–194 for authorizations to purchase or accept delivery of cattle hides during July 1942, shall be filed on or before July 25, 1942. Applications for authorizations to make purchases or accept deliveries during subsequent months shall until further order be filed on or before the 10th day of the month.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7006; Filed, July 23, 1942; 10:18 a. m.]

[1] 7 F.R. 5085.

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Amendment 1 to Procedural Regulation 6 [1]]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

Section 1300.404 is amended to read as follows, a new paragraph (f) is added to § 1300.410, and a new § 1300.412 is added:

§ 1300.404 *Place for filing application and number of copies.* (a) An original and two copies of an application for adjustment shall be filed.

(b) Except as indicated in paragraph (c), an application for adjustment may be filed either with the appropriate Regional Office of the Office of Price Administration, or with the Office of Price Administration, Washington, D. C.

(c) The following applications for adjustment shall be filed with the Office of Price Administration, Washington, D. C.:

(1) Any application made with respect to a contract entered into or proposed to be entered into:

(i) With the Department of the Navy, the total value of which exceeds $200,000;

(ii) With the War Department, the total value of which exceeds $5,000,000;

(iii) With any agency of the United States other than the War Department or the Department of the Navy;

(iv) With the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or with any agency of any such Government.

(2) Any application made pursuant to the following price regulations of the Office of Price Administration or with respect to the following commodities:

(i) Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts;

(ii) Maximum Price Regulation No. 156—Certain Beef and Beef Products Purchased by Certain Federal Agencies;

(iii) Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts;

(iv) Edible offal and other meat or meat products subject to the General Maximum Price Regulation;

(v) Revised Price Schedule No. 67—New Machine Tools.

§ 1300.410 *Definitions.* As used in this Procedural Regulation No. 6, the term:

* * * * *

(f) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order, heretofore or hereafter issued thereunder.

§ 1300.412 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1300.404, 1300.410 (f) and 1300.412) to Procedural Regulation No. 6 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6987; Filed, July 22, 1942; 12:12 p. m.]

[1] 7 F.R. 5087.

PART 1334—SUGAR

[Amendment 2 to Revised Price Schedule 60 [1]]

DIRECT-CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Sections 1334.57 (a) and 1334.59 (a) are amended and a new § 1334.57a is added as set forth below:

§ 1334.57 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 60 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * * *

§ 1334.57a *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[1] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 60 selling at wholesale any direct-consumption sugars covered by this Revised Price Schedule No. 60. When used in this section the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942.

§ 1334.59 *Definitions.* When used in Price Schedule No. 60 the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

* * * * * *

§ 1334.60a Effective dates of amendments. * * *

(b) Amendment No. 2 (§§ 1334.57 (a), 1334.57a and 1334.59 (a)) to Revised Price Schedule No. 60 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6988; Filed, July 22, 1942; 12:12 p. m.]

[1] 7 F.R. 1320, 1836, 2132, 2510.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

PART 1367—FERTILIZERS

[Amendment 1 to Maximum Price Regulation 108 [1]]

NITRATE OF SODA, SULPHATE OF AMMONIA, AND CYANAMID

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1367.26 (a) is amended and two new sections, §§ 1367.26a and 1367.29a are added as set forth below:

§ 1367.26 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 108 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * * *

§ 1367.26a *Licensing—Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 108 selling at wholesale or retail any nitrate of soda, sulphate of ammonia or cyanamid covered by this Maximum Price Regulation No. 108. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

§ 1367.29a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1367.26 (a) and 1367.26a) to Maximum Price Regulation No. 108 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6982; Filed, July 22, 1942; 12:09 p. m.]

[1] 7 F.R. 2153.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5192, 5276.

PART 1367—FERTILIZERS

[Amendment 2 to Maximum Price Regulation 135 [1]]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

A statement of the considerations involved in the issuance of this statement has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1367.36 (a) is amended and a new section, 1367.36a is added as set forth below:

§ 1367.36 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 135 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * * *

§ 1367.36a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 135 selling at retail any mixed fertilizer, superphosphate or potash covered by this Maximum Price Regulation No. 135. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

§ 1367.41 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1367.36 (a) and 1367.36a) to Maximum Price Regulation No. 135 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6981; Filed, July 22, 1942; 12:09 p. m.]

[1] 7 F.R. 3187.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5192, 5276.

[3] 7 F.R. 3720.

PART 1372—RETAIL PRICE FOR SUMMER SEASONAL COMMODITIES

[Amendment 1 to Maximum Price Regulation 144 [1]]

RETAIL PRICES OF AGRICULTURAL INSECTICIDES AND FUNGICIDES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1372.55 is amended and a new section, § 1372.63, is added as set forth below:

§ 1372.55 *Incorporation of provisions of the General Maximum Price Regulation.*[2] (a) So far as applicable to retail sales the provisions of §§ 1499.12 and 1499.14 of the General Maximum Price Regulation relating to records; of § 1499.5 relating to transfers of business or stock in trade; and of §§ 1499.4, 1499.18 and 1499.19 relating to supplemental regulations, adjustment and amendment, shall apply to all sales the maximum prices for which are established by this Maximum Price Regulation No. 144, and to all persons making such sales. Reference in § 1499.18 of the General Maximum Price Regulation to §§ 1499.2 and 1499.3 thereof, for the purpose of this Maximum Price Regulation No. 144 shall be deemed to refer to §§ 1372.52 and 1372.53 hereof.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 144 selling at retail any agricultural insecticide or fungicide covered by this Maximum Price Regulation No. 144. Only when used in this paragraph (b) the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1372.63 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1372.55 (a) (b) and 1372.63 (a)) to Maximum Price Regulation No. 144 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6983; Filed, July 22, 1942; 12:10 p. m.]

[1] 7 F.R. 3187.

[2] 7 F.R. 5047, 5362.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 1 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Sections 1390.10 (c), 1390.11 (a), 1390.25 (a), and 1390.31 are amended; a new subparagraph (1) is added to § 1390.25 (c); a new § 1390.31a is added; the item "Electrical wire, cable and cable accessories (except when subject to Revised Price Schedule No. 82, as amended)" and footnote 4 thereto is transferred from paragraph (e) of § 1390.32 to paragraph (c) of § 1390.33; in § 1390.32 the item "Gears, pinions, sprockets and speed reducers (except when subject to Revised Price Schedule No. 105, as amended)" and footnote 4 thereto in paragraph (i) is revoked, certain items are amended in paragraphs (e), (h) and (i), paragraph (j) is amended, and a new paragraph (k) is added; in § 1390.33 paragraph (b) is amended, and new items are added to, and certain items are amended in, paragraph (c); in § 1390.34, the item "Porcelain bushings" is transferred to paragraph (c) of § 1390.33, and certain items are added, all as set forth below:

§ 1390.10 *Maximum prices; sales by sellers other than the manufacturer.* * * *

(c) *Machines and parts without list prices:* If for any machine or part a seller other than the manufacturer thereof had no published or confidential list price in effect on October 1, 1941, the maximum price to any purchaser for such machine or part shall be the net price determined by applying to the seller's net invoiced cost of such machine or part, not to exceed the applicable maximum price, the average percentage margin over net invoiced cost realized on or about October 1, 1941 for the same machine or part sold by such seller on or about October 1, 1941 to purchasers of the same class, or if none was sold on or about that date, for all machines and parts of the same class sold on or about that date.

* * * * * *

§ 1390.11 *Maximum prices; sales of second-hand machines and parts.* (a) For the purposes of this section a second-hand machine or part is any machine or part which has previously been used.

* * * * * *

§ 1390.25 *Petitions for amendment or adjustment—*(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or with any government referred to in § 1390.24, or any agency thereof, or a subcontract under such contract, who believes that the maximum price established by this Maximum Price Regulation No. 136, as amended, impedes or threatens to impede production of a machine or part, or supply of a machinery service, which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of such maximum price in accordance with Procedural Regulation No. 6[2] issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application. If, however, the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price previously in effect or to the maximum price ordered, and if any payment has been made at the requested prices, the applicant may be required to refund the excess.

* * * * * *

(c) * * *

(1) *Mica capacitors.* Notwithstanding any other provisions of this Maximum

[2] 7 F.R. 5087.

Price Regulation No. 136, as amended, manufacturers of mica capacitors may add to the maximum price provided herein increases in unit cost due to increases realized subsequent to March 31, 1942, in the cost of block mica and in the cost of splitting and cutting mica film, except that nothing in this subparagraph shall permit the addition of an increase in cost due to an increase in labor rates subsequent to March 31, 1942.

* * * * *

§ 1390.32 *Appendix A: Machines and parts to which the October 1, 1941 date is applicable.* * * *

(e) *Electrical equipment:*

Airport, airways and seadromes lighting (not including aircraft fixtures).

Capacitors (except mica).

Special electrical metals and alloys (except steel with less than 6% alloy content) in any fabricated form used for electrical resistance, magnetic or glass sealing purposes, including special contact alloys and special coated iron wire.

* * * * *

(h) *Miscellaneous:*

* * * * *

Surveying and drafting instruments, and engineering reproduction equipment (not including school, art and office supplies).

* * * * *

(i) *Miscellaneous parts and subassemblies:*

* * * * *

Ferrous forgings, all types, as sold by the forge shop (whether machined or rough).

Springs for mechanical instruments set forth in paragraph (h) hereof.

(j) *Parts and subassemblies of any item set forth in paragraphs* (a) *to* (i), *inclusive, of this Appendix A when manufactured by the manufacturer of the complete item.*

(k) *Machine tools*[3] *(except when subject to Revised Price Schedule No. 1*[4] *or Revised Price Schedule No. 67.*[5]

[1] Revised Price Schedule No. 1 (7 F.R. 1202, 1836, 2132) establishes maximum prices for second-hand machine tools and extras. Revised Price Schedule No. 67 (7 F.R. 1337, 1836, 2000, 2105, 2472, 2473, 2680, 2996, 3445, 3620, 4176) establishes maximum prices for new machine tools and standard extras. Both of these Regulations remain in effect and are not superseded by this Maximum Price Regulation No. 136. Machine tool parts sold by the manufacturer of the machine tool will shortly be covered by Revised Price Schedule No. 67 by an amendment now in preparation. Chucks, mandrels, collets and machine tool attachments (see Appendix B, § 1390.33) sold by the machine tool manufacturer as standard extras are subject to Revised Price Schedule No. 67; in all other cases they are subject to this Maximum Price Regulation No. 136. Parts, subassemblies, attachments and accessories, other than standard extras, sold by a subcontractor to a machine tool manufacturer are subject to this Maximum Price Regulation No. 136. Rentals of machine tools and the service of repairing and rebuilding machine tools are subject to this Maximum Price Regulation No. 136.

[4] *Supra*, Note 3.

[5] *Supra*, Note 3.

§ 1390.33 *Appendix B: Machine and parts to which the March 31, 1942 date is applicable.* * * *

(b) Any part or subassembly of any item mentioned in this Appendix B and any part or subassembly of any industrial machinery or equipment not mentioned in § 1390.32, Appendix A, unless any such part or subassembly is itself covered in Appendix A or is mentioned in § 1390.34, Appendix C. "Industrial machinery" means any machinery or equipment used in the extraction, production, or processing of commodities for any use, but does not include mobile or field units, motor vehicles or trailers, farm equipment as defined in § 1361.9 (a) (3) of Maximum Price Regulation No. 133—Retail Prices for Farm Equipment (7 F.R. 3185), or any product mentioned in Appendix C.

(c) *Miscellaneous:*

Battery charges (except motor generator sets).

Chucks, mandrels, collets, and machine tool attachments (except when subject to Revised Price Schedule No. 1 or to Revised Price Schedule No. 67).

Earth and rock anchors.

Automotive testing and maintenance equipment, mechanical and electrical (not including any portable tools, machine or hand tools, or mechanical or electrical instruments set forth in § 1390.32).

Electrical wire, cable and cable accessories (except when subject to Revised Price Schedule No. 82, as amended).

Governors, engine.

Mica capacitors.

Pole line hardware and line construction specialties.

Porcelain bushings.

Porcelain, steatite, and glass insulators.

Power cylinders, hydraulic, pneumatic and hydro-pneumatic.

* * * * *

§ 1390.34 *Appendix C: Illustrative list of products not covered by Maximum Price Regulation No. 136.* * * *

Non-ferrous bearings and bushings.

Parts and subassemblies sold for use in farm equipment as defined in § 1361.9 (a) (3) of Maximum Price Regulation No. 133—Retail Prices for Farm Equipment (7 F.R. 3185).

§ 1390.31 *Effective date.* This Maximum Price Regulation No. 136, as amended, (§§ 1390.1 to 1390.34, inclusive), shall become effective July 22, 1942, except that this Maximum Price Regulation No. 136, as amended, shall not apply to sales or deliveries of electric storage batteries until September 1, 1942.

§ 1390.31a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1390.10 (c), 1390.11 (a), 1390.25 (a) and (c), 1390.31, 1390.31a, 1390.32 (e) (h) (i) (j) and (k), 1390.33 (b) and (c), and 1390.34) to Maximum Price Regulation No. 136, as amended, shall become effective July 22, 1942.

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6986; Filed, July 22, 1942; 12:11 p. m.]

PART 1394—RATIONING OF FUEL, AND FUEL PRODUCTS

[Amendment 3 to Ration Order 5A]

GASOLINE RATIONING REGULATIONS

Paragraph (a) of § 1394.506 is amended; a new § 1394.708 is added as set forth below:

§ 1394.506 *Preferred mileage* * * *

(n) In a motorcycle, for delivery or messenger service; or in a passenger automobile, for the delivery of telegrams by a person or agency regularly engaged in that business.

§ 1394.708 *Temporary service rations.* (a) Any person requiring gasoline for the operation of a motor vehicle in one of the classes specified in § 1394.702 (a) may apply for a temporary service ration for such vehicle, pursuant to the provisions of paragraph (b) of this section, if a ration could not be, or has not been issued under §§ 1394.705 and 1394.706 in time to meet his needs. Such application may be made only for a motor vehicle which is subject to the jurisdiction of the Interstate Commerce Commission which is operated both within and without the limitation area.

(b) A temporary application for a service ration may be made, in duplicate, to any Board during the period from July 23, 1942 to August 15, 1942, inclusive. Such temporary application shall be made on Form OPA R–536, and may be made by an agent. The applicant shall state the mileage and gallonage required for the operation of such motor vehicle in the limitation area from the date the ration is required to August 15, 1942, inclusive, and shall specify the number and address of the Board with which the application for a service ration pursuant to § 1394.705 has been or is to be filed. The applicant shall also state that no ration pursuant to § 1394.706 has been issued. The word "temporary" shall be clearly noted on the application.

(c) The Board shall determine the number of gallons of gasoline required during such period for the operation of such motor vehicle in the limitation area for one or more of the uses set forth in paragraph (a) of § 1394.702. The Board shall then issue "S–1" or "S–2" books containing coupons in sufficient number to provide the gallonage needed. Such books shall expire on August 15, 1942.

(d) In the event that the Board issuing the temporary ration is not the Board with which the application for a service ration pursuant to § 1394.705 has been or is to be filed, it shall return to the applicant a duplicate of such temporary application with its notations endorsed thereon. The applicant shall forthwith forward such duplicate to the Board with which the application pursuant to § 1394.705 has been or is to be filed. The original of such temporary application shall be transmitted to such Board by the issuing Board.

(e) The gallonage allowed on the basis of the temporary application shall be deemed a part of the service ration, when issued pursuant to § 1394.706, and no service ration issued under § 1394.705 for such vehicle shall include gallonage claimed for such vehicle for any period prior to August 16, 1942.

§ 1394.1902 *Effective dates of amendments.* * * *

(c) Amendment No. 4 (§§ 1394.506 (n) and 1394.708) to Ration Order No. 5A shall become effective July 22, 1942. (Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1(H) 7 F. R. 562).

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6984; Filed, July 22, 1942; 12:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order 38]

BELDING HEMINWAY COMPANY

Belding Heminway Company of New York City made application for an authorization to determine a maximum price for its new "Belcora" thread. Due consideration has been given to the application, and it appears that the new sewing thread cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation.[1] For the reasons set forth in the opinion in support of this Order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1[2] and § 1499.3 (b) of the General Maximum Price Regulation,[1] issued by the Office of Price Administration, it is hereby ordered:

§ 1499.252 *Approval of method of determining the maximum price for Belcora sewing thread for Belding Heminway Company.* (a) On and after July 23, 1942, the maximum price at which Belding Heminway Company may sell, deliver, and offer for sale its rayon Belcora industrial stitching and sewing threads, shall be $2.57 per unit for black threads of all sizes and $3.09 per unit for white and colored threads of all sizes.

(b) The maximum selling price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 38 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 38 (§ 1499.252) shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6985; Filed, July 22, 1942; 12:11 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192.

[2] 7 F.R. 971, 3663.

PART 1312—LUMBER AND LUMBER PRODUCTS

[Amendment 1 to Maximum Price Regulation 109[1]]

AIRCRAFT SPRUCE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Paragraph (a) (2) of § 1312.58 is amended and a new § 1312.359a is added as set forth below.

§ 1312.358 *Definitions.* (a) When used in this Maximum Price Regulation No. 109, the term:

* * * * *

(2) "Aircraft spruce" means spruce lumber, plank, boards, flitches, and cants, produced within the United States, exclusive of Alaska, suitable for use in the construction of aircraft. Where the buyers' specifications permit the substitution of aircraft West Coast hemlock or aircraft noble fir, the term "aircraft spruce" also includes West Coast hemlock and noble fir lumber, plank, boards, flitches, and cants, produced within the United States, exclusive of Alaska, suitable for use in the construction of aircraft.

* * * * *

§ 1312.359a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1312.58 (a) (2) and 1312.359a) of Maximum Price Regulation No. 109 shall become effective July 23, 1942.

(Pub. Law 421 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6994; Filed, July 22, 1942; 4:06 p. m.]

PART 1382—HARDWOOD LUMBER

[Revised Price Schedule No. 97[1]]

The title, preamble, and §§ 1312.301 to 1312.309, inclusive, are renumbered and amended to read as follows:

[Maximum Price Regulation 97]

SOUTHERN HARDWOOD LUMBER

Sec.
1382.101 Maximum prices for Southern hardwood lumber.
1382.102 Less than maximum prices.
1382.103 Conditional agreements.
1382.104 Evasion.
1382.105 Records and reports.
1382.106 Enforcement.
1382.107 Petitions for amendment.
1382.108 Definitions.
1382.109 Applicability of General Maximum Price Regulation.
1382.110 Export sales.
1382.111 Effective date.
1382.112 Appendix A: Maximum prices for Southern hardwood lumber in standard or near standard grades.
1382.113 Appendix B: Maximum prices for Southern hardwood lumber in "recurring special" grades or items.
1382.114 Appendix C: Maximum prices for Southern hardwood lumber in "non-recurring special" grades or items.

In the judgment of the Price Administrator, the prices of Southern hardwood lumber have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Southern hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration Maximum Price Regulation No. 97 is hereby issued.

AUTHORITY: §§ 1382.101 to 1382.114, inclusive, issued under Public Law 421, 77th Cong.

§ 1382.101 *Maximum prices for Southern hardwood lumber.* On and after July 27, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Southern hardwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Southern hardwood lumber so shipped, at prices higher than the maximum prices set forth in Appendices A, B, and C hereof, incorporated herein as §§ 1382.112, 1382.113, and 1382.114, respectively; and no person subject to this Maximum Price Regulation No. 97 shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maximum Price Regulation No. 97 shall not be applicable to retail sales as defined in paragraph (a) (7) of § 1382.108. Further, the provisions of this Maximum Price Regulation No. 97 shall not be applicable to sales or deliveries of Southern hardwood lumber to a purchaser, if prior to July 27, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1382.102 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B, and C, §§ 1382.112, 1382.113, and 1382.114, may be charged, demanded, paid, or offered.

§ 1382.103 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 97 shall enter into an

[1] 7 F.R. 2238, 2543.

[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1388, 1675, 1836, 2132, 2509, 3124, 4107.

[1] 7 F.R. 971, 3663.

agreement permitting the adjustment of the price of Southern hardwood lumber to prices which may be higher than the maximum prices in effect on the date of the agreement: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be made in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1382.104 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 97 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to Southern hardwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lumber through a distribution yard;

(2) Unreasonably refusing to ship an item of lumber except in a small quantity which entitles the seller to a premium;

(3) Unreasonably refusing to ship lumber on standard grades and in grade-rule range widths and lengths;

(4) Falsely or wrongly grading or invoicing lumber;

(5) Grading as a special grade lumber which normally is graded by the seller as a standard grade;

(6) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in paragraph (f) of § 1382.112).

§ 1382.105 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 97 making sales or deliveries or purchases of Southern hardwood lumber to the value of $500.00 or more in any one month, after July 27, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Southern hardwood lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, and the price paid or received.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1382.106 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 97 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 97 or any Price Schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1382.107 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 97 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1382.108 *Definitions.* (a) When used in Maximum Price Regulation No. 97, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ½", ¾", and ⅝". the term "feet" means surface feet.

(3) "Southern hardwood lumber" means lumber:

(i) Produced from the botanical species of sap sweet gum and red sweet gum (Liquidambar styraciflua), tupelo (Nyssa aquatica), black gum (Nyssa sylvatica), tough ash (Fraxinus americana), yellow poplar (Liriodendron tulipifera), beech (Fagus americana), sycamore (Platanus occidentalis), soft maple (Acer rubrum); and the botanical species included in the genera of red oak and white oak (Quercus), magnolia (Magnolia), elm (Ulmus), cottonwood (Populus), willow (Salix), hackberry (Celtis), hickory (Hicoria), basswood (Tilia), and ash (Fraximus); and

(ii) Processed into lumber at mills located in Alabama, Arkansas, Florida, Louisiana, Mississippi, Texas and Oklahoma, and in the counties of Tipton, Haywood, Shelby, Fayette, Lauderdale, and Hardeman in the State of Tennessee, and in those portions of North Carolina, South Carolina, Virginia, and Georgia not included in the "Appalachian hardwoods area". The "Appalachian hardwoods area" is that area circumscribed by a line beginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania; thence southwesterly on the western line of West Virginia to the western boundary of Boyd County, Kentucky; thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersection of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence southeasterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County; thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundaries of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appalachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(iii) *Provided*, That any sawmill located in the Southern hardwoods area, as defined in paragraph (a) (3) (ii), which satisfies all of the following requirements shall be deemed to be producing and selling South Central hardwood red oak and white oak (Quercus) lumber and such lumber shall be subject to the maximum prices established in § 1382.64 (b) (21), (22), (23), (24) and (25) of Maximum Price Regulation No. 155[1] (Central Hardwood Lumber).

(*a*) The mill must certify in writing to the Lumber Branch of the Office of Price Administration, Washington, D. C., that (*1*) during the calendar month immediately prior to such certification more than 45 percent of the hardwood lumber produced by the mill (either from logs or from rough lumber) consisted of red and/or white oak and at least 85 percent of the oak logs and lumber received at the mill were obtained from logging operations or concentration yards located in the South Central hardwoods area, as defined in § 1382.58 (a) (4) (ii) of Maximum Price Regulation No. 155 (Central Hardwood Lumber), and the counties of Tennessee not included in that area; (*2*) the mill agrees to maintain such proportions during each calendar month thereafter; (*3*) the mill agrees thereafter not to purchase, either directly or through an agent or subsidiary, any red or white oak *stumpage* or *logs* in the Southern hardwoods area, as defined in subdivision (ii), at prices higher than the prices paid for the most comparable *stumpage* or *logs* purchased during March 1942, and (*4*) the mill agrees that any oak *lumber* thereafter purchased in the Southern hardwoods area either by the mill or an agent or subsidiary will not be resold by the mill or any agent or subsidiary at prices higher than the maximum prices established in §§ 1382.12, 1382.13, and 1382.14, Appendices A, B, and C, of this Maximum Price Regulation No. 97.

(*b*) The mill has been approved and certified by the Office of Price Administration as having qualified under this subparagraph and such certification and the firm name and location of the mill have been published in the FEDERAL REGISTER.

(*c*) The mill agrees to and does certify to the Lumber Branch of the Office of Price Administration at the end of each calendar month that during such month the mill (*1*) satisfied *both* the production proportion and the receipt proportion required in subparagraph (*a*) above and (*2*) observed the maximum purchase price requirements and purchased lumber sale limitations of that subparagraph.

(iv) *Provided, further*, That the Office of Price Administration may at any time withdraw a classification made in accordance with subdivision (iii).

(4) "Mill" means any establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 97, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 percent of the volume of Southern hardwood lumber or logs purchased or received by it, *or*

(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (5) (ii) of this paragraph: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Southern hardwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.

(5) "Distribution yard" means an establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 97, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 percent of the volume of Southern hardwood purchased or received by it; *and*

(ii) Which resembles the following described establishment more nearly than that described under the definition of "mill" in subparagraph (4) (ii) of this paragraph: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.

(6) "Volume" means the board feet volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within the six months immediately prior to the transaction subject to this Maximum Price Regulation No. 97.

(7) "Retail sale" means a sale which satisfies all of the following tests:

(i) It must be a sale of not more than 2,000 feet of lumber;

(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates;

(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.

(8) "Tough ash specialty establishment" means an operation which (i) does not manufacture any species of Southern hardwood lumber from the log; (ii) maintains a yard that receives an average of more than 50,000 feet of tough ash lumber a month; (iii) usually obtains tough ash lumber without specifying to the supplier thicknesses, widths or lengths; (iv) is normally in a position to furnish tough ash lumber in a wide range of grades and specifications (thicknesses, widths and lengths) and (v) has been approved and certified by the Office of Price Administration as a "tough ash specialty establishment", and which has had its firm name and location published in the FEDERAL REGISTER as a certified tough ash specialty establishment.

(b) Unless otherwise specified, grade terms used herein have the meaning set forth in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January 1, 1942.

(c) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1382.109 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation[2] shall not, on and after July 27, 1942, apply to sales and deliveries of Southern hardwood lumber subject to this Maximum Price Regulation No. 97.

§ 1382.110 *Export sales.* The maximum price at which a seller may make an export sale of Southern hardwood lumber shall be determined in accordance with the provisions of the Maximum Export Price Regulation[3] issued by the Office of Price Administration.

§ 1382.111 *Effective date.* This Maximum Price Regulation No. 97 (§§ 1382.101 to 1382.114, inclusive) shall become effective in respect to:

(a) Sections 1382.101 to 1382.112, inclusive, on July 27, 1942;

(b) Sections 1382.113 and 1382.114 on August 27, 1942:

(c) *Provided*, That firm commitments entered into on and after February 20, 1942 but prior to July 27, 1942, for the sale of lumber which during that period was subject to Price Schedule No. 97 or Revised Price Schedule No. 97, at prices not in excess of the maximum prices established in Revised Price Schedule No. 97, may be performed prior to December 1, 1942, at the contract price.

§ 1382.112 *Appendix A: Maximum prices for Southern hardwood lumber in standard or near standard grades.*

(a) *Application of Appendix A.* The provisions of this section shall apply to Southern hardwood lumber which is sold in the species and on the grades designated in this section. Lumber sold on such grades shall be deemed to include lumber in:

(1) Grade rule range widths and lengths;

(2) Widths and lengths substantially the same as grade-rule range widths and lengths; or

(3) Specified average widths or specified average lengths which are substantially run-of-the-log.

[1] 7 F.R. 4108, 4231.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4736, 5207, 5276, 5192.

[3] 7 F.R. 5059.

(b) The maximum f. o. b. mill price for 1,000 feet of Southern hardwood lumber in a rough air dried condition shall be as follows:

(1) (i) TOUGH ASH

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	$70.00	$40.00	$29.00	$16.00
1¼	75.00	45.00	30.00	17.00
1½	82.00	55.00	31.00	17.00
2	90.00	65.00	32.00	18.00
2½	105.00	70.00	33.00	------
3	115.00	80.00	35.00	------

(ii) Where tough ash lumber is shipped out of the stocks of a tough ash specialty establishment, as defined in paragraph (a) (8) of § 1312.108, and is not shipped directly to the purchaser from the mill which produces the tough ash lumber from the log, the following additions per 1,000 feet may be made to the maximum prices established in subparagraph (1) (i) of this paragraph:

Grade	Thickness	Allowable additions (per 1,000 feet)
FAS	All thicknesses	$15.00
No. 1 Common and Selects; or No. 1 Common	do	10.00
No. 2 Common	do	5.00

(2) ASH
(Other than tough ash)

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$46.00	$33.00	$26.00	$16.00
1¼	48.00	35.00	27.00	17.00
1½	48.00	35.00	28.00	17.00
2	50.00	37.00	28.00	18.00
2½	51.00	38.00	28.00	------
3	54.00	41.00	29.00	------

(3) BASSWOOD

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$69.00	$39.00	$27.00	$16.00

(4) BEECH

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
¾	$40.00	$30.00	$20.00	------
¾	41.00	31.00	21.00	------
1	43.00	33.00	23.00	$16.00
1¼	48.00	38.00	24.00	17.00
1½	49.00	39.00	26.00	17.00
2	53.00	43.00	28.00	18.00

(5) COTTONWOOD

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$29.00	$25.00	$19.00	------
⅝	33.00	29.00	22.00	------
¾	37.00	32.00	25.00	------
1	44.00	38.00	29.00	$16.00
1¼	46.00	39.00	31.00	17.00
1½	46.00	39.00	31.00	17.00
2	46.00	39.00	31.00	18.00
1	[1] 50.00	------	------	------

[1] 13" and wider.

(6) SOFT ELM

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$28.00	$21.00	$17.00	------
⅝	32.00	25.00	20.00	------
¾	37.00	28.00	22.00	------
1	43.00	33.00	26.00	$16.00
1¼	45.00	35.00	27.00	17.00
1½	45.00	35.00	28.00	17.00
2	47.00	37.00	28.00	18.00
2½	48.00	38.00	28.00	------
3	51.00	41.00	29.00	------

(7) BLACK GUM—QUARTERED

1	$53.00	$43.00	$28.00	$16.00
1¼	55.00	45.00	29.00	17.00
1½	57.00	47.00	29.00	17.00
2	62.00	52.00	31.00	18.00
2½	70.00	55.00	36.00	------
3	75.00	60.00	39.00	------

(8) BLACK GUM—PLAIN

½	$40.00	$30.00	$17.00	------
¾	41.00	31.00	19.00	------
1	50.00	40.00	26.00	$16.00
1¼	52.00	42.00	28.00	17.00
1½	55.00	45.00	28.00	17.00
2	60.00	50.00	31.00	18.00

(9) RED GUM—QUARTERED

1	$96.00	$51.00	$32.00	$16.00
1¼	100.00	60.00	33.00	17.00
1½	100.00	63.00	33.00	17.00
2	103.00	65.00	37.00	18.00
2½	105.00	70.00	------	------
3	110.00	75.00	------	------

(10) RED GUM—PLAIN

½	$65.00	$38.00	$21.00	------
¾	75.00	42.00	26.00	------
1	92.00	47.00	32.00	$16.00
1¼	95.00	57.00	32.00	17.00
1½	95.00	58.00	32.00	17.00
2	97.00	60.00	36.00	18.00

(11) SAP GUM—QUARTERED

1	$60.00	$46.00	$28.00	$16.00
1¼	65.00	53.00	29.00	17.00
1½	67.00	54.00	29.00	17.00
2	70.00	55.00	33.00	18.00
2½	75.00	61.00	36.00	------
3	78.00	65.00	41.00	------

(12) SAP GUM—PLAIN

½	$42.00	$33.00	$19.00	------
¾	46.00	35.00	21.00	------
1	56.00	42.00	26.00	$16.00
1¼	60.00	47.00	27.00	17.00
1½	63.00	50.00	27.00	17.00
2	68.00	52.00	30.00	18.00
1	[1] 62.00	------	------	------
1¼	[1] 67.00	------	------	------

[1] 13" and wider.

(13) HACKBERRY

Thickness (inch)	Log run	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
¾	$24.00	------	------	------	------
¾	28.00	------	------	------	------
1	35.00	$43.00	$33.00	$26.00	$16.00
1¼	36.00	45.00	35.00	27.00	17.00
1½	37.00	45.00	35.00	28.00	17.00
2	38.00	47.00	37.00	28.00	18.00
2½	------	48.00	38.00	28.00	------
3	------	51.00	41.00	29.00	------

(14) HICKORY

Thickness (inch)	Log run	FAS	No. 1 common	No. 2 common	No. 3 common
1	$35.00	$56.00	$37.00	$24.00	$16.00
1¼	37.00	58.00	39.00	25.00	17.00
1½	40.00	61.00	43.00	33.00	17.00
2	43.00	66.00	44.00	33.00	18.00

(15) MAGNOLIA

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$69.00	$47.00	$34.00	$16.00
1¼	73.00	50.00	36.00	17.00
1½	73.00	50.00	36.00	17.00
2	76.00	51.00	37.00	18.00
2½	81.00	56.00	38.00	------
3	86.00	61.00	39.00	------

(16) SOFT MAPLE—WHAD

½	$40.00	$33.00	$18.00	------
⅝	46.00	38.00	21.00	------
¾	52.00	43.00	24.00	------
1	61.00	51.00	28.00	$16.00
1¼	63.00	53.00	30.00	17.00
1½	66.00	56.00	30.00	17.00
2	69.50	59.00	33.00	18.00
2½	71.00	61.00	33.00	------
3	76.00	66.00	34.00	------

(17) SOFT MAPLE—WHND

½	$32.00	$25.00	$18.00	------
⅝	37.00	29.00	21.00	------
¾	42.00	33.00	24.00	------
1	49.00	39.00	28.00	$16.00
1¼	52.00	42.00	30.00	17.00
1½	54.00	44.00	30.00	17.00
2	58.00	48.00	33.00	18.00
2½	63.00	53.00	33.00	------
3	69.00	59.00	34.00	------

(18) RED OAK—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	Sound wormy	No. 3A common	No. 3B common
½	$42.00	$27.00	$21.00	$17.00	$16.00	$10.00
⅝	49.00	32.00	24.00	20.00	19.00	12.00
¾	55.00	36.00	27.00	22.00	21.00	13.00
¾	65.00	42.00	32.00	26.00	25.00	15.00
1	75.00	47.00	34.00	32.00	25.00	15.00
1¼	80.00	51.00	35.00	34.00	25.00	15.00
1½	90.00	56.00	36.00	38.00	25.00	15.00
2	96.00	61.00	39.00	41.00	25.00	15.00

(19) RED OAK—PLAIN

½	$39.00	$26.00	$21.00	$17.00	$16.00	$10.00
⅝	45.00	30.00	24.00	20.00	19.00	12.00
¾	51.00	34.00	27.00	22.00	21.00	13.00
1	60.00	38.00	32.00	26.00	25.00	15.00
1¼	70.00	45.00	34.00	32.00	25.00	15.00
1½	75.00	48.00	35.00	34.00	25.00	15.00
2	85.00	53.00	36.00	38.00	25.00	15.00
2½	100.00	60.00	------	------	------	------
3	115.00	70.00	------	------	------	------
4	130.00	83.00	------	------	------	------

(20) WHITE OAK—QUARTERED

½	$62.00	$36.00	$21.00	$17.00	$16.00	$10.00
⅝	71.00	41.00	25.00	20.00	19.00	12.00
¾	81.00	47.00	28.00	22.00	21.00	13.00
1	95.00	55.00	33.00	26.00	25.00	15.00
1¼	105.00	60.00	35.00	32.00	25.00	15.00
1½	110.00	65.00	36.00	34.00	25.00	15.00
2	125.00	75.00	38.00	38.00	25.00	15.00
2½	135.00	85.00	------	------	------	------
3	150.00	95.00	------	------	------	------

(21) WHITE OAK—PLAIN

½	$49.00	$27.00	$21.00	$17.00	$16.00	$10.00
⅝	56.00	32.00	24.00	20.00	19.00	12.00
¾	64.00	36.00	27.00	22.00	21.00	13.00
1	75.00	42.00	32.00	26.00	25.00	15.00
1¼	90.00	47.00	34.00	32.00	25.00	15.00
1½	100.00	50.00	35.00	34.00	25.00	15.00
2	115.00	57.00	36.00	38.00	25.00	15.00
2½	130.00	67.00	------	------	------	------
3	145.00	82.00	------	------	------	------
4	160.00	97.00	------	------	------	------

(22) SWEET PECAN

Thickness (inch)	FAS	No. 1 common	No. 2 common	No. 3 common
1	$55.00	$36.00	$23.00	$16.00
1¼	57.00	38.00	24.00	17.00
1½	60.00	42.00	32.00	17.00
2	65.00	43.00	32.00	18.00

(23) YELLOW POPLAR—QUARTERED

Thickness (inch)	FAS	Saps and selects	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1	$71.00	$58.00	$46.00	$33.00	$27.00	$16.00
1¼	76.00	64.00	49.00	36.00	28.00	17.00
1½	81.00	66.00	52.00	37.00	28.00	17.00
2	91.00	69.00	56.00	39.00	31.00	18.00

(24) YELLOW POPLAR—PLAIN

Thickness (inch)	FAS	Saps and selects	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2B common	No. 3 common
½	$51.00	$46.00	$31.00	$19.00	$16.00	------
¾	58.00	49.00	35.00	20.00	17.00	------
1	66.00	53.00	43.00	33.00	27.00	$16.00
1¼	71.00	58.00	46.00	36.00	28.00	17.00
1½	76.00	61.00	49.00	37.00	28.00	17.00
2	86.00	64.00	53.00	39.00	31.00	18.00

(25) SYCAMORE—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
⅝	$48.00	$38.00	$28.00	------
¾	48.00	38.00	28.00	------
1	53.00	43.00	33.00	$16.00
1¼	55.00	45.00	33.00	17.00
1½	56.00	46.00	33.00	17.00
2	61.00	49.00	33.00	18.00

(26) SYCAMORE—PLAIN

⅝	$42.00	$32.00	$21.00	------
¾	42.00	32.00	21.00	------
1	43.00	33.00	24.00	$16.00
1¼	44.00	34.00	26.00	17.00
1½	45.00	35.00	26.00	17.00
2	47.00	37.00	26.00	18.00

(27) TUPELO—QUARTERED

1	$53.00	$43.00	$28.00	$16.00
1¼	55.00	45.00	29.00	17.00
1½	57.00	47.00	29.00	17.00
2	62.00	52.00	31.00	18.00
2½	70.00	55.00	36.00	------
3	75.00	60.00	39.00	------

(28) TUPELO—PLAIN

⅝	$40.00	$30.00	$17.00	------
¾	41.00	31.00	19.00	------
1	50.00	40.00	26.00	$16.00
1¼	52.00	42.00	28.00	17.00
1½	55.00	45.00	28.00	17.00
2	60.00	50.00	31.00	18.00

(29) WILLOW

1	$55.00	$41.00	$28.00	$16.00
1¼	57.00	43.00	29.00	17.00
1½	61.00	46.00	29.00	17.00
2	63.00	46.00	29.00	18.00

(30) BOX BOARDS

Species	Thickness (inch)	Width (inch)	
		13 to 17	9 to 12
Sap Gum	1	$62.00	$56.00
Cottonwood	1	56.00	48.00

(31) STRIPS

Species	Manufacture	Thickness (inch)	Width (inch)	Grade	
				Clear	No. 1 common
White Oak	Quartered	1	2 to 5½	$62.00	$40.00
Red Oak	Quartered	1	2 to 5½	45.00	34.00

(32) CONSTRUCTION BOARDS

No. 2 Construction Boards	$39.00

(33) FIGURED WOOD

Species	Manufacture	Thickness (inch)	Grade	
			FAS	No. 1 common and selects; or No. 1 common
Red Gum	Quartered	1	$105.00	$53.00
Red Gum	Plain	1	95.00	48.00

(34) PANEL AND WIDE NO. 1

Species	Width (inch)	Price
Sap Gum	18 and wider	$65.00
Cottonwood	18 and wider	73.00

(c) The maximum f. o. b. mill price for 1,000 feet of Southern hardwood lumber in a rough green condition shall be the maximum price established in paragraph (b) of this section for rough air dried lumber, less the deduction which the seller customarily made during the last six months of 1941 for furnishing green rather than air dried stock.

(d) The following additions per 1,000 feet of Southern hardwood lumber may be charged for the specified treatments and workings: *Provided*, That the treatments and/or workings and the additional charges are shown separately on the invoice or billing:

(1) Kiln drying the lumber to a moisture content not exceeding nine per cent as of the time the lumber leaves the kiln.

	1/2" and 5/8" thick	3/4" thick	4/4" thick	5/4" thick	6/4" thick	8/4" thick	10/4" thick	12/4" thick
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, Willow, Basswood	$4.00	$4.50	$5.00	$6.00	$6.50	$7.00	$9.00	$11.00
Ash, Beech, Black Gum, Tupelo, Plain and Quartered Sap Gum	4.50	5.00	6.00	7.00	8.00	9.00	11.00	13.00
Hickory, Plain Oak, Red Gum, Sweet Pecan	5.00	5.50	6.50	8.00	9.50	12.00	15.00	20.00
Quartered Oak	5.00	6.00	7.50	9.00	11.00	15.00	20.00	25.00

(2) Kiln drying the lumber to a moisture content greater than nine per cent but not exceeding 20 per cent as of the time the lumber leaves the kiln.

	1/2" and 5/8" thick	3/4" thick	4/4" thick	5/4" thick	6/4" thick	8/4" thick	10/4" thick	12/4" thick
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, Willow, Basswood	$2.50	$3.00	$3.50	$4.00	$4.50	$5.00	$6.00	$7.50
Ash, Beech, Black Gum, Plain and Quartered Sap Gum	3.50	3.50	4.00	5.00	5.50	6.00	7.50	9.00
Hickory, Plain Oak, Red Gum, Sweet Pecan	3.00	4.00	4.50	5.50	6.50	8.00	10.00	13.50
Quartered Oak	3.50	4.00	5.00	6.00	7.50	10.00	13.50	16.50

(3) Anti-stain treatment: 50¢.

(4) Millworking:

	Less than 1", 1", and 1¼" thick	1¼" to 3" thick
Resawing 1 line	$3.00	$2.50
Resawing 2 lines	5.50	4.50
Surfacing 1 or 2 sides	2.50	2.25
Surfacing 2 sides and Resawing	5.00	4.25
Resawing and Surfacing 1 or 2 sides	5.50	4.75

(5) Inspecting, grading and measuring after kiln drying: 5 per cent of the f. o. b. mill price of the lumber in a rough air dried condition. This addition may be made only where the seller performs all three of these services, at the request of the purchaser, after kiln drying.

(6) End-racking or band sawing: No addition.

(7) Stenciling on the face of each piece in a manner which will permit identification and segregation of a particular shipment: 50¢. (This addition cannot be made for stenciling a trade mark on each piece.)

(8) Marking on each piece the surface measure and/or board measure and/or width and/or length of the piece: 50¢.

(9) Bundling: $2.00.

(e) The following additions per 1,000 feet may be charged where the purchaser (or purchasers, in the case of pool cars) orders an item consisting of one species, thickness, and grade of Southern hardwood lumber, in the quantities herein indicated: *Provided*, That the items, the quantity of each item ordered, and the addition permitted by this paragraph are shown separately on the invoice or billing:

Quantity ordered:	*Allowable addition (per 1,000 feet)*
Over 3,000 but not exceeding 4,000 feet	$1.00
Over 2,000 but not exceeding 3,000 feet	2.00
1,000 to 2,000 feet	2.50
Less than 1,000 feet	3.00

(f) (1) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraphs (b) and (c) of this section may be charged, consisting of such maximum prices plus the transportation costs permitted by this paragraph: *Provided*, That (i) the invoice shows the point of origin of the shipment, the destination, and the applicable railroad or truck rate, or, in place of such rate, where shipment is by motor vehicle owned or controlled by the seller, the amount added for transportation; and (ii) the invoice is marked "direct mill shipment".

(2) Where shipment is exclusively by motor vehicle owned or controlled by the seller, the charge may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the railroad charge at the carload rate for the most nearly comparable haul. If the actual cost is less than such railroad charge, only the actual cost may be added to the maximum price.

(3) Where shipment is by common or contract carrier, the amount added for transportation may be no greater than the actual amount paid to the carrier, except as provided in subparagraph (4) of this paragraph (f): *Provided*, That where shipment is by both rail and truck (either owned or controlled by the seller or a common or contract carrier), the following shall govern:

(i) Where shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery, provided such cost is shown separately on the invoice.

(ii) Where a truck haul precedes the rail shipment, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for such truck haul: *Provided*, That the seller may apply to the Lumber Branch of the Office of Price Administration for an exception if the seller can demonstrate that a separate and identifiable charge for the truck haul was customarily made by the seller during the year 1940.

(4) In computing transportation costs, the following practices are permitted:

(i) The computation of transportation costs on the basis of the applicable freight rate and a system of estimated average weights established by the seller, and adhered to by him during the period October 1 to October 15, 1941: *Provided*, That a copy of such system of estimated average weights has been filed with the Office of Price Administration before the use of such system in a transaction subject to this Maximum Price Regulation No. 97: *Provided, further*, That in applying the estimated weights, the seller must use estimated weights which are appropriate for lumber in the condition (including moisture content and extent of processing) in which the lumber subject to this Maximum Price Regulation No. 97 is shipped; and

(ii) The charging of a sum equivalent to the one-quarter of a dollar nearest to the transportation costs per 1,000 feet of lumber computed in accordance with subdivision (i).

(g) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

(h) Where Southern hardwood lumber is sold on a Log Run, Mill Run, or No. 1 Common and Better grade for which no maximum price has been established in this section, the maximum price shall be the maximum price established in this section for the lowest grade of lumber contained in the stock that is sold on such special inspection grade; the seller, however, may grade and ship the lumber on the standard grades included in such special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 97 for the respective standard grades.

(i) The maximum prices established in this section shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941.

§ 1382.113 *Appendix B: Maximum prices for Southern hardwood lumber in "recurring special" grades or items.*

(a) *Application of Appendix B.*

(1) The provisions of this section shall apply to Southern hardwood lumber which is sold on special specifications (herein referred to as "recurring special" grades or items), requested by the purchaser,

(i) Which are not covered by § 1382.112, Appendix A, of this Maximum Price Regulation No. 97; and

(ii) To which reference was made in the published price lists or unsolicited trade quotations of the producing mill at any time during the year 1941 or 1942.

(2) For purposes of this section the term "Southern hardwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1382.108, but shall *not* include the following items:

(i) Glued stock.
(ii) Moulding.
(iii) Shiplap.
(iv) Risers, step treads, thresholds, handrails.
(v) Bevel and drop siding.
(vi) Flooring.
(vii) Switch, cross, and mine ties.
(viii) Mine material.
(ix) Small dimension stock.
(x) Lath.

(b) On and after July 27, 1942, no seller shall sell Southern hardwood lumber in "recurring special" grades or items, as defined in paragraph (a) (1) above, unless:

(1) The mill[1] producing the "recurring special" grades or items files with the Lumber Branch of the Office of Price Administration, Washington, D. C., on Form 197:1 a notarized statement describing such grades or items and setting forth the prices received by the mill in all sales of lumber sold in such grades or items during the period September 1 to October 15, 1941 (or, if no such sales were made during said period, the prices received by the mill in all sales of lumber sold on such grades or items during any calendar month in 1941 prior to said period); and

(2) The Office of Price Administration causes this Maximum Price Regulation No. 97 to be amended to include a description of such grades or items and the maximum prices at which such grades or items of lumber produced at the particular mill may be sold.

Copies of Form 197:1 can be obtained from the Office of Price Administration, or Form 197:1 can be reproduced by the seller provided no change is made in the style or content of the form.

(c) In the event that this Maximum Price Regulation No. 97 is amended to include maximum prices for described "recurring special" grades or items, additions to such maximum prices may be charged, and deductions must be made, in accordance with the provisions of paragraphs (d), (e), (f), (g) and (i) of § 1382.112, Appendix A.

§ 1382.114 *Appendix C: Maximum prices for Southern hardwood lumber in "non-recurring special" grades or items*—(a) *Application of Appendix C.* (1) This section shall apply to Southern hardwood lumber which is sold on special specifications (herein referred to as "non-recurring special" grades or items), requested by the purchaser,

(i) Which are not covered by § 1382.112, Appendix A, of this Maximum Price Regulation No. 97; and

(ii) To which reference was at no time made in the published price lists or unsolicited trade quotations of the producing mill during the years 1941 and 1942.

(2) For purposes of this section the term "Southern hardwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1382.108, but shall *not* include the following items:

(i) Glued stock.
(ii) Moulding.
(iii) Shiplap.
(iv) Risers, step treads, thresholds, handrails.
(v) Bevel and drop siding.
(vi) Flooring.
(vii) Switch, cross, and mine ties.
(viii) Mine material.
(ix) Small dimension stock.
(x) Lath.

(b) The maximum price for Southern hardwood lumber in "non-recurring special" grades or items shall be computed by adjusting the maximum prices established in Appendices A and B, §§ 1382.112 and 1382.113, of this Maximum Price Regulation No. 97 in accordance with differentials which would have been employed by the seller during the period of October 1 to 15, 1941: *Provided*, That the seller must, within thirty days of entering into a contract for the sale of stock subject to the provisions of this section, file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., on Form 197:2 setting forth full details of the transaction including the name and address of the purchaser, the point of origin and the point of delivery of the stock, the species and grades of lumber ordered, the special specifications, and the price charged for the stock. Where the Office of Price Administration within thirty days of receipt of the report rules that the seller has made an excessive charge for furnishing stock in "non-recurring special" grades or items, the seller must readjust the sale price in accordance with the ruling of the Office of Price Administration. If the Office of Price Administration does not rule on the price within such time, the price submitted shall be considered approved.

OFFICE OF PRICE ADMINISTRATION

Form 197:1
Lumber Branch — Hardwood Section

Report of Sales of Special Grades and Items of Southern Hardwood Lumber

Company _____
Address _____
Mill Location _____

Sales of "Recurring special" grades and items

(As defined in Appendix B of Maximum Price Regulation No. 97)

(This report must contain information with respect to ALL sales by the mill during the period September 1 to October 15, 1941 of any "recurring special" grade or item which the mill desires to sell after July 27, 1942. If no sales of this grade or item were made during the period, this report must contain information with respect to all sales by the mill of the particular grade or item during any calendar month in the year 1941 prior to that period)

A. *Identification of "recurring special" grade or item.*

(Species) _____ (Thickness) _____ (Widths) _____

(Lengths) _____ (Grade or Item Designation) _____

Complete description of grade or item:

_____

_____

B. *Price Information.*

Order		Shipment		F. O. B. Mill Price (in rough, air-dried condition)	Differential in relation to standard grade	Standard grade to which differential is applied
Date	Number	Origin	Destination			

_____ _____
(Name) (Office or Title)

Subscribed and sworn to before me, a notary public, in and for _____, this _____ day of _____ 194..

[NOTARIAL SEAL]

My commission expires:

_____
(Notary Public)

OFFICE OF PRICE ADMINISTRATION

Form 197:2
Lumber Branch — Hardwood Section

Report of Sales of Special Grades and Items of Southern Hardwood Lumber

Company _____
Address _____
Mill Location _____

Sales of "non-recurring special" grades and items

(As defined in Appendix C of Maximum Price Regulation No. 97)

(This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the seller enters into a contract for the sale of a "non-recurring special" grade or item.)

Date of Order _____
Origin of Shipment _____
Order No. _____
Destination of Shipment _____
Purchaser _____
FOB Mill Price _____
(in rough air dried condition)

_____ _____ _____
(Species) (Thickness) (Widths)

_____ _____
(Lengths) (Grade or Item Designation)

Differential in relation to standard grade _____

Standard Grade to which differential is applied _____

Complete Description of Grade or Item _____

_____
(Name)

_____
(Office or Title)

Subscribed and sworn to before me, a notary public, in and for _____ this _____ day of _____ 194...

[NOTARIAL SEAL]

My commission expires:

_____
(Notary Public)

In the event that the Office of Price Administration approves the price

[1] This includes a tough ash specialty establishment.

charged by the seller, or in the event that the Office of Price Administration rules as to the maximum price which the seller may charge, the price so established shall become the maximum price which the particular seller thereafter may charge for lumber sold on the special specifications to which the price is applicable. In subsequent sales of such special stock the seller need not file a report with the Office of Price Administration unless the price quoted by the seller is in excess of the maximum price previously determined.

The requirement that the seller obtain within the specified time approval by the Office of Price Administration of the contract price for lumber subject to this section is not to be construed as meaning that the seller cannot proceed to fulfill the contract until the price has been approved. The seller may initiate performance of the contract prior to obtaining approval of the price subject to the requirement that the price must be revised to accord with a ruling of the Office of Price Administration.

Copies of Form 197:2 can be obtained from the Office of Price Administration, or Form 197:2 can be reproduced by the seller providing no change is made in style or content of the form.

(c) Additions to the maximum prices established in this section may be charged, and deductions must be made, in accordance with the provisions of paragraphs (d), (e) (f), (g), and (i) of § 1382.112, Appendix A.

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6993; Filed, July 22, 1942; 4:04 p. m.]

PART 1394—RATIONING OF FUEL, AND FUEL PRODUCTS

[Amendment 4 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

A new section, § 1394.1309, is added; subparagraph (2) of paragraph (a) of § 1394.1503 is amended as set forth below:

§ 1394.1309 *Issuance of rations for use with vehicles operated on dealer plates.* Notwithstanding the provisions of §§ 1394.302 and 1394.303, or any other provisions of Ration Order No. 5A:

(a) A service ration may be issued by a Board for use with an unregistered truck operated under dealer or other interchangeable license plates if the operation of such truck on such plates is permitted by the law of the state issuing the plates. Application for a service ration for such truck shall be made to a Board, on Form OPA R-536, and the applicant shall annex thereto a statement showing the engine number of such truck and the serial number of the Federal Use Tax Stamp issued therefor. A service ration book may be issued for such truck in the manner and under the conditions provided in Ration Order No. 5A for the issuance of service rations. The person issuing the ration book shall, at the time of issuance, make a clear notation of the Use Tax Stamp Number on the cover of such book and, in the space provided for the license number, shall insert the engine number of such vehicle and the words "dealer plates".

(b) A ration may be issued by a Board to provide solely for the occupational mileage (other than for demonstration purposes) driven in an unregistered passenger automobile or motorcycle regularly operated on dealer or other interchangeable license plates if the operation of such vehicle on such plates is permissible under the law of the state issuing the plates.

Such ration shall be issued in the manner and under the conditions provided in §§ 1394.604 and 1394.605. Application for such ration shall be made to a Board, on Form OPA R-551. The applicant shall annex to the application a written statement showing the Federal Use Tax Stamp number and the engine number of such vehicle.

If the Board finds the facts stated on the application to be true, it shall determine the allowed mileage for such vehicle in accordance with the provisions of § 1394.604, and shall issue a ration in accordance with § 1394.605. The person issuing the ration book shall, at the time of issuance, make a clear notation of the Use Tax Stamp number on the cover of such book and, in the space provided for the license number, shall insert the engine number of such vehicle and the words "dealer plates."

§ 1394.1503 *Transfers to consumers in exchange for coupons*—(a) *Coupons in books issued for registered motor vehicles.* Transfer may be made in exchange for coupons contained in Class A, B, C, D, S-1, or S-2 books, under the following conditions.

* * * * * *

(2) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book presented and only if a sticker corresponding to the class of book presented is conspicuously displayed on such vehicle, as required by the provisions of § 1394.1108, except that on presentation of a Class A book, transfer may be made into the fuel tank of a motor vehicle on which a Class B, C, or S sticker is displayed: *Provided,* That if such book bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for coupons in such book; *Provided further,* That bulk transfer may also be made, of an amount of gasoline not in excess of one unit, to enable a vehicle stranded for lack of fuel to reach a source of supply; in such case the transferor shall retain the ration book presented until the vehicle is brought to the place of transfer, for identification.

§ 1394.1902 *Effective dates of amendments.* * * *

* * * * * *

(d) Amendment No. 4, §§ 1394.1309 and 1394.1503 (a) (2) to Ration Order No. 5A shall become effective July 22, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H) 7 F.R. 562)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6997; Filed, July 22, 1942; 5:02 p. m.]

PART 1394—RATIONING OF FUEL, AND FUEL PRODUCTS

[Amendment 5 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

A new paragraph (d) is added to § 1394.1503; a new paragraph (d) is added to § 1394.1506, as set forth below:

§ 1394.1503 *Transfers to consumers in exchange for coupons* * * *

(d) Notwithstanding the provisions of paragraphs (a), (b) and (c) of this section, a dealer may, during the period from July 22, 1942 through July 31, 1942 transfer gasoline to a consumer who has not as yet received a ration, without requiring presentation of a ration book or surrender of coupons at the time of transfer, under the following conditions:

(1) At the time of transfer, the dealer shall make a written record of the name and address of the transferee and of the number of gallons of gasoline so transferred; such record shall be preserved until the receipt of coupons from the transferee pursuant to the requirements of subparagraph (3) of this paragraph;

(2) No consumer may accept such transfer unless he has applied for and knows that he is entitled to receive a ration which would entitle him to acquire gasoline for the purpose for which the transfer is made and which will enable him to surrender to the dealer coupons having a value equal to the number of gallons of gasoline so transferred;

(3) Such consumer shall, immediately after issuance of such ration to him, surrender to the dealer coupons having a value equal to the number of gallons of gasoline so transferred;

(4) Any dealer who has made a transfer pursuant to this paragraph shall report to the nearest State Office of the Office of Price Administration the name and address of any consumer who has accepted such a transfer and who has not on or before August 4, 1942 surrendered coupons as required by subparagraph (3) of this paragraph; such report shall be forwarded immediately after the close of business on August 4, 1942;

(5) No dealer may secure replenishment on account of such transfer except in accordance with the provisions of § 1394.1607.

§ 1394.1606 *Emergency transfer.*
* * *

(d) Any Regional Administrator of the Office of Price Administration who finds that there has been such delay in the issuance of rations as of July 22, 1942, as to jeopardize the movement of trucks, busses or other essential vehicles for which no basic ration is issuable, may by declaration designate the States within his region in which such delay has occurred and specify the types of vehicles affected thereby. Such declaration shall continue in effect until August 4, 1942 or such earlier date as he may determine. During the effective period of such declaration, the operator of a vehicle of a type specified therein, licensed in a State designated therein, may acquire gasoline in the rationed area for use in such vehicle by signing an emergency receipt on Form OPA R-555, in duplicate: *Provided,* That gasoline may be so acquired for a vehicle only during the interval between the date of application for a ration for such vehicle and the date of receipt or denial of such ration. Any dealer who has made a transfer of gasoline in exchange for an emergency receipt pursuant to this paragraph shall transmit such receipt, in duplicate, to the Board having jurisdiction over the area in which his place of business is located and such Board shall issue inventory coupons to him, in exchange for such receipt, in accordance with the procedure specified in paragraph (c) of this section.

§ 1394.1902 *Effective dates of amendments.* * * *

(e) Amendment No. 5, § 1394.1503 (d) and § 1394.1506 (d) to Ration Order No. 5A shall become effective July 22d, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H) 7 F.R. 562)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6996; Filed, July 22, 1942; 5:02 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 7 to Maximum Price Regulation 127 [1]]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

[1] 7 F.R. 3119, 3242, 4180, 4454, 4587, 4762, 5364.

[2] Copies may be obtained from the Office of Price Administration.

In § 1400.78, subparagraph (37) of paragraph (c) is amended, two new subparagraphs (43) and (44) are added to paragraph (c), and two new paragraphs (j) and (k) are added; in § 1400.80 a new paragraph (c) is added; in paragraph (a) of § 1400.81, subparagraph (15) is amended and a new subparagraph (20) is added; in § 1400.82, subparagraph (4) of paragraph (h) is amended and a new paragraph (o) is added, as set forth below:

§ 1400.78 *Exempt sales.* The provisions of this Maximum Price Regulation No. 127 shall not apply to:

* * * * * *

(c) Sales or purchases of:

* * * * * *

(37) Fabrics coated with a cellulose ester, cellulose ether, synthetic resin or oxidizable oil, for waterproofing or other similar purpose.

* * * * * *

(43) Typewriter ribbon cloth finished from imported plain woven goods, 36 to 44 inches in grey width, made of combed or super-combed Egyptian or Sea Island cotton yarn.

(44) Finished fabrics which:

(i) Are 54 inches or more in finished width;

(ii) Weigh in excess of 12½ oz. per linear yard of 56 inch width;

(iii) Contain 8 per cent or more wool by weight; and

(iv) Are finished on the woolen or worsted system.

* * * * * *

(j) Sales and deliveries of printed woven decorative fabrics as defined in Maximum Price Regulation No. 39 [3] when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941, and March 31, 1942, was done with fabrics selling at a price of 35 cents or more per yard: *Provided,* That any person claiming such exemption shall, before making any sales or deliveries under such exemption, file his name and address with the Office of Price Administration, Washington, D. C.

(k) Sales of finished piece goods by an artificial flower manufacturers' supplier: *Provided,* That any person claiming the exemption granted by this paragraph (k) shall, before making any sales and deliveries under such exemption, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is an artificial flower manufacturers' supplier as defined in § 1400.81 (a) (20) of this Maximum Price Regulation No. 127.

§ 1400.80 *Petitions for amendment or adjustment.* * * *

(c) A petition for adjustment may be filed by any converter who, as a substantial portion of his entire business produces finished fabrics treated with a process resulting in a water-repellant fabric, and who, by virtue of the terms of this Maximum Price Regulation No. 127, would suffer hardship with respect to his entire business: *Provided,* That:

(1) Any such petition shall contain or be accompanied by a sworn statement showing:

(i) The yardage and dollar volume of petitioner's total sales for the years 1939, 1940, 1941, and for the first six months of 1942.

(ii) The yardage and dollar volume of petitioner's total sales comprising sales of water-repellant fabrics for such period.

(iii) A detailed list and description of the twenty constructions of water repellent fabrics which petitioner handles in the largest volume, a statement of the type of water-repellent processes which are customarily applied thereto, both durable and non-durable, and the cost thereof, indicating whether such fabrics are vat dyed, sulfur dyed, or developed-dyed, or otherwise.

(iv) Profit and loss statements for petitioner's business for the years 1939 to 1941, inclusive, and to the end of his last accounting period in 1942.

(v) Balance sheets for the years 1939 to 1941, inclusive, to the end of his last accounting period in 1942.

(vi) Petitioner's customary methods of purchasing, converting, pricing and marketing of water-repellent fabrics.

(vii) A full statement of the facts upon which petitioner relies in showing that hardship will result from the operation of this Maximum Price Regulation No. 127.

(viii) A specific statement of the adjustment requested.

(2) The Price Administrator may grant such adjustment upon such terms and conditions as shall appear reasonable and necessary under all the circumstances.

§ 1400.81 *Definitions.* (a) When used in this Maximum Price Regulation No. 127, the term:

* * * * * *

(15) "Furrier supplier" means a person customarily engaged in the business of and whose principal business with respect to finished piece goods consists of supplying to manufacturers, repairers and alterers of fur garments, finished piece goods in cut lengths of specified yardage, and includes any person engaged exclusively in supplying to manufacturers, repairers and alterers of fur garments fabrics constructed and processed especially for fur linings.

* * * * * *

(20) "Artificial flower manufacturers' supplier" means a person engaged in the business of and whose business with respect to finished piece goods consists exclusively of supplying specially finished piece goods for use in the manufacture of artificial flowers, to persons engaged in such manufacture.

§ 1400.82 *Appendix A. Maximum prices for finished piece goods.* * * *

(h) *Credit terms.* * * *

(4) The maximum net prices may be increased by an appropriate division factor (in accordance with the formula set forth in subparagraphs (2) and (3) of this paragraph) in any case where the credit terms do not exceed a discount of 3 percent nor a time period in excess of 70 days from the date of the invoice but

[3] 7. F.R. 5243.

may not otherwise be increased for the purpose of granting other credit on discount terms.

* * * * *

(o) *Averaging of prices by converters.* Where a converter produces various colors of the same pattern or style, and where the maximum prices for such colors vary, or where a converter produces separate lots of the same pattern or style with a resulting variation in the maximum prices for such lots, he may after computing the maximum price separately for each color or each lot, determine and use as his maximum price for the entire pattern or style a weighted average of such varying prices.

§ 1400.85 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1400.78 (c) (43), (c) (44), (j) and (k), 1400.80 (c), 1400.81 (a) (15), (a) (20), and 1400.82 (h) and (o) to Maximum Price Regulation No. 127 shall become effective July 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6995; Filed, July 22, 1942; 4:06 p. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

[General Order 55]

PART 287—ESTABLISHMENT OF CONSTRUCTION FUNDS

APPLICATION FOR PERMISSION TO ESTABLISH

At a regular session of the United States Maritime Commission held at its office at Washington, D. C., on the 21st day of July, 1942.

Amending and supplementing the form and substance of Application for permission to establish a Construction Reserve Fund under section 511 of the Merchant Marine Act, 1936, as amended.

The United States Maritime Commission, pursuant to the authority contained in section 511 of the Merchant Marine Act, 1936, as amended, and the joint regulations of the Commission and the Treasury Department, issued thereunder on January 31, 1941 (General Order No. 38, U.S.M.C.; T.D. 5035), to prescribe the form of application for permission to establish a construction reserve fund under section 511 of the Merchant Marine Act, 1936, as amended, does hereby amend and supplement the form of application heretofore issued and dated February 11, 1941, so as to read as set forth in the attached form marked Exhibit A.

EXHIBIT "A"

APPLICATION FOR PERMISSION TO ESTABLISH A CONSTRUCTION RESERVE FUND UNDER SECTION 511 OF THE MERCHANT MARINE ACT, 1936, AS AMENDED

The undersigned applicant, _____, hereby applies, under section 511 of the Merchant Marine Act, 1936, as amended, and the Regulations prescribed by the United States Maritime Commission and the Secretary of the Treasury, for permission to establish a construction reserve fund to be used for the construction or acquisition of a new vessel or vessels as defined by subsection (a) of said section 511, and submits in support of its application the following information:

A. *Identity and citizenship of applicant.*

1. Exact Name.

2. Status (Individual, partnership, corporation, etc.)

3. State or other sovereign power under the laws of which organized.

4. Address of principal executive offices.

5. A statement, if applicant is an individual or a partnership, of information to establish that applicant is a citizen of the United States.

6. The following information with respect to each officer and director of the applicant:

Name and address	*Office*	*Nationality*	*Number and class of capital shares owned*

7. The name, address and nationality of, and number and class of capital shares owned by, each person not named in answer to Item 6, owning of record, or beneficially if known, more than 5 per cent of the outstanding capital shares of any class of the applicant. (The applicant may be asked to furnish such additional data as may be necessary to establish the fact that, as required by Section 2 of the Shipping Act, 1916, or Section 905 (c) of the Merchant Marine Act, 1936, as amended, the requisite interest in the applicant is owned by citizens of the United States.)

8. A brief statement of the general effect of each voting agreement, voting trust, or other arrangement whereby the voting rights in any shares of the applicant are owned, controlled or exercised, or whereby the control of the applicant is in any way held or exercised by any person not the holder of legal title to such shares. Give the name, address, nationality, and business of any such person, and if not an individual, the form of organization.

B. *Business of the applicant and proposed use of the new vessel.*

9. A brief description of (a) the shipping business, or (b) the fishing business, and (c) any other business activities of the applicant.

10. If engaged in the domestic or foreign commerce of the United States, full details concerning the services, routes, or lines on which vessels owned or chartered by the applicant are or have been operated.

11. If applicant is engaged in the fisheries of the United States, full details concerning the location of the fishing operations and the method employed.

C. *Proceeds to be deposited.*

12. If applicant proposes to deposit the proceeds from the sale of a vessel, a description of the transaction from which the funds were obtained, including the name of the vessel sold, name of purchaser, selling price, date and terms of sale, consideration received by the applicant, amount and description of any mortgage or other lien on the vessel at the time of sale, whether such mortgage or lien was satisfied from the proceeds of sale, brief description of vessel as to size, speed, tonnage, etc., age of vessel at the time of sale, and value and accrued depreciation for income tax purposes at time of sale.

13. If applicant proposes to deposit proceeds of indemnity from loss of a vessel, the name of the vessel, date and description of the loss, amount of indemnity and date received, name of underwriter, amount and description of any mortgage or other lien on the vessel at time of loss, whether such mortgage or lien was satisfied from the proceeds of the indemnity, age of vessel at time of loss, brief description of vessel as to size, speed, tonnage, etc., and value and accrued depreciation for income tax purposes at time of loss.

14. If applicant proposes to deposit earnings from the operation of vessels, a statement of the amount of such earnings to be deposited, the period during which earned, and their source, including the vessels, services, routes, or lines involved.

D. *The new vessel.*

15. Statement whether applicant proposes: (a) To have a new vessel built to specifications, or (b) To acquire a vessel already constructed or under construction. If the former, and a contract for construction has been entered into at the time of the making of this application, state the date said contract was entered into, the parties thereto, the terms thereof, and date of delivery thereunder. If the latter, give name of vessel, builder, from whom purchased, or to be purchased, date when construction commenced, and date when delivered, or if vessel is still under construction, anticipated date of delivery.

16. The general characteristics of the proposed new vessel, including (a) principal dimensions; (b) gross, net and deadweight tonnage; (c) bale and grain capacities of all cargo holds; (d) capacities of all tanks, storage spaces, refrigerator cargo spaces and separately chilled cargo spaces; (e) number and classes of passenger accommodations; (f) type and power, and in case of steam machinery, the gauge pressure, total temperature, and vacuum expected of propulsive machinery; (g) kind of fuel to be burned; and (h) sustained sea speed at designed load draft.

17. If the proposed new vessel is to operate in the domestic or foreign commerce of the United States, a statement of how it will meet the needs of the service, route or line for which it is intended, with emphasis on the following factors: (a) cargo accommodations—cargo space and fittings and appliances for handling and stowing cargo; (b) passenger accommodations; (c) construction and design; and (d) accommodations for officers and crews.

18. If the proposed new vessel is to be operated in the fisheries of the United States, a description of the vessel, and a statement of how the vessel will meet the needs of such operations.

19. If the proposed new vessel is intended to replace a vessel or vessels requisitioned or purchased by the United States, a statement of how the proposed replacement vessel will meet the needs of the service, route, line or use for which it is intended.

20. If the proposed new vessel is less than 2,000 gross tons or of less speed than 12 knots, a description of the features which would make it desirable for use by the United States in case of war or national emergency.

E. *The construction reserve fund.*

21. A description of the deposit or deposits which the applicant proposes to make in the construction reserve fund, including the amounts to be deposited in cash, notes, mortgages or other evidences of indebtedness, irrevocable commitments, or securities, giving reference to the source as described in items C-12, C-13, or C-14.

22. Name and address of proposed depository or depositories for the construction reserve fund.

F. *Taxable year of applicant.*

23. Whether applicant files its Federal income tax return on a calendar year or fiscal year basis and if on the latter, the beginning of its fiscal year.

G. *Exhibits to be furnished.*

24. The following documents shall be filed as exhibits attached to the application:

Exhibit I—If available at the time this application is filed, an authenticated copy of any irrevocable commitment to finance the construction or acquisition of the new vessel proposed to be deposited in the construction reserve fund pursuant to the provisions of § 32.13 of the regulations.

Exhibit II—If the applicant is a corporation, a copy of the Certificate of Incorporation of the applicant or other organization papers, including all amendments thereto presently in effect.

Exhibit III—If the applicant is a corporation a copy of the By-Laws or other governing instruments of the applicant, including all amendments thereto presently in effect.

Exhibit IV—If the applicant is a corporation, a copy of each contract or agreement presently in effect, referred to in answer to Item 8.

H. *Covenants of the applicant.*

25. The applicant hereby agrees as follows:

(a) That the construction reserve fund shall be subject to the provisions of Section 511 of the Merchant Marine Act, 1936, as amended, to the regulations prescribed by the Commission and the Secretary of the Treasury with respect to the establishment, maintenance, expenditure, and use of such fund, and to such resolutions as may be adopted by the Commission with respect to such fund;

(b) That it will furnish copies of any contracts entered into for the construction or acquisition of new vessels which the Commission may require;

(c) That it will furnish hull plans and specifications, machinery plans and specifications, and data with respect to communication facilities if and to the extent required by the Commission, and

(d) If no contract for the construction of a new vessel as set forth in Paragraph D, subdivision 15 (a) hereof, has been entered into at the time of the making of this application, it will, upon entering into said contract, furnish to the Commission the date thereof, the parties thereto, the terms thereof and data of delivery thereunder.

_____
(Name of Applicant)

By _____

Dated _____ 19---.

Attest:

_____
Secretary

STATE OF _____
County of _____, ss.:

I, _____, being duly sworn, depose and say that I am the _____ of _____
(Title of office) (Exact name of _____, the Applicant on whose behalf I
Applicant)
am authorized to execute the foregoing application and agreements; that the Applicant is a citizen of the United States, in accordance with the requirements of the Merchant Marine Act, 1936, as amended; that this application is made for the purpose of inducing the United States Maritime Commission to grant to the Applicant, pursuant to the provisions of Section 511 of the Merchant Marine Act, 1936, as amended, and the regulations prescribed jointly by the Secretary of the Treasury and the Commission thereunder, with all of which I am familiar, permission to establish a construction reserve fund; that I have carefully examined the application and all documents submitted in connection therewith and, to the best of my knowledge, information and belief, the statements and representations contained in said application and related documents are full, complete, accurate, and true.

_____

Subscribed and sworn to before me, a _____, in and for the State and county above named, this ____ day of _____, 194---.

Instructions as to Preparation of Application

1. Applications shall be prepared in the form provided according to the lettered items and serially numbered paragraphs. They must be signed and sworn to as provided. Eleven copies of the applications shall be filed with the Commission, at least one copy of which shall be signed.

2. Each application shall be complete. Items or part of items which are inapplicable may, however, be omitted. The information required by Article 25 need be furnished only as stated in that item. The Applicant may incorporate by specific reference information previously furnished the Commission, provided that such information so incorporated shall have been furnished at least in triplicate.

3. If any information called for by an applicable item is not furnished, an explanation of the omission shall be given. The Applicant may furnish such relevant information as it may desire, in addition to that specified in the form.

4. Any additional information called for by the Commission from time to time shall be furnished as an amendment or amendments to the application. The original and eleven copies of each amendment shall be filed, shall refer to the application, and shall be identified as an amendment and dated. Without any specific request from the Commission, the Applicant shall file from time to time as amendments any information necessary to keep current and correct while the application is pending the information contained therein or furnished in connection therewith.

This order shall be effective immediately.

By order of the United States Maritime Commission.

[SEAL] W. C. PEET, Jr.,
Secretary.

JULY 21, 1942.

[F. R. Doc. 42-7038; Filed, July 23, 1942; 11:55 a. m.]

Chapter IV—War Shipping Administration

[General Order 8—Supp. 3]

PART 302—CONTRACTS WITH VESSEL OWNERS

§ 302.23 *Rates of time charter hire on unclassed vessels.* The rates of time charter hire on vessels (both tankers and dry cargo vessels) not classed A-1 American Bureau or equivalent shall be $.25 per deadweight ton per month less in each instance than the appropriate rate applicable to a comparable vessel which is so classed.

By order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr.,
Secretary.

JUNE 29, 1942.

[F. R. Doc. 42-7036; Filed, June 23, 1942; 11:55 a. m.]

[General Order No. 8—Supplement No. 4]

PART 302—CONTRACTS WITH VESSEL OWNERS

§ 302.24 *Rates of time charter hire on vessels operating outside of continental United States.* With respect to vessels which on May 16th were operating indefinitely in services not requiring ports of call at ports in the Continental United States excluding Alaska, the rate applicable under General Order No. 8 (Revised) for sailings on and after May 16, 1942, will be applied effective with the first sailing from the first port of call on and after July 1, 1942.

By order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr.,
Secretary.

JULY 17, 1942.

[F. R. Doc. 42-7037; Filed, July 23, 1942; 11:55 a. m.]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY WAR SHIPPING ADMINISTRATION

[General Order 16—Supp. 1]

General Order No. 16 (§ 303.11)[1] is hereby amended as follows:

1. The effective date of July 31, 1942 stated in par. 1 of such General Order is hereby amended to read "August 15, 1942."

2. The requirement of 7 point type set forth in par. 2 of such General Order is hereby amended to read "6 point type."

By order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr.,
Secretary.

JULY 22, 1942.

[F. R. Doc. 42-7035; Filed, July 23, 1942; 11:55 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICE

The Commission on July 21, 1942, effective immediately, adopted the following amendments:

Section 8.164 *Serial number.* Change paragraph (a) to read as follows:

§ 8.164 *Serial number*—(a) *Radiomarine Corporation of America Models AR-8600 and AR-8600-X auto-alarms.* One combined receiver and selector unit, without regard to container; one control and terminal box.

(b) *Radiomarine Corporation of America Model AR-8601 auto-alarm.* One combined receiver and selector unit, without regard to container; one control and terminal unit.

Redesignate paragraph (b) *Mackay Radio & Telegraph Co. auto-alarms, types 101-A and 101-B manufactured by Federal Telegraph Co.* as (c).

[1] 7 F.R. 5246.

Section 8.210 *Technical requirements for portable lifeboat radiotelegraph transmitter and associated equipment.* Change paragraph (a) (6) to read as follows:

(6) Modulation: The modulation frequency shall not be less than 450 nor greater than 1250 cycles per second and the percentage of modulation shall be at least 70.

Section 8.236 *Spare parts and auxiliary equipment for auto-alarm, if auto-alarm is required.* This section has been amended to read as follows:

§ 8.236 *Spare parts and auxiliary equipment for auto-alarm, if auto-alarm is required*—(a) *Radiomarine Corporation of America Model AR–8600 and Model AR–8600–X.* (1) Tubes: One type 6H6, one type 6A8, two type 6K7, five type 1611.

(2) Two bridge warning-light bulbs.

(3) One 30-ohm resistor.

(4) One 9-volt dry cell bias battery.

(5) Nine glass-enclosed 6-ampere fuses, six glass-enclosed ½-ampere fuses, six 10-ampere fuse links for cartridge-type fuses, two cartridges for 10-ampere fuse links.

(6) One relay contact burnishing tool.

(b) *Radiomarine Corporation of America Model AR–8601.* (1) Tubes: One type 6H6, one type 6A8, two type 6K7, five type 1611.

(2) Two bridge warning-light bulbs.

(3) One 80-ohm resistor.

(4) One 9-volt dry cell bias battery.

(5) Six glass-enclosed ½-ampere fuses, 6 glass-enclosed 6-ampere fuses, twelve 6-ampere fuse links for cartridge-type fuses, one cartridge for 6-ampere fuse links, twelve 10-ampere fuse links for cartridge-type fuses, one cartridge for 10-ampere fuse links.

(6) One relay contact burnishing tool.

(7) One spare charging resistor.

(c) *Mackay Radio & Telegraph Co., Types 101–A and 101–B.* (1) Tubes: For the type 101–A alarm: One type 6D6, one type 89, three type 76. For the type 101–B alarm: One type 6D6, one type 89, one type 75, and two type 76.

(2) Two bridge warning-light bulbs.

(3) Two commutating brushes, two governor brushes, and two brush springs for selector motor.

(4) Six 1-ampere fuses for receiver power supply unit, three cartridges for 6-ampere fuse links, one cartridge for 3-ampere fuse links, nine 6-ampere fuse links for cartridge-type fuses, three 3-ampere fuse links for cartridge-type fuses.

(5) One 4½-volt dry cell bias battery.

(6) One relay contact burnishing tool.

(Sec. 4 (i) 48 Stat. 1068)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42–7017; Filed, July 23, 1942; 11:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Amendment No. 1 to General Order O.D.T. No. 13]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART I—ESTABLISHMENT OF JOINT INFORMATION OFFICES

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, the preamble, § 501.56, and paragraphs (b), (c), and (g) of § 501.57, General Order O.D.T. No. 13,[1] Title 49, Chapter II, Part 501, Subpart I, are hereby amended to read as follows:

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and in order to enable carriers by motor truck to comply with the requirements of General Order O.D.T. No. 3, Revised,[2] and General Order O.D.T. No. 17:[3]

§ 501.56 *Definitions.* The term "carrier" means any common carrier as defined in § 501.4 (c) of General Order O.D.T. No. 3, Revised, and any motor carrier as defined in § 501.65 (c) of General Order O.D.T. No. 17.

§ 501.57 *Establishment of joint information offices.* * * *

(b) The Office of Defense Transportation shall be advised forthwith as to the name and address of each person selected as a member of the governing committee or board or as manager or employee of a joint information office and shall be furnished accurate information with respect to the character, experience and past and present occupation and employment of such persons and, on the basis thereof, shall have the right to disapprove such selections. Each person so selected may be removed at any time from such office or position by direction of the Office of Defense Transportation. No person employed as a manager or as an employee of a joint information office shall during his employment, be employed by a carrier except with the approval of the Office of Defense Transportation, nor shall he be a member of the governing committee or board.

(c) The function of the joint information office shall be to assist common carriers in complying with the requirements of General Order O.D.T. No. 3, Revised, and motor carriers in complying with the requirements of General Order O.D.T. No. 17, by obtaining and receiving from common carriers information as to the availability of traffic originated or controlled by or in the possession of or on order to common carriers, and from all carriers information as to the availability of equipment, and by furnishing such information in respect of available traffic to any and all common carriers who apply therefor, and in respect of available equipment to any and all carriers who apply therefor; such information shall be furnished to such carriers in the order of the receipt of their respective applications and without discrimination, preference or partiality. The authority of such joint information office shall include all things reasonably necessary to carry out the functions above described, but shall not include the right to fix the compensation for the interchange of traffic or for the transportation of traffic interchanged, or the rental price of vehicles leased, or to designate any particular carriers to receive any given traffic or to lease, rent, or exchange any given vehicle.

* * * * *

(g) The manager of the joint information office shall maintain a record of all information filed with such office and shall keep such further records and make such reports as may be required by the Office of Defense Transportation. If, after registration with any joint information office, any equipment or traffic becomes unavailable for the purposes for which it was so registered, the carrier who made such registration, forthwith shall notify the manager of such information office of such fact, and thereupon the registration of such equipment or traffic shall be cancelled. All records, files, and correspondence shall be available for examination by accredited representatives of the Office of Defense Transportation at all times.

* * * * *

This amendment shall become effective July 23, 1942, and shall remain in full force and effect until further order of this Office.

(E.O. 8989, 9156, 6 F.R. 6725; 7 F.R. 3349)

Issued at Washington, D. C., this 23rd day of July 1942.

JOSEPH B. EASTMAN, *Director of Defense Transportation.*

[F. R. Doc. 42–7009; Filed, July 23, 1942; 10:40 a. m.]

[1] 7 F.R. 5066.
[2] 7 F.R. 5445.
[3] 7 F.R. *Supra.*

[General Order O.D.T. No. 17]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART K—MOTOR CARRIERS OF PROPERTY

Supersedes General Order O.D.T. No. 4, as Amended, General Order O.D.T. No. 5 as Amended, and That Portion of General Order O.D.T. No. 6 Which Is Applicable to Private and Contract Carriers

By virtue of the authority vested in me by Executive Order No. 8989, issued December 18, 1941, and by Executive Order No. 9156, issued May 2, 1942, and in order to assure maximum utilization of the facilities, services, and equipment of carriers by motor vehicle for the preferential transportation of materials of war and to prevent shortages in motor vehicle equipment necessary for such transportation, as contemplated by section 6 (8) of the Interstate Commerce Act; to conserve and providently utilize vital equipment, material, and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

Sec.
501.65 Definitions.
501.66 Elimination of waste.
501.67 Mileage reduction requirements.
501.68 Special deliveries, call backs, number of deliveries.
501.69 Loading and operating requirements.
501.70 Exemptions.
501.71 Special or general permits.
501.72 Submission of plans for joint action.
501.73 Records and reports.
501.74 Filing of rate publications.
501.75 Revocation and effective date.

AUTHORITY: §§ 501.65 to 501.75, inclusive, issued under E.O. 8989, 9156, 6 F.R. 6725; 7 F.R. 3349.

§ 501.65 *Definitions.* As used herein:

(a) The term "person" means any individual, firm, copartnership, corporation, municipal corporation, association, including a farm cooperative association as defined in the Agricultural Marketing Act, approved June 15, 1929, as amended, or other type of legal entity, or any trustee, receiver, assignee, or personal representative thereof.

(b) The term "property" means anything, except passengers, capable of being transported by motor truck.

(c) The terms "motor carrier" and "carrier" mean any person other than a person which holds itself out to the general public to engage in the transportation of property for compensation, which engages in the transportation of property by motor truck, and includes contract carriers by motor truck and private carriers by motor truck.

(d) The terms "motor truck" and "truck" mean either (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, (5) or any other rubber-tired vehicle propelled or drawn by mechanical power or animals when used in the transportation of property, other than a motor vehicle engaged primarily in the transportation of passengers.

(e) The term "operating unit" means that portion of the motor truck operations conducted by any motor carrier from any given terminal, base of operation, or municipality. The total operating units of any motor carrier shall include all operations conducted by such motor carrier.

(f) The term "gross weight" means the aggregate weight of a motor truck and its lading.

(g) The term "rated load carrying ability" as applied to a truck means the weight which the tires mounted on the load bearing wheels of such truck are capable of carrying as determined in the manner set forth in Appendix No. 1 attached hereto.

(h) The terms "capacity load" or "loaded to capacity" as applied to a truck mean either (1) the quantity of property, by weight, which may be carried in said truck, determined by deducting the weight of said truck from its rated load carrying ability, or (2) the maximum quantity of property, by volume, which may be stowed by efficient methods and safely transported in the load bearing space of the truck, whichever quantity is the lesser in weight.

(i) The term "delivery" means the operation of a motor truck by a motor carrier from any one point to any other point for the purpose of enabling such motor carrier to relinquish possession of property after transportation or to take possession of property for transportation, or both, and includes an offer or attempt to so relinquish or take possession of such property.

(j) The term "special delivery" means a delivery other than one made in the course of a normal delivery service.

(k) The term "call back" means any call made by a motor truck of a motor carrier at any given premises, other than for the purpose of making a delivery or for the purpose of repairing, servicing or maintaining such truck.

(l) The term "over-the-road service" means all operations of a motor truck except: (1) those within an area which includes any municipality or urban community and a zone extending twenty-five (25) air miles from the boundaries thereof; (2) those within and between contiguous municipalities or urban communities; (3) those not more than twenty-five (25) miles in length.

(m) The term "local delivery service" means all operations of a motor truck except over-the-road service.

(n) The term "special equipment" means any low-bed motor truck, or any motor truck the primary carrying capacity of which is occupied by mounted machinery.

§ 501.66 *Elimination of waste.* Every motor carrier shall:

(a) Eliminate wasteful operation and duplication of parallel services, and curtail schedules and services to the extent necessary to carry out the purposes of this subpart;

(b) Curtail the speed of motor trucks to 40 miles per hour or less;

(c) Conserve and properly maintain tires, motor trucks, and other transportation facilities necessary in conducting the business of such carrier;

(d) Lease or rent its motor trucks whenever practicable and to the extent necessary to carry out the purposes of this subpart.

§ 501.67 *Mileage reduction requirements.* Each motor carrier shall reduce the total mileage of motor trucks operated in each operating unit during any calendar month, by not less than twenty-five (25) per cent of the total mileage of motor trucks operated by such carrier in the same operating unit during the corresponding calendar month of 1941, exclusive of the mileage eliminated as a result of the requirements of § 501.68. In the event any such carrier was not operating in the same operating unit during the corresponding calendar month of 1941, the mileage of motor trucks operated by such carrier in such operating unit during the month of May, 1942, shall be used as a basis for computing the reduction in monthly motor truck mileage required herein. Motor carriers not engaged in operations in any operating unit prior to June 1, 1942, shall not institute or continue such operations until the mileage which such carrier may operate in such operating unit shall have first been determined and authorized by this Office. If operations in any operating unit of any such carrier were increased between the month for which current reduction is being computed and the corresponding month of 1941, as a result of the acquisition of any motor truck operations of any other carrier, there shall be added to the total mileage of motor trucks operated in such operating unit by such acquiring carrier for the month which constitutes the basis for such reduction, the total mileage of motor trucks engaged in the acquired operations during the corresponding month of 1941, or if such operations were not being conducted during such month, then during the last month of such operations prior to the date of such acquisition. If any portion of the operations in any operating unit of such carrier were decreased between the month for which current reduction is being computed and the corresponding calendar month of 1941, as a result of the sale, lease or transfer of any motor truck operations, the total mileage of motor trucks operated in any operating unit by such carrier for the month which constitutes the basis for such reduction, shall be reduced by the total mileage of motor trucks operated in that portion of the operating unit so disposed of by such carrier.

§ 501.68 *Special deliveries, call backs, number of deliveries.* Except as provided in § 501.70 of this subpart, no person shall cause to be made by motor truck and no motor carrier when operating a motor truck shall make:

(a) Any special delivery, except to hospitals.

(b) Any call back.

(c) More than one delivery from any one point of origin to any one point of destination during any calendar day except:

(1) When the property to be delivered exceeds the capacity load of the motor truck engaged in the delivery thereof, in which event each delivery, except the final delivery, shall be a capacity load delivery; or

(2) One additional delivery when the property to be delivered requires the use of a motor truck, other than the type used in making the first delivery, specially adapted for and used exclusively in the transportation of such property; or

(3) One additional delivery when made for the purpose of picking up empty

containers if such additional delivery is made without increasing the mileage of any motor truck; or

(4) One additional delivery on the day next preceding a national holiday when such holiday falls on a Saturday, or on the Saturday next preceding a national holiday when such holiday falls on a Monday, provided such contract carrier does not make any delivery on such holiday.

§ 501.69 *Loading and operating requirements.* (a) No motor carrier shall operate any motor truck in over-the-road service unless it is loaded to capacity, except as follows:

(1) A motor truck, while outbound from the origin point of a trip to the point most distant therefrom to which the truck is operated on such trip, and also while inbound, may be operated on a portion of the route or routes travelled while empty or partially laden, if, during the course of the outbound or inbound movement, the truck is laden with a capacity load while operated over a considerable portion or segment of the route or routes travelled in over-the-road service, and if the carrier uses due diligence in maintaining a capacity load upon the truck at all times while en route.

(2) On and after September 1, 1942, each motor carrier and its representatives, including the representative in immediate control and possession of the truck, shall endeavor in good faith prior to its departure from any point when empty to lease or rent such truck consistent with any prior commitments involved in the use of said truck en route, to another person for the transportation of property. In endeavoring to lease or rent such truck, each such carrier and its representative or representatives shall inquire at and register with the joint information office established at or near such point pursuant to General Order O. D. T. No. 13,[1] or by a State with the approval of the Office of Defense Transportation, and if there be no such office at or near such point, shall make appropriate inquiries of other carriers at their offices or terminals, or both, located at such point.

(3) Nothing in this subpart contained shall be construed to require the loading of a motor truck to such an extent that the gross weight of the truck will exceed the actual safe capacity of any bridge or other structure en route, as determined by State or local authorities, or will exceed the maximum gross weight limitations prescribed by the applicable State law, proclamation, or regulation, Federal statute, or Executive Order, whichever is currently controlling, but such truck shall be loaded as nearly to the extent required by this subpart as may be consistent with such applicable limitations.

(4) A motor truck which has been so disabled en route that a capacity load cannot be transported or carried thereon may be operated in over-the-road service empty or partially laden to the nearest point where the carrier operating said truck maintains, provides, or can obtain repair services.

[1] 7 F.R. 5066.

(b) No motor carrier shall operate in over-the-road service any motor truck, the gross weight of which exceeds by more than twenty (20) per cent its rated load-carrying ability.

(c) The provisions of this subpart shall not be so construed or applied as to require any motor carrier to perform any transportation service, the performance of which by it is not authorized or sanctioned by law or to render any such service beyond its transportation capacity.

§ 501.70 *Exemptions.* (a) The provisions of § 501.67, paragraphs (a) and (c) of § 501.68, and paragraph (a) of § 501.69 of this subpart shall not apply to or include the following:

(1) Any motor truck while actually transporting exclusively high explosives, such as, and including, dynamite, blasting caps, detonation fuses, black powder, gun powder, and other like explosives, susceptible to detonation by a blasting cap and the accessories necessary for the use of the foregoing;

(2) Any motor truck when engaged exclusively in the transportation of repair or service men and their supplies or equipment;

(3) Any motor truck operated exclusively for the purpose of collecting and disposing of sewage or garbage or rendering other sanitation services, pursuant to Government order, regulation, or contract;

(4) Any motor truck operated exclusively in connection with the construction and maintenance of essential telegraph, telephone, organized radio communications, electric light and power, gas and water supply utilities, and pipe lines, railroads, street railways, and public highways;

(5) Any motor truck while operated under direction of the armed forces of the Federal or a State government;

(6) Any motor truck operated in emergencies exclusively for the purpose of making deliveries of medicines or other supplies or equipment necessary for the protection or preservation of life, health, or for public safety;

(7) Any motor truck operated exclusively for the purpose of making deliveries of telegraph, radio, and cable communications or the United States mail.

(b) The provisions of § 501.67, paragraphs (a) and (c) of § 501.68, and paragraphs (a) and (b) of § 501.69 of this subpart shall not apply to or include the operation of any special equipment.

(c) The provisions of this subpart shall not apply to or include the following:

(1) Any motor truck, the primary carrying capacity of which is occupied by a mounted tank or tanks;

(2) Any motor truck controlled and operated by any person or persons principally engaged in farming, when used in the transportation of agricultural commodities and products thereof, from a farm or farms, or in the transportation of farm supplies to a farm or farms.

(3) Any motor truck owned, controlled, or operated by the armed forces of any State or of the United States.

(4) Any motor truck engaged in the transportation of property wholly within the boundaries of any industrial or manufacturing plant, or between units of such plant separated only a by a public highway, when such transportation is an integral part of the business of such industrial or manufacturing plant.

§ 501.71 *Special or general permits.* The provisions of this subpart shall be subject to any special or general permit issued by this Office to meet specific needs or exceptional circumstances, or to prevent undue public hardships.

§ 501.72 *Submission of plans for joint action.* (a) All joint and collective action taken by motor carriers with respect to local delivery service in compliance with this subpart shall be in conformity with the terms and provisions of the joint statement issued by the Office of Defense Transportation and the Department of Justice dated March 12, 1942. In accordance with such statement, proposed plans for pooled or cooperative deliveries, for curtailing services, or for entering into other arrangements involving joint action may, if desired, be submitted to this Office for consideration and approval. In order that this Office may be informed concerning plans which have been or are hereafter placed in operation without such prior submission for consideration and approval, a copy of each such plan shall be filed with this Office.

(b) Whenever joint action between two or more motor carriers is contemplated with respect to over-the-road service in order to accomplish any of the purposes of this subpart, such carriers may formulate and submit to this Office for consideration a plan or plans designed to accomplish such purposes. No action shall be taken in furtherance of such plan or plans except in compliance with a specific order or orders issued by this Office.

§ 501.73 *Records and reports.* Every motor carrier shall prepare and maintain records showing for each calendar month, the mileage of each motor truck operated by such carrier, and shall prepare and maintain such logs and other records and make such reports as this Office may hereafter require for the purpose of this subpart. All such records shall be kept available and open for inspection at all reasonable times for examination by any accredited representative of this Office.

§ 501.74 *Filing of rate publications.* Every motor carrier required by law to file schedules or contracts of rates, charges, rules, or practices shall file forthwith with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect only for the duration of the present emergency unless otherwise ordered, schedules, contracts, or appropriate supplements to filed schedules or contracts, setting forth any changes in the rates, charges, rules, regulations, or practices of such carrier which may be necessary to accord with this subpart, together with a copy of this subpart; and forthwith shall apply to said Commission and each such regulatory body for special permission for such schedules, contracts, or supplements to become effective on one-day's, or the absolute minimum period of, notice.

§ 501.75 *Revocation and effective date.* (a) Title 49, Chapter II, Part 501, Subpart C, General Order O.D.T. No. 4,[3] as amended,[4] §§ 501.16 to 501.23, inclusive, and Title 49, Chapter II, Part 501, Subpart D, General Order O.D.T. No. 5,[5] as amended,[6] §§ 501.24 to 501.30, inclusive, be and the same are hereby revoked, effective as of the date this subpart becomes effective.

(b) The application of the provisions of General Order O.D.T. No. 6,[7] as amended,[8] (Title 49, Chapter II, Part 501, Subpart E, §§ 501.31 to 501.36, inclusive), General Permit O.D.T. No. 6–1,[9] (Title 49, Chapter II, Part 521, Subpart E, § 521.2000), and General Permit O.D.T. No. 6–2[10] (Title 49, Chapter II, Part 521, Subpart E, § 521.2001) to the motor truck operations of any motor carrier be and the same are hereby revoked, effective as of the date this subpart becomes effective.

(c) The provisions of:

(1) Subparagraph (2) of paragraph (a) of § 501.69 of this subpart shall become effective September 1, 1942, and shall remain in full force and effect until further order of this Office.

(2) This subpart, except as specified in subparagraph (1) of this paragraph (c), shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 23d day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[3] 7 F.R. 3005.
[4] 7 F.R. 4119; 7 F.R. 4185; 7 F.R. 5448.
[5] 7 F.R. 3007.
[6] 7 F.R. 4119; 7 F.R. 4184; 7 F.R. 4185; 7 F.R. 5448.
[7] 7 F.R. 3008.
[8] 7 F.R. 3532; 7 F.R. 4184.
[9] 7 F.R. 4185.
[10] 7 F.R. 4186.

APPENDIX NO. 1

Under the terms of § 501.65 (g) of this subpart, the rated load carrying ability of the tires mounted on the running wheels of a motor truck shall be determined by multiplying the number of tires mounted on the running wheels of such motor truck, of the size and description actually used, by the number of pounds appearing opposite the description of such tires in this Appendix.

Example: A motor truck uses 10 running tires, size 9.00–20, ten ply. The rated load carrying ability of each such tire, in pounds per tire, as shown in this Appendix, is 3450. Multiply 10 (number of tires) by 3450 (rated load carrying ability of each tire). The result is 34,500 pounds, which is the "rated load carrying ability" of the motor truck as defined in § 501.65 (g).

TRUCK TYPE TIRES USED IN MOTOR TRUCK OPERATIONS

Description of tires: Size	Number of plies	Rated load carrying ability in pounds per tire
5.00–16	4	730
5.00–16	6	835
5.50–16	4	840
5.50–16	6	955
6.00–16	4	990
6.00–16	6	1,130
6.00–17	6	1,250
6.00–20	6	1,400
6.00–20/30 x 5	8	1,700
6.00–24/34 x 5	8	1,990
6.25–16	4	1,065
6.25–16	6	1,210
6.50–16	4	1,135
6.50–16	6	1,290
6.50–17	6	1,500
6.50–18	6	1,575
6.50–20	6	1,700
6.50–20/32 x 6	8	1,950
Light truck 15"	6	1,500
Light truck 15"	8	1,700
7.00–15	6	1,415
7.00–15	8	1,575
7.00–16	6	1,485
7.00–16	8	1,650
7.00–17	6	1,550
7.00–17	8	1,725
7.00–18	8	1,800
7.00–20	8	1,950
7.00–20/32 x 6	10	2,250
7.00–24/36 x 6	10	2,575
7.50–15	6	1,595
7.50–15	8	1,825
7.50–15	10	2,225
7.50–16	6	1,660
7.50–16	8	1,850
7.50–16	8	2,000
7.50–17	8	2,100
7.50–18/32 x 7	10	2,500
7.50–20	8	2,250
7.50–20/34 x 7	10	2,700
7.50–24	8	2,550
7.50–24/38 x 7	10	3,100
8.25–15	10	2,275
8.25–15	12	2,600
8.25–16	6	1,770
8.25–16	8	2,000
8.25–18	10	2,550
8.25–18	12	2,925
8.25–20	10	2,750
8.25–20	12	3,150
8.25–22	10	2,950
8.25–24	10	3,125
8.25–24	12	3,600
9.00–15	10	2,875
9.00–15	12	3,200
9.00–18	10	3,225
9.00–18	12	3,600
9.00–20	10	3,450
9.00–20/36 x 8	12	3,850
9.00–22	10	3,675
9.00–24	10	3,925
9.00–24/40 x 8	12	4,375
10.00–15 (9.75–15)	12	3,375
10.00–18 (9.75–18)	12	3,775
10.00–20 (9.75–20)	12	4,000
10.00–20/38 x 9	14	4,350
10.00–22 (9.75–22)	12	4,275
10.00–24 (9.75–24)	12	4,550
10.00–24/42 x 9	14	4,925
11.00–18 (10.50–18)	12	4,200
11.00–20 (10.50–20)	12	4,500
11.00–20 (10.50–20)	14	4,850
11.00–22 (10.50–22)	12	4,750
11.00–24 (10.50–24)	12	5,000
11.00–24 (10.50–24)	14	5,400
12.00–18 (11.25–18)	14	5,125
12.00–20 (11.25–20)	14	5,475
12.00–20/40 x 10	16	5,875
12.00–22	14	5,800
12.00–24 (11.25–24)	14	6,150
12.00–24/44x10	16	6,600
13.00–20 (12.75–20)	16	6,750
13.00–24 (12.75–24)	16	7,575
14.00–20 (13.50–20)	16	8,200
14.00–20 (13.50–20)	18	8,700
14.00–24 (13.50–24)	16	9,150
14.00–24 (13.50–24)	18	9,700
No. 10	6	1,100
No. 11	6	1,100
No. 12	6	1,200
No. 13	6	1,300
No. 14	6	1,400
No. 15	6	1,500
No. 16	6	1,600
No. 17	8	1,700

TRUCK TYPE TIRES USED IN MOTOR TRUCK OPERATIONS—Continued

Description of tires: Size	Number of plies	Rated load carrying ability in pounds per tire
No. 18	8	1,800
No. 19	8	1,900
No. 20	10	2,000
No. 22	10	2,200
No. 26	10	2,800
No. 34	10	3,400
No. 40	12	4,000
No. 42	12	4,200
No. 44	12	4,400
No. 48	12	4,800
No. 50	12	5,000
No. 52	12	5,200

PASSENGER TYPE TIRES USED IN MOTOR TRUCK OPERATIONS

Description of tires: Size	Number of plies	Rated load carrying ability in pounds per tire
440/450–21	4	800
440/450–21	6	900
475/500–19	4	895
475/500–19	6	1,005
475/500–20	4	925
475/500–20	6	1,035
500–16	4	710
550–16	4	810
550–16	6	900
525/550–17	4	955
525/550–17	6	1,075
525/550–18	4	1,000
525/550–18	6	1,125
525/550–19	4	1,040
525/550–19	6	1,170
600–16	4	915
600–16	6	1,065
600–17	4	1,025
600–17	6	1,155
600–18	4	1,070
600–18	6	1,205
600–19	4	1,115
600–19	6	1,255
600–20	4	1,190
600–20	6	1,330
625–19	4	985
625–19	6	1,140
625/650–19	4	1,050
625/650–19	6	1,215
650–16	4	1,050
650–16	6	1,215
650–17	4	1,175
650–17	6	1,320
650–18	4	1,225
650–18	6	1,375
650–19	4	1,270
650–19	6	1,430
650–20	4	1,320
650–20	6	1,500
700–15	4	1,095
700–15	6	1,330
700–16	4	1,145
700–16	6	1,305
700–17	4	1,300
700–17	6	1,465
700–18	4	1,355
700–18	6	1,525
700–19	4	1,405
700–19	6	1,585
700–20	4	1,500
700–20	6	1,700
750–15	4	1,180
750–15	6	1,500
750–16	4	1,235
750–16	6	1,560
750–17	4	1,460
750–17	6	1,645
750–18	4	1,520
750–18	6	1,710
750–19	4	1,580
750–19	6	1,775
750–20	4	1,700
750–20	6	1,900
825–15	4	1,260
825–15	6	1,625
825–16	4	1,320
825–16	6	1,700
900–16	6	1,800
900–16	6	1,875

[F. R. Doc. 42–7010; Filed, July 23, 1942; 10:40 a. m.]

[General Permit O.D.T. No. 17-1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT: PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF FARM PRODUCTS AND SUPPLIES

In accordance with the provisions of General Order O. D. T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

§ 521.2875 *Transportation of farm products and supplies.* Motor carriers when operating a motor truck engaged exclusively in the transportation of farm products from a farm or farms to a concentration or storage point, processing or packing plant, dehydrating, brining, freezing, or grading place, cannery, mill, warehouse, stockyard, wholesale or retail market, or to a rail or a water carrier, or when operating a motor truck engaged exclusively in the transportation of farm supplies to a farm or farms, are hereby relieved, in respect of trucks so engaged, from compliance with the provisions of § 501.67, paragraph (c) of § 501.68, and subparagraph (2) of paragraph (a) of § 501.69 for a period of ninety-two (92) days commencing August 1, 1942 and ending October 31, 1942. (E.O. 8989, 9156, 6 F.R. 6725; 7 F.R. 3349; Gen. Order O.D.T. No. 17, *supra*)

Issued at Washington, D. C., this 23d day of July, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7011; Filed, July 23, 1942; 10:40 a. m.]

Notices

WAR DEPARTMENT.

REDESIGNATION OF ARMY AIR FORCES FERRYING COMMAND TRANSFER OF AIR TRANSPORTATION FUNCTIONS

Pending revision of §§ 94.1 to 94.5,[2] inclusive, the following information is published:

1. To assure the effective utilization of air transport facilities of the Army Air Forces as required to accomplish the mission of the Army, the Army Air Forces Ferrying Command is redesignated Air Transport Command.

2. Effective July 1, 1942, the responsibility of the Services of Supply for the transportation by air of personnel, material, and mail of all War Department agencies is transferred to the Army Air Forces.

3. All air activities (including the establishment of priority for air travel on commercial and military aircraft) at present handled by both office and field forces of the Transportation Service are transferred from the Transportation Service to the Army Air Forces, effective at 0001, July 1, 1942. On the effective date, the Air Division, Transportation Service, including all activities, establishments, personnel (military and civilian), and supplies pertaining solely to the Air Division, Transportation Service, is transferred to the jurisdiction of the Commanding General, Army Air Forces.

4. The Commanding General, Army Air Forces, will be responsible for establishing the priorities for air transportation of all personnel and material to be transported by air.

5. In the performance of its mission, both within and without the continental United States, the Army Air Forces will utilize to the fullest extent possible the services, facilities, and personnel of the civil air carriers.

6. In order to provide for the most effective utilization of such civil air carrier services, facilities, and personnel, all agencies of the War Department desiring to utilize such air carrier services, facilities, or personnel, other than the utilization of scheduled air services, will coordinate requests therefor with the Commanding General, Air Transport Command, and such requests will be subject to his approval as to the availability of such services, facilities, or personnel. (Sec. 1, 39 Stat. 645; 10 U.S.C. 1361) [Cir. 211, W.D., July 1, 1942, as amended by Cir. 231, W.D., July 14, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7020; Filed, July 23, 1942; 10:44 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-300]

JAKE ABBOT, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 3, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Jake Abbot (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 16, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Jake Abbot, whose address is Middlesboro, Kentucky, a code member, whose code membership became effective as of October 16, 1940, operating the Abbot Mine, Mine Index No. 1492, located in Bell County, Kentucky, District No. 8 has wilfully violated the Code and rules and regulations thereunder by selling and delivering for shipment by rail on or about June 2, 1941, approximately 177.5 tons of ⅜" x 0 coal produced at the above named mine to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, whereas minimum prices, temporary or final, had not been established by the Division for sale and delivery of said coal for rail shipment resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7021; Filed, July 23, 1942; 11:27 a. m.]

[1] Supra.
[2] 7 F.R. 5338.

[Docket No. B-302]

AYERS AND YORK

NOTICE OF AND ORDER FOR HEARING

In the matter of Herbert Ayers and William S. York, individually and as copartners, doing business under the name and style of Ayers and York, Code Member.

A complaint dated July 3, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Herbert Ayers and William S. York, individually and as copartners, d. b. a. Ayers and York (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 17, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking he membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Herbert Ayers and William S. York, individually and as copartners doing business under the name and style of Ayers and York, whose address is Middlesboro, Kentucky, a code member, whose code membership became effective as of February 1, 1941, operating the Elmtree Mine, Mine Index No. 3561, located in Bell County, Kentucky, District No. 8, has wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, the Code and rules and regulations thereunder by selling and delivering for shipment by rail on or about May 30, 1941, approximately 178.5 tons of ⅜" x 0 slack coal produced at the above-named mine to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, whereas prices, temporary or final, had not been established by the Division for sale and delivery of said coal for rail shipment.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7022; Filed, July 23, 1942; 11:27 a. m.]

[Docket No. B-212]

CHARLES BOWERS, CODE MEMBER

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW, AND RECOMMENDATION OF EXAMINERS, AND ORDER REVOKING AND CANCELLING CODE MEMBERSHIP

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on February 10, 1942, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board No. 1, wherein complainant alleged that Charles Bowers, a code member producer in District No. 1, had wilfully violated the Bituminous Coal Code and the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, particularly Price Instruction No. 6, by failing to add the cost of transportation to the f. o. b. mine price of certain coal sold by him between February and August 1941. Complainant prayed that the Division revoke and cancel code membership or, in its discretion, direct the code member to cease and desist from further violations of the Act.

Pursuant to an Order of the Acting Director, dated February 18, 1942, this matter came on for hearing on March 25, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Altoona, Pennsylvania. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise participate fully in the hearing. District Board No. 1 and Charles Bowers appeared at the hearing. The Examiner on June 20, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation. He found that Charles Bowers, a code member producer in District No. 1, operating the Bowers No. 1 Mine, Mine Index No. 696, wilfully violated the Bituminous Coal Act, the Bituminous Coal Code, the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, and particularly Price Instruction No. 6 of the Price Schedules by selling at various dates (1) during the period February 1941 to and including August 1941, (2) 856,645 tons of run of mine coal produced at his mine at (3) $2.20 per net ton, delivered at Curwensville, Pennsylvania, (4) whereas the effective minimum price therefor, was $2.20 per net ton f. o. b. the mine, code member thus failing to add the cost of transportation as required by Price Instruction No. 6 in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, (5) and recommended that the code membership of Charles Bowers be revoked and cancelled and that as a condition precedent to reinstatement to membership in the Code, Bowers should be required, as provided in section 5 (c) of the Act, to pay a tax to the United States in the amount of $735.00.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner. No exceptions thereto have been filed.

The undersigned has determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and the proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the code membership of Charles Bowers, a code member producer in District No. 1, operating the Bowers No. 1 Mine, Mine Index No. 696, be, and the same hereby is, revoked and cancelled effective fifteen (15) days from the date hereof.

It is further ordered, That as a condition to the reinstatement of code membership, the code member shall pay to the United States, as provided in section 5 (c) of the Act, a tax in the amount of $735.00.

Dated: July 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7025; Filed, July 23, 1942; 11:27 a. m.]

[Docket No. B-22]

ENGLER COAL AND COKE CO.

ORDER ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATIONS OF THE EXAMINER, AND CEASE AND DESIST ORDER

In the matter of Nina C. Engler, individual, doing business as Engler Coal and Coke Company, registered distributor, registration No. 2774, respondent.

This proceeding was instituted by the Bituminous Coal Division (the "Division"), pursuant to the provisions of the Bituminous Coal Act of 1937 (the "Act"), in order to investigate and determine whether or not Nina C. Engler, individual, doing business as Engler Coal and Coke Company, a registered distributor, Registration No. 2774, whose address is 503 Omerhall Loan Building, Omaha, Nebraska, had violated any provisions of the Act, the Marketing Rules and Regulations, the Rules and Regulations for Registration of Distributors and the Distributors' Agreement, executed on December 16, 1940, by respondent, and whether or not the registration of said distributor should be revoked or suspended or other proper penalties should be imposed.

The Notice of and Order for Hearing charged that the respondent, acting in the capacity of sub-sales agent, pursuant to a sub-sales agency agreement filed with the Division December 11, 1940, with Ed Sweeney (doing business as Triple "C" Coal Company) operating the Sweeney Mine, Mine Index No. 188, located in Le Flore County, Oklahoma, in District No. 14, during the period from January 2, 1941 to January 21, 1941, both dates inclusive, sold on behalf of said code member approximately three carloads of coal to various purchasers, produced by the aforesaid code member and charged that the respondent accepted and retained commissions on the above transaction in addition to the 9 percent commission stipulated in said agreement. Although certified copies of an agreement modifying the stipulated commission in their sales agency agreement was not filed with the Division, as required by Rule 4 (b) of section 2 of the Marketing Rules and Regulations.

Pursuant to a notice, dated November 22, 1941, a hearing in this matter was held on January 14, 1942, before D. C. McCurtain, a duly designated examiner of the Division, at a hearing room thereof at Omaha, Nebraska. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise participate fully in the hearing. The Examiner, on June 20, 1942, submitted a Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation. He found that the respondent, acting in the capacity of a sub-sales agent, pursuant to an agreement filed with the Division on December 11, 1940, with the Triple "C" Coal Company, code member, operating the Sweeney Mine, Mine Index No. 188, during the period from January 2, 1941 to January 21, 1941, received and retained compensation in excess of 9 percent commission provided in said sub-sales agency agreement, although no certified copy of an agreement modifying the stipulated commission in said sub-sales agency agreement was filed with the Division as required by Rule 4 (b) of section 4 II of the Marketing Rules and Regulations. Based upon the proposed findings of fact, the Examiner recommended that an order be entered directing the Engler Coal and Coke Company, a registered distributor, Registration No. 2774, to cease and desist from violations of the Act, the regulations made thereunder or the Distributors' Agreement.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner. No exceptions thereto have been filed.

The undersigned has determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and the proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof that the Engler Coal and Coke Company, a registered distributor, Registration No. 2774, its representatives, agents, servants, employees, attorneys, successors or assigns and all persons acting or claiming to act for or in its behalf be and they hereby are directed to cease and desist from violations of the Bituminous Coal Act, the regulations made thereunder, particularly the Distributors' Rules and the Distributors' Agreement.

It is further ordered, That upon the failure of such distributor to comply with the Order that the Division may reopen the case and take appropriate action under the circumstances for the enforcement hereof, or take such further action as may be appropriate in the premises.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7026; Filed, July 23, 1942; 11:28 a. m.]

[Docket Nos. B-277, B-279, 1790-F.D.]

MARKET STREET COAL CO., ET AL.

ORDER POSTPONING HEARINGS

In the matter of J. H. Cox and R. L. Stulce, individually and as partners, doing business under the name and style of Market Street Coal Company, Code Member; F. L. Swindle, doing business under the name and style of Swindle Coal Company, Code Member, and South Pittsburg Coal Company, Code Member.

The above-entitled matters having been heretofore scheduled for hearings at 10:00 a. m. on July 29, 30, and 31, 1942, respectively, at a hearing room of the Bituminous Coal Division at the Chancery Court Room, Courthouse, Chattanooga, Tennessee; and

It appearing to the Acting Director that it is advisable to postpone said hearings;

Now, therefore, it is ordered, That the hearings in the above-entitled matters be, and they hereby are, postponed from 10:00 a. m. on July 29, 30, and 31, 1942, respectively, at the Chancery Court Room, Courthouse, Chattanooga, Tennessee, to places and dates to be hereafter designated by appropriate orders.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7023; Filed, July 23, 1942; 11:28 a. m.]

[Docket No. B-266]

E. D. RAFFERTY CODE MEMBER

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on July 27, 1942, at 10 a. m., at a Hearing Room of the Bituminous Coal Division, at the Post Office Building, Owensboro, Kentucky; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from July 27, 1942, to a date and at a place to be hereafter designated by an appropriate Order.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7024; Filed, July 23, 1942; 11:28 a. m.]

[Docket No. B-79]

WHITELEY & BUCKALEW, INC.

ORDER ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER AND CEASE AND DESIST ORDER

This proceeding was instituted by the Bituminous Coal Division pursuant to the provisions of the Bituminous Coal Act of 1937, in order to investigate and determine:

(a) Whether or not Whiteley & Buckalew, Incorporated, Registered Distributor, Registration No. 9675, the respondent in the above-entitled matter, had violated any provisions of the Act, the Code, or any orders or regulations of the Division, including the Marketing Rules and Regulations, the Rules and Regulations for the Registration of Distributors, and the Distributor's Agreement, executed July 25, 1940, by the respondent; and (b) whether or not the registration of said distributor should be revoked or suspended or other appropriate penalty should be imposed.

The Notice of and Order for Hearing dated November 22, 1941, charged that the respondent accepted and retained excessive commissions from various operators while acting in the capacity of sales agent, and sub-sales agent, during the period from October 9, 1940, to August 12, 1941, and that respondent in accepting and retaining the excessive commissions participated in transactions in violation of Rule 9 (a) of section II of the Marketing Rules and Regulations, and thereby violated Paragraph (e) of the Distributor's Agreement executed on July 25, 1940, by the respondent.

Pursuant to notice dated November 22, 1941, a hearing in this matter was held on January 13, 1942, before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise participate fully in the hearing. The Examiner on June 18, 1942, submitted a Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation.

The Examiner found:

(1) That the respondent, acting in the capacity of sales agent, pursuant to an agreement dated October 2, 1940 and modified on April 2, 1941, with the Pursglove Coal Mining Company, a code member principal operating mines Nos. 120, 119, and 121, in District No. 3, during the period from October 9, 1940 to August 12, 1941, both dates inclusive, sold in behalf of said code member 53 cars, or approximately 2510.99 net tons of various sizes of coal produced at the aforesaid mines; and that the respondent accepted and retained, at least for a time, commissions in the aggregate amount of $593.30 on said transactions, which was $228.45 in excess of $364.85 which is the aggregate amount of commissions to which respondent was entitled on said transactions as stipulated in the sales agency agreement.

(2) That the respondent acting in the capacity of sales agent, pursuant to an agreement dated December 30, 1940 with the Reitz Coal Company, a code member principal, operating the Reitz Nos. 2, 4, 5 and 8 Mines, Mine Index Nos. 420, 423, 424, and 425, respectively, in District No. 1, during the period from October 10, 1940, to August 8, 1941, both dates inclusive, sold in behalf of said code member 32 cars or approximately 1639.95 net tons of various sizes of coal, produced at the aforesaid mines, and accepted and retained, at least for a time, commissions in excess of that to which he was entitled on said transactions, as stipulated in said sales agency agreement.

(3) That the respondent acting in the capacity of sales agent, pursuant to an agreement dated October 1, 1940, with the Canyon Coal Company, code member principal, operating mine designated as Mine Index No. 32, located in District No. 3 during the period from January 6, 1941, to January 20, 1941, both dates inclusive, sold in behalf of said code member 3 cars or approximately 141.05 net tons of coal of various sizes produced by the code member, and that respondent accepted, and at least for a time, retained commissions in excess of that to which he was entitled on said transactions as stipulated in said sales agency agreement between the respondent and said code member, and that therefore the respondent in accepting and retaining, at least for a time, said excessive commissions, participated in the violation of Rule 9 (a) of the Marketing Rules and Regulations, and thereby violated Paragraph (e) of the Distributor's Agreement executed by the respondent on July 25, 1940, and filed with the Division.

Based upon his proposed findings of fact, the Examiner recommended that an order be entered directing Whiteley & Buckalew, Incorporated, a registered distributor, Registration No. 9675, to cease and desist from violations of the Act, the regulations made thereunder, or the Distributor's Agreement.

An opportunity was afforded all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner. No exceptions thereto have been filed.

The undersigned has determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and the proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof, Whiteley & Buckalew, Incorporated, registered distributor, Registration No. 9675, its representatives, agents, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act for or in its behalf, be and they hereby are directed to cease and desist from further violations of the Act, the regulations made thereunder, or the Distributor's Agreement.

It is further ordered, That upon the failure of such distributor to comply with this order, the Division may reopen the case and take appropriate action under the circumstances for the enforcement thereof, or take such further action as may be appropriate in the premises.

Dated July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7027; Filed, July 23, 1942; 11:28 a. m.]

[Docket No. B-213]

THOMAS B. BLEAKNEY,[1] CODE MEMBER

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW, AND RECOMMENDATION OF THE EXAMINER, AND CEASE AND DESIST ORDER

This proceeding was instituted upon a complaint filed on February 10, 1942, with the Bituminous Coal Division by District Board No. 1, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, against Thomas B. Bleakney, code member. The complaint alleges that code member wilfully violated the effective minimum prices, as set forth in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, and prayed that the Division revoke and cancel the code membership of Thomas B. Bleakney or, in its discretion, direct him to cease and desist from further violations of the Act.

Pursuant to an Order of the Acting Director dated February 21, 1942, and after due notice to interested persons, a hearing in this matter was held at Altoona, Pennsylvania, before Joseph A. Huston, a duly designated Examiner of the Division. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. Appearances were entered on behalf of District Board No. 1 and Thomas B. Bleakney.

The Examiner, on June 15, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation. He found that Thomas B. Bleakney, a code member producer in District No. 1, wilfully vio-

[1] In the Examiner's Report the code member is improperly referred to as "Thomas B. Bleakley" instead of "Thomas B. Bleakney."

lated section 4 II (e) of the Act, the Bituminous Coal Code, and the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments by selling and delivering on November 11, 1940, approximately 1,600 lbs. of slack coal (Size Group 4 or 5) at $1.75 per net ton f. o. b. the mine when the established effective minimum price therefor was $2.15 per net ton f. o. b. the mine. The Examiner also found that the code member violated Order No. 308 by failing to maintain and file with the Statistical Bureau of the Division for District No. 1, as prescribed in said Order, copies of all truck tickets, sales slips, and other memoranda or records relating to sales and shipments of bituminous coal produced by said code member. Based upon his proposed findings of fact, the Examiner recommended that an order be entered directing Thomas B. Bleakney, his officers, representatives, agents, servants, employees, and successors or assigns, and all persons acting or claiming to act for or in his behalf or interest, to cease and desist from further violations of the Act and of the Code by selling or offering to sell coal at less than the effective minimum price established therefor, and from failing to maintain and preserve and file information relating to sales of coal as required by the rules and regulations issued pursuant to the Act, or from otherwise violating the Act, the Code, and the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments or the rules and regulations promulgated pursuant to the Act.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner. No Exceptions thereto have been filed.

The undersigned has determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof, Thomas B. Bleakney, his officers, representatives, agents, servants, employees, and successors or assigns, and all persons acting or claiming to act for or in his behalf or interest be, and they hereby are, directed to cease and desist from selling coal below the effective minimum price established therefor, from violating Order No. 308, issued pursuant to the Bituminous Coal Act, or from otherwise violating any provisions of the Bituminous Coal Act of 1937, the Code or the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments and the rules and regulations promulgated under the Act.

It is further ordered, That if the code member fails or refuses to comply with this order, the Division may apply to the Circuit Court of Appeals, for the circuit wherein the code member resides or does business for the enforcement thereof, or take such further action as may be appropriate in the premises.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7028; Filed, July 23, 1942; 11:29 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

[Administration Letter 544]

REESTABLISHMENT OF REGIONS VIII AND XII

1. Effective July 6, 1942, Regions VIII and XII are reestablished as follows:

(a) Region VIII will consist of the state of Oklahoma, except the counties of Cimarron, Texas, and Beaver, and the state of Texas, except the counties west of and including the following: Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Kent, Fisher, Taylor, Runnels, Concho, Menard, Kimble, Edwards, and Val Verde. All FSA activities within the region will be under the jurisdiction of Mr. Lee Ozbirn, Regional Director, with headquarters at Dallas, Texas.

(b) Region XII will consist of the state of New Mexico and those counties in Oklahoma and Texas excepted above in the description of Region VIII. All FSA activities within the region will be under the jurisdiction of Mr. Jesse B. Gilmer, Regional Director, with headquarters at Amarillo, Texas.

2. Effective as of the same date, all authorities heretofore vested in the Regional Director, Region VIII–XII, are rescinded insofar as they relate to the area hereafter contained in Region XII, and such authorities are revested in the Regional Director, Region XII.

3. The Finance regional office at Dallas, Texas will continue to serve Region XII.

Approved July 6, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42-7015; Filed, July 23, 1942; 11:14 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 23, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

The W. H. Dean Company, Grand Avenue, Montvale, New Jersey; Aprons, Uniforms, Caps, Collar & Cuff Sets; 2 learners (T); July 23, 1943.

Elaner Frocks Manufacturing Co., 905 Washington Avenue, St. Louis, Missouri; Cotton and Silk Dresses; 10 percent (T); July 27, 1943.

Fletcher Brothers Company, 436–440 South Liberty Street, Winston-Salem, North Carolina; Overalls; 10 learners (T); July 23, 1943. (This certificate replaces the one bearing the expiration date of October 27, 1942)

The Hooker Corser & Mitchell Co., 21 Frost Street, Brattleboro, Vermont; Overalls, Bib & Waist Coats, Short & Long Combination Suits, Pants & Aprons; 5 learners (T); July 27, 1943.

S. Liebovitz and Sons, Inc., So. Fayette and California Streets, Mercersburg, Pennsylvania; Men's Shirts (Army flannel); 10 percent (T); July 23, 1943.

Mickee Togs Corporation, 86 Shipman Street, Newark, New Jersey; Kiddies' Toddlers and Wash Suits; 5 learners (T); July 23, 1943.

Planet Shirt Manufacturing Co., Inc., 447 Chapel Street, New Haven, Connecticut; Men's Shirts; 15 learners (T); July 23, 1943.

S. R. L. Manufacturing Company, 127 East 9th Street, Los Angeles, California; Ladies' Mannish Tailored Shirts; 2 learners (T); July 23, 1943.

Stylecraft Studios, Inc., 1043 East Genesee Avenue, Saginaw, Michigan; Foundation Garments, Corsets, Brassieres; 8 learners (T); July 23, 1943. (This certificate replaces the one bearing the expiration date of October 27, 1942.)

Troutman Shirt Company, Inc., Troutman, North Carolina; Work Shirts; 10 learners (T); July 23, 1943.

Knitted Wear

Century Mills, Inc., New Jersey Avenue, Riverside, New Jersey; Knitted Underwear; 5 percent (T); July 23, 1943.

John Rems and Sons, 22 Locust Street, Macungie, Pennsylvania; Knitted Underwear; 5 learners (T); August 3, 1943.

W. A. White Underwear Corp., 353 West 1st Street, Oswego, New York; Knitted Underwear & Commercial Knitting; 5 learners (T); July 23, 1943.

Hosiery

Arlington Hosiery Mills, Inc., 613 Market Street, Sunbury, Pennsylvania; Seamless & Full-fashioned Hosiery; 15 learners (E); March 23, 1943.

H. Vaniver and Company, Inc., 240 Market Street, Philadelphia, Penn.; White Duck Coats, Aprons, Pants, & Uniforms; 5 learners (T); July 23, 1943.

Textiles

Lockwood Company, Water Street, Waterville, Maine; Cotton: 18 learners (T): July 23, 1943.

Pepperell Braiding Company, Lowell Street, E. Pepperell, Massachusetts; Cotton, Rayon & Wool; 3 learners (T): July 23, 1943.

The Read and Lovatt Manufacturing Company, Main Street, Weatherly, Pennsylvania; Silk, Nylon & Rayon Threads; 3 percent (T); July 23, 1943.

Signed at New York, N. Y., this 21st day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7019; Filed July 23, 1942; 11:33 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

AGRICULTURE, COASTAL, MARINE RELAY, AND FIXED PUBLIC SERVICES

MEMORANDUM OPINION ON POLICY AND PROCEDURE FOR HANDLING CERTAIN APPLICATIONS

In the matter of policy and procedure for handling applications relating to stations in the Agriculture, Coastal, Marine Relay, and Fixed Public Services.

It has become increasingly apparent that the public interest requires a curtailment of the use of materials for the construction or change of the transmitting facilities of stations operating in the Agriculture, Coastal, Marine Relay and Fixed Public radio services.

On June 29, 1942, the Board of War Communications made the following two recommendations to the War Production Board and to this Commission:

1. No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any station in the Agriculture Service.

2. No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any station operating in the Coastal, Marine Relay, or Fixed Public services: *Provided, however*, That upon a proper showing that any such station serves an essential military need or a vital public need, which cannot otherwise be met, the Commission and the War Production Board will take action commensurate with the importance of the particular facility in question.

The Commission has adopted the recommendation numbered one, and hereafter as a matter of policy, until further notice, will grant no application for an authorization involving the use of any materials to construct or change the transmitting facilities of any point-to-point radio station in the Agriculture service.

In accordance with the recommendation numbered two, the Commission has adopted the policy, until further notice, of not granting any application for an authorization which involves the use of any materials to construct or change the transmitting facilities of any station operating in the Coastal, Marine Relay, or Fixed Public services; except where it appears that the facilities to be constructed or changed will serve either (1) an essential military need or (2) a vital public need, which cannot otherwise be met.

Any application hereafter filed involving the use of any materials to construct or to change the transmitting facilities of any class of station set forth under recommendation (2) will be considered defective and returned to the applicant unless it is accompanied by a verified statement showing all the facts and circumstances which the applicant believes to demonstrate that the facilities to be constructed or changed will serve either (1) an essential military need, or (2) a vital public need, which cannot otherwise be met.

In the case of any application now pending[1] before the Commission, or postmarked prior to the date hereof, a verified statement need not be submitted unless the Commission specifically requests such statement. Failure to file the required statement within the time designated by the Commission shall be deemed an abandonment of the pending application and such application will be retired to the closed files of the Commission and dismissed without prejudice.

In the event that the Commission is unable to determine from the verified statement that the proposed facilities will serve either an essential military need or a vital public need, which cannot otherwise be met, the application will be designated for a public hearing.

Dated: July 21, 1942.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7016; Filed, July 23, 1942; 11:23 a. m.]

[1] Includes all such applications filed prior to the date hereof irrespective of present status.

FEDERAL POWER COMMISSION.

[Docket No. IT-5755]

WESTERN MASSACHUSETTS ELECTRIC COMPANY, ET AL.

ORDER FIXING DATES FOR HEARING AND FOR FILING APPLICATION FOR LICENSE

JULY 21, 1942.

The Commission having under consideration the application in the above-entitled matter for approval of a proposed merger and consolidation, filed December 18, 1941, as amended and supplemented; the Answer of Applicants to Order Requiring Application to be Supplemented, filed June 11, 1942; the Petition to intervene filed January 19, 1942, and the request for oral hearing filed July 13, 1942, by the Mayor of City of Springfield, Massachusetts; the Reply to said petition, filed by the Applicants February 23, 1942, and Answer, to said request, filed by the Applicants July 17, 1942; and

It appearing to the Commission that:

Opportunity should be afforded for the taking of such oral testimony and other evidence on the question of the Commission's jurisdiction with respect to the proposed merger, and on the issues raised by the aforesaid filings, and the filings hereinafter directed to be made, as may be relevant and material and necessary to the proper disposition of the application;

The Commission *orders* that:

(a) A public hearing for the aforesaid purposes be held beginning at 9:45 o'clock a. m. August 4, 1942, in the Hearing Room of the Federal Power Commission, at 1800 Pennsylvania Avenue NW., Washington, D. C.;

(b) The Applicants have available for examination at such hearing one or more technically qualified witnesses having knowledge of the manner in which loads served by the Turners Falls Power & Electric Company's transmission system are supplied with electric energy from the sources utilized; and have available for reference such wiring diagrams, records of meter readings and other Company data and records as may be relevant

to a determination of electric energy flows between out-of-state points and facilities of the Western Massachusetts Electric Company, United Electric Light Company, and Pittsfield Electric Company for such instances as said witnesses may select as being representative of the various types of operating conditions currently encountered;

(c) On or before July 31, 1942, the Applicants submit the application for license for the hydroelectric project at Turners Falls (with such exhibits and accompanying data as shall have been prepared), the agreements to accept license for said project, and the showing of facts with respect to the question of inclusion of transmission lines in said project, all as referred to in the Commission's Order of May 19, 1942, in the above-entitled proceeding and the Applicants' answer thereto filed June 11, 1942.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-7013; Filed, July 23, 1942; 11:12 a. m.]

[Docket No. IT-5695]

MISSISSIPPI RIVER POWER COMPANY

ORDER GRANTING ORAL ARGUMENT

JULY 21, 1942.

Upon joint application of Respondent, Mississippi River Power Company, and Intervener, Union Electric Company of Missouri, filed July 15, 1942, requesting that they be granted oral argument before the Commission *en banc;*

The Commission *orders* that:

Oral argument on the issues raised in the hearing herein be had before the Commission, *en banc*, on September 10, 1942, at 10 a. m., (E. W. T.), in the Hearing Room of the Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-7014; Filed, July 23, 1942; 11:12 a. m.]

NATIONAL RAILWAY LABOR PANEL.

DESIGNATION OF EMERGENCY BOARD

Whereas certain disputes have arisen between the following named carriers:

Addison Miller Company.
Alabama, Tennessee & Northern Railroad.
Ashley, Drew & Northern Railway Company.
Atchison Union Depot & Railroad Company.
Atlanta, Birmingham and Coast Railroad Company.
Atlantic & Yadkin Railway Company.
Bangor and Aroostook Railroad Company.
Burlington Refrigerator Express Company.
Canton Railroad Company.
Columbus and Greenville Railway.
Des Moines & Central Iowa Railroad.
Detroit and Mackinac Railway Company.
Fruit Growers Express Company.
Georgia & Florida Railroad.
Huntingdon and Broad Top Mountain Railroad & Coal Co.
Lackawanna & Wyoming Valley Railroad Company.
Louisiana & Arkansas Railway.
Louisiana and North West Railroad.
Market Service Association.
Maryland & Pennsylvania Railroad Company.
Merchants Despatch Transportation Corporation.
Meridian and Bigbee River Railway Company.
Midland Continental Railroad.
Minnesota Western Railway Company.
Mississippi Central Railroad.
Missouri and Arkansas Railway Company.
New Orleans Public Belt Railroad.
New York Dock Railway.
New York, Ontario and Western Railway.
Norfolk Southern Railroad Company.
Quanah, Acme & Pacific Railway.
Rapid City, Black Hills & Western Railroad.
Western Fruit Express Company.
Wichita Falls & Southern Railroad Company.

and certain of their employees represented by the following labor organizations:

International Association of Machinists.
International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America.
International Brotherhood of Blacksmiths, Drop Forgers and Helpers.
Sheet Metal Workers' International Association.
International Brotherhood of Electrical Workers.
Brotherhood Railway Carmen of America.
International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers.
The Order of Railroad Telegraphers.
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes.
Brotherhood of Maintenance of Way Employes.

concerning changes in rates of pay, rules, or working conditions, and said disputes have not been adjusted or settled under the provisions of sections 5, 6, 7, 8, and 9 of the Railway Labor Act; and

Whereas the duly authorized representatives of the employees involved in such disputes have notified me of the failure of the parties to adjust the disputes and of their desire to avoid the taking of strike votes and the setting of strike dates, and whereas the National Mediation Board has not notified the President of a threatened interruption to commerce; and

Whereas in my judgment the disputes are such that if unadjusted, even in the absence of strike votes, they may interfere with the prosecution of the war;

Now, therefore, by virtue of the authority vested in me by Executive Order 9172, I hereby select Walter P. Stacy (Chairman), William H. Spencer, and Edwin E. Witte, members of the National Railway Labor Panel, to serve as an emergency board to investigate such disputes and to report thereon to the President, such Board to commence its investigation in the City of Chicago, Illinois, on Monday, August 10, 1942.

WILLIAM M. LEISERSON,
Chairman, National Railway Labor Panel.

JULY 21, 1942.

[F. R. Doc. 42-6991; Filed, July 22, 1942; 2:17 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 3 to Administrative Notice 1[1]]

EXCEPTIONS GRANTED TO MACHINERY MANUFACTURERS

During the fall and winter of 1941-1942, when the Office of Price Administration requested manufacturers of a wide variety of machines and parts not to increase prices, such manufacturers were advised that exceptions would be considered where maintenance of requested prices caused undue hardship. A certain number of exceptions have been granted to manufacturers filing applications supported by proper data. A list of these exceptions is contained in Administrative Notice No. 1 and two Amendments thereto.[1]

Upon applications duly made by manufacturers, and after consideration of the evidence submitted thereupon, additional exceptions have been granted, some of which were not included in the Administrative Notice by inadvertence and some of which took place subsequent thereto.

Pursuant to authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered that:

A new paragraph be added to the end of Administrative Notice No. 1 as set forth below.

* * * * * *

Exceptions are granted to the manufacturers of machines and parts named, establishing as maximum prices for the specified products the prices set forth, below:

[1] 7 F.R. 2984, 3690, 5453.

Manufacturer	Product	Maximum prices
Hunt-Spiller Manufacturing Corporation Boston, Mass.	Electric high test steel locomotive pistons for lip-type rings, conventional designs.	October 29, 1941, prices.
Leland Electric Co., Dayton, Ohio	Electric motors and generators	October 1, 1941, prices and use of Optional Discount Schedule.
Cleveland Trencher Co., Cleveland, Ohio.	Trenching and pipe-laying machines, accessories and spare parts.	October 10, 1941, prices.
Isolantite, Inc., Belleville, N. J.	Steatite insulation products	May 10, 1942 prices until further order.
Hammett Electric Manufacturing Co., Kansas City, Mo.	AC Arc Welders: Stock No. 150 Stock No. 75 Stock No. 55 Stock No. 300	$63.65 each. $39.40 each. $22.83 each. $134.98 each.
Minneapolis-Moline Power Implement Co., Minneapolis, Minn.	Nonagricultural tractors, and parts and accessories.	Prices effective Jan. 26, 1942.

The Price Administrator hereby confirms the granting of these exemptions.

Issued this 22d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6989; Filed, July 22, 1942; 12:12 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-14, 54-19]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM, ET AL.

ORDER DIRECTING LIQUIDATION AND DISSOLUTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of July, 1942.

In the matter of International Hydro-Electric System, New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates, Common Voting Trust, and Massachusetts Utilities Associates, respondents.

The Commission having on June 17, 1940 issued its Notice of and Order for Hearing instituting this proceeding pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935; and

Hearings having been held with respect to the issues relating to Respondent, International Hydro-Electric System; Counsel for the Public Utilities Division of the Commission and Counsel for Respondent, International Hydro-Electric System, having waived a trial examiner's report and the right to submit proposed findings of fact, oral arguments and briefs; and

The Commission having examined the records herein and having this day made and filed its Findings and Opinion herein:

It is ordered pursuant to section 11 (b) (2) of said Act that International Hydro-Electric System liquidate and dissolve;

It is further ordered, That said International Hydro-Electric System proceed with due diligence to submit to this Commission a plan for its liquidation and dissolution in a manner consistent with the provisions of said Act;

It is further ordered, That before International Hydro-Electric System take any step or action for the purpose of enabling said International Hydro-Electric System to comply with the provisions of this Order, such proposed step or action shall be the subject of an application or declaration to this Commission and the necessary order or orders of approval be obtained;

It is further ordered, That jurisdiction be, and the same hereby is, reserved to enter such further order or orders as may be necessary or appropriate for the purpose of ensuring that the liquidation and dissolution of International Hydro-Electric System be accomplished expeditiously and in a manner consistent with the provisions of said Act;

It is further ordered, That jurisdiction be, and the same hereby is, reserved to enter such further order or orders for the purpose of determining what further steps should be taken by International Hydro-Electric System to bring about compliance with the requirements of section 11 (b) (2) of said Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6992; Filed, July 22, 1942; 3:42 p. m.]

Reference

FEDERAL REGISTER

VOLUME 7 NUMBER 146

Washington, Saturday, July 25, 1942

The President

OFFICE OF SOLID FUELS COORDINATOR FOR WAR

THE WHITE HOUSE,
Washington, May 25, 1942.

The Honorable, The SECRETARY OF THE INTERIOR.

MY DEAR MR. SECRETARY: As more appropriate to the situation existing today, I approve the designation "Office of Solid Fuels Coordinator for War", in lieu of that originally fixed by my letter of November 5, 1941, which established the Office.[1]

Sincerely yours,

FRANKLIN D ROOSEVELT

[F. R. Doc. 42-7080; Filed, July 24, 1942; 11:18 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

AVIATION BADGES

Section 79.54 (n) is hereby added as follows:

§ 79.54 *Badges, aviation*

* * * * *

(n) *Air crew member:* At the center of the wings, the coat of arms of the United States in clear relief against a horizontally lined background on a disk with raised rim.

(R.S. 1296; 10 U.S.C. 1391) [Par. 54*n*, as added by Cir. 226, W.D., July 11, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7053; Filed, July 23, 1942; 3:12 p. m.]

[1] 7 F.R. 1781.

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 85]

PART 402—LOAN SERVICE DIVISION

AUTHORITY OF GENERAL MANAGER

The second sentence of § 402.00 (e) is amended to read as follows:

§ 402.00[1] *General policy and home office.* * * *

(e) *Home office.* * * * The General Manager or such deputy, subject to the limitations hereinafter provided, shall have all necessary authority to develop and enforce loan service procedure which will effectuate the policies and regulations of the Corporation.

(Effective July 20, 1942.)

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-7063; Filed, July 24, 1942; 9:45 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1514]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1, for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

[1] 6 F.R. 5631; 7 F.R. 2701.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine Index No.	Code member	Mine name	Sub-district No.	Seam	Freight origin group No.	Railroad	1	2	3	4	5
2906	Domestic Coal Company (Elbie J. Pheasant).	Domestic	29	D	48	J&SC	F	F	F	F	F
*3631	Domestic Coal Company (Elbie J. Pheasant).	Pheasant	29	C'	48	J&SC	(†)	(†)	E	(†)	(†)
3623	Fleckinger, L. S. (Mack Coal Co.)	Mack No. 4	23	E	81	PRR	(*)	(*)	C	(*)	(*)
3554	Grasso, A. D. (Grasso Coal Mining Co.).	Liberty No. 3	1	B	31	L&EAC	(*)	(*)	F	(*)	(*)
2432	Rodger, Clark W	Shreffler	37	B	100	B&O	(*)	(*)	H	(*)	(*)
2319	Star Coal Co. & James Meehan, Jr.	Tline No. 1	28	E	61	PRR-B&O	(*)	(*)	H	(*)	(*)
2215	Star Coal Co. & James Meehan, Jr.	Keystone No. 1	28	E	61	PRR-B&O	(*)	(*)	H	(*)	(*)
2145	Thomas, Harvey	Arnpach No. 4	44	Brush Creek	80	WM-M	(*)	(*)	P	(*)	(*)
3601	White, James A. (James A. White Coal Company).	White No. 9	6	E	50	PRR	(*)	(*)	P	(*)	(*)
1685	Wood, Frank B. (F. B. Wood Coal Mine Company).	Foxburg No. 1	17	D	44	NYC	(*)	E	E	(*)	(†)
851	Yoder Brothers (Millard Yoder)	Yoder	37	D	100	B&O	(†)	(†)	E	(†)	(†)

†Indicates no classification effective for this Size Group.
*Denotes new Mine Index Number. Mine Index No. 2284 previously assigned is no longer applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

Code member index	Mine Index No.	Mine	Subdistrict No.	County	Seam	All Lump Coal Double Screened Top Size 2" and over	Double Screened Top Size 2" and under	Run of Mine Modified R/M 2" and under Slack	¾" and under Slack
						1	2	3	4	5
Domestic Coal Co. (Elbie J. Pheasant)	*3631	Pheasant	29	Somerset	C'	(†)	(†)	225	(†)	(†)
Fleckinger, L. S. (Mack Coal Co.)	3623	Mack No. 4	23	Indiana	E	(†)	(†)	215	(†)	(†)
Grasso, A. D. (Grasso Coal Mining Co.)	3554	Liberty No. 3	1	Clarion	B	245	220	220	210	200
Kennell & Emerick (Albert Kennell)	990	Kennell No. 2	41	Somerset	Fph	(†)	(†)	220	(†)	(†)
White, James A. (James A. White Coal Co.)	3601	White No. 9	6	Jefferson	E	(†)	(†)	220	210	200

†Indicates no classification effective for this size group.
*Denotes new Mine Index Number. Mine Index No. 2284 previously assigned is no longer applicable.

[F. R. Doc. 42–7032; Filed, July 23, 1942; 11:30 a. m.]

[Docket No. A-1518]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of Code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point, freight origin group and railroad appearing in the aforesaid Supplement R for the Mine Index No. 212 shall be effective in place of the shipping point, freight origin group and railroad heretofore assigned to this mine.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of Code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point, freight origin group and railroad appearing in the aforesaid Supplement R for the Mine Index No. 212 shall be effective in place of the shipping point, freight origin group and railroad heretofore assigned to this mine.

ings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

MINIMUM PRICES FOR DISTRICT NO. 1

EFFECTIVE

EPT TRUCK

mbers—Supplement R

les, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3625	Banner Coal Company (J. H. Wallin).	Cedar Hill No. 1	21	A	Osceola Mills, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3626	Banner Coal Company (J. H. Wallin).	Cedar Hill No. 2	21	B	Osceola Mills, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3501	Cumberland Parker Seam Coal Corporation, The.	Ringler No. 1	43	Bluebaugh	Barrellville, Md.	C&P.	122	(†)	(†)	E	(†)	(†)
3599	Humphrey, Lee B. (The Humphrey Brick & Tile Company).	Kniseley (S)	5	D	Fuller, Pa.	PRR.	112	(†)	(†)	F	(†)	(†)
3552	McCombs Coal Company (J. Clold Rinn).	Depp	6	D	Punxsutawney, Pa.	B&O.	45	(†)	(†)	F	(†)	(†)
3627	Matthews, John H	Matthews No. 5 (D)	7	D	Grampian, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3636	Matthews, John H	Matthews No. 5 (S)	7	D	Grampian, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3555	Neal & Bowers (Guy Neal)	Neal & Bowers	12	C'	Morrisdale, Pa.	NYC.	45	(†)	(†)	HOME	(†)	(†)
3632	Pine Hill Smokeless Coal Company.	Ponfeigh No. 6A (D)	41	Sew	Pine Hill, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3637	Pine Hill Smokeless Coal Company.	Ponfeigh No. 6A (S)	41	Sew	Pine Hill, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3572	Singer, George, Jr.	Singer	20	C	Hays, Pa.	B&O.	122	(†)	(†)	E	(†)	(†)
3628	Superior Cherry Run Coal Corporation.	Cherry Run, Middle Kit.	4	C	Hastings, Pa.	PRR.	112	(†)	(†)	F	(†)	(†)
3479	Wood, Frank B. (F. B. Wood Coal Mining Company).	Pine Ridge (D)	17	H	Hastings, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3538	Wood, Frank B. (F. B. Wood Coal Mining Company).	Pine Ridge No. 2 (S)	17	C'	Hastings, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)

*Indicates previously classified for this size group.
†Indicates no classification effective for this size group.
‡ Denotes new shipping point, Freight Origin Group and railroad. Shipping point at Philipsburg, Pa., on the Pennsylvania Railroad and New York Central Railroad in Freight Origin Group No. 41 shall no longer be applicable.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 14, 1942.

DAN H. WHEELER, *Acting Director.*

[SEAL]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3625	Banner Coal Company (J. H. Wallin).	Cedar Hill No. 1	21	A	Osceola Mills, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3626	Banner Coal Company (J. H. Wallin).	Cedar Hill No. 2	21	B	Osceola Mills, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3501	Cumberland Parker Seam Coal Corporation, The.	Ringler No. 1	43	Bluebaugh	Barrellville, Md.	C&P.	122	(†)	(†)	E	(†)	(†)
3599	Humphrey, Lee B. (The Humphrey Brick & Tile Company).	Kniseley (S)	5	D	Fuller, Pa.	PRR.	112	(†)	(†)	F	(†)	(†)
3552	McCombs Coal Company (J. Clold Rinn).	Depp	6	D	Punxsutawney, Pa.	B&O.	45	(†)	(†)	F	(†)	(†)
3627	Matthews, John H	Matthews No. 5 (D)	7	D	Grampian, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3636	Matthews, John H	Matthews No. 5 (S)	7	D	Grampian, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3555	Neal & Bowers (Guy Neal)	Neal & Bowers	12	C'	Morrisdale, Pa.	NYC.	45	(†)	(†)	HOME	(†)	(†)
3632	Pine Hill Smokeless Coal Company.	Ponfeigh No. 6A (D)	41	Sew	Pine Hill, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3637	Pine Hill Smokeless Coal Company.	Ponfeigh No. 6A (S)	41	Sew	Pine Hill, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3572	Singer, George, Jr.	Singer	20	C	Hays, Pa.	B&O.	122	(†)	(†)	E	(†)	(†)
3628	Superior Cherry Run Coal Corporation.	Cherry Run, Middle Kit.	4	C	Hastings, Pa.	PRR.	112	(†)	(†)	F	(†)	(†)
3479	Wood, Frank B. (F. B. Wood Coal Mining Company).	Pine Ridge (D)	17	H	Hastings, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)
3538	Wood, Frank B. (F. B. Wood Coal Mining Company).	Pine Ridge No. 2 (S)	17	C'	Hastings, Pa.	PRR.	45	(†)	(†)	HOME	(†)	(†)

*Indicates previously classified for this size group.
†Indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine, modified R/M	2" and under Slack	¾" and under Slack
						1	2	3	4	5
Banner Coal Company (J. H. Wallin).	3625	Cedar Hill No. 1	21	Centre	A	(†)	(†)	210	(†)	(†)
Banner Coal Company (J. H. Wallin).	3626	Cedar Hill No. 2	21	Centre	B	(†)	(†)	235	(†)	(†)
Cumberland Parker Seam Coal Corporation, The.	3501	Ringler No. 1	43	Allegany	Bluebaugh	(†)	(†)	225	(†)	(†)
Humphrey, Lee B. (The Humphrey Brick & Tile Company).	3599	Kniseley (S)	5	Jefferson	D	(†)	(†)	225	(†)	(†)
Matthews, John H	3627	Matthews No. 5 (D)	7	Clearfield	D	(†)	(†)	220	(†)	(†)
Matthews, John H	3636	Matthews No. 5 (S)	7	Clearfield	D	(†)	(†)	220	(†)	(†)
McCombs Coal Company (J. Clold Rinn).	3552	Depp	6	Jefferson	D	(†)	(†)	220	(†)	(†)
Neal & Bowers (Guy Neal)	3555	Neal & Bowers	12	Indiana	C'	(†)	(†)	215	(†)	(†)
Pine Hill Smokeless Coal Company.	3632	Ponfeigh No. 6A (D)	41	Somerset	Sew	(†)	(†)	225	(†)	(†)
Pine Hill Smokeless Coal Company.	3637	Ponfeigh No. 6A (S)	41	Somerset	Sew	(†)	(†)	225	(†)	(†)
Singer, George, Jr.	3572	Singer	20	Cambria	E	(†)	(†)	220	(†)	(†)
Superior Cherry Run Coal Corporation.	3628	Cherry Run, Middle Kit.	4	Clarion	C	235	210	210	195	185
Wood, Frank B. (F. B. Wood Coal Mining Company).	3479	Pine Ridge (D)	17	Cambria	B	(†)	(†)	(*)	225	215
Wood, Frank B. (F. B. Wood Coal Mining Company).	3538	Pine Ridge No. 2 (S)	17	Cambria	C'	(†)	(†)	(*)	215	205

†Indicates no classification effective for this size group.
*Indicates previously classified for this size group.

[F. R. Doc. 42-7029; Filed, July 23, 1942; 11:29 a. m.]

[Docket No. A-1511]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in the above-entitled matter; and that the following action is necessary in order to effectuate the purposes of the Act.

It is ordered therefore, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I. § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Company); Ella Mine, Mine Index No. 59, of McDermott Coal Company; Williams Mine, Mine Index No. 698, of Williams Coal Company; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for all shipments except truck, for the reasons set forth in the Order designating that portion of Docket No. A–1511 relating to such coals as Docket No. A–1511, Part II, and granting, in part, temporary relief therein.

Dated: July 10, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-7031; Filed, July 23, 1942; 11:30 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Size group Nos. (Subject to Sup. No.)	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
							A	A	C	C	F	F	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1172	Boyd, R. W	Boyd	Pittsburgh	Canonsburg, Pa.	7	74	D	D	C	C	F	G	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1583	C. C. Coal Company	Grace	Pittsburgh	Houston, Pa. Clinton Block Sdg.,	7	72	D	D	C	C	F	G	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2169	Davis, David O. & Son (David O. Davis).	Shupe (Strip)	Pittsburgh	Imperial, Pa. Perrygrills, Pa.	9	73	D	D	C	C	C	C	C	C	C	(1)	(1)	(1)	(1)	E	E	E
2285	Jacobs, S. Isaac	Bowood (Strip)	Pittsburgh	Sackett, Pa.	3	80	(2)	(2)	(2)	(2)	(2)	(2)	D	D	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
2285	Jacobs, S. Isaac	Ehren (Strip)	Pittsburgh	Sackett, Pa.	3	81	(2)	(2)	(2)	(2)	(2)	(2)	D	D	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
2136	Gadd, Chas. E. (The Westmoreland Company).	Shearer No. 2 (Strip)	Pittsburgh	Superior No. 2, Pa.	5	91	(2)	(2)	(2)	(2)	(2)	(2)	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
661 2285	Sebastian Coal Company Tri-County Fuel Co. c/o G. H. Tutter	Sebastian Farren No. 2 (Strip)	Pittsburgh Brookville	Wylie, Pa. Atwell Siding; Anandale, Pa. Mallood, Pa.	7 1	76	C	C	C	C	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
						25	G	G	G	G	G	G	F	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)

(1) Indicates no classifications effective for these size groups.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II.

In § 322.9 (c) of Minimum Price Schedule, add the mine index numbers in groups shown. *Group 1:* 2169. *Group 2:* 661, 1172, 1583; *Group 7:* 2145, 2285; *Group 15:* 2385, *Group 18:* 2136. The above prices are applicable *only* Via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown in previous schedules are hereby deleted.

[F. R. Doc. 42-7031; Filed, July 23, 1942; 11:30 a. m.]

[Docket No. A-1499]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT No. 12

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 12; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 332.2 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and No. 12 for All Shipments Except Truck or supplements thereto as follows: Beck Mine (Mine Index No. 226) of Beck Coal Co. (Albert Fuson), Docket No. A–675; No. 1 Mine (Mine Index No. 796) of Premier Coal Company, Inc., c/o Glen A. Beebout, Docket No. A–1328; No. 2 Mine (Mine Index No. 737) of Premier Coal Company, Inc., c/o Glen A. Beebout, Docket No. A–794; Wholesale Coal Co. Mine (Mine Index No. 41) of Clark Youst (Wholesale Coal Co.), Schedule of Effective Minimum Prices for District 12 for All Shipments Except Truck; Wilkinson Mine (Mine Index No. 740) of Wilkinson Coal Co. (Robert Wilkinson), Dockets Nos. A–957 and A–1178.

No relief is granted herein as to the change in shipping point prayed for the coals of the #3 Mine (Mine Index No. 75) of Premier Coal Company, Inc., c/o Glen A. Beebout, for the reason that records of the Division indicate that the code acceptance filed on behalf of this operator is improper.

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

§ 332.2 *Alphabetical list of code members*—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups (for delivery by railroad)]

Mine Index No.	Code member	Mine	Mine origin group	Originating railroad	Mine origin group No.
751	Attica Coal Co. (George Ethel, Sr.).	Attica Coal Co.*	Lovilia	WABASH	40
823	Dunreath Coal Co. (M. B. McConville).	Flagler No. 3*	Flagler	CB&Q	26
775	Edwards Bros. Coal Company	Edwards Bros. No. 4*	Evans & Oskaloosa.	CRI&P	77
495	Elm Creek Coal Co. (John Hackert).	Elm Creek Coal Co.*	Flagler	CB&Q	26
414	Honey Creek Coal Co. (Henry Wignall).	Honey Creek*	Bussey	CB&Q & WABASH	31

*Indicates mines shipping via public sidings and ramps for railway delivery.

NOTE: Shipping point at Flagler in Freight Origin Group No. 26 shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 332.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	County	Mine index No.	Price group No.	Chunk 1	Standard lump 2	Egg 8 x 2", 6 x 2" 3	Small Egg 4 x 2", 3 x 1½" 4	Mine run 5	Nut 2 x 1¼", 1¾ x ¾" 6	Domestic Stoker 1¾", 1 x ⅝" 7	Screenings 2", 1½", 1¼ x 0 8	Industrial Stoker Cr. 2", 1½", 1¼" x 0 9	⅜" x 0 10
Dunreath Coal Co. (M. B. McConville).	Flagler No. 3	Marion	823	19	310	300	290	280	270	270	270	170	230	100
Producers Coal Co., Inc., c/o M. A. Moore.	Producers Coal Co.	Marion	788	19	310	300	290	280	270	270	270	170	230	100
Reiter, E. S. (Cedar Coal Co)	Cedar Coal Co.	Van Buren	819	7	302	292	282	272	262	262	262	172	232	100

[F. R. Doc. 42-7030; Filed, July 23, 1942; 11:29 a. m.]

[Docket No. A-1481]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT No. 13

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R–I, § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R–II, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R–III, § 333.24 (*General prices*) is amended by adding thereto Supplement R–IV § 333.25 (*Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R–V, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of the Gillison Coal Company (Mine Index No. 1273) of W. C. Carr (Carr Coal Company) for all shipments except truck for the reason that records of the Division indicate that no freight rates are applicable for rail shipment from Argo, Alabama, the shipping point proposed by the original petitioner. By letter dated June 19, 1942, the original petitioner indicated it had discovered this fact and requested that Mine Index No. 1273 be deleted from its petition for that reason.

No relief is granted herein as to the coals of the Happy Hollow Mine (Mine Index No. 326) of J. A. Garrett or as to the coals of the Cross Roads Mine (Mine Index No. 171) of Supreme Black Creek Coal Company, Inc., for the reasons set forth in an order severing that portion of Docket No. A–1481 which relates to them and designating such portion as Docket No. A–1481, Part II, granting temporary relief in part and scheduling a hearing therein.

No relief is granted herein as to the coals of the Brown Mine of Roy Lee Schlageter which the original petition designates as Mine Index No. 1159 for the reason that records of the Division indicate that the correct mine index number for this mine is Mine Index No. 859 and that price classifications and minimum prices have already been established for Mine Index No. 859 under the name of Brown and Morris (C. R. Brown) for truck shipment in Docket No. A–205 and for all shipments except truck in Docket No. A–1089.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 *General prices*—Supplement R–I

[Prices F. O. B. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	BIBB COUNTY, ALA.				
212	Young, G. W. (Red Dot Coal Co.)	Red Dot Coal Co.[1]	1	Woodstock	41
	BLOUNT COUNTY, ALA.				
1525	Hart, E. C.	Old No. 2[1]	1	Black Creek	31
1567	Mahaffey, J. W.	Mahaffey No. 2[1]	1	Black Creek	31
1544	Sullivan, J. R.	No. 58[1]	1	Underwood	31
	ETOWAH COUNTY, ALA.				
1545	Sullivan, J. R.	No. 46[1]	1	Underwood	31
	JEFFERSON COUNTY, ALA.				
1547	Layne, W. F. (W. F. Layne Coal Co.)	Klondyke[1]	1	Black Creek	31
1569	Lollar, E. E.	Lollar No. 2[1]	1	Nickel Plate	50
1570	Lollar, E. E.	Lollar No. 3[1]	1	Nickel Plate	50
1571	Lollar, E. E.	Lollar No. 4[1]	1	Nickel Plate	50
62	Woodward Iron Company	Dolomite[1]	1	Pratt	34
64	Woodward Iron Company	Muha[1]	1	Pratt	34
	MARION COUNTY, ALA.				
1015	Aldridge, Gray	Wheeler No. 6[1]	1	Black Creek	101
1482	Tittle, Wyatt	Poplar Hollow No. 2[1]	1	Black Creek	111
422	Dodd, Sherman C.	Bowlin No. 2[1]	1	Black Creek	111

[1] Shipping Point: Bloeton, Ala. Railroads: L&N, So. Ry. and GM&O. This mine shall have the same respective prices in size groups 1, 5, 13 and 19 on all price tables, as are shown for Mine Index No. 11 (Hills Creek Coal Company, Hills Creek mine, Minimum Price Schedule).

[2] Shipping Point: Warrior, Ala. Railroad: L&N. These mines shall have in size group 13, on each respective price table, a price which is 10¢ less than is shown thereon for size group 12 as shipped from Mine Index No. 76 (Moss & McCormack Coal Company, Carbon mine, Minimum Price Schedule).

[3] Shipping Point: Altoona, Ala. Railroad: L&N. This mine shall have in size group 13, on each respective price table, the same price as is shown for Mine Index No. 75 (Lehigh Coal Company, Lehigh mine, Minimum Price Schedule).

[4] Shipping Point: Altoona, Ala. Railroad: L & N. This mine shall have in size group 13, on each respective price table, the same price as is shown for Mine Index No. 75 (Lehigh Coal Company, Lehigh mine, Minimum Price Schedule).

[5] Shipping Point: Warrior, Ala. Railroad: L & N. This mine shall have in size group 13, on each respective price table, a price which is 10¢ less than is shown thereon for size group 12 as shipped from Mine Index No. 76 (Moss & McCormack Coal Company, Carbon mine, Minimum Price Schedule).

[6] Shipping Point: Brookside, Ala. Railroad: So. Ry. These mines shall have in size group 13, on each respective price table, the same revised price as listed in size group 13 for Mine Index No. 371 (Sheelor, Ed., Sheelor No. 1 mine, Docket No. A-888).

[7] Shipping Point: Woodward, Ala. Railroad: Woodward Iron Co. R.R. These mines shall have in size group 18, on each respective price table, the same price as is listed in that size group for Mine Index No. 71 (Brookside-Pratt Mining Company, Blossburg "E" mine, Minimum Price Schedule).

[8] Shipping Point: Glen Allen, Ala. Railroad: SL–SF. This mine shall have in size group 19, on each respective price table, a price which is 10¢ higher than is shown thereon for size group 19 as shipped from Mine Index No. 14 (Galloway Coal Company, Hope mine, Minimum Price Schedule).

[9] Shipping Point: Glen Mary, Ala. Railroad: So. Ry. These mines shall have in size groups 1, 2, 4, 7, 13 and 23, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1015 (Gray Aldridge, Wheeler No. 6 mine, Dockets Nos. A–438 and A–846).

§ 333.6 *General prices*—Supplement R–I—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	MARION COUNTY, ALA.—continued				
881	Hollis, B. M.	Hollis No. 4[10]	1	Black Creek	101
150	Hughes, C. R.	C. R. Hughes No. 1[10]	1	Black Creek	60
151	Hughes, C. R.	C. R. Hughes No. 2[10]	1	Black Creek	60
1498	Hurn, E. R.	Hurn No. 1[10]	1	Black Creek	60
1555	Hurn, E. R.	Hurn No. 2[10]	1	Black Creek	60
1572	Hurn, E. R.	Hurn No. 3[10]	1	Black Creek	60
1573	Hurn, E. R.	Hurn No. 4[10]	1	Black Creek	60
1574	Hurn, E. R.	Hurn No. 5[10]	1	Black Creek	60
1575	Hurn, E. R.	Hurn No. 6[10]	1	Black Creek	60
1576	Hurn, E. R.	Hurn No. 7[10]	1	Black Creek	60
1455	May, A. G.	A. G. May[11]	1	Black Creek	60
	ST. CLAIR COUNTY, ALA.				10
1556	Alabama Fuel & Iron Company	Henry Ellen[12]	1	Henry Ellen	
	SHELBY COUNTY, ALA.				
500	Acton Coal Company	Acton Basin[13]	1	Moyle	31
1543	Acton Coal Company	Acton Basin No. 2[14]	1	Helena	31
	TUSCALOOSA COUNTY, ALA.				
1539	Griffin, E. B. (E. B. Griffin Coal Co.)	Griffin[15]	1	Millidale	44
541	Nicholson, Harry	Nicholson[16]	1	Millidale	44
1557	Nicholson, James	Nicholson No. 3[17]	1	Brookwood	44
1558	Nicholson, James	Nicholson No. 4[17]	1	Carter	44

[10] Shipping Point: Glen Allen, Ala. Railroad: SL–SF. This mine shall have in size groups 13, 19, and 23, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1015 (Gray Aldridge, Wheeler No. 6 mine, Dockets Nos. A–846 and A–1481).

[11] Shipping Point: Brilliant, Ala. Railroad: L. C. R. R. These mines shall have in size groups 1, 2, 4, 6, and 18, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1015 (Gray Aldridge, Wheeler No. 6 mine, Docket No. A–438).

[12] Shipping Point: Acmar, Ala. Railroad: C. of G. Ry. This mine shall have in size groups 1, 2, 6, 8, 10, 15, 16, 17, 18, and 24, on each respective price table, the same prices as are listed for these respective size groups for Mine Index No. 69 (Red Diamond Mining Company, Red Diamond mine, Minimum Price Schedule).

[13] Shipping Point: Paramount, Ala. Railroad: L&N. New shipping point, but without change in railroad or Freight Origin Group. Shipping point at Helena, Ala., shall no longer be applicable.

[14] Shipping Point: Paramount, Ala. Railroad: L&N. This mine shall have in size groups 1, 2, 4, 6 and 18, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 16 (Alabama Fuel & Iron Company, New Acton mine, Minimum Price Schedule).

[15] Shipping Point: North Alabama Junction, Railroad: L&N Ala. This mine shall have in size groups 1, 2 and 4, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 17 (Southern Coal & Coke Company, Bradford mine, Minimum Price Schedule); and in size group 7 a price which is 10¢ less on each such table than is listed in size group 6 for said Mine Index No. 17; and in size group 23 a price which is the same on each such table as is listed in size group 18 for said Mine Index No. 17.

This mine shall have in size group 13 on each respective price table the same price as is listed thereon in said size group for Mine Index No. 14 (Galloway Coal Company, Hope mine, Minimum Price Schedule).

[16] Shipping Point: Brookwood, Ala. Railroad: L&N. This mine shall have in size groups 13, 22, and 23, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1426 (H. F. Wade, Wade No. 2 mine, Docket No. A–1258).

[17] Shipping Point: Brookwood, Ala. Railroad: L&N. This mine shall have in size groups 13, 22 and 23, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 40 (Twin Seam Mining Company, No. 5 Searles mine, Minimum Price Schedule and Docket No. A–61).

[18] Shipping Point: Brookwood, Ala. Railroad: L&N. This mine shall have in size groups 13, 22 and 23, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1449 (Wheeler & Brooks (J. S. Wheeler), Wheeler & Brooks mine, Docket No. A–1330).

§ 333.6 *General prices*—Supplement R–I—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	TUSCALOOSA COUNTY, ALA.—continued				
1549	Prince, H. M.	Prince[19]	1	(?) A stray seam with Black Creek characteristics.	120
	WALKER COUNTY, ALA.				
1587	Allums, Homer	Homer Allums[20]	1	Black Creek	80
1583	Roberts, L. T.	Leslie Roberts[21]	1	Black Creek	80
1295	Cooke, K. N.	Tucker No. 15[21]	1	Black Creek	80
1523	Layton, J. L.	Layton[22]	1	Mary Lee	90
1366	Cunningham, Hugh	Cunningham[23]	1	Mary Lee	100
1581	Layton, J. L.	Layton No. 2[24]	1	Mary Lee	80
1582	Layton, J. L.	Layton No. 3[24]	1	Mary Lee	80
1585	Wilson & Huddleston (E. S. Wilson).	Piedmont[24]	1	Mary Lee	80
1584	Wilson & Huddleston (E. S. Wilson).	Dolinsky[24]	1	Mary Lee	80
1369	Drummond, Henry	Henry[25]	1	Black Creek	90
1551	Drummond, H. E.	Pisgah 2, 3 & 4[25]	1	Black Creek	80
1546	Earnest & Roberts (W. B. Earnest)	W. B. Earnest No. 2[26]	1	Pratt	120

[19] Shipping point: Bankston, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2, 4, 6, 7, 13, 18 and 23 on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1015 (Gray Aldridge, Wheeler #6 mine, Dockets Nos. A–438 and A–846).

This mine shall have in size group 10, on each respective price table, a price which is 10¢ higher than is listed thereon, for size group 11 as shipped from Mine Index No. 20 (Eldridge Coal Co., Eldridge mine, Minimum Price Schedule, but now W. H. Bowlin, Burnright Coal mine); and in size group 11 the same price on each such table as is listed in that size group for said Mine Index No. 20.

This mine shall have in size group 12 on each respective price table a price which is 10¢ higher than in size group 13 as herein provided for.

[20] Shipping Point: Drummond, Ala. Railroad: SL–SF. These mines shall have in size group 18, on each respective price table, the same price as is listed for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Minimum Price Schedule).

[21] Shipping Point: Sumiton, Ala. Railroad: SL–SF. This mine shall have in size groups 1, 2 and 4, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, minimum Price Schedule); and in size group 7 on each such table a price which is 10¢ less than is listed in size group 6 for said Mine Index No. 22; and in size group 23 on each such table a price which is 10¢ less than is listed in size group 18 for said Mine Index No. 22.

[22] Shipping Point: Dora, Ala. Railroad: SL–SF. This mine shall have in size groups 1, 2, 7, 19, 22 and 23, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1417 (Mammoth Coal Mining Co. (Amos Reid), Mammoth mine, Docket No. A–1258).

[23] Shipping Point: Jasper, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2, 7, 13, 19, 20, 21, 22, 23 and 24, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1417 (Mammoth Coal Mining Co. (Amos Reid), Mammoth mine, Docket No. A–1258).

[24] Shipping Point: Dora, Ala. Railroad: SL–SF. These mines shall have in size groups 1, 2, 7, 13, 19, 20, 21, 22, 23 and 24, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1417 (Mammoth Coal Mining Co. (Amos Reid), Mammoth mine, Docket No. A–1258).

[25] Shipping Point: Burnwell, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2, 7, 13, 19, 20, 21, 22, 23 and 24, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 1417 (Mammoth Coal Mining Co. (Amos Reid), Mammoth mine, Docket No. A–1258).

[26] Shipping Point: Rosemary, Ala. Railroad: SL–SF. This mine shall have in size groups 1, 2, 4, 6, 17, 18 and 26, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Minimum Price Schedule); and in size groups 7, 22 and 23, on each such table, this mine shall have prices which are 10¢ less than those respectively listed in size groups 6, 17 and 18 for said Mine Index No. 22.

This mine shall have in size group 12, on each respective price table, a price which is 20¢ higher than is listed in size group 13 thereon for Mine Index No. 14 (Galloway Coal Company, Hope mine, Minimum Price Schedule); and in size group 13 on each such table a price which is 10¢ higher than is listed thereon for said Mine Index No. 14; and in size group 20 on each such table the same price as that listed thereon in size group 13 for said Mine Index No. 14.

[27] Shipping Point: Rosemary, Ala. Railroad: SL–SF. This mine shall have in size groups 1, 4, 6, 18 and 26, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Minimum Price Schedule); and in size groups 7 and 23 on each such table this mine shall have prices which are 10¢ less than those respectively listed in size groups 6 and 18 for said Mine Index No. 22.

This mine shall have in size group 12 on each respective price table a price which is 20¢ higher than is listed in size group 13 thereon for Mine Index No. 14 (Galloway Coal Company, Hope mine, Minimum Price Schedule); and in size group 13 a price which is 10¢ higher than is listed thereon for said Mine Index No. 14.

[28] Shipping Point: Leespeer, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2 and 24, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 55 (Alabama Fuel & Iron Company, Brookston mine, Minimum Price Schedule); and in size groups 13 and 23 on each such table this mine shall have prices which are 10¢ less than those respectively listed in size groups 12 and 18 for said Mine Index No. 55.

[29] Shipping Point: Rosemary, Ala. Railroad: SL–SF. Now shipping point, railroad and Freight Origin Group. Shipping point at Jasper, Ala., on SL–SF and So. Ry. (jointly) in Freight Origin Group 102 shall no longer be applicable.

[30] Shipping Point: Gamble Mines, Ala. Railroad: So. Ry. This mine shall have in size group 1, on each respective price table, the same price as listed in that size group for Mine Index No. 31 (Stith Coal Company, Aldridge Shaft mine, Minimum Price Schedule); and in size groups 13 and 21 on each such table this mine shall have prices which are 10¢ less than those respectively listed in size groups 12 and 16 for said Mine Index No. 31.

[31] Shipping Point: Jasper, Ala. Railroads: So. Ry. and SL–SF. This mine shall have in size group 13, on each respective price table, the same price as listed in that size group for Mine Index No. 1522 (Grady W. Jones & Co. (Grady W. Jones), Jones mine, Docket No. A–1481).

[32] Shipping Point: Natural Bridge, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2 and 13, on each respective price table, the same prices as are listed in those respective size groups for Mine Index No. 14 (Galloway Coal Company, Hope mine, Minimum Price Schedule); and in size groups 22 and 23 on each such table this mine shall have prices which are 10¢ less than those respectively listed in size groups 17 and 18 for said Mine Index No. 14.

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1013	Goldsmith, John	Baker No. 1[29]	1	Black Creek	80
1522	Jones, Grady W. & Co. (Grady W. Jones).	Jones[30]	1	Mary Lee	110
127	Walker Coal Co. (L. S. Long)	Hardy[31]	1	Mary Lee	102
	WINSTON COUNTY, ALA.				
1586	Hill, W. M.	Iceberg, No. 2[32]	1	Black Creek	141

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R–II

[The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in subdistrict No. 1. For all sizes customarily furnished railroads for locomotive fuel]

Mine index No.	Central of Georgia[1]	Seaboard Air Line Ry.[1]	St. Louis & San Francisco R. R. for consignment west of the Mississippi River	St. Louis & San Francisco R. R. for consignment east of the Mississippi River	All other railroads not specifically shown
1556	243	----------	200	220	220
127, 150, 151, 171, 422, 541, 1295, 1351, 1366, 1369, 1456, 1482, 1498, 1522, 1523, 1539, 1543, 1546, 1547, 1549, 1551, 1555, 1557, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1581, 1582, 1584, 1585, 1586.	220	220	200	220	220

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R–III

[Subject to price instructions and exceptions]

Mine index No.	Mine group	Size groups and prices applicable for steamship vessel fuel			
		14, 15, 16, 17, 18	12	13	23
1547	Black Creek			285	
171, 1586	Black Creek			285	275
150, 151, 1369, 1455, 1498, 1551, 1558, 1572, 1573, 1574, 1575, 1576, 1583, 1587.	Black Creek	285	285		
1546	Pratt			266	
1550 [1]	Calhoun	270		270	
1522	Carbon Hill Big Seam	245			
1556 [2]	Henry Ellen	243			

[1] For all deliveries except to Ocean Steamship Co., Savannah, Ga.
[2] Applies only to Ocean Steamship Co., Savannah, Ga.

§ 333.24 *General prices*—Supplement R–IV

[Prices F.O.B. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	HAMILTON COUNTY, TENN.				
1129	Alexander, Tom J	Flat Top [1]	3	Soddy No. 13	200
811	Cox, Charles J	Shadwick [1]	3	Soddy No. 12	200
1515	Hunt, C. N	Hunt [1]	3	No. 12	200
1490	Bolton & Rogers (James C. Bolton)	Sale Creek [2]	3	Flick	200
1119	Goodson, W. B	Nig Coal Co. [3]	3	Soddy No. 4	200
180	Yother, George	Montlake [3]	3	Nos. 10 and 5	200

[1] Shipping Point: Rathburn, Tenn. Railroad: CNO & TP.
[2] Shipping Point: Sale Creek, Tenn. Railroad: CNO & TP.
[3] Shipping Point: Daisy, Tenn. Railroad: CNO & TP.

NOTE.—On each respective price table except that for Market Area 112 each of the above six mines shall have a price in each size group which is 10¢ less than that respectively listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Minimum Price Schedule): and on the price table for Market Area 112 each of said mines shall have in each size group a price which is 6¢ higher than that listed for said Mine Index No. 95.

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
1184	Barnes & Barnes (Cecil M. Barnes)	Barnes	3	Battle Creek	150
1369	Bolton, Holland & Roberson (Frank Bolton).	Bolton & Holland	3	Bluff	150
944	Dalton, David Crockett	Dalton	3	Bluff	150
145	Dunwoody, Jim	Dunwoody	3	Battle Creek	150
1185	Dunwoody, Jim	Patton	3	Battle Creek	150
177	Garner, D. W	Garner	3	Battle Creek	150
1206	Guess, J. C	Battle Creek	3	Battle Creek	150
1062	Dalton, Billie	Bolton	3	Bluff	150
814	Holland, John	Holland	3	Top	150
982	Raulston, Russ	Raulston	3	Battle Creek	150
1191	Ridley, Cecil R	Ridley No. 19	3	Battle Creek	150
723	South Pittsburg Coal Co	So. Pittsburg	3	Battle Creek	150
1153	Yokley, George W	Cureton	3	Battle Creek	150

NOTE: Shipping Point: Orme, Tenn. Railroad: NC & St. L. On each respective price table each of the above mines shall have in each size group the same respective price as is shown for Mine Index No. 91 (The Battle Creek Coal Co., Battle Creek mine, Minimum Price Schedule).

§ 333.24 *General prices*—Supplement R–IV—Continued

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
892	Caldwell, Virgil	Turner	3	Sewanee	150
1312	Church, John	John Church No. 2	3	Sewanee	150
913	Floyd, John Early	Floyd	3	Sewanee	150
1263	Goforth, E. L	Goforth No. 3	3	Sewanee	150
818	Grant & Mayes (Joe Grant)	Rankins	3	Sewanee	150
1552	Griffith, H. A. (Griffith Coal Co.)	Griffith No. 3	3	Sewanee	150
1265	Rounsavill, Clyd	Rounsavill No. 3	3	Sewanee No. 9	150
824	Tuder, L. J	Tuder	3	Sewanee	150
1468	Webb Coal Company (Forrester Webb).	Webb			

NOTE: Shipping Point: Whitwell, Tenn. Railroad: NC & St. L. On each respective price table each of the above mines shall have in each size group the same respective prices as is shown for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Minimum Price Schedule).

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
1339	Griffith, H. A. (Griffith Coal Co.)	Griffith No. 2	3	Sewanee	150
1210	Layne, Edd	Lake Point	3	Sewanee	150
1208	Nunley & Nolan (Buford Nunley)	Nunley & Nolan	3	Sewanee	150
895	Rounsavill, Clyd	Rounsavill	3	Sewanee	150
722	Shaderick, C. H	Shaderick	3	Sewanee	150
1266	Shook, James R	Shook No. 2	3	Sewanee	150
873	Shook, James R	Big Ridge	3	Sewanee	150
891	Simmons, S	Simmons Mine	3	Sewanee	150
907	Thomas, Virgil C	V. C. Thomas	3	Sewanee	150
850	Trussell, Oscar	Trussell No. 1	3	Sewanee	150
1341	Trussell, Oscar	Trussell No. 3	3	Sewanee	150
1342	Trussell, Oscar	Trussell No. 4	3	Sewanee	150
1343	Trussell, Oscar	Trussell No. 5	3	Sewanee	150
1267	Trussell, Oscar	Trussell No. 7			

NOTE: Shipping Point: Sequatchie, Tenn. Railroad: NC & St. L. On each respective price table except that for Market Area 112 each of the above mines shall have a price in each size group which is 10¢ less than that respectively listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Minimum Price Schedule): and on the price table for Market Area 112 each of said mines shall have in each size group a price which is 6¢ higher than that listed for said Mine Index No. 95.

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
1146	Harris, Albert	John's Ridge	3	Sewanee	150

NOTE.—Shipping Point: Jasper, Tenn. Railroad: NC & St. L. On each respective price table this mine shall have in each size group the same respective price as is shown for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Minimum Price Schedule.

§ 333.24 *General prices*—Supplement R–IV—Continued

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
1452	Henry Bros. (Clarence Henry)	Henry Bros	3	Sewanee	150
1448	Whitlow, W. T	Whitlow	3	Sewanee	150

NOTE: Shipping Point: Dunlap, Tenn. Railroad: NC & St. L. On each respective price table except that for Market Area 112 each of the above mines shall have a price in each size group which is 10¢ less than that respectively listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Minimum Price Schedule): and on the price table for Market Area 112 each of said mines shall have in each size group a price which is 6¢ higher than that listed for said Mine Index No. 95.

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
1340	Hunziker, C. P	Hunziker No. 1	3	Sewanee	150

NOTE: Shipping Point: College, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective price as is shown for Mine Index No. 95 (Tennessee Products Corporation, Whitwell Mine, Minimum Price Schedule).

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	RHEA COUNTY, TENN.				
1477	Lloyd Coal Co., Walter, c/o W. E. Nixon.	No name	3	Sewanee & Nelson	200
1489	Mickel, George	Mickel	3	Sewanee	200

NOTE: Shipping Point: Dayton, Tenn. Railroad: CNO & TP. On each respective price table except that for Market Area 112 each of the above mines shall have in size groups 7, 8, and 9, the same price as is listed in those respective size groups for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine.—Minimum Price Schedule); and in size groups 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14 and 15, each such mine shall have on each such table a price which is 10¢ less than is respectively listed for said Mine Index No. 95. On the price table for Market Area 112 each of the above mines shall have in size groups 7, 8 and 9, a price which is 10¢ higher than is listed in those respective size groups for said Mine Index No. 95: and in size groups 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14 and 15, each of said mines shall have a price which is 6¢ higher than is listed in those respective size groups for said Mine Index No. 95.

§ 333.25 *Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R–V

For mines in subdistrict No. 3	Size	Price
MINE INDEX NUMBER		
722, 818, 824, 850, 873, 891, 892, 895, 907, 913, 978, 1043, 1146, 1155, 1208, 1210, 1227, 1262, 1263, 1265, 1266, 1267, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1363, 1448, 1452, 1468, 1552.	For all sizes except screenings	225
	Screenings with top size not more than 2"	215
145, 177, 180, 723, 811, 814, 944, 982, 1082, 1119, 1129, 1153, 1184, 1185, 1191, 1206, 1359, 1477, 1489, 1490, 1515.	For all sizes except screenings	220
	Screenings with top size not more than 2"	215

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: Over 2" egg: top size over 6"	Egg: top size 6" and under	Lump: 2" and under	Nut: top size 3" and under; bottom size over ½"		Chestnut: top size 3" and under; bottom size ½" and under		Chestnut: top size 1¼" and under; bottom size ½" and under		Run of mine modified R/M	Resultants: 3" and under		Screenings: 1¼" and under		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24, 25, 26
ALABAMA																			
BLOUNT COUNTY																			
Hart, E. C.	Old No. 2	1525	2	Black Creek	355	355	340	315	325	310	300	295	285	285	275	265	265	250	285
Mahaffey, J. W.	Mahaffey No. 2	1567	2	Black Creek	355	355	340	315	325	310	300	295	285	285	275	265	265	250	285
Sullivan, J. R.	No. 58	1541	2	Underwood	345	345	320	315	295	295	270	290	255	260	260	250	255	240	290
CULLMAN COUNTY																			
James, W. E.	James	1511	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
King, J. M.	Palmer	1568	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
ETOWAH COUNTY																			
Sullivan, J. R.	No. 46	1545	2	Underwood	345	345	320	315	295	295	270	290	255	260	260	250	255	240	290
JEFFERSON COUNTY																			
Black, Troy	Black	1554	2	L. Nunnally	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
Bryant, C. H.	C. H. Bryant	1530	2	Harkness	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
Layne, W. F. (W. F. Layne C. Co.)	Klondyke	1547	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Lollar, E. E.	Lollar No. 2	1569	2	Nickel Plate	290	290	280	285	275	------	------	275	250	245	260	240	255	230	245
Lollar, E. E.	Lollar No. 3	1570	2	Nickel Plate	290	290	280	285	275	------	------	275	250	245	260	240	255	230	245
Lollar, E. E.	Lollar No. 4	1571	2	Nickel Plate	290	290	280	285	275	------	------	270	250	230	235	200	230	180	230
Lollar, E. E.	Simmons No. 2	1548	2	L. Nunnally	280	280	275	295	275	------	------								
Simmons, William B.																			
MARION COUNTY																			
Hurn, E. R.	Hurn No. 2	1, 555	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Hurn, E. R.	Hurn No. 3	1, 572	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Hurn, E. R.	Hurn No. 4	1, 573	2	Black Creek	385	385	360	335	315	315	306	310	300	290	275	265	265	225	290
Hurn, E. R.	Hurn No. 5	1, 574	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Hurn, E. R.	Hurn No. 6	1, 575	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Hurn, E. R.	Hurn No. 7	1, 576	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Tittle, Owen	Burkhart No. 1	1, 538	2	Black Creek															
ST. CLAIR COUNTY																			
Alabama Fuel & Iron Company	Henry Ellen	1, 556	1	Henry Ellen	365	365	------	335	------	315	------	300	------	------	265	------	255	------	295
SHELBY COUNTY																			
Acton Coal Company	Acton Basin No. 2	1, 543	2	Helena	400	400	------	350	------	------	------	------	------	------	------	------	265	------	------
TUSCALOOSA COUNTY																			
Griffin, E. B. (E. B. Griffin Coal Co.)	Griffin	1539	2	Milldale	355	355	340	345	325	310	300	295	285	285	275	265	265	230	285
Nicholson, James	Nicholson No. 3	1557	2	Brookwood	275	275	275	295	275	280	260	270	250	245	235	200	230	180	225
Nicholson, James	Nicholson No. 4	1558	2	Carter	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Prince, H. M.	Prince	1549	2	(†) A stray seam with Black Creek characteristics.	385	385	360	336	315	315	305	310	300	290	275	265	265	225	290
Pumphrey, J. R.	Pumphrey No. 2	1578	2	Carter	355	355	340	345	325	310	300	295	285	285	275	265	265	230	285
Toxey, Sam (Toxey Coal Co.)	Toxey Coal Co.	1579	2	Milldale	355	355	340	345	325	310	300	295	285	285	275	265	265	230	285
WALKER COUNTY																			
Allums, Homer	Homer Allums	1587	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Drummond, H. E.	Pisgah 2, 3, & 4	1551	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Earnest & Roberts (W. B. Earnest)	W. B. Earnest No. 2	1546	2	Pratt	325	325	325	320	310	310	295	305	290	265	270	250	265	220	265
Jones, Grady W., & Co. (Grady W. Jones)	Jones	1522	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Keeton, W. H.	W. H. Keeton	1531	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Layton, J. L.	Layton No. 2	1581	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Layton, J. L.	Layton No. 3	1582	2	Mary Lee	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Roberts, L. T.	Leslie Roberts	1583	2	Black Creek	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Wilson & Huddleston (E. S. Wilson)	Piedmont	1584	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
Wilson & Huddleston (E. S. Wilson)	Dolinsky	1585	2	Mary Lee															
WINSTON COUNTY																			
Hill, W. M.	Iceberg No. 2	1586	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Code member index	Mine	Mine index No.	Subdistrict	Seam	Lump, over 2"; egg, top size over 5"	Egg, top size 5" and under; bot. size 2" and under	Lump, 2" and under	Nut, top size 2" and under; bot. size 1" and under	Stoker, top size 1½" and under; bot. size ¾" and under	Stoker, top size ¾" and under; bot. size ⅜" and under	Straight and modified M/R	Resultants, 5" and under	Resultants, 4" and under	Screenings, 2" and under	Screenings, 1½" and under	Screenings, 1¼" and under	Screenings, ¾" and under	Screenings, ⅜" and under	*Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
MARION COUNTY, TENN.																			
Cain, George D.	Cain No. 2	1537	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Griffith, H. A. (Griffith Coal Co.)	Griffith No. 3	1552	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Henderson, A. L.	Floyd Tract-Pocket	1535	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Morgan & Caldwell (John L. Morgan)	Morgan & Caldwell No. 1	1524	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
Thomas, Virgil C.	Virgil Thomas No. 2	1530	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260
DADE COUNTY, GEORGIA																			
Avery, Claude H.	Avery No. 1	1542	4	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260
Murphy, George	Murphy	1493	4	Etna	315	315	305	260	250	245	235	235	235	225	225	215	205	175	260

*For sizes included see Size Group Table, Page No. 25 § 333. 42.

[F. R. Doc. 42–7033; Filed, July 23, 1942; 11:31 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 904—PROCUREMENT

[Directive No. 6]

CONTRACT PROVISIONS FOR WEIGHT DETERMINATION

§ 904.5 *Directive No. 6.* Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, and Executive Order No. 9040 of January 24, 1942, the following policy is prescribed for all Departments and agencies now or hereafter engaged in war procurement:

(a) Contractual provisions specifying or requiring that weights be determined by railroad or warehouse scale shall not be used where such provisions may require back-hauling or cross-switching or cause congestion or delay in traffic or traffic handling. Under such circumstances contractual provisions shall authorize the determination of weights by cubic content, standard unit weights, sampling, estimates or other method mutually agreeable. Existing contracts should be modified when practicable in conformity with this policy. (E.O. 9024, Jan. 16, 1942, 7 F.R. 329, E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 201, Pub. Law 354, 77th Cong., 1st Sess.)

Issued this 24th day of July 1942.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 42–7067; Filed, July 24, 1942; 10:57 a. m.]

Subchapter B—Director General for Operations

PART 937—ZINC

[Conservation Order M–11–b]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.13 *Conservation Order M–11–b*—(a) *Prohibition on use of zinc in articles appearing on List A.* (1) Between July 24, 1942 and September 1, 1942, no person shall put into process in the manufacture of any item on List A more weight of zinc than 50% of the average monthly weight of zinc put into process by him during 1941 in the making of such item, and no person shall put into process any zinc in the making of such item unless processing thereof will be completed within such period.

(2) Effective September 1, 1942, no person shall process any zinc to make any item on List A.

(b) *Limitation on other uses of zinc.* No person shall put into process during any calendar quarter in the manufacture of items not on List A more than 75% of the weight of zinc of prime western grade or, more than 50% of the weight of zinc of any other grade respectively put into process by him in the manufacture of such items during the corresponding calendar quarter of 1941.

(c) *General exceptions.* The prohibitions and restrictions in paragraphs (a) and (b) shall not apply to the use of zinc in any item which is being produced:

(1) Under a specific contract or subcontract covering the manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the Army or Navy of the United States or the United States Maritime Commission, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States", (Lend-Lease Act) to the extent required by specifications, including performance specifications, applicable to the contracts, subcontracts or purchase orders of these organizations.

(2) For use to comply with safety regulations issued under governmental authority which require the use of zinc to the extent employed, or

(3) For use in chemical and industrial plants to the extent that corrosive or chemical action makes the use of any other material impractical, or

(4) For use in research laboratories where and to the extent that the physical or chemical properties make the use of any other material impractical.

(d) *Prohibitions against sales or deliveries of zinc.* No person shall hereafter sell or deliver zinc to any person if he knows, or has reason to believe such

material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No person shall accumulate an inventory of zinc or products thereof, in the form of raw materials, semiprocessed materials, finished parts or sub-assemblies in quantities in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of zinc products by this order. Any person who has an inventory in excess of a minimum practicable working inventory is prohibited from receiving additional zinc or products thereof beyond that extent necessary to maintain a minimum practicable working inventory.

(f) *Miscellaneous provisions.*—(1) *Appeal.* Any appeal from the provisions of this order must be made on Form PD–500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of zinc in the production of any article, the limitation of such other order shall be observed.

(3) *Violations or false statements.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(4) *Definitions.* For the purposes of this order:

(i) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust (for Sheradizing only), scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(ii) "Prime western zinc" means zinc of no higher grade than that conforming to American Society for Testing Materials specification B6–37, grade 5, and zinc dust for Sheradizing.

(iii) "Zinc of any other grade" means zinc conforming to American Society for Testing Materials specification B6–37, grades 1a, 1, 2, 3, or 4, and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(iv) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(v) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not (including, but not limited to, any trustee, receiver, assignee, or personal representative thereof).

(vi) "Item" means any article or component part thereof.

(vii) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(viii) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(ix) "Sheradizing" means any process which uses zinc dust or finely divided zinc as a raw material for impregnating the surface of a ferrous material with zinc by process of cementation. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

List A

The use of zinc in the items below and in all component parts of such items is prohibited except to the extent permitted by the foregoing Conservation Order M–11–b. Where sublistings appear under a general heading on this list, only the sublistings are to be considered as items on List A.

Automotive:
- Diesel Engines.
- Passenger Cars.
- Trailers.
- Trucks.

(Except mechanical or functional items)

Art Craft and Furnishings:
- Andirons.
- Bookends.
- Candlesticks.
- Coat Hooks.
- Door Chimes.
- Fireplace Fittings.
- Mirror Frames.
- Picture Frames.
- Statues.

Bicycles and Tricycles:
- Bicycles, except for protective coatings on wire for spokes.
- Tricycles.

Binoculars.

Beauty Shop and Barber Shop Equipment and Supplies (whether for home or business uses):
- Hair Curlers.
- Hair Dryers.
- Lotion Dispensers.
- Permanent Waving Machines.

Builders' Supplies and Hardware, except protective coatings:
- Casement Hardware.
- Door Knockers.
- Down spouts.
- Flashing.
- Gutters.
- Lock Parts, except lock cylinders.
- Roofing.
- Screen door and window attachments.
- Siding.
- Venetian Blind Hardware.
- Weatherstripping.

Burial Equipment:
- Caskets.
- Casket Hardware.
- Markers.
- Vaults.

Clock & Watch Cases.

Cosmetics:
- Cosmetic containers
  - Compacts and lipstick holders.
- Lotion Dispensers.
- Perfume Dispensers.

Coin Operated Devices:
- Automatic Phonographs.
- Gaming Machines.
- Vending Machines.

Cameras and Photographic Equipment:
- Cameras.
- Developing Machines.
- Enlargers.
- Printing Machines.
- Projectors.

Cooking appliances:
- Electric Stoves and Ranges.
- Gas-Fired Stoves and Ranges (except items for repair or maintenance).

Clothing Accessories and Other Accessories:
- Buckles.
- Buttons.
- Costume Jewelry.
- Handbag Fittings.
- Slide Fasteners and other clothing accessories.

Electric Fans.

Electrical Household Appliances.

Electric Motors, except for Motor Rotors.

Kitchen, Household, Restaurant & Soda Fountain Items:
- Butter Chippers.
- Can Openers.
- Coffee Urns.
- Coffee Grinders.
- Dishwashing Machines, except protective coatings.
- Drink Mixers and Shakers.
- Egg Slicers.
- Food Mixers.
- Fruit Juicers.
- Grilles.
- Ice Cream Cabinets.
- Ice Crushers.
- Meat Slicers.
- Patent Medicine Dispensing Machines.
- Potato Slicers & Mashers.
- Sterilizers.
- Toasters.

Lamps, except protective coatings.

Laundry Tags and other Clothing Markers.

Lawn Mowers and Lawn Sprinklers.

Lighting Fixtures, except protective coatings.

Luggage:
- Fittings.
- Hardware.

Metal Plastering Bases (Except protective coatings).

Metal Furniture.

Musical Instruments.

Novelties.
- Advertising Novelties.
- Jewelry Cases.
- Letter Openers.
- Novelty Jewelry.
- Souvenirs.

Office Supplies:
- Autodexes.
- Box Openers.
- Calendar Bases & Holders.
- Envelope Openers.
- Envelope Sealing Machines.
- Gummed Paper Dispensing Machines.
- Paper Weights.
- Pen Bases.
- Pencil Sharpeners.
- Stapling Machines.
- Stenciling Devices.

Ornamental and Decorative Uses (whether or not the item is included in List A).

Outboard Motors, except items for repair and maintenance.

Parking Meters.

Portable and Standing Lamps, except protective coatings.

Radios and Non-coin Operated Phonographs, except functional items for repair and maintenance.

Refrigerators, Mechanical, Electric or Gas (except for essential food storage, food transportation and industrial uses) except items for repair and maintenance.

Sewing Machines (except items for repair and maintenance).

Signs:
- Advertising Specialties.
- Name Plates.
- Billboards.
- Merchandise Displays of all kinds.

Smokers' Supplies:
- Ash Trays.
- Cigar and Cigarette Lighters.
- Smokers' Accessories.

Soap Dispensers.

Slugs and Tokens of all kinds.

Spittoons.

Stationary Gasoline and Diesel Engines.

Stokers.

Toys and Games.

Vacuum Cleaners and Sweepers (except items for repair and maintenance).

Washing Machines (except items for repair and maintenance).

[F. R. Doc. 42–7070; Filed, July 24, 1942; 10:58 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Amendment 1 to Supplementary General Limitation Order L–1–E[1]]

Section 976.15, *Supplementary General Limitation Order L–1–E*,[1] issued April 11, 1942, is hereby amended by adding thereto the following:

(d) *Definitions.* For the purposes of this order:

(1) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(2) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of off-the-highway motor vehicles.

(e) *Authorized production of off-the-highway motor vehicles.* Irrespective of the provisions of Paragraph (a), producers may manufacture off-the-highway motor vehicles during the period July 1, 1942 to December 31, 1942, not in excess of five hundred (500) units, for essential civilian and indirect military requirements, and for export, in such quantities and of such types as are hereafter, from time to time, specifically authorized by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7072; Filed, July 24, 1942; 10:58 a. m.]

[1] 7 F.R. 2782.

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[Amendment 2 to General Conservation Order M–100]

Section 1111.1 *General Conservation Order M–100*, effective March 9, 1942, as amended[1] is hereby further amended in the following particulars:

Paragraph (a) (2), "New commercial motor vehicle," is hereby amended to read as follows:

(2) "New commercial motor vehicle" means any light, medium or heavy motor-truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which

(i) Was manufactured subsequently to July 31, 1941;

(ii) Was designed to be propelled or drawn by mechanical power;

(iii) Was designed for use on or off the highways for transportation of property, or persons;

(iv) Was manufactured otherwise than under specification of the United States Army or Navy;

(v) Has not been transferred to any person other than a sales agency for the purpose of resale;

including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E. O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7071; Filed, July 24, 1942; 10:58 a. m.]

[1] 7 F.R. 1632, 4030.

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[Supplementary General Conservation Order M–100–a]

INVENTORY AS OF JULY 31, 1942

§ 1111.2 *Supplementary General Conservation Order M–100–a.*

(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "New commercial motor vehicle" means any light, medium, or heavy motor-truck, truck-tractor or trailer or the chassis therefor, or any chassis on which a bus body is to be mounted, and which:

(i) Was manufactured subsequently to July 31, 1941;

(ii) Was designed to be propelled or drawn by mechanical power;

(iii) Was designed for use on or off the highways for transportation of property or persons;

(iv) Was manufactured otherwise than under specification of the United States Army or Navy;

(v) Has not been transferred to any person other than a sales agency for the purpose of resale;

including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(b) *Inventories to be taken as of July 31, 1942.*—(1) *Inventory Card PD–570.* As of the close of business on July 31, 1942, every person engaged in the business of manufacturing, selling, distributing or financing new commercial motor vehicles shall report on Inventory Card PD–570, enumerating therein, by make of vehicle and number of units, all new commercial motor vehicles which are then:

(i) In his possession;

(ii) Owned by him, but in the possession of a person other than a manufacturer, distributor or dealer, including vehicles in transit.

The inventory card shall be mailed not later than August 3, 1942, to New Commercial Motor Vehicle Inventory Unit, War Production Board, 200 Varick Street, New York, N. Y.

(2) *Inventory Detail Card PD–571.* Upon receipt of the Inventory Card PD–570, the War Production Board will furnish to the person reporting one Inventory Detail Card PD–571 for each vehicle reported. The Inventory Detail Card PD–571 shall be filled in and mailed not later than five (5) days after it is received by the person reporting, to New Commercial Motor Vehicle Inventory Unit, War Production Board, 200 Varick Street, New York, N. Y. With the Inventory Detail Card PD–571, the person reporting shall enclose a Certificate PD–571–A, enumerating the vehicles reported.

(c) *Reports on changes of ownership and in geographical location.* In order that the inventory may accurately show changes in ownership and changes in the geographic location of all new commercial motor vehicles, in addition to those transferred by Certificate of Transfer PD–321 or Government Exemption Permit PD–322, which are required to be reported on Post Card Form PD–326 under General Conservation Order M–100 and the instructions issued pursuant thereto, each person required by this order to report on Inventory Card PD–570 and Inventory Detail Card PD–571 referred to in Paragraph (b) above, shall, on and after August 1, 1942, report on Form PD–572,

(1) All transfers of title to any of the persons enumerated below; and

(2) All changes (except within a city or town) in the location of the vehicle, irrespective of transfer of title, resulting from delivery of the vehicle to any of the persons enumerated below:

(i) Manufacturers, dealers, distributors or sales agencies, including transfers between units of the same business organizations when located in different cities or towns;

(ii) Persons who in good faith have loaned money on the security of, or financed the sale of, a new commercial motor vehicle;

(iii) Person distraining, levying by execution, attachment or similar form of judicial process, or repossession on default;

(iv) Insurers, junk dealers or salvage operators in cases where a new commercial motor vehicle has been destroyed beyond repair by collision, fire or otherwise;

(v) Trustees and receivers acquiring a New Commercial Motor Vehicle with the assets of a business.

(3) All cases where the vehicle is destroyed beyond repair and not delivered to an insurer, junk dealer or salvage operator.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and transfers of new commercial motor vehicles.

(e) *Reports.* All persons affected by this order shall submit such additional reports to the War Production Board and the Office of Defense Transportation as may be, from time to time, required.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Branch, Washington, D. C., Ref: M–100–A. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7068; Filed, July 24, 1942; 10:57 a. m.]

PART 1288—POWER, STEAM AND WATER AUXILIARY EQUIPMENT

[Amendment 1 to Schedule I—Limitation Order L–154]

WATER METERS

Paragraph (d) of § 1288.2 *Schedule I to Limitation Order L–154* is hereby amended to read as follows:

(d) *Exceptions.* (1) Nothing in this schedule shall be construed to restrict the manufacture, processing or finishing of any article or product by or through a prime contractor or subcontractor for the account of the Army, Navy or Maritime Commission in accordance with the specifications, including performance specifications, of the prime contract.

(2) Nothing in this schedule shall prevent the manufacture, processing, finishing or assembly of water meters, after the 21st day of July, 1942, by any producer by the use of not more than sixty percent by weight of such producer's inventory of parts and material on hand on July 1, 1942, provided, however, that the number of water meters so manufactured, processed, finished or assembled by any producer shall not exceed twelve and one-half percent of the number of water meters shipped by such producer during the twelve months ending May 31, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7069; Filed, July 24, 1942; 10:57 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[General Order 4]

DELEGATION TO INSPECTORS OF AUTHORITY TO PROCURE SWORN WRITTEN STATEMENTS

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942 and by Executive Order No. 9125, the following order is prescribed:

§ 1305.101 *Order Delegating to inspectors authority to procure sworn written statements.* (a) In the administration or enforcement of the price control, rent control, or rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to such authority, any person employed as an inspector or investigator by, or performing inspection or investigative functions for, the Office of Price Administration is authorized to administer oaths and affirmations for the purpose of procuring or receiving from any person a sworn written statement concerning any matter under, or appropriate for, investigation.

(b) This General Order No. 4 (§ 1305.101) shall take effect July 24, 1942. (Pub. Law 421, 77th Cong.; Pub. Law 507, 77th Cong.; E.O. 9125)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7046; Filed, July 23, 1942; 12:08 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[Amendment 1 to Revised Price Schedule 9 [1]]

HIDES, KIPS AND CALFSKINS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Two new provisos are added to §§ 1314.1 and 1314.2 respectively, §1314.4 (b), the undesignated paragraph following (c) in that section, §§ 1314.7, 1314.11 and 1314.12 (a) (2), (b) and (c) are amended to read as set forth below, and two new paragraphs (j) and (k) are added to § 1314.10:

§ 1314.1 *Maximum price established for hides.* * * *

Provided, That the maximum price applicable to sales and deliveries of hides by tanners, made pursuant to an order issued by the War Production Board, is the applicable maximum set forth in Appendix A or the price paid by him for such hides plus any freight and/or brokerage charges he may have actually paid thereon:

Provided further, That in any case where the selling price is higher than the applicable maximum price set forth in Appendix A the seller shall deliver to the buyer an invoice or similar document setting forth (a) the price paid by the seller for such hides, (b) the freight and/or brokerage charges paid thereon, (c) the War Production Board order number authorizing the sale, and (d) a certification that the sale was made pursuant to such War Production Board order.

§ 1314.2 *Maximum prices established for kips and calfskins.* * * *

Provided, That the maximum price applicable to sales and deliveries of kips and/or calfskins by tanners made pursuant to an order issued by the War Production Board is the applicable maximum price set forth in Appendix B or the price paid by him for such skins plus any freight and/or brokerage charges he may have actually paid thereon.

Provided further, That in any case where the selling price is higher than the applicable maximum price set forth in Appendix B, the seller shall deliver to the buyer an invoice or similar document setting forth (a) the price paid by the seller for such skins, (b) the freight and/or brokerage charges paid thereon, (c) the War Production Board order number authorizing the sale, and (d) a certification that the sale was made pursuant to such War Production Board order.

§ 1314.4 *Commissions.* * * *

(b) the hides, kips or calfskins are purchased or sold at a price no higher than the applicable maximum price;

* * * * * *

In no case may any person charge or receive such a commission or fee on hides, kips or calfskins sold for his own account even though such person may have performed the receiving service or any other service for the buyer, and in no case may any person charge or receive, pay or offer to pay such a commission or fee on hides, kips or calfskins purchased or sold in the green or partially cured state or on hides, kips or calfskins (except slunks) purchased or sold in lots of less than 20,000 pounds of hides or 5,000 pounds of skins.

§ 1314.7 *Reports.* (a) On and after July 24, 1942, every tanner, or agent acting on behalf of a tanner, and every person making sales of hides or skins to a tanner shall submit to the Office of Price Administration, Washington, D. C., a copy of each invoice or similar document delivered in connection with a purchase or a sale of hides or skins. Such invoice or document shall be transmitted by mail to the Office of Price Administration contemporaneously with its transmission to the buyer or the seller, as the case may be, and shall contain all relevant details of the transaction, including (1) the quantity and price of each type, classification and grade of hides or skins sold and (2) the tare and other allowances given or received.

(b) In the event that the hides or skins actually received by the tanner, or by the agent acting on his behalf, differ in any material respect from the description thereof contained in the invoice or similar document delivered in connection with the purchase, the tanner or such agent shall transmit to the Office of Price Administration on the same day the inspection of the hides or skins is made, a statement identifying the seller and the shipment and setting forth such difference.

(c) Every person making a purchase or sale of hides, kips or calfskins in the course of trade or business, or otherwise dealing therein, shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1314.10 *Definitions.* * * *

(j) The term "shipping point" means the point from which the hides are shipped to the purchaser and shall include the point from which the seller, who has consolidated hides or skins into carload lots, ships them to the purchaser.

(k) The term "actual inspection" means examination of each hide or skin, except that, in testing for grubs, standard practice should be followed.

§ 1314.11 *Appendix A:* Maximum *prices for domestic hides*—(a) *Packer classifications*—(1) *Packer classifications sold on a selected basis.*[1]

TABLE I—STANDARD PRESENT TRIM, TARE ALLOWANCE AND DELIVERY

[Price per lb., f. o. b. shipping point]

	No. 1's	No. 2's
Native steers, heavy and light	$0.15½	$0.14½
Native steers, extreme light (23 to 48 pounds)	.15½	.14½
Heavy native cows (53 pounds and up)	.15½	.14½
Light native cows (less than 53 pounds)	.15½	.14½
Butt branded steers	.14½	.13½
Texas steers, heavy and light	.14½	.13½
Texas steers, extreme light (23 to 48 pounds)	.15	.14
Colorado steers	.14	.13
Branded cows	.14½	.13½
Native bulls	.12	.11
Branded bulls	.11	.10

TABLE II—OPTIONAL MAXIMUM PRICES

The maximum prices set forth in Table II may be used in lieu of those set forth in Table I by packers producing standard Packer selections so long as each of the selections for classes and weights set forth below is cured in a separate pack:

[Price per lb., f. o. b. shipping point]

	No. 1's	No. 2's
Heavy native steers (58 pounds and up)	$0.15½	$0.14½
Light and extreme light native steers (under 58 pounds)	.15½	.14½
Heavy branded steers, butt and side branded (58 pounds and up)	.14½	13½
Light and extreme light branded steers (under 58 pounds)	.14½	13½
Heavy native cows (53 or 55 pounds [1] and up)	.15½	.14½
Light native cows (under 53 or 55 pounds [1])	.15½	.14½
Branded cows (all weights [2])	.14½	.13½
Native bulls (all weights)	.12	.11
Branded bulls (all weights)	.11	.10

[1] Optional with the seller.

[2] Or divided into 53 or 55 pounds and up and under 53 or 55 pounds.

Packer classifications of hides which fail to meet established standards of trim, tare allowance or delivery shall be sold at a price at least 1¢ per pound less than the applicable maximum price set forth in paragraph (a) (1) of this section.

(2) *Packer classifications sold on an unselected basis.* The maximum prices for packer classifications of hides sold on an unselected basis, i. e., flat for No. 1's and No. 2's, shall be the applicable maximum prices for No. 2's set forth in paragraph (a) (1) of this section.

(b) *Other than packer classifications.*[2]

[Price per lb., f. o. b. shipping point]

	Trimmed	Untrimmed [1]
Free of brand steers and cows including free of brand bulls up to 58 pounds	$0.15	$0.14
Branded steers and cows, including branded bulls up to 58 pounds	.14	.13
Free of brand bulls	.11½	.10½
Branded bulls	.10½	.09½

[1] The term "untrimmed" as applied to hides, means hides without the standard head and tail trim prevailing on hides of packer classifications, in which the ears, ear butt fat and gristles, ox-lip, snouts and lower lips are trimmed off in the green state before salting and in which the tails are cut off to not more than eight inches in length.

Tare allowance. A tare allowance of not less than 2% shall be allowed on all sales of hides other than packer classifications.

(c) *Pacific coast hides.*

[Price per lb., f. o. b. shipping point]

	Trimmed	Untrimmed [1]
Native and branded steers and cows (flat for No. 1's and No. 2's)	$0.13½	$0.12½
Native and branded bulls (flat for No. 1's and No. 2's)	.10	.09

[1] *Supra,* note 1.

Tare allowance. A tare allowance of not less than two pounds tare per hide shall be allowed on all sales of Pacific Coast hides.

(d) *Hides or skins in mixed lots.* When hides or skins are sold in lots containing more than one type or grade of hides, kips or calfskins for which maximum prices are established by Price Schedule No. 9, unless the quantity of each such type or grade is determined by actual inspection and separately priced at not exceeding the applicable maximum, the maximum price for the lot shall be the maximum price for that type or grade of hide or skin included in the lot which has the lowest established maximum price.

(e) *Green or partially cured hides.* The maximum prices for green or partially cured hides shall be the maximum prices set forth above: *Provided,* That the maximum prices for green or partially cured hides sold to tanners, or for their account, or to persons who have hides tanned on contract (i. e., others than dealers buying and selling untrimmed hides for their own account) shall be the maximum prices set forth above reduced by 20%.

[1] Paragraphs (a) and (b) of § 1314.11, Appendix A, do not apply to hides originating in the Pacific Coast.

[2] Paragraphs (a) and (b) of § 1314.11, Appendix A, do not apply to hides originating in the Pacific Coast.

* Copies may be obtained from OPA.

[1] 7 F.R. 1227.

§ 1314.12 *Appendix B: Maximum prices for domestic kips and calfskins.*
• • •

(2) *Chicago city calf and kipskins sold on a selected basis.*

No. 1 Selection, standard present trim, tare allowance and delivery

	Price per lb., f. o. b. shipping point
Chicago City (10 to 15 pounds)	$0.23
Chicago City (8 to 10 pounds)	.20½
Chicago City native kips (15 to 30 pounds)	.18
Chicago City branded kips (30 pounds and down)	.17
	Price per skin, f. o. b. shipping point
Chicago City (less than 8 pounds)	$1.43

Tare allowance for Chicago City calf and kipskins. A tare allowance of not less than one-half pound per skin for Chicago city calf (except slunks) and three-fourths pound per skin for Chicago city kip shall be allowed on all sales of Chicago city calf and kipskins.

• • • • •

(b) *Country calf and kipskins.*

	Price per lb., f. o. b. shipping point
Country calf (10 pounds and down)	[1] $0.16
Country calf (10 to 15 pounds)	[1] .18
Country kips (15 to 30 pounds)	[1] .16

[1] Flat for No. 1's and 2's.

Tare allowance. A tare allowance of not less than 2% shall be allowed on all sales of country calf and kipskins.

(c) *Pacific coast calf and kipskins,*[2] *standard tare allowance and delivery.*

	Price per lb., f. o. b. shipping point
Pacific coast kips (15 pounds or more) [1]	$0.19¼
Pacific coast New York City trimmed kips (15 pounds or more) [1]	.21
Pacific coast trimmed calf (6 to 13 pounds) [1]	.26
Pacific coast trimmed calf (13 to 15 pounds) [1]	.23½
	Price per skin, f. o. b. shipping point
Pacific coast calf (less than 6 pounds) [1]	$1.25
Pacific coast slunks, regular [1]	1.00
Pacific coast slunks, hairless [1]	.50

[1] Flat for No. 1's and 2's.

Pacific coast calf and kipskins which fail to meet established standards of tare allowance or delivery shall be sold at a price at least 1¢ per pound less than the applicable maximum price set forth above.

• • • • •

(e) *Green or partially cured kips and calfskins.* The maximum prices for green or partially cured kips or calfskins shall be the maximum prices set forth above: *Provided*, That the maximum prices for green or partially cured kips or calfskins sold to tanners, or for their account, or to persons who have kips or calfskins tanned on contract (i. e., others than dealers buying and selling untrimmed kips or calfskins for their own account) shall be the maximum prices set forth above reduced by 15%: *Provided further*, That where the buyer's agent or employee takes off the skin, the applicable maximum price shall be reduced by not less than 20¢ per skin.

§ 1314.15 *Effective dates of amendments.* • • •

(c) Amendment No. 1 (§§ 1314.1, 1314.2, 1314.4, 1314.7, 1314.10 (j) and (k), 1314.11, 1314.12 (a) (2), (b) and (c), and 1314.15 (c)) to Revised Price Schedule No. 9 shall become effective July 24, 1942: *Provided*, That firm commitments entered into prior to July 24, 1942, in compliance with Revised Price Schedule No. 9 may be completed at contract prices if deliveries are made prior to August 24, 1942. (Public Law, 421, 77th Cong.)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7048; Filed, July 23, 1942; 12:11 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 3 to Revised Price Schedule 63 [1]]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1315.106 (a) and 1315.108 (a) are amended and a new § 1315.106a is added as set forth below:

§ 1315.106 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 63 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1315.106a *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 63 selling at retail any new rubber tire or tube covered by this Revised Price Schedule No. 63. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

§ 1315.108 *Definitions.* When used in Price Schedule No. 63 the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

• • • • •

§ 1315.109a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§1315.106 (a), 1315.106 a and 1315.108 (a)) to Revised Price Schedule No. 63 shall become effective July 24, 1942. (Public Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7049; Filed, July 23, 1942; 12:11 p. m.]

PART 1355—LEAD

[Amendment 5 to Revised Price Schedule 70 [1]]

LEAD SCRAP MATERIALS; SECONDARY LEAD, INCLUDING CALKING LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1355.62 (a) and 1355.68 (c) are amended as set forth below.

§ 1355.62 *Definitions.* When used in Revised Price Schedule No. 70, the term:

(a) "Antimonial lead" includes both primary and secondary antimonial lead and means any lead-antimony alloy in the form of pigs or special shapes containing not less than 98% antimony and lead combined, not less than .25% antimony, and not more than ½% tin;

• • • • •

§ 1355.68 *Appendix E: Maximum prices for primary and secondary antimonial lead.* • • •

(c) *Antimonial lead.* When used in Revised Price Schedule No. 70, the term "antimonial lead" means any lead-antimony alloy in the form of pigs or special shapes, containing not less than 98% antimony and lead combined, not less than .25% antimony, and not more than ½% tin.

• • • • •

§ 1355.63a *Effective dates of amendments.* • • •

(f) Amendment No. 5 (§§ 1355.62 (a) and 1355.68 (c)) to Revised Price Schedule No. 70 shall become effective July 27, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7047; Filed, July 23, 1942; 12:11 a. m.]

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[2] The maximum price of any calfskin originating in the Pacific coast, but not Pacific coast trimmed, shall not exceed 80% of the maximum price set forth above for Pacific coast trimmed calf or corresponding weight except that (a) in the case of skins weighing less than six pounds, the maximum price of $1.25 per skin shall apply to both trimmed and untrimmed skins, and (b) New York City trimmed calfskins originating in the Pacific coast weighing 15 pounds or less may be sold by the skin at prices not exceeding the maximum prices established above for New York collector skins.

* Copies may be obtained from OPA.

[1] 7 F.R. 1323, 1836, 2132, 3036, 3719, 4653.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

[1] 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823.

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 39]

AMERICAN BOX CORPORATION

MAXIMUM PRICE FOR SKI POLE BOXES

The American Box Corporation of San Francisco, California, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of proposed maximum prices for one carload of boxes for shipment of ski poles. Due consideration has been given to the application, and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, it is ordered:

§ 1499.253 *Approval of maximum prices for sale of one carload of boxes for shipment of ski poles by the American Box Corporation.* (a) On and after July 24th, 1942, the maximum price f. o. b. plant at which the American Box Corporation of San Francisco, California, may sell a carload lot of boxes for shipment of ski poles, constructed according to specifications set forth herein, shall be as follows:

One carload of boxes for shipment of ski poles, with specifications as follows:

	Per box
ISM 10 x 20 x 60 inches, 2 ends 11/16 x 10 x 20, 2 sides ⅜ x 10 x 61⅜, 2 T & B ⅜ x 20¾ x 61⅜	$1.32

(b) This Order No. 39 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 39 (§ 1499.253) shall become effective July 24th, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7041; Filed, July 23, 1942; 12:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation [1]—Amendment 1 to Supplementary Regulation 14 [2]]

FRUIT CAKE

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (2) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

• • • • •

(2) *Fruit cake*—(i) *Sales by producers of fruit cake.* (a) Producers of fruit cake who dealt in fruit cake of a comparable type in the period October 1 to December 31, 1941, inclusive, shall determine maximum prices to each class of purchaser as follows: Each producer shall ascertain the cost of ingredients and packaging materials as if such ingredients and packaging materials had been purchased in March, 1942. To the figure so obtained he shall add the difference between his average selling price to a purchaser of the same class and his average ingredient and packaging material cost for fruit cake of a comparable type sold by him during the period October 1 to December 31, 1941, inclusive. In computing the cost of ingredients and packaging materials as of March, 1942, each producer shall ascertain said costs from the highest prices quoted in March, 1942 by his usual supplier or suppliers; or, if any usual supplier was not quoting prices in March, 1942, from prices quoted in March, 1942 by a seller of the same class as his usual supplier.

(b) A producer of fruit cake who did not deal in fruit cake of a comparable type in the period October 1 to December 31, 1941, inclusive, shall determine his maximum price to each class of purchaser applying the maximum price to the same class of purchaser of his most closely competitive seller selling a similar fruit cake.

(ii) *Sales by others than producers of fruit cake.* (a) A seller, other than a producer of fruit cake, who dealt in fruit cake of a comparable type in the period October 1 to December 31, 1941, inclusive, shall determine his maximum price to each class of purchaser by adding to the cost of the fruit cake to him his average dollar mark-up taken by him on sales to purchasers of the same class of fruit cake of a comparable type during the period October 1 to December 31, 1941, inclusive.

(b) A seller, other than a producer of fruit cake, who did not deal in fruit cake of a comparable type in the period October 1 to December 31, 1941, inclusive, shall determine his maximum price to each class of purchaser of his most closely competitive seller selling a fruit cake of the same or substantially like cost.

(iii) *Definitions.* For purposes of this subparagraph (2):

(a) "Fruit cake of a comparable type sold by the producer in the period October 1 to December 31, 1941, inclusive", means a fruit cake (*1*) the ingredients of which would have had the same approximate total cost if such ingredients had been purchased in March, 1942 as the total cost of ingredients used in making the fruit cake for which a maximum price is to be determined if such ingredients had also been purchased in March, 1942, and (*2*) of the same weight when completed and ready for packaging as the fruit cake for which a maximum price is to be determined.

(b) "Similar fruit cake" means a fruit cake of approximately the same total cost of ingredients and packaging materials and of the same weight when completed and ready for packaging as the fruit cake for which a maximum price is to be determined.

(c) All other terms used in this subparagraph (2) shall have the meaning given them by the General Maximum Price Regulation.

(b) Effective dates. • • •

(2) Amendment No. 1 (§ 1499.73 (a) (2)) to Supplementary Regulation No. 14 shall become effective July 27, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7050; Filed, July 23, 1942; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 40]

W. J. BULLOCK, INC.

MAXIMUM PRICES FOR ALLOY INGOT

W. J. Bullock, Inc., of Birmingham, Alabama, has under application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for a certain alloy ingot. Due consideration has been given to the application and an Opinion in support of this Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulations, it is hereby ordered that:

§ 1499.254 *Authorization of a maximum price for a certain alloy ingot to W. J. Bullock, Inc.* (a) On and after July 24, 1942 W. J. Bullock, Inc. may sell and deliver and agree, offer, solicit, and attempt to sell and deliver alloy ingot of the following specifications at a price not higher than 14½ cents per pound in carload lots delivered buyer's plant or warehouse.

	Percent
Copper	85
Zinc	15
Lead	[1] .50
Iron	[1] .13
All other impurities, including tin	[1] 10

[1] Maximum.

(b) This Order No. 40 may be revoked or amended by the Price Administrator at any time.

* Copies may be obtained from OPA.

[1] 7 F.R. 3153, 3330, 3666, 3900, 3991, 4339, 4487, 4659, 4738.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3153, 3330, 3666, 3900, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192.

[2] 7 F.R. 5487.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

(c) This Order No. 40 (§ 1499.254) shall become effective July 24, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7042; Filed, July 23, 1942; 12:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 41]

ROACH AND MUSSER CO.

CROP STORAGE BIN ROOF VENTILATORS

The Roach and Musser Co. of Muscatine, Iowa made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of proposed maximum prices for 100 crop storage bin roof ventilators. Due consideration has been given to the application, and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, it is ordered:

§ 1499.255 *Approval of maximum prices for sale of crop storage bin roof ventilators by Roach and Musser Co.* (a) On and after July 24, 1942, the maximum price f. o. b. factory for the sale by the Roach and Musser Co. of Muscatine, Iowa, of crop storage bin roof ventilators to any person, shall be as hereinafter set forth:

100 crop storage bin roof ventilators at $6.25 each.

(b) This Order No. 41 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 41 (§ 1499.255) shall become effective July 24, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7043; Filed, July 23, 1942; 12:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 42]

ARMOUR AND COMPANY

TOILET GOODS AND SOAPS

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.256 *Approval of maximum price for sale of Item No. 312, a package containing an assortment of toilet goods and soaps manufactured by Armour and Company.* (a) The maximum price for the sale by Armour and Company, Chicago, Illinois, per unit of Item No. 312, shall be $3.98. This maximum price shall apply only to sales by Armour and Company to its employees, stockholders, or business associates.

(b) "Unit of Item No. 312" as used in this Order means an imitation leather utility bag, 11" x 12½" x 4¼", containing one 2½ ounce box of Luxor Complexion Powder; one 9 ounce box of Luxor Bouquet Bubbles; one 2 ounce box of Luxor Bouquet Sachet Powder; one 4½ ounce jar of Luxor Hand Cream; one 2½ ounce jar of Luxor Deodorant Cream; one 6 ounce box of Luxor Bouquet Dusting Powder; 2 cakes of Luxor Auditorium Bath Soap; 1 cake of Savon Sachet Pine Soap; 4 cakes of Savon Sachet Bouquet Soap; and 1 dozen nail emery boards.

(c) This Order No. 42 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 42 (§ 1499.256) shall become effective July 24, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7044; Filed, July 23, 1942; 12:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Adjustment of Maximum Prices Under § 1499.18 (b) of the General Maximum Price Regulation [1]—Order 2]

CERTIFIED GROCERS OF CALIFORNIA, LTD.

OLEOMARGARINE PRICES

Certified Grocers of California, Ltd., a cooperative wholesale organization, 4455 Fruitland Avenue, Los Angeles, California, has filed a Protest against the General Maximum Price Regulation and has requested specific adjustment of the maximum prices established for it for the sale of Parkay Oleo Margarine on the grounds that such maximum prices cause it substantial hardship, are abnormally low in relation to the maximum prices established for competitive sellers of Parkay Oleo Margarine, and that establishing for it a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of Parkay Oleo Margarine, will not cause or threaten to cause an increase in the level of retail prices. Due consideration has been given to the Protest and an Opinion in support of this Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set out in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

§ 1499.302 *Adjustment of maximum prices for Parkay Oleo Margarine sold by Certified Grocers of California, Ltd.* (a) On and after July 24, 1942, Certified Grocers of California, Ltd. may charge its members the following prices for Parkay Oleo Margarine:

	Cents per pound
(1) In one pound cartons	22
(2) In two pound cartons	21½

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 (§ 1499.302) shall become effective July 24, 1942. (Pub. Law 421, 77th Cong.)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7045; Filed, July 23, 1942; 12:10 p. m.]

PART 1306—IRON AND STEEL

[Amendment 1 to Maximum Price Regulation 159 [1]]

FABRICATED CONCRETE REINFORCING BARS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1306.365 and § 1306.366 are revoked and §1306.363, and § 1306.374 and in § 1306.375 (a), the headnote of subparagraph (4), and subparagraphs (7) (i) and (7) (ii) are amended and a new section, § 1306.373a is added, to read as set forth below:

§ 1306.363 *Adjustable pricing.* Any person may offer or agree to adjust prices to or at prices not in excess of the maximum prices in effect at the time of delivery and, where a petition for amendment or for adjustment or exception has been made pursuant to § 1306.368 of this Maximum Price Regulation No. 159, may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.374 *Appendix A: Maximum delivered prices*—(a) *Continental United States except the State of Michigan and the City of Toledo, Ohio.* Except as otherwise provided in this section, maximum delivered prices for sales of any fabricated concrete reinforcing bars for delivery within the forty-eight states of the United States and the District of Columbia, except in the case of sales for delivery within the State of Michigan and sales for delivery in carload quantities within the switching limits of the City of Toledo, Ohio, shall be $2.40 per hundred pounds, except that, where the concrete bars, which were fabricated, were sold to the fabricator at a Gulf Port basing point price, $2.77 per hundred pounds shall be the maximum price, or if at a Pacific Coast basing point price, $2.80 per hundred pounds shall be the maximum price, plus such of the transportation charges set forth in paragraph (e) of this section as are applicable and plus such of the extras set forth in Appendix B (§ 1306.375) as are applicable.

(b) *State of Michigan and carload quantities to the City of Toledo, Ohio.* Except as otherwise provided in this section maximum delivered prices for sales for delivery within the State of Michigan and for sales for delivery in carload quantities within the switching limits of the City of Toledo, Ohio, of any fabricated concrete reinforcing bars, shall be as follows, plus such of the extras set forth in Appendix B (§ 1306.375) as are applicable:

(1) $2.57 per hundred pounds for shipments in carload quantities for delivery within the switching limits of the City of Toledo, Ohio.

(2) $2.52 per hundred pounds for shipments in carload quantities for delivery within the switching limits of the City of Detroit, Michigan.

(3) $2.61 per hundred pounds for shipments in less than carload quantities for delivery within the switching limits of the City of Detroit, Michigan.

(4) $2.40 per hundred pounds for shipments in less than carload quantities to points in the State of Michigan other than the switching limits of the City of Detroit: *Provided*, That there may be added thereto: (i) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is 34 cents or less per hundred pounds, 17 cents per hundred pounds plus the difference between the lowest applicable railroad charge for the transportation of an identical quantity from Pittsburgh, Pennsylvania, to the point of delivery to the consumer and the lowest railroad charge at the carload rate; or (ii) where the lowest applicable railroad charge for the transportation of an identical quantity from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is more than 34 cents per hundred pounds, the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer.

(5) $2.40 per hundred pounds for shipments in carload quantities to points in the State of Michigan, other than the switching limits of the City of Detroit: *Provided*, That there may be added thereto (i) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania to the point of delivery to the consumer is 34 cents or less per hundred pounds, 17 cents per hundred pounds; or (ii) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is more than 34 cents per hundred pounds, the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer.

(c) *Spirals and welded stirrups.* (1) The maximum prices for fabricated concrete reinforcing bars, known as spirals, coiled to a specified diameter with spacers attached shall be $4.45 when such spirals are made from bars, rods or wire ¼" in diameter and $3.95 when made from bars, rods or wire ⅜" or larger in diameter: *Provided*, That (i) where spacers are not furnished, 25 cents per hundred pounds shall be deducted from said maximum prices and (ii) where the spirals are made from cold drawn wire, 50 cents per hundred pounds may be added to said maximum prices and (iii) there may be added such of extras set forth in Appendix B (§ 1306.375) as are applicable and (iv) there may be added such of the transportation charges set forth in paragraph (e) of this section as are applicable.

(2) The maximum prices for fabricated concrete reinforcing bars, known as welded stirrups, shall be $7.80 when such welded stirrups are made from bars, rods, or wire ¼" in diameter, $6.55 when made from bars, rods or wire ⅜" in diameter and $5.80 when made from bars, rods or wire ½" or larger in diameter: *Provided*, That there may be added such of the extras set forth in Appendix B (§ 1306.375) that are applicable and there may be added such of the transportation charges set forth in paragraph (e) of this section as are applicable.

(d) *Mill lengths and random stock lengths.* The maximum prices for carload quantities of mill lengths or random stock lengths of fabricated concrete reinforcing bars sold by a fabricator shall be the applicable maximum prices set forth in paragraphs (a) and (b) of this section: *Provided*, That where, on any one sale or offer of sale, the quantity of mill lengths or random stock lengths specified and sold, or offered for sale, exceeds 25% by weight of the total quantity sold or offered for sale on such sale, or offer of sale, and such lengths are available to the fabricator, 25 cents per hundred pounds shall be deducted from said maximum prices for such lengths.

(e) *Transportation charges for sales in paragraphs (a), (c), and (d) of this section.* (1) Except as provided in paragraph (e) (3) of this section there may be added to the maximum prices as otherwise set forth in paragraphs (a), (c), and (d) of this section, the cost of transportation from the applicable basing point to the plant of the fabricator, (i) where delivery of the concrete reinforcing bars is made to the fabricator outside the limits of the switching district of a basing point, at the lowest applicable railroad charge for the transportation of an identical quantity of concrete reinforcing bars to the railroad siding nearest the plant of the fabricator from the applicable basing point, or (ii) where delivery of the concrete reinforcing bars is made to the fabricator within the limits of the switching district of a basing point, at the lowest applicable switching charge for an identical quantity allowable under Revised Price Schedule No. 6: [1] *Provided*, That such switching charge may not exceed $0.025 per hundred pounds for shipment in carload quantities of twenty-five tons or more, or $0.10 per hundred pounds for shipments in less than carload quantities, except that for deliveries in carload quantities of 30 tons or more within the limits of the switching district of Chicago, Illinois, such charge may not exceed $0.03 per hundred pounds, and that in no instance need the switching charge provided for in this subparagraph fall below $2.00 for any single shipment.

(2) Except as provided in paragraph (e) (3) of this section, there may also be added the cost of transportation to the consumer at the lowest applicable railroad charge for the transportation of an identical quantity of fabricated concrete reinforcing bars from the plant of the fabricator to the point of delivery to the consumer: *Provided*, That where delivery is made in whole or in part by truck to the consumer, 10 cents per hundred pounds may be added to the lowest applicable railroad charge for the transportation of an identical quantity of fabricated concrete reinforcing bars from the plant of the fabricator to the point of delivery to the consumer.

(3) Where a railroad rate, with the privilege of fabrication in transit at the plant of the fabricator, is available between the point of origin of the concrete reinforcing bars and the point of delivery to the consumer, and yields a charge lower than the total charge calculated pursuant to the provisions of paragraphs (e) (1) and (e) (2) for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer, the total transportation charge which may be added under paragraph (e) (1) and (e) (2) of this section shall not exceed such lower charge.

(4) In computing the rail freight charges pursuant to this section, the specific concrete reinforcing bars or fabricated concrete reinforcing bars purchased and sold need not be segregated or otherwise identified by a fabricator: *Provided*, That during any quarter of a year the amount charged on sales for rail freight charges by a fabricator during such quarter shall not exceed the amount of rail freight charges actually incurred by such fabricator during the same quarter except where an excess may be occasioned by shipments to a purchaser in less than carload quantities where the concrete reinforcing bars were shipped in carload quantities from the mill to the plant of the fabricator and where the fabricator invoiced his purchaser on a less than carload basis for the shipment from the mill. In computing the amount of rail freight charges, the fabricator shall ad-

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4659, 4738, 5027, 5192.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4659, 4738, 5027, 5192, 5276.

[1] 7 F.R. 4339, 4428.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1215.

just for amounts due from carriers under shipments on the basis of a fabrication-in-transit privilege made during the quarter.

(f) *Credit terms.* The maximum prices established in this section shall not be increased by any charges for the extension of credit.

§ 1306.375 *Appendix B: Extras.* (a) • • •

(4) *Milled or square cut ends.* • • •

(7) *Engineering extras.* (i) Details and placing plans, including listing from designs by others:

	Per 100 pounds	Maximum charge
Less than 5 tons	$0.50	$35
5 tons to 19.99 tons	.35	120
20 tons to 199.99 tons	.30	800
200 tons to 499.99 tons	.20	1,500
500 tons and over	.15	None

Minimum charge on any order, $10.

(ii) Listing where no extras are added pursuant to § 1306.375 (a) (7) (i), $0.05 per 100 pounds.

• • • • •

§ 1306.373a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1306.363, 1306.365 (b), 1306.366, 1306.374, 1306.375 (a) (4), (a) (7) (i), (a) (7) (ii) and 1306.373a) to Maximum Price Regulation No. 159 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7055; Filed, July 23, 1942; 3:41 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 1 to Maximum Price Regulation 143 [1]]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1315.1507 is amended and a new section, § 1315.1512 is added as set forth below:

§ 1315.1507 *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 143 selling at wholesale any rubber tires or tubes covered by this Maximum Price Regulation No. 143. When used in this section the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation.

§ 1315.1512 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.1507 and 1315.1512 (a)) to Maximum Price Regulation No. 143 shall be effective July 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7056; Filed, July 23, 1942; 3:42 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment 5 to Maximum Price Regulation 129 [1]]

LIST OF PAPERS AFFECTED

Waxed paper.
Envelopes.
Paper cups, paper containers and liquid tight containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Standard grocer's and variety bags.
Resale book matches.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The words "Certain Bag Papers" and "Certain Wrapping Papers" in the title, which hereafter reads as set forth above, paragraph (d) of § 1347.12, and subparagraphs (20), (21), (22), and (23) of § 1347.22 (a) are hereby revoked.

§ 1347.25 *Effective dates of amendments.* • • •.

(e) Amendment No. 5 (§§ 1347.12 (d), 1347.22 (a) (20), (21), (22), (23)) to Maximum Price Regulation No. 129 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7054; Filed, July 23, 1942; 3:42 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PRODUCTS

[Maximum Price Regulation 182]

KRAFT WRAPPING PAPERS AND CERTAIN KRAFT BAG PAPERS

In the judgment of the Price Administrator the prices of Kraft wrapping papers and certain Kraft bag papers have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Kraft wrapping papers and certain Kraft bag papers prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 182 is hereby issued.

AUTHORITY: §§ 1347.301 to 1347.313, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1347.301 *Maximum prices for Kraft wrapping papers and Kraft bag papers.* On and after July 28, 1942, with respect to sales by manufacturers, and on and after August 25, 1942, with respect to sales by merchants or distributors, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, or offer, solicit or attempt to sell or deliver Kraft wrapping papers or Kraft bag papers listed in paragraph (a) of this section, and no person shall buy or receive, or offer, solicit or attempt to buy or receive Kraft wrapping papers or Kraft bag papers listed in the aforementioned paragraph in the course of trade or business, at prices higher than the maximum prices set forth in paragraphs (a), (b), and (c) of this section; *Provided:* That deliveries by manufacturers under contracts entered into prior to July 28, 1942, under the terms of and at prices in compliance with Maximum Price Regulation No. 129, may be made until August 25, 1942, and that deliveries by merchants or distributors under contracts entered into prior to July 28, 1942, under the terms of and at prices in compliance with the General Maximum Price Regulation, may be made until September 15, 1942. Delivery shall mean delivery to a carrier, other than a carrier owned or controlled by the seller.

(a) *Tabulation of maximum prices in sales by manufacturers.*

Grades:	Maximum base prices per cwt.
Standard Kraft wrapping paper (30 pound basis weight and heavier)	$4.50
No. 1 Kraft wrapping paper (30 pound basis weight and heavier)	4.75
Superstandard Kraft wrapping paper (30 pounds basis weight and heavier)	5.00
Imitation Kraft wrapping paper (40 pound basis weight and heavier)	4.25
Standard unbleached Kraft butchers wrapping paper (40 pound basis weight and heavier)	4.75
No. 1 unbleached Kraft butchers wrapping paper (40 pound basis weight and heavier)	5.00
Machine glazed Kraft wrapping paper (25 pound basis weight and heavier)	5.25
Standard Kraft bag paper (30 pound basis weight and heavier)	4.125
Variety Kraft bag paper (30 pound basis weight and heavier)	4.375
Machine glazed Kraft bag paper (25 pound basis weight and heavier)	5.00

(1) The maximum prices established in paragraph (a) of this section are the maximum prices for rolls in carload lots, Zone A, f. o. b. mill, lowest available carload rate of freight allowed to destination point. The lowest available carload rate of freight means the lowest freight rate for shipment of carload quantities by the means of transportation available at the time of shipment.

(b) *Differentials.* There may be added to the maximum base prices established in paragraph (a) of this section the following differentials in only such cases in which such differentials are applicable:

(1) Deliveries to Zones other than A, for rolls in carload lots, f. o. b. mill, lowest available rate of freight allowed to destination point:

	Per cwt.
(i) Zone B	25¢
(ii) Zone C	50¢

(2) For L. C. L. orders:

Quantity:	Per cwt.
Less than 20,000 pounds	25¢
20,000 to carload	12½¢

(3) For sheets:

Area:	Per cwt.
(i) 150 square inches or more	25¢
(ii) 72 square inches to less than 150 square inches	50¢
(iii) 36 square inches to less than 72 square inches	75¢
(iv) Less than 36 square inches [1]	75¢
(v) For guillotine or ream trimming [1]	5¢

[1] Plus the actual cost of cutting and wrapping in excess of 75¢.

[1] For each side trimmed.

(4) Basis weight less than minimum listed for grades in paragraph (a) of this section.

(i) For imitation Kraft wrapping paper and standard and No. 1 unbleached Kraft butchers wrapping paper, there may be added 5¢ per cwt. for each lb. below the listed basis weight.

(ii) For grades other than imitation Kraft wrapping paper and standard and No. 1 unbleached Kraft butchers wrapping paper:

(a) For basis weights which are less than the listed basis weight, there may be added 10¢ per cwt. for each lb. below the listed basis weight, down to and including 20 lb. basis weight; and 20¢ per cwt. for each lb. below 20 lb. basis weight down to and including 18 lb. basis weight.

(5) Rolls of less than 9 inches diameter.

	Per cwt.
(i) Diameter of 6" to less than 9"	25¢
(ii) Diameter of 4" to less than 6"	50¢
(iii) Diameter of 2" to less than 4"	75¢

(6) Rolls of less than 6 inches width

	Per cwt.
(i) Width of 4" to less than 6"	25¢
(ii) Width of 2" to less than 4"	50¢
(iii) Width of 1" to less than 2"	75¢

(7) Special packing of sheets (all prices and differentials set forth in subparagraphs (i) to (v) of this subparagraph (6) inclusive) shall be on a net weight basis.

	Per cwt.
(i) Chipboard top and bottom	25¢
(ii) Skeleton frames	25¢
(iii) Solid cases, or top and bottom boards	50¢ [1]
(iv) Pressed bales, wood frames, iron or steel strapped	50¢
(v) Skid Packing:	
(a) Net weight per skid 3,000 pounds or more	10¢
(b) Net weight per skid 2,500 pounds to less than 3,000 pounds	25¢
(c) Net weight per skid 2,000 pounds to less than 2,500 pounds	50¢
(vi) Ream wrapping, sealing or banding	25¢
(vii) Bundles less than 100 pounds in weight	25¢

[1] Or minimum of $2.50 per case.

(8) Special packing of rolls.

	Per cwt.
(i) Solid fibre packing	25¢
(ii) Stave packing	50¢

(9) Differentials for colors, other than tints, more costly finishes, special machine markings other than machine glazed striping or felt striping, and test specifications definitely in excess of those herein defined, shall not be in excess of the minimum of each such differential that was actually employed by the manufacturer during the period from January 1 to October 15, 1941, inclusive. Within ten days after the first sale involving the application of any such differential subsequent to the effective date of this regulation, the seller shall submit to the Office of Price Administration, Washington, D. C. a report, signed under oath or affirmation, setting forth the amount of such differential, to what the differential was applied, the purpose or use of the paper to which such differential was applied and the estimated tonnage of such paper, to which such differential was applied, to be manufactured during the succeeding six months. The differential so reported shall be subject to adjustment or disapproval at any time by the Office of Price Administration.

(c) *Merchants' or distributors' maximum selling prices.* (1) The maximum price at which a merchant or distributor may sell Kraft wrapping paper or Kraft bag paper to persons, excepting other merchants or distributors, shall not exceed the maximum price established in paragraphs (a) and (b) of this section plus the following mark-ups:

Quantity in pounds:	Per cwt.
Less than 375	$2.50
375 to less than 750	1.50
750 to less than 1,500	1.25
1,500 to less than 7,500	1.00
7,500 to less than 15,000	.75
15,000 to less than 30,000	.50
30,000 or more	.25

(2) Where the maximum price of the Kraft wrapping paper or Kraft bag paper as established in paragraphs (a) and (b) of this section is in excess of $4.50 per cwt., the merchant or distributor may add to the mark-up as set forth in paragraph (c) (1) of this section, the following, except in cases of sales to other merchants or distributors:

(i) In sales of less than 7,500 lbs., 5¢ per cwt. for each 25¢ per cwt. in excess of such $4.50.

(ii) In sales of 7,500 lb. or more 2½¢ per cwt. for each 25¢ per cwt. in excess of such $4.50.

(iii) No differentials shall be added for any fraction or part of each such 25¢ per cwt.

(3) Where a merchant or distributor converts rolls into sheets, he may add to the maximum price as established in paragraph (c) of this section the applicable differentials set forth in paragraph (b) (3) of this section.

(4) The maximum price at which a merchant or distributor may sell Kraft wrapping paper or Kraft bag paper to another merchant or distributor for resale shall not exceed the maximum prices established in paragraphs (a) and (b) of this section plus the following mark-ups:

Quantity in pounds:	Per cwt.
Less than 750	$0.75
750 to less than 1,500	.625
1,500 to less than 7,500	.50
7,500 to less than 15,000	.375
15,000 to less than 30,000	.25
30,000 or more	.125

(i) In computing his maximum selling price, every merchant or distributor who purchases from other merchants or distributors shall not exceed the maximum price established in paragraphs (a) and (b) of this section plus the mark-ups set forth in paragraph (c) (1) of this section.

(5) Every distributor or merchant making a sale of Kraft wrapping paper or Kraft bag paper after August 25, 1942 shall set forth in the invoice or other evidence of sale, which shall be issued in connection with such sale, all applicable differentials added to the manufacturer's base price (as set forth in paragraph (b) of this section.)

(6) Charges for delivery in sales by merchants or distributors.

(i) The maximum prices established in paragraph (c) of this section shall be f. o. b. point of delivery for shipments to points within a free delivery zone or area

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3664.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738.

[1] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668.

[1] 7 F.R. 971, 3063.

within which the merchant or distributor customarily shipped or would have shipped on such basis during the period from October 1 to October 15, 1941.

(ii) For shipments to points outside such free delivery zones or areas described in paragraph (c) (6) (i), the maximum price shall be f. o. b. seller's warehouse.

(7) For sales involving shipment from the manufacturer directly to a person purchasing from a merchant or distributor, the maximum prices shall be those established in paragraph (c) of this section.

§ 1347.302 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 182 may be charged, demanded, paid or offered.

§ 1347.303 *Federal and state taxes.* Any tax upon, on incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

(a) If, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 182.

§ 1347.304 *Evasion.* The price limitations established by the Maximum Price Regulation No. 182 shall not, directly or indirectly, be circumvented or evaded by modifying, discontinuing, or altering any customary trade practice of the seller, or by increasing terms for the extension of credit, or by splitting orders, or by deteriorating the quality of any commodity, or by any other means.

Nothing herein shall be construed to prevent the seller from making changes in merchandising services to effect economies helpful to or made necessary by the war effort, such as elimination of or changes in the frequency of delivery or changes in the character of packaging and wrapping.

§ 1347.305. *Records and reports.* (a) Every person making a purchase or sale of Kraft wrapping paper or Kraft bag paper in the course of trade or business after July 28, 1942, shall keep for inspection by the Office of Price Administration for a period of two years, complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the purchaser or seller, the price paid or received, the quantity and grade bought or sold.

(b) Persons affected by this Maximum Price Regulation No. 182 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1347.306 *Export sales.* The maximum price at which a person may export Kraft wrapping papers or Kraft bag papers shall be determined in accordance with the provisions of the Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1347.307 *Adjustable pricing.* No person shall enter into an agreement permitting an adjustment of prices to prices in excess of the maximum prices established by § 1347.301 (a), (b) and (c) on the event of this Maximum Price Regulation No. 182 being held invalid or upon any other condition, except that any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.308 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 182 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 182 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field office or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.309 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 182 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1347.310 *Applicability of General Maximum Price Regulation.*[3] The provisions of this Maximum Price Regulation No. 182 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 182.

§ 1347.311 *Definitions.* (a) When used in this Maximum Price Regulation No. 182, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Manufacturer" includes any person who manufactures any Kraft wrapping paper or Kraft bag paper covered by this Maximum Price Regulation No. 182, and any person who distributes or sells Kraft wrapping paper or Kraft bag paper as a del credere agent or other representative of a manufacturer.

(3) "Merchant or distributor" includes any person who buys Kraft wrapping paper or Kraft bag paper in any quantity from a manufacturer or other seller, and who resells such paper.

(4) "Sell" includes sell, supply, dispose, barter, exchange, lease and transfer, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchases" and "purchaser" shall be construed accordingly, except that nothing in this Maximum Price Regulation No. 182 shall be construed to prohibit the making of a contract to sell a commodity included in this Maximum Price Regulation No. 182 at a price not to exceed the maximum price at the time of delivery.

(5) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents, letters and correspondence.

(6) "Standard Kraft wrapping paper" means any machine finished wrapping paper, 18 lb. basis weight or over, containing 50% or more unbleached sulphate[4] fibre and testing less than 90% of the basis weight Mullen test under Standard Tappi testing procedure.

(7) "No. 1 Kraft wrapping paper" means any machine finished wrapping paper 18 lb. basis weight or over containing 100% unbleached sulphate[4] fibre and testing 90% to 96% of the basis weight Mullen test under Standard Tappi testing procedure. All rolls and bundles must be stencilled or labeled with a designation including the words, "No. 1 Kraft".

(8) "Superstandard Kraft wrapping paper" means any machine finished wrapping paper 18 lb. basis weight or over containing 100% unbleached sulphate[4] fibre and testing more than 96% of the basis weight Mullen test under Standard Tappi testing procedure. All rolls and bundles must be stencilled or labeled with a designation showing guaranteed Mullen test or including the words "Superstandard".

(9) "Imitation Kraft wrapping paper" means any wrapping paper 18 lb. basis weight or over containing more than 60% of any one or any combination of the following: wastepaper, groundwood or screenings.

(10) "Standard unbleached Kraft butchers wrapping paper" means any wrapping paper containing 100% unbleached sulphate[4] fibre, testing less than 90% of the basis weight Mullen test under Standard Tappi testing procedure, possessing sizing, formation, etc., to make it suitable for butchers' use and sold for butchers' use.

(11) "No. 1 unbleached Kraft butchers wrapping paper" means any wrapping paper or Kraft bag paper covered by this Maximum Price Regulation No. 182, and any person who distributes or sells Kraft wrapping paper or Kraft bag paper as a del credere agent or other representative of a manufacturer.

(12) "Machine glazed Kraft wrapping paper" means any wrapping paper 18 lb. basis weight or over containing 50% or more unbleached sulphate[4] fibre, glazed on one side by drying on a Yankee machine, and testing less than 90% of the basis weight Mullen test under Standard Tappi testing procedure.

(13) "Standard Kraft bag paper" means any paper 18 lb. basis weight or over containing 50% or more unbleached sulphate[4] fibre, testing less than 90% of basis weight Mullen test under Standard Tappi testing procedure and shipped in rolls 24" diameter or more for conversion into bags.

(14) "Variety Kraft bag paper" means any machine finished paper 18 lb. basis weight or over containing 100% unbleached sulphate[4] fibre and testing 90% to 96% of the basis weight Mullen test under Standard Tappi testing procedure and shipped in rolls 24" or more for conversion into bags, excluding shipping sack and multi-wall bag.

(15) "Machine glazed Kraft bag paper" means any paper 18 lb. basis weight or over containing 50% or more unbleached sulphate[4] fibre, highly glazed on one side by drying on a Yankee machine, and shipped in rolls 24" or more outside diameter for conversion into bags, testing less than 90% of the basis weight Mullen test under Standard Tappi testing procedure.

(16) "Rolls" means a roll of 9" or more outside diameter and 6" or more width.

(17) "Basis weight" means the weight in pounds of 500 sheets 24" x 36" (total area 432,000 square inches).

(18) "Zone A" means all the area of the continental United States, east of the eastern boundaries of the states of New Mexico, Colorado, Wyoming, South Dakota and North Dakota, but including the cities of Sioux Falls, Yankton, Aberdeen, Huron, Brookings, Mitchell and Watertown, South Dakota, Grank Forks, Fargo and Wahpeton, North Dakota; and all of the states of California, Oregon, and Washington, and Coeur d'Alene, Wallace, Moscow, and Lewiston, Idaho.

(19) "Zone B" means all of the states of Colorado and New Mexico, all of Wyoming east of and excluding Kemmerer and Rock Springs, all of South Dakota, excluding Sioux Falls, Yankton, Aberdeen, Huron, Brookings, Mitchell and Watertown; all of North Dakota, excluding Grand Forks, Fargo and Wahpeton.

(20) "Zone C" means all of the states of Montana, Utah, Arizona and Nevada, all of Idaho except Coeur d'Alene, Wallace, Moscow and Lewiston and all of Wyoming west of and including Kemmerer and Rock Springs.

(b) Unless the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.312 *Applicability.* The provisions of this Maximum Price Regulation No. 182 shall be applicable to the continental limits of the United States.

§ 1347.313 *Effective date.* This Maximum Price Regulation No. 182 (§§ 1347.301 to 1347.313, inclusive) shall become effective July 28, 1942 with respect to sales by manufacturers, and August 25, 1942 with respect to sales by merchants or distributors.

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7058; Filed, July 23, 1942; 3:48 p. m.]

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[1] *Supra*, note 1.

[2] 7 F.R. 5059.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

[4] "Unbleached sulphate" means wood pulp produced by the sulphate process from either coniferous or broadleaf wood either unbleached or bleached to a General Electric brightness of less than 50.

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[Maximum Price Regulation 184]

SALES BY CANNERS OF MAINE SARDINES

In the judgment of the Price Administrator the prices of Maine sardines have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Maine sardines prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 184 is hereby issued.

AUTHORITY: §§ 1364.101 to 1364.112, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1364.101 *Prohibition against dealing in Maine sardines at prices above the maximum.* On and after July 23, 1942, regardless of any contract, agreement or other obligation, no canner, or agent or other person acting on behalf, or under the control, of such canner shall sell or deliver any Maine sardines, and no person in the course of trade or business shall buy or receive from a canner any Maine sardines at prices higher than those set forth in Appendix A hereof, incorporated herein as § 1364.112; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of Maine sardines to a purchaser if, prior to July 23, 1942, such Maine sardines have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.102 *Conditional agreement.* No canner of Maine sardines shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.101, in the event that this Maximum Price Regulation No. 184 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.103 *Sales for export.* The maximum price at which a person may export Maine sardines shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1364.104 *Less than maximum prices.* Lower prices than those set forth in § 1364.101 may be charged, demanded, paid, or offered.

§ 1364.105 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 184 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation agreement, sale, delivery, purchase, or receipt of, or relating to Maine sardines, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping, or packaging of Maine sardines.

§ 1364.106 *Records and Reports.* (a) Every seller subject to this Maximum Price Regulation No. 184 shall preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971.

[2] 7 F.R. 5059.

for Maine sardines delivered during March 1942, and his offering prices for delivery of Maine sardines during such month: *Provided*, That no canner of Maine sardines need preserve the records relating to his March prices.

(b) Every person making a purchase or sale of Maine sardines in the course of trade or business, or otherwise dealing therein, after July 23, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of Maine sardines.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.107 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 184 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 184 or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.108 *Petitions for amendment.* Persons seeking modification of any provision of this Maximum Price Regulation No. 184 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1364.109 *Applicability of General Maximum Price Regulation.*[1] The provisions of this Maximum Price Regulation No. 184 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1364.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 184 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Maine sardine" means canned Atlantic sea herring (Clupea harengus) of the sizes customarily packed and marketed under the trade designation, sardines.

(3) "Sales to government purchasing agencies" means sales to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States.

(4) "Price per case" means, as to ¼'s, the price for a lot of one hundred cans packed for shipment in the usual container and, as to ¾'s, the price for a lot of forty-eight cans packed for shipment in the usual container.

(5) "¼'s" means ¼ Drawn cans (300.5 x 404 x 014.5).

(6) "¾'s" means ¾ Three Piece cans (308 x 412 x 112) or ¾ Drawn cans (304 x 508 x 105).

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.111 *Effective date.* This Maximum Price Regulation No. 184 (§§ 1364.101 to 1364.112, inclusive) shall become effective July 23, 1942.

§ 1364.112 *Appendix A: Maximum canners' prices for Maine sardines.* (a) The prices set forth below are maximum prices per case for Maine sardines, f. o. b. Portland, Maine, with freight adjusted on sales from other locations. The maximum prices are gross prices before the deduction of any discounts.

Description		Maximum price per case	
Container size and type	Style of pack	Sales to government purchasing agencies	Sales to others
Keyless ¼'s standard pack	Cottonseed oil, soybean oil, mustard	$4.07	$4.47
Keyless ¼'s standard pack	Tomato sauce	4.12	4.52
¼'s decorated tops with keys, standard pack	Cottonseed oil, soybean oil, mustard	4.82	5.22
¼'s decorated tops with keys, standard pack	Tomato sauce	4.87	5.27
¼'s wrapped or in cartons with keys, standard pack	Cottonseed oil, soybean oil, mustard	5.07	5.47
¼'s wrapped or in cartons with keys, standard pack	Tomato sauce	5.12	5.52
Keyless ¾'s, standard pack	Mustard	4.07	4.47
Keyless ¾'s, standard pack	Tomato	4.12	4.52

(b) For container sizes or types and styles of pack not listed in paragraph (a), the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statement showing costs and usual differentials.

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7062; Filed, July 23, 1942; 3:49 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[Amendment 4 to maximum price regulation 157[1]]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES OF MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (1) of § 1378.1 (c) is amended, a new paragraph (c) is added to § 1378.4, and a new subparagraph (7) is added to § 1378.10 (a) to read as follows:

§ 1378.1 *Sales and fabrication services covered by this Maximum Price Regulation No. 157.* • • •

(c) (1) As used in this Maximum Price Regulation No. 157, the term "textiles, apparel and related articles" shall mean the following commodities when made in accordance with military specifications:

(i) Yarns, textiles and textile products, except surgical gauze, surgical dressings, medicated adhesive plaster, and related health supplies;

(ii) Leather, fur and products thereof;

(iii) Rubber fabrics, apparel and footwear; and

(iv) Wearing apparel, including findings, and other individual, organizational, or ship's personnel equipment made in whole or in part of any of the materials listed in subdivisions (i) and (ii) of this subparagraph (1), or from rubber, except rubber drug sundries.

• • • • • •

§ 1378.4 *Sales or fabrication of textiles, apparel and related articles for military purposes temporarily exempted from price regulation.* • • •

(c) This Maximum Price Regulation No. 157 shall not apply to any sale, delivery or fabrication of field jackets pursuant to a contract with a war procurement agency or a contractor or subcontractor thereof, if such contract was entered into prior to July 27, 1942.

§ 1378.10 *Definitions.* • • •

(a) • • •

(7) "Field jackets" means military field jackets which meet Quartermaster Corps Tentative Specification PQD No. 20 (B) March 17, 1942, superceding PQD No. 20 (A) May 6, 1941.

• • • • • •

*Copies may be obtained from the office of Price Administration.

[1] 7 F.R. 4273, 4541, 4618.

[1] 7 F.R. 3155, 3158.

§ 1378.12 *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§§ 1378.1 (c) (1), 1378.4 (c), 1378.10 (a) (7)) to Maximum Price Regulation No. 157 shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7059; Filed, July 23, 1942; 3:48 p. m.]

PART 1412—SOLVENTS

[Amendment 1 to Maximum Price Regulation 170[1]]

ANTI-FREEZE

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Amended: §§ 1412.6 (a), 1412.12 (a) (6), 1412.13 (a) and (c) (1).

Added: §§ 1412.12 (a) (15) and (16), 1412.15.

§ 1412.6 *Marking and posting*—(a) *By persons packaging anti-freeze.* (1) Except as provided in subparagraph (3) of this paragraph, on and after June 30, 1942, every person who packages anti-freeze in containers shall clearly and conspicuously mark on the outside of such containers or on labels securely affixed thereto the following information:

(i) The type of anti-freeze contained therein, that is, "Type N", "Type S", or Type P", as the case may be, and the trade name in the case of "Zerone".

(ii) The strength of the anti-freeze contained therein. Such strength may be designated by the terms "standard", "standard strength", or "full strength" for standard anti-freeze, or by the terms "sub-standard" or "sub-standard strength" for sub-standard anti-freeze.

(iii) The applicable maximum retail price as established by Appendix A (§ 1412.13) for the anti-freeze contained therein. Such price shall be designated as follows: "OPA Retail Ceiling Price $ ____". The blank in the quoted phrase shall be filled in with the applicable maximum retail price as established by Appendix A (§ 1412.13) by the packager in the case of Type S and Type N anti-freeze and by the retailer in the case of Type P anti-freeze, but in the latter case the packager shall supply the retailer with instructions as to the manner of determining the maximum retail price under the provisions of Appendix A (§ 1412.13).

(2) The type ("N", "S", or "P") and the applicable maximum retail price established by Appendix A (§ 1412.13) shall be printed in letters at least two inches high on containers of more than 5 gallons, and in letters at least as large as any other printed matter thereon other than the trade mark or trade name on containers of 5 gallons or less.

(3) The marking specified in subdivision (iii) of subparagraph (1) of this paragraph may be omitted where anti-freeze is sold directly to the United States, or any agency thereof, or to a commercial or industrial user.

• • • • • •

§ 1412.12 *Definitions.* (a) • • •

(6) "Type P" anti-freeze means an anti-freeze which contains at least 60% ethylene glycol by weight and at least 85% of glycol compounds by weight.

• • • • • •

(15) "Glycol compounds" means ethylene glycol, ethylene glycol homologs, polyethylene glycols or mixtures of any of the foregoing.

(16) "Zerone" is the synthetic methanol Type S anti-freeze manufactured by E. I. du Pont de Nemours & Company, a Delaware corporation having its principal office in Wilmington, Delaware, and distributed under the trade name "Zerone".

• • • • • •

§ 1412.13 *Appendix A: Maximum prices for anti-freeze*—(a) *Standard anti-freeze, Type N and Type S.* Maximum prices for standard Type N and Type S anti-freeze are established as follows:

(1) *Sales by manufacturers to persons other than retailers.*

[Per gallon delivered]

	Type N	Type S	
		Other	Zerone
(i) Tank cars	$0.58	$0.34	$0.30
(ii) Tank truck deliveries:			
500 gallons or over	.60	.36	.32
Less than 500 gallons	.62	.38	.34
(iii) Carload lots (containers included):			
(a) containers over 35 gallons	.70	.46	.42
(b) containers over 5 gallons and including 35 gallons	.72	.46	.44
(c) containers of 1 to 5 gallons, inclusive	.76	.46	.47
(d) containers less than 1 gallon	.80	.51	.51

(iv) Less than carload lots: Five cents per gallon may be added to the appropriate prices established above for deliveries in carload lots, f. o. b. manufacturer's shipping point.

(2) *Sales to retailers by any person.*

[Per gallon delivered]

	Type N	Type S	
		Other	Zerone
(i) Containers over 35 gallons	$0.87	$0.61	$0.55
(ii) Containers over 5 gallons and including 35 gallons	.90	.62	.57
(iii) Containers of 1 to 5 gallons, inclusive	.94	.65	.61
(iv) Containers less than 1 gallon	.99	.70	.66

(3) *Sales at retail.* Delivered (including installation in automobile cooling system where buyer so requests and where customarily so installed by the seller without charge).

	Type N	Type S	
		Other	Zerone
(i) In quantities of 1 gallon or more	Per gallon $1.40	Per gallon $1.10	Per gallon $1.00
(ii) In quantities of less than 1 gallon	Per qt. .35	Per qt. .28	Per qt. .25

• • • • • •

(c) *Standard anti-freeze, Type P.* (1) The maximum price which any seller may charge for standard Type P anti-freeze shall be the highest price which such seller charged on a delivery of standard Type P anti-freeze in like containers in similar amounts to a purchaser of the same class during that month of the six month period ending March 31, 1942, in which such seller delivered the largest amount of Type P anti-freeze. This maximum price in the case of sales at retail shall not exceed $2.65 per gallon on sales in quantities of 1 gallon or more or $.70 per quart on sales in quantities of less than one gallon. Such maximum prices include installation in automobile cooling systems where the buyer so requests, and where customarily so installed by the seller without extra charge.

• • • • • •

§ 1412.15 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1412.6 (a), 1412.12 (a) (6), (15), and (16), 1412.13 (a) and (c) (1), 1412.15) to Maximum Price Regulation No. 170 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7061; Filed, July 23, 1942; 3:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 17 to Supplementary Regulation 1[2]]

CORE OILS AND CORE WASHING OILS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (30) is added to § 1499.26 (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities: • • •

(30) Core oils and core washing oils.

• • • • • •

(e) *Effective dates.* • • •

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4763.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

[2] 7 F.R. 3158, 3488, 3567, 3892.

(18) Amendment No. 17 (§ 1499.26 (a) (30)) to Supplementary Regulation No. 1 shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7060; Filed, July 23, 1942; 3:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.18 (b) of the General Maximum Price Regulation—Order 1]

HOFFMAN BEVERAGE CO.

Hoffman Beverage Company of 402 Grove Street, Newark, New Jersey, filed a Petition for Amendment of the General Maximum Price Regulation on May 20, 1942 (Docket Number GF3-72) and a Protest against the provisions of the General Maximum Price Regulation on June 27, 1942 (Docket Number GF1-324-P), both requesting specific adjustment of the maximum prices established for it for sales of malt beverages on the grounds that such maximum prices cause it substantial hardship and are abnormally low in relation to the maximum prices established for competitive sellers of malt beverages. Due consideration has been given to the petition and to the Protest and an opinion in support of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set out in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

§ 1499.301 *Adjustment of maximum prices for malt beverages manufactured by Hoffman Beverage Company*—(a) *Manufacturer.* On and after July 24, 1942, Hoffman Beverage Company may increase the maximum prices established for its sales of its malt beverages (beer, ale, and half and half) to all classes of trade by the following amounts:

4 cents per case of 24 twelve ounce bottles.
10 cents per case of 12 quart bottles.
25 cents per half barrel (15½ gallons).

Provided, however, That such increases may only be made in the State of Connecticut, in the Counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester, State of New York, and the Counties of Bergen, Camden, Essex, Hudson, Mercer, Monmouth, Morris, Passaic, and Union, State of New Jersey.

(b) *Retailers:* On and after July 24, 1942, any retailer may increase the maximum prices established for his sales of Hoffman Beverage Company's malt beverages in the area described in paragraph (a) of this order by 1 cent for 3 twelve ounce bottles and 1 cent for each quart bottle; *Provided, however,* That such maximum prices as increased shall not exceed 27 cents for 3 twelve ounce bottles and 22 cents for each quart bottle.

(c) *Notification of retailers:* Within a period of 15 days from and after the effective date of this order, Hoffman Beverage Company shall by circular or other appropriate means, notify all retailers selling its malt beverages in the area described in paragraph (a) of this order that they may increase their maximum prices as provided in paragraph (b) of this order.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 (§ 1499.301) shall become effective July 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7057; Filed, July 23, 1942; 3:43 p. m.]

TITLE 45—PUBLIC WELFARE

Chapter IV—National Youth Administration

[Administrative Order No. 17]

PART 402—WAR PRODUCTION TRAINING PROGRAM

By virtue of and pursuant to the authority vested in the National Youth Administrator by the Labor-Federal Security Appropriation Act, 1943, approved July 2, 1942, certain provisions prescribed in Administrative Order No. 15,[1] dated September 27, 1941, and Administrative Order No. 16,[2] dated February 12, 1942, are hereby re-promulgated to be applicable to the War Production Training Program authorized in paragraph 1, National Youth Administration Appropriation Act, 1943:

§ 402.1 *War Production Training Program.* In lieu of State Youth Administrators, Regional Youth Administrators are authorized to operate the said War Production Training Program in accordance with §§ 402.2, 402.3, 402.4, 402.5, 402.7 and 402.8 of Administrative Order No. 15 and § 402.9 of Administrative Order No. 15, as amended by Administrative Order No. 16, insofar as said provisions pertained to the youth work defense program.

§ 402.2 *Effective date.* This order shall become effective at the beginning of pay roll periods on and after July 1, 1942, and shall supersede Administrative Order No. 15, dated September 27, 1941, and Administrative Order No. 16 dated February 12, 1942, which shall be rescinded upon the effective date of this order, except as provided above.

(Pub. Law 647, 77th Cong.)

[SEAL] AUBREY WILLIAMS,
National Youth Administrator.

Approved: July 10, 1942.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 42-7082; Filed, July 24, 1942; 11:48 a. m.]

[Administrative Order No. 18]

PART 403—STUDENT WORK PROGRAM

By virtue of and pursuant to the authority vested in the National Youth Administrator by the National Youth Administration Appropriation Act, 1943, approved July 2, 1942, the following rules and regulations applicable to the student work program of the National Youth Administration are prescribed:

Sec.
403.1 Definitions.
403.2 Hours of work for student work employees.
403.3 Earnings of student work employees.
403.4 Assignment of wages.
403.5 Need.
403.6 Age.
403.7 Requirements relating to scholarship.
403.8 Requirements relative to performance of work.
403.9 Employment affidavit and oath of allegiance.
403.10 Administration of oaths and affidavits.
403.11 Illegal activities.
403.12 Assignment of work.
403.13 Effective date.

AUTHORITY: §§ 403.1 to 403.13, inclusive, issued under Pub. Law 647, 77th Cong.

§ 403.1 *Definitions*—(a) *Student work program.* The term "student work program," as used herein, shall mean the program of work activities, approved by the National Youth Administration and financed from funds appropriated to the National Youth Administration under paragraph 2 of the National Youth Administration Appropriation Act, 1943, providing for the part-time employment of needy students who are in regular attendance at schools, colleges and universities, in order to enable such students to continue properly their education. Schools, colleges and universities participating in the student work program are required to be nonprofit making, tax exempt, bona fide educational institutions and so certified by the principal state education officer.

(b) *School work program.* The term "school work program," as used herein, relates to that part of the student work program which provides for the part-time employment of needy students who are in regular attendance at approved institutions not requiring high school graduation or the equivalent for entrance.

(c) *College and graduate work program.* The term "college and graduate work program," as used herein, relates to that part of the student work program which provides for the part-time employment of needy undergraduate and graduate students who are in regular attendance at approved colleges and universities, requiring, as a minimum, high school graduation or the equivalent for entrance.

(d) *Student work employees.* The term "student work employees," as used herein, shall mean needy students who are at least 16 years of age and who have not attained their 25th birthday, who are in regular attendance at institutions participating in the student work program and who are employed on a part-time basis and paid by means of pay roll payments from funds appropriated for the operation of the student work program.

(e) *Regional Youth Administrator.* The term "regional youth administrator," as used herein, shall mean the officer appointed by the National Youth Administrator to administer the student work program of the National Youth Administration within a region comprising one or more states.

(f) *Official NYA Representative.* The term "official NYA representative," as used herein, shall mean the person nominated by a participating educational institution and appointed as a non-compensated employee of the National Youth Administration by the Regional Youth Administrator to supervise the student work program at he institution in accordance with the rules and regulations of the National Youth Administration.

§ 403.2 *Hours of work for student work employees.* The official NYA representative at each participating institution shall be responsible for establishing hours of work for student work employees in attendance at the institution in accordance with the following provisions:

(a) Hours shall be limited to that number which in relation to the established monthly earnings most accurately reflects the rate of pay prevailing in the locality for the same type of work.

(b) The maximum hours of work under the school work program shall be four hours per day on school days and seven hours per day on non-school days.

(c) The maximum hours of work under the college and graduate work program shall be eight hours per day.

§ 403.3 *Earnings of student work employees.* Except where exemptions are granted by the National Youth Administrator, the monthly earnings of student work employees shall be established within the following limits:

	Maximum	*Maximum*
School work program	$3	$6
College and graduate work program	10	25

§ 403.4 *Assignment of wages.* Wages paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

§ 403.5 *Need.* Each student work employee must be able to qualify on the basis of need for such employment as he may receive. It shall be determined by the official NYA representatives at participating institutions that employment on the student work program is essential to enable the student to continue properly his education. Consultation with outside agencies to determine this need is suggested.

§ 403.6 *Age.* Young persons at least 16 years of age, and who have not attained their 25th birthday, may be employed on the student work program.

§ 403.7 *Requirements relating to scholarship.* Students participating in the student work program shall be regular students carrying at least three-fourths of the normal schedule. They shall be of good character and shall possess such ability that they can give assurance of performing good scholastic work. Part-time employment of students who fail to maintain a satisfactory standing in at least three-fourths of their scholastic work shall be discontinued.

§ 403.8 *Requirements relative to performance of work.* No person shall be employed or retained in employment if his work habits are such, or his work record shows, that he is incapable of performing satisfactorily the work to which he may be assigned.

§ 403.9 *Employment affidavit and oath of allegiance.* Each employee, who enters on duty on the student work program on and after July 1, 1942, whether compensated or uncompensated for his services, shall be required to execute the following employment affidavit and oath of allegiance prior to his entrance on duty. Each employee whose employment on the student work program is being continued into the fiscal year 1943 shall be required to execute the following employment affidavit and oath of allegiance before any payment is made for services rendered on and after July 1, 1942:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God. I further depose and say that I am a citizen of the United States, (or of the Commonwealth of the Philippines) and that I do not advocate, nor am I a member of a political party or organization that advocates the overthrow of the Government of the United States by force or violence.

§ 403.10 *Administration of oaths and affidavits.* The National Youth Administrator hereby designates employees holding the following positions in the several regional youth administrations to administer the employment affidavit and oath of allegiance required by section 9 above:

(a) Regional Youth Administrator
(b) Assistant Regional Youth Administrator
(c) Regional Administrative Officer
(d) Regional Director of Student Work
(e) Regional Director of Finance and Statistics
(f) Official NYA Representative at a participating institution.

The several Regional Youth Administrators, who are the authorized representatives of the National Youth Administrator within their regions, are hereby authorized to designate such additional compensated or uncompensated employees as may be required for the purpose. No fee shall be charged for oaths administered by designated employees of the National Youth Administration.

§ 403.11 *Illegal activities.* Violations of the provisions of the Criminal Code of the United States shall be reported to the National Youth Administrator for appropriate action. No person shall be eligible for further employment with the National Youth Administration if he knowingly and with intent to defraud the United States:

(a) Makes any false statement in connection with any application for any project;

(b) Diverts, attempts to divert, or assists in diverting, for the benefit of any persons not entitled thereto, any funds, services or real or personal property of the National Youth Administration;

(c) Deprives, attempts to deprive, or assists in depriving any person of any of the benefits to which he may be entitled under the appropriation by means of fraud, force, threat, intimidation, boycott, or discrimination on account of race, religion, political affiliation, or membership in a labor organization.

§ 403.12 *Assignment of work.* Official NYA representatives at participating institutions shall be responsible for assigning student work employees to suitable work and for direct supervision of the work done by students.

§ 403.13 *Effective date.* These rules and regulations shall become effective at the beginning of pay roll periods on and after July 1, 1942, and shall supersede Administration Order No. 14[1] of the National Youth Administration, dated July 1, 1941, which order shall be rescinded upon the effective date of this order.

[SEAL] AUBREY WILLIAMS,
National Youth Administrator.

Approved: July 21, 1942.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 42-7083; Filed, July 24, 1942; 11:48 a. m.]

Notices

WAR DEPARTMENT.

[Public Proclamation No. 9]

REGULATIONS PERTAINING TO ALIENS OF ENEMY NATIONALITY ON WEST COAST

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JUNE 27, 1942.

To the people within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona and the public generally:

Whereas by Public Proclamation No. 1,[2] dated March 2, 1942, this headquarters, there were designated and established Military Areas Nos. 1 and 2 and Zones thereof, and

Whereas by Public Proclamation No. 2,[3] dated March 16, 1942, this headquarters, there were designated and established Military Areas Nos. 3, 4, 5, and 6 and Zones thereof, and

Whereas the present situation within these Military Areas and Zones requires as a matter of military necessity the establishment of certain regulations pertaining to all aliens of enemy nationality within said Military Areas and Zones thereof:

Now, therefore, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4738, 5027, 5276, 5192.

[1] 6 F.R. 4975.
[2] 7 F.R. 1045.

[1] 6 F.R. 3294.
[2] 7 F.R. 2320.
[3] 7 F.R. 2405.

and prerogatives as Commanding General, Western Defense Command, do hereby declare and establish the following regulations governing the conduct to be observed by all aliens of enemy nationality residing or being within the Military Areas above described, or such affected portions thereof as are hereinafter mentioned:

1. Paragraph 6 of Proclamation No. 1, this headquarters, is hereby rescinded, and the prohibited and restricted areas within the Western Defense Command designated by the Attorney General of the United States under the Presidential Proclamations of December 7 and 8, 1941, and the instructions, rules and regulations prescribed by him with respect to such prohibited and restricted areas are hereby superseded and eliminated, and said prohibited and restricted areas are hereby declared henceforth to be in the same status as the respective portions of the Western Defense Command within which they lie and as if this supersession and elimination had been made effective prior to or concurrently with the publication of Proclamation No. 1.

[SEAL] J. L. DEWITT,
Lieutenant General,
U. S. Army Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7065; Filed, July 24, 1942; 10:30 a. m.]

[Civilian Exclusion Order No. 105]

EXCLUSION OF PERSONS OF JAPANESE ANCESTRY FROM PORTION OF SAN BERNARDINO COUNTY, CALIFORNIA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JULY 4, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6,[2] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All of that portion of the County of San Bernardino, State of California, lying easterly and northerly of a line beginning at the point at which the westerly line of U. S. Highway No. 395 intersects the San Bernardino-Kern County Line; thence in a southerly direction along the westerly line of said Highway No. 395 to the point where the same intersects the southerly line of U. S. Highway No. 466, approximately three miles east of Kramer; thence easterly along the southerly line of U. S. Highway No. 466 to the point where the same intersects U. S. Highway No. 66 at or near Barstow; thence in an easterly direction along the southerly line of U. S. Highway No. 66 to the California-Arizona State Line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, July 11, 1942, to the Civil Control Station located at: 719 Front Street, Needles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, July 18, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7066; Filed, July 24, 1942; 10:30 a. m.]

[1] 7 F.R. 2320.
[2] 7 F.R. 4436.

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1510]

J-Z COAL COMPANY

ORDER PROVISIONALLY DISMISSING PETITION

In the matter of the petition of the J-Z Coal Company, a code member producer in District No. 4 for the revision of the minimum prices of the coals of Mine Index No. 2950 in Size Groups Nos. 5, 6 and 8 for truck shipments.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting a revision of the minimum prices for certain of the coals produced at its mine (Mine Index No. 2950); and

Petition of Intervention having been duly filed by Bituminous Coal Producers Boards for Districts Nos. 4 and 6; and

A Notice of and Order for Hearing having been duly made, setting the above-entitled matter down for hearing on July 7, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW, Washington, D. C., before Trial Examiner, Floyd McGown; and

The above-entitled matter having come on for hearing, pursuant to the above-mentioned order; and

The petitioner having failed to appear at the hearing;

Now, therefore, it is ordered, That the petition of the J-Z Coal Company in the above-entitled matter be, and it hereby is, dismissed, unless petitioner shows cause within thirty (30) days from the date of this order, why the same should not be dismissed and why the hearing should be continued.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7073; Filed, July 24, 1942; 11:14 a. m.]

[Docket No. A-1531]

DISTRICT BOARD NO. 8

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for the Establishment of Price Classifications and Minimum Prices for the Coals of Certain Mines in District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 17, 1942, at 2:00 o'clock in the afternoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 12, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the request of District Board No. 8 for change in price classifications and minimum prices of coals produced by code members in Harlan, Johnson, Letcher, and Magoffin Counties, Kentucky, and Dickenson, Russell, and Wise Counties, Virginia, for all shipments except truck and for truck shipments; and to remove that part of Letcher County lying south of the Ridge Line of Pine Mountain from Subdistrict Nos. 1 and 3 to Subdistrict No. 2.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7074; Filed, July 23, 1942; 11:14 a. m.]

[Docket No. B-301]

CLAUDE E. TAYLOR, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 3, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Claude E. Taylor, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 15, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House Building, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Claude E. Taylor, whose address is Colmar, Kentucky, a Code Member, whose code membership became effective as of October 7, 1939, operating the Taylor Mine, Mine Index No. 1556, located in Bell County, Kentucky, District No. 8, has wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling on or about April 17, 1941, approximately 226.4 tons of 3/8" x 0 slack coal produced at the above-named mine to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, for shipment by rail, whereas prices temporary or final had not been established for the sales of coal for rail shipment.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7076; Filed, July 23, 1942; 11:14 a. m.]

[Docket No. B-148]

STINEMAN COAL & COKE CO., RESPONDENT

ORDER SUSPENDING REGISTRATION

Order approving and adopting the proposed findings of fact, proposed conclusions of law, and recommendation of the Examiner and order suspending registration of distributor.

This proceeding having been instituted by the Bituminous Coal Division, pursuant to section 4 II (h) of the Bituminous Coal Act of 1937 and § 304.14 of the Rules and Regulations for the Registration of Distributors to determine whether Stineman Coal & Coke Co., a registered distributor (Registration No. 8745), located at 1145 Broad Street Station Building, Philadelphia, Pennsylvania, has violated the Act, the Rules and Regulations for the Registration of Distributors, the Marketing Rules and Regulations Incidental to the Sale and Distribution of Coal and the Agreement by Registered Distributor, by failing to file with the Division copies of invoices and credit memoranda as required by Order No. 301, during the period from October 1, 1940, to April 1, 1941;

Pursuant to a Notice of and Order for Hearing, dated December 6, 1941, and an Order Postponing Hearing, dated January 8, 1942, a hearing in this matter having been held on January 16, 1942, before Floyd McGown, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which time all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which time respondent appeared;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation in this matter, dated June 26, 1942, in which it was found that Stineman Coal & Coke Co., a Registered Distributor (Registration No. 8745), has violated Order No. 301, dated August 8, 1940, paragraphs (e) and (f) of the Agreement by Registered Distributor, executed by respondent on May 15, 1939, approved on November 17, 1939, and the Examiner having recommended therein that an Order be entered suspending the registration of respondent for a period of thirty days;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs and no such exceptions and supporting briefs having been filed;

The undersigned having determined, after consideration of the record, that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as the findings of fact and conclusions of law of the undersigned;

Now, therefore, it is ordered, That the registration of the Respondent Stineman Coal & Coke Co., a registered distributor, (Registration No. 8745), be, and it hereby is, suspended for a period of thirty days from the date of this Order; and

It is further ordered, That the respondent shall not evade the effect of such suspension, directly or indirectly, by the use of any device such as a sales agency agreement, or any other device and that such suspension shall not excuse respondent from all duties and functions imposed upon it by the Act or rules and regulations thereunder;

It is further ordered, That if respondent shall not have complied with the provisions of § 304.15 or the Rules and Regulations for the Registration of Distributors at least five (5) days prior to the expiration of such suspension, said suspension shall continue in full force and effect until five (5) days after the affidavit required by Section 304.15 shall have been filed with the Division.

Dated July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7078; Filed, July 23, 1942; 11:14 a. m.]

[Docket Nos. B-283, B-267]

SURE FIRE COAL CO., ET AL.

ORDER POSTPONING HEARINGS

In the matter of William Dishon, Benjamin Dishon, and Stanley Dishon, individually and as co-partners, doing business under the name and style of Sure Fire Coal Company, Code Member; G. H. Ware and C. M. Reese, individually and as co-partners, doing business under the name and style of R & W Coal Company, a partnership, Code Member.

The above entitled matters having been heretofore scheduled for hearings at 10 o'clock in the forenoon of July 31, 1942 at a hearing room of the Bituminous Coal Division at the Court House Building, Zanesville, Ohio; and

The Acting Director deeming it advisable that said hearings should be postponed.

Now therefore it is ordered, That the hearing in the above entitled matters be and the same hereby are postponed from 10 o'clock in the forenoon of July 31, 1942 to 10 o'clock in the forenoon of August 10, 1942 at the place and before the officer or officers previously designated.

It is further ordered, That the notices of and orders for hearing in the above entitled matters shall in all other respects remain in full force and effect.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7075; Filed, July 24, 1942; 11:14 a. m.]

[Docket No. A-1282]

GLENN SMALL

ORDER OF THE ACTING DIRECTOR

In the matter of the petition of Glenn Small, a code member in District No. 15, for revision in the effective minimum prices for the coals of the Small Mine (Mine Index No. 962) in District No. 15 for shipment by truck into all market areas, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

A petition having been filed with the Bituminous Coal Division on January 20, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by Glenn Small, requesting the establishment of effective minimum prices for soft red coal produced at his Small Mine (Mine Index 962) located in Osage County, Kansas, by the amendment of the Schedule of Effective Minimum Prices for District 15 for Truck Shipments;

A hearing in this matter having been held pursuant to an order of the Acting Director, dated March 20, 1942, before a duly designated Examiner of the Division at a hearing room thereof in Kansas City, Missouri, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard;

The preparation of a report by the Examiner having been waived by all parties and the matter having thereupon been submitted to the Acting Director;

The Acting Director having made findings of fact and conclusions of law and having rendered an opinion in this matter which are filed herewith;

Now, therefore, it is ordered, That the petition of Glenn Small, a code member in District 15, operating the Small Mine (Mine Index 962) praying for a revision in the Schedule of Effective Minimum Prices for District 15 for Truck Shipments to provide for a reduction in the effective minimum prices for soft red coal be and it is hereby denied.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7079; Filed, July 24, 1942; 11:14 a. m.]

[Docke' No. A-1507]

SEQUATCHIE COAL CO.

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Sequatchie Coal Company, code member in District No. 13, for the establishment of price classifications and minimum prices for all shipments except truck.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 18, 1942 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendations of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4-II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 13, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Sequatchie Coal Company for the establishment of price classifications and minimum prices for the coals of its Sequatchie Mine (Mine Index No. 731) in District No. 13, for all shipments except truck.

It is further ordered, That pending final disposition of the above-entitled matter, temporary relief be, and same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 13 For All Shipments Except Truck is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Temporary Supplement R" annexed hereto and made a part hereof.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7077; Filed, July 24, 1942; 11:15 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 149]

HANDKERCHIEF MFG. INDUSTRY

APPOINTMENT OF COMMITTEE

Appointment of Industry Committee No. 46 for the Handkerchief Manufacturing Industry.

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the Handkerchief Manufacturing Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public: Max Meyer, Chairman, New York, New York; Teresa M. Crowley, New York, New York; William L. Nunn, Newark, New Jersey.

For the employers: Charles I. Kane, New York, New York; Thomas G. Stockham, Passaic, New Jersey; W. R. Thomson, Greenville, South Carolina.

For the employees: Morris Bialis, Chicago, Illinois; Dorothy J. Bellanca, New York, New York; Samuel Baron, New York, New York.

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "handkerchief manufacturing industry" means:

The manufacture of men's, women's and children's handkerchiefs, plain or ornamented, from any materials.

3. The definition of the Handkerchief Manufacturing Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition, and *Provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workwee' unless records concerning his employ ment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet at 10:00 A. M. on August 14, 1942, in the Windsor Room of the Hotel Piccadilly, New York City, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 23d day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-7064; Filed, July 24, 1942; 10:13 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-397]

UNITED GAS PIPE LINE COMPANY

ORDER FIXING DATE FOR HEARING

JULY 23, 1942.

It appearing to the Commission that:

(a) On June 19, 1942, the United Gas Pipe Line Company filed an application for authority to construct and operate 38 miles of 12¾ inch pipe line in the nature of a loop of its present facilities from the Lake Long Field in Lafourche Parish, Louisiana, to a point near St. Rose, where it will connect with Applicant's existing Baton Rouge-New Orleans line, as described fully in exhibits attached to the application;

(b) Applicant states that the above-described additional facilities are necessary to meet increased demands for natural gas in the New Orleans area due to the war effort and the normal development in that area;

The Commission, therefore, *orders* that:

A public hearing in this proceeding be held on August 3, 1942, at 9:45 a. m. (E. W. T.), in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-7081; Filed, July 24, 1942; 11:37 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3122-15]

A. R. WRIGHT CO.

GRANTING PERMISSION FOR ADJUSTABLE PRICING

Order No. 6 under Maximum Price Regulation No. 122[1]—Solid Fuels Delivered from Facilities Other than Producing Facilities—dealers

On June 1, 1942, A. R. Wright Co., 350 Commercial Street, Portland, Maine, filed a petition for a change in its maximum prices established by Maximum Price Regulation No. 122. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, it is hereby ordered:

(a) On and after July 9, 1942, on sales of its bituminous coals from its docks at Portland, Maine, to Lehigh Fuel Company, 315 Park Avenue, Portland, Maine, A. R. Wright Co. may enter into agreements to charge not more than the applicable maximum price subject to an agreement that if the disposition of its petition in Docket No. 3122-15 permits an increase in any of its maximum prices, it may then adjust prices upon deliveries made during the pendency of the petition, in accordance with the disposition thereof.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time, and in any event is to be effective only to the date of final disposition of the petition by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in Section 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(d) This Order No. 6 shall become effective the 24th day of July 1942.

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7039; Filed July 23, 1942;

[Docket No. 3120-10]

SOUTHERN COAL CORPORATION

ORDER GRANTING EXCEPTION

Order No. 18 under Maximum Price Regulation No. 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 13, 1942, Southern Coal Corporation, Bluefield, West Virginia, operator of the Bradshaw Mine (Mine Index No. 28) located in District No. 7, filed a petition for adjustment of Maximum Price Regulation No. 120, pursuant to § 1340.207 (a) thereof. Due consideration has been given to the petition, and an Opinion in support of this Order No. 18 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Southern Coal Corporation may sell and deliver, agree, offer, solicit, and attempt to sell and deliver, the kinds and grades of bituminous coal set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds and grades of bituminous coal at such prices from Southern Coal Corporation.

(b) On shipments other than by truck or wagon and other than via the Great Lakes, the maximum prices for coal produced at the Bradshaw Mine (Mine In-

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024.
[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4404, 4342, 4540, 4541, 4700, 5059.
[2] 7 F.R. 971, 3663.

dex No. 23) of the Southern Coal Corporation shall be as follows:

Size group:	*Per net ton*
1	$4.40
2	4.55
3	3.80

(c) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 18 shall become effective July 24, 1942.

Issued this 23d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7040; Filed, July 23, 1942; 12:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-117A-2]

ITALIAN SUPERPOWER CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of July, A. D. 1942.

Italian Superpower Corporation, a registered closed-end management investment company, having filed an application pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 17 (f) of said Act, relating to custody of applicant's securities and section 32 (a) of said Act relating to the selection and ratification or rejection of an independent public accountant, until six months after the termination of the war between United States and Italy;

It is ordered, That a hearing on the matter of the application of the above-named applicant under and pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 be held on July 27, 1942 at ten o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That William W. Swift, Esquire or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above-named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7052; Filed, July 23, 1942; 3:12 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 6]

JEWEL BEARINGS MANUFACTURE

THE ATTORNEY GENERAL:

Reference is made to the letter of John Lord O'Brian, General Counsel, to you dated July 15, 1942, submitting for your consideration a proposed plan for the exchange by all manufacturers of jewel bearings of information with respect to such manufacture. After consultation with you regarding that plan, I am requesting each of the manufacturers concerned to place that plan in operation as a measure requisite to the prosecution of the war; and pursuant to section 12 of Public Law No. 603, 77th Congress, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by such persons in compliance with such request is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

JULY 20, 1942.

[F. R. Doc. 42-7051; Filed, July 23, 1942; 2:40 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

VESTING OF CERTAIN PATENTS

§ 502.47 *Vesting Order No. 47.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in the patents the numbers of which are listed in Exhibits A, B, C, D and E attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing (a) in the case of the aforesaid Exhibits A, B, C and D at the respective tops thereof, and (b) in the case of said Exhibit E, opposite the respective numbers listed therein,

is the property of nationals of a foreign country or countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person (other than a national of a designated enemy country, as defined in Executive Order No. 9095, as amended) asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended. (E. O. 9095, 9193, 7 F.R. 1971, 5205.)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

Approved JUL 29 1942

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 147

Washington, Tuesday, July 28, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF A FARM IN THE VIRGIN ISLANDS

JULY 24, 1942.

Pursuant to the provisions of subsection (b) of section 304 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.54 *Definition of a farm in the Virgin Islands.* For the purposes of the Sugar Act of 1937, as amended, a farm in the Virgin Islands means all land which is farmed by a producer, or group of producers, as a single farming unit, with cropping practices, work stock, equipment, labor, and management substantially separate from that of any other such unit. (50 Stat. 911; 7 U.S.C. 1134)

Done at Washington, D. C. this 24th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-7092; Filed, July 24, 1942; 3:23 p. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of Telefunken Gesellschaft fur Drahtlose Telegraphie m. b. H. and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
Reissue 18,972	10/24/33	A. Leib	Arrangement for Wireless, Telegraphy & Telephony.
Reissue 20,189	12/ 1/36	H. Roosenstein	Oscillation Circuit for Electric Waves.
1,547,507	7/28/25	A. Leib	Inductance Coil.
1,552,781	9/ 8/25	G. Von Arco	Arrangement for Controlling the Driving Motors in High Frequency Machines.
1,556,130	10/ 6/25	O. Schriever	Circuit Arrangement for Wireless Signaling.
1,559,992	11/ 3/25	W. Schaffer	Arrangement for Frequency Transformation Particularly for Operating Relay Stations.
1,563,140	11/24/25	G. Von Arco	Arrangement for Controlling the Driving Motors in High Frequency Machines.
1,566,680	12/22/25	A. Meissner	Sending Arrangement.
1,569,325	1/12/26	A. Leib	Radio Direction Finder.
1,571,378	2/ 2/26	W. Schloemilch	Sound-Reproducing Arrangement.
1,573,789	2/16/26	M. Osnos	Transmitting Arrangement for Wireless Signaling.
1,588,047	6/ 8/26	M. Osnos	Circuit Arrangement for Wireless Signaling
1,593,602	7/27/26	A. Meissner	Sending Arrangement.
1,597,910	8/31/26	M. Lock	Controlling Arrangement for Tube Senders Supplied with Alternating Current.
1,598,144	8/31/26	A. Leib	Radio Receiving Apparatus.
1,600,348	9/21/26	E. Mayer	Arrangement for Automatic Regulation of Motor or Generator Fields.
1,603,491	10/19/26	M. Osnos	Modulating Arrangement.
1,604,129	10/26/26	A. Meissner	Transmitting Arrangement for Wireless Telegraphy and Telephony.
1,604,130	10/26/26	A. Meissner	Method of Recording and Reproducing Sound.
1,604,654	10/26/26	E. Mayer	Arrangement for High Frequency Signaling on High Tension Lines.
1,605,557	11/ 2/26	M. Osnos	Inductance Device.
1,608,033	11/23/26	W. Schaffer	Arrangement for Generating Audible Frequencies in High Frequency Signaling.
1,610,615	12/14/26	W. Schaffer	Arrangement for Maintaining Anode Voltage Constant in Tube Transmitters.
1,610,875	12/14/26	E. Mayer	Arc-Lamp Generator for Producing and Amplifying Electrical Oscillations.
1,614,494	1/18/27	H. Rukop	Circuit Arrangement for Generating Oscillations.
1,618,298	2/22/27	H. E. Rukop	Valve Amplifier.
1,621,992	3/22/27	A. Meissner	Valve Generator Arrangement.

Patent No.	Patent date	Inventor	Title
1,621,996	3/22/27	M. Osnos	Arrangement for Eliminating Disturbing Waves in Radio-Frequency Circuits.
1,622,001	3/22/27	H. Rukop	Circuit Arrangement for General Electrical Oscillations.
1,624,005	4/12/27	M. Osnos et al	Method of Wireless Signaling.
1,624,006	4/12/27	M. Osnos	Circuit Arrangement for High Frequency Sending Stations.
1,624,065	4/12/27	M. Osnos	Circuit Arrangement for Multiplex Communications.
1,628,676	5/17/27	A. Meissner	Receiving Arrangement for Wireless Telegraphy.
1,630,349	5/31/27	A. Meissner	Arrangement for Suppressing Idle Current in Radio-Transmitters.
1,631,590	6/ 7/27	O. Von Bronk	Variable Condenser.
1,633,196	6/21/27	A. Meissner	Arrangement for Converting Acoustic Energy into Electrical Energy.
1,635,704	7/12/27	W. Kummerer	Transformer.
1,639,671	8/23/27	W. Schaffer	Vacuum Tube Oscillator.
1,639,695	8/23/27	K. Heegner	Arrangement for Regulation of the Frequency in Frequency Changers.
1,645,536	10/18/27	M. Lock	Arrangement for Coupling High Frequency Apparatus to Power Transmission Lines.
1,645,542	10/18/27	M. Osnos	Circuit Arrangement for High Frequency Sending Stations.
1,645,556	10/18/27	G. Von Arco	Speed Governor.
1,645,537	10/18/27	O. Von Bronk	Arrangement for Generating Electric Oscillations.
1,648,517	10/25/27	W. Zeletzki	Key Circuit for Tube Senders.
1,648,499	11/15/27	G. Von Arco	Receiving Arrangement for Wireless Telegraphy.
1,654,769	11/23/27	O. Von Bronk	Circuit Arrangement for Wireless Telegraphy.
1,655,223	1/17/28	P. Tatz	Railway Signaling.
1,655,224	1/17/28	K. Heegner	Arrangement for the Generation of Oscillation.
1,661,744	3/ 6/28	W. Wurst	Electric Wave Filter.
1,664,044	3/27/28	M. Osnos et al	Method and Arrangement for Transferring Signals Between Conductor for High Frequency Work.
1,665,632	4/10/28	M. Lock	Radio Signaling System.
1,668,024	5/ 1/28	N. Korshenewski	Arrangement for Multiplex Directional Receiving.
1,668,442	5/ 1/28	M. Osnos	Static Frequency Changer.
1,670,486	5/22/28	P. Tatz	Method and Arrangement for Spark Telegraphy Over High Tension Lines or Cables
1,672,856	6/ 5/28	A. Zenkner	Rotary Condenser.
1,674,784	6/26/28	A. Meissner	Wireless Telegraphy and Telephony.
1,674,957	7/ 3/28	A. Meissner	Method and Arrangement for Generating Oscillations by Two-Anode Electron Tubes.
1,678,653	7/31/28	E. Schrofer	System for Reducing Static Disturbances.
1,678,965	7/31/28	O. Von Bronk	Frequency Multiplier.
1,681,560	8/21/28	P. Tatz	Coupling between Radio Apparatus and High Tension Lines for Telegraphic Purposes.
1,681,568	8/21/28	O. Bohm	Arrangement for Governing Speed of Asynchronous Motors.
1,682,708	8/28/28	M. Osnos	Circuit Arrangement for High Frequency Systems with Frequency Amplification.
1,683,735	9/11/28	R. Kumpmeich	Long-Distance Telephone Circuits.
1,684,078	9/11/28	G. Von Arco	Arrangement for Avoiding Reflections of Sound Inside Buildings.
1,684,821	10/ 2/28	A. Leib	Direction Finder.
1,685,892	10/ 9/28	M. Osnos	Telephony or Keying Arrangement.
1,687,163	10/16/28	E. Fleischmann	Radio Receiving Circuits.
1,690,704	11/ 6/28	W. Schaffer	Modulation Indicating Arrangement.
1,691,222	11/13/28	O. Bohm	Speed Control Means for High Frequency Generators.
1,691,618	11/13/28	G. Von Arco	Speed Indicator and Regulator for Electric Motors.
1,694,131	12/ 4/28	E. Meissner	Arrangement for Wireless Telephony.
1,694,661	12/11/28	A. Meissner	Arrangement for Electron Tube Transmission.
1,694,963	1/ 1/29	E. Mayer	Circuit Arrangement for Railroad Signaling.
1,697,126	1/ 1/29	W. Schaffer	Oscillating Apparatus.
1,697,207	1/ 1/29	W. Schaffer	Radiocircuits.
1,697,208	1/ 1/29	W. Schaffer	Thermionic Tube Transmitter.
1,697,943	1/ 8/29	W. Wurst	Radiocircuits.
1,697,961	1/ 8/29	A. Meissner	Rectnetion of Vacuum-Tube Capacitance.
1,698,284	1/ 8/29	W. Wurst	Arrangement for Obtaining Large Outputs in Frequency Couplers Circuits.
1,702,068	2/12/29	W. Wurst	Frequency Filter.
1,703,184	2/26/29	G. Von Arco	Transferring Means for Electromagnetic Wave Energy.
1,706,030	3/19/29	G. Von Arco	Antenna.
1,706,515	4/ 9/29	A. Meissner	Method and Arrangement for the Production of Stereoscopic Photo Films.
1,708,520	4/ 9/29	F. Schroeder	Railway Signaling.
1,708,554	4/ 9/29	P. Tatz	Speed Governor.
1,708,520	4/ 9/29	G. Von Arco	Apparatus for the Generation of Short Electrical Waves.
1,708,549	4/ 9/29	G. Von Arco	Arrangement for Electrical Measurements.
1,708,586	4/ 9/29	A. Leib	Apparatus for Varying Electrical Values.
1,712,046	5/ 7/29	A. Meisner	Frequency Multiplier.
1,712,062	5/ 7/29	W. Wurst	Arrangement for Two-Way Telephony.
1,716,903	6/11/29	F. Schroeter	Synchronising Method and Arrangement Therefor.
1,716,908	6/11/29	P. Tatz	Duplex System of Telephony.
1,717,027	6/18/29	W. Kunze	Balance Bridge for Autodyne Receiver Circuits.
1,717,650	6/18/29	O. Bohm	Arrangement for Producing Short Waves.
1,719,021	7/ 2/29	W. Schaffer	Oscillator Generator.
1,721,141	7/16/29	O. Von Bronk	Apparatus for Converting Sound Waves Into Electric Waves.
1,721,174	7/16/29	O. Von Bronk	Transmitting Antenna.
1,721,296	7/16/29	P. Tatz	High-Frequency Telegraphy and Telephony System.
1,721,492	7/16/29	W. Wurst	Method of and Arrangement for Multiplex Telephony.
1,722,451	7/30/29	G. Von Arco	Radio Receiving System.
1,723,493	8/ 6/29	W. Kummerer	High Frequency Amplifier Arrangement.
1,724,668	8/13/29	W. Kummerer	Control Means for Modulator Tubes.
1,724,664	8/13/29	O. Schriever	Picture Telegraphy.
1,724,846	8/13/29	M. Lock	Voltage Regulator.
1,730,017	10/ 1/29	W. Schaffer	Frequency Measurement for Telephonic Communication.
1,731,992	10/15/29	M. Osnos	Keying Chokecoil.
1,732,031	10/15/29	A. Esau	Indoor Aerial.
1,732,750	10/15/29	W. Schaffer	Wireless Receiving System.
1,732,777	10/15/29	G. Von Arco	Arrangement for Audio Frequency Amplification.
1,733,133	11/12/29	A. Schmidt	Arrangement for Wireless Telegraphy and Telephony.
1,735,134	11/12/29	F. Schroter	Support for Thermionic Tubes.
1,735,141	11/12/29	O. Stumpf	Method and System for Constant Frequency Beat Reception of Radio Signals.
1,737,181	11/26/29	W. Schaffer	Impulse Transmitter.
1,737,160	11/26/29	M. Osnos	Radio Receiver.
1,738,390	12/ 3/29	M. Osnos	Controlling Means on Current Conductors for High Frequency Purposes.
1,738,677	12/10/29	C. Schroeter	Thermionic Tube.
1,738,684	12/10/29	O. Bohm	Method of Transmitting Wave by Photo Electric Currents.
1,740,446	12/24/29	P. F. Findeisen	Synchronizing Arrangement for Picture Transmission.
1,743,124	1/14/30	A. Esau et al	Voltage Limiting Arrangement for Intermediate Circuit Transmitters.
1,744,668	1/21/30	M. Osnos	Loud Speaker.
1,744,711	1/21/30	G. Von Arco	Arrangement for Eliminating Atmospheric Disturbances.
1,745,373	2/ 4/30	G. Von Arco	Frequency Changer for Short Waves.
1,746,407	2/11/30	O. Von Bronk	Radio Transmitting System.
1,746,430	2/11/30	E. Klehne	High Frequency Control System.
1,746,436	2/11/30	A. Meissner	Facsimile Transmitting Arrangement.
1,746,437	2/11/30	A. Meissner	Electron Tube Arrangement for High Frequency Communication.
1,746,501	2/25/30	W. Schaffer	Microphone.
1,748,726	2/25/30	M. Osnos	Circuit Arrangement for Telephone or Signaling Systems with Tube Senders.
1,751,893	3/25/30	A. Schrofer	Radio System.
1,751,930	3/25/30	F. Meissner	Electrical Circuits.
1,751,961	3/25/30	N. Korshenewsky	Picture Transmission System.
1,754,326	4/15/30	A. Leib	Imitation of Electrical Apparatus.
1,755,180	4/22/30	A. Leib	Alternating Current System.
1,755,325	4/22/30	A. Leib	Arrangement for Wireless Telegraphy and Telephony.
1,757,330	5/ 6/30	M. Osnos	Vacuum Tube Cathode Supply Circuit.
1,757,496	5/ 6/30	W. Moser	Receiver for Undamped Oscillations.
1,760,285	5/27/30	F. Schroter	Wireless System.
1,760,803	5/27/30	W. Schaffer	Arrangement for Multiplex Audio Amplification.
1,762,346	6/10/30	M. Osnos	Arrangement for Wireless Telephony.
1,763,893	6/17/30	A. Meissner	Fading Elimination in Radio Transmission Systems.
1,765,542	6/24/30	W. Schaffer	Modulation Circuit.
1,770,496	7/15/30	A. Meissner	Arrangement for Frequency Changing.
1,770,490	7/15/30	A. Meissner	Arrangement for Protecting Vacuum Tubes.
1,770,497	7/15/30	A. Meissner	Method and Arrangement for Diminishing Noise in Vacuum Tubes.
1,772,373	8/ 5/30	G. Jobst et al	Double Grid Tube Transmitter.
1,772,841	8/12/30	A. Meissner	Acoustics.
1,773,556	8/19/30	M. Osnos	Loud Speaker.
		F. Schroeter	Method and Arrangement for Amplifying Photoelectric Currents.
		G. Von Arco	Means to Keep Mechanical Driven Mechanisms at a constant Speed of Rotation.
		M. Osnos	Modulation Arrangement.
		G. Von Arco	Oscillation Generation.

Patent No.	Patent date	Inventor	Title
1,775,181	9/ 9/30	G. Von Arco	Radio System.
1,775,210	9/ 9/30	M. Osnos	Arrangement and Method Adapted to Control High Frequency Circuits.
1,775,213	9/ 9/30	W. Runge	Modulating System for High Frequency Currents.
1,778,724	10/21/30	M. Osnos	Modulation of Static Frequency Changer Current.
1,778,730	10/21/30	W. Runge	High Frequency Signaling System.
1,779,259	10/21/30	A. Meissner	Wave Measurement.
1,780,542	11/ 4/30	W. Schaffer	Coupling Arrangement for Frequency Changers.
1,783,025	11/25/30	A. Meissner	Antenna.
1,783,297	12/ 2/30	A. Meissner	Indicating Means for High Frequency.
1,784,506	12/ 9/30	G. Von Arco	Radio Receiving System.
1,784,850	12/16/30	F. Schroter	Picture Transmission.
1,786,257	12/23/30	W. Moser et al	Key Operating Arrangement for Short Wave Tube Transmitters.
1,786,879	12/30/30	O. Schriever	Method of Intermediate Frequency Modulation Inside a Radio Frequency Modulator Tube.
1,789,369	1/20/31	A. Meissner	Means for Indicating Changes in Gases.
1,790,337	1/27/31	O. Bohm et al	Vibrator Type Centrifugal Switch.
1,791,641	2/10/31	H. Schroder	Fine Adjustment Device for Radio Apparatus.
1,791,936	2/10/31	F. Schroter et al	Safety Device for Railroad Operation.
1,792,752	2/17/31	F. Michelssen	Light Control.
1,792,756	2/17/31	M. Osnos	Modulation System.
1,792,766	2/17/31	F. Schroter	Electric Light Relay.
1,792,767	2/17/31	F. Schroter	Facsimile System.
1,794,645	3/ 3/31	W. Runge	Signaling.
1,794,723	3/ 3/31	A. Meissner	Method and Means to Damp Mechanically Vibrating Bodies.
1,795,689	3/10/31	G. Von Arco	Antenna.
1,798,616	3/31/31	R. Mayer	High Speed Regulator and Governor.
1,798,641	3/31/31	G. Von Arco	Telegraphy Method Using the Five Unit Alphabet or Similar Telegraphic Systems.
1,799,238	4/ 7/31	A. Leib	Radio Direction Finding Means for Airplanes.
1,800,031	4/ 7/31	F. Schroter	Continuous Picture Transmission.
1,800,536	4/14/31	G. Jobst	Transmission Circuit.
1,802,731	4/28/31	W. Moser	Centrifugal Switch.
1,802,734	4/28/31	H. Muth	Indicator for Telephony Transmitters.
1,802,742	4/28/31	G. Von Arco	Phase Indicator for Feeble High Frequency Currents.
1,804,838	5/12/31	A. Meissner	Converting Electrical Oscillations into Mechanical Movement.
1,805,918	5/19/31	A. Meissner	Oscillation Generation.
1,809,062	6/ 9/31	M. Osnos	Method and Apparatus for Measuring the Active Components of Electric Quantities.
1,809,070	6/ 9/31	O. Schapira	Means and Method of Secret Transmission of Signals.
1,809,081	6/ 9/31	P. Tatz	High Frequency Telephony System.
1,809,134	6/ 9/31	A. Meissner	Method for Eliminating Disturbances in Receiving Wireless Telegraphy and Telephony.
1,809,630	6/ 9/31	W. Kummerer	Valve Transmitter Arrangement.
1,813,688	7/ 7/31	R. Urtel	Transmitter Plate Potential.
1,814,369	7/14/31	A. Meissner et al	Indicator.
1,818,585	8/11/31	F. Schroter	High Speed Telegraphy System.
1,818,639	8/11/31	A. Meissner	Radio Direction Finding.
1,818,669	8/11/31	A. Beckmann	Radio Frequency Telegraphy and Telephony System.
1,819,469	8/18/31	W. Kummerer	Radio System.
1,819,617	8/18/31	W. Moser	Vibrating Converter.
1,820,335	8/25/31	O. Von Bronk et al	Intensity Control.
1,820,956	9/ 1/31	G. Von Arco	Loud Speaker.
1,821,948	9/ 8/31	F. Schroter	Method to Control Light Relays.
1,824,573	9/22/31	F. Schroter	Photoelectric Tube.
1,827,054	10/13/31	G. Von Arco	Communication by Electromagnetic Waves.
1,828,852	10/27/31	E. Tod	Tube Transmitter Keying Method.
1,829,204	10/27/31	G. Von Arco	Interference Elimination.
1,829,419	10/27/31	M. Osnos	Frequency Multiplication.
1,830,176	11/ 3/31	F. Schroter	Short Wave Aerial.
1,833,323	11/24/31	F. Fischer	Arrangement for the Reception of Electric Oscillations.
1,834,072	12/ 1/31	F. Schroter	Glow Lamp.
1,859,426	1/ 5/32	G. Von Arco et al	Antenna.
1,859,451	1/ 5/32	P. Tatz	Power Source.
1,841,039	1/19/39	O. Schmidt	Coupling.
1,841,654	1/19/32	N. Korschenewsky	Short Wave Transmission.
1,842,916	1/26/32	M. Osnos	Static Frequency Changer.
1,843,244	2/ 2/32	H. E. Rukop	Incandescent Cathode for Electron Discharge Devices.
1,843,981	2/ 9/32	G. Jobst	Light Control Means.
1,844,941	2/16/32	O. Bohm	Signaling.
1,849,594	3/15/32	F. Schroter	Oxide Cathode.
1,850,080	3/22/32	A. Leib	Radio Goniometric Direction Finding Devices for Airplanes.
1,850,112	3/22/32	A. Leib	Frame Aerial.
1,850,709	3/22/32	F. Schroter	Radio Receiving System.
1,851,408	3/29/32	W. Runge	Frequency Multiplier Circuit.

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1,852,784	4/ 5/32	H. Lux	Picture Scanning System.
1,854,274	4/19/32	D. Prinz	Television System.
1,855,275	4/26/32	E. Zapler	Radio Power Supply Apparatus.
1,858,679	5/17/32	A. Meissner	Arrangement for Transmitting and Receiving Short Waves.
1,859,024	5/17/32	W. Buschbeck	Grid Modulation.
1,860,050	5/24/32	M. Osnos	Oscillation Generator.
1,863,798	6/21/32	W. Kummerer	Circuit Arrangement for Transmitter Tubes.
1,865,646	7/ 5/32	F. Schroter et al	Intensity Control.
1,866,271	7/ 5/32	F. Schroter	Means for Receiving Waves of an Order of One Meter and One Decimeter.
1,866,573	7/12/32	H. Lux	Means for Reversing Current Impulses.
1,867,179	7/12/32	F. Schroter	Telegraphone.
1,868,033	7/19/32	R. Urtel	Modulating Arrangement for Transmitter Tubes.
1,868,034	7/19/32	R. Urtel	Modulating Arrangement for Transmitter Tubes.
1,870,017	8/ 2/32	F. Michelsen	Photoelectric Relay.
1,872,318	8/16/32	A. Meisner	Convertible Band Pass Receiver.
1,873,715	8/23/32	A. Meissner	Piezo Electric Acoustic Device.
1,874,869	8/30/32	O. Bohm	Signaling by Frequency Modulation.
1,874,891	8/30/32	W. Buschbeck	Keying Circuit Arrangement for Transmitters.
1,874,993	8/30/32	K. Heffner	Radio Apparatus for Intercommunication or Duplex Operation.
1,875,025	8/30/32	W. Kummerer	Grid Modulated Tube.
1,875,063	8/30/32	W. Ludenia et al	Narrow Tape Recorder for High Speed Telegraphy.
1,875,087	8/30/32	A. Meissner	Piezo Electric Oscillator.
1,875,165	8/30/32	F. Schroter	Method for Wireless Communication.
1,875,347	9/ 6/32	A. Meisner	Piezo Electric Crystal.
1,875,940	9/ 6/32	F. Schroter	Picture Transmission.
1,876,451	9/ 6/32	R. Gurtler	Iron Cored Inductance (Choke Coil Transformer) for Direct Current Loads.
1,879,321	9/27/32	A. Knabner et al	Thermionic Tube.
1,880,102	9/27/32	A. Meissner	Light Control Arrangement.
1,882,043	10/11/32	F. Schroter	Signal Recording.
1,882,201	10/11/32	P. Tatz	Choke Coil.
1,882,862	10/18/32	W. Moser	System for Keying Transmitters.
1,884,285	10/25/32	O. Schriever	Photo Electric Tube.
1,884,287	10/25/32	F. Schroter	Apparatus for Receiving Television Pictures.
1,884,288	10/25/32	F. Schroter	Facsimile Transmission.
1,886,234	11/ 1/32	A. Meissner	Method of Making High Grade Dielectric Materials.
1,886,235	11/ 1/32	A. Meissner	Method of Stabilizing Non-Crystalling Piezo Electric Microphone Diagrams.
1,886,236	11/ 1/32	A. Meissner	Method of Making Wound (Roll) Condensers of Greater Breakdown Strength.
1,886,263	11/ 1/32	W. Ilberg	Multiplex Communication System.
1,889,749	12/ 6/32	G. Jobst et al	Gas Tube Amplifier.
1,890,302	12/ 6/32	W. Runge	Arrangement for Oscillation Circuits.
1,890,527	12/13/32	M. Osnos	Frequency Multiplication.
1,891,362	12/20/32	P. Tatz	Apparatus Adapted to Duplex Telephony Over a Single Carrier Frequency.
1,892,220	12/27/32	W. Runge	Thermionic Tube for Directional Reception.
1,892,221	12/27/32	W. Runge	Polarization Diversity Reception.
1,892,958	1/ 3/33	A. Leib	Weatherproof Direction Finding Antenna.
1,893,605	1/10/33	G. Von Arco	Transmitter Arrangement.
1,897,219	2/14/33	F. Schroter	Apparatus for Photoelectric Exploration by Reflection Method in Copying and Picture Telegraphy.
1,897,229	2/14/33	O. Bohm	Indirectly Heated Cathode.
1,897,735	2/14/33	H. Roosenstein	Multiply Range Radio Receiving System.
1,898,477	2/21/33	O. Bohm	Fading Elimination.
1,898,599	2/21/33	F. Schroter	Piezo Electric Oscillating Crystal in a Vacuum Vessel.
1,898,661	2/21/33	G. B. Hagen	Antenna System.
1,899,493	2/28/33	O. Bohm	Receiving System.
1,899,939	3/ 7/33	W. Buschbeck	Arrangement for Radio Circuits.
1,900,292	3/ 7/33	A. Leib	Direction Finder Apparatus.
1,901,043	3/14/33	H. Roosenstein	Oscillation Generator.
1,901,060	3/14/33	O. Schmidt	Antenna.
1,902,185	3/21/33	H. Rothe	Method of Coating Electrodes of Discharge Tubes.
1,902,894	3/28/33	E. Rechnitzer	Current Sources.
1,904,165	4/18/33	E. Mullner	Variable Condenser.
1,904,517	4/18/33	H. Paesler	Duplex System o Telephony.
1,906,501	5/ 2/33	R. Urtel	Arrangement for Valve Transmitters Connected With Load-Equalizing Tube.
1,906,627	5/ 2/33	W. Kummerer	Transmitter Tube Arrangement.
1,907,653	5/ 9/33	H. Muth	Short Wave Receiver.
1,908,191	5/ 9/33	O. Schriever	Stabilizing Glow-Discharge Tubes.
1,908,533	5/ 9/33	M. Osnos	Glow Lamp Circuit.
1,909,365	5/16/33	A. Knabner	Method of Making Fluorescent Screens.
1,909,615	5/16/33	A. Gothe	Antenna.
1,909,751	5/16/33	W. Buschbeck	Transmitter.
1,909,962	5/23/33	E. Hornoff	Radio Goniometer.
1,909,981	5/23/33	M. Osnos	Transmission System.

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1,910,023	5/23/33	A. Leib	Direction Finder.
1,910,537	5/23/33	G. B. Hagen	Signal Receiving Means.
1,911,093	5/23/33	O. Schriever	Signaling.
1,912,731	6/ 6/33	F. Schroter	Mirror Wheel.
1,912,732	6/ 6/33	F. Schroter	Photo Electric Modulating System.
1,912,754	6/ 6/33	O. Bohm et al	Antenna.
1,912,766	6/ 6/33	A. Esau	Receiving Arrangement with Aperiodic Directional Aerial System.
1,912,995	6/ 6/33	M. Osnos	Constant Current System.
1,912,996	6/ 6/33	M. Osnos	Circuit for Heating Thermionic Tubes.
1,913,543	6/13/33	R. Gurtler	Supply Circuit.
1,914,120	6/13/33	G. B. Hagen	Regeneratively Coupled Oscillator, or Wave Generator.
1,914,593	6/20/33	W. Buschbeck	Arrangement for Valve Transmitters.
1,914,898	6/20/33	F. Schroter et al	Method of Transmitting Telegrams and Pictures on Short Waves.
1,915,378	6/27/33	M. Osnos	Wave Generation.
1,915,578	6/27/33	M. Osnos	Means for Eliminating Fading.
1,915,768	6/27/33	P. Tatz	Wired Radio Reception Regulation.
1,917,312	7/11/33	A. Meissner	Communication on Short Waves.
1,917,348	7/11/33	N. Von Korshenewsky	Antenna.
1,917,739	7/11/33	F. Schroter	Electric Discharge Device.
1,918,291	7/18/33	F. Schroter	Arrangement for Broadcasting on Waves of One Meter and One Decimeter.
1,918,850	7/18/33	A. Leib	Radio Direction Finder.
1,919,508	7/25/33	W. Schaffer	Method and Arrangement for Diminishing Noise in Vacuum Tubes.
1,920,655	8/ 1/33	F. Michelssen	Overload Protection Means for Piezo Electric Crystals.
1,921,234	8/ 8/33	A. Leib	Graduated Circle for Radio Direction Finders.
1,921,448	8/ 8/33	R. Baranowsky	Oscillation Circuit for Short Wave Generators.
1,921,640	8/ 8/33	F. Schroter	Transmitter Tube for Ultra Short Wave.
1,921,859	8/ 8/33	H. Roder	Elimination of Key Shocks.
1,921,869	8/ 8/33	W. Ewald	Method and Means for Making Coils Possessing Accurate Inductance.
1,922,032	8/15/33	P. Ehlert et al	Crystal Holder of Setting.
1,922,679	8/15/33	A. Hammer	Armature for Magnetic Loud Speakers.
1,923,406	8/22/33	E. Wiegand	Method of Making Metallic Films upon Bodies of Non-Conducting Oxides, Especially for Oxide Filament in Discharge Tubes.
1,924,408	8/29/33	A. Leib	Radio Direction Finder Apparatus.
1,924,418	8/29/33	F. Schroter	Current Supply Means.
1,925,520	9/ 5/33	W. Buschbeck	Frequency Multiplication.
1,926,082	9/12/33	W. Buschbeck	Signaling.
1,928,763	10/ 3/33	W. Schaffer	Method and Means for Wave Measurement.
1,930,693	10/17/33	F. Schroter et al	Multiplex Communication System.
1,931,070	10/17/33	G. Gulliner et al	Automatic Volume Regulation.
1,931,631	10/24/33	W. Runge	Transmitting.
1,931,669	10/24/33	A. Meissner	Means for Converting Acoustic into Electric Energy.
1,931,950	10/24/33	R. Urtel	Superregenerative Receiver.
1,932,469	10/31/33	A. Leib, et al	Short Wave Signaling.
1,932,627	10/31/33	A. Leib	Method of Making Control Elements for Direction Finder Compensators.
1,933,631	11/ 7/33	W. Kummerer	Compensated Circuit Scheme for Grid Direct Current Modulation.
1,934,078	11/ 7/33	W. Ludenia	Short Wave Beam Transmitter.
1,934,097	11/ 7/33	H. Simon	Manufacture of Grid Electrodes.
1,934,211	11/ 7/33	F. Schroter et al	Receiving Arrangement for Radiosignals.
1,935,342	11/14/33	W. Zeletzky	Modulation System.
1,935,404	11/14/33	J. Stopold	Oscillating Coil for Electrodynamic Loud Speakers.
1,935,883	11/21/33	A. Leib	Radio Compass.
1,935,885	11/21/33	A. Meissner	Electrical Apparatus.
1,936,030	11/28/33	W. Hahnle	Vibrator Transmission System.
1,937,131	11/28/33	F. Schroter	Facsimile Signaling System.
1,940,423	12/19/33	W. Kummerer	Modulation.
1,940,437	12/19/33	M. Osnos	Electrical Network.
1,941,472	1/ 2/34	K. Heegner	Transmitter Tube Circuit.
1,941,581	1/ 2/34	W. Runge	Means to Indicate Resonance in a Crystal Resonator.
1,941,692	1/ 2/34	G. Jobst	Indirectly Heated Cathode.
1,942,534	1/ 9/34	F. Burghardt	Centrifugal Brake for an Airplane Antenna Winch.
1,943,627	1/16/34	H. Rothe et al	High Frequency Oscillator.
1,943,730	1/16/31	P. Hermanspann	Radio Frequency Short Wave Receiver.
1,944,262	1/23/34	H. Muth	Support for High Frequency Apparatus.
1,945,355	1/30/34	F. Klaiber	Synchronizing System.
1,946,695	2/13/34	W. Ilberg	Spark Gap.
1,946,698	2/13/34	W. Kummerer	Arrangement for Quartz Oscillators.
1,946,703	2/13/34	A. Leib	Direction Finder Compensator.
1,947,229	2/13/34	W. Runge	Heterodyne Receiving System.
1,949,254	2/27/34	W. Ilberg	Alternating Current Relay.
1,949,617	3/ 6/34	F. Michelssen	Constant Voltage Device.
1,949,842	3/ 6/34	R. Rechnitzer	Uncontrolled Radio Circuit.
1,950,708	3/13/34	G. Van Arco	Antenna System.
1,951,886	3/20/34	W. Buschbeck	Keying.

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1,951,533	5/30/34	F. Schroter	Television Apparatus.
1,952,411	3/27/34	O. Bohm et al	Transmission Network.
1,952,463	3/27/34	W. Runge	Frequency Control System.
1,954,203	4/10/34	R. Gurtler	Thermionic Tube Three-Phase Cathode.
1,955,079	4/17/34	F. Michelssen et al	Glow Lamp.
1,955,093	4/17/34	H. Roosenstein	Oscillation Circuit for Electric Waves.
1,955,094	4/17/34	W. Runge et al	Ultrahigh Frequency Amplifier.
1,955,095	4/17/34	W. Runge	Telephony and Telegraphy Signaling Device.
1,955,391	4/17/34	F. Schroter	Electrode Construction for Glow Discharge Tubes.
1,956,357	4/24/34	A. Leib	Flexible Insulated Conductor.
1,956,368	4/24/34	K. Wilde	Wired Wireless System.
1,958,971	5/15/34	H. Lux	Method of High Frequency Amplification for Very Short Waves.
1,959,543	5/22/34	M. Osnos	Tuning Coil.
1,960,006	5/22/34	G. B. Hagen	Antenna System.
1,962,210	6/12/34	M. Osnos	Temperature Control of Piezo Electric Crystal Holders.
1,962,211	6/12/34	M. Osnos et al	Piezo Electric Crystal Apparatus.
1,962,227	6/12/34	E. Zepler	Coupling for High Frequency Circuits.
1,963,117	6/19/34	W. Buschbeck	Signal Modulation.
1,963,243	6/19/34	M. Osnos	Constant Voltage System.
1,964,182	6/26/34	H. Schroder	Automatic Disconnecting Device for Electrically Driven Phonographs.
1,964,190	6/26/34	O. Bahm, et al	Antenna.
1,964,517	6/26/34	G. Jobst	Means to Diminish Secondary Electron Emission.
1,964,570	6/26/34	A. Gothe	Directional Antenna Arrangement.
1,964,598	6/26/34	J. Rohnfeld	Fading Elimination.
1,965,184	7/ 3/34	A. Gothe	Antenna Arrangement.
1,965,188	7/ 3/34	W. Hasenberg	Luminous Amplifier Control.
1,965,632	7/10/34	W. Ewald	Means for Measuring Distance.
1,965,640	7/10/34	G. Gulliner	Coupling System.
1,965,641	7/10/34	R. Gurtler	Frequency Multiplication.
1,965,655	7/10/34	E. Klotz et al	Power Supply.
1,965,752	7/10/34	F. Schroter, et al	Device for Transmission of Pictures or of the Telegraphic Signals.
1,966,242	7/10/34	R. Gurtler	Filament for Thermionic Tubes.
1,967,589	7/24/34	M. Osnos	Inductance Having a Self Induction.
1,967,839	7/24/34	M. Osnos	Independent of Temperature.
1,968,617	7/31/34	M. Osnos	Piezo Electric Crystal.
1,969,239	8/ 7/34	W. Runge	Crystal Frequency Adjustment.
1,969,328	8/ 7/34	H. Roosenstein	Automatic Volume Control for Radiotelegraphy.
1,969,329	8/ 7/34	H. Roosenstein	Radio Transmitting Circuit.
1,969,379	8/ 7/34	A. Meisner	Radio Frequency Wave Reception.
1,971,383	8/28/34	D. Prinz	Apparatus for Making Piezo Electric Bodies.
1,971,463	8/28/34	W. Rothe, et al	Transmitter.
1,973,296	9/11/34	F. Schroter	Synchronous Motor in Particular for Talking Machines.
1,974,896	9/25/34	W. Runge	Broadcasting System Using Ultra Short Waves.
1,974,904	9/25/34	G. Von Arco et al	Multiplex Receiving System.
1,974,912	9/25/34	W. Buschbeck	Combined Recorder and Producer.
1,975,647	10/ 2/34	M. Osnos	Screen Grid Relay Circuits.
1,976,377	10/ 9/34	O. Von Bronk	Rectifier.
1,976,400	10/ 9/34	W. Ilberg	Electric Picture Transmission.
1,977,409	10/16/34	F. Schroter	Cathode Ray Scanning Device.
1,977,594	10/16/34	H. Roder	Television Receiver.
1,977,595	10/16/34	H. Roder	Keying System.
1,977,999	10/23/34	D. Prinz	Keying Circuit.
1,978,478	10/30/34	H. Roosenstein	Cathode Ray Oscillograph.
1,978,552	10/30/34	W. Runge	Radio Receiver.
1,978,693	10/30/34	J. Rohnfeld	Automatic Volume Control.
1,978,818	10/30/34	H. Roosenstein	Modulation.
1,981,066	11/20/34	M. Osnos	Frequency Stabilization.
1,981,374	11/20/34	H. Roosenstein	High Frequency Coupling Apparatus.
1,982,916	12/ 4/34	W. Kummerer	Combined Long and Short Wave Receiver.
1,983,643	12/11/34	H. Simon et al	Transmitter.
1,984,105	12/11/34	H. Zetzmann	Method of and Means for Operating Hot Cathode Tubes.
1,984,424	12/18/34	M. Osnos	Keying.
1,984,433	12/18/34	W. Runge	Variably Tuned Piezo Electric Resonator.
1,984,877	12/18/34	G. Jobst et al	Low Capacity Inductance Coil.
1,984,896	12/18/34	H. Rothe	Gaseous Discharge Amplifier Tube.
1,984,897	12/18/34	H. Rothe	Crystal Controlled Circuit.
1,985,104	12/18/34	M. Osnos	Electron Discharge Tube.
1,985,923	1/ 1/35	H. Gutmann	Method of and Means for Varying Radio Frequency Currents.
1,987,088	1/ 8/35	L. Walter	Circuit Arrangement for Electronic Amplifiers.
1,987,089	1/ 8/35	L. Walter	High Frequency Cable.
1,987,110	1/ 8/35	A. Karolus et al	Coupling System.
1,987,424	1/ 8/35	W. Wehnert	Synchronizing System.
1,987,684	1/15/35	G. Jobst	Filament for Thermionic Tube.
1,987,950	1/15/35	G. Jobst et al	Electron Discharge Device Circuit.
1,988,097	1/15/35	G. Von Arco	Radio Receiver.
1,988,434	1/22/35	O. Bohm et al	Frequency Multiplication.
			Antenna System.

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1,988,592	1/22/35	A. Gothe	Antenna.
1,988,605	1/22/35	F. Michelssen	Luminescent Screen.
1,989,971	2/ 5/35	C. Cretin	Film Checking Device for Synchronized Sound Pictures.
1,990,072	2/ 5/35	G. Hagen	Radio Receiver with Automatic Volume Control Switch.
1,990,649	2/12/35	W. Ilberg	Transmitting or Receiving arrangement for Concentrated Electric Waves.
1,992,433	2/26/35	E. Klotz	Receiving Volume Control.
1,993,185	3/ 5/35	F. Schroter	Photoelectric Tube.
1,993,783	3/12/35	K. Heegner	Oscillation Generator.
1,993,805	3/12/35	D. Prinz	Negative Resistance Circuits.
1,993,858	3/12/35	J. Richter et al	Braun Oscillograph.
1,994,076	3/12/35	W. Kuhle	Temperature Control.
1,994,228	3/12/35	M. Osnos	Temperature Control of Piezo Electric Crystal Apparatus.
1,994,229	3/12/35	M. Osnos	Piezo Electric Crystal Apparatus.
1,995,839	3/26/35	W. Buschbeck	Condenser Arrangement.
1,996,492	4/ 2/35	F. Schroter	Television Apparatus.
1,996,737	4/ 9/35	R. Bechmann	Quartz Oscillator Arrangement.
1,996,804	4/ 9/35	A. Gothe	Antenna Arrangement for the Reception of Short Electrical Waves.
1,996,823	4/ 9/35	M. Osnos	Self-Inductance.
1,997,014	4/ 9/35	D. Prinz	Wave Distorting Circuit.
1,997,019	4/ 9/35	J. Schloemilch	High Frequency Generator.
1,997,084	4/ 9/35	H. Roosenstein	Regenerative Tube Generator.
1,997,263	4/ 9/35	A. Meissner	Method of Manufacturing Thin Dielectric Materials for High Potential Work.
1,997,271	4/ 9/35	E. Zepler	Loop Receiver.
1,997,407	4/ 9/35	R. Hofer	Amplifier.
1,997,479	4/ 9/35	V. E. Burg	Photoconductive Device and Method of Making it.
1,998,482	4/23/35	E. Zepler	Circuit Scheme Adapted to Preclude Spurious Coupings in Radio Frequency Amplifiers.
1,999,234	4/30/35	G. B. Hagen	Cooling of High Potential Apparatus.
1,999,250	4/30/35	A. Mollath	Power Factor Meter for High Frequency Measurements.
1,999,473	4/30/35	M. Osnos	Temperature Regulating System.
1,999,892	4/30/35	W. Buschbeck	Modulation.
2,000,679	5/ 7/35	L. Walter	Flexible High Frequency Line.
2,000,770	5/ 7/35	E. Mayer	Modulation.
2,000,771	5/ 7/35	O. Bohm	Modulation.
2,000,986	5/14/35	E. Rechnitzer	Rectifier and Filter Circuit.
2,001,747	5/21/35	W. Runge	Receiving Apparatns.
2,001,891	5/21/35	H. Roosenstein	Modulation.
2,002,167	5/21/35	R. Bechmann	Quartz Crystal Oscillator.
2,002,181	5/21/35	W. Ilberg	Transmitter.
2,002,191	5/21/35	W. Runge	Oscillation Generator.
2,002,338	5/21/35	W. Buschbeck	Bridge Arrangement.
2,003,301	6/ 4/35	F. Michelssen et al	Electron Tube.
2,003,372	6/ 4/35	W. Kuhlewind	Directional Receiver.
2,003,375	6/ 4/35	A. Leib	Direction Finding Coil Antenna.
2,004,170	6/11/35	W. Moser et al	Crystal Holder.
2,004,171	6/11/35	H. Muth et al	Oscillation Generator.
2,004,176	6/11/35	F. Schroter et al	Photo Electric Tube.
2,004,177	6/11/35	O. Schriever	Light Amplifier.
2,005,779	6/25/35	A. Gothe	Directive Aerial System.
2,005,798	6/25/35	W. Moser	Directional Apparatus.
2,006,466	7/ 2/35	M. Osnos	Induction Coil.
2,006,806	7/ 2/35	G. B. Hagen	Rectifier Arrangement.
2,006,817	7/ 2/35	W. Voigtmann	High Potential Electric Condenser.
2,006,904	7/ 2/35	W. Runge et al	Arrangement for Generating High Power by Ultra Short Waves.
2,006,969	7/ 2/35	K. Steimel et al	Amplifying Device.
2,007,662	7/ 9/35	D. Prinz	Valve Transmitter for Short Waves.
2,007,875	7/ 9/35	H. Roosenstein	Transmitter Arrangement.
2,008,286	7/16/35	A. Leib	Circuit Connection for Ultra Short Waves.
2,008,508	7/16/35	G. Jobst	Thermionic Tube.
2,009,070	7/23/35	R. Rechnitzer	Power Supply Means for Vacuum Tubes.
2,009,071	7/23/35	F. Saar	Power Supply Circuit.
2,011,260	8/13/35	D. Prinz	Cathode Ray Intensity Control System.
2,011,376	8/13/35	H. Scharlau	Beacon System.
2,013,773	9/10/35	W. Weihe	Arrangement for Producing and Receiving Short Waves.
2,013,792	9/10/35	E. Schafer	Seamless Diaphragm.
2,013,806	9/19/35	M. Osnos	Frequency Multiplier.
2,014,509	9/17/35	H. Roosenstein et al	Radio Receiver.
2,014,852	9/17/35	A. Leib	Direction Finder Loop Aerial.
2,015,178	9/24/35	A. Frum	Method for the Stabilization of Electro-Magnetic Oscillations.
2,015,185	9/24/35	G. Jobst	Electron Tube Circuit Scheme.
2,015,189	9/24/35	M. Osnos	Modulation Circuit Arrangement.
2,015,498	9/24/35	F. Schroter et al	Glow Discharge Lamp.
2,015,523	9/24/35	W. Ilberg	Method of Generating Ultra-Radio Frequency Sound Modulated Oscillations.
2,015,836	10/ 1/35	R. Bechmann et al	Quartz Crystal Oscillator.
2,017,112	10/15/35	W. Wehnert	Amplifier.
2,017,127	10/15/35	F. Michelssen	Cathode Ray Scanning Device.
2,017,908	10/22/35	A. Leib	Direction Finding Apparatus.
2,017,909	10/22/35	A. Leib	Direction Finder.
2,018,273	10/22/35	H. Lux	Short Wave Reflector.
2,018,321	10/22/35	H. Roosenstein	Thermostatically Controlled Piezo-Electric Crystal Holder.
2,018,324	10/22/35	O. Schmidt	High Frequency Transmission Line.
2,018,329	10/22/35	K. Steimel	Electron Discharge Tube Circuit.
2,018,342	10/22/35	R. Bechmann	Antenna for Directed Rays.
2,018,353	10/22/35	A. Gothe	Transmission Tube.
2,019,765	11/ 5/35	M. Osnos	Frequency Stabilization.
2,019,770	11/ 5/35	D. Prinz	Vacuum Tube Arrangement and Circuit.
2,020,914	11/12/35	O. Schriever	Electrode Arrangement in Glow Discharge Tubes.
2,021,801	11/26/35	H. Hollmann	Double Receiver Tube for Ultra Short Waves.
2,022,412	11/26/35	L. Egyed	Detector Circuit.
2,023,436	12/10/35	D. Prinz	Arrangement for Producing Rectangular Alternating Currents.
2,023,439	12/10/35	R. Rechnitzer	Radio Receiving System.
2,023,446	12/10/35	F. Schroter	Signaling.
2,024,582	12/17/35	E. Klotz et al	Amplifying Arrangement.
2,025,104	12/24/35	R. Hermannspann	Radio Course Indicator.
2,025,955	12/31/35	M. Osnos	Modulation.
2,026,114	12/31/35	W. Wurst	Arrangement for Multiplex Radio Frequency Traffic Over High Potential Lines.
2,026,361	12/31/35	W. Runge	Receiver.
2,026,372	12/31/35	W. Buschbeck	Amplifier Arrangement.
2,026,382	12/31/35	A. Frum	Transmitter Control.
2,026,800	1/ 7/36	R. Rechnitzer	Receiver Circuit.
2,027,044	1/ 7/36	R. Hofer et al	Modulating Means.
2,027,193	1/ 7/36	H. Muth	Thermostat Arrangement.
2,027,935	1/14/36	F. Saar	Metallic Chassis for Electron Tube Amplifiers.
2,027,939	1/14/36	R. Urtel et al	Automatic Demodulator Senaitivity Control.
2,028,880	1/28/36	W. Runge et al	Radio Transmission System.
2,029,015	1/28/36	O. Bohm	Antenna.
2,029,391	2/ 4/36	H. Roosenstein	Electron Discharge Tube.
2,029,537	2/ 4/36	K. Lucas	Deformable Plate for Variable Condensers.
2,030,254	2/11/36	B. Hensel et al	Tube Socket.
2,030,872	2/18/36	H. Hollmann	Ultra Short Wave Receiver.
2,031,072	2/18/36	H. Roosenstein	Method of and Means for Signalling.
2,031,073	2/18/36	H. Scharlau	Direction Finder Compensator for Direct Reading of True Bearings.
2,031,101	2/18/36	E. Fetterowsky et al	Arrangement Adapted to Generate Ultra Short Electromagnetic Waves.
2,031,106	2/18/36	K. Heegner	Production of Oscillations.
2,031,112	2/18/36	W. E. Kuhle	Power Tube.
2,031,130	2/18/36	J. Rohnfeld	Short Wave-Long Wave Receiver.
2,031,137	2/18/36	K. Steimel	Electron Discharge Tube and Circuit Arrangement.
2,031,778	2/25/36	W. E. Kuhle et al	Magnetron.
2,031,846	2/25/36	H. Muth	Electric Oscillation Circuit.
2,031,859	2/25/36	C. Schapira	Acoustic Apparatus.
2,032,433	3/ 3/36	M. Osnos	Temperature Regulating System.
2,032,436	3/ 3/36	R. Rechnitzer	Recording Gain Regulation System.
2,033,390	3/10/36	W. Moser	Antenna System.
2,033,937	3/17/36	H. E. Hollmann	Receiver for Ultra Short Waves.
2,033,984	3/17/36	G. B. Hagen	Modulation Scheme for Barkhausen-Kurz Generators.
2,034,011	3/17/36	R. Urtel	Electron Tubes in a Retarding Field Circuit Arrangement.
2,034,320	3/17/36	A. Leib	Radio Receiver Arrangement for Landing Aircraft.
2,034,709	3/24/36	M. Osnos	Fading Elimination.
2,034,775	3/24/36	H. Roosenstein	Receiving System Adapted to Practice Secret Communication Method.
2,035,013	3/24/36	H. Roosenstein	Circuit Scheme for Suppression of Carrier Waves.
2,035,289	3/24/36	H. Bartels	Amplifier Circuits.
2,036,092	3/31/36	L. Walter	High Frequency Cable System.
2,036,203	4/ 7/36	H. G. Engel	Antenna and Lead-in Device.
2,036,456	4/ 7/36	W. Buschbeck	Variable Antenna Arrangement.
2,036,495	4/ 7/36	M. Pohontsch	Generator.
2,036,562	4/ 7/36	R. Bechmann	Ultra Short Wave Oscillation Generator.
2,036,719	4/ 7/36	D. Prinz et al	Arrangement for the Generation of Relaxation Waves.
2,036,833	4/ 7/36	A. Schmidt	Tuning Condenser Arrangement.
2,037,168	4/14/36	G. Jobst	Tube Construction and Circuit Arrangement.
2,037,258	4/14/36	P. Mueller	Radio Amplifier with Arrangement for Electro-Phonograph Reproduction.
2,037,267	4/14/36	R. Rechnitzer	Power Supply Network for Thermionic Tubes.
2,037,756	4/21/36	O. Bohm et al	Modulation System.
2,038,738	4/28/36	G. Jobst	Electron Discharge Tube.
2,038,744	4/28/36	H. Lissauer	Volume Control and Switching Device.
2,038,706	4/28/36	G. Leifer et al	Dial Arrangement for Broadcast Receivers.
2,038,804	4/28/36	H. Roosenstein	Piezo Electric Crystal Holder.
2,038,872	4/28/36	M. Osnos	Selective Radio Receiver.
2,039,113	4/28/36	R. Rechnitzer	Amplifier Circuits.

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2,039,139	4/28/36	J. Bahler	Circuit Arrangement for Indirectly Heated Vacuum Tubes.
2,039,812	5/ 5/36	A. Leib et al	Signaling System.
2,040,907	5/19/36	K. Wilhelm	Automatic Volume Control.
2,041,596	6/ 2/36	H. Cohn	Electron Discharge Tube.
2,042,006	6/ 2/36	P. Kotowski	Variable Resistor Unit.
2,042,636	6/ 2/36	O. Schriever	Superheterodyne Circuit Arrangement.
2,042,664	6/ 2/36	D. Prinz et al	Ultra Short Wave Oscillation Generator.
2,042,039	6/ 2/36	F. Hermannspann	Signaling Device.
2,042,957	6/ 2/36	M. Osnos	Variable Condenser.
2,043,624	6/ 9/36	A. Leib	Method and Means for Direction Finding.
2,043,659	6/ 9/36	F. Herriger	Electron Discharge Device.
2,044,003	6/16/36	H. Hollmann	Electron Discharge Device Circuit.
2,044,100	6/16/36	R. Rechnitzer	Indicator.
2,045,656	6/30/36	G. Jobst et al	Electron Tube.
2,046,141	6/30/36	K. Wilhelm et al	Automatic Gain Control Circuit.
2,046,144	6/30/36	G. Anders	Automatic Gain Control Receiver.
2,046,473	7/ 7/36	A. Leib	Direction Finder Antenna.
2,046,476	7/ 7/36	A. Meissner	Dielectric Material
2,046,849	7/ 7/36	W. Runge et al	Antenna System.
2,046,850	7/ 7/36	W. Runge	Method of Marking Traveling Lanes by Means of Electro-Magnetic Waves.
2,047,204	7/14/36	H. Hollmann	Large Power Ultra Short Wave Generator.
2,047,381	7/14/36	A. Poggendorff	Electrodynamic Loudspeaker.
2,048,409	7/21/36	H. Rothe	Electron Discharge Tube.
2,048,726	7/26/36	O. Bohm	Transmitting Antenna for Obtaining Reduced High Angle Radiation.
2,048,739	7/28/36	H. Friedrich	Power Supply Circuit.
2,048,752	7/28/36	M. Osnos	Ultra Short Wave Conductor.
2,049,588	8/ 4/36	A. Leib	Submarine Antenna.
2,049,677	8/ 4/36	R. Urtel	Heterodyne Receiver.
2,050,028	8/11/36	D. Prinz	Cathode Ray Television System.
2,050,737	8/11/36	O. Schriever	Light Translating Apparatus.
2,050,808	8/11/36	H. Roosenstein	Tuning Indicator for Receiver Sets.
2,051,179	8/18/36	H. Rothe	Constant Control Gas Discharge Tube.
2,051,181	8/18/36	F. Saar	Tuning and Switch Device.
2,051,950	8/25/36	G. Jobst et al	Electron Discharge Tube.
2,051,965	8/25/36	W. Runge	Transmitter and Receiver.
2,052,086	9/ 1/36	J. Winkler	Multirange Regenerative Receiver.
2,052,712	9/ 1/36	G. Jobst	Electron Discharge Tube.
2,054,126	9/15/36	H. Hollmann	Magnetically Controlled Electron Discharge Device.
2,054,160	9/15/36	A. Leib	Directional Receiver.
2,054,423	9/15/36	G. Jobst et al	Discharge Tube.
2,054,452	9/15/36	K. Steimel	Electron Discharge Device.
2,054,658	9/15/36	M. Osnos	Temperature Regulating System.
2,054,659	9/15/36	M. Osnos	Electric Condenser.
2,054,799	9/22/36	W. Kautter	High Frequency Distribution System.
2,054,931	9/22/36	H. Engel et al	Scale or Dial Arrangement for Broadcast Receivers or the Like.
2,055,100	9/22/36	A. Gothe	Short Wave Antenna.
2,056,301	10/ 6/36	F. Schroter	Method of and Apparatus for Picture Transmission.
2,056,872	10/ 6/36	K. Steimel	Electron Discharge Device.
2,057,067	10/13/36	A. Rammer et al	Variable Electric Condenser.
2,057,115	10/13/36	H. Rothe	Supporting and Spacing Means for Electrodes in Discharge Tubes.
2,057,857	10/20/36	K. Steimel et al	Variable Gain Amplifier Arrangement.
2,057,998	10/20/36	O. Bohm	Vacuum Tube Circuits.
2,058,202	10/20/36	H. Roder	Method of Modulation.
2,058,482	10/27/36	F. Michelssen	Electron Tube.
2,058,636	10/27/36	F. Shroter	Picture Reproducing System.
2,058,529	10/27/36	H. Rothe	Means for operating an Electron Discharge Device.
2,058,921	10/27/36	K. Steimel	Thermionic Device.
2,058,972	10/27/36	H. Friedrich	Gain Control Circuits.
2,058,999	10/27/36	W. Kummerer	Transmitter Circuit Arrangement.
2,059,034	10/27/36	H. Roosenstein	Ohmic Resistance for High Frequencies.
2,059,283	11/ 3/36	F. Saar	Polarity Reverser.
2,059,581	11/ 3/36	H. Hollmann	Receiving Circuit.
2,059,587	11/ 3/36	E. Klotz et al	Oscillation Generator.
2,059,809	11/ 3/36	H. Rothe	Indirectly Heated Cathode.
2,059,810	11/ 3/36	H. Rothe	Discharge Tube.
2,059,142	11/10/36	R. Urtel et al	Demodulation Circuit.
2,060,216	11/10/36	W. Huber et al	Tuning Arrangement for Radio Receiving Sets.
2,061,387	11/17/36	D. Printz	Electron Discharge Tube.
2,061,733	11/24/36	G. Jobst	Thermionic Device.
2,061,740	11/24/36	R. Rechnitzer	Receiving Circuit for Broadcast Apparatus.
2,062,663	12/ 1/36	W. Kautter et al	Shielded Electron Discharge Device.
2,062,693	12/ 8/36	H. Gutman	Frequency Multiplier Circuits.
2,063,307	12/ 8/36	H. Gurtler	Wave Generation System.
2,064,112	12/15/36	P. Hermanspann	Antenna.
2,064,171	12/15/36	A. Leib	Directional System for Landing of Aircraft.
2,064,204	12/15/36	A. Gothe et al	Broadcast Antenna.
2,064,346	12/15/36	G. Jobst	Electron Discharge Device.
2,064,373	12/15/36	W. Buschbeck	Cooling Device.
2,064,981	12/22/36	M. Knoll	Braun Tube for Television Receiver Apparatus.
2,065,774	12/29/36	G. Von Arco et al	Electrical Music Transmission.
2,065,787	12/29/36	W. Berndt et al	Symmetrical Antenna for Short or Ultra-Short Electrical Waves.
2,065,826	12/29/36	H. Roosenstein et al	Signaling.
2,066,874	1/ 5/37	O. Bohm et al	Antenna.
2,067,156	1/ 5/37	H. Lux	Double Grid Electron Tube and Circuit.
2,067,330	1/12/37	F. Michelssen	Electron Device.
2,067,337	1/12/07	M. Polatzek	Antenna for Submarines.
2,067,536	1/12/37	E. Klotz	Regenerative Receiver Arrangement.
2,068,388	1/19/37	F. Schroter	Electron Tube in a Retarding Field Circuit.
2,069,337	2/ 2/37	K. Steimel	Multigrid Tube Regenerative Circuit.
2,069,868	2/ 9/37	O. Wohlfarth	Microphone Amplifier.
2,071,774	2/23/37	A. Spottel	Radio Control Device.
2,072,370	3/ 2/37	G. Jobst et al	Gas Discharge Tube with Control Cathode.
2,072,637	3/ 2/37	G. Jobst	Electron Discharge Tube.
2,072,638	3/ 2/37	G. Jobst	Electrode Mounting for Discharge Tubes.
2,072,651	3/ 2/37	F. Schroter et al	Electron Tube.
2,072,658	3/ 2/37	O. Von Bronk	Receiver Arrangement for Electric Picture Transmission.
2,072,973	3/ 9/37	K. Wilhelm	Quiet Automatic Volume Control System.
2,073,352	3/ 9/37	H. Schlarlau	Adjustable Direction Finder Chart.
2,073,701	3/16/37	E. Lazzarini	Time-Lag Cathode Circuit Arrangement.
2,074,447	3/23/37	H. Wunning	Control Device for Radio Receivers.
2,074,687	3/23/37	H. Feussner	Keying.
2,074,857	3/23/37	D. Prinz et al	Transmitter.
2,076,060	4/ 6/37	R. Bechmann et al	Piezoelectric crystal Holder.
2,076,289	4/ 6/37	R. Bechmann et al	Frequency Modulation.
2,076,351	4/ 6/37	H. Roosenstein	Modulation.
2,076,662	4/13/37	F. Michelssen	Electron Tube.
2,076,671	4/13/37	J. Richter et al	Incandescent Cathode.
2,076,674	4/13/37	F. Schroter	Television Apparatus.
2,076,731	4/13/37	E. Krueger	Centralized Radio System.
2,077,069	4/13/37	R. Rechnitzer	Radio Receiver.
2,077,130	4/13/37	R. Bartels et al	Automatic Gain Control Circuit.
2,077,204	4/13/37	R. Bechmann	Piezoelectric Oscillating Crystal.
2,078,234	4/27/37	W. Buschbeck	Variable Antenna Tuned to an Odd Number of Quarter Waves.
2,078,245	4/27/37	H. Hollmann	Modulation and Frequency Stabilization.
2,078,246	4/27/37	H. Hollmann	Short Wave Shield.
2,078,447	4/27/37	W. Grundler	Variable Condenser.
2,078,449	4/27/37	M. Knoll	Braun Cathode Ray Tube.
2,078,459	4/27/37	F. Schroter	Combined Television and Audio Broadcasting.
2,078,765	4/27/37	W. Kuhlewind	Direction Finding Receiver Circuit.
2,079,085	5/ 4/37	J. Richter	Electron Tube.
2,079,248	5/ 4/37	K. Fritz	Ultra High Frequency Magnetron Discharge Tube Circuit.
2,079,809	5/11/37	W. E. Kuhle et al	Electron Discharge Tube.
2,079,894	5/11/37	R. Bechmann et al	Piezoelectric Crystal Holder.
2,079,921	5/11/37	M. Osnos	Variable Condenser.
2,080,098	5/11/37	K. Steimel	Electron Discharge Tube.
2,080,571	5/18/37	H. Hollmann	Modulation Controlled Magnetron Oscillator.
2,080,572	5/18/37	H. Hollmann	Modulation System for Ultra-High Frequency Waves.
2,081,227	5/25/37	E. Klotz	Radio Receiver.
2,081,584	5/25/37	H. Hasse	Tuning System.
2,081,705	5/25/37	G. Jobst et al	Detector Circuit.
2,081,714	5/25/37	H. Rothe et al	Electron Discharge Device.
2,081,739	5/ 25/37	W. Dissler	Sensitivity Meter.
2,082,347	6/ 1/37	A. Leib et al	Radio Direction System.
2,082,860	6/ 8/37	L. Walter	High Frequency Cable.
2,083,105	6/ 8/37	R. Weber	Remote Control of Radio Apparatus.
2,083,242	6/ 8/37	W. Runge	Method of Direction Finding.
2,083,747	6/15/37	W. Runge	Signaling System.
2,084,762	6/22/37	W. Buschbeck et al	Transmitter Power Control.
2,084,836	6/22/37	W. Buschbeck	Alternating Current Meter.
2,084,867	6/22/37	D. Prinz et al	Magnetically Biased Electron Discharge Device.
2,084,913	6/22/37	A. Kaufeldt	Seal for Electron Discharge Devices.
2,085,022	6/29/37	H. Hollmann	Method of Tuning Receivers Operating on Potential Resonance.
2,085,226	6/29/37	W. Moser	Antenna System.
2,085,231	6/29/37	H. Rothe	Mechanical Mounting of Electrodes in Discharge Tubes.
2,085,232	6/29/37	H. Rothe	Resiliently Supported Electrode in Electron Discharge Device.
2,085,440	6/29/37	W. Moser et al	Volume Control Device.
2,085,798	7/ 6/37	E. Gerhard	Radio System for Locating Objects.
2,085,905	7/ 6/37	H. Friedrich	Circuit Arrangement for Regulating Transmission Measure in Sound Transmission Equipment.
2,086,229	7/ 6/37	P. Kotowski	Radio Receiving System.
2,086,271	7/ 6/37	G. Jobst et al	Electron Discharge Device.

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2,086,718	7/13/37	M. Kroll	Electron Tube.
2,086,742	7/13/37	H. Scharlau	Radio Receiving System.
2,087,737	7/20/37	W. Runge	Amplifier Circuit Organization, Especially for Short Waves
2,088,061	7/27/37	H. Hollmann	Amplifying Circuit Arrangement.
2,088,206	7/27/37	G. Jobst	Automatic Gain Control.
2,088,217	7/27/37	H. Roosenstein	Temperature Regulator.
2,088,231	7/27/37	H. Cohen	Amplifier Gain Control.
2,088,419	7/27/37	M. Knoll et al	Cathode Ray Tube.
2,088,439	7/27/37	H. Rothe	Impedance Regulating System.
2,088,633	8/ 3/37	H. Hollmann	Electron Tube and Circuit Therefor.
2,088,918	8/ 3/37	W. Moser	Control Type Thermostat.
2,089,039	8/ 3/37	F. Schroter	Relaxation Circuit.
2,089,260	8/10/37	H. Hollmann	Grid Detection Circuit for Wave Lengths Below One Decimeter.
2,089,667	8/10/37	O. Schriever	Method of Transmitting Half Tone Pictures by Telegraph.
2,089,781	8/10/37	W. Buschbeck	Keying.
2,090,004	8/17/37	W. Ilberg	Televisor Transmission System.
2,090,006	8/17/37	M. Knoll et al	Electron Discharge Tube.
2,090,051	8/17/37	G. Jobst et al	Single Tube Radio Receiver.
2,091,047	8/24/37	A. Kauffeldt	Electron Assembly.
2,092,069	9/ 7/37	H. Hollmann	Ultra-Short Wave Radio System.
2,092,804	9/14/37	G. Jobst	Screen Grid Electron Discharge Tube.
2,092,886	9/14/37	W. Kuhle	Electron Tube for Producing Ultra Short Waves.
2,092,991	9/14/37	A. Srottel	Tuning Device for Broadcast Receivers.
2,093,560	9/21/37	H. Hollmann	Automatic Volume Control Circuit.
2,093,561	9/21/37	H. Hollmann	Automatic Detector Gain Control Circuit.
2,093,565	9/21/37	E. Klotz	Arrangement for Connecting a Phonograph Pick-up Device with a Radio Receiving Set.
2,093,564	9/21/37	E. Klotz et al	Automatic Volume Control Circuit.
2,093,765	9/21/37	D. Prinz	Methods of Transmitting Messages by Means of Ultra Short Waves.
2,094,606	10/ 5/37	M. Knoll	Cathode Ray Tubes.
2,094,751	10/ 5/37	H. Roosenstein	Tuning Means for Receiver Sets.
2,095,079	10/ 5/37	H. Pitsch	Radio Receiver.
2,095,083	10/ 5/37	G. Renatus	Directional Antenna System.
2,095,371	10/12/37	J. Kohnfeld	Modulation.
2,095,376	10/12/37	R. Beehmann	Piezoelectric Oscillator Crystal.
2,095,156	10/19/37	F. Breyer	Electric Discharge Tube.
2,097,072	10/26/37	M. Lock	Transmitter Arrangement for Guiding Airplanes.
2,097,302	10/26/37	G. Passarge	Cathode for Discharge Devices.
2,097,306	10/26/37	H. Rothe et al	Discharge Tube with Beam Forming Grids.
2,097,765	11/ 2/37	E. Klotz	Regenerative Radio Receiver.
2,097,879	11/ 2/37	A. Hammer	Receiving Arrangement.
2,097,880	11/ 2/37	F. Hermanspann	Radio Receiving System.
2,097,902	11/ 2/37	R. Urtel	Detector Circuit.
2,097,918	11/ 2/37	K. Fritz	Magnetron Detector.
2,098,370	11/ 9/37	H. Bartels	Automatic Control of Amplification.
2,098,380	11/ 9/37	A. Engelmann et al	Gas Discharge Device.
2,098,398	11/ 9/37	E. Klotz et al	Coupling Arrangement.
2,098,597	11/ 9/37	F. Saar	Variable Condenser.
2,098,598	11/ 9/37	F. Schroter	Synchronizing System.
2,099,294	11/16/37	W. Buschbeck	Carrier Wave Modulation and Suppression.
2,099,300	11/16/37	K. Fritz	Oscillation Generator.
2,099,331	11/16/37	G. Passarge	Electron Discharge Device.
2,099,533	11/16/37	D. Prinz	Magnetron.
2,099,997	11/23/37	H. Benecke	Coil Body for Field Coils of Electro Dynamic Loudspeakers.
2,100,156	11/23/37	W. Buschbeck	Phase Modulation.
2,100,162	11/23/37	K. Fritz	Magnetron Discharge Tube Apparatus.
2,100,618	11/30/37	R. Urtel	Cathode Ray Apparatus.
2,101,137	12/ 7/37	K. Fritz	Wave Modulation.
2,101,153	12/ 7/37	H. Muth et al	Electrical Condenser.
2,101,436	12/ 7/37	A. Leib	Directive Signaling.
2,101,523	12/ 7/37	H. Bartels	Linear Amplifier Circuit.
2,101,688	12/ 7/37	R. Rechnitzer	Tone Control Device.
2,101,715	12/ 7/37	E. Klotz et al	Selective Circuit Arrangement.
2,102,150	12/14/37	A. Hammer	Diaphragm.
2,103,257	12/28/37	E. Gerhard	Ultra-Short Wave System.
2,103,358	12/28/37	A. Gothe	Method of Eliminating Re-radiation.
2,103,487	12/28/37	P. Muller	Rectifying and Filtering System.
2,103,498	12/28/37	K. Schroter	Photocell.
2,103,873	12/28/37	E. Severin et al	Variable Resistor Device.
2,104,541	1/ 4/38	H. E. Hollmann	Modulation System.
2,104,583	1/ 4/38	G. Kurlbaum	Temperature Regulation.
2,104,589	1/ 4/38	H. Muth	Variable Mechanical Means for an Oscillation Circuit.
2,104,816	1/11/38	H. Rothe	Electron Discharge Device.
2,105,081	1/11/38	G. Jobst et al	Amplifying Tube and Circuit.
2,106,139	1/25/38	W. Runge	Automobile Radio Apparatus.
2,106,250	1/25/38	M. Knoll	Television Receiver Tube.
2,107,025	2/ 1/38	W. Bushbeck et al	Electrical Coupling Arrangement.
2,107,037	2/ 1/38	H. Kippenberg et al	Radio Mounting Device.
2,107,408	2/ 8/38	W. Buschbeck	Method of Matching the Impedance of a Load to a Source of Power.
2,107,425	2/ 8/38	C. Protze	Monitor.
2,108,617	2/15/38	F. Schroter	Electron Tube.
2,109,321	2/22/38	F. Schroter	Television.
2,109,536	3/ 1/38	W. Keuttler	Method of Stray Compensation in Tuned Antennae.
2,109,602	3/ 1/38	O. Weiss	Connection Device for Loudspeakers.
2,109,700	3/ 1/38	R. Urtel	Amplifier Circuit Scheme with Push-Pull Output.
2,110,179	3/ 8/38	A. Schmidt	Variable Condenser.
2,110,553	3/ 8/38	M. Knoll	Electron Tube.
2,110,763	3/ 8/38	E. Gerlach	Microphone.
2,110,911	3/15/38	M. Knoll et al	Electron Tube.
2,111,263	3/15/38	K. Fritz	Magnetron.
2,111,396	3/15/38	H. Hollmann	Ultra-Short Wave Circuit.
2,111,398	3/15/38	H. Kippenberg	Antenna Device.
2,111,595	3/22/38	L. Leng	Control Arrangement for Energy leads.
2,111,694	3/22/38	H. Schroder	Remote Control Mechanism.
2,111,778	3/22/38	H. Hollmann	Fading Elimination.
2,112,050	3/22/38	H. Rothe et al	Electron Discharge Device.
2,112,279	3/29/38	K. Hagenhaus	Automatic Gain Control Circuits.
2,112,282	3/29/38	K. Fritz	Ultra-Short Wave Antenna System.
2,112,283	3/29/38	K. Fritz	Direction Finding System.
2,112,301	3/29/38	W. Moser	Radiant Energy Guide Channel.
2,112,320	3/29/38	K. Wilhelm	Receiving System for Receiving a Wide Range of Frequencies.
2,112,547	3/29/38	K. Vogt	Antenna Counterpoise System.
2,112,956	4/ 5/38	E. Ebbinghausen	Receiving Circuit.
2,113,148	4/ 5/38	R. Weber	Amplifier.
2,114,154	4/12/38	K. Steimel	Receiver Tuning Indication Circuits.
2,114,332	4/12/38	R. Bruckner et al	Keying.
2,114,346	4/19/38	B. Hensel et al	Cathode Ray Tube.
2,114,688	4/19/38	O. Schriever	Television Apparatus.
2,115,070	4/26/38	H. Hollmann	Ultra Short Wave Resonance System.
2,115,129	4/26/38	E. Thienhaus	Loudspeaker.
2,115,373	4/26/38	M. Pohontsch	Tube Charging Device.
2,115,521	4/26/38	K. Fritz et al	Magnetron.
2,115,787	5/ 3/38	W. Runge	Antenna.
2,115,788	5/ 3/38	H. Scharlau	Ultra-Short Wave System.
2,115,789	5/ 3/38	K. Schmid	Directional Antenna System.
2,115,854	5/ 3/38	R. Hofer	Push-Pull Amplifier.
2,115,866	5/ 3/38	H. Lux	Double Grid Electron Tube and Circuit.
2,115,871	5/ 3/38	H. Pitsch	Automatic Receiver Gain Control Circuits.
2,115,881	5/ 3/38	H. Roosenstein	Relay Circuits.
2,115,889	5/ 3/38	K. Steimel	Circuit Arrangement for Coupling Electron Tubes.
2,115,916	5/ 3/38	M. Osnos	Electric Condenser.
2,116,217	5/ 3/38	K. Schwarz	Visual Indicator for Tuning Means.
2,116,717	5/10/38	H. Scharlau	Distance and Direction Determining System.
2,116,719	5/10/38	W. Wehnert	Amplifier.
2,116,901	5/10/38	M. Knoll	Mosaic Electrode for Television Tubes.
2,117,858	5/17/38	A. Schleede et al	Screen Material.
2,118,113	5/24/38	F. Schroter	Television Apparatus.
2,118,419	5/24/38	H. Scharlau	Ultra-Short Wave Reflector.
2,119,115	5/31/38	J. Rohnfeld	Mica Condenser.
2,119,194	5/31/38	J. Babler	Modulation Meter.
2,119,315	5/31/38	W. Buschbeck	Neutralizing Circuit for Screen-Grid Tubes.
2,119,333	5/31/38	F. Kreienfeld	Variable Coupling Device.
2,119,357	5/31/38	J. Schalkwijk	Oscillation Generator.
2,119,602	6/ 7/38	W. Volitz	Rod Antenna for Short Waves.
2,119,604	6/ 7/38	K. Wilhelm	Amplifier Tube Arrangement.
2,120,303	6/14/38	G. Ulbricht	Gain Control Device.
2,120,366	6/14/38	A. Leib et al	Direction Finder.
2,121,148	6/21/38	G. Hagen	Reactance Independent of Temperature.
2,121,356	6/21/38	M. Knoll	Electron Tube.
2,121,855	6/28/38	W. Buschbeck	Coupling High-Frequency Apparatus.
2,121,990	6/28/38	F. Schroter et al	Television.
2,122,562	7/ 5/38	W. F. Ewald	Tuning Indicator Circuit.
2,123,242	7/12/38	H. E. Hollmann	Ultra-Short Wave Receiver.
2,123,727	7/12/38	H. E. Hollmann	Modulation Circuit for Retarding Field Generators.
2,123,728	7/12/38	H. E. Hollmann	Magnetron.
2,123,968	7/19/38	H. O. Roosenstein	Power Supply System.
2,124,191	7/19/38	M. Geiger	Demodulation System in Superheterodyne Receiver.
2,124,404	7/19/38	F. Schroter	Television Scanning System.
2,124,719	7/26/38	R. Urtel	Electric Wave Generator.
2,125,953	8/ 9/38	R. Prochnow	Receiver of Telephonic or Telegraphic Signals.
2,126,027	8/ 9/38	H. Muth, et al	Electrical Condenser.
2,126,894	8/16/38	M. Knoll, et al	Indirectly Heated Cathode.
2,127,336	8/16/38	L. Leng	Change-Over or Switch Device for Radio Frequency Feed Leads.
2,128,395	8/30/38	W. Berndt, et al	Measuring Instrument.
2,128,553	8/30/38	H. Bartels	Variable Amplifier.

Patent No.	Patent date	Inventor	Title
2,128,561	8/30/38	P. Peeck et al	Radio Receiver Control.
2,128,639	8/30/38	K. Diels	Electronic Device.
2,128,750	8/30/38	W. Kriebel	Ultra-Short Wave Receiving Apparatus.
2,128,759	8/30/38	J. Riehter et al	Electron Tube.
2,129,078	9/ 6/38	E. Zepler	Automatic Volume Control Circuit.
2,129,287	9/ 6/38	R. Schienemann	Alternating Current Measuring Device.
2,129,293	9/ 6/38	R. Weber	Band-Pass Filter for Change of Wave.
2,129,852	9/13/38	A. Leib	Antenna for an Airplane with a Metallic Body.
2,130,002	9/13/38	K. Fritz	Magnetron Generator.
2,130,033	9/13/38	H. Scharlau	Directive Beam Radiator.
2,130,124	9/13/38	K. Fritz	Electron Discharge Device.
2,130,132	9/13/38	H. E. Hollmann	Magnetron.
2,130,280	9/13/38	M. Knoll	Electron Discharge Tube.
2,130,281	9/13/38	M. Knoll	Electron Discharge Tube.
2,130,389	9/20/38	A. Gothe	Antenna.
2,131,185	9/27/38	M. Knoll	Electrooptical Device.
2,131,443	9/27/38	W. Kummerer et al	Signaling.
2,131,563	9/27/38	M. Knoll	Cathode Ray Tube.
2,132,046	10/11/38	K. Fritz	Electron Discharge Device.
2,133,615	10/18/38	E. Gerhard	Ultra-Short Wave Receiving System.
2,134,094	10/25/38	R. Andrieu	Oscillograph Device.
2,134,535	10/26/38	W. Runge	Distance Determining System.
2,134,794	11/ 1/38	H. Muth et al	Temperature Independent Oscillatory Circuits.
2,135,741	11/ 8/38	R. Urtel	Serrated Wave Form Generator.
2,135,953	11/ 8/38	R. Weber	Variable Resistance Bridge Circuit.
2,136,101	11/ 8/38	K. Fritz	Magnetron.
2,136,105	11/ 8/38	G. Jobst	Electron Discharge Device.
2,137,118	11/15/38	A. Schleede et al	Fluorescent Screen.
2,137,202	11/15/38	W. Federmann et al	Electron Tube.
2,137,265	11/22/38	W. Buschbeck	Circuit for Suppressing Disturbance Waves and Upper Harmonics.
2,137,411	11/22/38	M. Osnos	Electric Condenser.
2,138,138	11/29/38	R. Bruckner	Transmitter Circuit.
2,138,448	11/29/38	A. Gothe	Directional Landing Beam Transmitter.
2,138,898	12/ 6/38	H. Bartels	Push-Pull Amplifier.
2,138,900	12/ 6/38	W. Berndt et al	Short Wave Antenna System.
2,138,920	12/ 6/38	H. E. Hollmann	Secondary Emission Tube and Circuit.
2,139,432	12/ 6/38	R. Andrieu	Oscillating Producing System.
2,139,467	12/ 6/38	H. O. Roosenstein	Serrated Wave Form Generator.
2,139,683	12/13/38	M. Knoll	Cathode Ray Tube.
2,139,684	12/13/38	M. Knoll	Cathode Ray Tube.
2,139,820	12/13/38	M. Knoll	Cathode Ray Tube.
2,140,116	12/13/38	W. Kautter	Wave Meter.
2,140,769	12/20/38	R. Schienemann	Amplitude and Phase Modulation.
2,142,186	1/ 3/39	K. Fritz	Magnetron Modulation Method.
2,142,192	1/ 3/39	W. Ilberg	Modulation System for Magnetron Oscillators.
2,143,366	1/10/39	R. Andrieu	Serrated Wave Form Generator.
2,143,390	1/10/39	F. Schroter	Electron Tube.
2,143,540	1/10/39	W. Buschbeck	Resistance Coupled Amplifier.
2,143,915	1/17/39	G. Jobst	Indirectly Heated Cathode.
2,144,085	1/17/39	H. Rothe et al	Electron Discharge Tube.
2,144,222	1/17/39	H. E. Hollman	Electron Discharge Device.
2,144,225	1/17/39	R. Buchsel	Tuning Dial Arrangement.
2,144,249	1/17/39	K. Steimel et al	Amplifier Circuit.
2,144,370	1/17/39	E. Gerlach	Method of Cutting Bodies Soluble in Liquid.
2,144,509	1/17/39	G. Renatus	Circuit Arrangement for a Variable Electric Resistance.
2,145,836	1/24/39	H. L. Dietrich	Arrangement for Duplex Operation.
2,145,288	1/31/39	W. Beuermann	Direction Finder.
2,145,318	1/31/39	O. Bohm et al	Method of and Means for Influencing the Field of Sound.
2,141,676	1/31/39	W. Schenk et al	Loudspeaker Arrangement.
2,145,676	1/31/39	E. Zepler	Multiwave Range Receiver.
2,146,526	2/ 7 39	W. Buschbeck	Frequency Measurement Means.
2,146,769	2/14/39	O. Schriever et al	Separately Controlled Relaxation Oscillator.
2,146,194	2/14/39	F. Schroter et al	Television Screen.
2,146,229	2/14/39	R. Andrieu	Oscillation Producing System.
2,417,372	2/14/39	M. Knoll	Cathode Ray Tube.
2,148,114	2/21/39	K. Fritz	System for and Method of Modulating Magnetrons.
2,148,904	2/28/39	W. Mennerich	Receiving Apparatus Equipped with Several Loudspeakers.
2,149,001	2/28/39	O. Von Bronk	Television Transmitting and Receiving Apparatus.
2,149,175	2/28/39	L. Krugel	Radio Receiving System.
2,149,415	3/ 7/39	W. Berndt	Vertical Antenna.
2,150,732	3/14/39	R. Schienemann	Electrical Impulse Segregation Circuit.
2,151,070	3/21/39	H. Bartels	Amplification Control Circuit.
2,151,158	3/21/39	F. Schroter	Television Scanner.
2,151,323	3/21/39	H. E. Hollmann	Radio Apparatus for Determining Distance and Direction.
2,151,336	3/21/39	H. Scharlau	Radio Signaling Apparatus.
2,151,506	3/21/39	W. F. Ewald et al	Automatic Frequency Control Circuit.
2,151,765	3/28/39	H. E. Hollmann	Device for Generating Electrical Oscillations.
2,151,777	3/28/39	M. Knoll et al	Electron Optics.
2,151,789	3/28/39	F. Michelssen	Electron Tube.
2,152,035	3/28/39	K. Fritz et al	Wave Generation and Modulation.
2,152,329	3/28/39	K. Schussler	Duplex Communication Apparatus.
2,153,158	4/ 4/39	H. O. Roosenstein	Relaxation Circuit Arrangement.
2,153,172	4/ 4/39	W. Buschbeck	Transmitter Tube Circuit.
2,153,181	4/ 4/39	E. Gerhard et al	Ultra Short Wave Circuit.
2,153,190	4/ 4/39	H. E. Hollmann	Oscillator.
2,153,209	4/ 4/39	H. Scharlau	Method of and Means for Reducing Disturbances.
2,153,216	4/ 4/39	R. Urtel	Electron Tube System.
2,153,292	4/ 4/39	W. Berndt	Antenna.
2,153,616	4/11/39	K. Diels	Cathode Ray Tube Apparatus.
2,153,628	4/11/39	M. Knoll	Electron Tube.
2,153,643	4/11/39	H. O. Roosenstein et al	Cathode Ray Deflection Apparatus.
2,153,646	4/11/39	F. Schroter	Television Scanner
2,153,655	4/11/39	R. Urtel et al	Cathode Ray Tube Control Circuits.
2,153,752	4/11/39	R. Gurtler	Direct Current Amplifier Circuits.
2,153,782	4/11/39	R. Weber	Automatic Adjusting Means for Rotary Systems, Particularly Direction Finders.
2,154,705	4/18/39	R. Schultz	Loudspeaker Support.
2,155,163	4/18/39	E. Gerlach	Reflector Microphone.
2,155,509	4/25/39	F. Schroter	Electro-Optical Signaling.
2,155,652	4/25/39	A. Gothe et al	Arrangement for Coupling High Frequency Circuits.
2,156,435	5/ 2/39	F. Schroter et al	Cathode Ray Tube.
2,156,653	5/ 2/39	W. Ilberg	Ultra-Short Wave System.
2,156,659	5/ 2/39	R. Urtel	Amplifier Device.
2,156,915	5/ 2/39	M. Knoll	Arrangement for Reflecting of Cathode Rays.
2,156,932	5/ 2/39	R. Urtel	Signaling System.
2,157,523	5/ 9/39	W. Buschbeck	Coupling Device.
2,157,529	5/ 9/39	P. Drewell et al	Relaxation Oscillator.
2,157,533	5/ 9/39	M. Geiger	Oscillator.
2,157,576	5/ 9/39	W. Schneider	Arrangement of Oscillation Crystals.
2,157,582	5/ 9/39	K. Wilhelm	Aperiodic Coupling Device.
2,157,665	5/ 9/39	H. E. Hollmann	Crystal Mounting with Temperature Compensation.
2,157,677	5/ 9/39	W. Runge	Receiver for Observing Two Different Signals.
2,157,715	5/ 9/39	E. M. Meggenhofen	Electrical Condenser.
2,157,720	5/ 9/39	E. Severin	Microphone.
2,158,114	5/16/39	K. Fritz	Ultra-High Frequency Multiplier.
2,158,156	5/16/39	H. Schroter	Ball Bearing and Balls of Ceramic Material.
2,158,261	5/16/39	R. Urtel et al	Television Receiver Operating Level Control.
2,158,271	5/16/39	W. Buschbeck	Short Wave Antenna.
2,158,314	5/16/39	N. Von Korschenewsky	Cathode Ray Tube.
2,158,376	5/16/39	W. Moser et al	Antenna System.
2,158,602	5/16/39	P. Kotowski et al	Secret Telephony
2,159,478	5/23/39	E. Gerhard	Magnetron System for Simultaneous Transmission and Reception.
2,159,731	5/23/39	W. Buschbeck et al	Neutralizing High Frequency Push-Pull Amplifiers.
2,159,733	5/23/39	K. Steimel	Receiver Noise Quieting Circuits.
2,159,767	5/23/39	G. Liebich	Electron Discharge Device.
2,159,792	5/23/39	M. Geiger	Relaxation Oscillation Generator.
2,159,803	5/23/39	E. Klotz	Automatic Volume Control Receiver.
2,159,970	5/30/39	F. Kreienfeld	Radio Receiver.
2,160,088	5/30/39	W. Runge	Band Pass Filter.
2,160,135	5/30/39	K. Fritz	Direction Finding System.
2,160,853	6/ 6/39	E. Gerhard et al	Reflector Arrangement.
2,160,857	6/ 6/39	A. Gothe	High Frequency System.
2,160,913	6/ 6/39	H. Scharlau et al	Relaying.
2,161,315	6/ 6/39	R. Rechnitzer	Filter Network for Radio Receivers.
2,161,318	6/ 6/39	A. Sauerland	Magnetic System for Dynamic Loudspeakers.
2,161,860	6/13/39	R. Gentsch	Means to Secure Electrical Lines to a Support.
2,161,977	6/13/39	H. O. Roosenstein	Cathode Ray Reflection Apparatus.
2,161,980	6/13/39	W. Runge et al	Elastically Oscillating Oscillator.
2,162,239	6/13/39	W. Feuermann	Electric Indicating Device.
2,162,470	6/13/39	W. Kautter	Regenerative Circuit Arrangement.
2,162,807	6/20/39	K. Fritz	Magnetron.
2,162,875	6/20/39	H. Bartels et al	Dynamic Expansion Circuit.
2,162,976	6/20/39	F. Schroter	Circuit and Series Resistance for Indirectly Heated Cathodes.
2,163,266	6/20/39	B. Bartels	Double Mosaic Screen.
2,163,582	6/27/39	W. Bushbeck	Short Wave Transmitter.
2,163,707	6/27/39	G. Schaffstein	Wide Band Modulation.
2,163,743	6/27/39	W. Berndt	Antenna.
2,163,770	6/27/39	R. Von Radinger	Antenna.
2,164,891	7/ 4/39	R. Andrieu	Electromagnetic Cathode Ray Deflection Apparatus.
2,164,899	7/ 4/39	W. Buschbeck	Wide Band Amplifier.
2,164,922	7/ 4/39	H. E. Hollmann	Cross Field Control Tube.
2,164,968	7/ 4/39	R. Urtel et al	Saw Tooth Wave Form Generator.
2,164,979	7/ 4/39	K. Wilhelm	Tuning Indicator Circuit.
2,165,304	7/11/39	W. Runge et al	Radio Receiver.
2,165,726	7/11/39	H. Pigge	Means for Detecting and Measuring Ultra Short Wave Oscillations.

Patent No.	Patent date	Inventor	Title
2,165,764	7/11/39	H. Pitsch	Demodulator.
2,165,781	7/11/39	E. Brandt	Loudspeaker System.
2,165,836	7/11/39	W. Buschbeck	Modulation Meter.
2,165,847	7/11/39	E. Gerhard	Method of Modulating Ultra Short Waves.
2,165,848	7/11/39	A. Gothe et al	Protection of High Frequency Lines.
2,166,124	7/18/39	F. Breyer	Method of Detecting Hiich Frequency Oscillations.
2,166,210	7/18/39	K. Fritz	Magnetron Discharge Tube for Frequency Multiplication.
2,167,033	7/25/39	H Rothe et al	Demodulating Device.
2,167,461	7/25/39	H. Muth	Telegraphy.
2,167,462	7/25/39	R. Rechnitzer	Variable Electric Filter.
2,168,251	8/ 1/39	R. Urtel	Synchronizing System.
2,168,403	8/ 8/39	M. Geiger	Saw Tooth Wave Generator.
2,168,860	8/ 8/39	W. Berndt	Variable Length Antenna.
2,169,019	8/ 8/39	O. Bohm et al	Modulation Circuit.
2,169,352	8/15/39	W. Buschbeck	Short Wave Communication Circuit.
2,169,358	8/15/39	H. E. Hollmann	Receiver for Ultra-Short Waves.
2,169,377	8/15/39	L. Walter	Antenna.
2,169,714	8/15/39	R. Urtel	Black Spot Correcting Means.
2,169,725	8/15/39	K. Fritz	Magnetron Discharge Tube Oscillator and Frequency Multiplier.
2,169,742	8/15/39	H. Scharlau	Receiving Apparatus for Direction Finding.
2,169,883	8/15/39	G. Paffrath	Television and Sound Receiver.
2,170,219	8/22/39	R. Seiler	Ultra-High Frequency Oscillator.
2,170,653	8/22/39	W. Buschbeck	Electron Discharge Tube for Ultra-High Frequency Systems.
2,170,849	8/29/39	W. Berndt	Vertical Antenna.
2,170,860	8/29/39	P. Hermanspann	Direction Finder.
2,171,151	8/29/39	R. Urtel	Circuit for Amplitude Modulation Carrier Wave.
2,171,212	8/29/39	H. E. Hollmann	Electron Discharge Device.
2,171,215	8/29/39	A. Kauffeldt	Gaseous Discharge Tube.
2,171,231	8/29/39	W. Braunschweig	Electric Condenser.
2,171,638	9/ 5/39	E. Zepler	Automatic Volume Control.
2,171,649	9/ 5/39	W. F. Ewald et al	Automatic Frequency Control Circuits.
2,171,657	9/ 5/39	E. Klotz	Delayed Automatic Volume Control Circuit.
2,172,733	9/12/39	E. Federman et al	Deflection Coil.
2,172,735	9/12/39	M. Knoll	Electrical Lens.
2,172,775	9/12/39	H. D. Schmidt Ott et al	Optical System.
2,173,282	9/19/39	K. Fritz	Magnetron.
2,173,643	9/19/39	W. Moser	Radio Frequency Cable Terminal.
2,173,918	9/26/39	K. Schmid et al	Multiple Beam Radio Beacon.
2,173,925	9/26/39	O. Tuxen	Noise Reduction Circuit.
2,175,263	10/10/39	H. E. Hollmann	Detector.
2,175,335	10/10/39	R. Andrieu	Television Synchronizing Circuits.
2,175,573	10/10/39	F. Schroter	Electron Beam Converter.
2,176,190	10/17/39	F. Schroter	Television Scanning Apparatus.
2,176,451	10/17/39	W. Berndt	Variable Capacitive Voltage Divider.
2,176,869	10/17/39	H. E. Hollmann	Electron Beam Tube.
2,176,948	10/24/39	R. Andrieu	Synchronizing System.
2,177,050	10/24/39	H. Bartels	Automatic Control of Amplification.
2,177,061	10/24/39	E. Gerhard	Object Detecting System.
2,177,065	10/24/39	H. E. Hollmann	Modulation Arrangement for Magnetron Transmitter.
2,177,841	10/31/39	F. Schilgen	Means for Converting Direct Current into Alternating Current.
2,177,850	10/31/39	O. Vogt et al	Remote Control Means.
2,178,074	10/31/39	P. Jakel et al	Electrical Measuring System.
2,178,226	10/31/39	K. Diels	Method of Making Flat Bottom Cathode Ray Tubes.
2,178,340	10/31/39	M. Geiger	Wave Form Modifying Circuit.
2,178,374	10/31/39	H. Knobiaugh et al	Cathode Ray Image Scanner with Magnetic Deflection of Scanning Ray.
2,179,928	11/14/39	K. Hagenhaus	Receiver Gain Control Circuits.
2,180,710	11/21/39	M. Knoll et al	Cathode Ray Tube Screen.
2,180,857	11/21/39	H. E. Hollmann	Electronic Device.
2,180,958	11/21/39	H. E. Hollmann	Electronic System.
2,181,171	11/28/39	W. Buschbeck	Antenna.
2,181,181	11/28/39	E. Gerhard	Short Wave Reflector.
2,181,309	11/28/39	R. Andrieu	Electrical Impulse Serregation Circuit.
2,181,328	11/28/39	D. Hermann	Electrical Wave Generator.
2,181,568	11/28/39	P. Kotowski et al	Impulse of Pulse Transmitter.
2,182,326	12/ 5/39	R. Urtel	Television Receiving Apparatus.
2,182,352	12/ 5/39	R. Prochnow	Tuning Arrangement with Selective Setting or Predetermined Frequencies.
2,182,555	12/ 5/39	M. Geiger	Saw Tooth Wave Generator.
2,182,608	12/ 5/39	R. Andrieu	Saw Tooth Wave Generator.
2,182,881	12/12/39	H. O. Roosenstein et al	Cathode for Cathode Ray Tube.
2,182,960	12/12/39	W. Buschbeck	Neutralized High Frequency Amplifier.
2,183,260	12/12/39	R. Hofer	Phase Displacement Detector.
2,183,502	12/19/39	K. Wilhelm	Capacitive Coupling Arrangement.
2,183,707	12/19/39	W. Buschbeck	Resistance Coupled Amplifier.
2,183,714	12/19/39	E. Frankd et al	Interference Eliminator.
2,183,723	12/19/39	E. Paschke	Tuning Means of Communication or Signal.
2,183,724	12/19/39	H. Schroder	Remote Control Device.
2,183,748	12/19/39	F. Kreienfeld	Amplifier Device.
2,184,771	12/26/39	H. O. Roosenstein	Antenna Coupling Means.
2,184,955	12/26/39	E. Gerlach	Grinding and Polishing Machine.
2,185,609	1/ 2/40	F. Schroter	Cathode Ray Tube for Television Picture Scanning.
2,185,874	1/ 2/40	R. Urtel	Arrangement for Amplitude Modulation.
2,187,014	1/16/40	W. Buschbeck	Antenna Transformer.
2,187,575	1/16/40	H. Schroder	Antenna Winch for Aircraft.
2,187,584	1/16/40	A. Gothe	High Frequency Energy Line.
2,187,588	1/16/40	A. Leib	Direction Finder Compensator.
2,187,618	1/16/40	E. Gerhard	Radio Beacon System.
2,187,775	1/23/40	K. Fritz	Push-Pull Tube Arrangement.
2,188,062	1/23/40	H. Schroder	Antenna Winch.
2,188,661	1/30/40	M. Knoll	Electronic Device.
2,189,263	2/ 6/40	K. Frant	Beacon Aerial.
2,189,284	2/ 6/40	K. Franz	Adjustable Two Pole Capacitive Coupler.
2,189,315	2/ 6/40	A. Karolus	Television Receiver.
2,189,351	2/ 6/40	F. Schroter	Television Transmission.
2,189,517	2/ 6/40	A. Gothe	Radio Goniometer.
2,189,584	2/ 6/40	H. E. Hollmann	Transmitter.
2,190,436	2/13/40	H. W. Steinhausen	Receiver Arrangement.
2,190,717	2/20/40	R. Kummich et al	Radio Direction Finder.
2,191,515	2/27/40	O. Von Bronk	Color Television.
2,191,534	2/27/40	R. Urtel	Rectifier.
2,192,306	3/ 5/40	W. Graffunder	Ultra Short Wave Tube Circuit.
2,192,975	3/12/40	P. Kotowski et al	Method of Sending and Receiving Radio Frequency Impulses.
2,193,101	3/12/40	M. Knoll	Electrode Structure.
2,193,859	3/19/40	W. Buschbeck	Ultra Short Wave Antenna.
2,193,868	3/19/40	M. Geiger	Circuit Arrangement for Producing an Impulse Series.
2,194,456	3/19/40	H. O. Roosenstein et al	Signaling Apparatus.
2,194,676	3/26/40	W. Schneider	Piezoelectric Oscillator.
2,195,103	3/26/40	R. Urtel	Television System.
2,195,453	4/ 2/40	H. E. Hollmann	Electronic System.
2,195,456	4/ 2/40	H. E. Hollmann	Electronic Device.
2,195,460	4/ 2/40	M. Knoll et al	Cathode Ray Tube.
2,195,470	4/ 2/40	H. O. Roosenstein et al	Cathode Ray Tube Deflection System.
2,195,130	4/ 2/40	R. Urtel	Cathode Ray Picture Scanner.
2,195,823	4/ 9/40	M. Geiger	Oscillator.
2,196,845	4/ 9/40	R. Andrieu	Oscillograph Circuit.
2,197,033	4/16/40	K. Diels	Electron Device.
2,197,329	4/16/40	R. Andrieu	Electrodynamic Loudspeaker More Especially for Television Receiver with Braun Tube.
2,197,338	4/16/40	K. Fritz	Electromagnetic Microwave System.
2,197,346	4/16/40	H. Pitsch	Detector Amplifier Circuit Arrangement.
2,197,353	4/16/40	G. Ulbright et al	Impulse Receiving System for Direction Finders.
2,197,691	4/16/40	E. Gerlach	Microphone Arrangement.
2,198,334	4/23/40	K. Fritz	Electron Discharge Device.
2,200,048	5/ 7/40	R. Urtel	Television System.
2,201,022	5/14/40	H. Bartels et al	Control of Audio Frequency Transmission.
2,201,337	5/21/40	E. Franke	Circuit Arrangement for Reducing Interference.
2,201,563	5/21/40	H. Pfister	Regulation of Sound in Low Frequency Circuits.
2,201,565	5/21/40	G. Ulbright	Guide Ray or Beacon Course Method.
2,201,587	5/21/40	G. Krawinkel	Electron Discharge Device System.
2,201,666	5/21/40	H. E. Hollmann	Magnetron.
2,201,807	5/21/40	W. Berndt	Direction Finder Loop.
2,202,368	5/28/40	W. Berndt	Loop Antenna.
2,202,380	5/28/40	H. E. Hollmann	Confined or Space Resonance Antenna.
2,202,511	5/28/40	R. Andrieu	Black Spot Compensation Apparatus.
2,202,527	5/28/40	A. Karolus et al	Cathode Ray Switch.
2,202,589	5/28/40	H. Kohler	Adjustable Support for Electrical Apparatus.
2,202,605	5/28/40	F. Schroter	Television System.
2,202,612	5/28/40	R. Urtel	Electron Beam Control System.
2,202,613	5/28/40	R. Urtel	Television Transmission Apparatus.
2,202,614	5/28/40	M. Abrahamsohn	Cathode Ray Transmitting Tube.
2,203,467	6/ 4/40	A. Leifer	Arrangement for Converting Direct Current into Alternating Current.
2,203,487	6/ 4/40	R. Burgholz	Superheterodyne Receiver.
2,203,715	6/11/40	H. Benecke	Loud Speaker Arrangement.
2,203,736	6/11/40	W. Nahnken	Tuning Control for Radio Receivers.
2,203,865	6/11/40	M. Geiger	Signaling System.
2,204,058	6/11/40	R. Urtel	Signaling System.
2,204,061	6/11/40	R. Andrieu	Modulator Circuit.
2,204,180	6/11/40	E. Gerlach	Apparatus for Cultivating Crystals.
2,204,973	6/18/40	J. Steinmetz	Automatic Volume Control Circuits.
2,205,075	6/18/40	K. Wilhelm	Variable Width Band Pass Filter.
2,205,475	6/25/40	H. E. Hollmann	Ultra High Frequency Receiver.
2,205,504	6/25/40	R. Urtel	Signaling Circuit.
2,205,582	6/25/40	K. Steimel	Method of Sealing Glass.
2,205,852	6/25/40	H. E. Hollmann	Short Wave Resonant Circuit.
2,205,866	6/25/40	G. Schweitzer	Capacitive Radio Frequency Voltage Divider
2,205,873	6/25/40	W. Buschbeck	Method of Measuring Power on High Frequency Energy Lines.
2,205,874	6/25/40	W. Buschbeck	Arrangement for Matching a High Frequency Radiator To a Transmission Line.
2,205,881	6/25/40	K. Franz	Antenna Supervisory System.
2,206,096	7/ 2/40	E. Klotz	Band Pass Filter Arrangement.
2,206,668	7/ 2/40	H. E. Hollmann	Electronic Device.
2,207,511	7/ 9/40	M. Geiger	Oscillation Generator.
2,207,788	7/16/40	B. Eichholz	Neutralized Amplifier.
2,207,886	7/16/40	B. Johannesson	Noise Reduction Circuit.
2,208,349	7/16/40	G. Ulbright	Direction Finder.
2,208,933	7/23/40	E. Lowenhaupt	Battery Eliminator.
2,210,384	8/ 6/40	R. Rechnitzer	Automatic Control of Band Width in Band Pass Filters.
2,210,410	8/ 6/40	F. Johnske et al	Compensator for Radio Direction Finders.
2,210,987	8/13/40	F. Schroter	Cathode Ray Tube.
2,210,992	8/13/40	R. Urtel	Television Scanning Apparatus.
2,211,132	8/13/40	P. Kotowski et al	Method of Transmitting Secret Messages.
2,211,852	8/20/40	M. Geiger	Blocking Oscillator Apparatus.
2,211,939	8/20/40	K. Steimel et al	Modulation System.
2,212,110	8/20/40	W. Beuermann	Radio Beacon System.
2,212,249	8/20/40	F. Schroter	Electronic Device.
2,212,829	8/27/40	E. Gerlach	Switch with Visible Indicating Means.
2,214,627	9/10/40	H. Rothe et al	Variable Band Width Amplifier.
2,216,112	10/ 1/40	W. Ilberg	Magnetron Discharge Tube Circuit.
2,216,168	10/ 1/40	M. Geiger	Distortion Correction Circuits.
2,216,176	10/ 1/40	R. E. Hollmann	Oscillatory Circuit.
2,216,454	10/ 1/40	H. Pfister	Voltage Range Control Circuits.
2,216,940	10/ 8/40	K. Fritz	Modulation.
2,216,950	10/ 8/40	R. Kummich	Direction Finder.
2,217,297	10/ 8/40	L. Siegert	Amplifier Circuits.
2,217,321	10/ 8/40	W. Runge et al	Beam Antenna.
2,217,396	10/ 8/40	R. Andrieu	Circuit Arrangement in Television Receivers.
2,218,094	10/15/40	H. Pitsch	Receiver or Amplifier with Means for Saving Current at Lower Volume.
2,218,095	10/15/40	H. Pitsch et al	Volume Control in Receiver Sets.
2,218,101	10/15/40	T. Tillmann	Receiver or Amplifier.
2,218,361	10/15/40	W. Runge et al	Direction Finder.
2,218,389	10/15/40	A. Warmbier	Electroacoustic Megaphone.
2,218,636	10/22/40	R. Bruckner	Radio Transmitter Synchronization.
2,218,658	10/22/40	W. Runge	Radio Beacon System.
2,218,707	10/22/40	K. Franz	Antenna Array.
2,219,449	10/29/40	R. Hofer et al	Modulation.
2,219,506	10/29/40	K. Steimel et al	Tuning Indicator Circuit.
2,219,653	10/29/40	L. Krugel	Transmission Line.
2,220,158	11/ 5/40	H. Kohler	Electrical Connector.
2,220,183	11/ 5/40	G. Ulbricht	Impulse Direction Finder.
2,220,688	11/ 5/40	F. Schroter et al	Arrangement for Receiving Television Images.
2,220,964	11/12/40	H. Knoblauch et al	Television Transmitter Tube.
2,221,069	11/12/40	R. Andrieu	Saw Tooth Wave Generator.
2,222,169	11/19/40	W. Buschbeck et al	Short Wave Tuning.
2,222,414	11/19/40	H. Kudal	Projection System.
2,222,425	11/19/40	E. Rahn et al	Neutralized Amplifier Circuit.
2,222,784	11/26/40	F. Schierl	Protection Circuit.
2,223,173	11/26/40	W. Haase	Noninductive Condenser.
2,223,198	11/26/40	E. Zittrich et al	Flexible High Voltage Line.
2,223,995	12/ 3/40	P. Kotowski	Impulse Reception.
2,224,200	12/10/40	R. Schienemann	Circuit for Amplifying Carrier Frequencie.
2,224,207	12/10/40	K. Wilhelm	Receiver Circuit Arrangement.
2,225,300	12/17/40	M. Geiger	Saw Tooth Generator.
2,226,379	12/24/40	R. Kummich et al	Direction Finder.
2,226,694	12/31/40	W. Buschbeck	Neutralization Circuit for Short Wave Transmitters.
2,227,045	12/31/40	R. Urtel	Television System.
2,227,053	12/31/40	R. Andrieu et al	Magnetic Coil for Deviating Cathode Rays.
2,227,088	12/31/40	H. E. Hollmann	Directional Antenna System.
2,227,108	12/31/40	H. O. Roosenstein	Signalling System.
2,227,480	1/ 7/41	R. Andrieu	Energy Generator for Cathode Ray Deflection Means.
2,227,513	1/ 7/41	H. O. Roosenstein et al	Saw Tooth Wave Generator.
2,229,401	1/21/41	R. Kummich	Coil Coupling for Goniometers.
2,230,554	2/ 4/41	K. Wilhelm	Multiband Radio Receiver.
2,230,557	2/ 4/41	D. Babik et al	Multiband Superheterodyne Receiver.
2,231,159	2/11/41	E. Gerlach	Piezoelectric Device.
2,231,372	2/11/41	H. Rothe et al	Amplifier Tube Arrangement.
2,233,261	2/25/41	H. E. Hollmann	Magnetron Discharge Tube and Method of Operating the Same.
2,233,770	3/ 4/41	K. Fritz	Electron Discharge Device.
2,234,334	3/11/41	K. Dziewior	Impulse Method of Direction Finding.
2,234,654	3/11/41	W. Runge	Direction Finder.
2,235,053	3/18/41	R. Urtel	Cathode Ray Control Apparatus.
2,235,198	3/18/41	W. Buschbeck	Anode Neutralizing Circuit for Short Waves.
2,237,425	4/ 8/41	M. Geiger et al	Saw Tooth Wave Generator.
2,237,448	4/ 8/41	W. Reinhard	Overload Protection for Dynamic Loud Speakers.
2,237,765	4/ 8/41	W. Moser	Antenna.
2,237,895	4/ 8/41	G. Ulbricht	Impulse Direction Finding Receiver.
2,238,129	4/15/41	H. E. Paul	Directional Radio Receiver.
2,238,763	4/15/41	J. Winkler	Arrangement for Variable Adjustment of Band Width.
2,239,748	4/29/41	R. Urtel	Television Scanning Apparatus.
2,239,909	4/29/41	W. Buschbeck et al	Antenna and Coaxial Transmission Line Circuit.
2,240,136	4/29/41	M. Geiger	Signaling Apparatus.
2,240,380	5/ 6/41	E. Severin	Coupled Amplifier Cascade.
2,241,170	5/ 6/41	G. Ulbricht	Method for Receiving Periodic Impulses.
2,245,149	6/10/41	A. Leifer	Converter.
2,245,150	6/10/41	F. E. Lutz	Controlling Arrangement for Setting Organs.
2,248,476	7/ 8/41	W. Kleen	Amplifier Circuit for Frequency Band Expansion.
2,248,763	7/ 8/41	F. Kreienfeld	Receiver with Control of Selectivity through Variation of the Coupling.
2,249,414	7/15/41	F. Bihl et al	Iron Goniometer.
2,250,526	7/29/41	E. Franke	Oscillator Control Circuit.
2,250,708	7/29/41	F. Herz	Time Interval Measuring Means.
2,252,447	8/12/41	G. Ulbricht	Impulse Direction-Finding Method.
2,253,654	8/26/41	H. Schroder	System for Remotely Controlling Regulators.
2,254,025	8/26/41	R. Andrieu	Saw Tooth Wave Generator.
2,254,122	8/26/41	A. Schone et al	Tone Control Device.
2,254,344	9/ 2/41	R. Andrieu	Sawtooth Wave Generator.
2,256,090	9/16/41	W. Ilberg et al	Method and Means for Guiding Aircraft.
2,256,202	9/16/41	R. Hofer	Modulation.
2,258,283	10/ 7/41	R. Held	Disturbance Suppression Arrangement.
2,265,397	12/ 9/41	H. Rothe	Mixing Tube Circuit Arrangement. Circuit.
2,265,988	12/16/41	R. Andrieu	Electrical Impulse Segregation.
2,266,013	12/16/41	P. Ehlert	Clip for Radio Frequency Coils.
2,267,371	12/23/41	W. Buschbeck	Feeder Network.
2,270,169	1/13/42	F. Muller	Short Wave Electron Condenser.
2,270,773	1/20/42	T. Sonnentag	Impulse Direction Finder.

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of Daimler-Benz Aktiengesellschaft, and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
Reissue 21,091	5/16/39	M. Wagner	Power Driven Vehicle.
1,548,551	8/ 4/25	F. Porsche	Switching Mechanism in Connection with Motor Cars.
1,550,429	8/18/25	Paul Daimler	Change Speed Mechanisms.
1,555,421	9/29/25	L'Orange & Geutzen	Internal Combustion Engine.
1,557,325	10/13/25	F. Porsche	Steering Wheel Brake Mechanism for Motor Vehicle.
1,576,831	3/16/26	Hanns Klemm	Locking Device for Window Wings, Doors and the like.
1,589,789	6/22/26	Paul Daimler	Regulating Mechanism for Combustion Engines.
1,592,311	7/13/26	F. Porsche	Method of & Self-Ignition with Internal Combustion Engines.
1,603,697	10/19/26	H. Klemm	Aeroplanes.
1,610,881	12/14/26	A. Reinsch	Tilting Mechanism for Load Cars.
1,617,501	2/15/27	W. Schwerdtfeger	Device for Feeding the Fuel in Combustion Engines with Compressor.
1,630,634	5/31/27	F. Porsche	Coupling Device for Blowers of Combustion Machines.
1,639,784	8/23/27	F. Porsche	Charging Device for Combustion Motors.
1,643,266	9/20/27	G. Aichele	Typewriting Machines.
1,644,029	10/ 4/27	F. Porsche	Carburetor for Super-charging Internal Combustion Engines.
1,645,400	10/11/27	F. Porsche	Hydraulic Pneumatic Brakes for Power Driven Road Vehicles.
1,651,716	12/ 6/27	Hanns Klemm	Flying Machine.
1,656,867	1/17/28	F. Porsche	Rotary Piston Blower.
1,657,536	1/31/28	A. Heess-O. Schilling	Roller Bearings.
1,660,091	2/21/28	F. Porsche	Method of and Apparatus for Braking Motor Vehicles.
1,667,983	5/ 1/28	F. Porsche	Lubricating Arrangement for Blowers of Internal Combustion Machines.
1,677,619	7/17/28	M. Wagner	Steering Mechanism for Road Vehicles.
1,698,026	1/ 8/29	H. Schildknecht	Driving Device for Multi-Axle Vehicle.
1,724,310	8/13/29	F. Porsche	Power-Driven Vehicles.
1,739,859	12/17/29	F. Porsche	Blower Set for Combustion Machines.
1,758,533	5/13/30	F. Porsche	Dynamo-Electric Driving Set for Vehicles.

Patent No.	Patent date	Inventor	Title
1,789,096	1/13/31	K. Eltze	Compression Reducing Device for Internal Combustion Engines.
1,801,174	4/14/31	F. Porsche	Vacuum Brakes of Motor Vehicles.
1,809,477	6/ 9/31	K. Eltze	Internal Combustion Engine.
1,826,638	10/ 6/31	W. Schwerdtfeger	Internal Combustion Engines and the Method of Working the same.
1,831,648	11/10/31	J. Bauer-A. Umbach	Process for the Complete Filling and Emptying of Receptables such as Dust Cars.
1,838,557	12/29/31	O. Kohler	Driving Mechanism for Power-Driven Vehicles.
1,841,217	1/12/32	O. Seizer	Pneumatically or Hydraulically Actuated Tool.
1,849,113	3/15/32	F. Porsche	Vacuum-Operated Brake System.
1,850,709	3/22/32	F. Porsche	Dynamo Electric Driving Set for Vehicles.
1,851,416	3/29/32	J. Bauer	Self-Igniting Explosion Motors.
1,859,663	5/24/32	P. Fritzsche	Diesel Engines.
1,863,964	6/21/32	G. Brenner	Rubbish Cart.
1,877,736	9/13/32	M. Wagner	Change Speed Gearing.
1,880,556	10/4/32	O Weber	Internal Combustion Engines.
1,888,867	11/22/32	M. Wagner	Underframes for Automobile Vehicles.
1,889,506	11/29/32	M. Wagner	Springing for Vehicles.
1,891,010	12/13/32	F. Porsche	High Speed Diesel Oil Engines.
1,898,190	2/21/33	O. Kohler	Change Speed Gear for Power-Driven Vehicles.
1,899,832	2/28/33	F. Steinecke	Roller Hoods for Power-Driven Vehicles.
1,907,262	5/ 2/33	F. Nallinger	Underframes for Automobile Vehicles.
1,909,242	5/16/33	M. Wagner	Variable Speed Trammission Gear.
1,918,659	7/18/33	F. Nallinger	Air Temperature Regulator.
1,920,020	8/ 1/33	G. Aichele	Die Casting Machines.
1,920,714	8/ 1/33	F. Roller	Lubricating Means.
1,923,496	8/22/33	F. Nallinger	Air Purifiers for Carburetors of Internal Combustion Engines.
1,928,176	9/26/33	A. Haller	Springs for Vehicles.
1,958,935	5/15/34	G. Aichele—A. Heehs	Protective Means for Spring Plates or Washers of Valves.
1,968,524	7/31/34	O. Kohler	Internal Combustion Engines.
1,968,527	7/31/34	T. Kummich	Change Speed Gears.
1,973,353	9/11/34	F. Nallinger	Carburettor.
1,974,033	9/18/34	F. Nallinger	Power-Driven Vehicles.
1,974,785	9/25/34	F. Porsche	Vaporiser for Oil Engines.
1,974,793	9/25/34	S. Hildstein	Sliding Windows.
1,981,412	11/20/34	P. Fritzsche	Internal Combustion Engines.
1,987,248	1/ 8/35	O. Seizer	Atomising Devices.
2,001,062	5/14/35	M. Wagner	Change Speed Gear Mechanism for Motor Vehicles.
2,005,269	6/18/35	H. Schildknecht	Clutch Operating Mechanisms.
2,010,175	8/ 6/35	F. Boysen	Silencers.
2,010,415	8/ 6/35	F. Roller	Spring for Vehicles.
2,015,700	10/ 1/35	M. Wagner	Motor Vehicles.
2,015,969	10/ 1/35	H. Schildknecht	Rear Axle Gear Casings.
2,026,909	1/ 7/36	F. Nallinger	Springing Arrangements for Vehicles.
2,030,557	2/11/36	M. Wagner	Vehicle Suspension.
2,033,731	3/10/36	F. Nallinger	Motor Vehicles.
2,035,032	3/24/36	M. Wagner	Power Driven Vehicles.
2,038,326	4/21/36	M. Warner	Motor vehicles.
2,039,670	5/ 5/36	M. Wagner	Springing Arrangement for Wheels of Vehicles.
2,039,671	5/ 5/36	M. Wagner	Wheel Axle Suspension.
2,045,210	6/23/36	M. Wagner	Springing Arrangements for Power Driven Vehicles.
2,050,451	8/11/36	F. Nallinger	Cooling of Motor Car Engines.
2,055,594	9/29/36	F. Steinecke	Vehicle Bodies.
2,057,318	10/13/36	K. Schwaiger	Heating Devices for Internal Combustion Engines.
2,065,148	12/22/36	F. Nallinger	Cooling Apparatus Operating with Thermostats.
2,070,817	2/16/37	M. Wagner	Springing Arrangements for Wheels of Vehicles.
2,071,241	2/16/37	K. Thomas	Internal Combustion Engines.
2,072,092	3/ 9/37	M. Wagner	Motor Vehicles.
2,073,029	3/ 9/37	F. Roller	Motor Vehicles.
2,080,189	5/11/37	K. Schwaiger	Injection Nozzles for Internal Combustion Engines.
2,087,543	7/20/37	F. Nallinger	Springing for Vehicles.
2,090,561	8/17/37	M. Wagner	Suspension Means of Parts on Vehicle Frames.
2,096,772	10/26/37	M. Wagner	Change Speed Gears.
2,101,627	12/ 7/37	F. Nallinger	Motor Vehicles with Compressed Air Cooling.
2,104,539	1/ 4/38	W. Hacker	Motor Cars.
2,108,576	2/15/38	A. Bokemuller	Scavenging Proceeding for Two-Stroke Combustion Power Engine.
2,118,805	5/31/38	F. Nallinger	Precombustion Chamber for Diesel Engine.
2,120,084	8/ 9/38	M. Balz	Springing Arrangements for Wheels of Power-Driven Vehicles.
2,120,085	8/ 9/38	M. Balz	Motor Driven Vehicles.
2,120,130	8/ 9/38	F. Nallinger	Springing of Vehicles.
2,132,842	10/11/38	A. Berger	Cylinder of a Combustion Engine Connected with the Crank Case.
2,132,963	10/11/38	F. Nallinger	Chassis of Motor Driven Vehicles.
2,135,314	11/ 1/38	M. Wagner	Motor Driven Vehicles.
2,138,438	11/29/38	M. Wagner	Means for Connecting the Frame with the Axles of Vehicles.
2,138,618	11/29/38	W. Seyerle	Internal Combustion Engines for Motor Cars.
2,145,445	1/31/39	A. Bokemuller	Internal Combustion Engines.

Patent No.	Patent date	Inventor	Title
2,146,131	2/ 7/39	O. Schilling	Internal Combustion Engines.
2,148,854	2/28/39	A. Bokemuller	Two-Stroke Internal Combustion Engines.
2,151,075	3/21/39	A. Berger	Liquid Clutch Transmission.
2,151,865	3/28/39	F. Nallinger	Heating Device for Motor Cars.
2,152,710	4/ 4/39	K. Schwaiger	Mechanisms for Absorbing Torsional Oscillation of a Shaft.
2,155,950	4/25/39	F. Nallinger	Controlling Apparatus for an Internal Combustion Engine.
2,159,863	5/23/39	O. Schilling	Regulation of Internal Combustion Engines of the Liquid Injection Compression Ignition Type and Governor Therefor.
2,165,083	7/ 4/39	J. Dauben	Chassis of Motor Driven Vehicles.
2,166,525	7/18/39	A. Heess	Internal Combustion Engine.
2,167,902	8/ 1/39	F. Nallinger	Device for Adjusting the Ignition Timing of Internal Combustion Engines.
2,169,670	8/15/39	M. Wagner	Axle Arrangements for Motor Driven Vehicles.
2,186,748	1/ 9/40	A. Berger	Hydraulic Transmission for Automotive Purposes.
2,194,715	3/26/40	F. Nallinger	Liquid Clutch.
2,198,979	4/30/40	K. Schwaiger	Ante-Chamber Diesel Engine with Re-Adjustable Control Body.
2,199,063	4/30/40	M. Balz	Shock Absorber Assembly Especially for Motor Vehicles.
2,201,014	5/14/40	G. Scheerer	Arrangement for Drawing Fuel out of Induction Conduit of Internal Combustion Engines.
2,201,220	5/21/40	A. Bokemuller	Internal Combustion Engine.
2,201,221	5/21/40	A. Bokemuller	Internal Combustion Engine Receiving Fuel by Injection.
2,202,643	5/28/40	A. Berger	Internal Combustion Engines.
2,205,751	6/25/40	H. Scherenberg	Diesel Engines.
2,206,409	7/ 2/40	T. Kummich	Change Speed Gear Especially for Motor Vehicles.
2,221,405	11/12/40	F. Nallinger	Internal Combustion Engine.
2,223,715	12/ 3/40	A. Berger	Liquid Clutch Control.
2,228,740	1/14/41	M. Wagner—J. Muller	Motor Driven Vehicles.
2,232,154	2/18/41	M. Wagner	Automobile Vehicle.
2,237,360	4/ 8/41	W. Seyerle	Rear Engine Vehicle.
2,238,879	4/22/41	J. Dauben	Vehicles.
2,242,761	5/20/41	W. Seyerle	Cooling Device for Internal Combustion Engines.
2,243,713	5/27/41	H. Maruhn	Motor Driven Vehicles.
2,244,306	6/ 3/41	S. Meiswinkel	Injection Pump Control.
2,253,666	8/26/41	M. Wagner	Suspension for Independently Guided Wheels on the Chasis Especially of Motor Vehicles.
2,256,069	9/16/41	M. Wagner	Vehicle Axle Suspension.
2,263,038	11/18/41	G. Heim	Welding Appliance.
2,280,496	4/21/42	S. Meiswinkel	Liquid Pressure Regulator for Injection Pumps.
2,280,839	4/28/42	F. Nallinger	Internal Combustion Engines.
2,283,644	5/19/42	F. Nallinger	Arrangement of a Charging Blower for Internal Combustion Engines.

EXHIBIT C

Patents the titles to which stand of record in the United States Patent Office in the name of Dr. ing. h. c. F. Porsche, K.-G., and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
2,042,189	5/26/36	K. Rabe	Hydrodynamic Gear.
2,044,809	6/23/36	K. Rabe	Steering Arrangement for Power-Driven Vehicles.
2,059,908	11/ 2/36	K. Rabe	Spring Arrangement for Vehicles.
2,082,509	6/ 1/37	K. Rabe	Springing Arrangement.
2,088,340	7/27/37	K. Rabe	Springing Arrangement for Motor Cars and the Like.
2,088,341	7/27/37	K. Rabe	Springing Arrangement for Motor Cars and the Like.
2,088,342	7/27/37	K. Rabe	Springing Means for Vehicles or the Like.
2,091,652	8/31/37	F. Porsche	Motor Vehicle.
2,099,312	11/16/37	F. Porsche	Spring Suspension of Independent Car Wheels especially for Motor Vehicles.
2,099,316	11/16/37	K. Rabe	Precombustion Chamber Engine.
2,104,259	6/ 4/38	J. Kales	Generator and/or Starting Motor for Motor Vehicles.
2,110,275	3/ 8/38	K. Rabe	Method of Making Splined Shafts.
2,112,112	3/22/38	F. Porsche	Springing Means for Vehicles.
2,123,684	7/12/38	K. Rabe	Differential Mechanism for Motor Vehicles and the Like.
2,130,431	9/20/38	K. Rabe	Springing of Wheels.
2,132,759	10/11/38	K. Rabe	Wheel Supporting Means.
2,158,776	5/16/39	K. Rabe	Wheel Supporting Means for Vehicles.
2,161,431	6/ 6/39	K. Rabe	Spring Suspension.
2,163,131	6/20/39	F. Porsche	Springing Arrangement for the Wheels of Vehicles.
2,164,838	7/ 4/39	F. Porsche	Springing of the Wheels of Motor Vehicles.
2,166,769	7/18/39	K. Rabe	Spring Mechanism for Railway Vehicles.

Patent No.	Patent date	Inventor	Title
2,169,373	8/15/39	F. Porsche	Vehicle Suspension.
2,169,850	8/15/39	K. Rabe	Spring Mechanism.
2,174,990	10/ 3/39	K. Rabe	Springing Means for Vehicles.
2,175,562	10/10/39	K. Frohlich	Springing Arrangements.
2,183,940	12/19/39	F. Porsche	Vehicle Wheel Suspension.
2,207,268	7/ 9/40	K. Rabe	Finish Grinding Mechanism.
2,209,538	7/30/40	K. Rabe	Means and Methods of Producing Cams.
2,216,456	10/ 1/40	E. Reimspiess	Power Vehicle.
2,225,741	12/ 3/40	K. Rabe	Springing Arrangement.
2,226,759	12/31/40	E. Fitzner	Tower Vehicles.
2,227,142	12/31/40	E. Komenda	Motor Vehicle.
2,228,732	1/14/41	K. Rabe	Vehicle Frame Construction.
2,232,173	2/18/41	K. Froehlich	Vehicle.
2,234,491	3/11/41	F. Fitzner	Locking Differential Mechanisms.
2,234,592	3/11/41	E. Fitzner	Self-Locking Differential Mechanism.
2,235,418	3/18/41	J. Buchhart	Power Transmission.
2,236,223	3/25/41	J. Mickl	Internal Combustion Engines.
2,237,937	4/ 8/41	J. Kales	Tractors.
2,240,933	5/ 6/41	E. Komenda	Body Wall Lining Covering and Connecting Device.
2,241,826	5/13/41	K. Rabe	Auxiliary Spring Means for Vehicles.
2,241,827	5/13/41	K. Rabe	Vehicle Spring Suspension.
2,243,721	5/27/41	K. Rabe	Vehicle Body.
2,248,917	7/ 8/41	W. Effenberger	Seat Cushion.
2,249,320	7/15/41	K. Rabe	Fuel Transfer Pump.
2,252,860	8/19/41	F. Porsche	Brake Mechanism for Vehicle Road Wheels.
2,252,861	8/12/41	F. Porsche	Tractors.
2,252,862	8/19/41	K. Rabe	Spring Suspension for Vehicles.
2,257,571	9/30/41	K. Rabe	Spring Suspension Means for Vehicles.
2,259,266	10/14/41	K. Rabe	Brake.
2,264,260	11/25/41	K. Schmitt-K. Volkert	Fuse Block.
2,267,423	12/23/41	F. Reimspress	Oil Cooler.
2,270,805	1/27/42	K. Rabe	Splined Connection.
2,271,649	2/ 3/42	E. Komenda	Veiride Body Construction.
2,274,180	2/24/42	J. Zahradnik	Traction Wheels.
2,277,454	3/24/42	F. Porsche	Fluid Operated Control Apparatus for Clutches.
2,277,839	3/31/42	W. Becht	Internal Combustion Engines.
2,278,496	4/ 7/42	K. Schmitt	Electrical Distribution System.
2,283,231	5/19/42	K. Schmitt	Electrical Distribution System.

EXHIBIT D

Patents the titles to which stand of record in the United States Patent Office in the name of I. G. Farbenindustrie A. G. and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
1,631,170	6/ 7/27	P. Weise	Process for the Manufacture of Chromium.
1,687,433	10/ 9/28	J. Druckor	Purifying Brine to be used in Electrolytic Processes.
1,723,536	8/ 6/29	P. Weise	Process for the Manufacture of Chromium Compounds.
1,813,649	7/ 7/31	P. Weise	Dehydration and Decomposition of Iron Sulfates.
1,837,199	12/22/31	J. Brnde	Production of Aluminum Chloride Free from Iron.
1,849,153	3/15/32	F. Raspe—P. Weise	Highly Concentrated Titanium Sulfate Solutions.
1,850,154	3/22/32	F. Raspe—P. Weise	Solid Titanic Sulfates.
1,850,286	3/22/32	{A. Mittasch, R. Lucas—R. Griesbach}	Process of Making finely divided Metal Oxides.
1,866,731	7/12/32	K. Staib	Process of Producing Anhydrous Aluminum Chloride.
1,878,013	9/20/32	K. Staib	Production of Anhydrous Chlorides.
1,891,210	12/13/32	H. Wolff	Green Mineral Pigment.
1,891,911	12/27/32	J. Brode—G. Kab	Titanium Ores.
1,934,778	11/14/33	L. Teichmann—F. Specht.	Titanium Sulfuric Acid Compounds.
1,941,285	12/26/33	L. Teichmann—H. Noerr.	Titanium Sulfate Compounds.
2,028,980	1/28/36	E. Korinth—G. Meder	Inorganic Colored Pigments and a Process of Preparing the same.
2,118,916	5/31/38	J. Drucker	Titanium Containing Pigments.
2,121,408	6/21/38	F. Raspe—H. Giese	Artificial Cellulose Material.
2,122,180	6/28/38	E. Lederle—R. Brill	Synthetic Spinels.
2,138,384	11/29/38	G. Meder	Titanium Pigments.
2,144,577	1/17/39	K. Petersen	Titanium Dioxide Pigments.
2,161,975	6/13/39	K. Petersen	Titanium Dioxide Pigments.
2,187,821	1/23/40	J. Nelles	Preparation of Metallo-Organic Compounds.

EXHIBIT E

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

Patent No.	Date	Record owner	Inventor	Title
1,612,460	12/28/26	J. Mickl, Robert Alt & Co., F. Mannsbarth & J. Labut.	J. Mickl	Resilient Supports or Bases for Chairs, Fauteuils, Benches and the Like.
1,710,825	4/30/29	Chemische Forschungsgesellschaft m. b. H.	W. Herrmann & W. Haehnel.	Process for the Production of Polymerized Vinylacetate.
1,761,888	6/ 3/30	Junkers-Flugzeug-und-Motorenwerke.	H. Junkers	Method and Means for Upsetting Sheet Metal.
1,835,941	12/ 8/31	Carl Still	P. Fritzsche	Process of Recovering Sulphuric Acid from the Acid-Tar of Benzol Purification.
1,860,557	5/31/32	Gustav Schwarz G. m. b. H.	H. Sukohl	Propellers for Air Craft.
1,867,128	7/12/32	Deutsche Celluloid-Fabrik	A. Weihe	Mixed Cellulose Esters.
1,871,868	8/16/32	Deutsche Celluloid-Fabrik	A. Weihe	Nitrated Cellulose.
			O. Leuchs & E. Dorr	Ethers.
1,895,259	1/24/33	Motorenfabrik Deutz A. G.	R. Muller	Fuel Pump for Diesel Engines of the Vehicle Type.
1,980,306	11/13/34	Deutsche Celluloid-Fabrik	A. Weihe, K. Thinius	Mixed Cellulose Esters.
1,987,760	1/15/35	Gustav Schwarz G. m. b. H.	H. Suhokl & L. Hoffman.	Aeronautical Propellers.
1,995,580	3/26/35	Titangesellschaft A. G.	J. Rockstroh, F. Raspe & H. Kircher.	Manufacture of Rutile.
2,003,408	6/ 4/35	Deutsche Celluloid-Fabrik	A. Weihe	Cellulose Esters of partly Esterified Polybasic Acids.
2,016,611	10/ 8/35	Paul Franke & Reinhold Heidecke.	R. Muller	Film Feed Mechanism for Photographic Roll Film Cameras.
2,019,927	11/ 5/35	F. Porsche	F. Porsche	Screw & Nut Steering Gear for Automobiles.
2,048,773	7/28/36	Paul Franke & Reinhold Heidecke.	W. Baumgartner	Devices for Parallax Adjustment in Cameras.
2,054,562	9/15/36	Dr. ing. h. c. F. Porsche G. m. b. H. & R. Haag.	R. Haag	Injection Internal Combustion Engines.
2,087,090	7/13/37	Deutsch Celluloid-Fabrik	O. Hauffe	Manufacture of Safety Glass.
2,092,229	9/ 7/37	Deutsche Celluloid-Fabrik	K. Thinius	Nitro-Cellulose Lacquer.
2,133,633	10/18/38	Dr. ing. h. c. F. Porsche G. m. b. H. & Karl Rabe.	K. Rabe & W. Boxan	Motor Vehicle Chassis.
2,154,203	4/11/39	Deutsche Celluloid-Fabrik	O. Hauffe	Manufacture of Shaped Articles of Highly Polymeric Compounds.
2,275,856	3/10/42	E. Lederle & R. Brill	E. Lederle & R. Brill	Synthetic Spinels.
2,280,223	4/21/42	R. Dumpelman & P. Ehlers	R. Dumpelman & P. Ehlers.	Coated Electrodes and Welding Rod.
2,285,178	6/ 2/42	Deutsche Celluloid-Fabrik	K. Thinius	Polyamides Combined with Cellulose Derivatives.

[F. R. Doc. 42-7139; Filed, July 27, 1942; 11:00 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF PACIFIC HOG COMPANY

§ 502.48 *Vesting order No. 48.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Pacific Hog Company (a California corporation),

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7140; Filed, July 27, 1942; 11:00 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF L. & N. FEEDING CORPORATION

§ 502.49 *Vesting Order No. 49.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of L. & N. Feeding Corpdration, a California corporation,

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205.)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7141; Filed, July 27, 1942; 11:00 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF UFA FILMS, INC.

§ 502.50 *Vesting Order No. 50.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Ufa Films, Inc., a New York corporation, consisting of 200 shares of $100 par value common stock owned by Universum Film, A. G., Krausenstrasse 37–39, Berlin, Germany.

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7142; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 29 ITALIAN AND GERMAN VESSELS

§ 502.52 *Vesting Order No. 52.* Under the authority of the Trading with the enemy Act of October 6, 1917, as amended, including particularly but not limited to sections 5 (b) and 7 (c) thereof, as amended, and of Executive Order No. 9095 of March 11, 1942,[1] as amended, and pursuant to law, the undersigned, finding upon investigation that the right, title and interest, if any, of the persons, firms and corporations listed in Exhibit A attached hereto and made a part hereof (which persons, firms and corporations are herein called "Claimants") in the vessels designated on said Exhibit A opposite the names of Claimants, respectively, are the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,[2] as defined therein, and that each of said Claimants is an enemy as defined in sec. 2 of said Act of October 6, 1917, not holding a license from the President, and that the action herein taken is in the public interest, hereby demands and seizes, and declares vested in the Alien Property Custodian, forthwith and upon the terms herein provided, all right, title and interest, if any, of Claimants, and each of them, in any or all of the aforesaid vessels (as hereinafter defined), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "vessels" as used in this order means the vessels, their engines, boilers, tackle, apparel, furniture, spare parts and equipment, and all stores and fuel whether aboard such vessels or appertaining thereto and the proceeds of said vessels, and includes any claim against the United States for compensation for anything heretofore or hereafter done under the Act of June 6, 1941 (Public Law 101, 77th Congress) in respect of said vessels. In the case of the *M. S. Odenwald (Willmoto)* the term "vessel" includes also the cargo that was on board at the time the libel for salvage against the same was filed in the United States District Court for Puerto Rico, and the proceeds of said cargo, and includes also any claim against the United States for compensation for anything heretofore or hereafter done under the Act of October 10, 1940 in respect of said cargo. In the case of the *SS. Brennero* the term "vessel" includes also the proceeds of the cargo that was on board at the time the libel for forfeiture against the *SS. Brennero* was filed in the United States District Court for the District of New Jersey, which cargo has since been sold by order of said court.

The divesting and seizure hereunder of all right, title and interest of Claimants, and each of them, and the vesting thereof in the Alien Property Custodian is unconditional and without redress or right of compensation to said Claimants, or any of them, except as may be otherwise provided by future legislation.

Nothing in this order shall be construed as impairing the right of compensation in accordance with the applicable provisions of the Act of June 6, 1941, and of section 902 of the Merchant Marine Act of 1936, as amended, of any person interested except claimants, and each of them, and except other enemies; but nothing in this order shall be construed as impairing such rights as the United States may already have in respect of said vessels, including specifically but not exclusively rights of forfeiture and salvage rights, whether or not already established by adjudication. Nothing in this order shall be construed as recognizing any right of compensation for any interests found subject to defeasance or without value by reason of the paramount rights of the United States.

Nothing in this order shall be construed as impairing any authority which the United States Maritime Commission or the War Shipping Administration may have to take any action in respect of said vessels which the Act of June 6, 1941, or Executive Order No. 8771,[3] or any amendment thereof, heretofore or hereafter made, authorizes with respect to vessels taken under the Act of June 6, 1941, or to continue, modify or revoke any arrangements heretofore made by them in respect of said vessels.

Nothing in this order shall be construed as recognizing that Claimants, or any of them, have any right, title or interest in said vessels. This order and all action taken pursuant thereto is in strict subordination to the rights of the United States including rights of forfeiture and salvage rights. It is the intention of this order to effect a complete substitution of the Alien Property Custodian for Claimants, and each of them, in respect of any right, title or interest they, or any of them, may have in any or all of said vessels.

Copies of this order shall be served by mail on the proctors for the Claimants in the various proceedings in admiralty heretofore brought by the United States against said vessels (E.O. 9095, 7 F.R. 1971).

Executed at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[1] 7 F.R. 1971.
[2] 6 F.R. 2897, 3715, 6348, 6785.
[3] 6 F.R. 2759.

EXHIBIT A

Claimants	Vessels
1. Navigazione Odero Societa Anonima; Societa Navigation Odero.	1. The vessel formerly known as S. S. *Ada O*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Louisiana, In Admiralty No. 523.
2. "Italia" Societa Anonima di Navigazione.	2. The vessel formerly known as S. S. *Alberta*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In Admiralty No. A151a.
3. G. Bozzo fu L.; Giuseppe Bozzo fu Lorenzo.	3. The vessel formerly known as S. S. *Antoinetta*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 65 of 1941.
4. "Italia" Societa Anonima di Navigazione.	4. The vessel formerly known as S. S. *Arsa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In A139a.
5. "Italia" Societa Anonima di Navigazione.	5. The vessel formerly known as S. S. *Aussa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In Admiralty No. A124a.
6. "Italia" Societa Anonima di Navigazione.	6. The vessel formerly known as S. S. *Belvedere*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 71 of 1941.
7. Societa Anonima Cooperativa di Navigazione Garibaldi; Royal Italian Government; Italian Navy.	7. The vessel formerly known as S. S. *Brennero*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In Admiralty No. A135a.
8. "Italia" Societa Anonima di Navigazione.	8. The vessel formerly known as S. S. *Clara*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6694.
9. "Petroleum" Societa Anonima di Navigazione.	9. The vessel formerly known as S. S. *Colorado*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Puerto Rico, In Admiralty No. 5.
10. "Corrado" Societa Anonima di Navigazione.	10. The vessel formerly known as S. S. *Confidenza*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Southern District of Florida, In Admiralty No. 32J.
11. Lloyd Triestino Societa Anonima di Navigazione; Linee Triestine per l'Oriente S. A. di Navigazione.	11. The vessel formerly known as S. S. *Conte Biancamano*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of the Canal Zone, In Admiralty No. 1742.
12. Societa Ligure di Armamento; Societa Navigazione Ligure di Armamento.	12. The vessel formerly known as S. S. *Euro*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Maryland, In Admiralty No. 2499.

Claimants	Vessels
23. Tito Campanella Societa di Navigazione; Societa Navigazione Tito Campanella.	23. The vessel formerly known as S. S. *Pietro Campanella*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Maryland, In Admiralty No. 2498.
24. Societa Anonima per l'Industria ed il Commercio Marittimo "Nova Genuensis"; Messrs. Ravano and Corrado.	24. The vessel formerly known as S. S. *San Giuseppe*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6685.
25. Compagne Ligure di Navigazione S. A.; Cia Ligure di Navigazione.	25. The vessel formerly known as S. S. *San Leonardo*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of New York, In Admiralty No. M567.
26. A. T. Rosasco.	26. The vessel formerly known as S. S. *Santa Rosa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 67 of 1941.
27. Societa Commerciale di Navigazione.	27. The vessel formerly known as M. S. *Villarperosa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of New York, In Admiralty No. M568.
28. Comm. Giuseppe Bozzo; Giuseppe Bozzo fu L.	28. The vessel formerly known as S. S. *Vittorin*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6686.
29. Hamburg-Amerikanische Packetfahrt Actien-Gesellschaft; (Hamburg-Amerika Linie); Hamburg American Line.	29. The vessel formerly known as M. S. *Odenwald* (*Willmoto*), being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Puerto Rico, In Admiralty No. 6.

[F. R. Doc. 42-7094; Filed, July 24, 1942; 3:40 p. m.]

PART 502—VESTING ORDERS

VESTING INTERESTS OF PARTNERS IN HARA AND COMPANY

§ 502.53 *Vesting Order No. 53.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Ryozeburo Hara, Tasaburo Hara, Takeo Saigo, Kenichiro Saigo and Sue Hara, and each of them, as copartners in and to the partnership known as Hara and Company under which name such copartners are doing business and maintaining an office at 1 Park Avenue, New York, New York.

is property of nationals, and represents ownership of a business enterprise within the United States which is a national of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country

the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-7143; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 245 SHARES OF THE CAPITAL STOCK OF AMERICAN FELSOL COMPANY

§ 502.54 *Vesting Order No. 54.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

245 shares of the capital stock of American Felsol Company, an Ohio corporation, represented by Certificate Number 2 and owned by Roland Kommandit Gesellschaft, G. m. b. H., Essen, Germany,

is property of, and represents an interest in a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person other than a national of a designated enemy country asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executive at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-7144; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF JOH. BARTH & SOHN, INC.

§ 502.55 *Vesting Order No. 55.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Joh. Barth & Sohn, Inc., a New York corporation, consisting of 300 shares of $100 par value common stock registered in the name of Joh. Barth & Sohn, Nurnberg, Germany,

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-7145; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 15,388 SHARES OF THE CAPITAL STOCK OF ARUSHEE COMPANY

§ 502.56 *Vesting Order No. 56.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

15,388 shares of $1.00 par value common capital stock of Arushee Company, a New Jersey corporation, the names of the owners of which (the last known address of each of whom was represented to the undersigned to be Hanau, Germany), and the number of shares owned by them respectively, are as follows:

Name:	Number of shares
Wilhelm Heraeus	4,653
Bertha Heraeus	2,510
Annemarie Noll	978
Clara Andre	980
Paula Emge	334
Emma Kraemer	30
Werner Canthal	200
Hertha Jeep	584
Wilhelm H. Heraeus	760
Reinhard Heraeus	1,360

Name—Continued.	Number of shares
W. C. Heraeus, G.m.b.H.	450
Mrs. W. Canthal	635
Carl Heraeus	445
Mrs. Platzhoff	410
Mrs. Corning	465
F. Kuech	107
Mrs. Auguste Heraeus	385
Mrs. Else Heraeus	83
Mrs. Gertraud Heraeus	7
Rudolph Noll	22

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 23, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7146; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 3,398 SHARES OF THE CAPITAL STOCK OF GOSHO CONCENTRATION & COMPRESS COMPANY

§ 502.57 *Vesting Order No. 57.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

3,398 shares of the capital stock of Gosho Concentration & Compress Company, a Texas corporation, the names and last known addresses of the owners of which, and the number of shares owned by them, respectively, are as follows:

Name	Last known address	Number of shares
H. Nose	Osaka, Japan	300
R. Murato	Osaka, Japan	500
K. Yamada	Osaka, Japan	500
T. Nishikawa	Osaka, Japan	48
C. Nishikawa	Osaka, Japan	300
I. Asahi	Osaka, Japan	100
M. Yoshida	Osaka, Japan	500
G. Kikkawa	Osaka, Japan	100
M. Nakao	Osaka, Japan	300
K. Akashi	Alien detention camp	300
R. Sasaki	Alien detention camp	450
Total		3,398

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 23, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7147; Filed, July 27, 1942; 11:02 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF ATAKA & CO., LTD., AND CERTAIN INDEBTEDNESS OWING BY IT

§ 502.58 *Vesting Order No. 58.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of Ataka & Co., Ltd., a New York corporation, consisting of 300 shares of common stock owned by Ataka & Co., Ltd., Osaka, Japan,

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Ataka & Co., Ltd., Osaka, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Ataka & Co., Ltd., a New York corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Japan), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in sub-paragraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 23, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7148; Filed, July 27, 1942; 11:02 a. m.]

PART 502—VESTING ORDERS

INTERESTS OF PARTNERS IN SOUTHERN COTTON CO., LTD.

§ 502.59 *Vesting Order No. 59.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest as copartners in and to Southern Cotton Co., Ltd., a Texas partnership, of each of the persons whose names and last known addresses are, respectively, as follows:

Name:	Last known addresses
J. Arakawa	Osaka, Japan.
K. Ito	Osaka, Japan.
S. Nakamura	Osaka, Japan.
K. Otani	Osaka, Japan.
T. Okamota	Nagoya, Japan.
R. Toyoda	Nagoya, Japan.
H. Yamanouchi	Tokyo, Japan.
E. Fujise	Tokyo or Osaka, Japan.
J. Inouye	Ishiyama or Osaka, Japan.
Y. Shinohara	Alien detention camp.
S. Takebe	Alien detention camp.

is property of nationals, and represents an interest in a busines enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7149; Filed; July 27, 1942; 11:02 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision—32]

PART 30—FOREIGN TRADE STATISTICS

COUNTRY OF DESTINATION OF EXPORTS—PORT AND COUNTRY OF UNLADING OF EXPORTS BY VESSEL

JULY 25, 1942.

Section 30.11 is amended to read as follows:

§ 30.11 *Country of destination of exports; port and country of unlading of exports.* (a) The place (city) and country of ultimate destination must be shown on the Shipper's Export Declaration. If the country of ultimate destination of the commodities exported is different from that for which the vessel or car clears or departs, collectors will require exporters and shippers or their agents to state in the Shipper's Export Declaration as the country of ultimate destination, the country to which the commodities are sold or destined for market. Special care should be taken to state the final destination of goods shipped through Canada to Europe and of goods shipped through Chile or Peru destined to Bolivia.

(b) For shipments by vessel the foreign port and country of unlading must be shown on the Shipper's Export Declaration in addition to the country of ultimate destination. (R.S. 161, Sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 42–7130; Filed, July 25, 1942; 12:23 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4088]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL LACQUER MANUFACTURING CO. ETC.

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, (1) representing as the customary or regular price of respondent's paint any price which is in excess of the price at which such paint is regularly and customarily sold by respondent in the normal and usual course of business; and (2) representing, directly or by implication, that the price at which respondent offers his paint for sale constitutes a special, reduced, or sacrifice price, when in fact such price is the usual and customary price at which respondent sells his paint in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, July 20, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Plant and equipment:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertising—Stock:* § 3.6 (dd) *Advertising falsely or misleadingly—Special offers:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, representing, directly or by implication, (1) that respondent maintains any warehouse other than that maintained at his manufacturing plant in Vernon, California; (2) that respondent has any specified quantity of paint warehoused or on hand in the vicinity of prospective purchasers, when respondent does not in fact have such quantity warehoused or on hand in the designated locality; and (3) that the quantity of respondent's paint available to prospective purchasers is limited, when respondent is in fact prepared to fill all orders received; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc. Docket 4088, July 20, 1942]

§ 3.6 (o) *Advertising falsely or misleadingly—Old as new:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—History.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, (1) using the words "fresh stock" to designate or describe respondent's paint, or otherwise representing, directly or by implication, that such paint is new paint or is made from new and unused mate-

rials; and (2) representing, directly or by implication, that respondent's paint is obtained by him direct from paint manufacturers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, July 20, 1942]

§ 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old, used or reclaimed as unused or new.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, advertising, offering for sale, or selling respondent's paint without clearly disclosing in all sales letters and other advertising media, and on labels affixed to the containers in which such paint is sold, that such paint is a reclaimed or reconditioned product made principally from salvage material; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, July 20, 1942]

In the Matter of Jacob Swimmer, an Individual, Trading as National Lacquer Manufacturing Co. and as National Titanium Co.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, the answer of the respondent, testimony and other evidence in support of the allegations of the complaint and in opposition thereto, taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Jacob Swimmer, individually and trading as National Lacquer Manufacturing Co. and as National Titanium Co., or trading under any other name, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's reclaimed or reconditioned paint in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing as the customary or regular price of respondent's paint any price which is in excess of the price at which such paint is regularly and customarily sold by respondent in the normal and usual course of business.

2. Representing, directly or by implication, that the price at which respondent offers his paint for sale constitutes a special, reduced, or sacrifice price, when in fact such price is the usual and customary price at which respondent sells his paint in the normal and usual course of business.

3. Representing, directly or by implication, that respondent maintains any warehouse other than that maintained at his manufacturing plant in Vernon, California.

4. Representing, directly or by implication, that respondent has any specified quantity of paint warehoused or on hand in the vicinity of prospective purchasers, when respondent does not in fact have such quantity warehoused or on hand in the designated locality.

5. Representing, directly or by implication, that the quantity of respondent's paint available to prospective purchasers is limited, when respondent is in fact prepared to fill all orders received.

6. Using the words "fresh stock" to designate or describe respondent's paint, or otherwise representing, directly or by implication, that such paint is new paint or is made from new and unused materials.

7. Representing, directly or by implication, that respondent's paint is obtained by him direct from paint manufacturers.

8. Advertising, offering for sale, or selling respondent's paint without clearly disclosing in all sales letters and other advertising media, and on labels affixed to the containers in which such paint is sold, that such paint is a reclaimed or reconditioned product made principally from salvage material.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-7118; Filed, July 25, 1942; 11:26 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 87]

PART 402—LOAN SERVICE DIVISION

The second paragraph of § 402.19-16 is amended to read as follows:

§ 402.19-16 *Legal advice required.* * * *

In all other jurisdictions, however, where the Corporation's lien may be affected by the giving of such consent, the form shall be forwarded to the Regional Counsel for the completion of Block V, unless the Regional Counsel has advised the Regional Manager that in all cases within a particular jurisdiction, liens prior to the Corporation's lien may arise out of consents to such repairs, improvements, removals or demolitions.

Section 402.19-17 is amended to read as follows:

§ 402.19-17 *Indemnity bond.* In cases where the granting of consent may result in a lien superior to the Corporation's lien, the Regional Manager shall determine whether an indemnity bond or other form of protection should be required in order to protect the Corporation. When, in his opinion, the probability of such liens arising from the granting of the consent are remote, indemnity bonds or other forms of protection need not be required.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective July 20, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-7131; Filed, July 27, 1942; 10:11 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1370]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

AMENDMENT OF RELIEF ORDER

Order correcting order granting relief in the matter of the petition of the Bituminous Coal Producers Board for District No. 3 for the establishment of certain price classifications and minimum prices and for revision of certain price classifications and minimum prices for the coals of Mine Index Nos. 287 and 385, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

In the Findings of Fact, Conclusions of Law, Memorandum Opinion and Order in this matter dated June 4, 1942, (7 F.R. 4446) the Consolidation Coal Company was inadvertently referred to as the "Consolidated Coal Company";

Now, therefore, it is ordered, That the Findings of Fact, Conclusions of Law, Memorandum Opinion and Order in the above-entitled matter dated June 4, 1942, and Supplement R (7 F.R. 4446), be, and it hereby is, corrected so that "Consolidated Coal Company" shall read "Consolidation Coal Company" in all instances where it appears in said document and Supplement R.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7164; Filed, July 27, 1942; 11:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XII]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

PART 804—INDIVIDUAL LICENSES

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638.

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Gen. Lic. group
Citric acid	1, 47
Potassium bitartrate (cream of tartar)	1, 47
Tartaric acid	1, 47

This amendment shall become effective July 28, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: July 18, 1942.

F. R. KERR,
Export Control Branch,
Office of Exports.

[F. R. Doc. 42-7091; Filed, July 24, 1942; 1:53 p. m.]

[Amendment No. XIII]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

PART 804—INDIVIDUAL LICENSES

Section 802.13 *Ship and plane stores, supplies and equipment,*[1] is hereby amended to read as follows:

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) General licenses are hereby issued permitting exportation of certain ship stores, supplies, equipment and bunker fuel subject to the following restrictions:

(1) When exportation is made on freight or passenger vessels operating under the control of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a), these general licenses authorize the exportation of bunker fuel, ordinary ship stores, sea stores, and supplies for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled, and also of equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(2) When exportation is made on vessels operating under the control of countries other than those listed in subparagraph 1, these general licenses authorize exportation of the following items:

(i) Bunker fuel necessary for consumption on board the vessel on the outgoing voyage only and for United States "in port operations".

(ii) Food stores for the outgoing and any immediate return voyage scheduled, not in excess of 6.85 lbs. per man, per day, which amount shall be distributed among individual food items in accordance with the list set forth below. An excess tolerance of 0.15 lbs. per man, per day, may be allowed by the Collectors of Customs where, due to packaging, items of food stores cannot be split up. Additional food stores, not in excess of the amount allowable for 20% of the number of days required for the outgoing and return voyage, may be authorized for exportation by the Collectors of Customs where necessary for the ship's safety and "in port operations". Food stores included within group A or group E of the list set forth below may exceed the amounts specified for such groups: *Provided*, That the aggregate of all food stores included in both groups A and E does not exceed 4.00 lbs. per man, per day. The operators of vessels shall furnish to the Collectors of Customs requisitions based upon the information set forth in said list, and shall furnish the following additional information: name of vessel; nationality, name of agent; approximate number of days required for the outgoing and return voyage; the vessel's possible itinerary; and the number of crew and passengers.

The list referred to above is as follows:

Item and Allowance Authorized per Man, per Day

Group A:
- Meats:
  - Fresh.
  - Dried.
  - Canned (not to exceed 0.06 lbs.).
- Poultry and game.
- Fish:
  - Fresh.
  - Dried.
  - Canned (not to exceed 0.06 lbs.).
- Cheese.
- Butter.
- Eggs: (8 to a lb.) fresh.
- Milk: Canned.
- Cream:
  - Fresh.
  - Canned.

Total for Group A 3.00 lbs.

Group B:
Sugar. Total for Group B 0.20 lbs.

Group C:
Potatoes. Total for Group C 1.00 lbs.

Group D:
- Vegetables:
  - Fresh.
  - Dried.
  - Canned.
- Fruit:
  - Fresh.
  - Dried.
  - Canned.

Total for Group D 0.75 lbs.

Group E:
- Flour.
- Cereals.
- Bread.
- Biscuits.
- Crackers.

Total for Group E 1.00 lbs.

Group F:
- Cocoa.
- Coffee.
- Tea.

Total for Group F 0.25 lbs.

Group G:
Beverages. Total for Group G 0.15 lbs.

Group H:
Other groceries. Total for Group H 0.50 lbs.

Group I:
- Tobacco.[1]
- Cigarettes.[1]

Total per man, per day 6.85 lbs.

[1] Two (2) packs of cigarettes per man, per day, or the equivalent of four ounces of tobacco per man, per day.

[1] 7 F.R. 5007.

(b) General licenses are hereby issued permitting exportation in planes departing from the United States of fuel, ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and of equipment and spare parts when necessary for the proper operation of such planes.

Part 804, *Individual licenses*, is hereby amended by adding the following new section:

§ 804.10 *Repair parts for certain vessels.* An individual license for the exportation of repair parts for vessels operating under the control of countries other than those designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a) of this subchapter, is conditioned upon the observance of the following requirements:

(a) The repairs to the vessels must be made at the port of purchase of such repair parts prior to the departure of the vessel.

(b) The parts which are replaced by said repair parts may not be exported on the vessel, but must be discharged onto the pier at said port of purchase.

These amendments to § 802.13 and to Part 804 shall become effective July 22, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3 Delegations of Authority Nos. 25 and 26 7 F.R. 4951).

Dated: July 22, 1942.

F. R. KERR,
Export Control Branch,
Office of Exports.

[F. R. Doc. 42-7090; Filed, July 24, 1942; 1:53 p. m.]

[Amendment No. XIV]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

SOLID PLATINUM

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	Gen. Lic. group
Jewelry and other articles of solid platinum	1, 47

Section 802.9 *General intransit licenses*[2] is amended by adding to the list of commodities set forth in paragraph (d) thereof the following items:

Jewelry and other articles of solid platinum.
Platinum group metals.

Section 802.10 *General licenses which permit shipments not exceeding a specified value*[3] is amended by adding to the

[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638.
[2] 7 F.R. 5004.
[3] 7 F.R. 5005, 5343.

list of commodities set forth in paragraph (a) thereof the following item:

Jewelry and other articles of solid platinum.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F. R. 4951)

This amendment shall become effective July 24, 1942.

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

Dated: July 24, 1942.

[F. R. Doc. 42-7154; Filed, July 27, 1942; 11:23 a. m.]

[Amendment No. XV]

PART 801—GENERAL REGULATIONS

COTTON CORD TIRE FABRIC

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in sa'd section) is amended to read as follows:

Commodity:	*Gen. Lic. group*
Cord tire fabric, cotton	C

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

This amendment shall become effective July 25, 1942.

Dated: July 24, 1942.

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42-7155; Filed, July 27, 1942; 11:23 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 902—REGULATIONS UNDER THE REQUISITIONING ACTS

ADDITIONAL AMENDMENTS

Pursuant to the authority vested in the Chairman of the War Production Board by Executive Order No. 9024 of January 16, 1942[2] and Executive Order No. 9040 of January 24, 1942,[3] the Regulations under Requisitioning Acts approved by the Supply Priorities and Allocations Board, December 8, 1941, (Part 1600),[4] as amended by War Production Board Regulation No. 2 of January 26, 1942,[5] (§ 902.5), are hereby amended to read as follows:

§ 902.1 *General provisions applicable to all requisitioning proceedings.* (a) As used in these regulations, the term "Requisitioning Authority" means the Chairman of the War Production Board in all cases except when requisitioning is initiated under paragraph 4 of Executive Order 8942, as amended by Executive Order 9138, in which case the term "Requisitioning Authority" means the head of the department or agency who shall have submitted the proposal for requisitioning to the Chairman of the War Production Board.

(b) Promptly after any property has been requisitioned, notice of such requisition, in such manner and form as may be approved by the General Counsel of the War Production Board, shall, to the extent practicable, be given by the Requisitioning Authority to all persons known to have or claim any interest in such property; and all such persons shall be directed to file their claims with the Requisitioning Authority.

(c) As promptly as practicable after property has been requisitioned, the Requisitioning Authority shall make a preliminary determination of the fair and just compensation to be paid for such property. It shall, to the extent practicable, give notice of such determination to all persons known to have or claim an interest in the property requisitioned. Within 30 days after such notice, any claimant may file written objections to such preliminary determination, specifying in reasonable detail the grounds for his objection. The preliminary determination may be modified on the basis of such objections.

(d) In any case in which the Requisitioning Authority is in doubt as to the proper measure to be applied in determining fair and just compensation, or in any case in which there is a difference of opinion between the Requisitioning Authority and any person known to have or claim an interest in property requisitioned as to the proper measure to be applied in determining fair and just compensation, the Requisitioning Authority may, in its discretion, either before or after making a preliminary determination pursuant to paragraph (c), designate a time and place for all persons known to have or claim an interest in the property requisitioned to appear in support of their claims. Such appearance shall be before a board or official designated by the Requisitioning Authority for such purpose. Such board or official shall hear the claimants who appear and shall receive any evidence relevant to the inquiry. A stenographic transcript of the proceedings before such board or official and copies of all written evidence submitted shall be preserved. Following such inquiry, such board or official shall make a recommendation to the Requisitioning Authority as to the amount of compensation to be paid, and the Requisitioning Authority shall consider such recommendation, and thereafter may make or affirm, increase or decrease its preliminary determination.

(e) No payment shall be made to any claimant until he has presented such proof of his title as the Requisitioning Authority may require and the Requisitioning Authority has determined that compensation or any part thereof may be safely paid to him. If the Requisitioning Authority determines that compensation cannot safely be paid to any claimant, the Requisitioning Authority shall make an award of compensation and the amount of the award shall be set aside and retained, or the proper appropriation charged therefor, until the person or persons entitled to receive the same shall be established. If the Requisitioning Authority determines that compensation can safely be paid to any claimant, it shall make an award of compensation and shall pay to the person or persons entitled thereto the amount of such award or, if such person or persons are unwilling to accept such compensation, shall pay 50 per centum of such amount in accordance with the Act of October 10, 1940, as amended, or the Act of October 16, 1941, as amended, whichever shall be applicable.

(f) At any time after property has been requisitioned, the Requisitioning Authority may make a settlement with claimants as to the amount of compensation and the persons entitled thereto, provided that at the time of making any such settlement, the Requisitioning Authority shall make a determination that the amount of such settlement constitutes fair and just compensation for the property requisitioned.

(g) A Requisitioning Authority may exercise any power, duty or discretion vested in it under Executive Order 8942, Executive Order 9024, Executive Order 9040, Executive Order 9138 or this Regulation through such person or persons as it may designate.

(h) Any Requisitioning Authority, for the purpose of requiring and compelling a disclosure of information under section 4 of the Act of October 16, 1941, as amended, may administer oaths and affirmations, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be relevant to the inquiry. Such attendance and testimony of witnesses and the production of such books, records or other documentary or physical evidence may be required at any designated place from any State, Territory, or other place subject to the jurisdiction of the United States.

§ 902.2 *Provisions applicable to action initiated by the head of a Department or Agency other than the Chairman of the War Production Board.* (a) The Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Chairman of the United States Maritime Commission, the Executive Director of the Board of Economic Warfare, or the head of such other agency as the President may from time to time designate shall, prior to requisitioning any property pursuant to the power granted by paragraph 4 of Executive Order 8942, as amended by Executive Order 9138, submit to the Chairman of the War Production Board a written statement (in such form as may be approved by the General Counsel of the War Production Board) setting forth in reasonable detail all pertinent facts with respect to the property which he proposes to requisition and the proposed disposal thereof, and certifying that he has made the determinations required under said paragraph 4.

(b) Upon the submission of any such proposal, the Chairman of the War Production Board shall determine whether such proposal is consistent with his priorities and allocations program and general production and supply plan. The Chairman of the War Production Board may consider and act upon the proposed requisitioning separately from the proposed disposal. The determination of the Chairman of the War Production Board shall be transmitted in writing to the Requisitioning Authority.

(c) If the proposed requisitioning is determined to be consistent with the priorities and allocations program and general production and supply plan of the Chairman of the War Production Board, the Requisitioning Authority may requisition the property in accordance with § 902.1 hereof. If the proposed disposal of such property has been determined to be consistent with the priorities and allocations program and general production and supply plan of the Chairman of the War Production Board, such property shall be disposed of in accordance with such proposal; but if the Requisitioning Authority desires otherwise to dispose of such property, it may submit a new proposal for such disposal to the Chairman of the War Production Board.

(d) In any case in which any Requisitioning Authority which has requisitioned property pursuant to paragraph 4 of Executive Order 8942, as amended by Executive Order 9138, determines that property requisitioned by it and retained is no longer needed for the defense of the United States and proposes to return it to the original owner thereof, it shall submit such proposal to the Chairman of the War Production Board, in the same manner as provided in § 902.1 hereof, for determination as to whether such proposal is consistent with the priorities and allocations program and general production and supply plan of the Chairman of the War Production Board. The determination of the Chairman of the War Production Board shall be transmitted in writing to the Requisitioning Authority.

(e) In any case in which property is requisitioned or disposed of, or a determination of compensation or of a person entitled thereto is made, or property is returned to the original owner thereof, in accordance with this section or § 902.4 hereof, the Requisitioning Authority shall report in reasonable detail concerning such requisitioning, determination and payment of compensation, disposal or return to the Chairman of the War Production Board within 15 days after the event.

§ 902.3 *Provisions applicable only to requisitioning by the Chairman of the War Production Board.* (a) The Chairman of the War Production Board shall keep a written record of each determination made by him, pursuant to the provisions of Executive Order 8942, as amended by Executive Order 9138, and the Acts, of the necessity for requisitioning property.

(b) Whenever the Chairman of the War Production Board determines to requisition property through another department or agency pursuant to paragraphs 2 and 3 of Executive Order 8942, as amended by Executive Order 9138, he shall notify such department or agency and request (in such form as may be approved by the General Counsel of the War Production Board) it to requisition and dispose of such property, and all action taken shall be in accordance with the determination of the Chairman of the War Production Board.

§ 902.4 *Matters pending under the Act of October 10, 1940.* This regulation shall apply only with respect to property requisitioned after December 8, 1941. If any property was requisitioned prior to December 8, 1941, under the Act of October 10, 1940, and such property has not heretofore been disposed of or the determination of the fair and just compensation therefore has not been made, such disposal or determination shall be made in accordance with said Act of October 10, 1940, and all Executive Orders and Regulations of the President thereunder in effect immediately prior to December 8, 1941.

(E.O. 8924, 6 F.R. 5909; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 567; E.O. 9138, 7 F.R. 2919; Pub. Law 829, 76th Cong. as amended by Pub. Law 643, 77th Cong.; Pub. Law 274, 77th Cong. as amended by Pub. Law 507, 77th Cong.)

Issued this 24th day of July 1942.

DONALD M. NELSON,
Chairman, War Production Board.

[F. R. Doc. 42-7093; Filed, July 24, 1942; 3:38 p. m.]

Subchapter B—Director General for Operations

PART 1102—AGAR

[Amendment 2 to General Preference Order M-96]

Section 1102.1 *General Preference Order M-96*[1] is hereby amended in the following particulars:

Paragraph (b) (1) is hereby amended to read as follows:

(1) "Agar" means any mucilaginous substance, whether dried or in other form, extracted from Gelidium corneum and other species of Gelidium and closely related algae. It is also known as "Agar-Agar", "Chinese Gelatin", and "Japanese Gelatin." It shall not be construed to include any extract which was so processed before February 9, 1942, as to be rendered unfit for use in the preparation of bacteriological media.

Paragraph (d) is hereby amended by adding the following sentence thereto:

The restrictions of this order shall not apply to sales or deliveries to or purchases or sales by the Defense Supplies Corporation, or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any duly authorized agent of such corporation.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7106; Filed, July 24, 1942; 5:08 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment to Designation of Part 940 and Amendment 11 to Supplementary Order M-15-b]

1. The designation of Part 940 (formerly "Rubber and Products and Materials of which Rubber is a Component") is hereby amended to read "Rubber and Balata and Products and Materials of which Rubber or Balata is a Component."

2. Section 940.3 *Supplementary Order M-15-b* is amended as follows:

a. By adding at the end of paragraph (a) (6) the words "or balata".

b. By inserting immediately after paragraph (a) (7) the following new paragraph designated (a) (8):

(8) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama; and includes such gums whether in crude or refined (deresinated or partly deresinated) form.

c. By changing paragraph (e) therein to read as follows:

(e) *General restriction on the sale of rubber, latex, and balata.* No person shall sell, trade or transfer the ownership of any rubber, latex or balata, and no person shall accept any such sale, trade, or transfer of ownership, except (1) as expressly permitted by regulations prescribed by Rubber Reserve Company, or (2) in those cases in which specific authorizations may be issued by the Director General for Operations; provided that nothing in this paragraph shall be deemed to prohibit the sale of unvulcanized rubber products or products made from balata which were in finished or marketable form on December 11, 1941, or which have become finished and marketable at any time after that date pursuant to processing not prohibited by any orders or other instructions issued by the

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[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638, and *supra*.
[2] 7 F.R. 329.
[3] 7 F.R. 567.
[4] 6 F.R. 6376.
[5] 7 F.R. 561.

[1] 7 F.R. 904, 4474.

Office of Production Management or the Director General for Operations.

d. By changing paragraph (o) to read as follows:

(o) *Restrictions on the importation of rubber, latex, reclaimed and scrap rubber and balata and products thereof.* No person, other than Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company or any other subsidiary of Reconstruction Finance Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as Amended, or any agent acting for one of them, shall, except as authorized or otherwise directed in writing by the Director General for Operations, purchase for import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any rubber, latex, reclaimed and scrap rubber or balata, whether in crude, partly processed or processed form, or any finished or partly finished product or material made in whole or in part from any of the foregoing. For the purpose hereof "import" means to transport into the continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs.

e. By inserting immediately after paragraph (o), the following new paragraphs designated "(p)" and "(q)":

(p) *General restrictions on the consumption of balata.* No person shall consume any balata except:

(1) In the manufacture of self-sealing fuel cells to fill any war order; or

(2) For any other purpose for which special authorization may be issued by the Director General for Operations.

(q) *Reports of stocks of balata.* Every person who owns or has in his possession or under his control any balata on the date of issuance of Amendment No. 11 of Supplementary Order M–15–b shall, not later than August 15, 1942, file with the Rubber and Rubber Products Branch of the War Production Board a complete report setting forth by grades or classifications the amount of balata so owned, possessed or controlled by him, and the location and ownership thereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7110; Filed, July 25, 1942; 10:11 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIAL OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 18 to Supplementary Order M–15–b]

§ 940.3 *Supplementary Order M–15–b* is hereby amended by changing paragraph (h) thereof to read as follows:

(h) *Limitation of inventories.* No person other than Rubber Reserve Company shall purchase or receive delivery of any crude rubber, latex or balata or products thereof, or any products of reclaimed rubber or scrap rubber, in the form of raw materials, semi-processed materials, finished products or parts or sub-assemblies in quantities which shall result in such person having an inventory a minimum practicable working inventory, taking into consideration the limitations placed by this order upon the production of products made of crude rubber, latex, balata, reclaimed rubber and scrap rubber. An inventory of crude rubber, latex or balata which can reasonably be expected to last more than sixty days shall be deemed to be in excess of a practicable working inventory unless otherwise authorized by the Director General for Operations or the Rubber Reserve Company. The limitation on inventories imposed by this paragraph (h) and by § 944.14 (Priorities Regulation No. 1, as amended) shall not apply to inventories of reclaimed rubber held or acquired by consumers of reclaimed rubber, it being contemplated that consumers of reclaimed rubber may accumulate such inventories of reclaimed rubber as they may deem advisable.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7112; Filed, July 25, 1942; 10:10 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Correction 1 to Supplementary Order M–15–b–1]

Section 940.5 *Supplementary Order M–15–b–1* is corrected as follows:

1. By changing subdivision (i) of the table appearing in paragraph (b) (2) of revised List 12 attached thereto (attached to Amendment No. 8 appearing in the FEDERAL REGISTER on July 11, 1942, 7 F.R. 5296) to read as follows:

Type of service	Outer covering	Operating voltage	Compounds for—	
			Insulation	Jacket
(i) Building wire, telephone drop wire, police and fire alarm systems, and general service, designed for use in dry locations.	Fibrous or lead	0–3,000	W–C	None.
	Lead	3,001–5,000	W–C	None.
	Fibrous	3,001–5,000	W–B	None.
	Fibrous or lead	5,001 and over	W–B	None.

2. By changing the note marked with an asterisk appearing at the end of said table to read as follows:

*For "Uni-insulation" the use of (W–A) compound is permitted in (iv) (bb) and (iv) (cc).

3. By changing the item

Men's workshoe (plain toe)---------- .25

appearing in paragraph 4 of revised List 6-attached thereto (attached to Amendment No. 10 appearing in the FEDERAL REGISTER on July 22, 1942, 7 F.R. 5603) to read as follows:

Item	*Average weight of crude rubber per pair maximum (in pounds)*
• • • • •	
Men's workshoe (plain toe)----------	.95

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7111; Filed, July 25, 1942; 10:10 a. m.]

PART 1174—LAUNDRY EQUIPMENT, DRY CLEANING EQUIPMENT AND TAILORS' PRESSING MACHINERY

[Interpretation 1 of General Limitation Order L–91, as amended [1]]

§ 1174.1 *Interpretation 1 of General Limitation Order L–91.* The following official interpretation is hereby issued by the Director General for Operations with respect to General Limitation Order L–91 as amended:

Paragraph (b) of General Limitation Order L–91 restricts the sale, purchase, delivery, or acquisition of rebuilt or reconditioned machinery of a value in excess of $100. This restriction applies to transactions in used machinery which cannot be used effectively (except temporarily) for the purchaser's purposes in its then condition, where it is intended at the time of the transaction that such machinery will be rebuilt or reconditioned by or at the expense of either the transferor or transferee, or both.

The term "value" as used with reference to rebuilt or reconditioned machinery means the value of the machinery after rebuilding or reconditioning in the manner described above. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July, 1942

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7109; Filed, July 25, 1942; 10:10 a. m.]

[1] 7 F.R. 4650.

PART 962—STEEL

[Supplementary Order M–21–c as Amended July 27, 1942]

PLATES

Supplementary Order M–21–c [1] (§ 962.4) is hereby amended to read as follows:

§ 962.4 *Supplementary Order M–21–c*—(a) *Definitions.* For the purposes of this order:

(1) When applied to carbon steel, the term "plates" means flat hot rolled steel products, including skelp:

Over 6 inches wide and ¼ inch or more thick, or

Over 6 inches wide and weighing 10.2 pounds or more per square foot, or

Over 48 inches wide and 3/16 inch or more thick, or

Over 48 inches wide and weighing 7.65 pounds or more per square foot.

(2) When applied to alloy steel (except stainless), the term "plates" means flat hot rolled steel products, including skelp:

Over 12 inches wide and ¼ inch or more thick, or

Over 12 inches wide and weighing 10.2 pounds or more per square foot, or

Over 48 inches wide and 3/16 inch or more thick, or

Over 48 inches wide and weighing 7.65 pounds or more per square foot.

(3) When applied to stainless steel, the term "plates" means flat hot rolled steel products, including skelp:

Over 10 inches wide and $\frac{3}{16}$ inch or more thick.

(4) The term "plates" includes those patterned flat hot rolled steel products generally known as floor plates, regardless of thickness or width.

(b) *Customers' reports.* Each person desiring to obtain plates from a producer shall file with such producer and with the War Production Board monthly reports of requirements on form PD–298, and shall file with the War Production Board monthly reports of inventory and consumption on form PD–299.

(c) *Producers' reports.* Each producer shall file with the War Production Board monthly schedules on forms PD–169 and PD–169A showing all plates requested by customers on form PD–298 for shipment by the producer during the following month: *Provided,* That no producer shall schedule plates except on orders rated A–10 or higher or specifically allocated by the Director General for Operations. The Director General for Operations may make such changes in such schedules as to him shall seem appropriate, and may from time to time issue supplementary instructions with respect thereto.

(d) *Restrictions on deliveries*—(1) *By producers.* No producer shall deliver plates except in accordance with such producer's schedule on form PD–169 as modified, or with such supplementary instructions as may from time to time be issued by the Director General for Operations.

(2) *By other persons.* Except as otherwise provided by Priorities Regulation No. 13, or except with specific permission of the Director General for Operations, no person other than a producer shall deliver plates except on a preference rating of A–1–k or higher: *Provided, however,* That a warehouse may deliver plates for repair or maintenance purposes to the extent permitted by Supplementary Order M–21–b.[2] (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7150; Filed, July 27, 1942; 11:10 a. m.]

PART 1125—CASKETS, SHIPPING CASES AND BURIAL VAULTS

[Amendment 1 to General Limitation Order L–64]

Section 1125.1 *General Limitation Order L–64* [1] is hereby amended in the following particulars:

Paragraph (b) (6) is hereby amended to read as follows:

(6) Any person affected by this order shall sell material in his inventory only in accordance with the provisions of Priorities Regulation No. 13 [2] (Part 944) and all other applicable orders and regulations, except that a manufacturer of concrete burial vaults may sell iron and steel for use as reinforcing material in the production of concrete burial vaults to other manufacturers of concrete burial vaults, and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13.

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(9) The restrictions contained in paragraph (b) (5) shall not apply to iron and steel used for reinforcing purposes in concrete burial vaults, provided the total amount of iron and steel used does not exceed 15 pounds per concrete burial vault.

(10) On and after July 27, 1942, no manufacturer shall procure or acquire any iron and steel for use as reinforcing material in the production of concrete burial vaults, except from other manufacturers of concrete burial vaults.

(11) On and after December 31, 1942, no manufacturer shall process, fabricate, work on or assemble any concrete burial vaults containing any iron and steel.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7151; Filed, July 27, 1942; 11:10 a. m.]

PART 1281—RAYON STAPLE FIBER

[General Preference Order M–176]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rayon fiber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1281.1 *General Preference Order M–176*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purpose of this order:

(1) "Wool" shall mean the fiber from the fleece of the sheep or lamb, or the hair of the Angora or Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but shall not include noils, waste, reprocessed or reused wool, or yarn or cloth.

[1] 6 F.R. 6144; 7 F.R. 1792.

[2] 6 F.R. 4587, 5255, 5995, 6736; 7 F.R. 1626, 3324, 3881, 5661.

[1] 7 F.R. 2454.

[2] 7 F.R. 5167, 5604.

(2) "Basic quarterly poundage" for any single system shall mean one half of the number of pounds of wool put into process on that system by a person or for his account during the period from December 29, 1940 to June 28, 1941, both inclusive, or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such persons during such period. Such poundage shall be determined as follows:

(i) On the worsted system or any other system using tops, the weight of tops put into process at 15 per cent moisture regain, 3¼ per cent of oil and natural fats.

(ii) On the woolen system, scoured wool at 12 per cent moisture.

(iii) On the felt or any other system, the weight of wool in the stage immediately preceding putting into process.

(c) *Viscose rayon staple fiber and acetate rayon staple fiber for use of persons putting wool into process.* (1) Each producer of viscose rayon staple fiber or acetate rayon staple fiber shall set aside each month such amount of his production thereof in excess of that necessary to fill rated orders as may be designated by the Director General for Operations for sale and delivery to or for the account of persons putting wool into process, or causing wool to be put into process by others for their account, on any system, as provided in subparagraph (2) of this paragraph.

(2) Each person putting wool owned by him into process, or causing such wool to be put into process by others for his account, shall be eligible to purchase each month, out of the viscose rayon staple fiber or acetate rayon staple fiber set aside by the producers thereof, pursuant to the terms of subparagraph (1) of this paragraph, an amount not to exceed such percentage of his basic quarterly poundage for that system as may from month to month be prescribed by the Director General for Operations; *Provided, however,* That amounts of such staple fiber so allocated on the basis of such percentages which are not covered by orders placed by persons entitled thereto within the time prescribed for placing orders in subparagraph (3) of this paragraph may be distributed by the Director General for Operations among such persons as have placed orders within such time and have indicated thereon a desire to receive additional amounts if made available.

(3) Each person eligible to purchase viscose rayon staple fiber or acetate rayon staple fiber set aside by the producers thereof, pursuant to the terms of subparagraph (1) of this paragraph, shall place his order with the producer thereof on or before the fifteenth day of the second month before the month in which delivery is to be made. Each producer receiving any such orders shall notify the War Production Board within one week after such day of the amount of staple fiber for which orders have been placed and the names of persons who have indicated a desire for additional amounts, together with the amounts so indicated.

(d) *Prohibitions against sales of rayon staple fiber in form received.* No person purchasing viscose rayon staple fiber or acetate rayon staple fiber pursuant to paragraph (c) hereof shall sell or deliver any such rayon staple fiber in the form in which received from the producer thereof to any person other than such producer.

(e) *Restriction on use of rayon staple fiber purchased under allocation.* No person purchasing viscose rayon staple fiber or acetate rayon staple fiber pursuant to paragraph (c) hereof, or from any person who has purchased the same pursuant thereto, shall use such staple fiber in the manufacture of floor coverings, or drapery or upholstery fabrics.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of rayon staple fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegraph, Reference M-176, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports that may hereafter be required to be filed, shall, unless otherwise directed, be addressed to: War Production Board, Textile Clothing and Leather Branch, Washington, D. C. Ref: M-176.

(i) This order shall take effect on August 3, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7152; Filed, July 27, 1942; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 33]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE PETERSBURG DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia), have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the said portion of the Petersburg Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the said portion of the Petersburg Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: § 1388.2051 to § 1388.2064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.2051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 33 applies to all housing accommodations within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105, inclusive) issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia—hereinafter referred to in this Maximum Rent Regulation as the "Defense-Rental Area"), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation No. 33 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation: *Provided,* That this Maximum Rent Regulation No. 33 does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 33.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 33 is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.2052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 33 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.2053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 33 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.2055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.2055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.2054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.2055) shall be:

(a) For housing accommodations rented on April 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on April 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.2055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before the effective date of this Maximum Rent Regulation No. 33, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.2055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 33, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between February 1, 1941 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease

in such maximum rent as provided in § 1388.2055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations; *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.2055 (c).

§ 1388.2055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on April 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on April 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 33 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to April 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on April 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 33 the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.2054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.2054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 33, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation No. 33 to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.2056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 33; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 33 and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.2057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 33, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.2058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.2059 *Evasion.* The maximum rents, and other requirements provided in this Maximum Rent Regulation No. 33 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale; sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.2060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.2061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.2062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 33 may file petitions therefor in accordance with

Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.2063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 33:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the tranfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.2064 *Effective date of the regulation.* This Maximum Rent Regulation No. 33 (§§ 1388.2051 to 1388.2064, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7084; Filed, July 24, 1942; 12:23 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 34A]

HOTELS AND ROOMING HOUSES IN A PORTION OF THE PETERSBURG DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia), have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the said portion of the Petersburg Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 34A for housing accommodations within the said portion of the Petersburg Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.3001 to 1388.3014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.3001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 34A applies to all rooms in hotels and rooming houses within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105, inclusive) issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia—hereinafter referred to in this Maximum Rent Regulation as the "Defense-Rental Area"), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation No. 34A establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.3002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation No. 34A; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.3003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 34A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.3005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.3005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.3004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.3005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on April 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on April 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after April 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after April 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.3005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.3005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on April 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on April 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to April 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on April 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 34A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

§ 1388.3006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 34A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.3007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.3004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.3008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.3009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 34A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.3010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 34A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.3011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 34A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.3014 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.3001 to 1388.3014, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7085; Filed, July 24, 1942; 12:23 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 35]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.3051 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.3051 to 1388.3064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.3051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 35 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Little Rock Defense-Rental Area, consisting of the Counties of Lonoke and Pulaski, in the State of Arkansas.

(2) The Pine Bluff Defense-Rental Area, consisting of the County of Jefferson, in the State of Arkansas.

(3) The Denver Defense-Rental Area, consisting of the Counties of Adams, Arapahoe, Denver, and Jefferson, in the State of Colorado.

(4) The Key West Defense-Rental Area, consisting of the County of Monroe, in the State of Florida.

(5) The Atlanta Defense-Rental Area, consisting of the Counties of Clayton, Cobb, De Kalb, and Fulton, in the State of Georgia.

(6) The Springfield-Decatur Defense-Rental Area, consisting of the Counties of Christian, Logan, Macon, and Sangamon, in the State of Illinois.

(7) The Portland Defense-Rental Area, consisting of the Counties of Androscoggin and Cumberland, in the State of Maine.

(8) The Grand Island Defense-Rental Area, consisting of the County of Hall in the State of Nebraska.

(9) The Wahoo-Fremont Defense-Rental Area, consisting of the Counties of Dodge and Saunders, in the State of Nebraska.

(10) The Corpus Christi Defense-Rental Area, consisting of the Counties of Nueces and San Patricio, in the State of Texas.

(11) The Waco Defense-Rental Area, consisting of the County of McLennan, in the State of Texas.

(12) The Provo, Utah Defense-Rental Area, consisting of the County of Utah, in the State of Utah.

(13) The Salt Lake City-Ogden Defense-Rental Area, consisting of the Counties of Salt Lake, Davis, Morgan, and Weber, in the State of Utah.

(14) The Milwaukee Defense-Rental Area, consisting of the Counties of Kenosha, Milwaukee, Racine, and Waukesha, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 35 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation; *Provided*, That this Maximum Rent Regulation No. 35 does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 35.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 35 is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.3052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 35 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.3053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 35 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.3055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.3055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.3054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.3055) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on March 1, 1942, nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 35, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.3055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this Maximum Rent Regulation No. 35, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed betwen those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.3055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 35, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.3055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942 or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within

the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.3055 (c).

§ 1388.3055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942, the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 35 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to March 1, 1942, and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to March 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 35 the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraph (c), (d), or (g) of § 1388.3054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.3054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 35, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation No. 35 to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.3056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or

other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 35; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 35.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.3057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 35, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.3058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.3059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.3060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.3061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3063 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.3064 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.3051 to 1388.3064, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7086; Filed, July 24, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 36A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.4001 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.4001 to 1388.4014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.4001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 36A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Little Rock Defense-Rental Area, consisting of the Counties of Lonoke and Pulaski, in the State of Arkansas.

(2) The Pine Bluff Defense-Rental Area, consisting of the County of Jefferson, in the State of Arkansas.

(3) The Denver Defense-Rental Area, consisting of the Counties of Adams, Arapahoe, Denver, and Jefferson, in the State of Colorado.

(4) The Key West Defense-Rental Area, consisting of the County of Monroe, in the State of Florida.

(5) The Atlanta Defense-Rental Area, consisting of the Counties of Clayton, Cobb, De Kalb, and Fulton, in the State of Georgia.

(6) The Springfield-Decatur Defense-Rental Area, consisting of the Counties of Christian, Logan, Macon, and Sangamon, in the State of Illinois.

(7) The Portland Defense-Rental Area, consisting of the Counties of Androscoggin and Cumberland, in the State of Maine.

(8) The Grand Island Defense-Rental Area, consisting of the County of Hall, in the State of Nebraska.

(9) The Wahoo-Fremont Defense-Rental Area, consisting of the Counties of Dodge and Saunders, in the State of Nebraska.

(10) The Corpus Christi Defense-Rental Area, consisting of the Counties of Nueces and San Patricio, in the State of Texas.

(11) The Waco Defense-Rental Area, consisting of the County of McLennan, in the State of Texas.

(12) The Provo, Utah Defense-Rental Area, consisting of the County of Utah, in the State of Utah.

(13) The Salt Lake City-Ogden Defense-Rental Area, consisting of the Counties of Salt Lake, Davis, Morgan, and Weber, in the State of Utah.

(14) The Milwaukee Defense-Rental Area, consisting of the Counties of Kenosha, Milwaukee, Racine, and Waukesha, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 36A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 36A.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 36A is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the defini-

tions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation No. 36A for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodatio~ affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.4002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 36A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.4003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 36A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the 30-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.4005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.4005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.4004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in §1388.4005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after March 1, 1942; for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.4005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.4005 *Adjustments and other determina ions.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 36A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 36A or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.4006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 36A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is

sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.4007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 36A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.4004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.4008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.4009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.4010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.4011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 36A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.4014 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.4001 to 1388.4014, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7087; Filed, July 24, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 37]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.4051 (a) of this Maximum Rent Regulation as designated in the Designations and Rent Declarations issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.4051 to 1388.4064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.4051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 37 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1151 to 1388.1155 and 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Louisville Defense-Rental Area, consisting of the County of Jefferson, in the State of Kentucky, and the Counties of Clark and Floyd, in the State of Indiana.

(2) The Las Vegas Defense-Rental Area, consisting of the County of Clark, in the State of Nevada.

(b) This Maximum Rent Regulation No. 37 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation: *Provided*, That this Maximum Rent Regulation No. 37 does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 37.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 37 is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.4052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 37 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation No. 37 may be demanded or received.

§ 1388.4053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 37 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.4055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.4055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.4054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.4055) shall be:

(a) For housing accommodations rented on July 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on July 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on July 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 37, the first rent for such accommodations after July 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.4055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after July 1, 1941, and before the effective date of this Maximum Rent Regulation No. 37, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.4055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 37 or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between May 1, 1941, and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.4055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.4055 (c).

§ 1388.4055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maxi-

mum rent shall be the amount the Administrator finds would have been on July 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on July 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 37 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to July 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on July 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(5) There was in force on July 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the housing accommodations were not rented on July 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to July 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 37 the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.4054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.4054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 37, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation No. 37 to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.4056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 37; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 37 and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.4057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 37, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.4058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.4059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 37 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.4060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 37 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.4061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 37 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 37 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 37:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furni-

ture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.4064 *Effective date of the regulation.* This Maximum Rent Regulation No. 37 (§§ 1388.4051 to 1388.4064, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7088; Filed, July 24, 1942; 12:25 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 38A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations in each of the Defense-Rental Areas set out in § 1388.5001 (a) of this Maximum Rent Regulation, as designated in the Designations and Rent Declarations issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of this Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.5001 to 1388.5014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.5001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 38A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1151 to 1388.1155 and 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Louisville Defense-Rental Area, consisting of the County of Jefferson, in the State of Kentucky, and the Counties of Clark and Floyd, in the State of Indiana.

(2) The Las Vegas Defense-Rental Area, consisting of the County of Clark, in the State of Nevada.

(b) This Maximum Rent Regulation No. 38A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 38A.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 38A is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation No. 38A. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.5002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 38A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.5003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 38A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the 30-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.5005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.5005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.5004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.5005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on July 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on July 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after July 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after July 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.5005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.5005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on July 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on July 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to July 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on July 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(5) There was in force on July 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substan-

tially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 38A the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own intiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

§ 1388.5006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 38A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 38A.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenency relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.5007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 38A every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.5004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.5008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.5009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 38A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.5010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 38A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.5011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 38A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.5012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 38A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.5013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 38A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes) together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.5014 *Effective date of the regulation.* This Maximum Rent Regulation No. 38A (§§ 1388.5001 to 1388.5014, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7089; Filed, July 24, 1942; 12:24 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[Amendment 2 to Maximum Price Regulation 145 [1]]

PICKLED SHEEPSKINS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1314.151 is amended by adding a new paragraph (d); and a new § 1314.164, is added.

§ 1314.151 *Maximum prices for pickled sheepskins.* * * *

(d) *Maximum prices for certain brands of New Zealand pickled sheepskins*—Notwithstanding the provisions of paragraphs (b) and (c) of this section and § 1314.163, the maximum prices for pickled sheepskins of the brands enumerated in Appendix B, § 1314.164, shall be determined in accordance with Appendix B.

* * * * *

§ 1314.164 *Appendix B: Maximum prices for certain brands of New Zealand pickled sheepskins*—(a) *Pickled sheepskins sold after arrival or subject to arrival in the United States.* The maximum prices for pickled sheepskins of the brands enumerated in Column A sold after arrival or subject to arrival in the United States are specified in Column B. These prices are prices per dozen skins c. and f. port of entry, including all commissions and other charges except that the charge actually paid for war risk and marine insurance may be added. The maximum prices specified in Column B are based on an ocean freight charge of $15.32 per cask of pickled sheepskins, and if the charge should be more or less the prices must be adjusted upward or downward by the amount of the difference.

(b) *Pickled sheepskins imported by or for the account and risk of a tanner or a person having skins tanned for his own account.* The maximum prices for pickled sheepskins of the brands enumerated in Column A imported by or for the account and risk of a person in the United States tanning skins or having skins tanned for his own account are specified in Column C. These prices are prices f. o. b. shipping point.

[1] 7 F.R. 3746, 3889.

*Copies may be obtained from the Office of Price Administration.

Brand	Maximum prices			
	Column B		Column C [1]	
Column A	Produced from lamb pelts	Produced from sheep pelts	Produced from lamb pelts	Produced from sheep pelts
Westfield	$6.375	$9.875	33s., 6d.	50s., 0d.
Patea	6.375	9.875	33s., 6d.	50s., 0d.
Tomoana	6.125	9.875	32s., 3d.	50s., 0d.
Gear	6.125	9.875	32s., 0d.	50s., 0d.
Waitara	6.125	9.875	32s., 3d.	50s., 0d.
W. M. E.	6.125	9.875	32s., 0d.	50s., 0d.
Longburn	6.125	9.875	31s., 9d.	50s., 0d.
Fielding	6.00	9.50	31s., 3d.	48s., 0d.
Waingawa	6.00	9.50	31s., 3d.	48s., 0d.
Imlay	6.00	9.875	31s., 6d.	50s., 0d.
Patea Clients	6.00	9.50	31s., 3d.	48s., 0d.
Hellaby	5.875	9.375	30s., 9d.	48s., 0d.
H. B. M. C.	5.875	9.50	30s., 9d.	48s., 0d.
Tomoana Clients	5.875	9.375	30s., 9d.	48s., 0d.
A. F. F. Co.	5.875	9.00	29s., 6d.	46s., 0d.
Kaiti	5.625	9.00	29s., 6d.	46s., 0d.
Toko	5.625	9.00	29s., 6d.	46s., 0d.
Wairoa	5.625	9.00	29s., 6d.	46s., 0d.
Picton	5.375	7.00	28s., 3d.	35s., 0d.
Nelson	5.375	7.00	28s., 3d.	35s., 0d.
S. O. F. Co.	5.375	7.875	32s., 3d.	39s., 6d.
C. F. M.	6.125	7.875	32s., 3d.	39s., 6d.
Islington	6.25	7.875	32s., 3d.	39s., 6d.
T. B. & S. Co. Canterbury	6.00	7.623	31s., 6d.	39s., 0d.
N. C. F.	5.875	7.50	30s., 9d.	38s., 3d.
Wallacetown	5.875	7.50	30s., 9d.	38s., 3d.
R. W. Gore	6.625	8.375	34s., 9d.	42s., 6d.
Ocean Beach	6.50	8.25	34s., 0d.	41s., 9d.
	6.50	8.25	34s., 0d.	41s., 9d.

[1] New Zealand currency.

§ 1314.162a *Effective dates of amendments.*

* * * * *

(b) Amendment No. 2 (§§ 1314.151 (d), 1314.162a (b) and 1314.164) to Maximum Price Regulation No. 145 shall become effective July 28, 1942.

Provided, That firm commitments entered into prior to July 28, 1942, in compliance with Maximum Price Regulation No. 145 may be completed at contract prices if deliveries are made prior to October 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7098; Filed, July 24, 1942; 3:33 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 185]

CANNED FRUITS AND CANNED BERRIES

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of canned fruits and canned berries by canners have resulted in the establishment under the General Maximum Price Regulation of maximum prices for such sales which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to assist in securing adequate production of such commodities. The Price Administrator has ascertained and given due consideration to the prices of canned fruits and canned berries prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as is practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established for the canners of canned fruits and canned berries by this Regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which canned fruits and canned berries are manufactured, prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for each such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] Maximum Price Regulation No. 185 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971.

AUTHORITY: §§ 1341.101 to 1341.113, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1341.101 *Prohibition against dealing in canned fruits and canned berries above maximum prices.* (a) On and after July 29, 1942, regardless of any contract or other obligation, no canner shall sell or deliver any canned fruits or canned berries packed after the 1941 pack at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 185.

(b) No person in the course of trade or business shall buy or receive any canned fruits or canned berries from a canner at a price higher than the maximum price established by this Maximum Price Regulation No. 185; and

(c) No canner or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.102 *Canner's maximum prices for canned fruits and canned berries.* (a) The canner's maximum price per dozen f. o. b. factory, for each kind, grade, and container size of canned fruits or canned berries packed after the 1941 pack shall be: (1) The weighted average price per dozen f. o. b. factory charged by the canner for such kind, grade and container size during the first 60 days after the beginning of the 1941 pack; plus

(2) Ten percent of the weighted average price per dozen f. o. b. factory, as determined under paragraph (a) (1) of this section; plus

(3) The actual increase per dozen cans in the cost of the raw agricultural commodity delivered at the factory for the 1942 pack over the cost of the same raw agricultural commodity delivered at the factory for the 1941 pack.

(b) In determining the canner's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each kind, grade and container size, divided by the number of dozens sold of such kind, grade and container size. All sales of products of the 1941 pack made in the usual course of business within the first 60 days after the beginning of the 1941 pack shall be included, except sales made to the armed forces of the United States. Sales made prior to such period but delivered within such period, shall not be included.

(2) The "actual increase in the cost of the raw agricultural commodity" shall be the difference per dozen cans of each kind, grade and container size, between;

(i) The weighted average cost to the canner of the raw agricultural commodity purchased for the 1941 pack, computed by dividing the total amount paid by the number of tons or other units purchased; and

(ii) The weighted average of the prices per ton or other unit, paid or contracted to be paid by the canner to the grower for the same raw agricultural commodity in 1942, based on not less than the first 75 percent of his 1942 purchases.

(iii) Any canner, to the extent he has incurred them, may include in the computation of his maximum prices, his increased costs of the raw agricultural commodity as determined under paragraph (b) (2) (i) and (b) (2) (ii) of this section, but not in excess of the amounts shown in the following table:

Raw agricultural commodity:	Maximum permitted increase per ton
Apricots	$23.00
Cherries, Red Sour Pitted	50.00
Cherries, Sweet	56.00
Figs	34.00
Peaches, Clingstone (including Clingstone Nectarines)	7.00
Peaches, Freestone (including Freestone Nectarines)	15.00
Pears	15.00
Plums	2.00
Prunes, Fresh	13.00
	Per pound
Blackberries	.03
Blueberries	.03
Boysenberries	.03
Cranberries	.03
Gooseberries	.03
Huckleberries	.03
Loganberries	.03
Raspberries, Black	.03
Raspberries, Red	.03
Strawberries	.03
Youngberries	.03

(iv) In converting the increased cost of the raw agricultural commodity into increased cost per dozen cans for each grade and container size, the increase shall be allocated to each grade and container size in the same proportion as costs of raw materials in 1941 were allocated to each grade and container size.

(v) The actual increase per dozen cans in the cost of the raw agricultural commodity shall not be computed until the canner has purchased 75 percent or more of his 1942 requirements. Such increase, as determined hereunder by a canner, shall be deemed to be his actual increase and shall not be subject to adjustment thereafter for later fluctuations in the cost of the raw agricultural commodity.

(vi) In determining and allocating to each container size the increased cost of the raw agricultural commodities used in canning fruit cocktail, fruit for salad, or the fruit and berry juices or nectars made from the fruits or berries listed in paragraph (b) (2) (iii) of this section, the increased cost of each component fruit or berry may be computed as set forth in the preceding paragraphs of this section and the increase apportioned to the various container sizes in the same proportion as the component fruits or berries are used in such container sizes.

(c) (1) If the maximum price for any grade and container size, except No. 10, of any canned fruits or canned berries cannot be determined under paragraphs (a) and (b) of this section, but if the canner has been able to determine his maximum price under said paragraphs for the dominant grade and container size of such canned fruits or canned berries, the maximum prices for the remaining grades and container sizes of the same canned fruits or canned berries, except No. 10 container size, shall be those prices which bear the same proportionate relationship to the maximum price for the dominant grade and container size as the price for each such grade and container size bore to the price of the dominant grade and container size in the canner's opening price list in 1941, or, if the canner had no opening price list in 1941, the same proportionate relationship as the weighted average price of each such grade and container size bore to the weighted average price of the dominant grade and container size in sales made during the first 15 days after the beginning of the 1941 pack of the canned fruits or canned berries for which a maximum price is being determined.

(i) In determining maximum prices under paragraph (c) of this section the dominant grade and container size shall be the one of which the canner packed the most cases in 1941, and the weighted average price shall be computed as set forth in paragraph (b) (1) of this section.

(2) If the canner is unable to determine the maximum price of one or more grades of a particular kind of canned fruit or canned berry in a No. 10 container size under paragraphs (a) and (b) of this section, but can so determine the maximum price for one or more other grades of such canned fruit or canned berry in a No. 10 container size, the maximum prices for the grades not so determined shall be established in the manner provided in paragraph (c) (1), using as the dominant grade the grade for which the price has been so determined, or, if the price of more than one grade has been so determined, using as the dominant grade the one of those for which a price has been so determined of which the canner packed the largest number in 1941.

(d) If the maximum price for any kind, grade and container size of any canned fruits or canned berries cannot be determined under paragraphs (a), (b) and (c) of this section, the canner's maximum price for such kind, grade and container size shall be the maximum price of the most closely competitive canner for the same kind, grade and container size.

(e) If the canner's maximum price cannot be determined under paragraphs (a), (b), (c) and (d) of this section, the maximum price shall be a price determined by the canner after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a description in detail of the kind, grade and container size of the canned fruits or canned berries for which a maximum price is sought; and (2) a statement of the facts which differentiate such kind, grade and container size of canned fruits or canned berries from the most similar kind, grade, and container size for which he has determined a maximum price, stating such most similar kind, grade and container size and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the canner shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(f) Any canner who believes that the maximum prices determined pursuant to the provisions of this section for any particular brand of canned fruits or canned berries are such that they subject him to a hardship with respect to such brand, may apply to the Office of Price Administration, Washington, D. C., for authorization to compute separately his maximum price for each kind, grade and container size of such brand under the foregoing paragraphs of this section. Such application shall set forth, under oath or affirmation, (1) the maximum prices which would be established under this section for each kind, grade and container size of such brand if such prices for such brand were computed separately under the foregoing paragraphs of this section, (2) the number of years in which the canner has packed under such particular brand, (3) the amount of each kind, grade and container size of that particular brand packed by him during the 1941 pack, (4) the amount of the same kind, grade and container size packed by him during the 1941 pack which was not packed under such brand, (5) the extent to which the brand in question was used and advertised during the year 1941, (6) the price relationship between the particular brand in question and his other brands or unbranded canned fruits and canned berries of the 1941 pack, (7) the number of brands, other than the particular brand in question, under which the canner packed the same kind of canned fruits or canned berries in 1941, and (8) such other facts as the canner may deem relevant.

(g) The maximum price for each kind, grade and container size for a canner who owns more than one factory shall be determined separately for each factory, except that if any group of two or more factories located in the same growing or canning area had the same f. o. b. factory prices in 1941, the maximum prices shall be determined uniformly for the entire group by using the combined figures for all of the factories in the group in computing the maximum price under paragraphs (a), (b) and (c) of this section, or if that cannot be determined, by using the price of the most closely competitive canner, under paragraph (d) of this section, as the maximum price of the entire group. In applying for the specific authorization of a price under paragraph (e) of this section, the application may be made for a uniform maximum price for all of the factories in such group.

(h) Any canner who sold and delivered a particular brand of canned fruits or canned berries packed by him during the calendar year 1941 on an established uniform delivered price basis by zone or area, may add to the maximum price per dozen f. o. b. factory computed under the foregoing paragraphs of this section for each grade and container size of such brand of canned fruits or canned berries, the freight charge he added to his f. o. b. factory price during the calendar year 1941, for such grade and container size of such

brand of canned fruits or canned berries in the same zone or area. The resulting price shall be the canner's maximum delivered price for such grade and container size of such brand of canned fruits or canned berries for the zone or area in which the same freight charge was used in 1941.

(i) In the event that a canner's maximum price determined under this Maximum Price Regulation No. 185 for United States Grade C (Standard) or better water pack red sour pitted cherries, No. 2 container size, amounts to less than $1.50 per dozen, the canner may use $1.50 as his maximum price for that grade and size and if his maximum price determined under this Regulation for the same commodity and grade in a No. 10 container size amounts to less than $7.50 per dozen, he may use $7.50 as his maximum price for that size and grade.

(j) No canner shall change his customary allowances, discounts or other price differentials, including price differentials between different classes of purchasers and price differentials between brands, except when authorized to compute brand differentials pursuant to paragraph (f) of this section, unless such change results in a lower price.

§ 1341.103 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 185 may be charged, demanded, paid or offered.

§ 1341.104 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a canner are sold or otherwise transferred on or after the effective date of this Maximum Price Regulation No. 185, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in his Maximum Price Regulation No. 185.

§ 1341.105 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 185 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to canned fruits or canned berries, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.106 *Records and reports.* Every canner who makes sales of canned fruits or canned berries packed after the 1941 pack, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by § 1341.102, and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for canned fruits or canned berries sold on and after July 29, 1942, and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each kind of canned fruits or canned berries, a statement certified under oath or affirmation showing his weighted average price and his increase in the cost of the raw agricultural commodity, as determined under § 1341.102 hereof, together with the maximum price determined hereunder for each grade and container size of such kind of canned fruits or canned berries and all his customary allowances and discounts, and (d) in those cases in which the maximum price of any kind, grade and container size of canned fruits or canned berries was determined by the maximum price of the most closely competitive canner, showing the maximum price of such kind, grade and container size and the name and address of the canner whose maximum price was so adopted, and (e) in those cases in which a canner made sales and deliveries of a particular brand of canned fruits or canned berries packed by him in 1941 on an established uniform delivered price basis by zone or area, showing his maximum price per dozen f. o. b. factory for each grade and size of such brand of canned fruits or canned berries, the freight charge which he added to his f. o. b. factory price during the calendar year 1941 for each zone or area and the maximum delivered price for each kind, grade and container size of canned fruits or canned berries packed after the 1941 pack delivered in each zone or area, and (f) preserve for a period of two years a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any canner who claims that substantial injury would result to him from making any such statement available to any other person, may file such copy of such statement with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 185.

§ 1341.107 *Penalties.* Persons violating any provisions of this Maximum Price Regulation No. 185, are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.108 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 185 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1341.109 *Applicability.* The provisions of this Maximum Price Regulation No. 185 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 185 the term:

(1) "Persons" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Canner" means a person who preserves by heating and hermetically sealing in containers of metal, glass or any other material any of the products defined herein as canned fruits or canned berries.

(3) "Canned fruits" means the following fruits and products preserved by heat and hermetically sealed in containers of metal, glass or any other material:

Apricots.
Cherries, Red Sour Pitted.
Cherries, Sweet.
Figs.
Fruit Cocktail.
Fruits for Salad.
Fruit Juices and Nectars, plain or mixed, made from the fruits listed in this paragraph.
Peaches, Clingstone (including Clingstone Nectarines).
Peaches, Freestone (including Freestone Nectarines).
Pears.
Plums.
Prunes, Fresh.

(4) "Canned berries" means the following berries and products preserved by heat and hermetically sealed in containers of metal, glass or any other material:

Berry juices, made from the berries listed in this paragraph.
Blackberries.
Blueberries.
Boysenberries.
Cranberries.
Gooseberries.
Huckleberries.
Loganberries.
Raspberries, black.
Raspberries, red.
Strawberries.
Youngberries.

(5) "1941 pack" of any canned fruits or canned berries shall be that pack the major portion of which was processed and hermetically sealed in containers of metal, glass or any other material during the calendar year 1941.

(6) "The most closely competitive canner" means the canner who

(i) Sells to the same class of buyers,

(ii) Packs the same or similar quality range of the product in question,

(iii) Has sold in the past the same kind of canned fruits or canned berries at approximately the same prices as the canner establishing a maximum,

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area, or if there is no such canner in the same general growing and packing area, is located in the nearest growing and packing area.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.111 *Sales for export.* The maximum price at which a person may export canned fruits and canned berries shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1341.112 *Applicability of the General Maximum Price Regulation.* This Maximum Price Regulation No. 185 supersedes the provisions of the General Maximum Price Regulation with respect to sales or deliveries of canned fruits and canned berries by canners for which maximum prices are established by this regulation.

§ 1341.113 *Effective date.* This Maximum Price Regulation No. 185 (§§ 1341.101 to 1341.113 inclusive) shall become effective July 29, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7099; Filed, July 24, 1942; 3:35 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 16 to the General Maximum Price Regulation [2]]

MISCELLANEOUS EXCEPTIONS

Subparagraph (7) of § 1499.9 (a) is amended to read as set forth below:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

* * * * *

(7) Dried prunes, dry edible beans, leaf tobacco (whether dried or green), all nuts and peanuts, except cleaned or raw shelled peanuts harvested from the 1941 crop, all salted peanuts and peanut butter, linseed oil, linseed cake and linseed meal, manure and mixed feed for animals, except that cat and dog foods shall be governed by this General Maximum Price Regulation.

* * * * *

§ 1499.23a *Effective dates of amendments* * * *

(p) Amendment No. 16 (§ 1499.9 (a) (7)) to this General Maximum Price Regulation shall become effective July 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7095; Filed, July 24, 1942; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [2]—Order 43]

BOURJOIS, INC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.257 *Approval of maximum price for sale of 75/CP Evening in Paris Creme-Parfum by Bourjois, Inc.* (a) The maximum price for the sale by Bourjois, Inc., of New York, N. Y., per individual package containing 21/100 of an ounce of 75/CP Evening in Paris Creme-Parfum manufactured by that company, shall be $2.00.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March 1942, on the sale by this company of comparable products shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 43 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 43 (§ 1499.257) shall become effective July 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7096; Filed, July 24, 1942; 3:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under §1499.3 (b) of the General Maximum Price Regulation [2]—Order 44]

LUXOR, LTD.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.258 *Approval of maximum price for nurse's kit for sale by Luxor, Ltd.* (a) The maximum price per unit for the sale by Luxor, Ltd., Chicago, Illinois, a subsidiary of Armour and Company, Chicago, Illinois, of a nurse's kit consisting of a 6" x 5" x 2½" box containing one ⅔ ounce box of No. 962 Luxor Face Powder, one No. 977 Luxor Lipstick, one ¼ ounce container of No. 943 Luxor Make-Up Foundation, one plaque of No. 1011 Luxor Rouge, one 1¾ ounce jar of No. 950 Luxor Cold Cream, one 1¾ ounce jar of No. 956 Luxor Hand Cream, one 1 ounce jar of Luxor Deodorant, and two bars of No. 192 Luxor Lanolin Soap, shall be:

(1) The sum of the maximum prices to the class of purchaser enjoying the lowest net price or the highest rate of discount, for the sale by Luxor, Ltd., of the individual products contained in the nurse's kit as determined in accordance with the General Maximum Price Regulation; plus

(2) the actual cost of the 6" x 5" x 2½" box; plus

(3) the labor cost of packaging the nurse's kit, based on the highest rate charged during March 1942 for similar labor.

(b) The practices relating to the payment of shipping charges in effect in March for 1942 on the sale by this company of comparable products shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 44 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 44 (§ 1499.258) shall become effective July 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7097; Filed, July 24, 1942; 3:33 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 1 to Maximum Price Regulation 181 [3]]

NEW-FORMULA CONDENSED SOUPS PACKED UNDER WPB CONSERVATION ORDER M-81 [4]

A Statement of the Considerations involved in the issuance of this Amendment No. 1 to Maximum Price Regulation No. 181 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1341.53 (a) (1) of Maximum Price Regulation No. 181 is amended to read as set forth below.

§ 1341.53 *Wholesaler's and retailer's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.* (a) * * *

(1) Shall divide his maximum price per dozen or per can, as determined under the General Maximum Price Regulation, for the same brand, related variety, and that can size which had the largest sale during the calendar year 1941, by his replacement cost per dozen or per can of that soup, or, at his election, by the actual cost per dozen or per can of those units of such soup for which the price charged during March 1942 determined his maximum price under the General Maximum Price Regulation; and * * *

* * * * * *

§ 1341.70 *Effective dates of amendments.* (a) This Amendment No. 1 (§ 1341.53 (a) (1)) to this Maximum Price Regulation No. 181 shall become effective July 24, 1942.

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7107; Filed, July 24, 1942; 5:13 p. m.]

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[1] 7 F.R. 5059.

[2] 7 F.R. 3153, 3330, 3666, 3990, 8991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

*Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 5560.

[4] 7 F.R. 4836, 5272.

PART 1377—WOODEN CONTAINERS

[Maximum Price Regulation 186]

WESTERN WOODEN AGRICULTURAL CONTAINERS

In the judgment of the Price Administrator, the prices of western wooden agricultural containers have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of western wooden agricultural containers prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices and charges established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 186 is hereby issued.

AUTHORITY: §§ 1377.101 to 1377.114, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1377.101 *Maximum prices for western wooden agricultural containers.* On and after July 29, 1942, regardless of any contract or other obligation, no person shall sell or deliver any western wooden agricultural containers, and no person shall buy or receive in the course of trade or business any western wooden agricultural containers at prices higher than the maximum prices set forth in Appendix A, § 1377.114, and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of western wooden agricultural containers to a purchaser, if, prior to July 29, 1942, such containers had been received by a carrier other than a carrier owned by the seller for shipment to such purchaser.

§ 1377.102 *Maximum charges for assembling shook into partial or complete wooden containers.* On and after July 29, 1942, regardless of any contract or other obligation, no person in the western area as defined in § 1377.109 (a) (4) shall charge and no person in such area shall pay higher prices for assembling or partially assembling shook into western wooden agricultural containers than the maximum charges set forth in Appendix A, § 1377.114; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1377.103 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1377.114, may be charged, demanded, paid or offered.

§ 1377.104 *Conditional agreements.* No person subject to this Maximum Price Regulation No. 186 shall enter into an agreement permitting the adjustment of the price of western wooden agricultural containers to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided*, That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of such petition. Requests for such an exception may be included in the aforesaid petition.

§ 1377.105 *Evasion.* The price limitation set forth in this Maximum Price Regulation No. 186 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to western wooden agricultural containers, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1377.106 *Records and reports.* (a) On and after July 29, 1942, every person who, in the course of trade or business, during any calendar month, offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys, or receives a total of 5,000 or more board feet of shook produced in the western area, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each kind purchased or sold.

(b) On and after July 29, 1942, every person in the western area engaged in the business of assembling shook into partial or complete containers, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of all charges made in such business.

(c) Such persons shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1377.107 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 186, are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for the suspension of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 186, or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation, are urged to communicate with the nearest Field, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1377.108 *Petition for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 186, or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1377.109 *Definitions.* (a) When used in this Maximum Price Regulation No. 186, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(2) "Western wooden agricultural container" means any of the following wooden containers produced in the "western area": any box, crate, case, tray, lug, carrier, or similar container, and the constituent parts thereof, which are customarily used for handling, shipping or storing fruits and vegetables (whether fresh, dried or canned); and carstrips, bracing and industrial crating strips; but does not include cooperage products, or any used containers.

(3) "Shook" means the component parts of any western wooden agricultural container.

(4) "Western area" means the area comprising the states of California, Washington, Oregon, Idaho, Montana, Wyoming, Utah, Nevada, Arizona, New Mexico, and Colorado.

(5) "Northwest Items" means all the items listed in Table 2, Appendix A, § 1377.114.

(6) "Northwest region" means the states of Washington and Idaho and that portion of the state of Oregon which lies East of the crest of the Cascade Mountains.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1377.110 *Licensing.* Applicability of the registration and licensing provisions of the General Maximum Price Regulation.[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 186 selling at wholesale or retail any western wooden agricultural containers covered by this Maximum Price Regulation No. 186. When used in this § 1377.110 the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1377.111 *Applicability of General Maximum Price Regulation.*[3] Except as provided in § 1377.110, the provisions of this Maximum Price Regulation No. 186 supersede the provisions of the General Maximum Price Regulation with respect to sales, deliveries, services and charges for which maximum prices are established by this Regulation.

§ 1377.112 *Sales for export.* The maximum price at which a person may export western wooden agricultural containers shall be determined in accordance with the provisions of the Maximum Export Price Regulation [4] issued by the Office of Price Administration on April 25, 1942.

§ 1377.113 *Effective date of Maximum Price Regulation 186.* Maximum Price Regulation No. 186 (§§ 1377.101 to 1377.114) shall become effective July 29, 1942.

§ 1377.114 *Appendix A: Maximum prices for western wooden agricultural containers.* (a) The maximum delivered prices of shook used in the following named western wooden agricultural containers shall be as follows per thousand feet of shook:

TABLE I—SHOOK

Item	Basic price	Group 0 $2.50	Group 1 $3	Group 2 $3.50	Group 3 $4.25	Group 4 $4.75	Group 5 $5.25	Group 6 $5.75	Group 7 $6.50	Group 8 $7	Group 9 $8	Group 10 $9	Group 11 $9.50	Group 12 $10.25	Group 13 $10.75	Group 14 $11.25	Group 15 $12	Group 16 $12.50	Group 17 $14.50	Group 18 $15.75	Group 19 $17.50
Asparagus	$43.50	$46.00	$46.50	$47.00	$47.75	$48.25	$48.75	$49.25	$50.00	$50.50	$51.50	$52.50	$53.00	$53.75	$54.25	$51.75	$55.50	$56.00	$58.00	$59.25	$61.00
Cannery:																					
Cases and floor boards, light and heavy	42.50	45.00	45.50	46.00	46.75	47.25	47.75	48.25	49.00	49.50	50.50	51.50	52.00	52.75	53.25	53.75	54.50	55.00	57.00	58.25	60.00
Cases and floor boards, medium	37.50	40.00	40.50	41.00	41.75	42.25	42.75	43.25	44.00	44.50	45.50	46.50	47.00	47.75	48.25	48.75	49.50	50.00	52.00	53.25	55.00
Trays, 1-piece bottom	56.00	58.50	59.00	59.50	60.25	60.75	61.25	61.75	62.50	63.50	64.00	65.00	65.50	66.25	66.75	67.25	68.00	68.50	70.50	71.75	73.50
Trays, 2-piece bottom	46.00	48.50	49.00	59.50	50.25	50.75	51.25	51.75	52.50	53.00	54.00	55.00	55.50	56.25	56.75	57.25	58.00	58.50	60.50	61.75	63.50
Citrus:																					
Standard orange	40.00	42.50	43.00	43.50	44.25	44.75	45.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Cull grade orange	34.00	36.50	37.00	37.50	38.25	38.75	39.25	39.75	40.50	41.00	42.00	43.00	43.50	44.25	44.75	45.25	46.00	46.50	48.50	49.75	51.50
Lemon (4.44")	37.00	39.50	40.00	40.50	41.25	41.75	42.25	42.75	43.50	44.00	45.00	46.00	46.50	47.25	47.75	48.25	49.00	49.50	51.50	52.75	54.50
Deciduous:																					
Market lugs 5⅜"	33.00	35.50	36.00	36.50	37.25	37.75	38.25	38.75	39.50	40.00	41.00	42.00	42.50	43.25	43.75	44.25	45.00	45.50	47.50	48.75	50.50
Standard lugs 5⅛"	44.00	46.50	47.00	47.50	48.25	48.75	49.25	49.75	50.50	51.00	52.00	53.00	53.50	54.25	54.75	55.25	56.00	56.50	58.50	59.75	61.50
Apple, artichoke, rhubarb	40.00	42.50	43.00	43.50	44.25	44.75	46.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Date, fig, avocado, all other lugs (not specified above), peach, fruit and basket crates, and persimmon	41.00	43.50	44.00	44.50	45.25	45.75	46.25	46.75	47.50	48.00	49.00	50.00	50.50	51.25	51.75	52.25	53.00	53.50	55.50	56.75	58.50
Emperor chests, pear, olive, apricot, and select deciduous	44.00	46.50	47.00	47.50	48.25	48.75	49.25	49.75	50.50	51.00	52.00	53.00	53.50	54.25	54.75	55.25	56.00	56.50	58.50	59.75	61.50
Berry	42.00	44.50	45.00	45.50	46.25	46.75	47.25	47.75	48.50	49.00	50.00	51.00	51.50	52.25	52.75	53.25	54.00	54.50	56.50	57.75	59.50
Standard cherry	43.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50
Dried fruit, carton and raisin	42.50	45.00	45.50	46.00	46.75	47.25	47.75	48.25	49.00	49.50	50.50	51.50	52.00	52.75	53.25	53.75	54.50	55.00	57.00	58.25	60.00
Evaporated apples:																					
25-pound	42.50	45.00	45.50	46.00	46.75	47.25	47.75	48.25	49.00	49.50	50.50	51.50	52.00	52.75	53.25	53.75	54.50	55.00	57.00	58.25	60.00
50-pound	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50
Melon:																					
Cantaloupe, selected slats	46.00	48.50	49.00	49.50	50.25	50.75	51.25	51.75	52.50	53.00	54.00	55.00	55.50	56.25	56.75	57.25	58.00	58.50	60.50	61.75	63.50
Cantaloupe, not including triangling	42.00	44.50	45.00	45.50	46.25	46.75	47.25	47.75	48.50	49.00	50.00	51.00	51.50	52.25	52.75	53.25	54.00	54.50	56.50	57.75	59.50
Melon	42.00	44.50	45.00	45.50	46.25	46.75	47.25	47.75	48.50	49.00	50.00	51.00	51.50	52.25	52.75	53.25	54.00	54.50	56.50	57.75	59.50
Picking boxes and field crates:																					
Citrus	49.00	51.50	52.00	52.50	53.25	53.75	54.25	54.75	55.50	56.00	57.00	58.00	58.50	59.25	59.75	60.25	61.00	61.50	63.50	64.75	65.50
Deciduous, asparagus, cannery, vegetables, and melon field crates	46.00	48.50	49.00	49.50	50.25	50.75	51.25	51.75	52.50	53.00	54.00	55.00	55.50	56.25	56.75	57.25	58.00	58.50	60.50	61.75	63.50
Stitched stock:																					
All stitched stock, including bottoms, tops, and sides	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50
Sweet boxes	65.00	67.50	68.00	68.50	69.25	69.75	70.25	70.75	71.50	72.00	73.00	74.00	74.50	75.25	75.75	76.25	77.00	77.50	79.50	80.75	82.50
Trays:																					
2' x 3' with 24" bottoms	55.00	57.50	58.00	58.50	59.25	59.75	60.25	60.75	61.50	62.00	63.00	64.00	64.50	65.25	65.75	66.25	67.00	67.50	69.50	70.75	72.50
2' x 3'—over 24" bottoms—add bottoms only	10.00	12.50	13.00	13.50	14.25	14.75	15.25	15.75	16.50	17.00	18.00	19.00	19.50	20.25	20.75	21.25	22.00	22.50	24.50	25.75	27.50
Trays, 6', 7', and 8' field and dehydrator	65.00	67.50	68.00	68.50	69.25	69.75	70.25	70.75	71.50	72.00	73.00	74.00	74.50	75.25	75.75	76.25	77.00	77.50	79.50	80.75	82.50
Vegetable:																					
Octagonal potato	44.00	46.50	47.00	47.50	48.25	48.75	49.25	49.75	50.50	51.00	52.00	53.00	53.50	54.25	54.75	55.25	56.00	56.50	58.50	59.75	61.50
All other vegetables	40.00	42.50	43.00	43.50	44.25	44.75	45.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Carstrips:																					
4' pine	27.00	29.50	30.00	30.50	31.25	31.75	32.25	32.75	33.50	34.00	35.00	36.00	36.50	37.25	37.75	38.25	39.00	39.50	41.50	42.75	44.50
8' pine	36.00	38.50	39.00	39.50	40.25	40.75	41.25	41.75	42.50	43.00	44.00	45.00	45.50	46.25	46.75	47.25	48.00	48.50	50.50	51.75	53.50
4' celery, pine	38.00	40.50	41.00	41.50	42.25	42.75	43.25	43.75	44.50	45.00	46.00	47.00	47.50	48.25	48.75	49.25	50.00	50.50	52.50	53.75	55.50
8' celery, pine	40.00	42.50	43.00	43.50	44.25	44.75	45.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Industrial crating strips: cut to exact dimensions specified, bundled in lengths not to exceed 84" for not more than 50 percent over 60"	39.00	41.50	42.00	42.50	43.25	43.75	44.25	44.75	45.50	46.00	47.00	48.00	48.50	49.25	49.75	50.25	51.00	51.50	53.50	54.75	56.50
Bracing:																					
Standard thickness	32.50	35.00	35.50	36.00	36.75	37.25	37.75	38.25	39.00	39.50	40.50	41.50	42.00	42.75	43.25	43.75	44.50	45.00	47.00	48.25	49.50
Bulkhead	30.00	32.50	33.00	33.50	34.25	34.75	35.25	35.75	36.50	37.00	38.00	39.00	39.50	40.25	40.75	41.25	42.00	42.50	44.50	45.75	47.50
Vertical bracing (boak)	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50

(1) The basic price is the price f. o. b. Klamath Falls, Oreg., or Weed, Calif.
(2) Delivered price groups are based on freight rate zones from Klamath Falls, Oreg., or Weed, Calif., whichever is lower, as set forth below:

Group	Rate per 100 pounds	Group	Rate per 100 pounds.
0	$0.14 or less.	10	Over $0.47 to $0.51.
1	Over $0.14 to $0.17.	11	Over $0.51 to $0.55.
2	Over $0.17 to $0.20.	12	Over $0.55 to $0.57.
3	Over $0.20 to $0.24.	13	Over $0.57 to $0.61.
4	Over $0.24 to $0.27.	14	Over $0.61 to $0.64.
5	Over $0.27 to $0.30.	15	Over $0.64 to $0.67.
6	Over $0.30 to $0.33.	16	Over $0.67 to $0.71.
7	Over $0.33 to $0.37.	17	Over $0.71 to $0.80.
8	Over $0.37 to $0.42.	18	Over $0.80 to $0.88.
9	Over $0.42 to $0.47.	19	Over $0.88 to $0.97.

(3) Where freight rates are over $0.97, use basic price plus actual freight from Klamath Falls, Oreg., or Weed, Calif., whichever is lower.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3153, 3330, 3660, 3990, 3991, 4339.

[3] 7 F.R. 3096, 3824, 4294.

[4] 7 F.R. 3096, 3824, 4294.

(b) The maximum prices of shook used in the following named "Northwest Items", delivered anywhere in the State of Washington, shall be as follows per thousand feet of shook:

TABLE 2—NORTHWEST ITEMS

Apple (Spec. Acc. to Trf. #1 par. 36)	$39
Half-apple	42
Display lugs (Apricots, Plums, Prunes, Peach—Yakima or Wenatchee)	42
Heavy and Special northwestern pear (Spec. Acc. to #75 and #100 in Trf. #1)	42
Twenty-pound pear lug	44

NOTES

1. When delivery is made outside of the State of Washington, the maximum prices shall be the prices on Table 2 plus transportation charges from Spokane, Washington.

2. Specifications for the above shook which do not appear in tariff #1:

Half-apple (inches):

2 ends 25/32 x 7 5/8 x 8 3/8	0.972
2 sides 1/4 x 7 3/8 x 17 1/2	.648
2 tops 5/32 x 4 1/4 x 17 1/2	.304
2 bottoms 7/32 x 4 1/4 x 17 1/2	.405
4 cleats 11/32 x 1 1/8 x 8 3/8	.182
Footage	2.511

Wenatchee display lug (inches):

2 ends 25/32 x 3 3/8 x 10 1/2	0.584
2 sides 1/4 x 3 3/8 x 16 1/2	.303
2 bottoms 7/32 x 5 5/16 x 16 1/2	.458
2 tops 3/16 x 5 5/16 x 16 1/2	.344
4 cleats 11/32 x 1 1/8 x 10 1/2	.220
2 cleats 1/2 x 25/32 x 10 1/2	.092
Footage	2.004

Yakima display lug (inches):

2 ends 25/32 x 4 x 11	0.764
2 sides 1/4 x 3 5/8 x 16 1/2	.306
2 tops 5/32 x 5 1/8 x 16 1/2	.344
Yakima display lug (inches)—Con.	
2 bottoms 7/32 x 5 3/8 x 16 1/2	0.459
4 cleats 11/32 x 1 1/8 x 11	.230
Footage	2.103

Pear 20-pound lug (inches):

2 ends 25/32 x 5 x 11 1/2	0.958
2 sides 1/4 x 4 1/2 x 17 1/2	.405
2 tops 5/32 x 5 1/2 x 17 1/2	.365
2 bottoms 7/32 x 5 1/2 x 17 1/2	.486
2 cleats 11/32 x 1 1/8 x 11 1/2	.120
2 cleats 25/32 x 1 1/8 x 11 1/2	.240
Footage	2.574

3. The price of any item produced in the northwest area but not listed in this table 2 is the basic price of such item listed in table 1 of this appendix A.

(c) The maximum delivered prices for sawn pine or any species veneer stitched cover per hundred units shall be as follows:

TABLE 3—COVERS

Description	Cleats	Trf. No.	Base mill price	Columns 0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
(1) 5-slat lug	5/16	102	$1.92	$2.01	$2.03	$2.05	$2.07	$2.09	$2.11	$2.13	$2.15	$2.17	$2.21	$2.24	$2.26	$2.29	$2.31	$2.33	$2.35	$2.37	$2.44	$2.48	$2.55
(2) 5-slat lug	1/2	104	2.24	2.34	2.36	2.39	2.42	2.44	2.46	2.48	2.51	2.54	2.58	2.62	2.64	2.68	2.70	2.72	2.75	2.77	2.86	2.91	2.99
(3) 5-slat lug	11/16	105	2.42	2.54	2.56	2.58	2.61	2.64	2.66	2.69	2.72	2.74	2.79	2.84	2.86	2.90	2.92	2.94	2.98	3.00	3.09	3.15	3.24
(4) 5-slat lug	13/16	106	2.73	2.86	2.89	2.92	2.96	2.99	3.01	3.04	3.08	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58	3.68
(5) 2-pc. lug	5/16	116	2.24	2.34	2.36	2.39	2.42	2.44	2.46	2.48	2.51	2.54	2.58	2.62	2.64	2.68	2.70	2.72	2.75	2.77	2.86	2.91	2.99
(6) 2-pc. lug	1/2	118	2.55	2.67	2.70	2.73	2.76	2.79	2.81	2.84	2.88	2.90	2.95	3.00	3.03	3.06	3.09	3.11	3.15	3.18	3.27	3.34	3.42
(7) 2-pc. lug	13/16	119	2.73	2.86	2.89	2.92	2.96	2.99	3.01	3.04	3.08	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58	3.68
(8) 2-pc. lug	13/16	120	3.05	3.20	3.23	3.26	3.31	3.33	3.37	3.40	3.44	3.47	3.53	3.59	3.62	3.67	3.70	3.73	3.78	3.81	3.93	4.01	4.11
(9) lug bottoms	5/16	126	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.23	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(10) lug bottoms	1/2	128	3.00	3.15	3.18	3.21	3.26	3.29	3.31	3.35	3.39	3.42	3.48	3.54	3.57	3.62	3.65	3.68	3.72	3.75	3.87	3.95	4.05
(11) Basket crate	5/16	172	2.32	2.44	2.46	2.48	2.52	2.54	2.56	2.58	2.62	2.64	2.69	2.73	2.75	2.79	2.81	2.83	2.87	2.89	2.97	3.03	3.11
(12) Basket crate	1/2	176	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.23	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(13) 4-slat peach	3/4	168	1.74	1.82	1.84	1.85	1.88	1.89	1.91	1.92	1.95	1.96	2.00	2.03	2.04	2.07	2.08	2.10	2.12	2.14	2.20	2.24	2.30
(14) 2-slat peach	3/4	169	1.92	2.01	2.03	2.05	2.07	2.09	2.11	2.13	2.15	2.17	2.21	2.24	2.26	2.29	2.31	2.33	2.35	2.37	2.44	2.49	2.55
(15) 4-slat apple-pear	3/4	151	2.37	2.49	2.51	2.53	2.57	2.59	2.61	2.63	2.67	2.69	2.74	2.78	2.81	2.84	2.86	2.89	2.92	2.95	3.03	3.09	3.18
(16) 2-slat apple-pear	3/4	155	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.25	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(17) Art. bottom	3/4	180	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58
(18) Art. 2-slat top	3/4	181	2.73	2.86	2.89	2.92	2.96	2.99	3.01	3.04	3.08	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58	3.68
(19) Art. 4-slat top	3/4	183	2.37	2.48	2.51	2.53	2.57	2.59	2.61	2.63	2.67	2.69	2.74	2.78	2.81	2.84	2.86	2.89	2.92	2.95	3.03	3.09	3.18
(20) 3-slat honeydew	5/16	150	2.19	2.30	2.32	2.34	2.37	2.39	2.41	2.43	2.46	2.48	2.53	2.57	2.59	2.62	2.64	2.66	2.69	2.72	2.80	2.85	2.93
(21) 3-slat honeydew	1/2	132	2.51	2.62	2.65	2.68	2.71	2.74	2.76	2.79	2.82	2.85	2.90	2.95	2.97	3.01	3.03	3.06	3.09	3.12	3.21	3.28	3.36
(22) 3-slat honeydew	13/16	133	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.23	3.25	3.28	3.32	3.35	3.43	3.52	3.61
(23) 3-slat honeydew	13/16	134	3.00	3.15	3.18	3.21	3.26	3.29	3.31	3.35	3.39	3.42	3.48	3.54	3.57	3.62	3.65	3.68	3.72	3.75	3.87	3.95	4.05
(24) 50-pound potato	3/4	186	2.33	2.44	2.46	2.48	2.52	2.54	2.56	2.58	2.62	2.64	2.69	2.73	2.75	2.79	2.81	2.83	2.87	2.89	2.98	3.03	3.11
(25) Cub, celery top	-----	190	1.34	1.44	1.46	1.46	1.47	1.47	1.48	1.50	1.50	1.53	1.55	1.56	1.57	1.59	1.60	1.61	1.63	1.63	1.65	1.71	1.75
(26) Celery bottom	-----	192	1.44	1.54	1.56	1.56	1.57	1.57	1.58	1.60	1.63	1.65	1.66	1.67	1.69	1.70	1.71	1.73	1.73	1.75	1.75	1.82	1.86
(27) Sturdee 4-slat	-----	196	2.30	2.30	2.32	2.33	2.34	2.36	2.39	2.40	2.45	2.48	2.49	2.52	2.54	2.57	2.59	2.61	2.62	2.64	2.71	2.75	2.82
(28) Sturdee 3-slat	-----	198	2.15	2.25	2.27	2.28	2.29	2.31	2.33	2.34	2.38	2.41	2.42	2.44	2.46	2.48	2.50	2.52	2.53	2.55	2.62	2.66	2.73
(29) 4-slat orange	-----	-----	2.44	2.55	2.58	2.58	2.60	2.62	2.65	2.66	2.71	2.74	2.76	2.79	2.81	2.84	2.87	2.89	2.90	2.93	3.02	3.07	3.15
(30) 3-slat orange	-----	-----	2.84	2.96	2.98	2.99	3.00	3.03	3.05	3.07	3.13	3.16	3.17	3.21	3.23	3.26	3.29	3.31	3.33	3.36	3.46	3.53	3.62
(31) 4-slat lemon	-----	-----	2.75	2.87	2.90	2.91	2.92	2.95	2.98	2.99	3.05	3.09	3.11	3.14	3.17	3.20	3.23	3.25	3.27	3.30	3.40	3.46	3.55
(32) 3-slat lemon	-----	-----	3.25	3.40	3.43	3.44	3.45	3.48	3.51	3.53	3.59	3.63	3.69	3.72	3.75	3.78	3.81	3.83	3.83	3.86	3.98	4.06	4.15
(33) 4-slat cauliflower	-----	-----	2.60	2.11	2.13	2.13	2.15	2.17	2.20	2.21	2.27	2.30	2.31	2.34	2.37	2.40	2.42	2.44	2.46	2.48	2.55	2.60	2.67
(34) 3-slat cauliflower	-----	-----	1.61	1.69	1.71	1.72	1.73	1.75	1.76	1.78	1.82	1.84	1.85	1.88	1.89	1.92	1.94	1.95	1.97	1.99	2.05	2.09	2.14
(35) 4-slat 2⅜ vegetable	-----	-----	2.49	2.61	2.64	2.64	2.66	2.68	2.71	2.72	2.78	2.81	2.83	2.86	2.88	2.91	2.94	2.96	2.98	3.01	3.10	3.15	3.24
(36) 4-slat 3¾ vegetable	-----	-----	2.92	3.05	3.08	3.09	3.11	3.13	3.16	3.17	3.23	3.26	3.28	3.31	3.34	3.37	3.40	3.42	3.44	3.47	3.55	3.62	3.71
(37) 3-slat 4⅝ lettuce	-----	-----	3.37	3.52	3.55	3.56	3.58	3.61	3.64	3.65	3.72	3.75	3.77	3.81	3.84	3.87	3.90	3.93	3.95	3.98	4.09	4.17	4.26
(38) wide ctr. slat lettuce	-----	-----	3.56	3.71	3.74	3.75	3.77	3.79	3.82	3.84	3.91	3.95	3.97	4.01	4.03	4.07	4.10	4.13	4.15	4.18	4.29	4.37	4.47
(39) Half crate	-----	-----	1.94	2.03	2.06	2.07	2.08	2.10	2.12	2.13	2.17	2.19	2.21	2.23	2.25	2.27	2.29	2.31	2.32	2.34	2.41	2.45	2.51
(40) 3-slat dry pack	-----	-----	2.24	2.33	2.35	2.36	2.37	2.39	2.41	2.42	2.46	2.47	2.48	2.52	2.54	2.56	2.58	2.60	2.61	2.63	2.71	2.76	2.82
(41) Special dry pack	-----	-----	2.74	2.87	2.90	2.90	2.92	2.94	2.97	2.98	3.04	3.07	3.08	3.11	3.14	3.17	3.19	3.21	3.23	3.26	3.36	3.41	3.50

NOTE.—No additional price for slight variation in length of covers, no lower price for narrower cleats or slats. Delaware price groups based on zones in table 1. Basing points Klamath Falls, Oregon, or Weed, California, whichever is lower. Max. for shipment beyond group 19 is basic price plus freight.

EXTRA CHARGES ON COVERS

	Add
Staining cleats:	
For black, any cover	$0.20 per C covers.
For red, any cover	$0.10 per C covers.
For vegetable and celery covers, except black	$0.10 per C covers.
For all other covers and other colors	$0.05 per C covers.
When cleats are ½" or heavier add to above	$0.05 per C covers.
When cleats are ¼" on items 29 to 41 inclusive add	$0.05 per C covers.
When cleats are 3/16" on items 29 to 41 inclusive add	$0.05 per C covers.

EXTRA CHARGES ON COVERS

	Add
Printing:	
For covers with slats 3½" wide or less:	
When 1 slat printed in one color	$0.125 per C covers.
When 1 slat printed in two colors	$0.20 per C covers.
When 2 or more slats printed in one or two colors	$0.125 per C covers.
For covers with slats 3½" to 8" wide:	
When 1 or 2 slats printed in one or two colors	$0.25 per C covers.
When 3 or more slats printed in one or two colors	$0.125 per C slats.
When stock is thinner than ¼", add to above	$0.10 per C covers.

VENEER COVER SPECIFICATIONS NOT IN TARIFF NO 1.

4-slat orange:
4 slats 1/2" x 2 3/16" x 26 1/16",
2 cleats 7/32" x 1 1/4" x 11".
3-slat orange:
2 slats 1/2" x 2 3/4" x 26 1/16",
1 slat 5/8" x 5 1/4" x 26 1/16",
2 cleats 7/32" x 1 1/4" x 11".
4-slat lemon:
4 slats 1/2" x 2 5/8" x 27 1/16",
2 cleats 7/32" x 1 1/4" x 12 1/2".
3-slat lemon:
2 slats 1/2" x 2 5/8" x 27 1/16",
1 slat 1/2" x 6" x 27 1/16",
2 cleats 7/32" x 1 1/4" x 12 1/2".
4-slat vegetable:
4 slats 1/2" x 3 1/4" x 25 1/2",
2 cleats 7/32" x 1 1/4" x 16 3/4".
3-slat lettuce:
3 slats 1/2" x 4 7/8" x 25",
2 cleats 7/32" x 1 1/4" x 16 3/4".
Wide center slat lettuce:
2 slats 1/2" x 4 3/4" x 25",
1 slat 1/2" x 7 1/4" x 23",
2 cleats 7/32" x 1 1/4" x 16 3/4".
Half-crate:
3 slats 1/2" x 2 3/4" x 25",
2 cleats 7/32" x 1 1/4" x 13".
4-slat cauliflower:
4 slats 1/2" x 2 3/4" x 24 1/2",
2 cleats 7/32" x 1 1/4" x 17 3/4".
3-slat cauliflower:
3 slats 1/2" x 2 3/4" x 24 1/2",
2 cleats 7/32" x 1 1/4" x 14".
4-slat vegetable:
4 slats 1/2" x 2 3/4" x 25 1/2",
2 cleats 7/32" x 1 1/4" x 16 3/4".
3-slat dry pack:
3 slats 1/2" x 2 3/4" x 25 1/2",
2 cleats 7/32" x 1 1/4" x 13 1/2".
Special dry pack:
2 slats 1/2" x 3 1/4" x 25 1/2",
1 slat 1/4" x 4 3/4" x 25 1/2",
2 cleats 7/32 x 1 1/4" x 15 1/2".

NOTES:

1. Above are veneer specifications only and are net thicknesses.
2. Where 3/16" is specified, mill may supply 3/16" sawn, 1/4" veneer or 1/4" sliced.
3. Where 1/4" is specified, mill may supply 1/8" sawn, 1/8" veneer or 1/10" sliced.
4. Where 1/2" is specified, mill may supply covers as thin as practical.

(d) The maximum prices which may be charged in the western area for assembling western wooden agricultural containers shall be as follows:

TABLE 4—ASSEMBLY CHARGES

	Per C units
Fresh apple, all States but California	[2] $2.00
In California	1.75
Artichokes and rhubarb	1.75
Asparagus, with centers	3.00
Without centers	2.50
Berry	1.50
Cannery	2.25
Cherry, with partitions	[1] 2.00
Without partitions	1.60
Fruit and basket crates, peach and persimmon	[2] 1.75
Dried fruit and raisin	1.75
Dried fruit carton	1.75
Orange and lemon	3.00
Half boxes	2.25
Sub standard lugs	[2] 1.75
Ordinary lugs	[2] 1.75
Display lugs, framing only	1.75
Complete including nailed ends	2.25
Nailing cleats to ends only	.50
Cantaloupe heads, per 100 pairs	1.90
Crates:	
Complete	3.80
Framing only	1.90
Cantaloupe flats	1.60
For nailing beveled slats on cantaloupe, add	.10
Honeydew heads, with posts per 100 pairs	1.40
Framing only	1.80
Complete with posts	3.20
Crates without posts	1.80

[1] If stitched covers instead of nailed bottoms, add 25¢.

[2] If no cleats, deduct 25¢ per 100 boxes. For each extra pair of cleats over first pair, add 25¢ per 100 boxes.

	Per C units
Half-pear, peach, all States but California	[2] $2.00
In California	[2] 1.75
Pear, all States but California	2.00
In California	1.75
One Way Lugs	2.25
Picking Boxes, with posts	6.50
Without posts	5.00
Fresh Fig, Date, and Avocado	1.50
Potato Crates, not octagon, without extras	2.00
Octagonal potato crates (navy specification) strapping	6.00
Nailing	4.00
Total	10.00
Trays:	
2 x 3	4.50
3 x 6	10.00
3 x 7	11.00
3 x 8	12.00
Sweat Boxes	11.00
Dehydrator Trays	15.00
Vegetable Crates:	
10 slat, framing only	1.90
9 slat, framing only	1.80
nailing heads only	1.75
10 slat, complete	3.65
9 slat, complete	3.55
Pea crates: Same charges as 10 slat vegetable crate.	
Cauliflower and half lettuce crates:	
Framing only	1.50
Mailing heads only	1.75
Complete	3.25
Sturdee celery, framing only	2.00
Mailing heads only	2.00
Complete	4.00
Half celery, framing only	2.35
Mailing heads only	1.75
Complete	4.10
Cub celery	1.75
Nailing: Where slat is printed, except specially placed bundles—.05 per hundred prints above normal mailing charge.	
Panelled head mortised and tenoned	2.25
Stitching:	
One slat and two cleats	.25
Two or more slats and two cleats	.30
Two or more slats and three cleats	.45

(e) The maximum prices which may be added for extras are as follows:

TABLE 5—EXTRA CHARGES

Bevels:	
Orange and lemon slats only (1 or 2 edges)	$0.10 C pieces.
Cantaloupe slats (both edges)	.25 C pieces.
All other:	
Top edge 1 or 2 corners	.15 C pieces.
Top and bottom edge 1 or 2 corners each	.20 C pieces.
Cutting: Cutting off corners (where not standard)	.25 C operations.
Grooving	.40 C operations.
Handholes:	
Part through	.25 C operations.
Through	.35 C pieces.
Beer box type	.50 C pieces.
Labeling:	
Less than 14" long	.35 C labels.
Labels over 14" long	.65 C labels.
Panels type celery heads	.65 C labels.
Notching:	
Other than vegetable and field crates	.25 C operations.
Vegetable or field crate posts and rails	.75 C crates.
Printing:	
1-color	.125 C prints.
2-color	.20 C prints.
3-color	.40 C prints.
Set-up type carload (plus $2 for set-up)	.125 C prints.
Rabbetting (except sweat boxes)	.40 C operations.
Sanding	10.00 M feet.
Slotting	$0.15 C operations.
Staining:	
Ends	1.00 C pieces.
Cleats on unitized stock	.025 C pieces.
Cleats on other stock	.05 C pieces.
Tying:	
Double wire or double rope tying (including marking)	1.00 M feet.
Triple wire or triple rope tying (including marking)	2.00 M feet.
Specially placed print bundling	2.00 M feet.
Bundling display ends and cleats together	.75 C boxes.
Place collars and papers in pear boxes	.35 C boxes.
Triangling corner posts (4 posts per crate or box)	.10 C posts.

NOTE.—For specification of "all No. 1 ends," add to the price of the excess over the standard proportion of one-third No. 1 ends $1.75 per M feet.

The cutting of one or more grooves, rabbets, notches, or slots in any piece under 24" long shall be considered as one operation.

(f) The maximum charges that may be made for warehousing and delivery are as follows:

TABLE 6—WAREHOUSING AND DELIVERY CHARGES

(1) Where shipment is made out of a warehouse, for warehousing and delivery of a quantity of 30,000 pounds or more at one time: Add $1.00 per thousand feet.

(2) For less than 30,000 pound quantities: Add $2.00 per thousand feet as a warehousing charge, whether the shipment is made from a mill or warehouse, except for vegetables. For vegetables add $1.00 per thousand feet.

(3) For quantities of less than 30,000 pounds: Add $2.00 per thousand feet for delivery.

(4) The additions in 1, 2, and 3 above also apply to car bracing and car strips.

(5) For unitized stock: Substitute 5¢ per one hundred units for the $1.00 and 10¢ per one hundred units for the $2.00 charges in 1, 2, and 3.

(6) For delivering framed stock: $4.00 per thousand feet (or actual cost) for all items 1. c. l.

(7) Exports: Where export quality and a dryness of 16% or less is specified, an addition of $5.00 may be made.

(g) *Containers not listed.* For any western wooden agricultural container for which a maximum price is not set forth in this section, the maximum shook and/or assembly price shall be the maximum shook and/or assembly price for the most similar container named herein.

(h) *Effect of § 1377.114 outside of the western area.* The maximum prices set forth in this section shall apply to all western wooden agricultural containers produced in the western area: *Provided, however,* That the maximum prices herein for assembly, extras, warehousing and delivery shall apply only where the services in connection therewith are rendered within the western area.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7108; Filed, July 24, 1942; 5:13 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATION FOR WAR PROCUREMENT AGENCIES

[Amendment 1 to Maximum Price Regulation 156[1]]

CERTAIN BEEF AND BEEF PRODUCTS PURCHASED BY CERTAIN FEDERAL AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: §§ 1378.52 (c), 1378.60a.
Amended: § 1378.60.

§ 1378.52 *Maximum prices for certain beef and beef products.* • • •

(c) In the event that a purchaser of frozen boneless beef takes delivery at a point other than the delivery point specified in the original contract and the transportation and icing charges incurred by the seller in delivering at such new delivery point exceed the transportation and icing charges which the seller would have incurred had delivery been made to the place specified in the contract, the purchaser may pay to the seller the amount of such excess, even though such additional payment causes the total amount received by the seller to exceed the maximum price established by paragraph (a) of this section. Purchasers may also pay to sellers any such additional transportation and icing charges incurred by the sellers prior to July 24, 1942, and on or after July 1, 1942, in delivering product at points other than those specified in the contracts covering such product.

§ 1378.60 *Effective date.* Maximum Price Regulation No. 156 (§§ 1378.51 to 1378.60, inclusive) shall become effective June 2, 1942, except that, prior to January 1, 1943, it shall not apply to sales or deliveries of the following canned products: Corned beef hash (5½ pound can), meat and vegetable stew (30 oz. can), meat and vegetable hash (6 lb. 12 oz. can), chili con carne (6 lb. 6 oz. can), Rations 1, 2 and 3 (12 oz. cans).

§ 1378.60a *Effective dates of amendments.* Amendment No. 1 (§§ 1378.52 (c) and 1378.60) to Maximum Price Regulation No. 156 shall become effective July 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7105; Filed, July 24, 1942; 3:31 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment 6 to Maximum Price Regulation 129[2]]

LIST OF PAPERS AFFECTED

Waxed paper.
Envelopes.
Paper cups, paper containers and liquid tight containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Standard grocer's and variety bags.
Resale book matches.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (3) is added to § 1347.12 (b), as set forth below:

§ 1347.12 *Maximum prices for certain paper commodities.* • • •

(b) *Resale book matches.* • • •

(3) For resale book matches, put up in packages each containing 15 books, the maximum manufacturer's delivered price shall be $2.50 per case of 1500 books provided:

(i) The matches are free of paid advertisement and are not the "Thank You" type;

(ii) On each package containing 15 books there is inscribed by the manufacturer, "OPA Retail Ceiling Price 5¢", except that manufacturers may use supplies existing at the time of issuance of this amendment which have the retail price inscribed thereon but which do not have the phrase prescribed by this section.

The maximum price for each package of 15 books sold at retail shall be 5¢. This package containing 15 books is not to be regarded as a substitute for the matches given away by retailers with purchases of tobacco products, and retailers who during March, 1942, gave away free matches to purchasers of tobacco products shall continue this practice. On shipments made prior to January 1, 1943, manufacturers shall insert the following in all cases of resale book matches, except cases prepared, at the time of issuance of this amendment, for shipment:

The Office of Price Administration has ruled that retailers who during March, 1942, gave away matches to purchasers of tobacco products must continue this practice.

The Office of Price Administration requires manufacturers to insert this notification in all cases of resale book matches, which are shipped prior to January 1, 1943. Cessation of this notification will not constitute a revocation of this ruling.

To this maximum manufacturer's delivered price of $2.50 per case may be added, if incurred, the Federal excise tax of 60¢ per case. For sales in the West Coast area, as generally defined by the industry, the manufacturer may add 9¢ per case of 1500 books to the above maximum price.

§ 1347.25 *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§ 1347.12 (b) (3)) to Maximum Price Regulation No. 129 shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7120; Filed, July 25, 1942; 12:14 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Maximum Price Regulation 187]

CERTAIN PAPERBOARD PRODUCTS

In the judgment of the Price Administrator the prices of folding cartons, corrugated fibre sheets, corrugated fibre boxes, solid fibre sheets, solid fibre boxes, set-up boxes, pads, partitions and other paperboard products partially or completely manufactured on the same converting equipment, but excluding liquid-tight containers, milk bottle caps, book matches and other commodities covered by Maximum Price Regulation No. 129[1] have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of the commodities listed above prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, Maximum Price Regulation No. 187 is hereby issued.

AUTHORITY: §§ 1347.401 to 1347.414 inclusive, issued pursuant to Pub. Law 421, 77th Cong.

§ 1347.401 *Prohibition against dealing in paperboard products above maximum prices.* The meaning of certain provisions and terms of this Maximum Price Regulation No. 187 is further explained and defined in § 1347.412. The explanations and definitions are set forth in alphabetical order. The terms explained and defined appear in quotation marks the first time they appear in the text.

(a) Classifications: This Maximum Price Regulation No. 187 shall apply to the following described products whether partially or completely manufactured: Folding cartons, corrugated fibre sheets, corrugated fibre boxes, solid fibre sheets, solid fibre boxes, set-up boxes, pads, partitions and other paperboard products manufactured on the same converting equipment, but excluding liquid-tight containers, milk bottle caps, book matches and other commodities covered by Maximum Price Regulation No. 129.[3]

(b) On and after July 30, 1942, regardless of any contract, agreement, lease or other obligation, no "manufacturer" shall "sell" or deliver any of the products described in paragraph (a) of this section, and no manufacturer shall sell or supply any "services" in connection with the manufacture of such products at prices higher than the maximum prices provided in paragraph (c) of this section, and no "person" shall agree, to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of such products to a purchaser, if prior to July 30, 1942 such products had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(c) The manufacturer's maximum price for any given amount of any product or service described in this section shall not exceed the sum of the following factors calculated for the amount of the product or service being priced:

(1) Raw material costs: The delivered purchase price at which the "raw materials" are acquired by a converting plant, or the transfer price of an integrated mill to its converting plant, neither of which shall in any event exceed the maximum prices established for such raw materials by the Office of Price Administration. In computing such transfer price, the manufacturer shall use the same method, classifications, and differentials, as were used by such manufacturer in computing such transfer price during the period from October 1 to October 31, 1941, excepting that such manufacturer may change such method, classifications and differentials, if a lower price results from such change. If, during the period from October 1 to October 31, 1941, the manufacturer adopted or employed the practice of averaging or otherwise computing his raw material costs, he shall continue such practice in the same manner. The manufacturer shall continue to add the same percentage charge for waste in estimating prices and apply credits received from the sale or other disposition of waste material in the same manner in which such credits or charges were applied during the period from October 1 to October 31, 1941.

(2) "Applicable conversion charges." Charges for "hand and/or machine operations" incident to the "fabrication, assembly," marking and/or "packing" of "commodities of the same general class" shall not be computed in excess of the same "hourly, piece and setting up rates" and shall be based on the same "standards of production" as were in effect from October 1, 1941 to October 31, 1941, inclusive, and which were used in normally determining the selling prices of "commodities" and services contracted to be sold or supplied at a definite price during such period.

(i) The same "method or principle for applying conversion charges" shall be employed that was employed during the period from October 1, 1941 to October 31, 1941, inclusive, so that direct or indirect conversion charges shall be computed in the manner customarily employed during the period October 1–31, 1941, inclusive. Charges for a different type of conversion (e. g., hand rather than machine operations) shall not be substituted for customary conversion charges as a means of increasing the price of the product.

(3) "Margin." This margin is to be computed on a "percentage basis," or "rate per unit of base material" in accordance with the method, and shall be equivalent to the margin, used by the manufacturer during the period from October 1, 1941 to October 31, 1941, inclusive, in determining the "selling price f. o. b. shipping point" for the same or "comparable commodity or service" contracted to be sold at a definite price to a "purchaser of the same class" during such period.

(i) No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price.

(4) *Charges for delivery.* Every manufacturer shall be required to continue to sell on a delivered price basis to such purchasers, zones or areas to which he customarily made shipments on a delivered price basis during the period from October 1 to October 31, 1941, inclusive.

(i) In the case of shipments to points within a free delivery zone or area within which no charge for delivery was added or would have been added by the manufacturer during the period from October 1, 1941 to October 31, 1941, inclusive, the seller shall not add to the maximum price computed pursuant to the provisions of paragraph (c) (1), (c) (2), and (c) (3), any charge for delivery.

(ii) In the case of shipments to points, with the exception of shipments to points described in paragraph (c) (4) (i), for which the manufacturer added a charge for delivery, the seller may add to the maximum prices computed pursuant to the provisions of paragraph (c) (1), (c) (2), and (c) (3), his customary and established delivery charge: *Provided*, That, in no instance may the amount of the delivery charge so added exceed the highest charge for delivery actually obtained or which would have been obtained for an identical shipment to the same purchaser, zones or areas during the period from October 1 to October 31, 1941, inclusive, by the means of transportation customarily employed for shipments to such purchaser, zones or areas, during such period.

§ 1347.402 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after July 29, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep "records" in accordance with § 1347.406 shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 187.

§ 1347.403 *Export sales.* The maximum price at which a person may export the commodities covered by this Maximum Price Regulation No. 187, shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1347.404 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during October 1941.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during October 1941 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 187.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 187.

(b) *As to a tax or increase in a tax which becomes effective after October 31, 1941.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4230.

[2] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668.

[1] 7 F.R. 3178, 3242, 3482, 3554, 4716.

[2] 7 F.R. 971, 3663.

[3] *Supra*, note 1.

[4] 7 F.R. 3096, 3824, 4294, 4541.

separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1347.405 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 187 may be charged, demanded, paid or offered.

§ 1347.406 *Base period records.* Every manufacturer selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 187 shall:

(a) Preserve for examination by the Office of Price Administration for a period of two years all his existing records relating to the prices which he charged for such of those commodities or services as he contracted to sell or supply at a definite price during the period from October 1, 1941 to October 31, 1941, inclusive.

(b) Within 21 days after July 29, 1942, the manufacturer shall file under oath with the Office of Price Administration, Washington, D. C., the pricing formulas, together with the charges for hand or machine operations on an hourly, piece or setting up basis, as employed by the manufacturer during the period from October 1, 1941 to October 31, 1941, inclusive, in determining selling prices on commodities or services contracted to be sold or supplied at a definite price during such period.

(c) Rates for any machine or hand operations which were not used in determining the selling prices of commodities and services contracted to be sold or supplied at a definite price during the period of October 1 to October 31, 1941 must be submitted to the Office of Price Administration, Washington, D. C., for approval or adjustment. The manufacturer who seeks such approval or adjustment shall file with the Office of Price Administration, Washington, D. C., an application setting forth:

(1) Description in detail of such machine or hand operation.

(2) A statement setting forth in detail the cost factors and the method used in determining such rates. After July 29, 1942, and until the rates for such operations are approved by the Office of Price Administration, all prices, quoted or charged, which have been based on such rates shall be subject to adjustment by the manufacturer. If such rates are adjusted by the Office of Price Administration, the prices based on such rates shall be adjusted by the manufacturer in accordance with such adjusted rates.

(d) Every person selling commodities or services for which, maximum prices are established by this Maximum Price Regulation No. 187 shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept relating to the prices which he charged for such of those commodities or services as he sold after July 29, 1942, and, in addition, records showing the basis upon which he estimated and determined the maximum prices for such commodities or services.

§ 1347.407 *Evasion.* The price limitations established by this Maximum Price Regulation No. 187 shall not, directly or indirectly, be circumvented or evaded by modifying or discontinuing, or charging for or increasing the charge for, any commodity, or by altering any customary trade practice of the manufacturer, or by deteriorating the quality of any commodity, or by any other means. No manufacturer shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such manufacturer during the period from October 1 to October 31, 1941, inclusive, or customarily imposed or agreed to by such manufacturer, in such a way as to increase the maximum price established by this Maximum Price Regulation No. 187 for any commodity.

Nothing herein shall be construed to prevent the manufacturer from making changes in merchandising services to effect economies helpful to or made necessary by the war effort, such as elimination of or changes in the frequency of delivery or changes in the character of packaging and wrapping.

§ 1347.408 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 187 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 187 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field office, state office, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.409 *Adjustable pricing.* Any manufacturer may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.410 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 187 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[8] issued by the Office of Price Administration.

§ 1347.411 *Applicability of General Maximum Price Regulation.*[9] The provisions of this Maximum Price Regulation No. 187 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 187.

§ 1347.412 *Definitions and explanations.* (a) This Maximum Price Regulation No. 187, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Applicable conversion charges" means charges covering the normal operations used in producing the commodity or supplying the service to be priced.

(2) "Assembly" means the putting together of component parts of commodities by such means as gluing, taping, covering, stitching, pasting and typing.

(3) "Commodities" includes commodities, articles, products and materials.

(4) "Commodities of the same general class" means commodities made of paperboard requiring essentially the same hand or conversion processes. (For example, Corrugated Products, Folding Cartons, Set-Up Boxes each constitutes a different general class.)

(5) "Comparable commodity or service". (i) Comparable commodity is one that is closely comparable by grade, cost, and quantities of raw materials for a unit of the commodity and is most nearly alike for the converting operations required.

(ii) Comparable service is one which has the same use and purpose, and involves approximately the same operations.

(6) "Fabrication" means the manufacturing processes including but not limited to cutting, creasing, scoring, slotting, slitting, die cutting and assembling.

(7) "Hand and/or machine operations". (i) "Hand operations" means the manufacturing processes, including but not limited to fabrication, assembly, marking and packing which require only the use of hand tools.

(ii) "Machine operations" means the manufacturing processes including but not limited to fabrication, assembly, marking and packing which require the use of mechanical devices.

(8) "Hourly, piece and setting-up rates". (i) "Hourly rates" means the highest cost per hour for labor, machine, machine overhead, and other manufacturing expenses as established for estimating purposes during the period from October 1 to October 31, 1941.

(ii) "Piece rates" means the highest cost per numerical unit for labor, machine, machine overhead and other manufacturing expenses as established for estimating purposes during the period from October 1 to October 31, 1941.

(iii) "Setting up rates" means the highest cost of the preparation of a machine for a particular conversion operation including such procedures as adjustment of feeding and receiving devices, installation of proper printing plates, cutting knives or creasing bars, and cleaning the machine after the completion of the conversion operation as established for estimating purposes during the period from October 1 to October 31, 1941.

[8] *Supra*, note 2.

[9] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

(9) "Manufacturer" includes any person who produces, from any raw materials, partially or completely the products, and supplies the services covered by this Maximum Price Regulation No. 187, and includes the agents and representatives of such person. Each manufacturer's place of business set up basically to process partially or completely the products covered by this Maximum Price Regulation No. 187, shall be deemed to be a separate seller.

(10) "Margin" means the difference between the total of factors set forth in § 1347.401 (c) (1) and (c) (2) (raw material costs and applicable conversion charges) and selling price f. o. b. shipping point.

(11) "Marking" includes printing, labeling, stamping and decorating.

(12) "Method or principle for applying conversion charges" means the established procedure or method used in estimating conversion costs.

(13) "Packing" includes packaging, wrapping and tying.

(14) "Percentage basis" means the percentage obtained by dividing the margin by the total of raw material costs and applicable conversion charges.

For example:

Selling price f. o. b. shipping point	$105
Total of raw material costs and applicable conversion charges	100
Margin	5

Percentage basis $\frac{5}{100}$=5 percent

(15) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(16) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(17) "Rate per unit of base material" refers to the method adopted by the seller in computing the margin on the basis of a square foot or an area. (For example $—— per thousand square feet of corrugated or solid fibre board.)

(18) "Raw materials" means the materials which are fabricated into the commodities covered by this Maximum Price Regulation No. 187, and all materials used in packing such commodities.

(19) "Records" includes without limitation books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers, documents, letters, and correspondence.

(20) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "buy", "purchase", and "purchaser", shall be construed accordingly. Nothing in this Maximum Price Regulation No. 187 shall be construed to prohibit the making of a contract to sell a commodity or service at a price not to exceed the maximum price at the time of delivery or supply.

(21) "Selling price f.o.b. shipping point" means the actual sales price less any delivery charges included as part of the price.

(22) "Services" includes any service rendered, or supplied, otherwise than as an employee, in connection with the manufacture and processing of any of the products covered by this Maximum Price Regulation No. 187, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of such products.

(23) "Standards of production" means the number of units produced in relation to the machine speed or man-hours.

(b) Unless the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.413 *Applicability.* The provisions of the Maximum Price Regulation No. 187 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1347.414 *Effective date.* This Maximum Price Regulation No. 187 (§§ 1347.401 to 1347.414, inclusive) shall become effective July 30, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7124; Filed, July 25, 1942; 12:15 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[Amendment 2 to Revised Price Schedule 95 [1]]

NYLON HOSE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1401.6 (a) and 1401.8 (a) are amended and a new section, § 1401.6a is added as set forth below:

§ 1401.6 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 95 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * * *

§ 1401.6a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 95 selling at wholesale any nylon hose covered by this Revised Price Schedule No. 95. When used in this section the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942.

§ 1401.8 *Definitions.* When used in Revised Price Schedule No. 95 the term: (a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

* * * * * *

§ 1401.9a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1401.6 (a), 1401.6a, 1401.8 (a), 1401.9a (b)) to Revised Schedule No. 95 shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7119; Filed July 25, 1942; 12:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1386, 1836, 1842, 2132.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

PART 1499—COMMODITIES AND SERVICES

[Amendment 18 to General Maximum Price Regulation [1]]

COST-OF-LIVING COMMODITIES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new proviso is added to the second sentence of § 1499.13 (a) as set forth below:

§ 1499.13 *Maximum prices of cost-of-living commodities: statement, marking or posting.* (a) On and after May 18, 1942, every person offering to sell a cost-of-living commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum price may be marked on the commodity itself or on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale: *Provided*, That whichever of the above methods of posting is adopted, the maximum price of each commodity offered for sale shall be plainly visible to the purchaser at the place in the business establishment where the commodity is offered for sale, and shall not be obscured by the posted prices of other commodities, whether by use of price books or catalogues or layers of price lists or otherwise or in any

[1] 7 F.R. 3153, 3330, 3666, 3990, 39991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484.

other manner. The maximum price shall be stated as follows: "Ceiling Price $———;" or "Our Ceiling $———." Any person choosing to post by price-lines the maximum prices of commodities in the classifications marked by asterisks in Appendix B, shall post the maximum price by price-line at the place in the business establishment where the commodities in such price-line are offered for sale, and, in addition, shall mark the selling price of each such commodity on the commodity itself.

* * * * *

§ 1499.23a *Effective dates of amendments.* * * *

(r) Amendment No. 18 (§ 1499.13 (a)) to General Maximum Price Regulation shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7122; Filed, July 25, 1942; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 17 to General Maximum Price Regulation [1]]

ORES AND ORE CONCENTRATES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (y) is added to § 1499.20 as set forth below.

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

* * * * *

(y) "Ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. "Ore concentrates" means any ore, as defined above, after the removal of a part of the gangue, or a part of the nonmetallic elements, either by a physical or chemical process.

* * * * *

§ 1499.23a. *Effective dates of amendments:*

* * * * *

(q) Amendment No. 17 (§ 1499.20 (y)) to this General Maximum Price Regulation shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7121; Filed, July 25, 1942; 12:15 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 45]

UNITED COLOR AND PIGMENT CO.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.259 *Approval of maximum price for sale by the United Color and Pigment Company of yellow iron oxide produced from copperas.* (a) On and after July 27, 1942, to and including October 27, 1942, the United Color and Pigment Company of Newark, New Jersey, may sell and deliver, and agree, solicit and attempt to sell and deliver, and any person may buy from the United Color and Pigment Company, synthetic iron oxide yellow pigment made from copperas at prices no higher than those hereinafter set forth:

9½¢ per pound delivered in bags.

(b) The same allowances, discounts or other price, or territorial differentials in effect by the United Color and Pigment Company in March 1942 with respect to lead chromate yellow pigment shall continue in effect for synthetic iron oxide yellow pigments manufactured from copperas.

(c) This Order No. 45 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 45 (§ 1499.259) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7123; Filed, July 25, 1942; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.18 (b) of the General Maximum Price Regulation [2]—Order 3]

WILLARD TOBACCO CO.

Willard Tobacco Co., of Hartsville, Tennessee has filed a Petition for Amendment of the General Maximum Price Regulation requesting specific adjustment of the maximum prices established for it for sales of tobacco twist on the grounds that such maximum prices cause it substantial hardship and are abnormally low in relation to the maximum prices established for competitive sellers of tobacco twist. Due consideration has been given to the Petition and an Opinion in support of this Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set out in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

§ 1499.303 *Adjustment of maximum prices for tobacco twist manufactured by Willard Tobacco Co.*—(a) *Manufacturer.* Willard Tobacco Co. has reduced the sizes of the tobacco twist sold by it during March 1942 by making 12 instead of 11 of its large size twist per pound of tobacco and by making 24 instead of 22 of its small size twist per pound of tobacco. On and after July 1942, Willard Tobacco Co. may charge for its reduced sizes of tobacco twist the prices charged by it during March 1942 for its original sizes of tobacco twist, namely:

	Per dozen
Large	$1.92
Small	.96

For a period of three months after it commences to sell its reduced sizes of tobacco twist, Willard Tobacco Co. shall mark each package with a notice or shall enclose in each package a notice as follows: "Sale of reduced size of this product at maximum prices established for any seller for original size is authorized by Office of Price Administration Order No. 3 under § 1499.18 (b) of the General Maximum Price Regulation, issued July 25, 1942."

(b) *Wholesalers and retailers.* On and after July 27, 1942 any wholesaler or retailer may charge for Willard Tobacco Co.'s reduced size of tobacco twist (1) the maximum prices established for such seller for Willard Tobacco Co.'s original sizes of tobacco twist or (2) if no maximum prices have been established for such seller for Willard Tobacco Co.'s original sizes of tobacco twist, the maximum prices established for such seller under Section 2 of the General Maximum Price Regulation for Willard Tobacco Co.'s reduced size of tobacco twist.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 3 (§ 1499.303) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7125; Filed, July 25, 1942; 12:18 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4659, 4738, 5027, 5276, 5192.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order No. 17]

PART 304—LABOR

By virtue of the authority conferred upon me by Executive Order No. 9054, dated February 7, 1942, it is ordered that:

§ 304.10 *Employment of officers and crews for all American flag vessels and Panamanian and Honduran flag vessels.* All owners, operators, agents, Maritime Unions and others employing officers and crews for vessels registered under the laws of the United States of America and the Republics of Panama and Honduras will be governed by the following regulations:

(a) Graduates of the following training stations, who have not previously accepted positions prior to the date of this section, may be employed upon graduation only through the offices of the Recruitment and Manning Organization of the War Shipping Administration:

Fort Trumbull, New London, Conn.
Government Island, Alameda, Calif.
United States Merchant Marine Academy, New York, N. Y.
California Maritime Academy.
Maine Maritime Academy.
Massachusetts Maritime Academy.
New York State Maritime Academy.
Hoffman Island, New York, N. Y.
St. Petersburg, Fla.
Sheepshead Bay, N. Y.
Port Hueneme, Calif.
Gallups Island Radio School, Boston, Mass.

(b) All graduates of the aforesaid training schools shall be assigned to ships through the offices of the Recruitment and Manning Organization, located at—

(1) 200 Bush Street, San Francisco, California;

(2) 45 Broadway, New York, New York;

(3) Federal Office Building, New Orleans, Louisiana; and

(4) Such other port offices as the Director of the Recruitment and Manning Organization may designate.

(c) Graduates of the aforesaid training stations who are assigned to vessels operating under preferential collective bargaining agreements with maritime unions with respect to the particular ratings involved will, upon the request of the union having such agreement, be assigned to vessels through the office of the Recruitment and Manning Organization via the established union hiring hall or employment center operated by said maritime union.

(d) All owners, operators, agents, maritime unions and other persons employing officers and crews are requested immediately to advise the Recruitment and Manning Organization, War Shipping Administration, Washington, D. C., of any agreements with, or commitments to, any trainee who is now in training at one of the aforesaid training stations, concerning employment upon his graduation, including in such information the name of the trainee, the date of his graduation, and the substance of the agreement or commitment.*

(e) This section shall take effect immediately. (E.O. 9054, 7 F.R. 837)

By Order of the War Shipping Administrator.

W. C. PEET, Jr.,
Secretary.

JULY 25, 1942.

[F. R. Doc. 42-7177; Filed, July 27, 1942; 11:51 a. m.]

Notices

WAR DEPARTMENT.

[Public Proclamation No. 3]

TERRITORY OF ALASKA

IDENTIFICATION CERTIFICATE REQUIREMENT

Headquarters Alaska Defense Command,
Office of the Commanding General,
Fort Richardson, Alaska

MAY 14, 1942.

To the people within Alaska and the public generally:

Whereas, by Public Proclamation No. 1, dated April 7, 1942,[1] this Headquarters, the entire Territory of Alaska was designated a Military Area from which any or all persons may be excluded and with respect to which the rights of any person to enter, remain in, or leave are subject to whatever restrictions may be imposed by the Commanding General of the Alaska Defense Command; and

Whereas the present situation within this Military Area requires as a matter of military necessity the establishment of certain regulations within said Military Area;

Now, therefore, I, Simon Bolivar Buckner, Jr., Major General, Army of the United States, by virtue of the authority vested in me by the President of the United States and by the Secretary of War, and my powers and prerogatives as Commanding General of the Alaska Defense Command, do hereby order and direct that every native, citizen, denizen, or subject of any foreign nation or government with which the United States is now at war, and every native, citizen, denizen, or subject of Austria, Bulgaria, Hungary, Roumania and Korea, who is fourteen (14) years of age or older, who is within the Territory of Alaska, and who has not fully acquired United States citizenship, shall obtain a Certificate of Identification. All such persons as aforesaid will report to a post office within the Territory of Alaska between June 29, 1942, and July 3, 1942, for the purpose of obtaining such Certificate of Identification, and will thereafter carry such Certificate on the person at all times and will permit inspection thereof by any official of the Territory of Alaska or the Federal Government, any commissioned officer of the United States Army, any member of the Corps of Military Police of the United States Army, or any other person authorized by law or the headquarters of the Alaska Defense Command to require such inspection.

S. B. BUCKNER, Jr.,
Major General,
U. S. Army, Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7116; Filed, July 25, 1942; 11:18 a. m.]

[Public Proclamation No. 4]

TERRITORY OF ALASKA

PERMITS FOR ENTRY AND DEPARTURE

Headquarters Alaska Defense Command
Office of the Commanding General

JUNE 30, 1942.

To the people within Alaska and the public generally:

Whereas, by Public Proclamation No. 1, dated April 7, 1942,[1] this Headquarters, the entire Territory of Alaska was designated and established a military area, and

Whereas, it is necessary, in order to provide the greatest possible portection against sabotage and against espionage within this area, to establish certain regulations for the control of civilians who enter or leave the Territory of Alaska by any means of transportation whatsoever, as set forth hereinafter:

Now, therefore, I, Simon B. Buckner, Jr., Major General, Army of the United States, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Alaska Defense Command, do hereby declare the present situation requires as a military necessity that, commencing at twelve midnight, A. W. T., July 10, 1942, all civilians who enter or depart from the Territory of Alaska will be required to obtain and have in their possession a permit for the aforesaid entrance or departure issued by competent military authority following application in writing in accordance with regulations and instructions promulgated by the Commanding General, Alaska Defense Command, as to such persons desiring to depart from the Territory of Alaska, and by the Commanding General, Western Defense Command and Fourth Army, as to such persons desiring to enter the Territory of Alaska, or their designated representatives.

Any person affected by this Proclamation who fails to comply with any of its provisions or with the provisions of published regulations and instructions pertaining thereto, will be subject to the criminal penalties of Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: An act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving or committing any act in

[1] 7 F.R. 4859.

military areas or zones. In the case of any alien enemy, such person will in addition be subject to immediate apprehension and internment.

S. B. BUCKNER, Jr.,
Major General,
U. S. Army, Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7117; Filed, July 25, 1942; 11:18 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-292]

RIDGWAY COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of John H. Ridgway, doing business under the name and style of Ridgway Coal Company, Code Member.

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 11, 1942, by the Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by John H. Ridgway, doing business under the name and style of Ridgway Coal Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 22, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Canton, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this Proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that John H. Ridgway, doing business under the name and style of Ridgway Coal Company, whose address is Uhrichsville, Ohio, a code member, whose code membership became effective as of December 15, 1937, operating the Buckeye Mine, Mine Index No. 1803, and the Ridgway Mine, Mine Index No. 1804, both located in Tuscarawas County, Ohio, District No. 4, has wilfully violated Orders No. 307, dated December 11, 1940, No. 309, dated January 14, 1941, No. 156 dated January 18, 1937 and 313 dated February 24, 1941 by:

1. Failing and refusing to file with the Statistical Bureau for District No. 4 for each month from and including January 1941 to and including June 1942 within five days after the end of each of said months reports of all sales made during each of said months of coal produced at its above-named mine, said coal being shipped by truck or wagon to various purchasers; and failing and refusing to file with the statistical bureau for said period copies of truck tickets, sales slips, invoices, and listing of said sales;

2. Failing and refusing to file for the months of January, February, and March 1941 copies of all invoices rendered for coal produced at the above-named mine, which coal was sold for rail shipment to various purchasers, and failing and refusing to file with the Statistical Bureau for District No. 4 for the months of January, February, and March 1941 copies of credit and debit memoranda and memoranda of all changes and specifications, or, in lieu thereof, the information required to be filed in the form of monthly reports for each of said months on the forms prescribed; and

3. Failing and refusing, for each month from and including April 1941 to January 1942, to maintain and file with the Division certain records relating to coal produced at the above-named mine and shipped by rail, and failing and refusing, for each said month, to maintain and keep on file at his office copies of all loading records, shipping records, and daily billing sheets, and further failing and refusing, during said period, to file with the Division copies of debit memoranda, credit memoranda, or other memoranda.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7156; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. B-290]

WILLIAM ARBAUGH, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 11, 1942, by Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by William Arbaugh (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 24, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Athens, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matter specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that William Arbaugh, whose address is R. F. D. No. 2, Nelsonville, Ohio, a code member, whose code membership became effective as of September 1, 1940, operating the Arbaugh Mine, Mine Index No. 2468, located in Vinton County, Ohio, District No. 4 wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling, during the period from March 1, 1941 to January 31, 1942, both dates inclusive, to various consumers f. o. b. the mine for truck shipment approximately 896.55 tons of 3" lump coal (Size Group 2) produced at the above-named mine at prices ranging from $2.00 to $2.45 per net ton and approximately 45.9 net tons of ½" x 3" egg coal (Size Group 5) produced at the above-named mine at prices ranging from $1.75 to $2.10 per net ton and approximately 158 tons of ½" x 0 slack coal (Size Group 8) produced at the above-named mine at $0.075 per net ton, whereas the effective minimum prices f. o. b. the mine were $2.85 per net ton for 3" lump coal (Size Group 2), $2.45 per net ton for ½" x 3" egg coal (Size Group 5) and $1.65 per net ton for ½" x 0 slack coal (Size Group 8), as set forth in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, as amended by Temporary Supplement No. 7, dated December 23, 1940, annexed thereto and made a part thereof.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7157; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. A-1438]

EASTERN GAS & FUEL ASSOCIATES

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 7 for the establishment of minimum prices for river and ex-river shipments of the coals of Midvale No. 2 Mine (Mine Index No. 122) of Eastern Gas & Fuel Associates (Koppers Coal Division), a code member in District 7.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on May 4, 1942, by District Board No. 7, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition requested the establishment of minimum prices for river (free alongside delivery) and ex-river shipments for the coals produced at the Midvale No. 2 Mine (Mine Index No. 122) of the Eastern Gas & Fuel Associates (Koppers Coal Division), in District 7, high volatile, that will permit such coals to be shipped via the C&O Railway to Cabin Creek Junction and there to be loaded into floating equipment on the Kanawha River in proper coordination with the high volatile coals in District 8 for shipment via the Kanawha and Ohio Rivers. It was alleged in the petition that such coordination necessitated an adjustment of 25 cents per net ton on account of variations in freight rates on shipments from the Midvale No. 2 Mine and District 8 high volatile mines. The petition requested temporary relief.

On May 29, 1942, an Order was entered granting, in part, pending final disposition of the proceeding, the temporary relief prayed for. The temporary relief established prices for river shipments, free alongside deliveries, for coal produced at the Midvale No. 2 Mine for shipment by the Kanawha River to free alongside consumers at all destinations down stream from Cabin Creek Junction, West Virginia, to and including Belle, West Virginia. The prices thus temporarily established are the same, size for size and class for class, as shown on page 37 of the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck. The temporary supplement states that no adjustments for freight rates are permissible.

Pursuant to an appropriate order and after notice to all interested persons, a hearing was held on June 30, 1942, before Floyd McGown, a duly designated Examiner of the Division, at the hearing room thereof, in Washington, D. C., at which the petitioner and Bituminous Consumers' Counsel appeared. No intervening petitions were filed. The record of the hearing has been submitted to the undersigned for further consideration on the matter of temporary relief, pending final disposition of the proceeding.

It appears that the Midvale No. 2 Mine is situated in the high volatile field of District 7 and that the high volatile coals produced in Districts 7 and 8 were coordinated on a basis of the same price, size for size and class for class. However, while river prices were established for the high volatile coals produced in District 8, no such prices were established for the high volatile coals of District 7. Subsequently, a freight rate of 55 cents per net ton, applicable only when the origin, destination, and entire haul are within the State of West Virginia, has been established applicable to the coals produced at the Midvale No. 2 Mine (Freight Origin Group 70) for movement over the C&O Railway to Cabin Creek Junction. District 8 high volatile coals produced at the mines in Freight Origin Group 123 move to Cabin Creek Junction on a freight rate of 35 cents and subject to a deduction of 5 cents per net ton as a further adjustment necessary to effect coordination, which adjustment appears on page 39 of the District 8 Price Schedule. Thus, District 8 high volatile coals in Freight Origin Group 123 will deliver to Cabin Creek Junction, a loading point on the Kanawha River, on a transportation charge, 25 cents per net ton lower than coals produced at the Midvale No. 2 Mine.

Daniel T. Buckley, an employee of the Koppers Coal Division of Eastern Gas & Fuel Associates, testified that granting of the 25 cent adjustment to equalize the freight rates would not give the Midvale No. 2 Mine any advantage over other high volatile mines in District 7 and would not have any effect with respect to the high volatile mines in District 8.

There was no objection to the allowance of the 25 cent adjustment expressed at the hearing.

It appears from the record that a reasonable showing of necessity has been made for the granting of additional temporary relief pending final disposition of this proceeding, by permitting the prices established in the temporary supplement attached to and forming a part of the Order dated May 29, 1942, to be reduced 25 cents per net ton when such coal is loaded on floating equipment at Cabin Creek Junction on the Kanawha River.

It is therefore ordered, That, pending final disposition of the above-entitled matter, additional temporary relief be and the same hereby is granted as follows: Commencing forthwith, the temporary supplement attached to and made a part of the Order dated May 29, 1942, entered herein, is hereby amended by deleting the provision reading as follows: "No adjustments for freight rates are permissible," and inserting thereon a footnote reading as follows: "When floating equipment is loaded on Kanawha

River, Mine Index No. 122, may reduce the above prices 25 cents per net ton."

Nothing contained herein shall be deemed to constitute a ruling or expression of views concerning the final disposition of these proceedings or the nature of the relief which may hereafter be granted.

Dated: July 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7159; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. B-175]

J. BRUCE MEYER, CODE MEMBER

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND CEASE AND DESIST ORDER

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on January 6, 1942, by District Board No. 1. The complaint alleged that code member had wilfully violated the Bituminous Coal Code or the rules and regulations thereunder, and prayed that the Division either cancel or revoke his code membership, or, in its discretion, direct the code member to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing was held in this matter on February 18, 1942, before W. A. Cuff, a duly designated Examiner of the Division at a hearing room thereof in Altoona, Pennsylvania. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board No. 1 appeared and code member appeared without counsel.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated June 6, 1942, finding that code member wilfully violated the Order of the Director in General Docket No. 19, by selling between October 7, 1940 to December 5, 1940, 1427 tons of mine run coal produced at his Peters No. 2 Mine [1] Mine Index No. 1760, and delivered said coal by truck to a rail siding for rail shipment without having first obtained rail classification or prices therefor. The Examiner recommended that an order be entered cancelling and revoking the code membership of J. Bruce Meyer, and providing that prior to reinstatement into code membership there shall be paid by said J. Bruce Meyer to the United States a tax in the sum of $1,090.80 in accordance with the provisions of Section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting briefs to the said Examiner's Report and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law. The undersigned feels, however, that the purposes of the Act will be served in this matter by the entry of a cease and desist order,[2] and hence does not adopt the recommendation of the Examiner that an order be entered cancelling and revoking the membership in the Code of this code member.

Now, therefore, it is ordered, That the proposed findings of fact, and proposed conclusions of law of the Examiner be, and the same hereby are approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the code member, J. Bruce Meyer, his representatives, agents, servants, employees, attorneys, heirs, administrators, successors or assigns, cease and desist and they are hereby permanently enjoined and restrained from selling or offering to sell coal for which he had no rail price or classification, or from otherwise violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, the Marketing Rules and Regulations, and all appropriate orders of the Division.

It is further ordered, That the Division may, upon failure of code member herein to comply with this order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit wherein the code member resides or carries on business for the enforcement hereof or take any other appropriate action.

Dated: July 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7158; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. 1861-FD]

VANCUENEBROCK COAL COMPANY, CODE MEMBER

ORDER REVOKING AND CANCELLING CODE MEMBERSHIP

A complaint having been filed with the Bituminous Coal Division pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 by District Board 12 alleging violation by Vancuenebrock Coal Company, a code member partnership in District No. 12, of the Bituminous Coal Code and Rules and Regulations thereunder as follows:

That code member sold during the period May 4, 1941, and June 28, 1941, both dates inclusive, 339.09 tons of 6" x 2" egg coal produced at its Vancuenebrock No. 1 Mine (Mine Index No. 494), to the Beebout Coal Company at Knoxville, Iowa, at a price of $1.70 per ton f. o. b. the mine, whereas the effective minimum price for such coal was $2.90 per ton f. o. b. the mine, as shown by the Schedule of Effective Minimum Prices for District No. 12 for Truck Shipment;

Pursuant to an Order of the Division and after due notice to interested persons, a hearing having been held on November 28, 1941, before a duly designated Examiner of the Division at a hearing room thereof in Des Moines, Iowa;

An appearance having been entered by code member, and all interested parties having been afforded an opportunity to be present and participate fully in the hearing;

At the conclusion of the hearing all parties having joined in waiving preparation and filing of a report by the Examiner, and the matter thereupon being submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion which are filed herewith;[1]

Now, therefore, it is ordered, That pursuant to section 5 (b) of the Act the code membership of Vancuenebrock Coal Company, and of John F. and Florent Vancuenebrock, partners thereof, be, and it hereby is, revoked and cancelled, effective fifteen (15) days from the date hereof.

It is further ordered, That prior to any reinstatement to membership in the Code, Vancuenebrock Coal Company or the individual partners thereof shall pay to the United States a tax in the amount of $383.51 as provided in section 5 (c) of the Bituminous Coal Act of 1937.

Dated: July 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7163; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. A-1517 Part II]

DISTRICT BOARD NO. 8

ORDER GRANTING TEMPORARY RELIEF; HEARING, ETC.

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

Memorandum opinion and order severing Docket No. A-1517 Part II from Docket No. A-1517, order granting temporary relief, in part, in Docket No. A-1517 Part II and notice of and order for hearing in Docket No. A-1517 Part II.

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 8.

As found in an order issued in Docket No. A-1517, a reasonable showing of necessity has been made for the granting of the relief prayed for by petitioner except as to the establishment of price

[1] During the month of February 1942, code member changed the name of his mine to that of Shannon No. 1, and notified the Division of this change in compliance with Order No. 288.

[2] On December 9, 1940, code member applied for, and has since obtained a rail classification and price for his coal by an order of the Director dated January 31, 1941 in Docket No. A-559.

[1] Not filed with the Division of the Federal Register.

classifications and minimum prices for the coals produced by Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. for all shipments except truck from its Blue Heron Preparation Plant.

District Board No. 8 proposes price classifications and minimum prices for all shipments except truck from the Blue Heron Preparation Plant, some of which have heretofore been established for the coals of the various mines of Stearns Coal & Lumber Co. at various shipping points. In view of the probability that the coals of the various mines herein involved will be mixed and receive different preparation than they have formerly had, no reasonable showing has been made as to what price classifications and minimum prices should be established for these coals for shipment from the Blue Heron Preparation Plant, on a permanent basis.

Now therefore it is ordered, That the portion of Docket No. A-1517 relating to the coals of Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. for all shipments except truck from its Blue Heron Preparation Plant be and the same hereby is severed from the remainder of Docket No. A-1517 and designated as A-1517 Part II.

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 17, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Acting Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 12, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the request of District Board No. 8 for the establishment of price classifications and minimum prices for all shipments except truck for the coals of Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. from its Blue Heron Preparation Plant.

It is further ordered, That pending final disposition of Docket No. A-1517 Part II, temporary relief is granted as follows:

Commencing forthwith, Price Schedule No. 1 for District No. 8 for All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the Schedule "R," annexed hereto and made a part hereof.

Notice is hereby given that applications to stay, terminate, or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7160; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. B-288]

STROTH BROS. COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of A. W. Stroth, H. F. Stroth, L. B. Stroth, I. C. Stroth, and R. R. Stroth, individually and as co-partners doing business under the name and style of Stroth Bros. Coal Company, code member.

A complaint dated May 22, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 28, 1942, by the Bituminous Coal Producers Board for District No. 4, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by A. W. Stroth, H. F. Stroth, L. B. Stroth, I. C. Stroth, and R. R. Stroth, individually and as co-partners doing business under the name and style of Stroth Bros. Coal Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder; and

An amended complaint, dated June 26, 1942, in the above-entitled matter, having been duly filed on July 1, 1942 (the complaint as amended hereinafter referred to as the "complaint");

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 23, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Athens, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing, or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 [1] of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 [2] of the Rules of Practice and Procedure before

[1] 5 F.R. 4437.

[2] 6 F.R. 6138.

the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herein is in regard to the complaint filed by said complainant alleging wilful violation by the above-named Code Member as follows: That the said A. W. Stroth, H. F. Stroth, L. B. Stroth, I. C. Stroth, and R. R. Stroth, individually and as co-partners doing business under the name and style of Stroth Bros. Coal Company, a Code Member, whose address is Wellston, Ohio, whose code membership became effective as of September 17, 1937, and who operates the Stroth No. 6 Mine (Mine Index No. 2369), located in Vinton County, Ohio,

a. Sold and delivered by truck during the period December 23, 1940 to December 15, 1941, both dates inclusive, approximately 4,475 tons of run of mine coal, and during the period December 6, 1941, to December 31, 1941, both dates inclusive, approximately 255 tons of run of mine coal, produced at the above-named mine, to the MacArthur Brick Company of MacArthur, Ohio, at delivered prices of $2.00 per net ton and $2.25 per net ton, respectively, whereas the effective minimum price for said coal was $1.95 per ton f. o. b. said mine, as set forth in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, to which applicable minimum prices there should have been added the cost of transportation, handling and other incidental charges from the facilities at said mine to the point where all such costs were assumed and directly paid by the purchaser, as required by Price Instruction No. 6, as amended, of said Schedule, resulting in violation of section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code; and

b. Sold for shipment via truck during the period October 14, 1940, to December 22, 1940, both dates inclusive, approximately 955 tons of run of mine coal produced at the above-named mine to the MacArthur Brick Company of MacArthur, Ohio, at a delivered price of $2.00 per net ton, whereas prices, temporary or final, for said coal had not been established by the Division for such coal produced at said mine, resulting in violation of the Order of the Division in General Docket No. 19, dated October 9, 1940.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7175; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. 1714-FD]

THOMAS REDDING, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated April 25, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on April 26, 1941, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Thomas Redding (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder; and

An amended complaint dated July 1, 1942, in the above-entitled matter, having been duly filed on July 7, 1942 (the complaint as amended hereinafter referred to as the "complaint");

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 10, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing, or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123[1] of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division within twenty (20) days after date of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Code and the Code member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code member to cease and desist from violating the Code and regulations made thereunder.

[1] 5 F.R. 4437.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132[1] of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant as follows: That the said Thomas Redding, Osceola Mills, Pennsylvania, whose code membership became effective as of June 21, 1937, and who operated the Mary Ellen Mine, Mine Index No. 589, located in Subdistrict No. 8 of District No. 1, Clearfield County, Pennsylvania,

I. Wilfully violated section 4 Part II (e) of the Act and Part II (e) of the Code,

(a) By selling subsequent to September 30, 1940, below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 1, For All Shipments Except Truck, coal produced at the aforesaid mine, including the sales during the period of November 22, 1940 to August 30, 1941, both dates inclusive, to the Bradford Coal Company (R. S. Walker), Bigler, Pennsylvania, of approximately 25,408 net tons of run of mine coal at prices ranging from $1.55 per net ton to $2.00 per net ton f. o. b. said mine whereas said coal is classified as Size Group No. 3, and priced at $2.25 per net ton f. o. b. the mine in said Schedule; and

(b) By selling subsequent to September 30, 1940, below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 1, For Truck Shipments, coal produced at the aforesaid mine, including the sales during the period of February 13 to February 22, 1941, both dates inclusive, to R. S. Walker, as partner in the Kriswal Mining Company, Lanse, Pennsylvania, for delivery by truck to the North American Refractories Company plant at Curwensville, Pennsylvania, of approximately 149 net tons of run of mine coal at a delivered price of $2.00 per net ton, whereas said coal is classified as Size Group No. 3 and priced at $2.25 per net ton f. o. b. the mine in said Schedule; and

II. Wilfully violated Rule 1 of Section III of the Marketing Rules and Regulations, by allowing subsequent to September 30, 1940, discounts from the effective minimum prices on sales of coal by said Code member to persons not authorized by the Division to receive such discounts, including the allowances during the period from February 13 to February 22, 1941, both dates inclusive, to the Kriswal Mining Company, Lanse, Pennsylvania, of discounts on the transactions referred to in Paragraph I (b) above.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7176; Filed, July 27, 1942; 11:29 a. m.]

[1] 6 F.R. 6138.

[Docket No. A-1447]

MONONGAHELA RAIL AND RIVER COAL CORP.

ORDER DISMISSING PETITION

In the matter of the petition of District Board No. 3 for revision of price classifications and minimum prices of Emily No. 2 mine of Monongahela Rail and River Coal Corporation.

The original petitioner in the above-entitled matter having moved that its petition therein be dismissed, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed without prejudice.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7161; Filed, July 27, 1942; 11:30 a. m.]

[Docket No. A-780]

DELTA MINING CO., ET AL.

MEMORANDUM OPINION AND ORDER DENYING APPLICATION TO TERMINATE TEMPORARY RELIEF

In the matter of the petition of Delta Mining Company, Sahara Coal Company and the United Electric Coal Companies, code member producers in District No. 10, for minimum f. o. b. mine prices for F. A. S. delivery from District No. 10 to retail dealers at Minneapolis and St. Paul, pursuant to section 3 A, special river price instructions and exceptions, schedule of effective minimum prices for District No. 10, or in the alternative for establishment of just and equitable prices, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a joint petition filed with the Bituminous Coal Division on March 31, 1941, by Delta Coal Mining Company, Sahara Coal Company, and the United Electric Coal Companies, code members in District No. 10, pursuant to the provisions of section 3 A of the Special River Price Instructions and Exceptions of the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck. The original petitioners sought authority to sell coal shipped from mines in District 10 via rail to the Mississippi River, thence via river to the municipal docks in Minneapolis and St. Paul for delivery to retail dealers, at minimum f. o. b. mine prices for free alongside delivery, instead of at the adjusted ex-river prices provided for those dealers. Numerous other code members in District 10 intervened in support of the petition, as did the City of Minneapolis. District Boards 7 and 11 intervened in opposition and other parties, including Consumers' Counsel, appeared generally.

The scheduled hearing ran for several days until May 29, 1941, when it was adjourned until July 15. By order of June 17, the Director granted a motion made during the hearing by the original petitioners to amend their petition to request as alternative relief the establishment for the coals in question of just and equitable prices under section 4 II (d) of the Bituminous Coal Act of 1937, and he extended the period for intervention and gave further notice of the continuance. The hearing was resumed on July 15 according to a schedule, and was concluded on July 22, 1941.

On June 4, during the recess of the hearing, the original petitioners filed a motion for temporary relief with accompanying brief. District Board 7 filed a brief in opposition. Following the close of the hearing, by a Memorandum Opinion and Order dated July 29, 1941, the Director stated that studied consideration of the record and of the results of temporary relief should be made prior to a ruling upon final relief, and granted temporary relief by amending the Schedule of Effective Minimum Prices for Districts No. 10 for All Shipments Except Truck. The important provisions of the amendment follows:

Under the Section "Prices for River (free alongside deliveries) and Ex-River shipments, Special River Price Instructions and Exceptions," "Special Cases C," page 53, add the following provision:

"Any code member producer, sales agent or registered distributor may sell coal for barge delivery to and over the municipal docks at Minneapolis and St. Paul at the minimum f. o. b. mine prices for free alongside delivery when shipped from the mines by rail and reloaded into barges on the Mississippi River for transshipment on the Mississippi River to retail coal dealers for resale at retail by such dealers located within the switching limits of these cities, whether such coal is for storage on the municipal docks or at inland retail coal yards."

Provided, however, That the relief herein granted shall apply only to coal shipped from the mine subsequent to the date hereof, and

Provided further, That any code member, sales agent or registered distributor offering for sale, selling or reselling any coal pursuant to this Order shall submit to the Bituminous Coal Division at 734 Fifteenth Street, NW., Washington, D. C., within five (5) days after such offer, sale or resale, a complete description of such offer, sale or resale, as is required by the Marketing Rules and Regulations of the Division, Order 313, and any other orders of the Division. The filing of this data at the offices of the Bituminous Coal Division in Washington, D. C., shall be in addition to that required for filing with the field office.

Petitioners have reported shipments by them of substantial tonnages under the terms of this order.

On June 18, 1942, District Board 7 filed an application to terminate the temporary relief herein, alleging in substance the following reasons:

(1) In granting temporary relief in order to aid the original petitioners in negotiating for the sale and shipment of coal to the Twin Cities during the balance of the 1941 navigation season, the Director found that, since more than one-half of the navigation season had passed, substantially less—and certainly no more—Illinois coal could be shipped by river to the Minneapolis-St. Paul area during that period than had been shipped during the 1940 season and that, therefore, temporary relief would not prejudice eastern producers. The records of the U. S. Engineer's Offices, however, show that total shipments of Illinois coal to the Minneapolis-St. Paul docks during the season 1941 increased 37.5 percent over the year 1940. District Board 7 believes that shipments made by petitioners subsequent to temporary relief during the balance of the 1941 navigation season exceeded the tonnage transported by river during the preceding season, and in the event that the records of the Division show this to be true, the Director's finding regarding prejudice would be proved erroneous, so the relief should be terminated.

(2) At the known rate of shipments of coal to the area during the last summer, the annual rate of river shipments would now greatly exceed that of 1940 and previous years. The reason cited for temporary relief—that eastern producers would not be prejudiced because half of the navigation season had already passed—is inapplicable to the new season of 1942.

(3) Some of the original petitioners shipping under terms of the temporary relief order are not complying with the requirements regarding the filing of reports. The privilege of shipment to retail dealers has been abused by shipments to affiliated companies. Lower prices are quoted by producers and distributors to their retail departments and to affiliates than to independent retailers, and no ultimate resales are reported.

(4) District Board 7 is advised that neither the prices to retail dealers nor the dealers' prices to consumers have been reduced subsequent to the granting of temporary relief, and that the f. o. b. truck price of Illinois coal at the docks is slightly higher than the ex-river price for the same coal. Thus it appears to the Board that the savings resulting from the order are used for the benefit of the producers and not passed along to consumers.

(5) In Docket No. A-227 temporary relief in the nature of prices for free alongside delivery to certain Chicago dealers was restricted to the quantity of coal previously shipped by river to them, and the shipments were required to be spread as far as practicable over the entire year. If temporary relief is not here terminated, it should be similarly restricted.

On July 15, 1942, the original petitioners filed a "Motion to Dismiss Application to Terminate Temporary Relief," al-

leging as grounds therefor that the application is speculative, misinterprets the Director's Order, draws inaccurate conclusions, and that it would injure petitioners and impair fuel distribution in time of war.

I have carefully considered each of the contentions of District Board 7, and find therein nothing requiring termination of temporary relief. As noted by the Board, the tonnage figures of the United States Engineer's Office are not restricted to the coals shipped to retail dealers under temporary relief, and, therefore, are not necessarily indicative of unexpectedly heavy shipments to such dealers. Nor would a rate of shipment in 1941 somewhat in excess of that in 1940 be, in itself, an indication of improper temporary relief where the shipments arise from a new river development. The pressing need for prompt relief in 1941 because of the short season has been replaced by even more urgent need for early stocking of winter coals and the relief of overburdened rail and Great Lakes transportation.

While the reports made by coal shippers in accordance with the temporary relief order leave something to be desired from the standpoint of information, they are in substantial compliance with the order. The method of disposition of coal through retail departments of the producers or their sales agents, and the prices at which coal has been sold to them and to independent retailers, are matters to be considered by the Trial Examiner along with other data supplied by the reports. Pending the filing of his report, the temporary relief will be continued.

Now, therefore, it is ordered, That the application of District Board 7 to terminate temporary relief be, and the same hereby is, denied, and the motion of original petitioners to dismiss that application is granted to that extent.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7162; Filed, July 27, 1942; 11:30 a. m.]

Office of the Secretary.

CENTRAL VALLEY PROJECT

WAGE FIXING PROCEDURES

APRIL 22, 1942.

For the purpose of determining the prevailing rate of wages to be paid certain classes of Government employees on the three divisions of the Central Valley Project, and to enable the payment to such employees of time and one-half for work in excess of 40 hours a week, the following procedure is established:

I—Wage Board

A Wage Board, composed of there representatives of the Department, one selected from the Office of the Secretary of the Interior and at least one of the other two members selected from the Bureau of Reclamation, is hereby established to determine prevailing wages for similar work in the locality of the various divisions of the Project for persons employed by the Government in the various trades and occupations in the construction or operation and maintenance of the Central Valley Project, excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior. The representatives selected from the Office of the Secretary of the Interior shall act as Chairman of the Board.

II—Procedure To Be Followed by Board

In determining the prevailing wages of various trades and occupations being considered by the Board in the locality of the Project, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these trades and occupations from local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations as to the rates of wages to be paid to the Government employees of the classes above specified on the various divisions of the Central Valley Project to the Secretary of the Interior. The wages recommended shall become effective upon the date they are approved by the Secretary of the Interior, unless otherwise directed by the Secretary of the Interior: *Provided,* That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

III—Effective Period of Approved Wage Determinations

Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided,* That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

IV

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, selected from the Office of the Secretary of the Interior,

Charles A. Bissell and Ralph Lowry, selected from the Bureau of Reclamation.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-7138; Filed, July 27, 1942; 10:48 a. m.]

PARKER DAM POWER PROJECT

WAGE FIXING PROCEDURES

JUNE 2, 1942.

For the purpose of determining the prevailing rate of wages to be paid certain classes of Government employees at the Parker Dam Power Project, Parker Dam, California, and to enable the payment to such employees of time and one-half for work in excess of 40 hours a week, the following procedure is established:

I—Wage Board

A Wage Board, composed of three representatives of the Department, one selected from the Office of the Secretary of the Interior, and at least one of the other two members selected from the Bureau of Reclamation, is hereby established to determine prevailing wages for similar work in the locality of the Project for persons employed by the Government in the various trades and occupations in the construction or operation and maintenance of the Project, excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior. The representative selected from the Office of the Secretary of the Interior shall act as Chairman of the Board.

II—Procedure To Be Followed by Board

In determining the prevailing wages of various trades and occupations being considered by the Board in the locality of the Project, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these trades and occupations from local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations to the Secretary of the Interior as to the rates of wages to be paid to the Government employees of the classes above specified at the Project. The wages recommended shall become effective upon the date they are approved by the Secretary of the Interior, unless otherwise directed by him: *Provided,* That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

III—Effective Period of Approved Wage Determinations

Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided,* That the Secretary of the Interior may direct a review at any other time, when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, selected from the Office of the Secretary of the Interior,

Charles A. Bissell, and S. A. McWilliams, selected from the Bureau of Reclamation.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-7137; Filed, July 27, 1942; 10:48 a. m.]

BOULDER CANYON PROJECT

RECOMMENDATIONS OF WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior, dated December 6, 1941, and entitled *Wage Fixing Procedures, Boulder Canyon Project,* the Boulder Canyon Project Wage Board has reviewed prevailing wage rates for certain classes of laborers and mechanics for work of a similar nature prevailing in the vicinity of the project. This review was occasioned by the expiration of the six months interval following the effective date of the previous recommendations of the Boulder Canyon Project Wage Board which you approved on February 12, 1942, and which became effective as of the close of business, December 15, 1941.

The Wage Board recommends that the following classifications of labor and wage rates be deleted from the approved list of classifications and wage rates:

Labor classification:	*Hourly rate*
Carpenter helper	$0.80
Floor polisher (maintenance)	1.00
Gardener's helper	.90

Labor classification—Con.	*Hourly rate*
Grinder operator	$1.00
Mason helper	.80
Motor truck driver (on construction):	
Under 7½ tons	.87½
7½ to 10 tons	1.00
10 to 15 tons	1.12½
15 to 20 tons	1.25
20 tons or more	1.37½
Painter helper	.80
Terrazzo polisher (maintenance)	1.00
Mechanic	1.50
Mechanic helper	1.00
Hooktender	1.00
Core drill operator helper	.80
Painter (swing stage and structural steel)	1.50
Grout pump operator	1.25
Garageman	1.12½

The Wage Board further recommends that the following classifications and wage rates be added to the approved schedule of labor classifications and wage rates, as it finds that the rates listed below are prevailing in the vicinity of the project for work of a similar nature:

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/R employees
Mechanic, automotive	$1.50	$1.50
Mechanic, automotive helper	1.00	1.00
Surface buffer operator	1.00	1.00
Cable splicer	1.75	1.75
Painter (swing stage)	1.50	1.50
Painter (erected structural steel)	1.50	1.50
Grout pump operator (mechanic)	1.50	1.50
Water truck driver:		
Under 2,500 gallons capacity	.90	.90
2,500 gallons capacity and over	1.12½	1.12½
Flat rack truck driver:		
Under 5 tons	.87½	.87½
5 to 10 tons	1.00	1.00
10 to 15 tons	1.12½	1.12½
15 to 20 tons	1.25	1.25
Dump truck driver:		
Under 5 tons	.87½	.87½
5 to 10 tons	1.00	1.00
Garbage truck driver: 7 yards and over	1.00	1.00
Filter plant operator	1.12½	1.12½
Disposal plant operator	1.12½	1.12½
Lineman helper	.90	.90
Air compressor operator	1.25	1.25

It is recommended that these changes be made effective as of the close of business on July 15, 1942.

The Wage Board further recommends that no present employee of the Bureau of Reclamation on the Boulder Canyon Project receive a reduction in rate of pay as a result of the promulgation of the prevailing wage rates recommended herein.

The foregoing recommendations approved and adopted by the Boulder Canyon Project Wage Board this 29th day of June 1942.

DUNCAN CAMPBELL,
Chairman.
CHARLES A. BISSEL,
Member.
E. A. MORITZ,
Member.

Approved: July 13, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-7134; Filed, July 27, 1942; 10:47 a. m.]

CENTRAL VALLEY PROJECT

RECOMMENDATIONS OF WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior dated April 22, 1942 and entitled *Wage Fixing Procedure, Central Valley Project,* the Central Valley Project Wage Board has determined prevailing wage rates for certain classes of laborers and mechanics employed on work of a similar nature in the vicinity of the Kennett Division of the Central Valley Project. A public hearing was held in Redding, California on June 17.

In addition to the testimony offered by witnesses at the hearing, the Wage Board has considered wage rate data contained in collective agreements, decisions of the Secretary of Labor made pursuant to the Davis-Bacon Act, as amended; and payroll studies covering private employment on large construction projects in the vicinity of Shasta Dam.

The Wage Board finds that the hourly wage rates listed below are prevailing for similar work in the vicinity of the Kennett Division of the project and recommends them for your adoption.

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/R employees
Air compressor operator	$1.25	$1.25
Air hammer operator, jackhammer, paving breaker, high scaler, etc	1.00	1.00
Axeman (survey parties)	.85	.85
Blacksmith	1.50	1.50
Blacksmith's helper	1.00	1.00
Bulldozer operator	1.50	1.50
Carpenter	1.37½	1.37½
Cement screening plant operator	1.25	1.25
Cement finisher	1.50	1.50
Concrete mixer operator, 1 cubic yard and over	1.50	1.50
Concrete mixer operator, under 1 cubic yard	1.25	1.25
Concrete vibrator operator	1.00	1.00
Core driller	1.25	1.25
Core drill operator's helper	.90	.90
Crane operator (powerhouse)	1.75	1.75
Electrical worker	1.50	1.50
Electrical worker's helper	1.10	1.10
Grader, operator, power or pull blade	1.62½	1.62½
Grout machine operator	1.25	1.25
Laborer	.85	.85
Laborer, concrete (wet or dry)	.90	.90
Track laborer	.90	.90
Machinist	1.50	1.50
Machinist's helper	1.10	1.10
Oiler or fireman	1.10	1.10
Operator, power shovel or other excavating equipment up to and including one yard	1.60	1.60
Painter:		
Brush	1.37½	1.37½
Swing stage and structural steel	1.50	1.50
Spray	1.50	1.50
Pipefitter	1.50	1.50
Pipefitter's helper	1.10	1.10
Plumber	1.50	1.50
Reinforcing steel worker	1.50	1.50
Rigger (structural iron worker)	1.50	1.50
Sheet metal worker	1.31¼	1.31¼
Tractor driver	1.50	1.50
Truck crane operator	1.60	1.60
Truck driver:—		
Dump trucks:		
Under 4 yards (water level)	.90	.90
4 yards and under 8 yards (water level)	1.06¼	1.06¼
Pickup carrying under 1,000 lbs	.87½	.87½
Flat rack trucks, carrying between 1,000 and 4,500 lbs	1.00	1.00
Foremen:—		
Carpenter foreman	1.50	1.50
Electrical worker foreman	1.75	1.75
Labor foreman	1.25	1.25
Machinist foreman	1.62½	1.62½
Pipefitter foreman	1.62½	1.62½
Rigger foreman	1.75	1.75

The prevailing basic hourly wage rate for foremen other than those listed above is twelve and one-half cents per hour in excess of the basic hourly wage rate paid to workers supervised.

It is the understanding of the Wage Board that Bureau of Reclamation employees paid in accordance with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to 40-hour week act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The foregoing recommendations approved and adopted by the Central Valley Project Wage Board this nineteenth day of June 1942, for the Kennett Division.

DUNCAN CAMPBELL,
Chairman.
CHARLES A. BISSELL,
Member.
RALPH LOWRY,
Member.

Approved: July 13, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-7135; Filed, July 27, 1942; 10:47 a. m.]

PARKER DAM POWER PROJECT

RECOMMENDATIONS OF WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior, dated June 2, 1942, and entitled *Wage Fixing Procedure, Parker Dam Power Project*, the Parker Dam Power Project Wage Board has determined prevailing wage rates for certain classes of laborers and mechanics employed on work of a similar nature in the vicinity of Parker Dam. A public hearing was held in Boulder City, Nevada, on June 24.

In addition to the testimony offered by witnesses at the hearing, the Wage Board has considered wage rate data contained in collective agreements, decisions of the Secretary of Labor made pursuant to the Davis-Bacon Act, as amended; and payroll studies covering private employment in the vicinity of the Project.

The Wage Board finds that the hourly wage rates listed below are prevailing for similar work in the vicinity of Parker Dam, and recommends them for your adoption:

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/R employees
Axeman (survey parties)	$0.62½	$0.62½
Blacksmith	1.25	1.25
Blacksmith helper	.90	.90
Boilermaker	1.50	1.50
Carpenter	1.25	1.25
Concrete chipper	1.00	1.00
Concrete finisher	1.37½	1.37½
Diamond driller	1.25	1.25
Electrician	1.50	1.50
Electrician helper	.90	.90
Glazier	$1.12½	$1.12½
Laborer	.80	.80
Laborer, concrete	.90	.90
Laborer, leadman	.92½	.92½
Lineman	1.50	1.50
Lineman helper	.90	.90
Machinist	1.50	1.50
Machinist helper	1.00	1.00
Mechanic, automotive	1.50	1.50
Mechanic, heavy duty	1.37½	1.37½
Motor truck driver (1½ tons and less)	.85	.85
Motor truck driver (over 1½ tons)	1.00	1.00
Oiler, dragline	.97½	.97½
Operator, airhammer	1.00	1.00
Operator, boat	1.15	1.15
Operator, chuck drill	1.25	1.25
Operator, compressor, portable	1.00	1.00
Operator, compressor, stationary	1.25	1.25
Operator, concrete mixer	1.25	1.25
Operator, concrete vibrator	.90	.90
Operator, core drill	1.25	1.25
Operator, crane	1.50	1.50
Operator, engine, gasoline	1.12½	1.12½
Operator, grout machine	1.25	1.25
Operator, hoist drum	1.37½	1.37½
Operator, pump	1.00	1.00
Operator, pumpcrete	1.25	1.25
Operator, shovel, power	1.62½	1.62½
Operator, tractor	1.50	1.50
Painter	1.25	1.25
Pipefitter	1.50	1.50
Pipefitter helper	.90	.90
Powderman	1.25	1.25
Reinforced steel worker	1.37½	1.37½
Rigger (ironworker)	1.50	1.50
Roofer	1.25	1.25
Sandblaster, pot tender	1.00	1.00
Sandblaster, nozzleman	1.12½	1.12½
Sheet metal worker	1.25	1.25
Structural steel worker	1.50	1.50
Foreman, carpenter	1.37½	1.37½
Foreman, concrete	1.37½	1.37½
Foreman, electrician	1.62½	1.62½
Foreman, laborer	1.25	1.25
Foreman, pipefitter	1.62½	1.62½
Foreman, reinforcing steel	1.50	1.50
Foreman, rigger	1.62½	1.62½
Foreman, structural steel	1.62½	1.62½

Foreman, other than those listed above, should be paid a basic hourly wage rate which is twelve and one-half cents per hour in excess of the basic hourly wage rate paid to workers supervised.

It is recommended that the changes in wage rates be made effective as of the close of business July 31, 1942.

It is the understanding of the Wage Board that Bureau of Reclamation employees paid in accordance with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to 40-hour week act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The foregoing recommendations approved and adopted by the Parker Dam Power Project Wage Board this first day of July, 1942.

DUNCAN CAMPBELL,
Chairman.
CHARLES A. BISSELL,
Member.
S. A. MCWILLIAMS,
Member.

Approved: July 13, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-7136; Filed, July 27, 1942; 10:47 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under Section 6 of the Act are issued under Section 14 thereof. Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, June 25, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 27, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Barron, Anderson Company; 116 Harrison Avenue, Boston, Massachusetts; Men's Topcoats and Overcoats; 5 percent (T); July 27, 1943.

Herbert Manufacturing Co., 206 E. Fifth Street, St. Paul, Minnesota; Overcoats and Topcoats; 5 learners (T); July 27, 1943.

The Krown Company, Inc., 118 East 9th Street, Los Angeles, California; Ladies' Belts and Leather Goods; 2 learners (T); July 27, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

The Badger Raincoat Company, 209 Franklin Street, Port Washington, Wisconsin; Men's and Boys' Clothing, Sportswear & Other Odd Outerwear, Leather & Sheep-lined Garments & Rainwear; 10 learners (T); July 27, 1943. (This certificate replaces the one issued to you bearing the expiration date of October 20, 1942.)

The Badger Raincoat Company, Milwaukee, Wisconsin; Men's & Boys' Clothing, Sportswear & Other Outerwear, Leather & Sheep-lined Garments & Rainwear; 10 learners (T); July 27, 1943. (This certificate replaces the one issued to you bearing the expiration date of December 4, 1942.)

Best Made Dresses, 615 North Ninth Street, St. Louis, Missouri; Dresses; 10 learners (T); July 27, 1943.

Buffalo Faultless Pants Co., Inc., 133 South Division Street, Buffalo, New York; Army & Civilian Trousers, Civilian Sportswear; 10 learners (T); July 27, 1943.

Cary & Co., Inc., 111 Port Watson Street, Cortland, New York; Children's Playsuits and Overalls; 10 learners (T); July 27, 1943.

Chaincraft, Inc., 25 Banta Place, Hackensack, New Jersey; Brassieres; 9 learners (T); July 27, 1943.

Frances Dress Company, 1201 Wyoming Avenue, Scranton, Pennsylvania; Dresses; 20 learners (E); January 27, 1943.

Freemont Manufacturing Company, Mt. Pleasant Mills, Pennsylvania; Men's Shirts; 13 learners (E); January 27, 1943.

Lamm Brothers, Inc., Colonial Beach, Virginia; Cotton & Woolen Trousers; 30 learners (E); January 27, 1943.

Looksrite Economy, Inc., 6030 Buchanan Place, West New York, New Jersey; Ladies' Rayon Underwear; 5 learners (T); July 27, 1943.

Malouf Company, 115 South Poydras Street, Dallas, Texas; Women's Cotton Dresses; 10 learners (T); July 27, 1943.

Metropolitan Sportswear Company, 743 Santee Street, Los Angeles, Calif.; Sport Shirts, Herringbone Jackets; 5 learners (T); July 27, 1943.

Parksley Garment Company, Cassatt Avenue & Bennett Street, Parksley, Virginia; Shirts; 10 learners (T); July 27, 1943.

Salant and Salant, Inc., Henderson, Tennessee; Cotton Work Shirts; 10 percent (T); July 27, 1943.

Smoler Bros. Inc., 318 E. Colfax Avenue, South Bend, Indiana; Dresses; 10 percent (T); July 27, 1943.

Trembly Mfg. Company, 2124½ Main Street, Dallas, Texas; Pants; 5 learners (T); July 27, 1943.

Joseph Zukin of California, Inc., 939 South Broadway, Los Angeles, Calif.; Dresses, Slacks, etc.; 10 learners (T); July 27, 1943.

Hosiery

B. C. & C. W. Mayo, 402 Chestnut Street, Tarboro, North Carolina; Seamless Hosiery; 5 percent (T); July 27, 1943.

Knitted Wear

Langley Manufacturing Company, Langley, South Carolina; Warped Knitted Cloth; 5 learners (T); July 27, 1943.

Monroe Mills, Monroeville, Alabama; Knit Underwear; 5 percent (T); July 27, 1943.

Textiles

Columbia Manufacturing Company, Ramseur, North Carolina; Cotton; 5 learners (T); July 27, 1943.

Prime Needle Art Company, 220 West Huron Street, Chicago, Illinois; Pillow Cases, Lunch Cloths, Spreads, Scarfs, etc.; 1 learner (T); July 27, 1943.

Swift Manufacturing Company, 1410 6th Ave., Columbus, Georgia; Cotton Paper Fiber; 3 percent (T); July 27, 1943.

Signed at New York, N. Y., this 25th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7132; Filed, July 27, 1942; 10:37 a. m.]

PROCESSING OF SORGO INTO SORGO SYRUP IN LOUISIANA

APPLICATION FOR EXEMPTION FROM MAXIMUM HOURS PROVISIONS

In the matter of the application for the exemption of the processing of sorgo into sorgo syrup in Louisiana from the maximum hours provisions of the Fair Labor Standards Act of 1938, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas the American Sugar Cane League of the U. S. A., Inc., has filed an application for the exemption of the processing of sorgo into sorgo syrup in Louisiana from the maximum hours provisions of the Fair Labor Standards Act of 1938, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas it appears from the said application that:

1. Sorgo is harvested in Louisiana during a period of twenty to forty days, beginning in the latter part of July; and

2. The processing of sorgo into sorgo syrup is similar to the process of converting sugar cane into syrup and is carried on in Louisiana in the same plants, using the same equipment and labor, which are used in the processing of the sugar cane into sugar, syrup, and molasses; and

3. The processing of sorgo into sorgo syrup in sugar processing plants in Louisiana takes place during a regularly recurring season of the year, shortly after it is harvested in order to prevent deterioration; and

4. The operating season of the plants in Louisiana engaged in the processing of sorgo into sorgo syrup and in the converting of sugar cane into sugar, syrup, and molasses bears a reasonable relationship to the fourteen workweeks exemption period provided in section 7 (b) (3) of the Act; and

5. Such plants do not engage in any other operations and close at the end of the operating season each year, except for maintenance, repair, clerical and sales work; and

Whereas it appears that the processing of sorgo into sorgo syrup in the sugar processing plants in Louisiana is an integral part of the cane sugar processing and milling branch of the cane sugar industry in Louisiana; and

Whereas the Administrator, on November 16, 1939, found that that portion of the sugar cane processing and milling branch of the cane sugar industry located in Louisiana is a branch of an industry and is of a seasonal nature, within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938, and of the regulations issued thereunder, and is therefore entitled to the exemption provided in section 7 (b) (3) of the Act;

Now, therefore, upon consideration of the facts stated in the said application the Administrator hereby determines, pursuant to § 526.5 (b) (ii),[1] as amended, of the regulations, that a *prima facie* case has been shown for amendment of the exemption granted under section 7 (b) (3) of the Act to that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana to include in the exemption granted to this industry the processing of sorgo into sorgo syrup.

The term "processing of sorgo into sorgo syrup" includes the operation of receiving, handling, unloading, and weighing the sorgo at the processing establishment, the extraction of the juice from the sorgo, the processing of this juice into sorgo syrup, but it does not include the subsequent processing of the sorgo syrup, and it includes the removal, handling, and conveying of the sorgo syrup to tank cars or storage tanks on or in the vicinity of the mill site, and the removal, conveying, burning, bagging, baling, and piling and storing in bags or in baled form on or in the vicinity of the mill site of bagasse resulting from the processing of sorgo into sorgo syrup, and the operations necessary or incident to the foregoing.

In accordance with the procedure established by § 526.5 (b) (ii), as amended, of the regulations, the Administrator, for fifteen days following the publication of this determination, will receive objection to the granting of the exemption and request for hearing from any person interested. Upon receipt of objection and request for hearing, the Administrator will set the application for hearing before himself or an authorized representative.

If no objection and request for hearing is received within fifteen days, the Administrator will make a finding upon the *prima facie* case.

Objections and request for hearing should be filed in writing at the National

[1] 5 F.R. 711.

Offices of the Wage and Hour Division, 165 West 46th Street, New York, New York. The application of the American Sugar Cane League may be examined in Room 1619 at this address.

Signed at New York, New York, this 24th day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-7133; Filed, July 27, 1942; 10:37 a. m.]

CIVIL AERONAUTICS BOARD.

AIR TRAFFIC RULES

ORDER RENUMBERING AMENDMENTS NOS. 60-1 THROUGH 60-5 ADOPTED BETWEEN MAY 11 AND JUNE 12, 1942

Correction

In paragraph (a) of the order appearing on page 5649 of the issue for Thursday, July 23, 1942, "whether" should read "weather."

[Docket No. 484]

PENNSYLVANIA-CENTRAL AIRLINES CORP.

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith of Pennsylvania-Central Airlines Corp.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on August 4, 1942, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 23, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-7153; Filed, July 27, 1942; 11:17 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6262]

THOMAS PATRICK, INC. (KWK)

NOTICE OF HEARING

In re application of Thomas Patrick, Incorporated, (KWK), dated December 4, 1940, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, St. Louis, Missouri. Operating assignment specified: Frequency, 1,350 kc., 1,380 kc., NARBA; power, 5 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit number B4-ML-386, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit number B4-ML-386 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit number B4-ML-386 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Thomas Patrick, Incorporated, Radio Station KWK, Hotel Chase, 4965 Lindell Boulevard, St. Louis, Missouri.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7165; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6340]

TAMPA TIMES CO. (WDAE)

NOTICE OF HEARING

In re application of Tampa Times Company (WDAE), dated April 9, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Tampa, Florida; operating assignment specified; Frequency, 770 kc.; power, 5 kw (DA, night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether the granting of this application would be consistent with the Section 3.25 (a), Federal Communications Commission's Rules.

3. To determine the extent of the interference which would be caused by the operation of Station WDAE as proposed herein to the nighttime secondary service area of Station WJZ.

4. To determine the populations and areas which would be deprived of secondary service from Station WJZ should Station WDAE operate as proposed herein, and what other broadcast services are available to these areas and populations.

5. To determine the areas and populations which would gain primary service from the operation of Station WDAE as proposed herein and what other broadcast services are available to these areas and populations.

6. To determine whether the operation of Station WDAE at the proposed transmitter site would be consistent with the Standards of Good Engineering Practice, particularly as to the population residing within the "blanket area" (250 millivolt-per-meter contour).

7. To determine whether the granting of this application would be consistent with Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of Station WDAE operating as proposed.

8. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly as to the minimum height requirements.

9. To determine whether in view of the foregoing public interest, convenience and necessity, would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Tampa Times Company, Radio Station WDAE, 114 North Franklin Street, Tampa, Florida.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7166; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6370]

HUGHES TOOL CO.

NOTICE OF HEARING

In re application of Hughes Productions, Division of Hughes Tool Company (New), dated October 7, 1941, for Construction Permit; class of service, Commercial Television Broadcast; class of station, Commercial Television Broadcast; location, Los Angeles, California; operating assignment specified: Frequency, Ch. #2, 60,000-66,000 kilocycles ESR: 500; power, —; hours of operation, Unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Hughes Productions Division of Hughes Tool Company, 7000 Romaine Street, Los Angeles, California.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7167; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6371]

HUGHES TOOL CO.

NOTICE OF HEARING

In re application of Hughes Productions, Division of Hughes Tool Company (New), dated February 13, 1942; for construction permit; class of service, commercial television broadcast; class of station, commercial television broadcast; location, San Mateo County, California; operating assignment specified: Frequency, Ch. 2 60000-66000 kilocycles, ESR; 740; power —; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Hughes Productions, Division of Hughes Tool Company, 7000 Romaine Street, Los Angeles, California.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7168; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6372]

WOKO, INC.

NOTICE OF HEARING

In re application of WOKO, Inc. (New), dated December 2, 1940, for construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Albany, New York; operating assignment specified: Frequency, 45,100 kcs.; coverage, 7,164 square miles; power, —; hours of operation —.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of the application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WOKO, Incorporated, Radio Center, 8 Elk Street, Albany, New York.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7169; Filed, July 27, 1942; 11:34 a. m.]

[Docket No. 6373]

LA CROSSE TRIBUNE COMPANY

NOTICE OF HEARING

In re application of The La Crosse Tribune Company (New), dated April 30, 1941, for construction permit; class of service, highway frequency broadcast; class of station, high frequency broadcast; location, East of La Crosse, Wisconsin; operating assignment specified: Frequency, 46,500 kilocycles; coverage: 7,040 sq. mi., power, —; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of the application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: The La Crosse Tribune Company, 4th and Cass Streets, La Crosse, Wisconsin.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7170; Filed, July 27, 1942; 11:34 a. m.]

[Docket No. 6379]

BANKS OF WABASH, INC. (WBOW)

NOTICE OF HEARING

In re application of Banks of Wabash, Incorporated (WBOW), dated January 29, 1942, for construction permit to install new transmitter; class of service, broadcast; class of station, broadcast; location, Terre Haute, Indiana; operating assignment specified: Frequency, 1,230 kc.; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942 and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Banks of Wabash, Incorporated, Radio Station WBOW, 303 South Sixth Street, Terre Haute, Indiana.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7171; Filed, July 27, 1942; 11:34 a. m.]

[Docket No. 6380]

LEHIGH VALLEY BROADCASTING CO. (WSAN)

NOTICE OF HEARING

In re application of Lehigh Valley Broadcasting Company (WSAN), dated January 13, 1942, for modification of construction permit as modified; class of service, broadcast; class of station, broadcast; location, Allentown, Pennsylvania; operating assignment specified (under C. P.): Frequency, 1,470 kc.; power, 5 kw. (Directional Antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942 and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Lehigh Valley Broadcasting Company, Radio Station WSAN, 39-41 North 10th Street, Allentown, Pennsylvania.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7172; Filed, July 27, 1942; 11:35 a. m.]

[Docket No. 6381]

DOUGHTY & WELCH ELECTRIC COMPANY, INC. (WSAR)

NOTICE OF HEARING

In re application of Doughty & Welch Electric Company, Inc. (WSAR), dated August 4, 1941, for construction permit, class of service, broadcast; class of station, broadcast; location, Fall River, Mass.; operating assignment specified: Frequency, 1470 kc.; power, 1 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942 and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Doughty and Welch Electric Company, Inc., Radio Station WSAR, Academy of Music Building, South Main Street, Fall River, Massachusetts.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7173; Filed, July 27, 1942; 11:35 a. m.]

[Docket No. 6382]

NEW JERSEY BROADCASTING CORP. (WHOM)

NOTICE OF HEARING

In re application of New Jersey Broadcasting Corporation (WHOM), dated July 22, 1941, for construction permit, class of service, broadcast; class of station, broadcast; location, Jersey City, N. J. (request to move to New York, N. Y.); operating assignment specified: frequency, 1,480 kc.; power, 5 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: New Jersey Broadcasting Corporation, Radio Station WHOM, Observer Building, 2866 Hudson Boulevard, Jersey City, New Jersey.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7174; Filed, July 27, 1942; 11:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3010-1]

PITTSBURGH FERROMANGANESE CO.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 2 Under Revised Price Schedule No. 10 [1]—Pig Iron.

On May 15, 1942, Pittsburgh Ferromanganese Company, 1905 Grant Building, Pittsburgh, Pennsylvania, filed a petition for an exception under § 1306.55 (b) of Revised Price Schedule No. 10, and pursuant to a letter from the Office of Price Administration to J. H. Hillman, Jr., President of Pittsburgh Coke and Iron Company, dated November 13, 1941. Due consideration has been given to the petition and an opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Pittsburgh Ferromanganese Company may, so long as the lease of the blast furnace plant at Chester, Pennsylvania, pursuant to an Agreement of Lease between Defense Plant Corporation and Pittsburgh Ferromanganese Company dated December 4, 1941, shall remain in effect, sell or deliver or offer to sell or deliver pig iron produced at said plant at prices not to exceed the Basing Point Base Prices fixed in Revised Price Schedule No. 10, plus $2.25 per gross ton. The prices herein established are to be subject to the switching charges and differentials set forth in Revised Price Schedule No. 10. Any person may buy or accept delivery or offer to buy or accept delivery from Pittsburgh Ferromanganese Company of such product at the price herein established.

(b) The permission granted to Pittsburgh Ferromanganese Company in this Order No. 2 is subject to the condition that there be filed with the Office of Price Administration on or before the tenth day of each month itemized and verified statement of blast furnace and all other costs incurred in the production of pig iron during the preceding month; also balance sheet and profit and loss statement of Pittsburgh Ferromanganese Company as of the last day of the preceding month.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1306.31 of Revised Price Schedule No. 10 shall apply to terms used herein.

(f) This Order No. 2 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-7126; Filed, July 25, 1942; 12:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1230, 1836, 2841.

[2] 7 F.R. 971, 3663.

[Docket No. 3120-54]

RED JACKET COAL CORPORATION

ORDER GRANTING EXCEPTION

Order No. 19 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 30, 1942, Red Jacket Coal Corporation, 115 East Rich Street, Columbus, Ohio, filed a document styled a "Petition for Amendment and Adjustment or Exception", pursuant to § 1340.207 of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an opinion in support of this Order No. 19 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Red Jacket Coal Corporation may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, by all methods of transportation except truck or wagon, the kinds and grades of bituminous coal delivered from its No. 6 mine (Mine Index No. 394) set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such kinds and grades of bituminous coal delivered from the No. 6 mine at such prices from the Red Jacket Coal Corporation.

(b) Coals produced at the No. 6 Mine (Mine Index No. 394) of the Red Jacket Coal Corporation may be sold in Size Group 16 at a price no higher than $2.85 per ton and in Size Groups 19 and 20 at a price no higher than $2.80 per ton.

(c) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 19 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-7128; Filed, July 25, 1942; 12:18 p. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404

[2] 7 F.R. 971, 3663

[Docket No. 3120-84]

GASTON COAL COMPANY

ORDER GRANTING EXCEPTION

Order No. 20 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered from Mine or Preparation Plant.

On June 2, 1942, Gaston Coal Company, Alpoca, West Virginia filed a petition for adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an opinion in support of this Order No. 20 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Gaston Coal Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver the sizes of bituminous coal produced at its Gaston No. 2 Mine (Mine Index No. 255), located in Wyoming County, West Virginia, District No. 7, set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such sizes of bituminous coal produced at the Gaston No. 2 Mine at such prices.

(b) On shipments other than by truck or wagon and other than on shipments for railroad fuel, the coals produced at the Gaston No. 2 Mine (Mine Index No. 255) of the Gaston Coal Company may be sold at prices not to exceed $3.00, $2.85, $2.80 and $2.75 per net ton f. o. b. the mine, in Size Groups 7, 8, 9 and 10, respectively.

(c) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 20 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-7129; Filed, July 25, 1942; 12:16 p. m.]

[Docket No. 1122-14-P]

MICHIGAN LIMESTONE AND CHEMICAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 7 Under Maximum Price Regulation No. 122 [1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024.

On June 15, 1942, the Michigan Limestone and Chemical Company, Rogers City, Michigan filed a protest against the provisions of Maximum Price Regulation No. 122. The facts, however, justify treatment of the protest not only as such, but also as a petition for adjustment or exception, filed pursuant to § 1340.257a of this regulation and it is therefore being so treated in accordance with § 1300.33 of Procedural Regulation No. 1.[2] An opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:

(a) Michigan Limestone and Chemical Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver such kinds, sizes and qualities of solid fuels as are set forth in paragraph (b) below at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds, sizes and qualities of solid fuels at such prices from Michigan Limestone and Chemical Company.

(b) Maximum prices for the sale of the following kinds, sizes and qualities of solid fuels by Michigan Limestone and Chemical Company shall be the maximum prices determined in accordance with § 1340.261 of Maximum Price Regulation No. 122, plus not more than the following amounts per net ton:

(1) $1.00 per ton in the case of domestic coke;

(2) $2.28 per ton in the case of the chestnut size of anthracite.

Provided, That in the event of a decrease or decreases in the delivered cost to Michigan Limestone and Chemical Company of such domestic coke or such anthracite below $7.29 and $11.50 per net ton, respectively, then the maximum prices set forth in paragraph (b) above shall be reduced accordingly for application to sales of such coke or such anthracite purchased by it at such decreased prices.

(c) This Order No. 7 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This Order No. 7 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7127; Filed, July 25, 1942; 12:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 971, 3663.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-297]

SIVYER STEEL CASTING COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

The Sivyer Steel Casting Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder having made application to withdraw its Common Stock, No Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 3, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7100; Filed, July 24, 1942; 4:13 p. m.]

[File No. 812-281]

BANKERS NATIONAL INVESTMENT CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23rd day of July, A. D. 1942.

Bankers National Investing Corporation, a registered investment company, has filed an application for an order under and pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 exempting from the provisions of section 17 (a) of said Act a proposed transaction involving the sale by applicant and the purchase by Beneficial Industrial Loan Corporation, an affiliated company, of stock issued by Beneficial Industrial Loan Corporation.

It is ordered, That a hearing on the aforesaid application be held on the 29th day of July, 1942 at 10 o'clock in the forenoon of that day in the hearing room of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise the interested parties where such hearing will be held.

It is further ordered, That Robert P. Reeder, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7101; Filed, July 24, 1942; 4:13 p. m.]

[File No. 70-407]

TRUSTEES OF MIDLAND UTILITIES CO.

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 22d day of July, A. D. 1942.

In the matter of Clarence A. Southerland and J. Samuel Hartt, Successor Trustees of Midland Utilities Company.

The above named parties having heretofore on September 26, 1941, filed an application, pursuant to section 9 (a) (1) of the Public Utility Holding Company Act of 1935, concerned with the proposed acquisition of certain securities of Gary Railways Company, an Indiana corporation, Gary & Southern Traction Company, an Indiana corporation, Farina's Bus Line & Transportation Company, an Illinois corporation; a Notice of Filing of such application having been issued by this Commission on October 16, 1941; no person having requested the Commission in writing that a hearing be held on such matters; a telegraphic request having been received from a representative of applicant requesting that the effective date of said application be postponed by the Commission until further notice from applicant; a written request having now been received by the Commission representing that applicant no longer wishes to make such acquisitions and requesting that the Commission allow the withdrawal of such application;

It is ordered, That the request for the withdrawal of the above described application be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7102; Filed, July 24, 1942; 4:14 p. m.]

[File No. 70-579]

TRI-CITY UTILITIES COMPANY AND ASSOCIATED ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23rd day of July, A. D. 1942.

Notice is hereby given that a declaration and application have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, a registered holding company, and Tri-City Utilities Company, a wholly owned subsidiary of Associated Electric Company; and

Notice is further given that any interested person may, not later than August 7, 1942, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matters stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration and application as filed, or as amended, may become effective and may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Eighteenth and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to the said declaration and application, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Tri-City Utilities Company was organized on April 28, 1942, under the laws of the Commonwealth of Kentucky, to assist Associated Electric Company in the disposition of certain properties owned by it but which properties are to be disposed of in connection with an integration program of Associated Electric Company and its subsidiaries. Recently Tri-City Utilities Company sold certain water production and distribution properties to the City of Mayfield, Kentucky, which sale generated approximately $400,000. It is anticipated by Tri-City that from time to time it will effect further sales of properties or assets. In order to make distribution to its parent, Associated Electric Company, of the proceeds of such sales Tri-City Utilities Company proposes to reduce its capital stock from time to time through the purchase and retirement of common stock at its par value in amounts equal to the cash available for such purposes. The total capitalization of Tri-City Utilities Company consists of common stock.

Associated Electric Company indicates that is proposes to use the cash received from Tri-City Utilities Company for one or more of the following purposes:

(a) For the purchase of bonds of Associated Electric Company;

(b) For the purchase of bonds or stocks of subsidiaries:

(c) For advances or contributions to subsidiary companies;

(d) For such other purposes as may be deemed desirable.

The filing indicates that in the judgment of the applicant and declarant sections 9 (a), 12 (c), 12 (d) and Rules U-42 and U-43 are applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7103; Filed, July 24, 1942; 4:14 p. m.]

[File Nos. 59-11, 59-17 and 54-25]

UNITED LIGHT AND POWER CO., ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS—APPLICATION NO. 12

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of July 1942.

In the matter of the United Light and Power Company, the United Light and Railways Company, Continental Gas & Electric Corporation, Columbus and Southern Ohio Electric Company, and Point Pleasant Water and Light Company.

The United Light and Power Company (Power), a registered holding company, The United Light and Railways Company (Railways) and Continental Gas & Electric Corporation (Continental), registered holding companies and subsidiaries of Power, Columbus and Southern Ohio Electric Company (Columbus), a subsidiary of Continental, and Point Pleasant Water and Light Company (Point Pleasant), a subsidiary of Columbus, having filed joint and several applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 11, 12 (c), 12 (d) and 12 (f) thereof and Rules U-42, U-43, U-44, and U-46 thereunder, with respect to the following transactions:

1. Point Pleasant proposes to sell its electric utility assets to the Appalachian Electric Power Company, a subsidiary of the American Gas and Electric Company and a non-affiliate, for the consideration of $379,000 in cash, subject to adjustment for additions and retirements of property from October 31, 1941 to the date of closing.

2. Point Pleasant proposes, upon consummation of the sale and the payment of its debts and taxes, to liquidate by distributing its net assets to Columbus, which company will thereupon surrender for cancellation all of the outstanding stock of Point Pleasant, consisting of 2,039 shares of common stock with a par value of $100 per share.

3. Thereafter Point Pleasant will be dissolved in accordance with the laws of the State of West Virginia under which it was organized.

Said applications and declarations having been filed on June 1, 1942, and certain amendments having been filed thereto, the last of said amendments having been filed on July 16, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations and applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Said applicants and declarants having requested that the effective date of the applications and declarations be accelerated and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said applications and declarations to become effective, and that the effective date should be advanced, as requested, and finding with respect to said application under section 10 of the Act that the transactions have the tendency required by section 10 (c) (2) and that no adverse findings are necessary under section 10 (b) or 10 (c) (1); and

The Commission finding that the transactions described hereinabove are appropriate to effectuate the provisions of section 11 (b) of the Act and to comply with the applicable provisions of our order of August 5, 1941 issued pursuant to section 11 (b) (1) (Holding Company Act Release No. 2636).

It is hereby ordered, Pursuant to Rule U-23 of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declarations, as amended, be, and they hereby are, permitted to become effective forthwith, and that the aforesaid applications, as amended, be, and they hereby are, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7104; Filed, July 24, 1942; 4:15 p. m.]

[File No. 1-2884]

ALLEN ELECTRIC & EQUIPMENT COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

The Allen Electric & Equipment Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Detroit Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Wednesday, August 19, 1942, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the case and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7113; Filed, July 25, 1942; 10:06 a. m.]

[File No. 70-577]

ILLINOIS IOWA POWER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by Illinois Iowa Power Company pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9 and 10 thereof. All interested persons are referred to said declaration or application which is on file in the office of said Commission for a statement of the transactions therein proposed which is summarized as follows:

Illinois Iowa Power Company proposes to acquire from time to time from the holders thereof at prices not exceeding $35.00 per share all or such part as it may be able to purchase of the 5,504 shares of 7% cumulative preferred stock, $50.00 par value per share, of Kewanee Public Service Company held by the public, such purchases to be made in the open market or as the result of tenders by holders of said shares.

The declaration or application states that the properties of Kewanee Public Service Company have been and are operated as part of the Northern Division of Illinois Iowa Power Company, and in proceedings (File No. 59-10) in regard to The North American Company and its Subsidiary Companies, respondents, pursuant to section 11 (b) (1) of the Act, the Commission issued its findings and opinion on April 14, 1942 in which it found that the electric properties of Kewanee Public Service Company and the electric properties of Illinois Iowa Power Company constitute a single integrated system within the meaning of the Act. Illinois Iowa Power Company desires to acquire the securities of Kewanee Public Service Company so that the properties of Kewanee may continue to be operated as part of the Illinois Iowa Power Company system.

Notice is further given that any interested person may, not later than August 11, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7114; Filed, July 25, 1942; 10:06 a. m.]

[File No. 7-674]

SALT LAKE STOCK EXCHANGE—NATIONAL TUNNEL & MINES CO.

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

In the matter of Application of the Salt Lake Stock Exchange to extend unlisted trading privileges to National Tunnel & Mines Company, Common Capital Stock, No Par Value.

The Salt Lake Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the abovementioned security; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Friday, August 21, 1942, at the office of the Securities and Exchange Commission, 444 17th Street, Denver, Colorado, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John L. Geraghty, or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7115; Filed, July 25, 1942; 10:07 a. m.]

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JUL 31 1942

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 148

Washington, Wednesday, July 29, 1942

The President

EXECUTIVE ORDER 9205

ESTABLISHING THE PRESIDENT'S WAR RELIEF CONTROL BOARD AND DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States of America and Commander-in-Chief of the Army and Navy, because of emergencies affecting the national security and defense, and for the purpose of controlling in the public interest charities for foreign and domestic relief, rehabilitation, reconstruction, and welfare arising from war-created needs, it is hereby ordered as follows:

1. The President's Committee on War Relief Agencies, appointed by me on March 13, 1941, is hereby continued and established as the President's War Relief Control Board, hereinafter referred to as the Board. The Chairman of the Board shall be responsible to the President.

2. The Board is hereby authorized and empowered—

(a) to control, in the interest of the furtherance of the war purpose, all solicitations, sales of or offers to sell merchandise or services, collections and receipts and distribution or disposition of funds and contributions in kind for the direct or implied purpose of (1) charities for foreign and domestic relief, rehabilitation, reconstruction and welfare arising from war-created needs in the United States or in foreign countries, (2) refugee relief, (3) the relief of the civilian population of the United States affected by enemy action, or (4) the relief and welfare of the armed forces of the United States or of their dependents; *Provided*, that the powers herein conferred shall apply only to activities concerned directly with war relief and welfare purposes and shall not extend to local charitable activities of a normal and usual character nor in any case to intra-state activities other than those immediately affecting the war effort;

(b) (1) to provide for the registration or licensing of persons or agencies engaged in such activities and for the renewal or cancellation of such registration or licenses; (2) to regulate and coordinate the times and amounts of fund-raising appeals; (3) to define and promulgate ethical standards of solicitation and collection of funds and contributions in kind; (4) to require accounts of receipts and expenditures duly and reliably audited, and such other records and reports as the Board may deem to be in the public interest; (5) to eliminate or merge such agencies in the interests of efficiency and economy; and (6) to take such steps as may be necessary for the protection of essential local charities; and

(c) to prescribe such rules and regulations not inconsistent with law as the Board may determine to be necessary or desirable to carry out the purposes of this Order.

3. The provisions of section 2 of this Order shall not apply to (a) the American National Red Cross or (b) established religious bodies which are not independently carrying out any of the activities specified in section 2 of this Order.

4. Under the authority given me by Section 13 of the Joint Resolution of Congress approved November 4, 1939 (54 Stat. 8, 11) and Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law No. 354, 77th Congress), and pursuant to the suggestion of the Secretary of State, it is ordered that the administration of any and all of the provisions of Section 8 (b) of the said Joint Resolution relating to the solicitation and collection of funds and contributions for relief purposes, heretofore by me vested in the Secretary of State, be and it hereby is transferred to the said Board. All rules and regulations and forms which have been issued by the Secretary of State pursuant to the provisions of said Section 8 (b) and which are in effect shall continue in effect until modified, superseded, revoked or repealed by the Board.

5. Any and all matters within the jurisdiction of said Board which may be affected with a question relating to the foreign policy of the Government of the United States in connection with the administration of the powers vested in the Board by this Order shall be determined only after conference with the Secretary of State, to the end that any action with respect to such matters shall be consistent with the foreign policy of the United States.

6. For the purpose of economy in administration, the Board is authorized to utilize the services of available and appropriate personnel of the Department of

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Board may require that all war relief and welfare policies, plans, programs, procedures and methods of voluntary agencies be coordinated and integrated with those of the several Federal departments, establishments and agencies and the American Red Cross; and all these organizations shall furnish from time to time such information as the Board may consider necessary for such purposes.

8. The Board shall from time to time submit to the President such reports and recommendations regarding war charities, relief and welfare in foreign countries and in the United States and the relationship of public and private organizations, resources and programs in these and related fields, as the public interest may require.

9. The members of the Board shall serve as such without compensation, but shall be entitled to necessary transportation, subsistence, and other expenses incident to the performance of their duties.

10. This Order shall remain in force during the continuance of the present war and for six months after the termination thereof, unless revoked by Presidential order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 25, 1942.

[F. R. Doc. 42–7258; Filed, July 28, 1942; 11:23 a. m.]

State and other Government departments and agencies and such other services, equipment, and facilities as may be made available by these departments and agencies.

7. For the purpose of effectively carrying out the provisions of this Order, the

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

SUGAR BEETS

DETERMINATION OF NORMAL YIELDS OF COMMERCIALLY RECOVERABLE SUGAR PER ACRE

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.15e *Determination of normal yield of commercially recoverable sugar per acre for sugar beets for the 1942 and subsequent sugar beet programs.* The provisions of the "Determination of Normal Yields of Commercially Recoverable Sugar Per Acre for Sugar Beets—1941 Sugar Beet Program," approved June 18, 1941, shall apply to the 1942 and subsequent sugar beet programs, except that for the 1942 program the year "1941" and the years "1934–40, inclusive," wherever they appear in such determination, shall be changed to "1942" and "1935–41, inclusive," respectively, and a corresponding change shall be made for each subsequent program. (50 Stat. 911; 7 U.S.C. 1940 ed. 1133)

Done at Washington, D. C., this 27th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 42–7260; Filed, July 28, 1942; 11:36 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

RELEASE OF INFORMATION REGARDING CONTRACTS AND SITE LOCATIONS

Section 5.25 (a) (1) (ii), (4) (i) and (ii) and (5) is hereby amended to read as follows:

§ 5.25 *Information on War Department contracts and site locations.* The following instructions will apply to the publication of information concerning site locations of war industries and military installations, contract awards, and other matters relating to production.

(a) *Construction.* (1) • • •

(ii) The War Department announced today its intention to construct a manufacturing plant in Lawrence County, Indiana.

• • • • • •

(4) • • •

(i) The War Department announced today the award of a contract to Jones and Company, Richmond, Virginia, for the construction of a cantonment in Logan County, Kentucky. The award was made by the Louisville District Office of the Corps of Engineers.

(ii) The War Department announced today the award of a contract to the Smith Corporation, St. Louis, Missouri, for the construction of a manufacturing plant in Lawrence County, Indiana. The award was made by the St. Louis District Office of the Corps of Engineers.

(5) When the Chief of Engineers deems it in the public interest to announce the award of a construction contract which does not require the approval of the Under Secretary of War, he may make such announcement. Such announcement will be substantially in the form prescribed for announcements in subparagraph 4. It is permissible to announce the approximate amount of a contract award in the following form: under $50,000; $50,000 to $99,999; $100,000 to $499,999; $500,000 to $999,999; $1,000,000 to $4,999,999; over $5,000,000. (R.S. 161; 5 U.S.C. 22) [Cir. 41, W.D., Feb. 11, 1942, as amended by Cir. 222, W.D., July 10, 1942]

• • • • •

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–7220; Filed, July 27, 1942; 4:28 p. m.]

Chapter V—Military Reservations and National Cemeteries

PART 57—SERVICE CLUBS, HOSTESSES, AND LIBRARIANS

Sections 57.1 to 57.14, inclusive, are hereby added as follows:

GENERAL PROVISIONS

Sec.
57.1 Definitions.
57.2 Recreational facilities.
57.3 Gambling.
57.4 Automatic or mechanical vending machines.

SERVICE CLUBS

57.5 Service clubs; purpose and supervision.
57.6 Cafeteria service and operation.
57.7 Library service.
57.8 Guest house service and operation.

PERSONNEL

57.9 Corps area librarian.
57.10 Service club personnel.
57.11 Selection and confirmation.
57.12 Qualification.
57.13 Discharge and resignation.
57.14 Quarters.

AUTHORITY: §§ 57.1 to 57.14, inclusive issued under R.S. 161, 5 U.S.C. 22.

SOURCE: The regulations contained in §§ 57.1 to 57.14, inclusive, are also contained in AR 850–80, June 22, 1942, the particular paragraphs being shown in brackets at end of sections.

GENERAL PROVISIONS

§ 57.1 *Definitions*—(a) *Service club facilities.* The term "service club facilities," as herein used, will refer to the service club, library, cafeteria, and, if there is one, the guest house in connection therewith.

(b) *Cafeteria.* Where installed in a service club, the soda fountain will be considered as part of the cafeteria, and the term "cafeteria" so used herein will include the soda fountain.

(c) *Hostess.* The term "hostess" will include director of service club, cafeteria hostess, and social and recreational hostess.

(d) *Librarian.* The term "librarian" will include the corps area and camp librarians.

(e) *Post commander.* The term "post commander" as used herein will mean the commanding officer of the post, camp, or station.

(f) *Technical cafeteria service.* "Technical cafeteria service" will include the supervision and operation of the service club cafeteria and soda fountain service, including the purchase and procurement of supplies, the preparation and inspection of foods, the employment, supervision, and discharge of kitchen and cafeteria personnel, the arrangement of the dining room, and the collection of and accounting for funds from the operation of said cafeteria and soda fountain service.

(g) *Technical library service.* "Technical library service" will include the selection, classification, cataloging, charging out, and repair of library books and reading material. [Par. 1]

§ 57.2 *Recreational facilities*—(a) *Post commander.* Service club facilities will be under the control of the post commander, who may prescribe such rules not in conflict with Army Regulations as are necessary to insure the efficient operation of these activities and all installations therein, and for the protection of the property thereof.

(b) *Use of military personnel.* Military personnel will be employed in connection with the operation of the service club facilities only in an emergency and with the approval of the post commander. [Par. 2]

§ 57.3 *Gambling.* No gambling or the use of any device which savors of gambling, such as punchboards, slot machines, etc. will be permitted within or about the service club or any of its facilities. [Par. 4]

§ 57.4 *Automatic or mechanical vending machines.* Automatic or mechanical merchandise vending or amusement machines which dispense merchandise or entertainment at prices which parallel the price of such merchandise or entertainment elsewhere on the post, camp, or station may be installed in any service club facility when and as approved by the post commander. He may authorize the purchase of such machines, the rental thereof, on a rental purchase plan. Where the company owning or controlling such vending machine is willing to install same without cost to the service club facility and without increasing the usual wholesale cost or the selling price of the product vended, the post commander may permit the installation and operation of such vending machines, provided that the post commander retains sole control of their operation, retains the privilege to remove them at will, and pays and accounts to the company owning or controlling the machines only for the quantity of the product purchased from said machines. All earnings from the operation of such machines will go to the funds of the service club facility and will be accounted for by the director of the service club on the consolidated daily report. When installed, post commanders will be responsible for the protection of such machines against pilferage and destruction in the same manner as though they were Government property of like class or nature.

(b) Sanitary provision incident to the operation of such machines should be anticipated and solved prior to the installation thereof. [Par. 5]

SERVICE CLUBS

§ 57.5 *Service clubs; purpose and supervision.* (a) Service clubs are intended to provide recreational and social activities and the best features of club life for enlisted personnel and members of their families, and will provide a cafeteria where military personnel, their families, friends, visitors, and civilians permanently employed within a command may obtain meals at reasonable cost. All persons using such cafeteria will comply with the rules applicable to enlisted personnel. The service club will also contain a library and a reading room available to enlisted military personnel. No person other than the hostess and librarian will maintain an office in any of the service club facilities.

(b) Service clubs will in no way supersede company day rooms or Army exchanges.

(c) Each service club facility except the cafeteria and library will be under the supervision of a hostess, who will be known as director of service club, and will be operated by her and her assistants under the control of the post commander. [Par. 6]

§ 57.6 *Cafeteria service and operation.* (a) A complete cafeteria will be operated

in the service club either by purchase and hire, by the Army exchange, or by a concessionaire. The operation of a cafeteria by the Army exchange service or a concessionaire is not looked upon with favor, and will not be initiated without the written approval of a Chief of the Administrative Services, Services of Supply. Where authority is granted for a cafeteria to be operated by the Army exchange, the cafeteria hostess will be retained as branch manager; where authority is granted for the cafeteria to be operated by a concessionaire, the services of a cafeteria hostess will not be provided or authorized, and any cafeteria hostess on duty at such a cafeteria will be reported to the War Department for reassignment or disposition.

(b) Unless operated by a concessionaire, other than the Army exchange, the cafeteria will be under the immediate direction of a cafeteria hostess who will be responsible for its efficiency, personnel, equipment, supplies, and collections, and who will account direct therefor to, and will deposit all collections therefrom with, the custodian of the post service club fund.

(c) Schedules of charges for meals and soda fountain service, and hours of operation will be determined and published by the post commander.

(d) Under the provisions of AR 30–2290, service club facilities are authorized to purchase on a cash sale or a charge sale basis subsistence stores, except exceptional articles.

(e) The cafeteria will be operated on a cash basis and no credit will be extended to anyone. Exchange coupons will be accepted from enlisted men in lieu of cash. [Par. 9]

§ 57.7 *Library service.* The service club library will be maintained in connection with the service club for the benefit of the camp personnel. The service club librarian will be in charge of the library and its technical activities. [Par. 10]

§ 57.8 *Guest house service and operation.* (a) The guest house is designed to furnish overnight transient accommodations for immediate families, relatives, and friends of enlisted men. First priority to such accommodations will be allowed to the above categories of personnel visiting hospitalized members of the post, camp, or station.

(b) Except in emergencies determined to exist by the post commander relative to the first priority above, no guest may remain at the guest house for more than three consecutive nights.

(c) The guest house will be under the direction of the director of the service club who will be responsible for its efficiency, personnel, equipment, supplies, and collections. A hostess or other civilian employee will normally be on duty at the guest house during such hours as are prescribed by the post commander.

(d) A charge of not less than 50 cents and not more than 75 cents per night will be made for the use of a bed in the guest house.

(e) A register, either permanent or subject to permanent binding, will be maintained in the guest house, and all persons availing themselves of the privilege of the guest house as transient visitors will be requested to sign the register, give their name and address, and state their relationship to the person visited. [Par. 11]

PERSONNEL

§ 57.9 *Corps area librarian.* When the War Department directs, the commanding general of the corps area will select a civilian assistant who will be known as corps area librarian for the purpose of supervising library personnel and the technical operation of libraries within the corps area. [Par. 13]

§ 57.10 *Service club personnel.* (a) Service clubs will be implemented by the following personnel:

(1) *Type SC–3.* One director of service club, one recreational and social hostess, one cafeteria hostess, and a librarian.

(2) *Type SC–4.* One director of service club capable of handling recreation, one cafeteria hostess, and a librarian.

(3) *Type OM–1 service club.* Two recreational and social hostesses.

(4) *Other type service clubs.* Such personnel as will be allocated to such service club by the War Department.

(b) Personnel assigned to or on duty at a service club facility will cooperate in the performance of all duties necessary to operate efficiently all service club facilities and activities. [Par. 14]

§ 57.11 *Selection and confirmation.* (a) Hostesses and librarians will be selected by the corps area commander, who may delegate such authority to the post commander, initially for a 4-month period which will be in the nature of a training period, the extension of which will depend upon the proficiency of the employee. Upon such selection, the corps area commander will immediately forward the application with all attached papers and pertinent data obtained through interview or otherwise which were considered in the selection; the report of physical examination; statement of type of quarters to be assigned and the report through the corps area provost marshal, of investigation as to loyalty, integrity, and discretion to the War Department, accompanied by the required personnel forms. Confirmation of such appointment will be made by the Secretary of War.

(b) No corps area librarian will enter upon the 4-month period until the appointment has been approved by the Secretary of War. All hostesses and camp librarians may enter upon the 4-month period contemporaneously with the forwarding by the corps area commander to the War Department of the application and papers described in paragraph (a) of this section.

(c) At a time not more than 30 days nor less than 15 days prior to the termination of such 4-month period, the corps area commander will forward to the War Department a recommendation as to whether or not such employee has rendered satisfactory service and should be continued on duty as a hostess or librarian.

(d) During the first month of such 4-month period each hostess and librarian, except corps area librarian, will pursue such course of instruction and training within the corps area as will be prescribed by the commanding general, and upon satisfactory completion thereof will be assigned to duty at a service club or library for the remainder of such 4-month period.

(e) Relatives, blood, marital, or by adoption, of military personnel, both commissioned and enlisted, will not be assigned to duty at posts, camps, or stations where such military personnel are stationed.

(f) Prior to selecting a hostess or librarian, the commanding general making the selection will cause an investigation to be made as to the loyalty, integrity, and discretion of such hostess or librarian, and a physical examination to be conducted by an officer of the Medical Department or the Public Health Service to insure fitness for such appointment. [Par. 15]

§ 57.12 *Qualifications*—(a) *Corps area librarian.* (1) United States Citizenship.

(2) Graduation from a college or university of recognized standing and from an accredited library school.

(3) Five years' professional experience, including 1 year thereof in an administrative capacity.

(4) Professional knowledge of reference and bibliographical sources and professional ability in library science and organization.

(5) *Age at selection*—(i) *Minimum.* Must have reached 30th birthday.

(ii) *Maximum.* Must not have passed 50th birthday.

(6) *Sex.* Male or female.

(b) *Camp librarian.* (1) United States citizenship.

(2) Graduation from a college or university of recognized standing, and from an accredited library school.

(3) One year's experience, other than clerical, in library work.

(4) Capacity for development in professional work in libraries where reading for educational and recreational purposes is stressed.

(5) A good knowledge of a wide range of literature, and the ability to fit book to reader is desired, but not required as a minimum requirement.

(6) *Age at selection*—(i) *Minimum.* Must have reached 25th birthday.

(ii) *Maximum.* Must not have reached 40th birthday.

(7) *Sex.* Female.

(c) *Director of service club.* (1) United States citizenship.

(2) Graduation from a college or a university of recognized standing.

(3) At least 5 years' experience in an executive or managerial capacity.

(4) Experience in nursing, business administration, dramatics, music, social and welfare work will be considered an asset but are not required as a minimum requirement.

(5) *Age at selection*—(i) *Minimum.* Must have reached 30th birthday.

(ii) *Maximum.* Must not have passed 45th birthday.

(6) *Sex.* Female.

(d) *Recreational and social hostess.* (1) United States citizenship.

(2) Graduation from a college or university of recognized standing.

(3) At least 3 years' experience in planning and directing social and recreational activities in or with educational, or similar organizations.

(4) Preference should be given to those with training in recreation, either as an undergraduate or in a recognized graduate school.

(5) Skill in handling group and mass recreational activities.

(6) Experience in business administration and in a wide variety of recreational activities is desirable but not required as a minimum requirement.

(7) *Age of selection.*—(i) *Minimum.* Must have reached 25th birthday.

(ii) *Maximum.* Must not have passed 40th birthday.

(8) *Sex.* Female.

(e) *Cafeteria hostess.* (1) United States citizenship.

(2) Graduation for a recognized college of home economics or from a recognized college with further home economics training.

(3) Three years' experience in the management and operation of a cafeteria, or analogous work in an institution, camp, or hotel.

(4) Professional background of general information and specific knowledge and ability in the food field.

(5) *Age at selection*—(i) *Minimum.* Must have reached 25th birthday.

(ii) *Maximum.* Must not have passed 40th birthday.

(6) *Sex.* Female.

(f) *Maximum age limits.* No corps area librarian will remain on duty after having reached the 55th birthday; and no director of service clubs will remain on duty as such director of service clubs after having reached the 50th birthday; and no camp hostess or camp librarian will remain on duty as such camp hostess or camp librarian after having reached the 45th birthday. All personnel now on duty who, at the effective date of these regulations, have passed the foregoing prescribed age of severance will be separated from service. Personnel now on duty whose qualifications are less than the minimum qualifications required by these regulations may be separated from service at the discretion of the corps area commander. [Par. 17]

§ 57.13 *Discharge and resignation.* The separation of hostesses and librarians will be effected in the following manner:

(a) Resignation without prejudice will be accepted by the corps area commander and forwarded immediately to the War Department, together with a statement of the reason therefor.

(b) Discharges without prejudice, because of reductions in personnel or because of insufficient qualifications, will be made by the corps area commander. [Par. 18]

§ 57.14 *Quarters.* (a) Where guest houses exist, quarters for the hostesses and librarians other than corps area librarians will, where practicable, be provided therein.

(b) No quarters or accommodations will be available for dependents of hostesses or librarians. [Par. 20]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–7213; Filed, July 27, 1942; 2:42 p. m.]

PART 64—ENLISTED RESERVE CORPS

SUSPENSION OF ENLISTMENTS AND REENLISTMENTS IN THE ENLISTED RESERVE CORPS WITH CERTAIN EXCEPTIONS

§ 64.5 *Enlistments.* Enlistments and reenlistments in the Enlisted Reserve Corps are suspended with the following exceptions:

* * * * * *

(i) (1) Students in institutions maintaining compulsory Army ROTC basic courses who desire to enter the Naval Reserve may be enlisted in the Army Enlisted Reserve Corps for the sole purpose of reserving them for enlistment in the Naval Reserve upon completion of their basic course training.

(2) Enlistments for the present calendar year will be from freshman and sophomore classes and for subsequent calendar years will be from freshman classes only.

(3) Students who are enlisted under the above provisions will, upon their request, be discharged from the Army Enlisted Reserve Corps for enlistment in the Naval Reserve upon completion of their ROTC basic training or upon separation from the institution prior to completion of such training. (39 Stat. 195)

(4) In the case of students who have enlisted in the Navy or Marine Corps Reserve and who enter colleges or universities having compulsory military education, the Navy will discharge such students. These students will be enlisted in the Army Enlisted Reserve Corps and upon completing the sophomore year, or upon leaving school prior to that time, such individuals will, at their request, be discharged from the Army Enlisted Reserve Corps and again enlisted in the Naval Reserve. (39 Stat. 195; 41 Stat. 780; 44 Stat. 705; 10 U.S.C. 421, 423–427) [Letter A.G.O., June 1, 1942, Ag 342 Enlisted Reserve Corps (5–29–42) ER, and letter A.G.O., July 2, 1942, AG 342.1 E.R.C. (6–26–42) ES–SPGA–PS–M]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–7219; Filed, July 27, 1942; 4:29 p. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

CERTAIN EXCEPTIONS

On July 27, 1942, the Board of Governors of the Federal Reserve System amended Part 222 in the following respects to become effective immediately:

1. Section 222.8 is amended by striking out paragraph (h) and substituting the following in lieu thereof:

§ 222.8 *Exceptions.*[1] * * *

(h) *Disaster credits.* Any extension of credit (1) made by the Disaster Loan Corporation, or (2) to finance the repair or replacement of real or personal property damaged or lost as a result of a flood or other similar disaster which the Federal Reserve Bank of the district in which the disaster occurs finds has created an emergency affecting a substantial number of the inhabitants of the stricken area.

2. Section 222.8 is amended by adding the following new paragraph at the end thereof:

(m) *Fuel conservation credits.* Any extension of credit to finance (1) the conversion of heating equipment to the use of any other fuel, (2) the installation of loose-fill, blanket, or batt-type insulation, or insulating board, within existing structures, (3) the installation of storm doors, storm windows, or weather stripping, or (4) the purchase of materials for any of the above purposes.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; sec. 301, Pub. Law 354, 77th Cong.; 12 U.S.C. 95 (a) and Sup., and E.O. 8843, 6 F.R. 4035)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42–7246; Filed, July 28, 1942; 11:06 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 20–51, Civil Air Regulations]

PART 20—PILOT CERTIFICATES

GRADUATES OF MILITARY AND COAST GUARD GLIDER COURSES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of July 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective July 24, 1942, Part 20 of the Civil Air Regulations is amended as follows:

By adding a new § 20.178 to read as follows:

§ 20.178 *Military competence.* An applicant who has successfully completed a glider pilot course, satisfactory to the Administrator, conducted under the supervision of the Army, Navy, Marine Corps or Coast Guard, upon presentation of satisfactory evidence of completion of

[1] 7 F.R. 3354.

such course within 60 days from the date thereof, will be deemed to have met the requirements of § 20.175, 20.176, and 20.177.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-7266; Filed, July 28, 1942; 11:53 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

REGULATIONS RELATING TO SECURITIES

JULY 3, 1942.

These regulations are issued under the authority vested in the Governor of Hawaii pursuant to Executive Order No. 8389, as amended; section 5 (b) of the Trading with the enemy Act, as amended by Title III of the First War Powers Act, 1941; General Orders No. 123, Office of the Military Governor, 3 July 1942; and pursuant to all other authority vested in the undersigned Governor of Hawaii:

§ 133.2 *Regulation of July 3, 1942 relating to securities*—(a) *Perforation of securities.* (1) On or before August 1, 1942 all securities within the Territory of Hawaii shall be perforated with the official symbol "H" by a domestic bank in such territory, or by such other person as may be designated. Every person shall satisfy himself that all securities within his possession or custody in the Territory of Hawaii on August 1, 1942, and at all times thereafter, have been duly perforated with the official symbol "H". Machines for perforating securities with the official symbol "H" will be furnished to each domestic bank.

(2) All securities hereafter brought into the Territory of Hawaii shall be immediately delivered to a domestic bank, or to such other person as may be designated, for perforation with the official symbol "H".

(3) No security which has been perforated with the official symbol "H" may hereafter be exported or otherwise physically taken from the Territory of Hawaii unless Form TFEL–2, issued pursuant to Executive Order No. 8389, as amended, has been previously attached to such security. Application for the attachment of Form TFEL–2 may be filed with the Office of the Governor of Hawaii on Form TFR–H28 by the person having custody or possession of the security. Such application shall set forth a complete description of the security and the circumstances surrounding its exportation or shipment from the Territory of Hawaii.

(b) *Custody of securities.* (1) Subject to the provisions of subparagraph (3) of this paragraph, all securities within the Territory of Hawaii whether held in safe deposit boxes or otherwise, except securities issued by private corporations organized under the laws of and having their principal place of business in the Territory of Hawaii, are hereby required to be placed, on or before August 1, 1942, in a securities custody account with a domestic bank in the territory, and after August 1, 1942, no person other than a domestic bank shall have physical possession or custody of any security within the territory.

(2) Any domestic bank receiving or holding securities pursuant to subparagraph (1) of this paragraph, shall hold such securities for the account, or pursuant to the instructions, of the depositor. Securities held in any custody account with a domestic bank pursuant to these regulations may be freely purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, and may be freely transferred from one securities custody account to another in the same or different domestic banks: *Provided, however,* That such securities shall remain in a securities custody account with a domestic bank in Hawaii: *And provided further,* That no person other than a domestic bank shall receive or obtain physical possession or custody of any such security as the result of any such transaction.

(3) In lieu of deposit in or transfer to a securities custody account with a domestic bank, securities may be deposited with the Treasurer of the Territory of Hawaii, or with such other person as may be designated. Subject to such conditions as may be specified, such securities shall be held for the account or pursuant to the instructions of the depositor.

(4) Unless otherwise exempted by special license, each domestic bank in the Territory of Hawaii, the Treasurer of the Territory of Hawaii, and such other persons as may be specified, shall file a report in triplicate on Form TFR–H400 with the Office of the Governor of Hawaii with respect to all securities held pursuant to these regulations at the close of business on August 1, 1942. Such report shall be filed as soon as practicable and in no event later than August 15, 1942. Unless otherwise exempted by special license, weekly supplemental reports on Form TFR–H401 shall be filed in triplicate with the Office of the Governor of Hawaii with respect to changes in such security holdings after August 1, 1942.

(5) All securities subject to the provisions of this paragraph which are hereafter brought into the Territory of Hawaii shall be immediately delivered to a domestic bank, the Treasurer of the Territory of Hawaii, or such other person as may be designated, for deposit in a securities custody account.

(c) *Destruction of securities and reissuance in the continental United States.* (1) Any person holding securities in a securities custody account with a domestic bank pursuant to paragraph (b) of this section, except securities issued by the Territory of Hawaii or by any county thereof, may instruct such bank to cause the cancellation or destruction of such securities and the subsequent issue of substitutes in the continental United States, subject to the following terms and conditions:

(i) Securities which are the direct obligation of the United States, obligations guaranteed by the United States, and those for which the United States Treasury Department acts as transfer agent may be delivered by any domestic bank to the Special Treasury Custody Committee in Hawaii for immediate cancellation or destruction and subsequent issue of substitutes in the continental United States. Such destruction and issue of substitutes shall be subject to all the provisions and conditions set forth in the "Procedure for Treasury Custody and Destruction of Currency and Securities in Hawaii" approved by the Acting Secretary of the Treasury on March 3, 1942.

(ii) Any other securities may be delivered by any domestic bank to the Special Treasury Custody Committee in Hawaii for destruction. The bank delivering any such security to the Committee shall execute and file with the committee a report in sextuplicate on Form TFR–H26. The fact of destruction will be certified upon said report and the Committee will thereupon retain one copy for its purposes, forward one copy to the issuer of each security so destroyed and, by separate mailings, will forward two copies to the United States Treasury Department, Washington, D. C., or to such other person as may be designated. Two copies of said report will be issued to the bank submitting the security for destruction. The issue of substitutes is not guaranteed and is subject to such conditions as may be imposed by the issuer thereof. The United States Government will, however, endeavor to facilitate the issue of substitutes.

(d) *General provisions.* (1) Any person holding securities on July 15, 1942, having on such date an aggregate market value or, in the absence thereof, an estimated value of less than $100, may continue to hold such securities without regard to paragraphs (a) and (b) of this section: *Provided, however,* That securities held pursuant to this subparagraph may not be purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, until the provisions of paragraphs (a) and (b) have been fully complied with.

(2) All securities held for its own account and in its own vaults, by a domestic bank, the Treasurer of the Territory of Hawaii or any other person designated pursuant to paragraph (b) (3) of this section, shall be deemed to be held in a securities custody account, provided that such holding is otherwise consistent with the provisions of these regulations.

(3) Exception to any of the provisions of these regulations may be made by means of licenses, rulings, or otherwise, when it is considered that such exception is in accord with the purpose of these regulations, or is otherwise necessary or desirable. Application for any such license may be filed with the Office of the Governor of Hawaii on Form TFR–H28, and the general procedure to be followed in handling applications for licenses will be that employed in the administration of Executive Order No. 8389, as amended. Unless the contrary is expressly provided, no license shall be deemed to authorize any transaction prohibited by reason of the provisions of any law, proclamation, order, or regulation other than these regulations. The decision with respect to the granting, denial, or other disposition of any application for a license shall be final.

(4) Rulings, instructions, interpretations, or licenses may, from time to time, be made or issued to carry out the purposes of these regulations and reports required in addition to those specifically called for herein with respect to any property or transactions affected hereby.

(5) These regulations shall not be deemed to authorize any transaction prohibited by or pursuant to Executive Order No. 8389, as amended, except such transactions as are necessarily incidental to the performance of acts specifically required by these regulations.

(6) As used in these regulations:

(i) The term "domestic bank" means any branch or office within the Territory of Hawaii of any bank or trust company incorporated and doing business under the laws of the Territory of Hawaii relating to the operation of banks or trust companies. Any other person may be authorized to be treated as a "domestic bank" for the purpose of this definition or for the purpose of any license, ruling or instruction issued hereunder.

(ii) The term "securities" shall not be deemed to apply to United States Defense and War Savings Stamps or to non-transferable United States Government securities, including United States Defense and War Savings Bonds, of all series and designations; United States Adjusted Service Bonds; and United States Treasury Notes, Tax Series A–1943, B–1943, A–1944, and B–1944.

(c) The term "person" means an individual, partnership, association, corporation, or other organization.

(7) These regulations and any rulings, licenses, instructions, or forms issued hereunder may be amended, modified, or revoked at any time.

(e) *Penalties.* Attention is directed to the penalties prescribed in General Orders No. 123 and to those contained in section 5 (b) of the Trading with the enemy Act, as amended.

[SEAL] CHAS M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7227; Filed, July 27, 1942; 4:24 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 96]

APPLICATION FOR ISSUANCE OF DUPLICATE REGISTRATION CERTIFICATE

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51[1] of the Selective Service Regulations,[2] I hereby prescribe the following change in DSS forms:

Revision of DSS Form 14, entitled "Application for Issuance of Duplicate Registration Certificate," effective immediately upon the filing hereof with the Division of the Federal Register.[3] The supply of forms on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 10, 1942.

[F. R. Doc. 42-7263; Filed, July 28, 1942; 11:43 a. m.]

[No. 97]

HOME ADDRESS REPORT

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations,[2] I hereby prescribe the following change in DSS forms:

Revision of DSS Form 166, entitled "Home Address Report," effective immediately upon the filing hereof with the Division of the Federal Register.[3] The supply of DSS Forms 166 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 1, 1942.

[F. R. Doc. 42-7264; Filed, July 28, 1942; 11:43 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 969—PHENOLS

[Amendment 2 to General Preference Order M–27]

Paragraph (f) of § 969.1 *General Preference Order M–27*[4] is hereby amended to read:

(f) *Effective date.* This order shall take effect immediately and shall continue in effect until revoked by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7253; Filed, July 28, 1942; 11:16 a. m.]

PART 971—ALCOHOL

[Amendment 5 to General Preference Order M–31, as amended]

Section 971.2 *General Preference Order M–31*[4] is hereby amended to read as follows:

(i) *Effective date.* This order shall take effect immediately and shall continue in effect until revoked by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7254; Filed, July 28, 1942; 11:16 a. m.]

PART 1053—FATS AND OILS

[Amendment 2 to General Preference Order M–71]

Paragraph (j) of § 1053.1 *General Preference Order M–71*[5] is hereby amended to read:

(j) *Effective date.* This order shall take effect immediately, and shall continue in effect until revoked by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7255; Filed, July 28, 1942; 11:16 a. m.]

PART 1095—COMMUNICATIONS

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

[Preference Rating Order P–129, as amended July 28, 1942]

Section 1095.2 *Preference Rating Order P–129* is hereby amended to read as follows:

§ 1095.2 *Preference Rating Order P–129*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorpo-

[1] 6 F.R. 6634.

[2] Filed as part of the original document.

[3] 6 F.R. 4527, 5730.

[4] 6 F.R. 4528, 5750, 6614; 7 F.R. 115.

[5] 6 F.R. 6797, 7 F.R. 543.

rated or not, the United States, the District of Columbia, any state or territory of the United States, and any political, corporate, administrative or other division or agency thereof, to the extent engaged in one or more of the following services within, to or from the United States, its territories or possessions:

(i) Wire communication.

(ii) Radio communication.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Maintenance" means the upkeep of an operator's property and equipment in sound working condition; and this without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(4) "Repair" means the restoration, without thereby increasing existing facilities, of an operator's property and equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction of parts, or similar cause; and this without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(5) "Operating supplies" means any material which is essential to and consumed in the operation of any of the services specified in (a) (1) above but does not include any material which is physically incorporated in whole or in part in the property or equipment of the services specified above.

(6) Material for maintenance, repair or operating supplies for the purpose of this order shall not include material used for:

(i) The improvement of an operator's property or equipment through the replacement of material which is still usable in the existing property or equipment with material of a better kind, quality or design.

(ii) Additions to or expansions of the operator's existing property or equipment.

(b) *Assignment of preference rating.* Subject to the terms of this order, Preference Rating A-3, except as provided in subparagraph (2), is hereby assigned:

(1) To deliveries, to an operator, of material required by him for operating supplies or for the maintenance or repair of his property and equipment.

(2) Preference Rating A-1-j is hereby assigned to all items required by an operator under the provisions of subparagraph (1) above, containing copper or copper alloy.

(c) *Application and extension of rating.* The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulations Numbers 1 and 3, as amended from time to time.

(d) *Restrictions on deliveries, inventory and use.* (1) On and after September 1, 1942, except as provided in paragraph (d) (3) below, no operator, who has applied the rating assigned hereby, shall at any time, accept deliveries of material (whether or not rated pursuant to this order) to be used for maintenance, repair, operating supplies or for other purposes:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940.

(ii) Where the receipt thereof shall increase the dollar value of operator's inventory of material to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940.

(2) Except as provided in paragraph (d) (3) below, no operator who has applied the rating assigned hereby shall, during any calendar quarterly period, use material for maintenance, repair, and operating supplies, the aggregate dollar value of which shall exceed 110% of the aggregate dollar value of such material used during the corresponding quarter of 1940, or at the operator's option 27½% of the aggregate dollar value of such material used during the calendar year 1940.

(3) (i) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942, did not exceed $10,000 shall be exempt from the provisions of subparagraph (1) above.

(ii) From time to time, the Director General for Operations may determine that certain operators are exempt in whole or in part from the restrictions contained in subparagraphs (1) and (2) above.

(e) *Violations.* Any operator or other person who applies the preference rating assigned hereby in wilfull violation of the terms and provisions of this order or who wilfully falsifies any records which he is required to keep by this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who obtains a delivery of material by means of a material and wilful misstatement, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such operator or other person may be prohibited from making and obtaining further deliveries of material under allocation and/or priority control and be deprived of any other priorities assistance.

(f) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until September 30, 1942, unless sooner revoked by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7256; Filed, July 28, 1942; 11:16 a. m.]

PART 1095—COMMUNICATIONS

OPERATING CONSTRUCTION

[Preference Rating Order P-130, as Amended July 28, 1942]

Section 1095.3 *Preference Rating Order P-130* is hereby amended to read as follows:

§ 1095.3 *Preference Rating Order P-130*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States and any political, corporate, administrative or other division of agency thereof, to the extent engaged in telephone communication within, to or from the United States, its territories or possessions.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Operating construction" means:

(i) The use of materials for normal construction occasioned by the connection, disconnection, changes, in or relocation of subscribers' apparatus or other equipment, necessary in order to provide service. In no single case, however, shall the cost of material for such operating construction exceed fifty dollars ($50.00);

(ii) The relocation or installation of central office equipment as a part of the common switching and/or trunking facilities to meet traffic requirements and provide the necessary channels through which the existing traffic load may be trunked and connections established to enable full use to be made of the existing line terminals but not including the addition of line terminals;

(iii) Rearrangements or changes in existing line plant in order to obtain a more enective or fuller use of such plant: *Provided, however,* That no line capacity shall be added thereto; and

(iv) Short cable extensions of line plant from a given point which do not involve the use of more than 100 pounds of copper and which make available for more effective use existing exchange plant not otherwise usable.

(b) *Assignment of preference rating.* Subject to the terms of this order, Preference Rating A-3, except as provided in subparagraph (2), is hereby assigned:

(1) To deliveries, to an operator of material required by him for operating construction;

(2) Preference Rating A-1-j is hereby assigned to all items required by an Operator under the provisions of subparagraph (1) above, containing copper or copper alloy.

(c) *Application and extension of rating.* The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulations Numbers 1 and 3, as amended from time to time.

(d) *Restrictions on application of rating.* (1) No operator may apply the rating hereby assigned until he has determined, as to the Material or Materials sought for operating construction:

(i) That a less scarce material or materials cannot be substituted without serious loss of efficiency;

(ii) That a smaller quantity thereof will not satisfy the use intended; and

(iii) That the construction contemplated may not be postponed or deferred to a later date.

(2) No operator shall so divide a single order, job or project to qualify the same under the terms of this order.

(e) *Restrictions on deliveries, inventory and withdrawals.* (1) On and after September 1, 1942, except as provided in paragraph (e) (3) below, no operator, who has applied the rating assigned hereby, shall, at any time, accept deliveries of material (whether or not rated pursuant to this order) to be used for any purpose:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940.

(ii) Where the receipt thereof shall increase the dollar value of the operator's inventory, of material, to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940.

(2) Except as provided in paragraph (e) (3) below, no operator who has applied the rating assigned hereby shall, during any calendar quarterly period, make withdrawals from stores or inventory of material to be used by operating construction, the aggregate dollar value of which shall exceed 110% of the aggregate dollar value of such material used during the corresponding quarter of 1940, or at the operator's option 27½% of the aggregate dollar value of such material used during the calendar year 1940.

(3) (i) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942 did not exceed $10,000 shall be exempt from the provisions of subparagraph (1) above.

(ii) From time to time the Director General for Operations may determine that certain operators are exempt in whole or in part from the restrictions contained in subparagraphs (1) and (2) above.

(f) *Violations.* Any operator or other person who applies the preference rating assigned hereby in wilful violation of the terms and provisions of this order or who wilfully falsifies any records which he is required to keep by this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who obtains a delivery of material by means of a material and wilful misstatement, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such operator or other person may be prohibited from making and obtaining further deliveries of material under allocation and/or priority control and be deprived of any other priorities assistance.

(g) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until September 30, 1942 unless sooner revoked by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7257; Filed, July 28, 1942; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1309—COPPER

[Amendment 2 to Revised Price Schedule 15[1]]

COPPER

A Statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1309.60 a new paragraph (f) is added, paragraph (a) is amended and the headnote to paragraph (e) is amended to read as set forth below:

§ 1309.60 *Appendix A: Maximum prices*—(a) *Maximum base price for copper except casting copper.* The maximum base price for copper delivered in carload lots at Connecticut Valley points shall be 12 cents per pound. This maximum base price is for electrolytic, lake or other fire refined copper in the shape of wire bars or ingot bars made to meet either the American Society of Testing Materials Standard specifications B5-27 for electrolytic or B4-27 for lake copper.

* * * * * *

(e) *Maximum prices on sales or deliveries of copper in less than carload lots by other than refiners or producers.* * * *

(f) *Maximum prices on sales and deliveries of copper other than casting copper in less than carload lots by refiners or producers.* On sales and deliveries of copper other than casting copper in less than carload lots by refiners or producers, the maximum price f. o. b. refinery shall be 12⅛ cents per pound plus or minus the applicable kind or grade and shape or form differentials set forth in paragraph (c) of this section.

§ 1309.59a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§1309.60 (a), (c), and (f) and 1309.59a (b)) to Revised Price Schedule No. 15 shall become effective on July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7182; Filed, July 27, 1942; 1:02 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1237, 1836, 2132, 2944.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2, Maximum Rent Regulation 19]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN HAMPTON ROADS DEFENSE-RENTAL AREA

The title, preamble and paragraph (a) of § 1388.911[1] and the first sentence of § 1388.917[2] of Maximum Rent Regulation No. 19 are hereby amended to read as follows:

Maximum Rent Regulation No. 19 for Housing Accommodations Other Than Hotels and Rooming Houses in the Hampton Roads Defense-Rental Area.

In the judgment of the Administrator, rents for housing accommodations within the Hampton Roads Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on March 2, 1942, as amended on May 22, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Hampton Roads Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 19 for housing accommodations within the Hampton Roads Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 19 is hereby issued.

§ 1388.911 *Scope of regulation.* (a) This Maximum Rent Regulation No. 19 applies to all housing accommodations within the Hampton Roads Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.901 to 1388.905, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942 (consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and Suffolk, the Counties of Elizabeth City, Nansemond, Norfolk, and Princess Anne, and in the County of Warwick the Magisterial District of Newport, in the State of Virginia) except as provided in paragraph (b) of this section: *Provided, however,* That the words "June 1, 1942" and "July 1, 1942" in this Maximum Rent Regulation No. 19 shall apply only to that portion of

[1] 7 F.R. 4100, 5645.

[2] 7 F.R. 4899.

the Hampton Roads Defense-Rental Area consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk, the County of Elizabeth City in its entirety, in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport, in the State of Virginia, and that for the remaining portion of the Hampton Roads Defense-Rental Area the words "June 1, 1942" in this Maximum Rent Regulation No. 19 shall mean "August 1, 1942", and the words "July 1, 1942" in this Maximum Rent Regulation No. 19 shall mean "September 1, 1942."

* * * * *

§ 1388.917 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk, the County of Elizabeth City in its entirety, in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport, in the State of Virginia, on or before September 15, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * * * *

§ 1388.924a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1388.911 and 1388.917) to Maximum Rent Regulation No. 19 shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7209; Filed, July 27, 1942; 1:09 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2, Maximum Rent Regulation 22A]

HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraph (15) of paragraph (a) of § 1388.1551 of Maximum Rent Regulation No. 22A are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1551 (a) of this Maximum Rent Regulation, as designated in the Designations and Rent Declarations issued by the Administrator on March 2, 1942, as amended on April 28, 1942 and May 22, 1942 and on April 2, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designations and Rent Declarations.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

§ 1388.1551 *Scope of regulation.* (a) This Maximum Rent Regulation No. 22A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.51 to 1388.55, 1388.101 to 1388.105, 1388.151 to 1388.155, 1388.201 to 1388.205, 1388.251 to 1388.255, 1388.351 to 1388.355, 1388.501 to 1388.505, 1388.551 to 1388.555, 1388.601 to 1388.605, 1388.651 to 1388.655, 1388.701 to 1388.705, 1388.801 to 1388.805, 1388.851 to 1388.855, 1388.901 to 1388.905, 1388.951 to 1388.955, and 1388.1001 to 1388.1005, inclusive) [1] issued by the Administrator on March 2, 1942, as amended on April 28, 1942, and on April 2, 1942, except as provided in paragraph (b) of this section:

* * * * *

(15) The Hampton Roads Defense-Rental Area, consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and Suffolk, the Counties of Elizabeth City, Nansemond, Norfolk, and Princess Anne, and in the County of Warwick the Magisterial District of Newport, in the State of Virginia: *Provided, however,* That with respect to that portion of the Hampton Roads Defense-Rental Area consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk, the County of Elizabeth City in its entirety, in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport, in the State of Virginia, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean July 1, 1942, and that with respect to the remaining portion of the Hampton Roads Defense-Rental Area, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean August 1, 1942.

* * * * *

§ 1388.1564a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.1551 (a)) to Maximum Rent Regulation No. 22A shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7208; Filed, July 27, 1942; 1:08 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3, Designation and Rent Declaration 25]

DESIGNATION OF 260 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

The title and item (30) listed in the table in § 1388.1201 [1] of Designation and Rent Declaration No. 25 is amended and item (260) is added to the table in the said section to read as follows:

Designation and Rent Declaration No. 25—Designation of 260 Defense-Rental Areas and Rent Declaration Relating to Such Areas.

* * * * *

§ 1388.1201 *Designation.* * * *

Name of defense-rental area [1]	In State or States of—	Defense-rental area consists of—
* * *	* * *	* * *
(30) San Francisco Bay.	California.	Counties of Alameda, Marin, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Sonoma, and Yolo.
* * *	* * *	* * *
(260) Vallejo.....	California.	Counties of Contra Costa, Napa, and Solano.

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

This Amendment No. 3 (§ 1388.1201) shall become effective August 1, 1942.

(Pub. Law. 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7210; Filed, July 27, 1942; 1:09 p. m.]

[1] 7 F.R. 3195, 3892, 4179.

[1] See issues of March 4, 21, April 4, 30, and May 26, 1942.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1, Maximum Rent Regulation 28 [1]]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraphs (1) and (8) of paragraph (a) of § 1388.1801 of Maximum Rent Regulation No. 28 are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1801 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 28 is hereby issued.

§ 1388.1801 *Scope of regulation.* (a) This Maximum Rent Regulation No. 28 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, except as provided in paragraph (b) of this section:

(1) The San Francisco Bay Defense-Rental Area, consisting of the Counties of Alameda, Marin, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Sonoma, and Yolo, in the State of California.

* * * * *

(8) The Northeastern New Jersey Defense-Rental Area, consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union, in the State of New Jersey: *Provided, however,* That with respect to that portion of the Northeastern New Jersey Defense-Rental Area consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union, in the State of New Jersey, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation No. 28 shall mean July 1, 1942, and that with respect to the remaining portion of the Northeastern New Jersey Defense-Rental Area, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean August 1, 1942.

* * * * *

§ 1388.1814a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.1801 (a)) to Maximum Rent Regulation No. 28 shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7211; Filed, July 27, 1942; 1:09 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1, Maximum Rent Regulation 32A [1]]

HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraphs (1) and (8) of paragraph (a) of § 1388.2001 of Maximum Rent Regulation No. 32A are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.2001 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

§ 1388.2001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 32A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, except as provided in paragraph (b) of this section:

(1) The San Francisco Bay Defense-Rental Area, consisting of the Counties of Alameda, Marin, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Sonoma, and Yolo, in the State of California.

* * * * *

(8) The Northeastern New Jersey Defense-Rental Area, consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union, in the State of New Jersey: *Provided, however,* That with respect to that portion of the Northeastern New Jersey Defense-Rental Area consisting of the Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union, in the State of New Jersey, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation No. 32A shall mean July 1, 1942, and that with respect to the remaining portion of the Northeastern New Jersey Defense-Rental Area, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean August 1, 1942.

* * * * *

§ 1388.2014a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.2001 (a)) to Maximum Rent Regulation No. 32A shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7212; Filed, July 27, 1942; 1:09 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 39]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE VALLEJO DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within

[1] 7 F.R. 4913, 5645.

[1] 7 F.R. 4926, 5645.

the San Francisco Bay Defense-Rental Area and other Defense-Rental Areas and a portion of a Defense-Rental Area set out in Maximum Rent Regulations Nos. 28 and 32A (§§ 1388.1801 to 1388.1814[1] and 1388.2001 to 1388.2014,[2] inclusive) were not reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205,[3] inclusive) issued by the Administrator on April 28, 1942, within sixty days after the issuance of the said Designation and Rent Declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 28 and 32A for housing accommodations within each such Defense-Rental Area and the said portion of a Defense-Rental Area, effective July 1, 1942. Since the issuance of these Maximum Rent Regulations, the Administrator has found, and it is his judgment, that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within that portion of the San Francisco Bay Defense-Rental Area consisting of the three Counties of Contra Costa, Napa, and Solano, inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the said three counties on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for housing accommodations within the said three counties inconsistent with the purposes of the Act is on or about January 1, 1941. The Administrator is accordingly issuing an amendment to the said Designation and Rent Declaration issued on April 28, 1942, to strike out the said three counties from the San Francisco Bay Defense-Rental Area and to designate the said three counties as the Vallejo Defense-Rental Area. The Administrator is also issuing amendments to Maximum Rent Regulations Nos. 28 and 32A to strike out the said three counties from the description of the San Francisco Bay Defense-Rental Area set out in these Maximum Rent Regulations. The Administrator is issuing this Maximum Rent Regulation for housing accommodations within the said Vallejo Defense-Rental Area in the place of the Maximum Rent Regulation effective for such housing accommodations since July 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the said Vallejo Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

[1] 7 F.R. 4913, 5645.
[2] 7 F.R. 4926, 5645.
[3] 7 F.R. 3195, 3892, 4179.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.5051 to 1388.5064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.5051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 39 applies to all housing accommodations within the Vallejo Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Contra Costa, Napa, and Solano, in the State of California), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.5052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 39 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.5053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 39 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.5055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.5055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that Section approving a decrease of such services.

§ 1388.5054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.5055) shall be:

(a) For housing accommodations rented on January 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on January 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on January 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.5055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before the effective date of this Maximum Rent Regulation No. 39, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.5055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between November 1, 1940 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.5055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941, as determined by the owner of such accommodations; *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.5055 (c).

§ 1388.5055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on January 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 39 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to January 1, 1941, and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on January 1, 1941, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(5) There was in force on January 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.5054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.5054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the

Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(c) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominent part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.5056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 39; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the the local Law.

§ 1388.5057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 39, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.5058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.5059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 39 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations. by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.5060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 39 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.5061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 39 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247,[1] inclusive).

§ 1388.5062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 39 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.5063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 39: (1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or any agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation No. 39.

§ 1388.5064 *Effective date of the regulation.* This Maximum Rent Regulation No. 39 (§§ 1388.5051 to 1388.5064, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7167; Filed, July 27, 1942; 1:10 p. m.]

[1] 7 F.R. 3936, 3991.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 40A]

HOTELS AND ROOMING HOUSES IN THE VALLEJO DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the San Francisco Bay Defense-Rental Area and other Defense-Rental Areas and a portion of a Defense-Rental Area set out in Maximum Rent Regulations Nos. 28 and 32A (§§ 1388.1801 to 1388.1814[1] and 1388.2001 to 1388.2014,[2] inclusive) were not reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205,[3] inclusive) issued by the Administrator on April 28, 1942, within sixty days after the issuance of the said Designation and Rent Declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 28 and 32A for housing accommodations within each such Defense-Rental Area and the said portion of a Defense-Rental Area, effective July 1, 1942. Since the issuance of these Maximum Rent Regulations, the Administrator has found, and it is his judgment, that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within that portion of the San Francisco Bay Defense-Rental Area consisting of the three Counties of Contra Costa, Napa, and Solano, inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the said three counties on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for housing accommodations within the said three counties inconsistent with the purposes of the Act is on or about January 1, 1941. The Administrator is accordingly issuing an amendment to the said Designation and Rent Declaration issued on April 28, 1942, to strike out the said three counties from the San Francisco Bay Defense-Rental Area and to designate the said three counties as the Vallejo Defense-Rental Area. The Administrator is also issuing amendments to Maximum Rent Regulations Nos. 28 and 32A to strike out the said three counties from the description of the San Francisco Bay Defense-Rental Area set out in these Maximum Rent Regulations. The Administrator is issuing this Maximum Rent Regulation for housing accommodations within the said Vallejo Defense-Rental Area in the place of the Maximum Rent Regulation effective for such housing accommodations since July 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within the said Vallejo Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 40A is hereby issued.

AUTHORITY: §§ 1388.6001 to 1388.6014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.6001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 40A applies to all rooms in hotels and rooming houses within the Vallejo Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Contra Costa, Napa, and Solano, in the State of California), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

[1] 7 F.R. 4913, 5645.
[2] 7 F.R. 4926, 5645.
[3] 7 F.R. 3195, 3892, 4179.

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.6002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 40A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.6003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 40A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.6005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.6005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.6004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house unless and until changed by the Administrator as provided in § 1388.6005 shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on January 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on January 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after January 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after January 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.6005 (c) (1).

(3) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.6005 *Adjustments and other determinations.* In the circumstances enumerated in this Section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on January 1, 1941, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to January 1, 1941, and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on January 1, 1941, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(5) There was in force on January 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 40A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services, or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

§ 1388.6006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless;

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 40A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or porspective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the

purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.6007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 40A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.6004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.6008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.6009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 40A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.6010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 40A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.6011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 40A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.6012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 40A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247[1], inclusive).

§ 1388.6013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 40A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

[1] 7 F.R. 3936, 3991.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation No. 40A.

§ 1388.6014 *Effective date of the regulation.* This Maximum Rent Regulation No. 40A (§§ 1388.6001 to 1388.6014, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7188; Filed, July 27, 1942; 1:10 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 41]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE GAINESVILLE-STARKE DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Gainesville-Starke Defense-Rental Area designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within the Gainesville-Starke Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Gainesville-Starke Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the Gainesville-Starke Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 41 is hereby issued.

AUTHORITY: §§ 1388.6051 to 1388.6064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.6051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 41 applies to all housing accommodations within the Gainesville-Starke Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.1051 to 1388.1055,[1] inclusive) issued by the Administrator on April 28, 1942 (consisting of the Counties of Alachua, Bradford, and Clay, in the State of Florida), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation: *Provided,* That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.6052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 41 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.6053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation No. 41, the services provided for housing accommodations are less than such minimum services, the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.6055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.6055 (b), the landlord shall provide the minimum services unless, and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.6054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.6055) shall be:

(a) For housing accommodations rented on January 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on January 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on January 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 41, the first rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.6055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished or unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.6055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations not rented at any time between November 1, 1940 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction if any, since January 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.6055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and

[1] 7 F.R. 3192, 4797.

owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941, as determined by the owner of such accommodations; *Provided, however,* That any corporation formed under the law of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.6055 (c).

§ 1388.6055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on January 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 41 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to January 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on January 1, 1941, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(5) There was in force on January 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or an application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.6054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.6054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement, which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.6056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accomodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 41.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, and the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.6057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 41, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity herewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.6058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.6059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 41 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.6060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 41 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.6061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 41 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.6062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 41 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247[1], inclusive).

§ 1388.6063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 41:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may

[1] 7 F.R. 3936, 3991.

be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the Office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agent of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term assignee "landlord" includes an owner, lessor, sublessor, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation No. 41.

§ 1388.6064 *Effective date of the regulation.* This Maximum Rent Regulation No. 41 (§§ 1388.6051 to 1388.6064, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7189; Filed, July 27, 1942; 1:11 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 42A]

HOTELS AND ROOMING HOUSES IN THE GAINESVILLE - STARKE DEFENSE - RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Gainesville-Starke Defense-Rental Area designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within the Gainesville-Starke Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Gainesville-Starke Defense-Rental Area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within the Gainesville-Starke Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 42A is hereby issued.

AUTHORITY: §§ 1388.7001 to 1388.7014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.7001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 42A applies to all rooms in hotels and rooming houses within the Gainesville-Starke Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.1051 to 1388.1055,[1] inclusive) issued by the Administrator on April 28, 1942 (consisting of the Counties of Alachua, Bradford, and Clay, in the State of Florida), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

[1] 7 F.R. 3192, 4797.

§ 1388.7002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 42A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.7003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 42A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.7005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.7005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.7004 *Maximum rents.* This Section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.7005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on January 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on January 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after January 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after January 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.7005 (c) (1).

(3) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.7005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on January 1, 1941, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to January 1, 1941, and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on January 1, 1941, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings, or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(5) There was in force on January 1, 1941, a written lease, which had been in

force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 42A, the services provided for a room are less than those provided on the data or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services, or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rents by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

§ 1388.7006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 42A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practically be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.7007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 42A every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.7004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.7008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.7009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 42A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.7010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 42A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.7011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 42A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247,[1] inclusive).

§ 1388.7012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.7013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 42A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation No. 42A.

§ 1388.7014 *Effective date of the regulation.* This Maximum Rent Regulation No. 42A (§§ 1388.7001 to 1388.7014, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7190; Filed, July 27, 1942; 1:10 p. m.]

[1] 7 F.R. 3936, 3991.

PART 1340—FUEL

[Amendment 11, Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (11) is added to § 1340.210 (a) as set forth below:

§ 1340.210 *Maximum price instructions.* (a) The following maximum price instructions are applicable to the maximum prices set forth in §§ 1340.212 to 1340.233, inclusive, (appendices A to V, inclusive).

* * * * *

(11) Any distributor selling smithing coal for shipment direct from the mine to the purchaser may add to the maximum prices established for such coal in this Maximum Price Regulation No. 120 an amount not in excess of the weighted average margin realized by such distributor on similar sales or deliveries of smithing coal during the period October 1, 1941 to December 31, 1941. Such weighted average margin shall be determined by subtracting the average purchase price f. o. b. mine, weighted by tonnage, paid by such distributor for the smithing coal so sold or delivered by him in the period October 1 to December 31, 1941 from the average sale price, weighted by tonnage, but exclusive of transportation costs, which he received therefor: *Provided,* That not later than September 7, 1942, each distributor of smithing coal shall report the average margin obtained on sales of smithing coal during the period October 1 to December 31, 1941, determined in accordance with the provisions of this paragraph (a) (11) of § 1340.210 to the Bituminous Coal Division of the Department of Interior of the United States at 734 West Fifteenth Street, Washington, D. C.

§ 1340.211a *Effective dates of amendments.* * * *

(l) Amendment No. 11 (§ 1340.210 (a) (11)) to Maximum Price Regulation No. 120 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7179; Filed, July 27, 1942; 12:54 p. m.]

PART 1410—WOOL

[Amendment 2 to Maximum Price Regulation 163 [2]]

WOOLEN OR WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.

[2] 7 F.R. 4513, 4733, 4734.

Section 1410.103 is amended, in § 1410.115 (a) subparagraphs (3) and (7) are amended and three new subparagraphs (8), (9) and (10) are added to § 1410.115 (a) to read as set forth below:

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers*—(a) *Piece lots, less than piece lots and cut lengths.* Except as provided by paragraphs (b) and (c) of this section, the maximum price for sales and deliveries of a woolen or worsted apparel fabric by jobbers in piece lots, less than piece lots and cut lengths shall be the quotient of the sum of (1) the manufacturer's net invoice price, whether or not the purchaser has taken advantage of any term discounts offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, and (2) the freight charges actually paid for the transportation of such fabric from the manufacturer's shipping point to the jobber's place of business, divided by the applicable division factor set forth below:

(i) Men's wear fabrics sold in piece lots, $0.90.

(ii) Women's wear fabrics sold in piece lots, $0.875.

(iii) Men's and women's wear fabrics sold in less than piece lots to all persons except as set forth in subdivisions (iv), (v) and (vi) below, $0.85.

(iv) Men's and women's wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.80.

(v) Men's and women's wear fabrics sold in less than piece lots to custom or merchant tailors, $0.60.

(vi) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, $0.56.

In cases of sales and deliveries covered by subdivisions (iv), (v) or (vi) where a jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer's net invoice prices of all the styles in the range does not exceed $0.25 per yard, the manufacturer's net invoice price per yard for all the styles may be determined by taking the average of the manufacturer's net invoice prices per yard of all the styles in the range.

(b) *Mill ends, etc.* (1) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by jobbers shall be the manufacturer's maximum price therefor, determined in accordance with Maximum Price Regulation No. 163;

(2) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by secondary jobbers shall be the quotient of the sum of (i) his supplier's net invoice price, whether or not the secondary jobber has taken advantage of any term discounts offered and (ii) the freight charges actually paid by the secondary jobber for the transportation of the fabric from his supplier's shipping point to his place of business, divided by the applicable division factor set forth below:

(a) Men's and women's wear fabrics sold in less than piece lots to manufacturers of apparel, $0.85.

(b) Men's and women's wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.80.

(c) Men's and women's wear fabrics sold in less than piece lots to custom or merchant tailors, $0.60.

(d) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, $0.56.

(c) *Sales by secondary jobbers.* Except as provided in paragraph (b) of this section, the maximum price for sales and deliveries of a woolen or worsted apparel fabric by a secondary jobber shall be the quotient of the sum of (1) the manufacturer's net invoice price, whether or not the purchaser from the manufacturer has taken advantage of any term discount offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, (2) the freight charges actually paid by the purchaser from the manufacturer for the transportation of the fabric from the manufacturer's shipping point to such purchaser's place of business and (3) the freight charges actually paid by the secondary jobber for the transportation of the fabric from his supplier's shipping point to his place of business, divided by the applicable division factor set forth below:

(i) Men's and women's wear fabrics sold in less than piece lots to manufacturers of apparel, $0.78.

(ii) Men's and women's wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.74.

(iii) Men's and women's wear fabrics sold in less than piece lots to custom or merchant tailors, $0.57.

(iv) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments or manufacturers of apparel and retail establishments, $0.53.

In cases of sales and deliveries covered by subdivisions (ii), (iii) and (iv) where a secondary jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer's net invoice price of all the styles in the range does not exceed $0.25 per yard, the manufacturer's net invoice price per yard for all the styles may be determined by taking the average of the manufacturer's net invoice prices per yard of all the styles in the range.

(d) *Optional maximum price for jobbers and secondary jobbers.* In cases where a jobber or a secondary jobber sold or delivered the same fabric during the period between December 1, 1940 and November 30, 1941, such jobber or secondary jobber may, at his option, use as the maximum price for such fabric the highest price at which it was sold or delivered during said period: *Provided*, That such optional maximum price shall not exceed the quotient of the sum of (1) the manufacturer's maximum price for the fabric determined in accordance with § 1410.102 and (2) the freight charges which would be paid for the transportation thereof to the seller's place of business, divided by the applicable division factor provided for by paragraphs (a) or (c) of this section, as the case may be.

(e) *Sales of fabrics by manufacturers of apparel.* The maximum price for sales and deliveries of a woolen or worsted apparel fabric by a manufacturer of apparel shall be the actual price paid therefor plus the actual freight charges paid by him for the transportation thereof to his place of business.

(f) *Customary discounts, trade practices and transportation costs.* (1) Every person making sales of woolen or worsted apparel fabrics subject to this section, except in the case of sales to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments shall continue his customary quantity discounts and price differentials to different purchasers and different classes of purchasers.

(2) Every person making sales of woolen or worsted apparel fabrics subject to this section shall determine his maximum price to the closest 2½ cents per yard.

(3) No such seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of woolen or worsted apparel fabrics than he required purchasers of the same class to pay during March 1942.

(g) *Invoice requirements.* (1) On and after June 22, 1942, every person making sales of woolen or worsted apparel fabrics subject to paragraphs (a), (b) or (c) of this section, except sales to retail stores, custom or merchant tailors, and special order departments of manufacturers of apparel shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (i) the manufacturer's net invoice price, (ii) the freight charges paid, (iii) the division factor used, and (iv) in the case of mill ends, close outs, seconds and irregular pieces, the manufacturer's maximum price therefor determined in accordance with this Maximum Price Regulation No. 163.

(2) On and after July 31, 1942, every person making sales of woolen or worsted apparel fabrics to retail stores, custom or merchant tailors and special order departments of manufacturers of apparel shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for by this section, showing such division factor in figures.

§ 1410.115 *Definitions.* (a) When used in this Maximum Price Regulation No. 163, the term:

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(3) "Woolen or worsted apparel fabrics" means domestic, men's, women's, children's and infants' suitings, dress goods, topcoatings, overcoatings, cloakings, ski or snow cloths, mackinaws and bathrobe fabrics, containing 25% or more of woolen fibre by weight and woven on looms; the term is applicable only to such fabrics for civilian use;

• • • • • •

(7) "Sale at retail" means a sale to an ultimate consumer, other than an industrial or commercial user; the term shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, penal institution, hospital, library or any agency of the foregoing;

(8) "Custom or merchant tailor" means a tailor who makes clothes for a person's individual measurements; the term shall not include special order departments of manufacturers of apparel and retail establishments;

(9) "Jobber" means a person who purchases woolen or worsted apparel fabrics for the purpose of resale; the term shall not include a tailor or a manufacturer of apparel;

(10) "Secondary jobber" means a jobber who purchases woolen or worsted apparel fabrics in piece lots or half piece lots from another jobber and who in turn sells such fabric in less than piece lots to retail stores, manufacturers of apparel or custom or merchant tailors.

§ 1410.117 *Effective dates of amendments.* • • •

(c) Amendment No. 2 (§§ 1410.103, 1410.115 (a) (3), (7), (8), (9) and (10)) to Maximum Price Regulation No. 163 shall become effective July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7183; Filed, July 27, 1942; 1:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order No. 46]

BRASS MILL PRODUCTS

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.260 *Method by which brass mills may determine maximum prices for brass mill products which cannot be priced under § 1499.2 of the General Maximum Price Regulation.* (a) Whenever a brass mill cannot determine the maximum price for any brass mill product, manufactured by it, under § 1499.2 of the General Maximum Price Regulation, such brass mill is hereby authorized to determine the maximum price for such product by applying the same pricing formula or method of calculating prices used by it on March 31, 1942. In applying such pricing formula or method of calculating prices, the brass mill shall use the same unit cost factors (i. e. the same wage and machine hour rates, the same per pound prices of materials, and the same unit overhead) and the same percentage of profit over costs, extra charges, discounts and allowances, which it would have used on March 31, 1942, even though such unit cost factors may have increased since that date.

(b) Within 10 days after a brass mill has determined a maximum price pursuant to the provisions of paragraph (a) of this order, it shall report such price to the Office of Price Administration. Such report shall also set forth (1) a description in detail of the commodity for which such price was determined, (2) a statement of facts which differentiate such commodity from other commodities delivered or offered for delivery during March, 1942 by such brass mill and by other competitive sellers of the same class and (3) a statement that the maximum price reported was determined in accordance with the method established by paragraph (a) of this order and the facts in support of such statement. The brass mill, in this connection, shall submit its estimate sheet showing how the maximum price was determined, or if it did not use an estimate sheet, it shall submit a statement breaking down the price reported into the following categories: (i) material cost, (ii) manufacturing costs, including machining (machine hour rate and units per hour to be specified), (iii) plant overhead, (iv) administrative overhead and (v) profit. The maximum price reported by a brass mill in accordance with the provisions of this paragraph (b) shall be subject to adjustment at any time by the Price Administrator.

(c) As used in this Order No. 46:

(1) "A brass mill" means a manufacturing establishment which fabricates copper and copper base alloys into semi-finshed and fabricated products. It may or may not do its own alloying.

(2) "Brass mill product" means any new plate, sheet, strip, roll, coil, wire, rod, bar, tube, tubing, pipe, extrusion, forging, anode or other shape made from copper or copper base alloy by a brass mill. It does not include any rod, coil, wire, casting or other shape for which a maximum price is established by Revised Price Schedule No. 82—Wire, Cable and Cable Accessories,[3] or Maximum Price Regulation No. 125—Non-Ferrous Castings,[3] or Maximum Price Regulation No. 136—Machines and Parts,[4] or by any other price regulation heretofore or hereafter issued by the Office of Price Administration.

(3) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(d) This Order No. 46 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 46 (§ 1499.260) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7186; Filed, July 27, 1942; 1:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.3 (b), General Maximum Price Regulation[1]—Order No. 48]

CARDOX CORPORATION

The Cardox Corporation of Chicago, Illinois, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application, and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

§ 1499.262 *Approval of maximum price for potassium perchlorate for sale by the Cardox Corporation.* (a) The Cardox Corporation, a corporation having its principal place of business in Chicago, Illinois, may sell and deliver and offer, agree, solicit, and attempt to sell and deliver potassium perchlorate produced in its Claremore, Oklahoma, plant, and any person may buy from the Claremore, Oklahoma, plant of the Cardox Corporation potassium perchlorate produced at its Claremore, Oklahoma, plant at a price no higher than that hereinafter set forth:

20 cents per pound, f. o. b., Claremore, Oklahoma.

(b) On or before September 15, 1942, The Cardox Corporation shall furnish the Office of Price Administration with a sworn statement reporting in detail its costs of producing potassium perchlorate per 1,000 pounds for each month during the period from April 1, 1942, to September 1, 1942.

(c) The maximum prices established in this Order shall include all charges for containers.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[2] 7 F.R. 1358.

[3] 7 F.R. 3202.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 5027, 5192.

[4] 7 F.R. 3198, 3370, 3447, 3723, 4176.

(d) This Order No. 48 shall terminate on October 31, 1942 unless it is previously revoked by the Price Administrator.

(e) This Order No. 48 may be amended by the Price Administrator at any time.

(f) This Order No. 48 (§ 1499.262) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7202; Filed, July 27, 1942; 1:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF3-431]

SOUTH PACIFIC CANNING CO.

Order 4 Under § 1499.18 (b), General Maximum Price Regulation.

For the reasons set forth in an Opinion issued simultaneously herewith, it is ordered:

§ 1499.304 *Adjustment of maximum prices for canned tuna fish produced by South Pacific Canning Company, Inc.* (a) South Pacific Canning Company, Inc., of Long Beach, California, may sell and deliver, and any person may buy and receive from South Pacific Canning Company, Inc., canned standard light meat tuna fish at prices not higher than those set forth below:

(1) Cases of 48 No. 1 size cans @ $22.84 per case, f. o. b. cannery.

(2) Cases of 48 No. ½ size cans @ $11.92 per case, f. o. b. cannery.

(3) Cases of 48 No. ¼ size cans @ $6.96 per case, f. o. b. cannery.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 4 (§ 1499.304) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 4 (§ 1499.304) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7181; Filed, July 27, 1942; 1:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF3-408]

CENTRAL OHIO PAPER CO.

Adjustment of Maximum Prices Under § 1499.18 (b), General Maximum Price Regulation [1]—Order No. 5.

The Central Ohio Paper Company, 226 North Fifth Street, Columbus, Ohio filed a petition for adjustment or exception to the provisions of the General Maximum Price Regulation. This petition is considered as an application for adjustment under section 18 (b) thereof. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is ordered:

§ 1499.305 *Adjustment of maximum prices for paper bags of The Central Ohio Paper Company.* (a) On and after July 27, 1942, The Central Ohio Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size	*Price*
7,000,000 pint size natural brown kraft paper bags, 35 lb. basis weight, size 4" x 2" x 13½"	$1.30½ per M.
5,500,000 quart size natural brown kraft paper bags, 35 lb. basis weight, size 4¼" x 3½" x 15"	$1.78 per M.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 5 (§ 1499.305) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7184; Filed, July 27, 1942; 1:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF3-598]

SCIOTO PAPER CO.

Adjustment of Maximum Prices Under § 1499.18 (b), General Maximum Price Regulation [1]—Order No. 6.

The Scioto Paper Company, 142 North Third Street, Columbus, Ohio, filed a petition for adjustment or exception to the provisions of the General Maximum Price Regulation. This petition is considered as an application for adjustment under § 1499.18 (b) thereof. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is ordered:

§ 1499.306 *Adjustment of maximum prices for paper bags of The Scioto Paper Company.* (a) On and after July 27, 1942, The Scioto Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size	*Price*
7,000,000 pint size natural brown kraft paper bags, 35 lb. basis weight, size 4" x 2" x 13½"	$1.30½ per M.
5,500,000 quart size natural brown kraft paper bags, 35 lb. basis weight, size 4¼"	$1.78 per M.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 6 (§ 1499.306) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7200; Filed, July 27, 1942; 1:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.18 (b), General Maximum Price Regulation [1]—Order No. 7]

CLINTON COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.307 *Maximum prices for sales of Hydrol by Clinton Company:*

(a) Clinton Company of Clinton, Iowa is hereby authorized to sell and offer, agree, solicit and attempt to sell hydrol at a price not exceeding $29.50 a ton f. o. b. Clinton, Iowa.

(b) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order No. 7 (§ 1499.307) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7201; Filed, July 27, 1942; 1:14 p. m.]

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4659, 4738, 5027, 5192, 5276, 5365, 5445.

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 971, 3663.

[2] 7 F.R. 8153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF1-461-P]

JAMES DRUG STORES, INC.

Order No. 2 under § 1499.18 (c), General Maximum Price Regulation.

For the reasons set forth in an Opinion issued simultaneously herewith, it is ordered:

§ 1499.352 *Adjustment of maximum prices for commodities listed below sold by James Drug Stores, Inc.* (a) James Drug Stores, Inc., of Newark, New Jersey, may sell and deliver, and any person may buy and receive from James Drug Stores, Inc. the following commodities at prices not higher than those set forth below:

(1) Grove's Laxative Bromo Quinine 35¢ size, $2.34 per dozen.

(2) Grove's Laxative Bromo Quinine 60¢ size, $4.00 per dozen.

(3) Rx Brand Analgesic Balm, $2.00 per dozen.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 (§ 1499.352) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 2 (§ 1499.352) shall become effective July 27, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7180; Filed, July 27, 1942; 12:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Adjustment of Maximum Prices Under § 1499.18 (c), General Maximum Price Regulation—Order No. 3]

GEORGE ORAVETZ & SON, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation [1], it is hereby ordered that:

§ 1499.353 *Adjustment of maximum prices for sales of charcoal by George Oravetz & Son, Inc., Auburn, Washington.* (a) Pending final determination by the Price Administrator of a request for relief from the provisions of § 1499.2 of the General Maximum Price Regulation, George Oravetz & Son, Inc., of Auburn, Washington, (hereinafter referred to as the Company) is hereby authorized to sell and any person is authorized to buy from the Company charcoal which the Company has produced from alder wood at a price not in excess of the maximum price established according to the aforementioned § 1499.2: *Provided however,* That the Company and any buyer from it may agree in any contract for the sale of such charcoal that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the Company's request for relief.

(b) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(c) This Order No. 3 (§ 1499.353) shall become effective July 27, 1942, and shall remain in effect until it is amended, modified, or revoked.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7185; Filed, July 27, 1942; 1:05 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4639, 4659, 4738, 5027, 5192, 5276.

PART 1340—FUEL

[Maximum Price Regulation 189]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Maximum prices for bituminous coal used for bunkering vessels at points on the Great Lakes and their connecting or tributary waters have heretofore been established by Maximum Price Regulation No. 120, where such coal was delivered from a mine or preparation plant, or by Maximum Price Regulation No. 122, where delivery was made from other facilities.

In the judgment of the Price Administrator the supplying of bituminous coal for use as bunker fuel, whether delivery is made from a mine or preparation plant or other facility, presents, under existing conditions, a specialized problem from the standpoint of coal marketing and requires for its proper regulation a separate Maximum Price Regulation.

At the request of the Price Administrator the Bituminous Coal Division, United States Department of Interior, has cooperated with the Price Administrator in the formulation of the maximum prices established by this regulation in accordance with the arrangement effectuated by the letters, dated March 9 and March 13, 1942, exchanged between the Price Administrator and the Secretary of the Interior. So far as practicable, representative members of the industry which will be affected by this regulation have been consulted and their advice obtained.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 189 is hereby issued.

AUTHORITY: §§ 1340.301 to 1340.314, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1340.301 *Maximum prices for bituminous coal sold for direct use as bunker fuel.* On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, no supplier of bunker fuel shall sell or dispose of bituminous coal in any quantity, for direct use as bunker fuel at points on the Great Lakes or their connecting or tributary waters or at tidewater at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1340.313; and no person shall, in the course of trade or business, buy or receive bituminous coal so sold or disposed of, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1340.313; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That a supplier of bunker fuel is hereby permitted to receive not more than the maximum prices set forth in Appendix A, incorporated herein as § 1340.313, as to bituminous coal delivered for direct use as bunker fuel on and after May 18, 1942; and any person to whom bunker fuel was so delivered on and after May 18, 1942 may pay such prices.

§ 1340.302 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1340.313) may be charged, demanded, paid or offered: *Provided,* That where the supplier of bunker fuel is subject to the jurisdiction of the Bituminous Coal Division and where the effective minimum price now or hereafter established by the Bituminous Coal Division for any particular shipment of bunker fuel by such supplier is higher than the maximum price provided in this Maximum Price Regulation No. 189 for such a shipment, the particular shipment may be made at not more than the applicable minimum price.

§ 1340.303 *Adjustable pricing.* No person subject to the provisions of this Maximum Price Regulation No. 189 shall enter into any agreement permitting the adjustment of the prices of bituminous coal provided by this Maximum Price Regulation No. 189 to prices which may be higher than such maximum prices, except that any person may offer or agree to adjust or fix prices to, or at prices not in excess of, the maximum prices in affect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1340.304 *Evasion.* The price limitations set forth in this Maximum Price

[1] 7 F.R. 971.

Regulation No. 189 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, bituminous coal for direct use as bunker fuel for vessels on the Great Lakes or their connecting or tributary waters or at tidewater, as defined herein, alone or in conjunction with bituminous coal used for other purposes or with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

§ 1340.305 *Records and reports.* (a) Every supplier of bunker fuel shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale and purchase of bunker fuel made by him on and after May 18, 1942, showing the date thereof; the price received by him for the bituminous coal sold as bunker fuel; and the price, if any, paid by him for such coal; the name and address of the purchaser; the name and address of the pier or other facility from which delivery was made; the name, flag and gross tonnage of the vessel bunkered; the method of transportation or handling employed in transferring the fuel from land transportation or storage facilities to vessel bunkers; the quantity delivered; and where known, the names and mine index numbers (Bituminous Coal Division designations) of the mines at which the coal sold for bunker fuel originated, and the kind, size, quality, brand or trade name.

(b) Not later than August 25, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every supplier of bunker fuel at points at tidewater shall file with the Bituminous Coal Division of the United States Department of the Interior, at 734 15th Street NW., Washington, D. C., a statement setting forth:

(1) All prices charged by such person between January 1 and January 15, 1942, inclusive, for bituminous coal sold for direct use as bunker fuel at each point at which the coal was sold and for each size, kind and quality of coal for each class of purchaser;

(2) All price circulars, lists or schedules issued by such person on or before January 15, 1942, with respect to bunker fuel, and in effect during any portion of the period January 1–15, 1942, inclusive;

(3) The rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period January 1–15, 1942, inclusive;

(4) The charges, if any, made for any special services during the period January 1–15, 1942, inclusive, together with a description of the special service rendered; and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions) made or available to purchasers of bunker fuel during the period January 1–15, 1942, inclusive.

(c) Not later than August 25, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every supplier of bunker fuel at points on the Great Lakes and their connecting or tributary waters shall file with the Bituminous Coal Division of the United States Department of the Interior, at 734 15th Street NW., Washington, D. C., a statement setting forth:

(1) All prices charged by such person between April 15 and April 30, 1942, inclusive, for bituminous coal sold for direct use as bunker fuel at each point at which the coal was sold and for each size, kind and quality of coal for each class of purchaser;

(2) All price circulars, lists or schedules issued by such person on or before April 30, 1942, with respect to bunker fuel, and in effect during any portion of the period April 15–30, 1942, inclusive;

(3) The rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period April 15–30, 1942, inclusive;

(4) The charges, if any, made for any special services during the period April 15–30, 1942, inclusive, together with a description of the special service rendered; and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions) made or available to purchasers of bunker fuel during the period April 15–30, 1942, inclusive.

(d) Persons who are suppliers of bunker fuel shall submit such other reports and keep such other records as the Office of Price Administration may from time to time require.

§ 1340.306 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 189 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 189 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C., or with the nearest statistical bureau of the Bituminous Coal Division, United States Department of the Interior, or its principal office in Washington, D. C.

§ 1340.307 *Applications for adjustment or exception and petitions for amendment.* (a) The Administrator may by order grant an adjustment to, or exception from, the maximum price established under this Maximum Price Regulation No. 189 for any supplier of bunker fuel in any case in which such supplier of bunker fuel shows:

(1) That its maximum price is abnormally low in relation to the maximum prices established for competitive suppliers of bunker fuel; and

(2) That such abnormality subjects it to substantial hardship.

Applications under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) Any person seeking relief, for which no provision is made in the foregoing paragraph (a) of this section, from the maximum price established under this Maximum Price Regulation No. 189 may present the special circumstances of his case in an application for an order of adjustment or exception. Such application shall be filed in accordance with Procedural Regulation No. 1, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with the statement of the reasons why he believes that the granting of relief in his case, and in all like cases, will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 189 to eliminate the danger of inflation.

(c) Persons seeking any modification of this Maximum Price Regulation No. 189, or an adjustment or exception not provided for in paragraphs (a) and (b) of this section may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1.

§ 1340.308 *Definitions.* (a) When used in this Maximum Price Regulation No. 189, the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Bituminous coal" means bituminous coal as used in the Bituminous Coal Act of 1937, as amended, and includes all bituminous, semibituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignite coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place in the mine of 30 per centum or more.

(3) "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.

(4) "Supplier of bunker fuel" as used herein means any producer, distributor, retailer, bunker agent, or other person (and an agent of any of them) who sells or disposes of bunker fuel and delivers or procures the delivery of the same to vessels at points on the Great Lakes and their connecting or tributary waters or at tidewater for immediate use as bunker fuel, and who incurs the duties and risks attributable to the handling of bunker fuel. It does not include persons who sell coal to another person for general use or for delivery by such other person as bunker fuel. Delivery may be from a mine or a preparation plant operated as an adjunct of a mine or mines, or from a yard, dock, pier, elevator, bin, or other terminal facility or from a transportation vehicle or vessel.

(5) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system.

(6) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

(7) "Bituminous Coal Division" means the Bituminous Coal Division, United States Department of the Interior.

(b) Unless the context otherwise requires, the definition set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.309 *Applicability of other regulations.* (a) With respect to sales or other disposals of bituminous coal for direct use as bunker fuel, the provisions of this Maximum Price Regulation No. 189 supersede the provisions of Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant, and Maximum Price Regulation No. 122—Miscellaneous Solid Fuels Delivered from Facilities Other Than Producing Facilities—Dealers.

(b) Nothing contained in this Maximum Price Regulation No. 189 shall be construed to excuse any violation of any provision of the Bituminous Coal Act of 1937 as amended, the Bituminous Coal Code promulgated thereunder or of any schedules, regulations, rules or orders now or hereafter made effective by the Bituminous Coal Division of the United States Department of the Interior, on the part of any person subject to the jurisdiction of that agency.

§ 1340.310 *Maximum price instructions.* (a) The following maximum price instructions are applicable to the maximum prices set forth in § 1340.313 (Appendix A hereof).

(1) Where a supplier of bunker fuel maintains more than one separate facility for the sale of bunker fuel, whether at the same or different locations, separate maximum prices, in accordance with the provisions of § 1340.313 (Appendix A hereof) shall be established for each such facility.

(2) Where such charges are not included in the maximum prices provided in § 1340.313 (Appendix A hereof) there may be added to such maximum prices the charges for such service items as (specifically but not exclusively) leveling, trimming and lightering, or for the furnishing or procuring of these or other services. In the case of sales of bunker fuel at points at tidewater, such charges shall not exceed the charges made for the same service during the period January 1–15, 1942, inclusive, by the same supplier of bunker fuel; and in the case of sales of bunker fuel at points on the Great Lakes and their connecting or tributary waters, shall not exceed the charges made for the same service by the same supplier of bunker fuel in the period April 15–30, 1942, inclusive.

(3) The rate of interest on overdue accounts or a note, draft or trade acceptance, or other form of indebtedness accepted in payment of an account shall not exceed the rate charged on similar transactions by the same supplier of bunker fuel during the period January 1–15, 1942, inclusive, in the case of sales of bunker fuel at points at tidewater and the period April 15–30, 1942, inclusive, in the case of sales of bunker fuel at points on the Great Lakes and their connecting or tributary waters (except to the extent that such rate may be lower than the rate of interest required to be charged by the seller on delinquent accounts under the orders of the Bituminous Coal Division of the United States, Department of the Interior).

(4) There shall be deducted from the maximum price established in § 1340.313 (Appendix A hereof) the cash and quantity discounts and other allowances (except freight rate absorptions) made or available to the purchasers by the same supplier of bunker fuel during the period January 1–15, 1942, inclusive, in the case of sales of bunker fuel at points at tidewater and the period April 15–30, 1942, inclusive, in the case of sales of bunker fuel at points on the Great Lakes and their connecting or tributary waters.

§ 1340.311 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of bituminous coal as bunker fuel, or the supplying of a service in connection therewith, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the supplier's maximum price for such commodity or service and in preparing the records of such supplier with respect thereto:

(a) As to a tax in effect during the period January 1–15, 1942 with respect to sales of bituminous coal as bunker fuel at points at tidewater or during the period April 15–30, 1942, with respect to sales of bituminous coal as bunker fuel at points on the Great Lakes or their connecting or tributary waters: (1) If the supplier paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the supplier, but the supplier did not customarily state and collect separately from the purchase price during the period January 1–15, 1942, or the period April 15–30, 1942, as the case may be, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the supplier may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 189.

(2) In all other cases, if, at the time the supplier determines his maximum price, the statute or ordinance imposing such tax does not prohibit the supplier from stating and collecting the tax separately, the supplier may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the supplier by the vendor from whom he purchased, and in such case the supplier shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 189.

(b) As to a tax or increase in a tax which becomes effective after January 15, 1942 with respect to sales of bituminous coal as bunker fuel at points at tidewater or after April 30, 1942 with respect to sales of bituminous coal as bunker fuel at points on the Great Lakes and their connecting or tributary waters: If the statute or ordinance imposing such tax or increase does not prohibit the supplier from stating and collecting the tax or increase separately from the purchase price, and the supplier does separately state it, the supplier may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the supplier by the vendor from whom he purchased.

§ 1340.312 *Posting of maximum prices, sales slips, and receipts.* (a) On and after August 15, 1942, every person who is a supplier of bunker fuel subject to this Maximum Price Regulation No. 189 shall post the maximum price per ton of all bunker fuel offered for sale by him at the places in the business establishment where such coal is offered for sale. The maximum price shall be stated as follows: "Ceiling price $ "; or "Our ceiling $ ".

(b) On and after August 15, 1942, any person subject to this Maximum Price Regulation No. 189 who has customarily given a purchaser a sales slip or receipt or itemized statement or similar evidence of purchase shall continue to do so. Upon request from a purchaser any person subject to this Maximum Price Regulation No. 189 shall give the purchaser a receipt showing the name and address of the supplier, the price charged therefor, and, where known, the kind, size, and quality of the coal sold.

§ 1340.313 *Appendix A. Maximum prices for bituminous coal for use as bunker fuel.* This Maximum Price Regulation No. 189 establishes maximum prices for all bituminous coal sold or otherwise disposed of, in any quantity, by a person who is a supplier of bunker fuel, for delivery from a mine or a preparation plant operated as an adjunct of a mine or mines, or for delivery from a yard, dock, pier, elevator, bin, or other terminal facilities, or from a transportation vehicle or vessel, to a vessel at points on the Great Lakes and their connecting or tributary waters or at tidewater, as such terms are defined in this regulation, for use as bunker fuel therein. Bituminous coal otherwise sold or delivered, including bituminous coal sold to another person for general use or for delivery by such other person for use as bunker fuel, is not subject to this regulation, but shall be subject to Maximum Price Regulation No. 120 or Maximum Price Regulation No. 122 as the case may be.

(a) The maximum price for the sale of bituminous coal for bunkering vessels by a supplier of bunker fuel at points at tidewater shall be:

(1) The highest price at which the same person sold or delivered bunker fuel at the same point and from the same facilities, between January 1–15, 1942, inclusive. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchasers; for tug, freighter, liner; for domestic or foreign bunkers, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(2) If the maximum price cannot be determined under (1) above, the maximum price shall be the highest price in a contract executed prior to January 15, 1942 and in effect during the period of January 1–15, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so provided for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(3) If the maximum price cannot be determined under (1) or (2) above, the maximum price shall be the price specified in the last price schedule, list, or circular issued by the same person on or before January 15, 1942, and in effect during any portion of the period January 1–15, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so specified for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(4) If the maximum price cannot be determined under (1), (2) or (3) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this § 1340.313. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(b) The maximum price for the sale of bituminous coal for bunkering vessels by a supplier of bunker fuel at points on the Great Lakes and their connecting or tributary waters shall be:

(1) The highest price at which the same person sold or delivered bunker fuel at the same point and for delivery from the same facilities between April 15–30, 1942, inclusive. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchasers; for tug, freight, liner; for domestic or foreign bunkers, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(2) If the maximum price cannot be determined under (1) above, the maximum price shall be the highest price in a contract executed prior to May 1, 1942 and in effect during the period of April 15–30, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so provided for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(3) If the maximum price cannot be determined under (1) or (2) above, the maximum price shall be the price specified in the last price schedule, list, or circular issued by the same person on or before May 1, 1942, and in effect during any portion of the period April 15–30, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so specified for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freight, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(4) If the maximum price cannot be determined under (1), (2) or (3) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this § 1340.313. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser, for tug, freight, liner, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(c) Where the maximum price of any supplier of bunker fuel is established under paragraphs (a) (4) or (b) (4) of this section, such supplier shall submit to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C., not later than ten (10) days after the sale of the bunker fuel at a price so established, a description of the sale made at such price, a statement of the reasons why the maximum price could not otherwise be determined, the name of the competitive supplier of bunker fuel whose maximum price was used, and the amount of such price.

§ 1340.314 *Effective date.* Maximum Price Regulation No. 189 (§§ 1340.301 to 1340.314, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7218; Filed, July 27, 1942; 4:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.3 (b), General Maximum Price Regulation [1]—Order 47]

STEIN-DAVIES COMPANY

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.261 *Approval of maximum prices for sales of Dextrines, Gums, and comparable products by the Stein-Davies Company.* (a) The maximum price per unit for sale by the Stein-Davies Company of New York, New York, of any Dextrine, Gum, or comparable product manufactured by it, for which a maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be the sum which bears the same percentage relationship to the sum of items (1) and (2) below, as the net sales of the Stein-Davies Company in March, 1942, bore to the sum of raw material costs and manufacturing costs for all articles sold in that month, which percentage relationship is established in a statement filed by the Stein-Davies Company.

(1) Raw material costs per unit, computed on the basis of actual prices (not to exceed the applicable maximum prices) paid for raw materials, and in any case not to exceed the highest price charged in March, 1942, by the actual supplier to a purchaser of the same class as the Stein-Davies Company.

(2) Manufacturing costs—equal to the sum of the applicable unit costs prevailing during March 1942 for the operations used in making the article to be priced, as specified in a list of unit manufacturing costs filed by the Stein-Davies Company with the Office of Price Administration, dated July 1, 1942.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect during March 1942, on the sale by this company of comparable products, shall apply to the maximum prices determined under paragraph (a).

(c) On or before the last day of each month, beginning with July 31, 1942, The Stein-Davies Company shall submit to the Office of Price Administration in Washington, D. C., an individual report in affidavit form for each product priced under this Order No. 47 during the preceding month. Each such report shall include a description of the product so priced; a statement showing why the product cannot be priced under §1499.2 of the General Maximum Price Regulation, the maximum price determined; and a detailed statement of the factors referred to in paragraph (a) of this Order which were used in the determination of such maximum price. Each price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 47 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 47 (§ 1499.261) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7217; Filed, July 27, 1942; 4:05 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[Amendment 3 to Maximum Price Regulation 145 [1]]

PICKLED SHEEPSKINS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The table in paragraph (b) of § 1314.64 is amended by changing prices of two brands of New Zealand pickled sheepskins.

§ 1314.64 *Appendix B: Maximum prices for certain brands of New Zealand pickled sheepskins.* * * *

Brands Column A	Maximum prices Column B		Column C	
	Produced from lamb pelts	Produced from sheep pelts	Produced from lamb pelts	Produced from sheep pelts
*	*	*	*	*
A. F. F. Co.		$9.375	30s., 9d.	48s., 0d.
*	*	*	*	*
Wairoa				46s., 0d.
*	*	*	*	*

§ 1314.162a *Effective dates of amendments.* * * *

(c) Amendment No. 3 § 1314.164 (b) to Maximum Price Regulation No. 145 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7226; Filed, July 27, 1942; 5:20 p. m.]

PART 1340—FUEL

[Amendment 12 to Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new proviso is added to § 1340.201; a new subparagraph (9) is added to § 1340.208 (a); a new clause is added to § 1340.210 (a) (2); and the column "bunker fuel" and items therein set forth in § 1340.224 (b) (1) is revoked.

§ 1340.201 *Maximum prices for bituminous coal delivered from mine or preparation plant.* * * * *Provided,* That the provisions of this Maximum Price Regulation No. 120, and maximum prices set forth in said appendices A to V, inclusive. (§ 1340.212 to § 1340.233, inclusive) shall not apply to the sale of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting tributary waters, and and at tidewater, defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189,[2] as follows:

(a) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system;

(b) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

§ 1340.208 *Definitions.* (a) * * *

(9) "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.

* * * * * * *

§ 1340.210 *Maximum price instructions.* (a) * * *

(2) * * * *Except,* That maximum prices established herein do not apply to the sales of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters or at tidewater as defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189, and set forth in § 1340.201 above. The provisions of this Maximum Price Regulation No. 120 shall apply, however, to the sale or delivery of bituminous coal to another person who resells the same for use as bunker fuel, even though the resale by such other person may be subject to the provisions of Maximum Price Regulation No. 189, Bituminous Coal Sold for Direct Use as Bunker Fuel.

§ 1340.211a *Effective dates of amendments.* * * *

(m) Amendment No. 12 (§ 1340.201, § 1340.208 (a) (9); § 1340.210 (a) (2), and § 1340.224 (b) (1)) to Maximum Price Regulation No. 120 shall become effective August 1, 1942.

* * * * * * *

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7228; Filed, July 27, 1942; 4:05 p. m.]

PART 1340—FUEL

[Amendment No. 7 to Maximum Price Regulation No. 122 [1]]

MISCELLANEOUS SOLID FUELS DELIVERED FROM FACILITIES OTHER THAN PRODUCING FACILITIES—DEALERS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The two paragraphs of § 1340.251 are designated (a) and (b) respectively and

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4659, 4736, 5027.

[1] 7 F.R. 3746, 3889.

*Copies may be obtained from the Office of Price Administration.

[1] F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, and *supra.*

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.

[2] *Supra.*

the proviso in (a) is amended to read as set forth below; in § 1340.258 a new subdivision (iv) is added to (a) (3) and a new paragraph (a) (6) is added; and a new proviso is added at the end of the first paragraph of § 1340.261 as set forth below.

§ 1340.251 *Maximum prices for sales of solid fuels delivered from facilities other than producing facilities.* (a) • • •

(1) *Provided*, That the provisions of this Maximum Price Regulation No. 122 shall not apply to solid fuel delivered to the purchaser from a mine, preparation plant, coke oven or briquette plant in a truck or wagon by the producer of the solid fuel or by a distributor thereof;

(2) *Provided*, That the provisions of this Maximum Price Regulation No. 122 shall not apply to any bituminous coal sold for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters, and at tidewater, defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189,* as:

(i) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system.

(ii) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States and the coast of continental United States on the Gulf of Mexico.

(b) • • •

§ 1340.258 *Definitions.* (a) • • •

(3) • • •

(iv) But (i), (ii), and (iii) do not include such persons as to sales or other disposals of bituminous coals for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters, and at tidewater, as defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189, and set forth in § 1340.251 (a) (2) above.

• • • • •

(6) "Bunker fuel" means bituminous coal used on board a vessel for consumption thereon.

• • • • •

§ 1340.261 *Appendix A: Maximum prices for solid fuels delivered from facilities other than producing facilities.* • • • *Provided*, That this Maximum Price Regulation No. 122 does not apply to any bituminous coal sold for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters, and at tidewater, as defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189, and as set forth in § 1340.251 (a) (2) above.

• • • • •

§ 1340.260a *Effective dates of amendments.* • • •

(g) Amendment No. 12 (§ 1340.251, § 1340.258 (a) (3) (iv) and (a) (6), and § 1340.261 to Maximum Price Regulation No. 122 shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7207; Filed, July 27, 1942; 1:15 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 6 to Maximum Price Regulation 118 [1]]

COTTON PRODUCTS

HUCK TOWELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraphs (a) (5) and (d) (29) of § 1400.118 are amended to read as follows:

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* (a) The effective dates of the maximum prices set forth in paragraph (d) of this section are as follows:

• • • • • •

(5) For huck towels conforming to Federal Specification DDD-T-531 (without woven name or colored stripe, stamped or unstamped): July 28, 1942.

• • • • •

(d) • • •

(29) *Huck towels.* The maximum price for huck towels manufactured in accordance with Federal Specification DDD-T-531 (without woven name or colored stripe) shall be $1.73 per dozen, terms net, f. o. b. shipping point. In addition to this maximum price a premium of 5 cents per dozen may be charged for stamping if required by the specifications.

§ 1400.117 *Effective dates of amendment.* • • •

(g) Amendment No. 8 (§ 1400.118 (a) (5), (d) (29)) to Maximum Price Regulation No. 118 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7225; Filed, July 27, 1942; 5:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Adjustment of Maximum Prices Under § 1499.18 (c) of General Maximum Price Regulation [2]—Order No. 4]

PACIFIC LUMBER INSPECTION BUREAU, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.354 *Adjustment of maximum prices for sale of grading services, etc., by the Pacific Lumber Inspection Bureau, Inc.* (a) The maximum price for the sale by the Pacific Lumber Inspection Bureau, Inc., 809 White Building, Seattle, Washington, of the services of grading, tallying, grade marking, inspecting or certifying grades and/or tallies of lumber or lumber products shall be a price computed on the pricing formula in use by this company in March 1942, and based upon cost and other factors at the March 1942 levels, except that the factor of labor cost may be based upon the wage rate which the company on February 20, 1942 agreed upon with the Northwest Lumber Inspector's Union, No. 20877, chartered by and affiliated with the American Federation of Labor.

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 4, (§ 1499.354) shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7224; Filed, July 27, 1942; 5:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Adjustment of Maximum Prices Under § 1499.18 (c), General Maximum Price Regulation [1]—Order No. 5]

VIRGINIA SWEET FOODS, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.355 *Adjustment of maximum prices for sales of pancake flour and buckwheat pancake flour by Virginia Sweet Foods, Inc. of Greenfield, Indiana.* (a) Virginia Sweet Foods, Inc. of Greenfield, Indiana, is hereby authorized to sell and offer, agree, solicit and attempt to sell pancake flour (packed 24—20 oz. packages to the case) at a price not exceeding $1.29 per case delivered in carload quantities and to sell and offer, agree, solicit and attempt to sell buckwheat pancake flour (packed in 24—20 oz. packages to the case) at a price not exceeding $1.60 per case delivered in carload quantities, except that on all sales of the aforementioned products delivered in the states of Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, and Mississippi, Virginia Sweet Foods, Inc. may determine its maximum prices by adding 10¢ per case to the above prices.

The maximum prices herein determined for carload quantities may be increased for sales in pool cars, mixed cars or less-than-carload quantities by the differential in cents applied, or which would have been applied, by Virginia Sweet Foods, Inc. for such sales during March 1942. All maximum prices so determined shall be subject to discounts, allowances and terms no less favorable than those given during March 1942.

(b) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 5 (§ 1499.355) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7223; Filed, July 27, 1942; 5:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF1-567-P]

KYANITE PRODUCTS CORP.

Order 6 Under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an Opinion issued simultaneously herewith, it is ordered:

§ 1499.356 *Adustment of maximum prices for kyanite produced by Kyanite Products Corporation.* (a) Kyanite Products Corporation, of 11 Broadway, New York, New York, may sell and deliver, and any person may buy and receive from Kyanite Products Corporation the following grades of kyanite at prices not higher than those set forth below:

STANDARD KYANITE

[Net ton prices f. o. b. Cullen (Vgn. R. R.) or Pamplin (N. & W. R. R.) Va.]

	Raw	Calcined (Mullite)
35 mesh:		
Less than carload lots, 100 lb. bags	$22.50	$27.50
Carloads, 100 lb. bags	21.50	26.50
Carloads in bulk	19.00	
48 or 100 mesh:		
Less than carload lots, 100 lb. bags	24.50	29.50
Carloads, 100 lb. bags	23.50	28.50
200 mesh:		
Less than carload lots, 100 lb. bags	27.50	32.50
Carloads, 100 lb. bags	26.50	31.50
325 mesh:		
Less than carload lots, 100 lb. bags	37.50	42.50
Carloads, 100 lb. bags	36.50	41.50

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 6 (§ 1499.356) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 6 (§ 1499.356) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7221; Filed, July 27, 1942; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket GF1-286-P]

MALT-A-PLENTY, INC.

Order No. 8 under § 1499.18 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.308 *Adjustment of maximum prices for Plenty Powder sold by Malt-A-Plenty, Incorporated.* (a) Malt-A-Plenty, Incorporated of 1019 South Troost, Tulsa, Oklahoma, may sell and deliver and any person may buy and receive from Malt-A-Plenty, Incorporated, Plenty Powder at prices not higher than those set forth below:

Seventeen cents ($0.17) per pound to purchasers of the class charged fourteen cents ($0.14) per pound during March 1942. Twenty-five cents ($0.25) per pound to purchasers of the class charged twenty-two cents ($0.22) per pound during March, 1942. Any customary discounts and allowances, given during March per pound to such classes of purchasers shall be continued to purchasers of the same class.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 8 shall be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 (§ 1499.308) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 8 (§ 1499.308) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7222; Filed, July 27, 1942; 5:20 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, Part 7 of the Rules and Regulations Governing the Anchorage and Movements of Vessels and Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401), as amended, is hereby further amended as follows:

The following new subparagraph is added to § 7.5 (b):

(16) No vessel shall approach within one hundred yards of any of the obstructions placed near harbor entrances, except for the purpose of transiting the regularly prescribed gate opening, unless specifically authorized by the Captain of the Port or proper Naval authority.

The following item is added to § 7.10 (c) (18):

Little Neck Bay, New York. The portion of the Port of New York, Long Island Sound Anchorage No. 5 southward of a line (latitude 40°47'33") ranging due east from the flag pole at Fort Totten, Willets Point, and eastward of a line (longitude 73°46'10") ranging due north from the flag pole at the Bayside Yacht Club. (See U.S.C. and G.S. Chart No. 223.)

§ 7.31 *Area of forbidden anchorage.* Hampton Roads, Virginia. Except in cases of great emergency, no vessel shall anchor in the following area unless the owner, master, agent, or operator of such vessel has been issued a permit by the Captain of the Port, or U. S. District Engineer:

Starting at a point on the 37th parallel located 256 degrees 30 min. true, 825 yards from Old Point Comfort Light; thence 108 degrees true, 315 yards; thence 84 degrees 30 min. true, 425 yards; thence 67 degrees true, 380 yards; thence 43 degrees 30 min. true, 2,650 yards; thence 90 degrees true, 3,020 yards; thence 172 degrees true, 2,040 yards, thence 252 degrees true, 5,230 yards to Fort Wool Light; thence 247 degrees true, 1,000 yards to Sewall Point Spit Lighted Bell Buoy #2; thence 348 degrees 30 min. true to point of origin.

Section 7.95 (a) is amended by revising the second paragraph thereof to read as follows:

(a) • • • The Captain of the Port is the Officer of the Coast Guard designated as such by the Commandant for certain ports and territorial waters of the United States. The Captain of the Port shall administer and enforce these rules and regulations, as well as such rules and regulations as are contained in parts 6 and 9 of this chapter, under the supervision and general direction of the District Coast Guard Officer.

FRANK KNOX,
Secretary of the Navy.

Approved: July 24, 1942.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 42-7239; Filed, July 28, 1942; 9:43 a. m.]

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[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5524, 5405, 5567.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3091, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276.

*Supra.

PART 8—REGULATIONS, U. S. COAST GUARD RESERVE

The Regulations, United States Coast Guard Reserve, 1941 (6 F.R. 1925), as amended, are hereby further amended as follows:

Section 8.8101 is amended to read as follows:

§ 8.8101 *Uniforms prescribed.* Regular reservists shall wear the uniform prescribed for officers and men of corresponding ranks and ratings in the regular Coast Guard. The uniform for temporary reservists shall be as prescribed by the Commandant.

R. R. WAESCHE,
Commandant.

Approved: July 24, 1942.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 42-7240; Filed, July 28, 1942; 9:43 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam, More Than 65 Feet in Length

PART 29—ENFORCEMENT

Section 29.8 of Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam, More Than 65 Feet in Length, Part 29, Enforcement, of this title, as amended, is further amended to read as follows:

§ 29.8 *Procedure relating to numbering of motorboats.* (a) Application for a certificate of award of number will be made by the owner to the District Coast Guard Officer having jurisdiction over the area in which the owner resides.

(b) The following undocumented vessels are required to be numbered:

(1) All boats equipped with permanently fixed engines.

(2) All boats over 16 feet in length equipped with detachable engines.

(3) All boats not more than 16 feet in length equipped with detachable engines as the ordinary means of propulsion.

(c) The following undocumented vessels are not required to be numbered:

(1) All boats not exceeding 16 feet in length equipped with detachable engines and falling within the following classes:

(i) Rowboats and canoes designed and intended for the use of oars or paddles as the ordinary means of propulsion.

(ii) Sailboats.

(iii) Boats designed and used solely for the purpose of racing or operation incident to racing.

(d) A certificate of award of number of an undocumented vessel operated in whole or in part by machinery, when such vessel is not commissioned, shall be kept on board at all times and shall be accessible to the person in charge except when such papers are in the custody of the District Coast Guard officer. This requirement does not apply to any such vessels if they do not exceed 17 feet in length, measured from end to end over the deck, excluding sheer, nor to any vessels, regardless of length, if the design or fittings are such that the carrying of the certificate of award of number on board would render it imperfect, illegible, or would otherwise tend to destroy its usefulness as a means of ready identification.

(e) For the duration of the war, the issuance of a certificate of award of number under the Numbering Act of June 7, 1918, as amended (46 U.S.C., Sup. 288), to a vessel the sale or transfer of which in whole or in part is subject to Section 37 of the Shipping Act, 1916, as amended (46 U.S.C. 835), shall be governed by the following:

(1) Where such vessel has been, since May 27, 1941, sold or transferred in whole or in part without the approval of the U. S. Maritime Commission, no new certificate of award of number shall be issued. Such attempted sale or transfer is void and is not a change of ownership within the meaning of the Act of June 7, 1918, as amended. The original citizen owner may retain the certificate of award of number issued to the vessel in his name as owner. If the bill of sale on the reverse side of the certificate of award of number has been executed, such bill of sale should be canceled by marking such bill of sale "Void." The following are not changes of ownership within the meaning of the Act of June 7, 1918, as amended:

(i) By a citizen to a person not a citizen of the United States.

(ii) By a citizen to a person not a citizen of the United States and then resold by such person to the same citizen.

(iii) By a citizen to a person not a citizen of the United States and then resold by such person to another citizen.

(iv) By a citizen to a person not a citizen of the United States and then resold by such person to another person not a citizen of the United States.

(2) In cases of sale or transfer since May 27, 1941, with the approval of the U. S. Maritime Commission, the procedure outlined in paragraph (a) of this section shall be followed and, in addition, there shall be filed with the application for a certificate of award of number a certified copy of the transfer order of the U. S. Maritime Commission approving such sale or transfer. The District Coast Guard Officer shall endorse upon the certificate of award of number the following: sale (or transfer) to noncitizen approved by the U. S. Maritime Commission transfer order No. ——— dated ———.

(f) For the duration of the war and six months thereafter, every undocumented motor vessel, which is required to be numbered, and which is found on the navigable waters of the United States, shall have the number painted on its structure in the following manner:

(1) The number awarded shall be painted horizontally in block characters, reading from left to right, on each side of the vessel, as near the forward end as legibility of the entire number for surface and aerial identification permits.

(2) The number shall be painted with paint which contrasts to the color of the hull, i. e., if the hull is light the color of the numbers shall be dark, or if the hull is dark the color of the numbers shall be light.

(3) The number shall be painted parallel with the water line and the distance between the water line and the bottom of the number shall not be less than the minimum height of the number. The height of the number shall be in accordance with the following scale:

Length of vessel:	Height of letters (inches)
Under 20'0"	6–8
20'0" and under 40'0"	10
40'0" and under 60'0"	18
60'0" and over	24

The width of the characters of the number and the thickness of the individual numbers will be in accordance with accepted engineering practices.

(4) If the construction of the boat permits, the number shall also be painted on a conspicuous part of the top side for the purpose of serial identification. The number shall be placed athwart ships or fore and aft, depending upon which of these two areas is the larger, and shall be painted in a color which contrasts to the color of the top side, and the size of the individual numbers shall be in proportionate ratio to the scale set forth in the preceding paragraph.

(g) The owner of a numbered boat shall be required, within 10 days, to notify the District Coast Guard Officer having jurisdiction over the area in which he resides if:

(1) the boat is lost, destroyed, or abandoned;

(2) he moves his permanent residence to a place in another Customs District or to a place within the jurisdiction of another District Coast Guard Officer;

(3) The boat is transferred from one person to another.

In all such cases the notice shall be accompanied by a surrender of the certificate of award of number if the same is in existence.

(h) The statute upon which these regulations are based does not amend section 14 of the Act of March 4, 1915, requiring the marking of lifeboats. Therefore, motor lifeboats which are carried on a merchant vessel of the United States as a part of the vessel's lifesaving apparatus are only required to be marked in accordance with the provisions of Section 14 of the Act of March 4, 1915, and need not be issued individual certificates of award of number. (R.S. 161, Sec. 5, 40 Stat. 602, as amended; 5 U.S.C. (1940 ed.) 22, 46 U.S.C. (1940 ed.) 288; E.O. 9074, 7 F.R. 1587).

Chapter II—Coast Guard: Inspection and Navigation, is amended by the addition of the following new Subchapter:

Subchapter P—General Provisions

PART 180—ENFORCEMENT

§ 180.1 *Reports of violations.* Reports of violations of navigation laws and regulations administered and enforced by the Coast Guard shall be submitted to the District Coast Guard Officer having jurisdiction over the area in which the violations occurred. The person charged with a violation shall be notified of the penalties which he has incurred and of his opportunity to make application to the appropriate officer for administrative relief by way of remission or mitigation. If the person charged does not avail himself of the opportunity to apply for administrative relief, he shall be assessed the full amount of the statutory penalties involved. Where any amount due has not been paid within the prescribed period, the case will be referred to an appropriate United States Attorney for court action. (R.S. 161, Sec. 5, 40 Stat. 602, as amended; 5 U.S.C. (1940 ed.) 22, 46 U.S.C. (1940 ed.) 288; E.O. 9074. 7 F.R. 1587).

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

JULY 27, 1942.

[F. R. Doc. 42-7178; Filed, July 27, 1942; 12:27 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Correction of General Order O.D.T. No. 17[1]]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART K—MOTOR CARRIERS OF PROPERTY

In subparagraph (4) [2] of paragraph (c) of § 501.68, General Order O.D.T. No. 17, the words "such contract carrier" should read "such motor carrier", and General Order O.D.T. No. 17 is hereby corrected accordingly.

Issued at Washington, D. C., this 27th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7241; Filed, July 28, 1942; 9:33 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1942, 1st Amendment; Dep't. Circ. 660]

UNITED STATES OF AMERICA 2 PERCENT DEPOSITARY BONDS

JULY 28, 1942.

Department Circular No. 660,[3] dated May 23, 1941, is hereby amended as follows:

1. By deleting the second sentence of paragraph No. 1 of part I (Offering Of Bonds), of the circular and inserting in lieu thereof the following sentence:

* * * These bonds may be subscribed for, at par, by depositaries and financial agents designated under the provisions of section 5153 of the Revised Statutes of 1873, as amended (U.S.C., title 12, sec. 90); the Act of May 7, 1928, 45 Stat. 492 (U.S.C., title 12, sec. 332); the Act of June 19, 1922, 42 Stat. 662 (U.S.C., title 31, sec. 473); and section 10 of the Act of June 11, 1942 (Public No. 603—77th Congress, Chapter 404—2d Session), which have executed a depositary, financial agency and collateral agreement satisfactory to the Secretary of the Treasury. * * *

2. By deleting the first sentence of paragraph No. 3 of part II (Description Of Bonds), of the circular and inserting in lieu thereof the following sentence:

The bonds will be acceptable to secure deposits of Federal funds with, and the faithful performance of duties by, depositaries and financial agents designated under the provisions of section 5153 of the Revised Statutes of 1873, as amended (U.S.C., title 12, sec. 90); the Act of May 7, 1928, 45 Stat. 492 (U.S.C., title 12, sec. 332); the Act of June 19, 1922, 42 Stat. 662 (U.S.C., title 31, sec. 473); and section 10 of the Act of June 11, 1942 (Public No. 603—77th Congress, Chapter 404—2d Session), and may not be obtained or used for any other purpose.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 42-7259; Filed, July 28, 1942; 11:27 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1556]

PEABODY COAL COMPANY—DISTRICT BOARD NO. 10

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 10 for Temporary and Permanent Order authorizing Peabody Coal Company to purchase, process and resell certain coal at applicable prices under the trade name "Black Arrow".

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act, having been duly filed with this Division by the above-named party, requesting authorization for the Peabody Coal Company to purchase, during the period July 27, 1942, to August 27, 1942, both dates inclusive, at not less than the effective minimum prices therefor, 2" and 1½" raw screenings from the Chicago, Wilmington & Franklin Coal Company, produced at the New Orient and Orient No. 1 Mines (Mine Index Nos. 108 and 124, respectively), and transport said coals at a mill-in-transit rate to the washing plant located at petitioner's Black Arrow No. 18 Mine (Mine Index No. 9) for washing, sizing and resale as "Black Arrow" coal at not less than the applicable minimum prices for coal produced at said Black Arrow No. 18 Mine; and

Petitioner having alleged that it is necessary to purchase said coal from the Chicago, Wilmington & Franklin Coal Company in order to fulfill commitments made for "Black Arrow" coals because its Black Arrow No. 18 Mine will be closed down for repairs during the period from July 27, 1942, to August 27, 1942, and that the trade name "Black Arrow," trade mark No. 188544, registered August 6, 1924, in the United States Patent Office, authorizes it to sell coals produced at the New Orient and Orient No. 1 Mines of the Chicago, Wilmington & Franklin Coal Company as "Black Arrow"; and

The Acting Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The Acting Director deeming that this action is necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That temporary relief be and the same hereby is granted as follows: Peabody Coal Company during the period July 27, 1942, to August 27, 1942, both dates inclusive, may purchase 2" and 1½" raw screenings from the Chicago, Wilmington & Franklin Coal Company, produced at its new Orient and Orient No. 1 Mines (Mine Index No. 108 and No. 124, respectively) at not less than the applicable minimum price for such coals and transport said coals at a mill-in-transit rate to the washing plant at its Black Arrow No. 18 Mine (Mine Index No. 9), wash and size said coal and resell it as "Black Arrow" coal at not less than the applicable effective minimum prices for coal produced at its Black Arrow No. 18 Mine (Mine Index No. 9).

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within ten (10) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 27, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7247; Filed, July 28, 1942; 11:12 a. m.]

[Docket No. C-15]

B. F. GOODRICH COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of the B. F. Goodrich Company for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of coal produced at a mine of the B. F. Goodrich Company in District No. 4 having been filed on June 16, 1942, by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937;

It is ordered, That a hearing in the above-entitled matter, under the applicable provisions of said Act and the rules of the Division, be held on August 17, 1942, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such

[1] 7 F.R. 5678.
[2] 7 F.R. 5680.
[3] 6 F.R. 2585.

day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said applicant and to all other parties herein and to all persons and entities having an interest in these proceedings and eligible to become a party herein. Any person or entity eligible under Section VII (1) of the Rules of Practice and Procedure before the Bituminous Coal Division may file a petition for intervention not later than fifteen (15) days after the date of the issuance of this Notice of and Order for Hearing.

Notice is hereby given that:

(1) Within fifteen (15) days from the date of the issuance of this Notice of and Order for Hearing, the applicant and each interested party shall file with the Division a concise statement in writing of the facts expected to be proved by such person at the hearing. Interested parties shall also file a written intervention in compliance with Rule VIII of the aforesaid Rules of Practice and Procedure. The statements of facts shall be considered as pleadings and not as evidence of the fact therein stated. The affirmative evidence offered by a party at the hearing shall be limited to the said statement of facts filed by such party.

(2) If no written statement of the facts expected to be proved at the hearing is filed by the applicant within the 15-day period, in the absence of extenuating circumstances, the application shall be deemed to have been withdrawn on the expiration of said period in accordance with the provisions of Rule VII (g) of the aforesaid Rules of Practice and Procedure.

(3) If the applicant does not appear and offer evidence in support of its statement of facts, in the absence of extenuating circumstances, the application shall be deemed to have been withdrawn in accordance with the provisions of section VII (g) of the aforesaid Rules of Practice and Procedure.

(4) The burden of proof in this proceeding shall be on the applicant.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the application, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this application.

The matter concerned herewith is in regard to the application of the B. F. Goodrich Company for a determination of the status of coal produced at a mine of the said company in Tuscarawas County, Ohio. The said application alleges that such coal is exempt from section 4 of the Act because it is coal produced, transported and consumed by the applicant within the meaning of section 4 II (1) of the Bituminous Coal Act of 1937.

Dated: July 27, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7248; Filed, July 28, 1942; 11:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P. & S. Docket No. 445]

ABERNATHY LIVE STOCK COMMISSION CO., ET AL.

NOTICE OF PETITION FOR MODIFICATION OF ORDER

In the matter of W. H. Abernathy and Charles J. Turner, doing business as Abernathy Live Stock Commission Company, et al.

By an order dated July 10, 1935, made pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181) the Secretary of Agriculture prescribed maximum rates and charges for selling and buying livestock at the Fort Worth Stock Yards, Fort Worth, Texas. On or about May 22, 1942, J. O. Aiken, an individual trading as Aiken Live Stock Commission Co., Will H. Barse, an individual trading as Barse Livestock Comm. Co., Frank Bell, an individual trading as Bell Commission Co., O. H. Thornton, Harry B. Kahn, and Art Boswell, partners, trading as Boswell Kahn Thornton L. S. Comm. Co., Chas. R. Breedlove and Rosa C. Breedlove, partners, trading as Breedlove Live Stock Comm. Co., Ben Carson and Frank Carson, partners, trading as Carson Live Stock Commission Co., Cassidy Commission Company, a corporation, H. Christian and W. R. Christian, partners, trading as Christian and Son Livestk. Comm. Co., Frank H. Connor, Alan F. Wilson, Maxwell B. Morgan, and Charles G. Smith, partners, trading as John Clay & Company, Chas. W. Daggett, an individual trading as Daggett Keen Commission Co., Geo. L. Deupree, an individual trading as Geo. L. Deupree Live Stock Commission Co., G. C. Steen, an individual trading as Drive-In Live Stock Comm. Co., C. M. (Pete) Wallace and Tom Boone, partners, trading as Estill Live Stock Comm. Co., Max Farmer, J. D. Farmer, Jr., and Jolly Farmer, partners, trading as Farmer Commission Co., Harry Fifer, an individual trading as Fifer Live Stock Commission Company, R. A. Hamm and R. W. Hamm, partners, trading as Hamm Commission Co., M. I. Holland, an individual trading as Holland Commission Co., H. M. Howell, an individual trading as Howell Bros. Livestock Commission Co., Sam R. Hunnicutt, an individual trading as Hunnicutt Livestock Commission Co., Roland E. Jary and Lloyd W. Jary, partners, trading as Jary Commission Company, Joe N. Johnston, an individual trading as Joe Johnston Livestock Commission Co., C. L. Keen, Jr., an individual trading as Clarence Keen & Sons Comm. Co., Edward Whisenant, an individual trading as Lone Star Live Stock Commission Co., W. A. Matthews, an individual trading as W. A. (Bill) Matthews Live Stock Com. Co., J. L. McDowell, an individual trading as J. L. McDowell L. S. Com. Co., National Livestock Com. Co., Inc., a corporation, T. A. Nored and H. P. Hutchens, partners, trading as Nored-Hutchens Commission Company, J. W. Perryman, an individual trading as J. W. Perryman Livestock Comm. Co., Geo. W. Saunders Live Stock Com. Co., a corporation, T. B. Saunders, an individual trading as T. B. Saunders and Company, J. L. Schwartz and J. Q. Corbett, partners, trading as Schwartz and Corbett Comm. Co., Clint Shirley, an individual trading as Shirley Livestock Com. Co., C. E. Stetler, an individual trading as C. E. (Claude) Stetler & Son, Texas Livestock Marketing Assoc., a corporation, Bud Wilsford, an individual trading as Bud Wilsford Commission Co., Joe Woody and J. D. Kutch, partners, trading as Woody-Kutch Company, Marvin Wright, an individual trading as Marvin Wright Comm. Co., J. R. Gray, an individual trading as J. R. (Cap) Gray Live Stock Com. Merchant, W. H. Goodner, an individual trading as W. H. Goodner Commission Co., hereinafter referred to as petitioners, filed a petition for an increase in rates and a modification in tariff structure, and as reasons therefor, alleged in substance:

1. Labor costs have increased.
2. The expenses of travel and the cost of materials have increased.
3. Since the date of the original order, taxes have increased and new taxes have been imposed.
4. Since rail receipts are decreasing, while small truck shipments are increasing, rates fixed on a headage basis would be more equitable.

It appears that public notice should be given to all interested persons of the request of the petitioners for a modification of the order heretofore issued, and to afford all interested persons, including patrons of the petitioners, an opportunity to be heard on the matter.

Therefore, by direction of the Secretary of Agriculture,

It is ordered, That notice be, and hereby is, given to the public of the petition filed by the petitioners in P. & S. Docket No. 445 for the purpose of obtaining an increase in their rates and charges prescribed thereunder.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

It is further ordered, That all interested persons who desire to be heard on this matter shall give notice thereof by filing a written request to be heard with the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, within twenty days from the date of the publication of this order.

It is further ordered, That a copy of this order be served upon the petitioners by registered mail.

Done at Washington, D. C., this 25th day of July 1942.

ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-7214; Filed, July 27, 1942; 3:13 p. m.]

Rural Electrification Administration.

[Administrative Order 722]

ALLOCATION OF FUNDS FOR LOANS

JULY 15, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
South Dakota 3-7011C1 Pennington	$22,800
Texas 3-8041E5 Panola	20,000
Washington 3-8037A3 Lincoln	20,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-7261; Filed, July 28, 1942; 11:36 a. m.]

[Administrative Order 723]

ALLOCATION OF FUNDS FOR LOANS

AMENDMENT TO ORDER

JULY 20, 1942.

I hereby amend: (a) Administrative Order No. 369, dated June 30, 1939, and Administrative Order No. 457, dated May 10, 1940, insofar as they pertain to "Illinois 9-0044GM1 Carroll" (project designation changed by Amendment to General Order No. 84, dated February 15, 1941, from "Illinois 9-0044G1 Carroll" to "Illinois 9-0044GM1 Carroll") by reducing the allocation of $75,000 therein made by $20,000, so that the reduced allocation shall be $55,000; and by changing the project designation covering the said $20,000 to read "Illinois 9-0044C2 Carroll" so that such funds shall supplement the allocation of $110,000 made to "Illinois 2044C1 Carroll" in Administrative Order No. 626, dated October 8, 1941.

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-7262; Filed, July 28, 1942; 11:36 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SR-357]

HANS GROENHOFF

ORDER ASSIGNING ORAL ARGUMENT

In the matter of the petition of Hans Groenhoff for reconsideration of the refusal of the Administrator of Civil Aeronautics to reinstate his pilot certificate and to issue a pilot identification card.

Pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 602 (b) and 1004 (a) thereof.

It is ordered, That the above entitled proceeding is hereby assigned for oral argument before the Board on July 31, 1942, at 2:30 p. m. (Eastern War Time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C.

Dated Washington, D. C.,
By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-7265; Filed, July 28, 1942; 11:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

ALFRED STIDHAM TIRE CO.

SUSPENSION ORDER

Suspension Order No. 3 under Tire Rationing Regulations restricting transactions by Alfred Stidham and Alfred Stidham Tire Company.

Alfred Stidham, doing business as Alfred Stidham Tire Company, 1336 Fourteenth Street NW., Washington, D. C., herein called respondent, is engaged in selling tires and tubes and is subject to the Tire Rationing Regulations [1] and the Revised Tire Rationing Regulations [2] issued by the Office of Price Administration. There was duly served on respondent a notice of specific charges of violations of the Tire Rationing Regulations, and a notice of hearing thereon. Pursuant to said notice a hearing upon said charges was held on June 10, 1942 in Washingon, D. C. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been duly considered by the Deputy Administrator,

It is hereby determined:

(a) That respondent has violated the Tire Rationing Regulations in that respondent between February 9, 1942 and February 17, 1942 sold, transferred and delivered seven hundred and forty-four (744) new tires to Diamond Service Company without the presentation of a certificate issued pursuant to said Tire Rationing Regulations.

(b) That respondent has violated the Revised Tire Rationing Regulations in that respondent between March 6, 1942 and April 17, 1942 sold, transferred and delivered one hundred and thirty-eight (138) new tires and one hundred and twenty-six (126) new tubes to consumers without the presentation of a certificate issued pursuant to the Revised Tire Rationing Regulations, in the instances set forth with particularity in the notice of charges in these proceedings.

Because of the great scarcity and critical importance of new tires and tubes, violations of the Tire Rationing Regulations and Revised Tire Rationing Regulations necessarily result in the diversion of new tires and tubes from military and essential civilian uses into nonessential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Deputy Administrator, on the evidence before him, that further violations of these Regulations are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 3 shall be in effect,

(1) Respondent, his successors or assigns, shall not accept any deliveries or transfers of nor in any manner directly or indirectly receive from any source any new tires, new tubes, recapped or retreaded tires.

(2) Respondent, his successors or assigns, shall not accept any purchase orders or enter into any contracts or commitments for the sale or delivery of, nor in any manner directly or indirectly sell, transfer or deliver any new tires, new tubes, recapped or retreaded tires.

(3) No person shall in any manner directly or indirectly sell, transfer or deliver any new tires, new tubes, recapped or retreaded tires to respondent, his successors or assigns, regardless of whether such new tires, new tubes, recapped or retreaded tires have been previously purchased and completely paid for.

(b) Nothing in this Order shall be construed to prohibit respondent from receiving and recapping or retreading tires the carcasses of which are supplied to respondent by other persons for recapping or retreading on behalf of such persons and redelivering such retreaded or recapped tires to such persons.

(c) Any terms used in this Order that are defined in the Revised Tire Rationing Regulations shall have the meaning there given them.

(d) This Order shall become effective 12:01 A. M., July 29th, 1942 and unless sooner terminated shall expire 12:01 A. M., September 27th, 1942. (Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925); O.P.M. Supplementary Order M-15-c (6 F.R. 6792)

Issued this 25th day of July 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42-7197; Filed, July 27, 1942; 1:16 p. m.]

AMERICAN TIRE CO.

SUSPENSION ORDER

Suspension Order No. 4 under Tire Rationing Regulations restricting transactions by David Finkelstein, David D. Paul and American Tire Company.

David Finkelstein and David D. Paul, co-partners, doing business as American Tire Company, 1219 K Street NE., Washington, D. C., herein called respondents, are engaged in selling tires and tubes

[1] 7 F.R. 72.
[2] 7 F.R. 1027.

and are subject to the Tire Rationing Regulations [1] issued by the Office of Price Administration. There was duly served on the respondents a notice of specific charges of violations of the Tire Rationing Regulations, and a notice of hearing thereon. Pursuant to said notice a hearing upon said charges was held on June 11, 1942, in Washington, D. C. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been duly considered by the Deputy Administrator,

It is hereby determined:

(a) That respondents have violated the Tire Rationing Regulations in that respondents on February 11, 1942 sold, transferred and delivered one hundred and fifty-five (155) new tires to Diamond Service Company without the presentation of a certificate issued pursuant to said Tire Rationing Regulations.

Because of the great scarcity and critical importance of new tires and tubes, violations of the Tire Rationing Regulations and Revised Tire Rationing Regulations necessarily result in the diversion of new tires and tubes from military and essential civilian uses into nonessential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Deputy Administrator, on the evidence before him, that further violations of these Regulations are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 4 shall be in effect,

(1) Respondents, their successors or assigns, shall not accept any deliveries or transfers of, nor in any manner directly or indirectly receive from any source any new tires, new tubes, or recapped or retreaded tires.

(2) Respondents, their successors or assigns, shall not accept any purchase orders or enter into any contracts or commitments for the sale or delivery of, nor in any manner directly or indirectly sell, transfer or deliver any new tires, new tubes, or recapped or retreaded tires.

(3) No person shall in any manner directly or indirectly sell, transfer or deliver any new tires, new tubes, or recapped or retreaded tires to respondents, their successors or assigns, regardless of whether such new tires, new tubes, or recapped or retreaded tires have been previously purchased and completely paid for.

(b) Nothing in this Order shall be construed to prohibit respondents from receiving and recapping or retreading tires the carcasses of which are supplied to respondents by other persons for recapping or retreading on behalf of such persons and redelivering such retreaded or recapped tires to such persons.

(c) Any terms used in this Order that are defined in the Revised Tire Rationing Regulations shall have the meaning there given them.

(d) This Order shall become effective 12:01 A. M., July 29, 1942 and unless sooner terminated shall expire 12:01 A. M., August 28, 1942. (Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925); O.P.M. Supplementary Order M–15–c (6 F.R. 6792))

Issued this 25th day of July 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42-7198; Filed, July 27, 1942; 1:16 p. m.]

[1] 7 F.R. 72.

WOOD AUTO SUPPLY CO.

SUSPENSION ORDER

Suspension Order No. 5 under Tire Rationing Regulations restricting transactions by W. P. Wood and Wood Auto Supply Company.

W. P. Wood, doing business as Wood Auto Supply Company, 207 West Broadway, Okemah, Oklahoma, hereinafter called respondent, is engaged in selling tires and tubes and is subject to the Tire Rationing Regulations [1] and the Revised Tire Rationing Regulations [2] issued by the Office of Price Administration. There was duly served on respondent a notice of specific charges of violations of the Tire Rationing Regulations and a notice of hearing thereon. Pursuant to said notice a hearing upon said charges was held on June 30, 1942, in Okemah, Oklahoma. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been duly considered by the Deputy Administrator,

It is hereby determined:

That respondent has violated said Tire Rationing Regulations and Revised Tire Rationing Regulations in that respondent,

(a) on December 31, 1941 falsely represented to the Office of Price Administration his stocks of new tires and tubes on hand on December 12, 1941.

(b) on February 17, 1942 falsely represented to the Office of Price Administration his stock of new tires and tubes on hand on December 12, 1941.

(c) has failed to make proper reports of stocks of new tires and tubes on hand on December 12, 1941.

(d) has failed on January 31, February 28, and March 31, 1942, to make an inventory of all new tires and tubes in his possession or control and to keep a record thereof.

(e) has failed to keep and preserve records concerning inventories and sales of new tires and tubes for inspection by the Office of Price Administration.

Because of the great scarcity and critical importance of new tires and tubes, failure to make true reports and to keep accurate records as required by the Tire Rationing Regulations and Revised Tire Rationing Regulations by hindering and obstructing the proper administration of such Regulations necessarily result in the diversion of new tires and tubes from military and essential civilian uses into nonessential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Deputy Administrator, on the evidence before him, that further violations of these Regulations are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 5 shall be in effect,

(1) Respondent, his successors or assigns, shall not accept any deliveries or transfers of, nor in any manner directly or indirectly receive from any source any new tires or new tubes.

(2) Respondent, his successors or assigns, shall not accept any purchase orders or enter into any contracts or commitments for the sale or delivery of, nor in any manner directly or indirectly sell, transfer or deliver any new tires or new tubes.

(3) No person shall in any manner directly or indirectly sell, transfer or deliver any new tires, or new tubes to respondent, his successors or assigns, regardless of whether such new tires or new tubes have been previously purchased and completely paid for.

(b) Any terms used in this Order that are defined in the Revised Tire Rationing Regulations shall have the meaning there given them.

(c) This Order shall become effective 12:01 A. M., July 29, 1942, and unless sooner terminated shall expire 12:01 A. M., August 28, 1942. (Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925); O.P.M. Supplementary Order M–15–c (6 F.R. 6792).

Issued this 25th day of July 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42-7199; Filed, July 27, 1942; 1:16 p. m.]

[1] 7 F.R. 72.
[2] 7 F.R. 1027.

ALBERT R. LEE & CO., INC.

APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 5 Under Supplementary Regulation No. 1.[1]

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agencies of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Albert R. Lee & Co., Inc., 90 John Street, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Albert R. Lee & Co., Inc., New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 5 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7191; Filed, July 27, 1942; 1:00 p. m.]

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4423, 4487, 4488, 4493, 4669, 5066, 5192, 5192, 5276, 5366.

WESTERN SALVAGE AND APPRAISAL COMPANY

APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 6 Under Supplementary Regulation No. 1.[1]

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agencies of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Western Salvage and Appraisal Company, 417 Central Avenue, Minneapolis, Minnesota.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Western Salvage and Appraisal Company, Minneapolis, Minnesota, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 6 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7192; Filed, July 27, 1942; 12:58 p. m.]

SUGARMAN BROTHERS

APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 7 under Supplementary Regulation No. 1.[1]

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agencies of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Sugarman Brothers, 107 Front Street, San Francisco, California.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Sugarman Brothers, San Francisco, California, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 7 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7193; Filed, July 27, 1942; 12:59 p. m.]

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5192, 5276, 5366.

UNIVERSAL SALVAGE AND TESTING CORP.

APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 8 Under Supplementary Regulation No. 1.[1]

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Universal Salvage and Testing Corp., 22 West Twenty-sixth Street, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Universal Salvage and Testing Corp., New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 8 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7194; Filed, July 27, 1942; 1:12 p. m.]

FIDELITY STORAGE COMPANY

APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 9 Under Supplementary Regulation No. 1.[1]

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government; and whose other activities do not include selling new or second-hand commodities for its own account. Fidelity Storage Company, 1109–1111 Main Street, Norfolk, Virginia.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Fidelity Storage Company, Norfolk, Virginia, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 9 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7195; Filed, July 27, 1942; 1:01 p. m.]

S. A. WALD AND COMPANY, INC.

APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 10 Under Supplementary Regulation No. 1.[1]

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the buisness of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account.

S. A. Wald & Co., Inc., 154 Maiden Lane, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by S. A. Wald & Co., Inc., New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 10 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7196; Filed, July 27, 1942; 12:57 p. m.]

[Docket No. 3147-6]

CHAMPION RIVET COMPANY

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 6 Under Maximum Price Regulation No. 147 [1]—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 8, 1942 The Champion Rivet Company (hereinafter called "petitioner"), Harvard Avenue and East 108th Street, Cleveland, Ohio, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Schedule No. 147. Due consideration has been given to the petition, and an opinion in support of this Order No. 6 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by § 1368.7 (a) of Maximum Price Regulation No. 147, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Champion Rivet Company in ascertaining the maximum prices it may charge for rivets shipped or to be shipped from Cleveland, Ohio or East Chicago, Indiana to the Gulf Shipbuilding Company at Chickasaw, Alabama for use in connection with the emergency demands of the war may calculate its delivery charges for such shipments under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147, from Cleveland, Ohio or East Chicago, Indiana, whichever is the point of shipment, as emergency basing points.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 6 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7203; Filed, July 27, 1942; 1:07 p. m.]

[Docket No. 1120-12-P]

HILLMAN COAL AND COKE COMPANY

ORDER GRANTING EXCEPTION

Order No. 21 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 15, 1942, the Hillman Coal and Coke Company, 1914 Grant Building, Pittsburgh, Pennsylvania, filed a "protest" against Maximum Price Regulation No. 120. The facts involved justify treatment of the protest also as a petition for an adjustment or exception under § 1340.207 (a) of Maximum Price Regulation No. 120, and it is therefore also being treated as such in accordance with § 1300.33 of Procedural Regulation No. 1.[2] The opinion in support of this Order No. 21 has been issued simultaneously herewith and has been filed in the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) Hillman Coal and Coke Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver the kinds, sizes and qualities of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit and attempt to buy and receive such kinds, sizes and qualities of bituminous coal at such prices from Hillman Coal and Coke Company.

(b) (1) On all shipments by rail of the following size groups of coals produced at its Jerome No. 1 and Jerome No. 2 mines (Mine Index Nos. 233 and 234) the Hillman Coal and Coke Company in District No. 1 may charge prices not to exceed the following amounts per net ton: Size Group 1, $3.25; Size Group 2, $3.05; Size Group 3, $2.95; Size Group 4, $2.85; Size Group 5, $2.85.

(2) The maximum price on Size Group 5 coals produced at the Jerome No. 3 mine (Mine Index No. 235) of the Hillman Coal and Coke Company in District No. 1 shall be $2.85 per net ton when such coals are mixed with coals from said company's Jerome No. 1 and No. 2 mines (Mine Index Nos. 233 and 234) for sale for by-product use.

(c) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 21 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7204; Filed, July 27, 1942; 1:11 p. m.]

[Docket Nos. 3120-106, 3120-112]

JOHNSTOWN COAL AND COKE COMPANY

ORDER PERMITTING ADJUSTABLE PRICING

Order No. 23 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On June 19, 1942, the Johnstown Coal and Coke Company, 1006 United States National Bank Building, Johnstown, Pennsylvania, hereinafter called the petitioner, filed a petition for adjustment of, or exception from, the maximum prices established by Maximum Price Regulation No. 120. On June 22, 1942, petitioner requested permission to enter into adjustable pricing agreements with persons to whom it sells coal produced at its Logan No. 4 Mine (Mine Index No. 285), pending final disposition of its petition herein. Pending consideration of this petition and for the reasons set forth in an Opinion which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) On and after June 19, 1942, the Johnstown Coal and Coke Company may enter into agreements with the purchasers of bituminous coal produced at its Logan No. 4 Mine (Mine Index No. 285), located at Beaverdale, Pennsylvania, for the sale of such coals at the applicable maximum prices, subject to an agreement to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition thereof.

(b) This Order No. 23 may be revoked or amended by the Price Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally determined by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 23 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7205; Filed, July 27, 1942; 1:12 p. m.]

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[1] 7 F.R. 3808, 3905.
[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.

[Docket No. GF1-95-P]

OTTAWA BASKET COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 1 under Maximum Price Regulation No. 160 [1]—Seasonal Wooden Agricultural Containers.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1377.54 (b) of Maximum Price Regulation No. 160, incorporating § 1499.18 of the General Maximum Price Regulation, it is hereby ordered:

(a) The maximum price for the sale by the Ottawa Basket Company, Oak Harbor, Michigan, for bushel baskets and covers shall be $1.90 per dozen.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7206; Filed, July 27, 1942; 1:13 p. m.]

[Docket No. 3120-205]

COMMODORE COAL AND COKE COMPANY

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

Order No. 22 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On July 14, 1942, Commodore Coal and Coke Company, 1717 Oliver Building, Pittsburgh, Pennsylvania, filed a petition for adjustment of, or exception from, the maximum prices established by Maximum Price Regulation No. 120, pursuant to § 1340.207 (a) thereof. Pending consideration of this petition and for the reasons set forth in an Opinion which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) On and after July 14, 1942, Commodore Coal and Coke Company may enter into agreements with beehive oven coke producers, purchasing run-of-mine coals (Size Group 8) produced at its Oliver No. 4 Mine (Mine Index No. 168) for truck delivery, providing for the sale of such coals at the applicable maximum prices, subject to an agreement to adjust prices upon deliveries made during the pendency of its petition in accordance with the final disposition thereof.

(b) This Order No. 22 may be revoked or amended by the Price Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally disposed of by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in Section 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 22 shall become effective the 27th day of July 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7612; Filed, July 27, 1942; 4:05 p. m.]

KARASTAN RUG MILLS

AMENDMENT OF ORDER SETTING PRICES

Amendment No. 1 to Order No. 1 [1] Under Revised Price Schedule No. 57 [2]—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, paragraph (a) of Order No. 1 is amended to read as follows:

(a) Karastan Rug Mills may sell, offer to sell, deliver or transfer the designated fabrics at prices no higher than those set forth below:

	f. o. b. mill
Kara-Tex	@ $2.84 per square yard.
Kara-Ville	@ 3.32 per square yard.
Kara-Tuft	@ 4.05 per square yard.
Kara-Shag	@ 4.52 per square yard.
Kara-Fleur	@ 5.68 per square yard.

subject to discounts (including 5% for cash in 10 days, or 4% for cash in 10 days—60 days extra), allowances, rebates and terms no less favorable than those in effect with respect to the maximum prices of Karashah and Karastan as established by § 1352.1 of Revised Price Schedule No. 57. The differentials between the square yard f. o. b. mill prices, and cut order and extra size prices of Kara-Tex, Kara-Ville, Kara-Tuft, Kara-Shag, and Kara-Fleur, shall be no less favorable than the differentials, as established under § 1352.1 of Revised Price Schedule No. 57, between the maximum square yard f. o. b. mill prices and the cut order and extra size maximum prices of Karashah and Karastan.

* * * * * *

This Amendment No. 1 to Order No. 1 under Revised Price Schedule No. 57 shall become effective on the 27th day of July, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7229; Filed, July 27, 1942; 5:23 p. m.]

KARASTAN RUG MILLS

AMENDMENT OF ORDER SETTING PRICES

Amendment No. 1 To Order No. 4 [1] under Revised Price Schedule No. 57 [2]—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, paragraph (a) of Order No. 4 is amended to read as follows:

(a) Karastan Rug Mills may sell, offer to sell or deliver the fabric designated as Kara-Lana at a price no higher than $7.25 per square yard, f. o. b. mill, subject to discounts (including 5% for cash in 10 days, or 4% for cash in 10 days—60 days extra), allowances, rebates, and terms no less favorable than those in effect with respect to the maximum price of Karashah, as established by Revised Price Schedule No. 57. The differential between the maximum square yard f. o. b. mill price, and cut order and extra size prices of Kara-Lana shall be no less favorable than the differential, as established by Revised Price Schedule No. 57, between the maximum square yard f. o. b. mill price and the cut order and extra size maximum prices of Karashah.

* * * * * *

This Amendment No. 1 to Order No. 4 under Revised Price Schedule No. 57 shall become effective on the 27th day of July, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7230; Filed, July 27, 1942; 5:24 p. m.]

CHARLES P. COCHRANE COMPANY

ORDER APPROVING MAXIMUM PRICE

Order No. 6 Under Revised Price Schedule No. 57 [1]—Wool Floor Coverings.

On June 5, 1942, Charles P. Cochrane Company, Bridgeport, Pennsylvania, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture a new fabric and for approval of a maximum price thereof. The new fabric was designated in the application as Sydney.

Due consideration has been given to the application and an opinion issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Charles P. Cochrane Company may sell, offer to sell or deliver the new fabric designated as Sydney, at a price no higher than $3.80 per square yard,

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[1] 7 F.R. 4337, 4852, 5462.
[2] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4541, 4700, 5059.
[3] 7 F.R. 971, 3663.

[1] 7 F.R. 3735.
[2] 7 F.R. 1314, 1836, 2000, 2132.

[1] 7 F.R. 4596.
[2] 7 F.R. 1314, 1836, 2000, 2132.

f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Kelton, as established by Revised Price Schedule No. 57. The differentials between the maximum square yard f. o. b. mill price and the cut-order, extra size and zone prices of Sydney shall be no less favorable than the differentials, as established by Revised Price Schedule No. 57, between the maximum square yard f. o. b. mill price and the cut-order, extra size, and zone maximum prices of Kelton.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 6 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7231; Filed, July 27, 1942; 5:23 p. m.]

A. & M. KARAGHEUSIAN, INC.

ORDER APPROVING MAXIMUM PRICE

Order No. 7 Under Revised Price Schedule No. 57 [1]—Wool Floor Coverings.

On July 2, 1942, A. & M. Karagheusian, Inc., New York, New York, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57 for permission to manufacture a new Wilton fabric and for approval of a maximum price thereof. This new fabric was designated in the application as Virginia Dare.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) A. & M. Karagheusian, Inc., may sell, offer to sell, or deliver the new fabric designated as Virginia Dare, at a price no higher than $3.01 per square yard, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Jane Alden, as established by Revised Price Schedule No. 57. The differentials between the maximum square yard f. o. b. mill price, and the cut-order, extra size and zone maximum prices of Virginia Dare shall be no less favorable than the differentials, as established by Revised Price Schedule No. 57, between the maximum square yard f. o. b. mill price, and the cut-order, extra size and zone maximum prices of Jane Alden.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 7 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7232; Filed, July 27, 1942; 5:24 p. m.]

C. H. MASLAND & SONS COMPANY

ORDER APPROVING MAXIMUM PRICE

Order No. 8 Under Revised Price Schedule No. 57 [1]—Wool Floor Coverings.

On June 10, 1942, C. H. Masland & Sons Company, Carlisle, Pennsylvania, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture a new fabric and for approval of a maximum price thereof. This new fabric is designated in the application as MWR No. 1.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) C. H. Masland & Sons Company may sell, offer to sell or deliver the fabric designated as MWR No. 1 at a price, for the 9' x 12' size, no higher than $48.35, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Royal Abustan, as established by Revised Price Schedule No. 57. The differentials between the maximum price of MWR No. 1 for the 9' x 12' size and the price for other sizes, as well as the differentials for zone prices shall be no less favorable than the differentials as established by Revised Price Schedule No. 57 for Royal Abustan.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 8 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7233; Filed, July 27, 1942; 5:24 p. m.]

PHILADELPHIA CARPET COMPANY

ORDER APPROVING MAXIMUM PRICE

Order No. 9 under Revised Price Schedule No. 57 [1]—Wool Floor Coverings.

On June 18, 1942, the Philadelphia Carpet Company, Philadelphia, Pennsylvania, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture a new fabric and for approval of a maximum price thereof. This new fabric is designated in the application as Lexington.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) Philadelphia Carpet Company may sell, offer to sell or deliver the new fabric designated as Lexington, at a price no higher than $3.20 per square yard, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Special 560, as established by Revised Price Schedule No. 57.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 9 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7234; Filed, July 27, 1942; 5:24 p. m.]

[Docket No. 3148-16]

FAULKNER PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 3 Under Maximum Price Regulation No. 148 [1]—Dressed Hogs and Wholesale Pork Cuts.

On June 27, 1942, the Faulkner Packing Company, Dothan, Alabama, filed a petition for adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Faulkner Packing Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, such kinds of wholesale pork cuts at such prices from the Faulkner Packing Company.

[1] 7 F.R. 3821, 4342.

(b)	*Cents per pound*
Pork loins 8/10	29
Pork loins 10/12	29
Pork loins 12/15	28
Pork hams 8/14	31
Pork shoulders 8/10	27
Pork shoulders 10/12	27
Smoked skinned hams:	
8/12	34¾
12/14	34¼
14/16	33¼
16/18	32¾
18/20	32½
20/22	32½
Strip bacon:	
8/10	26½
10/12	25¾
12/15	24
Bacon bellies	22¾
Boiled hams	48
Barbecue hams	51
Smoked picnics	27
Boston butts	29½

(c) The permission granted to the Faulkner Packing Company in this Order No. 3 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to September 15, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period September 16, to March 31, inclusive, of any such year, the maximum price at which the Faulkner Packing Company may sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from the Faulkner Packing Company each pork cut specified shall be such maximum selling price as fixed by § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 3 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7235; Filed, July 27, 1942; 5:22 p. m.]

[Docket No. 1122-75-P]

FAIRLIE & WILSON COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 8 Under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and Procedural Regulation No. 1, it is hereby ordered:

(a) Fairlie & Wilson Coal Company may sell and deliver, at retail, such sizes of Pennsylvania anthracite as are set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive at retail such sizes of Pennsylvania anthracite as are set forth in paragraph (b) at prices not in excess of those stated therein from Fairlie & Wilson Coal Company.

(b) The maximum selling prices as determined under paragraph (a) of § 1340.261 of Maximum Price Regulation No. 122 for sales at retail of the following sizes of Pennsylvania anthracite by Fairlie & Wilson Coal Company at and from its Perth Amboy, Middlesex County, New Jersey Yard are hereby adjusted to the prices for retail sales of the respective sizes of such anthracite as follows:

	Per ton
Egg	$11.50
Stove	11.50
Nut	11.50
Pea	10.00

Provided, That these respective prices for such sales of such sizes of anthracite shall be subject to all the provisions of the subparagraphs of paragraphs (a) and (f) of § 1340.261 and to all other provisions of Maximum Price Regulation No. 122.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This Order No. 8 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7236; Filed, July 27, 1942; 5:22 p. m.]

[Docket No. 1122-1-P]

KEYSTONE COAL & WOOD COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 9 Under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

On May 6, 1942, the Keystone Coal & Wood Company, Front and Berks Streets, Philadelphia, Pennsylvania, filed a protest against the provisions of Maximum Price Regulation No. 122. The facts, however, justify treatment of the protest not only as such, but also as a petition for adjustment or exception filed pursuant to § 1340.257a of this Regulation and it is therefore being so treated in accordance with § 1300.33 of Procedural Regulation No. 1. An Opinion in support of this Order No. 9 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] it is hereby ordered:

(a) Keystone Coal & Wood Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver such kinds, sizes, and qualities of solid fuels as are set forth in paragraph (b) below at prices not in excess of those stated in paragraph (c) below. Any person may buy and receive, such kinds, sizes and qualities of solid fuels as stated in paragraph (b) at the prices stated in paragraph (c) from the Keystone Coal & Wood Company.

(b) Adjustment is herewith made of the maximum prices for the sale at retail of the following anthracite coals by Keystone Coal & Wood Company: Egg, stove, nut, pea, buckwheat, rice.

(c) The maximum prices for the sale at retail of each of the solid fuels described in paragraph (b) above by Keystone Coal & Wood Company shall be the maximum price determined therefor in accordance with § 1340.261 of Maximum Price Regulation No. 122, plus the amount represented by the difference between the average purchase price per net ton, weighted by tonnage, paid by said Keystone Coal and Wood Company during the months of October, November and December of 1941, for each such size, kind and quality of solid fuels and the average purchase price per net ton, weighted by tonnage, paid by it for each such size, kind and quality of solid fuel during the months of May, June and July 1942.

(d) This Order No. 9 shall become effective on the 27th day of July 1942.

(e) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(f) On or before the 31st day of August 1942, the Keystone Coal and Wood Company shall report to the Office of Price Administration in Washington, D. C., its maximum selling prices as established in accordance with this Order No. 9 and all data supporting such prices. (Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7237; Filed, July 27, 1942; 5:20 p. m.]

[Docket No. 1122-5-P]

PACIFIC COAST COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 10 Under Maximum Price Regulation No. 122 [2]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

On May 28, 1942, Pacific Coast Coal Company, Pacific Coast Terminals, Foot of Main Street, Seattle, Washington filed a protest against the provisions of Maximum Price Regulation No. 122. The facts, however, justify treatment of the protest not only as such, but also as a petition for adjustment or exception, filed pursuant to § 1340.257 (a) of this regulation and it is therefore being so treated in accordance with § 1300.33 of Procedural Regulation No. 1.[1] An opinion in

[1] 7 F.R. 971, 3663.
[2] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.

support of this Order No. 10 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:

(a) Pacific Coast Coal Company may sell and deliver, agree and offer to sell and deliver to Puget Sound Power and Light Company, Stewart Building, Seattle, Washington such kinds, sizes, and qualities of solid fuels as are set forth in paragraph (b) below at prices not in excess of those stated therein. Puget Sound Power and Light Company may buy and receive, agree and offer to buy and receive such kinds, sizes, and qualities of solid fuels at such prices from Pacific Coast Coal Company.

(b) Maximum prices for the sale of the following kinds, sizes, and qualities of solid fuels by Pacific Coast Coal Company to Puget Sound Power and Light Company shall be the maximum prices determined in accordance with § 1340.261 of Maximum Price Regulation No. 122, plus not more than the following amounts per net ton:

(1) $0.60 per ton in the case of size ⅜" by 0" or smaller of bituminous coal with a minimum content of 9,515 British Thermal Units per pound;

(2) $0.846 per ton in the case of sizes from ¼" by 0" to 1" by 0" of bituminous coal with a minimum content of 10,170 British Thermal Units per pound.

(c) This order No. 10 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This order No. 10 shall become effective July 27, 1942.

Issued this 27th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7238; Filed, July 27, 1942; 5:22 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-581]

NEW ORLEANS PUBLIC SERVICE INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of July, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New Orleans Public Service Inc. ("New Orleans"), a subsidiary of Electric Power & Light Corporation, a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, likewise a registered holding company; and

Notice is further given that any interested person may, not later than August 6, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application or declaration, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said application or declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

At June 30, 1942, there were outstanding $1,624,500 principal amount of New Orleans City and Lake Railway Company Consolidated First Mortgage 50-Year, 5% Gold Bonds, due January 1, 1943, assumed by New Orleans. New Orleans states that at June 30, 1942, it had on hand $4,188,744 in cash which together with estimated net receipts for the balance of the year, is, in its opinion, more than sufficient to meet all its expenses, pay the assumed bonds at maturity, and leave an adequate working balance. New Orleans states that it is drawing no interest on its cash balances and as these bonds which are currently maturing are not callable, it proposes to use its available cash to purchase such bonds from the owners thereof, paying therefor a price in excess of principal amount which will provide a yield to the company of not less than ⅜ of one percent per annum. The application or declaration sets forth that such bonds will not, in any event, be purchased at less than their principal amount. It is intended that the bonds so purchased will be surrendered for cancellation to the trustee under the mortgage securing the bond issue.

New Orleans proposes to solicit bondholders directly by mail and by the use of its personnel and without the payment of special fees, commissions, or other remuneration. According to the application or declaration expenses to be incurred in connection with the transaction will be negligible.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7242; Filed, July 28, 1942; 9:55 a. m.]

[File No. 70-580]

WILLIAMSTOWN WATER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of July, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly Section 12 and Rule U-46, by Williamstown Water Company, a subsidiary of Greenwich Water System, Inc., both subsidiary companies of American Water Works and Electric Company, Incorporated, a registered holding company; and

Notice is further given that any interested person may, not later than August 10, 1942, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application as filed or as amended, may become effective or may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized below:

Williamstown Water Company proposes to distribute $100,000 as a partial liquidating dividend on its capital stock, all of which is owned by its immediate parent, Greenwich Water System, Inc., Williamstown Water Company states that it is to be dissolved, all of its physical property and its franchise having been sold to The Inhabitants of the Town of Williamstown. The company also states that its principal assets consist of cash and its principal liabilities consist of capital stock and taxes.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7243; Filed, July 28, 1942; 9:55 a. m.]

[File No. 59-16]

HUGH M. MORRIS, TRUSTEE OF MIDLAND UNITED COMPANY, ET AL.

ORDER DISMISSING PROCEEDINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 24th day of July, A. D. 1942.

In the Matter of Hugh M. Morris, Trustee of Midland United Company, Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., Northern Indiana Power Company.

The Commission, having heretofore on October 30, 1940, instituted proceedings directed against the above captioned companies pursuant to section 11 (b) (2)

of the Public Utility Holding Company Act of 1935, concerned with (1) what action, if any, was necessary and should be required to be taken by Midland United Company, Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company to insure that the corporate structures and/or continued existence of Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company did not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among the security holders of the holding company system of Midland United Company; and (2) what action, if any, was necessary and should be required to be taken by Midland United Company, Public Service Company of Indiana, Central Indiana Power Compay, Terre Haute Electric Company, Inc., and Northern Indiana Power Company to insure that voting power was not unfairly or inequitably distributed among the respective security holders of Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company;

These companies having subsequently filed with the Commission a plan of reorganization, consolidation and recapitalization, which, among other things, resulted in the creation of Public Service Company of Indiana, Inc., and the dissolution of all of said companies except Midland United Company, such filings as amended having been approved by this Commission, and it now appearing to the Commission that the problems raised by said proceedings have been satisfied;

It is ordered, That said proceeding under section 11 (b) (2) of the Act be, and the same hereby is, dismissed without prejudice to the institution in the future of whatever proceedings, if any, as may in the judgment of this Commission appear appropriate and necessary in the interest of investors, consumers or the public interest.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7244; Filed, July 28, 1942; 9:55 a. m.]

[File No. 60-17]

COMMONWEALTHS DISTRIBUTION, INC., ET AL.

ORDER DISMISSING PROCEEDING

In the matter of Commonwealths Distribution, Inc., Herbert T. Briggs, Vance L. Bushnell, Herbert L. Nichols, James T. Woodward, Russell B. Stearns, F. W. Seymour, respondents.

At a regular session of the Securities and Exchange Commisssion, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

The Commission on January 31, 1941, having ordered, pursuant to section 2 (a) (7) (B) of the Public Utility Holding Company Act of 1935 that a hearing be held at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue, N. W., Washington, D. C. at 10 a. m. on March 4, 1941, to determine whether the above-named Respondents, or any one or more of them, directly or indirectly exercise, either alone or pursuant to an arrangement or understanding with each other or with one or more other persons, such a controlling influence over the management or policies of Community Power and Light Company and/or General Public Utilities, Inc. and/or National Gas & Electric Corporation as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that the above-named Respondents, and each of them, be subject to the obligations, duties and liabilities imposed by the Public Utility Holding Company Act of 1935 upon holding companies;

The hearing aforesaid having been continued by Order of the Commission to April 1, 1941, and said hearing on that date having been continued subject to the call of the trial examiner, so that at the present time no date has been set for such hearing; and

The Commission having been advised by its Public Utility Division that Commonwealths Distribution, Inc., one of the Respondents above-named, has completed procedure for dissolution pursuant to the laws of Delaware, under the laws of which state said corporation was organized, and has largely completed liquidation of its security holdings, and F. W. Seymour, another of the Respondents above named, has died since the commencement of the instant proceeding, that numerous other changes have taken place, since the commencement of said proceeding, in the relationships of the several Respondents to Community Power and Light Company, General Public Utilities, Inc., National Gas & Electric Corporation, and between the said several Respondents and each of said corporations last named, and it appearing to the Commission that the said relationships which are the subject matter of this proceeding have been so materially altered since the initiation of such proceedings that it is no longer appropriate that such proceeding be further maintained;

It is hereby ordered, That this proceeding be and the same is, hereby dismissed, without prejudice to the right of the Commission to institute similar proceedings, or other or further proceedings, under the Public Utility Holding Company Act of 1935 against the Respondents above-named, or any of them.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7245; Filed, July 28, 1942; 9:55 a. m.]

Reference

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THE NATIONAL ARCHIVES OF THE UNITED STATES 1934

FEDERAL REGISTER

VOLUME 7 NUMBER 149

Washington, Thursday, July 30, 1942

The President

EXECUTIVE ORDER 9206

PRESCRIBING REGULATIONS GOVERNING THE GRANTING OF ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN

By virtue of and pursuant to the authority vested in me by section 10 of the act of June 16, 1942, Public Law 607, 77th Congress, I hereby prescribe the following regulations governing the granting of (1) allowances for quarters and subsistence to enlisted men of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service who are not furnished quarters or rations in kind, and (2) allowances for quarters to enlisted men of the first, second, and third grades in the active military, naval, or Coast Guard service of the United States having dependents as defined in section 4 of the said act, for periods during which public quarters are not provided and available for such dependents:

ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN NOT FURNISHED QUARTERS OR RATIONS IN KIND

TABLE I

Men on duty where quarters or rations in kind are not furnished shall be granted daily allowances as follows:

	No Government messing facilities furnished	Government messing facilities furnished
A. General—When assigned to countries or places not otherwise hereinafter specified:		
(a) Subsistence	$1.50	$1.20
(b) Quarters	1.25	1.25
B. Special—When assigned (except as hereafter provided) to Europe, South America, India, Africa, Australia, or at such other countries or isolated stations as determined by the head of the department concerned, or when absent from their ships on temporary duty not involving travel:		
(a) Subsistence	2.25	2.10
(b) Quarters	1.25	1.25
Exception No. 1—Canal Zone		
(a) Subsistence	1.50	1.20
(b) Quarters	1.25	1.25
Exception No. 2—Alaska		
(a) Subsistence	3.00	3.00
(b) Quarters	2.00	2.00
Exception No. 3—Naval Missions to Brazil, Colombia, Ecuador, Peru, and Venezuela.		
(a) Subsistence	.75	----------
(b) Quarters	1.25	----------
Exception No. 4—American Embassies, Bogota, Colombia, Havana, Cuba, and Moscow, U. S. S. R.; and American Legations, Addis Ababa, Ethiopa, and Guatemala City, Guatemala.		
(a) Subsistence	3.00	3.00
(b) Quarters	2.00	2.00
C. Special—Enlisted men assigned to duty where emergency conditions justify such allowances, payable at the discretion and upon the determination of the head of the department concerned, in lieu of allowances at rates otherwise specified herein:		
(a) Subsistence	3.00	3.00
(b) Quarters	2.00	2.00

NOTE 1. Upon arrival at or departure from a station where allowances for subsistence are paid, allowances shall be computed as follows: The day to begin at midnight; for 18 hours or more at the station, one whole day; for 12 hours or more but less than 18 hours at the station, two-thirds of one day; for 6 hours or more but less than 12 hours at the station, one-third of one day. No allowance for subsistence shall be paid for the day on which a man arrives at a station after 6 o'clock P. M.

NOTE 2. In determining the allowance for quarters a fractional part of a day shall be computed as a whole day, the day to begin at midnight.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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TABLE II

Men traveling on duty where cooked or travel rations are not furnished for the journey shall be granted daily allowances as follows:

	Travel status including detention not exceeding three days at one place	Travel status involving detentions	
		For 4th to 6th day (inclusive) of detention at one place	For 7th to 31st day (inclusive) of detention at one place
A. Sleeping-car, stateroom accommodations, or other quarters furnished:			
(a) Subsistence (in dining car on train at not to exceed $1.00 per meal)	$3.00		
(b) Subsistence (elsewhere at not to exceed $.75 per meal)	2.25	$1.80	$1.50
B. No sleeping-car, stateroom accommodations, or other quarters furnished:			
(a) Subsistence (in dining car on train at not to exceed $1.00 per meal)	3.00		
(b) Subsistence (elsewhere at not to exceed $.75 per meal)	2.25	1.80	1.50
(c) Quarters when subsistence includes 3 meals in dining car on train at not to exceed $1.00 each	1.50		
(d) Quarters when subsistence includes 2 meals in dining car on train at not to exceed $1.00 each	1.50		
(e) Quarters when subsistence includes 1 meal in dining car on train at not to exceed $1.00	1.50		
(f) Quarters when subsistence is paid at rate of not to exceed $2.25 per day	1.50	1.50	1.25
C. Special: Europe, Mexico, Central America, and South America:			
(a) Subsistence	3.00	2.70	2.25
(b) Quarters (if not furnished by the Government)	2.00	1.50	1.25
Exception No. 1—Alaska			
(a) Subsistence	3.00	3.00	3.00
(b) Quarters (if not furnished by the Government)	2.00	2.00	2.00

NOTE 1. The combined allowance for subsistence and quarters shown in first column opposite subdivisions A and B under heading "Travel status including detention not exceeding three days at one place" shall in no case exceed $5.00 for any one day.

NOTE 2. When in a travel status allowances for subsistence shall be computed as follows for the day of departure from and arrival at station: The day to begin at midnight; for 18 hours or more in travel status, one whole day; for 12 hours or more but less than 18 hours in travel status, two-thirds of one day; for less than 12 hours in travel status, one-third of one day. No allowance shall be paid for the first day of a journey which begins after 6 o'clock P. M.

NOTE 3. In determining the allowance for quarters a fractional part of a day shall be computed as a whole day, the day to begin at midnight. No allowance shall be paid for the first day of a journey which begins after 6 o'clock P. M.

NOTE 4. Men absent under orders from their stations upon duty which involves travel and also temporary detentions during the journey shall be deemed to be traveling under orders during the entire period of such absence. Allowances for the periods spent in actual travel, including detentions not exceeding thirty-one days, shall be computed as indicated in Table II. For longer periods of detention at one place, the allowances prescribed in Table I shall govern after the first thirty-one days. The day of actual arrival at, or departure from, place of detention shall be considered a day of travel.

Payments of allowances for quarters and subsistence may be made to enlisted men not more than one month in advance, except that as to men proceeding to or from a station beyond the continental limits of the United States or in Alaska, such payments may be made not more than three months in advance. The heads of the Departments concerned may prescribe such additional regulations as may be necessary to carry out the provisions of this paragraph.

ALLOWANCES TO ENLISTED MEN OF THE FIRST, SECOND, AND THIRD GRADES HAVING DEPENDENTS AS DEFINED IN SECTION 4 OF THE ACT OF JUNE 16, 1942

Each enlisted man of the first, second, or third grade in the active military, naval, or Coast Guard service of the United States who is not entitled to a money allowance for quarters in a non-travel status under the provisions of section 10 of the said act of June 16, 1942, and who has a dependent as defined in section 4 thereof, shall be entitled to receive for any period during which public quarters are not provided and available for such dependent, the money allowances for quarters prescribed for enlisted men in a non-travel status by Table I above. Any such enlisted man shall continue to be entitled to this allowance although receiving the allowance for quarters in a non-travel status prescribed by Table I above, if by reason of orders of competent authority his dependent is prevented from dwelling with him.

The term "dependent" as defined in section 4 of the said act of June 16, 1942, shall include at all times and in all places a lawful wife and unmarried children under twenty-one years of age. It shall also include the father or mother of the person concerned provided he or she is in fact dependent upon such person for his or her chief support: *Provided*, That the term "children" shall be held to include stepchildren and adopted children when such stepchildren or adopted children are in fact dependent upon the person claiming dependency allowance.

This order shall supersede Executive Order No. 8688 of February 19, 1941,[1] and Executive Order No. 8704 of March 4, 1941,[2] as amended by Executive Order No. 8759 of May 24, 1941,[3] and Executive Order No. 9105 of March 19, 1942;[4] and shall be effective as of June 1, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 27, 1942.

[F. R. Doc. 42–7285; Filed, July 28, 1942; 2:55 p. m.]

[1] 6 F.R. 1083.
[2] 6 F.R. 1302.
[3] 6 F.R. 2600.
[4] 7 F.R. 2199.

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter X—Civil Service Commission

PART 17—REGULATIONS OF THE BOARD OF LEGAL EXAMINERS

TRANSFER AND PROMOTION WITH INCREASE IN GRADE

The following section is to be added to the regulations issued on June 27, 1941, 6 F.R. 3577; August 6, 1941, 6 F.R. 4091; August 14, 1941, 6 F.R. 4181; November 7, 1941, 6 F.R. 5799:

§ 17.7 *Transfer and promotion with increase in grade—Minimum qualifications applied.* The minimum qualifications required for new appointments by § 17.2 (c) shall apply to transfer and promotion with increase in grade: *Provided, however*, That with the prior approval of the Board of Legal Examiners the incumbent of an attorney position whose work is certified by the Chief Law Officer of the employing agency to be of unusually high quality may without reference to the foregoing limitation be advanced to a position in the same agency in the next higher grade.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

MAY 4, 1942.

[F. R. Doc. 42–7305; Filed, July 29, 1942; 10:34 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[Order No. 353]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

AUTHORITY, FUNCTIONS, POWERS, AND DUTIES OF PRINCIPAL APPRAISER, REVOLVING FUND SECTION

Part 3 of Title 6, Code of Federal Regulations, is amended by adding a new § 3.61, as follows:

§ 3.61 *Functions, powers, authority and duties of C. H. McClain, principal appraiser, Revolving Fund Section.* C. H. McClain, principal appraiser, Revolving Fund Section, is authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Director of the Revolving Fund, in the event that the Director is unable to act by reason of absence from the Kansas City office of the Farm Credit Administration, or for any other cause. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (a))

[SEAL] W. H. DROSTE,
Acting Governor.

[F. R. Doc. 42–7286; Filed, July 28, 1942; 3:45 p. m.]

PART 31—FEDERAL LAND BANK OF BERKELEY

PARTIAL RELEASE FEES

Section 31.6[1] of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.6 *Partial release fees.* The fees provided herein shall be collected by the Bank on Federal Land Bank loans, purchase money mortgages and real estate sales contracts, Commissioner loans, and Federal Farm Mortgage Corporation real estate sales contracts or purchase money mortgages.

(a) *Release of physical security or subordination of mortgage or deed of trust.* Whenever a release of physical security is requested by persons desiring to sell portions of their mortgaged farms, to permit highways to be constructed across them, to sell water rights, to remove timber, gravel or buildings from the mortgaged land, or whenever a subordination of the mortgage or deed of trust to the rights of the lessee under an oil, gas or mineral lease is desired, the fees shall be as follows:

When Bank makes appraisal and association makes field inspection	$20.00
When Bank makes appraisal and association makes no field inspection	15.00
When Bank makes no appraisal and association makes field inspection	5.00
When Bank makes no appraisal and association makes no field inspection	No fee

Whenever an application for release of physical security or subordination is filed simultaneously with an application for an additional, refunding or divided loan, both the regular application fee and the partial release or subordination fee shall be charged if a separate appraisal on the partial release or subordination application is made by the Bank.

(b) *Release of chattel mortgage.* When an application for the release or partial release of a chattel mortgage is requested and the Bank makes an appraisal, the fee shall be $15.00.

(c) *Release of personal liability.* When a former owner of the property or other person liable for the debt requests a release from personal liability therefor, the fee to accompany the request for such release shall be $25.00. In case an appraisal is not made by the Bank, $15.00 shall be refunded.

(d) *Release of physical security or subordination of mortgage or deed of*

[1] 6 F.R. 6626.

trust and personal liability. When an application for release of physical security or subordination of the mortgage or deed of trust is filed simultaneously with an application for release of personal liability, the fee shall be $25.00. In case an appraisal is not made by the Bank, $15.00 shall be refunded. (Secs. 4, 13 "Ninth", 39 Stat. 363, 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended, sec. 2, 48 Stat. 345; 12 U.S.C. 676 "Seventh", 781 "Ninth", 723 (e), 1016 (e) and Sup., 1020a; 6 CFR 19.4019) [Res. Ex. Com. June 3, 1941, September 24, 1941, April 9, 1942, July 13, 1942]

FEDERAL LAND BANK OF BERKELEY.
[SEAL] By CHARLES PARKER, *President.*

[F. R. Doc. 42-7289; Filed, July 29, 1942; 9:36 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4145]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AGRICULTURAL INSECTICIDE & FUNGICIDE ASSOCIATION, ET AL.

§ 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.27 (f) *Combining or conspiring—To limit distribution to regular or established channels:* § 3.27 (h) *Combining or conspiring—To restrain and monopolize trade.* In connection with offer, etc., in commerce, of agricultural insecticides, fungicides, and related chemicals and items for similar uses, and on the part of respondent Association, its officers, etc., some 20 corporations and a partnership, members thereof, certain other corporations, nonmembers, which cooperated in acts and practices involved, and on the part of their officers, agents, etc., and on the part of various individuals, officers and directors of said Association, entering into, continuing, carrying out, directing, instigating, or cooperating in, any common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, with or without the cooperation of others not parties hereto, for the purpose, or with the tendency or effect, of fixing the prices for, or of restricting, restraining, or eliminating competition in, the sale in said commerce of agricultural insecticides, fungicides, or related chemicals and items for similar uses, and, pursuant thereto (1) fixing, establishing, or maintaining the prices, whether on a delivered basis or otherwise, or the charges at which the products of said respondents are to be sold or offered for sale, or fixing, establishing, or maintaining any method of pricing which deprives buyers of opportunity to obtain more favorable terms from one respondent corporation than from another, or fixing, establishing, or maintaining any discounts, terms, or conditions of sale; (2) adhering to any price list compiled or distributed by or on behalf of any of the said respondents; (3) imposing, or attempting or threatening to impose, any penalty on, or coercing, or attempting to coerce by any means, any manufacturer who fails or refuses to adhere to or adopt charges, discounts, terms or conditions of sale, prices, or pricing methods fixed or established by said respondents; (4) exchanging, distributing, or relaying among respondent members or through respondent Association or any other medium or central agency, price lists or other information showing current or future prices or current or future terms or conditions of sale; (5) determining or attempting to determine by any means, either directly or indirectly, which purchasers shall be recognized as jobbers of, or as retail dealers in, and thus entitled to certain price differentials on, said products manufactured and sold or offered for sale by said respondents; (6) furnishing to the respondent Association, or to any other central medium or agency, any list or lists of jobbers or retail dealers or any classification of customers as jobbers or retail dealers and thus entitled to certain price differentials on products sold or offered for sale of any of the said respondents; (7) compiling or distributing in any manner, either directly or indirectly, between and among any of the respondents, lists of names or classifications of dealers or users who are to be sold by any of said respondents; (8) holding or participating in any meetings, discussions, or exchanges of information concerning proposed or future prices, terms or conditions of sale, or concerning any actual or proposed recognition or classification as jobber or retail dealer of any customer to whom the products of any of said respondents are sold or offered for sale; (9) taking any action for the purpose, or with the effect, of preventing or hindering any dealer or user or any class of dealers or users from obtaining the products manufactured by the respondents, or any of them, at such prices and terms as may be satisfactory between the individual buyer and seller; and (10) continuing or resuming by tacit and common consent among two or mor respondents, any practice herein forbidden when such continuation or resumption results in purchasers being prevented from obtaining more favorable prices, terms, or conditions of sale from one of respondent corporations than from the others; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Agricultural Insecticide & Fungicide Association, et al., Docket 4145, July 24, 1942]

In the Matter of Agricultural Insecticide & Fungicide Association, Its Officers, Directors and Members, Allegheny Chemical Corporation, Ansbacher-Siegle Corporation, General Chemical Company, a Corporation, Phelps Dodge Refining Corporation, and Tennessee Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, and a stipulation as to the facts entered into between the respondents herein (except Antiseptic Products Company, Fred L. Lavanburg Company, Lucas Kil-Tone Company, Allegheny Chemical Corporation, and Pittsburgh Plate Glass Company) and W. T. Kelley, Chief Counsel for the Commission, which provides, among other things, that the said Commission may proceed upon said statement of facts to make its report stating its findings as to the facts (including inferences which it may draw from the said stipulated facts) and its conclusion based thereon and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs, and which waives the filing of a report upon the evidence by the trial examiner; and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That said respondent Agricultural Insecticide & Fungicide Association, its officers, agents, and employees; the following respondent corporations, The Acme White Lead and Color Works, The American Agricultural Chemical Company, The American Cyanamid and Chemical Corporation, The American Nicotine Company, Inc., The California Spray-Chemical Corporation, The Chipman Chemical Company, Inc., George W. Cole and Company, Inc., The Hercules Glue Company, Ltd. (a corporation trading under the name of Colloidal Products Corporation), The Commercial Chemical Company, Derris, Inc., Dow Chemical Company, E. I. duPont de Nemours and Company, Inc., The Latimer-Goodwin Chemical Company, The Niagara Sprayer and Chemical Company, Inc., The Nicotine Production Corporation, John Powell & Company, Inc., The Sherwin-Williams Company, Inc., The Southern Acid & Sulphur Company, Inc., The Stauffer Chemical Company, Inc., The Tobacco By-Products and Chemical Corporation, The J. W. Woolfolk Company, Ansbacher-Siegle Corporation, General Chemical Company, Phelps Dodge Refining Corporation, and Tennessee Corporation, their officers, agents, and employees; and the following individual respondents, R. N. Chipman, L. S. Hitchner, June C. Heitzman, H. D. Whittlesey, H. P. Mansfield, J. B. Cary, J. H. Boyd, A. J. Flebut, R. E. Demmon, G. F. Leonard, G. E. Riches, and J. M. Taylor, general partner, and E. P. Brown and E. W. Parker, special partners, trading as Taylor Chemical Works, Ltd., and their their respective representatives, agents, and employees, in connection with the offering for sale or sale and distribution of agricultural insecticides, fungicides, and related chemicals and items for similar uses in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, carrying out, directing, instigating, or cooperating in, any common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, with or without the cooperation of others not parties hereto, for the purpose, or with the tendency or effect, of fixing the prices for, or of restricting, restraining, or eliminating competition in, the sale in said commerce of agricultural insecticides, fungicides, or related chemicals and items for similar uses, and from doing any of the following acts and practices pursuant thereto:

(1) Fixing, establishing or maintaining the prices, whether on a delivered basis or otherwise, or the charges at which the products of said respondents are to be sold or offered for sale, or fixing, establishing, or maintaining any method of pricing which deprives buyers of opportunity to obtain more favorable terms from one respondent corporation than from another, or fixing, establishing, or maintaining any discounts, terms, or conditions of sale;

(2) Adhering to any price list compiled or distributed by or on behalf of any of the said respondents;

(3) Imposing, or attempting or threatening to impose, any penalty on, or coercing, or attempting to coerce by any means, any manufacturer who fails or refuses to adhere to or adopt charges, discounts, terms or conditions of sale, prices, or pricing methods fixed or established by said respondents;

(4) Exchanging, distributing, or relaying among respondent members or through respondent Association or any other medium or central agency, price lists or other information showing current or future prices or current or future terms or conditions of sale;

(5) Determining or attempting to determine by any means, either directly or indirectly, which purchasers shall be recognized as jobbers of, or as retail dealers in, and thus entitled to certain price differentials on, said products manufactured and sold or offered for sale by said respondents;

(6) Furnishing to the respondent Association, or to any other central medium or agency, any list or lists of jobbers or retail dealers or any classification of customers as jobbers or retail dealers and thus entitled to certain price differentials on products sold or offered for sale by any of the said respondents;

(7) Compiling or distributing in any manner, either directly or indirectly, between and among any of the respondents, lists of names or classifications of dealers or users who are to be sold by any of said respondents;

(8) Holding or participating in any meetings, discussions, or exchanges of information concerning proposed or future prices, terms or conditions of sale, or concerning any actual or proposed recognition or classification as jobber or retail dealer of any customer to whom the products of any of said respondents are sold or offered for sale;

(9) Taking any action for the purpose, or with the effect, of preventing or hindering any dealer or user or any class of dealers or users from obtaining the products manufactured by the respondents, or any of them, at such prices and terms as may be satisfactory between the individual buyer and seller;

(10) Continuing or resuming by tacit and common consent among two or more respondents, any practice herein forbidden when such continuation or resumption results in purchasers being prevented from obtaining more favorable prices, terms, or conditions of sale from one of respondent corporations than from the others.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to the following named respondents: Antiseptic Products Company, Fred L. Lavanburg Company, Lucas Kil-Tone Company, Allegheny Chemical Corporation, and Pittsburgh Plate Glass Company.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7317; Filed, July 29, 1942; 11:02 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1503]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplements R-I and R-II, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

Commencing forthwith, the shipping points appearing in the aforesaid Supplement R for the coals of Mine Index Nos. 765, 951, 2562, and 3523 are effective in place of the shipping points heretofore assigned to these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No new shipping points are established for Mine Index Nos. 3242 and 3248 as requested in the original petition in this matter because subsequent to the filing of the said petition, the code member producer operating the aforesaid mines requested that the shipping points heretofore established for such mines be maintained.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping poin	Railroad	Freight origin group No.	1	2	3	4	5
3603	Carrier & Son (W. W. Carrier)	Harlan No. 6	1	B	Harlan, Pa	LEF&C	31	(†)	(†)	F	F	F
3604	Carrier & Son (W. W. Carrier)	Harlan No. 7	1	A	Harlan, Pa	LEF&C	31	(†)	(†)	H	H	H
3370	Clark, Harry	Clark	44	B. V	Shaw, W. Va	WM	68	(†)	(†)	(†)	(†)	(†)
3533	Clearfield Bituminous Coal Corporation	Arcadia No. 2	12	E	Arcadia, Pa	NYC	44	(†)	(†)	(†)	(†)	(†)
3605	Cymbria Valley Coal Company	Cymbria "E"	16	E	Barnesboro, Pa	PRR	50	E	E	E	E	E
3606	Quinn, Harper J. (Peerless Coal Co.)	Peerage No. 2	33	C	Windber, Pa	PRR	49	(†)	(†)	E	(†)	(†)
3607	Humphrey, Lee B. (The Humphrey Brick & Tile Company).	Black Prince No. 2	5	D	Fuller, Pa	PRR	122	(†)	(†)	E	(†)	(†)
285	Johnstown Coal & Coke Co. (Pa.)	Logan No. 4	34	B	Lloydell, Pa	PRR	49	(*)	A	(*)	(*)	(*)
3608	Norman Coal Company (Chas. Norman)	Wilkes	13	A	Boardman, Pa	NYC	44	(†)	(†)	H	(†)	(†)
1980	Rullo, Andy (Owl Coal Co.)	Rullo	32	C	Holsopple, Pa	B&O	100	(†)	(†)	F	(†)	(†)
3610	Saxman Coal & Coke Company, The	Saxman "E"	36	E	Harrison, Pa	B&O	100	(†)	(†)	D	(†)	(†)
924	Shomo-Moshannon Coal Co. (Charles Cohan)	Shomo-Moshannon No. 2	18	E	Fallen Timber, Pa	PRR	52	(†)	(†)	F	(†)	(†)
3611	Stickel, A. C	Flack	37	B	Stoyestown, Pa	B&O	100	(†)	(†)	E	(†)	(†)
2216	Weese Coal Mines, Inc., J. C	Mount Alto	44	Bck	Keyser, W. Va	B&O	65	H	H	H	H	H
3534	White, James A. (James A. White Coal Company).	White No. 7	6	E	Hillman, Pa	PRR	50	(†)	(†)	F	F	F
3553	White, James A. (James A. White Coal Company).	White No. 8	6	E	Hillman, Pa	PRR	50	(†)	(†)	F	F	F

†Indicates no classification effective for these size groups.
*Indicates classifications and prices previously established for these size groups.

§ 321.7 *Alphabetical list of code members*—Supplement R–II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3523	Bartholomew, Merle Lester.	Bartholomew No. 4	6	E	Hillman, Pa	PRR	50			F	F	F
766	Pile, R. M	Pile	37	D	Friedens, Pa	B&O	100			B		
951	Pile, R. M	Pile No. 2	37	D	Friedens, Pa	B&O	100			B		
2562	Shomo-Moshannon Coal Co. (Charles Cohen).	Shomo-Moshannon	18	E	Fallen Timber, Pa	PRR	52			F		

NOTE: The above prices are applicable *only* via the respective Freight Origin Groups, Shipping Points, and railroads shown for the respective mines. Shipping Points previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine mechanically cleaned R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
Carrier & Son (W. W. Carrier)	3603	Harlan No. 6	1	Clarion	B	245	220	220	210	200
Carrier & Son (W. W. Carrier)	3604	Harlan No. 7	1	Clarion	A	235	210	210	200	190
Clearfield Bituminous Coal Corporation	3533	Arcadia No. 2	12	Indiana	E	(†)	(†)	215	(†)	(†)
Cymbria Valley Coal Company	3605	Cymbria "E"	16	Cambria	E	250	225	225	215	205
Quinn, Harper J. (Peerless Coal Co.)	3606	Peerage No. 2	33	Somerset	C	(†)	(†)	225	(†)	(†)
Humphrey, Lee B. (The Humphrey Brick & Tile Company).	3607	Black Prince No. 2	5	Jefferson	D	(†)	(†)	225	(†)	(†)
Norman Coal Company (Chas. Norman).	3608	Wilkes	13	Clearfield	A	(†)	(†)	210	(†)	(†)
Righy & Shaffer Coal Company	3609	Righy & Shaffer No. 2	29	Cambria	E	(†)	(†)	220	210	200
Saxman Coal & Coke Company, The	3610	Saxman "E"	36	Somerset	E	(†)	(†)	230	(†)	(†)
Stickel, A. C	3611	Flack	37	Somerset	B	(†)	(†)	225	(†)	(†)
White, James A. (James A. White Coal Company).	3534	White No. 7	6	Indiana	E	(†)	(†)	220	210	200
White, James A. (James A. White Coal Company).	3553	White No. 8	6	Indiana	E	(†)	(†)	220	210	200
Wolfe, R. D	3306	Mountain	12	Indiana	B	(†)	(†)	235	(†)	(†)
Johnstown Coal & Coke Co. (Pa.)	285	Logan No. 4	34	Cambria	B	(*)	245	(*)	(*)	(*)

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.
*When shown under a Size Group Number, this symbol indicates prices were previously established for this Size Group.

[F. R. Doc. 42-7250; Filed, July 28, 1942; 11:13 a. m.]

[Docket No. A-1501]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; and requesting the establishment of an additional price instruction to be added to the schedule of effective minimum prices for District No. 4 for all shipments except truck to permit the establishment of price classifications and minimum prices for coals prepared at a preparation plant not a part of the mine at which said coals were produced.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4; and further requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds and qualities and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, and that the following action is necessary in order to effectuate the purposes of the Act.

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 324.8 (*Numerical list of mines*) is amended by adding thereto Supplement R–II, § 324.2 (*Seasonal discounts*) is amended by adding thereto Supplement R–III, § 324.9 (*Recapitulation of price classifications*) is amended by adding thereto Supplement R–IV, § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) is amended by adding thereto Supplement R–V, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of C. C. Fay (Rail and Lake Coal Company), Brilliant No. 2 Mine, such coals having been heretofore classified and priced in Docket No. A–1105 for truck shipments and in Docket No. A–1105, Part II, for rail shipments.

No relief is granted herein as to the coals of the B. & T. Coal Company, B. & T. Coal Company Mine, Mine Index No. 2325, for truck shipments, such coals having been heretofore classified and priced in Docket No. A–119. As to rail shipments therefrom, the petition alleges that Mine Index No. 2325 is located in Wills Township, whereas the records of the Division indicate this mine is located in Wheeling Township, and until this discrepancy is clarified, no relief is granted herein for rail shipment.

No relief is granted herein as the coals of Weed Mine, Mine Index No. 2725, of Plymouth Cooperative Mining Company (Wallace Pidcock), nor the Schumacher Mine, Mine Index No. 1007, of the Schumacher Coal Company (Stanley Schumacher), inasmuch as coals from Mine Index No. 2725 were classified and priced in Docket No. A–1373 under the name of John Glass, and coals from Mine Index No. 1007 were classified and priced in Docket No. A–260 under the name of Schumacher Coal Company (Wade Hampton).

No relief is granted herein as to that part of the petition requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, sizes, and qualities of coal as if said preparation plant were located at the mine where said coal was actually produced, for the reasons set forth in the Order designating the portion of Docket No. A–1504 relating to such relief as Docket No. A–1504, Part II.

Dated: July 11, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Sub-dist. No.	Seam	Type	Shipping points in Ohio	Railroad	Freight origin group Nos.	Price classifications by size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12
1952	A & A Coal Company (A. E. Akenhead).	A & A Coal Co	4	6 and 7	Strip	Negley	PL&W	73	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q		Q
447	Appelman, G. K. (Keystone Coal Co.).	Keystone No. 3 (Deep).	6	6	Deep	Crooksville	PRR	34	O	O	O	O	O	O	Q	Q	Q			Q
411	Appelman, G. K. (Keystone Coal Co.).	Keystone No. 3 (Strip).	6	6	Strip	Crooksville	PRR	34	O	O	O	O	O	O	Q	Q	Q	Q		Q
440	Bozzo Coal Co. (Emory Torrence).	Hilltop	4	6 and 7	Strip	Lisbon	L&W	73	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q		Q
441	Bozzo Coal Co. (Emory Torrence).	West Point	4	6	Strip	Lisbon	L&W	73	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q		Q
514	Chini, Lawrence (Chini & Leone).	Tirol	1	SA	Deep	Lafferty	B&O	12	O	O	O	O	O	O	O	O	O			O
2398	Llewellyn Coal Co. (Roy Llewellyn).	Llewellyn	5	6	Deep	Hope	B&O	41	K	K	O	O	O	O	Q	Q	Q			Q
421	Matthews, Alfred	Alfred Matthews	5	6	Deep	New Straitsville	C&O	22	K	K	O	O	O	O	Q	Q	Q			Q

§ 324.7 *Alphabetical list of code members*—Supplement R–I—Continued

Mine index No.	Code member	Mine name	Sub-dist. No.	Seam	Type	Shipping points in Ohio	Railroad	Freight origin group Nos.	Price classifications by size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12
445	McVey-Rosser Coal Company (F. M. Rosser).	No. 4	5	6	Deep	Floodwood	C&O	22	K	K	O	O	O	O	Q	Q	Q	------	------	Q
1303	Parker, Bertha (Willow Creek (Coal Co.).	Little Patty	8	8A	Deep	Pomeroy	C&O	23	K	K	O	O	O	O	Q	Q	Q	------	------	Q
1428	Shawen, Dave (Cambridge Coal Co.).	Cambridge Coal Co	2	7	Strip	Cambridge	PRR	16	R	R	R	Q	O	O	Q	Q	Q	Q	------	Q

[1] Subject to Exception No. 4, § 324.1 (b) in the Schedule of Effective Minimum Prices for District No. 4.

§ 324.8 *Numerical list of mines*—Supplement R–II

Mine Index No.	Mine name	Code member	Freight origin districts	Freight origin Group Nos.	Railroad	Subdistrict No.
411	Keystone No. 3 (Strip)	Appleman, G. K. (Keystone Coal Co.)	Crooksville	34	PRR	6
421	Alfred Matthews	Matthews, Alfred	Hocking	22	C&O	5
428	Cambridge Coal Co	Simpson, Dave (Cambridge Coal Co.)	Cambridge	16	PRR	2
440	Hilltop	Bozzo Coal Co. (Emory Torrence)	Leetonia	73	PL&W	4
441	West Point	Bozzo Coal Co. (Emory Torrence)	Leetonia	73	PL&W	4
445	No. 4	McVey-Rosser Coal Company (F. M. Rosser).	Hocking	22	C&O	5
447	Keystone No. 3 (Deep)	Appleman, G. K. (Keystone Coal Co.)	Crooksville	34	PRR	6
514	Tirol	Chini, Lawrence (Chini & Leone)	Ohio No. 8	12	B&O	1
1303	Little Patty	Parker, Bertha (Willow Creek Coal Co.).	Pomeroy	23	C&O	8
1952	A & A Coal Co	A & A Coal Company (A. E. Akenhead).	Leetonia	73	PL&W	4
2398	Llewellyn	Llewellyn Coal Co. (Roy Llewellyn)	Jackson	41	B&O	5

§ 324.2 *Seasonal discounts*[1]—Supplement R–III

[On all shipments of coal in size groups 1 or 2, the discounts shown below in cents per net ton may apply. The date of shipment and not the date of sale shall govern the seasonal price applicable. These seasonal discounts apply for shipments to all market areas except market areas 1 to 13, inclusive, 98 and 99 (Great Lakes), river shipments, vessel fuel and railroad fuel]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index Nos.	Additional mine index Nos.	Amount of discount for shipments during the month of— April	May	June	July	August
Ohio No. 8	9, 10, 11, 12, 14, 15, 17, 18, 19.	----------	10, 21, 26, 30, 31, 34, 35, 42, 43, 54, 55, 56, 57, 65, 78, 81, 99, 102, 103, 107, 111, 114, 115, 116, 122, 123, 124, 127, 128, 144, 145, 147, 152, 157, 164, 167.	Add Mine Index No. 514.	30	20	10	----	----
Cambridge	----------	Add 16	----------	Add Mine Index No. 428.	30	20	10	----	----
Hocking	21, 22, 26, 27, 28.	----------	1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 76, 86, 90, 109, 126, 130, 168, 170, 171.	Add Mine Index Nos. 421, 445.	50	40	30	20	10
Pomeroy	23, 25	----------	14, 22, 38, 70, 82, 100, 101, 105, 112, 113.	Add Mine Index No. 1303.	50	40	30	20	10
Crooksville	31, 32	Add 34	8, 97	Add Mine Index No. 411.	30	20	10	----	----
	31, 32, 33, 34, 36	----------	4, 28, 66, 85, 91, 104, 106, 125, 138, 143, 146, 155, 156, 160, 162, 165.	Add Mine Index No. 447.	30	20	10	----	----
Jackson	41	----------	39, 136	Add Mine Index No. 2398.	50	40	30	20	10
Leetonia	72, 74	Add 73	3, 77, 159, 166	Add Mine Index Nos. 440, 441, 1952.	30	20	10	----	----

[1] Seasonal discounts as shown in 324.2 in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.9 *Recapitulation of price classifications*—Supplement R–IV

[Prices for all rail shipment from mines indexed below into market areas as shown. For shipment into all market areas—See Schedule of Effective Minimum Prices, §§ 324.9 and 324.10. Also applies to Market Areas 98 and 99 (Great Lakes), §§ 324.11 (b), and 324.11 (c), and Vessel Fuel, §§ 324.11 (d).]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index Nos.	Additional mine index Nos.
Ohio No. 8	9, 10, 11, 12, 14, 15, 17, 18, 19.	----------	10, 21, 26, 30, 31, 34, 35, 42, 43, 54, 55, 56, 57, 65, 78, 81, 99, 102, 103, 107, 111, 114, 115, 116, 122, 121, 124, 127, 128, 144, 145, 147, 152, 157, 164, 167.	Add Mine Index No. 514.
Cambridge	----------	Add 16	----------	Add Mine Index No. 428.[1]
Hocking	21, 22, 26, 27, 28	Add 16	(Subject to Exception No. 4, page 3).	Add Mine Index No. 428.[1]
		----------	1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 76, 86, 90, 109, 126, 130, 168, 170, 171.	Add Mine Index Nos. 421–445.
Pomeroy	23, 25	----------	14, 22, 38, 70, 82, 100, 101, 105, 112, 113	Add Mine Index No. 1303.
Crooksville	31, 32	Add 34	8, 97	Add Mine Index No. 411.
	31, 32, 33, 34, 36	----------	4, 28, 66, 85, 91, 104, 106, 125, 138, 143, 146, 155, 156, 160, 162, 165.	Add Mine Index No. 447.
Jackson	41	----------	39, 136	Add Mine Index No. 2398.
Leetonia	72, 74	Add 73	3, 77, 159, 166	Add Mine Index Nos. 440, 441, 1952.

[1] Prices as shown for Mine Index Nos. 87 and 121, appearing in the Schedule of Effective Minimum Prices for District No. 4, less 10 cents in Size Groups 7, 8, 9, and 12, will apply to additional Mine Index No. 428 hereinabove noted for all Market Areas except Market Area 14. In addition, Mine Index No. 428 will have a price in Size Group 10 equal to the applicable minimum price for its Size Group 8 less 5 cents for all Market Areas except Market Area 14. Prices for Market Area 14 shall be 5 cents per ton less in Size Groups 7, 8, 9, and 12 than Mine Index Nos. 87 and 121, and the price in Size Group 10 shall be the same as its Size Group No. 8.

Prices as shown in § 324.9, § 324.10, § 324.11 (b), § 324.11 (a), and § 324.11 (d) in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.11 *Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*—Supplement R–V

[Railroad fuel prices for all movements exclusive of lake cargo railroad fuel from mines indexed below. For shipment to railroads as shown—See Schedule of Effective Minimum Prices, §324.11(a)]

Name of railroad	Mine index Nos.	Additional mine index Nos.
Baltimore & Ohio Railroad Co	10, 21, 30, 33, 39, 49, 58, 71, 72, 78, 81, 85, 87, 95, 96, 103, 104, 106, 116, 121, 124, 128, 134, 136, 144, 146, 147, 151, 155, 157, 160, 162.	Add Mine Index Nos. 514, 2398.
Chesapeake & Ohio Railway Co	14, 38, 41, 47, 61, 70, 72, 75, 76, 82, 86, 101, 105, 112, 113, 130, 131, 168, 170, 171.	Add Mine Index Nos. 421, 445, 1303.
Pennsylvania Railroad Co	11, 26, 31, 42, 43, 49, 50, 55, 56, 57, 62, 65, 67, 69, 81, 94, 111, 114, 115, 132, 152, 162, 165, 169.	Add Mine Index No. 447.
	166	Add Mine Index Nos. 411, 428.
Pittsburgh, Lisbon & Western Railroad	3, 77	Add Mine Index Nos. 440, 441, 1952.

NOTE.—Prices as shown in §324.11(a) in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.11 *Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*—Supplement R–V—Continued

Name of railroad	Mine index Nos.	Additional mine index Nos.
Akron, Canton & Youngstown Railway Co.		
Ann Arbor Railroad Co		
Canadian National Railways and Grand Trunk Railway System.	From all Mine Index Nos. except those shown below.	Add Mine Index Nos. 421, 445, 447, 514, 1303, 2398.
Canadian Pacific Railway Co		
Detroit and Mackinac Railway Company	From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	Add Mine Index Nos. 411, 428, 440, 441, 1952.
Detroit & Toledo Shore Line Railroad Co.		
Erie Railroad		
Nickel Plate Road (New York, Chicago & St. Louis Railroad Co.).		
Pere Marquette Railway Co		
For all Railroads not shown above	From all Mine Index Nos. except those shown below.	Add Mine Index Nos. 421, 445, 447, 514, 1303, 2398.
	From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	Add Mine Index Nos. 411, 428, 440, 441, 1952.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: 6" lump 1	3"–4"–5" lump 2	2" lump 3	2" x 1" egg 4	1¼" x 1" egg 5	Mine run, nut and pea 6	2" x 0 slack 7	¾" x 0 slack 8
SUB-DISTRICT NO. 2—CAMBRIDGE											
GUERNSEY COUNTY											
Simpson, Dave (Cambridge Coal Co.)	Cambridge Coal Co	428	(S) 7	270	260	245	220	220	220	200	190
SUB-DISTRICT NO. 4—MIDDLE											
CARROLL COUNTY											
Davis, A. R	Davis	414	(D) 7	275	265	250	235	235	220	190	180
COLUMBIANA COUNTY											
Bozzo Coal Co. (Emory Torrence)	Hilltop	440	(S) 6 and 7	300	290	275	250	245	225	205	195
Bozzo Coal Co. (Emory Torrence)	West Point	441	(S) 6	300	290	275	250	245	225	205	195
Smith & Barnes (E. L. Smith)	Smith & Barnes No. 2	425	(D) 6	300	290	275	250	245	235	205	195
COSHOCTON COUNTY											
Hardesty & Jenkins (Paul Jenkins)	Gray Goose	437	(D) 6	280	270	260	235	230	195	165	155
MAHONING COUNTY											
Ginger Hill Coal Co. (Wm. H. Myers)	Ginger Hill Coal Co	414	(D) 4	300	290	275	250	245	235	205	195
STARK COUNTY											
Benchley & Vermillion Coal Co	Benchley & Vermillion No. 2	438	(S) 5 and 6	275	265	250	235	235	210	190	180

[Docket No. A-1524]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and application to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 16, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: 6" lump	3"–4"–5" lump	2" lump	2" x 4" egg	2" x 3" egg	1¼" lump	1¼" x 4" egg	1¼" x 3" egg	Mine run, nut and pea	2" x 0 slack	1¼" x 0 slack
				1	2	3	4	5	6	7	8			
SUB-DISTRICT NO. 4—MIDDLE—Con.														
TUSCARAWAS COUNTY														
Lewis, Eyail	Lewis	442	(D) 6	275	250	210	235	235	221	190	180			
Torgler Coal Co. (Chas. Torgler)	Torgler	443	(D) 6	275	225	210	235	235	221	190	180			
SUB-DISTRICT NO. 5—HOCKING														
ATHENS COUNTY														
McVey-Rosser Coal Company (F. M. Rosser)	No. 4	445	(D) 6	295	265	275	250	245	195	195	155			
Vaughn Bros. Coal Co. (Charles Vaughn)	Vaughn Bros. No. 2	410	(D) 6	295	265	275	250	245	195	195	155			
PERRY COUNTY														
Matthews, Alfred	Alfred Matthews	121	(D) 6	295	265	275	250	245	195	195	155			
SUB-DISTRICT NO. 6—CROOKSVILLE														
MORGAN COUNTY														
Appleman, G. K. (Keystone Coal Co.)	Keystone No. 3 (Strip)	411	(3) 6	270	270	250	235	230	195	195	165			
Appleman, G. K. (Keystone Coal Co.)	Keystone No. 3 (Deep)	447	(D) 6	280	270	260	235	230	195	195	165			
SUB-DISTRICT NO. 7—JACKSON														
VINTON COUNTY														
Kinnison, Robert & Sons (Robert Kinnison)	Hagerty	413	(D)	295	265	275	250	245	195	173	165			

(D) Indicates deep mine. (3) Indicates strip mine.

[F. R. Doc. 42-7249; Filed, July 28, 1942; 11:14 a. m.]

NOTE: The material contained in this "Supplement R" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1–2, 3–4, 5–6, 7, 8, 9, 10, 11–12, 13–14, 15–16–17, 18–19–20–21, 22, 23, 24, 25, 26, 27	Price classifications by size group Nos. For Great Lakes cargo only: 1–2, 3–4, 5–6, 7, 8, 9, 10, 11–12, 13–14, 15–16–17, 18–19–20–21, 22, 23, 24, 25, 26, 27
7	Algoma Block Coal Company	Algoma	Hazard No. 4	3	Lothair, Ky	L&N	100	100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100	100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100
247	Premium Coals, Inc	Premium	Hazard No. 4	3	Premium, Ky	L&N	100		
380	Puritan Coal Corporation	Puritan No. 1	Thacker	8	Puritan, W. Va	N&W	130		

*Indicates previously classified these size groups. †Indicates no classification effective for these size groups.

[F. R. Doc. 42-7251; Filed, July 28, 1942; 11:13 a. m.]

[Docket No. A-1397]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order terminating hearing, revising temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Costello Creek No. 2 Mine (Mine Index No. 163) in Subdistrict I in District No. 23.

A petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was duly filed with this Division by the above-named party requesting the establishment of certain price classifications and minimum prices, both temporary and permanent, for the coals produced from the Costello Creek No. 2 Mine, Mine Index No. 163, in Subdistrict I of District No. 23.

On May 2, 1942 (7 F.R. 3413), a Memorandum Opinion and Order was issued in this matter temporarily establishing for the coals of the Costello Creek No. 2 Mine, the same price classifications and minimum prices as those in effect for the coals produced from other mines located in Subdistrict I. The price classifications and minimum prices proposed by petitioner for the coals of the Costello Creek No. 2 Mine were, however, lower than the minimum prices heretofore established and currently in effect for coals, in the same size groups, produced from the mines of other code members in Subdistrict I in amounts ranging from 25 cents per ton to $1.50 per ton, and since the petition did not contain facts sufficient to warrant the permanent establishment of the proposed price classifications and minimum prices without a hearing, a hearing in this matter was scheduled to be held at Washington, D. C. on June 2, 1942.

The hearing was opened, as scheduled, on that day but petitioner was not represented. The hearing was thereupon continued pending further order of the Acting Director.

Subsequent to the date of hearing, petitioner submitted to the Division additional data in support of the price classifications and minimum prices proposed by it for the Costello Creek No. 2 Mine coals. In the light of the additional data submitted, it appears that a reasonable showing of necessity has been made for the granting of relief as requested in the original petition, and pending final disposition of the above-entitled matter, it is now proper that the price classifications and minimum prices proposed by the petitioner for the coals of the Costello Creek No. 2 Mine should be temporarily established in lieu of the price classifications and minimum prices temporarily in effect for that mine.

It further appears that a hearing is no longer necessary and accordingly, the hearing scheduled and pending in this matter should be terminated.

Now, therefore, it is ordered, That pending final disposition of the original petition in this matter, the temporary relief granted by the Memorandum Opinion and Order of May 2, 1942, for the coals of the Costello Creek No. 2 Mine, Mine Index No. 163, of code member W. E. Dunkle, in Subdistrict I in District No. 23, is revised as follows: Commencing forthwith § 343.4 (*Code member price index*), § 343.5 (*General prices; minimum prices for shipment via rail transportation*), and § 343.21 (*General prices*) are supplemented to include, for the coals of the Costello Creek No. 2 Mine, Mine Index No. 163, in Subdistrict I in District No. 23, the price classifications and minimum prices set forth below in lieu of those price classifications and minimum prices heretofore temporarily established and currently in effect for the coals of that mine.

Producer	Mine	Mine Index No.	Area	Shipping point	Subdistrict price group	Railroad	Freight origin group No.	Prices page: Rail	Prices page: Truck
Dunkle, W. E.	Costello Creek #2	163	Territory of Alaska.	Colorado station	I	Alaska	110	7	13

MINIMUM F. O. B. MINE PRICES IN CENTS PER NET TON FOR SHIPMENT VIA RAIL TRANSPORTATION INTO MARKET AREAS SHOWN

[Subdistrict I: W. E. Dunkle—Costello Creek No. 2 Mine—Territory of Alaska]

Market area	Price classifications and size group Nos. 2	4	10	15	19
All market areas	450	375	425	300	325

Insert the following code member name, mine name and county under Subdistrict I, and the following prices:

TRUCK SHIPMENTS

Code member mine name	Area	Size groups 2	4	10	15	19
SUBDISTRICT I						
Dunkle, W. E., Costello Creek No. 2.	Territory of Alaska	450	375	425	300	325

It is further ordered, That the hearing in this matter be and it hereby is terminated.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and application to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order unless it shall otherwise be ordered.

Dated: July 27, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-7252; Filed, July 28, 1942; 11:12 a. m.]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

[Docket No. A-937]

AMENDMENT OF RELIEF ORDER

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals or certain mines in District No. 4.

On July 21, 1941, an Order Granting Temporary Relief and Conditionally Providing for Final Relief was issued in the above-entitled matter (6 F.R. 3913). Price classifications and minimum prices were established, among other things, for the coals of the Pine Hollow Mine (Mine Index No. 212) of W. J. Eaton (Pine Hollow Coal Company) for all shipments except truck from Lisbon, Ohio, on the Pittsburgh, Lisbon & Western Railroad, but not on the Erie Railroad as was also requested.

It appears that the price classifications and minimum prices in the said Order of the Pine Hollow Mine (Mine Index No. 212) for all shipments except truck should be applicable for shipment from Lisbon, Ohio, on both the Pittsburgh, Lisbon & Western Railroad and the Erie Railroad.

Now, therefore, it is ordered, That the said Order of July 21, 1941 (6 F.R. 3913), and § 324.7 (*Alphabetical list of code members*), § 324.8 (*Numerical list of Mines*), § 324.2 (*Seasonal discounts*), § 324.10 General prices, and § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) be amended to establish

the price classifications and minimum prices therein of the Pine Hollow Mine (Mine Index No. 212) for all shipments except truck for shipment from Lisbon, Ohio, on the Erie Railroad in addition to the Pittsburgh, Lisbon & Western Railroad; and to assign this mine to Freight Origin Group No. 75 instead of 73.

It is further ordered, That in all other respects said Order of July 21, 1941, be, and it hereby is, continued in full force and effect.

Dated: July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7316; Filed, July 29, 1942; 11:00 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

[1942, Dept. Circ. 570, 2d Sup.]

Subchapter A—Bureau of Accounts

PART 226—SURETY COMPANIES

INLAND BONDING COMPANY

JULY 27, 1942.

This Supplement is issued to delete from the list of companies holding certificates of authority from the Secretary of the Treasury as acceptable sureties on Federal bonds the name of the Inland Bonding Company. That Company has requested permission from the Treasury to retire from the writing of bonds in favor of the United States, and pursuant to that request the Secretary of the Treasury has, of even date with this Supplement, revoked, the certificate of authority issued on May 1, 1942 pursuant to the Act of Congress approved August 13, 1894, as amended, which certificate authorized the Inland Bonding Company to qualify as sole surety on Federal bonds.

Section 226.1, Part 226, Chapter II, title 31 of the Code of Federal Regulations of the United States of America (Treasury Department Circular No. 570, revised [1]) is hereby amended by deleting therefrom the name "Inland Bonding Company, South Bend" which appears in said Part 226 under the subtitle "Indiana", in the list of surety companies acceptable on Federal bonds.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7310; Filed, July 29, 1942; 9:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1021—FURNACES

[Interpretation 1 of Limitation Order L-22 [2]]

The following official interpretation is hereby issued with respect to § 1021.1 *General Limitation Order L-22:*

Paragraph (b) of General Limitation Order No. L-22 provides that during the calendar year 1942 no Class A Manufacturer or Class B Manufacturer may incorporate into furnaces iron and/or steel in excess of certain specified quotas. However, nothing in General Limitation Order No. L-22 restricts the manufacture of replacement parts for furnaces. Consequently such replacement parts may be manufactured over and above the established quotas. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7318; Filed, July 29, 1942; 11:34 a. m.]

PART 1085—MAINTENANCE AND EXPANSION OF PLANTS CANNING FRUITS AND VEGETABLES

[Preference Rating Order P-115, as amended July 29, 1942 [1]]

Preference Rating Order P-115 (§ 1085.1) is hereby amended to read as follows:

§ 1085.1 *Preference Rating Order P-115*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person located in the United States, its territories and possessions, engaged in the business of canning or otherwise processing fruits and vegetables, or any person, located in the Dominion of Canada, to whom and in whose name a copy of this order is specifically issued.

(2) "Canning" means the preparation of fruits and vegetables for market by packing such fruits and vegetables (either alone or in combination with other commodities) in hermetically sealed containers and sterilizing by the use of heat and includes all operations required for or usually incidental to such preparation.

(3) "Processing" means the preparation of fruits or vegetables for market otherwise than by canning, including freezing, dehydration, and fresh packing.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind, used in the canning or processing of fruits and vegetables, but does not include any planting or harvesting equipment or equipment used in the transportation of food products.

(5) "Maintenance" means minimum upkeep necessary to enable the producer's existing plant and equipment to be used at its maximum rate of operation permissible under Conservation Order M-81 (To Conserve the Supply and Direct the Distribution of Tin Plate and Terne Plate) and other like orders.

(6) "Repair" means restoration of a producer's machinery, plant or equipment to sound working condition after physical depreciation, wear and tear, damage, destruction of parts or the like have impaired its fitness for service but not to an extent involving major reconstruction.

(7) "Material required for operation" means operating supplies not to be physically incorporated in the finished product, nor used as packaging or fuel.

(8) "Replacement" means substitution of new machinery, plant or equipment for existing machinery, plant or equipment, when not constituting repair.

(9) "Addition and expansion" means introduction of additional plant or equipment, other than replacements, to increase the productive capacity of a producer's existing plant or equipment, without enlarging existing building space.

(10) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to a producer or to another supplier.

(b) *Assignment of preference ratings.* Preference ratings are hereby assigned, subject to the restrictions and conditions of paragraphs (c) and (d) hereof:

(1) A-1-a to deliveries, to a producer, of material directly required for emergency maintenance or repair, to avert spoilage of fruit or vegetables because of an actual breakdown or suspension of a producer's operations.

(2) A-1-j to deliveries, to a producer, of material required for repair, maintenance, or operation, or which will be physically incorporated into material which will be delivered for such use.

(3) A-1-c to deliveries to a producer of material required for replacement, addition or expansion, or which will be physically incorporated into material which will be delivered for such use, excluding, however, any deliveries:

(i) For the construction of new buildings, or the establishment of new plants,

(ii) For the establishment of new production lines, except for the canning of peas and tomatoes, or

(iii) For any other purpose that, in the opinion of the Director General for Operations at the time application is made, as provided in paragraph (d) (3) below, is not in the public interest, does not promote the national defense, or is in conflict with the policy of Conservation Order M-81 [3] (To Conserve the Supply and Direct the Distribution of Tin Plate and Terne Plate) or other like orders.

(c) *Restrictions on application of ratings by producer.* (1) Every contract and purchase order for material, to which a preference rating is to be applied hereunder, must specify the date or dates by which delivery is required, and except as hereinafter noted the preference rating may be applied only to such material, or portion thereof, which under the contract or purchase order, is to be delivered to the producer for his operations during the calendar year 1942. The producer may apply the ratings only to those quantities and kinds of materials essential to enable him to maintain his canning or processing schedules for the calendar year 1942, except as hereinafter noted in this section. Any producer may apply a rating hereunder to obtain material necessary to maintain canning schedules during the calendar year 1943 in plants located in the Hawaiian Islands.

(2) The producer shall not apply any preference rating assigned by (b) (1) above to deliveries of material to replace other material withdrawn from his inventory or stores for maintenance, repair or operation.

(3) The producer shall not apply any preference rating assigned by (b) (2) above if, in view of the current rate of consumption of his inventory or stores for repair and maintenance or operation, the delivery of the material to be rated would increase such inventory or stores above the minimum permitted or provided in paragraph (e) below.

(4) The producer shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required without such rating.

(d) *Application of preference rating.* (1) A producer or any supplier, in order to apply or extend the preference ratings assigned hereunder shall comply with Priorities Regulation No. 3, [4] as it may be amended from time to time.

(2) If preference rating A-1-a is applied, the producer must, immediately upon placing his order for such material, telegraph to the War Production Board the following with respect to such order:

(i) The name and address of the supplier;

(ii) The reasons why such order required assignment of preference rating as emergency maintenance or repair;

(iii) A specific description of the material included in the order, and

(iv) The invoice cost of each item of such material.

(3) If the material is required for replacement, expansion or addition, the producer shall not apply preference rating A-1-c, unless he shall have communicated with the War Production Board, describing the material needed and the nature of the proposed replacement, expansion or addition, and shall have received from the Director General for Operations a specific authorization to apply such rating, notwithstanding the fact that he may have previously been authorized to apply a rating of A-3. Such application for authorization may be made by a written statement on Form PD-285 or, in any emergency, by telegram giving substantially the information called for by said Form PD-285.

(e) *Inventory provisions.* A producer shall not accept deliveries (whether rated hereunder or not) of material for repair and maintenance or operation which will increase the inventory or stores available to the producer for such purposes to an amount greater than the minimum necessary for repair and maintenance and to sustain the current level of operations of the producer, and the ratio of such inventory and stores to current operations shall in no event exceed the ratio of average inventory to average operation for the years 1938, 1939, and 1940.

(f) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a producer, and each supplier placing or receiving any purchase order or contract rated hereunder, shall each retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(g) *Reports.* Each producer and each supplier who applies a preference rating hereunder shall file such reports as may be required from time to time by the War Production Board; and until further notice any producer or supplier who applies a preference rating hereunder for emergency maintenance or repair, or for repair, maintenance, or operation, shall file Form PD-81A on or before the *10th* day of each month.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: P-115.

(i) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 80).

(j) *Revocation or amendment.* This order may be revoked or amended at any time as to any producer or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the producer or supplier affected by such revocation.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all priorities regulations as issued or amended from time to time, except to the extent that any provision of this order may be inconsistent therewith, in which case such provision shall govern. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7323; Filed, July 29, 1942; 11:35 a. m.]

PART 1105—SUGAR

[Supplementary Order M-98-a, [1] as Amended July 29, 1942]

Section 1105.2 *Supplementary Order M-98-a* is hereby amended to read as follows:

§ 1105.2 *Supplementary Order M-98-a.* (a) Pursuant to paragraph (c) of General Preference Order No. M-98 [2] no refiner shall purchase, import or accept delivery of raw sugar in excess of the allotment hereby established for the period from January 1, 1942, to December 31, 1942, for him in the amount set forth below opposite his name. Such allotment may be changed or modified from time to time by the Director General for Operations. All such raw sugar purchased, imported, or received by him between January 1, 1942, and the date of this order shall be charged against such allotment.

	Short tons, raw value
American Sugar Refining Company	928,598
J. Aron and Company, Inc.	33,729
C & H Sugar Refining Corporation:	
West Coast	390,376
East Coast	130,944
Colonial Sugars, Inc.	123,968
Godchaux Sugars, Inc.	155,856
Henderson Sugar Refinery, Inc.	70,311
Imperial Sugar Company	116,308
Inland Sugar Company	0
Liquid Sugars, Inc.	9,715
W. J. McCahan Sugar Refining and Molasses Company	163,406
National Sugar Refining Company	791,218
Pepsi-Cola Company	0
Realty Operators, Inc.	0
Refined Syrups & Sugars, Inc.	106,715
Revere Sugar Refinery	157,790
Savannah Sugar Refining Corporation	166,171
South Coast Sugar Corporation	21,318
Sterling Sugars, Inc.	17,599
Sucrest Corporation & Affiliates	99,353
Tea Garden Products Company	652
Western Sugar Refinery:	
West Coast	95,948
East Coast	61,237

(b) Purchases, importations, or acceptances of delivery, within the allotment established in paragraph (a) hereof, of raw sugar shall be made only upon the specific authorization of the Director General for Operations, except that purchases, importations, or acceptances of delivery of raw sugar produced in the Territory of Hawaii, for refining in states bordering on the Pacific, may be made without authorization other than this order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E. O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7319; Filed, July 29, 1942; 11:34 a. m.]

[1] 5 F.R. 3657.
[2] 7 F.R. 2785.
[1] 7 F.R. 952, 2389, 4650.
[2] 7 F.R. 4836, 5272.
[3] 7 F.R. 4422, 4833, 5404.
[1] 7 F.R. 1026, 2389.
[2] 7 F.R. 1025.

Commodity	Schedule B No.
Tin (Pig, in Bronze, q. v., Babbitt and Solder, (see Lead) and in Tin Manufactures not including Tinplate, q. v.):	6565,* 6565.01 thru 6565.98 6570, 6571, 6572.05, 6572.09, 6573.05, 6573.07, 6573.98, 6586, 6589.01, 6589.03, 6589.07, and 6589.98.
Zinc	6213.03.
Ferromanganese	6220.85.
Ferromolybdenum	6220.94.
Ferrotungsten	6220.97.
Ferrovanadium	8210.
Acetic Acid	8316.
Acetone	8505.
Ammonium Sulfate	8390.
Anhydrous Ammonia	8025.15.
Aniline (Aniline Oil)	8260.* 8329.98.
Camphor, Tetrachloride	8329.1.
Carbon Tetrachloride	8111 (Medicinal) 2249.01 (Commercial).
Castor Oil	8392.
Chlorine	8303.07.
Citric Acid	8201.
Copper Sulfate	3004.
Cotton Linters	3006.
Cotton Pulp	3025.93.
Dibutyl Phthalate	9604.
Dynamite	8320.
Formaldehyde	8514.
Glycerin	8510.
Methyl Alcohol (Methanol)	8201.05.
Naphthalene	0908.
Neat's-foot Oil	8023.
Phenol	8398.87.
Phosphorus	8025.90.
Phthalic Anhydride	
Plastic:	
Methyl - Methacrylate Synthetic Resins	8258.03 and 8261.03.
Urea Synthetic Resins	8257.07, 8257.98, 8260.07, and 8261.07.
Alkyd Synthetic Resins	8253.
Phenolic (Tar-acid) Resins	8255.01, 8255.98, 8260.01 and 8261.01.
"Other" Synthetic Resins	8258.98, 8260.98 and 8261.98.
Cellulose Nitrate Plastics	8264.
Cellulose Acetate Plastics	8265.05 and 8265.98.
Potash Salts	8531.01, 8531.05, 8531.06, and 8531.98.
Potassium Chlorate	8359.98 and 8359.99.
Potassium Permanganate	8397.23.
Strontium Chemicals	8397.82 thru 8397.88.
Sulfuric Acid	8309.5 and 8309.7.
Superphosphate	8519.
Toluol	8011.
Cryolite	5060.10 and 5060.15.
Diamond Dies (non-strategic)	7455.03.
Carbonate Electrodes	5473.01.
Graphite (Metallurgical, Acid and Ceramic)	5473.05.
Graphite, natural amorphous	5060.20.
Mica	5472.01 and 5472.98.
Uranium Salts and Compounds	5510, 5512, 5513.
Woodpulp	8398.30.
Belting Leather	4601, 4602, 4604, 4608, 4606, 4610, and 4619.
Calf Upper Leather	0304.2, 0305.1, 0305.2, and 0304.01.
Sole Leather: Backs, Bends and Sides	0304.4.
Sole Leather; Other than Backs, Bends and Sides (incl. offal)	0332.05 and 0332.98.
Rayon	3840.10 and 3840.12.
Aconite	2209.27.
Ascorbic Acid	8119.98.
Belladonna Leaves	2209.01, 8124.03, 8127.93, 8135.01 thru 8135.06, 8135.10, 8150.01, 8151.01, and 8180.03.
Belladonna Roots	

* Schedule F number.

PART 1222—EXPORTS OF CRITICAL MATERIAL

[Amendment 2 to General Exports Order M-148]

Section 1222.1 *General Exports Order M-148*[1] is hereby amended by striking all of Exhibit A and substituting Exhibit A attached hereto.

[1] 7 F.R. 3518, 3603.

EXHIBIT "A"

List of Critical Materials Subject to General Exports Order M-148

(The following commodities are under allocation to the American Republics for the third quarter of 1942. The numbers following each item refer to the U. S. Export Classification Code (Schedule B), and may be used for more accurate identification and definition of items.)

Commodity	Schedule B No.
Iron and Steel (excluding ferro-alloys and tin plate, q. v.):	
Pig iron	6007.
Ingots, blooms, billets, etc	6016.01 thru 6016.09, 6017.01 thru 6017.09.
Bars and rods:	
Concrete reinforcement	6022.
Other	6020, 6021, 6023, 6025, 6026, 6029.
Plates	6030.15, 6030.98, 6031.15, 6031.19, 6031.5, 6031.95, 6031.98.
Sheets and strip:	
Black	6032.05, 6032.98, 6035.1, 6035.5, 6035.9, 6036, 6037.11 thru 6037.19, 6037.51 thru 6037.59, 6037.91 thru 6037.98, 6038.11 thru 6038.19, 6038.51 thru 6038.59, 6038.91 thru 6038.98.
Galvanized	6033, 6034.
Structural shapes	6043, 6045, 6046, 6047, 6048, 6049, and 6050.
Railway track material:	
Rails	6051, 6053, 6052.
Other	6054, 6055, 6058, and 6059.
Tubular products:	
Cast iron pipe and fittings	6066, 6067.05, 6067.98, 6068.05, 6068.98.
Welded (Steel) pipe	6061, 6062, 6070, 6071, 6072, and 6073.
Seamless (Steel) pipe	6063, 6064.
Pipe fittings	6065, 6077.05, 6077.98.
Wire:	
Plain	6081 and 6082.
Barbed	6083.
Other wire and manufactures	6085, 6086.1, 6086.9, 6087.1, 6087.5, 6088, 6091.01 thru 6091.98, 6092, 6093, 6094, 6095, and 6099.
Castings	6101, 6102, 6104.1, and 6104.9.
Car wheels, tires and axles	6105.15 thru 6105.18, 6105.25, 6105.35.
Forgings	6106, 6107.01, 6107.05, 6108.01, 6108.05.
Tin Plate	6041.
Bauxite	6200 and 6296.
Beryl and Beryllium	6649.05.
Cadmium (metallic)	6645.15 and 6649.15.
Cobalt (metal)	6649.25.
Copper:	
Copper Metal	6401, 6412, 6413, 6422, 6423, 6424, 6425, 6430, 6431, and 6435.
Brass and Bronze	6440, 6441, 6448.01, 6448.05, 6450, 6453, 6454.3, 6454.57, 6456, 6456.98, 6457, and 6454.58.
Lead (including Babbitt and Solder)	6505.01, 6512, 6515.05, 6515.20, 6515.21, 6515.30, 6515.37, 6515.50, 6515.53, 6515.55, 6515.60, 6515.98, 6520, and 6670.
Mercury (metallic)	6635.
Platinum and Allied Metals	6920, 6922.05, 6922.09, 6929.05, and 6929.98.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

Commodity	Schedule B No.
Digitalis	2209.98.
Ergot	2209.98.
Insulin	8123.
Ipecac	2209.98.
Procaine	8135.25.
Red Squill	2209.21.
Sulfaguanidine	8135.98.
Sulfanilamide	8135.98.
Thiamine Hydrochloride	8119.98.

[F. R. Doc. 42-7320; Filed, July 29, 1942; 11:34 a. m.]

PART 1296—PYRIDINE

[Conservation Order M-185]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pyridine, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1296.1 *Conservation Order M-185*—(a) *Definitions.* For the purposes of this order:

(1) "Pyridine" means that particular fraction of the material commonly known as "tar bases" recovered as a by-product in the destructive distillation of coal, which fraction, upon distillation will have a dry point not above 117° C.

(2) "Pure pyridine" means the chemical compound known by that name.

(3) "Two-degree pyridine" means pyridine which, when dehydrated, distills completely within a temperature range of 2° C., which range includes the true boiling point of pure pyridine (115° C.).

(4) "Crude pyridine bases" means any mixture of pure pyridine and its homologs from which pyridine may be obtained.

(5) "Producer" means any person who produces pyridine and includes any person who has pyridine produced for him pursuant to toll agreement.

(6) "Distributor" means any person who has purchased or purchases pyridine from a producer for purposes of resale.

(b) *Restrictions on use and delivery of pyridine.* On and after September 1, 1942 no producer or distributor shall use or deliver pyridine except as specifically directed or authorized by the Director General for Operations upon application pursuant to paragraph (e) hereof: *Provided, however,* That no such specific authorization shall be required for:

(1) The use by any producer or distributor of ten (10) gallons or less of pyridine in any one month;

(2) The delivery by any producer or distributor of ten (10) gallons or less of pyridine to any one person in any one month: *Provided,* That each producer or distributor before making any such delivery shall have received a certificate from the deliveree to the effect that if the delivery covered by such certificate is made, the deliveree will not have received during the current month in excess of ten (10) gallons of pyridine: *And, Provided further,* That the aggregate amount of such deliveries in any one month shall not exceed the total quantity of such deliveries which he is specifically authorized to make during such month.

(c) *Production of pyridine.* Each producer in processing crude pyridine bases shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the operation of his plant.

(d) *Restrictions on use and delivery of crude pyridine bases.* No person shall use or deliver crude pyridine bases for any purpose other than for the extraction of pyridine therefrom unless specifically directed or authorized by the Director General for Operations.

(e) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each producer and distributor seeking authorization to use, and each person seeking authorization for delivery of, pyridine, during any month, shall file Form PD-604 in the manner prescribed therein on or before the 10th day of the month preceding the month for which authorization for use or delivery is requested.

(2) Each producer and distributor shall file Form PD-605 in the manner prescribed therein on or before August 18, 1942 and on or before the 18th day of each month thereafter.

(f) *Notification of customers.* Producers and distributors of pyridine shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of pyridine, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: "War Production Board, Chemicals Branch, Washington, D. C., Ref: M-185. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7321; Filed, July 29, 1942; 11:34 a. m.]

PART 3022—SILVER

[Conservation Order M-199]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of silver for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3022.1 *Conservation order M-199*—(a) *Definitions.* For the purposes of this order:

(1) "Silver" means silver bullion, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one per cent of silver by weight.

(2) "Foreign silver" means any silver except that which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions. It also includes foreign silver scrap and other secondary forms of foreign silver, and any alloy, compound, salt, or other mixture containing more than one-half of one per cent of foreign silver by weight. *Provided, however,* That scrap and other secondary forms of silver resulting from the processing of silver produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions, shall be considered as excepted from the category of "foreign silver," as such term is used herein, only as long as such scrap and secondary form of silver remains in the ownership of the person whose processing operations produced it.

(3) "Restricted use" means a use of silver in the manufacture of a product or part thereof or in any other use appearing upon List A hereto attached.

(4) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(5) "Manufacturer" means any person who uses silver by incorporating it physically in the products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing process.

(6) "Supplier" means any person who imports, smelts, alloys, melts, rolls, or

refines silver, or who sells silver to manufacturers. The term includes distributors.

(7) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape. It also means assemble.

(8) "Put into process" means the first change by the manufacturer in the form of material from that form in which it is received by him.

(9) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article.

(b) *Restrictions upon sale or delivery of foreign silver for restricted uses.* No supplier shall sell foreign silver except to a supplier or a manufacturer. Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no supplier shall sell or deliver foreign silver to any manufacturer for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver sold or delivered by him to such manufacturer for restricted uses during the calendar year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver sold or delivered to him by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater; and after October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no supplier shall sell or deliver any foreign silver to any manufacturer for restricted uses. No supplier shall sell or deliver foreign silver to any person if he knows, or has reason to believe, such silver is to be received or used in violation of the terms of this order.

(c) *Restrictions upon purchase or receipt of foreign silver for restricted uses.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall purchase or receive foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver purchased or received by such manufacturer for restricted uses during the calendar year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver purchased or received by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater; and after October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall purchase or receive any foreign silver for restricted uses.

(d) *Restrictions upon manufacture of foreign silver for restricted uses.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater. Except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process any foreign silver for restricted uses, nor shall he process further any partially-processed products or parts thereof of foreign silver on List A, unless the products or parts will be finished by October 1, 1942. After October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process or process any foreign silver for restricted uses.

(e) *Delivery certificate for foreign silver.* No supplier shall deliver foreign silver to any manufacturer and no manufacturer shall receive foreign silver from any supplier unless the manufacturer shall make and deliver to the supplier, or endorse on the purchase order, a certificate, manually signed by the manufacturer or a responsible official thereof, in substantially the following form, to-wit:

The undersigned hereby certifies that he is familiar with the terms of Conservation Order M-199; that he is a manufacturer as such term is used in such order; and that the foreign silver covered by the accompanying order of even date shall be received and used as permitted by said Order M-199.

Dated ----------
Name ----------
By ----------

Such certificate shall constitute a representation by the manufacturer to the supplier and the War Production Board of the facts stated therein. The supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false.

(f) *General exception.* None of the restrictions in this order as to sale, purchase, delivery, receipt, or use of foreign silver shall be applicable to the United States or any of its departments or governmental agencies.

(g) *Repair exception.* The restrictions of this order shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use foreign silver weighing in the aggregate more than 5 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair.

(h) *Limitations of inventories.* No manufacturer shall receive delivery of foreign silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of foreign silver by this order.

(i) *Reports.* Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to time by the Director General for Operations.

(j) *Miscellaneous provisions*—(1) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of silver conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to the effective date hereof. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of foreign silver in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington, D. C. Ref.: M-199.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST A

RESTRICTED USES OF FOREIGN SILVER UNDER CONSERVATION ORDER M-199

1. Silverware, including, without limitation, knives, forks, spoons, plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and holloware and table, kitchen, and decorative utensils and objects
2. Watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry and other articles of personal adornment, except those permitted as church goods
3. Badges and insignia
4. Church goods as defined in General Limitation Order L-136
5. Slide fasteners, hooks and eyes, snaps, fasteners, and buttons
6. Closures for containers
7. Pens and pencils
8. Toilet sets and picture frames
9. Musical instruments
10. Electroplating not necessary for operational purposes, except for use in the manufacture and repair of dental, surgical, and veterinary instruments, appliances and equipment.
11. Silverclad metal, except for use in the manufacture and repair of dental, surgical, and veterinary instruments, appliances, and equipment
12. Insulated wire for electrical conductors

[F. R. Doc. 42-7322; Filed, July 29, 1942; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 23 to Revised Tire Rationing Regulations [1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES AND CAMELBACK

In § 1315.801, paragraph (a) (2) and (f) (2) are amended to read as set forth below:

Transfers and Deliveries of New Tires and Tubes, Retreaded or Recapped Tires and Camelback

§ 1315.801 *Permitted and prohibited transfers of new tires and tubes.* (a) • • •

(2) Unless specifically exempted, all physical transfers involving a change in the location or use of tires or tubes are included. Thus, if a dealer in tires or tubes removes a tire from his stock and mounts it on a vehicle owned by him, a transfer has occurred within the meaning of these Revised Tire Rationing Regulations. Furthermore, a change in physical location involving a movement of a tire from one establishment to another is a transfer, although routine shifts in stock within a single building are not transfers within these regulations. It should be noted, however, that freedom to move tires and tubes is expressly permitted by this § 1315.801 (c) and (f) (2) in a wide number of cases.

• • • • • •

(f) *Other transfers.* • • •

(2) *By wholesaler or manufacturer without changing ownership or control: new tires and tubes kept on any premises by manufacturer.* (i) Any wholesaler may, without certificate, transfer new tires or tubes to any premises owned, operated or controlled by such person and not used in performing the functions of a distributor or retailer, provided that no change in ownership or control of such tires or tubes is thereby effected. Records of such transfer shall be kept and reports in connection therewith shall be made as may be required by the Office of Price Administration.

(ii) Any person who manufactures tires and tubes and who complies with the following conditions may, without certificate, transfer new tires or tubes to, or keep them upon any premises, provided that no change in ownership or control of such tires or tubes is thereby effected:

(*a*) Except as provided hereinafter, the manufacturer shall not transfer to or keep such tires and tubes upon any premises, whether or not new tires or tubes were previously kept at such premises, unless he has been authorized in writing by the Office of Price Administration, Washington, D. C. Application for such authorization shall be made in writing by the manufacturer and shall state the number of such tires and tubes to be transferred to or kept upon each of such premises, the location of said premises, and the name and address of the person who owns or controls the premises. The Office of Price Administration may in its discretion deny, modify, or revoke any authorization at any time. The number of premises authorized for each manufacturer shall not exceed 250.

(*b*) The manufacturer shall also submit with his first application for authorization, a statement of all consigned stocks kept by him upon any premises in the United States or any of its territories or possessions, both as of December 11, 1941, and as of the date of application. The statement shall set forth the name and address of each such consignee and the number of consigned tires and tubes in his possession. Subsequent applications for authorization of additional premises shall set forth any changes which have occurred in the facts contained in the original statement of consigned stocks.

(*c*) A manufacturer may not keep more than 500 new tires and 500 new tubes at any time on an authorized premise unless the Office of Price Administration authorizes him in writing to keep a greater stock, or unless the authorized premise is a regional branch of the manufacturer. A regional branch means any premise wholly controlled by the manufacturer at which the usual functions of the manufacturer's business, apart from production, are performed, provided that such premise is not used in performing the functions of a distributor or retailer.

(*d*) The tires or tubes shall be kept segregated from any others owned, possessed or controlled by a person other than the manufacturer and shall be made readily identifiable upon inspection by signs, labels or similar means. The manufacturer shall at all times have access to the portion of such premises on which the tires and tubes are so segregated.

(*e*) Except in the case of transfer without certificate expressly permitted by other provisions of these Revised Tire Rationing Regulations, or transfer by a manufacturer from one of his authorized premises to another, no tires or tubes shall be transferred from such premises unless the manufacturer or his duly authorized agent shall have first received in exchange therefor and in accordance with the requirements of these regulations a nontransferable certificate for the purchase of new tires or tubes, OPA Form No. R-2, a nontransferable emergency certificate, OPA Form No. R-20, a nontransferable receipt, OPA Form No. R-12, or Part B of any such certificate or receipt. The manufacturer shall not designate as his agent to receive the certificates, receipts, or Parts B thereof, any person who operates or controls the premises or any employee of such person or anyone in any manner interested in or connected with the business of such person.

(*f*) Records of all transfers to or from authorized premises shall be kept by the manufacturer at such premises and at his principal place of business. The manufacturer shall make monthly reports thereof to the Office of Price Administration, Washington, D. C., commencing with the month of August, 1942. Such reports shall be filed not later than the fifth day of the calendar month following the period covered by the report. They shall include an inventory based upon a physical count, showing the total number of new tires and tubes at the end of the preceding monthly period on each of the premises, together with all transfers to and from such stocks during said monthly period and shall list, by serial number if there is one, the certificates or receipts or Parts B thereof, upon which the transfers were made and the number, by size and type, of tires or tubes represented by each such certificate or receipt.

(*g*) The provisions of paragraph (f) (2) of this section shall apply to tires and tubes located at authorized premises and shall not apply to tires or tubes located at the place of manufacture; or in a public warehouse; or to stocks consigned before December 11, 1941, to a distributor or retailer or replenished thereafter in accordance with these Regulations. In the case of segregated stocks an "authorized premise" means only that portion of the premise upon which the segregated stock is located.

• • • • • •

§ 1315.1199a *Effective dates of amendments.* • • •

(w) Amendment No. 23 (§ 1315.801) to Revised Tire Rationing Regulations shall become effective July 29, 1942.

(Pub. Law 421, 77th Cong., OPM Supp. Order No. M-15-c, WPB Directive No. 1, Supp. Directive No. 13, 6 F.R. 6792; 7 F.R. 562, 925)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7270; Filed, July 28, 1942; 12:07 p. m.]

PART 1340—FUEL

[Amendment 23 to Revised Price Schedule 88 [1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment

[1] 7 F.R. 1027, 1089, 2106, 2107, 2541, 2633.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1340.156, a new paragraph (c) is added as set forth below:

§ 1340.156 *Modification of price schedule.* • • •

(c) *Applications for adjustment.* (1) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Revised Price Schedule No. 88, for any seller subject to the provisions thereof in any case in which such seller shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar crude petroleum and/or petroleum products, and

(ii) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of crude petroleum and/or the same or similar products will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this subparagraph (1) shall be filed in accordance with Procedural Regulation No. 1.[1]

(2) Any person seeking relief, for which no provision is made in the foregoing subparagraph (1) of this paragraph (c), from a maximum price established under this Revised Price Schedule No. 88, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Revised Price Schedule No. 88 to eliminate the danger of inflation.

§ 1340.158a *Effective dates of amendments.* • • •

(w) Amendment No. 23 (§ 1340.156) to Revised Price Schedule No. 88 shall become effective this 29th day of July 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7274; Filed, July 28, 1942; 12:08 p. m.]

PART 1340—FUEL

[Amendment 24 to Revised Price Schedule 88[1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (viii) is added to § 1340.159 (c) (1) as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(c) *Specific prices.*

(1) *Crude petroleum.*

• • • • • •

(viii) *Wyoming.* The maximum price for crude petroleum produced in the Derby and Dallas pools and the Hudson Oil Company's production from the Hudson pool near Lander, Wyoming shall be 60 cents per barrel delivered at Lander, Wyoming.

§ 1340.158a *Effective dates of amendments.*

• • • • • •

(x) Amendment No. 24 (§§ 1340.159 (c) (1) (viii)) to Revised Price Schedule No. 88 shall become effective July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7275; Filed, July 28, 1942; 12:07 p. m.]

PART 1340—FUEL

[Amendment 6 to Maximum Price Regulation 137[1]]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.89 a new paragraph (c) is added to read as set forth below:

§ 1340.89 *Procedure for adjustment or amendment.* • • •

(c) *Applications for orders of adjustment.* Any person seeking relief for which no provision is made in paragraph (a) of this section, from a maximum price established under Maximum Price Regulation No. 137 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1[2] and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in this case and in all like cases will not defeat or impair the policy of eliminating the danger of inflation embodied in the Emergency Price Control Act of 1942 and of Maximum Price Regulation No. 137.

§ 1340.93a *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§ 1340.89) to Maximum Price Regulation No. 137 shall become effective this 1st day of August 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7271; Filed, July 28, 1942; 12:10 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Amendment 3 to Maximum Price Regulation 169[1]]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: §§ 1364.52 (d), 1364.53 (c) (1) and 1364.62 (a) (2).

Added: §§ 1364.62 (a) (11) and 1364.63 (c) as set forth below:

§ 1364.52 *Maximum prices for beef and veal carcasses and wholesale cuts.* • • •

(d) The maximum price for each grade of each beef or veal carcass or wholesale cut which is purchased for any institution of any State, or political subdivision thereof, or of the United States by an authorized purchasing agency (other than purchases for the armed forces of the United States or the Federal Surplus Commodities Corporation) shall be either:

(1) The highest price which such agency contracted to pay for such grade of carcass or cut in contracts specifying comparable delivery and entered into during the thirty-day period commencing on March 16, 1942, or actually paid for such grade of carcass or cut delivered during such period; or

(2) The seller's maximum price determined under the applicable provisions of paragraph (a), (b) or (c) of this section.

The purchaser shall, in issuing requests for bids, state which of the two formulae for determining maximum prices set out in subparagraphs (1) and (2) of this paragraph (d) shall be applicable to such bids: *Provided,* That if the purchaser states that the maximum price is the alternative set forth in said subparagraph (1), the purchaser shall quote in its invitation for bids the maximum price for each grade of beef or veal carcass or wholesale cut to be purchased.

• • • • • •

§ 1364.53 *Duty to maintain and identify grades.* • • •

(c) (1) No person shall sell or break any beef or veal carcass unless a stamp has been placed thereon with harmless marking fluid conforming to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in Appendix C hereof, and incorporated herein as § 1364.66, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each wholesale cut which may be derived from such carcass, except that in the case of a calf or veal carcass sold with the skin on, the grade letter shall be stamped only on the shanks and briskets. The sex identification shall be similarly stamped upon all cow, bull and stag carcasses. The grade and prescribed sex identification of each beef or veal carcass and wholesale cut must appear on the seller's invoice.

• • • • • •

§ 1364.62 *Definitions.* (a) • • •

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers and delivers, and contracts and offers to do any of the foregoing. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller, except that all places of business owned or controlled by the same person, and selling in the same market area shall be regarded as a single seller. Each shipping point from which a car route or car routes originate shall be deemed a separate seller. If more than half of the sales at any one place of business are sales of kosher cuts or of cuts derived from kosher carcasses the sales at such place of business shall not be included with sales at any other place of business in computing maximum prices. All sales by any person to hotels and restaurants from one or more selling places in the same market area may be treated, at the option of such person, as sales by a separate seller.

• • • • • •

(11) "Packaged meat" means meat sold in prepared containers of uniform size and appearance, which containers bear an identification of the contents and a statement of the weight or volume thereof.

§ 1364.63 *Effective date.* • • •

(c) Amendment No. 3 (§§ 1364.52 (d), 1364.53 (c) (1), 1364.62 (a) (2) and (11) and 1364.63 (c)) to Maximum Price Regulation No. 169 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7273; Filed, July 28, 1942; 12:09 p. m.]

PART 1381—SOFTWOOD LUMBER

[Correction to Maximum Price Regulation 19[1]]

SOUTHERN PINE LUMBER

In the list of estimated weights in § 1381.212 (d) (4) (iii) the seventh item, "1 x 6" to 1 x 10" D & M or Shiplap", under Strips and Boards (1 inch); is corrected to read "1 x 8" to 1 x 10" D & M or Shiplap".

In § 1381.212 (b), under Additions and Deductions to Table 15—Timbers, Green Rough, the three columns under item 12 should be headed to read "24' and under", "25—30'", and "31—40'", respectively.

§ 1381.211a *Effective dates of amendments.* (a) Correction (§§ 1381.212 (d), 1381.212 (b)) to Maximum Price Regulation No. 19 shall become effective July 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7272; Filed, July 28, 1942; 12:09 p. m.]

PART 1389—APPAREL

[Amendment 1 to Maximum Price Regulation 153, as Amended[1]]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1389.1, subparagraph (1) of paragraph (b) is amended, in § 1389.2, the text is designated paragraph (a), the proviso is designated subparagraph (1) and a new subparagraph (2) is added, in § 1389.3, new subparagraphs (3) and (4) are added to both paragraphs (a) and (b), paragraph (c) is revoked, and a new subparagraph (4) is added to paragraph (e), §§ 1389.4 and 1389.8 are amended, in § 1389.9 the headnote is amended and a new paragraph (c) is added, in § 1389.10 a new subparagraph (14) is added to paragraph (a) and in § 1389.13 an additional category number 31 is added, as set forth below:

§ 1389.1 *New lines of women's, girls' and children's outerwear garments subject to this Maximum Price Regulation No. 153, as amended.* • • •

(b) • • •

(1) "Women's, girls' and children's outerwear garments" includes garments of the following types: coats, suits, separate jackets, separate skirts, dresses, blouses, snowsuits, legging sets, separate leggings, and separate ski pants, as defined in § 1389.10.

§ 1389.2 *Prohibition against dealing in new lines of women's, girls' and children's outerwear garments at prices above the maximum.* (a) • • •

(1) • • •

(2) *Provided,* That any mail order house, selling at retail, which, after application under § 1499.18 (a) of the General Maximum Price Regulation[2] for adjustment of its maximum prices for listing in a Fall, 1942 catalog and pursuant to authorization by the Office of Price Administration prior to May 23, 1942, the date of the issuance of Maximum Price Regulation No. 153,[3] established under § 1499.3 (a) its maximum prices for new lines of women's, girls' and children's outerwear garments, may sell and deliver new lines of such garments listed in its Fall 1942 catalog at the maximum prices thus established, except that in any subsequent catalog or flier, prices for new lines of garments shall not exceed the maximum prices established by this Maximum Price Regulation No. 153, as amended, or such other price regulations in effect at that time.

§ 1389.3 *Maximum prices for new lines of women's, girls' and children's outerwear garments*—(a) *Sales at wholesale or retail.* • • •

(3) *In those cases where the garments to be priced are not in the same category as the garments which the seller delivered during his last selling season:* The seller's maximum price shall be:

(i) The total of the cost to the seller of the garment being priced plus the average initial percentage mark-up taken by the seller on deliveries during his last selling season of his next lower cost price line of women's, girls' and children's outerwear garments of any category; or

(ii) In the absence of any lower cost price line, the total of the cost to the seller of the garment being priced plus the average initial percentage mark-up on deliveries during his last selling season of his lowest cost price line of women's, girls' and children's outerwear garments of any category.

(4) *Sales of new lines of women's, girls' and children's outerwear garments which cannot be priced under subparagraphs (1), (2) or (3) of this paragraph.* The seller's maximum price for garments in any new line where the garments in such new line cannot be priced under subparagraphs (1), (2) or (3) of this paragraph shall be a maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 153, as amended. Such price will be determined as follows:

(i) *In those cases where a closely competitive seller of the same class has established a maximum price under § 1499.2 (a) of the General Maximum Price Regulation[2] or under subparagraph (1) or (2) of this paragraph for the same or a similar garment:* The seller's maximum price shall be the maximum price so established by the most closely competitive seller of the same class:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3462, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

[2] 7 F.R. 971.

[1] 7 F.R. 3165, 3749, 4273.

[2] 7 F.R. 971.

[1] 7 F.R. 4653, 4798.

*Copies may be obtained from the Office of Price Administration, Washington, D. C.

[1] 7 F.R. 5427.

[2] 7 F.R. 4381.

[1] 7 F.R., 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

[2] 7 F.R. 3901, 4381.

(*a*) For the same garment, or

(*b*) If no such maximum price has been established, for the similar garment most nearly like it.

(ii) *In those cases where no competitive seller of the same class has established a maximum price under § 1499.2 (a) of the General Maximum Price Regulation[1] or under subparagraph (1) or (2) of this paragraph for the same or a similar garment:* The seller's maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this subdivision shall file with the Office of Price Administration in Washington, D. C. an application setting forth (*a*) a description in detail of the garment for which a maximum price is sought, (*b*) a statement of facts which differentiate such garment from other garments priced under this section by the seller or by other competitive sellers of the same class, and (*c*) such other information as may be required by the Office of Price Administration. If such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price.

(b) *Sales other than at wholesale or retail.* • • •

(3) *In those cases where the garments to be priced are not in the same category as the garments which the seller delivered during his last selling season:* Except as provided in subdivision (iv) of this subparagraph, the seller's maximum price shall be a price determined in accordance with the following procedure:

(i) The seller shall file with the Office of Price Administration in Washington, D. C. a statement, signed under oath or affirmation, containing a calculation of what the maximum price of the garment being priced would be if the cost to the seller of the garment being priced were added to the average initial percentage margin taken by the seller on his next lower cost price line (or, in the absence of any next lower cost price line, on his lowest cost price line) of women's, girls' and children's garments of any category delivered during his last selling season.

(ii) No person seeking to determine a maximum price pursuant to this subparagraph shall sell or deliver such garments until receipt of written notification from the Office of Price Administration authorizing him to determine his maximum price on the basis of the calculation in subdivision (i) of this subparagraph or pursuant to such other formula as may be specifically authorized by the Office of Price Administration. Such authorization will be denied by the Office of Price Administration unless the seller shows in his statement submitted pursuant to this subparagraph:

(*a*) The necessity for producing and selling garments in such new category;

(*b*) That the failure to obtain such authorization will cause or is likely to cause undue financial hardship; and

(*c*) That the garments in such new category are consistent with the seller's normal business and price line policy.

(iii) In addition to the other information required by subdivision (i) and (ii) of this subparagraph, the statement filed by any person seeking to determine a maximum price pursuant to this subparagraph shall also contain the following supporting data:

(*a*) A description of the garment for which a maximum price is sought, including data as to size range, category and type and specifications of materials and trimmings used in the manufacture of the garment;

(*b*) A statement as to whether the materials used in the manufacture of the garment, for which a maximum price is sought, have been or are being used by the seller in the manufacture of other garments and, if so, a description of such garments and the selling prices thereof;

(*c*) The following information concerning the women's, girls' and children's outerwear garments which the seller delivered during his last selling season in each price line of each category: the cost to the seller of the garments, the selling prices of the garments, and the average initial percentage margin taken by the seller on the garments.

(iv) In the case of any seller who prior to July 27, 1942, mailed an application to the Office of Price Administration pursuant to § 1389.3 (c) of Maximum Price Regulation No. 153, as amended, for authorization to determine a maximum price for a garment which is not in the same category as the garments which he delivered during the last selling season, the seller's maximum price shall be the total of the cost to the seller of the garment being priced plus the average initial percentage margin taken by the seller on his next lower cost price line (or, in the absence of any next lower cost price line, on his lowest cost price line) of women's, girls' and children's outerwear garments of any category delivered during his last selling season: *Provided*, That any such seller, who during the period between July 27, 1942 to July 31, 1942, inclusive, receives written notification pursuant to this subdivision from the Office of Price Administration, shall not determine his maximum price pursuant to this subdivision but shall determine his maximum price pursuant to the procedure set forth in subdivision (iii) of this subparagraph or pursuant to such other method as may be authorized in such written notification from the Office of Price Administration.

(4) *Sales of new lines of women's, girls' and children's outerwear garments which cannot be priced under subparagraphs (1), (2) or (3) of this paragraph.* The seller's maximum price for garments in any new line where the garments in such new line cannot be priced under subparagraphs (1), (2) or (3) of this paragraph shall be a maximum price in line with the level of the maximum prices established by this Maximum Price Regulation No. 153, as amended. Such price shall be determined as follows:

(i) *In those cases where a closely competitive seller of the same class has established a maximum price under § 1499.2 (a) of the General Maximum Price Regulation[1] or under subparagraph (1) or (2) of this section for the same or a similar garment.* The seller's maximum price shall be the maximum price so established by the most closely competitive seller of the same class:

(*a*) For the same, or

(*b*) If no such maximum price has been established, for the similar garment most nearly like it.

(ii) *In those cases where no competitive seller of the same class has established a maximum price under § 1499.2 (a) of the General Maximum Price Regulation[1] or under subparagraph (1) or (2) of this paragraph for the same or a similar commodity.* The seller's maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this subdivision shall file with the Office of Price Administration in Washington, D. C., an application setting forth (*a*) a description in detail of the garment for which a maximum price is sought, (*b*) a statement of facts which differentiate such garment from other garments priced under this section by the seller or by other competitive sellers of the same class, and (*c*) such other information as may be required by the Office of Price Administration. If such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price.

• • • • • • •

(e) *Meaning of terms.* • • •

(4) "Seller" means a seller of women's, girls' or children's outerwear garments. For purposes of this section, where a seller during his last selling season made sales through separate departments or separate units, each separate department and each separate unit or place of business shall be deemed to be a separate seller.

§ 1389.4 *Incorporations of provisions of the General Maximum Price Regulation.*[2] The provisions of § 1499.4 (Supplemental Regulations), § 1499.5 (Transfers of business or stock in trade), § 1499.13 (Maximum prices of cost-of-living commodities: statement, marking or posting), § 1499.18 (Applications for adjustment), and § 1499.19 (Petitions for amendment) of the General Maximum Price Regulation shall apply to all sales for which maximum prices are established by § 1389.3 and to all persons making such sales. References in § 1499.18 of the General Maximum Price Regulation to § 1499.2 and § 1499.3 thereof, for the purposes of this Maximum Price regulation No. 153, as amended, shall be deemed to refer to § 1389.3. The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling at wholesale or retail any garment covered by this Maximum Price Regulation No. 153, as amended. For the purposes of this Maximum Price Regulation No. 153, as amended, the terms, sell or selling or sale at retail, and sell or selling or sale at wholesale, and establishment selling at retail which appear in §§ 1499.13, 1499.15 and 1499.16 shall be construed in accordance with the definitions appearing in § 1499.20 of the General Maximum Price Regulation or any amendment thereto.

§ 1389.8 *Records and reports.* In addition to any records required to be kept by § 1389.4 every person selling women's, girls' and children's outerwear garments for which, upon sale by that person, maximum prices are established by § 1499.2 (a) of the General Maximum Price Regulation[1] or by § 1389.3, shall:

(a) *In the case of sales at wholesale or retail.* (1) Keep and make available for examination by, and upon demand file with, the Office of Price Administration a record of all prices established under § 1389.3. The records shall show with respect to each such price: the cost to the seller of the garment priced, the mark-up added to the cost of the garment priced, and as precisely as possible the basis upon which the seller established such price.

(2) Prepare, on or before August 1, 1942, on the basis of all available information and records, and thereafter keep and make available for examination by, and upon demand file with, the Office of Price Administration a statement showing:

(i) The cost price lines and the corresponding selling prices at which he delivered women's, girls' and children's outerwear garments in each category during the last selling season;

(ii) The selling prices at which he delivered the largest number of units for each cost price line of garments in each category during the last selling season;

(iii) All his customary allowances, discounts and price differentials.

(3) Preserve for examination by the Office of Price Administration all his existing records relating to the cost of the garments in the price lines delivered during March 1942 and during the last selling season, the mark-up added to such cost and the selling price of such garments.

(b) *In the case of sales, other than at wholesale or retail.* (1) keep and make available for examination by, and upon demand file with, the Office of Price Administration, a record of all such prices thus established. The records shall show with respect to each price: the cost to the seller of the garment priced, the margin added to the cost of the garment priced, and as precisely as possible the basis upon which the seller established such price;

(2) Prepare, and on or before August 31, 1942, file with the Office of Price Administration in Washington, D. C., sworn statements, in the detail required by forms to be furnished him by the Office of Price Administration, showing: (i) the price lines at which he delivered women's, girls' and children's outerwear garments in each category during March, 1942 and during July, August and September, 1941; (ii) the net cost of the materials and trimmings and direct labor cost incurred in the production of such garments; and (iii) such other data and information as specified in the forms; and

(3) Preserve for examination by the Office of Price Administration all his existing records relating to the cost of the garments in the price lines delivered during March 1942 and during his last selling season, the margin added to such cost and the selling price of such garments.

(c) *All sales.* In those cases where the maximum price is established under § 1389.3 (a) (4) (i) and § 1389.3 (b) (4) (i), the seller shall also keep and make available for examination by, and upon demand file with, the Office of Price Administration, a record showing:

(1) The name and address of the most closely competitive seller of the same class whose commodity the seller used to establish his maximum price

(2) A description of such commodity of such most closely competitive seller, and

(3) A description of the same or similar commodity of the seller priced on the basis of such commodity.

§ 1389.9 *Invoices, sales slips and receipts; notification and disclosure to retailers.* • • •

(c) Every person delivering new lines of women's, girls' and children's outerwear garments to any purchaser for sale at retail shall within ten days of the first delivery to such purchaser after July 31, 1942, supply such purchaser with the text of §§ 1389.1, 1389.3 (a), (d) and (e), 1389.8 (a) and (c), 1389.10 (a) (2), (3), (4), (5), (6), (7), (8), (9), (14), 1389.12, 1389.13: *Provided*, That if such first delivery is made prior to August 5, 1942, the text of such sections may be supplied within ten days of August 5, 1942.

§ 1389.10 *Definitions.* (a) • • •

(14) "Separate ski pants" include children's outerwear garments, commonly known as ski pants, fabricated from yard goods, in sizes 3 to 14, inclusive.

§ 1389.13 *Appendix A: Classification of garments belonging to the same category.* • • •

31. All separate ski pants, in sizes 3 to 14, inclusive.

§ 1389.11 *Effective dates of amendments.* • • •

(b) Amendment No. 1 (§§ 1389.1 (b) (1), 1389.2 (a) (2), 1389.3 (a) (3) and (4), 1389.3 (b) (3) and (4), 1389.3 (c), 1389.3 (e) (4), 1389.4, 1389.8, 1389.9 (c), 1389.10 (a) (14), 1389.13) to Maximum Price Regulation No. 153, as amended, shall become effective July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7269; Filed, July 28, 1942; 12:18 p. m.]

PART 1391—BICYCLE AND BICYCLE EQUIPMENT

[Amendment 1 to Revised Ration Order 7[1]]

NEW ADULT BICYCLE RATION REGULATIONS

Sections 1391.1 (a) (6), (a) (11), (a) (15), 1391.4, 1391.5 (c), (g), 1391.7 (b), 1391.13 (a), 1391.26 (a) and 1391.32 are amended to read as set forth below and §§ 1391.5 (h) and 1391.37 (a) are added:

Definitions

§ 1391.1 *Definitions.* (a) When used in this Revised Ration Order No. 7: • • •

(6) "Individual consumer" means any person acquiring a bicycle for personal use, but not for sale or rental, but does not include a person who acquires or has acquired a bicycle for the use of his officer, agent, or volunteer worker, pursuant to an authorization issued prior to July 9, 1942, or pursuant to a certificate issued under § 1391.7 (b).

• • • • • • •

(11) "New adult bicycle" means an adult bicycle the frame of which has not been sold to and used by an individual consumer, and includes any such bicycle which has been stolen from a dealer or distributor and returned to him, regardless of whether or not it was sold or used between the date it was stolen and the date of its return, and includes any bicycle acquired for use pursuant to an Authorization issued prior to July 9, 1942, or pursuant to a certificate issued under § 1391.7 (b), but does not include a rental bicycle.

• • • • • • •

(15) "Transfer" means sale, lease, trade, loan, gift, delivery, shipment, change of ownership or title or physical possession; conversion to use of a new adult bicycle held for sale whether or not a change of ownership or possession is involved; construction from a new adult bicycle held for sale of any type of vehicle, including, but not limited to, a three-wheeled or a motor vehicle; alteration of the frame of a new adult bicycle or disassembly of a new adult bicycle and transfer or use of the parts resulting from such disassembly.

• • • • • • •

Restriction on Transfers

§ 1391.4 *Restriction on transfers.* Notwithstanding the terms of any contract, agreement, commitment, or other obligation, regardless of when made, no person shall make or accept a transfer as defined in § 1391.1 (a) (15) except in accordance with the provisions of Revised Ration Order No. 7.

§ 1391.5 *Transfers not restricted.* The following transfers of new adult bicycles are not restricted: • • •

(c) Physical delivery or lease of such a bicycle by a person who acquired it for use pursuant to a certificate issued under paragraph (b) of § 1391.7 or pursuant to an authorization issued prior to July 9, 1942, or by his agent, to an officer, agent, employee, or volunteer worker for whose use he was authorized to acquire the bicycle, or return of such bicycle to such person; • • •

[1] 7 F.R. 5064.

[1] 7 F.R. 5064.

[2] 7 F.R. 5064.

(g) Transfers to any person for the use of his officers, agents, employees or volunteer workers, or to dealers for sale, pursuant to a WPB order, or an authorization or a certification, issued prior to July 9, 1942: *Provided, however,* That no transfer shall be made to a dealer under this paragraph (g) unless the Office of Price Administration has certified to the transferor that the dealer has filed OPA Form R–701 with the OPA Inventory Unit.

(h) Transfers for use as part of the entire assets of the business of a person who acquired such bicycle for use pursuant to an authorization issued prior to July 9, 1942 or pursuant to a certificate issued under § 1391.7 (b).

* * * * *

Transfers for Use or Salvage

§ 1391.7 *Eligibility for certificates.* Subject to the quota provisions of Revised Ration Order No. 7, any of the following persons may obtain a certificate:

* * * * *

(b) Any person may obtain a certificate authorizing the acquisition of new adult bicycles for the use of such person's officers, agents, employees or volunteer workers who, individually or collectively, satisfy the requirements of paragraph (a) of this section: *Provided, however,* That no person may obtain a certificate under this paragraph (b) who has, since April 2, 1942, sold or otherwise disposed of a bicycle which was adequate for the purpose for which a new adult bicycle is sought unless such sale or disposition was in exchange for a certificate, authorization, WPB order, or a Part B thereof, or at the time of such sale or disposition he was not engaged in work or an occupation mentioned above or he did not need the bicycle.

* * * * *

§ 1391.13 *Surrender of certificates.* (a) A certificate which has not been used by the person to whom it was issued within 30 days after issuance shall be surrendered to the Board which issued it or to the Office of Price Administration, if issued by it.

* * * * *

Transfers for Resale

§ 1391.26 *Use by dealers and distributors of authorizations, and Parts B of certificates, authorizations, and WPB orders.* (a) A dealer or distributor who has transferred a new adult bicycle pursuant to a certificate or a WPB order, issued on or after July 9, 1942, or to another dealer or distributor pursuant to an authorization issued on or after July 9, 1942, and who has completed and forwarded Part A of such certificate, authorization, or WPB order, as required, may acquire, from a transferor, a new adult bicycle for purposes of sale, upon completion of Part B of such certificate, authorization, or order, and surrender thereof to such transferor.

* * * * *

Enforcement

§ 1391.32 *Unlawful use or possession.* It shall be unlawful for any person who has accepted a transfer of a new adult bicycle or any part resulting from such transfer as defined in § 1391.1 (a) (15), in violation of Revised Ration Order No. 7, or amendments thereto, to have in his possession or under his control such new adult bicycle or part.

* * * * *

Effective Dates

§ 1391.37 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1391.1 (a) (6), (a) (11), (a) (15), 1391.4, 1391.5 (c), (g), (h), 1391.7 (b), 1391.13 (a), 1391.26 (a), 1391.32) to Revised Ration Order No. 7 shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong., 2d sess., W.P.B. Directive No. 1, Supplementary Directive No. 1G, 7 F.R. 562, 3546)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7276; Filed, July 28, 1942; 12:10 p. m.

PART 1410—WOOL

[Amendment 3 to Maximum Price Regulation 163 [1]]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

ADJUSTABLE PRICING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1410.118 is added to read as set forth below:

§ 1410.118 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application or his own motion, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1410.117 *Effective dates of amendments.* * * *

(d) Amendment No. 3 (§ 1410.118) to Maximum Price Regulation No. 163 shall become effective July 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7288; Filed, July 28, 1942; 4:54 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F. R. 4513, 4733, 4734.

PART 1356—COOKERS AND HEATERS

[Amendment 2 to Revised Price Schedule 64 [1]]

DOMESTIC COOKING AND HEATING STOVES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) of § 1356.1 is amended to read as set forth below:

§ 1356.1 *Maximum prices for stoves.*

* * *

(a) *Stoves offered for sale during the period January 15–June 1, 1941, inclusive*—(1) *In general.* The maximum price for any stove, other than a private brand stove, identical with a stove offered for sale by the manufacturer during the period January 15–June 1, 1941, inclusive (or differing therefrom only by such changes in specifications as are authorized in § 1356.4), shall be 112% of the lowest net price quoted by him during such period for the sale of such stove, to the same purchaser or to a purchaser in the same general class, except as set forth in the succeeding subparagraphs of this paragraph (a).

(2) *Renown Stove Company.* In the case of the Renown Stove Company, the maximum prices for models 1005—Cameo, 1015—Cameo, 1105—Crest, and 1115—Crest, shall be the prices in effect on February 2, 1942.

(3) *Indianapolis Stove Company.* In the case of the Indianapolis Stove Company, the maximum prices shall be 105% of those provided in subparagraph (1) of this paragraph (a).

* * * * *

§ 1356.13 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1356.1) to Revised Price Schedule No. 64 shall become effective August 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7327; Filed, July 29, 1942; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 188]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

The General Maximum Price Regulation [2] provides, in general, that commodities sold by a manufacturer shall be priced at the price of a same or similar article sold during March, 1942; and lacking the price of a same or similar article, at a price to be determined by the seller after specific authorization by the Office of Price Administration in advance of the offering of the commodity for sale.

In the case of a considerable list of building materials and consumers'-goods at the manufacturers' level, so many new articles which are not "similar" to an already sold article within the meaning of the General Maximum Price Regulation are customarily offered for sale as unnecessarily to retard manufacturers in their pricing.

This Maximum Price Regulation No. 188, accordingly, sets forth for these manufacturers a different procedure than that used in the General Maximum Price Regulation, although the base date thereof is preserved. By eliminating pricing by the price of a similar article, it limits the number of articles which may be priced at the maximum price of another article. But in the pricing of most new articles the manufacturer may follow self-executing pricing methods which obviate advance resort to this Office.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942, and to adjust the provisions of the General Maximum Price Regulation to the particular circumstances of manufacturers of certain building materials and consumers' goods.

The statement of considerations involved in the issuance of this Maximum Price Regulation No. 188 is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 188 is hereby issued:

AUTHORITY: §§ 1499.151 to 1499.166, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1499.151 *Applicability of the General Maximum Price Regulation.*[1] The provisions of §§ 1499.1 to 1499.3, inclusive, of the General Maximum Price Regulation shall not apply to sales or deliveries by manufacturers of certain building materials and of certain consumers' goods set forth in § 1499.166, Appendix A, of this Maximum Price Regulation No. 188. All other sections of the General Maximum Price Regulation, together with existing and subsequent amendments and supplementary regulations, shall apply to sales and deliveries by such manufacturers, and are hereby incorporated by reference into this Maximum Price Regulation No. 188.

§ 1499.152 *Prohibition against dealing in certain articles of building materials and consumers' goods above maximum prices.* (a) On and after August 1, 1942, regardless of any contract or other obligation:

(1) No manufacturer shall sell or deliver any article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188; and

(2) No person in the course of trade or business shall buy or receive any such article from a manufacturer at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188:

Provided, That in the case of articles for which a maximum price has been established under §§ 1499.156 or 1499.157 of this Maximum Price Regulation No. 188, if the purchaser shall receive from the seller a written affirmation that the seller has calculated the maximum price for the article in accordance with § 1499.156 or § 1499.157 and has filed a report with the Office of Price Administration and complied with the waiting provisions of § 1499.156 or § 1499.157 and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, and provided the price paid is not in excess of the maximum price as affirmed by the seller, the purchaser shall have complied with this section.

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 188 or by the Emergency Price Control Act of 1942.

(c) On and after August 1, 1942, no manufacturer shall sell (including an offer for sale) or deliver any article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 for which a maximum price must be determined under §§ 1499.156, 1499.157, or 1499.158 until he has complied with the reporting and waiting provisions of the applicable one of those three sections.

§ 1499.153 *Maximum prices for articles of building materials and consumers' goods finally priced before August 1, 1942*—(a) *Articles priced in March 1942.* The maximum price for any article which was delivered or offered for delivery in March, 1942, by the manufacturer, shall be the highest price charged by the manufacturer during March, 1942 (as defined in § 1499.163), for the article.

(b) *Articles priced on and after April 1, 1942 and before August 1, 1942.* The maximum price for any article not delivered or offered for delivery in March 1942 by the manufacturer, for which a maximum price was finally determined in accordance with the provisions of § 1499.2 or § 1499.3 of the General Maximum Price Regulation [1] or in accordance with the provisions of Temporary Maximum Price Regulations Nos. 3 [2] or 5,[4] and which was offered for sale before August 1, 1942, shall be the price so determined.

(c) *Reports of maximum prices.* On or before August 20, 1942, the manufacturer shall report to the Office of Price Administration, Washington, D. C., all maximum prices determined under paragraph (b) of this section which have not already been reported in accordance with the provisions of the General Maximum Price Regulation or Temporary Maximum Price Regulations Nos. 3 or 5. Such reports shall contain a description of the article, and shall indicate the method of determining the maximum prices. All such maximum prices shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

§ 1499.154 *Maximum prices for articles of building materials and consumers' goods not finally priced before August 1, 1942.* This section shall apply to articles first offered for sale before August 1, 1942, for which no maximum price was finally determined, and to all articles first offered for sale on or after August 1, 1942.

The maximum price for any such article shall be the price determined by the first one of the four methods set forth in §§ 1499.155, 1499.156, 1499.157, and 1499.158 which applies to the article.

§ 1499.155 *First pricing method—minor changes.* The maximum price of any article differing from any article for which a maximum price has already been established, only by reason of minor changes in material, design, or construction which do not reduce cost of materials or prevent its offering fairly equivalent serviceability shall be the maximum price of the article already priced.

§ 1499.156 *Second pricing method: changes necessitated by shortages of materials or parts*—(a) *Maximum prices.* The maximum price of any article which cannot be priced under § 1499.155 and which differs from an article for which a maximum price has already been established, only because of changes necessitated by shortage of materials or parts used in the original article, shall be the maximum price of the original article adjusted by adding or subtracting the increase or decrease in unit direct cost resulting from the changes.

In calculating unit direct cost for the original article, the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for *comparable articles.* In calculating unit direct cost for the changed article the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for the *article being priced.*

(b) *Reports of maximum prices*—(1) *Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the original and of the changed article, a detailed explanation of the changes made (including any innovation in manufacturing process) and the reasons therefor, details of the computation of unit direct cost and of the maximum price.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell or deliver the article at a tentative price

*Copies may be obtained from Office of Price Administration.

[1] *Supra,* note 1.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5028, 5027, 5276, 5192, 5365, 5445, 5484.

[3] 7 F.R. 1578.

[4] F.R. 1647.

if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(2) *Articles first offered for sale during August, 1942.* In the case of articles first offered for sale during August 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(3) *Articles first offered for sale on or after September 1, 1942.* In case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in (1) prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1499.157 *Third pricing method: pricing by comparable articles.* The maximum price of any article which cannot be priced under § 1499.155 or § 1499.156 and which is comparable to an article currently being sold by the manufacturer for which a maximum price has already been established, shall be the price derived by the pricing formula set forth in this section.

NOTE.—The meaning of certain terms used in this section is further explained in subsequent provisions of the section. The terms so explained are in quotation marks the first time that they appear in the text.

(a) *Pricing formula.* To establish a maximum price the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select from his line of "comparable articles" currently being sold for which maximum prices have already been established, two comparable articles: the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If a comparable article has the same unit direct cost as the article being priced, it shall be selected in addition to the comparable articles immediately above and below. If all comparable articles are either above or below, the one closest in unit direct cost shall be selected.

(3) Determine both the average percentage and the average dollar mark-up over unit direct cost for the comparable articles selected.

(4) Apply to the unit direct cost of the article being priced either the average percentage or the average dollar mark-up, whichever will yield the lower price. The resulting price shall be the maximum price.

(Example of the above computation)

Unit direct cost of article being priced = $9.00

Unit direct costs of comparable articles selected according to (2)	Maximum selling price for each such article	Dollar mark-up for each such article	Average percentage mark-up for such articles
$10.00 7.00	$14.00 9.00	$4.00 2.00	$23.00 (Sum of maximum prices). −17.00 (Sum of unit direct costs).
17.00	23.00	6.00÷2=$3.00	6.00÷$17.00=35.3%

Unit direct cost+average percentage mark-up = $9.00+$3.18 = $12.18.
Unit direct cost+average dollar mark-up = $9.00+$3.00 = $12.00.
Maximum selling price of article being priced (the lower of above two sums) = $12.00.

In applying the formula, the manufacturer shall determine the class of purchaser to which he expects to sell the largest volume of the article being priced. In calculating the mark-up over unit direct cost for the comparable articles selected he shall use the maximum prices for such articles applicable to the same class of purchaser as that determined for the article being priced. If a comparable article does not have such a maximum price, he shall make appropriate adjustments of his established maximum price for the comparable article to obtain such a maximum price. The maximum price derived by the formula for the article being priced shall be the maximum price applicable to such largest volume class of purchaser. It shall be adjusted for other classes of purchasers according to § 1499.159.

(b) *Computation of unit direct cost.* To establish the unit direct cost of the comparable articles and of the article being priced, the manufacturer shall compute the cost per unit of direct labor and materials on the basis of the following wage rates, material prices, and operating conditions:

(1) *Wage rates.* The wage rates applicable to any article shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the article. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(2) *Material prices* — (i) *Comparable articles.* If a comparable article was priced and offered for sale before August 1, 1942, the price of any material used in it shall be the highest price charged during March 1942 (as defined in § 1499.163) by the "manufacturer's supplier."

If the comparable article was priced and first offered for sale on or after August 1, 1942, the price of any material used in it shall be computed as above, unless (a) the Office of Price Administration has established a lower maximum price for the sale of the materials to the manufacturer by his supplier, and (b) such lower price was used in calculating the maximum selling price for the comparable article (under § 1499.156 or of this section); in that event such lower price shall be the price of the material.

(ii) *Articles being priced.* The price of any material used in the article being priced shall be the highest price charged during March 1942 (as defined in § 1499.163) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of the material to the manufacturer by his supplier, such lower price shall govern.

(iii) *Manufacturer's supplier.* The manufacturer's supplier shall be (a) his March, 1942, supplier of the material, or (b) lacking a March, 1942 supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier.

(3) *Operating conditions.* Using the wage rates and material prices determined under (1) and (2), the manufacturer shall compute the cost per unit of direct labor and materials for an article according to the methods customarily employed by him in computing his cost. For comparable articles he shall compute on the basis of productive techniques employed in his plant and of the actual volume of production prevailing during the most recent period in which the comparable article was produced prior to the time of mailing the report required by paragraph (e) of this section. For the article being priced he shall compute on the basis of productive techniques

employed in his plant at the time of mailing such report and on the basis of the volume of production he reasonably expects.

(c) *Computation of mark-up*—(1) *Percentage.* The average percentage mark-up over unit direct costs shall be calculated by computing the percentage mark-up between the sum of the unit direct costs and the sum of the maximum prices of the comparable articles selected.

(2) *Dollar mark-up.* The average dollar mark-up over unit direct cost shall be calculated by averaging the individual dollar mark-ups between the unit direct costs and the maximum prices of the comparable articles selected.

(d) *Comparable articles.* An article shall be deemed comparable to another article which although differing therefrom by more than minor changes within the meaning of § 1499.155 of this Maximum Price Regulation No. 188, has the same general use as the other article and is recognized by the industry as being the same general type of product, even though different materials and construction are used.

(e) *Reports of maximum prices*—(1) *Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the article being priced and of any innovation in manufacturing process involved and an explanation of the computation of the cost and the maximum price It shall also describe each of the comparable articles, giving for each the maximum prices for all classes of purchasers and, if practicable, the volume of production for the three calendar months immediately preceding the filing of the report.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively), at any time upon the written order of the Office of Price Administration.

(2) *Articles first offered for sale during August, 1942.* In the case of articles first offered for sale during August, 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(3) *Articles first offered for sale on or after September 1, 1942.* In case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in (1) prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1499.158 *Fourth pricing method—specific authorization by the Office of Price Administration*—(a) *Maximum prices.* The maximum price for any article which cannot be priced under §§ 1499.155, 1499.156, or 1499.157, or which cannot be priced under §§ 1499.155, 1499.156, or 1499.157 without undue hardship, shall be the price, in line with the level of maximum prices established by this Maximum Price Regulation No. 188, specifically authorized by the Office of Price Administration.

(b) *Reports of maximum prices.* Prior to first offering the article for sale the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report applying for specific authorization of a maximum price. The report shall contain a description in detail of the article (including the manufacturing process), a statement of the facts which make it necessary to price the article under this section, and the proposed maximum price, with a detailed explanation of its computation. If the manufacturer bases his report on undue hardship, he shall include in it all the information required by paragraph (e) of § 1499.157. Upon receipt of the authorization, the manufacturer may offer the article for sale in accordance with the terms of the authorization.

§ 1499.159 *Price differentials and economies effected by new or changed articles*—(a) *Price differentials.* Every manufacturer shall continue all his allowances, discounts, and other price differentials in effect in March, 1942. In the case of articles priced under §§ 1499.155, 1499.156, 1499.157, or 1499.158 of this Maximum Price Regulation No. 188, every manufacturer shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one general class of purchaser to reflect all allowances, discounts, and other price differentials which he was accustomed to make on that type of article.

(b) *Economies effected by new or changed articles.* Wherever after the introduction of a new or changed article the manufacturer realizes savings in indirect costs and expenses because of its introduction, the Office of Price Administration will by order require that such economies be reflected in the maximum price for such new or changed article. Wherever possible, such savings should be indicated in the reports required by §§ 1499.156, 1499.157 and 1499.158.

§ 1499.160 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 188 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, an article of building material or consumers' goods, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1499.161 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* (1) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 188 for any seller other than a seller at retail in any case in which such seller shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(ii) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this subparagraph (1) shall be filed in accordance with Procedural Regulations No. 1.[2]

(2) Any person seeking relief, for which no provision is made in the foregoing subparagraph (1) of this section, from a maximum price established under this Maximum Price Regulation No. 188 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1[2] and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 188 to eliminate the danger of inflation.

(b) *Petitions for amendment.* Any person seeking a modification of any pro-

vision of this Maximum Price Regulation No. 188 (other than an adjustment provided by paragraph (a)) may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1499.162 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 188 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 188 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1499.163 *Definitions.* (a) When used in this Maximum Price Regulation No. 188, the term:

(1) "Article" means any building material or consumers' good set forth in Appendix A (§ 1499.166) which is manufactured or sold as a distinct item.

(2) "Highest price charged during March, 1942" means

(i) The highest price which the manufacturer charged to a purchaser of the same class for delivery of the article or material during March, 1942; or

(ii) If the manufacturer made no such delivery during March, 1942, such manufacturer's highest offering price to a purchaser of the same class for delivery of the article or material during that month.

(3) "Manufacturer" means a person operating an establishment which produces, fabricates, finishes, or assembles a building material or consumers' goods.

(4) "Purchaser of the same class" and "class of purchaser" refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

§ 1499.164 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 188 shall be applicable to the forty-eight states and the District of Columbia.

§ 1499.165 *Effective date.* This Maximum Price Regulation No. 188 (§§ 1499.151 to 1499.166, inclusive) shall become effective August 1, 1942, for all sales and deliveries except sales and deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government. For such sales and deliveries it shall become effective September 1, 1942.

§ 1499.166 *Appendix A: Articles covered by the regulation.* The following articles of building materials and consumer goods shall be covered by this Maximum Price Regulation No. 188:

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific Maximum Price Regulation or Price Schedule in effect on August 1, 1942, or issued any time thereafter, or (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before pricing their products in accordance with this Regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this Regulation with respect to the articles so listed.

(a) Building materials—

(1) *Mechanical building materials and equipment:*

(i) Heating and winter air conditioning:

Boilers—Steam and hot water:
- Cast iron and steel firebox (except industrial boilers covered by Maximum Price Regulation No. 136, as amended).

Furnaces, heating, warm air:
- Cast iron.
- Steel.
- Floor.

Unit heaters, steam and hot water.
Coils, extended surface, finned, etc.
Radiation:
- Cast iron.
- Convectors.

Burners:
- Coal stokers (except those having a capacity of 1,200 lbs. per hr. or more covered by Maximum Price Regulation No. 136, as amended).
- Gas (except industrial, covered by Maximum Price Regulation No. 136, as amended).
- Oil (except those burning No. 6 oil and heavier covered by Maximum Price Regulation No. 136, as amended).

Domestic fuel oil storage tanks—above ground installation (except those covered by Revised Price Schedule No. 96).
Heat regulators for domestic use.

(ii) Plumbing:

Plumbing fixtures.
Plumbing fixture fittings:
- Faucets, waste connection, etc.

Water heaters.
Hot water storage tanks.
Plumbing specialties:
- Drains, ferrules, accessories, etc.

Sprinkler system equipment.
Water filtering and treating equipment, domestic.
Cast iron pressure pipe and fittings.
Cast iron soil pipe and fittings (except as covered by Revised Price Schedule No. 100, as amended).

(iii) Valves and fittings:

Hand valves and pipe and tubing fittings, regardless of material.
Steam and hot water heating specialties.
S. A. E. valves and fittings.

(iv) Commercial refrigeration and summer air conditioning:

Compressors under 25 tons or 25 horsepower.
Coils (except where covered by Maximum Price Regulation No. 136, as amended).
Boxes (over 16 cu. ft. capacity) and cases.
Units (over one horsepower portable air conditioners).
Drinking water coolers.
Specialties.
Unit coolers.

(v) Miscellaneous building equipment:

Hardware:
- Refrigerator.
- Showcase.
- Builders (except Revised Price Schedule No. 40).

Metal weatherstrip.
Metal sash.
Air distribution ductwork.
Metal doors.
Timber connecters.
Flashing and valleys.
Ornamental iron work.
Air distribution outlets:
- Registers.
- Grilles.
- Diffusing outlets.

Gutters, downspouts, ridge rolls and similar outside metal building products.
Skylights.
Ventilators, sheet metal.
Enameled iron and steel sheets and shapes.

(2) *Masonry and construction materials:*

Cement.
Concrete products:
- Building blocks and brick.
- Cast shapes and cast stone.
- Tile and tiling.
- Sewer and culvert pipe.
- Drain tile.
- Posts, piles, and cribbing.
- Grave vaults, septic tanks.

Structural clay products:
- Brick and hollow tiles, glazed and unglazed.

Sand line brick.
Clay tile roofing.
Clay drain tile.
Vitrified clay sewer pipe.
Tile:
- Wall.
- Floor.
- Quarry.

Terra cotta.
Refractories:
- Fireclay refractories.
- Silica refractories.
- Basic refractories (except Revised Price Schedule No. 75).
- Special refractories.
- High temperature mortars.

Dead burned dolomite.
Caustic calcined magnesite.
Chemical stoneware.
Chemical porcelain.
Gypsum:
- Crude.
- Calcined gypsum plaster.

Lime:
- Lime plasters.

Sand and gravel.
Slag.
Crushed stone:
- Construction.
- Metallurgical.
- Chemical.

Light weight aggregates.
Cinders.
Ready-mixed concrete.
Slate:
- Structural slabs.
- Electric.
- Roofing.
- Granules and flour.

Dimension stone:
- Limestone.
- Granite.
- Marble.
- Sandstone.
- Basalt.
- Other stone.

Clays (merchant):
- Kaolin or china clay.
- Slip clays.
- Ball clay.
- Fire clay.
- Stoneware clay.
- Bentonite.
- Fullers earth.
- Miscellaneous and common, including shale.

Talc, steatite, soapstone and pyrophyllite.
Oil paints and varnishes:
- Ready mixed paints of all types (interior and exterior).
- Paste and semi-paste paints.
- Putty.
- Fillers.
- Oil, varnish and spirit stains.
- Paint and varnish remover.
- Colors-in-oil.
- White lead in oil.
- Zinc white in oil.
- Marine paints.
- Artists colors.

Aqueous (water) paints.
Paint and varnish brushes and applicators.

(3) *Insulating board, roofing materials, and glass:*

(i) Asphalt and tarred roofing products.

Roll roofing.
Siding.
Shingles.
Roofing coatings and cements.
Asphalt and tarred felts.
Slaters felts.
Asphalt and tarred roofing (except Revised Price Schedule No. 45).

(ii) Insulated asphalt brick siding.

(iii) Asphalt floor tiles.

(iv) Asbestos cement building materials:

Shingles.
Siding.
Flat sheets.
Corrugated sheets.
Wallboard.
Tile.
Insulating asbestos board.
Asbestos cement pipe.

(v) Glass products:

Plate.
Window.
Laminated.
Rolled and figured (except Maximum Price Regulation No. 175).
Wired.
Heat-resisting.
Colored sheet and opalescent.
Structural sheets.
Structural blocks.
Foam glass.

(vi) Gypsum board:

Wallboard.
Lath.
Sheathing.
Liner board.
Tile.
Joint systems.

(vii) Fibre boards:

Wallboard.
Display board.
Tile board.
Shaped board.

(viii) Insulation board:

Wallboard.
Sheathing.
Plank and tile.
Roof insulation.
Acoustical.
Industrial.

(ix) Masonite board:

"Presdwood."
"Tempr presdwood."
"Temprtile."
"Quartrboard."
"Deluxe quartrboard."
"Industrial presdwood."

(x) Decorated tile board:

Plain.
Tile.
Mouldings.

(xi) Wool insulation:

Rock wool:
- Batts.
- Blanket.
- Loose.
- Granulated.

Glass wool:
- Batts.
- Blankets.
- Loose.
- Granulated.

(xii) Pipe and boiler insulations:

Asbestos-cement.
85% magnesia.

(xiii) Metal lath and lath accessories.

(b) Consumer's goods.

(1) *Bedding:*

Mattresses and Mattress pads.
Bedsprings, including boxsprings, coil bedsprings and flat bedsprings, but not including coil and flat bedsprings with non-steel frames.
Double duty sleep equipment, including studio couches, sofa beds, lounges, chair beds, love seats and sliding couches.
Cots.
Pillows.
Feathers and down.
Sisal pads.
Sleeping bags.
Innerspring units for upholstering purposes.
Upholstering coils and bedspring metal fabrics.
Inner constructions for boxsprings, studio couches and all double duty sleep equipment.

(2) *Equipment and supplies:*

Artists' supplies.
Beauty parlor and Barber shop furniture fixtures and equipment.
Ecclesiastical ware.
Funeral supplies and appurtenances.
Laboratory, hospital and professional fixtures.
Office furniture fixtures and sales.
Office machines and equipment (Manuel and Electric).
Restaurant furniture, fixtures and equipment.
School and office supplies, other than paper.
Scientific and technical instruments—apparatus and supplies (Except Maximum Price Regulation No. 136, as amended).
Store machines, fixtures, and equipment.

(3) *Floor Coverings.* All floor coverings, except terry cloth bath mats, and wool floor coverings subject to Revised Price Schedule No. 57.

(4) *Furniture.* All types of furniture manufactured from any material for any purpose, to be used in any location, and any other articles made to serve the functional purposes of furniture.

(5) *Hardware, tools and appliances:*

(i) Carpenters Tools (except Maximum Price Regulation No. 136, as amended):

Saws.
Chisels.
Hammers.
Hatchets.
Planes.
Non-mechanical rules and tapes.
Etc.
Auger bits and braces.
Hand drills.
Levels.
Squares.
Miter boxes.
Screw drivers.

(ii) Mechanics tools (except Maximum Price Regulation No. 136, as amended):

Anvils.
Crow bars.
Wrecking bars.
Pinch bars.
Blow torches and fire pots.
Bench grinders.
Hammers.
Wrenches.
Snips.
Hack saw frames.
Jacks and jack screws.
Lanterns.
Oilers.
Pliers.
Punches.
Tackle blocks.
Trowels.
Vises.
Handles, etc.

(iii) Farm and garden tools and supplies (except Maximum Price Regulation No. 136, as amended):

Axes.
Chain.
Corn planters.
Curry combs.
Singletrees.
Doubletrees.
Neck-yokes.
Handles.
Grass hooks.
Brush hooks.
Corn and cane knives.
Wheelbarrows.
Couplings and nozzles.
Hog scrapers.
Hog and bull rings.
Well wheels.
Huskers.
Post hole diggers and augers.
Pruning equipment.
Scythes and snaths.
Hedge grass and pruning shears.
Shovels.
Hand sprayers.
Steel goods.
Hose clamps, etc.

(iv) Coal miners tools (except Maximum Price Regulation No. 136, as amended):

Coal pick.
Pinch bar.
Auger.
Needle.
Tamper.
Wedge.
Carbide lamp, etc.

(v) Horse shoes and nails.

(vi) Ice tools:

Saws.
Tongs, etc.

(vii) Logging tools:

Cant hooks.
Peavies.
Pike poles, etc.

(viii) Stove and furnace pipe and elbows.

(ix) Saddlery hardware:

Buckles.
Loops.
Rings, etc.

(x) Heavy goods (except Maximum Price Regulation No. 136, as amended):
Sledges.
Hedges, etc.
Picks.
Mattocks.
Mauls.
Game traps.
Hand trucks and push carts (except Maximum Price Regulation No. 136, as amended).

(6) *Household appliances, electrical and other.*
Household sewing machines.
Ice refrigerators.
Air conditioning equipment (excluding built-in system).

Small electrical household appliances:
Heating appliances:
Bakers.
Boilers.
Broilers.
Buffet servers.
Casseroles.
Coffee makers.
Cookers.
Chafing dishes.
Driers (clothes and hair).
Heaters (space and immersion).
Hot plates, grills and table stoves.
Irons (curling).
Irons (flat).
Irons (waffle).
Kettles.
Heating pads.
Lighters (cigarette, etc.).
Percolators.
Ovens (portable).
Pressers (trouser and tie).
Roasters.
Sterilizers.
Toasters.
Vaporizers.
Warmers (bottle and plate).
Power appliances:
Freezers (ice cream, domestic).
Mixers and juice extractors.
Fans (ceiling, desk and bracket, pedestal).
Vibrators and exercisers.
Vaporizers and humidifiers.

(7) *Housewares:*
Cooking utensils.
Cutlery.
Cleaning supplies (mops, brooms, etc.).
Cabinets.
Bathroom equipment.
Fireplace equipment.
Galvanized-tin and painted tinware.
Kitchen tools and gadgets.
Woodenware and baskets.
Household and personal brushes.
Miscellaneous housewares—any articles generally classified as housewares not listed above.

(8) *Kitchen equipment.* Commercial and institutional kitchen equipment for use in hotels, restaurants, schools, hospitals, and similar establishments, including:
Ranges (except Supplementary Regulation No. 4 (as amended) to the General Maximum Price Regulation).
Broilers.
Automatic deep fat fryers.
Roasting ovens.
Steam jacketed kettles.
Baking ovens.
Steam tables.
Warming ovens.
Cabinets.
Mixers.
Choppers.
Slicing machines.
Hot plates and coffee urns.
Pantry and counter appliances, such as griddles.

(9) *Marine hardware, boats, boat supplies, accessories and equipment.*
Small boats and canoes.
Boat furniture.
Cabinet hardware (except Revised Price Schedule No. 40).
Cordage.
Deck and exterior hardware (except Revised Price Schedule No. 40).
Fastenings, bolts, screws, nails, tacks, etc., (except Maximum Price Regulation No. 147).
Fire fighting equipment (except fire-driven pumps covered by Maximum Price Regulation No. 136, as amended).
Flags, poles, sockets.
Ground tackle.
Life saving equipment.
Marine lights and equipment (except Maximum Price Regulation No. 136, as amended).
Navigating equipment (except Maximum Price Regulation No. 136, as amended).
Pipe and tube fittings.
Dismountable propulsion equipment.
Cars, paddles, and accessories.
Sailboat fittings.
Steering equipment.
Fenders and ring buoys.
Marine stoves, heaters, and refrigerators.

(10) *Personal and household accessories.*

(i) Household accessories, decorations and giftware (the following are illustrations, but not an all-inclusive list):
Artificial and preserved flowers, foliage, fruits, etc.
Baskets.
Bookends, wood and metal.
Music boxes.
Ornamental statuary.
Plaques.
Plaster work.
Wood carvings.
Screens, decorative, etc.

(ii) Notions (the following are illustrations, but not an all-inclusive list):
Buckles.
Buttons.
Clasps.
Fasteners, slide and snap.
Feathers and plumes.
Hooks and eyes.
Needles, hand, machine knitting, etc.
Pin cushions.
Pins, safety, straight, hat, bobby.
Shoetrees.
Thimbles.
Zippers.
Toilet sets.
Combs.
Vanities.
Compacts.
Military insignia.
Military buttons, etc.

(iii) Luggage:
Brief cases.
Club bags.
Dress trunks.
Fitted cases.
Overnighters.
Gladstones.
Hand trunks.
Hat and shoe boxes.
Sample cases.
Sample trunks.
Steamer trunks.
Suit cases.
Two suiters.
Wardrobe trunks.
Zipper bags.
Train boxes.

(iv) Glassware and Mirrors:
Art glass.
Artware and specialties.
Cutware.
Desk glassware:
Sponge.
Clip trays.
Ink wells.
Engraved ware.
Etch ware.
Glass hardware knobs.
Glass novelties.
Glass rods.
Glass tubing.
Glassware:
Hotel.
Bar.
Restaurant.
Soda fountain.
Lenses, and signal glass (except Maximum Price Regulation 136, as amended).
Illuminating glassware.
Kitchen ware.
Lamp chimneys.
Lantern globes.
Mirrors.
Oil lamps.
Tableware.
Technical and laboratory glassware.
Heat resisting and cooking glass.
Industrial glass:
Technical.
Scientific.
Laboratory.
Glass bottles and containers.

(v) Pottery:
Art pottery.
Stoneware.

(vi) Silverware:
Silverplated flatware (knives, forks, etc.).
Silverplated hollow-ware (pitchers, trays, etc.).
Sterling silver flatware.
Sterling silver hollow-ware.
Miscellaneous plated ware (chrome plate, nickel plate).

(vii) Jewelry:
Precious (gold-platinum-silver, etc.).
Non-precious (gold plated-gold filled, etc.).
(Except jewelry exempted from the General Maximum Price Regulation by the provisions of Amendment No. 9 to the General Maximum Price Regulation.)
Novelty:
Men's accessories:
Collar pins and buttons.
Cuff links.
Key chains.
Belt buckles.
Medals and badges.
Metal watch bands, etc.
Women's novelty jewelry:
Compacts and vanity cases.
Lockets.
Earrings, etc.

(viii) Clocks and Watches:
Clock cases, containers, guards.
Electric clocks (except Maximum Price Regulation 136, as amended).
Jewelers' tools.
Materials and parts.
Spring clocks:
Alarm.
Decorative.
Other.
Watch cases, containers, guards.
Watches:
Domestic.
Imported.
Jeweled.
Clock types.

(ix) Portable lamps and shades (other than industrial):
Boudoir.
Desk.
Floor lamps.
Lamp shades.
Novelty.
Table.
Torchier.
Wall lamp.

(x) Electric light bulbs (other than radio tubes—Miniature—Therapeutic):
Arc.
Carbon.
Fluorescent.
Gaseous.
Incandescent.

(xi) Pictures and picture frames and mirror frames:
Pictures:
Framed.
Unframed.
Frames:
Photograph.
Picture.
Mirror.

(xii) Optical goods (ophthalmic):
Optical glass.
Eye glass and spectacle cases.
Eye glass and spectacle frames and mountings.
Lenses for eye glasses and spectacles, white and colored.
Scientific optical instruments:
Microscopes and accessories.
Optical measuring instruments.
Other instruments.
Scientific refracting instruments for oculists and optometrists:
Ophthalmic chairs, stools, tables, etc.
Ophthalmic units.
Refracting units.
Diagnostic instruments for use by eye, ear, nose, and throat specialists.
Goggles:
Industrial.
Sun goggles.
Sun glasses.
Artificial eyes.
Binoculars.
Field glasses.
Opera glasses.
Telescopes.
Shooting glasses.
Contact lenses.
Prisms.
Magnifying glasses.
Loupes.
Readers.
Meteorological instruments
Barometers.
Hydrometers.
Thermometers. (For household, office, and advertising use only.)
Compasses.
Optical Rx Laboratory machinery and equipment.

(xiii) Smokers' articles (with the exclusion of tobacco, cigars, and cigarettes). The following are illustrations, but not an all-inclusive list:
Cigarette cases.
Cigarette and cigar holders, pipes, pouches, etc.
Pipe cleaners.
Cigarette lighters.

(xiv) Umbrellas:
Umbrellas.
Canes.

(xv) Miscellaneous:
Hair goods:
Wigs.
Toupees.
Braids.
Other.

(11) *Radio, Phonograph, and Battery Equipment.*
Non-electrical phonographs.
Phonograph accessories but not records.
Domestic radio accessories, but not radio parts.

(12) *Unclassified.*
Automotive seat coverings.
Cameras and photographic equipment and materials, except chemicals.
Dry Cell Batteries (except hearing aid batteries).
Fire extinguishers.
Flashlights.
Musical instruments.
Sporting goods (except such articles as may be covered by subsequent fall seasonal regulations and except Supplementary Regulation No. 4 (as amended) to the General Maximum Price Regulation).
Toys and games (except such articles as may be covered by subsequent fall seasonal regulations).

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7326; Filed, July 29, 1942; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.3 (b) of the General Maximum Price Regulation,[1] Order No. 49]

DOG OR CAT FOODS

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.263 *Formula for determining maximum prices of certain new types of dog or cat foods by manufacturers.* (a) Any manufacturer who formerly produced a wet dog or cat food packed in tin cans and who intends to produce and sell in its place a dehydrated or otherwise processed dry dog or cat food containing substantially the same ingredients as his former wet dog or cat food, and for which dry product he cannot determine his maximum price under § 1499.2 of the General Maximum Price Regulation, is hereby authorized to determine his maximum price for said dry dog or cat food by the following formula:

Each manufacturer shall compute his maximum price for a shipping case of such dry dog or cat food f. o. b. plant by: (1) dividing the average price f. o. b. plant (weighted according to volume) charged by him for a shipping case of the canned wet dog or cat food produced by him in largest volume during March, 1942 (or if no canned wet dog or cat food was produced by him during March, 1942, during the last full month canned wet dog or cat food was produced by him) by the actual cost of food ingredients and containers used for a shipping case of that dog or cat food during that month; and (2) multiplying the figure so obtained by a figure equal to the cost, based on average March 1942 prices, of the food ingredients and containers used in the manufacture of a shipping case of the dry dog or cat food (whether or not such dry dog or cat food was actually produced in March 1942).

The maximum price so determined shall be subject to discounts, allowances and terms no less favorable than those formerly given with respect to the canned wet dog or cat food, shall include commissions, advertising or other allowances and all other charges and shall not be increased by any charges for the extension of credit.

(b) Within ten days after any such maximum price has been determined, the manufacturer shall report such price to the Office of Price Administration in Washington, D. C. in writing, setting forth each of the figures used in paragraph (a) of this order and the actual computation of the maximum price. This writing must be accompanied by an affidavit that the costs and figures used in the computations are true and correct.

(c) If at any time after computing and reporting a maximum price under paragraph (a) of this order, a manufacturer shall change any of the food ingredients or the container used in this product, the manufacturer shall, within ten days after such change, recompute the maximum price for this product under the formula set out in paragraph (a) of this order. If such recomputation results in a figure which is more than ten cents ($0.10) per shipping case lower than the prior maximum price, the manufacturer shall report and use this figure as his new maximum price as provided in paragraph (b) of this order. Nothing in this paragraph shall be construed to authorize any increase in any maximum price determined hereunder.

(d) Sellers of such dry dog or cat food, other than manufacturers, shall determine and report their maximum price for this new commodity under the provisions of § 1499.3 (a) of the General Maximum Price Regulation. The manufacturer shall so advise, in writing, all wholesalers, jobbers and retailers to whom he sells and he shall also require all wholesalers and jobbers to so advise, in writing, all retailers to whom they sell.

(e) This order No. 49 may be revoked or amended by the Office of Price Administration at any time.

(f) This order No. 49 (§ 1499.263) shall become effective July 30, 1942. (Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7328; Filed, July 29, 1942; 11:51 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

Chapter XV—Board of War Communications

[Order No. 15]

PART 1714—INTERNATIONAL RADIOTELEPHONE COMMUNICATIONS

Whereas The Board of War Communications has determined that the national security and defense and the successful conduct of the war demand the termination of certain international radiotelephone communications;

Now, therefore, By virtue of the authority vested in the Board by Executive Order No. 8964[1] dated December 10, 1941;

It is hereby ordered as follows:

§ 1714.1 *Termination of certain international radiotelephone communications.* From and after the date hereof, no non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere except England, unless such call is made in the interest of the United States and an agency of the United States Government sponsors such call and obtains prior approval therefor from the Chief Cable and Radio Censor: *Provided, however,* That this provision shall not apply to calls by press agencies approved by the Censor, or to addressed radio program service and cue channels used in connection therewith.

§ 1714.2 *Closure of non-governmental point-to-point circuits between the United States and Australia.* All non-governmental point-to-point radiotelephone circuits between the United States and Australia be, and they are hereby, designated for closure and, effective midnight August 31, 1942, are closed.

Nothing herein shall apply to communications between the United States and points in the Western Hemisphere.

Subject to such further order as the Board may deem appropriate.

(E.O. 8964, 6 F.R. 6367)

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY, *Chairman.*

Attest: July 23, 1942.

R. J. MAUERMAN,
Acting Secretary, Commander, U. S. Coast Guard.

[F. R. Doc. 42-7307; Filed, July 29, 1942; 10:08 a. m.]

Chapter XVII—Office of Civilian Defense

PART 1902—INSIGNIA

[Regulations 2—Amendment 2 to Supp. Order 2[2]]

By virtue of the authority vested in me as Director of Civilian Defense by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and by Executive Order No. 9088, dated March 6, 1942, the Director of Civilian Defense hereby amends § 1902.55 of this chapter (section 5 of Supplementary Order No. 2 to Office of Civilian Defense Regulations No. 2), by adding § 1902.55 (i) (section 5 (i) of Supplementary Order No. 2), which designates additional official articles of the Civil Air Patrol as follows:

§ 1902.55 *Official articles for the Civil Air Patrol.* * * *

(i) *Lapel pins and buttons.* (1) The basic insigne may be used on metal lapel pins, with spread eagle wings on each side of and the letters "CAP" above the circle, which pins shall be 1¼ inches in length.

(2) The basic insigne alone may be used on lapel pins and buttons ½ inch in diameter. (E.O. 8757, 9088, 9134; 6 F.R. 2517)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

JULY 28, 1942.

[F. R. Doc. 42-7215; Filed, July 28, 1942; 12:21 p. m.]

[1] 6 F.R. 6367.
[2] 7 F.R. 4274, 5311.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 18]

PART 300—GENERAL PROVISIONS

PROCUREMENT OF ARTICLES, MATERIALS AND SUPPLIES FOR WAR SHIPPING ADMINISTRATION WITHOUT REGARD TO THE PROVISIONS OF THE "BUY AMERICAN ACT"

Whereas an unlimited National Emergency was proclaimed by the President of the United States on May 27, 1941; and

Whereas by the First War Powers Act, 1941, and Executive Order No. 9054, dated February 7, 1942, issued pursuant thereto, the President of the United States conferred upon the War Shipping Administration the functions, duties, and powers of the United States Maritime Commission under the provisions of the Merchant Marine Act, 1936, as amended, and of Title II of the First War Powers Act, 1941, and Executive Order No. 9001, dated December 27, 1941,[1] issued pursuant thereto, to enter into contracts without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts, and of Public Law 101, approved June 6, 1941, and Executive Order 8771, dated June 6, 1941, issued pursuant thereto, and Title III of the First Supplemental National Defense Appropriation Act, 1941, to operate vessels upon such terms and conditions as it may deem desirable and in the public interest; and

Whereas by Title III of the Act of March 3, 1933 (Public Law No. 428, Seventy-Second Congress, 47 Stat. 1520), also known as the "Buy American Act," the Administrator may waive the provisions of that Act if he shall determine its application to be inconsistent with the public interest; and

Whereas pursuant to the emergency powers vested in him, and pursuant to Title III of the Act of March 3, 1933, the Administrator has determined, and does hereby determine, that the restrictions imposed by said Title III of the Act of March 3, 1933, are inconsistent with the public interest and tend to delay and impede the prosecution of the war.

Now, therefore, it is hereby ordered, That:

§ 300.9 *Procurement of articles, materials and supplies for the War Shipping Administration during the unlimited national emergency without regard to the provisions of the "Buy American Act."* (a) For the duration of the unlimited National Emergency proclaimed by the President of the United States on May 27, 1941, the provisions of Title III of the Act of March 3, 1933 (Public No. 428, Seventy-Second Congress, 47 Stat. 1520, 41 U.S.C. Secs. 10a, 10b, and 10c) shall not be applicable to the purchase of articles, materials, and supplies, manufactured or unmanufactured, for the account of, or under contracts with, the War Shipping Administration.

(b) Preference shall be given to articles, materials, and supplies, manufactured, produced or mined in the United States, purchased for the account of the War Shipping Administration, whenever convenient in the judgment of the purchasing officer, employee, and Agent or General Agent conducting the business of vessels under service agreements.

(c) Proper officials of the War Shipping Administration are hereby authorized to enter into contracts, and into amendments or modifications of existing contracts, without regard to the provisions of Title III of the Act of March 3, 1933 (Public No. 428, Seventy-Second Congress, 47 Stat. 1520, 41 U.S.C. Secs. 10a, 10b, and 10c), and in accordance with the provisions of this section. (E.O. 9054, 7 F.R. 837)

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.
Secretary.

JULY 27, 1942.

[F. R. Doc. 42-7324; Filed, July 29, 1942; 11:31 a. m.]

[1] 6 F.R. 6787.

[General Order 7, Supp. 1]

PART 300—GENERAL PROVISIONS

TRANSFER OF PROPERTY FROM MARITIME COMMISSION TO WAR SHIPPING ADMINISTRATION

Whereas, Executive Order No. 9054, issued February 7, 1942, establishing the War Shipping Administration, provides among other things that "such part of existing personnel of the United States Maritime Commission together with such records and public property as the Administrator may deem necessary to the full exercise of his functions and duties prescribed by this Order are hereby assigned to the War Shipping Administration":

Now, therefore, it is hereby determined that:

§ 300.2 *Transfer of property from Maritime Commission to War Shipping Administration.* The Administrator of the War Shipping Administration deems presently necessary to the full exercise of his functions and duties prescribed by said Executive Order the custody, use of, and obligation to maintain, the following public property now vested in the United States Maritime Commission and records pertaining thereto, subject to existing permits, rights, and privileges:

(a) the property located in Hoboken, New Jersey, and commonly known as the Hoboken Terminal;

(b) the property located in Norfolk, Virginia, and commonly known as the Norfolk Army Base Terminal; and

(c) the property located in Philadelphia, Pennsylvania and commonly known as the Philadelphia Army Base Terminal. (E.O. 9054, 7 F.R. 837)

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

JULY 28, 1942.

[F. R. Doc. 42-7325; Filed, July 28, 1942; 11:38 a. m.]

[General Order No. 6—Supp. 1]

PART 305—INSURANCE

WAR RISK INSURANCE AUTOMATIC COVERAGE ON IMPORT CARGOES

Pursuant to the authority contained in the Merchant Marine Act of 1936, as amended, the following additional rules and regulations for the underwriting of cargo war risk insurances on imports to the United States are hereby promulgated.

Effective as of August 1, 1942, the War Shipping Administration is prepared to provide open cargo war risk insurance policies covering imports to the continental United States (excluding Alaska), from foreign ports and from territories and possessions of the United States (including Alaska). Such open policies will be subject to the standard war risk import open cargo policy form of the War Shipping Administration hereinafter referred to as the Warshipopencargo Form and published in the FEDERAL REGISTER as a part hereof. All such policies will be issued on behalf of the War Shipping Administration by Underwriting Agents appointed by the Administration for this purpose. Underwriting Agents will in all instances be insurance companies licensed to do a marine insurance business in a State of the United States.

§ 305.34 *Rules of procedure on open cargo war risk insurance on import cargoes.* The following specific rules have been promulgated in connection with insurance under such open policies:

(a) Applications for open policies must be filed in accordance with the form attached hereto, such filing to be made to an underwriting agent of the War Shipping Administration. All applications for open policies must specify the basis of valuation to be incorporated therein. The Assured shall have the option at the time of application of selecting one of the two following alternative bases of valuation:

(1) Invoice cost, plus transportation and insurance charges actually incurred with respect to the insured shipment, plus such percentage thereof as may be specified in the policy but not exceeding 10%. Where invoice is in foreign currency, amount to be converted to U. S. dollars at the mean rate of exchange at New York upon date of shipment as indicated by the bill of lading or otherwise.

(2) A value per unit to be specified in the policy.

Regardless of which option is selected the assured shall recover only his actual out of pocket loss and the policy shall embody the following clause:

In the event of loss the assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code.

(b) All applications for open cargo war risk insurance policies must maintain with the War Shipping Administration either a collateral deposit fund or a surety bond subject to the following regulations:

(1) Applicant wishing to establish a collateral deposit fund in compliance with the foregoing may do so by depositing with the underwriting agent of the War Shipping Administration through whom the open policy is to be issued a certified check or cashier's check payable to the order of the Treasurer of the United States in an amount as hereinafter provided, together with a letter of transmission in duplicate in accordance with the attached form. Such deposit when received will be held under a serial number assigned thereto until the cancellation of said open cargo policy and until final settlement of all premiums due thereunder has been effected. Until such time no part of such collateral deposit fund will be returned to the depositor unless otherwise specifically agreed by the War Shipping Administration. Assureds depositing additional certified or cashier's checks or money orders with the underwriting agent in order that their collateral deposit fund may be at all times sufficient to comply with Clause 13 of Part II of said Open War Risk Insurance Policy should refer to the serial number given to the original deposit as provided in paragraph (c) of this section.

In the event any assured fails to pay all premiums due under any open war risk insurance policy issued to him by the War Shipping Administration as the same become due and payable, the War Shipping Administration reserves the right to cancel the policy in accordance with its terms and to deduct such due amounts from such assured's collateral deposit fund.

No deposit will be accepted in accordance with the terms of this supplement unless amounting to $1,000.00 or more.

(2) Applicant wishing to furnish a surety bond in compliance with the foregoing shall present to the underwriting agent of the War Shipping Administration through whom the policy is issued a surety bond executed by the assured as principal and by the surety, the bond to be in the amount desired by the assured: *Provided, however,* That in no event shall it be for an amount less than $1,000.00. The sufficiency of the surety shall be subject to approval by the War Shipping Administration: *Provided, however,* That the underwriting agent may accept on behalf of the War Shipping Administration a surety bond executed by a surety on the approved list of the Treasury Department for the acceptance of bonds to secure obligations due the United States, provided the bond is within the maximum amount for which the surety is so authorized to write bonds as shown by the said approved list.

If the proposed surety is not on said approved list, the underwriting agent, before accepting the surety bond, shall first secure the specific written approval of the Assistant Deputy Administrator for Fiscal Affairs, War Shipping Administration, or his properly authorized designee.

In the event any assured fails to pay all premiums due under any open war risk insurance policy issued to him by the War Shipping Administration as the same become due and payable, the policy will be subject to cancellation and the premium involved will become a liability collectible under said bond.

The form of bond shall be as hereinafter set forth, and no variation therefrom shall be permitted except with the express written approval of the Director of Wartime Insurance and the General Counsel, War Shipping Administration.

(3) The amount of collateral deposit fund or surety bond as aforesaid must in no event be less than $1,000.00 and must at all times be maintained by the assured in an amount sufficient so that at all times such amount is in excess of the unpaid premium due with respect to any and all risks which have attached under the terms of the open policy. Failure to comply with this provision will automatically void such policy.

(c) *Provisional reports.* Within thirty days after issuance of each open policy the assured must file in duplicate with the underwriting agent a list of all anticipated imports coming within the scope of the policy, identifying each item by a serial number and by a statement as to approximate quantity or value and anticipated date of shipment if known; thereafter, not less frequently than once monthly the assured must report to the underwriting agent in duplicate all further commitments as to imports with respect to goods coming within the scope of the policy. All such provisional reports must be on standard form in accordance with the attached:

(d) *Closing reports.* Not later than the twenty-fifth day of each month, the assured must make reports to the underwriting agents of all shipments as prescribed in Clause 12 of Part II of Warshipopencargo Form and must pay premium in accordance with the terms thereof. Such reports must be in duplicate and upon standard form in accordance with the attached specimen, and must be supported by the execution of the affidavit embodied in said form.

In the event that the assured has no shipments to report during any given month the standard form of closing report must nonetheless be filed as prescribed herein, with the notation thereon, "It is certified that no shipments coming within the scope of the policy arrived at port of destination in continental United States during the preceding month, and that during said month no knowledge has come to the assured of shipments attaching under

the terms of the policy which will not arrive by reason of loss, frustration or other similar cause".

(e) All closing reports as called for by the preceding paragraph must be accompanied by a certified check for the full amount of the premium, computed on the basis provided for in the policy. Such checks must be made payable to the order of the Treasurer of the United States.

(f) *Return premiums.* No return premiums will be payable to the assured except in event of error in application of rate or in computation of premium, or in event goods are not shipped or are short-shipped. All claims for return premiums must be filed in standard form prescribed by the War Shipping Administration, per specimen form attached. Such form must be filed in quadruplicate with the underwriting agents who will transmit the same to the War Shipping Administration for payment.

(g) No special policy of insurance will be issued with respect to shipments covered under open policies provided in accordance with this section.

(h) All claims for losses recoverable under the terms of open cargo war risk insurance policies issued by the War Shipping Administration should be filed by the assured with the underwriting agent by whom the policy was issued. Such claims should be supported by the customary documents required in connection with war risk insurance claims, together with the affidavit referred to in paragraph (a) of this section, and such further data as may now or hereafter be required by the War Shipping Administration.

(i) The following standard forms, to be used in carrying out the foregoing, are hereby prescribed:

§ 305.35 *Application form for open policy.*

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION
WARSHIPOPENCARGO POLICY APPLICATION
Imports only

Effective with respect to shipments (a) under Ocean Bills of Lading dated on and after ---------- (which shall be not earlier than the date of issuance of the policy), or (b) if Ocean Bills of Lading not issued under equivalent shipping documents dated on and after said date, or (c) if no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessels on and after said date, a War Risk Open Policy containing the warranties and conditions promulgated in Supplement 1 of General Order No. 6 of the War Shipping Administration is requested by:

Name of Assured ----------

Address ----------
No. Street City

County State
Merchandise not to be covered, if any, ----------

Does applicant require coverage of goods on shore (subject to additional premium as required by W. S. A.) where such goods are discharged short of destination ----------?

The applicant must select ONE of the following valuation clauses. Indicate by check mark your selection, and if Clause (a) is selected, insert desired percentage not exceeding 10%:

(a) Invoice cost plus transportation and insurance charges actually incurred with respect to the insured shipment, plus ---------- per cent. Where invoice is in foreign currency, amount to be converted to United States dollars as per policy provisions.

(b) A specified value per unit, viz, $---------- per ---------- Regardless of which valuation clause is selected, the following policy provision shall apply:

"In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of Section 35 (a) of the Criminal Code."

Assured ----------
By ----------
Title ----------

This application must be accompanied by either (a) Standard Form of Transmittal of Collateral Deposit Fund with accompanying Cashier's or certified check, or (b) Standard Form of Surety Bond executed by the Assured as Principal and by the Surety, complying in either case with all applicable provisions of Clause (b) of General Order No. 6, Supplement 1. Shipments with respect to which premiums are not covered in full by the amount of such collateral fund or surety bond will not be insured under the policy.

§ 305.36 *Standard form of provisional report.*

The Assured represents that he has no knowledge of any facts or circumstances which would render incorrect, incomplete, untrue, or misleading, any statements contained in this Provisional Report.
Dated ---------- ASSURED ----------
BY ----------
TITLE ----------

PROVISIONAL REPORT OF SHIPMENTS FOR ACCOUNT OF

—Assured
FOR THE MONTH OF ----------

AGENT'S NO. ----------
WARSHIPOPENCARGO POLICY NO. ----------
REPORT NO. ----------
This form to be filed in duplicate.

Serial No.	Quantity of goods	Description of goods	Approximate value	Contract or letter of credit number	Expected month of shipment	Port of shipment	Remarks

§ 305.37 *Standard form of closing report.*

NOTE.—To be filed in duplicate. This report must be sworn to by use of affidavit on reverse hereof.

Monthly Closing Report for the Month of ----------, 194--
Assured ----------
Agent's No. ---------- Policy No. ----------
Closing Report No. ----------

Do not use this space		Check deposited
Rate verified	----	
Premium verified	----	
Footings verified	----	
Summary Posted	----	Date
		Receipt No.

Risk No.	Provisional No.	Descriptive document: Rate	Type	No.	Marks and numbers	Quantity of goods	Type of goods or merchandise	Voyage	Arrival date	Amount	Rate	Premium	Remarks

AFFIDAVIT TO BE ATTACHED TO CLOSING REPORT

County of ----------
State of ----------, ss:

----------, being first duly sworn, deposes and says that he is the Assured named in Open Cargo War Risk Policy No. ---------- issued by the War Shipping Administration, or the ---------- of said Assured, a ----------, and does hereby certify, warrant, represent and affirm on his own behalf and on behalf of said Assured that the information set forth herein is in all respects a true, accurate and complete list of all goods shipped to or consigned to the Assured and for his account and risk, or shipped to other parties within the United States for the account and risk of the Assured under Ocean Bills of Lading and arriving at port of destination in the continental United States during the month ending ---------- 1942 and includes a true, accurate and complete list of all such goods which failed to arrive by reason of loss, frustration or similar cause with respect to which knowledge of such non-arrival has become known to the Assured during said month. The foregoing information is furnished by Assured pursuant to the terms and conditions of said Open Cargo War Risk Insurance Policy and is provided by affiant and Assured with full knowledge that War Shipping Administration will rely thereon and with the intent and purpose of inducing the War Shipping Administration to rely thereon.

Subscribed and sworn to before me this ---- day of ----------, 1942.

Notary Public

Attention is directed to section 35 (a) of the Criminal Code of the United States which provides for punishments ranging as high as 10 years' imprisonment or ten thousand dollars fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.38 *Standard form of letter for transmittal of collateral deposit fund.*

Collateral Deposit Fund
Transmittal Form.

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION

Policy No. ----------.
Amount Inclosed $---------.
To: War Shipping Administration,
c/o ----------, Underwriting Agent.

Inclosed herewith is certified or cashier's check drawn to the order of the Treasurer of the United States in the above sum to be held by the War Shipping Administration as a collateral deposit fund under the above numbered Warshipopencargo policy pursuant to all of the terms and conditions of said policy, and such additional conditions and regulations as may be promulgated from time to time by the War Shipping Administration, and published by the War Shipping Administration in the FEDERAL REGISTER as provided in said policy.

Dated: ----------

Assured

Received this ------ day of ----------, 194---

Underwriting Agent

Deposited in Federal Reserve Bank at -------- on ----------, 194---
----

This form must be executed in quadruplicate.

§ 305.39 *Standard form of application for return premium.*

Do not fill out this space

Premium paid ----------
Checked by Underwriting Agent ----------
Checked by clearing Organization ----------
Approved by:

For Director of Wartime Insurance

This application must be filed in quadruplicate with underwriting agency issuing policy.

APPLICATION FOR RETURN PREMIUM UNDER WARSHIPOPENCARGO FORM

WAR SHIPPING ADMINISTRATION, DIVISION OF WARTIME INSURANCE

Assured ----------
Address ----------
Underwriting agent ----------
Nature of cargo ----------
Policy number ----------
Date of payment ----------

INSURANCE DECLARED

Quantity (tons, bbls., bales, etc.)	Amount of insurance	Rate	Premium
Total			

INSURANCE AT RISK

Total			

Return Premium ----------
Remarks: ----------

Application is hereby made for return premium as set forth above by
Date ---------- Name ----------
COUNTY OF ----------
State of ----------, ss:

----------, being first duly sworn, deposes and says that he is the Assured named in the foregoing application for return premium or the ---------- of said Assured, a ---------- ----------, and that the information set forth in said application is in all respects true and correct and is made to induce the War Shipping Administration to return part or all of the premiums heretofore paid by said Assured to said War Shipping Administration for Open Cargo War Risk Insurance. Said application is made with full knowledge by the Assured and this affiant that said War Shipping Administration will rely on the information set forth therein.

Subscribed and sworn to before me this -------- day of ----------, 1942.

Notary Public

Attention is directed to section 35 (a) of the Criminal Code of the United States which provides for imprisonment ranging as high as 10 years or ten thousand dollars fine, or both, for filing false, fictitious or fraudulent claims with a department or agency of the United States.

§ 305.40 *Standard form of application for appointment of underwriting agent.*

War Shipping Administration,
Department of Commerce Building,
Washington, D. C.
Attention: Director, Wartime Insurance.

Dear Sirs:

The undersigned, an insurance company duly admitted to transact the business of marine insurance in the following State or States of the United States,

hereby applies for appointment as Underwriting Agent of the Administrator, War Shipping Administration, to issue and execute open war risk cargo insurance policies on behalf of the United States of America, acting by and through the Administrator, War Shipping Administration, and to perform other functions and duties, as are more specifically set forth in the standard form of underwriting agency agreement adopted by the Administrator and promulgated in the FEDERAL REGISTER of the United States on the ------ day of ----------, 1942. In connection with this application, we are transmitting herewith three executed counterparts of an underwriting agency agreement in such standard form. Upon the execution of said agreement by or on behalf of the Administrator and the receipt from the Administrator of a duly executed Certificate of Designation of ourselves as underwriting agent and attorney in fact for the War Shipping Administration, this appointment shall thereupo become effective.

Date ----------

(Company)

§ 305.41 *Certificate of designation of underwriting agent.*

Certificate of designation of ----------
--------as underwriting agent for the War Shipping Administration

Agency Number ------

It is hereby certified that the United States of America, acting by and through the Administrator, War Shipping Administration, has appointed ----------, of ----------, its duly authorized agent and attorney in fact to execute and issue open war risk cargo policies of insurance in the name of the United States of America, acting by and through the Administrator, War Shipping Administration, and perform other functions and duties of underwriting agent as provided in an underwriting agency agreement executed by and between the Administrator and said underwriting agent dated ----------, which agreement is in the standard form heretofore adopted by the Administrator and published in the FEDERAL REGISTER of the United States under date of ----------, 1942.

Dated, Washington, D. C. ----------
UNITED STATES OF AMERICA,
WAR SHIPPING ADMINISTRATION,
By: ----------
(Name and title)
For the Administrator.

§ 305.42 *Standard form of underwriting agency agreements.*

UNDERWRITING AGENCY AGREEMENT

This agreement made and entered into this ---- day of ----------, 194--, by and between the Administrator of the War Shipping Administration, acting for and on behalf of the United States of America, (hereinafter called the "Administrator") and ---------- ----------, a corporation organized and existing under the laws of ----------, and admitted to do the business of marine insurance in one or more of the States of the United States, having an office for the transaction of business at ---------- (hereinafter called the "Underwriting Agent").

Witnesseth:

Whereas under and pursuant to the President's Executive Order 9054 of February 7, 1942, and Public Law 523 of the Seventy-seventh Congress, the Administrator is authorized under certain circumstances to provide marine insurance and reinsurance against loss or damage by the risks of war, and to exercise this power through such officials or agencies and in such manner as he may determine; and

Whereas the Administrator has determined to exercise certain of these powers for the insurance of cargo through certain private insurance corporations, including the Underwriting Agent, upon the terms and conditions hereinafter set forth;

Now, therefore, in consideration of the premises and of the mutual covenants and agreements, and upon the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The Administrator hereby authorizes the Underwriting Agent, as Agent, and not as an independent contractor, to perform the functions hereinafter provided for, subject to the terms and conditions hereinafter specified, and in accordance with the Memoranda of Instructions which may be issued hereunder by the Administrator from time to time.

2. The Underwriting Agent agrees to utilize its offices and facilities to make available to the public the insurance of cargoes against war risks furnished by the Administrator. The Underwriting Agent may act through its Home Office, branch offices or agencies in the United States, its territories or possessions, which are authorized to write marine insurance on behalf of the Underwriting Agent.

The duties of the Underwriting Agent shall be as follows:

(a) The Underwriting Agent shall issue policies covering the class or classes of property and subject to the rates and conditions named by the Administrator. The insurer under such policies shall be the Administrator, and the policy shall be executed or countersigned by the Underwriting Agent.

(b) The Underwriting Agent shall keep a full and complete record of all such policies, and shall also record any premium, collateral deposit fund, or surety bonds required by the terms of such policy, so that a record may be available at all times to the Administrator, both as to all policies issued and as to all collateral deposit funds or surety bonds provided by the assured in connection with such policies.

(c) The Underwriting Agent shall receive customary Provisional Reports from policyholders, and subject to such regulations as

may be adopted by the Administrator, shall take the necessary steps to follow up the same.

(d) The Underwriting Agent shall accept monthly Closing Reports from each policyholder for transmission to a clearing organization which shall be appointed or created by the Administrator for this and other purposes. The Underwriting Agent shall also receive certified checks drawn to the Treasurer of the United States for the premiums involved, if the premiums have not been previously paid, which checks shall be deposited by the Underwriting Agent in the Federal Reserve Bank nearest to its office, or in such other bank as may be authorized by the Administrator to receive such deposits. The Underwriting Agent is to receive from the bank in which the deposits are made receipts therefor in such number as may be prescribed in general instructions to the Agent and handle the receipts so received in accordance with such general instructions.

(e) The Underwriting Agent shall prepare a monthly summary of all such Closing Reports on a standard form to be approved by the Administrator and transmit the same, together with supporting Closing Reports and receipts for deposits made as above provided, to the clearing organization.

(f) The Underwriting Agent shall receive from holders of policies issued by such Underwriting Agent any claims for return premiums in a standard form to be prescribed by the Administrator and shall certify thereon, if such is the fact, that the amounts with respect to which such return is claimed were previously included in closing reports submitted to the Administrator and that based upon the statements included in such application by the Assured the return premium applied for is payable in accordance with the regulations of the Administration. Such applications and certifications shall be transmitted promptly to the clearing organization.

(g) The Underwriting Agent shall receive reports of losses, prepare adjustments and vouchers, and other data, required by the Administrator, and submit the same with its recommendation as to whether claims are in order for settlement to the Administrator through the clearing organization.

(h) The Underwriting Agent will cooperate with other Underwriting Agents acting in a similar capacity to establish and maintain, through the American Institute of Marine Underwriters or otherwise, an advisory underwriting committee to deal with specific underwriting problems, subject to regulations of the Administrator, and such other advisory committees as may seem necessary to safeguard the interest of the Administrator, including a loss committee to act as a recipient for information as to losses, and to pass upon any recommendations made by the Underwriting Agent as to losses in excess of an amount to be fixed by the Administrator.

3. The Underwriting Agent shall receive for its services such amount as the Administrator may from time to time determine to be fair and reasonable compensation. Such compensation shall be determined by the Administrator at such sums as reasonably approximate expenses of Underwriting Agents generally under this form of agreement without contemplation of profit. In addition to such fair and reasonable compensation the Underwriting Agent shall receive reimbursement for out of pocket expenditures reasonably incurred, meaning payments to persons not regularly employed by the Underwriting Agent, but excluding payments to attorneys unless such employment has been authorized by the Administrator: *Provided however*, That all such expenditures shall be subject to the review of the Administrator: *And, further provided*, That such expenditures shall not include any fee or other consideration paid to an insurance broker or other person acting in a similar intermediary capacity.

A statement of the compensation due to the Underwriting Agent (including reimbursement for out of pocket expenses as herein provided) shall be submitted by the Underwriting Agent to the Administrator monthly or at such other intervals as the Administrator may direct, with an appropriate voucher, and the amount of such compensation, if approved, shall be promptly paid to the Underwriting Agent.

4. In the discharge of the duties and obligations arising under this agreement, the Underwriting Agent shall conform to a standard of performance and accuracy reasonably to be expected of an insurance company in the administration of its own business, and consistent with the highest degree of good faith. It is agreed, however, that as the Underwriting Agent is acting without expectation of profit, it shall not be responsible for errors or omissions of agents and employees in whose selection and supervision it has exercised reasonable care, (other than willful misconduct on the part of the principal officers of said Underwriting Agents) excepting that the Underwriting Agent assumes full and complete responsibility for the disposition of any funds received by it or its employees or agents under and pursuant to this agreement. The exercise of reasonable care in the selection of agents by the Underwriting Agent shall be deemed to include a determination by the Underwriting Agent that the agent so selected is experienced in the transaction of such phases of the marine insurance business as may be delegated to such agent by the Underwriting Agent. It is understood that the Underwriting Agent is or may be engaged in writing war risk insurance on hulls and cargoes for its own account, and it is agreed that it may write such insurance notwithstanding its operations on behalf of the Administrator.

5. All books, records and accounts covering the operations and activities under this agreement shall be kept separate from those relating to other business of the Underwriting Agent, in accordance with regulations made from time to time by the Administrator, and shall at all times be subject to inspection by the Administrator.

6. It is recognized that in the conduct of its operations and activities hereunder the Underwriting Agent shall act only as agent for the Administrator, who shall be the principal in connection with all such operations and activities. The Underwriting Agent shall have no authority other than as provided in this Agreement and in Memoranda of Instructions issued hereunder, and any unauthorized acts of said Underwriting Agent shall be null and void, and of no effect. It is agreed that the Administrator will issue to the Underwriting Agent a Certificate of Designation authorizing the Underwriting Agent to execute and issue war risk cargo policies of insurance in the name of the United States of America and to perform the other duties and functions provided for herein. It is further agreed, in view of the fact that the statutory power of the Administrator to write insurance is conditioned on the existence of certain facts of which the Underwriting Agent may have no knowledge or means of knowledge, that the Underwriting Agent may insert in all policies above its signature, a statement that it acts solely under the said Certificate of Designation and makes no warranty, either express or implied, of its own authority or the authority of the Administrator to sign or issue the said documents.

7. Notwithstanding the provisions of paragraph 3 hereof, in the event that the Underwriting Agent, after giving notice to the Administrator, shall be compelled to pay to any state, territory, or possession of the United States, or political subdivision thereof any tax or fee or interest or penalty relating thereto claimed to be due by reason of the business transacted pursuant to this agreement and which would not have been payable except for the operation of the Underwriting Agent hereunder, the Underwriting Agent shall be reimbursed by the Administrator therefor, and for any special expenses necessarily incurred in connection therewith. Moreover, if the Administrator shall reject any claim for loss under any policy of insurance issued pursuant to this agreement and if legal proceedings be instituted against the Underwriting Agent with respect to such claim, or if the Underwriting Agent shall be obligated to defend any legal suit or proceeding on account of its action in rejecting any application or failing to issue any policy or in canceling any policy, or in denying the payment of any return premium, the Administrator shall, upon due notice at his expense, defend such proceeding and if in any such proceeding the Underwriting Agent be compelled to make payment, the Administrator shall reimburse the Underwriting Agent for the amount thereof, provided always the action of the Underwriting Agent complained of shall have been consistent with the standard of performance required hereunder. In any of the foregoing cases, the Underwriting Agent shall render to the Administrator such reasonable cooperation and assistance as the Administrator may require.

8. This agreement shall take effect as of the date of its execution by the Administrator and continue in force until terminated. It may be terminated, as of midnight on the last day of any calendar month by either party giving at least fifteen (15) days prior written notice to the other party by registered mail. Such termination shall not affect the obligation of the parties hereunder with respect to any insurance written or expenses incurred prior thereto.

9. Any act or thing herein required or permitted to be done hereunder by the Administrator may be done by such other official or officials of the War Shipping Administration as the Administrator may designate.

10. (a) The Underwriting Agent warrants that it has not employed any person to solicit or secure this agreement upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this waranty shall give the United States the right to annul this agreement, or, in its discretion, to deduct from any amount payable hereunder the amount of such commission, percentage, brokerage, or contingent fee.

(b) In any act performed under this agreement the Underwriting Agent shall not discriminate against any citizen of the United States of America on the ground of race, creed, color or national origin.

1. No person elected or appointed a member of or delegate to Congress or a Resident Commissioner, directly or indirectly, himself or by any other person in trust for him, or for his use or benefit, or on his account shall hold or enjoy this agreement in whole or in part, except as provided in Section 206 Title 18, U.S.C. The Underwriting Agent shall not employ any member of Congress, either with or without compensation, as an attorney, agent, officer or director.

In witness whereof the parties hereto have duly executed this Agreement in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By (Sgd.) E. S. LAND,
E. S. Land,
Administrator,
War Shipping Administration.

By ------ ------
For the Administrator.

Attest:

By ---

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ----------, a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ---------- who signed this agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL]

(Where special action of the governing body is not immediately practicable, the following must be signed by the United States Manager, or by the Branch Manager or other similar executive who executes the Agreement.)

I, ----------, certify that I am the ---------- of ----------, the party to this Agreement referred to therein as the Underwriting Agent; that I personally signed this Agreement on behalf of said corporation, under powers given to me by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

---------- L. S.

§ 305.43 *Standard form of Warshipopencargo policy.*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

FORM OF POLICY

Part I

This policy shall consist of this Part I and Part II published in the FEDERAL REGISTER under date of July 30, 1942, as part of Supplement I to General Order No. 6 of the War Shipping Administration. Part II shall be deemed incorporated herein and made a part of this contract, and this contract shall be subject to the terms and conditions of both parts. This policy may be amended by endorsement attached hereto and executed on behalf of the Administrator of the War Shipping Administration by a duly authorized underwriting agent pursuant to prior written or telegraphic instructions from the War Shipping Administration or by publication of an amendment to the Warshipopencargo Policy form in the FEDERAL REGISTER. In the latter event such amendment shall become effective 48 hours after the date of such publication unless a longer period is provided for therein, but such amendment shall not affect any shipments which attached hereunder prior to the expiration of such period. In the event that the Assured is unwilling to accept any amendment to this policy as aforesaid, he shall have the option of terminating this policy as of the effective date of such amendment upon written or telegraphic notice to the Administrator, War Shipping Administration prior to such effective date.

In consideration of a collateral deposit fund or surety bond to be established in accordance with Clause 13 of part II of this policy, and of premiums computed and paid as provided in Clause 12, Part II of this Policy, War Shipping Administration by this policy of insurance hereby insures ---------- ---------- against War Risks as specified in Part II with respect to all imports to the Continental United States, excluding Alaska (except as to such imports as may be specifically excluded from this policy by special agreement noted hereon by endorsement) shipped to or consigned to the Assured and for his account and risk or shipped to other parties within the United States for the account and at the risk of the Assured:

a. Under ocean Bills of Lading dated on or after----------, or

b. If ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no ocean Bills of Lading or equivalent documents are issued or the same are undated, laden on overseas vessel on and after said date.

For the purpose of this insurance, goods insured hereunder shall be valued at------ ----------

In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code.

This policy may be cancelled at any time upon 15 days written or telegraphic notice to or by the Assured or 15 days subsequent to the publication of a notice of cancellation in the FEDERAL REGISTER: *Provided, however*, That no such cancellation shall terminate this policy with respect to any shipments which have become a risk under the terms hereof prior to the effective date of such notice.

In the event of loss which may give rise to claim under this policy, prompt notice should be given to the Underwriting Agent of the War Shipping Administration by whom this policy is countersigned.

Any loss payable hereunder shall be payable in funds current in the United States, to the order of ---------- 30 days after full proofs of loss and proofs of interest have been filed with the War Shipping Administration.

In witness whereof the War Shipping Administration had caused this policy to be signed by the Administrator at Washington, D. C. but this policy shall not be valid unless countersigned by a duly authorized Underwriting Agent of the War Shipping Administration.

(Sgd.) E. S. LAND,
E. S. Land,
Administrator.

*Countersigned this ---- day of ---- ----------, 194---

Underwriting Agent of
War Shipping Administration

By: ---

Its ---

*The Underwriting Agent does not; by countersigning and issuing this policy or otherwise, warrant its own authority, or the authority of the War Shipping Administration, to issue this Policy, but acts solely under the power conveyed by the Standard Form of Certificate of Designation issued by the War Shipping Administration.

Optional Clause which may be attached to Warshipopencargo Policy by endorsement:

"In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4 c of Part II of this policy is deleted.

"It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to cover, subject to its terms, to such substituted destination without further additional premium. This insurance shall also continue in force as aforesaid if the merchandise insured hereunder subsequent to attachment of this insurance is discharged at the port of loading but only provided that at the time of such discharge title to and interest in the goods is vested in a citizen of the United States, and such insurance shall terminate if at any time during the continuance of such insurance as aforesaid title to and interest in the goods shall no longer be vested in a citizen of the United States."

§ 305.44 *Standard Form of Warshipopen Cargo Policy.*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Form of Policy

Part II

1. This insurance is only against the risks of capture, seizure, destruction, or damage by men of war, piracy, takings at sea, arrests, restraints and detainments, and other warlike operations and acts of kings, princes, and peoples in prosecution of hostilities or in the application of sanctions under international agreements, whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, and including the risks of aerial bombardment, floating or stationary mines, and stray or derelict torpedoes; but excluding claims for delay, deterioration and/or loss of market, and warranted not to abandon (on any ground other than physical damage to ship or cargo) until after condemnation of the property insured. Also warranted not to abandon in case of blockade, and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade, to be at liberty to proceed to an open port and there end the voyage.

2. Warranted free from any claim based upon loss of, or frustration of, the insured voyage or adventure caused by arrests, restraints or detainments.

3. This insurance does not cover any loss or damage caused by or resulting from any of the following causes:

(a) Commandeering, preemption, requisition, or nationalization by the government (de facto or otherwise) of the country to or from which the goods are insured.

(b) Seizure or destruction under quarantine or customs regulations.

(c) Capture, seizure, arrest, restraint, detainment, or condemnation by the Government of the United States of America, or of any State, territory, or possession thereof, or by any government which is or may become party signatory of the "United Nations Pact" promulgated on or about January 2, 1942.

4. This insurance shall not attach to the interest hereby insured or to any part thereof:

(a) Prior to being on board an overseas vessel (for the purpose of this clause 4 an overseas vessel shall be deemed to mean a

vessel carrying the interest from one port or place to another where such voyage involves a sea passage by that vessel);

(b) after being discharged overside from an overseas vessel at the final port of discharge, or after expiry of fifteen days counting from midnight of the day on which the overseas vessel is safely anchored or moored at the final port of discharge, whichever shall first occur;

(c) at a port or place of transshipment to another overseas vessel after the expiry of fifteen days (counting from midnight of the day on which the overseas vessel entering with the interest is safely anchored or moored) until the interest is on board the oncarrying overseas vessel.

In the event of the exercise of any liberty granted to the Shipowner or Charterer under the contract of affreightment whereby such contract is terminated at a port or place other than the destination named therein such port or place shall be deemed the final port of discharge for the purpose of this clause 4.

5. Subject to the terms of clause 4 above and to any conditions or warranties which may be endorsed hereon, it is agreed that this insurance shall not be vitiated by deviation, overcarriage, change of voyage, or by any error or unintentional omission in the description of interest, vessel or voyage, provided the same be communicated to the War Shipping Administration as soon as known to the Assured and an additional premium paid if required.

6. And in case of any loss or misfortune, it shall be lawful and necessary to and for the Assured, his or their factors, servants and assigns, to sue, labor, and travel for, in and about the defense, safeguard, and recovery of the said goods and merchandise, or any part thereof without prejudice to this insurance; nor shall the acts of the Assured or Assurers, in recovering, saving, and preserving the property insured, in case of disaster, be considered a waiver or an acceptance of an abandonment; and to the charges whereof, the said Assurés will contribute according to the rate and quantity of the sum hereby insured.

7. General Average and salvage charges (resulting from a peril hereby insured against) payable according to Foreign Statement or York-Antwerp Rules if in accordance with the contract of affreightment.

8. Notwithstanding anything to the contrary contained in this Policy, it is understood and agreed:

(a) That no claim for freight, storage, or other expense due to the requisition or commandeering of the title or use of any vessel by or with the consent of the country whose flag she flies shall be payable under this insurance, and if as a result of such requisition or commandeering the insured cargo is discharged at a port or place other than the port or place of destination, the port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

(b) That if any vessel shall be ordered into or detained in any port by the United States Government or by any government which is or may become party signatory of the "United Nations Pact" and the goods hereby insured shall be discharged at such port, then, if the goods be not the subject of proceedings of the nature set forth in clause 3 (a), such port or place of discharge shall be deemed a port or place of transhipment within the meaning of clause 4 (c) of this Policy.

9. If the ordinary course of transit of the goods hereby insured is interrupted or terminated by the shipper, consignee, or assured or any party acting on their behalf, this insurance shall forthwith terminate unless otherwise specially agreed by the War Shipping Administration.

10. This insurance shall include loss, damage or destruction of the property insured caused by saboteurs or other enemy agents.

11. It is a condition of this insurance that with respect to all risks coming within the scope of this Policy, the Assured shall file with the Underwriting Agent Provisional Reports in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time.

12. It is warranted that not later than the 25th day of each month, the Assured will file with the Underwriting Agent closing reports in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time of all shipments coming within the scope of this policy:

(1) Which have arrived at port of destination in the Continental United States during the preceding month, and,

(2) With respect to which inability to so arrive is by reason of loss, frustration, or other similar cause, comes to the knowledge of the Assured during the preceding month.

And will pay premium thereon at the rate prescribed by the War Shipping Administration and in effect:

a. On date of Ocean Bill of Lading, or

b. If Ocean Bill of Lading not issued, on date of equivalent shipping document, or

c. If no Ocean Bill of Lading or equivalent shipping document issued, or if same are undated, on date goods are laden on overseas vessel.

13. It is warranted that the Assured will at all times maintain with the War Shipping Administration a Collateral Deposit Fund sufficient in amount to satisfy all premiums due under this Policy with respect to risks which have attached hereunder and upon which premiums have not already been paid, or that in lieu of such Collateral Deposit Fund a surety bond in form prescribed by the War Shipping Administration will be filed with the Underwriting Agent and maintained in full force and effect. If at any time the Collateral Deposit Fund or surety bond is not sufficient to cover all shipments at risk hereunder on which the premium has not been paid, all shipments which would otherwise become at risk hereunder after the said bond or fund is exhausted shall be excluded from any coverage under this Policy. Such collateral deposit fund or surety bond must be maintained in accordance with all rules and regulations of the War Shipping Administration.

14. The Assured warrant and agree that it will regularly keep books, records and accounts in such manner and form that all information available to the Assured as to the amounts at risk and the amounts of losses incurred and premiums due can be readily ascertained therefrom by the War Shipping Administration. The Assured, as often as may be reasonably required, shall exhibit such books, records and accounts to any person designated by the War Shipping Administration, and submit to examinations under oath by any person named by the War Shipping Administration, and subscribe the same.

15. This insurance shall not be invalidated by any error or omission in the filing of Provisional or Closing Reports which is demonstrated to the satisfaction of the Administrator to have been inadvertent or unintentional, or by any failure to report which is demonstrated to the satisfaction of the Administrator to have arisen from causes beyond control of the Assured.

§ 305.45 *Standard form of surety bond.*

Know all men by these presents, that we ---------- of ----------, as Principal, and ---------- ----------, as Surety, are held and firmly bound unto War Shipping Administration in the sum of---------- ($----) Dollars, to the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

The condition of this obligation is such that whereas War Shipping Administration has issued and delivered to ---------- ---------- Principal, on the ------ day of ------ 1942, that certain Open War Risk Insurance Policy # ------, and ----------

Whereas War Shipping Administration has agreed to accept this bond as a guarantee of the payment of all premiums due and payable under the terms and conditions of such Open War Risk Insurance Policy # ------, or endorsements thereto or modifications thereof whether or not consented to by the Surety.

Now, therefore, if the Principal shall well and truly pay unto War Shipping Administration the premiums due under the said Open War Risk Insurance Policy at the times and in the manner provided therefor in said Policy, then this obligation is to be void; otherwise to remain in full force and effect;

Provided, however, This bond is executed by the Surety, upon the following express conditions, which shall be precedent to the right of recovery hereunder.

1. If the Principal shall fail to file with the Underwriting Agent of the War Shipping Administration on or before the 25th day of each month during which this bond is in effect, a sworn statement of values of import shipments covered under the policy during the preceding calendar month and concurrently therewith pay to War Shipping Administration the premiums called for by said sworn statement, then the War Shipping Administration shall so notify the Surety as soon as practicable but in no event later than 45 days from date such sworn statement is due; and, in such event the Surety shall not be liable for any premiums accruing on risks attaching subsequent to date of such notice under said Open War Risk Insurance Policy.

2. This bond may be cancelled by either the Principal or the Surety at any time upon fifteen days (15) written or telegraphic notice to the Director of Wartime Insurance of War shipping Administration at Washington, D. C., but such cancellation shall not affect the liability of the Principal and the Surety hereunder for premiums on risks attaching on or prior to expiration of said fifteen (15) days period.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this ------ day of ------ 19 , the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

By ----------

By ----------

Resident Vice President.

Attest ----------

Attest ----------

Resident Assistant Secretary.

(j) The provisions of this Supplement No. 1 of General Order No. 6 shall govern all transactions falling within its scope, anything to the contrary in said General Order No. 6 notwithstanding, but nothing herein shall be construed to affect the provisions of such General Order No. 6 as the same may be applicable to other insurance transactions.

(k) Amendments to these rules and to the standard forms may be made from time to time in the form of supplements to this general order. Such supplements, unless otherwise specified, shall become effective 48 hours after the date of publication of such supplement in the FEDERAL REGISTER.

NOTE.—Copies of "Warshipopencargo" Policy may be obtained from the War Shipping Administration, Washington, D. C.

By order of the War Shipping Administration.

[SEAL] W. C. PEET, JR.,
Secretary.

[F. R. Doc. 42-7329; Filed, July 29, 1942; 11:31 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit O.D.T. No. 17-2]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

DELIVERIES OF SOLID FUELS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized,* That:

§ 521.2876 *Deliveries of solid fuels.* Any motor carrier when operating a motor truck engaged exclusively in the delivery of solid fuel, in lieu of including the mileage of such motor truck in the total mileage of motor trucks operated by such carrier in an operating unit during any calendar month subject to the mileage reduction prescribed by § 501.67 of General Order O.D.T. No. 17, may elect to adjust the operations of such motor truck so as to effect a reduction in the mileage per ton of solid fuels delivered in any calendar month in an amount equal to at least twenty-five (25) per cent of its average monthly mileage per ton of solid fuel delivered during the calendar year of 1941. In the event such carrier was not engaged in making deliveries of solid fuel during the corresponding month of 1941, the mileage per ton of solid fuel delivered by such carrier during the month of May, 1942, shall be used as a basis for computing the required mileage per ton reduction of any motor truck so operated. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7293; Filed, July 29, 1942; 9:39 a. m.]

[1] 7 F.R. 5678.

[General Permit O.D.T. No. 17-3]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

DELIVERIES OF NEWSPAPERS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized,* That:

§ 521.2877 *Deliveries of newspapers.* (a) Any motor carrier when operating a motor truck engaged exclusively in the transportation and delivery of newspapers and while returning such truck to its terminal or base of operation is hereby relieved from compliance with the provisions of paragraph (a) of § 501.69 of General Order O.D.T. No. 17.

(b) Notwithstanding the provisions of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, any motor carrier when operating a motor truck may make one delivery of morning newspapers and one delivery of afternoon newspapers during any calendar day.

(c) Any motor carrier when operating a motor truck engaged in the transportation and delivery of newspapers in any area which is located in a metropolitan district having a population of 200,000 or more, as determined by pamphlet "PH–1" entitled "Population and Housing Units in the Metropolitan Districts of the United States, 1940" issued by the Bureau of the Census, Department of Commerce of the United States, in lieu of compliance with the provisions of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, and paragraph (b) of this General Permit, may elect to make deliveries of newspapers in any one calendar day in numbers not exceeding those set forth in the following schedule:

In areas containing a metropolitan district having a population	Number of deliveries	
	Morning newspapers	Afternoon newspapers
From 200,000 to 699,999	2	2
From 700,000 to 2,000,000	3	3
Over 2,000,000	4	4

(d) Any motor carrier when operating a motor truck or trucks engaged exclusively in the transportation and delivery of newspapers, if such carrier shall not have elected to comply with the provisions of paragraph (b) or (c) of this General Permit, in lieu of including the mileage of such truck or trucks in the total mileage of motor trucks operated by such carrier in any operating unit during any calendar month subject to the mileage reduction prescribed by § 501.67 of General Order O.D.T. No. 17, and in lieu of compliance with the provision of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, may elect to adjust the operations of such truck or trucks so as to effect a reduction in the mileage operated by such truck or trucks in any calendar month in an amount equal to at least forty (40) per cent of the total mileage operated by such truck or trucks during the corresponding calendar month of 1941, exclusive of the mileage eliminated by compliance with the provisions of paragraphs (a) and (b) of § 501.68 of General Order O.D.T. No. 17. In the event such carrier was not engaged in the transportation and delivery of newspapers in such operating unit during the corresponding month of 1941, the mileage operated by such truck or trucks during the month of May, 1942, shall be used as a basis for computing the required mileage reduction. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7294; Filed, July 29, 1942; 9:39 a. m.]

[General Permit O.D.T. No. 17-4]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

DELIVERIES TO VESSELS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized,* That:

§ 501.2878 *Definitions.* As used herein, the term "vessel" means any watercraft or other artificial contrivance of whatever description which is used, or is capable of being, or is intended to be, used as a means of transportation by water.

§ 501.2879 *Deliveries to vessels.* Any motor carrier when operating a motor truck in local delivery service and engaged in making deliveries to a vessel which is being supplied, repaired, loaded or unloaded, is hereby relieved, in respect of such operation, from compliance with the provisions of paragraphs (a) and (c) of § 501.68 of General Order O.D.T. No. 17. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7295; Filed, July 29, 1942; 9:39 a. m.]

[General Permit O.D.T. No. 17-5]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF MINE PRODUCTS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

§ 521.2880 *Transportation of mine products.* Any motor carrier when operating a motor truck engaged exclusively in the transportation of the products of a mining, smelting, or refining enterprise, if such enterprise is operating under a Preference Rating Order or a Certificate of Operation issued by the War Production Board, from a mine to the preparing, smelting, or refining facilities or to the nearest adequate rail or water shipping point, or between preparing, smelting, or refining facilities, or when operating a motor truck engaged exclusively in the transportation of the waste products of such a mining, smelting, or refining enterprise from the mine, preparing, smelting, or refining, facilities to the point of disposal of such waste products, is hereby relieved, in respect of trucks engaged in such transportation, from compliance with the provisions of § 501.67 and subparagraph (2) of paragraph (a) of § 501.69 of General Order O.D.T. No. 17. (E.O. 8989 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7296; Filed, July 29, 1942; 9:40 a. m.]

[General Permit O.D.T. No. 17-6]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF ICE

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

§ 521.2881 *Transportation of ice.* Notwithstanding the provisions of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, any motor carrier when operating a motor truck in local delivery service and engaged in the transportation and delivery of ice may make more than one delivery of ice to any carrier, whether by rail, water, air, or motor vehicle in any one calendar day, and may make two deliveries of ice to any industrial air conditioning plant or to any retail dealer in ice in any one calendar day. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7297; Filed, July 29, 1942; 9:40 a. m.]

[General Permit O.D.T. No. 17-7]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF RUBBER AND METAL SCRAP

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

§ 521.2882 *Transportation of rubber and metal scrap.* Any motor carrier when operating a motor truck engaged in the transportation of rubber scrap or ferrous or non-ferrous metal scrap to a manufacturing or processing plant, or to a person who sorts, segregates or prepares such scrap, or to a rail, water, or motor shipping point, is hereby relieved, in respect of trucks engaged in such transportation, from compliance with the provisions of § 501.67 and subparagraph (2) of paragraph (a) of § 501.69. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until October 31, 1942, unless otherwise ordered by this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7298; Filed, July 29, 1942; 9:41 a. m.]

[General Permit O.D.T. No. 17-8]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF PREPARED FOODS TO RESTAURANTS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

§ 521.2883 *Transportation of prepared foods to restaurants.* Notwithstanding the provisions of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, any motor carrier when operating a motor truck in local delivery service may make three deliveries in any one calendar day of prepared foods or their containers between any establishment in which such foods are prepared for consumption and any restaurant, if such motor carrier is the owner and operator of such establishment and of such restaurant. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7299; Filed, July 29, 1942; 9:41 a. m.]

[General Permit O.D.T. No. 17-9]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF COPY, PROOFS OR TRACINGS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

§ 521.2884 *Transportation of copy, proofs or tracings.* Notwithstanding the provisions of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, any motor carrier operating a motor truck in local delivery service when such truck is engaged exclusively in the transportation of copy, proofs, tracings, or any other unfinished product for printing, blue printing, electrotyping, stereotyping, mimeographing or other similar process, (not including, however, supplies or any finished product) may make three deliveries of such unfinished products in any one calendar day. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7300; Filed, July 29, 1942; 9:41 a. m.]

[General Permit O.D.T. No. 17-10]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF BAKERY PRODUCTS

In accordance with the provisions of General Order O.D.T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71, *It is hereby authorized*, That:

[1] 7 F.R. 5678.

§ 521.2885 *Transportation of bakery products.* Notwithstanding the provisions of paragraph (c) of § 501.68 of General Order O.D.T. No. 17, any motor carrier when operating a motor truck in local delivery service may make three deliveries in any one calendar day of bakery products from a bakery to a retail store at which such bakery products are sold, if such motor carrier is the owner and operator of such bakery and of such store and if seventy-five (75) per cent of such bakery products are transported unwrapped. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7301; Filed, July 29, 1942; 9:41 a. m.]

[Exception Order O.D.T. 16-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT: EXCEPTIONS AND PERMITS

SUBPART F—FREIGHT SHIPMENTS VIA PORTS IN THE UNITED STATES

EXCEPTIONS FOR CERTAIN COMMODITIES

Pursuant to the authority conferred by General Order O.D.T. No. 16,[1] Title 49, Chapter II, § 502.48 (a):

It is hereby ordered, That:

§ 522.650 *Exception Order 16-1.* The provisions of General Order O.D.T. No. 16 shall be suspended with respect to the acceptance for and transportation of the following export freight, overseas freight, and commercial freight:

(a) Grain in bulk, soy beans, flaxseed, and malt to elevators located at Houston, Galveston, and Texas City, Texas;

(b) Grain in bulk, soy beans, flaxseed, and malt to an elevator located at any United States port other than those mentioned in paragraph (a) hereof when the carrier has made prior inquiry and ascertained that adequate storage or handling facilities are available at such elevator;

(c) Coal or coke destined for shipment by water to United States ports when such coal or coke may be handled at the port from which shipment by water is to be made over a dumping machine or tresties located at tidewater;

(d) Any property to ports on the Great Lakes;

(e) Any property consigned to supply officers of the United States Navy at freight terminals or Navy Yards or to supply depots controlled and operated by the United States Navy and located in any port area;

(f) Military impedimenta moving in conjunction with military forces to a point of embarkation.

This subpart shall become effective on July 28, 1942, and shall remain in full force and effect until further order.

Issued at Washington, D. C., this 28th day of July 1942.

V. V. BOATNER,
Director of Railway Transport.
HENRY F. MCCARTHY,
Director of Traffic Movement.

[F. R. Doc. 42-7308; Filed, July 29, 1942; 10:42 a. m.]

[1] F.R. 5194.

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of Accounts.

[1942, Dept. Circ. 660]

INLAND BONDING COMPANY

TERMINATION OF AUTHORITY TO QUALIFY AS SURETY ON FEDERAL BONDS

JULY 27, 1942.

Notice is hereby given that the certificate of authority issued by the Secretary of the Treasury to the Inland Bonding Company, South Bend, Indiana, under the provisions of the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241, (U. S. Code, title 6, secs. 6-13) to qualify as sole surety on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States, terminates on this date.

The Inland Bonding Company received its initial authority from the Treasury to do business with the United States on February 23, 1926 and remained continuously so qualified until this date, and the company has requested permission from the Treasury to voluntarily retire from the execution of any new business in favor of the United States.

In order that there may be a coordinated record showing the status of outstanding bonds of this company as of this date in favor of the United States, bond-approving officers are requested, upon the receipt of this Circular, to carefully examine the records of their offices and report promptly to the Section of Surety Bonds, Bureau of Accounts, Treasury Department, all outstanding bonds accepted by them and executed by the Inland Bonding Company as surety or co-surety on which the liability of the company has not terminated.

It is also requested that the Section of Surety Bonds be advised as expeditiously as possible as to all facts, in detail, relating to any existing claim, or with respect to the occurrence of any event or the existence of any circumstance which may hereafter result in a claim against the Inland Bonding Company.

In furnishing the above information bond-approving officers will please give the name of the principal on the bond, the date and penalty of the bond, and with respect to claims, the nature of the claim, the circumstances out of which it arose, and its status at the time of the report.

Bond-approving officers and other agents of the Government charged with the duty of taking bonds, recognizances, stipulations or undertakings should proceed immediately to secure new bonds, where necessary, with acceptable sureties, in lieu of bonds executed or reinsured by the Inland Bonding Company.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7309; Filed, July 29, 1942; 9:44 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-67]

PARIS MARTIN, CODE MEMBER

AMENDED NOTICE OF AND ORDER FOR HEARING

A complaint dated October 2, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed with the Bituminous Coal Division (the "Division") on October 4, 1941, by the Bituminous Coal Producers Board for District No. 8 (the "Complainant") alleging wilful violation by the defendant of the Bituminous Coal Code (the "Code") and the minimum prices effective thereunder; and

The complaint in the above-entitled matter having been scheduled for hearing on January 13, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court Room, City Hall, Middlesboro, Kentucky, by Order of the Director dated November 22, 1941, and subsequently having been postponed by an Order of the Acting Director dated January 10, 1942, to a date and hearing room to be thereafter designated by an appropriate order; and

An amended complaint having been duly filed with the Division by the complainant in the above-entitled matter pursuant to order issued herein by the Acting Director on July 11, 1942 (the complaint and amended complaint herein being hereinafter referred to as the "complaint"); and

It appearing to the Acting Director that the place and date of hearing on the complaint should now be designated;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 19, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any

adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Paris Martin of Middlesboro, Kentucky, a code member, whose code membership became effective as of February 12, 1938, operating the Blue Gem Mine, Mine Index No. 1531, located in Bell County, Kentucky, District No. 8:

(1) Wilfully violated the Code and the effective minimum prices by selling and delivering on or about April 28, 1941, to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, approximately 296.05 tons of 3/8" x 0 coal (Size Group 8) produced at the above-named mine at a price of approximately 34¢ per ton f. o. b. the mine for truck shipment, whereas the established minimum price for said coal was $1.50 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment.

(2) Wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling and delivering for shipment by rail on or about April 28, 1941, to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, approximately 296.05 tons of 3/8" x 0 slack coal produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

Dated: July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7311; Filed, July 29, 1942; 10:59 a. m.]

[Docket No. B-125]

J. T. DANIELS, CODE MEMBER

AMENDED NOTICE OF AND ORDER FOR HEARING

A complaint dated September 17, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed with the Bituminous Coal Division (the "Division") on September 24, 1941, by the Bituminous Coal Producers Board for District No. 8 (the "Complainant") alleging wilful violation by the defendant of the Bituminous Coal Code (the "Code") and the minimum prices effective thereunder; and

The complaint in the above-entitled matter having been scheduled for hearing on January 19, 1942 at 10 a. m., at a hearing room of the Bituminous Coal Division at the Federal Building, Catlettsburg, Kentucky, by Order of the Director dated November 22, 1941 and subsequently having been postponed by Order of the Acting Director dated January 10, 1942, to a date and hearing room to be thereafter designated by an appropriate order; and

An amended complaint having been duly filed with the Division by the complainant in the above-entitled matter pursuant to order issued herein by the Acting Director on July 11, 1942 (the complaint and amended complaint herein being hereinafter referred to as the "complaint"); and

It appearing to the Acting Director that the place and date of hearing on the complaint should now be designated;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 19, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division within twenty (20) days after notice of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that J. T. Daniels of Jettie, Kentucky, a code member, whose code membership became effective as of May 17, 1941, operating the Daniels Mine, Mine Index No. 646, located in Pike County, Kentucky, District No. 8:

(1) Wilfuly violated section 4 II (e) of the Act and Paragraph A (5) of the Price Instructions as set forth in the Schedule of Effective Minimum Prices for Truck Shipment for District No. 8 by selling and delivering on or about July 17, 1941, to the Shelby Steam Coal Company at Shelbiana, Kentucky, approximately 8 tons of high volatile straight run of mine coal produced at the above-named mine at a truck delivered price of $2.00 per ton f. o. b. railroad cars at Shelbiana, Kentucky, whereas the established minimum price for said coal, as set forth in the above-named Schedule, was $2.10 per net ton f. o. b. the mine and the actual cost of transportation from the defendant's mine to the point of delivery was approximately 15 cents per net ton.

(2) Wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling and delivering for shipment by rail on or about July 17, 1941, to the Shelby Steam Coal Company of Shelbiana, Kentucky approximately 8 tons of straight mine run coal produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

(3) Wilfully violated section 4 II (e) of the Act and Paragraph A (5) of the Price Instructions as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, by selling and delivering on or about July 18, 1941, to the Shelby Steam Coal Company of Shelbiana, Kentucky, approximately 6 tons of high volatile straight mine run coal produced at the above-named mine at a price of approximately $2.00 per net ton f. o. b. the railroad cars at Shelbiana, Kentucky, whereas the established minimum price for said coal was $2.10 per net ton f. o. b. the mine, as set forth in the above-named Schedule and the actual transportation charges from the defendant's mines to the point of delivery being approximately 15 cents per net ton.

(4) Wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling and delivering for shipment by rail on or about July 18, 1941, to the Shelby Steam Coal Company of Shelbiana, Kentucky, approximately 6 tons of straight mine run coal, produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

(5) Wilfully violated the Code, section 4 II (e) of the Act and Paragraph A (5) of the Price Instructions, as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, by selling and delivering on or about July 21, 1941, to the Shelby Steam Coal Company of Shelbiana, Kentucky, approximately 4 tons of high volatile straight mine run coal produced at the above-named mine at a price of approximately $2.00 per net ton f. o. b. railroad cars at Shelbiana, Kentucky, whereas the established minimum price for said coal was $2.10 per net ton f. o. b. the mine, as set forth in the above-named Schedule and the actual transportation charges from the defendant's mines to the point of delivery being approximately 15 cents per net ton.

(6) Wilfully violated the Order of the Director in Geheral Docket No. 19, dated October 9, 1940, by selling and delivering for shipment by rail on or about July 21, 1941, to the Shelby Steam Coal Company of Shelbiana, Kentucky, approximately 4 tons of straight mine run coal produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

Dated: July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7312; Filed, July 29, 1942; 10:59 a. m.]

[Docket No. B-291]

WHITE BROTHERS COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Earl White and Reno White, individually and as co-partners, doing business under the name and style of White Brothers Coal Company, Code Member.

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 11, 1942, by the Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Earl White and Reno White, individually and as co-partners, doing business as White Brothers Coal Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 25, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Athens, Ohio.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Earl White and Reno White, individually and as co-partners, doing business under the name and style of White Brothers Coal Company, whose address is Nelsonville, Ohio, a code member, whose code membership became effective as of November 30, 1939, operating the Black Hawk Mine, Mine Index No. 802, located in Hocking County, Ohio, District No. 4, wilfully violated section 4 II (a) of the Act, Part II (a) of the Code, section 3 (b) of Order No. 307, dated December 11, 1940, and Order No. 309, dated January 14, 1941, by failing and refusing to file with the Statistical Bureau for District No. 4 for each month from and including January 1941 to and including June 1942 within five days after the end of each of said months reports of all sales made during each of said months of coal produced at its above-named mine, said coal being shipped by truck or wagon to various purchasers; and failing and refusing to file with the Statistical Bureau for said period copies of truck tickets, sales slips, invoices, and listing of said sales.

Dated: July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7313; Filed, July 29, 1942; 10:59 a. m.]

[Docket No. B-84]

JAMES R. FOLEY, CODE MEMBER

AMENDED NOTICE OF AND ORDER FOR HEARING

A complaint dated October 13, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed with the Bituminous Coal Division (the "Division") on October 14, 1941, by the Bituminous Coal Producers Board for District No. 8 (the "Complainant") alleging wilful violation by the defendant of the Bituminous Coal Code (the "Code") and the minimum prices effective thereunder; and

The complaint in the above-entitled matter having been scheduled for hearing on Junuary 15, 1942 at 10 a. m., at a hearing room of the Bituminous Coal Division at the Court Room, City Hall, Middlesboro, Kentucky, by Order of the Director dated November 22, 1941 and subsequently having been postponed by an Order of the Acting Director dated January 10, 1942, to a date and hearing room to be thereafter designated by an appropriate order; and

An amended complaint having been duly filed with the Division by the complainant in the above-entitled matter pursuant to order issued herein by the Acting Director on July 11, 1942 (the complaint and amended complaint herein being hereinafter referred to as the "complaint"); and

It appearing to the Acting Director that the place and date of hearing on the complaint should now be designated;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 18, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and Regulations made thereunder.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the amended complaint filed by the Complainant alleging that James R. Foley, of Barbourville, Kentucky, a code member, whose code membership became effective as of December 25, 1940, operating the Foley Mine, Mine Index No. 3487, located in Knox County, Kentucky, District No. 8:

(1) Wilfully violated the Code and the effective minimum prices by selling and delivering on or about April 1, 1941, to General Cooper of Woodbine, Kentucky, acting as agent for A. B. Farris and Roy Ferrell of Grays, Kentucky, approximately 366.55 tons of 2" and under nut and slack coal (Size Group 7), produced at the above-named mine at a price of approximately 10 cents per net ton f. o. b. the mine for truck shipment, whereas the established minimum price for said coal was $1.55 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment.

(2) Wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling and delivering for shipment by rail on or about April 1, 1941, to General Cooper of Woodbine, Kentucky, acting as agent for A. B. Farris and Roy Ferrell of Grays, Kentucky, 366.55 tons of 2" and under slack coal, produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

(3) Wilfully violated the Code and the effective minimum prices by selling and delivering on or about April 20, 1941, to General Cooper of Woodbine, Kentucky, acting as agent of A. B. Farris and Roy Ferrell, of Grays, Kentucky, approximately 12 tons of 2" and under nut and slack coal (Size Group No. 7), produced at the above-named mine at a price of approximately 60 cents per net ton f. o. b. the mine for truck shipment, whereas the established minimum price for said coal was $1.50 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment.

(4) Wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling and delivering for shipment by rail on or about April 20, 1941, to General Cooper of Woodbine, Kentucky, acting as agent for A. B. Farris and Roy Ferrell of Grays, Kentucky, approximately 12 tons of 2" and under nut and slack coal produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

Dated July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7314; Filed, July 29, 1942; 11:00 a. m.]

[Docket No. B-71]

A. H. ENGLAND, CODE MEMBER

AMENDED NOTICE OF AND ORDER FOR HEARING

A complaint dated October 2, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been filed with the Bituminous Coal Division (the "Division") on October 4, 1941, by the Bituminous Coal Producers Board for District No. 8 (the "Complainant") alleging wilfu. violation by the defendant of the Bitumincus Coal Code (the "Code") and the minimum prices effective thereunder; and

The complaint in the above-entitled matter having been scheduled for hearing on January 13, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court Room, City Hall, Middlesboro, Kentucky, by Order of the Director dated November 22, 1941, and subsequently having been postponed by an Order of the Acting Director dated January 10, 1942, to a date and hearing room to be thereafter designated by an appropriate order; and

An amended complaint having been duly filed with the Division by the complainant in the above-entitled matter pursuant to order issued herein by the Acting Director on July 11, 1942 (the complaint and amended complaint herein being hereinafter referred to as the "complaint"); and

It appearing to the Acting Director that the place and date of hearing on the complaint should now be designated;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 18, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complaint alleging that A. H. England of Middlesboro, Kentucky, a code member, whose code membership became effective as of June 4, 1940, operating the A. H. England Mine, Mine Index No. 2747, located at Yellow Creek in Bell County, Kentucky, District No. 8:

(1) Wilfully violated the Code and the effective minimum prices by selling and delivering on or about May 24, 1941, to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, approximately 150 tons of 3/8" x 0 (Size Group No. 8) slack coal and approximately 50 tons of 2" (Size Group No. 7) nut and slack coal produced at the above-named mine, at a price of approximately 57.5 cents per net ton f. o. b. the mine for truck shipment, whereas, the established minimum price for said coals was $1.50 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment.

(2) Wilfully violated the Order of the Director in General Docket No. 19 dated October 9, 1940, by selling and delivering for shipment by rail on or about May 24, 1941, to Golie Shoffner and H. L. Matlock of Middlesboro, Kentucky, approximately 150 tons of 3/8" x 0 slack coal and approximately 50 tons of 2" nut and slack coal produced at the above-named mine, whereas prices, temporary or final, had not been established by the Division for said coal.

Dated July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7315; Filed, July 29, 1942; 11:00 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[Administrative Order 101]

WAGE ADJUSTMENT BOARD

ESTABLISHMENT

The government agencies in charge of building and construction work essential to the successful prosecution of the war and the Building and Construction Trades Department of the American Federation of Labor agreed on May 22, 1942, subject to annual renewals, to stabilize wage rates for the duration of the war at the level in effect on July 1, 1942, and that a Wage Adjustment Board would be created to determine whether any wage adjustment should be made when it is claimed that such a wage rate is inadequate. A copy of the agreement is attached as an annex to this order. The President of the United States, by memorandum of May 14, 1942 directed the Secretary of Labor to create the Wage Adjustment Board and give to it such service and assistance as is required.

Therefore, to accomplish the purpose of the Act of March 3, 1931, as amended by the Act of August 30, 1935, and of section 1(a) of the Act of January 30, 1942 (Pub. No. 421, 77th Cong.), and to provide machinery for the wage stabilization agreement of the international and national labor organizations in the building construction industry, it is hereby ordered:

(a) The Wage Adjustment Board for the Building Construction Industry, hereafter called the Board, is established in the United States Department of Labor. The Board shall consist of a chairman, to be appointed from the Department of Labor, and of three representatives of the contracting agencies of the United States and of three representatives of the labor organizations in the building construction industry, to be named by me from time to time. A majority of members of the Board shall constitute a quorum.

(b) The Board shall have power to investigate and to recommend an adjustment of wage rates under the above agreement of the labor organizations in the building construction industry. It shall consider requests for wage adjustments when presented by local labor organizations with the approval of the international or national labor organization and submitted through and approved by the Building Trades Department of the American Federation of Labor. It shall have power to make the necessary rules of procedure. The Board's recommendation with respect to a request for wage adjustment shall be transmitted to the Secretary of Labor, to the Building Trades Department, and to any interested contracting agency of the United States.

(c) Upon request of the Board, the Solicitor of the Department of Labor shall conduct an investigation, hold any necessary hearings, and make a report to the Board as to the prevailing rates of wages for any or all classes of laborers and mechanics in the building construction industry in any locality, or as to the relation of such wage rates to those generally prevailing in the industry, trade or locality, or whether such wage rates do not sufficiently take into account any abnormal changes in conditions.

(d) In determining the prevailing rates of wages under the Act of March 3, 1931, as amended by the Act of August 30, 1935, I shall, unless compelling evidence to the contrary be presented, accept as prevailing those wage rates which were prevailing on July 1, 1942, unless adjusted by recommendation of the Board under paragraph 2 hereof.

FRANCES PERKINS,
Secretary of Labor.

MAY 29, 1942.

[F. R. Doc. 42-7267; Filed, July 28, 1942; 12:01 p. m.]

Office of the Solicitor.

MECHANICS, ETC., EMPLOYED BY GOVERNMENT NEAR LAS VEGAS, NEVADA

NOTICE OF HEARING

Notice is hereby given that requests for wage adjustments for the various classes of mechanics and laborers employed on

construction projects for the Federal Government in and around Las Vegas, Nevada, have been presented to the Wage Adjustment Board for the Building Construction Industry in the United States Department of Labor (created under the authority of the Secretary of Labor by Administrative Order No. 101). The requests for wage adjustments have been presented with the approval of the international and national labor organizations and have been submitted to the Board through, and are approved by, the Building Trades Department of the American Federation of Labor. Pursuant to paragraph 3 of said Administrative Order No. 101, the Board has requested the Solicitor of the Department of Labor to conduct an investigation, hold a hearing, and make a report to the Board in this matter.

Opportunity for hearing on this matter will be given at 10 o'clock a. m., Wednesday, August 5, 1942, in hearing room, Post Office and Court House Building, at Las Vegas, Nevada, before Mr. Reid Williams, referee, at which time and place all interested parties may appear and present testimony as to the prevailing rates of wages for the classes of laborers and mechanics in the Building Construction Industry in Las Vegas, Nevada, and vicinity, or as to the relation of such wage rates to those generally prevailing in the industry or trade, or whether such wage rates do not sufficiently take into account any abnormal changes in conditions in Las Vegas, Nevada, and vicinity.

Signed at Washington, D. C., this 28th day of July 1942.

WARNER W. GARDNER,
Solicitor.

[F. R. Doc. 42-7268; Filed, July 28, 1942; 12:01 p. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under Section 6 of the Act are issued under Section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective July 30, 1942.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Southern Athletic Company, Inc., 1021 White Avenue, Knoxville, Tennessee; Manufacture of barrack bags and mattress covers; 10 percent; 6 weeks (240 hours) for any one learner; 30 cents per hour; September 24, 1942, for Sewing Machine Operators.

Signed at New York, N. Y., this 28th day of July 1942.

MERLE D. VINCENT,
Authorized Representative, of the Administrator.

[F. R. Doc. 42-7303; Filed, July 29, 1942; 10:03 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2246).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 30, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Carolina Handkerchief Company, Inc., West End, North Carolina; Civilian and Army Handkerchiefs; 4 learners (T); July 30, 1943.

Lansky Brothers, Inc., 210 Ellicott Street, Buffalo, New York; Men's Suits, Topcoats and Overcoats; 5 learners (T); July 30, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments

Brookshire Shirt Co., Inc., 19 Edson Street, Amsterdam, New York; Men's Sport Shirts; 10 percent (T); July 30, 1943.

Goldstone Bros. (Petaluma Mfg. Co.), 300 Main Street, Petaluma, California; Suits, Working One Piece, Herring Bone Twill; 10 learners (T); July 30, 1943.

Nardis Sportswear, Inc., 802½ Commerce Street, Dallas, Texas; Women's Wear; 10 percent (T); July 30, 1943.

New Bedford Manufacturing Company, 686 Belleville Ave., New Bedford, Massachusetts; Flannel Nitewear; 10 percent (T); July 30, 1943.

Parrigon Togs, Inc., Wood Street, Bristol, Rhode Island; Infants' and Children's Wearing Apparel; 10 learners (T); July 30, 1943

Southern Garment Mfg. Co., Inc., Culpeper, Virginia; Work Pants and Breeches; 10 percent (T); July 30, 1943.

Stoughton Garment Company, Stoughton, Wisconsin; Men's Woolen, Rayon, and Cotton Trousers, Sport Shirts, Sport Jackets and Leisure Coats; 10 learners (T); July 30, 1943. (This certificate replaces the one issued to you bearing the expiration date of May 25, 1943.)

United Sheeplined Clothing Co., 804 Broadway, Long Branch, New Jersey; Leather & Field Jackets; 5 percent (T); July 30, 1943.

Hosiery

Hollar Hosiery Mills, Inc., 12th Street, Hickory, North Carolina; Seamless Hosiery; 5 learners (T); July 30, 1943.

Textiles

A. R. K. Silk Mills, Stroudsburg, Pennsylvania; Cotton, Nylon, Rayon, and Silk; 2 learners (T); July 30, 1943.

Krag Silk Company, Stroudsburg, Pennsylvania; Cotton, Silk, Rayon and Nylon; 2 learners (T); July 30, 1943.

Pocono Ribbon Mills, Stroudsburg, Pennsylvania; Cotton, Silk, Rayon and Nylon; 2 learners (T); July 30, 1943.

White Sulphur Industries, Inc., 110 Mountain Avenue, White Sulphur Springs, West Virginia; Acetate Rayon, Viscose Rayon and Nylon; 3 learners (T); July 30, 1943.

Signed at New York, N. Y., this 28th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7302; Filed, July 29, 1942; 10:03 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE REGARDING AMENDMENTS OF REGULATIONS

Notice is hereby given that since June 25, 1942, special learner certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Fair Labor Standards Act were issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and under a Determination and Order or Regulation issued pursuant to the Act.

Notice is given further that since July 20, 1942, special certificates issued to manufacturers of single pants, shirts and allied garments, women's apparel, sportswear, rainwear, robes and leather and sheep lined garments, were issued under learner regulations for the Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-lined Garments Divisions of the Apparel Industry, July 20, 1942 (7 F.R. 4724).

Signed at New York, New York, this 27th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7304; Filed, July 29, 1942; 10:03 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5678]

JULIO M. CONESA (WPRP)

ORDER DENYING PETITION, ETC.

In re application of Julio M. Conesa (WPRP), Ponce, Puerto Rico, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the petition of Julio M. Conesa which requests in part that the above-described application be reconsidered and granted and being fully informed in the premises;

It is ordered, That the petition insofar as it requests a reconsideration and grant of the above-described application be, and it is hereby, denied; and

It is further ordered, That the issues heretofore released on the application be, and they are hereby, amended to read as follows:

1. To determine the applicant's qualifications to construct and operate Station WPRP as proposed.

2. To determine whether or not the equipment proposed to be installed for the operation of Station WPRP complied in all respects with the Rules and Regulations of the Commission and the Standards of Good Engineering Practice.

3. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

4. To determine whether in view of the foregoing facts, public interest, convenience and necessity would be served by the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7277; filed July 28, 1942; 1:59 p. m.]

[Docket No. 6097]

HAWAIIAN BROADCASTING SYSTEM, LTD.

ORDER DENYING PETITION, ETC.

In re application of Hawaiian Broadcasting System, Ltd., Honolulu, T. H., for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the petition of Hawaiian Broadcasting System, Ltd., filed May 26, 1942, requesting that its above entitled application be granted, and the opposition thereto filed in behalf of Marion A. Mulrony and Advertiser Publishing Company, Ltd., intervener;

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That the above entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience or necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7278; Filed, July 28, 1942; 1:59 p. m.]

[Docket No. 6107]

JULIO M. CONESA (WPRP)

ORDER DENYING PETITION, ETC.

In re application of Julio M. Conesa (WPRP), Ponce, Puerto Rico, for modification of construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the petition of Julio M. Conesa which requests in part that the above-described application be reconsidered and granted and being fully informed in the premises;

It is ordered, That said petition insofar as it requests a reconsideration and grant of the above-described application be, and it is hereby, denied; and

It is further ordered, That the above entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine the qualifications of the applicant to construct and operate Station WPRP as proposed.

2. To determine whether the operation of Station WPRP as proposed complies with the Rules of the Commission governing standard broadcast stations, particularly §§ 3.45 and 3.46 and the Standards of Good Engineering Practice as to the proposed transmitter, transmitter site and antenna.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

4. To determine whether in view of the foregoing the granting of this application would serve public interest, convenience and necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7279; Filed, July 28, 1942; 1:59 p. m.]

[Docket Nos. 6155 and 6157]

AIR-WAVES, INC. AND LOUISIANA COMMUNICATIONS, INC.

ORDER DENYING PETITIONS, ETC.

In re applications of Air-Waves, Inc., Baton Rouge, Louisiana, for construction permit, and Louisiana Communications, Inc., Baton Rouge, Louisiana, for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the petitions of Air-Waves, Inc. and Louisiana Communications, Inc., filed June 1, 1942, requesting that their above-entitled applications be granted;

It is ordered, That said petitions be, and they are hereby, denied; and

It is further ordered, That the above-entitled applications be, and they are hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of either of the above-entitled applications would be in conformity with the Commission's policy announced by its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of either of

said applications would serve public interest, convenience or necessity.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7280; Filed, July 28, 1942; 1:59 p. m.]

[Docket No. 6190]

NEWARK BROADCASTING CORPORATION

ORDER DENYING PETITION, ETC.

In re application of Newark Broadcasting Corporation (New), Newark, New Jersey, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the petition of Newark Broadcasting Corporation, filed June 1, 1942, requesting a grant of its above-entitled application;

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That the above-entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience, or necessity.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7281; Filed, July 28, 1942; 2:00 p. m.]

[Docket No. 6218]

BEAUFORD H. JESTER

ORDER RETAINING PRESENT DATE OF HEARING

In re application of Beauford H. Jester, Individually and as Trustee for W. W. Callan, DeWitt T. Hicks, Hilton W. Howell, Wilfrod W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling (New), Waco, Texas, for construction permit.

It is ordered, On the Commission's own motion, on this 22nd day of July 1942, that the issues heretofore released on the above-entitled application be, and the same are hereby supplemented by the following issue:

To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion dated April 27, 1942.

It is further ordered, That the present hearing date on the above-entitled application, namely, September 8, 1942 be, and it is hereby, retained.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7282; Filed, July 28, 1942; 2:00 p. m.]

[Docket No. 6306]

FOULKROD RADIO ENGINEERING CO. (WTEL)

ORDER DENYING PETITION, ETC.

In re application of Foulkrod Radio Engineering Co. (WTEL), Philadelphia, Pennsylvania, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the petition of the Foulkrod Radio Engineering Company (WTEL) filed May 27, 1942 for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience or necessity.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7283; Filed, July 28, 1942; 2:00 p. m.]

[Docket No. 6383]

PACIFIC TOW BOAT CO. (WEBP)

ORDER FOR HEARING

In re Pacific Tow Boat Company (WEBP), Everett, Washington, revocation of ship radio station license.

At a regular meeting of the Commission, held in its offices at Washington, D. C., on the 21st day of July 1942;

The Commission having under consideration the order issued on June 16, 1942, revoking the license of Pacific Tow Boat Company, Everett, Washington, for the operation of ship radio station WEBP, and the application requesting hearing thereon filed by said Pacific Tow Boat Company, and being fully advised in the premises;

It is ordered, That this matter be, and it is hereby, set for hearing before a Commissioner at a time and place to be hereafter designated.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7284; Filed, July 28, 1942; 2:00 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3163-6]

KINGSLEY COMPANY

ADJUSTABLE PRICING CONTRACTS DURING PENDENCY OF PETITION

Order No. 1 under Maximum Price Regulation No. 163[1]—Woolen and Worsted Civilian Apparel Fabrics.

Granting permission to the Kingsley Company to agree to adjust prices upon delivery made during pendency of this petition in accordance with disposition thereof.

On July 17, 1942, The Kingsley Company, 23 East 26th Street, New York City, New York, filed a petition for amendment and exception to Maximum Price Regulation No. 163, pursuant to the provisions of § 1410.114 of Maximum Price Regulation No. 163. Pending consideration of this petition and for the reasons set forth in an Opinion which has been issued simultaneously herewith and has been filed with the Division of the Federal Register,* it has been determined to allow petitioner to enter into adjustable pricing contracts. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and, in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Kingsley Company may make deliveries, during the pendency of its petition for amendment and exception, of the fabrics ordered prior to June 22, 1942 at the contract prices and agree to adjust prices upon deliveries so made in accordance with the disposition of said petition. In any case where such contract price is in excess of the maximum price for the Kingsley Company determined after final disposition of said petition, the Kingsley Company shall, within ten days after the issuance of the order denying or granting said petition, refund to the purchaser the amount of such excess. That in the case of such deliveries, the Kingsley Company need not furnish the invoices or similar documents required by § 1410.103 (d) of Maximum Price Regulation No. 163.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time, and in any event, is to be effective only to the date upon which said petition is finally disposed of.

(c) Unless the context otherwise requires, the definitions set forth in § 1410.115 of Maximum Price Regulation No. 163 shall apply to the terms used herein.

(d) This Order No. 1 shall become effective on the 29th day of July 1942.

Issued this 28th day of July 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-7287; Filed, July 28, 1942; 4:54 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-295]

NORTHERN INDIANA POWER COMPANY, AND CENTRAL INDIANA POWER COMPANY

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

The above named companies having heretofore filed an application and declarations concerned with the proposed issuance by Northern Indiana Power Company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, of $10,038,000 aggregate principal amount of First Mortgage Bonds, Series A, 4¼%, due January 1, 1965, for the purpose of refunding all of its First Mortgage Bonds at that time outstanding, certain of said bonds being held by Central Indiana Power Company, immediate parent of Northern Indiana Power Company;

Subsequent to the filing of said application and declarations, and prior to the effective date and approval thereof, the Commission approved a consolidation of applicant and declarant together with certain other companies, resulting in the creation of Public Service Company of Indiana, Inc.; the problems raised by the above described application and declarations having become moot; a written request having been received by the Commission from the applicant and declarant seeking the withdrawal of said application and declarations;

It is ordered, That the request to withdraw the above described application and declarations be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7290; Filed, July 29, 1942; 9:36 a. m.]

[File No. 1-3054]

DURHAM MANUFACTURING COMPANY

ORDER POSTPONING HEARING AND CHANGING TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July, A. D. 1942.

The Durham Manufacturing Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its $1 Par Common Stock from listing and registration on the Detroit Stock Exchange; and

The Commission having ordered that a hearing be held in this matter on Tuesday, July 28, 1942, in Philadelphia, Pennsylvania, before Charles S. Lobingier, an officer of the Commission; and

Counsel for the Commission having requested a postponement of said hearing to which counsel for the applicant has consented; and

The Commission deeming it necessary to grant such postponement and to change the trial examiner in this proceeding, because of conflicting engagements;

It is ordered, That the matter be set down for hearing at 10 a. m. Monday, September 28, 1942, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7291; Filed, July 29, 1942; 9:36 a. m.]

[File No. 70-489]

LACLEDE GAS LIGHT CO. AND OGDEN CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of July 1942.

Ogden Corporation, a registered holding company, having filed an amendment to its application in the above-captioned matter requesting approval of the sale to The Equitable Life Assurance Society of the United States of $1,998,000 principal amount of The Laclede Gas Light Company Refunding and Extension Mortgage 5% Gold Bonds, dated April 1, 1940 and extended to April 1, 1945, and such additional bonds as Ogden might acquire through July 28, 1942, the aggregate principal amount not to exceed $2,500,000;

Ogden Corporation having applied, pursuant to Paragraph (a) (5) (C) of Rule U-50, for an exception from the provisions of such Rule requiring competitive bidding;

A public hearing having been held upon such matter, after appropriate notice; the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application as amended, be and the same hereby is granted, subject, however, to the terms and conditions of Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7292; Filed, July 29, 1942; 9:36 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 7]

MANUFACTURE OF SYNTHETIC RUBBER

THE ATTORNEY GENERAL:

Reference is made to certain agreements described below previously entered into by Rubber Reserve Company relating to the use and exchange of technical information and patent rights concerning the manufacture of synthetic rubber and raw materials therefor. Rubber Reserve Company has requested that such agreements be certified pursuant to section 12 of Public Law No. 603, 77th Congress, approved June 11, 1942, with respect to acts or things done in compliance with said agreements from and after the date of approval of Public Law No. 603.

I understand that the agreements referred to have your approval insofar as the antitrust policies of the Department of Justice are concerned, upon the understanding that those agreements do not derogate from, or in any way modify, the rights of the parties under the consent decree entered in the District Court of the United States for the District of New Jersey on March 25, 1942, in the case of *United States of America* v. *The Standard Oil Company (N. J.) et al.*

Accordingly, for the purposes of section 12 of Public Law No. 603, and subject to the same understanding as to the application of the consent decree described above, I hereby approve said agreements, more particularly described below, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, from and after June 11, 1942, in compliance with my approval herein expressed, by the parties to said agreements, is requisite to the prosecution of the war:

(1) "Agreement on Exchange and Use of Technical Information" (pertaining to the manufacture of synthetic rubber of the Perbunan Type and of the Butadiene-Styrene Copolymer Type), dated December 19, 1941, between Rubber Reserve Company and The Goodyear Tire & Rubber Company, The Firestone Tire & Rubber Company, United States Rubber Company, Hycar Chemical Company, and Standard Oil Development Company, and ratified by Standard Oil Company (New Jersey), Phillips Petroleum Company, and The B. F. Goodrich Company.

(2) "General Agreement on Exchange and Use of Technical Information Relating to Butadiene", dated February 5, 1942, between Rubber Reserve Company and Universal Oil Products Company, Standard Oil Development Company, Shell Development Company, Humble Oil and Refining Company, Koppers Company, Shell Oil Company, Incorporated, Shell Chemical Company, Carbide and Carbon Chemicals Corporation, Phillips Petroleum Company, Celanese Corporation of America, Standard Oil Company of Louisiana, Hycar Chemical Company, The Dow Chemical Company, and The United Gas Improvement Company, and ratified by Jasco, Inc., The

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4513, 4733, 4734.

[2] 7 F.R. 971, 3663.

M. W. Kellogg Company, Koppers United Company, The Lummus Company, and The B. F. Goodrich Company.

(3) "Substitute Agreement Regarding Exchange and Use of Technical Information and Patent Rights Under Oil Industry Processes for Production of Butadiene", dated February 5, 1942, between Rubber Reserve Company and Universal Oil Products Company, Standard Oil Development Company, Shell Development Company, and Phillips Petroleum Company, and ratified by Jasco, Inc., The M. W. Kellogg Company, and The Lummus Company.

(4) "Agreement on Exchange and Use of Technical Information Relating to Styrene", dated March 4, 1942, between Rubber Reserve Company and Universal Oil Products Company, Standard Oil Development Company, Jasco, Inc., Koppers Company, Koppers United Company, Monsanto Chemical Company, Carbide and Carbon Chemicals Corporation, Phillips Petroleum Company, The Lummus Company, and The Dow Chemical Company.

(5) "Supplement to Agreement on Exchange and Use of Technical Information" (supplementing (1) above in certain respects), dated June 12, 1942, between Rubber Reserve Company and The Goodyear Tire & Rubber Company, The Firestone Tire & Rubber Company, United States Rubber Company, Hycar Chemical Company, Standard Oil Development Company, The B. F. Goodrich Company, Standard Oil Company (New Jersey), and Phillips Petroleum Company.

DONALD M. NELSON,
Chairman.

JULY 28, 1942.

[F. R. Doc. 42-7306; Filed, July 29, 1942; 10:40 a. m.]

AUG 3 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 150

Washington, Friday, July 31, 1942

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 234]

PART 202—ACCOUNTS AND REPORTS

FORMS OF FINANCIAL AND STATISTICAL REPORTS OF AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in the city of Washington, D. C. on the 27th day of July, 1942.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (a) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective August 1, 1942 paragraph (b) of § 202.1[1] of the Economic Regulations is hereby amended to read as follows:

§ 202.1 *Forms of financial and statistical reports of air carriers.* • • •

(b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall make its reports with respect to such matters in accordance with the provisions of the Monthly Report—Financial and Operating Statistics (Form No. 2380) heretofore issued by the Post Office Department, and such report form is hereby adopted by the Board for such purposes until further action by the Board: *Provided, however,* That any such air carrier may request the approval of the Board to make such reports in accordance with the provisions of the Monthly Report—Financial and Operating Statistics of Domestic Air Carriers, dated January 1, 1942, CAB Form 2780 and the amendments thereto, and upon obtaining the approval of the Board shall thereafter make its reports in the manner therein prescribed. Whenever Form No. 2380 refers to the Postmaster General, any Assistant Postmaster General, the United States Post Office Department, or any division or section thereof, they shall hereafter be deemed to refer to the Civil Aeronautics Board.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-7334; Filed, July 29, 1942; 12:08 p. m.]

[1] 7 F.R. 499.

[Regulations, Serial No. 235]

PART 202—ACCOUNTS AND REPORTS

FORMS OF ACCOUNTS OF AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in the city of Washington, D. C., on the 27th day of July, 1942.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (d) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective August 1, 1942 paragraph (b) of § 202.2[1] of the Economic Regulations is hereby amended to read as follows:

§ 202.2 *Forms of accounts of air carriers.* • • •

(b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall keep its accounts, records, and memoranda with respect to such transactions in accordance with the provisions of a so-called "Uniform System of Accounts, for Foreign Carriers by Air" which was heretofore issued by the Post Office Department and such Uniform System of Accounts is hereby adopted by the Board for such purposes until further action by the Board: *Provided, however,* That any such air carrier may request the approval of the Board to keep its accounts, records, and memoranda, in accordance with the Uniform System of Accounts for Domestic Air Carriers issued by the Civil Aeronautics Board, dated January 1, 1942, and the amend-

[1] 7 F.R. 500.

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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ments thereto, and upon obtaining approval of the Board shall keep its accounts, records, and memoranda in the manner therein prescribed. Wherever such Uniform System of Accounts for Foreign Carriers by Air refers to the Postmaster General, any Assistant Postmaster General, the United States Post Office Department, or any division thereof, they shall hereafter be deemed to refer to the Civil Aeronautics Board.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–7335; Filed, July 29, 1942; 12:08 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

[Amendment 1 to Currency Regulations]

AMENDMENT OF REGULATIONS RELATING TO CURRENCY

JULY 13, 1942.

The Regulations Relating to Currency issued June 25, 1942,[1] are hereby amended by substituting the date August 1, 1942, for the date July 15, 1942, in § 133.1 (b), (c), and (d) of such regulations.

[SEAL] CHARLES M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–7376; Filed, July 30, 1942; 11:42 a. m.]

[1] 7 F.R. 5114.

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII; APPENDIX

[Public Circular HS–1]

PUBLIC CIRCULAR UNDER THE REGULATIONS RELATING TO SECURITIES

JULY 13, 1942.

(a) Inquiry has been made as to whether, under § 133.2 (a) (1)[1] of the Regulations Relating to Securities, domestic banks are required to perforate securities in their possession or custody in the Territory of Hawaii notwithstanding the fact that persons having an interest in such securities may not have authorized their perforation. The Office of the Governor has replied in the affirmative.

(b) Inquiry has also been made as to whether domestic banks which are instructed by depositors of securities to cause the cancellation or destruction of such securities and the subsequent issue of substitutes in the continental United States are required, under § 133.2 (c) (1)[1] of the regulations, to attempt to secure the issue of substitutes by making arrangements with the issuer. The Office of the Governor has replied in the negative, but has indicated that no securities should be submitted for cancellation or destruction unless arrangements have been made for the subsequent issue of substitutes.

[SEAL] CHARLES M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–7383; Filed, July 30, 1942; 11:42 a. m.]

[1] 7 F.R. 5808.

PART 134—GENERAL LICENSES UNDER CURRENCY REGULATIONS[1] OF THE GOVERNOR OF HAWAII

JULY 13, 1942.

§ 134.1 *General License HC–1.* (a) A general license is hereby granted authorizing any person who is about to leave the Territory of Hawaii to receive United States currency of other than Hawaiian Series from any bank within the Territory of Hawaii for use outside of the Territory of Hawaii, and any bank within the Territory of Hawaii is authorized to deliver such currency to any such person: *Provided,* That any person receiving currency pursuant to this general license shall, at the time such currency is received, execute and present to the bank delivering such currency a certification in duplicate on Form TFR–H29.

(b) Each bank delivering currency pursuant to this general license shall, at the beginning of each calendar month, file with the Office of the Governor of Hawaii one copy of each certification on Form TFR–H29 presented to such bank during the preceding month.

(c) This general license shall not be deemed to affect, alter, or limit General Orders No. 51, Office of the Military Governor, January 9, 1942.

[SEAL] CHARLES M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–7377; Filed, July 30, 1942; 11:42 a. m.]

[1] 7 F.R. 5808.
[2] 7 F.R. 5114.

PART 134—GENERAL LICENSES UNDER CURRENCY REGULATIONS[1] OF THE GOVERNOR OF HAWAII

JULY 13, 1942.

§ 134.2 *General License HC–2.* (a) A general license is hereby granted authorizing any bank within the Territory of Hawaii, subject to such conditions as may be imposed, to hold a supply of United States currency of other than Hawaiian Series sufficient to meet the needs of persons authorized to receive such currency.

[SEAL] CHARLES M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–7378; Filed, July 30, 1942; 11:42 a. m.]

[1] 7 F.R. 5114.

PART 134—GENERAL LICENSES UNDER CURRENCY REGULATIONS[1] OF THE GOVERNOR OF HAWAII

JULY 13, 1942.

§ 134.3 *General License HC–3.* (a) A general license is hereby granted authorizing any person within the Territory of Hawaii to receive United States currency of other than Hawaiian Series from personnel in uniform of the United States Naval Forces: *Provided,* That any person receiving such currency shall, within forty-eight hours after the receipt thereof, exchange it for United States currency, Hawaiian Series, or deposit it, at a bank within the Territory of Hawaii.

[SEAL] CHARLES M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–7379; Filed, July 30, 1942; 11:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

REVOCATION OF LICENSES

To the regulations heretofore promulgated[1] under authority of the Federal Explosives Act of December 26, 1941 (55 Stat. 863), there is added the following section:

§ 301.22 *Revocation of licenses*—(a) *Cause of revocation.* The Director may revoke a license for disloyalty or hostility to the United States or for violation of any of the provisions of the act or of these regulations.

(b) *Procedure for revocation.* (1) When the Director has reason to believe, upon the basis of facts of which he has knowledge or reliable information, that a licensee is disloyal or hostile to the United States, he may summarily revoke all licenses issued to that licensee or he may, in his discretion, give the licensee the notice and opportunity to be heard provided in this section.

(2) Revocation of a license on the ground that its holder has violated any of the provisions of the act or of these regulations may be ordered by the Director only after he has given to the licensee written notice and an opportunity to be heard. The notice may be given to the licensee personally or by mail addressed to the licensee's last known business or residence address or to the address shown on the license to be revoked or the application for it. It shall specify the charges upon which it is proposed to revoke the license, notify the licensee that he may file with the Director, within 15 days of the date of the notice or such other time as the Director may specify, an answer admitting or denying each and every charge or justifying those acts charged which are not denied, and fix a time and place for hearing in the event that the licensee wishes to be heard.

(3) Unless, within the time fixed for filing his answer, the licensee files an answer which denies each and every charge or states justification for the acts charged which are not denied and demands a hearing, the Director may revoke the license forthwith. If, within the time fixed for filing his answer, the licensee files an answer denying each and every charge or stating justification for the acts charged which are not denied and demands a hearing, and if the Director is not satisfied with the answer, the hearing shall be held at the time and place fixed in the notice.

(4) The hearing may be held before the Director or such representative as he may appoint. The licensee may appear by or be represented by counsel. If the hearing is held before the Director, he shall state his findings and conclusions in writing and transmit a copy to the licensee or to his counsel. If it is held before a representative of the Director, he shall report his findings and recommendations to the Director in writing and shall transmit a copy of the report to the licensee or to his counsel. Within 15 days after the date of the report or such other time as the Director may specify, the licensee may file in writing with the Director his exceptions to the report. After the filing of these exceptions or the expiration of the time allowed for filing them, the Director shall take such action as is appropriate upon the record before him and notify the licensee or his counsel accordingly.

(c) *Surrender of revoked license.* Upon notice of the revocation of any license, the licensee shall immediately surrender to the Director or to his authorized representative the license revoked and all copies thereof. (55 Stat. 863)

R. R. SAYERS,
Director.

Approved: July 23, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42–7336; Filed, July 29, 1942; 4:25 p. m.]

[1] 7 F.R. 305, 1103, 1976, 3876, 4758.

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XVI]

PART 804—INDIVIDUAL LICENSES

UNIT PROCESS PROCEDURE

Part 804—Individual licenses, is hereby amended by adding the following new section:

§ 804.11 *Unit process procedure.* (a) Several applications for licenses may be submitted to the Export Control Branch for processing as a unit when (1) all applications specify the same consignee, ultimate consignee and ultimate purchaser, and (2) all commodities covered by the applications are intended for use together, the lack of any one of which will render the others useless.

(b) When several applications are submitted for unit processing, the following requirements must be observed:

(1) All questions on each individual application must be answered in full.

(2) All individual applications must be firmly stapled to a legal binder or backing sheet with the words "Unit Process" typed on the top-edge flap thereof.

(3) A single reference number and a single acknowledgment card must be used for the group of applications.

(c) When several applications are submitted for unit processing, all applications will be approved, or all will be rejected. If all are approved, the same shipping priority rating, as provided for in Part 809 of this subchapter, will be given to each license in the group.

(d) The group of applications may include one or more applications for commodities which are exportable under general license, in order to insure the issuance of a uniform shipping priority rating for all related commodities.

(e) If a group of applications is rejected, the applicant may appeal from such rejection. In such case the applicant must file an appeal for the entire group of applications. The appeal shall be addressed to the Export Control Branch and shall include the following papers, securely fastened together:

(1) The group of rejected applications or photostatic copies thereof.

(2) A complete new set of applications, each application in triplicate, covering the identical items for which licenses were originally rejected.

(3) A single acknowledgment card.

(4) A letter in duplicate setting forth the reasons why the applicant believes

the group of applications should be reconsidered. Additional information which was not presented on the original applications and which the applicant feels would justify a reversal of the decision of the Export Control Branch must be submitted. (Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

JULY 23, 1942.

[F. R. Doc. 42-7333; Filed, July 29, 1942; 3:05 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 933—COPPER

[Amendment 4 to Conservation Order M-9-c as amended May 7, 1942]

CURTAILMENT OF USE OF COPPER IN CERTAIN ITEMS

ADDITIONS TO MILITARY EXEMPTION LIST

Section 933.4 (*Conservation Order M-9-c*[1]) is hereby amended in the following respects:

1. By adding to the "Military Exemption List" the following items in their alphabetical order:

Bells (for use on board ship).
Boxes, cans, jars and other containers (for radio and communication equipment).
Chronometer and watch cases.
Dishwashing machines.
Floats for liquid level control (for use in aircraft and on board ship).
Furniture hardware (for use within magnetic circle on board ship).
Insect screens and screening.
Lights, lamps and accessories (for use in aircraft and on board ship).
Locks and latches (for use on board ship).
Paint (for ship bottoms and flying boat hull bottoms).
Photographic equipment and supplies.
Prescription scales (health supplies).
Reflectors (for use on board ship, in aircraft searchlights and recognition lights, and in hospital operating room lights and therapeutic lights).
Safety lamps, flame (for use on board ship and for use in other places where there is danger of explosion).
Shells and caps for electric sockets (for use in aircraft and on board ship).
Telescopes.
Unions and union fittings (for use on board ship).

2. By adding to the "Military Exemption List," but only for the period ending September 1, 1942, the following items in their alphabetical order:

Air conditioning equipment.
Bakery equipment.
Carbonated beverage dispensing units for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Clock cases.
Conduits and pipe (for radio and communication equipment).
Electrical appliances of the following types:
Coffee grinders.
Coffee urns.
Commercial electric ranges.
Deep fat fryers.
Fans, parts necessary for conducting electricity only.
Fittings for handling acetylene, hydrogen, oxygen and liquified petroleum gas.
Flashlights manufactured pursuant to contracts with the Army of the United States, which contracts were made before May 26, 1942.
Food mixers. Furniture (for use within magnetic circle on board ship).
Kitchen utensils, devices and machines.
Laundry equipment (for use on board ship).
Miscellaneous fittings (for use on board ship).
Name, identification and medal plates (for use in aircraft and on board ship).
Plumbing and heating supplies of the following types:
Floats.
Hot water heaters, tanks and coils for hospital, laundry and bakery projects.
Pins for hinges (for use on board ship).
Printing rollers (for use on board ship).
Refrigerators, refrigerating equipment, and associated equipment.
Soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food only).
Unit heaters, unit ventilators, and convectors, space or local heaters and blast heating coils or any apparatus using such coils as a part of its construction.
Valve handles (for use on board ship).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7337; Filed, July 29, 1942; 4:56 p. m.]

PART 1115—FUEL OIL

[Amendment 2 to Limitation Order L-56, as amended]

Section 1115.1 *Limitation Order L-56*,[1] as amended, paragraphs (c) (2) and (c) (3) is hereby amended to read as follows:

(c) *Limitations on deliveries of fuel oil.* * * *

(2) *For use in the operation of space and central heating and cooling equipment.* Prior to September 16, 1942, within Area One, no supplier shall deliver or cause to be delivered and no person shall accept delivery of fuel oil for use in the operation of space and central heating and cooling equipment: *Provided*, That this paragraph shall not apply to deliveries of fuel oil for use in the operation of equipment used in connection with agricultural or industrial processes, or research operations, requiring temperature control.

(3) *For use in the operation of domestic and commercial water heating equipment.* Prior to September 16, 1942, within Area One, no Supplier shall deliver or cause to be delivered and no person shall accept delivery of fuel oil for use in the operation of domestic and commercial water heating equipment in excess of fifty percent (50%) of the amount of fuel oil used in the operation of such equipment during the period of the year 1941 corresponding to the period between the effective date of this amendment through September 15, 1942: *Provided*, That if the amount of fuel oil used by any person in the operation of such equipment during such corresponding period of the year 1941 was abnormally high or low or if no fuel oil was used in the operation of such equipment during such corresponding period, then the supplier or suppliers of such person shall deliver to such person an amount equal to fifty percent (50%) of the minimum necessary amount of fuel oil that is required for use in the normal operation of such equipment during the period between the effective date of this amendment through September 15, 1942.

Effective date. This amendment shall take effect five days after the date of issuance and shall remain in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7338; Filed, July 29, 1942; 4:56 p. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Amendment 3 to General Conservation Order M-126 as Amended July 13, 1942]

REINSTATEMENT OF CERTAIN ITEMS

List A of Order M-126[1] as amended July 13, 1942 (§ 1176.1) is hereby amended by reinstating the following items contained on List A of Order M-126 as issued May 5, 1942 and omitted by error from the amended order:

Fences, ornamental.
Pencils, automatic.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of July, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7339; Filed, July 29, 1942; 4:56 p. m.]

[1] 7 F.R. 3424, 3660, 3745, 4205, 4480, 4535, 5344.

[1] 7 F.R. 2096, 3547, 5350.

[1] 7 F.R. 5353, 5358, 5462, 5510.

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Amendment 3 to Preference Rating Order P-46, as Amended to March 26, 1942]

Paragraph (f) (3) (ii) (*a*) of § 978.1 *General Preference Rating Order P-46*[1] is hereby repealed and (f) (3) (ii) is hereby amended to read as follows:

(ii) Make withdrawals from stores or inventory of material to be used for additions to or expansion of property or equipment, and no producer shall, in the case of contract construction, accept delivery of material for such purposes unless:

(*a*) Such additions or expansion are specifically authorized by the Director General for Operations, or

(*b*) The cost of material for the work order, job, or project is less than $1,500 in the case of underground construction and $500 in the case of other jobs: *Provided, however*, That no single work order, job, or project shall be subdivided into parts to come below these limits, and provided that in no event shall lines be extended for the connection of new consumers except in the case of extensions not exceeding 250 feet to buildings which were wired or piped ready to receive service prior to July 1, 1942, or, in the case of new construction, where the foundation under the main part of the structure was completed prior to July 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7374; Filed, July 30, 1942; 11:22 a. m.]

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[Interpretation 3 of General Preference Order E-1-b]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 997.2 *General Preference Order E-1-b:*[2]

The principles set forth in Interpretation No. 2 of General Preference Order No. E-1-b have not been altered by the issuance of AAA and AA-1, AA-2, AA-3, and AA-4 ratings pursuant to Priorities Regulation No. 12.[3]

The application of such a higher rating to a delivery of a machine tool to a service purchaser who has an urgency standing does not change in any way the date of delivery of the tool. The date of delivery will still be determined solely by the urgency standing and the required delivery date.

The application of such a higher rating to a delivery of a machine tool to a service purchaser who does not have an urgency standing merely advances the delivery over those to other service purchasers who are members of the same group, and who likewise have no urgency standings; and it operates solely within the percentage quota assigned to that group. The higher rating does not affect any deliveries to service purchasers to whom urgency standings have been assigned. It likewise does not affect any deliveries scheduled to be made within the thirty or sixty-day frozen period provided by paragraph (1) of the order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7370; Filed, July 30, 1942; 11:21 a. m.]

PART 1097—SHEARLINGS AND OTHER WOOL SKINS

[General Conservation Order M-94 As Amended July 30, 1942]

Section 1097.1 *General Conservation Order M-94*[1] is hereby amended to read as follows:

Whereas the uncertainty of future shipments of shearlings and the fulfillment of requirements for the defense of the United States have resulted in a shortage in the supply of shearlings for defense, for private account, and for export, and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution of shearlings, and to allocate the supply thereof in the manner hereinafter in this order provided.

Now, therefore, it is hereby ordered, That:

§ 1097.1 *General Conservation Order M-94*—(a) *Definitions.* For the purposes of this order:

(1) "Wool skin" shall mean the skin of a sheep or lamb bearing wool, domestic or foreign, a so-called California lambskin or other native lambskin, whether raw, semi-processed, or finished, of 46's grade or higher.

(2) "Shearlings" shall mean a wool skin having a wool growth of 2" or less, or originally of a wool length in excess of 2" which has been clipped after flaying by any person so as to leave a wool growth of 2" or less thereon.

(3) "Domestic shearling" shall mean any shearling produced in the Continental United States.

(4) "Mouton" shall mean a shearling which has been fur dressed, dyed and made water repellent, and is of the type normally used in the manufacture of women's fur coats.

(5) "Process" shall mean tanning, dressing, dyeing or finishing.

(6) "Person" shall mean any individual, partnership, association, trust, corporation or any organized group of persons whether or not incorporated.

(7) "Tanner" shall mean any person engaged in tanning or otherwise processing shearlings or other wool skins, and shall include a fur dresser.

(8) "Contractor" shall mean any person engaged in causing shearlings or other wool skins to be tanned or otherwise processed by others for his account.

(9) "Producer" shall mean any person who takes off wool skins in the United States.

(10) "Grade No. 4 shearlings" shall mean domestic shearlings (bare to ⅛" and clipper-cut skins less than ¼") defined as grade No. 4 in the Office of Price Administration Maximum Price Regulation No. 141,[2] § 1314.111 (a).

(b) *Restrictions on purchases and disposition*—(1) *Restrictions on purchases of shearlings.* Unless specifically authorized by the Director General for Operations, no tanner or contractor not engaged in processing shearlings to fill defense orders placed by the Army Air Forces shall purchase or make any contract or other arrangement for the purchase of any raw shearlings (other than grade No. 4 shearlings), and no tanner or contractor engaged in processing shearlings to fill such orders shall purchase any raw shearlings except to the extent necessary to obtain shearlings to be processed in filling orders then placed by the Army Air Forces.

(2) *Restrictions on disposition of wool skins.* Upon receiving from tanners or contractors a description of the nature and extent of their requirements of domestic wool skins with a wool growth in excess of 1" needed to fill Army Air Forces orders, producers of such skins shall offer to fill such requirements, without discriminating in price or terms of sales in favor of other customers: *Provided, however*, That no producer need offer to such tanners or contractors more than a total of 50% of his estimated production during any given calendar month: *And provided further*, That a producer who clips any such wool skins to a length less than 1" for sale to such tanners or contractors to enable them to fill orders placed by the Army Air Forces may include such skins in computing the above 50% quantity. It shall be prima facie proof of discrimination in price if the price to the aforesaid tanners or contractors is higher than the highest price of similar skins comprised in the remainder of the producer's monthly production when sold, or in the event of sales or deliveries by a producer to his own or a subsidiary or affiliated wool pullery, if the price less the estimated cost of salting is higher than the estimated value of the wool and pickled skin yield less the estimated cost of pulling and pickling.

(c) *Restriction on processing.* No person shall hereafter process or cause to be processed any shearling (other than grade No. 4 shearlings), except in the course of filling orders then placed by the Army Air Forces and to the extent necessary to obtain processed shearlings to fill such orders.

[1] 7 F.R. 2348, 4699, 5272.
[2] 7 F.R. 3231, 3660, 4615.
[3] 7 F.R. 4833.

[1] 7 F.R. 1024, 2102.

[2] 7 F.R. 3520.

(d) *Restrictions on pulled wool.* No person shall hereafter pull or cause to be pulled any wool from any freshly flayed or salted domestic or any foreign sheep skin or lamb skin when the wool is of such a length and type as to constitute a wool growth of 1" or less and of 46's grade or higher, except skins black or mottled with black or so torn or damaged as to be unsuited to tanning purposes and grade No. 4 shearlings.

(e) *Prohibition against processing of No. 4 domestic shearlings by certain persons.* No person engaged in processing shearlings to fill defense orders placed by the Army Air Forces shall purchase or process any grade No. 4 shearlings, nor shall such shearlings be offered for sale to such person by any other person.

(f) *Restrictions on processed shearlings.* Any person owning or possessing processed or semi-processed shearlings not needed to fill his then existing defense orders shall not finish or cause to be finished such shearlings (other than any shearlings (1) of a natural black or mottled with black color, or (2) having a wool pile which will finish with less than a ¼" wool pile, or (3) which were processed prior to December 12, 1941, and are held in stock in a color other than beige, cream, white or logwood) in any manner not acceptable under specifications respecting processed shearlings in any military or naval contract which is unfilled on the date of this order or in any future military contracts and may use such shearlings only for filling such contracts.

(g) *Release of moutons and imperfect shearlings.* (1) Any person not engaged in processing shearlings to fill orders placed by the Army Air Forces, having, owning or possessing:

(i) Moutons which had been processed on or before December 12, 1941, or

(ii) Processed shearlings which cannot be used to fill defense orders because of imperfections in the wool or leather of the same

may apply to have such moutons or processed shearlings, or both, released from the terms or provisions of this order by making written application to the Director General for Operations, manually signed on behalf of the person requesting such release by a person duly authorized to make such application, containing a statement of the reasons why such moutons or shearlings, or both, should be released and having at the end thereof the following statement:

The undersigned hereby represents to the Director General for Operations that the statements contained herein are true and correct with full knowledge that he may be prosecuted under section 35 (a) of the Criminal Code (18 U.S.C. 80) for any false representations contained herein.

(2) Any person engaged in processing shearlings to fill orders placed by the Army Air Forces shall submit his entire production and inventory of processed shearlings (other than those of the character specified in subparagraphs (1), (2) and (3) of paragraph (f) above) for inspection by an Army Air Forces inspector for the purpose of segregating the same into the following classes:

Class A—Shearlings suitable for flying suits, mechanics' suits, flying boots and flying helmets in accordance with Army Air Forces Specification 8–113–B, as amended, to be designated as No. 1 skins.

Class B—Shearlings possibly suitable for flying suits, mechanics' suits, flying boots and flying helmets in accordance with Army Air Forces Specification 8–113–B, as amended, to be designated as No. 2 and No. 3 skins.

Class C—Shearlings not suitable for flying suits, mechanics' suits, flying boots and flying helmets in accordance with Army Air Forces Specification 8–113–B, as amended, to be designated as No. 4 skins.

Shearlings of Classes A and B shall be reserved for filling Army Air Forces and other defense orders. Army Air Forces orders shall be accorded preference over other defense orders in respect of shearlings of Class A, and defense orders other than Army Air Forces orders shall be accorded preference over Army Air Forces orders in respect of shearlings of Class B.

Copies of each release certificate of said inspector covering any shearlings in Class C shall be furnished by the processor to the War Production Board, Ref.: M–94. Thereafter, shearlings covered by any such certificate may be sold to any person, subject to any priorities regulation then in force.

(h) *Reports.* (1) On or before the tenth day of each month every tanner and contractor shall file with the War Production Board a report of his operations for the preceding month on form PD–421, as revised.

(2) All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(i) *Repeal of telegraphic order.* This order shall and hereby does repeal and revoke the telegraphic order sent by the Director of Priorities to shearling tanners on December 12, 1941.

(j) *Appeal.* Any person affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of shearlings and moutons conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, or upon such forms as may hereafter be prescribed, Reference M–94, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(k) *Communications to the War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C.—Ref.: M–94.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7369; Filed, July 30, 1942; 11:22 a. m.]

PART 1134—TEA

[Supplementary Order M–111–d]

§ 1134.5 *Supplementary Order M–111–d.* Pursuant to Order M–111,[1] as amended May 1, 1942, which this order supplements:

(a) The Director General for Operations hereby determines that, except as provided for in paragraph (b) below, the quota of tea for any packer or any wholesale receiver under paragraphs (d) (1) or (d) (2), respectively, of Order M–111, as amended May 1, 1942, shall be, for the month of August 1942 and for each subsequent month until otherwise ordered, 50% of the average monthly net deliveries made by him (if he was a packer) or accepted by him (if he was a wholesale receiver) during the corresponding quarter of 1941.

(b) The areas listed in Column 1 of Schedule A attached, as it may be amended from time to time, are designated as increased-population areas. For the month of August 1942 and for each subsequent month until otherwise ordered, the quota assigned under paragraph (a) above to any packer or any wholesale receiver directly or indirectly serving any one or more of such areas is increased by a supplementary quota for each such area served, computed by (1) determining the amount of his quota under paragraph (a) above, (2) determining the portion of that amount allocable to deliveries to or for each such area, and (3) applying to that portion the percentage listed for that area in Column 2 of said Schedule A. Such supplementary quota shall be available only for ultimate distribution within such area. All similar quota increases previously authorized for increased-population areas by the Director General for Operations or by the Director of Industry Operations, through the granting of appeals or otherwise, shall cease to be effective after July 31, 1942, irrespective of whether or not such areas are included in the areas listed in Schedule A. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A

The regular quota of any packer or any wholesale receiver directly or indirectly serving any area in Column 1 is increased by an amount computed by applying the percentage in Column 2 to the portion of his regular quota under Order M–111, which is allocable to his deliveries to or for such area. *Unless otherwise indicated, the areas listed below are counties or, in the case of Louisiana, parishes.*

Increased-population area (Column 1)	*Quota increase percentage (Column 2)*
Alabama:	
Barbour	15
Calhoun	15
Chilton	40
Dale	10
DeKalb	15
Jefferson	10
Lauderdale	10
Madison	15
Mobile	33.3
Montgomery	20
Shelby	10
Sumpter	15
Talladega	33.3
Arizona:	
Coconino	20
Greenlee	33.3
Yuma	33.3
Arkansas:	
Baxter	12.5
Desha	10
Jefferson	20
Miller	30
Pulaski	12.5
Sebastian	25
White	33.3
California:	
Alameda	10
Contra Costa	35
Inyo	20
Los Angeles	10
Orange	10
San Diego	35
San Luis Obispo	40
San Mateo	10
Santa Barbara	10
Shasta	12.5
Solano	50
Yuba	40
Colorado:	
El Paso	25
Connecticut:	
Fairfield	10
Hartford	10
Delaware:	
Sussex	15
District of Columbia:	
Washington (City)	25
Georgia:	
Berrien	35
Bibb	12.5
Chatham	10
Chattooga	10
Dougherty	15
Muscogee	20
Richmond	15
Stephens	10
Idaho:	
Bonneville	10
Clark	10
Elmore	20
Valley	10
Illinois:	
Champaign	12.5
DuPage	12.5
Madison	10
St. Clair	10
Williamson	10
Winnebago	10
Indiana:	
Bartholomew	10
Clark	10
Floyd	10
Johnson	33.3
LaPorte	10
Porter	12.5
Scott	10
Starke	25
Iowa:	
Des Moines	20
Kansas:	
Labette	45
Neosho	45
Sedgwick	25
Kentucky:	
Hardin	12.5
Jefferson	10
Union	30
Louisiana:	
Beauregard	10
Calcasieu	12.5
East Baton Rouge	20
Jefferson	10
LaSalle	25
Rapides	30
St. Mary	10
Vernon	40
Maine:	
Cumberland	10
Piscataquis	50
York	12.5
Maryland:	
Anne Arundel	10
Baltimore	10
Charles	12.5
Harford	10
Howard	10
Montgomery	25
Prince Georges	25
Massachusetts:	
Barnstable	15
Michigan:	
Macomb	15
Oakland	12.5
Wayne	15
Mississippi:	
Forrest	50
Jackson	40
Lowndes	10
Missouri:	
Boone	10
Newton	33.3
Phelps	40
Pulaski	33.3
St. Charles	10
St. Louis	10
Nebraska:	
Deuel	33.3
Nevada:	
Clark	100
Lander	12.5
Mineral	90
Nye	12.5
New Hampshire:	
Rockingham	10
New Jersey:	
Burlington	10
Camden	10
Gloucester	10
Middlesex	10
New Mexico:	
Bernalillo	25
Chaves	15
Eddy	12.5
Hidalgo	15
Otero	10
New York:	
Tompkins	10
North Carolina:	
Carteret	10
Cumberland	25
Hyde	10
New Hanover	35
Onslow	40
Orange	10
North Dakota:	
Mercer	15
Ohio:	
Greene	12.5
Hamilton	10
Montgomery	10
Portage	15
Oklahoma:	
Comanche	20
Mayes	25
Muskogee	30
Rogers	10
Tulsa	10
Oregon:	
Benton	25
Clackamas	10
Linn	25
Multnomah	10
Umatilla	10
Washington	10
Pennsylvania:	
Delaware	10
Philadelphia	10
Rhode Island:	
Kent	10
South Carolina:	
Charleston	20
Dorchester	12.5
Richland	20
Tennessee:	
Blount	15
Hamilton	10
Jefferson	15
Loudon	15
Montgomery	20
Polk	12.5
Texas:	
Bastrop	40
Bell	10
Bexar	10
Bosque	25
Bowie	30
Brazoria	60
Brazos	12.5
Brown	40
Cochran	15
Dallas	10
El Paso	10
Galveston	10
Hall	20
Hockley	15
Jefferson	10
Kleberg	25
Lubbock	15
Marion	15
Matagorda	25
Moore	30
Nueces	30
Oldham	20
Orange	75
Palo Pinto	20
Tarrant	10
Taylor	20
Terry	33.3
Wichita	10
Zapata	10
Utah:	
Davis	10
Salt Lake	10
Weber	10
Vermont:	
Addison	10
Virginia:	
Arlington	25
Elizabeth City	35
Henry	10

[1] 7 F.R. 3265, 4841.

Increased-population area (Column 1)	*Quota increase percentage (Column 2)*
Virginia—Continued.	
King George	10
Montgomery	60
Norfolk	35
Nottoway	50
Princess Anne	35
Pulaski	25
Tazewell	10
Warwick	35
York	10
Washington:	
King	10
Kitsap	75
Mason	15
Pierce	10
West Virginia:	
Gilmer	10
Monongalia	12.5

[F. R. Doc. 42-7371; Filed, July 30, 1942; 11:21 a. m.]

Part 1173—Rubber Yarn and Elastic Thread

[Amendment 5 to Conservation Order M-124]

§ 1173.1 *Conservation Order M-124*[1] is hereby amended in the following respects:

Paragraph (d) (5) (x) is amended to read as follows:

(x) Surgical supports for abdomen, back and breast, (Class 1 garments as defined in General Limitation Order No. L-90[2]) but only to the extent permitted pursuant to the said General Limitation Order, as such order may be amended as of the date of such processing or use. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

Amory Houghton,
Director General for Operations.

[F. R. Doc. 42-7372; Filed, July 30, 1942; 11:22 a. m.]

Part 1191—Coffee

[Supplementary Order M-135-c]

§ 1191.4 *Supplementary Order M-135-c.* Pursuant to Order M-135,[3] as amended, which this order supplements:

(a) The Director General for Operations hereby determines that, except as provided for in paragraph (b) below, the quota of coffee for any roaster or any wholesale receiver under paragraphs (d) (1) or (d) (2), respectively, of Order M-135, as amended, shall be, for the month of August 1942 and for each subsequent month until otherwise ordered, 75% of the average monthly net deliveries made by him (if he was a roaster) or accepted by him (if he was a wholesale receiver), during the corresponding quarter of 1941.

[1] 7 F.R. 2472, 2380, 3234, 3932, 5604.
[2] 7 F.R. 3033, 4475.
[3] 7 F.R. 3114, 3445, 4451, 4841.

(b) The areas listed in Column 1 of Schedule A attached, as it may be amended from time to time, are designated as increased-population areas. For the month of August 1942 and for each subsequent month until otherwise ordered, the quota assigned under paragraph (a) above to any roaster or any wholesale receiver directly or indirectly serving any one or more of such areas is increased by a supplementary quota for each such area served, computed by (1) determining the amount of his quota under paragraph (a) above, (2) determining the portion of that amount allocable to deliveries to or for each such area, and (3) applying to that portion the percentage listed for that area in Column 2 of said Schedule A. Such supplementary quota shall be available only for ultimate distribution within such area. All similar quota increases previously authorized for increased-population areas by the Director General for Operations or by the Director of Industry Operations, through the granting of appeals or otherwise, shall cease to be effective after July 31, 1942, irrespective of whether or not such areas are included in the areas listed in Schedule A. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

Amory Houghton,
Director General for Operations.

SCHEDULE A

The regular quota of any roaster or any wholesale receiver directly or indirectly serving any area in Column 1 is increased by an amount computed by applying the percentage in Column 2 to the portion of his regular quota under Order M-135 which is allocable to his deliveries to or for such area. *Unless otherwise indicated, the areas listed below are counties or, in the case of Louisiana, parishes.*

Increased population area (column 1)	*Quota increase percentage (column 2)*
Alabama:	
Barbour	15
Calhoun	15
Chilton	40
Dale	10
DeKalb	15
Jefferson	10
Lauderdale	10
Madison	15
Mobile	33.3
Montgomery	20
Shelby	10
Sumpter	15
Talladega	33.3
Arizona:	
Coconino	20
Greenlee	33.3
Yuma	33.3
Arkansas:	
Baxter	12.5
Desha	10
Jefferson	20
Miller	30
Pulaski	12.5
Sebastian	25
White	33.3
California:	
Alameda	10
Contra Costa	35
Inyo	20
Los Angeles	10
Orange	10
San Diego	35
San Luis Obispo	40
San Mateo	10
Santa Barbara	10
Shasta	12.5
Solano	50
Yuba	40
Colorado:	
El Paso	25
Connecticut:	
Fairfield	10
Hartford	10
Delaware:	
Sussex	15
District of Columbia:	
Washington (City)	25
Georgia:	
Berrien	35
Bibb	12.5
Chatham	10
Chattooga	10
Dougherty	15
Muscogee	20
Richmond	15
Stephens	10
Idaho:	
Bonneville	10
Clark	10
Elmore	20
Valley	10
Illinois:	
Champaign	12.5
DuPage	12.5
Madison	10
St. Clair	10
Williamson	10
Winnebago	10
Indiana:	
Bartholomew	10
Clark	10
Floyd	10
Johnson	33.3
LaPorte	10
Porter	12.5
Scott	10
Starke	25
Iowa:	
Des Moines	20
Kansas:	
Labette	45
Neosho	45
Sedgwick	25
Kentucky:	
Hardin	12.5
Jeffefson	10
Union	30
Louisiana:	
Beauregard	10
Calcasieu	12.5
East Baton Rouge	20
Jefferson	10
LaSalle	25
Rapides	30
St. Mary	10
Vernon	40
Maine:	
Cumberland	10
Piscataquis	50
York	12.5
Maryland:	
Anne Arundel	10
Baltimore	10
Charles	12.5
Harford	10
Howard	10
Montgomery	25
Prince Georges	25

Increased population area (column 1)	*Quota increase percentage (column 2)*
Massachusetts:	
Barnstable	15
Michigan:	
Macomb	15
Oakland	12.5
Wayne	15
Mississippi:	
Forrest	50
Jackson	40
Lowndes	10
Missouri:	
Boone	10
Newton	33.3
Phelps	40
Pulaski	33.3
St. Charles	10
St. Louis	10
Nebraska:	
Deuel	33.3
Nevada:	
Clark	100
Lander	12.5
Mineral	90
Nye	12.5
New Hampshire:	
Rockingham	10
New Jersey:	
Burlington	10
Camden	10
Gloucester	10
Middlesex	10
New Mexico:	
Bernalillo	25
Chaves	15
Eddy	12.5
Hidalgo	15
Otero	10
New York:	
Tompkins	10
North Carolina:	
Carteret	10
Cumberland	25
Hyde	10
New Hanover	35
Onslow	40
Orange	10
North Dakota:	
Mercer	15
Ohio:	
Greene	12.5
Hamilton	10
Montgomery	10
Portage	15
Oklahoma:	
Comanche	20
Mayes	25
Muskogee	30
Rogers	10
Tulsa	10
Oregon:	
Benton	25
Clackamas	10
Linn	25
Multnomah	10
Umatilla	10
Washington	10
Pennsylvania:	
Delaware	10
Philadelphia	10
Rhode Island:	
Kent	10
South Carolina:	
Charleston	20
Dorchester	12.5
Richland	20
Tennessee:	
Blount	15
Hamilton	10
Jefferson	15
Loudon	15
Montgomery	20
Polk	12.5
Texas:	
Bastrop	40
Bell	10
Bexar	10
Bosque	25
Bowie	30
Brazoria	60
Brazos	12.5
Brown	40
Cochran	15
Dallas	10
El Paso	10
Galveston	10
Hall	20
Hockley	15
Jefferson	10
Kleberg	25
Lubbock	15
Marion	15
Matagorda	25
Moore	30
Nueces	30
Oldham	20
Orange	75
Palo Pinto	20
Tarrant	10
Taylor	20
Terry	33.3
Wichita	10
Zapata	10
Utah:	
Davis	10
Salt Lake	10
Weber	10
Vermont:	
Addison	10
Virginia:	
Arlington	25
Elizabeth City	35
Henry	10
King George	10
Montgomery	60
Norfolk	35
Nottoway	50
Princess Anne	35
Pulaski	25
Tazewell	10
Warwick	35
York	10
Washington:	
King	10
Kitsap	75
Mason	15
Pierce	10
West Virginia:	
Gilmer	10
Monongalia	12.5

[F. R. Doc. 42-7373; Filed, July 30, 1942; 11:22 a. m.]

Chapter XI—Office of Price Administration

Part 1388—Defense-Rental Areas

[Designation and Rent Declaration 29]

DESIGNATION OF 26 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Price Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Price Administrator, defense activities have resulted or threaten to result in increases in the rents for housing accommodations in the areas designated in § 1388.1321 inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for defense-area housing accommodations within the defense-rental areas designated in § 1388.1321;

Therefore, under the authority vested in the Price Administrator by said Act, this designation and rent declaration is issued.

Authority: §§ 1388.1321 to 1388.1325, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.1321 *Designation.* The following areas are hereby designated by the Price Administrator as areas where defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute defense-rental areas to be known by the names listed in the following table:

Name of defense-rental area [1]	In State or States of—	Defense-rental area consists of—
(1) Yuma	Arizona	County of Yuma.
(2) Stuttgart	Arkansas	Counties of Arkansas and Prairie.
(3) La Junta	Colorado	County of Otero.
(4) Leadville	Colorado	Counties of Eagle, Lake, and Summit.
(5) Apalachicola	Florida	Counties of Franklin and Gulf.
(6) Marianna	Florida	County of Jackson.
(7) Athens	Georgia	County of Clarke.
(8) Coeur d'Alene-Pend Oreille	Idaho	Counties of Bonner and Kootenai.
(9) Seymour	Indiana	County of Jackson.
(10) Liberal	Kansas	County of Seward.
(11) Salina	Kansas	Counties of Dickinson, McPherson, Ottawa, and Saline.
(12) Sedalia	Missouri	Counties of Johnson and Pettis.
(13) Great Falls	Montana	County of Cascade.
(14) Alliance	Nebraska	County of Box Butte.
(15) Reno	Nevada	County of Washoe.
(16) Alamogordo	New Mexico	County of Otero.
(17) Henderson	North Carolina	County of Vance.
(18) Laurinburg	North Carolina, South Carolina	Counties of Richmond, Robeson, and Scotland.
(19) Mt. Vernon	Ohio	County of Marlboro.
(20) McAlester	Oklahoma	County of Knox.
(21) Emporium	Pennsylvania	Counties of Atoka, Haskell, Hughes, Latimer, McIntosh, and Pittsburg.
(22) Bristol-Kingsport	Tennessee, Virginia	County of Cameron.
		Counties of Greene, Hawkins, Sullivan, Unicoi, and Washington.
		Independent City of Bristol and the Counties of Scott and Washington.
(23) Big Spring	Texas	County of Howard.
(24) Childress	Texas	County of Childress.
(25) Daingerfield	Texas	Counties of Camp, Cass Morris, Red River, and Titus.
(26) Eau Claire	Wisconsin	Counties of Chippewa, Dunn, and Eau Claire.

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Yuma Defense-Rental Area", "Bristol-Kingsport Defense-Rental Area."

§ 1388.1322 *Necessity.* The necessity for the stabilization or reduction of rents for defense-area housing accommodations in the defense-rental areas designated in § 1388.1321 is as follows:

The designated areas now are or will be the location of establishments of the armed forces of the United States or war production industries. An increase in employment has taken place in most of these areas and is about to take place in the other areas. Such increases in employment reflecting the expansion of war activities have resulted or threaten to result in increased demands for rental housing accommodations by persons residing in these areas.

In each of the designated areas defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942. As war activities continue to expand, the demand for housing accommodations will become more extensive, and further rent increases and threatened rent increases will materialize unless prevented. Accordingly, it is necessary that rents for such housing accommodations in each of the designated areas be reduced or stabilized.

§ 1388.1323 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within any of the defense-rental areas designated in § 1388.1321 inconsistent with the purposes of the Act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each of the designated areas on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization or reduction of rents for housing accomodations within each of the designated defense-rental areas are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942 should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the particular area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1324 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within any defense-rental area designated in § 1388.1321 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1325 *Effective date.* This designation and rent declaration (§§ 1388.1321 to 1388.1325, inclusive) shall become effective July 29, 1942.

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7340; Filed, July 29, 1942; 5:02 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 2 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS, AND MACHINERY SERVICES

SOLAR MANUFACTURING CORPORATION

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new section, § 1390.35, is added as follows:

§ 1390.35 *Solar Manufacturing Corporation.* Solar Manufacturing Corporation, 25th Street and Avenue A, Bayonne, New Jersey is hereby permitted to continue in effect the prices and quotations used by it on July 21, 1942, pending disposition by the Office of Price Administration of the Protest against the provisions of Maximum Price Regulation No. 136, filed by Solar Manufacturing Corporation with the Office of Price Administration under Docket No. 1136-2-P: *Provided,* That upon final disposition by the Office of Price Administration of the said Protest, Solar Manufacturing Corporation shall make any adjustments in prices on sales and deliveries made during the period from July 22, 1942 to the date of such final disposition, including refunds, which may be required by the Office of Price Administration.

§ 1390.31a *Effective date of amendments.* * * *

(b) Amendment No. 2 (§ 1390.35) to Maximum Price Regulation No. 136, as amended, shall become effective July 30, 1942.

Issued this 29th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7341; Filed, July 29, 1942; 4:59 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362.

PART 1418—TERRITORIES AND POSSESSIONS

[Maximum Price Regulation 194]

ALASKA

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 194 is hereby issued.

Sec.
1418.51 Prohibition against dealing in commodities above maximum prices.
1418.52 Maximum prices for commodities not actually produced or manufactured in the Territory of Alaska.
1418.53 Less than maximum prices.
1418.54 Adjustable pricing.
1418.55 Evasion.
1418.56 Records and reports.
1418.57 Sales slips and receipts.
1418.58 Licensing.
1418.59 Registration of licensees.
1418.60 Enforcement.
1418.61 Applicability of other maximum price regulations.
1418.62 Petitions for amendment and applications for adjustment.
1418.63 Definitions.
1418.64 Applicability.
1418.65 Effective dates.

AUTHORITY: §§ 1418.51 to 1418.65, inclusive, pursuant to Pub. Law 421, 77th Cong., 2d, Sess.

§ 1418.51 *Prohibition against dealing in commodities above maximum prices.* On and after July 30, 1942, with respect to any commodity not actually manufactured or produced in the Territory of Alaska, regardless of any contract or obligation:

(a) No person shall sell or deliver in the Territory of Alaska any such commodity for which a maximum price regulation is issued or may be issued in the Continental United States at a price higher than the maximum prices established by this Maximum Price Regulation No. 194.

(b) No person, in the course of trade or business, shall buy or receive any such commodity at a price higher than the maximum prices established by this Maximum Price Regulation No. 194.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1418.52 *Maximum prices for commodities not actually produced or manufactured in the Territory of Alaska.* (a) Except as provided in paragraph (b) of this § 1418.52, with respect to any commodity for which a maximum price has been established in the Continental United States and which is not actually manufactured or produced in the Territory of Alaska, the maximum price to a buyer in the Territory of Alaska shall be:

(1) The direct cost to the seller of the commodity sold,

(2) Plus the amount of mark-up over the direct cost to the seller of the commodity sold during the period from November 7, 1941 to December 6, 1941, inclusive, which the seller added in his highest selling price for the same or similar commodity sold during such period, or if no sale was made during such period, the amount of such mark-up added by the seller in his highest selling price of such commodity during the last thirty days prior to November 7, 1941, in which a sale was made:

Provided, That the price determined in accordance with this section, if such price is not in line with the maximum prices of other similar sellers, may be adjusted by the Administrator of the Ninth Region of the Office of Price Administration, subject to review as provided in Procedural Regulation No. 7.[1]

(b) Where, a seller offered for sale or delivery to a buyer in the Territory of Alaska any commodity for which a maximum price regulation has been issued in the Continental United States, and which is not actually produced or manufacturer in the Territory of Alaska, and the maximum price of such commodity cannot be determined under the provisions of paragraph (a) of this § 1418.52, the maximum price of such commodity shall be specifically authorized by the Administrator of the Ninth Region. The seller of such commodity shall file a sworn petition containing:

(1) A description of the commodity.

(2) A statement of the facts which prevent determination of the maximum price under paragraph (a) of § 1418.52.

(3) The price charged by sellers of the same competitive class for the same or similar commodity.

(4) A statement of the direct cost of the commodity to the seller.

(5) The price at which the seller intends to offer the commodity for sale.

(6) Such other facts which the seller deems relevant in the determination of a price for such commodity.

The Administrator of the Ninth Region shall authorize a price which is in line with the maximum prices of other similar sellers of the same or similar commodity, subject to review as provided in Procedural Regulation No. 7.[1]

§ 1418.53 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 194 may be charged, demanded, paid or offered.

§ 1418.54 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1418.55 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 194 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1418.56 *Records and reports.*—(a) *Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation No. 194 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged by the seller, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 194 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of the mark-up charged by the seller, each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, and the quantity purchased by the seller.

(b) *Prices to be marked and posted.* On and after September 1, 1942, every person within the Territory of Alaska, offering to sell or deliver at retail to a buyer in the Territory of Alaska those cost-of-living commodities included in § 1499.25, Appendix B, of the General Maximum Price Regulation [2] which are not actually produced or manufactured in the Territory of Alaska, shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $_____" or "Our Ceiling $_____".

(c) *Lists to be filed.* (1) Every person within the Territory of Alaska, offering to sell or deliver to a buyer in the Territory of Alaska those cost-of-living commodities included in § 1499.25, Appendix B, of the General Maximum Price Regulation [2] which are not actually produced

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[1] 7 F.R. 4779.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

or manufactured in the Territory of Alaska, shall file with the Territorial Office of the Office of Price Administration, Juneau, Alaska, not later than September 1, 1942, a statement, setting forth:

(i) A list of all such commodities offered for sale by such person and the selling price thereof.

(ii) The maximum price which the seller is permitted to charge for each such commodity under the provisions of this § 1418.56.

(iii) The direct cost, as defined herein, of every such commodity listed.

(iv) The amount of mark-up of every such commodity listed.

(v) The highest price at which the seller sold a commodity, the same as or similar to such listed commodity during the period from November 7, 1941, to December 6, 1941, inclusive, or if the commodity was not sold during such period, then the highest selling price of such commodity during the last thirty days prior to November 7, 1941, in which a sale was made.

(vi) The amount of mark-up which the seller added in the price submitted under subdivision (v) above.

(2) Every person offering to sell or deliver to a buyer in the Territory of Alaska commodities, not included among the cost-of-living items set forth in § 1499.25, Appendix B, of the General Maximum Price Regulation,[3] and which are not actually produced or manufactured in the Territory of Alaska, shall prepare, not later than September 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement of the information required under subparagraph (1). Any person who claims that substantial injury would result to him from making such statement available to any other person may file the statement with the Office of Price Administration, Juneau, Alaska. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 194.

(3) Supplementary statements shall be filed by the seller whenever his price for a commodity is lower or higher than the price previously submitted under paragraph (c) (1) (ii) of this § 1418.56.

(4) All statements submitted shall be signed under oath or affirmation.

(5) The statements required under this § 1418.56 shall be kept up-to-date by the seller by filing on the tenth day of every succeeding calendar month, a statement of the information required under paragraph (c) of this § 1418.56 for any commodity which became subject to this Maximum Price Regulation No. 194 during the previous calendar month.

§ 1418.57 *Sales slips and receipts.* Every seller at retail of the commodities subject to this Maximum Price Regulation No. 194 who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

§ 1418.58 *Licensing*—(a) *License required.* A license as a condition of selling, is hereby required of every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 194.

(b) *License granted.* Every person subject to this Regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 194 is hereby granted a license as a condition of selling any such commodity. Such license shall be effective on July 30, 1942, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that said regulation or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation[3] superseded.* This § 1418.58 supersedes the provisions of § 1499.16 of the General Maximum Price Regulation[3] insofar as said section may be applicable to persons selling any commodity for which a maximum price is established by this Maximum Price Regulation No. 194.

§ 1418.59 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1418.60 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 194 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the Office of Price Administration, Juneau, Alaska, or the principal Office in Washington, D. C.

§ 1418.61 *Applicability of other maximum price regulations.*[1] The provisions of this Maximum Price Regulation No. 194 supersede the provisions of all other maximum price regulations, except as otherwise provided herein, with respect to sales or deliveries of commodities for which maximum prices are established by this regulation.

§ 1418.62 *Petitions for amendment and applications for adjustment.* Persons seeking any modification of this Maximum Price Regulation No. 194, or an adjustment or exception not provided for herein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[1] or applications for adjustment in accordance with the provisions of Procedural Regulation No. 7,[4] issued by the Office of Price Administration.

§ 1418.63 *Definitions.* (a) When used in this Maximum Price Regulation No. 194, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of the foregoing.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any purchaser for resale or to a commercial or industrial user.

(3) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(4) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller.

(5) "Sales and deliveries to a buyer in the Territory of Alaska" does not include sales from a seller outside the Territory of Alaska to a purchaser in the Territory of Alaska. Export sales, from a seller in the Continental United States to a purchaser in Alaska shall be governed by the maximum prices established for export sales by the Revised Maximum Export Price Regulation.[4]

(6) "Amount of mark-up" means the amount in dollars and cents which added to the amount of direct cost constituted the seller's price. It does not mean the percentage of mark-up.

(7) "Selling price" means the price for which a commodity is sold, offered for sale, or listed for sale.

(8) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(9) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(10) "Maximum price regulation", as used in this regulation, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1418.64 *Applicability.* The provisions of this Maximum Price Regulation No. 194 shall be applicable to the Territory of Alaska.

§ 1418.65 *Effective dates.* This Maximum Price Regulation No. 194 (§§ 1418.51 to 1418.65, inclusive) shall become effective July 30, 1942.

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7342; Filed, July 29, 1942; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 3 to Supplementary Regulation 14[2]]

PANCAKE FLOUR

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (4) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(4) *Pancake flour and buckwheat pancake flour.* Maximum prices for wholesale and retail sellers of pancake flour and buckwheat pancake flour may be modified as indicated below. This modification shall apply only to pancake flour and buckwheat pancake flour packed and priced as follows:

Case and package size	*Delivered cost to first direct buyer from manufacturer (per case or less)*
Pancake flour:	
Case of 24–20 oz. packages	$1.60
Case of 24–16 oz. packages	1.45
Buckwheat pancake flour:	
Case of 24–20 oz. packages	2.00
Case of 12–20 oz. packages	1.10

(i) *Sales at wholesale.* Any person selling such pancake flour or such buckwheat pancake flour at wholesale, shall have as his maximum price per case of such pancake flour or such buckwheat pancake flour, the higher of (*a*) his maximum price per case determined according to the provisions of § 1499.2 of the General Maximum Price Regulation, or (*b*) the figure obtained by dividing his maximum price per case as determined in (*a*) above, by the delivered cost on which that price was based and multiplying the percentage so obtained by the replacement cost per case of the pancake flour or buckwheat pancake flour. Fractions shall be rounded to the next higher cent.

Any person selling at wholesale shall determine his maximum price for sales of less-than-case quantities by taking the proportionate share of his maximum price as determined above, and adding the charge he made during March 1942 for broken-case-lots.

Discounts, allowances and terms, whether based on quantity, class of purchaser or any other cause, shall be no less favorable than those given during March 1942.

(ii) *Sales at retail.* Any person selling such pancake flour or such buckwheat pancake flour at retail, shall have as his maximum price per package, the higher of (*a*) his maximum price determined according to the provisions of § 1499.2 of the General Maximum Price Regulation or (*b*) the figure obtained by dividing his maximum price as determined in (*a*) above, by the cost on which that price was based and multiplying the percentage so obtained by the replacement cost of the pancake flour or the buckwheat pancake flour. If the resulting figure contains a fraction the maximum price for a single package shall be the next higher cent. If the fraction is less than a half cent the maximum price for two packages shall be twice the next higher half cent. For example, if the resulting figure is 6¼ cents the maximum price shall be 7 cents for one package and two packages for 13 cents.

(iii) *Notification.* All sellers, except retailers, of such pancake flours or such buckwheat pancake flours shall advise in writing all persons to whom they sell these products of the modification of maximum prices for such products permitted by this amendment. Such notification shall be made with the first delivery after the effective date of this amendment of any such pancake flours or any such buckwheat pancake flours, shall contain the complete text of this amendment and a list of brands of pancake flour and buckwheat pancake flour subject to this amendment which are offered for sale to this purchaser by that seller.

(b) *Effective dates.* * * *

(4) Amendment No. 3 (§ 1499.73 (a) (4)) to Supplementary Regulation No. 14 shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7344; Filed, July 29, 1942; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Supplementary Regulation 13[1] to General Maximum Price Regulation[2]]

SALES AND DELIVERIES IN ALASKA

A Statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.204 *Sales and deliveries of certain commodities in the territory of Alaska.* Added by Amendment No. 1 to Supplementary Regulation No. 13 is hereby revoked.

§ 1499.203 *Effective dates.* * * *

(c) Amendment No. 2 (revoking § 1499.204) to Supplementary Regulation No. 13 to the General Maximum Price Regulation shall become effective July 30, 1942. (Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7343; Filed, July 29, 1942; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GFS-753]

FAIRMONT CREAMERY CO. OF DETROIT

Order 9 under § 1499.18 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.309 *Adjustment of maximum prices for bulk ice cream, sliced brick ice cream, and novelty ice creams sold to the Board of Education of the City of Detroit, Michigan by the Fairmont Creamery Company of Detroit, Michigan.* (a) The Fairmont Creamery Company of Detroit, Michigan may sell and deliver to the Board of Education of the City of Detroit, and the Board of Education of the City of Detroit may buy and receive from the Fairmont Creamery Company the following commodities at prices not higher than those set forth below:

(1) Bulk ice cream---------- 90¢ per gallon.
(2) Sliced brick ice cream---- 94¢ per gallon.
(3) Novelty ice creams----- 36½¢ per dozen.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 (§ 1499.309) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

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[1] *Supra*, note 1.

[2] *Supra*, note 3.

[3] *Supra*, note 2.

[4] 7 F.R. 5059.

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

[2] 7 F.R. 5467, 5709.

[1] 7 F.R. 5058.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

(e) This Order No. 9 (§ 1499.309) shall become effective July 29, 1942. (Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7345; Filed, July 29, 1942; 5:00 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 2 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Sections 1388.14, 1388.64, 1388.114, 1388.164, 1388.214, 1388.264, 1388.314, 1388.364, 1388.414, 1388.464, 1388.514, 1388.564, 1388.614, 1388.664, 1388.714, 1388.764, 1388.814, 1388.864, 1388.914, 1388.964, 1388.1014, 1388.1654, 1388.1704, 1388.1754, 1388.1804, 1388.2054, 1388.3054, 1388.4054, 1388.5054, and 1388.6054 of Maximum Rent Regulations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, and 41, respectively, are hereby amended by adding the following paragraph (h) to such sections:

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

Paragraph (c) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216, 1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1016, 1388.1656, 1388.1706, 1388.1756, 1388.1806, 1388.2056, 1388.3056, 1388.4056, 1388.5056, and 1388.6056 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, and 41, respectively, is hereby amended by adding the following to paragraph (c) of such sections:

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§§ 1388.17, 1388.67, 1388.117, 1388.167, 1388.217, 1388.267, 1388.317, 1388.367, 1388.417, 1388.467, 1388.517, 1388.567, 1388.617, 1388.667, 1388.717, 1388.767, 1388.817, 1388.867, 1388.917, 1388.967, 1388.1017, 1388.1657, 1388.1707, 1388.1757, 1388.1807, 1388.2057, 1388.3057, 1388.4057, 1388.5057, and 1388.6057 of Maximum Rent Regulation Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, and 41, respectively, are hereby amended by adding the following to such sections:

The foregoing provisions of this section shall not apply to housing accommodations under Section ------[1] (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

This Supplementary Amendment No. 2 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7364; Filed, July 30, 1942; 10:54 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 2A to Maximum Rent Regulations]

HOTELS AND ROOMING HOUSES

Sections 1388.1504, 1388.1554, 1388.1604, 1388.1854, 1388.1904, 1388.1954, 1388.2004, 1388.3004, 1388.4004, 1388.5004, 1388.6004, and 1388.7004 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, and 42A, respectively, are amended by adding the following paragraph (f) to such sections:

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

[1] The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§§ 1388.14, No. 1; 1388.64, No. 2; 1388.114, No. 3; 1388.164, No. 4; 1388.214, No. 5; 1388.264, No. 6; 1388.314, No. 7; 1388.364, No. 8; 1388.414, No. 9; 1388.464, No. 10; 1388.514, No. 11; 1388.564, No. 12; 1388.614, No. 13; 1388.664, No. 14; 1388.714, No. 15; 1388.764, No. 16; 1388.814, No. 17; 1388.864, No. 18; 1388.914, No. 19; 1388.964, No. 20; 1388.1014, No. 24; 1388.1654, No. 25; 1388.1704, No. 26; 1388.1754, No. 27; 1388.1804, No. 28; 1388.2054, No. 33; 1388.3054, No. 35; 1388.4054, No. 37; 1388.5054, No. 39; and 1388.6054, No. 41.

Paragraph (d) of §§ 1388.1506, 1388.1556, 1388.1606, 1388.1856, 1388.1906, 1388.1956, 1388.2006, 1388.3006, 1388.4006, 1388.5006, 1388.6006, and 1388.7006 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, and 42A, respectively, is hereby amended to add the following Subparagraph (3) to the said Paragraph (d):

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

Paragraph (b) of §§ 1388.1507, 1388.1557, 1388.1607, 1388.1857, 1388.1907, 1388.1957, 1388.2007, 1388.3007, 1388.4007, 1388.5007, 1388.6007, and 1388.7007 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, and 42A, respectively, is hereby amended by adding the following to the said paragraph:

The foregoing provisions of this paragraph shall not apply to rooms under Section ------[1] (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

§§ 1388.1507, 1388.1557, 1388.1607, 1388.1857, 1388.1907, 1388.1957, 1388.2007, 1388.3007, 1388.4007, 1388.5007, 1388.6007, and 1388.7007 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, and 42A, respectively, are hereby amended by adding the following Paragraph (d) to such sections:

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

This Supplementary Amendment No. 2A to Maximum Rent Regulations for Hotels and Rooming Houses shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7365; Filed, July 30, 1942; 10:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF3-453]

STORAGE AND WAREHOUSING

Order 7 under § 1499.18[2] (c) of the General Maximum Price Regulation.

For the reason set forth in an opinion issued simultaneously herewith, it is ordered:

[1] The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§§ 1388.1504, No. 21A; 1388.1554, No. 22A; 1388.1604, No. 23A; 1388.1854, No. 29A, 1388.1904, No. 30A; 1388.1954, No. 31A, 1388.2004, No. 32A; 1388.3004, No. 34A; 1388.4004, No. 36A; 1388.5004, No. 38A; 1388.6004, No. 40A; and 1388.7004, No. 42A.

[2] 7 F.R. 3153, 5276.

§ 1499.357 *Adjustment of maximum prices for storage and warehousing and services incident thereto sold by certain storage and warehouse companies.* (a) The storage and warehouse companies whose names and addresses are listed below may sell and deliver, and any person may buy and receive from any of said companies, storage and warehousing and services incident thereto at prices not higher than the rates and charges authorized by the Railroad Commission of the State of California in its Decision No. 35333, dated May 5, 1942, and in its Decision No. 35520, dated June 23, 1942, both in Application No. 23608:

Name of Company and Address

Butte County Warehouse Co., Merchants Exchange Building, San Francisco, California.

Haslett Warehouse Company, 280 Battery Street, San Francisco, California.

Lincoln Grain Growers, Inc., Lincoln, California.

Plant Warehouses, Inc., 710 Crocker Building, San Francisco, California.

Sacramento River Warehouse Co., 1300 Front Street, Sacramento, California.

Tarke Warehouse Company, Meridian, California.

Arthur F. Jauch and Jennie D. Jauch, a co-partnership, doing business as Elk Grove Milling Co., Elk Grove, California.

S. S. Hinaman and G. H. McLean, a co-partnership, doing business as Gridley Warehouses, Gridley, California.

J. P. Hornall and L. P. Henigan, a co-partnership, doing business as Robbins Warehouse Co., Robbins, California.

J. C. Hornall, an individual, doing business as Arbuckle & College City Warehouses, Arbuckle, California.

Edwin H. Robinson, an individual, doing business as Bretona Warehouse, Zamora, California.

J. G. Bratton, an individual, doing business as Harry A. Brown Co., Chico, California.

Harry E. Curtis, an individual, doing business as Curtis Warehouse, Zamora, California.

Elva DePue Matthews, an individual, doing business as DePue Warehouse Co., Russ Building, c/o Charles S. Wheeler, Jr., San Francisco, California.

R. Donnell, an individual, doing business as Donnell Grain & Warehouse Co., Post Office Box 647, Woodland, California.

H. E. Savage, an individual, doing business as Doty Brick Warehouse and as Riceton Warehouse, Biggs, California.

Ward Hunt, an individual, doing business as Dunnigan Warehouse, Dunnigan, California.

P. J. Hiatt and Glenn J. Hiatt, a co-partnership, doing business as such, or as Hiatt & Hiatt, Knights Landing, California.

W. K. Jansen, an individual, doing business as Walter Jansen & Son, Lincoln, California.

F. L. Juney, an individual, doing business as Juney Warehouse, Willows, California.

Maurice Strain, an individual, doing business as Strain's Public Warehouse, Marysville, California.

Nettie B. Subiette, an individual, doing business as Tremont Warehouse, P. O. Box 466, Davis, California.

Della Schimmel, an individual, doing business as Tudor Warehouse, Tudor, California.

C. F. Quiggle, an individual, doing business as Valley Warehouse Company, P. O. Box 605, Yuba City, California.

T. E. Brown, an individual, doing business as Woodland Warehouses, Woodland, California.

L. H. Cummins, Willows, California.

Charles Pugsley, P. O. Box 265, Yuba City, California.

R. A. Renaud, Willows, California.

C. L. Wolcott, Willows, California.

(b) The adjustment granted to the storage and warehouse companies whose names and addresses are set forth in paragraph (a) is subject to the condition that each of said companies shall deposit with the Office of Price Administration, Washington, D. C., within 20 days after the issuance of this order, duplicate copies of the maximum rates and charges authorized by said decisions of the Railroad Commission of the State of California.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 7 (§ 1499.357) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 7 (§ 1499.357) shall become effective August 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7362; Filed, July 30, 1942; 10:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF3-454]

STORAGE AND WAREHOUSING

Order No. 8 under § 1499.18[1] (c) of the General Maximum Price Regulation.

For the reasons set forth in an Opinion issued simultaneously herewith, it is ordered

§ 1499.358 *Adjustment of maximum prices for storage and warehousing and services incident thereto sold by certain companies.* (a) The storage and warehouse companies whose names and addresses are listed below may sell and deliver, and any person may buy and receive from any of said storage and warehousing companies, storage and warehousing and services incident thereto at prices not higher than the rates and charges authorized by the Railroad Commission of the State of California in its Decision No. 35361, in application No. 24723, dated May 12, 1942

Name of Company and Address

American Warehouse (D. W. Griggs, Owner), 762 N. Spring St., Los Angeles, California.

[1] 7 F.R. 3153, 5276.

Bekins Van Lines, Inc., 1335 S. Figueroa St., Los Angeles, California.

Birch Smith Storage Company, 3601-3631 So. Grand Ave., Los Angeles, California.

California Warehouse Co. (W. E. Fessenden, Owner), 1248 Wholesale St., Los Angeles, California.

Central Warehouse & Storage Co., 1300 Factory Place, Los Angeles, California.

Chaffee, H. G., Warehouse Co., 912 East Third St., Los Angeles, California.

Citizens Warehouse (H. B. Johnston, Owner), 1001 East First St., Los Angeles, California.

Clark, J. A., Draying Co., Ltd., 125 Santa Fe Avenue, Los Angeles, California.

Colyear's Van & Storage Co., 415 S. San Pedro St., Los Angeles, California.

Cook-McFarland Warehouse Co., 915 Mateo St., Los Angeles, California.

Davies Warehouse Company, 126 So. Central Ave., Los Angeles, California.

Federal Ice & Cold Storage Co., 4224 District Blvd., Vernon, California.

Hollywood Storage Co., (Bekins Van Lines, Inc., Owner), 1015 No. Highland Ave., Hollywood, California.

Jennings-Nibley Warehouse Co. Ltd., 440 Seaton St., Los Angeles, California.

Los Angeles Warehouse Company, 316 E. Commercial St., Los Angeles, California.

Metropolitan Warehouse Company, 1346 E. Sixth St., Los Angeles, California.

Modern Warehouses, Inc., 639 East 61st St., Los Angeles, California.

Overland Terminal Warehouse Co., 1807 East Olympic Blvd., Los Angeles, California.

Pacific Coast Terminal Warehouse Co., 820 McGarry St., Los Angeles, California.

Pacific Commercial Warehouse, Inc., 923 E. Third St., Los Angeles, California.

Richards Trucking & Warehouse Co., 159 West Thirty-First St., Los Angeles, California.

Smith Bros. Truck Co., 1705 East 16th St., Los Angeles, California.

Star Truck & Warehouse Co., 1817 Industrial St., Los Angeles, California.

Union Terminal Warehouse, 731 Terminal St., Los Angeles, California.

Western Warehouse & Transfer Co., 364 So. Anderson St., Los Angeles California.

Westland Warehouses, Inc., 4814 Loma Vista Ave., Vernon, California.

(b) The adjustment granted to the storage and warehouse companies whose names and addresses are set forth in paragraph (a) is subject to the condition that each company shall file with the Office of Price Administration, Washington, D. C., within 20 days after the date of this Order, duplicate copies of the maximum rates and charges authorized by said decision of the Railroad Commission of the State of California.

(c) All prayers of the application not granted herein are denied.

(d) This order No. 8 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 8 (§ 1499.358) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 8 (§ 1499.358) shall become effective August 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 29th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7363; Filed, July 30, 1942; 10:52 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CONTRACTS FOR CERTAIN CANNED FRUITS AND VEGETABLES

EXCEPTION FROM THE PROVISIONS OF THE WALSH-HEALEY PUBLIC CONTRACTS ACT

Whereas, exception orders dated May 14, 1942,[1] and July 9, 1942, respectively, have been issued by me pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. Supp. III, 35), permitting the award of contracts during the period from the date of those exception orders up to and including December 31, 1942, without the inclusion of the representations and stipulations of section 1 of the Act for the varieties of canned fruits and vegetables listed in said exception orders; and

Whereas, it is deemed advisable to amend such exception orders by making them also applicable to all Government contracts now in effect for the commodities listed in said orders,

Now, therefore, I hereby amend the exception orders of May 14, 1942, and July 9, 1942,[2] to provide that those exception orders shall apply to all existing contracts, as well as to contracts negotiated or awarded after the effective date of said exception orders.

FRANCES PERKINS,
Secretary of Labor.

JULY 28, 1942.

[F. R. Doc. 42-7375; Filed, July 30, 1942; 11:30 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular No. 1513]

Subchapter F—Color of Title and Riparian Claims

PART 145—GENERAL REGULATIONS GOVERNING EXCHANGES

PROPOSALS FOR EXCHANGES, IN ADVANCE OF THE FILING OF FORMAL APPLICATIONS

JULY 16, 1942.

Sec.
145.1 Purpose.
145.2 Procedure.
145.3 Memorandum for the record.
145.4 Results of discussions.
145.5 Formal application.

AUTHORITY: §§ 145.1 to 145.5, inclusive, issued under R.S. 453, 2478; 43 U.S.C. 2, 1201.

[1] 7 F.R. 3672.
[2] 7 F.R. 5317.

§ 145.1 *Purpose.* The purpose of §§ 145.2 to 145.5, inclusive, is to outline procedure under which the State, private owners, a field representative of the General Land Office, and a field representative of the Grazing Service, in connection with proposed exchanges of lands in grazing districts may confer, in advance of the filing of formal applications, and if possible, reach a common understanding or agreement as to the feasibility of the exchange, the values of the offered and selected lands and the mineral and other features involved. The procedure while designed to expedite action on applications is not mandatory. It will not prevent the filing of formal applications, without informal proposals, if desired.

§ 145.2 *Procedure.* A proposal for an exchange must be prepared in duplicate. The original must be filed in the land office for the district in which the selected lands are situated and the duplicate with the proper regional grazier.

The register will forward the original proposal to the proper regional field examiner and advise the General Land Office of such action. The regional grazier, upon receipt of the duplicate proposal, will call a meeting of the interested parties for the purpose of discussing the questions presented. The time and place for the meeting should be acceptable to all persons concerned.

§ 145.3 *Memorandum for the record.* After the discussions have been concluded, the representative of the Grazing Service and the representative of the General Land Office will each prepare, in duplicate, a "Memorandum for the Record," stating briefly the facts as to the discussions, and the conclusions reached. The original of each memorandum will be forwarded to the Commissioner of the General Land Office and the duplicate to the Director of Grazing.

§ 145.4 *Results of discussions.* The conclusions reached as a result of the discussions will be advisory only and will not be binding upon the Commissioner of the General Land Office, the Director of Grazing, or the Secretary of the Interior.

§ 145.5 *Formal application.* After a proposal for an exchange has been considered, the State or the owner of the private land, if an exchange is desired, must file in the proper district land office a formal application for exchange, in accordance with the applicable regulations. The failure to reach an agreement on an informal proposal will not bar the applicant from submitting a formal application for appropriate action. The formal application, in all cases, should recite briefly the conclusions reached on the informal proposal. Action on the formal application will be taken in accordance with the applicable laws and regulations.

JOEL DAVID WOLFSOHN,
Acting Commissioner.

Approved: July 16, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-7353; Filed, July 30, 1942; 10:17 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 1, Supp. 4B]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

AMENDMENT TO SUGAR CHARTER

The following paragraph shall be deleted from Article Seventeenth and from the date of this Order shall cease to be a part of the uniform sugar charter party identified as Form No. 105 Warshipsugar 5-20-42:[1]

A commission of 1½% upon the gross freight under this Charter is due and payable by the Vessel and Owner, upon payment of freight, to Charterer's Brokers.

Where appropriate but always subject to the prior approval of the Administrator, a commission in a fixed amount may be allowed. (E.O. 9054, 7 F.R. 837.)

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

JULY 29, 1942.

[F. R. Doc. 42-7347; Filed, July 30, 1942; 9:38 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order No. 104]

TERRITORY OF HAWAII

WAIVER OF CERTAIN PROVISIONS REGARDING OPERATOR'S LICENSES

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 28th day of July 1942,

The Commission having received information that, due to the shortage of licensed radio operators in the Territory of Hawaii, certain Hawaiian police departments are experiencing great difficulty in obtaining licensed operators to operate portable-mobile units of their radio communications systems; and

It appearing that action of this Commission permitting certain American nationals employed by such police departments to engage in limited radio operation in connection with their official duties would alleviate this condition; and

It further appearing that such action by this Commission would be in the public interest, necessity, and convenience;

Now, therefore, it is ordered, That, subject to the conditions hereinafter stated, the provisions contained in section 318 of the Communications Act of 1934, as amended, be, and they are hereby, waived, in so far as such provisions require that American nationals regularly employed by police departments in the Territory of Hawaii hold operator's licenses in order to operate mobile police radio transmitting apparatus in connection with their official duties; and

[1] 7 F.R. 4304.

It is further ordered, That, subject to the following conditions, such American nationals, be, and they are hereby, authorized to engage, without operator's licenses, in the operation of mobile police radio transmitting apparatus to the extent permitted to holders of restricted radiotelephone operator permits, until further order of the Commission:

(1) Such American nationals must be regular employees of a Hawaiian police department;

(2) Such American nationals must meet all requirements for a restricted radiotelephone operator permit, except that of United States citizenship, and must hold a certificate issued by the Federal Communications Commission showing that such requirements have been met. The procedure for obtaining such certificate shall be the same as for obtaining a restricted radiotelephone operator's permit;

(3) When an application is filed by an American national to engage in unlicensed operation in accordance with this order, there must be filed by the police department employing the applicant, a statement showing that:

(a) The applicant is a regular employee of such police department;

(b) Waiver of existing license requirements is requested by such police department so that the applicant may legally operate police radio units as a part of his official duties;

(c) A thorough investigation of applicant and his background has been made, and his loyalty to the United States appears to be unquestionable; and

(d) Such waiver is requested because the police department has been unable to obtain licensed personnel for its mobile radio units, and has been unable to fulfill those provisions of § 2.53 (a) (2)[1] of the Rules and Regulations of the Federal Communications Commission, which would permit the applicant to engage in unlicensed operation of police radio units without the necessity of this waiver.

(4) The applicant shall submit along with his application to engage in unlicensed radio operation in accordance with this order a statement by the Department Commander to the effect that he has no objection to the granting of the application;

(5) Such unlicensed operation by the aforementioned American nationals shall be limited to mobile radio police units forming a part of the equipment of a police department in the Territory of Hawaii, and shall be limited to operation required in the performance of the applicant's official duties.

(6) A certificate issued to an American national authorizing him to operate a mobile radio police unit shall automatically become void in the event his employment with the police department which sponsored his application terminates for any reason.

(7) It shall be the duty of the police department which sponsored the application of such American national to advise the Commission immediately in the event his employment with the police department should be terminated for any reason and, upon such termination, it shall be the duty of the American national to return his certificate to the Commission.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7348; Filed, July 30, 1942; 10:06 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit O.D.T. 6-7[1]]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; PERMITS

SUBPART E—LOCAL DELIVERY CARRIERS

DELIVERIES OF LIQUIDS IN BULK

In accordance with the provisions of paragraph (e) of § 501.36 of General Order O.D.T. No. 6,[2] as amended,[3] Chapter II of this Title, Part 501, Subpart E,

It is hereby authorized, That:

§ 521.2007 *Deliveries of liquids in bulk.* Any vehicle, the primary carrying capacity of which is occupied by a mounted tank or tanks designed to carry bulk liquids, when operated by a local carrier in the transportation and delivery of liquids in bulk, is hereby exempted from the provisions of General Order O.D.T. No. 6, as amended, Title 49, Chapter II, Part 501, Subpart E, for a period of thirty-one (31) days commencing August 1, 1942, and ending August 31, 1942. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 6, 7 F.R. 3008, 7 F.R. 3532, and 7 F.R. 4184).

Issued at Washington, D. C. this 30th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7380; Filed, July 30, 1942; 11:59 a. m.]

[1] 7 F.R. 5251.

No. 150——3

[1] 7 F.R. 4186; 7 F.R. 4933; 7 F.R. 5463.
[2] 7 F.R. 3008.
[3] 7 F.R. 3532; 7 F.R. 4184.

Notices

DEPARTMENT OF STATE.

TRADE-AGREEMENT NEGOTIATIONS WITH IRAN

PUBLIC NOTICE

Pursuant to section 4 of an act of Congress approved June 12, 1934, entitled "An Act To Amend the Tariff Act of 1930", as extended by Public Resolution 61, approved April 12, 1940, and to Executive Order 6750, of June 27, 1934, I hereby give notice of intention to negotiate a trade agreement with the Government of Iran.

All presentations of information and views in writing and applications for supplemental oral presentation of views with respect to the negotiation of such agreement should be submitted to the Committee for Reciprocity Information in accordance with the announcement[1] of this date issued by that Committee concerning the manner and dates for the submission of briefs and applications and the time set for public hearings.

[SEAL] CORDELL HULL,
Secretary of State.

JULY 29, 1942.

[F. R. Doc. 42-7384; Filed, July 30, 1942; 12:03 p. m.]

WAR DEPARTMENT.

[Civilian Exclusion Order No. 106]

FRESNO COUNTY, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

JULY 22, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

(1) Pursuant to the provisions of Public Proclamations Nos. 1[2] and 6,[3] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, August 11, 1942, all persons of Japanese ancestry, both alien and nonalien, be excluded from that portion of Military area No. 2 described as follows:

All that portion of the County of Fresno, State of California, within that boundary beginning at the point at which California State Highway No. 180 intersects the easterly limits of the City of Fresno; thence easterly along the southerly line of said State Highway No. 180 to the easterly bank of Kings River; thence southerly along the easterly bank of Kings River to its intersection with the Fresno-Tulare County Line; thence southwesterly along said County Line to the westerly line of U. S. Highway No. 99; thence northwesterly along the westerly line of said Highway No. 99 to the southerly limits of the City of Fresno; thence easterly and northerly along the limits of said City of Fresno to the point of beginning.

(2) A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5.00 P. M., Monday, July 27, 1942, or during the same hours on Tuesday, July 28, 1942, to the Civil Control Station located at: Sanger Union High School Gymnasium, Sanger, California.

(3) Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, August 11, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Re-

[1] *Infra.*
[2] 7 F.R. 2320.
[3] 7 F.R. 4436.

maining in, Leaving or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

(4) All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General,
U. S. Army, Commanding.

Confirmed:
J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7330; Filed, July 29, 1942; 3:13 p. m.]

[Civilian Exclusion Order No. 107]

FRESNO COUNTY, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

JULY 22, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

(1) Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6,[2] this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, August 11, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All that portion of the County of Fresno, State of California, within the boundary beginning at the point at which California State Highway No. 180 crosses the easterly bank of the Kings River; thence easterly along the southerly line of said State Highway No. 180 to its intersection with the Fresno-Tulare County Line east of Pinehurst; thence southerly and westerly along said county line to its intersection with the easterly bank of the Kings River; thence northerly along the easterly bank of the Kings River to the point of beginning.

(2) A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 a. m. and 5:00 p. m., Monday, July 27, 1942, or during the same hours on Tuesday, July 28, 1942, to the Civil Control Station located at: Reedley Junior College and High School Gymnasium, Reedley, California.

(3) Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, August 11, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

(4) All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this Order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General,
U. S. Army, Commanding.

Confirmed:
J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7331; Filed, July 29, 1942; 3:13 p. m.]

[Civilian Exclusion Order No. 108]

TULARE COUNTY, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

JULY 22, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

(1) Pursuant to the provisions of Public Proclamations Nos. 1[1] and 6[2], this Headquarters, dated March 2, 1942, and June 2, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, August 11, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 2 described as follows:

All that portion of the County of Tulare, State of California, within the boundary beginning at the point at which the westerly line of U. S. Highway No. 99 intersects the Fresno-Tulare County Line; thence northeasterly along said County Line to its intersection with the westerly line of California State Highway No. 65; thence southerly along the westerly line of said Highway No. 65 to its intersection with California State Highway No. 198; thence westerly along the southerly line of said State Highway No. 198 to its intersection with U. S. Highway No. 99; thence northwesterly along the westerly line of said Highway No. 99 to the point of beginning.

(2) A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, July 27, 1942, or during the same hours on Tuesday, July 28, 1942, to the Civil Control Station located at: Visalia Municipal Auditorium, Visalia, California.

(3) Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, August 11, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

(4) All persons within the bounds of an established Assembly Center or Relocation Project pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center or Relocation Project.

[SEAL] J. L. DEWITT,
Lieutenant General,
U. S. Army, Commanding.

Confirmed:
J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7332; Filed, July 29, 1942; 3:13 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. C-13]

COLORADO FUEL AND IRON CORP.

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of Colorado Fuel and Iron Corporation for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of coal produced at mines of the Colorado Fuel and Iron Corporation in District No. 17 having been filed on June 18, 1942, by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937;

It is ordered, That a hearing in the above-entitled matter, under the applicable provisions of said Act and the rules of the Division, be held on September 9, 1942, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said applicant and to all other parties herein and to all persons and entities having an interest in these proceedings and eligible to become a party herein. Any person or entity eligible under section VII (1) of the Rules of Practice and Procedure before the Bituminous Coal Division may file a petition for intervention not later than fifteen (15) days after the date of the issuance of this Notice of and Order for Hearing.

Notice is hereby given that:

(1) Within fifteen (15) days from the date of the issuance of this Notice of and Order for Hearing, the applicant and each interested party shall file with the Division a concise statement in writing of the facts expected to be proved by such person at the hearing. Interested parties shall also file a written intervention in compliance with Rule VIII of the aforesaid Rules of Practice and Procedure. The statements of facts shall be considered as pleadings and not as evidence of the fact therein stated. The affirmative evidence by a party at the hearing shall be limited to the said statement of facts filed by such party.

(2) If no written statement of the facts expected to be proved at the hearing is filed by the applicant within the 15-day period, in the absence of extenuating circumstances, the application shall be deemed to have been withdrawn on the expiration of said period in accordance with the provisions of Rule VII (g) of the aforesaid Rules of Practice and Procedure.

(3) If the applicant does not appear and offer evidence in support of its statement of facts, in the absence of extenuating circumstances, the application shall be deemed to have been withdrawn in accordance with the provisions of section VII (g) of the aforesaid Rules of Practice and Procedure.

(4) The burden of proof in this proceeding shall be on the applicant.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the application, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this application.

The matter concerned herewith is in regard to the application of the Colorado Fuel and Iron Corporation for a determination of the status of coal produced at its Frederick, Morley, Robinson No. 4, Kebler No. 2, Rockvale No. 3, and Crested Butte Mines, all situated in Colorado. The said application alleges that a portion of such coal is exempt from section 4 of the Act because it is coal produced, transported and consumed by the applicant within the meaning of section 4 II (1) of the Bituminous Coal Act of 1937.

Dated: July 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7367; Filed, July 30, 1942; 11:12 a. m.]

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[1] 7 F.R. 2320
[2] 7 F.R. 4436.

General Land Office.

[Public Land Order 12]

ALASKA

WITHDRAWING PUBLIC LANDS PENDING DEFINITE LOCATION AND CONSTRUCTION OF CANADIAN-ALASKAN MILITARY HIGHWAY

By virtue of the authority vested in the President and pursuant to Executive Order 9146 of April 24, 1942, the public lands within the following described areas are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining laws, pending definite location and construction of the Canadian-Alaskan Military Highway:

TANANA RIVER AREA, ALASKA

BIG DELTA TO ALASKA-YUKON BOUNDARY

A strip of land 40 miles wide, 20 miles on each side of the following described center line, lying east of the Richardson Highway:

Beginning at Big Delta, on the Tanana River, at the mouth of Delta River;

Thence southeasterly up the center of Tanana River to the mouth of Chisana River;

Southeasterly up Mirror Creek to the Alaska-Yukon Boundary.

COPPER RIVER-MENTASTA-TOK RIVER AREA, ALASKA

GULKANA TO TANANA RIVER

A strip of land 40 miles wide, 20 miles on each side of the line of general route of the proposed highway, from and east of the Richardson Highway to the Tanana River, as shown on the map dated May 26, 1942 No. 1917065, on file in the General Land Office.

The areas described, including both public and nonpublic lands, aggregate approximately 8,320,000 acres.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 20, 1942.

[F. R. Doc. 42-7356; Filed, July 30, 1942; 10:16 a. m.]

[Public Land Order 13]

COLORADO

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands, together with the mineral deposits owned by the United States in the patented lands, within the following described areas are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for use of the Department of the Interior in connection with the prosecution of the war.

SIXTH PRINCIPAL MERIDIAN

T. 29 S., R. 60 W.
T. 30 S., R. 60 W.

The areas described, including both public and non-public lands, aggregate 46,123.73 acres.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 21, 1942.

[F. R. Doc. 42-7357; Filed, July 30, 1942; 10:16 a. m.]

[Public Land Order 14]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE NAVY DEPARTMENT AS A NAVAL SUPPLY DEPOT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is hereby ordered as follows:

The following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved, subject to valid existing rights and to the transmission-line withdrawal under Federal Power Project No. 882, for the use of the Navy Department as a naval supply depot:

SAN BERNARDINO MERIDIAN

T. 9 N., R. 1 W.,
Sec. 11, SE¼SW¼;
Sec. 14, N½;
containing 360 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

JULY 21, 1942.

[F. R. Doc. 42-7358; Filed, July 30, 1942; 10:17 a. m.]

[Public Land Order 15]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS AMMUNITION STORAGE DEPOT FOR CHEMICAL WARFARE SERVICE

By virtue of the authority vested in the President and pursuant to Executive

Order No. 9146 of April 24, 1942, and the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, secs. 315–315p), it is ordered as follows:

The public lands in the following-described areas are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an ammunition storage depot for the Chemical Warfare Service:

SALT LAKE MERIDIAN

T. 6 S., R. 4 W.,
Secs. 6, 7, 18, 19, 30;
T. 6 S., R. 5 W.,
Secs. 1, 2, 3, 11 to 14, inclusive, 23 to 26, inclusive, and those parts of secs. 4, 9, 10, 15, 22, and 27, lying east of the Union Pacific Railroad right-of-way.

The areas described, including both public and non-public lands, aggregate 12,484 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing Utah Grazing District No. 2, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the public lands within the areas described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 21, 1942.

[F. R. Doc. 42-7359; Filed, July 30, 1942; 10:17 a. m.]

[Public Land Order 16]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A FIELD ARTILLERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

The following-described public lands are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as a field artillery range:

GILA AND SALT RIVER MERIDIAN

T. 20 S., R. 20 E.,
Sec. 35;
T. 21 S., R. 20 E.,
Sec. 17, Lot 4;
Sec. 20, Lot 1;
Sec. 28, Lot 1;
T. 20 S., R. 21 E.,
Sec. 28, W½;
Sec. 29, SE¼;
Sec. 31, W½NW¼;
Sec. 33, W½;
T. 21 S., R. 21 E.,
Sec. 5;
Sec. 17, E½, SW¼;
Sec. 18, Lots 1, 2, 3, 4, E½W½, SE¼;
Sec. 19, Lots 1, 2, E½NW¼, NE¼;
Sec. 20, N½;
containing 3,853.18 acres.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 21, 1942.

[F. R. Doc. 42-7360; Filed, July 30, 1942; 10:18 a. m.]

WYOMING

AIR-NAVIGATION SITE WITHDRAWAL NO. 184 AND MODIFICATION OF GRAZING DISTRICTS NOS. 3 AND 4

It is ordered, under and pursuant to the provisions of section 4 of the act of May 24, 1928, 45 Stat. 729; 49 U.S.C. 214, that the following-described tracts of public land near Bitter Creek and Tipton, Wyoming, be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws and reserved, subject to valid existing rights, for the use of the Department of Commerce as beacon sites on the Salt Lake-Omaha Airway:

SIXTH PRINCIPAL MERIDIAN

SITE NO. 19, BITTER CREEK

T. 19 N., R. 99 W., sec. 8, NW¼NE¼NE¼, 10 acres.

SITE NO. 20, TIPTON

T. 19 N., R. 96 W., sec. 18, SE¼NW¼NW¼, 10 acres.

And, so far as they affect the above-described lands, the departmental orders of October 31, 1936, establishing Wyoming Grazing Districts Nos. 3 and 4, are hereby modified and made subject to the withdrawal effected by this order.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

JULY 16, 1942.

[F. R. Doc. 42-7355; Filed, July 30, 1942; 10:16 a. m.]

REDUCING AND REVOKING CERTAIN STOCK DRIVEWAY WITHDRAWALS IN NEVADA

The departmental orders of February 19, April 17 and 22, October 24 and 30, and November 3 and 4, 1919, January 21, and October 13, 1920, April 7, and July 30, 1921, December 1, 1922, August 22, 1923, October 5, 1925, May 1, 1930, July 9, 1931, December 18, 1933, and February 11, 1941, establishing and modifying stock driveway withdrawals under section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U. S. C. 300, are hereby revoked so far as they affect the following-described lands, of which a portion is within the Winnemucca National Wildlife Refuge, and the greater portion of the remainder in Nevada Grazing District No. 2, which includes lands within the Charles Sheldon Antelope Range:

MOUNT DIABLO MERIDIAN

T. 38 N., R. 18 E.,
Sec. 32, S½N½ and S½,
Secs. 33, 34, 35, and 36;
T. 41 N., R. 18 E.,
Sec. 2,
Sec. 3, E½,
Sec. 11, E½ and E½W½,
Sec. 13,
Sec. 14, N½, N½S½, and SW¼SW¼,
Secs. 15, 16, 17, 24, and 25;
T. 42 N., R. 18 E.,
Secs. 3, 10, 15, and 22,
Sec. 26, SW¼,
Sec. 27,
Sec. 34, N½ and SE¼,
Sec. 35, W½;
T. 43 N., R. 18 E.,
Secs. 2, 11, and 14,
Sec. 23, N½, NE¼SW¼, S½SW¼, and SE¼,
Sec. 26, N½ and N½S½,
Sec. 27,
Sec. 34, W½E½ and W½;
T. 44 N., R. 18 E.,
Sec. 1, W½,
Sec. 2, E½,
Sec. 11, E½,
Sec. 12, W½,
Sec. 13, W½,
Sec. 14, E½,
Sec. 23, E½,
Sec. 24, W½,
Sec. 25, W½,
Sec. 26, E½,
Sec. 35, E½, SE¼NW¼, and E½SW¼,
Sec. 36, NW¼;
T. 45 N., R. 18 E.,
Secs. 3, 10, 14, 15, and 23,
Sec. 24, W½,
Sec. 25, W½,
Sec. 26, E½,
Sec. 35, E½,
Sec. 36, W½;
T. 46 N., R. 18 E.,
Secs. 3, 10, 15, 22, 27, and 34;
T. 47 N., R. 18 E.,
Secs. 15, 22, 27, and 34;
T. 37 N., R. 19 E., sec. 1;
T. 38 N., R. 19 E., secs. 31 to 36, inclusive;
T. 41 N., R. 19 E., secs. 25 to 30, inclusive;
T. 34 N., R. 20 E.,
Sec. 1, S½N½ and S½,
Sec. 2,
Sec. 11, N½N½,
Sec. 12, N½N½;
T. 35 N., R. 20 E.,
Sec. 2,
Sec. 3, lots 1 and 2,
Secs. 11, 14, 23, 26, and 35;
T. 36 N., R. 20 E.,
Secs. 1 and 2,
Sec. 11, SE¼,
Sec. 12, NE¼, N½NW¼, SE¼NW¼, and S½,
Sec. 13, N½ and SW¼,
Sec. 14, E½,
Sec. 23,
Sec. 24, NW¼,
Secs. 26 and 35;
T. 37 N., R. 20 E.,
Sec. 1, W½,
Sec. 2, N½, N½SW¼, SW¼SW¼, and SE¼,
Secs. 3, 4, 5, and 6,
Sec. 11, E½,
Sec. 12, W½,
Sec. 13, W½,
Secs. 14, 23, 26, and 35;
T. 38 N., R. 20 E.,
Secs. 2, 11, 14, 23, 26, and 35;
T. 39 N., R. 20 E.,
Secs. 2 and 11,
Sec. 14, NE¼, NE¼NW¼, S½NW¼, and S½,
Secs. 23, 26, and 35;
T. 39½ N., R. 20 E., secs. 23, 26, and 35;

T. 40 N., R. 20 E.,
Sec. 3, lots 3 and 4, NE¼, S½NW¼, and S½,
Secs. 10, 15, 22, 27, and 34;
T. 41 N., R. 20 E.,
Secs. 2, 11, 14, 23, 26, 29, 30, and 32,
Sec. 33, S½N½ and S½,
Sec. 34, NE¼, S½NW¼, and S½,
Secs. 35 and 36;
T. 32 N., R. 21 E.,
Secs. 6, 7, 18, 19, 20, and 21;
T. 33 N., R. 21 E.,
Sec. 6, NE¼, NW¼NW¼, S½NW¼, and S½,
Secs. 7, 18, 19, and 30,
Sec. 31, NE¼, N½NW¼, SW¼NW¼, and S½;
T. 34 N., R. 21 E.,
Secs. 6, 7, 18, 19, 30, and 31;
T. 41 N., R. 21 E.,
Secs. 31 and 32,
Sec. 33, NW¼NE¼, S½NE¼, NW¼, and S½,
Secs. 34, 35, and 36;
T. 40 N., R. 22 E.,
Secs. 1, 12, and 13,
Sec. 24, N½;
T. 41 N., R. 22 E.,
Secs. 2 and 11,
Sec 13, S½NW¼ and SW¼,
Sec. 14, lots 1, 2, 8, 9, and S½,
Secs. 23 and 26, and secs. 31 to 35, inclusive,
Sec. 36, W½;
T. 42 N., R. 22 E.,
Secs. 3, 10, 15, 22, 27, 34, and 35;
T. 43 N., R. 22 E.,
Sec. 3,
Sec. 10, NE¼, NE¼NW¼, S½NW¼, and S½,
Sec. 14, SW¼,
Sec. 15,
Sec. 22, E½,
Sec. 23, W½,
Sec. 26, W½,
Sec. 27, NE¼, S½NW¼, and S½,
Sec. 34;
T. 44 N., R. 22 E.,
Secs. 13, 24, 25, 26, 27, and 34;
T. 40 N., R. 22½ E., secs. 13 and 14;
T. 32 N., R. 23 E.,
Secs. 3, 4, and 9,
Sec. 16, NW¼NE¼, S½NE¼, NW¼, and S½;
T. 33 N., R. 23 E.,
Sec. 3, lots 1 to 10, inclusive, E½ of lot 11, lots 12, 13, 14, and N½SW¼,
Sec. 10, lot 2, SE¼NW¼, E½SW¼, and SE¼,
Sec. 11, SW¼,
Sec. 13, SW¼,
Sec. 14, NW¼ and S½,
Sec. 15, E½,
Sec. 22, NE¼,
Sec. 23, N½ and SE¼,
Sec. 24,
Sec. 25, E½, N½NW¼, SE¼NW¼, NE¼-SW¼, and S½SW¼,
Secs. 34, 35, and 36;
T. 34 N., R. 23 E.,
Sec. 3,
Sec. 10, lots 2 to 12, inclusive, and W½,
Secs. 15, 22, 27, and 34;
T. 35 N., R. 23 E.,
Secs. 1, 12, 13, 14, and 23,
sec. 26, NE¼NE¼, W½NE¼, NW¼, N½SW¼, and NW¼SE¼,
Sec. 27, NE¼, SW¼, N½SE¼, and SW¼SE¼,
Sec. 28, E½SE¼,
Sec. 33, E½E½,
Sec. 34, W½E½ and W½;
T. 36 N., R. 23 E.,
Secs. 1, 12, 13, 24 and 25,
Sec. 36, N½ and SW¼;
T. 37 N., R. 23 E.,
Secs. 1, 12, 13, 24, 25, and 36;
T. 38 N., R. 23 E.,
Secs. 1, 12, 13, 24, 25, and 36;

T. 39 N., R. 23 E.,
Sec. 2, lots 3 to 14, inclusive,
Sec. 3, E½,
Sec. 10, E½,
Sec. 11, W½,
Sec. 12, E½,
Secs. 13, 14, 23, 26, and 35;
T. 40 N., R. 23 E.,
Sec. 17, W½E½ and W½,
Sec. 18,
Sec. 19, E½E½,
Sec. 20, W½NE¼, NW¼, and S½,
Sec. 21, S½,
Sec. 22, SW¼,
Sec. 27, W½,
Sec. 28, N½ and SE¼,
Sec. 29, N½,
Sec. 30, E½NE¼,
Sec. 33, E½,
Sec. 34,
Sec. 35, W½;
T. 44 N., R. 23 E.,
Sec. 3, lot 2, SW¼NE¼, NW¼, and S½,
Sec. 4, lots 3 and 4, NE¼, and SW¼NW¼,
Secs. 5 and 8,
Sec. 10, NE¼, N½NW¼, SE¼NW¼, and N½SE¼,
Sec. 11, NW¼ and S½,
Sec. 12, S½,
Sec. 13, N½,
Sec. 14, N½,
Sec. 17, N½, NE¼SW¼, S½SW¼, and SE¼,
Sec. 18;
T. 20 N., R. 24 E., sec. 2;
T. 21 N., R. 24 E.,
Sec. 2,
Secs. 14, 24, 26, and 34, those parts lying east of Pyramid Lake Indian Reservation,
Sec. 36, NW¼;
T. 22 N., R. 24 E.,
Sec. 4, SW¼,
Sec. 8, lots 8, 9, 10, 11, and E½NE¼,
Sec. 16, lots 1, 2, and 3, E½, E½NW¼, NW¼NW¼, and NE¼SW¼,
Sec. 22, W½,
Sec. 28, lots 1 and 2,
Sec. 34, lots 1, 2, 3, 8, E½, and NE¼NW¼;
T. 23 N., R. 24 E.,
Secs. 6 and 18,
Sec. 30, lots 1, 5, 6, and E½E½,
Sec. 32, lots 1, 3, 4, and 5, E½, and E½W½;
T. 24 N., R. 24 E.,
Secs. 4 and 8,
Sec. 16, N½ and SW¼,
Secs. 20 and 30;
T. 2 N., R. 24 E.,
Secs. 1, 2, 3, 10, 15, 20, 21, 22, 28, 29, and 32,
Sec. 33, N½;
T. 34 N., R. 24 E.,
Sec. 4, W½,
Sec. 5, E½;
T. 35 N., R. 24 E.,
Sec. 3, W½,
Sec. 4, E½,
Sec. 9,
Sec. 16, W½,
Sec. 17, E½,
Sec. 20, E½,
Sec. 21, W½,
Sec. 28, W½,
Sec. 29, E½E½,
Sec. 32, E½E½,
Sec. 33, W½;
T. 39 N., R. 24 E.,
Sec. 6,
Sec. 7, lots 3, 4, and N½,
Sec. 18, lots 3 and 4, N½, NE¼SW¼, and SE¼;
T. 40 N., R. 24 E.,
Secs. 1, 2, 3, 10, 15, 19, 20, 21, 22, 30, and 31;
T. 44 N., R. 24 E.,
Sec. 13, SW¼, NW¼SE¼, and S½SE¼,
Sec. 14, W½NW¼ and S½,
Secs. 15, 16, 17, and 18,
Sec. 22, N½,
Sec. 23, N½,
Sec. 24, N½;

T. 44 N., R. 24½ E.,
Sec. 13, S½,
Sec. 14, lot 4 and SE¼SE¼,
Sec. 23, lots 1, 2, and E½NE¼,
Sec. 24, N½;
T. 25 N., R. 25 E., sec. 6;
T. 26 N., R. 25 E.,
Secs. 13, 14, 22, 23, 27, 28, 29, 30, and 31;
T. 40 N., R. 25 E.,
Secs. 1, 2, and 3,
Sec. 4, E½ and E½W½,
Sec. 6;
T. 41 N., R. 25, E., secs. 31, 32, and 33;
T. 44 N., R. 25 E.,
Secs. 1, 2, 3, 8, and 9,
Sec. 10, N½, SW¼, and N½SE¼,
Sec. 17,
Sec. 18, S½,
Sec. 19, N½,
Sec. 20, N½;
T. 26 N., R. 26 E.,
Secs. 4, 8, 9, 17, and 18;
T. 27 N., R. 26 E.,
Secs. 2, 11, 14, 15, 22, 27, 28, and 33;
T. 28 N. R. 26 E.,
Secs. 24, 25, 26, and 35;
T. 40 N., R. 26 E.,
Secs. 6, 7, and 8,
Sec. 9, NE¼, S½NW¼, and S½,
Sec. 10,
Sec. 11, S½N½ and S½,
Sec. 12, S½N½ and S½,
Sec. 13, N½N½,
Sec. 14, N½N½,
Sec. 15, N½NE¼;
T. 44 N., R. 26 E., sec. 6;
T. 45 N., R. 26 E.,
Sec. 19, NE¼ and S½,
Secs. 20 to 24, inclusive,
Sec. 29, NW¼,
Secs. 30 and 31;
T. 28 N., R. 27 E.,
Secs. 3, 10, 15, 16, 19, 20, and 21;
T. 29 N., R. 27 E.,
Secs. 13, 14, 22, 23, 27, and 34;
T. 40 N., R. 27 E.,
Sec. 1, E½ and E½W½,
Sec. 7, S½N½ and S½,
Sec. 8, S½N½ and S½,
Sec. 9, S½N½ and S½,
Sec. 10, S½N½ and S½,
Sec. 11, S½N½ and S½,
Sec. 12, NE¼, NE¼NW¼, S½NW¼, and S½,
Sec. 13, N½N½,
Sec. 14, N½N½,
Sec. 15, N½N½,
Sec. 16, N½N½,
Sec. 17, N½N½,
Sec. 18, N½N½;
T. 41 N., R. 27 E., secs. 24, 25, and 36;
T. 44 N., R. 27 E., secs. 1, 12, and 13;
T. 45 N., R. 27 E.,
Secs. 19, 20, 21, 22, 27, 34, 35, and 36;
T. 29 N., R. 28 E.,
Secs. 5, 8, 17, and 18;
T. 30 N., R. 28 E.,
Secs. 3, 10, 15, 16, 17, 20, 29, and 32;
T. 31 N., R. 28 E.,
Secs. 23, 24, 26, 27, and 34;
T. 41 N., R. 28 E.,
Secs. 19 and 20,
Sec. 21, lots 4, 5, 12, and S½,
Sec. 23, SE¼,
Sec. 24,
Sec. 25, NW¼,
Sec. 26, N½,
Sec. 27, N½,
Sec. 28, NE¼;
T. 43 N., R. 28 E.,
Secs. 1, 2, 3, 10, 15, 22, 27, and 34;
T. 44 N., R. 28 E.,
Secs. 16, 17, 18, 21, 27, 28, 34, and 36;
T. 47 N., R. 28 E.,
Sec. 13, S½NE¼, S½SW¼, and SE¼,
Sec. 23, S½NE¼ and N½SE¼,
Sec. 24, N½ and N½S½;
T. 28 N., R. 29 E., sec. 2;

T. 29 N., R. 29 E., secs. 2, 14, and 26;
T. 30 N., R. 29 E., secs. 2, 14, and 16;
T. 31 N., R. 29 E.,
Secs. 4, 9, 16, 17, 19, and 20;
T. 32 N., R. 29 E.,
Secs. 2, 11, 14, 15, 16, 21, 28, and 33;
T. 33 N., R. 29 E.,
Secs. 23, 24, 26 and 35;
T. 41 N., R. 29 E., unsurveyed,
Secs. 3, 10, 15, 21, and 22;
T. 42 N., R. 29 E., unsurveyed,
Secs. 22, 23, 24, 27, and 34;
T. 44 N., R. 29 E., unsurveyed,
Secs. 4, 9, 16, 21, 28, and 33;
T. 45 N., R. 29 E., unsurveyed,
Secs. 4, 9, 16, 21, 28, and 33;
T. 46 N., R. 29 E., unsurveyed,
Sec. 2, NW¼,
Sec. 3,
Sec. 4, S½,
Secs. 9, 16, 21, 28, and 33;
T. 47 N., R. 29 E.,
Sec. 24, E½,
Sec. 25,
Sec. 36, NW¼;
T. 27 N., R. 30 E.,
Secs. 4, 16, 22, and 26;
T. 28 N., R. 30 E.,
Secs. 6, 18, 20, and 28;
T. 33 N., R. 30 E.,
Secs. 4, 5, 8, 17, 18, and 19;
T. 34 N., R. 30 E.,
Secs. 2, 11, 14, 21, 22, 23, 28, 33, 34, and 36;
T. 35 N., R. 30 E.,
Secs. 23, 24, 26, and 35;
T. 42 N., R. 30 E.,
Secs. 4, 5, and 6;
T. 43 N., R. 30 E.,
Secs. 21, 22, and 23.
Sec. 24, NE¼, S½NW¼, and S½,
Secs. 28 and 33;
T. 47 N., R. 30 E.,
Secs. 2, 11, 14, 15, 16, 17, and 18,
Sec. 19, W½,
Sec. 30, NW¼;
T. 27 N., R. 31 E.,
Sec. 30, lots 1 to 10, inclusive, E½SW¼, and W½SE¼;
T. 34 N., R. 31 E.,
Secs. 32, 34, and 36;
T. 35 N., R. 31 E.,
Secs. 4, 9, 16, 19, 20, and 21;
T. 36 N., R. 31 E.,
Secs. 3, 10, 15, 22, 27, 28, 33, 34, 35, and 36;
T. 37 N., R. 31 E.,
Sec. 2, W½,
Sec. 3, N½, SE¼SW¼, and SE¼,
Secs. 10, 15, 22, 27, and 34;
T. 38 N., R. 31 E.,
Sec. 2, W½,
Sec. 3, N½, N½SW¼, SE¼SW¼, and SE¼,
Sec. 10, NE¼NE¼, S½N½, and S½,
Sec. 11, W½,
Secs. 15 and 22,
Sec. 27, NE¼, N½NW¼, SE¼NW¼, and S½,
Sec. 34;
T. 39 N., R. 31 E.,
Secs. 3, 10, 15, 22, 27, and 34;
T. 40 N., R. 31 E.,
Sec. 1, W½E½ and W½,
Secs. 2, 3, 10, 15, 22, 27, and 34;
T. 41 N., R. 31 E.,
Secs. 1, 12, 13, 24, 25, and 36;
T. 42 N., R. 31 E.,
Secs. 4, 9, and 16,
Sec. 20, SE¼NE¼ and E½SE¼,
Sec. 21, N½NE¼, SW¼NE¼, W½, and W½SE¼,
Secs. 25, 26, and 27,
Sec. 28, W½NE¼, W½, and SE¼SE¼,
Sec. 29, E½E½,
Sec. 33, N½NE¼,
Sec. 34, N½N½,
Sec. 35, N½N½,
Sec. 36;

T. 43 N., R. 31 E.,
Secs. 19, 20, and 21,
Sec. 25, SW¼,
Sec. 26, S½,
Secs. 28, 33, 34, and 35,
Sec. 36, N½NW¼ and SW¼NW¼;
T. 26 N., R. 32 E.,
Secs. 2 and 4;
T. 27 N., R. 32 E.,
Sec. 32;
T. 34 N., R. 32 E.,
Secs. 32, 34, and 36;
T. 35 N., R. 32 E.,
Secs. 4, 5, 6, and 9,
Sec. 10, N½ and N½S½,
Sec. 16;
T. 36 N., R. 32 E.,
Secs. 31, 32, and 33;
T. 41 N., R. 32 E.,
Sec. 1, E½ and E½W½;
T. 42 N., R. 32 E.,
Sec. 5, NW¼NE¼, S½NE¼, NW¼, and S½,
Secs. 6 and 8,
Sec. 16, W½,
Sec. 17,
Sec. 20, E½,
Sec. 21,
Sec. 22, W½,
Sec. 27, NW¼ and S½,
Sec. 28, E½,
Sec. 33, NE¼,
Secs. 34 and 35;
T. 43 N., R. 32 E.,
Sec. 4, W½NE¼, W½, and NW¼SE¼,
Sec. 5, E½NE¼, S½SW¼, and SE¼,
Sec. 7, SE¼,
Sec. 8, N½, SW¼, and W½SE¼,
Sec. 17, N½NW¼,
Sec. 18,
Sec. 19, N½, NW¼SW¼, and N½SE¼,
Sec. 28, W½SW¼,
Sec. 29, SW¼SW¼ and E½SE¼,
Sec. 30, SE¼SW¼ and S½SE¼,
Sec. 31,
Sec. 32, E½NE¼, NW¼NW¼, S½NW¼, SW¼, and SW¼SE¼,
Sec. 33, W½W½;
T. 44 N., R. 32 E.,
Sec. 1,
Sec. 2, S½,
Sec. 11,
Sec. 12, N½,
Sec. 14,
Sec. 21, SE¼,
Sec. 22, S½,
Sec. 23,
Sec. 26, N½N½,
Sec. 27, N½NE¼, SW¼NE¼, and W½,
Sec. 28, E½,
Sec. 33, N½, SW¼, N½SE¼, and SW¼SE¼,
Sec. 34, NW¼NW¼;
T. 45 N., R. 32 E.,
Sec. 1,
Sec. 2, N½, N½SW¼, SE¼SW¼, and SE¼,
Secs. 12 and 13;
T. 46 N., R. 32 E.,
Sec. 6, lots 1, 2, 3, 4, 7, and 8, E½SW¼, and SE¼,
Sec. 7, lots 1, 4, 5, and 8, E½, and E½W½,
Secs. 8, 9, 13, 14, and 15,
Sec. 16, lots 1, 4, 5, and 8, E½, and E½W½,
Sec. 22, lots 1, 4, 5, and 8, E½, and E½W½,
Secs. 23, 26, and 35;
T. 47 N., R. 32 E.,
Sec. 6,
Sec. 7, N½, N½SW¼, and SE¼,
Sec. 17, W½W½,
Sec. 18, NE¼NE¼, S½NE¼, and SE¼,
Sec. 19,
Sec. 20, W½NW¼, and NW¼SW¼,
Sec. 30, N½, N½SW¼, and SE¼,
Sec. 31;
T. 26 N., R. 33 E.,
Secs. 2, 4, and 6;
T. 33 N., R. 33 E.,
Secs. 4, 10, 14, and 24,
Sec. 36, SW¼NE¼, S½NW¼, N½SW¼, and NW¼SE¼;
T. 34 N., R. 33 E.,
Sec. 32;
T. 41 N., R. 33 E.,
Secs. 1 to 6, inclusive;
T. 44 N., R. 33 E.,
Secs. 1 to 6, inclusive, and secs. 12 and 13;
T. 45 N., R. 33 E.,
Secs. 17, 18, 19, 20, 29, and 32;
T. 46 N., R. 33 E.,
Secs. 13 and 14,
Sec. 15, E½E½,
Sec. 16, W½,
Secs. 17 and 18;
T. 26 N., R. 34 E.,
Secs. 2, 4, and 6;
T. 32 N., R. 34 E.,
Sec. 6;
T. 41 N., R. 34 E.,
Secs. 1 to 6, inclusive;
T. 42 N., R. 34 E.,
Sec. 36;
T. 43 N., R. 34 E.,
Secs. 3, 10, 14, 15, 23, and 24;
T. 44 N., R. 34 E.,
Secs. 17, 18, 20, and 21,
Sec. 22, W½,
Sec. 27, W½,
Sec. 28,
Sec. 34, W½;
T. 46 N., R. 34 E.,
Secs. 13 to 18, inclusive,
Sec. 24, N½ and N½S½;
T. 26 N., R. 35 E., secs. 1 to 6, inclusive;
T. 41 N., R. 35 E.,
Sec. 1, N½, SW¼, and W½SE¼,
Secs. 2, 3, and 4,
Sec. 5, E½;
T. 42 N., R. 35 E.,
Secs. 5, 8, 17, and 20,
Sec. 21, W½,
Sec. 28, W½,
Sec. 29, E½,
Secs. 31 and 32,
Sec. 33, W½;
T. 43 N., R. 35 E.,
Secs. 19, 29, 30, and 32;
T. 46 N., R. 35 E.,
Sec. 8,
Sec. 9, N½ and N½S½,
Secs. 10, 11, and 12,
Sec. 17, N½, SW¼, N½SE¼, and SW¼SE¼,
Sec. 18, S½NE¼, S½SW¼, and SE¼,
Sec. 19, N½ and N½S½,
Sec. 20, NW¼ and N½SW¼;
T. 26 N., R. 36 E.,
Secs. 3, 4, 5, and 6;
T. 27 N., R. 36 E.,
Sec. 23, S½,
Sec. 24, S½,
Sec. 25, N½,
Secs. 26, 34, and 35;
T. 41 N., R. 36 E.,
Sec. 5, S½,
Sec. 6, S½,
Secs. 8, 13, 14, 15, 16, and 17;
T. 46 N., R. 36 E.,
Secs. 3 to 7, inclusive;
T. 47 N., R. 36 E.,
Sec. 25,
Sec. 26, NE¼NE¼, S½NE¼, and S½,
Sec. 27, SE¼SE¼,
Sec. 34, E½, SE¼NW¼, NE¼SW¼, S½SW¼,
Sec. 35, N½NE¼, NW¼, N½SW¼;
T. 27 N., R. 37 E.,
Sec. 19, S½,
Sec. 20, NE¼ and S½,
Secs. 21, 22, 23, and 24,
Sec. 28, NW¼,
Sec. 29, N½,
Sec. 30, N½;
T. 40 N., R. 37 E.,
Secs. 1 and 2;
T. 41 N., R. 37 E.,
Sec. 2, S½NW¼ and SW¼,

Sec. 3, NE¼,
Sec. 10, NE¼ and W½,
Sec. 11, NW¼,
Sec. 15, W½,
Secs. 16, 17, and 18,
Sec. 21, E½,
Sec. 22, W½,
Secs. 26 and 27,
Sec. 28, E½,
Sec. 35;
T. 42 N., R. 37 E.,
Sec. 2, W½NE¼, NE¼NW¼, S½NW¼, and SW¼,
Sec. 11, W½,
Sec. 14, W½,
Sec. 23, W½,
Sec. 26, SW¼NW¼ and SW¼,
Sec. 34, E½,
Sec. 35, NW¼;
T. 43 N., R. 37 E.,
Sec. 1, W½NE¼, E½W½, SW¼SW¼, N½SE¼, and SW¼SE¼,
Sec. 10, SE¼SE¼,
Sec. 11, S½SW¼ and SE¼,
Sec. 12, SW¼NE¼, N½NW¼, SE¼NW¼, SW¼, and W½SE¼,
Sec. 13, SW¼SW¼,
Sec. 14, N½N½, SW¼NW¼, SW¼, and S½SE¼,
Sec. 15, E½E½,
Sec. 23, E½, N½NW¼, and E½SW¼,
Sec. 24, W½NW¼,
Sec. 26, W½E½, and E½W½,
Sec. 35, SE¼SW¼ and SW¼SE¼;
T. 44 N., R. 37 E.,
Sec. 13, SE¼,
Sec. 23, NE¼, E½W½, NW¼SE¼, and S½SE¼,
Sec. 24, N½,
Sec. 25, W½NW¼ and S½,
Sec. 26, N½NE¼, SE¼NE¼, and E½SE¼,
Sec. 36, E½,
T. 47 N., R. 37 E.,
Sec. 13, S½N½ and S½,
Sec. 14, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼,
Sec. 15, S½S½,
Sec. 20, S½,
Sec. 21, NE¼, S½NW¼, and S½,
Sec. 22, N½ and SW¼,
Sec. 23, N½,
Sec. 24, N½,
Sec. 26, N½,
Sec. 29, N½ and SW¼,
Sec. 30;
T. 27 N., R. 38 E.,
Sec. 13, S½S½,
Sec. 14, S½S½,
Sec. 15, S½S½,
Sec. 16, S½S½,
Sec. 17, S½S½,
Sec. 18, S½S½,
Sec. 19, N½ and N½S½,
Sec. 20, N½ and N½S½,
Sec. 21, N½ and N½S½,
Sec. 22, N½ and N½S½,
Sec. 23, N½ and N½S½,
Sec. 24, N½ and N½S½;
T. 30 N., R. 38 E.,
Sec. 17, W½SW¼,
Sec. 18, S½,
Sec. 19, E½NE¼,
Sec. 20, N½,
Sec. 21, NW¼ and S½,
Sec. 22, SW¼,
Sec. 25, NE¼, SE¼NW¼, and S½,
Sec. 26, S½,
Sec. 27, NW¼ and S½;
T. 31 N., R. 38 E.,
Secs. 3, 4, 10, 11, 13, 14, and 24;
T. 32 N., R. 38 E.,
Secs. 4, 16, 20, and 32;
T. 33 N., R. 38 E., secs. 4, 16, and 28;
T. 34 N., R. 38 E.,
Secs. 8 and 16,
Sec. 21, lot 1,
Sec. 28;
T. 35 N., R. 38 E.,
Sec. 4, W½,
Secs. 8, 20, and 32;

T. 36 N., R. 38 E.,
Sec. 6, SE¼,
Sec. 8, W½,
Sec. 18, N½ and SW¼;
T. 37 N., R. 38 E.,
Secs. 10, 14, 26, and 32,
Sec. 34, W½NW¼;
T. 38 N., R. 38 E.,
Secs. 4, 10, 22, and 34;
T. 39 N., R. 38 E.,
Sec. 8, N½, N½SW¼, SE¼SW¼, and SE¼,
Sec. 20,
Sec. 30, SE¼,
Sec. 32;
T. 40 N., R. 38 E.,
Secs. 1, 5, 6, 8, 11, 12, 14, 17, 20, 21, 22, 23, 29, and 32;
T. 42 N., R. 38 E., sec. 19, S½;
T. 44 N., R. 38 E.,
Sec. 6, W½,
Sec. 7, W½,
Sec. 18, W½;
T. 45 N., R. 38 E.,
Sec. 2, E½,
Sec. 9, SE¼,
Sec. 10, S½NE¼ and S½,
Sec. 11, NE¼, S½NW¼, and N½S½,
Sec. 16, NE¼ and S½,
Sec. 17, S½,
Sec. 18, S½,
Sec. 19, W½,
Sec. 30, W½,
Sec. 31, W½;
T. 46 N., R. 38 E.,
Sec. 1, W½,
Sec. 12, W½,
Sec. 13, N½NW¼ and SE¼NW¼,
Sec. 24, S½NW¼ and SW¼,
Sec. 25, W½,
Sec. 35, E½NE¼ and NE¼SE¼,
Sec. 36, NW¼ and NW¼SW¼;
T. 47 N., R. 38 E.,
Sec. 2, S½NW¼ and SW¼,
Sec. 3, SW¼NE¼, lots 3 and 4, SE¼NW¼, and S½,
Sec. 4, SE¼,
Sec. 9, NE¼, E½NW¼, and S½,
Sec. 10,
Sec. 11, W½,
Sec. 16, N½N½,
Sec. 18, NW¼, lots 3, 4, 7, and 8, SE¼SW¼, and SW¼SE¼,
Sec. 19, N½,
Sec. 21, E½,
Sec. 22, W½NE¼, NW¼, and S½,
Sec. 26, W½, and W½SE¼,
Sec. 27, NE¼,
Sec. 35, NE¼ and E½NW¼,
Sec. 36, W½;
T. 27 N., R. 39 E.,
Sec. 7, S½S½,
Sec. 8, S½S½,
Sec. 9, S½S½,
Sec. 10, S½S½,
Sec. 11, S½S½,
Sec. 12, S½S½,
Sec. 13, N½ and N½S½,
Sec. 14, N½ and N½S½,
Sec. 15, N½ and N½S½,
Sec. 16, N½ and N½S½,
Sec. 17, N½ and N½S½,
Sec. 18,
Sec. 19, N½ and N½S½;
T. 30 N., R. 39 E.,
Secs. 4, 9, and 16,
Sec. 17, E½,
Sec. 20, E½,
Sec. 21, W½,
Sec. 28, NW¼ and N½SW¼,
Sec. 29, N½ and N½S½,
Sec. 30, N½ and N½S½;
T. 31 N., R. 39 E.,
Secs. 19, 29, and 30,
Sec. 32, N½N½, SE¼NE¼, SW¼NW¼, and NE¼SE¼,
Sec. 33, N½, N½SW¼, SE¼SW¼, and SE¼;
T. 37 N., R. 39 E.,
Sec. 16,
Sec. 20, N½, SW¼, N½SE¼, and SW¼SE¼,
Sec. 30;
T. 38 N., R. 39 E., sec. 36;
T. 40 N., R. 39 E., sec. 6, W½;
T. 41 N., R. 39 E.,
Secs. 5, 8, 17, 18, and 19,
Sec. 30, W½,
Sec. 31;
T. 42 N., R. 39 E.,
Sec. 4, NE¼, W½NW¼, and S½,
Sec. 9, NW¼, N½SW¼, and SW¼SW¼,
Sec. 16, NW¼NW¼ and S½,
Sec. 17, E½,
Secs. 21, 28, 29, and 32;
T. 43 N., R. 39 E.,
Secs. 22, 23, and 24,
Sec. 25, N½ and N½S½,
Sec. 26, N½N½, SE¼NE¼, SW¼NW¼, NW¼SW¼, and NE¼SE¼,
Sec. 27, N½, SW¼, N½SE¼, and SW¼SE¼,
Secs. 28 and 33;
T. 28 N., R. 40 E.,
Sec. 2,
Sec. 7, S½S½,
Sec. 8, S½S½,
Sec. 9, S½S½,
Sec. 10, S½S½,
Secs. 11 and 12,
Sec. 13, lot 1, W½NE¼, W½, and those parts of lots 2, 3, and W½SE¼ lying within Pershing County,
Sec. 14,
Sec. 15, N½ and N½S½,
Sec. 16, N½ and N½S½,
Sec. 17, N½ and N½S½,
Sec. 18, N½ and N½S½,
Sec. 23,
Sec. 24, those parts of the NW¼NE¼ and W½ lying within Pershing County;
T. 29 N., R. 40 E.,
Secs. 2, 11, 14, 23, 26, and 35;
T. 30 N., R. 40 E.,
Secs. 3, 10, 15, 22, 26, and 27,
Sec. 35, NE¼, NE¼NW¼, S½NW¼, and S½;
T. 31 N., R. 40 E.,
Secs. 3, 10, 15, 22, 27, and 34;
T. 32 N., R. 40 E.,
Sec. 4,
Sec. 9, SW¼,
Secs. 16, 21, 22, 27, and 34;
T. 33 N., R. 40 E.,
Secs. 8, 16, and 28;
T. 34 N., R. 40 E.,
Secs. 4 and 16,
Sec. 28, N½NE¼, SE¼NE¼, NW¼, and S½,
Sec. 32;
T. 35 N., R. 40 E.,
Sec. 10,
Sec. 22, E½, NW¼, N½SW¼, SE¼SW¼, Sec. 34;
T. 38 N., R. 40 E.,
Secs. 6, 18, and 30;
T. 39 N., R. 40 E.,
Sec. 2,
Sec. 3, N½,
Secs. 4, 8, 20, and 32;
T. 40 N., R. 40 E.,
Secs. 2, 11, 14, 23, 26, and 35;
T. 41 N., R. 40 E.,
Secs. 35 and 36;
T. 42 N., R. 40 E.,
Secs. 1 and 12,
Sec. 13, N½, E½SW¼, and SE¼,
Sec. 24, E½ and E½W½,
Sec. 25, NE¼ and E½NW¼;
T. 43 N., R. 40 E.,
Sec. 13, S½,
Sec. 24, N½, N½SW¼, and SE¼,
Sec. 25, NE¼, S½NW¼, and S½,
Sec. 36;
T. 41 N., R. 41 E., secs. 4 and 8;
T. 37 N., R. 41 E., secs. 34 and 36;
T. 40 N., R. 41 E., sec. 1;
T. 41 N., R. 41 E.,
Sec. 6, N½, SW¼, N½SE¼, and SW¼SE¼,
Sec. 7,

Sec. 17, W½,
Sec. 18, N½ and N½S½,
Sec. 19, S½,
Sec. 20, N½NW¼,
Secs. 30, 31, 32, 33, and 34,
Sec. 35, SW¼NW¼, SW¼, and S½SE¼,
Sec. 36, S½S½;
T. 42 N., R. 41 E.,
Sec. 6, N½, N½SW¼, and NW¼SE¼,
Sec. 19, S½,
Secs. 30 and 31;
T. 43 N., R. 41 E.,
Sec. 6, lots 2, 3, 4, 5, and 6, S½NE¼, SE¼NW¼, and S½SE¼,
Sec. 7, N½ and N½S½,
Sec. 18, NE¼ and S½,
Secs. 19, 30, and 31,
T. 44 N., R. 41 E.,
Secs. 3, 10, 15, 16, 17, 18, 19, and 30,
Sec. 31, N½, SW¼, and SW¼SE¼;
T. 45 N., R. 41 E.,
Sec. 1, E½,
Sec. 12, E½,
Secs. 13, 14, 15, and 22,
Sec. 27, NE¼, NE¼NW¼, S½NW¼, and S½,
Sec. 34;
T. 37 N., R. 42 E.,
Secs. 4, 8, 20, and 32;
T. 38 N., R. 42 E., secs. 34 and 36;
T. 40 N., R. 42 E., secs. 1 to 6, inclusive;
T. 45 N., R. 42 E.,
Sec. 5, N½, NE¼SW¼, and N½SE¼,
Sec. 6, N½ and SW¼,
Sec. 7, W½,
Sec. 18, W½;
T. 46 N., R. 42 E.,
Secs. 2, 3, 4, 9, 16, 21, 28, 29, and 32;
T. 47 N., R. 42 E.,
Secs. 4, 9, 10, 11, 14, 23, 26, and 35;
T. 35 N., R. 43 E., sec. 36;
T. 38 N., R. 43 E.,
Secs. 28, 30, 34, and 36;
T. 40 N., R. 43 E., sec. 6;
T. 41 N., R. 43 E.,
Sec. 2,
Sec. 11, N½N½, E½SW¼, and S½SE¼,
Sec. 14, N½N½ and SW¼NW¼,
Sec. 15, S½N½ and S½,
Sec. 16, S½NE¼, NE¼SW¼, S½SW¼, and SE¼,
Sec. 21,
Sec. 22, N½N½,
Secs. 28, 29, 31, and 32;
T. 42 N., R. 43 E.,
Secs. 2, 11, 14, 23, 26, and 35;
T. 43 N., R. 43 E.,
Secs. 2, 11, 14, 23, 26, and 35;
T. 44 N., R. 43 E.,
Secs. 1, 12, 13, 24, 25, 35, and 36;
T. 35 N., R. 44 E.,
Sec. 4, W½,
Secs. 8, 20, and 30;
T. 36 N., R. 44 E.,
Secs. 16 and 28,
Sec. 32, E½;
T. 38 N., R. 44 E.,
Sec. 28, S½,
Sec. 30, SE¼SE¼;
T. 44 N., R. 44 E.,
Secs. 1, 2, 3, 4, and 9,
Sec. 10, W½,
Sec. 15, N½NW¼,
Sec. 16, N½N½;
T. 45 N., R. 44 E., sec. 36;
aggregating approximately 717,450 acres.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JULY 18, 1942.

[F. R. Doc. 42-7354; Filed, July 30, 1942; 10:17 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 169]

CUMBERLAND, MD., MARKETING AREA

NOTICE OF HEARING ON MILK HANDLING

Notice is hereby given of a hearing to be held at the City Hall Auditorium, Cumberland, Maryland, beginning at 10:00 a. m., e. w. t., August 17, 1942, with respect to a proposed marketing agreement and a proposed order regulating the handling of milk in the Cumberland, Maryland, marketing area.

This notice is given pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350).

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth in detail, which has been proposed, with the exception of sections 10 through 13, by the Tri-State Milk Producers Association. Sections 10 through 13 are standard provisions and have been included in the proposal at the request of the Agricultural Marketing Administration. The proposal provides for the payment to producers on the so-called market-wide pool basis. Evidence will also be received at the hearing with respect to the payment to producers through the use of the so-called individual handler's pool. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SEC. 1. *Definitions*—(a) *Terms.* The following terms shall have the following meanings:

(1) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937.

(2) The term "Secretary" means the Secretary of Agriculture of the United States.

(3) The term "Cumberland marketing area", hereinafter referred to as the "marketing area", means the territory included within 18 miles of the City Hall in the city of Cumberland.

(4) The term "person" includes any individual, partnership, corporation, association, or any other business unit.

(5) The term "producer" means any person, irrespective of whether such person is also a handler, who produces milk which is purchased or received by a handler at a plant approved or licensed for the sale of milk for fluid consumption in the marketing area, and from which milk or cream for bottling purposes is disposed of in the marketing area.

(6) The term "handler" means any person, irrespective of whether such person is also a producer or a cooperative association of producers, who engages in such handling of milk or cream for bottling purposes disposed of in the marketing area as is in the current of interstate commerce in milk and its products.

(7) The term "market administrator" means the person designated pursuant to section 2 as the agency for the administration hereof.

(8) The term "delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

SEC. 2. *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violations of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by section 9, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 3 or (ii) made payments pursuant to section 8;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check weight and butterfat test of milk received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of milk received by handlers.

SEC. 3. *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 6th day after the end of each delivery period (i) the receipts of milk at each plant from producers, and the weighted average butterfat test thereof, (ii) the receipts of milk at each plant from handlers and cooperative associations, and the average butterfat test thereof, (iii) the receipts of cream at each plant from handlers and cooperative associations, and the average butterfat test thereof, (iv) the receipts at each plant of the milk, if any, produced by him, and the average test thereof, (v) the receipts of milk at each plant from new producers, and the average test thereo, (vi) the name and address of each new producer, (vii) the utilization of all milk and cream received, computed pursuant to section 4 (d), and (viii) the names of handlers from whom or to whom milk or cream was received or delivered.

(2) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator (i) the name and address, (ii) the total pounds of milk delivered, (iii) the average butterfat test of milk delivered, and (iv) the number of days upon which deliveries were made.

(3) On or before the 15th day after the end of each delivery period, at the request of the market administrator, his producer pay roll, which shall show (i) the total delivery of milk for each producer with the average butterfat test thereof, (ii) the net amount of payment to each producer made pursuant to section 8, and (iii) any deductions and charges made by the handler, and authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to:

(1) Those records and facilities which are necessary for the verification of the information contained in the reports submitted in accordance with this section, and for the verification of the payments required by section 5 and section 8;

(2) Those facilities necessary for the checking of the weighing and sampling of the milk and for determining the utilization of milk by the handler; and

(3) The plants and storage facilities under his control.

SEC. 4. *Classification of milk*—(a) *Basis of classification.* All milk purchased or received by a handler from producers, new producers, cooperative associations, and other handlers, including milk produced by him, if any, shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* Except as provided in paragraph (c) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk—All milk disposed of for consumption in fluid form, such as fluid milk, fluid cream, skim milk, and flavored milk drinks, and all milk the utilization of which is not classified in Class II.

(2) Class II milk—All milk used in the manufacture of products not disposed of for consumption in fluid form, and all milk specifically accounted for as actual plant shrinkage but not to exceed 2 percent of the total receipts of milk from producers.

(c) *Interhandler sales.* Milk, skim milk, and cream delivered by a handler to another handler shall be Class I milk: *Provided*, That if a different classification is agreed upon in writing between the receiving handler and the selling handler then the milk, skim milk, and cream shall be classified according to such written agreement: *Provided*, That in no event the amount so reported in any class be greater than the amount used in that class by the receiving handler.

(d) *Computation of the volume of milk to be accounted for by the handler in each class.* For each delivery period, the market administrator shall compute for each handler the volume of milk that he is to account for in each class as follows:

(1) Class I milk—Multiply the weight of the various units disposed of by such handler which are classified as Class I milk by the number of units irrespective of butterfat test thereof, add thereto the pounds of Class I milk delivered to other handlers, and classified pursuant to paragraph (c) of this section, and add the pounds of milk specifically accounted for as actual plant shrinkage in excess of 2 percent of the total receipts of milk from producers.

(2) Class II milk—The total pounds of milk received from producers minus the pounds of milk accounted for in Class I.

SEC. 5. *Minimum prices*—(a) *Class prices.* Each handler shall pay not less than the following prices, at the time and in the manner set forth in section 8.

(1) Class I milk—$------ per hundredweight:

(2) Class II milk—An amount per hundredweight equal to the combined value of butterfat and skim milk computed as follows:

(i) Butterfat—Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved for Pennsylvania only, and for Pennsylvania, Newark, and Lower Merion Township, in the Philadelphia, Pennsylvania, market, reported for each week ending within the month by the United States Department of Agriculture, divide by the number of quotations, subtract 28 cents, divide by 33.48, multiply by 4, and subtract 23½ cents.

(ii) Skim milk—Any plus amount which is equal to 7.5 times the average of all the hot roller process dry skim milk quotations for "other brands, animal feed" and for "other brands, human consumption", carlots, bags, or barrels, in both cases (using midpoint of any range as one quotation) as published for such month in the "Producers Price Current", less 4.5 cents.

SEC. 6. *Application of provisions.* No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers or an association of producers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

SEC. 7. *Determination of prices to producers*—(a) *Net pool obligations.* The net pool obligations of each handler for milk received from producers during each month shall be a sum of money equal to the hundredweight of milk in each class, determined pursuant to section 4, for each handler, times the prices applicable thereto pursuant to section 5.

(b) *Computation of the uniform price.* The market administrator shall compute the composite price per hundredweight, f. o. b. handlers' bottling plants, for each delivery period as follows: add the values determined pursuant to paragraph (a) of this section for all handlers and divide by the total hundredweight of milk received from producers by such handlers.

(c) *Announcement of prices to be paid producers and of other market information.* The market administrator shall mail to all handlers and shall publicly announce, on or before the 9th day after the end of each delivery period, the composite price for milk containing 4 percent butterfat to be paid producers for milk received from them during such delivery period, as determined in accordance with paragraph (b) of this section.

SEC. 8. *Payments to producers*—(a) (1) *Semimonthly payments.* On or before the 20th day of each month each handler shall make a payment to producers for milk delivered during the first 15 days of such month at not less than the uniform price during the preceding month.

(2) *Final payment.* On or before the 12th day after the end of each month each handler shall make full payment, subject to paragraphs (b) and (f) of this section, to each producer for the total value of milk received from such producer during such month at not less than the uniform price per hundredweight computed pursuant to section 7, after taking credit for payment made pursuant to section 8 (a) (1).

(b) *Butterfat differential.* If any handler has purchased or received from any producer or association of producers during the delivery period milk having an average butterfat content other than 4 percent, such handler in making the payments pursuant to paragraph (a) of this section to such producer shall add to the uniform price for such producer or association of producers for each one-tenth of 1 percent of average butterfat content above 4 percent of average butterfat content and shall subtract from the uniform price for such producer or association of producers for each one-tenth of 1 percent of average butterfat content below 4 percent not more than 4 cents per hundredweight. The butter-

fat content of milk received shall be determined by taking the average of not less than 5 separate butterfat tests made from fresh samples during each delivery period. The market administrator may designate an independent laboratory to make these tests. If a laboratory is not designated by the market administrator, these tests may be conducted by an independent laboratory agreed upon by the handlers and the producers, in which case the expense of such butterfat testing shall be borne jointly and equally by each handler and each producer delivering to him, and the producers' share may be deducted from the amount paid them by handlers, provided the handler shall be responsible for any errors in these tests.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (d) and (g) of this section and out of which he shall make all payments to handlers pursuant to paragraphs (e) and (f) of this section.

(d) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator, for payment to producers through the producer-settlement fund, the amount by which his net pool obligations computed pursuant to section 7 (a) exceed the sum obtained by multiplying the hundredweight of milk received from producers by the uniform price announced pursuant to section 7 (c).

(e) *Payments out of producer-settlement fund.* On or before the 12th day after the end of each delivery period, the market administrator shall pay to each handler, for payment to producers, the amount, if any, by which the sum obtained by multiplying the hundredweight of milk received from producers by the uniform price announced pursuant to section 7 (c) exceeds his net pool obligations pursuant to section 7 (a). If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 12th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund. Nothing in this paragraph shall abrogate the right of a cooperative association to make payment to its member producers in accordance with the payment plan of such cooperative association.

(f) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the producer-settlement fund pursuant to paragraph (d) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever vertification discloses that the payment is due from the market administrator to any handler pursuant to paragraph (e) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever vertification by the market administrator of the payment by a handler to any producer discloses payment to such producer of less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

SEC. 9. *Expense of administration*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, except those handlers exempted pursuant to section 6 shall pay to the market administrator on or before the 12th day after the end of each delivery period an amount equal to 4 cents per hundredweight with respect to all milk received by him from producers, or produced by him during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator, subject to review by the Secretary. If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers as permitted under section 8 (c) each handler shall pay to the market administrator an amount equal to not more than 7½ cents per test, the exact amount to be determined by the market administrator: *Provided*, That one-half of any amount collected for such tests of any producer's milk may be deducted from the payments handlers are required to make the respective producers under section 8.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk received by the handlers from producers as permitted under section 8 (c) each handler shall deduct from his payments to each producer an amount equal to not more than 7½ cents per test the exact amount to be determined by the market administrator and shall pay such deduction to the market administrator on or before the 15th day after the end of each delivery period. Such moneys shall be used by the market administrator to pay the independent laboratory for the vertification of weight, sampling, and testing of milk received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

SEC. 10. *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

SEC. 11. *Effective time, suspension, and termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handlers, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate (1) shall continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 12 *Liability*—(a) *Liability of handlers.* The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

The following provisions are applicable to the marketing agreement only:

SEC. 13. *Counterparts and additional parties*—(a) *Counterparts of marketing agreement.* This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to marketing agreement.* After this agreement first takes effect, any handler may become a party to this agreement if a counterpart thereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

Copies of the proposed marketing agreement and order may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

JULY 30, 1942.

[F. R. Doc. 42-7366; Filed, July 30, 1942; 11:09 a. m.]

COMMITTEE FOR RECIPROCITY INFORMATION.

TRADE-AGREEMENT NEGOTIATIONS WITH IRAN

PUBLIC NOTICE

Closing date for submission of briefs, August 27, 1942; closing date for application to be heard, August 27, 1942; public hearings open, September 9, 1942

The Committee for Reciprocity Information hereby gives notice that all information and views in writing, and all applications for supplemental oral presentation of views, in regard to the negotiation of a trade agreement with the Government of Iran, of which notice of intention to negotiate has been issued by the Secretary of State on this date,[1] shall be submitted to the Committee for Reciprocity Information not later than 12 o'clock noon, August 27, 1942. Such communications should be addressed to "The Chairman, Committee for Reciprocity Information, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C."

A public hearing will be held, beginning at 10 a. m. on September 9, 1942, before the Committee for Reciprocity Information, in the hearing room of the Tariff Commission in the Tariff Commission Building, where supplemental oral statements will be heard.

Six copies of written statements, either typewritten or printed, shall be submitted, of which one copy shall be sworn to. Appearance at hearings before the Committee may be made only by those persons who have filed written statements and who have within the time prescribed made written application for a hearing, and statements made at such hearings shall be under oath.

By direction of the Committee for Reciprocity Information this 29th day of July 1942.

[SEAL] E. G. MARTIN,
Acting Secretary.

JULY 29, 1942.

LIST OF PRODUCTS ON WHICH THE UNITED STATES WILL CONSIDER GRANTING CONCESSIONS TO IRAN

NOTE: The rates of duty indicated are those now applicable to products of Iran. When the rate is one which has been reduced pursuant to a previous trade agreement by 50 percent (the maximum permitted by the Trade Agreements Act), this fact is indicated by the symbol MR. When the rate represents a reduction pursuant to a previous trade agreement, but less than a 50-percent reduction, this is indicated by the symbol R. When an item has been bound free of duty in a previous trade agreement, this is indicated by the symbol B.

For the purpose of facilitating identification of the articles listed, reference is made in the list to the paragraph numbers of the tariff schedules in the Tariff Act of 1930. The descriptive phraseology is, however, in a number of cases limited to a narrower field than that covered by the numbered tariff paragraph. In such cases only the articles described by the descriptive phraseology of the list will come under consideration for the granting of concessions.

In the event that articles which are at present regarded as classifiable under the descriptions included in the list are excluded therefrom by judicial decision or otherwise prior to the conclusion of the agreement, the list will nevertheless be considered as including such articles.

United States Tariff Act of 1930 Para-graph	Description of article	Present rate of duty	Symbol
25	Asafetida, natural and unenfpounded, but advanced in value or condition by grinding, shredding, or any other process or treatment whatever, beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol.	10% ad valorem.	
89	Opium containing not less than 8.5 per centum of anhydrous morphine and not specially provided for; opium prepared for the use of the Narcotic Drug Import and Export Act, as amended.	$3 per pound.	
73	Iron-oxide and iron-hydroxide pigments not specially provided for: Natural.	20% ad valorem.	
339	Table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for: Composed wholly or in chief value of copper or brass, not plated with platinum, gold, or silver, and not specially provided for.	35% or 40% ad valorem.[1]	R
724 (d)	Caviar and other fish roe for food purposes: Caviar and other fish roe prepared.	30½ ad valorem. 2½¢ per pound.	
736 741	Berries, edible, dried, desiccated, or evaporated: Dates, fresh or dried, except when packed in units of any description weighing (with the immediate container, if any) not more than ten pounds each: With pits.	1¢ per pound.	
756	With pits removed. Almonds: Not shelled.	2¢ per pound. 5½¢ per pound.	
761	Shelled. Pistachio nuts: Not shelled.	15½¢ per pound.	MR
762	Shelled. Apricot and peach kernels.	11½¢ per pound. 21½¢ per pound.	MR
911 (a)	Quills or bedspreads, wholly or in chief value of cotton, whether in the piece or otherwise, and not specially provided for.	26¢ per pound. 20% ad valorem.	
911 (b)	Table and bureau covers, centerpieces, runners, scarfs, napkins, and doilies, made of plain-woven cotton cloth, and not specially provided for, if block-printed by hand.	30% ad valorem.	
1140 (b)	Hair of the camel entered, or withdrawn from warehouse, under bond for use in the manufacture of articles provided for in paragraph 1101 of the Tariff Act of 1930, as amended.	Free, subject to the provisions of para-graph 1101 of the Tariff Act of 1930, as amended.	
1109 (b)	Hair of the Cashmere goat: In the grease or washed.	34¢ per pound of clean content.	
	Scoured.	37½ per pound of clean content.	
	On the skin.	39¢ per pound of clean content.	
	Sorted, or matchings, if not scoured.	35¢ per pound of clean content.	
1116 (a)	Oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom, pile or figured, whether made wholly or in part by hand or by any process: Valued at not more than $6.75 per square foot.	30¢ per square foot, but not less than 40% nor more than 70% ad valorem.	R
1528	Turquoises, cut but not set, and suitable for use in the manufacture of jewelry.	10% ad valorem.	
1539 (a)	Quilts and bedspreads, wholly or in chief value of cotton, whether in the piece or otherwise, table and bureau covers, centerpieces, runners, scarfs, napkins, and doilies, made of plain-woven cotton cloth, all the foregoing in part of fringe and block-printed by hand.	90% ad valorem.	
1632	Cigar and cigarette boxes, finished or unfinished and not specially provided for, wholly or in chief value of wood or wholly or in chief value of silver.	60% ad valorem.	

[1] In the trade agreement with the United Kingdom, effective Jan. 1, 1939, the rate of duty on table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for, composed wholly or in chief value of copper (including copper in alloys other than brass), not plated with platinum, gold, or silver, and not specially provided for, was reduced to 30% ad valorem.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

[1] *Supra.*

equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers;

2. All American Bus Lines, Inc., shall:

(a) Operate a through service of not to exceed two round trips daily on its route between New York, New York, and Columbus, Ohio via Breezewood, Pennsylvania;

(b) Suspend its service over the route between Columbus, Ohio, and Hammond, Indiana, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory bodies, a notice describing the operations to be suspended in compliance herewith.

3. Northern Trails, Inc., shall:

Operate a through service of not to exceed one round trip daily on each of the following routes:

(a) Between New York, New York, and Chicago, Illinois, via Breezewood, Pennsylvania;

(b) Between Emmitsburg, Maryland, and Chicago, Illinois, via Cleveland, Ohio;

(c) Between Emmitsburg, Maryland, and Chicago, Illinois, via Fort Wayne, Indiana.

4. The carriers shall not resume service that has heretofore been suspended on routes east of Chicago, Illinois, and Columbus, Ohio.

5. The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this Order, together with a copy of this Order; and forthwith shall apply to said Commission, and each such regulatory body for special permission for such tariffs or supplements, to become effective on one-day's notice.

This order shall become effective August 3, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 30th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7381; Filed, July 30, 1942; 11:59 a. m.]

[Special Order O.D.T. B-10]

COORDINATED OPERATION OF PASSENGER CARRIERS BY MOTOR VEHICLE BETWEEN MILWAUKEE, WISCONSIN, AND CHICAGO, ILLINOIS

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Interstate Transit Lines, Inc., Omaha, Nebraska, and Northland Greyhound Lines, Inc., Minneapolis, Minnesota, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

1. Interstate Transit Lines, Inc., shall suspend service over its route between Milwaukee, Wisconsin, and Chicago, Illinois, via Kenosha, Wisconsin, and Waukegan, Illinois, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory bodies a notice describing the operations to be suspended in compliance herewith.

2. Northland Greyhound Lines, Inc., shall operate a through service of not to exceed ten round trips daily between Milwaukee, Wisconsin, and Chicago, Illinois, one or more of which, subject to obtaining prior approval of the appropriate regulatory authority or authorities, shall be operated over the route described in paragraph 1 hereof.

2. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one-day's notice.

This order shall become effective August 17, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 30th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7382; Filed, July 30, 1942; 11:59 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3077-6]

OLIVER COKE COMPANY

ORDER GRANTING PETITION

Order 3 under Revised Price Schedule 77 [1]—Beehive Oven Furnace Coke Produced in Pennsylvania.

On March 6, 1942, Oliver Coke Company, Oliver, Pennsylvania, filed an application for relief from Revised Price Schedule No. 77, and on June 22, 1942, a petition for an exception pursuant to § 1345.57 (b) of Revised Price Schedule No. 77. Due consideration has been given to the application and petition, and an opinion in support of this Order No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Coke Company may sell, offer to sell, deliver or transfer, beehive oven furnace coke produced in Pennsylvania at its Oliver No. 1 Coke Works at Oliver, Fayette County, Pennsylvania, at a price not to exceed $6.35 per net ton, f. o. b. cars or trucks Oliver, Pennsylvania. Any person may buy, offer to buy or accept delivery of such coke at such price from Oliver Coke Company.

(b) The permission granted to Oliver Coke Company in this Order No. 3 is subject to the condition that so long as such Oliver No. 1 Coke Works shall remain in operation there shall be filed with the Office of Price Administration on or before the 10th day of each month itemized and verified statement of all costs and expenses incurred in the production of such coke during the preceding month; also balance sheet and profit and loss statement of Oliver Coke Company as of the last day of the preceding month.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1345.58 of Revised Price Schedule No. 77 shall apply to terms used herein.

(f) This Order No. 3 shall become effective July 30, 1942.

Issued this 29th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7346; Filed, July 29, 1942; 5:02 p. m.]

[1] 7 F.R. 1352, 1836, 2000, 2132, 2760.
[2] 7 F.R. 971, 3663.

GOLDMARK'S UNCLAIMED FREIGHT, INC.

DISAPPROVAL OF REGISTRATION

Order 11 under Supplementary Regulation 1 to General Maximum Price Regulation.

An opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The following company applied for registration and approval of the Office of Price Administration in order that its sales and deliveries might be excepted from the provisions of the General Maximum Price Regulation pursuant to § 1499.26 (b) (1) of Supplementary Regulation No. 1: Goldmark's Unclaimed Freight, Inc., 2525 East 9th Street, Cleveland, Ohio.

Due consideration has been given to the application for registration and approval of Goldmark's Unclaimed Freight, Inc. and it has been found that said company does not meet the requirements of § 1499.26 (b) (1) of Supplementary Regulation No. 1. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That the said application for registration and approval of Goldmark's Unclaimed Freight, Inc., 2525 East 9th Street, Cleveland, Ohio, be, and the same hereby is, denied and disapproved.

(b) This Order No. 11 shall become effective July 31, 1942.

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7361; Filed, July 30, 1942; 10:50 a. m.]

*Copies may be obtained from the Office of Price Administration.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-352, 70-353, 59-36]

INTERBOROUGH GAS CO., ET AL.

INTERIM ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of July 1942.

In the matter of Interborough Gas Company, Conewago Gas Company, File No. 70-352; Pennsylvania Gas & Electric Company, Pennsylvania Gas & Electric Corporation, File No. 70-353; York County Gas Company, and Pennsylvania Gas & Electric Corporation, File No. 59-36.

Interborough Gas Company and Conewago Gas Company, wholly-owned subsidiaries of York County Gas Company, which in turn is a subsidiary of Pennsylvania Gas & Electric Corporation, a registered holding company, having filed declarations and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 12 (d) and 12 (f) thereof and Rules U-43 and U-44 of the General Rules and Regulations thereunder, regarding the proposed sale of all of their assets to York County Gas Company for the purpose of effecting a merger;

The Commission having ordered that this matter be consolidated for the purpose of hearing with the matters of Pennsylvania Gas & Electric Company and Pennsylvania Gas & Electric Corporation, File No. 70-353, and York County Gas Company and Pennsylvania Gas & Electric Corporation, File No. 59-36.

Interborough Gas Company and Conewago Gas Company, having requested that the sale of their assets to York County Gas Company be considered at the earliest possible time and disposed of by an interim order;

Hearings having been completed in respect of the proposed sale of the assets of Interborough Gas Company and Conewago Gas Company to York County Gas Company and certain related matters; and

The Commission having considered the record, and having made and filed its findings and opinion herein, and being of the opinion that action may appropriately be taken as hereinafter ordered,

It is ordered, That the declarations of Interborough Gas Company, Conewago Gas Company, and Pennsylvania Gas & Electric Corporation be, and they hereby are, permitted to become effective under sections 12 (d) and 12 (f) of the Act, and Rules U-43 and U-44 promulgated thereunder, subject, however, to the terms and conditions prescribed by Rule U-24, and subject to the further condition that the amount by which the carrying value of the investments of York County Gas Company in Interborough Gas Company and Conewago Gas Company exceed the underlying book values thereof, shall, upon consummation of the merger, be immediately charged against the earned surplus of York County Gas Company.

It is further ordered, That jurisdiction be and is hereby reserved to consider all

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OFFICE OF DEFENSE TRANSPORTATION.

[Special Order O.D.T. No. B-9]

COORDINATED OPERATION OF PASSENGER CARRIERS BY MOTOR VEHICLE BETWEEN CHICAGO, ILLINOIS, AND NEW YORK, NEW YORK

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by All American Bus Lines, Inc., Chicago, Illinois, and Northern Trails, Inc., Chicago, Illinois, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

1. All American Bus Lines, Inc., and Northern Trails, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Chicago, Illinois, and New York, New York, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. All American Bus Lines, Inc., shall:

(a) Operate a through service of not to exceed two round trips daily on its route between New York, New York, and Columbus, Ohio via Breezewood, Pennsylvania;

(b) Suspend its service over the route between Columbus, Ohio, and Hammond, Indiana, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory bodies, a notice describing the operations to be suspended in compliance herewith.

3. Northern Trails, Inc., shall:

Operate a through service of not to exceed one round trip daily on each of the following routes:

(a) Between New York, New York, and Chicago, Illinois, via Breezewood, Pennsylvania;

(b) Between Emmitsburg, Maryland, and Chicago, Illinois, via Cleveland, Ohio;

(c) Between Emmitsburg, Maryland, and Chicago, Illinois, via Fort Wayne, Indiana.

4. The carriers shall not resume service that has heretofore been suspended on routes east of Chicago, Illinois, and Columbus, Ohio.

5. The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this Order, together with a copy of this Order; and forthwith shall apply to said Commission, and each such regulatory body for special permission for such tariffs or supplements, to become effective on one-day's notice.

This order shall become effective August 3, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 30th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7385; Filed, July 30, 1942; 12:06 p. m.]

United States Tariff Act of 1930, Paragraph	Description of article	Present rate of duty	Symbol
	Asafetida, natural and uncompounded, and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the usual method of deterioration	Free.	
1637	Bristles, crude, not sorted, bunched, or prepared	Free.	
1668	Turquoise, rough or uncut, and not advanced in condition or value from its natural state by cleaving, splitting, cutting, or other process, whether in its natural or uncut state, not set	Free.	
1699	Drugs, such as are not specially provided for, and not compounded and not edible, and not specially provided for, and are in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the usual method of deterioration or decomposition, not containing alcohol:		
	Quinine seed, nongerminating	Free.	
1670	Dyeing or tanning materials:		
	Saffron and madder, whether crude or advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment not containing alcohol	Free.	
1681	Furs and fur skins, not specially provided for, undressed:		
	Badger	Free.	B
	Fox (other than silver or black fox)	Free.	B
	Persian lamb and other than Persian lamb and caracul)	Free.	B
	Lamb and sheep (other than Persian lamb and caracul)	Free.	B
	Goat and kid	Free.	B
	Marten	Free.	B
	Wolf	Free.	B
	Jackal	Free.	B
1680	Gum and resin:		
	Tragacanth	Free.	
	Natural gums, natural gum resins, and natural resins, not specially provided for	Free.	
1688	Hair of goats, cleaned or unbleached, drawn or undrawn, but unmanufactured, not specially provided for	Free.	
1700	Iron ore containing iron oxide or iron hydroxide, and suitable for the manufacture of pigments	Free.	
1722	Henna leaves, crude or unmanufactured, not specially provided for	Free.	B
1733	Sausage casings, weasel, not specially provided for; and integuments, natural, of animals, not specially provided for; all the foregoing produced from sheep, lambs, and goats		B
1706	Spices and spice seeds:		
	(2) Curcumin	Free.	
1611	Works of art:		
	Rugs and carpets made prior to the year 1701	Free.	B

[F. R. Doc. 42-7386; Filed, July 30, 1942; 12:06 p. m.]

matters in these proceedings not hereby determined.

By the Commission (Chairman Purcell and Commissioners Pike, Burke, and O'Brien), Commissioner Healy being absent and not participating.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7349; Filed, July 30, 1942; 10:15 a. m.]

[File No. 70-569]

INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of July A. D. 1942.

The above-named person having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the declaration and payment by International Utilities Corporation, a registered holding company, out of capital or unearned surplus, of a regular quarterly dividend on August 1, 1942, on its $3.50 Prior Preferred Stock, at the rate of 87½¢ per share on the 95,967 shares of such stock presently outstanding, the aggregate amount of such payment being $86,596.13;

Said declaration having been filed on July 1, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The above-named person having requested that said declaration, as amended, become effective on or about July 23, 1942; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective, and being satisfied that the effective date of such declaration should be advanced;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7350; Filed, July 30, 1942; 10:15 a. m.]

[File No. 70-570]

AMERICAN GAS AND ELECTRIC COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of July A. D. 1942.

American Gas and Electric Company having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (b) thereof and Rule U-45 thereunder, proposing to make capital contributions of amounts owed it by certain subsidiaries as follows:

Atlantic City Electric Co	$2,500,000
Indiana General Service Co	500,000
Indiana & Michigan Electric Co	500,000

and proposing to make further capital contributions from time to time but prior to December 31, 1943 of all or such portion of the following amounts as may be needed by the subsidiary companies named:

Indiana General Service Co	$500,000
Indiana & Michigan Electric Co	1,500,000

Said declaration having been filed on July 1, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, no request having been received by the Commission for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon;

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration pursuant to Rule U-45 to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7351; Filed, July 30, 1942; 10:15 a. m.]

[File No. 70-584]

NORTH BOSTON LIGHTING PROPERTIES, ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of July, 1942.

In the matter of North Boston Lighting Properties, New England Power Association, Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company, and Suburban Gas and Electric Company.

Notice is hereby given that applications or declarations (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by North Boston Lighting Properties (hereinafter called Nobo), Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company and Suburban Gas and Electric Company, all subsidiaries of New England Power Association, a registered holding company, and by said New England Power Association; and

Notice is further given that any interested person may, not later than August 15, 1942 at 1:00 P. M., E. W. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such applications or declarations, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said applications or declarations, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Nobo proposes to refund its presently outstanding $13,000,000 of 3½% Secured Notes maturing October 1, 1947. This will be done by borrowing $13,000,000 from certain banks as follows:

The First National Bank of Boston	$6,000,000
The Chase National Bank of the City of New York	4,500,000
Chemical Bank & Trust Co	1,250,000
Guaranty Trust Co. of New York	1,250,000

The proceeds thereof together with certain other available funds of Nobo will be used to pay off said 3½% Secured Notes on or before October 1, 1942, at their redemption price of 101½.

Each of the loans from the above named banks will be evidenced by a single promissory note of Nobo bearing interest at the rate of 2½% per annum payable semi-annually and maturing October 1, 1947. All or any part of the principal of each of said notes may be paid at any time prior to maturity with a premium of 1%, except that no premium shall be payable if the payment is made in connection with, or as part of a general refinancing following a liquidation of Nobo or a simplication of the corporate structure of the holding company system of which Nobo is a part, effected pursuant to an order of, or to a plan approved by order of the Securities and Exchange Commission under the Public Utility Holding Company Act of 1935.

Payment of principal and interest on said notes will be secured by Nobo's pledging with the custodian (The First National Bank of Boston) all of its holdings of the capital stock of the following subsidiary companies: Beverly Gas and Electric Company, Eastern Massachusetts Electric Company, Gloucester Electric Company, Haverhill Electric Company, Malden Electric Company, Malden and Melrose Gas Light Company, Salem Electric Lighting Company, Salem Gas Light Company and Suburban Gas and Electric Company. In addition, Nobo will pledge with the custodian certain unsecured promissory notes to be issued to it by certain of its subsidiary companies as follows:

Beverly Gas & Electric	$700,000
Gloucester Electric Co	320,000
Haverhill Electric Co	1,089,375
Salem Gas Light Co	485,000
Suburban Gas & Electric Co	785,000

Each of said notes will mature ten months after date of issue and will bear interest at the rate of 3% per annum. They are to be issued to evidence the presently existing indebtedness of their respective issuers to Nobo, now represented by certain overdue 3% notes and open accounts payable.

It is estimated that the refunding will result in aggregate net savings to Nobo of approximately $433,400.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7352; Filed, July 30, 1942; 10:16 a. m.]

VOL 7

AUG

Reference

SEP 28 1942

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

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U. S. GOVERNMENT PRINTING OFFICE: 1942

AUG 3 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 151

Washington, Saturday, August 1, 1942

The President

EXECUTIVE ORDER 9207

EXTENDING THE LIMITS OF THE CUSTOMS PORT OF ENTRY OF SALEM, MASSACHUSETTS, IN CUSTOMS COLLECTION DISTRICT NUMBER 4 (MASSACHUSETTS)

By virtue of the authority vested in me by section 1 of the act of August 1, 1914, 38 Stat. 609, 623 (U.S.C., title 19, sec. 2), it is ordered that the limits of the customs port of entry of Salem, Massachusetts, in Customs Collection District Number 4 (Massachusetts), be, and they are hereby, extended to include the territory embracing the municipality of Peabody, Massachusetts.

This order shall become effective on the thirtieth day following the date hereof.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 29, 1942.

[F. R. Doc. 42-7386; Filed, July 30, 1942; 12:44 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Administration

PART 952—MILK IN THE SHREVEPORT, LOUISIANA, MARKETING AREA

SUSPENSION OF ORDER REGULATING THE HANDLING OF MILK

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 1940 ed. 601 *et seq.*), it is hereby determined that the order regulating the handling of milk in the Shreveport, Louisiana, marketing area, effective December 1, 1940,[1] obstructs and no longer tends to effectuate the declared policy of the said act; and the said order is hereby suspended, effective as of 12:01 a. m., c. w. t., August 1, 1942, until the further order of the Secretary of Agriculture.

This order of suspension shall not affect, waive, suspend, or terminate any right, duty, obligation, or liability which shall have arisen, or which may hereafter arise, in connection with any of the terms and provisions of the order regulating the handling of milk in the Shreveport, Louisiana, marketing area, provided such right, duty, obligation, or liability was incurred prior to the effective date of this suspension; nor shall this suspension release or waive any violation of the said order occurring prior to the effective date of this suspension.

Done at Washington, D. C., this 30th day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-7404; Filed, July 30, 1942; 4:22 p. m.]

[1] 5 F.R. 2808, 4701.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

MISCELLANEOUS AMENDMENTS

PART 71—ENLISTMENT IN THE REGULAR ARMY

Section 71.3 (a) (5) is hereby added as follows:

§ 71.3 *Age.* (a) * * *

(5) *Enlistment of applicants over 45 years of age.* Citizens of the United States who reached their forty-fifth birthday prior to February 16, 1942, and who at the time of application for enlistment have not attained their fiftieth birthday, will be accepted for enlistment and direct assignment to corps area

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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service command or War Department overhead units or installations, provided that they are otherwise qualified and vacancies exist in the units, or that the assignment of men in this category will release enlisted men fit for general military service. The enlistment of men in this age group will be restricted to individuals having character, skills, or aptitudes which make their enlistment desirable. Prior to acceptance, men enlisted under this authority will be cleared through their local selective service boards. (41 Stat. 765; 10 U. S. C. 42) [Par. 13*a* (5), AR 600–750, April 10, 1939, as added by Cir. 238, W.D., July 21, 1942]

* * * * *

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

Section 73.215 (b)[1] is hereby amended to read as follows:

§ 73.215 *Methods of separation.* * * *

(b) *Discharge and dismissal*—(1) *Discharge.* Except when ordered by the President under authority of the one hundred and eighteenth article of war, the discharge of officers, initially appointed in the Army of the United States, by reason of inefficiency or other unfitness (except physical unfitness) will be accomplished as provided in AR 605–230, but the procedure prescribed therein will not preclude trial by court martial when such action is indicated. Whenever a reduction in the strength of the Army as a whole becomes necessary, such officers will be honorably discharged, by procedure to be prescribed at that time.

(2) *Dismissal.* Except by order of the President under authority of the one hundred and eighteenth article of war, such officers will be dismissed from the service only by sentence of a general court martial.

(3) *Date of termination.* Except in case of dismissal pursuant to sentence of a general court martial, an officer on active duty will be returned to his home and relieved from active duty prior to the effective date of termination of commission. (55 Stat. 728; 10 U.S.C. Sup. 484) [Par. 25, AR 605–10, Dec. 10, 1941, as amended by Cir. 242, W.D., July 23, 1942]

PART 79—PRESCRIBED SERVICE UNIFORM

Section 79.15 (a) (2)[2] is hereby amended to read as follows:

§ 79.15 *Shirt*—(a) *Service.* * * *

(2) *General description.* Of adopted pattern. For officers and warrant officers only, on each shoulder a loop of same material as the shirt let into the sleeve head seam and reaching to the edge of the collar, buttoning at the upper end with a small regulation shirt button. Loops about 2 inches in width at lower end and 1½ inches in width at collar end, and cross-stitched down to shoulder for a distance of 2 inches from lower end. (R.S. 1296; 10 U.S.C. 1391) [Par. 15*a* (2), AR 600–35, Nov. 10, 1941, as amended by Cir. 245, W.D., July 25, 1942]

* * * * *

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42–7410; Filed, July 31, 1942; 9:45 a. m.]

[1] 6 F.R. 5661.

[2] 7 F.R. 14.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1158 Part II]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT No. 14

ORDER GRANTING RELIEF, ETC.

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of District Board No. 14 for establishment of price classifications and minimum prices for the coals of the Prairie Creek Coal Company No. 1 Mine (Mine Index No. 540) and for the coals of the New Blue Valley Coal Company, Blue Valley Mine (Mine Index No. 562), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on November 10, 1941, by District Board No. 14 pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. In its petition the District Board requested establishment of price classifications and minimum prices for all shipments except truck and for truck shipments for certain mines in District No. 14, among them the mines of the Prairie Creek Coal Company (Mine Index No. 540) and the Blue Valley Coal Company (Mine Index No. 562).

For the mines of the Prairie Creek Coal Company the District Board proposed classification "C", in Size Group 3 for rail shipments and a price of $3.85 per ton for truck shipments, and a classification of "O" in Size Group 18 with a price of $3.15 per ton for truck shipments.

In the case of the New Blue Valley Coal Company, the District Board proposed the following classification when for rail shipments: "J", in Size Group 4, "K", in Size Groups 6, 7, and 8, "B", in Size Groups 14, 15, and 16, and "Q", in Size Group 18. For truck shipment, the District Board proposed a price of $4.05 in Size Groups 4, 6, 7, and 8, $1.35 in Size Group 14, $1.15 in Size Group 15, $1.05 in Size Group 16, and $3.15 in Size Group 18.

On November 24, 1941, the Prairie Creek Coal Company filed a petition of intervention requesting that the price classifications and minimum prices proposed by the District Board, for Size Groups 3 and 18 coal produced by the Prairie Creek Coal Company at its No. 1 Mine be denied and in their place that the Division establish a classification of "E" in Size Group 3 for rail shipment with a price of $3.55 for truck shipment, and a classification of "Q" in Size Group 18 for rail shipment, with $2.70 per ton for truck shipment.

On November 27, 1941, the New Blue Valley Coal Company filed a petition of intervention requesting that the Division establish the following prices for coal produced at its Blue Valley Mine:

Size group	Rail shipments (shown in letter symbols)	Truck shipments
4	L	$3.85
6	N	3.85
7	N	3.85
8	N	3.85
14	B	1.35
15	B	1.15
16	B	1.05
18	O	3.15

On December 16, 1941, the Acting Director issued an Order separating from Docket No. A–1158[1] and designating as Docket A–1158 Part II that portion of the former docket relating to the establishment of price classifications and minimum prices for the coals produced by the Prairie Creek Coal Company (Mine Index No. 540) and the New Blue Valley Coal Company, (Mine Index No. 562). Temporary price classifications and minimum prices were established for these mines by the Order of the Acting Director, dated December 16, 1941.

Pursuant to appropriate orders of the Acting Director and after due notice to interested persons, a hearing was held before Scott A. Dahlquist, a duly designated examiner of the Division, at a hearing room thereof, at Fort Smith, Arkansas. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The petitioner, District Board 14, and the intervenors, Prairie Creek Coal Company and New Blue Valley Coal Company appeared. Preparation and filing of a report by the examiner were waived, and the record was thereupon submitted to the undersigned.

At the hearing a witness for the District Board testified that after the petitions of intervention were filed in this case, the Board conducted an investigation to determine whether or not the prices proposed for these mines, as compared with prices previously established for coals of other mines, properly reflected the value of all coal produced within District No. 14. As a result of such investigation it was stated that the District Board was of the opinion that the prices of coals produced by certain mines comparable to those produced by Prairie Creek Coal Company and New Blue Valley Coal Company should be increased and that a petition to that effect would be filed by the District Board in the immediate future.

As a result of this decision by the District Board, both the New Blue Valley Coal Company and the Prairie Creek Coal Company expressed themselves as satisfied with the prices proposed for them by the District Board and withdrew their petitions of intervention in which they had requested the establishment of other prices for their coals.

In its original petition the District Board had, at the request of the Prairie Creek Coal Company, proposed that the Division establish Excelsior, Arkansas, and Midland, Arkansas, as loading points for coals of that producer. In his Order dated December 16, 1941, the Acting Director called attention to the fact that in order to load at Excelsior the coal from the Prairie Creek Coal Company would have to be moved through or around Midland, and since no reason for such an arrangement had been shown, the classifications and minimum price for such coals, for rail shipment, are applicable only to loadings at Midland, Arkansas. At the hearing the testimony showed that Midland is on the St. Louis-San Francisco Railway Co. and Excelsior is on the Midland Valley Railroad. Midland is also on the Midland Valley Railroad. It appears that the reason for requesting the loading point at Midland is in order to take advantage of a train load rate of $2.00 per ton on coal to St. Louis. It further appears that the loading point at Excelsior would be used by the producer on shipments to points other than St. Louis, for which the loading point at Excelsior might be more advantageous in reaching other markets. However, at the present time the producer appears to be shipping most of its coal into the St. Louis market. No objection was made by the Prairie Creek Coal Company either to the District Board or to the Division because of the failure to obtain the two loading points, and as a matter of fact, in its petition of intervention, producer definitely stated that its loading point was Midland, Arkansas.

In the case of the New Blue Valley Coal Company, the District Board in proposing prices requested the establishment of loading points at both Hartman and Coal Hill, Arkansas. In its Order of December 16, 1941, the Division pointed out that Coal Hill is not on any railroad and accordingly established a loading point for the New Blue Valley Coal Company at Hartman, Arkansas only. At the hearing, the witness for the District Board testied that the establishment of Hartman as a single loading point was correct and agreeable to the producer.

On June 9, 1942, the District Board filed its petition proposing increases in prices and changes in price classification for certain mines. No hearing on this petition has as yet been held, however, and it therefore devolves upon the undersigned to grant relief in the premises without regard to the fact that intervenors have withdrawn their petitions, inasmuch as said petitions were withdrawn upon the representation that such a petition would be filed by the District Board in sufficient time to be considered in disposing of this matter. It would appear inequitable to withhold relief until that petition can be disposed of by appropriate hearing. In the event the relief requested by this later petition is granted, appropriate adjustments in the prices of the mines here involved can, if necessary, then be made.

It appears from the record that the coals of the New Blue Valley Coal Company are comparable and compete with those not only of the Acme Coal Company (Mine Index No. 148), but also those of the Liberty Coal Company (Mine Index No. 66), and the Kelly Coal Company, (Mine Index No. 528). The Acme Coal Company, however, uses a different method of mining, known as the solid shot system, while the New Blue Valley Coal Company, the Liberty Coal Company and the Kelly Coal Company all machine mine their coal. It appears appropriate, therefore, to establish prices and classifications for the coals of the New Blue Valley Coal Company, which are in line with those of the mines using the same method of operation. The prices proposed by the District Board and temporarily established by the Order dated December 16, 1941, for the New Blue Valley Coal Company are similar to those of mines using the same method of operation and should be established permanently.

In the case of the Prairie Creek Coal Company, the intervenor states that the coals of its mine are more nearly comparable to those of the Bull Moose Coal Company (Mine Index No. 158), A. M. Hobbs Coal Company (Mine Index No. 205), Bonanza Smokeless Coal Company (Mine Index No. 547), and Vandermillion Coal Company (Mine Index No. 341).

[1] As to the mines not severed, temporary and conditionally final minimum prices were established.

porarily established by the Order dated December 16, 1941, for the Prairie Creek Coal Company are in line with prices and classifications of other mines in the district and should be established permanently.

I can find no evidence in the record which supports a need for dual loading points at this time on the part of the Prairie Creek Coal Company nor have they signified any objection to the Order of December 16, 1941, in which this request was denied. In the case of the New Blue Valley Coal Company, the request for dual loading points has in effect been withdrawn.

For the foregoing reasons and based upon the findings of fact set forth above, I conclude that the price classifications and minimum prices proposed by the District Board and temporarily established by the Order of the Division dated December 16, 1941, for the New Blue Valley Coal Company (Mine Index No. 562), and the Prairie Creek Coal Company (Mine Index No. 540), are proper and will effectuate the purposes of sections 4 II (a) and 4 II (b) of the Act and will comply with all the standards thereof.

Now, therefore, it is ordered, That § 334.5 *(Alphabetical list of code members)* is amended by adding thereto Supplement R and § 334.24 *(General prices for shipment into all market areas)* is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.[1]

Dated: July 23, 1942.

DAN H. WHEELER,
Acting Director.

[SEAL]

[1] These prices, of course, are subject to the temporary increases established in Docket No. A-1360, effective May 13, 1942.

At the hearing the District Board withdrew this request. However, on May 27, 1942, the District Board filed a petition requesting the amendment of Price Exception No. 5 to read as follows:

While no analyses were filed to support this claim, there is some indication in the record to support the position that stained coal from this mine should be priced the same as Size Group 3 coal produced by these mines. However, the record indicates that the lower portion of the seam, which is approximately three feet in thickness, is of a very firm structure, and comparable to coals priced at $4.15 per ton. Further, the witness for the District Board stated that in its proposed petition it would request an increase for Mine Index Nos. 158, 205 and 517 in this size group from $3.55 to $3.70. In its original petition the District Board requested that a permissible reduction of 15 cents on account of stained coal be granted the Prairie Creek Coal Company.

Prices listed herein for all code members in all production groups may be reduced a maximum of 15 cents per net ton for stained off-grade coal, in Size Groups 1 through 8, inclusive, and Size Group 18: *Provided*, That the District Board, with the approval of the Bituminous Coal Division, upon petition of the producer, or upon its own motion, determines that such coal is stained off-grade coal. All orders, acknowledgments, and invoices shall contain a complete description of such stained off-grade coal.

The Order granting temporary relief and conditionally providing for final relief was issued on July 10, 1942 in Docket No. A-1479.

It appears, therefore, that the prices proposed by the District Board and temporarily established by the Order of the Division dated December 16, 1941, are proper and will effectuate the purposes of sections 4 II (a) and 4 II (b) of the Act and will comply with all the standards thereof.

Now, therefore, it is ordered, That § 334.5 *(Alphabetical list of code members)* is amended by adding thereto Supplement R and § 334.24 *(General prices for shipment into all market areas)* is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.[1]

Dated: July 23, 1942.

DAN H. WHEELER,
Acting Director.

[SEAL]

[1] The District Board has since filed its petition, Docket No. A-1498, proposing increases on approximately 100 mines, on which a hearing has been scheduled for August 10.

[1] These prices, of course, are subject to the temporary increases established in Docket No. A-1360, effective May 13, 1942.

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Mine index No.	Code member	Mine name	Production group No.	Shipping point	Railroad	County	Price classification by size group												
							Freight origin group No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
562	New Blue Valley Coal Co., The (Marshall Whitecotton).	Blue Valley	2	Hartman, Ark.	MP	Johnson, Arkansas	33				J	K	K	K							B	B	B	O		
540	Prairie Creek Coal Co. (Arthur L. Raine)	No. 1	5	Midland, Ark.	SL-SF&MV	Sebastian, Arkansas	18			C											B			O		

§ 334.24 *General prices for shipment into all market areas*—Supplement T

DISTRICT NO. 14 (TRUCK SHIPMENTS)

Mine index No.	Code member	Mine name	Product group No.	County	Prices and size group Nos.														
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
562	New Blue Valley Coal Co., The (Marshall Whitecotton).	Blue Valley	2	Johnson, Arkansas														135	115	105		315		
540	Prairie Creek Coal Co. (Arthur L. Raine)	No. 1	5	Sebastian, Arkansas				385			405	405						135				315		

NOTE: The above classifications and prices are subject to the order granting Temporary Relief in Docket No. A-1360, 7 F.R. 3130.

[F. R. Doc. 42-7368; Filed, July 30, 1942; 11:12 a. m.]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

[Docket No. A-1324]

ORDER MAKING RELIEF PERMANENT

Findings of fact, conclusions of law, memorandum opinion, and order in the matter of the petition of Bituminous Coal Producers Board for District No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division (the "Division") on February 17, 1942, by District Board 3, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act"), requesting the establishment for all shipments except truck of the price classification "F" for a mixture of the coals of the Emily Mine (Mine Index No. 54) and the Emily #2 Mine (Mine Index No. 1241) of the Monongahela Rail and River Coal Corporation ("Monongahela").

On March 7, 1942, 7 F.R. 2147, the Acting Director issued an order consolidating the above-entitled matter with Docket No. A-1327 and granting temporary and conditionally final relief by appending to the District No. 3 schedule for all shipments except truck a note reading:

If coals from Mine Index 54 and 1241 are loaded into the same car, the minimum price that shall apply to the mixture shall be the price which is listed for the coal in the mixture which has the highest price classification. (Classification "F" in Size Groups 1 to 10, inclusive).

On April 21, 1942, the Bituminous Coal Consumers' Counsel ("Consumers' Counsel") filed an answer[1] opposing the temporary and conditionally final relief on the ground that the price classifications and minimum prices temporarily established for such mixture were predicated solely upon the allegation that the producer asked for the establishment for the mixture of the same classification as that of the coal in the mixture having the highest price classification, and on the further grounds that such price classifications and minimum prices for the mixture do not give due consideration to the interests of the consuming public and do not reflect the quality and the relative market value of the coal. The answer prayed for the termination of the temporary and conditionally final relief or its modification so that the applicable minimum prices be determined in accordance with the proportions of the different coals going into the mixture, for a severance of this Docket from Docket No. A-1327, and for a public hearing to be held.

By Order dated May 23, 1942, 7 F.R. 3947, Docket No. A-1324 was severed from Docket No. A-1327, and the temporary relief granted in the Order of March 7, 1942, as to Mine Index Nos. 54 and 1241 was continued in effect until otherwise ordered.

Pursuant to order of the Acting Director, a hearing in this matter was held on June 25, 1942, before Examiner Charles S. Mitchell, at a hearing room of the Division in Washington, D. C. All interested persons were afforded an opportunity to be present and participate fully in the hearing. Petitioner and Consumers' Counsel appeared. Daniel P. Buckley, Chairman of District Board 3, was the only witness.

The openings of Mine Index Nos. 54 and 1241 are approximately 400 yards apart. Both mines are in Freight Origin Group No. 52 and have Maidsville, West Virginia, as their shipping point over the Monongahela Railway. Both mines are served by the same tipple, which is located closer to Mine Index No. 54. On trips to the tipple over a tramroad, cars from both mines are run at the same time, the tonnage from each mine being too small to justify the coals of Mine Index No. 54 and of Mine Index No. 1241 being picked up separately. To construct a separate tipple for each mine would be impractical, not only because of the small tonnage involved, but also because Mine Index No. 1241 produces coal from the Redstone Seam, which is 30 feet higher than the Pittsburgh Seam from which Mine Index No. 54 produces. It was testified that if a tipple were to be erected at Mine Index No. 1241 it would be necessary to float the cars down as the mine is on the side of a hill; this is said to be impractical. The petition averred that it would be difficult to operate the tipple without in some degree mixing the coals from the two mines prepared there. The uncontroverted evidence was to the effect that it would be impossible to prepare the coals of the two mines from the same tipple without mixing them, and that Mine Index No. 1241 would be forced to shut down if the privilege of mixing were denied.

The coals of Mine Index No. 54 are classified "F" and those of Mine Index No. 1241 are classified "J" (15 cents less per ton) in Size Groups 1 to 10, inclusive, which are the only Size Groups in which these coals are classified. The coals of both mines are priced identically for truck shipments, except that those of Mine Index No. 54 are priced 10 cents higher in Size Group No. 5 (run of mine).

The coals of these two mines are sold in normal times principally for railroad locomotive fuel use, but substantial amounts are also sold for cement burning purposes. Under present conditions some sales are made to war industries, but few sales are ever made for domestic use.

The coals produced at Mine Index Nos. 54 and 1241 are similar in character to those of the majority of the Pittsburgh Seam (except the low-sulphur coals) and the Redstone Seam coals, respectively.

The physical characteristics of the coals of these two mines are about the same except that Mine Index No. 1241 coals have a slight stain, giving them a reddish color in the domestic sizes and in mine run, which is not noticeable in the screenings. This discoloration in the mine run is not objectionable when the coal is used for railroad locomotive fuel. The analyses of the coals of the two mines indicate that the mixture of the coals of the two mines contains less ash than the coals of Mine Index No. 1241 and that the ash fusion temperature is decreased below that of those coals. The sulphur content of the mixture is lower than that of Mine Index No. 54, and, it was testified, would be preferable to some customers. The average percentage run over the tipple is 75 percent of Mine Index No. 54 coals and 25 percent of Mine Index No. 1241 coals. Evidence was presented that, if the ratio of coals from these two mines in the mixture were changed to 50 percent each, giving the lower price of Mine Index No. 1241 coals to the mixture would result in an advantage to Monongahela over its competitors, especially in a normal market. No opposition to the requested relief was raised by operators in District No. 3 or other districts.

Accordingly, I find that a mixture of coals produced at Mine Index Nos. 54 and 1241 is proper, in view of the method of preparation of the coals at the same tipple. I further find that such mixture should take the minimum price of the higher-priced coal in the mixture, in view of the physical and analytical characteristics of the coals, their markets, and their uses, and in order to maintain the proper coordination of the prices of these mixed coals and the prices of competing coals, and to effectuate the purposes of sections 4 II (a) and 4 II (b) of the Act and to comply in all respects with the standards thereof.

Now, therefore, it is ordered, That the temporary relief continued in effect by the Order of May 23, 1942, severing this Docket from Docket No. A-1327, be and it hereby is made permanent, so that § 323.6 *(Alphabetical list of code members)* in the Schedule of Effective Minimum Prices for District No. 3 for All Shipments Except Truck be and it hereby is supplemented by including therein a note reading as follows:

If coals from Mine Index Nos. 54 and 1241 are loaded into the same car, the minimum price that shall apply to the mixture shall be the price which is listed for the coal in the mixture which has the highest price classification. (Classification "F" in Size Groups 1 to 10, inclusive.)

Dated: July 30, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7422; Filed, July 31, 1942; 11:52 a. m.]

[1] On June 19, 1942, the Consumers' Counsel had filed a notice of appearance.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 45]

SHENANDOAH NATIONAL PARK PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby

designate the Shenandoah National Park Project to be work of national importance, to be known as Civilian Public Service Camp No. 45. Said camp, located near Luray, Page County, Virginia, will be the base of operations for park and forestry work in the Shenandoah National Park, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 45 will consist of construction, improvement and maintenance of park and recreational facilities, including roads, trails, utilities and park structures, the restoration, conservation and protection of natural resources by reforestation, erosion control, fire suppression and presuppression, grading, sloping banks, planting, seeding, sodding, and completing the construction of an underground telephone system, and shall be under the technical direction of the National Park Service of the Department of the Interior insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JULY 27, 1942.

[F. R. Doc. 42–7387; Filed, July 30, 1942; 2:40 p. m.]

[No. 46]

BIG FLATS PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Big Flats Project to be work of national importance, to be known as Civilian Public Service Camp No. 46. Said camp, located at Big Flats, Chemung County, New York, will be the base of operations for soil conservation work in the State of New York, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 46 will consist of the provision of labor for a nursery, the provision of planting material for erosion control and reclamation of idle land for Federal and State agencies and Soil Conservation Districts, the maintenance of a fire fighting unit for the protection of a forest area, and shall be under the technical direction of the Soil Conservation Service of the Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JULY 27, 1942.

[F. R. Doc. 42–7388; Filed, July 30, 1942; 2:40 p. m.]

[No. 98]

ORDER TO REPORT FOR INDUCTION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 150, entitled "Order to Report for Induction," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The existing DSS Forms 150 now on hand and other forms corrected by overprinting will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 1, 1942.

[F. R. Doc. 42–7389; Filed, July 30, 1942; 2:40 p. m.]

[No. 99]

DELIVERY LIST

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 156, entitled "Order for Transferred Man to Report for Induction," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The existing DSS Forms 156 now on hand and other forms corrected by overprinting will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 1, 1942.

[F. R. Doc. 42–7421; Filed, July 31, 1942; 11:41 a. m.]

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[1] Filed as part of the original document.

[No. 100]

ORDER FOR TRANSFERRED MAN TO REPORT FOR INDUCTION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 151 "Delivery List," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of original DSS Form 151 on hand will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

APRIL 13, 1942.

[F. R. Doc. 42–7420; Filed, July 31, 1942; 11:41 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment XVII]

PART 802—GENERAL LICENSES

PERSONAL BAGGAGE

Section 802.11 *Personal baggage*[2] is hereby amended to read as follows:

§ 802.11 *Personal baggage.* (a) General licenses are hereby issued, subject to the restrictions contained in paragraphs (c) and (d) hereof, permitting exportation to all destinations of the following classes of articles when shipped in a passenger's baggage solely for his own or his immediate family's use and for non-commercial purposes:

[2] 7 F.R. 5006.

(1) Household articles, including furniture, refrigerators, radios, decorations and other household furnishings.

(2) Personal effects, including clothing, books, toilet articles, souvenirs, articles of personal adornment and similar articles.

(3) Professional instruments and tools of trade, including typewriters, which have been used by the passenger in his occupation, profession or employment.

(4) Passenger automobiles when the personal property of persons departing from this country and not being exported for purposes of re-sale. The passenger must file with the Collector of Customs an affidavit certifying that the exportation is not for re-sale.

(b) General licenses are hereby issued, subject to the restrictions contained in paragraphs (c) and (d) hereof, permitting exportation to all destinations of personal effects, including clothing, books, toilet articles, souvenirs, articles of personal adornment, and similar articles, when shipped in the baggage of a member of a crew of a vessel solely for his own or his immediate family's use and for non-commercial purposes.

(c) Passengers or crew members of vessels operating under the control of countries other than those designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a) may not export radios, radio parts or food stuffs under these general licenses.

(d) Photographic film may be exported under general license only in accordance with the provisions of § 802.12. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

Dated: July 24, 1942.

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42–7412; Filed, July 31, 1942; 11:03 a. m.]

[Amendment XVIII]

PART 804—INDIVIDUAL LICENSES

CERTIFICATES OF NECESSITY

Section 804.8 *Certificates of necessity*[1] is hereby amended by adding the following new paragraph:

(e) When a shipment of allocated materials has been lost at sea, the exporter may submit a new application covering such materials, in accordance with the following procedure:

(1) A complete new application must be filed, together with a reference to the number of the license under which the original shipment was made, and a certification that the application is filed to replace allocated materials lost at sea.

(2) The requirements of paragraph (b) of this section are not applicable to such an application. (Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: July 27, 1942.

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42–7413; Filed, July 31, 1942; 11:03 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–69]

NORTHUMBERLAND CORPORATION OF NEW YORK

Northumberland Corporation of New York, New York, is a former silk converter. It owns the Wyoming Textile Company, Wilkes-Barre, Pennsylvania, a former silk weaver. After restrictions were placed on the use of silk, the Northumberland Corporation applied for and received allocations of reserved rayon yarn pursuant to the provisions of Supplementary Order M–37–a.[1] The company knew that Supplementary Order M–37–a prohibited the unauthorized delivery of reserved rayon yarn. Nevertheless, during the months of January, February, and March, 1942, the company, without authorization delivered to various companies for commission knitting reserved rayon yarn which had been allocated to it for weaving by Wyoming Textile Company. During April, 1942, the company violated Supplementary Order M–37–c[2] by making similar deliveries of reserved rayon yarn without authorization. Deliveries in violation of Supplementary Orders M–37–a and M–37–c amounted to a total of 23,523 pounds.

These violations of Supplementary Orders M–37–a and M–37–c, dealing with the supply and distribution of rayon yarn, have impeded and hampered the war effort of the United States by diverting reserved rayon yarn to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.69 *Suspension Order No. 69.* (a) Deliveries of material to Northumberland Corporation, or Wyoming Textile Company, its wholly owned subsidiary, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director-General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Northumberland Corporation, or Wyoming Textile Company, its wholly owned subsidiary, their successors and assigns, of any material the supply or distribution of which is governed by any order of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Northumberland Corporation, or Wyoming Textile Company, its wholly owned subsidiary, their successors and assigns, shall not order or accept the delivery of reserved rayon yarn, as the same is defined in Supplementary Order M–37–c, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this Order shall be deemed to relieve Northumberland Corporation, or Wyoming Textile Company, its wholly owned subsidiary, their successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations, or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(e) This Order shall take effect on August 1, 1942, and shall expire on November 1, 1942, at which time the restrictions contained in this Order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7391; Filed, July 30, 1942; 2:53 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–70]

ALUMINUM PRODUCTS COMPANY

Aluminum Products Company, LaGrange, Illinois, is a manufacturer of aluminum kitchen utensils and various aluminum specialties. In connection with such manufacture, the company maintains a rolling mill and fabricating division. During the period of June 1 to December 31, 1941, the company, in wilful disregard of General Preference Order M–1[1] and Supplementary Order M–1–a[2] delivered aluminum to its fabricating division for use in the manufacture of aluminum utensils and various specialties, despite the fact that no authorization therefor had been obtained from the Director of Industry Operations. From June 1, 1941, through April 9, 1942, the company manufactured such articles, having a total value in excess of $265,000. During October 1941, the company delivered aluminum and manufactured therefrom milking machine pails of a total value of approximately $26,000 despite the fact that it had requested authorization for such delivery and manufacture and authorization had been

[1] 7 F.R. 5012, 5519.

[2] 6 F.R. 4945, 5730, 6358; 7 F.R. 1023.

[1] 7 F.R. 1719, 3660.

[1] 6 F.R. 1598, 2521; 7 F.R. 27, 655.

[2] 6 F.R. 1599, 2521; 7 F.R. 27, 655.

specifically denied. Furthermore, in using aluminum in the manufacture of such articles as pots and vacuum cleaners after January 23, 1942, the company wilfully violated Supplementary Order M–1–e [2] which prohibits the use of aluminum in the manufacture of all but certain specified essential items.

These violations of General Preference Order M–1 and Supplementary Orders M–1–a and M–1–e have impeded and hampered the war effort of the United States by diverting aluminum to uses unauthorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.70 *Suspension Order No. 70.* (a) Aluminum Products Company, its successors and assigns, shall accept no deliveries from any source of primary aluminum, secondary aluminum, aluminum scrap, or alloys of which aluminum constitutes the major part for a period of six months from the effective date of this Order, except as specifically authorized by the Director General for Operations.

(b) Aluminum Products Company, its sucessors and assigns, shall not process, fabricate, assemble or in any way use any primary aluminum, secondary aluminum, aluminum scrap, or alloys of which aluminum constitutes the major part for a period of six months from the effective date of this Order, except as specifically authorized by the Director General for Operations.

(c) Aluminum Products Company, its successors and assigns, shall not transfer or deliver any articles, heretofore produced by it which contain aluminum, except as specifically authorized by the Director General for Operations: *Provided, however,* That it may deliver or transfer any such articles for the purpose of storing the same for its own account.

(d) Nothing contained in this Order shall be deemed to relieve Aluminum Products Company, its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Direction of Industry Operations, or the Director General for Operations, except insofar as the same may be inconsistent herewith.

(e) This Order shall take effect on August 1, 1942, and shall remain in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7390; Filed, July 30, 1942; 2:53 p. m.]

[2] 7 F.R. 539.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M–15–f]

ORDER RESTRICTING THE USE OF RUBBER CEMENTS AND ADHESIVES

Whereas the fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.8 *Supplementary Order M–15–f*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber cement" means any type of cement, adhesive or coating made in whole or in part of crude rubber, latex, reclaimed rubber or scrap rubber.

(b) *Restriction on the use of rubber cement.* Except as otherwise permitted by general or special authorization of the Director General for Operations, no person who for compensation or profit engages in manufacturing, repairing, combining, laminating, coating, impregnating or otherwise treating any luggage, handbags, belts for wearing apparel, pocketbooks, wallets, key rings or cases, hats or other millinery, cosmetic appliances, cosmetic bags, tobacco pouches, furs or embroidered or other materials for emblems, pennants, chevrons, appliques or other similar decorative material, or in laminating, combining or treating any fabrics or materials, or in manufacturing shoes, shall use any rubber cement in manufacturing, repairing, combining, laminating, coating, impregnating or treating any such products or materials; except that rubber cement may be used (i) in the following operations only in the manufacture or repair of shoes: Cutting and fitting room operations, bed and side lasting, folding, gem duck, heel breasting, insole rib and lip, moccasin seam, prewelt, platform attaching (but only if no equipment for the use of another method is available), rand, soft box toe, sole attaching, semi-automatic toe lasting (but only if no equipment for the use of another method is available), unishank, leather welting, channelling McKay shoes and Littleway sewed shoes (but no others), and shoe repair, and (ii) in the manufacture, application or repair of any products for the manufacture of which crude rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of § 940.3 (Supplementary Order No. M–15–b),[1] as amended from time to time.

(c) *Restriction on the purchase and sale of rubber cement.* No person shall purchase rubber cement for the purpose of using such rubber cement for any of the purposes for which rubber cement may not be used under the provisions of paragraph (b) hereof; nor shall any person sell, trade, transfer or deliver, or offer to sell, trade, transfer or deliver, any rubber cement to any other person if he knows or has reason to believe such other person intends or proposes to use such rubber cement for any of the purposes prohibited by paragraph (b) hereof.

(d) *Exceptions as to supplies on hand.* Notwithstanding the restrictions imposed by paragraph (b) of this order, any person who on the date of issuance of this order had in his possession any rubber cement which he purchased or was holding for his own use for any of the purposes prohibited by paragraph (b) may use in operations prohibited by paragraph (b) hereof an amount of rubber cement not exceeding five gallons.

(e) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales of rubber cement and the uses to which such persons put rubber cement now owned or hereafter acquired by them.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(4) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(5) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(6) *Appeals.* Any person affected by this order who considers that compliance with this order would work an exceptional and unreasonable hardship upon him or that it would result in a problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(7) *Communications.* All communications concerning this order shall be addressed to: Rubber and Rubber Products Branch, War Production Board, Washington, D. C., Ref.: Supplementary Order M–15–f. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7417; Filed, July 31, 1942; 11:06 a. m.]

[1] 6 F.R. 6406, 6644, 6792; 7 F.R. 511, 1106, 1634, 2229, 2459, 2782, 3080, 4614, 5747, 5748.

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Amendment 5 to Limitation Order L–30]

Paragraph (b) of § 1052.1 (General Limitation Order L–30 [1]) is hereby amended by adding at the end thereof a new paragraph (b) (9) as follows:

(9) During the period from August 1 to August 15, 1942, inclusive, no manufacturer shall use:

(i) More iron and steel in his total production of:

(a) Group I Products than one-half of 90% of his average monthly use of scarce materials in the production of such products in the base period, or

(b) Group II Products than one-half of 70% of his average monthly use of scarce materials in the production of such products in the base period.

except that a manufacturer may use in the production of Group I Products any part of his quota of iron and steel for Group II Products, provided that he reduces his quota of iron and steel for Group II Products by an equivalent amount; or

(ii) more zinc in his total production of Group II Products than one-half of 50% of his average monthly use of zinc in the production of such products during the base period. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7414; Filed, July 31, 1942; 11:06 a. m.]

[1] 7 F.R. 2463, 2785, 3473, 4450, 5045.

PART 1123—SHELLAC

[Conservation Order M–106 as amended July 31, 1942]

Section 1123.1 *Conservation Order M–106* is hereby amended to read as follows:

§ 1123.1 *Conservation Order M–106* [1]—(a) *Definition.* For the purpose of this order, "shellac" means lac of all grades produced from the secretions of tachardia lacca, but not including lac which has been bleached, cut or incorporated in protective or technical coatings, or seedlac in any state.

(b) *Restriction on use, processing and delivery of shellac.* No person shall use, process, deliver or accept delivery of shellac except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (c) hereof: *Provided, however,* That such authorization shall not be required with respect to:

(1) The use or processing for testing purposes by any person in any one calendar month of 20 lbs. or less of shellac; or the delivery of samples of shellac of not more than 20 lbs. each by any person to any other person and the use of such samples of shellac by the deliveree for testing purposes, provided that no person during any one calendar month shall accept delivery of more than 20 lbs. of shellac for testing purposes, or deliver more than 50 lbs. of shellac for testing purposes.

(2) Delivery of shellac by, or the use or processing of shellac by, the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration.

(3) Delivery of shellac by any person to Defense Supplies Corporation, Commodity Credit Corporation, or any other Government agency which may from time to time be specified by the Director General for Operations.

(4) The importation of shellac into the United States or its territorial possessions, the acceptance of delivery of such shellac by the consignee thereof and the delivery by such consignee to any person who purchased or contracted to purchase such shellac prior to its importation: *Provided,* That nothing contained in this paragraph (b) (4) shall limit the requirements of General Imports Order M–63,[2] as now or hereafter amended.

(5) Delivery to an established shellac dealer or importer by any person of shellac held by such person on July 31, 1942, where the aggregate amount of shellac held by such person on such date is less than ten thousand (10,000) lbs.

(6) The use or processing of shellac by any person during July and August, 1942 in the manufacture of the following products, or the delivery to and the acceptance of delivery by any person of shellac required by such person for the manufacture during July and August, 1942 of the following products:

(i) Electrical equipment, where shellac is required for its dielectric properties.

(ii) Coatings for munitions, where such coating is necessary for military effectiveness.

(iii) Military explosives and pyrotechnics.

(iv) Navigational, aeronautical and scientific instruments.

(v) Communication instruments.

(vi) Cement for juncture of glass with base stock of electric light or radio bulbs or tubes.

(vii) Grinding wheels, emery cloth or emery paper.

(viii) Coatings for wood patterns for metal castings.

(ix) Health supplies as defined by General Preference Order No. P–29, as amended September 30, 1941.

(x) Pharmaceutical and medicinal supplies and dental plates, where such products require shellac as a coating or as an ingredient.

(xi) Matrices for grinding and polishing optical glass.

(xii) Tanning agents for leather where such leather is tanned pursuant to a specific contract or sub-contract for the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration, or for any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(xiii) Marine paint.

(c) *Application for authorization.* (1) Application for authorization with respect to the use, processing or delivery of shellac shall be filed with the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–106, on Form PD–617 in the manner prescribed therein. Such application shall be made by the person seeking to use, process or accept delivery of shellac, except in the case of a person seeking to have shellac processed by his supplier before delivery to him, in which case such person rather than his supplier shall file application on Form PD–617.

(2) Each person accepting delivery of shellac as defined in paragraph (a) hereof or of bleached or cut shellac, pursuant to authorization upon application as provided in paragraph (c) (1) hereof, shall use or process such shellac in accordance with his representations in his application for authorization.

(d) *Reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each person who shall accept delivery of shellac pursuant to paragraph (b) (5) or (6) hereof, shall, within twenty-four hours after such delivery, report by letter addressed to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–106, the amount and grade of shellac delivered,

[1] 7 F.R. 2817.

[2] 7 F.R. 4199, 4404, 4878, 5638.

and the names of the persons making and accepting such delivery;

(2) Within forty-five days after the calendar quarter ending June 30, 1942, and within twenty days after the end of each calendar quarter thereafter, each person having on the last day of any such calendar quarter five thousand (5,000) lbs. or more of shellac and seedlac shall report the amount of each grade of such shellac and seedlac and its location by letter addressed to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–106.

(e) *Notification of customers.* Shellac importers, processors and dealers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to receive such notice shall not excuse any such person from complying with the terms hereof.

(f) *Records.* Each person who on and after April 14, 1942, shall use or participate in any transaction with respect to shellac as defined in paragraph (a) hereof, or who shall purchase or accept delivery of bleached or cut shellac from the bleacher or cutter thereof, shall keep and preserve for a period of not less than two years accurate and complete records of all such transactions and of his use and inventory of shellac as defined in paragraph (a) hereof.

(g) *Revocation of special authorizations.* All special authorizations granted prior to June 24, 1942, on appeals from this order are hereby revoked, and all those authorizations granted on and after June 24, 1942, are continued in effect until further notice.

(h) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of shellac shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–106. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F. R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7418; Filed, July 31, 1942; 11:07 a. m.]

PART 1171—ELEVATORS

[Amendment 1 to General Conservation Order L–89]

Paragraph (a) (2) of § 1171.1 *General Conservation Order L–89* [1] is amended to read as follows:

(2) "Elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction (except hydraulic, electro-hydraulic and hand elevators, or elevators to be used aboard ship). (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of July 1942.

AMORY HOUGHTON,
Director General for Operations

[F. R. Doc. 42–7415; Filed, July 31, 1942; 11:06 a. m.]

PART 1278—DOMESTIC WATTHOUR METERS

[General Limitation Order L–151]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials, used in the production of domestic watthour meters, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1278.1 *General Limitation Order L–151*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Domestic watthour meter" means any device designed and manufactured for the purpose of measuring the consumption of electrical power with respect to time, and includes single phase, two and three wire types, with capacities up to 25 amperes and voltages up to 240 volts, for use on alternating current of any frequency. The term does not include electric power meters for use on direct current or on polyphase circuits, maximum demand meters, or integrating meters, calibrated in terms other than electric power (i. e. meters integrating weight, pressure, etc.)

[1] 7 F.R. 5272.

(3) "Manufacture" means the production, fabrication or assembly of any domestic watthour meters.

(b) *Prohibition of production.* On and after September 26, 1942, regardless of the terms of any order, contract of sale, or purchase, or other commitment, or of any preference rating certificate, or blanket preference rating order, no person shall manufacture any domestic watthour meters or accept delivery of any raw material, semi-fabricated or fabricated parts for incorporation into any domestic watthour meters.

(c) *Restrictions on production until the date of prohibition.* During the period beginning on the date of issuance of this order and ending September 25, 1942, no person shall manufacture a number of domestic watthour meters in excess of 2½ percent of the aggregate number of domestic watthour meters manufactured by such person during the calendar year 1941.

(d) *Restrictions on delivery.* (1) Regardless of the terms of any order, contract of sale or purchase, or other commitment, or of any preference rating certificate, or blanket preference rating order, no person shall deliver, and no person shall accept delivery of any domestic watthour meters except:

(i) Pursuant to an order for domestic watthour meters by and for the use of the Army, Navy, Maritime Commission, or War Shipping Administration;

(ii) Pursuant to an order bearing a preference rating assigned by Preference Rating Order P–46, as amended;

(iii) Pursuant to an order accompanied by a specific authorization of the Director General for Operations as provided in paragraph (d) (2);

Provided, however, That the provisions of this paragraph (d) (1) shall not apply to domestic watthour meters in the hands of a common or contract carrier, on the date of issuance of this order, for delivery to a purchaser.

(2) Application for the authorization of the Director General for Operations required by the provisions of paragraph (d) (1) (iii) above may be made by the purchaser by furnishing to the War Production Board a statement supplying in detail the following information:

(i) The names of the purchaser and seller,

(ii) The purchaser's inventory of domestic watthour meters

(iii) The number of units for which authorization is requested,

(iv) The purpose for which the meters are to be used by the purchaser and their relation to military needs, war production, public health and safety.

Authorization will, if advisable, be granted on Form PD–423, which form shall be retained by the manufacturer.

(e) *Parts for repairs and maintenance.* The provisions of this order restricting or prohibiting the manufacture, delivery or acquisition of domestic watthour meters shall not apply to the manufacture, delivery or acquisition of parts for repair or maintenance of domestic watthour meters: *Provided, however,* That no person shall manufacture repair or maintenance parts to the extent that such production will result in such person acquiring an inventory of such parts in excess of his average monthly inventory thereof during the calendar year of 1941.

(f) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time require. Not later than 15 days after the date of issuance of this order, and thereafter on the tenth day of each succeeding calendar month, each manufacturer shall file a report, in quadruplicate, in letter form showing:

(i) His inventory of domestic watthour meters on hand as of the first day of the calendar month in which such report is filed;

(ii) His deliveries of domestic watthour meters during the preceding month; and

(iii) His unfilled orders, scheduled for delivery during the current and succeeding months;

Provided, however, That no such report need be made of deliveries of or unfilled orders for maintenance and repair parts.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(3) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director General for Operations, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board Washington, D. C. Ref.: L–151. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7416; Filed, July 31, 1942; 11:06 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[Amendment 7 to Maximum Price Regulation 137 [1]]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneouly herewith and has been filed with the Division of the Federal Register.*

In § 1340.88 the headnote and (a) are amended and a new section, § 1340.88a is added as set forth below:

§ 1340.88 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 137 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damage provided for by the Emergency Price Control Act of 1942.

* * * * *

§ 1340.88a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.* [2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation selling at wholesale or retail any petroleum product covered by this Maximum Price Regulation. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

§ 1340.93a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1340.88 (a) and 1340.88a) to Maximum Price Regulation No. 137 shall become effective July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7398; Filed, July 30, 1942; 3:38 p. m.]

PART 1340—FUEL

[Amendment 3 to Maximum Price Regulation 121 [3]]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section, § 1340.247a, is added to read as set forth below:

§ 1340.247a *Petitions for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum prices established under this Maximum Price Regulation No. 121 for any seller of miscellaneous solid fuels in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of miscellaneous solid fuels; and

(2) That establishing for him a maximum price, bearing a normal relationship to the maximum prices established for competitive sellers of miscellaneous solid fuels, will not cause or threaten to cause an increase in the level of retail prices of miscellaneous solid fuels.

Petitions for adjustment under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 1.[3]

(b) Any person seeking relief, for which no provision is made in the foregoing paragraph (a) of this section, from a maximum price established by this Maximum Price Regulation No. 121, may present the special circumstances of his case, in a petition for an order of adjustment. Such petition shall be filed in accordance with Procedural Regulation No. 1 and shall set forth facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act and of Maximum Price Regulation No. 121 to eliminate the danger of inflation.

§ 1340.250a *Effective dates of amendments.* * * *

(c) Amendment No. 3, (§ 1340.247a) to Maximum Price Regulation No. 121 shall become effective July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7397; Filed, July 30, 1942; 3:36 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 33 [1]]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE PETERSBURG DEFENSE-RENTAL AREA

The title, preamble and § 1388.2051 (a) of Maximum Rent Regulation No. 33 are hereby amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[3] 7 F.R. 3237, 3989, 4483.

[1] 7 F.R. 5751.

[2] 7 F. R. 971, 3663.

Maximum Rent Regulation No. 33 for housing accommodations other than hotels and rooming houses in the Petersburg Defense-Rental Area.

In the judgment of the Administrator, rents for housing accommodations within the Petersburg Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Petersburg Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the Petersburg Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

§ 1388.2051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 33 applies to all housing accommodations within the Petersburg Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105,[2] inclusive) issued by the Administrator on April 28, 1942, as amended on May 30, 1942 (consisting of the Independent Cities of Hopewell and Petersburg, the Counties of Dinwiddie and Prince George, and in the County of Chesterfield the Magisterial District of Matoaca, in the State of Virginia), except as provided in paragraph (b) of this section.

* * * * *

§ 1388.2064a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.2051 (a)) to Maximum Rent Regulation No. 33 shall become effective August 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7399; Filed, July 30, 1942; 3:37 p. m.]

[2] 7 F.R. 3193, 4179.

PART 1388—DEFENSE-RENTAL AREAS

HOTELS AND ROOMING HOUSES IN THE PETERSBURG DEFENSE-RENTAL AREA

[Amendment 1 to Maximum Rent Regulation 34A [1]]

The title, preamble and § 1388.3001 (a) of Maximum Rent Regulation No. 34A are hereby amended to read as follows:

Maximum Rent Regulation No. 34A for hotels and rooming houses in the Petersburg Defense-Rental Area.

In the judgment of the Administrator, rents for housing accommodations within the Petersburg Defense-Rental Area, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the Petersburg Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within the Petersburg Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

§ 1388.3001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 34A applies to all rooms in hotels and rooming houses within the Petersburg Defense-Rental Area, as designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105,[2] inclusive) issued by the Administrator on April 28, 1942, as amended on May 30, 1942 (consisting of the Independent Cities of Hopewell and Petersburg, the Counties of Dinwiddie and Prince George, and in the County of Chesterfield the Magisterial District of Matoaca, in the State of Virginia), except as provided in paragraph (b) of this section.

* * * * *

[1] F.R. 5754.

[2] 7 F.R. 3193, 4179.

§ 1388.3014a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.3001 (a)) to Maximum Rent Regulation No. 34A shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7400; Filed, July 30, 1942; 3:37 p. m.]

PART 1394—RATIONING OF FUEL, AND FUEL PRODUCTS

[Correction to Amendment 2 [1] to Ration Order 5A [2]]

GASOLINE RATIONING REGULATIONS

A new subdivision (i) added to § 1394.604 (b) (2) by Amendment No. 2 is corrected to read as added to § 1394.604 (a) (2).

§ 1394.1902 *Effective dates of amendments.* * * *

(f) Correction (§ 1394.604 (a) (2)) to Amendment No. 2 to Ration Order No. 5A shall become effective July 30, 1942. (Pub. No. 671, 76th Cong., 3rd sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2nd sess., Pub. No. 421, 77th Cong., 2nd sess., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H) 7 F.R. 562)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7405; Filed, July 30, 1942; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 18 to Supplementary Regulation 1,[1] to General Maximum Price Regulation [2]]

ETHYL ALCOHOL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* A new phrase is added to subdivision (iv) of § 1499.26 (a) (25) as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) * * *

(25) *Aviation gasoline and components, synthetic rubber and components and toluene manufactured from petroleum.* * * *

(iv) * * * and ethyl alcohol.

* * * * *

(e) *Effective dates.* * * *

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5566.

[2] 7 F.R. 5225, 5362, 5426, 5566, 5606, 5666, 5674.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4408, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5276, 5192, 5365, 5445.

(19) Amendment No. 18 (§ 1499.26 (a) (25) (iv)) to Supplementary Regulation No. 1 shall become effective August 4, 1942. (Public Law 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7396; Filed, July 30, 1942; 3:36 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. GF1-249-P]

SMITH-FAUS DRUG COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 10 under § 1499.18 (b) of the General Maximum Price Regulation.

For reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.310 *Adjustment of maximum prices for Smith-Faus Drug Company.* (a) Smith-Faus Drug Company, of Salt Lake City, Utah, may sell and deliver, and any person may buy and receive from Smith-Faus Drug Company the following commodities at prices not higher than those set forth below:

Hydrogel, 4 oz. (per dozen)	$7.12
Lotion CZO, pints (per dozen)	8.04
Lotion CZO, gallons (each)	3.80
Haliver Oil Plain 10-cc (per dozen)	5.30
Flusgel, 10 oz. (per dozen)	13.31
Mentho-Laxene (per dozen)	8.90
Monroe Asafetida, 40s (per pound)	2.40
Carbonated Witch Hazel Ointment (per dozen)	2.00
Lee's Creolyptos (per dozen)	4.68

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 10 (§ 1499.310) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 10 (§ 1499.310) shall become effective July 30, 1942. (Pub. Law, 421, 77th Cong.)

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7395; Filed, July 30, 1942; 3:35 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER, AND PAPER PRODUCTS

[Amendment 7 to Maximum Price Regulation 129 [1]]

Waxed paper.
Envelopes.
Paper cups, paper containers and liquid tight containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Standard grocer's and variety bags.
Resale book matches.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) (10) of § 1347.22 is amended to read as set forth below:

§ 1347.22 *Definitions.* (a) When used in this Maximum Price Regulation No. 129, the term:

* * * * *

(10) "Waxed paper" includes oil loin paper and the following classes of waxed paper products and variations thereof: bread wraps, carton wraps, cutter box papers, delicatessen papers, waxed glassine and greaseproof, plain waxed papers, twisting tissue, waxed kraft, and waxed tissue.

§ 1347.25 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1347.22, Paragraph (a) (10)) to Maximum Price Regulation No. 129 shall become effective August 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7429; Filed, July 31, 1942; 12:01 p. m.]

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668.

PART 1359—BATTING, PADDING, WADDING, AND UPHOLSTERY FILLING

[Maximum Price Regulation 190]

FREE COTTON LINTERS

For reasons set forth in the Statement of Considerations issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 190 is hereby issued.

Sec.
1359.1 Prohibition against dealing in free cotton linters above maximum prices.
1359.2 Maximum prices for the sale of free cotton linters.
1359.3 Export sales.
1359.4 Less than maximum prices.
1359.5 Adjustable pricing.
1359.6 Records and reports.
1359.7 Evasion.
1359.8 Enforcement.
1359.9 Applicability of General Maximum Price Regulation.
1359.10 Petitions for amendment.
1359.11 Definitions.
1359.12 Effective date.

AUTHORITY: §§ 1359.1 to 1359.12 inclusive, issued under Pub. Law, 421, 77th Cong.

§ 1359.1 *Prohibition against dealing in free cotton linters above maximum prices.* (a) Except as otherwise provided in this Maximum Price Regulation No. 190, on and after August 5, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver free cotton linters, and no person shall buy or receive free cotton linters in the course of trade or business, at prices higher than the maximum prices established herein; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) The provisions of this Maximum Price Regulation No. 190 shall be applicable to all offers, sales, transfers, and deliveries of free cotton linters regardless of whether said linters are in the possession of the seller, unless prior to August 5, 1942, such linters were received by a carrier, other than a carrier owned or controlled by the seller for shipment to the purchaser, or unless prior to said date the purchaser made full payment for such linters.

§ 1359.2 *Maximum prices for the sale of free cotton linters.* (a) The following are base maximum prices for free cotton linters; these prices are f. o. b. seller's shipping point and include all commissions.

The grades listed below are the official standards of the United States Government for American cotton linters, as described in Service and Regulatory Announcement No. 94 of the United States Department of Agriculture.[1] Prices for bales classified as off-grade because of excess trash or other defects shall be appropriately reduced.

[Cents per pound]

Grade	Low	Middle	High
1	10.50	10.75	11.00
2	9.75	10.125	10.50
3	9.00	9.375	9.75
4	7.00	7.50	8.00
5	6.00	6.50	7.00

[1] 7 CFR 28.201-28.211, inclusive.

(b) The maximum price for a sale to a consumer by a dealer who is independent of a cottonseed oil mill shall be 107 per cent of the base maximum price for free cotton linters for which said base maximum price is 9¢ per pound or above, and 108% of the base maximum price for free cotton linters for which the base maximum price is less than 9¢ per pound. On sales by an independent dealer to a consumer, freight from the cottonseed oil mill to the consumer's place of business may also be added: *Provided*, That on such sales the dealer shall either pay or make allowance for such freight. A dealer who sells to a consumer free cotton linters which he has purchased from another dealer and which have been shipped to such other dealer from the cottonseed oil mill may charge only for direct transportation computed at the lowest published rate from the cottonseed oil mill to the consumer's place of business. No freight charges may be

added to the maximum price on dealer to dealer sales.

§ 1359.3 *Export sales.* The maximum price at which a person may export free cotton linters shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1359.4 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 190 may be charged, demanded, paid or offered.

§ 1359.5 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1359.6 *Records and reports.* (a) Every person making any offer, sale, transfer or delivery of free cotton linters subject to this Maximum Price Regulation No. 190 on or after August 5, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each purchase or sale made, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the quantity of each grade purchased or sold.

(b) Such person shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1359.7 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 190 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, purchase or receipt of or relating to free cotton linters, alone or in conjunction with any other commodity, or by way of commission, service, transportation or any other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1359.8 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 190 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§1359.9 *Applicability of General Maximum Price Regulation.* This Maximum Price Regulation No. 190 shall apply and the General Maximum Price Regulation[2] shall not apply to sales of free cotton linters for which maximum prices are established by this regulation.

§ 1359.10 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 190 may file a Petition for Amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1359.11 *Definitions.* (a) As used in this Maximum Price Regulation No. 190 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Consumer" means any person, other than a dealer, who purchases free cotton linters;

(3) "Dealer" means any person, other than a cottonseed oil mill, who offers to sell or sells free cotton linters;

(4) "Free cotton linters" means domestic cotton linters not allocated under any War Production Board General Preference Order;

(5) "Independent" means not controlling, controlled by, or under control with;

(6) "For export" means to a person outside the United States, its territories and possessions.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1359.12 *Effective date.* This Maximum Price Regulation No. 190 (§§ 1359.1 to 1359.12 inclusive) shall become effective August 5, 1942.

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7430; Filed, July 31, 1942; 12:02 p. m.]

PART 1393—ICE

[Amendment 1 to Maximum Price Regulation 154 as Amended[1]]

APPLICATIONS FOR ADJUSTMENT

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1393.8, the headnote and paragraphs (b) and (c) are amended, and a new paragraph (d) is added, as set forth below:

§ 1393.8 *Applications for adjustment.* * * *

(b) In making application for adjustment under paragraph (a) of this section, any manufacturer of ice who sells ice at retail and also sells ice to distributors and peddlers for resale at retail may make application for adjustment on behalf of those distributors and peddlers who customarily purchase ice from him. If an adjustment of the manufacturer's maximum price is granted upon such application, a like adjustment of the maximum prices of the distributors and peddlers included in the application may be granted. In any such case the manufacturer's prices to such distributors and peddlers may be, but are not required to be, increased by an amount not in excess of the adjustment granted with respect to retail prices. In the event any such manufacturer raised his retail prices during April 1942, so that it is unnecessary for him to make an application under paragraph (a) of this section, but some or all of the distributors and peddlers who customarily purchase ice from him did not raise their prices during April 1942, such manufacturer may make application for adjustment on behalf of such distributors and peddlers. In such case an adjustment of the maximum prices of the distributors and peddlers included in the application may be granted which shall not exceed the increase in retail prices effected by the manufacturer during April 1942.

(c) The Office of Price Administration, or any duly authorized officer thereof, may by Order adjust the maximum prices established under this Maximum Price Regulation No. 154 As Amended, for any seller of ice other than a seller at retail in any case in which such seller shows:

(1) That such maximum price cause him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of ice; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of ice will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (c) shall be filed in accordance with Procedural Regulation No. 1.[2]

(d) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a), (b), and (c) of this section, from a maximum price established under this Maximum Price Regulation No. 154 as amended may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 154 as amended, to eliminate the danger of inflation.

§ 1393.11 *Effective dates of amendments.* * * *

(c) Amendment No. 1 (§ 1393.8) to Maximum Price Regulation No. 154, as amended, shall become effective August 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7431; Filed, July 31, 1942; 12:01 p. m.]

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[1] 7 F.R. 5059.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192.

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 5139, 5276.

[2] 7 F.R. 971, 3663.

TITLE 45—PUBLIC WELFARE

Chapter IV—National Youth Administration

[Administrative Order No. 19]

PART 402—WAR PRODUCTION TRAINING PROGRAM

By virtue of and pursuant to the authority vested in the National Youth Administrator by the National Youth Administration Appropriation Act, 1942, approved July 2, 1942, the following rules and regulations are prescribed relating to hours of work, earnings, selection and other conditions of employment for youth employed under the War Production Training Program of the National Youth Administration:

Sec.
402.1 Definitions.
402.2 Hours of work for youth employees.
402.3 Earnings schedule applicable to non-resident youth employees.
402.4 Monthly earnings applicable to resident youth employees.
402.5 Regional youth administrator's wage orders.
402.6 Authorized adjustments in earning schedule for non-resident youth employees.
402.7 Eligibility requirements for youth employees.
402.8 Disability or injury compensation benefits.
402.9 Assignment of wages.
402.10 Administration of affidavits and oaths.
402.11 Selection, referral, assignment, classification, transfer and termination of youth employees.
402.12 Illegal activities.
402.13 Effective date.

AUTHORITY: §§ 402.1 to 402.13, inclusive, issued under Pub. Law 647, 77th Cong.

§ 402.1 *Definitions*—(a) *War Production Training Program.* The term "war production training program," as used herein, shall mean the program of war production training projects financed in whole or in part from funds appropriated by paragraph 1 of the National Youth Administration Appropriation Act, 1943.

(b) *War production training project.* The term "war production training project," as used herein, shall mean a unit or units of work training and services incident thereto. Projects shall be approved by the Chairman of the War Manpower Commission as needed in the prosecution of the war in furnishing work experience and work training in occupations in which there is a present or potential shortage of labor. The term "work unit," as used herein, shall mean a unit of work and training activity which is an integral part of a war production training project. The term "subsistence unit," as used herein, shall mean the facilities of a project which provide some or all of such subsistence services as food; lodging; sanitation; water and bathing facilities; medical and dental care, including hospitalization; essential clothing; transportation; personal laundry service; recreation; and other subsistence services. The term "property and transportation unit," shall mean the facilities of a project which provide for the proper safekeeping, storage, maintenance, repair and disposition of equipment, materials and supplies, and which provides transportation services incident to the operation of the project.

(c) *Youth employees.* The term "youth employees," as used herein, shall mean young persons employed upon work units of projects who are at least 16 years of age and who have not attained their 25th birthday. The term "resident youth employee," as used herein, shall mean a youth employee whose employment upon a project involves his complete maintenance from a subsistence unit. The term "non-resident youth employee," as used herein, shall mean a youth employee whose employment upon a project does not involve his complete maintenance from a subsistence unit.

(d) *Regional Youth Administrator.* The term "regional youth administrator," as used herein, shall mean the officer appointed by the National Youth Administrator to administer the war production training program of the National Youth Administration within a region comprising one or more states.

§ 402.2 *Hours of work for youth employees.* Except for such projects as may be exempted by the National Youth Administrator, the several regional youth administrators shall establish hours of work and training for youth employees engaged upon projects under the War Production Training Program within a maximum of eight hours per day and a minimum of 160 hours per month. The several regional youth administrators are authorized by the National Youth Administrator to grant exemptions:

(a) Due to emergencies involving the public welfare, the protection of work already done on a project, or other emergency circumstances which make project operations for the established number of hours impractical; and

(b) To permit youth employees to make up time lost due to conditions which in the judgment of the regional youth administrator warrant authorizing youth employees to make up lost time.

§ 402.3 *Earnings schedule applicable to non-resident youth employees.* The schedule of monthly earnings hereinafter prescribed shall be applicable to non-resident youth employees, except in the case of:

(a) Such projects or work units of projects as may be exempted by the National Youth Administrator, or

(b) Emergency circumstances or making up lost time as provided in § 402.2.

SCHEDULE OF MONTHLY EARNINGS FOR NON-RESIDENT YOUTH EMPLOYEES

Wage zones:	*War Production Training Program*
[1] I	$25
[2] II	24
[3] III	22

[1] Zone I: California, Connecticut, Illinois, Indiana, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, Wisconsin.

[2] Zone II: Arizona, Colorado, Delaware, District of Columbia, Idaho, Iowa, Kansas, Kentucky, Maryland, Montana, Missouri, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, South Dakota, Texas, Utah, Virginia, West Virginia, Wyoming.

[3] Zone III: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, Tennessee.

§ 402.4 *Monthly earnings applicable to resident youth employees.* Except for such projects or work units of projects as the National Youth Administrator may hereafter exempt, the net earnings rate for resident youth employees shall be $10.80 per pay roll month, and in addition such resident youth employees shall be furnished subsistence including such items as food; lodging; sanitation; water and bathing facilities; medical and dental care, including hospitalization; essential clothing; transportation; personal laundry service; recreation; and other sundry items.

During pay roll periods in which services are performed, deductions for voluntary absence from duty shall be made only when resident youth employees are voluntarily absent during days or portions of days when they are scheduled to work. Such deductions shall be made in the amount of one-thirtieth of the monthly wage for each full day of voluntary absence. The minimum deduction for any fraction of a day shall be one-fourth the deduction for a full day, and all deductions for voluntary absence during various portions of a day shall be made in multiples of one-fourth. No wage deduction shall be made for resident youth employees on any day or days upon which employees are not required to work.

§ 402.5 *Regional youth administrator's wage orders.* In accordance with §§ 402.2, 402.3 and 402.4, each regional youth administrator is authorized and directed to issue regional youth administrator's wage orders prescribing the schedule of monthly earnings and assigned hours of work for non-resident youth employees, and the monthly earnings, subsistence and assigned hours of work for resident youth employees engaged upon war production training projects in the region.

§ 402.6 *Authorized adjustments in earning schedule for non-resident youth employees.* The several regional youth administrators are authorized to issue regional youth administrator's wage orders making adjustments in the foregoing schedule of monthly earnings and hours of work for non-resident youth employees in the case of:

(a) Adjustments of not to exceed sixty cents upward or downward in the schedule in order to avoid the computation of fractional payments of less than one cent or the assignment of hours of work which would involve partial hours during any monthly pay period; and

(b) Adjustments of not to exceed four dollars below the schedule for non-resident youth employees furnished lunches or other items of subsistence.

§ 402.7 *Eligibility requirements for youth employees.* To be eligible for employment on a war production training project, young persons shall be citizens of the United States (or of the Commonwealth of the Philippines), shall be at least 16 years of age but shall not have attained their 25th birthday, and unemployed. Each youth employee shall be required to execute the following Employment Affidavit and Oath of Allegiance prior to his entrance on duty:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God. I further depose and say that I am a citizen of the United States (or the Commonwealth of the Philippines) and that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence. I hereby agree to accept employment in industry related to national defense if and when offered in good faith.

§ 402.8 *Disability or injury compensation benefits.* The provisions of the Act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits, shall apply to youth employees under the war production training program of the National Youth Administration.

§ 402.9 *Assignment of wages.* Wages paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

§ 402.10 *Administration of affidavits and oaths.* The National Youth Administrator hereby designates employees holding the following positions in the several regional youth administrations and the several war production training projects, to administer the employment affidavit and oath of allegiance required by § 402.7 above, and such affidavits and other sworn statements as are required in connection with claims for injury compensation:

(a) Regional youth administrator.
(b) Assistant regional youth administrator.
(c) Regional administrative officer.
(d) Regional director of youth personnel.
(e) Regional director of finance and statistics.
(f) Project manager.
(g) Project youth personnel officer.
(h) Project finance officer.

The several regional youth administrators, who are the authorized representatives of the National Youth Administrator within their regions are hereby authorized to designate such additional compensated or uncompensated employees as may be required for the purpose of administering required oaths and statements. No fee shall be charged for oaths administered by designated employees of the National Youth Administration.

§ 402.11 *Selection, referral, assignment, classification, transfer and termination of youth employees.* The regional youth administrator, or his authorized representatives, shall be responsible for the assignment, classification, transfer or termination of youth employees paid from funds appropriated to the National Youth Administration. The facilities and services of the United States Employment Service of the Social Security Board shall be utilized wherever possible in the selection and referral of youth for employment and work training on projects. When the facilities and services of the United States Employment Service do not provide sufficient qualified applicants to fill vacancies existing on projects, the Regional Youth Administrator, or his authorized representatives, shall then be responsible for the registration, selection and referral of youth to projects.

§ 402.12 *Illegal activities.* Under the National Youth Administration Appropriation Act, 1943, the activities listed below are punishable as felonies. No person shall be eligible for further employment with the National Youth Administration if he knowingly and with intent to defraud the United States:

(a) Makes any false statement in connection with any application for any project;

(b) Diverts, or attempts to divert, or assists in diverting, for the benefit of any person or persons not entitled thereto, any funds, services or real or personal property of the National Youth Administration;

(c) Deprives, attempts to deprive, or assists in depriving any person of any of the benefits to which he may be entitled under the appropriation by means of fraud, force, threat, intimidation, boycott, or discrimination on account of race, religion, political affiliation, or membership in a labor organization.

§ 402.13 *Effective date.* These rules and regulations shall become effective at the beginning of pay roll periods on and after August 1, 1942, and shall supersede Administrative Order No. 17,[1] dated July 10, 1942, except for that part of § 402.1 which repromulgated § 402.9 of Administrative Order No. 15,[2] dated September 27, 1941, as amended by Administrative Order No. 16,[3] dated February 12, 1942.

[SEAL] AUBREY WILLIAMS,
National Youth Administrator.

Approved: July 29, 1942.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 42-7419; Filed, July 31, 1942; 11:19 a. m.]

[1] 7 F.R. 5718.
[2] 6 F.R. 4978.
[3] 7 F.R. 1045.

Chapter V—The President's War Relief Control Board

PART 501—SOLICITATION AND COLLECTION OF FUNDS AND CONTRIBUTIONS FOR WAR RELIEF AND WELFARE

Pursuant to the provisions of Executive Order No. 9205 of July 25, 1942, the following regulations are hereby prescribed by The President's War Relief Control Board:

Sec.
501.1 Effective date.
501.2 Definition of person.
501.3 Registration.
501.4 Application for registration.
501.5 Relations with Government agencies.
501.6 Registration of affiliates.
501.7 Registration restrictions.
501.8 Reports.
501.9 Maintenance and inspection of records.
501.10 Revocation of registration.
501.11 Reading of regulations.

AUTHORITY: §§ 501.1 to 501.11, inclusive, issued under E.O. 9205; 7 F.R. 5803.

§ 501.1 *Effective date.* The regulations in this part shall become effective on and after the sixtieth day following the date of approval, and shall supersede, as of their effective date, regulations promulgated by the Secretary of State[1] under the authority of sections 8 and 13 of the Neutrality Act of 1939 relating to the solicitation and collection of contributions for relief.

§ 501.2 *Definition of person.* The term "person" as used herein and in Executive Order No. 9205 includes an agency, partnership, company, association, organization or corporation, as well as a natural person.

§ 501.3 *Registration.* Any person, other than those exempted by Executive Order No. 9205 or by the regulations in this part and other than those organized locally for purely local purposes, within the United States, its territories, insular possessions, the Canal Zone, and the District of Columbia, who is engaged in or desires to engage in any of the war relief or welfare activities as defined in section 2 (a) of Executive Order No. 9205 shall make application to the War Relief Control Board upon the form provided therefor for registration with the Board.

Valid registrations with the Secretary of State under regulations issued by him remain valid under these regulations until revoked or cancelled by the Board. Similarly, persons who are in possession of a valid notice of recognition by The President's Committee on War Relief Agencies and who have been submitting periodic reports of their activities to the Committee shall be deemed to have complied with the registration requirements of the regulations in this part.

§ 501.4 *Application for registration.* (a) No application for registration will be accepted until satisfactory evidence is presented to the Board that:

(1) The project is not against the public interest and there is need for the particular relief or welfare carried out or proposed;

(2) The applicant has organized an active and responsible governing body which will serve without compensation and which will exercise a satisfactory administrative control; and the funds collected will be handled by a competent and trustworthy treasurer;

(3) The purpose to be served is not adequately fulfilled or cannot be adequately fulfilled by existing programs and organizations;

(4) There is no avoidable conflict of national appeals for public support with the recognized campaigns of the American Red Cross; the United Service Organizations; and the Community Chests and other essential local charities;

(5) Limitations upon transportation and communication facilities, economic or military controls, or other restrictions are not such as to make it impracticable to effect the proposed relief efficiently and economically; and

(6) The estimated costs properly chargeable to overhead are not unreasonable.

(b) No application for registration will be accepted if the means proposed to be used to solicit or collect contributions include:

(1) The employment of solicitors on commission or any other commission method of raising money;

(2) The use of the "remit or return" method of raising money by the sale of merchandise or tickets;

(3) The giving of entertainments for money-raising purposes if the estimated cost of such entertainments in relation to the gross proceeds is unreasonable; or

(4) Any other wasteful or unethical methods.

§ 501.5 *Relations with Government agencies.* All necessary clearances with other government agencies as to the acceptability of proposed relief or welfare projects will be undertaken by the Board and should not be undertaken by applicants for registration.

§ 501.6 *Registration of affiliates.* Organizations or associations having chapters or affiliates shall list them in the application for registration. The parent body shall immediately apply to the Board for an amendment to its notice of acceptance of registration in respect to any additional chapters or affiliates which it proposes to establish.

§ 501.7 *Registration restrictions.* (a) No person, subject to the registration requirements in § 501.3, shall solicit or collect contributions, or make sales of or offer to sell merchandise or services for the direct or implied purposes of war relief and welfare as defined in section 2 (a) of Executive Order No. 9205 without the authority of a notice of acceptance of registration from the Board which is in full force and effect.

(b) Any registration may be revoked if the registrant under the name used in its application for registration engages in activities other than those authorized in the notice of acceptance of registration.

(c) A registrant may act as an agent for the transmittal of funds received by another registrant, but reports to the Board by each registrant shall show details of all such transactions.

§ 501.8 *Reports.* (a) All registrants shall submit to the Board not later than the fifteenth day of each month following the receipt of notice of acceptance of registration sworn statements, on forms provided therefor, setting forth fully the information called for therein, including separate reports for each benefit. Accounts audited by a certified public accountant shall be submitted to the Board semiannually. The information periodically submitted as required herein shall be supplemented by such further information as the Board may deem necessary.

(b) Any changes in the facts set forth in the registrant's application for registration, such as change of address, of officers, or of methods of operation shall be reported promptly to the Board and properly sworn to.

§ 501.9 *Maintenance and inspection of records.* All persons registered with the Board must maintain for its inspection or that of its duly authorized agent, complete records of all transactions in which the registrant, including chapters and affiliates, engages.

§ 501.10 *Revocation of registration.* Any registration may be revoked upon failure on the part of the registrant to maintain compliance with the provisions or purposes of the law, the Executive Order, or the regulations of the Board.

§ 501.11 *Reading of regulations.* No registration will be accepted until the Board has been informed in writing by a responsible officer of the applicant for registration that he has read the regulations in this part.

JOSEPH E. DAVIES,
Chairman.

Approved: July 30, 1942.

CHARLES P. TAFT.
FREDERICK P. KEPPEL.

[F. R. Doc. 42-7401; Filed, July 30, 1942; 2:57 p. m.]

[1] 4 F.R. 4511; 5 F.R. 1597, 1695, 2211, 4532; 6 F.R. 1922, 2001, 2160, 6631; 7 F.R. 3957.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES[1]

[No. 3666]

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1942.

It appearing, that certain new and amended regulations for the transportation of explosives and other dangerous articles by rail in freight, express and baggage services, and by water and highway, have been proposed for our approval, pursuant to section 233 of the Criminal Code (Transportation of Explosives Act), and section 204 (a) (2) of Part II of the Interstate Commerce Act;

It further appearing, that by notice dated June 6, 1942, these matters were circulated among all parties of record, specifying all changes proposed for our approval; except certain emergency applications hereinafter considered;

It further appearing, that in said notice it was stated that any party desiring to be heard upon any such proposed amendment should advise the Commission in writing with 20 days from the date of this notice; otherwise the Commission might proceed to investigate and determine the matters involved in the applications, or might suspend action pending formal hearing;

It further appearing, that as a result of conferences on matters involved in the applications as set out in notice of June 6, 1942, and certain emergency applications later received, agreement was reached by all parties of record with respect to the suggested requirements attached to and made part of this order;

And it further appearing, that the said new and amended regulations have been considered, and the Division finds that the said new and amended regulations attached to and made a part of this order, are in accord with the best-known practicable means for securing safety in transit covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport:

It is ordered, That the aforesaid regulations heretofore published in orders of

[1] Issued under the authority contained in sec. 233, 41 Stat. 1445, 18 U.S.C. 383, and sec. 204 (a) (2), Part II, Interstate Commerce Act.

August 16, 1940,[2] March 31, 1941,[3] November 8, 1941,[4] February 26, 1942,[5] and June 15, 1942,[6] be and they are hereby superseded and amended as indicated in the regulations made a part hereof, as of the effective date of this order, as follows:

PART 2—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES[1]

List of Explosives and Other Dangerous Articles

Superseding and amending list, order August 16, 1940, as follows:

Article	Classed as	Exemptions and packing (sec.)	Label	Maximum quantity, express
(Add) *Nitrocellulose, colloided, granular, or flake, wet with 20 per cent water, See* Wet nitro cellulose, colloided, granular, or flake—20 percent water.				
(Add) *Pentolite, dry, See* High explosives.				
(Change) Permanganate of potash	Oxi. M	153, 173, 194	Yellow	100 pounds.
(Add) Wet nitrocellulose, colloided, granular, or flake—20 percent water.	Inf. S	153, 184	Yellow	100 pounds.

PART 3—REGULATIONS APPLYING TO SHIPPERS

Superseding and amending pars. (f) (1) and (f) (3) (a), section 61, order Mar. 31, 1941, to read as follows (*packing high explosives with no liquid explosive ingredient nor any chlorate*):

(f) (1) Ammonium picrate, nitroguanidine, nitrourea, picric acid, tetryl, trinitroresorcinol, trinitrotoluene, and pentolite, in dry condition, in addition to containers prescribed in sec. 61 (e) (1) to (e) (6), must be shipped in containers complying with the following specifications:

(f) (3) (a) Trinitrotoluene and pentolite, in dry condition, in addition to containers prescribed in sec. 61 (e) (1) to (e) (6), (f) (2) and (f) (3), may be shipped in specification containers as follows:

Superseding and amending par. (b), section 72, order Aug. 16, 1940, to read as follows (*packing primers*):

(b) (1) Packing.—Primers (cannon, combination and small-arms), percussion caps, and empty grenades, primed, must be packed in strong, tight, outside wooden boxes, with special provision for securing individual packages against movement in the box.

(b) (2) Empty cartridge cases, primed, must be packed in strong, tight, outside wooden or fiberboard boxes.

Superseding and amending section 110, orders August 16, 1940, and November 8, 1941, as follows (*packing inflammable liquids*):

(Change) (a) (4) Spec. 17E.—Metal drums (single-trip), not over 5 gallons capacity, without opening except bunghole not exceeding 2.3 inches in diameter. (See also par. (a) (18) this section.)

(Add to (a) (18)) Note.—Because of the present emergency and until further order of the Commission, l. c. l. and l. t. l. shipments will be permitted.

(Add) (a) (21) Spec. 5L.—Metal barrels or drums for gasoline shipments offered by or consigned to the War or Navy Department of the United States Government or Allies. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending par. (f), section 113, order Nov. 8, 1941, to read as follows (*packing paints, etc.—exemptions*):

(f) Paint, enamel, lacquer, stain, shellac, varnish, aluminum, bronze, gold, wood filler, liquid, and lacquer base liquid, and thinning, reducing and removing compounds therefor, and driers, liquid, therefor, in glass or earthenware containers of not over 1 quart capacity each, or metal containers of not over 5 gallons capacity each, packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight and highway. When offered for transportation by rail express such shipments are exempt from specification packaging and marking requirements but must bear the red label as prescribed in section 404 (e). When offered for transportation by carrier by water such shipments are exempt from specification packaging, marking other than name of contents, and labeling requirements. When fiberboard box is used for such shipments by rail freight, rail express, highway, or water gross weight must not exceed 65 pounds.

Superseding and amending par. (a), section 184, order Aug. 16, 1940, to read as follows (*packing nitrocellulose, wet, etc.*):

(a) Nitrocellulose or collodion cotton, wet, or nitrocellulose, colloided, granular, or flake, wet, or nitrostarch, wet, or nitroguanidine, wet, must be uniformly wet with at least 20 pounds of water to 80 pounds of dry material and must be packed in specification containers as follows:

Amending order Aug. 16, 1940, as follows (*packing permanganate of potash, potassium permanganate*):

(Add) 194 (a) Potassium permanganate must be packed in specification containers as follows:

(b) In containers as prescribed in sec. 173.

(c) Spec. 37G.—Metal barrels or drums (single-trip).

Superseding and amending par. (e), section 257, order Nov. 8, 1941, to read as follows (*packing electrolyte, etc.*):

(e) Spec. MC 310.—Tank motor vehicles, except that unlined tanks must not be used.

Amending section 263, order Aug. 16, 1940, as follows (*packing hydrochloric acid, etc.*):

(Add) (a) (9) Because of the present emergency and until further order of the Commission, hydrochloric acid may be offered for transportation by carriers by water in conformity with Regulations for Explosives or Other Dangerous Articles on Board Vessels, Section 146.23–13, effective December 20, 1941, issued by the Secretary of Commerce.

Superseding and amending par. (o) (2), section 264, order Aug. 16, 1940, to read as follows (*packing hydrofluoric acid, anhydrous*):

(o) (2) Spec. 3, 3A, 3B, 3C, 3E, 4, 4A, 25 or 38, also 4B or 4C if not brazed.—Cylinders.

Superseding and amending par. (g) (2), section 268, order Aug. 16, 1940, to read as follows (*packing nitric acid*):

(g) (2) The use of special aluminum alloy tank cars for test service is also provided for by I. C. C. authority in docket 3666 dated November 14, 1939, June 7, 1940, and August 19, 1941, for the shipment of 95 per cent or greater HNO_3.

Amending section 272, order August 16, 1940, as follows (*packing sulfuric acid*):

(Add) (n) Because of the present emergency and until further order of the Commission, sulfuric acid may be offered for transportation by carriers by water in conformity with Regulations for Explosives or Other Dangerous Articles on Board Vessels, Section 146.23–10, effective April 9, 1941, issued by the Secretary of Commerce.

Superseding and amending par. (b), section 346, order Aug. 16, 1940, to read as follows (*packing methyl bromide*):

(b) Spec. 3A300, 3B300, 3E1800, or 4B300.—Metal cylinders of not over 125 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders less than 18 inches in length or less than 5 inches in diameter must be packed in boxes or crates. (See sec. 25).

Superseding and amending par. (a) (11), section 357, order Feb. 26, 1942, to read as follows (*packing cyanides, etc.*):

(Change) (a) (11) Spec. 21A.—Fiber drums with one added ply of asphalt laminated Kraft, 30/60/30 basis weight in side walls and heading (metal heading excluded): drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in specification 21A; maximum loaded capacity 225 pounds net. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Amending section 361, order Aug. 16, 1940, as follows (*packing poisonous solids*):

(Add to "Note" par. (g)) Note.—Because of the present emergency and until further order of the Commission, tape 2½" may be used.

(Add to par. (k)) Or, because of the present emergency and until further order of the Commission, use of the following container will be permitted:

Spec. 21A.—Fiber drums with one added ply of asphalt laminated Kraft, 30/60/30 basis weight in side walls and heading (metal heading excluded): drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in specification 21A; maximum loaded capacity 225 pounds net.

Superseding and amending par. (p) section 402, order Aug. 16, 1940, to read as follows (*marking and labeling packages*):

(p) Labels and marking name of contents are not required on shipments forwarded in carload or truckload quantities by rail freight, rail express or highway, when such shipments are to be unloaded by the consignee. This exception does not apply to class A or class C poisons.

APPENDIX—SHIPPING CONTAINER SPECIFICATIONS

Amending *specification 2J*, order Aug. 16, 1940, as follows:

(Add to par. 1) Note: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending *specification 2K*, order August 16, 1940, as follows:

(Add to par. 1) Note: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending *specification 2L*, order August 16, 1940, as follows:

(Add to par. 2 (a)) Note: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending *specification 3A*, order Aug. 16, 1940, as follows:

(Add to par. 22 (3)) Note: Because of the present emergency and until further order of the Commission, the minimum wall thickness of cylinders of 1100 cubic inch water capacity or less for shipment by the United States Government or its Allies shall be such that the wall stress shall not exceed 70,000 pounds per square inch when calculated under paragraph 9 of this specification.

Amending order Aug. 16, 1940, as follows: (Add)

SPECIFICATION 5L—STEEL BARRELS OR DRUMS

(Removable head containers not authorized)

Containers must comply with specification 5A except as follows (paragraph references are to specification 5A):

Marked capacity not over (gallons)	Type of container	Minimum thickness in the black (gage, U. S. standard)		Rolling hoops		
		Body sheet	Head sheet	Type	Minimum	
					Size (gage or inch)	Weight (pounds per foot)
5	Rectangular	20	20	None		

8. This paragraph does not apply.

9. (b) Closing part must be of sufficient strength to withstand the drop test prescribed in paragraph 13 (a).

9. (c) This paragraph does not apply.

9. (e) Openings over 2.5 inches diameter not permitted.

11. (a) ICC–5L. This mark shall be understood to certify that the container complies with all specification requirements.

13. (b) Hydrostatic pressure test of 15 pounds per square inch sustained for 5 minutes.

14. *Leakage test.* Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 5 pounds per square inch. Leakers shall be rejected or repaired and retested.

Amending *specification 12B*, order Aug. 16, 1940, as follows:

(Add to par. 11) Note: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

(Add to par. 16 (b)) Note: Because of the present emergency and until further order of the Commission, tape 2½" may be used.

Amending *specification 12E*, order Mar. 31, 1941, as follows:

Maximum net weights authorized	Thickness (minimum)		Size of hoops (minimum)		Head liners (minimum)
	Body	Heads	Wooden	Metal	
Pounds	*Inch*	*Inch*	*Inch*	*Inch*	*Inch*
33	0.16	⅜	⅛ x 2	0.023 x 17/16	⅛ x ⅜
				.015 x 2⅜*	
55	.18	⅜	⅛ x 2	.023 x 17/16	⅛ x ⅜
				.015 x 2⅜*	
115	.20	⅜	⅛ x 2¼	.023 x 1⅝6	¼ x ⅜
				.015 x 2⅜*	
200	.28	0.43	¼ x 3	.028 x 1⅝6	¼ x ⅜

*Authorized only when metal hoop is between body of drum and wooden hoop as described in par. 8.

8. *Hoops.* 1 wooden and 1 metal required at each chime; wooden hoops secured by staples, clinched, at 3" centers, with .023" or .028" metal hoops to be outside wooden hoops and secured by punching, or other equivalent method, at 6" centers; or .015" metal hoop placed between body of drum and outer wooden hoop and secured by staples, clinched at 3 inch centers; each staple passing through wooden hoop, metal hoop, body of drum and *inside* head liner, respectively.

9. *Head battens.* Required for heads of drums having net weight over 115 pounds, ¾" x 3" minimum; ends rounded to fit chime.

10. *Head liners.* Required inside and outside for full circumference of heads. To be securely fastened by staples or nails,

5. (c) Flanged spout for filling and emptying container welded in place or attached in a manner approved by Bureau of Explosives.

6. This paragraph does not apply.

7. Parts and dimensions—As follows:

(Add to par. 16 (b)) Note: Because of the present emergency and until further order of the Commission, tape 2½" may be used.

Amending *specification 13*, order Aug. 16, 1940, as follows:

(Add to par. 10 (b)) Note: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending *specification 22A*, order Aug. 16, 1940, as follows:

(Add to par. 7) Note: Because of the present emergency and until further order of the Commission, tape 2½" may be used.

(Add to par. 11) Note: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

(Add) Additional Container Specification 22A.

A. Because of the present emergency and until further order of the Commission, use of containers made under the following specification will be permitted; containers must comply with specification 22A except as follows (paragraph references are to specification 22A):

6. *Parts and dimensions.* As follows:

[1] Parts 2, 3, and 7 in this order appear in the Code of Federal Regulations as Parts 73, 75, and 85.

[2] 5 F.R. 4905.

[3] 6 F.R. 1841.

[4] 6 F.R. 6211.

[5] 7 F.R. 2910.

[6] 7 F.R. 4701.

clinched. On drums with diameters over 15", when battens are not used, two head liners shall be required outside to hold head in place.

11. *Head lining paper.* Required for each head, 1½" larger than head diameter; of No. 1 Kraft paper 50 pounds per ream (500 sheets 24" x 36") waxed one side to 65 pounds or equivalent.

16. *Closing heads.* Insert head lining paper, head, and head liner; nail with 15-gauge nails, clinched at 2-inch centers through head liner, body and wooden hoop; equivalent stapling authorized. Nail through outer hoop with two 7-penny nails into each end of head batten, if any.

For drums containing 115 pounds net weight, or less, closing by hand drum stapling tool also authorized; using 14-gauge staples driven through head liner, body, 0.015-inch metal and wood hoops respectively, on 2-inch centers.

When double head liners are required, each liner shall be applied separately and stapled on 4-inch centers, with staples of second liner staggered so as to be equidistant from staples of first liner. Staples of second liner to be driven through both liners and into body of drum.

Amending specification 36A, order Aug. 16, 1940, as follows:

(Add to par. 4) NOTE: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending specification 36B, order Aug. 16, 1940, as follows:

(Add to par. 4) NOTE: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending specification 44B, order Aug. 16, 1940, as follows:

(Add to pars. 1 (a), (b), 4 (a)) NOTE: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Amending specification 45B, order Nov. 8, 1941, as follows:

(Add to par. 6) NOTE: Because of the present emergency and until further order of the Commission, a ream may consist of 500 sheets.

Tank Car Tank Specifications

Superseding and amending specification 103B, par. 14 (a), order Feb. 26, 1942, to read as follows:

14. *Safety vents.* (a) Safety valves prohibited, but a safety vent must be applied. For experimental purposes, and until further order of the Commission, hydrochloric acid, except hydrochloric (muriatic) acid over 20° Baume strength, and other fuming acids, may be transported in specification 103B tank cars having safety vents equipped with frangible discs having ⅛-inch breather holes in the center thereof, or in not to exceed a total of twenty-five specification 103B tank cars with an approved specially designed saftey vent equipped with a porous carbon cylinder.

Superseding and amending specifications emergency USG–A, USG–B, and USG–C, par. 6 (c), order June 15, 1942, to read as follows:

(c) *Welding.* Welded joints formed in the manufacture of the tanks and expansion dome proper must be of double-welded butt-joint type, fusion welded by a process which investigation and laboratory tests by the mechanical division of the Association of American Railroads have proved will produce satisfactory results.

Cargo Tanks for Tank Motor Vehicles

Amending specification MC 320, order Nov. 8, 1941, as follows:

(Add) 37. *Protection of valves and fittings.* Every tank motor vehicle transporting compressed gases shall have all piping, valves, hose, pumps, and other pressure containing appurtenances so arranged as to be protected at any time from damage due to collision. The protection shall consist of locating such appurtenances within the tank itself, or within the motor vehicle frame, or a suitable collision-resisting subframe, guard or housing.

PART 4—REGULATIONS APPLYING PARTICULARLY TO CARRIERS BY RAIL FREIGHT

Superseding and amending headlines "b" and "2", section 533, order Feb. 26, 1942, to read as follows (*loading and storage chart*):

Change description in headline and sideline "b" to read as follows: High explosives, and smokeless powder for small arms in quantity exceeding 50 pounds.

Change description in headline and sideline "2" to read as follows: Smokeless powder for cannon or not exceeding 50 pounds of smokeless powder for small arms.

PART 7—REGULATIONS APPLYING TO SHIPMENTS MADE BY WAY OF COMMON OR CONTRACT CARRIERS BY PUBLIC HIGHWAY

825 Loading and Storage Chart of Explosives and Other Dangerous Articles

Superseding and amending in part the chart, order Nov. 8, 1941, as follows:

Change description in headline and sideline "b" to read as follows: High explosives, and smokeless powder for small arms in quantity exceeding 50 pounds.

Change description in headline and sideline "2" to read as follows: Smokeless powder for cannon or not exceeding 50 pounds of smokeless powder for small arms.

Amending par. (a) (4), section 828, order Nov. 8, 1941, as follows:

(Add) NOTE: Liquid nitroglycerin may be destroyed by use of a solution composed of

60% commercial sodium sulfide	1 ounce.
Denatured alcohol	7½ fluid ounces
Acetone	2 fluid ounces
Water	3 fluid ounces

It is further ordered, That the aforesaid regulations as further amended herein shall remain in full force and effect on and after October 15, 1942, and shall be observed until the further order of the Commission;

It is further ordered, That compliance with the aforesaid regulations, as amended, made effective by this order, is hereby authorized on and after the date of service hereof;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the Office of the Secretary of the Commission at Washington, D. C.

By the Commission, division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42–7411; Filed, July 31, 1942; 10:43 a. m.]

Chapter II—Office of Defense Transportation

[Amendment No. 1 to General Order O. D. T. No. 10 [1]]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART G—CHARTER AND SIGHTSEEING SERVICE

PROHIBITION OF CERTAIN CHARTER SERVICE

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, General Order O. D. T. No. 10, Chapter II of this Title, Part 501, § 501.39 is hereby amended, and new §§ 501.40 and 501.41 are added, as follows:

* * * * *

§ 501.39 *Certain charter service prohibited.* No person shall engage in charter service by bus, except:

(a) In the transportation of (1) Prisoners, insane, mentally disordered or mentally incompetent persons, and their custodians, guards, and other necessary attendants, if such transportation is furnished upon written request of an authorized officer of the law or other official charged with the custody of such persons;

(2) A jury and its official custodians and other authorized court attendants, if such transportation is furnished upon written request of the presiding judge of the court in which such jury is serving.

(b) In the transportation hereinafter specified when such transportation cannot readily be performed by existing facilities and established scheduled services of common carriers of passengers operating over regular routes between fixed termini, to-wit: The transportation of (1) Military or naval personnel or persons participating in organized recreational activities at military establishments to or from Army and Navy establishments provided such transportation is furnished on written request of the commanding officer at such establishment;

[1] 7 F.R. 3786.

(2) The armed forces of any State to or from any military establishment provided such transportation is furnished on written request of the commanding officer of such establishment;

(3) Selectees to or from examining or induction stations on the written request of an authorized official of the Selective Service System;

(4) Students, teachers, and other school employees en route between their homes and their schools;

(5) Employees en route between their homes and their places of work;

(6) Children under eighteen (18) years of age and their attendants, from their homes to summer camps, for the purpose of permitting such children to attend such camps for periods in excess of one day, or from such camps to their homes after such periods of attendance. Such service may be given only after written application showing the necessity therefor has been filed with and approved in writing by a Regional Office of the Office of Defense Health and Welfare Services, Division of Recreation;

(7) Persons en route between their homes and their places of regular weekly worship for the purpose of attending religious services;

(8) Civilians from their homes for purposes of evacuation, in the interest of their safety or to serve military purposes, or to their homes after evacuation, pursuant to orders of governmental or military authorities;

(9) Passengers of common carriers by railroad or by air en route on an established scheduled service operated over a regular route between fixed termini by any such carrier, if such transportation is furnished upon the written request of any such carrier and is furnished in lieu of and as a substitute for such established scheduled service of such carrier which has been temporarily discontinued or interrupted as a result of adverse weather conditions, an act of God, a catastrophe, accident, or other emergency, not within the control of such carrier.

§ 501.40 *Special or general permits.* The provisions of this subpart shall be subject to any special or general permit issued by this Office to meet specific needs or exceptional circumstances.

§ 501.41 *Notice of changes in operations of regulated motor carriers.* Every person engaged in charter or sightseeing service at the effective date of this subpart, who was required by law to file tariffs of rates, charges, rules, or practices, forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the operations, rules, regulations, and practices of such person which may be necessary to accord with this subpart, together with a notice describing the operations which will be or have been discontinued or suspended in compliance with the provisions hereof, and a copy of this subpart as hereby amended; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This amendment shall become effective August 1, 1942.

Issued at Washington, D. C., this 30th day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–7406; Filed, July 30, 1942; 5:00 p. m.]

[General Permit O.D.T. No. 3–4]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART B—COMMON CARRIERS OF PROPERTY

TRANSPORTATION OF FARM PRODUCTS AND SUPPLIES

In accordance with the provisions of General Order O.D.T. No. 3, revised,[1] Title 49, Chapter II, Part 501, Subpart B, § 501.8,

It is hereby authorized, That:

§ 521.503 *Transportation of farm products and supplies.* Any common carrier when operating a motor truck engaged exclusively in the transportation of farm products from a farm or farms to a processing or packing plant, dehydrating, brining, freezing, or storage place, cannery, mill, warehouse, stockyard, wholesale or retail market, or to a rail or a water carrier, or when operating a motor truck engaged exclusively in the transportation of farm supplies to a farm or farms, is hereby relieved, in respect of any truck so engaged in such operations, from compliance with the provisions of subparagraph (2) of paragraph (a) of § 501.6 of General Order O.D.T. No. 3, revised, for a period of ninety-two (92) days commencing August 1, 1942 and ending October 31, 1942. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 3, revised, 7 F.R. 5445).

Issued at Washington, D. C., this 31st day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–7432; Filed, July 31, 1942; 12:11 p. m.]

[General Permit O.D.T. No. 17–11]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION OF FOREST PRODUCTS

In accordance with the provisions of General Order O.D.T. No. 17,[2] Title 49, Chapter II, Part 501, Subpart K, § 501.71,

It is hereby authorized, That:

§ 521.2886 *Transportation of forest products.* Any motor carrier is hereby relieved from compliance with the provisions of § 501.67, subparagraph (2) of paragraph (a) of § 501.69 of General Order O.D.T. No. 17, in respect of the operations of any motor truck when engaged exclusively in the transportation of forest products, as follows:

(a) Sawlogs, veneer logs, peeler logs, bolts, or unfinished lumber, from the point of production to a sawmill, a processing plant, the nearest point at which adequate rail or water transportation is available, or to any other point which is nearer to such point of production than such rail or water transportation point;

(b) Finished lumber from a processing plant which does not have rail or water shipping facilities to the nearest point at which adequate rail or water transportation is available;

(c) Poles, pilings, posts, round timbers, hewn ties, or fuel-wood from the point of production to the nearest point at which adequate rail or water transportation is available, or to any other point which is nearer to such point of production than such rail or water transportation point;

(d) Pulpwood, chemical wood, extract wood, or pulpwood logs to a point at which adequate rail or water transportation is available, or to a consuming, processing or storage point. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678).

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 31st day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–7433; Filed, July 31, 1942; 12:11 p. m.]

[General Permit O. D. T. No. 17–12]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

TRANSPORTATION IN CONNECTION WITH CONSTRUCTION

In accordance with the provisions of General Order O.D.T. No. 17,[2] Title 49, Chapter II, Part 501, Subpart K, § 501.71,

It is hereby authorized, That:

§ 521.2887 *Operations within a construction area.* Any motor carrier when operating a motor truck wholly within the territorial limits of a construction project and engaged in the transportation of property used or to be used in or in connection with such construction project is hereby relieved, in respect of any truck engaged in such transportation, from compliance with the provisions of § 501.67, paragraph (c) of § 501.68 and subparagraphs (1) and (2) of paragraph

[1] 7 F.R. 5445.
[2] 7 F.R. 5678.

(a) of § 501.69 of General Order O.D.T. No. 17.

§ 521.2888 *Operations of dump trucks.* Any motor carrier operating a dump truck in local delivery service when such truck is engaged exclusively in the transportation of soil or waste material from or to a construction project is hereby relieved, in respect of trucks so engaged in such transportation, from compliance with the provisions of § 501.67, paragraph (c) of § 501.68 and subparagraph (2) of paragraph (a) of § 501.69 of General Order O.D.T. No. 17. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678).

This General Permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 31st day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7434; Filed, July 31, 1942; 12:12 p. m.]

Notices

WAR DEPARTMENT.

[General Orders No. 123]

HAWAII

AUTHORIZATION FOR REGULATIONS GOVERNING SECURITIES

Office of the Military Governor, Territory of Hawaii, Iolani Place, Honolulu, T. H.

JULY 3, 1942.

Securities. 1. By virtue of the power vested in the Military Governor of the Territory of Hawaii, the Governor of the Territory of Hawaii is hereby authorized to make and administer regulations relating to perforation, destruction and custody of all securities physically located in the Territory of Hawaii, subject to such restrictions and limitations as may be promulgated by the Congress, President, or Secretary of the Treasury.

2. Whoever is found guilty of violating any of the provisions of such regulations, shall, upon conviction, be fined not more than five thousand dollars ($5,000), or, if a natural person, may be imprisoned for not more than five (5) years, or both; and any officer, director, or agent of any corporation who knowingly participates in such a violation may be punished by a like fine, imprisonment, or both.

By order of the Military Governor.

[SEAL] THOMAS H. GREEN,
Brigadier General, A. U. S.
Executive.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7402; Filed, July 30, 1942; 3:45 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-303]

J. J. FOUTZ, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 2, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 6, 1942, by the Bituminous Coal Producers Board for District No. 18, a District Board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by J. J. Foutz, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 21, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Franciscan Hotel, Albuquerque, New Mexico.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code, and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern. In addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.122 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging

That the code member, whose address is Kirtland, New Mexico, whose code membership became effective as of October 8, 1937, and who operates the Fourtz Mine, Mine Index No. 129, located in San Juan County, New Mexico, Subdistrict 8 of District No. 18:

(a) Sold and delivered by truck during the period from October 11, 1941, to November 10, 1941, both dates inclusive, approximately 90.795 net tons of 1" lump coal (Size Group No. 2) to the school board for District No. 22, Kirtland, New Mexico, for use at the Central High School, located at a point approximately four miles from the aforesaid mine, at a delivered price of $2.50 per net ton, whereas the effective minimum f. o. b. mine price for said coal was $2.50 per net ton, as set forth in the Schedule of Effective Minimum Prices for District No. 18 For All Shipments, to which minimum price there should have been added an amount at least equal as nearly as practicable to the transportation, handling and other incidental charges from the transportation facilities at the mine to Kirtland, New Mexico, as required by Price Instruction and Exception No. 10, as amended and contained in Supplement No. 1 to the aforesaid Schedule, resulting in violations of section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code;

(b) Misrepresented the size of the coal referred to above in that said size was falsely recorded on truck sales tickets as mine run coal, resulting in violations of section 4 II (i) 8 of the Act, Part II (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations.

(c) Entered into a written contract with the school board for District No. 22, Kirtland, New Mexico, pursuant to which the coal referred to above was sold and delivered, and failed to incorporate into said contract the terms and conditions required by Rules 1, 3 and 8 of section VI of the Marketing Rules and Regulations, resulting in violations of said rules; and

(d) Failed to file with the Statistical Bureau or Bureaus a true copy of said contract within fifteen (15) business days from the date of execution thereof as required by Rule 7 of section VI of the Marketing Rules and Regulations, resulting in violation of said rule.

Dated: July 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7423; Filed, July 31, 1942; 11:52 a. m.]

[Docket No. B-164]

REED & RENNICK, CODE MEMBER

ORDER POSTPONING HEARING

In the matter of Kenneth Reed and George M. Rennick, individually and as co-partners, doing business under the name and style of Reed & Rennick, Code Member.

The above-entitled matter by Order dated July 6, 1942, having been scheduled for hearing at 10:00 a. m. on August 3, 1942, at a hearing room of the Bituminous Coal Division at the County Courthouse, Danville, Illinois; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10:00 a. m. on August 3, 1942 to a time and place to be hereafter designated by an appropriate order.

Dated: July 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7424; Filed, July 31, 1942; 11:52 a. m.]

[Docket No. B-10 District No. 4]

J. B. WILLIAMSON, CODE MEMBER, DEFENDANT

ORDER DENYING MOTION TO VACATE ORDER REOPENING AND RESCHEDULING HEARING, POSTPONING SAID RESCHEDULED HEARING AND REDESIGNATING TRIAL EXAMINER

The above-entitled matter, pursuant to order issued July 17, 1942, having been reopened and rescheduled for hearing on July 31, 1942, at 10 a. m. at a hearing room of the Division, Room 518, Bulkley Building, Cleveland, Ohio; and

Defendant having filed a motion with the Division on July 27, 1942, for an order vacating and setting aside said order issued July 17, 1942, or in the alternative postponing said hearing to September 1, 1942; and

It appearing that said motion does not state grounds warranting the issuance of an order vacating and setting aside said order issued July 17, 1942, and good reasons appearing for the postponement of said hearing to August 21, 1942 instead of September 1, 1942, as requested by the defendant;

Now, therefore, it is ordered, That the motion for an order vacating and setting aside said order issued July 17, 1942, be and it hereby is denied;

It is further ordered, That the rescheduled hearing in the above-entitled matter be postponed from 10 a. m. on July 31, 1942 to 10 a. m. on August 21, 1942 at a hearing room of the Bituminous Coal Division, Room 518, Bulkley Building, Cleveland, Ohio; and

It is further ordered, That time of the defendant in which to file an application for disposition of this proceeding without formal hearing pursuant to § 301.132 of the Rules and Regulations of the Division be and it hereby is extended to August 7, 1942; and

It is further ordered, That Trial Examiner W. A. Cuff or any other officer of the Bituminous Coal Division that may be designated shall preside at said hearing vice Charles S. Mitchell; and

It is further ordered, That said order issued July 17, 1942, shall, in all other respects, remain in full force and effect.

Dated: July 30: 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7425; Filed, July 31, 1942; 11:52 a. m.]

[Docket No. B-34]

HIGH POINT COAL COMPANY, CODE MEMBER

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP AND CEASE AND DESIST ORDER

A complaint dated September 15, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on September 16, 1941 with the Bituminous Coal Division (the "Division"), by the Bituminous Coal Producers Board for District No. 8, alleging wilful violation by High Point Coal Company, Knoxville, Tennessee, a corporation and code member in District No. 8, of the Bituminous Coal Code (the "Code"), and the effective minimum prices established thereunder, and an amendment to said complaint having been granted by Order herein dated February 28, 1942; and

High Point Coal Company, pursuant to § 301.132 of the Rules of Practice and Procedure, having duly filed with the Division on January 19, 1942 an application dated January 16, 1942 for disposition of the above-entitled matter without formal hearing, and on February 10, 1942, and February 18, 1942, having filed with the Division supplements to said application; and

An Order having been entered herein on July 15, 1942 (a) granting the aforesaid application as supplemented, (b) cancelling and revoking the membership of High Point Coal Company in the Code as of fifteen (15) days from the date of service of said Order on High Point Coal Company, (c) providing, pursuant to section 5 (c) of the Act for payment to the United States of a tax in the amount of Four Hundred and Sixty-five Dollars and Ninety Cents ($465.90) as a condition precedent to restoration of the membership of High Point Coal Company in the Code and (d) providing that any order of restoration of the membership of High Point Coal Company in the Code shall require that said High Point Coal Company, its representatives, officers, servants, agents, employees, attorneys, receivers, and successors or assigns, and all persons acting or claiming to act in its behalf or interest cease and desist and that they be permanently enjoined and restrained from violating the Act, the Code, and rules and regulations thereunder; and

High Point Coal Company having filed with the Division on July 29, 1942 its application dated July 27, 1942 for restoration of its code membership to become effective simultaneously with the effective date of said cancellation and revocation of its code membership; and

It appearing from said application and other information in the possession of the Division that said High Point Coal Company has paid to the Deputy Collector of Internal Revenue for the District of Tennessee the sum of Four Hundred and Sixty-five Dollars and Ninety Cents ($465.90) as provided in said Order dated July 15, 1942, as a condition precedent to the restoration of its code membership.

Now, therefore, it is ordered, That said application of High Point Coal Company for restoration of its code membership be, and the same hereby is, granted.

It is further ordered, That said restoration of the code membership of High Point Coal Company be effective simultaneously with the effective date of said Order isued herein on July 15, 1942 revoking and cancelling the code membership of High Point Coal Company.

It is further ordered, That, pursuant to said Order issued herein on July 15, 1942, High Point Coal Company, its representatives, agents, servants, employees, attorneys, officers and successors or assigns and all persons acting or claiming to act in its behalf or interest, cease and desist and they hereby are permanently enjoined and restrained from selling or offering to sell coal below the applicable minimum prices therefor or from otherwise violating the Bituminous Coal Act, the Bituminous Coal Code and rules and regulations thereunder.

It is further ordered, That the Division, upon failure of High Point Coal Company to comply with this Order, may apply to the Circuit Court of Appeals for the United States within any circuit where High Point Coal Company carries on business for the enforcement hereof or take other appropriate action.

Dated: July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7427; Filed, July 31, 1942; 11:53 a. m.]

[Docket No. B-51]

EASTERN COAL & COKE COMPANY

ORDER FOR REINSTATEMENT OF REGISTRATION

An order having been issued in the above-entitled matter on June 10, 1942, suspending the registration of respondent, Eastern Coal & Coke Company, as a distributor, Registration No. 2615, for a period of thirty (30) days, beginning fifteen (15) days after the date of said Order; and

Said Order having been duly served upon said respondent on June 18, 1942; and

Eastern Coal & Coke Company, respondent herein, having duly filed with the Division on July 14, 1942, an affidavit sworn to on July 11, 1942, and thereafter on July 21, 1942, having filed a supplemental affidavit sworn to on July 20, 1942, pursuant to § 304.15 of the Rules and Regulations for the Registration of Distributors, and said Order issued June 10, 1942; and

It appearing to the Acting Director that said affidavits of Eastern Coal & Coke Company sufficiently comply with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and said Order dated June 10, 1942;

Now, therefore, it is ordered, That the registration of Eastern Coal & Coke Company be and it hereby is reinstated simultaneously with the expiration of said thirty (30) day period of suspension.

Dated: July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7428; Filed, July 31, 1942; 11:53 a. m.]

[Docket No. B-48]

SUN COAL COMPANY, CODE MEMBER

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP AND CEASE AND DESIST ORDER

A complaint, dated September 9, 1941, in the above-entitled matter, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been filed with the Bituminous Coal Division (the "Division") on September 24, 1941 by the Bituminous Coal Producers Board for District No. 8, complainant, alleging that Sun Coal Company wilfully violated the provisions of the Bituminous Coal Code (the "Code") and the effective minimum prices established thereunder, and an amendment to said complaint having been filed with the Division on February 2, 1942; and

Sun Coal Company having filed with the Division on January 19, 1942, an application pursuant to § 301.132 of the Rules of Practice and Procedure for disposition of the above-entitled matter without formal hearing and on February 10, 1942 and April 22, 1942 having filed with the Division supplements to said application; and

An order having been entered herein on July 15, 1942 (a) revoking and cancelling the code membership of Sun Coal Company effective fifteen (15) days from the date of service of said order on Sun Coal Company; (b) providing that prior to restoration of Sun Coal Company to membership in the Code, there shall be paid to the United States Government a tax in the amount of Three Thousand Four Hundred and Twelve Dollars and Thirty-nine Cents ($3,412.39) as provided in section 5 (c) of the Act; and (c) providing that any order or restoration of the membership of Sun Coal Company in the Code shall require that Sun Coal Company, its representatives, officers, servants, agents, employees, attorneys, receivers, and successors or assigns and all persons acting or claiming to act in its behalf or interest cease and desist and that they be permanently enjoined and restrained from violating the Act, the Code, and rules and regulations thereunder; and

Said order issued July 15, 1942 having been duly served on Sun Coal Company on July 23, 1942; and

Sun Coal Company having on July 29, 1942 filed with the Division an application dated July 27, 1942, for restoration of its code membership, and it appearing from said application that Sun Coal Company has paid to the Deputy Collector of Internal Revenue for the District of Tennessee the sum of Three Thousand Four Hundred and Twelve Dollars and Thirty-nine Cents ($3,412.39) as provided in said order, as a condition precedent to the restoration of its code membership.

Now, therefore, it is ordered, That said application of said Sun Coal Company for restoration of its code membership be and the same hereby is granted and said restoration is to become effective simultaneously with the effective date of cancellation and revocation of its code membership, as provided in order issued herein on July 15, 1942; and

It is further ordered, That pursuant to said order issued herein on July 15, 1942, Sun Coal Company, its representatives, officers, servants, agents, employees, attorneys, receivers, and successors or assigns and all persons acting or claiming to act in its behalf or interest, cease and desist and they are permanently enjoined and restrained from violating the Act, the Code, and rules and regulations thereunder; and

It is further orered, That the Division, upon failure of Sun Coal Company to comply with this Order, may apply to the Circuit Court of Appeals for the United States within any circuit where Sun Coal Company carries on business for the enforcement hereof or take other appropriate action.

Dated July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7426; Filed, July 31, 1942; 11:53 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

CINCINNATI, OHIO, MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED MARKETING AGREEMENT, AND TO A PROPOSED MARKETING ORDER, REGULATING HANDLING OF MILK, PREPARED BY THE ADMINISTRATOR OF THE AGRICULTURAL MARKETING ADMINISTRATION

Pursuant to § 900.12 (a)[1] of the General Regulations, as amended, of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed marketing agreement and to a proposed marketing order regulating the handling of milk in the Cincinnati, Ohio, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 0312, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

The proceedings were initiated by the Agricultural Marketing Administration upon receipt of a petition dated March 9, 1942, from the Cincinnati Sales Association, Cincinnati, Ohio, for a public hearing on a marketing agreement and marketing order program which it proposed. Following this request a number of proposed provisions were received from other interested parties. After consideration of all the proposals received, notice of the hearing was issued on April 16, 1942, and the hearing was convened on May 5, 1942. The time for filing briefs was set at the close of the hearing, to expire at midnight May 16, 1942.

The underlying issue in this proceeding is whether or not the Secretary shall issue a marketing order. It is concluded from the record that an order should be issued and that a marketing agreement should be offered to the handlers who regularly sell milk in the prescribed marketing area to be known as the Cincinnati, Ohio, marketing area, irrespective of the original source of the milk sold. By this means orderly marketing conditions will be promoted and preserved and the policy of the act will be effectuated.

From the conclusion on the underlying issue, several principal issues pertaining to certain features of the proposed program assume prominence from the record, as follows:

1. What constitutes the most practical marketing area, and what constitutes its supply of milk which should be regulated?

2. At what level shall the minimum class prices be fixed?

3. By what method shall the proceeds of these minimum prices be distributed to producers?

On these issues, it is concluded that:

1. The marketing area should include the city of Cincinnati, Ohio, and the territory within the boundary lines of Hamilton County, Ohio.

2. Parity prices calculated from the period August 1919–July 1929 are unreasonable in view of present conditions and that the prices fixed will reflect the price of feeds, the available supplies of feeds and other economic conditions which affect the market supply and demand for milk produced for sale in the marketing area, will insure a sufficient supply of pure and wholesome milk for such area, and will be in the public interest.

3. The reserve supplies of milk of the fluid milk plants serving the marketing area are not proportionately distributed among the handlers of milk, and in order that equity as among producers and as among handlers may be achieved, payment should be made to all producers delivering milk to all handlers of uniform prices for all milk so delivered, irrespective of the uses made of such milk by the individual handler to whom it is delivered.

4. The purchasing power of milk in the Cincinnati, Ohio, marketing area, specified in sections 2 and 8e of the act cannot be determined satisfactorily from available statistics of the Department of Agriculture for the period August 1909–July 1914, but can be determined satisfactorily from available statistics of the Department of Agriculture for the post-war period August 1919–July 1929, and that the post-war period should be the base period to be used in determining the purchasing power of milk sold in the Cincinnati, Ohio, marketing area.

The following proposed marketing order and proposed marketing agreement prepared pursuant to § 900.12 (a) of the General Regulations, As Amended, Agricultural Marketing Administration, are recommended as the detailed means by which these conclusions may be carried out.

This report filed at Washington, D. C., the 30th day of July 1942.

[SEAL] ROY F. HENDRICKSON,
Administrator.

PROPOSED MARKETING ORDER, REGULATING THE HANDLING OF MILK IN THE CINCINNATI, OHIO, MARKETING AREA

It is found upon the evidence introduced at the public hearing held in Cincinnati, Ohio, May 5 and 6, 1942:

Findings

1. That prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608e), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That all handling of milk sold or disposed of by handlers as defined in section 1 (a) (5) of this order is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk or its products, and that handlers so defined are engaged in the handling of milk which is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk or its products;

3. That the order regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held;

4. That a prorata assessment on handlers as provided by section 9 of this order at a rate not to exceed 2 cents per hundredweight on all milk received from producers, or produced by them, during each delivery period will provide funds necessary to pay such expenses as necessarily will be incurred by the market administrator under such order for the maintenance and proper functioning of his office; and

5. That orderly conditions for milk flowing into the Cincinnati, Ohio, marketing area are so disrupted as to result in the impairment of the purchasing power of such milk, and that the issuance of this order and all of its terms and conditions, will tend to effectuate the declared policy of the act.

Provisions

SECTION 1. *Definitions*—(a) *Terms.* The following terms shall have the following meanings:

(1) The term "Secretary" means the Secretary of Agriculture of the United States.

(2) The term "Cincinnati, Ohio, marketing area," hereinafter called the "marketing area," means the city of Cincinnati, Ohio, and the territory included within the boundary lines of Hamilton County, Ohio.

(3) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(4) The term "producer" means any person who produces milk which is received by a handler at a plant from which, under approval of the proper health authorities, milk is disposed of as milk in the marketing area, or milk which is caused to be diverted under the conditions set forth in subparagraph (5) of this paragraph with respect to milk diverted by a cooperative association to a plant from which no milk is disposed of as milk in the marketing area.

(5) The term "handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, all, or a portion, of which milk is disposed of as milk in the marketing area, and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce, or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include any cooperative association with respect to the milk of any producer whose milk previously has been received by a handler which such cooperative association causes to be delivered during the delivery periods of April, May, and June, to a plant from which no milk is disposed of as milk in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment. This definition shall not be deemed to include any person from whom emergency milk is received or any person who handles only milk of his own production.

(6) The term "delivery period" means any calendar month.

(7) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(8) The term "market administrator" means the agency which is described in section 2 for the administration hereof.

(9) The term "emergency milk" means milk or skimmed milk received by a handler from sources other than producers under a permit to receive such milk issued to him by the proper health authorities: *Provided*, That the total quantity so received shall be in excess of the total quantity of milk diverted on the same day by a cooperative association under the conditions set forth in subparagraph (5) of this paragraph.

SEC. 2. *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator, who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violations of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by section 9, the cost of his bond, and of the bonds of those of his employees who handle funds entrusted to the market administrator, his own compensation, and all other expenses which are necessarily incurred in the maintenance and

[1] 6 F.R. 6573.

functioning of his office and in the performance of his duties;

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and shall surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within two days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 3 or (ii) made payments pursuant to sections 7 and 9;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Furnish such information and verified reports as the Secretary may request, and shall submit his books and records to examination by the Secretary at any and all times.

SEC. 3. *Reports of handlers*—(a) *Reports to market administrator.* Each handler, under his own signature or under that of a person certified by such handler to the market administrator as being authorized to sign the reports required by this section, shall report to the market administrator in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 10th day after the end of each delivery period, (i) the receipts of milk at each plant from producers, (ii) the receipts of milk at each plant from handlers, (iii) the receipts of milk at each plant from his own production, (iv) the receipts of milk and cream at each plant from any other source, and (v) the utilization of all receipts of milk for the delivery period;

(2) Within 10 days after the market administrator's request with respect to each producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator, (i) the name and address, (ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received;

(3) On or before the 10th day after the end of each delivery period, his producer pay roll, which shall show for each producer, (i) the total receipts of milk with the average butterfat test thereof, (ii) the amount of the advance payment to such producer made pursuant to section 7 (a), and (iii) the deductions and charges made by the handler;

(4) On or before the 5th day after the end of each delivery period, the disposition of Class I milk outside the marketing area as follows: (i) the amount and the utilization of such milk, (ii) the butterfat test thereof, (iii) the date of such sale or disposition, (iv) the point of use, (v) the plant from which such milk was shipped, and (vi) such other information with respect thereto as the market administrator may request;

(5) On or before the day such handler receives emergency milk, his intention to receive such milk;

(6) On or before the 10th day after the end of each delivery period, the receipts of emergency milk as follows: (i) the amount of such milk, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid, or to be paid, for such milk, (v) the utilization of such milk, and (vi) such other information with respect thereto as the market administrator may request; and

(7) On or before the 10th day after each delivery period, the milk diverted by a cooperative association under the conditions set forth in section 1 (a) (5) as follows: (i) the amount of such milk, (ii) the date or dates upon which such milk was diverted during the delivery period, (iii) the plant to which such milk was shipped, (iv) the utilization of such milk, and (v) such other information with respect thereto as the market administrator may request.

(b) *Reports to a cooperative association.* In the event a handler receives milk during the delivery period from a cooperative association, either directly or from producers who have authorized such cooperative association to receive payments for them under section 8 (b), such handler shall submit to such cooperative association, on or before the 10th day after the end of the delivery period, a report of the utilization of such milk determined pursuant to section 4. For the purpose of this report the milk so received shall be prorated to each class in the proportions that the total receipts of milk from producers by such handler were used in each class.

(c) *Verification of reports.* Each handler shall make available to the market administrator or his agent, or to such other person as the Secretary may designate, (1) those records which are necessary for the verification of the information contained in the reports submitted in accordance with this section, and (2) those facilities which are necessary for the sampling and for weighing of the milk of each producer.

SEC. 4. *Classification of milk*—(a) *Basis of classification.* Milk handled by a cooperative association under the conditions set forth in section 1 (a) (5) and milk received by each handler, including milk produced by him, shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk and skim milk disposed of in the form of milk, buttermilk, and milk drinks, whether plain or flavored, and all milk not accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk used to produce cream (for consumption as cream) and creamed cottage cheese.

(3) Class III milk shall be all milk accounted for (i) as actual plant shrinkage but not to exceed 2½ percent of total receipts of milk from producers (including the handler's own production) and (ii) as used to produce a milk product other than those specified in Class II milk.

(c) *Interhandler and nonhandler sales.* Milk or skim milk disposed of by a handler to another handler or to a person who is not a handler but who distributes milk or manufactures milk products, shall be Class I milk: *Provided*, That if the selling handler on or before the 10th day after the end of the delivery period furnishes to the market administrator a statement, which is signed by the buyer and the seller, that such milk or skim milk was used as Class II milk or Class III milk, such milk or skim milk shall be classified accordingly, subject to verification by the market administrator.

(d) *Computation of milk in each class.* For each delivery period, the market administrator shall compute for each handler the amount of milk in each class, as defined in paragraph (b) of this section, as follows:

(1) Determine the total pounds of milk (i) received from producers, including milk of the handler's own production, (ii) received from other handlers, (iii) received as emergency milk, (iv) received as milk or cream (converted to 4.0 percent milk equivalent) from any other source, and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers, including the handler's own production, by its average butterfat test; (ii) multiply the weight of milk received from other handlers by its average butterfat test; (iii) multiply the weight of emergency milk by its average butterfat test; (iv) multiply the weight of milk and cream received from any other source by its average butterfat test; and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to half pints the quantity of milk and skim milk disposed of in the form of milk, buttermilk, and milk drinks, whether plain or flavored, and multiply by 0.5375; (ii) multiply the result by the average butterfat test of such milk; and (iii) if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II milk and Class III milk computed pursuant to subparagraphs (4) (ii) and (5) (iv) of this paragraph, is less than the total pounds of butterfat received, computed in accordance with subparagraph (2) of this paragraph, an amount equal to the difference shall be divided by 4.0 percent and the resulting amount shall be added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test; (ii) add together the resulting amounts; and (iii) divide the result obtained in (ii) of this subparagraph by 4.0 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply

the actual weight of each of the several products of Class III milk by its average butterfat test (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk and Class II milk, computed pursuant to subparagraphs (3) (ii) and (4) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to (i) of this subparagraph, from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 2½ percent of the total receipts of butterfat from producers by the handler); (iv) add together the results obtained in (ii) and (iii) of this subparagraph; and (v) divide the sum obtained in (iv) of this subparagraph by 4.0 percent.

(6) Determine the classification of milk received from producers, as follows: (i) subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class; (ii) subtract pro rata out of the remaining milk in each class the total pounds of emergency milk; and (iii) subtract from the remaining milk in each class the total pounds of milk (and milk equivalent of cream converted to 4.0 percent milk), except emergency milk, received from sources other than producers or handlers and used in such class.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* (1) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

SEC. 5. *Prices*—(a) *Class prices.* Except as set forth in paragraphs (b) and (c) of this section each handler shall pay at the time and in the manner set forth in section 7 not less than the following prices per hundredweight for milk received at such handler's plant, on the basis of milk of 4.0 percent butterfat content, as follows:

(1) Class I milk, $3.55.

(2) Class II milk, $2.65.

(3) Class III milk, the price resulting from the following computation by the market administrator: determine the arithmetical average of the basic, or field, prices per hundredweight ascertained to have been paid for milk of 4.0 percent butterfat content received during the delivery period at the following plants:

Concern and location of plants

M. & R. Dietetic Laboratories, Inc., Chillicothe, Ohio.
Carnation Milk Co., Hillsboro, Ohio.
Nestle's Milk Products, Inc., Greenville, Ohio.
Osgood Milk Co., Osgood, Ind.
Carnation Milk Co., Maysville, Ky.

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be the price for Class III milk for the delivery period: multiply by 4 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (i) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound, or (ii) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining these adjustments the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used, and the following adjustments shall be made in lieu of the adjustments set forth above: add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound, or subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk at Chicago is below 7½ cents per pound.

(b) *Price of Class I milk disposed of outside the marketing area.* (1) The price to be paid by such handler for Class I milk disposed of outside the marketing area, in lieu of the price otherwise applicable pursuant to this section and except as provided in subparagraph (2) of this paragraph, shall be, as ascertained by the market administrator, such price as is being paid to farmers for milk of equivalent use in the market where such milk is disposed of, subject to a reasonable adjustment on account of transportation with respect to Class I milk moved from the handler's plant in the marketing area to the plant outside the marketing area where such milk was loaded on wholesale and retail routes: *Provided*, That such Class I price minus the adjustment for transportation shall not be lower than the price for Class I milk determined pursuant to paragraph (a) (1) of this section, less 20 cents.

(2) The price to be paid by such handler for Class I milk disposed of outside the marketing area for which no price can be ascertained on the basis provided for in subparagraph (1) of this paragraph, including Class I milk disposed of to Government institutions and establishments, shall be the price for Class I milk determined pursuant to paragraph (a) (1) of this section.

(c) *Price of Class I milk disposed of for relief distribution.* The price to be paid by such handler for Class I milk disposed of through a recognized relief agency or under a program approved by the Secretary for the sale or disposition of milk to low-income consumers, including persons on relief, shall be the price for Class I milk determined under paragraph (a) (1) of this section, less 46 cents.

(d) *Computation of value of milk for each handler.* For each delivery period the market administrator shall compute the value of milk which each handler has received from producers (including milk of his own production), as follows:

(1) Multiply the hundredweight of milk in each class, computed in accordance with section 4 (d) and (e) by the respective class prices for 4 percent milk: *Provided*, That if the butterfat content of milk received by such handler from producers (including milk of his own production) is other than 4 percent, there shall be added, for each one-tenth of 1 percent of average butterfat content above 4 percent, or there shall be subtracted, for each one-tenth of 1 percent of average butterfat content below 4 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent thereof, and divide the result by 10.

If such handler has received milk (or cream), except emergency milk, from sources other than producers or handlers as referred to in section 4 (d) (6) (iii), and has disposed of such milk (or cream) other than as Class III milk, there shall be added to the value of milk thus far determined an additional amount computed as follows: multiply the hundredweight of such milk (or milk equivalent of cream) by the difference between the Class III price and the price applicable to the class in which it was disposed.

For the hundredweight of milk involved in any adjustment made pursuant to section 4 (e) the handler shall be debited or credited, as the case may be, at the Class III price.

(2) Add together the resulting amounts.

(3) If, in the verification of reports submitted by the handler, the market administrator discovers errors in such

reports which result in payments due the producer-settlement fund or the handler for any previous delivery period, there shall be added or subtracted, as the case may be, the amount necessary to correct such errors.

(e) *Notification to each handler of value of milk.* On or before the 13th day after the end of each delivery period, the market administrator shall bill each handler for the value of milk computed in accordance with paragraph (d) of this section.

SEC. 6. *Computation and announcement of uniform price.* For each delivery period, the market administrator shall compute and announce the uniform price, as provided in paragraphs (a) and (b) of this section.

(a) *Computation of uniform price.* The market administrator shall compute the uniform price per hundredweight of milk received by handlers during each delivery period as follows:

(1) Add together the values of milk as computed in section 5 (d) for each handler who made the payments to the producer-settlement fund as required by section 7 (b).

(2) Subtract, if the average butterfat test of all such milk is greater than 4.0 percent, or add, if the average butterfat test of such milk is less than 4.0 percent, an amount computed as follows: multiply the hundredweight of milk by the variance of such average butterfat test from 4.0 percent, and multiply the resulting amount by $0.50 if the average price of butter sold at wholesale in the Chicago market during the delivery period, as reported by the United States Department of Agriculture, was more than 40 cents; by $0.40 if such average price of butter was more than 30 cents; or by $0.30 if such average price of butter was 30 cents or less.

(3) Add the cash balance in the producer-settlement fund.

(4) Divide by the total hundredweight of milk received.

(5) Subtract from the figure obtained in subparagraph (4) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining a cash balance to provide against errors in reports and in payments by handlers. The result shall be known as the uniform price per hundredweight for such delivery period for milk of producers which contains 4.0 percent butterfat.

(b) *Announcement of prices and transportation rates.* On or before the beginning of the following delivery period, the market administrator shall notify each handler of the uniform price for milk, and of the price for Class III milk, and shall make public announcement of the uniform price computation. From time to time, the market administrator shall also publicly announce the amounts per hundredweight deducted by each handler from the payments made to producers pursuant to section 8, and the amounts actually paid to handlers, for the transportation of milk from the farms of producers to such handler's plant or plants, as ascertained from reports submitted pursuant to section 3 (a) (3).

SEC. 7. *Payment for milk*—(a) *Payment to producers.* On or before the 5th day after the end of each delivery period, each handler shall pay, with respect to all milk received during the delivery period, $1 per hundredweight of milk to each producer: *Provided*, That in the event the total amount of the deductions and charges authorized by any producer against payments due such producer for the delivery period next preceding is greater than the payment computed for such producer pursuant to section 8 (a) with respect to milk received from such producer during such preceding delivery period, the handler may deduct from the payment required by this paragraph a sum equal to the difference between such amounts.

(b) *Payment to producer-settlement fund.* On or before the 17th day after the end of each delivery period, each handler shall pay to the market administrator the amount of money which represents the value of milk billed to him for such delivery period, pursuant to section 5 (d), less the amount paid out to each producer in accordance with paragraph (a) of this section, and less the amount of the deductions and charges authorized by such producer which are itemized on the handler's producer pay roll: *Provided*, That in the calculation of the total amount of such deductions and charges to be subtracted, the deductions and charges to be considered with respect to each individual producer shall not be greater than an amount which, when added to the payment made to such producer in accordance with paragraph (a) of this section (inclusive of the deductions and charges authorized by paragraph (a) of this section), will not exceed the total value of the milk received from such producer. The market administrator shall maintain a separate fund, known as the producer-settlement fund, in which he shall deposit all payments of handlers received pursuant to this paragraph.

SEC. 8. *Payments from producer-settlement fund*—(a) *Calculation of payments for each producer.* For each delivery period, the market administrator shall calculate the payment due each producer from whom milk was received during such delivery period by a handler who paid into the producer-settlement fund in accordance with section 7, as follows:

(1) Multiply the hundredweight of milk received from each producer by the uniform price computed in accordance with section 6 (a): *Provided*, That if the milk of such producer was of an average butterfat content other than 4.0 percent, there shall be added or subtracted for each one-tenth of 1 percent variance above or below 4 percent, 5 cents if the average price of butter described in section 6 (a) (2) was more than 40 cents, 4 cents if such average price of butter was more than 30 cents, or 3 cents if such average price of butter was 30 cents or less.

(2) Subtract the amount of the payment made pursuant to section 7 (a), and the charges and the deductions, if any, which are made pursuant to section 7 (b).

(b) *Payments.* On or before the 20th day after the end of each delivery period, the market administrator shall pay, subject to the provisions of section 10, to each cooperative association authorized to receive payments due producers who market their milk through such cooperative association, the aggregate of payments calculated pursuant to paragraph (a) of this section, for all producers certified to the market administrator by such cooperative association as having authorized such cooperative association to receive such payments, and shall pay direct to each producer, who has not been certified as having authorized such cooperative association to receive such payments, the amount of the payments calculated pursuant to paragraph (a) of this section.

SEC. 9. *Expense of administration*—(a) *Payment by handler.* As his pro rata share of the expenses which will be necessarily incurred in the maintenance and functioning of the office of the market administrator, each handler, with respect to all milk received from producers, and produced by him, during the delivery period, shall pay to the market administrator, on or before the 17th day after the end of each delivery period, that amount per hundredweight, not to exceed 2 cents, which is announced by the market administrator on or before the 13th day after the end of the delivery period.

SEC. 10. *Marketing services*—(a) *Deductions for marketing services.* The market administrator shall deduct an amount not exceeding 4 cents per hundredweight of milk (the exact amount to be determined by the market administrator), from the payments made pursuant to section 8 (b), with respect to those producers for whom the marketing services set forth in paragraph (b) of this section are not being performed by a cooperative association which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," for the purpose of performing for such producers the services set forth in paragraph (b) of this section.

(b) *Marketing services to be rendered.* The moneys received by the market administrator pursuant to paragraph (a) of this section shall be expended by the market administrator for market information to, and for verification of weights, samples, and tests of milk received from, producers for whom a cooperative association, as described in paragraph (a) of this section, is not performing the same services on a comparable basis, as determined by the market administrator, subject to the review of the Secretary.

SEC. 11. *Effective time, suspension, or termination of order*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order or any provision hereof whenever he finds that this order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(1) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary, (ii) from time to time account for all receipts and disbursements and, when so directed by the Secretary, deliver all funds on hand, together with the books and records of the market administrator or such other person to such person as the Secretary shall direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 12. *Liability*—(a) *Handlers.* The liability of the handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

SEC. 13. *Counterparts and additional parties*—(a) *Counterparts.* This agreement may be executed in multiple counterparts, and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties.* After this agreement first takes effect, any handler may become a party to this agreement if a counterpart thereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

SEC. 14. *Record of milk handled and authorization to correct typographical errors*—(a) *Record of milk handled.* The undersigned certified that he handled during the month of ----------, ---------- pounds of milk covered by this agreement and disposed of within the marketing area.

(b) *Authorization to correct typographical errors.* The undersigned hereby authorizes the Chief, Dairy and Poultry Branch, Agricultural Marketing Administration, to correct any typographical errors which may have been made in this marketing agreement.

SEC. 15. *Signature of parties.* In witness whereof, the contracting handlers, acting under the provisions of the act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

[F. R. Doc. 42-7403; Filed, July 30, 1942; 4:22 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order O.D.T. No. 2-3]

SUBSTITUTION OF MOTOR VEHICLE FOR RAIL PASSENGER SERVICE

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY

Upon consideration of the application for authority to substitute motor vehicle service for certain railroad passenger service filed with this Office by the Chicago, Burlington & Quincy Railroad Company, as contemplated by General Order O.D.T. No. 2,[1] and good cause appearing therefor,

It is hereby ordered, That:

1. Chicago, Burlington & Quincy Railroad Company is authorized to abandon the passenger, express and baggage train service now operated by it as train nos. 24-27 and 28-23 between Billings, Montana and Cody, Wyoming, and to substitute therefor motor vehicle bus service to be operated by Burlington Transportation Company, a subsidiary of Chicago, Burlington & Quincy Railroad Company: *Provided, however*, That Burlington Transportation Company forthwith shall file with the Interstate Commerce Commission and publish in accordance with law and continue in effect only for the duration of the present emergency, unless otherwise ordered, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rates, charges, rules, regulations or practices which may be necessary to accord with this Supplementary Order, together with a copy of this Supplementary Order, and forthwith shall apply to said Commission for special permission for such tariffs or supplements, to become effective on one-day's notice.

This Supplementary Order shall become effective on the 31st day of July 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 31st day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7435; Filed, July 31, 1942; 12:11 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3077-5]

CALUMET COAL & COKE CO.

ORDER GRANTING PETITION

Order No. 4 under Revised Price Schedule No. 77[1]—Beehive Oven Furnace Coke Produced in Pennsylvania.

On June 22, 1942, Calumet Coal & Coke Company, Scottdale, Pennsylvania, filed a petition for an exception pursuant to § 1345.57 (b) of Revised Price Schedule No. 77. Due consideration has been given to the petition and an opinion in support of this Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Calumet Coal & Coke Company may sell, offer to sell, deliver or transfer, beehive oven furnace coke produced in Pennsylvania at its ovens located at Calumet, Pennsylvania, at a price not to exceed $6.55 per net ton f. o. b. cars or trucks, Connellsville, Pennsylvania. Any person may buy, offer to buy or accept delivery of such coke at such price from Calumet Coal & Coke Company.

(b) The price stated herein may be charged for shipments of such coke made on or after May 1, 1942.

(c) The permission granted to Calumet Coal & Coke Company in this Order No. 4 is subject to the condition that so long as its said ovens shall remain in operation there shall be filed with the Office of Price Administration on or before the 10th day of each month itemized and verified statement of all costs and

PROPOSED MARKETING AGREEMENT REGULATING THE HANDLING OF MILK IN THE CINCINNATI, OHIO, MARKETING AREA

The parties hereto agree as follows:

1. The terms and provisions of sections 1 through 11 of Order No. —, Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area, issued ----------, 1942, shall be the terms and provisions of sections 1 through 11 of the marketing agreement with the exception that wherever the word "order" is used the words "marketing agreement" shall be substituted therefor; and

2. The following sections shall also be a part of the marketing agreement in addition to sections 1 through 11 of said order:

[1] 7 F.R. 2952.

[1] 7 F.R. 1352, 1836, 2030, 2132, 2760.
[2] 7 F.R. 971, 3663.

expenses incurred in the production of such coke during the preceding month; also balance sheet and profit and loss statement of Calumet Coal & Coke Company, as of the last day of the preceding month.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1345.58 of Revised Price Schedule No. 77 shall apply to terms used herein.

(g) This Order No. 4 shall become effective July 31, 1942.

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7392; Filed, July 30, 1942; 3:33 p. m.]

HURLEY MACHINE DIVISION OF ELECTRIC HOUSEHOLD UTILITIES CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 3 under Revised Price Schedule No. 86 [1]—Domestic Washing Machines and Ironing Machines.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Hurley Machine Division of Electric Household Utilities Corporation may sell, offer to sell, or deliver the following models of ironers at prices no higher than those specified:

Model 89-B	Model 89-C	
$20.44	$21.34	F. o. b. factory for sales to distributors.
24.50	25.56	F. o. b. distributing point for sales to dealers in shipments of 4 or more.
26.59	27.77	F. o. b. distributing point for sales to dealers in shipments of less than 4.

subject to discounts, allowances, and terms of sale no less favorable than those in effect with respect to the maximum price of Model 89, as determined by Revised Price Schedule No. 86.

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1380.9 of Revised Price Schedule No. 86 shall apply to the terms used herein.

(d) This Order No. 3 shall become effective on the 31st day of July 1942.

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7393; Filed, July 30, 1942; 3:34 p. m.]

[1] 7 F. R. 1367, 1836, 2132.

CENTURY STEEL CORPORATION

ORDER DENYING PETITION

Order No. 8 under revised price schedule No. 49,[1] resale of iron or steel products.

Century Steel Corporation of Chicago, Illinois has filed a petition for exception from the provisions of Revised Price Schedule No. 49. This petition has also been considered as a petition for amendment. Due consideration has been given to the petition, and an Opinion in support of this Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered that:

The petition filed by Century Steel Corporation be, and it hereby is, denied.

This order No. 8 shall become effective July 31, 1942.

Issued this 30th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7394; Filed, July 30, 1942; 3:35 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-571]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of July, A. D. 1942.

In the matter of Consolidated Electric and Gas Company, Baraga County Light and Power Company, Central Indiana Gas Company, Citizens Gas Company, Florida Public Utilities Company, Hoosier Gas Corporation, Houghton County Electric Light Company, Lynchburg Gas Company, and Maine Public Service Company.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary companies, Baraga County Light and Power Company, Central Indiana Gas Company, Citizens Gas Company, Florida Public Utilities Company, Hoosier Gas Corporation, Houghton County Electric Light Company, Lynchburg Gas Company, and Maine Public Service Company, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 9, 10, and 12 thereof and Rules U-42, U-43, U-44, U-45 and U-50 of the rules and regulations promulgated thereunder. All interested persons are referred to said declarations or applications, which are on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized as follows:

Consolidated Gas and Electric Company (hereinafter referred to as Consolidated) proposes to redeem and retire Central Gas and Electric Company First Lien Collateral Trust Sinking Fund Bonds (hereinafter referred to as Cengas Bonds) in the principal amount of $7,490,600, heretofore assumed by Consolidated. Pledged as collateral under the Cengas Bonds are certain securities of Central Indiana Gas Company (hereinafter referred to as Indiana), Florida Public Utilities Company (hereinafter referred to as Florida), Hoosier Gas Corporation (hereinafter referred to as Hoosier), Houghton County Electric Light and Power Company (hereinafter referred to as Houghton), Lynchburg Gas Company (hereinafter referred to as Lynchburg) and Maine Public Service Company (hereinafter referred to as Maine). Central, Florida, Hoosier, Houghton, Lynchburg and Maine, severally, propose to issue and sell first mortgage bonds and to use the proceeds in part to retire the securities owned by Consolidated and pledged under the Cengas Bonds. Preliminary thereto Baraga is to be merged into Houghton and Consolidated is to sell Maine and New Brunswick Electrical Power Company, Limited, to Maine.

The plan submitted is to be effected by the following proposed transactions:

(1) Consolidated will sell to Houghton all of Baraga's outstanding common stock for approximately $300,000 which will be paid for with a promissory note of Houghton in the face amount of $210,000 and the issuance of additional shares of the common stock of Houghton at their par value. This note and common stock of Houghton will be pledged by Consolidated under the Cengas indenture.

Baraga will then be liquidated and Houghton will acquire its assets and either assume or pay its outstanding 4% bonds in the amount of $290,000 held by an insurance company.

(2) Houghton proposes to issue and sell $1,300,000 first mortgage bonds and to apply the proceeds (a) to redeem and retire the $290,000 Baraga bonds and (b) to pay Consolidated $1,010,000 to retire $800,000 face amount of Houghton 6% notes, presently owned by Consolidated, and the $210,000 Houghton note, above mentioned.

In case the $290,000 of assumed bonds of Baraga cannot be redeemed, they will remain outstanding and the amount of new bonds to be issued will be reduced to $1,000,000.

(3) Consolidated, which owns all the outstanding securities of Maine and New Brunswick Electrical Power Company, Limited, with the exception of $7,900 of 6% Perpetual Debenture Stock, proposes to sell these securities (which are pledged under the Cengas Indenture), to Maine for approximately $1,400,000. Maine proposes, in exchange for the securities so to be transferred to it, to issue and deliver to Consolidated a promissory note in the principal amount of $507,200.39, and additional shares of common stock of an aggregate par value equivalent to the balance of the purchase price, which securities will be pledged under the Cengas Indenture.

(4) Maine proposes to issue and sell $2,000,000 principal amount of first mortgage bonds and to apply the proceeds in payment of its 5% and 6% notes in the aggregate face amount of $1,492,799.61 and the $507,200.39 note described above, both notes being held and pledged by Consolidated under the Cengas Indenture.

(5) Indiana proposes to issue and sell $3,750,000 principal amount of first mortgage bonds and to apply the proceeds upon its present obligations as follows: (a) to redeem $1,281,000 principal amount of publicly held Series A Bonds at 103, (b) to redeem 1,881 publicly held shares of 6½% Cumulative Preferred Stock (par $100) at 105, (c) to pay $1,675,000 principal amount of Series B Bonds at par (owned and pledged by Consolidated under the Cengas Indenture), (d) to pay $558,065 on acount of 5% note in the face amount of $1,625,000 (owned and pledged by Consolidated under the Cengas Indenture).

The unpaid balance of the 5% note and 3,119 shares of 6½% Cumulative Preferred Stock (owned and pledged by Consolidated under the Cengas Indenture) will be surrendered by Consolidated as a capital contribution.

(6) Citizen proposes to issue and sell $100,000 principal amount of first mortgage bonds and to apply the proceeds in part payment of its First Mortgage 5½% Bonds in the principal amount of $209,000 owned by Consolidated and pledged under the Cengas Indenture. The unpaid balance of the bonds will be discharged by the issue of additional shares of common stock, at stated value, which will then be pledged by Consolidated under the Cengas Indenture.

(7) Florida proposes to issue and sell $1,400,000 principal amount of first mortgage bonds and to apply the proceeds in part payment of its 6% notes in the aggregate face amount of $2,100,500 owned by Consolidated and pledged under the Cengas Indenture. The unpaid balance of the notes will be discharged by the issuance of additional common stock which will be pledged under the Cengas Indenture.

(8) Hoosier proposes to issue and sell $350,000 principal amount of first mortgage bonds and to apply the proceeds (a) to redeem and retire at par a Newton Pipe Line Company Bond (heretofore assumed by it) in the principal amount of $36,500, (b) to retire at par its First Mortgage 6% Bonds in the principal amount of $87,500 owned and pledged by Consolidated under the Cengas Indenture, and (c) to apply $224,000 to its 6% Ten Year Subordinated Income Notes, owned and pledged by Consolidated under the Cengas Indenture. The unpaid balance of the notes is to be discharged at par by the issuance of additional shares of common stock, at stated value of $25 per share, which will be pledged by Consolidated under the Cengas Indenture.

(9) Lynchburg proposes to issue and sell $500,000 principal amount of first mortgage bonds and to apply the proceeds in partial payment of its 6% note in the face amount of $889,800 which is owned and pledged by Consolidated under the Cengas Indenture. The unpaid balance of the note will be discharged at par by the issuance of additional common stock at a stated value of $50 per share, which will be pledged under the Cengas Indenture.

(10) Consolidated will received from its subsidiary companies approximately $7,554,565, all of which will be deposited with the trustee of the Cengas Indenture. The funds so deposited will be applied to the redemption of all the 6% Series of the Cengas Bonds at 102 and of all the 5½% Series of the Cengas Bonds at 102¼. Consolidated will supply whatever remaining cash will be needed to consummate the proposed redemptions.

Indiana, Florida, Houghton and Maine request exemption from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50, pursuant to paragraph (a) (5) of Rule U-50, with respect to the issuance and sale of bonds by Indiana, Florida, Houghton and Maine.

Additional information concerning the proposed transactions is to be filed by amendment.

It is ordered, That a hearing on such matter under the applicable provisions of said Act and rules of the Commission thereunder be held on August 18, 1942, at 10:00 o'clock a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing-room clerk in Room 318. A such hearing, cause shall be shown why such declarations or applications (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarants or applicants and to all interested persons, said notice to be given to said declarants or applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobinger or another officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the issue and sale by each of the said subsidiary companies of their own securities, for which exemption is sought from section 6 (a) of the above-cited Act, are solely for the purpose of financing the business of such respective subsidiary companies and have been expressly authorized by the State commissions of the States in which such subsidiary companies are respectively organized and doing business.

(2) Whether the common stock and bonds to be issued and sold by Florida are reasonably adapted to the security structure and earning power of Florida and other companies in the holding company system of which it is a part; whether the issue and sale are necessary or appropriate to the economical and efficient operation of a business in which Florida is lawfully engaged or has an interest; whether the terms and conditions of the issue and sale are detrimental to the public interest or the interest of investors or consumers; whether there has been compliance with applicable state laws with respect to the issue and sale.

(3) Whether the acquisition of securities by Consolidated or any of its subsidiary companies (a) will tend toward interlocking relations or the concentration of control of public utility companies, of a kind or to an extent detrimental to the public interest or the interest of investors or consumers; (b) will unduly complicate the capital structure of the holding-company system or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of the holding-company system; (c) is detrimental to the carrying out of the provisions of section 11; aid (d) will tend toward the economical and efficient development of an integrated public-utility system.

(4) Whether there has been compliance with applicable state laws in respect to each of the several transactions proposed.

(5) Whether the issuance and sale of bonds by Indiana, Florida, Houghton and Maine should be exempted in accordance with Rule U-50 (a) (5) from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50.

(6) What, if any, terms and conditions should be imposed, pursuant to the applicable statutory provisions, by any order, or orders, if such should be entered, approving the said several proposed transactions, or any one or more of them, as necessary or appropriate in the public interest or for the protection of investors or consumers.

(7) Generally, whether all actions proposed to be taken, comply with the requirements of such Act and rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7407; Filed, July 31, 1942; 9:45 a. m.]

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 2790, 2791, 3330, 3540, 3763, 3893, 4342.

[2] 7 F.R. 971.

Reference

AUG 5

[File No. 70-554]

DERBY GAS & ELECTRIC CORPORATION

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of July 1942.

Derby Gas & Electric Corporation having filed an application pursuant to section 10 of the Public Utility Holding Company Act of 1935 regarding the acquisition of 48 shares of stock of The Derby Gas and Electric Corporation of Connecticut from Clement F. Springer, a partner in the legal firm retained by applicant, for $1,016.40 in cash; and

Said application having been filed on May 27, 1942, and certain amendments having been filed thereto, the last of said amendments having been filed on July 22, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicant having requested that said application, as amended, be granted as soon as practicable; and

It appearing to the Commission that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act, and that the transaction involved has the tendency required by section 10 (c) (2) of said Act, and being satisfied that the effective date of such application, as amended, should be advanced;

It is hereby ordered, pursuant to said Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7408; Filed, July 31, 1942; 9:45 a. m.]

[File No. 70-583]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than August 12, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Milwaukee Electric Railway & Transport Company, a nonutility subsidiary of The North American Company, a registered holding company, proposes (1) to redeem on September 1, 1942, at par plus accumulated interest $250,000 principal amount of its First Mortgage 4% Bonds, such bonds being outstanding in the aggregate principal amount of $9,200,000 and being pledged under the mortgage of Wisconsin Electric Power Company, a public utility subsidiary of The North American Company and the parent of The Milwaukee Electric Railway & Transport Company; (2) to purchase, retire, and cancel, and Wisconsin Electric Power Company proposes to sell, at par, 5,000 shares of The Milwaukee Electric Railway & Transport Company's common capital stock, par value $100 per share, from Wisconsin Electric Power Company, the owner of all the outstanding securities of The Milwaukee Electric Railway & Transport Company.

The application or declaration states that Wisconsin Electric Power Company will obtain the release of the required amount of bonds from its mortgage by certifying to the trustee thereof a sufficient amount of net bondable property additions, and will reinvest the funds to be received by it from the proposed redemption and sale to meet, in part, capital expenditures required to be made by it in the completion of its current construction program.

It is further stated that The Milwaukee Electric Railway & Transport Company has accumulated cash substantially in excess of its requirements and desires to reduce its capital obligations insofar as surplus capital funds are available for such purposes and that the expenditure of $750,000 by The Milwaukee Electric Railway & Transport Company will not impair its ability adequately to meet its increased demands for transportation service in and around the City of Milwaukee, Wisconsin.

It is further stated that the Public Service Commission of Wisconsin has no jurisdiction over the proposed redemption of bonds but that it has jurisdiction over the proposed sale by Wisconsin Electric Power Company of said 5,000 shares of stock, and Wisconsin Electric Power Company in its application to the Public Service Commission of Wisconsin has offered to accept a condition to the effect that the company will deduct $500,000 in addition to all other required deductions from net bondable property additions certified to the trustee under its mortgage; and further, that there are no underwriters or persons to whom fees, commissions, or other remuneration are to be paid other than a nominal fee to be paid to said trustee by Wisconsin Electric Power Company in connection with the release from the trust estate of the bonds to be redeemed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7409; Filed, July 31, 1942; 9:45 a. m.]

Reference

AUG 5 1942

THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES

VOLUME 7 — 1934 — NUMBER 152

Washington, Tuesday, August 4, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

FEES FOR PREPAYMENT OF LAND BANK LOANS

Section 24.7 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.7 *Fees for prepayment of land bank loans.* No fee shall be charged for prepayment of land bank loans. (Sec. 12 "Second," 39 Stat. 370, as amended; 12 U.S.C. 771 "Second," 6 C.F.R. 10.386)

[SEAL] THE FEDERAL LAND BANK OF LOUISVILLE,
By E. RICE,
President.

[F. R. Doc. 42-7436; Filed, July 31, 1942; 3:12 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[MQ-60—Peanuts, Parts I-VIII]

PART 729—NATIONAL MARKETING QUOTA FOR PEANUTS

MARKETING QUOTAS FOR PEANUTS OF THE CROP PLANTED IN THE CALENDAR YEAR 1942

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following amendments and additions to the Regulations Pertaining to Marketing Quotas for Peanuts of the Crop Planted in the Calendar Year 1942 (MQ-603—Peanuts, as issued by the Secretary of Agriculture on December 6, 1941),[1] which regulations shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act.

[1] 6 F.R. 6926.

FARM MARKETING QUOTAS

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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MISCELLANEOUS

Sec.
729.136 Penalty for false identification or failure to account for the disposition of any peanuts.
729.137 Data to be kept confidential.
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729.139 Inspection of unmarketed peanuts.

AUTHORITY: §§ 729.102 to 729.139, inclusive, issued under 52 Stat. 38, 7 U.S.C. 1301, *et seq.*, as amended.

Section 729.102 is hereby amended to read as follows:

§ 729.102 *Definitions.* As used in the regulations in this part and in all instructions, forms, and documents in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings and the masculine shall include the feminine and the neuter genders and the singular shall include the plural number:

(a) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(b) "Secretary" means the Secretary or the Acting Secretary of Agriculture of the United States.

(c) "State committee" or "State office" means the group of persons comprising the State Agricultural Conservation Committee appointed by the Secretary of Agriculture to assist within any State in the administration of the Soil Conservation and Domestic Allotment Act, or the office of such persons.

(d) "Committee" means a committee within a county or community utilized under the Soil Conservation or Domestic Allotment Act. "County Committee," "community committee," or "local committee" shall have corresponding meanings in the connection in which they are used.

(e) "Review committee" means the review committee appointed by the Secretary of Agriculture as provided in section 363 of the Act.

(f) "Person" means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof or an agency of such State or political subdivision thereof. The term "person" shall include two or more persons having a joint or common interest.

(g) "Operator" means the person who, as owner, landlord, tenant, or sharecropper, is in charge of the supervision and conduct of the farming operations on the farm.

(h) "Producer" means a person who, as owner, landlord, tenant, or sharecropper, is entitled to all or a share in the 1942 crop of peanuts or the proceeds thereof.

(i) "Buyer" means a person who buys or otherwise acquires peanuts from a producer, or a person who, as a commission merchant or broker, markets peanuts for the account of a producer and who is responsible to the producer for the amount received for the peanuts.

(j) "To market" means to dispose of peanuts, including farmers' stock peanuts, shelled peanuts, cleaned peanuts, or peanuts in processed form, by voluntary or involuntary sale, barter, or exchange, or by gift *inter vivos*. The terms "marketed," "marketing," and "for market" shall have corresponding meanings to the term "market" in the connection in which they are used. The terms "barter" and "exchange" shall include the payment by the producer of any quantity of peanuts for the harvesting, picking, threshing, cleaning, or shelling of peanuts, or for any other service rendered in connection with peanuts.

(k) "Designated agency" means an agency designated by the Secretary of Agriculture pursuant to section 359 of the Act.

(l) "Pound" means that amount of peanuts which, if in the condition in which unshelled peanuts are usually marketed by farmers, would equal one pound standard weight.

(m) "Quota peanuts" means any peanuts which are marketed within the marketing quota for the farm on which the peanuts are produced and are so identified in accordance with the regulations in this part.

(n) "Excess peanuts" means any peanuts which are marketed in excess of the marketing quota for the farm on which the peanuts are produced, and any peanuts which are not shown to be within such farm marketing quota at the time of marketing, in accordance with the regulations in this part.

(o) "Farm" means any tract(s) of land considered as a farm under the provisions of the 1942 Agricultural Conservation Program issued pursuant to the Soil Conservation and Domestic Allotment Act.

(p) "Tillable acreage available for the production of peanuts" means the acreage in the farm in 1941 which was tilled or was in regular rotation minus the sum of the acreages devoted to the production of sugarcane for sugar, wheat or rice for market or feeding to livestock for market, and cotton or tobacco for market.

(q) "Peanuts" means all peanuts produced on a farm, excluding any peanuts which it is established by the producer or otherwise in accordance with the regulations in this part, were not picked or threshed either before or after marketing from the farm.

(r) "Acreage of peanuts" means the acreage planted to peanuts on the farm or, if it is established by the producer or otherwise that peanuts were harvested and picked or threshed either before or after marketing from an acreage smaller than the planted acreage, such smaller acreage.

(s) "Actual yield" means the number of pounds of peanuts determined by dividing the number of pounds of peanuts produced on the farm in 1942 by the 1942 acreage of peanuts on the farm.

(t) "Normal production" as applied to any number of acres of peanuts means the normal yield for the farm times such number of acres.

(u) "Actual production" of any number of acres of peanuts on a farm means the actual average yield for the farm times such number of acres.

Section 729.104 is hereby amended to read as follows:

§ 729.104 *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued, with his approval, such instructions and forms as may be required to carry out the regulations in this part.

Section 729.105 is hereby amended to read as follows:

§ 729.105 *Normal yield.* The county committee, with the assistance of the other local committees established in the county, shall determine the normal yield per acre of peanuts for each farm on which a farm acreage allotment is established. The normal yield for peanuts for any farm for which a farm acreage allotment is determined shall be the average yield per acre of peanuts for the farm, adjusted for type of soil, production practices, general fertility of the land, and abnormal conditions, during the years 1936–1940, inclusive, except that for any county in which the years 1935–1939, inclusive, are equally as representative, such period may be used in determining normal yields for farms in the county.

The following sections are added:

FARM MARKETING QUOTAS

§ 729.108 *Peanuts subject to marketing quotas.* Peanuts planted during the calendar year 1942 shall be subject to the marketing quotas applicable to the 1942 crop of peanuts whether marketed in 1942 or later.

§ 729.109 *Farm marketing quota*—(a) *Amount of farm marketing quota.* The farm marketing quota for any farm shall be the number of pounds of peanuts equal to the amount of the normal production or the actual production, whichever is the larger, of the farm acreage allotment.

(b) *Initial farm marketing quota.* Notwithstanding any other provisions of this section, the amount of the normal production of the farm acreage allotment shall be the farm marketing quota for any farm unless and until it is determined by the county committee that the actual production of the farm acreage allotment therefor is in excess of the normal production thereof. If measurements for any farm are prevented by the producer, the farm marketing quota therefor shall be the normal production of the farm acreage allotment.

(c) *Farm marketing quotas based on actual production.* When the actual production of the farm acreage allotment for any farm is found by the county committee to be in excess of the normal production of the farm acreage allotment, the farm marketing quota for the farm shall be adjusted upward by the amount by which the actual production of the farm acreage allotment exceeds the normal production thereof. Such adjustments shall be made as soon as practicable after the acreage of peanuts on the farm has been determined and the total production of peanuts on the farm is established from satisfactory records of the actual production presented to the county committee: *Provided*, That an intermediate adjustment for any farm may be made earlier upon the request of any producer on the farm to whom a marketing card is issued if it is determined by the county committee that the actual production of the acreage of peanuts harvested at the time of the request exceeds the normal production of the farm acreage allotment.

§ 729.110 *Notice of farm marketing quota.* Written notice of the farm acreage allotment and normal yield and farm marketing quota established for a farm shall be mailed or delivered to the operator of the farm or other producer on the farm. Notice given pursuant to this section shall constitute notice to each producer having an interest in the 1942 peanut crop produced on the farm. Each notice shall contain a brief statement of the procedure whereby application for a review of the farm marketing quota may be had in accordance with section 363 of the Act.

§ 729.111 *Review of quotas*—(a) *Right to review by review committee.* Any producer who is dissatisfied with the farm acreage allotment, normal yield, or the farm marketing quota, or other determination for his farm in connection with marketing quotas, may, within 15 calendar days after notice thereof was mailed or delivered to him, apply in writing for a review by a review committee of such acreage allotment, normal yield, farm marketing quota, or other determination in connection therewith. Unless application for review is made within such period, the acreage allotment, the normal yield, the farm marketing quota, or the determination, as the case may be, shall be final as to the producers on the farm. Application for review and the review committee proceedings shall be in accordance with the review regulations (38–AAA–2) as issued and revised by the Secretary.

(b) *Court review.* If the producer is dissatisfied with the determination of the review committee, he may, within 15 days after notice of such determination is mailed to him by registered mail, insti-

tute proceedings against the review committee to have the determination of the review committee reviewed by a court in accordance with section 365 of the Act.

§ 729.112 *Successors-in-interest.* Any person who succeeds in whole or in part to the interest of a producer in a farm, or in the peanuts produced thereon, shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to the marketing quota established for the farm and be subject to the same restrictions on the marketing of peanuts.

§ 729.113 *Marketing quotas not transferable.* The farm marketing quota may not be assigned or otherwise transferred in whole or in part to any other farm and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm.

IDENTIFICATION AND MEASUREMENT OF FARMS

§ 729.114 *Identification of farms.* Each farm as operated for the 1942 crop of peanuts shall be identified by a farm serial number, assigned by the county committee.

§ 729.115 *Measurement of farms.* The county committee shall provide for measuring each peanut farm in the county in accordance with the procedure approved for use by the Agricultural Adjustment Agency.

MARKETING CARDS

§ 729.116 *Issuance of marketing cards*—(a) *Farms to receive marketing cards.* One or more marketing cards (form PN–611) shall be issued for each farm from which peanuts of the 1942 crop will be marketed regardless of whether a peanut acreage allotment has been determined for the farm for 1942.

(b) *Persons eligible to receive marketing cards.* A marketing card shall be issued to the operator of the farm and, if the county committee finds it will serve a useful purpose, to other producers on the farm.

(c) *Authorized quota sales to be shown on the card.* Each marketing card issued for a farm shall show a number of pounds of peanuts which may be marketed thereunder as authorized quota sales. The amount of such peanuts shall be determined as follows:

(1) If only one marketing card is issued for the farm, the authorized quota sales shall be:

(i) For a farm on which the acreage of peanuts picked or threshed is one acre or less, the acreage of peanuts on the farm times the estimated yield per acre determined for the farm by the county committee or the actual yield per acre for the farm, if known.

(ii) For a farm for which a peanut acreage allotment has been established other than a publicly-owned experiment station, the amount of the farm marketing quota.

(iii) For a publicly-owned experiment station farm, the larger of the amount determined pursuant to subdivision (ii) or the amount obtained by multiplying the acreage of peanuts grown for experimental purposes only by the estimated yield per acre determined for the farm by the county committee or the actual yield per acre for the farm, if known.

(iv) For any other farm, no amount of peanuts to be marketed as quota sales shall be shown.

(2) Where more than one marketing card is issued for the farm, the sum of the number of pounds of peanuts to be shown on the several cards as authorized quota sales shall not exceed the amount which would be shown if only one marketing card were issued for the farm under subparagraph (1) above. The amount of peanuts to be shown as authorized quota sales on a marketing card issued to any producer other than the operator shall be such producer's share of the amount which would be shown if only one marketing card were issued for the farm under subparagraph (1) above. The shares of the producers shall be determined by the county committee in accordance with the following:

(i) Upon the basis of an agreement signed by the several producers on the farm, setting forth their respective shares (either in pounds or percentages) in the amount of peanuts which may be marketed from the farm as quota peanuts. Such agreement shall not be acceptable if the share of the quota claimed by any producer exceeds the result obtained by multiplying the larger of the normal yield or the actual yield, for the farm, by his share of the acreage of peanuts.

(ii) In the event the producers fail or refuse to submit an acceptable agreement, the shares of the respective producers shall be determined by the county committee in accordance with one of the following:

(a) Evidence presented by the producers tending to show an understanding as to a division of the peanut acreage allotment or farm marketing quota, taking into account, among other pertinent factors, the purpose for which seed peanuts were purchased by the several producers, whether for planting peanuts for oil or for planting quota peanuts.

(b) The past history of the production of peanuts on the farm, that is, the number of acres grown in prior years by the producers having an interest in the peanuts on the farm or the acreage shares of the same producers in the farm peanut acreage allotment for the preceding year.

(c) The proportionate shares of the several producers in the acreage of peanuts planted in 1942, excluding from each producer's share of the acreage planted the number of acres which the committee finds, from evidence presented to it, will be hogged off or harvested for hay.

(d) *Issuance of marketing cards.* The county committee shall designate one person employed in its office as issuing officer to issue and sign marketing cards for farms in the county, but such person may, subject to the approval of the committee, designate not more than three persons in the office of the county committee to sign his name in issuing marketing cards, provided that any person designated by the issuing officer shall place his initials immediately beneath the name of the issuing officer as written by him on the card. The issuing officer shall cause to be entered on each marketing card the number of pounds of authorized quota sales and on the summary of memoranda of sales and each memorandum of sale contained therein (1) the farm serial number and (2) the name and address of the county association.

§ 729.117 *Invalid marketing cards*—(a) *Cards which are invalid.* A marketing card shall be invalid under any of the following conditions:

(1) If it is not issued in the form and in the manner prescribed.

(2) If it is lost, destroyed, or stolen, mutilated, or becomes illegible.

(3) If any entry thereon or on the summary of memoranda of sales has been erased or has been altered and has not been properly initialed, in the case of the marketing card, by the issuing officer, or, in the case of the summary of memoranda of sales, by the buyer making such erasure or alteration.

(4) If the summary of memoranda of sales has been detached therefrom.

(b) *Return of invalid cards and the replacement thereof.* Any marketing card which is invalid shall be returned to the office of the issuing officer by the producer or person having possession of the card. Upon the return of the card the issuing officer shall, upon request, issue and deliver a valid card in accordance with the provisions of §729.116. In case any marketing card is lost, destroyed, or stolen, the producer to whom the card was issued or any other person having knowledge of such loss, destruction, or theft shall give written notice to the county office from which the card was issued. If the county committee, on the basis of its investigation, finds that such marketing card was in fact lost, destroyed, or stolen, it shall cancel such marketing card by giving written notice to the producer to whom the card was issued (and to all buyers who serve the county or vicinity, if it was lost or stolen), and if it finds that there has been no collusion or connivance on the part of the producer to whom the card was issued in connection with such loss, destruction, or theft, the issuing officer shall, upon the request of the producer, issue a valid card. A marketing card issued under this section shall have entered thereon as authorized quota sales the amount which should have been shown on the marketing card which is replaced less the amount of peanuts determined to have been marketed as quota peanuts before such replaced card was lost, destroyed, or stolen. Otherwise, the marketing card shall be prepared and issued as provided in § 729.116.

(c) *Cards erroneously issued.* Any marketing card erroneously issued shall, immediately upon discovery of the error, be canceled by the county committee. The producer to whom such card is issued, if such card was delivered, shall be notified in writing that the card is invalid and of no effect and that it shall be returned. Upon return of such card, another card may be issued as provided in paragraph (b) of this section. In the event that the erroneously issued marketing card is not returned promptly, the county committee shall notify all buyers who serve the county, or the vicinity, that the marketing card is canceled.

§ 729.118 *Report of possible misuse of marketing card.* Any person having information which causes him to believe that any marketing card is being, has been, or is likely to be used in identifying peanuts produced on a farm other than the farm for which it was issued, or that peanuts are being marketed from any farm without the use of a marketing card, shall report such information immediately to the county State office.

IDENTIFICATION OF PEANUTS

§ 729.119 *Identification of peanuts*—(a) *Time and manner of identification.* Each marketing of peanuts from the crop produced on each farm shall be identified by a valid memorandum of sale from a valid marketing card issued to the producer on the farm. The marketing card shall be presented to the buyer at the time of each marketing of peanuts from the farm by the producer on the farm to whom the marketing card was issued or his representative. Each memorandum of sale shall be executed to show, on the basis of information shown on the marketing card, the amount of peanuts identified thereby which are (1) marketed as quota peanuts; (2) marketed as excess peanuts to a designated agency or a sub-agent thereof for oil; and (3) marketed as excess peanuts subject to the penalty of 3 cents per pound. A memorandum of sale shall be valid only when presented with the marketing card and only when all entries required thereon and on the marketing card have been made correctly. The marketing of any peanuts not separated from the vines at the time of such marketing nevertheless shall be identified as provided in these regulations and the amount of peanuts marketed shall be the estimated or known weight of the peanuts exclusive of the weight of the vines. If shelled peanuts are marketed, the poundage thereof shall be converted to the weight of unshelled peanuts by multiplying the number of pounds of shelled peanuts by 1.5 and the result shall be the number of pounds considered as marketed under the regulations in this part.

(b) *Extent to which peanuts are identified as quota peanuts and as excess peanuts.* The amount of peanuts identified by a valid memorandum of sale from a valid marketing card as quota peanuts and as excess peanuts shall be determined in accordance with the following rules:

(1) If no peanuts are authorized to be marketed under the marketing card as quota sales, the entire amount of each lot of peanuts marketed shall be identified as excess peanuts.

(2) If peanuts are authorized to be marketed under the marketing card as quota sales, the quantity of peanuts which may be identified and marketed as quota peanuts shall not exceed the number of pounds authorized to be marketed as quota sales, as shown on the marketing card, less the total number of pounds of peanuts previously marketed as quota sales and recorded on the summary of memoranda of sales contained in the marketing card. All other peanuts marketed shall be identified as excess peanuts. Any peanuts which are not identified by a valid memorandum of sale from a valid marketing card shall be identified as excess peanuts by a form PN–613 executed by the buyer and the producer.

(c) *Excess peanuts subject to penalty.* The marketing of any peanuts which are identified in accordance with this section as excess peanuts shall, if the peanuts are marketed to a person other than a designated agency or sub-agent thereof, be subject to the penalty.

(d) *Excess peanuts not subject to penalty.* The marketing of any peanuts which are identified in accordance with this section as excess peanuts shall not be subject to the penalty if delivered to and marketed through a designated agency or sub-agent thereof; provided the producer is paid for such peanuts the market value thereof for crushing for oil, as of the date of delivery, less the estimated cost of storing, handling, and selling such peanuts as determined by the Secretary.

(e) *Peanuts not identified.* All peanuts marketed by a producer which are not identified in accordance with the regulations in this part shall be subject to penalty.

PENALTY

§ 729.120 *Penalties for marketing excess peanuts*—(a) *Amount of penalties and time when due.* The rate of the penalty for the marketing of excess peanuts shall be 3 cents per pound, except that the collection and payment of the penalty will not be required if the peanuts are delivered to and marketed through a designated agency or sub-agent thereof as provided in § 729.119 (d). The penalty shall be due at the time the peanuts are marketed.

(b) *Payment of penalties.* The penalty shall be paid by the buyer acquiring the excess peanuts from the producer not later than one week after the date the peanuts were marketed to such buyer by remitting the amount thereof to the State office of the Agricultural Adjustment Agency. The buyer may collect the penalty by deducting the amount thereof from the purchase price paid the producer. If the buyer fails to collect the penalty, the buyer and the producer(s) having a share in the peanuts produced on the farm shall be jointly and severally liable for the amount of the penalty.

(c) *Form of remittance.* The penalties shall be remitted to the State committee by check, draft, or money order drawn payable to the order of the Treasurer of the United States. All checks and drafts will be received subject to collection and payment at par.

§ 729.121 *Deposit of funds.* All funds received by any State office in connection with the marketing of peanuts shall be deposited to the credit of a special deposit account with the Treasurer of the United States in the name of the Chief Disbursing Officer of the Treasury Department (hereinafter referred to as "special deposit account").

§ 729.122 *Refunds and transfers of money in excess of the penalty.* As soon as practicable the county committee shall, for each farm for which penalties have been paid, determine (1) the total amount paid in excess of the penalties actually due with respect to marketings from the farm, if any; (2) the producers who bore the burden of the payment of the excess amount; and (3) the amount thereof due each such producer as a refund. The county committee or its representative shall certify its findings to the State committee or the authorized official of the Agricultural Adjustment Agency, who shall review each case and cause to be certified for payment to the producer(s) the amount approved as a refund. The State committee shall cause to be scheduled for transfer from the special deposit account and covered into the general fund of the Treasury the amount of the penalties as finally determined.

§ 729.123 *Quota peanuts marketed and identified as excess peanuts.* If any peanuts which are in fact quota peanuts are marketed and identified in accordance with the regulations in this part as excess peanuts, when delivered to or marketed through a designated agency or sub-agent thereof, the county committee or its representative shall issue a certificate identifying such peanuts as quota peanuts. The designated agency shall pay to the producer in connection with such peanuts, upon the presentation of such certificate, an amount equivalent to that by which the prices for such quota peanuts approved by the Secretary exceeds the prices for excess peanuts for oil determined by the Secretary or his authorized representative, in effect on the date the peanuts were delivered to the agency. Any certificate issued pursuant to this section shall be void if not presented to a designated agency on or before June 16, 1943.

§ 729.124 *Excess peanuts marketed and identified as quota peanuts*—(a) *Through or to a designated agency.* If any peanuts which are in fact excess peanuts are marketed and identified in accordance with these regulations as quota peanuts, when delivered to or marketed through a designated agency or sub-agent thereof, the producer(s) on the farm shall, upon receipt of notice from the county committee of his correct marketing quota, refund to the designated agency, with respect to such peanuts, an amount equivalent to that by which the prices for quota peanuts approved by the Secretary exceed the prices for excess peanuts for oil determined by the Secretary or his authorized representative, in effect on the day such peanuts were so delivered and marketed.

The county committee shall certify to the designated agency the amount of refund due and upon collection of the amount due shall transmit the check in payment thereof to the designated agency.

(b) *Through or to a buyer other than a designated agency.* If any peanuts which are in fact excess peanuts are marketed and identified in accordance with these regulations as quota peanuts, when delivered to or marketed through a buyer other than a designated agency, the producer(s) on the farm, upon establishing to the satisfaction of the county committee the type, grade, class, price received, and date of marketing of such peanuts may, in lieu of paying the penalty of 3 cents per pound, pay to the Treasurer of the United States through the office of the county committee or the office of the State committee, with respect to such peanuts, an amount equivalent to that by which the price received for such peanuts exceeds the price for excess peanuts for oil determined by the Secretary or his authorized representative, in effect on the date such peanuts were so delivered and marketed, had such peanuts been delivered to or marketed through a designated agency as excess peanuts. If the producer fails to remit such amount within 60 calendar days after the date of a notice of penalty due, then the marketing of such peanuts will be subject to the penalty, which shall be paid by the producer.

RECORDS AND REPORTS

§ 729.125. *Necessity for records and reports.* The Secretary hereby finds that the records and reports required by these regulations in this part are necessary to enable him to carry out with respect to peanuts the provisions of Title III of the Act.

§ 729.126 *Records to be kept and reports to be submitted by buyers*—(a) *Record of peanuts acquired from producers.* Each person acquiring peanuts from any producer shall keep as a part of or in addition to the records maintained by him in the conduct of his business a record which will show, with respect to each lot of peanuts marketed to or through him by a producer, the following information:

(1) The name of the producer marketing the peanuts from the farm on which the peanuts were produced.

(2) The serial number of the memorandum of sale or the serial number of the report and penalty receipt for peanuts not identified by a marketing card.

(3) The date of the marketing.

(4) The number of pounds of peanuts.

(5) The quantity of peanuts subject to penalty and the amount of the penalty, if any.

(6) If the buyer is a designated agent or sub-agent thereof, the quantity of peanuts received for crushing for oil, if any.

(b) *Reports in connection with peanuts identified by a memorandum of sale.* The buyer of peanuts which are identified by a valid memorandum of sale from a marketing card, as provided in § 729.119, shall make a report in connection with the transaction by executing the summary of memoranda of sales and a memorandum of sale contained in the marketing card by entering thereon information to show (1) the quantity of peanuts identified thereby as quota peanuts, (2) the quantity of excess peanuts, if any, identified as subject to penalty and the amount of penalty, (3) in the case of a buyer who is a designated agency or sub-agent thereof, the quantity of excess peanuts acquired for crushing for oil, (4) the buyer's reference number, which shall be the number of the check or draft given the producer in payment for the peanuts, or, if the payment is made in cash or by credit on account, the word "Cash" or "Account," as the case may be, (5) the name and address of the buyer, and (6) the date of the transaction. The memorandum of sale, as executed, but not the summary of memoranda of sales, shall be detached from the marketing card by the buyer and disposed of as provided in paragraph (d) of this section.

(c) *Reports in connection with peanuts not identified by a marketing card.* The buyer of peanuts which are not identified at the time of marketing by a valid memorandum of sale from a marketing card shall, with respect to each lot of peanuts acquired from any producer, make a report on form PN–613. In addition thereto, the buyer who is not a designated agency or sub-agent thereof shall, within 30 calendar days, make a report with respect to each lot of peanuts which was not identified at the time of marketing by a valid memorandum of sale from a marketing card by executing the summary of memoranda of sales and a memorandum of sale contained in a marketing card in the manner prescribed in paragraph (b) of this section. The report on form PN–613 shall show the following information:

(1) The name and address of the operator of the farm on which the peanuts were produced.

(2) The names of the State and county in which the peanuts were produced.

(3) The serial number of the farm on which the peanuts were produced.

(4) The number of pounds of peanuts marketed in the particular transaction.

(5) The amount of the penalty collected.

(6) The date of the transaction and the buyer's reference number.

The report shall be executed in triplicate and shall be signed by the buyer and the person selling the peanuts. One copy shall be given to the producer, one copy shall be retained by the buyer, and the State office copy shall be handled as provided in paragraph (d) of this section.

(d) *Time and manner of submitting reports.* The report of the buyer (memorandum of sale, as provided in paragraphs (b) and (c), and Sate office copy of PN–613, as provided in paragraph (c)) shall be submitted not later than one week following the date of the transaction covered by the report. The reports shall be mailed or delivered to the State committee (for example, "State Committee, Agricultural Adjustment Agency, Auburn, Alabama") of the State in which the office of the buyer is located. If the office of any buyer is not located in one of the following States, the buyer shall make his report to the State office of the State listed below which is nearest to his office.

State:	*Address of State Office*
Alabama	Auburn.
Arkansas	421½ West Capitol Avenue, Little Rock.
California	P. O. Box 247, Berkeley.
Florida	Segale Building, Gainesville.
Georgia	Athens.
Louisiana	University.
Mississippi	Tower Building, Jackson.
New Mexico	State College.
North Carolina	State College Station, Raleigh.
Oklahoma	Stillwater.
South Carolina	Masonic Building, Columbia.
Tennessee	2321 W. End Avenue, Nashville.
Texas	College Station.
Virginia	Blacksburg.

§ 729.127 *Reports to be submitted by picker or thresher operators*—(a) *Reports in connection with peanuts picked or threshed.* Each person who operates a peanut picker or thresher shall make a report on form PN–609 of the quantity of peanuts picked and threshed by him for each farm. Each report on form PN–609 shall be signed by the producer or his representative and the operator of the peanut picker or thresher or his representative and shall show the following:

(1) The name of the producer for whom the peanuts are picked or threshed and the farm serial number of the farm on which the peanuts were produced.

(2) The number of pounds of peanuts picked or threshed.

(3) The number of pounds of peanuts accepted in payment for the picking or threshing charges (toll peanuts), if any.

(4) The serial number of the memorandum of sale executed to cover peanuts accepted (as toll) in payment for the picking or threshing charges.

§ 729.128 *Reports to be submitted by persons who accept toll peanuts.* Any person who accepts peanuts as toll for any service performed shall keep the same records and make the same reports which are required to be kept by buyers pursuant to § 729.126.

§ 729.129 *Records to be kept by persons acquiring farmer's stock peanuts from persons other than producers.* Any person who buys or acquires farmer's stock peanuts (that is, peanuts picked or threshed and unshelled and in the condition in which such peanuts ordinarily are marketed by farmers) from a person other than the producer of the peanuts shall keep a record of the acquisition of the peanuts. The record shall show the following:

(1) The name and address of each person from whom the farmer's stock peanuts were acquired.

(2) The date the peanuts were acquired.

(3) The number of pounds of peanuts acquired from each person.

§ 729.130 *Records of the disposition of peanuts and peanuts on hand.* Each person who acquires farmer's stock peanuts from producers or from persons other than producers shall keep a record of the disposition made of such peanuts, which record shall show the following:

(1) The number of pounds of such peanuts which are processed.

(2) The number of pounds of such peanuts disposed of by marketing to other persons without being processed, the name and address of the person to whom marketed, and the date of marketing.

(3) The number of pounds of such peanuts on hand.

§ 729.131 *Special reports.* Any persons required to keep the records prescribed in §§ 729.126, 729.129, or 729.130 shall, upon the request in writing of the county committee or the State Committee, submit a special report containing the information required to be shown on the records required to be kept by such person pursuant to §§ 729.126, 729.129, or 729.130 of the regulations in this part. The county committee or the State committee may, in its request for a special report, specify that the report contain such information only with respect to peanuts acquired from or disposed of to a particular person or persons or only with respect to peanuts acquired or disposed of during a specified period. The report shall be submitted to the committee making the request within 15 calendar days after the request therefor is deposited in the United States mails.

§ 729.132 *Records to be kept by warehousemen, processors, and others.* Each warehouseman, processor, common carrier, broker, dealer, agent marketing peanuts for a producer or buyer or dealer, peanut growers' cooperative association, person engaged in the business of cleaning, shelling, crushing, or salting of peanuts or manufacture of peanut products, or other person who buys, handles, or deals in peanuts or peanut products, for or on behalf of the producers or otherwise, shall keep a record of each transaction or dealing showing the name and address of the person from whom the peanuts were acquired or received, the amount of peanuts included in such transactions, and the disposition made of any of such peanuts and, if disposed of to another, the name and address of such person and the amount of peanuts disposed of to him.

§ 729.133 *Penalty for failure or refusal to keep records or make reports.* Any person required to keep the records or make the reports specified in §§ 729.126, 729.127, 729.128, 729.129, 729.130, 729.131, or 729.132 and who fails to keep any such record or make any such report or who makes any false report or keeps any false record shall, as provided in section 373 (a) of the Act, be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than $500 for each such offense.

§ 729.134 *Records to be kept and reports to be submitted by producers*—(a) *Record of peanuts marketed and identified by memorandum of sale.* Each producer to whom a marketing card is issued shall keep a record of the marketing of all peanuts of the 1942 crop which when marketed by him are identified by a memorandum of sale from the marketing card. Such record shall be maintained on the summary of the memoranda of sales contained in the marketing card and shall show the following information with respect to each marketing made by him of peanuts produced on the farm:

(1) The name and address of the buyer.

(2) The number of pounds identified and marketed as quota peanuts.

(3) The number of pounds of peanuts identified as excess peanuts and marketed for oil to a designated agency or sub-agent thereof.

(4) The number of pounds of peanuts identified as excess peanuts and marketed subject to penalty and the amount of the penalty.

(b) *Record of peanuts marketed and not identified.* Each producer who markets peanuts of the 1942 crop, which when marketed are not identified by a memorandum of sale, shall keep a record of the transaction by retaining a copy of the form PN–613 executed as provided in § 729.126 (c).

(c) *Reports of disposition of peanuts.* The operator of each farm shall make a report of the disposition of peanuts produced on the farm within 30 calendar days after the marketing of peanuts from the farm is completed or by March 31, 1943, whichever is the earlier. The report shall show the following:

(1) The name and address of the buyer of each lot of peanuts marketed from the farm.

(2) The number of pounds of peanuts identified and marketed as quota peanuts.

(3) The number of pounds of peanuts identified as excess, or not identified by a memorandum of sale, and marketed to a designated agency or subagent thereof for oil.

(4) The number of pounds of peanuts identified as excess, or not identified by a memorandum of sale, and marketed subject to penalty and the amount of the penalty.

(5) The number of pounds of peanuts which were not marketed from the farm and the location of such peanuts. The report may be made by returning to the office of the county committee the marketing card(s) issued for the farm with the "Producer's Report of disposition of Peanuts," contained in the card, properly executed, together with the copies of form(s) PN–613 covering any peanuts which were marketed without identification. Each producer on the farm who markets peanuts shall, at the time the report required by this paragraph is to be made, surrender to the farm operator or to the county committee the marketing card issued to him, if any, and all copies of form(s) PN–613, showing the above information with respect to peanuts produced by him which were marketed by him and which were otherwise disposed of or retained by him. If such producer's marketing card and copies of PN–613 are surrendered to the county committee either by the producer or by the operator, they shall be considered as a part of the operator's report.

(d) *Additional reports.* The county committee shall require, and the operator or producer shall furnish, such additional reports as may be necessary to obtain complete information with respect to the marketing of peanuts from the farm and with respect to peanuts produced on the farm but not marketed therefrom.

§ 729.135 *Length of time records to be kept and availability of records.* All records and copies of the reports required to be kept or made pursuant to the regulations in this part, except the records required to be kept by producers pursuant to § 729.134, shall be kept by the person required to keep such records or make such reports until June 30, 1944, or for such longer period as may be requested in writing by the State committee. All such records and any books, papers, records, accounts, correspondence, contracts, documents, or memoranda kept by or within the control of any person required by the regulations in this part to keep records of transactions relating to the production, transportation, processing, or marketing of peanuts subject to the regulations in this part shall be made available for examination and inspection by the Secretary or by his authorized representative, and by members of the State or county committees or their officers or employees, for the purpose of ascertaining the correctness of any report made or any record kept pursuant to the regulations in this part, or of obtaining information required to be furnished in any report pursuant to the regulations in this part or of obtaining information relative to the acquisition or disposition made by any producer, buyer, agent, or designated agency of peanuts subject to the regulations in this part.

MISCELLANEOUS

§ 729.136 *Penalty for false identification or failure to account for the disposition of any peanuts.* If, in the course of marketing, any peanuts produced on one farm are falsely identified by a representation that such peanuts were produced on another farm, or if there is a failure to make a report of the disposition of peanuts available for marketing from any farm, each person participating in the false identification of the peanuts or failing to make a report of the disposition of such peanuts, as required by the regulations in this part, shall be subject to a penalty of $25 for each acre, or fraction thereof, of peanuts in excess of the farm acreage allotment for the farm on which such peanuts were produced, and this penalty shall be in addition to any other penalty due. The term "peanuts available for marketing from any farm" as used in this section means the entire quantity of peanuts picked or threshed from the 1942 crop produced on the farm.

§ 729.137 *Data to be kept confidential.* Except as otherwise provided herein, all data reported to or acquired pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the United

States Department of Agriculture and by all members, officers, and employees of State and county committees and only such data so reported or acquired as the Secretary deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

§ 729.138 *Enforcement.* It shall be the duty of the county committee to report in writing to the State committee each case of failure or refusal to make any report or keep any record as required by these regulations in this part, or to pay or remit any penalty incurred under these regulations in this part, or any other violation of these regulations. It shall be the duty of the State committee to report in writing to the United States Department of Agriculture each such violation with a view to the institution of proceedings by the United States Attorney for the appropriate district, under the direction of the Attorney General of the United States, to enforce the provisions of Title III of the Act.

§ 729.139 *Inspection of unmarketed peanuts.* If the State committee or county committee has reason to believe that any peanuts reported by any operator or producer to be unmarketed have in fact been marketed, or if the committee has reason to believe that the records cannot be properly completed otherwise, the committee shall provide for the inspection of the peanuts or of documents evidencing title thereto, by one or more of its members or one of its officers or employees or any person duly designated as a representative of the Secretary. If, upon the basis of such inspection, the committee finds that all or part of the peanuts reported as unmarketed are not in the actual or constructive possession of the operator or other producer, or if the operator or producer fails or refuses to permit the inspection of the peanuts or of documents evidencing title thereto, the quantity of peanuts which the committee finds the producer has not reported as having been marketed, less the amount which the committee finds to be in the actual or constructive possession of such operator or producer, shall be taken to have been marketed.

Done at Washington, D. C., this 1st day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-7489; Filed, August 3, 1942; 11:10 a. m.]

Chapter IX—Agricultural Marketing Administration

PART 913—MILK IN THE GREATER KANSAS CITY MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (hereinafter referred to as the "act"), and the provisions of the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area, effective October 2, 1941 (6 F.R. 5029), it is hereby found that the provisions of the said order relating to base ratings for producers of milk, as used in the said order, obstruct and no longer tend to effectuate the declared policy of the act, and, for that reason, the following provisions of the said order are hereby suspended, effective as of August 1, 1942:

1. "to and including December 31, 1941" in § 913.7 (b) (1).
2. § 913.7 (b) (2) and (3).
3. § 913.8.
4. "to and including December 31, 1941" in § 913.9 (a) (1).
5. § 913.9 (a) (2) and (3).

Done at Washington, D. C., this 1st day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-7470; Filed, August 1, 1942; 12:27 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50693]

PART 6—INVOICES, ENTRY AND ASSESSMENT OF DUTIES

CUSTOMS REGULATIONS AMENDED

Article 292 (b) [§ 6.11 (b)] of the Customs Regulations of 1937, as amended by T. D. 50648,[2] is further amended by substituting the word "may" for the word "shall" in the first sentence thereof and by substituting the words "may be endorsed thereon" for the words "shall be endorsed thereon" in the second sentence.[3] (Sec. 484 (j), 46 Stat. 723, sec. 624, 46 Stat. 759; 19 U.S.C. 1484 (j), 1624).

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 29, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7429; Filed, July 31, 1942; 3:50 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

SUPPLEMENT 5 TO REVISION II

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement 5 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision II of May 12, 1942,[1] is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.
H. MORGENTHAU, Jr.
Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director,
Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

JULY 31, 1942.

GENERAL NOTES: (1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions:

If the title includes a full personal name, that is, a given name or initial and surname, the title is listed under the *surname*.

Personal-name prefixes such as *de, la, von*, etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cía.; Comp.
Compañía Anónima; C. A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

(4) The symbols following additions to the list made with each supplement, starting with the present one, will appear in subsequent issues, including revisions, and serve to identify the issue of the list in which action to add or amend the name was taken. Thus, the symbol "II-5" means that the name was first added in Revision II, Supplement 5.

PART I—LISTINGS IN AMERICAN REPUBLICS

ADDITIONS

Argentina

Aurelio, Francisco—Pavón 4068–70, Buenos Aires. II–5.
Bianchi, Armando.—Lafuente 184, Buenos Aires. II–5.
Bonomo, Francisco.—Lavalle 1977, Buenos Aires. II–5.
Bonomo Film.—Lavalle 1977, Buenos Aires. II–5.
Bosenberg, Rodolfo.—Rivadavia 633, Buenos Aires. II–5.
Carozzo Rolleri, Mario.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Dainesi, Julio.—Rosario, F. C. C. A. II–5.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81: 7 F. R. 2656).

[2] 7 F.R. 4320.

[3] This document affects 19 CFR 6.11.

[1] 7 F.R. 3587, 3867, 4222, 4639, 5545.

Dainesi Hermanos.—Méjico 3240, Buenos Aires. II–5.
Ellerhorst, Fernando.—Reconquista 336, Buenos Aires. II–5.
"EXANOR" Exportadora Argentina Norteña S. de R. L.—Levalle 754, Avellaneda, F. C. S., B. A.; and Carlos Pellegrini 1100, Salta, F. C. C. N. A., B. A. II–5.
Exportadora Argentina Norteña S. de R. L.—Levalle 754, Avellaneda, F. C. S., B. A.; and Carlos Pellegrini 1100, Salta, F. C. C. N. A., B. A. II–5.
Gleichentheil, Aloisio—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Imprenta Kuper.—Buenos Aires. II–5.
Kern y Cía., Hugo.—Leandro N. Alem 643, Buenos Aires. II–5.
Kuperschmid, Guillermo. Bolívar 1268, Buenos Aires. II–5.
"La Holandesa".—Cangallo 868, Buenos Aires. II–5.
Leeb, Curt H.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Loray José.—Lavalle 416, Buenos Aires. II–5.
Moreda, Juan.—Bolívar 238, Buenos Aires. II–5.
Morishita, Harunoshin.—Piedras 611, Buenos Aires. II–5.
Morisita, Juan.—Piedras 611, Buenos Aires. II–5.
Muller, Juan Pablo Eberhard.—Alberdi 374 y Metán 4176, Buenos Aires. II–5.
"OCA" Organización Cinematográfica Argentina.—Rodríguez Peña 190 y Cangallo 439, Buenos Aires. II–5.
Orbis, Sociedad Anónima Industrial Metalúrgica.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Organización Cinematográfica Argentina.—Rodríguez Peña 190 y Cangallo 439, Buenos Aires. II–5.
Perfumerías Tosca, S. A.—Blanco Encalada 3145, Buenos Aires. II–5.
Perimar S. de R. L.—Avenida Presidente Roque Sáenz Peña 1119, Buenos Aires. II–5.
Ranieri, Amilcar.—Lavalle 1977, Buenos Aires. II–5.
Schmidt, Ricardo.—Adrogue, F. C. S., B. A. II–5.
Sindermann, Hans.—Alsina 675, Buenos Aires. II–5.
Tausch, Máximo.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Tiberia Film.—Lavalle 1977, Buenos Aires. II–5.
Treusch, Alberto.—Bolívar 218, Buenos Aires. II–5.
Vigo, Luis Gerónimo.—Cangallo 868, Buenos Aires. II–5.
Vilallonga, Fermín.—Solís 206 y Cangallo 362, Buenos Aires. II–5.
Zarazaga, José M.—25 de Mayo 158, Buenos Aires. II–5.
Zeising, Herman.—Moreno 550, Buenos Aires. II–5.

Bolivia

Abel, Helmouth.—Trinidad. II–5.
Albert y Cía., F.—Casilla 124, Cochabamba. II–5.
Bock, Rudolf.—Esteban Arce 193, Cochabamba. II–5.
Chávez F., Humberto.—Riberalta. II–5.
Chávez y Cía., Humberto.—Riberalta. II–5.
Durán A., Miguel.—Riberalta. II–5.
Heinrich, Pablo.—Trinidad. II–5.
Higa, Rosita.—Riberalta. II–5.
Higa Hermanos.—Riberalta. II–5.
Japonesa, Cía.—Riberalta. II–5.
Katura, Alberto.—Trinidad. II–5.
Kremser, Luis.—Guayaramerín. II–5.
Machiduke, Emilio.—San Andrés, Beni. II–5.
Maimura, Antonio.—Trinidad. II–5.
Murakami, Sebastián.—Trinidad. II–5.
Nagao, Jacinto.—Trinidad. II–5.
Noda, Domingo.—Trinidad. II–5.
Ojara, Luis.—Trinidad. II–5.
Reye, Ulrich.—Yanacocha 243–247 (Casilla 525), La Paz. II–5.
Ruecker, Hans.—Esteban Arce 173, Cochabamba. II–5.
Sato, Juan.—Rurrenabaque. II–5.
Schmidt y Cía., sucrs., Ottc.—Estaban Arce 173, Cochabamba. II–5.
Seuchi, José.—Cobija. II–5.
Simamoto, Julio.—Trinidad. II–5.
Suemito, Alfredo.—Trinidad. II–5.
Tanaka, Claudio.—Trinidad. II–5.
Yokota, Tomás.—Riberalta. II–5.

Brazil

Anna[1].—Florianópolis. II–5.
Braun, Otto.—Caixa Postal 3360, São Paulo. II–5
Carl Hoepcke.[1]—Florianópolis. II–5.
Central Discount Company.—Avenida Atlântica 124, Rio de Janeiro. II–5.
Fillios, Henri Albert.—Rio de Janeiro. II–5.
Importadores, Fornecedores e Constructores Brasunido, S. A.—Rua Theóphilo Ottoni 74, Rio de Janeiro. II–5.
Max.[1]—Florianópolis. II–5.
Yasumi & Shimisu.—Paranaguá, Paraná. II–5.

Chile

Barends, Barend.—José Infante 120 (Casilla 1393), Santiago. II–5.
Barra, Juan.—Casilla 389, Concepción. II–5.
Berkhoff, Ernesto.—Picarte 319 (Casilla 401), Valdivia. II–5.
Branchi S., Gustavo.—Blanco 1053, Valparaíso. II–5.
Branchi & Mutis.—Blanco 1053 (Casilla 567), Valparaíso. II–5.
Bravo Hermanos.—21 de Mayo 583, Arica. II–5.
CB 134 Radio Cervantes.—Avenida Bernardo O'Higgins 924 (Casilla 4650), Santiago. II–5.
Canepa Vaccarezza, José.—Juana Ross 181 (Casilla 4336), Valparaíso. II–5.
Casamitjana Cirera, Elias.—Guillermo Rawson 308 (Casilla 4200), Valparaíso. II–5.
Dittmann, Bruno.—Prat 828, Valparaíso. II–5.
Droste y Cía., Carlos F.—Morandé 536 (Casilla 27), Santiago. II–5.
Dubrock, Adolfo.—Roca 843, Punta Arenas. II–5.
Dubrock, Carlos.—Roca 843, Punta Arenas. II–5.
Dubrock Hermanos.—Roca 843, Punta Arenas. II–5.
Eberhardt, Hermann.—Estancia Puerto Consuelo, Ultima Esperanza (near Natales), Magallanes. II–5.

[1] Vessel owned by Empreza Nacional de Navegação Hoepcke.

Eberhardt Hermanos.—Estancia Puerto Consuelo, Ultima Esperanza (near Natales), Magallanes. II–5.
Farmacia Colón.—Avenida Argentina 318, Valparaíso. II–5.
Fiedler, Conrado (Dr.).—Santa Victorina 366 (Casilla 736), Valparaíso. II–5.
Fracchia Ottone, Libero.—General Salvo 317, Santiago. II–5.
Gardeweg Villegas, Enrique.—Ñuble 1168, Santiago. II–5.
Garimani Valdata, Miguel.—8 Norte 1137, Viña del Mar. II–5.
González, José M.—Casilla 278, Talca, II–5.
Haas, José.—Prat 643 (Casilla 1161), Valparaíso. II–5.
Heissen, Emilio.—Avenida Manuel Rodríguez 799 (Casilla 2), San Fernando. II–5.
Henseleit, Julio.—Nueva York 62, Santiago. II–5.
Hoffmeister, Werner.—Pedro Montt 249 (Recreo), Valparaíso. II–5.
Hoffmeister y Cía., Ltda.—Avenida Errázuriz 1356 (Casilla 2106), Valparaíso, II–5.
Holtheuer V., Germán.—Casilla 4650, Santiago. II–5.
Hurtado, Aurelio.—Valparaíso. II–5.
Ibáñez, Zamudie.—Santiago. II–5.
Jacobsen G., Ernesto.—Huérfanos 972 y Carmen Silva 2345, Santiago. II–5.
Kommer, Lothar. Agustinas 972, oficina 419, Santiago. II–5.
Langhaus, Guillermo.—Puerto Natales. II–5.
Langhaus, Jorge.—Puerto Natales. II–5.
Lutz, Gustavo.—Nueva York 62, Santiago. II–5.
Luvecce G., Carlos Guillermo.—Ramón Nieto 940, Santiago. II–5.
Maldini G., Luis.—O'Higgins 110, Copiapó. II–5.
Marín, Juan R.—Coquimbo. II–5.
Merceria "El Candado".—Guillermo Rawson 308 (Casilla 4200), Valparaíso. II–5.
Mercería Libertad.—Alameda 3023 (Casilla 4583), Santiago. II–5.
Mett, H. P.—Residencial Extrangera, L. Saint Jean, Pasaje Cousiño 4, Viña del Mar. II–5.
Morales Domínguez, Carlos.—Manuel Montt 2481, Santiago. II–5.
Pentzke Brandes, Alberto.—Avenida de las Delicas 310 (Casilla 27), San Felipe. II–5.
Pfennings Hohmann, Edgar.—Alameda 3023 (Casilla 4583), Santiago. II–5.
Piazza Gariboldi, Andres.—Avenida Brasil 1472, Valparaíso. II–5.
Radio Cervantes CB 134.—Avenida Bernardo O'Higgins 924 (Casilla 4650), Santiago. II–5.
Relojería Suiza.—Roca 843, Punta Arenas. II–5.
Roeschmann & Wagner Ltda.—Morandé 862, Santiago. II–5.
Sandoval de la Barra, Ernesto.—Pudeto 342, Valparaíso. II–5.
Santes, Primitivo.—Calera. II–5.
Schülbe Reinicke, Walter.—Santa Victorina 344, Valparaíso. II–5.
Seran, Vicente Félix.—Errázuriz 632, Punta Arenas. II–5.

Stuck y Cía., Ltda., J.—Pedro Valdivia 1123, Concepción. II–5.
Thomas Gerard, León Eduardo.—Ahumada 236, Santiago. II–5.
Valenzuela Aguilera, Leonidas.—Avenida Argentina 318, Valparaíso. II–5.
Wagner, Gunther.—Rosas 1490, Santiago. II–5.
Weber Hey, Pablo.—Independencia 475, Valdivia. II–5.
Weber y Cía., Ltda., P.—Independencia 475, Valdivia. II–5.
Weinrich, Erwin.—Nogales 716 (Casilla 927), Santiago. II–5.
Werkmeister, Otto.—Avenida Prat 470, Valdivia. II–5.

Colombia

Baer, Carmen Ruiz de.—Barranquilla. II–5.
Baer, Walter.—Barranquilla. II–5.
Eckhoff, Rudolf.—Apartado Nacional 216 y Apartado Aéreo 4119, Bogotá. II–5.
Goebel, Hans Joaquín.—Calle 25 No. 8–51, Bogotá. II–5.
Ibler, Guillermo.—Carrera 13A No. 27–66, Bogotá. II–5.
Ibler, Taller de Vidrio Guillermo.—Carrera 13A No. 27–66, Bogotá. II–5.
Mesa, Alfredo.—Medellín. II–5.

Costa Rica

Guettler, Paul.—San José. II–5.
Holdinghausen, Gertrude.—Apartado 1015, San José. II–5.
Kött, Werner.—Hacienda Lindora, San José. II–5.
Platería Alemana.—Apartado 1015, San José. II–5.
Trejos González, Marta.—San José. II–5.

Ecuador

Bazaar "Idolo".—Aguirre 304, Guayaquil. II–5.
Cedeño, Guido.—Malecón Simón Bolívar 2014, Guayaquil. II–5.
Clementina Plantagen Gesellschaft.—Babahoyo (Casilla 1291), Guayaquil. II–5.
González, Antonio.—Casilla 1150, Guayaquil. II–5.
González, Florentino.—Casilla 1150, Guayaquil. II–5.
Hacienda Clementina.—Babahoyo (Casilla 1291), Guayaquil. II–5.
Petruska, Juan.—Ambato. II–5.
Plantaciones Clementina, Cía. de.—Casilla 1291, Guayaquil. II–5.
Rabascall, Severo (Dr.).—Hotel Majestic, Salinas. II–5.
Sojos, Benjamín (Dr.).—Cuenca. II–5.
Steyer, Florian.—Riobamba. II–5.
Steyer, Luis.—Riobamba. II–5.
Zohrer, Adolf.—Casilla 277, Guayaquil. II–5.

Guatemala

Walch, Hermann.—San Cristóbal, Alta Verapaz. II–5.

Honduras

Gough, Admiral.—Roatan. II–5.
Gough, George.—Roatan. II–5.
Gough, James.—Roatan. II–5.
Gough, Joseph.—Roatan. II–5.
"Gough Brothers".—Roatan. II–5.

Panama

Cunquero, Manuel.—Colón. II–5.
Guerrero, Manuel.—Colón. II–5.

Uruguay

Franke, Oscar.—Carlos María Maggiolo 456, Montevideo. II–5.
Rauhut, Herman.—Siracusa 2412, Montevideo. II–5.

AMENDMENTS

Argentina

For Ferretería Germania.—Buenos Aires, substitute Ferretería Germania.—Perú 169, Buenos Aires.
For Hoter, Guillermo.—Victoria 1138, Buenos Aires, substitute Hoter, Guillermo.—J. Penna 929, Olivos, F. C. C. A.
For Lohmann, Otto W.—Alsina 2478, Buenos Aires, substitute Lohmann, Otto W.—Alsina 2478 y Córdoba 5653, Buenos Aires.
For Pereira, Manuel.—Buenos Aires, substitute Pereira, Manuel.—Casilla 355, Buenos Aires.
For Walther, Emilio.—Buenos Aires, substitute Walther, Emilio.—Pichincha 68 y Córdoba 5653, Buenos Aires.

Brazil

For Lins e Cia., Almeida.—Rua Nova 260, Recife, substitute Almeida, Lins e Cia.—Rua Nova 260, Recife.
Relative to Ribeiro e Cia., Ltda., J. A.—Rua Costa Pereira 128, Victoria, and all branches in Brazil.[1]
For Romano, Adolpho.—Praça Coronel Eneas 38, Curityba, substitute Romano, Adolpho.—Praça Coronel Eneas 38, Curityba, and all branches in Brazil.

Colombia

For Wolf, Herbert.—Medellín, substitute Wolff, Herbert R.—Medellín.

Cuba

For "Cifesa".—Consulado 156, Habana, substitute "Cifesa".—Habana.

Ecuador

For Brauer, Alfredo.—Quito, substitute Brauer Gehin, Alfredo.—Guayaquil 60 (Casilla 687), Quito.
For Brauer, Leopoldo M. (Jr.).—Quito, substitute Brauer Gehin, Leopoldo M. (Jr.).—Guayaquil 60 (Casilla 687), Quito.
For Brill, Max.—Quito, substitute Brill, Max.—Zambrano 7 (Casilla 92), Quito.
For Casa Alemana.—Casilla 394, Quito, substitute Casa Alemana.—García Moreno 69 (Casilla 394), Quito.
For Dreier, Hermann.—Casilla 394, Quito, substitute Dreier, Hermann.—García Moreno 69 (Casilla 394), Quito.
For Greisbach & Rochl.—Quito, substitute Griesbach & Rochl.—Pasaje Royal (Casilla 326), Quito.
For Gubitz & Schwark.—Casilla 433, Quito, substitute Gubitz & Schwark.—Guayaquil 66 (Casilla 433), Quito.
For Industrias Téxtiles S. A., Soc.—Ascasubi 14, Quito, substitute Industrias Téxtiles S. A., Soc.—Ascasubi 14 (Casilla 337), Quito.
To Janssen, Ludwig.—, add address Quito.
For La Casa Wiking, S. A.—Casilla 556, Quito, substitute La Casa Wiking, S. A.—Venezuela 97 (Casilla 556), Quito.
For Peters, Fritz.—Guayaquil, substitute Peters, Erich Christian.—Guayaquil.
For Piano, Elio.—Manabi 24, Quito, substitute Piana, Elio.—Manabi 24, Quito.
For Rothenbacker, Kaspar.—Avenida 18 de Setiembre y Tarqui, Quito, substitute Rothenback, Kaspar.—Avenida 18 de Setiembre y Tarqui, Quito.

Mexico

For Ieda K. (Dr.).—Hotel Mancera, México, D. F., substitute Ieda, K. (Dr.).—Apartado 76, Navojoa, Sonora.
For Instituto Behring S. A.—Tecoyotitla 364, México, D. F., substitute Instituto Behring de Terapéutica Experimental S. de R. L.—Calzada Tecoyotitla, Villa Obregón.
For Kane, Hasashi.—Hotel Mancera, México, D. F., substitute Kane, Hasashi.—México, D. F.

Peru

For Murono y Cía., E.—Huallaga 488, Lima, substitute Murono y Cía., N.—Huallaga 488, Lima.

Venezuela

For García, A.—Apartado 1941, Caracas, substitute García, A. (Argimiro).—Apartado 1941, Caracas.

DELETIONS

Argentina

Kaiseki, S.—Rivadavia 1133, Buenos Aires.

Colombia

Merendoni, Verginio.—Circuito ABC, Oficina en Teatro Rex, Barranquilla.

Costa Rica

Carvajal, Marino.—Apartado XIX, San José.
Coto, Manuel Alberto.—Apartado 1883, San José.

Ecuador

Aserrio Mercedes.—Guayaquil.

Guatemala

Finca "Costa Rica".—Chimaltenango.
Finca "El Rodeo".—Pochuta, Chimaltenango.
Finca "La Torre".—Chimaltenango.
Finca "San Carlos Miramar".—Pochuta, Chimaltenango.
Finca "Santa Anita".—Chimaltenango.
Luttmann & Co.—Pochuta, Chimaltenango; Tumbador, and Rèforma, San Marcos.

Mexico

Calvi, Francisco.—Matamoros 513 Oriente, Monterrey.
Centro Comercial, S. de R. L.—Huixtla, Chiapas.
Cernicchiaro, Blas.—Puebla.

[1] Not to be confused with A. Ribeiro e Cia., Rua Florencio de Abreu 285, São Paulo, nor with J. A. Ribeiro e Cia., Fortaleza, Ceará.

Combustion Engineering S. de R. L.—Edificio "La Nacional", despacho 47, Guadalajara, and all branches in Mexico.
"El Depósito Dental".—Matamoros 513 Oriente, Monterrey.
El Pacífico.—Avenida Reforma 305, Mexicali.
Harinera La Italiana, S. A.—Puebla.
Martínez B. Enrique S.—Pedro Moreno 1336, Guadalajara.
Nakashimada y Robles.—Avenida Reforma 305, Mexicali.
Reinecke, Pablo.—Argovia.
Rodríguez Ascorva, Roberto.—Avenida, Jalisco 96, Tacubaya, D. F.
"Salón Variedades".—Monterrey.

Panama

Canal Zone Pharmacy.—4 de Julio 3, Panamá.
Farmacia Alemana.—Avenida Balboa 10.087, Colón.
Farmacia Zona del Canal—4 de Julio 3, Panamá.

Peru

Botica "El Sol".—Unión (La Merced) 618, Lima.
Farmacia Taboada.—Unión (La Merced) 618, Lima.
Importadora del Perú, Soc.—Ayacucho 708, Trujillo.
Peruana de Representaciones S.A., Cía.—Ica (Concha) 316, Lima.
Taboada, Teodoro M. (Dr.).—Trujillo.

PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS

ADDITIONS

Iran

Tabriztchi, Djaffer.—Sarayi Mehdi, Tabriz, and at Tehran. II–5.

Liechtenstein

Uebersee Trust.—Vaduz. II–5.

Portugal and Possessions

Portugal

Back, Paul.—Avenida Palace Hotel, Lisbon. II–5.
Biohm, Carl Werner.—Rua Ives I, Alges, Lisbon. II–5.
Classen, Wilhelm G.—Avenida Palace Hotel, Lisbon. II–5.
Comercio Ibero-Ultramar Ltda.—Rua Eugenio dos Santos 25–31, Lisbon. II–5.
Craveiro Jnr., Jose.—Tortozendo. II–5.
Dias, Manuel.—Oporto. II–5.
Empresa de Fiacao e Tecidos de Benfica.—Ave. Barjona de Freitas 7, Lisbon. II–5.
Empresa Mineira Viriato Ltda.—Praca dos Restauradores 13, Lisbon. II–5.
Fritzsche, Volkmar.—Rua Rosa Damasceno, and Rua do Comercio 8, Lisbon. II–5.
Grimm, Hans.—Rua de Montepio Geral 30, Lisbon. II–5.
Herold, Henrique Jerosch.—Rua da Vitoria 53, Lisbon. II–5.
Jacob, Karl Heinrich.—Rua do Comercio 8, and Rua Heliodoro Salgado 11, Lisbon. II–5.
Jerosch Herold, Heinrich.—Rua da Vitoria 53, Lisbon. II–5.
Mallet, Claude George Coventry.—Vila Marie Christine, Praia da Roche, and Quinta do Serpa Vilalonga, Povoa de Santa Iria. II–5.
"Mariposa, Alfarataria" — Jose Dos Santos Jnr.—Rua dos Fanqueiros 87–91, and Ave. Barbosa dos Bocage 21, Lisbon. II–5.
Martenson, Colonel Bertel.—Lisbon. II–5.
Mediterranea de Permutas Ltda.—Ave. Antonio Augusta d'Aguiar 138, Lisbon. II–5.
Mineira Lisbonense S. A. R. L.—Rua do Comercio 8, Lisbon. II–5.
Ratfisch, Werner.—Chalet Boby, St. Joao do Estoril, Nr. Lisbon, and Rua do Comercio 8, Lisbon. II–5.
Rezende, Jorge Gomes de.—Rua Elisio de Melo 28, Oporto. II–5.
Rodrigues, Joao Gomes.—Rua Betesga 57, and Rua do Comercio 8, Lisbon. II–5.
Rosa, Jose.—Olhao. II–5.
Ryck, Clemens.—Rua da Guine 8, Lisbon. II–5.
Targioni, Eduardo.—Avenida Palace Hotel, Lisbon. II–5.
Tarvares, Manoel Rodrigues.—Rua 31 de Janeiro, Guarda. II–5.
Teutonia Ltda.—Ave. Ressano Garcia 21, Lisbon. II–5.
Viana, Luiz.—Rua Dr. Jose Ventura 133, Matozinhos, Oporto. II–5.
Warncke de Vasconcelos, Goncalo.—Ave. Ressano Garcia 21, Lisbon. II–5.
Wollmer, Theodor.—Rua Luciano Cordeiro 77, and Rua do Comercio 8, Lisbon. II–5.
Wuthenow, Ernst.—Lisbon. II–5.

Mozambique

Moura, A. Ribeiro de Castro e.—Rua Gouveia 8 and 10, Caixa Postal 1037, Lourenço, Marques. II–5.
Requadt, Herbert.—Chanculo nr. Lourenço Marques. II–5.

Portuguese Guinea

Elawar & Co. Mahmud.—Bafata, Bissau, and all branches in Portuguese Guinea. II–5.
Jabre, Hussein.—Bolama. II–5.
Souleiman, Alatrach.—Bafata, Bissau, and all branches in Portuguese Guinea. II–5.
Souleiman & Co., Aly.—Bafata, Bissau, and all branches in Portuguese Guinea. II–5.

Spain

Boggio Marzet, Anselmo.—Gijon. II–5.
Bozung, Pedro.—Calle Provenza 197, Barcelona. II–5.
Brana y Boggio.—Gijon. II–5.
Caja de Prevision y Socorro.—Rambla Cataluna 19–21, Barcelona. II–5.
Calvet, Juan.—Ave. Jose Antonio 31, Madrid. II–5.
Cilus-Commercial Ibero-Lusitana.—Ave. Jose Antonio 49, Madrid. II–5.
Classen, Wilhelm G.—Madrid. II–5.
Comercial Ibero-Lusitana (Cilus).—Ave. Jose Antonio 49, Madrid. II–5.
Coto, Jose.—Ave. Queipo de Llano 44, Seville. II–5.
Coto Lafuente y Cia.—Ave. Queipo de Llano 44, Seville. II–5.
Crosigani, Renato.—Calle de Angli 8, Barcelona. II–5.
De Filipo, C.—Rambla Cataluna 95, Barcelona. II–5.
Defries, S. A. E.—Ave. Jose Antonio 547, Barcelona, and all branches in Spain. II–5.
Deposito Dental Paradentum.—Calle Jose Antonio 59, Vigo. II–5.
Endres & Bozung.—Calle Provenza 197, Barcelona, and at Elda, Alicante. II–5.
Endres, Jacobo.—Calle Provenza 197, Barcelona. II–5.
Europa Comercial Espanola S. A.—Reina 33, Madrid. II–5.
Frommer, Geza.—Palace Hotel, Madrid. II–5.
"Infarma"–Laboratorio de Industrias Farmaceuticas S. L.—Calle Entenza 65, Barcelona. II–5.
Jaenicke, Alexander.—Covadonga 24, Gijon. II–5.
Kromschroeder, S. A.—Calle Industria 278, Barcelona. II–5.
La Anonima de Accidentes.—Rambla Cataluna 19–21 Barcelona. II–5.
Laboratorio de Industrias Farmaceuticas S. L. ("Infarma").—Calle Entenza 65, Barcelona. II–5.
Lafuent Garcia, Luis.—Ave. Queipo de Llano 44, Seville. II–5.
Leonori, Marcelo.—Diagonal 435, Barcelona. II–5.
Manufacturas Espanolas de Vidrio Al Soplete S. A.—Badalona. II–5.
Palazzolo, Domenico.—Ave. de Molo, Laredo, Santander, and all branches in Spain. II–5.
Pares y Cia. S. en C.—Ave. Marques Argentine 15, Barcelona, and all branches in Spain. II–5.
Pimentel, Francisco.—Calle Carreteria 139, and Pasillo de Santo Domingo 28, Malaga. II–5.
Plass, Hermann.—Calle Escuelas Pias 1, Barcelona. II–5.
Schumacher, Jose.—Rambla Cataluna 66, Barcelona. II–5.
Struth, Pablo.—Calle Balmes 60, Barcelona. II–5.
Targioni, Eduardo.—Palace Hotel, and Reina 33, Madrid, and at Barcelona. II–5.
Technofarma S. A.—Ave. Generalisimo 309, Barcelona. II–5.
Wuthenow, Ernst.—Madrid. II–5.

Sweden

Axelsson & Co., Torsten.—Kungsgatan 43, Stockholm. II–5.
Axelsson, Gussich & Co.—Majorsgatan 12, Stockholm. II–5.

Switzerland

Brandenberger Sohne, Carl.—Limmatplatz 7, Zürich. II–5.
Bucher A. G., Haus der.—Baeumleingasse 18, Basel. II–5.
"Cipa" D'Importation de Produits Alimentaires Cie. et Agricoles S. A.—Rue de la Cite 22, and Rue de la Corraterie 14, Geneva. II–5.
Columeta A. G.—Steinenring 51, Basel. II–5.
Cotonniere du Tonkin, Soc.—Rue Ph. Plantamour 16, Geneva. II–5.
Curti, Figli di Virginio.—Taverne-Torricelli (Tessin). II–5.
D'Importation de Produits Alimentaires Cie. et Agricoles. "Cipa" S. A.—Rue

de la Cite 22, and Rue de la Corraterie 14, Geneva. II–5.

DeLorme, Leon Luis.—Rue de la Cite 22, Geneva. II–5.

Kugellagerfabrik Arbon A. G.—Arbon. II–5.

Kuhner, Heinrich.—Basel. II–5.

Luebbert, Gunther.—Apartmenthaus St. Jakob, St. Jakobstr. 39, Zürich. II–5.

Meiss, Gio., Corr Milano Succursale di Chiasso.—Chiasso. II–5.

Moor, Dr. Hans.—Steinenvorstadt 25, Basel. II–5.

Mueller, Friedrich.—Rosentalstr. 71, Basel. II–5.

Mutter, Albert (Loerrach, Filiale Basel).—Rosentalstr. 71, Basel. II–5.

Ritschard, H. et Cie.—Place Cornavin 18, Geneva. II–5.

Schweizerischer Verband Creditreform.—Walchestr. 21, Zürich, and all branches in Switzerland. II–5.

Union Suisse Compagnie Generale D'Assurances.—Rue de Rive 1, Geneva. II–5.

Zimmermann, N. J.—Basel. II–5.

Turkey

Kocman, Sitki Muhendis.—Hamidiye Turbe Sokak, Ugurlu Han 3, Istanbul. II–5.

Kocman, Sitki, ve Ortaklari Turk Ltd.—Hamidiye Turbe Sokak, Ugurlu Han 3, Istanbul. II–5.

Mecdi, Eren.—Hamidiye Turbe Sokak, Ugurlu Han 3, Instanbul. II–5.

Pekyar (Pekiar), Ylyas.—Nazli Han 10, Galata, Istanbul. II–5.

Reggio, Christian.—Londra Hotel, Tepebasi, Istanbul. II–5.

AMENDMENTS

Spain

Relative to Turci, Captain Edmondo, for Ritz Hotel, Madrid, substitute Madrid.

Sweden

Relative to Wettergren, Ake (Nordiska Travaruagenturen), for Kungstradgardsgatan 20, substitute Regeringsgatan 22.

Switzerland

Relative to Werkzeug-Union G. m. b. H., for Zürich, substitute Mythenstr. 1, Zürich.

DELETIONS

Portugal

Fabrica de Curtumes da Povoa–Cia. Nacional Mercantil.—Rua de Santo Ildefonso 41–45, and Travessa da Povoa 390, Oporto, and all branches in Portugal.

Nacional Mercantil Cia. (Fabrica de Curtumes da Povoa).—Rua de Santo Ildefonso 41–45, and Travessa da Povoa 390, Oporto, and all branches in Portugal.

Pereira, Manoel Cardoso.—Rua de Santo Ildefonso 41–45, Oporto.

Spain

Ordonez y Cia., Rafael.—Falda de Ulia, San Sebastian.

Switzerland

Weiss & Co., Walther.—Freistr. 16, P. O. Box 1, 817, Basel.

Turkey

Cololyan, Kerope.—Antreposu 4 Cu Kat 15, Sirkeci, Istanbul.

Ohanyan, Margyros. — Mahmudpasa, Kurkcu Han 1 and 5, Istanbul.

Ohanyan, Mihran M.—Mahmudpasa, Kurkcu Han 1 and 5, Istanbul.

Ohanyan, Mihran M. "Beyaz Tilki".—Kurk Ticarethanesi, Istiklal Cad. 395, Beyoglu, Istanbul.

[F. R. Doc. 42–7469; Filed, August 1, 1942; 12:04 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 91]

PART 403—PROPERTY MANAGEMENT DIVISION

PROPERTY COMMITTEE FUNCTIONS

Section 03.02 (c)[1] is amended to read as follows:

§ 403.02 (c) *Property Committee functions.* * * *

To review and render decisions in all cases where the amount to be authorized for reconditioning, repairs or purchases of equipment and supplies exceeds the limitations on the authority of the Regional Manager as prescribed by § 403.14.

Section 403.14 is amended by the insertion of a new paragraph immediately following the third paragraph thereof, reading as follows:

Authority as to extras. When subsequent to the award of a reconditioning contract the need for unforeseen items or extras arises during the progress of the work, the Regional Manager may authorize such items or extras provided that the cost thereof shall not exceed $100 in those cases where the amount originally authorized for the job was $500 or less and provided that the cost of such items or extras shall not exceed $200 in those cases where the amount originally authorized for the job exceeded $500. The authority granted by this paragraph shall be in addition to the authority otherwise granted to the Regional Manager.

Effective August 1, 1942.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647: 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 42–7454; Filed, August 1, 1942; 9:43 a. m.]

[1] 6 F.R. 3941.

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey

PART 251—ADMINISTRATION OF GOVERNMENT-OWNED PATENT RIGHTS REGARDING A METHOD AND MEANS FOR EXTINGUISHING MAGNESIUM INCENDIARY BOMBS

Sec.

251.1 Scope and purpose.
251.2 Preliminary considerations to issuance of licenses.
251.3 Materials subject to licensing as magnesium bomb extinguishers.
251.4 Specifications of extinguishing materials subject to licensing.
251.5 Containers.
251.6 Labels.
251.7 Advertising.
251.8 Licenses to be granted royalty free.
251.9 Form of license.
251.10 Licenses to be nonexclusive and nontransferable.
251.11 Licenses to be revocable.
251.12 Bond requirements.
251.13 Licensees will not be defended by the United States.
251.14 Quarterly reports.
251.15 Infringement of Government-controlled patent or patents.
251.16 Enforcement.

AUTHORITY: §§ 251.1 to 251.16, inclusive, issued under R.S. 161, 22 Stat. 625; 5 U.S.C. 22; 35 U.S.C. 45.

See 31 Op. Atty. Gen. 463, 466; 38 Op. Atty. Gen. 534, 536.

§ 251.1 *Scope and purpose of the regulations in this part.* In order to protect the public interest and to prevent any undesirable exploitation of the method and means of extinguishing magnesium-containing bombs covered by an application for United States Letters Patent, rights to which have been acquired by the United States Government, as represented for that purpose by the Secretary of the Interior, by assignment duly executed and recorded, it is the policy of the Department of the Interior to make said method and means available by license to any commercial concern or individual qualifying under and complying with the regulations in this part.

§ 251.2 *Preliminary considerations to the issuance of licenses.* As it will be necessary, to enable prompt disposition of applications for licenses, to rely largely on the representations made by the applicants, the application papers must be sworn to (or affirmed) before a notary public or other officer authorized to administer oaths. Great care should be taken to insure that every statement and representation made in the papers is exactly true, since any material false representation or statement in the application papers may not only warrant revocation of the license subsequent to its issuance but, if issued in reliance thereon, may also subject the applicant to criminal liability if perjurous.

(a) *Style of application.* The application papers should be addressed to the Secretary of the Interior, Washington, D. C., in duplicate, and should commence in the form:

Application for License Under Patent No. ------ (Magnesium Incendiary Bomb Extinguisher)

The undersigned hereby applies for issuance to ---------- (here write the name of the individual or corporation desiring the license) of a nonexclusive, nontransferable license under such terms and conditions as are prescribed by the Secretary of the Interior for the granting of such license in the public interest, and for the purpose of inducing the issuance of such license makes the following representations to the Secretary of the Interior:

(b) *Substantive information contained in application.* The application should disclose in numbered paragraphs the following information:

(1) The name and business address of the applicant. If the applicant is an individual, a statement as to whether he is a citizen of the United States; if the applicant is a corporation, a statement as to whether a majority of its stockholders are citizens of the United States.

(2) The nature of the applicant's profession or business.

(3) References to reputable banks or other institutions through which statements may be verified as to the applicant's professional or business reputation and standing, together with a competent financial statement.

(4) The applicant's contemplated field of operations, with an adequate description of the geographic area in which it is proposed to distribute or market magnesium bomb extinguisher material subject to the regulations in this part.

(5) The type of material of which the applicant proposes to make magnesium bomb extinguishers subject to licensing under the regulations in this part for distribution or marketing, together with an unground sample, weighing not less than one pound, that is representative of the material which is to constitute the magnesium bomb extinguisher proposed for distribution or marketing.

(6) If other than the applicant, the name and address of the association, partnership, person, corporation, or other business entity that will supply the applicant the material which is to comprise the magnesium bomb extinguisher, together with an adequate geographic description of the location of the source of said material: *Provided*, That if the applicant owns the source of the material, that fact must be so stated, with an adequate geographic description of its location.

(7) The manner in which the applicant proposes to distribute or market the magnesium bomb extinguisher, whether wholesale (specify in bulk or otherwise) or retail as an individual home unit, or both, or in any other manner as shown in the application: *Provided*, That if said extinguisher is intended for distribution or marketing in individual home units, a satisfactory description or sample of the container must be furnished.

(8) A sample of the label to be used on the magnesium bomb extinguisher container in distributing or marketing the said extinguisher, which shall be subject to the limitations and restrictions of, and be in conformity with the regulations in this part.

(9) The trade-mark or name proposed to be used in distributing or marketing said extinguisher, with a statement whether such trade-mark or name is registered or unregistered; if registered, the registration number must be supplied with the application or, if registration is pending, as soon as registration has been effected.

(10) The price, at wholesale or retail, or both, for which the applicant proposes to market the extinguisher material licensed under the regulations in this part, disclosing the price for wholesale lots (specifying the quantity in bulk or, if in units, the number by consignment) or, if at retail, the price per individual home unit, and whether such price is delivered or f.o.b.: *Provided*, That the Secretary of the Interior may, in his discretion, reject any application proposing a price or prices deemed by him to be unwarranted: *Provided further*, That the granting of a license pursuant to these regulations shall not be construed as an approval of any price proposed in the applicant's showing and such price or prices shall be subject to any maximum price or prices established by the Price Administrator pursuant to the Emergency Price Control Act of 1942.

(11) An itemized statement, showing how the proposed price was arrived at, which shall include such factors as the cost of material, transportation, packaging, labor, delivery, overhead, and profit. This statement must be supported by written quotations on the cost of all items proposed to be used in marketing the material to be licensed. The Secretary of the Interior may require any additional information respecting costs, and to this end, if he deems it necessary, and after notice to the licensee, may instruct employees of the Department to enter the premises of the licensee and investigate the licensee's books and plant facilities. Any information so obtained may be submitted by the Secretary to the Office of Price Administration to be used by that office in determining prices which may be charged.

(12) Any other pertinent factors that the applicant deems will warrant the issuance of a license pursuant to the regulations in this part.

§ 251.3 *Materials subject to licensing as magnesium bomb extinguishers.* The materials subject to licensing under the regulations in this part as magnesium bomb extinguishers, and as defined in this section, shall consist of feldspar, and rocks composed largely of feldspar: *Provided*, That such rocks do not contain, upon examination, quantities of quartz, mica, or other inert or undesirable constituents deemed by the Geological Survey, United States Department of the Interior to render the material composing the extinguisher proposed for license unsuitable for the extinguishing of magnesium bombs. The restrictions on iron oxide content of the extinguisher material proposed for licensing, commonly imposed on feldspar intended for use in the ceramic industry, shall not be applicable under the regulations in this part.

§ 251.4 *Specifications of extinguishing materials subject to licensing.* Extinguishing materials consisting in excessive degree of matter that will not pass a 10-mesh, and be retained by a 200-mesh screen, or which will, for other good and sufficient reasons, be deemed unsatisfactory upon examination thereof by the Geological Survey, United States Department of the Interior, shall not be licensed for distribution or marketing under the regulations in this part, unless it can be demonstrated by actual test that the material proposed is capable of extinguishing molten magnesium within one minute after its application to the burning metal.

§ 251.5 *Containers.* Where it is proposed to distribute or market the material subject to license in individual home units, it may be packaged in a pail made of fiber or other nonmetal; a bag or sack made of paper, paper-lined burlap, or paper-lined cloth; or a tube made of cardboard or fiber. The packaging must be of sufficiently stable material to withstand moderately rough handling when filled with the licensed extinguishing material and must have a capacity when filled of not less than thirty-five pounds of approved material.

§ 251.6 *Labels.* Labels used on extinguishers must not include any misleading matter or extravagant claims; must state the name and address of the distributor or marketer; must state in large and readily discernible type that the extinguisher material is feldspar, or feldspar-containing rocks, as the case may be; must state the weight of the extinguisher material in the container; and, if uniform standards can be maintained, may carry the following notation, "The contents of this container are composed of not less than ------ percent vitrescible material"; and, in addition to the foregoing, must contain in easily legible type the following instructions for applying the contents of the container in order to insure the effective extinguishment of ignited magnesium incendiary bombs:

INSTRUCTIONS

Do not approach the bomb until the violent sputtering has ceased (about one minute after the bomb lands). Gently shovel or pour the entire contents of the package (35 lbs.) over the burning magnesium. Do not uncover for at least ten minutes. This material is abrasive and should not be used around machinery.

§ 251.7 *Advertising.* All advertising matter including, but not limited to, matter which is intended for publication in newspapers, magazines, journals, or as posters, which describes the extinguisher or seeks to induce purchases thereof, or both, must be submitted in advance of publication for approval or disapproval by the Director of the Geological Survey, with a statement disclosing the name and address of the newspaper, magazine, journal, or other publication in which said matter is to be published and the date fixed for publication.

§ 251.8 *Licenses to be granted royalty free.* Licenses under the regulations in

this part will be granted royalty free to qualified licensees, but the license shall be subject to stringent provisions which will be strictly enforced, and shall be subject to an indemnification bond as described in § 251.12 to insure compliance with the terms of said license.

§ 251.9 *Form of license.* If the applicant shall meet all the requirements of the regulations in this part, a license substantially in the form set forth in the appendix to the regulations in this part will be granted: *Provided*, That this form may be modified, in the discretion of the Secretary, as circumstances in each case may warrant.

§ 251.10 *Licenses to be nonexclusive and nontransferable.* Every license granted pursuant to these regulations shall be nonexclusive and nontransferable, and shall so provide in express terms.

§ 251.11 *Licenses to be revocable.* Every license granted pursuant to the regulations in this part shall be revocable, after notice and a reasonable opportunity to the licensee to present his views, upon a violation of any of its provisions, or upon a finding by the Secretary of the Interior that any of the provisions of the regulations in this part or subsequent amendments and modifications thereof or supplements thereto have been violated, or that the licensee has indulged in practices that are deemed to be inimical to the public interest: *Provided*, That at the licensee's request such license may be terminated and the bond required pursuant to § 251.12 may be discharged if the licensee shall have complied with the terms of the license and with the regulations in this part.

§ 251.12 *Bond requirements.* Prior to the issuance of a license under the regulations in this part, the applicant must furnish a general license bond in the sum of not less than One Thousand Dollars ($1,000) conditioned upon compliance with all license terms and with the regulations in this part. Such bonds in every instance shall be either corporate-surety bonds or individual bonds accompanied, in the latter instance, by a deposit of negotiable Federal securities in a sum equal at their par value to the amount of the bond and by a proper conveyance to the Secretary of full authority to sell such securities in case of a violation of any of the provisions of the license or of the regulations in this part. Approved bond forms are set out in the appendix to the regulations in this part.

§ 251.13 *Licensees will not be defended by the United States.* The United States will not undertake to defend any licensee holding a license granted pursuant to the regulations in this part against any suit that may be brought against such licensee for the infringement of any other patent or because of any operations such licensee may conduct under the license, nor to indemnify or hold harmless against any recovery of damages, costs, penalties, or other accounting resulting from such suit.

§ 251.14 *Quarterly reports.* Quarterly reports of operations under the license shall be submitted to the Secretary of the Interior not later than January 15, April 15, July 15, and October 15, of each year. These reports must show the amount or number of units of extinguisher material distributed or marketed and the principal places of such distribution or marketing; the returns received on sales; the gross and net profits realized therefrom; the efforts made to cooperate with civilian defense organizations in a constructive manner for the protection of the general public; and any other matters deemed pertinent. A ground sample representative of the product marketed during the period covered by the report should also be furnished.

§ 251.15 *Infringement of Government-controlled patent or patents.* The Secretary of the Interior reserves the right to take appropriate steps to prosecute or enjoin any infringement of the patent or patents controlled by the Government as described in § 251.1 upon notice that such patent or patents are being infringed.

§ 251.16 *Enforcement.* Full advantage will be taken of the cooperation of the various political subdivisions of State, county, and local governments, and of concerns or individuals (including licensees under the regulations in this part) in reporting to the Secretary of the Interior violations of the regulations in this part or such failure to comply with the terms of licenses granted hereunder as may be regarded as grounds for the revocation thereof.

Recommended for approval: June 27, 1942.

W. C. MENDENHALL,
Director of the Geological Survey.

Approved July 16, 1942.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

License No. —.

APPENDIX A

License Agreement Between The Department of the Interior and ----------

I. PARTIES

This license agreement by and between the United States Department of the Interior, acting through the ---------- Secretary of the Interior, hereinafter referred to as the "Licensor", and ----------, hereinafter referred to as the "Licensee",

Witnesseth that:

II. RECITALS

Whereas the Licensor has, for the period of the continuation of hostilities in the present wars and six months thereafter, the full and entire right, title and interest in and throughout the United States of America and its territories, possessions and protectorates in and to an invention for a method and manufacture employing vitrescible extinguisher materials for extinguishing magnesium incendiary bombs, (said invention being described and claimed in an application for Letters Patent filed by Joseph J. Fahey, Michael Fleischer, and William W. Rubey on May 2, 1942, Serial No. 441,539), together with the right to grant licenses thereunder for the aforesaid period;

Whereas it is the policy of the Licensor to encourage arrangements which are deemed to be in the public interest and which will make said method and manufacture available to the general public, at reasonable prices, and with due regard to the maintenance of the quality of the extinguisher materials employed and the prevention of extravagant and misleading advertising with respect thereto;

Whereas the Licensee is desirous of securing a limited license under patent rights held by the Licensor in order to distribute and market said method and manufacture for use by the ultimate consumer, and has been found qualified under the regulations governing the granting of such licenses; and

Whereas it has been determined by the Licensor that the granting of a license to the Licensee under the terms and conditions hereinafter provided will further a public interest:

Now, therefore, in consideration of the covenants hereinafter provided and agreed to be observed and respected by the Licensee, the Licensor, by these presents, agrees to grant, grants, and gives to the Licensee, a nonexclusive, revocable, and nontransferable license under Licensor's patent rights as hereinafter defined to make, distribute, and market, for use by the ultimate consumer, a method and manufacture for extinguishing ignited magnesium incendiary bombs employing vitrescible extinguisher materials under and subject to the following express terms and conditions:

III. DEFINITIONS

Whenever used in this agreement, the following terms shall have the following meanings respectively:

(a) The term "vitrescible extinguisher materials" shall mean comminuted noncombustible inorganic vitrescible materials including, but not limited to, feldspar and rocks largely composed of feldspar.

(b) The term "patent rights" shall mean all such, but only such claims of patents of the United States, and transferable rights thereunder, as cover a method and manufacture employing vitrescible extinguisher materials in extinguishing ignited magnesium incendiary bombs and are based upon inventions made prior to the expiration of this agreement including, but not limited to, the invention described and claimed in the aforesaid application Serial No. 441,539 and any Letters Patent that may issue on the said application or any divisions, extensions, continuations, or renewals thereof. The patent rights of the Licensor shall mean those patent rights as defined in the preceding sentence of which the Licensor now has, or shall have prior to the expiration of this agreement, the ownership or control in the sense of having the power to dispose of them or grant licenses thereunder, insofar as Licensor is not bound to account to others for so doing.

IV. COVENANTS

1. The Licensee agrees to abide by and conform to the regulations attached hereto and by reference made a part hereof, and any and all subsequent amendments and modifications thereof or supplements thereto of which Licensee shall have actual notice by service or constructive notice by publication in the FEDERAL REGISTER.

2. It is understood and agreed by and between the Licensor and Licensee that Licensee, if not a direct retail marketer, shall sell or dispose of the vitrescible extinguisher materials and method of use thereof licensed under Licensor's patent rights at reasonable prices, and, within limitations of production capacity, to all reputable jobbers, wholesalers, or retailers who seek to purchase such materials from Licensee: *Provided*, That Licensee, if not a direct retail marketer, shall provide in express terms in all agreements, contracts, or other arrangements made with jobbers, wholesalers, or retailers that such agreements, contracts, or other arrangements are subject to cancelation upon a determination by the Licensee (to be reported promptly to the Licensor) or by the Licensor of the existence of any combination of such jobbers, wholesalers, and/or retailers resulting, or tending to result in monopolistic or unfair trade practices, and Licensee agrees upon such determination to cancel said agreements, contracts, or other arrangements. A failure to comply with these covenants shall be grounds for the revocation of this license.

3. The Licensor does not undertake to defend the Licensee hereunder against any suit that may be brought against said Licensee for the infringement of any other patent or because of any operations said Licensee may conduct under this license, nor to indemnify or hold harmless against any recovery of damages, costs, penalties, or other accounting resulting from such suit; nor does the Licensor undertake to defend any interest of the Licensee against competition by infringers, but the Licensor reserves complete discretion in determining whether or not to bring suit against any possible infringer and reserves complete discretion with respect to the prosecution of any suit if brought.

4. The Licensee agrees that this license shall not be construed as obligating the United States or any of its officers or employees in any manner whatsoever by virtue of the granting of this license, either during or after the termination thereof, and the Licensee hereby expressly waives any and all claim or claims against the United States and its officers and employees, of any manner whatsoever, including any losses which may accrue to the Licensee by virtue of the continuance or discontinuance of his business (in whole or in part) resulting from this license, or from its automatic or discretionary termination.

5. The Licensee agrees that this license shall not be construed as, or be represented to be, a governmental approval of any particular articles of manufacture or trade. The making of any such representation may be deemed by the Licensor to be a sufficient cause for revocation of the license.

6. It is agreed by the Licensee that this instrument is an ordinary patent license, and shall not be construed as in any manner curtailing the rights and powers of the Federal Government under general laws of the United States, administered by any of its departments, independent establishments, and corporate or other agencies (for example, the Federal Trade Commission) in the event occasion should arise for the exercise of said rights and powers.

7. The containers of the extinguishing materials licensed hereunder, of whatever nature, or the labels thereon shall bear a patent notice, as follows:

"Licensed under Patent No. ———, for sale as a magnesium bomb extinguisher and for use for such purpose subject to applicable Federal, State, and local laws.";

or such other patent notice as Licensor shall from time to time in a written notice to Licensee direct. Such containers and labels shall also meet the requirements with respect to containers and labels set forth in sections 251.5 and 251.6, respectively, of the regulations attached hereto.

8. Inasmuch as damages for a violation of this license agreement would be difficult or impracticable of precise ascertainment, and in order to insure partial compensation of the public for damages resulting to morale, agreed hereunder to be inimical to the public interest whenever caused by a breach of faith under this instrument, the Licensee agrees upon execution and submission of said instrument, and prior to its execution by the Licensor and return of the original thereof to the Licensee, to furnish a general license bond in the sum of not less than One Thousand Dollars ($1,000), conditioned upon compliance with all the terms of this license and the regulations attached hereto in a form as prescribed by said regulations.

9. This license agreement, unless sooner terminated by the Licensor, as provided in section 251.11 of the regulations attached hereto and in said license agreement, shall terminate six months after the expiration of the present wars.

Executed this ------ day of ------, 1942.

UNITED STATES DEPARTMENT OF THE INTERIOR, LICENSOR,

[SEAL] By ----------
Secretary of the Interior.

Licensee.

By ----------

On this ------ day of ----------, 1942, before me personally appeared ----------, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as Licensee thereunder as his own free act and deed.[1]

[SEAL] ----------
Notary Public.

APPENDIX B

Bonds required under the regulations governing the administration of Government-owned patent rights regarding a method and means for extinguishing magnesium incendiary bombs should be in substantially the following form:

LICENSE BOND

Know all men by these presents, that we, ----------, of the county of ----------, in the State of ----------, as Principal, and ---------- of the county of ----------, in the State of ----------, as Surety, are held and firmly bound unto the United States of America in the sum of one thousand dollars ($1,000), lawful money of the United States, for the use and benefit of the United States, to be paid to the United States, for which payment, well and truly to be made, we bind ourselves, and each of us, and each of our heirs, executors, administrators, successors, and assigns, jointly and severally by these presents.

Signed with our hands and sealed with our seals this ------ day of ----------, in the year of our Lord one thousand nine hundred and ----------.

The condition of this obligation is such that, ----------

Whereas the said Principal, by an instrument dated ----------, has been granted a nonexclusive, nontransferable, and revocable license to distribute and/or market a vitrescible magnesium bomb extinguisher for use in the extinguishment of magnesium incendiary bombs; and

Whereas the said Principal has by such license entered into certain covenants and agreements set forth therein, under which said extinguisher is to be distributed and/or marketed:

Now, therefore if said Principal shall faithfully comply with all the provisions of the above-described license, then the above obligation is to be void and of no effect, otherwise to remain in full force and virtue.

Signed, sealed, and delivered in presence of

---------- (L. S.)
Principal.

---------- (L. S.)
Surety.

Where United States bonds are submitted in lieu of surety, the form of bond used should be substantially as follows:

[1] If the license is executed by an officer acting in behalf of a corporation or other business entity, appropriate modification in the form of acknowledgment should be made.

BOND

Know all men by these presents, That ----------, of the county of ----------, in the State of ----------, hereinafter called the Obligor, is held and firmly bound unto the United States of America, hereinafter called the Obligee, in the sum of one thousand dollars ($1,000), lawful money of the United States, to be paid to the United States, for the payment of which sum well and truly to be made, he binds himself and his heirs, executors, administrators, successors, and assigns firmly by these presents.

The condition of this obligation is such, that * * * * *

Whereas, the said Obligor, by an instrument dated----------, has been granted a nonexclusive, nontransferable, and revocable license to distribute and/or to market a vitrescible magnesium bomb extinguisher for use in the extinguishment of magnesium incendiary bombs; and

Whereas, the said Obligor has by such license entered into certain covenants and agreements set forth therein, under which said extinguisher is to be distributed and/or marketed:

Now, therefore, if said Obligor shall faithfully comply with all the provisions of the above-described license, then the above obligation is to be void and of no effect, otherwise to remain in full force and virtue.

The above-bounden Obligor, in order more fully to secure the Obligee in the payment of the aforesaid sum, hereby pledges as security therefor bonds of the United States of a par value equal to said sum, which said bonds are numbered serially and are in the denominations and amounts and are otherwise more particularly described as follows:

Bonds of $----------, bearing ------ percent interest, with -------- coupons attached to each, numbered----------, which said bonds have this day been deposited with the Secretary of the Interior and his receipt taken therefor.

The said Obligor does hereby constitute and appoint the Secretary of the Interior as his attorney, for him and in his name to collect or to sell, assign, and transfer the said United States bonds above described and deposited by the Obligor as aforesaid, pursuant to authority conferred by section 1126 of the Act of February 26, 1926 (44 Stat. 122; 6 U.S.C. 15), as security for the faithful performance of any and all of the conditions or stipulations as hereinbefore set out, and it is agreed that, in case of any default in the performance of the conditions and stipulations of such undertaking, the said attorney shall have full power to collect said bonds or any part thereof without notice, at public or private sale, free from any equity of redemption or without appraisement or valuation, notice and right to redeem being waived, and to apply proceeds of such sale or collection to the full amount of the bond to the satisfaction of any damages, or deficiency arising by reason of such default, as said attorney may deem best. The interest accruing upon said United States bonds deposited as above stated, in the absence of any default in the performance of any of the conditions or stipulations of this undertaking, shall be paid to said Obligor. The said Obligor hereby for himself, his heirs, executors, administrators, successors, and assigns ratifies and confirms whatever his said attorney shall do by virtue of these presents.

In witness whereof I have hereunto set my hand and seal this ------ day of ----------, 19--.

---------- (L. S.)

Before me, the undersigned, a Notary Public within and for the county of ----------, in the State of ----------, personally appeared ---------- and duly ac-

knowledged the execution of the foregoing bond and power-of-attorney.

Witness my hand and notarial seal this ------ day of ----------, 19---

[Notarial Seal] ----------
Notary Public

[F. R. Doc. 42-7524; Filed, August 3, 1942; 11:31 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1051—JUTE AND JUTE PRODUCTS

[Conservation Order M-70, as Amended July 31, 1942]

Section 1051.1, *General Conservation Order M-70*, is hereby amended to read as follows:

§ 1051.1 *General Conservation Order M-70*—(a) *Applicability of priorities regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Raw jute" means unprocessed jute, including butts, meshta, urena lobata (commonly called congo jute).

(2) "Jute product" means any product processed from raw jute, either alone or in combination with other material, including but not limited to yarn, roving, twine, scrime, webbing, brattice cloth, linoleum burlap, burlap other than of the Hessian cloth type, sacking, interlinings, and new or rewoven bale covering containing raw jute for covering raw cotton, but the term shall not include burlap of the Hessian cloth type as defined in Conservation Order M-47, as amended, or sugar sacking for sugar areas in the Western Hemisphere.

(3) "Domestic jute products" means any jute product processed in the United States.

(4) "Imported jute product" means any jute product imported into the United States in the processed form.

(5) "Scrim" means a woven jute fabric composed of single jute yarns, not exceeding 10 threads per inch, counting the warp and filling, and weighing not more than 3.6 ounces per yard, forty inches in width.

(6) "Webbing" means a woven jute fabric, with fast edges, not exceeding 12 inches in width.

(7) "Burlap other than of the Hessian cloth type" means a woven jute fabric weighing not less than 3.6 nor more than 6 ounces per yard, forty inches in width.

(8) "Processor" means any person who processes or who puts into process raw jute in the United States by performing any operation up to or through the manufacture of roving or yarn, and the term shall not include any person in his manufacturing capacity beyond the production of roving or yarn.

(9) "Put into process" means the removal of raw jute from the bale and the placing thereof upon processing machines.

(10) "Import" means to transport in any manner into the United States from any foreign country, and for purposes of this order, jute or jute products shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(11) "Dealer" means any person who purchases jute or jute products for resale but does not include a retail store.

(12) "Place of initial storage" means any warehouse, yard, ground storage or other place to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of jute or jute products imported after September 1, 1942, directs or has directed that such jute or jute products be transported from the port of entry to be held until disposed of pursuant to the provisions of this order applicable to such jute or jute products.

(c) *Restrictions on deliveries of raw jute.* (1) No person shall make or accept delivery of raw jute imported after September 1, 1942, except that deliveries of raw jute may be made without further specific authorization:

(i) By and to Defense Supplies Corporation or to any person acting for or on behalf of the Defense Supplies Corporation; or

(ii) By importers to processors where such raw jute has been rejected by Defense Supplies Corporation as unfit for its uses; or

(iii) To the place of initial storage.

Application to make any new contract or other arrangements for the importation of raw jute after August 10, 1942 shall be made to the War Production Board on form PD 222C. Application to make or to accept delivery of any raw jute so imported after July 31, 1942, other than as specifically authorized in this paragraph (c) (1) shall be made to the of proposed disposition on Form PD 222A.

(2) No raw jute shall hereafter be imported into the United States, continental or otherwise, unless the person making the entry or withdrawal shall file with the entry or withdrawal a statement of proposed disposition on Form PD 222A. Such statement shall be filed in duplicate; both copies shall be transmitted by the Collector of Customs to the War Production Board, Ref: M-63, Washington, D. C.

(d) *Restrictions on processing of raw jute.* No processor shall use or put into process any raw jute except for the manufacture of:

(1) Single or plied yarn or roving for use in, or as:

(i) Fuses.

(ii) Electric cable or electric appliances, whether such yarn or roving is treated or untreated.

(iii) Caulking or for braiding into packing material to fill defense orders.

(iv) New or rewoven bale covering for covering raw cotton: *Provided, however,* That no raw jute except butts shall be used in the manufacture of such roving or yarn.

(v) Jute centers for wire rope and wire cable to fill defense orders bearing a preference rating higher than A-2.

(vi) Twine and rope to fill defense orders or to fill orders for any department or agency of the United States Government for any purpose other than weaving, or to fill orders for agricultural purposes.

(vii) Twine and rope for purposes other than those specified in subparagraph (1) (vi) of this paragraph (d), but not for weaving, in an amount in pounds (based on raw jute fiber content) in any calendar month not in excess of 30% of his average monthly shipments during the calendar year 1941.

(viii) Webbing, in an amount in pounds (based on raw jute fiber content) in any calendar month not in excess of 25% of his average monthly shipments during the calendar year 1941.

(2) Single yarn or scrim for use in reinforced paper.

(3) Oakum or twisted jute packing rope to fill defense orders: *Provided, however,* That no raw jute except butts shall be used in the manufacture of such oakum or twisted jute packing rope.

(4) Carded jute or jute sliver for use in insulating material to fill orders bearing a preference rating higher than A-2: *Provided, however,* That no raw jute except butts shall be used in the manufacture of such carded jute or jute sliver.

(5) Carpet yarns to fill orders for carpets for the Army or Navy of the United States, or the United States Maritime Commission but only to the extent that the use of such yarns is specifically required by the specifications (including performance specifications) of the prime contract involved.

(6) Miscellaneous yarns, or other products not specifically elsewhere provided for, to fill orders placed by the Army or Navy of the United States, or the Maritime Commission, but only to the extent that the use of such yarns or other products is specifically required by the specifications (including performance specifications) of the prime contract involved.

No person shall put into process in any calendar month more raw jute than is necessary to meet his required deliveries of each such jute product and to maintain a practicable minimum working inventory. The term "practicable minimum working inventory" is to be strictly construed as meaning the minimum inventory which will permit of economical operation of plant and will depend, in each case, upon the practicability of changing a spinning system from the manufacture of one product to another. In no case shall the monthly limitations specified in subparagraphs (1) (vii) and (1) (viii) be exceeded.

(e) *Restrictions on disposition of domestic jute products.* No processor or dealer shall hereafter sell, purchase, deliver or accept delivery of any domestic jute product except for the purposes and within the limitations specified in paragraph (d).

(f) *Restrictions on disposition of imported jute products.* No processor or dealer shall sell, purchase, deliver or accept delivery of any imported jute product except the following products for the purposes specified below:

(1) Brattice cloth, treated or untreated, for use in mines.

(2) Bale covering, for covering raw cotton.

(3) Scrim, for the manufacture of reinforced paper to fill defense orders.

(4) Linoleum burlap for physical incorporation into products to fill orders for the Army or Navy of the United States, or the United States Maritime Commission, but only to the extent that the use of such linoleum burlap is specifically required by the terms of the prime contract involved; or to replace stocks of linoleum, within the limits permitted by § 944.14 of Priorities Regulation No. 1, which have been used for such purposes.

(5) Burlap other than of the Hessian cloth type for use in agricultural bags, or to fill orders bearing a preference rating higher than A-2.

(6) Webbing, in an amount in pounds (based on raw jute fiber content) in any calendar month not in excess of 25% of such person's average monthly shipments during the calendar year 1941.

Nothing in this paragraph (f) shall limit the right of any person to import any of the foregoing jute products into the United States.

(g) *Restrictions on use and acquisition of both domestic and imported jute products.* (1) No person, other than a processor or any department or agency of the United States Government or of the government of any other country designated pursuant to the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-lease Act), shall acquire, receive, or accept delivery of, any imported or domestic jute product (other than twine or rope, webbing or bale covering) which will result in his having an inventory in excess of the inventory for any type of jute product needed for two months' operations determined as follows:

(i) In the case of single or plied yarn or roving to be used in the manufacture of fuses, electric cable, electrical appliances or caulking or braided packing material, single yarn or scrim for reinforced paper, oakum, carded jute or jute sliver for insulating materials, jute centers for wire ropes and wire cables, carpet yarns, miscellaneous yarns, brattice cloth, linoleum burlap, and burlap other than of the Hessian cloth type, an amount not in excess of twice the amount required to fill orders which at the beginning of any calendar month are scheduled to be delivered during such calendar month for the purposes specified in paragraphs (d) and (f) of this order.

(ii) In the case of single or plied yarn or roving to be used in the manufacture of webbing, an amount in pounds (based on raw jute fiber) not in excess of 50% of his average monthly use in the calendar year 1941.

(2) No person shall acquire or use in manufacturing any product in any calendar month, an amount of imported or domestic jute webbing (based on raw jute fiber content) in excess of 25% of his average monthly use during the calendar year 1941.

(3) No person shall acquire, receive, or accept delivery of, an amount of new or rewoven bale covering which will, in any twelve-month period ending September 15th, result in his obtaining an amount (including any inventory carried over from the preceding cotton crop year) in excess of the amount sold or used by him during the preceding cotton crop year.

(h) *Certificates.* (1) No person shall deliver any jute product (other than twine and rope or bale covering), to any purchaser or user (except any department or agency of the United States Government or of the government of any other country designated pursuant to the provisions of the Act of March 11, 1941, entitled "an Act to Promote the Defense of the United States" (Lend-lease Act)), and no such purchaser or user shall accept delivery of any such product unless such purchaser or user shall furnish a certificate, signed by a duly authorized person, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order No. M-70, as amended July 31, 1942, and that the receipt of the jute products hereby ordered will not result in an inventory in excess of that specified in paragraph (f) of that order, and that the undersigned will not use or sell such jute products except for the purposes specified in paragraphs (d), (f) and (g) of that order. These jute products are to be used or to fill orders for:

(Here specify use, including rated orders)

Name of Purchaser

By ----------
Authorized Person

(2) No person shall deliver any new or rewoven bale covering for covering raw cotton unless the purchaser shall furnish a certificate, signed by a duly authorized person, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the amount hereby ordered will not result in an inventory in excess of that used and sold by the undersigned in the preceding crop year, and in no event in excess of the amount needed for covering the cotton crop serviced by the undersigned in the current crop year, and that I re-selling any of the bale covering now on hand or received hereunder the undersigned will obtain from each vendee a similar certification.

Name of Purchaser

By ----------
Authorized Person

(3) No processor or dealer shall deliver to a dealer (except any Department or Agency of the United States Government or of the government of any other country designated pursuant to the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act)) and no such dealer shall accept delivery of twine or rope for agricultural purposes unless the purchaser shall furnish a certificate, signed by a duly authorized person, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the jute twine or rope hereby ordered will be sold only for agricultural or horticultural purposes on a farm, orchard, or ranch or for the shipment of agricultural or horticultural commodities from such farm, orchard, or ranch, and will not result in a supply exceeding that needed for the particular crop season based on actual plantings.

Name of Purchaser

By ----------
Authorized Person

(4) Any processor or dealer who has unfilled orders for jute products, delivery whereof is permitted hereunder, and who has heretofore received the certificate with respect thereto as prescribed in this order prior to this amendment may deliver such product without securing the additional certificate prescribed in this paragraph.

(5) Certifications furnished pursuant to subparagraphs (1) to (4) of this paragraph (h) shall constitute a formal certification and representation to the War Production Board for the purpose of determining violations.

(i) *Reports.* (1) Every processor and every person importing, processing, owning or controlling any raw jute or jute product shall:

(i) File such monthly and other reports with the War Production Board as shall from time to time be required by the said Board.

(ii) Submit from time to time to an audit and inspection by representatives of the War Production Board concerning all records required to be kept by this order.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: N-70.

(k) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of jute conserved, or that compliance with this order would disrupt or impair a program of conversion from a non-defense to defense work, may appeal to the War Production Board on Form PB-319, Reference M-70, setting forth the pertinent facts and the reasons supporting his request for relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35(A) of the Criminal Code (18 U. S. C. 80).

(m) *Effective date.* This order shall take effect when issued, except that the provisions of paragraph (c) shall not

take effect until September 1, 1942, and until such time the provisions of paragraph (c) of Amendment No. 3 issued April 30, 1942 shall remain in effect and shall thereafter apply to all raw jute imported during the period such paragraph was in effect (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7440; Filed, July 31, 1942; 4:44 p. m.]

PART 933—COPPER

[General Preference Order M-9-a as amended August 1, 1942]

Section 933.2 *General Preference Order M-9-a*,[1] as amended January 7, February 6, and May 7, 1942, is hereby amended to read as follows:

§ 933.2 *General Preference Order M-9-a*—(a) *Definitions.* For the purpose of this order:

(1) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(2) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy .

(3) "Refiner" means any person who produces copper, as hereinbefore defined, from copper-bearing material or scrap by any process of electrolysis or fire refining; "refiner" also includes any person who has such copper produced for him under toll agreement.

(4) "Dealer" means one who receives physical delivery of copper and sells or holds the same for sale without change in form.

(5) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy.

(6) "Wire mill product" means bar or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(b) *Allocation of copper*—(1) *Deliveries of copper by dealers or refiners.* No delivery of copper shall be made by any dealer or refiner except upon presentation by the person requesting the delivery of an allocation certificate duly issued by the Director General for Operations (hereinafter called the Director); except that notwithstanding the foregoing, copper of foreign origin imported under bond or drawback agreement may be reexported by a refiner pursuant to an export license duly issued by the Office of Export Control, Board of Economic Warfare.

(2) *Applications for allocations.* All persons who require copper shall make application on Form PD-59 to the Copper Branch, War Production Board, for allocation certificates entitling them to specified amounts of copper to be delivered to them by refiners or dealers.

(3) *Basis of allocation.* Allocation of copper will be made by the Director to assure the satisfaction of the most essential requirements. After the satisfaction of such requirements, the residual supply may be allocated by the Director for other necessary uses to the extent possible.

(4) *Acceptance of delivery.* No person shall accept the delivery of any copper if he has reason to believe such delivery would be in violation of this order.

(c) *Deliveries of brass mill products or wire mill products.* Except as expressly authorized or directed by the Director:

(1) No brass mill or wire mill shall fill any order for, or deliver, a brass mill or wire mill product.

(2) No industrial supplier, mill supplier, plumbing supply house or other person engaged in the business of distributing brass mill or wire mill products to industry or trade, shall deliver or cause to be delivered any brass mill product or wire mill product, unless such delivery is made to fill an order bearing the appropriate allocation classification and purchaser's symbol (pursuant to Priorities Regulation No. 10) and bearing a preference rating of A-1-k or higher.

(3) No person shall accept the delivery of any brass mill product or wire mill product if he has reason to believe such delivery would be in violation of this order.

(d) *Deliveries of foundry products or copper base alloy ingots.* Deliveries of foundry products and copper base alloy ingots shall be made only in accordance with the provisions of Supplementary Copper Order No. M-9-b.

(e) *Toll agreements.* (1) No person shall process any copper, brass mill product, or wire mill product, under any existing or future toll agreement, conversion agreement, or other form of agreement by which title remains vested in a person other than the one processing the material, or which agreement is contingent upon repurchase of such materials in any quantities equivalent or otherwise by the person delivering the material, unless and until such an agreement shall have been approved by the Director. Any person desiring to have such an agreement approved must file with the War Production Board, a statement setting forth the names of the parties to such agreement, the material involved as to kind and grade (except copper scrap for which provision is made under Supplementary Copper Order No. M-9-b), the form of the same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the copper, copper base alloy or copper product is to be used, and any other pertinent data that would justify such approval.

(2) All refiners who are parties to toll agreements for the refining of copper (who have not already filed the information with the Director) must file with the War Production Board, a statement setting forth the names of the parties to such agreement, the material involved, whether blister, scrap or in other form, the estimated tonnage involved, the estimated rate of delivery, and the duration of the contract. A like statement must be filed with reference to any new agreement or amendment to existing or new agreements within ten days after the effective date of such new agreement or amendment respectively.

(f) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed "War Production Board, Ref: M-9-a, Washington, D. C."

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Effective date.* This order shall take effect August 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7457; Filed, August 1, 1942; 10:38 a. m.]

[1] 7 F.R. 3424, 5043.

PART 990—CHLORINE IN PULP, PAPER AND PAPERBOARD

[Amendment 2 to General Limitation Order L-11]

Section 990.1 *General Limitation Order L-11*,[1] as amended April 20, 1942, is hereby further amended by striking from the bracket of writing papers set out under subparagraph (1) of paragraph (d) thereof the 100% rag content grade and the corresponding figure 82 in the column headed "Brightness Ceilings", and by changing subparagraph (2) of said paragraph (d) to read as follows:

(2) The brightness ceilings established in (d) (1) hereof shall not apply to paper manufactured from 100% rag stock, and, with respect to other paper and paperboard, may be exceeded to the extent permitted by the Director General for Operations upon application accompanied by satisfactory proof that the applicant's process of achieving a higher brightness will further the program for the conservation of chlorine embodied in this order. Such application should be addressed to the War Production Board and marked Ref: L-11.

This amendment shall take effect immediately. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671; 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7459; Filed, August 1, 1942; 10:39 a. m.]

[1] 6 F.R. 5848; 7 F.R. 2940.

PART 996—CHLORINATED HYDROCARBON SOLVENTS

[Amendment 1 to General Preference Order M-41 as Amended May 2, 1942]

Section 996.1 *General Preference Order M-41*, as amended,[1] is hereby amended by striking the period at the end of subparagraph (d) (1) of said section and inserting the following:

(1) • • • *Provided, however*, That during the period commencing August 1, 1942 and ending September 30, 1942 any person requiring carbon tetrachloride for any use to which a preference rating of B-2 is assigned by paragraph (c) of this order may receive delivery in any month of an amount of carbon tetrachloride up to but not in excess of one hundred (100) per cent of such person's average monthly consumption of carbon tetrachloride in such use during the base period. (P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7461; Filed, August 1, 1942; 10:40 a. m.]

[1] 7 F.R. 3315.

PART 1013—CHLORINATED RUBBER

[Amendment 2 to General Preference Order M-46]

Section 1013.1 *General Preference Order M-46*[1] is hereby amended in the following respects:

(a) Subparagraph (1) of paragraph (f) is hereby amended to read as follows:

(1) No person shall use chlorinated rubber for a use not specified below:

(i) As a paint, for interior use (not including floor coating) in industrial plants where resistance to chemical corrosion is required. As a paint, for interior use in arsenals. For marine use in shipbottom and submarine paints.

(ii) For flame-proofing fabric for military use.

(iii) For tracer bullets.

(iv) For adhering natural and synthetic rubber articles to metal.

(v) For core binder cement for use in the manufacture of products by or for the Army or Navy of the United States or the United States Maritime Commission."

(b) Paragraph (i) is hereby amended to read as follows:

(i) *Effective date.* This order shall take effect on the 1st day of November, 1941 and shall continue in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7458; Filed, August 1, 1942; 10:38 a. m.]

[1] 6 F.R. 5534; 7 F.R. 1494.

PART 1136—LAWN MOWERS

[Amendment 2 to Limitation Order L-67]

Section 1136.1 *General Limitation Order L-67*[1] is hereby amended in the following particular:

Paragraph (c) is hereby amended by changing the period at the end thereof to a comma and by adding the following words:

• • • except gang mowers on direct order from and for delivery to the Army or Navy of the United States, the United States Maritime Commission, or the Armed Forces of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled 'An Act to Promote the Defense of the United States' (Lend-Lease Act), provided that during the three months' period from August 1, 1942, through October 31, 1942, inclusive, and for each three months' period thereafter until otherwise ordered by the Director General for Operations, no manufacturer shall use in the production of gang mowers more iron and steel in the aggregate than the amount of iron and steel in the aggregate used by him in the production of gang mowers during the three months' period from April 1, 1942 through June 30, 1942, inclusive. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7460; Filed, August 1, 1942; 10:39 a. m.]

[1] 7 F.R. 2469, 3852.

PART 1274—CHLORATE CHEMICALS

[Amendment 1 to General Preference Order M-171]

Section 1274.1 *General Preference Order M-171*[1] is hereby amended in the following respects:

1. By striking paragraph (b) (4) of said section and inserting in lieu thereof the following:

(4) The specific authorization provided for in paragraph (b) (1) hereof shall not be required for the delivery by any producer or distributor of twenty-five (25) pounds or less of any chlorate chemical to any one person in any one month provided that each producer or distributor before making any such delivery shall have received a certificate from the deliveree to the effect that if the delivery covered by such certificate is made the deliveree will not have received during the current month in excess of twenty-five (25) pounds of the chlorate chemical involved; and provided further, that the aggregate amount of deliveries by any producer or distributor made in any one month pursuant to the provisions of this paragraph (b) (4) shall not exceed the total quantity of such deliveries which he has applied for authorization, and been authorized, to make during such month.

2. By adding a new paragraph to said section, designated paragraph (g) as follows:

(g) *Inventory and use directions.* The Director General for Operations may, from time to time, issue directions with respect to the use of any chlorate chemical and with respect to the establishment of inventories thereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7462; Filed, August 1, 1942; 10:41 a. m.]

[1] 7 F.R. 4175.

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Amendment 1 to Limitation Order L–158]

§ 1297.1 *Limitation Order L–158*,[1] is hereby amended in the following particulars:

1. Paragraph (b) *Applicability of Priorities Regulation No. 1*, is hereby amended by adding thereto subparagraph (1) as follows:

(1) *Protection of production schedules.* Producers of replacement parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944) schedule their production of replacement parts without regard to purchase orders or contracts placed with them for other material on ratings lower than A–1–A.

2. Subparagraph (5) of paragraph (c) *Definitions*, is amended by adding the words "or persons," to read as follows:

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

3. Paragraph (i) *Restrictions on sales by distributors*, is amended to read as follows:

(i) • • •

(1) *Restrictions on sales to consumers.* On and after July 15, 1942, no producer or distributor shall sell or deliver any replacement part to a consumer unless the consumer delivers to the producer or distributor concurrently with the purchase a used part (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to the consumer. No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can recondition by use of available reconditioning facilities.

(2) Notwithstanding the provisions of paragraph (i) (1) above, a producer or distributor may sell and deliver any replacement part to a consumer without receiving a used part in exchange therefor, provided that:

(i) The producer or distributor does not install such part in the consumer's vehicle; and

(ii) The consumer signs and delivers to the producer or distributor concurrently with each purchase order (or on the written confirmation thereof if such order is placed by telephone or telegram) a certificate in the following form:

CONSUMER'S CERTIFICATE

I hereby certify that: (a) The replacement parts specified on this order are essential for repair of vehicle(s) I now own or operate; (b) these parts will be used only for replacement of parts that, to the best of my knowledge, cannot be reconditioned by use of available facilities; and (c) I will, within thirty days after receiving the new part(s), dispose of through scrap channels a used part(s) (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to me.

Signed) _____
Vehicle Owner or Operator

(Address) _____

The foregoing certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The provisions of this paragraph (i) shall not apply to any Federal or Territorial department, bureau or agency, or to a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7464; Filed, August 1, 1942; 10:40 a. m.]

[1] 7 F.R. 5127.

PART 3030—PHTHALATE PLASTICIZERS

[General Preference Order M–203]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phthalate plasticizers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3030.1 *General Preference Order M–203* (a) *Definitions.* For the purpose of this order:

(1) "Phthalate plasticizers" means the following esters of phthalic acid:

Dimethyl phthalate.
Diethyl phthalate.
Dibutyl phthalate.
Diamyl phthalate.
Dicapryl phthalate.
Di 2-ethyl hexyl phthalate.
Ethyl phthalyl ethyl glycollate.
Butyl phthalyl butyl glocollate.
Methyl phthalyl ethyl glycollate.
Di-methoxy ethyl phthalate.
Di-ethoxy ethyl phthalate.
Di-butoxy ethyl phthalate.
Tributyl glycerol triphthalate.
Di-cyclohexyl phthalate.
Di-methylcyclohexyl phthalate.
Castor oil phthalate.
Hydrogenated castor oil phthalate.
Iso butyl castor oil phthalate.

(2) "Producer" means any person who produces phthalate plasticizers, and includes any person who has phthalate plasticizers produced for him pursuant to toll agreement.

(3) "Distributor" means any purchaser of phthalate plasticizers from a producer for purpose of resale without further processing.

(b) *Restrictions on use and delivery of phthalate plasticizers.* (1) On and after September 1, 1942, no producer or distributor shall use or deliver phthalate plasticizers, and no person shall accept delivery of phthalate plasticizers from a producer or distributor, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) hereof, or as provided in paragraph (c) hereof.

(2) Each person who shall accept delivery of phthalate plasticizers pursuant to specific authorization of the Director General for Operations shall use such phthalate plasticizers in accordance with the representations made by him in his application for such authorization.

(3) The Director General for Operations in his discretion may from time to time issue special directions to any person with respect to the use or delivery of phthalate plasticizers by such person.

(c) *Exceptions.* Specific authorization pursuant to paragraph (b) (1) hereof shall not be required with respect to the use, delivery or acceptance of delivery of phthalate plasticizers (which may be made without regard to preference ratings) as follows:

(1) Any producer or distributor may deliver phthalate plasticizers to any person entitled to accept delivery pursuant to paragraphs (c) (2) and (3) hereof, provided that no producer or distributor shall deliver an amount of phthalate plasticizers in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of phthalate plasticizers which he is specifically authorized to deliver during such month pursuant to paragraph (b) (1) hereof.

(2) Any producer may use and any person may accept delivery of five (5) gallons or less of each kind of phthalate plasticizer during any one calendar month.

(3) In addition to deliveries of phthalate plasticizers which may be accepted pursuant to paragraph (c) (2) hereof, any person may accept delivery of fifty-five (55) gallons or less of any one kind of phthalate plasticizer or of one hundred ten (110) gallons or less of different kinds of phthalate plasticizers during any one calendar month, provided that he has not been specifically authorized to accept delivery during the same month of any quantity of the same kinds of phthalate plasticizers pursuant to paragraph (b) (1) hereof, and provided that no delivery pursuant to this paragraph (c) (3) shall be made or accepted unless and until the person accepting delivery shall certify in writing to the person making delivery that such delivery is accepted within the terms of this paragraph (c) (3).

(d) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each person seeking authorization for delivery of phthalate plasticizers and each producer or distributor seeking authorization to use phthalate plasticizers during any calendar month pursuant to paragraph (b) (1) hereof shall file Form PD–606 in the manner prescribed therein on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested; provided, however, that application for such authorization by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration may be made in any manner.

(2) Each producer or distributor shall file Form PD–607 in the manner prescribed therein on or before August 22, 1942, and on or before the 22nd day of each month thereafter.

(e) *Notification of customers.* Each producer and distributor shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of phthalate plasticizers shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M–203. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7463; Filed, August 1, 1942; 10:41 a. m.]

[1] 7 F.R. 3472.

PART 933—COPPER

[Supplementary Order M–9–b as Amended August 3, 1942]

Section 933.3 *Supplementary Order M–9–b*, as amended May 9, 1942[1] is hereby amended so as to read as follows:

§ 933.3 *Supplementary Order M–9–b*—(a) *Definitions.* For the purposes of this Supplementary Order:

(1) "Scrap" means all copper or copper base alloy materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(2) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(3) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(4) "Alloy ingot" means an alloy ingot or other shape for remelting which has been cast primarily from copper base alloy or scrap.

(5) "Brass mill scrap" means that scrap which is a waste or by-product of industrial fabrication of products by brass mills.

(6) "Brass mill" means any person who rolls, draws or extrudes castings made in his own plant of copper or copper base alloys, or who rolls, draws or extrudes refinery shapes of copper or copper base alloys; it does not include a mill which re-rolls, re-draws, or re-extrudes products produced from refinery shapes or castings of copper or copper base alloys.

(7) "Foundry" means any person casting copper or copper base alloy shapes or forms suitable for ultimate use without rolling, drawing, extruding, or forging. The process of casting includes the removal of gates, risers and sprues, and sand blasting, tumbling or dipping, but does not include any further machining or processing.

(8) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap.

(9) "Public utilities" means any person furnishing telephone, telegraph or electric light and power services to the public or city, suburban or inter-city electrically operated public carrier transportation.

(b) *Delivery or acceptance of scrap or alloy ingots.* Notwithstanding any preference rating, no person shall deliver or accept the delivery of any scrap or alloy ingots except in accordance with the following directions:

(1) Brass mill scrap shall be delivered only to a scrap dealer or to a brass mill; a scrap dealer who accepts delivery of brass mill scrap shall in turn deliver such scrap only to a brass mill or another scrap dealer.

(2) No. 1 or No. 2 copper scrap shall be delivered only to a scrap dealer, or to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of No. 1 or No. 2 copper scrap.

(3) Scrap other than brass mill, No. 1 or No. 2 copper scrap shall be delivered only to a scrap dealer, or to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of scrap.

(4) Alloy ingots shall be delivered only to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of alloy ingots.

(5) A person other than a brass mill or dealer shall accept a delivery of scrap only pursuant to a specific authorization of the Director General for Operations.

(6) A brass mill shall accept no delivery of scrap other than brass mill scrap without the specific authorization of the Director General for Operations.

(7) No person shall accept a delivery of alloy ingots except as specifically authorized by the Director General for Operations.

(8) A scrap dealer shall accept delivery of scrap only if:

(i) Such scrap dealer shall during the preceding 60 days, have sold or otherwise disposed of scrap to an amount of at least equal in weight to the scrap inventory of such scrap dealer on the date of acceptance of delivery of scrap (which inventory shall exclude such delivery), and

(ii) Such scrap dealer shall have filed with the Bureau of Mines, College Park, Maryland, by the 10th of each month, Form PD–249, and

(iii) Such scrap dealer shall have supplied such other information as the Director General for Operations may from time to time require.

(c) *Melting or processing of scrap or alloy ingots.* (1) No person other than a brass mill shall melt or process scrap, and no person shall melt or process alloy ingots, including scrap or alloy ingots on hand at the date of this order, without the specific authorization of the Director General for Operations.

(2) No brass mill shall melt or process any scrap other than brass mill scrap, including scrap on hand at the date of this order, without the specific authorization of the Director General for Operations.

(3) Any person accepting a delivery of scrap or alloy ingots shall use such scrap or alloy ingots only for the purposes for which acceptance of such delivery is authorized by the Director General for Operations.

(d) *Delivery to or acceptance of copper by foundries and makers of alloy ingots.* Notwithstanding any preference rating, no person shall deliver any copper to a foundry or to a maker of alloy ingots, and no foundry or maker of alloy ingots shall accept any such delivery, except as specifically authorized by the Director General for Operations.

(e) *Authorization.* (1) Authorizations to receive deliveries of, melt or process copper, scrap or alloy ingots will be given by the Director General for Operations to assure the satisfaction of the most essential war requirements. After the satisfaction of such requirements, the deliveries of any residual supply may be authorized by the Director General for Operations for other necessary requirements.

(2) Any person desiring to obtain an authorization pursuant to this order to accept the delivery of, melt or process

copper, scrap or alloy ingots should make application on Form PD–59, Copper Branch, War Production Board, by the 5th of each month.

(f) *Disposal of scrap generated through fabrication or accumulated through obsolescence.* No person shall use, melt or dispose of any scrap generated in his plant through fabrication or as accumulated in his operations through obsolescence, in any way other than by sale or delivery to a person authorized to accept delivery, without the specific authorization of the Director General for Operations. In no event shall any person keep on hand more than thirty days' accumulation of scrap unless such accumulation aggregates less than five tons. All persons generating scrap through fabrication or accumulating scrap through obsolescence in excess of 2,000 pounds in any calendar month, shall report on Form PD–226 on or before the 15th day of the following month, to the War Production Board, Ref: M–9–b, setting forth scrap inventory at the beginning of the previous calendar month, accumulations and sales during such month, inventory at the end of such month and such other information as the Director General for Operations may request from time to time. Nothing herein contained shall prohibit any public utility from using in its own operations wire or cable which has become scrap by obsolescence provided the lengths of such wire or cable are in excess of five feet and the quantity of such material so used by any person in any calendar month does not exceed five tons or such other amount as the Director General for Operations may specifically authorize.

(g) *Toll agreement.* No person shall deliver scrap or alloy ingots and no person shall except same for converting, remelting or other processing under any existing or future toll agreement, conversion agreement or other form of agreement by which title remains vested in the person delivering the scrap or alloy ingots or causing the scrap or alloy ingots to be delivered, or which agreement is contingent upon return of processed material in any quantities, equivalent or otherwise, to the person delivering or causing the scrap or alloy ingots to be delivered, unless and until such an agreement shall have been approved by the Director General for Operations. Any person desiring to have such an agreement approved must file with the War Production Board a statement setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the processed material is to be used, and any other pertinent data that would justify such approval.

(h) *Restriction on acceptance of copper base alloys or castings, including alloy ingots, made therefrom.* No person shall knowingly accept delivery of copper base alloys or castings, including alloy ingots, made therefrom, which have been obtained by melting and processing scrap delivered to a melter or processor contrary to the provisions of this order.

(i) *Specific directions.* The Director General for Operations may from time to time issue specific directions to any person as to the source, destination, amount, or grade of scrap or alloy ingots to be delivered or acquired by such person.

(j) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed War Production Board, Ref: M–9–b, Washington, D. C.

(l) *Effective date.* This order shall take effect August 3, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7514; Filed, August 3, 1942; 11:19 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 12 to Supplementary Order M–15–b–1]

Section 940.5 *Supplementary Order M–15–b–1*[1] is hereby amended by substituting the attached Revised List 15 for List 15 now attached to such order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

This order shall take effect as of the date of its issuance.

Issued this 3d day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

SUPPLEMENTARY ORDER NO. M–15–B–1, AS AMENDED

List 15

(Revised effective August 3, 1942)

Specifications for the manufacture of feeding nipples.

(a) *Infants' nipples:*

(1) *Molded type.* The weight of rubber in each finished nipple shall not exceed .0105 pound.

(2) *All other types.* The weight of rubber or latex in each finished nipple shall not exceed .007 pound.

(b) *Lambs' nipples:* The weight of rubber or latex in each finished nipple shall not exceed .0105 pound.

[F. R. Doc. 42–7513; Filed, August 3, 1942; 11:19 a. m.]

PART 984—LEAD

[Revocation of Supplementary Order M–38–j]

Part 984.11 *Supplementary Order M–38–j*[1] is hereby revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7516; Filed, August 3, 1942; 11:19 a. m.]

PART 1001—TIN

[Amendment 1 to Conservation Order M–43–a, As Amended June 5, 1942[2]]

Paragraph (b) (2) (iii) of § 1001.2 is hereby amended to read as follows:

(iii) Manufacture or use any solder having a tin content of more than 30% of weight provided that:

(*a*) Solder having a tin content of not more than 40% of weight may be manufactured or used for the repair of gas meters;

(*b*) Until September 1, 1942, wiping solder having a tin content of not more than 38% by weight may be manufactured or used;

(*c*) From September 1, 1942, until January 1, 1943, wiping solder having a tin content of not more than 38% by weight may be manufactured or used for the installation or repair of lead water service pipes operated by a public utility.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 FR. 2719: sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7517; Filed, August 3, 1942; 11:19 a. m.]

PART 1235—COMBED COTTON YARN

INCLUDING SALES YARN AND YARN FOR PRODUCERS' OWN USE

[Amendment 1 to General Preference Order M–155]

Section 1235.1 *General Preference Order M–155*[3] is hereby amended in the following respects:

Paragraph (c) (1) and (2) is amended to read as follows:

(1) *Medium combed yarns.* Notwithstanding the provisions of any contracts to which he may be a party, each producer of medium combed yarns shall, as soon as may be necessary for him to do so in order to make delivery in accordance with the terms of any purchase order placed with him of the type specified in paragraph (d) (1) hereof and as soon as the required yarn counts and descriptions can be produced by him, but in any event not later than the week beginning November 2, 1942, and in each week thereafter until further direction, earmark at least 40 percent of his production thereof as reserved combed yarns.

(2) *Coarse combed yarns.* Notwithstanding the provisions of any contracts to which he may be a party, each producer of coarse combed yarns shall, as soon as may be necessary for him to do so in order to make delivery in accordance with the terms of any purchase order placed with him of the type specified in paragraph (d) (1) hereof and as soon as the required yarn counts and descriptions can be produced by him, but in any event not later than the week beginning November 2, 1942, and in each week thereafter until further direction, earmark at least 65 per cent of his production thereof as reserved combed yarns. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7518; Filed, August 3, 1942; 11:20 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[Amendment 4 to General Inventory Order M–161[1]]

Section 1255.1 *General Inventory Order M–161* is hereby further amended by adding to the materials listed on Schedule A attached to said order the following:

Sodium Carbonate (Soda Ash)
Sodium Hydroxide (Caustic Soda)

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7520; Filed, August 3, 1942; 11:20 a. m.]

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[1] 7 F.R. 4174, 4778, 4779, 5663.

[1] 7 F.R. 5118.
[2] 7 F.R. 4290.
[3] 7 F.R. 4032.

PART 1284—BALSA

[General Conservation Order M–177]

The fulfillment of requirements for the defense of the United States has created a shortage of balsa, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1284.1 *General Conservation Order M–177*—(a) *Definition.* For the purposes of this order:

"Balsa" means the wood of the several species of the genus Ochroma in the form of logs, hewn timbers, blocks or lumber, including boards, planks, dimension, squares, cants, flitches, timbers and other sawed forms whether rough or dressed.

(b) *Restrictions on sales and deliveries.* After the date of issuance of this order, no person shall sell or deliver balsa, except upon the following categories of orders:

(1) Orders specifying delivery to or for the account of the United States agencies and the countries named in § 944.1, paragraphs (b) (1) and (2), of Priorities Regulation No. 1;

(2) Orders placed by any person for uses limited to those enumerated in paragraph (c) hereof to satisfy orders by or in behalf of the agencies and countries named in § 944.1, paragraph (b) (1) and (2) of Priorities Regulation No. 1;

(3) Orders placed by any person for the uses enumerated in subparagraph (2) of paragraph (c) hereof, to satisfy orders for the Merchant Marine, whether of United States or foreign flag, or licensed vessels operating on inland waters of the United States or Canada;

(4) Orders delivery on which is specifically authorized by the Director General for Operations on Form PD–423.

(c) *Restrictions on production and use.* No person shall consume any balsa in the production of any equipment or product except those hereinafter specified, namely:

(1) Life floats, life rafts, life nets and other buoyant apparatus essential to group life saving at sea.

(2) Jacket or ring life preservers or buoys or other individual life rescue equipment, and life preserver blocks in their final sizes whether finished or semi-finished except for corner bevelling, all of such preservers, buoys or blocks conforming to specifications established by or approved by the United States Coast Guard or other competent governmental authority.

(3) Plywood and parts for aircraft to the extent that balsa is specifically permitted by the controlling specifications.

(4) Marine buoys, including but not limited to submarine rescue buoys, dan buoys, seaplane mooring buoys, seadrome contact light buoys, mine buoys, and anti-aircraft practice balloon buoys.

(5) Bilge keel filling, under-cockpit flooring and other parts of vessels of the Army and Navy of the United States, the United States Maritime Commission and the War Shipping Administration, to the extent that balsa is specifically permitted by the controlling specifications.

(6) Gyroscopic equipment to the extent that balsa is specifically permitted by the controlling specifications.

(d) *Exceptions.* (1) The restrictions of this order shall not apply to the sale, delivery or use of any balsa which on the date of issuance of this order is in the inventory of a person whose entire inventory of balsa is not in excess of one hundred board feet.

(2) Notwithstanding the restrictions in this order, any balsa actually in transit on the date of issuance of this order may be delivered to its immediate destination.

(e) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be disproportionate compared with the amount of war-use balsa conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Washington, D. C., Ref: M–177, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Lumber and Lumber Products Branch, Washington, D. C., Ref: M–177.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7519; Filed, August 3, 1942; 11:20 a. m.]

made therefrom, which have been obtained by melting and processing scrap

[1] 7 F.R. 967, 2344, 2346, 2449, 2595, 2782, 3389, 4448, 5012, 5296, 5592, 5603, 5748.

[2] 7 F.R. 4290.

[3] 7 F.R. 4032.

PART 3033—PORTLAND CEMENT

[General Limitation Order L–179]

The fulfillment of requirements for the defense of the United States has made imminent a shortage in the supply of portland cement for defense, for private account and for export; and the following order is deemed necessary and appropriate to protect the public interest and to promote the national war effort:

§ 3033.1 *General Limitation Order L–179*—(a) *Restrictions*—(1) *Manufacture.* On and after twenty days subsequent to the date of issuance of this order, no person shall manufacture any portland cement except portland cement which conforms with one or more of the following specifications as such specifications exist on the date of issuance of this order:

(i) Federal specifications: Emergency Alternate Federal Specification for cement; Portland–E–SS–C–191b, dated June 5, 1942;

(ii) Federal specifications: Emergency Alternate Federal Specification for cement; Portland–E–SS–C–201a, dated June 5, 1942;

(iii) Federal specifications: Emergency Alternate Federal Specification for cement; Portland E–SS–C–206a, dated June 5, 1942;

(iv) American Society for Testing Materials specifications: Emergency Alternate Specification for Portland Cement A. S. T. M. Designation EA–C 150–Type I, dated June 6, 1942;

(v) American Society for Testing Materials specifications: Emergency Alternate Specification for Portland Cement A. S. T. M. Designation EA–C 150–Type III, dated June 6, 1942;

(vi) American Society for Testing Materials specifications: Emergency Alternate Specifications for Portland Cement A. S. T. M. Designation EA–C 150–Type II, dated June 6, 1942.

(2) *Storage by manufacturers.* On and after twenty days subsequent to the date of issuance of this order, no manufacturer of portland cement shall allocate or continue the allocation of any silo, bin or other storage space or any part of any silo, bin or other storage space for the storage of portland cement to and for the exclusive use of the Army, the Navy, the United States Coast Guard, the United States Maritime Commission, or any other person.

(3) *Requirements for testing.* On and after twenty days subsequent to the date of issuance of this order, no manufacturer of portland cement shall enter into any contract or agreement for the sale of portland cement, which such contract or agreement shall require portland cement to be tested in any other manner than in accordance with "Federal Specifications; Emergency Alternate Federal Specifications for Cement; Portland—dated June 5, 1942, E–SS–C–158a," or "American Society for Testing Materials Specifications: C77–40".

(b) *Specific exemptions.* The provisions of this order shall not apply to portland cement manufactured and stored pursuant to orders or contracts for any cement:

(1) To be used in the following named projects under the direction or control of the United States Bureau of Reclamation:

(i) Boise Project—Anderson Ranch Dam—Boise, Idaho;

(ii) Central Valley Project—Kennett Division—Redding, California;

(iii) Central Valley Project—Friant Division—Friant, California;

(iv) Davis Dam Project—Kingman, Arizona;

(2) To be used in the following project under the direction or control of United States War Department, U. S. Army Engineer Corps:

(i) Norfolk Dam—Arkansas.

(3) To be used in the following projects under the direction or control of the Tennessee Valley Authority:

(i) Fontana Dam—Fontana Dam, North Carolina;

(ii) Douglas Dam—Rural Station, Jefferson City, Tennessee;

(iii) Fort Loudon Dam—Lenoir City, Tennessee;

(iv) Kentucky Dam—Gilbertsville, Kentucky;

(v) Apalachia Dam—Farner, Tennessee;

(vi) Ocoee No. 3 Dam—McFarland, Tennessee;

(4) To be used in oil wells under conditions of high temperature, such cement being commonly known as "oil well cement";

(5) To be used persuant to the specific authorization of the Director General for Operations.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time specify.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in conection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may apply for relief by addressing a letter directed to the Director General for Operations, Social Security Building, Washington, D. C., setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Applicability of other orders.* The provisions of Priorities Regulation No. 1 (§ 944.14,[1] *Inventory restrictions*) shall not apply to this order and all transactions affected thereby. Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order the restrictions of such other order shall govern, unless otherwise specified herein.

(i) *Communications.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L–179. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7515; Filed, August 3, 1942; 11:19 a. m.]

[1] 6 F.R. 4490, 6682; 7 F.R. 1493, 1835, 2235.

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Amendment 1 to Temporary Procedural Regulation 5[1]]

EFFECTIVE DATE

In § 1300.310 the text thereof is designated as paragraph (a) and a new paragraph (b) is added as set forth below, and a new § 1300.311 is added as set forth below.

§ 1300.310 *Effective date.* (a) • • •

(b) Temporary Procedural Regulation No. 5 is extended from August 1, 1942 as set forth in paragraph (a) and shall expire September 1, 1942, unless earlier replaced by a permanent procedural regulation or further extended.

§ 1300.311 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1300.310) to Temporary Procedural Regulation No. 5 shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7446; Filed, July 31, 1942; 5:08 p. m.]

PART 1301—MACHINE TOOLS

[Amendment 13 to Revised Price Schedule 67[2]]

NEW MACHINE TOOLS

GOULD & EBERHARDT, INC.

A statement of the considerations involved in the issuance of this amendment has been prepared and filed with the Division of the Federal Register.* New subparagraph (12) is added to § 1301.51 (a) and new subparagraph (7) is added to § 1301.54 (e) as set forth below:

§ 1301.51 *Maximum prices for new machine tools and extras.* (a) • • •

(12) *Gould & Eberhardt, Incorporated, Newark, New Jersey.* Notwithstanding any other provision of this paragraph (a), regardless of the terms of any existing contract of sale or other commitment, the maximum price at which Gould & Eberhardt, Incorporated, may sell, offer to sell, deliver or transfer, and the maximum price at which any person may buy, offer to buy or accept delivery from Gould & Eberhardt, Incorporated, of, any of the one hundred and fifty (150) Universal Tables for its 16", 16/20", 20" or 20/24" Industrial Shapers to be manufactured by American Type Founders, Incorporated of Elizabeth, New Jersey, as subcontractor, shall be $625.

§ 1301.54 *Records and reports.* • • •

(e) • • •

(7) Gould & Eberhardt, Incorporated, Newark, New Jersey, shall file with the Office of Price Administration, Washington, D. C., the name of the purchaser of each of the one hundred and fifty (150) Universal Tables for its 16", 16/20", 20", and 20/24" Industrial Shapers manufactured by the American Type Founders, Incorporated, as subcontractor, whose October 1, 1941 list price has been increased under § 1301.51 (a) (12) hereof within five days after the delivery of each such Table.

§ 1301.59a *Effective dates of amendments.* • • •

(m) Amendment No. 13 (§§ 1301.51 (a) (12) and 1301.54 (e) (7)) to Revised Price Schedule No. 67 shall become effective July 31, 1942.

(Pub. Law 421, 77th Con.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7449; Filed, July 31, 1942; 5:06 p. m.]

PART 1301—MACHINE TOOLS

[Amendment 14 to Revised Price Schedule 67[2]]

NEW MACHINE TOOLS

NORTON COMPANY

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Subparagraph (8) of § 1301.51 (a) is amended to read, and a new subdivision (iv) is added to § 1301.54 (e) (3), as set forth below:

§ 1301.51 *Maximum prices for new machine tools and extras.* (a) • • •

(8) *Norton Company, Worcester, Massachusetts.* Notwithstanding any other provision of this paragraph (a), on and after April 6, 1942, regardless of the terms of any existing contract of sale or other commitment, the maximum price at which Norton Company may sell, offer to sell, deliver or transfer one hundred and fifty (150) Model No. 26 Hyprolap Machines, to be manufactured for Norton Company by subcontractors other than Dennison Manufacturing Company of Framingham, Massachusetts, and the maximum price at which any person may buy, offer to buy, or accept delivery of any such machine tool shall be the price of $7,290.00 each: *Provided, however,* That to the extent that it is necessary for Norton Company in its deliveries of Model No. 26 Hyprolap Machines to comply with General Preference Order No. E–1–b issued by the War Production Board, machines manufactured by Norton Company or by Dennison Manufacturing Company may be delivered in substitution for any of the one hundred and fifty (150) machines to be manufactured by subcontractors other than Dennison Manufacturing Company and sold at the said maximum price of $7,290.00, upon the condition that an equal number of machines manufactured by subcontractors other than Dennison Manufacturing Company are sold at the list price of $7,025.00 in effect for these machines on October 1, 1941.

§ 1301.54 *Records and reports.* • • •

(e) • • •

(3) • • •

(iv) the serial number of each Hyprolap Machine manufactured by Norton Company or by Dennison Manufacturing Company, the delivery of which, in compliance with General Preference Order No. E–1–b, is made in substitution for any of the one hundred fifty (150) machines manufactured by a subcontractor other than Dennison Manufacturing Company and sold at the price of $7,290.00.

§ 1301.59a *Effective date of amendments.* • • •

(n) Amendment No. 14 (§§ 1301.51 (a) (8), 1301.54 (e) (3) (iv)) to Revised Price Schedule No. 67 shall become effective July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7448; Filed, July 31, 1942; 5:06 p. m.]

PART 1301—MACHINE TOOLS

[Amendment 15 to Revised Price Schedule 67[2]]

NEW MACHINE TOOLS

SMALLEY GENERAL COMPANY

A statement of the considerations involved in the issuance of this amendment has been prepared and filed with the Division of the Federal Register.* New subparagraph (13) is added to § 1301.51 (a) and new subparagraph (8) is added to § 1301.54 (e) as set forth below:

§ 1301.51 *Maximum prices for new machine tools and extras.* (a) • • •

(13) *Smalley General Company, Bay City, Michigan.* Notwithstanding any other provision of this paragraph (a), on and after July 7, 1942, regardless of the terms of any existing contract of sale or other commitment, the maximum price at which the Smalley General Company may sell, offer to sell, deliver or transfer, and the maximum price at which any person may buy, offer to buy, or accept delivery from the Smalley General Company of, any of the thirty (30) 27 MB–1 Threadmiller Machines, for gun tube, or for breech ring, to be manufactured by Valley Iron Works Company of Appleton, Wisconsin, as subcontractor, shall be $14,528 each.

§ 1301.54 *Records and reports.* (e) • • •

(8) Smalley General Company of Bay City, Michigan, shall file with the Office of Price Administration, Washington, D. C., (1) on August 15, 1942, or not later than ten days after the final contract between it and Valley Iron Works Company for the manufacture of thirty 27

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4730.

[2] 7 F.R. 1837, 1836, 2000, 2105, 2472, 2473, 2539, 2680 2996, 3445, 3820, 4176.

MB–1 Threadmiller Machines shall have been executed a copy thereof certified by an officer of Smalley General Company to be a true and correct copy; and (ii) the serial number of each such machine tool manufactured by Valley Iron Works Company, as subcontractor, within five days after such number shall have become available.

§ 1301.59a *Effective dates of amendments.* • • •

(o) Amendment No. 15 (§§ 1301.51 (a) (13), 1301.54 (e) (8)) to Revised Price Schedule No. 67 shall become effective July 31, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7441; Filed, July 31, 1942; 5:07 p. m.]

PART 1305—ADMINISTRATION

[General Order 5]

DELEGATION TO EXECUTIVE SECRETARIES OF WAR PRICE AND RATIONING BOARDS AUTHORITY TO ADMINISTER OATHS

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942 and by paragraph 3 of Executive Order No. 9125,[1] the following order is prescribed:

§ 1305.102 *Order delegating to Executive Secretaries of War Price and Rationing Boards authority to administer oaths and affirmations.* (a) In the administration of the price control or rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to such authority, any person employed as Executive Secretary by a War Price and Rationing Board of the Office of Price Administration is authorized to administer oaths and affirmations in connection with any application, petition, statement, report, or other document, required to be sworn to by the provisions of any regulation or order pertaining to price control or rationing and required or authorized to be filed at a War Price and Rationing Board or at any office of the Office of Price Administration.

(b) This General Order No. 5 (§ 1305.102) shall become effective July 31, 1942. (Pub. Law 421, 77th Cong.; Pub. Law 507, 77th Cong.; E.O. 9125; WPB Directive 1)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7447; Filed, July 31, 1942; 5:08 p. m.]

PART 1340—FUEL

[Amendment 25 to Revised Price Schedule 88[2]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1340.155 (a) and 1340.157 (a) are amended and a new § 1340.155a is added as set forth below:

§ 1340.155 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 88 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

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§ 1340.155a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[1] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 88 selling at wholesale or retail any petroleum or petroleum products covered by this Revised Price Schedule No. 88. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

§ 1340.157 *Definitions.* When used in Price Schedule No. 88 (§§ 1340.155 and 1340.159, inclusive) the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

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§ 1340.158a *Effective dates of amendments.* • • •

(y) Amendment No. 25 (§§ 1340.155 (a), 1340.155a and 1340.157 (a)) to Revised Price Schedule No. 88 shall become effective August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7450; Filed, July 31, 1942; 5:05 p. m.]

PART 1340—FUEL

[Amendment 26 to Revised Price Schedule 88[3]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1340.159 (c) (3) (iii) is amended to read as follows:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(c) *Specific prices.* • • •

(3) Distillate fuel oils:

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(iii) Effective July 7, 1942, the maximum prices at the Virgin Islands of kerosene transshipped from Puerto Rico shall be 3 cents per gallon above the prices established by § 1340.159 (b) (1) to (b) (3) inclusive. This subdivision (iii) shall, unless earlier revoked or replaced, expire on September 21, 1942.

§ 1340.158a *Effective dates of amendments.* • • •

(z) Amendment No. 26 (§ 1340.159 (c) (3) (iii)) to Revised Price Schedule No. 88 shall become effective as of July 7, 1942, and shall unless earlier revoked or replaced, expire on September 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7451; Filed, July 31, 1942; 5:06 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 1 to Maximum Price Regulation 185[1]]

INFORMATION TO PURCHASERS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1341.106a, a new paragraph (a) (7) to § 1341.110 and a new § 1341.114 are added as set forth below.

§ 1341.106a *Information to purchasers from canners.* (a) Any canner selling any canned fruits or canned berries packed after the 1941 pack to any wholesaler, retailer, or any other purchaser for resale, shall, before making such sale or on his invoice disclose in writing to such purchaser, for each kind, grade, brand and container size, his weighted average price, his maximum price, and the amount of the difference between his weighted average price and his maximum price.

(b) In disclosing such information, the canner's weighted average price shall be designated as the "base price," his maximum price shall be designated as the "maximum price" and the amount of the difference between his weighted average price and his maximum price shall be designated as the "permitted increase."

(c) Any such canner may disclose such information by stating such information on his invoice for each kind, grade, brand and container size of canned fruits and canned berries on the first occasion that he sells such kind, grade, brand and container size to the purchaser; or, any such canner may prepare and supply to the purchaser at or before the first sale to such purchaser of any kind, grade, brand and container size of canned fruits and canned berries, one or more lists or statements containing such information. Any such canner may include in any such list or statement any number of kinds, grades, brands and container sizes of canned fruits and canned berries with the required information for each.

(d) For the purposes of this section: (1) The weighted average price for any grade and container size for which the maximum price was determined by proportionate relationship to an established maximum price shall be deemed to be the price which bears the same ratio to the weighted average price of the grade and container size used as the basis for establishing the proportionate relationship, as the maximum price computed by the use of proportionate relationship bears to the maximum price from which it was so computed

(2) When any such canner has established a maximum price for any kind, grade and container size by using the maximum price of his competitor, as provided in paragraph (d) of § 1341.102, his weighted average price shall be deemed to be the same as the weighted average price of such competitor.

(3) When any such canner makes application to determine a maximum price after specific authorization by the Office of Price Administration, as provided in paragraph (e) of § 1341.102, such authorization, when given, will be accompanied by instructions as to the method for determining the price to be deemed the weighted average price.

§ 1341.110. *Definitions.* (a) When used in this Maximum Price Regulation No. 185 the term:

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(7) "Kind", when referring to any canned fruits or canned berries, also refers to the style of the pack of such canned fruits or canned berries.

§ 1341.114 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1341.106a, paragraph (a) (7) to §1341.110 and § 1341.114) to Maximum Price Regulation No. 185 shall become effective on August 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7443; Filed, July 31, 1942; 5:04 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 197]

CANNED FRUITS AND CANNED BERRIES AT WHOLESALE AND RETAIL

In the judgment of the Price Administrator, the determination of maximum prices for canners of fruits and berries under Maximum Price Regulation No. 185[1] will result in maximum prices which will not be generally fair and equitable to wholesalers and retailers as applied to the 1942 pack and which will seriously impair the distribution of such commodities. The Price Administrator has ascertained and given due consideration to the prices of canned fruits and canned berries prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as is practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation for the sale of canned fruits and canned berries at wholesale and retail are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which canned fruits and canned berries are manufactured, prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for each such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] Maximum Price Regulation No. 197 is hereby issued.

AUTHORITY: §§ 1341.151 to 1341.171 inclusive, issued under Pub. Law 421, 77th Cong.

§1341.151 *Prohibition against dealing in canned fruits and canned berries above maximum prices.*

On and after August 5, 1942, regardless of any contract or other obligation,

(a) No wholesaler or retailer shall sell or deliver any canned fruits or canned berries at a price higher than the maximum price established pursuant to the provisions of this Maximum Price Regulation No. 197.

(b) No person in the course of trade or business shall buy or receive any canned fruits or canned berries from a wholesaler or retailer at a price higher than the maximum price established pursuant to the provisions of this Maximum Price Regulation No. 197; and

(c) No wholesaler or retailer or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.152 *Wholesaler's maximum prices for canned fruits and canned berries.* (a) The wholesaler's maximum price per dozen for each kind, grade, brand and container size of canned fruits or canned berries, except canned pineapple and canned pineapple juice, shall be:

(1) The wholesaler's maximum price per dozen for such kind, grade, brand and container size computed in accordance with the General Maximum Price Regulation,[4] except that February 1942, shall be substituted for March 1942, in computing the maximum price in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation; plus

(2) The amount reported by the wholesaler's supplier as the permitted increase for such kind, grade, brand and container size, pursuant to the provisions of § 1341.106a[5] of Maximum Price Regulation No. 185.

(b) No wholesaler shall so determine his maximum price for any brand and container size of any kind and grade of such canned fruits and canned berries until he has purchased or contracted to purchase from the 1942 pack a quantity which equals or exceeds 10 per centum of his total purchases of such kind and grade from the 1941 pack. If at the time of computing his maximum price for any kind, grade, brand and container size of such canned fruits or canned berries, the wholesaler has purchased or contracted to purchase the same kind, grade, brand and container size from two or more canners, he shall use as the amount to be added pursuant to paragraph (a) (2) of this section the amount reported as the permitted increase by the canner from whom the largest amount of such kind, grade, brand and container size was purchased.

§ 1341.153 *Retailer's maximum prices for canned fruits and canned berries.* (a) The retailer's maximum price per can or container for each kind, grade, brand and container size of canned fruits or canned berries, except canned pineapple and canned pineapple juice, shall be:

(1) His maximum price per can or container, as determined or to be determined in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, for each kind, grade, brand and container size; plus

(2) One-twelfth of the amount reported by his supplier as the permitted increase per dozen for such kind, grade, brand and container size, pursuant to the provisions of § 1341.106a of Maximum Price Regulation No. 185 or § 1341.156 of this Maximum Price Regulation No. 197. Any maximum price computed hereunder to a fraction of a cent, shall be adjusted to the nearest lower cent if such fraction is less than one-half cent and shall be

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[1] 7 F.R. 2719.

[2] 7 F.R. 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3166, 3482, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 5854, 4857.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[2] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857.

[1] 7 F.R. 5772.

[1] 7 F.R. 5772.

[2] 7 F.R. 971, 3663

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5783, 5784.

[4] *Supra.*

adjusted to the nearest higher cent if such fraction is one-half cent or more.

(b) The retailer's maximum price for each kind, grade, brand and container size of such canned fruits and canned berries shall be so determined after receipt by him of his first delivery of such kind, grade, brand and container size after August 5, 1942.

§ 1341.154 *Maximum prices for canned pineapple and canned pineapple juice, except canned Cuban pineapple and canned Cuban pineapple juice.* (a) The wholesaler's maximum price per dozen for each grade, brand and container size of canned pineapple or canned pineapple juice, except canned Cuban pineapple and canned Cuban pineapple juice shall be:

(1) The wholesaler's maximum price per dozen for such grade, brand and container size computed in accordance with the General Maximum Price Regulation, except that February 1942, shall be substituted for March 1942, in computing the maximum price in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation; plus

(2) The difference between the price for such grade, brand and container size, f. o. b. canner's shipping point, on the canner's price list for November 1941, and such canner's maximum price, f. o. b. canner's shipping point.

(b) The retailer's maximum price per can or container for each grade, brand and container size of canned pineapple or canned pineapple juice shall be:

(1) His maximum price per can or container, as determined or to be determined in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, for each grade, brand and container size; plus

(2) In the case of a retailer purchasing directly from a canner, one-twelfth of the amount of the difference between the price for such grade, brand and container size, f. o. b. canner's shipping point, on the canner's price list for November 1941, and such canner's maximum price, f. o. b. canner's shipping point; or

(3) In the case of a retailer purchasing from a wholesaler, one-twelfth of the amount of the permitted increase for such grade, brand and container size, as reported by the wholesaler pursuant to the provisions of § 1341.156 of this Maximum Price Regulation No. 197.

(c) Any retailer's maximum price per can or container computed to a fraction of a cent under the provisions of this section, shall be adjusted to the nearest lower cent if such fraction is less than one-half cent and shall be adjusted to the nearest higher cent if such fraction is one-half cent or more.

§ 1341.155 *Maximum prices for canned Cuban pineapple and canned Cuban pineapple juice.* (a) The maximum price of an importer of canned Cuban pineapple or canned Cuban pineapple juice, who sells to industrial, institutional or commercial users, for each grade, brand and container size, shall be:

(1) The highest selling price of such importer during the month of November 1941; plus

(2) The amount of the difference between the highest cost of such importer, ex dock, in November 1941, and the highest cost to such importer, ex dock, in March 1942.

(3) The highest selling price during the month of November 1941, shall be the highest price charged by such importer for the same grade, brand and container size delivered during November 1941, or, if he made no such delivery, the highest price at which he offered such grade and container size for delivery during November 1941 to a purchaser of the same class.

(b) The maximum price of a wholesaler or retailer of canned Cuban pineapple or canned Cuban pineapple juice, for each grade and container size, shall be:

(1) The price which bears the same proportionate relationship to his maximum price established under this Maximum Price Regulation No. 197 for the same grade and container size of canned Hawaiian pineapple or canned Hawaiian pineapple juice, as the highest price charged by him in 1941, prior to December 1, for such grade and container size of canned Cuban pineapple or canned Cuban pineapple juice bore to the highest price charged by him during the same period for the same grade and container size of canned Hawaiian pineapple or canned Hawaiian pineapple juice.

(c) In the event that such wholesaler or retailer cannot determine such proportionate relationship for any grade and container size pursuant to paragraph (b) (1) of this section, he shall use the maximum price of his most closely competitive seller for such grade and container size. His most closely competitive seller shall be deemed to be a seller who deals in the same commodities, sells to the same class of purchasers and is located nearest to such wholesaler or retailer.

(d) In no event shall the maximum price of a wholesaler or retailer for any grade and container size of canned Cuban pineapple or canned Cuban pineapple juice exceed his maximum price for the same grade and container size of canned Hawaiian pineapple or canned Hawaiian pineapple juice. In the event that a wholesaler or retailer has not established a maximum price under the provisions of this Maximum Price Regulation No. 197 for any grade and container size of canned Hawaiian pineapple or canned Hawaiian pineapple juice, his maximum price for the same grade and container size of canned Cuban pineapple or canned Cuban pineapple juice shall in no event exceed the maximum price for the same grade and container size of canned Hawaiian pineapple or canned Hawaiian pineapple juice established by his most closely competitive seller as defined in paragraph (c) of this section.

§ 1341.156 *Information to purchasers from wholesalers.* (a) Within ten days after establishing his maximum price per dozen for any kind, grade, brand and container size of canned fruits or canned berries, except canned Cuban pineapple and canned Cuban pineapple juice, under the provisions of this Maximum Price Regulation No. 197, each wholesaler shall (1) prepare and supply to each retailer to whom he sells, contracts to sell or quotes prices on such kind, grade, brand and container size, a statement in writing showing his maximum price for the month of February 1942, which shall be designated as the "base price", his maximum price as computed under the provisions of this regulation, which shall be designated as the "maximum price" and the amount of the difference between such prices, which shall be designated as the "permitted increase" and (2) file a copy of each such statement with the nearest Regional, State, District or Field Office of the Office of Price Administration.

(b) The statement to be supplied by the wholesaler to the retailer under paragraph (a) of this section, shall contain the following notice:

Maximum Price Regulation No. 197, issued by the Office of Price Administration on July 31, 1942, has adjusted the retailer's maximum price on the kinds, grades, brands and container sizes of canned fruits and berries for which permitted increases are indicated in this Statement. The retailer's adjusted maximum price provided by Maximum Price Regulation No. 197 shall be computed by the retailer by adding to his maximum price per can or container for each kind, grade, brand and container size as determined under the General Maximum Price Regulation one-twelfth of the permitted increase reported by the supplier from whom the retailer received his first delivery after August 5, 1942, of such kind, grade, brand and container size. Such adjusted maximum price shall remain the retailer's maximum price on all sales of such kind, grade, brand and container size of canned fruits or berries, regardless of whether the particular stock was acquired by the retailer from the same or a different supplier or had been acquired by the retailer prior to August 5, 1942. In computing the maximum price, any fraction of less than one-half cent shall be adjusted to the nearest lower cent, and any fraction of more than one-half cent shall be adjusted to the nearest higher cent. Each retailer shall post his ceiling price of canned peaches, pears, pineapple, and pineapple juice in accordance with the provisions of the General Maximum Price Regulation. The retailer should direct any question he may have to his nearest OPA office.

§ 1341.157 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 197 may be charged, demanded, paid or offered.

§ 1341.158 *Customary allowances or discounts.* No wholesaler or retailer shall change his customary allowances or discounts unless such change results in the same or lower prices.

§ 1341.159 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a wholesaler or retailer are sold or otherwise transferred on or after the effective date of this Maximum Price Regulation No. 197, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1341.160 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 197 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to canned fruits or canned berries, alone or in conjunction with any other commodity or by way of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.161 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 197, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.162 *Records and reports.* Every person who makes sales of canned fruits or canned berries at wholesale or retail after August 5, 1942, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by §§ 1341.152, 1341.153, 1341.154, and 1341.155, and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for canned fruits and canned berries sold on and after August 5, 1942, and (c) preserve for the same period all existing records showing, as precisely as possible, the basis upon which he determined his maximum prices for each kind, grade, brand and container size of canned fruits and canned berries, and (d) preserve for the same period a true copy of each statement filed with the Office of Price Administration pursuant to the provisions of § 1341.156.

§ 1341.163 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at wholesale or retail any canned fruits or canned berries covered by this Maximum Price Regulation No. 197. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1341.164 *Marking and posting by retailers; applicability of the marking and posting provisions of the General Maximum Price Regulation.* The marking and posting provisions of § 1499.13 of the General Maximum Price Regulation are applicable to every person selling at retail any canned fruits referred to in that section or in Appendix B of the General Maximum Price Regulation.

§ 1341.165 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 197 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1341.166 *Applications for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 197 for any seller at retail in any case in which such seller shows:

(1) That such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Temporary Procedural Regulation No. 2.*

(b) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 197 for any seller at wholesale in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1.

(c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 197 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 197 to eliminate the danger of inflation.

*7 F.R. 3622, 3664.

§ 1341.167 *Applicability.* The provisions of this Maximum Price Regulation No. 197 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.168 *Applicability of the General Maximum Price Regulation.* (a) The provisions of this Maximum Price Regulation No. 197 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of canned fruits and canned berries at wholesale and retail for which maximum prices are established by this Maximum Price Regulation No. 197, except as provided in §§ 1341.163 and 1341.164 hereof, and except insofar as the provisions of §§ 1341.152, 1341.153 and 1341.154, direct that the methods of determining maximum prices set forth in §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, be used herein.

(b) The provisions of the General Maximum Price Regulation shall apply to all sales and deliveries of any kind, grade, brand and container size of canned fruits and canned berries of the 1941 pack, or any earlier pack, until the wholesaler or retailer has established a maximum price for such kind, grade, brand and container size under the provisions of this Maximum Price Regulation No. 197.

§ 1341.169 *Sales for export.* The maximum prices at which a person may export canned fruits and canned berries shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation* issued by the Office of Price Administration.

§ 1341.170 *Definitions.* (a) When used in this Maximum Price Regulation No. 197 the term:

(1) "Persons" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Canner" means a person who preserves by heating and hermetically sealing in containers of metal, glass or any other material any of the products defined herein as canned fruits or canned berries.

(3) "Canned fruits" means the following fruits and products preserved by heat and hermetically sealed in containers of metal, glass or any other material:

Apricots.
Cherries, red sour pitted.
Cherries, sweet.
Figs.
Fruit cocktail.
Fruits for salad.
Fruit juices and nectars, plain or mixed, made from the fruits listed in this paragraph.
Peaches, clingstone (including clingstone nectarines).
Peaches, freestone (including freestone nectarines).
Pears.
Pineapples.
Plums.
Prunes, fresh.

*7 F.R. 5059.

(4) "Canned berries" means the following berries and products preserved by heat and hermetically sealed in containers of metal, glass or any other material:

Berry juices, made from the berries listed in this paragraph.
Blackberries.
Blueberries.
Boysenberries.
Cranberries.
Gooseberries.
Huckleberries.
Loganberries.
Raspberries, black.
Raspberries, red.
Strawberries.
Youngberries.

(5) "1941 pack" of any canned fruits or canned berries shall be that pack the major portion of which was processed and hermetically sealed in containers of metal, glass or any other material during the calendar year 1941.

(6) "Sale at retail" or "selling at retail" or words of similar import, means a sale or selling to an ultimate consumer other than an industrial, institutional or commercial user.

(7) "Sale at wholesale" or "selling at wholesale" or words of similar import, means a sale by a person who receives delivery of any canned fruits and canned berries for resale other than at retail. Sales by importers of canned Cuban pineapple and canned Cuban pineapple juice to wholesalers, jobbers, retailers or other persons for resale shall be deemed to be sales at wholesale.

(8) "Kind", when referring to any canned fruits or canned berries, also refers to the style of the pack of such canned fruits or canned berries.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.171 *Effective date.* This Maximum Price Regulation No. 197 (§§ 1341.-151 to 1341.171, inclusive) shall become effective August 5, 1942.

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7442; Filed, July 31, 1942; 5:04 p. m.]

[Maximum Rent Regulation 43]

PART 1388—DEFENSE-RENTAL AREAS

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.7051 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.7051 to 1388.7064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.7051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 43 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, except as provided in paragraph (b) of this section:

(1) The Charleston, South Carolina Defense-Rental Area, consisting of the counties of Charleston and Dorchester, in the State of South Carolina.

(2) The Amarillo Defense-Rental Area, consisting of the Counties of Potter and Randall, in the State of Texas.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.7052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.7053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 43 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.7055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.7055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.7054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in §1388.7055) shall be: (a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on March 1, 1942 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 43, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.7055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.7055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 43, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.7055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942 or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.7055 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation No. 43 by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.7055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 43 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to March 1, 1942 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to March 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations: In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.7054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable hous-

ing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.7054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.7056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 43; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or (3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 43 and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Departments.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.7057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 43, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.7054 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.7058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.7059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 43 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.7060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 43 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.7061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 43 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.7062 *Petitions for Amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation, No. 43 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.7063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 43:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation No. 43.

§ 1388.7064 *Effective date of the regulation.* This Maximum Rent Regulation No. 43 (§§ 1388.7051 to 1388.7064, inclusive) shall become effective August 1, 1942.

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7453; Filed, July 31, 1942; 5:10 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 44A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.8001 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area inconsistent with the purposes of the

Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 44A is hereby issued.

AUTHORITY: §§ 1388.8001 to 1388.8014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.8001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 44A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, except as provided in paragraph (b) of this section:

(1) The Charleston, South Carolina Defense-Rental Area, consisting of the Counties of Charleston and Dorchester, in the State of South Carolina.

(2) The Amarillo Defense-Rental Area, consisting of the Counties of Potter and Randall, in the State of Texas.

(b) This Maximum Rent Regulation No. 44A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 44A is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation No. 44A establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent t such revocation. The Administrator may defer action on such request if he has taken or is about to take action o decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.8002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 44A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation No. 44A, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.8003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 44A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.8005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.8005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.8004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.8005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing wher it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after March 1, 1942 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.8005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation No. 44A by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.8005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942; *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If on the effective date of this Maximum Rent Regulation No. 44A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 44A, or at any time on his own intiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.8006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room

within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 44A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein; *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement, or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.8007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 44A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.8004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.8004 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.8008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.8009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 44A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.8010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 44A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.8011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 44A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.8012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 44A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.8013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 44A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.8014 *Effective date of the regulation.* This Maximum Rent Regulation No. 44A (§§ 1388.8001 to 1388.8014, inclusive) shall become effective August 1, 1942.

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7452; Filed, July 31, 1942; 5:10 p. m.]

PART 1416—COAL TAR

[Maximum Price Regulation 192]

IMPORTED CRESYLIC ACID

In the judgment of the Price Administrator the prices of imported cresylic acid have risen and are threatening to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of imported cresylic acid prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 192 is hereby issued.

Sec.

1416.51 Maximum prices for imported cresylic acid.
1416.52 Less than maximum prices.
1416.53 Evasion.
1416.54 Adjustable pricing.
1416.55 Records and reports.
1416.56 Enforcement.
1416.57 Petitions for amendment.
1416.58 Applicability of General Maximum Price Regulation.
1416.59 Definitions.
1416.60 Appendix A: Maximum Prices for imported cresylic acid.
1416.61 Effective date.

AUTHORITY: §§ 1416.51 to 1416.61, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1416.51 *Maximum prices for imported cresylic acid.* On and after August 5, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver imported cresylic acid in quantities of 60 gallons or more, and no person shall buy or receive imported cresylic acid in quantities of 60 gallons or more, in the course of trade or business, at prices higher than the maximum prices determined in accordance with the provisions of Appendix A hereof, incorporated herein as § 1416.61; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1416.52 *Less than maximum prices.* Lower prices than those set forth in Appendix A hereof (§ 1416.61) may be charged, demanded, paid or offered.

§ 1416.53 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 192 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to imported cresylic acid, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

§ 1416.54 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment, adjustment or exception requires extended consideration the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1416.55 *Records and reports.* (a) Every person making purchases or sales of imported cresylic acid in the course of trade or business on and after August 5, 1942, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of every such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, and the quantity of such imported cresylic acid purchased or sold.

(b) On or before September 5, 1942, every person who is the owner or consignee of imported cresylic acid purchased prior to August 5, 1942, shall report to the Office of Price Administration in Washington, D. C., the quantity of such imported cresylic acid, the name of the seller or sellers thereof, and the price paid therefor.

(c) Every person who, between August 5, 1942, and November 5, 1942, sells imported cresylic acid shall within ten days after each sale file with the Office of Price Administration in Washington, D. C., a duplicate or other true copy of the invoice or other record of such sale which is customarily furnished purchasers by such seller.

(d) Every person who buys or sells imported cresylic acid shall submit such other reports to the Office of Price Administration in addition to or in place

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 971, 3663.

of those required under paragraphs (b) and (c) of this section and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may, from time to time, require.

§ 1416.56 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 192 are subject to criminal penalties, civil enforcement action, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 192, or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which contsitute such a violation, are urged to communicate with the nearest District, State, Field, or Regional office of the Office of Price Administration, or with its principal office in Washington, D. C.

§ 1416.57 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 192, or an adjustment or exception not provided for therein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1416.58 *Applicability of General Maximum Price Regulation.*[1] The provisions of this Maximum Price Regulation No. 192 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1416.59 *Definitions.* (a) When used in this Maximum Price Regulation No. 192, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any of its political subdivisions, or any other government or any agency of any of the foregoing.

(2) "Imported cresylic acid" means cresylic acid produced outside of the United States which, on being subjected to distillation, yields in the portion distilling below 190° centigrade a quantity of tar acids less than 5 per centum of the original distillate, and in the portion distilling below 215° centigrade a quantity of tar acids less than 75 per centum of the original distillate.

(3) "Importer" means the person who has purchased cresylic acid located outside the United States for shipment into the United States.

(4) "Shipping point" means the point from which actual shipment is made.

(5) "United States" as used in this Maximum Price Regulation No. 192 includes, in addition to the continental United States, all of the territories and possessions thereof.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 192.

§ 1416.60 *Appendix A: Maximum prices for imported cresylic acid*—(a) *Sales by importers.* Maximum prices for sales of imported cresylic acid in quantities of 60 gallons or more by the importer thereof, shall be the sum of the items listed below, f. o. b. importer's shipping point:

(1) Net amount paid for cresylic acid naked ex works, which amount with respect to purchases made after August 5, 1942, shall not be computed at a price in excess of $.70 per U. S. gallon.

(2) The following items of cost insofar as actually incurred by importer prior to clearance by customs inspectors of the United States, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 3% of the item set forth in paragraph (a) (1) of this section, paid to foreign exporters or brokers, to the extent that such commission does not inure to the benefit of importer, directly or indirectly;

(ii) Filling charges in foreign country;

(iii) Transportation charges in foreign country, including all cartage and insurance charges incurred in connection with such transportation;

(iv) Containers;

(v) Ocean freight;

(vi) Marine insurance;

(vii) War risk insurance;

(viii) Duty on containers;

(ix) Entry charges.

(3) The following items of cost insofar as actually incurred by importer after clearance by customs inspectors of the United States, in no case in excess of a reasonable amount:

(i) Demurrage on pier;

(ii) Transportation charges, including all cartage and insurance charges incurred in connection with such transportation;

(iii) Storage charges, including warehouse insurance.

(4) Leakage loss actually borne by importer, to be computed percentagewise upon the basis of the cost to importer prior to clearance by customs inspectors of the United States of the particular shipment with respect to which such loss is claimed.

(5) A mark-up not to exceed $.10 per U. S. gallon.

(b) *Sales by persons other than importers.* Maximum prices for sales of imported cresylic acid in quantities of 60 gallons or more by sellers other than importers thereof, shall be the sum of the items listed below, f. o. b. seller's shipping point:

(1) Net amount paid for such imported cresylic acid by seller.

(2) The following additional items of cost insofar as actually incurred by seller, in no case in excess of a reasonable amount:

(i) Transportation charges, including all cartage and insurance charges incurred in connection with such transportation;

(ii) Storage charges, including warehouse insurance.

(3) Leakage loss actually borne by seller, to be computed percentagewise upon the basis of delivered cost to seller of the particular lot with respect to which such loss is claimed.

(4) A mark-up not to exceed $.05 per U. S. gallon.

(c) *Invoice requirement.* No charge may be made by any seller of imported cresylic acid which is not itemized in accordance with the designations set forth in paragraph (a) or (b) of this section, as the case may be, on an invoice furnished to buyer prior to payment by him.

§ 1416.61 *Effective date.* This Maximum Price Regulation No. 192 (§§ 1416.51 to 1416.61) shall become effective August 5, 1942.

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7444; Filed, July 31, 1942; 5:09 p. m.]

PART 1419—EXPLOSIVES

[Maximum Price Regulation 191]

COTTON LINTERS AND HULL FIBERS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, to establish maximum prices for cotton linters and hull fibers as set forth in this Maximum Price Regulation No. 191. The Price Administrator has ascertained and given due consideration to the prices of cotton linters and hull fibers prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below prices which will reflect to producers of the cottonseed from which cotton linters and hull fibers are obtained a price for such cottonseed equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (a) 110 percentum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (b) the market prices prevailing for such commodity on October 1, 1941; (c) the market prices prevailing for such commodity on December 15, 1941; or (d) the average prices for such commodity during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No 191 is hereby issued.

* Copies may be obtained from the Office of Price Administration.

Sec.

1419.1 Maximum prices for cotton linters and hull fibers.
1419.2 Less than maximum prices.
1419.3 Export sales.
1419.4 Adjustable pricing.
1419.5 Evasion.
1419.6 Enforcement.
1419.7 Records and reports.
1419.8 Applicability of other regulations.
1419.9 Petitions for amendment.
1419.10 Definitions.
1419.11 Effective date.

AUTHORITY: §§ 1419.1 to 1419.11, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1419.1 *Maximum prices for cotton linters and hull fibers.* (a) On or after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver cotton linters and hull fibers produced on or after August 1, 1942, and no person shall buy or receive such cotton linters and hull fibers in the course of trade or business, at prices higher than the maximum prices set forth in this section; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) The maximum price for cotton linters having a cellulose content of 73 per cent shall be $.0435 per pound, f. o. b. seller's shipping point. For every one per cent of cellulose content less than 73 per cent, there shall be deducted not less than $.0009 per pound. For every one per cent of cellulose content more than 73 per cent, there may be added not more than $.0009 per pound.

(c) The maximum price for hull fibers having a cellulose content of 70 per cent shall be $0.37 per pound, f. o. b. seller's shipping point. For every one per cent of cellulose content less than 70 per cent, there shall be deducted not less than $.0009 per pound. For every one per cent of cellulose content more than 70 per cent, there may be added not more than $.0009 per pound.

§ 1419.2 *Less than maximum prices.* Lower prices than those set forth in § 1419.1 may be charged, demanded, paid or offered.

§ 1419.3 *Export sales.* The maximum price at which a person may export cotton linters or hull fibers shall be determined in accordance with the provisions of the Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1419.4 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1419.5 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 191 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to cotton linters or hull fibers, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1419.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 191, are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 191, or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1419.7 *Records and reports.* (a) Every person making a sale or purchase of cotton linters or hull fibers after August 1, 1942 for which, upon sale or purchase by that person, maximum prices are established by this Maximum Price Regulation No. 191, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of cotton linters or hull fibers bought or sold.

(b) Persons affected by this Maximum Price Regulation No. 191 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1419.8 *Applicability of other regulations.* (a) The provisions of this Maximum Price Regulation No. 191 supersede the provisions of the General Maximum Price Regulation,[3] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The provisions of this Maximum Price Regulation No. 191 shall not apply to sales or deliveries of free cotton linters for which maximum prices are established by Maximum Price Regulation No. 190.[4]

§ 1419.9 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 191 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1[1] issued by the Office of Price Administration.

§ 1419.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 191, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Cotton linters" means the residual fibers removed by mechanical process from cottonseed and produced in three grades commonly referred to as mill runs, first cuts, and second cuts.

(3) "Hull fibers" means the short residual fibers removed by mechanical process from cottonseed hulls.

(4) "Seller's shipping point" means a point of distribution maintained by a seller from which actual shipment is made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 191.

§ 1419.11 *Effective date.* This Maximum Price Regulation No. 191 (§§ 1419.1 to 1419.11, inclusive) shall become effective August 1, 1942.

Issued this 31st day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7445; Filed, July 31, 1942; 5:09 p. m.]

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 5059.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192.

[4] Free cotton linters.

PART 1300—PROCEDURE

[Amendment 1 to Temporary Procedural Regulation 2[1]]

PROCEDURE FOR THE ADJUSTMENT OF ABNORMAL MAXIMUM RETAIL PRICES UNDER § 1499.18 (A) OF THE GENERAL MAXIMUM PRICE REGULATION

In § 1300.101 the text is designated (a) and a new paragraph (b) is added, and a new § 1300.116 is added to read as set forth below:

§ 1300.101 *Effective date and expiration date.* (a) • • •

(b) Temporary Procedural Regulation No. 2 is extended from August 1, 1942 as set forth in paragraph (a) and shall expire on September 1, 1942, unless earlier replaced by a permanent procedural regulation or extended by further amendment.

• • • • •

§ 1300.116 *Effective date of amendments.* (a) Amendment No. 1 (§§ 1300.101, 1300.116) to Temporary Procedural Regulation No. 2 shall become effective August 1st 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7472; Filed, August 1, 1942; 12:53 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 2 to Revised Price Schedule 87, as Amended[2]]

SCRAP RUBBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (f) is added to § 1315.1263, as follows.

§ 1315.1263 *Appendix A: Maximum prices for scrap rubber.* • • •

(f) *Premiums for large deliveries on sales contracted for prior to June 26, 1942.* In any sale of scrap rubber, contracted for prior to June 26, 1942, as to which, under the provisions of § 1315.1260 (f) of Revised Price Schedule No. 87 in effect at the time of making such contract, a premium in addition to the listed maximum prices was allowed to be charged and paid, any premium that could properly have been added under the provisions of said § 1315.1260 (f) may be charged and paid, though delivery is not completed until on or after June 26, 1942. In sales contracted for on or after June 26, 1942, no premium shall be added to the listed maximum prices for large deliveries.

§ 1315.1262 *Effective dates of amendments.* • • •

(c) Amendment No. 2 (§ 1315.1263 (f)) to Revised Price Schedule No. 87, as amended, shall become effective as of June 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7473; Filed, August 1, 1942; 12:55 p. m.]

PART 1340—FUEL

[Amendment 4 to Maximum Price Regulation 121[1]]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) is amended and a new paragraph (d) is added to § 1340.245 to read as set forth below:

§ 1340.245 *Records and reports.* (a) On and after May 18, 1942, every producer and distributor making a sale of any miscellaneous solid fuel and every person making a purchase of miscellaneous solid fuels from a producer or distributor in the course of trade or business shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase, showing the date thereof; the name and address of the buyer and seller; the size, kind, quality, brand or trade name and quantity of the solid fuel sold, together with the name of the mine or plant at which it originated, the method of transportation employed in the delivery thereof; and the price paid or received therefor.

• • • • •

(d) Persons subject to this Maximum Price Regulation No. 121 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.

§ 1340.250a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1340.245 (a) and (d)) shall become effective August 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7474; Filed, Aug. 1, 1942; 12:54 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Temporary Maximum Price Regulation 20]

LAMB CARCASSES AND WHOLESALE AND RETAIL CUTS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, to issue a temporary regulation, establishing as the maximum prices for lamb the prices prevailing with respect thereto within the five days prior to the issuance of this regulation.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which lamb is produced a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market prices prevailing for such commodity on October 1, 1941; (3) the market prices prevailing for such commodity on December 15, 1941; or (4) the average price for such commodity during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Temporary Maximum Price Regulation No 20 is hereby issued.

AUTHORITY: §§ 1364.151 to 1364.165, inclusive, issued under Pub. Law 421, 77th Congress.

§ 1364.151 *Prohibition against dealing in lamb at prices above the maximum.* From August 10, 1942, to October 8, 1942, inclusive, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any lamb carcass or wholesale cut or retail cut of lamb, and no person in the course of trade or business shall buy or receive any lamb carcass or wholesale cut or retail cut of lamb at a price higher than the maximum price permitted by § 1364.152; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of lamb carcasses or wholesale cuts or retail cuts of lamb to a purchaser if, prior to August 10, 1942, such lamb carcasses or wholesale cuts or retail cuts of lamb have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.152 *Maximum prices for lamb.* (a) The seller's maximum price for lamb carcasses and for any wholesale cut or retail cut of lamb shall be the highest price charged by the seller to a purchaser of the same class during the period July 27, 1942, to July 31, 1942, inclusive, for such lamb carcasses or for such wholesale cut or retail cut of lamb.

(b) Where a seller, during the period July 27, 1942 to July 31, 1942, inclusive, did not deal in lamb carcasses or in a wholesale cut or retail cut of lamb, the seller's maximum price for lamb carcasses or for such wholesale cut or retail cut of lamb shall be the highest price charged during the period July 27, 1942 to July 31, 1942, inclusive, by the most closely competitive seller to a purchaser of the same class for lamb carcasses or for such wholesale cut or retail cut of lamb.

§ 1364.153 *Exempt sales.* This Temporary Maximum Price Regulation No. 20 shall not apply to the following sales or deliveries:

(a) By a farmer, of carcasses or wholesale or retail cuts from lamb grown and processed on his farm, if the total of such sales or deliveries together with sales or deliveries of all other commodities so grown and processed does not exceed $75 in any one calendar month;

(b) By hotels, restaurants, cafes, or other similar establishments, of lamb prepared and sold for consumption on the premises;

(c) Deliveries to the armed forces of the United States, the Federal Surplus Commodities Corporation or any institution of any state or political subdivision thereof or of the United States under contracts entered into prior to August 3, 1942.

§ 1364.154 *Less than maximum prices.* Lower prices than those set forth in § 1364.152 may be charged, demanded, paid, or offered.

§ 1364.155 *Evasion.* The price limitations set forth in this Temporary Maximum Price Regulation No. 20 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to lamb, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or grading or the style of cutting, trimming, cooking, or otherwise processing or the canning, wrapping, or packaging of lamb.

§ 1364.156 *Conditional agreements.* No seller of lamb shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.152, in the event that this Temporary Maximum Price Regulation No. 20 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1364.157 *Sales for export.* The maximum price at which a person may export lamb shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1364.158 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 20 every person selling lamb carcasses or wholesale or retail cuts of lamb shall preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for lamb carcasses or such wholesale cuts or retail cuts of lamb as he delivered or supplied during the period July 27, 1942 to July 31, 1942, inclusive, and his offering prices for delivery or supply of lamb carcasses and wholesale cuts or retail cuts of lamb during such period; and shall prepare, on or before August 10, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices charged for lamb carcasses and for such wholesale cuts or retail cuts of lamb as he delivered or supplied during the period July 27, 1942 to July 31, 1942, inclusive, and his offering prices for delivery or supply of lamb carcasses and of wholesale cuts or retail cuts of lamb during such period together with an appropriate identification of each such wholesale cut or retail cut of lamb; and (2) all his customary allowances, discounts, and other price differentials.

(b) Every person selling lamb carcasses or wholesale cuts or retail cuts of lamb, as to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 20, shall keep and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for lamb carcasses and wholesale cuts or retail cuts of lamb during the period August 10, 1942 to October 8, 1942, inclusive; and, in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1364.159 *Enforcement.* (a) Persons violating any provisions of this Temporary Maximum Price Regulation No. 20 are subject to the criminal penalties and civil enforcement actions provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 20 or of any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.160 *Petitions for amendment.* Persons seeking modification of any provision of this Temporary Maximum Price Regulation No. 20 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1364.161 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 20 the term:

(1) "Person" means individual, corporation, partnership, association, car route, packer's branch house, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agencies of any of the foregoing;

(2) "Lamb" means the whole or any portion of the carcass of the young animals of the genus *Ovis*, approximately a year old or less, as ascertained by the objective tests commonly recognized in the meat packing industry, and specifically by the "break joint" and by bone and flesh coloration;

(3) "Wholesale cut or retail cut of lamb" means all cuts derived from the carcass of the lamb, excluding the offal and other items covered by the General Maximum Price Regulation[3] and including but not limited to the following:

(i) Legs, loins, ribs, breasts, shoulders, necks, racks, hotel racks, fore saddles, hind saddles, kosher fores, steaks, rib chops, loin chops, shoulder chops, crown roasts, rolled roasts, including all combinations of such cuts and all cuts or trimmings derived from such cuts or from the lamb carcass.

(ii) Rough or trimmed, bone in or boneless, whole, sliced, or ground.

(iii) Fresh or frozen, cooked, dried, or canned.

(iv) Loose, wrapped or packed.

Cuts of each brand or grade, if customarily priced separately, shall be considered separate wholesale or retail cuts of lamb, except that fresh and frozen cuts shall not be considered separate wholesale or retail cuts of lamb.

(4) "Highest price charged during the period July 27, 1942, to July 31, 1942, inclusive" means the highest price which the seller charged for each grade of lamb carcass and for each wholesale cut or retail cut of lamb delivered by him during the period July 27, 1942, to July 31, 1942, inclusive, or, if the seller made no such delivery during the period, his highest offering price for delivery during that period. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. The "highest price charged" shall be a price charged during

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3522, 3664.

[2] 7 F.R. 4781, 5177.

[1] 7 F.R. 3237, 3989, 4483.

[1] F.R. 971.

[2] 7 F.R. 5059.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3997.

the period July 27, 1942, to July 31, 1942, inclusive, to a purchaser of the same class. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service than the seller required purchasers of the same class to pay during the period July 27, 1942, to July 31, 1942, inclusive, on deliveries of lamb.

(5) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding August 10, 1942, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, wholesaler, jobber, retailer, government agency, public institution, individual consumer or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(6) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, purchaser for resale, commercial user, or government agency, shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, by a person regularly and generally engaged in selling at retail, made on usual retail terms, shall be regarded as a sale at retail.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 [4] of the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1364.162 *Notification to retailers of maximum prices.* Whenever any person sells any lamb carcass or wholesale cut or retail cut of lamb to any person engaged in selling lamb at retail the seller shall deliver to the purchaser, together with the invoice, sales slip, or other memorandum of the sale, or, if there be no such memorandum, together with the meat, a written or printed statement in the following form and words:

NOTICE TO RETAILERS OF MAXIMUM PRICE FOR LAMB

Pursuant to the provisions of Temporary Maximum Price Regulation No. 20, issued by the Office of Price Administration, it is unlawful for any person to charge or receive for any cut of lamb a price higher than the highest price at which that person sold the same kind of cut to a purchaser of the same class, during the period July 27 to July 31, 1942, inclusive.

Provided, That if a seller has delivered the foregoing statement to the same retailer in connection with two separate and distinct sales, the seller shall not be required to furnish the statement in connection with any subsequent sales to the same purchaser.

§ 1364.163 *Standard of interpretation.* Every provision of this Temporary Maximum Price Regulation No. 20 is to be understood and will be interpreted consistently with the provisions of the regulation as a whole, and, unless the context otherwise requires, with the corresponding and related provisions of the General Maximum Price Regulation and in such a manner as to effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1364.164 *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 20 may be revoked or replaced by a permanent Maximum Price Regulation or order issued under the Emergency Price Control Act of 1942.

§ 1364.165 *Effective period.* This Temporary Maximum Price Regulation No. 20 (§§ 1364.151 to 1364.165, inclusive) shall become effective on August 10, 1942, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, October 8, 1942.

Issued this 1st day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7475; Filed, August 1, 1942; 12:56 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[Amendment 5 to Maximum Price Regulation 157 [1]]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1378.3 (a) and (b), 1378.4 (a), and 1378.8 (a) (2) are amended, in § 1378.4a the text is redesignated (a) and a new (b) is added, and a new proviso is added to § 1378.1 (a) (2), as set forth below.

§ 1378.1 *Sales and fabrication services covered by this Maximum Price Regulation No. 157.* (a) • • • (2) • • • *Provided*, That this Maximum Price Regulation No. 157 shall not apply to any contract for the sale or fabrication of textiles, apparel or related articles unless, at the date of the delivery of goods or supply of fabrication service pursuant thereto, there is an existing contract with a war procurement agency or a subcontract with a prime contractor who has an existing contract with a war procurement agency, and such delivery or supply takes place with reference to the ultimate fulfillment of such existing contract or subcontract.

• • • • • •

§ 1378.3 *Maximum prices for sales and fabrications of textiles, apparel and related articles for military purposes.* • • •

(a) In those cases in which the seller delivered the same article or supplied the same fabrication service in the period between April 1, 1941 and March 31, 1942, both inclusive:

The maximum price shall be the highest price at which delivery or supply thereof was made during said period, plus if any, the seller's increases in material and labor costs as defined herein. • • •

(b) In those cases in which the seller delivered an article or supplied a fabrication service in the period between April 1, 1941 and March 31, 1942, both inclusive, the same as the article or service to be priced except for differences due to changes in specifications, including those pertaining to delivery:

• • • • •

§ 1378.4 *Sales or fabrications of textiles apparel and related articles for military purposes temporarily exempted from price regulation.* (a) In any case in which the seller certifies that such seller, during the period between April 1, 1941 and March 31, 1942, both inclusive, did not deliver the same article or supply the same fabrication service (or an article or fabrication service the same except for difference in specifications, including those pertaining to delivery), the sale of such article or the supply of such fabrication service by such seller shall not be subject to the provisions of this Maximum Price Regulation No. 157, or the General Maximum Price Regulation.[2]

§ 1378.4a *Exceptions.* (a) • • •

(b) Maximum Price Regulation No. 157 shall not apply to sales or deliveries of any textiles, apparel or related article manufactured pursuant to a contract or subcontract with a war procurement agency which is certified to the Office of Price Administration by such war procurement agency as being a secret or confidential contract: *Provided*, That after the Office of Price Administration shall have received notice from such war procurement agency that such contract or subcontract is no longer deemed to be secret or confidential, this exception shall not apply to all subsequent sales and deliveries of the article.

§ 1378.8 *Records and Reports.* (a) • • •

(2) The highest price charged by such person during the period between April 1 1941 and March 31, 1942 for delivery or supply for such article or service. • • •

§ 1378.12 *Effective dates of amendments.* • • •

(c) Amendment No. 5 (1378.3 (a) and (b), 1378.4 (a), 1378.4a, 1378.8 (a) (2) and 1378.1 (a) (2)) to Maximum Price Regulation No. 157 shall become effective August 6, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7476; Filed, August 1, 1942; 12:54 p. m.]

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*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 4273, 4541, 4618, 5180.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4457, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484.

[4] 7 F.R. 3156.

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 9 to Maximum Price Regulation 118 [1]]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1400.106 (d) (1) reference number 4 is revoked; new paragraphs (a) (6) and (d) (30) are added to § 1400.118 as set forth below:

§ 1400.118 *Specific and formula maximum prices for certain cotton products; construction reports.* (a) The effective dates of the maximum price set forth in paragraph (d) of this section are as follows:

• • • • • •

(6) For 7.5 oz. Drill fully shrunk, U. S. Army Specification No. 6-247A: August 3, 1942.

• • • • • •

(d) • • •

(30) The maximum price for 7.5 oz. drill fully shrunk made to U. S. Army Specification No. 6-247A shall be:

Reference No.	Width of finished fabric (inch)	Yards per pound	Ceiling price (cents per yard)	
			72 x 60	72 x 48
1	28	2.50	22.44	22.24
2	28½	2.46	22.71	22.51
3	33½	2.08	26.20	25.96
4	34	2.06	26.21	25.97
5	35	2.00	27.34	27.09
6	36	1.95	27.90	27.64
7	38	1.83	29.98	29.71
8	54½	1.29	45.25	44.85
9	56	1.25	47.25	46.85

§ 1400.117 *Effective dates of amendment.* • • •

(i) Amendment No. 9 (§§ 1400.106 (d) (1), 1400.118 (a) (6) and (d) (30)) to Maximum Price Regulation No. 118 shall become effective August 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7477; Filed, August 1, 1942; 12:53 p. m.]

PART 1411—COMPENSATORY ADJUSTMENTS

[Amendment 2 to Compensatory Adjustment Regulation 1 [2]]

WARTIME INCREASES IN THE COST OF TRANSPORTING BITUMINOUS COAL

In § 1411.2 (b) the phrase "§ 1411.1" in the first line is amended to read "this Compensatory Adjustment Regulation No. 1"; in § 1411.2 (b) (1) the word "each" is amended to read "the"; in § 1411.2 (b) (2) (iv) the phrase "per net ton" is amended to read "per gross ton"; and the word "smaller" in § 1411.5 (b) is deleted. Added: §§ 1411.2 (b) (9), (b) (10), (b) (11); 1411.4 (a) (2) (i) and (a) (2) (ii); 1411.5 (b) (1) and (b) (2). Amended: §§ 1411.2 (a) and 1411.5 (c).

§ 1411.2 *Filing of applications.*—(a) *Manner and time of filing.* (1) Applications pursuant to the provisions of this Compensatory Adjustment Regulation No. 1 shall be filed on and in accordance with prescribed forms provided for that purpose by the Office of Price Administration, shall contain the information and declarations required by such forms, shall be verified, and shall be filed in one original and two copies: *Provided*, That where an application has been properly filed in accordance with Compensatory Adjustment Regulation No. 1, prior to August 3, 1942, the Price Administrator may permit the amendment thereof to meet the additional requirements prescribed by amendments to Compensatory Adjustment Regulation No. 1.

(2) A separate application shall be filed for each different business establishment at which the applicant received bituminous coal for the transportation of which an adjustment is requested.

(3) A separate application shall be filed for each calendar month in which the applicant received bituminous coal for the transportation of which an adjustment is requested pursuant to the provisions of § 1411.1 (a) or (c) or § 1411.3 of this Compensatory Adjustment Regulation No. 1. Each such application shall apply only to receipts during the particular calendar month covered by the application. Shipments in transit do not constitute receipts.

(4) Applications relating to bituminous coal received during any particular calendar month subsequent to May 31, 1942 (whether filed pursuant to § 1411.1 (a) or (c) or § 1411.3) may be filed on or before the twentieth day of the calendar month succeeding the month in which such coal was received, and shall be filed not later than the twentieth day of the third succeeding calendar month after the month in which such coal was received. For example, applications relating to receipts during the month of June 1942 may be filed on or before July 20, 1942 and shall in no event be filed later than September 20, 1942. However, applications relating to receipts during the period May 18–31, inclusive, 1942 may be filed up to and including, but no later than, September 20, 1942.

(5) Applications pursuant to paragraph (b) of § 1411.1 shall be filed not later than September 20, 1942.

(b) *Contents of application.* • • •

(9) A declaration that the payment of the requested adjustment or adjustments will not reduce the delivered cost to the applicant of the bituminous coal, the transportation of which is the basis of the application, below the delivered cost to the applicant of the same or most nearly similar bituminous coal received by him during the period December 15–31, inclusive, 1941, or the nearest earlier date, and which was transported via tidewater transshipment from Hampton Roads.

(10) An agreement by the applicant that if any adjustment is paid and the paying agency thereafter determines that there was an overpayment, not in conformity with this Compensatory Adjustment Regulation No. 1, as amended, that agency may, within six months after making payment, make a demand for the return of the amount of the overpayment and the applicant will return the amount demanded: *Provided*, That such agreement shall not limit in any way the rights of the United States, or any paying agency thereof, to recover funds paid upon the basis of an inaccurate or incomplete representation by the applicant.

(11) In the case of applications filed pursuant to § 1411.1 (a) or (c) or § 1411.3, a declaration that the applicant is not authorized by law, agreement or otherwise to increase the price of any goods or services sold by him in accordance with increases in the costs incurred by him for bituminous coal; or that if so authorized, will deduct the amount of any adjustments received pursuant to this regulation in calculating the costs incurred by him for bituminous coal, upon which he may rely in seeking any increase in the price of any goods or services sold by him.

§ 1411.4 *Definitions.* (a) • • •

(2) • • • *Provided*, That (i) in the case of free alongside deliveries to a consumer, which are subject to the provisions of Maximum Price Regulation No. 120, issued by the Office of Price Administration, and upon which the freight has initially been prepaid by the shipper, the consumer who first incurs the cost of transporting the bituminous coal and at whose business establishment the bituminous coal is first unloaded shall be the "receiver";

(ii) As to receipts of bituminous coal on and after August 3, 1942, a railroad shall not be deemed to be a "receiver" eligible to file an application pursuant to this Compensatory Adjustment Regulation No. 1.

§ 1411.5 *Appendix A: Standard adjustments to be stated in application.* • • • (b) *Combined hauls (other than via Hampton Roads in cargo boats of 1,000 gross tons or more)* • • • *Provided*, (1) That where the water portion of such a combined haul (i. e. other than via Hampton Roads in cargo boats of 1,000 gross tons or more) begins on or after August 3, 1942 and a maximum rate, or a procedure for obtaining a maximum rate, for such water movement, has been established by a regulation of the Office of Price Administration, the standard adjustment shall be the amount by which the transportation costs, based upon the rates charged by the vessel or barge employed, but in no even to exceed the applicable maximum rate in effect pursuant to a regulation of the Office of Price Administration (instead of the May 15, 1942 rate), exceed the cost, as shown in the aforementioned bulletin of Standard Adjustments, for a combined rail and tidewater movement of southern bituminous coal to the same destina-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5524, 5405, 5567.

[2] 7 F.R. 3749, 3900.

tion via transshipment from Hampton Roads to cargo boats of 1,000 gross tons or more.

(2) That as to receipts on and after September 1, 1942, the standard adjustment for such a combined rail and water haul (i. e. other than via Hampton Roads in cargo boats of 1,000 gross tons or more) shall be based upon the lowest available rail transportation charges from the same rail origin to the same port of transshipment.

(c) *Applications filed pursuant to § 1411.1 (b).* In the case of an application filed pursuant to § 1411.1 (b), the amount of the standard adjustment shall be determined in accordance with the method set out in the prescribed forms provided for such applications by the Office of Price Administration.

§ 1411.7 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1411.2 (a) and (b), 1411.4 (a) (2), 1411.5 (b) and (c)) to Compensatory Adjustment Regulation No. 1 shall become effective August 1, 1942.

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7478; Filed, August 1, 1942; 12:50 p. m.]

PART 1420—BREWERY AND DISTILLERY PRODUCTS

[Maximum Price Regulation 193]

DOMESTIC DISTILLED SPIRITS

In the judgment of the Price Administrator, it is necessary to establish maximum prices for the sale of domestic distilled spirits because (a) under War Production Board Orders M-30 and M-69 all neutral spirits have been allocated to war industries so that gin manufacturers and blenders of other liquors are forced to use higher priced "high wines", (b) the enforced use of "high wines" has made gin manufacturers subject to the Federal Rectification Tax of 30 cents per gallon to which they were not previously subject, and (c) it is proposed to increase the Federal excise tax on distilled spirits. The maximum prices established by the Regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.[1]

A statement of the considerations involved in the issuance of Maximum Price Regulation No. 193, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, Maximum Price Regulation No. 193, is hereby issued.

Sec.
1420.1 Maximum prices for domestic distilled spirits.
1420.2 Less than maximum prices.
1420.3 Adjustable pricing.
1420.4 Export sales.
1420.5 Evasion.
1420.6 Enforcement.
1420.7 Applicability of General Maximum Price Regulation.
1420.8 Incorporation of the provisions of the General Maximum Price Regulation.
1420.9 Petitions for amendment.
1420.10 Definitions.
1420.11 Geographical applicability.
1420.12 Effective date.
1420.13 Appendix A: Maximum prices for domestic distilled spirits.

AUTHORITY: §§ 1420.1 to 1420.13 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1420.1 *Maximum prices for domestic distilled spirits.* On and after August 5, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver domestic distilled spirits and no person in the course of trade or business shall buy or receive domestic distilled spirits at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1420.13; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1420.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1420.13) may be charged, demanded, paid or offered.

§ 1420.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1420.4 *Export sales.* The maximum price at which a person may export domestic distilled spirits shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[3] issued by the Office of Price Administration.

§ 1420.5 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 193 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of domestic distilled spirits, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement, or other trade understanding or otherwise.

§ 1420.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 193, are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for the suspension of licenses provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 193, or of any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1420.7 *Applicability of the General Maximum Price Regulation.*[1] Except as provided in §§ 1420.8 and 1420.13, the provisions of this Maximum Price Regulation No. 193 supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of domestic distilled spirits for which maximum prices are established by this Regulation.

§ 1420.8 *Incorporation of the provisions of the General Maximum Price Regulation.*[4] The provisions of § 1499.4 of the General Maximum Price Regulation relating to supplementary regulations; the provisions of § 1499.4b relating to the adjustment of maximum prices in cases of special deals; the provisions of §1499.5 relating to transfers of business or stock in trade; the provisions of § 1499.7 (a) relating to taxes; the provisions of §§ 1499.11, 1499.12 and 1499.14 relating to records; the provisions of § 1499.18 relating to applications for adjustment; the provisions of § 1499.20 (a) (c) (d) (e) (g) (h) (i) (k) (m) (n) (o) (p) (r) and (s) relating to definitions; and the provisions of § 1499.29 (b) relating to applications for price adjustments with respect to government contracts or subcontracts shall apply to sales of domestic distilled spirits the maximum prices for which are established by this Maximum Price Regulation No. 193, and to all persons making such sales. The registration and licensing provisions of §§ 1499.15 and 1499.16 are applicable to every person subject to this Maximum Price Regulation No. 193 selling domestic distilled spirits at wholesale or retail.

§ 1420.9 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 193, or any adjustment or exception not provided for herein may file Petitions for Amendment in accordance with the provisions of Procedural Regulation No. 1[2] issued by the Office of Price Administration.

§ 1420.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 193, the term:

(1) "Domestic distilled spirits" shall mean any and all distilled spirits produced within the continental United States, which are included within classes 2 to 7 inclusive of Article II of Regulations 5 issued by the Federal Alcohol Administration Relating to Labeling and Advertising of Distilled Spirits, As Amended.

(2) "Neutral spirits" shall mean distilled spirits distilled from any material at or above 190° proof, whether or not such proof is subsequently reduced.

(3) "High wines" shall mean distilled spirits, distilled from any material at or above 100° proof and less than 190° proof.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1420.11 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 193 shall be applicable to the forty-eight states and the District of Columbia.

§ 1420.12 *Effective date.* This Maximum Price Regulation No. 193 (§ 1420.1 to 1420.13 inclusive) shall become effective August 5, 1942.

§ 1420.13 *Appendix A: Maximum prices for domestic distilled spirits—(a) Determination of maximum prices generally.* The seller's maximum price for domestic distilled spirits shall be the seller's maximum price established under § 1499.2 (a) of the General Maximum Price Regulation,[1] plus the following additions:

(1) *Manufacturers may add:* (i) The difference between the weighted average cost to the manufacturer at his plant during the period from April 1, 1942 through June 30, 1942 of a quantity of high wines equal to the quantity of high wines used in the manufacture of the domestic distilled spirits to be priced and the weighted average cost to such manufacturer at his plant during the period from January 1, 1942 through March 31, 1942 of the same quantity of neutral spirits: *Provided,* That if the manufacturer increased his price during March 1942, the amount of such increase shall be subtracted from the adjustment permitted hereunder unless the manufacturer files with the Office of Price Administration a statement in affidavit form setting forth facts showing that such increase was not made to offset the increased cost of using high wines: *Provided further,* That the amount of such increase shall be subtracted from the adjustment permitted hereunder regardless of the filing of any such statement if, within 15 days of the receipt thereof, the Price Administrator shall so notify the manufacturer in writing.

(ii) The amount of the tax imposed upon any manufacturer under section 2800 (a) (5) of Title 26 of the U. S. C. A.: *Provided,* That the manufacturer's maximum price for the domestic distilled spirits to be priced established under §1499.2 (a) of the General Maximum Price Regulation does not reflect payment of such tax.

(iii) The amount of any new tax or any increase in an existing tax imposed upon the manufacturer after March 31, 1942 with respect to the domestic distilled spirits to be priced by any statute of the United States or statute or ordinance or any State or sub-division thereof: *Provided,* That such amount has been paid directly by the manufacturer.

(2) *Sellers, other than manufacturers, may add:* (i) The difference between the maximum price established for the seller's supplier under the General Maximum Price Regulation with respect to the domestic distilled spirits to be priced and the maximum price established for the seller's supplier under this Maximum Price Regulation No. 193 with respect to such domestic distilled spirits.

(ii) The amount of any new tax or any increase in an existing tax imposed upon the seller after March 31, 1942, with respect to the domestic distilled spirits to be priced by any statute of the United States or statute or ordinance of any State or sub-division thereof: *Provided,* That such amount has been paid directly by the seller.

In establishing their maximum prices hereunder, sellers at retail may round such prices to the nearest full cent.

(3) *Notification:* On or before August 16, 1942, every seller, other than sellers at retail, shall notify each of its customers in writing of the difference between such seller's maximum price under the General Maximum Price Regulation and such seller's maximum price under this Maximum Price Regulation No. 193 for each item of domestic distilled spirits ordinarily sold by such seller to such customer.

(b) *Determination of maximum prices by reference to maximum prices of most closely competitive seller.* If the seller's maximum price for the domestic distilled spirits to be priced cannot be determined under paragraph (a) of this section, the seller's maximum price for such domestic distilled spirits shall be the maximum price established under paragraph (a) of this section for the most closely competitive seller of the same class for such domestic distilled spirits or for the similar commodity most nearly like it (as such term is defined in § 1499.2 of the General Maximum Price Regulation) for sales to a purchaser of the same class.

(c) *Determination of maximum prices under § 1499.3 of the General Maximum Price Regulation.*[1] If the seller's maximum price for the domestic distilled spirits to be priced cannot be determined under paragraph (a) or paragraph (b) of this section, the seller's maximum price for such domestic distilled spirits shall be determined in accordance with § 1499.3 of the General Maximum Price Regulation.

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7479; Filed, August 1, 1942; 12:55 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 5059.

[4] *Supra.*

[1] *Supra.*

PART 1499—COMMODITIES AND SERVICES

[Amendment 21 to General Maximum Price Regulation[1]]

MILK PRODUCTS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (3) of § 1499.9 (a) and paragraph (p) of § 1499.20 are amended to read as set forth below:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

* * * * * *

(3) All milk products, including butter, cheese, condensed and evaporated milk, except that fluid milk sold at wholesale and retail, cream sold at wholesale and retail, and ice cream shall be governed by this General Maximum Price Regulation.

* * * * * *

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

* * * * * *

(p) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that (1) for the purposes of § 1499.3 of this General Maximum Price Regulation a sale at wholesale shall include any sale by such person to an industrial or commercial user, and (2) for the purposes of § 1499.9 (a) (3), "sold at wholesale" refers to a sale of fluid milk or cream in bottles or paper containers to any person, including an industrial or commercial user, other than the ultimate consumer.

§ 1499.23a *Effective dates of amendments.* * * *

(u) Amendment No. 21 (§§ 1499.9 (a) (3) and 1499.20 (p) to this General Maximum Price Regulation shall become effective August 7, 1942, except that the effective date of this amendment with respect to fluid cream sold at wholesale in the District of Columbia shall be postponed until October 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7480; Filed, August 1, 1942; 12:53 p. m.]

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*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784.

PART 1499—COMMODITIES AND SERVICES

[Amendment 4 to Supplementary Regulation 11,[1] to General Maximum Price Regulation]

STEVEDORING, CAR LOADING, ETC.

In § 1499.46, paragraph (a) is amended to read as set forth below.

§ 1499.46 *Exceptions for certain services.* (a) The provisions of the General Maximum Price Regulation, other than § 1499.11 (a), shall not apply to the following services until September 1, 1942:

(1) Stevedoring and car loading and unloading when performed under a contract with any War Procurement Agency.

* * * * * * *

(d) *Effective dates.* * * *

(5) Amendment No. 4 (§ 1499.46 (a)) to Supplementary Regulation No. 11 shall become effective August 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7481; Filed, August 1, 1942; 12:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 5 to Supplementary Regulation 11[2] to General Maximum Price Regulation[3]]

TRANSPORTATION OF PROPERTY IN TANK TRUCKS, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.* Paragraph (a) of § 1499.46 is amended to read as follows:

§ 1499.46 *Exceptions for certain services.* (a) The provisions of General Maximum Price Regulation, other than § 1499.11 (a) shall not apply to the following services until September 1, 1942:

* * * * * * *

(2) Transportation of property in tank trucks by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

* * * * * * *

(d) * * *

(6) Amendment No. 5 (§ 1499.46 (a)) to Supplementary Regulation No. 11 shall become effective Aug. 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7484; Filed, Aug. 1, 1942; 12:51 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4543, 4738, 5028, 5057.

[2] 7 F.R. 4543, 4738.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5278.

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

FAT-BEARING AND OIL-BEARING ANIMAL WASTE MATERIALS

A new subparagraph (3) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * * * *

(3) *Fat-bearing and oil-bearing animal waste materials.* The maximum prices for sales of:

(i) Fat-bearing and oil-bearing animal waste materials, including but not limited to, butcher shop fats, suets, and trimmings; slaughter-house fats, suets, and trimmings; breast fats or rattles; offal; bones; cooked grease, clear, rough or mixed; interceptor or trap grease, shall be computed in accordance with the General Maximum Price Regulation, except that November 1941 shall be substituted for March 1942 in computing the highest price which may be charged in accordance with § 1499.2 of the General Maximum Price Regulation: *Provided,* That this amendment shall not apply to such sales of fat-bearing and oil-bearing animal waste materials as are excepted from the General Maximum Price Regulation:

(ii) Greases collected by housewives shall be 4 cents per pound, at the level of sales by the housewife to the collector, and 5 cents per pound at the level of sales by the collector to the renderer or the industrial consumer.

(b) *Effective dates.* * * *

(3) Amendment 2 (§§ 1499.73 (a) (3)) to Supplementary Regulation No. 14 shall become effective August 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7483; Filed, August 1, 1942; 12:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 4 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

TRANSPORTATION OF COAL IN BARGES

The statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (5) is added to paragraph (a) of § 1499.73 as set forth below.

[1] 7 F.R. 5486.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by section 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided: * * *

(5) *Transportation of coal in barges along the Atlantic Coast.* (i) Maximum prices for the transportation of coal in barges along the Atlantic Coast by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942 shall continue to be determined under the provisions of the General Maximum Price Regulation, except that as to all such transportation performed between the origins and destinations referred to below and commenced on or after August 3, 1942, but not later than October 2, 1942, the maximum prices shall be as follows:

MAXIMUM RATES[1] FOR TRANSPORTATION OF COAL IN BARGES

Destination	Origin		
	Lower New Jersey piers[2]	Upper New Jersey piers[3]	Hampton Roads
New York			$2.00
Stamford, Conn.	$0.60	$0.55	2.50
Bridgeport, Conn.	.65	.60	2.50
New Haven, Conn.	.65	.60	2.50
New London, Conn.	[4] 1.25	[4] 1.20	2.50
Allyns Point, Conn.	[4] 1.30	[4] 1.25	2.55
Montville, Conn.	[4] 1.30	[4] 1.25	2.55
Norwich, Conn.	[4] 1.40	[4] 1.35	2.65
Newport, R. I.	[4] 1.40	[4] 1.35	2.65
Providence, R. I.	[4] 1.50	[4] 1.45	2.75
Pawtucket, R. I.	[4] 1.60	[4] 1.55	2.85
Fall River, Mass.	[4] 1.50	[4] 1.45	2.75
Somerset, Mass.	[4] 1.50	[4] 1.45	2.75
New Bedford, Mass.	[4] 1.65	[4] 1.60	2.90
Plymouth, Mass.	[4] 1.85	[4] 1.80	3.10
Hull, Massachusetts	[4] 1.85	[4] 1.80	3.10
Boston Harbor, Mass.[5]	[4] 1.75	[4] 1.70	3.00
Lynn, Mass.	[4] 1.75	[4] 1.70	3.00
Marblehead, Mass.	[4] 1.75	[4] 1.70	3.00
Salem, Mass.	[4] 1.75	[4] 1.70	3.00
Beverly, Mass.	[4] 1.75	[4] 1.70	3.00
Gloucester, Mass.	[4] 1.85	[4] 1.80	3.10
Portsmouth, New Hampshire	[4] 2.00	[4] 1.95	3.25
Portland, Maine	[4] 2.00	[4] 1.95	3.25
Boothbay, Maine	[4] 2.10	[4] 2.05	3.35
Bath, Maine	[4] 2.35	[4] 2.30	3.60
Gardner, Maine	[4] 2.75	[4] 2.70	4.00
Hallowell, Maine	[4] 2.85	[4] 2.80	4.10
Augusta, Maine	[4] 3.00	[4] 2.95	4.25
Rockland, Maine	[4] 2.75	[4] 2.70	4.00
Belfast, Maine	[4] 2.90	[4] 2.85	4.15
Camden, Maine	[4] 2.90	[4] 2.85	4.15
Searsport, Maine	[4] 2.85	[4] 2.80	4.10
Bucksport, Maine	[4] 2.90	[4] 2.85	4.15
Castine, Maine	[4] 3.00	[4] 2.95	4.25
N. E. Harbor, Maine	[4] 3.25	[4] 3.20	4.50
S. W. Harbor, Maine	[4] 3.25	[4] 3.20	4.50
Bar Harbor, Maine	[4] 3.25	[4] 3.20	4.50
Bangor, Maine	[4] 3.00	[4] 2.95	4.25
Brewer, Maine	[4] 3.00	[4] 2.95	4.25

[1] Rates are stated in terms of dollars per net ton and are exclusive of expenses for loading and discharging and for cargo insurance. The trimming charge made at loading piers is for the account of the vessel and is included in the rate.

[2] Lower New Jersey piers include piers in South Amboy, Perth Amboy, Port Reading, and Elizabethport.

[3] Upper New Jersey piers include Jersey City, Hoboken, Weehawken, Guttenberg, and Edgewater.

[4] Applicable only to cargoes of less than 2300 net tons. Subtract five cents per net ton from the rates shown when cargo is 2300 net tons or more but less than 2800 net tons, and ten cents per net ton when cargo is 2800 net tons or more.

[5] Includes all points between Hull, Massachusetts, and Lynn, Massachusetts, inclusive.

The maximum rate applicable to any destination on the Atlantic Coast northerly from New York not specified above shall be the rate shown from the same origin to the closest destination set forth above.

The maximum rates specified above are for transportation in barges other than self-propelled barges and shall be increased by 15 cents per net ton when the transportation is performed by self-propelled barges.

(ii) The provisions of the General Maximum Price Regulation, other than § 1499.11 (a), shall not apply until August 3, 1942, to the transportation of coal in barges between the origins and destinations referred to in paragraph (i) above, when such transportation is performed by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

(b) *Effective dates.* * * *

(5) Amendment No. 4 (§ 1499.73 (a) (5)) to Supplementary Regulation No. 14 shall become effective August 1, 1942, and shall, unless earlier revoked or extended, expire at twelve o'clock midnight October 2, 1942. (Pub. Law, 421, 77th Cong.)

Issued this 1st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7482; Filed, August 1, 1942; 12:51 p. m]

Chapter XV—Board of War Communications

[Order No. 16]

PART 1715—EXEMPTION FROM ORDER NO. 11

FEDERAL-STATE MARKET NEWS SERVICE

Whereas, pursuant to Order No. 11[1] of the Board of War Communications, the Federal Communications Commission has under consideration the application of the Federal-State Market News Service for exemption from the closure provisions of the aforementioned order; and

Whereas, the Commission desires to obtain further information for its guidance in passing upon this application; and

Whereas, the Commission has recommended that, pending further investigation, the circuit operated by the Federal-State Market News Service be exempted from the closure provision of Order No. 11 provided that the messages transmitted are in plain language;

It is hereby ordered, That:

§ 1715.1 *Exemption of point-to-point radiotelegraph in the Agriculture Service.* The point-to-point radiotelegraph circuits in the Agriculture Service operated by the Federal-State Market News Service be, and they are hereby, exempted from the closure provision of Order No. 11 until midnight October 30, 1942.

Provided, however, That the aforesaid circuits shall be operated only for the transmission of messages in plain language.

[1] 7 F.R. 4929.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY,
Chairman.

Attest: July 29, 1942.

R. J. MAUERMAN,
Acting Secretary,
Commander, U. S. Coast Guard.

[F. R. Doc. 42-7471; Filed, August 1, 1942; 12:07 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—ANCHORAGE REGULATIONS

CONTROL OF VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES

Pursuant to the authority contained in section 1, Title II of the Espionage Act approved June 15, 1917, 40 Stat. 220 (U.S.C. title 50, sec. 191), as amended by the Act of November 15, 1941 (Pub. Law 292, 77th Cong.), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the Regulations relating to the control of vessels in the territorial waters of the United States (5 F.R. 2442), issued by the Secretary of the Treasury and approved by the President on June 27, 1940, as amended, are hereby further amended (1) by deleting from § 6.6[1] wherever they appear the phrase "with the approval of the Secretary of the Treasury" and the phrase "with the approval of the Secretary of the Navy"; and by adding the following subparagraphs to paragraph (b) of the same section:

§ 6.6 *Special authorization for licenses.* * * *

(b) * * *

(5) Subjects or citizens of Italy who were, prior to August 6, 1924 (i) Turkish subjects or persons of Greek extraction and (ii) habitual residents of the Aegean, or Dodecanese Islands, or Isiets dependent thereon, provided that said aliens have not at any time voluntarily become German, Italian or Japanese citizens or subjects.

(6) Aliens who became subjects or citizens of Italy by virtue of marriage or relationship to the person described in paragraph (c) of this section, provided that said aliens have not at any time voluntarily become German, Italian or Japanese citizens or subjects.

(7) Aliens of enemy nationalities during their term of military service in the armed forces of the United States.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: July 29, 1942.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 42-7455; Filed, August 1, 1942; 9:47 a. m.]

[1] 6 F.R. 5221; 7 F.R. 2175.

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1941 (5. F.R. 4401), as amended, are hereby further amended as follows:

Section 7.10 (c), which reaffirmed and continued in force the anchorage areas and grounds established by the Secretary of War (Code of Federal Regulations, Title 33, Part 202), together with amendments and addenda thereto, is amended by inserting as paragraph (21) the following provision for the protection of the Black Rock Canal and Lock, at Buffalo, New York:

(21) *Black Rock Canal and Lock at Buffalo, N. Y.; regulations for protection*—(i) *Small craft and rafts.* All small craft other than those owned and operated by the United States, desiring to transit the lock, shall obtain clearance from the Captain of the Port of Buffalo prior to entering the vicinity of the lock. Such small craft shall upon approaching the lock stop and report to the guard stationed at one of the following points: Southbound vessels, at the north end of the guide pier below the lock, and northbound vessels at the Administration Building on the east side of the canal between the International Bridge and the lock. The guard on duty shall make such inspection as deemed necessary before allowing each vessel to proceed. No small craft other than those owned and operated by the United States shall dock at the guide pier or at the upstream approaches to the lock at any time, except at the above designated points and for the purpose of reporting to the guard on duty. Small craft other than those owned and operated by the United States, not desiring to transit the lock, are prohibited from entering the following areas:

(*a*) *Above the lock.* The area in the Black Rock Canal between a line 500 feet above the International Bridge and the lock.

(*b*) *Below the lock.* The area southerly and westerly of a line from the lower end and perpendicular to the guide pier to a point 75 feet from the harbor line, thence parallel to and 75 feet from the harbor line to the U. S. Engineer Storehouse.

NOTE: The above-described areas are patrolled and guarded. No person may leave or board a vessel within the above-described areas except in emergency.

(ii) *All other craft and vessels*—(*a*) *Personnel authorized to land.* The mas-

ter or mate, only, may go from a vessel while in the lock to the canal office. Three (3) deck hands only, may leave the vessel for the sole purpose of handling the mooring lines and shall reboard the vessel as soon as the vessel has been moored. No other person may leave or board vessels in the lock except in emergency. Changing of crews of vessels within the above-described areas shall be prohibited.

(b) *Docking at piers.* No vessel shall dock or tie up at the walls on either side of the canal between the lock and the International Bridge above the lock, or to the guide pier below the lock without specific authority from the lockmaster.

(c) *Throwing objects overboard.* Throwing overboard of any rubbish or other object in the canal or in the areas above or below the dock, as described in subdivision (1) (a) and (b), or in the approaches to these areas, is forbidden.

(d) *Discharge of firearms.* No firearms of any kind shall be discharged from vessels while in the lock area.

(e) *Smoking on tankers.* When tankers are transitting the canal and lock, smoking thereon is prohibited, except in such places as may be designated in the ship's regulations.

(f) *Embarking and debarking.* No passengers will be permitted to board or debark from ships while transiting the lock area except by authority of the District Engineer.

(g) *Photography.* The taking of pictures from vessels of the lock area or any of the installations therein is prohibited. Ships' masters and lock guards are responsible for the enforcement of this regulation.

(h) *Tugs required.* All barges or other vessels navigating within the limits of the Black Rock Canal, whether approaching or leaving the lock and not operating under their own power, will be required to be assisted by one or more tugs of sufficient power to insure full control at all times.

(i) Transit of the locks by passenger or excursion vessels over two hundred (200) gross registered tons is prohibited.

(j) *Inspection.* A special examination shall be made of each vessel prior to its approaching Black Rock Canal for each transit. Such examination shall include the inspection of openings to all closed compartments, the forepeak, blind hold, dunnage room, windlass room, and chain locker; examination of bolt fastenings being such as to detect whether any tampering has been done. Entry of such inspection shall be made in the ship's log. Following the inspection and prior to entering the canal, a square yellow flag, showing a black ball in the center, and being not less than three feet by three feet in size, shall be flown from the forward part of the ship. Vessels complying with the above regulations and displaying the flag may be permitted to enter the canal at the discretion of the United States Coast Guard. The Coast Guard has authority to board vessels at any time for the purpose of making investigations or examinations. Vessels not displaying the flag will be detained for inspection by the Coast Guard prior to entering the canal. Vessels displaying the flag may be boarded by the Coast Guard for the purpose of check inspection or for examination of the log.

Vessels shall also indicate compliance with the foregoing regulation by signaling with one long, one short, and one long blast of the whistle. This signal shall be given following the signal for passage through the canal.

Barges in tow and the towing tug shall be construed as individual vessels and each subject to this inspection.

(k) *Rate of speed.* No vessel or boat shall navigate the Black Rock Canal at a rate of speed greater than six statute miles per hour or less than three statute miles per hour.

A rate of speed of six statute miles per hour will require elapsed time to navigate between designated points as follows:

From North Breakwater Light to Ferry Street Bridge, 26¼ minutes.
From south end Bird Island Pier to Ferry Street Bridge, 18¾ minutes.
From Ferry Street Bridge to International Bridge, 11½ minutes.

A rate of speed of three statute miles per hour will require elapsed time to navigate between designated points as follows:

From North Breakwater Light to Ferry Street Bridge, 52½ minutes.
From south end Bird Island Pier to Ferry Street Bridge, 37½ minutes.
From Ferry Street Bridge to International Bridge, 23 minutes

(lll) These regulations shall be supplementary to the "Regulations to Govern the Use, Administration, and Navigation of Black Rock Canal and Lock and Ferry Street Bridge at Buffalo, New York; and Niagara River from Black Rock Lock to Tonawanda, New York".

The following new section, which establishes a Seaplane Operating Area in Biloxi Bay, Biloxi, Mississippi, is inserted:

§ 7.93 *Biloxi Bay, Biloxi, Mississippi*—(a) *The area.* A restricted Seaplane Operating Area bounded as follows is hereby established:

From the northeast end of the Coast Guard Air Station seaplane ramp 1500 feet true east; then north true to a point 250 feet south of the highway bridge; then parallel to the highway bridge to the dredged channel; then following the inside of the dredged channel to a point of 1500 feet west of Channel Beacon No. 36; then northwest true for 1000 feet; then west true to beach and along beach to northeast end of Coast Guard seaplane ramp.

(b) *Regulations.* (1) No vessels except those operated by the United States Navy, United States Coast Guard, and vessels otherwise under the direct control of the United States shall moor or anchor within the Seaplane Operating Area at any time.

(2) No vessels except those operated by the United States Navy, United States Coast Guard and vessels otherwise under the direct control of the United States shall enter the Seaplane Operating Area at any time between sunset and sunrise.

(3) No fishing, placing of fishing stakes, or similar activities will be permitted at any time within the limits of the Seaplane Operating Area.

(4) All vessels moving within the Seaplane Operating Area shall immediately proceed to leave that area when warned by aircraft employing the "buzzing" method, which consists of low-flying by the airplane and repeated opening and closing of its throttle.

(5) These regulations shall be enforced by the Captain of the Port of Pascogoula, Mississippi, the Commanding Officer of the Coast Guard Air Station, Biloxi, Mississippi, or by their duly designated representatives: Specific exemption from these regulations may be granted by such officers.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: July 29, 1942.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 42-7456; Filed, August 1, 1942; 9:48 a. m.]

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

MATAGORDA BAY, TEXAS

Pursuant to the provisions of Executive Order 9168 signed on May 20, 1942 (7 F.R. 3841), the following rules and regulations are prescribed to govern the use, administration, and navigation of the waters of Matagorda Bay, Texas, comprising the firing range for the Coast Artillery Antiaircraft Training Center, Camp Hulen, Texas.

§ 204.93 *Waters of Matagorda Bay, Texas; Firing range, Coast Artillery Antiaircraft Training Center, Camp Hulen, Texas*—(a) *The danger zone.* The firing ranges for firing points near Turtle Point, near Well Point, and near the shore line between Indian Point and Indianola Island, inclusive, hereinafter referred to as the "restricted area", include the waters of Matagorda Bay and its tributaries within an area bounded as follows: (See U.S.C. & G.S. Chart No. 1284.)

A line beginning at the neck of Turtle Point Peninsula and running southeasterly to Oliver Point; thence southerly along shore line to Palacios Point (except Oyster Lake); thence along a line bearing 130° true to a point one mile bayward from the north shore of the Matagorda Peninsula; thence southwesterly, along a line paralleling the north shore of Matagorda Peninsula at a distance of one mile to a point in Matagorda Bay bearing 48° true, 5,600 yards from the cupola on Saluria Coast Guard Station; thence northwesterly to the entrance to Boggy Bayou; thence along shore line to Gallinipper Point; thence along a line northeasterly to Rhodes Point; thence easterly along a line extending to the mouth of Carancahua Bay; thence along a line extending northeasterly to the point of beginning at the neck of Turtle Point Peninsula.

(b) *The regulations.* (1) Through traffic in either direction on the route of the Intracoastal Waterway and feeder channels to Palacios and Port Lavaca may enter and proceed directly through the restricted area via the waterway and channels without hindrance or delay except as indicated below or when advised otherwise by the United States Coast Guard at Port O'Connor or by a representative of the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. When through Intracoastal traffic is not permitted to enter the restricted area, during daylight hours patrol boats will be stationed at entrances to the canal near Fort O'Connor and near Palacios Point and in the feeder channels on the Palacios and Port Lavaca sides of the restricted area to warn traffic approaching the danger area. When through traffic is not permitted during hours of darkness, occulting red light or lights will be displayed from a high tower at Camp Hulen and from a high tower between Indian Point and Indianola Island.

(2) Except under unusual circumstances, announcement of which shall be communicated to the surrounding communities, the restricted area is open throughout the year to the public for fishing and traffic without restriction from 5:30 p. m. Saturdays to 8:00 a. m. Mondays and National (not State) holidays from 5:30 p. m. of the preceding day to 8:00 a. m. on the day following the holiday. The restricted area is also open to the public for fishing and traffic without restriction on other days when firing is not to be conducted.

(3) When firing is to be held in all or part of the restricted area, large red flags will be displayed from elevated positions in the immediate vicinity of each firing point from which fire is to be conducted.

(4) Except for through Intracoastal water traffic, no boats will enter the restricted area during the following periods without first obtaining clearance from Headquarters Antiaircraft Training Center at Camp Hulen, Texas:

8:00 a. m. to 5:30 p. m. on all week days except National, not State, holidays.

Traffic other than through Intracoastal traffic, desiring to enter the restricted area from Palacios, Port Lavaca or from direction of Matagorda during the restricted periods must obtain permission in advance from Headquarters Antiaircraft Training Center, Camp Hulen, Texas, extension #38 or #386. Traffic desiring to enter the restricted area from the vicinity of Port O'Connor must obtain permission in advance from the Coast Guard Station at Port O'Connor.

(5) At night when firing is scheduled, occulting red light or lights will be displayed from high towers at Camp Hulen and between Indian Point and Indianola Island. These occulting red lights will be displayed during the hours of darkness until the conclusion of the firing for the night. When these occulting red lights are displayed, no vessel of any type shall enter or remain in the restricted area without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. In addition, when notices have been published, announcing night firing

in the restricted area no vessel of any kind will enter or remain in the restricted area during any such announced period of firing without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(6) Vessels in or planning to enter the restricted area at any time should be on the lookout for the above listed warning signals and when the indicated danger signals are displayed, should not enter or remain in the restricted area except as definitely authorized by these regulations unless authorized in advance to do so by the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(7) If an airplane zooms over any vessel in or entering the restricted area twice in succession, it should be taken as a warning to remain out of or promptly leave the restricted area.

(8) These regulations shall be enforced by the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas, through the use of such equipment and personnel as may be properly designated by him for the purpose and through the assistance of the United States Coast Guard. (E.O. No. 9168, May 20, 1942) [Regs. June 13, 1942 (CE 7195 (Matagorda Bay, Texas)—SPEON)]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42-7437; Filed, July 31, 1942; 3:09 p. m.]

PART 204—DANGER ZONE REGULATIONS

WATERS NEAR PADRE ISLAND AND BRAZOS ISLAND, TEXAS

Pursuant to the provisions of Presidential Proclamation 2557, signed on May 20, 1942 (7 F.R. 3865), the following regulations are hereby prescribed to govern the use and navigation of the waters of the Gulf of Mexico, adjacent to the Texas Coast from latitude 26°45' N., to the Rio Grande and a portion of the waters of Laguna Madre comprising the aerial gunnery and bombing ranges of the Advanced Flying School at Harlingen, Texas.

§ 204.93a *Waters of Gulf of Mexico along Padre Island and Brazos Island, Texas, including a portion of Laguna Madre; Bombing and gunnery range, Advanced Flying School, Harlingen, Texas*—(a) *The danger zones.* (1) The gunnery and bombing ranges hereinafter referred to as the "restricted areas" include the waters of the Gulf of Mexico adjacent to Padre Island and Brazos Island south of latitude 26°45' N., to the Rio Grande; including all the waters of Laguna Madre between latitude 26°45' N. and 26°06' N. (See U. S. C. & G. S. Charts Nos. 1287 and 1288.) All azimuths are referred to a true meridian.

(2) *North area.* An area in the Gulf of Mexico and including an area in Laguna Madre beginning at a point on the west shore of Laguna Madre in latitude 26°45' N., thence 90° to a point in latitude 26°45' N., longitude 97°04'30" W., thence 168° to a point in latitude 26°05' N., longitude 96°54'30" W., thence 270° to a point in latitude 26°05' N., longitude 97°06'30" W., thence 355° to a point in latitude 26°06'30" N., longitude 97°05'40" W., thence 270° to a point on the west shore of Laguna Madre. Thence northerly along the west shore line of Laguna Madre to latitude 26°45'.

(3) *South area.* An area in the Gulf of Mexico beginning at a point in latitude 26°03' N., longitude 97°06'25" W., thence 90° to a point in latitude 26°03' N., longitude 96°54'30" W., thence 178° to a point in latitude 25°57'30" N., longitude 96°54'15" W., thence 270° to a point in latitude 25°57'30" N., longitude 97°06' W., (approximately in line with the mouth of the Rio Grande which marks the international boundary between the United States and Mexico), thence 355° to the point of beginning.

(4) The boundaries of the restricted areas will be marked by the United States Coast Guard to assist in defining the limits of and the pass between the restricted areas.

(5) The Air Corps will broadcast over the radio any information concerning the cessation of firing. This information will be given to the Coast Guard Station at Port Isabel, Texas.

(6) On days when firing is to be held in the restricted areas large red flags will be displayed at the Port Isabel Life Boat Station on Padre Island.

(b) *The regulations.* (1) All boats departing from Port Isabel shall check out through the Coast Guard Station so the airplane pilots can be informed to watch for such boats.

(2) On days when firing is scheduled and flag is being displayed as prescribed in paragraph (a) (6) of this section, no person, boat, vessel or craft shall enter or remain in any portion of restricted areas: *Provided, however,* That the Commanding General, Gulf Coast Air Corps Training Center, or the Commanding Officer, Advanced Flying School, Harlingen, Texas, may designate from time to time, by suitable notice, through the United States Coast Guard or others concerned, certain times within which the public, including food fishermen may enter the restricted areas on days when no firing is scheduled.

(3) Persons having business in the restricted areas shall obtain permission to enter or pass through the restricted areas from the United States Air Corps.

(4) These regulations will be enforced by the United States Coast Guard under authority of the Commanding Officer, Gulf Coast Army Air Force Training Center, and through such other officers, enlisted men and employees as may be assigned thereto. All such agencies as Government vessels and other suitable equipment as may be necessary will be used. (Proclamation No. 2557, May 20, 1942) [Regs. June 13, 1942 (CE 7195 (Matagorda Bay, Texas)—SPEON)] 1 Incl.

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F.R. Doc. 42-7438; Filed, July 31, 1942; 3:09 p. m.]

TITLE 45—PUBLIC WELFARE

Chapter II—Civilian Conservation Corps

PART 203—ENROLLMENT, DISCHARGE, HOSPITALIZATION, DEATH, AND BURIAL OF ENROLLEES

Section 203.19 (b) (1) and (3) is hereby amended to read as follows:

§ 203.19 *Transportation and travel allowances.* • • •

(b) *Transportation in kind from places of discharge* — (1) *Juniors.* Subject to subparagraphs (4), (5), and (6) below and to § 203.21 (e) (3), to places of selection by State selecting agency or to their homes, irrespective of the factors which caused discharge, or to places nearer to than to places of selection or their homes.

• • • • •

(3) *Former enrollees discharged to accept positions with the technical services or with the Army and subsequently re-enrolled without selection.* Subject to subparagraphs (4), (5), and (6) below and to § 203.21 (e) (3), to places of selection for the last previous enrollment from which discharged to accept the positions or to their homes without regard to the place of reenrollment and irrespective of the factors which caused discharge. (50 Stat. 319; 16 U.S.C. 584; and act of July 2, 1942, Public Law 647, 77th Congress) [Par. 66b, C.C.C. Regs. W.D., Dec. 1, 1937 as amended by C 92, July 25, 1942]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42-7495; Filed, August 3, 1942; 11:12 a. m.]

Chapter IV—National Youth Administration

[Administrative Order No. 17]

PART 402—WAR PRODUCTION TRAINING PROGRAM

Correction

The table in § 403.3, appearing on page 5719 of the issue for Saturday, July 25, 1942, should read as follows:

	Minimum	*Maximum*
School work program	$3	$6
College and graduate work program	10	25

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 1,[1] Supp. 5]

PART 302—CONTRACTS WITH VESSEL OWNERS

SMALLCRAFT BAREBOAT REQUISITION CHARTER "WARSHIPTOW"

Whereas, an unlimited national emergency was proclaimed by the President of the United States on May 27, 1941; and

Whereas, by Executive Order No. 9054, dated February 7, 1942, the President of the United States conferred upon the War Shipping Administration the functions, duties, and powers with respect to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, to requisition or charter the use of any vessel or other watercraft owned by citizens of the United States or under construction within the United States, for any period during such emergency; and

Whereas, vessels in addition to these otherwise available are and will be necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense and to the prosecution of the war; and

Whereas, the inauguration of barge service between Florida and Cuban ports has become necessary by reason of the aforesaid lack of available vessels for the transportation of foreign commerce of the United States or of commodities essential to the national defense and to the prosecution of the war;

Whereas, it will be necessary from time to time to inaugurate new or expand existing barge services for the transportation of foreign or domestic commerce; and

Whereas, pursuant to the aforesaid Proclamation and Executive Order of the President and the provisions of section 902 of the Merchant Marine Act, 1936, as amended, the Administrator, War Shipping Administration, has requisitioned and will from time to time requisition the use on a bareboat charter basis of vessels owned by citizens of the United States or under construction within the United States for such services.

Now, therefore, it is hereby ordered, That:

§ 302.5 *Smallcraft bareboat requisition charter "Warshiptow".* (a) The attached form of bareboat charter identified as Form No. 109, Warshiptow, 8/1/42, to be entered into by the United States of America, acting by and through the Administrator, War Shipping Administration is approved and adopted for the requisitioned use on a bareboat basis of tugs, barges and other vessels whether or not self-propelled used in or in conjunction with barge services in or between such port or ports as the Administrator shall from time to time determine.

(b) Appropriate special provisions shall be inserted, either by addendum or by insertion, as the owner and the War Shipping Administration shall agree. (E.O. 9054, 7 F.R. 837)

Warshiptow
8/1/42
Form No. 109

UNITED STATES OF AMERICA

SMALL CRAFT BAREBOAT REQUISITION CHARTER "WARSHIPTOW"

This charter made and concluded upon in the District of Columbia the _____ day of _____, 19__, between the United States of America, acting through the War Shipping Administrator (hereinafter called the "Charterer"), and _____ (hereinafter called the "Owner"), owner of the _____ Vessel _____ (hereinafter called the "Vessel"), of _____ _____, Official No. _____, of _____ tons gross register and _____ tons net register.

Witnesseth: That

Whereas, by Proclamation of May 27, 1941, the President declared an unlimited national emergency, and the security of the national defense made it advisable for the Charterer to requisition and charter the use of vessels and other water craft owned by citizens of the United States; and

Whereas, pursuant to the aforesaid Proclamation of the President and the provisions of Section 902, Merchant Marine Act, 1936, as amended, the Charterer has requisitioned the use of the Vessel by Small Craft Requisition No. _____ approved on _____, 19__; and

Whereas, this Charter sets forth the terms which, in the Charterer's judgment, should govern the relations between the United States and the Owner and a statement of the rate of hire which, in the Charterer's judgment, will be just compensation for the use of the Vessel and for the services required under the terms of this Charter;

Now, therefore, it is agreed as follows:

ARTICLE 1. *Charter period.* The Owner agrees to let and the Charterer agrees to hire the Vessel for a period (subject to sooner termination by the Charterer upon fifteen days' written notice to the Owner) beginning with the time of the Vessel's delivery hereunder until the termination of the emergency proclaimed by the President on May 27, 1941, and such additional time needed for (a) the Vessel to complete her current voyage at either the end of said emergency period or at the end of said fifteen days' notice period, as the case may be, and, (b) the Charterer to place the Vessel in the condition required on redelivery under the terms of this Charter.

ART. 2. *Delivery and redelivery of vessel.* The Vessel shall be delivered as of _____ o'clock _____ Time, on 19____, at the Port of _____, as evidenced by the delivery receipt, and there redelivered after being restored to her condition on delivery as hereinafter provided, unless actually or constructively lost, at such safe place or pier to be designated by the Owner, unless otherwise mutually arranged.

ART. 3. *Charter hire.* The Charterer shall pay the Owner hire in the amount of $_____ _____, for each day of twenty-four hours, and pro rata for any part of a day, from the time of acceptance, until the time of redelivery, or, if the Vessel is sooner lost, until the time of her loss (if the time of such loss is uncertain, then until the time last heard from), or if the Vessel is a declared constructive total loss as hereinafter provided, to the time of such declaration by the Charterer.

Such hire shall be due and payable on the first day of each calendar month during the period of this Charter, for the preceding month or portion thereof.

ART. 4. *Condition of vessel on delivery and redelivery.* Subject to the provisions of the second and third paragraphs of Article 5, the Charterer shall accept the Vessel "as is", in whatever condition it may be at the time of acceptance thereof, without any agreement representation or warranty, expressed or implied, by the Owner as to its physical condition, equipment, seaworthiness, or fitness for any purposes whatsoever, or against any defects, except as to latent defects, against all of which the Owner warrants the Vessel.

The Charterer shall be at liberty to install any equipment and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading, carrying or discharging cargo or for towing or other services beyond that on board at the beginning of this Charter. Such equipment, materials, and gear so fitted are to be considered Charterer's property and; the Charterer shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear excepted).

Unless actually or constructively lost, the Vessel on redelivery shall, at the cost of the Charterer, be restored to the Owner in a condition at least as good as when accepted hereunder, less ordinary wear and tear, or in lieu of making such repairs, the Charterer (at its option) shall pay the Owner an amount to place the Vessel in such condition, which payment shall include: (a) an amount (payable month by month) equal to the hire herein fixed for use of the Vessel for the period of time necessary, the utmost diligence and despatch being used, for such repairing; and (b) any such further amount necessarily expended or to be expended by the Owner for insurance, wages and subsistence of master and members of the crew and other vessel expenses incurred during the period of time necessary, such diligence and despatch being used, for repairing the damage.

ART. 5. *Maintenance.* The Charterer shall, at its own expense, maintain the Vessel, so far as possible, in at least as good condition, working order and repair as said Vessel was in at the time of her acceptance to the Charterer hereunder, ordinary wear and tear excepted.

The Vessel shall be drydocked and surveyed before acceptance and on redelivery to determine her condition under the terms of this Charter. The cost of drydocking or acceptance shall be paid for by the Charterer, and the cost of drydocking or redelivery shall be paid for by the Owner. Should the Charterer elect to waive drydocking on acceptance, any damage to the Vessel's bottom found on redelivery shall be presumed, in the absence of proof to the contrary, to have occurred subsequent to the date of acceptance, and all expenses in repairing such damage shall be for account of the Charterer.

If, at the time of delivery hereunder, the Vessel has outstanding classification requirements or has sustained unrepaired damage of an insurable nature, the cost of repairing such unrepaired damage or of satisfying the outstanding classification requirements shall be for the Owner's account and, if the Charterer is not reimbursed for such cost by the Owner, such cost shall be deducted by the Charterer from the charter hire due hereunder and, in either event, during the time required for such repairs, the Vessel shall be off-hire.

Decay or corrosion from natural causes which require the entire replacement of frame, deck beams, deck housing, planking and side or bottom plates other than that caused by collision or other accidents shall be for the Owner's account as will natural deterioration of boilers, pump condensers and main engines. If, during the term of this Charter excessive repairs are necessary in the way of replacement of machinery or to hull and such repairs shall be considered as renewing or adding to the value of the Vessel, such repairs may be made by the Charterer and shall be for the Owner's account, provided, however, that if caused by collision or other accident it shall be for the Charterer's account.

ART. 6. *Fuel and stores on board vessel at delivery and redelivery.* The Charterer shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board at the time of delivery, in good order and condition and not in excess of vessel's normal requirements, and the Owner shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board on redelivery, in good order and condition and not in excess of vessel's normal requirements, at the current market prices at the port of delivery and of redelivery, respectively, on the respective dates of the inventories thereof. "Consumable stores" within the meaning of this paragraph are all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A, and 7919A (Revised Forms 1939).

ART. 7. *Inventories.* A complete inventory of the Vessel's entire outfit, equipment, furniture, furnishings, appliances, spare and replacement parts and of all consumable stores, fuel oil and fresh water on board as of the time of the Vessel's delivery shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them both as to items and price at such time or as soon thereafter as may be possible, and a similar inventory shall be so jointly taken and mutually agreed upon immediately after redelivery. Items other than fuel, water and consumable stores included in the redelivery inventory, however, shall not be repriced on redelivery.

ART. 8. *Use of equipment.* The Charterer shall have the use of all outfit, equipment, furniture, furnishings, appliances, spare and replacement parts on board the Vessel from the time of delivery without extra cost (with the exception of the leased equipment), and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, and any such items lost, destroyed, damaged, or so worn in service as to be unfit for use to be replaced or made good by the Charterer in kind before redelivery or in value at the time of redelivery. The Charterer shall also have the benefit of all apparatus and appliances and spare repair replacement parts on shore, at prices to be mutually agreed upon between the parties, and the Owner shall furnish the Charterer forthwith a list of such parts and equipments.

ART. 9. *Leased equipment.* The Charterer may assume the obligations of the Owner under any contracts in connection with leased equipment on board and all expenses connected therewith after delivery, either by direct payment to the lessor thereof or by reimbursing the Owner for the rental and any other expenses under the Owner's contracts for such equipment during the period of this Charter, at the Owner's option, except that the Charterer, at the beginning of the charter period may substitute any other form of agreement as to such services mutually satisfactory to the Charterer and these contractors.

ART. 10. *Charterer to man, victual and navigate.* During the period hereof, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident thereto.

ART. 11. *Marine and war risk.* The Charterer shall, effective with the time of delivery of the Vessel under this Charter, assume war, marine and all other risks or liabilities of whatsoever nature or kind, against the Owner or Vessel including all risks or liabilities for breach of statute or for damage caused to other vessels, persons or property, and shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage, injury (including death claims), and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter.

ART. 12. *Loss of vessel.* In the event the Vessel is actually lost or is declared to be a constructive total loss or is an arranged total loss, the Charterer shall pay to the Owner as soon as practicable $_____ for the Vessel, including interest at the rate of three per centum (3%) per annum calculated in the case of actual total loss beginning 90 days from the date of loss, if known, otherwise beginning 90 days from the date the Vessel was last heard from; in the case of declared constructive total loss beginning on the date such declaration is made; and in the case of an arranged total loss beginning on the date the loss is agreed upon.

If the Vessel sustains serious damage or injury arising during the period of this Charter, to such extent that the Charterer shall consider her to be a constructive total loss, the Charterer shall have the option (to be exercised as promptly as possible, but in no event later than 90 days from the date of the casualty), of declaring the Vessel to be a constructive total loss as of the date of such declaration and of taking over or selling her, and the Owner shall be paid the amount provided above.

If the Vessel is a total loss (actual or constructive) or is purchased or title thereto is requisitioned by the Charterer, the Owner agrees to allow the Charterer a deduction of one-third of the total hire paid or accrued hereunder to the time of such loss or the date of delivery under such purchase or requisition, from the sum stipulated as payable by the Charterer to the Owner under the provisions of this Article in the event of total loss, and the payment of such stipulated sum, less such deduction, shall constitute just compensation and full satisfaction for such loss, purchase or taking.

ART. 13. *Indemnification.* The Owner shall forever indemnify and hold harmless the Charterer against any liens of whatsoever nature upon the vessel at the time of its delivery hereunder and the Charterer shall forever indemnify, hold harmless, and defend the Owner against any liens of whatsoever nature upon the Vessel at the time of its redelivery hereunder, by whomsoever asserted, and against any claim of lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid) whenever and by whomsoever asserted, arising out of any matter occurring during the period of this Charter or out of the use or operation of the Vessel by the Charterer or any subcharterer or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel or out of any obligation or liability incurred by the Charterer or any subcharterer. The Charterer shall also indemnify, hold harmless and defend the Owner against any claims, demands, or liabilities against the Owner (including costs and reasonable attorney's fees in defending such claims or demand, whether or not the claim or demand be found to be valid) arising out of the use of operation of the Vessel by the Charterer or any subcharterer, or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer.

ART. 14. *Subcharter.* The Charterer shall at all times have the right to subcharter the Vessel, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

ART. 15. *Payments.* All payments to be made by the Charterer to the Owner and all payments to be made by the Owner to the Charterer, under the terms of this Charter, shall be made in the District of Columbia by or to the Charterer.

In consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the United States of America arising out of the requisition of the Vessel and accepts the

[1] 7 F.R. 1505, 1548, 2320, 4305, 4307, 4588, 5014.

compensation herein provided for as the compensation required by law.

ART. 16. *Officials not to benefit.* No member of or delegate to Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act, approved March 4, 1909 (35 Stat. 1109). No member of or Delegate to Congress, nor Resident Commissioner, shall be employed by the Owner either with or without compensation as an attorney, agent, officer or director.

In witness whereof, the parties hereto have executed this Charter Party Agreement in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION,
By _____
For the Administrator.

Attest:
_____
Secretary
_____
By _____
or (for non-corporate owners)
In the presence of:
_____
Witness
and
_____
Witness

Approved as to form:
_____
Assistant General Counsel,
War Shipping Administration.

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Agreement on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL] _____ Secretary.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

JULY 27, 1942.

[F. R. Doc. 42-7465; Filed, August 1, 1942; 11:20 a. m.]

[General Order 16,[1] Supp. 2]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

UNIFORM BILL OF LADING FOR BARGES, TUGS AND OTHER VESSELS USED IN BARGE SERVICE

Whereas on July 4, 1942, a Uniform Bill of Lading was approved for use in the operation of all vessels, the operation of which was within the control of the Administrator; and

Whereas the need for the inauguration of new or the expansion of existing barge services has become apparent; and

Whereas the need for an additional and special Uniform Bill of Lading to be used in the operation of vessels in such services is apparent.

Now, therefore, it is hereby ordered, That:

§ 303.12 *Uniform bill of lading for barges, tugs and other vessels used in barge service.* (a) All operators of vessels used in barge services for the use or account of the United States of America in domestic or foreign commerce shall, on or before August 15, 1942, use or cause to be used only the Uniform Bill of Lading identified as Form No. 108 Warshiptowblading 8/1/42, which shall be in the form attached.

(b) The operators shall, upon previous advice to War Shipping Administration, incorporate in such bills of lading any special arrangements on the face thereof and any other special clauses respectively appropriate to the trade and route undertaken.

(c) If or when a short form of bill of lading shall have been approved incorporating by reference the aforesaid terms and conditions of carriage it shall be used with the same force and effect as though the said terms and conditions had been set forth in full therein.

(d) Property of the United States of America required to be shipped pursuant to the Government Form Bill of Lading (Standard Form No. 1058) shall continue to be so shipped and the carrier's bill of lading therein referred to shall be deemed to mean the bill of lading herein approved.

(e) The right is reserved to approve other forms of bills of lading or clauses as the Administrator may deem appropriate in certain circumstances. (E.O. 9054, 7 F.R. 837)

Warshiptowblading
8/1/42
Form No. 108

UNITED STATES OF AMERICA ACTING BY AND THROUGH THE WAR SHIPPING ADMINISTRATION,

By _____
(Agent)

Received from the Shipper hereinafter named, the goods or packages said to contain goods hereinafter mentioned, in apparent good order and condition, unless otherwise indicated in this bill of lading, to be transported subject to all the terms of this bill of lading with liberty to proceed via any port or ports within the scope of the voyage described herein, to the port of discharge or so near thereunto as the vessel can always safely get and leave, always afloat at all stages and conditions of water and weather, and there to be delivered or transshipped on payment of the charges thereon. If the goods in whole or in part are shut out from the vessel named herein for any cause, the Carrier shall have liberty to forward them under the terms of this bill of lading on the next available vessel.

It is agreed that the custody and carriage of the goods are subject to the following terms on the face and reverse hereof which shall govern the relations, whatsoever they may be, between the shipper, consignee, and the Carrier, Master and vessel in every contingency, wheresoever and whensoever occurring, and also in the event of deviation, or of unseaworthiness of the vessel at the time of loading or inception of the voyage or subsequently, and none of the terms of this bill of lading shall be deemed to have been waived by the Carrier unless by express waiver signed by a duly authorized agent of the Carrier:

Barge _____ Voyage No. _____
Port of Loading _____
Shipper _____
Consignee: Order of _____ or assigns _____ If consigned to Shipper's Order arrival notice to be addressed to _____
_____
(Without liability to carrier, see Clause 11 hereof)
Port of Discharge from Ship _____
(If goods to be transhipped at port of discharge)
Destination of Goods _____
(See Clause 10 hereof)

THE SCOPE OF THE VOYAGE IS DESCRIBED IN CLAUSE 3 HEREOF—PARTICULARS FURNISHED BY SHIPPER OF GOODS

Marks and numbers	Quantity or number of pieces or packages	Description of goods	Gross weight (pounds)	Measurement

_____@____per 100 lbs._____ $_____
_____@____per 2,240 lbs._____ $_____
_____ft._____in. @____per cub. ft._____ $_____
_____ft._____in. @____per cub. ft._____ $_____
_____@_____ _____ $_____
$_____
Freight to be Prepaid—To Collect*__ $_____
$_____

*(Cross out words not applicable.)

In accepting this bill of lading the shipper, consignee and owner of the goods agree to be bound by all of its stipulations, exceptions, and condition, whether written, printed, or stamped on the front or back hereof, any local customs or privileges to the contrary notwithstanding.

UNITED STATES OF AMERICA ACTING BY AND THROUGH THE WAR SHIPPING ADMINISTRATION,

By_____
(As Agent)

By_____
B/L No. _____

1. This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States of America, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the vessel and throughout the entire time the goods are in the custody of the Carrier. The Carrier shall not be liable in any capacity whatsoever from any delay, non-delivery or misdelivery, or loss of or damage to the goods occurring while the goods are not in the actual custody of the Carrier.

(a) The Carrier shall be entitled to the full benefit of, and right to, all limitations of, or exemptions from, liability authorized by any provisions of Section 4281 to 4286 of the Revised Statutes of the United States and amendments thereto and of any other provisions of the laws of the United States or of any other country whose laws shall apply.

2. The contract voyage contemplates carriage of the goods herein described by barge, lighter or other craft, whether or not self propelled and in this bill of lading the word "vessel" shall include any substituted vessel,

[1] 7 F.R. 5246, 5677.

and any craft, lighter or other means of conveyance owned, chartered or operated by the Carrier used in the performance of this contract; the word "Carrier" shall include the vessel, the tug or other towing vessel used thereby, her owner, master, operator, demise charterer, and if bound hereby any time charterer, and any substituted carrier, whether the owner, operator, charterer, or master shall be acting as carrier or bailee; the word "shipper" shall include the person named as such in this bill of lading and the person for whose account the goods are shipped; the word "consignee" shall include the holder of the bill of lading, properly endorsed, and the receiver and the owner of the goods; the word "charges" shall include freight and all expenses and money obligations incurred and payable by the goods, shipper, consignee, or any of them.

3. The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not; also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the vessel may sail or be towed beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and includes all canals, straits and other waters. The vessel may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The vessel may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the goods, known or unknown at the time of such loading and matters occurring after such loading, either with or without the goods or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, dry dock, with or without cargo aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

4. In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Carrier or the Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the vessel or any part of her cargo, to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual or agreed place of discharge in such port, the Carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon failure to do so, may warehouse the goods at the risk and expense of the goods; or the Carrier or the Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft, or other place; or the vessel may proceed or return, directly or indirectly, to or stop at any port or place whatsoever as the Master or the Carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the Carrier or the Master may retain the cargo on board until the return trip or until such time as the Carrier or the Master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the Carrier or the Master may discharge and forward the goods by any means, rail, water, land, or air at the risk and expense of the goods. The Carrier or the Master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the vessel, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Carrier shall be freed from any further responsibility. For any services rendered to the goods as hereinabove provided, the Carrier shall be entitled to a reasonable extra compensation.

5. The Carrier, Master and vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharges, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such governments or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the vessel, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the Carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the Carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

6. Unless otherwise stated herein, the description of the goods and the particulars of the packages mentioned herein are those furnished in writing by the shipper and the Carrier shall not be concluded as to the correctness of marks, number, quantity, weight, gauge, measurement, contents, nature, quality or value. Single pieces or packages exceeding 4480 lbs. in weight shall be liable to pay extra charges in accordance with tariff rates or terminal charges in effect at time of shipment for loading, handling, transshipping or discharging and the weight of each such piece or package shall be declared in writing by the shipper on shipment and clearly and durably marked on the outside of the piece or package. The shipper and the goods shall also be liable for, and shall indemnify the Carrier in respect of any injury, loss or damage arising from shipper's failure to declare and mark the weight of any such piece or package or from inadequate or improper description of the goods or from the incorrect weight of any such piece or package having been declared or marked thereon, or from failure to disclose fully the nature and character of the goods.

7. In respect of goods carried on deck all risks of loss or damage by perils inherent in such carriage shall be borne by the shipper or the consignee but in all other respects the custody and carriage of such goods shall be governed by the terms of this bill of lading and the provisions stated in said carriage of Goods by Sea Act notwithstanding Sec. 1 (c) thereof.

Due to existing war conditions and to consequent lack of tonnage it is agreed that the goods herein described may be transported by a vessel not licensed, constructed or equipped for the contract voyage and all risks of loss or damage by perils inherent in such carriage shall be borne by the shipper or consignee.

8. If the vessel comes into collision with another vessel as a result of the negligence of the other vessel and any act, neglect or default of the Master, mariner, pilot or the servants of the Carrier in the navigation or in the management of the vessel, the owners of the goods carried hereunder will indemnify the Carrier against all loss or liability to the other or non-carrying vessel of her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or non-carrying vessel or her owners to the owners of said goods and set-off, recouped or recovered by the other or non-carrying vessel or her owners as part of their claim against the carrying vessel or Carrier.

The foregoing provisions shall also apply where the owners, operators or those in charge of any vessel or vessels or objects other than, or in addition to, the colliding vessels or objects are at fault in respect of a collision or contact.

9. General Average shall be adjusted, stated and settled, according to Rules 1 to 15 inclusive, 17 to 22 inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Carrier, and as to matters not provided for by these rules, according to the laws and usages at the port of New York. In such adjustment disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Carrier, must be furnished before delivery of the goods. Such cash deposit as the Carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees or owners of the goods to the Carrier before delivery. Such deposit shall, at the option of the Carrier, be payable in United States money and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the General Average and refunds or credit balances, if any, shall be paid in United States money.

In the event of accident, danger, damage, or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving vessel is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving vessel or vessels belonged to strangers.

10. Whenever the Carrier or the Master may deem it advisable or in any case where the goods are consigned to a point where the vessel does not expect to discharge, the Carrier or Master may, without notice, forward the whole or any part of the goods before or after loading at the original port of shipment, or any other place or places even though outside the scope of the voyage of the route to or beyond the port of discharge

or the destination of the goods, by any vessel, vessels or other means of transportation by water or by land or by air or by any such means, whether operated by the Carrier or by others and whether departing or arriving or scheduled to depart or arrive before or after the vessel expected to be used for the transportation of the goods. This Carrier, in making arrangements for any transhipping or forwarding vessel or means of transportation not operated by this Carrier shall be considered solely the forwarding agent of the shipper and without any other responsibility whatsoever.

The carriage by any transhipping or forwarding carrier and all transhipment or forwarding shall be subject to all the terms whatsoever in the regular form of bill of lading, freight note, contract or other shipping document used at the time by such carrier, whether issued for the goods or not, and even though such terms may be less favorable to the shipper or consignee than the terms of this bill of lading and may contain more stringent requirements as to notice of claim or commencement of suit and may exempt the on-carrier from liability for negligence. The shipper expressly authorizes the Carrier to arrange with any such transhipping or forwarding carrier that the lowest valuation of the goods or limitation of liability contained in the bill of lading or shipping document of such carrier shall apply even though lower than the valuation or limitation herein, provided that the shipper shall not be compelled to pay a rate higher than that applicable to the valuation contained in such bill of lading. Pending or during transhipment the goods may be stored ashore or afloat at their risk and expense and the Carrier shall not be liable for detention.

11. The port authorities are hereby authorized to grant a general order for discharging immediately upon arrival of the vessel and the Carrier without giving notice either of arrival or discharge, may discharge the goods directly they come to hand, at or onto any wharf, craft or place that the Carrier may select, and continuously Sundays and holidays included, at all such hours by day or by night as the Carrier may determine no matter what the state of the weather or custom of the port may be. The carrier shall not be liable in any respect whatsoever if heat or refrigeration or special cooling facilities shall not be furnished during loading or discharge or any part of the time that the goods are upon the wharf, craft, or other loading or discharging place. All lighterage and use of craft in receiving or discharging shall be at the risk and expense of the goods. Landing and delivery charges and pier dues shall be at the expense of the goods unless included in the freight herein provided for. If the goods are not taken away by the consignee by the expiration of the next working day after the goods are at his disposal, the goods may at Carrier's option and subject to Carrier's lien, be sent to store or warehouse or be permitted to lie where landed, but always at the expense and risk of the goods. The responsibility of the Carrier in any capacity shall altogether cease and the goods shall be considered to be delivered and at their own risk and expense in every respect when taken into the custody of customs or other authorities. The Carrier shall not be required to give any notification or disposition of the goods.

The cargo or cargoes shall be delivered and received alongside the Vessel, where she can load and discharge always safely afloat, and proceed and return always safely afloat, within reach of her tackles; and lighterage and also extra lighterage, if any, shall be at the risk and expense of the cargo.

12. The Carrier shall not be liable for failure to deliver in accordance with marks unless such marks shall have been clearly and durably stamped or marked by the shipper before shipment upon the goods or packages, in letters and numbers not less than two inches high, together with name of the port of discharge. Goods that cannot be identified as to marks or numbers, cargo sweepings, liquid residue and any unclaimed goods not otherwise accounted for shall be allocated for completing delivery to the various consignees of goods of like character, in proportion to any apparent shortage, loss of weight or damage. Loss or damage to goods in bulk stowed without separation from other goods in bulk of like quality, shipped by either the same or another shipper, shall be divided in proportion among the several shipments.

13. The goods shall be liable for all expense of mending, cooperage, baling or reconditioning of the goods or packages and gathering of loose contents of packages; also for any payment, expense, fine, dues, duty, tax, impost, loss, damage or detention sustained or incurred by or levied upon the Carrier or the ship in connection with the goods, howsoever caused, including any action or requirement of any government or governmental authority or person purporting to act under the authority thereof, seizure under legal process or attempted seizure, incorrect or insufficient marking, numbering or addressing of packages or description of the contents, failure of the shipper to procure consular, Board of Health or other certificates to accompany the goods or to comply with laws or regulations of any kind imposed with respect to the goods by the authorities at any port or place or any act or omission of the shipper or consignee.

14. Freight shall be payable on actual gross intake weight or measurement or, at Carrier's option, on actual gross discharged weight or measurement. Freight may be calculated on the basis of the particulars of the goods furnished by the shipper herein but the Carrier may at any time open the packages and examine, weigh, measure and value the goods. In case shipper's particulars are found to be erroneous and additional freight is payable, the goods shall be liable for any expense incurred for examining, weighing, measuring, and valuing the goods. Full freight shall be paid on damaged or unsound goods. Freight on sugar shall be payable as follows: Eighty-five per cent (85%) of freight payable in cash on the basis of gross bill of lading weight on arrival of Vessel at discharging berth to the order of Vessel, Owner, Operator or Agent, and on final discharge of cargo any over or short payment to be adjusted on the gross landed weight as determined by Public Weighers' returns, free of discount or interest. Full freight hereunder to port of discharge named herein shall be considered completely earned on shipment whether the freight be stated or intended to be prepaid or to be collected at destination; and the Carrier shall be entitled to all freight and charges due hereunder, whether actually paid or not, and to receive and retain them irrevocably under all circumstances whatsoever vessel and/or cargo lost or not lost or the voyage broken up or abandoned. If there shall be forced interruption or abandonment of the voyage at the port of shipment or elsewhere any forwarding of the goods or any part thereof shall be at the risk and expense of the goods. All unpaid charges shall be paid in full and without any offset, counterclaim or deduction in the currency of the port of shipment, or, at Carrier's option, in the currency of the port of discharge, at the demand rate of New York exchange as quoted on the day of the vessel's entry at the Custom House of her port of discharge. The Carrier shall have a lien on the goods, which shall survive delivery, for all charges due hereunder and may enforce this lien by public or private sale and without notice. The shipper and the consignee shall be jointly and severally liable to the Carrier for the payment of all charges and for the performance of the obligation of each of them hereunder.

15. Neither the Carrier nor any corporation owned by, subsidiary to or associated or affiliated with the Carrier shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the vessel, by reason or by means of any fire whatsoever, unless such fire shall be caused by its design or neglect.

16. In case of any loss or damage to or in connection with goods exceeding in actual value $500 lawful money of the United States, per package, or, in case of goods not shipped in packages, per customary freight unit, the value of the goods shall be deemed to be $500 per package or per unit, on which basis the freight is adjusted and the Carrier's liability, if any, shall be determined on the basis of a value of $500 per package or per customary freight unit, or pro rata in case of partial loss or damage, unless the nature of the goods and a valuation higher than $500 shall have been declared in writing by the shipper upon delivery to the Carrier and inserted in this bill of lading and extra freight paid if required and in such case if the actual value of the goods per package or per customary freight unit shall exceed such declared value, the value shall nevertheless be deemed to be the declared value and the Carrier's liability, if any, shall not exceed the declared value and any partial loss or damage shall be adjusted pro rata on the basis of such declared value.

Whenever the value of goods is less than $500 per package or other freight unit, their value in the calculation and adjustment of claims for which the Carrier may be liable shall for the purpose of avoiding uncertainties and difficulties in fixing value be deemed to be the invoice value, plus freight and insurance if paid, irrespective of whether any other value is greater or less.

17. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the Carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the Carrier of the goods as described in the bill of lading. If the loss or damage is not apparent the notice must be given within three days of the delivery. The Carrier shall not be liable upon any claim for loss or damage unless written particulars of such claim shall be received by the Carrier within thirty days after receipt of the notice provided for.

18. In any event the Carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after the delivery of the goods or the date when the goods should have been delivered. Suit shall not be deemed brought until jurisdiction shall have been obtained over Carrier and/or the ship by service of process or by an agreement to appear.

19. To avoid or alleviate preventiona or delays in prosecution or completion of the voyage incident to the existence of hostilities, the Carrier has liberty and is authorized by the shipper and the owner of the goods to agree with the representatives of any government to submit the goods to examination at any place or places whatsoever and to delay delivery of the same until any restriction asserted by any governmental authority shall have been removed. The Carrier may put the goods in store ashore or afloat at the risk and expense of the owner of the same pending examination; and thereupon the Carrier's responsibility shall end. Any damage or deterioration occasioned by such examination or by delay and other risks of whatsoever nature shall be solely for account of the owner of the goods. All expenses incurred by the Carrier in relation to such detention of the goods shall be paid by the shipper or consignee or owner of the goods.

20. This Bill of Lading shall be construed and the rights of the parties thereunder determined according to the law of the United States.

21. Cargo skids and labor on quay are to be provided by vessel's agent for account of consignee at current rate, and any cargo which may be ordered for delivery into fiscal deposits, must be taken by an official cartman appointed by the agent of the vessel, at current rates for account and risk of consignee.

22. If any bagged or baled goods are landed slack or torn, receiver and/or consignee shall accept its proportion of the sweepings. Ship not responsible for loss of weight in bags or bales torn, mended or with sample holes.

23. The carriage herein contemplated is upon a multiple tow basis, any custom or practice of the trade to the contrary notwithstanding; and it shall not be deviation or a violation of this contract for the carrier to proceed to other point or points whether or not within the same port for the purpose of making tow and whether or not such other point or points are in or out of the advertised, geographical, usual or ordinary route or order.

24. All agreements or freight engagements for the shipment of the goods are superseded by this bill of lading, and all its terms, whether written, typed, stamped, or printed, are accepted and agreed by the shipper to be binding as fully as if signed by the shipper, any local customs or privileges to the contrary notwithstanding. Nothing in this bill of lading shall operate to limit or deprive the Carrier of any statutory protection or exemption from or limitation of liability. If required by the Carrier, one signed bill of lading duly endorsed must be surrendered to the agent of the vessel at the port of discharge in exchange for delivery order.

25. Public Weighters' count shall be used in determining outturn of sugar cargo, and if there be any dispute in reference to count, an adjustment of such dispute must be arrived at immediately as the truck passes over the Public Weighters' scale, which must be located near the Government scale, and this adjustment must be made by a representative each of the Shipper, the Vessel, and the Consignee, and the decision arrived at by a majority of these three parties is to be final and binding on all parties hereto. Vessel shall be furnished with as many copies of Public Weighers' certificate as may be required, free of charge.

By order of the War Shipping Administrator:

[SEAL] W. C. PEET, JR.,
Secretary.

JULY 27, 1942.

[F. R. Doc. 42-7466; Filed, August 1, 1942; 11:20 a. m.]

[General Order 16, Supp. 3]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY WAR SHIPPING ADMINISTRATION

General Order No. 16 (§ 303.11)[1] is hereby amended by adding a new paragraph as follows:

10. Clause 27 of such general order shall be included in the printed form of bill of lading whenever customary in a particular trade; otherwise it may be omitted. Where used it may be amended by striking therefrom the word "owners" and substituting therefor the word "carrier". (E.O. 9054; 7 F.R. 834)

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

JULY 30, 1942.

[F. R. Doc. 42-7467; Filed, Aug. 1, 1942; 11:22 a. m.]

[1] 7 F.R. 5246, 5677, and *supra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit O.D.T. 1-2]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SUBPART A—MERCHANDISE TRAFFIC

MOVEMENT OF MERCHANDISE FREIGHT CARS FOR ARMED FORCES

Notwithstanding the provisions of General Order O.D.T. No. 1,[1] as amended, Chapter II of this Title, Part 500, Subpart A,

It is hereby authorized, That:

§ 502.2 *Movement of merchandise freight cars for armed forces.* Any carrier by railroad is hereby authorized to accept for shipment or forwarding, load or forward from any city or town at which such car is originated, any railway closed freight car containing merchandise for the use of the armed forces of the United States in connection with field maneuvers, destined to or shipped from any depot, warehouse, or other facility of such armed forces. (E.O. 8989, 9156, 6 F.R. 6725; 7 F.R. 3349)

This General Permit shall become effective August 3, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 3d day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7487; Filed, August 3, 1942; 10:26 a. m.]

[1] 7 F.R. 3046; 7 F.R. 3212; 7 F.R. 3753.

[General Permit O.D.T. 3-3]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; PERMITS

SUBPART B—COMMON CARRIERS OF PROPERTY

TRANSPORTATION OF EXPOSED MOTION PICTURE FILM

In accordance with the provisions of General Order O.D.T. No. 3, revised,[1] Title 49, Chapter II, Part 501, Subpart B, § 501.8,

It is hereby authorized, That:

§ 521.502 *Transportation of exposed motion picture film.* Any common carrier when operating a motor truck engaged exclusively in the transportation of exposed motion picture film, including film advertising matter and incidental theatrical supplies, or when operating a motor truck engaged exclusively in the transportation of exposed motion picture film, including film advertising matter and incidental theatrical supplies, and newspapers or magazines, is hereby relieved, in respect of any such motor truck so engaged in such transportation, from compliance with the provisions of subparagraphs (1) and (2) of paragraph (a) and subparagraph (2) of paragraph (b) of § 501.6 of General Order O.D.T. No. 3, revised. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 3, revised, 7 F.R. 5445)

This general permit shall become effective August 1, 1942, and shall remain in full force and effect until further order of this office.

Issued at Washington, D. C., this 31st day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7488; Filed, August 3, 1942; 10:26 a. m.]

[1] 7 F.R. 5445.

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

2½ PERCENT TREASURY BONDS OF 1962-67

ADDITIONAL ISSUE

[1942, Dept. Circ. No. 692]

AUGUST 3, 1942.

I. Offering of Bonds

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1962-67. These bonds will not be available for subscription, for their own account, by commercial banks which accept demand deposits. The amount of the offering is not specifically limited.

II. Description of Bonds

1. The bonds now offered will be an addition to and will form a part of the series of 2½ percent Treasury Bonds of 1962-67 issued pursuant to Department Circular No. 685, dated May 4, 1942, will be freely interchangeable therewith, and are identical in all respects therewith.

2. The bonds will be dated May 5, 1942, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on June 15 and December 15 in each year until the principal amount becomes payable, the first payment being made December 15, 1942. They will mature June 15, 1967, but may be redeemed at the option of the United States on and after June 15, 1962, in whole or in part, at par and accrued

interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

3. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

4. The bonds will not be acceptable to secure deposits of public moneys before May 5, 1952, they will not bear the circulation privilege, and they will not be entitled to any privilege of conversion.

5. Bonds registered as to principal and interest will be issued in denominations of $100, $500, $1,000, $5,000, $10,000 and $100,000. The bonds will not be issued in coupon form prior to May 5, 1952, but will be available in coupon form after that date, in the same denominations as, and freely interchangeable with, the registered bonds of this issue. Under rules and regulations prescribed by the Secretary of the Treasury, provision will be made for the transfer of the bonds, other than to commercial banks which accept demand deposits, and for exchanges of denominations. They will not be eligible for transfer to commercial banks which accept demand deposits before May 5, 1952. However, the bonds may be pledged as collateral for loans, including loans by commercial banks which accept demand deposits, but any such bank acquiring such bonds before May 5, 1952, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

6. Any bonds issued hereunder, or under the provisions of Department Circular No. 685, dated May 4, 1942, which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment [1]: *Provided*,

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at _____ _____ for credit on Federal estate taxes due from estate of _____ _____." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date; [2] bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,[3] properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than 6 months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

7. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and Allotment

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions and security dealers generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment

1. Payment at par and accrued interest from May 5, 1942, for bonds allotted hereunder must be made on August 3, 1942, or on later allotment. Accrued interest from May 5, 1942 to August 3, 1942, inclusive is $6.16293 per $1,000. Each day's accrued interest thereafter is $0.0683 per $1,000. Any qualified depositary will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

V. General Provisions

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 42-7521; Filed, August 3, 1942; 11:25 a. m.]

[1] An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

[2] The transfer books are closed from May 16 to June 15, and from November 16 to December 15 (both dates inclusive) in each year.

[3] Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1708-FD]

SHEBAN MINING COMPANY, CODE MEMBER

MEMORANDUM OPINION AND ORDER DENYING PETITION FOR RECONSIDERATION

A complaint, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been filed with the Bituminous Coal Division on June 11, 1941, by the Bituminous Coal Producers Board for District No. 4, alleging that Karam Sheban (Sheban Mining Company) a code member in District No. 4, had wilfully violated the provisions of the Bituminous Coal Code (the "Code") or rules and regulations thereunder, and praying that the Division either cancel and revoke Karam Sheban's code membership or, in its discretion, direct him to cease and desist from violation of the Code and the rules and regulations thereunder;

A hearing having been held before Examiner C. R. Larrabee at a hearing room of the Division in Youngstown, Ohio, on April 8, 1942, all interested persons being afforded an opportunity to be present thereat and participate fully therein, and code member having appeared and participated in said hearing;

The Examiner having made and entered his Report on June 10, 1942, in which it was found that code member had wilfully violated the provisions of sections 4 II (e) and 4 II (g) of the Act, the Code, and the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, and in which it was recommended that an order be entered cancelling and revoking his code membership;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs, and no such exceptions or briefs having been filed;

The undersigned, on June 17, 1942, having entered an Order approving and adopting the proposed findings of fact and conclusions of law of the Examiner and revoking and cancelling Karam Sheban's code membership and ordering him, prior to reinstatement to membership in the Code, to pay to the United States a tax in the amount of $3,505.08;

Code member, on July 28, 1942, having filed a petition for reconsideration of said order on the grounds that some of the provisions of the Act were unconstitutional, the character of code member's business was intrastate; the nature of code member's coal was not as was comprehended by the Act, and the undersigned's findings were not supported by the evidence; and

The undersigned having reviewed the record in this proceeding and having found that code member already has been afforded a full hearing in this matter, and that the questions of the constitutionality of the Act, the character of code member's business, and the nature of the coal produced by him have already been adequately considered, and that the findings of the undersigned herein on July 17, 1942, are amply supported by substantial evidence and comply with the requirements of the Act;

The undersigned therefore concludes that the order issued herein on July 17, 1942, is proper and should remain unchanged, and that the petition of code member for reconsideration of said order should be denied.

It is accordingly ordered, That the petition for reconsideration filed herein by Karam Sheban (Sheban Mining Company) on July 28, 1942, be and it hereby is in all respects denied.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7504; Filed, August 3, 1942; 11:26 a. m.]

[Order Supplementing Order Dated Nov. 15, 1940]

FARMERS UNION CENTRAL EXCHANGE, INC.

APPLICATION FOR REGISTRATION

In the matter of the application of the Farmers Union Central Exchange, Inc., South St. Paul, Minnesota, for registration as a bona fide and legitimate farmers' cooperative organization.

The Farmers Union Central Exchange, Incorporated, South St. Paul, Minnesota, having been granted registration as a bona fide and legitimate farmers' cooperative organization, by Order of the Director dated November 15, 1940, eligible to receive from code members appropriate discounts or price allowances that may be allowed to bona fide and legitimate farmers' cooperative organizations on coal it purchases in not less than carload or railroad carload lots for, or for resale to, only the bona fide and legitimate farmers' cooperative organizations set forth in "Exhibit A", which was made a part of the above-mentioned Order; and

The said registrant having submitted to the Division the names of twenty-five additional members which are duly certified by it to be bona fide and legitimate farmers' cooperative organizations;

It is therefore ordered, That the list attached to the above-mentioned Order dated November 15, 1940, and designated as "Exhibit A", be, and it is hereby amended to include therein the names of the farmers' cooperative organizations listed below:

Name	*Address*
Farmers Union Supply	Brandt, S. Dak.
Tri County Farmers Union Coop. Oil	Beresford, S. Dak.
Tri County Union Cooperative Oil	Oldham, S. Dak.
Nunda Cooperative Association	Nunda, S. Dak.
Farmers Cooperative Association	Hetland, S. Dak.
Kingsbury County Farmers Union	Lake Preston, S. Dak.
Farmers Union Local	Canastota, S. Dak.
Farmers Union Co-op. Association	Salem, S. Dak.
Farmers Cooperative Association of McLaughlin	McLaughlin, S. Dak.
Farmers Cooperative Association	Holland, Minn.
Virgil Cooperative Association	Virgil, S. Dak.
Stickney Cooperative Elevator Association	Stickney, S. Dak.
Farmers Cooperative Co.	Brookings, S. Dak.
Sully County Cooperative Association	Onida, S. Dak.
Orient Cooperative Association	Orient, S. Dak.
Farmers Elevator Co	Groton, S. Dak.
Farmers Elevator Co	Parkston, S. Dak.
Arlington Farmers Elevator Co	Arlington, S. Dak.
Farmers Cooperative Grain Co	Badger, S. Dak.
Farmers Elevator Co	Irwin, S. Dak.
Farmers Cooperative Association	Farmer, S. Dak.
Frederick Equity Exchange	Frederick, S. Dak.
Farmers Union Elevator Co	Platte, S. Dak.
Jerauld County Farmers Union	Wessington Springs, S. Dak.
Farmers Elevator Co	Vermillion, S. Dak.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7505; Filed, August 3, 1942; 11:26 a. m.]

[Docket No. B-219]

FREEBOOK CORPORATION, CODE MEMBER

ORDER GRANTING AMENDED APPLICATION FOR DISPOSITION HEREOF WITHOUT FORMAL HEARING

A complaint dated February 4, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on February 10, 1942, by the Bituminous Coal Producers Board for District No. 1, a District Board, (the "Complainant"), with the Bituminous Coal Division (the "Division"), alleging that Freebrook Corporation, a code member, (the "Code Member") which operated the Freebrook No. 7 Mine, Mine Index No. 664, located in Indiana County, Pennsylvania, in Subdistrict No. 11 of District No. 1, and the McWilliams Mine, Mine Index No. 583, located in Armstrong County, Pennsylvania, in Subdistrict No. 11 of District No. 1, wilfully violated the provisions of the Act, the Bituminous Coal Code (the "Code"), the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, as amended (the "Schedule"), for coals produced at said mines, and rules and regulations promulgated by the Division pursuant to the Act as more fully set forth in the complaint; and

The complaint and Notice of and Order for Hearing, dated February 21, 1942, having been duly served on the Code Member on February 27, 1942, and the hearing herein having been postponed by Order, dated May 2, 1942, to a date and place to be thereafter designated by an appropriate Order; and

An appliction of the Code Member for the disposition of this proceeding without formal hearing dated March 27, 1942, having been duly filed with the Division on March 30, 1942, and having been denied on April 10, 1942; and

An amended application of the Code Member for the disposition of this compliance proceeding without formal hearing, dated April 30, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division, having been duly filed with the Division on April 30, 1942; and

Notice of the filing of said amended application, dated June 1, 1942, having been published in the FEDERAL REGISTER on June 2, 1942, pursuant to said § 301.132 and a conformed copy thereof having been duly mailed to the Complainant herein; and

Said notice of filing having provided that interested parties desiring to do so might within fifteen days from the date of said notice file recommendations, or requests for informal conferences, with respect to said amended application, and it appearing that no such recommendations or requests have been filed with the Division within said fifteen day period; and

It appearing from said amended application that the Code Member admits that it wilfully violated the Act, the Code and Regulations thereunder and consents to the entry of orders herein as follows:

(1) Willfully violated section 4 Part II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the Marketing Rules and Regulations by selling during the period January 16, 1941 to February 28, 1941, both dates inclusive, 8,174.75 net tons of run of mine coal produced by it at its Freebrook No. 7 Mine and its McWilliams Mine, located in District No. 1, to Pittsburg & Shawmut Coal Company, Registered Distributor (the "Distributor"), Registration No. 7349, Kittanning, Pennsylvania, at prices less than the minima therefor established by the Division and by allowing to said Distributor, which physically handled such coal, excessive and unauthorized discounts thereon, upon the basis of which violations the Code Member consents to the entry of an order of revocation of its Code membership;

(2) Willfully violated section 4 Part II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the Marketing Rules and Regulations, by selling during the period November 25, 1940 to January 15, 1941, both dates inclusive, 10,576.25 net tons of run of mine coal, produced by it at its said Freebrook No. 7 Mine and its McWilliams Mine, to the said Distributor, at prices less than the minima therefor established by the Division and by allowing to the said Distributor, which physically handled such coal, excessive and unauthorized discounts thereon, upon the basis of which violations the Code Member consents to the entry of a cease and desist order;

(3) Willfully violated the Act, the Code and the Marketing Rules and Regulations by failing to file proper invoices during the period October 1, 1940 to February 28, 1941, with respect to the transactions referred to in said complaint, upon the basis of which violations the Code Member consents to the enry of a cease and desist order;

(4) Willfully violated Order No. 14, of the National Bituminous Coal Commission (the "Commission") dated July 15, 1937, and adopted as an order of the Division by the Secretary of the Interior on July 1, 1939, Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations by failing to sell the coal referred to in said complaint in accordance with the foregoing Order and the Marketing Rules and Regulations and by failing to file copies of contracts and spot orders with respect to such coal, upon the basis of which violations the Code Member consents to the entry of a cease and desist order;

(5) Willfully violated the Order of the Director entered in General Docket No. 19, dated October 9, 1940, which became effective on October 14, 1940, by selling to said Distributor, during the period November 25, 1940 to December 24, 1940, both dates inclusive, 2,457 tons of run of mine coal produced by it at its Freebrook No. 7 Mine at $1.50 per net ton f. o. b. said mine, whereas effective minimum prices, temporary or final, had not been established for such coal by the Division, upon the basis of which violations the Code Member consents to the entry of an order of revocation of its Code membership; and

It further appearing in said amended application that the Code Member represents that it has not to the best of its knowledge committed any violations of the Act, the Code or regulations thereunder, other than those violations admitted and more particularly described in said amended application; and

It further appearing in said amended application that the Code Member consents to the imposition under section 5 (b) of the Act of a tax in the amount of $8,500.08, and agrees to pay said tax to the United States as a condition precedent to the restoration of its membership in the Code; and

It further appearing in said amended application that the Code Member consents upon the basis of the foregoing admitted violations as set forth in said amended application, to the entry of a cease and desist order directing it to cease and desist from further violations of the Act, the Code and rules and regulations thereunder;

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act, authorizing it to adjust complaints of violations and to compose the differences of the parties thereto and upon the amended application of the Code Member, dated April 30, 1942, for disposition without formal hearing of the charges contained in the complaint herein which was filed with the Division on April 30, 1942, pursuant to said section 301.132 of the Rules of Practice and Procedure, and upon evidence in the possession of the Division,

It is hereby found that:

(A) Freebrook Corporation is a corporation organized and existing by virtue of the laws of the Commonwealth of Pennsylvania, with its principal place of business at Kittanning, Pennsylvania, and is engaged primarily in the business of mining and producing bituminous coal.

(B) Freebrook Corporation filed with the Division on November 24, 1940, its Code Acceptance, dated October 23, 1940. Said Code Acceptance became effective as of November 24, 1940. Freebrook Corporation has been since November 24, 1940, and is now a Code Member in District No. 1, operating the Freebrook No. 7 Mine, Mine Index No. 664, located in Indiana County, Pennsylvania, in Subdistrict No. 11 of District No. 1, and during the period of violations hereinafter described operated the McWilliams Mine, Mine Index No. 583, located in Armstrong County, Pennsylvania, in Subdistrict No. 11 of District No. 1.

(C) Freebrook Corporation wilfully violated the Act, the Code, and rules and regulations thereunder as follows:

(1) Freebrook Corporation willfully violated section 4 Part II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the Marketing Rules and Regulations by selling coal to said Distributor, at prices less than the minimum prices therefor established by the Division and by allowing to the said Distributor, which physically handled coal, excessive and unauthorized discounts in the form of commissions, deductions for reject coal, and amounts paid for railroad car stop-over, transfer and cleaning and sizing charges, which items represent the difference between the effective minimum prices for said coal of $2.05 per net ton f. o. b. the aforesaid mines for use as railroad locomotive fuel, as set forth in the Schedule and the prices of $1.50 and $1.65 per net ton received by Freebrook Corporation as follows:

(a) during the period January 16, 1941 to February 28, 1941, both dates inclusive, 3,178.90 net tons of run of mine coal, produced by the Freebrook Corporation, at its said Freebrook No. 7 Mine;

(b) during the period January 16, 1941 to February 28, 1941, both dates inclusive, 4,995.85 net tons of run of mine coal, produced by the Freebrook Corporation, at its said McWilliams Mine.

(2) Freebrook Corporation wilfully violated the Order of the Division entered in General Docket No. 19, dated October 9, 1940, effective October 14, 1940, by selling to the Distributor, during the period November 25, 1940 to December 24, 1940, both dates inclusive, 2,457 net tons of run of mine coal produced by Freebrook Corporation at its said Freebrook No. 7 Mine, at the price of $1.50 per net ton f. o. b. the mine, whereas effective, minimum prices, temporary or final, had not been established for such coal by the Division.

(D) Pursuant to the provisions of section 5 (b) of the Act, the membersship of Freebrook Corporation should be revoked with respect to the violations described in paragraph (C) above.

(E) The amount of tax imposed by section 5 (b) of the Act, with respect to the coal described in paragraph (C) hereof, amounting to 10,631.75 net tons, and required to be paid as a condition precedent to restoration of membership of Freebrook Corporation in the Code, is $8,500.08, which amount is 39 per cent of the aggregate of the effective minimum prices of such coal f. o. b. said mines of $21,805.09.

It is further found that:

(F) Freebrook Corporation wilfully violated section 4 Part II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the Marketing Rules and Regulations, by selling coal to the Distributor, at prices less than the minimum prices therefor established by the Division and by allowing to the Distributor, which physically handled coal, excessive and unauthorized discounts in the form of commissions, deductions for reject coal and amounts paid for railroad car stop-over, transfer and cleaning and sizing charges, which items represent the difference between the effective minimum prices for said coal of $2.05 per net ton f. o. b. the aforesaid mines for use as railroad locomotive fuel, as set forth in the Schedule, and the prices of $1.50 and $1.65 per net ton f. o. b. the said mines received by the said Freebrook Corporation as follows:

(1) During the period January 11, 1941, to January 15, 1941, both dates inclusive, 810.45 net tons of run of mine coal produced at its said Freebrook No. 7 Mine;

(2) During the period November 25, 1940, to January 15, 1941, both dates inclusive, 9,765.80 net tons of run of mine coal produced at its said McWilliams Mine.

(G) Freebrook Corporation wilfully violated Order No. 156 of the Commission dated December 18, 1937, and adopted as an Order of the Division by the Secretary of the Interior on July 1, 1939, and Order No. 313 of the Division dated February 24, 1941, by failing to file proper invoices with respect to the transactions described in paragraphs (C) and (F) above;

(H) Freebrook Corporation wilfully violated Order No. 14 of the Commission, dated July 15, 1937, and adopted as an Order of the Division by the Secretary of the Interior on July 1, 1939, Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations, by failing to sell the above-described coal in accordance with the said Order and Marketing Rules and Regulations and by failing to file copies of certain contracts and spot orders with respect to the transactions of the Code Member with the said Distributor, as required by the said order and the Marketing Rules and Regulations;

(I) Freebrook Corporation should be directed to cease and desist from violations described in paragraphs (C), (F), (G) and (H) above.

Now, therefore, on the basis of the above findings and the said admissions and the consent filed by Freebrook Corporation, pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That the aforesaid amended application of Freebrook Corporation be and the same hereby is granted; and

It is further ordered, That pursuant to section 5 (b) of the Act, the membership of Freebrook Corporation in the Code be and the same hereby is revoked and cancelled; and

It is further ordered, That such cancellation and revocation of code membership of Freebrook Corporation shall become effective fifteen (15) days from the date hereof; and

It is further ordered, That the hearing herein heretofore postponed by Order dated May 2, 1942, to a date and place to be thereafter designated by an appropriate order, be, and the same hereby is, cancelled; and

It is further ordered, That prior to restoration of Freebrook Corporation to membership in the Code, there shall be paid to the United States, a tax in the amount of $8,500.08 as provided in section 5 (c) of the Act; and

It is further ordered, That Freebrook Corporation, its representatives, servants, agents, officers, employees, attorneys, receivers, and successors or assigns and all persons acting or claiming to act on its behalf, or in its interest, cease and desist, and they hereby are permanently enjoined and restrained from violating the Bituminous Coal Act, the Bituminous Coal Code and the rules and regulations issued thereunder, and that the provisions hereof shall continue in full force and effect in respect to Freebrook Corporation, its representatives, servants, agents, officers, employees, attorneys, receivers, and successors or assigns, and all persons acting or claiming to act on its behalf or in its interest upon any restoration of Freebrook Corporation to membership in the Code pursuant to section 5 (c) of the Act.

It is further ordered, That the Division, upon failure of Freebrook Corporation to comply with this order, may apply to the Circuit Court of Appeals of the United States within any Circuit where Freebrook Corporation carries on business for the enforcement hereof or take other appropriate action.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7506; Filed, August 3, 1942; 11:26 a. m.]

[Docket No. B-282—District No. 6]

WEST VIRGINIA-PITTSBURGH COAL COMPANY, CODE MEMBER

ORDER INDEFINITELY POSTPONING HEARING

The above entitled matter having been heretofore scheduled for hearing on August 4, 1942, at 10 a. m. at a hearing room of Bituminous Coal Division at Room 518, Bulkley Building, Cleveland, Ohio; and

The Acting Director deeming it advisable that such hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is, postponed from August 4, 1942, to a date and at a place to be hereafter designated by an appropriate order.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7507; Filed, August 3, 1942; 11:26 a. m.]

[Docket No. B-293]

SHAWNEE MINING COMPANY, A CORPORATION CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 10, 1942, by Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by the Shawnee Mining Company, a corporation (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 25, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Post Office Building, Athens, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any persons or entity eligible under section 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be and guided accordingly.

Notice is also hereby given that any application, pursuant to section 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15)

days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Shawnee Mining Company, a corporation, whose address is Shawnee, Ohio, operating the No. 1 Mine, Mine Index No. 197, located in Perry County, Ohio, District No. 4, wilfully violated section 4 II (a) of the Act, Part II (a) of the Code, the Marketing Rules and Regulations, and various orders of the Division, as follows:

(1) By failing and refusing to file with the Statistical Bureau for District No. 4 for each month from and including July 1941, to and including June 1942, within 5 days after the end of each said month, reports of all sales made during each of said months of coal produced at its above-named mine and shipped by truck or wagon to various purchasers, and refusing to file with said Statistical Bureau during said period copies of truck tickets, sales slips, invoices, and listings of sales, thereby violating section III (b) of Order No. 307 dated December 11, 1940 and Order No. 309, dated January 14, 1941, and the provisions of the Act and Code pursuant to which said orders were promulgated.

(2) By failing and refusing, for each month from and including July 1941 to and including June 1942, to maintain and file with the Division certain records relating to the sale of coal produced at the above-named mine and shipped therefrom by rail; and failing and refusing, for each of said months to maintain and keep on file at its office copies of all loading records, shipping records, and daily billing sheets, and failing and refusing during said period, to file with the Division copies of debit and credit memoranda relating thereto, thereby violating Order No. 313, dated February 24, 1941, and the provisions of the Act and the Code pursuant to which said order was promulgated.

(3) By failing and refusing to file with the Statistical Bureau for District No. 4, for each month from and including July 1941 to and including June 1942, copies of spot orders for all sales of coal produced at its above-named mine during said period within 10 days from the dates of acceptance of said spot orders by the defendant; and failing and refusing, during said period, to file with said statistical bureau copies of contracts for the sale of coal produced at the above-named mine within 15 days from the dates of such contracts, thereby violating Order No. 14, dated July 15, 1937, Rule 3 of section V, and Rule 7 of section VI of the Marketing Rules and Regulations, and the provisions of the Act and the Code pursuant to which said order and the marketing rules and regulations were promulgated.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7508; Filed, August 3, 1942; 11:27 a. m.]

BERKSHIRE COAL & GRAIN CO., INC., ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Berkshire Coal & Grain Co., Inc., The Day Coal Company, National Coal & Coke Co., Puritan Ice Company, The J. H. Somers Coal Company, Weir City Coal Co. (John Veatch), and Whitaker Coal Co. (D. M. Whitaker).

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, it is so ordered.

Dated July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

EXHIBIT A

Registration No.	*Name and address*
0707	Berkshire Coal & Grain Co., Inc., North Adams, Mass.
2177	The Day Coal Company, 1630 Third Street, Sioux City, Iowa.
6760	National Coal & Coke Co., 9141 Monica Avenue, Detroit, Michigan.
7493	Puritan Ice Company, 205 Green Street, Muscatine, Iowa.
8545	The J. H. Somers Coal Company, 617 Cuyahoga Building, Cleveland, Ohio.
9546	Weir City Coal Co. (John Veatch), Weir, Kansas.
9657	Whitaker Coal Co. (D. M. Whitaker), Morristown, Tenn.

[F. R. Doc. 42-7509; Filed, August 3, 1942; 11:27 a. m.]

[Docket No. C-17]

PUBLIC SERVICE CO. OF INDIANA, INC.

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of Public Service Company of Indiana, Inc., for exemption pursuant to Section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of coal produced at the Edwardsport Mine of Public Service Company of Indiana, Inc., in District No. 11 having been filed on June 30, 1942 by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937;

It is ordered that a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 31, 1942 at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered that Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct such hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said applicant and to all other parties herein and to all persons and entities having an interest in these proceedings and eligible to become a party herein. Any person or entity eligible under section VII (i) of the Rules of Practice and Procedure before the Bituminous Coal Division may file a petition for intervention not later than fifteen (15) days after the date of the issuance of this Notice of and Order for Hearing.

Notice is hereby given that:

(1) Within fifteen (15) days from the date of the issuance of this Notice of and Order for Hearing, the applicant and each interested party shall file with the Division a concise statement in writing of the facts expected to be proved by such person at the hearing. Interested parties shall also file a written intervention in compliance with Rule VIII of the aforesaid Rules of Practice and Procedure. The statements of facts shall be considered as pleadings and not as evidence of the facts therein stated. The affirmative evidence offered by a party at the hearing shall be limited to the said statement of facts filed by such party.

(2) If no written statement of the facts expected to be proved at the hearing is filed by the applicant within the 15-day period, in the absence of extenuating circumstances, the application shall be deemed to have been withdrawn on the expiration of said period in accordance with the provisions of Rule VII (g) of the aforesaid Rules of Practice and Procedure.

(3) If the applicant does not appear and offer evidence in support of its statement of facts, in the absence of extenuating circumstances the application shall be deemed to have been withdrawn in accordance with the provisions of section VII (g) of the aforesaid Rules of Practice and Procedure.

(4) The burden of proof in this proceeding shall be on the applicant.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the application, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief if any granted on the basis of this application.

The matter concerned herewith is in regard to the application of Public Service Company of Indiana, Inc., for a determination of the status of coal produced at its Edwardsport Mine in District No. 11. The said application alleges that such coal is exempt from section 4 of the Act because it is coal produced, transported and consumed by the applicant within the meaning of section 4 II (1) of the Bituminous Coal Act of 1937. The application further alleges that transactions in the coal produced at the said mine are in intrastate commerce and do not, as between persons and localities in such commerce on the one hand and interstate commerce in coal on the other hand, result in any undue, unreasonable or unjust discrimination against interstate commerce in coal or in any manner directly affect interstate commerce in coal, pursuant to section 4-A of the Act.

Dated July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7510; Filed, August 3, 1942; 11:27 a. m.]

[Docket Nos. A-1508 and A-1504, Part II]

PETITIONS OF BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT 4

ORDER POSTPONING HEARINGS

In the matter of the petition of Bituminous Coal Producers Board for District No. 4 for classification and pricing of gob pile or reject coal for both rail and truck shipment, Docket No. A-1508.

In the matter of the petition of Bituminous Coal Producers Board for District No. 4 for the establishment of a price instruction to be added to the schedule of effective minimum prices for District No. 4 for all shipments except truck which would permit coals passing through a preparation plant not constituting a part of the facilities of the mine at which said coals were produced to take the same prices for the various kinds, qualities, and sizes of coal as if said preparation plant were located at the mine where said coal was actually produced, Docket No. A-1504, Part II.

Hearings in Dockets Nos. A-1508 and A-1504, Part II having been scheduled to be held on August 5 and 7, 1942, respectively, at a hearing room of the Division in Washington, D. C.; and

Applications for Continuance having been filed on July 28, 1942, with the Bituminous Coal Division by the petitioner in these matters requesting postponement until after September 15, 1942, in order that petitioner might secure necessary evidence to obtain the relief sought; and

It appearing advisable to postpone such hearings to later dates in order that the petitioner be adequately prepared in the presentation of the necessary evidence in these matters;

Now, therefore, it is ordered, That the hearings in the above-entitled matters be, and they hereby are, postponed until October 5, 1942, at which time the hearing in Docket No. A-1508 will commence and at its conclusion Docket No. A-1504, Part II will be heard.

It is further ordered, That the time within which petitions of intervention may be filed in these matters be and it hereby is extended to October 1, 1942.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearings in these matters.

In all other respects, the Notices of and Orders for Hearing entered in these matters shall remain in full force and effect.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7511; Filed, August 3, 1942; 11:28 a. m.]

[No. 41]

APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	*Date application filed*
G. A. Atchley (Cumberland Coal Co.), 302 Idaho St., Knoxville, Tenn	July 23, 1942
Cherokee Coal & Coke Co. (S. H. Stegall), 201 Cherokee Bldg., Knoxville, Tenn	July 20, 1942
Douglass & Murray Fuel Co., 10 North 21st St., Birmingham, Ala	July 16, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before August 31, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street, NW., Washington, D.C.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F.R. Doc. 42-7512; Filed, August 3, 1942; 11:27 a. m.]

General Land Office.

NEW MEXICO

STOCK DRIVEWAY WITHDRAWALS NOS. 9 AND 81, NOS. 3 AND 12, REDUCED

The departmental orders of February 28, 1918, April 29, 1919, and May 19, 1925, withdrawing certain lands in New Mexico for stock driveway purposes under section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, are hereby revoked so far as they affect the following-described lands, which are within New Mexico Grazing Districts Nos. 1 and 2:

NEW MEXICO PRINCIPAL MERIDIAN

T. 19 N., R. 1 W.,
Sec. 5,
Sec. 8, NE¼;
T. 20 N., R. 1 W.,
Sec. 8, SE¼,
Sec. 9, SW¼,
Sec. 17, E½ and E½W½,
Sec. 20, NE¼, E½NW¼, lots 2, 3, and 6,
Sec. 29, lots 1, 3, 4, 5, and SE¼SW¼ (now lots 1, 6, 8, 9, and 10, and that part of claim No. 4308 Tr. 1 in W½), and E½NE¼ and SW¼NE¼,
Sec. 30, lot 8 (now a part of claim No. 4308 Tr. 1);
T. 24 N., R. 3 W., sec. 6;
T. 25 N., R. 3 W.,
Sec. 19,
Sec. 20, W½,
Sec. 29, NW¼,
Secs. 30 and 31;
T. 1 N., R. 13 W.,
Sec. 13, S½S½,
Sec. 14, S½N½ and S½,
Sec. 15, S½N½ and S½,
Sec. 17, S½,
Sec. 18,
Sec. 20, NE¼NE¼,
Sec. 21, N½N½,
Sec. 22, NW¼NE¼, and N½NW¼,
Sec. 23, N½NE¼ and NE¼NW¼;
T. 1 N., R. 14 W.,
Secs. 3, 7, 8, 9, 10, 11, 13, 14, and 15,
Sec. 17, NE¼NE¼, S½NE¼, S½NW¼, and S½,
Sec. 18, NW¼NE¼, S½NE¼, NW¼, and S½;
T. 2 N., R. 14 W.,
Sec. 4, W½W½,
Sec. 9, NW¼ and S½,
Sec. 10, S½,
Secs. 15, 22, 27, and 34;
T. 3 N., R. 14 W., Sec. 33, W½W½;
T. 1 N., R. 15 W.,
Sec. 9, S½NE¼, SE¼NW¼, and S½,
Sec. 10, SW¼NW¼ and S½,
Sec. 11, NE¼ and S½,
Secs. 12 and 13,
Sec. 14, NE¼SW¼, S½SW¼, and SE¼,
Sec. 15, N½;
aggregating 21,271.44 acres.

July 22, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 42-7490; Filed August 3, 1942; 11:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5

F.R. 2862) to the employers listed below effective August 3, 1942.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunites for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Bert Manufacturing Company, Irvington-on-Hudson, New York; Manufacturer of five-year diaries; 15 learners; 6 weeks (240 hours) for any one learner; 30 cents per hour; All productive operations involved in making diaries, except helpers, floor hands, and clean-up laborers; September 28, 1942.

North American Die Works, 10 Washington Place, New York, New York; Souvenir Keys & Compacts; 6 learners; 4 weeks (160 hours) for any one learner; 30 cents per hour; Foot Press Operator; September 12, 1942.

Schwartz Basket and Box Company, South Third Street, Louisiana, Missouri; Fruit and Vegetable Baskets; 12 learners; 240 hours for any one learner; 30 cents per hour; Flat layer, Basket machine operator, Sorter; November 9, 1942.

Signed at New York, N. Y., this 1st day of August 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7522; Filed, August 3, 1942; 11:36 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective August 3, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Berkshire Neckwear Company, 25 Foster Street, Worcester, Massachusetts; Neckwear; 5 learners (T); August 3, 1943.

Fox Knapp Manufacturing Company, West Laurel Street, Tremont, Pennsylvania; Men's & Boys' Jackets & Sportswear & Army Mackinaws; 5 percent (T); August 3, 1043.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Best Value Pants Mfg. Co., Inc., 68 Mechanic Street, Norwich, Connecticut; Pants; 10 learners (T); August 3, 1943. (This certificate replaces the one issued to you bearing the expiration date of April 6, 1943.)

Bright Infants Wear, Inc., 5731 Hudson Boulevard, North Bergen, New Jersey; Infants' buntings, robe sets, blankets, christening sets, coat and hat sets, etc.; 5 learners (T); August 3, 1943.

Dixie Dress Mfg. Co., Inc., 116 Mitchell Street SW., Atlanta, Georgia; Ladies' dresses & Sportswear; 5 learners (T); August 3, 1943.

Fishback Manufacturing Company, 1731 Arapahoe Street, Denver, Colorado; Overalls, overall pants, coveralls, Gov't jackets, Herringbone twill; 10 learners (T); August 3, 1943. (This certificate replaces the one bearing the expiration date of October 2, 1942.)

G. & L. Manufacturing Company, Inc., 109 Kingston Street, Boston, Massachusetts; Cotton & Rayon Dresses; 10 percent (T); August 3, 1943.

Gordon Bros. Mfg. Co., Inc., 120 Harrison Avenue, Boston, Massachusetts; Children's Sportswear; 10 percent (T); August 3, 1943.

F. B. Horgan Manufacturing Co., 1240 South Main Street, Los Angeles, Calif.; Women's Blouses & Sportswear; 5 learners (T); August 3, 1943.

Hillsdale Manufacturing Company, Hillsdale, Michigan; Army leggings, Civilian Pants, Army Pants; 10 percent (T); August 3, 1943.

Meena Negligee Company, 1024 Santee Street, Los Angeles, California; Women's Robes and Sportswear; 3 learners (T); August 3, 1943.

Mt. Airy Pants Company, Mt. Airy, Maryland; Cotton Work Pants; 10 percent (T); August 3, 1943.

Nannette Manufacturing Compahy, 2052 Wheatsheaf Lane, Philadelphia, Pennsylvania; Children's Dresses ages 6 mos. to 3 yrs.; 10 percent (T); August 3, 1943.

Opotowsky Bros., Inc., 512 Canal Street, New Orleans, Louisiana; Ladies' & Children's Lingerie; 6 learners (T); August 3, 1943.

Piedmont Shirt Company, 2202 North Howard Avenue, Tampa, Florida; Sport Shirts, Men's Slacks; 10 percent (T); August 3, 1943.

Premier Leather Specialties, Inc., 730 Arch Street, Philadelphia, Pennsylvania; Leather Jackets; 3 learners (T); August 3, 1943.

C. F. Smith Company, 126-132 West Los Feliz Boulevard, Glendale, California; Men's Sport Shirts; 10 percent (T); August 3, 1943.

Snow White Garment Mfg. Co., 2880 North 30th Street, Milwaukee, Wisconsin; Hospital Garments & Nurses Uniforms; 5 learners (T); August 3, 1943.

The Stuart-Keith Manufacturing Co., 123-33 Pine Street, Petersburg, Virginia; Trousers, Summer Service Marine Corps; 15 learners (T); August 3, 1943.

Texas Infants Dress Company, Inc., 1202 West Houston Street, San Antonio, Texas; Children's Dresses & Sportswear; 3 learners (T); December 18, 1942.

Trenton Waist & Dress Co., 1 Bruenig Avenue, Trenton, New Jersey; Ladies' Blouses; 4 learners (T); August 3, 1943.

Glove Industry

Brookville Glove Company, Brookville, Pennsylvania; Work Gloves; 2 learners (T); November 3, 1942.

Garon's Knitting Mills, 101 N. 30th Avenue West, Duluth, Minnesota; Wool Gloves; 2 learners (T); August 3, 1943.

Morris Manufacturing Company, Main Street, Newbern, Tennessee; Work Gloves; 5 learners (T); August 3, 1943.

Wells Lamont Smith Corporation, 217 East Main Street, Beardstown, Illinois; Work Gloves; 15 learners (T); February 3, 1943.

Hosiery Industry

Argus Hosiery Mills, Sevierville, Tennessee; Full-fashioned; 5 learners (T); August 3, 1943.

Boone Hosiery Mill, 815 South Hamilton Street, High Point, North Carolina; Seamless Hosiery; 5 learners (T); August 3, 1943.

Commonwealth Hosiery Mills, Ellerbe, North Carolina; Seamless Hosiery; 5 learners (T); August 3, 1943.

Foster Hosiery Mill, 600 Cameron Street, Burlington, North Carolina; Full fashioned Hosiery; 5 percent (T); August 3, 1943.

Grantville Mills, Grantville, Georgia; Seamless Hosiery; 5 percent (T); August 3, 1943.

Hazel Knitting Mill, 602 Cameron Street, Burlington, North Carolina; Full-fashioned Hosiery; 5 learners (T); August 3, 1943.

Pennwood Hosiery Company, 116 N. 7th Street Philadelphia Pennsylvania; Full-fashioned Hosiery & Mattress Covers; 5 learners (T); August 3 1943.

Pocono Hosiery Mills 49 Prospect Street, E. Stroudsburg, Pennsylvania; Seamless Hosiery; 2 learners (T); August 3, 1943.

Reading Full Fashioned Hosiery Mills, Inc., 1801 North 12th Street, Reading, Pennsylvania; Full-fashioned Hosiery; 3 learners (T); August 3, 1943.

Seagrove Hosiery Mills, Seagrove, North Carolina; Seamless Hosiery; 5 learners (T); August 3, 1943.

Walton Hosiery Mills, Inc., Fourth & Wise Streets, Statesville, North Carolina; Seamless Hosiery; 5 learners (T); August 3, 1943.

Independent Telephone

Farmers Telephone Company, Milan, Missouri; to employ learners as commercial switchboard operators at its Milan, Missouri Exchange, Milan, Missouri, until August 3, 1943.

Knitted Wear

The Langley Knitting Div. of the United Rayon Mills, Langley, South Carolina; Warped Knitted Cloth; 5 learners (T); July 27, 1943. (Correcting name of Langley Ktg. Mills, listed in F.R. of July 27, 1942.)

Little Falls Manufacturing Co., 515 East Mill Street, Little Falls, New York; Knitted Underwear; 10 percent (T); August 3, 1943.

Millinery Industry

Carene Hat Company, Inc., 501 Madison Ave., New York, New York; Custom-Made Millinery; 1 learner (T); August 3, 1943.

Ideal Hat & Novelty Company, 767 Market St., San Francisco, California; Custom-made Millinery; 2 learners (T); August 3, 1943.

Textile Industry

Burke Hosiery Mills, 1017 Filbert Street, Philadelphia, Pennsylvania; Winding & Ravelling of Waste Thread; 3 learners (T); August 3, 1943.

Georgia Webbing & Tape Company, 1340 11th Avenue, Columbus, Georgia; Narrow Woven Fabrics; 10 learners (E); December 3, 1942.

Manville Jenckes Corporation, Manville, Rhode Island; Mfg. of yarn & Weaving same; 3 percent (T); August 3, 1943.

Trinacria Importing Company, 80 Madison Avenue, New York; Bedspreads; 3 learners (T); August 3, 1943.

Cigar Industry

H. N. Heusner & Son, Inc., 228-30 High St., Hanover, Pennsylvania; 10 percent (T); Cigar Machine Operator, Stripping Machine Operator, 320 hours and 160 hours at 75% applicable minimum wage; August 3, 1943.

Signed at New York, N. Y., this 1st day of August 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7523; Filed, Aug. 3, 1942; 11:36 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6273]

EDDIE ERLBACHER (KMP)

ORDER DENYING PETITION, ETC.

In re application of Eddie Erlbacher (KMP), Cape Girardeau, Missouri, for construction permit.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 28th day of July 1942;

The Commission, having under consideration a petition to reconsider the application as amended and grant without a hearing, said application being set for hearing August 3, 1942;

It is ordered, This 28th day of July, 1942 that the petition be, and the same is hereby, denied.

It is further ordered, That the issues upon which the application is to be heard be amended by adding the following:

"To determine whether or not the facilities to be constructed or changed will serve either (1) an essential military need or (2) a vital public need, which cannot otherwise be met."

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7485; Filed, August 3, 1942; 9:52 a. m.]

[Docket No. 6291]

W. A. PATTERSON (WAPO)

ORDER DENYING PETITION, ETC.

In re application of W. A. Patterson (WAPO), Chattanooga, Tennessee, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 28th day of July, 1942;

The Commission having under consideration the petition of W. A. Patterson for a grant of the above-described application, and being fully informed in the premises;

It is ordered, That the petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine the interference which would be caused to the service of Station CMBQ, Havana, Cuba, and CKOC, Hamilton, Ontario, by the proposed operation.

2. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement.

3. To determine whether the grant of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

4. To determine whether in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7486; Filed, August 3, 1942; 9:52 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4792]

BRITT-MCKINNEY CO., AND BRITT & CO.

COMPLAINT AND NOTICE OF HEARING

In the matter of Joe H. Britt, and S. J. McKinney, partners, doing business as Britt-McKinney Company, and Britt & Company.

Complaint

The Federal Trade Commission, having reason to believe that the parties respondents named in the caption hereof and hereinafter more particularly designated and described since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U. S. C. Title 15, Sec. 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE. Respondents Joe H. Britt and S. J. McKinney are partners doing business under the name and style of Britt-McKinney Company, having their principal office and place of business located at 301 West Washington Street, Greenville, South Carolina, and having a branch office and warehouse operated under the name and style of Britt & Company located in the Piedmont and Northern Building, Spartanburg, South Carolina.

PAR. TWO. The respondents are now and for many years prior hereto have been engaged in business as brokers of canned foods and fruits and other miscellaneous merchandise.

PAR. THREE. The respondents are now and for many years prior hereto have also

been engaged in business as jobbers, buying and selling for their own account, canned foods and fruits, and other miscellaneous merchandise. This business has also been carried on under the firm name and style of Britt-McKinney Company and Britt & Company.

PAR. FOUR. The respondents since June 19, 1936, have made many purchases of canned foods and fruits and other miscellaneous merchandise for their own account for resale from sellers located in states other than the State of South Carolina, pursuant to which purchases such commodities have been shipped and transported by the respective sellers thereof from the states in which they are located across state lines either to the respondents or pursuant to respondents' instructions to purchasers to whom such commodities have been resold by said respondents.

PAR. FIVE. In the course and conduct of their business of buying canned foods and fruits and other miscellaneous merchandise for their own account in commerce as aforesaid, the respondents, trading under the firm name and style of Britt-McKinney Company and Britt & Company, have been and are now receiving and accepting from numerous sellers of canned foods and fruits and other miscellaneous merchandise so purchased, brokerage fees or allowances or discounts in lieu thereof, on purchases of said commodities for their own account.

PAR. SIX. The aforesaid acts of the respondents constitute a violation of subsection (c) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936.

Wherefore, the premises considered, the Federal Trade Commission on this 31st day of July, A. D., 1942, issues its complaint against said respondents.

Notice

Notice is hereby given you, Joe H. Britt and S. J. McKinney, partners, doing business as Britt-McKinney Company and Britt & Company, respondents herein, that the 4th day of September, A. D., 1942, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 31st day of July, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7468; Filed, August 1, 1942; 11:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-46, 4-36]

CITIES SERVICE COMPANY, ET AL.

ORDER SUSPENDING EXEMPTIVE RULES, GRANTING HEARING WITH RESPECT THERETO, AND CONSOLIDATING PROCEEDINGS

In the matter of Cities Service Company, Empire Gas and Fuel Company, Cities Service Gas Company, Cities Service Oil Company (Delaware), and Indian Territory Illuminating Oil Company, respondents, File No. 59-46, and Cities Service Company, and Empire Gas and Fuel Company, respondents, File No. 4-36. Public Utility Holding Company Act of 1935 sections 11 (b) (2), 12 (c), 12 (f), and 15 (f) and Rule U-100 (b).

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of July, A. D. 1942.

Petitions having been filed by certain public holders of common stock of Indian Territory Illuminating Oil Company under Rule U-100 (b) of the General Rules and Regulations under the Public Utility Holding Company Act of 1935, requesting the Commission to hold hearings to determine whether the Commission should suspend the application of such rules as provide an exemption from the Act with respect to a pending plan of liquidation of Indian Territory Illuminating Oil Company and to consolidate such hearings with hearings heretofore instituted by the Commission on July 3, 1941 and May 4, 1942, with respect to the respondents named herein, and pending final determination of such questions, having requested that the Commission temporarily suspend such rules and regulations as may be applicable thereto;

Argument having been heard and the Commission being fully advised and finding it necessary and appropriate in the public interest and for the protection of investors, as more fully set forth in the opinion of the Commission herein, this day issued;

It is ordered, That a hearing be held to determine whether the said exemptive rules should be suspended; and

It is further ordered, That such hearings be consolidated with the pending proceedings with respect to the respondents herein and that any evidence heretofore, or hereafter introduced in the pending hearings and made part of the record thereof which shall be pertinent to the determination of any question involved in the hearing presently ordered, shall be made part of the record for the determination of such issues as shall arise relating to the suspension of exemptions; and

It is further ordered, That pending final determination upon such suspension all rules of the Commission which provide an exemption with respect to the pending plan of liquidation of Indian Territory Illuminating Oil Company shall be, and the same hereby are, suspended:

Provided, however, That in the consolidated proceedings herein provided for, all evidence with respect to the pending plan of recapitalization of the respondent Empire Gas and Fuel Company shall be heard prior to the consideration of matters respecting the suspensions of exemptions as to which hearings are herein provided; and

Provided, further, That the Commission reserves the right to pass upon the pending recapitalization plan of the respondent Empire Gas and Fuel Company prior to termination of the consolidated proceedings herein, now and heretofore ordered.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7491; Filed, August 3, 1942; 11:11 a. m.]

[File No. 70-455]

NORTHEASTERN WATER AND ELECTRIC CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of July, A. D. 1942.

In the matter of Northeastern Water and Electric Corporation, Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, Applicants-declarants.

Northeastern Water and Electric Corporation, a registered holding company, and Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, also a registered holding company, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10, 12 (d) and 12 (f) thereof, and Rules U-9, U-43, and U-44 of the General Rules and Regulations thereunder, with respect to the following transactions:

(1) The sale by Northeastern Water and Electric Corporation and the acquisition by the Trustees of Associated Gas and Electric Corporation of all of the securities of General Utilities Company, The Ohio Northern Public Service Company, Western Reserve Power and Light Company, and New London Power Company, all incorporated under the laws of, and operating in, the state of Ohio, such securities to be acquired for a consideration of $1,500,000.

(2) The sale by the Trustees of Associated Gas and Electric Corporation of 155,747 shares of the common stock of Northeastern Water and Electric Corporation, to John H. Ware, Jr. and Penn-Jersey Water Company.

The Commission having previously entered its order herein on March 3, 1942, which order permitted the declarations to become effective and granted the applications herein, and which order approved a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 and directed the taking of steps to carry out such plan; and

The Commission having entered a supplemental order herein on March 19, 1942, approving said plan and directing Northeastern Water and Electric Corporatioh to sell to Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation on or before July 1, 1942, and directing said Trustees to acquire from said Northeastern Water and Electric Corporation on or before July 1, 1942, all of the securities of General Utilities Company, The Ohio Northern Public Service Company, and Western Reserve Power and Light Company (the last mentioned company in turn owning all of the securities of New London Power Company), all of said four last named companies being incorporated under the laws of, and operating in, the State of Ohio; and

The Commission having entered an order herein on June 24, 1942, modifying the orders of March 3, 1942, and March 19, 1942, to the extent necessary to extend the time within which such transactions may be consummated to August 1, 1942; and

Applicants-declarants having requested a further extension of time within which to comply with the said orders of the Commission to September 30, 1942, and it appearang appropriate to the Commission that such request be granted;

It is ordered, That the said orders of March 3, 1942, and March 19, 1942, are hereby modified to the extent necessary to extend the time within which such transactions may be consummated to September 30, 1942, and that Northeastern Water and Electric Corporation and Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, be and hereby are directed on or before September 30, 1942 to carry out the sale and acquisition specified in the said order dated March 19, 1942.

It is further ordered, That nothing herein contained shall modify or affect any provisions of the Commission's orders of March 3, 1942 and March 19, 1942, not within the subject matter of this order.

By the Commission.

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7492; Filed, August 3, 1942; 11:11 a. m.]

[File No. 54-50, 59-39, 59-10]

NORTH AMERICAN LIGHT & POWER CO., ET AL.

MEMORANDUM FINDINGS, OPINION AND ORDER APPROVING APPLICATIONS NO. 3 AND NO. 4

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of July, A. D. 1942.

In the matter of North American Light & Power Company, File No. 54-50, North American Light & Power Company Holding-Company System and The North American Company, File No. 59-39, The North American Company, *et al.*, File No. 59-10.

Pursuant to our order of December 30, 1941 in the matter entitled *North American Light & Power Company Holding-Company System, and The North American Company*, (Holding Company Act Release No. 3233), requiring the liquidation of North American Light & Power Company (Light & Power) and the termination of its existence, Light & Power, a registered holding company, and its wholly owned subsidiary, McPherson Oil & Gas Development Company (McPherson), a non-utility company engaged in the production of natural gas, and Kansas Power and Light Company (Kansas), a public utility company and a subsidiary of Light & Power, have jointly filed Application No. 3 and an amendment thereto, under sections 10, 11 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder. Said filing requests our approval of (a) the sale by McPherson to Kansas of all of its property, except cash, for a cash consideration of $38,394.83 less depletion on account of natural gas sold after March 31, 1942 to the date of transfer of said property at the rate of 3½ cents per Mcf, (b) the transfer to Light & Power of all the assets of McPherson after consummation of said sale, and (c) the dissolution of McPherson. In the past all of the natural gas produced by McPherson has been sold to Kansas and the properties of the former are located in the service area of, and are operated by, the latter company.

Light & Power and Kansas have also jointly filed Application No. 4 and an amendment thereto, under sections 10, 11 and 12 of said Act and Rules U-42 and U-43 thereunder, requesting our approval of the sale by Light & Power to Kansas of 1,250 shares, or 50% of the outstanding, no par capital stock (stated value $68 per share) of The Blue River Power Company (Blue River) for a cash consideration of $30,500. All the shares of Blue River not owned by Light & Power are owned by a nonaffiliated interest. Blue River is an electric utility company owning hydro electric generating facilities located in the area served by Kansas, and the latter purchases Blue River's entire output of electrical energy.

A public hearing has been held on said Applications after appropriate notice. Having examined the record, we find:

(1) With respect to Application No. 3 that no adverse findings are necessary under section 10 (b) (1), 10 (c) (1) and 12 (f) of said Act and Rule U-42 thereunder;

(2) With respect to Application No. 4 that no adverse findings are necessary under sections 12 (d) and 12 (f) of the Act, Rules U-43 and U-44 thereunder, or under section 10 (b) and 10 (c) (1) of said Act and that the transaction therein proposed has the tendency required by section 10 (c) (2) of said Act; and

(3) The transactions proposed in both Applications are necessary to effectuate the provisions of section 11 (b) of said Act and our order of December 30, 1941 and are fair and equitable to the persons affected thereby.

It is therefore ordered, That the transaction proposed in Application No. 3, as amended, be, and it hereby is, approved as submitted, subject, however, to the provisions of Rule U-24.

It is further ordered, That the transaction proposed in Application No. 4, as amended, be, and it hereby is, approved as submitted, subject, however, to the provisions of Rule U-24.

It is further ordered, That North American Light & Power Company be, and it hereby is, directed to carry out with due diligence and expedition the transactions proposed in Applications No. 3 and No. 4, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7493; Filed, August 3, 1942; 11:11 a. m.]

[File No. 70-567]

MILWAUKEE LIGHT, HEAT & TRACTION COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of July, A. D., 1942.

Milwaukee Light, Heat & Traction Company, a non-utility subsidiary of The North American Company, a registered holding company, having filed an application pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 thereof, regarding the purchase by Milwaukee Light, Heat & Traction Company from three individuals who are officers and directors of Hevi Duty Electric Company, a non-utility subsidiary of Milwaukee Light, Heat & Traction Company of 555 shares of common capital stock, no par value, at a price of 10 cents per share; and

Said application having been filed on June 24, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application under section 10 of said Act that no adverse findings are necessary under sections 10 (b), 10 (c) (1) and 10 (f);

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be and hereby is granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7494; Filed, August 3, 1942; 11:12 a. m.]

AUG 6 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 153

Washington, Wednesday, August 5, 1942

The President

EXECUTIVE ORDER 9209

REGULATIONS GOVERNING THE PAYMENT OF ADDITIONAL COMPENSATION TO ENLISTED MEN OF THE MARINE CORPS SPECIALLY QUALIFIED IN THE USE OF ARMS

By virtue of and pursuant to the authority vested in me by section 16 of the Pay Readjustment Act of 1942, approved June 16, 1942 (Public Law 607—77th Congress), it is hereby ordered as follows:

Enlisted men of the Marine Corps while serving on board ship shall receive the same additional compensation for special qualifications in the use of ships' guns as is now or may hereafter be prescribed for enlisted men of the Navy.

Enlisted men of the Marine Corps wheresoever stationed who have established their special qualifications in the use of the arm or arms which they may be required to use, shall receive additional compensation, under such regulations and conditions and for such periods of time as are now or may hereafter be prescribed by the Secretary of the Navy, as follows:

First class	$5.00 per month
Second class	4.00 per month
Third class	3.00 per month
Fourth class	2.00 per month
Fifth class	1.00 per month

The total compensation payable to any enlisted man under this order shall not exceed $5.00 per month.

Executive Orders No. 3705-A of July 1, 1922, and No. 5866 of June 28, 1932, prescribing regulations governing the payment of additional compensation to enlisted men of the Marine Corps specially qualified in the use of ships' guns and of arms, are hereby superseded.

This order shall take effect as of June 1, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 1, 1942.

[F. R. Doc. 42-7539; Filed, August 3, 1942; 3:24 p. m.]

EXECUTIVE ORDER 9210

REGULATIONS GOVERNING THE PAYMENT OF ADDITIONAL COMPENSATION TO ENLISTED MEN OF THE NAVY AND COAST GUARD SPECIALLY QUALIFIED IN THE USE OF ARMS

By virtue of and pursuant to the authority vested in me by section 16 of the Pay Readjustment Act of 1942, approved June 16, 1942 (Public Law No. 607—77th Congress), it is hereby ordered that enlisted men of the Navy and Coast Guard who have established their special qualifications in the use of the arm or arms which they may be required to use, according to standards of efficiency that may be prescribed from time to time by the Secretary of the Navy, and who are so stationed by their commanding officers that they may be required to use such arm or arms, including periods while transferred for temporary duty away from the ship to which permanently attached (provided the commanding officer of the ship to which they are permanently attached has retained them in the battle stations where they normally use such arm or arms), shall receive additional compensation, under such regulations and conditions and for such periods of time as are now or may hereafter be prescribed by the Secretary of the Navy, as follows:

First Class	$5.00 per month
Second Class	4.00 per month
Third Class	3.00 per month
Fourth Class	2.00 per month
Fifth Class	1.00 per month

Executive Order No. 8040 of January 25, 1939,[1] prescribing regulations governing the payment of additional compensation to enlisted men of the Navy specially qualified in the use of arms, is hereby superseded.

This order shall take effect as of June 1, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 1, 1942.

[F. R. Doc. 42-7541; Filed, August 3, 1942; 3:24 p. m.]

[1] 4 F.R. 498.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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EXECUTIVE ORDER 9211

AUTHORIZING THE DIVISION OF CENTRAL ADMINISTRATIVE SERVICES IN THE OFFICE FOR EMERGENCY MANAGEMENT, EXECUTIVE OFFICE OF THE PRESIDENT, TO ACQUIRE AND DISPOSE OF PROPERTY

By virtue of and pursuant to the authority vested in me by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (Public Law 507, 77th Congress), the Division of Central Administrative Services in the Office for Emergency Management, Executive Office of the President, is hereby authorized to exercise the authority contained in the said Title II of the Second War Powers Act, 1942, to acquire, use, or dispose of any leasehold in real property, together with any personal property located thereon, or used therewith, that the Division of Central Administrative Services, with the approval of the Liaison Officer for Emergency Management, shall deem necessary for war purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 1, 1942.

[F. R. Doc. 42–7538; Filed, August 3, 1942; 3:24 p. m.]

EXECUTIVE ORDER 9212

TRANSPORTATION TO THE UNITED STATES OF CERTAIN EMPLOYEES TERMINATING SERVICE WITH THE PANAMA CANAL OR THE PANAMA RAILROAD COMPANY ON THE ISTHMUS OF PANAMA

By virtue of and pursuant to the authority vested in me by section 81 of title 2 of the Canal Zone Code, as amended by section 3 of the act of July 9, 1937, 50 Stat. 487, it is hereby ordered as follows:

1. Notwithstanding the provisions of section 15 of Executive Order No. 1888 of February 2, 1914, as amended by Executive Order No. 8215 of July 25, 1939,[1] relating to the granting of free transportation to the United States of certain employees of The Panama Canal or the Panama Railroad Company on the Isthmus of Panama upon termination of their service, and without regard to the means of transportation by which such employees were conveyed to the Isthmus, the Governor of The Panama Canal is hereby authorized to furnish free transportation for any employee to which the said section 15 is applicable to a port or airport of the United States, such port or airport and the necessary carrier to be selected, in the Government's interest, by the Governor or by his authority: *Provided, however*, that transportation may be furnished to a port or airport of the United States, or by a carrier, other than that selected by the Governor or by his authority upon the condition that any cost thereof in excess of the cost of transportation to the port or airport, or by the carrier, selected by the Governor or by his authority shall be paid by the employee.

2. The Governor of The Panama Canal is authorized to prescribe such regulations as may be necessary to carry out the provisions of this order.

3. This order shall remain in effect during the continuance of the present war and for six months after the termination thereof.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 1, 1942.

[F. R. Doc. 42–7540; Filed, August 3, 1942; 3:25 p. m.]

[1] 4 F.R. 3430.

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial Number 233]

PART 04—AIRPLANE AIRWORTHINESS

WEIGHT LIMITATIONS IN OVERSEAS AIR TRANSPORTATION

Special regulation authorizing the Administrator to permit an air carrier, when engaged in overseas or foreign air transportation, to exceed gross weight limitations necessitated by war.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of July 1942.

The Civil Aeronautics Board finding that its action herein is necessary to the successful prosecution of the war effort and acting pursuant to the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a) and 604 thereof, hereby rescinds Regulation Serial Number 210 adopted March 14, 1942, and makes and promulgates the following special regulation:

Notwithstanding any provisions of the Civil Air Regulations to the contrary, the Administrator may in his discretion, and under such conditions as he may prescribe, permit an air carrier, when engaged in overseas or foreign air transportation, to exceed the gross weight limitations now specified in its air carrier operating certificate and in the airworthiness certificates of its aircraft: *Provided*, (1) That the entire load thus carried consists only of cargo, mail, and passengers necessary to the prosecution of the war effort, or the preservation of life; (2) That the pilot in command of the aircraft certifies that in his opinion, notwithstanding the transcendence of the gross weight limitations, the flight can be completed without undue risk; and (3) That prior to departure each passenger shall have been personally notified that the gross weight of the aircraft exceeds the gross weight limitations, in order that he may have the opportunity to leave the aircraft before departure.

This regulation is to become effective on the 21st day of July 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–7537; Filed, August 3, 1942; 2:20 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50695]

PART 7—IMPORTATIONS BY MAIL

CERTAIN PARCELS EXCEEDING $100 IN VALUE

JULY 29, 1942.

Article 372 (b) of the Customs Regulations of 1937 (par. 12b, Joint Departmental Mail Regulations (renumbered 13 (b) in the Postal Laws and Regulations of 1940)) amended to provide that when a mail parcel exceeding $100 in value is addressed to a point which is not a customs port or station it shall be forwarded to the port of entry nearest the address appearing on the parcel.

Article 372 (b) of the Customs Regulations of 1937 (par. 12b, Joint Departmental Mail Regulations (renumbered 13 (b) in the Postal Laws and Regulations of 1940)) [sec. 7.9(b)] is amended to read as follows:

§ 7.9 *Treatment at offices of examination; shipments exceeding $100 in value.*

* * * * *

(b) (J. R. 12b (renumbered 13(b) in the Postal Laws and Regulations of 1940)). When adressed to a point which is not a customs port or station, the customs officer handling the shipment at the office where the merchandise has been examined and found to be subject to formal entry shall prepare, in quadruplicate, customs Form 3509, notifying the addressee or consignee to make formal entry at the port of entry, which shall be specified, nearest the office of destination of the shipment. The customs officer shall mail the original copy of the form to the addressee or consignee; send one copy to the comptroller of customs for the district in which entry is to be made; send one copy to the collector or deputy collector of customs at the port where entry is to be made; and retain the remaining copy as an office record. The customs officer shall also prepare customs Form 3511, place it in a mail-entry-tag envelope addressed to the collector or deputy collector of customs, in care of the postmaster, at the port at which entry is to be made, securely attach the envelope to the package, and then return the package to the postmaster for dispatch to the port where entry is to be made. (R.S. 161, 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624.)

[SEAL] FRANK C. WALKER,
Postmaster General.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42–7543; Filed, August 3, 1942; 3:37 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1472 and A–1472 Part II]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER CANCELLING HEARING AND GRANTING RELIEF

Order cancelling hearing in Docket No. A–1472 Part II and granting further temporary and conditionally final relief in Docket No. A–1472 in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines and in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of D. M. & H. Coal Company (W. B. Davis), Harry Fekula and Stanley Sutter.

On June 24, 1942, I issued a Memorandum Opinion and Order severing Docket No. A–1472 Part II from Docket No. A–1472, and granting in part temporary relief in Docket No. A–1472 Part II and Notice of and Order for Hearing in Docket No. A–1472 Part II, and establishing price classifications and minimum prices for the coals of Mine Index No. 270 of D. M. & H. Coal Company (W. B. Davis), Mine Index No. 1777 of Harry Fekula, and Mine Index No. 2107 of Stanley Sutter, for rail shipments from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad, but not granting the relief requested by District Board No. 2 with respect to the coals of the aforesaid mines for rail shipments from Pricedale, Pennsylvania, on the Monessen Southwestern Railway.

On July 20, 1942, District Board No. 2 filed a motion requesting that the hearing scheduled for July 23, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C., be cancelled, and that the request for relief with respect to the aforesaid coals for shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway be withdrawn.

It is, therefore, ordered, That the hearing scheduled for July 23, 1942 in this matter be cancelled and the relief granted by Order herein dated June 24, 1942 be terminated.

It is further ordered, That commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I and § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[T.D. 50694]

PART 12—APPRAISEMENT

ANTIDUMPING—AMENDMENT TO FINDING OF DUMPING AGAINST GLASS FROSTINGS FROM GERMANY[1]

AUGUST 1, 1942.

Secretary of the Treasury by amendment to his findings of dumping against glass frostings from Germany limits such findings to small uncolored flakes of glass.

Treasury Decision 50233,[2] dated September 20, 1940, which is a finding of dumping against glass frostings from Germany, is hereby amended as of that date by inserting after the word "frostings," wherever that word appears therein, the words "consisting of small uncolored flakes of glass." (Sec. 201, 42 Stat. 11; 19 U.S.C. 160)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42–7542; Filed, August 3, 1942; 3:37 p. m.]

[1] This document affects the tabulation in 19 CFR 12.15.

[2] 5 F.R. 3791.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
270	D. M. & H. Coal Company (W. B. Davis).	Davis	Redstone	9	Somers, Pa	P&LE	73	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1777	Fekula, Harry	Fekula	Redstone	9	Somers, Pa	P&LE	73	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2107	Sutter, Stanley	Suck	Redstone	9	Somers, Pa	P&LE	73	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for this size group.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add these mine index numbers to Group No. 2: 270, 1777, and 2107.

[F. R. Doc. 42–7498; Filed, August 3, 1942; 11:29 a. m.]

[Docket No. A–1520]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT No. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 2

NOTE: All material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2438	Bell Coal Company (F. C. Gay).	Bell (Strip)	Pittsburgh	9	Avonmore, Pa	PRR	90	(†)	G	G	G	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2439	Berlin, W. M	Arona #3 (Strip)	Pittsburgh	9	Arona, Pa	PRR	74	E	E	C	C	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2450	Boyd, R. W	Boyd #2	Pittsburgh	7	Houston, Pa	PRR	74	G	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2445	Brennen, W. J	Horne (Strip)	Pittsburgh	3	Mutual, Pa	PRR	74	(†)	(†)	E	E	C	C	B	B	B	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1584	C. C. Coal Company	Clara	Pittsburgh	7	Imperial, Pa. (Clinton Block Sdg).	Montour	72	D	D	C	C	F	F	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
530	Christie Coal Company (E. F. Christie).	Barton	Pittsburgh	7	Imperial, Pa	Montour	72	D	D	C	C	F	F	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2134	Cipolla Fuel Company (Steve Cipolla).	Cipolla Fuel Co	Freeport	8	New Kensington, Pa	PRR	79	E	E	D	D	C	C	C	C	C	(†)	A	B	B	E	E	E
2370	Frederick, E. M. & John W. White (E. M. Frederick).	Hutchinson #1 (Strip)	Pittsburgh	3	Masontown, Pa	Monon	30	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2448	Helen N. Mining Co. (Max Nobel).	Helen N. (Strip)	U. Freeport	3	Gans, Pa	B&O	80	E	E	C	C	C	C	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2451	Highland Fuel Co. (M. W. Bowie).	Highland #2 (Strip)	Brookville	1	Grove City, Pa	B&LE	20	J	J	H	H	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)
861	Holben, D. O	Holben	U. Freeport	1	Fairmount, Pa	WA	21	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1171	MacFarlane, Robert (MacFarlane Coal Co.)	MacFarlane #3 (Strip)	Pittsburgh	7	Finleyville, Pa	B&O	87	C	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2447	Modoc Coal Company (R. H. Abrams).	Modoc (Strip)	U. Freeport	1	Hooker, Pa. & Utley, Pa.	WA	21	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
151	Pittsburgh Coal Co	Montour #4	Pittsburgh	7	Hyland, Pa	Montour	72	C	C	C	C	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1384	Remaley, W. B	Remaley's	Pittsburgh	9	Export, Pa	PRR	74	(†)	(†)	C	C	C	C	D	D	D	(†)	B	B	B	D	E	E
1954	Sarver Standard Coal Company c/o D. C. Stewart.	#1 Mine	U. Freeport	1	Cabot, Pa	PRR	79	E	E	E	E	C	C	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)
961	Sholtis, Frank (Sycamore Coal Co.)	Hope No. 2	Sewickley	3	Shoaf (Hope Siding)	B&O & PRR	114	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
325	Speers, S. M. (Tremont Coal Co.)	Tremont #2	Pittsburgh	9	Fayette City, Pa	P&LE	73	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	C	E	E
2452	Walker, John D	Blue Ridge #2 (Strip)	L. Kittanning	1	Queen Jct., Pa. (Walkers Siding).	WA	21	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for this size groups.
*Indicates classification and prices previously established for this size group.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown: Group No. 1: 151, 1384, 2439, 2445; Group No. 2: 530, 1171, 1584, 2450; Group No. 7: 2370, 2448; Group No. 8: 961; Group No. 9: 2134, 1954; Group No. 12: 861, 2447, 2452; Group No. 15, 2451; Group No. 21, 2438.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¾"	Run of mine	2" x 0	1¾" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Dines, Louis	2449	Dines	Pittsburgh	275	265	255	235	215	215	210	200	190	180	170
McAnulty, Avon R. (McAnulty Coal Company).	2364	McAnulty #2 (Strip).	Pittsburgh	300	290	280	255	235	235	235	205	195	185	175
Peluso, Mike (Peluso Coal & Coke).	2462	Peluso #3	Pittsburgh	270	260	250	230	215	215	210	200	190	170	160
BUTLER COUNTY														
Modoc Coal Company (R. H. Abrams).	2447	Modoc (Strip)	U. Freeport	325	305	285	265	260	245	245	230	190	180	170
Walker, John D	2452	Blue Eagle #2 (Strip).	L. Kittanning	325	305	285	265	260	245	245	230	190	180	170
FAYETTE COUNTY														
Helen N. Mining Co. (Max Nobel).	2448	Helen N. (Strip)	U. Freeport	285	275	265	250	230	220	220	220	205	200	185
Stickel, A. C. (Lake Lynn Coa. Co.)	2442	Garee	Pittsburgh	280	270	260	245	225	210	210	210	200	195	175
LAWRENCE COUNTY														
Filby, J. H. (Filby Coal Co.)	2463	Filby #2(Strip)	U. Kittanning	305	305	295	285	280	270	235	235	185	170	150
MERCER COUNTY														
Highland Fuel Co. (M.W. Bowie)	2451	Highland #2 (Strip).	Brookville	325	310	290	275	270	255	255	240	185	175	160
WASHINGTON COUNTY														
Boyd, R. W	2450	Boyd #2	Pittsburgh	295	285	275	250	240	225	210	225	190	175	170
WESTMORELAND COUNTY														
Bell Coal Company (F. C. Gay)	2438	Bell (Strip)	Pittsburgh		290	280	255	225	210	210	200	210	175	165	155
Berlin, W. M	2439	Arona #2 (Strip)	Pittsburgh	280	270	260	245	240	230	230	210	215	195	185	175
Boice Coal Co. (G. A. Boice)	2444	Boice #2	Pittsburgh	280	270	260	245	240	230	230	210	215	195	185	175
Brennen, W. J	2445	Horne (Strip)	Pittsburgh	290	280	270	260	240	240	230	230	225	205	195	175
Fox, H. E	2454	Fox (Strip)	Pittsburgh	280	270	260	245	240	230	210	215	195	185	175	

[F. R. Doc. 42-7496; Filed, August 3, 1942; 11:28 a. m.]

[Docket No. A-1522]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 324.7 (*Alphabetical list of code members*), § 324.8 (*Numerical list of mines*), § 324.2 (*Seasonal discounts*), § 324.9 (*Recapitulation of price classifications*), § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*), and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) are amended by adding thereto Supplements R–I, R–II, R–III, R–IV, R–V, and T, respectively, which supplements are hereinafter set forth and hereby made a part hereof; and

Commencing forthwith, § 324.2 (*Seasonal discounts*), § 324.7 (*Alphabetical list of code members*) § 324.9 (*Recapitulation of price classifications*), and § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) are amended so that the shipping point for the coals of Mine Index No. 520, shall be Crescent, Ohio, on the Baltimore & Ohio Railroad in Freight Origin Group No. 12, instead of Maynard, Ohio, on the Wheeling & Lake Erie Railroad in Freight Origin Group No. 18, and the price classifications and minimum prices of this mine established in Docket No. A–462 (6 F.R. 122) for the sale of railroad fuel to the Wheeling & Lake Erie Railroad shall be applicable for sale to the Baltimore & Ohio Railroad.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No price classifications and minimum prices are granted herein for the coals of Thomas Lewis, since it appears from the records of the Division that this producer is inactive, and has no present intention of producing coal.

District Board No. 4 proposed the following minimum prices for the coals of the Landrum Mine (Mine Index No. 404) of P. R. Landrum for truck shipments in Size Groups 1–8, respectively: 280, 270, 260, 235, 230, 195, 175 and 165. It appears, however, that in order to relate these coals properly to analogous and comparable coals these prices should be as shown in "Supplement T," as follows, in Size Groups 1–8, respectively: 295, 285, 275, 250, 245, 195, 175 and 165.

In a letter dated July 1, 1942, petitioner requested the prices shown in "Supplement T" for Mine Index No. 404.

Dated: July 23, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Type	Shipping points in Ohio	Railroad	Freight origin group Nos.	Add. freight origin group Nos.	Price classifications by size group Nos.: 1	2	3	4	5	6	7	8	9	10	11	12
1 424	Congress Coal Company c/o R. B. Hurst.	Congress	6	6	Strip	South Zanesville	Muskingum River	0	0	0	0	0	0	Q	Q	Q	Q	Q	Q		Q
426	Hemlock Coal Company (C. F. Davis).	Hemlock	5	6	Deep	Sharonc	NYC	27	K	K	0	0	0	Q	Q	Q	Q	Q	Q		Q
404	Landrum, P. R.	Landrum	7	1	Strip	McKitterick Switch (Jackson).	DT&I	42	0	0	0	0	0	Q	Q	Q	Q	Q	Q		Q
2964	Lawrence Coal Co. (John W. Lawrence).	Bradley #2	2	7	Deep	Lawrence (Kenova).	PRR	16	R	R	R	Q	0	0	0	0	0	0	0		0
455	Midvale Coal Co.	No. 7	4	6	Deep	Midvale	B&O	51	Q	Q	K	Q	Q	Q	Q	Q	Q	Q	Q		Q
427	Sun Coal Co. (Clyde Martin)	Sun	7	2	Deep	Coalton (Cambridge).	B&O	41	Q	K	K	Q	Q	Q	Q	Q	Q	Q	Q		Q
772	Vaughn Bros. Coal Co. (Charles Vaughn).	Vaughn Bros. #3	5	6	Deep	Nelsonville	C&O	22	K	K	K	K	K	K	K	K	K	K	K		K
3029	Wilson, Charles H	Grow Mine #1	7	1	Strip	Jackson	DT&I	42	0	0	0	0	0	Q	Q	Q	Q	Q	Q		Q

[1] Subject to Exception No. 4, § 324.1 (b) in Minimum Price Schedule.

[1] Prices as shown in § 324.11 (c) in the Schedule of Effective Minimum Prices for shipment from all mines in Subdistrict No. 6 (Crooksville) having river loading facilities on the Muskingum River shall apply.

§ 324.8 *Numerical list of mines*—Supplement R–II

Mine index No.	Mine name	Code member	Freight origin districts	Freight origin group Nos.	Railroad	Sub-district No.
404	Landrum	Landrum, P. R.	Jackson	42	DT&I	7
426	Hemlock	Hemlock Coal Company (C. F. Davis)	Hocking	27	NYC	5
427	Sun	Sun Coal Co. (Clyde Martin)	Hocking	41	B&O	7
455	No. 7	Midvale Coal Co.	Midvale	51	B&O	4
772	Vaughn Bros. #3	Vaughn Bros. Coal Co. (Charles Vaughn).	Hocking	22	C&O	5
2964	Bradley #2	Lawrence Coal Co. (John W. Lawrence).	Cambridge	16	PRR	2
3029	Grow Mine #1	Wilson, Charles H	Jackson	42	DT&I	7

§ 324.2 *Seasonal discounts*—Supplement R–III

[On all shipments of coal in size groups 1 or 2, the discounts shown below in cents per net ton may apply. The date of shipment and not the date of sale shall govern the seasonal price applicable. These seasonal discounts apply for all months in the year, in market areas except inset areas 1 to 15, inclusive, 98 and 99 (Great Lakes), river shipments, vessel fuel and railroad fuel]

Mine index Nos.	Additional mine index Nos.	Amount of discount for shipments during the month of— April	May	June	July	August
11, 109	Add mine index No. 2964.	30	20	10	---	---
1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 78, 80, 100, 126, 130, 168, 170, 171.	Add mine index Nos. 426–772.	50	40	30	20	20
133	Add mine index Nos. 404–3029.	30	20	10	---	---
58, 72, 142	Add mine index No. 427.	30	20	10	---	---
93, 151	Add mine index No. 455.	30	20	10	---	---

NOTE: Seasonal discounts as shown in § 324.2 in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

FOR TRUCK SHIPMENTS

§ 324.9 *Recapitulation of price classifications*—Supplement R–IV

[Prices for all rail shipment from mines indexed below into market areas as shown. For shipment into all market areas, see Schedule of Effective Minimum Prices, §§ 324.9 and 324.10. Also applies to market areas 98 and 99 (Great Lakes), §§ 324.11 (b), 324.11 (c); and vessel fuel, § 324.11 (d)]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index Nos.	Additional mine index Nos.
Cambridge	16		11, 109	Add Mine Index No. 2984.
	16		11, 109 (Subject to Exception No. 4, Page 3).	Add Mine Index No. 2984.
Hocking	21, 22, 26, 27, 28		1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 76, 86, 90, 109, 126, 130, 168, 170 171.	Add Mine Index Nos. 426, 772.
Jackson	41	Add 42	133	Add Mine Index Nos. 404, 3029.
	41, 42, 44		58, 72, 142	Add Mine Index No. 427.
Middle	51		95, 151	Add Mine Index No. 455.

NOTE: Prices as shown in §§ 324.9, 324.10, 324.11 (b), 324.11 (c), and 324.11 (d) in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.11 *Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*—Supplement V

[Railroad fuel prices for all movements exclusive of lake cargo railroad fuel from mines indexed below. For shipment to railroads as shown, see schedule of effective minimum prices, § 324.11 (a)]

Name of railroad	Mine index Nos.	Additional mine index Nos.
Baltimore & Ohio Railroad Co	10, 21, 30, 33, 39, 49, 58, 71, 72, 78, 81, 85, 87, 95, 96, 103, 104, 105, 110, 121, 124, 128, 134, 136, 144, 146, 147, 151, 155, 157, 160, 162.	Add Mine Index Nos. 427–455.
Chesapeake & Ohio Railway Co	14, 38, 41, 47, 61, 70, 72, 75, 76, 82, 86, 101, 105, 112, 113, 130, 131, 168, 170, 171.	Add Mine Index No. 772.
Detroit, Toledo & Ironton Railroad Co		Add [1] Mine Index Nos. 404–3029.
New York Central System	1, 4, 6, 18, 22, 27, 28, 34, 35, 47, 54, 59, 64, 66, 73, 74, 83, 90, 91, 100, 107, 109, 125, 126, 138, 141, 143, 156, 158, 172.	Add Mine Index No. 426.
Pennsylvania Railroad Co	11, 26, 31, 42, 43, 49, 50, 55, 56, 57, 62, 65, 67, 69, 81, 94, 111, 114, 115, 132, 152, 162, 165, 169.	Add Mine Index No. 2984.
Akron, Canton & Youngstown Railway Co. Ann Arbor Railroad Co. Canadian National Railways and Grand Trunk Railway System. Canadian Pacific Railway Co. Detroit and Mackinac Railway Company. Detroit & Toledo Shore Line Railroad Co. Erie Railroad Nickel Plate Road (New York, Chicago & St. Louis Railroad Co.) Pere Marquette Railway Co.	From all Mine Index Nos. except those shown below:	Add Mine Index Nos. 426, 427, 455, 772, 2984.
	From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	Add Mine Index Nos. 404, 3029.
For all railroads not shown above	From all Mine Index Nos. except those shown below: From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	Add Mine Index Nos. 426, 427, 455, 772, 2984. Add Mine Index Nos. 404, 3029.

NOTE: Prices as shown in § 324.11 (a) in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

[1] Prices as shown for Mine Index No. 133 in § 324.11 (a) in the Schedule of Effective Minimum Prices apply to additional Mine Index Nos. 404 and 3029 hereinabove noted.

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: 6" lump	3" lump	4" lump	2" lump	2" x 1" screen, 2" x 1" bar, 1¼" x 1" opg.	1¼" x 1" screen, 1¼" x 1" bar, 1" x 1" opg.	Mine run, nut and pea	2" x 0 slack	¾" x 0 slack
				1	2	3	4	5	6	7	8	
SUBDISTRICT NO. 1—EASTERN OHIO												
JEFFERSON COUNTY												
Gerke, Wm. (Gerke Coal Mine)	Gerke Mine	378 (D)	8	285	275	260	235	230	220	200	190	
SUBDISTRICT NO. 2—CAMBRIDGE												
GUERNSEY COUNTY												
Lawrence Coal Co. (John W. Lawrence)	Bradley #2	2984 (D)	7	270	260	245	220	220	220	200	190	
SUBDISTRICT NO. 4—MIDDLE												
COSHOCTON COUNTY												
Moore, Carl	Ashcraft	423 (D)	6	280	270	260	235	230	195	165	155	
TUSCARAWAS COUNTY												
Besozzi, T. R	Bluff Hill	379 (D)	6	275	265	250	235	235	220	190	180	
Midvale Coal Co	No. 7	455 (D)	6	275	265	250	235	235	220	190	180	
SUBDISTRICT NO. 5—HOCKING												
PERRY COUNTY												
Hemlock Coal Company (C. F. Davis)	Hemlock	426 (D)	6	295	285	275	250	245	195	165	155	
SUBDISTRICT NO. 6—CROOKSVILLE												
MORGAN COUNTY												
Stobart, William & Sons (William Stobart).	Cash Coal Co	415 (D)	8	280	270	260	235	230	195	165	165	
SUBDISTRICT NO. 7—JACKSON												
JACKSON COUNTY												
Landrum, P. R	Landrum	404 (S)	1	295	285	275	250	245	195	175	165	
Sun Coal Co. (Clyde Martin)	Sun	427 (D)	2	295	285	275	250	245	195	175	165	
Wilson, Charles H	Grow Mine #1	3029 (S)	1	295	285	275	250	245	195	175	165	
LAWRENCE COUNTY												
Allen, Alonzo & John Ed Lemasters (Alonzo Allen).		422 (D)	5	295	285	275	250	245	195	175	165	

(D) Indicates Deep Mine.
(S) Indicates Strip Mine.

[F. R. Doc. 42-7502; Filed, August 3, 1942; 11:30 a. m.]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

[Docket No. A–1517]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 328.42 (*General prices for low volatile coals*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

Commencing forthwith, the shipping points appearing on the aforesaid "Supplement R" for Mine Index Nos. 2291, 2930, 3351, 5268, and 281 are effective in place of the shipping points heretofore assigned to these mines; and

Commencing forthwith, the railroad and freight origin group number appearing in the aforesaid "Supplement R" for Mine Index No. 2291 are effective in place of the railroad and freight origin group number heretofore assigned to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted herein with respect to the request for price classifications and minimum prices for the coals of Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. for all shipments except truck from its Blue Heron Preparation Plant for reasons set forth in an order designating that portion of Docket No. A–1517 which relates to them as Docket No. A–1517, Part II, granting temporary relief therein in part, and scheduling a hearing therein.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

FOR RAIL SHIPMENTS

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
198	Acorn Mining Co	Hot Spot	Hazard No. 4	3	Elko, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	C	C	C
5584	Alma Mining Company (M. G. Alley).	Alley Alma	Alma	8	Matewan, W. Va.	N&W	130	O	O	L	K	G	E	G	B	D	E	(†)	(†)	C	C	C	B	O	N	L	G	D	C	G	M	E	(†)	C	C	C	B
5623	Blue Gem Mining Company, Inc.	Creekmore	Blue Gem	6	Mountain Ash, Ky.	L&N	111	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)	A	A	A	A	A	A	C	D	K	(†)	(†)	(†)	(†)	(†)
2291	Bolling, W. R. (W. R. Bolling Coal Co.).	W. R. Bolling	Blair	7	Norton, Va.	L&N and N&W	205	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5635	Clover Splint Coal Company, Inc.	Clover Splint	Low Splint	2	Closplint, Ky	L&N	80	A	A	A	A	A	A	C	C	C	F	K	(†)	A	A	A	C	A	A	A	A	A	A	C	B	F	K	A	A	A	C
1100	Friend, B. P.	Cannel	Cannel	1	Prestonsburg, Ky.	C&O	61	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5636	Glogora Coal Company	Blue Pennant No. 15.	No. 5 Block	4	Blue Pennant, W. Va.	C&O	123	G	G	G	F	F	D	F	B	B	E	J	(†)	A	A	A	(†)	G	G	G	E	D	D	F	H	E	J	A	A	A	(†)
5554	Gray Bros. Coal Co., Inc., c/o J. T. Gray.	Gray Bros	Mason	2	Flagler, Ky	L&N	80	R	R	M	L	K	J	F	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)	Q	O	M	J	G	G	E	Q	O	(†)	(†)	(†)	(†)	(†)
281	Harlan Industrial Collieries Co., Inc.	No. 2	Dean	6	Dower, Ky.	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5621	Harlan Red Ash Coal Co. (J. A. Stafford).	Harlan Red Ash	Pine Mountain	2	Gatun, Ky.	L&N	80	O	O	L	K	F	D	D	D	H	(†)	(†)	(†)	(†)	(†)	C	O	M	K	F	C	C	D	N	H	(†)	(†)	(†)	(†)	C
3139	Hereford, Frank	Kilgore	No. 7	1	Kilgore, Ky	C&O	61	M	M	K	J	G	E	G	F	F	L	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	G	E	E	G	N	L	(†)	(†)	(†)	(†)	(†)
885	Lee, B. L	Lee	Lower Banner	7	Allen, Va	CC&O	10	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	(†)	C	M	M	K	F	D	D	E	M	G	(†)	(†)	(†)	(†)	C
5268	Lequire, J. M. & Son (Shellie Lequire).	J. M. Lequire & Son.	Elkhorn	1	Kona, Ky.	L&N	62	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
2243	McFarlane Coal Co. (Ellen McFarlane).	McFarlane Coal Co.	Widow Kennedy.	7	Honaker, Va	N&W	20	K	K	E	E	E	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	K	K	E	C	B	B	E	M	K	(†)	(†)	(†)	(†)	(†)
1391	Mullins, Vernon	Pisgah	Coalburg	4	Clay, W. Va	B&O	120	Q	Q	P	M	M	K	M	F	F	M	(†)	(†)	(†)	(†)	(†)	(†)	Q	Q	O	K	H	H	M	Q	M	(†)	(†)	(†)	(†)	(†)

Footnotes at end of table.

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
5605	Owens, P. A	Henry Elliott	Jellico	6	Woodbine, Ky	L&N	111	ODMMK	ODMMK	JEKH	HEJG	GEGE	ECEC	GCGC	EBFB	FAFD	KGLG	(1)	(1)	(1)	(1)	(1)	(1)	(1)	ODMMK	MDMK	JEKH	FBGD	DBEB	DBEB	GCGC	MFNNK	KGLG	(1)	(1)	(1)	(1)	(1)
5629	Paintsville Coal Co., Inc	Paintsville No. 2	Millers Creek	1	Meads, Ky	C&O	61											L	(1)	(1)	(1)	(1)	(1)	(1)									L	(1)	(1)	(1)	(1)	(1)
751	Peacock Mining Company	Peacock No. 2	No. 7	1	Ashland, Ky	C&O	61											(1)	(1)	(1)	(1)	(1)	(1)	(1)									(1)	(1)	(1)	(1)	(1)	(1)
752	Peacock Mining Company	Peacock No. 3	No. 6	1	Pikeville, Ky	C&O	61											(1)	(1)	(1)	(1)	(1)	(1)	(1)									(1)	(1)	(1)	(1)	(1)	(1)
5579	Scott-Steffey (Leonard Steffey).	Scott-Steffey	Elkhorn No. 3	1	Pikeville, Ky	C&O	61											(1)	(1)	(1)	(1)	(1)	(1)	(1)									(1)	(1)	(1)	(1)	(1)	(1)
393	Red Jacket Coal Corporation	No. 5	Thacker	8	Matewan, W. Va	N&W	130	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	(1)	C	(1)	D	(1)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	(1)	C	(1)	D
36	Sandlick Coal Company	Belcraft	Hazard No. 4, Whitesburg & Elkhorn.	3	Belcraft, Ky	L&N	62	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	N	(1)	(1)	(1)	(1)	(1)	(1)										N	(1)	(1)	(1)	(1)	(1)
3351	Siler, John D	Huddleston	Blue Gem	6	Mountain Ash, Ky.[3]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	N	(1)	(1)	(1)	(1)	(1)	(1)										N	(1)	(1)	(1)	(1)	(1)
2486	Smith, M. H. (Smith Coal Co.).	Smith Coal Co	Hazard No. 4	6	Combs, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	N	(1)	(1)	(1)	(1)	(1)	(1)										N	(1)	(1)	(1)	(1)	(1)
5427	Smith, M. H. (Smith Coal Co.).	Smith Coal Co. No. 2.	Hazard No. 4	6	Combs, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	E	(1)	(*)	(*)	(*)	(*)	(*)										E	(*)	(*)	(*)	(*)	(*)
671	Stonega Coke & Coal Company.	Dunbar No. 1	Taggart	7	Dunbar, Va	Inter	[2]200	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	E	(1)	(*)	(*)	(*)	(*)	(*)										E	(*)	(*)	(*)	(*)	(*)
179	Stonega Coke & Coal Company.	Dunbar No. 2	Marker	7	Dunbar, Va	Inter	200	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	E	(1)	(*)	(*)	(*)	(*)	(*)										E	(*)	(*)	(*)	(*)	(*)
5628	Truax-Traer Coal Co	Rose #2	Belmont	4	Rosecoal, W. Va	C&O	123	M	M	L	K	G	E	G	D	D	J	(1)	(1)	C	C	C	(1)	D	M	M	L	G	D	D	G	K	J	(1)	C	C	C	(1)
2397	Varney & Rose (C. B. Varney).	Varney & Rose	Pond Creek	8	Williamson, Ky	N&W	130	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	D	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(1)	(1)	(1)
2930	Wise Coal Company (C. W. Counts).	Wise Coal Co	Lower Banner	7	Banner, Va.[4]	N&W	30	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(1)	(1)	(1)	(1)	(1)														

[1] Denotes new shipping point, railroad and Freight Origin Group. Shipping Point at Glamorgan, Va., on the Interstate R. R. in Freight Origin Group No. 200 shall no longer be applicable.
[2] See cannel coal prices.
[3] Denotes new shipping point. Shipping point at Dade, Ky., shall no longer be applicable.
[4] Denotes new shipping point. Shipping point at Neon, Ky., shall no longer be applicable.
[5] Denotes new shipping point. Shipping point at Williamsburg, Ky., shall no longer be applicable.
[6] Denotes new shipping point. Shipping point at Coeburn, Va., shall no longer be applicable.
*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
CARTER COUNTY, KY.											
Bush, T. H	E. K. Mine #2	5597	No. 7	265	245	210	220	205	200	150	145
Kiser Coal Co. (George Kiser)	Star Coal Co. No. 2	5610	No. 7	265	245	210	220	205	200	150	145
GREENUP COUNTY, KY.											
Boyd, Hughie	Piggott Branch	5594	No. 5	265	245	210	220	205	200	150	145
Willis, P. E	Willis	5596	No. 7	265	245	210	220	205	200	150	145
Witten, Earl & Judson Henley (Earl Witten).	Old Company	5597	No. 7	265	245	210	220	205	200	150	145
JOHNSON COUNTY, KY.											
Paintsville Coal Co., Inc	Paintsville No. 2	5629	Millers Creek	305	285	235	240	215	225	170	165
PIKE COUNTY, KY.											
Scott-Steffey (Leonard Steffey)	Scott-Steffey	5579	Elkhorn #3	275	265	220	230	215	210	170	165
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Clover Splint Coal Company, Inc.	Clover Splint	5635	Low Splint	335	315	225	260	225	215	175	170
Fultz, Clarence L	Fultz	5138	Mason	250	230	215	205	200	205	165	160
Gray Bros. Coal Co., Inc., c/o J. T. Gray.	Gray Bros	5551	Mason	255	235	215	220	205	205	145	140
Harlan Red Ash Coal Company (J. A. Stafford).	Harlan Red Ash	5621	Pine Mountain	270	250	225	230	210	215	175	170
SUBDISTRICT NO. 4—KANAWHA											
BOONE COUNTY, W. VA.											
Glogora Coal Company	Blue Pennant No. 15	5636	No. 5 Block	290	270	230	235	210	220	180	175
KANAWHA COUNTY, W. VA.											
Taylor & Crimer (J. L. Crimer)	Shaw	5626	Coalburg	260	240	220	220	205	210	155	150
Truax-Traer Coal Co	Rose #2	5628	Belmont	280	260	220	230	205	210	160	155
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
KNOX COUNTY, KY.											
Swafford, Charlie	Swafford #2	5611	Blue Gem	335	315	235	260	225	225	145	140

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Continued											
LAUREL COUNTY, KY.											
Eagle Creek Coal Co. Inc., c/o T. R. Marcum	Eagle Creek	5625	Horse Creek	265	245	220	220	205	210	155	150
WHITLEY COUNTY, KY.											
Blue Gem Mining Company, Inc	Creekmore	5623	Blue Gem	335	315	235	260	225	225	145	140
Owens, P. A	Henry Elliott	5605	Jellico	255	235	225	225	205	215	155	150
ANDERSON COUNTY, TENN.											
Brown, Byrd E	Byrd E. Brown	5583	Coal Creek	255	235	225	230	205	215	145	140
Vann, Floyd	Floyd Vann	5570	Coal Creek	255	235	225	230	205	215	145	140
CUMBERLAND COUNTY, TENN.											
Donelson, Ben		5609	Bon Air #4	250	230	205	210	185	195	135	130
MORGAN COUNTY, TENN.											
Shelton, H. A. & Walter Grace (H. A. Shelton).	Shelton & Grace	5581	Nelson	255	235	225	230	205	215	145	140
SUBDISTRICT NO. 8—WILLIAMSON											
MINGO COUNTY, W. VA.											
Alma Mining Company (M. G. Alley).	Alley Alma	5584	Alma	255	235	220	215	205	210	180	175

CANNEL COAL

Code member index	Mine	Mine index No.	Seam	Lump	Egg	Chips	Machine cuttings
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN—FLOYD COUNTY, KY.							
Friend, B. P	Cannel	1100	Cannel	$3.50	$3	$2.50	$1.60

FOR TRUCK SHIPMENTS

§ 328.40 *General prices for low volatile coals*—Supplement T–II

Code member index	Mine	Mine index No.	Seam	All lump	Egg: Larger than 3" top	Stove: 3" top size	Nut: or pea 1¼" top or less	Screened M/R	Straight M/R	1¼" screenings	¾" screenings
				1	2	3	4	5	6	7	8
SUB-DISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS											
RUSSELL COUNTY, VA.											
Vance, S. L.	Vance #3	5603	Red Ash	305	305	300	250	280	215	155	150

[F. R. Doc. 42–7503; Filed, August 3, 1942; 11:30 a. m.]

[Docket Nos. A–1528 and A–1529]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11; and

It appearing that the above-entitled matters raise similar and related issues; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 22, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
[1] 757	Big Four Coal Co. (A. C. Hesson).	Big Four	V	BO	20	11	Boonville, Ind.	Sou.

[1] Mine Index No. 757 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Group 11 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 20 of the Boonville Subdistrict having the same freight rate. Mine Index No. 757 shall be accorded the same prices for railroad locomotive fuel as shown on pages 28 and 29 of Price Schedule No. 1, District No. 11, For All Shipments Except Truck as are shown for Mine Index Nos. 58, 87, 113, 773, and 926.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
PERRY COUNTY																	
Bolin, James A. & Henry C. (James A. Bolin).	1329	Johnie Miller	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55
PIKE COUNTY																	
Williams, Basil	1324	Williams	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55

[F. R. Doc. 42–7497; Filed, August 3, 1942; 11:28 a. m.]

[Docket No. A–1488]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for certain mines in District No. 14.

An original petition, pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 14 for all shipments except truck and for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

For the coals in Size Group No. 11 produced from the No. 2 Mine, Mine Index No. 604, operated by code member Ed Sweeney, in Production Group 7, petitioner proposes a classification of G for all shipments except truck and a minimum price of $3.35 per ton for truck shipments. It appears that the coals of Mine Index No. 604 are comparable in quality to those produced from the Sans Bois Mine, Mine Index No. 96, also located in Production Group 7, and that the coals of the Sans Bois Mine in Size Group No. 11 have an effective price classification of I for all shipments except truck and an effective minimum price of $3.15 per ton for truck shipments. Since the coals appear comparable, it is deemed advisable to establish the same classifications and prices for coals in Size Group No. 11 produced from Mine Index No. 604 as those currently in effect for the coals in the same size group produced from Mine Index No. 96. Accordingly, the price classifications and minimum prices set forth in the attached schedules marked "Supplement R" and "Supplement T" for the coals in Size Group No. 11 produced from the No. 2 Mine, Mine Index No. 604, of code member Ed Sweeney, correspond with the price classifications and minimum prices currently in effect for the coals of Mine Index No. 96 in that size group, both for all shipments except truck and for truck shipments.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group 3	6	7	8	11	12	14	15	16	18	19
Campbell & Harmon (Jim Campbell)	596	C & H	2	Hartman, Ark.	MP	33	A	H	H	H	(*)		B			I	
C & M Coal Company (H. H. Cary)	548	C & M	5	Hackett, Ark.	SL–SF–MV	18	(*)	(*)	(*)	(*)	F	(*)	(*)	(*)	(*)	(*)	A
C & M Coal Company (H. H. Cary)	601	C & M #2	5	Hackett, Ark.	SL–SF	16	C	L	L	L	F		B	B	B	O	A
Fort Smith-Bonanza Company	602	#3	5	Hackett, Ark.	SL–SF	16	C	L	L	L	F		B	B	B	O	A
No. 6 Smokeless Coal Company (Rudy Moore)	476	No. 6 Smokeless	2	Alix, Ark.	MP	14	(*)						(*)			(*)	
Porter Excelsior Coal Company (Lee Porter)	182	Porter	5	Excelsior, Ark.	MV	15	(*)				(*)	(*)	(*)	B		(*)	
Speegle Coal Company, The	603	No. 2	5	Excelsior, Ark.	MV	15	C						B	B		P	
Sweeney, Ed. (Tripple C Coal Co.)	604	No. 2	7	McCurtain, Okla.	FS&VB	12	D				I		B	B		Q	

*Previously classified for these size groups.

FOR TRUCK SHIPMENTS

§ 334.24 *General prices for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Subdistrict No.	County	Prices and size group Nos. 3	6	7	8	11	12	14	15	16	18	19
Campbell & Harmon (Jim Campbell).	596	C & H	2	Johnson, Ark.	425	425	425	425	---	---	135	---	---	350	---
C & M Coal Company (H. H. Cary).	548	C & M	5	Sebastian, Ark.	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	165
C & M Coal Company (H. H. Cary).	601	C & M No. 2.	5	Sebastian, Ark.	385	400	400	400	355	---	135	115	105	315	165
Fort Smith-Bonanza Company	602	No. 3	5	Sebastian, Ark.	385	400	400	400	355	---	135	115	105	315	165
No. 6 Smokeless Coal Company (Rudy Moore).	476	No. 6 Smokeless.	2	Franklin, Ark.	(*)	---	---	---	---	(*)	(*)	115	---	(*)	---
Porter Excelsior Coal Company (Lee Porter).	182	Porter	5	Sebastian, Ark.	(*)	---	---	---	(*)	(*)	(*)	115	---	(*)	---
Speegle Coal Company, The	603	No. 2	5	Sebastian, Ark.	385	---	---	---	---	---	135	---	---	280	---
Sweeney, Ed. (Tripple C Coal Co.).	604	No. 2	7	Haskell, Okla.	370	---	---	---	315	---	135	115	---	270	---

*Previously priced for these size groups.

NOTE.—The above prices are subject to the Order granting temporary relief in Docket A–1360.

[F R. Doc. 42–7500; Filed, August 3, 1942; 11:29 a. m.]

[Docket No. A–1505]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition in the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	County	Price classification by size group													
						Freight origin group No.	Railroad	1	2	3	4	5	6	7	8	9	10	11	12	14	15
								3" lump	3" x dp	3" x 1¼"	3" x 2"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ¾"	1¼" x 0(R)	1¼" x ¾"(R)	1¼" x 0(W)	1¼" x 0(R)	¾" x 0
Krbba & Fischer (W. M. Fischer)	1397	Peerless #2	3	Moberly, Mo	Randolph, Mo	111	Wabash-AT&SF	A	A	A	A	A	C	C	A	C	A	A	A	A	A
*Randle, Horace (Randle Coal Co.)	406	Anderson	4	Richmond, Mo	Ray, Mo	100		A	A	A	A	A	C	C	A	A	A	A	A	A	A
Krbba & Fischer (W. M. Fischer)	1397	Peerless #2	3	Moberly, Mo	Randolph, Mo			230	230	230	230	215	185	210	190	185	170	170	170	110	35
McCune, James	1399	McCune	3	Randolph, Mo	Randolph, Mo			230	230	230	230	215	185	210	190	185	170	170	170	110	35
Latting, Edna	1614	Latting	11	Cisne, Okla	Crisp, Okla			330	330	330	270	160	150	220	140	150	150	170	170	115	35

*Previously classified as truck mine.
A—Market Area list price as listed in Price Schedule No. 1.
C, minus 10 cents from list price.

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

FOR TRUCK SHIPMENTS

Code member index	Mine index No.	Production group No.	County	Size groups															
				1	2	3	4	5	6	7	8	9	10	11	12	14	15	16	17
				3" lump	3" up	3" x 1¼"	3" x 2"	2" x 1¼"	1¼" x 1"	3" x 1¼"	3" x 0	Mine run	1¼" x ¾"	1¼" x 0(R)	1¼" x ¾"(R)	1¼" x 0(W)	1¼" x 0(R)	¾" x 0	¾" x 0
Krbba & Fischer (W. M. Fischer)	1397	3	Randolph, Mo	290	290	290	290	215	185	205	190	210	185	170	170	170	110	35	35
McCune, James	1399	3	Randolph, Mo	290	290	290	290	215	185	205	190	210	185	170	170	170	110	35	35
Latting, Edna	1614	11	Cisne, Okla	330	330	330	300	160	150	105	140	220	150	170	170	170	115	35	35

[F. R. Doc. 42-7499; Filed, August 3, 1942; 11:29 a. m.]

[Docket No. A-1506]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the National Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the National Mine (Mine Index No. 168) of National Coal Company, code member in Subdistrict G of District No. 23, for shipments by rail and for shipments by truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 343.4 (*Code member price index*) is amended by adding thereto Supplement R–I, § 343.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R–II, and § 343.21 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

DISTRICT NO. 23

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 343, Minimum Price Schedule for District No. 23, and supplements thereto.

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 23:

§ 343.4 *Code member price index*—Supplement R. Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Railroad	Freight origin group No.	Prices page	
								Rail	Truck
National Coal Co. (Frank Neupauer).	National..	168	King..	Cumberland	G	NP, CMStP&P...	13	7	13

§ 343.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R–II

Insert under Subdistrict "G" Cumberland, the National Coal Co., National Mine (Mine Index No. 168) and the following prices:

[Minimum f. o. b. mine prices in cents per net ton for shipment via rail transportation into market areas shown]

SUBDISTRICT "G" CUMBERLAND—NATIONAL COAL CO. (FRANK NEUPAUER) NATIONAL MINE, MINE INDEX NO. 168

Market areas	Size groups														
	2	3	4	5	8	9	10	11	12	14	16	19	21	23	24
238	430	430	425	425	425	425	375	375	350	335	325	350	325	315	175
243	395	395	425	425	425	375	375	350	335	325	350	325	315	315	175
247	465	440	425	425	400	425	375	375	350	335	325	350	325	315	175
All other market areas	465	465	425	425	425	425	375	375	350	335	325	350	325	315	175

FOR TRUCK SHIPMENTS

§ 343.21 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member	County	Size groups													
		2	3	4	5	8	9	10	11	12	14	16	19	21	23	24
SUBDISTRICT G																
National Coal Co. (Frank Neupauer) National Mine.	King..	460	460	450	450	450	450	400	400	375	360	350	375	350	340	200

[F. R. Doc. 42-7501; Filed, August 3, 1942; 11:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 101]

CERTIFICATE AS TO NUMBER OF REGISTRANTS

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby order the discontinuance of the following DSS form:

Discontinuance of DSS Form 263, entitled "Certificate as to Number of Registrants," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing discontinuance shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JULY 15, 1942.

[F. R. Doc. 42-7562; Filed, August 4, 1942; 11:37 a. m.]

[1] Filed as part of original document.

[No. 102]

NOTICE OF CALL

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 10 "Notice of Call," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of original DSS Form 10 on hand will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY, *Director.*

APRIL 13, 1942.

[F. R. Doc. 42-7563; Filed, August 4, 1942; 11:37 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-72]

PAN-AMERICAN ENGINEERING COMPANY

Pan-American Engineering Company of Berkeley, California, is a partnership engaged in the manufacture of oil burners. Under Limitation Order L–74,[2] the Company was permitted to produce only 5 Class B oil burners during the months of April and May, 1942. Despite this limitation, the Company produced 227 Class B oil burners during that period. Furthermore, the Company continued to manufacture Class B oil burners after June 1, 1942, although such manufacture was prohibited by Limitation Order L–74.

These violations of Limitation Order L–74 have impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered That:

§ 1010.72 *Suspension Order S–72.* (a) Pan-American Engineering Company, its successors and assigns, shall not produce, fabricate or assemble any Class A or Class B oil burners as the same are defined in Limitation Order L–74, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Pan-American Engineering Company from any restriction, prohibition or provision contained in any other order or regulation of the Director General for Operations, except

[2] 7 F.R. 2840, 4272.

in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 8, 1942, and shall expire on November 8, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7536; Filed, August 3, 1942; 2:15 p. m.]

PART 3047—LOOSE LEAF METAL PARTS AND UNITS

[General Limitation Order L-188]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3047.1 *General Limitation Order L-188*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual partnership, association, business trust, corporation, or organized group of persons, whether incorporated or not.

(2) "Fabricate" means to cut, draw, machine stamp, melt, cast, forge, roll, turn, spin or otherwise shape any iron or steel employed in the production of metal parts or units for blank books, loose leaf books, binders or covers.

(3) "Metal parts or units for blank books, loose leaf books, binders or covers" shall include any device, composed of one or more metal parts which constitute the binding, fastening or locking mechanism employed to hold or bind together loose leaves or units of paper, paper products or other materials.

(4) "Assemble" means to combine in any way, component metal parts or units for final incorporation into any type of binder or cover. It shall not include the operation of attaching assembled metal parts or units to a binder or cover.

(b) *Restrictions on fabrication and assembly of metal parts or units for blank books, loose leaf books, binders or covers.* On and after August 4, 1942, no person shall fabricate or assemble any iron or steel into metal parts or units for blank books, loose leaf books, binders or covers:

(1) In any calendar quarter in excess of one-fourth of 30% by weight of the iron and steel employed by such person in such production during the calendar year 1941.

(2) Which are prohibited by the terms of Schedule A attached.

(c) *Conservation Order M-126.*[1] From and after the effective date of this order, the provisions of Conservation Order M-126 shall no longer apply to loose leaf binding wire, rings, posts and metal parts.

[1] 7 F.R. 5353, 5358, 5462, 5510, 5902.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning the processing, fabricating and assembly of metal parts or units for blank books or loose leaf books.

(e) *Reports.* All persons affected by this order shall prepare and file such reports or questionnaires as may from time to time be requested by the Director General for Operations.

(f) *Communications.* All reports to be filed hereunder and all communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Branch, Washington, D. C. Ref.: L-188.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by filing Form PD-500, Ref.: Appeals Branch, Washington, D. C. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from process or use of, material under priority control, and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A TO GENERAL LIMITATION ORDER L-188

Prohibited styles of, and parts for, blank books, loose leaf books, binders or covers to the extent composed of iron and steel.

(a) *Styles:*

(1) Ledger binders (compression types).
Student note books.
Corporation minute and sales books.
Pocket memorandum books.
Zipper-bound ring books.
Chain post type binders.
Catalog type binders other than 2 piece open back screw post devices.

(b) *Parts:*

(1) Boosters.
Back plates less than 1½ inches in width.
Metal hinges.
Metal edges and rims.
Metal reinforcements in fly-leaves.
Automatic opening devices.
Metal end caps and plugs.
Post diameters other than 3/16, 5/16 and 3/8 inches.
Posts of 2 inches in length in other than 5/16 and 3/8 inches in diameter.
Posts of 6 inches in length in other than 3/16 inches in diameter.
Rings in excess of 2 in units up to and including 8½ inches in length.
Rings in excess of 3 in units up to and including 11 inches in length.
Rings in excess of 4 in units over 11 inches in length.

[F. R. Doc. 42-7544; Filed, August 3, 1942; 4:38 p. m.]

PART 1099—BEDS, SPRINGS AND MATTRESSES

[General Limitation Order L-49[1] as Amended August 4, 1942]

Section 1099.1 *General Limitation Order L-49* is hereby amended to read as follows:

(a) *Definitions.* For the purposes of this order:

(1) "Bedding products" means the following: coil, flat, box and fabric bedsprings (whether or not they are integral parts of beds or other sleeping equipment); innerspring mattresses, pads and pillows; studio couches, sofa beds and lounges designed for dual sleeping and seating purposes.

(2) "Base period" means the twelve month period ending June 30, 1941.

(3) "Iron and steel used" means the aggregate weight of iron and steel contained in a finished product.

(4) "Joining hardware" means the minimum amount of iron and steel required for nails, nuts, bolts, screws, clasps, rivets and similar joining purposes.

(5) "Manufacturer" means any person who manufactures or assembles bedding products or parts made specifically for incorporation into bedding products.

(6) "Renovator" means any person who repairs used bedding products.

(b) *Restrictions on production of mattresses, pads and pillows.* (1) On and after June 8, 1942, no manufacturer shall procure or acquire any wire to be used in the production of innerspring constructions for innerspring mattresses, pads and pillows from any source whatsoever, except from the inventories of other Manufacturers of such products.

(2) On and after August 1, 1942, no manufacturer shall process, fabricate, work on or assemble any wire for use in the production of innerspring con-

[1] 7 F.R. 2187, 4333, 5084.

structions for innerspring mattresses, pads and pillows.

(3) During the month of August 1942, no manufacturer shall use more wire in the aggregate production of innerspring mattresses, pads and pillows than 100% of the average monthly amount of wire used by him in the aggregate production of such products during the base period.

(4) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any mattresses, pads and pillows containing any iron or steel, except

(i) Buttons, ventilators, handles or eyelets; or

(ii) A manufacturer may replace units contained in mattresses, pads and pillows previously sold by him if such replacement is specifically required by guarantee agreements entered into by such manufacturer.

(5) On and after August 1, 1942, no manufacturer shall procure or require any iron or steel to be used in the production of buttons, ventilators, handles or eyelets for mattresses, pads and pillows from any source whatsoever, except from the inventories of other Manufacturers of such products.

(6) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any buttons, ventilators, handles or eyelets for mattresses, pads and pillows if such buttons, ventilators, handles or eyelets contain any iron or steel.

(c) *Restrictions on production of coil, flat, fabric and box bedsprings.* (1) During the month of August, 1942, and during the month of September, 1942, no manufacturer shall use more wire per month in the aggregate production of coil, flat and fabric bedsprings than 25% of the average monthly amount of iron and steel used by him in the aggregate production of such products during the base period.

(2) During the month of August, 1942, and during the month of September 1942, no manufacturer shall use more wire per month in the production of box bedsprings than 50% of the average monthly amount of iron and steel used by him in the production of such products during the base period.

(3) During the period of three months beginning October 1, 1942, and during each three month period thereafter, no manufacturer shall use more wire in the aggregate production of coil, flat and fabric bedsprings than 6¼% of the iron and steel used by him in the aggregate production of such products during the base period.

(4) During the period of three months, beginning October 1, 1942, and during each three month period thereafter, no manufacturer shall use more wire in the production of box bedsprings than 12½% of the iron and steel used by him in the production of box bedsprings during the base period.

(5) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any coil, flat, box or fabric bedsprings

(i) Containing any iron or steel other than wire or joining hardware, and

(ii) Containing more iron or steel, other than joining hardware, than the following specified amounts:

(a) Box bedsprings—full size, 22 pounds; single or twin size, 16 pounds.

(b) Coil, flat or fabric bedsprings—full size, 30 pounds; single or twin size, 22 pounds.

(d) *Restrictions on production of studio couches, sofa beds and lounges.* (1) On and after August 1, 1942, no manufacturer of parts made specifically for incorporation into studio couches, sofa beds and lounges designed for dual sleeping and seating purposes shall procure or acquire any iron or steel to be used in the production of such parts from any source whatsoever, except from the inventories of other manufacturers of such parts.

(2) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any parts made specifically for incorporation into studio couches, sofa beds and lounges designed for dual sleeping and seating purposes if such parts contain any iron or steel, other than joining hardware.

(3) On and after November 1, 1942, no manufacturer shall process, fabricate, work on or assemble any studio couch, sofa bed or lounge designed for dual sleeping and seating purposes which contains any iron or steel other than joining hardware.

(e) *Restrictions on renovators of bedding products.* On and after September 1, 1942, no renovator shall replace any unit contained in an innerspring mattress, pad, pillow, studio couch, sofa bed or lounge with a unit which has never been used by an ultimate consumer.

(f) *Special exemptions.* The restrictions contained in this order shall not apply to the production of bedding products for the following purposes:

(1) In fulfillment of a specific order of, or contract with, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, Civilian Aeronautics Authority, the National Advisory Commission for Aeronautics, Office of Scientific Research and Development and any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(2) In fulfillment of a specific order of, or contract with a hospital or sanitarium.

(g) *Inventory restrictions.* (1) The sales specified below shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13 (Part 944):

(i) Sales by manufacturers of innerspring constructions for innerspring mattresses, pads and pillows, of wire to other manufacturers of such products.

(ii) Sales by manufacturers of buttons, ventilators, handles or eyelets for mattresses, pads and pillows of iron or steel to other manufacturers of such products.

(iii) Sales by manufacturers of parts made specifically for incorporation into studio couches, sofa beds and lounges designed for dual sleeping and seating purposes of iron and steel to other manufacturers of such products.

(2) No manufacturer of bedding products shall accumulate for use in the manufacture of such products inventories of raw materials, semiprocessed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of bedding products at the rates permitted by this order.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(m) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits or may limit the use of any material in the production of bedding products to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(n) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to the War Production Board, Washington, D. C., Ref: L-49. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7551; Filed, August 4, 1942; 10:37 a. m.]

PART 1225—CONSTRUCTION LUMBER

[Interpretation 1 of General Limitation Order L-121, as amended July 10, 1942]

The following official interpretation is hereby issued by the Director General for

Operations with respect to § 1225.1 *General Limitation Order L–121*, as amended July 10, 1942:[1]

1. Paragraph (a)(1)(i) of General Limitation Order L–121, as amended, was not intended to include specific high quality, thick stocks known in the trade as "Clears", "Thick Finish", etc. of any species of softwood lumber in sizes three inch and thicker. Therefore, this paragraph freezes No. 1 Common and all higher grades of lumber used structurally, including, but not limited to, Select Merchantable and the structural stress-grades of timbers, joists, planks, beams and stringers, but does not freeze the "Clear" and "Select" grades, inasmuch as these grades even in sizes three inches and thicker, are not generally considered as joists, planks, beams, stringers or timbers. The Clear, Select, or Finish Grades in 1 inch and 2 inch material are of course not frozen by the order.

2. Boards and dimension of the common grades specified in the order, which may also qualify as close grain or dense material, are also frozen by the order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7550; Filed, August 4, 1942; 10:37 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Amendment 1 to Appendix A to Schedule I[2] to Limitation Order L–157]

Appendix A to § 1293.1 (Schedule I to Limitation Order L–157) is hereby amended in the following respects:

Paragraph (1) *Grades* is amended to read as follows:

(1) *Grades.* A, B, and C designate qualities of complete hand shovels, spades, scoops, or telegraph spoons; A designating the best quality. A-grade tools are equipped with grade XX or SA handles; B-grade tools are equipped with grade X or SB handles. C-grade tools are equipped with No. 1 or SC handles. SA, SB, and SC grades are approximately equivalent to XX, X, and No. 1, respectively, which are the handle-grade designations commonly employed by the shovel industry. Grades SA, SB, and SC are defined in Simplified Practice Recommendation R76, Ash Handles, issued by the United States Department of Commerce, National Bureau of Standards.

Nothing in this provision shall be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as possible to the respective grades of ash for which they are substituted; provided that the buyer consents, and all handles other than ash be marked with the name of the species of wood of which they were made.

(b) Paragraph (5) *Handle finish* is amended to read as follows:

(5) *Handle finish.* Neither long handles, nor the stems of D handles, shall be painted or otherwise finished than by sanding and waxing, except intrenching shovels, which are to be painted in accordance with the War Department's specification. Any metal used in the construction of D handles may be given a protective coating, or the entire D may be so coated, but only so far along the stem as is necessary to cover any metal used in the construction of the D.

(c) Tables 1, 2, and 3 are amended to read as follows:

TABLE I—SHOVELS

Kind	Grades	Gage	No.	Blade: Multiple size[1] Hollow back	Closed back	Plain back and solid shank or solid socket[3]	Steps
				Inches	*Inches*	*Inches*	
1. Barn or general purpose	C	16	2	12 x 21			
2. Coal, corrugated[2]	A, B, C	16	2	14 x 23			
		17	4	15 x 24			
3. Coal dust, or bug dust	B or C	16	4	14 x 21			
	A, B, C	16	2	10 x 21¼	10 x 21¼	9¼ x 11½	(4)
			2	10 x 21¼	10 x 21¼	10 x 12¼	(4)
	A, B	14	2	11 x 22¾	11 x 22¾	11 x 13¼	(4)
4. Round Point			6	12 x 23¾	12 x 23¾	12 x 14¼	(4)
	C	15	2	10 x 21¼	10 x 21¼	10 x 12¼	(4)
			4	11 x 22¾	11 x 22¾	11 x 13¼	(4)
	A, B, C	16	2	10 x 21¼	10 x 21¼	9¼ x 11½	(4)
			2	10 x 21¼	10 x 21¼	10 x 12¼	(4)
	A, B	14	4	11 x 22¾	11 x 22¾	11 x 13¼	(4)
5. Square Point			6	12 x 23¾	12 x 23¾	12 x 14¼	(4)
	C	15	2	10 x 21¼	10 x 21¼	10 x 12¼	(4)
			4	11 x 22¾	11 x 22¾	11 x 13¼	(4)
6. Irrigating	B	15	2	10 x 21¼	10 x 21¼	10 x 12¼	(4)
7. Mining—stiff point and spring point.	A, B	14	2		10 x 21¼	10 x 12¼	(4)
8. Moulders'	A, B, C	15	2	10 x 21¼	10 x 21¼	10 x 12¼	
9. Ore	A, B	14	4	11 x 21¼			
10. Telegraph	A	13	2			10 x 12¼	
11. Track	A	13	2	10 x 21¾[5]	10 x 21¾[5]	10 x 12¼	(6)
12. Intrenching shovel[7]							

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handled shovels of a given number (size).
[2] The trimmed blank for a solid shank shovel is to be the same size as the blank for a similar type and size of plain back shovel.
[3] To be made in lifts of 21, 17, 14, and 11 inches.
[4] With or without steps; one type only.
[5] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[6] If step is made as an integral part of blade, add ⅝ inch to the length of the multiple.
[7] To be in accordance with U. S. Army Specification No. 17–172.

TABLE II—SPADES

Kind	Grades	Gage	Blade: Multiple size[1] Length or size number	Hollow back and closed back	Plain back and solid shank[2]	Steps
				Inches	*Inches*	
13. Ditch or post	A, B	14	14-in	7½ x 23	7⅛ x 14	One type.
			16-in	7½ x 25	7⅛ x 16	One type.
			18-in	7½ x 27	7⅛ x 18	One type.
14. Drain-round point	A, B	14	14-in	7½ x 23	7⅛ x 14	One type.
			16-in	7½ x 25	7⅛ x 16	One type.
			18-in	7½ x 27	7⅛ x 18	One type.
15. Garden	C	13	No. 2	8 x 21¾[3]	7⅛ x 12¼[4]	One type.
16. Nursery	A	13	No. 2		7⅛ x 13¼[4]	One type.

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle spades of a given size.
[2] The trimmed blank for a solid shank spade is to be the same size as the blank for a similar type and size of plain back spade.
[3] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[4] If step is made as an integral part of the blade, add ⅝ inch to the length of the multiple.

[1] 7 F.R. 5307.
[2] 7 F.R. 5558.

TABLE III—SCOOPS AND TELEGRAPH SPOONS

Kind	Grades	Gage	Blade: Multiple size[1] No.	Hollow back	Plain back and solid shank[2]	Steps
SCOOPS				*Inches*	*Inches*	
17. Ash pit (low lift)	C	16	4	13 x 24½		
18. Break-down, diamond point	A, B	15	5	14 x 24½		
19. Coal yard, (western pattern, flat point)	A, B	16	6	14¾ x 25		Turned.
			10	15¼ x 27		
20. Eastern pattern or locomotive[3]	A, B, C	16	2	12½ x 23½		
			4	13 x 24½		
			6	13½ x 25⅜		
21. Grain-corrugated (western pattern)	C	17	8	14⅜ x 26		
			10	15¼ x 27		
			12	15¾ x 28		
			14	16¼ x 29		
22. Gravel, round point	A	16	2	12½ x 23½		Turned.
TELEGRAPH SPOONS						
23. Eastern pattern	A	13			10 x 12⅛[4]	
24. Western pattern	A	13			10 x 12¼[4]	

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and longhandle scoops of a given size number.
[2] The trimmed blank for a solid shank spoon is to be the same size as the blank for a similar type and size of plain back spoon.
[3] To be furnished in lifts of 21 and 13 inches.
[4] May be made from smaller multiples, if desired.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7549; Filed, August 4, 1942; 10:38 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Amendment 4 to General Conservation Order M–126 as Amended July 13, 1942]

Section 1176.1 *General Conservation Order M–126*[1] is hereby amended in the following respects:

1. By amending paragraph (g) (8) (ii) to be and read as follows:

(ii) "Army-Navy-Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, where the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, applicable to the contract, sub-contract or purchase order.

2. By amending List C to be and read as follows:

LIST C

Access panels—for use on board ship and where climatic or safety conditions make necessary.
Acoustical ceilings—for use on board ship.
Air conditioning systems—for hospital operating rooms and industrial plants (excluding offices), for use on board ship, for use outside continental limits of the United States, for use in fortifications, for handling and storage of explosives, for storage and handling of instruments critical to temperature, and in gas proofing installations.
Attic fans—where climatic conditions make necessary.
Automobile accessories.
Automotive replacement parts, non-functional.
Baskets—for cooking and manufacturing uses and for ordnance operations.
Bath tubs—for use on board ship and in hospitals.
B-B shot—for training and shot blast cleaning purposes.
Bench legs.
Binoculars.
Bird cages—for carrier pigeons.
Bird feeders—for carrier pigeons.
Biscuit boxes—for use on board ship or where climatic conditions make necessary.
Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.
Bottle holders—for use on board ship and in hospitals.
Bread racks.
Cabinets—for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, hospital operating and examining rooms, and office furniture as permitted by L–13–a and L–62.
Cans or containers for anti-freeze, candy, coffee, nuts—where climatic conditions make necessary.
Cash boxes.
Clock cases.
Coffee roasting machinery.
Cooking stoves—commercial electric.
Culverts—for airports, for use outside continental limits of the United States, and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.
Cups of all kinds, drinking.
Dishwashing machines.
Door closers—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary.
Door handles—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary.
Door stops—for use on board ship and where climatic or safety conditions make necessary.
Dust collecting systems and equipment.
Erasing knives.
Flashlight tubes.
Floor and ceiling plates for piping, for use on board ship and where climatic or safety conditions make necessary.
Grilles—sewer.
Hand mirrors—for signal use.
Helmets.
Hose reels.
Incinerators.
Lockers—for office equipment as limited by Limitation Order L–13–a, for use on board ship, for use outside continental limits of United States and in ordnance plants.
Loose leaf binding wire, rings, posts and metal parts.
Mailing tubes—for transportation of cultures of bacteria.
Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—
Gasoline dispensing pumps.
Grease pumps.
Oil pumps.
Kerosene pumps.
Air pumps.
Paint spray outfits.
Phonograph record blanks.
Photographic accessories.
Pie plates.
Pneumatic tube delivery systems.
Portable bath tubs.
Push carts—for ordnance and combat organizations.
Radio antennae poles.
Scaffolding—for use in shipyards, airfields and other places where use of wood scaffolding is impracticable.
Sewer pipe, exterior installations—for pressure lines only.
Shower receptors—for use on board ship.
Shower stalls—for use on board ship.
Slide fasteners.
Snow shovels and pushers, hand and power propelled.
Sporting and athletic goods.
Stamped bakery equipment.
Tags—identification (name).
Tags—for marking ammunition.
Tanks, storage, water, but only for use on board ship, mobile units, range boilers and hot water storage, use outside continenal limits of United States, heights in excess of 100 feet, pneumatic pressure tanks.

[1] 7 F.R. 5353, 5358, 5462, 5510, 5902.

Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.
Telescopes.
Thermos jugs and bottles.
Tool boxes.
Wheelbarrows.
Wire racks and baskets.
Work benches where wooden benches will not stand up under ordinary use.

The following items are added to List C, but only for the period ending September 3, 1942.

Area walls.
Ash sieves.
Awning frames and supports.
Barber shop furniture.
Beds.
Bed spring frames.
Bladestroppers, mechanical.
Canopies and supports.
Cans or containers for tobacco—where climatic conditions make necessary.
Cash registers.
Casket hardware.
Ceilings.
Cigarette lighters.
Clothes line reels.
Counter tops.
Cupboard turns.
Dispensers, hand, for paper products, soap.
Escalators.
Fence posts.
Fences, chain link.
Fireplace equipment.
Flagpoles.
Floor polishing machines.
Flour, salt and pepper shakers for use on board ship.
Furniture.
Garage hoists, car lifts and racks.
Grass shears.
Gutters, spouting, conductor pipe, and fittings.
Hat frames, wire and gimps.
Hat-making machinery.
Ice box exteriors.
Insulation, metal reflecting type.
Kitchenware of stainless steel.
Laundry chutes.
Laundry trays.
Lavatories.
Lawn sprinklers.
Lighting poles and standards.
Mail boxes—for use on board ship.
Office machinery used for change making, coin handling, check cancelling, check cutting, check dating, check numbering, check signing, check sorting, check writing, envelope handling, envelope mailing, envelope opening, envelope sealing, envelope stamping, folding contents of envelope.
Pencils, automatic—functional parts only.
Phonograph motors, hand wound.
Posts for fencing.
Push plates and kick plates, doors.
Screen frames.
Service food trays.
Sink aprons and legs.
Sink, metal drainboards, both integral and removable—for use on board ship and where required for sterilization.
Stamps.
Swivel chairs.
Tile, steel back.
Tool cases.
Tool handles.
Urinals.
Wagon bodies, frames, and wheels, all metal.
Wastebaskets.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7564; Filed, August 4, 1942; 11:47 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 4 to Revised Price Schedule 63 [1]]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (m) and (m) (2) in § 1315.110 are amended, to read as set forth below:

§ 1315.110 *Appendix A: Maximum retail prices for manufacturers' brands of new rubber tires and tubes.* • • •

(m) Notwithstanding any other provision of paragraphs (a) to (l) inclusive, the maximum retail prices for the following brands of tires and tubes owned by the following manufacturers shall be as follows:

• • • • • •

(2) United States Rubber Company: Maximum prices for the "United States Royal DeLuxe" and "Air-Flight DeLuxe" brands of passenger-car tires shall be the consumer list prices for those brands on file with the Office of Price Administration which were in effect on November 25, 1941.

§ 1315.109a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1315.110 (m) and (m) (2)) to Revised Price Schedule No. 63 shall become effective August 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7533; Filed, August 3, 1942; 12:51 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1323, 1836, 2132, 3036, 3719, 4653.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PRODUCTS

[Correction to Maximum Price Regulation 182 [1]]

KRAFT WRAPPING PAPERS AND CERTAIN KRAFT BAG PAPERS

In subparagraph (7) of § 1347.301 (b) the reference to "subparagraph (6)" is corrected to read "subparagraph (7)" as set forth below, and a new § 1347.314 is added:

§ 1347.301 *Maximum prices for kraft wrapping papers and kraft bag papers.* • • •

(b) • • •

(7) Special packing of sheets (all prices and differentials set forth in subdivisions (i) to (v) inclusive of this subparagraph (7) shall be on a net weight basis.

• • • • • •

§ 1347.314 *Effective dates of amendments.* (a) Correction (§ 1347.301 (b) (7)) to Maximum Price Regulation 182 shall become effective August 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7528; Filed, August 3, 1942; 12:47 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 3 to Revised Price Schedule 85 [2]]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1360.57 (a) and 1360.59 (a) are amended and a new § 1360.57a is added as set forth below:

§ 1360.57 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 85 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

• • • • • •

§ 1360.57a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[3] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 85 selling at wholesale or retail any new passenger automobile covered by this Revised Price Schedule No. 85. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 18, 1942.

§ 1360.59 *Definitions.* When used in Price Schedule No. 85 the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

• • • • • •

§ 1360.60a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§ 1360.57 (a), 1360.57a and 1360.59 (a)) to Revised Price Schedule No. 85 shall be effective August 6, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7530; Filed, August 3, 1942; 12:50 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 10 to Rationing Order 2A [1]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

A new § 1360.373 is added; in § 1360.391 a new paragraph (b) is added and paragraph (a) is amended to read as set forth below:

Persons Eligible To Acquire New Passenger Automobiles by Transfer With Certificates

§ 1360.373 *Persons eligible to acquire for experiment or for rebuilding.* When the conditions established in § 1360.371 and other applicable provisions of these regulations are fulfilled certificates authorizing the transfer of a new passenger automobile for any of the purposes enumerated, but not for retransfer, may be granted to the following persons:

(a) Persons applying directly to the Office of Price Administration, Washington, D. C., and requiring new passenger automobiles for the purpose of rebuilding them in a manner satisfactory to the Office of Price Administration or requiring new passenger automobiles which will be principally used for experimental purposes relating directly or indirectly to the prosecution of the war.

Application by Persons Other Than Federal Agencies

§ 1360.391 *Application for certificates to purchase new passenger automobiles by persons other than federal agencies.*

(a) Any person other than a federal agency who believes he is eligible under § 1360.372 shall file his application on Form R-213 with his local War Price and Rationing Board.

(b) Any person other than a federal agency who believes he is eligible under § 1360.373 shall file his application on Form R-213 with the Office of Price Administration, Washington, D. C.

Effective Dates

§ 1360.442 *Effective dates of amendments.* • • •

(j) Amendment No. 10 (§§ 1360.373, 1360.391) to Rationing Order No. 2A shall become effective August 7, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7532; Filed, August 3, 1942; 12:51 p. m.]

PART 1370—ELECTRICAL APPLIANCES

[Amendment 4 to Maximum Price Regulation 111 [1]]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1370.9 (a) is amended and a new § 1370.9a is added as set forth below:

§ 1370.9 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 111 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

• • • • • •

§ 1370.9a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 111 selling at wholesale or retail any model of household vacuum cleaner and attachments covered by this Maximum Price Regulation No. 111. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 18, 1942.

§ 1370.14 *Effective dates of amendments.* • • •

(e) Amendment No. 4 (§§ 1370.9 (a) and 1370.9a) to Maximum Price Regulation No. 111 shall be effective August 6, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7525; Filed, August 3, 1942; 12:46 p. m.]

PART 1377—WOODEN CONTAINERS

[Maximum Price Regulation 195]

INDUSTRIAL WOODEN BOXES

In the judgment of the Price Administrator it is necessary and proper to establish in a separate regulation the maximum price for the sale of industrial wooden boxes since, because of their special nature, they cannot satisfactorily be priced on the basis of deliveries made in March 1942. The maximum prices established by this regulation are in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.[1] A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 195 is hereby issued.

AUTHORITY: §§ 1377.101 to 1377.118, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1377.101 *Prohibition against sales of industrial wooden boxes at higher than maximum prices.* (a) On and after August 8, 1942, regardless of any contract, lease or other obligation:

(1) No person shall sell or deliver any industrial wooden boxes at a price higher than the maximum price established by this Maximum Price Regulation No. 195;

(2) No person in the course of trade or business shall buy or receive any industrial wooden box at a price higher than such maximum price: *Provided*, That if upon the purchase of any industrial wooden box, the purchaser shall receive from the seller or supplier a written affirmation that to the best of his knowledge, information, and belief the prices charged do not exceed the maximum price established by this Max-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343.

[2] 7 F.R. 2307, 2794, 3330, 3447, 3776, 4229.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5276, 5192.

[1] 7 F.R. 3153 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738 5027, 5276.

[2] 7 F.R. 971, 3663.

imum Price Regulation No. 195, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section;

(3) No person shall agree, offer, solicit, or attempt to do any of the acts provided in subparagraph (1) and (2) of this paragraph (a).

(b) No war procurement agency, nor any contracting or paying finance officer thereof shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 195 or the Emergency Price Control Act of 1942.

§ 1377.102 *Maximum prices; sales by any seller of an industrial wooden box with a published or confidential list price*—(a) *Prices.* If any seller had a published or confidential price list or lists in effect on March 31 1942, covering sales of industrial wooden boxes, the maximum price to any purchaser for any box so listed shall be the net price which the seller would have received on that date from a purchaser of the same class. "Net price" means the amount paid by or charged to the purchaser, after adjustment for all applicable extra charges, discounts or other allowances in effect on March 31, 1942.

(b) *Report.* On or before September 1, 1942, every seller subject to this Maximum Price Regulation No. 195 shall file with the Lumber Branch of the Office of Price Administration, Washington, D. C., all his published and confidential price lists and discount sheets in effect on March 31, 1942, for industrial wooden boxes. Any person who on March 31, 1942, sold industrial wooden boxes at prices based upon price sheets published by any other person subject hereto need not file such other person's published price sheets but shall file instead a statement identifying the particular price sheet used on that date, together with his own discount sheets, if any, and a statement of any prices which constitute exceptions to such practice.

(c) *Specifications changes.* If any substantial changes are made in any industrial wooden box for which the seller had a published or confidential list price in effect on March 31, 1942, the maximum price for such box may be determined pursuant to § 1377.103 or § 1377.105, whichever is applicable: *Provided*, That either before such change in price or within ten days after making such change in price a report shall be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing the description of the industrial wooden box in question and of the specification changes, and a statement of the former price and the proposed price. If it is desired to issue a new list price a report shall be filed pursuant to § 1377.105.

§ 1377.103 *Maximum prices; sales by the manufacturer of industrial wooden boxes without list prices.* If for any industrial wooden box the manufacturer had no published or confidential list price in effect March 31, 1942, the maximum price of such box in sales by the manufacturer to any purchaser shall be computed on the following basis:

(a) *Price formula.* (1) The manufacturer shall employ the price-determining method which was in use in the plant on March 31, 1942, applying each of the pricing factors reflected in the formula at the levels prevailing in the particular plant on March 31, 1942, including: direct labor costs (applied in accordance with paragraph (b) below); material costs (applied in accordance with paragraph (c) below); overhead (burden) rates; and/or other bases of computation as of March 31, 1942.

(2) To the extent that the price-determining method includes or is based upon prices paid for sub-contracted services, the manufacturer shall use actual prices paid or to be paid for sub-contracted services, not in excess of the maximum prices provided by the appropriate maximum price regulation.

(3) The price arrived at by use of the price-determining method shall be adjusted for all applicable extra charges, discounts, or other allowances in use in the particular plant on March 31, 1942 in sales to a purchaser of the same class.

(b) *Labor rates.* (1) "Direct labor costs" shall be based upon the labor rates prevailing in the plant on March 31, 1942 for each classification of labor. If on March 31, 1942 an average rate was used, an average rate may be applied: *Provided*, That the labor rates and the method of computing the average in effect on March 31, 1942 are used.

(2) The amount of overtime labor (direct or indirect) estimated to be required may be taken into account in estimating the cost of labor: *Provided*, That no mark-up, overhead or profit factors shall be based upon that part of the labor cost which is in excess of the straight-time cost.

(c) *Material prices.* (1) The term "material prices" includes the prices for raw materials, and for materials and products which have been processed or fabricated to any degree, including parts which can be assembled into the ultimate product without further processing.

(2) The manufacturers shall use a material cost not in excess of the lower of the following two prices:

(i) The actual price paid by the manufacturer for the material used in the production of the industrial wooden box being priced under this section.

(ii) The applicable maximum price for the material as established by the General Maximum Price Regulation or any other maximum price regulation.

(3) If there is more than one "actual price paid" or more than one "applicable maximum price" for the same item or material purchased by the manufacturer (as where the maximum price is on an f. o. b. mill basis and the material is bought on varying freight rates; or where different suppliers have different maximum prices as may be the case under the General Maximum Price Regulation), the "actual price paid" or the "applicable maximum price" shall mean the average of the actual prices paid or the average of the maximum purchase prices, as the case may be, for the material in the manufacturer's inventory at the time of the sales subject to this Maximum Price Regulation No. 195. In computing the average actual price paid or the average maximum purchase price for his inventory the manufacturer shall weight the purchases on the basis of quantity and shall deduct for material taken out of inventory on the basis of the average actual purchase price or the average maximum purchase price, as the case may be, of the inventory at the time the material was removed from the inventory.

(d) *Reports.* When a manufacturer first computes a maximum price for a particular industrial box in accordance with the provisions of this section no report need be filed with the Office of Price Administration. However, if the manufacturer subsequently computes a higher maximum price for such box in accordance with the provisions of this section, unless the increase is definitely assignable to a change in specifications or a change in the conditions of delivery, the manufacturer thereof shall file a report with the Lumber Branch of the Office of Price Administration, containing:

(1) A description of the industrial wooden box;

(2) The maximum price prior to the price increase;

(3) The new maximum price;

(4) An explanation of the higher prices (in terms of the price-determining method and application of the appropriate price factors reflected in the formula): *Provided*, That if the price of an industrial wooden box previously has been reported pursuant to this paragraph without objection from the Office of Price Administration, the manufacturer shall not be required to report subsequent sales or deliveries at the same or a lower price.

§ 1377.104 *Maximum prices; sales by the manufacturer of industrial wooden boxes which cannot be priced under § 1377.102 or § 1377.103.* If the manufacturer is unable to determine the maximum price for an industrial wooden box pursuant to the provisions of § 1377.102 or § 1377.103, the maximum price shall be determined in accordance with this section.

(a) *Prices.* The maximum price for each sale of such industrial wooden box shall be a price determined by the seller and reported pursuant to paragraph (b) of this section: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty day period, such manufacturer may contract, sell or deliver at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(b) *Report.* Within fifteen days of entering into a contract for the sale of an industrial wooden box the maximum price for which is computed in accordance with this section, the manufacturer thereof shall file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing:

(1) A description of the box;

(2) A summary of the price-determining method, if any, used in the plant on March 31, 1942, or if no method was in use on that date, a summary of the price-determining method which the manufacturer proposes to use;

(3) The maximum price computed by the manufacturer by applying the pricing factors in the manner set forth in § 1377.103; and

(4) An explanation and demonstration of the method employed in arriving at that maximum price.

§ 1377.105 *Maximum prices; sales by sellers other than the manufacturer of industrial wooden boxes without list prices.* (a) If for any industrial wooden boxes a seller other than the manufacturer thereof had no published or confidential list price in effect on March 31, 1942, the maximum price to any purchaser for such box shall be the net price determined by applying to the seller's net invoiced cost of such box, not to exceed the applicable maximum price, the average percentage mark-up, weighted by volume of sales, over net invoice cost realized during March 1942, for all industrial wooden boxes of the same class sold by such seller during March 1942, to purchasers of the same class.

(b) If for any industrial wooden box a seller other than the manufacturer thereof had no published or confidential list price in effect on March 31, 1942, and if such seller sold no industrial wooden box of the same class during March 1942, the maximum price shall be the maximum price computed under this Maximum Price Regulation No. 195 for sales of the box by the most closely competitive seller of the same class.

(c) If for any industrial wooden box a seller other than the manufacturer thereof had no published or confidential list price in effect on March 31, 1942, and if such seller cannot compute a maximum price for such box in accordance with the provision of paragraph (a) or (b) of this section, the seller shall apply to the Office of Price Administration for authorization to establish a maximum price pursuant to a pricing method proposed in writing by the seller.

§ 1377.106 *New list prices.* (a) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for any industrial wooden box shall file a report pursuant to paragraph (b) of this section containing a proposed price determined under § 1377.103, § 1377.104, or § 1377.105 of this Maximum Price Regulation No. 195, and such price thereafter shall be the maximum price: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report.

(b) Under the circumstances set forth in paragraph (a) of this section a report shall be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the applicable provisions of this Maximum Price Regulation No. 195.

§ 1377.107 *Report on cost-plus contracts.* Any person who has agreed to sell or deliver any industrial wooden box pursuant to a cost-plus-a-fixed-fee or cost-plus-a-percentage-of-cost-contract, shall on or before September 1, 1942, or within ten days after entering into such contract file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing a copy or a summary of such contract.

§ 1377.108 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 195 may be charged, demanded, paid or offered.

§ 1377.109 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 195 shall be construed to prohibit the making of a contract to sell industrial wooden boxes at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment or for adjustment or exception has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1377.110 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 195 shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to industrial wooden boxes, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Making credit terms more onerous, either by decreasing the time allowed for payment or by decreasing the deductions allowed for prompt payment, than those in effect or available to the purchaser on March 31, 1942;

(2) Making charges for delivery which in effect require the purchaser to pay a larger proportion of the transportation cost than would have been the case in a similar sale on March 31, 1942.

§ 1377.111 *Records and reports*—(a) *Records.* Persons subject to this Maximum Price Regulation No. 195 shall keep available for inspection by the Office of Price Administration for a period of not less than two years records of the following:

(1) *By the manufacturer.* (i) Records of each sale or delivery of industrial wooden boxes after August 7, 1942, showing the name and address of the purchaser, the date of the sale, a description and identification of the box and the net price received.

(ii) A record showing the price-determining method employed in the plant on March 31, 1942, the labor rates in effect in the plant on March 31, 1942, the price paid for and a description of all material purchased after January 1, 1942, the system of computing overhead burden in effect in the plant on March 31, 1942, and the price or value of all other factors reflected in the price-determining method.

(iii) A record of all list prices and unsolicited trade quotations for industrial wooden boxes in effect on and after March 1, 1942.

(iv) A record of detailed cost-estimate sheets and other data showing the calculations of prices in sales covered by this Maximum Price Regulation No. 195 for which there were no list prices or unsolicited trade quotations in effect on March 31, 1942, or for which no list price is hereafter established.

(2) *By a seller other than the manufacturer.* Records of the kind such seller has customarily kept, relating to the prices of industrial wooden boxes sold after August 7, 1942, and in addition, records showing as precisely as possible the basis upon which maximum prices for industrial wooden boxes have been and are determined.

(3) *Persons making purchases subject to Maximum Price Regulation No. 195.* A record showing the name and address of the seller, the date of the purchase, a description of the box purchased, and the price paid.

(b) *Additional or substituted records and reports.* Every person subject to this Maximum Price Regulation No. 195, shall keep such other records and submit such other reports, including periodic financial statements, as the Office of Price Administration may from time to time require or permit, either in addition to or in substitution for records and reports required by this regulation.

§ 1377.112 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 195 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 195 or any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1377.113 *Petition for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the Presi-

dent deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of an industrial wooden box which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 195 in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

(b) *Adjustment of abnormally low maximum prices.* The Office of Price Administration or any duly authorized officer thereof, may by order adjust the maximum prices established under this Maximum Price Regulation No. 195, for any seller of industrial wooden boxes in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration.

(c) *Special relief.* Any person seeking special relief for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 195 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 195 to eliminate the danger of inflation.

(d) *General amendments and adjustments.* Persons seeking any general modification of this Maximum Price Regulation No. 195 or any general adjustment or exception not provided for therein may file petitions for amendment in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1377.114 *Definitions.* (a) When used in this Maximum Price Regulation No. 195, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "List price" or "unsolicited trade quotation" means an offering price which the seller communicates to a substantial number of potential customers. The term does not include a price which the seller quotes only to a single potential customer in response to a specific inquiry from that potential customer.

(3) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department or any agency of the foregoing.

(4) "Industrial wooden box" means any assembled or unassembled box, crate, case, carrier, or similar container made principally of wood, in the form of lumber, plywood or veneer, and used for packaging products other than perishable fruits and vegetables. The term includes any constituent wooden part of the foregoing, but does not include cooperage products or any used containers, or any wire-bound boxes.

(5) "Sub-contracted services" means services performed by an independent contractor outside of the manufacturer's own plant, but does not include "piecework" contracts.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942, shall apply to other terms used herein.

§ 1377.115 *Exclusions.* This Maximum Price Regulation No. 195 shall not apply to:

(a) Any sale or delivery at retail of an industrial wooden box. "Sale at retail" means any sale to an ultimate consumer other than an industrial, commercial or government user by a person other than the manufacturer of the box sold.

(b) Any sale or delivery of an industrial wooden box for which a maximum price is established by any other regulation or order issued by the Office of Price Administration, except the General Maximum Price Regulation.

(c) Any sale or delivery of an industrial wooden box if prior to August 8, 1942, such product had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

§ 1377.116 *Applicability of the General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation shall not, on and after August 8, 1942, apply to sales and deliveries of industrial wooden boxes subject to this Maximum Price Regulation No. 195.

§ 1377.117 *Export sales.* The maximum price at which a person may export industrial wooden boxes shall be determined in accordance with the methods provided in the Maximum Export Price Regulation issued by the Office of Price Administration. An "export sale" is any sale between a seller in the continental United States and a purchaser outside thereof in which the commodity sold is transported from the continental United States to a point outside thereof and includes any sale of a commodity outside the continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the continental United States.

§ 1377.118 *Effective date.* This Maximum Price Regulation No. 195 (§§ 1377.101 to 1377.118, inclusive) shall become effective August 8, 1942.

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7535; Filed, August 3, 1942; 12:53 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRIAL MACHINES

[Amendment 8 to Maximum Price Regulation 110[1]]

RESALE OF NEW HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1380.107 (a) is amended and a new § 1380.107a is added as set forth below:

§ 1380.107 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 110 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * *

§ 1380.107a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 110 selling at wholesale or retail any new model of household mechanical refrigerator covered by this Maximum Price Regulation No. 110. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 18, 1942.

§ 1380.112 *Effective dates of amendments* * * *

(c) Amendment No. 3 (§§ 1380.107 (a) and 1380.107) to Maximum Price Regulation No. 110 shall become effective August 6, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7526; Filed, August 3, 1942; 12:46 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2311, 2543, 2761, 4107.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5276, 5192.

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Amendment 1 to Maximum Price Regulation 139[1]]

USED HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1380.208 (a) and 1380.210 (a) are amended and a new § 1380.214 is added as set forth below:

§ 1380.208 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 139 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * *

§ 1380.210 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 139 selling at retail any used mechanical household refrigerator covered by this Maximum Price Regulation No. 139. When used in this section the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation.

* * * * *

§ 1380.214 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1380.208 (a), 1380.210 (a) and 1380.214 (a)) to Maximum Price Regulation No. 139 shall become effective August 6, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7529; Filed, August 3, 1942; 12:50 p. m.]

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 3393, 3489.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5276, 5192.

PART 1382—HARDWOOD LUMBER

[Amendment 4 to Maximum Price Regulation 146[1]]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1382.12 (d) ten new subparagraphs ((10), (11), (12), (13), (14), (15), (16), (17), (18), (19)) are added and items 7 and 8 are added to subparagraph (2), items 10 through 15 are added to subparagraph (4), items 2 through 4 are added to subparagraph (6), items 4 through 20 are added to subparagraph (7), item 3 is added to subparagraph (8) and items 5 through 13 are added to subparagraph (9) as set forth below:

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.* * * *

(d) * * *

(2) CHERRY RIVER BOOM & LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
*	*	*	*	*	*	*
7	No. 1 Common & Better GSND.	Cherry	1			$58
8	FAS	Hard and Soft Maple	1	16 and wider		125

(4) ELK RIVER COAL & LUMBER COMPANY

*	*	*	*	*	*	*
10	Sound Square Edge or Structural.	White Oak	2	8		$42
11	Sound Square Edge or Structural.	White Oak	2	12		47
12	FAS	Poplar	5/4	10 and wider		78
13	FAS	Poplar	1	10 and wider		93
14	FAS	Poplar	1¼	10 and wider		99
15	FAS	Poplar	1½	10 and wider		107

(6) MORRISON-GROSS COMPANY

*	*	*	*	*	*	*
2	FAS End Dried All White.	Hard Maple	1			$125
3	No. 1 Common & Selects End Dried All White.	Hard Maple	1			90
4	No. 3 Common (Box), 50% Sound.	White Oak and Red Oak.	1			28

(7) CONASAUGA RIVER LUMBER COMPANY

*	*	*	*	*	*	*
4	Truck Bed Flooring, 100% Sound.	Oak, Beech, Hard Maple.	1¼	6 to 12	All one length—8, 10, 12, 14, or 16.	$77
4	Truck Bed Flooring 100% Sound.	Oak, Beech, Hard Maple.	1¼	6 to 12	Combination of any two lengths.	72
4	Truck Bed Flooring, 100% Sound.	Oak, Beech, Hard Maple.	1¼	6 to 12	Random	67
5	FAS	Poplar	5/4	10 and 12		75
6	FAS	Poplar	1¼	6, 8, and 10	10 and 12	100
7	FAS	Poplar	1	12	12	110
8	No. 2B Common Bung	Poplar	1			32
9	No. 2A Common Bung	Poplar	1			49
10	Common & Better Moulding Strips.	Poplar	1	3 to 6		56
11	No. 2B Common Sound Core Stock.	Poplar	1½			38

(d) Amendment No. 4 (§ 1382.12 (d) (2), (4), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19)) to Maximum Price Regulation No. 146 shall become effective August 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3776, 4179, 4852, 5520.

(7) CONASAUGA RIVER LUMBER COMPANY—Continued

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
12	No. 2B Common Sound Core Stock.	Poplar	2			$39
13	FAS Squares	Poplar	5	5		145
13	FAS Squares	Poplar	6	6		150
14	FAS Squares	Poplar	7	7		160
15	Panel and Wide No. 1	Poplar	1¼	Regular	Regular	115
15	Panel and Wide No. 1	Poplar	1	Regular	Regular	105
15	Panel and Wide No. 1	Poplar	1	22 and 24		110
16	Selected Siding	Poplar	1¼	8		66
16	Selected Siding	Poplar	1¼	10		66
17	100% Sound Sills	Oak	2	7	12 and 14	63
17	100% Sound Sills	Oak	2	8	12 and 14	65
18	Sound Square Edge SW	Oak	1½	8	10	45
18	Sound Square Edge SW	Oak	1½	10¼ to 11	8, 12, and 16	50
19	FAS Stepping Plank	Red Oak	1¼	10 and up		102
19	FAS Stepping Plank	Red Oak	1½	10 and up		105
20	FAS Stepping Plank	White Oak	1¼	10 to 15		125

(8) PARDEE & CURTIN LUMBER COMPANY

3	Select Common	Poplar	1	6 and wider, Av. 10 or more.	50% or more, 14 and 16.	$65
3	Select Common	Poplar	1¼	6 and wider, Av. 10 or more.	50% or more, 14 and 16.	70
3	Select Common	Poplar	1½	6 and wider, Av. 10 or more.	50% or more, 14 and 16.	70
3	Select Common	Poplar	2	6 and wider, Av. 10 or more.	50% or more, 14 and 16.	75

(9) TENNESSEE EASTMAN CORPORATION

5	Crating Grade	Poplar, Chestnut, Basswood.	1	8, 10, 12, 14		$27
6	Crating Grade	Poplar, Chestnut, Basswood.	1¼	8, 10, 12, 14		28
7	FAS Comb Grain	White Oak	1½			145
7	FAS Comb Grain	White Oak	2			160
8	No. 1 Common & Selects Comb Grain.	White Oak	1			75
8	No. 1 Common & Selects Comb Grain.	White Oak	1¼			82
8	No. 1 Common & Selects Comb Grain.	White Oak	1½			90
8	No. 1 Common & Selects Comb Grain.	White Oak	2			100
9	Step Plank	White Oak	1¼	11 to 13		137
10	Step Plank	Red Oak	1¼	12 to 13		100
11	Special Y. I. M. C. (3A-S. W. & No. 1 C& Btr. WHND).	White Oak	1			30
12	FAS	Red Oak	3	10	16	121
13	No. 3 B Sheathing	White Oak and Red Oak.	1			20

(10) MEADOW RIVER LUMBER COMPANY

1	No. 1 Common	Hickory	2	4	5, 6, 10, 12, 14, 16 (10%—14).	$51
2	Sound Square Edge	Hickory	2½	7	8, 14, 16	55
3	FAS	White Oak	1¼	12 and wider		147
4	FAS—WHND	White Oak	1¼	10¼	7'8" to 8'	85
5	No. 1 Common and Better WHND.	White Oak	1¼	8		61
6	FAS—One Face	Red Oak	1	8		67
7	No. 1 Common and Selects.	Red Oak	2	8 and wider		73
8	FAS	Soft Maple	1	6 to 8		82
9	Selected Grade—100% Sound.	Soft Maple	1	6 to 8		45
10	FAS	Hard Maple	2	12 and wider		140
11	Saps	Poplar	1	6 and wider		70
12	FAS	Hard Maple	1	8 to 12		110
13	FAS	Hard Maple	1	11 and wider		125
14	FAS	Hard Maple	1	12 and wider		130
15	FAS	Hard Maple	1¼	8, 10 and 12	12 to 16	150
16	FAS	Hard Maple	1¼	8 to 12		119
17	FAS	Hard Maple	1½	8 to 12		124
18	FAS	Hard Maple	2	8, 10 and 12	12 to 16	160
19	FAS	Hard Maple	3	10 to 12		170
20	FAS	Soft Maple	1	8 to 10		90
21	FAS	Soft Maple	1	12 and wider		95
22	FAS	Soft Maple	1¼	8 and wider		101
23	FAS	Soft Maple	1½	8 and wider		103
24	FAS	Soft Maple	2	8 and wider		110
25	FAS	Soft Maple	2	10 and wider		121
26	FAS	Soft Maple	2	10 to 12		121
27	FAS	Soft Maple	2	5 to 7	9, 10, 14 and 16	101
28	FAS	Soft Maple	2	8 and 10		111
29	FAS	Soft Maple	3	10 and wider		150
30	FAS	Poplar	4/4	8 and wider		68
31	FAS	Poplar	1	8 and wider		88
32	FAS	Poplar	1	10 and wider		98

(10) MEADOW RIVER LUMBER COMPANY—Continued

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
33	FAS	Poplar	2	12 to 13	16	$140
34	FAS	Poplar	2	8 and wider		109
35	FAS	Poplar	6	6	Random	160
36	FAS	Poplar	8	8	10, 12, 14 and 16	166
37	FAS—One Face	Red Oak	1	8 to 9		70
38	FAS—One Face	Red Oak	1	8 to 10		73
39	FAS	Red Oak	1	10 to 11		90
40	FAS	Red Oak	1	12 to 13	16	121
41	FAS	Red Oak	1	6, 8, and 12	12 to 16	100
42	FAS	Red Oak	1	8 and wider		80
43	FAS	Red Oak	1	10 to 12		90
44	FAS	Red Oak	1	12 and wider	16	135
45	FAS	Red Oak	1¼	12 to 13	16	134
46	FAS	Red Oak	1¼	8 and wider		90
47	FAS	Red Oak	1¼	12 and wider	16	145
48	FAS	Red Oak	1¼	11 to 14		105
49	FAS	Red Oak	1½	8 and wider		94
50	FAS	Red Oak	1½	12 to 13	16	139
51	FAS	Red Oak	2	6 and wider	12 to 16	110
52	FAS	Tough Ash	2	10 and wider		120
53	FAS	Tough Ash	2½	6 to 9	14 to 16	125
54	FAS	Basswood	4	6 to 9½		118
55	FAS	Beech	2	7 and 10	16	95
56	FAS	Birch	2	8		133
57	FAS	Cherry	1	8 and wider		116
58	No. 2 Common & Better SSE–SW.	Chestnut	1	9	10 to 16	34
59	No. 2 Common Sound Square Edge.	Chestnut	1	6		34
60	Sound Square Edge Wormy.	Chestnut	3	8	14 and 16	50
61	Sound Square Edge Wormy.	Chestnut	3	11	12	50
62	Sound Square Edge	Hickory	3	7	8, 14 and 16	50
63	Clear (FAS)	Hard Maple	4	8 and wider	16	200
64	FAS—Quartered	White Oak	1	10 and wider	12 to 16	160
65	FAS	White Oak	1¼	11 and wider		142
66	FAS—Stepping Grade	White Oak	1¼	11 to 13		139
67	No. 1 Common & Select Export.	White Oak	1	6 and up		60
68	No. 1 Common & Select Export.	White Oak	1¼	6 and up		70
69	No. 1 Common & Select Export.	White Oak	2	6 and up		85
70	No. 1 Common & Better—WHND.	White Oak	1¼	7 to 10		66
71	No. 1 Common & Better—WHND.	White Oak	2	10 to 12		89
72	No. 1 Common & No. 2 Common Special (100% Sound).	Oak	1	6 to 8		48
73	No. 1 Common & No. 2 Common Special (100% Sound).	Oak	1¼	6 to 8		49
74	Sound No. 1 Common & Better WHND.	Oak	1½	6 and wider	8 and 16	60
75	Sound Square Edge	White Oak	4	8	16	47
76	Sound Square Edge	White Oak	4	6	16	47
77	Sound Square Edge	White Oak	2	12	16	52
78	Sound Square Edge	White Oak	1	12	16	54

(11) BIRCH VALLEY LUMBER COMPANY

1	FAS—Step Plank	Red Oak	1¼	11 to 14		$105
2	Panel and Wide No. 1	Poplar	1	18 and wider, 30% 24 to 30.	75% 14 and 16	105
3	No. 1 Common & Better (Bird Peck No Defect).	Hickory	1½			40
4	No. 1 Common & Better (Bird Peck No Defect).	Hickory	2			43

(12) INTER-MOUNTAIN COAL & LUMBER COMPANY

1	FAS—All white one face	Hard Maple	1			$110
2	No. 1 Common & Selects, All white one face.	Hard Maple	1			80
3	FAS	Hard Maple	1	12 and wider		115
3	FAS	Hard Maple	1½	12 and wider		130
3	FAS	Hard Maple	2	12 and wider		135

(13) McCRACKEN & McCALL, INCORPORATED

1	Box Grade	White and Red Oak	1			$20
1	Box Grade	White and Red Oak	1¼			21
1	Box Grade	White and Red Oak	1½			21
1	Box Grade	White and Red Oak	2			22

(14) STEARNS COAL AND LUMBER COMPANY

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Clear Stripe	White Oak	1	3¼ to 5½		$54
2	Clear Stripe	Poplar	1	3½ to 5½		52
3	No. 3 Common—75% Sound.	White Oak and Red Oak.	1			20
4	Panel and Wide No. 1	Poplar	1	19 and 19		100
4	Panel and Wide No. 1	Poplar	1	20 and 21		105
4	Panel and Wide No. 1	Poplar	1	22 and 23		110
4	Panel and Wide No. 1	Poplar	1	24 to 27		110
4	Panel and Wide No. 1	Poplar	1¼	18 and 19		115
4	Panel and Wide No. 1	Poplar	1¼	20 and 21		120
4	Panel and Wide No. 1	Poplar	1¼	22 and 23		125
4	Panel and Wide No. 1	Poplar	1¼	24 to 27		110
4	Panel and Wide No. 1	Poplar	1½	18 and 19		115
4	Panel and Wide No. 1	Poplar	1½	20 and 21		120
4	Panel and Wide No. 1	Poplar	1½	22 and 23		125
4	Panel and Wide No. 1	Poplar	1½	24 to 27		130
4	Panel and Wide No. 1	Poplar	2	18 and 19		135
4	Panel and Wide No. 1	Poplar	2	20 and 21		140
4	Panel and Wide No. 1	Poplar	2	22 and 23		145
4	Panel and Wide No. 1	Poplar	2	24 to 27		40
5	Structural Grade	White Oak	4	6	10 to 16	40
5	Structural Grade	White Oak	2	8	10 to 16	44
5	Structural Grade	White Oak	8	8	18	46
5	Structural Grade	White Oak	12	12	10 to 16	46
6	Structural Grade Free of Heart.	White Oak	2	6	10 to 16	46
6	Structural Grade Free of Heart.	White Oak	2	10	10 to 16	48
6	Structural Grade Free of Heart.	White Oak	2	12	10 to 16	52
6	Structural Grade Free of Heart.	White Oak	3	6	10 to 16	46
6	Structural Grade Free of Heart.	White Oak	3	8	10 to 16	46
6	Structural Grade Free of Heart.	White Oak	3	10	10 to 16	48
6	Structural Grade Free of Heart.	White Oak	3	12	10 to 16	52
6	Structural Grade Free of Heart.	White Oak	4	6	10 to 16	46
6	Structural Grade Free of Heart.	White Oak	4	6	18	80

(15) VIRGINIA HARDWOOD LUMBER COMPANY

1	Box Grade—50% Sound.	White Oak and Red Oak.	1			$21

(16) BRINGARDNER LUMBER COMPANY

1	FAS—Step Plank	Red Oak	1¼	11 to 15		$100
2	Sound Square Edge Free of Heart.	White Oak	2	6		46
3	Sound Square Edge Free of Heart.	White Oak	2	8		46
4	Sound Square Edge Free of Heart.	White Oak	2	10		48
5	Sound Square Edge Free of Heart.	White Oak	2	12		50
6	Sound Square Edge	White Oak	2	12		42
7	FAS—Comb Grain	Red Oak	1			90
8	FAS—Comb Grain	Red Oak	1¼			95
9	Box Grade (No. 2—50% or Better Sound).	White Oak and Red Oak.	1			18

(17) J. P. HAMER LUMBER COMPANY

1	No. 1 Common and Selects—Key Stock.	Basswood	1			$62

(18) LOGAN LUMBER COMPANY

1	Selects and Better	White Oak	2 to 6		16 and shorter	$100
1	Selects and Better	White Oak	2 to 6		18 and 20	120

(19) EDMONDS BROTHERS LUMBER COMPANY

1	No. 2 Common and Better.	Beech	1			$36
2	No. 2 Common and Better.	Beech	1½			46

[F. R. Doc. 42-7534; Filed, August 3, 1942; 12:52 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 6 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

A new paragraph (c) is added to § 1407.86 as set forth below:

Institutional and Industrial Users

§ 1407.86 *Allotments.* * * *

(c) A registering unit shall be entitled to the following additional allotments, but only for the two month periods commencing July 1, 1942 and September 1, 1942: twenty-five per cent of each sugar base of its institutional users and ten per cent of each sugar base of its industrial users. The Board shall grant these allotments to the registering unit without further application therefore at the same time that such registering unit applies for its allotment for the period which commences on September 1, 1942.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1407.86 (c) to Rationing Order No. 3 shall become effective August 7, 1942.

(Pub. Law 421, 77th Cong. WPB Dir. No. 1 and Suppl. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7531; Filed, August 3, 1942; 12:50 p. m.]

PART 1340—FUEL

[Amendment 8 to Maximum Price Regulation 137 [2]]

PETROLEUM PRODUCTS SOLD AT RETAIL

EASTERN SEABOARD

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.91, paragraph (b) is amended to read as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(b) *Eastern seaboard.* In the Eastern seaboard, and within the corporate limits of the City of Bristol, Tennessee, the maximum price of gasoline sold at service stations determined under § 1340.91 (a) (1) and (2) may be increased by not more than 0.4 of a cent a gallon. In the Eastern seaboard the maximum price determined under § 1340.91 (a) (1) and (2) of kerosene, No. 1 fuel oil and range oil sold at retail establishments may be increased by not more than 1.1 cents a gallon and of Diesel fuel sold at retail establishments by not more than 1.1 cents a gallon.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193.

[2] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868.

§ 1340.93a *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§ 1340.91 (b)) to Maximum Price Regulation No. 137 shall become effective August 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7547; Filed, August 3, 1942; 5:08 p. m.]

PART 1340—FUEL

[Amendment 27 to Revised Price Schedule 88 [1]]

PETROLEUM AND PETROLEUM PRODUCTS

EASTERN SEABOARD

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159, (c) (2) (ii) and (c) (3) and (c) (6) are amended to read as follows:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(2) *Gasoline.* * * *

(ii) *Maximum prices for gasoline on the Eastern seaboard.*

Eastern seaboard. Maximum prices for gasoline in the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, the District of Columbia and the corporate limits of Bristol, Tennessee, shall not be in excess of 1.2 cents per gallon above the maximum prices in the above States and the District of Columbia as determined under paragraph (b) (1) to (3) inclusive, of this section. Such maximum increase of 1.2 cents per gallon shall apply to the communities in Maryland and Virginia adjacent to the District of Columbia in addition to the increase of 0.5 of a cent per gallon allowed for these communities below. Maximum prices for gasoline sold in the State of Florida, east of the Apalachicola River and in the State of Georgia shall not be in excess of 0.9 of a cent per gallon above the maximum prices as determined under paragraph (b) (1) to (3) inclusive, of this section.

(3) *Distillate fuel oils.* (i) The maximum prices in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for the petroleum products listed below shall not be more than the respective amounts per gallon indicated below in excess of the maximum price that would otherwise govern under paragraph (b) (1) to (3) inclusive, of this section:

Product:	*Cents per gallon*
Tractor fuel, gas house oils, distillate Diesel fuel oils, Nos. 2, 3 and 4 fuel oils	1.5
Kerosene, range oil, No. 1 fuel oil	1.5

(ii) *Maximum tank wagon prices for No. 2 fuel oil:*

Tank wagon area:	*Cents per gallon*
Washington, D. C.	9.1

* * * * * *

(6) *Residual fuel oils.* (i) The maximum price in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and in the District of Columbia for residual fuel oils, comprising Nos. 5 and 6 fuel oils, Bunker C, Navy Grade and residual Diesel fuel oils, shall be not more than 30 cents per barrel in excess of the maximum prices that would otherwise govern under § 1340.159 (b) (1) to (3), except that at the points named in (ii) below the prices there specified shall be the maximum prices.

(ii) *Maximum prices for Bunker C and No. 6 fuel oils on the East and Gulf coasts in cargo and barge lots f. o. b. refineries and terminals (ex lighterage).*

Location of refineries:	*Maximum price per barrel*
Albany, N. Y.	1.85
New York, N. Y.	1.65
Philadelphia, Pa.	1.65
Baltimore, Md.	1.65
Norfolk, Va.	1.65
Portland, Me.	1.65
Boston, Mass.	1.65
Providence, R. I.	1.65
Charleston, S. C.	1.60
Savannah, Ga.	1.60
Jacksonville, Fla.	1.60
Tampa, Fla.	1.55
New Orleans, La.	.85

Maximum prices for ports on the Gulf and East Coasts from Florida east of the Apalachicola River to the Canadian boundary not specified above shall be determined in accordance with (i) above. Customary differentials above the maximum prices for cargo and barge lots which were in effect on October 1, 1941 for deliveries other than in cargo and barge lots may be maintained.

§ 1340.158a *Effective dates of amendments.* * * *

(aa) Amendment No. 27 (§§ 1340.159 (c) (2) (ii) and (c) (3) and (c) (6)) to Revised Price Schedule No. 88 shall become effective August 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7545; Filed, August 3, 1942; 5:13 p. m.]

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868.

PART 1499—COMMODITIES AND SERVICES

[Amendment 19 to General Maximum Price Regulation [1]]

REPORT OF MAXIMUM PRICES DETERMINED UNDER § 1499.3 (a)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.24 is amended to read as set forth below:

§ 1499.24 *Appendix A: General Maximum Price Regulation; Report of maximum price determined under § 1499.3 (a); Form GMPR:* 2. This form GMPR: 2 shall be used for the reporting of a maximum price for sale at wholesale or retail determined under § 1499.3 (a) of the General Maximum Price Regulation. The maximum price for sale at wholesale or retail may be determined under this section only if the seller cannot determine maximum prices under § 1499.2: i. e., if there was no sale or offer to sell of the same or similar commodities by the seller reporting or by a competitor during the month of March, 1942. Any seller who has determined a maximum price under § 1499.3 (a) is required, within 10 days after such determination, to report such price to the appropriate field office of the Office of Price Administration. If the maximum price reported is incorrectly determined or otherwise unreasonable the seller will be required to determine a new maximum price and to file a new report.

The Office of Price Administration has the right at any time for cause to revise the price so reported.

Any seller who under § 1499.4a of the General Maximum Price Regulation has received authorization of the Retail Trade and Services Division to determine uniform maximum prices pursuant to § 1499.3 (a) for a group of stores under its control in which it has been the practice to charge uniform or substantially uniform prices, shall file his report or reports in accordance with and at the place or places designated in the Order issued by the Office of Price Administration authorizing uniform pricing.

Form GMPR: 2
To: Office of Price Administration
From: ----------
Name

Address

If report is filed for more than one store indicate here or on attached sheets the stores included or the area covered----------

The undersigned hereby reports its determination, made in accordance with § 1499.3 (a) of the General Maximum Price Regulation, of the maximum price for the commodity described in item 1 below.

1. Brief description of commodity for which a maximum price is reported:

----

2. Reasons why price could not be determined on the basis of a same or similar commodity dealt in by the undersigned or a competitive seller during March 1942:

----

3. (a) General classification in which the undersigned classes the commodity for which maximum price is reported----------

(b) Brief description of comparable commodity in this general classification and price range of which the undersigned delivered the largest number of units during March 1942 (referred to herein as "comparable commodity") ----------

4. The maximum price reported was determined from calculations A, B, and C below, in accordance with instructions printed below:

A. Comparable Commodity:

	Col. (2) Unit of pricing	Col. (3) Net replacement cost per unit	Col. (4) Maximum price per unit	Col. (5) Percentage (col. 4 divided by col. 3)
Example: Commodity X.	Each..	$4.00	$5.00	125

B. Net cost per unit of commodity for which maximum price is reported----------

C. Maximum price reported per unit----------
(This is to be calculated by multiplying Item 4B by Item 4A, Col. 5)

5. The price reported is a price for sale at retail ---------- at wholesale ----------
(Check the appropriate designation)

6. Date price reported became effective ----------

CERTIFICATION

I certify that I have read this report, and that all statements made therein are true and correct.

(Sign)

(Address—Post Office, City and State)

(Date)

Pursuant to section 205 (b) of the Emergency Price Control Act of 1942 it is a criminal offense punishable by a fine of not more than $5000 or by imprisonment for not more than one year, or both, to make any false statement or entry in the above report. This form does not need to be acknowledged before a notary public.

INSTRUCTIONS

The following instructions must be followed in completing this form:

Item 1. Give a brief but complete description of the commodity for which the price is reported. The description should be sufficient to enable any representative of OPA to identify the item. It should include a description of its use, unit, size, packaging, brand name or name of the manufacturer if known, the material of which the item is constructed and any other pertinent information.

Item 2. Indicate how commodity for which price is reported differs from other commodities sold by the seller, or competitive sellers of the same class, during March, 1942. *If the seller or competitive sellers sold similar, though not identical, items during March, 1942, maximum prices may not be established under § 1499.3 (a) but must be determined under § 1499.2 of the General Maximum Price Regulation.*

Item 3. (a) Insert general classification (food, hardware, men's clothing, etc.), in which the seller classes the commodity for which a maximum price is reported.

(b) Insert a brief description of comparable commodity in the same general classification and price range of which the seller delivered the largest number of units during March, 1942. The description should be as complete as under Item 1 above.

Item 4–A. Column 1. Name of comparable commodity.

Column 2. Insert unit of pricing, e. g., pound, quart, garment, dozen, gross, etc.

Column 3. Insert net replacement cost per unit. Net replacement cost shall be net price [1] per unit paid by the seller after May 18, 1942, or the net price which the seller would have to pay to replace the comparable commodity after such date. In no case shall this be higher than suppliers' maximum price.

Column 4. Insert the maximum price per unit established in accordance with § 1499.2 of the General Maximum Price Regulation.

Item 4–B. Insert *net cost* [1] per unit of commodity for which price is reported.

Item 4–C. Calculate maximum price reported per unit as follows: Multiply unit cost (4–B) by percentage (4–A, Column 5).

Item 5. Indicate whether the price reported in 4–C is a price for sale at wholesale or at retail as defined in § 1499.20, items (o) and (p) of the General Maximum Price Regulation.

Item 6. State the date on which the price was effective for sales to purchasers.

§ 1499.23. *Effective dates of amendments.* * * *

(s) Amendment No. 19 (§ 1499.24) to the General Maximum Price Regulation shall become effective August 6, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7548; Filed, August 3, 1942; 5:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [2]—Order 50]

CHLORINE SOLUTIONS, INC.

APPROVAL OF MAXIMUM PRICES

Chlorine Solutions, Inc., of Los Angeles, California, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

§ 1499.264 *Approval of maximum price for sodium hypochlorite sold under trade name of Hy-Pro by Chlorine Solutions, Inc.* (a) On and after August 5, 1942, Chlorine Solutions, Inc., a corporation having its principal place of business in Los Angeles, California, may sell and deliver and offer, agree, solicit, and attempt to sell and deliver sodium hypochlorite under trade name of Hy-Pro, and any person may buy from Chlorine Solutions, Inc., such commodity produced by it at a price no higher than that hereinafter set forth:

$1.50 per case consisting of 48 six-ounce bottles.

(b) On or before September 15, 1942, the above-mentioned seller shall furnish the Office of Price Administration with a sworn statement reporting in detail its cost per case consisting of 48 six-ounce bottles, of producing sodium hypochlorite sold under trade name of Hy-Pro, during the period from August 1, 1942, to September 1, 1942. Thereafter, the above-mentioned seller shall submit to the Office of Price Administration such detailed reports with respect to its costs of producing the said solution as the Office of Price Administration may, from time to time, require.

(c) This Order No. 50 may be revoked or amended by the Price Administrator at any time.

(d) All discounts, trade practices, and practices relating to the payment of shipping charges in effect during March 1942, on the sale by this company of comparable products, shall apply to the maximum prices determined under paragraph (a).

(e) This Order No. 50 (§ 1499.264) shall become effective August 5, 1942. (Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7558; Filed, August 4, 1942; 11:17 a. m.]

[Docket No. GF1–192–P]

PART 1499—COMMODITIES AND SERVICES

UNITED GROCERY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.359 *Adjustment of maximum prices for the following commodities sold by United Grocery Company.* (a) United Grocery Company, of Irvington, New Jersey, may sell and deliver to United Grocery Company retail outlets, and any such retail outlet may buy and receive from United Grocery Company the following commodities at prices not higher than those set forth below:

Item	Size	Unit	Maximum price
Anchovies	2 oz. tin	25	$4.38
Anti Stick	Pkge	24	1.12
B & M Baked Beans	Glass	12	2.09
Dried Beef	2½ oz. glass	12	1.57
Dried Beef	5 oz. glass	12	2.72
Pickled Beets	8 oz. glass	24	1.68
Brooms	#6 regular	12	4.45
Brooms	#6 special	12	2.36
Brooms	#7 regular	12	4.97
Scrub Brushes		12	1.15
Flaky Crackers	1#	12	1.03
Ginger Snaps	1# pkge	12	1.36
Goody Grahams	1# pkge	12	1.13
Salty Crackers	1# pkge	12	1.03
Black Crow Candy	Pkge	24	.67
Butterfinger Candy	Pkge	24	.69
Charms Canoy	Pkge	24	.48
Licorice Twist Candy		24	.64
Ludens Lollipops		80	.53
Bulk Lollipops	Basket	160	1.05
Licorice Nibs Candy		24	.64
Mason Peaks Candy		24	.68
Tootsie Rolls		80	.74
Capers	Bottle	6	.65
Wolff Grosts	Pkge	24	2.20
Kellogg Asst. Cereal		12	2.45
Kellogg Bran Flakes		24	2.04
Kellogg Pep		24	2.54
Kellogg Rice Krispies		36	3.84
Kellogg Shredded Wheat		24	2.25
Kix Cereal	Pkge	24	2.57
Mother's Oats	Pkge	24	2.30
Mother's Oats	Pkge	12	2.46
Muffets Cereal	Pkge	12	.98
Three Minute Oats	Pkge	24	2.15
Dairy Maid Candy	Pkge	12	.72
Hershey Candy	Lge. bars	6	.63
Dazzle Bleach	Quart	12	1.80
Dazzle Bleach	Pint	24	2.10
Flako Pie Crust	Pkge	12	1.39
Sweet Gherkins	24 oz	12	2.20
Underwood Deviled Ham.	Tin	12	1.47
Mason	Quart jar	12	.63
Jar Rubbers	Box	24	.89
Heinz Baby Foods	Tin	12	.95
Kre-Mel Desserts	Pkge	24	.92
Marshmallows	1# pkge	24	2.67
Mayonnaise	Quart jar	12	4.86
Mayonnaise	Pint jar	12	2.77
Kraft Mayonnaise	Gals	2	3.31
Kraft Mayonnaise	Quarts	6	2.75
Kraft Mayonnaise	Pints	12	3.20
Kraft Mayonnaise	8 oz	12	1.89
Kraft Mayonnaise	4 oz	12	1.00
B & O Molasses	#3 tin	12	3.14
B & O Molasses	#2 tin	12	2.09
Floor Mops	#12	12	3.14
My-T-Fine Desserts	Pkge	46	2.30
Wesson Oil	Quart tin	6	2.93
Ripe Olives	Tall tin	12	1.76
Pancake Syrup	Pints	12	1.62
Pancake Syrup	½ pints	12	.93
Pure Maple Syrup	8 oz	12	2.41
Peppers	Quart jar	6	.84
Heinz Cucumber Pickles.	Jumbo jar	12	2.32
Pickles or Relishes	7 oz. jar	12	.92
Sweet Mixed Pickles	Quart jar	12	2.25
Potted Meat	¼# tin	24	1.10
Potted Meat	½# tin	24	1.73
Salad Dressing	Quart jar	12	2.98
Salad Dressing	Pint jar	12	1.78
Salad Dressing	½ pint jar	12	1.05
Miracle Whip Dressing	Quart jar	6	2.12
Miracle Whip Dressing	Pint jar	12	2.72
Miracle Whip Dressing	½ pint jar	12	1.60
Chum Salmon	#1 tall tin	48	8.36
Pink Salmon	#1 tall tin	48	9.20
Sock Eye Salmon	#½ tin	24	6.17
Salt	10# pocket	6	1.01
Salt	4# pocket	15	1.07
Salt	3# pocket	20	1.09
Salt	3– pkge	18	.98
A–1 Sauce	Bottle	12	1.36
Eddy's Sauce	Bottle	12	1.68
Wet Shrimp	Lge. tl. tin	24	5.00
Black Pepper	1# pkge	12	.18
Panzer Sandwich Spread	Pint jar	12	2.77
Panzer Sandwich Spread	8 oz. jar	12	1.52
Blackene Stove Polish		18	2.01
Fyr Pruf Stove Polish		18	2.01
Vulcanoe Stove Polish		18	2.01
Lipton Tea	8 count	72	$5.52
Scott Tissue	Rolls	100	6.35
Waldorf Tissue	Rolls	100	3.82
Lunch Tongue	6 oz. tin	12	2.36
Beauty Bubble Soap	Cake	72	2.37
Camay Soap	Cake	72	4.41
Kirkman Complexion Soap.	Cake	72	3.83
Fairy Soap	Cake	72	3.29
Ivory Soap	Large cake	50	4.56
Ivory Soap	Large cake	100	9.02
Ivory Soap	Med. cake	100	5.39
Ivory Soap	Guest cake	72	2.90
Kirkman Borax Soap	Cake	100	4.30
Kirkman Floating Soap	Cake	50	2.02
Lava Soap	Med. cake	50	2.70
Lifebuoy Soap	Cake	100	6.06
Lux Toilet Soap	Cake	100	6.06
Octagon Giant Soap	Cake	100	4.17
Octagon Soap	Cake	120	2.80
Octagon Floating Soap	Cake	50	2.45
Octagon Toilet Soap	Cake	72	2.97
Palmolive Beads	Package	60	2.75
Palmolive Soap	Cake	72	4.41
Palmolive Soap, Bath	Cake	100	8.64
Palmolive Soap, Bath	Cake	50	4.35
P & G Soap	Cake	100	4.11
Swan Soap	Large cake	100	9.05
Swan Soap	Med. cake	100	5.40
Sweetheart Soap	Cake	50	3.38
Hand Soap	4# tin	12	1.15
Woodbury Soap	Cake	72	5.35
Chipso Flakes	Large pkge	24	4.95
Chipso Gran	Large pkge	24	4.95
Chipso Flakes	Small pkge	30	2.47
Clean Quick Soap Chips		8	3.03
Duz	Small pkge	30	2.41
Duz	Large pkge	24	4.95
Duz	Giant pkge	8	4.79
Gold Dust Powder	Large pkge	12	1.77
Ivory Flakes	Large pkge	24	4.83
Ivory Snow	Large pkge	24	4.83
Ivory Snow	Small pkge	30	2.45
Ivory Flakes	Small pkge	30	2.45
Kirkman Flakes	Large pkge	24	5.00
Kirkman Gran. Combination.	Package	24	5.26
Kirkman Powder	Large pkge	12	1.87
Lux Flakes	Large pkge	20	4.14
Lux Flakes	Small pkge	50	4.20
Octagon Flakes	Large pkge	24	4.95
Octagon Granulated	Large pkge	24	4.95
Octagon Powder	Large pkge	24	4.95
Octagon Granulated	Large pkge	20	2.74
Octagon Powder	Package	60	2.35
Octagon Powder	Package	120	2.78
Oxydol	Giant pkge	8	4.66
Oxydol	Large pkge	24	4.95
Oxydol	Small pkge	30	2.42
Rinso	Giant pkge	8	4.66
Rinso	Large pkge	24	4.95
Rinso	Small pkge	60	4.95
Selox	Package	24	2.99
1776 Powder	Package	36	3.25
Silver Dust	Package	24	5.24
Supersuds	Large pkge	24	4.95
Klek	Large pkge	48	4.22
Klek	Giant pkge	24	4.31
Supersuds	Giant pkge	8	4.66
White Eagle Chips	Package	8	3.03

(b) The relief granted herein is granted without prejudice to the prayers of the application for relief on other items listed in its protest, the consideration of such additional items having not yet been completed.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 (§ 1499.359) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 9 (§ 1499.359) shall become effective August 5, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7560; Filed, August 4, 1942; 11:16 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[1] "Net price" (or "net replacement cost") shall be the price paid after deducting all discounts allowed to, and adding transportation and delivery charges paid by the seller filing this form.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

PART 1499—COMMODITIES AND SERVICES

[Adjustment of Maximum Prices Under § 1499.18 (c) of the General Maximum Price Regulation—Order 10]

JOHN T. STANLEY CO., INC.—BRILLO MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.360 *Adjustment of maximum prices for certain sales of soap by John T. Stanley Company, Inc., to Brillo Manufacturing Company, Inc.* (a) The John T. Stanley Company, Inc., 626–662 West 30th Street, New York City, may sell, and Brillo Manufacturing Company, Inc., may buy 150,000 pounds of soap at 11⅝¢ per pound under the terms and conditions of Brillo Manufacturing Company, Inc., Order No. B–2012.

(b) This Order No. 10 (§ 1499.360) shall become effective August 5, 1942. (Pub. Law 421—77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7557; Filed, August 4, 1942; 11:17 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Docket No. 6F1–316–P]

WEST COAST WOOD PRESERVING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 11 under § 1499.18 (c) of the General Maximum Price Regulation.[1]

For reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered:

§ 1499.361 *Adjustment of maximum prices for commodities sold by West Coast Wood Preserving Company.* (a) The maximum prices for the sale by the West Coast Wood Preserving Company, 1118 Fourth Avenue, Seattle, Washington for all commodities and services in which it deals shall be based upon the same pricing formula used by it in March 1942, without change in the elements of cost or the method of computing profit margins in use by it in March 1942, except that the cost of creosote may be figured at a price not higher than 20¢ per gallon delivered at the company's plant.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 11 (§ 1499.361) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1449.2.

(d) This Order No. 11 shall become effective August 5, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7559; Filed, August 4, 1942; 11:16 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Correction of Amendment 1 to General Order O.D.T. 10[1]]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART G—CHARTER AND SIGHTSEEING SERVICE

MISCELLANEOUS AMENDMENTS

In the preamble to Amendment No. 1 to General Order O.D.T. No. 10 the words "§§ 501.40 and 501.41" should read "§§ 501.41 and 501.42", and in the amendment, the reference "§ 501.40 *Special or general permits*" should read "§ 501.41 *Special or general permits.*", and "§ 501.41 *Notice of changes in operations of regulated motor carriers*" should read "§ 501.42 *Notice of changes in operations of regulated motor carriers.*" Amendment No. 1 is corrected accordingly.

Issued this 4th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–7552; Filed, August 4, 1942; 10:49 a. m.]

Notices

UNITED STATES DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P. & S. Docket No. 1506]

STATESBORO LIVE STOCK COMMISSION CO.

ORDER OF INQUIRY, ORDER OF SUSPENSION, AND NOTICE OF HEARING

In re F. C. Parker, Sr., and F. C. Parker, Jr., copartners, doing business as the Statesboro Live Stock Commission Co., respondent.

This proceeding is instituted pursuant to the provisions of Title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181), and the following allegations are made:

1. The respondents are engaged in the business of conducting or operating a stockyard at Statesboro, in the State of Georgia, which stockyard has been ascertained by the Secretary of Agriculture to be a "stockyard" within the definition of that term as used in the act, and which has been posted as such by the Secretary of Agriculture under the act.

2. The respondents, F. C. Parker, Sr. and F. C. Parker, Jr., doing business as the Statesboro Live Stock Commission Co., are registered as a market agency and dealer under the act and are engaged in the business of selling livestock, in commerce, on a commission basis.

3. In accordance with the requirements of the Packers and Stockyards Act, the respondents have heretofore filed and put into effect schedules of rates and charges for their services.

4. On or about July 11, 1942, the respondents made, filed, and published, effective on and after July 29, 1942, a new schedule of rates and charges, without designation by number, which said new schedule contains rates and charges, most of which are materially greater than those set forth in the schedule now on file.

5. Upon an examination of the records and other information in the possession of the Department of Agriculture, there is reason to believe that the increases proposed by such new schedule are not justified and that such increases are, in fact, unreasonable.

It is concluded that a proceeding under title III of the act should be had for the purpose of determining the reasonableness and lawfulness of the rates and charges proposed to be made by the respondents as set forth in the schedule submitted by the respondents and received in the Department on July 15, 1942, which they proposed to make effective July 29, 1942, and that, pending a hearing and decision in said proceeding, the operation of such tariff should be suspended and its use deferred.

It is further concluded that a hearing should be had for the purpose of determining the lawfulness of all rates and charges of the respondents and of any rule, regulation, or practice affecting such rates and charges, and whether any stockyard service is rendered by the respondents without making a lawful charge therefor.

It is therefore ordered, That the operation and use of the tariff filed by the respondents on July 15, 1942, to become effective on and after July 29, 1942, shall be suspended and the Secretary's telegram of July 28, which suspended the tariff and deferred its use until the expiration of thirty days beyond the time when such tariff would otherwise go into effect, is confirmed.

It is further ordered, That a hearing covering the allegations made herein shall be held before an examiner at a time and place of which the respondents will have at least ten days' notice. At such hearing, the respondents and all other interested persons will have a right to appear and present such evidence with respect to the matters and things alleged as may be relevant and material.

It is further ordered, That any and all interested persons who may wish to appear and present evidence relative to the issues in this proceeding shall give notice thereof by filing a statement to that effect with the Hearing Clerk, Office of the Solicitor, Department of Agriculture, Washington, D. C., on or before the 15th day of August 1942.

It is further ordered, That a copy hereof be served upon the respondents by registered mail.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

Done at Washington, D. C. this 3d day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42–7561; Filed, August 4, 1942; 11:08 a. m.]

FEDERAL TRADE COMMISSION.

[File No. 21–374]

PROPOSED TRADE PRACTICE RULES RELATING TO THE COLORFASTNESS OF TEXTILES

NOTICE OF HEARING, AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 3d day of August, A. D. 1942.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, consumer organizations, or other parties or groups affected by or having an interest in the proposed trade practice rules relating to the Colorfastness of Textiles to present to the Commission their views concerning such rules, including such pertinent information, suggestions, or objections, if any, as they may desire to submit, and to be heard in the premises. For this purpose they may, upon application to the Commission, obtain copies of the proposed rules. Matters submitted in writing should be filed with the Commission not later than August 18, 1942. Opportunity for oral hearing and presentation will be afforded at Room 532, Federal Trade Commission Building, Constitution Avenue at Sixth Street, Washington, D. C., beginning at 10 a. m., August 18, 1942, to any interested or affected party who may appear and desire to be heard. After giving due consideration to all matters presented concerning the proposed rules, the Commission will proceed to their final consideration.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–7553; Filed, August 4, 1942; 11:11 a. m.]

OFFICE OF PRICE ADMINISTRATION.

FULTON TRADING AND COMMISSION COMPANY

APPROVAL OF REGISTRATION

Order 12 under Supplementary Regulation No. 1[1] to General Maximum Price Regulation.

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government and whose other activities do not include selling new or second-hand commodities for its own account: Fulton Trading & Commission Co., 2 Jones Lane, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Fulton Trading & Commission Company, New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 12 shall become effective August 4, 1942.

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7527; Filed, Aug. 3, 1942; 12:47 p. m.]

LOUDON PACKING CO.

APPROVAL OF MAXIMUM PRICES

Order 1 under Maximum Price Regulation 152[1]—Canned Vegetables.

On July 14, 1942, the Loudon Packing Company, filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the company in its application with respect to 18 ounce "V–8 Cocktail", a combination of tomato juice containing no more than 30 percent other vegetable juices. The 18 ounce size for which a maximum price is sought has not been packed by the applicant heretofore.

For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

(a) The Loudon Packing Company may sell, offer to sell, or deliver 18 ounce containers of "V–8 Cocktail" at a price no higher than the maximum price of $1.53 per dozen delivered.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 shall apply to terms used herein.

(d) This Order No. 1 shall become effective on August 4, 1942.

Issued this 3d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7546; Filed, August 3, 1942; 5:08 p. m.]

CERTIFICATION OF CERTAIN OPERATIONS AS TOUGH ASH SPECIALTY ESTABLISHMENTS

Order 3 under Maximum Price Regulation 97—Southern Hardwood Lumber.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1382.108 (a) (8) of Maximum Price Regulation No. 97—Southern Hardwood Lumber, it is hereby ordered:

(a) The following operations have been approved and certified by the Office of Price Administration as tough ash specialty establishments for purposes of Maximum Price Regulation No. 97—Southern Hardwood Lumber:

(1) Bankston Lumber & Export Company, Savannah, Georgia

(2) Dudley Hardwood Company, New Orleans, Louisiana

(3) Thompson - Katz Lumber Company, Memphis, Tennessee

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 shall become effective this 5th day of August 1942.

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7555; Filed; August 4, 1942; 11:18 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783.

[1] 7 F.R. 3786; 7 F.R. 5950.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81: 7 F.R. 2656)

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5192, 5276, 5366.

[1] 7 F.R. 3895, 3963, 4453.

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FEDERAL REGISTER

VOLUME 7 NUMBER 154

Washington, Thursday, August 6, 1942

The President

EXECUTIVE ORDER 9213

EXTENDING THE EXISTENCE OF THE QUETICO-SUPERIOR COMMITTEE

By virtue of the authority vested in me as President of the United States, I hereby extend the existence of the Quetico-Superior Committee, created by Executive Order No. 6783 of June 30, 1934, for a period of four years, from June 30, 1942, to June 30, 1946.

This order shall be effective as of June 30, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 4, 1942.

[F. R. Doc. 42-7565; Filed, August 4, 1942; 3:06 p. m.]

Regulations

TITLE 29—LABOR

Chapter IV—United States Children's Bureau

[Amendment to Child Labor Reg. 3]

PART 441—EMPLOYMENT OF MINORS BETWEEN 14 AND 16 YEARS OF AGE

EMPLOYMENT OF MINORS IN THE FRUIT-DRYING INDUSTRY

AUGUST 4, 1942.

Whereas, the Chief of the Children's Bureau, United States Department of Labor, issued Child Labor Regulation No. 3 (Part 441, Chapter IV, Title 29, Code of Federal Regulations), effective May 24, 1939, providing that the employment of minors between the ages of 14 and 16 years under specified conditions in all occupations other than those specifically excepted by such regulation shall not be deemed to constitute oppressive child labor, and

Whereas among the occupations excepted from the scope of Child Labor Regulation No. 3 are all processing occupations, including occupations requiring the performance of any duties in workrooms or workplaces where goods are processed, and

Whereas a petition was received from certain fruit dry yard operators and supporting organizations located in Lake County, California, requesting authority to employ minors under 16 years of age in a processing occupation, namely, the cutting of Bartlett pears, and

Whereas the question raised by said petition appeared to be a question of interest to the entire fruit-drying industry, and

Whereas after notice duly published in the FEDERAL REGISTER, a public hearing was held on June 25, 1942, upon the issue "In what, if any, occupations in the fruit-drying industry and under what conditions will the employment of minors between the ages of 14 and 16 years not interfere with their schooling or with their health or well-being," and

Whereas the complete record of the proceedings before the presiding officer has been transmitted to and reviewed by the Chief of the Children's Bureau, and

Whereas it appears that shortages of labor are limiting production of dried fruit needed for war purposes and that such production will be aided by the employment of minors between the ages of 14 and 16 years in the cutting of pears, peaches and apricots in fruit dry yards.

Now, therefore, it is ordered that Part 441 of Chapter IV, Title 29, Code of Federal Regulations is hereby amended so as to include the following section, to be designated as § 441.8:

§ 441.8 *Employment in fruit dry yards.* Notwithstanding the provisions of § 441.2 hereof, during the continuance of the present war and for six months after the termination thereof, this regulation shall apply to the cutting of pears, peaches, and apricots in fruit dry yards when carried on under the following conditions:

(a) Such employment shall be confined to the periods prescribed in § 441.3 of this regulation.

(b) Such employment shall not be permitted on more than six days in any seven day period.

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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(c) A meal period of not less than 45 minutes shall be allowed after not more than five hours of work during each day of employment.

(d) In addition to the meal period provided under paragraph (c) hereof, a 15 minute rest period shall be allowed during each half day of employment. Such rest period shall be allowed after not more than two and one-half hours of work and shall be counted as hours worked within the meaning of § 441.3 (d) hereof.

(e) Seats shall be provided for all minor employees between 14 and 16 years of age and such minors shall be permitted to use such seats while working.

(f) Pure drinking water, adequate washing facilities, and adequate sanitary toilet facilities shall be made available within the immediate proximity of each cutting shed in or about which minors between 14 and 16 years of age are employed.

(g) Employment shall not be permitted in such proximity to sulphur kilns as to involve exposure to sulphur dioxide fumes.

(h) Employers shall post in each cutting shed in or about which minors between 14 and 16 years of age are employed a notice in the form prescribed by the Chief of the Children's Bureau stating the conditions under which such minors may be employed.

This amendment shall become effective upon publication in the FEDERAL REGISTER and shall remain in force during the continuance of the present war and for six months after the termination thereof, or until amended or repealed by order hereafter made and published by the Chief of the Children's Bureau, whichever is earlier. (Sec. 3 (l), 52 Stat. 1061; 29 U.S.C. 203 (l))

KATHARINE F. LENROOT,
Chief.

[F. R. Doc. 42–7592; Filed, August 5, 1942; 11:19 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1498, Part II]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER AMENDING RELIEF ORDER

Order amending order granting temporary relief in Docket No. A–1498 Part II and terminating the hearing in this matter, notice to be held on August 4, 1942, in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Wilson Mine, Mine Index No. 1428 of H. F. Wilson.

An order granting temporary relief and notice of and order for hearing to be held on August 4, 1942, was issued in the above-entitled matter on July 2, 1942, 7 F.R. 5093, temporarily establishing price classifications and minimum prices for the coals of the Wilson Mine, Mine Index No. 1428, of H. F. Wilson, from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad for all shipments except truck. The petition proposed that price classifications and minimum prices be also made effective from Pricedale, Pennsylvania, on the Monessen Southwestern Railway. The original petition did not set forth sufficient facts, without a hearing, to warrant making such price classifications and minimum prices effective from Pricedale, Pennsylvania, on the Monessen Southwestern Railway for the coals of this mine for all shipments except truck.

The original petitioner in the above-entitled matter on July 20, 1942, filed a motion with the Division requesting that the original petition in this matter be amended by eliminating therefrom the proposal that price classifications and minimum prices be established for the coals of the Wilson Mine, Mine Index No. 1428, of H. F. Wilson, for rail shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway, and further requesting that the hearing in this matter, noticed to be held on August 4, 1942, by Order of July 2, 1942, be terminated.

It appears that good cause has been shown for the granting of the motion in the manner hereinafter set forth, and that no pleadings in opposition to said motion have been filed with the Division in the above-entitled matter.

Now, therefore, it is ordered, That the said Order granting temporary relief, dated July 2, 1942, in the above-entitled matter be, and it hereby is, amended by making conditionally final the said temporary relief granted to the Wilson Mine, Mine Index No. 1428, of H. F. Wilson, and it is further ordered that the hearing in this matter, noticed to be held on August 4, 1942, be, and the same is hereby terminated.

It is further ordered, That commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.9 (*Special prices*) (c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the motion filed with the Division by petitioner in this matter be, and it hereby is, granted, by eliminating therefrom the proposal that price classifications and minimum prices be established for the coal of the Wilson Mine, Mine Index No. 1428, of H. F. Wilson, for rail shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

F. Wilson, for rail shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing

Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

code members—Supplement R–I

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight differ. group No.	Size group Nos.													
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1428	Wilson, H. F.	Wilson	Pittsburgh	9	Somers, Pa	P&LE	73	E	C	C	C	C	C	C	C	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for this size group.

§ 322.9 *Special prices* (c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule add Mine Index No. 1428 to Group No. 1.

[F. R. Doc. 42–7554; Filed, August 4, 1942; 11:07 a. m.]

[Dockets A–56 and A–59]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Memorandum opinion and order modifying, approving and adopting as modified the proposed findings of fact, proposed conclusions of law, and recommendation of the Examiner, and granting relief in the matter of the petition of District Board 15, praying for changes in the Schedule of Effective Minimum Prices for District 15, for All Shipments Except Truck, by amending (1) Price Instruction 11 (d) and (2) the special price instruction appearing in the Schedule of Delivered Differentials, page 12 of the schedule and in the matter of the petition of District Board No. 15, requesting modification of the Schedule of Effective Minimum Prices for District No. 15, for All Shipments Except Truck, by amending the Effective Minimum Prices for code members in District No. 15 on shipments of off line railroad locomotive fuel to the Chicago and Great Western Railroad and Chicago, Rock Island and Pacific Railroad.

These proceedings were instituted upon petitions filed by District Board 15 with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. Request is made in Docket No. A–56 for (1) the modification of Price Instruction 11 (d) appearing in § 335.1 (a) in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck; and (2) the modification of the special price instruction appearing in the Schedule of Delivered Differentials appearing in § 335.6 in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck; in Docket No. A–59, request is made for (1) a modification of the effective minimum prices for mines in Production Groups 1, 2, 3, and 4 in District 15, which are applicable on shipments of locomotive fuel to the Chicago Great Western Railway ("Chicago Great Western") and (2) a modification of the effective minimum prices established for mines in Production Group 2 of District 15 applicable on shipments of locomotive fuel to the Chicago, Rock Island and Pacific Railway Company, ("Chicago, Rock Island and Pacific").

Petitions of intervention were filed in both dockets by District Board 10 and in Docket No. A–56 by Central State Collieries, Inc., et al.,[1] and a notice of appearance was filed in both dockets by the Consumers' Counsel Division.[2] Temporary relief was granted, with a limitation, however, on shipments to the Chicago, Rock Island and Pacific to Mine Index Nos. 116 and 127.

After notice to all interested persons, a consolidated hearing in these matters was held October 30, 1940, through November 1, 1940, before W. A. Cuff, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.[3] Appearances were entered by District Boards 10, 12, and 15, the intervening District 10 code members, the Hume-Sinclair Coal Mining Company and Crowe Coal Company, code members in District 15, the Chicago Great Western, the Chicago, Rock Island and Pacific and the Consumers' Counsel Division. A brief was filed by the Consumers' Counsel.

[1] Central State Collieries, Inc., Little John Coal Company, Midland Electric Coal Corporation, Northern Illinois Coal Corporation, Osage Coal Company, Sahara Coal Company, Shuler Coal Mining Company, Southwestern Illinois Coal Corporation, Truax-Traer Coal Company, The United Electric Coal Companies, and Wilmington Coal Mines, Inc., code member producers in District 10.

[2] Now the Office of the Bituminous Coal Consumers' Counsel.

[3] An Order of the Director dated October 5, 1940, consolidated Dockets Nos. A–56, A–59, and A–70 for the purpose of hearing. Docket No. A–70 is the subject of a separate Order.

On May 14, 1942, the Examiner submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation ("Examiner's Report") in this matter, in which the Examiner found, in Docket No. A–56 that the price instructions there involved have caused confusion among District 15 code members, since the instructions might be read as authorizing an absorption to be made from the transportation charges rather than from the schedule prices, and that in order to preserve the basic principles upon which the effective minimum prices for rail shipment of District 15 coals were established and coordinated, such price instructions should be reworded so as clearly to give due adherence to such basic principles; and in Docket No. A–59, (1) that in order to preserve the existing fair competitive opportunities of the mines in Production Groups 1, 2, and 3 of District 15 it is necessary to allow them an absorption privilege of up to 60 cents per ton on shipments to the Chicago Great Western of locomotive fuel, the effective minimum price of which is $2.10 per ton but that no such relief should be granted mines in Production Group 4 since the evidence indicated that such mines had not in recent years shipped coals to the Chicago Great Western; and (2) that in order for Production Group 2 mines to maintain a flow of railroad fuel to the Chicago, Rock Island and Pacific, permission to absorb up to 60 cents per ton on shipments to the Chicago, Rock Island and Pacific should be granted said mines, that since the evidence indicated that the Chicago, Rock Island and Pacific bought only railroad locomotive fuel the effective minimum price of which is $2.10 per ton, such relief should be restricted to such railroad locomotive fuel and that such relief should be extended to all mines in Production Group 2.

The Examiner recommended that the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck should be amended as follows:

(1) The Railroad Locomotive Fuel Schedule of § 335.8 (b) in said schedule should be modified by the following exception:

Exception: Mines located in Production Groups 1, 2, and 3 may absorb the actual published switching, division or local rate charge, not to exceed 60 cents per ton, on railroad locomotive fuel sold to the Chicago Great Western Railway: *Provided, however,* That such permissive absorption is limited to that railroad locomotive fuel of these Production Groups with an effective minimum price of $2.10 per ton.

(2) The Railroad Locomotive Fuel Schedule of § 335.8 (b) in said schedule should be further modified by adding the following exception:

Exception: Mines located in Production Group 2 may absorb the actual published switching, division or local rate charge not to exceed 60 cents per ton, on railroad locomotive fuel sold to the Chicago, Rock Island and Pacific Railway Company: *Provided, however,* That such permissive absorption is limited to that railroad locomotive fuel of Production Group 2 with an effective minimum price of $2.10 per ton.

(3) Price Instruction 11 (iv) § 335.1 (a) in said schedule should be modified to read as follows:

The maintenance of the delivered differentials as provided above shall be subject to the limitation that the maximum reduction of the schedule price shall not exceed 60 cents.

(4) The special price instruction in the schedule of delivered differentials, § 335.6 in said schedule should be modified to read as follows:

Schedule showing delivered differentials that may be maintained with base group coal by reducing the schedule of prices published herein, provided that the maximum reduction of the schedule prices shall not exceed 60 cents.

Thereafter on May 29, 1942, the Bituminous Coal Consumers' Counsel filed exceptions to the Examiner's Report. Consumers' Counsel took exception to the findings and conclusions of the Examiner in Docket No. A–56, that the price instructions (Price Instruction 11 (iv) and the special price instruction in § 335.6 in the District 15 rail schedule) should be amended to permit a 60-cent maximum reduction of the schedule price because it stated, the Examiner had failed to find that this 60-cent maximum reduction should be permissible only where the freight differential does not exceed 60 cents. Although the Consumers' Counsel agrees with Examiner that a certain amount of confusion has arisen with the present price instructions, it states that any clarifying amendment thereof should show that the 60 cents maximum absorption permissible is the absolute aggregate limit on all the absorptions allowed a particular mine, including the absorptions within and between production groups. Consumers' Counsel states that the schedule price already reflects freight rate differentials to a certain extent so that the Examiner's recommendation, if adopted, would permit certain mines whose adverse freight rate differential exceeds 60 cents to attain a freight absorption in excess of 60 cents. Consumers' Counsel contends that since District No. 15 is cross-hauling territory any extension of absorption privileges would tend to increase wasteful cross-hauling.

Price Instruction 11 (iv) appearing in § 335.1 (a) in Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck provides:

Price Instruction 11. Delivered Differentials:

(i) The f. o. b. mine prices listed herein may be adjusted in accordance with the Schedule of Delivered Differentials shown in § 335.6.

(ii) All delivered differentials shall be based upon the lowest freight origin group rate from the base production group, except that to destinations in the State of Missouri the lowest mileage, group or specific rate from a rail shipping mine, shall be used.

(iii) All similarly classified mines located in the same production group may effect equal delivered prices to all destinations.

(iv) *The maintenance of the delivered differentials as provided above shall be subject to the limitation that the maximum difference in freight rates between the mine in the base production group having the lowest freight rate, and any other mine, shall not exceed 60 cents.* [Italics supplied.]

The special price instruction appearing in the Schedule of Delivered Differentials appearing in § 235.6 in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck provides:

Schedule of Delivered Differentials. Schedule showing delivered differentials that may be maintained with base group coals by reducing schedule prices published herein: *Provided,* That the maximum difference in freight rates between the mine in the base production group having the lowest freight rate, and any other mine, shall not exceed sixty cents.

The delivered differentials here involved reflect primarily the difference in quality between District No. 15 coals. They are set up to reflect the market value of the District 15 coals at destination. The amendments proposed by the Examiner seek to reflect the original basis upon which the delivered differentials were established: that the absorption privilege should be made from the schedule price rather than from the transportation charges. I find that the amendments proposed by the Examiner in Docket No. A–56 to the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck reflect the basic principles upon which that schedule was established, and should be approved. I find further that such amendments clearly provide that the maximum reduction of the schedule price effected by the taking of delivered differentials shall not exceed 60 cents. Indeed, such reduction cannot amount to a freight absorption in excess of 60 cents since it reflects a difference in quality and not a difference in freight; in these circumstances a reduction of the 60 cents by some uncertain amount already thought to be reflected in the schedule price is inappropriate. Accordingly, I must deny Consumers' Counsel's exception to the Examiner's finding and recommendation concerning these amendments to the District 15 minimum price schedule.

In its brief before the Examiner, Consumers' Counsel suggested that the District 15 minimum price schedule be clarified or implemented to show definitely that only those mines having specific f. o. b. mine prices into a given market area in the price schedule be permitted to enjoy any absorption privilege. The witness Blucher stated at the hearing that District Board 15 had no objection to such a clarification. I find that the District 15 minimum price schedule should be further modified in line with the proposal of Consumers' Counsel.

Consumers' Counsel also excepts to the findings and conclusions of the Examiner in Docket A–59 that mines in Production Groups 1 to 3, inclusive, should be permitted a 60-cent maximum absorption on the sale of locomotive fuel priced $2.10 per ton to the Chicago Great Western Railroad, and that mines in Production Group 2 should be permitted a 60-cent maximum absorption on sale of locomotive fuel priced $2.10 per ton to the Chicago, Rock Island and Pacific Railway. Consumers' Counsel contends that there is no justification for special treatment to an off-line mine by granting it an absorption privilege which results in lower realization to producers and higher prices to the consuming public at large. Consumers' Counsel also points out that the Examiner's recommended extension of the off-line absorption privilege to mines in Production Groups 1 to 3, inclusive, included mines which had not sold coal to these railroads in recent years.

It is true that the absorption privilege to off-line mines is to be granted with extreme caution. However, the record shows that the Chicago Great Western Railroad, which has no District 15 on-line mines, has purchased substantial tonnages of railroad fuel in the past from off-line mines in Production Groups 1 to 3, inclusive. Where evidence shows that certain mines have been able fairly to create a market for railroad fuel by off-line shipment and that such existing fair competitive opportunities can only be preserved by an absorption privilege, such privilege should be granted.

The evidence shows further that Mine Index Nos. 116 and 127 in Production Group 2 had been able to establish a market for their railroad fuel priced $2.10 per ton in the Chicago, Rock Island and Pacific because of the lack of sufficient supply from the District 15 mines on-line to that railroad. Since the evidence indicates that such markets can be preserved only by allowance of freight absorptions, I find that such freight absorptions should be granted. Although it is true that these markets had been created specifically by these two mines, I find that the absorption privilege should be allowed to all mines in the particular production group with an effective minimum price of $2.10 per ton as may find that they can sell railroad fuel to the particular railroad. The Bituminous Coal Act of 1937 does not recognize "existing fair competitive opportunities" as merely those marketing channels which have existed in the past. Where evidence indicates that a definite market of railroad fuel for certain off-line mines in a particular production group exists, there is no reason to restrict other mines in those production groups from taking the same privileges.

No other exceptions have been filed.

I have concluded that the proposed findings of fact and proposed conclusions of law of the Examiner, as modified should be approved and adopted as the findings of fact and conclusions of law of the undersigned and that the exceptions of the Bituminous Coal Consumers' Counsel should be overruled.

Now, therefore, it is ordered, That the exceptions of the Bituminous Coal Consumers' Counsel to the Examiner's Report be and they are hereby overruled.

It is further ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner in this matter, as modified, be and the same hereby are approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

It is further ordered, That § 335.8, (*Special prices*—(b) *Railroad locomotive fuel*), § 335.1 (*Price instructions and exceptions*—(a) *Price instructions*), and § 335.6 (*Schedule of delivered differentials*) in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck be, and they hereby are amended as follows:

(1) The Railroad Locomotive Fuel Schedule of § 335.8 (b) in said schedule be, and it hereby is, modified by the following exception:

Exception: Mines located in Production Groups 1, 2, and 3 may absorb the actual published switching, division or local rate charge, not to exceed 60 cents per ton, on railroad locomotive fuel sold to the Chicago Great Western Railway: *Provided, however,* That such permissive absorption is limited to that railroad locomotive fuel of these Production Groups with an effective minimum price of $2.10 per ton.

(2) The Railroad Locomotive Fuel Schedule of § 335.8 (b) in said schedule be, and it hereby is, further modified by adding the following exception:

Exception: Mines located in Production Group 2 may absorb the actual published switching, division or local rate charge not to exceed 60 cents per ton, on railroad locomotive fuel sold to the Chicago, Rock Island and Pacific Railway Company: *Provided, however,* That such permissive absorption is limited to that railroad locomotive fuel of Production Group 2 with an effective minimum price of $2.10 per ton.

(3) Price Instruction 11 (iv), § 335.1 (a) in said schedule be, and it hereby is, modified to read as follows:

The maintenance of the delivered differentials as provided above shall be subject to the limitation that the maximum reduction of the schedule price shall not exceed 60 cents, provided, that only those mines in the various production groups for which f. o. b. mine prices are listed into a given market area shall be permitted any absorption privileges. Those production groups not having listed f. o. b. mine prices into a specifically named market area shall be considered "unpriced coals".

(4) The special price instruction in the schedule of delivered differentials, § 335.6 in said schedule be, and it hereby is, modified to read as follows:

Schedule showing delivered differentials that may be maintained with base group coal by reducing the schedule of prices published herein, provided that the maximum reduction of the schedule prices shall not exceed 60 cents.

Dated: August 4, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42–7591; Filed, August 5, 1942; 11:11 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XIX]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	*Gen. lic. group*
Woodworking, saw mill, and logging machinery and equipment (including only the following: borers, dowel machines, edgers, gluing equipment, grinders, jointers, kilns, lathes, matchers, mills, mortisers, moulders, routers, sanders, saws, shapers, surfacers, tenoners, trimmers, veneer and plywood machines; and all other machinery and equipment normally used in cutting, shaping, gluing finishing, or otherwise processing wood and wood products, except machinery used for painting, varnishing, lacquering and similar purposes	1, 47

This amendment shall become effective August 4, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

A. N. ZIEGLER,
Colonel, J. A. G. D.,
Acting Chief, Export Control Branch, Office of Exports.

AUGUST 4, 1942.

[F. R. Doc. 42–7575; Filed, August 5, 1942; 9:15 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1112—OFFICE MACHINERY

[General Conversion Order L–54–a, as amended to August 4, 1942]

TYPEWRITERS

Section 1112.2 *General Conversion Order L–54–a*[2] is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of typewriters for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1112.2 *Conversion Order L–54–a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust,

[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638, 5745, 5746.

[2] 7 F.R. 2130, 2389, 2596, 2786, 4170, 4881.

corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing typewriters, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Dealer" means any wholesaler, retailer or other distributor of typewriters, other than sales and distribution outlets controlled by a manufacturer.

(4) "Typewriter" unless expressly otherwise stated, means non-portable typewriters (including noiseless and electric types) and portable typewriters, and unless expressly otherwise stated, refers only to new typewriters. The term shall not include: billing machines, accounting principle, and collateral equipment; continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine; shorthand writing machines; telegraphically controlled typewriters; braille typewriters; toy typewriters; linotype machines or monotype machines. The term "new typewriter" means any typewriter which has not been delivered to any person acquiring it for use, but does not include rebuilt typewriters. The term "used typewriter" means any typewriter which at any time has been delivered to any person acquiring it for use, and includes rebuilt typewriters.

(5) "Sets of parts" means typewriter parts fabricated at plants in the United States and shipped to foreign countries for assembly into typewriters.

(b) *General restrictions.* (1) On and after November 1, 1942, no manufacturer shall manufacture any non-portable typewriters or parts therefor, or sets of parts for non-portable typewriters, except as otherwise specifically provided in paragraph (c) (4) herein.

(2) On and after August 1, 1942, no manufacturer shall manufacture any portable typewriters, or parts therefor, or sets of parts for portable typewriters.

(3) No person shall hereafter sell, deliver, purchase, or receive delivery of any new or used typewriters in any manner other than as specifically authorized herein or from time to time hereafter by the Director General for Operations, or by any governmental agency authorized by the Chairman of the War Production Board to regulate the distribution of new or used typewriters.

(c) *Authorized production quotas—*(1) *Non-portable typewriters.* During the period from July 1, 1942, to October 31, 1942, except as otherwise provided in paragraph (c) (4) below, no manufacturer shall manufacture a number of non-portable typewriters or parts therefor (not including sets of parts for export) in excess of: 12.25 percent of the aggregate number of non-portable typewriters (not including parts therefor or sets of parts for export) billed to customers by such manufacturer during the calendar year 1941; plus the number of non-portable typewriters by which such manufacturer's quota for non-portable typewriters in the period from March 15, 1942, to June 30, 1942, exceeded the production of non-portable typewriters by such manufacturer during that period; or less the number of non-portable typewriters produced by such manufacturer in the period from March 15, 1942 to June 30, 1942, in excess of his authorized quota during that period, whether or not such excess production resulted from the granting of appeals by the War Production Board.

(2) *Portable typewriters.* During the period from July 1, 1942, to July 31, 1942, no manufacturer shall manufacture quantities of portable typewriters or parts therefor (not including sets of parts for export) in excess of 11 percent of the average monthly number of portable typewriters (not including parts therefor or sets of parts for export) billed to customers by such manufacturer during the calendar year 1941.

(3) *Sets of parts for export.* (i) During the period from July 1, 1942, to October 31, 1942, no manufacturer shall manufacture for export a number of sets of parts for non-portable typewriters in excess of 12.25 percent of the aggregate number of such sets of parts shipped for export from the factories of such manufacturer during the calendar year 1941.

(ii) During the period from July 1, 1942, to July 31, 1942, no manufacturer shall manufacture for export a number of sets of parts for portable typewriters, in excess of 11 percent of the average monthly number of such sets of parts shipped for export from his factories during the calendar year 1941.

(iii) The right to produce and export any sets of parts mentioned in this paragraph (c) (3) shall not be construed to authorize the export of such sets unless export license can be secured. Any manufacturer who is unable to ascertain the physical quantity of sets of parts which he shipped from his factories during 1941 may produce for export: in the case of sets of parts for non-portable typewriters, a dollar value not in excess of 12.25 percent of the aggregate dollar value of such sets shipped for export from his factories during the calendar year 1941; and in the case of sets of parts for portable typewriters, a dollar value not in excess of 11 percent of the average monthly dollar value of such sets so shipped during 1941. The quantities of sets of parts for non-portable and portable typewriters so produced shall be over and above the production quotas for non-portable and portable typewriters. No manufacturer so producing and exporting sets of parts shall directly or indirectly import any typewriter into the United States.

(4) *Special quota.* Notwithstanding the restrictions on manufacture (but subject to the restrictions on delivery and distribution) imposed by this order, Woodstock Typewriter Company may manufacture, in the period from July 1, 1942, to June 30, 1944, not in excess of 22,701 non-portable typewriters, at a rate not in excess of 1,600 per month, or at such other rate as the Director General for Operations may prescribe from time to time. The Director General for Operations, may also direct, from time to time, the sizes, kinds, and types of non-portable typewriters which shall be produced by Woodstock Typewriter Company.

(5) *Distribution among models and types.* Except as otherwise provided by the Director General for Operations, no manufacturer shall produce a percentage of noiseless typewriters to total non-portable typewriter production in excess of the percentage which the quantity of noiseless typewriters billed to his customers in 1941 is of all non-portable typewriters billed to his customers in 1941. Manufacturers shall produce their production quotas of portable typewriters in accordance with specifications of the Army or Navy of the United States.

(d) *Manufacture and distribution of replacement parts.* The restrictions upon the production of portable and non-portable typewriters and parts therefor shall not be construed to limit the production of parts to be used to service and repair typewriters: *Provided, however,* That no manufacturer shall produce parts in excess of quantities required, under existing circumstances, to maintain a minimum practicable working inventory of such service and repair parts. No person servicing or repairing typewriters shall maintain a stock of such parts in excess of the minimum practicable working inventory, under existing circumstances.

(e) *Revocation of General Limitation Order L–54.*[1] General Limitation Order L–54, and all amendments thereto and interpretations thereof, are hereby revoked: *Provided, however,* That all deliveries expressly authorized thereunder by the Director of Industry Operations may be completed.

(f) *Distribution of typewriters by manufacturers.* Regardless of the terms of any contract of sale or purchase or other commitment, or any preference rating certificate or blanket preference order, no manufacturer shall distribute his production and stock of typewriters except upon authorization of the Director General for Operations.

(g) *Distribution of typewriters by persons other than manufacturers.* In accordance with the terms of Supplementary Directive 1D, stocks of new non-portable and portable typewriters now in the hands of dealers, and all imports of new typewriters, are made available to the Office of Price Administration for rationing; and no dealer shall deliver any such typewriters except in accordance with such rules, regulations and authorizations as may be issued by the Office of Price Administration: *Provided, however,* That any dealer, other than a manufacturer, may deliver new typewriters in stock to any manufacturer willing to accept the same. Such typewriters shall, however, remain subject to rationing rules, regulations and authorizations of the Office of Price Administration.

(h) *Persons entitled to receive new typewriters—*(1) *Persons other than United States agencies and exporters.* In accordance with the terms of Supplementary Directive 1D, persons other than agencies of the United States and other than persons acquiring new typewriters for export may purchase, accept, or otherwise receive delivery of new typewriters only as authorized by the Office of Price Administration.

(2) *Army and Navy.* Typewriters shall be delivered to the Army or Navy of the United States, including the War and Navy Departments, only upon authorization of the Director General for Operations.

(3) *Exporters—*(i) *Lend-lease.* No agency of the United States Government shall purchase, accept delivery of, or otherwise acquire, new typewriters to be delivered to or for the account of the government of any country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), except upon express authorization of the Director General for Operations. Manufacturers and dealers shall deliver new typewriters to any such agency upon the presentation of an authorization signed by the Director General for Operations. Any dealer may receive any new typewriter to fill any such order from any manufacturer producing such typewriters, and manfacturers shall deliver typewriters to such dealers upon the presentation of any such authorization.

(ii) *Other than lend-lease.* No governmental agency (other than as provided in paragraph (h) (3) (i) above) or other person shall purchase, accept delivery of, or otherwise receive new typewriters for export except upon express authorization of the Director General for Operations. Any such agency or person must first apply to the Office of Export Control, Board of Economic Warfare, Washington, D. C., for an Export License. If the Office of Export Control recommends that an Export License be issued to the applicant, the War Production Board will be notified, and an authorization, on Form PD–365, to acquire a new typewriter may be issued to the applicant or to a person designated by the Board of Economic Warfare for his account. Upon presentation of said Form PD–365, duly signed, any manufacturer or dealer is authorized to deliver a new typewriter. Any dealer may receive any typewriter to fill any such order from any manufacturer producing such typewriters and manufacturers shall deliver typewriters to dealers upon receipt of any such authorization on Form PD–365.

(4) *Other Government agencies.* Except as otherwise provided in subparagraphs (2) and (3) above, no agency of the United States, except the Procurement Division of the Treasury Department, may purchase new typewriters. Once each month the Director General for Operations shall expressly authorize said Procurement Division to acquire specific quantities and brands of new typewriters, and said Procurement Division shall distribute such new typewriters to such agencies of the United States Government (other than the Army, the Navy, and agencies acquiring new typewriters for export) and in such quantities, and brands, as the Director General for Operations shall authorize. Any such agency which believes it will require such new typewriters during any month shall file, on or before the 25th day of the month preceding, Form PD–366 with the Procurement Division of the Treasury Department, which shall forward all such forms to the Director General for Operations. The Director General for Operations shall thereupon authorize said Procurement Division to acquire and distribute such quantities of new typewriters as, in his opinion, shall be necessary or appropriate in the public interest and to promote the national defense. No such agency shall request a new typewriter unless, to the best of its knowledge, such typewriter and all other typewriters possessed by the agency will be actually employed during the succeeding month.

(k) *Appeals.* Any manufacturer affected by this order, who considers that compliance therewith would work an exception and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in his community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter directed to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Records.* All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production, and sales of typewriters.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(n) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board Services Branch, Washington, D. C. Ref.: L–54–a. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7572; Filed, August 4, 1942; 4:26 p. m.]

[1] 7 F.R. 1755, 1794, 2130.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–71]

INTERNATIONAL APPLIANCE CORPORATION

International Appliance Corporation of Brooklyn, New York, is a manufacturer of household appliances. During the period of April 1 through May 12, 1942, the company used approximately 85 pounds of nickel for plating in the production of electrical appliances for the purpose of filling orders which did not bear preference ratings of A–10 or higher. During this period the company knew that the provisions of General Limitation Order L–65[1] prohibited the use of nickel for this purpose. Furthermore, despite the fact that the company had been advised by representatives of the War Production Board of the prohibitions against nickel plating provided for by General Limitation Order L–65, it continued such nickel plating in wilful disregard of the Order.

This violation of General Limitation Order L–65 has impeded and hampered the war effort of the United States by diverting nickel to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered:

§ 1010.71 *Suspension Order S–71.* (a) Deliveries of material to International Appliance Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, and any other orders

[1] 7 F.R. 2465, 2732.

PART 1143—RAZORS AND RAZOR BLADES

[Amendment 2 to General Limitation Order L–72]

Section 1143.1 *General Limitation Order L–72*[1] is hereby amended in the following particular:

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraph:

(5) During the period from August 1, 1942, to September 30, 1942, inclusive:

(i) No manufacturer shall produce safety razors in an amount greater than 61 times 70% of the daily average of units of such razors produced by him during the base period;

(ii) No manufacturer shall produce razor blades in an amount greater than 61 times 100% of the daily average of units of such razor blades produced by him during the base period;

(iii) No manufacturer shall produce straight razors in an amount greater than 61 times 100% of the daily average of units of such straight razors produced by him during the base period. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7573; Filed, August 4, 1942; 4:26 p. m.]

[1] 7 F.R. 2297, 4778.

or regulations of the Director of Industry Operations, or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to International Appliance Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing shall be deemed to relieve International Appliance Corporation, its successors and assigns, from any restriction, prohibition or provisions contained in any other order or regulation of the Director of Industry Operations, or the Director General for Operations.

(d) This order shall take effect on August 6, 1942, and expire on October 6, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7574; Filed, August 4, 1942; 4:26 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 12 to Supplementary Order M-15-b]

Section 940.3 *Supplementary Order M-15-b*[1] is hereby amended as follows:

1. By changing the period at the end of paragraph (a) (4) (ii) (a) thereof to a comma and inserting immediately thereafter the following:

* * * but not to or for the account of any post exchange, ship's store, commissary, officer's mess, officers', noncommissioned officers' or enlisted men's club, or any similar agency or organization.

2. By inserting in paragraph (a) thereof the following additional subparagraphs (9), (10), (11), (12), (13), (14), (15), (16) and (17).

(9) "Scrap rubber product" means any finished rubber product or part thereof, made in whole or in part from rubber, latex, synthetic rubber or reclaimed rubber, which through wear, deterioration or obsolescence has served its primary purpose in its present state, but does not include a repairable tire, treadable tire or any other manufactured product which is still usable for the primary purpose for which it was designed.

(10) "In-process scrap" means any material which is produced in the course of manufacture (including the repair, retreading or recapping of tires) and defective or factory rejected material or products containing any rubber, latex, synthetic rubber, or reclaimed rubber, including all types and grades of residues, such as cuttings, trimmings, tuber heads, flash, cut edgings, sweepings, dust, buffings, sawings, grindings, drippings and any other form of rubber whether vulcanized or unvulcanized, which results from or is incident to the processing of rubber, latex, synthetic rubber or reclaimed rubber in the manufacture or repair of any product, but does not include uncured friction scrap.

(11) "Uncured friction scrap" means in-process scrap which contains fabric and which is produced in the manufacture of tires, hose or belting before such products are finally vulcanized.

(12) "Scrap rubber" means and includes any scrap rubber product, in-process scrap or uncured friction scrap.

(13) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber.

(14) "Repairable tire" means a pneumatic tire or tire casing which has sufficient tread design or under tread to warrant repair for use for the purpose for which it was primarily designed. For the purposes of this definition:

(i) "Repair" means a vulcanized sectional repair, or vulcanized reinforcement or vulcanized spot repair accomplished in accordance with recognized commercial practice and that can be reasonably expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload) so that the tire when repaired will be in a safe condition for service.

(ii) The tread and sidewall must not be severely weather checked or cracked to the extent that the tire has more than two radial cracks that extend through the cord body.

(iii) The cord body:

(*a*) Must not have separation between plies.

(*b*) Must not be damaged by running flat to the extent that cords are pulled loose beyond the first inside ply.

(*c*) Must not have any fabric injuries that exceed one-half the cross-sectional diameter of the tire. Example—Injuries in 600/16 (6 inch) tires must not be more than three inches long on the inside of the tire; in 10.00/20 tires not more than five inches.

(*d*) Must not have or show evidence of having had more than three injuries requiring sectional repairs.

(*e*) Must not have injuries below the point where the top of the rim flange contacts the tire.

(*f*) Must not have or exhibit circumferential or flex breaks on the inside ply.

(*g*) Bead area must be sound with no broken wires.

(15) "Treadable tire" means a pneumatic tire or tire casing which warrants repair and retreading or recapping for the purpose for which it was primarily designed in accordance with recognized commercial practice, and which can reasonably be expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload). For the purpose of this definition:

(i) The cord body:

(*a*) Must not be worn through more than one body ply for a total length of more than four inches on 4 ply tires.

(*b*) Must not be worn through more than two plies for more than four inches on tires of six plies or more.

(*c*) Must not have or show evidence of having had more than two injuries each not exceeding one-third the cross-sectional diameter of the tire. Example—Breaks in 600/16 (6 inch) tire must not be more than two (2) inches long on the inside of the tire; 900/20 (9 inch) tires not more than three (3) inches long.

(*d*) Must not have more than three (3) radial cracks of more than one inch in length extending to the cord body.

(ii) The tire must in all other respects than herein specified, conform to the requirements of a repairable tire.

(16) "Scrap consumer" means any person who consumes scrap rubber in the manufacture of any finished or partly finished product or material, and includes any person producing reclaimed rubber from scrap rubber, but does not include any person who separates scrap rubber or tears, splits or pulls scrap rubber apart (such as splitting tires) for the purpose of selling the component parts thereof to Rubber Reserve Company or to a scrap dealer.

(17) "Scrap dealer" means any person (other than a scrap consumer) buying, selling or collecting scrap rubber.

3. By changing paragraph (e) thereof to read as follows:

(e) *General restriction on the sale of rubber, latex, reclaimed rubber and balata.* No person shall sell, trade or transfer the ownership of any rubber, latex, reclaimed rubber or balata, and no person shall accept any such sale, trade or transfer of ownership, except (1) as expressly permitted by regulations prescribed by Rubber Reserve Company, or (2) in those cases in which special authorizations may be issued by the Director General for Operations: *Provided*, That nothing in this paragraph shall be deemed to prohibit the sale of unvulcanized rubber products or products made from balata which were in finished or marketable form on December 11, 1941, or which have become finished and marketable at any time after that date pursuant to processing not prohibited by any orders or other instructions issued by the Office of Production Management or the Director General for Operations.

4. By changing paragraph (n) thereof to read as follows:

(n) *General limitations on the destruction of rubber articles.* No person shall, unless expressly permitted by the Director General for Operations, destroy, damage, cut or tear apart any scrap rubber, whether by burning or any other means and whether for the purpose of making or repairing products or materials from all or any of its constituent parts, except in the following cases:

(1) The consumption of any such article in the manufacture of any product for which rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of this order or under special authorization of the Director General for Operations, but subject to such limitations as to quantities, specifications and other restrictions as may be imposed by this order or such special authorization.

(2) The consumption of any scrap rubber by any person producing reclaimed rubber as a necessary incident to such reclaiming operations.

(3) The destruction of any scrap rubber (without destroying the rubber therein) for the purpose of selling its component parts to a scrap dealer for resale by him either (i) to Rubber Reserve Company, or (ii) under rules or regulations prescribed from time to time by Rubber Reserve Company.

(4) The destruction of the following articles when through obsolescence, use or deterioration the article has entirely served its usefulness in its present state:

(i) Used battery containers and separators and parts thereof.

(ii) Rough bore (metal reinforced) oil suction and discharge hose and hose containing asbestos combined with rubber.

(iii) Wire cord generally classed as lamp cord and similar wire cords (but not other insulated wire or rubber covered cable).

(iv) That part of rubber bonded to metal which cannot be separated from the metal by mechanical means.

5. By inserting immediately after paragraph (q) thereof the following new paragraphs designated (r) and (s).

(r) *General restrictions on regrooving tires.* No person shall, without prior written authority from the Director General for Operations, regroove the tread or tread surface of any tire or tire casing, whether by cutting, scraping, grinding, burning, or any other means.

(s) *General restrictions on the purchase and sale of rubber scrap.* Except (i) as expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which specific authorizations may be issued by the Director General for Operations:

(1) No person other than Rubber Reserve Company shall sell, trade or transfer the ownership or possession of any scrap rubber to any scrap consumer.

(2) No scrap consumer shall purchase, receive or accept delivery of any scrap rubber, or the right to receive any scrap rubber, from any person other than Rubber Reserve Company.

(3) No scrap consumer shall sell, trade or transfer the ownership or possession of any scrap rubber to any person, including any scrap dealer.

Provided, That the prohibitions of this paragraph (s) shall not apply to any purchase or sale of scrap rubber by any corporation from or to another corporation which is its subsidiary or of which it is a subsidiary. For the purposes hereof a corporation shall be deemed to be a subsidiary of another corporation if all or substantially all of its voting stock is owned by such other corporation.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7597; Filed, August 5, 1942; 11:33 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 11 to Supplementary Order M-15-b-1]

Section 940.5 *Supplementary Order M-15-b-1*[1] is amended as follows:

1. By changing paragraph (b) (2) thereof to read as follows:

(2) Soles and heels, List 2.

2. By attaching thereto the attached list designated "List 2 (Revised effective August 5, 1942)".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 2

(Revised effective August 5, 1942)

SPECIFICATIONS FOR THE MANUFACTURE OF SOLES AND HEELS

These specifications set forth in this revised List 2 shall apply to the manufacture of soles, taps, heels and heel bases to fill all orders, including war orders and orders placed by any department or agency of the government of the United States. However, these specifications do not apply to conductive soles and heels.

(a) *Compounds*

(1) HEELS

Compound grade	Maximum percent by volume: Crude rubber	Total RHC	Uncured friction scrap	Abrasive index	P & J hardness: Maximum	P & J hardness: Minimum
HC	0	55	0	25	*.80 mm.	.50 mm.
HD	0	50	0	20	.80 mm.	.50 mm.
HE	0	45	0	15	.80 mm.	.50 mm.
HF	0	45	0	10	.80 mm.	.50 mm.
HL	0	45	10	26		

(2) SOLES AND TAPS

HL	0	45	10	26		
HM	0	55	0	20	*.53 mm.	.42 mm.

*For reference only, the following equivalent Shore durometer hardness figures, which are approximately equivalent, are given for the Pusey and Jones (P&J) hardness figures, designated in the table above.
P & J .80 mm. to .50 mm. equivalent to 65 to 80 Shore.
P & J .53 mm. to .42 mm. equivalent to 75 to 82 Shore.

NOTE 1: For all heels, soles and taps manufactured from above compounds a minus tolerance of two points from the specified abrasive index requirement is permitted with an unlimited plus tolerance.

NOTE 2: The total rubber hydrocarbon (RHC) is the sum total of crude rubber and the average rubber value of reclaimed rubber expressed on a volume basis. For Grade HL compound the RHC of the uncured cord friction scrap is not included in the total.

NOTE 3: Reclaimed rubber of a quality better than first quality whole tire grade is not permitted to be used in any of these compounds.

NOTE 4: Only reclaimed rubber of a quality lower than whole tire grade is permitted in Grade HF compound, and this material shall not contain any reclaimed rubber derived from pneumatic or solid tires, tubes, floating scrap or any part thereof. All heels made of HF compound shall have a minimum tensile of 400 p. s. i. with a minimum elongation of 150% in addition to meeting other requirements set forth for such heels in subdivision (a) (1) of this revised List 2.

NOTE 5: Black is the only color permitted in heels, soles and taps.

NOTE 6: Not less than 3% of suitable antioxidants by weight based on the total weight of rubber hydrocarbon (RHC) shall be used in the above sole and tap compounds, HL and HM; one third of which shall be of a recognized flex resisting type.

NOTE 7: In grade HL sole, tap and heel compound clean cut cotton cords or cords from tire carcasses may be added to meet the necessary physical requirements for a corded sole or heel.

NOTE 8: The methods of Federal Specification EA-ZZH141 and ZZ R601 shall be applicable to these specifications.

(b) *Heels and heel bases*

1. Corded heels, either transverse or cord on end, shall be made only from Grade HL compound, and shall be used only to fill war orders.

2. Grade HC heel is limited to the types of heels using an inert core, and is permitted for use on war orders only.

For whole heels a core of 0.366" ± .03" thickness shall be used, while for half heels a core of 0.183" ± .015" thickness shall be used.

3. Grade HD heel is limited to the regular washer well type, and is permitted for use on war orders only.

[1] 6 F.R. 6406, 6644, 6792; 7 F.R. 511, 1106, 1634, 2229, 2459, 2782, 3080, 4614, 5747, 5748.

[1] 7 F.R. 967, 2344, 2346, 2449, 2595, 2782, 3389, 4448, 5019, 5296, 5592, 5603, 5748.

4. For "Steel Plate" heel only compound Grade HE or HF may be used, with the tensile, elongation and abrasive index requirements waived and the hardness shall be between .18 mm and .40 mm.

5. For heel bases only Grade HF compound shall be used with the tensile, elongation and abrasive index requirements waived and the hardness shall be between .18 mm and .40 mm.

6. All heels except those to fill war orders shall be made of Grade HE or Grade HF compounds only. The use of compound grade HE after August 15, 1942, is prohibited.

(c) *Soles and taps*

1. Composition soles and taps shall be made only from Grade HM compound, which shall be used to fill all orders, including war orders and orders placed by any other department or agency of the United States Government.

2. Cords soles and taps, either transverse or cord on end, shall be made from Grade HL compound only, and shall be used only on orders for utility shoes or for war orders and orders placed by any other department or agency of the United States Government.

3. A cord sole compound containing not more than 20% by volume of uncured friction scrap may be used up to (but not including) October 1, 1942, to fill purchase orders for soles and taps placed by or for the account of the United States Marine Corps, or for soles and taps to be incorporated physically in service shoes to be delivered to or for the account of the United States Marine Corps.

[F. R. Doc. 42-7593; Filed, August 5, 1942; 11:32 a. m.]

PART 998—METAL OFFICE FURNITURE AND EQUIPMENT

[Supplementary Limitation Order L-13-a, as Amended August 5, 1942]

Section 998.2 *Supplementary Limitation Order L-13-a*[1] is hereby amended to read as follows:

§ 998.2 *Supplementary Limitation Order L-13-a*—(a) *Definitions.* For the purposes of this order:

(1) "Steel Used" means:

(i) The aggregate weight of steel cut or processed by any manufacturer subject to this order for use in the production of Metal office furniture and equipment, plus

(ii) The aggregate weight of steel contained in purchased parts when such parts are put into the production of metal office furniture and equipment.

(2) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation, or agency, or any other organized group of persons, whether incorporated or not, engaged in the production of Group I or Group II Product.

(3) "Group I Product" means any one of the following: Insulated metal filing cabinets; safes; metal visible record equipment; metal shelving.

(4) "Group II Product" means any one of the following: metal filing cabinets other than insulated filing cabinets; metal lockers; metal storage cabinets; metal desks; office chairs containing more than two pounds of metal other than swivel irons; metal office tables, including typewriter and office machine stands (except those which are integral parts of the machines which they support); metal bank vault equipment; metal office counters; other metal office equipment, including, but not limited to, waste paper baskets, metal trays and wire baskets; any other office furniture not specifically mentioned in Group I products above, containing more than 5% of metal in the net weight of the finished product other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware for the construction and assembly of non-metal structural parts, and other than wood filing cabinets containing not more than 2 pounds per drawer of essential operating steel hardware.

(b) *General restrictions.* (1) After May 31, 1942, no manufacturer shall process, fabricate, work on or assemble any materials for use in the production of any Group II Product, nor shall any Manufacturer manufacture or assemble any Group II Product, except

(i) Any Group II Product the manufacture or assembly of which was specifically authorized by the Director of Industry Operations, or by the Director General for Operations prior to August 5, 1942, by the granting of an appeal or otherwise, or

(ii) Pursuant to the specific authorization of the Director General for Operations, or

(iii) Orders for metal desks, lockers and chairs to be delivered to the Army, Navy or Maritime Commission of the United States for use on board combatant vessels or troopships, which were accepted by manufacturers prior to August 5, 1942, may be processed, fabricated, worked on or assembled up to November 15, 1942, provided that such metal desks, lockers and chairs are delivered prior to November 15, 1942.

(2) On and after August 5, 1942, no manufacturer shall process, fabricate, work on or assemble any materials for use in the production of any Group I Product, nor shall any manufacturer manufacture or assemble any Group I Product, except

(i) Any Group I Product, the manufacture or assembly of which was specifically authorized by the Director of Industry Operations, or by the Director General for Operations prior to August 5, 1942, by the granting of an appeal or otherwise, or

(ii) Pursuant to the specific authorization of the Director General for Operations, or

(iii) Orders for any metal shelving which were accepted by manufacturers prior to July 1, 1942, and all the parts of which had been sheared to size prior to July 15, 1942, so that such parts cannot be used for any shelving orders other than the shelving orders for which they were sheared, may be processed, fabricated, worked on or assembled up to August 31, 1942, provided that any such metal shelving is delivered prior to August 31, 1942, and further provided that such orders were placed by the Army or Navy of the United States, the United States Maritime Commission, or bore preference ratings of higher than A-2, or

(iv) Orders for any insulated metal filing cabinet or metal visible record equipment with preference ratings of higher than A-2, or placed by the Army or Navy of the United States or the United States Maritime Commission, which were accepted by manufacturers prior to August 5, 1942, may be processed, fabricated, worked on or assembled up to November 1, 1942, provided that any such insulated metal filing cabinet or metal visible record equipment is delivered prior to November 1, 1942, or

(v) Orders for any safes with preference ratings of higher than A-2, or placed by the Army or Navy of the United States or the United States Maritime Commission, which were accepted by manufacturers prior to August 5, 1942, may be processed, fabricated, worked on or assembled.

(c) *Prohibition of transactions in Group I or Group II Products.* On and after August 5, 1942, no manufacturer shall sell, lease, trade, lend, deliver, ship or transfer any Group I or Group II Product produced by him after April 1, 1942, except

(1) To the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, or

(2) Orders for any Group I or Group II Product with preference ratings of higher than A-2, which were accepted by manufacturers prior to August 5, 1942, or

(3) Any Group I or Group II Product, the production of which is specifically authorized by the Director General for Operations after August 5, 1942, pursuant to paragraphs (b) (1) (ii) or (b) (2) (ii) of this Order, or

(4) Pursuant to the specific authorization of the Director General for Operations on Form PD-423.

(d) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Washington, D. C., Ref: L-13-a.

(e) *Appeals.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7594; Filed, August 5, 1942; 11:32 a. m.]

[1] 7 F.R. 2536, 2966, 4167, 5020, 5461.

PART 1063—MERCURY

[Conservation Order M-78, as Amended August 5, 1942]

Section 1063.1 *Conservation Order M-78*[1] is hereby amended to read as follows:

§ 1063.1 *Conservation Order M-78*—(a) *Definitions.* For the purpose of this order:

(1) "Mercury" means:

(i) Metallic mercury (quicksilver) of any quality and from whatever source derived, and

(ii) Any mercury-containing chemical compound, salt, or mixture.

(2) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(3) "Manufacture" means to amalgamate, assemble, mix, compound, redistill, or process in any other way, but does not include installation or sale of a completely finished product for the ultimate consumer.

(4) "Item" means any article or any component part thereof.

(5) "Use" means and includes (i) the act of amalgamating, mixing, compounding, redistilling, or processing mercury,

(ii) the act of putting mercury into any item, and

(iii) the act of manufacturing any item containing mercury,

(Where a person is limited to a percentage of mercury used in a base period, this limitation applies respectively to (i), (ii), and (iii) above. Each limitation must be applied separately.)

(6) "Base period" means at the option of the manufacturer either (i) the corresponding quarterly period in 1940, or (ii) the first calendar quarter in 1941, provided that the same option shall be used throughout the calendar year.

(b) *Prohibition on use of mercury in items and processes appearing on List A.* No mercury shall be used in the manufacture of any item or in any manufacturing process on List A.

(c) *Restriction on use of mercury in items and processes on List B.* Any person using mercury in the manufacture of any item or in any manufacturing process on List B shall limit his use of mercury in the manufacture of any such item or in any such manufacturing process during each calendar quarter to the percentage of such use in the base period indicated opposite such item or such manufacturing process on List B.

(d) *Limitation on other uses of mercury.* Any person using mercury in the manufacture of any item or in any manufacturing process not covered by paragraph (b), (c), or (e) of this order shall limit his use of mercury in the manufacture of any such item or in any such manufacturing process during each calendar quarter to 80 per cent of his use of mercury in the manufacture of such item or in such manufacturing process in the base period.

(e) *General exception.* The prohibitions and restrictions contained in paragraphs (b), (c), and (d) shall not apply to the use of mercury:

(1) In the manufacturing of any item for delivery under, or in any manufacturing process pursuant to, a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration and its operating or general agents, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act) if in any such case the use of mercury to the extent employed is required by the specifications of the prime contract; or

(2) To comply with Underwriters Regulations or Safety Regulations issued under governmental authority, provided that pertinent provisions of such regulations were, in either case, in effect both on December 1, 1941, and on the date of such use, and specifically and exclusively require the use of mercury to the extent employed; or

(3) In the manufacture of any item for delivery under, or in any manufacturing process pursuant to, an order bearing a preference rating of A-1-j or higher; or

(4) In the manufacture of marine anti-fouling paint for use on ships flying the flag of the other American Republics, or on ships flying the flag of any foreign country entitled to the benefits of the said Lend-Lease Act; or

(5) In the manufacture of any item for delivery to any laboratory provided that such item is to be used only for research, educational, analytical, or testing purposes; or

(6) In the maintenance and repair of industrial control equipment.

(f) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver mercury to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(g) *Limitation of inventories.* No manufacturer shall receive delivery of mercury (including scrap) or products thereof, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of mercury products by this order.

(h) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of mercury conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense work to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director of Industry Operations or the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of mercury in the production of any item, the limitations of such other order shall be observed.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington, D. C., Ref.: M-78.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 FR. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST A OF ORDER M-78

Carroting of hat fur.
Fireworks.
Marine anti-fouling paint.
Preparations for film developing.
Thermometers (except industrial and scientific).
Treating of green lumber (except Sitka Spruce).
Turf fungicides.

[1] 7 F.R. 519.

Vermilion.
Wall switches for non-industrial use.
Wood preservation.

LIST B OF ORDER M-78

	Percent
Fluorescent lamps	100
Health supplies (as defined in Preference Rating Order P-29, as the same may be amended)	100
Mercuric Fulminate for commercial blasting caps	125
Mercuric Fulminate for ammunition	100
Thermometers (industrial and scientific)	100
Cosmetics or any preparation designed for bleaching the skin or removal of freckles	30

[F. R. Doc. 42-7596; Filed, August 5, 1942; 11:33 a. m.]

PART 1164—RUBBER SEALED CLOSURES FOR GLASS CONTAINERS

[Amendment 1 to Conservation Order M-119]

Section 1164.1 *Conservation Order M-119*[1] is hereby amended in the following particulars:

1. Paragraph (c) is amended to read as follows:

(c) *Restrictions upon purchase, acceptance of delivery, and use.* (1) No person shall buy, accept delivery of or use any rubber sealed closures for sealing glass containers which shall be packed with any product listed upon Table I annexed to this order, or any other product which the Director General for Operations may hereafter designate from time to time by supplementary order.

(2) Nothing in this order shall prevent the use of rubber sealed closures in connection with the packing of any product listed upon Table I of this order provided that, on or before April 19, 1942, such closures were completely manufactured and in the hands of the user, and such user does not, in the ordinary course of his business, pack any products not listed on Table I of this order.

(3) Nothing in this order shall prevent the sale, delivery, purchase, acceptance of delivery or use of rubber sealed closures in connection with the packing of any product listed upon Table I of this order, provided that such closures were completely manufactured on or before April 19, 1942, and cannot be used for the packing of a product not listed on Table I of this order because of special formula or because lithographing or printing upon the closure would result in the misbranding of the product so packed.

(4) The provisions of subparagraphs (2) and (3) of this paragraph (c) shall apply with full force and effect to the use of rubber sealed closures in connection with the packing of home style processed pickles, except that the applicable date set forth in the said subparagraphs shall be the date of issuance of this amendment rather than April 19, 1942.

(b) Table I is amended in the following respect:

[1] 7 F.R. 2734.

The item "pickles, except home style processed" is amended to read "pickles, including home style processed".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this the 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7598; Filed, August 5, 1942; 11:32 a. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Amendment 1 to Schedule III to Limitation Order L-120]

FINE WRITING PAPERS

Section 1223.4 *Schedule III to Limitation Order L-120*[1] is hereby amended by:

1. Changing item (iii) of caption "Chemical Wood Pulp mimeograph paper"[2] to read as follows:

(iii) *Substance weights* (per 500 sheets 17 x 22): 16, 18 and 20.

2. Changing item (iii) of caption "Groundwood content mimeograph paper"[3] to read as follows:

(iii) *Substance weights* (per 500 sheets 17 x 22): 16, 18 and 20.

3. Adding to the exceptions contained in item (vii) of caption "Rag Content Ledger Paper"[4] the following:

(.3) *Extra 100% rag content.* Unrestricted in any respect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7595; Filed, August 5, 1942; 11:33 a. m.]

PART 3020—HEAT EXCHANGERS

[General Limitation Order L-172]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of heat exchangers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[1] 7 F.R. 5124, 5216.
[2] 7 F.R. 5219.
[3] 7 F.R. 5222.
[4] 7 F.R. 5217.

§ 3020.1 *General Limitation Order L-172*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, and includes the Army and Navy of the United States.

(2) "Manufacturer" means any person who constructs or manufactures critical heat exchangers to the extent that he is engaged in such construction or manufacture, and shall include sales and distribution outlets and agencies controlled by said manufacturer.

(3) "Critical heat exchanger" means any new equipment or apparatus (or any important component part thereof), other than direct fired, or direct contact involving physical mixing of the fluids, designed for the transference or exchange of heat between two or more fluids (liquids, gases or vapors), of the following types, descriptions, or classifications:

(i) A bundle or nest of bare tubes (⅝ inch outside diameter or greater) installed in or designed for installation in a shell or pressure vessel having a nominal inside diameter of twelve inches or over.

(ii) A bundle or nest of bare tubes (any tube diameter) installed in or designed for installation in a new shell or pressure vessel which must be bored on the inside, and having a nominal inside shell diameter of twelve inches or over.

(iii) Any heat exchanger for the use of the Army, Navy, Maritime Commission, or War Shipping Administration.

(iv) Any heat exchanger not described in (i), (ii) or (iii) for the use in conjunction with other equipment described in (i), (ii), or (iii) above.

(b) *Restrictions upon placing of orders.* No person shall place an order for the manufacture of a critical heat exchanger unless such order is accompanied by the authorization of the Director General for Operations on Form PD-615A. Orders so authorized shall be placed only with the supplier specified on the Form PD-615A. Any person desiring an authorization on Form PD-615A to enable him to purchase critical heat exchangers shall file an application therefor with the Director General for Operations on Form PD-615 in duplicate.

(c) *Restrictions on acceptance of orders or delivery by manufacturers.* (1) No manufacturer shall accept any order for a critical heat exchanger unless such order is accompanied by an authorization of the Director General for Operations on Form PD-615A, permitting the placing of such order with such manufacturer.

(2) Regardless of the terms of any preference rating certificate or blanket preference rating order, or of any rule or regulation applicable thereto, any manufacturer with whom an order is placed as authorized by the Director General for Operations on Form PD-615A must accept the same, unless the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. No manufacturer shall discriminate against such orders in establishing such prices or terms.

(3) After 15 days following the day of issuance of this order, regardless of the terms of any contract of sale or purchase or other commitment, or of any preference rating certificate or blanket preference rating order, no manufacturer shall deliver, or otherwise transfer, any critical heat exchanger unless authorized by the Director General for Operations to make such delivery or transfer, as provided in paragraph (d) hereof.

(d) *Filing by manufacturers of production and delivery schedules—Authorization for deliveries.* (1) On or before 15 days following the date of issuance of this order, every manufacturer shall file a statement, in quadruplicate showing:

(i) All orders for critical heat exchangers on hand on the date of this order, together with a brief description (including square footage, dollar value, use, and extent of completion) of the critical heat exchangers covered by each order, and the proposed date of delivery of each such heat exchanger.

(ii) The names of the proposed purchasers of each such heat exchanger and the customer's and manufacturer's order numbers applicable thereto.

(iii) Preference rating certificate number and the rating assigned to each such order.

The delivery of all critical heat exchangers listed on such statement as scheduled for delivery on or before August 31, 1942, shall be deemed to be authorized upon receipt of such statement by the War Production Board, unless the Director General for Operations shall direct otherwise. The Director General for Operations may, at any time, revoke such delivery authorization as to any or all critical heat exchangers so listed, direct or change the schedule of deliveries or production, allocate any order so listed to any other manufacturer, or direct the delivery of any such heat exchanger to any other person, at the established price and terms. No manufacturer shall change the schedule of deliveries or production as shown on such statement or as directed or changed by the Director General for Operations, without specific authorization of the Director General for Operations.

(2) On or before August 25, 1942, and on or before the 25th day of each succeeding calendar month, every manufacturer shall file, in quadruplicate, a report on Form PD-615B showing his production and delivery schedule for the calendar month immediately following such filing. The delivery of all critical heat exchangers shown on such schedule as proposed to be made in the calendar month following the date of filing shall be deemed to be authorized by the Director General for Operations upon the receipt of such Form PD-615B by the War Production Board, unless the Director General for Operations shall otherwise direct. The Director General for Operations may, at any time, revoke such authorization as to any or all critical heat exchangers so listed for delivery, direct or change the schedule of deliveries or production, allocate any order listed on said form to any other manufacturer, or direct the delivery of any critical heat exchanger to any other person, at the established price and terms. No manufacturer shall change the schedule of deliveries or production as listed on said form, or as directed or changed by the Director General for Operations.

(e) *30 Day exemption of Army, Navy, and Maritime Commission.* Until 30 days after the date of issuance of this order the provisions of this order shall not apply to orders for any critical heat exchanger by and for the use of the Army, Navy, Maritime Commission or War Shipping Administration. As used in this paragraph the terms "Army", "Navy", "Maritime Commission" and "War Shipping Administration", shall not include any privately operated plant or shipyard financed by or controlled by any of those organizations, or operated on a cost plus fixed fee basis.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: General Industrial Equipment Branch, War Production Board, Ref: L-172.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Records and reports.* All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for critical heat exchangers.

All manufacturers affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time request. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7600; Filed, August 5, 1942; 11:33 a. m.]

PART 3023—OIL AND GAS BURNING DOMESTIC SPACE HEATERS

[General Limitation Order L-173]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3023.1 *General Limitation Order L-173*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic space heaters" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating heaters, radiant heaters, direct fired gas unit heaters, floor furnaces and wall furnaces.

(2) "Fuel Oil" means any liquid petroleum classified as grade No. 1, 2, 3, 4, 5, or 6, including Bunker "C" fuel oil, kerosene, range oil, gas oils and any other liquid petroleum product used for the same purpose as the above designated grades.

(b) *General restrictions.* No person shall produce, fabricate or assemble any domestic space heaters using fuel oil or gas as fuel, except that subject to the provisions of Supplementary General Limitation Order L-23-c[1] and other applicable orders, any person may manufacture domestic space heaters using fuel oil or gas as fuel under contracts or orders placed for delivery to, or for the account of, the Army or Navy of the United States, the United States Coast Guard, the United States Maritime Commission or the War Shipping Administration.

(c) *Replacement parts.* Nothing in this order shall be construed to prohibit or limit the production, by any manufacturer, of replacement parts for domestic space heaters using fuel oil or gas as fuel.

(d) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General

[1] 7 F.R. 3570, 5119, 5556.

for Operations may thereupon take such action as he deems appropriate.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Plumbing and Heating Branch, Washington, D. C., Ref: L–173. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7599; Filed, August 5, 1942; 11:32 a. m.]

PART 1072—SOLE LEATHER

[General Preference Order M–80, As Amended to August 5, 1942]

Section 1072.1 *General Preference Order M–80* is hereby amended to read as follows:

§ 1072.1 *General Preference Order M–80*—(a) *Definitions.* For the purposes of this order:

(1) "Sole leather" means any vegetable tanned sole leather.

(2) "Cut outer soles of military weight and quality" means soles of 8½ iron and up of fine, semifine, imperfect fine and No. 1 Scratch grades or as otherwise required by the applicable specifications for "military shoes," cut out of manufacturers' leather.

(3) "Cut inner soles of military weight and quality" means soles of 5½ to 7 iron first quality full grain leather, with strong fiber of quality adapted to the purpose.

(4) "Finders cut stock of military weight and quality" means full soles, half soles, strips or repair taps of 9 iron and up cut from vegetable tanned sole leather, commercially described as finders leather and which are of prime and fine fiber of a grade not lower than "No. 1 scratch," but shall not include finders cut stock having slaughter cuts, brands, loose flesh, or cracky grain.

(5) "Whole stock" means sole leather sides, backs, bends, crops, strips, shoulders, bellies and belly centers.

(6) "Bend" means the bend portion of full grain sole leather, or that part of a full grain side of sole leather with the exception of the head, shoulder and belly.

(7) "Finders bend" means a bend commercially known as finders leather.

(8) "Manufacturers bend" means a bend commercially known as manufacturers type, or factory type, or manufacturers leather, or factory leather.

(9) "Reserved military cut stock" means all cut outer and inner soles and finders cut stock of military weight and quality, set aside pursuant to paragraphs (c) (1) and (c) (2) of this order and, in addition, all other manufacturers type cut outer and inner soles of military weight and quality on hand April 4, 1942, or thereafter, in sole cutters' stocks or in the stocks of any other person, which were cut on any patterns which will fit the Army, Navy and Marine Corps lasts: *Provided, however,* That the term shall not include any cut soles certified by the Commanding Officer, Boston Quartermaster Depot, Boston, Massachusetts, as not suitable for military use.

(10) "Non-military quality stock" means

(a) In the case of finders sole leather, any piece of finders sole leather from which no tap of military weight and quality can be obtained by any person.

(b) In the case of manufacturers sole leather, any piece of manufacturers sole leather from which no sole of military weight and quality can be obtained by any person.

(11) "Non-military quality repair stock" includes only strips, blocks, taps or top lifts, all of non-military quality stock.

(12) "Sole cutters" means all persons who produce cut soles, cut outer soles, cut inner soles, blocks, strips, and repair taps from sole leather, and shall include independent cutters, tanner cutters, packer-tanner cutters, shoe manufacturer cutters and tanner-shoe manufacture cutters.

(13) "Cutter for the repair trade" means any sole cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942 cut repair taps as a regular part of his business.

(14) "Dealer in finders stock" means any person whose principal business consists of selling finders' stock and other findings to cobblers repairing shoes for the general public.

(15) "Military shoes" means shoes for the Army, Navy, Marine Corps and Lend-lease requirements.

(16) "Put into process" with respect to cut outer or inner soles or repair taps means the first step taken in the preparation of such cut stock for shoemaking or shoe repairing or for attachment to shoes or shoe uppers.

(b) *Restrictions applying to whole stock.* (1) Each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside each month that portion of his manufacturers bends as fixed from time to time by orders supplementary to this order. Each bend so set aside shall be known as a manufacturers-bend-for-repair.

(2) No person except a cutter for the repair trade shall cut any manufacturers-bend-for-repair. All such bends shall be cut in accordance with paragraphs (b) (5) and (c) (3) hereof.

(3) Each person who is not a cutter for the repair trade shall reserve his manufacturers-bends-for-repair for delivery to a cutter for the repair trade.

(4) All persons having whole stock from which cut outer or cut inner soles or finders' cut stock of military weight and quality can be obtained shall reserve such whole stock (other than manufacturers-bends-for-repair) for direct sale to the Government or for delivery to sole cutters as defined or shall cut such whole stock in accordance with paragraph (b) (5) hereof: *Provided, however,* That this restriction shall not apply to any stock in the possession of a dealer in finders stock on May 22, 1942.

(5) No person (except any one whose business consists of repairing shoes for the general public) having any whole stock, from which cut inner or cut outer soles or finders cut stock of military weight and quality can be obtained, shall hereafter cut any of the said whole stock except in such a manner as will produce all the cut inner soles or cut outer soles or finders cut stock of military weight and quality obtainable therefrom in accordance with paragraphs (c) (1) and (c) (2).

(c) *Restrictions applying to sole cutters.* (1) Each sole cutter (including cutters for the repair trade) shall hereafter set aside each day all cut outer and cut inner soles of military weight and quality that are obtainable from all manufacturers whole stock cut by him. All such cut soles so set aside shall be cut on Army size dies or commercial patterns to fit the Munson last in sizes and widths to fit the sizes of shoes bought on U. S. Army Tariffs as issued, or shall be cut as required by the Navy and Marine Corps to fit their schedules, or cut in accordance with the schedules of any other defense or Lend-lease orders for shoes.

(2) Each sole cutter (including cutters for the repair trade) shall hereafter set aside each day all finders cut stock of military weight and quality cut from finders whole stock received by him. Each sole cutter shall provide that the cut stock so set aside shall include a sufficient quantity of cut outer soles so as to insure the fulfillment of his contracts to deliver such soles for use on military shoes.

(3) Non-military quality stock cut from bends shall be cut as follows:

(i) That cut from finders bends or any part thereof shall be cut in the form of non-military quality repair stock, or into midsoles required to fill existing lend-lease contracts or sub-contracts.

(ii) That cut from manufacturers-bends-for-repair or any part thereof shall be cut in the form of non-military quality repair stock.

(iii) That cut from other manufacturers bends may be cut without restriction, except as required to fill orders having priority ratings.

(d) *Restrictions on sales, deliveries, and use of cut stock.* (1) No person shall hereafter sell, deliver, or put into process any reserved military cut stock from manufacturers leather, except to fill orders for cut soles of military weight and quality for delivery to or for the account of:

(i) The United States Army (excluding purchase orders placed by or for delivery to Post Exchanges);

(ii) The United States Navy (excluding purchase orders placed by or for delivery to Ships' Stores or Commissary);

(iii) The United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation and Metals Reserve Company.

(iv) The Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(2) No person shall hereafter use any finders cut stock set aside pursuant to paragraph (c) (2) hereof, except to fill orders for repair tap soles or for cut outer soles of military weight and quality for delivery to or for the account of the United States governmental agencies and the governments of the countries set forth in (d) (1) above.

(3) No person shall hereafter sell or deliver any non-military quality repair stock (other than finders top lifts and finders pieces from which no tap can be obtained) cut from finders bends, from manufacturers-bends-for-repair or from parts of such bends, except to dealers of finders stock, or for use by cobblers in repairing shoes for the general public.

(4) No person except a cobbler repairing shoes for the general public or any person repairing his own shoes shall hereafter put into process any non-military quality repair stock (other than finders top lifts and finders pieces from which no tap can be obtained) cut from finders bends, from manufacturers-bends-for-repair or from parts of such bends.

(e) *Fair distribution of products.* In making sales or deliveries of any cut or uncut non-military quality sole leather, no person shall make discriminatory cuts in quality or quantity between former customers who meet such person's regularly established prices, terms and credit requirements, or between former customers and his own consumption of these products. Reduction in sales or deliveries proportionate with any curtailment in available supply shall not constitute a discriminatory cut.

(f) *Reports.* Every person affected by this order shall execute and file the following reports:

(1) With the War Production Board—such reports and questionnaires as may regularly or from time to time be required by said Board.

(2) With the Boston Quartermaster Depot—such reports and questionnaires as may regularly or from time to time be required by that Depot.

(g) *Disposition of stocks of reserved military cut stock.* Every person delivering to another person or to his own shoe factory any "reserved military cut stock" to fill defense orders for military shoes shall, within twenty-four (24) hours after such delivery, notify by letter addressed to the Commanding Officer Reserved Cut Stock, Boston Quartermaster Depot, Army Base, Boston, Massachusetts, Tabulating Agent of the War Production Board of the amount and quality of reserved military cut stock so delivered, the person to whom delivered, and the contract number or further identification of the defense order for military shoes to fill which such cut stock was delivered.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of sole leather conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense work to defense work, may appeal to the Director General for Operations by letter or telegram, Reference M–80, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall unless otherwise directed, be addressed to: "War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M–80."

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7607; Filed, August 5, 1942; 12:18 p. m.]

PART 1072—SOLE LEATHER

[Supplementary Order M–80–a]

§ 1072.2 *Supplementary Order M–80–a.* Pursuant to paragraph (b) (1) of Order M–80[1] as amended to August 5, 1942, which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during the period from August 1, 1942 to August 31, 1942, inclusive, at least 15% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. Of this portion set aside not less than 70% nor more than 75% shall consist of bends of eight iron and up, and the quality of said portion set aside shall be proportionately equal, as nearly as can be, to that of the manufacturers bends not so set aside. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Public Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7608; Filed, August 5, 1942; 12:18 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Amendment 1 to Supplementary Order 5[2]]

LICENSING

A statement of the reasons for this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) in § 1305.7 is amended to read as set forth below:

§ 1305.7 *Provisions licensing dealers selling waste, scrap and salvage materials to consumers (and in the case of iron and steel scrap, to consumers or their brokers*—(a) *License granted.* Effective May 20, 1942, every dealer now or hereafter selling to a consumer (and in the case of iron and steel scrap, to a

*Copies may be obtained from the Office of Price Administration.

[1] *Supra.*

[2] 7 F.R. 3403.

consumer or his broker) any waste, scrap or salvage material for which maximum prices are established by price schedules and price regulations Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123,[2] respectively (as now or hereafter amended or supplemented), is by this Supplementary Order No. 5 granted a license as a condition of selling any such waste, scrap or salvage material. The provisions of this Supplementary Order No. 5 and of the price schedules and price regulations specified in this paragraph shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this Supplementary Order No. 5 shall, unless suspended as provided by the Act, continue in force so long as, and to the extent that, any of the afore-mentioned price schedules and price regulations, or any amendment or supplement thereto, remains in force.

* * * * *

(f) *Effective dates.* * * *

(2) Amendment No. 1 (§ 1305.7(a)) to Supplementary Order No. 5 shall become effective August 8, 1942. (Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7568; Filed, August 4, 1942; 4:19 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[Maximum Price Regulation 196]

TURNED OR SHAPED WOOD PRODUCTS

In the judgment of the Price Administrator it is necessary and proper to establish in a separate regulation the maximum price for the sale of turned or shaped wood products which, because of their special nature, cannot satisfactorily be priced on the basis of deliveries made in March 1942. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.[3] A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.[4]

Therefore, under the authority invested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[5] issued by the Office of Price Administration, Maximum Price Regulation No. 196 is hereby issued.

AUTHORITY: §§ 1384.57 to 1384.69, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1384.51 *Definition of "turned or shaped wood products."* For the purposes of this Maximum Price Regulation No. 196: (a) The term "turned wood product" means any softwood or hardwood lumber product which has been turned on a cutting machine. The term does not include:

(1) Rotary cut lumber;

(2) Finished products, substantially ready for ultimate use (rather than for incorporation in other products), consisting of an assembly of a turned wood product or products and other parts. Specifically, but not exclusively, the following products are not subject to this Maximum Price Regulation No. 196: Furniture, brooms, mops, carpet sweepers, toys, and tools. However, the term "turned wood product" does include any part (other than rotary cut lumber) of such finished product which part has been turned on a cutting machine. Moreover, the term includes any finished or substantially finished product which consists solely of a turned wood product or turned wood parts.

(b) The term "shaped wood product" means any softwood or hardwood lumber product which has been shaped to pattern on a cutting machine. The term does not include:

(1) Moulding;

(2) Special millwork;

(3) Small dimension stock, either rough, semi-machined, or completely machined, and either glued or not glued.

(4) Doors, sash, windows and frames, or parts thereof.

(5) Finished products, substantially ready for ultimate use (rather than for incorporation in other products), consisting of an assembly of a shaped wood product or products and other parts. Specifically, but not exclusively, the following products are not subject to this Maximum Price Regulation No. 196: Furniture, toys, and tools. However, the term "shaped wood product" does include any part (other than parts of doors, sash, windows and frames) of such finished product which part has been shaped to pattern on a cutting machine. Moreover, the term includes any finished or substantially finished product which consists solely of a shaped wood product or shaped wood parts.

§ 1384.52 *Exclusions.* This Maximum Price Regulation No. 196 shall not apply to:

(a) Any sale or delivery at retail of a turned or shaped wood product. "Sale at retail" means any sale to an ultimate consumer other than an industrial, commercial or government user by a person other than the manufacturer of the product sold.

(b) Any sale or delivery of a turned or shaped wood product for which a maximum price is established by any other regulation or order issued by the Office of Price Administration, except the General Maximum Price Regulation.

(c) Any sale or delivery of a turned or shaped wood product if prior to August 9, 1942, such product had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

§ 1384.53 *Prohibition against sales of turned or shaped wood products at higher than maximum prices.* (a) On and after August 9, 1942, regardless of any contract, lease or other obligation:

(1) No person shall sell or deliver any turned or shaped wood product at a price higher than the maximum price established by this Maximum Price Regulation No. 196;

(2) No person in the course of trade or business shall buy or receive any turned or shaped wood product at a price higher than such maximum price: *Provided*, That if upon the purchase of any turned or shaped wood product, the purchaser shall receive from the seller or supplier a written affirmation that to the best of his knowledge, information, and belief the prices charged do not exceed the maximum price established by this Maximum Price Regulation No. 196, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section;

(3) No person shall agree, offer, solicit, or attempt to do any of the acts provided in subparagraphs (1) and (2) of this paragraph (a).

(b) No War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 196 or the Emergency Price Control Act of 1942.

§ 1384.54 *Maximum prices; sales by any seller of a turned or shaped wood product with a published or confidential list price*—(a) *Prices.* If any seller had a published or confidential price list or lists in effect on March 31, 1942, covering sales of turned or shaped wood products the maximum price to any purchaser for any product so listed shall be the net price which the seller would have received on that date from a purchaser of the same class. "Net price" means the amount paid by or charged to the purchaser, after adjustment for all applicable extra charges, discounts or other allowances in effect on March 31; 1942.

(b) *Report.* On or before September 1, 1942, every seller subject to this Maximum Price Regulation No. 196 shall file with the Lumber Branch of the Office of Price Administration, Washington, D. C., all his published and confidential price lists and discount sheets in effect on March 31, 1942, for turned or shaped wood products. Any person who on March 31, 1942, sold turned or shaped wood products at prices based upon price sheets published by any other person subject hereto need not file such other person's published price sheets but shall file instead a statement identifying the particular price sheet used on that date, together with his own discount sheets, if any, and a statement of any prices which constitute exceptions to such practice.

(c) *Specifications changes.* If any substantial changes are made in any turned or shaped wood product for which the seller had a published or confidential list price in effect on March 31, 1942, the maximum price for such product may be determined pursuant to § 1384.55 or § 1384.57, whichever is applicable: *Provided*, That either before such change in price or within ten days after making such change in price a report shall be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing the description of the turned or shaped wood product in question and of the specification changes, and a statement of the former price and the proposed price. If it is desired to issue a new list price a report shall be filed pursuant to § 1384.58.

§ 1384.55 *Maximum prices; sales by the manufacturer of turned or shaped wood products without list prices.* If for any turned or shaped wood product the manufacturer has no published or confidential list price in effect March 31, 1942, the maximum price of such product in sales by the manufacturer to any purchaser shall be computed on the following basis:

(a) *Price formula.* (1) The manufacturer shall employ the price-determining method which was in use in the plant on March 31, 1942, applying each of the pricing factors reflected in the formula at the levels prevailing in the particular plant on March 31, 1942, including: direct labor costs (applied in accordance with paragraph (b) of this section); material costs (applied in accordance with paragraph (c) of this section); overhead (burden) rates; and/or other bases of computation as of March 31, 1942.

(2) To the extent that the price-determining method includes or is based upon prices paid for sub-contracted services (such as painting or machining), the manufacturer shall use actual prices paid or to be paid for sub-contracted services, not in excess of the maximum prices provided by the appropriate maximum price regulation.

(3) The price arrived at by use of the price-determining method shall be adjusted for all applicable extra charges, discounts, or other allowances in use in the particular plant on March 31, 1942 in sales to a purchaser of the same class.

(b) *Labor rates.* (1) "Direct labor costs" shall be based upon the labor rates prevailing in the plant on March 31, 1942 for each classification of labor. If on March 31, 1942 an average rate was used, an average rate may be applied: *Provided*, That the labor rates and the method of computing the average in effect on March 31, 1942 are used.

(2) The amount of overtime labor (direct or indirect) estimated to be required may be taken into account in estimating the cost of labor: *Provided*, That no mark-up, overhead, or profit factors shall be based upon that part of the labor cost which is in excess of the straight-time cost.

(c) *Material prices.* (1) The term "material prices" includes the prices for raw materials, and for materials and products which have been processed or fabricated to any degree, including parts which can be assembled into the ultimate product without further processing.

(2) The manufacturers shall use a material cost not in excess of the lower of the following two prices:

(i) The actual price paid by the manufacturer for the material used in the production of the turned or shaped wood product being priced under this section.

(ii) The applicable maximum price for the material as established by the General Maximum Price Regulation or any other maximum price regulation.

(3) If there is more than one "actual price paid" or more than one "applicable maximum price" for the same item or material purchased by the manufacturer (as where the maximum price is on a f. o. b. mill basis and the material is bought on varying freight rates; or where different suppliers have different maximum prices as may be the case under the General Maximum Price Regulation), the "actual price paid" or the "applicable maximum price" shall mean the average of the actual prices paid or the average of the maximum purchase prices, as the case may be, for the material in the manufacturers' inventory at the time of the sales subject to this Maximum Price Regulation No. 196. In computing the average actual price paid or the average maximum purchase price for his inventory the manufacturer shall weight the purchases on the basis of quantity and shall deduct for material taken out of inventory on the basis of the average actual purchase price or the average maximum purchase price, as the case may be, of the inventory at the time the material was removed from the inventory.

(d) *Reports.* When a manufacturer first computes a maximum price for a particular turned or shaped wood product in accordance with the provisions of this section no report need be filed with the Office of Price Administration. However, if the manufacturer subsequently computes a higher maximum price for such product in accordance with the provisions of this section, unless the increase is definitely assignable to a change in specifications or a change in the conditions of delivery, the manufacturer thereof shall file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing: (1) a description of the turned or shaped wood product; (2) the maximum price prior to the price increase; (3) the new maximum price; (4) an explanation of the higher prices (in terms of the price-determining method and application of the appropriate price factors reflected in the formula): *Provided*, That if the price of a turned or shaped wood product previously has been reported pursuant to this paragraph without objection from the Office of Price Administration, the manufacturer shall not be required to report subsequent sales or deliveries at the same or a lower price.

§ 1384.56 *Maximum prices; sales by the manufacturer of turned or shaped wood products which cannot be priced under § 1384.54 or § 1384.55.* If the manufacturer is unable to determine the maximum price for a turned or shaped wood product pursuant to the provisions of § 1384.54 or § 1384.55, the maximum price shall be determined in accordance with this section.

(a) *Prices.* The maximum price for each sale of such turned or shaped wood product shall be the price determined by the seller and reported pursuant to paragraph (b) of this section: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty day period, such manufacturer may contract, sell or deliver at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(b) *Report.* Within fifteen days of entering into a contract for the sale of a turned or shaped wood product the maximum price for which is computed in accordance with this section, the manufacturer thereof shall file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing: (1) a description of the product; (2) a summary of the price-determining method, if any, used in the plant on March 31, 1942, or, if no method was in use on that date, a summary of the price-determining method which the manufacturer proposes to use; (3) the maximum price computed by the manufacturer by applying to such formula the pricing factors in the manner set forth in § 1384.55; and (4) an explanation and demonstration of the method employed in arriving at that maximum price.

§ 1384.57 *Maximum prices; sales by sellers other than the manufacturer of turned or shaped wood products without list prices.* (a) If for any turned or shaped wood product a seller other than the manufacturer thereof had no published or confidential list price in effect on March 31, 1942, the maximum price to any purchaser for such product shall be the net price determined by applying to the seller's net invoiced cost of such

[2] 2 Aluminum Scrap and Secondary Aluminum Ingot; 7 F.R. 1203, 1600, 1836, 2132, 3746, 4584.

3 Zinc Scrap Materials and Secondary Slab Zinc, 7 F.R. 1205, 1836, 2132, 3820.

4 Iron and Steel Scrap, 7 F.R. 1207, 1836, 2132, 2155, 2507, 3087, 3550, 3889, 4488.

8 Scrap and Secondary Materials Containing Nickel, 7 F.R. 1224, 1836, 2132, 2474, 2818, 3123, 3270, 3519, 4493.

12 Brass Mill Scrap, 7 F.R. 1234, 1836, 2132, 3520.

20 Copper and Copper Alloy Scrap, 7 F.R. 1245, 1643, 1836, 2106, 2132, 2897, 3242, 3404, 3489.

30 Wastepaper, 7 F.R. 1260, 1601, 1836, 2000, 2132, 2153, 3576, 3775, 4586.

47 Old Rags, 7 F.R. 1297, 1836, 2000, 2132, 2475, 3775.

55 Second-hand Bags, 7 F.R. 1312, 1756, 1798, 1836, 2000, 2132, 2300, 2395, 2543, 3330, 3447, 3855.

70 Lead Scrap Materials, 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823, 5363.

87 Scrap Rubber, 7 F.R. 1369, 1836, 2000, 2132, 4781, 5177.

90 Rayon Waste, 7 F.R. 1377, 1836, 2132, 3829.

115 Silk Waste, 7 F.R. 2949.

123 Raw and Processed Wool Waste Materials, 7 F.R. 3088, 3330, 3829.

[3] Copies may be obtained from the Office of Price Administration.

[4] 7 F.R. 3153, 3330, 3665.

[5] 7 F.R. 971, 3663.

product, not to exceed the applicable maximum price, the average percentage mark-up, weighted by volume of sales, over net invoice cost realized during March 1942, for all turned or shaped wood products of the same class sold by such seller during March 1942, to purchasers of the same class.

(b) If for any turned or shaped wood product a seller other than the manufacturer thereof had no published or confidential list price in effect on March 31, 1942, and if such seller sold no turned or shaped wood product of the same class during March 1942, the maximum price shall be the maximum price computed under this Maximum Price Regulation No. 196 for sales of the product by the most closely competitive seller of the same class.

(c) If for any turned or shaped wood product a seller other than the manufacturer thereof had no published or confidential list price in effect on March 31, 1942, and if such seller cannot compute a maximum price for such product in accordance with the provision of paragraph (a) or (b) of this section, the seller shall apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for authorization to establish a maximum price pursuant to a pricing method proposed in writing by the seller.

§ 1384.58 *New list prices.* (a) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for any turned or shaped wood product shall file a report pursuant to paragraph (b) of this section containing a proposed price determined under § 1384.55, § 1384.56, or § 1384.57 and such price thereafter shall be the maximum price: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report.

(b) Under the circumstances set forth in paragraph (a) of this section a report shall be filed with the Lumber Branch of the Office of Price Administration, Washington, D .C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the applicable provisions of this Maximum Price Regulation No. 196.

§ 1384.59 *Report on cost-plus contracts.* Any person who has agreed to sell or deliver any turned or shaped wood product pursuant to a cost-plus-a-fixed fee or cost-plus-a-percentage-of-cost-contract, shall on or before September 1, 1942, or within ten days after entering into such contract, file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., containing a copy or a summary of such contract.

§ 1384.60 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 196 may be charged, demanded, paid or offered.

§ 1384.61 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 196 shall be construed to prohibit the making of a contract to sell turned or shaped wood products at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment of for adjustment or exception has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1384.62 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 196 shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to turned or shaped wood products, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Making credit terms more onerous, either by decreasing the time allowed for payment or by decreasing the deductions allowed for prompt payment, than those in effect or available to the purchaser on March 31, 1942;

(2) Changing the discounts or customary price differentials among classes of purchasers recognized by the seller on March 31, 1942;

(3) Requiring a customer to furnish material for processing where such procedure is not in accordance with previous practices;

(4) Making charges for delivery which in effect require the purchaser to pay a larger proportion of the transportation cost than would have been the case in a similar sale on March 31, 1942.

§ 1384.63 *Records and reports*—(a) *Records.* Persons subject to this Maximum Price Regulation No. 196 shall keep available for inspection by the Office of Price Administration for a period of not less than two years records of the following:

(1) *By the manufacturer.* (i) Records of each sale or delivery of turned or shaped wood products after August 8, 1942, showing the name and address of the purchaser, the date of the sale, a description and identification of the product, and the net price received.

(ii) A record showing the price-determining method employed in the plant on March 31, 1942, the labor rates in effect in the plant on March 31, 1942, the price paid for and a description of all material purchased after January 1, 1942, the system of computing overhead burden in effect in the plant on March 31, 1942, and the price or value of all other factors reflected in the price-determining method.

(iii) A record of all list prices and unsolicited trade quotations for turned or shaped wood products in effect on and after March 1, 1942.

(iv) A record of detailed cost-estimate sheets and other data showing the calculations of prices in sales covered by this Maximum Price Regulation No. 196 for which there was no list price or unsolicited trade quotations in effect on March 31, 1942, or for which no list price is hereafter established.

(2) *By a seller other than the manufacturer.* Records of the kind such seller has customarily kept, relating to the prices of turned or shaped wood products sold after August 8, 1942, and in addition, records showing precisely as possible the basis upon which maximum prices for turned or shaped wood products have been and are determined.

(3) *By persons making purchases subject to Maximum Price Regulation No. 196.* A record showing the name and address of the seller, the date of the purchase, a description of the product purchased, and the price paid.

(b) *Additional or substituted records and reports.* Every person subject to this Maximum Price Regulation No. 196, shall keep such other records and submit such other reports, including periodic financial statements, as the Office of Price Administration may from time to time require or permit, either in addition to or in substitution for records and reports required by this Regulation.

§ 1384.64 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 196 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942. (b) Persons who have evidence of any violation of this Maximum Price Regulation No. 196 or any Price Schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1384.65 *Petition for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of a turned or shaped wood product which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 196 in accordance with Procedural Regulation No. 6,[3] issued by the Office of Price Administration.

(b) *Adjustment of abnormally low maximum prices.* The Office of Price Administration, or any duly authorized

[3] 7 F.R. 5087.

officer thereof, may by order adjust the maximum prices established under this Maximum Price Regulation No. 196 for any seller of turned or shaped wood products in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Application for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration.

(c) *Special relief.* Any person seeking special relief for which no provision is made in paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 196, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 196 to eliminate the danger of inflation.

(d) *General amendments and adjustments.* Persons seeking any general modification of this Maximum Price Regulation No. 196 or any general adjustment or exception not provided for therein may file petitions for amendment in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1384.66 *Definitions.* (a) When used in this Maximum Price Regulation No. 196, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Manufacturer" means any person engaged in operating a cutting machine which is used in the production of turned or shaped wood products, and includes subcontractors and prime contractors.

(3) "List price" and the term "unsolicited trade quotations" means an offering price which the seller communicates to a substantial number of potential customers. The term does not include a price which the seller quotes only to a single potential customer in response to a specific inquiry from that potential customer.

(4) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department or any agency of the foregoing.

(5) "Subcontracted services" means services performed by an independent contractor outside of the manufacturer's own plant, but does not include "piecework" contracts.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942, shall apply to other terms used herein.

§ 1384.67 *Applicability of the General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation shall not, on and after August 9, 1942, apply to sales and deliveries of turned or shaped wood products subject to this Maximum Price Regulation No. 196.

§ 1384.68 *Export sales.* The maximum price at which a person may export a turned or shaped wood product shall be determined in accordance with the methods provided in the Revised Maximum Export Price Regulation,[1] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the Continental United States and a purchaser outside thereof in which the commodity sold is transported from the Continental United States to a point outside thereof and includes any sale of a commodity outside the Continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the Continental United States.

§ 1384.69 *Effective date.* This Maximum Price Regulation No. 196 (§§ 1384.51 to 1384.69, inclusive) shall become effective August 9, 1942.

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7570; Filed, August 4, 1942; 4:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Procedural Regulation 3 [2]]

PROCEDURE FOR THE PROTEST AND AMENDMENT OF MAXIMUM RENT REGULATIONS AND ADJUSTMENTS UNDER SUCH REGULATIONS

Sections 1300.203 and 1300.242 are hereby amended to read as follows:

§ 1300.203 *Landlords' petitions.* (a) All landlords' petitions provided for by any maximum rent regulation shall be filed with the area rent office in the appropriate defense-rental area on forms provided by such office. The petition shall state the name and post office address of the petitioner, the location by post office address or otherwise, of the housing accommodations involved, the relief sought, the facts upon which such relief is based and such other information as the Administrator shall require. One original and one copy of each petition shall be filed.

(b) Within 24 hours after the filing of a petition involving a room within a hotel or rooming house, as defined in the applicable maximum rent regulation, the landlord shall give notice of such filing to the tenant of the room, either by serving a copy of the petition on such tenant or by posting conspicuously in a part of such hotel or rooming house which is used in common by the tenants thereof a notice, on a form provided therefor, stating that the petition has been filed and setting out the relief sought and such other information as the Administrator shall require: *Provided, however*, That notice need not be given to a tenant occupying a room on a daily basis.

* * * * *

§ 1300.242 *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the residence or the principal office or place of business of the person to be served; or by mail or telegraph. When service is made personally or by leaving a copy at the residence or the principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service. When service is by unregistered mail an affidavit that the document has been mailed shall be proof of service.

§ 1300.247a *Effective dates of amendments.* (a) Amendment No. 1 to Procedural Regulation No. 3 (§§ 1300.203 and 1300.242) shall become effective August 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7571; Filed, August 4, 1942; 4:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 20 to General Maximum Price Regulation [1]]

LICENSING

A statement of the considerations involved in the issuance of the amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.16 is amended to read as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

[1] 7 F.R. 5059.

[2] 7 F.R. 3936, 3991.

§ 1499.16 *Licensing.* Every person selling at wholesale or retail any commodity or service for which a maximum price is established by the General Maximum Price Regulation or by any other price regulation of the Office of Price Administration is by the General Maximum Price Regulation granted a license as a condition of selling any such commodity or service. The provisions of the General Maximum Price Regulation and of every price regulation of the Office of Price Administration to which this section now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of the General Maximum Price Regulation or when any such person becomes subject to the maximum price provisions of this or any other price regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, remain in effect as long as such regulation, or any applicable part, amendment, or supplement remains in effect.

§ 1499.23a *Effective dates of amendments.* • • •

(t) Amendment No. 20 (§ 1499.16) to the General Maximum Price Regulation shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7569; Filed, August 4, 1942; 4:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 19 to Supp. Reg. 1[2]]

EXCEPTIONS FOR CERTAIN WASTE MATERIALS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (1) of paragraph (a) of § 1499.26 is amended to read as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

(1) Waste materials including but not limited to metal, paper, cloth and rubber scrap: *Provided,* That (i) (*a*) scrap burlap and scrap bagging or bale coverings composed of jute, hemp, istle, sisle or similar fibers, and (*b*) cotton mill waste shall not be considered to be waste materials for the purposes of this Supplementary Regulation No. 1; and

(ii) No sales of fat-bearing and oil-bearing animal waste materials (except as otherwise provided in subparagraphs (26) and (27) of this paragraph) shall be excepted from the General Maximum Price Regulation; and

(iii) No waste materials sold to an industrial consumer (except as otherwise provided in subsequent subparagraphs of this paragraph) shall be excepted from the General Maximum Price Regulation.

• • • • •

(e) *Effective dates.* • • •

(20) Amendment No. 19 (§ 1499.26 (a) (1) to Supplementary Regulation No. 1) shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7567; Filed, August 4, 1942; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 20 to Supp. Reg. 1[2]]

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (31) is added to § 1499.26 (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

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(31) Sliced and peeled apples.

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(e) Effective dates. • • •

(21) Amendment 20 (§ 1499.26 (a) (31)) to Supplementary Regulation No. 1, shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7566; Filed, August 4, 1942; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 3 to Revised Supp. Reg. 4[3]]

MANILA CORDAGE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (18) is added to § 1499.29 (a) to read as set forth:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • •

(18) (i) Sales or deliveries of manila cordage by persons other than the producer thereof, to the Metals Reserve Company or its duly authorized agent or agents.

(ii) Sales or deliveries of manila cordage by the Metals Reserve Company, or its duly authorized agent or agents, to the United States or any agency thereof.

For the purposes of this subparagraph (18), the term "manila cordage" means rope and cable in which manila fiber is used either alone or in combination with other fibers and which is of diameters of $\frac{3}{8}$ of an inch and larger and of lengths of not less than 200 feet and of grades designated by manufacturers as "better than grade #1", "grade #1", "grade #2" and "grade #3".

• • • • •

(d) (4) Amendment No. 3 (§ 1499.29 (a) (18)) to Revised Supplementary Regulation No. 4 shall become effective August 8, 1942. (Pub. Law 421, 77th Cong.)

Issued this 4th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7556; Filed, August 4, 1942; 4:18 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 41]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE GAINESVILLE-STARKE DEFENSE-RENTAL AREA

Correction

Subparagraph (8) of § 1388.6063 (a), appearing on page 5824 of the issue for Wednesday, July 29, 1942, should read as follows:

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 11 to Rationing Order 2A[1]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

Sections 1360.345, 1360.401 and 1360.404 (a) are amended to read as set forth below:

§ 1360.345 *Government agencies exempt from quota restrictions.* A non-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192.

[2] 7 F. R. 3158, 3488, 3567, 3892.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484.

[2] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365.

[4] 7 F.R. 5056, 5089.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484.

quota certificate may be issued to any agency of the federal, state or local government upon satisfaction of the terms of §§ 1360.371 and 1360.372.

§ 1360.401 *Notification.* After action upon an application, the Board shall notify the applicant of its decision. In cases where the Board authorizes an applicant to purchase a new passenger automobile, the Board shall immediately issue to such applicant a nontransferable certificate for the purchase of a new passenger automobile.

(a) A quota certificate shall be issued on Form R–214 and may be used within 30 days from date of issuance.

(b) A non-quota certificate shall be issued on Form R–215 and may be used within 60 days from the date of issuance.

(c) A certificate issued to a federal agency shall be issued on Form R–217 and may be used during such period as may be prescribed by the Office of Price Administration.

§ 1360.404 *Action by purchaser.* (a) Upon receiving the certificate so executed, the applicant may purchase a new passenger automobile from any dealer or transferor at a price not in excess of the maximum price established by the Office of Price Administration.

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§ 1360.442 *Effective dates of amendments.* • • •

(k) Amendment No. 11 (§§ 1360.345, 1360.401 and 1360.404 (a)) to Rationing Order No. 2A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493.)

Issued this 5th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7604; Filed, August 5, 1942; 11:49 a. m.]

PART 1387—SILVER

[Maximum Price Regulation 198]

IMPORTS OF SILVER BULLION

In the judgment of the Price Administrator it is necessary to establish maximum prices for the importation of silver bullion because the General Maximum Price Regulation[1] has only limited application to such importation and because the prices at which silver bullion is imported have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices at which silver bullion was imported between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

The maximum prices established by this regulation are in conformity with the general level of prices established by the General Maximum Price Regulation, and in the judgment of the Price Administrator are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 198 is hereby issued.

AUTHORITY: §§ 1387.1 to 1387.9, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1387.1 *Maximum prices at which silver bullion may be imported.* (a) On and after August 10, 1942, regardless of any contract, agreement, lease or other obligation, no person in the course of trade or business shall import, or agree, offer, solicit, or attempt to import:

(1) Silver bullion in the form of standard commercial bars at a price higher than 35.375 cents per troy ounce, f. o. b. New York City or San Francisco; or, if such silver bullion is delivered to the importer at a point other than New York City or San Francisco, at a price higher than 35.375 cents per troy ounce, *plus* the transportation charges from the point of shipment to the point of destination, *minus* the transportation charges from the point of shipment to New York City or to San Francisco, whichever are lower.

(2) Silver bullion in any form other than standard commercial bars, or of a quality, grade, or degree of fineness different from that of standard commercial bars, at a price higher than that determined by the Office of Price Administration

(b) Every person seeking to import silver bullion in any form other than standard commercial bars, or of a quality, grade, or degree of fineness different from that of standard commercial bars, shall file with the Office of Price Administration, Washington, D. C., an application for the determination of a maximum price for such silver bullion. The application shall be under oath and shall set forth:

(1) A detailed description of the silver bullion for which a maximum price is sought including the form and the quality grade or degree of fineness thereof, the quantity and the point to which delivery is to be made;

(2) The names and addresses of the applicant, the seller, and of any agent, broker, or other intermediary acting for either party to the transaction;

(3) The maximum price proposed by the applicant, together with a statement of any facts known to the applicant (which may be stated on information and belief) tending to show that such proposed price bears the same relationship to the maximum price herein established for silver bullion imported in the form of standard commercial bars as the price of the silver bullion sought to be imported bore to the price of silver bullion imported in the form of standard commercial bars during March 1942. After an application has been filed in accordance with the provisions hereof and pending determination of a maximum price by the Office of Price Administration, the applicant may enter into or offer to enter into contracts at the proposed price: *Provided,* That such contracts stipulate that the contract price shall be revised in accordance with the maximum price determined by the Office of Price Administration and that if payments are made at the proposed price, refunds shall be made of the excess, if any, over such maximum price.

(c) The maximum prices herein established shall include all brokerage fees, commissions, and other charges made by any agent, broker or other intermediary for arranging any purchase of silver bullion or for conducting negotiations between the buyer and seller relative thereto; and no person shall pay any such brokerage fee, commission, or other charge unless the aggregate price for such silver bullion, including such brokerage fees, commissions, and other charges, does not exceed the applicable maximum price herein established.

§ 1387.2 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 198 supersede the provisions of the General Maximum Price Regulation with respect to commodities, purchases and deliveries for which maximum prices are established by this regulation.

§ 1387.3 *Less than maximum prices.* Lower prices than those set forth in § 1387.1 of this Maximum Price Regulation No. 198, may be paid or offered.

§ 1387.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 198 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, receipt or importation of or relating to silver bullion, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1387.5 *Records and reports.* (a) On and after August 10, 1942, every person importing silver bullion or acting as an agent, broker, or other intermediary in the importation of silver bullion shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each such importation, showing (1) the name and address of the other

[1] 7 F.R. 3152, 3330, 3666.

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 971, 3663.

party or parties to the transaction, (2) a description of the silver bullion purchased, (3) the date of the purchase, (4) the quantity purchased, (5) the price, and (6) other terms of sale and shipment.

(b) Each such person shall keep and submit such other reports in addition to or in lieu of the records required by this section as the Office of Price Administration may, from time to time, require.

§ 1387.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 198 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 198 or any price schedule, regulation, or order, issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1387.7 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 198, or an adjustment or exception not provided for herein, may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1,[*] issued by the Office of Price Administration.

§ 1387.8 *Definitions.* (a) When used in this Maximum Price Regulation No. 198, the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing;

(2) "Silver bullion" means silver which has been melted, smelted, or refined and which is in such state or condition that its value depends primarily upon the silver content and not upon its form;

(3) "Standard commercial bars" means silver bullion in the customary form of bars of approximately 1,000 ounces each, .999 fine.

(4) "Import" means to buy, receive, or in any manner to pay for any silver bullion pursuant to or in connection with any transaction, contract, agreement or other obligation whereby silver bullion is transported or is to be transported to the United States, its Territories or possessions, or the District of Columbia from any place outside the United States, its Territories and possessions, and the District of Columbia, regardless of whether the importer deals directly with the seller, or deals through an agent, broker or other intermediary acting for either party, in or outside the United States, its Territories or possessions, or the District of Columbia, and regardless of whether such importation is for use or for resale.

(5) "Point of shipment" means the port of entry, or, in the case of silver bullion imported into the United States, its Territories and possesions by overland shipment, the station of the common carrier at or nearest the point on the international boundary at which the shipment first enters the United States, its Territories or possessions.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act shall apply to other terms used herein.

§ 1387.9 *Effective date.* This Maximum Price Regulation No. 198 (§§ 1387.1 to 1387.9, inclusive) shall become effective August 10, 1942.

Issued this 5th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7602; Filed, August 5, 1942; 11:47 a. m.]

[*] 7 F.R. 971, 3663.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 7 to Rationing Order 3[1]]

SUGAR RATIONING REGULATIONS

Paragraph (a) of §§ 1407.83, 1407.161, and 1407.184 are amended; a new paragraph (e) is added to § 1407.71, to read as set forth below:

Consumers

§ 1407.71 *Home canning and preserving.* • • •

(e) The term fruit as used in this section shall include fruit juices.

Institutional and Industrial Users

§ 1407.83 *Registration.* (a) Except as the Office of Price Administration may otherwise authorize, registration shall be made on April 28 or 29, 1942, for each registering unit on OPA Form R-310 (Registration of Industrial and Institutional Users) at a registration site designated for the area in which the principal business office of the owner is located.

• • • • •

Petitions for Adjustment; Appeals; New Business; Miscellaneous

§ 1407.161 *Petitions for adjustment of base, allotment, provisional allowance, or allowable inventory.* Petition may be made by an owner for adjustment in the sugar base, allotment, provisional allowance, or allowable inventory of a registering unit. The petition shall be made upon OPA Form No. R-315 (Special Purpose Application). The petition shall be filed with the Board with which the unit is registered. The Board may request such additional information as it may deem pertinent, and shall, within ten days after the receipt of the petition, send it, together with all substantiating evidence and information received by the Board, to the Office of the State Director, or take such other action as the Office of Price Administration may direct. The Board shall attach to the Form its recommendation concerning the action to be taken thereon. The petitioner may thereafter be requested to furnish further information and to appear personally.

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.184 *Products containing sugar delivered to Army or Navy or certain other persons or agencies.* Any registering unit which has delivered products manufactured by it, in the manufacture of which it used sugar, to the Army or Navy of the United States, or to any of the persons or agencies listed in paragraph (b) of § 1407.183, may apply to and obtain from the Board a Certificate in weight value equal to the amount of sugar used by it in such products. The application shall be made on OPA Form No. R-315 (Special Purpose Application) and shall set forth the nature and amount of the products, the period during which the products were manufactured, the dates when such products were delivered and the amount of sugar used by it in such products and shall be accompanied by such evidence of delivery to the Army, Navy, or other such person or agency as the Board may require.

Effective Date

§ 1407.222 *Effective dates of amendments.* • • •

(g) Amendment No. 7 (§§ 1407.71 (e), 1407.83 (a), 1407.161 and 1407.184) shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, and Supp. Dir. No. 1E.)

Issued this 5th of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7603; Filed, August 5, 1942; 11:47 a. m.]

[1] F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361.

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1]—Amendment 4 to Revised Supplementary Regulation 4[2]]

EXCEPTIONS FOR SALES AND DELIVERIES TO UNITED STATES

IMPORTED SILVER BULLION

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The proviso in § 1499.29 (a) (13) is designated (i) and a new proviso (ii) is added as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(13) • • •

(ii) *Provided, further,* That this exception shall not apply to imported silver bullion. "Silver bullion" shall have the meaning given to it in Maximum Price Regulation No. 198, Imports of Silver Bullion. "Imported silver bullion" means silver bullion brought into the United States, its Territories or possessions, or the District of Columbia from any place outside the United States, its Territories and possessions, and the District of Columbia.

• • • • • •

(d) • • •

(5) Amendment No. 4 (§ 1499.29 (a) (13) (ii)) to Supplementary Regulation No. 4 (§ 1499.29) shall become effective August 10, 1942. (Pub. Law 421, 77th Cong.)

Issued this 5th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7601; Filed, August 5, 1942; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[2] 7 F.R. 4661.

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

PART 29—ENFORCEMENT

NUMBERING OF MOTORBOATS

Section 29.8 (d)[1] is amended by the correction of the first sentence thereof to read as follows:

§ 29.8 *Procedure relating to numbering of motorboats.* • • •

(d) A certificate of award of number of an undocumented vessel operated in whole or in part by machinery, when such vessel is in commission, shall be kept on board at all times and shall be accessible to the person in charge except when such papers are in the custody of the District Coast Guard Officer. • • •

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

AUGUST 1, 1942.

[F. R. Doc. 42-7576; Filed, August 5, 1942; 10:02 a. m.]

[1] 7 F.R. 5838.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

ORDER POSTPONING EFFECTIVE DATE OF REGULATIONS

At a general session of the Interstate Commerce Commission, held at its offices in Washington, D. C., on the 3rd day of August, A. D. 1942.

In the matter of the postponement of the taking effect of section 409 of Part IV of the Interstate Commerce Act.

It appearing, that by the provisions of section 6 of the Act approved May 16, 1942, amending the Interstate Commerce Act, the Commission is authorized and directed, if found necessary by it or desirable in the public interest, to postpone the taking effect of any of the provisions of Part IV of the Interstate Commerce Act to such time, but not beyond the first day of September 1942, as the Commission shall, by general or special order, prescribe;

It further appearing, that by order entered June 8, 1942, the taking effect of the provisions of section 409 (a) (2) and (3) was postponed until July 1, 1942;

It further appearing, that by order entered June 11, 1942, the taking effect of section 409 (a) (1) was postponed until the first day of July, 1942;

It further appearing, that on the 1st day of August, 1942, a number of freight forwarders subject to the act filed a petition requesting that the taking effect of paragraphs (1), (2), and (3) of section 409 (a) be further postponed until July 16;

And it further appearing, that the postponement of the taking effect of subparagraphs numbered (1), (2), and (3) of section 409 (a) is necessary and advisable in the public interest, and the Commission so finding;

It is ordered, That the date for the taking effect of the provisions of subparagraphs numbered (1), (2), and (3) of section 409 (a) of the Interstate Commerce Act be, and it is hereby, postponed until the 16th day of July 1942;

And it is further ordered, That the notice of such postponement be given to freight forwarders subject to part IV of the Interstate Commerce Act, and to the public by depositing a copy of this order in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Division of the Federal Register of the National Archives.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-7578; Filed, August 5, 1942; 10:25 a. m.]

Chapter II—Office of Defense Transportation

[General Permit O.D.T. 1-2]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SUBPART A—MERCHANDISE TRAFFIC

Correction

Section 520.2 *Movement of merchandise freight cars for armed forces* was incorrectly numbered 502.2 on page 6017 of the issue for Tuesday, August 4, 1942.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-289]

JOE ADDIS AND SON

NOTICE OF AND ORDER FOR HEARING

In the matter of Joe Addis and Phillip Addis, individually and as co-partners, doing business under the name and style of Joe Addis and Son, Code Member.

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 11, 1942, by the Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Joe Addis and Phillip Addis, individually and as co-partners doing business under the name and style of Joe Addis and Son, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 24, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Cabell County Court House, Huntington, West Virginia.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise

ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Joe Addis and Phillip Addis, individually and as copartners, doing business under the name and style of Joe Addis and Son, whose code membership became effective as of June 17, 1937, operating the J. Addis and Son Mine (Mine Index No. 2) and the No. 2 Mine (Mine Index No. 1146) both located in Lawrence County, Ohio, District No. 4, wilfully violated section 4 II (a) of the Act and Part II (a) of the Code, the Marketing Rules and Regulations, and various orders of the Division, as follows:

1. By failing and refusing to file with the Statistical Bureau for District No. 4 for each month from and including January 1941 to and including June 1942 within five days after the end of each of said months reports of all sales made during each of said months of coal produced at its above-named mines, said coal being shipped by truck or wagon to various purchasers; and failing and refusing to file with the statistical bureau for said period copies of truck tickets, sales slips, invoices, and listing of said sales, thereby violating section III (b) of Order No. 307 dated December 11, 1940, and Order No. 309, dated January 14, 1941, and the provisions of the Act and the Code, pursuant to which said orders were promulgated.

2. By failing and refusing to file with the Statistical Bureau for District No. 4, for the months of January, February and March 1941, copies of all invoices rendered for coal produced at the above-named mines, which coal was sold for rail shipment to various purchasers, and failing and refusing to file currently, as rendered, with the statistical bureau, for said months, copies of credit and debit memoranda and memoranda of all changes in specifications, or, in lieu thereof, the information required to be filed in the form of monthly reports for each of said months on the forms prescribed; and failing and refusing, for each month from and including April 1941 to and including June 1942, to maintain and file with the Division certain records relating to the sale of coal produced at the above-named mines and shipped therefrom by rail, and failing and refusing, for each of said months, to maintain and keep on file at their office copies of all loading records, shipping records, and daily billing sheets, and failing and refusing, during said period, to file with the Division copies of debit and credit memoranda, thereby violating the provisions of Order No. 156, dated December 18, 1938, and Order No. 313, dated February 24, 1941, and the provisions of the Act and Code, pursuant to which said orders were promulgated.

3. By failing and refusing to file with the Statistical Bureau for District No. 4, for each month from and including January 1941 to and including June 1942, copies of spot orders for all sales of coal produced at the above-named mines during said period within ten (10) days from the dates of acceptance of said spot orders by them, and did likewise fail during said period to file with the statistical bureau copies of contracts for the sale of coal produced at the above-named mines within fifteen (15) days from the dates of said contracts, thereby violating Order No. 14, dated July 15, 1937 and Rule 3 of section V, and Rule 7 of section VI of the Marketing Rules and Regulations, and the provisions of the Act and Code, pursuant to which said order and marketing rules and regulations were promulgated.

Dated: August 4, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7589; Filed, August 5, 1942; 11:11 a. m.]

[Docket No. 1717-FD]

SHELBY COAL CO.

ORDER RESCHEDULING HEARING AND REDESIGNATING EXAMINER

In the matter of Shelby Coal Company, (W. K. Jenne), registered distributor, Registration No. 4797, defendant.

A hearing in the above-entitled matter having been scheduled for August 22, 1941, at the Federal Court Room, Federal Building, Catlettsburg, Kentucky, by an Order of the Division dated July 23, 1941, and said hearing having been postponed by an Order of the Division dated August 15, 1941, to a date and place to be thereafter designated by an appropriate Order; and

It appearing to the Acting Director that the place and date of said hearing should now be designated;

Now, therefore, it is ordered, That a hearing in the above-entitled matter be held on September 21, 1942, at 10 a. m. at the Cabell County Court House, Huntington, West Virginia.

It is further ordered, That Examiner Travis Williams preside at said hearing, vice Examiner W. A. Shipman; and

It is further ordered, That the Notice Of and Order for Hearing dated July 23, 1941, as amended by said Order of the Division dated August 15, 1941, shall in all other respects remain in full force and effect.

Dated: August 4, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7588; Filed, August 5, 1942; 11:11 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

MEMPHIS, TENNESSEE, MARKETING AREA

PROPOSED MILK MARKETING AGREEMENT AND ORDER

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, and to a proposed marketing order, regulating the handling of milk in the Memphis, Tennessee, marketing area, prepared by the Administrator of Agricultural Marketing Administration.

Pursuant to § 900.12 (a)[1] of the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed marketing agreement and to a proposed marketing order regulating the handling of milk in the Memphis, Tennessee, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1019, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

The proceedings were initiated by the Agricultural Marketing Administration upon receipt of a petition dated May 11, 1942, from the Mid-South Milk Producers Association of Memphis, Tennessee, for a public hearing on a marketing agreement and marketing order program which it proposed. Following this request, and after consideration of the proposal, notice of the hearing was issued on May 27, 1942, and the hearing was convened on June 17, 1942. The time for filing briefs was set at the close of the hearing, to expire at midnight July 8, 1942.

The underlying issue in this proceeding is whether or not the Secretary shall

[1] 6 F.R. 6573.

issue a marketing order. It is concluded from the record that an order should be issued and that a marketing agreement should be offered to the handlers who regularly sell milk in the prescribed marketing area to be known as the Memphis, Tennessee, marketing area, irrespective of the original source of the milk sold. By this means orderly marketing conditions will be promoted and preserved and the policy of the act will be effectuated.

From the conclusion on the underlying issue, several principal issues pertaining to certain features of the proposed program assume prominence from the record, as follows:

1. What constitutes the most practical marketing area, and what constitutes its supply of milk which should be regulated?

2. At what level shall the minimum class prices be fixed?

3. By what method shall the proceeds of these minimum prices be distributed to producers?

On these issues, it is concluded that:

1. The marketing area should include the city of Memphis, Tennessee, and that the supply to be regulated should be that handled by plants from which fluid milk is regularly used as Class I milk in the marketing area.

2. Parity prices calculated from the period August 1919–July 1929 are unreasonable in view of present conditions and that it is necessary to fix prices, under section 8c (18) of the act, such that farmers will receive a price for milk produced for sale in the marketing area sufficient to maintain an adequate supply of pure and wholesome milk for such area and to be in the public interest.

3. Payment should be made to all producers delivering milk to all handlers of uniform prices for all milk so delievered, irrespective of the uses made of such milk by the individual handler to whom it is delivered; until January 1, 1943, such payments to be distributed to producers on the basis of individual handler payment plans in effect on July 1, 1942, and thereafter, such payments to be distributed to producers on the basis of their marketings of milk during September, October, and November, 1942.

4. The purchasing power of milk in the Memphis, Tennessee, marketing area specified in section 2 of the act cannot be determined satisfactorily from available statistics of the Department of Agriculture for the period August 1909–July 1941, but can be determined satisfactorily from available statistics of the Department of Agriculture for the post-war period August 1919–July 1929 and that the post-war period should be the base period to be used in determining the purchasing power of milk sold in the Memphis, Tennessee, marketing area.

The following proposed marketing order prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agrement is not included in this report because the provisions thereof will be the same as the provisions of the proposed marketing order.

PROPOSED MARKETING ORDER, REGULATING THE HANDLING OF MILK IN THE MEMPHIS, TENNESSEE, MARKETING AREA

It is found upon the evidence introduced at the public hearing held in Memphis, Tennessee, June 17, 18, and 19, 1942:

Findings

1. That prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That all handling of milk sold or disposed of by handlers as defined in section 1 (a) (6) of this order is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk or its products, and that handlers so defined are engaged in the handling of milk which is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk or its products;

3. That the order regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held;

4. That a pro rata assessment, on handlers receiving milk from producers, not to exceed 4 cents per hundredweight, as provided by section 10 of this order, on all milk received of producers or produced by such handlers, during each delivery period, will provide funds necessary to pay such expenses as necessarily will be incurred by the market administrator under such order for the maintenance and proper functioning of his office; and

5. That orderly conditions for milk flowing into the Memphis, Tennessee, marketing area are so disrupted as to result in the impairment of the purchasing power of such milk and that the issuance of this order and all of its terms and conditions, will tend to effectuate the declared policy of the act.

Provisions

SECTION 1. *Definitions*—(a) *Terms.* As used herein the following terms shall have the following meanings:

(1) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(2) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(3) The term "Memphis, Tennessee, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the city of Memphis in the State of Tennessee.

(4) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(5) The term "producer" means any person, irrespective of whether any such person is also a handler, who produces under a dairy farm inspection report issued by the proper health authorities, milk which is received at a plant from which milk is disposed of in the marketing area and any person reported by a handler pursuant to section 5 (a) (1) (ix). This definition shall be deemed to include any person who produces, under a dairy farm inspection report issued by the proper health authorities, milk caused to be delivered by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area.

(6) The term "handler" means any person, irrespective of whether such person is a producer, wherever located or operating, who engages in such handling of milk, all or a portion of which is disposed of in fluid form as milk, skim milk, or cream in the marketing area, as is in the current of interstate commerce, or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include any cooperative association with respect to the milk of any producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment. This definition shall not be deemed to include any person from whom emergency milk is received.

(7) The term "fluid milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of producers for final sale or disposition in fluid form in the marketing area.

(8) The term "market administrator" means the person designated pursuant to section 2 as the agency for the administration hereof.

(9) The term "delivery period" means the current marketing period from the effective date hereof to and including the last day of the calendar month in which such effective date occurs. Subsequent to such month the term "delivery period" shall mean the current marketing period from the first to the last day of each calendar month, both inclusive.

(10) The term "emergency milk" means milk, skim milk, or cream, received by a handler from sources other than producers under a special permit issued to him by the proper health authorities.

(11) The term "base" means the quantity of milk calculated for each producer pursuant to section 8 (i).

(12) The term "excess" means the quantity of milk remaining after base deliveries of a producer have been subtracted from his total deliveries of milk during the delivery period.

SEC. 2. *Market administrator* — (a) *Designation.* The agency for the administration hereof shall be a market administrator, who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have power:

(1) To administer the terms and provisions hereof; and

(2) To receive, investigate, and report to the Secretary complaints of violation of the terms and provisions hereof.

(c) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(2) Submit his books and records to examination by the Secretary at any and all times;

(3) Furnish such information and such verified reports as the Secretary may request;

(4) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(5) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 5 or (ii) made payments pursuant to section 8;

(6) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(7) Pay, out of the funds provided by section 10, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties; and

(8) Promptly verify the information contained in the reports submitted by handlers.

SEC. 3. *Classification of milk.*—(a) *Milk to be classified.* Milk handled by a cooperative association under the conditions set forth in section 1 (a) (6), and all milk, skim milk, and cream handled by each handler in his fluid milk plant or plants or reported by him pursuant to section 5 (a) (1) (ix), shall be classified by the market administrator in the classes set forth in paragraph (b) of this section, subject to the provisions of paragraphs (c) and (d) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, skim milk, and cream disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, and cream (for consumption as cream), including any cream product disposed of in fluid form which contains a butterfat content of less than 18 percent and all milk not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk specifically accounted for (i) as used to produce a milk product other than those specified in Class I milk and (ii) as actual plant shrinkage, which shall not exceed 2 percent of the total quantity of milk of producers including the handler's own production.

(c) *Transfers of milk and cream.* (1) Milk, skim milk, or cream shall be Class I milk when (i) moved from a handler's fluid milk plant to the fluid milk plant of another handler: *Provided*, That such milk shall be classified as Class I milk only to the extent of the total Class I milk of the second handler; (ii) moved from a handler's fluid milk plant to a handler who receives no milk from producers other than milk of his own production; (iii) without being first received in the handler's fluid milk plant for the primary processing steps of weighing (or measuring) or testing, is caused to be delivered by a handler to a person who is not subject to the provisions hereof but who is engaged in the business of distributing fluid milk, fluid skim milk, or fluid cream, if the handler has reported such milk as being a part of his regular supply of producer milk; (iv) moved from the fluid milk plant of a handler to a person who is not subject to the provisions hereof but who is engaged in the business of distributing fluid milk, fluid skim milk, or fluid cream on wholesale or retail routes; and (v) disposed of completely processed and bottled for distribution by a handler who handles no milk of producers to another handler who handles milk of producers: *Provided*, That the quantity of such milk so classified shall not exceed the amount of such milk, skim milk, or cream disposed of in the original package by the receiving handler.

(2) Milk, skim milk, and cream, except emergency milk, received at a fluid milk plant from sources other than producers or other fluid milk plants shall be Class II milk, except that any of this milk, skim milk, and cream in excess of the amount of Class II milk used by the handler shall be Class I milk.

(3) Milk of a producer transferred by a handler to another handler without being received by the first handler for the primary processing steps of weighing (or measuring) and testing, shall be considered as having been received by the second handler directly from the producer.

(4) Milk, skim milk, or cream moved by a handler to a plant not specified in paragraph (c) (1) of this section for the manufacture of nonfluid milk products shall be Class II milk.

(d) *Computation of milk in each class.* For each delivery period the market administrator shall compute for each handler the pounds of milk of producers allocated to each class as follows:

(1) Determine the pounds of milk, skim milk, and cream handled as follows: add into one sum (i) the pounds of milk of producers; (ii) the pounds of milk produced by such handler; (iii) the pounds of milk, skim milk, and cream received from other handlers; (iv) the pounds of emergency milk received; and (v) the pounds of milk, skim milk, and cream received from other sources.

(2) Determine the pounds of butterfat handled as follows: add into one sum (i) the pounds of butterfat in milk of producers; (ii) the pounds of butterfat in milk produced by such handler; (iii) the pounds of butterfat in milk received from other handlers; (iv) the pounds of butterfat in emergency milk; and (v) the pounds of butterfat in milk received from other sources.

(3) Determine the pounds of Class I milk as follows: convert to quarts the quantity of milk, skim milk, and cream disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks and cream, including any cream product disposed of in fluid form which contains a butterfat content of less than 18 percent, and multiply the sum by 2.15: *Provided*, That there shall be added any difference between the quantity of milk determined under subparagraph (1) of this paragraph and the Class I milk thus far computed plus the pounds of Class II milk computed pursuant to subparagraph (4) of this paragraph:

(4) Determine the pounds of Class II milk as follows:

(i) Multiply the pounds of Class I milk computed prior to the proviso in subparagraph (3) of this paragraph by its average butterfat test;

(ii) Subtract the pounds of Class I butterfat computed pursuant to (i) of this subparagraph from the pounds of butterfat computed under subparagraph (2) of this paragraph;

(iii) Subtract the pounds of Class I milk, computed prior to the proviso in subparagraph (3) of this paragraph, from the amount computed under subparagraph (1) of this paragraph;

(iv) Divide the quantity of butterfat computed under (ii) of this subparagraph by the pounds of milk computed under (iii) of this subparagraph;

(v) Multiply the actual weight of each of the several products of Class II milk by its average butterfat test, and add together the resulting amounts;

(vi) Add to the sum obtained in (v) of this subparagraph the amount which represents the butterfat loss by actual plant shrinkage, but in no event shall such plant shrinkage allowance exceed 2 percent of the total receipts of milk of producers (including the handlers' own production) multiplied by the average test of such milk; and

(vii) Divide the sum computed under (vi) of this subparagraph by the average test of Class II milk computed under (iv) of this subparagraph.

(5) Determine the classification of milk of producers as follows:

(i) Subtract from the pounds of milk in each class the pounds of milk, skim milk, and cream received from other handlers and apportioned to each class in accordance with paragraph (c) of this section;

(ii) Subtract from the remaining pounds of Class II milk the total pounds of milk, skim milk, and cream, except emergency milk, received from other sources: *Provided*, That if the quantity of such milk, skim milk, and cream received is greater than the total quantity of Class II milk of such handlers, an amount equal to such difference shall be subtracted from the remaining pounds of Class I milk;

(iii) Subtract pro rata out of the remaining pounds of milk in each class the quantity of emergency milk received by such handler.

SEC. 4. *Minimum prices*—(a) *Class prices.* Subject to the provisions of paragraph (b) of this section, such handler who handles milk of producers shall pay producers, at the time and in the manner set forth in section 8, not less than the following prices per hundredweight for the respective quantities of milk in each class computed pursuant to section 3 (d) (5):

(1) Class I milk—$3.45, except for the months of May and June when the price shall be $3.25: *Provided*, That for Class I milk disposed of by such handler under a program approved by the Secretary for the sale or distribution of milk to low-income consumers, including persons on relief, the price shall be such Class I price less 46 cents.

(2) Class II milk—The price resulting from the following computation by the market administrator: multiply by 4 the average price of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, plus 20 percent thereof, plus 3½ cents for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound. In this computation the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. If carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, are not so published, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the price for Class II milk shall be that resulting from the following computation by the market administrator: multiply by 4 the average price of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, plus 20 percent thereof, plus 3½ cents for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound.

(b) *Butterfat differential to handlers.* (1) If any handler has disposed of milk of producers, as Class I milk of a weighted average butterfat test more or less than 4 percent, such handler shall add or deduct, as the case may be, to the Class I price 5.5 cents for each one-tenth of 1 percent that the butterfat content of such Class I milk varies above or below 4 percent.

(2) If any handler has disposed of milk of producers as Class II milk of a weighted average butterfat test more or less than 4 percent, such handler shall add or deduct, as the case may be, to the Class II price, for each one-tenth of 1 percent that the butterfat content of such Class II milk varies above or below 4 percent, an amount computed as follows: to the average price per pound of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent and divide the result obtained by 10.

SEC. 5. *Reports of handlers*—(a) *Reports to market administrator.* Each handler, under his own signature or under that of a person certified by such handler to the market administrator as being authorized to sign the reports required by this section, shall report to the market administrator in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 7th day after the end of each delivery period, each handler who handled milk of producers shall report the following information with respect to all milk, skim milk, and cream handled by him during such delivery period;

(i) The quantity of milk of each producer (including that of such handler's own production), the butterfat content thereof, and the number of days on which such milk was handled;

(ii) The quantity of delivered base milk and the quantity of excess milk of each producer;

(iii) The milk, skim milk, and cream, with its butterfat content, received from other handlers who handled milk of producers;

(iv) The milk, skim milk, and cream, with its butterfat content, received from any other source, including receipts of milk, skim milk, and cream completely processed and packaged for distribution to consumers received from handlers who handled no milk of producers;

(v) The utilization of all milk, skim milk, and cream handled.

(vi) The name and address of each producer whose milk had not been handled during the previous delivery period;

(vii) Such other information with respect to the above as the market administrator may request;

(viii) The emergency milk received, as follows: (a) the amount of such milk, (b) the date or dates upon which such milk was received during the delivery period, (c) the plant from which such milk was shipped, (d) the price paid, or to be paid, for such milk, (e) the utilization of such milk, and (f) such other information with respect thereto as the market administrator may request;

(ix) The name and address of each person who produces milk under a dairy farm inspection report issued by the proper health authorities and who is under contract with such handler, either individually or through a cooperative association, to have his milk paid for as part of the handler's supply of milk for fluid milk use, but whose milk is not received in such handler's fluid milk plant. Any such person who is not included on such a list, submitted on or before the 7th day after the end of the delivery period, shall not be deemed to be a producer for such delivery period; and

(x) The milk diverted by a cooperative association under the conditions set forth in section 1 (a) (6), as follows: (a) the amount of such milk, (b) the date or dates upon which such milk was diverted during the delivery period, (c) the plant to which such milk was shipped, (d) the utilization of such milk, and (e) such other information with respect thereto as the market administrator may request.

(2) On or before the day such handler receives emergency milk, his intention to receive such milk.

(3) Within 10 days after the market administrator's request with respect to each producer for whom such information is not in the files of the market administrator, and with respect to a period or periods of time designated by the market administrator, (i) the name and address, (ii) the pounds of milk handled with its butterfat content, and (iii) the number of days upon which such milk was handled.

(4) On or before the 22d day after the end of each delivery period, his producer pay roll for such delivery period, which shall show for each producer (i) the total pounds of delivered base and excess milk with average butterfat content and (ii) the net amount of such handler's payment to such producer with the prices, deductions, and charges involved.

(5) Each handler who handles no milk of producers shall report to the market administrator at such time and in such manner as the market administrator may request.

(6) Each handler who handles milk of producers shall report, at such time and in such manner as the market administrator may request, the payment plan in effect for each producer at his fluid milk plant on July 1, 1942.

(b) *Verification of reports.* (1) Each handler shall make available to the

market administrator or his agent, or to such other person as the Secretary may designate, (1) all records and facilities necessary for the verification of the information contained in the reports submitted and for the accounting of the usage of all milk, skim milk, and cream handled in accordance with the classification of milk as set forth in section 3, and (2) those facilities which are necessary for weighing, sampling, and testing of the milk of each producer.

(2) If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, it is necessary for the market administrator to examine the records of milk, skim milk, and cream handled by the handler but not required to be classified in accordance with section 3 (a), such handler shall make such records available to the market administrator. If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, the market administrator finds that, subsequent to the delivery period for which the verification is being made, any milk, skim milk, or cream handled during such delivery period was used in a class other than that in which it was first reported, such milk, skim milk, or cream shall be reclassified accordingly and the adjustments necessary to reflect the reclassified value of such milk, skim milk, or cream shall be made.

SEC. 6. *Application of provisions*—(a) *Handlers who are also producers.* (1) Except as set forth in subparagraph (2) of this paragraph, the provisions of sections 4, 7, 8, 9, and 10 shall not apply to a handler who handles no milk of producers other than milk of his own production.

(2) In computing the value of milk for any handler pursuant hereto, the market administrator shall consider any milk received in bulk by such handler from a handler who is also a producer and who purchases or receives no milk from other producer: as being received from a producer.

SEC. 7. *Determination of uniform prices to producers*—(a) *Computation of the value of milk.* (1) For each delivery period, the market administrator shall compute, subject to the provisions of section 6, for each handler who handled milk of producers, the value of milk handled by each such handler by (i) multiplying the quantity of such milk in each class computed pursuant to section 3 (d) (5) by the applicable class prices, and (ii) combining into one total the resulting class values: *Provided*, That if any handler who handled milk of producers received fluid milk, fluid skim milk, or fluid cream which has been classified as Class I milk pursuant to section 3 (c) (2), there shall be added, with respect to such Class I milk, the difference between the Class II and the Class I prices each of such prices being adjusted by its respective butterfat differential on the basis of the test of such milk, skim milk, or cream.

(2) In the event any handler who handled no milk of producers individually disposed of fluid milk, fluid skim milk, or fluid cream, other than emergency milk, in the marketing area during the delivery period, the market administrator shall compute the value of such milk, skim milk, or cream by multiplying the amount thereof by the difference between the Class II and the Class I prices, each price being adjusted by its respective differential on the basis of the test of such milk, skim milk, or cream.

(b) *Computation and announcement of uniform prices prior to January 1, 1943.* For each delivery period prior to January 1, 1943, the market administrator shall compute and announce the uniform price per hundredweight of milk of producers in the following manner:

(1) Combine into one total the respective values computed pursuant to paragraph (a) of this section, for each handler who made the reports and payments required by sections 5 (a) and 8 (e);

(2) Subtract, if the average butterfat content of all milk of producers is greater than 4 percent, or add, if such average butterfat content is less than 4 percent, the total value of such butterfat variance, from 4 percent computed pursuant to section 8 (h);

(3) Add the cash balance in the producer-settlement fund;

(4) Divide by the total hundredweight of milk of producers which is represented in these computations;

(5) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments by handlers. This result shall be known as the uniform price for milk containing 4 percent of butterfat; and

(6) On or before the 11th day after the end of each delivery period mail to all handlers and publicly announce: (i) such of these computations as do not disclose confidential information (ii) the Class II price (iii) the butterfat differentials, and (iv) the uniform price.

(c) *Computation and announcement of uniform prices subsequent to December 31, 1942.* For each delivery period subsequent to December 31, 1942, the market administrator shall compute and announce the uniform price per hundredweight of milk of producers in the following manner:

(1) Combine into one total the respective values computed pursuant to paragraph (a) of this section for each handler who made the reports and payments required by sections 5 (a) and 8 (c);

(2) Subtract, if the average butterfat content of all milk of producers is greater than 4 percent, or add, if such average butterfat content is less than 4 percent, the total value of such butterfat variance from 4 percent computed pursuant to section 8 (h);

(3) Subtract the amount to be paid to producers pursuant to section 8 (c) (2);

(4) Add the cash balance in the producer-settlement fund;

(5) Divide by the total hundredweight of delivered base milk of producers and which is represented in these computations;

(6) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments by handlers. This result shall be known as the delivery period uniform price to be paid producers for base milk containing 4 percent butterfat; and

(7) On or before the 11th day after the end of such delivery period, mail to all handlers and publicly announce: (i) such of these computations as do not disclose confidential information, (ii) the Class II price, (iii) the butterfat differentials, (iv) the price to be paid for base milk, and (v) the price to be paid for excess milk.

SEC. 8. *Payments for milk*—(a) *Half-delivery period payment.* On or before the last day of each delivery period, each handler shall pay each producer the approximate value of the milk of such producer which was handled by such handler during the first 15 days of such delivery period.

(b) *Final payment for delivery periods prior to January 1, 1943.* On or before the 15th day after the end of each delivery period, each handler shall pay his producers a total amount of money equal to the uniform price subject to the butterfat differential provided by paragraph (h) of this section times the amount of milk delivered to him by such producers less the payment made pursuant to paragraph (a) of this section in accordance with his customary plan of payment to producers as of July 1, 1942: *Provided*, That any change may be made in that plan if such change is made uniformly to all producers delivering to that handler.

(c) *Final payment for delivery period subsequent to December 31, 1942.* On or before the 15th day after the end of each delivery period, subsequent to December 31, 1942, each handler shall pay producers, subject to the butterfat differential provided by paragraph (h) of this section and less the payment made pursuant to paragraph (a) of this section, as follows:

(1) To each producer at the uniform price per hundredweight computed pursuant to section 7 (c) (6), for that quantity of milk of such producer not in excess of his delivered base; and

(2) To each producer at the Class II price, for that quantity of milk of such producer in excess of his delivered base.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (e) and (g) of this section, and out of which he shall make all payments to handlers pursuant to paragraphs (f) and (g) of this section.

(e) *Payments to the producer-settlement fund.* On or before the 13th day after the end of each delivery period, each handler shall pay to the market administrator, for payment to producers through the producer-settlement fund, the amount by which the total utilization value of the milk of producers handled by such handler during the delivery period is greater than the sum obtained by multiplying the pounds of such milk of producers by the appropriate price or prices required to be paid producers by handlers pursuant to paragraph (b) or (c) of this section and adding together the resulting amounts: *Provided*, That if any handler who handled milk of producers has received fluid milk, fluid skim milk, or fluid cream, which was classified as Class I milk pursuant to section 3 (c) (2), such handler shall pay to the market administrator, for payment to producers through the producer-settlement fund, the amount which is computed pursuant to the proviso of section 7 (a) (1): *And provided further*, That in the event any other handler who handled no milk of producers individually, disposed of fluid milk, fluid skim milk, or fluid cream other than emergency milk, in the marketing area during the delivery period, such handler shall pay to the market administrator, for payment to producers through the producer-settlement fund, an amount per hundredweight which is computed pursuant to section 7 (a) (2).

(f) *Payments out of the producer-settlement fund.* On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers, the amount, if any, by which the total utilization value of the milk of producers handled by such handler during the delivery period is less than the sum obtained by multiplying the hundredweight of such milk of producers by the appropriate price or prices required to be paid producers by handlers pursuant to paragraphs (b) or (c) of this section, and adding together the resulting amounts. If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment due him from the market administrator shall be deemed to be in violation of paragraphs (b) or (c) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors under which money would accrue to the producer-settlement fund pursuant to paragraphs (e) or (f) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler, within 5 days, shall make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to paragraph (f) of this section, the market administrator, within 5 days, shall make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment of less than is required by this section, the handler shall make up such payment not later than the time of making payment to producers next following such disclosure.

(h) *Butterfat differential.* In making payments to each producer, pursuant to paragraphs (b) or (c) of this section, each handler shall add to the price per hundredweight not less than, or subtract from the price per hundredweight not more than, as the case may be, for each one-tenth of 1 percent of butterfat content which is above or below 4 percent in milk of such producer, the amount as shown in the schedule below for the butter-price range in which falls the average wholesale price of 92-score butter in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received:

Butter-price range (cents per pound)	Butterfat differential (cents per one-tenth of 1 percent)
17.50–22.499	2.5
22.50–27.499	3.0
27.50–32.499	3.5
32.50–37.499	4.0
37.50–42.499	4.5
42.50–47.499	5.0
47.50–52.499	5.5
52.50–57.499	6.0
57.50–62.499	6.5

(i) *Determination of base.* For each delivery period the base of each producer shall be a quantity of milk calculated by the market administrator in the following manner: (1) Multiply the applicable figure computed pursuant to the following subdivisions of this subparagraph by the number of days during such delivery period on which the milk of such producer was handled;

(i) Effective for each calendar year subsequent to December 31, 1942, the daily base of each producer who began delivery to a handler before the month of September preceding such calendar year shall be determined by the market administrator from reports filed by handlers pursuant to section 5 (a) or from the best information available, in the following manner:

(a) Determine for each producer the average daily deliveries of his milk to a handler for the number of days on which this order is in effect during the months of September, October, and November, of the year immediately preceding: *Provided*, That if a producer is prevented by the applicable health authority, through quarantine or degrading, from delivering milk, and such producer furnishes to the market administrator, a statement to that effect written by such applicable health authority, the market administrator shall deduct from the figure representing the number of days in the base forming period the number of days (but not more than 30 days in any one base forming period) involved by such ruling of the applicable health authority: *And provided further*, That if a producer, as the result of official testing for tuberculosis or Bang's disease, testing for mastitis by a recognized veterinarian, or for any reason which the market administrator determines was not under the control of the producer loses 20 percent or more of the cows in his herd and furnishes the market administrator, within 5 days, with satisfactory documentary evidence of such loss, such producer shall be permitted 3 months in which to replace such cows lost through such testing and the market administrator shall credit such producer with the delivery of his established base in the determination of such producer's daily base;

(b) Add together in one sum all the daily average amounts computed according to (a) of this subdivision;

(c) Determine, from reports filed by handlers pursuant to section 5 (a), the average daily Class I milk for such months of September, October, and November of handlers who handled milk of producers;

(d) Divide the amount determined pursuant to (c) of this subdivision by the sum determined pursuant to (b) of this subdivision; and

(e) Multiply the daily average amount for each producer determined in (a) of this subdivision by the percentage figure computed pursuant to (d) of this subdivision. This result shall be known as the producer's daily base for the current calendar year;

(ii) In the event of allotment of a daily base to a producer who did not regularly sell milk to a handler on September 1 of the preceding calendar year, or to a producer who for other reasons does not have a base computed under subdivision (i) of this subparagraph, the market administrator shall determine the daily average deliveries of milk by such producer for the first two full calendar months immediately following the first regular delivery of such producer, or, in the case of a producer previously holding a base, the first two full calendar months immediately following the first regular delivery following the date of termination of such base. Such daily average deliveries of milk shall be multiplied by the percentage that total reported base deliveries were to reported total deliveries of milk to the market by all daily base holding producers during such two calendar months;

(iii) If a handler who distributes within the marketing area milk of his own production disposes of all or a part of his delivery routes to a handler who handles milk of producers and thereafter delivers milk to a handler as a producer, a daily base shall be computed by the market administrator in the following manner: determine the average daily Class I milk produced and disposed of on such delivery routes of such handler during the three months next preceding the date of the disposal of such delivery routes which the purchasing and selling handlers jointly report as involved in the deal, subject to verification by the market administrator. This figure shall be

known as the producer's daily base and shall be effective from the date of the first delivery of milk of his own production in bulk to a handler by such producer through the remaining calendar year and thereafter shall be superseded by a daily base determined pursuant to subdivision (i) of this subparagraph.

(2) The following rules shall be observed by the market administrator in the allotment and administration of bases:

(i) Any producer who ceases to deliver milk to a handler for a period of more than 30 consecutive days shall forfeit his base. In the event such producer thereafter commences to deliver milk to a handler, he shall receive a daily base computed in the manner provided in subparagraph (1) (ii) of this section;

(ii) In case a producer sells or delivers to a handler milk not of his own production as being milk of his own production, the base of such producer shall be forfeited at the beginning of the delivery period during which such milk was delivered and all milk sold or delivered to a handler by such producer during such delivery period shall be excess milk. Thereafter, such producer shall receive a daily base computed in the manner provided in subparagraph (1) (ii) of this section;

(iii) If, on or before the 5th day after the transfer of a farm from which base milk is delivered, there is submitted to the market administrator an affidavit stating that such farm has been transferred, and specifying the date of such transfer, signed jointly before a notary public by the transferee and the transferor of such farm, and if, within 10 days after such affidavit is submitted to the market administrator, no written protest containing information that such transfer was contrary to the terms of this subdivision is filed with the market administrator, the base of such producer may be transferred but only as one unit to the purchaser of such farm. If, upon investigation, the market administrator finds the terms of this subdivision have been violated, the base of such producer shall be forfeited; and

(iv) A producer may retain his base when moving his entire herd of cows from one farm to another farm, and the farm from which he moves shall retain no base.

SEC. 9. *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct 5 cents per hundred pounds from the payments made to each producer pursuant to section 8, with respect to all milk of producers handled by such handler during each delivery period, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such money shall be expended by the market administrator for verification of weights, sampling, and testing of milk of producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made directly to such producers pursuant to section 8, as are authorized by such producers, and, on or before the 15th day after the end of each delivery period, pay over such deductions to the association rendering such services.

SEC. 10. *Expense of administration*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator, with respect to all milk of producers handled by him and milk produced by him during such delivery period, an amount not exceeding 4 cents per hundredweight, the exact amount to be determined by the market administrator. Each cooperative association which is a handler shall pay such prorata share of expense on only that milk of producers caused to be delivered by it to the plants from which no milk is disposed of in the marketing area.

SEC. 11. *Effective time, suspension, and termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty.* (1) If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handlers, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall be performed, if the Secretary so directs, by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until discharged by the Secretary, (ii) from time to time account for all receipts and disbursements, (iii) when so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (iv) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such other person as the Secretary may designate, if so directed by the Secretary, shall liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 12. *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 4th day of August 1942.

[SEAL] ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-7587; Filed, Aug. 5, 1942; 11:06 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940, (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748)

Hosiery Learner Regulations, September 4, 1940 (5. F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 6, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Atlas Garment Co., Inc., 2150 Washington Street, Boston, Massachusetts; Gabardine Reversible Rainwear; 7 learners (T); August 6, 1943.

Blain Associates, Blain, Perry County, Pennsylvania; Women's Woven Rayon Underwear; 10 percent (T); August 6, 1943.

Creighton Shirt Company, 67 Franklin Street, New Haven, Connecticut; Men's and Women's Tailored Shirts; 10 percent (T); August 6, 1943.

Sam. Mermelstein, 1820 Terpsichore Street, New Orleans, Louisiana; Leather Coats; 3 learners (T); August 6, 1943.

Northern Manufacturing Company, Inc., 64 Conduit Street, New Bedford, Massachusetts; Field Jackets, Separate Skirts, Sportswear; 10 percent (T); August 6, 1943.

Glove Industry

Alvord Glove Company, 5 Green Street, Mayfield, New York; Leather Dress and Knit Fabric; 4 learners (T); August 6, 1943.

Sam Mermelstein, 1820 Terpsichore Street, New Orleans, Louisiana; Leather Work Gloves; 3 learners (T); August 6, 1943.

Mt. Sterling Manufacturing Company, Mt. Sterling, Madison County, Ohio; Work Gloves; 15 learners (E); February 6, 1943.

Panama Glove Company, 605 East 42nd Street, Los Angeles, California; Leather Dress, Knit Fabric and Work Gloves; 5 learners (T); August 6, 1943.

Hosiery Industry

Berton Hosiery Mills, Granite Falls, North Carolina; Seamless Hosiery; 3 learners (T); August 6, 1943.

Knitted Wear Industry

Appalachian Mills Company, 815 Ft. Sanders Street, Knoxville, Tennessee; Knitted Underwear; 5 percent (T); August 6, 1943.

Wolfe Manufacturing Company, Chelmsford Street, Lowell, Massachusetts; Knitted Outerwear; 4 learners (T); August 6, 1943.

Textile Industry

Appalachian Mills Company, Knoxville, Tennessee; Cotton Yarn and Cotton and Wool Mixed; 3 percent (T); August 6, 1943.

Cabin Handicrafters, Inc., Clayton, Georgia; Table Mats, Bath Mats, Shopping, Knitting and Hand Bags, etc.; 3 learners (T); August 6, 1943.

Century Ribbon Mills, Inc., 814 Farren Street, Portage, Pennsylvania; Silk and Rayon; 5 learners (T); August 6, 1943.

Friedman Bag Company, 600 Aliso Street, Los Angeles, California; Bags made of Burlap and Cotton; 3 learners (T); August 6, 1943.

The Schlichter Jute Cordage Company, Trenton & Castor Avenue, Philadelphia, Pennsylvania; Yarns; 3 percent (T); August 6, 1943.

The Schlichter Jute Cordage Company, Trenton & Castor Avenue, Philadelphia, Pennsylvania; Yarns; 50 learners (E); December 6, 1942.

Unaka Bedspread Company, Legion Street, Johnson City, Tennessee; Chenille Bedspreads; 11 learners (E); February 6, 1943.

Signed at New York, N. Y., this 4th day of August 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7586; Filed, August 5, 1942; 11:03 a. m.]

INTERSTATE COMMERCE COMMISSION.

FILING OF JOINT FREIGHT FORWARDER-MOTOR COMMON CARRIER RATES

AUGUST 3, 1942.

The Commission, at a general session held in its offices in Washington, D. C., on July 30, 1942, held that the only initial joint freight forwarder-motor common carrier rates which may be filed under section 409 of the act are those which actually fall within the terms of subsections (1), (2) and (3) of section 409 (a). No such joint rates may now be filed except those (1) which were contained in tariffs and supplements offered for filing with the Commission prior to May 16, 1942, and which were rejected, and (2) those under which freight forwarders and motor common carriers were actually operating on July 1, 1941. The Commission recognizing that this ruling will make it difficult for certain freight forwarders to establish such joint rates, by order dated today postponed the taking effect of subparagraphs (1), (2) and (3) of section 409 (a) until July 16, 1942. As a result of this order, such joint rates and charges contained in tariffs previously filed but not rejected become effective as of July 16, 1942, unless notice is filed with this Commission within 30 days after July 16, 1942, canceling same. Also, joint rates and charges contained in tariffs offered for filing prior to May 16, 1942, but rejected and tariffs containing joint rates which were actually in effect on July 1, 1941, may be filed on or before August 15, 1942, and when so filed become effective July 16, 1942.

After joint forwarder-motor rates or charges filed in accordance with the above requirements become effective, changes in and additions to such joint rates or charges may be established on 30 days' notice; or, if permission is obtained in advance from the Commission, on less than 30 days' notice.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-7577; Filed, August 5, 1942; 10:25 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Special Order O. D. T. No. B-11]

CHICAGO—PEORIA AND ST. LOUIS

COORDINATION OF MOTOR VEHICLE PASSENGER SERVICE

Order directing coordinated operation of passenger carriers by motor vehicle between Chicago and Peoria, Illinois, and St. Louis, Missouri.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Illinois Greyhound Lines, Inc., Cleveland, Ohio, The Santa Fe Trail Transportation Co., Wichita, Kansas, and Black Hawk Motor Transit Company, Peoria, Illinois (hereinafter called "carriers"), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, materials, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Illinois Greyhound Lines, Inc., shall:

(a) Suspend service over its route between Chicago and Peoria, Illinois;

(b) Transfer to The Santa Fe Trail Transportation Co. at Chicago, Illinois, passengers destined to Peoria, Illinois, and to points on the routes of the carriers intermediate to Chicago and Peoria;

(c) Transfer to Black Hawk Motor Transit Company at Springfield, Illinois,

passengers destined to Peoria, Illinois, and to points on the routes of the carriers intermediate to Springfield and Peoria.

2. The Santa Fe Trail Transportation Co. shall:

(a) Subject to obtaining prior approval of the appropriate regulatory authority or authorities divert one or more of its daily round trip schedules between Chicago, Illinois, and Peoria, Illinois, to that portion of the route described in paragraph 1 (a) between Ottawa, Illinois, and Peoria;

(b) Suspend service over its route between Peoria, Illinois, and the junction of U. S. Highway 66 and State Highway 48 north of Litchfield, Illinois, via Springfield, Illinois;

(c) Transfer to Black Hawk Motor Transit Company at Peoria, Illinois, passengers destined to St. Louis, Missouri, and to points on the routes of the carriers intermediate to Peoria and St. Louis;

(d) Transfer to Illinois Greyhound Lines, Inc., at St. Louis, Missouri, passengers destined to Peoria, Illinois, and to points on the routes of the carriers intermediate to the junction of U. S. Highway 66 and State Highway 48 north of Litchfield, Illinois, and Peoria, Illinois.

3. Black Hawk Motor Transit Company shall:

(a) Transfer to Illinois Greyhound Lines, Inc., at Springfield, Illinois, passengers destined to St. Louis, Missouri, and to points on the routes of the carriers intermediate to Springfield, and St. Louis;

(b) Transfer to The Santa Fe Trail Transportation Co. at Peoria, Illinois, passengers destined to Chicago, Illinois, and to points on the routes of the carriers intermediate to Peoria and Chicago.

4. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order, and a notice describing the operations to be suspended in compliance herewith; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective on August 26, 1942, and remain in full force and effect until further order of this Office. (E.O. 8989, 9156, 6 F.R. 6725; 7 F.R. 3349)

Issued at Washington, D. C. this 5th day of August, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7605; Filed, August 5, 1942; 11:51 a. m.]

[Special Order O.D.T. No. B-12]

TULSA—DALLAS

COORDINATION OF MOTOR VEHICLE PASSENGER SERVICE

Order directing coordinated operation of passenger carriers by motor vehicle between Tulsa, Oklahoma, and Dallas, Texas.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by The Santa Fe Trail Transportation Company, Wichita, Kansas, Dixie Motor Coach Corporation, Dallas, Texas, and Southwestern Greyhound Lines, Inc., Fort Worth, Texas, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. The Santa Fe Trail Transportation Company, Dixie Motor Coach Corporation, and Southwestern Greyhound Lines, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Tulsa, Oklahoma and Dallas, Texas, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. On the routes served by the carriers between Tulsa, Oklahoma, and Dallas, Texas, The Santa Fe Trail Transportation Company and Dixie Motor Coach Corporation shall operate a joint through service of not to exceed four round trips daily, and Southwestern Greyhound Lines, Inc. shall operate a through service of not to exceed five round trips daily.

3. The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective August 10, 1942, and shall remain in full force and effect until further order of this Office. (E.O. 8989, 9156, 6 F.R. 6725; 7 F.R. 3349)

Issued at Washington, D. C., this 5th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7606; Filed, August 5, 1942; 11:51 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3010-1]

PITTSBURGH FERROMANGANESE CO.

ORDER GRANTING PETITION FOR EXCEPTION

Paragraph (e) of the order appearing on page 5799 of the issue for Tuesday, July 28, 1942, should read as follows:

(e) Unless the context otherwise requires, the definitions set forth in § 1306.51 of Revised Price Schedule No. 10 shall apply to terms used herein.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-46, 4-36]

CITIES SERVICE COMPANY, ET AL.

ORDER APPROVING PLAN AND PERMITTING SOLICITATION OF EXCHANGE AGREEMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of August, A. D., 1942.

In the matters of Cities Service Company, Empire Gas and Fuel Company, Cities Service Gas Company, Cities Service Oil Company (Delaware), and Indian Territory Illuminating Oil Company, respondents, File No. 59-46, and Cities Service Company and Empire Gas and Fuel Company, respondents, File No. 4-36.

The Commission having by orders instituted proceedings with respect to Cities Service Company, Empire Gas and Fuel Company, Cities Service Gas Company, Cities Service Oil Company (Delaware), and Indian Territory Illuminating Oil Company pursuant to sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Public Utility Holding Company Act of 1935; and

The respondents, Cities Service Company and Empire Gas and Fuel Company, having requested in the answer filed in such proceedings that the Commission issue a report on a Plan of Recapitalization of Empire Gas and Fuel Company which was made a part of such answer and that such respondents be permitted to solicit exchange agreements from the public preferred stockholders of Empire Gas and Fuel Company in accordance with the provisions of such Plan of Recapitalization; and

Hearings having been held on the issues raised by the orders of the Commission and the answer filed by the respondents and on the Plan of Recapitalization; the Commission having examined the record made at such hearings and having found that the request to solicit exchange agreements pursuant to such Plan of Recapitalization should be treated as an application and a declaration filed under sections 11 (e) and 11 (g) of the Act; and the Commission having made and filed a combined "Findings and Report" thereon:

It is therefore ordered, That the said declaration is permitted to become effective and that the Plan of Recapitalization is approved for submission to the public holders of the preferred stock of Empire Gas and Fuel company subject, however, to the following conditions:

1. Complete jurisdiction is reserved in respect of the pending proceedings under sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) should the Plan of Recapitalization, for any reason, fail to be consummated, and in the event the Plan becomes operative upon less that 100% acceptance, in respect of such further proceedings as may be deemed appropriate with respect to the shares of the publicly held preferred stock which may not have been deposited under the Plan.

2. A copy of the "Findings and Report" issued by the Commission herein shall be furnished each preferred stockholder of Empire Gas and Fuel Company as part of the solicitation literature.

3. Empire Gas and Fuel Company shall submit to the Commission not less than three days prior to use thereof, copies in final form of all supplemental or follow-up solicitation literature.

4. No fees or commissions shall be paid the dealer managers or selected dealers in respect of exchange agreements on preferred stock beneficially owned by any dealer manager or selected dealer.

5. Empire Gas and Fuel Company shall submit to this Commission semi-monthly during the operative period of the exchange offer reports showing:

(1) The number of exchange agreements obtained through the efforts of the dealer managers and the selected dealers classified according to dates received, states of residence of stockholders, size of holdings and names of selected dealers.

(2) The same information required in (1) above as to agreements received solely through solicitation by the company.

6. At the termination of the operative period of the exchange offer or as soon thereafter as is practicable, Empire Gas and Fuel Company shall submit to this Commission a detailed statement reflecting all commissions and other costs and expenses charged to or incurred by Empire Gas and Fuel Company in connection with said exchange offer including all items of expense charged to Empire Gas and Fuel Company by the dealer managers.

7. Complete jurisdiction is reserved with respect to any and all issues concerning Indian Territory Illuminating Oil Company, its publicly held stock and its relationships with the other companies in the Cities Service Company system.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7579; Filed, August 5, 1942; 11:02 a. m.]

[File No. 812-272]

INSURANSHARES CORPORATION OF DELAWARE

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of August, A. D. 1942.

Insuranshares Corporation of Delaware, a registered closed-end management investment company, having filed an application pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of that Act a proposed purchase by Russel M. VanKirk, an officer and director of Burco Inc. another registered investment company and an affiliated company of the applicant, of 36,251 shares of common stock of Bruco Inc. for the sum of $5,000 from Northern Fiscal Corporation, a controlled company of applicant; and for an order pursuant to the provisions of section 23 (c) (3) of the Act permitting Insuranshares Corporation of Delaware to purchase 20,000 shares of its own capital stock from Burco, Inc. for the sum of $10,000;

It is ordered, That a hearing on the matter of the application of the above-named applicant under and pursuant to the provisions of sections 17 (b) and 23 (c) of the Investment Company Act of 1940 be held on August 11, 1942 at eleven o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise interested parties where such hearing will be held;

It is further ordered, That Robert P. Reeder, Esquire or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice

Notice of such hearing is hereby given to the above-named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7580; Filed, August 5, 1942; 11:02 a. m.]

[File Nos. 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

INTERIM ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of August, 1942.

In the matters of Consolidated Electric and Gas Company, applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, applicants, File No. 54-53, and Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, respondents, File No. 59-49.

Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, Voting Trustees under a Voting Trust Agreement, dated August 1, 1932, relating to the common stock of Central Public Utility Corporation, said Trustees and said Corporation each being a registered public utility holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 as implemented by Rule U-44 promulgated thereunder regarding the transfer of the common stock of Central Public Utility Corporation held by said Voting Trustees to the holders of Voting Trust Certificates; the proceeding in connection with said declaration having been consolidated with certain other proceedings, principally under section 11 of the Public Utility Holding Company Act of 1935, and, involving registered holding companies in the holding-company system of which said Voting Trustees are a part, extensive hearings having been held said proceedings, but the Commission not yet having completed its consideration of the record;

It appearing to the Commission that the Voting Trust Agreement, pursuant to the terms of which said Voting Trustees have heretofore held the common stock above mentioned, expired by the terms thereof on August 1, 1942, but it further appearing to the Commission that it is in the public interest and in the interest of investors that a decision upon the declaration of said Voting Trustees for permission to distribute such stock to the beneficial owners thereof, be deferred pending the further consideration of the entire record in the above-entitled consolidated proceeding, and the entry of the Commission's findings and opinion, and final order therein;

AUG 10 1942

It is ordered, That pending the further order of this Commission, said Voting Trustees shall not distribute, or otherwise dispose of said common stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7581; Filed, August 5, 1942; 11:02 a. m.]

MIDWEST SECURITIES CO.

ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of August, A. D. 1942.

In the matter of Guy D. Marianette, doing business as Midwest Securities Company, 117 North 27th Street, Billings, Montana.

Proceedings having been instituted under section 15 (b) of the Securities Exchange Act of 1934, pursuant to order of the Commission dated December 30, 1941 to determine whether the registration of Guy D. Marianette, doing business as Midwest Securities Company, should be suspended or revoked; and the Commission having found that the said Guy D. Marianette has willfully violated certain provisions of the Act and that it is in the public interest to revoke the registration of the said Guy D. Marianette as a broker and dealer, as more fully set forth in the findings and opinion of the Commission this day issued;

It is ordered, on the basis of said findings and opinion, that the registration of Guy D. Marianette, doing business as Midwest Securities Company, be, and it hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7582; Filed, August 5, 1942; 11:02 a. m.]

[File No. 70-585]

EASTERN LAND CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 4th day of August, A. D., 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by Eastern Land Corporation, a subsidiary of Associated Electric Company, a registered holding company, pursuant to the Public Utility Holding Company Act of 1935 and particularly section 12 (c) thereof. All interested persons are referred to said declaration or application which is on file in the office of said Commission for a statement of the transactions therein proposed which is summarized as follows:

Eastern Land Corporation proposes to declare and pay, out of capital surplus or unearned surplus, a dividend on its 18,000 shares of common stock, $1.00 par value, at the rate of $2.00 per share, aggregating $36,000. Associated Electric Company holds all the common stock of the Corporation.

The declaration or application sets forth that the Eastern Land Corporation has, on hand and in banks, cash in the amount of $40,796.03, claimed to be in excess of the amount required to defray normal operating expenses and taxes, which, for the twelve month period ended May 31, 1942, aggregated $4,622.90. The excess funds were accumulated by Eastern Land Corporation through the payment, in February, 1942, of an account receivable from Youghiogheny Hydro-Electric corporation, an associate company.

Notice is further given that any interested person may, not later than August 20, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7583; Filed, August 5, 1942; 11:03 a. m.]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

ORDER SETTING HEARING ON AMENDMENT TO BY-LAWS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of August 1942.

The National Association of Securities Dealers, Inc., a registered national securities association, having submitted to its members a proposed amendment to its by-laws providing for certain minimum capital requirements as a condition of membership and continuance of such membership; and the association having represented to the Commission that said amendment has been approved by the members of said association; and

The Commission deeming it necessary that a hearing be held at which all interested persons be given an opportunity to be heard on the question whether such amendment is necessary or appropriate in the public interest or for the protection of investors and to carry out the purposes of section 15A of the Securities Exchange Act of 1934, as amended;

It is ordered, That the matter be set down for hearing at 10 a. m. on Thursday, August 13, 1942, in room 318, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission shall determine, and that general notice thereof be given.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7584; Filed, August 5, 1942; 11:03 a. m.]

[File 1-1810]

ASSOCIATED GAS AND ELECTRIC CO.

ORDER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of August, A. D. 1942.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Associated Gas and Electric Company, common stock, $1 par value, and Class A stock, $1 par value should be suspended or withdrawn.

Associated Gas and Electric Company, pursuant to section 12 (b) of the Securities Exchange Act of 1934, having registered its Common Stock, $1 Par Value, on the Boston Stock Exchange, and its Class A Stock, $1 Par Value, on the Boston Stock Exchange, the Los Angeles Stock Exchange, and the New York Curb Exchange, and having filed annual reports for the years 1935, 1936, and 1937 pursuant to section 13 of the said Act; and

Proceedings having been instituted by the Commission pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934 to determine whether the company's application for registration and annual reports failed in material respects to comply with the provisions of sections 12 (b), 13 (a), and 13 (b) of the Act and the Rules, Regulations, and Forms promulgated thereunder, and whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of such securities from national securities exchanges; and

The Boston Stock Exchange, pursuant to an application filed under section 12 (d) of the Act, approved by the Commission on May 23, 1941, having stricken the said Common Stock, $1 Par Value, and Class A Stock, $1 Par Value, of Associated Gas and Electric Company from listing and registration on the said Exchange;

Hearings having been held herein after appropriate notice, and the Commission having duly considered the record of the proceedings, together with the advisory report therein filed by the trial examiner, exceptions thereto filed by counsel for the registrant and counsel for the Commission, and a brief filed by counsel for the Commission; and the Commission having this date made and entered its findings and opinion herein;

It is ordered, Pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934 and in accordance with the said findings and opinion, that registration on the Los Angeles Stock Exchange and the New York Curb Exchange of the Class A Stock, $1 Par Value, of Associated Gas and Electric Company be withdrawn, effective ten days after the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7585; Filed, August 5, 1942; 11:03 a. m.]

AUG 10 1942

Reference

THE NATIONAL ARCHIVES LITTERA SCRIPTA MANET 1934 OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 155

Washington, Friday, August 7, 1942

The President

PROCLAMATION 2564

ENLARGING THE KATMAI NATIONAL MONUMENT—ALASKA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it appears that certain public-land islands situated near the Katmai National Monument in Alaska are required for the proper care, management, and protection of the objects of scientific interest located on lands within the said monument; and

WHEREAS it appears that it would be in the public interest to reserve these islands as an addition to the Katmai National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, c. 3060, 34 Stat. 225 (U.S.C., title 16, sec. 431), do proclaim that, subject to valid existing rights, all islands in Cook Inlet and Shelikof Strait in front of and within five miles of the Katmai National Monument, established by Proclamation of September 24, 1918 (40 Stat. 1855) and enlarged by Proclamation of April 24, 1931 (47 Stat. 2453), are hereby reserved from all forms of appropriation under the public-land laws and added to and made a part of the said Katmai National Monument.

Warning is hereby expressly given to any unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the Act of Congress entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, 39 Stat. 535 (U.S.C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 4th day of August in the year of our Lord nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL] FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL, *Secretary of State.*

[F. R. Doc. 42-7611; Filed, August 5, 1942; 2:34 p. m.]

EXECUTIVE ORDER 9214

EXTENDING THE AUTHORITY OF THE OFFICE OF DEFENSE TRANSPORTATION TO DOMESTIC TRANSPORTATION WITHIN THE TERRITORIES AND POSSESSIONS OF THE UNITED STATES

By virtue of the authority conferred upon me by the Constitution and statutes of the United States, and as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

In addition to the powers conferred upon it by Executive Order No. 8989[1] of December 18, 1941, and Executive Order No. 9156[2] of May 2, 1942, the Office of Defense Transportation shall include within the scope of its authority, as defined in the said orders, all domestic transportation within the territories and possessions of the United States.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, *August 5, 1942.*

[F. R. Doc. 42-7618; Filed, August 6, 1942; 10:28 a. m.]

[1] 6 F.R. 6725.
[2] 7 F.R. 3349.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

PART 728—WHEAT

NATIONAL MARKETING QUOTA FOR THE MARKETING YEAR 1943–44

Whereas the Agricultural Adjustment Act of 1938, as amended, provides:

SEC. 335. (a) Whenever it shall appear that the total supply of wheat as of the beginning of any marketing year will exceed a normal year's domestic consumption and exports by more than 35 per centum, the Secretary [of Agriculture] shall, not later than the May 15 prior to the beginning of such marketing year, proclaim such fact and, during the marketing year beginning July 1 and continuing throughout such marketing year, a national marketing quota shall be in effect with respect to the marketing of wheat. • • • Marketing quotas for any marketing year shall be in effect with respect to wheat harvested in the calendar year in which such marketing year begins notwithstanding that the wheat is marketed prior to the beginning of such marketing year. • • •

Whereas said act contains, in section 301 (b), the following definitions of terms here pertinent:

"Carry-over" of wheat, for any marketing year shall be the quantity of wheat on hand in the United States at the beginning of such marketing year, not including any wheat which was produced in the United States during the calendar year then current, and not including any wheat held by the Federal Crop Insurance Corporation under Title V.

"Marketing year" means, in the case of the following commodities, the period beginning on the first and ending with the second date specified below:

• • • • •

Wheat, July 1–June 30.

"Normal year's domestic consumption", in the case of • • • wheat, shall be the yearly average quantity of the commodity, wherever produced, that was cosumed [consumed] in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption.

"Normal year's exports" in the case of • • • wheat shall be the yearly average quantity of the commodity produced in the United States that was exported from the United States during the ten marketing years • • • immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

"Total supply" of • • • wheat for any marketing year shall be the carry-over of the commodity for such marketing year plus the estimated production of the commodity in the United States during the calendar year in which such marketing year begins.

And whereas said act provides, in section 301 (c), that—

The latest available statistics of the Federal Government shall be used by the Secretary [of Agriculture] in making the determinations required to be made by the Secretary under this Act.

Now, therefore, be it known that I, Claude R. Wickard, Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act of 1938, as amended, upon the basis of the latest available statistics of the Federal Government, do hereby find, determine, and proclaim under section 335 (a) of said Act that:

§ 728.405 *National marketing quota for wheat for the 1943–44 marketing year.* (a) The total supply of wheat for the marketing year beginning July 1, 1943 is 1,508 million bushels.

(b) A normal year's domestic consumption and exports of wheat is 722 million bushels.

(c) The total supply of wheat for the marketing year beginning July 1, 1943, will exceed a normal year's domestic consumption and exports by more than 35 per centum.

(d) A national marketing quota shall be in effect with respect to the marketing of wheat during the marketing year beginning July 1, 1943, and continuing throughout such marketing year. The marketing quota shall be in effect with respect to wheat harvested in the calendar year 1943 notwithstanding that the wheat is marketed prior to July 1, 1943. (Sec. 335 (a), 301 (c), 52 Stat. 54, 43; 7 U.S.C. 1940 ed. 1335, 1301)

Done at Washington, D. C., this 5th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-7629; Filed, August 6, 1942; 11:24 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

With the exception of §§ 81.38, 81.39 and 81.40, which are retained, all sections under Part 81 are hereby rescinded and the following new War Department Procurement Regulations are prescribed. See also §§ 83.701 to 83.710, inclusive. These regulations supersede the 5-series of Army Regulations, War Department Procurement Circulars, and all prior instructions and directives which are inconsistent herewith.

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AUTHORITY: §§ 81.101 to 81.112, 81.201 to 81.206, 81.301 to 81.351, 81.401 to 81.427, 81.501 to 81.508, 81.601 to 81.612, 81.801 to 81.817, 81.901 to 81.961, 81.1001 to 81.1017, 81.1101 to 81.1106, and 83.701 to 83.710 issued under sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U. S. C. Sup. 601–622.

Numbers to the right of the decimal point correspond with the respective paragraph numbers in Procurement Regulations Nos. 1 to 11, dated July 1, 1942.

GENERAL

GENERAL INSTRUCTIONS

§ 81.101 *Publication of procurement regulations.* During the past few years it has been the practice of the War Department to publish procurement regulations in several different publications, viz: Army Regulations, War Department Procurement Circulars, etc. It has also been the practice to include in such regulations precise details of how purchases were to be effected. For reasons too obvious to mention, neither practice can be justifiably continued in view of the present war emergency. Accordingly, a new numbered series of procurement regulations has been prepared to replace all other procurement regulations outstanding as of this date. As changes in or additions to this new series of regulations become necessary, the same will be effected by the publication of corrected or supplemental sheets to the appropriate regulation.

§ 81.102 *Rescission of Army Regulations.* Effective July 1, 1942, the following Army Regulations are hereby rescinded:

AR 5–5	AR 5–240
AR 5–50	AR 5–260
AR 5–100	AR 5–300
AR 5–140	AR 5–320
AR 5–160	AR 5–340
AR 5–200	AR 5–360
AR 5–220	

§ 81.103 *Rescission of Procurement Circulars.* Effective July 1, 1942, all War Department Procurement Circulars which have not been rescinded heretofore are hereby rescinded.

§ 81.104 *Recession of other instructions and directives.* Effective July 1, 1942, all prior instructions and directives which are inconsistent with instructions contained in Procurement Regulations Nos. 1 to 11, inclusive, (§§ 81.101 to 81.611, 81.801 to 81.1106, and 83.701 to 83.710) are hereby rescinded.

§ 81.105 *Contents.* The following is a list of the current procurement regulations:

PR No. 1 General Instructions. [¶101–112.2] (§§ 81.101–81.112)
PR No. 2 Negotiated Purchases. [¶201–206.3] (§§ 81.201–81.206)
PR No. 3 Contracts [¶301–351]. (§§ 81.301–81.351)
PR No. 4 Bonds and Insurance. [¶401–427] (§§ 81.401–81.427)
PR No. 5 Foreign Purchases. [¶501–508.2] (§§ 81.501–81.508)
PR No. 6 Interbranch and Interdepartmental Purchases. [¶601–612] (§§ 81.601–81.612)
PR No. 7 Disposition of Surplus and Unserviceable Property [¶701–710.1] (§§ 83.701–83.710)
PR No. 8 Federal, State and Local Taxes. [¶801–817.3] (§§ 81.801–81.817)
PR No. 9 Labor [¶901–961.2] (§§ 81.901–81.1017)
PR No. 10 Emergency Plant Facilities [¶1001–1017] (§§ 81.1001–81.1106)

§ 81.106 *Distribution; responsibility for.* Chiefs of supply services are responsible for distributing these regulations and all current changes and supplements thereto to their respective purchasing officials.

§ 81.107 *Applicability as to various procurement agencies.* (a) The regulations in this part to the extent, and only to the extent, that they actually confer authority upon the chiefs of the supply services and other officers or civilian officials of the War Department to exercise power to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made, and to make advance, progress and other payments thereon, shall constitute a delegation by the Under Secretary of War of the authority vested in him by memorandum of the Secretary of War, dated December 30, 1941 (Subject: Delegation of Authority Under Executive Order No. 9001). The Chiefs of the supply services severally shall have power to redelegate the powers conferred upon them respectively by the preceding sentence to such officer or officers or civilian official or officials of the War Department as they severally may direct. The exercise, prior to the date of these regulations, of any such authority by any such officer or officers or civilian official or officials is hereby ratified and confirmed in all respects.

(b) Since the regulations are generally declaratory of policy only, it will be necessary for the chief of each supply service to publish appropriate instructions on procedure.

§ 81.108 *Applicability as to various activities.* (a) War Department Procurement Regulations are applicable to all procurement activities of the War Department. Such activities include, but are not necessarily limited to, the following:

(1) Purchase of supplies, materials, equipment and non-personal services.

(2) The procurement of construction work, including that on rivers and harbors.

(b) The regulations are applicable to the expenditure of all appropriated funds by War Department personnel, including funds allocated to, as distinguished from appropriated to, the War Department for use in making purchases.

(c) The regulations are not applicable to the expenditure of organizational, unit and similar funds.

§ 81.109 *Sales, loans, or gifts of supplies to manufacturers*—(a) *General.* Sales, loans, or gifts of drawings, manufacturing or other information, and samples of supplies and equipment will be made only to those manufacturers who are or may likely be manufacturers or suppliers of the War Department under contract. Such sales, loans or gifts will be in conformity with AR 380–5 where applicable.

(b) *Gifts.* Gifts may be made if the standard list price thereof does not exceed $25, and if specific authorization in each case is given by the chief of the supply service concerned. A certificate by the officer accountable for the supplies given, indicating disposition under this authority, will be accepted by auditing officers as a proper voucher for dropping those supplies.

(c) *Loans.* Loans of supplies will be made to contractors as directed in paragraph 10, AR 35–6520[1]. Such loans may be made to manufacturers who are likely to be contractors in the same manner only if the standard list price thereof does not exceed $500, and provided that specific authorization in each case is given by the chief of the supply service concerned.

(d) *Sales.* Sales may be made only as specifically authorized in each case by the chief of the supply service concerned, and then only at the standard list price and in cases where such price does not exceed $500.

(e) *Authority of the Under Secretary of War.* Any gift exceeding $25, standard list price, any loan to other than contractors exceeding $500, standard list price, and any sale at a price other than standard list price or exceeding $500, standard list price, will be made only with the prior approval of the Under Secretary of War or his duly authorized representative.

§ 81.110 *Prohibition against voluntary service.* No department or officer of the Government may accept voluntary service for the Government except in cases of sudden emergency involving the loss of human life or the destruction of property. "Voluntary service" means that the service is rendered under an agreement whereby a claim for payment may subsequently be made against the Government. Voluntary service may be accepted if a written statement is obtained that the service rendered will not be made a basis for future claim against the Government for compensation.

§ 81.111 *Prohibition against use of troop labor and transportation.* (a) Except in cases of manifest necessity or when authorized by the Secretary of War, the labor of troops or Government employees or Government means of transportation will not be used to enable contractors to fulfill contracts.

(b) Whenever troop labor or Government transportation has been used:

(1) Authority therefor will be given in writing.

(2) A report enumerating in detail the service rendered will be forwarded to the Commanding General, Services of Supply.

(3) Full deduction will be made for the value of the service rendered.

§ 81.112 *Prohibition against purchases from officers or employees of the Government.* (a) No officer or employee of the War Department may act as an agent of the United States in advising, recommending, making or approving the purchase of supplies or other property, or

[1] Administrative regulations of the War Department relative to property accountability and responsibility.

in contracting therefor, if he would be admitted to share or receive directly or indirectly any pecuniary profit or benefit from such purchase or contract.

(b) No officer or agent of any corporation, joint stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint stock company, association or firm.

NEGOTIATED PURCHASES

§ 81.201 *Rescission of regulations.* Army Regulations 5–140, May 22, 1940, as amended; Army Regulations 5–160, October 24, 1941, as amended; Army Regulations 5–240, February 11, 1936, as amended; and all other prior directives and instructions of whatsoever nature, including §§ 81.10–81.13 and 81.32–81.33, relating to negotiated purchases, open-market purchases, procurement without advertising, and other purchasing methods are hereby rescinded.

§ 81.202 *Definition.* The term "negotiated purchases" as used in Procurement Regulations includes all purchases which are not made as a result of formal advertising in accordance with section 3709 Revised Statutes. Negotiated purchases may be made by securing informal written bids from a large or small number of suppliers, or by securing telephone quotations. However, where such bids or quotations are requested, the request therefor should clearly indicate that the supply service is proceeding under the negotiating power of Public No. 354, First War Powers Act, 1941.

§ 81.203 *Authority.* Authority for making negotiated purchases is contained in the act of December 18, 1941 (Public No. 354—77th Congress; 55 Stat. 838; 5 U. S. C. Sup 601–622), which may be referred to as the "First War Powers Act, 1941", and Executive Order No. 9001, December 27, 1941. Hereafter, all negotiated purchases will be made under the authority of the above statute.

§ 81.204 *General policy.* (a) Except as indicated in paragraph (b) of this section, all contracts will be placed by negotiation. The methods of negotiation to be followed will be determined by the chief of the supply service concerned. Any method which will result in the most efficient award of contracts and will, in the judgment of the chief of the supply service concerned, protect the interests of the Government, is hereby authorized.

(b) When authorized by the Director of Purchases of the War Production Board or his designated representative, contracts may be placed by formal advertising instead of by negotiation if deemed necessary in the interests of the Government. Requests for such authority will be submitted to the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, by the chief of the supply service concerned.

§ 81.205 *Special instructions*—(a) *Field agencies.* The chiefs of the supply services will decentralize to their field agencies the actual work of negotiating contracts to the greatest extent consistent with efficiency and proper safeguarding of the public interest.

(b) *Qualified suppliers.* Where consistent with the speed of war procurement, negotiations will be carried on with as many qualified suppliers as is practicable. A qualified supplier is one who:

(1) Qualifies as such under the laws and lawful regulations governing the purchase of the supplies in question.

(2) Can comply with all the terms and conditions governing the purchase.

(3) Is a manufacturer of or a regular dealer in the supplies to be purchased.

(4) Has not been adjudged an irresponsible supplier by the chief of the supply service concerned.

(c) *In negotiating contracts,* particular regard will be paid to the following considerations:

(1) Primary emphasis shall be upon securing delivery in the time required by the war program.

(2) In so far as it will effectuate the policy set forth in subparagraph (1) of this paragraph, contracts shall be placed so as to conserve for the more difficult war production problems the facilities of concerns best able, by reason of engineering, managerial, and physical resources, to handle them. Accordingly, contracts for standard or other items which involve relatively simple production problems shall be placed with concerns, normally the smaller ones, which are less able to handle the more difficult war production problems.

(3) Subject to the considerations stated in subparagraphs (1) and (2) of this paragraph, contracts shall be placed with concerns needing to acquire the least amounts of additional critical materials, machinery and equipment for performance of the contracts. Accordingly, as an essential part of each negotiation, procurement officials shall secure from prospective contractors statements listing all additional critical materials, machinery and equipment which will be needed for the performance of the contract.

(4) In giving effect to the provisions of subparagraphs (1), (2) and (3) of this paragraph, it is recognized that it may be necessary to purchase at other than the lowest price offered.

(d) *Authority to make awards.* (1) Awards of contracts or changes therein amounting to less than $5,000,000 (or when the estimated amount in the case of cost-plus-a-fixed-fee contracts, or changes therein, is less than $5,000,000) may be made by such contracting and other officers as the chief of the supply service concerned may designate.

(2) Awards of contracts or changes therein amounting to $5,000,000 or more must be submitted to the Chief of the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, for approval.

(3) Awards of architect, engineer, management or similar contracts will be

submitted for approval in accordance with subparagraph (2) of this paragraph, when the project which they cover amounts to $5,000,000 or more.

(e) *Applicable laws.* The Walsh-Healey Public Contracts Act, the Davis-Bacon Act, as amended, the Copeland "Kick-back" Act, as amended, and the Eight Hour Law, as amended, are applicable to contracts made and performed under the authority of Executive Order No. 9001 to the same extent as if said contracts had been made and performed under the provisions of section 3709, Revised Statutes.

(f) *Prospective contractors* will be apprised by general or special instructions of the terms and conditions which will be incorporated in their contracts.

(g) *Commanders in theaters of operations.* Nothing contained in these regulations will be construed to abridge the powers of commanders in theaters of operations to make necessary purchases in such manner as is deemed advisable.

§ 81.206 *Purchase reports*—(a) *Statistics and Progress Branch.* Under General Orders No. 14, Headquarters, Services of Supply, dated June 12, 1942, the Statistics and Progress Branch, Control Division, Headquarters, Services of Supply, was established. This branch is responsible for preparation and submission of all procurement reports required by law to be submitted to the President and to The Congress, as well as to other Federal agencies authorized to receive such reports. Effective July 1, 1942, it will be the responsibility of every contracting officer, except those in Theaters of Operations, to make reports of purchase actions as outlined below. The reports will cover all purchases, supply contracts (include contracts for engineering services, maintenance of real estate and procurement of abstracts of title) and contracts for the acquisition and leasing of real estate. The reports will be submitted in duplicate through the usual channels from the contracting officer within three days after the purchase action being reported or after the end of the month, whichever is applicable, to the Commanding General, Services of Supply, attention Control Division, Statistics and Progress Branch. One additional copy will be attached for Chiefs of Supply Services, Services of Supply, and for the Material Command of the Army Air Forces by contracting officers reporting thereto. Chiefs of Supply Services, Services of Supply and the Material Command of the Army Air Forces will be responsible for complete, accurate, and proper submission of reports from contracting officers under their respective jurisdiction. All other initial reports of purchase actions are abolished, effective July 1, 1942. Informal contracts such as a letter of intent, letter contract, or letter purchase order will not be reported until the transaction becomes a formal one.

(b) *Monthly summary of purchase actions.* A summary of purchase actions will be rendered for each calendar month as of the last day thereof and submitted on 8" x 10½" sheets in the following form:

MONTHLY SUMMARY OF PURCHASE ACTIONS

(1) Command or Service_____
(2) Month of_____, 19__
(3) Office (including station number) and location _____
(4) Amount of negotiated purchases—
(a) $10,000 and less_____ $_____
(b) In excess of $10,000_____ $_____
(5) Amount of all other purchases_____ $_____
(6) Total amount of all purchases made (sum of entries 4 and 5)_____ $_____
(7) Number of purchases made—
(a) Negotiated ($10,000 and less)_____
(b) Negotiated (in excess of $10,000)_____
(c) All other_____
(d) Total_____
(Signature)_____
(Name)_____
(Rank)_____
Contracting Officer

Under entry (5) of the form will be included purchases made under the General Schedule of Supplies, Purchase Notice Agreements, Contract Bulletins, and purchases under all other contracts (negotiated or otherwise) which have been entered into by a purchasing office other than the office making the report.

(c) *Report of contracts exceeding $10,000.* A report of every purchase action which exceeds $10,000 (actual or estimated) in amount will be made on 8" x 10½" sheets in the following form:

PURCHASE ACTION REPORT

(1) Serial number of report (each contracting officer will begin with No. 1 for the fiscal year and continue in exact sequence to the end of the fiscal year unless such officer is replaced in which instance the new contracting officer will continue numbering in exact sequence).
If the purchase action supersedes an informal contract, such as a letter of intent, letter contract, or letter purchase order, identify such informal contract by date, subject matter, number, if applicable, etc.
(2) Command or Service.
(3) Office (including station number) and location.
(4) Name and address of contractor.
(5) Name and address of establishment or plant or location, where contract will be performed. If more than one, list each one.
(6) Contract or Purchase Action number and date.
(7) Type of Purchase Action (Lump sum, unit price, cost-plus-a-fixed-fee, etc.).
(8) Date deliveries scheduled to begin; to be completed.
(9) Complete description of product, service, facilities or property.
(10) Preference rating and identification symbol used on contract.
(11) Number of units, unit cost, and total cost. If cost is estimated, write "estimated" after amount.
(12) State when an escalator clause is included in the contract and whether such clause is for labor, materials, or both.
(13) The minimum wage determination of the Secretary of Labor which was made part of this contract is _____
(14) If total cost of contract is in excess of $150,000 the following information must be supplied:
(a) Names of persons who consummated or concluded the negotiation of the contract for the Government.
(b) Names of all persons who participated in the negotiation on behalf of the contractor.
(c) Statement of principal or controlling reason for selecting the contractor, *if no competition was obtained.* (Securing two or more quotations constitutes competition.)
(d) Name of person approving specification. (Where Federal, Army, Supply Service, Navy, or other bureau specification is used, a statement to that effect will be sufficient.)
(e) *Reports for the purchase of land.* In addition to the above information, the following will be submitted for reporting the purchase of land:
1. Location
2. Area
3. Intended use
4. Price
5. Assessed value
(Signature)_____
(Name)_____
(Rank)_____
Contracting Officer

If a purchase action report has been submitted and there is any change in information such as number of units, unit cost, total cost, etc., a monthly report (submitted within three (3) days after the end of the month) will be made. The monthly report will not repeat any information given on the original report except entries (1) to (4) inclusive, and entries on which the original information submitted has changed. Such entries will be on a revised basis as of the end of the month and will not be given as additions or deductions to be made to the information contained in the original report. Where several changes have taken place during the month, it is not necessary to show each such change. The first such monthly report will contain the same serial number as the original report, followed by an (a), the second monthly report a (b), etc.

CONTRACTS

§ 81.301 *Rescission of regulations.* Army Regulations 5–200, dated January 2, 1940, as amended, and all other prior directives and instructions of whatsoever nature, including §§ 81.14–81.20 relating to the making of contracts are hereby rescinded.

§ 81.302 *Definitions.* The following terms, as used herein, are defined as follows:

(a) *United States and Government.* These terms are synonymous and include the War Department.

(b) *Contract.* A contract is the written record which evidences an agreement between the United States and one or more contractors.

(c) *Contractor.* A contractor is any person, partnership, company, or corporation which is a party to a contract with the United States.

(d) *Contracting officer.* A contracting officer is a person who has been designated by competent authority to perform the duties of contracting officer.

(e) *Disbursing officer.* A disbursing officer is the officer who has been designated to make payments under a contract.

(f) *The following are terms* used in connection with contracts:

(1) *Signed number.* A signed number means the instrument with the required signatures.

(2) *Authenticated copy.* An authenticated copy means a copy of the instrument shown to be authentic by either:

(i) Certification as a true copy.
(ii) Official seal, or
(iii) Photostatic process.

The signatures on such copies may be either facsimile, stamped, or typed.

(3) *Copy.* A copy means a copy of the instrument, including the names of the contracting parties, but lacking authentication.

(g) *Default.* Default is the refusal or the failure of a contractor to carry out the terms of a contract.

§81.303 *General requirements for contracts.* (a) Every purchase transaction, except those where payment is made coincidentally with receipt of the supplies, will be covered by a contract executed on an approved form.

(b) Contracts covering purchases amounting to $5,000 or more and those which involve the making of more than one payment will be supported by a written quotation, except—

Purchases made at public auction, at a produce exchange, or under other similar conditions.

(c) Contracts covering purchases amounting to less than $5,000 and which require only one payment need not be supported by a written quotation.

PREPARATION OF CONTRACTS

§81.304 *Contract forms*—(a) *Authorized contract forms.* The following contract forms are authorized for use whenever deemed appropriate by the chief of the supply service concerned:

(1) War Department Contract Form No. 1, Lump Sum Supply Contract.
(2) War Department Contract Form No. 2, Lump Sum Construction Contract.
(3) War Department Contract Form No. 3, Cost-Plus-A-Fixed-Fee Construction Contract.
(4) War Department Contract Form No. 4, Cost-Plus-A-Fixed-Fee Architect-Engineer Contract.
(5) War Department Contract Form No. 5, Short Form Supply Contract (Negotiated).
(6) War Department Contract Form No. 6, Offer and Acceptance.
(7) War Department Contract Form No. 7, Letter Purchase Order.
(8) War Department Contract Form No. 8, Letter Contract (Supplies).
(9) War Department Contract Form No. 9, Letter Contract (Fixed-Fee Construction).
(10) War Department Contract Form No. 10, Letter Contract (Lump Sum Construction).
(11) War Department Contract Form No. 11, War Risk Indemnity Contract.

(b) *Special contract forms.* In those cases where the contract forms authorized above will not meet the needs of special or general situations, special forms to meet such situations may be devised by the chief of the supply service concerned subject to the provisions of §§ 81.315 to 81.319, inclusive. All such special forms will be submitted to the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, for approval prior to their adoption for general use.

§ 81.305. *Numbering contracts*—(a) *When required.* Every contract involving the receipt or expenditure of public moneys will be numbered when:

(1) The actual or estimated amount involved is $5,000 or more, or
(2) When more than one payment (or receipt) is involved, regardless of the amount involved.

(b) *System.* Contract numbers will be placed in the upper righthand corner and will consist of the following in the order named:

(1) The capital letter "W", representing the War Department.
(2) Station number representing the station or office as published in Finance Circulars.
(3) The letter or letters representing the supply service. The Chief of Finance will be promptly notified of any change in the letter symbol or of the adoption of a new symbol.
(4) A serial number, separated from the above by a hyphen, commencing with the number 1 and continuing in succession indefinitely without regard to the fiscal year. When the serial number reaches the limit of five digits (99,999), a new series will be used beginning with the serial number 1 and followed by the capital letter "A". Should additional series become necessary, they will be distinguished by the capital letters "B", "C", "D", etc., as may be required.

(c) *Example.* Based on paragraph (b) of this section, the following is the number of the first numbered contract executed by the Quartermaster, Fort Bragg, North Carolina: W–159 qm–1.

(d) *Organized Reserves.* The station number used for contracts pertaining to all units of the Organized Reserves in a corps area will be that assigned to the Organized Reserves of that corps area and the letters will be "qm". Only one series of serial numbers will be used in a corps area for contracts pertaining to all units of the Organized Reserves in that corps area. Corps area commanders will assign each number required.

§ 81.306 *Contract provisions*—(a) *General.* The authorized forms of contract contain the usual provisions which are applicable to contracts executed on those forms. However, if it is necessary to modify the standard provisions and/or add certain special provisions, the appropriate modification of the authorized contract form will be effected by appropriate references.

(b) *Special provisions.* This regulation contains various mandatory, supplemental and alternative contract provisions, together with general instructions as to their use. When the printed contract form being utilized in a particular case does not contain all of the special provisions, said provisions may be incorporated in the contract by appropriate reference to the applicable paragraph numbers of this regulation.

(c) *Deviation from standard provisions.* Subject to the requirements of §§ 81.322–81.351, major changes in standard contract provisions may be made in exceptional cases with the approval of the chief of the supply service concerned. Such changes will be reported to the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply.

§ 81.307 *Fiscal procedures*—(a) *Allotments of funds not to be exceeded.* The authority to make contracts is subject to the proviso that the allotments made for the supplies will not be exceeded, and officers who are charged with making purchases will be held strictly responsible that obligations incurred by them do not exceed the amounts authorized and that such obligations include no other purpose than that indicated in the allotment.

(b) *Statements as to availability of funds.* See AR 35–840 [2] for the statements which will be made on contracts and on purchase orders placed under existing contracts as to the funds chargeable and the sufficiency thereof.

§ 81.308 *Execution of contracts*—(a) *Contracts with individuals.* A contract with an individual will be signed by the individual in his own name.

(b) *Contracts with an individual trading as a firm.* Such a contract will be signed by the individual, without further reference to the trade name.

(c) *Contracts with partnerships.* (1) The contract may be signed in the name of the partnership by one or more of the partners. Each partner who signs will sign as one of the firm.

(2) A contract with a partnership doing business through a local representative or agent may be executed in the name of the firm by such local representative or agent, in which case the contracting officer will:

(i) File with the contract a properly certified copy of the power of attorney showing the authority of such representative or agent, or

(ii) Certify on the contract that he has satisfied himself of the signer's authority to bind the firm and has waived the requirements as to furnishing evidence of such authority.

(d) *Contracts with corporations.* (1) A contract with a corporation will have the name of the corporation written in the blank space provided therefor at the end of the contract form, followed by the word "By", after which the officer or person who has been authorized to contract on behalf of the corporation will sign his name, with the designation of his official capacity.

(2) The contracting officer will, in all cases, satisfy himself that the signer has authority to bind the corporation and will either require from him satisfactory

[2] Administrative regulations relative to fiscal procedure, general.

evidence thereof and file this evidence with the contract, or will procure or make one of the alternate certificates indicated on the contract form.

(3) Evidence filed with a contract will consist of extracts from the records of the corporation showing:

(i) The election of the officers executing the contract and bond on behalf of the corporation.

(ii) The grant of authority to the officers who execute the contract and bond.

The above-mentioned copies will be certified by the custodian of such records, under the corporate seal (if there be one), to be true copies of the records of the corporation.

(e) *Contracting officer's signature.* The contracting officer will sign on behalf of the United States in the space provided for his signature, and his official title will be added.

§ 81.309 *Approval of contracts.* (a) Contracts will be made either without the approval of higher authority or subject to such approval, as may be directed by the chief of the supply service concerned.

(b) If approval of the contract is required, an appropriate approval article will be incorporated in the contract.

(c) Contracts subject to approval are not valid until approved by the authority designated to approve them.

(d) All changes and deletions must have been made before such contracts are forwarded for approval.

(e) A contract which has received the approval of higher authority will not thereafter be altered or modified without the approval of said higher authority.

§ 81.310 *Statement and Certificate of Award (Standard Form No. 1036).* (a) Standard Form No. 1036 need not be executed in connection with negotiated contracts.

(b) If in exceptional cases contracts are awarded pursuant to formal advertising, Standard Form No. 1036, properly executed in accordance with instructions contained on the form, will be attached to the copy of the agreement which is furnished the General Accounting Office.

DISTRIBUTION OF CONTRACTS AND ORDERS THEREUNDER

§ 81.311 *Distribution of contracts; general.* The following general instructions are applicable to the distribution of both numbered and unnumbered contracts:

(a) Contracts will not be distributed until properly signed by all parties, and approved, if approval is required.

(b) All instructions relating to distribution of contracts are subject to the provisions of AR 380–5[8] and all other current instructions governing the safeguarding and disclosing of information affecting the national defense of the United States.

§ 81.312 *Numbered contracts.* Subject to such special instructions as may be issued by the chief of the supply service concerned, numbered contracts will be distributed as follows:

(a) The original signed number will be forwarded to the General Accounting Office.

(b) The duplicate signed number will be filed with the contracting officer or with the chief of the supply service concerned.

(c) The triplicate signed number will be forwarded to the contractor.

(d) An authenticated copy will be forwarded to the disbursing officer for his files.

(e) Additional authenticated copies or unauthenticated copies will be distributed as directed by the chief of the supply service concerned.

§ 81.313 *Unnumbered contracts.* (a) The original signed number will be furnished the disbursing officer and will be attached to the voucher on which payment is made and will accompany such voucher to the General Accounting Office.

(b) The duplicate signed number will be forwarded to the contractor.

(c) An authenticated copy will be furnished the disbursing officer for his files.

(d) Additional copies will be prepared and distributed as directed by the chief of the supply service concerned.

§ 81.314 *Special cases—(a) Purchases under contracts of Procurement Division, Treasury Department; Navy Department; Post Office Department; etc.* (1) Purchase orders covering such purchases will be distributed in accordance with § 81.313.

(2) The chief of the supply service concerned will secure compliance with all special instructions of the respective agencies which make the contracts.

(b) *United States Employees' Compensation Commission.* Contracting officers will, immediately upon completion, transmit to the United States Employees' Compensation Commission, Washington, D. C., an authenticated copy of the following:

(1) Contracts in which the contractor is designated as the agent of the United States.

(2) Contracts under which, while the contractor is not specifically named as the agent of the United States, the Government may at any and all times direct and control the work in all its details and stages, not merely as to what will be done but also as to how it will be done.

MODIFICATION OF CONTRACTS

§ 81.315 *Supplemental agreements—(a) Authority.* Chiefs of the supply services are authorized to modify or amend existing contracts upon adequate legal consideration by supplemental agreement whenever, in their judgment, the prosecution of the War effort is thereby facilitated, and upon an express finding to that effect. Amendments and modifications of contracts may be utilized to accomplish the same purposes as might have been accomplished by original contracts. This authority shall not be construed as conferring upon the chiefs of the supply services authority to enter into amendments or modifications of contracts without adequate legal consideration, or to enter into agreements with contractors or obligors modifying or releasing accrued obligations of any sort, including accrued liquidated damages or liability under any surety or other bond. In cases where such settlement, adjustment, modification, or release is deemed desirable by the chiefs of the supply services, a recommendation therefor, accompanied by a full statement of the circumstances and the necessity thereof, should be transmitted to the Chief of the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply.

(b) *Form.* Supplemental agreements entered into pursuant to paragraph (a) of this section should be reduced to writing and signed by the contracting parties.

§ 81.316 *Change orders—(a) Authority.* Pursuant to contractual provision therefor, change orders may be made as authorized by the chiefs of the supply services.

(b) *Form.* Change orders will be in the form of letters addressed to the contractor, and will specify the number of the contract concerned, the changes to be made, the increase or decrease in price and time for performance, and such other terms as may be necessary. Change orders will bear the same complete identification as the contract which they modify, and will be lettered in the order issued for each contract. Signed numbers and copies of change orders will be distributed in the same manner as prescribed for the contracts to which they pertain, and the contracting officer will note on his retained copy of the change order the date on which the contractor's number was mailed to him.

§ 81.317 *Modifications in excess of $5,000,000.* Supplemental agreements and change orders will be submitted to the Chief of the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, for approval in all cases where there is an increase in the contract price (or in the estimated cost if a cost-plus-a-fixed-fee contract) amounting to $5,000,000 or more. If it is deemed necessary to amend or modify the contract without adequate legal consideration in order to facilitate the prosecution of the war effort, the proposed amendment or modification will be submitted to the Chief of the Purchases branch, Procurement and Distribution Division, Headquarters, Services of Supply, for approval.

§ 81.318 *Adherence to standard forms.* The authority of this Section will not be used for the purpose of authorizing a deviation from standard forms of War Department contracts, unless such deviation is authorized by these regulations nor will it be used for the purpose of making material changes in the character or terms of an award or contract previously approved by the Under Secretary of War or the Chief of the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply. The same requirements and restrictions with respect, to standard forms are applicable to supplemental agreements and change orders as are applicable to original contracts.

§ 81.319 *Consent of sureties.* If payment or performance under the contract is guaranteed by a surety, the consent of such surety should be obtained to any supplemental agreement modifying or amending the contract, or to any change order in excess of $25,000. As to change orders not in excess of $25,000, the consent of the surety is not required but the surety should be furnished copies thereof.

MISCELLANEOUS

§ 81.320 *Assignment—(a) Transfers restricted.* No contract or order, or any interest therein, shall be transferred to any other party by the party to whom such contract or order is given, and any such transfer shall cause the annulment of the contract or order transferred, so far as the United States is concerned, except as follows:

(1) Where such a contract or claim is transferred by order of a court in receivership and bankruptcy proceedings, or

(2) Where made pursuant to the Assignment of Claims Act of 1940.

(b) *Assignment of claims.* Every contract, except those which have been classified, entered into subsequent to October 9, 1940, will permit the assignment of moneys due or to become due thereunder to a bank, trust company, or other financing institution, including any Federal lending agenc , provided the payments under the contract aggregate $1,000 or more. All contracts which thus permit the assignment of claims thereunder will contain provisions as follows:

(1) "Any assignment shall cover all amounts payable under this contract and not already paid, and shall not be made to more than one party, except when any such assignment may be made to one party as agent or trustee for two or more parties participating in such financing."

(2) "Any claim under this contract which may be assigned may be subject to further assignment to a bank, trust company, or other financing institution, including any Federal lending agency, and to similar further assignment; provided that any such assignee shall file written notice of the further assignment together with a true copy of the instrument of further assignment with the contractor and also as provided in proviso 4 of section 1 of the Assignment of Claims Act of 1940 (Public No. 811—76th Congress) in respect of the original assignment."

(3) "No assignee shall divulge any information concerning the contract except to those persons concerned with the transaction."

(4) "Payment to an assignee of any claim arising under this contract shall not be subject to reduction or set-off for any indebtedness of the assignor to the United States arising independently of this contract."

(c) *Classified contracts.* Secret, confidential and restricted contracts shall contain a provision to the effect that "no claim under this contract shall be assigned" unless the omission of such provision is authorized by the chief of the supply service concerned, in which event the instructions contained herein relating to the assignment of claims will govern and the contract shall contain the following additional provisions:

(1) "In no event shall copies of any plans, specifications, or other similar documents marked 'secret' or 'confidential' and annexed or attached to this contract be furnished to any assignee of any claim arising under this contract or to any other person not entitled to receive the same."

(2) "The contractor agrees that he will obtain from the assignee an agreement signed by such assignee similar to that required by paragraph 50, AR 380–5. In such agreement the assignee shall also agree that, in case of further assignment, it will obtain a similar agreement from such assignee."

(d) *Written notice.* In case of an assignment, the party to whom the contract was assigned shall file written notice and a true copy of the assignment with the

(1) General Accounting Office.

(2) Contracting officer.

(3) Surety or sureties upon the bond or bonds, if any, in connection with such contract.

(4) Disbursing officer designated to make payment.

(e) *Special instructions.* The following special instructions will govern in the assignment of claims:

(1) Upon the request of the contractor, contracting officers will furnish proposed assignees information regarding the status of the contract at the time of the assignment. In so doing, the contracting officer will advise the assignee that the information is so furnished only for confidential use in connection with the assignment.

(2) Indication of the assignment of claim and of any further assignment thereof and the name of the assignee will be made on all vouchers or invoices certified by the contractor.

§ 81.321 *Advance payments—(a) General policy.* Advance payments will be made to contractors upon their request in all cases where such action will facilitate the prosecution of the war, and provided that the Government will be adequately protected.

(b) *Procedure.* (1) Chiefs of supply services are authorized to approve the making of advance payments on contracts pertaining to their respective services when the amount of the contract (or the estimated amount in the case of a cost-plus-a-fixed-fee contract) is less than $5,000,000 and the amount of the advance payment is less than 50 per cent of the estimated amount of the contract. The chief of each supply service in his discretion is authorized to delegate all or part of this authority to contracting officers under his jurisdiction.

(2) Advance payments will be limited to 30 per cent of the contract price, except where:

(i) Special circumstances justify a larger advance, or

(ii) The contractor agrees to advance to subcontractors requiring financing of subcontracts the entire amount of advances in excess of 30 per cent of the contract price.

(3) Any advance authorized in excess of 30 per cent upon a contract entered into prior to December 27, 1941, will be under a supplemental agreement which contains provisions therefor made on or after said date.

(4) No advance payment will be made without there having been incorporated in the prime contract an approved advance payment contract provision or the execution of an advance payment supplemental agreement in an approved form. Deviation from the language of the approved articles or supplemental agreement forms is authorized when approved by the chief of the supply service concerned, if such deviation will expedite the prosecution of the war. However, a report of each major deviation will be furnished the Advance Payments and Loan Section, Fiscal Division, Headquarters, Services of Supply.

(5) Where a performance bond of a principal contract has been required and advance payments are provided for by supplemental agreement, or where an advance payment bond is furnished as additional security, the official authorized to approve the advance payments may use his discretion as to whether the actual making of such payments should be withheld pending the approval by The Judge Advocate General of a consent of surety on a pre-existing bond or his approval of the applicable advance payment bond.

(6) Advance payments in connection with letter contracts will be provided for by an approved supplemental agreement. There should be included in such agreement a clause relieving a subsequent performance surety of the fidelity risk involved in making advance payments in any case where it is contemplated that a performance bond will be required in connection with the more formal contract and where no advance payment bond has been required.

(7) Advance payments may be made under agreements of all kinds (whether contracts, letter contracts, letter purchase orders, or otherwise).

(8) Requests for advance payments in excess of 50 per cent of the contract price of any contract, and for advance payments on all contracts amounting to $5,000,000 or more, will be submitted by the chief of the supply service concerned to the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, for approval. The following information will be presented with each such request, together with the recommendation of the chief of the supply service concerned:

(i) The amount proposed to be advanced.

(ii) The amount and character of contract involved.

(iii) Whether awarded with or without advertising or on a cost-plus-a-fixed-fee basis.

[8] Administrative regulations of the War Department relative to safeguarding military information.

(iv) The terms of the proposed advance (including method and time of repayment or liquidation).

(v) The national interest in making the advance.

(vi) The security proposed to protect the Government against loss with the definite recommendation of the chief of the supply service as to the adequacy thereof.

(vii) The financial position and the general character and responsibility of the contractor.

(viii) Any other information pertinent to a proper decision in the case.

(ix) The appropriation available.

(c) *Forms and special contract clauses.* (1) The contract clause contained in § 81.347 will be used in providing for advance payments with interest on fixed-price contracts.

(2) War Department Contract Form No. 20 will be used in executing a supplemental agreement for advance payments with interest on fixed-price contracts.

(3) War Department Contract Form No. 21 will be used in executing a supplemental agreement for advance payments with interest on cost-plus-a-fixed-fee contracts.

(4) War Department Contract Form No. 22 will be used in executing a supplemental agreement for advance payments with interest on a letter purchase order.

(5) The contract clause contained in § 81.348 will be used in providing for advance payments without interest on fixed-price contracts.

(6) War Department Contract Form No. 23 will be used for executing a supplemental agreement for advance payments without interest on fixed-price contracts.

(7) War Department Contract Form No. 24 will be used for executing a supplemental agreement for advance payments without interest on cost-plus-a-fixed-fee contracts.

(8) War Department Contract Form No. 25 will be used for executing a supplemental agreement for advance payments without interest on letter purchase orders.

(9) The contract clause contained in § 81.349 will be used in providing for advance payments on fixed-price contracts for critical machine tools.

(10) War Department Contract Form No. 26 will be used for executing a supplemental agreement for advance payments on fixed-price contracts for critical machine tools.

(d) *Interest.* (1) Except as set forth below, whenever an advance payment is made to a contractor by the War Department, a charge shall be made for the use of the Government money so furnished. The charge shall be in the nature of an interest charge computed, at convenient accounting periods, at the rate of two and one-half per cent per annum on the unliquidated balance of advance payments outstanding from time to time. In the case of a fixed-price contract, the amount of the charge shall be deducted from payments under the contract. In the case of a cost-plus-a-fixed-fee contract, the charge shall be deducted from the amount of the fee otherwise payable to the contractor, and shall not be an item of reimbursible cost under the contract.

(2) This charge shall not apply to:

(i) Contracts which provide that the work thereunder shall be performed at cost without profit or fee to the contractor.

(ii) Contracts entered into or contracts the terms of which had been agreed upon prior to April 11, 1942, to the extent that such application would be inconsistent with the terms of such contracts.

(iii) Advance payments up to 30 per cent of the contract price made to suppliers of critical machine tools.

(e) *Advance payments to suppliers of critical machine tools.* War Department contracts for critical machine tools will, if requested by the contractor, provide for advance payments of 30 per cent of the contract price, either in the terms of the contract or by supplemental agreement provided that the interest of the Government will be adequately protected. Supplemental agreements providing for similar advance payments on existing contracts for critical machine tools may be executed and approved upon proper request being made therefor.

(f) *Reports.* A quarterly report should be rendered by January 14, April 14, July 14, and October 14, of each year, setting forth the status of all contracts on which there are outstanding advance payments. A special statement should be included in the report as to any contracts with respect to which the completion of the contract and liquidation of the advance payment appears to be doubtful, together with the steps being taken to protect that advance payment. If at any time between such quarterly reports it appears doubtful that a contractor to whom an advance payment has been made will complete the contract, a report should be rendered to the Advance Payment and Loan Section, Fiscal Division, Headquarters, Services of Supply, immediately, including the facts in the case and the steps being taken to protect the advance payment.

MANDATORY AND OPTIONAL CONTRACT PROVISIONS

§ 81.322 *Officials not to benefit clause.* Every contract, regardless of subject matter or amount, will contain the following clause without deviation:

Officials not to benefit. No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

§ 81.323 *Covenant against contingent fees.* Every contract, regardless of subject matter or amount, will contain the following clause without deviation:

Covenant against contingent fees. The Contractor warrants that he has not employed any person to solicit or secure his contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract, or, in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions, payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business.

§ 81.324 *Termination for convenience of the Government.* (a) Every lump-sum supply contract, regardless of subject matter or amount, will contain the following clause:

Termination for convenience of the Government. (a) Should conditions arise which, in the opinion of the Secretary of War, make it desirable that this contract be terminated, the Government may, at any time, terminate this contract in whole or in part by a notice in writing from the Contracting Officer to the Contractor that the contract is terminated under this Article. Such termination shall be effective in the manner and upon the date specified in said notice and shall be without prejudice to any claims which the Government may have against the Contractor, or any claims which the Contractor may have against the Government. Upon receipt of such notice the Contractor shall (1) unless the Contracting Officer directs otherwise, discontinue all work and the placing of all orders for materials and facilities in conection with performance of this contract, cancel all existing orders chargeable to this contract, and terminate all subcontracts chargeable to this contract; (2) transfer to the Government, by delivery f. o. b. ---------- ----------, or by such other means as the Contracting Officer may direct, title to all completed supplies (including spare parts, drawings, information, and other things) called for herein, not previously delivered, and partially completed supplies, work in process, materials, fabricated parts, plans, drawings, and information acquired or produced by the Contractor for the performance of this contract; and (3) take such action as may be necessary to secure to the Government the benefits of any rights remaining in the Contractor under orders or subcontracts wholly or partially chargeable to this contract to the extent that such orders or subcontracts are so chargeable.

(b) The Government shall, upon such termination of this contract, pay to the contractor the contract price of all supplies (including spare parts, drawings, information, and other things) called for herein which have been completed in accordance with the provisions of this contract and to which title has been received by the Government under the provisions of paragraph (a) (2) of this article and for which payment has not previously been made.

(c) The Government shall also, in the above events, compensate the Contractor for the uncompleted portion of the Contract as follows:

(1) By reimbursing the Contractor for all actual expenditures certified by the Contracting Officer as having been made with respect to the uncompleted portion of the contract;

(2) By reimbursing the Contractor for all expenditures made with the prior written approval of the Contracting Officer in settling or discharging that portion of the outstanding obligations or commitments of the Contractor which had been incurred or entered into with respect to the uncompleted portion of the contract; and

(3) By paying the Contractor, as a profit on the uncompleted portion of the contract, in so far as a profit is realized hereunder, a sum to be computed by the Contracting Officer in the following manner:

(A) The Contracting Officer shall estimate the profit which would have been realized on the uncompleted portion of the contract if the contract had been completed and labor and material costs prevailing at the date of termination had remained in effect.

(B) Estimate, from a consideration of all relevant factors, the percentage of completion of the uncompleted portion of the contract.

(C) Multiply the anticipated profit determined under (A) by the percentage determined under (B). The result is the amount to be paid to the Contractor as a proportionate share of profit, if any, as above provided.

Notwithstanding the above provisions, no compensation shall be paid under this Paragraph (c) by way of reimbursement for expenditure, including expenditures made in settling or discharging obligations or commitments, or by way of profit on account of supplies and other things which are undeliverable because of destruction or damage, whether or not because of the fault of the contractor.

(d) Subject to the approval of the Contracting Officer, the Government shall reimburse the Contractor for expenditures made and cost incurred after the date of termination for the protection of Government property and for such other expenditures and costs as may be necessary in connection with the settlement of this contract.

(e) The obligation of the Government to make any of the payments required by this Article shall be subject to any unsettled claim for labor or material and to any claim which the Government may have against the Contractor under or in connection with this contract, and payments under this Article shall be subject to reasonable deductions by the Contracting Officer on account of defects in the materials or workmanship of completed or partially completed supplies delivered hereunder.

(f) The sum of all amounts payable under this Article, plus the sum of all amounts previously paid under this contract, shall not exceed the total contract price, adjusted in the event that this contract contains an article providing for price adjustment, on the basis of the estimate of the Contracting Officer, to the extent which would have been required by such article if this contract had been completed and labor and materials costs prevailing at the date of termination had remained in effect.

(g) Should the above provisions of this Article not result in payment to the Contractor of at least $100, then that amount shall be paid to the Contractor in lieu of any and all payments hereinbefore provided for in this Article.

(h) Any disputes arising out of termination under this Article shall be decided in accordance with the procedure prescribed in Article 12 of this contract.

(i) Upon the making of the payments called for by this Article, all obligations of the Government to make further payments or to carry out other undertakings hereunder shall cease forthwith and forever, except that all rights and obligations of the respective parties under the Articles, if any, of this contract applicable to patent infringements and reproduction rights shall remain in full force and effect.

(b) Every lump-sum construction contract, regardless of subject matter or amount, will contain the following clause without deviation:

ARTICLE * * * *Termination for convenience of the Government.* (a) The Government may terminate this contract in whole or in part at any time by a notice in writing from the Contracting Officer to the Contractor, specifying the date upon which such termination shall become effective and the extent to which the performance of such contract shall be terminated. Termination shall be effective upon the date and to the extent specified in said notice.

(b) Upon receipt of the notice of termination the Contractor shall except insofar as the notice directs otherwise with respect to this contract, or, in the event of partial termination, with respect to the part thereof covered by the notice:

(1) Discontinue all work and the placing of all orders for materials and facilities otherwise required for the performance thereof;

(2) Cancel all existing orders and subcontracts to the extent such orders and subcontracts are chargeable to the performance thereof;

(3) Transfer to the Government, in accordance with the directions of the Contracting Officer, all materials, supplies, work in process, facilities, equipment, machinery or tools acquired by the Contractor in connection with the performance thereof, and all plans, drawings, working drawings, sketches, specifications and information for use in connection therewith: *Provided*, That the Contractor may retain any such equipment, machinery and tools if he so elects and will forego reimbursement thereon.

(4) Take such action as may be necessary to secure to the Government the benefits of any rights remaining in the Contractor under orders or subcontracts chargeable thereto to the extent that such orders or subcontracts are so chargeable;

(5) Take such action as the Contracting Officer may prescribe for the protection and preservation of all property in the possession or control of the Contractor, title to which is transferable to the Government under the provisions of this article. Should the notice of termination cover only a portion of this contract the Contractor will proceed to completion of such portions as are not terminated.

(c) Upon compliance by the Contractor with the above provisions of this Article and subject to deductions for payments previously made, the Government shall compensate the Contractor as follows:

(1) By reimbursing the Contractor for all actual expenditures certified by the Contracting Officer as having been made with respect to this contract, including expenditures made in connection with any portions of the contract which may have been completed prior to termination, as well as expenditures made after termination in completing those portions of the contract which the Contractor may have been required by the notice of termination to complete.

(2) By reimbursing the Contractor for all expenditures made with the prior written approval of the Contracting Officer in settling or discharging any outstanding contractual obligations or commitments incurred or entered into by the Contractor with respect to this contract;

(3) By paying the Contractor, as a profit on this contract, insofar as a profit is realized hereunder, an amount to be computed by the Contracting Officer in the following manner:

(A) Estimate the profit which would have been realized on this contract if the contract had been completed and labor and material costs prevailing at the date of terminations had remained in effect.

(B) Estimate, from a consideration of all relevant factors, the percentage of completion of the contract including any work performed after termination. In estimating the percentage of completion, the Contracting Officer shall estimate the percentage of the total work required by the contract which the work actually accomplished represents.

(C) Multiply the profit determined under (A) by the percentage determined under (B) The product is the amount to be paid the Contractor as profit.

(d) Subject to the approval of the Contracting Officer, the Government shall reimburse the Contractor for expenditures made and costs incurred after the date of termination for the protection of Government property and for such other expenditures and costs as may be necessary in connection with the settlement of this contract.

(e) The obligation of the Government to make any of the payments required by this Article shall be subject to any unsettled claim for labor or material and to any claim which the Government may have against the Contractor under or in connection with this contract, and payments under this Article shall be subject to reasonable deductions by the Contracting Officer on account of defects in materials or workmanship.

(f) The sum of all amounts payable under this Article, plus the sum of all amounts previously paid under this contract, shall not exceed the total contract price, adjusted in the event that this contract contains an article providing for price adjustment, on the basis of the estimate of the Contracting Officer, to the extent which would have been required by such article if this contract had been completed and labor and materials costs prevailing at the date of termination had remained in effect.

(g) Should the above provisions of this Article not result in payment to the Contractor of at least $100, then that amount shall be paid to the contractor in lieu of any and all payments hereinbefore provided for in this Article.

(h) Any disputes arising out of termination under this Article shall be decided in accordance with the procedure prescribed in Article ------ of this contract.

(i) Upon the making of the payments called for by this Article, all obligations of the Government to make further payments or to carry out other undertakings hereunder shall cease forthwith and forever, except that all rights and obligations of the respective parties under the Articles, if any, of this contract applicable to patent infringements and reproduction rights shall remain in full force and effect.

§ 81.325 *Anti-discrimination clause.* Every contract, regardless of subject matter or amount, will contain the following clause without deviation:

Anti-discrimination. (a) The Contractor, in performing the work required by this contract, shall not discriminate against any worker because of race, creed, color, or national origin.

(b) The Contractor agrees that the provision of Paragraph (a) above will also be inserted in all of his subcontracts. For the purpose of this article, a subcontract is defined as any contract entered into by the contractor with any individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, for a specific part of the work to be performed in connection with the supplies furnished under this contract: *Provided, however*, That a contract for the furnishing of standard or commercial articles or raw material shall not be considered as a sub-contract.

§ 81.326 *Disputes concerning questions of fact.* Every contract, regardless of subject matter or amount, will contain the following clause:

Disputes. Except as otherwise specifically provided in this contract, all disputes concerning questions of fact arising under this contract shall be decided by the Contracting Officer, subject to written appeal by the Contractor within 30 days to the Secretary of War or his duly authorized representative, whose decision shall be final and conclusive upon the parties hereto. In the meantime the Contractor shall diligently proceed with performance.

§ 81.327 *Domestic Articles clause.* Whenever the restrictions of the Buy American Act are applicable (see §§ 81.-501 to 81.508), the contract will contain the following clause without deviation:

Domestic articles. Unless the Secretary of War shall determine it to be inconsistent with the public interest, or the cost to be unreasonable, only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States shall be delivered pursuant to this contract, except as noted in the specifications and/or other papers hereto attached. The provisions of this article shall not apply with respect to articles, materials, or supplies for use outside the United States, or if articles, materials, or supplies of the class or kind to be used, or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

§ 81.328 *Notice of shipments clause.* Every contract which will involve the shipment thereunder of one carload or more of supplies will contain the following clause:

Notice of shipments. In connection with any shipment hereunder of one carload or equivalent or more consigned to any unit or officer of the War Department, the shipper, at the time the equipment or supplies are ordered for loading for rail, motor, or water transport, will send consignee notice thereof by prepaid telegraph or teletype, including date, route, size of shipment, and brief general description of the equipment or supplies comprising the shipment. When authorized by the purchasing and contracting officer, such notice may be sent by air mail, in lieu of telegraph or teletype, where secrecy is essential and where the use of air mail is practicable. This provision is not to be substituted for any other requirement, such as mailing bills of lading.

§ 81.329 *Variation in quantities.* In those cases where it is desired to accept over or under deliveries due to manufacturing processes, etc., contracts may contain the following clause:

Variation in quantities. Unless otherwise specified, any variation in the quantities herein called for, not exceeding 10 percent, will be accepted as a compliance with the contract, when caused by conditions of loading, shipping, packing, or allowances in manufacturing processes, and payments shall be adjusted accordingly.

§ 81.330 *Partial payments in an amount not to exceed 75% of cost to the contractor.* In those cases where it is contemplated that partial payments in an amount not to exceed 75 per cent of the cost to the contractor of the property will be made, the contract will contain the following clause:

Partial payments. Partial payments, which are hereby defined as payments prior to delivery, on work in progress for the Government under this contract, may be made upon the following terms and conditions.

(a) The Contracting Officer may, from time to time, authorize partial payment to the Contractor upon property acquired or produced by it for the performance of this contract: *Provided*, That such partial payments shall not exceed 75 per cent of the cost to the Contractor of the property upon which payment is made, which cost shall be determined from evidence submitted by the Contractor and which must be such as is satisfactory to the Contracting Officer: *Provided further*, That in no event shall the total of unliquidated partial payments (see (c) below) and of unliquidated advance payments, if any, made under this contract, exceed 80 per cent of the total contract price of supplies still to be delivered.

(b) The title to all property upon which any partial payment is made prior to the completion of this contract shall vest in the Government in its then condition forthwith upon the making of any such partial payment or payments: *Provided*, That nothing herein shall deprive the Contractor of any further partial or final payments due or to become due hereunder; nor relieve the Contractor or the Government of any of their respective rights or obligations under this contract.

(c) In making payment for the supplies furnished hereunder, there shall be deducted from the contract price therefor a proportionate amount of the partial payments theretofore made to the Contractor, under the authority herein contained.

§ 81.331 *Partial payments in an amount not to exceed 90 per cent of direct labor and material cost to the contractor.* In those cases where it is contemplated that partial payments in an amount not to exceed 90 per cent of the direct labor and material cost to the contractor will be made, the contract will contain the following clause:

Partial payments. Partial payments, which are hereby defined as payments prior to delivery, on work in progress for the Government under this contract, may be made upon the following terms and conditions:

(a) The Contracting Officer may, from time to time, authorize partial payments to the Contractor upon property acquired or produced by it for the performance of this contract: *Provided*, That such partial payments shall not exceed 90 per cent of the direct labor and direct material costs to the Contractor of the property upon which payment is made, which costs shall be determined from evidence submitted by the Contractor and which must be such as is satisfactory to the Contracting Officer: *Provided, further*, That in no event shall the total of unliquidated partial payments (see (c) below) and of unliquidated advance payments, if any, made under this contract, exceed 80 per cent of the contract price of supplies still to be delivered.

(b) The title to all property upon which any partial payment is made prior to the completion of this contract shall vest in the Government in its then condition forthwith upon the making of any such partial payment or payments: *Provided*, That nothing herein shall deprive the Contractor of any further partial or final payments due or to become due hereunder; nor relieve the Contractor or the Government of any of their respective rights or obligations under this contract.

(c) In making payment for the supplies furnished hereunder, there shall be deducted from the contract price therefor a proportionate amount of the partial payments theretofore made to the Contractor, under the authority herein contained.

§ 81.332 *Government-owned facilities clause.* In those cases where the contractor is to procure necessary facilities for the account of the Government for use in connection with the work under the contract, and in those cases where the Government furnishes the contractor new facilities which the Government has acquired or will acquire directly, the contract will contain the following clause:

Government-owned facilities. (a) In connection with its work under this contract, the Contractor shall acquire or manufacture for the Government's account the facilities listed in Schedule "A", attached hereto. Upon the inspection and approval of the Contracting Officer and upon the Contractor's furnishing of satisfactory evidence of payment therefor by him, the Government shall reimburse the Contractor for the cost of such facilities, which are presently estimated at the amounts stated therefor in said Schedule "A", or such larger amounts as the Contracting Officer may approve in writing in the event the actual costs exceed such estimated costs. *(The Government shall furnish to the Contractor, for his use at his plant at ----------, the facilities listed in Schedule "B", attached hereto, and not later than the dates shown therein. The cost of installation of such facilities shall be borne by the Contractor.)

(b) As each items of the facilities listed in Schedule "A" is delivered to, or manufactured by, the Contractor, for the Government's account, it shall become and remain the property of the Government, and title thereto shall vest in the Government. *(All of the facilities listed in Schedule "B" are the property of the Government, and title to them is, and shall remain, in the Government.) The Government hereby grants to the Contractor the right to use, without the payment of rental therefor, such facilities in connection with the work herein contracted for and, subject to the written approval of the Contracting Officer, for any additional work for which the Government may contract. The Contractor agrees at its own expense to keep such facilities in good operating condition and repair and to make all necessary repairs and replacements thereof.

(c) Each item of such facilities shall be suitably marked with an identifying mark or symbol, indicating that such item is the property of the Government. Upon the completion of the installation of all such facilities, the Contractor shall submit to the Contracting Officer a detailed inventory list of such facilities, including a description of the identifying mark or symbol on each item thereof.

(d) The Government shall not be responsible for damages to property of the Contractor or for personal injuries to the Contractor's officers, agents, servants or employees, or other persons on the premises as invitees or licensees of the Contractor, arising from or incident to the use of the facilities, and the Contractor shall save the Government harmless from any and all such claims: *Provided*, That nothing in this paragraph shall be deemed to affect any liability of the Government to its own employees.

(e) The ---------- or his
(Chief of supply service)
duly authorized representative shall, at all times, have access to the Contractor's building or buildings, wherein any of the facilities are situated, for the purpose of inspecting or inventorying such facilities or of removing them upon the completion or termination of this contract, subject to the provisions of paragraphs (g) and (h) hereof.

(f) The Contractor shall not remove, sublease or otherwise part with the possession of any of the said facilities from its plant without first obtaining the written consent of the Contracting Officer. The Contractor shall not transfer, pledge or assign any of the said facilities in any manner, to any third person, either directly or indirectly; and the Contractor shall not do or suffer anything to be done whereby any of the said facilities shall or may be seized, taken in execution, attached, destroyed or injured. Violation of the provisions of this paragraph or of paragraph (b) shall entitle the Government forthwith to enter upon the premises of the Contractor and remove the facilities therefrom.

(g) Within one year after the completion or termination of this contract or any other contract entered into between the Government and the Contractor for the performance of which such facilities will be used, the Government may serve on the Contractor a written notice of its intention to remove such facilities from the Contractor's plant. Within ninety (90) days after receipt of such notice the Contractor shall dismantle and prepare the facilities for shipment at its own expense, and thereupon the Government shall remove the facilities from the Contractor's plant at the Government's expense.

(h) During the period prior to the receipt of such notice or the expiration of one year after the completion or termination of this contract, whichever happens first, the Contractor shall retain such facilities in its plant, and when directed by the Contracting Officer, and subject to the availability of appropriate funds, place and maintain all such facilities in stand-by condition. Upon the presentation of duly certified invoices or vouchers therefor, and after approval of such invoices or vouchers by the Contracting Officer, the Government shall pay to the Contractor all expenses incurred by it as a result of placing and maintaining such special equipment in such stand-by condition, but such expense shall not exclude any charge for storage. In the event that the Contracting Officer does not, within said one-year period, direct the return of said facilities, the Contractor shall have the right to require the Government promptly to remove said facilities in a neat and workmanlike manner.

NOTE 1: An option to the contractor to purchase the facilities upon the completion or termination of the contract or succeeding contracts may be included as an additional paragraph (i) of the clause if, in the opinion of the chief of supply service concerned, such inclusion is desirable in the interests o the Government.

NOTE 2: In those cases where it is determined that a rental should be charged, the next to the last sentence of paragraph (b) of the clause should be deleted and the following inserted in lieu thereof: "The contractor agrees to pay the Government rental as follows:

§ 81.333 *Liability for Government-owned property.* All contracts which involve the use of Government-owned property in the performance thereof shall contain a clause substantially as follows:

Liability for Government-owned property. Unless otherwise provided in this contract, the Contractor's liability for loss or damage to Government property in its possession or control or delivered to it for installation in the articles contracted for hereunder, or for use in connection with the performance of this contract, shall be that of a bailee under a mutual benefit bailment.

§ 81.334 *Records of Government-owned property.* All contracts which involve the use of Government-owned property in the performance thereof shall contain a clause substantially as follows:

Records of Government-owned property. The Property Officer, ----------, is designated as the officer to maintain the necessary property records in connection with this contract, as contemplated by AR 35–6520.[4]

§ 81.335 *Patents clause.* Where patented articles are to be manufactured under the contract or patented devices are to be used in the performance of the contract, the contract should contain one of the following clauses:

Patents. The Contractor shall hold and save the Government, its officers, agents, servants, and employees, harmless from liability of any nature or kind, including costs and expenses, for or on account of any patented or unpatented invention, article, or appliance manufactured or used in the performance of this contract, including their use by the Government, except for any invention pertaining to item ------- of Article 1 hereof. The Government shall hold and save the Contractor harmless from liability of any nature or kind, including costs and expenses, for infringement of patent rights pertaining to item -------- of Article 1, hereof.

Patents. The Contractor shall hold and save the Government, its officers, agents, servants and employees, harmless from liability of any nature or kind including costs and expenses, for or on account of any patented or unpatented invention, article, or appliance manufactured or used in the performance of this contract, including their use by the Government, and the Contractor shall give a bond in an amount satisfactory to the United States, the terms of which shall fully protect the Government against loss should the Contractor default in the obligation under this article.

§ 81.336 *Disclosure of information.* All secret, confidential or restricted contracts will contain the following clause without deviation:

Disclosure of information. (a) It is understood that disclosure of information relating to the work contracted for hereunder to any person not entitled to receive it, or failure to safeguard all secret, confidential and restricted matter that may come to the Contractor or any person under his control in connection with the work under this contract, may subject the Contractor, his agents, employees, and subcontractors to criminal liability under the laws of the United States. (See Title 1 of an Act approved June 15, 1917, 40 Stat. 217; 50 U.S.C. 30–42), as amended by an Act approved March 23, 1940 (54 Stat., Chap. 72); and the provisions of an Act approved January 12, 1938, (52 Stat. 3; 50 U.S.C., Supp. V 45–45d) as supplemented by Executive Order No. 8381, dated March 22, 1940, 5 F.R. 1147.

(b) The Contractor shall cause a like provision to be inserted in all subcontracts under this contract.

§ 81.337 *Employment of aliens.* All secret, confidential or restricted contracts will obtain the following clause without deviation:

Employment of aliens. (1) It is understood by the parties hereto that this contract is subject to the provisions of section 11 of an Act approved June 28, 1940 (Public No. 671, 76th Congress), quoted below:

Sec. 11. (a) No aliens employed by a Contractor in the performance of secret, confidential, or restricted Government contracts shall be permitted to have access to the plans or specifications, or the work under such contracts, or to participate in the contract trials, unless the written consent of the head of the Government department concerned has first been obtained, and any person who willfully violates or through negligence permits the violation of the provisions of this subsection shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

(b) Any alien who obtains employment on secret, confidential, or restricted Government contracts by willful misrepresentation of his alien status, or who makes such willful misrepresentation while seeking such employment, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

(c) For the purpose of this section, the terms "person" shall be construed to include an individual, partnership, association, corporation, or other business enterprise.

(2) *Employment of aliens by subcontractors.* In each subcontract which the contractor may make under this contract, there shall be included a stipulation that no aliens in the employ of the subcontractor shall be permitted to have access to the plans or specifications or the work under the contract, or to participate in the contract trials, unless the written consent of the Secretary of War has first been obtained: *Provided*, That such stipulation need not be included in any subcontract for standard or commercial products procured under specifications which will not disclos the nature or character of the work and/or materials covered by this contract or any other classified information relative thereto.

§ 81.338 *Plant protection clauses.* In those cases where the Contracting Officer deems it necessary to retain some control as to the plant protective devices in a particular plant, the contract will contain one of the following clauses:

Plant protection. The Contractor shall maintain in and about his plant adequate plant protective devices and shall employ such watchmen, guards and other personnel as the Contracting Officer may deem necessary to prevent espionage, sabotage, and other malicious destruction or damage.

Plant protection. (a) The Contractor and each Subcontractor shall, at his own expense at all times during the term of this contract or any subcontract hereunder, continue all such precautions, for the guarding and protection of his plant, property and work in process, as have immediately prior to the date of this contract been taken by the Contractor or Subcontractor, and shall make available such information with respect thereto as the Contracting Officer may request.

(b) At any time during said term of this contract, the Contracting Officer may require the Contractor or Subcontractor to install and maintain in and about his plant additional protective equipment and personnel. The Contractor and each Subcontractor shall promptly submit to the Contracting Officer detailed inventories, showing each item and the cost thereof, of any protective equipment so required and installed and detailed statements of the cost of maintaining any personnel so required and maintained.

(c) Title to all plant protective equipment added under paragraph (b) of this Article shall be in the Government. The Contractor or the Subcontractor shall, at his own ex-

*Use these provisions only where the Government is furnishing facilities which it has acquired, or will acquire, directly.

[4] Administrative regulations of the War Department relative to property accountability and responsibility.

pense, during the term of this contract or any extension thereof, or during the term of the subcontract or any extension thereof, maintain and keep in good condition and repair all such protective equipment, and shall make any necessary replacements thereof at his own expense.

(d) The _____ or his
(Chief of Supply Service)
duly authorized representative and authorized plant protection personnel of the War Department shall, at all times during the performance of this contract or any extension thereof, or during the term of the subcontract or any extension thereof, and until after expiration of the right of removal set forth below, have access to the Contractor's plant, or the plant of the Subcontractor, in order to inspect, inventory or remove any of said plant protective equipment required pursuant to paragraph (b) hereof.

(e) After the completion or termination of this contract and prior to final settlement thereof, the Contractor, or the Subcontractor, as the case may be, shall have the option, exercisable in writing, to purchase, at the then value as fixed by the Contracting Officer, any special plant protective equipment theretofore installed in his plant pursuant to paragraph (b). The Government shall have the right, at any time within 120 days after the expiration of this option, to remove any plant protective equipment with respect to which the option has not been exercised.

(f) The contract price will be adjusted by an amount equal to the reasonable cost, as determined by the Contracting Officer, of installing and maintaining the plant protective equipment and personnel required of the Contractor or any Subcontractor under paragraph (b) of this Article, less the then value, as determined by the Contracting Officer, of any equipment purchased by the Contractor or Subcontractor under the option provided for in paragraph (e) of this Article.

(g) The Contractor agrees to insert in each of his subcontracts the following provision:

"The _____ agrees to be bound
(Subcontractor)
by the provisions of Article _____
(This Article)
insofar as they are applicable to this contract. The _____ will reim-
(Prime Contractor)
burse the _____ for the cost of
(Subcontractor)
such special equipment and personnel as have been added by the _____ pur-
(Subcontractor)
suant to paragraph (b) of Article _____
(This
_____. Such reimbursement shall be
Article)
subject to deductions on account of the exercise by the Subcontractor of the option provided in paragraph (e) of Article_____
(This
_____"
Article)

(h) For the purpose of this article, a subcontract is defined as any contract or agreement entered into between the Contractor and any other party, for the performance of all or any part of the work called for under this contract.

Plant protection. (a) The Contractor shall at his own expense at all times during the term of this contract continue all such precautions, for the guarding and protection of its plant, property, and the work in process, as have immediately prior to the date of this contract been taken by it, and shall make available such information with respect thereto as the Contracting Officer may request.

(b) At any time during the term of this contract the Contracting Officer may require the Contractor to install and maintain in and about its plant additional protective equipment and personnel; and the Contractor shall promptly submit to said Contracting Officer detailed inventories, showing each item and the cost thereof, of any protective equipment so required and installed, and detailed statements of the cost of maintaining any personnel so required and maintained. Title to said protective equipment shall be in the Contractor. The Contractor shall at its own expense during the term of this contract maintain and keep in good condition and repair (for use in the performance of this contract) any protective equipment so required and installed, and, to the extent that, during said term, any of said protective equipment shall be lost, damaged, broken, worn out or destroyed, and/or otherwise require replacement, shall at its own expense make such replacement. The said Contracting Officer and authorized plant inspection personnel of the War Department shall at all times during the term of this contract have access to the Contractor's plant and the right to inspect and inventory said protective equipment. The contract price will be adjusted by an amount equal to the reasonable cost (as determined by the said Contracting Officer) of any additional protective equipment or personnel so required to be installed or maintained, less the value (as determined by the said Contracting Officer) of said additional protective equipment at the completion or termination of this contract.

(c) The Contractor agrees to insert in each subcontract made in connection with the performance of this contract an article identical with the foregoing paragraphs (a) and (b), except that in place of the words "Contracting Officer" in paragraph (a), shall appear the words "United States Government, acting through the Contracting Officer in Contract No. _____".

(d) This contract shall be modified in writing to increase the amount due the Contractor hereunder to the extent of any payments made by the Contractor to the Subcontractor under any subcontractual provision inserted pursuant to paragraph (c) hereof.

(e) For the purpose of this article, a subcontract is defined as any contract or agreement entered into between the Contractor and any other party, for the performance of all or any part of the work called for under this contract.

§ 81.339 *Price adjustment for increase in freight rates.* In appropriate cases, contracts may contain the following clause:

Price adjustment for increase in freight rates. If after the date of the bid, or in the case of a contract not entered into pursuant to a bid after the date of the award, the Interstate Commerce Commission shall authorize an increase in freight rates upon the materials set out below, which are used in the production of the supplies covered by this contract, and if the contractor is required to pay increased freight rates on such materials (either by payment to the carrier or because the increased freight charges are added to the price paid by the contractor for the materials) in order to perform the contract, the prices named herein will be increased accordingly, and the amount due the contractor as a result of such increase will be charged to the Government and entered on vouchers (or invoices) as a separate item: *Provided*, That the contractor shall not be entitled to receive payment for any such increase unless he submits such evidence as may be required by the contracting officer with respect to the increased freight charges borne by the contractor.

§ 81.340 *Clauses for rental of gas cylinders.* Every contract for the purchase of gas to be delivered in cylinders will contain one of the following clauses:

Rental of gas cylinders (individual basis). Cylinders shall remain the property of the contractor and will be loaned, without charge, to the Government for a period of 30 days after the date of shipment of cylinders from the contractor's plant. Beginning with the first day after the expiration of the 30-day free loan period to and including the day the cylinders are released to the transportation company for return to the contractor, there will be charged and the United States agrees to pay the contractor a rental at the rate of $_____ per cylinder per day for the use of cylinders not returned to the contractor.

Rental of gas cylinders (quantity basis). Cylinders shall remain the property of the contractor and will be loaned, without charge, to the Government for a period of 30 days after the date of shipment of cylinders from the contractor's plant. Beginning with the first day after the expiration of the 30-day free loan period to and including the day the cylinders are released to the transportation company for return to the contractor, there will be charged and the United States agrees to pay the contractor a rental at the rate of $_____ per cylinder per day, computed on a quantity basis, as indicated below, for the use of cylinders not returned to the contractor. This rental charge will be computed separately for oxygen and acetylene cylinders and for each point of delivery named in the contract. A credit of 30 cylinder days will accrue for each cylinder shipped. A debit of one cylinder day will accrue for each cylinder for each day held beginning with the day after date of shipment from contractor's plant to and including the day the cylinder is released to the transportation company for return to the contractor. At the end of the contract period, in the event the total number of debits exceeds the total number of credits, rental will be charged for the difference. If the total number of credits equals or exceeds the total number of debits, no charge will be made for the use of the cylinders.

All cylinders not returned to the contractor on or before the expiration of a 90-day rental period or lost or damaged beyond repair while in the possession of the United States Government shall be paid for by the United States to the contractor at a replacement value of $_____ for each oxygen cylinder of 100 to 110 cubic feet capacity, $_____ for each oxygen cylinder of 200 to 220 cubic feet capacity, $_____ for each acetylene cylinder of 100 to 150 cubic feet capacity, and $_____ for each acetylene cylinder of 250 to 300 cubic feet capacity.

Cylinders retained or lost and so paid for shall be considered the property of the United States. But if and when located they may, at the option of the Government, be returned to the contractor, and, in such event, credit shall be allowed to the Government at the replacement value paid, less rental at the rate of $_____ per day beginning at the expiration of the 30-day loan period as aforesaid to the date upon which cylinders are turned over to carrier for return to contractor's plant.

§ 81.341 *Redetermination of price clause.* The following price redetermination clause will be used in those cases where it is desired to provide for an automatic redetermination of the price:

Redetermination of price. The parties hereto recognize that, because of circumstances beyond their control, accurate estimates of the cost of performing this contract cannot be made within a reasonable time. Accordingly, they agree that the price stated in Article 1 shall be redetermined as provided below, upon the basis of the actual experience of the Contractor in performing part of his contract. Such redetermination of the price shall be made as follows:

(a) The estimated cost of performing this contract, upon which the price stated in Article 1, is based, is $_____, itemized as follows:*

A. Factory Cost:
1. Direct materials.
2. Direct productive labor.
3. Direct engineering labor.
4. Miscellaneous direct factory charges.
5. Indirect factory expenses (State basis of allocation). Total Factory Cost.**
B. Other manufacturing cost.
C. Miscellaneous direct expenses.
D. Indirect engineering expenses.
E. Expenses of distribution, servicing and administration.
F. Guarantee expenses.

(b) It is agreed that the cost of production of the first _____ % of items called for hereunder, hereafter referred to as the "preliminary run" will not necessarily be typical for the remainder of the contract. The cost of production of the next _____ %, hereafter referred to as the "test run" shall be used as the general basis for redetermination. Within _____ days after the completion of the production of the "test run", the Contractor shall submit to the Contracting Officer separate statements of the actual cost of the production of the "preliminary run" and the "test run", itemized in the same way as the estimated cost states above. Such statement shall be based upon the cost accounting system regularly utilized by the Contractor and certified as correct by an independent public accountant or by two officers of the Contractor. The Contractor shall submit his books and accounts to such examination and audit as shall be requested by the Contracting Officer.

(c) If the actual cost of production of the preliminary run plus the cost of the production of the remainder of the items called for by the contract, as indicated by the actual cost of production of the "test run", is less than the total estimated cost stated in paragraph (a), the total price to be paid pursuant to Article 1 shall be reduced in the same ratio.

(d) Pending the redetermination of the price hereunder, all items delivered shall be paid for at the price set forth in Article 1. Upon the redetermination of such price hereunder, an amount equal to the difference between the price paid on all items theretofore delivered and such redetermined price for such items shall be applied by the contractor as a credit against payment for subsequent deliveries, or shall be applied or returned to the Government as directed by the Contracting Officer.

(e) If this contract contains an escalator clause (Price Adjustment) notwithstanding any provisions of such escalator clause which may be inconsistent herewith, that clause shall be understood to relate only to that portion of the production under the contract which is not covered by the statements of actual cost required by paragraph (b) of this article. The blanks in the escalator clause will be filled in at the time of redetermination hereunder, and the month in which the redetermination is made shall be taken as the base month for such escalator clause and the estimated labor costs and the estimated material costs shall include only such costs as are not reflected in the actual cost statements. For this reason the blanks in the escalator clause were not filled in at the time of the execution of this contract.

§ 81.342 *Renegotiation of price clause.* The following price renegotiation clause will be used in those cases where it is desired or necessary to renegotiate the price in good faith:

Renegotiation of price. (a) The Contractor represents that the contract price provided in Article _____ is based upon a total estimated cost of $_____ itemized as follows:*

A. Factory Cost:
1. Direct materials.
2. Direct productive labor.
3. Direct engineering labor.
4. Miscellaneous direct factory charge.
5. Indirect factory expenses (State basis of allocation). Total Factory Cost.**
B. Other manufacturing cost.
C. Miscellaneous direct expenses.
D. Indirect engineering expenses.
E. Expenses of distribution, servicing and administration.
F. Guarantee expenses.

(b) Within _____ days after the completion of the production of _____% of the items called for under this contract, the Contractor shall submit to the Contracting Officer a statement of the actual cost of the production of said percentage, itemized in the same way as the estimated cost stated above. Such statement shall be based upon the cost accounting system regularly utilized by the Contractor and certified as correct by an independent public accountant or by two officers of the Contractor. The Contractor shall submit his books and accounts to such examination and audit as shall be requested by the Contracting Officer.

(c) Upon the written request of either party, which request shall be made within _____ days after the filing of the statement required by paragraph (b) hereof, the Contracting Officer and the Contractor will enter into negotiations and will attempt to agree upon a modification of the contract.

(d) Pending the renegotiation of the price hereunder, all items delivered shall be paid for at the price set forth in Article 1. Upon the renegotiation of the price hereunder, an amount equal to the difference between the price paid on all items theretofore delivered and such renegotiated price for such items, if in the Government's favor, shall be applied by the Contractor as a credit against payment for subsequent deliveries, or shall be applied or returned to the Government as directed by the Contracting Officer; if in the Contractor's favor, it shall be paid by the Government on a separate invoice or voucher.

(e) If this contract contains an escalator clause (Price Adjustment) the figures set forth therein and the terms thereof shall be controlling in the absence of a modification of the contract under this article. In the event of such a modification, the escalator clause shall be so modified as to relate only to that portion of the production under the contract which is not covered by the statement of actual cost required by paragraph (b) of this article. In modifying the provisions of the escalator clause, the month in which the renegotiation occurs shall be taken as the base month, and the estimated labor costs and the estimated material costs shall include only such costs as are not reflected in the actual cost statement submitted under paragraph (b) hereof.

§ 81.343 *Rate of wages clause.* All contracts subject to the Davis-Bacon Act will contain the following clause without deviation:

Rate of wages. (In accordance with the act of August 30, 1935, 49 Stat. 1011, as amended by the act of June 15, 1940, 54 Stat. 399 (U. S. Code, 1934, ed., title 40, secs. 276a and 276a–1), this article shall apply if the contract is in excess of $2,000 in amount and is for the construction, alteration, and/or repair, including painting and decorating, of a public building or public work within the geographical limits of the States of the Union, the Territory of Alaska, the Territory of Hawaii, or the District of Columbia.)

(a) The contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the specifications, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics; and the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work. The contracting officer shall have the right to withhold from the contractor so much of accrued payments as may be considered necessary by the contracting officer to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics and not refunded to the contractor, subcontractors, or their agents.

(b) In the event it is found by the contracting officer that any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by the contract has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as aforesaid, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and prosecute the work to completion by contract or otherwise, and the contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

(c) The regulations of the Secretary of Labor, referred to in article 19 hereof, allow certain "permissible deductions" from the wages required by this article to be paid.

§ 81.344 *Nonrebate of wages clause.* All contracts subject to the Copeland "Kick-back" Act will contain the following clause without deviation:

Nonrebate of wages. The contractor shall comply with the regulations of the Secretary of Labor pursuant to the Act of June 13, 1934, 48 Stat. 948 (U. S. Code, title 40, secs. 276b and 276c), and any amendments or modifications thereof, shall cause appropriate provisions to be inserted in subcontracts to insure compliance therewith by all subcontractors subject thereto, and shall be responsible for the submission of affidavits required of subcontractors thereunder, except as the Secretary of Labor may specifically provide for reasonable limitations, variations, tolerances, and exemptions from the requirements thereof.

§ 81.345 *Convict labor.* All contracts subject to the prohibitions against use or employment of convict labor will contain the following clause without deviation:

Convict labor. The contractor shall not employ any person undergoing sentence of imprisonment at hard labor, nor knowingly use any materials manufactured or produced in a penal or correctional institution.

*This breakdown may be altered to suit particular circumstances.

**State separately the estimated amount of each of the following items included: (a) Normal depreciation, (b) Special amortization.

§ 81.346 *Eight-hour law.* All contracts subject to the provisions of the Eight-Hour Law of 1912 will contain the following clause without deviation:

Eight-hour law. No laborer or mechanic doing any part of the work contemplated by this contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than 8 hours in any one calendar day upon such work at the site thereof, except upon the condition that compensation is paid to such laborer or mechanic in accordance with the provisions of this article. The wages of every laborer and mechanic employed by the contractor or any subcontractor engaged in the performance of this contract shall be computed on a basic day rate of 8 hours per day and work in excess of 8 hours per day is permitted only upon the condition that every such laborer and mechanic shall be compensated for all hours worked in excess of 8 hours per day at not less than one and one-half times the basic rate of pay. For each violation of the requirements of this article a penalty of $5 shall be imposed upon the contractor for each laborer or mechanic for every calendar day in which such employee is required or permitted to labor more than 8 hours upon said work without receiving compensation computed in accordance with this article, and all penalties thus imposed shall be withheld for the use and benefit of the Government: *Provided*, That this stipulation shall be subject in all respects to the exceptions and provisions of U. S. Code, title 40, sections 321, 324, 325, and 326, relating to hours of labor, as in part modified by the provisions of section 5 (b) of Public Act No. 671, 75th Congress, approved June 28, 1940, and Section 303 of Public Act No. 781, 76th Congress, approved September 9, 1940, relating to compensation for overtime.

§ 81.347 *Advance payments with interest.* The following clause will be included in fixed-price contracts when it is contemplated that advance payments with interest will be made thereon:

Advance payments. (a) At any time and from time to time, after the approval of this contract, at the request of the Contractor and subject to the approval of the ----------
(Chief of supply
-------- or his duly authorized representative)
tive, or of the person to whom authority has been delegated to make advance payments, as to the present need therefor, the Government shall advance to the Contractor sums not to exceed ---------- or
(Insert amount of advance payment)
-------- per centum (------%) of the contract price, as it may be amended, whichever shall be the smaller. On the unliquidated balance of the advance payments outstanding, the Contractor agrees to pay interest at the rate of two and one-half per cent per annum to be computed in accordance with the provisions of paragraph (f).

(b) As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such adequate security as the Under Secretary of War or the person to whom authority has been delegated to make advance payments shall prescribe: *Provided*, That, if other security is not prescribed, the terms of this contract shall be considered adequate security for such advance payments: *Provided further* That, if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security as shall be satisfactory to the Under Secretary of War.

(c) Until all advance payments hereunder are liquidated, all funds received as advance payments under this contract together with
---------- Per cent (----------%)
(Insert per cent to be deposited which shall
be not less than 75%
of all other cash payments under this contract, shall be deposited in a special bank account or accounts at a member bank or banks of the Federal Reserve System separate from the Contractor's general or other funds. Such special bank account or accounts shall be so designated as to indicate clearly to the bank their special character and purpose, and the balances in such account or accounts shall be used by the Contractor exclusively as a revolving fund for carrying out the purposes of this contract (including reimbursement to the Contractor for any reasonable amounts expended by him for such purposes), and any amendments thereto, and not for the other business of the Contractor: *Provided*, That for the purpose of determining proper disposition of funds hereunder such of the Contractor's costs as may not be directly allocable to this contract, as it may be amended, may be charged against funds deposited in the special account in that proportion which the amount of work being done under this contract, as it may be amended, approximately bears to the total amount of work being performed by the Contractor, out of which such costs also arise, but within the period to which such costs relate. When required by the
---------- or his duly authorized
(Chief of supply service)
representative, or any other person to whom authority to make advance payments has been delegated, withdrawals from special account or accounts shall be made subject to the prior written approval of the Contracting Officer or his duly authorized representative. Any balances from time to time in such special account or accounts shall secure the repayment of the advances in connection with which the special account or accounts are opened, and the Government shall have a lien upon such balances to secure the repayment of such advances which lien shall be superior to any lien of the bank or any other person upon such account or accounts by virtue of assignment to it of such contract or otherwise: *Provided*, That the bank shall be under no liability to any party hereto for the withdrawal of any funds from said special account upon checks, properly endorsed and signed by the Contractor, except that after the receipt by the bank of written directions from the ---------- or his duly
(Chief of supply service)
authorized representative, the bank shall act thereon and be under no liability to any party hereto for any action taken in accordance with the said written directions. Any instructions or written directions received by the bank through the Contracting Officer upon War Department stationery and purporting to be signed by, or by the direction of, the ---------- or his duly
(Chief of supply service)
authorized representative shall, insofar as the rights, duties, and liabilities of the bank are concerned, be conclusively deemed to have been properly issued and filed with the bank by the ---------- or his duly
(Chief of supply service)
authorized representative.

(d) If, upon the completion of the contract, or upon its termination for other than the fault of the contractor, the advance payments made to the contractor have not been fully liquidated in the manner herein provided, the unliquidated balance of such advance payments shall be deducted from any payments otherwise due the contractor, and if the sum or sums due the contractor be insufficient to cover such balance, the deficiency shall be paid by the contractor in cash forthwith after demand and final audit by the Government of all accounts hereunder. In the event of cancellation or termination of this contract because of the fault of the contractor, the contractor agrees to return to the Government, upon demand, without set-off of any sums alleged to be due the contractor, the unliquidated balance of any advanced payment. Furthermore, if in the opinion of the ----------
(Chief of supply service)
or his duly authorized representative, the unobligated balance of the advance payments made by the Government under paragraph (a) hereof exceeds the amount necessary for the current needs of the contractor, as determined by the----------
(Chief of supply service)
or his duly authorized representative the amount of such excess shall, upon demand made by the ---------- or his duly
(Chief of supply service)
authorized representative be promptly returned to the Government and will be credited against the balance due the Government on advances previously made. If the demand made in any event set forth in this subparagraph is not met upon receipt of such demand by the contractor, the amount demanded will bear interest at the rate of six per cent (6%) rather than two and one-half per cent (2½%) per annum from the date of the receipt of the demand until payment is made: *Provided, however*, That such additional interest over and above the regular two and one-half per cent is hereby waived as to any sum paid by the contractor within 15 days after the amount becomes due hereunder.

(e) Except as otherwise provided herein, liquidation of the principal of any advance payment or advance payments made to the contractor hereunder shall be made by means of direct repayment by the contractor from his own free funds or from the special account or by deductions of -------- per cent
(Per cent of advance authorized)
from any and all payments made by the Government under this contract: *Provided*, That if at any time, as a result of amendments to the contract or otherwise, the unliquidated balance of the principal of advance payments made exceeds -------- per
(Per cent of advance authorized)
cent of the contract price of units still to be delivered under the contract, the amount of such excess shall upon demand of the
---------- or his duly authorized
(Chief of supply service)
representative be promptly returned to the Government by withdrawal from the special account or otherwise, or if not so returned, shall be deducted from any and all payments to be made by the Government under the contract: *Provided further*, That, if and when the contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

(f) On the unliquidated balance of the advance payments outstanding, the contractor agrees to pay interest at the rate of two and one-half per cent per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated advance payments outstanding. In determining such balance, charges on account of the advance payments to the contractor hereunder shall be made as of the dates of the checks therefor; credits arising from deductions from payments to the contractor under this contract shall be made as of the dates the checks

for such payments are drawn; and credits arising from cash repayments to the Government by the contractor shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been made, the interest so determined shall be deducted from the payments otherwise due the contractor under this contract: *Provided, however*, That in no event shall deductions on account of interest exceed five per cent (5%) of the gross payment due the contractor prior to any deduction under this paragraph or paragraph (e) or any other provisions of this contract. In the event the accrued interest exceeds such five per cent, the excess of such interest shall be carried forward and deducted from subsequent payments. The interest shall not be compounded, and shall, subject to the provisions of paragraph (d) hereof, cease to accrue upon the termination of the contract for other than the fault of the contractor, or upon the date found by the Contracting Officer to be the date upon which the contractor completed his performance under the contract.

(g) The contractor shall, at all times, afford to the Contracting Officer or his duly authorized representative, proper facilities for the inspection and audit of the contractor's accounts, and the contractor hereby agrees that the Contracting Officer, or his duly authorized representative, shall have the right, so far as the contractor's rights are concerned, during business hours, to inspect and make copies of any entries in the books and records of the bank relating to the said special account.

(h) Subject to the approval of the Contracting Officer or his duly authorized representative the contractor may make payments to subcontractors and materialmen in advance out of the special account, for labor or services, or to pay for material in advance of delivery at the site of the work or at an approved storage site. Such subadvances shall not exceed -------- per cent of the subcontract price and the subcontractor or materialmen to whom such advances are made shall furnish adequate security therefor. Unless other security is furnished, covenants in subcontracts, expressly made for the benefit of the Government, providing for a sub-special account with Government lien thereon and for a Government lien on property, tangible or intangible, purchased from the special account, and imposing upon the subcontractor substantially the same duties and giving the Government substantially the same rights as are provided herein between the Government and the contractor, have been prescribed by the Under Secretary of War as minimum adequate security for such subadvances.

(i) If no surety bond is furnished as part of the security under subparagraph (b) hereof, then, upon receipt of items or materials paid for from such special account or accounts, such items or materials shall be segregated and the Government shall have a lien on such items or materials until the advance payment or payments have been fully liquidated, or until the item or items and/or materials concerned have become the property of the Government as the result of partial payments, or otherwise: *Provided*, That if segregation in any instance be impracticable and the items or materials concerned are consequently intermingled with other property of the Contractor, then and in that event the lien above provided for in favor of the Government shall extend to the intermingled mass to the amount represented by the value of the items or materials involved; and without limiting the generality of the foregoing, such lien shall continue as follows: (a) in case the contract covers construction, until such items or materials are incorporated into the building, and thereafter on the building in the construction of which the items or materials are incorporated; (b) in the case of items or materials comprising facilities, on such facilities both before and after their installation in the plant; and (c) in the case of articles contracted for, until the items or materials so paid for are fabricated into such articles, and thereafter on the articles until accepted by the Government [; and the Government shall hereby likewise have an effective assignment of a security interest in all intangible property purchased, or otherwise acquired, with funds from said special account].* If at any time during the progress of the work under this contract it becomes necessary to deliver any item or items and/or materials upon which the Government has a lien as aforesaid to a third person, the contractor shall notify such third person of the lien herein provided and shall obtain from such third person a receipt, in duplicate, acknowledging, inter alia, the existence of such lien. A copy of each receipt shall be delivered by the contractor to the contracting officer.

(j) Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided*, That, if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the
---------- or his duly authorized
(Chief of supply service)
representative shall have the right to suspend further advance payments without notice.

§ 81.348 *Advance payments without interest.* The following clause will be included in fixed-price contracts when it is contemplated that advance payments without interest will be made thereon:

Advance payments. (a) At any time and from time to time, after the approval of this contract, at the request of the Contractor and subject to the approval of the----------
(Chief of supply
-------- or his duly authorized representative)
tive, or of the person to whom authority has been delegated to make advance payments, as to the present need therefor, the Government shall advance to the Contractor, without payment of interest therefor by the Contractor, sums not to exceed ---------- or
(Insert amount of advance payment)
-------- per centum (------%) of the contract price, as it may be amended, whichever shall be the smaller.

(b) As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such adequate security as the Under Secretary of War or the person to whom authority has been delegated to make advance payments shall prescribe: *Provided*, That, if other security is not prescribed, the terms of this contract shall be considered adequate security for such advance payments: *Provided further*, That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security as shall be satisfactory to the Under Secretary of War.

(c) Until all advance payments hereunder are liquidated, all funds received as advance payments under this contract together with
---------- per cent
(Insert percent to be deposited which shall
be not less than 75%)
(------%) of all other cash payments under this contract, shall be deposited in a special bank account or accounts at a member bank or banks of the Federal Reserve System separate from the Contractor's general or other funds. Such special bank account or accounts shall be so designated as to indicate clearly to the bank their special character and purpose, and the balances in such account or accounts shall be used by the Contractor exclusively as a revolving fund for carrying out the purposes of this contract (including reimbursement to the Contractor for any reasonable amounts expended by him for such purposes), and any amendments thereto, and not for the other business of the Contractor: *Provided*, That for the purpose of determining proper disposition of funds hereunder such of the Contractor's costs as may not be directly allocable to this contract, as it may be amended, may be charged against funds deposited in the special account in that proportion which the amount of work being done under this contract, as it may be amended, approximately bears to the total amount of work being performed by the Contractor, out of which such costs also arise, but within the period to which such costs relate. When required by the
---------- or his duly authorized
(Chief of supply service)
representative, or any other person to whom authority to make advance payments has been delegated, withdrawals from special account or accounts shall be made subject to the prior written approval of the Contracting Officer or his duly authorized representative. Any balances from time to time in such special account or accounts shall secure the repayment of the advances in connection with which the special account or accounts are opened, and the Government shall have a lien upon such balances to secure the repayment of such advances which lien shall be superior to any lien of the bank or any other person upon such account or accounts by virtue of assignment to it of such contract or otherwise: *Provided*, That the bank shall be under no liability to any party hereto for the withdrawal of any funds from said special account upon checks, properly endorsed and signed by the Contractor, except that after the receipt by the bank of written directions from the ---------- or his duly
(Chief of supply service)
authorized representative, the bank shall act thereon and be under no liability to any party hereto for any action taken in accordance with the said written directions. Any instructions or written directions received by the bank through the Contracting Officer upon War Department stationery and purporting to be signed by, or by the direction of, the ---------- or his duly authorized representative, and in so far as the rights, duties, and liabilities of the bank are concerned, be conclusively deemed to have been properly issued and filed with the bank by the ---------- or his duly authorized
(Chief of supply service)
representative.

(d) If, upon the completion of the contract, or upon its termination for other than the fault of the Contractor, the advanced payments made to the Contractor have not been fully liquidated in the manner herein provided, the unliquidated balance of such advance payments shall be deducted from any payments otherwise due the Contractor, and if the sum or sums due the Contractor be insufficient to cover such balance, the deficiency shall be paid by the Contractor in cash forthwith after demand and final audit by the Government of all accounts hereunder. In the event of cancellation or termination of this contract because of the fault of the Contractor, the Contractor agrees to return to the Government, upon demand, without set-off of any sums alleged to be due the Contractor, the unliquidated balance of any

*The bracket provision may be inserted in the case of experimental contracts or other cases where deemed especially appropriate.

advance payment. Furthermore, if, in the opinion of the _____ or
(Chief of supply service)
his duly authorized representative, the unobligated balance of the advance payments made by the Government under paragraph (a) hereof exceeds the amount necessary for the current needs of the Contractor, as determined by the _____ or
(Chief of supply service)
his duly authorized representative the amount of such excess shall, upon demand made by the _____ or his duly
(Chief of supply service)
authorized representative be promptly returned to the Government and will be credited against the balance due the Government on advances previously made. If the demand made in any event set forth in this subparagraph is not met upon receipt of such demand by the Contractor, the amount demanded will bear interest at the rate of six per cent (6%) per annum from the date of the receipt of the demand until payment is made: *Provided, however*, That such payment of interest is hereby waived as to any sum paid by the Contractor within 15 days after the amount becomes due hereunder.

(e) Except as otherwise provided herein, liquidation of any advance payment or advance payments made to the Contractor hereunder shall be made by means of direct repayment by the Contractor from his own free funds or from the special account or by deductions of _____ per cent from any and
(Per cent of advance authorized)
all payments made by the Government under this contract: *Provided*, That if at any time, as a result of amendments to the contract or otherwise, the unliquidated balance of advance payments made exceeds _____ per
(Per cent of advance authorized)
cent of the contract price of unit still to be delivered under the contract, the amount of such excess shall upon demand of the _____ or his duly authorized
(Chief of supply service)
representative be promptly returned to the Government by withdrawal from the special account or otherwise, or if not so returned, shall be deducted from any and all payments to be made by the Government under the contract; *Provided further*, That, if and when the Contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the Contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

(f) The Contractor shall, at all times, afford to the Contracting Officer or his duly authorized representative, proper facilities for the inspection and audit of the Contractor's accounts, and the Contractor hereby agrees that the Contracting Officer, or his duly authorized representative shall have the right, so far as the Contractor's rights are concerned, during business houra, to inspect and make copies of any entries in the books and records of the bank relating to the said special account.

(g) Subject to the approval of the Contracting Officer or his duly authorized representative the Contractor may make payments to subcontractors and materialmen in advance out of the special account, for labor or services, or to pay for material in advance of delivery at the site of the work or at an approved storage site. Such subadvances shall not exceed _____ per cent of the subcontract price and the subcontractor or materialmen to whom such advances are made shall furnish adequate security therefor. Unless other security is furnished, covenants in subcontracts, expressly made for the benefit of the Government, providing for a subspecial account with Government lien thereon and for a Government lien on property, tangible or intangible, purchased from the special account, and imposing upon the subcontractor substantially the same duties and giving the Government substantially the same rights as are provided herein between the Government and the Contractor, have been prescribed by the Under Secretary of War as minimum adequate security for such subadvances.

(h) If no surety bond is furnished as part of the security under subparagraph (b) hereof, then, upon receipt of items or materials paid for from such special account or accounts, such items or materials shall be segregated and the Government shall have a lien on such items or materials until the advance payment or payments have been fully liquidated, or until the item or items and/or materials concerned have become the property of the Government as the result of partial payments, or otherwise: *Provided*, That if segregation in any instance be impracticable and the items or materials concerned are consequently intermingled with other property of the Contractor, then and in that event the lien above provided for in favor of the Government shall extend to the intermingled mass to the amount represented by the value of the items or materials involved; and without limiting the generality of the foregoing, such lien shall continue as follows: (a) in case the contract covers construction, until such items or materials are incorporated into the building, and thereafter on the building in the construction of which the items or materials are incorporated; (b) in the case of items or materials comprising facilities, on such facilities both before and after their installation in the plant; and (c) in the case of articles contracted for, until the items or materials so paid for are fabricated into such articles, and thereafter on the articles until accepted by the Government [; and the Government shall hereby likewise have an effective assignment of a security interest in all intangible property purchased, or otherwise acquired, with funds from said special account].* If at any time during the progress of the work under this contract it becomes necessary to deliver any item or items and/or materials upon which the Government has a lien as aforesaid to a third person, the Contractor shall notify such third person of the lien herein provided and shall obtain from such third person a receipt, in duplicate, acknowledging, inter alia, the existence of such lien. A copy of each receipt shall be delivered by the Contractor to the Contracting Officer.

(i) Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided*, That if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the _____ or his duly
(Chief of supply service)
authorized representative shall have the right to suspend further advance payments without notice.

§ 81.349 *Advance payments, machine tools.* The following clause will be included in fixed-price contracts for critical machine tools when it is contemplated that advance payments will be made thereon:

Advance payments. Upon the approval of this contract, at the request of the Contractor, the Government shall advance to the Contractor, without payment of interest therefor by the Contractor, sums not to exceed _____ or
(Insert amount of advance payment)
_____ per centum (_____%) of the contract price, as it may be amended, whichever shall be the smaller.

(b) If at any time the Contracting Officer deems that the national interest requires that security be furnished by the Contractor in addition to the provisions of this article, the Contractor shall furnish such security as shall be satisfactory to the Contracting Officer.

(c) If, upon the completion of the contract, or upon its termination for other than the fault of the Contractor, the advance payments made to the Contractor have not been fully liquidated in the manner herein provided, the unliquidated balance of such advance payments shall be deducted from any payments otherwise due the Contractor, and if the sum or sums due the Contractor be insufficient to cover such balance, the deficiency shall be paid by the Contractor in cash forthwith after demand and final audit by the Government of all accounts hereunder. In the event of cancellation or termination of this contract because of the fault of the Contractor or in case of breach of the provisions of this article by the Contractor, the Contractor agrees to return to the Government, upon demand, without set-off of any sums alleged to be due the Contractor, the unliquidated balance of any advance payment. If the demand made in either event set forth in this subparagraph is not met upon receipt of such demand by the Contractor, the amount demanded will bear interest at the rate of six per cent (6%) per annum from the date of the receipt of the demand until payment is made: *Provided, however*, That such payment of interest is hereby waived as to any sum paid by the Contractor within 15 days after the amount becomes due hereunder.

(d) Except as otherwise provided herein, liquidation of any advance payment or advance payments made to the Contractor hereunder, unless directly repaid by the Contractor, shall be made by deductions of _____ per cent from any and all payments
(Per cent of advance Authorized)
made by the Government under this contract: *Provided*, That if at any time, as a result of amendments to the contract or otherwise, the unliquidated balance of advance payments made exceeds _____ per
(Per cent of Advance Authorized)
cent of the contract price of units still to be delivered under the contract, the amount of such excess shall upon demand of the Contracting Officer or his duly authorized representative be promptly returned to the Government, or if not so returned, shall be deducted from any and all payments to be made by the Government under the contract.

(e) The Contractor shall, at all times, afford to the Contracting Officer or his duly authorized representative, proper facilities for the inspection and audit of the Contractor's accounts.

(f) Except with the approval of the Contracting Officer or his duly authorized representative, subadvances shall not exceed thirty per cent of the subcontract price.

(g) Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided*, That, if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the Contracting Officer or his duly authorized representative shall have the right to suspend further advance payments without notice.

*The bracket provision may be inserted in the case of experimental contracts or other cases where deemed especially appropriate.

§ 81.350 *Termination clause.* The following clause will be incorporated in all cost-plus-a-fixed-fee construction contracts:

Termination for Convenience of the Government

1. The Government may terminate this contract at any time by a notice in writing from the Contracting Officer to the Contractor. Such termination shall be effective in the manner and upon the date specified in said notice and shall be without prejudice to any claims which the Government may have against the Contractor. Upon receipt of such notice, the Contractor shall, unless the notice directs otherwise, immediately discontinue all work and the placing of all orders for materials, facilities, and supplies in connection with performance of this contract and shall proceed to cancel promptly all existing orders and terminate all subcontracts insofar as such orders and/or subcontracts are chargeable to this contract.

2. If this contract is terminated for the fault of the Contractor, the Contracting Officer may enter upon the premises and take possession, for the purpose of completing the work contemplated by this contract of any or all materials, tools, machinery, equipment, and appliances which may be owned by or in the possession of the Contractor and all options, privileges, and rights, and may complete or employ any other person or persons to complete said work. Following such termination, rental shall be paid to the Contractor for such construction plant or parts thereof as he may own, and which the Government may retain at rates prescribed in Article _____.

3. Upon the termination of this contract, full and complete settlement of all claims of the Contractor arising out of this contract shall be made as follows:

a. The Government shall assume and become liable for all obligations, commitments, and claims that the Contractor may have theretofore in good faith undertaken or incurred in connection with said work, the cost of which would be reimbursable in accordance with the provisions of this contract; and the Contractor shall, as a condition of receiving the payments mentioned in this article, execute and deliver all such papers and take all such steps as the Contracting Officer may require for the purpose of fully vesting in the Government, the rights and benefits of the Contractor under such obligations or commitments.

b. The Government shall reimburse the Contractor for all expenditures made in accordance with Article _____ and not previously reimbursed.

c. The Government shall reimburse the Contractor for such further expenditures after the date of termination for the protection of Government property and for accounting services in connection with the settlement of this contract as are required or approved by the Contracting Officer.

d. The Government shall pay to the Contractor any unpaid balance for the rental of the Contractor's equipment in accordance with Article _____ to date of termination.

e. If the contract is terminated for the convenience of the Government, the Contractor will be paid that proportion of the prescribed fee which the work actually completed bears to the entire work under this contract, less fee payments previously made. If the contract is terminated due to fault of the Contractor, no additional payments on account of the fee will be made.

f. The obligation of the Government to make any of the payments required by this Article, or by Article _____ of this contract, shall be subject to any unsettled claims in connection with this contract which the Government may have against the Contractor.

4. Prior to final settlement the Contractor shall furnish a release as required in Article _____ hereof.

§ 81.351 *Price adjustments clause.* The following clause will be used in those cases where the use of the standard escalator clause is required. In no case will any deviations from this clause provide for price adjustment on the basis of changes in the actual cost of labor and materials to the contractor, or in the contractor's plant.

Price adjustments. The total contract price stated in Article _____ is subject to adjustment for increases or decreases in direct labor and direct material costs in accordance with the following method:

(a) *Labor.* (1) Upon the basis of labor costs prevailing in _____, 194__, (hereinafter called the base month) the direct labor cost is estimated to be $_____. It is also estimated that the indirect labor cost attributable to this contract is _____% of such estimated direct labor cost. Direct labor, as used herein, refers only to the labor of employees of the Contractor performed directly on, and properly chargeable to, the supplies manufactured hereunder, excluding, but without limitation, all executive, managerial, supervisory, technical, professional, office, clerical and sales employees, but including working foremen, gang-bosses and strawbosses. The Contractor represents that the above estimated cost is based upon a schedule, approved by the Contracting Officer, of the kinds or classes of jobs or occupations to be charged as direct labor under this contract, and that the estimate includes only such jobs or occupations. In computing the actual direct labor cost for the purposes of paragraphs (a) (2) and (a) (3) hereof, the cost of kinds or classes of jobs or occupations not listed in this schedule, a copy of which is attached hereto, shall not be included.

(2) After deliveries under this contract have been completed, the estimated direct labor cost set forth above shall be apportioned into direct labor cost quotas for the consecutive three-month periods (hereinafter called "quota periods") beginning on the first day of _____, 194__,[1] and on the first day of each third month thereafter. This apportionment shall be made by dividing the actual direct labor cost properly charged to this contract during each quota period by the total actual direct labor cost under the contract, and by multiplying the percentage thus obtained for each quota period by the total estimated direct labor cost. The result shall be the direct labor cost quota for that period.

(3) Upon the basis of the average hourly earnings in the durable goods manufacturing industries compiled by the United States Department of Labor, Bureau of Labor Statistics, the Government will determine the average hourly earnings for each quota period by adding the average hourly earnings for each month of such quota period and dividing their sum by three, and calculations will be made of the percentage of change of such average hourly earnings for each quota period in comparison with the average hourly earnings for the same month. The labor cost quota for each quota period will then be multiplied by the percentage of change for such quota period, and the result will be applied as an increase or decrease in the contract price: *Provided*, That the total of such increases in the contract price shall not exceed the amount by which the total actual direct labor cost exceeds the total estimated direct labor cost, and that the total of such decreases in the contract price shall not exceed the amount by which the total actual direct labor cost is less than the total estimated direct labor cost.

(4) The total increase or decrease to be paid or deducted under paragraph (a) (3) shall be multiplied by _____%* and the result shall be applied as a further increase or decrease in the contract price, as an adjustment for the indirect labor cost under this contract.

(b) *Materials.* (1) Upon the basis of materials costs prevailing in the base month, the cost of direct materials which the Contractor will purchase for the performance of this contract, excluding materials to be used which the Contractor has on hand or for which firm price commitments have been obtained by him, (hereinafter called "direct materials to be purchased hereunder") is estimated to be $_____ (hereinafter called "estimated adjustable materials cost"). It is also estimated that the indirect materials cost attributable to this contract is _____% of such estimated direct materials cost. Direct materials as used herein refers only to those materials which go into and become a component part of the Contractor's finished product and which, under the cost accounting system regularly employed in the Contractor's plant, are accounted for by direct charges to the particular contract. The Contractor represents that the above estimate is based upon a schedule, approved by the Contracting Officer, of the kinds and classes of "direct materials to be purchased hereunder." In computing the actual cost of "direct materials to be purchases hereunder" for the purposes of paragraphs (b) (2) and (b) (3) hereof, the cost of kinds or classes of materials not listed in this schedule, a copy of which is attached hereto, shall not be included.

(2) After deliveries under this contract have been completed, the "estimated adjustable materials cost" shall be apportioned into materials cost quotas for the quota periods as defined in paragraph (a) (2) above. This apportionment shall be made by dividing the total actual cost of "direct materials to be purchased hereunder" into the portion of such cost properly charged to the contract during each quota period, and by multiplying the percentage thus obtained for each quota period, by the total "estimated adjustable materials cost." The result shall be the materials cost quota for that period. Direct materials shall be charged to the contract for the quota period during which the price therefor is determined as between the Contractor and the materials supplier: *Provided*, That where commitments are obtained by the Contractor for future deliveries at a firm price in excess of the market price prevailing at the time such commitments were obtained, such materials shall be charged to the contract for the quota period during which delivery is to be received by the Contractor: *And, Provided, further*, That with respect to materials which are not identifiable with the purchase commitments under which they are acquired, determinations as to (1) whether the materials employed in the performance of this contract were on hand at the time the contract was executed, and (2) the quota period to which the materials are to be charged and the amount of such charge shall, with the approval of the Contracting Officer, be made on the basis of

[1] The month during which the contract is executed or performance is commenced, whichever is earlier.

*The percentage of indirect labor cost stated in paragraph (a) (1).

the accounting system regularly employed in the Contractor's plant.

(3) The Government will average for each quota period the index numbers of wholesale prices for --------[2] compiled by the United States Department of Labor, Bureau of Labor Statistics, for the three months included within such quota period, and calculations will be made of the percentage of change of such average index numbers for each quota period in comparison with the index numbers for the base month. The materials cost quota for each quota period shall then be multiplied by the percentage of change for such quota period, and the result will be applied as an increase or decrease in the contract price: *Provided*, That the total of such increases in the contract price shall not exceed the amount by which the actual cost of "direct materials to be purchased hereunder" exceeds the total "estimated adjustable materials cost," and that the total of such decreases in the contract price shall not exceed the amount by which said total actual cost of "direct materials to be purchased hereunder" is less than the total "estimated adjustable materials cost."

(4) The total increase or decrease to be paid or deducted under Paragraph (b) (3) shall be multiplied by --------% [**] and the result shall be applied as a further increase or decrease in the contract price, as an adjustment for the indirect materials cost under this contract.

(c) *General.* (1) For the purpose of determining increases or decreases in contract prices, rates of change in average hourly earnings and rates of change in the materials index number will be calculated to the nearest one-tenth of one per cent, and there shall be used the latest figures which shall have been issued by the Bureau of Labor Statistics up to the close of the fourth month following the last quota period under this contract.

(2) Payments for increases, or deduction for decreases in the contract price, resulting from the operation of this article, will be made after the completion of the calculations of price adjustments in accordance herewith: *Provided*, That the Government may, from time to time during the life of the contract, make partial payments on account of such increases, subject to such requirements as a condition precedent to such payments as the Contracting Officer may provide: *Provided, further*, That in the event such partial payments shall exceed the amount due to the Contractor by the operation of this article, the Government shall deduct the amount of such excess from any further payments due under this contract.

(3) Should the Contractor, during the performance of this contract, on account of subcontracting, or otherwise, depart from the production method upon which the estimates and schedules of direct labor and direct materials costs were based to such an extent that the use of such estimates or schedules will operate to produce an unfair adjustment of the contract price, a corresponding correction in such estimates or schedules may be made by mutual agreement between the Contractor and the Contracting Officer. In the event of disagreement with respect to the need for or extent of such correction, the procedure of Article -------- (Disputes) shall apply.

(4) If this contract is terminated pursuant to any provision thereof the contract price shall be adjusted as provided above, except that for the purposes of paragraphs (a) (2), (a) (3), (b) (2), and (b) (3), the terms "estimated direct labor cost" and "estimated adjustable materials cost" shall be understood to refer to that part of such costs which corresponds to that proportion of the supplies contracted for which is completed and delivered by the Contractor, and the terms "actual direct labor cost" and "actual cost of direct materials to be purchased hereunder", shall refer only to that part of such costs which is properly chargeable to the supplies completed and delivered.

(5) The Contractor shall file with the Contracting Officer, not later than sixty days after the completion of the performance of the work under this contract or after its termination, a statement of the actual direct labor costs and the actual costs of "direct materials to be purchased hereunder," certified as correct by an independent public accountant approved by the Contracting Officer, showing the amounts of such costs properly chargeable during each quota period and, in case of termination, the amounts properly chargeable to the supplies completed and delivered. In determining the total actual direct labor cost and the total actual "direct materials to be purchased hereunder," and in determining the amounts thereof to be charged in each quota period, the Contractor may, subject to the approval of the Contracting Officer and to the limitations of paragraph (b) (2), employ the accounting system regularly employed in the Contractor's plant. Such statement shall be deemed prima facie correct. The Government reserves the right to audit the books and records of the Contractor, to determine the accuracy of such determinations and certification, and to obtain any information in connection with the operation of this Article. All information obtained from the Contractor's records shall be treated as confidential. The Contractor shall preserve all the books, papers, and other accounting records pertaining thereto: *Provided*, That if the Contractor at any time after the lapse of three years following the completion or cessation of work under the contract, desires to dispose of said books, papers, and accounting records, he shall so notify the Secretary of War, or his duly authorized representative, who shall either authorize their destruction or notify the Contractor to turn them over to the Government for disposition.

(6) If after the date on which the prices herein were quoted, the Congress or any state legislature, shall impose, remove, increase or decrease any payroll tax required to be borne by the Contractor and directly applicable to or measured by the payrolls of the Contractor hereunder, then the rate of such newly imposed tax, or the net increase or net decrease in the rate of a previously imposed tax, shall be multiplied by that portion of the actual direct labor cost which is subject to such increases or decreases in the tax or taxes, and the result shall be paid the Contractor under this paragraph.

[2] The index for the commodities group which includes the items making up the major portion of the "direct materials to be purchased hereunder."

[**] The percentage of indirect materials cost stated in Paragraph (b) (1).

Bonds and Insurance

General

§ 81.401 *Rescission of regulations.* Army Regulations 5–140, May 22, 1940, as amended; Army Regulations 5–220, August 7, 1940, as amended; and all other prior directives and instructions relating to bonds and insurance are hereby rescinded.

§ 81.402 *Definitions*—(a) *Bid bond.* A bond accompanying a bid and providing that:

(1) The bid will not be withdrawn after the opening within the period specified in the bid or, if no shorter period is specified, within 60 days.

(2) A written contract with such bond or bonds as may be required will be executed within 10 days after the prescribed forms are presented for signature.

(b) *Performance bond.* A bond executed in connection with a contract and securing the performance and fulfillment of all the undertakings, covenants, terms, conditions, and agreements of the contract.

(c) *Payment bond.* A bond executed in connection with a contract and securing the payment of all persons supplying labor and material in the prosecution of the work provided for in the contract.

(d) *Annual bid bond.* A single bond securing all bids submitted to the designated agency during the fiscal year in lieu of a separate bid bond with each bid.

(e) *Annual performance bond.* A single bond securing all contracts executed with the designated agency during the fiscal year in lieu of a separate performance bond with each contract.

(f) *Patent infringement bond.* A bond executed in connection with a contract which contains a patent provision and securing the performance of that provision.

(g) *Advance payment bond.* A bond executed in connection with a contractual provision for an advance payment and securing the fulfillment of said provision.

(h) *Contract for public work of the United States.* A contract for work, labor, or manufacture upon articles of property belonging to the United States, as well as a contract for supplies wherein it is provided that partial payment will be made for material and labor as the manufacture or construction of such supplies progresses, title to which vests in the United States upon the making of such partial payment, is a contract for "public work of the United States," although the contractor retains possession and remains responsible for the care of the property so paid for until finally accepted by the United States.

Bonds

§ 81.403 *Examination of bonds.* All fidelity and surety bonds (bid bonds excepted) required by the several bureaus of the War Department will be forwarded to The Judge Advocate General for examination as to whether they are legally sufficient and are in proper form and duly executed; in the case of corporate sureties, to ascertain whether those who purported to execute them on behalf of such surety companies had authority to do so; in the case of individual sureties, to ascertain whether the affidavit of justification and the certificate of sufficiency of the sureties are in accordance with regulations; and in case of payment bonds required by the act of August 24, 1935 (49 Stat. 793), to ascertain whether the penal sum thereof is in the requisite amount.

§ 81.404 *Filing of bonds.* All bonds provided for in these regulations will be executed in duplicate. The original, except those bonds required to be approved or filed elsewhere than at the War Department, will be forwarded through The Judge Advocate General to the General Accounting Office for file, and the duplicate will be filed in the office to which it pertains or which authorized its acceptance. In the case of those bonds required to be approved or filed elsewhere than at the War Department, the duplicate (bid bonds excepted) will be forwarded to The Judge Advocate General for examination.

§ 81.405 *Options in lieu of surety or sureties on bonds*—(a) *United States bonds or notes*—(1) *Authority.* Any person required to furnish a bond executed by himself as principal has the option of depositing United States Liberty Bonds or other United States bonds or notes (except as provided in subparagraph (2) (iv) of this paragraph) in a sum equal at their par value to the penal amount of the bond in lieu of furnishing sureties on his bond. Sec. 1029, Act June 2, 1924 (43 Stat. 349), as amended by sec. 1126, Act February 26, 1926 (44 Stat. 122); and sec. 7, Act February 4, 1935 (49 Stat. 22); 6 U.S.C. 15.

(2) *Procedure.* (i) The procedure for carrying out the afore-cited authority is contained in Treasury Department Circular No. 154, dated February 6, 1935.

(ii) The contracting officer is the "bond approving officer" who will turn over the securities deposited with him to the local disbursing officer for safekeeping, and the disbursing officer will receipt therefor in duplicate on Form B, Treasury Department Circular No. 154.

(iii) Instead of keeping securities turned over to him the disbursing officer may deposit them with the Treasurer of the United States, a Federal Reserve bank, branch Federal Reserve bank having the requisite facilities, or other depository duly designated for that purpose by the Secretary of the Treasury, under procedure prescribed in Treasury Department Circular No. 154.

(iv) United States Savings Bonds may only be pledged in lieu of sureties when the bond approving officer is the Secretary of the Treasury, thus precluding the acceptance by War Department contracting officers of United States Savings Bonds in lieu of sureties. Treasury certificates of indebtedness are not acceptable.

(b) *Certified checks, money orders or currency*—(1) *Authority.* Any person required to furnish a bond executed by himself as principal has the option of depositing a certified check, a Post Office money order, or currency, in lieu of furnishing sureties on his bond, provided the penal sum of said bond is not in excess of $50,000.

(2) *Procedure.* (i) Certified checks or Post Office money orders will be drawn to the order of the Treasurer of the United States.

(ii) Certified checks, Post Office money orders and currency accepted by the contracting officer in lieu of a bond will be promptly turned over to the local disbursing officer and deposited by him in a special deposit account. A certificate as to this action will be executed by the disbursing officer and attached to each copy of the contract.

(iii) The amount of the security deposited will be refunded to the contractor upon the completion of the terms of the agreement for which the security is deposited.

§ 81.406 *Corporate sureties*—(a) *Formal requirements.* In order to be acceptable to the War Department a corporate surety, except as hereinafter provided, must have obtained from the Secretary of the Treasury authority to do business under the act of August 13, 1894 (28 Stat. 279), as amended by the act of March 23, 1910 (36 Stat. 241; 6 U.S.C. 8; M.L. 1939, sec. 534). A list of the corporations approved by the Secretary of the Treasury is published semiannually by the Treasury Department as Form No. 356 (Section of Surety Bonds), copies of which may be procured from the chief of the supply service concerned, who will make requisition for his requirements to The Judge Advocate General semiannually on March 15 and September 15. These corporations are acceptable as sureties upon bonds required by the War Department within the limitation of such approval: *Provided, however*, That any corporation authorized under the laws of the Philippine Islands to act as surety on bonds may be accepted as surety on bonds executed in the Philippine Islands in an amount of penalty not exceeding 10 per cent of the paid-up capital and surplus of such corporation, although it has not qualified before the Treasury Department as hereinbefore provided.

(b) *Qualifications of agents.* Surety companies must furnish promptly to the War Department, for file in the office of The Judge Advocate General:

(1) Powers of attorney authorizing their agents to execute bonds;

(2) Powers of attorney, or certified copies of resolutions of their boards of directors or trustees, authorizing their officers to execute bonds; and

(3) Certificate showing the revocation of such authority to execute bonds.

(c) *One or more companies*—(1) *Supply contracts.* One or more companies may be accepted as surety upon any recognizance, stipulation, bond, or undertaking in connection with supply contracts under the War Department. On bonds covering supply contracts where the amount is greater than the underwriting limitation of a surety company, the latter may reinsure with a company on the acceptable list of surety companies having the required underwriting limitation.

(2) *Construction and public work contracts.* One or more companies may be accepted as surety upon any recognizance, stipulation, bond, or undertaking in connection with contracts for the construction of any building or the prosecution or completion of any public work or for the repair of any public building or public work under the War Department, but in all cases of more than one surety, the sureties must execute such obligation jointly and severally. In the event of two or more corporate sureties, where it is desired to limit the obligation and liability of each surety, the limit of liability of each surety shall be set forth in the bond as a definite and specified sum, such amount to be in all cases within the limitation of its qualified power.

Reinsurance agreements will not be accepted on contracts for the construction, alteration, or repair of any public buildings or public work of the United States.

§ 81.407 *Individual sureties*—(a) *Number of.* If individual sureties are furnished, there shall be at least two responsible individuals.

(b) *Measure of liability.* The liability of each surety shall extend to the entire penal amount of the bond, except that when more than two sureties are furnished, the Secretary of War may authorize special provisions in respect of liability.

(c) *Justification.* (1) Individual sureties will each justify in a sum not less than the penal amount of the bond.

(2) In special cases two or more bonds may be accepted to cover one contract provided there are two different individual sureties on each bond.

(d) *Citizenship.* (1) Except as prescribed in subparagraph (2) below, individual sureties will be citizens of the United States.

(2) Sureties on bonds executed in foreign countries, the Canal Zone, the Philippine Islands, Puerto Rico, Hawaii, Alaska, or any possession of the United States, for the performance of contracts entered into in these places, need not be citizens of the United States, but sureties other than citizens of the United States must be domiciled in the place where the contract is to be performed.

(e) *Firm or corporation as principal obligor.* (1) A firm as such will not be accepted as a surety, nor a partner for copartners or for a firm of which he is a member.

(2) When a corporation executes a bond as principal, any stockholder of the corporation is a competent surety on the bond, provided he is worth the amount for which he justified, over and above the value of his holdings in the corporation, and provided further that that fact is expressly stated in his affidavit of justification.

§ 81.408 *Bid bonds.* (a) The extent to which bid bonds will be required, and the penalties of such bonds, will be determined by the chief of the supply service concerned except that in the case of advertised contracts bid bonds will be required in all cases where the invitations to bidders specify that the contracts are to be supported by performance and/or payment bonds.

(b) Standard Form No. 24 (Standard Government Form of Bid Bond (construction or supply)) is the approved bid bond form. In the preparation of the form, contracting officers are authorized, when deemed by them to be in the best interests of the Government, to insert in the blank space on page one, following the words "in the penal sum of" and before the word "dollars", the following clause:

• • • an amount equal to ------ per cent of the accompanying bid of said principal, but in no event shall said penalty exceed the sum of • • •

There should be inserted in the first blank space of the above clause the percentage deemed appropriate by the contracting officer, having regard to existing instructions of the chief of the supply service concerned, and in the second blank space the amount of the maximum penalty in dollars.

§ 81.409 *Annual bid bond*—(a) *When authorized.* (1) Bidders may file an annual bid bond to cover all bids submitted to any particular purchasing officer during the fiscal year.

(2) When authorized by the chief of the supply service concerned, a bidder may file an annual bid bond to cover all bids submitted to all purchasing officers of that supply service serving within the continental limits of the United States during the fiscal year.

(3) When authorized by the chief representative of the supply service concerned in an oversea department, a bidder may file an annual bid bond to cover all bids submitted to purchasing officers of that supply service within that department during the fiscal year.

(b) *Form used.* Standard Form No. 34 (Standard Government Form of Annual Bid Bond (supplies)) will be utilized and all instructions thereon will be complied with.

§ 81.410 *Performance bonds.* (a) The requirement of performance bonds to secure the performance of contracts is discretionary with the chief of the supply service concerned. However, the requirement of performance bonds will be the exception rather than the rule.

(b) Sureties on a bid bond are acceptable as sureties on a performance bond by the same person, provided they are able to justify as required.

(c) The use of the following performance bond forms is authorized:

(1) Standard Form No. 25 (Standard Government Form of Performance Bond (construction or supply)) when the bond is to be executed by individual sureties or one corporate surety.

(2) Standard Form No. 25–B (Standard Government Form of Performance Bond (construction or supply)) when the bond is to be executed by two or more corporate sureties and it is desired to limit the liability of several corporate sureties. For cases involving more than six sureties, continuation sheets to sheets 1 and 3 of the form are provided, bearing the form designations Standard Form No. 25–B1 and No. 25–B3.

(d) The amount of the penalty will be fixed in accordance with instructions of the chief of the supply service concerned. The penalty of the bond should be fixed in the lowest amount which, in the exercise of sound judgment, is deemed adequate for the protection of the United States.

§ 81.411 *Annual performance bond*—(a) *When authorized.* Contractors may file an annual performance bond:

(1) To cover all contracts entered into with any particular contracting officer during the fiscal year.

(2) When authorized by the chief of the supply service concerned to cover all contracts entered into with contracting officers of that supply service within the continental limits of the United States during the fiscal year.

(3) When authorized by the chief representative of the supply service concerned in an oversea department, to cover all contracts entered into with contracting officers of that supply service within that department during the fiscal year.

(b) *Form used.* Standard Form No. 35 (Standard Government Form of Annual Performance Bond (supplies)) will be utilized, and all instructions thereon will be complied with.

(c) *Record of obligations.* The officer having custody of the retained copy of such a bond will record all obligations against the bond and will require the contractor to post additional bonds when the obligations exceed the amount of the bond.

§ 81.412 *Payment bonds.* (a) The requirement of payment bonds to secure the payment of labor and materialmen is discretionary with the chief of the supply service concerned except that in the case of construction contracts where performance bonds are required, payment bonds will also be required. The requirement of payment bonds will otherwise be the exception rather than the rule.

(b) Sureties on bid bonds and performance bonds are acceptable on payment bonds by the same person, provided they are able to justify as required.

(c) The use of the following payment bond forms is authorized:

(1) Standard Form No. 25–A (Standard Government Form of Payment Bond (construction)) when the bond is to be executed by the individual sureties or one corporate surety.

(2) Standard Form No. 25–C (Standard Government Form of Payment Bond (construction)) when the bond is to be executed by two or more corporate sureties and it is desired to limit the liability of several corporate sureties. For cases involving more than six sureties, continuation sheets to sheets 1 and 3 of the form are provided, bearing the form designations Standard Form No. 25–C1 and 25–C3.

(d) The amount of the penalty will be fixed in accordance with instructions of the chief of the supply service concerned. The penalty of the bond should be fixed in the lowest amount which, in the exercise of sound judgment, is deemed adequate for the protection of the United States as representative of labor and materialmen.

§ 81.413 *Patent infringement bonds.* When a contractor is required to furnish a patent infringement bond, such bond will be in the form prescribed in advance by the chief of the supply service concerned, and in an amount which the contracting officer considers sufficient for the protection of the Government. The form of "Affidavit by Individual Surety" will conform to that in Standard Form No. 25 (Revised), approved by the Secretary of the Treasury (1935).

§ 81.414 *Advance payment bonds*—(a) *Requirement.* The requirement of advance payment bonds to secure the performance of advance payment agreements is discretionary with the chief of the supply service concerned. Advance payment bonds will be required in only the most exceptional circumstances.

(b) *Form used.* Standard Form No. 25 (Standard Government Form of Performance Bond (construction or supply)) may be used as advance payment bond form by making the following changes in the standard form:

(1) *Where provisions for advance payments are contained in the basic contract.* Delete "Performance bond" from the heading and substitute "Advance payment bond" therefor. After completing the clause beginning "The condition of this obligation is such," so as to identify the basic contract, add the following clause:

And whereas such contract authorizes advance payments to the contractor in the sums not to exceed $------, or ------ per centum of the contract price, as it may be amended, whichever shall be the smaller.

In the defeasance clause (the clause beginning "Now, Therefore,") insert the words "relating to advance payments" in line 2 between the word "contract" and the word "during" and also after the word "contract" in line 6 of such clause.

(2) *Where provisions for advance payments are contained in a supplemental agreement.* Delete "Performance bond" from the heading and substitute "Advance payment bond" therefor. After completing the clause beginning "the condition of this obligation is such," so as to identify the principal contract, add the following:

• • • and whereas the Government has entered into a contract supplemental to the aforesaid principal contract, such supplemental contract being dated ---------- and authorizing advance payments to the contractor of sums not to exceed $------ or ----- per centum of the contract price, as it may be amended, whichever shall be the smaller. Delete the word "contract" from line 2 (both places) and line 6 of the defeasance clause and substitute therefor at each place the words "supplemental contract relating to advance payments.

(c) *Amount of penalty.* The amount of the penalty will be fixed in accordance with instructions of the chief of the supply service concerned. The penalty of the bond should be fixed in the lowest amount which, in the exercise of sound judgment, is deemed adequate for the protection of the United States.

§ 81.415 *Bonds executed by receivers, trustees, administrators, or executors.* (a) Receivers, trustees, administrators, and executors are officers of the court appointing them and their powers as such are limited. When a bond executed by a receiver, trustee, administrator, or executor is submitted, in addition to the court order showing his authority for the execution of the bond, the following method of preparing and executing the bond will be followed. The obligation should read:

I (we) John Doe (and ----------) as [(executor(s)) (administrator(s)) of the estate of ---------- deceased] (trustee(s) of ----------) (receiver(s) of ----------).

The execution should be prepared and signed by the representative in the blank spaces for individual principals in the following form:

John Doe (and ----------) as [(executor(s)) (administrator(s)) of the estate of ---------- deceased] (trustee(s) of ----------) (receiver(s) of ----------).

In the case of a bond executed by the receiver of a corporation, the corporate seal should not be affixed as the bond is not the bond of the corporation but the bond of the individual as receiver of the corporation.

(b) Bonds executed by a receiver or trustee, which may extend beyond the term of his appointment, and bonds executed by administrators or executors, will in general not be accepted except when the court has by specific decree authorized the execution of the kind of bond submitted by the receiver, trustee, administrator, or executor, or has granted authority to execute such a bond by name in the court order appointing such officer, in the event of which a duly authenticated copy of such order must be attached to the bond.

§ 81.416 *Substitution or replacement of surety.* (a) In case of financial embarrassment, failure, or other disqualifying cause on the part of the surety under a bond, the Commanding General, Services of Supply, will require the bond to be substituted or replaced to his satisfaction, upon notification to the principal.

(b) The Secretary of the Treasury is empowered to require the principal of any corporate surety to give additional bond at any time when he determines any such corporate surety to be no longer sufficient security. See sec. 4, act August 13, 1894 (28 Stat. 279), as amended by act March 23, 1910 (36 Stat. 241; 6 U.S.C. 9.)

§ 81.417 *Reports.* The chief of each supply service will transmit to the Insurance Section, Procurement and Distribution Division, Services of Supply, a data sheet in connection with each contract in support of which a bond is required. The information which will be supplied on the data sheet will be the contract number, name of the contractor, name of the project or the type of the supplies, amount of contract, penalty of the bond, type of bond, name of surety, bond number, effective date of bond, premium charged, and rate of premium per $1000 of bond penalty.

INSURANCE

§ 81.418 *Regulations.* Pending the publication of a manual governing insurance and insurance procedure, the following regulations will apply.

§ 81.419 *General policy.* Insurance coverages will not be required nor authorized except in those cases where the procurement of certain types of insurance is desirable or necessary in the prosecution of the war.

§ 81.420 *Cost-plus-a-fixed-fee contracts.* The following will specifically govern the procurement of insurance:

(a) *Fire and allied insurance coverages.* These forms of insurance will not be authorized without the prior approval of the Insurance Section, Procurement and Distribution Division, Services of Supply.

(b) *Casualty insurance coverages.* Contractors will be required to procure and maintain the following insurance which will cover the operations of the prime contractor and all cost-plus-a-fixed-fee subcontractors thereunder:

(1) Workmen's Compensation insurance (statutory limits) including occupational diseases coverage ($50/100,000 limits). In jurisdictions where no compensation law is applicable, Employers' Liability insurance ($50/100,000 limits).

(2) General Public Liability insurance ($50/100,000 limits) for personal injury liability to be written on comprehensive policy form.

(3) Automobile Liability for Personal Injury ($50/100,000 limits) and Property Damage insurance ($5,000 limit) to be written on comprehensive policy form.

(c) *Marine insurance.* Where the operation of floating equipment is involved, a report stating the nature of the work, a description of the equipment and terms under which it is being used will be made to the Insurance Section, Procurement and Distribution Division, Services of Supply. Arrangements, to be announced later, are in process whereby all such equipment will be insured through the Maritime Commission.

(d) *Miscellaneous insurance.* Certain other forms of insurance and bonds such as pay roll robbery, interior holdup, safe burglary, fidelity bonds, license and permit bonds, forgery bonds and public property damage may be authorized by the chiefs of the supply services or their authorized representatives if the circumstances warrant. The authorization of such additional coverages will be the exception rather than the rule.

(e) *Methods of purchase.* The coverages required by paragraph (b) of this section will be purchased and written under the War Department Insurance Rating Plan. The only exception to this requirement will be when insurance carriers are prohibited by state insurance officials from writing policies on this basis. All such cases will be directed to the attention of the Insurance Section, Procurement and Distribution Division, Services of Supply. In those cases where the War Department Insurance Rating Plan is inapplicable, insurance may be purchased on the customary basis.

(f) *Lump sum subcontractors.* Such subcontractors will be required to provide the prime contractor and the contracting officer with certificates of insurance showing that insurance as required by paragraph (b) of this section is in force. Limits of insurance should be at least equal to those specified for the prime contractor. The only exception to this requirement is where the lump sum subcontractor is a self insurer and his ability to respond in damages can be shown to the satisfaction of the chiefs of the supply services or their authorized representatives.

§ 81.421 *Architect-engineer-management contracts.* In order to obtain the most suitable and efficient arrangements with respect to insurance, hospital and medical, loss paying and safety engineering facilities, the chief of the supply service concerned or his duly authorized representative may require the Architect-Engineer-Manager contractor to provide, through one insurance company, coverage for all contractors on the project. The requirements established in § 81.420 (b) will apply, and insurance covering lump sum contractors will be provided under the policies issued to the A-E-M contractor (written under the War Department Insurance Rating Plan). Lump sum contracts in such cases will not include any estimated cost for the insurance so provided.

§ 81.422 *Lump sum prime contracts (construction).* No insurance requirements will be imposed on the contractor unless, in the opinion of the chief of the supply service concerned or his authorized representative, the imposition of certain insurance requirements will serve to safeguard the contractor's ability to complete the contract. If performance and payment bonds support the contract, the requirement of any insurance should be unnecessary.

§ 81.423 *Contracts with United States Contractors for work outside the United States.* Contracts of this kind are generally on a cost-plus-a-fixed-fee basis, and involve a determination of the applicable laws and local conditions which will probably be encountered. The insurance arrangements and types of insurance to be employed, if any, will be subject to the approval of the Insurance Section, Procurement and Distribution Division, Services of Supply. Notification of the negotiation of such contracts to the Insurance Section, Procurement and Distribution Division, Services of Supply, will enable that section to complete negotiations of the insurance arrangements simultaneously with the preparation of the contract.

§ 81.424 *Boiler inspections.* (a) Boiler inspection services may be arranged for by the contracting officer or the contractor with the approval of the contracting officer in connection with facilities which are owned by the Government (except where statutory inspections by the Department of Commerce are required) and in the case of contractor-owned facilities operated under cost-plus-a-fixed-fee contracts exclusively for the War Department.

(b) The Boiler inspection contract approved April 9, 1942, will be executed by the contracting officer and the insurance company concerned in those cases where

contracting officers desire to utilize the insurance company inspection facilities.

§ 81.425 *Claims and litigation.* Each contracting officer or other War Department representative in charge of the project or activities involved will immediately teletype, radio, or telegraph to the Litigation Section, Office of The Judge Advocate General, Washington, D. C., notification of any suit involving the interests of the United States. Such notification will give all pertinent facts concerning the suit, the names of the parties thereto, the date of service of process, statement of the alleged cause of action, the amount sued for, the date on which answer to the suit must be filed, statement of the principal defense to the suit which the defendant may raise and a statement as to whether the amount sued for is fully covered by insurance and if so, whether or not the insurance carrier will accept full responsibility for the defense of this suit.

§ 81.426 *War risk lump sum contracts.* The chiefs of the supply services or their authorized representatives may execute the War Risk Indemnity Contract approved by the Under Secretary of War, January 2, 1942, with any reliable insurance carrier subject to the following conditions:

(a) The contracts will be executed on the War Risk Indemnity Contract form, approved by the Under Secretary of War, January 2, 1942.

(b) The contractor whose workmen's compensation insurance is involved must be a lump sum prime contractor or lump sum subcontractor.

(c) The lump sum prime contract or lump sum subcontract must be for work outside of the several states of the United States and the District of Columbia.

(d) The lump sum prime contractor or subcontractor shall have been unable or be unable to have his existing workmen's compensation insurance continued or to obtain workmen's compensation insurance from another insurance carrier on account of war risk hazards.

(e) The workmen's compensation insurance contract, made a part of the War Risk Indemnity Contract, must be issued to apply solely to the contract of the lump sum contractor involved and cover employees engaged in the performance of the work at the locations described therein. Such insurance contract may be issued on the form customarily used.

§ 81.427 *Reports.* Copies of all policies, certificates of insurance, reports of insurance companies and insurance advisors, War Risk Indemnity Contracts, Boiler Inspection Contracts, and all other data pertaining thereto will be forwarded to the Insurance Section, Procurement and Distribution Division, Services of Supply.

FOREIGN PURCHASES

§ 81.501 *Rescission of regulations.* Army Regulations 5–340, August 10, 1936, as amended, and all other prior directives and instructions relating to the Buy American Act and foreign purchases are hereby rescinded.

§ 81.502 *Buy American Act (quoted):*

SEC. 1. That when used in this title—

(a) The term "United States", when used in a geographical sense, includes the United States and any place subject to the jurisdiction thereof;

(b) The terms "public use", "public building", and "public work" shall mean use by, public building of, and public work of, the United States, the District of Columbia, Hawaii, Alaska, Puerto Rico, the Philippine Islands, American Samoa, the Canal Zone, and the Virgin Islands.

SEC. 2. Notwithstanding any other provision of law, and unless the head of the department or independent establishment concerned shall determine it to be inconsistent with the public interest, or the cost to be unreasonable, only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States, shall be acquired for public use. This section shall not apply with respect to articles, materials, or supplies for use outside the United States, or if articles, materials, or supplies of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

SEC. 3. (a) Every contract for the construction, alteration, or repair of any public building or public work in the United States growing out of an appropriation heretofore made or hereafter to be made shall contain a provision that in the performance of the work the contractor, subcontractors, material men, or suppliers, shall use only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States except as provided in section 2: *Provided, however,* That if the head of the department or independent establishment making the contract shall find that in respect to some particular articles, materials, or supplies it is impracticable to make such requirement or that it would unreasonably increase the cost, an exception shall be noted in the specifications as to that particular article, material, or supply, and a public record made of the findings which justified the exception.

(b) If the head of a department, bureau, agency, or independent establishment which has made any contract containing the provision required by subsection (a) finds that in the performance of such contract there has been a failure to comply with such provisions, he shall make public his findings, including therein the name of the contractor obligated under such contract, and no other contract for the construction, alteration, or repair of any public building or public work in the United States or elsewhere shall be awarded to such contractor, subcontractors, material men, or suppliers with which such contractor is associated or affiliated, within a period of three years after such finding is made public. • • • *Title III, Act March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a, b, and c; M. L., 1939, sec. 742).*

§ 81.503 *Applicability of Act.* (a) By determination of the Secretary of War, dated March 13, 1942, restrictions of the above-quoted Act are suspended as to all contracts or orders except those for articles of food or clothing which had not theretofore been exempted from such restrictions.

The term "articles of food" includes only those items actually purchased for use as such, and does not include food products purchased for other uses. "Articles of clothing" includes only those items purchased for use as clothing.

(b) The articles of food or clothing heretofore exempted from the restrictions are as follows:

(1) All articles of food or clothing which have been mined, produced or manufactured, as the case may be, in the Dominion of Canada.

(2) The following items without regard to country of origin:

Bananas.
Brazil nuts.
Canned corn beef.
Chocolate.
Citron.
Cocoa.
Coffee.
Fish oils.
Green olives.
Molasses.
Orange and lemon peel.
Spices.
Sugar.
Tapioca.
Tea.
Vanilla.

(3) Articles of food or clothing for use outside of the United States.

(4) Articles of food or clothing purchased in any of the Atlantic bases located on land leased to the United States pursuant to the London agreement, dated March 27, 1941.

(5) The following exemptions may also be relevant in view of the possible use of the items so exempted in manufacturing items of clothing.

Asbestos.
Cork.
Cotton linters.
Cotton, long staple.
Flax.
Flaxseed.
Hemp.
Jute, unmanufactured.
Kapok.
Leather.
Manila fiber.
Mohair.
Rayon.
Rubber.
Silk.
Sisal.
Tanning materials.
Hides (and skins).
Hog bristles.
Jute burlaps.
Wool.

§ 81.504 *Procedure for complying with the Act.* In making purchases of articles of food or clothing which are still subject to the restrictions of the "Buy American" Act, the chief of the supply service concerned should make every effort to satisfy his requirements for such articles out of domestic production. In any case where the chief of the supply service finds it essential to purchase articles of food or clothing of foreign production, a recommendation should be submitted to the Chief, Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, for a determination under the "Buy American" Act permitting such purchase.

§ 81.505 *Duty*—(a) *Payment of, not required.* Executive Order 9177, dated May 30, 1942 (7 Fed. Reg. 4195) extends the authority contained in the act approved June 30, 1914 (38 Stat. 399; 34 U.S.C. 568) to the Secretary of War and to such persons as he may delegate such authority. The law and executive order authorizes the Secretary of War to make emergency purchases of war material abroad and provides that when such purchases are made abroad, the material shall be admitted free of duty and prescribes a form of customs certificate to be made for that purpose. See paragraph (a) of § 81.506. Regulations of the Commissioner of Customs, Treasury Department, under Executive Order No. 9177, are published in T. D. 50651, approved June 8, 1942.

(b) *Bond not required.* No bond prescribed by any provision of the customs laws or regulations is required in connection with the importation of articles when such articles are imported by the War Department, its bureaus, or authorized agents.

§ 81.506 *Clearance-through customs*—(a) *Foreign goods*—(1) *Delegation of authority.* The purchasing officer, or other officer or official, to whom authority under § 81.505 has been delegated by the Secretary of War, through the chief of supply service, will make all required certificates to the customs authorities, with respect to past or future emergency purchases of war materials abroad, in order to secure entry and admission free of duty, in the following form:

The procurement of this material constituted an emergency purchase of war material abroad and it is accordingly requested that such material be admitted free of duty pursuant to the Act of June 30, 1914 (34 U.S.C. 568) and Executive Order No. 9177.

(2) *Purchase orders; bills of lading; etc.* (i) The purchasing officer, or other officer or official, to whom authority has been delegated as indicated in subparagraph (1) of this paragraph, will furnish the port quartermaster at the port of entry with two copies of the purchase order. One of the copies, subject to the provisions of AR 380–5,[6] is for the collector of customs at port of entry and will contain the certificate quoted in subparagraph (1) of this paragraph signed by such purchasing officer, or other officer or official, as the case may be.

(ii) Bills of lading showing full marks (§ 81.507) will be sent to the port quartermaster at the port of entry and should be mailed so as to arrive not later than the shipment.

(iii) Under the Tariff Act of 1930, the consignee may make entry by producing a bill of lading, a carrier's certificate, or duplicate bill of lading. A shipping receipt or other document may also be accepted as authority for making entry, if the collector is satisfied that no bill of lading has been issued, provided the shipping receipt or other document bears a certificate of the carrier in accordance with subsection (h) or (i) of section 484 of the Tariff Act, or if the entry is made by the actual consignee in person or in his name by a duly authorized agent.

(3) *Donations, etc.* Small shipments of property donated by foreign governments or otherwise acquired without expense, such as maps, books, or samples of military equipment, should be made the subject of a letter of advice addressed by the purchasing officer or other officer or official to whom authority has been delegated as indicated in subparagraph (1) of this paragraph, to the port quartermaster at port of entry, setting forth fully the status of the shipment and giving the name of the port from which the shipment will move, the probable date of arrival, and the name of the steamer, if known.

(b) *Returned American goods.* (1) The purchasing officer will furnish the port quartermaster at the port of entry with an invoice of returned American goods, substantially in accordance with the following form, supplemented, when necessary, by a letter of advice:

INVOICE OF RETURNED AMERICAN GOODS AND DECLARATION OF FOREIGN EXPORTER

---------- ------ 19--
(place) (date)

I, ----------, do solemnly and truly declare that the several articles of merchandise herein specified are, to the best of my knowledge and belief, truly and bona fide of the growth (or production or manufacture) of the United States; that they were exported from the United States, by the United States, from the port of ---------- on or about ---------- 19--; that they are returned by the United States per ----------, due to said ----------, 19--, consigned to ---------- without having been advanced in value or improved in condition by any process of manufacture or other means; and that no drawback, bounty, or allowance has been paid or admitted thereon or any part thereof.

(Signature)

Marks	Numbers	Quantity	Description	Value United States coin

Declared to before me this ------ day of ----------, 19--:

(To be sworn to before any officer authorized to administer oaths, except that if the value exceeds $100, it must be sworn to before the American consul.)

(2) This invoice will be accomplished in triplicate and disposed of as a "certified invoice."

(3) The following brief will be placed on the back of each copy:

CUSTOMHOUSE INDORSEMENT

No. ----------
Importer ----------
Vessel ----------
From ----------
Arrived ----------
Kind of entry ----------

Marks, quantity, and contents ----------
----

§ 81.507 *Marking of shipments.* (a) All supplies purchased abroad will be consigned to and marked for the port quartermaster at the port of entry. The marking will also show the final consignee and destination, for example:

Port Quartermaster,
New York Port of Embarkation,
1st Avenue and 58th Street,
Brooklyn, New York.
For Chief of Ordnance,
Washington, D. C.

(b) The full address must be shown. Initials will not be used, as is the commercial custom.

(c) Packages will be marked "Government goods."

(d) Shipments must not be consigned to forwarding agents.

§ 81.508 *Freight charges.* (a) In order to avoid complications in procuring release from the carrier, freight charges will be paid in all cases to the port of entry, and in no case will delivery be contracted for f. o. b. any interior point.

(b) If the shipments are to move to the interior, the purchasing officer must furnish the port quartermaster at the port of entry with the necessary shipping instructions.

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

§ 81.601 *Rescission of regulations.* Army Regulations 5–300, December 10, 1936, as amended; Army Regulations 5–320, October 10, 1936, as amended; and all other prior directives and instructions relating to interbranch and interdepartmental procurement are hereby rescinded.

§ 81.602 *Definitions*—(a) *Interbranch purchase.* The purchase of supplies by one supply service from another such supply service, or under a contract executed by the latter.

(b) *Interdepartmental purchase.* The purchase of supplies by one executive department or independent agency of the Government from another such department or agency, or under a contract executed by the latter.

INTERBRANCH PURCHASES

§ 81.603 *Supplies of standard manufacture*—(a) *Requirement.* Supplies of standard manufacture and common to two or more supply services will be purchases by the Quartermaster Corps. The Procurement Assignment Board, Procurement and Distribution Division, Headquarters, Service of Supply, will determine the items which will be considered of standard manufacture and common to two or more supply services.

[6] Administrative regulations of the War Department relative to safeguarding technical information.

(b) *Procedure.* (1) Requisitions for normal quarterly requirements will be consolidated and forwarded to The Quartermaster General sixty days in advance of the quarterly period for which needed.

(2) Requisitions for unusual or emergency requirements will be forwarded to The Quartermaster General by radio and confirmed by formal requisition.

(3) Each requisition will contain a certificate of availability of funds and citation of the applicable procurement authority.

(4) When practicable, requisitions will call for not less than minimum carload lots.

(5) Commercial units will be the basis of all requisitions.

(6) Requisitions will be filled as a result of individual or collective purchases. No attempt will be made by the Quartermaster Corps to maintain depot stocks from which requisitions could be filled.

§ 81.604 *Supplies not of standard manufacture—*(a) *Requirements.* Supplies which are not of standard manufacture and which are generally peculiar to a particular supply service will be purchased by that service, unless purchased by some other supply service is directed by the Procurement Assignment Board, Procurement and Distribution Division, Headquarters, Services of Supply.

(b) *Procedure.* Requisitions will be submitted and filled in accordance with the instructions of the chief of the supply service charged with purchasing the supplies involved.

§ 81.605 *Special supplies.* Because of their nature and the peculiar problems involved in their purchase, the following categories of supplies will be purchased as indicated opposite each:

(a) *Motor vehicles and bodies.* As directed in AR 850–15.[6]

(b) *Railroad equipment and supplies.* As directed in AR 100-50.[7]

(c) *Radio, sound and light signal apparatus, all accessories, outfits, and parts.* As directed by the Chief Signal Officer.

(d) *Anthracite and bituminous coal.* As directed by The Quartermaster General.

(e) *Aviation gasoline and aviation lubricating oil.* As directed by the Chief of the Air Corps.

(f) *Perishable subsistence.* As directed by The Quartermaster General.

(g) *Gloves, flying, winter; helmets, flying, summer.* As directed by The Quartermaster General.

INTERDEPARTMENTAL PURCHASES

§ 81.606 *Purchases under contracts of Procurement Division, Treasury Department—*(a) *Requirement.* Purchases will be made from contracts of the Procurement Division, Treasury Department (General Schedule of Supplies), when so directed by the chief of the supply service concerned or when required by the terms of the contracts.

(b) *Procedure.* Chiefs of supply services are responsible for advising contracting officers as to the terms and conditions of all such contracts and as to whether purchases therefrom are mandatory.

§ 81.607 *Purchases under contracts of Navy Department —* (a) *Requirement.* Purchases will be made from contracts of the Navy Department when so directed by the chief of the supply service concerned or when required by the terms of the contracts.

(b) *Procedure.* Chiefs of supply services are responsible for advising contracting officers as to the terms and conditions of all such contracts and as to whether purchases therefrom are mandatory.

§ 81.608 *Purchases from Federal Prison Industries, Inc., Department of Justice—*(a) *Requirement.* Purchases of items manufactured by the Federal Prison Industries, Inc., Department of Justice, will be made from that agency except where that agency has been granted a general or special clearance for purchase of the items from commercial sources.

(b) *Procedure.* Chiefs of supply services are responsible for advising contracting officers as to the items, if any, which must be procured from the above agency and of the procedure for placing orders.

§ 81.608a *Purchases from State prisons and other correctional institutions.* Purchases of items manufactured or produced by State prisons and other correctional institutions are authorized (Op., Atty. Gen., 37739, May 6, 1942 and let., Pres., May 10, 1942). No purchase, however, of a mandatory item appearing in the schedules of the Federal Prison Industries, Inc., (see § 81.608) will be made without a prior clearance (general or special) from that agency.

§ 81.609 *Purchases under contracts of Post Office Department—*(a) *Requirement.* Envelopes required by the military service (other than by the War Department for use in the District of Columbia) will be procured under the contracts entered into by the Post Office Department within the discretion of the chief of the supply service concerned.

(b) *Envelopes authorized for supply to the military service.* The following envelopes are authorized for supply to the military service (excluding the War Department) on requisitions, the item numbers corresponding to those in "Award of Contracts for Envelopes", Post Office Department:

Item No.	Description
6.	3¾ by 8¾ inches, Sulphate, open side, square flap.
12.	3⅞ by 8⅞ inches, Sulphate, open side.
17.	4½ by 9½ inches, Sulphate, open side.
36.	5 by 11½ inches, Sulphate, open side.
46.	6 by 12½ inches, Sulphate, open side, wallet flap.
49.	6½ by 9½ inches, Sulphate, open side.
53.	6½ by 10½ inches, Sulphate, open side.
57.	7 by 10½ inches, Sulphate, open side.
61.	7½ by 11½ inches, Sulphate, open side.
68.	8½ by 11½ inches, Sulphate, open side.
84.	9½ by 12 inches, Sulphate, open side.
93.	10 by 15 inches, Sulphate, open side, 5-inch flap.
104.	12 by 16 inches, Sulphate, open side, 5-inch flap.
111.	2½ by 4¼ inches, Sulphate, open end.
122.	3¾ by 5⅞ inches, Sulphate, open end.
123.	3⅞ by 7½ inches, Sulphate, Dennison tag, quality "P" or equal; strong eyelet at bottom, open end.
155.	7½ by 10½ inches, Sulphate, with string and button. Open end tension.
185.	3½ by 6 inches, White, open side.
189.	3⅞ by 8⅞ inches, White, open side.
192.	4⅛ by 9½ inches, White, open side.
194.	4½ by 10⅜ inches, White, open side.
195.	4¾ by 11 inches, White, open side.
289.	3⅝ by 6½ inches, White, open side, fine bond.
304.	4¾ by 7⅜ inches, White, open side, fine bond.
405.	3⅜ by 8¾ inches, Sulphate, open side, window.
433.	3⅞ by 8⅞ inches, White, open side, window.
435.	4½ by 9½ inches, White, open side, window.

§ 81.610 *Purchases from Government Printing Office.* (a) All blank envelopes, blank paper, inks, glues and other supplies manufactured or carried in stock by the Government Printing Office, and which are required for use within the District of Columbia, will be purchased from that office.

(b) All printing, binding, and blank-book work, except that authorized to be procured from field printing plants, will be procured from the Government Printing Office, unless a clearance for purchase from commercial sources is obtained from the Public Printer. The chiefs of supply services are authorized to communicate directly with the Government Printing Office for the purpose of securing clearances in appropriate cases.

§ 81.611 *Purchases from other agencies.* When it is to the interest of the Government and when both the requiring and the supplying agencies are in agreement with such action, the chiefs of the supply services are authorized to procure supplies from other Federal agencies on such terms and conditions as may be mutually agreed upon.

§ 81.612 *Surplus property.* The Director of Procurement, Procurement Division, Treasury Department, reports to the War Department all surplus property available for transfer from other agencies of the Government. These reports will be distributed to the chiefs of the supply services for information as to whether or not the property is desired for any agency under the jurisdiction of his office. If the property is desired the chief of the supply service will notify the Purchase Policy and Procedure Section, Purchases Branch, Procurement & Distribution Division and request for transfer authorization will be made by that section to the Procurement Division, Treasury Department. Direct correspondence by chiefs of supply services with the Procurement Division, Treasury Department, in this connection is not authorized.

[6] Administrative regulations of the War Department relative to military motor vehicles.

[7] Administrative regulations of the War Department relative to railroads operated by the Army.

FEDERAL, STATE AND LOCAL TAXES

§ 81.801 *Contract tax article.* All lump sum (fixed-price) contracts which involve the expenditure of appropriated funds will include the following tax article: *Provided, however,* That such article may, in the discretion of the Contracting Officer, be omitted where the estimated time of performance does not exceed sixty days:

Unless otherwise indicated, the prices herein include any Federal, state and local tax or charge heretofore imposed which is applicable to the supplies or work covered hereby. If after the date of the award, the Federal Government or any state or local government shall impose, remove, or change any duty, sales, use or excise tax or any other tax or charge directly applicable to the supplies or work covered hereby or the materials used in the manufacture thereof or directly upon the importation, production, processing, manufacture, construction or sale of such supplies, work, or materials, which tax or charge must be borne by the contractor because of a specific contractual obligation or by operation of law, or, in case of a decrease or elimination of a tax, where the contractor is relieved to that extent, and if in case of an increase in an existing tax or the imposition of a new tax the contractor has paid such tax or charge to the Federal Government or a state or local government, or any other person, then the prices named herein will be increased or decreased accordingly and any amount due to the contractor as a result of such change will be charged to the Government and entered on vouchers (or invoices) as a separate item: *Provided, however,* That the Government reserves the right to issue to the contractor in lieu of such payment a tax exemption certificate or certificates acceptable to the Federal Government or state or local Government, as the case may be, and the contractor agrees, in the case of any such state or local tax or charge, to take such steps as may be requested by the Government to cause such tax or charge to be paid under protest, to preserve and to cause to be assigned to the Government any and all rights to the refund of such tax or charge, and to furnish to the Government all reasonable assistance and cooperation requested by the Government in any litigation or proceeding for the recovery of such tax or charge; and *Provided, further,* That nothing contained herein shall be construed as requiring the Government to reimburse the contractor for any Federal, state or local income taxes, income surtaxes or excess profits taxes.

§ 81.802 *Tax provisions.* All contracts should contain appropriate provisions showing what taxes which are directly attributable to the cost of performance of the contract are excluded from the contract price, with the amount of such taxes, and whether or not tax exemption certificates will be required.

FEDERAL TAXES

§ 81.803 *Authority for Federal taxes.* Chapter 29 of the Internal Revenue Code (26 U.S.C. 3400–3453) as amended, imposes Federal taxes upon certain specified articles sold in the United States by the manufacturer or producer, or imported into the United States, to be paid by the manufacturer, producer, or importer, but provides that no tax under this chapter shall be imposed with respect to the sale of any article for the exclusive use of the United States, and that a credit against the tax or a refund may be allowed or made with respect to the sale of any article if such article was resold for the exclusive use of the United States and the manufacturer, producer, or importer has such evidence as the regulations of the Commissioner of Internal Revenue may prescribe.

§ 81.804 *Tax exempt sales.* Under the regulations of the Commissioner of Internal Revenue (T. D. 5114, approved January 27, 1942) the following sales are exempt from the taxes imposed by Chapter 29 of the Internal Revenue Code: (a) sales of articles to the United States; (b) sales of articles to Government contractors or subcontractors when such articles are incorporated in an article sold to the United States; (c) sales of articles which are incorporated in the building or work constructed, altered, improved or repaired pursuant to a Government contract. Such sales are tax exempt only where the price paid by the Government does not include the tax.

§ 81.805 *Cost-plus-a-fixed-fee contracts.* Under rulings of the Commissioner of Internal Revenue articles sold to contractors engaged on a cost-plus-a-fixed-fee basis are exempt from the application of the Federal excise taxes since such articles are furnished for the exclusive use of the United States. As a condition to such exemption title to the article purchased by the fixed-fee contractor must ultimately vest in the United States.

§ 81.806 *Tax on firearms.* Chapter 25 of the Internal Revenue Code (26 U.S.C. 2700–2733), as amended, imposes Federal taxes upon the sale, lease, or transfer of firearms, but provides that no tax under such Chapter shall be imposed in connection with the sale or transfer of firearms for the use of the United States.

§ 81.807 *Jewelry, furs, and toilet preparations.* Chapter 19 of the Internal Revenue Code (26 U.S.C. 2400–2411), as amended, imposes a retailers' excise tax upon the sale of jewelry, furs, and toilet preparations, but provides that no tax shall be imposed with respect to the sale of any article for the exclusive use of the United States.

§ 81.808 *Items on which taxes are imposed.* Information concerning items on which Federal taxes are imposed and the applicable rates thereon will be published from time to time in this Regulation. Full information in regard thereto may be found in regulations of the Commissioner of Internal Revenue. Regulations 44 and 46 of the Bureau of Internal Revenue are applicable to taxes imposed by Chapter 29, and Regulations 51 of the Bureau of Internal Revenue are applicable to the taxes imposed by Chapter 19.

§ 81.809 *Exclusion of Federal excise taxes.* In order to reduce the amount of administrative work, thereby facilitating the prosecution of the war, contractors should be required to exclude from the price quoted the amount of Federal excise taxes imposed upon the supplies, work or undertaking concerned. Wherever practicable, contractors should be required to exclude the tax imposed upon any articles to be incorporated in the supplies to be purchased (or to be incorporated into the building or work to be constructed, altered, improved or repaired).

STATE AND LOCAL TAXES

§ 81.810 *Application of State and local taxes.* While the various state and local tax laws are not uniform in their application, as a general rule Government purchases are exempt from such taxes. Neither are such laws uniform in their application to purchases by Government contractors. Information will be published from time to time as to the procedure to be followed with regard to state and local taxes.

TAX EXEMPTION CERTIFICATES

§ 81.811 *Standard tax exemption forms.* (a) The following standard tax exemption forms have been prescribed:

	Standard Form No.
U. S. Government tax exemption certificate	1094
Cover of U. S. Government tax exemption certificate book (front, outside and inside; back, outside)	1094A
Tabulation sheet (insert)	1094B
U. S. Government tax exemption identification card	1094C

(b) Chiefs of Supply Services are responsible for the supply of necessary standard forms to their contracting officers. Reports accounting for these forms will be submitted by the issuing officer as directed by the chief of the supply service concerned.

(c) Section 316.24 of Regulations 46 of the Bureau of Internal Revenue prescribes a form of tax exemption certificate which is somewhat different from Standard Form No. 1094. There is no objection to the use of any form of tax exemption certificate which is acceptable to the Bureau of Internal Revenue.

(d) the following forms of tax exemption certificates for issuance by contractors and subcontractors are prescribed by § 470.3 (b) of T. D. 5114:

EXEMPTION CERTIFICATE

(For use by prime contractor)

Date _____, 19 __

The undersigned hereby certifies that the articles specified in the accompanying order or on the reverse side hereof are purchased from _____ for the United States
(Name of vendor)
under Government contract _____;
(Number or other identification)
that he now has in his possession a certificate of exemption furnished by the United States with respect to such contract; and that such certificate authorizes him to issue this exemption certificate.

It is understood that the fraudulent use of this certificate to secure exemption will subject the undersigned and all guilty parties to a fine of not more than $10,000, or to imprisonment for not more than five years, or both, together with costs of prosecution.

_____
(Name)

_____
(Address)

EXEMPTION CERTIFICATE

(For use by subcontractor)

Date ----------, 19--

The undersigned hereby certifies that the articles specified in the accompanying order or on the reverse side hereof are purchased from ---------- for incorporation
(Name of vendor)
in ---------- which are to be delivered to ----------; that the
(Subsidiary articles) (Subcontractor's vendee)
price to be charged said vendee contemplates that the aforesaid articles and the subsidiary articles are to be purchased on a tax-free basis; and that the undersigned now has in his possession an exemption certificate furnished by said vendee certifying that the above-named subsidiary articles are to be incorporated ultimately in other articles for use of the United States under Government contract ----------.
(Number or other identification)

It is understood that the fraudulent use of this certificate to secure exemption will subject the undersigned and all guilty parties to a fine of not more than $10,000, or to imprisonment for not more than five years, or both, together with costs of prosecution.

(Name)

(Address)

(c) W.D. Tax Form No. 1, Authority of Contractor and Subcontractors to issue Tax Exemption Certificates, is as follows:
W.D. TAX FORM No. 1.

AUTHORITY OF CONTRACTOR AND SUBCONTRACTORS TO ISSUE TAX EXEMPTION CERTIFICATES

(To be attached to a Form 1094 U. S. Tax Exemption Certificate)

(Name of Contractor)

(Address of Contractor)

Contract No.----------

Tax Exemption Certificate No.----------

The Contractor and/or his subcontractors (including suppliers) are authorized to issue tax exemption certificates in the form prescribed by Section 470.3 (b) of Treasury Decision 5114, approved January 27, 1942 (7 Fed. Reg. 579, January 29, 1942) as to the articles listed below, which are incorporated in or to be incorporated in the supplies or work covered by the contract referred to in the Tax Exemption Certificate to which this authority is attached.

List of Articles (If none, so state) Description ---------- Quantity* ---------- Unit Price*----------

----
(Contracting Officer)

(Title)

*To be shown by Contracting Officer if known.

§ 81.812 *Preparation and execution of tax exemption certificates.* In the preparation of tax exemption certificates the typewriter will be used when practicable; otherwise ink or indelible pencil will be used. The use of ordinary lead pencil is prohibited. All blank spaces must be properly filled in or lined out, and no such exemption certificate will be delivered to a contractor, unless fully and properly executed, except that, if at the time of entering into a contract for supplies to be sold for the exclusive use of the Government, Federal tax excluded, it is impossible to determine the amount of such taxes as in the case of an indefinite quantity contract, it is permissible for the Contracting Officer to issue a blanket tax exemption certificate to cover all sales under the contract. The certificate should be issued by the Contracting Officer who executed such contract and should cover all articles purchased under such contract, including delivery orders placed thereunder by other officers. A separate certificate for each kind of tax (Federal, State, local, etc.) involved will be prepared. In the issuance of these certificates care should be exercised by the Contracting Officer to fill in the blank spaces provided for showing on each certificate the separate amounts of the taxes involved, so that the certificate may be used only for the intended purpose. Where the supplies or work covered by the contract are not taxable as such and the certificate is to be used for the purpose of obtaining exemption on the articles to be incorporated in the supplies or work covered by the contract, the amount of tax to be shown on the certificate should be stated as "None." No tax should be shown on the certificate except the tax imposed directly upon the supplies of work covered by the contract. The following statement will be written or stamped upon the face of each certificate pertaining to Federal taxes (except where a cost-plus-fixed-fee contract is involved): "W.D. Tax Form No. 1 attached." Tax Exemption Certificate Form No. 1094 may be modified insofar as necessary with respect to contracts for construction, alterations, improvements and repairs. The Contracting Officer will, in addition to his signature and title, insert on the lines provided therefor, his identification-card number.

§ 81.813 *Use of tax exemption certificates.* (a) Under regulations prescribed by the Commissioner of Internal Revenue, articles are exempt from the taxes imposed by Chapter 29 of the Internal Revenue Code when such articles are sold on a tax-free basis for the exclusive use of the United States. The tax is imposed upon the manufacturer, producer or importer. Where the article is sold on a tax-free basis for the exclusive use of the United States by a person other than the manufacturer, producer or importer a credit for or a refund of the tax may be obtained. With the exception of tires, inner tubes and automobile radios, articles are exempt from taxes imposed by Chapter 29 where such articles are used by the purchaser as material in the manufacture or production of or as a component part of an article which is taxable under such chapter. Under regulations of the Commissioner of Internal Revenue, tax exemption certificates are used for the purpose of establishing rights to exemptions, credits and refunds.

(b) An article is deemed to be sold for the exclusive use of the United States when it is sold (i) to the United States to be utilized by the United States or to be disposed of by the United States to a foreign government, or (ii) to a Government contractor or subcontractor (including a supplier) when the article is incorporated in an article sold to the United States or in the building or work constructed, altered, improved or repaired pursuant to a contract with the United States, or (iii) to a Government contractor under a cost-plus-fixed-fee contract or subcontractor under a cost-plus-fixed-fee subcontract where the article is used as equipment, materials or supplies by the contractor or subcontractor in performing a Government prime contract and payment for the article is made by the United States, whether directly or by reimbursement of the contractor or subcontractor for the cost thereof. The term "incorporated in" as used above refers to any process whereby an article enters into building, work or supplies or a component thereof so as to become a part thereof and is not merely consumed in such production.

(c) The Contracting Officer should execute and deliver to the contractor a tax exemption certificate (Form 1094 or any other form acceptable to the Bureau of Internal Revenue) covering Federal taxes in the following cases:

(1) Where the supplies purchased under the contract are taxable under Chapter 29 and are purchased by the Government at a price which is exclusive of such tax. In such a case, the word "None" should be inserted in the space headed "List of Articles" on the attached W.D. Tax Form No. 1, except where the supplies have had (or will have) incorporated therein tires, inner tubes or automobile radios, and the price paid by the Government is exclusive of the tax thereon.

(2) Where the supplies purchased under the contract are not taxable under Chapter 29 but have had (or will have) incorporated therein one or more articles which are taxable under such chapter, and the price paid by the Government is exclusive of the tax on one or more of such articles. In such a case, the amount of tax shown on the tax exemption certificate should be stated as "None" and the articles incorporated (or to be incorporated) into the supplies purchased by the Government which are sold exclusive of the tax thereon should be listed upon W.D. Tax Form No. 1 attached to the certificate. Upon receipt of the tax exemption certificate, the contractor and/or his subcontractors (including suppliers) are then authorized to issue tax exemption certificates in the form prescribed by Section 470.3 (b) of Treasury Decision 5114, approved January 27, 1942 (7 F.R. 579, January 29, 1942) as to the articles listed on W.D. Tax Form No. 1 attached to the Form No. 1094.

(3) Where the contract covers construction, alterations, improvements or repairs, and the physical project to be constructed, altered, improved or repaired will have incorporated therein one or more articles which are taxable under Chapter 29 and the price paid by the Government for the construction, alterations, improvements or repairs, is exclusive of the tax on one or more of such articles to be incorporated into the physical project. In such a case, the amount of tax shown on the tax exemption certificate should be stated as "None", and the articles to be incorporated into the physical project to be constructed, altered, improved or repaired on which no such tax is included in the contract price should be listed upon W.D. Tax Form No. 1 attached to the certificate. Upon receipt of the tax exemption certificate the contractor and/or his subcontractors (suppliers) are then authorized to issue tax exemption certificates in the form prescribed by § 470.3 (b) of Treasury Decision 5114, approved January 27, 1942 (7 F.R. 579, January 29, 1942) as to the articles listed on W.D. Tax Form No. 1 attached to the certificate.

(4) Under a cost-plus-fixed-fee contract (except one covering the sale of articles taxable under Chapter 29, where (1) above is applicable) when one or more articles taxable under Chapter 29 are used by the contractor as equipment, material or supplies in performing the contract, and such articles are purchased at a price which is exclusive of the tax thereon and payment for same is made by the United States, directly or by reimbursement of the contractor. In such a case, the amount of tax shown on Form 1094 should be stated as "None" and there should be attached to or written on Form 1094 the following statement:

The contractor is authorized to issue tax exemption certificates in the form prescribed by § 470.3 (b) of Treasury Decision 5114, approved January 27, 1942 (7 F.R. 579, January 29, 1942) as to all articles sold on a Federal tax exclusive basis and for which payment is made by the United States, directly or by reimbursement of the contractor, and which are used by the contractor as equipment, material or supplies in performing the contract to which this (the attached) certificate pertains.

(d) The Commissioner of Internal Revenue has ruled that tax exemption certificates issued by contractors and subcontractors in the form prescribed by T. D. 5114 relates to tax-free sales only and cannot be used to obtain a refund or credit of tax paid by manufacturers on articles sold or delivered to contractors or subcontractors performing work for the Federal Government on specified contracts.

(e) Tax exemption certificates are also used for establishing exemptions from state and local taxes. In such cases certificates should be prepared in accordance with the requirements of the particular state or local tax officials concerned. No tax exemption certificate should be issued with respect to a state or local tax unless the contract shows that the price paid by the Government is exclusive of the tax to which the certificate pertains or unless the contractor consents to the deduction of such tax from the contract price and the acceptance of the tax exemption certificate in lieu thereof.

COLLECTION AND PAYMENT OF TAXES BY GOVERNMENT

§ 81.814 *Federal Taxes; collection and payment.* (a) The amount of the Federal tax will be collected from the purchaser when articles subject to tax under Chapter 29 of the Internal Revenue Code purchased free of tax are sold to individuals or used for other than the exclusive use of the United States. Funds so collected will be deposited with the local disbursing officer together with information of the name of the contractor from whom the articles were purchased and the number of the contract under which purchase was made. In cases where the name and amount of the contract involved are not known to the sales officer, he will ascertain this information from the shipping or contracting officer or from the chief of the supply service, if necessary.

(b) Funds received by a disbursing officer as payment for taxes imposed by Chapter 29 of the Internal Revenue Code will be placed in a special deposit account and remitted to the contractor monthly, or at the time the officer closes his accounts when he ceases to disburse, in order that return may be made therefor to the appropriate Collector of Internal Revenue. A copy of the report of such remittance will be forwarded to the Bureau of Internal Revenue. However, if it is impossible for the disbursing officer to determine the contractor from whom the articles subject to tax under Chapter 29 were purchased, he may remit the amount of the tax to the Collector of Internal Revenue for the district in which the disbursing officer is located with a statement that the name of the contractor is unknown.

§ 81.815 *State and local taxes; collection and payment.* (a) When impossible for any reason to effect purchases, excluding the amount of any state or local tax which is deemed to be legally inapplicable to Government purchases, a tax exemption certificate will be executed and delivered to the disbursing officer to whose accounts the vouchers in the transaction pertain, together with a written statement to the effect that the vendor refused the tax exemption certificate. Exemption certificates executed and delivered as prescribed in this subparagraph are for use of the Finance Department in securing a refund of the amount of the taxes involved. The serial number of the certificate will be shown on the payment voucher.

(b) When Standard Form No. 1094, executed under the conditions stated above, is received in the administrative office (Finance Department), there will be noted on the form the bureau or office number of the payment voucher, and the administrative office (Finance Department) will bill the State or local taxing agency for refund of the taxes paid. The amount(s) collected will be transmitted to the disbursing officer for credit to the appropriation(s) from which the vouchers were paid, or to miscellaneous receipts account "4326—Refund, State and Local Taxes," if the appropriation cannot be readily identified. In the event the administrative office (Finance Department) fails to secure refund of the amount of taxes paid, it will transmit promptly to the General Accounting Office the said tax-exemption certificates, if available, together with all correspondence with the taxing agency relating thereto, and information as to the disbursing officer's voucher number on which payment for the merchandise was made, for use by the General Accounting Office in effecting collection thereof as required by section 236, Revised Statutes, as amended by the Budget and Accounting Act, 1921.

§ 81.816 *Items subject to Federal excise taxes.* The items subject to manufacturers' excise taxes imposed by Chapter 29 of the Internal Revenue Code, as amended, are listed below. The tax imposed in each case is equivalent to the indicated percentum of the price for which sold by the manufacturer, producer or importer, and is effective October 1, 1941. The Revenue Act further provides that, for the purposes of the tax, the lease of an article (including any renewal or extension of a lease or any substitute lease of such article) by the manufacturer, producer or importer shall be considered a taxable sale of such article (sec. 3440, as amended).

CHAPTER 29—MANUFACTURERS' EXCISE AND IMPORT TAXES

Subchapter A—Manufacturers' Excise Taxes

	Sec. I.R.C.	Sec. this Reg.
Automobiles, trucks, busses, and parts.	3403	81.816(b).
Business and store machines.	3406(a)(6)	81.816(e)(1)(f).
Electrical energy	3411	81.816(h).
Electric signs	3406(a)(5)	81.816(e)(1)(v).
Electric, gas, and oil appliances.	3406(a)(3)	81.816(e)(1)(iii).
Electric light bulbs and tubes.	3406(a)(10)	81.816(e)(1)(x).
Firearms, shells, and cartridges.	3407	81.816(i).
Gasoline	3412(a)	81.816(i).
Lubricating oils	3413	81.816(i).
Luggage	3406(a)(2)	81.816(e)(1)(ii).
Matches	3409	81.816(g).
Optical equipment	3406(a)(9)	81.816(e)(1)(ix).
Photographic apparatus.	3406(a)(4)	81.816(e)(1)(iv).
Pistols and revolvers	2700(a)	81.816(f).
Radio receiving sets, phonographs, phonograph records, and musical instruments.	3404	81.816(c).
Refrigerators, refrigerating apparatus, air-conditioners.	3405	81.816(d).
Rubber articles	3406(a)(7)	81.816(e)(1)(vii).
Sporting goods	3406(a)(1)	81.816(e)(1)(i).
Tires and inner tubes	3400(a)	81.816(a).
Toilet preparations (terminated).	3401	
Washing machines	3406(a)(8)	81.816(e)(1)(viii).

(a) *Tires and inner tubes.* Sec. 3400 (a).

(1) Tires wholly or in part of rubber (exclusive of metal rims or rim bases)—*5 cents a pound on total weight. Par. (1).*

(2) Inner tubes (for tires) wholly or in part of rubber—*9 cents a pound on total weight. Par. (2).*

(b) *Automobiles, trucks, busses, and parts.* Sec. 3403.

(1) Automobile truck chassis, automobile truck bodies, automobile bus chassis, automobile bus bodies, truck and bus trailer and semitrailer chassis, truck and bus trailer and semitrailer bodies, tractors of the kind chiefly used for highway transportation in combination with a trailer or semitrailer (including in each of the above cases parts or accessories therefor sold on or in connection therewith or with the sale thereof)—*5 per centum.* A sale of an automobile truck, bus, or truck or bus trailer or semitrailer, shall, for the purposes of this subsection, be considered to be a sale of the chassis and of the body. *Subsec. (a).*

(2) Other automobile chassis and bodies, chassis and bodies for trailers or semitrailers suitable for use in connection with passenger automobiles, and motorcycles (including in each case parts or accessories therefor sold on or in connection therewith or with the sale thereof), except tractors—*7 per centum.* A sale of an automobile, trailer, or semitrailer shall, for the purposes of this subsection, be considered to be a sale of the chassis and of the body. *Subsec. (b).*

(3) Parts or accessories (other than tires and inner tubes and other than radios) for any of the articles enumerated in subsection (a) or (b)—*5 per centum. Subsec. (c).*

(c) *Radio receiving sets, phonographs, phonograph records, and musical instruments.* Including in each case, except in the case of musical instruments, parts or accessories therefor sold on or in connection with the sale thereof—*10 per centum. Section 3404.*

(1) Radio receiving sets, automobile radio receiving sets, combination radio and phonograph sets, and phonographs. *Subsec. (a).*

(2) Chassis, cabinets, tubes, reproducing units, power packs, antennae of the "built-in" type, and phonograph mechanisms, which are suitable for use on or in connection with, or as component parts of, any of the articles enumerated in subsection (a), whether or not primarily adapted for such use. *Subsec. (b).*

(3) Phonograph records. *Subsec. (c).*

(4) Musical instruments. *Subsec. (d).*

(d) *Refrigerators, refrigerating apparatus, and air-conditioners.* Including in each case parts or accessories therefor sold on or in connection with the sale thereof—*10 per centum. Sec. 3405.*

(1) *Refrigerators, etc.* Refrigerators, beverage coolers, ice cream cabinets, water coolers, food and beverage display cases, food and beverage storage cabinets, ice making machines, and milk cooler cabinets, each such article having, or being primarily designed for use with, a mechanical refrigerating unit operated by electricity, gas, kerosene, or gasoline. *Subsec. (a).*

(2) *Refrigerating apparatus.* Compressors, condensers, evaporators, expansion units, absorbers, and controls for, or suitable for use as part of, or with, a refrigerating plant, refrigerating system, refrigerating equipment or unit, or any of the articles enumerated in subsection (a). *Subsec. (b).*

(3) *Air-conditioners.* Self-contained small air-conditioning units. *Subsec. (c).*

(4) *Components.* Cabinets, compressors, condensers, fans, blowers, heating coils, cooling coils, filters, humidifiers, and controls, for, or suitable for use as part of, or with, any of the articles enumerated in subsection (c). *Subsec. (d).*

(e) *Sporting goods; luggage; etc.* (*New Manufacturers' Excise Taxes*). Section 3406.

(1) Including in each case parts or accessories of such articles sold on or in connection therewith, or with the sale thereof. *Subsec. (a).*

(i) *Sporting Goods—10 per centum. Par. (1).*

Badminton nets.
Badminton rackets.*
Badminton racket frames.*
Badminton racket string.
Badminton shuttlecocks.
Badminton standards.
Baseballs.
Baseball bats.**
Baseball body protectors.
Baseball shin guards.
Baseball gloves.
Baseball mitts.
Baseball masks.
Basketballs.
Billiard tables.****
Billiard balls } for such tables.
Billiard cues }
Bowling balls.
Bowling pins.
Boxing gloves.
Boxing masks.
Boxing head guards.
Boxing ear guards.
Clay pigeons.
Cricket balls.
Cricket bats.
Croquet balls.
Croquet mallets.
Curling stones.
Deck tennis rings.
Deck tennis nets.
Deck tennis posts.
Fencing equipment.
Fishing artificial lures.
Fishing baits.
Fishing creels.
Fishing flies.
Fishing reels
Fishing rods
Footballs.
Football harness.
Football helmets.
Golf bags.**
Golf balls.
Golf clubs.***
Gymnasium equipment.
Gymnasium apparatus.
Hockey balls.
Hockey pucks.
Hockey sticks.***
Indoor baseballs.
Indoor baseball bats.**
Indoor baseball gloves.
Indoor baseball mitts.
Lacrosse balls.
Lacrosse sticks.
Mass balls.
Polo balls.
Polo mallets.
Pool tables.****
Pool balls } for such tables.
Pool cues }
Push balls.
Skates.
Skis.
Ski poles.
Snow shoes.
Snow toboggans.
Snow sleds.
Soccer balls.
Softball balls.
Softball bats.**
Softball gloves.
Softball mitts
Squash balls.
Squash rackets.*
Squash racket frames.*
Squash racket string.
Table tennis balls.
Table tennis nets.
Table tennis paddles.
Table tennis tables.
Tennis balls.
Tennis nets.
Tennis rackets.*
Tennis racket frames.*
Tennis racket string.
Track hurdles.
Traps for throwing clay pigeons.
Vaulting cross bars.
Vaulting poles.
Vaulting standards.
Volley balls.
Volley nets.
Volley standards.
Water polo balls.
Water polo goals.
Wrestling head harness.

*Measuring 22 inches over-all or more in length.

**Measuring 26 inches or more in length.

***Measuring 30 inches or more in length.

****Measuring 45 inches over-all or more in length.

(ii) *Luggage.* Trunks, valises, traveling bags, suitcases, hat boxes for use by travelers, fitted toilet cases (not including contents), and other traveler's luggage, and leather and imitation leather brief cases—*10 per centum. Par (2).*

(iii) *Electric, gas, and oil appliances.* Electric direct motor-driven fans and air circulators; electric, gas, or oil water heaters; electric flatirons; electric air heaters (not including furnaces); electric immersion heaters; electric heating pads and blankets; electric, gas or oil appliances of the type used for cooking, warming, or keeping warm food or beverages for consumption on the premises; electric mixers, whippers, and juicers; and household type electric vacuum cleaners—*10 per centum. Par. (3).*

(iv) *Photographic apparatus.* Cameras and lenses; unexposed photographic films (including motion picture films but not including X-ray film), photographic plates and sensitized paper; photographic apparatus and equipment; and any apparatus or equipment designed especially for use in the taking of photographs or motion pictures or in the developing, printing, or enlarging of photographs or motion picture films—*10 per centum Par. (4).*

(v) *Electric signs.* Neon-tube signs, electric signs, and electric advertising devices—*10 per centum. Par. (5).*

(vi) *Business and store machines—10 per centum. Par (6).*

Adding machines.
Addressing machines.
Autographic registers.
Bank proof machines.
Billing machines.
Bookkeeping machines.
Calculating machines.
Card punching machines.
Cash registers.
Change making machines.
Check writing machines.
Check signing machines.
Check cancelling machines.
Check perforating machines.
Check cutting machines.
Check dating machines.
Other check protector machine devices.
Computing machines.
Coin counters.
Dictographs.
Dictating machine record shaving machines.
Dictating machines.
Duplicating machines.
Embossing machines.
Envelope opening machines.
Erasing machines.
Fanfold machines.
Fare registers.
Fare boxes.
Listing machines.
Line-a-time and similar machines.
Mailing machines.
Multigraph machines.
Multigraph typesetting machines.
Multigraph type justifying machines.
Numbering machines.
Portable paper fastening machines.
Pay roll machines.
Pencil sharpeners.
Postal permit mailing machines.
Punch card machines.
Sealing machines.
Shorthand writing machines.
Sorting machines.
Stencil cutting machines.
Tabulating machines.
Ticket counting machines.
Ticket issuing machines.
Typewriters.
Transcribing machines.
Time recording devices.

and combinations of any of the foregoing items.

(vii) *Rubber articles.* Articles of which rubber is the component material of chief weight. The tax imposed under this paragraph shall not be applicable to footwear, articles designed especially for hospital or surgical use, or articles taxable under any other provision of this chapter—*10 per centum. Par. (7).*

(viii) *Washing machines.* Washing machines of the kind used in commercial laundries. No tax shall be imposed under this paragraph on washing machines of the household type. *10 per centum. Par. (8).*

(ix) *Optical equipment—10 per centum. Par. (9).*

Colorimeters.
Fire control optical instruments.
Micro-projection apparatus.
Microscopes.
Optical machinery.
Refractometers.
Searchlight mirrors.
Searchlight reflectors.
Spectrometers.
Optical measuring instruments.
Photo-micro apparatus.
Polariscopes.
Projection lenses.
Projection prisms.
Spectroscopes.
Telescopes.
Telescopic sights.

(x) *Electric light bulbs and tubes.* Electric light bulbs and tubes, not including articles taxable under any other provisions of this subchapter—*5 per centum. Par. (10).*

(2) *Exemption if article taxable as jewelry.* Any article taxable as jewelry under section 2400 (Chapter 19—Retailers' Excise Taxes) are exempted from the tax imposed by this section. *Subsec. (b).*

(f) *Firearms, shells, and cartridges.* 11 per centum. Sec. 3407. *Note:* The tax imposed by this section does not apply to pistols and revolvers. The sale or lease of such articles, however, by the manufacturer, producer, or importer is taxable at the same rate under sec. 2700 (a) Chap. 25—Firearms, Subchap. A—Pistols and Revolvers.

(g) *Matches.* Sec. 3409. (1) Fancy wooden matches and wooden matches having a stained, dyed, or colored stick or stem, packed in boxes or in bulk—5½ cents per 1,000 matches.

(2) All matches other than those enumerated above—2 cents per 1,000 matches.

(h) *Electrical energy.* Electrical energy sold for domestic or commercial consumption and not for resale—*3⅓ per centum. Sec. 3411.*

(i) *Gasoline.* 1½ cents a gallon. *Sec. 3412 (a).* All products commonly or commercially known or sold as gasoline (including casinghead and natural gasoline), benzol, benzene, or naphtha, regardless of their classifications or uses; and any other liquid of a kind prepared, advertised, offered for sale or sold for use as, or used as, a fuel for the propulsion of motor vehicles, motor boats, or airplanes, except that it does not include any of the foregoing sold for use otherwise than as a fuel or in the manufacture or production of such fuel. The term "gasoline" does not include products commonly or commercially known or sold as kerosene, gas oil, or fuel oil.

(j) *Lubricating oils.* 4½ cents a gallon. *Sec. 3413.* The term "lubricating oil" as used in these regulations includes all oils, regardless of their origin, which are sold as lubricating oil and all oils which are suitable for use as a lubricant. The term "lubricating oils" does not include products of the type commonly known as grease.

§ 81.817 *Federal Retailers' Excise Taxes.* The items on which Federal Retailers' Excise Taxes are imposed are listed below. The tax is in the amount of 10 per centum of the price for which sold, and the taxes are effective as of October 1, 1941.

CHAPTER 19—RETAILERS' EXCISE TAXES

(a) *Sec. 2400. Jewelry, etc.* All articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with, precious metals or imitations thereof; watches and clocks and cases and movements therefor; gold, gold-plated, silver, silver-plated or sterling flatware or hollow ware; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars.

(b) *Sec. 2401. Furs.* Articles made of fur on the hide or pelt, and articles of which such fur is the component material of chief value.

(c) *Sec. 2402. Toilet Preparations.* Perfumes, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous, toilet powders, and any similar substance, article, or preparation, by whatsoever name known or distinguished; any of the above which are used or applied or intended to be used or applied for toilet purposes.

LABOR

§ 81.901 *Convict labor; basic law.* The public policy of the United States as to convict labor is expressed in the act of February 23, 1887 (24 Stat. 411, 18 U.S.C. 708, 709). This statute is a penal one and provides for imprisonment or fine for its violation. See also sec. 602 (b), act June 30, 1932 (47 Stat. 418; 31 U.S.C. 686b).

§ 81.902 *Executive Order of the President.* Pursuant to the public policy prescribed by the basic law, the President on May 18, 1905, issued an Executive Order which provides, in substance, that all contracts which shall hereafter be entered into by officers or agents of the United States involving the employment of labor in the States composing the Union, or the Territories contiguous thereto, shall, unless otherwise provided by law, contain a stipulation forbidding, in the performance of such contracts, the employment of persons undergoing sentences of imprisonment at hard labor which have been imposed by courts of the several States, Territories, or Municipalities having criminal jurisdiction.

§ 81.903 *Exceptions.* The provisions of §§ 81.901 and 81.902 do *not* apply to the following purchases:

(a) Purchases of items manufactured by the Federal Prison Industries, Inc. See § 81.608.

(b) Purchases of items manufactured or produced by State prisons and other correctional institutions. See § 81.608a.

EIGHT HOUR LAW OF 1912

§ 81.904 *Eight hour law; basic law.* Eight hour law approved June 19, 1912 (37 Stat. 137), as amended by sec. 5 (b), act of June 28, 1940 (54 Stat. 679) and sec. 303, act of September 9, 1940 (54 Stat. 884). 40 U.S.C. 324, 325; M.L., 1939 and Sup. I, secs. 743, 745.

§ 81.905 *Applicability of eight-hour law.* The basic law applies to all contracts for work which may require or involve the employment of laborers or mechanics, except the following classes:

(a) Contracts for supplies, whether manufactured to conform to particular specifications or not, as well as contracts to which the Walsh-Healey Public Contracts Law is applicable.

(b) Contracts for such materials or articles as may usually be bought in open market, except armor and armor plate, whether made to conform to particular specifications or not.

(c) Contracts for the construction or repair of levees or revetments necessary for protection against floods or overflows on the navigable waters of the United States.

(d) Contracts for the transmission of intelligence.

(e) Contracts for transportation by land or water.

ANTI-REBATE (COPELAND OR "KICK-BACK") LAW

§ 81.906 *Anti-rebate or Kick-back law; basic law.* Act June 13, 1934 (48 Stat. 948); 40 U.S.C., Sup. 276*b* and *c*; M.L., 1939, sec. 740. Sec. 9, Reorganization Plan No. IV (54 Stat. 1236), effective June 30, 1940, in accordance with sec. 4 of H.J. Res. 551 (Pub. Res., No. 75, 76th Cong.; 54 Stat. 231).

§ 81.907 *Applicability of anti-rebate or Kick-back law.* The basic law applies to all contracts and subcontracts for the repair, construction, prosecution, or completion of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, irrespective of the amounts of such contracts and the fact such contracts may not specify the wages to be paid by the contractors to their employees (19 Comp. Gen. 576).

§ 81.908 *Procedure under anti-rebate or Kick-back law.* Pursuant to the regulations of the Secretary of Labor made effective April 30, 1942, the following procedure is prescribed:

(a) Each contractor or subcontractor engaged in work subject to the basic law shall furnish each week a sworn affidavit with respect to the wages paid each of its employees engaged on the work covered by the basic law during the preceding weekly pay roll period. The affidavit shall be executed and sworn to by the contractor or subcontractor or by an authorized officer or employee of the contractor or subcontractor who supervises the payment of wages and shall be in the following form:

State of _____
County of _____, *ss.:*
I, _____ (name of party signing affidavit), _____ (title), being duly sworn, do depose and say: That I pay or supervise the payment of the persons employed by _____ (contractor or subcontractor) on the _____ _____ (building or work); that the attached pay roll sets out accurately and completely the name, occupation, and hourly wage rate of each person so employed for the weekly pay roll period from the _____ day of _____, 194__, to the _____ day of _____, 194__, the total number of hours worked by him during such period, the full weekly wages earned by him and any deductions made from such weekly wages, and the actual weekly wages paid to him; that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ (con-

tractor or subcontractor) from the full weekly wages earned as set out on the attached pay roll; and that no deductions, other than the permissible deductions (as defined in the Regulations under the "Kick-Back" Act (48 Stat. 948)) described in the following paragraph of this affidavit, have been made or will be made, either directly or indirectly, from the full weekly wages earned as set out on the attached pay roll.

(Paragraph describing deductions, if any.)

(Signature and title)

Sworn to before me this ------- day of ---------- 194 --.

(b) Each weekly affidavit shall be delivered by the contractor or subcontractor within seven (7) days after the regular payment date of the pay roll period, to a representative of a Federal or State agency in charge at the site of the building or work, or, if there is no representative of a Federal or State agency at the site of the building or work, the affidavit shall be mailed by the contractor or subcontractor, within such time, to a Federal or State agency contracting for or financing the building or work. After such examination and check as may be made, such affidavit, or a copy thereof, together with a report of any violation, shall be transmitted to the United States Department of Labor, Washington, D. C., unless otherwise arranged with the Department of Labor.

(c) Each contractor or subcontractor shall, within seven (7) days after the making of any subcontract with another person concerning work which is subject to the basic law, deliver to the local or national Government representative in charge at the site of the building or work, or, if there is no Government representative, shall mail within such time to the Federal agency contracting for or financing the building or work, an affidavit setting forth the name and address of his subcontractor and a summary statement of the precise work subcontracted.

§ 81.909 *Authorized pay roll deductions.* The following pay roll deductions are authorized:

(a) Deductions for the following purposes are permissible:

(1) Where required by Federal, State or local statutes or ordinances to be made by the employer from the wages earned by the employee;

(2) Bona fide prepayment of wages without discount or interest;

(3) Deductions required by court process provided that the contractor or subcontractor will not be permitted to make such a deduction in favor of the contractor, subcontractor, or any affiliated person or where collusion or collaboration exists.

(b) Any deduction is also permissible which in fact meets the following standards and with respect to which the contractor or subcontractor shall have made written application by registered mail to the Secretary of Labor, a copy of which application shall be sent to the contracting agency by the contractor or subcontractor, setting forth all the pertinent facts indicating that such deductions will meet the following standards:

(1) That such deduction is not prohibited by other law; and

(2) That such deduction is: (i) voluntarily consented to by the employee in writing and in advance of the period in which the work was done, and that consent to the deduction is not a condition either for the obtaining of or for the continuance of employment; or (ii) that such deduction is for the benefit of the employees or their labor organization through which they are represented and is provided for in a bona fide collective bargaining agreement; and

(3) That from such deduction no payment is made to, nor profit or benefit is obtained directly or indirectly by the contractor or subcontractor or any affiliated person, and that no portion of the funds, whether in the form of a commission or otherwise, will be returned to the contractor or subcontractor or to any affiliated person; and

(4) That the convenience and interest of the employees are served thereby, and that such or similar deductions have been customary in this or comparable situations.

(c) After application in good faith, the deduction may be made in accordance with the foregoing standards: *Provided, however,* That if the Secretary of Labor, on his own motion, or on the application of any person or agency affected by the granting of the application, shall conclude at any time, after written notice to the applicant and an opportunity for him to present his views in support of the deduction, that the deduction has not met the foregoing standards, such deductions shall cease to be "permissible" seven days after the applicant and the federal agency concerned have been notified of the Secretary's decision.

(d) Upon application to and prior written permission from the Secretary of Labor, and subject to the standards set forth in paragraph (b) (1) (2) and (4) of this section, deductions may be made by a contractor or subcontractor or any affiliated person, for membership fees in group benefit or retirement associations; for board and lodging, or for other purposes where the Secretary of Labor concludes the deduction is required by compelling circumstances: *Provided, however,* The contractor, subcontractor, or any affiliated person does not make a profit or benefit directly or indirectly from the deduction. A copy of the Secretary's decision shall be sent to the applicant and the federal agency concerned.

(e) In accordance with and subject to the standards set forth in paragraph (b) (1) to (4), inclusive, of this section, general permission is hereby granted to make pay roll deductions for:

(1) The payment of the purchase price of United States Defense Stamps and Bonds and United States Tax Savings Notes;

(2) The repayment of loans to or the purchase of shares in credit unions organized and operated in accordance with District of Columbia, Federal, or State credit union statutes;

(3) Contributions to a federal government or quasi-governmental agency.

(f) In any case in which the employee does not have full and actual freedom of disposition of his wage payment, whether made in cash or by check, any restricted payment made to the employee is considered a deduction under the regulations in this section.

(g) Nothing herein shall be construed to permit any deduction which the contractor or subcontractor knew, or in the exercise of good faith should have known, did not meet the foregoing standards. In order to insure compliance with this section, the Secretary of Labor may notify the contractor or subcontractor that the deduction will be permitted only if certain conditions with respect thereto are observed. The contractor or subcontractor or any affiliated person shall also comply with such general rules and regulations concerning the deductions as the Secretary of Labor shall make from time to time, notice of which shall have been given to the contractor or subcontractor or any affiliated person making the deduction and to the federal agency concerned either directly or through publication in the FEDERAL REGISTER.

DAVIS-BACON LAW

§ 81.910 *Davis-Bacon Act, as amended.* Act August 30, 1935 (49 Stat. 1011) as amended by the acts approved June 15, 1940 (54 Stat. 399) and March 23, 1941 (Public Law 22, 77th Cong.) 40 U.S.C. 276a; M.L., 1939 and Sup. I, sec. 746.

§ 81.911 *Applicability of Davis-Bacon law*—(a) *Contracts in excess of $2,000.* The basic law, as amended, applies to all contracts in excess of $2,000 for:

(1) Construction, alteration, or repair of any public building, highway, or other work of construction;

(2) Alteration or repair of vessels, boats, and aircraft;

(3) Performance of any work upon Government-owned personal property, except where such work is to be performed under the Walsh-Healey Public Contracts Act pursuant to general or special directions of the Secretary of Labor.

(b) *Alaska, Hawaii, and District of Columbia.* The basic law is also applicable within the geographical limits of the Territory of Alaska, the Territory of Hawaii, and the District of Columbia.

(c) *Contracts without advertising for bids.* The amendment made by the act of March 23, 1941, makes the basic law applicable to contracts entered into upon a cost-plus-a-fixed-fee basis or otherwise without advertising for bids.

(d) *Exceptions.* The basic law does not apply to:

(1) Contracts for the construction or repair of ships or other movables where the place of performance of the contract cannot be ascertained at the time the contract is negotiated.

(2) Contracts awarded by institutions or groups supported in whole or in part by Federal funds, but to which contracts neither the United States nor the District of Columbia is a party.

(3) Contracts for the rental of equipment with operating personnel. (19 Comp. Gen. 467)

§ 81.912 *Regulations and forms*—(a) *Regulations.* Regulations No. 503, Department of Labor, dated September 30, 1935, as amended, are required to be followed by every contracting officer in executing contracts to which the basic law is applicable. The Department of Labor has repealed section 22 of Regulations No. 503, as amended, and in place thereof has added the following new section 22, effective April 30, 1942:

SEC. 22. *Pay roll deductions.* The "Regulations Applicable to Contractors and Subcontractors on Public Building and Public Work and on Building and Work Financed in Whole or in Part by Loans or Grants from the United States" promulgated from time to time by the Secretary of Labor pursuant to the act of June 13, 1934, shall be applicable to the compensation of all laborers and mechanics employed on public buildings or public works subject to the Davis-Bacon Act, as amended. (7 F.R. 686)

(b) *Authorized pay roll deductions.* See § 81.909 for authorized deductions.

(c) *Forms.* (1) Department of Labor Forms DB–11 and DB–15.

(2) Standard Form No. 1093.

(d) *How obtained.* Copies of the above regulations will be obtained by the chiefs of the supply services directly from the Department of Labor for distribution to those concerned. Chiefs of supply services are responsible for the supply of the necessary forms to their contracting officers.

§ 81.913 *Requests for predetermination of wage rates*—(a) *Separate request for each contract.* Prior to entering into negotiations for awarding a contract to which the basic law is applicable, the contracting officer will request the Secretary of Labor, through the chief of the supply service concerned, to predetermine the wage rates to be contained in the contract. This request will be made on Department of Labor Form DB–11, and the instructions on that form will be followed. Since the Department of Labor has stated that the basic law does not apply to the following positions, no predetermination of wages is necessary in their cases:

Assistant engineer on dredges or floating plant in supervisory positions.
Assistant foreman.
Camp assistant.
Checker.
Chief engineer.
Chief mate.
Civil engineer.
Clerk.
Cook.
Cook's helper.
Foreman.
Junior deck officer.
Master or captain.
Mate.
Mess boy.
Messenger.
Office manager.
Pilot.
Quartermaster or steersman.
Steward.
Storekeeper.
Superintendent.
Timekeeper.
Waiter.
Watchman.

(b) *Information as to local wage conditions.* Each request submitted as indicated in paragraph (a) will be accompanied by one or more copies of Department of Labor Form DB–15, executed in accordance with the instructions on that form, which require a separate form for each occupation. In filling out this form, the contracting officer will consult the following and consider the information obtained therefrom in forming the opinion which he is required to state on the form:

(1) The Building Trades Council (or some other local federation or council of the various craft unions),

(2) Independent labor organizations not allied with the local Building Trades Council,

(3) Municipal Officials (the commissioner of public works, the city clerk or other officials in charge of municipal construction who have data on the wage rates paid on city projects.

(4) The employers' organizations (such as Master Builders, the Master Painters, or other contractors' associations, the local chamber of commerce, etc.),

(5) Individual contractors and architects in the locality,

(6) The State Labor Department or its equivalent,

(7) The contracting officer and supervising superintendent, and

(8) The local office of the United States Employment Service or affiliated agency.

§ 81.914 *Special contract clause.* Each contract subject to the basic law will contain the following clause:

The minimum wages to be paid laborers and mechanics on this project, as determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the pertinent locality, are as follows:

Classification of laborers and mechanics	Minimum rates of wages per hour

Any class of laborers and mechanics not listed in the preceding paragraph, which will be employed on this contract, shall be classified or reclassified conformably to the foregoing schedule. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics to be used, the question, accompanied by the recommendation of the contracting officer, shall be referred to the Secretary of Labor for final determination.

§ 81.915 *Underpayment of wages.* Where a contracting officer finds that any laborer or mechanic employed by a contractor or subcontractor on work contracted for which is subject to the basic law has been or is being paid a rate of wages less than the wages required by the contract to be paid, the contracting officer will make a report on Standard Form No. 1093 (Schedule of Deductions from Payments to Contractor), executed as completely as is possible from his records, to the disbursing officer. The latter will complete the execution of the form from his records and transmit it to the office indicated on the form. *Circular Letter A–34106, February 28, 1936, of the Comptroller General.*

WALSH-HEALEY PUBLIC CONTRACTS LAW

§ 81.916 *Walsh-Healey public contracts law; basic law.* (a) Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35–45; M.L., 1939, sec. 747). The law is quoted in the publication referred to in § 81.917 (a).

(b) Subsection 1 (c) of the basic aw was amended by the act of May 13, 1942 (Public Law 552—77th Congress) so as to add a colon at the end thereof and the following proviso:

Provided, That the provisions of this subsection shall not apply to any employer who shall have entered into an agreement with his employees pursuant to the provisions of paragraphs 1 or 2 of subsection (b) of section 7 of an Act entitled "Fair Labor Standards Act of 1938".

§ 81.917 *Applicability of Walsh-Healey public Contracts law.* (a) Generally, the law is applicable to all contracts for the purchase of supplies when the amount thereof exceeds $10,000. The publication of the Department of Labor entitled "Rulings and Interpretations, September 29, 1939, Walsh-Healey Public Contracts Act," and additions and amendments thereto,[1] contain detailed information as to the contracts which are subject to and those exempt from the act.

(b) The following changes and additions to the regulations referred to in paragraph (a) have been published:

(1) Contracts for the rental of equipment are not subject to the act.

(2) Individuals, corporations, or other organizations, not manufacturers or regular dealers as defined by the act, but acting at the instance of Defense Production Associations certified by the War Production Board, are exempt from the representation and stipulation required by section 1 (a) of the act.

(3) All Emergency Plant Facilities Contracts executed on an approved form are exempt from the act.

(4) Ice has been held to be a nonperishable commodity and thus contracts therefor are subject to the act.

(5) An exemption from the application of section 1 (d) and section 2 of the basic law has been granted with respect to employment of girls between the ages of 16 and 18 by contractors in any of the following industries:

Food processing.
Leather products (including luggage and saddlery).
Boots and shoes.
Rubber products.
Photographic equipment and supplies.
Chemical, drug and allied products.
Surgical and scientific instruments.
Optical instruments.
Arms and ammunition.
Electrical manufacturing.

[1] Cf. Part 201.

Plastic products.
Safety appliances.
Machinery and allied products.
Converted paper products.
Fabrication of metal products (including nonferrous metal products).

Subject to the following conditions:

(i) That no girl under 16 years of age shall be employed.

(ii) That no girl under 18 years of age shall be employed for more than 8 hours in any one day, or between the hours of 10 p. m. and 6 a. m., or in any way contrary to State laws governing hours of work.

(iii) That no girl under 18 years of age shall be employed in any operation or occupation which, under the Fair Labor Standards Act or under any State law or administrative ruling, is determined to be hazardous in nature or dangerous to health.

(iv) That for every girl under the age of 18 years employed by him the contractor shall obtain and keep on file a certificate of age showing that the girl is at least 16 years of age.

(v) That a specific and definite luncheon period of at least 30 minutes be regularly granted any women workers under 18 years of age.

(vi) That no girl under 18 shall be employed at less than the minimum hourly rate set by or under the Fair Labor Standards Act or the Walsh-Healey Public Contracts Act for the industry in which the exemption is granted.

(6) Contracts awarded to any railroad or other carrier are excepted from the representations and stipulations required by section 1 of the act.

(7) [2] Contracts negotiated during the present war with States or Territories of the United States or with corporations, commissions or authorities wholly owned and controlled by such States or Territories are exempt from the application of Article 1 [3] of the Regulations.

(8) Stipulation (c) of Article 1 [3] of the contract stipulations (page 39 of the Regulations) has been amended so as to add a colon at the end thereof and the following provisos:

Provided, however, That the provisions of this stipulation shall not apply to any employer who shall have entered into an agreement with his employees pursuant to the provisions of paragraphs 1 or 2 of subsection (b) of section 7 of an act entitled "The Fair Labor Standards Act of 1938": *Provided further,* That in the case of such an employer, during the life of the agreement referred to, the applicable overtime rate set by the Secretary of Labor shall be paid for hours in excess of 12 in any 1 day or in excess of 56 in any 1 week and if such overtime is not paid, the employer shall be required to compensate his employees during that week at the applicable overtime rate set by the Secretary of Labor for hours in excess of 8 in any 1 day or in excess of 40 in any 1 week.

(9) Article 103 [3] (Overtime) of the Administrative Regulations (page 42 of the Regulations) has been amended so as to add the following paragraph:

In the case of any employer who shall have entered into an agreement with his employees pursuant to the provisions of paragraphs 1 or 2 of subsection (b) of section 7 of an Act entitled "The Fair Labor Standards Act of 1938," the foregoing requirements shall be the same except that during the life of the agreement overtime compensation shall be payable only for hours worked in excess of 12 in any 1 day or in excess of 56 in any 1 week. If overtime is not paid for hours in excess of 12 in any 1 day or in excess of 56 in any 1 week, the employer shall be required to compensate his employees during that week for overtime for hours in excess of 8 in any 1 day or in excess of 40 in any 1 week. The requirements of section 7 (b) 1 and 2 of the Fair Labor Standards Act are more fully explained in Interpretative Bulletin No. 8 of the Wage and Hour Division.

§ 81.918 *General instructions relative to Walsh-Healey public contracts law.* (a) The regulations and instructions contained in "Ruling and Interpretations, September 29, 1939, Walsh-Healey Public Contracts Act", and amendments thereto,' will be complied with by all contracting officers. Chiefs of supply services are responsible for furnishing this publication and a supply of the forms referred to therein to each of their contracting officers.

(b) The prospective contractors will be informed of applicable minimum wage determinations, if any, in advance of or coincident with negotiating contracts.

(c) Requests for exceptions, modifications and exemptions authorized by section 6 of the basic law will be submitted to the Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply, by the chief of the supply service concerned.

(d) The minimum wage determinations made to date by the Secretary of Labor are published in the succeeding sections.

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§ 81.919 *Knitted and men's woven underwear and commercial knitting industry.* Knitted and men's woven underwear and commercial knitting. The following described manufacturing, processing, and finishing operations:

(a) The manufacturing, dyeing, or other finishing of any knitted fabrics made from any yarn or mixture of yarns, *except:*

(1) The knitting from any yarn or mixture of yarns and the further manufacturing, dyeing, or other finishing of knitted garments, knitted garments sections, or knitted garment accessories for use as external apparel or covering which are partially or completely manufactured in the same establishment as that where the knitting process is performed: *Provided,* That this exception shall not be construed to apply to the garments or garment accessories designated in paragraph (b) of this section.

(2) Fulled suitings, coatings, topcoatings, or overcoatings containing more than 25 percent, by weight, of wool or animal fiber other than silk.

(3) Hosiery.

(b) The manufacturing, dyeing, or other finishing from any yarn or mixture of yarns, or from purchased knitted fabric, of any of the following products:

(1) Knitted garments or garment accessories for use as underwear, sleeping wear, or negligees.

(2) Fleece-lined garments made from knitted fabric containing cotton only or containing any mixture of cotton and not more than 25 percent, by weight, of wool or animal fiber other than silk.

(3) Knitted shirts of cotton or any synthetic fiber or any mixture of such fibers which have been knit on machinery of 10-cut or finer in the same establishment as that where the knitting process is performed.

(4) Knitted towels or cloths.

(c) The manufacturing of men's and boys' underwear from any woven fabric.

Date effective—March 3, 1942.

Wage—40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis. Learners and handicapped workers may be employed in accordance with the present regulations under the Fair Labor Standards Act, which were adopted for the purposes of this wage determination.

§ 81.920 *Work gloves industry.* Including leather work gloves, leather-palm cotton gloves, all canvas or canton-flannel work gloves, knit gloves, woolen knit lined gloves, and officers' white cotton gloves.

Date effective—August 2, 1937.

Wage—$14.00 per week for a week of 40 hours or 35 cents per hour, arrived at either upon a time or piece work basis.

A tolerance of not to exceed 10 per cent of the workers in any one establishment is granted for those workers who are in fact learners or handicapped or superannuated workers, subject to the conditions that they be paid not less than 25 cents per hour or $10.00 per week and not less than piece rates paid to other workers in the same establishment and that they be qualified for such exemption in accordance with such requirements as may be established hereafter.

§ 81.921 *Seamless hosiery industry.* Manufacture and furnishing of seamless hosiery.

Date effective—March 30, 1942.

Wage—$14.40 per week for a week of 40 hours, or 36 cents per hour, arrived at either upon a time or piece work basis. Learners and handicapped workers may be employed in accordance with the present regulations under the Fair Labor Standards Act of 1938 which regulations were adopted for the purposes of this wage determination.

§ 81.922 *Men's hats and caps industry.*

Date effective—August 2, 1937.

Wage—67.5 cents per hour or $27.00 per week for a 40-hour week, to be arrived at either upon a time or piece work basis.

Variation from minimum wage determination.

Date effective—February 11, 1938.

A tolerance of not more than 20 per cent of the employees in any one factory whose activities at any given time are subject to the provisions of the basic law is granted for auxiliary workers: *Provided,* That such auxiliary workers be paid a wage of not less than 37.5 cents per hour or $15.00 per week for a 40-hour week, arrived at either upon a time or piece work basis: *And provided further,* That the term "auxiliary worker" when used in connection with employees in the uniform cap and in the stitched hat branches of the industry shall not be interpreted to include cutters or workers in the cutting room, machine workers, or workers on any kind of machine, blockers, pressers, or handsewers.

Extension of minimum wage determination—Women's hats and caps.

Date effective—July 11, 1942.

Wage—The minimum wage for the manufacture or furnishing of women's hats and caps of design and construction similar to those covered by the above determinations effective August 2, 1937 and February 11, 1938, for the men's hat and cap industry shall be the minimum wage set forth in those determinations.

Nothing in this determination shall be interpreted as abrogating apy obligation that may have been incurred under the previous determinations for the industry.

§ 81.923 *Men's raincoat industry.* Including vulcanized and rubberized raincoats and raincoats made from material known under the registered trade-mark of "Cravanette" or from fabric chemically or otherwise treated so as to render it water-resistant (except oiled cotton).

Date effective—Determined to be September 18, 1939.

Wage—40 cents per hour or $16.00 per week of 40 hours, arrived at either on a time or piece work basis.

A tolerance of not to exceed 10 per cent of the workers in any one establishment is granted for those workers who are in fact learners, handicapped or superannuated workers, subject to the conditions that they be paid not less than 25 cents per hour or $10.00 per week for a 40-hour week and not less than the piece rates paid to other workers in the same establishment, and that they be qualified for such exemption in accordance with such requirements as may be established hereafter.

Extension of minimum wage determination—Men's and women's oiled cotton waterproof outer garments and other oiled waterproof rainwear.

Date effective—March 6, 1941.

Wage—The minimum wage determination for men's raincoats, including the tolerance provision applicable thereto, is extended to the manufacture of men's and women's oiled cotton waterproof outer garments and other oiled waterproof rainwear.

§ 81.924 *Cotton garments and allied industries.* Miscellaneous garments whether made of wool or cotton:

Men's and youths' trousers and knickers (except those made wholly of wool).
Shirts and nightwear (including flannel).
Men's and youths' work shirts.
Men's and youths' and boys' sleeping garments.
Overalls, overall jackets, and one-piece overall suits.
Work pants and breeches (except those made wholly of wool).
Work and other short coats.
Windbreakers and lumberjackets (excluding mackinaws and leather and sheep-lined coats).
Oiled waterproof cotton outer garments.
Men's and youths' wash suits.
Washable service apparel (hospital, professional, etc.).
Blanket-lined and similar coats.
Other cotton outerwear, men's, youths'.
Wool and wool-lined jackets whether or not such jackets are properly described as windbreakers, lumberjackets, or blanket-lined or similar coats, or as work and other short coats, or by other designation.

Date effective—August 2, 1937.

Wage—37.5 cents per hour or $15.00 per week for a week of 40 hours, to be arrived at either upon a time or piece work basis.

A tolerance not to exceed 10 per cent of the workers in any one establishment is granted for those workers who are in fact learners: *Provided,* That such learners be paid not less than $8.00 per week for the first four weeks, $10.00 for the next four weeks, and $12.00 for the third four-week period after which they shall receive $15.00: *Provided,* That they be paid during the twelve weeks learning period not less than the piece rates paid to the workers in the same establishment: *And provided further,* That such learners be on the pay roll at the time performance of the contract is started; and that an additional tolerance of 10 per cent be granted for those workers who are in fact handicapped or superannuated: *Provided,* That they be paid not less than the piece rates paid to the workers in the same establishment: *And provided further,* That all such learners, handicapped or superannuated workers be qualified for such exemption in accordance with such requirements as may be hereafter established.

Leather and sheep-lined coats are expressly excepted from the above.

Extension of minimum wage determination—Barrack bags and bandoleers.

Date effective—February 14, 1938.

Wage—The minimum wage determination for the cotton garment and allied industries is extended to the manufacture of barrack bags of the type described in U. S. Army Specifications No. 6–245, and to bandoleers of the type described in U. S. Army Specifications No. 50–1–13–A.

Extension of minimum wage determination.

Date effective—March 6, 1941.

Wage—The minimum wage determination for the cotton garment and allied industries, together with the tolerance provision applicable to learners, as previously set forth, is extended to the manufacture and supply of the articles listed below:

Ammunition and cartridge belts made of textiles.
Canvas leggings.
Cot covers.
Fabric pouches and carriers for first aid equipment, such as:
Kit cantle ring straps.
Kit inserts.
Kit laces.
Kit pouches.
Kit suspenders.
Mattress covers.
Mosquito bars.
Wardrobe bags with draw-strings made of textiles.

§ 81.925 *Men's neckwear industry.* All but knitted neckwear.

Date effective—August 2, 1937.

Wage—50 cents per hour or $20.00 per week for a 40-hour week, arrived at either upon a time or piece work basis.

A tolerance of not to exceed 10 per cent of the workers in any one establishment is granted for those workers who are in fact learners or handicapped or superannuated workers, exclusive of boxers and trimmers, with an additional tolerance to persons actually employed as boxers and trimmers: *Provided,* That all

[2] 7 F.R. 3992.
[3] § 201.1. 7 F.R. 4494.
[4] C41, CFR, Part 201.

such workers including learners, handicapped and superannuated workers and boxers and trimmers, be paid not less than 37.5 cents per hour or $15.00 per week for a 40-hour week and not less than the piece rates paid to all other workers in the same occupational classification: *And provided further*, That all such employees be qualified for such exception in accordance with such requirements as may be established hereafter.

§ 81.926 *Dimension granite industry.* Including monumental stone, building stone, paving blocks, curbing, riprap, and rubble, but not crushed stone.

Date effective—January 15, 1938.

Wage—In Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York—57.5 cents per hour or $23.00 per week based on a 40-hour week, arrived at either on a time or piece work basis.

In North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, and Texas—32.5 cents per hour or $13.00 per week based on a 40-hour week, arrived at either on a time or piece work basis.

In Pennsylvania, Maryland, Wisconsin, Minnesota, South Dakota, and all other States not included in the foregoing subparagraphs—42.5 cents per hour or $17.00 per week based on a 40-hour week, arrived at either on a time or piece work basis.

Monumental stone, building stone, paving blocks, curbing, riprap, and rubble, specifically made subject to the minimum wage determination for the dimension granite industry, are exclusively products of granite quarries, and such stones when the products of other quarries are not subject to the minimum wage determination for the dimension granite industry.

§ 81.927 *Shoe manufacturing and allied industries.* The term "shoe manufacturing and allied industries" means:

(a) The manufacture or partial manufacture of footwear from any material and by any process except knitting, vulcanizing of the entire article or vulcanizing (as distinct from cementing) of the sole to the upper.

(b) The manufacture or partial manufacture of the following types of footwear, subject to the limitations of paragraph (1) but without prejudice to the generality of that paragraph:

Athletic shoes.
Boots.
Boot tops.
Burial shoes.
Custom made boots or shoes.
Moccasins.
Puttees, except spiral puttees.
Sandals.
Shoes completely rebuilt in a shoe factory.
Slippers.

(c) The manufacture from leather or from any shoe-upper material of all cut stock and finding for footwear, including bows, ornaments, and trimmings.

(d) The manufacture of the following types of stock and findings for footwear from any material except from rubber or composition of rubber, molded to shape:

Cutsoles.	Shanks.
Midsoles.	Boxtoes.
Insoles.	Counters.
Taps.	Stays.
Lifts.	Stripping.
Rands.	Sock linings.
Toplifts.	Heel pads.
Bases.	

(e) The manufacture of heels of any material except molded rubber, but not including the manufacture of wood-heel blocks.

(f) The manufacture of cut upper parts for footwear, including linings, vamps and quarters.

(g) The manufacture of pasted shoe stock.

(h) The manufacture of boot and shoe patterns.

Date effective—July 11, 1942.

Wage—40 cents an hour or $16.00 for a week of 40 hours, arrived at on a time or piece work basis.

Learners, handicapped workers, and apprentices may be employed in accordance with the following regulations under the Fair Labor Standards Act of 1938, which are hereby adopted for the purpose of this wage determination: Regulations Applicable to the Employment of Learners (5 F.R. 2862; Title 29, Chapter V, Code of Federal Regulations, Part 522); Regulations Applicable to the Employment of Handicapped Persons (5 F.R. 2959; Title 29, Chapter V, Code of Federal Regulations, Part 524); Regulations Applicable to the Employment of Apprentices (5 F.R. 3766; Title 29, Chapter V, Code of Federal Regulations, Part 521); and the Regulations Applicable to the Employment of Handicapped Clients in Sheltered Workshops (5 F.R. 655; Title 29, Chapter V, Code of Federal Regulations, Part 525).

Nothing in this determination shall be interpreted as abrogating any obligation that may have been incurred under the previous determination for the Men's Welt Shoe Industry.

§ 81.928 *Handkerchief industry.* Handkerchiefs.

Date effective—January 26, 1938.

Wage—35 cents per hour or $14.00 per week for a week of 40 hours, arrived at either upon a time or piece work basis.

§ 81.929 *Envelope industry.* Envelopes.

Date effective—May 12, 1938.

Wage—42.5 cents per hour or $17.00 per week for a week of 40 hours, to be arrived at either upon a time or piece work basis.

§ 81.930 *Vitreous or vitrified china industry.* Vitreous or vitrified china, excluding semivitreous or semivitrified china.

Date effective—May 19, 1938.

Wage—42.75 cents per hour or $17.10 per week for a week of 40 hours, to be arrived at either upon a time or piece work basis. The Administrator for the Public Contracts Division, Department of Labor, advises the above applies only to "tableware, kitchenware, dinnerware, and kindred lines, and NOT to plumbers' and sanitary supplies."

§ 81.931 *Leather, leather trimmed, and sheep-lined garments industry.* All leather, leather trimmed, and sheep-lined garments for men, women, or children.

Date effective—September 19, 1941.

Wage—42.5 cents per hour or $17.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

NOTE: The Administrator of Public Contracts, Department of Labor, in letter dated January 6, 1942, states that it has been determined that sheep-lined aviation helmets and leather aviation helmets come within the purview of the above determination.

§ 81.932 *Flint glass industry.*

Date effective—July 12, 1938.

Wage—42.5 cents an hour or $17.00 per week for a week of 40 hours, arrived at either upon a time or piece work basis.

The flint glass industry produces such types of glassware, as illuminating, table glassware, all thin blown glass, thermos bottles, chemical and laboratory ware, perfumery ware, stoppers and bottles, and the like, which character of glassware is produced by the pressed, pressed and blown, off hand and blown method, cutting and polishing; in fact, all types of glassware other than window, plate, and rolled glass, common bottles, containers, and prescription glassware.

NOTE: The Department of Labor has advised that this wage determination is intended to cover all types of glassware other than window, plate and rolled glass, common bottles, containers, and prescription glassware. Among the items particularly included under this intended coverage are fiberglass and fiberglass products.

§ 81.933 *Luggage and saddlery industries.* Luggage, including mail satchels or pouches.

Date effective—July 27, 1938.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis for the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, Washington, Oregon, California, Idaho, Nevada, Arizona, Montana, Wyoming, Utah, Colorado, New Mexico; and 37.5 cents an hour or $15.00 per week of 40 hours, arrived at either upon a time or piece work basis, for the other 26 States and the District of Columbia.

Extension of minimum wage determination. Carrier's tie straps and leather pouches.

Date effective—October 11, 1939.

Wage—That the minimum wage determination for the luggage and saddlery industries is extended to the manufacture of carrier's tie straps and leather pouches, consisting of a leather pouch or pocket of holster type with belt loop used for carrying pliers and knife.

§ 81.934 *Fireworks industry*—(a) *Commercial fireworks division.* Commercial fireworks.

Date effective—October 15, 1938.

Wage—31.25 cents an hour or $12.50 per week for a week of 40 hours, arrived at either upon a time or piece work basis.

(b) *Fusee division.* Fusees, flares, and ship and railroad torpedoes.

Date effective—October 15, 1938.

Wage—37.5 cents an hour or $15.00 per week for a week of 40 hours, arrived at either upon a time or piece work basis.

§ 81.935 *Wool carpet and rug industry.* Wool carpets and rugs (exclusive of rag rugs).

Date effective—October 15, 1938.

Wage—40 cents an hour or $16.00 per week of 40 hours, to be arrived at either upon a time or piece work basis. [Par. 935]

§ 81.936 *Tag industry.* Tags.

Date effective—September 23, 1941.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon time or piece work basis.

§ 81.937 *Aircraft manufacturing industry*—(a) The aircraft manufacturing industry is that industry which manufactures airplanes and gliders, aircraft-type engines, aircraft propellers, parts and accessories for the above-mentioned products, and specialized aircraft servicing equipment.

(b) Expressly excluded from the scope of the definition are such commodities as:

(1) *Fabricated textile products.* Fabric covers (including engine-warming covers); parachutes; safety belts; tow targets; and wind socks.

(2) *Pyrotechnics.* Cartridges for engine starters; and flares and signals.

(3) *Electrical and radio equipment.* Batteries; electric wire and cable; intercommunication equipment; landing and navigation lights; lighting systems; radios; and radio compasses.

(4) *Rubber products.* Rubber de-icing equipment; flotation gear; life preservers and life rafts; bonded rubber mountings and vibration dampers; rubber utilities; and tires and tubes.

(5) *Machine shop products and machinery.* Bearings; bolts, nuts, rivets, screws and washers; gas refueling systems (including refueling pumps); gears and sprockets; piston rings; springs; and wire rope.

(6) *Miscellaneous products.* Cameras; fire extinguishers; first aid equipment; gaskets; instruments; lavatory equipment; and lighter-than-air craft.

Date effective—May 7, 1942.

Wage—50 cents an hour or $20.00 for a week of 40 hours, arrived at on a time or piece-work basis.

Nothing in this determination shall be interpreted as abrogating any obligation that may have accrued under the terms of the determinations for the industry effective on December 29, 1938, and on November 18, 1941.

§ 81.938 *Bobbinet industry.* See § 81.960 (Textile industry).

§ 81.939 *Iron and steel industry.* This determination covers only pig iron, iron or steel ingots, and rolled or drawn iron or steel products as hereinafter stated, and such fabricated iron or steel products as are specifically named but does not include any unspecified coated, insulated, forged, or cast items. The definition as formulated below describes the products of the iron and steel industry and the provisions thereof do not apply to any production in open hearth and electric furnaces other than that specifically enumerated.

The iron and steel industry is defined to mean and include the business of producing and selling all or any one or more of the following products:

Axles—rolled or forged.
Bale ties—single loop.
Bars—alloy steel, hot rolled.
Bars—cold finished, carbon and alloy.
Bars—concrete reinforcing, straight lengths.
Bars—ingots, blooms and billets—iron.
Bars—merchant steel.
Bars—tool steel.
Ferro-manganese and spiegeleisen.
Girder rails and splice bars therefor.
Ingots, blooms, billets and slabs—alloy.
Ingots, blooms, billets and slabs—carbon.
Light rails—60 pounds or less per yard, and splice bars and angle bars therefor.
Standard tee rails of more than 60 pounds per yard, and angle bars and rail joints therefor, or any of such products.
Mechanical tubing.
Pig iron—foundry, high silicon silvery, malleable, open hearth basic, Bessemer, and high silicon Bessemer.
Pig iron—low phosphorus.
Pipe—standard, line pipe, and oil country tubular products.
Plates.
Posts—fence and sign.
Railroad tie plates.
Railroad track spikes.
Sheet bars.
Sheets.
Skelp.
Steel sheet piling.
Strip steel—cold rolled.
Strip steel—hot rolled.
Structural shapes.
Tubes—boiler.
Tube rounds.
Wheels—car, rolled steel.
Wire—drawn.
Wire hoops—twisted or welded.
Wire nails and staples, twisted barbless wire, barbed wire, twisted wire fence stays and wire fencing (except chain-link fencing).
Wire rods.
Wire—spring.
Wire—telephone.

Date effective—Note. This determination was originally effective March 1, 1939, but its operation was subsequently suspended due to court proceedings. Its operation was again resumed effective May 27, 1940.

Wage—Whether arrived at on a time or piece work basis, 45 cents per hour in the locality consisting of the States of Louisiana, Arkansas, Mississippi, North Carolina, South Carolina, Florida, Oklahoma, Texas, Alabama, Tennessee, Georgia, Virginia, and West Virginia (except the counties of Hancock, Brooke, Ohio, Harrison, Monongalia, and Marshall);

60 cents per hour in the locality consisting of the States of Washington, Oregon, California, Montana, Idaho, Nevada, Wyoming, New Mexico, Utah, Colorado, and Arizona;

58½ cents per hour in the locality consisting of the States of North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, and the area in and about East Saint Louis, Illinois;

62½ cents per hour in the locality consisting of the States of Wisconsin, Illinois (except the area in and about East Saint Louis, Illinois), Michigan, Indiana, Ohio, Pennsylvania, Delaware, Maryland, Kentucky, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and that portion of the State of West Virginia comprised within the counties of Hancock, Brooke, Ohio, Marshall, Harrison, and Monongalia, and the District of Columbia.

Provided, That apprentices may be employed at lower rates if their employment conforms to the standards of the Federal Committee on Apprenticeship.

This wage determination has heretofore been interpreted to cover the following:

Plate, armor;
Strips, galvanized;
Sheets, galvanized;
Plates, galvanized;
Shapes, structural, galvanized; and to exclude the following:
Wire, telephone, insulated;
Rods, welding, coated.

§ 81.940 *Tobacco industry.* Cigarettes, chewing and smoking tobacco, snuff (cigars are specifically excluded).

Date effective—May 2, 1939.

Wage—32.5 cents an hour or $13.00 per week of 40 hours, arrived at either upon a time or piece work basis.

§ 81.941 *Furniture industry.* This determination applies to all contracts subject to the basic law, for any of the commodities included in the determination under the wood furniture branch, the public seating branch, and the metal furniture branch of the furniture manufacturing industry.

Metal furniture branch—The metal furniture branch of the furniture manufacturing industry is defined to be that industry whose products include:

Metal office furniture—Vertical filing cabinets; horizontal sections and half sections, and bookcases; hi-line and bookshelf units; desks; tables; chairs; storage cabinets; and wardrobes.
Metal hospital furniture.
Metal household furniture.
Steel shelving—Industrial and general purpose steel shelving, miscellaneous fittings, attachments, and accessories.
Steel lockers—Box lockers; single-tier lockers; double-tier lockers; two-person and compartment lockers; miscellaneous fittings as used in schools, clubs, gymnasiums, commercial, and industrial establishments.
Visible filing equipment—Cabinets; panels.

Date effective—May 13, 1939.

Wage—45 cents an hour or $18.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

Extension of minimum wage determination—Metal furniture branch.

Date effective—July 28, 1941.

Wage—That the minimum wage determination for the metal furniture branch of the furniture industry is extended to the manufacture of metal cabinets for printers' type; metal cabinet partitions; metal tool boxes, tool cabinets, and tool chests; metal trunks, box type; metal rotating bins; metal sectional bins; and metal work benches, desks, and tables.

Public seating branch—The public seating branch of the furniture manufacturing industry is defined to be that industry which fabricates, assembles, and installs (by those who fabricate or assemble) public seating (upholstered or unupholstered), fabricated or assembled of wood, plywood, iron, steel, nonferrous metals, or any combinations of these materials, and consisting of the following:

Fixed or connected seating for such public places as theaters, auditoriums, lodges, assembly halls, shoe stores, rinks, ball parks, race tracks, stadia, and other similar buildings and structures;

Pewing, chancel, choir stalls, and related furniture and accessories for ecclesiastical purposes, seats and benches for court houses, hospitals, public waiting rooms, and for other similar public purposes;

Pupils' desks, pupils' tables, pupils' chairs, and school furniture for all educational purposes;

Portable chairs with folding seats in both single and multiple units;

Portable folding seating in single units for other than household use.

Provided, That the following are specifically not included: Tablet armchairs and school chairs fabricated and/or assembled exclusively of wood.

Date effective—May 13, 1939.

Wage—37.5 cents an hour or $15.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

Wood furniture branch—The wood furniture branch of the furniture manufacturing industry is defined to be that industry whose products include living room, library, bedroom, dining room, kitchen, hall, and office furniture (upholstered or unupholstered); chairs (upholstered or unupholstered), desks, and tables for other uses not specifically excepted herefrom; parlor frames, chairs in the white, furniture parts of wood, and other unfinished household furniture.

"Furniture parts of wood" shall be understood to mean wood parts for furniture where the process of manufacture has advanced so far that the product can be used only in the production of furniture but not to include hardwood dimension stock nor plywood.

Studio couches, household furniture made of metal, fiber, rattan, reed, and willow are not comprehended by this minimum wage determination for the wood furniture manufacturing industry.

Store and lunchroom furniture and fixtures, furniture for professional uses in laboratories, hospitals, barber shops, and beauty parlors, as well as such specialized products as porch, camp, and juvenile furniture, are also excluded from the definition of the wood furniture manufacturing industry.

Date effective—May 13, 1939.

Wage—For the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Maryland, West Virginia, Delaware, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, and the District of Columbia, 35 cents an hour or $14.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

For the States of Virginia, Kentucky, North Carolina, Georgia, South Carolina, Florida, Alabama, Tennessee, Arkansas, Louisiana, Oklahoma, Texas, and Mississippi, 30 cents an hour or $12.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

For the States of California, Washington, and Oregon, 50 cents an hour or $20.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

§ 81.942 *Drug and medicine industry.* Manufacture or packaging of any one or more of the following products:

Drugs or medicinal preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of disease in, or to affect the structure or any function of, the body of man or other animals;

Dentrifices, cosmetics, perfume, or other preparations designed or intended for external application to the person for the purpose of cleansing, improving the appearance of, or refreshing the person.

The foregoing shall not be deemed to include the manufacture or packaging of shaving cream, shampoo, essential (volatile) oils, glycerine, and soap, or the milling or packaging without further processing of crude botanical drugs.

Date effective—September 19, 1941.

Wage—40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece rate basis.

§ 81.943 *Photographic supplies industry.* Cameras, including motion-picture cameras (except 35 millimeter); photostat and blueprint machines; tripods, film rewinders and reels, shutters, and other photographic accessories (except 35 millimeter); such equipment as flashlight apparatus, plate holders, developing apparatus; supplies such as films, photographic paper, and plate; and projectors of all types (except 35 millimeter).

Date effective—August 14, 1939.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis: *Provided*, That learners may be employed at lower rates for a period of not to exceed 60 days if the total number of such workers in any one establishment does not exceed 5 percent of the workers on the payroll, and if such learners are paid not less that 80 per cent of the minimum wage as determined, or 32 cents an hour or $12.80 per week of 40 hours, arrived at either upon a time or piece work basis.

(This determination was extended to include the blueprint paper coating industry. See § 81.944).

§ 81.944 *Blueprint paper coating industry.* The blueprint paper coating industry includes the manufacture or supply of blueprint, brownprint, blackprint, blackline, and other similarly sensitized papers and cloths.

Date effective—October 11, 1940.

Wage—The prevailing minimum wage determination for the photographic supplies industry, set forth in § 81.943 has been extended to include the blueprint paper coating industry.

§ 81.945 *Soap industry.* Soap in bars, cakes, chips, and flakes, and in granulated, powdered, paste, and liquid forms, and glycerine; cleansers containing soap, scouring powders, and shaving soaps, and creams containing soap, and washing compounds containing soap.

Date effective—August 14, 1939.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

§ 81.946 *Fertilizer industry.* Superphosphates, concentrated superphosphates, and concentrated fertilizer from superphosphates, potash, and ammoniates.

Date effective—September 12, 1939.

Wage—The amount indicated for each of the following groups of States, whether arrived at upon a time or piece work basis.

For the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware (except Kent and Sussex Counties), Maryland (except the Eastern Shore consisting of Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, and the District of Columbia, 40 cents an hour or $16.00 per week of 40 hours.

For the States of New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, and Washington, 50 cents an hour or $20.00 per week of 40 hours.

For Kent and Sussex Counties of Delaware, the Eastern Shore of Maryland (including Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), Virginia, Tennessee, and Kentucky, 30 cents an hour or $12.00 per week of 40 hours.

For the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas, effective April 19, 1940, 30 cents an hour or $12.00 per week of 40 hours.

§ 81.947 *"Specialty accounting" supply manufacturing industry.* The commodities covered by this determination are as follows:

(a) Autographic and/or credit registers and/or supplies thereof, such as are used in making handwritten records of various transactions.

(1) Autographic registers may be further described as a machine or device for storing, alining, registering, and issuing copies of hand written records.

(i) The accounting forms are usually folded in zigzag style, although some roll stationery is used. Such accounting forms are usually printed with the name and business of the user, but stock printed forms and plain stationery may be used. One or multiple copies of stationery may be used. Some roll and folder stationery is provided with edge perforations which engage pin sprockets for registration of forms.

(ii) The one or several carbon copies required may be arranged on rolls at right angles to rolls of stationery or such carbon sets may be interleaved with the forms and may cover the entire area or only a part of such forms.

(iii) Registers may be equipped to retain one or more copies of the transaction in a lock compartment and to issue the remaining copies. Registers may be supplied with a cash drawer, which is opened only by an operation which delivers a serially numbered form into a locked compartment.

(2) Credit registers may be further described as a cabinet or device for retaining in orderly arrangement sales tickets representing charge and other transactions.

(i) Such credit registers usually contain a set of vertical-hinged leaves, each leaf containing several numbered springs, the numbers corresponding with customers' names written on an index.

(ii) Such registers usually contain a storage and cash drawer and are sometimes supplied in combination with adding machines.

(b) Continuous form stationery, which is described as multiple sets of "business forms" with or without carbons, attached and/or folded, for use in billing machines, typewriters, and other office equipment. For example, continuous form stationery may be rolled or "fan folded" and may provide any number of copies up to the limit which will take a carbon impression. This type of stationery is usually printed according to specifications. They may be coated with carbon on the back or interleaved with carbon sheets.

(c) Sales and manifold books, which are described as bound books of multiple sets of forms for making original, handwritten records of sales and/or other transactions. For example, sales books are bound books of sales checks or tickets arranged in sets, usually either carbon coated on the back or arranged to fold or lay one or more carbon sheets between each two copies of a set. Translucent sheets are occasionally combined with carbon paper coated on both sides to reduce the number of carbon sheets. Covers may be arranged to fold in for the purpose of providing a better writing surface and may be ruled for tabulating sales. Sales books may or may not be printed.

Date effective—November 1, 1939.

Wage—40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis: *Provided*, That apprentices may be employed at lower rates if their employment conforms with the standards of the Federal Committee on Apprenticeship.

§ 81.948 *Explosives and related products industry.* Blasting and detonating caps.

Date effective—October 19, 1939.

Wage—47.5 cents per hour or $19.00 per week of 40 hours, arrived at either upon a time or piece rate basis. Apprentices may be employed at lower rates than herein determined: *Provided*, Their employment conforms to the standards of the Federal Committee on Apprenticeship.

Powder and other explosives. Dynamite; nitroglycerine; black blasting powder; pellet and fuse powder; smokeless gun powder; permissible explosives (those approved by the United States Bureau of Mines for use in mines where dust and gas explosions are likely to occur).

List of permissible explosives as of June 30, 1941, according to Bureau of Mines Report of Investigations 3583, has been published. Where necessary, copies should be obtained by purchasing officers from the chief of the supply service concerned.

Date effective—October 19, 1939.

Wage—57.5 cents an hour or $23.00 per week of 40 hours, arrived at either upon a time or piece rate basis. Apprentices may be employed at lower rates than herein determined: *Provided*, Their employment conforms to the standards of the Federal Committee on Apprenticeship.

Small arms ammunition. Ammunition and parts thereof for small arms and such related products as saluting primers and cartridges for cartridge type aircraft engine starters.

Date effective—Determined to be October 19, 1939.

Wage—42.5 cents an hour or $17.00 per week of 40 hours, arrived at either upon a time or piece rate basis. Apprentices may be employed at lower rates than herein determined: *Provided*, Their employment conforms to the standards of the Federal Committee on Apprenticeship.

§ 81.949 *Paper and pulp industry.* Pulp and other fiber and the primary conversion of pulp and other fiber into paper and paperboard, and in addition, the manufacture and conversion of primary paper into toilet paper and paper towels, coated book paper, and paper shipping sacks.

Date effective—Determined to be October 15, 1939.

Wage—For the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Oklahoma, Florida, and Texas, 35 cents an hour or $14.00 per week of 40 hours, arrived at either upon a time or piece work basis.

For the States of Maine, New Hampshire, Vermont, Masaschusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, and the District of Columbia, 39 cents an hour or $15.60 per week of 40 hours, arrived at either upon a time or piece work basis.

For the States of Washington, Oregon, and California, 50 cents an hour or $20.00 per week of 40 hours, arrived at either upon a time or piece work basis.

The following explanation of this determination has been received from the Public Contracts Division, Department of Labor:

Except for those products listed in the determination as manufactured on converted from primary paper, this determination is limited in application to paper and paperboard manufactured from pulp and other fiber, and to pulp and other fiber of the character used in manufacturing paper and paperboard. The majority of paper and paperboard items purchased by the Government that are subject to this wage determination are classified and listed as follows:

(a) *Book paper, writing paper, and cover paper.* (1) Book paper includes antique-finish, book end, coated book, half-tone, lithograph, machine-finished size and supercalendered, and offset papers.

(2) Cover paper includes laid cover and machine-finish cover papers.

(3) Writing paper includes bond, duplicate check copies, index, internal revenue ledger, manifold (including glazed), map, mimeograph, parchment deed, vellum finish, and postage stamp papers.

(b) *Building paper.* Felts and sheathing paper.

(c) *Ground-wood printing and specialty paper.* Blueprint paper (unsensitized distinctive papers (public debt, securities, etc.), safety papers (safety device incorporated in manufacture of paper), and tracing paper.

(d) *Newsprint paper.* Facing slips and newsprint paper.

(e) *Paperboards.* Back-lining, binder's board or tarboard, bristol board, chipboard, lined boards (box, chip, marble-grained), newsboard, pressboard, red sulphite, tag board, manila cardboard, and strawboard.

(f) *Tisue and absorbent paper.* (1) Absorbent paper includes blotting, filter, and matrix paper and board.

(2) Tissue paper includes lens tissue, paper towels, and toilet paper.

(g) *Wrapping paper.* (1) Kraft wrapping paper.

(2) Manila paper includes target paper and uncut label paper.

(3) Plate and roll wiping paper.

§ 81.950 *Cement industry.* Portland cements, including modified portland cement, such as portland masonry cement and portland puzzolan cement.

Date effective—March 2, 1940.

Wage—Within the States of Pennsylvania, New York, New Jersey, Maryland, West Virginia, Ohio, Delaware, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, and the District of Columbia, 57 cents an hour or $22.80 per week of 40 hours.

Within the States of Maine, Michigan, Indiana, Kentucky, South Dakota, North

Dakota, Nebraska, and Kansas, 50 cents an hour or $20.00 per week of 40 hours.

Within the State of Illinois, 63½ cents an hour or $25.40 per week of 40 hours.

Within the States of Wisconsin, Minnesota, Iowa, Missouri, Colorado, Wyoming, Utah, Montana, Idaho, Oregon, Nevada, Arizona, and New Mexico, 55 cents an hour or $22.00 per week of 40 hours.

Within the State of Washington, 70 cents an hour or $28.00 per week of 40 hours.

Within the State of California, 62½ cents an hour or $25.00 per week of 40 hours.

Within the States of Oklahoma and Texas, 47 cents an hour or $18.80 per week of 40 hours.

Within the States of Arkansas, Louisiana, Alabama, Tennessee, Virginia, Georgia, Florida, Mississippi, North Carolina, and South Carolina, 40 cents an hour or $16.00 per week of 40 hours.

§ 81.951 *Structural clay products industry.* Common brick, face brick (including glazed and enameled brick), salt glazed brick, manhole brick, structural clay tile (including glazed tile), unglazed face tile, paving brick, and clay or shale granules.

Date effective—October 27, 1941.

Wage—Arrived at either upon a time or piece work basis: In the States of Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, and the District of Columbia, 34 cents an hour or $13.60 per week of 40 hours.

For the remaining States of the United States, 40 cents an hour or $16.00 per week of 40 hours.

§ 81.952 *Uniform and clothing industry*—(a) *Suit and coat branch.* The suit and coat branch of the uniform and clothing industry is defined to be that industry which manufactures men's civilian suits and overcoats, tailored-to-measure uniforms including the pants, uniform overcoats, and uniform coats. Expressly excluded from this definition are shirts, single pants regardless of material, outdoor jackets, leather and sheep-lined jackets, work clothing, and washable service apparel.

Date effective—February 25, 1941.

Wage—60 cents an hour or $24.00 per week of 40 hours, arrived at either upon a time or piece work basis, with a 20 percent tolerance for auxiliary workers: *Provided*, They be paid not less than 40 cents an hour or $16.00 per week of 40 hours.

(b) *Outdoor jackets branch.* The outdoor jackets branch of the uniform and clothing industry is defined to be that industry which manufactures wool and wool-lined jackets whether or not such jackets are properly described as mackinaws, field jackets, windbreakers, lumber jackets, peajackets, wool jumpers, or middies, blanket-lined or similar coats, or by any other similar designation.

Date effective—February 25, 1941.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

(c) *Wool trousers branch.* The wool trousers branch of the uniform and clothing industry is defined to be that industry which manufactures wool or part wool uniform trousers or breeches, except tailored-to-measure trousers.

Date effective—February 25, 1941.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

§ 81.953 *Die casting manufacturing industry.* The die casting manufacturing industry is defined to be that industry which manufactures die castings for sale and does not include the manufacture of die castings when incorporated into another product by the manufacture of such other products. The term "die casting" as used herein describes a casting made by forcing molten metal under pressure into a metallic mold or die.

Date effective—April 5, 1941.

Wage—50 cents an hour or $20.00 per week of 40 hours, arrived at either upon a time or piece work basis. Apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship. Learners may be employed at the rate of 40 cents an hour or $16.00 per week of forty hours for a period of not to exceed 60 days if the total number of employees classified as such does not exceed 5 per cent of the total number of employees in any one establishment.

§ 81.954 *Dental goods and equipment manufacturing industry*—(a) Durable goods. Hand instruments, including forceps and pliers, broaches and cutting instruments, for dental use.

Dental chairs.
Dental cabinets.
Equipment units.
Dental sterilizers.
Dental gas apparatus.
Dental X-ray equipment.
Dental compressors, engines, and lathes.
Dental lights.
Dental laboratory equipment, other than laboratory furniture.

Date effective—September 23, 1941.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

Apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship. Learners may be employed at the rate of 35 cents an hour or $14.00 per week of 40 hours for a period of not to exceed 60 days, if the total number of employees so classified does not exceed 10 per cent of the total number of employees in any one establishment in any given pay roll or work week.

(b) *Consumable goods.*
Dental gold.
Dental alloy for amalgams.
Dental cement and filling materials.
Teeth, porcelain and gold.
Orthodontic appliances.
Waxes, compounds, and investments.
Rubber dental materials.
Denture materials other than rubber.
Burs, drills, and similar tools for use with handpieces.
Abrasive points, wheels, and disks.

Date effective—September 23, 1941.

Wage—35 cents an hour or $14.00 per week of 40 hours, arrived at either upon a time or piece work basis.

§ 81.955 *Scientific industrial and laboratory instruments industry.* Instruments and apparatus of the type used in navigation; surveying; engineering; drafting; target detection; fire control; meteorology; laboratories for physical, chemical, clinical, biological, bacteriological, geological, physiological, and psychological teaching, demonstration, research, and testing.

Instruments and apparatus for indicating, measuring, recording, or controlling the following:

quantity
quality
temperature
combustion
pressure
flow
density
intensity
humidity
conductivity
position
altitude
level
attitude
angle
direction
distance
speed
acceleration

Electrically-actuated instruments used to measure physical quantities; and optical glass; *but not including:*

Instruments and apparatus for measuring or controlling flow or consumption of water, gas, or gasoline, used in the services rendered by public utilities and service stations in indicating consumer consumption; instruments and apparatus used on automobiles; clocks and watches; and machinists' gages.

Date effective—September 23, 1941.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

Apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship. Learners may be employed at the rate of 35 cents an hour or $14.00 per week of 40 hours for a period of not to exceed 60 days, if the total number of employees so classified does not exceed 10 per cent of the total number of employees in any one establishment in any given pay roll or work week.

§ 81.956 *Surgical instruments and apparatus industry.* Instruments and apparatus used in, or in connection with, or in the aid of the practice of medicine and as particularly applied to surgery, such as surgical and diagnostic instruments and apparatus for medical and surgical treatment, including sutures, ligatures, and sterilizers for surgical purposes; *but not including:*

Electrosurgical instruments and apparatus in which electricity is the diagnostic, therapeutic, or functioning element, such as X-ray, fluoroscope, and high frequency apparatus and equipment, ultraviolet and infra-red ray and other therapeutic and heating lamps, apparatus, and equipment, orthopedic appliances, such as trusses, braces, supports, splints, artificial limbs, and elastic belts and stockings; and surgical dressings.

Date effective—September 23, 1941.

Wage—40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

Apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship. Learners may be employed at the rate of 35 cents an hour or $14.00 per week of 40 hours for a period of not to exceed 60 days, if the total number of employees so classified does not exceed 10 per cent of the total number of employees in any one establishment in any given pay roll or work week.

§ 81.957 *Evaporated milk industry.* Evaporated milk.

Date effective—November 3, 1941.

Wage—Arrived at either upon a time or piece work basis:

In the States of Washington, Oregon, and California, 50 cents per hour or $20.00 per week of 40 hours.

In the States of Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Colorado, Wyoming, North and South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, and Ohio, 40 cents per hour or $16.00 per week of 40 hours.

In the remaining States of the United States and the District of Columbia, 32.5 cents per hour or $13.00 per week of 40 hours.

§ 81.958 *Paint and varnish industry.* Pigments or colors, either in dry or paste form; paints mixed ready for use or in dry or paste form; varnishes, lacquers, enamels; fillers, putty, top dressings; paint and varnish removers; furniture and floor wax; and lacquer thinners.

Date effective—November 6, 1941.

Wage—Arrived at either upon a time or piece work basis:

For the States of Virginia, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and Arkansas, 40 cents an hour or $16.00 per week of 40 hours.

For all other States of the United States and the District of Columbia, 50 cents an hour or $20.00 per week of 40 hours.

§ 81.959 *Leather manufacturing industry.* The leather manufacturing industry is defined to be that industry which tans, curries, and finishes leather (including rawhide) from any type of hide or skin, and manufactures welting and power transmission belting when made wholly or principally of leather.

(a) *Tanning, currying, and finishing of leather (including rawhide).*

Date effective—December 17, 1941.

Wage—Arrived at either upon a time or piece rate basis.

In the States of Maine, Vermont, New Hampshire, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Maryland, Pennsylvania, Delaware, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, Washington, and the District of Columbia, 50 cents an hour or $20.00 per week of 40 hours.

In the States of West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Arkansas, Louisiana, Oklahoma, and Texas, 40 cents an hour or $16.00 per week of 40 hours.

(b) *Welting and power transmission belting.*

Date effective—December 17, 1941.

Wage—Arrived at either upon a time or piece rate basis. 40 cents an hour or $16.00 per week of 40 hours, regardless of where manufactured.

§ 81.960 *Textile industry.* The term textile industry means:

(a) The manufacturing or processing of yarn or thread and all processes preparatory thereto, and the manufacturing, bleaching, dyeing, printing and other finishing of woven fabrics (other than carpets and rugs containing any wool) from cotton, flax, jute, other vegetable fiber, silk, grass, or any synthetic fiber, or from mixtures of these fibers; or from such mixtures of these fibers with wool or animal fiber (other than silk) as are specified in § 81.960 (g) and (h); except the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber;

(b) The manufacturing of batting, wadding, or filling and the processing of waste from the fibers enumerated in paragraph (a) of this section;

(c) The manufacturing, bleaching, dyeing, or other finishing of pile fabrics or cords (except carpets and rugs containing any wool) from any fiber or yarn;

(d) The processing of any textile fabric, included in this definition of this industry, into any of the following products: bags; bandages and surgical gauze; bath mats and related articles; bedspreads; blankets; diapers; dish-cloths; scrubbing cloths and wash-cloths; sheets and pillow cases; tablecloths, luncheloths and napkins; towels; window curtains; shoe laces and similar laces;

(e) The manufacturing or finishing of braid, net or lace from any fiber or yarn;

(f) The manufacturing of cordage, rope or twine from any fiber or yarn including the manufacturing of paper yarn and twine;

(g) The manufacturing, or processing of yarn (except carpet yarn containing any carpet wool) or thread by systems other than the woolen system from mixtures of wool or animal fiber (other than silk) with any of the fibers designated in paragraph (a) of this section, containing not more than 45 per cent by weight of wool or animal fiber (other than silk);

(h) The manufacturing, bleaching, dyeing, printing or other finishing of woven fabrics (other than carpets and rugs) from mixtures of wool or animal fiber (other than silk) containing not more than 25 per cent by weight of wool or animal fiber (other than silk), with any of the fibers designated in § 81.960 (a), with a margin of tolerance of 2 per cent to meet the exigencies of manufacture;

(i) The manufacturing, dyeing, finishing or processing of rugs or carpets from grass, paper, or from any yarn or fiber except yarn containing any wool but not including the manufacturing by hand of such products.

Date effective—June 24, 1942.

Wage—40 cents an hour or $16.00 for a week of 40 hours, arrived at on a time or piece work basis.

Learners, handicapped workers, and apprentices may be employed, and deductions from the wages of employees may be made in accordance with the present regulations under the Fair Labor Standards Act of 1938, which were adopted for the purpose of this wage determination.

This determination shall not be interpreted as abrogating any obligation that may have occurred under the previous determination for the industry or under the previous wage determination for the manufacture of bobbinets which is covered by the present definition of the Textile Industry.

§ 81.961 *Chemical and related products industry.* The chemical and related products industry is defined to be that industry which manufactures:

(a) (1) Heavy industrial, and fine chemicals, including among others, compressed and liquefied gases, and insecticides and fungicides, and

(2) The byproducts of the foregoing; and

(b) The manufacture of such commodities as bluing; bone black, carbon black, and lampblack; cleaning and polishing preparations (except paint and varnish remover, furniture and floor wax and polish, and soap); mucilage, paste and other adhesives.

Omitted from the scope of the definition of this industry are ammunition; drugs and medicines; explosives; fertilizer; fireworks; paints, pigment, varnishes, and lacquers; and soap, which are covered in other sections—§§ 81.916 to 81.961. (See § 81.918 (d))

Date effective—April 28, 1942.

Wage—Arrived at either upon a time or piece work basis.

(1) 40 cents an hour or $16.00 per week of 40 hours, for the States of Maryland, Virginia, North Carolina, South Carolina, Tennessee, Arkansas, Mississippi, Alabama, Georgia, Florida, and the District of Columbia; and

(2) 50 cents an hour or $20.00 per week of 40 hours for the remaining States of the United States.

NOTE: The following elaboration of the intended scope of the above determination

has been furnished by the Department of Labor:

The heavy, industrial, and fine chemicals referred to in the determination are those classified by the 1939 Census of Manufacturers in the following industries:

Census industry No.	*Census industry title*
933	Insecticides, fungicides and related industrial and household chemical compounds;
981	Coal-tar products, crude and intermediate;
982	Plastic materials;
985	Compressed and liquefied gases;
999	Chemicals not elsewhere classified.

The definition does not extend to the utilization of chemicals in other industries, nor does it apply to the following products which are grouped with Chemicals by various industrial classification codes:

Animal and vegetable oils;
Candles;
Glue and gelatin;
Grease and tallow;
Ink;
Rayon and allied products;
Salt;
Tanning extracts and natural dyestuffs;
Wood distillation products, charcoal and naval stores.

PLANT FACILITIES EXPANSIONS

POLICY

§ 81.1001 *General policy in regard to new facilities.* The conservation of critical material and the fullest possible utilization of existing facilities, whether structures, machinery, or equipment, requires that preference in placing contracts should be given first to contractors who have existing buildings or machinery available, and, second, to contractors who need to acquire the least amount of additional facilities for performance of the contract. Where it has been determined that new facilities are essential, preference should be given to contractors who will themselves finance such facilities. So far as practicable, direct payment or direct reimbursement by the Government for the cost of new facilities should be confined to facilities which themselves form a separate unit (on land covered by the facilities contract or controlled by a long-term lease) or which are readily removable or separable from the contractor's existing plant without unreasonable expense or loss of value. Thus, so far as practicable, buildings should not be erected at the Government's expense on land owned by the contractor unless the Government is given an option to lease on an appropriate basis for a substantial term (e. g. ten years) after the emergency, or an option to buy land at a reasonable price, now or later determined by negotiation.

In connection with new construction projects, the following measures will be observed in order to conserve critical materials:

(a) The site will be selected with a view to minimizing the requirements for additional utilities, transportation, and housing facilities. An effort will also be made to avoid the necessity of multiple-storied structures.

(b) Whenever possible, structures should be of a temporary nature and should be of the simplest construction consistent with the proposed use of the structure and the applicable building codes.

(c) Air conditioning will be employed in only those structures or portions of structures where the manufacturing process makes such use essential. Air conditioning will not be employed for the comfort or for increasing the efficiency of personnel.

(d) Construction of new facilities will, insofar as possible, be of materials the use of which is not prohibited by applicable orders of the Army-Navy Munitions Board or the War Production Board.

§ 81.1002 *Rental or allowance for the use of Government-financed facilities.* In cases where competition in a price sense will or may exist between the contractor receiving Government-financed facilities and other manufacturers (not using comparable Government facilities on a no-rental basis), appropriate steps will be taken to equalize insofar as possible the competitive situation. To this end, a reasonable rental not less than normal depreciation during the period of use will ordinarily be charged in such cases. Where there is direct Government construction or installation of Government-owned machinery or equipment (not including construction or installation under a Defense Plant Corporation Lease), in lieu of the rental charge, cognizance may be taken of the difference in the ownership or rental status of the facilities, as between the several manufacturers, and this factor taken into account in placing the contract.

Where Government-financed facilities are employed for the performance of contracts other than those directly with the Government, a rental will usually be charged for the facilities so employed. However, where the facilities are furnished as a part of an integrated production program under which a reduction commensurate with the facilities furnished is obtained in the cost of the supplies to the Government, and the furnishing of the facilities without rental does not create an unfair competitive advantage, the rental charge need not be made. Rental may also be waived with respect to production for a foreign Government for cause deemed adequate by the chief of the supply service.

§ 81.1003 *Reconversion and storage costs.* Where, pursuant to the policy stated in § 81.1001, the Government undertakes to finance the conversion of plants to war production (including required new machinery, equipment, and building installations), the cost of such conversion may include the cost of removing existing commercial machinery, equipment, and installations, and the cost of incidental building rehabilitation and alteration. In such cases, provision may be made for payment, on termination of production for the Government, of the costs of removal of Government-financed machinery and equipment, including preparation for shipment and storage. No provision may be made, however, for the Government's bearing, either directly or indirectly, any part of the cost of reconverting the contractor's plant to commercial production (including reinstallation of privately-owned machinery and equipment), nor will the Government bear the cost of storing such machinery and equipment during the period between conversion and reconversion. This policy is equally applicable to all types of contracts, whether facilities contracts, cost-plus-a-fixed-fee contracts, or fixed-price contracts.

§ 81.1004 *Tax amortization.* Under the provisions of section 124 of the Internal Revenue Code, the cost of facilities which are acquired by corporations may be amortized over a period of sixty months (or, under certain circumstances, a shorter period) for the purpose of computing taxable income. The amortization provisions do not apply when the facilities expansion is financed under a plan of the type described in Plans III, IV, or V, in § 81.1006 (c), (d), or (e). In order to secure the benefits of such amortization, the corporation must obtain from the War Department or the Navy Department a Necessity Certificate which certifies to the Commissioner of Internal Revenue that the facilities therein described are necessary in the interest of National Defense. The duties of the Services of Supply with respect to processing applications for such certificates are set forth below in §§ 81.1014 to 81.1017.

METHODS FOR PROVIDING NEW FACILITIES AND PROTECTION OF THE GOVERNMENT'S INTEREST IN GOVERNMENT-FINANCED FACILITIES

§ 81.1005 *Protection of the Government's interest.* The duty of protecting the Government's interest in facilities for which the Government has paid in whole or in part rests upon the Contracting Officer. Where the new facilities are paid for by the contractor, and the cost thereof is not to be borne by the Government directly or indirectly, there is no problem of protecting the interest of the Government in the facilities. (See Plan I, § 81.1006 (a)). Where the new facilities are to be financed by the Government, protection of the Government's interest therein will ordinarily be accomplished by the use of Plan II, III, IV, or V, as outlined in § 81.1006 (b), (c), (d) or (e). *In exceptional cases,* such protection may be accomplished by the use of Special Facilities Contracts or Lease Agreements or through the use of the procedure outlined in § 81.1007.

§ 81.1006 *Methods for providing new facilities.* The following methods are typical of those which may be used for providing new facilities:

(a) *Plan I: Private ownership, with no Government interest*—(1) *Purpose.* For cases in which the contractor is not to be paid by the Government directly or indirectly for the cost of the facilities except to the extent of normal depreciation included in the price of articles sold to the Government.

(2) *Financing.* Financed by the contractor.

(3) *Title.* Vested in the contractor.

(b) *Plan II: Private ownership, with Government interest (Emergency Plant Facilities Contract)*—(1) *Purpose.* For cases in which the contractor is to be reimbursed by the Government and desires to retain a future interest in the facilities.

(2) *Financing.* By the contractor until repaid by the Government.

(3) *Title.* Vested in the contractor with option to purchase such interest as the Government may have acquired by having repaid the contractor partially or wholly for facilities.

(c) *Plan III: Government ownership, War Department construction contract*—(1) *Purpose.* For cases in which the contractor is constructing facilities for the Government and at Government expense.

(2) *Financing.* By the Government.

(3) *Title.* Vested in the Government. When the facilities will constitute an addition to or an extension of an existing plant of the contractor, the contractor may be given an option to purchase the facilities.

(d) *Plan IV: Government Ownership, Defense Plant Corporation Lease*—(1) *Purpose.* For cases in which the Defense Plant Corporation pays for the facilities.

(2) *Financing.* Defense plant Corporation, upon recommendation by the War Department, enters into an Agreement of Lease with the contractor which, as agent for and in the name of Defense Plant Corporation, constructs the buildings and purchases the machinery and then leases the facilities from Defense Plant Corporation at an agreed rental. In most cases where the rental agreed upon is insufficient to reimburse Defense Plant Corporation in full over the term of the lease, part of the financing is borne by the War Department under an agreement with Defense Plant Corporation.

(3) *Title.* Vested in Defense Plant Corporation, with option in contractor to buy at the end of the lease.

(e) *Plan V: Government Ownership, Supply Contract*—(1) *Purpose.* For cases in which the contractor will acquire facilities (other than real estate and buildings) for the account of and to be paid for by the Government; facilities to be used by contractor to manufacture supplies under War Department Supply Contract; contractor to pay cost of maintenance and replacement during life of contract. This type of Governmental financing is provided for by the article entitled "Government-Owned Facilities," § 81.332.

(2) *Financing.* Government Funds.

(3) *Title.* Vested in the Government, with option in contractor, in certain cases, to buy at cost less depreciation.

§ 81.1007 *Other methods of protecting the Government's interest in Government-financed facilities.* Where, because of special circumstances (such as the inseparability of the new facilities from existing privately owned facilities), the adoption of none of the methods set forth in § 81.1006 is practicable and the Government bears, as a part of the contract price, all or a portion of the cost of the facilities to the contractor, the Contracting Officer will include in the contract which provides for such payment by the Government for the facilities suitable provisions for the protection of the Government's interest in the facilities and will state in the contract the amount of such payment. Ordinarily in such cases the provisions hereinafter set forth should all be included. However, in exceptional circumstances one or more of such provisions, with the approval of the Chief of the Purchases Branch, Procurement and Distribution Division, Services of Supply, may be omitted from the contract with or without substitution of modified provisions directed to the same end:

(a) Requirement that the contractor maintain the facilities, or an appropriate portion thereof, in good condition at its own expense for a period provided for in the contract extending beyond the period of existing supply contract, unless upon request the Contracting Officer releases it from such obligation;

(b) Requirement that the contractor retain title to the facilities, or an appropriate portion thereof, during said period free of encumbrances not consented to in writing by the Contracting Officer;

(c) Requirement that the contractor makes no material alteration in the nature of the facilities, or an appropriate portion thereof, without the written consent of the Contracting Officer;

(d) Requirement that the contractor give priority to Government orders during said period;

(e) Requirement that the contractor shall not include in any price in any supply contract with the Government any sum for depreciation or amortization of the facilities, or an appropriate portion thereof, during said period;

(f) Provision that the contractor may at any time be released from the above requirements upon payment to the Government of a sum agreed upon between the contractor and the Contracting Officer as constituting fair and just return to the Government for its payment for the facilities.

Where reference is made in the above to "an appropriate portion" of the facilities, that portion for which payment is made by the Government is intended.

PROCEDURE FOR OBTAINING CLEARANCE AND APPROVAL OF FACILITIES EXPANSIONS

§ 81.1008 *Preliminary clearance.* (a) The chief of the supply service concerned will report to the Deputy Chief of Staff for Resources and Requirements, Headquarters, Services of Supply, every proposed facilities expansion involving either:

(1) New construction, regardless of amount,

(2) The addition of machinery or equipment where expediting production funds are required, or

(3) The addition, under a supply contract, of machinery or equipment the estimated cost of which exceeds twenty per cent of the total amount of the contract and $25,000.

(b) Such report should be made when the facility is first conceived, and should contain the following information:

(1) Name of the company.

(2) Nature and location of the proposed project.

(3) Nature of the product concerned in this expansion.

(4) Estimated increase in productive capacity expected to result from the proposed expansion.

(5) Estimated cost of the expansion:

(i) Construction, including land and improvements.

(ii) Machinery and equipment.

(iii) Total.

(6) Estimated labor requirements for operation:

(i) Men.

(ii) Women.

(7) Estimated additional demand for power stated in kilowatts, and estimated additional requirements for natural gas.

(8) A brief statement demonstrating that the proposal is essential to meet the needs for equipment or material under the latest "Requirements for Army Supply Program," and that existing facilities or structures are not available for the required purpose.

§ 81.1009 *Plant Site Board clearance.* Every proposed facilities expansion in excess of $1,000,000 must be approved by the Plant Site Board of the War Production Board. In order to obtain the clearance of the Plant Site Board, it will be necessary to submit substantially the same information as that required under § 81.1008. Where the chief of the supply service concerned deems it desirable in the interests of expedition, the information may be furnished and the clearance obtained by telephone.

§ 81.1010 *Final approval and release of expediting funds.* (a) Applications for final approval of proposed facilities expansions of the types set forth in § 81.1008 and for the release of expediting funds, where such funds are required, will be submitted to the Deputy Chief of Staff for Resources and Requirements, Headquarters, Services of Supply (or in the case of the Air Corps, such applications will be submitted to the Under Secretary of War). Such applications will supply the following information:

(1) The name of the project.

(2) The nature and location of the project.

(3) The nature of the product.

(4) The estimated maximum capacity of the proposed facility.

(5) The name of the proposed operator.

(6) The estimated cost of the project.

(7) The amount of "expediting production" funds requested.

(8) The proposed manner of financing the balance of the cost.

(9) A statement substantially as follows: "This project was formally cleared by the Plant Site Board of the War Production Board on _____ (date)."

(10) Estimated date production operations to commence.

(11) Map in duplicate showing location.

(12) Floor space to be provided (where appropriate).
(13) Estimated costs:
(i) Land ____ acres, $_____.
(ii) Construction, $_____.
(iii) Machinery and equipment, $_____.
(iv) Government overhead and other, $_____.
Total, $_____.
(14) Estimated labor requirements for operation (Include estimated percentage of female labor.)
(i) Supervisory and administrative salary range, ____ ____
(ii) Skilled, salary range, ____ ____
(iii) Semi-skilled, salary range, ____ ____
(iv) Unskilled, salary range, ____ ____
Total ____ ____
(15) Statement as to local availability of labor for proposed plant.
(16) Power:
(i) Expected maximum demand in kilowatts, _____.
(ii) Is adequate power available locally? _____.
(iii) What is proposed source of power supply? _____.
(17) Transportation:
(i) Estimated transportation requirements _____.
(ii) Are there adequate main line rail facilities? _____.
(iii) Are there adequate improved highway facilities to the site? _____.
(18) Water:
(i) Expected water requirements in gallons per day, _____.
(ii) Is there an adequate supply of water available? What is proposed source of supply? _____.
(19) Fuel:
Is there an adequate supply of fuel? _____.
(20) Sewage disposal requirements and method of handling proposed.
(21) Housing:
Will additional housing for operating personnel be required? If so, state approximate number of units, _____.
(22) Has the proposed site been favorably reported on from an engineering standpoint by the Department charged with responsibility for construction? _____.
(23) Alternate locations:
Have alternate sites been reconnoitered? What are the reasons which caused the recommended site to be selected? _____.
(24) A statement by the chief of the supply service that he has made a thorough investigation and has determined that the facilities proposed are essential to meet the needs for equipment and material set forth by the latest "Requirements for Army Supply Program," that there are no existing manufacturing facilities available or susceptible of conversion for the purpose, and that there are no existing structures which can be made available for the purpose by purchase or lease.

(b) Where it is deemed essential in the interest of expedition to file the application before the complete information required above is available, the information required by items (10) through (24) may be supplied in a second letter following the original application.

§ 81.1011 *Contract clearance.* All proposals for facilities expansions and amendments thereto in excess of $5,000,000 under Defense Plant Corporation Lease Agreements and all proposed contract awards in excess of $5,000,000 involving any type of Government financing of facilities expansions or installations will be submitted to the Chief, Purchases Branch, Procurement and Distribution Division, Headquarters, Services of Supply.

§ 81.1012 *Obtaining the letter of commitment in connection with Defense Plant Corporation Lease Agreements.* Where the proposed expansion is to be financed through a Defense Plant Corporation Lease Agreement, the letter of commitment from the War Department to the Defense Plant Corporation will be submitted to the Under Secretary of War. Such submission will be through the Special Legal and Liaison Division, Office of the Under Secretary of War, and will be accompanied by a brief statement of the nature, location, estimated cost, and productive capacity of the project, together with a statement that the project is essential and that the estimated cost thereof is believed reasonable.

§ 81.1013 *Approval of contracts required in special cases.* All Emergency Plant Facilities contracts, all Special Facilities contracts and Special Lease Agreements, and all contracts required to be submitted under § 81.1007, will be submitted to the Chief, Purchases Branch, Procurement and Distribution Division, Services of Supply, for approval.

PROCESSING APPLICATIONS FOR NECESSITY CERTIFICATES IN CONNECTION WITH FACILITIES EXPANSIONS

§ 81.1014 *Information to be submitted in application.* Applications for Necessity Certificates should contain the information and be executed in the manner indicated in the following publications:

(a) Form of application for Necessity Certificate, with instruction sheet, issued jointly by the War and Navy Departments, dated October 27, 1941, as the same may from time to time be thereafter amended.

(b) Regulations prescribed by the Secretary of War and the Secretary of the Navy, with the approval of the President, governing the issuance of Necessity Certificates under section 124 (f) of the Internal Revenue Code.

Copies of the foregoing publications may be obtained from the Tax Amortization Section, Headquarters, Services of Supply. Taxpayers may be advised that copies are thus obtainable.

§ 81.1015 *Place of filing application.* The application for Necessity Certificate should ordinarily be filed with the Tax Amortization Section, Headquarters, Services of Supply, Washington, D. C. In some instances, taxpayers, unfamiliar with the procedure, may file applications with officers of the supply services. An original and one copy of applications thus filed, will be promptly forwarded by the officer, through the chief of the supply service concerned to the Tax Amortization Section, Headquarters, Services of Supply. The third copy will be retained in order to enable the officer to make investigation and report pursuant to § 81.1016 (e).

§ 81.1016 *Procedure for processing applications.* The following procedure will govern the processing of applications:

(a) The Tax Amortization Section, Headquarters, Services of Supply, will, in cases which concern a supply service, send one copy of the application to the chief of such supply service with a request for report.

(b) The chief of the supply service concerned will transmit this copy to the officer most appropriately qualified, for investigation and report.

(c) The reporting officer, referred to in paragraph (b) of this section, will retain the application and transmit his report thereon to the chief of the supply service concerned, in duplicate, not later than fifteen days after the receipt of the application by him, except in cases in which he is unable to complete his report within such time, in which event he will send an original and a copy of a statement giving his reasons for his inability so to report within the prescribed time and stating when the report will be filed.

(d) The chief of the supply service will retain one copy of the report and forward the original to the Tax Amortization Section, Headquarters, Services of Supply.

(e) The report will, with the exception noted below, be limited to advice as to whether the construction, reconstruction, erection, installation or acquisition of a facility is necessary in the interest of National Defense during the emergency period, within the meaning of section 124 of the Internal Revenue Code as interpreted by Article 3 of the Regulations. This will involve advice on the following points:

(1) Is the "supply to be produced with the facility sought to be certified" "required" within the meaning of Article 3–a of the Regulations?

(2) Is the facility sought to be certified appropriate for the production of the supply?

(3) Is there "an existing or prospective shortage of facilities for the production of the supply" within the meaning of Article 3–b of the Regulations and what facts form the basis of the reporting officer's conclusions with regard to this point?

(4) In the light of information on hand or readily available, do the statements made in the application bearing upon determination of necessity (particularly those relative to replacements and the applicant's attempts to subcontract) appear to be correct?

In the event that a supply service has sponsored the supply to be produced with the facilities sought to be certified for defense rating under Priorities Regulation No. 1, a statement to this effect will be made by the reporting officer in connection with his answer to the first of the above questions. In the event that a supply service has sponsored the facility for a project rating, a statement to this effect will be made by the reporting officer in connection with his answer to the second and third of the above questions. In exceptional cases where the officer has special knowledge of otner facts relating to the application, such as data in regard to the time of filing, which are not known to or readily ascertainable by the Tax Amortization Section, Headquarters, Services of Supply, he shall mention these facts in his report.

§ 81.1017 *Certificates of Non-Reimbursement and Government Protection discontinued.* In view of the repeal by Congress, as of the date of its original enactment, of subsection (i) of section 124 of the Internal Revenue Code, the issuance of Certificates of Non-Reimbursement and Certificates of Government Protection has been discontinued, and all copies of executed applications for such certificates should be forwarded to the Tax Amortization Section, Headquarters, Services of Supply.

MISCELLANEOUS PURCHASE INSTRUCTIONS

§ 81.1101 *Discounts in purchasing.* (a) All purchases regardless of the method used (after advertising or by negotiation) will be made on a firm price basis without regard to seller's offer of prompt payment or cash discount provisions.

(b) For all purchases hereafter initiated, all prompt payment or cash discount provisions in invitations for bids, requests for quotations or estimates, or other purchase instruments will be deleted. All requests for bids, formal or informal, will contain a clause reading substantially as follows:

"No offers of prompt payment or cash discounts will be rendered to or considered by the Government."

(c) Nothing in this section will be construed to apply to:

(1) Purchases made without competition,

(2) Purchases made under a contract executed by another Federal department or agency, or

(3) A cash discount offered after acceptance of an offer and making of award.

§ 81.1102 *Contracts with foreign nationals.* (a) By virtue of Executive Order No. 8389, April 10, 1940, as amended, and Treasury Department regulations issued pursuant thereto, the award of contracts in which certain foreign countries or nationals thereof have any interest is prohibited.

(b) The above prohibition does not apply to contracts with individuals, partnerships, associations, corporations, or other organizations which have been granted a general or special license by the Secretary of the Treasury.

(c) Whenever a contracting officer has reason to believe that any prospective contractor is subject to the above prohibition he should inquire of the chief of the supply service concerned or the nearest Federal Reserve Bank as to the eligibility of the prospective contractor.

§ 81.1103 *Contracts with blocked nationals.* (a) The Secretary of State from time to time publishes lists of persons and organizations deemed to be acting directly or indirectly for the benefit of the enemy. Copies of these lists will be made available to the chiefs of the supply services.

(b) No contract will be knowingly awarded to any person or organization so listed.

§ 81.1104 *Redetermination or renegotiation of price.* (a) In those cases where contracts are executed on the basis of speculative cost estimates the contracts should contain a clause providing for the redetermination or renegotiation of the price.

(b) See §§ 81.341 and 81.342 for approved clauses. The clause providing for redetermination of price sets up objective standards for redetermining the price downward only. The clause providing for renegotiation imposes no legal obligation beyond the obligation upon the contractor to furnish a statement of actual costs and the obligation upon the contractor and the Government to renegotiate on the basis thereof. It is contemplated that such renegotiation will lead to a revision of the price in the event that actual costs are materially different from estimated costs. If neither party to the contract requests renegotiation upon the filing of the statement of costs, or if such renegotiation fails to result in a modification of the contract, the contract will be carried out in accordance with its original terms.

§ 81.1105 *Limitation on purchase of arms, ammunition and implements of war.* (a) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of section 12 of Public Resolution of November 4, 1939 (Pub. Res. No. 54—76th Cong.).

(b) Articles which are considered arms, ammunition and implements of war will be proclaimed from time to time by the President. Chiefs of the supply services concerned will publish such information to the contracting officers concerned and secure compliance with the above limitation.

§ 81.1106 *Maximum prices.* (a) No contract will be awarded for the purchase of supplies at a price in excess of the maximum price, if any, established by the Office of Price Administration, or any other agency of the Government authorized to establish maximum prices.

(b) Chiefs of supply services are responsible for distributing maximum price schedules to contracting officers concerned.

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

Sections 83.1 to 83.4, inclusive are hereby rescinded and the following regulations are prescribed governing the disposition of surplus and unserviceable property. These regulations are also contained in the new War Department Procurement Regulations and supersede Army Regulations No. 5–50, as amended, and all prior instructions and directives which are inconsistent herewith.

Sec.
83.701 Rescission of regulations.
83.702 Definitions.
83.703 Declaration of surplus; by chiefs of supply services.
83.704 By Commanding General, Services of Supply.
83.705 Transfer of property to other supply services.
83.706 Transfer of property to other Federal agencies.
83.707 Exchange of unserviceable property.
83.708 Sale of surplus property.
83.709 Responsibility for sale of salvage and "to be sold" property.
83.710 Sales at nominal prices to effect transfer.

§ 83.701 *Rescission of regulations.* Army Regulations 5–50, May 22, 1939, as amended, and all other instructions inconsistent herewith are hereby rescinded.

§ 83.702 *Definitions—(a) Surplus property.* New, obsolete, used or deteriorated articles which have been declared by competent authority as not needed by the War Department.

(b) *"To be sold" property.* Obsolete or unserviceable articles which have been classified as "to be sold" property by an inspector.

(c) *Salvage.* Unserviceable articles which have been classified as "salvage" by an inspector.

(d) *Negotiation.* Any method of reaching an agreement on the terms of sale except the formal sealed bid procedure contemplated by section 3709, Revised Statutes.

§ 83.703 *Declaration of surplus; by chiefs of supply services.* Chiefs of supply services are authorized to declare property surplus to the needs of the War Department without reference to higher authority, under the following conditions:

(a) When the property is unqualifiedly in excess of the requirements of the supply service and cannot be advantageously exchanged as part or total payment for similar property which is needed;

(b) When it has been ascertained that the property is not desired by any other supply service of the War Department; and

(c) When the total current estimated value does not exceed $50,000.

§ 83.704 *By Commanding General, Services of Supply.* In those cases where the chief of the supply service concerned is not permitted by § 83.703 to declare property surplus and it has been ascertained that the property is not required by any other supply service, such property will be recommended to the Commanding General, Services of Supply, for declaration as surplus to the War Department. The following infor-

mation will be furnished with each such recommendation:

(a) List of the property with its estimated original and present value. When the property is damaged, wrecked, burned or otherwise depreciated, the estimated cost of repairs necessary to put it in serviceable condition will be furnished;

(b) Statement of reason for disposing of the property, including information as to whether it is new, used or deteriorated;

(c) An estimate of the storage space which the property occupies; and

(d) Statement that the requirements for the property by other supply services have been ascertained and satisfied.

§ 83.705 *Transfer of property to other supply services.* Property which is excess to the requirements of a particular supply service whether or not it has been declared surplus and property which has been classified as "to be sold" may, upon request of another supply service, be transferred without reimbursement except for the costs of packing, handling and transportation.

§ 83.706 *Transfer of property to other Federal agencies.* (a) Property which has been declared surplus, in accordance with § 83.703 or § 83.704 and "to be sold" property will be promptly reported to the Procurement Division, Treasury Department, by the chief of the supply service concerned, for the purpose of effecting a transfer of the property to some other Federal agency.

(b) Property so reported will be withheld from sale, pending a possible transfer, for such length of time as the chief of the supply service concerned shall permit.

(c) Upon request from the Procurement Division, Treasury Department, property so held for transfer may be transferred without reimbursement except for the costs of packing, handling and transportation.

§ 83.707 *Exchange of unserviceable property.* (a) Whenever unserviceable articles can be advantageously exchanged as payment in full or in part for serviceable articles of like character, such unserviceable articles will be disposed of in this manner.

(b) Exchanges of unserviceable property for serviceable property will be made under the direction and supervision of the chief of the supply service concerned.

(c) When the property to be exchanged is subject to a price fixing order issued by an agency of the Government, effort should be made to secure the established price in the exchange transaction.

(d) A copy of each contract covering the exchange of deteriorated, unserviceable, obsolescent or surplus military equipment, munitions or supplies for other military equipment, munitions or supplies will be furnished the respective chairmen of the House Military Affairs Committee and the Senate Military Affairs Committee within twenty-four hours after the contract has been made.

§ 83.708 *Sale of surplus property—(a) General.* Property having been declared surplus in accordance with § 83.703 or § 83.704 will be sold by negotiation under the direction and supervision of the chief of the supply service concerned, if a transfer is not effected.

(b) *Sales to National Council of the Boy Scouts of America.* Surplus and "to be sold" property and salvage may be sold to the National Council of the Boy Scouts of America under the direction and supervision of the chief of the supply service concerned. The sales price will represent a fair value to the War Department, including costs of packing, handling and transportation.

(c) *Maximum prices.* When property consists of articles or materials on which maximum prices have been placed by any authorized agency of the Government, no award will be made at a price higher than the prescribed maximum.

§ 83.709 *Responsibility for sale of salvage and "to be sold" property.* (a) All unserviceable articles which have been classified as salvage or as "to be sold" property by competent authority will be turned over to the Quartermaster Corps for sale, except as follows:

(1) Property which can be advantageously exchanged in accordance with § 83.707.

(2) Accumulations of scrap, cuttings, and by-products resulting directly from manufacturing operations in arsenals, depots, plants, or commercial establishments, all of which will be disposed of by the chief of the supply service concerned.

(b) Sales of salvage and "to be sold" property will be made by negotiation under the direction and supervision of The Quartermaster General, or, in the cases provided for in paragraph (a) (1) and (2) of this section, of the chief of the supply service concerned.

§ 83.710 *Sales at nominal prices to effect transfer.* As a measure appropriate to the relief of distress from economic causes or from disaster, the Secretary of War has authorized, subject to discontinuance when desirable, certain sales of salvage at nominal prices, as follows:

Condemned clothing, shoes, equipment, and similar supplies in salvage, that may be accumulated at posts, camps, and stations of the Regular Army or National Guard, may be sold for relief purposes to charitable organizations of commonly recognized standing or to state relief administrations at nominal prices to be fixed by the chief of the supply service concerned.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-6839; Filed, July 17, 1942; 3:40 p. m.]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

Section 81.917 (b) (10) is hereby added and §§ 81.106, 81.924, and 81.1106 are amended to read as follows:

§ 81.106 *Distribution of procurement regulations.* Distribution of these regulations including subsequent changes thereto will be made by the Adjutant General. (Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622) [C–1]

§ 81.917 *Applicability of Walsh-Healey public contracts law.*

* * * * * * * * *

(b) * * *

(10) Articles [1] 601, 602, 1101 and 1201 of the Administrative Regulations (pages 43 to 45 of the Regulations) [2] have been amended as follows:

(i) Art. 601 (Requests for Exceptions and Exemptions).

Requests for the exception or exemption of a contract or class of contracts from the inclusion or application of one or more of those stipulations required by article I must be made by the head of a contracting agency or department and shall be accompanied with a finding by him setting forth reasons why such inclusion or application will seriously impair the conduct of Government business.

Request for the exception or exemption of a stipulation respecting minimum rates of pay and maximum hours of labor contained in an existing contract must be made jointly by the head of the contracting agency and the contractor and shall be accompanied with a joint finding by them setting forth reasons why such exception or exemption is desired.

All requests for exceptions or exemptions shall be transmitted to the Public Contracts Division of the Department of Labor.

(ii) Art. 602 (Decisions Concerning Exceptions and Exemptions).

Decisions concerning exceptions and exemptions shall be in writing and approved by the Secretary of Labor or officer prescribed by him, originals being filed in the Department of Labor, and certified copies shall be transmitted to the department or agency originating the request, to the Comptroller General, and to the Procurement Division of the Treasury. All such decisions shall be promulgated to all contracting agencies by the Public Contracts Division of the Department of Labor.

(iii) Art. 1101 (Minimum Wages).

Until a determination of the prevailing minimum wage for a particular industry or group of industries has been made by the Secretary of Labor prior to the invitation for bids, the stipulation with respect to wages in section 1 (b) of the Act will be inoperative, as provided in article 1 (b) of these Regulations.

Determinations of prevailing minimum wages or changes therein will be published in the FEDERAL REGISTER and sent to contracting officers by the Public Contracts Division of he Department of Labor. Such determinations will be effective upon the dates fixed therein.

(iv) Art. 1201 (Reports of Contracts Awarded).

Whenever the contracting officer shall award a contract in which the stipulations required under article 1 are operative, he shall furnish the Department of Labor in quadruplicate on a form provided for this purpose the information required by such form.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622) [C–2]

§ 81.924 *Cotton garments and allied industries.* The cotton garment and allied industries shall be understood to be that industry which manufactures or furnishes any of the following commodities:

Trousers, knickers, work pants, and breeches (except when made wholly of wool and uniform trousers and breeches made wholly or partially of wool); dress or work shirts and nightwear of any material except knit fabric; overalls, overall jackets, and one-piece overall suits; work coats and work jackets (except wool and wool-lined, and leather and sheep-lined); washable service apparel (hospital, professional, etc.); other cotton outerwear of any material except knit fabric; barrack bags; bandoleers; ammunition and cartridge belts made of textiles; canvas leggins; cot covers; fabric pouches and carriers for first aid equipment, such as: kit cantle ring straps, kit inserts, kit laces, kit pouches and kit suspenders; mattress covers; mosquito bars; and wardrobe bags with drawstrings, made of textiles.

Date effective—July 20, 1942.

Wage—40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis.

Learners and handicapped workers may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act which were adopted by the Secretary of Labor for the purposes of this determination. (Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622) [C–3]

§ 81.1106 *Maximum prices.* In the absence of actual knowledge of violation of price limitations, purchasing and contracting officers may rely upon the vendor's certificate contained on invoices or public vouchers for purchases and services other than personal, as to the correctness of prices charged, and are not required to check or verify such prices against prices established by the Office of Price Administration, or any other agency of the Government authorized to establish maximum prices. (Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622) [C–4]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7616; Filed, August 6, 1942; 10:00 a. m.]

[1] See 41 CFR Part 201.

[2] Rulings and interpretations, September 29, 1939, Walsh-Healey Public Contracts Act, Department of Labor.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 236]

ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES

Authorization to the Administrator of Civil Aeronautics to issue "assistant airline transport pilot certificates" to a designated class of pilots. At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 30th day of July 1942.

The Civil Aeronautics Board finding that its action herein is in the public interest and is necessary to the successful prosecution of the war effort;

Now, therefore, the Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601, 602 (c) and 604 of said Act, makes and promulgates the following special regulation, effective immediately.

An airman certificate of assistant airline transport pilot grade may be issued by the Administrator of Civil Aeronautics to pilots listed in the operations specifications of scheduled air carriers engaged in overseas or foreign air transportation: *Provided*, That such pilots are holders of currently effective commercial pilot certificates with proper aircraft and instrument ratings: *Provided further*, That such certificates shall authorize these pilots to serve as first pilots in scheduled air transportation carrying cargo and mail only and shall not be effective beyond January 1, 1943.

By the Civil Aeronautics Board.

(SEAL) DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-7627; Filed, August 6, 1942; 11:20 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1530]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for coals, in certain size groups, produced in Subdistrict 3 in District No. 18.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals in Size Groups Nos. 14 and 15 produced in Subdistrict No. 3 in District No. 18 for shipments by both rail and truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 338.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R, and § 338.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

DISTRICT NO. 18

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18, and Supplements thereto.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 18:

§ 338.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R. *Rail transportation.* Insert under Sub-District No. 3 in the following f. o. b. mine prices in cents per net ton for shipment via rail transportation into market areas shown for Sub-District No. 3—La Ventana:

Sub-District No. 3	Size groups	
	14	15
	350	325

§ 338.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T. *Truck shipment.* Insert under Sub-District No. 3 the fol-

lowing prices in cents per net ton for shipment into all market areas:

Sub-District No. 3	Size groups	
	14	15
	350	325

[F. R. Doc. 42-7590; Filed, August 5, 1942; 11:11 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1090—AGAVE FIBER

[General Preference Order M-84, as amended August 5, 1942]

Section 1090.1 *General Preference Order M-84* is hereby amended to read as follows:

§ 1090.1 *General Preference Order M-84*[1]—(a) *Additional definitions.* For the purposes of this order:

(1) "Agave Fiber" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste, and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala and maguey, and sometimes preceded by an adjective designating the country or district of origin.

(2) "Agave Cordage" means cables and ropes $\frac{3}{16}$" in diameter and larger, in which agave fiber either alone or in combination with other materials is used.

(3) "Processor" means any person who spins, twists, weaves or otherwise uses agave fiber in the production of cordage, twine or any other product.

(4) "Processing" means any use of agave fiber for the manufacture of any article or commodity into which agave fiber goes or of which it becomes a part.

(5) "Dealer" means any person who procures agave cordage or agave twine for storage or for sale, and includes selling agents and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such agave cordage or agave twine, but shall not include any person who imports agave cordage and/or agave twine.

(6) "Wrapping twine" means twine, including lath yarns (ply and yarn goods) as included in National Bureau of Standards Simplified Practice Recommendation R 92-38, and any other twine suitable for the same purposes for which those twines described in said Simplified Practice Recommendation R 92-38 are used, which contains agave fiber, but shall not include binder twine.

(7) "Binder twine" or "Binding twine" means a single yarn twine, manufactured of agave fiber of the type customarily heretofore manufactured and sold in lengths measuring 500 feet, 550 feet, 600 feet or 650 feet to the pound, with a plus or minus tolerance of 5 per centum, containing a lubricant of not less than 10 per centum of the total weight of the twine and an insect repellent, and which is put up in balls of approximately 5 or 8 pounds each, is suitable for use with a harvesting machine, and is used in the harvesting of agricultural products.

(8) "Inventory" with respect to any person shall include all of any agave product held or controlled by such person at all warehouses, plants or places of storage, but shall not include any of such product while actually in transit or actually in use.

(9) "Supply" means the average monthly amount of any agave product withdrawn from inventory which has been resold or put into actual use:

(i) In the three calendar months preceding the calendar month for which supply is being calculated; or,

(ii) In the three calendar months of the previous year which immediately followed the calendar month of that year corresponding to the said calendar month for which supply is being calculated.

whichever of the two shall be the higher.

(10) "Basic monthly poundage" with respect to any cordage processor for any month shall be the average number of pounds per month of both Manila and agave cordage sold by such processor during the period from January 1, 1939, to December 31, 1941, minus 37% of such person's Manila fiber basic monthly poundage calculated as required by General Preference Order M-36:[2] *Provided*, That any cordage processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quotas under this order.

(b) *Restrictions on sales and deliveries of agave fibers.* No person shall sell, or deliver, or make or accept delivery of agave fiber of any grade or quality; *except* that purchases, sales and deliveries of agave fiber may be made:

(1) By and to Defense Supplies Corporation.

(2) By and to persons importing or otherwise handling agave fiber in accordance with written instructions from Defense Supplies Corporation, provided, that such agave fiber is to be delivered, either processed or unprocessed, directly or through one or more other persons to Defense Supplies Corporation.

(3) By and to importers, dealers, jobbers, or processors, pursuant to contracts entered into on or before February 20, 1942, but only of agave fiber in the amounts specified in such contracts on or before the said date, or by any amendments or supplements thereto on or before August 5, 1942: *Provided, however*, That purchases, sales and deliveries under general requirements contracts or contracts to take all, or a specified percentage of a production may continue to be made until December 31, 1942.

(4) By and to importers, dealers, jobbers, or processors of agave fiber which has been rejected by Defense Supplies Corporation as unfit for its use.

(5) By and to importers, dealers, jobbers or processors of tow, waste, bagasse flume or fiber less than 20 inches in length, provided that such fiber was on hand in the United States on February 20, 1942, or was, or is thereafter imported into the United States pursuant to this paragraph (b).

(6) By processors to processors whether directly or through one or more other persons of agave fiber which was on hand in the United States on or before August 5, 1942, or which is thereafter imported into the United States pursuant to this paragraph (b).

(c) *Restrictions on the processing of agave fibers.* (1) Except as provided in paragraphs (c) (2), (3) and (4), no person shall process any agave fiber in the manufacture of any product except the products specified below, and then only from the fibers and in the amounts expressly permitted below. The quotas hereinbelow established shall include processing for delivery to or for physical incorporation into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, or the War Shipping Administration, or their general or operating agents.

(i) *Wrapping twine.* Processors may use agave fiber for the manufacture of wrapping twine in an amount in any month not in excess of the percentage, for such month, of his average monthly sales for the calendar year 1941 described below:

Year 1942:	Percentage
February	100
March	70
April	65
May	65
June	57½
July	50
August, and each month thereafter	40

Provided, however, That no person shall put into process after April 13, 1942, any Java agave sisalana for the manufacture of wrapping twine, or after August 5, 1942, any Java agave cantala.

(ii) *Binder twine.* Processors may use agave fiber, in an amount not in excess of:

(a) During the eleven months ending June 30, 1942, an amount which, when added to binder twine in his stocks on November 1, 1941, equals 120% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941;

(b) During the four months commencing July 1, 1942, and ending October 31, 1942, an amount which equals 40% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941:

Provided, however, That no person shall put into process binder twine containing any Java agave sisalana after April 13, 1942, or any Java agave cantala after August 5, 1942; *And provided further*, That the Director General for Operations may increase pro rata the amount of agave fiber which processors may be allowed to process into binder twine, if, in the Director's opinion, additional amounts of binder twine are needed to provide for the growing or harvesting of agricultural food products or sewing up bags containing such products.

(iii) *Carpet yarns.* Processors may use agave fiber for manufacturing carpet yarns, if such fibers had actually been put into process for such purpose on or before February 20, 1942.

(iv) *Padding or stuffing.* Processors manufacturing padding or stuffing may use for that purpose only bagasse waste except on orders to be delivered to, or for the account of, or to be physically incorporated into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, or their general or operating agents, in which case tow, waste, and fibers less than 20" in length may be used.

(v) *Reinforced paper, tape and plastics.* Processors manufacturing reinforced paper, tape and plastics may use any agave fibers except Java sisalana and Java cantala, but only in an amount not in excess of 50% of the fiber content of their average monthly sales of such products for the twelve months ended June 30, 1942.

(vi) *Agave cordage.* Processors manufacturing agave cordage shall not put into process in any of the periods listed below an amount of agave fiber in excess of the amounts hereinafter specified for such period:

Periods	Amounts of Agave fiber
July 1, 1942, through December 31, 1942	12.2 times basic monthly poundage.
Each calendar quarterly period in 1943	5.3 times basic monthly poundage.

Provided, That the amount of agave fiber which may be put into process by any cordage processor in any such period shall be:

(a) *Diminished* by the amount of any additional Manila fiber which may be put into process by such cordage processor during such period pursuant to any exceptions or additional authorizations issued by the Director General for Operations pursuant to General Preference Order No. M-36;

(b) *Increased* by the difference, if any, between the amount of Manila fiber permitted to be put into process by such cordage processor pursuant to General Preference Order M-36, and any lesser amount of Manila fiber actually put into process by such cordage processor during such period, and

(c) *Increased* by any or all of the said processor's permitted amount of agave fiber for use in the manufacture of wrapping twine as provided in paragraph (c) (1) (i).

(2) A person may process agave fiber in the manufacture of a product not specified in paragraph (c) (1), for delivery to, or for the account of, or for physical incorporation into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, or their general or operating agents.

(3) The prohibitions of paragraph (c) (1) shall not apply to the manufacture of wrapping twine, binder twine, agave cordage, reinforced paper, tape, or plastics from tow, waste, or fiber under 20" in length.

(4) Any processor who, by reason of the foregoing limitations is unable to meet his required deliveries under contracts existing on August 5, 1942, of agave cordage to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration, or their general or operating agents, or any processor of agave cordage who, by reason of meeting the requirements of any such contracts, is required to reduce his operations during the period July 1, 1942, through December 31, 1942, to such an extent that it will cause serious labor displacement, may apply to the War Production Board for permission to process such additional amounts of agave fiber as may be necessary to enable him to meet his said required deliveries. Each application must be filed on or before August 19, 1942, and must state:

(i) Each contract held by the said processor of the type mentioned above,

(ii) The deliveries per month required thereunder,

(iii) The total deliveries per month required under all such contracts,

(iv) The amount of agave fiber processed by such person in May, 1942.

(v) The amount of agave fiber permitted to be processed during the period July 1, 1942, through December 31, 1942, by such processor under the foregoing limitations, and

(vi) The exact amount of relief desired during the said period.

(5) The Director General for Operations may, whenever supplies of agave fiber on hand in the United States and available for future purchase by the United States warrant, increase pro rata the amounts of agave fiber which may be entered into process for the manufacture of agave cordage or for such other products as in the judgment of the Director General for Operations may be necessary to promote the national defense and in the public interest.

(d) *Restrictions on purchases, sales and deliveries of agave cordage and wrapping twine.* (1) No dealer shall order, purchase or accept deliveries of any wrapping twine or agave cordage which will result in such dealer having in inventory an amount thereof in excess of a two months' supply.

(2) No person (other than a dealer, the Army of the United States, the United States Navy, or the United States Maritime Commission, and the War Shipping Administration, and its general or operating agents) shall order or accept delivery of any wrapping twine or agave cordage which will result in such person having in inventory an amount thereof in excess of one and one-half months' supply; and no such person shall have outstanding at any one time orders for future deliveries of wrapping twine or agave cordage in excess of one month's supply for such person.

(3) No importer shall sell or deliver in any month agave cordage in excess of his average monthly sales of Manila and agave cordage in the calendar years 1939-1941, or wrapping twine, imported or domestic, in excess of the following percentages of his average monthly sales thereof during the said calendar years:

65 percent—July.
40 percent—August, and each month thereafter.

(4) Nothing in this paragraph shall prevent the orderly advance accumulation of a supply of wrapping twine to meet an expected seasonal demand for agricultural purposes, provided that the total amount so accumulated shall not be in excess of the amount estimated to be necessary for use for such purpose based on the most recently available crop forecasts of the Department of Agriculture.

(e) *Restrictions on purchases, sales and use of binder twine.* No person shall hereafter sell, purchase, deliver, accept delivery of or use any binder twine except for the growing or harvesting of agricultural products or for sewing up bags containing such products, and any person purchasing any binder twine shall endorse on, or attach to his purchase order or delivery receipt therefor, a statement signed by such person, or on his behalf by a duly authorized individual, a certificate in substantially the following form:

The undersigned hereby represents that the binder twine covered by this certificate will be either resold or used by the undersigned, during the next twelve months, for and only for one or more of the uses specified in paragraph (e) of General Preference Order No. M-84 (for 1942 growing, harvesting or bagging requirements).

(f) *Control of stocks of agave fiber.* Control is hereby taken of the distribution and use of agave fiber. Any agave fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if, and as, specifically directed in any order of the Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of agave fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such agave fiber in the public interest, or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person shall dispose of or use agave fiber in any manner inconsistent with any such order.

(g) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) *Records.* All persons affected by this order shall keep and preserve for

[1] 7 F.R. 1128, 1642, 2234, 2788, 2940, 2995.

[2] 7 F.R. 5116.

not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of agave fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M–84, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Reference: M–84.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7609; Filed, August 5, 1942; 12:18 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 1 to Exemption 1 of Priorities Regulation 11]

Section 944.32a *Exemption 1 to Priorities Regulation 11* is hereby amended to read as follows:

§ 944.32a *Exemption 1 to Priorities Regulation 11.*[1] Pursuant to paragraph (c) of Priorities Regulation No. 11, Class 1 producers, as defined in said Regulation, located in Alaska, Panama Canal Zone, or in territories or possessions of the United States outside of the continental United States, are, until further action by the Director General for Operations, exempted from filing PRP applications. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7613; Filed, August 5, 1942; 3:43 p. m.]

[1] 7 F.R. 5043.

PART 1106—PRINTING AND PUBLISHING

[General Conservation Order M–99]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, tin and zinc for defense, for private account, and for export; and the following Order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1106.1 *Conservation Order M–99*—(a) *Definitions.* For the purpose of this order. (1) "Plate" means any kind or shape of metal printing or marking plate or other metal form, used in the printing process, except such as are composed only of lead, tin and antimony.

(2) "Printing process" means the act or process of printing, impressing, or otherwise transferring on paper (or any paperlike substance) wood, fabric, metal or other material, any ink, color, pigment, mark, character or delineation, and includes any incidental or partial process required to prepare a plate for such use.

(3) A plate shall be deemed to be "obsolete" if, on July 1, 1942, or on the first day of any calendar quarter thereafter, it has been in existence for the period specified below and has not been used during such period:

(i) Newspaper printing: 1 year;

(ii) Magazine and periodical printing: 1 year;

(iii) Book printing: 4 years;

(iv) Container printing: 1 year;

(v) All other categories of printing: 2½ years.

(4) The re-graining or other preparation of a planographic or intaglio plate for re-use shall be deemed a "use" of such plate within the meaning of subparagraph (3) of this paragraph (a).

(5) Notwithstanding the provisions of subparagraph (3) of this paragraph (a), a plate shall not be deemed to be obsolete at any time when there is an assured future use for the same.

(6) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(7) "Restricted metal" means aluminum, antimony, chromium, copper, lead, nickel, tin, zinc, or any alloy thereof.

(b) *Notices required to be given.* (1) Before September 1, 1942, every person who is in possession, as custodian or otherwise (but is not the owner), of any obsolete plates shall notify the owner (if know, or, if not, the consignor) thereof that such person has such plates in his possession, and shall identify such plates by title or subject matter. Such notice may be given by mailing a letter to the owner, or consignor, as the case may be, addressed to his last known address.

(2) Before September 1, 1942, every person owning obsolete plates which are subject to a contractual right of another person to purchase or otherwise acquire the same shall notify such other person of such contractual right and identify the plates. Such notice may be given by mailing a letter to the owner, or consignor, as the case may be, at his last known address. If by the close of business on September 20, 1942, such other person fails to exercise his contractual right, or to execute a release in writing of such contractual right, then the owner of the plates shall, not later than September 30, 1942, mail to the War Production Board a written report identifying the plates by title or subject matter, giving the name and address of the person having the contractual right pertaining thereto, and stating the estimated aggregate amount of each restricted metal in the plates.

(c) *Restrictions on receipt or use of restricted metal after September 30, 1942, by persons who fail to dispose of obsolete plates.* (1) If any person on October 1, 1942, or on the first day of any other calendar quarter thereafter, owns or is in possession of any obsolete plates, and, if subject to the provisions of paragraph (b) of this order, has not complied therewith, such person shall not, at any time during the same calendar quarter, acquire or take possession of any plates containing restricted metals or any restricted metals for conversion into plates for use in any printing process, and no such person shall use or cause to be used in any printing process any plates or restricted metals so received by him.

(2) On and after October 1, 1942, each person who acquires any plates or any restricted metal for conversion into plates for use in any printing process shall endorse on each purchase or other order for such plates or metal a statement in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purposes:

> The undersigned hereby certifies that he is familiar with the terms of Conservation Order No. M–99, and is not prohibited thereby from receiving the material hereby ordered.
>
> ---
> (Name of person)
>
> By ---
> (Duly Authorized Official)

(3) No person shall sell, deliver or otherwise dispose of any plates or restricted metal for conversion into plates or for use in the printing process, unless the purchase or other order shall contain thereon the endorsement required by subparagraph (2) of this paragraph (c).

(d) *Disposition of obsolete plates.* Any person owning obsolete plates may sell or deliver the same to any scrap metal dealer, secondary smelter, or refiner authorized to receive the same under the provisions of any order or regulation of the Director General for Operations.

(e) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such further reports and questionnaires as the Director General for Operations shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records of their inventory and sales of obsolete plates, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth the pertinent facts and the reasons he considers he is entitled to relief.

(5) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Branch, Washington, D. C. Ref.: M–99.

(6) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7612; Filed, August 5, 1942; 3:43 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–73]

MIDDLESEX NAVAL UNIFORM CO.

Rubin Pizer of Malden, Massachusetts, doing business as Middlesex Naval Uniform Company, is engaged in the manufacture of clothing. In the latter part of February and in March, 1942, for the purpose of manufacturing sailors' uniforms, he ordered woolen cloth from his suppliers, extending with his orders the A–10 priority rating assigned by Conservation Order M–73[1] to orders for woolen cloth for the manufacture of officers' uniforms. By the use of the foregoing rating he obtained deliveries of over 4,000 yards of said cloth, which he could not have otherwise done. He subsequently used the cloth for the manufacture of sailors' uniforms. By such use of the cloth so obtained, he violated § 944.11[2] of Priorities Regulation No. 1, and by obtaining delivery of said cloth by wilful misstatements contained in the A–10 rating which he extended with his orders aforesaid, he violated § 944.18[3] of said regulation.

These wilful violations of Priorities Regulation No. 1 have impeded the war effort of the United States by diverting woolen cloth to uses unauthorized by the War Production Board. In view of the foregoing

It is hereby ordered:

§ 1010.73 *Suspension Order S–73.* (a) Deliveries of material to Rubin Pizer individually or doing business as Middlesex Naval Uniform Company, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Rubin Pizer individually or doing business as Middlesex Naval Uniform Company by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations.

(b) No allocation shall be made to Rubin Pizer individually or doing business as Middlesex Naval Uniform Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(c) Rubin Pizer individually or doing business as Middlesex Naval Uniform Company, his successors or assigns, shall not produce, put into process or deliver cloth made of any wool other than noils, waste, reprocessed or reused wool except as specifically authorized in writing by the Regional Compliance Chief of the Boston Regional Office, War Production Board.

(d) Nothing contained in this order shall be deemed to relieve said Rubin Pizer individually or doing business as Middlesex Naval Uniform Company, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 7, 1942, and shall expire on February 7, 1943, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7614; Filed, August 5, 1942; 3:43 p. m.]

[1] 7 F.R. 5020.
[2] 6 F.R. 4490, 6682.
[3] 6 F.R. 4491, 6682.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 3 to Priorities Regulation 11]

PRODUCTION REQUIREMENTS PLAN

Priorities Regulation No. 11 (§ 944.32)[1] is hereby amended as follows:

1. Paragraph (e) is amended to read as follows:

(e) *Interim procedure for Class I Producers.* Any Class I Producer who has filed his PRP Application for either the third or for the fourth quarter of 1942, but has not received his PRP certificate for such quarter may apply or extend preference ratings for delivery during the particular quarter as follows:

(1) If he has been operating under the Production Requirements Plan, he may apply the same preference ratings he was authorized to apply during the preceding quarter to not more than 40% during the first month, and not more than 70% during the first two months of the amount of each material which he has indicated on his PRP Application as his anticipated requirements for the particular quarter.

(2) If her has not been operating under the Production Requirements Plan, he may continue to apply and extend ratings under any applicable preference rating orders or preference rating certificates in the same manner as permitted prior to the beginning of the particular quarter; and, notwithstanding the termination of any preference rating order on or after the end of the preceding quarter the same shall be deemed to continue in effect as to any such person until he receives his PRP Certificate: *Provided, however,* That he shall not apply or extend ratings to the delivery in the particular quarter of any material in an aggregate quantity greater than 40% during the first month, nor greater than 70% during the first two months, of the amount of such material which he has indicated as his anticipated requirements on his PRP Application for that particular quarter, subject to any further restrictions contained in the preference rating certificates or orders assigning the ratings which he is applying or extending.

[1] 7 F.R. 4423, 4615, 4698, 4648, 5043, 5359, and *supra*.

(f) The amount of soluble nitrocellu- The undersigned purchaser hereby certi- orders from and deliveries to any branch

(3) A Class I Producer who applies or extends any preference rating pursuant to subparagraphs (1) or (2) of this paragraph (e), shall deduct the amount of any material which he has received or to which he has applied or extended such rating from the amount rated or otherwise authorized by his PRP Certificate when issued to him.

2. The Metals List attached to Priorities Regulation No. 11 is hereby amended as follows:

1. Paragraph (a) (1) of the Metals List is amended by inserting before the word "tungsten" the word "silver."

2. By omitting paragraphs (b) and (c) of said List.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7615; Filed, August 5, 1942; 4:35 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Amendment 1 to Limitation Order L-26, as amended July 14, 1942]

Paragraph (c) (1) (ii) *General Restrictions* of § 1029.1 *Limitation Order L-26*[1] as amended July 14, 1942, is hereby amended by adding at the end thereof the following:

• • • However, at his option, such producer may total the amounts of the material so authorized for use in his production of all attachments and repair parts, and distribute this total among such items (irrespective of the designated percentages) as he may desire, but in no event shall his aggregate use of such material exceed such total.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7638; Filed, August 6, 1942; 11:40 a. m.]

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Amendment 2 to Conservation Order M-81, as amended June 27, 1942]

Section 1068.1 *Conservation Order M-81*,[2] as amended June 27, 1942, is hereby amended as follows:

1. Item 11 of Vegetables in Table II, entitled "Tomato Pulp or Puree", is hereby deleted.

2. The second sentence of Item 7 of Vegetables in Table I, reading "No. 10 cans, see Table II" is hereby amended to read as follows:

"No. 1 Picnic, No. 2, No. 2½, or No. 10 cans."

3. The third sentence of Item 8 of Vegetables in Table I, reading "No. 10 cans, see Table II," is hereby amended to read as follows:

"No. 1 Picnic, No. 2, No. 2½, or No. 10 cans. For 8Z Short cans, see Table II."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this the 6th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7639; Filed, August 6, 1942; 11:40 a. m.]

PART 3013—SOLUBLE NITROCELLULOSE

[General Preference Order M-196]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of soluble nitrocellulose for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3013.1 *General Preference Order M-196*—(a) *Definitions.* (1) "Soluble nitrocellulose" means the product made by nitrating any form of cellulose (including linters, woodpulp and cellophane scrap) having a nitrogen content of 12.5% or less, and whether in the form of base solution or in the dehydrated or water wet condition. The term includes smokeless powder scrap and dissolved film scrap, but does not include undissolved film scrap.

(2) "Smokeless powder scrap" means any rejected smokeless powder unsuited for military purposes and made available for protective coatings and industrial uses.

(3) "Film scrap" means discarded nitrate film whether motion picture or still.

(4) "Undissolved film scrap" means film scrap which has not been dissolved or put in solution, whether washed or unwashed.

(5) "Base solution" means soluble nitrocellulose in solution form, and includes dissolved film scrap.

(6) "Consumer" means a manufacturer using soluble nitrocellulose as one of his raw materials.

(7) "Producer" means any person producing soluble nitrocellulose and any person procuring and dissolving soluble nitrocellulose for sale as base solution.

(8) "Distributor" means any person who buys soluble nitrocellulose for purpose of resale as such.

(9) "Washer" means any person who removes the silver emulsion from the film base.

(10) "Type of soluble nitrocellulose" means one of the following four types of soluble nitrocellulose: lacquer type, coated textile type, film type, and plastics type.

(b) *Directions with respect to production.* The Director General for Operations may from time to time issue directions to a producer or producers with respect to the type of soluble nitrocellulose to be produced, or with respect to the division of production among types of soluble nitrocellulose. He may also issue directions with respect to the formula or formulae to be used by producers in dissolving film scrap.

(c) *Restrictions on deliveries of soluble nitrocellulose.* On and after September 1, 1942, no producer or distributor, except as provided in this paragraph (c), shall make delivery of soluble nitrocellulose to any person, and no person may accept delivery thereof from any producer or distributor.

(1) *Deliveries in excess of 1000 lbs.* Where the amount of soluble nitrocellulose of which any person may seek delivery in any month (whether from one, or more than one, producer or distributor) shall exceed 1000 lbs., dry weight, delivery may be made by a producer or distributor only with the express authorization or direction of the Director General for Operations. Prior to the commencement of each calendar month beginning with September, 1942, the Director General for Operations will directly or indirectly issue to each producer or distributor (normally but not necessarily on Form PD-610, theretofore filed with the War Production Board by such producer or distributor) authorizations or directions covering deliveries of soluble nitrocellulose which may or must be made by him during such month to any person whose total orders for soluble nitrocellulose in such month exceed 1000 lbs., and he may also during any month, including July and August, 1942, issue such other authorizations or directions as he may deem appropriate or necessary, either with respect to deliveries to be made or with respect to use or uses to which material to be delivered is to be put or not to be put. Each producer or distributor, upon being informed by the Director General for Operations of the deliveries which such director has authorized or directed, shall forthwith notify each customer affected thereby.

(2) *Deliveries exceeding 232 lbs. but not more than 1000 lbs.* Where the amount of soluble nitrocellulose of which any person may seek delivery in any month (whether from one, or from more than one, producer or distributor) exceeds 232 lbs., dry weight, but is not more than 1000 lbs., dry weight, a producer or distributor may without the express authority of the Director General for Operations make delivery of soluble nitrocellulose to such person in such month in a quantity not exceeding the sum of the following amounts, provided such producer or distributor shall have received from such person, the certificate referred to in paragraph (f) (2) hereof within the time specified in said paragraph:

(i) The amount of soluble nitrocellulose ordered by such person required by such person for the filling of defense orders;

(ii) An amount equal to a percentage of such person's average monthly use or consumption of soluble nitrocellulose in the calendar year 1941. Unless and until the Director General for Operations shall fix a different percentage, such percentage shall be 50%.

(3) *Unrestricted deliveries.* No restrictions of any sort are imposed with respect to the following:

(i) Delivery to or acceptance of delivery by any person in any month of soluble nitrocellulose in a quantity not exceeding 232 lbs., dry weight.

(ii) Delivery of smokeless powder scrap to any producer by the Ordnance Department of the United States Army or by the Bureau of Ordnance of the United States Navy.

(d) *Restrictions on deliveries of undissolved film scrap.* On and after September 1, 1942, no person shall make delivery of undissolved film scrap, whatever the quantity, without the express authorization or direction of the Director General for Operations, and no person may accept delivery thereof except as so provided. The Director General for Operations will from time to time on proper showing to him by letter issue authorizations or directions covering deliveries of undissolved film scrap.

(e) *Separation of functions.* Each producer who consumes all or part of his production of soluble nitrocellulose shall treat the production and consumption parts of his operations as separate divisions within the meaning of paragraph (h) (2) hereof, and in his separate capacities as a consumer of soluble nitrocellulose and as a producer of soluble nitrocellulose shall file all applications and reports required of him in his separate capacities. Any authorization or direction to any person under paragraph (d) hereof to accept delivery of undissolved film scrap shall not unless the contrary is expressly indicated constitute authority to use or consume the dissolved film scrap.

(f) *Applications and reports.* (1) Each person who seeks delivery in any calendar month of more than 1,000 lbs., dry weight, of soluble nitrocellulose, whether for his own consumption or resale, shall, on or before the 15th day of the month preceding the month in which such delivery is sought, submit the original and two copies of Form PD-609 to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M-196, and one copy to his supplier.

(2) Each person who seeks delivery in any calendar month of soluble nitrocellulose in a quantity in excess of 232 lbs., dry weight, but not more than 1000 lbs., dry weight, whether for his own consumption or resale, shall submit to his supplier with his order not less than 10 nor more than 30 days prior to the requested delivery date, a certificate in the following form, duly executed by him:

The undersigned purchaser hereby certifies (1) that the _____ lbs. of soluble nitrocellulose hereby ordered for delivery in _____, with any other soluble nitrocellulose ordered for delivery during such month, whether from the person to whom this certificate is presented or any other person, will not exceed 1,000 lbs., dry weight; (2) that _____ lbs. of the amount hereby ordered is necessary to fill defense orders placed with the undersigned; (3) that _____ lbs. of the amount hereby ordered (together with the amount of non-defense orders placed with any other person) represents _____% of the undersigned's average monthly 1941 consumption of soluble nitrocellulose, his 1941 consumption amounting to _____ lbs.; (4) that his inventory as of the date for which delivery is requested will not exceed a 30-day supply in terms of General Preference Order M-196, with terms of which he is familiar.

_____
Name of Purchaser

By _____
Signature of Authorized Official

_____
Title

Such certificate may be inscribed on or accompany as a separate instrument the order for soluble nitrocellulose to which it pertains.

(3) Each producer or distributor shall on or before the 20th day of each month commencing with August 1942, submit to the War Production Board an original and two copies of Form PD-610, properly executed by him.

(4) All producers, distributors and other persons affected by this order shall make such reports or furnish such information at such times in such form and in respect to such matters as the Director General for Operations may from time to time prescribe.

(g) *Inventory restrictions.* No distributor or consumer shall accept delivery of soluble nitrocellulose, and no person shall make delivery of soluble nitrocellulose to any distributor or consumer, if the inventory of such consumer or distributor accepting delivery is, excluding the amount of which delivery is being made, in excess of a 30-day supply in terms, in case of the consumer, of orders received by such consumer for his finished products on the basis of his method of operation during the previous 90 days, or, in case of a distributor, in terms of his orders for soluble nitrocellulose, but this paragraph shall not be construed to prevent a person's accepting delivery thereof in the smallest practicable delivery unit as evidenced by his past experience.

(h) *Miscellaneous provisions*—(1) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(2) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to acceptance of orders and deliveries in the absence of a contrary direction apply not only to acceptances of orders from and deliveries to other persons, including affiliates and subsidiaries, but also to acceptances of orders from and deliveries to one branch, division or section of a single enterprise by or from another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref.: M-196.

(4) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of soluble nitrocellulose conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations by addressing a letter to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M-196, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(5) *Violations or false statements.*—Any person who wilfully violates any provisions of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7637; Filed, August 6, 1942; 11:40 a. m.]

Chapter XI—Office of Price Administration

PART 1411—COMPENSATORY ADJUSTMENTS

[Amendment 2 to Compensatory Adjustment Regulation 1]

WARTIME INCREASES IN THE COST OF TRANSPORTING BITUMINOUS COAL

Corrections

In the 18th line of § 1411.5, appearing on page 6005 of the issue for Tuesday, August 4, 1942, the word "event" is misspelled. In the second line of the first column on page 6006 "to" should read "in". In § 1411.7 (b) *Effective dates of amendments* "1411.3 (a)" should be added.

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[1] 7 F.R. 34, 2504, 2787, 3713, 4647, 5396.
[2] 7 F.R. 4636.

PART 1419—EXPLOSIVES

[Maximum Price Regulation 191]

COTTON LINTERS AND HULL FIBERS

Correction

In § 1419.1 (c), appearing on page 6001 of the issue for Tuesday, August 4, 1942, the price for hull fibers having a cellulose content of 70 percent should read "$.037" instead of "$0.37".

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 42—DESTRUCTION OF RECORDS

MISCELLANEOUS AMENDMENTS

The Commission on August 4, 1942, effective immediately, adopted the following amendment:

Part 42—Destruction of Records (Rules Governing the Destruction of Records of Telecommunication Carriers)—On the cover page and at page one change the title to read, "Part 42—Preservation of Records," and delete the parenthetical subtitle reading, "(Rules Governing the Destruction of Records of Telecommunication Carriers)."

The following new sections were also adopted:

§ 42.2 *Requirements of other lawful authorities for longer periods.* (a) Wherever the period specified in these rules for the retention of cash records and other documents which are involved in claims by or against the carrier is shorter than the period specified in the statute of limitations of a state wherein the utility operates, the latter shall control.

(b) These rules shall not be construed as excusing compliance with any other lawful requirement for the preservation of accounts, records, or memoranda for longer periods than those herein prescribed.

§ 42.3 *Records acquired from predecessors.* The provisions of these rules apply to all records which come into the possession of the accounting carrier in connection with the acquisition of property, such as by purchase, consolidation, merger, etc.

§ 42.4 *Installation of records not required.* These regulations shall not be interpreted as requiring that the records herein named shall be installed, when such records are not already kept by the carrier, unless required by other regulations such as foregoing § 42.3 or the applicable uniform system of accounts. (Sec. (1), 48 Stat. 1069; 47 U.S.C. 154 (i)—Sec. 220, 48 Stat. 1078; 47 U.S.C. 220).

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7636; Filed, August 6, 1942; 11:31 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

HAVASU LAKE NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222–16 U.S.C. 715i) as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II (53 Stat. 1431), the following is hereby ordered:

§ 23.409a *Havasu Lake National Wildlife Refuge, Arizona and California; public use areas.* In accordance with the provisions of §§ 12.1 to 12.16, inclusive,[1] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the Director of the Fish and Wildlife Service may permit municipalities or other governing bodies, organizations, and individuals to operate public use areas and facilities including but not limited to boathouses, boats, canoes, cabins, stores, docks, and wharfs upon such terms and at such rates of charge, if any, as may be determined by the director to be commensurate with the value of the privilege granted. Any permittee operating on the refuge as hereinabove provided shall be required, prior to construction, to submit for the approval of the director an over-all plot plan for the orderly development of the public use areas. No building, structure, or other improvement or facility shall be constructed in the public use areas until the plans, specifications, and location have been approved by the director, and no fee or rental shall be charged in excess of the tariff or schedule of rates approved by the director.

§ 23.409b *Havasu Lake National Wildlife Refuge, Arizona and California; boating.* In accordance with the provisions of §§ 12.1 to 12.16, inclusive, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, boating is permitted in the Havasu Lake National Wildlife Refuge, Arizona and California, subject to the following conditions and restrictions:

(a) *Permits required for the operation of privately-owned boats.* Any person desiring to keep or operate a boat for more than three days during a fiscal year on the Havasu Lake National Wildlife Refuge will be required first to obtain a permit to do so from the refuge manager of the area. For the issuance of such a permit there will be charged per fiscal year or part thereof the sum of $2 for each powerboat or sailboat, $1 for each rowboat or canoe, and $5 for each houseboat: *Provided*, That such boats shall not be used for hire or for carriage of persons or property for compensation or as an adjunct to any business for which a charge is made or compensation received directly or indirectly. Permits will continue in force until the end of the fiscal year in which issued, unless sooner revoked by the refuge manager. Number plates corresponding to the number of the permit must be provided by each permittee and shall be displayed by him in a conspicuous place on each outer side of the boat near the bow, and the permittee shall keep in his possession and available for inspection the permit granted to him. A permit may not be transferred from one boat to another, but the permit for a particular boat may be transferred from the permittee to another person during the fiscal year for which it is issued upon application to and approval by the refuge manager and the payment of a fee of 50¢.

(b) *Wharves, dock, and boathouses.* As an accompaniment to a boat permit, general landing and anchorage privileges are granted to the permittee subject to the instructions and supervision of the refuge manager. Where desired in connection with a boat permit and if deemed by the refuge manager not detrimental to the interests of the United States, there may be granted a permit to install and anchor at the shore for the private use of the permittee a floating dock, wharf, and/or boathouse of size and design approved by the officer in charge to accommodate the boat for which the permit has been issued. A charge of $1.50 per fiscal year or any part thereof will be made for the permit for such a dock, wharf, and/or boathouse used in connection with any type of boat. The permit shall not be transferred or the use of the dock, wharf, and/or boathouse granted or sublet by the permittee to another person without application to and approval by the refuge manager and the payment of a fee of 50¢. Permits will continue in force until the end of the fiscal year in which issued unless sooner terminated or revoked. All such facilities shall be well constructed and maintained in a manner satisfactory to the refuge manager, and their location shall be approved by him. Number plates corresponding to the permit will be provided by the permittee and shall be displayed in conspicuous places on each dock or wharf.

(c) *Equipment required for boats.* The minimum requirements for the equipment of all passenger-carrying boats operating on the refuge shall be those of the United States Coast Guard together with the following additional ones:

(1) Each boat shall be provided with two or more oars, with trustworthy life preservers equal in number to the maximum number of persons to be carried, with an anchor of sufficient size and a rope, chain, or cable of sufficient length and strength to hold the boat in case of accident, and with a water pump or bailing bucket, and other necessary tools.

(2) From sunset to sunrise powerboats or sailboats under way shall carry signal lights and during such time no other lights that may be mistaken for such signal lights shall be exhibited on such boats within the refuge. Each boat shall carry a white light aft to show all around the horizon, and a combination lantern or lanterns in the fore part of the boat to show green to the right and red to the left and both colors to the front. In addition, a white light may be used in the center of the boat near the bow but the aft light shall be higher than such light and so placed as to form a range therewith, and shall be clear of house, awnings, and/or other obstructions.

(3) Each rowboat or canoe, when in use at any time between sunset and sunrise shall carry a lantern or other suitable light to be exhibited whenever in the vicinity of other boats on the water.

(4) A boat at anchor while in use between sunset and sunrise shall carry forward, where it can best be seen, at a height not exceeding 20 feet above the hull, a white light visible all around the horizon.

(5) Each boat shall be provided with a whistle or other sound-producing mechanical appliance capable of producing a blast of two seconds or more in duration. A mouth whistle that can be heard for at least half a mile will be held to comply with this rule.

(d) *Navigation rules.* Boats operating on the refuge shall comply with the rules and regulations of the United States Coast Guard as well as with the following additional regulations:

(1) When two boats are approaching each other head-on or so nearly as to be in danger of collision, it shall be the duty of each to turn to the right and to pass on the port, or left side of the other.

(2) When two powerboats approach within 250 yards of each other from opposite directions, either boat shall give, as a signal of her intention, one short and distinct blast of her whistle, which the other boat shall answer promptly by a similar blast of her whistle, and thereupon each boat shall pass on the port, or left, side of the other.

(3) If the courses of the approaching boats are so far to the starboard, or right, side of each other as not to be in danger of collision, either boat shall give two short and distinct blasts of her whistle as an indication of her intention to continue on her course, which the other boat shall answer promptly by two similar blasts of her whistle, and thereupon each boat shall pass on the starboard, or right, side of the other.

(4) When two boats are proceeding on courses that cross each other and such crossing may involve risk of collision, the boat on the starboard, or right, side shall have the right-of-way, and the boat on the port, or left, side shall keep out of the way of the other until the crossing has been safely effected.

(5) A boat overtaking any other boat shall keep out of the way of the overtaken boat, passing on the left side of it if that side is in the clear.

(6) Powerboats when moving under power shall keep clear of rowboats with occupants, approaching them not nearer than 100 feet and should reduce speed during the interval of passing.

(7) Motorboats propelled by gas, oil, gasoline, or alcohol engines, both outboard and inboard, shall not be operated without effective mufflers, except for occasional periods not exceeding 5 minutes at a time.

(8) No boat shall approach, pass, or be located within three hundred (300) feet of the outlets in Parker Dam, or of the Municipal Water District Inlets.

(e) *Responsibility of owners of boats.* Passenger-carrying boats shall comply with the requirements of the United States Coast Guard and, in addition thereto, boats that, in the opinion of the refuge manager, whose decision shall be final and conclusive, are not properly constructed, operated, or maintained shall not be permitted to be placed in or remain on the waters of the reservoir. Each boat when not in use and each dock, wharf, or boathouse shall be securely anchored or moored in locations designated or approved by the refuge manager and in such a manner as not to endanger other boats on the reservoir or property along the shore. Boats, docks, wharves, or boathouses found floating loose on the reservoir will be taken up, and the permittee shall reimburse the United States for any expense incurred in making the boat, dock, wharf, or boathouse secure. Owners of boats shall not permit the use or operation thereof by any person not competent to operate same or to handle the machinery thereof. The United States assumes no responsibility for loss of or damage to life or properly by theft, storm, accident, or otherwise in connection with or growing out of the exercising of any privilege conferred by a permit issued in accordance with these regulations.

(f) *Disorderly conduct.* No intoxicated person shall be permitted on land belonging to the United States, or on docks, wharves, or boathouses constructed thereon, or in or on boats on the waters of the reservoir. The person in charge of each boat, dock, or wharf, or boathouse shall preserve order therein or thereon and shall extend courteous treatment to passengers and persons therein or thereon.

§ 23.409c *Havasu Lake National Wildlife Refuge, Arizona and California; sanitation.* No bottles, cans, garbage, rubbish, or refuse of any kind shall be thrown into the waters of Havasu Lake, but the same shall be disposed of as directed by signs and instructions posted by the refuge manager. Outhouses, septic tanks, and cesspools shall be located and constructed as directed by the refuge manager, and all sanitary requirements specified by the refuge manager shall be observed.

§ 23.409d *Havasu Lake National Wildlife Refuge, Arizona and California; hunting and firearms.* The Havasu Lake National Wildlife Refuge, Arizona and California, has been set aside as a national wildlife refuge, and it is unlawful:

(a) To molest wild animals or birds or their nests on the area;

(b) To hunt on any part of the refuge except on areas set aside for that purpose by the Secretary of the Interior and in accordance with rules and regulations prescribed for such hunting; and,

(c) To carry or be in possession of any firearm on any lands or in or on any boat, dock, wharf, houseboat, or boathouse within the refuge, except that a person may carry an unloaded shotgun, broken or encased, during the hunting season which he is traveling to or returning from areas set aside for hunting by the Secretary of the Interior via routes or courses of travel designated by suitable posting by the refuge manager.

§ 23.409e *Havasu Lake National Wildlife Refuge, Arizona and California; fishing.* Fishing is permitted in all the waters of the Havasu Lake National Wildlife Refuge, Arizona and California, except during the open season for the hunting of migratory game birds, in accordance with the provisions of the laws and regulations applicable to the refuge, including the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions and restrictions:

(a) *State laws.* Any person while fishing within the refuge must comply with the applicable State laws and regulations.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid State fishing license, if such license is required. The license shall serve as a Federal permit for fishing on the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Arizona Game and Fish Commission or of the California Department of Natural Resources authorized to enforce the State fishing laws and regulations, or of any representative of the United States Department of the Interior.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes or courses of travel as may be designated by suitable posting by the refuge manager.

§ 23.409f *Havasu Lake National Wildlife Refuge, Arizona and California; revocation of permits.* The permit of any person violating any of the laws or regulations applicable to the Havasu Lake National Wildlife Refuge, Arizona and California, may be revoked by the regional director, and upon such revocation such person shall remove himself and all his property from the reservoir and the lands belonging to the United States. If he fails to remove his property within a period of 30 days from the date of such revocation, it shall become the unqualified property of the United States and will be sold, removed, destroyed, or converted to the use of the United States without liability to the owner.

W. C. MENDENHALL,
Acting Secretary of the Interior.

APRIL 30, 1942.

[F. R. Doc. 42-7617; Filed, August 6, 1942; 10:01 a. m.]

[1] 5 F.R. 5284.

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1942, Dept. Circ. 693]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES B–1943

AUGUST 6, 1942.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series B–1943. The amount of the offering is $1,500,000,000, or thereabouts.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated August 15, 1942, and will bear interest from that date at the rate of ⅞ percent per annum, payable on a semiannual basis on February 1 and August 1, 1943. They will mature August 1, 1943, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with two coupons attached will be issued in denominations of $1,000, $5,000, $10,000 and $100,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions and security dealers generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions and security dealers will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 5 percent of the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $25,000 will be allotted in full. The basis of the allotment on all other subscriptions will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made or completed on or before August 15, 1942, or on later allotment. In every case where payment is not so completed, the payment with application up to 5 percent of the amount of certificates applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depositary will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F.R. Doc. 42–7628; Filed, August 6, 1942; 11:21 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A–1537]

DISTRICT BOARD 3

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named part;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 19, 1942, at 10:00 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. C. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 14, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the request of District Board No. 3 for the following revisions in and additions to the price classifications and minimum prices of the coals of certain code members in District No. 3; a change from "F" to "D" in Size Groups 1 to 10 for the coals of the Moore No. 1 and Moore No. 2 Mines (Mine Index Nos. 1102 and 337) of C. L. Moore & Son Coal Company, and additional classifications of "B" in Size Groups 11 to 16, inclusive; a change from "J" in Size Groups 1 to 6, inclusive, and "H" in Size Groups 7 to 10, inclusive, to "D" in Size Groups 1 to 10, inclusive, for the coals of the Foster No. 31 Mine (Mine Index No. 590), of T. E. Foster and additional classifications of "B" in Size Groups 11 to 13, inclusive, and "A" in Size Groups 14 to 16, inclusive; a change from "J" to "D" in Size Groups 1 to 10, inclusive, for the coals of the Bolair Mine (Mine Index No. 762) of Russell Talbert, and additional classifications of "B" in Size Groups 11 to 16, inclusive; a change from "F" in Size Groups 1 to 10, inclusive, to "DE" in Size Groups 1 to 6, inclusive, and "DF" in Size Groups 7 to 10, inclusive, for the coals of the Morgan Brothers No. 1 and No. 2 Mines (Mine Index Nos. 1236 and 687) of Donald Morgan, and additional classifications of "B" in Size Groups 11 to 16, inclusive; and a change from the classification of "F" in Size Groups 1 to 10, inclusive, to "DE" in Size Groups 1 to 6, inclusive, and "DF" in Size Groups 7 to 10, inclusive, for the coals of the Joe Morgan Mine (Mine Index No. 946) of Joe Morgan, and additional classifications of "B" in Size Groups 11 to 17, inclusive.

It is further ordered, That pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 3 For All Shipments Except Truck is supplemented to include the price classifications and minimum prices in the schedule marked "Temporary Supplement R" annexed hereto and made a part hereof.[1]

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42–7621; Filed, August 6, 1942; 10:55 a. m.]

[Docket No. B–160]

ROBERT VAAL, CODE MEMBER

ORDER CANCELLING AND REVOKING CODE MEMBERSHIP

A complaint having been filed on December 8, 1941, with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 11, alleging in substance that Robert Vaal, a code member in District No. 11, wilfully violated the Bituminous Coal Code and rules and regulations thereunder (1) by selling various amounts of lump, nut and screening coal on various dates at prices below the established minimum prices; (2) by incorrectly designating the sizes of the portion of the coals sold, in violation of paragraph 8 of section 4 II (j) of the Act and Rule 8 of section XIII of the Marketing Rules and Regulations; and (3) by failing to maintain and keep on file sales slips, invoices, other memoranda or records, and data relating to sales and shipments of 1¼" x 0 screenings produced at his mine, as required by Orders Nos. 307 and 312;

Pursuant to Orders of the Acting Director, and after due notice to interested parties, a hearing in this matter having been held on February 17, 1942 before a duly designated Examiner of the Division at a hearing room thereof in Bedford, Indiana, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard, and at which the code member appeared;

The preparation and filing of a report by the Examiner having been waived and the record in the proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion, which are filed herewith;

Now, therefore, it is ordered, That the code membership of Robert Vaal, operating the Vaal Mine (Mine Index No. 623), in Spencer County, Indiana, in District No. 11 be, and it hereby is, cancelled and revoked, effective fifteen (15) days from the date hereof.

It is further ordered, That prior to any reinstatement of Robert Vaal to membership in the Code, he shall pay to the United States a tax in the amount of $152.94, as provided in section 5 (c) of the Bituminous Coal Act of 1937.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42–7622; Filed, August 6, 1942; 10:55 a. m.]

[Docket No. 1835–FD]

DEBEVOISE-ANDERSON COMPANY, INC.

ORDER FOR RESTORATION OF REGISTRATION

An Order having been issued in the above-entitled matter on June 20, 1942 suspending the registration of Debevoise-Anderson Company, Inc. as a Registered Distributor, Registration No. 2193 for a period of thirty (30) days from the date of said Order; and

Said Order having been duly served upon the said Debevoise-Anderson Company, Inc. on June 25, 1942, and said period of suspension having expired on July 20, 1942; and

Debevoise-Anderson Company, Inc. having duly filed with the Division on July 23, 1942 an affidavit dated July 15, 1942 pursuant to the provisions of said Order issued June 20, 1942 and § 304.15 of the Rules and Regulations for the Registration of Distributors; and

It appearing from said affidavit that Debevoise-Anderson Company, Inc. has refunded to the Beccaria Coal Mining Company, Code Member, improperly collected discounts of Fifty-eight Dollars and Thirty-one Cents ($58.31) and that said affidavit otherwise complies with the provisions of said Order issued June 20, 1942 and said § 304.15 of the Rules and Regulations for the Registration of Distributors;

Now, therefore, it is ordered, That the registration of Debevoise-Anderson Coal Company, Inc. as a distributor be, and it hereby is, restored as of 12:01 on July 21, 1942.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42–7623; Filed, August 6, 1942; 10:56 a. m.]

[1] Not filed as part of the original document.

[Docket No. A–341]

WHEELING VALLEY COAL CORP., ET AL.

NOTICE OF AND ORDER FOR RESUMPTION OF HEARING

In the matter of the petition of Wheeling Valley Coal Corporation, Cove Hill Coal Company and the Buffalo Coal and Coke Company, code members in District No. 6, for a reduction in the effective minimum prices for ex-river shipments into market areas 11, 12 and 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The Acting Director having by Order dated July 8, 1942, granted a motion filed by petitioners requesting that the cause herein be reopened and leave to petitioners to amend the original petition herein; and

Petitioners having duly filed an amended petition;

It is ordered, That the hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be resumed on August 24, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of the resumption of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person who has not heretofore been admitted as a party to this proceeding and desiring to be so admitted may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition as amended is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 22, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition or amendment thereto, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to an original petition as amended of the Wheeling Valley Coal Corporation, Cove Hill Coal Company and the Buffalo Coal and Coke Company, code member producers in District No. 6, for a reduction in the effective minimum prices for ex-river shipments in Market Areas 11, 12 and 13.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7624; Filed, August 6, 1942; 10:56 a. m.]

GENERAL LAND OFFICE.

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 198 ENLARGED

Under the authority of section 7 of the act of June 28, 1934, as amended by the act of June 26, 1936, 48 Stat. 1272, 49 Stat. 1976, 43 U.S.C. 315f, the following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, under the provisions of section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, such lands, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 198, Wyoming No. 33:

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 92 W.,
sec. 7, lot 6;
T. 42 N., R. 93 W.
sec. 1, lot 7, NW¼SW¼, SE¼SW¼, and SW¼SE¼.
sec. 12, lots 1, 2, and NW¼NE¼;
aggregating 293.50 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JULY 9, 1942.

[F. R. Doc. 42-7626; Filed, August 6, 1942; 11:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[P & S Docket No. 1492]

FAIRBURY LIVESTOCK COMPANY

ORDER EXTENDING SUSPENSION OF RATES

By order dated July 6, 1942 (7 F.R. 5201), pursuant to the provisions of the Packers and Stockyards Act, 1921 (7 U.S.C. 1940 ed. 181 *et seq.*), the tariff of rates and charges applicable to hogs, effective July 7, 1942, submitted by Julius J. Williams, trading as Fairbury Livestock Company at Fairbury, Nebraska, designated as Supplement No. 3 to Tariff No. 1, was suspended for a period of 30 days beyond the time when such tariff would otherwise go into effect.

It now appears that the hearing which was directed in this proceeding cannot be concluded within the period of suspension.

It is therefore ordered, That Supplement No. 3 to Tariff No. 1, submitted as stated above, is hereby suspended for an additional period of 30 days from and including August 6, 1942.

It is further ordered, That a copy hereof be served upon the respondent by registered mail.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 5th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-7610; Filed, August 5, 1942; 2:33 p. m.]

Rural Electrification Administration.

[Administrative Order No. 724]

WEST VIRGINIA

ALLOCATION OF FUNDS FOR LOANS

July 29, 1942.

I hereby amend:

(a) Administrative Order No. 603,[2] dated June 27, 1941, by rescinding the allocation of $500,000 therein made for "West Virginia 1010E1 Harrison;"

(b) Administrative Order No. 603, dated June 27, 1941, by rescinding the allocation of $200,000 therein made for "West Virginia 1010G1 Harrison."

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-7630; Filed, August 6, 1942; 11:24 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6363]

WILLIAM G. H. FINCH (W 55 NY)

NOTICE OF HEARING

In re application of William G. H. Finch, (W 55 NY), dated May 29, 1942, for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, New York, New York; operating assignment specified: Frequency, 45,500 kcs., coverage: 8,500 sq. mi.; Power, ----; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B1-PH-42, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B1-PH-42 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B1-PH-42 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: William G. H. Finch, 10 East 40th Street, New York, New York.

Dated at Washington, D. C., August 4, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7631; Filed, August 6, 1942; 11:31 a. m.]

[Docket No. 6364]

OAK PARK REALTY AND AMUSEMENT CO. (W 79 C)

NOTICE OF HEARING

In re application of Oak Park Realty and Amusement Company, (W 79 C), dated May 13, 1942, for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Chicago, Illinois; operating assignment specified: Frequency, 47,900 kcs.; coverage, 10,800 square miles; power, —; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B4-PH-117, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B4-PH-117, was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B4-PH-117 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Oak Park Realty and Amusement Company, 1540 Broadway, New York, New York.

Dated at Washington, D. C., August 4, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7632; Filed, August 6, 1942; 11:31 a. m.]

[Docket No. 6375]

MID-AMERICA BROADCASTING CORP. (WINK)

NOTICE OF HEARING

In re application of Mid-America Broadcasting Corporation (WINK), dated June 11, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Louisville, Kentucky; operating assignment specified: Frequency, 1080 kc.; power, 1 kw. night, 5 kw. day; hours of operation, unlimited (directional antenna).

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B2-P-2760, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B2-P-2760, was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B2-P-2760 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience, and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Mid-America Broadcasting Corporation, Radio Station WINK, 234 Starks Building, Louisville, Kentucky.

Dated at Washington, D. C., August 4, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7633; Filed, August 6, 1942; 11:32 a. m.]

[Docket No. 6376]

EDUCATIONAL BROADCASTING CORP. (KROW)

NOTICE OF HEARING

In re application of Educational Broadcasting Corporation (KROW), dated February 6, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Oakland, California; operating assignment specified; Frequency, 960 kc.; power, 5 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B5-P-2803, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B5-P-2803, was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B5-P-2803 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience, and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Educational Broadcasting Corporation, Radio Station KROW, 464 19th Street, Oakland, California.

Dated at Washington, D. C., August 4, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7634; Filed, August 6, 1942; 11:32 a. m.]

[Docket No. 6377]

WKBH, INC.

NOTICE OF HEARING

In re application of WKBH, Incorporated (WKBH), dated January 20, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, LaCrosse, Wisconsin; operating assignment specified: Frequency 1410 kc.; power, 5 kw. (DA-Night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit B4-P-2733, and the financial outlay, if any incurred in connection therewith by the applicant prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B4-P-2733, was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B4-P-2733 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, conven-

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F. R. 2656).

[2] 6 F.R. 3220.

ience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WKBH, Incorporated, Radio Station WKBH, Radio Building, 409 Main Street, La Crosse, Wisconsin.

Dated at Washington, D. C., August 4, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7635; Filed, August 6, 1942; 11:32 a. m.]

HIGH FREQUENCY BROADCAST STATIONS

ADOPTION OF LICENSING POLICY

The Commission on August 4, 1942, effective immediately, adopted the following policy for licensing high frequency (FM) and ST broadcast stations:

Because war conditions have caused great shortages in materials, equipment and skilled personnel necessary to radio broadcasting, the Federal Communications Commission has announced that holders of construction permits for new frequency modulation (FM) radio stations may obtain licenses during the war to operate presently existing facilities, provided construction has reached a point where the transmitter is presently capable of being operated to render a substantial public service. FM broadcasters securing licenses under this policy will have to show that additional construction is not possible at this time and must assure the Commission that construction will be completed according to Rules, Regulations and Standards of the FCC as soon as the required materials and engineering personnel have become available.

According to FCC records there are 5 licensed FM stations now in operation. Twenty-three stations are operating under special temporary authorization pending completion of construction in accordance with the construction permits. Upon appropriate application these would receive licenses to replace the special temporary authorizations. An additional 7 stations are now conducting program tests and have filed applications for an operating license. The new policy under which the FCC will consider applications for operating licenses on the basis of partial construction probably will affect also 21 other holders of FM construction permits. Six permittees now building studio transmitter links (ST), which connect with station transmitters, would come under the policy. Applicants for new facilities, however, are barred, except under special circumstances, by an earlier "freeze" policy announced in the Memorandum Opinion of April 27, 1942, which recognized the necessity for conserving critical materials and banned new grants for FM as well as most other types of broadcast radio.

The Commission observes that the Communications Act does not contemplate extensions of time within which to complete construction unless it appears that construction can be completed within a reasonable length of time. Nor is it desirable to continue the issuance of special temporary authorizations upon a short term basis. However, it is desirable to encourage such service as is now possible to listeners having FM receivers. Accordingly, the Commission will give consideration to applications for licenses to cover partial construction of FM and ST stations where such construction has proceeded to the point where it is possible to provide a limited but satisfactory FM service. The Commission will also consider applications where construction has been completed and the permittee has been unable to secure equipment and technical personnel to make measurements, required as a prerequisite to issuance of a license. Such licenses will be granted on the definite understanding that immediately the required materials and personnel are available, steps will be taken to comply fully with the original construction permit.

To secure a grant of such an application for license, it will be necessary for each applicant to show (1) diligence in proceeding with construction and the reasons for failure to complete construction; (2) the actual status of construction which the applicant believes sufficient to provide an acceptable FM service; (3) the materials and technical personnel needed to complete construction and make proof of performance (Section 6, Form 320); and, (4) the applicant's determination to proceed to final completion in accordance with the Rules, Regulations and Standards of the Commission when materials for further construction and needed technical personnel become available.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7641; Filed, August 6, 1942; 11:31 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4437]

HASTINGS MANUFACTURING COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of August A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under Acts of Congress (38 Stat. 717; 15 U.S.C.A., section 41), and (49 Stat. 1526, U.S.C.A., section 13, as amended),

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, August 24, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Room 859, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7625; Filed, August 6, 1942; 11:05 a. m.]

OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS.

ORDER DESIGNATING ACTING COORDINATOR, ETC.

Order designating Acting Coordinator of Inter-American Affairs and delegating to such officer authority to perform duties and functions of the Coordinator.

By virtue of authority vested in the Coordinator of Inter-American Affairs by Executive Orders Nos. 8840[1] and 9116[2] and the Third Supplemental National Defense Appropriation Act, 1942 (55 Stat. 810), Percy L. Douglas is hereby authorized in the absence of the Coordinator to perform and exercise as Acting Coordinator, all of the duties, powers and functions heretofore and hereafter authorized by law to be performed and exercised by the Coordinator and in the absence of the Coordinator and said Percy L. Douglas, John C. McClintock is authorized to perform and exercise as Acting Coordinator the aforesaid duties, powers and functions and in the absence of the Coordinator and said Percy L. Douglas and John C. McClintock, Wallace K. Harrison is authorized to exercise and perform such duties, powers and functions as Acting Coordinator, and in the absence of the Coordinator, and said Percy L. Douglas, John C. McClintock and Wallace K. Harrison, Joseph C. Rovensky is authorized to exercise and perform such duties, powers and functions as Acting Coordinator.

This authorization shall remain in effect until specifically revoked by the Coordinator.

NELSON A. ROCKEFELLER, *Coordinator.*

AUGUST 5, 1942.

[F. R. Doc. 42-7640; Filed, August 6, 1942; 11:49 a. m.]

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[1] 6 F.R. 3857.
[2] 7 F.R. 2527.

AUG 10 1942

Reference

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 156

Washington, Saturday, August 8, 1942

The President

PROCLAMATION 2565

FIRE PREVENTION WEEK—1942

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Any loss of human life, any interference with production, any loss of critical materials hinders and impedes our war effort.

Uncontrolled fire, even in normal times, is a national menace. It kills or disables thousands of our people and destroys a significant portion of our national wealth each year. Today, when every machine is being taxed to its fullest productive capacity, when new hands are working with unfamiliar tools, and when agents of our enemies are seeking to hinder us by every possible means, it is essential that destructive fire be brought under stricter control in order that victory may be achieved at the earliest date.

Nothing less than the united vigilance and effort of all the people will suffice to break the grip of this menace. Fire hazards everywhere must be detected at once and eliminated. Loss of life and property from blaze and smoke must be reduced in every State of the Union. Prevention of all uncontrolled fires must be our goal.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate the week beginning October 4, 1942, as Fire Prevention Week; and I earnestly request the people of the country to give special heed to the importance of taking active measures during that week, and throughout the year, to conserve our human and material resources from the destructive toll of fire; and I direct the Office of Civilian Defense and other appropriate Federal agencies to initiate programs for emphasizing the importance of attaining these objectives. I also desire to enlist the cooperation of State and local governments, of educators and civic groups, and of the press, the radio, and the motion-picture industry, with a view to promoting widespread realization of the dangers of fire and knowledge of the methods of controlling it.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed,

DONE at the City of Washington this 6th day of August in the year of our Lord nineteen hundred and [SEAL] forty-two, and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-7655; Filed, August 6, 1942; 4:09 p. m.]

PROCLAMATION 2566

EXTENDING THE TIME FOR PERFORMANCE OF THE ACT PRESCRIBED BY SECTION 313 (b) OF THE TARIFF ACT OF 1930, IN THE CASE OF SUGAR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act. . .;

and

WHEREAS section 313 (b) of the Tariff Act of 1930 (46 Stat. 694) provides:

If imported duty-paid sugar or non-ferrous metal, or ore containing non-ferrous metal, and duty free or domestic merchandise of the same kind and quality are used in the manufacture or production of articles within a period not to exceed one year from the receipt

(Continued on next page)

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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of such imported merchandise by the manufacturer or producer of such articles, there shall be allowed upon the exportation (or shipment to the Philippine Islands) of any such articles, notwithstanding the fact that none of the imported merchandise may actually have been used in the manufacture or production of the exported articles, an amount of drawback equal to that which would have been allowable had the sugar or non-ferrous metal, or ore containing non-ferrous metal, used therein been imported; but the total amount of drawback allowed upon the exportation of such articles, together with the total amount of drawback allowed in respect of such imported merchandise under any other provision of law, shall not exceed 99 per centum of the duty paid on such imported merchandise.;

and

WHEREAS it appears that undue hardships are being imposed in certain instances by the limitation of one year contained in the aforesaid provision:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist, and I do hereby authorize the Secretary of the Treasury to extend to three (3) years, the time prescribed in section 313 (b) of the Tariff Act of 1930, within which sugar must be used in the manufacture or production of articles, in any case in which the time prescribed in such subsection has not expired.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 7th day of August in the year of [SEAL] our Lord nineteen hundred and forty-two and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-7683; Filed, August 7, 1942; 12:42 p. m.]

EXECUTIVE ORDER 9215

AUTHORIZING AND DIRECTING THE SECRETARY OF WAR TO ASSUME FULL CONTROL OF CERTAIN AIRPORTS

ARIZONA

By virtue of the authority vested in me by section 2 of the act of May 24, 1928, 45 Stat. 728 (U.S.C., title 49, section 212), and deeming such action necessary for military purposes, I hereby authorize and direct the Secretary of War to assume full control of the public airports on the following-described public lands, now leased, under the provisions of the said act of May 24, 1928, to the Boards of Supervisors of Maricopa and Pima Counties, Arizona:

GILA AND SALT RIVER MERIDIAN

T. 6 S., R. 5 W., sec. 24;
T. 11 S., R. 6 W.,
Sec. 22, E½;
Sec. 23, W½.

This order shall continue in force and effect during the present war and for six months after the official termination thereof.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 6, 1942.

[F. R. Doc. 42-7677; Filed, August 7, 1942; 11:47 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1941-17]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART C—1941

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1941 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.201 (c) (8) is amended to read as follows:

§ 701.201 *Allotments, yields, productivity indexes, payments, and deductions.* • • •

(c) *Peanuts.* • • •

(8) *Deduction.* $30.00 per ton of the normal yield for the farm for each acre of peanuts for market in excess of its peanut acreage allotment less the acreage, if any, by which the farm cotton acreage allotment (or an erroneously issued cotton allotment when such allotment is used for determining performance in accordance with § 701.210 (g)) exceeds the acreage planted to cotton on the farm, but not to exceed the maximum peanut payment computed for the farm unless the producer (i) fails to show the disposition of any peanuts grown on the farm, or (ii) fails to pay the penalty due upon any excess peanuts under the marketing quota program: *Provided*, That nothing in this subparagraph shall be construed as reducing the acreage of excess peanuts upon which deduction is computed even though the amount of the deduction is reduced to the maximum computed peanut payment: *Provided further*, That no deduction will be made if the acreage of peanuts for market on the farm is one acre or less.

2. Section 701.201 (k) (8) is amended to read as follows:

(k) *Miscellaneous.* • • •

(8) *Minimum acreage of non-depleting land uses.* In counties, groups of counties, or States, upon recommendation of the State committee and approval of the Agricultural Adjustment Agency, a deduction of $5.00 shall be made for each acre by which the acreage of cropland on the farm not devoted to any soil-depleting crop plus the acreage of special crops with respect to which deductions are computed under paragraphs (a) to (h), inclusive, of this section, is less than the sum of 20 percent of the total acreage of cropland on the farm and the acreage of soil-depleting crops grown on noncropland on the farm: *Provided*, That the deduction shall be applicable only to that acreage of soil-depleting crops grown on the farm in excess of 30 acres Such deductions shall be made only in the case of farms for which a special soil-depleting allotment (other than commercial vegetable allotment) is determined: *Provided further*, That the provisions contained in this subparagraph are not applicable in counties designated by the regional director on recommendation of the State committee as counties in which the production of feed for livestock has been seriously reduced by drought.

3. Section 701.210 (g) is amended by changing the heading, adding the following subparagraphs (1) and (2) and by renumbering the present paragraph to be subparagraph (3).

§ 701.210 *General provisions relating to payments.* • • •

(g) *Deductions in case of an erroneous notice of performance or an erroneous notice of acreage allotment.* (1) In any case where, through error of an employee of the county association, a producer is officially notified in writing that the measured acreage of cotton, peanuts, potatoes, rice, tobacco, or wheat, is within the respective farm allotment or permitted acreage, or that such acreage is a given amount in excess of the farm allotment or permitted acreage (but not by more than 3 acres or 3 percent of the allotment, whichever is the larger in the case of wheat or rice) and the producer disposes of such excess in the required manner and within the time allowed, when, in fact, the actual acreage of the crop (after disposal of any excess acreage indicated by the official notice) exceeds the acreage allotment or permitted acreage therefor, (but the acreage before any was disposed of was not in excess of the allotment by more than 3 acres or 3 percent, whichever is the larger in the case of wheat or rice), and the producer was not notified as to the correct extent of performance with respect to the acreage allotment or permitted acreage in sufficient time to permit him to remove the excess acreage, and the county and State committees find that, in harvesting an acreage of the crop in excess of the allotment or permitted acreage, the producer acted in the belief that the information contained in such official notice was correct, the acreage of the crop set forth in such erroneous notification shall be the official acreage for all purposes except in determining the cropland for the farm.

(2) In any case where, through error by an employee of the county association, a producer was officially notified in writing that the extent of the conservation measures carried out on the farm is such as to meet the minimum performance required under § 701.201 (k) (5), (6), (7), or (8), when, in fact, the extent of the conservation measures carried out on the farm was less than the required minimum of such conservation measures, and the producer was not notified as to the correct extent of performance with respect to the minimum conservation requirement in sufficient time to permit him to carry out additional conservation measures for the purpose of meeting the minimum conservation requirement, and the county and State committees find that in failing to meet the minimum conservation requirement, the producer acted in the belief that the information contained in such official notice was correct, the extent of the conservation measures set forth in such erroneous notification shall be the official extent for all purposes except in determining the cropland for the farm or the payment for carrying out approved soil-building practices.

• • • • •

(Sections 7 to 17, as amended, 49 Stat. 1148, 1915, 50 Stat. 329, 52 Stat. 31, 204, 205, 53 Stat. 550, 573; 16 U.S.C. 590g to 590q)

Done at Washington, D. C., this 6th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-7673; Filed, August 7, 1942; 11:15 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owner's Loan Corporation

[Bulletin No. 95]

PART 408—ACCOUNTING SECTION

INTEREST CONVENIENCE PERIOD

The first paragraph of § 408.00d *Interest convenience period*[1] is amended as follows:

In the first paragraph the reference to "fourteen (14) days" shall be amended to read "ten (10) days" and the reference to "sixteen (16) days" shall be amended to read "nineteen (19) days". (Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647: 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

Effective August 5, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-7648; Filed, August 6, 1942; 12:09 p. m.]

[1] 7 F.R. 2090.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

[Docket No. A-1546]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11 for All Shipments Except Truck.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District 11 for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

(45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas—*
Supplement T

Mine Index No.	Code member index	Mine	Seam	Sub-district	Freight origin group	Price group	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
	CLAY COUNTY																			
1334	Carter, Horace	Carter Rib	B	310	285	260	255	250	245	215	195	185	155	145	80	80				
	VIGO COUNTY																			
1333	Briggs Coal & Clay Company, Inc. c/o Lemuel Briggs.	Briggs	6	250	245	240	230	225	220	180	185	170	165	135	125	70	40			
	WARREN COUNTY																			
1328	Goffing, Evert	Goffing No. 2	M	310	285	260	255	250	245	215	215	190	185	155	145	80	30			

[F. R. Doc. 42-7620; Filed, August 6, 1942; 10:55 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine Index No.	Code member	Mine	Seam	Sub-district	Freight origin group	Price group	Shipping point	Railroad
1763	Decker, Oscar F.	Decker	V	BO	20	11	Boonville	Sou.
1401	Ryan, Frank (Square Deal Coal Co.).	Square Deal	V	BO	20	11	Boonville	Sou.
1333	Briggs Coal & Clay Company, Inc. c/o Lemuel Briggs.	Briggs	VI	HC	33	1	West Terre Haute.	Penna
634	Jackson, Orlan (Jackson Coal Co.).	Jackson	VI	LS	61	7	Latta	CMStP&P.

[1] Mine Index Nos. 763 and 901 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Group 11 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck, the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 20 of the Boonville Subdistrict having the same freight rate. Mine Index Nos. 763 and 901 shall be accorded the same prices for railroad fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11. For All Shipments Except Truck, same as for Mine Index Nos. 98, 87, 89 and 773.

Mine Index No. 1333 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Group 1 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck, same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 33 of the Brazil Subdistrict having the same freight rate. Mine Index No. 1333 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 7, 8, 10, 42, 55, 74, 75, 82, 83, 84, 89 and 96.

Mine Index No. 634 shall be included in Price Group 7 and shall take the same f. o. b. mine prices as other mines in Price Group 7 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 61 of the Latta Subdistrict having the same freight rate. Mine Index No. 634 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 10, 19, 20, 33, 40, 46, 52, 60, 65, 71, 72, 85, 101, 265, 966, 968, 1022 and 1279.

[F. R Doc. 42-7619; Filed, August 6, 1942; 10:55 a. m.]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

[Docket No. A-1537]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11 for truck shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order.

It is further ordered, That the relief granted herein shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas—*
Supplement T

Mine Index No.	Code member index	Mine	Seam	Sub-district	Freight origin group	Price group	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
	CLAY COUNTY																			
1334	Carter, Horace	Carter Rib	B	310	285	260	255	250	245	215	195	185	155	145	80	80				
	VIGO COUNTY																			
1333	Briggs Coal & Clay Company, Inc. c/o Lemuel Briggs.	Briggs	6	250	245	240	230	225	220	180	185	170	165	135	125	70	40			
	WARREN COUNTY																			
1328	Goffing, Evert	Goffing No. 2	M	310	285	260	255	250	245	215	215	190	185	155	145	80	30			

[F. R. Doc. 42-7620; Filed, August 6, 1942; 10:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 47]

SPRINGFIELD STATE HOSPITAL PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Springfield State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 47. Said project, located at Sykesville, Carroll County, Maryland, will be the base of operations for work at the Springfield State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Springfield State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Board of Mental Hygiene, State of Maryland, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Board of Mental Hygiene, State of Maryland. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

AUGUST 4, 1942.

[F. R. Doc. 42-7649; Filed, August 6, 1942; 3:28 p. m.]

[Order No. 48]

MARIENVILLE PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Marienville Project to be work of national importance, to be known as Civilian Public Service Camp No. 48. Said camp, located at Marienville, Forest County, Pennsylvania, will be the base of operations for forestry work in the State of Pennsylvania, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 48 will consist of fire presuppression, fighting forest fires, field planting, forest stand improvement and betterment of truck trails, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

AUGUST 5, 1942.

[F. R. Doc. 42-7650; Filed, August 6, 1942; 3:28 p. m.]

[No. 103]

NOTICE OF RENEWAL OF LEASE

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 19, entitled "Notice of Renewal of Lease," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The original supply of forms will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 17, 1942.

[F. R. Doc. 42-7651; Filed, August 6, 1942; 3:28 p. m.]

[No. 104]

MONTHLY CAMP AND PERSONNEL REPORT

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 52A, entitled "Monthly Camp and Personnel Report," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 20, 1942.

[F. R. Doc. 42-7652; Filed, August 6, 1942; 3:28 p. m.]

[No. 105]

LOCAL BOARD ACTION REPORT

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 110, entitled "Local Board Action Report," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of DSS Forms 110 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 1, 1942.

[F. R. Doc. 42-7653; Filed, August 6, 1942; 3:29 p. m.]

[No. 106]

NOTICE OF CALL ON STATE

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 12, entitled "Notice of Call on State," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of forms on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 5, 1942.

[F. R. Doc. 42-7654; Filed, August 6, 1942; 3:29 p. m.]

Chapter IX—War Production Board

PART 933—COPPER

[Amendment 1 to Supplementary Order M-9-b as Amended August 3, 1942]

AUTHORIZATION

1. Section 933.3 *Supplementary Order M-9-b* as amended [1] August 3, 1942, paragraph (e) is hereby amended so as to read as follows:

(e) *Authorization*—(1) *Basis of authorization.* Authorizations to receive deliveries of, melt or process copper, scrap or alloy ingots will be given by the Director General for Operations to assure the satisfaction of the most essential war requirements. After the satisfaction of such requirements, the deliveries of any residual supply may be authorized by the Director General for Operations for other necessary requirements.

(2) *Application for authorization.* Any person desiring to obtain an authorization pursuant to this order to accept the delivery of, melt or process copper, scrap or alloy ingots should make application on Form PD-59, Copper Branch, War Production Board, by the 5th of each month.

(3) *Proof of authorization*—(i) *Refined copper.* Any foundry or ingot maker authorized to purchase specified amounts of refined copper under the terms of an allocation certificate must submit the allocation certificate issued to him to his supplier at the time of placing his order. If the order is placed with a dealer, the allocation certificate must be surrendered to the dealer. If the order is placed with a refiner, the allocation certificate must be endorsed by the refiner, specifying the quantity of refined copper which the refiner will deliver.

(ii) *Alloy ingot, copper scrap or copper base alloy scrap.* Any person author-

[1] Filed as part of original document.

[1] 7 F.R. 5983.

ized to purchase specified amounts of alloy ingot, copper scrap, or copper base alloy scrap, may notify his supplier of his right to make a purchase by endorsing on, or attaching to, each contract or purchase order placed by him under the terms of the authorization, a certification in the following form signed by an official duly authorized for such purpose:

Certification. The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to purchase the items shown on this purchase order pursuant to Allocation Certificate, Serial No. ——— for the month of ——— and that receipt of these items, together with all other orders placed by him, will not result in his receiving more alloy ingot, copper scrap, or copper base alloy scrap, than he has been authorized to receive for the month indicated by such purchase order pursuant to said Allocation Certificate.

Name of Purchaser	Address
Signature of Title of Duly Authorized Official	Date

The person receiving the certification shall be entitled to rely on such certification unless he knows or has reason to believe it to be false. Each person supporting a purchase order by such a certification must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such purchases, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General For Operations.

[F. R. Doc. 42-7666; Filed, August 7, 1942; 11:11 a. m.]

PART 933—COPPER

[Amendment 5 to Conservation Order M-9-c as Amended May 7, 1942]

CURTAILING THE USE OF COPPER IN CERTAIN ITEMS

Section 933.4 *Conservation Order M-9-c*[1] is hereby amended:

1. By adding at the end of paragraph (a) a new subparagraph to be and read as follows:

(5) No manufacturer of any item on List "A-2" attached or of parts (including repair parts) for any such item may, if such item or parts contain copper products or copper base alloy products, continue their manufacture by means of processing, assembling or finishing after the governing date set forth opposite such item in Column 2 of List "A-2".

[1] 7 F.R. 3424, 3660, 3745, 4205, 4480, 4535, 5344, 5902.

2. By adding at the end of paragraph (b) the following:

• • • The provisions of this paragraph (b) shall not apply to a manufacturer wishing to assemble a completed fractional horsepower electric motor acquired on or before February 28, 1942 into machinery of any kind omitted from Lists "A" or "A-1" attached; or to the processing, assembling or finishing of any machinery omitted from Lists "A" and "A-1" attached or of parts (including repair parts) for such an article, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on or before February 28, 1942 are bushings, bearings, nuts, bolts, screws, washers and wire weighing in the aggregate less than 5% of the total weight of the article or part.

3. By deleting paragraph (e) and substituting therefor a new paragraph (e) to be and read as follows:

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products and copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).[2]

4. By deleting paragraph (h) (8) and substituting therefor a new paragraph (h) (8) to be and read as follows:

(8) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (1) hereof) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair; nor shall the restrictions of this order (other than those contained in paragraph (d) (1) hereof) apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than one pound in excess of the copper or copper base alloy scrap derived from the article being repaired, and all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Supplementary Order M-9-b.[3]

5. By adding at the end of the list of orders in paragraph (h) (10) the following:

Water meters governed by Schedule I[4] of Limitation Order No. L-154, effective June 17, 1942.

Self contained drinking water coolers governed by Schedule I[5] of Limitation Order No. L-126, effective July 3, 1942.

6. By amending the second sentence of paragraph (h) (10) to be and read as follows:

The provisions of this amended order do not apply to attaching finished slide fasteners, hooks and eyes, brassiere hooks, sew-on machine attached or riveted snap fasteners or grippers, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides and trouser trimmings. The amended order does apply to manufacturing, processing, assembling and finishing of the closures and associated items listed above where the provisions of this amended order are more restrictive than other orders of the War Production Board. Order M-9-c-2 applies to the manufacture of certain jewelry.

7. By amending the line in List "A" which reads:

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except valves and controls).

To be and read as follows:

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except valves and controls and parts necessary for conducting electricity).

8. By amending the line in List "A" which reads:

Beverage dispensing units and parts thereof (except for parts necessary for conducting electricity in water coolers).

To be and read as follows:

Beverage dispensing units and parts thereof (except for self contained drinking water coolers as defined in Schedule I of Order L-126).

9. By amending the line in List "A" which reads:

Livestock and poultry equipment (except for valves, controls and thermostats other than wafer thermostats and except for plating wafer thermostats).

To be and read as follows:

Livestock and poultry equipment (except for parts necessary for conducting electricity and for valves, controls and thermostats other than wafer thermostats and except for plating wafer thermostats).

10. By amending the line in List "A" which reads:

Unions (except seats).

To be and read as follows:

Unions and union fittings (except seats, and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). See also Order L-42.[6]

11. By amending the line in List "A" which reads:

Valves over 2 inch size (except seats, discs and stems).

[2] 7 F.R. 5167, 5604.
[3] 7 F.R. 5983.
[4] 7 F.R. 4539, 5706.
[5] 7 F.R. 5082.
[6] 7 F.R. 951.

To be and read as follows:

Valves over 2 inch size (except seats, discs and stems and except for other parts of such valves where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical).

12. The following List "A-2" is added to the order, after the end of List "A-1" and prior to the "Military Exemption List":

LIST "A-2" OF ORDER M-9-c AS AMENDED MAY 7, 1942

The manufacture, processing, assembling or finishing with copper products or copper base alloy products of the items listed below and of all parts (including repair parts) therefor is prohibited after the governing date except to the extent permitted by paragraphs (h) (7) and (h) (8) of the foregoing amended order M-9-c. Where this List contains an exception, the manufacture of the item or part therefore excepted is governed by paragraph (b) of this amended order.

	Governing date
Gas stoves and ranges for household use except when each valve contains not more than ½ ounce of copper base alloy and each control contains not more than 1½ ounces of copper base alloy	August 7, 1942
Lanterns	September 7, 1942

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7667; Filed, August 7, 1942; 11:12 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 1 to Schedule I to Limitation Order L-126]

Section 1071.3 *Schedule I*[1] *to Limitation Order L-126* is hereby amended as follows:

1. The "note" to "Type A" specifications of subparagraph (1) (Types, sizes and capacities) of paragraph (b) *Required specifications* is amended to read as follows:

Note: Type A cooler capacities are based on the use of a waste water precooler using 60% spill. The above specified capacities are based on an ambient temperature of 100° F. while reducing water from 100° F. inlet to 50° F. outlet drinking water.

2. Subparagraph (2) (*b*) of paragraph (b) *Required specifications* is amended to read as follows:

(*b*) Block tin tubing or tin coatings.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7668; Filed, August 7, 1942; 11:10 a. m.]

[1] 7 F.R. 5082.

PART 1144—GOATSKINS, KIDSKINS AND CABRETTAS

[Conservation Order M-114, as Amended August 7, 1942]

Section 1144.1 *General Conservation Order M-114*[1] is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of goatskins, kidskins and cabrettas for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1144.1 *General Conservation Order M-114*—(a) *Applicability of priorities regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Goatskin" means the skin of the goat or leather made from it, other than a kidskin or India tanned goatskin.

(2) "Kidskin" means the skin of the young goat or leather made from it.

(3) "Cabretta" means the skin of a hair sheep or leather made from it.

(4) "Raw skin" means a skin in its original condition when imported, and before depilation.

(5) "India tanned goatskin" means an imported goatskin that has been tanned in Asia.

(6) "Put in process" means to soak in water or solution before depilation.

(7) "Semi-processed or finished" includes all skins that have already been put in process within the United States.

(8) "Tanner" means any person who puts in process raw goatskins, raw kidskins or raw cabrettas.

(9) "Basic monthly wettings" shall mean one-twelfth of the sum total of raw goatskins, raw kidskins, and raw cabretta skins put into process by a tanner during the period from January 1, 1941, to December 31, 1941, both inclusive.

(10) Goatskin that "could be made suitable for military requirements" includes any goatskin that could be processed into finished leather by any person into more than six and three-quarters square feet of leather, except extreme rejects, and extremely heavy (bull) weights.

(11) "Blue chrome state" shall mean the state after tanning but before fatliquoring and coloring.

[1] 7 F.R. 2506, 3234, 4159.

(c) *Restrictions on sales, deliveries and processing of goatskins, kidskins and cabrettas.* (1) No person shall put in process during the months listed below for the aggregate of defense and non-defense use a sum total of raw goatskins, raw kidskins and raw cabrettas equal to more than the percentages shown below of his basic monthly wettings:

Year 1942:	*Percentage of basic monthly wetting*	
April	80	
May	70	
June and July	140	(total for both months)
Aug.-Sept.-Oct.	210	(total for three months)

Provided, however, That the foregoing limitation shall not affect the requirements of § 944.2 of Priorities Regulation No. 1 for compulsory filling and acceptance of defense orders and other orders bearing preference ratings. Any person with whom such orders are placed shall accept and fill the same regardless of the foregoing limitation but shall not after receiving such orders put in process in the periods covered by this order any raw goatskins, raw kidskins and raw cabrettas for orders other than defense orders, if his total for all orders exceeds said limitation.

(2) No person shall process beyond the blue chrome state, except for military glove or garment use, or for other military orders, any goatskin now or hereafter in process up to that state, which in the judgment of his most qualified expert by further processing from the blue chrome state could be made suitable for military requirements, and no person shall hereafter sell or deliver such suitable skins to any other person, except upon defense orders.

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver any raw goatskins, raw kidskins, or raw cabretta skins if he knows or has reason to believe such material is to be processed or delivered in violation of this order.

(e) *Fair distribution of products.* In making sales or deliveries of semi-processed or finished goatskins, kidskins, or cabrettas, no tanner shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers who meet such tanner's regularly established prices, terms and credit requirements. Reduction in sales or deliveries proportionate with any curtailment of input established in paragraph (c) hereof shall not constitute a discriminatory cut.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of goatskins, kidskins or cabrettas conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference M-114, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may there-

upon take such action as he deems appropriate.

(g) *Reports.* Any person who puts in process goatskins, kidskins or cabrettas shall file with the War Production Board, monthly, beginning April 30, 1942, one copy of report form PD–373; and shall file any additional reports and forms prescribed by the War Production Board, from time to time.

(h) *Records.* Any person who puts in process goatskins, kidskins or cabrettas shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: "War Production Board, Textile, Leather and Clothing Branch, Washington, D. C., Ref.: M–114".

(j) *Violations.* Any person who willfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 80). (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7669; Filed, August 7, 1942; 11:12 a. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Amendment 1 to Schedule IV[1] to Limitation Order L–120]

CHEMICAL WOOD PULP TABLET PAPER

Section 1223.5 *Schedule IV to Limitation Order L–120* is hereby amended by including under paragraph (b) thereof, between item (iv) and the phrase "And, unless the total quantity of the order is at least 20,000 pounds, no person shall impress such paper with a special name watermark", the following:

(v) With at least 2,000 pounds of each roll width or at least 5,000 pounds of each sheet size of each substance weight.

(P.D. Reg 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc 42–7664; Filed, August 7, 1942; 11:10 a. m.]

[1] 7 F.R. 5125.

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Amendment 1 to Schedule V[1] to Limitation Order L–120]

WHITE WOVE ENVELOPE PAPER

Section 1223.6 *Schedule V to Limitation Order L–120*—White Wove Envelope Paper (excluding extra strong sulphate), is hereby amended by including under paragraph (b) thereof, between item (iv) and the phrase "And, unless the total quantity of the order is at least 20,000 pounds, no person shall impress such paper with a special name watermark," the following:

(v) With at least 2,000 pounds of each roll width or at least 5,000 pounds of each sheet size of each substance weight.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7665; Filed, August 7, 1942; 11:10 a. m.]

PART 3006—SOLUBLE DRIED BLOOD AND BLOOD-ADHESIVES

[General Preference Order M–192]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of soluble dried blood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3006.1 *General Preference Order M–192*—(a) *Definitions.* For the purpose of this order:

(1) "Soluble dried blood" means blood derived from the slaughter-house kill which is both soluble and dried, whether obtained through spray-drying, pan-drying, tunnel-drying or other means. The term does not include light blood albumin.

(2) "Blood-adhesive mixture" means any adhesive mixture containing soluble dried blood.

(3) "Producer" means any person engaged in the production of soluble dried blood and includes any person who has such material produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases soluble dried blood for resale either as such or as a part of any blood-adhesive mixture.

(b) *Restrictions on use and delivery.* (1) On and after September 1, 1942 no producer or distributor, subject to the provisions of paragraph (c), shall use and no person shall deliver soluble dried blood or any blood-adhesive mixture except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (e) hereof, and no person shall accept any delivery of such materials which he knows or has reason to believe is made in violation of this order.

(2) Each person who shall accept delivery of soluble dried blood or of any blood-adhesive mixture pursuant to specific authorization of the Director General for Operations, shall use such materials only in accordance with the representations made by him in his application for such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the use or delivery by such person of soluble dried blood or of any blood-adhesive mixture.

(c) *Exceptions.* The specific authorization provided for in paragraph (b) (1) shall not be required with respect to the use by any producer or distributor of soluble dried blood for the purpose of manufacturing any blood-adhesive mixture.

(d) *Production of soluble dried blood.* Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of soluble dried blood.

(e) *Applications and reports.* In addition to such other reports as may from time to time be requested by the Director General for Operations:

(1) Each person seeking authorization to accept delivery of and use soluble dried blood or any blood-adhesive mixture shall place his order therefor with his supplier on or before the 15th day of the month preceding the month for which authorization to accept delivery and use is requested and shall file with the War Production Board on or before such date three copies of Form PD–600 prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "Soluble dried blood and blood adhesives" and Order No. "M–192" in the heading and specify "pounds" as the unit of measure. A separate form must be filed for each supplier.

(ii) *Column 1; Grade.* In the case of soluble dried blood, specify "pan dried", "tunnel dried" or "spray dried". In the case of blood-adhesive mixtures, specify supplier's trade name or other identification.

(iii) *Column 3; Primary product.* Specify "plywood", "leather finishing materials" or "asphalts".

(iv) *Column 4; Product use.* Specify "military other than housing", "military housing, including barracks", "U. S. war housing", "other" or "unknown". A covering letter may be filed with the form giving details with respect to the product use.

(2) Each distributor seeking authorization to accept delivery of soluble dried blood for purposes of resale either as such or as a part of any blood-adhesive mixture shall file with the War Production Board on or before August 20, 1942 and on or before the 20th day of each month thereafter three copies of Form PD–600 prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "Soluble dried blood and blood adhesives" and Order No. "M–192" in the heading and specify "pounds" as the unit of measure. A separate form must be filed for each supplier.

[1] 7 F.R. 5125.

(ii) *Column 1; Grade.* Specify "pan dried", "tunnel dried" or "spray dried".

(iii) *Column 3; Primary product.* Disregard.

(iv) *Column 4; Product use.* Specify resale.

(v) *Column 19; Primary product.* Specify "blood-adhesive mixture", "leather finishing materials" or "asphalts".

(3) Each producer and each distributor shall file with the War Production Board on or before August 20, 1942 and on or before the 20th day of each month thereafter three copies of Form PD–601 prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "Soluble dried blood and blood adhesives" and Order No. "M–192" in the heading, specify "pounds" as the unit of measure and check whether "producer", "refiner" or "distributor". A separate form must be filed for each plant or warehouse.

(ii) *Columns 3 and 8; Grade.* In the case of soluble dried blood, specify "pan dried", "tunnel dried" or "spray dried". In the case of blood-adhesive mixtures, specify trade name or other identification.

(iii) *Column 4; Quantity ordered.* If a blood-adhesive mixture, indicate the soluble dried blood content and the percentage of such content in the mixture.

(f) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of soluble dried blood and blood-adhesive mixtures, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M–192. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7672; Filed, August 7, 1942; 11:12 a. m.]

PART 3011—TURBO-BLOWERS

[General Limitation Order L–163]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of turbo-blowers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3011.1 *General Limitation Order L–163*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person who constructs or manufactures critical turbo-blowers, to the extent that he is engaged in such construction or manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Dealer" means any wholesaler, retailer, or other distributor of critical turbo-blowers, other than sales and distribution outlets controlled by a manufacturer.

(4) "Critical turbo-blower" means any new, reconditioned or used centrifugal or rotary type blower or exhauster having a capacity of 10,000 cubic feet per minute or more, at a total pressure of 2 pounds or more; except any such equipment to be delivered to the United States Navy or Maritime Commission for shipboard use, or to any privately owned shipyard or plant for installation in ships built, or repaired, for the United States Navy or Maritime Commission.

(b) *Restrictions upon placing of orders.* No person shall place an order for a critical turbo-blower unless such order is accompanied by the authorization of the Director General for Operations on Form PD–616A. Orders so authorized shall be placed only with the supplier specified on the Form PD–616A. Any person desiring an authorization on Form PD–616A to enable him to purchase critical turbo-blowers shall file an application therefor with the Director General for Operations on Form PD–616 in duplicate.

(c) *Restrictions on acceptance or delivery of orders.* (1) No person shall accept any order for a critical turbo-blower unless such order is accompanied by an authorization of the Director General for Operations on Form PD–616A permitting the placing of such order with such person.

(2) Regardless of the terms of any preference rating certificate or blanket preference rating order, or of any rule or regulation applicable thereto, any manufacturer or dealer with whom an order is placed as authorized by the Director General for Operations on Form PD–616A must accept the same, unless the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. No manufacturer or dealer shall discriminate against such orders in establishing such prices or terms.

(3) After 15 days following the date of issuance of this order, regardless of the terms of any contract of sale or purchase or other commitment, or of any preference rating certificate or blanket preference rating order, no manufacturer or dealer shall deliver or otherwise transfer any critical turbo-blower, unless authorized by the Director General for Operations to make such delivery or transfer, as provided in paragraph (d) hereof.

(d) *Filing by manufacturers and dealers of delivery schedules: authorization for deliveries.* (1) On or before 15 days following the date of issuance of this order, every manufacturer and dealer shall file a statement, in quadruplicate, showing:

(i) All orders for critical turbo-blowers on hand on the date of this order, together with a brief description (including dollar value, use and extent of completion) of the critical turbo-blowers covered by each order, and the proposed date of delivery of each such turbo-blower.

(ii) The name of the proposed purchaser of each such turbo-blower and the customer's and manufacturer's or dealer's order numbers applicable thereto.

(iii) Preference rating certificate number and the rating assigned to each such order.

The delivery of all critical turbo-blowers listed on such statement as scheduled for delivery on or before August 31, 1942, shall be deemed to be authorized upon receipt of such statement by the War Production Board, unless the Director General for Operations shall direct otherwise. The Director General for Operations may, at any time, revoke such delivery authorization as to any or all critical turbo-blowers so listed, direct or change the schedule of deliveries, allocate any order so listed to any other manufacturer or dealer, or direct the delivery of any such turbo-blower to any other person, at the established price and terms. No manufacturer or dealer shall change the schedule of deliveries as shown on such statement or as directed or changed by the Director General for Operations, without specific authorization of the Director General for Operations.

(2) On or before August 25, 1942 and on or before the 25th day of each succeeding calendar month, every manufacturer or dealer shall file, in quadruplicate, a report on Form PD–616B showing his delivery schedule for critical turbo-blowers for the calendar month immediately

following such filing. The delivery of all critical turbo-blowers shown on such schedule as proposed to be made in the calendar month following the date of filing shall be deemed to be authorized by the Director General for Operations upon the receipt of such Form PD–616B by the War Production Board, unless the Director General for Operations shall otherwise direct. The Director General for Operations may, at any time, revoke such authorization as to any or all critical turbo-blowers so listed for delivery, direct or change the schedule of deliveries, allocate any order listed on said form to any other manufacturer or dealer, or direct the delivery of any critical turbo-blower to any other person, at the established price and terms. No manufacturer or dealer shall change the schedule of deliveries as listed on said form, or as directed or changed by the Director General for Operations, without specific authorization of the Director General for Operations.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Branch, Washington, D. C. Ref.: L–163.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(h) *Records and reports.* All manufacturers or dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries and orders for critical turbo-blowers.

All manufacturers or dealers affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time request. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7670; Filed, August 7, 1942; 11:11 a. m.]

PART 3028—RAILROAD STANDARD WATCHES

[General Limitation Order L–175]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of railroad standard watches for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3028.1 *General Limitation Order L–175*—(a) *Definitions.* For the purposes of this order:

(1) "Railroad standard watch" means any spring-driven time piece, designed primarily for use by a railroad time service employee, including but not limited to those watches enumerated in Schedule A.

(2) "New railroad standard watch" means any railroad standard watch which has never been used by an ultimate consumer.

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling railroad standard watches.

(4) "Dealer" means any person (other than a manufacturer) engaged in the business of selling new railroad standard watches at retail to the public.

(5) "Wholesaler" means any person engaged in the business of selling new railroad standard watches to dealers for resale.

(b) *Restrictions on the transfer of new railroad standard watches.* No manufacturer shall sell, deliver or in any other way transfer the physical possession of, or title to, any new railroad standard watch, except:

(1) In fulfillment of any contract, subcontract or purchase order placed by or for the account of the United States Army for new railroad standard watches to be used by the Army and not for resale;

(2) In fulfillment of any purchase order or contract, accompanied by the following certification (which shall constitute a representation by each person signing it to the seller and to the War Production Board) signed by both a railroad division superintendent and the time service employee who desires to acquire such a watch:

_____ is a Time Service Employee of the _____ Railroad Company, is employed on the _____ Division of the _____ Railroad Company, _____ (Street) _____ (City) _____ (State)

is required by such Railroad Company to carry a Railroad Standard Watch in the performance of his duties and has no watch capable of meeting these requirements.

(Signed) _____
Time Service Employee

_____
Position

(Signed) _____
Railroad Division Superintendent.

(3) Or in fulfillment of any purchase order or contract placed with him by a dealer or wholesaler accompanied by a certification (which shall constitute a representation to the manufacturer and to the War Production Board) in the following form:

The railroad standard watches included in this order are required to replace in my inventory an equal number of such watches sold pursuant to purchase orders which I have received (or which _____ of _____ has certified on an order placed with me that he has received) from time service employees of railroads accompanied by certificates in the form prescribed in paragraph (b) (2) of Limitation Order No. L–175.

_____
Company

By _____
Officer

_____
Title

(c) *Records.* Each manufacturer, wholesaler and dealer shall keep and preserve, for not less than two years, complete records of his inventories and sales of railroad standard watches.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: L–175. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A

Waltham watches	16 size "Vanguard", 23 Jeweled, Bridge Model, Double Roller.
	16 size "Crescent St.," 21 Jeweled, Bridge Model, Double Roller.
	16 size "Riverside", 19 Jeweled, Bridge Model, Double Roller.
	16 size No. 645, 21 Jeweled, Bridge Model, Double Roller.
Elgin watches	16 size "Veritas", 23 Jeweled, three-quarter plate, Double Roller.
	16 size "Father Time", 21 Jeweled, three-quarter plate, Double Roller.
	16 size "B. W. Raymond", 19 Jeweled, three-quarter plate, Double Roller.
Hamilton watches	16 size No. 950, 23 Jeweled, Bridge Model, Double Roller.
	16 size No. 992, 21 Jeweled, three-quarter plate, Double Roller.
	16 size No. 996, 19 Jeweled, three-quarter plate, Double Roller.
Ball watches	16 size "Official R. R. Standard", 19, 21, and 23 Jeweled, Double Roller.

[F. R. Doc. 42–7671; Filed, August 7, 1942; 11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supplementary Order 11]

LICENSING DISTRIBUTORS OF CHEMICALS AND DRUGS

A statement of the reasons for this Supplementary Order No. 11 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority of the Emergency Price Control Act of 1942, including section 205 (f) (1) thereof, it is hereby ordered:

§ 1305.15 *Provisions licensing distributors of chemicals and drugs*—(a) *License required.* Effective August 11, 1942, a license as a condition of selling is required of every distributor now or hereafter selling any chemicals or drugs for which maximum prices are established by Price Regulations Nos. 21, 31, 34, 36, 37, 38, 42, 78, 79, 80, 98, 99, 101, 103, 104, 179, 191, 192,[1] respectively, as amended or supplemented, or by any other price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 11.

(b) *License granted.* Effective August 11, 1942, every distributor now or hereafter selling to any person any chemicals or drugs for which maximum prices are established by Price Regulations Nos. 21, 31, 34, 36, 37, 38, 42, 78, 79, 80, 98, 99, 101, 103, 104, 179, 191, 192, respectively, as amended or supplemented, or by any other price regulation, now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 11, is hereby granted a license as a condition of selling such chemicals or drugs. The provisions of every price regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall become effective August 11, 1942, or when any person becomes a distributor subject to the provisions of this order, and shall, unless suspended as provided in the Act, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement remains in effect.

(c) *Exclusions.* This Supplementary Order No. 11 shall not be applicable to laboratories operated by a nonprofit educational institution, nor to sales by persons selling at retail.

(d) *Licensing section of General Maximum Price Regulation superseded.* This Supplementary Order No. 11 supersedes the provisions of § 1499.16 of the General Maximum Price Regulation insofar as said § 1499.16 may be applicable to distributors of chemicals or drugs who are licensed hereby.

(e) *Registration of licensees.* Every distributor hereby licensed shall register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe, on forms which will be made available by the Office of Price Administration.

(f) *License not transferable.* The license hereby granted is not transferable.

(g) *Suspension of license.* Licensees violating any of the provisions of this Supplementary Order No. 11 or the license hereby granted or violating any of the provisions of the price regulations specified in paragraph (b), or violating the provisions of any applicable regulation, order or requirement under section 202 (b) of the Act, are subject to the license suspension proceedings provided for in the Act: *Provided, however,* That no proceeding for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(h) *Definitions.* When used in this Supplementary Order No. 11, the term:

(1) "Distributor" means any person who receives delivery of any chemicals or drugs subject to a price regulation specified in paragraph (b) and resells it (whether as jobber, agent, dealer, broker, or any similar person or as an importer or exporter) without substantially changing its form. Repackaging, relabeling, diluting, blending or mixing, without more, shall not be deemed to constitute a substantial change of form. "Distributor" shall also include any producer insofar as such producer acts as a distributor of any such chemicals or drugs or operates any warehouse, branch, subsidiary or affiliate which acts as such a distributor.

(2) "Act" means the Emergency Price Control Act of 1942.

(3) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(4) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(5) "Selling at retail" means selling to an ultimate consumer other than an industrial or commercial user.

(i) *Effective date of Supplementary Order No. 11.* This Supplementary Order No. 11 (§ 1305.15) shall become effective August 11, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7643; Filed, August 6, 1942; 12:24 p. m.]

PART 1340—FUEL

[Amendment 28 to Revised Price Schedule 88[1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1340.163 is added as set forth below.

§ 1340.163 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller or any person as defined in § 1340.157 (a) are sold or otherwise transferred after October 15, 1941 and the transferee carries on the business, or continues to deal in the same or similar petroleum and/or petroleum products, in an establishment separate from any other establishment previously owned or operated by him, the

*Copies may be obtained from the Office of Price Administration.

[1] 21 Formaldehyde, 7 F.R. 1249, 1836, 2000, 2132.
31 Acetic Acid, 7 F.R. 123, 1263, 1836, 2000, 2132.
34 Wood Alcohol, 7 F.R. 1269, 1836, 2000, 2132.
36 Acetone, 7 F.R. 1276, 1836, 2000, 2132.
37 Normal Butyl Alcohol, 7 F.R. 1277, 1836, 2000, 2132.
38 Glycerine, 7 F.R. 1277, 1836, 2000, 2132, 2997, 5178.
42 Paraffin Wax, 7 F.R. 1285, 1836, 2000, 2132, 3430, 4853.
78 Oxalic Acid, 7 F.R. 1353, 1836, 2132, 2512.
79 Carbon Tetrachloride, 7 F.R. 1354, 1836, 2132, 2792, 5056.
80 Lithopone, 7 F.R. 1355, 1643, 1836, 2132, 2759.
98 Titanium Pigments, 7 F.R. 1392, 1836, 2108, 2132.
99 Acetyl Salicylic Acid, 7 F.R. 1393, 1836, 2108, 2132.
101 Citric Acid, 7 F.R. 1400, 1836, 2132, 3897.
103 Salicylic Acid, 7 F.R. 1402, 1836, 2132.
104 Vitamin C, 7 F.R. 1403, 1836, 2132.
179 Pine Oil, 7 F.R. 5482.
191 Cotton Linters and Hull Fibers, 7 F.R. 6000.
192 Imported Cresylic Acid, 7 F.R. 5999.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481.

maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records and make reports shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the records and reports provisions of Revised Price Schedule No. 88 and Amendments thereto.

§ 1340.158a *Effective dates of amendments.* • • •

(bb) Amendment No. 28 (§ 1340.163) to Revised Price Schedule No. 88 shall become effective August 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7642; Filed, August 6, 1942; 12:24 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 3 to Maximum Price Regulation 26 [1]]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.58 (a) (2) is amended to read as set forth below:

§ 1381.58 *Definitions.* (a) • • •

(2) "Douglas fir and other West Coast lumber" means Douglas fir (Pseudotsuga Taxifolia), West Coast hemlock (Tsuga Heterophylla and Tsuga Mertensiana) and all species of true fir (Abies) lumber produced in mills located in those parts of Oregon and Washington lying west of the crest of the Cascade Mountains, and in Canada.

§ 1381.61a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1381.58 (a) (2)) to Maximum Price Regulation No. 26 shall become effective August 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7644; Filed, August 6, 1942; 12:25 p. m.]

PART 1405—FERRO-ALLOYS

[Amendment 2 to Maximum Price Regulation 138 [2]]

STANDARD FERROMANGANESE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1405.3 the date "May 1, 1942," set forth in paragraph (a) is amended to read "April 28, 1942," and paragraph (c) is amended to read as set forth below:

§ 1405.3 *Maximum prices for the conversion of manganese ore into standard ferromanganese.* • • •

(c) Any person, herein referred to as the converter, who, after April 28, 1942, enters into a contract of the same nature as the contracts described in paragraph (a) of this section, shall submit a certified copy of such contract to the Office of Price Administration, Washington, D. C. On and after May 1, 1942, no such contract shall be of any effect until the Office of Price Administration has approved the fee and other charges to be made thereunder by the converter for the conversion of manganese ore into standard ferromanganese.

§ 1405.11a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1405.3 (a), (c)) to Maximum Price Regulation No. 138 shall become effective August 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7646; Filed, August 6, 1942; 12:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 51]

FARM TRACTORS AND FARM EQUIPMENT

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.265 *Authorization to manufacturers of farm tractors and manufacturers of other farm equipment.* (a) Specific authorization is hereby given to any manufacturer to determine the maximum price of any farm tractor or other item of farm equipment in which some substantial change in design or equipment has been made since March 31, 1942, by the following formula:

(1) The revised maximum price applicable to sales to the class of purchasers commanding the lowest net price or highest rate of discount shall be calculated by adding to or subtracting from the maximum price, for the same class of purchasers for the item as originally equipped, the net increase or decrease in factory cost attributable to the change in design or equipment, calculated in accordance with subparagraph (3).

(2) The revised maximum prices applicable to sales to other classes of purchasers, if any, shall be calculated by applying to the maximum net price calculated in accordance with paragraph (a) (1), the same percentage price differentials as were in effect on March 31, 1942, for such other classes of purchasers. Likewise, the revised maximum list price, if any, shall be calculated by applying to the maximum net price, calculated in accordance with subparagraph (1), the same percentage differential as was in effect on March 31, 1942, between the lowest net price and the list price.

(3) The net increase or decrease in factory cost attributable to the change in design or equipment shall be calculated by the use of: material prices actually being paid not to exceed maximum prices established by the Office of Price Administration for such materials; direct labor cost based on labor rates in effect on March 31, 1942; factory overhead allocable to such direct labor cost charged at the actual average rate in effect during the quarter ended March 31, 1942, or at the standard rate consistently used in the company, whichever is lower. No charge for profit or for overhead, other than such factory overhead, shall be included in the net increase or decrease in factory cost attributable to the change.

(b) Within ten days after each such maximum price has been determined under § 1499.3 (b) of the General Maximum Price Regulation a manufacturer shall under oath or affirmation report to the Office of Price Administration, Washington, D. C., the following:

(1) The proposed maximum prices as computed in accordance with paragraph (a)

(2) His new suggested list price, f. o. b. factory, and the resulting net prices to him; and

(3) A statement showing all the details of the computation of the costs of the old and the new models and of the proposed maximum prices.

Each proposed maximum price so reported shall become the maximum price if the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to the filing of such report and during such thirty-day period, the manufacturer may quote, contract, sell or deliver at the price reported, but the final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(c) This Order No. 51 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 51 shall become effective August 7, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7645; Filed, August 6, 1942; 12:26 p. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4573, 4701, 5180, 5360.

[2] 7 F.R. 3212.

[1] 7 F.R. 3153, 3300, 3666.

PART 1340—FUEL

[Amendment 13 to Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Added: § 1340.212 (b) (1) (i) immediately following the table, (b) (2) (i), (b) (3) (i); § 1340.214 (b) (1) (i) (*b*); § 1340.215 (b) (3) (i); § 1340.218 (b) (1) (i) (*d*), (b) (1) (i) (*e*); § 1340.221 (b) (1) (i) immediately following the table, (b) (2) (i), (b) (3) (i); § 1340.224 (b) (3) (i).

Redesignated: § 1340.214 (b) (1) (i) and § 1340.218 (b) (1) (i) are hereafter to follow the table.

Amended: § 1340.218 (b) (6).

§ 1340.212 Appendix A: *Maximum prices for bituminous coal produced in District No. 1.* • • •

(b) • • •

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix:

• • • • • •

(i) *Special price instructions.* (*a*) The maximum price for coals in Size Group 5 produced at the Waterman No. 2 Mine (Mine Index No. 536) of the Rochester and Pittsburgh Coal Company shall be $2.45 per net ton.

(*b*) The maximum price for coals in Size Group 3 produced at the McNitt No. 2 Mine (Mine Index No. 305) of the McNitt Coal Company shall be $3.00 per net ton.

(*c*) The maximum price for coals in Size Group 3 produced at the Stineman No. 1 Mine (Mine Index No. 485) of the Stineman Coal Mining Company shall be $3.35 per net ton.

(*d*) The maximum price for coals in Size Groups 3, 4, and 5 produced at the Hughes No. 2 Mine (Mine Index No. 217) of C. A. Hughes and Company shall be $3.35 per net ton.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses:

• • • • • •

(i) *Special price instructions.* (*a*) The maximum price for coals in Size Group 3 produced at the McNitt No. 2 Mine (Mine Index No. 305) of the McNitt Coal Company shall be the applicable effective minimum price as of April 1, 1942 *plus* 75 cents per net ton.

(*b*) The maximum price for coals in Size Group 3 produced at the Stineman No. 1 Mine (Mine Index No. 485) of the Stineman Coal Mining Company shall be the applicable effective minimum price as of April 1, 1942, *plus* 90 cents per net ton.

(3) Maximum prices in cents per net ton for railroad fuel:

• • • • • •

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835.

(i) *Special price instructions.* (*a*) The maximum price for coals in Size Group 3 produced at the Hughes No. 2 Mine (Mine Index No. 217) of C. A. Hughes and Company for shipment to the Monongahela Connecting Railroad Company of Pittsburgh, Pennsylvania shall be the effective minimum price as of April 1, 1942, *plus* 80 cents per net ton.

• • • • • •

§ 1340.214 Appendix C: *Maximum prices for bituminous coal produced in District No. 3.* • • •

(b) • • •

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix. • • •

(i) *Special price instructions.* • • •

(*b*) Maximum prices for the following Size Groups of coals produced at the Banner No. 1 Mine (Mine Index No. 10) and Banner No. 2 Mine (Mine Index No. 11) of Stanley Coal Company, Inc. shall be the following respective amounts per net ton: Size Groups 6, 7, 8—$2.65; Size Groups 9, 10—$2.50.

• • • • • •

§ 1340.215 Appendix D: *Maximum prices for bituminous coal produced in District No. 4.* • • •

(b) • • •

(3) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses:

• • • • • •

(i) *Special price instructions:*

(*a*) Maximum prices for coals in Size Groups 2 and 5 produced at the Black Diamond Mine (Mine Index No. 1622) of the Black Diamond Coal Company shall be the applicable effective minimum prices as of April 1, 1942, *plus* the following respective amounts per net ton: $1.20 for Size Group 2, and 60 cents for Size Group 5. • • •

§ 1340.218 Appendix G: *Maximum prices for bituminous coal produced in District No. 7.* • • •

(b) • • •

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix:

• • • • • •

(i) *Special price instructions.* • • •

(*d*) The maximum price for coals in Size Group 8 produced at the Wyoming Mine (Mine Index No. 208) of Red Jacket Coal Corporation and from the Black Knight Mine No. 3 (Mine Index No. 24) and Black Knight Mine No. 7 (Mine Index No. 304) of Raleigh Coal and Coke Company shall be $3.25 per net ton when sold for use as smithing coal.

(*e*) Maximum prices for coals in Size Groups 1, 2, 3, 8, 9 and 10 produced at the Ashland No. 6 and No. 9 Mine (Mine Index No. 9) of the Ashland Coal and Coke Company shall be the following respective amounts per net ton: Size Group 1, $3.30; Size Group 2, $3.40; Size Group 3, $3.40; Size Group 8, $2.50; Size Group 9, $2.45; Size Group 10, $2.40.

• • • • • •

(6) Maximum prices in cents per net ton for shipment via Great Lakes to all destinations for all uses (exclusive of railroad fuel, vessel and bunker fuel and byproduct). • • •

Price classifications:	Price, size group No. 1
• • • • •	
K	275
• • • • •	
M	265
• • • • •	

§ 1340.221 *Appendix J: Maximum prices for bituminous coal produced in District 10.*

(b) • • •

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix:

• • • • • •

(i) *Special price instructions.* (*a*) The maximum price for coals in Size Group 1 produced at the Pocahontas Mine (Mine Index No. 138) of the Illinois Pocahontas Coal Company shall be $2.50 per net ton.

(*b*) Maximum prices for coals in the following size groups produced at the Perco Mine (Mine Index No. 135) of Coulterville Coal Company shall be the following respective amounts per net ton: Size Group 1, $2.50; Size Group 3, $2.40; Size Group 14, $1.70.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. • • •

(i) *Special price instructions.* (*a*) Maximum prices for coals in Size Groups 1 and 3 produced at the Pocahontas Mine (Mine Index No. 138) of Illinois Pocahontas Coal Company shall be the applicable effective minimum prices as of April 1, 1942, *plus* the following respective amounts per net ton: 85 cents for Size Group 1 and 80 cents for Size Group 3.

(*b*) Maximum prices for coals in the following size groups produced at the Macon County Mine (Mine Index No. 90) of the Macon County Coal Company shall be the applicable effective minimum prices as of April 1, 1942, *plus* the following respective amounts per net ton: $1.30 for Size Group 1; $1.15 for Size Group 4; $1.85 for Size Group 8; $1.90 for Size Group 9; and $1.00 for Size Group 13.

(3) Maximum prices in cents per net ton for railroad fuel. • • •

(i) *Special price instructions.* (*a*) Maximum prices for railroad fuel produced at the Perco Mine (Mine Index No. 135) of the Coulterville Coal Company shall be the applicable effective minimum prices as of April 1, 1942, *plus* a sum not exceeding 65 cents per net ton.

§ 1340.224 *Appendix M: Maximum prices for bituminous coal produced in District No. 13.* • • •

(b) • • •

(3) Maximum prices in cents per net ton for railroad fuel. • • •

(i) *Special price instructions.* (*a*) Maximum prices for railroad fuel produced at the Blocton No. 9 Mine (Mine Index No. 9) of Black Diamond Coal Mining Company and sold to the Alabama Great Southern Railway shall be the applicable effective minimum prices

as of April 1, 1942, *plus* 60 cents per net ton.

(b) Maximum prices for railroad fuel produced at the Brilliant Mine (Mine Index No. 18) of the Brilliant Coal Company and sold to the Illinois Central Railroad shall be the applicable effective minimum prices as of April 1, 1942, *plus* $1.75 per net ton. * * *

§ 1340.211a *Effective dates of amendments.* * * *

(n) Amendment No. 13 (§§ 1340.212 (b) (1) (i), (b) (2) (i), (b) (3) (i); 1340.214 (b) (1) (i) (b); 1340.215 (b) (3) (i); 1340.218 (b) (1) (i) (d), (b) (1) (i) (e) (b) (6); 1340.221 (b) (1) (i), (b) (2) (i), (b) (3) (i); 1340.224 (b) (3) (i)) to Maximum Price Regulation No. 120 shall become effective August 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[P. R. Doc. 42-7657; Filed, August 6, 1942; 4:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 15 Under § 1499.18 (c) of General Maximum Price Regulation]

STONE'S EXPRESS, INC.

[Docket No. GF3-1153]

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.365 *Adjustment of maximum prices for contract carrier services sold by Stone's Express, Incorporated.* (a) Stone's Express, Incorporated, of 144 Second Street, Cambridge, Massachusetts, may sell and deliver, and any person may buy and receive from Stone's Express, Incorporated, contract carrier services at prices not higher than those set forth below (Prices stated per count, a count being a unit of measurement containing 2,496 cubic inches, equivalent to the size of a standard fur coat box, size 6 inches by 16 inches by 26 inches):

	Cents
From Boston, Massachusetts, to Zone A	11.5
From Boston, Massachusetts, to Zone B	13
From Boston, Massachusetts, to Zone X	15

(b) The adjustment granted to Stone's Express, Incorporated, in paragraph (a) is subject to the following conditions:

(1) Zone A, within the meaning of paragraph (a) shall include the following places in Massachusetts:

Allston.
Ashmont.
Auburndale.
Brighton.
Brookline.
Cambridge.
Charlestown.
Chelsea.
Chestnut Hill.
City.
Dorchester.
East Boston
Evett.
Faneuil.
Forest Hills.
Jamaica Plain.
Mattapan.
Neponset.
Newton.
Newtonville.
Newton Centre.
Newton Lower Falls.
Newton Upper Falls.
Newton Highlands.
Roslindale.
Roxbury.
Somerville.
South Boston.
Waban.
Watertown.
West Newton.
West Roxbury.

(2) Zone B, within the meaning of pargaraph (a) shall include the following places in Massachusetts:

Arlington.
Arlington-Hgts.
Atlantic.
Beachmont.
Beach Bluffs.
Bedford.
Belmont.
Beverly.
Beverly Farms
Braintree.
Charles River Village.
Clifton.
Cliftondale.
Concord.
Cummingsville.
Danvers.
Dedham.
Dover.
Greenwood.
Houghs Neck.
Hyde Park.
Kendall Green.
Lexington.
Lincoln.
Linden.
Lynn.
Lynnfield.
Malden.
Maplewood.
Marblehead.
Medford.
Melrose.
Milton.
Montclair
Montvale.
Nahant.
Needham.
Norfolk Downs.
Peabody.
Quincy.
Reading.
Readville.
Revere.
Salem.
Saugus.
Squantum.
Stoneham.
Swampscott.
Wakefield.
Waltham.
Waverly.
Wellesley.
Wellesley Farms.
Wellesley Hills.
Wellington.
Weston.
Weymouth.
Winchester.
Winthrop.
Woburn.
Wollaston.

(3) Zone X, within the meaning of paragraph (a) shall include the following places in Massachusetts:

Abington.
Acton.
North Acton.
South Acton.
West Acton.
Allerton.
Amesbury.
Andover.
Annisquam.
Ashland.
Attleboro.
Avon.
Bradford.
Brockton.
Campello.
Canton.
Carlisle.
Cochituate.
Cohasset.
Egypt.
Essex.
Foxboro.
Framingham.
Franklin.
Georgetown.
Gloucester.
Hamilton.
Haverhill.
Hingham.
Holbrook.
Holliston.
Hudson.
Hull.
Ipswich.
Islington.
Kenberma.
Lanesville.
Lawrence.
Lowell.
Magnolia.
Manchester.
Mansfield.
Marlboro.
Maynard.
Methuen.
Middleton.
Milford.
Minot.
Montello.
Nantasket.
Natick.
Newbury.
Newburyport.
North Attleboro.
Norton.
Norwood.
Pigeon Cove.
Plainsville.
Prides Crossing.
Randolf.
Rockland.
Rockport.
Saxonville.
Scituate.
Sharon.
Stoughton.
Stow.
Sudbury.
Taunton.
Topsfield.
Walpole.
Wayland.
Wenham.
Westwood.
Whitman.
Wrentham.

(4) Where C. O. D. services are rendered by Stone's Express, Incorporated, a charge of ten (10) cents per count may be added to the above maximum prices.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 15 (§ 1499.365) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 15 (§ 1499.365) shall become effective August 7, 1942. (Pub. Law 421, 77th Cong.)

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7656; Filed, August 6, 1942; 4:43 p. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 28—PHOTOGRAPHING

PROHIBITED AREAS

1. Section 28.2 of Title 35, Code of Federal Regulations (7 F.R. 2135), is amended to read as follows:

§ 28.2 *Areas within which photographing, etc., is prohibited.* No person shall make any photograph, sketch, drawing, map or graphical representation within or upon any of the following areas, objects, installations, or structures in the Canal Zone, without first obtaining the permission of the Governor of The Panama Canal, and promptly submitting the product obtained to the Governor for such action as he may deem necessary. (a) (1) On board any vessel or other floating craft of any nature in Canal Zone waters. See paragraph (b) of this section.

(2) The airspace above the Canal Zone.

(3) Dam and spillway areas.

(4) Oil storage areas.

(5) Shop areas of Mechanical Division, Dredging Division, Municipal Engineering Division, Motor Transportation Division.

(6) Lock areas for existing locks and for those locks under construction.

(7) Docks and pier areas.

(8) Any area containing any object, structure, or installation included in § 28.1, that is enclosed by a fence; or any area posted by authority of the Governor with signs prohibiting photographing therein.

(9) Any military or naval reservation, post, camp, station, depot, fort, fortification, air base, air field, landing field, antiaircraft or searchlight position, fire control or aircraft warning position, radio station, radio direction finder station, ammunition storage depot, dump, magazine, section base, submarine base, railroad track or right of way, or any other area exclusively assigned or used for military or naval operations.

(10) Any waters, port areas, anchorage basin, canal channel, approach to the canal channel, or mine field of or in the Panama Canal.

(11) On board any train, coach, car or other rolling equipment of the Panama Railroad Company.

(b) The master of every vessel within Canal Zone waters will be expected to cooperate fully with the Canal Zone authorities in the matter of the prevention of the making, by any person on board such vessel in the waters of the Canal Zone, of any photograph, sketch, drawing, map, or graphical representation in violation of these regulations; and no master of a vessel shall knowingly permit or allow any person on board such vessel in the waters of the Canal Zone to make any photograph, sketch, drawing, map, or graphical representation in violation of these regulations. (Canal Zone Code, title 2, sec. 15, added by Pub. Law 336, 77th Cong.)

2. § 28.3 of Title 35, Code of Federal Regulations (7 F.R. 2135), is amended to read as follows:

§ 28.3 *Areas within which possession of cameras is prohibited.* No person shall have any camera in his possession within any of the following areas in the Canal Zone, without first obtaining the permission of the Governor of The Panama Canal:

(a) (1) On board any vessel within the waters of the Canal Zone: *Provided*, That this item shall be subject to the provisions of paragraph (b) of this section.

(2) The airspace above the Canal Zone. See paragraph (c) of this section.

(3) Any dam or spillway area.

(4) Oil storage areas.

(5) Shop areas of the Mechanical Division and Dredging Division.

(6) Locks areas for existing locks and for those under construction.

(7) Dock areas at Cristobal and Balboa, except on those piers and docks used for passenger embarkation and when camera is being carried by or for a bona fide passenger in actual transit to or from his ship at such dock or pier.

(8) Any military or naval reservation, post, camp, station, depot, fort, fortification, air base, air field, landing field, antiaircraft or searchlight position, fire control or aircraft warning position, gun emplacement, battery, defense work or position, signal tower or station, military fortification, radio station, radio direction finder station, ammunition storage depot, dump, magazine, section base, submarine base, any other area exclusively assigned or used for military or naval operations, or any of the islands at the Pacific entrance to the Canal.

(b) While on board any vessel in the waters of the Canal Zone no person shall have in his possession, or retain in his possession, any camera except as otherwise provided in these regulations. All persons on board any vessel destined for entry into Canal Zone waters shall, prior to the entry of the vessel into such waters, and all persons embarking on any vessel in Canal Zone waters shall, immediately upon embarkation, deliver to the master of the vessel any and all cameras in the possession of such persons. The master of every vessel shall (1) cause all cameras on board such vessel to be collected and delivered to him prior to each entry of such vessel into Canal Zone waters, shall (2) likewise cause to be collected and delivered to him immediately all cameras brought aboard such vessel in Canal Zone waters whether by embarking passengers or otherwise, and shall (3) retain in his possession the cameras so collected and delivered to him, in a secure and inaccessible place, until a time immediately preceding the final disembarkation of the original possessors thereof or until the vessel has departed from Canal Zone waters. The term "vessel", as used in this section, shall not include a ferryboat.

(c) Referring to paragraph (a) (2) of this section, all persons on board any aircraft destined for navigation into, within, or through the airspace above the Canal Zone shall, before the aircraft takes off from the last point of landing prior to entering into the airspace above the Canal Zone, deliver to the commander or person in responsible charge of the aircraft any and all cameras in the possession of such persons; such cameras to be, as required by Executive Order No. 8251, September 12, 1939, 35 C.F.R 5.18a to 5.18i, sealed prior to taking off from the last point of landing prior to entry into the airspace above the Canal Zone and to remain under seal while within the said airspace, and this item shall not apply to possession and keeping of such cameras by the commander or person in responsible charge of such aircraft. (Canal Zone Code, title 2, sec. 15, added by Pub. Law 336, 77th Cong.)

3. The regulations amended as aforesaid shall take effect on August 31, 1942.

GLEN E. EDGERTON,
Governor.

JULY 31, 1942.

[F. R. Doc. 42-7658; Filed, August 7, 1942; 9:23 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 9—GRANTS TO STATES FOR PUBLIC HEALTH SERVICES

SUBPART F—FISCAL YEAR 1943 AND EACH YEAR THEREAFTER

PAYMENTS TO STATES UNDER TITLE VI OF THE SOCIAL SECURITY ACT

Basis of Allotment

Whereas, pursuant to section 602 of the Social Security Act, approved August 14, 1935, 49 Stat. 634, as amended, 53 Stat. 1381 (42 U.S.C. 802), allotments for the purpose of assisting State and local governments in establishing and maintaining adequate public health services have been made to the States (including the District of Columbia, Alaska, Hawaii, and Puerto Rico) in accordance with the following bases, and then have been adjusted for the unexpended balances in the States from previous allotments under Title VI of the Social Security Act (hereinafter referred to as the Act):

(a) *Population.* Twenty-seven and one-half per cent of available funds in the ratio which the population of each State bears to the population of the United States as shown by the Census Bureau 1940 population census;

(b) *Special health problems.* Forty-five per cent of available funds on the basis of:

(1) The ratio which the mean annual number of deaths in each State from pneumonia, cancer, and other infectious and parasitic diseases, except influenza and syphilis, bears to the total mortality from these causes in the United States as shown by the Bureau of Census "mortality statistics" for the five years 1936–1940;

(2) Prevalence of malaria, hookworm disease, trachoma, typhus fever, and similar geographically limited diseases, special industrial hazards, and other conditions that result in an inequality of exposure to these hazards among the States;

(3) Special conditions which create unequal burdens in the administration of equal public health services among the States indicated by the relative population density as shown by the Bureau of Census 1940 population census;

(4) The need for regional training centers;

(5) The health needs occasioned by war activities, including the environments of military posts, cantonments, maneuver areas, and war industries;

(c) *Financial needs.* Twenty-seven and one-half per cent of available funds on the basis of the financial needs of the States, which is determined to be the ability of the State to raise revenue expressed indirectly in terms of differences in per capita five-year mean income as computed by the United States Department of Commerce for the years 1936–1940;

Rules and Regulations

Now, therefore, pursuant to the authority above cited, I hereby prescribe the following rules and regulations:

Sec.
9.401 Definitions.
9.402 Matching requirements.
9.403 Program and administration.
9.404 Submission of plans and budget.
9.405 Payments to States.
9.406 Custody and disbursement of funds.
9.407 Reports.
9.408 Withholding payments.
9.409 Effective period.

AUTHORITY: §§ 9.401 to 9.409, inclusive, issued under sec. 602, 49 Stat. 634, as amended, 53 Stat. 1381; 42 U.S.C. 802.

§ 9.401 *Definitions.* As used in this subpart:

(a) "State" includes the District of Columbia, Alaska, Hawaii, and Puerto Rico.

(b) "Local" means pertaining to counties, health districts, municipalities, and other political subdivisions of the States.

(c) "Existing appropriations" mean appropriation rates in effect January 1, 1935.

(d) "New appropriations" mean the increase in the appropriation rate over that in effect January 1, 1935.

(e) "Federal funds" mean funds appropriated by the Federal Government under the authority of section 601 of Title VI of the Social Security Act, as amended.

(f) "State health authority" means the highest State official whose principal duties are the administration of State health activities.

§ 9.402 *Matching requirements.* The total amount allotted to the States on the basis of population, and the special health problems, (paragraph (b) (1), (2) and (5) of the Basis of Allotment) shall be available for payment to the States when matched equally by State or local

public funds for public health services, as follows:

(a) Fifty per cent by an equal amount of existing appropriations of public funds for public health services.

(b) Fifty per cent by an equal amount of new appropriations of public funds for public health services made since January 1, 1935, or made prior to that date for the specific purpose of matching funds available under the provisions of the Act. However, the Surgeon General in his discretion may waive in whole or in part matching requirements in those States where the per capita [1] appropriation for the current fiscal year for State health department services (exclusive of funds for the maintenance of institutions) exceeds the average per capita appropriations for the current fiscal year of all the States for the same purposes.

§ 9.403 *Program and administration.* (a) Federal funds shall be available to assist State and local governments in establishing and maintaining in accordance with accepted modern standards adequate public health services including the training of personnel for State and local health work.

(b) When Federal funds paid hereunder are utilized for the training of personnel, each State shall conform to "Training Policies of the United States Public Health Service" as amended to June 15, 1942. Each State shall establish and maintain (1) acceptable administrative and fiscal procedures; and (2) a system of personnel administration on a merit basis in accordance with "Merit System Policies of the United States Public Health Service" as amended to May 15, 1942.

§ 9.404. *Submission of plans and budgets.* Prior to the beginning of the fiscal year each State health authority shall submit for the approval of the Surgeon General a plan for improving and extending State and local public health functions. The plan also shall include (a) a comprehensive statement of any changes in the State health organization (including personnel administration on a merit basis), programs, and appropriations since the last statement was submitted; and (b) budgets on forms prescribed by the Public Health Service itemizing the proposed uses and showing the sources of all funds to be spent under the plan. Plans may be amended only with the approval of the Surgeon General.

§ 9.405 *Payments to States.* Prior to the beginning of each quarter the State health authority shall submit an application for funds upon forms prescribed by the Public Health Service. The Surgeon General may certify quarterly to the Secretary of the Treasury for payment to the States an amount which, together with any balance on hand in the State, shall not exceed, except in an extraordinary emergency, thirty-five per cent of the total amount available: *Provided*, That the total payments shall not exceed the total annual allotment, or the total amount budgeted whichever is less.

§ 9.406 *Custody and disbursement of funds.* (a) Payments shall be made quarterly to the State treasurer or other officer authorized by State law to receive the funds, and the principal accounting officer of the State government shall account for the funds separately from any other funds, State or Federal. State laws and regulations governing the custody and disbursement of State funds shall govern the custody and disbursement of Federal funds paid hereunder, subject to such amplification or modification as the Surgeon General may find necessary.

(b) Federal funds paid to a State shall be expended solely for the purposes specified in plans and budgets approved by the Surgeon General, and shall not be used in such manner as to result in a reduction of State or local appropriations or expenditures for public health services.

§ 9.407 *Reports.* The State health authority shall submit to the Surgeon General, on forms prescribed by the Public Health Service, quarterly financial and activity reports, and an annual activity report which may be submitted in narrative form.

§ 9.408 *Withholding payments.* If expenditures are made by any State contrary to the Act, or of rules and regulations prescribed thereunder, the Surgeon General may withhold future payments. The Surgeon General may withhold his certification of quarterly payments in whole or in part from any State which violates the Act, or rules and regulations prescribed thereunder, or plans approved by the Surgeon General pursuant thereto.

§ 9.409 *Effective period.* The regulations in this subpart and any amendments thereto shall be in full force and effect during each fiscal year for which funds are available and allotments are made under the Act.

[SEAL] THOMAS PARRAN,
Surgeon General.

JULY 27, 1942.

Approved: August 3, 1942.

WATSON B. MILLER,
Acting Administrator,
Federal Security Agency.

[F. R. Doc. 42-7663; Filed, August 7, 1942; 11:13 a. m.]

[1] To be calculated on the Census Bureau 1940 population census.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

An order of the Interstate Commerce Commission, modifying the Classification of Income, Profit and Loss, and General Balance Sheet Accounts for Steam Roads, dated July 30, 1942, effective January 1, 1943, was filed with the Division of the Federal Register on August 7, 1942, at 10:50 A. M. (F.R. Doc. 42-7662). Requests for copies should be addressed to the Interstate Commerce Commission.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-139]

PERRY COAL CO., CODE MEMBER

ORDER REVOKING CODE MEMBERSHIP

District Board No. 10 having filed a complaint with the Bituminous Coal Division on November 12, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by the Perry Coal Company, a corporation, a code member operating the St. Ellen Mine, Mine Index No. 153, in St. Clair County, Illinois, during the period from April 14 to April 19, 1941, of section 4 II (e) of the Act and of Rules 1, 4, 5, and 6 of section VIII of the Marketing Rules and Regulations Incidental to the Sale and Distribution of coal by selling approximately 2527 net tons of coal below the effective minimum price for such coal, and by selling said coal upon a guaranteed analysis without having filed a report of such analysis with the Statistical Bureau of the Division for District No. 10;

Pursuant to appropriate orders and after due notice to interested persons, a hearing having been held in this matter on February 24, 1942, before W. A. Shipman, a duly designated Examiner of the Division, at a hearing room thereof in East St. Louis, Illinois, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard; complainant and code member having appeared;

All interested parties having joined in waiving the preparation and filing of a report by the Examiner; the record of the proceedings thereupon having been submitted to the undersigned for consideration; the undersigned having made Findings of Fact and Conclusions of Law and having rendered an opinion which are filed herewith; [1]

Now, therefore, it is ordered, That effective fifteen (15) days from the date of this order the code membership of Perry Coal Company, a corporation, be, and it hereby is, cancelled and revoked.

It is further ordered, That prior to the reinstatement of said Perry Coal Company, a corporation, into membership in the Code, it shall pay to the United States a tax, as provided in section 5 (c) of the Act, in the amount of $985.53.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7674; Filed, August 7, 1942; 11:38 a. m.]

[1] Not filed with the Division of the Federal Register.

[Docket No. B-291]

WHITE BROTHERS COAL CO.

ORDER CORRECTING TYPOGRAPHICAL ERROR IN NOTICE OF AND ORDER FOR HEARING

In the matter of Earl White and Reno White, individually and as co-partners doing business under the name and style of White Brothers Coal Company, Code Member.

A typographical error occurred in the Notice of and Order for Hearing issued July 28, 1942, in the above-entitled matter.

In the first paragraph, the fourth line, "by the Bituminous Coal Producers Board for District No. 8, complainant," should read, "by the Bituminous Coal Producers Board for District No. 4, complainant,".

Now, therefore, it is ordered, That the figure "8" in the fourth line of the first paragraph of said Notice of and Order for Hearing, issued July 28, 1942, be deleted and that the figure "4" be inserted in place thereof.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7675; Filed, August 7, 1942; 11:38 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 101-A 4]

CHICAGO, ILLINOIS, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Chicago, Illinois, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Palmer House, Chicago, Illinois, beginning at 10:00 a. m., c. w. t., August 14, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

This public hearing is for the purpose of receiving evidence with respect to the amendments which are hereinafter set forth in detail. These amendments have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the provisions to which such amendments relate. The amendments which have been proposed are as follows:

A. Proposed by Pure Milk Association and Chicago Milk Producers Council:

1. Add the following to § 941.5 (a) (4): In no event shall the price of Class III milk be less than the price of Class IV milk, and whenever the price for Class IV milk exceeds the price for Class III milk, the price of Class IV milk shall also be the price of Class III milk.

2. Delete § 941.5 (b) and substitute therefor the following:

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the price per cwt. of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to paragraph (a) (4) of this section, or the price for Class IV milk determined pursuant to paragraph (a) (5) of this section, or that derived from the following formula, whichever is the higher:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture by six (6).

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this paragraph.

(3) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value."

(4) To the combined butter and cheese value add 30 percent thereof.

(5) Multiply the sum computed in subparagraph (4) above by 3.5.

B. Proposed by Pure Milk Association:

1. Delete § 941.8 (c) and substitute therefor the following:

(c) *Butterfat differential to producers.* (1) For each 1/10 of 1% below 3.5% butterfat in milk delivered by a producer, 4¢ per cwt. shall be subtracted from the uniform price.

(2) For each 1/10 of 1% above 3.5% butterfat in milk delivered by a producer, 4¢ per cwt., or the amount computed to the nearest 1/10 of 1¢, from the following formula, whichever is the higher, shall be added to the uniform price: Formula: 1/10 of the price during the delivery period for Class IV milk containing 3.5% butterfat divided by 3.5.

C. Proposed by Dairy and Poultry Branch, Agricultural Marketing Administration, United States Department of Agriculture:

1. Delete § 941.1 (a) (11) and substitute therefor the following:

(11) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Add as § 941.13 the following:

§ 941.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing and of Order No. 41, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

Dated: August 7, 1942.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-7676; Filed, August 7, 1942; 11:39 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

FEDERAL POWER COMMISSION.

[Docket Nos. IT-5696, IT-5697, IT-5698]

ALUMINUM COMPANY OF AMERICA AND CAROLINA ALUMINUM CO.

ORDER CHANGING DATE OF ORAL ARGUMENT

AUGUST 5, 1942.

Upon request of counsel for the respondents, and for good cause shown;

The Commission *orders* that: Oral argument before the Commission *en banc*, heretofore set for August 14, 1942, be heard on September 8, 1942 at 10 a. m. (E. W. T.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW, Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-7661; Filed, August 7, 1942; 9:23 a. m.]

OFFICE OF PRICE ADMINISTRATION

[Order 1 Under Maximum Price Regulation 138 [2]—Standard Ferromanganese]

TENNESSEE PRODUCTS CORP.—CARNEGIE-ILLINOIS STEEL CORP.

APPROVAL OF FEES, ETC.

Approval of fees and other charges provided for by contract of July 11, 1942 for the conversion of ores into 12,000 gross tons of standard ferromanganese by the Tennessee Products Corporation for the Carnegie-Illinois Steel Corporation.

On July 14, 1942 the Tennessee Products Corporation of Nashville, Tennessee, pursuant to § 1405.3 (c) of Maximum Price Regulation No. 138, submitted a certified copy of a contract between it and the Carnegie-Illinois Steel Corporation of the date of July 11, 1942 and the Tennessee Products Corporation has made application for the approval of the fees and other charges provided for by the aforesaid contract.

Due consideration has been given to this application and, for the reasons set

[2] 7 F.R. 3212.

forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1405.3 (c) of Maximum Price Regulation No. 138, it is hereby ordered:

(a) The fee of $45.00 per gross ton which is set by the contract of July 11, 1942 between Tennessee Products Corporation of Nashville, Tennessee and Carnegie-Illinois Steel Corporation of Pittsburgh, Pennsylvania, as the sum to be charged by the first party and paid by the second party for the conversion of ores into 12,000 gross tons of standard ferromanganese of 78–82% manganese content is hereby approved; and the further provision that a fee of 75¢ for each gross ton of ore so handled shall be charged by Tennessee Products Corporation and paid by Carnegie-Illinois Steel Corporation, if the first party is called upon to receive, unload and store cargo shipments of ore for the convenience of the second party, is hereby approved.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective August 11, 1942.

Issued this 6th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7647; Filed, August 6, 1942; 12:27 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59–9]

STANDARD POWER & LIGHT CORP., ET AL.

NOTICE OF FILING OF PETITION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August 1942.

In the Matter of Standard Power and Light Corporation, Standard Gas and Electric Company and subsidiary companies thereof, respondents.

The Commission having entered its order herein on the 8th day of August, 1941, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 requiring Standard Gas and Electric Company to sever its relationship with certain designated companies, and the subsidiary companies thereof, by disposing of or causing the disposition of its direct and indirect ownership, control and holdings of securities issued by those designated companies and the subsidiary companies thereof and of securities of those companies and the subsidiary companies thereof as they might from time to time be acquired by Standard Gas and Electric Company;

Notice is hereby given that Standard Gas and Electric Company has filed on July 31, 1942 a petition requesting the entry of an order by this Commission under section 11 (c) of the Act extending for one year the time for compliance with the order of August 8, 1941, above described.

All interested persons are referred to said petition which is on file in the office of the Commission for full details concerning the petition.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said petition;

It is ordered, That the hearing in this proceeding shall be convened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk at 10 o'clock on the 13th day of August, 1942. All persons desiring to be heard or otherwise wishing to participate in the proceedings, should notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII, on or before August 12, 1942. At said hearing on that day the issues will be limited to consideration of the petition above described, and particularly whether Standard Gas and Electric Company has exercised due diligence in its efforts to comply with the Commission's order of August 8, 1941, and whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to Standard Power and Light Corporation and Standard Gas and Electric Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–7659; Filed, August 7, 1942; 9:24 a. m.]

[File No. 70–366]

ELECTRIC POWER & LIGHT CORP. AND DALLAS RAILWAY & TERMINAL CO.

NOTICE OF FILING OF AN AMENDMENT AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August, A. D. 1942.

Notice is hereby given that an amendment to declarations or applications (or both) has been filed with this Commission under the Public Utility Holding Company Act of 1935 by Dallas Railway & Terminal Company ("Dallas Railway") and its parent, Electric Power & Light Corporation ("Electric"), a registered holding company, and a subsidiary of Electric Bond and Share Company, likewise a registered holding company. All interested parties are referred to said document, which is on file in the office of this Commission, for a statement of the transactions proposed in the declarations or applications, as amended, which are summarized as follows:

1. A capital contribution by Electric to Dallas Railway of the following securities which are presently owned by Electric:

(a) A 6% Note of Northern Texas Company, a wholly-owned subsidiary of Electric, in the principal amount of $1,540,000 as of June 30, 1942, which is dated November 25, 1935 and which became due November 25, 1940.

(b) 2,000 shares of the Capital Stock without par value of Northern Texas Company, having an aggregate stated value on the books of that company of $10,000.

(c) 11,000 shares, of the par value of $100 per share, of the 7% Preferred Stock of Dallas Railway. Electric proposes to waive its claim to undeclared cumulative dividends on such 11,000 shares of 7% Preferred Stock.

2. The acquisition by Electric of 1,816 shares of common stock of Dallas Railway presently outstanding with the public and upon which Electric holds options of purchase at prices ranging from $5 to $10 per share.

3. The acquisition by Dallas Railway of the physical properties owned by Northern Texas Company and the dissolution of the latter company.

4. The execution by Dallas Railway of a Supplemental Indenture amending its Mortgage and Deed of Trust, dated July 1, 1926, to Old Colony Trust Company, as Trustee, by the terms of which Dallas Railway would be required:

To expend in each calendar year, commencing with July 1, 1942, in maintaining, repairing, renewing and replacing the mortgaged property and for the retirement of bonds, 27½% of the gross operating revenues of the Company for such year, after deducting from such 27½% of such gross operating revenues the amount of the net loss, if any, of the Company for such year after all operating expenses (including taxes, rentals, insurance and maintenance expenditures and accruals), appropriations for retirements, interest expenses and other deductions from income. Bonds would be retired at least at the rate of $100,000 a year after April 1, 1942. Any deficiency in expenditures would be made up by the deposit of cash or bonds or by the certification of unfunded property additions. Bonds so retired could not be made the basis of the authentication and delivery of bonds, withdrawal of cash, release of property or used for any other purpose. Excess expenditures or appropriations in any year would be applied against the requirement of any succeeding year or years.

5. The declarations or applications contain a statement to the effect that the management of Dallas Railway is considering recommending to the Board of Directors of Dallas Railway the declaration and payment of all of the accumulated unpaid dividends on 3,843 shares of 7% Preferred Stock in the hands of the public, after the surrender by Electric of the 11,000 shares of such preferred stock which it owns and the waiver by Electric of the accumulated unpaid dividends on such shares.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that the hearing herein be reconvened for the purpose of considering the matters contained in said amendment;

It is ordered, That the hearing herein be reconvened for the purpose of considering such matters under the applicable provisions of said Act and Rules of the Commission thereunder on August 26, 1942, at 10.00 A. M., E. W. T. at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such reconvened hearing will be held. Notice is hereby given of said reconvened hearing to Electric and to Dallas Railway, said notice to be given to said declarants or applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the reconvened hearings in such matter. The officer so designated to preside at any such reconvened hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said amendment, otherwise to be considered in this proceeding, particular attention will be directed at the reconvened hearings to the following matters and questions:

(1) Whether the proposed capital contribution by Electric to Dallas Railway of the securities of Northern Texas Company and of shares of Dallas Railway's preferred stock is in the public interest and the interest of investors and consumers.

(2) Whether the acquisition by Electric of 1,816 additional shares of the common stock of Dallas Railway will unduly complicate the capital structure of Electric's holding company system or will be detrimental to the proper functioning of such holding company system, and whether the consideration proposed to be paid by Electric for such stock is reasonable.

(3) Whether the execution of the proposed Supplemental Indenture by Dallas Railway is in conformance with the standards of the Act.

(4) Whether in all other respects the plan is consonant with the standards of the Act, is fair and equitable to the persons affected thereby, and is necessary to effectuate the provisions of section 11 of the Act.

(5) Whether it is necessary or appropriate to impose any terms or conditions with respect to the paid-in surplus to be created as a result of the proposed capital contribution.

(6) The propriety of the proposed accounting treatment of the transactions on the books of Dallas Railway and on the books of Electric.

(7) Whether in any other respect the terms and conditions of the proposed transactions are detrimental to the public interest or the interest of investors or consumers, or will tend to circumvent the provisions of the Act, or the rules, regulations, or orders thereunder; and the extent to which terms and conditions should be imposed to insure adequate protection of such interests in compliance with the applicable provisions of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–7660; Filed, August 7, 1942; 9:24 a. m.]

Reference

AUG 12 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 157

Washington, Tuesday, August 11, 1942

The President

EXECUTIVE ORDER—9216

AUTHORIZING THE ADJUTANT GENERAL TO EXECUTE CERTIFICATES OF FACTS OR EVENTS OFFICIALLY RECORDED WHEN IT IS CONTRARY TO PUBLIC POLICY TO DIVULGE THE SOURCE OF OFFICIAL KNOWLEDGE OR THE TEXT OF THE OFFICIAL RECORD

By virtue of and pursuant to the authority vested in me by Article of War 38, Chapter II, act of June 4, 1920, 41 Stat. 759, 794, and as President of the United States, I hereby direct that paragraph 117*a*, Manual for Courts-Martial, United States Army (1928), be, and it is hereby, amended by adding thereto at the end thereof the following subparagraph:

A certificate by The Adjutant General, or one of his assistants, of any fact or event officially recorded in any book, record, paper, or document on file in the War Department or in any of its bureaus or branches, is *prima facie* evidence of such fact or event in any case in which The Adjutant General, or one of his assistants, shall certify that it is contrary to public policy to divulge the source of official knowledge of such fact or event or to divulge the text of the official record involved.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 7, 1942

[F. R. Doc. 42-7687; Filed, August 7, 1942; 3.32 p. m.]

EXECUTIVE ORDER 9217

AUTHORIZING THE RECONSTRUCTION FINANCE CORPORATION TO ACQUIRE AND DISPOSE OF PROPERTY DEEMED NECESSARY FOR MILITARY, NAVAL, OR OTHER WAR PURPOSES

By virtue of and pursuant to the authority vested in me by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (Public Law 507, 77th Congress), the Reconstruction Finance Corporation is hereby authorized to exercise the authority contained in the said Title II of the Second War Powers Act, 1942, to acquire, use, and dispose of any real property, temporary use thereof, or other interest therein, together with any personal property located thereon, or used therewith, that the Corporation shall deem necessary for military, naval or other war purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 7, 1942.

[F. R. Doc. 42-7699; Filed, August 8, 1942; 11:27 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Administration

PART 27—COTTON CLASSIFICATION UNDER THE UNITED STATES COTTON FUTURES ACT

STANDARDS FOR LENGTH OF STAPLE

Amendment No. 8 to the public notice establishing official cotton standards of the United States for length of staple.

Pursuant to the authority vested in the Secretary of Agriculture by the United States Cotton Futures Act of August 11, 1916 (39 Stat. 476), as amended; (26 U. S. C. 1940 ed. 1920–1935); and by section 6 of the United States Cotton Standards Act (42 Stat. 1518; 7 U.S.C. 1940 ed. 51–65), the following amendment is promulgated to Title 7, Chapter I, Part 27, § 27.203, Code of Federal Regulations (7 CFR, 1938 Supp.; § 27.203) containing the public notice establishing official cotton standards of the United States for length of staple, which said notice was issued by the Secretary of Agriculture on October 25, 1918, and subsequently amended by official orders dated August 4, 1921, September 18, 1924,

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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July 31, 1925, March 5, 1928, November 16, 1928, July 30, 1932, and August 10, 1938:

Effective August 10, 1943, § 27.203 (section 3 of said public notice) is hereby amended to read as follows:

§ 27.203 *Original representations of staple lengths.* The lengths of staple designated as ¾, 7/8, 1/32, 1 1/32, 1 1/16, 1 3/32, 1 1/8, 1 5/32, 1 3/16, 1 7/32, 1¼, 1 9/32, 1 5/16, 1 11/32, 1⅜ and 1½ inches, respectively, are each represented by a quantity of American upland cotton suitably contained and marked "Original Representation of official cotton standards of the United States (American Upland) Length of Staple", followed in each instance by the appropriate designation of staple length and the effective date, August 1, 1929; each of the lengths of staple designated as 1/32, 3/32, and 3/16 inches by a quantity of American Upland cotton similarly marked and followed in each instance by the appropriate designation of staple length and the effective date, August 1, 1933; each of the lengths of staple designated as 1½, 1 5/16, 1⅝, and 1¾ inches by a quantity of American Egyptian cotton suitably contained and marked "Original Representation of official cotton standards of the United States (American Egyptian) Length of Staple", followed in each instance by the appropriate designation of staple length and the effective date, August 1, 1929; each of the lengths of staple designated as 1 3/16 and 1 7/16 inches by a quantity of American Egyptian cotton suitably contained and marked "Original Representation of official cotton standards of the United States (American Egyptian) Length of Staple", followed in each instance by the appropriate designation of staple length and the effective date, August 10, 1932; and each of the lengths of staple designated as 1½, 1 7/8, 1⅝ and 1¾ inches by a quantity of Sea Island cotton suitably contained and marked "Original Representation of official cotton standards of the United States (Sea Island) Length of Staple", followed in each instance by the appropriate designation of staple length and the effective date, August 10, 1939. Said quantities of cotton are to be kept in the custody of the United States Department of Agriculture.

Done at Washington, D. C., this 7th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42–7723; Filed, August 8, 1942; 12:05 p. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[B.E.P.Q. 485, Tenth Revision]

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE REGULATIONS MODIFIED

§ 301.72a *Administrative instructions; removal of certification requirements for specified articles.* (a) Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.72, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 72, on account of the white-fringed beetle], all certification requirements for the interstate movement from the regulated areas are hereby waived effective August 3, 1942, through January 31, 1943, for the following articles and materials enumerated in § 301.72–3:

(1) *Soil, sand, and gravel, as indicated below.* (i) Soil, when taken from a depth of at least 2 feet below the existing surface, and when entirely free from any surface soil to a depth of 2 feet.

(ii) Sand and gravel when washed, processed, or otherwise treated to the satisfaction of the inspector.

(2) *Articles other than soil.* When free from soil and when sanitation practices as prescribed by the inspector are maintained to his satisfaction, the following articles are exempt from certification during the period specified above:

(i) Potatoes.

(ii) Lily bulbs, except that freshly harvested or uncured bulbs are not exempt.

(iii) Forest products such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(iv) Hay, other than peanut hay; roughage of all kinds, straw, leaves, and leafmold.

(v) Peanuts in shells, and peanut shells.

(vi) Baled cotton lint, and linters.

(vii) Brick, tile, stone, cinders, concrete slabs, and building blocks.

The intensity of infestations has been greatly reduced by drastic suppressive measures applied throughout the infested areas. This factor, as well as the conditions of growth, production, or maintenance of the restricted articles, has so reduced the danger of dissemination of white-fringed beetles that certification of the exempted articles is no longer necessary.

(b) Except as specified above the following articles and materials shall remain under the restrictions of § 301.72–3:

(1) All soil, earth, sand, clay, peat, muck, compost, and manure, whether moved independent of, or in connection with, or attached to nursery stock, plants, products, articles, or things.

(2) Nursery stock.

(3) Grass sod.

(4) Lily bulbs when freshly harvested and uncured.

(5) Peanut hay.

(6) Seed cotton and cottonseed.

(7) Used implements, machinery, containers, scrap metal, and junk.

This revision supersedes Circular B.E.P.Q. 485, ninth revision, which became effective May 11, 1942. (7 CFR, § 301.72; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington, this 1st day of August 1942.

P. N. ANNAND,
Chief.

[F. R. Doc. 42–7724; Filed, August 8, 1942; 12:06 p. m.]

Chapter IV—Federal Crop Insurance Corporation

PART 404—1942 WHEAT CROP INSURANCE REGULATIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1942 Wheat Crop Insurance Regulations are amended as follows:

Section 404.33 [1] of said regulations is amended by adding the following new paragraph:

§ 404.33 *Time, place, and manner of making note payment.* • • •

(d) In the event that a certificate of indemnity is presented to the Corporation for settlement, or to the Commodity Credit Corporation for a loan, before the maturity date of the note, the maturity date of the note shall become the day the cash equivalent is established for purposes of settlement, or the day application for such loan is made, as the case may be: *Provided, however,* That where a certificate of indemnity has been issued with respect to a transferred interest in the insured wheat crop, the maturity date of the note shall be so advanced only with respect to an amount equal to that portion of the premium under the contract applicable to such transferred interest.

Section 404.72 (e) [2] of said regulations is amended to read as follows:

§ 404.72 *Settlement under the certificate of indemnity.* • • •

(e) Any indemnity payable under the insurance contract shall be subject to deduction for any indebtedness of the insured arising out of any crop insurance contract: *Provided, however,* That the deduction from any indemnity payable with respect to a transferred interest in the insured crop, for unpaid premium under the contract, shall not exceed the portion of the premium applicable to such transferred interest in the insured crop. Nothing herein contained shall

[1] 6 F.R. 3514.
[2] 6 F.R. 3518.

prevent the Corporation from collecting from the transferor an amount equal to the entire indebtedness under the insurance contract.

Section 404.80 (a) of said regulations is amended by striking the period at the end thereof, inserting a colon, and adding the following provision:

• • • *Provided, however*, That the deduction from any indemnity payable with respect to a transferred interest in the insured crop, for unpaid premium under the contract, shall not exceed the portion of the premium applicable to such transferred interest in the insured crop.

(Secs. 506 (e), 516 (b), Federal Crop Insurance Act, as amended, 52 Stat. 73, 77; 7 U.S.C. 1506 (e), 1516 (b))

Adopted by the Board of Directors July 3, 1942.

[SEAL] M. CLIFFORD TOWNSEND,
Chairman of the Board.

Approved: August 7, 1942.

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-7720; Filed, August 8, 1942; 12:05 p. m.]

Chapter VII—Agricultural Adjustment Agency

[PN-514-5]

PART 729—NATIONAL MARKETING QUOTA FOR PEANUTS

By virtue of the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938 (52 Stat. 31, 7 U.S.C. 1940 ed. 1301 *et seq.*), as amended, § 729.35[1] of the regulations pertaining to marketing quotas for peanuts of the crop planted in the calendar year 1941 (Form PN-514), prescribed June 7, 1941, as amended on June 28, August 25, and October 11, 1941, and March 12, 1942, is hereby amended to read as follows:

§ 729.35 *Excess peanuts marketed and identified as quota peanuts*—(a) *Through or to a designated agency.* If any peanuts which are in fact excess peanuts are marketed and identified in accordance with these regulations as quota peanuts, when delivered to or marketed through a designated agency or sub-agent thereof, the producer(s) on the farm shall, upon receipt of notice from the county committee of his correct marketing quota, refund to the designated agency, with respect to such peanuts, an amount equivalent to that by which the prices for quota peanuts approved by the Secretary exceed the prices for excess peanuts for oil determined by the Secretary or his authorized representative, in effect on the day such peanuts were so delivered and marketed. The county committee shall certify to the designated agency the amount of refund due and upon collection of the amount due shall transmit the check in payment thereof to the designated agency.

(b) *Through or to a buyer other than a designated agency.* If any peanuts which are in fact excess peanuts are marketed and identified in accordance with these regulations as quota peanuts, when delivered to or marketed through a buyer other than a designated agency, the producer(s) on the farm, upon establishing to the satisfaction of the county committee the type, grade, class, price received, and date of marketing of such peanuts may, in lieu of paying the penalty of 3 cents per pound, pay to the Treasurer of the United States through the office of the county committee or the office of the State committee, with respect to such peanuts, an amount equivalent to that by which the price received for such peanuts exceeds the price for excess peanuts for oil determined by the Secretary or his authorized representative, in effect on the date such peanuts were so delivered and marketed, had such peanuts been delivered to or marketed through a designated agency as excess peanuts. If the producer fails to remit such amount within 60 calendar days after the date of a notice of penalty due, then the marketing of such peanuts will be subject to the penalty, which shall be paid by the producer. (52 Stat. 31, 7 U.S.C. 1301 et seq; Pub. Law 652, 77th Cong.)

Done at Washington, D. C., this 7th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-7722; Filed, August 8, 1942; 12:05 p. m.]

[1] 6 F.R. 4360.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
122,145	1/26/37	P. Storch	Film magazines for cinematograph cameras.
124,858	2/ 9/37	W. Hessenbruch	Heat resisting alloys.
125,892	2/15/37	H. Wempe	Method of producing perforated sheet sheets.
127,070	2/22/37	O. Wagner	Metal casting apparatus provided with a magazine.
127,087	2/23/37	R. Adrien	Metal casting apparatus.
129,980	2/27/37	H. Hort	Method & arrangements for varying the stability of a ship.
130,965	3/24/37	F. Koehle-Fachsenfeld	Motor car bodies.
131,853	4/ 1/37	A. Hoffmann	Device for displacing the paper carriage.
131,924	4/ 1/37	G. Nettel	Taking-off devices for suction filters.
132,429	4/12/37	M. Hebel	Telephone charging device.
132,900	4/19/37	K. Kremers	Electrolytic method of obtaining albumin from whey.
133,115	4/20/37	E. Franz	Preparation for washing living hair.
133,902	4/29/37	F. Haffner	Incandescent electric lamps.
134,736	5/ 3/37	F. Haffner	Emulsions of physiologically active compounds.
135,507	5/20/37	K. Somlebl	Adding machine.
135,596	5/20/37	R. Anschutz	Bookkeeping machines.
135,947	5/10/37	A. Thal	Division mechanism.
136,168	6/ 3/37	R. Thal	Change-speed gears.
136,427	7/ 6/37	G. Holm	Device for connecting sheet metal members.
136,428	7/13/37	K. Hess	Method for dissolving disclosure.
136,842	7/23/37	H. Rudolph	Porous materials and process of making same.
137,254	8/19/37	H. Wurdi	Counting or totalizing machinery.
137,570	8/19/37	H. List	Shaving implements.
137,906	9/ 1/37	H. List	Apparatus for generating extremely large short-duration energy impulses.
138,108	9/ 4/37	W. Roth	Process for casting metal ingots and devices thereto.
138,172	9/28/37	H. Lindemann	Electric discharge devices.
138,270	10/ 1/37	K. Hess	Knitting machines and method for knitting fabrics.
138,341	10/ 6/37	H. Rudolph	Textile finishing process.
138,411	10/27/37	H. Wurdi	Method and device for producing intensified colors or for intensifying the perception of colors.
138,585	11/ 4/37	F. Nallinger	Gas turbine.
138,764	11/ 4/37	E. Franz	Railroad guns.
138,978	11/11/37	D. Ludwig	Blowers for internal combustion motors.
139,066	11/20/37	W. Toll	Engine starting apparatus.
139,346	11/24/37	G. Friedel	Cast alloy for permanent magnets.
139,807	11/24/37	G. Von Manteuffel	Knitting and fashioning machine.
139,880	11/27/37	A. Lesage	Pumping system.
139,883	12/ 2/37	F. Ehert	Method of and means for treating textile materials.
139,936	11/28/37	K. Kollmann	Method of Increasing the quality of structures of aluminum and its alloys.
140,066	11/29/37	W. Toll	Method for converting colloidal masses into dried powdered form.
140,346	11/24/37	G. Friedel	Gyroscopic devices.
140,807	11/24/37	G. Von Manteuffel	Process of ensuring normal carding, etc.
140,880	11/27/37	A. Lesage	Ineffaced light metal engine-cylinder and method of making same.
140,883	12/ 2/37	F. Ehert	Paper guiding attachment for typewriters and similar machines.
140,936	12/ 1/37	W. List	Airplane landing wheel and flap position indicator.
141,047	11/29/37	L. Schmith	Method of manufacture of safety paper.
141,087	12/22/37	A. De Kramolin	Selectivity apparatus.
141,673	12/21/37	F. Pohlmann	Sound recording and reproducing machine.
141,816	12/20/37	A. Pott	Calculating machines, cash registers or the like.
141,910	12/ 6/37	A. Faur	Arc suppression method of making same.
141,941	12/ 6/37	E. Aumkirch	Arc suppression method of making same.
141,996	1/13/38	H. Wieland	Toxiferine, the active principle of calabash-curarè, and method of purifying the same.
142,492	1/18/38	F. Franke	Material comprising corrugated wood and method of making.
142,807	1/25/38	H. Hoffmann-Keith	Electric discharge lamps.
142,956	1/27/38	K. Zwick	Feder device for copying milling machines.
142,749	1/20/38	R. Huttenlocher	Ethers of hydroxyalkyl amine bases, their salts and quaternary ammonium compounds.
142,923	2/ 5/38	K. Schuler	Vehicle bodies.
142,953	2/ 5/38	K. Schuler	Wheel-suspension especially for motor cars.
143,302	2/12/38	G. Burr	Change-speed gears.
143,731	2/16/38	W. Wehmer	Suction brush for vacuum cleaners.
143,958	2/18/38	F. Sinner	Hot forging.
143,914	3/ 4/38	H. Schmidt, et al	Aluminum-sheathed cables.
143,957	3/ 4/38	H. Schmidt, et al	Impregnation of pulp.
144,754	3/ 7/38	H. Rabe	Vehicle bodies.
145,218	3/ 9/38	A. Berger	Liquid clutch.
145,436	3/11/38	A. Schmid, et al	Electric safety razors.
145,449	3/12/38	C. Kaufmann	Mixing machines.
145,718	3/15/38	F. Nallinger	Liquid clutch transmission.
145,192	3/14/38	F. Nallinger, et al	Production of pure cellulose.

powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095 as amended: 7 F.R. 5205)

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

SERIES OF 1925

Serial No.	Filing date	Inventor	Title
521,022	3/ 7/31	L. Ellenfeld	Manufacture of cellulose compounds.
628,674	8/13/32	W. Hahnemann	Antenna structures.

SERIES OF 1935

40,260	11/11/35	I. Ubbelohde	Cellulose products.
53,533	12/11/35	C. Lotters	Process for making an emulsion for mortar troweling.
76,044	4/23/36	A. Kampfer	Process for the manufacture of laminated glass.
81,737	5/27/36	K. Schiff	Dispensing devices.
86,472	6/20/36	E. Hempel	Spirit-fire presses for thermoplastic masses.
86,668	6/22/36	K. Noack, et al	Process for the recovery of sulfur from gases.
89,515	7/ 8/36	W. Seyerle	Wheel-suspension especially for motor cars.
90,702	7/15/36	W. Federmann	Cathode ray tube control circuits.
93,721	7/28/36	C. Von Steinen	Stabilizing system for ships.
102,338	10/24/36	A. Walter et al	Gyroscopic apparatus.
102,389	10/24/36	A. Walter et al	Manufacture of resin.
113,477	11/30/36	F. Presser	Photovoltaic cell and method of manufacturing the same.
114,965	12/ 9/36	F. Koppelmann	Apparatus for interrupting alternating currents.
115,412	12/11/36	H. Thierfelder et al	Full fashioned hosiery.
118,018	12/28/36	E. Bretmer	Process for the production of chromite blocks.
118,916	12/31/36	E. Bretmer	Ferrous alloy.
122,076	1/23/37	M. Gumlich	Production of pure cellulose.

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[Vesting Order 68]

PART 502—VESTING ORDERS

PATENT APPLICATIONS OF GERMAN NATIONALS

§ 502.68 *Vesting order No. 68.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding that the property described as follows:

Patent applications listed and described in Exhibit A attached hereto and made a part hereof,

is property in which nationals of a foreign country (Germany) have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
197,311	3/21/38	A. Kuhn	Dry triturations.
197,564	3/23/38	B. Wempe	Spinning nozzle.
197,895	3/24/38	E. Franz	Bleaching textile fibre.
200,269	4/ 5/38	A. Ungewass	Porous ceramic insulating material.
200,282	4/ 5/38	A. Schneider, et al	Toggle lever press.
200,539	4/ 6/38	A. Graf	Gravity meters.
201,155	4/ 9/38	W. VonTannenberg	Method for connecting structural parts or plates by means of staples.
201,844	4/13/38	W. Deutsch	Process of and apparatus for the electrical separation of emulsions.
202,011	4/14/38	W. Mertens	Method for hardening of polymers.
202,136	4/14/38	C. Nottebohm	Process and apparatus for the impregnation of fibre fleeces with binding agents.
202,934	4/19/38	F. Neugebauer, et al	Fuel supply for internal combustion engines.
203,137	4/20/38	E. Zdansky	Manufacture of electrolyser cell frames.
203,557	4/22/38	H. Spanner	Discharge devices.
203,622	4/22/38	H. Henrich, et al	Loudspeaker.
203,672	4/22/38	H. Berghaus, et al	Coating of articles by cathode disintegration.
203,674	4/22/38	H. Berg, et al	Synthetic resins.
203,679	4/22/38	G. Haseke	Material for structural parts, and parts made therefrom.
205,684	5/ 3/38	H. Ehrenberg	Feed apparatus for profile copying machines.
205,989	5/ 4/38	E. Schirm	Method for the production of higher molecular mercaptals and mercaptols.
205,992	5/ 4/38	A. Stieglitz	Regulating devices for superchargers of internal combustion engines.
206,083	5/ 4/38	B. Ulbricht	Method of galvanizing metal tubes, sheets, and the like.
206,931	5/ 9/38	E. Zacharin	Electrical follow-up movements.
206,945	5/ 9/38	O. Becker, et al	Process and apparatus for the manufacture of artificial sausage skins.
208,502	5/18/38	W. Runge	Double frame direction finder with visual indicator.
209,150	5/20/38	O. Karl, et al	Glass-to-metal seals.
209,675	5/24/38	E. Soppelsa	Synchronizing propellers.
210,426	5/27/38	G. Hansel, et al	Process for reducing the rapidity of the reaction of zinc dust
210,800	5/28/38	H. Behm	Sound transmitting means for aircraft sonic altimeters.
211,212	6/ 1/38	S. Hourenstein, et al	Process for the production of alkanine esters.
211,388	6/ 2/38	R. Menger	Anti-friction device.
211,789	6/ 4/38	R. Ancheer	Catalyst.
211,843	6/ 4/38	A. Stieglitz	Power regulation for aircraft engines.
212,074	6/ 6/38	C. Dornier	Light-weight sheet-like construction material.
212,075	6/ 6/38	C. Dornier	Light-weight construction materials and method of producing same.
212,125	6/ 6/38	K. Buchelm	Process for the separation of phenol from phenylphenols.
212,349	6/ 7/38	K. Papello	Apparatus for determining magnitude required for parallax correction.
212,504	6/ 8/38	F. Schoenbeck, et al	Plastic material from vegetable oils.
212,674	6/ 9/38	W. Reiners, et al	Traversing means for winding machine.
213,902	6/15/38	W. Kochman	Fire-extinguishing and preventing system for motor vehicles.
213,933	6/15/38	A. Kuhn	Process for the production of stable storable raw food.
214,130	6/16/38	K. Schild	Device for measuring displacements with carrier frequency.
214,245	6/17/38	H. Schmidt	Process for the purification of solutions that serve as generators for percompounds.
215,044	6/21/38	K. Susselbeck	Process of removing resin and gum-forming materials and sulphur from low boiling hydrocarbons.
215,248	6/22/38	C. Hagedorn	Control system for resistance welding.
215,792	6/25/38	F. Neugebauer, et al	Aircraft engines.
216,289	6/25/38	C. Hansel	Method for electroiytically refining copper and its alloys.
216,306	6/28/38	H. Parker	Manufacture of materials, boards, articles, or composition of a a fibrous stock.
216,342	6/28/38	R. Hermes	Softening feed water for boilers.
216,606	6/29/38	H. Muller, et al	Polyisobutylene mixture for electric insulating purposes.
217,087	7/ 1/38	E. Strunk	Casting mould for synthetic materials.
217,726	7/ 6/38	F. Schiek	Process for the manufacture of improved oils, particularly such as are stable during storage and at increased temperature.
218,149	7/ 8/38	O. Georg	Working machine with flywheel of variable inertia moment.
218,336	7/ 9/38	F. Kummich	Multiple speed change gear, especially for motor vehicles.
219,076	7/13/38	R. Anschutz, et al	Total-taking mechanism.
219,077	7/13/38	R. Anschutz, et al	Calculating machine.
219,078	7/13/38	R. Anschutz, et al	Calculating machine.
219,840	7/18/38	H. Basler	Fibrous moulded bodies.
219,907	7/13/38	H. Engels	Method of continuously producing glass having a plurality of layers.
219,919	7/18/38	G. Kelnath	Method and means for testing materials.
219,932	7/18/38	F. Kesselring, et al	Circuit breakers.
220,394	7/20/38	W. Aehnelt	Decoloring and purifying liquids.
221,022	7/23/38	K. Quelst	Finishing.
221,264	7/25/38	W. Bauer	Process for converting trienlor ethylene.
221,265	7/25/38	K. Wolman	Method for the impregnation of logs.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
221,464	7/29/38	E. Schulz	Tubular and similar containers.
221,493	7/27/38	G. Thomas	Refrigerant evaporator.
221,494	7/27/38	A. Thode	Nut locking device.
221,702	7/28/38	G. Binlek, et al	Telephone sets.
222,563	8/1/38	G. Von Manteuffel	Gyroscopic instruments.
222,693	8/2/38	J. Hildner	Hygienic bandage made of an absorbing material.
222,743	8/ 3/38	E. Muller	Electric feeler controls for machine tools.
222,758	8/ 3/38	H. Neumann	Method for manufacturing permanent magnet bodies.
223,269	8/ 5/38	K. Zwick	Work turning device for machine tools.
223,270	8/ 5/38	H. Wolff	Television method and arrangement for carrying out the same.
223,406	8/ 6/38	R. Hafner	Helicopters.
224,114	8/10/38	H. Prufer	Method of binding bodies together.
224,519	8/12/38	M. Nebel	Needles.
224,546	8/12/38	M. Nebel	Stockings.
224,547	8/12/38	M. Nebel	Tops for stockings.
224,550	8/12/38	M. Nebel	Sinkers.
224,630	8/12/38	K. Kiel	Adding machine.
225,207	8/16/38	A. Formhals	Method and apparatus for spinning.
225,253	8/16/38	V. Speiser	Hydrodynamic power transmission.
225,352	8/17/38	G. Wilmanns	Covering for airplanes.
225,586	8/18/38	F. Skaupy, et al	Process of making filaments consisting of pure silicic acid.
226,191	8/22/38	C. Dornier	Propelling plant for aircraft.
226,259	8/23/38	E. Hudec	System for transmitting telegraph signals.
226,343	8/23/38	H. Schuler	Typewriters and like machines.
226,453	8/24/38	W. Brandt	Method of ascertaining the moisture content of doughy masses.
226,467	8/24/38	K. Aurbach	Printing mechanisms for bookkeeping machines.
226,520	8/25/38	O. Hartmann	High pressure steam boiler for indirectly generating steam.
227,220	8/27/38	H. Ewald, et al	Accounting machines.
227,434	8/29/38	H. Buttner	Packages.
227,468	8/30/38	F. Egersdorfer	Internal-combustion engines.
227,770	8/31/38	C. Hahn, et al	Electric separation of emulsions.
228,143	9/ 2/38	W. Mannehen	Method of producing coatings on magnesium or its alloys.
228,204	9/ 2/38	W. Haupt	Suspension bridge.
229,026	9/ 8/38	R. Anschutz, et al	Controlling means for combined typewriter and calculating machines.
229,251	9/10/38	F. Schnell	Manufacture of vehicle doors.
229,714	9/13/38	H. Sonnberger	Measuring apparatus.
229,716	9/13/38	F. Falticzek	Method for preventing, etc.
229,798	9/13/38	W. Baseler, et al	Manufacture of compound lumber.
230,090	9/15/38	F. Durr	Method and device for the electrolytic oxidation of thin wires.
230,120	9/15/38	E. Fischel, et al	Automatic control for aircraft and the like.
230,336	9/16/38	E. Hutzenlaub, et al	Process of protecting inaccessible surfaces and composition therefor.
230,512	9/17/38	O. Roelen	Apparatus for forming threads or filaments from mixtures of solid liquid matter.
231,436	9/23/38	W. Pabst, et al	Stress determining device.
231,882	9/27/38	C. Dornier	Multimotor airplane.
231,888	9/27/38	F. Berrendorf, et al	Calculating machine.
232,013	9/27/38	W. Hinrichs	Producing an agent adapted for rendering materials impermeable.
232,062	9/28/38	W. Beyer	High pressure steam generator.
232,172	9/28/38	F. Maurer, et al	Process for spreading rust preventing media upon the inside of gas holder bells and apparatus therefor.
232,236	9/28/38	B. Berghaus, et al	Process for heating solid, liquid or gaseous bodies.
232,237	9/28/38	B. Berghaus, et al	Electric resction furnace.
232,696	9/30/38	W. Dorn	Metallized condenser paper.
232,824	10/ 1/38	J. Wimmer	Process for producing carbon tetrachloride.
233,139	10/ 3/38	B. Berghaus, et al	Method of metallizing articles by means of cathode disintegration.
233,292	10/ 4/38	E. Schubert, et al	Process for the improvement of textiles.
233,325	10/ 4/38	R. Beck	Process for the improvement of the electrical properties of solutions.
233,455	10/ 5/38	B. Berghaus, et al	Method of coating pistons.
233,688	10/ 6/38	E. Kasemann	Polarizing bodies.
233,728	10/ 7/38	F. Gosslau, et al	Change forming device.
233,893	10/ 7/38	A. Holbig	Vacuum electric apparatus.
233,964	10/ 8/38	F. Wendt, et al	Test stand for internal combustion engines.
234,006	10/ 8/38	H. Schuler, et al	Calculating typewriters.
234,071	10/ 8/38	H. Kienzle	Recording apparatus for vehicles.
234,571	10/12/38	W. Geffcken	Glass electrodes.
234,706	10/12/38	K. Koehl	Projector stands.
234,707	10/12/38	K. Koehl	Projection apparatus.
234,730	10/12/38	F. Gosslau	Aircraft motor gearing.
234,900	10/14/38	E. Hubert, et al	Nets, ropes, sails and other articles for fishing and sea-faring use.
235,842	10/19/38	W. Sahlberg	Wooden frame trusses.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
235,881	10/19/38	F. L'Orange	Regulation of the combustible mixture for internal combustion engines.
235,888	10/19/38	J. Rzymkowski	Development of photographic layers.
236,006	10/20/38	J. Schmidt	Aircraft motor.
236,026	10/20/38	P. Ehlert, et al	Radio frequency switch.
236,465	10/22/38	O. Tauschek	Fire-arms and ammunition therefor.
236,633	10/24/38	E. Komenda	Sheet metal body.
237,037	10/20/38	A. Greth	Preparation of hardened synthetic resinous products.
237,302	10/27/38	B. Rassow	Process for removing printing ink from printed paper.
237,472	10/28/38	H. Scherenberg	Injection internal combustion engine especially for timed spark ignition.
237,706	10/29/38	E. Hudec	System for transmitting telegraph signals.
237,710	10/29/38	K. Grosse, et al	Treatment of oil-sand and like mixtures.
237,722	10/29/38	K. Henzelmann	Calculating machine.
237,956	10/31/38	W. Dannohl, et al	Alloy for permanent magnets.
237,957	10/31/38	W. Dannohl, et al	Alloy for permanent magnets.
238,039	10/31/38	M. Von Schwarz	Steamless drmm for use in high-pressure boilers and the like.
238,144	11/ 1/38	R. Vancura	Stapling devices.
238,166	11/ 1/38	A. Greth, et al	Resin-like rubber conversion product.
238,270	11/ 1/38	H. Nolly	Hydraulically operating gears or transmitting devices.
238,682	11/ 3/38	I. Kirchner	Monolithic floor construction.
238,749	11/ 4/38	C. Dornier	Aircraft structure.
238,756	11/ 4/38	G. Schieferstein	Resilient member.
238,830	11/ 4/38	E. Kramar	Glide path producing means.
238,909	11/ 4/38	M. Seidel	Device for distributing air and gases in liquids.
238,976	11/ 5/38	E. Krause, et al	Coating of objects of magnesium or the like with oxides.
239,110	11/ 5/38	F. Muth	Cigarettes.
239,153	11/ 5/38	K. Schlesinger	Braun tube.
239,173	11/ 5/38	K. Schlesinger	Net control of cathode ray tubes.
239,352	11/ 7/38	E. Sturm	Hydraulic power transmission unit.
239,432	11/ 8/38	F. Koppelmann, et al	Switching reactor.
239,456	11/ 8/38	H. Rinke, et al	High molecular polymerization.
240,197	11/12/38	M. Schmidt	Master cylinder unit.
240,418	11/14/38	C. Fabritz	Porous building element.
240,422	11/14/38	C. Fabritz	Granular, light building substance.
240,664	11/16/38	A. Salzer	Output regulator for air and gas compressors.
240,850	11/16/38	N. Budiloff, et al	Method for manufacturing hard and compact protective layers on magnesium and magnesium alloys.
240,907	11/17/38	M. Muller	Combustion chambers for gas-flow engines.
241,265	11/18/38	M. Nebel	Flat knitting machine.
241,476	11/19/38	M. Schmidt	Nuts.
241,672	11/21/38	R. Anschutz	Typewriting calculating machines, booking machines and similar machines.
241,673	11/21/38	R. Anschutz	Typewriting-calculating machine with several cross totallizers.
242,049	11/23/38	L. Meyer	Piston locking devices.
242,394	11/25/38	E. Seitz, et al	Alternating current discharge lamps.
242,441	11/28/38	J. Hartmann	Fluorescent screens.
242,526	11/26/38	E. Komenda	Vehicle body construction.
242,527	11/26/38	E. Komenda	Seats.
242,894	11/29/38	R. Hueter	Process for preparing ketones.
242,952	11/29/38	L. Durr	Water recovery devices for airships.
243,016	11/29/38	V. Bayerl	Gas analyser & gas apparatus.
243,598	12/ 2/38	G. Barchfeld	Structural parts for conehwork and the like.
243,640	12/ 2/38	V. Ulrich, et al	Gun laying mechanism.
243,677	12/ 2/38	B. Holtzmann	Feed wheel and casing.
243,876	12/ 3/38	A. Pott, et al	Process for hydrogenating distillation extraction products from coals.
244,033	12/ 5/38	E. Muhlbauer	Tooth cements.
244,127	12/ 5/38	G. Wunsch	Fuel feeding device for internal combustion engines.
244,160	12/ 6/38	M. Wagner, et al	Axle guiding arrangement.
244,268	12/ 6/38	H. Zunderf	Tubular sheaths for Bowden cable devices and the like.
244,703	12/ 8/38	H. Thomies	Photographic apparatus.
245,048	12/10/38	E. Kopf, et al	High pressure container.
245,052	12/10/38	F. Klute, et al	Method and an arrangement for the longitudinal covering of electric wires.
245,310	12/12/38	L. Lowenstein	Process for preparing arsenates by anodic oxidation of salts of arsenious acid.
245,439	12/13/38	A. Musall	Means for resiliently interlocking concrete road slabs.
245,580	12/14/38	J. Ksoll	Aeroplane supporting wing.
245,735	12/14/38	H. Horn	Bituminous composition.
245,791	12/14/38	F. Drechsel	Treating textile fibres.
245,997	12/15/38	C. Borgward	Chassis frame.
246,302	12/17/38	H. Bohm	Voltage-regulating transformers.
246,825	12/20/38	G. Wolf	Voltage control.
247,048	12/22/38	E. Baumm	Ozone resistant cable insulation.
247,699	12/24/38	R. Niemann	Spring recoil mechanisms for machine guns.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
247,889	12/27/38	R. Jenke	Process and apparatus for treating or improving cellulose material.
248,628	12/30/38	K. Hese, et al	Process for the production of bleachable straw hat stuffs and straw pulps.
248,648	12/30/38	F. Kesselring, et al	Method & apparatus for interrupting or controling electric currents.
249,246	1/ 4/39	H. Muller	Method for extruding artificial substances onto wires, tubes, insulated conductors, cables and other shapes.
249,258	1/ 4/39	P. Cuppers, et al	Grinding apparatus.
249,313	1/ 4/39	W. Vorwerk	Covers for pneumatic tyres.
249,320	1/ 4/39	C. Konig	Means for obtaining relative movement of aircraft parts.
249,340	1/ 4/39	E. Jablonski, et al	Wetting, dispersing & washing agent.
249,348	1/ 4/39	R. Weber	Methods and apparatus for determining combustible cases in gas mixtures.
249,368	1/ 5/39	H. Ruhl, et al	Indicating apparatus for use with machine tools.
249,430	1/ 5/39	K. Meer	Speed warning signal.
249,802	1/ 7/39	H. Maruhn	Diesel engines.
249,805	1/ 7/39	H. Molly	Hydraulically operating transmitting devices of the piston type.
249,864	1/ 9/39	F. Geisler	Emergency transmitter.
250,010	1/ 9/39	W. Hummeichen	Method and means for inking printing forms.
250,064	1/ 9/39	W. Ursum	Preparation of solutions of medicaments insoluble or sparingly soluble in water.
250,065	1/ 9/39	W. Ursum	Preparation of solutions of medicaments insoluble or sparingly soluble in water.
250,066	1/ 9/39	W. Bauer	Method for producing unsaturated chlorinated hydrocarbons containing four carbon atoms.
250,446	1/11/39	K. Grocholl	Centrifuges for granular material for cleaning and scaling plants.
250,742	1/13/39	J. Clossmann, et al	Oil burner.
250,828	1/13/39	K. Martin, et al	Magnifying devices.
251,007	1/14/39	F. Weihicke	Diesel motor.
251,278	1/16/39	H. Pieper	Mead for recovering zinc and iron oxide from filter dust.
251,327	1/17/39	S. Melswinkel	Fuel pump regulation.
251,634	1/18/39	R. Anschutz, et al	Typewriter-calculating machines with total taking mechanism, and to similar machines.
251,702	1/19/39	M. Mugdan, et al	Process for producing styrene.
251,812	1/19/39	A. Schubert, et al	Light metal fire extinguishing.
252,298	1/23/39	C. Dornier, et al	Air brake for aircraft.
252,299	1/23/39	C. Dornier	Brake for aircraft.
252,503	1/23/39	L. Perner	Plating of aluminum.
252,510	1/23/39	R. Schroeder	Electrostatic voltmeters.
253,154	1/27/39	R. Klelhorn	Condenser arrangements.
253,201	1/27/39	K. Bebringer	Process for rendering alkaline sludge from sewage putrefactible.
253,214	1/27/39	K. Bertram, et al	Process and an apparatus for drying dairy products, particularly whey.
253,227	1/27/39	W. Herbert	Process for the preparation of gas mixtures for catalytic processes.
253,479½	1/30/39	E. Hoyer	Method for reducing deformations of ferroconcrete bearing constructions.
253,701	1/30/39	E. Bentz, et al	Laminated coatings.
253,715	1/30/39	C. Koeppel	Method and apparatus for producing urea.
253,746	1/31/39	C. Dornier	Hydroaircraft.
253,936	1/31/39	A. Schade	Germ-proof closures for containers.
253,939	1/31/39	W. Trinius	Apparatus for obtaining persalts, a. g. persulphates, by electrolysis.
254,159	2/ 2/39	F. Lierg	Photosensitive material & process of making same.
254,378	2/ 3/39	R. Von, et al	Production of fibres from minerals and like materials.
254,425	2/ 3/39	A. Muller	Regulating device for height aircraft engines with two compressors.
254,426	2/ 3/39	A. Muller	Control for supercharged engine.
254,460	2/ 3/39	R. Hintze, et al	Evaporators for refrigerating apparatus of the compression type.
254,474	2/ 3/39	H. Oestrich	Four cycle internal combustion engine.
254,505	2/ 3/39	F. Schiek	Refining of mineral oils & tars.
254,524	2/ 4/39	M. Maul	Printing device.
254,525	2/ 4/39	M. Maul	Printing device.
254,567	2/ 4/39	H. Basler	Production of hard plates from vegetable fibre pulp.
254,581	2/ 4/39	M. Messner	Braun tubes.
254,683	2/ 4/39	G. Endres	Method of increasing, etc.
254,736	2/ 4/39	O. Vierling, et al	Attachments for stereoscopic cameras.
254,807	2/ 6/39	A. Fletiner	Helicopter having twin intermeshing motors.
254,941	2/ 6/39	H. Gockel	Stable vitamin C and process for preparing same.
254,953	2/ 6/39	B. Nier	Hurricane lanterns for vehicles.
254,967	2/ 6/39	L. Lowenstein	Process for making froths, etc.
255,779	2/10/39	W. Holthof	Method of producing very thin silk paper.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
255, 833	2/11/39	H. Conningen	Condenser devices.
255, 841	2/11/39	E. Komenda	Door.
255, 849	2/11/39	H. Suss	Method and means for removing oils and other extracts.
255, 882	2/11/39	F. Haffner, et al	Stimulants suitable for combating symptoms of fatigue and process for their production.
255, 910	2/11/39	E. Sachse, et al	Apparatus for working sheet metal.
255, 987	2/11/39	M. Peiker	Compressed air practice firing device.
256, 010	2/15/39	F. Schmidt	Large reservoirs for liquids.
256, 032	2/17/39	H. Langen	Process of steaming textiles.
257, 154	2/18/39	H. Hofmann	Signal-operated indicating devices.
257, 240	2/18/39	K. Kremers	Process of separating albuminous products from milk good for heating and baking.
257, 479	2/20/39	A. Zeuch	Gas producer.
257, 508	2/20/39	K. Kehne	Guns having sliding and exchangeable barrels.
257, 533	2/20/39	J. Schwarz	Grip for fire-arms, especially pistols, and method for their production.
257, 534	2/20/39	J. Schwarz	Disconnectable ball joint.
257, 543	2/20/39	H. Brudereck	Manufacture of nucleosides.
257, 546	2/20/39	H. Berg	Power transmission elements.
257, 627	2/21/39	T. Kummich	Change-speed gearing.
257, 685	2/21/39	P. Rieger	Instruments for supervising the running of power driven vehicles.
258, 082	2/23/39	F. Neugebauer, et al	Discharge nozzle.
258, 098	2/23/39	E. Prafft	Preparing anilines of petroleum hydrocarbons.
258, 162	2/24/39	W. Buschbeck, et al	Liquid cooled condenser.
258, 326	2/24/39	G. Schleferstein	Process for comminuting dry substances pastes and the like.
258, 329	2/24/39	H. Gastrow	Mechanical closing devices for injection moulding machines.
258, 837	2/27/39	G. Hegwein	Safety ignition devices for gas burners.
258, 854	2/27/39	K. Kaschke, et al	Production of shaped articles from metal powder.
259, 038	2/28/39	H. Kammel	Complementary totalizer.
259, 213	3/ 1/39	W. Ludke	Synthetic asbestos and process for making same.
259, 484	3/ 2/39	K. Hefel	Apparatus for ascertaining values from equations.
259, 518	3/ 3/39	H. Tegetmeyer, et al	Manufacture of staple fiber
260, 172	3/ 6/39	E. Klingler, et al	Rubber insulation for metallic conductors.
260, 242	3/ 6/39	A. Hahn	Inclination weighing machine with printing device.
260, 243	3/ 6/39	A. Hahn	Printing scale.
260, 249	3/ 7/39	J. Gabler	Aerial for motor vehicles.
260, 293	3/ 7/39	F. Porsche	Tractor control.
260, 296	3/ 7/39	B. Borries, et al	Electron-optical lens.
260, 391	3/ 7/39	H. Lehmann	Paper container, method for tight sealing a paper container and blank for paper container.
261, 139	3/10/39	H. Waltenbauer	Pressure responsative system.
261, 159	3/10/39	H. Schiedwitz	Process for preparing water-soluble condensation products.
261, 286	3/11/39	L. Bruck, et al	Wide band amplifier.
261, 726	3/14/39	W. Uhlmann	Braun tubes.
261, 855	3/14/39	W. Niedermeier	Mechanical vibrating systems.
262, 245	3/16/39	H. Fischer	Drying printed webs.
262, 262	3/16/39	W. Geduhn, et al	Polishing method and apparatus.
262, 306	3/16/39	H. Kallmann, et al	Photographic plate or film for the investigation of bodies or substances by means of neutrons.
262, 552	3/17/39	K. Kiel	Calculating machine.
262, 800	3/18/39	H. Wolff	Apparatus for producing water-taking layers on both of light-metal foils.
262, 848	3/20/39	C. Dornier	Wing structure for aircraft.
262, 930	3/20/39	R. Hintze	Motor compressor units for refrigerators.
262, 975	3/20/39	F. Decker	Method and means for controlling the operation of vapor.
263, 038	3/20/39	O. Becker	Apparatus for storing and conveying card indexes or other suitable articles in containers or the like.
263, 133	3/21/39	H. Conrad	Receptacles for petrol or other liquids.
263, 256	3/21/39	W. Born	Projectile.
263, 333	3/21/39	M. Wagner	Chassis especially for motor vehicles.
263, 378	3/22/39	G. Elssner, et al	Process for the production of oxodic protection coatings on magnesium or magnesium alloys.
263, 465	3/22/39	W. Hacker	Automobile aerial rod fittings.
263, 491	3/22/39	C. Schroeder	Method and means for controlling the operation of vapor generators.
263, 496	3/22/39	F. Mentzel	Regulating device for electric current generators.
263, 546	3/22/39	W. Stelkens	Processes for the treatment of siliceous iron-containing materials.
263, 554	3/22/39	O. Becker	Process and apparatus for drying and conveying tubular products.
263, 646	3/23/39	M. Ebbers, et al	Dentist furniture unit.
263, 968	3/24/39	G. Decker	Means for controlling the operation of vapor generators.
264, 072	3/25/39	L. Ephraim, et al	Plaster-like materials for application to walls and like surfaces.
264, 183	3/25/39	O. Lutz	Rotary compressors and other engines.
264, 703	3/29/39	H. List	Electric machine.
264, 785	3/29/39	W. Hahnemann	Test of circuit arrangement.
265, 709	3/31/39	H. Hertel	Supporting float for aircraft.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
265, 597	4/ 1/39	A. Lichte	Governors.
265, 721	4/ 3/39	C. Dornier	Aeroplane.
265, 863	4/ 3/39	K. Mauch, et al	Process for treating bituminous substances.
266, 236	4/ 6/39	W. Wiest, et al	Washing machine.
266, 498	4/ 7/39	H. Heymann, et al	Means for determining the weight of bodies.
266, 511	4/ 7/39	F. Wolf	Telephone system.
266, 529	4/ 7/39	M. Langer	Telephone paystations.
266, 844	4/ 8/39	P. Tuchenherer	Producing welts.
267, 138	4/10/39	O. Neumann	Device for heating surface of aircraft exposed to freezing.
267, 160	4/10/39	W. Bauer, et al	Higher molecular substances from allyl chloride and its homologues.
267, 189	4/10/39	W. Schumann	Tube control.
267, 206	4/10/39	G. Elssner, et al	Process for the making compact, impregnating and/or dyeing or oxidic protective layers on magnesium and its alloys.
267, 207	4/10/39	G. Elssner, et al	Process for the production of oxidic protective layers on magnesium or its alloys.
267, 209	4/11/39	A. Fehrmann	Nut locking device.
267, 210	4/11/39	M. Geiger	Cathode ray beam deflection apparatus.
267, 351	4/11/39	W. Deissner	Process for the manufacture of a slidable rubber.
267, 382	4/12/39	H. Bumm, et al	Method for increasing the temperature of the beginning recrystallization of metals and alloys.
267, 747	4/14/39	A. Gaebel, et al	Vacuum relays.
268, 262	4/17/39	H. Wolff	Cathode ray tube.
268, 405	4/17/39	L. Kreidl, et al	Production of di-amide and polyamide resins.
268, 418	4/17/39	P. Konig, et al	Method of and apparatus for continuous production of photoprints.
268, 421	4/17/39	O. Tietjens	Self stabilizing boats or other floating bodies.
268, 427	4/17/39	P. Zlegs	Process for the production of articles adapted to withstand high temperature.
268, 505	4/18/39	J. Keulers	Hollow rod connection.
268, 641	4/18/39	A. Patin	Magnetic device.
268, 643	4/18/39	C. Dornier	Construction material for aircraft.
268, 646	4/18/39	H. Westerkamp	Connecting film ends.
268, 830	4/19/39	A. Wagenbach	Bending rollers for bar or rod iron benders or the like.
268, 832	4/19/39	F. Lierg	Planographic printing forms.
269, 053	4/20/39	A. Rambold	Bars.
269, 101	4/21/39	G. Hettenhausen	Arrangements for transmitting current impulses.
269, 200	4/21/39	H. Buddecke	Device for receiving, conveying, or transporting bulky objects.
269, 236	4/21/39	E. Klingler, et al	Ceramic goods.
269, 478	4/22/39	H. Jacobs	Cable joint.
269, 958	4/25/39	H. Schuchardt, et al	Radio direction finding.
270, 431	4/27/39	L. Neumann	Liquid lenses particularly for motor cars.
270, 509	4/28/39	H. Bohler	Sulfonated hydroxydaryl-aldehyde-hydrocarbon.
270, 843	4/29/39	J. Kruger	Machine frames for typewriters.
271, 134	5/ 1/39	W. Rosemanith	Telescopic sight on guns.
271, 462	5/ 3/39	K. Thomas	Injection internal combustion engine with fuel injection into a combustion chamber.
271, 501	5/ 3/39	C. Oesterreich	Process for the production of a binding agent for fibrous substances.
271, 619	5/ 3/39	H. Conrady	Treatment of worn abrasive belts.
271, 924	5/ 5/39	H. Wolff	Method of and apparatus for the televising of cinematograph films.
271, 956	5/ 5/39	F. Sebestyen, et al	Locks.
271, 980	5/ 5/39	H. Maruhn	Internal combustion engine.
272, 042	5/ 5/39	H. Focke	Aircraft control.
272, 044	5/ 5/39	F. Bartscherer, et al	Process for the production of steel from pig iron.
272, 115	5/ 6/39	H. Veyder	Seat holding means.
272, 634	5/ 9/39	J. Stoeckly, et al	Manufacture of artificial silk.
272, 637	5/ 9/39	W. Sonnenschein	Purification of carbon visulphide.
272, 652	5/ 9/39	F. Egerslorfer	Hydraulic mechanism for producing a reciprocating motion.
272, 667	5/ 9/39	M. Nebel	Production of loop-plush fabric.
272, 668	5/ 9/39	K. Daniel	Sound record material.
272, 680	5/ 9/39	H. Westerkamp	Calvanoplastic multiplication of sound record bands.
272, 902	5/10/39	R. Neumeister, et al	Electric motor.
272, 996	5/11/39	W. Hagen	Electric filter devices.
273, 016	5/11/39	M. Maul	Sorting machine.
273, 313	5/12/39	W. Hagen	Modulating circuits.
273, 332	5/12/39	H. Munz	Electromagnetic control device.
273, 365	5/12/39	O. Lesser	Indirectly operating regulating or controlling apparatus.
273, 370	5/12/39	O. Becker	Apparatus for storing and conveying card index cards and other articles accommodated.
273, 397	5/13/39	E. Komenda	Laminated body.
273, 520	5/13/39	E. Bumm	Production of yeast preparations.
273, 879	5/16/39	K. Cyron, et al	Girders for aircraft structure.
273, 915	5/16/39	E. Komenda	Vehicle bodies and method of making same.
273, 972	5/16/39	L. Reich	Lighter.
273, 993	5/16/39	G. Hascke	Manufacture of plates of large superficial area.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
274, 000	5/16/39	K. Kremers	Egg yolk substitute.
274, 067	5/16/39	H. Kaufmann	Process for fractionating mixtures of fatty acids and/or esters of fatty acids.
274, 068	5/16/39	H. Kaufmann	Process for refining and improving fats and simultaneously separating the accompanying substances therefor.
274, 070	5/16/39	O. Richter, et al	Systems for the remote transfer of angular motion.
274, 109	5/17/39	E. Dreher	Process for the manufacture of resites.
274, 145	5/17/39	E. Kramar	Radio direction finding systems.
274, 551	5/20/39	W. Springer	Altimeters.
275, 201	5/23/39	N. Meurer	Bottle closing device.
275, 250	5/23/39	J. Deppe	Electric cable.
275, 264	5/23/39	G. Grave, et al	Electrostatic separator for ores and other substances.
275, 286	5/23/39	W. Wiebecke	Mechanism for the recovery in series of mine props by tractor means.
275, 305	5/23/39	P. Maisch	Couplings for tubular lines.
275, 323	5/23/39	M. Otto	Production of polymerization products from isobutylene.
275, 351	5/24/39	B. Schlippe	Wind unit for aircraft.
267, 357	5/24/39	T. Helmbold	Securing the heads to the cylinders of internal combustion engines.
275, 543	5/24/39	F. Grandel	Production of vitamin-F preparations.
275, 737	5/25/39	W. Rolter	Zigzag sewing machine.
275, 920	5/26/39	F. Bernemann	Washing, detergent and softening agents.
276, 139	5/27/39	J. Kuchley	Telephone system.
276, 243	5/27/39	G. Wunsch	Gyroscopes.
276, 257	5/27/39	H. Barwich	Method of producing metallic coatings.
276, 464	5/29/39	K. Mayhoch	Power operated clutch mechanism for motor vehicles.
276, 609	5/31/39	J. Lorenz	Pattern mechanism for the manufacture of lace patterns.
276, 706	5/31/39	F. Grandel	Process for the production of high valve alcohols from sugars and sugary substances.
276, 709	5/31/39	K. Bernhardt	Device for drawing off welts.
276, 724	5/31/39	F. Muske	Stapling machines.
276, 927	6/ 1/39	H. Westerkamp	Process for the duplication of sound recording tapes.
277, 074	6/ 2/39	A. Hahn	Printing device for weighing machines.
277, 259	6/ 3/39	P. Nestler	Impregnating preparation, etc.
277, 361	6/ 5/39	G. Schmidt	Machine for the automatic production of wire-tying for packets.
278, 373	6/ 9/39	D. Meyer	Pipe line systems.
278, 498	6/10/39	H. Hertel	Ammunition container for aircraft.
278, 533	6/10/39	H. Reichalt	Light-metal barrack.
278, 742	6/12/39	J. Hofmann	High pressure mercury vapor lamps.
278, 776	6/12/39	R. Wellenstein	Micro-chronometer in particular to landing altimeters on aircraft for measuring the altitude by means of sound wave by the echo sounding method.
278, 926	6/13/39	F. Nessler	Method for recovering the acid still adhering to the nitrocellulose in the case of producing the latter from cellulose by means of nitrating mixed acids.
278, 991	6/13/39	O. Oeckl	Cooling system.
279, 003	6/14/39	E. Komenda	Vehicle body parts and method of forming same.
279, 062	6/14/39	G. Rechel	Control unit for temperature regulation.
279, 073	6/14/39	R. Rosler	Tobacco spreader.
279, 077	6/14/39	J. Sobisch	Deandic keying mechanism for accounting machines and the like.
279, 128	6/14/39	M. Vieweger	Lecher wire system.
279, 151	6/14/39	P. Kummel	Solvent, etc.
279, 187	6/14/39	G. Loy	Method for surface treatment of writing and drawing pencils and other rod shaped articles.
279, 227	6/14/39	A. Becker	Ground reflectors.
279, 322	6/15/39	J. Sobisch	Column adjustor for bookkeeping machines.
279, 576	6/16/39	R. Taesler	Film magazines and containers.
279, 774	6/17/39	P. Jasen	Knife handles.
279, 975	6/19/35	G. Kemma	Film inspecting apparatus.
280, 093	6/20/39	M. Muckiich	Studded motor vehicle tire.
280, 094	6/30/39	J. Kuffer	Film scanning device.
280, 151	6/20/39	C. Warth	Hydrolysis of cellulose.
280, 215	6/20/39	J. Berlek	Process for the production of caustic burned magnesia.
280, 382	6/21/39	W. Herrmann	Process for producing polyethines or its derivatives.
280, 405	6/21/39	R. Anschutz	Typewriting-calculating machine.
280, 439	6/22/39	A. Patin	Indicating device for airships.
280, 558	6/22/39	E. Gente	Shearing resistant turbine disc.
280, 640	6/22/39	W. Wilsmann	Centrifugal separating machines.
280, 947	6/24/39	A. Duwe	Apparatus for controlling the speed of revolution of machines.
281, 416	6/27/39	K. Miedler	Process for the preliminary treatment of wood.
281, 481	6/27/39	W. Volt	Internal combustion engines.
281, 487	6/27/39	M. Muller	Combined recoildrive.
281, 538	6/28/39	H. Bertram	Arrangements for amplitude regulation.
281, 597	6/28/39	F. Nallinger	Aircraft engines.
281, 622	6/28/39	W. Stieber	Disengaging friction couplings.
281, 676	6/28/39	R. Rullman	Cinematograph cameras.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
281, 683	6/28/39	K. Rosenmund	Production of disinfectants, etc.
281, 738	6/28/39	F. Moog	Method for providing a permanent layer on leather and the like.
281, 752	6/28/39	O. Muller	Paper sheet handling method and mechanism.
281, 755	6/28/39	F. Fischer	Gyroscopic instrument.
281, 756	6/28/39	F. Fischer	Control device.
281, 758	6/28/39	E. Steffen	Production of polymerization condensation products from chlorinated hydrocarbons.
281, 826	6/29/39	A. Stieglitz	Arrangement for controlling the power of internal combustion.
282, 241	6/30/39	E. Caspary	Ship's berths.
282, 282	6/30/39	E. Klingler	Process and apparatus for the production of sparking plugs and insulators.
282, 296	6/30/39	E. Marhenkel	Dry cell.
282, 309	6/30/39	G. Mayer	Shift control mechanism for gear transmissions.
282, 374	7/ 1/39	H. Franke	Covers of cycle and like candles.
282, 382	7/ 1/39	H. Puppe	Continuous method of rolling metallic broad bands and strips.
282, 544	7/ 1/39	C. Borgward	Steering gear.
282, 556	7/ 1/39	J. Puschner	Manufacture of non-metallic sliding clasp fasteners.
282, 778	7/ 4/39	M. Draemann	Process and apparatus for making sharp-edged threads, cords, ribbons or bands, profiled stripe and so forth from plastic masses, artificial and natural dispensations and emulsions.
282, 907	7/ 5/39	A. Lichte	Internal combustion engines.
282, 916	7/ 5/39	R. Wellenstein	Micro-chronometer for measuring distances by the echo sounding method.
283, 011	7/ 6/39	E. Komenda	Vehicle body.
283, 012	7/ 6/39	F. Bayer	Forging or stamping wages.
283, 096	7/ 6/39	M. Hurst	Apparatus for controlling the fuel supply of internal combustion engines.
283, 099	7/ 6/39	A. Franz	Cooling exhaust conduits.
283, 100	7/ 6/39	A. Franz	Exhaust conduit cooling.
283, 101	7/ 6/39	A. Franz	Heat exchange apparatus.
283, 102	7/ 6/39	A. Franz	Reinforced exhaust conduits.
283, 129	7/ 6/39	E. Tengler	Solution of sulphur-containing organic condensation products.
283, 255	7/ 7/39	H. Wagner	Deriving means for air pumping device on airplanes.
283, 256	7/ 7/39	O. Mader	Drive mechanisms for attachment to airplane motors.
283, 290	7/ 7/39	W. Schutte	Collapsible boat.
283, 301	7/ 7/39	F. Michalke	Covering such as a blanket adapted to be converted into a bag.
283, 312	7/ 7/39	B. Berghaus	Purification of gases.
283, 320	7/ 7/39	H. Edner	Methods of producing hard-soldered or welded joints.
283, 323	7/ 7/39	A. Chwala	Glucosidic compounds.
283, 374	7/ 8/39	K. Fehr	Process for obtaining crystalline materials from oils.
283, 450	7/ 8/39	M. Mugdan	Process for polymerizing trichlorenthylene.
283, 610	7/10/39	H. Links	Fuel injection pumps for internal combustion engines.
283, 962	7/12/39	C. Dornier	Aircraft fuselage.
283, 990	7/12/39	P. Pfaff	Electrical lead-in arrangement for refrigerating apparatus.
283, 991	7/12/39	E. Paehke	Wave band switching.
284, 005	7/12/39	M. Ruhland	Lens hoods for photographic cameras.
284, 099	7/12/39	H. Steinbock	Glass compositions.
284, 318	7/13/39	G. Decker	Vapor generators or boilers.
284, 328	7/13/39	F. Kohler	Altimeter.
284, 647	7/15/39	E. Gerlach	Condenser microphones.
284, 648	7/15/39	E. Gerlach	Condenser microphones.
284, 806	7/15/39	H. Junghans	Securing device for clocks.
285, 127	7/18/39	V. Rottger	Sewing machines.
285, 139	7/18/39	W. Pfahl	Circular rolling press for briquetting fine coal and the like.
285, 146	7/18/39	E. Puchner	Fire extinguishing bomb with an extinguishing pressed powdery mass.
285, 310	7/19/39	P. Orlich, et al	Echo-sounding device with arrested indicator.
285, 330	7/19/39	J. Buchhart	Automatic transmission.
285, 333	7/19/39	T. Kummich	Operating arrangement particularly for change-speed gearing for motor-vehicles.
285, 403	7/19/39	A. Franz	Exhaust conduit construction.
285, 434	7/19/39	E. Wedse	Safety devices for gas conduits.
285, 684	7/21/39	E. Komusin	Printing apparatus.
285, 727	7/21/39	C. Herrmann	Process for the manufacture of upholstering material.
285, 732	7/21/39	M. Maul	Control element for statistical machines.
285, 733	7/21/39	M. Maul	Control element for statistical machines.
285, 735	7/21/39	M. Maul	Analyzing device for statistical machines.
285, 774	7/21/39	G. Bugge	Wool-like artificial filaments.
285, 810	7/21/39	E. Nothe, et al	Indicating counter.
285, 846	7/22/39	E. Herringen, et al	Phase control in high frequency coupled circuits.
285, 858	7/22/39	J. Haag	Purification of pig iron.
285, 861	7/22/39	J. Schwarz	Devices for the release of a warning signal by one vehicle to another.
285, 864	7/22/39	H. Niederreither, et al	Method for the manufacture of building parts such as plates, tipes or the like from setting materials, e. g. cement.
285, 881	7/22/39	K. Grupp	Means for measuring thrust.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
285, 916	7/22/39	K. Schwaiger, et al	Injection nozzle for internal combustion engines.
285, 944	7/22/39	D. Swarovski	Method and means for the production of ornamental screen-like material.
285, 951	7/22/39	E. Hilligardt	Outer cover of rigid airships and method of manufacturing the same.
285, 957	7/22/39	R. Klose	Protective covering paste.
286, 038	7/22/39	K. Frei	Apparatus for kneading and mixing rubber.
286, 108	7/24/39	E. Gente	Turbine construction.
286, 228	7/24/39	H. Kempf	Speed and breaking distance indicator.
286, 235	7/24/39	E. Gente	Gas turbine.
286, 542	7/26/39	H. Schuchardt	Electrically driven gyroscope.
285, 693	7/26/39	H. Schwappacher	Method for the manufacture of writing masses.
286, 803	7/27/39	J. Langlois	Methods of insulating metal surfaces.
287, 143	7/28/39	E. Dobler	Lighter for gas heater.
287, 152	7/28/39	A. Rabl	Speed drive for fast running machines especially for cycle dynamo machines.
287, 162	7/28/39	W. Krzenciessa, et al	Mechanism for controlling movements.
287, 184	7/29/39	P. Deserno, et al	Television receiver.
287, 186	7/29/39	M. Neubert	Rivet connection.
287, 193	7/29/39	K. Brandholt	Drives for electric turning means.
287, 204	7/29/39	W. Hagen	Signalling arrangements for carrier frequency.
287, 284	7/29/39	J. Schmidt	Internal combustion engine.
287, 388	7/29/39	H. Caroselli	Valve gear for internal combustion engines.
287, 617	7/31/39	G. Zapf	Telephone system.
287, 668	7/31/39	H. Kammel	Coupling device for typewriting calculating machines.
287, 669	7/31/39	H. Kammel	Locking mechanism for typewriting calculating machines.
287, 670	7/31/39	H. Kammel	Typewriting calculating machines.
287, 671	7/31/39	H. Kammel	Register for typewriting calculating machines.
287, 672	7/31/39	H. Kammel	Mechanism for controlling total and subtotal taking operations for typewriting calculating machines.
287, 832	8/ 1/39	F. Seibel	Motor-driven chain saws.
287, 842	8/ 1/39	R. Diener	Gun-laying mechanism.
287, 909	8/ 2/39	E. Gendriesz	Press button tuned receiver with motor drive.
287, 949	8/ 2/39	W. Neurse	Expansion thermometers.
287, 970	8/ 2/39	W. Neumann	Filter.
288, 014	8/ 2/39	L. Ranft, et al	Photographic camera.
288, 035	8/ 2/39	H. Rudolph	Process for carrying out electrolyses.
288, 057	8/ 2/39	U. Eichler	Calculating machine.
288, 226	8/ 3/39	R. Eberhardt, et al	Device for amplifying direct voltage or current.
288, 242	8/ 3/39	A. Kampfer	Non-splintering laminated glass.
288, 333	8/ 4/39	A. Stapelfeldt	Magnetic sound recording devices.
288, 502	8/ 5/39	R. Bechmann	Piezo-electric oscillatory crystal plate.
288, 518	8/ 5/39	H. Ike	Arrangement for closing up tubular condensers.
288, 851	8/ 7/39	H. Bieler	Guiding means.
288, 900	8/ 7/39	F. Bartscherer, et al	Process for the production of first run metal or steel from steel pig iron or of a Bessemer pig iron containing phosphorus.
288, 942	8/ 8/39	O. Posch	Liquid pumps.
288, 971	8/ 8/39	J. Eringer	Preparation of artificial cryolite.
288, 979	8/ 8/39	J. Biechl	Fuel admission system for internal combustion engines.
288, 980	8/ 8/39	J. Biechl	Fuel metering devices for internal combustion engines.
288, 984	8/ 8/39	F. Kammler, et al	Electro-magnetic friction disc clutch.
289, 267	8/ 9/39	B. Schatzel	Process for the granulation of superphosphate.
289, 432	8/10/39	H. Meyer	Processes for the manufacture of fibre board.
289, 626	8/11/39	H. Orth	Plastic masses for polyvinyl compounds.
289, 644	8/11/39	E. Lopp, et al	Electric discharge tubes.
289, 814	8/12/39	K. Behnsen	Grinding discs for disc mills.
289, 860	8/12/39	R. Hintze, et al	Refrigerating apparatus.
290, 170	8/15/39	H. Sukohl	Structural elements, particularly for aircraft.
290, 171	8/15/39	H. Sukohl	Propellers for aircraft.
290, 203	8/15/39	W. Lorenz	Pressure systems.
290, 207	8/15/39	J. Sobisch	Bookkeeping machine.
290, 253	8/15/39	K. Teuber	Revetment construction for embankments.
290, 306	8/15/39	C. Elebhorn	Electromagnetic oscillating device with freely oscillating armature.
290, 911	8/18/39	P. Lemmerz	Wheels.
291, 079	8/19/39	H. Treckmann	Means for controlling the yarn guide in a winding frame.
291, 094	8/19/39	E. Schoeller	Prayer container.
291, 348	8/22/39	M. Robitschek	Method for homogeneously combining base materials of all kinds with nitro varnish and color films.
291, 379	8/22/39	J. Koch	Method of producing printing forms from colloids.
291, 380	8/22/39	H. Kolling, et al	Process for aremating and dehydrogenating hydrocarbons.
291, 401	8/22/39	F. Mentel	Control device for electrical lighting installation on vehicles.
291, 428	8/22/39	A. Ringelhardt	Process for preventing the formation of gums and resins in organic liquids containing unsaturated hydrocarbons.
291, 476	8/23/39	C. Schmitz, et al	Power plants.
291, 499	8/23/39	H. Basler	Heat conducting fibre board.
291, 581	8/23/39	G. Thorehrn, et al	Portable bridge structure.
291, 590	8/23/39	B. Berghaus, et al	Method of coating articles by cathode disintegration.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
291, 596	8/23/39	H. Loehmann, et al	Endless belts.
291, 610	8/23/39	H. Breitwieser	Device for navigating ships in locks, docks and so on.
291, 620	8/23/39	E. Schuller	Sound reproducers.
291, 734	8/24/39	A. Franz	Cowling for reaction exhaust conduits.
291, 784	8/24/39	G. Wunsch, et al	Device for remote control.
291, 793	8/24/39	K. Meissner	Exhaust conduit assembly.
292, 138	8/26/39	J. Moser	Process for treating tobacco.
292, 154	8/29/39	F. Drechsel	Treatment of yarns.
292, 382	8/29/39	H. Banning	Method of and apparatus for continuous purification of suspensions or sludges especially of fibrous pulps of the paper industry.
292, 383	8/29/39	W. Hirsch	Compression refrigerating machine with oil collecting space in the crank case.
292, 505	8/29/39	K. Wolman	Process for the impregnation of all kinds of wools.
292, 674	8/30/39	E. Kreissig, et al	Shaft coupling.
292, 723	8/30/39	A. Koch	Direction indicators for motor cars.
292, 731	8/30/39	G. Stieger	Steam generator of the high pressure type.
292, 743	8/30/39	H. Rohrbach	Method for operating dust fuelled furnaces.
293, 043	9/ 1/39	E. Gente	Steam turbines and more particularly to a disc therefor, provided at both sides with blades.
293, 101	9/ 1/39	H. Nees	Method of preparing sodium perborate of low bulk density.
293, 462	9/ 5/39	G. Hansen	Scale reading apparatus for rotatable mirror devices.
293, 480	9/ 5/39	A. Stiegler	Telemetric indicator of corrected angular positions.
293, 523	9/ 5/39	A. Krussmann	Device for converting a controlling impulse into an alternating current impulse.
293, 524	9/ 5/39	A. Krussmann, et al	Electrical controlling devices.
293, 689	9/ 7/39	C. Dornier	Fighting airplane.
293, 695	9/ 7/39	R. Koller	Valve mechanisms for steam plants.
293, 903	9/ 8/39	F. Lutz	Edge ornamentation for fabrics and in methods and machines for producing it.
293, 985	9/ 8/39	F. Freytag	Airplane construction.
294, 004	9/ 8/39	F. Wenzel	Cutting tool.
294, 277	9/11/39	G. Hensen	Micro-photometer.
294, 328	9/11/39	A. Schneider	Preparation of polishing wax.
294, 360	9/11/39	K. Nuchterlein	Cameras.
294, 520	9/12/39	J. Muller	Vehicle springing.
294, 749	9/13/39	G. Hagedorn	Electric welding.
294, 923	9/14/39	C. Dornier	Control apparatus for aircraft.
295, 135	9/15/39	W. Reinecker	Armour-piercing projectiles.
295, 185	9/16/39	M. Wagner	Vehicle wheel suspension.
295, 224	9/16/39	M. Maul	Record controlled machine.
295, 315	9/16/39	R. Lang	Fluid coupling and friction clutch mechanism.
295, 316	9/16/39	K. Maybach, et al	Power transmitting mechanism for motor vehicles.
295, 483	9/18/39	M. Balz	Vehicle wheel suspension.
295, 606	9/19/39	W. Mertens	Method of additionally hardening natural or artificial substances of a particular structure having linear chain molecules.
295, 885	9/21/39	W. Beyer	High-pressure steam-generator.
295, 990	9/21/39	M. Hurst et al	Temperature responding device.
296, 469	9/25/39	E. Schnetzer	Air cooled radial engine.
296, 471	9/25/39	K. Schottle	Torque indicating wrenches.
296, 483	9/25/39	G. Kogel	System of treating surfaces of reflectors and similar articles.
296, 497	9/25/39	E. Heimann	Preparation of beer.
296, 515	9/25/39	R. Schmidt	Method of straightening metal bars.
296, 630	9/26/39	T. Heimbold et al	Charge-coolers for radial engines.
296, 654	9/26/39	K. Lohner et al	Air charge cooling device.
296, 689	9/26/39	H. Stein	Typewriter.
296, 710	9/26/39	G. Semboner	Method of improving the surface of metallic parts.
296, 723	9/27/39	E. Holzapfel	Sealing means for valve bags.
296, 757	9/27/39	J. Augustin	Bag filling machines.
296, 796	9/27/39	E. Gabler et al	Photographic cameras.
296, 851	9/27/39	E. Tonnies	Shock absorber for aircraft chassis.
297, 006	9/28/39	C. Steinen	Measuring instrument for determining the orbital acceleration and the functions thereof.
297, 295	9/30/39	W. Peters	Antenna insulator.
297, 366	9/30/39	H. Bartels	Vibrator.
297, 370	9/30/39	F. Bartscherer	Method and apparatus for increasing the output of shaft furnaces, especially blast furnaces.
297, 656	10/ 3/39	A. Jaumann	Short wave oscillatory circuit.
297, 668	10/ 3/39	E. Haack	Condensation products from substances of the type of dihydroxy-diphenylmethane and process of making them.
297, 760	10/ 3/39	H. Kunzer	Gyroscopic instrument.
297, 837	10/ 4/39	E. Hempel	Injection moulding machine.
297, 880	10/ 4/39	H. Bartels et al	Vibrator device.
297, 971	10/ 5/39	O. Von Bronk	Color television receiver.
297, 979	10/ 5/39	W. Braunschweig	Contact for vibrators.
298, 171	10/ 6/39	R. Milde	Sound recording and reproducing devices.
298, 228	10/ 6/39	H. Kuppenbender et al	Rollfilm cameras.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
298, 282	10/ 6/39	H. Schuchmann et al	Cooling traps, primarily for condensing vapors of mercury and the like.
298, 514	10/ 7/39	H. Roland	Course indicator device.
298, 906	10/11/39	P. Deserno	Combined television and radio broadcast receivers.
299, 154	10/12/39	E. Wittner	Brake system and devices.
299, 180	10/12/39	J. Stiegelmeyer	Dowels.
299, 165	10/12/39	K. Nagele	Device for the manufacture of zippers.
299, 222	10/12/39	O. Mohn et al	Method and means for automatic blank chain stitching.
299, 393	10/13/39	F. Bergtold	Means for guiding magnetic fields.
299, 422	10/14/39	J. Muller	Spring suspension.
299, 423	10/14/39	G. Schieferstein	Spring coupling member.
299, 434	10/14/39	J. Anders	Value transmitting means.
299, 652	10/16/39	O. Nubling et al	Gearing for aircrafts.
299, 828	10/17/39	A. Maxton	Process and apparatus for use in the purification of liquids.
299, 881	10/17/39	R. Mehlhorn	Machine for disbarking logs.
299, 881	10/17/39	J. Dornauf	Casting metals.
299, 888	10/17/39	W. Overbeck	Processes of making high-grade cellulose.
299, 924	10/18/39	P. Vinlet	Connection device of low capacity for concentric cable.
299, 931	10/18/39	H. List	Production of high impulses of energy.
300, 334	10/20/39	R. Freitag	Arrangement for adjusting the blades of opposite rotating air propellers.
300, 342	10/20/39	R. Hintze et al	Ice trays.
300, 657	10/21/39	A. Kampfer	Manufacture of laminated glass.
300, 539	10/23/39	W. Hemming	Process of obtaining the meat of crustaceans.
300, 993	10/24/39	E. Korbor	Photo-electric cells.
301, 002	10/24/39	W. Scholz	Arrangements for testing the frequency characteristic of electric transmission device.
301, 003	10/24/39	P. Deserno	Band transmission testing circuit.
301, 017	10/24/39	P. Gramatzki	Cross-country vehicle.
301, 162	10/25/39	H. Hopff, et al	Producing injection-moulded moulded articles.
301, 165	10/25/39	A. Putzer-Reybegg	Complex phenol-polyvinyl type resins and their production.
301, 266	10/25/39	H. Kuppenbender, et al	Cameras.
301, 289	10/25/39	A. Pott	Controlling mechanism for accounting machines.
301, 323	10/26/39	W. Rath	Electrical insulating body.
302, 010	10/30/39	H. Kniebrecht	Grid controlled amplifying tube.
302, 054	10/30/39	H. Huber, et al	Method of producing protective layers on magnesium and magnesium alloys.
302, 254	10/31/39	F. Bielitz, et al	Mounting for control device.
302, 401	11/ 1/39	H. Faehr	Cathode ray tube with X-ray absorbing coating.
302, 464	11/ 1/39	F. Woerner	Arrangement for electric magnetic deflection of the cathode ray.
302, 868	11/ 4/39	F. Mullinger	Multiple motor driving mechanism particularly for air propeller shafts.
302, 869	11/ 4/39	A. Friedrich	Driving mechanism for air propellers.
302, 870	11/ 4/39	F. Nallinger, et al	Multiple motor driving mechanism for air craft with adjustable propellers.
303, 059	11/ 6/39	G. Von Pazsiczky	Method of and apparatus for producing glass fibers.
303, 121	11/ 6/39	F. Gosslau	Motor with cylinders arranged in rows in V-fashion.
303, 181	11/ 7/39	R. Hintze	Refrigerating apparatus of the compression type.
303, 320	11/ 7/39	H. Ruppe	Magneto.
303, 336	11/ 7/39	T. Rummel	Polymerizing apparatus.
303, 345	11/ 8/39	F. Huhn	Packing for vessel propeller shafts.
303, 514	11/ 9/39	H. Berthold	Radio receiving circuits.
303, 551	11/ 9/39	F. Gosslau	Driving mechanism for aircraft operating in high altitudes.
303, 611	11/ 9/39	A. Burkhardt et al	Magnesium alloys.
303, 614	11/ 9/39	A. Burkhardt et al	Magnesium alloys.
303, 734	11/10/39	F. Fischer	Gyroscopes, and more particularly to gyroscopic horizons for vehicles such as aircraft.
303, 853	11/10/39	A. Schreiber	Methods and means for purifying sewage and the like.
303, 854	11/10/39	H. Petergreins	Electric multiple-way switch.
303, 885	11/10/39	O. Cupper	Oscillation absorbers.
303, 895	11/10/39	C. Hardebeck	Fluid meter.
303, 897	11/10/39	G. Endres	Disinfecting agents.
303, 903	11/10/39	R. Stehr	Wood pulp grinder.
303, 922	11/10/39	J. Helmbold	Measuring devices.
303, 977	11/13/39	A. Diemer	Door-latches, especially for motor vehicles.
304, 170	11/13/39	W. Kalbskopf	Control condensers for alternating current circuits.
304, 193	11/13/39	B. Springer	Process and a device for impregnating condensers.
304, 214	11/13/39	J. Bohme et al	Method of increasing the volume of organic substances, particularly vegetable substances.
304, 225	11/13/39	J. Berger	Brake appliance.
304, 413	11/14/39	R. Wasmuht	High grade steels for building purposes.
304, 414	11/14/39	E. Kopf et al	High pressure container.
304, 428	11/14/39	B. Braun et al	Method of, and apparatus for, sterilising organic or synthetic materials, especially chirurgical sewing threads.
304, 596	11/15/39	H. Kallmann et al	Examination of substances or bodies by means of neutrons and X-rays.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
304, 651	11/16/39	K. Henke	Control mechanism for aircraft.
304, 666	11/16/39	T. Helmbold	Cylinder fin construction for air-cooled engines.
304, 702	11/16/39	H. Kuppenbender	View finders.
304, 763	11/16/39	B. Von Borries	Electron microscopes.
304, 820	11/16/39	E. Sturn	Rope drum with regulable hydraulic drive especially for lifts.
304, 838	11/16/39	R. Wellenstein et al	Electron tube voltmeter in bridge connection for measuring direct voltages.
305, 014	11/17/39	R. Thilenius	Method of preserving fish and similar food products of animal origin.
305, 458	11/21/39	W. Hentrich et al	Method for the manufacture of condensation-products.
305, 583	11/24/39	A. Kratky	Electric lamps.
305, 967	11/24/39	F. Woerner	Cathode ray tube arrangement.
305, 976	11/24/39	M. Nebel	Method of producing a double-sided plated knit fabric.
305, 991	11/24/39	A. Ryba	Electromagnetic multiple-disc clutch.
306, 027	11/24/39	A. Sessler	Printing device for scales.
306, 031	11/24/39	C. Nottebohm	Production of artificial leather.
306, 173	11/25/39	F. Bielitz	Supercharger regulation.
306, 272	11/27/39	W. Fermazin	System of improving photographic layers.
306, 390	11/27/39	E. Bronicke et al	Drive mechanism for office machines.
306, 391	11/27/39	F. Hoppe	Apparatus for indicating the approach to the stalled condition of airplanes.
306, 413	11/27/39	R. Watzel	Process for the production of nitrogen-phosphoric acid compounds.
306, 424	11/27/39	O. Deckl et al	Aircraft construction.
307, 165	12/ 1/39	H. Kuppenbender	Cameras.
307, 182	12/ 1/39	L. Bertele	Photographic cameras.
307, 581	12/ 5/39	F. Nallinger	Multi-motor driving mechanism, particularly for air propellers.
307, 706	12/ 5/39	F. Nozicka	Method for the production of press masses.
308, 140	12/ 8/39	K. Schwendenwein	Method & tool for cutting threads.
308, 260	12/ 8/39	H. Rauh	Accounting machine.
308, 261	12/ 8/39	H. Rauh	Carriage control for accounting machines.
308, 262	12/ 8/39	H. Rauh	Accounting machine.
308, 264	12/ 8/39	K. Glassing et al	Contact system.
308, 277	12/ 8/39	A. Hahn	Printing device for scales.
308, 278	12/ 8/39	J. Hahn	Printing device for scales.
308, 380	12/ 9/39	E. Berger et al	Method of changing the physical and chemical properties of the surface of objects of silicious material.
308, 410	12/ 9/39	F. Schanzer	Machine.
308, 423	12/ 9/39	A. Patin	Measuring instrument.
308, 447	12/ 9/39	G. Krause	Process of savouring and flavouring.
308, 479	12/ 9/39	A. Ryba	Electromagnetic multiple-disc clutch.
308, 486	12/ 9/39	R. Ludwig	Edge gluing wood sheets with synthetic resin.
308, 704	12/11/39	J. Kruger	Bearing segment for typewriters.
308, 716	12/11/39	H. Ruppik	Process for the uninterrupted casting of articles.
308, 726	12/11/39	H. Bretschneider et al	Dialkyl-diaryl-ethanes and process for preparing them.
308, 727	12/11/39	S. Heilmanns	Method for repairing roll passes.
308, 744	12/11/39	W. Rasch et al	System of wrapping articles.
309, 053	12/13/39	H. Kaiser	Arrangement for photographically recording variable processes.
309, 102	12/13/39	V. Conrad	Method of improving the grinding, mixing and refining of rubber materials, etc.
309, 108	12/13/39	O. Conradty	Overhead contact hoop.
309, 192	12/14/39	W. Mertens	Method of producing coatings on wires and sheets as well as films of polybutylene hardened by interpolymers.
309, 226	12/14/39	W. Geyger	Apparatus for measuring direct currents or voltages.
309, 240	12/14/39	F. Jage	Film-forming composition and process for preparing the same.
309, 343	12/15/39	A. Stapelfeldt	High frequency iron core devices.
309, 353	12/15/39	K. Christ	Decimeter wave transmitters.
309, 471	12/15/39	K. Friedrich	Method of extinguishing fire.
309, 652	12/16/39	G. Schenine et al	Isopropylaminomethyl (3,4-Dioxyphenyl carbinol).
309, 702	12/16/39	G. Scheuing et al	Analgetically effective tetrahydronaphthalene.
309, 858	12/18/39	W. Lampel et al	Firing devices.
310, 079	12/19/39	A. Pott	Calculating machine cash register or the like.
310, 080	12/19/39	A. Pott	Calculating machine cash register or the like.
310, 143	12/21/39	J. Krell	Address printing machine.
310, 581	12/22/39	A. Smakula	Method for increasing the durability of polished surfaces of optical elements.
310, 620	12/22/39	P. E. Koster	Aircraft indicating device.
310, 690	12/23/39	G. Zellbeck, et al	Hollow blade for exhaust gas turbine rectors.
310, 799	12/23/39	F. Fiedler	Rear axle for motor vehicles.
310, 802	12/23/39	O. Schwager	Fuel consumption indicating device.
311, 048	12/26/39	W. Mobius, et al	Shifting device for stepped gear drives.
311, 049	12/26/39	W. Mobius, et al	Device for shifting the cross feed and the longitudinal feed of the tool carrier of machine tools.
311, 067	12/27/39	E. Heinecke	Quartz oscillators.
311, 068	12/27/39	E. Heinecke	High frequency circuits.
311, 082	12/27/39	R. Scharfnagel	Methods of mfg electric discharge vessels.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
311, 113	12/27/39	E. Kupferschmid	Quickly ready pouch for snap-shot cameras.
311, 314	12/28/39	A. Leifer, et al	Vibrating converter.
311, 428	12/28/39	E. Sommer	Apparatus for the automatic quilting of articles of material especially collars.
311, 619	12/29/39	N. Thom	Electro-optical system.
311, 679	12/29/39	P. Spyra	Tooth brush.
311, 682	12/29/39	A. Gotte	Method of separating slimes containing fibrous materials.
311, 694	12/29/39	R. Wellenstein, et al	Device for measuring distances by the echo sounding method.
312, 345	1/ 4/40	O. Vierling	Photographic material.
312, 533	1/ 5/40	W. Banerscid	Apparatus for plotting maps from photographs.
312, 595	1/ 5/40	R. Buck	Circular knitting machines.
312, 644	1/ 6/40	W. Hagen	Carrier frequency system.
312, 660	1/ 6/40	F. Janovsky	Direction finding systems.
312, 691	1/ 6/40	A. Kronenberger	Automatic steering device for aircraft.
312, 692	1/ 6/40	G. Wunsch et al	Angular rate gyroscope for automatic steering.
312, 812	1/ 8/40	J. Wotschke	Vessels for treating materials in the chemical and metallurgical.
312, 864	1/ 8/40	H. Fahlenbrach et al	Use of iron-chromium alloys.
312, 962	1/ 8/40	R. Koreska	Printing machine with rotatable stencils and automatic ink supply.
313, 017	1/ 8/40	A. Volz	Method of washing white and coloured textile material.
313, 138	1/ 9/40	H. Frendenberg	Manufacture of shaped products such as flexible tubes, thin sheets or threads, from animal fibrous starting materials.
313, 412	1/11/40	H. Diehl	Black ceramic pigments and method of preparation.
313, 571	1/12/40	G. Fries	Method of receiving and reproducing fast oscillations.
313, 619	1/12/40	O. Dietrich	Instruments for measuring elongation.
313, 982	1/15/40	F. Suberkrub	Paddle-wheel with movable paddles.
313, 985	1/15/40	H. Strab	Method for producing metallized dielectric sheets.
314, 080	1/16/40	F. Bearing	Semi-automatic lathe.
314, 119	1/16/40	P. Burger	Splined connections.
314, 170	1/16/40	A. Ryba	Electromagnetic multiple-disc clutch.
314, 190	1/16/40	M. Hurst	Fuel supply control apparatus for injection internal combustion engines.
314, 195	1/17/40	H. Dietrich	Receiver.
314, 204	1/17/40	G. Zellbeck et al	Blades for exhaust turbines and the method for the manufacture thereof.
314, 320	1/17/40	L. Beer et al	Method for preparing methacrylic acid esters.
314, 332	1/17/40	K. Hellweg	Internal combustion engines.
314, 449	1/18/40	W. Zerweck et al	Resinous condensation products of aldehydes and compounds of the pyrole and thiazole series.
314, 516	1/18/40	W. Volt	Cooled injection nozzle.
314, 526	1/18/40	K. Raschig	Process and apparatus for continuously producing plastic masses.
314, 536	1/18/40	E. Jorg	Photographic cameras.
314, 554	1/18/40	A. Ehreemann, et al	Sole-sewing machines.
314, 562	1/18/40	F. Meelkekamp, et al	Process of spinning cuprammonium cellulose solutions.
314, 565	1/18/40	R. Ruhle	Vaporization of substances in a vacuum.
315, 039	1/22/40	W. Rudolph	Detoxication of castor pomac.
315, 184	1/23/40	G. Siebel, et al	Process for the production of coloured protective layers of castings, especially die-castings of magnesium base alloys.
315, 262	1/23/40	K. Nuchterlein	Reflex cameras.
315, 263	1/23/40	K. Nuchterlein	Light meters for cameras.
315, 319	1/24/40	R. Endres	Coating compositions.
315, 543	1/25/40	H. Toeller	Method of reducing hysteresi inaccuracy.
315, 613	1/25/40	H. Haebler	Lead storage battery.
315, 615	1/25/40	C. Hannen	Method and apparatus for separating out admixtures from molten metal baths.
315, 635	1/26/40	H. Pache	Cathode ray tube.
315, 665	1/26/40	W. Becht	Air supply arrangement for internal combustion engines.
315, 720	1/26/40	W. Funke	Frame aerials
315, 802	1/26/40	A. Hoppe	Recovery and drying of the solvent mixture circulating in the Edeleanu plant.
315, 835	1/26/40	G. Wunsch	Controlling or regulating device for internal combustion engines.
315, 990	1/27/40	T. Wuppermann, et al	Adjustable bearings.
316, 437	1/30/40	E. Seppeler	Adjustable pitch of screws.
316, 438	1/30/40	A. Rabl	Hub operated dynamo for bicycles.
316, 636	1/31/40	A. Schumann	Building plate.
316, 695	1/31/40	R. Wellenstein	Micro-chronometer, especially for measuring distances by the echo sound method.
316, 698	1/31/40	H. Kallmann, et al	Method for the investigation of substances with the aid of neutrons.
316, 699	1/31/40	H. Kallmann, et al	Device for measuring the intensity of a radiation of slow neutrons by means of inonization chamber.
316, 982	2/ 2/40	G. Fries	Driving means for kinematograph film apparatus.
316, 983	2/ 2/40	G. Fries	Apparatus for unwinding and winding up an endless film.
317, 206	2/ 3/40	L. Eirich	Method of mixing or granulating of pulverulent and plastic materials of all kinds.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
317, 207	2/ 3/40	F. Biedermann	Method of producing compound cast bearings.
317, 950	2/ 8/40	A. Suchann	Process and device for manufacturing pressings.
317, 981	2/ 8/40	E. Jorg	Photographic cameras.
318, 112	2/ 9/40	G. Zur Nedden, et al	Method of rolling strip iron.
318, 164	2/ 9/40	K. Butter	Riveting machine.
318, 176	2/ 9/40	O. Summa	Annealing method.
318, 386	2/10/40	K. Freudenberg, et al	Process of making vanillin from lignin, lignin derivatives or other materials containing lignin.
318, 597	2/12/40	H. Cordes	Automotive crawler vehicle with a scraper bowl.
318, 808	2/14/40	D. Erben	Radio direction finding systems.
319, 192	2/16/40	P. Dietrich	Joining paper reels.
319, 340	2/16/40	W. Dorn	Electrostatic condensers.
319, 344	2/16/40	A. Boenecke	Snap fasteners.
319, 354	2/16/40	R. Bruhn	Process of making bread.
319, 355	2/16/40	H. Zollner	Collectors for electric machines.
319, 356	2/16/40	H. Zollner	Commutator bars.
319, 357	2/16/40	H. Zollner	Device for the transmission of electric current from a relatively moved conductive surface.
319, 423	2/17/40	B. Vervoort	Slide valves for liquids and vapors with bilaterally acting gates.
319, 792	2/19/40	C. Markes, et al	Toy bldg. set.
319, 802	2/19/40	F. Grandel, et al	Process for removing the skins or covering from seed of castor oil beans.
319, 989	2/21/40	K. Korber	Tobacco guiding machines.
319, 990	2/21/40	K. Korber	Tobacco guiding machines.
320, 217	2/21/40	W. Schmidt	Lubricating systems.
320, 404	2/23/40	H. Wagner	Driving means for mechanism for multi-motored airplanes.
320, 472	2/23/40	W. Plagemann, et al	Screw-threading machines.
320, 645	2/24/40	A. Grantzel	Glow path regulator.
320, 722	2/24/40	F. Kuminel	Production of softening agents.
320, 940	2/26/40	G. Wunsch	Heating apparatus for the heating of rooms.
320, 951	2/26/40	J. Schaller	Coke ovens.
321, 025	2/27/40	H. Basler	Method of drying sheets.
321, 084	2/27/40	H. Griesbeck	Manufacture and bottling of carbonated milk beverages.
321, 122	2/27/40	J. Rantasa	Cross-country motor vehicle.
321, 135	2/27/40	W. Herrmann, et al	Products.
321, 190	2/28/40	W. Jahn, et al	Tubing.
321, 288	2/28/40	H. Schuehmanu, et al	Electronic microscopes.
321, 289	2/28/40	E. Ruska, et al	Electronic microscope.
321, 240	2/28/40	E. Ruska, et al	Electronic microscope.
321, 620	3/ 1/40	J. Ganther	Magnetic deflecting system for cathode ray tubes.
321, 768	3/ 1/40	A. Iglauer	Method for the prevention of ropiness in baked ware.
321, 769	3/ 1/40	P. Peglau	Jet-pipe relay.
321, 803	3/ 1/40	A. Krussmann	Device for controlling processional forces in gyroscopes.
321, 814	3/ 2/40	M. Duckstein	Lubricating device for aircraft engines.
321, 834	3/ 2/40	B. Himbach	Rotary blower.
321, 954	3/ 2/40	H. Roosenstein	Magnetic shielding.
322, 034	3/ 2/40	A. Beck, et al	Magnesium base alloys.
322, 038	3/ 2/40	A. Fornet	Method and device for facilitating the reading of manuscripts.
322, 151	3/ 4/40	D. Swarovski	Signal device.
322, 152	3/ 4/40	D. Swarovski	Method of mass production of objects formed of moldable material having embedded a plurality of small pieces.
322, 198	3/ 4/40	A. Reiner, et al	Device for enveloping and sealing flat articles, for example, letters.
322, 230	3/ 4/40	W. Kehse, et al	Current voltage regulator.
322, 290	3/ 5/40	K. Koblick	Car body.
322, 299	3/ 5/40	H. von Beckerath	Pieso-electric device.
322, 367	3/ 5/40	F. Dausinger	Ignition device for internal combustion engines.
322, 436	3/ 6/40	A. Leifer	Vibratory system.
322, 452	3/ 6/40	A. Seibert	Ocular for microscopes.
322, 552	3/ 6/40	W. Hetrich, et al	Condensation products of the anthraquinone series.
322, 595	3/ 6/40	A. Maier, et al	Electro-magnetic clutches.
322, 634	3/ 6/40	H. Schweidler	Cutting and shaping tool.
322, 638	3/ 6/40	F. Rottmayer	Process for purifying gases.
322, 679	3/ 7/40	E. Pantlioefer	Feed gears.
322, 713	3/ 7/40	A. Volk	Filing system.
322, 891	3/ 8/40	F. Bergtold	Loop antenna with iron core.
323, 036	3/ 8/40	A. Formhals	Production of artificial fibres from fibre forming liquids with the aid of an electrical high potential field.
323, 041	3/ 8/40	H. Westerkamp	Drive for mechanical sound-film recording equipment.
323, 052	3/ 8/40	F. Holl	Process for the production of acid-proof felts for paper making machines.
323, 130	3/ 9/40	M. Hockler	Testing device.
323, 160	3/ 9/40	O. Reiner	Reversing apparatus for furnace.
323, 198	3/ 9/40	P. Brauburger	Permanent magnet.
323, 200	3/ 9/40	H. Kuppenbender	Photographic cameras.
323, 472	3/11/40	H. Nerwin	Rollfilm cameras.
323, 576	3/12/40	W. Kuhne	Production of light sensitive photographic material.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
323, 600	3/12/40	J. Roloff, et al	Reduction gear attachment.
323, 734	3/13/40	O. Becker	Apparatus for storing and conveying of index cards or other suitable articles in containers or the like.
324, 232	3/15/40	L. Pallmann	Reducing machines.
324, 300	3/16/40	P. Neidhart	Ultra-short wave direction antennae.
324, 539	3/18/40	M. Von Ardenne	Television image projection system.
324, 618	3/18/40	G. Scheuing et al	Process for the production of levulinic acid.
324, 626	3/18/40	J. Meissner	Process for the production of alkaline azides.
324, 722	3/18/40	A. Volz et al	Washing and cleaning compositions.
324, 941	3/20/40	W. Schlupp	Air-cooled aircraft engines.
324, 963	3/20/40	E. Plump	Receiver for frequency modulated waves.
325, 063	3/20/40	L. Wesch	Method of making luminescent materials.
325, 064	3/20/40	L. Wesch	Luminescent materials.
325, 317	3/22/40	W. Thorner	Method and means for the illumination of paintings.
325, 451	3/22/40	M. Roeckner	Device for adjusting inner rolls in rolling mills for rolling pipes.
325, 654	3/23/40	A. Volz	Mercerizing baths and treatments with caustic alkali.
325, 908	3/25/40	E. Huttemann	Gas-concrete mass and method for its production.
325, 991	3/26/40	F. Conradi	Grinding mill.
326, 111	3/26/40	A. Pott	Control gear for clutches in adding machines.
326, 140	3/27/40	R. Ramshorn	Guiding and controlling devices for cowlings.
326, 141	3/27/40	R. Ramshorn	Controllable cowling for air-cooled internal combustion engines.
326, 415	3/28/40	K. Hieronymus	Portable miner hand-lamp.
326, 456	3/28/40	A. Nagel	Two-size camera.
326, 461	3/28/40	H. Grobe	Pneumatic tools, particularly such with reciprocating pistons, such as rock drills and coal pickers.
326, 498	3/28/40	H. Seger	Process of obtaining fibres from brushwood, in particular from spartium scoparium.
326, 527	3/28/40	G. Wunsch	Regulating device for steam generators.
326, 533	3/28/40	W. Opavsky	Production of hollow products.
326, 537	3/28/40	J. Vonbank	Production of soft rubber-like tubes, plates, rods etc. out of polyvinyl chlorides.
326, 565	3/29/40	P. Deserno	Television receivers.
326, 603	3/29/40	F. Herriger	Electron tubes.
326, 605	3/29/40	W. Heimann	Television dissectors.
326, 606	3/29/40	W. Heimann et al	Cathode ray tubes.
326, 610	3/29/40	K. Schwaiger	Mechanically controlled device for withdrawing brake air from the working cylinder of a combustion engine, particularly a Diesel engine.
326, 641	3/29/40	W. Esser et al	Cross winding frame.
326, 642	3/29/40	W. Esser et al	Cross winding frame with continuous yarn feeding.
326, 648	3/29/40	W. Moller et al	Automatic steering devices.
326, 756	3/29/40	F. Ott	Process for the improvement of electrical contact conductivity in apparatus for electrolysis of fused salts.
326, 798	3/29/40	A. Scheibe	Cooling system.
326, 810	3/29/40	F. Neugebauer et al	Reaction nozzle.
326, 822	3/29/40	G. Reiners	Driving device for machines for the continuous automatic mass production of workpieces.
326, 920	3/30/40	J. Goldmann	Radio transmitters for obtaining course lines.
327, 066	3/30/40	B. Garre	Light metal alloys having a preponderating percentage of aluminum.
327, 080	3/30/40	P. Pfaff et al	Temperature-responsive control mechanism, especially for refrigerating apparatus.
327, 119	4/ 1/40	L. Malzer	Parquetry flooring.
327, 344	4/ 1/40	A. Muller	Aqueous emulsions and process for their production.
327, 373	4/ 1/40	F. Siebel	Machine part subjected to sliding stress.
327, 396	4/ 2/40	F. Nussbaum	Seat back.
327, 474	4/ 2/40	H. Stossel	Sound and heat insulation.
327, 475	4/ 2/40	H. Bohler	Disinfectants and process of their manufacture.
327, 476	4/ 2/40	R. Muller et al	Electrolyte paste and method of making same.
327, 492	4/ 2/40	R. Poll	Fare indicators.
327, 494	4/ 2/40	H. Staudinger et al	Production of painting colors.
327, 512	4/ 2/40	G. Wunsch et al	Flue gas control devices.
327, 513	4/ 2/40	A. Boenecke	Flexible strip for producing slide clasp fasteners.
327, 646	4/ 3/40	R. Scharfungel et al	Electric discharge vessels.
327, 675	4/ 3/40	H. Hautsch	Preselecting gear change.
327, 769	4/ 4/40	K. Wilfert	Elastic suspensions of axle aggregates.
327, 777	4/ 4/40	R. Linder	Electric circuit for motor vehicles.
327, 848	4/ 4/40	G. Krause	Process of rendering casein soluble.
327, 914	4/ 4/40	R. Wellenstein, et al	Method and device for regulating the sensitivity of signal receiving plants.
328, 113	4/ 5/40	H. Kohl	Sliding clasp fasteners.
328, 131	4/ 5/40	K. Lorenz	Cooled injection nozzle.
328, 132	4/ 5/40	R. Lang, et al	Power and speed transmissions for motor vehicles.
328, 283	4/ 6/40	R. Von Ottenthal	Systems for landing aircraft.
328, 382	4/ 6/40	W. Reppe, et al	Method of preparing dioleflnes.
328, 388	4/ 6/40	G. Wiest, et al	Process for the production of E-caprolactam.
328, 541	4/ 8/40	V. Retterath	Radial drilling machine.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
328, 673	4/ 9/40	G. Hintze	Running wheel for agricultural vehicles.
328, 680	4/ 9/40	H. Menz, et al	Method and apparatus for the production of boiling-proff mounts and operation mirrors with employment of a reshapable support for heating wires.
328, 859	4/10/40	W. Geyer	Film treating machines.
328, 885	4/10/40	J. Edenburg	Friction lighters.
328, 903	4/10/40	P. Schlack	Process for the manufacture of lactams from oximes of cyclic ketones.
328, 935	4/10/40	B. Rybka	Gyroscopic devices.
329, 360	4/12/40	H. Coburg	Surgical appliances.
329, 573	4/13/40	K. Schmitt	Electrical distribution system for vehicles.
329, 826	4/16/40	H. Tramm	Process of carrying out endothermic transformations of hydrocarbons.
329, 860	4/16/40	H. Schmitz, et al	Chemical composition.
329, 945	4/16/40	J. Keulers	Connection for boring tubes.
330, 055	4/17/40	H. Richter	Flow regulator for petroleum separators.
330, 156	4/17/40	H. Fahlenbrach	Articles in which constant and stable permeability values are required, as for instance Pupin coils, Krarup conductors, etc.
330, 175	4/17/40	W. Brenner	Stands and universal joints therefor.
330, 188	4/17/40	A. Kaltenbach	Angle-pieces.
330, 201	4/17/40	E. Doetsch	Resistance system.
330, 212	4/17/40	H. Aumund	Conveyers.
330, 296	4/18/40	H. Kuppenbender	Photographic cameras.
330, 310	4/18/40	R. Ludwig, et al	Precipitation of emulsion polymerizates.
330, 322	4/18/40	F. Nallinger	Two, in opposite direction rotating, commonly driven air propellers.
330, 323	4/18/40	F. Nallinger	Driving mechanism for two in opposite direction rotating air propellers by more than one motor.
330, 324	4/18/40	F. Nallinger, et al	Sliding tube bearings for in opposite direction rotating air propeller shafts and a number of motors with a common crank casing.
330, 469	4/19/40	E. Opfermann	Refined cellulose and method for obtaining the same.
330, 510	4/19/40	A. Lentz	Running wheel support.
330, 523	4/19/40	W. Niedermeyer	Boxes for electric apparatus.
330, 560	4/19/40	C. Riess et al	Process of tanning hides and skins.
330, 891	4/20/40	F. Nettel	Operation and regulation of combustion turbines.
330, 963	4/22/40	H. Ulffers	System for producing polarized light of predetermined vibratory condition.
330, 964	4/22/40	P. Gorlich	Photo electric cathode.
331, 044	4/22/40	W. Dittrich	Apparatus for moving tool means in an irregular path.
331, 054	4/22/40	P. Gorlich	Light sensitive layers.
331, 055	4/22/40	E. Siegling	Driving belt.
331, 128	4/23/40	G. Schuering et al	Quaternary salts of scopolamine and process for their production.
331, 210	4/23/40	W. Herrmann et al	Halides of polyvinyl compounds.
331, 264	4/23/40	H. Heetkamp	Mandrel guides in push benches.
331, 392	4/24/40	R. Hintze et al	Refrigerator.
331, 408	4/24/40	W. Koeppe et al	Liquid operated electric control device.
331, 454	4/24/40	K. Heyns	Process for the production of alcohol by fermentation of sulfite waste liquor or wood-sugar mash.
332, 108	4/27/40	P. L'Orange	Injectors for internal combustion engines.
332, 396	4/29/40	W. Skiarz	Process of preparing pasty, etc.
332, 478	4/30/40	A. Brautigam et al	Coal tar pitches and a method for preparing the same.
332, 506	4/30/40	F. Nallinger et al	Internal combustion engine.
332, 700	5/ 1/40	H. Muller et al	Method of producing artificial substances etc.
332, 701	5/ 1/40	H. Muller et al	Method of producing artificial substances etc.
332, 772	5/ 1/40	K. Rabe	Tractor.
332, 872	5/ 2/40	K. Fritz	Signalling.
333, 159	5/ 3/40	M. Maul	Sorting machines for record cards.
333, 186	5/ 3/40	W. Gelfeken et al	Method for producing layers on solid objects.
333, 206	5/ 3/40	R. Bechmann et al	Method to determine the electrical axes of quartz crystals.
333, 231	5/ 3/40	H. Martin	Interference silencer more particularly for internal combustion engines.
333, 240	5/ 3/40	H. Schmuckler	Polygonal tank.
333, 245	5/ 3/40	A. Rambold	Bag with insoluble, automatic fold closing.
333, 249	5/ 3/40	A. Muller	Process for water-repelling impregnation of textiles, paper, skins, and leather.
333, 334	5/ 4/40	P. Gerber	Frame for typewriting machines.
333, 370	5/ 4/40	K. Andress et al	Process of preparing polyphosphates and polyphosphate mixtures.
333, 372	5/ 4/40	H. Bendel et al	Method of selective filtering of frequency band ranges.
333, 409	5/ 6/40	O. Martienssen	Method and means for determining and tracing insulating, in particular oil-carrying strata.
333, 562	5/ 6/40	F. Lutz	Edge ornamentation for fabrics.
334, 084	5/ 8/40	O. Conradty et al	Electrical machine.
334, 086	5/ 8/40	H. Zollner et al	Carbon collectors.
334, 087	5/ 8/40	O. Conradty	Carbon brake body and metal holder unit.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
334,088	5/ 8/40	E. Freystedt	Fuel container sounding device.
334,093	5/ 8/40	F. Leuchs	Contact device.
334,095	5/ 8/40	E. Dolfsch	Friction material.
334,552	5/11/40	W. Riedel et al	Cathode ray tube.
334,617	5/11/40	F. Leuchs	Carbon collector bow.
334,673	5/11/40	W. Malmken	Push button devices.
334,676	5/11/40	E. Nanz	Trickle coolers.
334,745	5/13/40	T. Kunmich	Change speed gears.
334,754	5/13/40	A. Voigt et al	Releasing devices.
334,882	5/13/40	W. Reichel	Colour television.
334,892	5/13/40	H. Schmitz	Printing agents.
334,978	5/13/40	A. Rugamer et al	Producing a pulverous substitute for the white of an
335,120	5/14/40	E. Hubert et al	Process for the production of synthetic polyamides.
335,125	5/14/40	E. Pietschack	Method of producing mosaic electrodes.
335,224	5/15/40	F. Hergstahl	High frequency iron core.
335,269	5/15/40	P. Volk	Tracer control for material working machines.
335,306	5/15/40	W. Geyer	Film splicing devices.
335,392	5/15/40	G. Linke et al	Conveying apparatus.
335,619	5/16/40	A. Werkenthin	Artificial teeth.
335,638	5/16/40	W. Lolis	Locking mechanism for aircraft retractible landing gear.
335,780	5/17/40	P. Volk	Tracer control for machine tools.
335,804	5/17/40	R. Moller, et al	Projection screen.
336,004	5/18/40	J. Wimmer	Process for the production of chlorinated hydrocarbons with 4 carbon atoms from trichlorethylene.
336,005	5/18/40	J. Wimmer	Stipeotan for the production of the carbon-chloride compound C_4Cl_6.
336,013	5/18/40	H. Machemer	Process for condensation of primary aliphatic aldehydes.
336,018	5/18/40	K. Kaschke	Dust iron core.
336,047	5/18/40	W. Friedrichs	Stamping machine.
336,292	5/20/40	A. Heisler et al	Method for preparing a therapeutically efficacious product from foodstuffs and articles of consumption capable of being roasted.
336,304	5/20/40	H. Schwaneberg	Process for the manufacture of alkaline earth metal salts of adenosine polyphosphoric acids.
336,307	5/20/40	J. Dichter	Sorting machines.
336,369	5/21/40	O. Karl	Beam for cultivating attachments.
336,484	5/21/40	H. Pfau	Devices for controlling the pressure and temperature in altitude cabins, particularly for airplanes.
336,692	5/23/40	H. Schirrmeister	Refrigerator equipped with a motor-driven refrigerating apparatus of the compression type.
336,777	5/23/40	W. Hagen	Anti-coupled amplifiers.
336,944	5/24/40	K. Werner	Sewing machine.
337,032	5/24/40	J. Roloff et al	Feed interruption device for slides.
337,033	5/24/40	P. Ehrlich	Joining paper reels.
337,106	5/24/40	R. Jahn et al	Method and arrangement for the generation of ultra sound waves.
337,460	5/27/40	H. Galster et al	Method of telegraphically transmitting communication for statistical purposes.
337,552	5/27/40	H. Berg	Polymerization of vinyl acetate.
337,361	5/27/40	B. Habraschka	Processes of producing non-yellowing phenol-formaldehyde condensates.
337,585	5/28/40	A. Lentz	Caterpillar tractor.
337,600	5/28/40	C. Hubener	Vulcanizing molds for vehicle tires made of rubber.
337,617	5/28/40	E. Schultz	Centrifugal impellers.
337,665	5/28/40	H. Basler	Distributing devices.
337,673	5/28/40	H. Schmidberger	Method for the operation of fully automatic presses for artificial substance.
337,674	5/28/40	H. Schmidberger	Moulding press.
337,675	5/28/40	H. Schmidberger	Moulding press.
337,676	5/28/40	H. Schmidberger	Automatic mould filling device for artificial resin presses.
337,693	5/28/40	A. Engelhardt	Process of separating difficulty adsorbable gases.
337,704	5/28/40	A. Franz	Adjustable reaction nozzle.
337,710	5/28/40	P. Graupner	Sharpening device for the rotating sickle knife of cigarette rod machines.
337,848	5/29/40	F. Villinger	Air transfer arrangements.
337,853	5/29/40	R. Hintze	Refrigerator boxes.
337,854	5/29/40	R. Hintze	Motor-driven refrigerating apparatus of the compression type.
337,960	5/31/40	H. Koppenbender et al	Rollfilm cameras.
337,989	5/31/40	K. Mutze	Device for rolling threads.
338,112	5/31/40	R. Haupt	Folding or collapsible umbrellas.
338,135	5/31/40	E. Reis	Coin counting device.
338,173	5/31/40	G. Heinold	Lock washers and method for producing same.
338,217	5/31/40	L. Hanel	Process of making photographs.
338,236	5/31/40	O. Vierling	Process of making photographs.
338,261	5/31/40	J. Rzymkowski	Method of developing photographic metal salt layers.
338,272	5/31/40	R. Anschutz et al	Typewriter-calculating machines.
Reissue 338,288	5/31/40	E. Terres et al	Solvent treatment of naphthas and the like.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
338,640	6/ 3/40	O. Staaiw	Process of producing light-sensitive systems.
338,641	6/ 3/40	O. Staaiw	Process of producing light-sensitive systems.
338,670	6/ 3/40	H. Goy	Gangway connection between two vehicles coupled to each other, particularly flexible gangway-bellows for railway carriages.
338,886	6/ 5/40	G. Kirchner	Process of producing articles by an injection moulding machine.
339,000	6/ 5/40	F. Gosslau et al	Aircraft engine controls.
339,132	6/ 6/40	G. Becker et al	Process for the introduction of chromium into iron or steel articles.
339,212	6/ 7/40	W. Haspel	Vehicle.
339,479	6/ 8/40	J. Prast	Power supply system.
339,526	6/ 8/40	R. Muller et al	Electrolyte paste and method of making same.
339,531	6/ 8/40	H. Fischlmayr	Automatic timing mechanism for fuel injection pumps.
339,562	6/ 8/40	R. Bottcher	Thermal pump.
339,725	6/10/40	R. Schade	Variable resistors.
340,052	6/12/40	E. Kipphan et al	Dry rectifiers.
340,187	6/12/40	M. Braun	Laminated tubes.
340,223	6/12/40	H. Zollner	Combined carbon and metal holder body.
340,282	6/13/40	F. Porsche	Chassis for power vehicles.
340,300	6/30/40	R. Wolfle	Bearing sleeve for rotary spindles in machine tools.
340,335	6/13/40	E. Scheler	Aircraft wing.
340,336	6/13/40	E. Scheler et al	Aircraft wing.
340,362	6/13/40	R. Weiner	Electrodeposition of metallic coatings.
340,363	6/13/40	L. Lowenstein	Method of protecting plants against frost.
340,402	6/13/40	H. Grotlie	Method of electrolytically obtaining magnesium.
340,4394	6/14/40	H. Weber et al	Spring suspension for a vehicle wheel.
340,441	6/14/40	R. Scharfnagel	Methods of sealing electric discharge vessels.
340,456	6/14/40	R. Blau, Jr. et al	Closure devices.
340,600	6/14/40	C. Rober et al	Apparatus for supplying adhesive.
340,691	6/15/40	H. Friebe	Film-feed mechanisms for photographic cameras.
340,741	6/15/40	G. Welche	Injection devices.
340,750	6/15/40	H. Kuppenbender et al	Photographic cameras.
340,799	6/15/40	A. Ehrlich	Exhaust-gas pipe for airplanes.
340,980	6/15/40	F. Grandel et al	Process for the degermination of seed.
340,837	6/15/40	F. Grandel	Process of obtaining cold glue and castor oil from castor beans.
340,891	6/17/40	F. Huber	Steering mechanism for vehicles and tractors.
341,161	6/18/40	R. Nerwe et al	Rollfilm cameras.
341,170	6/18/40	H. Bahring	Transformer.
341,283	6/19/40	K. Wilhelm	Remote-control device.
341,302	6/19/40	J. Gruetzmacher	Electrode for piezo-electric crystal oscillators.
341,337	6/19/40	F. Siegmann	Process for the production of sodium and potassium hydride.
341,722	6/21/40	A. Weis et al	Arrangement of winding for high-frequency purposes.
341,900	6/22/40	M. Burkhardt et al	Process for the production of prostheses.
342,188	6/24/40	F. Pasarese	Bushings.
342,342	6/25/40	H. Jde	Automatic control of the supply of breathing air to the superpressure cabins in altitude aeroplanes.
342,356	6/25/40	R. Muller	Process and to suitable apparatus, etc.
342,397	6/25/40	W. Lehmann	Starting apparatus for Diesel engines.
342,400	6/25/40	W. Manken et al	Presses for making work-pieces conically tapering in longitudinal direction.
342,401	6/25/40	U. Nissen	Presses for making work-pieces conically tapering in longitudinal direction.
342,408	6/26/40	A. Winkler et al	Process and machine for the manufacture of envelopes of paper or similar material.
342,415	6/26/40	F. Herz	Frequency modulation receiver.
342,488	6/26/40	O. Martiensen	Thermometer for deep well measurements.
342,564	6/26/40	F. Hornemann et al	Bar soap composition.
342,613	6/27/40	H. Feusner	Dust-core arrangement.
342,615	6/27/40	F. Herrgtold	Radio tuning units.
342,668	6/27/40	G. Karpa	Rotary condenser of reduced size and high capacity.
342,708	6/27/40	O. Vierling et al	Polarising filter.
342,801	6/27/40	J. Dahl	Optical focussing systems.
342,820	6/27/40	J. Eirich et al	Device for emptying mixers.
342,882	6/28/40	W. Glamann	Internal combustion engine.
342,900	6/28/40	H. Fickert et al	Copying models.
343,057	6/28/40	F. Donner	Manufacture of hosiery.
343,063	6/29/40	F. Bergtold	Electric field shielding means.
343,131	6/29/40	A. Schone	Device for resetting or correcting key tuning devices.
343,141	6/29/40	K. Daniel	Cases for sound films.
343,419	7/ 1/40	K. Rantsch	Illuminating system, particularly for projection purposes.
343,887	7/ 3/40	J. Eirich	Mixing machine.
344,143	7/ 5/40	J. Rzymkowski	Developing process.
344,168	7/ 5/40	H. Schuler	Machine for printing musical notation.
344,188	7/ 6/40	A. Lentz	Lifting mechanism for tractor operated implements.
344,223	7/ 6/40	E. Jordan	Apparatus and method for producing lock washers.
344,295	7/ 6/40	P. Gilli	Fireless locomotive with high accumulator pressure.
344,297	7/ 6/40	P. Gilli et al	Charging crane for fireless locomotive.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
344,288	7/ 6/40	P. Gilli	Cab for fireless locomotives.
344,295	7/ 6/40	P. Fries	Method of manufacturing electronic tubes.
344,300	7/ 8/40	P. Schuttler	Screw-nut.
344,417	7/ 8/40	F. Eisenlohr	Combined carpet sweeper and dust exhauster.
344,418	7/ 8/40	O. Barthelmes	Accounting machines.
344,438	7/ 8/40	O. Engler	Method and apparatus for the demagnetizing of small steel bodies.
344,454	7/ 8/40	R. Martin et al	Calculating machine.
344,455	7/ 8/40	O. Conradty	Insulated carbon body.
344,512	7/ 9/40	P. Sobek	Driving device for rotary piston machines.
344,568	7/ 9/40	K. Krauze	Electrical discharge apparatus.
344,769	7/10/40	B. Engels	Refrigerator.
344,790	7/10/40	H. Kietz et al	Device for directed reception of wave motions.
345,052	7/12/40	W. Welker	Flat knitting frames.
345,066	7/12/40	P. Schonfeld et al	Warp machines.
345,132	7/12/40	E. Florian et al	Variable pitch air propeller.
345,176	7/12/40	J. Haag	Method of producing chromiferous steels.
345,177	7/12/40	H. Basler	Method of producing hard fibre boards.
345,235	7/12/40	H. Schmidt	Process of manufacturing tetrachlorcethylene.
345,240	7/12/40	E. Latscher-Latka	Turnspring.
345,336	7/13/40	H. Schumacher	Controlling mechanism for lathes.
345,362	7/13/40	H. Fischlmayr	Fuel injection nozzle.
345,366	7/13/40	W. Michael et al	Process for the thermal treatment of carbonaceous material.
345,367	7/13/40	W. Michael et al	Process for the thermal treatment of carbonaceous material.
345,771	7/16/40	A. Berger	Multi-throw crank shaft.
345,833	7/16/40	K. Thom	Circuit arrangement with secondary emission electron multiplier.
345,834	7/16/40	K. Thom	Photoelectric signal amplifier.
345,841	7/16/40	E. Weidner	Disinfectants.
346,060	7/17/40	G. Klein	Method of manufacturing finely graded helical electric resistors.
346,541	7/20/40	K. Bruckersteinkuhl	Signal amplifier.
346,568	7/20/40	O. Zima et al	Compounds having vitamin B_1 activity.
346,569	7/20/40	O. Zima et al	Process for the manufacture of derivatives of pyridine.
346,900	7/23/40	W. Pfost et al	Selectivity control in broadcast receivers.
346,924	7/23/40	W. Nallinger	Fastenings of instruments.
346,964	7/23/40	W. Berg	Reservoirs for fluid filled cable.
347,040	7/23/40	W. Moschel et al	Process of producing magnesium oxide.
347,120	7/24/40	W. Heimann	Electronic television transmitters.
347,311	7/24/40	H. Von Philipp	Insecticides.
347,406	7/25/40	W. Schwenecke	Drill.
347,464	7/25/40	H. Moller et al	Bookkeeping machines or the like.
347,517	7/25/40	F. Steinbach	Electric motor control.
347,519	7/25/40	E. Toenniessen	Drawing frame.
347,559	7/25/40	J. Meyer	Conical belts.
347,565	7/25/40	R. Brandt	Method for the removal of carbonic oxide from gases or mixtures of gases containing sulfur compounds by a contact process with steam catalysis.
348,079½	7/29/40	K. Freudenberg et al	Process for the preparation of products from lignin by hydrogenation.
348,121	7/29/40	K. Steffens	Drill.
348,274	7/29/40	A. Lauer et al	Method and apparatus for contracting the ends of hollow bodies.
348,340	7/30/40	O. Eppenstein	Interpupillary distance gauge.
348,410	7/30/40	J. Buchhart	Universal joints.
348,492	7/30/40	E. Ruska	Magnetic lenses for electronoptical apparatus.
348,503	7/27/40	F. Hansgirg	Process of producing gas mixture for synthetic purposes.
348,520	7/30/40	H. Grabener	Closures for containers.
348,524	7/30/40	F. Weigend	Sluicing devices for corpuscular ray apparatus.
348,726	7/31/40	M. Hirst	Internal combustion engines.
348,782	7/31/40	W. Voit	Liquid fuel injection system for multicylinder internal combustion engines.
348,988	7/31/40	K. Tuchscherer et al	Thread carrier bars.
349,179	8/ 1/40	P. Becker	A machine for the production of bags and the like.
349,194	8/ 1/40	H. Ehrenberg	Feed apparatus for moving the feeler pin holder of copy milling machines.
349,256	8/ 1/40	G. Aschenbrenner et al	Spinning method.
349,286	8/ 1/40	B. Habraschka	Production of hardenable orthocresol aldehyde condensates.
349,437	8/ 2/40	F. Siedlanowski	Production of hydrogen by electrolysis.
349,542	8/ 2/40	H. Albers	Heavy duty presses.
349,853	8/ 2/40	W. Breitschneider	High pressure steam generator.
350,065	8/ 2/40	J. Loeffler	Process for the production of cadmium red.
350,452	8/ 3/40	J. Hartmann	Hydraulic brake for power driven vehicles.
350,576	8/ 3/40	H. Huhn et al	Fluid seals.
350,734	8/ 3/40	F. Fiedler	Hydraulic brake.
351,241	8/ 3/40	R. Weiner	Electroplating bath.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
351,243	8/ 3/40	K. Vieweg	Process for the conversion of natural fibres.
351,470	8/ 3/40	M. Aurig	Disintergratorlike devices.
351,493	8/ 5/40	R. Kern	Method and apparatus for the loosening of matted fibrous materials.
351,556	8/ 5/40	K. Bielfeld	Manufacture of nonmetallic electric resistance materials.
351,560	8/ 6/40	H. Westerkamp	Art of producing sound films.
351,561	8/ 6/40	H. Westerkamp	Film container for endless films.
351,621	8/ 6/40	R. Becker	Process of and apparatus for degasifying etc.
351,640	8/ 6/40	W. Dyckerhoff et al	Hydraulic cement.
351,747	8/ 7/40	J. Kunert	Paper fastening devices.
351,815	8/ 8/40	E. Allstadt	Internal combustion engines.
351,934	8/ 9/40	W. Dillenburger	Television transmission system.
352,006	8/ 9/40	G. Daumiller et al	Production of aromatic vinyl compounds.
352,031	8/ 9/40	O. Worm	Device for drawing off welts.
352,040	8/10/40	H. Gonningen	Electric leading-in arrangements.
352,072	8/10/40	A. Guggemos et al	Process of producing butadiene.
352,080	8/10/40	R. Schleicher	Pillion saddle for motorcycles.
352,111	8/10/40	F. Fornbacher	Automatic dial changing recorder.
352,145	8/10/40	H. Molly	Hydraulic starter.
352,146	8/10/40	H. Molly	Axial piston pump.
352,147	8/10/40	H. Molly	Pump, more particularly an axial piston pump with adjustable stroke.
352,156	8/10/40	P. Endres	Dispensing scales with a needle moving over a scale and instantaneously indicating the weight in units.
352,305	8/12/40	J. Krudewig	Liquid change-speed gearing.
352,325	8/12/40	F. Kulz	Therapeutically active tetrahydro isoquinoline compounds and processes.
352,513	8/14/40	B. Ossan	Method of and apparatus for operating shaft furnaces for roasting and the like.
352,618	8/14/40	S. Wiechowski	Cosmetic for hair and skin.
352,623	8/14/40	E. Mazur	Fluid-pressure brake apparatus.
352,808	8/15/40	A. Guter et al	Claw couplings with synchronizing device.
352,972	8/16/40	H. Cordt	Multiple counter calculating and registering machine.
353,001	8/17/40	G. Hohn	Welding appliances.
353,130	8/17/40	F. Martin	Process for removing oxygen out of industrial gas mixtures.
353,296	8/19/40	R. Golicke	Stabilized electron discharge device circuit.
353,321	8/20/40	F. Gieffers	Variable resistors.
353,396	8/20/40	M. Steenbeck	Metallic vapor discharge devices.
353,337	8/20/40	E. Ruska	Electronic microscopes.
353,408	8/20/40	W. Heszler et al	Calculating or bookkeeping machines.
353,418	8/20/40	O. Conradty et al	Collector.
353,425	8/20/40	H. Hunsdiecker	Process of manufacturing cyclopentenone derivatives.
353,551	8/21/40	A. Schutte	Gas turbine.
353,552	8/21/40	A. Schutte	Casing for gas turbines.
353,554	8/21/40	H. Weidtke	Nozzle assembly for diesel motors.
353,644	8/22/40	H. Klaue	Disc brake for use in motor-cars, aeroplanes and the like.
353,685	8/22/40	A. Rappold	Television transmitter.
353,745	8/22/40	H. Tannheim	Process of electric welding.
353,760	8/22/40	H. Wildermuth	Screw gauge.
353,931	8/23/40	E. Laubmann	Production of stereoscopic motion pictures.
353,973	8/23/40	E. Horn	Track for toy vehicle.
353,974	8/23/40	C. Becker	Leveling the characteristic of photographic emulsions.
353,978	8/23/40	R. Ruhnau	Method and device for producing wax ribbons for mechanical sound recording.
353,982	8/23/40	P. Halbig et al	Process for the polymerization of alkoxybutadienes.
354,016	8/24/40	W. Buschbeck et al	Broad-band antenna.
354,220	8/26/40	H. Straub	Method and device for measuring the thickness of light transmitting layers.
354,410	8/27/40	F. Riedel	Control device for once-through vapor generators.
354,459	8/27/40	C. Becker	Producing sound records in half-wave records.
354,460	8/27/40	C. Becker	Controlling the exposure of photographic sound records.
354,461	8/27/40	C. Becker	Electric connection for reproducing sound records.
354,580	8/28/40	H. Witthoft et al	Variable self-inductance with a core of magnetic material.
354,743	8/29/40	H. Bahring	Saw-tooth oscillator.
354,762	8/29/40	A. Holzhey et al	System for disbarking trunks.
354,771	8/29/40	H. Pachr	Light modulating screen.
354,898	8/30/40	R. Lang	Roller bearings.
355,270	9/ 3/40	H. Strah et al	Production of metallized dielectric materials.
355,289	9/ 4/40	F. Reimspiess	Springing mechanism for vehicles.
355,299	9/ 4/40	F. Gieffers	Variable resistors.
355,373	9/ 4/40	G. Zieber	Measuring device.
355,383	9/ 4/40	K. Kiel	Selecting mechanism for calculating machines.
355,390	9/ 4/40	O. Conradty et al	Connection of carbon bodies.
355,391	9/ 4/40	O. Conradty	Connection for carbon segments of collectors.
355,392	9/ 4/40	O. Ahne	Apparatus for forming filter plugs adapted to be introduced into cigarette paper tubes.
355,401	9/ 4/40	G. Cordes	Method for aerodynamically braking aircraft in flight.
355,402	9/ 4/40	O. Moldenhauer et al	Method for the production of polycondensation products etc.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
355, 522	9/ 5/40	W. Howaldt et al	Process for electrolytically producing bright deposits of zinc on other metals, for example on iron.
355, 565	9/ 6/40	A. Rappold	Television device.
355, 567	9/ 6/40	W. Kuhlmann	Portable radio equipment.
355, 599	9/ 6/40	P. Deserno	Arrangements for measuring frequency characteristics.
355, 620	9/ 6/40	F. Kober et al	Optical system for taking stereoscopic photographs.
355, 621	9/ 6/40	L. Iglnck	Loud speakers.
355, 657	9/ 6/40	G. Spiess	Device for conveying sheets of paper.
355, 680	9/ 6/40	K. Lanninger	Pipe couplings.
355, 709	9/ 7/40	F. Schneider	Electric storage batteries.
356, 093	9/ 9/40	J. Dichter	Apparatus for producing articles from artificial materials.
356, 108	9/ 9/40	W. Machu et al	Method for decreasing or preventing the actions of pickling acid on metals, especially iron and metal alloys.
356, 112	9/ 9/40	W. Gartner	Process for the manufacture of cigarette paper.
356, 113	9/ 9/40	W. Gartner	Method for the preparation of superior cellulose.
356, 190	9/10/40	F. Hausleiter	Method for the production of printing plates, especially flat printing and offset printing plates.
356, 260	9/11/40	B. Von Borries et al	Electrostatic lenses for corpuscular ray apparatus.
356, 273	9/11/40	F. Dietrich	Rear lights for road vehicles, principally for automobile vehicles.
356, 349	9/11/40	H. Beck	Electric searchlight.
356, 395	9/11/40	E. Meier, Jr	Method of manufacturing tubular composite metal.
356, 455	9/12/40	M. Dressler	Type wheel for telegraph apparatus.
356, 524	9/12/40	W. Rudolph	Treatment of dried peas.
356, 697	9/13/40	F. Hell	Circulating pump for pasty masses especially for concrete.
356, 818	9/14/40	H. Links et al	Regulating device, specially for fuel injection pumps of internal combustion engines.
356, 856	9/14/40	A. Amann et al	Conversion products of rubber.
356, 857	9/14/40	A. Amann et al	Process of purifying conversion products of rubber.
356, 882	9/14/40	W. Frey et al	Press & tool structure for forming cavities in metal plate.
357, 175	9/17/40	L. Meyer	Heaters.
357, 483	9/19/40	K. Haase	Diesel power rams.
357, 498	9/19/40	K. Freudenberg et al	Process for the preparation of products from lignin by hydrogenation.
357, 504	9/19/40	E. Weiss et al	Spring mechanism for the release of a firing pin or similar movable part.
357, 533	9/20/40	E. Rossberg	Connection for teleprinters.
357, 588	9/21/40	R. Hintze et al	Refrigerating apparatus of the compression type.
357, 765	9/21/40	F. Lucan	Circuit arrangement for electric discharge tubes.
357, 784	9/21/40	M. Auwarter et al	Guide for molten silicates.
357, 822	9/21/40	H. Neumann et al	Method of manufacturing permanent magnets.
357, 839½	9/23/40	W. Minner	Track for toy vehicle.
357, 954	9/23/40	W. Gleissner	Shoe-lip tacking machine with punching device.
357, 967	9/23/40	H. Horack	Adjustable jaw for skis.
357, 976	9/23/40	W. Rossmanith	Firing and carriage frame for large calibre shoulder rifles especially for tank rifles.
357, 987	9/23/40	H. Ewald	Printing calculating machines.
357, 989	9/23/40	H. Brendlein	Process for producing catalysts.
357, 993	9/23/40	P. Pfeiffer	Regulating device for pile-driver monkeys.
358, 023	9/23/40	E. Toennessen	Drawing frame with adjustable holder for the pressure rollers.
358, 024	9/23/40	E. Toennessen	Leather tape drawing frame with drawing guide.
358, 067	9/24/40	F. Herriger	Sealing compounds.
358, 109	9/23/40	H. Links	Tappet guide, specially for plunger pumps.
358, 118	9/24/40	K. Froehlich	Spring suspensions for road vehicles.
358, 173	9/24/40	H. Dorn	Tube rolling system.
358, 175	9/24/40	W. Avenhaus	Method and apparatus for the production of ceramic shaped bodies, especially clay tiles.
358, 181	9/24/40	R. Heinrich	Process of electrostatic separation of mixtures.
358, 182	9/24/40	W. Kerstan	Process for the production of white opaque enamels.
358, 184	9/24/40	M. Kollmar	Production of silver preparation.
358, 267	9/25/40	H. Gruss	Method of controlling the moisture, etc.
358, 277	9/25/40	W. Stahlecker	Guiding arrangement for top rolls.
358, 278	9/25/40	F. Grandel et al	Process for the production of substances expediting the growth of cells.
358, 279	9/25/40	F. Grandel	Production of vitamin-F preparations.
358, 320	9/25/40	F. Gutzmann et al	Cable terminals.
358, 511	9/26/40	H. Strubig	Methods and means for producing television images.
358, 561	9/26/40	J. Wilberz	Device for actuating an automatic lathe, especially a spar bench.
358, 562	9/26/40	J. Wilberz	Lathe or similar tool and a method and device for putting the same together.
358, 686	9/27/40	K. Schwarzer	Roentgen tube with anode turning about its longitudinal axis.
358, 938	9/28/40	H. Kallmann, et al	Method and device for depicting the intensity distribution in beam of slow neutrons.
358, 939	9/28/40	H. Kallmann, et al	Device for the production of visible photographic images with the aid of a beam of neutrons as depicting radiation.
358, 942	9/28/40	H. Schmidt	Bleaching process for fluids.
359, 003	9/30/40	H. Nerwin	Photographic cameras.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
359, 171	9/30/40	L. Lowenstein	Method of producing foam baths.
359, 350	10/ 2/40	H. Liedeman	Decomposition of sodium aluminate liquor.
359, 453	10/ 2/40	T. Stumpf	Pins for temporary fastening of buttons.
359, 454	10/ 2/40	T. Stumpf	Hold-fast appliances for holding various layers of thick materials together.
359, 573	10/ 3/40	M. Vantier	Electron tube grid.
359, 621	10/ 3/40	A. Krussmann	Electrically operated device for transmitting angular movement.
359, 812	10/ 4/40	F. Lehrer et al	Electrode holder.
359, 950	10/ 5/40	E. Kramar	Direction finding system.
359, 951	10/ 5/40	H. Schmellenmeier	Electron tubes.
359, 952	10/ 5/40	F. Herriger	Electron tubes.
359, 975	10/ 5/40	H. Westerkamp	Method of producing sound band matrices.
360, 151	10/ 7/40	F. Ungerer	Straightening machine for sheet metal plates.
360, 152	10/ 7/40	W. Plagemenn	Screw threading machines.
360, 188	10/ 7/40	K. Diehl	Process for the production of tightening plates.
360, 204	10/ 7/40	H. Witzenmann	Process for the production of masses and shaped pieces possessing high electric, chemical, mechanical and thermic strength.
360, 274	10/ 8/40	R. Binder	Spring-plate valves.
360, 386	10/ 9/40	F. Grandel	Process for the preparation of fats and oils which are suitable for injection.
360, 417	10/ 9/40	W. Dillenburger	Automatic operating point control system.
360, 486	10/ 9/40	O. Fischer	Electrically driven toy vehicle.
360, 502	10/ 9/40	W. Herrmann et al	Method of increasing the inclination of vinyl acetate to polymerize.
360, 503	10/ 9/40	F. Lux et al	Enriching beer with vitamins.
360, 523	10/10/40	A. Diemer	Door latches.
360, 688	10/10/40	H. Seidel et al	Vibration damping suspension.
360, 689	10/10/40	W. Schrader	Device for indicating contaminations in the oil circulation system.
360, 788	10/11/40	W. Hentrich et al	Process for the manufacture of halogenated 1-hydroxy-5,6, 7, 8-tetrahydronaphthalenes.
360, 844	10/11/40	M. Maurer	Testing and training device for two-ears sound locators.
360, 856	10/12/40	K. Koweindl	Work bench for welding jobs and the like.
360, 935	10/12/40	W. Schwier	Reducing oxidic ores.
360, 936	10/12/40	F. Hofmann	Producing rails of high resistance to wear.
361, 009	10/12/40	E. Schaefer	Process for producing vinyl chloride.
361, 132	10/14/40	L. Schomann	Theodolites, particularly for moving objects.
361, 148	10/14/40	H. Junghans	Alarm-clock movements.
361, 149	10/14/40	H. Junghans	Gear members.
361, 184	10/14/40	H. Schmeisser	Device for controlling the gas pressure in automatic blank cartridge firing in automatic guns.
361, 195	10/14/40	C. Zerbe	Process of heat-treating polymerization products.
361, 314	10/15/40	J. Lohse	Metallurgical apparatus.
361, 317	10/15/40	A. Jenkner	Process of producing bitumen-like materials from coal.
361, 329	10/15/40	H. Fiedler	Process of producing sulphurous powders.
361, 330	10/15/40	H. Fiedler, et al	Process of producing chloersterine conversion products containing sulphur.
361, 379	10/16/40	W. Fiechsig	Cathode ray tube.
361, 403	10/16/40	C. Von Steinen	Device for varying the stability of marine craft.
361, 563	10/17/40	H. Von Baeyer	Arrangement for suppressing waves along a cable casing.
361, 564	10/17/40	H. Roosenstein	Arrangement adapted to suppress radio frequency currents on conductors.
361, 581	10/17/40	F. Giloy	Corrosion preventing agents.
361, 592	10/17/40	C. Grundmann	Process for producing condensation products.
361, 649	10/17/40	W. Voigt	Increasing the elasticity of textile fibres.
361, 664	10/18/40	R. Luderitz	Radio frequency coil and electrostatic shield.
361, 698	10/18/40	H. Von Baeyer	Transmission line.
361, 796	10/18/40	H. Schmitz	Method of producing thin threads from polyvinyl alcohol and its water-soluble derivatives.
361, 804	10/18/40	H. Kahle et al	Process for the drying of gases.
361, 888	10/19/40	G. Schening et al	Analgetically active tetrahydronaphthols.
362, 260	10/22/40	L. Egger et al	Method and apparatus for producing fine hollow threads.
362, 261	10/22/40	W. Rossmanith	Automatic shoulder firearm adapted to be used in a carriage.
362, 279	10/22/40	R. Prause	Device for adjusting the pitch of air propellers.
362, 280	10/22/40	R. Prause et al	Air propeller driving system.
362, 296	10/22/40	H. Martin et al	Key head.
362, 375	10/23/40	H. Koppers	Removal of hydrogen sulphide from gases.
362, 376	10/23/40	H. Koppers	Recovery of sulphur from hydrogen sulfide or hydrogen sulfide containing gases.
362, 388	10/23/40	K. Kupfmuller et al	Telautographs.
362, 402	10/23/40	A. Keller	Device for compensating the temperature of systems for distant measurement of the number of revolutions.
362, 425	10/23/40	E. Gast	Automatic flap controls for airplanes.
362, 426	10/23/40	J. Haseloff et al	Steering column arrangements for airplanes.
362, 460	10/23/40	H. Berg et al	Threads of high bending strength.
362, 162	10/23/40	H. Herrmann	Dry rectifiers.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
362, 463	10/23/40	E. Greifendorf	Vacuum vessels.
362, 464	10/23/40	H. Berger et al	Electric wave amplifiers.
362, 466	10/23/40	H. Cordes	Automotive crawler vehicle with a scraper bowl having a bulldozer blade.
362, 808	10/24/40	B. Mette	Steering device for motor vehicles with more than two axles, especially track chain vehicles.
362, 519½	10/24/40	W. Schmitt	Presses.
362, 540	10/24/40	G. Weissenberg	Process and apparatus to lower the reflection of optically active surfaces.
362, 559½	10/24/40	M. Hendel	Stand for cooking vessels.
362, 654	10/24/40	E. Gothe	Multi-spindle automatic lathe with spindles horizontally revolvable in the spindle box.
362, 655	10/24/40	A. Krussmann	Electrically operating regulating device.
362, 656	10/24/40	O. Krause et al	Method of producing high fire-proof material.
362, 683	10/24/40	A. Imhausen	Production of fat and oil adapted for human consumption.
362, 684	10/24/40	A. Imhausen	Preparation of fats and oils adapted for human consumption.
362, 685	10/24/40	K. Fischer	Separation of mineral oils, tars and fractions thereof.
362, 688	10/24/40	C. Schunck	Method for the production of a fire lighting means and fire lighting material made according to this method.
362, 699	10/24/40	G. Wunsch	Devices responsive to the rate of flow through a conduit.
362, 830	10/25/40	A. Becker	Collecting folder for filing diaphragm discs.
362, 833	10/25/40	F. Hanff	Press for manufacturing tubes, rods or the like.
362, 862	10/25/40	R. Lang et al	Diesel engines with charging device.
362, 883	10/25/40	E. Wittkop	Centrifugal couplings.
362, 889	10/26/40	H. Gibas	Radio receiver.
363, 041	10/26/40	J. Lohse	Method and apparatus for directly producing metals from ores.
363, 046	10/26/40	M. De Ruyter et al	Binders for use in the production of threads from glass fibers.
363, 141	10/28/40	R. Reuss	Photographic cameras.
363, 155	10/28/40	B. Juettner	Process for directly obtaining benzene hydrocarbons from coal.
363, 192	10/28/40	M. Lorenzen	Aircraft propulsion.
363, 202	10/28/40	O. Junker et al	Electric furnace.
363, 377	10/29/40	L. Stark	Device for sharpening razor blades.
363, 378	10/29/40	F. Thienes	Combined nut wrench and free-running ratchet.
363, 441	10/30/40	P. Regul	Boring machine.
363, 474	10/30/40	G. Wunsch et al	Thermoelectric control and safety shutoff device.
363, 506	10/30/40	R. Beck	Process for increasing the efficiency of storage batteries.
363, 552	10/30/40	A. Pott	Printing calculating machines, adding machines, cash registers or the like.
363, 564	10/30/40	U. Raydt et al	Method of plating tubes.
363, 566	10/30/40	R. Anschutz	Totalizers.
363, 569	10/30/40	E. Kalb	Method of increasing the viscosity of polymers.
363, 585	10/30/40	F. Schuster	Collecting devices.
363, 666	10/31/40	H. Von Baeyer et al	Wave coil having a smoothed characteristic impedance.
363, 851	11/ 1/40	L. Pascher	Typewriting machines.
363, 862	11/ 1/40	E. Dolle et al	Arrangement for the automatic tuning of a transmitter antenna.
363, 920	11/ 1/40	R. Arnold et al	Multistage longitudinal covering machine.
364, 006	11/ 2/40	R. Beehmann	Method eliminating multiple waves of piezo-electric crystals.
364, 022	11/ 2/40	W. Schonfeld	Regulator resistance.
364, 047	11/ 2/40	K. Richter	Current regulating resistance.
364, 170	11/ 4/40	G. Hansen	Optical system for spectral apparatus with fixed deviation.
364, 271	11/ 4/40	K. Hoyer	Regulator systems for generators.
364, 272	11/ 4/40	A. Callsen et al	Starter device for interna combustion engines.
364, 294	11/ 4/40	C. Zerbe	Treatment of acid sludge.
364, 319	11/ 4/40	V. Retterath	Rail fastening.
364, 644	11/ 7/40	W. Friedrichs et al	Device for producing tubular bodies.
364, 668	11/ 7/40	A. Pischinger et al	Injection type internal combustion engine having a whirl chamber in its cylinder head.
364, 730	11/ 7/40	E. Binder	Electrically operated control device.
365, 264	11/12/40	W. Hentrich et al	Process for producing shaped washing agents.
365, 336	11/12/40	O. Kuhne	Method of making and applying a filtering material.
365, 430	11/13/40	A. Kronenberger	Rudder machines for automatic pilots.
365, 492	11/13/40	F. Heil	Automatic brake adjusting mechanism.
365, 530	11/13/40	R. Schwarz et al	Electrically driven gyroscope.
365, 560	11/13/40	H. Frundt et al	Fault indicator device for amplifier tubes.
365, 645	11/14/40	H. Bergk	Polymeric products and method for producing the same.
365, 646	11/14/40	P. Orlich, et al	Echo sounding device.
365, 647	11/14/40	P. Orlich, et al	Echo sounding device.
365, 712	11/14/40	W. Besener	Sinking-bow.
365, 724	11/14/40	G. Seidl	Pneumatic device for raising and conveying semi-solids.
365, 744	11/15/40	F. Hennig	Telegraphy transmitter.
365, 848	11/15/40	A. Bergmann	Apparatus for the manufacture of artificial sausage skins.
365, 892	11/16/40	U. Meininghaus	Bladed disc for radial flow rotary machines.
365, 903	11/16/40	B. Gehmlich	Photographic shutters.
366, 235	11/19/40	F. Bergtold	Shielded coil with temperature compensation.
366, 245	11/19/40	W. Lehfeldt	Control capacity circuits.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
366, 364	11/20/40	G. Wunsch, et al	Rudder machine for automatic pilots.
366, 470	11/20/40	G. Kammerling	Method and device for manufacturing diaphragms.
366, 538	11/22/40	F. Punga	Locomotive for high-voltage direct current.
366, 764	11/22/40	H. Banning	Hollander.
366, 815	11/23/40	G. Hansen	Camera for spectral apparatus.
366, 840	11/23/40	R. Obtresal	Hydraulic drives.
366, 845	11/23/40	O. Specht	Pendulously mounted counterweights as vibration eliminators.
366, 846	11/23/40	O. Specht	Crankshaft for internal combustion engines.
366, 911	11/23/40	G. Zeininger	Electromagnetic signal horn.
366, 912	11/23/40	G. Zeininger	Electromagnetic signal hooter.
366, 919	11/23/40	T. Willers	Inductance device.
366, 932	11/23/40	R. Heil	Method of transmitting characters by means of revolving drums.
366, 933	11/23/40	R. Heil	Recording spindle.
367, 009	11/25/40	E. Bernhardt	Microscope objective.
367, 010	11/25/40	E. Berger et al	Optical glass.
367, 059	11/25/40	E. Opfermann	Refined cellulose and method for obtaining the same.
367, 134	11/25/40	W. Kniehahn et al	Device for automatically inserting and adjusting sheets of paper, etc.
367, 140	11/25/40	G. Hansen et al	Measuring prism for refractometer.
367, 194	11/26/40	K. Kohl	Image enlarging cathode ray tube.
367, 195	11/26/40	K. Kohl	Ultra high frequency cables.
367, 214	11/26/40	H. Benecke	Sound absorbing or attenuant arrangement for reverberant rooms.
367, 225	11/26/40	G. Weissenberg	Process for the production of protective layers on optically active surfaces.
367, 281	11/26/40	K. Scheffler	Measuring air-fuel ratio.
367, 286	11/26/40	O. Landgraf	Process and apparatus for comminuting liquid substances.
367, 288	11/26/40	W. Dorn et al	Device for metallising.
367, 292	11/26/40	H. Berg et al	Method of working up high molecular polyvinyl chloride.
367, 299	11/26/40	F. Grandel	Process of producing bios- and albumen-preparations.
367, 300	11/26/40	F. Grandel	Process for the preparation of anhydrous compounds of the pentitales.
367, 301	11/26/40	F. Grandel	Process of preparing pentone acids and their salts.
367, 306	11/22/40	K. Schutz	Applying chemicals to plants.
367, 328	11/27/40	R. Wussow et al	Ice plant operating with compression and evaporation.
367, 329	11/27/40	A. Kronenberger	Automatic steering device for aircraft.
367, 391	11/27/40	H. Herrmann	Manufacturing selenium cells.
367, 415	11/27/40	H. Hitz	Subscriber's station for carrier frequency communication systems.
367, 423	11/27/40	K. Kohl	Ultra short wave tube.
367, 424	11/27/40	K. Kohl	Transmitting arrangement for aeroplane navigation.
367, 448	11/27/40	A. Schutte	Rotor in elastic fluid turbines.
367, 501	11/28/40	F. Walter	Projector device.
367, 506	11/28/40	A. Schutte	Device for making screw threads.
367, 554	11/28/40	L. Walter	High frequency translating device.
367, 846	11/29/40	O. Worm	Method of producing welts.
367, 849	11/29/40	W. Heinitz	Devices for drawing off welts.
367, 878	11/30/40	W. Wemhoner	Machine tools and the like.
367, 935	11/30/40	F. Tische et al	Means to suppress radio frequency waves upon the inside of tubular conductors.
367, 936	11/30/40	H. Von Baeyer et al	Transmission line.
368, 023	11/30/40	J. Selb	Joint.
368, 050	11/30/40	P. Vollrath	Apparatus for mixing, sifting and kneading.
368, 083	11/30/40	E. Bezner	Double walled bathing cap.
368, 271	12/ 2/40	F. Krause	Electrostatic electron lens.
368, 274	12/ 2/40	K. Maybach	Power plants in motor vehicles including an internal combustion engine with hydraulic gear.
368, 290	12/ 3/40	B. Barenyi	Shock absorption for motor cars with wheels suspended to track altering swinging half-axle.
368, 291	12/ 3/40	B. Barenyi	Shock absorption for axles of motor cars.
368, 292	12/ 3/40	B. Barenyi	Disengageable connection.
368, 293	12/ 3/40	W. Von Mallinckrodt	Internal combustion engines.
368, 312	12/ 3/40	E. Hempel	Method and means for producing articles from a thermoplastic material.
368, 316	12/ 3/40	W. Voit	Liquid injection pumps.
368, 502	12/ 4/40	E. Nachtigall	Process for producing an aluminum-coated metal article in which magnesium forms the base metal.
368, 540	12/ 4/40	K. Maybach	Transmissions for motor vehicles.
368, 558	12/ 5/40	H. Hertel et al	Double windows.
368, 592	12/ 5/40	W. Engelmann	Lock-nuts.
368, 596	12/ 5/40	R. Richter	Production of stockings from reinforced warp fabric.
368, 611	12/ 5/40	K. Sandig	Process for the production of oily to resinlike condensation products.
368, 616	12/ 5/40	P. Rohr et al	Assembly arrangements for power transmission in aircraft.
368, 679	12/ 5/40	F. Nallinger	Drive of loading blowers, particularly loading blowers for aircraft motors.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
368,684	12/ 5/40	B. Barenyi et al	Chassis for motor vehicles subdivided into a plurality of longitudinal sections.
368,707	12/ 5/40	J. Gottschlich	Electric bells.
368,740	12/ 6/40	F. Husarek	Moulds.
368,804	12/ 6/40	H. Brenner	Mount for long wave quartz crystals.
368,848	12/ 6/40	K. Wilfert et al	Springing, specially of motor cars.
368,849	12/ 6/40	K. Wilfert et al	Springing of motor cars with swinging half axles.
368,866	12/ 6/40	W. Jirsak et al	Track chain vehicles.
368,867	12/ 6/40	K. Fischowsky	Method of securing unsupported air-core coils for radio frequency oscillation circuits.
368,872	12/ 6/40	A. Schroder et al	Guide roller support.
368,952	12/ 6/40	H. Cramer	Apparatus for delivering bars from a cooling bed to live roll conveyors.
368,953	12/ 6/40	J. Harms	Producing threads and the like from viscose.
368,966	12/ 7/40	H. Roos et al	Control means for rudders and the flaps thereon.
369,117	12/ 7/40	E. Haack	N-sulfonylureas and method of making same.
369,118	12/ 7/40	E. Haack	Making N-sulfonylureas.
369,201	12/ 9/40	W. Baumgartner	Roll film cameras.
369,228	12/ 9/40	K. Meyer et al	Light polarizing bodies and method of producing same.
369,332	12/ 9/40	A. Hoppe	Process for the removal of gases from mineral oil refining plants which operate with liquefied, at normal temperature gaseous solvents.
369,333	12/ 9/40	K. Dietrieb	Typewriting device.
369,334	12/ 9/40	O. Engler	Magnetic testing method.
369,352	12/ 9/40	H. Amlong et al	Method of treating rape-seeds.
369,376	12/10/40	W. Fritz	Process of and apparatus for making butter from cream.
369,441	12/10/40	W. Gartenmeister	Rotation symmetric reflector.
369,451	12/10/40	J. Specht	Method and material for makin colored photographic prints.
369,452	12/10/40	E. Scharpenberg et al	Grab for hoisting loads.
369,478	12/10/40	S. Hellmut	Sieve-bottoms for distilling, rectifying and washing columns.
369,597	12/11/40	G. Nemetz	Feeder for dividing and distributing fluids.
369,598	12/11/40	G. Nemetz	Pressure lubricating system.
369,614	12/11/40	G. Becker et al	Production of corrosion-proof surfaces on steel by chromium diffusion.
369,617	12/11/40	G. Becker et al	Method for the production of corrosion-proof and heat-proof chromium coatings.
369,686	12/11/40	M. Von Manteuffel	Fuel control devices for furnaces, more particularly for boiler furnaces.
369,721	12/12/40	F. Fiedler	Carburetors for internal combustion engines.
369,746	12/12/40	F. Sauerwald et al	Magnesium base alloys.
369,747	12/12/40	F. Sauerwald et al	Magnesium base alloys.
369,748	12/12/40	F. Sauerwald et al	Magnesium base alloys.
369,749	12/12/40	F. Sauerwald et al	Magnesium base alloys.
369,817	12/12/40	H. Boucke	Degenerative audio amplifier.
369,824	12/12/40	F. Sauerwald et al	Magnesium base alloys.
369,846	12/12/40	G. Michaelis	Electrical discharge device.
369,948	12/13/40	W. Gartenmeister	Rotation-symmetric reflector.
369,970	12/13/40	W. Peters	Guy wire insulators
369,982	12/13/40	W. Model	Apparatus for processing materials.
370,048	12/13/40	H. Hannemann et al	Carrier frequency amplifiers.
370,059	12/13/40	A. Friz	Method and apparatus for joining veneers.
370,060	12/13/40	A. Friz	Veneering press.
370,065	12/13/40	F. Wegerdt	Variable speed hydraulic power transmission device.
370,078	12/13/40	E. Kohring	Multi-spindle automatic lathe with feeding spindle-drum and bor-shaped, mutually staying upper works.
370,079	12/13/40	E. Kohring	Multi-spindle automatic lathe with feeding spindle drum.
370,141	12/14/40	J. Wohlmeyer	Percussive tools operated by an internal-combustion engine.
370,154	12/14/40	P. Riegger	Indicating means for taximeters.
370,897	12/19/40	C. Borgward	Rigid rear axle for motor vehicles.
371,089	12/21/40	H. Roosenstein	Shielded antenna feeder lead or line.
371,412	12/23/40	M. Dohrn et al	P-amino phenyl-p' amino pyridyl sulfone & a process of making the same.
371,463	12/23/40	C. Zerbe et al	Production of synthetic rubber.
371,464	12/23/40	C. Zerbe et al	Process of improving synthetic rubber, etc.
371,706	12/26/40	E. Altenburger et al	Straight-line breech lock for automatic firearms.
371,802	12/26/40	C. Heylandt et al	Sealing of rotary slide valves.
371,803	12/26/40	C. Heylandt et al	Cylindrical rotary slide valve.
371,843	12/26/40	W. Puttfarcken	Device for controlling power circuits.
371,844	12/26/40	F. Kesselring et al	Device for controlling power circuits.
371,891	12/27/40	F. Dietrich	Vehicle lamps.
371,928	12/27/40	G. Hansen	Optical system for spectral apparatus.
371,976	12/27/40	H. Bretthauer	Device for adjusting objectives of different focal lengths in cameras.
372,013	12/27/40	W. Wilsmann	Separator.
372,031	12/28/40	H. Nerwin	Rollfilm cameras.
372,606	12/31/40	E. Schliebold	X-ray tube and apparatus.
372,636	12/31/40	K. Kubne	Elastic connecting link.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
372,674	12/31/40	R. Haas	Apparatus for the longitudinal creping of webs of paper or other sheet material.
372,687	12/31/40	A. Ehringhaus	Length measuring device.
372,870	1/ 2/41	A. Eberhard	Counterweight arrangement on crank drives.
372,941	1/ 2/41	H. Wagner	Securing means.
373,004	1/ 3/41	C. Herrmann	Reproduction apparatus.
373,006	1/ 3/41	U. Meininghaus	Blade carrying rotors for axial flor rotary machines.
373,037	1/ 3/41	F. Drechsel	Treatment of textile material.
373,053	1/ 3/41	H. Honel	Resinous condensation products, etc.
373,058	1/ 3/41	E. Gente	Steam turbines.
373,095	1/ 4/41	H. Nerwin	Photographic cameras.
373,101	1/ 4/41	G. Nemetz	Pressure lubricating system.
373,136	1/ 4/41	G. Wiggermann	Warping machine.
373,137	1/ 4/41	G. Wiggermann	Warping machine.
373,181	1/ 4/41	W. Born	Gun barrel.
373,190	1/ 4/41	S. Grunert et al	Means for controlling the supply of air to the closed cabin of an aircraft.
373,239½	8/22/40	C. Schmitt	Lifting jack for motor vehicles.
373,295	1/ 6/41	H. Koppers	Pusher rams for coke ovens.
373,378	1/ 6/41	H. Westerkamp	Process of supplicnte sound bands.
373,534	1/ 8/41	K. Rothe et al	Devices for suppressing torsional oscillations.
373,588	1/ 8/41	R. Schonfeld et al	Production of candies.
373,622	1/ 8/41	H. Neumann et al	Means for influencing the conditions of flow, particularly for power plants in aircrafts.
373,640	1/ 8/41	H. Deckel et al	Process for taking photographs.
373,664	1/ 8/41	F. Lejeune	Method to manufacture coloured pictures, especially the yellow part-pictures in the colourphotography or colour-cinematography respectively.
373,679	1/ 8/41	A. Erbe	Shoe and boot pasting press with circulating press moulds.
373,692	1/ 8/41	W. Petrelli	Method and apparatus etc.
373,697	1/ 8/41	R. Schmidt	Method for the manufacture of high grade metal bars, rods or the like.
373,778	1/ 8/41	R. Schmidt	Twisting reinforcements for concrete.
373,780	1/ 9/41	P. Hildebrand et al	Setting device on mechanical and electric measuring instruments.
373,784	1/ 9/41	W. Rusch	Hollow ring-shaped seat-cushion.
373,797	1/ 9/41	F. Gareis	Process of preparing ceramic masses.
373,813	1/ 9/41	A. Leistenschneider	Lead pencil.
373,832	1/ 9/41	F. Kuhlwein	Process for obtaining coal particularly poor in ash content.
373,942	1/10/41	W. Wenzel	Art carrying out exothermic reactions.
373,996	1/10/41	R. Anschutz et al	Device applicable for bookkeeping-calculating and similar machines.
374,018	1/10/41	K. Groetschel	Clamping member for two-part iron mine stanchions.
374,070	1/11/41	R. Scharfnagel	Electron tubes.
374,084	1/11/41	C. Riess	Process of soaking all kinds of dried and salted hides and skins.
374,085	1/11/41	F. Giloy	Mouth washes.
374,216	1/13/41	K. Schroter et al	Wheeled underframes, especially for trailer of motor cars.
374,217	1/13/41	K. Schroter et al	Cars, especially trailers, with tiltable body.
374,298	1/13/41	W. Herrmann et al	Method of influencing the polymerization and the properties of the obtained products.
374,404	1/14/41	G. Stromeier	Arrangement for preventing the escape of oil from the axle boxes of railway vehicles.
374,460	1/15/41	H. Wolff	Cathode ray tube.
374,461	1/15/41	H. Wolff	Electrical light impulse generator.
374,464	1/15/41	J. Meisterhaus	Nut fixed by adhesive.
374,465	1/15/41	W. Elze	Arrangement for the cooling of the compressor space of air and gas compressors.
374,528	1/15/41	G. Von Manteuffel et al	Gyroscopes.
374,599	1/15/41	O. Conradty et al	Switching device.
374,600	1/15/41	E. Holleber et al	Carbon collector.
374,611	1/16/41	H. Appel	Low-pressure steam heatings for vehicles.
374,642	1/16/41	F. Nallinger	Drive of auxiliary apparatuses for aircraft motors.
374,645	1/16/41	H. Walther, Sr	Shoe forming and toe lasting machine.
374,650	1/16/41	E. Lopp et al	Ultra-short wave tubes socket.
374,652	1/16/41	K. Holsten	Goniometers.
374,655	1/16/41	H. Berger	Cathodes.
374,672	1/16/41	A. Friedrich	Driving arrangement, especially for air propellers rotating in opposite directions.
374,724	1/16/41	A. Walther	Electrical drive for wheel type presses or the like.
374,746	1/16/41	R. Gubik	Saw with a freely projecting saw blade.
374,819	1/17/41	W. Voigtmann	Electric condenser.
374,842	1/17/41	K. Wilfert et al	Vehicle suspension.
374,907	1/17/41	H. Wusteney	Devices for producing storing tapes for telegraph transmitters.
374,940	1/17/41	B. Nler	Lantern head for hurricane lamps.
375,036	1/18/41	A. Nagel	Film feed lock and shutter tensioning mechanism for cameras.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
375,071	1/18/41	R. Hintze	Refrigerator cabinets.
375,280	1/21/41	W. Kroenig et al	Process for the production of hydrocarbon oils.
375,429	1/22/41	A. Weber	Scale illumination.
375,488	1/22/41	E. Elod	Process for the carroting of animal hairs.
375,511	1/22/41	G. Hoffmann	Tiro valves.
375,537	1/22/41	L. Ubbelohde	Manufacture of artificial fibres, threads, bands, ribbons, horsehair, films and the like.
375,656	1/23/41	J. Behrens	Process for the partial oxidation of organic compounds.
375,665	1/23/41	F. Prossel et al	Process for the production of alkali metal percarbonate.
376,310	1/28/41	H. Muller	Apparatus for taking pictures of the images produced by the electron optic apparatus.
376,385	1/28/41	H. Mortl	Riveting apparatus.
376,394	1/28/41	A. Hetz	Apparatus for feeding rod-shaped articles onto dipping plates.
376,398	1/28/41	F. Wunderlich	Typewriting machine with covering hood adapted to be folded up.
376,869	1/30/41	H. Fulling	Telegraphic transmission of intelligence over submarine cables.
376,870	1/30/41	R. Braun	Tool with hardmetal cutting edge.
376,876	1/30/41	E. Bernhardt, et al	Microscope.
376,671	1/30/41	U. Knick	Arrangement for producing high undirectional voltages.
377,158	2/ 3/41	E. Zaleusky	Pocket flash lamp.
377,299	2/ 4/41	R. Scharfnagel	Electron tubes.
377,303	2/ 4/41	H. Szuba	Electric discharge tubes.
377,337	2/ 4/41	J. Seemann	An arrangement of rotary shutters for stereophotogrammetric plotting.
377,363	2/ 4/41	G. Meyer	Change speed gears.
377,371	2/ 4/41	F. Hetz	Non-skid device.
377,378	2/ 4/41	M. Johannes	Figures, dolls or other bodies, and method of producing same.
377,395	2/ 4/41	A. Graf	Gravity meter.
377,404	2/ 4/41	F. Lierg	Process to manufacture light-sensitive, photographical material.
377,407	2/ 4/41	G. Hagedorn, et al	Welding control system.
377,449	2/ 5/41	K. Tandetzke	Automobile roof.
377,578	2/ 5/41	K. Bielfeld	Non-metallic electric resistance material and process for producing same.
377,704	2/ 6/41	W .Weimar	Multi-stage compressors.
377,718	2/ 6/41	M. Von Ardenne	Diaphragms for electron optical apparatus.
377,719	2/ 6/41	O. Romer	Polarized relays.
377,720	2/ 6/41	O. Romer	Polarized single-foil relays.
377,799½	2/ 7/41	E. Starke	Radiator
377,862	2/ 7/41	F. Fiedler	Automotive centrifugal clutch.
377,986	2/ 8/41	A. Gaebel	Electron tubes.
378,045	2/ 8/41	A. Lentz	Driver's seat especially for tractors and agricultural machines.
378,076	2/ 8/41	G. Hagedorn	Device for electric resistance welding.
378,140	2/10/41	R. Hessen	Process for the production of moulding mixtures.
378,305	2/10/41	H. Martin	Supports.
378,465	2/11/41	G. Hagedorn	Device for electric resistance welding.
378,642	2/12/41	W. Kehse	Electric current regulator with pressure loaded carbon-pile column.
378,621	2/12/41	W. Nielboek	Pumps.
378,642	2/12/41	H. Holzmann	Spinning nozzle for the preduction of artificial hollow threads.
378,658	2/12/41	G. Meyer	Devices for operating change speed gears in motor vehicles.
378,663	2/12/41	C. Peters	Telephone receivers.
378,719½	2/13/41	G. Kittler	Apparatus for the mechanical loading of beetroots on the field into the dray.
378,721	2/13/41	O. Boehmann	Spinning frame for the production of artificial silk in continuous operation.
378,807	2/13/41	P. Gelling	Soles for shoes and sandles.
378,894	2/14/41	M. Pohls	Microphones.
378,984	2/14/41	A. Von Soden-Fraunhofen, et al	Change speed gears with pairs of constantly meshing gear wheels.
379,065	2/15/41	E. Steffens	Broadcast receiver apparatus for automatic push button tuning.
379,081	2/15/41	R. Gorisch	Methods of producing sound records on films.
379,094	2/15/41	A. Leifer	Circuit arrangement with vibrating converter and following rectifier.
379,134	2/15/41	E. Kohring	Feeding clamping device for multi-spindle automatic lathes for the treatment of rod-shaped material.
379,542	2/18/41	S. Furst	Method and device for tieing thread ends in winding frames or other textile machines.
379,550	2/18/41	F. Graudel	Process for extracting durable concentrates of fat-soluble vitamines free from fatty acid.
379,610	2/19/41	U. Meininghaus	Balaneing the thrust of bladed discs in radial flow rotary machines.
379,644	2/19/41	W. Hentrich, et al	Process for producing condensation products.
379,692	2/19/41	C. Becker	Controlling Kerr-Cells.
379,872	2/20/41	K. Ebner	Process for the decomposition of metal salts to form oxides.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
380,368	2/24/41	W. Dallenbach, et al	Device for super-position of two ultra-high frequency electromagnetical-oscillations.
380,596	2/26/41	R. Hintze	Refrigerating apparatus of the compression type.
380,869	2/27/41	A. Nowak	RF variometer comprising shiftable dust-core.
380,901	2/28/41	W. Burstyn	Getter pellet box.
381,015	2/28/41	P. Baur	Apparatus for cutting paper sheets.
381,048	2/28/41	W. Germer	Boiler efficiency meter.
381,094	2/28/41	F. Neugebauer	Method of operating free-piston internal combustion engines.
381,146	2/28/41	H. Kattwinkel	Devices for controlling the brake action in railway cars and the like.
381,164	2/28/41	W. Zenz	Hydraulic shock absorber.
381,303	3/ 1/41	F. Lohmann	Methods of manufacturing electron tubes.
381,312	3/ 1/41	S. Wulff	Independent wheel suspension.
381,313	3/ 1/41	S. Wulff	Wheel suspension for vehicles.
381,314	3/ 1/41	S. Wulff	Independent wheel suspension capable of yielding about a substantially vertical axis.
381,333	3/ 1/41	R. VonOttenthal	Keying devices for phase reversal.
381,367	3/ 1/41	A. Schutte	Rotor for turbines.
381,559	3/ 3/41	R. Groger	Tempering furnace for small parts.
381,604	3/ 3/41	F. Lauck	Gyro control apparatus.
381,656	3/ 4/41	F. Neugebauer	Free-piston engine with oppositely moving masses.
381,739	3/ 4/41	F. Tolke	Resilient tubular bodies.
381,815	3/ 5/41	K. Werner	High pressure closing devices.
381,904	3/ 5/41	F. Grandel, et al	Apparatus for separating maize husks from maize seeds.
381,944	3/ 6/41	W. Reiners, et al	Cross winding frame.
381,952	3/ 6/41	G. Wiggermann	Warping machine.
382,051	3/ 6/41	K. Zwick	Tool grinding machine.
382,084	3/ 6/41	K. Menges	Devices for directed transmission or reception of wave energy.
382,246	3/ 7/41	G. Hagedorn	Control system.
382,255	3/ 7/41	O. Bornemann	Transparent clear sight foil sheet materials.
382,311	3/ 8/41	B. Wempe	Process and apparatus for making spinning nozzles.
382,342	3/ 8/41	W. Wehr	Polyamide articles
382,394	3/ 8/41	M. Pier, et al	Lubricants.
382,433	3/ 8/41	K. Scherer	Reed block for accordions.
382,443	3/ 8/41	K. Von Hagen	Devices for dredging gravel and the like.
382,445	3/ 8/41	E. Baumheier	Submarine paint.
382,632	3/10/41	J. Linke, et al	Embrasure shutter for covering embrasure openings in the hood of combat places in airplanes.
382,639	3/10/41	A. Hagemann	Process for the preparation of high grade anti-knock motor fuels.
382,644	3/10/41	R. Lipp	Device for guiding the tool in copying machines, engaving machines, etc.
382,660	3/10/41	F. Heinrich, et al	Process for the production of shaped products and coatings which are resistant to the influence of motor fuels, oils and solvents.
382,663	3/10/41	H. Berg, et al	Process for producing catalepts.
382,664	3/10/41	L. Beer, et al	Cooling and heating liquids.
382,665	3/10/41	W. Gruber, et al	Softening agents for high polymeric substances.
382,856	3/12/41	H. Wusteney, et al	Telegraphic receiving perforators.
382,857	3/12/41	H. Sickinger	Watch case.
382,947	3/12/41	H. Bergk	Artificial materials and the methods of producing the same.
383,003	3/12/41	A. Hilpert	Metallic corrosion protection.
383,029	3/12/41	A. Calsen	Starting device for internal combustion engines.
383,037	3/12/41	O. Moldenhauer, et al	Polycondensation or polymerization products, etc.
383,038	3/12/41	O. Moldenhauer, et al	Polymerization of polycondensation product and the method for producing the same.
383,040	3/12/41	O. Moldenhauer, et al	Polymerization or polycondensation prodnets and method for producing the same.
383,057	3/12/41	F. Hendgen	Polymerization of bitumen.
383,059	3/12/41	G. Fries	Copying sound events taken in amplitude records.
383,062	3/12/41	P. Jodeck, et al	Gastight housing for filters.
383,084	3/13/41	W. Reiners, et al	Winding frame.
383,161	3/13/41	H. Zodtner	Tubes.
383,162	3/13/41	H. Hannemann	Carrier frequency receivers.
383,215	3/13/41	E. Klindwort	Ship form.
383,225	3/13/41	K. Thinius	Polyamides.
383,242	3/13/41	K. Blass, et al	Process for separation unsaponifiable compounds from oxidation products of higher molecular hydro carbons.
383,243	3/13/41	W. Burkhardt	Method of eliminating impurities contained in iron and steel, and vacuum oven heated by glow discharge, more particularly annealing and melting oven adapted to carry into effect said method.
383,286	3/14/41	W. Reiners, et al	Yarn guide.
383,338	3/14/41	R. Wendlandt, et al	Method and device for partial or complete azotizing of calcium carbide and carbide mixtures.
383,370	3/14/41	K. Rudolph	Hollow glass bodies and method of manufacturing the same.
383,475	3/15/41	R. Koch	Aircraft wind.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
383,509	3/15/41	T. Willers	High frequency coil with mass core.
383,510	3/15/41	A. Pischinger, et al	Fuel injection type internal combustion engine having a whirl chamber.
383,526	3/15/41	A. Weis	Means adapted to vary the coupling of inductances especially for RF apparatus.
383,535	3/15/41	H. Kuppenbender	Photographic cameras.
383,890	3/17/41	K. Kiel	Adding machine.
384,016	3/18/41	R. Lang, et al	Reversing gears for motor vehicles.
384,096	3/19/41	F. Lehmann	Mounting for Piezo electric crystals.
384,197	3/19/41	O. Schilling	Tools for cutting.
384,199	3/19/41	K. Schade	Art of reproduction.
384,330	3/20/41	H. Bahring	Relaxation oscillator.
384,337	3/20/41	H. Behring, et al	Synchronized saw tooth current generator.
384,730	3/22/41	O. Bornemann	Floating swivel rings for nonskid chains.
384,737	3/22/41	A. Meutsch	Percussion drill for drilling hard rock.
384,740	3/22/41	G. Free, et al	Process for the production of hydrocarbons from carbonaceous materials, especially by cracking hydrocarbon oils.
384,741	3/22/41	M. Pier, et al	Production of catalysts.
384,803	3/24/41	G. Lietz	Greasing agent.
384,829	3/24/41	A. Ueberschuss	Carbon microphones.
384,868	3/24/41	F. Dietrich	Reflectors for headlights consisting of an ellipsoidal vertex part and a paraboloidal border part.
384,869	3/24/41	F. Dietrich	Process of manufacturing reflectors, particularly for headlights for vehicles.
384,913	3/24/41	W. Hyprath	Extrusion devices for the manufacture of cable sheaths.
385,008	3/24/41	H. Honel, et al	Resinous condensation products, etc.
385,034	3/24/41	M. Von Ardenne	Arrangement for producing filters.
385,115	3/25/41	U. Meininghaus	Elastic support of discs for radial flow rotary machines.
385,164	3/25/41	R. Hilf, et al	Method of producing on a frame a knitted fabric highly elastic in both the longitudinal and the transverse directions and to a device for performing the method.
385,174	3/25/41	W. Barsties	Measuring the level at the boundary between two adjacent media.
385,177	3/25/41	A. Musall	Device for dowelling transverse joints of concrete road pavements.
385,193	3/25/41	E. Loll	Method and device for regulating the operation of gas generators.
385,298	3/26/41	W. Hentrich, et al	Process for preparing capillary active substances.
385,299	3/26/41	W. Hentrich, et al	Process for preparing capillary active substances.
385,333	3/26/41	A. Schutte	Blade fastening for gas turbines.
385,334	3/26/41	A. Schutte	Bladed gas turbine rotor made of ceramic materials.
386,266	4/ 1/41	M. Messner, et al	Cathode ray tubes.
386,274	4/ 1/41	F. Brinkmann, et al	Goniometer coils.
386,653	4/ 3/41	H. Boucke	Audio band width control.
386,686	4 /3/41	H. Kreidel	Tube couplings.
386,701	4/ 3/41	O. Hagedorn	Electric resistance spot welding tongs.
386,729	4/ 3/41	A. Aeldert	Beating engine.
387,288	4/ 7/41	H. Martin et al	Paper guide and feed for typewriters.
387,323	4/ 7/41	E. Uffelmann	Lining for rope and driving pulleys.
387,324	4/ 7/41	H. Junghans	Time safety device for direct action percussion.
387,342	4/ 7/41	H. Gumprecht	Arrangement for the high-frequent heating of band-shaped metal, especially for the production brasses.
387,351	4/ 7/41	K. Gotzinger	Sausage machine.
387,359	4/ 7/41	E. Klingler	Method for the production of ceramic goods.
387,452	4/ 8/41	J. Seidel et al	Production of synthetic tanning material.
387,502	4/ 8/41	A. Rambold	Filling and measuring method and apparatus.
387,645	4/ 9/41	E. Lopp	Electron tube.
387,671	4/ 9/41	W. Hagen	Radio receiving system.
387,673	4/ 9/41	G. Schmidt	Self-interrupters.
387,890	4/10/41	A. Friedrich et al	Arrangement of auxill ry devices for internal combustion engines.
388,078	4/11/41	A. Leifer et al	Chopper.
388,177	4/11/41	H. Weirauch	Machines for cutting beans and other elongated vegetables.
388,526	4/14/41	G. Krause	Apparatus for the separation of ice and concentrate.
388,379	4/15/41	J. Muller	Ultra short wave amplifier circuit.
388,680	4/15/41	G. Meier	Multiple-mechanical pencil.
388,710	4/15/41	M. Maurer	Arrangement for avoiding errors in measurement due to one-sided heating of the cases of optical instruments.
388,750	4/16/41	F. Dietrich	Pistons for combustion power engines.
388,867	4/16/41	H. Knoll	Closing device for organism culture vessels.
388,936	4/17/41	E. Gerhard	Directional antenna with suppressed lobes or ears.
388,980	4/17/41	A. Kronenberger et al	Automatic aircraft steering device.
389,038	4/17/41	F. Stoewener et al	Catalytic reactions with carbonaceous materials.
389,039	4/17/41	F. Stoewener et al	Catalytic reactions with carbonaceous materials.
389,130	4/18/41	R. Hintze et al	Refrigerators.
389,131	4/18/41	R. Hintze	Heat exchangers.
389,254	4/18/41	F. Wrieze, et al	Process for preparing alumina from aluminum sulfite.
389,293	4/19/41	G. Baumbach	Electron tubes.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
389,310	4/19/41	W. Herrmann	Electrolytic condensers.
389,323	4/19/41	F. Herringer	Rectifiers for voltage duplicating circuits.
389,362	4/19/41	F. Koppelmann, et al	Converters.
389,409	4/19/41	D. Vonborries	Electron microscope.
389,452	4/19/41	O. Kleinschmit, et al	Sheet feeding mechanism.
389,473	4/19/41	G. Wegener	Synchronizing arrangement.
389,471	4/19/41	F. Lieneweg	Electrometric measuring instrument.
389,714	4/22/41	W. Hagen	Carrier frequency telephone systems.
389,746	4 /22/41	F. VonVieltz	Method of profiicing baker's ware, etc.
389,790	4/22/41	M. Herek, et al	Photographic objective.
389,857	4/23/41	E. May	Sound film devices.
390,058	4/24/41	F. Deuring	Arrangement of the transverse-supports in automatic and semi-automatic lathes.
390,120	4/24/41	F. Huber, et al	Gas producer for vehicles and tractors.
390,182	4/24/41	E. Latscher-Latka	Motorcycle springing.
390,206	4/24/41	A. Zunzer	Device for milling air ducts in the lip of casting pots of type-setting machines.
390,214	4/25/41	H. Sauer	Finders for photographic purposes.
390,215	4/25/41	H. Sauer	Finders for photographic purposes.
390,216	4/25/41	H. Sauer	Polarizing filter and method of making the same.
390,239½	4/25/41	W. Werner	Welded crank case, especially for multi-cylinder piston engines, the cylinders being arranged in a row.
390,240½	4/25/41	W. Werner	Welded crank case.
390,374	4/25/41	R. Beck	Process for driving out occlusions of gases like hydrogen from the surface layers of work-pieces.
390,534	4/26/41	M. Pier, et al	Conversion of combustible carbonaceous materials.
390,677	4/28/41	G. Haase	Parallel vise to be used with machine tools, etc.
390,708	4/28/41	W. Rohn	Instrument for measuring and indicating the intensity of a gas current.
390,847	4/28/41	A. Ruther	Red pepper surrogate.
390,902	4/29/41	H. Muller et al	Fuel injection pump for internal combustion engines.
391,000	4/29/41	F. Eulenstein et al	Process and a device for producing iron or iron alloys.
391,001	4/29/41	O. Natter	Needle valve and seat therefor.
391,006	4/29/41	W. Dyckerhoff et al	Latently hydraulic binder.
391,007	4/29/41	W. Dyckerhoff et al	Producing alumina.
391,202	4/30/41	R. Anschutz	Booking machines, especially typewriting-calculating machines equipped with total-taking mechanism.
391,220	4/30/41	W. Pfeiffer	Method of manufacturing flattened condensers.
391,341	5/ 1/41	H. Von Bertele	Vapor Electric devices.
391,542	5/ 2/41	J. Mueller et al	Process of dyeing shaped articles made from synthetic linear condensation polyamides and polyurethanes.
391,781	5/ 3/41	K. Grauding	Tools.
391,802	5/ 3/41	J. Custers	Method of connecting parts made of thermoplastic artificial materials, preferably polymerizates.
391,888	5/ 5/41	K. Schulz et al	Vehicle body.
391,999	5/ 5/41	K. Fleischmann	Carbon collectors and commutators for electric machines and apparatus.
392,114	5/ 6/41	M. Pier et al	Catalytic cracking of hydrocarbons.
392,181	5/ 6/41	C. Schulz	Vehicle body.
392,246	5/ 7/41	A. Bach	Gyroscopes.
392,280	5/ 7/41	F. Gieffers	Devices for controlling power circuits.
392,524	5/ 8/41	A. Woitscheck	Method of coating wax bands, bearing a mechanical sound record, with graphite, and a device for carrying out this method.
392,529	5/ 8/41	M. Seng	Cool wet dressing with bandages.
392,532	5/ 8/41	G. Frederichs	Gear shaping machines.
392,534	5/ 8/41	A. Muller	Process of producing aqueous emulsions, especially suitable for treating textiles, paper and leather.
392,546	5/ 8/41	H. Rausch	Cage for cylindrical rollers.
392,546	5/ 8/41	H. Rausch	Cage for cylindrical rollers.
392,585	5/ 8/41	A. Kuhn	Method of stabilizing active substances of plants.
393,224	5/13/41	H. Paul	Measuring arrangement adapted to check or measure mismatching.
393,263	5/13/41	A. Allerding	Electron tube device for ultra short waves.
393,265	5/13/41	K. Gack	Supporting means for drawing boards.
393,311	5/14/41	S. Koch	High frequency tuned oscillatory circuit.
393,488	5/14/41	H. Westerkamp	Method of synchronizing the pictures and the sound of independently arranged picture and needle-sound-reproduction devices.
393,493	5/14/41	G. Fries	Speaking machines.
393,526	5/15/41	W. Moser	Automatic volume control device.
393,602	5/15/41	W. Flechsig	Television transmission tube.
393,642	5/15/41	F. Kreis	Pawl freewheel.
393,695	5/16/41	O. Zadnik	Commutators.
393,708	5/16/41	H. Feussner, et al	Short-wave aerial.
393,715	5/16/41	A. Lentz	Pusher mechanism for tractors.
393,720	5/16/41	F. Huber, et al	Internal combustion engine with scavenging pump.
393,796	5/16/41	A. Ruhrmann	Means to measure alternating potentials.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
393,860	5/17/41	S. Koch, et al	Tuned oscillatory circuit.
393,910½	5/17/41	B. Garre	Method for the production of compound cast bearing brasses by means of the plunging casting process.
394,217	5/19/41	W. Priesemann	Photographic cameras.
394,220	5/19/41	C. Schmid	Milling machines.
394,227	5/19/41	J. Drenker	Separating the cacao dee from the cacao bean.
394,308	5/20/41	A. Siemens, et al	Vapor electric devices.
394,309	5/20/41	A. Siemens, et al	Anode bushing for metal-vapor arc converters.
394,322	5/20/41	F. Gosslau, et al	Regulating internal combustion engines.
394,323	5/20/41	F. Gosslau, et al	Regulator valve for internal combustion engines.
394,324	5/20/41	F. Gosslau, et al	Device for regulating internal combustion engines.
394,370	5/20/41	E. Lickteig, et al	Producing thread.
394,417	5/21/41	E. Marhenkel	Production of galvanic dry cells.
394,453	5/21/41	E. Komenda	Laminated body.
394,539	5/23/41	K. Mueller	Complex chromium compounds of azo dyestuffs.
394,992	5/24/41	H. Boucke	Automatic audio band control.
394,993	5/24/41	H. Boucke	Automatic control of tuning and band-width.
395,014	5/24/41	E. Hack	Sound recording systems.
395,021	5/24/41	K. Bischoff	High tension apparatus.
395,118	5/24/41	W. Friedrichs	Bipartite tube with tube body wound of several layers and containing at least one layer of metal foil.
395,317	5/26/41	A. Woitscheck	Method of and device for producing sound band matrices.
395,318	5/26/41	A. Woitscheck	Method of and device for producing matrices from mechanically recorded sound bands.
395,364	5/27/41	E. Berger, et al	Method for producing optical glasses.
395,408	5/27/41	G. Hansen	Refractometer for turbid liquids and pulpous substances.
395,459	5/27/41	H. Klas	Manufacture of coated pipes.
395,495	5/27/41	W. Wehr	Footwear.
395,525	5/28/41	F. Schmidt	Elastic coupling.
395,581	5/28/41	H. Roder	Amplifier.
395,587	5/28/41	H. Boucke	Radio tuning device.
395,884	5/29/41	E. Stump	Casings for internal combustion engines.
395,928	5/31/41	E. Gerhard	Arrangement adapted to decouple the transmitter and receiver antennae in duplex apparatus.
396,114	5/31/41	A. Rambold	Method and apparatus for making a bag with self-holding folds.
396,354	6/ 2/41	C. Letters	Process of consolidating or water-proofing mortar.
396,355	6/ 2/41	C. Letters	Process of consolidating or water-proofing mortar.
396,379	6/ 3/41	W. Kleen	Amplifier circuit for ultra-short waves.
396,380	6/ 3/41	L. Leitz	Exposure meters.
396,484	6/ 4/41	H. Roosenstein	Antenna.
396,637	6/ 4/41	O. Mader	Air removing apparatus.
396,640	6/ 4/41	P. Breener	Method and device for casting plated ingots.
396,914	6/ 6/41	R. Wolf	Surgical instrument.
396,964	6/ 6/41	W. Hentrich et al	Capillary active agents.
396,994	6/ 7/41	H. Links	Injection pumps with locking against undesired turning of the piston sleeve.
397,008	6/ 7/41	B. Barenyi et al	A vehicle.
397,009	6/ 7/41	B. Barenyi et al	Resilient connection of a wheel suspension or an axle aggregate to the frame or the body of a vehicle.
397,184	6/ 9/41	F. Schmidt	Elastic mounting.
397,213	6/ 9/41	W. Geffcken	Light-source in connection with a filter.
397,525	6/11/41	P. Kniepen	Condenser lead-in for high electric potentials.
397,677	6/12/41	H. Zodtner	Condensers.
397,704	6/12/41	R. Herzog, et al	Radio cables.
397,730	6/12/41	R. Kremp	Automatic working up of photographic papers and files.
397,992	6/13/41	G. Stalmann	Device for the continuous cleavage of fats, oils.
398,008	6/14/41	F. Franke	Method of and means for making and applying corrugated wood.
398,085	6/14/41	W. Hepp	Audio amplifier response control.
398,105	6/14/41	W. Hentrich	Dissolving, softening, gelatinizing and swelling agents and plastical materials made therefrom.
398,106	6/14/41	W. Hentrich	Capillary active agents.
398,267	6/16/41	L. Seitz	Internal combustion engine.
398,268	6/16/41	L. Seitz	Air filter.
398,345	6/16/41	H. Koppers	Method of wet gas purification.
398,346	6/16/41	H. Koppers	Contrivance for the recovery of sulphur from gases containing hydrogen sulphide.
398,349	6/16/41	K. Scherer	Chromatic harmonica.
398,421	6/17/41	H. Steinbock	Binders for glass fiber threads.
398,422	6/17/41	H. Steinbock	Binders for glass fiber threads.
398,484	6/17/41	W. Unsenzer	Wall protecting structures.
398,524	6/18/41	E. Willwacher, et al	Electric condenser.
398,640	6/18/41	W. Hentrich, et al	Process for producing condensation products.
398,686	6/18/41	R. Lang, et al	Hydraulic torque converters.
398,769	6/19/41	W. Riedel	Motion picture cameras.
398,772	6/19/41	E. Schirm	Condensation products and process for making them.
398,831	6/19/41	B. Ruppe	Internal combustion engine.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
399,076	6/21/41	M. Haase	Method for projecting stereophotographs by means of two pencils of light-rays of different color.
399,247	6/23/41	W. Riedel	Motion picture camera.
399,283	6/23/41	H. Nerwin	Sunshades.
399,460	6/24/41	W. Bauersfeld	Anti-friction bearing.
399,555	6/24/41	C. Zerbe	Refining mineral oil.
399,913	6/26/41	R. Rose	Address printing plate.
400,015	6/27/41	K. Koschmieder	Direction finding systems.
400,471	6/30/41	R. Ernst	Self-locking nut.
400,571	6/30/41	F. Emich	Process for the production of products obtained from superpolymaides.
400,724	7/ 2/41	F. Flamig	Device for drawing goods from flat knitting machines sinking the loops.
400,816	7/ 2/41	R. Lang, et al	Operating mechanism for clutches.
400,817	7/ 2/41	K. Maybach	Transmissions and means for operating the same.
400,879	7/ 2/41	A. Rambold	Bag.
400,988	7/ 3/41	N. Philipsen	Regenerative coke ovens.
401,023	7/ 3/41	A. Morgenstern	Needle bed for use in knitting machines.
401,038	7/ 3/41	H. Kallmann, et al	Device for the production of visible or photographic images with employment of neutrons as depicting radiation.
401,039	7/ 3/41	H. Kallmann, et al	Method and device for depicting objects by means of neutrons or X-rays.
401,099	7/ 5/41	H. Koschmieder	Transmitters for testing radio receivers.
401,129	7/ 5/41	K. Holsten	Direction-finding systems.
401,131	7/ 5/41	H. Herrmann	Dry rectifier devices.
401,387	7/ 7/41	A. Gerstenberger	Aiming apparatus.
401,472	7/ 8/41	F. Huber	Drive mechanism for crawler tractors.
401,473	7/ 8/41	W. Kummerer	Arrangement to disconnect transmitter tubes in case of flash-overs or short-circuits.
401,531	7/ 8/41	E. Scheller	Process for the bleaching of cellulose material.
401,657	7/ 9/41	R. Vogel	Hardening colophony.
401,781	7/10/41	E. Ruska	Electronic lens.
401,785	7/10/41	P. Volk	Tracer control for tool machines.
401,786	7/10/41	M. Zuhlke	Arrangement and a method for protecting circuit breakers.
401,787	7/10/41	F. Koppelmann, et al	Commutator devices.
401,813	7/10/41	M. Von Ardenne	Electronic microscopes.
401,974	7/11/41	H. Schotte, et al	Weed-destroying preparations.
402,001	7/11/41	R. Kern	Apparatus and process for comminuting fibers.
402,024	7/11/41	H. Kattwinkel	Clutch, especially for motor cars with control change mechanism.
402,252	7/12/41	J. Lohse	Metallurgical processes.
402,253	7/12/41	J. Lohse	Treatment of raw materials.
402,276	7/14/41	J. Lohse	Method of directly producing pig iron and steel.
402,530	7/15/41	G. Barth	Means for measuring magnetic fields.
402,643	7/16/41	A. Wagner	Photographic focal plane shutters.
402,669	7/16/41	E. Nanz	Heat exchanger.
402,827	7/17/41	O. Irslinger	Reception of frequency modulated waves.
403,046	7/18/41	O. Von Keussler	Process of continuously purifying and separating a mixture of higher alcohols by distillation.
403,096	7/19/41	R. Bechmann, et al	Piezo-electric crystal mounting.
403,175	7/19/41	C. Kuhnel	Refrigerators.
403,243	7/19/41	R. Willi	Process of detoxicating castor pomace.
403,430	7/21/41	F. Heugebauer	Piston head.
403,866	7/24/41	H. Hoyer, et al	Preparation of phthalocyanines.
404,519	7/29/41	H. Schussler	Process for moth-proofing.
404,526	7/29/41	R. Kleeberger	Device for maintaining constant pressure in conduit or reservoirs filled with liquids or gases.
404,631	7/30/41	A. Patin	Electric controlling system.
404,695	7/30/41	L. Bolkow	Aircraft plane.
404,811	7/31/41	P. Gorlich	Method of producing secondary electron emitting cathodes.
404,984	8/ 1/41	W. Schneider	Electric condenser.
405,261	8/ 2/41	F. Lautenschlager	Syringe for medical purpose.
405,540	8/ 5/41	H. Benz, et al	Combined hydro-mechanical gear.
405,598	8/ 6/41	W. Strobel	Device for retaining a reserve supply of fuel in fuel tanks particularly of motor cars.
405,633	8/ 6/41	J. Buechart	Shaft journal.
405,671	8/ 6/41	O. Zadnik	Brush mounting.
405,832	8/ 7/41	K. Dziengel	Corrosion preventing product and process of manufacturing the same.
405,985	8/ 8/41	O. Steiner	Telegraph transmitter.
405,986	8/ 8/41	K. Winkelmann	Keyboard facsimile transmitter.
406,066	8/ 8/41	W. Von Miorini	Method and arrangement for the operation of copying apparatus, especially for office purposes.
406,374	8/11/41	E. Rudiger	Locking device for screwed pipe joints.
406,948	8/15/41	F. Menzel	Method of producing tools.
407,718	8/21/41	H. Dietrich	Stockings.
407,737	8/21/41	C. Markes	Toy driving wheel.
408,742	8/29/41	W. Ohnesorge, et al	Manufacture of cables without lead sheath.

SERIES OF 1935—Continued

Serial No.	Filing date	Inventor	Title
408,830	8/20/41	B. Von Borries, et al.	Electronic microscopes.
409,396	9/ 3/41	E. Kohring	Block for carrying the tool holders shiftable on the side faces of the block on one-spindle or multiple spindle turret lathes.
409,598	9/ 5/41	A. Schaaf	Loud speaker.
409,712	9/ 3/41	R. Garke	Electro-acoustic devices.
411,070	9/16/41	P. Jacob	Spreading ring sock washer.
411,083	9/15/41	A. Schelbe	Piston.
411,177	9/17/41	O. Mikelonian	Reserve supply system for motor vehicles.
411,178	9/17/41	E. Hoffmann	Electric welding machine for making tubing.
411,428	9/18/41	A. Frohlich	Adjustable mechanism for the manufacture of Ampoules.
411,751	9/21/41	E. Siedner	Piston coupling.
412,256	9/25/41	W. Gerstenkorn	Starter for free piston motor compressors.
412,573	9/29/41	K. Winkelmann	Dynamic multiplier.
412,575	9/29/41	E. Hiltner	Ink ribbon for typing-calculating machines and the like.
412,584	9/29/41	E. Baumann	Riveted joints.
412,885	9/29/41	F. Walter	Arrangement for fusing iron alloys.
412,892	9/29/41	H. Muller, et al	Humidifiers.
412,909	9/29/41	O. Soldan	Apparatus for the absorption, etc.
412,964	9/29/41	K. Bender	Method of preparation of oxyphenyl-amino-propane and its derivatives.
412,965	9/29/41	K. Bender	Pump structure.
412,966	9/29/41	K. Bender	Process for the production of articles made of iron and steel with a corrosion-resistant surface.
412,980	9/29/41	K. Colberg	Compression resistant chains.
413,016	9/ 3/41	H. Strubig, et al	Compression resistant group of flat link chains.
413,020	9/ 3/41	C. Hahn, et al	Sealing arrangement for centrifugal machines.
413,115	9/ 3/41	M. Abnert	Luminescent material.
413,172	9/ 3/41	E. Gente	Grinding machine.
413,187	9/ 3/41	H. Kuhlberg	Sewing machine.
413,551	9/ 3/41	F. Meurer	Electric regulating system.
413,560	10/ 3/41	H. Westerkamp	Endless sound band with a mechanically reproducible sound record and method of producing same.
413,658	10/ 4/41	E. Hitzelberger	Device for the protection of motor vehicles and the like, adapted to prevent damages of mud guards, headlights and other members of the carriage body of motor vehicles.
413,852	10/ 6/41	E. Maybach	Internal combustion engines.
414,002	10/ 7/41	K. Groetschel	Semi-tubular section with lateral flanges for use in mine roof supporting arches.
414,023	10/ 7/41	R. Edelmann	Infinitely variable gear-drive.
414,042	10/ 8/41	O. Winkelmann	Vehicles, particularly motor vehicles having oscillating half axles.
414,145	10/ 8/41	E. Willert	Method etc. A device of controlling change speed gears.
414,146	10/ 8/41	E. Willert, et al	Mounting or connection of a vehicle body with the chassis or an axle aggregate.
414,147	10/ 8/41	K. Willert, et al	Connection of a wheel suspension to the frame or body of a vehicle.
414,407	10/10/41	W. Schopmann	Mechanical synchronizing devices.
414,410	10/10/41	W. Schaefer	Cathode ray tubes.
414,411	10/10/41	M. Meurer	Carrier frequency systems.
414,415	10/10/41	W. Hagen	Reel holders.
414,743	10/13/41	W. Neuerburg	Synthesis of multi-link hydrocarbons from hydrogen and carbon monoxide.
414,920	10/14/41	W. Felsst, et al	Card index system.
414,965	10/14/41	O. Lampertz	Froth flotation.
414,979	10/14/41	A. Gotte	Manufacturing of concentrates of fat-soluble active substances, especially vitamines.
414,980	10/14/41	F. Grandel, et al	Production of aliphatic organic compounds.
414,982	10/14/41	B. Bottcher	Wheel suspension for vehicles.
415,007	10/15/41	M. Wagner	Weaver's shuttle.
415,025	10/15/41	H. Schmidt	Circuit breaker fluid pressure operated system.
415,288	10/16/41	H. Stegelitz, et al	Derivatives of 1-3-aminobutane and process for their production.
415,519	10/18/41	F. Kolz	Electric control circuits.
415,527	10/20/41	F. Holters	Water-soluble moth-proofing agents.
416,033	10/22/41	H. Schuster	Method of dyeing and finishing textiles.
416,422	10/24/41	E. Schuber, et al	Dyeing and washing agent.
416,423	10/24/41	E. Schuber, et al	Process for the preparation of detergent.
416,424	10/24/41	E. Schuber, et al	Chlorination of hydrocarbons.
416,912	10/28/41	K. Rath, et al	Recovery of hydrocarbons from chlorination waste gases of hydrocarbons.
416,913	10/28/41	K. Rath, et al	Belts for endless sound bands and method of producing such bands.
417,027	10/29/41	H. Westerkamp	Decomposition of sodium aluminate liquor.
417,204	10/30/41	H. Tiedemann	Permanent magnets.
417,210	10/ 0/11	W. Dunnoll, et al	Method and arrangement for determining undesired modulation in transmitters.
417,321	11/ 1/41	F. Werner	Zip fastener.
417,655	11/ 3/41	K. Ohl	Cathode ray tube.
417,710	11/ 3/41	W. Reichstein	Valves or slide-action engines or machines.
417,806	11/ 4/41	E. Hitzelberger, et al	Internal polymerization products.
417,808	11/ 4/41	H. Lipp	Cutting frame for dividing apparatus.
418,302	11/10/41	O. Stadw	Light sensitive systems and processes of making the same.
418,602	11/10/41	J. Dichter	Forming necks on glass containers.
418,603	11/10/41	J. Dichter	Apparatus for forming necks on glass tubing.
418,604	11/10/41	J. Dichter	Manufacture of Ampoules.
418,644	11/11/41	F. Nemschmar	Piston coupling.
418,695	11/12/41	F. Hengelmann, et al	Starter for free piston motor compressors.
418,784	11/12/41	R. Colberg	Dynamic multiplier.
418,782	11/12/41	U. Knick, et al	Riveted joints.
418,804	11/12/41	E. Abnert, et al	Humidifiers.
418,871	11/13/41	P. Aurich	Apparatus for the absorption, etc.
419,253	11/15/41	R. Pflock	Method of preparation of oxyphenyl-amino-propane and its derivatives.
419,570	11/18/41	O. Rinster	Pump structure.
419,811	11/19/41	F. Kolz	Process for the production of articles made of iron and steel with a corrosion-resistant surface.
420,409	11/25/41	C. Schmitt	Luminescent material.
421,960	12/ 6/41	G. Becker, et al	Phase connection for mechanical rectifiers.
422,216	12/ 9/41	H. Strubig, et al	Grinding machine.
422,220	12/ 9/41	C. Hahn, et al	Sewing machine.
422,615	12/12/41	M. Abnert	Electric regulating system.
422,672	12/12/41	E. Gente	Etched-screen and process for its production.
423,097	12/15/41	H. Kuhlberg	Endless sound band with a mechanically reproducible sound record and method of producing same.
424,071	12/22/41	F. Meurer	Device for the protection of motor vehicles and the like, adapted to prevent damages of mud guards, headlights and other members of the carriage body of motor vehicles.
425,025	1/ 8/42	O. Stalex	Internal combustion engines.
425,210	1/ 9/42	O. Zwick	Semi-tubular section with lateral flanges for use in mine roof supporting arches.
426,260	1/16/42	W. Herdrich	Infinitely variable gear-drive.
427,064	1/16/42	H. Engelhard, et al	Vehicles, particularly motor vehicles having oscillating half axles.
427,984	1/23/42	K. Kieckbusch	Method etc. A device of controlling change speed gears.
428,442	1/27/42	K. Willert, et al	Mounting or connection of a vehicle body with the chassis or an axle aggregate.
428,940	1/31/42	E. Willert, et al	Connection of a wheel suspension to the frame or body of a vehicle.
429,552	2/ 5/42	H. Hertz, et al	Mechanical synchronizing devices.
429,654	2/17/42	K. Kuhlstal, et al	Cathode ray tubes.
429,965	2/17/42	O. Hiester	Carrier frequency systems.
429,966	2/17/42	O. Hiester	Reel holders.
429,969	2/17/42	W. Schneider, et al	Synthesis of multi-link hydrocarbons from hydrogen and carbon monoxide.
430,280	2/17/42	F. Bielermann	Card index system.
430,345	2/18/42	H. Lewy	Froth flotation.
430,410	2/19/42	O. Leaser	Manufacturing of concentrates of fat-soluble active substances, especially vitamines.
430,411	3/10/42	O. Leaser	Production of aliphatic organic compounds.
430,525	3/10/42	O. Leaser	Wheel suspension for vehicles.
430,526	3/13/42	H. Rolfy, et al	Weaver's shuttle.
430,535	3/13/42	O. Jelt	Circuit breaker fluid pressure operated system.
430,546	3/13/42	H. Klein	Derivatives of 1-3-aminobutane and process for their production.
430,560	3/16/42	W. Schneider, et al	Electric control circuits.
430,578	4/11/42	H. Heup	Water-soluble moth-proofing agents.
430,580	4/18/42	F. Schiek	Method of dyeing and finishing textiles.
430,980	4/29/42	W. Reppe, et al	Dyeing and washing agent.
430,982	4/29/42	M. Pier, et al	Process for the preparation of detergent.
431,151	4/30/42	L. Windschnaer	Chlorination of hydrocarbons.
431,353	5/26/42	J. Speckt	Recovery of hydrocarbons from chlorination waste gases of hydrocarbons.
431,354	5/25/42	J. Specht	Filter-screen.
431,791	6/ 4/42	K. Rath, et al	Belts for endless sound bands and the like.
431,792	6/ 4/42	H. Huttner	Method and device for manufacturing spring-nets for mattresses, seat-cushions and the like.
431,793	6/ 4/42	H. Huttner	Zip fastener.
D 93,733	7/17/40	M. Stein	

[F. R. Doc. 42-7713; Filed, August 8, 1942; 11:09 a. m.]

[Amendment of Vesting Order No. 17]

PART 502—VESTING ORDERS

HARVARD BREWING CO.

Section 502.17 *Vesting Order No. 17* of June 4, 1942[1] is hereby amended as follows and not otherwise:

1. By deleting the figure "125,000" appearing in paragraph (a) thereof, and by substituting therefor the figure "290,760"; and by inserting the word "and" at the end of paragraph (a) thereof.

2. By deleting paragraphs (b) and (c) thereof.

3. By redesignating paragraph (d) thereof as paragraph (b).

All other provisions of such Vesting Order Number 17 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed. (E.O. 9095 as amended; 7 F.R. 5205)

Executed at Washington, D. C. on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-7716; Filed, August 8, 1942; 11:08 a. m.]

[General Order No. 5]

PART 503—GENERAL ORDERS

REPORT OF PROPERTY OR INTEREST OF AN ENEMY COUNTRY OR NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.5 *General Order No. 5.* (a) All designated persons shall file a report of any property or interest in which there is reasonable cause to believe a designated enemy country or a designated national has an interest.

(b) Such reports shall be submitted in duplicate on Form APC–3, which is hereby adopted and made a part of this order,[2] shall be executed under oath and shall contain complete information in the manner provided in Form APC–3.

(c) For the purposes of this order the terms:

(1) "Designated persons" shall mean persons or officers acting under judicial supervision, or in any court or administrative action or proceeding, or in partition, libel, condemnation or other similar proceedings, including, but not by way of limitation, (i) executors, (ii) administrators, (iii) guardians, (iv) committees, (v) curators, (vi) trustees under wills, deeds or settlements, (vii) receivers, (viii) trustees in bankruptcy, (ix) assignees for the benefit of creditors, (x) United States marshals, (xi) sheriffs, (xii) commissioners, (xiii) persons acting under trust agreements, and (xiv) all other persons or officers acting in a similar capacity;

(2) "Designated enemy country" shall mean any foreign country against which the United States has declared the existence of a state of war (Germany, Italy, Japan, Bulgaria, Hungary and Rumania) and any other country with which the United States is at war in the future;

(3) "Designated national" shall mean any person in any place under the control of a designated enemy country or in any place with which, by reason of the existence of a state of war, the United States does not maintain postal communication.

(d) Upon the execution of such report it shall be forwarded on or before October 1, 1942, to the Office of Alien Property Custodian, Estates and Trusts Section, Washington, D. C.

(e) Subsequent to October 1, 1942, such report shall be filed on Form APC–3 by any designated person within thirty days from the date upon which such designated person qualifies. (E.O. 9095 as amended; 7 F.R. 5205)

Executed at Washington, D. C. August 3, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-7714; Filed, August 8, 1942; 11:08 a. m.]

[General Order No. 6]

PART 503—GENERAL ORDERS

SERVICE OF PROCESS UPON ANY PERSON WITHIN ANY DESIGNATED ENEMY COUNTRY OR ANY ENEMY-OCCUPIED TERRITORY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.6 *General Order No. 6.* (a) In any court or administrative action or proceeding within the United States in which service of process or notice is to be made upon any person in any designated enemy country or enemy-occupied territory, the receipt by the Alien Property Custodian of a copy of such process or notice sent by registered mail to the Alien Property Custodian at Washington, D. C., shall be service of such process or notice upon any such person, if, and not otherwise, the Alien Property Custodian within sixty days from the receipt thereof shall file with the court or administrative body issuing such process or notice, a written acceptance thereof.

(b) Such process or notice shall otherwise conform to the rules, orders or practice of the court or administrative body issuing such process or notice.

(c) This order shall not be construed to limit the authority of the Alien Property Custodian to take any measures in connection with representing any such person in any action or proceeding as in his judgment and discretion is or may be in the interest of the United States.

(d) For the purposes of this order the terms:

(1) "Person" shall mean any individual, partnership, association or corporation;

(2) "Designated enemy country" shall mean any foreign country against which the United States has declared the existence of a state of war (Germany, Italy, Japan, Bulgaria, Hungary and Rumania) and any other country with which the United States is at war in the future;

(3) "Enemy-occupied territory" shall mean any place under the control of any designated enemy country or any place with which, by reason of the existence of a state of war, the United States does not maintain postal communication. (E.O. 9095 as amended; 7 F.R. 5205)

Executed at Washington, D. C., August 3, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-7715; Filed, August 8, 1942; 11:08 a. m.]

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[1] 7 F.R. 4402.

[2] Filed with the original document. Copies may be obtained from the Office of the Alien Property Custodian, Washington, D. C.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4522]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SUCCESS PORTRAIT COMPANY, ETC., ET AL.

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, (1) representing directly or in any manner, that colored or tinted photographs or colored or tinted photographic enlargements or reductions are hand-painted or are paintings; and (2) using the terms "oil painting," "Portrait painting," "hand painted" or "hand painted portrait," or the word "painting," either alone or in conjunction with any other words or terms in any way to designate, describe or refer to colored or tinted pictures, photographs, photographic enlargements or reductions or other pictures produced from a photographic base or impression; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Conditions of manufacture and costs:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Sample, offer, or order conformance:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Usual as reduced, or to be in-*

creased: § 3.72 (g10) *Offering deceptive inducements to purchase—Limited offers or supply:* § 3.72 (m10) *Offering deceptive inducements to purchase—Sample, offer, or order conformance:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, (1) representing that pictures being sold in the regular course of business at the usual and customary prices therefor are being or will be sold only to a limited number of customers, or as an "introductory offer" or at an "advertising price" or at a "reduced price" or representing in any manner that a purchaser is receiving an advantage in price or other consideration not ordinarily available; (2) representing that any specified sum in excess of the actual cost of production is merely the "cost of production"; and (3) representing that the picture to be made and delivered will be a reproduction or duplication of the sample displayed to the customer unless in fact the picture thereafter delivered is of the same quality, design and workmanship as said sample; prohibited. (Sec. 5, 38 Stat. 719, as amended, by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942.]

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.72 (n10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business as professional person or association.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators," engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators;" and on the part of their respective representatives, etc., and among other things as in order set forth, (1) using the trade names "Art Studios", "Art Institute", "Art Company", "Art Association" or any other fictitious names of similar import unless the respondent so using such name or names actually owns, operates, conducts or controls an organization or establishment of the character indicated and comprehended by the trade name so used; (2) representing that respondents maintain art studios, art institutes or art academies in which art classes are held for the purpose of giving experience to young artists and that such students will paint by hand portraits and miniatures from photographs furnished to sales agents by customers; and (3) using the terms "field artist" or "instructing artist" or similar terms to designate, describe or refer to operators or salesmen delivering pictures or "sketches" of pictures or selling frames; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942]

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Reputation, success or standing:* § 3.96 (b) *Using misleading name—Vendor—Identity.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, misrepresenting, or authorizing, permitting or cooperating in the misrepresentation of, the financial responsibility, prestige or standing of the respondents or the character and extent of their business by falsely claiming to be a subsidiary or business affiliate of an operating, established house, or by deceptively using the business address of such established house as and for business allegedly operated by them, and from misrepresenting through the use of fictitious trade names and misleading street and post office addresses the place, character and extent of the business actually conducted by them; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Free goods:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Usual as reduced, or to be increased:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.72 (n) *Offering deceptive inducements to purchase— Special offers, savings and discounts.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, using a "draw", "draw contest" or so-called "lucky" blanks, numbers slips, coupons or certificates, or any other device, plan or scheme, or any prize contest or special introductory or advertising offer, so as to represent, indicate or imply that any customer will obtain a financial advantage thereby or be entitled to receive any picture free or to receive a substantial discount or reduction in the price of any picture or pictures; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Non-standard character:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Qualities or properties:* § 3.71 (c5) *Neglecting, unfairly or deceptively, to make material disclosure—Qualities or properties.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, concealing from or failing to disclose to customers at the time pictures are ordered that the finished picture when delivered will be so shaped and designed that it can only be used in a specially designed, odd-style frame which can be procured only from respondents; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942]

§ 3.24 (b) *Coercing and intimidating—Customers—To purchase or support product or service—By withholding customer's property or rights.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, failing or refusing, in cases where a picture ordered has been completed and paid for, to return to the customer the completed picture or the photograph or snapshot previously loaned by the customer for use in producing the picture; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942]

§ 3.69 (c) *Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary.* In connection with offer, etc., in commerce of tinted or colored photographic enlargements or miniatures of photographs and snapshots, and of frames therefor, and on the part of respondent corporation; 4 individuals, its officers and directors; 15 individuals or "operators", engaged under various trade names in association with said corporation in the sale and distribution of said products; and 30 individuals, "sales agents" and employees of said "operators"; and on the part of their respective representatives, etc., and among other things, as in order set forth, representing as the customary or regular prices or values for frames, prices and values which are in fact greatly in excess of the prices at which said frames are customarily offered for sale and sold in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Success Portrait Company, etc., et al., Docket 4522, August 3, 1942].

In the Matter of Success Portrait Company, a Corporation, Also Trading as Chattanooga Art Medallion Company, and as Art Trade Studios; James Morton McConnell, Individually, and as President and a Director of Success Portrait Company; Ozro Absolem Brammer, Individually, and as Vice President and a Director of Success Portrait Company; George Nathan McConnell, Individually and as Secretary and a Director of Success Portrait Company; Jesse Roy Hodge, Individually, and as Treasurer and a Director of Success Portrait Company; W. S. Edwards and Ida Lillian Wilson Edwards, Individually, and Trading as Colonial Art Institute, and as Superior Art Studios, and as Old English Art Company; Jack E. Bramley, Individually, and Trading as Streamline Art Company; C. A. Hicks, Individually, and Trading as H. B. Art Company; N. W. Frazier, Individually, and Trading as Federal Art Company; J. E. Woods, Individually, and Trading as Paramount Art Company; J. P. Kennington, Individually, and Trading as Kennington Art Studio; S. C. Porter, Individually, and Trading as Peerless Studio; R. H. Page, Individually, and Trading as Page Art Company; S. P. Rogers, Individually, and Trading as Rogers Art Company; H. F. Wilson and Jack Howard, Individually, and Trading as Wilson Art Association; T. F. Keegan, Individually, and Trading as World Art Company; R. L. Gaddis, Individually, and Trading as Artcraft Portrait Company; E. T. Greenwood, Individually, and Trading as Vogue Art Studio, and Neal Allen, Ruth Attix, Henry Acie Barrentine, Lee Beaver, Tom Bell, Earl Bigby, H. P. Bingham, R. S. Bishop, James W. Boulware, Ted Bramley, Catherine Broward, N. B. Broward, Lloyd Brown, H. V. Caton, L. Clark, O. D. Clayton, Robert Dodd, George F. Donehue, Joseph Durrance, Edith Edmonson, Jack Edwards, Willis G. Edwards, J. F. Evans, Thos. Gaddis, V. Gantt, Jimmy Greenwood, Juanita Holland, R. F. Jones, A. S. King, L. H. Marsden, Thelmar Marshall, J. H. McCoy, F. H. McGaughey, H. D. McGaughey, Elizabeth Melvin, O. R. Melvin, Carl Newton, Grayce Nix, J. W. Parker, Letha Revels Putney, Jack Ritchie, T. E. Savage, Mary Schutz, Lillian Shepard, G. C. Sours, R. C. Speece, Marshall Steadham, John G. Tierney, Stella Timmerman, C. J. Wallentelsz, Kay Harriet Whitten, O. A. Willocks, Chester Wofford

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of August, A. D., 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, Success Portrait Company, a corporation and trading as Chattanooga Art Medallion Company and as Art Trade Studios; James Morton McConnell, individually and as president and a director of corporate respondent; Ozro Absolem Brammer, individually and as vice-president and a director of corporate respondent; George Nathan McConnell, individually and as secretary and a director of corporate respondent; Jesse Roy Hodge, individually and as treasurer and a director of corporate respondent; W. S. Edwards and Ida Lillian Wilson Edwards, individually and trading as Old Master Portrait Company and formerly trading as Colonial Art Institute, as Superior Art Studios and as Old English Art Company; Jack E. Bramley and Grayce Nix, individually and trading as Streamline Art Company; N. W. Frazier, individually and trading as Federal Art Company; J. E. Woods, individually and trading as Paramount Art Company; J. P. Kennington, individually and trading as Kennington Art Studio; S. C. Porter, individually and trading as Peerless Studio; R. H. Page, individually and trading as Page Art Company; H. F. Wilson, individually and trading as Wilson Portrait Company and Wilson Art Association; Jack Howard, individually and trading as Wilson Portrait Company, Wilson Art Association and as Portrait Art Agency; T. F. Keegan, individually and trading as World Art Company; R. L. Gaddis, individually and trading as Artcraft Portrait Company, E. T. Greenwood, individually and trading as Vogue Art Studio; Ted Bramley, individually and trading as Rembrandt Portrait Company; S. P. Rogers, individually and trading as Rogers Art Company, and Neal Allen, Lee Beaver, Tom Bell, H. P. Bingham, R. S. Bishop, James W. Boulware, Catherine Broward, N. B. Broward, Joseph Durrance, Edith Edmonson, Jack Edwards, Willis G. Edwards, Juanita Holland, R. F. Jones, A. S. King, F. H. McGaughey, H. D. McGaughey, Elizabeth Melvin, O. R. Melvin, Carl Newton, Letha Revels Putney, Jack Ritchie, Mary Schutz, G. C. Sours, R. C. Speece, Marshall Steadham, C. J. Wallentelsz, and O. A. Willocks; upon a stipulation as to the facts entered into between the abovementioned respondents, with exception of S. P. Rogers, and Richard P. Whiteley, Assistant Chief Counsel for the Commission, providing that without further evidence or other intervening procedure, the Commission might issue and serve upon said respondents therein named findings as to the facts and conclusion based thereon, and an order disposing of the proceeding; and upon the substitute answer filed in this poceeding by respondent S. P. Rogers, in lieu of the answer theretofore submitted by him, admitting all of the material allegations of fact set forth in said complaint and waiving all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents Success Portrait Company, a corporation and trading as Chattanooga Art Medallion Company and as Art Trade Studios, or doing business under any other trade name or style; James Morton McConnell, individually and as president and a director of Success Portrait Company; Ozro Absolem Brammer, individually and as vice president and a director of Success Portrait Company; George Nathan McConnell, individually and as secretary and a director of Success Portrait Company, and Jesse Roy Hodge, individually and as treasurer and a director of Success Portrait Company; W. S. Edwards and Ida Lillian Wilson Edwards, individually and trading as Old Master Portrait Company and formerly as Colonial Art Institute and as Superior Art Studios and as Old English Art Company; Jack E. Bramley, individually and trading as Streamline Art Company; N. W. Frazier, individually and trading as Federal Art Company; J. E. Woods, individually and trading as Paramount Art Company; J. P. Kennington, individually and trading as Kennington Art Studio; S. C. Porter, individually and trading as Peerless Studio; R. H. Page, individually and trading as Page Art Company; H. F. Wilson, individually and trading as Wilson Portrait Company and Wilson Art Association; Jack Howard, individually and trading as Wilson Portrait Company, Wilson Art Association and as Portrait Art Agency; T. F. Keegan, individually and trading as World Art Company; R. L. Gaddis, individually and trading as Artcraft Portrait Company; E. T. Greenwood, individually and trading as Vogue Art Studios; Ted Bramley, individually and trading as Rembrandt Portrait Compan, and S. P. Rogers, individually and trading as Rogers Art Company, or trading under any other name or names, and Neal Allen, Lee Beaver, Tom Bell, H. P. Bingham, R. S. Bishop, James W.

Boulware, Catherine Broward, N. B. Broward, Joseph Durrance, Edith Edmonson, Jack Edwards, Willis G. Edwards, Juanita Holland, R. F. Jones, A. S. King, F. H. McGaughey, H. D. McGaughey, Elizabeth Melvin, O. R. Melvin, Grayce Nix, Carl Newton, Letha Revels Putney, Jack Ritchie, Mary Schutz, G. C. Sours, R. C. Speece, Marshall Steadham, C. J. Wallentelsz, and O. A. Willocks, their respective representatives, salesmen and employees, directly or through any corporate or other device in connection with the offering for sale and sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of tinted or colored photographic enlargements or miniatures of photographs and snapshots and of frames therefor, do forthwith cease and desist from:

1. Representing directly or in any manner, that colored or tinted photographs or colored or tinted photographic enlargements or reductions are hand-painted or are paintings;

2. Using the terms "oil painting," "Portrait painting," "hand painted" or "hand painted portrait," or the word "painting," either alone or in conjunction with any other words or terms in any way to designate, describe or refer to colored or tinted pictures, photographs, photographic enlargements or reductions or other pictures produced from a photographic base or impression;

3. Representing that pictures being sold in the regular course of business at the usual and customary prices therefor are being or will be sold only to a limited number of customers, or as an "introductory offer" or at an "advertising price" or at a "reduced price" or representing in any manner that a purchaser is receiving an advantage in price or other consideration not ordinarily available;

4. Representing that any specified sum in excess of the actual cost of production is merely the "cost of production";

5. Representing that the picture to be made and delivered will be a reproduction or duplication of the sample displayed to the customer unless in fact the picture thereafter delivered is of the same quality, design and workmanship as said sample;

6. Using the trade names "Art Studios," "Art Institute," "Art Company," "Art Association" or any other fictitious name of similar import unless the respondent so using such name or names actually owns, operates, conducts or controls an organization or establishment of the character indicated and comprehended by the trade name so used;

7. Misrepresenting, or authorizing, permitting or cooperating in the misrepresentation of, the financial responsibility, prestige or standing of the respondents or the character and extent of their business by falsely claiming to be a subsidiary or business affiliate of an operating, established house, or by deceptively using the business address of such established house as and for business allegedly operated by them, and from misrepresenting through the use of fictitious trade names and misleading street and post office addresses the place, character and extent of the business actually conducted by them;

8. Representing that respondents maintain art studios, art institutes or art academies in which art classes are held for the purpose of giving experience to young artists and that such students will paint by hand portraits and miniatures from photographs furnished to sales agents by customers;

9. Using a "draw," "draw contest" or so-called "lucky" blanks, numbers slips, coupons or certificates, or any other device, plan or scheme, or any prize contest or special introductory or advertising offer, so as to represent, indicate or imply that any customer will obtain a financial advantage thereby or be entitled to receive any picture free or to receive a substantial discount or reduction in the price of any picture or pictures;

10. Using the terms "field artist" or "instructing artist" or similar terms to designate, describe or refer to operators or salesmen delivering pictures or "sketches" of pictures or selling frames;

11 Concealing from or failing to disclose to customers at the time pictures are ordered that the finished picture when delivered will be so shaped and designed that it can only be used in a specially designed, odd-style frame which can be procured only from respondents;

12. Failing or refusing, in cases where a picture ordered has been completed and paid for, to return to the customer the completed picture or the photograph or snapshot previously loaned by the customer for use in producing the picture;

13. Representing as the customary or regular prices or values for frames, prices and values which are in fact greatly in excess of the prices at which said frames are customarily offered for sale and sold in the normal and usual course of business.

It is further ordered, That this proceeding, insofar as it relates to C. A. Hicks, individually and trading as H. B. Art Company, Ruth Attix, Henry Acie Barrentine, Earl Bigby, Lloyd Brown, H. V. Caton, L. Clark, O. D. Clayton, Robert Dodd, George F. Donehue, J. F. Evans, Thos. Gaddis, V. Gantt, Jimmy Greenwood, L. H. Marsden, Thelmar Marshall, J. H. McCoy, J. W. Parker, T. E. Savage, Lillian Shepard, John G. Tierney, Stella Timmerman, Kay Harriet Whitten and Chester Wofford, be, and the same hereby is, closed without prejudice, the Commission being unable to effect service of complaint upon said respondents.

It is further ordered, That all of said respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7759; Filed, August 10, 1942; 11:15 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1334]

PART 324—MINIMUM PRICE SCHEDULE DISTRICT NO. 4

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of District Board No. 4 for definition of vessel fuel in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck and marketing rules and regulations to include coals shipped to railroad and unloading piers and shipped to docks which are not such piers.

A petition having been filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by District Board 4, requesting that the presently effective vessel fuel coal prices for District 4 be made applicable to all shipments for vessel fuel use regardless of the manner of unloading such coal into the bunkers;

Petitions of intervention having been filed by District Boards 1, 2 and 6 and a Notice of Appearance having been filed by Bituminous Coal Consumers' Counsel;

A hearing in this matter having been held, pursuant to Order of the Acting Director and after due notice to all interested persons, before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The preparation and filing of a Report by the Examiner having been waived and the record therein having been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That the Statement (No. 39) of the Director dated August 25, 1941, entitled: "Statement of the Director Concerning Minimum Prices on Bunker Coal and Distributors' Discounts Thereon," be and the same hereby is approved and confirmed.

It is further ordered, That § 321.1, § 322.1, § 323.1, § 324.1, § 325.1, § 326.1 (*Price instructions and exceptions*—(b) *Price exceptions*), § 327.1 (*Low volatile and high volatile coals, price instructions and exceptions*—(b) *Price exceptions*), and § 328.1 (*Price instructions and exceptions*—(b) *Price exceptions*) in the respective Schedules of Effective Minimum Prices for Districts Nos. 1, 2, 3, 4, 6, 7 (high volatile), and 8 (high volatile) For All Shipments Except Truck be and the same hereby are revised and amended by the addition of a special price exception to read as follows:

Vessel Fuel Prices shown herein apply on shipments of coal to the Detroit and Cleveland Navigation Company at its 9th Street dock, Cleveland, Ohio, for vessel fuel use.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F R. Doc. 42-7771; Filed, August 10, 1942; 11:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 628—APPEAL TO THE PRESIDENT

[Amendment 69, 2d Ed.]

APPEALS ON GROUNDS OF DEPENDENCY ONLY

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 628.2[1] to read as follows:

§ 628.2 *Appeals on grounds of dependency only.* (a) The registrant or any person who claims to be a dependent of the registrant, at any time within 10 days after the mailing by the local board of the Notice of Classification (Form 57) or the Notice of Continuance of Classification (Form 58), may appeal from the classification of the registrant by the board of appeal provided (1) the appeal is made upon the grounds of dependency only; (2) the registrant was classified by the board of appeal in either Class I-A, Class I-A O, Class I-B, Class I-B-O, Class IV-E, or Class IV-E-LS; and (3) one or more members of the board of appeal dissented from such classification. The local board may permit any person who is entitled to appeal under this paragraph to do so, even though the 10-day period herein provided for appeal has elapsed, if it is satisfied that the failure of such person to appeal within the 10-day period was due to a lack of understanding of the right of appeal or to some cause beyond the control of such person. Unless the local board permits such an appeal, the right of such persons to appeal shall terminate at the end of the 10-day period herein provided.

(b) Whenever the government appeal agent is convinced that it is in the interest of the United States or necessary in order to avoid great and unusual hardship to the dependents of a registrant, he may file in the registrant's file a request that the State Director of Selective Service appeal to the President from the classification of the board of appeal. The registrant's file shall be forwarded to the State Director of Selective Service. If the State Director of Selective Service is convinced that an appeal to the President should be taken, he shall execute a certificate, in writing, as follows:

Upon the recommendation of the government appeal agent and being convinced that it is in the interest of the United States or necessary in order to avoid great and unusual hardship to the dependents of the registrant, I hereby appeal to the President from the classification of the board of appeal and recommend that the registrant be placed in Class III-A or Class III-B.

If the State Director of Selective Service determines not to take an appeal to the President, he shall return the file to the local board together with the statement that he does not intend to take an appeal. During the time that any registrant's file is being forwarded to or considered by the State Director of Selective Service, the registrant shall not be inducted.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

AUGUST 8, 1942.

[F. R. Doc. 42-7749; Filed, August 10, 1942; 10:47 a. m.]

[1] 6 F.R. 6846; 7 F.R. 4155.

Chapter VIII—Board of Economic Warfare

[Amendment No. XX]

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

CERTAIN COTTON PRODUCTS

§ 801.2 *Prohibited exportations*[1] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Dept. of Comm. No.	Gen. Lic. Group
Cotton pulp (include cottonseed hull shavings pulp, cotton pulpboard and bleached and purified linters)	3006	O
COTTON SEMIMANUFACTURES		
Comber waste	3010.5	O
Cotton batting, unglazed wadding, carded cotton and roving (include upholstery stuffing)	3009	C
Cotton card strips	3010.4	C
Cotton hard wastes of yarns and threads, including wiping	3010.3	C
Cotton rags, except paper stock	3008	C
Waste, soft, n. e. s.	3010.6	C
COTTON MANUFACTURES		
Cotton flannels, bleached or colored	3055.1	O
Drills, twills and warp sateens	3031.1 3033.1 3040 3041.1 3041.2 3045.1	O
Napped fabrics in the piece, n. e. s.	3055.9	O
Sheetings	3031.2 3033.2 3042.1 3042.2 3043 3046.1 3047.1	O
Tire cord or cones or wraps, cotton	3017	C
Tire fabrics, cotton, n. e. s.	3021	C
Woven belting for machinery, cotton (include duck woven 12" and narrower)	3140	C

This amendment shall become effective August 12, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951).

F. R. KERR, *Colonel, Infantry, Chief, Export Control Branch, Office of Exports.*

AUGUST 6, 1942.

[F. R. Doc. 42-7688; Filed, August 7, 1942; 3:53 p. m.]

[1] 7 F.R. 4952, 5089, 5115, 5343, 5591, 5638, 5745, 5746, 6067.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 971—ETHYL ALCOHOL AND RELATED COMPOUNDS

[General Preference Order M-30, as amended August 8, 1942]

Section 971.1 *General Preference Order M-30*[1] is hereby amended to read as follows:

§ 971.1 *General Preference Order M-30*—(a) *Definitions.* (1) "Ethyl alcohol" means ethyl alcohol of 160 proof or more, denatured or undenatured, and from whatever source derived, but shall not include ethyl alcohol produced for beverage purposes.

(2) "Related compounds" means acetic acid, ethyl ether and ethyl acetate from whatever source derived.

(3) "Producer" means any person engaged in the production of ethyl alcohol or related compounds, and includes any person who has ethyl alcohol or any related compounds produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases ethyl alcohol or any related compounds for purposes of resale.

(5) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1 and October 1.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on use and deliveries of ethyl alcohol.* Anything in Priorities Regulation No. 1 to the contrary notwithstanding, and except as hereafter may be otherwise directed by the Director General for Operations:

(1) No person shall, during any calendar quarter commencing January 1, 1942, accept delivery of ethyl alcohol for any purpose not specified in paragraphs (c) (2), (3) and (4) hereof in excess of 100% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(2) No person shall, during any calendar quarter commencing January 1, 1942, accept delivery of ethyl alcohol for a purpose set forth below in excess of that percentage, set opposite such purpose, of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941:

Purpose	*Percentage*
Hair and scalp preparations	75% during the calendar quarter commencing January 1, 1942.
Bay rum	70% during each calendar quarter thereafter.
Shampoos	
Face and hand lotions	
Body deodorants	
Toilet waters	
Perfume and perfume tinctures	
Toilet soaps (including shaving cream)	
Mouth washes	
Tooth cleaning preparations	
Perfume materials and fixatives	
Rubbing alcohol	
Witch hazel	
Deodorant sprays	
Candy glazes	
Shoe polish	

(3) No person shall, during any calendar quarter commencing July 1, 1942, accept delivery of ethyl alcohol for the manufacture of vinegar in excess of 110% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(4) Persons may, subject to Priorities Regulation No. 1, accept delivery of ethyl alcohol for the purposes set forth below without limitation:

Military explosives
Acetic acid (except vinegar for food use)
Ethyl acetate
Ethyl chloride
Other ethyl esters
Plastics and resins (manufacture of)
Acetaldehyde
Ethyl ether
Basic medicinal chemicals not in compounded form
Glycol and other ethers
Fulminate of mercury
Ethylene dibromide
Xanthates
Flotation reagents
Ethylene gas and ethylene oxide
Dyes and intermediates (manufacture of)
Nitrocellulose (dehydration)
Nitrocellulose (dissolving and as diluent)
Diethylamine (for the manufacture of synthetic rubber)
Hydrosulfites
Pectin
Shellac, natural resins and gums (dissolving)

(5) No producer shall, during any calendar quarter commencing January 1, 1942, use ethyl alcohol in excess of the quantity of ethyl alcohol, delivery of which he may accept pursuant to paragraphs (c) (1), (2) and (3) above.

(6) No producer or distributor shall deliver any ethyl alcohol to any person during any calendar quarter unless, prior to such delivery, the deliveree shall have submitted to the deliveror a certificate, properly filled out and manually signed by a duly authorized official, in substantially the following form:

The delivery, during this calendar quarter of ---- gallons of ethyl alcohol, which the undersigned requires for a purpose set forth, either specifically or otherwise, in paragraph (c) of General Preference Order No. M-30, as amended, and in connection with which this certificate is submitted, will not be, taking into consideration ethyl alcohol received and to be received during this calendar quarter from all sources, in excess of ---- percent of the quantity of ethyl alcohol which the undersigned used for the same purpose during the corresponding calendar quarter in the twelve months' period ended June 30, 1941, and will not be in excess of the quantity of ethyl alcohol to which the undersigned is entitled pursuant to said order, with the terms of which the undersigned is familiar.

Date ----------

---------- (Name of Deliveree)

By ----------

---------- (Duly Authorized Official)

(7) The restrictions and requirements hereinabove set forth with respect to the use and delivery of ethyl alcohol shall not apply to delivery to:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development.

(ii) The Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia.

(iii) The government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iv) Persons holding permits issued by the Bureau of Internal Revenue permitting them to acquire undenatured ethyl alcohol tax free.

(v) Fill orders bearing a preference rating of A-1-j or higher for such ethyl alcohol.

Quantities permitted hereunder shall be in addition to quantities permitted under paragraphs (c) (1), (2) and (3) hereof.

(d) *Small order exemption.* The restrictions and requirements set forth in paragraph (c) hereof shall not be applicable with respect to deliveries of quantities of ethyl alcohol of fifty-four gallons, or less, to any one person in any one month (less any quantities delivered to such person during such months from other sources).

(e) *Manufacture of anti-freeze.* The quantity of ethyl alcohol that may be used in the manufacture of anti-freeze shall be controlled by the provisions of General Limitation Order No. L-51, as amended from time to time.

(f) *Restrictions on production of ethyl alcohol.* Except as may be otherwise directed by the Director General for Operations, no producer shall, after January 15, 1942, produce ethyl alcohol from molasses (as defined in General Preference Order No. M-54, as amended) unless his equipment and facilities capable of producing ethyl alcohol from corn or grain are being utilized to the fullest extent possible in the production of ethyl alcohol from corn or grain.

(g) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Branch of the War Production Board.

(h) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms hereof.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of ethyl alcohol and related compounds conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference M-30, attention Chemicals Branch, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7703; Filed, August 8, 1942; 11:33 a. m.]

[1] 6 F.R. 4527, 6145, 7 F.R. 114, 469, 2504.

PART 982—MINES

[Amendment 3 to Preference Rating Order P-56, as Amended March 2, 1942]

Preference Rating Order P-56 (§ 982.1)[1] is hereby amended as follows:

1. Paragraphs (c), (d), (e), (f), and (g) are hereby revoked.

2. The following new paragraphs are hereby adopted:

(c) *Assignment of preference ratings.* Subject to the terms of this order the following preference ratings are hereby assigned to deliveries to operators, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating, certificate, or order.

(1) A-1-a and A-1-c to deliveries of repair parts for machinery and equipment of the types listed in Schedule A hereto: *Provided,* That such repair parts are for use in a mining enterprise less than 30 percent of the production of which in dollar value for the previous calendar quarter was derived from any one or more of the following:

Sand (except foundry sand), gravel, crushed stone and slag including all commercially recognized forms of these products;
Clay of all types, except those used for refractories and ceramics for electrical use;
Building and ornamental stone of all types;
Gypsum, talc, soapstone, slate (except for electrical use), and all raw material for the manufacture of lime and calcareous cements;

Such ratings shall be applied by an operator only to deliveries in any calendar quarter of a quota for each such rating consisting of such dollar value of repair parts as may be expressly authorized by the Director General for Operations after application by such operator in the form prescribed by the Director.

(2) A-8 to deliveries of material for other repairs to, for maintenance of, and for operating supplies for, property and equipment used in and essential to the operation of a mining enterprise.

(3) A-10 to deliveries of material for all other repairs, maintenance and operating supplies.

(d) *Other preference ratings assignable.* The Director General for Operations may also, upon written or telegraphic request, assign the following ratings to deliveries of material to operators in particular cases. In acting on such requests the Director General will consider the importance to national defense of the material to be produced by the machinery, equipment or other material for which the rating is requested and the consumption of scarce material in the construction thereof.

(1) Such ratings as may be required to obtain deliveries of material for repair of property or equipment used in and essential to the operation of a mining enterprise when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts and the like, and the essential material is not otherwise available. Requests for this rating must describe the material needed and the nature of the emergency.

(2) A-1-a and A-1-c to deliveries not rated under paragraph (c) (1) of repair parts for essential productive facilities up to the minimum required to make reasonable advance provision to avert actual breakdown or suspension. Requests for these ratings must describe the material needed and the reasons why advance provision is necessary to avert breakdown or suspension.

(3) To deliveries of essential material and equipment whether or not included in Schedule A, such preference ratings as the Director General may assign to particular orders for such equipment. Requests for such rating must describe the material needed and the reasons why it is essential for the proper operation of the mining enterprise.

(e) *Application and extension of preference ratings.* (1) Preference ratings assigned by or pursuant to this order shall be applied by an operator and extended by his suppliers in accordance with the terms of Priorities Regulation No. 3, as from time to time amended. An operator in applying such a preference rating shall also endorse on his contract or purchase order his serial number hereunder.

(2) No preference rating assigned by or pursuant to this Order shall be applied or extended to deliveries of material to be used primarily to reduce operating costs rather than primarily to maintain or increase production.

(f) *Restrictions on inventory.* In addition to the restrictions imposed by Priorities Regulations Nos. 1 and 3, as from time to time amended, an operator shall not accept deliveries (whether or not rated hereunder) of material for repair, maintenance, or operating supplies which will increase the inventory available to the operator for such purposes to an amount greater than the minimum necessary to sustain the current level of operations of the operator and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[1] 7 F.R. 1637, 2786, 3660.

SCHEDULE "A"

As to all machines listed below, the rating provided herein likewise applies to equipment items, accessories, and tools customarily sold with such machines.

Aerial tramway equipment.
Air compressors for mine use.
Air distribution equipment.
Assaying and testing laboratory equipment at the mine.
Ball-casting machines.
Boxcar loaders.
Cages and skips.
Car dumpers—rotary or end.
Equipment for cleaning plants.
Equipment for concentrating plants.
Conveyors—shaking, belt, chain, or gravity type, including duckbills and other self-loading heads.
Cutting machines—cable reel and self-propelling transportation trucks therefor.
Diamond core drilling machines.
Dragline dredges, excavators, and scraper units.
Dredges—continuous bucket, including pumps.
Drills and drilling machines, power driven, and reconditioning equipment therefor.
Dust control equipment.
Electrical equipment for mine transportation and power.
Explosives and explosive equipment.
Hoists—including room hoists and car pullers.
Hydraulic monitors, with feed pipe and fittings.
Jacks for lifting and roof support.
Lamps—mine, miners', safety and ore-exploration types.
Locomotive for mine use.
Loaders, mobile, including mucking machines.
Equipment for milling plants.
Mine cars, track or trackless.
Pit-car loaders and elevating conveyors.
Equipment for preparation plants.
Pumps, pipe and fittings for mine drainage or material transport.
Rock dusting equipment.
Safety and defense equipment.
Sand dryers.
Scraper loaders.
Sheaves and sheave blocks.
Shovels, power.
Shuttle cars, track or trackless.
Slusher hoists and scrapers.
Steel sections for support of mine openings.
Storage batteries for mine use.
Tanks and bins for storage of mine products.
Tipples and head frames.
Track and track accessories for mine transportation.
Equipment for treating plants.
Trucks, tractors, and trailers for mine use.
Ventilation equipment.
Waste disposal equipment.
Weighing equipment, including automatic devices.
Wire rope for haulage and hoisting.

[F.R. Doc. 42-7717; Filed, August 8, 1942; 11:35 a. m.]

PART 1047—PETROLEUM MATERIAL CONSERVATION

[Supplementary Order M-68-4]

WELLS IN CERTAIN COUNTIES IN ARKANSAS

§ 1047.9 *Supplementary Order M-68-4*—(a) *Wells located in the Smackover Field, Ouachita and Union Counties, Arkansas.* Pursuant to the provisions of paragraph (c) (10) of Conservation Order M-68, as amended,[1] it has been determined that the use of the material required to plug-back any well which is located in the Smackover Field of Ouachita and Union Counties, Arkansas, from the formation or formations from which such well is producing to any shallower formation or formations and to recomplete such well in such shallower formation or formations is necessary and appropriate in the public interest and to promote the war effort. Therefore, any operator, engaged in production in the Smackover Field of Ouachita and Union Counties, Arkansas, is hereby authorized to use the material required to plug-back any well which is located in such field from the formation or formations from which such well is producing to any shallower formation or formations and to recomplete such well in such shallower formation or formations. (P. D. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7719; Filed, August 8, 1942; 11:34 a. m.]

[1] 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 1089, 3806, 4760.

PART 1133—MOLYBDENUM

[Amendment 1 to General Preference Order M-110]

Section 1133.1 *General Preference Order M-110*[1] is hereby amended as follows:

1. By changing the words "Director of Industry Operations" wherever they appear in the body of said order so as to read "Director General for Operations".

2. By deleting from the caption of paragraph (c) of said order, the period immediately following the word "Deliveries", and adding the words "and Processing"; and by further adding to paragraph (c) thereof a new subparagraph (3) to read as follows:

(3) *Processing restrictions.* Hereafter, no person shall melt or otherwise process molybdenum except pursuant to approval of his melting schedule under the provisions of Supplementary Order M-21-a, as the same may be from time to time amended, or pursuant to specific authorization by the Director General for Operations.

3. and by amending paragraph (f) of said order to read as follows:

(f) *Effective dates.* This order shall take effect immediately upon its issuance and shall continue in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7710; Filed, August 8, 1942; 11:34 a. m.]

[1] 7 F.R. 2152.

PART 1138—ANTIMONY

[Amendment 1 to General Preference Order M-112, as amended July 11, 1942]

Subparagraph (3) (ii) of paragraph (e) of General Preference Order M-112, as amended July 11, 1942[1] § 1138.1 is hereby amended to read as follows:

(ii) Unless otherwise ordered or directed by the Director General for Operations, the antimony content of alloys used by any person in the production of grids for automotive batteries shall be limited to a maximum of 12% by weight if only secondary antimonial lead is used, or to a maximum of 7.5% by weight if antimony is used in any form other than secondary antimonial lead.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F.R. Doc. 42-7711; Filed, August 8, 1942; 11:34 a. m.]

[1] 7 F.R. 5351.

PART 1156—TOYS AND GAMES

[Amendment 2 to General Limitation Order L-81]

Section 1156.1 *General Limitation Order L-81*[1] is hereby amended in the following particular:

Paragraph (b) is hereby amended by striking therefrom subparagraph (8).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7704; Filed, August 8, 1942; 11:33 a. m.]

[1] 7 F.R. 2471, 2679, 3444.

PART 1188—RAILROAD EQUIPMENT

[General Limitation Order L-97-b]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the production of industrial cars for defense, for private account and for export; and the following order to provide for the orderly scheduling of production, repair, rebuilding, and delivery of such industrial cars is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1188.4 *General Limitation Order L-97-b*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Industrial cars" means cars of the railroad type (including cane cars) which are used in intra-plant service.

(3) "Railroad type" car means any car, except units which are self-propelled, falling within the "Classification of Cars, Definitions and Designating Letters Of", as adopted in 1910 and revised in 1942 by the Mechanical Division, Operations and Maintenance Department, Association of American Railroads.

(4) "Producer" means any person engaged in the production or delivery of new or used cars for sale as industrial cars.

(5) "Produce" means to produce new industrial cars, or to repair, rebuild or convert used cars for sale as industrial cars.

(6) "Repair", "rebuild" or "convert" means to repair, rebuild or convert used cars for sale as industrial cars, but shall not include the repairing, rebuilding or converting of used cars by or for the owner thereof for use as industrial cars.

(c) *Restrictions on production and delivery of industrial cars.* On and after the effective date of this order, irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any industrial car except as authorized pursuant to the provisions of paragraph (d) hereof.

(d) *Production and delivery schedules.* (1) Each producer shall schedule (or reschedule, if necessary) his production and make deliveries of industrial cars in accordance with such specific directions as may be issued from time to time by the Director General for Operations.

(2) The production and delivery schedules established by any specific direction issued pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders and without regard to production schedules in effect on the effective date of this order, and may be altered only upon specific direction of the Director General for Operations.

(3) If it becomes impossible for any producer to maintain production and delivery of industrial cars in accordance with any such schedule, he shall immediately notify the Director General for Operations, and, unless otherwise directed by the Director General for Operations, he shall continue to produce and deliver industrial cars in the order set forth in such schedule and shall postpone production and delivery of any such industrial cars only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales of industrial cars, which records shall be available for audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* All communications concerning this order should be addressed to War Production Board, Transportation Equipment Branch, Washington, D. C., Ref: L-97-b. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7705; Filed, August 8, 1942; 11:33 a. m.]

PART 1199—METAL HAIRPINS AND METAL BOB PINS

[Amendment 1 to General Limitation Order L-104]

Paragraph (a) of § 1199.1 (General Limitation Order L-104) is hereby amended by adding at the end thereof a new paragraph (a) (5):

(5) During the period from July 24, 1942 to September 15, 1942, inclusive, no manufacturer shall produce more metal hairpins or metal bob pins than 54 times 50% of the daily average of pounds of metal hairpins or metal bob pins, respectively, produced by him during the calendar year 1941.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7712; Filed, August 8, 1942; 11:35 a. m.]

PART 1245—WOOD UPHOLSTERED FURNITURE

[General Limitation Order L-135]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate for the public interest and to promote the national defense:

§ 1245.1. *General Limitation Order L-135*—(a) *Definitions.* For the purposes of this order:

(1) "Wood upholstered furniture" means upholstered furniture containing less than 5% of metal in the net weight of the finished product, other than metal contained in steel upholstery springs and such minimum amount of iron or steel as is required for nails, nuts, bolts, screws, clasps, rivets and other joining hardware; but not including furniture designed for dual sleeping and seating purposes, such as day beds, studio couches and sofa beds.

(2) "Steel upholstery springs" means any type of upholstery springs, intended for use in wood upholstered furniture, whether flat, coiled or otherwise formed, made of steel, including but not limited to, upholsterer's seat springs, spring cushion units, pillow springs, flat or formed under constructions, spring constructions, spring supporting bars, edgewire and edgewire clips.

(3) "Steel upholstery springs manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, engaged in the production of steel upholstery springs.

(4) "Wood upholstered furniture manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not, engaged in the production of new wood upholstered furniture.

(b) *General restrictions.* (1) On and after August 8, 1942, no steel upholstery springs manufacturer shall accept delivery of any steel wire or flat steel to be used in the production of steel upholstery springs from any source whatsoever, except from the inventories of other steel upholstery springs manufacturers.

(2) On and after November 1, 1942, no wood upholstered furniture manufacturer shall process, fabricate, work on or assemble any new wood upholstered fur-

niture which contains any iron or steel other than joining hardware.

(3) The sales specified below shall be expressly permitted within the terms of subparagraph (c) (2) (iii) of Priorities Regulation No. 13 (Part 944):

(i) Sales by steel upholstery springs manufacturers of steel wire or flat steel to be used in the production of steel upholstery springs to other steel upholstery springs manufacturers;

(ii) Sales by wood upholstered furniture manufacturers of steel upholstery springs to other wood upholstered furniture manufacturers.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories and sales of wood upholstered furniture and steel upholstery springs.

(d) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Communications.* All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Washington, D. C., Ref.: L-135.

(g) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Application of other orders.* In so far as any other order issued by the Director of Priorities, the Director of Industry Operations, or the Director General for Operations, or to be issued hereafter by the Director General for Operations, limits the use of any material in the production of wood upholstered furniture to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7706; Filed, August 8, 1942; 11:33 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[Amendment 5 to General Inventory Order M-161]

Section 1255.1 *General Inventory Order M-161*[1] is hereby further amended by adding to the materials listed on Schedule A attached to said order the following:

Borax (hydrated and dehydrated)
Boric acid

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7708; Filed, August 8, 1942; 11:34 a. m.]

PART 3024—MEN'S WORK CLOTHING

[General Limitation Order L-181]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of men's work clothing for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3024.1 *General Limitation Order L-181*—(a) *Definitions.* For the purpose of this order:

(1) "Men's work clothing" means any of the following garments, customarily graded as men's:

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
One-piece work suits.
Work pants.
Work shirts.

(2) "Put into process" means the first cutting operation of material in the manufacture of any men's work clothing.

(3) Pro rata widths—where a certain width material is specified—narrower or wider width material shall be figured in pro rata yardages allowed or restricted.

(4) Measurements set forth refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment.

(5) Yards specified "to the dozen" shall mean the average yardage, over any 90 day period after August 15, 1942, consumed in the cutting of each type of garment.

(6) Yards specified "to the dozen" may be exceeded proportionately in the manufacture of sizes larger than specified herein to meet the needs of oversize persons.

(7) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

(b) *General exceptions.* The prohibitions and restrictions of this order shall not apply to:

(1) Sales and deliveries by, to or for the account of the ultimate consumers by any person who does not put cloth into process for the manufacture of work clothing.

(2) Men's work clothing put into process or manufactured prior to August 15, 1942.

(3) Drills, twills or jeans used for pocketing or waistbanding or cardboard boxes used for packaging men's work clothing in the inventory of the manufacturer on August 15, 1942.

(4) Men's work clothing to fill purchase orders placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the Defense Supplies Corporation.

(5) Men's work clothing made and sold to conform with State, County or Municipal safety laws, codes or regulations: *Provided*, That such laws, codes or regulations were in existence on August 15, 1942, and specifically required the use of work clothing not made in conformity with the provisions of this order.

(6) Garments manufactured in the home except when made for sale or for a contractor or jobber or other person who sells such garments.

(c) *General curtailments.* No person shall, after August 15, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall, after the said date, sell or deliver any men's work clothing, the material for which was put into process after August 15, 1942, with:

(1) False or more than double stitching:

(2) Pockets or waistbands made from drills, twills or jeans heavier than 39 inch 4.00 yard, except as provided in paragraph (b) (2).

(3) Pockets of more than single thickness.

(d) *Additional curtailments.* No person shall hereafter put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall sell or deliver any of the following men's work clothing, the cloth for which was put into process after August 15, 1942.

(1) *Waistband overalls or dungarees* with:

(i) More than two front or swing pockets, two hip pockets, one rule pocket and one watch pocket.

(ii) Suspender buttons or with more than four fly buttons and one button or snap fastener on waistband.

(iii) Back buckle or strap.

(iv) More than nine bartacks or rivets exclusive of those needed on belt loops.

(v) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(vi) More than 33½ yards or less than 31 yards to the dozen of 28/29 inch material: *Provided, however*, That for the sole purpose of allowing such garments when made for miners (and each miner's garment shall be designated as such by label or other marking thereon) to include not more than two front leg patch reinforcements, one double seat and one additional leg pocket, the yardage per dozen for such garments shall be not more than 45 yards or less than 37 yards to the dozen of 28/29 inch material, the extra yardage to be used, however, only for such purpose.

(2) *Bib overalls* with:

(i) More than one large or two small bib pockets, two front swing or patch pockets, two hip patch pockets, one rule pocket and one hammer loop.

(ii) More than two buttons on each side opening, two bib suspender buttons, one button or one snap fastener on bib, two buttons on fly through size 38 or three buttons on fly on size 40 and up.

(iii) More than fifteen bartacks.

(iv) Sizes other than 26 to 50 waist and 27 to 36 inseam;

(v) More than an average of 46 yards or less than 39 yards to the dozen of 28/29 inch material for both the bib overall and the overall jacket.

Provided, however, For the sole purpose of allowing:

(*a*) *Bib overalls for carpenters* to include not more than two double knee or leg patch reinforcements, two side leg pockets, an apron with necessary divisions, one hand axe loop, the yardage per dozen for such garments shall be not more than 66½ yards or less than 60½ yards to the dozen of 28/29 inch material, and such garments may have 15 additional bartacks.

(*b*) *Bib overalls for painters or paperhangers* to include one brush loop and one leg pocket, the yardage per dozen for such garments shall be not more than 47½ yards or less than 41½ yards to the dozen of 28/29 inch material.

(*c*) *Bib overalls for steel workers* to include not more than two knee patch reinforcements, two leg pockets, one additional hammer loop, the yardage per dozen for such garments shall be not more than 57 yards or less than 51 yards to the dozen of 28/29 inch material, and such garments may have six additional bartacks.

Each such garment shall be designated as such by label or other marking thereon and the additional yardages shall only be used for the respective purposes specified above.

(3) *Overall jumpers or coats* with:

(i) More than two patch pockets.

(ii) More than four buttons on front and one button on each cuff.

(iii) Sizes other than 34 to 50.

(iv) Blanket-lining other than of 16 ounce all cotton or cotton and not more than 25% reused wool.

(4) *One-piece work suits* with:

(i) More than two front swing or patch pockets, two breast pockets, two-patch or swing hip pockets, one rule pocket and one hammer loop.

(ii) More than four front buttons, one breast pocket button and three fly buttons.

(iii) More than 17 bartacks.

(iv) Sizes other than 34 to 50.

(v) More than 72 yards or less than 66 yards to the dozen of 28/29 inch material.

(5) *Work pants* with:

(i) More than two front swing pockets, two hip patch or swing pockets and one watch pocket.

(ii) Tunnel loops.

(iii) Suspender buttons on sizes other than 38 and up.

(iv) More than 11 bartacks exclusive of those needed on belt loops.

(v) Side buckle and straps.

(vi) Self belt or extension waistband.

(vii) Pleats.

(viii) More than five fly buttons, including waistband, on sizes through 38 and more than six fly buttons, including waistband, on sizes 40 and up, and with more than one hip pocket button.

(ix) Cuffs where 30 inch 2.50 gray width and weight basis material and heavier is used.

(x) More than 1½ inch hem.

(xi) More than 1½ inch cuff on material lighter than 30 inch 2.50 gray width and weight basis.

(xii) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(xiii) (*a*) More than 27½ yards or less than 24½ yards to the dozen of 36 inch material weighing less than 8 ounces per yard of 36 inch width material, or

(*b*) More than 28 yards or less than 25 yards to the dozen of any heavier material.

(6) *Work shirts* with:

(i) Other than one or two plain patch pockets but only button through or open.

(ii) More than single thickness lining in collar.

(iii) More than six buttons on front, one button each cuff and one button on each pocket.

(iv) Lined cuffs.

(v) More than four bartacks.

(vi) Eyelets or vents.

(vii) Reinforced elbow, shoulder, back or front.

(viii) Other than one or two cardboards and paper wrapping.

(ix) Less than one-half dozen packing.

(x) Sizes other than 13 to 19 or sizes small, medium and large.

(xi) More than 29½ yards or less than 26 yards to the dozen of 36-inch material on long sleeve models, or more than 24 yards or less than 23 yards to the dozen of 36-inch material on half-sleeve models. On regular or mill finish material or on 36-inch 2.85 material and heavier a total of a half yard to the dozen additional yardage may be used.

(e) *Certification.* No person, who has heretofore or shall hereafter put into process or cause to be put into process by others for his account any men's work clothing, shall hereafter sell such work clothing without furnishing to his purchaser (when other than an ultimate consumer) a certification, signed by an individual duly authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his purchaser and the War Production Board that the men's work clothing covered by his invoice No. ---------- dated ---------- (or the annexed invoice) has been manufactured or sold in accordance with the curtailment and/or exceptions of General Limitation Order L-181.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of men's work clothing conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference L-181, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Records and inspections.* (1) Each person affected by the order shall keep and preserve for a period of not less than two years accurate and complete records of his applicable inventories, certifications, production, sales and transactions. (2) All records required to be kept by the order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports and communications.* (1) Each person affected by the order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time. (2) All reports required hereunder, and all communications concerning the order, shall be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: L-181.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7707; Filed, August 8, 1942; 11:34 a. m.]

[1] 7 F.R. 4174, 4778, 4779, 5663, 5985.

PART 3035—NUTGALLS AND TANNIC ACID U. S. P.

[General Conservation Order M-204]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of nutgalls and tannic acid U. S. P. for the war effort, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3035.1 *General Conservation Order M-204*— (a) *Definitions.* For the purposes of this order:

(1) "Nutgalls" means the excrescenses or galls obtained from the young twigs of *Quercus infectoria Olivier* and other allied species of *Quercus* (Fam. *Fagaceae*) or from the leaves of *Rhus semialata Murray* or *R. javanica L.*

(2) "Tannic acid U. S. P." means gallotannic acid or so called tannin meeting U. S. P. requirements.

(b) *General restrictions.* Except as provided in paragraph (c) of this order, after the date of issuance of this order.

(1) No person shall process, combine with other materials or use:

(i) Any nutgalls except for the maximum production of tannic acid U. S. P.

(ii) Any tannic acid U. S. P. except

(*a*) For the treatment of burns, or for the manufacture of a product to be used exclusively for the treatment of burns, or

(*b*) As an analytical reagent for use in analytical, control and research laboratories, or

(*c*) As an antidote for internal administration in the treatment of poisoning, or

(*d*) In the extemporaneous compounding by licensed pharmacists of individual prescriptions of licensed physicians, dentists or veterinarians, or in the extemporaneous compounding of medicines by licensed physicians, dentists or veterinarians for their own patients.

(2) No person shall sell, transfer or deliver, or purchase or accept transfer or delivery of, any nutgalls or tannic acid U. S. P. which he knows, or has reason to believe, is to be processed, combined with other materials or used for purposes other than those permitted by paragraph (b) (1).

(3) Except in the case of a sale, transfer or delivery of tannic acid U. S. P. to a person exempted from the restrictions of this order by paragraph (c) (3), no person shall sell, transfer or deliver any nutgalls or tannic acid U. S. P. until he has received a certificate signed by the person purchasing or accepting transfer or delivery, or a duly authorized official, in substantially the following form, but adopting only the pertinent parts:

The undersigned hereby certifies that the material ordered in connection herewith will not be processed, combined with other materials or used:

In the case of nutgalls, except for the maximum production of tannic acid U. S. P.;

In the case of tannic acid U. S. P. except

(1) For the treatment of burns, or for the manufacture of a product to be used exclusively for the treatment of burns, or

(2) As an analytical reagent for use in analytical, control and research laboratories, or

(3) As an antidote for internal administration in the treatment of poisoning, or

(4) In the extemporaneous compounding by licensed pharmacists of individual prescriptions of licensed physicians, dentists or veterinarians, or in the extemporaneous compounding of medicines by licensed physicians, dentists or veterinarians for their own patients.

Such material will not be sold, transferred or delivered by the undersigned for any purpose other than those specified herein. This certification is made in accordance with the terms of Order M-204 with which the undersigned is familiar.

Quantities ordered in connection herewith:

Material	Quantity
Nutgalls	
Tannic Acid (U. S. P.)	

Name_____

By_____

Date_____ Address_____

_____

Such certification shall constitute a representation to the War Production Board and the seller or supplier of the facts stated therein. The seller or supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false.

(c) *Applicability of restrictions.* The restrictions contained in paragraph (b) of this order shall not apply to:

(1) Any stock of nutgalls consisting of less than five pounds physically located at any one place on August 8, 1942; but any stock weighing five pounds or more physically located at any one place on said date shall, in its entirety, be subject to said restrictions.

(2) Any transaction affecting, or any use of, any nutgalls or tannic acid U. S. P. which on August 8, 1942, had been combined or compounded with other materials; but any transaction affecting, or any use of, any nutgalls or tannic acid U. S. P. which has been combined or compounded with other materials after said date shall be subject to said restrictions.

(3) Any person who uses tannic acid U. S. P. or a product containing tannic acid U. S. P. for a medicinal purpose and does not resell such material in any form; but this exemption shall not relieve any person who sells or delivers such material to an exempted person from liability for violation of the provisions of paragraph (b) (2) of this order.

(d) *Reports.* (1) Every person having in his possession or control at any one place on August 8, 1942, any stock of nutgalls consisting of five pounds or more, or any stock of tannic acid U. S. P. consisting of two pounds or more shall make a report on Form PD-623, which shall be filed with the War Production Board (Reference M-204) before August 31, 1942. (In calculating the weight of a stock of tannic acid U. S. P., any tannic acid U. S. P. which has been combined or compounded with other materials on August 8, 1942, shall not be included.)

(2) All persons affected by this order shall file such other reports as may be required from time to time by the War Production Board.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales, and shall also preserve any certificates received in accordance with the terms of this order.

(f) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Reference M-204, Health Supplies Branch, Washington, D. C. Ref: M-204.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7709; Filed, August 8, 1942; 11:35 a. m.]

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 3 to Supplementary Directive 1 H]

DEFINITIONS

Paragraph (d) of § 903.9 *Supplementary Director 1 H*[1] is hereby amended to read as follows:

(d) As used in this supplementary directive, the term "gasoline" means any liquid fuel used for the propulsion of motor vehicles, aircraft or motorboats by means of internal combustion engines, except liquid fuel with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzine, benzol, and naphtha; the term "person" means any individual, partnership, corporation, association, government or government agency, and any other organized group or enterprise; the term "consumer" means any person who uses gasoline for any purpose, including use as a component part of any manufactured article, material or compound; and the term "limitation area" means the entire eastern part of the continental United States up to and including all of the counties of Niagara, Erie, Wyoming, Livingston and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grar[illegible] and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe, and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty, and that part of Franklin which lies east of the Apalachicola River in the State of Florida.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, Apr. 7, 1942, 7 F.R. 2719; Sec. 2 (a), Pub. No. 671, 76th Cong., 3d sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2d sess.; W.P.B. Dir. No. 1, Jan. 24, 1942, 7 F.R. 562; Supp. Dir. No. 1H, May 11, 1942, 7 F.R. 562, 3478; W.P.B. Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended Mar. 14, 1942, 7 F.R. 2126.)

Issued this 8th day of August 1942, to become effective August 10, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7746; Filed, August 8, 1942; 12:59 p. m.]

[1] 7 F.R. 3478, 3877, 5216.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 13 to Supplementary Order M-15-b-1]

Section 940.5 *Supplementary Order M-15-b-1*[1] is hereby amended as follows:

1. By changing paragraph (b) (14) to read as follows:

(14) Miscellaneous articles to fill war orders List 14.

2. By substituting the attached revised List 14 for List 14 now attached to such order.

This order and the list attached hereto shall become effective on August 17, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 14

PROHIBITION ON THE USE OF CRUDE RUBBER, LATEX, RECLAIMED RUBBER AND SCRAP RUBBER IN THE MANUFACTURE OF CERTAIN PRODUCTS TO FILL WAR ORDERS

No person shall, unless otherwise expressly authorized by the Director General for Operations, (1) use any crude rubber or latex in the manufacture or assembly of any of the products or materials listed in Groups A and B of this revised List 14 for delivery to fill any war order; or (2) use any reclaimed rubber or scrap rubber to manufacture or assemble any of the products or materials listed in Group B of this revised List 14 for delivery to fill any war order.

GROUP A

Products and materials for which crude rubber and latex shall not be used

Accelerator treadle connections.
Brush-setting compounds.
Bumpers (automotive axle).
Bumper stripping.
Cellular discs.
Channel rubber (except airplane).
Combined fabrics (except as specified by List 3 attached to Supplementary Order No. M-15-b-1, as amended).
Cowl vent seals and gaskets.
Cowl vent hose.
Dust and lever housing covers.
Erasers (including typewriter).
Escalator handrails.
Flyers' clothing bags (Type B 4).
Fly paper
Foot boards (motorcycle).
Friction tape.
Gym and basketball shoes (except cement and foxings).
Handle grips (except dielectric).
Labels.
Mallet heads.
Marbon B. (except wire and cable insulation).
Pliofilm, Pliofoam, and Pliolite (except moisture proof envelopes for parts for airplanes, tanks and guns and wire and cable insulation).
Recoil pads (except machine gun and eye buffers).
Rubber bands (except parts of combat equipment).
Rubberized curled hair or vegetable fibre.
Sponge cushioning including seat bottoms, seat backs, armrests, headrests, parachute backs and seats and tank crash pads and linings and all other (except vision and gunsight slot pads, mask parts, ear cushions, and cushioning for cameras, flight control and fire control instruments).
Toilet seat bumpers.
Water, garden and lawn hose (except as specified by List 1 attached to Supplementary Order No. M-15-b-1, as amended).
Weatherstrip (except airplane).

GROUP B

Products and materials for which crude rubber, latex, reclaimed rubber and scrap rubber shall not be used

Artificial leather and upholstery.
Ash trays.
Athletic equipment (except clothing).
Bath sprays, sponges and soap dishes.
Bumper tacks.
Buttons (clothing).
Canvas water bags.
Cap covers.
Cartridge clip boxes.
Cellular pads for crash helmet cushions.
Channel filler and glazing rubber (except airplane).
Chevrons.
Desk and chair protection pads.
Desk sets.
Dishdrainers.
Door checks and bumpers (reclaimed rubber and scrap rubber may be used for automotive parts).
Door knob covers.
Fan bases and blades (reclaimed rubber and scrap rubber may be used for combat tank equipment).
Faucet caps.
Fender protective plates.
Fender welting.
Flooring (except conductive).
Fly swatters.
Footbath trays.
Gear shift knobs.
Grommets (except airplane and dielectric).
Gun grips.
Hood supports and bumpers.
Hospital sheeting.
Inkwells and bottles.
Kneeling pads.
Leather finishes.
Link mats (reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms).
Mastic deck covering (except repair).
Mats and matting (except switchboard and conductive; reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms).
Molded wheels and casters (except hospital and surgical equipment and airplane tailwheels).
Name plates.
Office machine silencers.

[1] 7 F.R. 967, 2344, 2346, 2449, 2595, 2782, 3389, 4448, 5019, 5296, 5592, 5603, 5748, 5984, 6071.

Paper padding adhesives.
Paving blocks.
Pedal rubbers.
Picture screens.
Plate wipers.
Plywood adhesives.
Rubber-covered lamp guards, handles, grab rails and knobs (except dielectric).
Sateen gimp.
Serving trays.
Sewage disposal bags and paper.
Shims (automotive).
Sink pads, mats, sprays and stoppers.
Stair and step treads (except conductive).
Steering wheels.
Step plates.
Stove top pads.
Table tops (except conductive).
Tank fenders and flaps.
Telephone bases.
Tent fabrics.
Thermostat covers.
Thread.
Tile and tiling (except conductive).
Toilet closet gaskets.
Toilet seats.
Tractor and implement tires.
Typewriter keys.
Valve stems (for tire tubes).
Wainscoting.
Wheelbarrow and lawnmower tires.
Window squeegees.
Wrestling mat covers.
Zipper tabs.

[F. R. Doc. 42-7756; Filed, August 10, 1942; 11:11 a. m.]

Subchapter B—Director General for Operations

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[Interpretation 4 of General Preference Order E-1-b]

The following official Interpretation is hereby issued by the Director General for Operations with respect to § 997.2 *General Preference Order No. E-1-b*[1]:

An urgency standing should not be used in connection with a Preference Rating Certificate PD-1A. General Preference Order E-1-b defines as service purchasers those whose preference rating certificates or whose endorsed purchase orders show that the preference rating was assigned by an original Preference Rating Certificate PD-3, PD-3A, or PD-4, or by Preference Rating Order P-19-h.[1] Hence, the holder of a PD-1A Certificate cannot be a service purchaser as he is excluded from the definition.

Urgency standings govern the sequence of deliveries of machine tools as between service purchasers of the same group within their respective percentage quotas. If a person seeking to procure a machine tool is not a service purchaser he cannot be a member of one of the service purchasers groups, and the urgency standing therefore has no effect upon the delivery of the tool to him. The tool must come out of the 25 percent quota assigned to foreign and other purchasers, and the sequence of its delivery will be determined solely by its required delivery date and its preference rating, in the absence of a specific direction of the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7755; Filed, August 10, 1942; 11:11 a. m.]

[1] 7 F.R. 3231, 3660, 4615, 5903.

PART 1002—IRON AND STEEL PRODUCTION MAINTENANCE, REPAIR AND SUPPLIES

[Amendment 4 to Preference Rating Order P-68]

Preference Rating Order P-68 (§ 1002.1) is hereby amended as follows:

1. Paragraph (a) is amended to read as follows:

§ 1002.1 *Preference Rating Order P-68*[1]—(a) *Definitions.* (1) "Producer" means any person operating a plant physically situated within the limits of the United States, its territories, or its possessions, or the Dominion of Canada, and actually engaged in the production of any one or more of the materials or products listed in Schedule A hereto.

(2) "Operating material" means material required by a producer for repair, maintenance, or operating supplies used in the production of any one or more of the materials and products listed in Schedule A hereto.

2. Paragraphs (b), (c), (d), and (e) are hereby revoked.

3. The following new paragraphs are hereby adopted:

(b) *Assignment of preference ratings.* Subject to the terms of this order, the following preference ratings are hereby assigned to deliveries to producers, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order.

(1) AA-3 to deliveries of operating material consisting of iron or steel in any form appearing on Materials List No. 1, Revised, of form PD-25A.

(2) A-1-a to deliveries of operating material consisting of nonferrous materials in any form appearing on said materials list, or of fabricated metal parts.

(3) A-1-c to deliveries of all other operating material.

(c) *Other preference ratings assignable.* The Director General may also upon written or telegraphic request assign such ratings as may be required to obtain deliveries of operating material to a producer when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts, or the like, and the essential material is not otherwise available. Requests for this rating must describe the material needed and the nature of the emergency.

(d) *Application and extension of preference ratings.* (1) No producer shall apply any preference rating assigned by or pursuant to this order until it has filed with the Iron and Steel Branch, War Production Board, a statement on form PD-148 and has received a serial number hereunder.

(2) Preference ratings assigned by or pursuant to this order shall be applied by a producer and extended by his suppliers in accordance with the terms of Priorities Regulation No. 3, as from time to time amended. A producer in applying such a preference rating shall also endorse on his contract or purchase order his serial number hereunder.

4. Paragraph (j) is amended to read as follows:

(j) *Records, audits and reports.* Each producer and each supplier shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer and each supplier shall execute and file with the War Production Board, or other designated agency, such reports in such form as the War Production Board shall from time to time require. Until further direction, each producer shall file a quarterly report on form PD-228.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7758; Filed, August 10, 1942; 11:12 a. m.]

[1] 7 F.R. 1592, 2783.

PART 1225—CONSTRUCTION LUMBER

[Amendment 2 to Limitation Order L-121, as amended July 10, 1942]

Paragraph (b) (1) of § 1225.1 (*General Limitation Order L-121*, as amended July 10, 1942[1], is amended by striking out the words "ninety days" and inserting in lieu thereof the words "one hundred five days."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7752; Filed, August 8, 1942; 12:59 p. m.]

[1] 7 F.R. 5307, 6045.

PART 3001—CHLORINATED PARAFFIN

[General Preference Order M-189]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chlorinated paraffin for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3001.1 *General Preference Order M-189*—(a) *Definitions.* For the purposes of this order:

(1) "Chlorinated paraffin" means those chlorine derivatives of paraffin wax containing twenty percent or more of chlorine.

(2) "Producer" means any person engaged in the production of chlorinated paraffin and includes any person who has chlorinated paraffin produced for him pursuant to toll agreement.

(b) *Restrictions on deliveries.* (1) No producer shall make delivery of chlorinated paraffin to any person unless and until he shall have been authorized or directed to do so by the Director General for Operations; and no person shall accept delivery of chlorinated paraffin if such delivery would be in violation hereof. Prior to the beginning of each calendar month beginning with September, 1942, the Director General for Operations will issue to producers specific authorizations or directions covering deliveries of chlorinated paraffin which may or must be made by such producers during such month, and he may also during any month (including August, 1942) issue such other authorizations or directions as he may deem appropriate or necessary either with respect to deliveries to be made or the use or uses to which the material delivered is to be put.

(2) If prior to the first day of any month beginning with September, 1942 any producer shall not directly or indirectly have received from the Director General for Operations authorizations or directions covering deliveries of chlorinated paraffin to be made by him during such month, such producer may make deliveries of chlorinated paraffin during such month in accordance with, and only in accordance with, the schedule of deliveries for such month filed with the War Production Board pursuant to paragraph (c) (2): *Provided, however,* That any time during such month the Director General for Operations may issue authorizations or directions with respect to future deliveries to be made in such month.

(3) In the event that any producer, after receiving notice from the Director General for Operations with respect to a delivery of chlorinated paraffin which he has been authorized or directed to make during any month, shall be unable to make such delivery either because of receipt of notice of cancellation from his customer or otherwise, such producer shall forthwith give notice of such fact to the Chemicals Branch of the War Production Board, and shall not in the absence of specific authorizations or directions from the Director General for Operations resell or otherwise dispose of the chlorinated paraffin which he is unable to deliver as aforesaid.

(c) *Placing of orders and scheduling of deliveries.* (1) Every person who seeks delivery of chlorinated paraffin shall place his order with a producer for his monthly requirements on or before the 10th day of the month preceding the month in which delivery is sought and shall file with such order with such producer Form PD-619, in quadruplicate.

(2) Each producer of chlorinated paraffin shall on or before the 15th day of each month beginning with August, 1942, file with the Chemicals Branch, War Production Board, Washington, D. C., Form PD-618, in triplicate, properly executed, which shall list among other things a schedule of deliveries of chlorinated paraffin which such producer proposes to make in the succeeding month and the amount estimated to be available for delivery by him during such month. The original and two copies of Form PD-618 shall be accompanied by the original and two copies of each Form PD-619 submitted to the producer by a customer of his. After such forms have been filed with the Chemicals Branch any material change of circumstances pertaining to said Form PD-618, shall forthwith be reported to such Chemicals Branch.

(d) *Inventories restrictions.* No producer shall knowingly make and no person shall accept delivery of chlorinated paraffin if the inventory thereof of the person accepting delivery is or will by virtue of such acceptance become in excess of a 30 days' supply in terms of orders received by such person for his finished products, on the basis of his current method and rate of operations, but this paragraph shall not be construed to prevent a person's accepting delivery thereof in the smallest practicable delivery unit as evidenced by his past experience.

(e) *Miscellaneous provisions*—(1) *Reports.* All persons affected by this order shall file such reports as may from time to time be directed by the Director General for Operations.

(2) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(3) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref: M-189.

(5) *Violations or false statements.* Any person who wilfully violates any provisions of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7757; Filed, August 10, 1942; 11:11 a. m.]

PART 3038—DRIED FRUIT

[Conservation Order M-205]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dried fruit for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3038.1 *Conservation Order M-205*—(a) *Definitions.* For the purpose of this order:

(1) "Dried fruit" shall mean the whole or fleshy portions of apples, apricots, peaches, pears, prunes, or grapes (raisins) preserved by the removal therefrom of part of the natural moisture, and, unless otherwise indicated, shall include such fruit in natural or processed condition.

(2) "Packer" shall mean any person engaged in the business of processing and packaging dried fruit.

(3) "Processing" shall mean grading, sizing, stemming, seeding, or treating dried fruit by the use of hot water, steam, chemicals or compressed air.

(4) "Government Agency" shall mean any officer, board, agency, commission, or government-owned or government-controlled corporation of the United States specifically designated by the Director General for Operations.

(b) *Restrictions on packers.* (1) Each packer shall, without regard to previously existing contracts, set aside to be delivered for the requirements of government agencies, any dried fruit, and any fresh fruit acquired for use in the production of dried fruit, which were in his possession, under his control or under contract on August 10, 1942, or were acquired by him within one year thereafter. All such fruit so set aside shall, unless and until released, be held for allocation to any government agency by the Director General for Operations. Such fruit shall not be processed and packed without instructions from the Director General for Operations, or any government agency to which he shall have allocated such fruit. The Director General for

Operations may issue specifications at any time as to processing, packing, labeling, boxing and strapping. Dried fruit required to be set aside by this order shall not be delivered to any government agency when not specifically allocated to such agency by the Director General for Operations.

(2) On or before September 1, 1942, each packer shall mail to or file with the War Production Board a report on Form PD–624, Series, and twice monthly thereafter he shall mail to or file with the War Production Board reports on Form PD–625, Series.

(3) If any dried fruits set aside for the requirements of government agencies has not been purchased within 30 days after it has been first reported in his possession by the mailing or filing of the report prescribed in paragraph (b) (2), the packer may notify the War Production Board in writing that if such dried fruit is not purchased within 30 days he will no longer hold it set aside. If any of such dried fruit is not purchased within 30 days after the mailing or filing of such notice, or if no further order is issued with respect to it, it shall be deemed released and shall be available for unrestricted sale and distribution.

(4) If he determines that any dried fruit set side pursuant to this order is not required for government agencies, the Director General for Operations may release such dried fruit at any time by notice directed to the packer. So far as consistent with the defense requirements of the United States, such releases shall be of such a character as to allow to all packers, for sale to purchasers other than government agencies, substantially equal proportions of their packs of each fruit: *Provided, however,* That the Director General for Operations may, in determining any amounts to be so released to any packer, take into account any quantities of dried fruit produced from the 1942 crop and sold and actually shipped by him before August 10, 1942.

(5) Any quantities of dried fruit allocated or released shall unless otherwise specified, be withdrawn by the packer from the earliest reported stocks of such dried fruit.

(c) *Reports.* In addition to the report prescribed in paragraph (b) (2) packers shall file such additional reports as the War Production Board may prescribe for the purpose of effective administration of this order.

(d) *Inspection and grading.* Any dried fruit required to be set aside under this order shall be subject to inspection and grading at any time by the Director General for Operations, or by any person or Government agency thereto authorized by him.

(e) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him, may appeal to the Director General for Operations by letter, setting forth the pertinent facts and reasons such person considers that he is entitled to relief. The Director General may thereupon take such action as he deems appropriate.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order or by any rule, regulation or order of the Director General for Operations shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, Washington, D. C. Ref.: M–205.

(i) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7754; Filed, August 10, 1942; 11:11 a. m.]

PART 3038—DRIED FRUIT

[Conservation Order M–205–a]

RAISIN VARIETY GRAPES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of raisins for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3038.2 *Conservation Order M–205–a*—(a) *Definitions.* For the purposes of this order:

(1) "Raisin variety grapes" shall mean Thompson Seedless, Muscat and Sultana grapes grown in the State of California.

(2) "Grower" shall mean any person who grows raisin variety grapes for commercial sale.

(3) "Receiver" shall mean any person who purchases or accepts delivery of raisin variety grapes from a grower.

(b) *Restrictions.* (1) No person shall purchase, accept delivery of, or use more than 100 pounds of raisin variety grapes harvested or picked after August 24, 1942 for any purpose other than for conversion into raisins, unless such grapes have been released, in accordance with paragraph (b) (2), because of unsuitability for such conversion or because of any other reason specified in paragraph (b) (2). No person shall sell or deliver raisin variety grapes with knowledge or reason to believe that they are to be used in violation of this order.

(2) Raisin variety grapes may, notwithstanding the provisions of paragraph (b) (1) of this order, be delivered, sold and used for purposes other than conversion into raisins if a grower or receiver having such raisin variety grapes in his possession or control shall have made application on Form PD–626 to a duly authorized representative of the Secretary of Agriculture in the county where such grapes are grown and such representative shall have determined and certified in writing on Form PD–627 that such raisin variety grapes:

(i) Cannot, because of quality or condition, be converted into raisins,

(ii) Are produced in areas where, or under growing conditions in which, the necessary drying facilities are not available.

(iii) Are produced on vines which have been girdled, or

(iv) Are to be used for packing or preserving in metal or glass containers.

(c) *Reports.* Every grower and every receiver of raisin variety grapes shall execute and file with the War Production Board such reports and questionnaires as such Board may from time to time request.

(d) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him, may appeal to the Director General for Operations by letter, setting forth the pertinent facts and reasons such person considers that he is entitled to relief. The Director General may thereupon take such action as he deems appropriate.

(e) *Records.* All growers and receivers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order or by any rule, regulation or order of the Director General for Operations shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: "War Production Board, Food Branch, Washington, D. C. Ref.: M–205–a.

(h) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7753; Filed, August 10, 1942; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Correction to Amendment 4 to Revised Price Schedule 63 [1]]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

UNITED STATES RUBBER CO.

Paragraph (m) (2) in § 1315.110 should read as set forth below:

§ 1315.110 *Appendix A: Maximum retail prices for manufacturers' brands of new rubber tires and tubes.* * * *

(m) * * *

(2) United States Rubber Company: Maximum prices for the "U. S. Royal Master" and Fisk "Safti-Flight" brands of passenger car tires shall be the consumer list prices for those brands on file with the Office of Price Administration which were in effect on November 25, 1941.

§ 1315.109a *Effective dates of amendments.* * * *

(e) This correction to Amendment No. 4 (§ 1315.110 (m) and (m) (2)) to Revised Price Schedule No. 63 shall be effective as of August 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7678; Filed, August 7, 1942; 12:04 p. m.]

[1] 7 F.R. 1323, 1836, 2132, 3036, 3719, 4653.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Designation and Rent Declaration 23]

DESIGNATION OF 28 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

ST. LAWRENCE COUNTY, N. Y.

Item (17) listed in the table of § 1388.1101 of Designation and Rent Declaration No. 23 is amended to read as follows:

Name of Defense-Rental Area [1]	In State or States of—	Defense-Rental Area consists of—
* * *	* * *	* * *
(17) St. Lawrence County.	New York..	County of St. Lawrence.
* * *	* * *	* * *

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Anniston Defense-Rental Area", "Jacksonville, Florida Defense-Rental Area."

This Amendment No. 2 (§ 1388.1101) shall become effective August 7, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7679; Filed, August 7, 1942; 12:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 26]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

ST. LAWRENCE COUNTY, N. Y.

Section 1388.1701 (a) (17) of Maximum Rent Regulation No. 26 is hereby amended to read as follows:

§ 1388.1701 *Scope of regulation* (a) * * *

(17) The St. Lawrence County Defense-Rental Area, consisting of the County of St. Lawrence, in the State of New York.

* * * * * *

§ 1388.1714a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.-1701 (a) (17)) to Maximum Rent Regulation No. 26 shall become effective August 7, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7680; Filed, August 7, 1942; 12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 12 under § 1499.18 (b) of the General Maximum Price Regulation [1]]

CHAPMAN & DEWEY LUMBER CO.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.312 *Adjustment of maximum prices for sale of certain grades and sizes of oak flooring by Chapman & Dewey Lumber Co.* (a) The maximum f. o. b. mill price for sale by the Chapman & Dewey Lumber Co., 181 West Mallory Avenue, Memphis, Tennessee, for 1,000 board feet of certain grades and sizes of oak flooring manufactured by the company shall be as follows:

Grades	Finished sizes			
	25/32 x 2¼"	25/32 x 1½"	½ x 2"	3/8 x 2"
Clear plain red oak	$79.00			$61.00
Select plain white oak	75.00	$63.00		
Select plain red oak	76.00	65.00	$67.50	51.00
No. 1 common plain white oak	70.00	57.00		
No. 1 common plain red oak	71.00	57.00		46.50
No. 2 common	54.00		43.00	

(b) Additions to the maximum price established in paragraph (a) of this section may be in accordance with the additions permitted the Chapman & Dewey Lumber Company under the terms of the General Maximum Price Regulation.

(c) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 12 (§ 1499.312) shall become effective August 8, 1942. (Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7681; Filed, August 7, 1942; 12:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 12 under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3–593]

ZINSMASTER BAKING CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.362 *Adjustment of maximum prices for Zwieback Toast manufactured*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783.

by Zinsmaster Baking Company. (a) Zinsmaster Baking Company of 2900—10 Park Avenue, Minneapolis, Minnesota may sell, and Mr. Don Farmer, 820 McGarry Street, Los Angeles, California, may buy from Zinsmaster Baking Company the following commodity at prices not higher than those set forth below:

Zwieback Toast, packed bulk in 16–17 pound cases f. o. b. cars Minneapolis, Minnesota, at twelve cents ($0.12) per pound.

(b) The adjustment granted to Zinsmaster Baking Company in paragraph (a) is subject to the following conditions:

(1) This adjustment shall only apply to sales of this product to Mr. Don Farmer which are bought for resale to the Army Quartermaster Depot at San Bernardino, California.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 12 (§ 1499.362) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 12 § 1499.362) shall become effective August 8, 1942. (Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7682; Filed, August 7, 1942; 12:06 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 30A]

HOTELS AND ROOMING HOUSES

ST. LAWRENCE COUNTY, N. Y.

Section 1388.1901 (a) (17) of Maximum Rent Regulation No. 30A is hereby amended to read as follows:

§ 1388.1901 *Scope of regulation.* (a) • • •

(17) The St. Lawrence County Defense-Rental Area, consisting of the County of St. Lawrence, in the State of New York.

• • • • •

§ 1388.1914a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.-1901 (a) (17)) to Maximum Rent Regulation No. 30A shall become effective August 7, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7684; Filed, August 7, 1942; 3:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 11 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–162]

N. C. DEMLER CIDER MILL

For the reasons set forth in an Opinion issued simultaneously herewith,* it is ordered:

§ 1499.311 *Adjustment of maximum prices for one-gallon glass container of cider vinegar sold by N. C. Demler Cider Mill.* (a) N. C. Demler Cider Mill, of North Tonawanda, New York, may sell and deliver to a purchaser of the class charged 11 cents per gallon during March, 1942, and any purchaser of such class may buy and receive from N. C. Demler Cider Mill one-gallon glass containers of cider vinegar at a price not higher than 16 cents per gallon.

(b) Any purchaser of such class from N. C. Demler Cider Mill may sell and deliver and its customer may buy and receive one-gallon glass containers of cider vinegar produced by N. C. Demler Cider Mill at a price not higher than 20 cents per gallon.

(c) The adjustments granted in paragraphs (a) and (b) are subject to the following conditions:

(1) Each one-gallon container of cider vinegar delivered after the effective date hereof shall be marked with the words, "O. P. A. retail ceiling—20¢";

(2) N. C. Demler Cider Mill shall advise in writing all purchasers of the class affected by this order of the modification of maximum prices. Such notification shall be made with the first delivery after the effective date of this order and shall contain the complete text of this order;

(3) A ten-cent deposit may be charged on the one-gallon glass container, which deposit must be made returnable at any time;

(4) No seller shall change his customary allowances, discounts or other price differentials, unless such change shall result in a lower price.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 11 (§ 1499.311) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 11 (§ 1499.311) shall become effective August 8, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7686; Filed, August, 7, 1942; 3:20 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 13 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–142]

HERCULES BANANA CORPORATION

For the reasons set forth in an Opinion issued simultaneously herewith,* it is ordered:

§ 1499.313 *Adjustment of maximum prices for sales of 40-pound boxes of bananas sold by Hercules Banana Corporation.* (a) Hercules Banana Corporation, of Richmond Hill, New York, may sell and deliver, and any person may buy and receive from Hercules Banana Corporation 40-pound boxes of bananas at a price not higher than $4.80 per box for the best grade ripened bananas.

(b) The adjustment granted in paragraph (a) is subject to the condition that Hercules Banana Corporation shall not change its customary allowances, discounts or other price differentials, unless such change results in a lower price.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 13 (§ 1499.313) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 13 (§ 1499.313) shall become effective August 8, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7690; Filed, August 7, 1942; 3:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 22 to General Maximum Price Regulation [1]]

EFFECTIVE DATES OF AMENDMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.23a (u) is amended to read as set forth below:

§ 1499.23a *Effective dates of amendments.* • • •

(u) Amendment No. 21 (§§ 1499.9 (a) (3) and 499.20 (p)) to this General Maximum Price Regulation shall become effective August 7, 1942, except that the effective date of this amendment with respect to both fluid milk sold at wholesale and cream sold at wholesale in the Washington market area as defined in

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5464, 5565, 5775, 5753, 5784.

Federal Milk Marketing Order No. 45, as amended, issued by the Secretary of Agriculture August 29, 1941, shall be October 2, 1942.

§ 1499.23a *Effective dates of amendments.* • • •

(v) Amendment No. 22 to this General Maximum Price Regulation shall become effective August 7, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 7th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7685; Filed, August 7, 1942; 3:19 p. m.]

PART 1304—IRON AND STEEL SCRAP

[Amendment 7 to Revised Price Schedule 4 [1]]

IRON AND STEEL SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1304.13, footnote 1 to (a) (2), (a) (4), (a) (4) (ii), (a) (5), (c) (3) (ii), two basing points in (c) (5), Exceptions 3 and 6 in (d) (4), (e), (f) (2), are amended; new grade (29a) is added to (a) (3), new (29a) is added to (f); in (d) (4) Exception 9, text preceding (i) is designated (i), (i) is redesignated (*a*), (ii) is redesignated (*b*) and amended, and a new (ii) is added; item 17 in (a) (2) is revoked: In § 1304.14 the text preceding (i) in (a) (2) and the text preceding (1) in (b) are amended; the last paragraph in (a) (2) is designated (*a*) and a new (*b*) is added and two new paragraphs are added to (b): In § 1304.15 paragraph (b) (4) is added; as set forth below:

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.* (a) Basing point prices from which shipping point prices and consumers' delivered prices are to be computed.

• • • • •

(2) *Basing point prices of standard grades.* • • •

Standard Grades	*Adjustments (plus or minus)*
• • •	• •
Electric Furnace, Acid Open Hearth and Foundry Grades—For Electric Furnace, Acid Open Hearth and Foundry Use Only: [2]	
• • •	• •

(3) *Basing point prices of special grades.* • • •

Special grades	*Adjustments (plus or minus)*
• • •	• •
29a. Briquetted alloy free turnings	$2.00 For Electric Furnace, Acid Open Hearth and Foundry Use Only.
• • •	• •

(4) *Premiums for alloy content.* With the exception of the premiums specifically authorized below or in any other price schedule or regulation issued by the Office of Price Administration, no premium may be charged for contained alloys. In order to command the premiums authorized below, the scrap need not come direct from the industrial producer; nor with the exception of subdivisions (ii) (d) and (iii) are the premiums confined to a particular use.

• • • • •

(ii) Where, apart from alloy content, any grade of scrap meets the specifications contained in paragraph (f), the following premiums above the maximum prices for such items shall be the maximum applicable for the contained alloys:

• • • • •

(5) *Special preparation charges.* Except where turnings are crushed, no charge may be made for special preparation without prior approval by the Office of Price Administration. A $2.00 per gross ton charge may be made by scrap dealers for crushing turnings. An industrial producer may charge $1.00 per gross ton for crushing turnings.

• • • • •

(c) *Maximum shipping point prices.* • • •

(3) *Established charges.* • • •

(ii) No vessel charge shall be deemed an established charge within the meaning of this Revised Price Schedule No. 4 unless it has been the basis of actual movement of scrap to the most favorable basing point during the calendar years 1940 to 1941.

• • • • •

(5) *Switching charge deductions for shipping points within basing points.*

Basing point:	*(Switching charge deduction), cents per gross ton*
• • •	• •
Conshohocken, Pennsylvania	11
• • •	• •
Pittsburg, California	42
• • •	• •

(d) *Maximum prices delivered to the plant of a consumer.* • • •

(4) • • •

Exception 3. "Remote scrap" means all the kinds and grades of iron and steel scrap referred to in § 1304.13, Appendix A, and having a shipping point and a point of origin within the states of Montana, Idaho, Wyoming, Nevada, Arizona, New Mexico, Texas, Oklahoma, Florida, Oregon, Utah, Washington, North Dakota, South Dakota and Louisiana. Nebraska and Kansas shall be remote for shipping points having a maximum shipping point price of $13.00 per gross ton. Colorado scrap shall be remote scrap for Colorado consumers only.

• • • • •

Exception 6. The delivered price of Item 14, Bar Crops and Plate Scrap, Item 16, Punchings and Plate Scrap, Item 25, Alloy Free Turnings, and Item 26, Heavy Turnings, produced in industrial plants in the State of Michigan and shipped directly to consumers located in or nearest, in terms of established transportation charges, to the Buffalo, N. Y., Pittsburgh, Brackenridge or Midland, Pennsylvania, basing point, shall not exceed by more than $3.00 plus any increase in transportation charges mentioned in paragraph (d) (3), the price at the basing point nearest the consumer's plant.

• • • • •

Exception 9 (i) • • •

(*a*) • • •

(*b*) Where the most economical method available involves rail movement, the rail transportation charges must be computed on the basis of the rates for the highest minimum carload weight available.

(ii) Where scrap shipped pursuant to an allocation order issued by the War Production Board is stored, in transit, with a warehousing company, and the warehousing certificates for such scrap are pledged by the consumer as security for a loan to meet the consumer's indebtedness for the shipment, if the consumer defaults on the loan, and the scrap is resold to a consumer by the pledgee, the maximum delivered price upon the resale shall be the maximum shipping point price at the original shipping point, plus the established charges incurred in the movement from the shipping point to the point of storage, plus the established transportation charges incurred in the movement from the point of storage to the point of delivery.

(e) *Unprepared scrap.* (1) The maximum prices established hereinabove are maximum prices for prepared scrap. The term "unprepared scrap" shall have its customary trade meaning and shall not include such demolition projects as bridges, box cars or graveyard automobiles, which must be so priced that the prepared scrap will deliver to the consumer within the maximum delivered price established hereinabove.

(2) For unprepared scrap, maximum prices shall be $2.50 (and in the case of the material from which No. 1, No. 2 and No. 3 bundles are made, $4.00) less than the maximum prices for the corresponding grade or grades of prepared scrap. In no case, however, shall Electric Furnace and Foundry grades, listed in paragraph (a) of this section, be used as the "corresponding grade or grades of prepared scrap".

(3) Except as otherwise provided hereunder, where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point, as that phrase is defined in paragraph (c) of this section, until after such preparation has been completed. Where a consumer purchases un-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1207, 1836, 2132, 2155, 2507, 3087, 3550, 3889, 4488.

[2] No Basic Open Hearth or Blast Furnace consumer may purchase any Electric Furnace, Acid Open Hearth or Foundry Grade at a price in excess of the price listed in this paragraph for the corresponding Basic Open Hearth or Blast Furnace Grade: *Provided, however,* That this limitation shall not apply where the scrap has been shipped pursuant to an allocation order issued by the War Production Board. The prices of Items 13, 25, and 26 shall not exceed the prices of Basic Open Hearth and Blast Furnace Grades respectively, unless delivered to the consumer direct from the industrial producer thereof.

prepared *remote* scrap in rail carload lots, if no adequate facilities for preparation exist at or near the shipping point, the consumer may designate a dealer or dealers to prepare such scrap for its use at a maximum preparation fee of $2.50 per gross ton ($4.00 where No. 1, No. 2 and No. 3 bundles are prepared). In such cases the maximum delivered price shall be the shipping point price for unprepared scrap at the remote shipping point plus all-rail transportation charges to the point of delivery at the dealer's yard, plus a $2.50 per gross ton preparation fee ($4.00 where No. 1, No. 2 and No. 3 bundles are prepared), plus transportation charges from the dealer's yard to the point of delivery after the scrap has been loaded on the delivering carrier. Interim loading, unloading and similar charges may not be absorbed by the consumer. The maximum delivered price of such scrap shall not exceed by more than $5.00 the price at the basing point nearest the consumer's plant except upon prior approval of the Office of Price Administration as provided in Exception 3 in paragraph (d) of this section. Every purchase of scrap on this preparation fee basis shall likewise be subject to all the filing and other requirements in Exception 3 of paragraph (d) of this section.

At no time shall ownership of such scrap reside in the dealer to whom the preparation fee is paid.

(f) *Definitions of grades referred to in paragraph* (a). • • •

(2) *No. 2 heavy melting steel.* Wrought iron or steel scrap ⅛ inch and over in thickness, not over 18 inches in width and not over 5 feet in length. (Uncut rear ends of passenger automobiles may be included for Pacific Coast consumers only, even though over 5 feet in length.) Individual pieces must be free from attachments and so cut as to lie flat in the charging box. May include mashed or unmashed pipe ends under 4 inches in diameter. May include heavy oil field or similar cable not less than 1 inch in diameter and cut to lengths of 3 feet or less. May include car sides and light plate cut 15 inches by 15 inches or under. May not include auto body and fender stock.

• • • • • •

(29a) *Briquetted alloy free turnings.* Alloy free turnings, Item 25, compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60%.

• • • • • •

§ 1304.14 *Appendix B: Maximum prices for iron and steel scrap originating from railroads*—(a) *Scrap originating from railroads operating in a basing point named below* (all prices given below are per gross ton). • • •

(2) *Delivered to a consumer's plant located off the line of the railroad from which the scrap originated.* Except in the case of allocation orders issued by the War Production Board and of shipments of scrap by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, N. Y., Cleveland, Ohio, Elyria, Ohio, Detroit and Saginaw, Michigan, and Chicago, Illinois, the maximum price is either of the following, whichever is greater:

• • • • • •

(ii) • • •

(*a*) Where scrap is shipped by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, New York, Elyria, Ohio, Cleveland, Ohio, Detroit and Saginaw, Michigan, and Chicago, Illinois, the maximum delivered price shall be the maximum price established in paragraph (1) above, for scrap delivered to a consumer on the line of the railroad from which the scrap originated, plus transportation charges from the railroad's line to the point of delivery.

(*b*) Where scrap is shipped pursuant to an allocation order issued by the War Production Board, the maximum delivered price shall be the maxium price established in subparagraph (1), for scrap delivered to a consumer on the line of the railroad from which the scrap originated, plus transportation charges from the railroad's line to the point of delivery.

(b) *Scrap originating from railroads not operating in any of the basing points named above.* Except in the case of allocation orders issued by the War Production Board and of Rails for Rerolling, the maximum price of any grade of such scrap delivered to consumers located on and off the line of the railroad shall not exceed:

• • • • • •

(2) *For the grades not listed above, either of the following, which ever is less.* • • •

Where, pursuant to an allocation order issued by the War Production Board, any grade of scrap other than rails for rerolling is shipped to an off-line consumer, and the foreign line proportion of the through haul to such consumer exceeds the foreign line proportion of the through haul, if any, to the consumer whom the railroad supplied with the largest tonnage of the specific grade during the period from September 1, 1940 to January 31, 1941, then such excess may be added to the maximum price for such grade established in this paragraph.

Where any grade of scrap is shipped to an off-line consumer, there may be added to the maximum delivered price established under this paragraph, any increase in the foreign line proportion of the through haul resulting from a rise in rates which became effective after March 14, 1942: *Provided, however,* That such increase shall be shown as a separate item on the invoice.

• • • • • •

§ 1304.15 *Appendix C: Maximum price for cast iron scrap other than railroad scrap*[1]—(a) *Maximum price at shipping point*—(1) *Listed grades.* • • •

(b) *Maximum price delivered to a consumer.* • • •

(4) Where scrap shipped pursuant to an allocation order issued by the War Production Board is stored, in-transit, with a warehousing company, and the warehousing certificates for such scrap are pledged by the consumer as security for a loan to meet the consumer's indebtedness for the shipment, if the consumer defaults on the loan, and the scrap is resold by the pledgee, maximum delivered price upon the resale shall be the maximum shipping point price at the original shipping point, plus the established transportation charges incurred in the movement from the original shipping point to the point of storage, plus the established transportation charges incurred in the movement from the point of storage to the point of delivery.

§ 1304.12a *Effective dates of amendments.* • • •

(g) Amendment No. 7 (§§ 1304.13, 1304.14, 1304.15) to Revised Price Schedule No. 4 shall become effective August 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7728; Filed, August 8, 1942; 12:47 p. m.]

PART 1340—FUEL

[Amendment 14 to Maximum Price Regulation 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (i) is added to paragraph (b) (3) of § 1340.213, as set forth below:

§ 1340.213 *Appendix B: Maximum Prices for Bituminous Coal Produced in District No. 2.* • • •

(b) • • •

(3) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* • • •

(i) *Special price instructions.* (*a*) Maximum prices for shipment by truck or wagon from deep mines to beehive coke ovens for conversion into coke shall be the same as the maximum prices for shipment by truck or wagon for all other uses;

Provided, That there may be received by the seller and paid by the buyer of such coals, shipped by truck or wagon to beehive coke ovens, not more than the maximum prices established herein, on deliveries thereof made on and after May 18, 1942.

§ 1340.211a *Effective dates of amendments.* • • •

(o) Amendment No. 14 (§ 1340.213 (b) (3) (i)) to Maximum Price Regulation No. 120 shall become effective August 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7729; Filed, August 8, 1942; 12:50 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 4 to Maximum Price Regulation 152[1]]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1341.22 a new paragraph (k) is added and two new sentences are added to § 1341.30 (a) (3).

§ 1341.22 *Canner's maximum prices for canned vegetables.* • • •

(k) If a canner cannot compute the maximum prices for No. 10 containers of each grade of the following canned vegetables under paragraphs (a), (b) and (c) of this section, he shall determine such maximum prices for that grade of No. 10 containers of canned vegetables as follows:

(1) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for No. 2 containers of beets, and spinach by 4.25. The resulting figure shall be the maximum price for No. 10 containers.

(2) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for No. 2 containers of carrots, okra, tomatoes, vegetable greens and okra and tomatoes by 4.50. The resulting figure shall be the maximum price for No. 10 containers.

(3) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for No. 2 containers of artichokes, asparagus, beans (snap) and carrots and peas by 4.75. The resulting figure shall be the maximum price for No. 10 containers.

(4) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for No. 2 containers of lima beans, celery, corn, peas, pickles, rhubarb, succotash, turnips, vegetables (mixed), vegetable juice, vegetable juices (mixed) and parsnips by 5.00. The resulting figure shall be the maximum price for No. 10 containers.

(5) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for 12-ounce containers of chili sauce and tomato sauce by 6.40. The resulting figure shall be the maximum price for No. 10 containers.

(6) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for 14 ounce containers of tomato catsup by 5.25. The resulting figure shall be the maximum price for No. 10 containers.

(7) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for 6 ounce containers of tomato paste by 14.25. The resulting figure shall be the maximum price for No. 10 containers.

(8) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for No. 1 containers of tomato puree by 7.75. The resulting figure shall be the maximum price for No. 10 containers.

(9) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for No. 3 cylinder containers of tomato juice by 2.00. The resulting figure shall be the maximum price for No. 10 containers.

(10) The canner shall multiply the maximum price computed under paragraphs (a), (b) and (c) of this section for 7 ounce containers of peppers by 12.00. The resulting figure shall be the maximum price for No. 10 containers.

§ 1341.30 *Definitions.* (a) When used in this Maximum Price Regulation No. 152 the term:

• • • • • •

(3) • • • Sales and deliveries of bamboo sprouts and hominy are excluded from the operation of this Maximum Price Regulation No. 152. Sales and deliveries of pimientos, pumpkin and squash shall be governed by the provisions of this regulation.

§ 1341.32. *Effective dates of amendment.* • • •

(d) Amendment No. 4 (§§ 1341.22 (k), 1341.30 (a) (3)) shall become effective August 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7730; Filed, August 8, 1942; 12:51 p. m.]

PART 1355—LEAD

[Maximum Price Regulation 199]

LEAD BULLET ROD

In the judgment of the Price Administrator it is necessary and proper to establish by a separate maximum price regulation the prices at which lead bullet rod may be sold. The Price Administrator has ascertained and given due consideration to the prices of lead bullet rod prevailing between October 1 and October 15, 1941, and during the month of March 1942, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulaion.

In the judgment of the Price Administrator the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 199 is hereby issued.

AUTHORITY: §§ 1355.101 to 1355.114, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1355.101 *Maximum prices for lead bullet rod.* On and after August 13, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver lead bullet rod, and no person shall buy or receive lead bullet rod in the course of trade or business, at prices higher than the prices set forth in Appendix A hereof, incorporated herein as § 1355.114; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1355.102 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1355.114, may be charged, demanded, paid or offered.

§ 1355.103 *Export sales.* The maximum prices at which a person may export lead bullet rod shall be determined in accordance with the provisions of Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1355.104 *Applicability of General Maximum Price Regulation.*[3] The provisions of this Maximum Price Regulation No. 199 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 199.

§ 1355.105 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. However, in an appropriate situation, where a petition for amendment or for adjustment or exception has been filed and requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1355.106 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 199 shall not be evaded

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3895, 3963, 4453.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5607.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3096, 3824, 4294, 4541, 5059.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6007.

whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, lead bullet rod, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1355.107 *Records.* (a) Every sale of lead bullet rod after the effective date of this Maximum Price Regulation No. 199 shall be invoiced by the seller. The original invoice shall be signed by the seller or by a duly-authorized partner, officer or employee of the seller, shall be delivered to the buyer substantially contemporaneously with the lead bullet rod, and shall state: (1) the date of purchase, (2) the date of delivery, (3) the name and address of the buyer and seller, (4) the quantity and description of each type of lead bullet rod sold, (5) the price in cents per pound and in total, with the transportation and packaging charges, if any, itemized separately, and (6) the original cost of the required metal ingredients used in the production of the lead bullet rod sold to the buyer.

(b) After the effective date of this Maximum Price Regulation No. 199, every buyer of lead bullet rod shall preserve for inspection by the Office of Price Administration for a period of at least two years, the original, and every seller of lead bullet rod shall so preserve a copy of each invoice required to be furnished by paragraph (a) of this section.

(c) After the effective date of this Maximum Price Regulation No. 199, every producer of lead bullet rod shall maintain complete and accurate records of the original cost of the required metal ingredients by preserving for inspection by the Office of Price Administration records with respect to every lot purchased showing: (1) the date of such purchase, (2) the name and address of the seller of the metal ingredients, (3) the quantity and description of the metal ingredients, (4) the price per pound, and in total, of the metal ingredients, and (5) the transportation costs paid, if any, itemized separately.

§ 1355.108 *Reports.* (a) Every person making a sale of lead bullet rod shall, within ten days after the date of such sale, submit to the Office of Price Administration with respect to each such sale an exact copy of the invoice required to be kept by the seller under paragraph (b) of § 1355.107 hereof.

(b) Every producer who, within the eighteen months period immediately preceding the effective date of this Maximum Price Regulation No. 199, has sold and delivered 200 tons of lead bullet rod shall, within ten days after the effective date of this Maximum Price Regulation No. 199, so notify the Office of Price Administration by submitting a written statement to that effect. Every producer who, within the eighteen months period immediately preceding the effective date of this Maximum Price Regulation No. 199, has not sold and delivered 200 tons of lead bullet rod, shall, within ten days after having produced this tonnage, so notify the Office of Price Administration by submitting a written statement to that effect.

(c) Every person subject to this Maximum Price Regulation No. 199 shall submit such other reports and keep such other records as the Office of Price Administration may, from time to time, require, either in addition to, or in substitution for, records and reports herein required.

§ 1355.109 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 199 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 199 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1355.110 *Applications for adjustment.* Any person seeking relief from a maximum price established under this Maximum Price Regulation No. 199 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 199 to keep prices at a reasonable level and thereby assure that defense appropriations are not dissipated by excessive prices.

§ 1355.111 *Petitions for amendment.* Persons seeking any modification of any provision of this Maximum Price Regulation No. 199 or an adjustment or exception not provided for in § 1355.110 of this Maximum Price Regulation No. 199 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1355.112 *Definitions.* (a) When used in this Maximum Price Regulation No. 199, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Lead bullet rod" includes all bullet or ammunition rod or wire produced from lead, from antimonial lead, or from any other kind or grade of lead by extrusion from a hydraulic press.

(3) "The original cost of the required metal ingredients" means the delivered cost to the producer per pound of the metal used in the production of the lead bullet rod. Such original cost per pound of the required metal ingredients shall be limited to the price per pound charged to or paid by the producer at the time of the delivery to him of the required metal ingredients; such original cost per pound, however, shall not be increased as a result of any poundage loss that may occur due to the conversion of the metal.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1355.113 *Effective date.* This Maximum Price Regulation No. 199 (§§ 1355.101 to 1355.114, incl.) shall become effective August 13, 1942.

§ 1355.114 *Appendix A: Maximum prices for lead bullet rod, f. o. b. producer's plant.* (a) The maximum price, f. o. b. producer's plant, for all lead bullet rod shall be the original cost of the required metal ingredients plus 1.10 cents per pound: *Provided, however,* That in the case of a producer who has not, within the period of eighteen months immediately preceding the effective date of this Maximum Price Regulation No. 199, sold and delivered 200 tons of lead bullet rod, the maximum price shall be the original cost of the required metal ingredients plus 1.25 cents per pound until such time as the producer has sold and delivered 200 tons of lead bullet rod, after which time the maximum price of such a producer shall be the original cost of the required metal ingredients plus 1.10 cents per pound.

(b) (1) The maximum prices specified in paragraph (a) of this section include the costs of all accessory packing. Where the drums, reels or other main packages are the property of the seller, rather than the buyer, the charge for the package shall be separately listed on the invoice as required by subparagraph (5) of paragraph (a) of § 1355.107 hereof and shall, unless disapproved by the Office of Price Administration within sixty days after a copy of the invoice has been submitted to the Office of Price Administration as required by the provisions of § 1355.108 (a) hereof, be the maximum charge for such packages applicable to all subsequent sales and delivered by such producer.

(2) In the event that empty drums, reels or other main packages are returned to the producer by the buyer of the lead bullet rod originally contained therein, the freight costs on such shipment may be charged to and paid by the buyer of the lead bullet rod in addition to the maximum prices established by paragraph (a) of this section.

(c) The producer of lead bullet rod may add to the maximum prices specified in paragraph (a) of this section actual freight costs incurred in the transportation of lead bullet rod from his plant to the buyer's plant.

(d) No cost, charge, or any other addition, except those expressly permitted by paragraphs (b) and (c) of this section, may be added to the maximum prices established by paragraph (a) of this section.

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7745; Filed, August 8, 1942; 12:48 p. m.]

PART 1356—COOKERS AND HEATERS

[Amendment 3 to Revised Price Schedule 64 [1]]

DOMESTIC COOKING AND HEATING STOVES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subdivision (i) is added to § 1356.1 (c) (1) as set forth below:

§ 1356.1 *Maximum prices for stoves.* • • •

(c) *Private brand stoves sold or delivered under cost-plus contracts.*—(1) *Completion of outstanding cost-plus contracts.* • • •

(i) In the case of the Newark Stove Company, the maximum price for the sale of any private brand stove specifically built for Sears, Roebuck & Company pursuant to contract of December 28, 1937 to any other purchaser shall be the price determined by the terms of such contract plus a tooling charge not to exceed $2.25 for each stove: *Provided,* That the proceeds of such charge shall be turned over to Sears, Roebuck & Company. • • •

§ 1356.13 *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1356.1 (c) (1) (i)) to Revised Price Schedule No. 64 shall become effective August 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7731; Filed, August 8, 1942; 12:52 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 21A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1507 (a) of Maximum Rent Regulation No. 21A shall be amended to read as follows:

§ 1388.1507 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • •

§ 1388.1514a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.1507 (a)) to Maximum Rent Regulation No. 21A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7739; Filed, August 8, 1942; 12:49 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3 to Maximum Rent Regulation 22A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1557 (a) of Maximum Rent Regulation No. 22A shall be amended to read as follows:

§ 1388.1557 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • •

§ 1388.1564a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1388.1557 (a)) to Maximum Rent Regulation No. 22A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7738; Filed, August 8, 1942; 12:49 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 23A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1607 (a) of Maximum Rent Regulation No. 23A shall be amended to read as follows:

§ 1388.1607 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • •

§ 1388.1614a *Effective dates of amendments.*

(b) Amendment No. 2 (§ 1388.1607 (a)) to Maximum Rent Regulation No. 23A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7737; Filed, August 8, 1942; 12:49 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 28]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1807 of Maximum Rent Regulation No. 28 is hereby amended to read as follows:

§ 1388.1807 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation (or, as to housing accommodations within the Pittsburgh Defense-Rental Area, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

• • • • •

§ 1388.1814a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.1807) to Maximum Rent Regulation No. 28 shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7736; Filed, August 8, 1942; 12:49 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 29A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1857 (a) of Maximum Rent Regulation No. 29A shall be amended to read as follows:

§ 1388.1857 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • •

§ 1388.1864a *Effective dates of amendments.* • • •

(b) Amendment No. 1 (§ 1388.1857 (a)) to Maximum Rent Regulation No. 29A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7735; Filed, August 8, 1942; 12:49 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 30A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1907 (a) of Maximum Rent Regulation No. 30A shall be amended to read as follows:

§ 1388.1907 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • • •

§ 1388.1914a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.1907 (a)) to Maximum Rent Regulation No. 30A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7733; Filed, August 8, 1942; 12:50 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 31A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1957 (a) of Maximum Rent Regulation No. 31A shall be amended to read as follows:

§ 1388.1957 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • • •

§ 1388.1954a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.1957 (a)) to Maximum Rent Regulation No. 31A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7733; Filed, August 8, 1942; 12:50 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 32A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.2007 (a) of Maximum Rent Regulation No. 32A shall be amended to read as follows:

§ 1388.2007 *Registration.* (a) On or before August 31, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • • •

§ 1388.2014a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.2007 (a)) to Maximum Rent Regulation No. 32A shall become effective August 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7732; Filed, August 8, 1942; 12:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 52 under § 1499.3 (b) of General Maximum Price Regulation [1]]

HENNING BROS. & SMITH, INC.

Henning Brothers & Smith, Inc. of Brooklyn, New York, has made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for certain zinc die cast notched bars to be sold for use as a base metal.

Due consideration has been given to the application and an opinion in support of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.266 *Authorization of the maximum price for certain zinc die cast notched bars to Henning Brothers & Smith, Inc.* (a) On and after August 10, 1942, Henning Brothers & Smith, Inc. may sell and deliver and agree, offer, solicit, and attempt to sell and deliver zinc die cast notched bars containing approximately 6% aluminum, percentages of copper, magnesium and lead as low as possible, and the remainder zinc, approximately 26 inches in length, 3 inches in width, and 1¼ inches in thickness and weighing approximately 18 pounds at a price not higher than 6.8 cents per pound f. o. b. shipping point.

(b) This Order No. 52 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 52 shall become effective August 10, 1942. (Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7744; Filed, August 8, 1942; 12:49 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783.

PART 1499—COMMODITIES AND SERVICES

[Order 14 under § 1499.18 (c) and General Maximum Price Regulation [1]]

LARGAY BREWING CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.314 *Adjustment of maximum prices for malt beverages produced by Largay Brewing Company.* (a) On and after August 10, 1942, Largay Brewing Company, of Waterbury, Connecticut, may sell and deliver and any person may buy and receive from Largay Brewing Company the following commodities for sale in the State of Connecticut at prices not higher than those set forth below:

The maximum prices established under § 1499.2 (a) of the General Maximum Price Regulation for sale of malt beverages (beer and ale) by such company to all classes of trade in the State of Connecticut plus: 4 cents per case of 24 twelve ounce bottles; 10 cents per case of 12 quart bottles.

(b) On and after August 10, 1942, any wholesaler who dealt in malt beverages produced by Largay Brewing Company during March 1942 may sell and deliver and any person may buy and receive from such wholesaler the following commodities for sale in the State of Connecticut at prices not higher than those set forth below.

The maximum prices established under § 1499.2 (a) of the General Maximum Price Regulation for sale of such malt beverages (beer and ale) by such wholesaler in the State of Connecticut plus: 4 cents per case of 24 twelve ounce bottles; 10 cents per case of 12 quart bottles. *Provided,* That if any such wholesaler increased its prices for such malt beverages during March 1942 such wholesaler shall add to its maximum prices established under § 1499.2 (a) of the General Maximum Price Regulation only the excess, if any, remaining after deducting such increase from the adjustment herein granted.

(c) The adjustment granted to Largay Brewing Company in paragraph (a) is subject to the following conditions:

1. On or before August 10, 1942 Largay Brewing Company shall, by circular or other appropriate means, notify its customers that the Office of Price Administration has authorized adjustment of its maximum prices as set out in paragraph (a) hereof and notify its wholesalers that the Office of Price Administration has authorized adjustment of their maximum prices as set out in paragraph (b) hereof.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 14 (§ 1499.314) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 14 (§ 1499.314) shall become effective August 10, 1942. (Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7741; Filed, August 8, 1942; 12:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 15 under § 1499.18 (b) of General Maximum Price Regulation [1]]

CHARLES F. ADOLPH, INC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.315 *Adjustment of maximum prices for sale of certain barrels by Charles F. Adolph, Inc.* (a) The maximum delivered price for sale by Charles F. Adolph, Inc., 242 Richardson Street, Brooklyn, New York, of certain new gumwood barrels to the Arabol Manufacturing Company, 110 East 42nd Street, New York City, and other purchasers in the same class shall be as follows:

Size of Barrel	*Maximum delivered price*
57/59 Gallon Gumwood Barrel	$3.85
30/32 Gallon Gumwood Barrel	2.75

(b) The maximum prices established by this Order No. 15 shall be applicable to barrels which Charles F. Adolph, Inc., delivered to the purchaser subsequent to the effective date of the General Maximum Price Regulation and which have not been billed to the purchaser prior to the effective date of this Order No. 15.

(c) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 15 (§ 1499.315) shall become effective August 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7743; Filed, August 8, 1942; 12:52 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5718, 5710.

PART 1499—COMMODITIES AND SERVICES

[Order 13 under § 1499.18 (c) of General Maximum Price Regulation [1]]

WURZBURG BROTHERS

For reasons set forth in an opinon issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.363 *Adjustment of maximum price for sale by Wurzburg Brothers of size 9¾ x ⅜ "D" quality straight corks.* (a) The maximum price, f. o. b. Memphis, Tennessee, for sale by Wurzburg Brothers, 710 South Fourth Street, Memphis, Tennessee, of size 9¾ x ⅜ "D" quality straight corks shall be $1.40 per 1,000 corks.

(b) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 13 (§ 1499.363) shall become effective August 10, 1942. (Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7742; Filed, August 8, 1942; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 14 under § 1499.18 (c) of General Maximum Price Regulation [1]]

BERMAN BROS. COOPERAGE CO.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.364 *Adjustment of maximum prices for slack cooperage products manufactured and sold by Berman Brothers Cooperage Company.* (a) The maximum delivered price for certain slack cooperage products manufactured and sold by Berman Brothers Cooperage Company, Moore Street, East Liverpool, Ohio, shall be as follows:

17" slack barrels with heads	$0.90
19½" slack barrels with heads	1.00
22" slack barrels with heads	1.20
24" slack barrels with heads	1.25

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 14, (§ 1499.364) shall become effective August 10, 1942. (Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7740; Filed, August 8, 1942; 12:48 p. m.]

[1] 7 F.R. 5512.

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 10—GRANTS TO STATES FOR VENEREAL DISEASE CONTROL

SUBPART E—FISCAL YEAR 1943 AND EACH YEAR THEREAFTER

ALLOTMENTS AND PAYMENTS TO THE STATES FOR VENERAL DISEASE CONTROL ACTIVITIES

Whereas, pursuant to section 4d of Chap. XV of the Act of July 9, 1918, as added by the Act of May 24, 1938, 52 Stat. 439 (U.S. Code, title 42, sec. 25d) hereinafter referred to as the Act, the following regulations are hereby prescribed:

Sec.
10.401 Compliance with law and regulations.
10.402 Effective period.
10.403 Definitions.
10.404 Allotments.
10.405 Balances from allotments.
10.406 Matching requirements.
10.407 Training and administration.
10.408 Submission of plans and budgets.
10.409 Payments to States.
10.410 Custody and disbursement of funds.
10.411 Existing appropriations not to be replaced.
10.412 Financial reports.
10.413 Progress reports of activities.
10.414 Withholding payments.
10.415 Required minimal services.

AUTHORITY: §§ 10.401 to 10.415, inclusive, issued under sec. 4d of Chap. XV of the Act of July 9, 1918, as added by the Act of May 24, 1938, 52 Stat. 439; 42 U.S.C. 25d.

§ 10.401 *Compliance with law and regulations.* In order that funds allotted to the States may be of maximum use in assisting States, municipalities, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate measures for the control of the venereal diseases, payments made to a State under authority of the act will be certified by the Surgeon General only after such State has complied with the provisions of the act and regulations authorized thereunder;

§ 10.402 *Effective period.* The rules and regulations in this subpart and any amendments thereto shall be in full force and effect during each fiscal year for which funds are available and allotments are made under the act;

§ 10.403 *Definitions.* As used in this subpart:

"State" includes the District of Columbia, Alaska, Puerto Rico, the Virgin Islands, and Hawaii;

"Local" means pertaining to counties, health districts, municipalities, and other political subdivisions of the States;

"Federal funds" means funds appropriated by the Federal Government under the authority of sec. 4d of Chap. XV of the Act of July 9, 1918, as added by the Act of May 24, 1938, 52 Stat. 439; 42 U.S.C. 25d;

"State health authority" means the highest State official whose principal duties are the administration of State health activities;

"State venereal disease control officer" means the highest State official to whom is assigned the administration of the venereal disease control program;

§ 10.404 *Allotments.* The Surgeon General, pursuant to the authority contained in section 4b of the act, has determined that $10,170,000 (or 80.26%) of the total amount available for the fiscal year 1943 shall be allotted to the States. Allotments have been made in accordance with the following bases, and then have been adjusted for the unexpended balances in the States from previous allotments under the act:

(a) *Population.* Allotments amounting to 18.76 percent of the available appropriations will be made to the several States in the ratio which the population of each State bears to the population of the United States, as shown by the census of 1940.

(b) *Extent of the venereal disease problem.* Allotments amounting to 42.64 percent of the available appropriations will be made to the several States on the bases of (1) the varying composite and racial prevalence rates for syphilis; (2) the extent to which treatment facilities have been provided as evidenced by the population under treatment for syphilis; (3) the varying costs of providing equal services as determined by the inverse function of the density and the direct function of the size of the population of each State; (4) the need for training centers and demonstrations in selected areas; (5) the need for facilities for the prevention and control of the venereal diseases in localities where armed forces or civilian employees engaged in war activities are concentrated; (6) the scope of the programs necessitated by the war.

(c) *Financial needs.* Allotments amounting to 18.86 percent of the available appropriations will be made to the several States on the basis of their financial needs, as determined by the ability of the States to raise revenue, expressed in terms of per capita income differences obtained from data supplied by the Bureau of Foreign and Domestic Commerce for the five-year period 1936–1940;

§ 10.405 *Balances from allotments.* Unpaid balances from allotments at the end of the fiscal year shall not be paid but shall remain in the appropriation for reallotment to the States in the succeeding fiscal year in accordance with the provisions of the act;

§ 10.406 *Matching requirements.* Allotments to the several States will be available for payment when matched by State or local public funds which are to be expended for venereal disease control work in an amount equal to the allotment to each State on the bases of the population and the general extent of the venereal disease problem.

Funds employed for matching purposes shall be identified on Budget Form 8930–A and may be derived either from new or old appropriations, State, or local, and from donations by private individuals or nongovernmental agencies when such nonpublic funds are certified as being available and will be expended for the control of the venereal diseases under the direction of the State health authority;

§ 10.407 *Training and administration.* When Federal funds paid hereunder are utilized for the training of venereal disease control personnel, each State shall conform to "Training Policies of the United States Public Health Service" as amended to June 15, 1942. Each State shall establish and maintain (a) acceptable administrative and fiscal procedures; and (b) a system of personnel administration on a merit basis in accordance with "Merit System Policies of the United States Public Health Service" as amended to May 15, 1942;

§ 10.408 *Submission of plans and budgets.* Prior to the beginning of the fiscal year each State health authority shall submit for the approval of the Surgeon General a plan for improving and extending State and local venereal disease control services. The plan shall also include (a) a comprehensive statement of any changes in the State venereal disease control organization (including personnel administration on a merit basis), programs, and appropriations since the last statement was submitted; and (b) budgets on forms prescribed by the Public Health Service itemizing the proposed uses and showing the sources of all funds to be spent under the plan. Plans may be amended only with the approval of the Surgeon General;

§ 10.409 *Payments to states.* Prior to the beginning of each quarter the State health authority shall submit an application for funds, allotted under the act, upon forms prescribed by the Public Health Service. The Surgeon General may certify quarterly to the Secretary of the Treasury for payment to the State an amount which, together with any balance on hand in the State, shall not exceed, except in an extraordinary emergency, thirty-five percent of the total amount available, provided that the total payments shall not exceed the total annual allotment, or the total amount budgeted whichever is less;

§ 10.410 *Custody and disbursement of funds.* Payments shall be made quarterly to the State treasurer or other officer authorized by State law to receive the funds, and the principal accounting officer of the State government shall account for the funds separately from any other funds, State or Federal. State laws and regulations governing the custody and disbursement of State funds shall govern the custody and disbursement of Federal funds paid hereunder, subject to such amplification or modification as the Surgeon General may find necessary;

§ 10.411 *Existing appropriations not to be replaced.* Federal funds paid to a State shall be expended solely for venereal disease control activities as specified in plans and budgets approved by the Surgeon General, and shall not be used in such manner as to result in a reduction of State or local appropriations or expenditures for venereal disease control services;

§ 10.412 *Financial reports.* The State health authority shall submit to the Surgeon General quarterly financial reports on forms prescribed by the Public Health Service;

§ 10.413 *Progress reports of activities.* The State health authority shall submit to the Surgeon General the reports listed below and such other information as the Surgeon General may require:

(a) A semi-annual report on the status of venereal disease control activities (Form VM–1002, Section I—Statistical, Section II—Narrative). For the period July 1 to December 31 this report should be forwarded in duplicate through the district office of the Public Health Service not later than January 31; for the period January 1 to June 30 not later than July 31.

(b) A monthly clinic report (Form 8954–A Rev. March 1940) for each clinic in the State treating venereal diseases, by the fifteenth day of each succeeding month. Clinics employing the mechanical system for reporting are exempt from the use of this form if the designated machine-tabulated reports are submitted by the State.

(c) A monthly morbidity report (Form 8958–B Rev. March 1940) by the twenty-fifth day of each succeeding month.

(d) A monthly city morbidity report (Form VM–820 Rev. 1940) by the fifteenth day of each succeeding month, for each city in which the population is 200,000 or over;

§ 10.414 *Withholding payments.* If expenditures are made by any State contrary to the act, or of rules and regulations prescribed thereunder, the Surgeon General may withhold future payments. The Surgeon General may withhold his certification of quarterly payments in whole or in part from any State which violates the act, or rules and regulations prescribed thereunder, or plans approved by the Surgeon General pursuant thereto;

§ 10.415 *Required minimal services.* Generally accepted minimal services for the control of the venereal diseases shall be made available in each State, Territory, municipality, county, health district, or other political subdivision receiving funds under this act substantially in accordance with the following standards:

(a) The State laboratory, and any local serological laboratory receiving funds under this act shall demonstrate by a suitable method that the tests for syphilis performed therein have a satisfactory sensitivity and specificity rating. Such rating shall be determined in the case of the State laboratory by the Public Health Service.

(b) The State laboratory and any local laboratory receiving funds under this act shall provide laboratory services for the venereal diseases on the same basis as such service is provided for other communicable diseases. No State department of health shall be entitled to receive payments under this act unless such laboratory services are provided within that state.

(c) Free diagnostic and treatment facilities for both syphilis and gonorrhea shall be provided by all health departments receiving funds under this act. In order to provide complete clinical service, funds may be reallotted in the discretion of the State health authority independently to the gonorrhea or syphilis departments of polyclinics. All health departments or clinics receiving funds shall provide facilities for (1) diagnosis and emergency treatment of all patients who apply; (2) continued treatment, consultative advice or opinion for all patients referred by private physicians; and (3) continued treatment for all patients unable to afford private medical care. The determination of the ability of patients to pay for private medical care shall be the responsibility of the State or local health department or constituted welfare agencies within these areas. Clinics collecting fees from semi-indigent patients shall not receive assistance under this act unless such fees are used solely by the venereal disease clinic for improvement of diagnostic and therapeutic services rendered therein.

(d) Free distribution of antisyphilitic drugs shall be made on the request of any physician authorized by the Law of his State to administer such drugs for the treatment of his patients: *Provided*, That where health departments have established the policy of furnishing drugs to the physician conditional upon receiving a morbidity report on the case of syphilis to be treated, that such policy will not in any way be altered by this regulation.

(e) To receive funds under this act, diagnositic and treatment services shall be as freely available to infected residents of other States and counties as to people who reside in the governmental unit providing the services. Clinics shall be so located as to be easy of access and of maximum convenience to the population, and shall be held in well-lighted and well-ventilated rooms. The number of clinic sessions shall be adequate to meet local needs, and shall be held at such times as to avoid economic loss to employed patients; the physical arrangements shall be such as to insure privacy for the patients when receiving medical attention, and the minimum equipment shall include all apparatus and reagents necessary for the proper examination and treatments of patients infected with syphilis and gonorrhea. Such equipment will also include apparatus for darkfield examination, ophthalmologic examination, and for lumbar punctures, unless there is immediate access to such examinations by some other means. The minimal data included on morbidity, clinical, and epidemiologic records shall be those presented in the reprint of the United States Public Health Service on "A Mechanical System for Reporting Morbidity, Treatment-Progress, and Control of Venereal Diseases," or such minimal data as may be later approved by the members of the Conference of State and Territorial Health Officers. Efficient case-finding and case-holding work shall be conducted in all clinics by qualified personnel.

(f) The services of a properly qualified full-time venereal disease control officer shall be provided in each State, and in any municipality receiving funds under this act, if the population of either exceeds 500,000 on the basis of the 1940 census: *Provided further*, That the State health officer, after consultation and agreement with the Surgeon General, may require that the above regulations will apply in cities of populations of less than 500,000 on the basis of the 1940 census.

(g) In reallocating funds under this act for local venereal disease control services, the State health authority shall give due consideration to the relatively higher prevalence of syphilis and gonorrhea in urban areas: *Provided*, That Federal funds shall be withheld from counties, health districts, municipalities, or other political subdivisions where the laws, ordinances, and regulations pertaining to prostitution are not being enforced.

(h) The State health authority shall give due consideration to keeping the total administrative costs for venereal disease control work, including both State and Federal funds, at the lowest possible level consistent with the prosecution of an effective venereal disease control program. The total cost of administration of the venereal disease control program shall not exceed 5 percent of all funds expended for this phase of public health work in States with a population greater than one million and 10 percent in States with a population of one million or less in terms of the following personnel and services:

(1) The State venereal disease control officer. The travel allowance of such officer should not be included as an administrative item because, in most States, this officer performs some duties connected with field work.

(2) The clerical assistant to the venereal disease control officer. The clerical assistant should perform those duties pertaining to the venereal disease control officer's correspondence, filing, or other general office work in this section of the health department.

(3) Any other clerical or stenographic personnel at the State level, provided the major portion of their activities is concerned with general office work under the immediate supervision of the State venereal disease control officer. This item includes personnel concerned with the accounting of funds, but excludes personnel concerned with statistical activities since the latter are included in the category of personnel performing duties connected with consultation and dissemination of technical information.

(4) All activities concerned with the administration of the merit system on the State level.

[SEAL] THOMAS PARRAN,
Surgeon General.

JULY 27, 1942.

Approved: August 6, 1942.

WATSON B. MILLER,
Acting Administrator,
Federal Security Agency.

[F. R. Doc. 42–7761; Filed, August 10, 1942; 11:22 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular No. 1514]

PART 259—SPECIAL CONTRACTS

REGULATIONS GOVERNING CONTRACTS FOR THE CUTTING AND REMOVAL OF YUCCA FROM THE PUBLIC LANDS

JULY 28, 1942.

Sec.

259.1 Authority.
259.2 Policy.
259.3 Lands subject to yucca contracts.
259.4 Form of contract; procedure.
259.5 Application.
259.6 Citizenship.
259.7 Fee.
259.8 Charges.
259.9 Execution of contract; bond and advance payment.
259.10 Use of land.
259.11 Assignment of contract.
259.12 Cancelation of contract.

AUTHORITY: §§ 259.1 to 259.12, inclusive, issued under R.S. 543, 2478; 43 U.S.C. 2, 1201; E.O. 9180, 7 F.R. 4317.

§ 259.1 *Authority.* Executive Order 9180 of June 5, 1942, issued to facilitate the prosecution of the war, authorizes the Secretary of the Interior

• • • to enter into contracts, through the Commissioner of the General Land Office, for the disposal of yucca growing on the public domain, under such terms and conditions as he may deem proper whenever he finds that the materials or products to be made from such yucca are substitutes, in whole or in part, for any material which has been or hereafter may be designated as strategic or critical, or both, or is otherwise essential to the prosecution of the war.

§259.2 *Policy.* In keeping with the Department's policy of making resources available for their highest use in facilitating the prosecution of the war, while at the same time giving every attention to the principles of conservation, it is the purpose of §§ 259.1–259.12 to provide for the cutting of yucca on the public lands for use as fiber and other products needed particularly as substitutes for products which cannot be imported from the usual sources and other products of the class designated in the executive order. Further in keeping with this policy of wise use and avoidance of waste of natural resources, the harvesting and removal of yucca from the public lands shall be carried on in such a manner that it does not initiate or increase soil erosion, fire hazards, unnecessary reduction in the usefulness of the land for other purposes or unnecessary damage to other useful resources. No cutting of yucca will be permitted which unnecessarily impairs scenic values or recreational uses. The harvesting shall be done on a sustained yield basis, thereby assuring a permanent supply, unless otherwise authorized in order to promote the maximum utilization of the lands and the resources thereof. When desirable to cut yucca in grazing areas, or in conjunction with the harvesting or removal of other products for raw material purposes, due regard shall be given to attaining the highest multiple use.

§ 259.3 *Lands subject to yucca contracts.* The authority granted by the Executive order extends to all public lands, including such lands withdrawn by Executive Orders Nos. 6910 and 6964 of November 26, 1934, and February 5, 1935, public lands in grazing districts, and public lands withdrawn or reserved for special administration, where the cutting of the yucca is found not to be inconsistent with the purpose for which the lands were reserved.

Where application is made for lands administered by the Grazing Service or other agency, the application will be referred to such agency for consideration and no contract will be entered into without its concurrence. Yucca contracts for such lands will contain special provisions and stipulations as the agency involved may suggest.

§ 259.4 *Form of contract; procedure.* Each yucca contract will contain the provisions of the attached form, which is made a part of this section. The contract will be made for such term as is requested by the applicant, not exceeding 5 years, or for a period extending until 6 months after the national emergency has been officially declared to be terminated, whichever expires sooner.

A yucca contract will not prevent the subsequent filing of applications or the initiation of rights to the lands under the public-land laws by others or prevent anyone having the right to graze livestock on the lands from using so much of the yucca as may be necessary for forage or fodder for livestock. Subsequent to the date of the contract, any of the lands which the Commissioner of the General Land Office may find are needed for a higher use inconsistent with the cutting of yucca from the lands may be excluded from the contract after 30 days written notice.

A contract may be renewed on its expiration, prior to the official termination of the national emergency, in the discretion of the Commissioner of the General Land Office, subject to the rules and regulations then in force and to such provisions and conditions as the Commissioner may prescribe.

All actions of the Commissioner will be subject to review or appeal, in accordance with the Rules of Practice (43 CFR, Part 221).

§ 259.5 *Application.* An application to cut yucca must be submitted in affidavit form, in triplicate, and should be filed in the land office for the district in which the lands containing the yucca are situated. The application should show:

(a) The name and address of applicant.

(b) The facts as to the age and citizenship of the applicant, if an individual, or as to its incorporation and the citizenship of each stockholder, if a corporation. A corporation will be required to furnish a certified copy of its articles of incorporation, together with a copy attested by the proper official of the minutes of the meeting authorizing the filing of the application.

(c) The period for which the contract is desired.

(d) A description of the land desired. The land, if surveyed, should be described with reference to the public land surveys. If unsurveyed, it should be described in such a manner that it may be identified with certainty.

(e) The species, quantity and parts of the yucca plant desired, the species and estimated quantity of each on the land covered by the application, and the product or products for which the yucca is to be used.

(f) The proposed method of cutting and its effect upon the yucca plants, also the proposed method of collection of the yucca and of the disposal of the waste.

(g) Whether the applicant has theretofore cut yucca or has a contract or right to cut it from any lands. If so, the application should show the location and ownership of the lands, the date of the contract and the period for which the right was given, the species and quantities involved, and the amounts paid or the contract prices.

(h) Whether the yucca is desired to supply an existing or a proposed processing plant. If to supply an existing plant, the application should show the location, ownership and capacity of the plant to use yucca. If to supply a proposed plant, in addition to the foregoing information, the application should state the manner in which capital to finance the project will be secured and the approximate amount of capital which will be required.

(i) Whether the application is made for the exclusive use and benefit of the applicant.

(j) Whether any of the lands are occupied or improved. If so, the application should describe such lands and give the name and address of each occupant.

(k) When the lands were last examined by the applicant.

§ 259.6 *Citizenship.* Each purchaser of yucca must be a citizen of the United States, or one who has declared his intention to become such citizen, or a corporation owned by such persons organized under the laws of the United States or of a State or Territory thereof, and authorized to transact business in the State or States in which the lands involved are situated.

§ 259.7 *Fee.* Each applicant must pay a fee of $5.00, if the application is for 1,000 acres or less, and an additional $5.00 for each 1,000 acres or fraction thereof. The fee will be carried as unearned pending action on the application. If the application is rejected, the fee will be returned. If a lease based on the application is offered to the applicant, and refused, the fee will be retained and earned as a service charge.

§ 259.8 *Charges.* A contract charge of 5 cents per acre per year payable in advance will be made for the privilege of cutting the yucca. Payment also will be required for all yucca cut at the rate to be specified in the contract. The Commissioner of the General Land Office will determine the just and proper rate. All yucca cut during each 6 months' period of the contract must be paid for within 30 days after the expiration of such period. The Commissioner, in his discretion, may include in any contract a provision that there shall be set off against the amount due for the yucca cut, any part of the advance acreage payments made during the preceding 3 years under that contract, or any extension thereof, for which credit has not previously been given.

All payments must be made to the Register of the land office for the district in which the lands are situated, who will deposit and account for the moneys as miscellaneous receipts, rent of land.

§ 259.9 *Execution of contract; bond and advance payment.* Upon the approval of an application, a proposed contract will be prepared and forwarded to the register for transmittal by him to the applicant. The contract must be executed by the applicant in quadruplicate and returned by him to the register. The applicant must furnish with the proposed contract, when returned, a corporate surety bond in an amount to be determined by the Commissioner of the General Land Office, but not less than $1,000, conditioned upon performance by the applicant of all the terms of the contract. The applicant must submit with the proposed contract payment of the acreage charge for the first year of the contract.

§ 259.10 *Use of land.* A yucca contract will not entitle the purchaser to any right or interest in the lands described therein other than for the purpose of searching for, cutting and removing yucca. It will not give the purchaser the right to construct improvements of any kind upon the premises and will not prevent the use of the land by the United States, or under its authority, for any purpose not inconsistent with the rights granted by the contract.

§ 259.11 *Assignment of contract.* A purchaser may not assign his contract or any interest therein without the approval of the Commissioner of the General Land Office. A proposed assignment must be executed in triplicate and forwarded, within 30 days from the date of its execution, to the register of the proper district land office, for transmittal to the Commissioner, and it must be supported by a statement signed by the assignee agreeing to be bound by the provisions of the contract if the assignment is approved, and a showing that the assignee possesses the qualifications required of a purchaser.

§ 259.12 *Cancelation of contract.* A contract may be canceled by the Commissioner of the General Land Office if the purchaser shall fail to make any payment required thereunder or shall fail to comply with any provisions thereof and such default shall continue for 30 days after written notice thereof to the purchaser.

FRED W. JOHNSON,
Commissioner.

Approved: July 28, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

Yucca Contract[1]

This contract made this _____ day of _____, 19__, between the United States of America, acting in this behalf by the _____, and _____, of _____, hereinafter called the purchaser, under authority of Executive Order No. 9180 of June 5, 1942.

Witnesseth, That the parties hereto for the considerations hereinafter expressed covenant and agree as follows:

SEC. 1. *Rights granted.* The purchaser shall have the right, for the period of this contract, to search for, cut and remove the species of yucca designated below from the following-described lands: _____

SEC. 2. *Term of contract.* This contract is made for a term of _____ years, or for a period extending until 6 months after the national emergency has been officially declared to be terminated, whichever expires sooner. It may be renewed on its expiration prior to the official termination of the national emergency, in the discretion of the Commissioner of the General Land Office, subject to such provisions and conditions as the Commissioner may prescribe.

SEC. 3. *Special rules.* The following rules will be observed in the cutting: _____

SEC. 4. In consideration of the rights and privileges granted by this contract, the purchaser agrees:

(a) *Charges.* To pay the United States each year in advance a charge of 5 cents per acre for the privilege of cutting yucca from the lands covered by this contract and to make payment to the United States for all such yucca at the following rate: _____

All yucca cut during each 6 months' period of the contract must be paid for within 30 days after the expiration of such period.

(b) *Regulations.* To abide by and conform to any and all reasonable regulations of the Secretary of the Interior now or hereafter in force relating to the cutting and removal of yucca from the public lands, all of which regulations are made a part and condition of this contract: *Provided*, That such future regulations shall not effect any change in the annual acreage charge, or in the charge for the yucca provided for herein, without the consent of the parties hereto.

(c) *Monthly statements.* To furnish monthly statements at such time and in such form as may be required by the Commissioner of the General Land Office, showing the facts as to the yucca cutting operations both from the lands covered by this contract and from lands adjacent thereto, if the purchaser has the right to cut and remove yucca from such adjacent lands.

(d) *Inspection of records.* To keep open at all reasonable times for inspection by any duly authorized officer of the Department of the Interior all books, accounts and other records pertaining to the yucca cutting operations, both from the lands covered by this contract and from lands adjacent thereto, if the purchaser has the right to cut and remove yucca from such adjacent lands.

(e) *Assignments.* Not to assign this contract or any interest therein without the consent of the Commissioner of the General Land Office; that any such assignment, if made, will contain all the terms and conditions agreed upon by the parties thereto; and that the proposed assignment will be forwarded, in triplicate, within 30 days from the date of its execution to the register of the proper district land office for transmittal to the Commissioner.

(f) *Labor policy.* To accord all workmen and employees complete freedom of collective bargaining and of purchase, to pay them at least twice each month in lawful money of the United States, and to carry on all operations hereunder with due regard to their health and safety.

SEC. 5. *Use of land.* This contract will not entitle the purchaser to any right or interest in the land described herein other than for the purpose of searching for, cutting and removing yucca. It will not give the purchaser the right to construct improvements of any kind upon the premises and will not prevent the use of the land by the United States, or under its authority, for any purpose not inconsistent with the rights herein granted. The right is hereby reserved to cut and remove from the land as much yucca as may be necessary for the purposes of research, experimentation or other investigation conducted by the United States, or under its authority.

SEC. 6. *Cancelation of contract.* This contract may be canceled by the Commissioner of the General Land Office if the purchaser shall fail to make any payment required thereunder, or shall fail to comply with any provisions thereof, and such default shall continue for 30 days after service of written notice thereof on the purchaser.

SEC. 7. *Termination of contract.* The purchaser, with the consent of the Commissioner of the General Land Office first had and obtained in writing, may surrender and terminate this contract upon payment of all charges due hereunder, upon payment of all wages and moneys due and payable to workmen employed by him, and upon a satisfactory showing to the Commissioner that the public interests will not be impaired.

SEC. 8. *Unlawful interest.* No Member of, or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent or employee of the Department of the Interior, shall be admitted to any share or part in this contract, or derive any benefit that may arise therefrom. The provisions of section 3741 of the Revised Statutes and sections 114, 115, and 116 of the Criminal Code, approved March 4, 1909 (35 Stat. 1109), relating to contracts, enter into and form a part hereof, so far as the same may be applicable.

SEC. 9. *Heirs and successors in interest.* Each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

In witness whereof:

THE UNITED STATES OF AMERICA,
By _____
_____
_____
_____
Purchaser.

Witnesses to signature of purchaser:
_____
_____

[1] To be executed in quadruplicate.

[F. R. Doc. 42-7748; Filed, August 10, 1942; 10:12 a. m.]

TITLE 45—PUBLIC WELFARE

[Administrative Order No. 18]

Chapter IV—National Youth Administration

PART 403—STUDENT WORK PROGRAM

Correction

In the table appearing in § 403.3 on page 5719 of the issue for Saturday, July 25, 1942, the boxheads, reading from left to right, should be as follows: "Minimum", "Maximum".

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

[T.D. 50698]

Subchapter A—Documentation, Entrance and Clearance of Vessels, etc.

CANADIAN FISHING VESSELS PERMITTED TO LAND HALIBUT CATCH IN ALASKA

AUGUST 7, 1942.

Section 4311 R.S. (46 U.S.C. 251) waived to extent necessary to permit Canadian halibut fishing vessels to land catch of halibut in Alaska.

Upon the written recommendation of the Secretary of State and by virtue of the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 4311 R.S. (46 U.S.C. 251) to the extent necessary, for the duration of the calendar year 1942, to permit Canadian fishing vessels engaging in the North Pacific halibut fishery only to land their catch of halibut in ports of entry in Alaska upon compliance with the applicable customs laws. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7718; Filed, August 8, 1942; 11:57 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 11, Supplement 1-A]

PART 302—CONTRACTS WITH VESSEL OWNERS

REQUISITION TIME CHARTER FOR TANK VESSELS

Amendment to clause 3 of § 302.56[1], *Uniform Time Charter Terms and Conditions for Tank Vessels.*

If at the time of requisition of any tank vessel under the uniform time charter terms and conditions for tank vessels (Warshipoiltime, Form No. 102[2]) such vessel is equipped with heater coils in good working order and condition for the transportation of dirty products and the coils thereafter become damaged, deteriorated or perforated by reason of the employment of the vessel, pursuant to the direction of the War Shipping Administration, for the transportation of clean petroleum products, Clause 3 of Part II of the terms and conditions of said charter shall be construed to require the War Shipping Administration to restore the heater coils to good working order and condition upon re-delivery of the vessel to the Owner. (E.O. 9054, 7 F.R. 837)

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

AUGUST 6, 1942.

[F. R. Doc. 42-7689; Filed, August 7, 1942; 4:18 p. m.]

[1] § 302.56 appears as § 301.1f at 7 F.R. 4588.
[2] 7 F.R. 4588.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

LITTLE PEND OREILLE NATIONAL WILDLIFE REFUGE, WASHINGTON

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (53 Stat. 1431), and in extension of § 12.9 of the regulations of December 19, 1940,[1] for the administration of national wildlife refuges, the following regulations permitting and governing the hunting of deer within the Little Pend Oreille National Wildlife Refuge, Washington, are made and prescribed:

§ 21.563a *Little Pend Oreille National Wildlife Refuge, Washington; hunting of deer.* Deer may be taken in the open season prescribed therefor by the State Game Commission of Washington during the calendar year 1942 on lands of the United States within the exterior boundary of the Little Pend Oreille National Wildlife Refuge, Washington, under the following special provisions, conditions, restrictions, and requirements:

(a) *Compliance with State laws and regulations.* Any person who hunts on the refuge shall have in his possession a valid hunting license issued by the State of Washington authorizing him to hunt deer, which said license shall serve as a Federal permit for hunting deer on the refuge. The license must be exhibited upon the request of any representative of the Washington State Game Commission authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee shall comply in every respect with the State laws and regulations governing the hunting of deer and must also upon request of any of the aforesaid representatives exhibit for inspection all game killed by him or in his possession. Failure of any person hunting upon the refuge to comply with any of the conditions, restrictions, or requirements of the regulations in this part will be sufficient cause for removing such person from the refuge and for refusing him further hunting privileges on the refuge.

(b) *Disorderly conduct, intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(c) *Entry upon refuge.* Persons entering the refuge for the purpose of hunting, as permitted by the regulations in this part, shall use such established routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

AUGUST 1, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-7760; Filed, August 10, 1942; 10:12 a. m.]

[1] 5 F.R. 5284.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-305]

FLASH COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Julius Kauzlarich and Tony Kauzlarich, individually and as co-partners, doing business under the name and style of Flash Coal Company, Code Member.

A complaint, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 17, 1942, by the Bituminous Coal Producers Board for District No. 12, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Julius Kauzlarich and Tony Kauzlarich, individually and as co-partners, doing business under the name and style of Flash Coal Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 28, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the District Court Room, Centerville, Iowa.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that said code member, whose address is Mystic, Iowa, whose code membership became effective as of January 30, 1938, and who operates the Flash Mine, Mine Index No. 622, also known as the Kauzlarich Mine, Mine Index No. 360, located in Appanoose County, Iowa, District No. 12, has wilfully violated:

(a) Division Orders Nos. 296 and 297 dated September 23, 1940, and October 22, 1940, respectively, during the period beginning October 1, 1940 through December 31, 1940, Division Order No. 307 dated December 11, 1940, during the period January 1, 1941, through March 31, 1941, and Division Order No. 312 dated February 24, 1941, during the period beginning April 1, 1941, through April 30, 1941, for failing to maintain and keep on file at the mine or at the business office of said code member or by failing to file with the Statistical Bureau for District No. 12 reports during said respective periods of all sales of substantial tonnages of coal produced, sold and shipped from the above-mentioned mine by truck or wagon to various purchasers and copies of truck tickets, sales slips, invoices and list of said sales as required by said orders resulting in violations of said Orders, the Act, the Code and the Marketing Rules and Regulations of the Division promulgated thereunder;

(b) Rule 3 of section V of the Marketing Rules and Regulations and Order No. 14 of the Division dated July 15, 1937, by failing to file with the Statistical Bureau for District No. 12 within ten (10) days from the date of acceptance during the period October 1, 1940 through March 31, 1942, copies of any and all spot orders entered into for the sale of substantial tonnages of coal produced at the above-mentioned mine, resulting in violations of said Rule and Order, the Act, the Code and rules and regulations promulgated thereunder; and

(c) Rule 8 of section VI of the Marketing Rules and Regulations and Order No. 14 of the Division dated July 15, 1937, by failing to file with the Statistical Bureau for District No. 12 within fifteen (15) days after the date of entry therein during the period October 1, 1940, through March 31, 1942, copies of any and all contracts for the sale of substantial tonnages of coal produced at the above-mentioned mine, resulting in violations of said Rule and Order, the Act, the Code and rules and regulations of the Division promulgated thereunder.

Dated: August 8, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7764; Filed, August 10, 1942; 11:43 a. m.]

[Docket No. D-22]

STAHMER COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of Stahmer Coal Company for permission to receive sales agents' commissions and distributors' discounts on coal sold to Madison Fuel and Supply Company.

The Stahmer Coal Company, a corporation organized under the laws of Illinois with its principal offices in Chicago, Illinois, acting as a sales agent for certain code member producers, and being registered with the Division as a Distributor, Registration No. 8625, filed its petition, on July 24, 1942, praying:

1. That the Division determine "that the sales relationship between Stahmer and the Madison Fuel and Supply Company is bona fide and will not result in the evasion of the applicable minimum prices and is not within the prohibition of paragraphs 11 and 12 of section 4 II (j) of the Bituminous Coal Act," and

2. That it be granted permission to accept and retain sales agents' commissions and distributors' discounts on all coal sold by it to Madison Fuel and Supply Company.

It is, therefore, ordered, That a hearing on such matter be held on September 15, 1942, at 10 a. m. in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 15th Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to such petitioner and to any other person who may have an interest in such proceeding. Any person desiring to be heard at such hearing shall file a notice to that effect with the Bituminous Coal Division on or before September 12, 1942, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Dated: August 8, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7765; Filed, August 10, 1942; 11:43 a. m.]

[Docket No. A-1557]

DISTRICT BOARD NO. 8

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change of price classifications and minimum prices for rail and truck shipment for the coals of certain mines in District No. 8 and to remove all of Leslie County, Kentucky, from Subdistrict No. 6, Southern Appalachian, and add it to Subdistrict No. 3, Hazard, in District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 9, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 1, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 8 requesting a change of price classifications and minimum prices for rail and truck shipment for the coals of certain mines in Kanawha and Putnam Counties, West Virginia, and Leslie County, Kentucky, and to remove all of Leslie County, Kentucky, from Subdistrict No. 6, Southern Appalachian, and add it to Subdistrict No. 3, Hazard, in District No. 8.

Dated: August 7, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7766; Filed, August 10, 1942; 11:44 a. m.]

[Docket No. A-1510]

J-Z COAL CO.

ORDER RESCHEDULING HEARING

In the matter of the petition of the J-Z Coal Company, a Code Member producer in District No. 4, for the revision of the minimum prices of the coals of Mine Index No. 2950 in size groups Nos. 5, 6 and 8 for truck shipments.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, a hearing having been scheduled

in this matter on July 7, 1942, at Washington, D. C., at which hearing petitioner failed to appear; and

An order provisionally dismissing the petition having been issued on July 23, 1942; and

Petitioner by letter dated July 30, 1942, having shown good cause why this hearing should be rescheduled;

Now, therefore, it is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division, be rescheduled to August 11, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Common Pleas Court, Steubenville, Ohio.

It is further ordered, That Charles S. Mitchell, or any other officer, or officers, of the Division duly designated for that purpose shall preside at the hearing in such matter.

It is further ordered, That the original Notice of and Order for Hearing in this matter dated June 26, 1942, shall, in all other respects, remain in full force and effect.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7767; Filed, August 10, 1942; 11:44 a. m.]

[Docket No. A-1495]

DISTRICT BOARD NO. 14

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 14 for Revision of price classifications and minimum prices for certain mines in District No. 14.

The original petitioner having moved that the hearing in the above-entitled matter heretofore scheduled for August 10, 1942, be postponed, and having shown good cause why such motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from 10 o'clock in the forenoon of August 10, 1942, until 10 o'clock in the forenoon of September 21, 1942, at the place and before the officer heretofore designated.

Dated: August 6, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7768; Filed, August 10, 1942; 11:44 a. m.]

General Land Office.

[Public Land Order 18]

NEW MEXICO

WITHDRAWING PUBLIC LAND FOR USE OF WAR DEPARTMENT AS PRACTICE BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146[1] of April 24, 1942, and section 1 of the act of June 28, 1934, 48 Stat. 1269 (U.S.C., title 43, sec. 315), it is ordered as follows:

The following-described public land is hereby withdrawn from all forms of appriation under the public-land laws, including the mining laws, and reserved, subject to valid existing rights, for the use of the War Department as a practice bombing range:

NEW MEXICO PRINCIPAL MERIDIAN

T. 16 S., R. 24 E., sec. 27; containing 640 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing New Mexico Grazing District No. 6, is hereby modified to the extent necessary to permit the use of the land as herein provided.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

HAROLD L. ICKES,
Secretary of the Interior.

JULY 29, 1942.

[F. R. Doc. 42-7747; Filed, August 10, 1942; 10:12 a. m.]

[1] 7 F.R. 3067.

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[FPC Docket No. 1]

CERTAIN DESIGNATED COMMODITIES

NOTICE OF HEARING RELATIVE TO COMPARABLE PRICES

Pursuant to the authority contained in subsection (b) of section 3 of the Emergency Price Control Act of 1942 [Public No. 421, 77th Congress, 2d session], notice is hereby given that a public hearing will be held at the Roosevelt Hotel, 4903 Delmar Street, St. Louis, Missouri, during the week beginning August 24, 1942, commencing at 9:30 a. m. on August 24, 1942.

The purpose of such hearing is to receive evidence and to accept briefs or statements likely to be of assistance to the Secretary of Agriculture in finding, pursuant to the provisions of subsection (b) of section 3 of said act, whether the production and consumption of the commodities listed hereinafter have so changed in extent and character since the base period as to result in a price out of line with the parity prices for the basic commodities (corn, wheat, cotton, tobacco, rice, and peanuts for nuts). Although not required by subsection (b) of section 3 of said act, evidence will be received and briefs or statements accepted as to the factors which should be considered in establishing a comparable price for each of the several commodities.

The following commodities will be taken up in the order listed during the three days from August 24 to August 26, 1942:

August 24—citrus fruits for fresh use and for processing; avocados, dates, boysenberries, youngberries, and grapes other than raisins.

August 25—peppermint, spearmint, and similar oils; dry field peas; almonds, filberts, pecans, and walnuts.

August 26—soybeans, peanuts for oil, and tung nuts; snap beans for processing, beets for processing, and other vegetables for processing, such as carrots, squash, pumpkin, okra, parsnips, turnips and rhubarb.

In addition, the hearing will be continued on August 27 and 28 to receive evidence and to accept briefs or statements with respect to whether comparable prices should be established for any commodities not listed herein and with respect to the factors which should be considered in establishing such comparable prices.

The record will be kept open through Monday, September 8, 1942, in order to accept additional or supplementary briefs or written statements which any interested parties may desire to file.

Such hearing, after being called to order at the time and place mentioned above, may, for convenience, be adjourned to such other place in the same city as the presiding officer may designate and may be continued from day to day within the discretion of the presiding officer.

Done at Washington, D. C., this 8th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-7721; Filed, August 8, 1942; 12:05 p. m.]

Sugar Agency.

NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that public hearings will be held as follows:

At Baton Rouge, Louisiana, in the Court House, Room 302, on August 19, 1942 at 9:30 a. m.; at New Iberia, Louisiana, in the Court Room of the New Court House, on August 21, 1942 at 9:30 a. m.; at Clewiston, Florida, in the Clewiston High School Auditorium, on August 25, 1942, at 9:00 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in the harvesting of sugarcane during the period from September 1, 1942, to June 30, 1943, and the planting and cultivating of sugarcane during the calendar year 1943 on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1942 crop of sugarcane to be paid, under either purchase or toll agreements, by processors who, as producers, apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary of Agriculture in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

Joshua Bernhardt, Charles M. Nicholson, Harry H. Simpson, and G. Laguardia are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearings.

Done at Washington, D. C., this 8th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-7751; Filed, August 10, 1942; 11:05 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and part 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F. R. 2862) to the employers listed below effective August 10, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued under the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Canvas Products Corporation, 19–23 E. McWilliams St., Fond du Lac, Wisconsin; Canvas Goods and Leather Goods; 14 learners; 8 weeks for any 1 learner; 30 cents per hour; Sewing Machine Operator, Presser and Cutter; December 14, 1942.

Signed at New York, N. Y., this 8th day of August 1942.

MERLE D. VINCENT,
Representative of the Administrator.

[F. R. Doc. 42-7763; Filed, August 10, 1942; 11:24 a. m.]

LEARNERS EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standard Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (6 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 10, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Nantex Manufacturing Company, Greenwood, South Carolina; Shorts; 5 percent (T); August 10, 1943.

Perfect Vest Co., Inc., 346–348 Bordentown Avenue, South Amboy, New Jersey; Contractors for Vests; 5 learners (T); August 10, 1943.

Saltzman & Katz, Inc., 7–11 Irving Avenue, Port Chester, New York; Men's Suede Coats, Topcoats and Overcoats; 5 percent (T); August 10, 1942.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

The Andala Company, Coffee Street, Andalusia, Alabama; Khaki Government Shirts, O. D. Flannel Government Shirts, Commercial Work Shirts; 10 percent (T); August 10, 1943.

Bilt-Rite Pajama Corporation, Embroidery Street, Sayreville, New Jersey; Infants' and Children's Pajamas; 5 learners (T); August 10, 1943.

Butler Brothers Shirt Factory, 317 North High Street, Baltimore, Maryland; Dress Shirts; 10 percent (T); August 10, 1943.

Camille Azar Company, 905 Broadway, Kansas City, Missouri; Ladies' Robes and House Coats, Slacks; 5 learners (T); August 10, 1943.

Covington Manufacturing Company, Inc., 118 Pace Street, Covington, Georgia; Work Shirts, Sport Shirts; 10 learners (T); August 10, 1943. (This certificate replaces the one issued to you bearing the expiration date of October 6, 1942.)

Essex Undergarment Company, McCarter Highway, Newark, New Jersey; Ladies' Undergarments; 5 learners (T); August 10, 1943.

Ever Ready Products Company, 650 Potrero Avenue, San Francisco, California; Cotton Aprons, Dresses and Rayon Lingerie; 10 percent (T); August 10, 1943.

David Fenichel, 50 Greene Street, New Haven, Connecticut; Trousers; 5 learners (T); August 10, 1943.

Fitzgibbons Company, Inc., 72 Irving Street, Framingham, Massachusetts; Nurses' Uniforms; 10 learners (T); August 10, 1943.

M. R. Fleischman Company, 62 First Street, San Francisco, California; Wash Dresses and Robes; 2 learners (T); August 10, 1943.

Fox Knapp Manufacturing Company, East Pottsville, Pine Grove, Penn.; Men's and Boys' Jackets and Sportswear, Army Jackets, Field, O. D.; 10 percent (T); August 10, 1943.

Frackville Manufacturing Company, 905 Scull Street, Lebanon, Penn.; Nightwear and Underwear; 10 percent (T); August 10, 1943.

Jack Goldson Company, 2013 West Garvey Avenue, El Monte, California; Women's Robes, Dresses and Sportswear; 10 learners (T); August 10, 1943.

Greenwood Manufacturing Company, Rust Avenue, Greenwood, South Carolina; Ladies' Wearing Apparel; 10 learners (T); August 10, 1943.

Hanover Manufacturing Corp., 225 High Street, Elizabeth, New Jersey; Shirts; 10 percent (T); August 10, 1943.

Hickerson & Company, 1014 Laurel Street, Brainerd, Minnesota; Woolen Work Clothing; 10 learners (T); August 10, 1943. (This certificate replaces the one bearing expiration date of October 27, 1942.)

High Point Overall Company, S. Hamilton Street, High Point, North Carolina; Work Garments, Trousers for War Department; 10 percent (T); August 10, 1943.

Hollywood Maxwell Company, Main Street, Arkadelphia, Arkansas; Brassieres; 5 learners (T); August 10, 1943.

Industrial Undergarment Company, Inc., 340 Mill Street, Poughkeepsie, New York; Ladies' Slips; 10 percent (T); August 10, 1943.

Jacobs Sewing Factory, South Queen Street, Littlestown, Pennsylvania; Children's Wash Suits; 10 percent (T); August 10, 1943.

Kiddie Modes, 407 East Pico Street, Los Angeles, California; Children's Sportswear; 5 learners (T); August 10, 1943.

Nat Levitan & Company, Inc., 120 Harrison Avenue, Boston, Massachusetts; Women's Underwear; 4 learners (T); August 10, 1943.

S. Liebovitz & Sons, Inc., Beech & Evans Streets, Pottstown, Pennsylvania; Men's Dress Shirts; 10 percent (T); August 10, 1943.

Manhattan Shirt Company, 27–31 Hoffman Street, Kingston, New York; Men's Pajamas; 10 percent (T); August 10, 1943.

Mayehoff Company, Washington Street, South Norwalk, Connecticut; Ladies' Blouses; 5 learners (T); August 10, 1943.

George Y. Miller Shirt Factory, Front Street, Liverpool, Pennsylvania; Boys' Shirts; 2 learners (T); October 6, 1942.

E. R. Moore Company, 932 W. Dakin Street, Chicago, Illinois; Girls' Gymnasium Apparel; 5 learners (T); August 10, 1943.

The Puritan Knitting Mills Corp., 8th Avenue & 25th Street, Altoona, Pennsylvania; Herringbone Twill Jackets for Army, Sport Jackets; 10 percent (T); August 10, 1943.

Queen Made Mfg. Company, Inc., 22 Washington Street, Natwick, Massachusetts; Housecoats; 5 learners (T); August 10, 1943.

R. & J. Underwear Co., Inc., 54 Colt Street, New London, Connecticut; Pajamas and Underwear; 10 percent (T); August 10, 1943.

Rosen Shirt Manufacturing Company, 5th and Juniper Streets, Quakertown, Pennsylvania; Men's Shirts; 25 learners (E); December 10, 1942.

S & B Manufacturing Company, Andalusia, Alabama, Government Cotton Khaki Commercial Work Shirts; 10 percent (T); August 10, 1943.

Sledge Manufacturing Company, Tyler, Texas; Work Clothing and Sportswear; 10 percent (T); August 10, 1943.

Slim Fit Dresses, Bridge Street, Shelton, Connecticut; Ladies' Dresses and House Dresses; 10 percent (T); August 10, 1943.

Southern Silk Mills, Spring City, Tennessee; Mosquito Bars; 15 learners (E); Febraury 10, 1943.

Superior Sportswear Company, 70 West Grand Street, Elizabeth, New Jersey; Children's Snow Suits and Beach Wear; 4 learners (T); August 10, 1943.

Western Sportswear Manufacturing, 421 East 6th Street, Los Angeles, California; Men's Sportswear; 5 learners (T); August 10, 1943.

Wismar Manufacturing Company, 738 South Los Angeles Street, Los Angeles, California; Men's Sportshirts, Army Shirts; 5 learners (T); August 10, 1943.

Glove Industry

Model Glove Company, 404 East Harris Street, Greenville, Illinois; Knit Fabric and Work Gloves; 5 learners (T); August 10, 1943. (Replacing Cert. of January 5, 1943.)

Hosiery Industry

Full-Knit Hosiery Mills, Highway 70, Burlington, North Carolina; Seamless; 21 learners (T); April 10, 1943.

Knit Sox Hosiery Mills, Hickory, North Carolina; Seamless; 20 learners (E); February 10, 1943.

Lawler Hosiery Mills, Inc., Bradley Street, Carrollton, Georgia; Seamless; 28 learners (T); April 10, 1943.

Radford Knitting Mills, Inc., Radford, Virginia; Seamless; 3 learners (T); April 13, 1943

Tricnit Hosiery Mill, Tenney Road, New Ipswich, New Hampshire; Seamless; 5 learners (T); August 10, 1943.

Vance and Crawford, Salem Street, Kernersville, North Carolina; Seamless; 8 learners (E); April 10, 1943.

Independent Telephone Industry

Central Iowa Telephone Company, Toledo, Iowa; to employ learners as commercial switchboard operators at its Eldora Exchange, Eldora, Iowa, until August 10, 1943.

Knitted Wear Industry

Miller Underwear Company, 718 Allen Street, Allentown, Pennsylvania; Knitted Underwear for Women and Knitted Outerwear; 5 percent (T); August 10, 1943.

Pottsville Mills, Inc., 480 Peacock Street, Pottsville, Pennsylvania; Knitted Outerwear; 5 learners (T); August 10, 1943

Reserve Knitting Mills, Inc., 5713 Euclid Avenue, Cleveland, Ohio; Sportswear; 5 learners (T); August 10, 1943.

Sondra Undergarments, Inc., 601 North Jordan Street, Allentown, Pennsylvania; Ladies' and Children's Underwear and Nightwear; 5 learners (T); June 8, 1943. (Replacing certificate of June 8, 1942 issued in error under Apparel Regulations.)

Southern Silk Mills, Spring City, Tennessee; Knitted Underwear; 5 learners (E); February 10, 1943.

Textile Industry

Brodnax Cotton Mill, Brodnax, Virginia; Yarn, Cotton Twine and Carpet Warp; 3 learners (T); August 10, 1943.

Commander Mills, Inc., Sand Springs, Oklahoma; Cotton Sheeting, Sheets and Pillow Cases; 3 percent (T); August 10, 1943.

Itasca Yarn Mill, Inc., Itasca, Texas; Yarn, Mop Yarn and Twine; 6 learners (E); February 10, 1943.

Lakedale Mills, Fayetteville, North Carolina; Cotton; 3 percent (T); August 10, 1943.

Monroe Mills Company, North Mill Street, Monroe, North Carolina; Processing Yarn; 3 percent (T); August 10, 1943.

Waverly Mills, Inc. (Prince Plant) East Laurinburg, North Carolina; Cotton Yarns; 3 percent (T); August 10, 1943. (This certificate replaces the one issued bearing the expiration date of March 16, 1943.)

Waverly Mills, Inc. (Waverly Plant) East Laurinburg, North Carolina; Cotton Yarns; 3 percent (T); August 10, 1943. (This certificate replaces the one issued bearing date of expiration March 9, 1943.)

Wellington Mills, Inc., Anderson, South Carolina; Cotton Cloth; 3 percent (T); August 10, 1943.

White Sulphur Industries, Inc., 110 Mountain Avenue, White Sulphur Springs, West Virginia; Narrow Woven Textiles; 28 learners (E); February 10, 1943.

Cigar Industry

Bayuk Cigars, Inc., Mervine & Montgomery Streets, Philadelphia, Pennsylvania; Cigars; 10 percent (T); Cigar Machine Operating (320 hours), Packing Machine Operating (320 hours), Stripping Machine Operating (160 hours) at 75% of applicable minimum wage; August 9, 1943.

Bayuk Cigars, Inc., 9th & Columbia Avenue, Philadelphia, Pennsylvania; Cigars; 10 percent (T); Cigar Machine Operating (320 hours), Packing Machine Operating (320 hours), Stripping Machine Operating (160 hours) at 75% of applicable minimum wage; August 9, 1943.

M. Marsh & Son, 915 Market Street, Wheeling, West Virginia; Cigars; 10 percent (T); Stripping Machine Operator and Hand Stripper (160 hours), Cigar Machine Operator and Packers (320 hours) at 75% of applicable minimum wage; August 10, 1943.

Signed at New York, N. Y., this 8th day of August 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42–7762; Filed, August 10, 1942; 11:24 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 712]

NORTHEAST AIRLINES, INC.

NOTICE OF HEARING

In the matter of the petition of Northeast Airlines, Inc., for an order fixing and determining the fair and reasonable rate of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over Route No. 27.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on August 12, 1942, at 10 a. m. (eastern war time) in Room 5417 Commerce Building, 14th Street and Constitution Avenue NW, Washington, D. C., before Examiner John W. Belt.

Dated: Washington, D. C., August 10, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–7750; Filed, August 10, 1942; 11:03 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 6395]

POSTAL TELEGRAPH-CABLE CO. (NEW YORK)

ORDER FOR HEARING, ETC.

In the matter of increased rates of Postal Telegraph-Cable Co. (New York) for service to certain points in Kentucky.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of August 1942,

It appearing that there has been filed with the Commission Supplement No. 31 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, effective August 10, 1942, which provides for the discontinuance of certain public telegraph offices at Poplar Plains, Salyersville and west Liberty, Kentucky, and for an increase in the rates and charges applicable to telegraph messages delivered at such points;

It further appearing that said Supplement No. 31 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, makes increases in rates and charges and states regulation and practices effecting such increases in rates and charges for the transmission of telegraph messages in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of the said tariff supplement should be postponed pending hearing and decision thereon;

It further appearing that the Commission, by Order of July 14, 1942, in Docket No. 6374, directed that Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, which provided for the discontinuance of certain other public telegraph offices at various named points in Kentucky and Ohio, and for an increase in the rates and charges applicable to telegraph messages delivered at such points, be suspended;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplement No. 31 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, insofar as they relate to the discontinuance of public telegraph offices at Poplar Plains, Salyersville and West Liberty, Kentucky;

It is further ordered, That the operation of said tariff supplement, insofar as it provides for an increase in the rates and charges for delivery of interstate or foreign telegraph messages to public telegraph offices at Poplar Plains, Salyersville and West Liberty, Kentucky, be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such points in Poplar Plains, Salyersville and West Liberty, Kentucky, be deferred until November 10, 1942, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in such rates, charges, regulations and practices, or in the rates, charges, regulations and practices sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted, into the lawfulness of the rates, charges, classifications, regulations, practices and services of Postal Telegraph-Cable Company (New York) for and in connection with service to and from Poplar Plains, Salyersville and West Liberty, Kentucky, as stated in the provisions of the tariff supplement suspended herein;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, Postal Telegraph-Cable Company (New York), and all other carriers participating in service provided under the tariff provisions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That Postal Telegraph-Cable Company (New York) and each participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing December 10, 1942, showing the amounts received and accounted for as aforesaid, during the previous calendar month;

It is further ordered, That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff supplement herein suspended in part; that copies hereof be served upon the carrier parties to such supplement and tariff; and that said carrier parties be, and they are hereby, each made a party respondent to this proceeding;

It is further ordered, That this proceeding be, and the same is hereby, consolidated with the proceeding heretofore commenced in Docket No. 6374 by our Order of July 14, 1942, and the consolidated proceedings are hereby assigned for hearing at 10 a. m. on the 19th day of August 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–7700; Filed, August 8, 1942; 11:29 a. m.]

[Docket No. 5860]

SIOUX FALLS BROADCAST ASSOCIATION, INC. (KSOO)

NOTICE OF HEARING

In re application of Sioux Falls Broadcast Association, Ins. (KSOO), dated December 7, 1939, for construction permit; class of service, broadcast; class of station, broadcast; location, Sioux Falls, South Dakota; operating assignment specified: frequency, 1,140 kc.; power, 10 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether in view of the foregoing, the granting of the application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Sioux Falls Broadcast Association, Inc., Radio Station KSOO, 317 South Phillips Avenue, Sioux Falls, South Dakota.

Dated at Washington, D. C., August 6, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–7701; Filed, August 8, 1942; 11:29 a. m.]

[Docket No. 6362]

R. G. LETOURNEAU, TRANSFEROR

NOTICE OF HEARING

In re application of R. G. LeTourneau, Transferor, The LeTourneau Foundation, Transferee, WHEB, Inc., Licensee, dated

April 14, 1942; for transfer of control; class of service, broadcast; class of station, broadcast; location, Portsmouth, New Hampshire; operating assignment specified: frequency, 750 kc., power, 1 kw., hours of operation, limited time (WSB).

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the proposed transferee is qualified to acquire and exercise control over the licensee.

2. To obtain full information with respect to the purposes of the proposed transfer and with respect to the organization, control, finances, activities and purposes of the proposed transferee.

3. To determine whether the proposed transferee as the controlling stockholder of the licensee would operate Station WHEB in the general public interest or primarily as an instrumentality for the advancement of its particular objectives.

4. To determine whether the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' and licensee's addresses are as follows: R. G. LeTourneau, 1200 Prather Bridge Road, Toccoa, Georgia; The LeTourneau Foundation, P. O. Box 240, Peoria, Illinois; WHEB, Incorporated Radio Station WHEB, P. O. Box 120, Portsmouth, New Hampshire.

Dated at Washington, D. C., August 6, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7702; Filed, August 8, 1942; 11:30 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-257, G-242]

EL PASO NATURAL GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS FOR PURPOSE OF HEARING AND FIXING DATE OF HEARING

AUGUST 5, 1942.

In the matter of El Paso Natural Gas Company, Western Gas Company, El Paso Gas Transportation Corporation, and State of Arizona, complainant *v.* Western Gas Company and El Paso Natural Gas Company, defendants.

It appearing to the Commission that: (a) On March 4, 1942, the State of Arizona filed with the Commission a complaint (Docket No. G-242) alleging, among other things, that Western Gas Company and El Paso Natural Gas Company are engaged in interstate transportation of natural gas, and in the sale of natural gas in interstate commerce for resale for ultimate public consumption for domestic, commercial and industrial uses, and that the rates and charges for such transportation and sale are unjust and unreasonable, and requesting the Commission to institute an investigation of said Western Gas Company and El Paso Natural Gas Company and after hearing to fix just and reasonable rates to be thereafter observed and in force in respect of such transportation and sale;

(b) On April 21, 1942, the Commission, on its own motion, instituted an investigation of El Paso Natural Gas Company, Western Gas Company and El Paso Gas Transportation Corporation (Docket No. G-257), for the purpose of enabling the Commission to determine (1) whether the said companies, or any of them, are natural-gas companies within the meaning of the Natural Gas Act, and (2) whether, in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission, any rates, charges or classifications demanded, observed, charged or collected, or any rules, regulations, practices or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory or preferential; and if the Commission, after hearing has been had, shall find that the said companies, or any of them, are natural-gas companies within the meaning of the Natural Gas Act, and that any of their rates, charges, classifications, rules, regulations, practices or contracts subject to the jurisdiction of the Commission are unjust, unreasonable, unduly discriminatory or preferential, to determine and fix by appropriate order or orders just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force;

(c) The said order instituting an investigation was duly served upon El Paso Natural Gas Company, Western Gas Company and El Paso Gas Transportation Corporation;

The Commission *finds* that: The above-entitled proceedings are related and the public interest would be served by consolidating them for hearing; and

The Commission *orders* that: (A) Dockets Nos. G-242 and G-257 be and they are hereby consolidated for purposes of hearing thereon;

(B) A public hearing in these proceedings be held commencing on September 9, 1942, at 9:45 o'clock a. m. in the Hearing Room of the Federal Power Commission, located in the Hurley-Wright Building at 1800 Pennsylvania Avenue, NW., Washington, D. C.;

(C) Interested State Commissions may participate in the said hearing, as provided for in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-7691; Filed, August 8, 1942; 10:29 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4796]

MAURICE J. KELLNER

COMPLAINT AND NOTICE OF HEARING

In the matter of Maurice J. Kellner, an individual, doing business as M. J. Kellner, broker, M. J. Kellner Brokerage Company, Illinois Brokerage Company, and O-K Sales Company.

Complaint

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE. Respondent Maurice J. Kellner is an individual doing business under the name and style of M. J. Kellner, broker, M. J. Kellner Brokerage Company, Illinois Brokerage Company and O-K Sales Company, having his principal office and place of business located at 8th and Madison Streets, Springfield, Illinois.

PAR. TWO. The respondent is now and for many years prior hereto has been engaged in business as a broker of general food products and other miscellaneous merchandise and has conducted such business under the name and style of M. J. Kellner, broker, M. J. Kellner Brokerage Company, Illinois Brokerage Company and O-K Sales Company.

PAR. THREE. The respondent is now and for many years prior hereto has also been engaged in business as a jobber of general food products and other miscellaneous merchandise and has also conducted such jobbing enterprises under the name and style of M. J. Kellner, broker, M. J. Kellner Brokerage Company, Illinois Brokerage Company and O-K Sales Company.

PAR. FOUR. The respondent since June 19, 1936, has made many purchases of general food products and other miscellaneous merchandise for his own account, for resale, from numerous sellers located in states other than the State of Illinois, and pursuant to said purchases such general food products and other miscellaneous merchandise have been shipped and transported by the respective sellers thereof from the states in which such sellers are located across state lines either to the respondent or pursuant to respondent's instructions and directions to respective purchasers to whom such general food products and other miscellaneous merchandise have been sold by said respondent.

PAR. FIVE. In the course and conduct of respondent's business as a jobber, he purchases such general food products and other miscellaneous merchandise for his own account in commerce as aforesaid under the name and style of M. J. Kellner, broker, M. J. Kellner Brokerage Company, Illinois Brokerage Company and O-K Sales Company, and has been and is now receiving and accepting from numerous sellers of said general food products and other miscellaneous merchandise so purchased, brokerage fees or allowances or discounts in lieu thereof on purchases of said general food products and other miscellaneous merchandise for his own account.

PAR. SIX. The aforesaid acts of respondent constitute a violation of subsection (c) of section 2 of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936.

Wherefore, the premises considered, the Federal Trade Commission on this 6th day of August, 1942, issues its complaint against said respondent.

Notice of Hearing

Notice is hereby given you, Maurice J. Kellner, an individual, doing business as M. J. Kellner broker, M. J. Kellner Brokerage Company, Illinois Brokerage Company and O K Sales Company, respondent herein, that the 11th day of September, A. D., 1942, at 2 o'clock in the afternoon is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 6th day of August, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7698; Filed, August 8, 1942; 11:24 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under Revised Price Schedule 83 [1]—Radio Receivers and Phonographs]

GENERAL ELECTRIC COMPANY—NEW MODEL AUTOMATIC RECORD PLAYER

AUTHORIZATION OF MAXIMUM PRICE

On May 19, 1942, General Electric Company, Bridgeport, Connecticut, filed an application dated May 16, 1942, pursuant to Revised Price Schedule No. 83, § 1336.53 (b), for approval of a maximum price for an automatic record player designated in the application as General Electric Model No. LM-25.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) General Electric Company is authorized to sell, offer to sell, or deliver Model No. LM-25 automatic record player to its distributors or other customers at prices no higher than $31.54.

(b) The application of General Electric Company for approval of a higher price is denied.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1336.60 of Revised Price Schedule No. 83 shall apply to terms used herein.

(e) This Order No. 1 shall become effective on the 10th day of August 1942. (Pub. Law 421, 77th Cong.)

Issued this 8th day of August 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-7725; Filed, August 8, 1942; 12:47 p. m.]

[1] 7 F.R. 619, 756, 1360, 1836, 2000, 2132, 2302, 3125, 3820.

[Order 7 under Maximum Price Regulation 147 [1]—Bolts, Nuts, Screws and Rivets]

NORTHWEST BOLT AND NUT CO.

[Docket No. 1147-3-P]

ORDER GRANTING EXCEPTION

On July 21, 1942, Northwest Bolt & Nut Company, 4502 14th Avenue, N. W., Seattle, Washington, filed a protest to Maximum Price Regulation No. 147 as applied to said Company's sales to purchasers within the United States intended for consumption in Alaska, Canada or the Hawaiian Islands. Due consideration has been given to the protest and it has been considered as a petition for an exception pursuant to the provisions of § 1368.7 (b) of Maximum Price Regulation No. 147 and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Northwest Bolt & Nut Company, on sales to purchasers within the United States intended for consumption in Alaska, Canada or the Hawaiian Islands, may sell or offer to sell at prices not in excess of the prices established by Maximum Price Regulation No. 147 for its sales for delivery on the Pacific Coast and intended for consumption in the United States.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(d) This Order No. 7 shall become effective August 10, 1942.

Issued this 8th day of August 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-7726; Filed, August 8, 1942; 12:51 p. m.]

[Order 12 Under Revised Price Schedule 64 [1]—Domestic Cooking and Heating Stoves]

MALLEABLE IRON RANGE COMPANY

APPROVAL OF MAXIMUM PRICES

On March 9, 1942, Malleable Iron Range Company, Beaver Dam, Wisconsin,

[1] 7 F.R. 3808.

[2] 7 F.R. 971.

[1] 7 F.R. 1329, 1836, 2132.

filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for five new models of coal ranges, designated in the application as Models 478X, 478P, 578X, 578P and 778F.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Malleable Iron Range Company may sell, offer to sell or deliver the following new model coal ranges at prices no higher than those specified:

478X	$66.26 f. o. b. factory
478P	68.71 f. o. b. factory
578X	72.57 f. o. b. factory
578P	75.09 f. o. b. factory
778F	96.31 f. o. b. factory

subject to discounts, allowances and terms no less favorable than those in effect with respect to the maximum prices for the respective comparable old models, 878X, 878P, 898X, 898P and 798F, as established under Revised Price Schedule No. 64.

(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 12 shall become effective on the 10th day of August 1942.

Issued this 8th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7727; Filed, August 8, 1942; 12:51 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-465]

PENNSYLVANIA ELECTRIC CO., ET AL.

ORDER POSTPONING DATE OF HEARING; ORDER DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commision held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1942.

In the matter of Pennsylvania Electric Company, The Clarion River Power Company, Erie Lighting Company, Solar Electric Company, Youghiogheny Hydro-Electric Corporation, Associated Maryland Electric Power Corporation, and Associated Electric Company.

The Commission having, on July 8, 1942, issued its notice of and order for reconvening hearing and notice of filing plan under section 11 (e) of the Public Utility Holding Company Act of 1935 and order for hearing thereon, in the above entitled matter, and having set the date for hearing on such matter on August 13, 1942; and

In such order the Commission having directed that notice of the hearing be sent by the Clarion River Power Company or Pennsylvania Electric Company to all holders of the Participating Capital Stock of The Clarion River Power Company, and that such notice must be mailed not later than fifteen days prior to the date of hearing; and

Pennsylvania Electric Company and The Clarion River Power Company having by their counsel requested that the hearing be postponed for a period from fifteen to twenty days because of serious illness of counsel and necessary examination of books and records to be made by auditors, which cannot be completed by August, 13, 1942, and having represented that notices had been mailed on July 27, 1942, pursuant to the Commission's order, to all holders of record of the Participating Capital Stock of The Clarion River Power Company; and that, if the request for postponement is granted, the Pennsylvania Electric Company will immediately mail a notice of the postponement to all such stockholders of record; and

The Commission being of the opinion that, under the circumstances and conditions set forth, the request may appropriately be granted; and

The trial examiner, heretofore designated to preside at such hearing, not being able to preside at the postponed date;

It is ordered, That the date of the hearing in this matter be, and hereby it, postponed to August 28, 1942, at 10 a. m., at the offices of the Securities and Exchange Commission, Eighteenth and Locust Streets, Philadelphia, Pennsylvania, in the room to be designated on said day by the hearing-room clerk in Room 318.

It is further ordered, That Pennsylvania Electric Company shall give notice of the postponement of said hearing by sending a copy of this order to all holders of record of the Participating Capital Stock of The Clarion River Power Company not later than August 11, 1942.

It is further ordered, That notice of this postponement be, and hereby is, given to all security holders of The Clarion River Power Company, such notice to be given by Pennsylvania Electric Company, as hereinbefore provided, and also by publication of this order in FEDERAL REGISTER and by general release of the Commission distributed to the mailing list for releases of the Public Utility Holding Company Act of 1935.

It is further ordered, That Richard Townsend, an officer of the Commission, be, and hereby is, designated to preside at such hearing at the place and stead, and with the same powers and duties as the trial examiner hereinbefore designated to preside at such hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7692; Filed, August 8, 1942; 10:29 a. m.]

[File No. 70-575]

PLYMOUTH COUNTY ELECTRIC COMPANY AND NEW ENGLAND GAS AND ELECTRIC ASSOCIATION

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of July, A. D. 1942.

New England Gas and Electric Association, a registered holding company, and its subsidiary, Plymouth County Electric Company, having filed applications pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b) and 10 thereof regarding the following proposed transactions:

Plymouth County Electric Company proposes to issue and sell to New England Gas and Electric Association 6,960 shares of additional common stock, of the par value of $25 per share, at a price of $31.25 per share. The proceeds from the sale of this stock are to be used for the purpose of paying floating indebtedness incurred by Plymouth County Electric Company for extensions, additions, and improvements to its plant and property amounting to $217,500 as of May 31, 1942. Such floating indebtedness is represented by open account advance from New England Gas and Electric Association of $150,000 together with a four-month note for $67,500 payable to The First National Bank of Boston with interest at 3% per annum.

Said applications having been filed on July 11, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the said application under section 6 (b) of said Act that the requirements of said section have been satisfied, and with respect to said application under section 10 of said Act that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act, and that the transaction involved has the tendency required by section 10 (c) (2) of said Act.

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications be, and hereby are, granted forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7693; Filed, August 8, 1942; 10:29 a. m.]

[File No. 70-578]

AMERICAN UTILITIES SERVICE CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of August 1942.

American Utilities Service Corporation having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder regarding the pledge of 2,000 shares of common stock, $100 par value of Northwestern Wisconsin Electric Company (a subsidiary) and 31,598 shares of common stock, no par value, of Southeastern Telephone Company (a subsidiary) to the Continental Illinois National Bank and Trust Company of Chicago (Trustee under the Indenture securing its Collateral Trust 6% Bonds, Series A), in accordance with a provision of the Trust Indenture requiring the pledge of securities existing through the conversion of securities previously pledged to the trustee; and

Said application having been filed on July 16 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The declarant having requested that said declaration should become effective at the earliest possible date; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective, and being satisfied that the effective date of such declaration should be advanced:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7694; Filed, August 8, 1942; 10:29 a. m.]

[File No. 70-572]

MIDLAND UTILITY CO., ET AL.

ORDER GRANTING APPLICATION AND ALLOWING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of August, A. D. 1942.

In the matter of Midland United Company, trustee, Traction Light & Power Company, Shirley Realty Company, and Indiana Industrial Land Company.

Hugh M. Morris, as Trustee for the Estate of Midland United Company, a registered holding company, and three direct subsidiaries thereof, namely Traction Light & Power Company, Shirley Realty Company, and Indiana Industrial Land Company, having filed an application and declaration pursuant to sections 10, 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-43 promulgated thereunder concerned with the following proposed transactions:

Midland United Company proposes to acquire all of the assets of Traction Light & Power Company, consisting of 17,906.19 shares of common stock, no par value, of Public Service Company of Indiana, Inc., a subsidiary of Midland United Company, Trustee, and cash which, as at March 31, 1942, approximated $64,000 in consideration of the surrender to Traction Light & Power Company of all of its outstanding capital stock, consisting of 500 shares of common stock, par value $100, and $288,550 in principal amount of promissory notes. Upon the acquisition by Traction Light & Power Company of said capital stock and promissory notes (which are the entire capitalization of Traction Light & Power Company), said company is to be dissolved. At the present time a portion of the common stock and indebtedness of Traction Light & Power Company is pledged as collateral for certain disputed obligations of Midland United Company with Commonwealth Subsidiary Corporation, The Peoples Gas, Light & Coke Company and Public Service Company of Northern Illinois. It is proposed that the assets of Traction Light & Power Company to be received by Midland United Company are to be pledged to the same extent that the capitalization of Traction Light & Power Company has been heretofore held in pledge;

Midland United Company also proposes to sell 1.012.61 shares of the common stock of Shirley Realty Company and $1,850 in principal amount of outstanding notes of Shirley Realty Company to Indiana Industrial Land Company, a direct subsidiary of Midland United Company, for a total cash consideration of $23,677.71. Upon the acquisition of the above described securities, Indiana Industrial Land Company will own the entire capitalization of Shirley Realty Company. Indiana Industrial Land Company thereupon proposes to acquire the assets of Shirley Realty Company, consisting of real estate and mineral rights, and effect the dissolution of Shirley Realty Company;

Said application and declaration having been filed on July 7, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said filing within the period specified in said notice, or otherwise, and not having ordered a hearing thereon;

The Commission finding that the declaration pursuant to section 12 (c), 12 (d) and 12 (f) of the Act and Rules U-42 and U-43 thereunder meet the standards thereof and deeming that it is appropriate and in the interest of consumers, investors and the public interest to allow the declaration pursuant to sections 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-42 and Rule U-43 to become effective, and finding no basis on which to make adverse findings under sections 10 (b) and 10 (c) of said Act, and that the transactions involved have the tendency required by section 10 (c) (2) of said Act;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid filing be, and the same hereby is, allowed to become effective and granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7695; Filed, August 8, 1942; 10:30 a. m.]

[File No. 70-587]

POTOMAC ELECTRIC POWER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 6th day of August, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than August 21, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Potomac Electric Power Company, a subsidiary of Washington Railway and Electric Company, a registered holding company and a subsidiary of The North American Company, a registered holding company, proposes to issue and sell at competitive bidding to the highest bidder $5,000,000 principal amount of First Mortgage Bonds, 3¼% Series. Due 1977, due August 1, 1977. The bonds are to be issued as a series of the First Mortgage Bonds under the Mortgage and Deed of Trust dated July 1, 1936 between Potomac Electric Power Company and The Riggs National Bank of Washington, D. C., as Trustee as amended by an Indenture supplemental thereto dated December 10, 1939, and as supplemented by an indenture supplemental thereto dated July 15, 1942, conveying additional property to the Trustee and now proposed to be further supplemented

Reference

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by an indenture supplemental thereto, to be dated August 1, 1942.

It is stated that the proceeds from the proposed issue and sale are initially to become part of the company's general funds and are to be used to meet its normal working capital requirements and for fixed capital expenditures. It is estimated that such expenditures during the remainder of the year will amount to approximately $4,793,334.

The application or declaration is filed pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the Act of the issue and sale of the securities designated herein. The sale of the securities will be subject to the requirements of Rule U-50.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7696; Filed, August 8, 1942; 10:30 a. m.]

[File No. 31-130]

STANDARD OIL COMPANY (NEW JERSEY)

ORDER EXTENDING EFFECTIVE DATE OF ORDER DENYING EXEMPTION

At a regular session of the Securities and Exchange Commision, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of August 1942.

The Commission, on February 5, 1942, having denied the application of the above-named company, pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of said Act, but having further ordered that the effective date of such order should be August 4, 1942; and

The Company having requested that the effective date of the Order of February 5, 1942 be extended for a further period of six months from August 4, 1942 on the ground that it has proceeded diligently in working out a program for the disposition of the securities of the gas utility companies owned by it and has filed applications and declarations with respect thereto and that, despite such efforts, it has found it impossible to complete its plans by August 4, 1942; and

It appearing to the Commission that such request is reasonable and is not contrary to the interests of investors or consumers or of the public in general;

It is hereby ordered, That the effective date of the Order of the Commission dated February 5, 1942, denying the application of Standard Oil Company (New Jersey), pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935, be and the same hereby is extended to February 4, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7697; Filed, August 8, 1942; 10:30 a. m.]

Reference

AUG 14 1942

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 158

Washington, Wednesday, August 12, 1942

The President

COMMITTEE ON FAIR EMPLOYMENT PRACTICE

TRANSFER FROM WAR PRODUCTION BOARD TO WAR MANPOWER COMMISSION

THE WHITE HOUSE,
Washington, July 30, 1942.

MY DEAR MR. MCNUTT:

After careful consideration of the problems now confronting the Nation with regard to the complete utilization of our human resources in the war effort, I feel it is essential that the activities of the Committee on Fair Employment Practice be coordinated with the activities of the various units of the War Manpower Commission. Accordingly, I hereby transfer the Committee on Fair Employment Practice, established by Executive Order 8802,[1] from the War Production Board to the War Manpower Commission, together with its functions, and all records, property, and personnel used in the administration of such functions. In the performance of its duties and functions the Committee shall be subject to the direction and supervision of the Chairman of the War Manpower Commission. The Committee, however, shall be preserved as an organizational entity within the War Manpower Commission.

On July 8, 1942, I allocated to the Office for Emergency Management the sum of $48,552 from the Emergency Fund to provide for the salaries and expenses of the Committee on Fair Employment Practice for the first quarter of the fiscal year 1943, the unexpended balance of which amount shall be available for the operation of the Committee in performing its functions within the War Manpower Commission. Requests for the financing of the Committee for the last three quarters of the fiscal year 1943 should be submitted to the Bureau of the Budget through the War Manpower Commission.

I am notifying Mr. Malcolm S. MacLean, Chairman of the Committee on Fair Employment Practice, and Mr. Donald M. Nelson, Chairman of the War Production Board, accordingly.

Sincerely yours,
FRANKLIN D ROOSEVELT

HONORABLE PAUL V. MCNUTT,
Chairman, War Manpower Commission.

[F. R. Doc. 42-7813; Filed, August 11, 1942; 11:20 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

Section 81.105, published August 7, 1942, (7 F.R. 6100) should read as follows:

§ 81.105 *Contents.* The following is a list of the current procurement regulations:

PR No. 1	General Instructions.	[¶101-112.2] (§§ 81.101-81.112)
PR No. 2	Negotiated Purchases.	[¶201-206.3] (§§ 81.201-81.206)
PR No. 3	Contracts.	[¶301-351]. (§§ 81-301-81.351)
PR No. 4	Bonds and Insurance.	[¶401-427]. (§§ 81.401-81.427)
PR No. 5	Foreign Purchases.	[¶501-508.2]. (§§81.501-81.508)
PR No. 6	Interbranch and Interdepartmental Purchases.	[¶ 601-612]. (§§ 81.601-81.612)
PR No. 7	Disposition of Surplus and Unserviceable Property.	[¶701-710.1]. (§§ 83.701-83.710)
PR No. 8	Federal, State and Local Taxes.	[¶ 801-817.3]. (§§ 81.801-81.-817)
PR No. 9	Labor.	[¶901-961.2]. (§§ 81.901-81.961)
PR No. 10	Emergency Plant Facilities.	[¶ 1001-1017]. (§§ 81.1001-81.1017)
PR No. 11	Miscellaneous Purchase Instructions.	[¶1101-1106]. (§§ 81.-1101-81.1106)

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622).

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–7800; Filed, August 11, 1942; 10:08 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 04–15, Civil Air Regulations]

PART 04—AIRPLANE AIRWORTHINESS

WINDSHIELD CLEARING EQUIPMENT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 7th day of August, 1942.

Acting pursuant to sections 205 (a), 601 (a), and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 1, 1943, Part 04 of the Civil Air Regulations is amended as follows:

By adding a new paragraph (h) to § 04.530 to read as follows:

§ 04.530 *ACP Landplanes: visual-contact day flying.*[1] • • •

(h) A means for providing, without continuous manual operation, vision through the windshield adequate for executing take-offs and landings in rain.

By the Civil Aeronautics Board:

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F R. Doc 42–7811; Filed, August 11, 1942; 11:18 a. m.]

[Amendment 21–8, Civil Air Regulations]

PART 21—AIRLINE TRANSPORT PILOT RATING

PERIODIC PHYSICAL EXAMINATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 7th day of August, 1942.

Acting pursuant to sections 205 (a), 601, 602, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective August 7, 1942, Part 21 of the Civil Air Regulations is amended as follows:

By amending § 21.400 *Periodic physical examination*[1] by striking the words "6-month period immediately preceding such flight" and inserting in lieu thereof the words "preceding 6 calendar months."

By the Civil Aeronautics Board:

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–7812; Filed, August 11, 1942; 11:18 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4525]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE RUDOLPH WURLITZER COMPANY

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.96 (a) *Using misleading name—Goods—Nature.* In connection with offer, etc., in commerce, of respondent's pianos, (1) using the word "Kordevon", or any other word or term which simulates in spelling or phonetics the word "Cordovan", as a trade name for, or as descriptive of, any covering or finishing material for pianos which is not in fact cordovan leather; and (2) representing in any manner that the covering or finishing material used for respondent's pianos is leather, when such material is in fact other than leather; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Rudolph Wurlitzer Company, Docket 4525, August 5, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, a stipulation as to the facts entered into between the respondent through its attorney and Richard P. Whiteley, Assistant Chief Counsel for the Commission, and briefs in support of and in opposition to the complaint (oral argument having been waived), and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, The Rudolph Wurlitzer Company, a corporation, and its officers, agents, repre-

[1] 6 F.R. 4691

[1] 7 F.R. 3923.

sentatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's pianos in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Kordevon", or any other word or term which simulates in spelling or phonetics the word "Cordovan", as a trade name for, or as descriptive of, any covering or finishing material for pianos which is not in fact cordovan leather.

2. Representing in any manner that the covering or finishing material used for respondent's pianos is leather, when such material is in fact other than leather.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–7804; Filed, August 11, 1942; 11:15 a. m.]

[Docket No. 3357]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EMPIRE MERCHANDISE CORPORATION, ET AL.

§ 3.6 (f) *Advertising falsely or misleadingly—Free goods or service:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Terms and conditions:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of flashlights, jewelry, watches, chinaware and various other articles, or any other merchandise, (1) supplying, etc., others with pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, etc., to agents or distributors, or to members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; and (4) using the word "Free", or any other word of similar import, to designate, describe, or refer to any merchandise which is furnished as compensation for services rendered; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Empire Merchandise Corporation, et al., Docket 3357, August 4, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of August, A.D. 1942.

In the Matter of Empire Merchandise Corporation, a Corporation; and Sophie Rubman, Individually, and as an Officer of Empire Merchandise Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Empire Merchandise Corporation, a corporation, its officers, and Sophie Rubman, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of flashlights, jewelry, watches, chinaware, silverware, clocks, cosmetics, cigarette lighters, bedding, and kitchenware, or any other merchandise, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Shipping, mailing, or transporting to agents or distributors, or to members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

4. Using the word "Free", or any other word of similar import, to designate, describe, or refer to any merchandise which is furnished as compensation for services rendered.

It is further ordered, That the respondent shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–7805; Filed, August 11, 1942; 11:15 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1525]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2, for changes in freight origin group numbers and shipping points for the coals of certain mines in District No. 2 for rail shipments.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, for changes in Freight Origin Group Numbers and shipping points for the coals of certain mines in District No. 2 for rail shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, and § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof, and commencing forthwith the Freight Origin Group Numbers and shipping points appearing in the aforesaid Supplement R-I for the mines mentioned therein are effective in place of the Freight Origin Group Numbers and shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group nos.]

Mine index No.	Code member	Mine name	Seam	Sub-Dist. No.	Shipping point	Railroad	Freight origin group No.	Size Group No.[1] 1	2	3	4	5	6	7	8	9
432	Chuboy, Steve	Chuboy	Pittsburgh	9	Smithton, Pa.	P&LE	73	D	D	C	C	C	C	C	C	C
2269	Downing, Richard, Trustee, Freeport Gas Coal Company.	Hamilton #3 (Strip)	Kitt	1	Branchton, Pa., Harrisville, Pa.	B&LE	20	F	F	E	E	E	E	F	F	F
1365	Ligonier Coal Co., (S. R. Kelly)	Kelly	Pittsburgh	6	Wilpen, Pa., Fort Palmer, Pa.	Lig., Val.	10	G	G	G	G	H	H	G	G	G

[1] No classifications and prices effective for size groups 10 to 16, inclusive.

NOTE: The above prices are applicable *only* via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown in previous schedules are hereby deleted.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R-II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 432; Group No. 14: 1365; Group No. 15: 2269.

[F. R. Doc. 42-7772; Filed, August 10, 1942; 11:44 a. m.]

[Docket No. A-1535]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplements R-I and R-IV, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplements R-II and R-V, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplements R-III and R-VI, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; Commencing forthwith, the shipping points appearing in the aforesaid Supplement R-IV for the coals of Mine Index Nos. 60, 762, 928, and 1237 are effective in place of the shipping points heretofore assigned to these mines; and commencing forthwith, the railroad and freight origin group number appearing in the aforesaid Supplement R-IV for Mine Index No. 928 are effective in place of those heretofore assigned.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1362	Boggess, H. C.	Colfax #2 (S)	Pittsburgh	Colfax, W. Va.	B&O	50	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1360	Columbia Coal Company c/o D. C. Setler	Columbia	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1045	Cork & Coffman (Harry Cork)	Cork #3	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
990	Crumrine, Paul	Shriver	Redstone	Buckhannon, W. Va.	B&O	31	F	F	F	F	H	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
717	Davis, Hiram & Adron (Adron Davis)	Robinson	Pittsburgh	Bridgeport, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1363	Elk Lick Coal Company	Gauley #3	Sewell	Belin, W. Va.	B&O	10	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1364	Gallardi Coal Company (L. J. Lowney)	Ashcraft #1 (S)	Pittsburgh	Rosebud, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1365	Gallardi Coal Company (L. J. Lowney)	Ashcraft #2	Pittsburgh	Rosebud, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1354	Mays, Ormas F.	Phillips Run	Peerless	Tioga, W. Va.	SC&M	11	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1358	Mitchell, F. H. (Henry Coal Company)	Douglass (S)	Pittsburgh	Everson, W. Va.	B&O	61	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
1359	Silvester Brothers	Silvester Bros. #1	H. V. Kitt	Coalton, W. Va.	B&O	30	J	J	J	J	J	J	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)
1344	Snider, John A.	Greathouse #1 (S)	Pittsburgh	Wolf Summit, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1357	Snider, John A.	Greathouse #2 (S)	Pittsburgh	Maken, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1361	Yoland Coal Company	Yoland #3	Pittsburgh	Everson, W. Va.	B&O	61	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective in this size group.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lake*—Supplement R-II. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule. Group No. 1: 717, 1045, 1344, 1357, 1358, 1360, 1361, 1362, 1364, 1365. Group No. 2: 990. Group No. 3: 1359. Group No. 5: 1354, 1363.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*—Supplement R-III. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule. Group No. 1: 717, 1045, 1344, 1357, 1358, 1360, 1361, 1362, 1364, 1365; Group No. 2: 990; Group No. 3: 1359; Group No. 5: 1354, 1363.

§ 323.6 *Alphabetical list of code members*—Supplement R-IV

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
928	Barnes, Arthur (Davis Fork Coal Co.)	Davis Fork	Pittsburgh	Everson, W. Va.	B&O	61	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
60	Elk Lick Coal Co.	Gauley #2	Sewell	Cauley River #2, W. Va.	B&O	10	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1237	Getty Coal Co.	Bartlett (strip)	Pittsburgh	Hepzibah, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
762	Talbert, W. A.	Talbert (Bolair)	H. V. Kitt	Bolair, W. Va.	B&O	26	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective in this size group.

NOTE: The above prices are applicable only Via the respective Freight Origin Groups, shipping points, and Railroads shown for the respective mines. Freight Origin groups, Shipping Points, and Railroads previously assigned to these mines are no longer applicable.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lake*—Supplement R-V. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule: Group No. 1: 928, 1237; Group No. 3: 762; Group No. 5: 60.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via lakes—all ports*—Supplement R-VI. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule. Group No. 1: 928, 1237; Group No. 3: 762; Group No. 5: 60.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Seam	County	Size groups					
				Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size but over 1¼"	Lump 1¼" and under, egg 1¼" and under, bottom size	All nut and pea, 2" and under	Run of mine, resultant over 2"	1¼" and 2" slack	¾" slack
	Mine Index No.			1	2	3	4	5	6	7
Baker, Fred L., Bookless, H. C.	1359; 1365	Baker No. 4 (strip); Colfax No. 2 (strip).	Pittsburgh; Pittsburgh.	Monongalia; Marion.	223; 223	218; 218	218; 218	193; 193	178; 178	168; 168
Columbia Coal Company c/o D. C. Seiler.	1360	Columbia	Pittsburgh	Harrison	223	218	218	193	178	168
Elk Lick Coal Company	1363	Gauley #3	Sewell	Webster	253	248	248	223	213	193
Fisher, Asa E.	1341	Fisher #1	Pittsburgh	Lewis	228	215	218	198	178	168
Fisher, Asa E.	1342	Fisher #2	Pittsburgh	Lewis	228	218	218	198	178	168
Gallardi Coal Company (L. J. Lowney).	1364	Ashcraft #1 (S)	Pittsburgh	Harrison	228	218	218	198	178	168
Gallardi Coal Company (L. J. Lowney).	1365	Ashcraft #2	Pittsburgh	Harrison	228	218	218	198	178	168
Koon, Hoy L.	1356	Koon	H. V. Kittanning	Upshur	206	203	203	178	178	158
Mayo, Ormae F.	1354	Phillips Run	Peerless	Nicholas	233	245	245	223	213	193
Mitchell, F. H. (Henry Coal Company).	1358	Douglass (S)	Pittsburgh	Marion	233	215	215	193	178	168
Silvester Brothers, Snider, John A.	1339; 1344	Silvester Bros. #1 (Strip).	Randolph; Harrison	Randolph; Harrison	208; 223	203; 218	203; 218	178; 193	178; 193	158; 168
Snider, John A.	1357	Greenhouse #2 (Strip).	Pittsburgh	Harrison	223	218	218	193	193	168
Yoland Coal Company.	1361	Yoland #3	Pittsburgh	Harrison	223	218	218	193	178	168

[F. R. Doc. 42-7769; Filed, August 10, 1942; 11:43 a. m.]

[Docket No. A-1544]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief

In the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-Dist. No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
563	Stewart Coal Co. (Mrs. Katherine Stewart)	Stewart	4	Edge	Bandy, Va.	N & W.	20	B	(†)	(†)	(†)	(†)	B	B	(†)	C	(†)

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine index No.	Sub-district No.	County	Seam	All lump 3¼" or larger, all egg and stove	All nut or pea, 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Golden, Harvey	Golden	312	1	Greenbrier	Sewell	290	250	280	215	195	100
Stewart Coal Co. (Mrs. Katherine Stewart).	Stewart	563	4	Tazewell	Edge	313	(†)	(†)	(†)	(†)	(†)

† When shown under a size group number, this symbol indicates coals previously classified in this size group.

[F. R. Doc. 42-7775; Filed, August 10, 1942; 11:45 a. m.]

[Docket No. A-1536]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–II, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

Commencing forthwith, the shipping points appearing in the aforesaid Supplements R–I and R–II for the coals of Mine Index Nos. 716, 931, 2308, 3663 and 5530 are effective in place of those heretofore established for these mines, and commencing forthwith, the railroads and freight origin group numbers appearing in the aforesaid Supplement R–I for the coals of Mine Index Nos. 716 and 2308 are effective in place of those heretofore assigned.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions* and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Sub-District No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1,2	3,4	5,6	7	8	9	10	11,12,13,14	15,16,17	18,19,20,21	22	23	24	25	26	27	For Great Lakes cargo only: 1,2	3,4	5,6	7	8	9	10	16,17	18,19,20,21	22	24	25	26	27
3575	Bostic Coal Co	Bostic C. Co	Lower Banner	7	Trammel, Va	CC&O	50	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	(†)	C	M	M	K	F	D	D	E	M	G	(†)	(†)	(†)	(†)	C
5419	Cline, Quintia & Sibert Cline	Pond Creek[1]	Pond Creek	8	West Gilbert, W. Va.	C&O	150	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(*)
229	Fayette-Jellico Coal Co	Fayette-Jellico #2[1]	Dean	6	Warren, Ky	A&J	110	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(*)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(†)	(*)
5649	Garmeada Coal Co	Garco #2	Red Springs	6	Murtea, Ky	L&N and Sou.	113	H	H	F	E	D	C	E	D	D	K	(†)	(†)	D	D	D	E	H	H	F	C	C	D	E	M	K	(†)	B	C	D	E
2308	Gillespie & Falin (B. S. Gillespie).	Gillespie & Falin	Blair	7	Esserville, Va.[3]	Inter	200	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5588	Hibbitts, Logan	Hibbitts	Clintwood	7	Fremont, Va	CC&O	10	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	(†)	C	M	M	K	F	D	D	E	M	G	(†)	(†)	(†)	(†)	C
2897	Hilton, E. B	E. B. Hilton	Imboden	7	Tacoma, Va	N&W	30	O	O	K	J	F	C	E	C	B	F	(†)	(†)	(†)	(†)	(†)	C	O	O	K	F	D	D	E	L	G	(†)	(†)	(†)	(†)	C
5608	Hubbard, J. K	Hubbard Coal Co	Norton	7	Tacoma, Va	N&W	30	K	K	E	E	C	E	C	D	D	K	(†)	(†)	(†)	(†)	(†)	C	K	K	E	C	B	B	C	L	G	(†)	(†)	(†)	(†)	C
5605	Johnson, A. A	A. A. Johnson	Widow Kennedy.	7	Coeburn, Va	N&W	30	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	L	G	(†)	(†)	(†)	(†)	C
5641	Jones, Hayes (Jones Elkhorn Coal Co.).	Yost	Elkhorn No. 3	1	Pikeville, Ky	C&O	61	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	L	G	(†)	(†)	(†)	(†)	C
5607	Lowe, Walker	Lowe	Pond Creek	8	Belfry, Ky	N&W	130	Q	Q	M	L	H	F	H	C	C	J	(†)	(†)	C	C	C	D	O	N	L	G	D	D	H	O	J	(†)	C	C	C	D
716	Miller Coal Co. (Willie Miller).	Hunt	Elkhorn	1	Marrowbone, Ky.[1]	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(*)	(*)
5614	Nolan, G. B	Hill Crest	"A"	2	Chad, Ky	L&N	80	L	L	H	G	F	D	D	B	C	F	(†)	(†)	(†)	(†)	(†)	C	L	K	H	E	C	D	D	E	L	F	(†)	(†)	(†)	(†)	C
5598	Owens, J. A	Owen Coal Co	Kelley	7	Dorchester, Va	Inter	200	O	O	K	J	F	C	E	C	D	G	(†)	(†)	(†)	(†)	(†)	C	O	M	H	F	C	B	F	M	G	(†)	(†)	(†)	(†)	C
5646	Petrey, Eskell	Finley, No. 2	River Gem	6	Williamsburg, Ky	L&N	111	K	K	H	G	E	E	D	D	E	K	(†)	(†)	(†)	(†)	(†)	C	K	O	M	H	F	D	H	O	M	K	(†)	(†)	(†)	(†)	C
1486	Porter & Godfry (Albert Porter).	Perfater	Alma	6	Midkiff, W. Va	C&O	150	Q	Q	L	K	H	F	H	C	D	F	(†)	(†)	(†)	(†)	(†)	C	P	P	O	M	H	F	J	P	N	(†)	(†)	(†)	(†)	C
5589	Sargent, W. M	W. M. Sargent Coal Co.	Clintwood	7	Norton, Va	L&N and N&W.	205	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	(†)	C	M	M	K	F	D	D	E	M	G	(†)	(†)	(†)	(†)	C
5522	Siler Blue Gem (Hubert Smith).	Siler Blue Gem	Blue Gem	6	Saxton, Ky	L&N	111	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	A	A	A	A	A	A	C	D	K	(†)	(†)	(†)	(†)	(†)
5631	Smith, M. H. (Smith Coal Co.).	No. 3	Hazard No. 4	6	Combs, Ky	L&N	100	K	K	J	H	G	E	G	D	D	K	N	(†)	(†)	(†)	(†)	C	K	K	J	F	D	D	G	L	K	N	(†)	(†)	(†)	O
3508	Stewart, Brack	Swiney	Auxier	1	Elkhorn City, Ky	C&O and CC&O.	63	P	P	N	M	J	G	J	F	G	N	(†)	(†)	(†)	(†)	(†)	(†)	P	O	M	H	F	F	J	P	N	(†)	(†)	(†)	(†)	(†)
3663	Tye, Marshall	Tye	Blue Gem	6	Mountain Ash, Ky.[4]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)
5600	Walters, Luke	Luke Walters	Blue Gem	6	Woodbine, Ky	L&N	111	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	A	A	A	A	A	A	A	C	D	K	(†)	(†)	(†)	(†)	(†)
5530	Willis, O. E	Willis No. 3	No. 5—Darby	2	Maness, Va.[3]	L&N and Sou.	204	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)

[1] Indicates change in mine name.
[2] Denotes new shipping point, railroad and Freight Origin Group. Shipping Point at Norton, Virginia, on the N&W and L&N Railroads in Freight Origin Group No. 205 shall no longer be applicable.
[3] Denotes new shipping point, railroad and Freight Origin Group. Shipping Point at Elkhorn City, Kentucky, on the C&O and CC&O Railroads in Freight Origin Group No. 63 shall no longer be applicable.
[4] Denotes new shipping point. Shipping Point at Pleasant View, Kentucky, shall no longer be applicable.
[5] Denotes change in shipping point from Maness, Ky., as shown in Docket A-1461.
*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

§ 328.21 *Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
931	Ball, Albert (Ball Coal Co.)	Ball Mine	9	Cary	Doran, Va.[1]	N&W	21	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5123	Smith Bros. Coal Co. (Wallace M. Smith).	Smith Bros. C. Co. No. 1	9	Raven	Doran, Va	N&W	21	O	O	D	D	A	A	A	H	H	H

[1] Denotes new shipping point. Shipping Point at Raven, Va., shall no longer be applicable.

* Indicates previously classified these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x ¾", egg 2" x 5"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
CARTER COUNTY, KY.											
Crockett, Clarence	Crockett	5602	No. 7	265	245	210	220	205	200	150	145
LAWRENCE COUNTY, KY.											
Church & Church (George Church).	Church	5620	McHenry	265	245	210	220	205	200	150	145
PIKE COUNTY, KY.											
Jones, Hayes (Jones Elkhorn Coal Company).	Yost	5641	Elkhorn No. 3	275	255	220	230	215	210	170	165
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Nolan, G. B	Hill Crest	5614	"A"	270	250	225	230	210	215	175	170
SUBDISTRICT NO. 3—HAZARD											
WOLFE COUNTY, KY.											
Profitt, S. G	Miller	5650	No. 4	265	245	210	220	205	200	150	145
SUBDISTRICT NO. 4—KANAWHA											
CLAY COUNTY, W. VA.											
Reedy, Wilford	Reedy	5532	Coalburg	245	225	210	195	180	200	145	140
KANAWHA COUNTY, W. VA.											
Whittington, L. S		5563	Pittsburgh No. 8	265	245	230	230	205	220	135	130

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x ¾", egg 2" x 5"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY.											
Garmeada Coal Co	Garco #2	5649	Red Springs	285	265	220	240	215	210	145	140
KNOX COUNTY, KY.											
Fayette-Jellico Coal Company	Fayette-Jellico #2[1]	229	Dean	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
LESLIE COUNTY, KY.											
Smith, M. H. (Smith Coal Company).	No. 3	563	Hazard No. 4	275	255	220	225	205	210	155	150
PULASKI COUNTY, KY.											
Kelley, Luke Joseph	Blue Bird No. 2	5501		265	245	220	220	205	210	155	150
WHITLEY COUNTY, KY.											
Petrey, Eskell	Finley No. 2	5646	River Gem	275	255	220	230	215	210	145	140
Siler Blue Gem (Hubert Smith)	Siler Blue Gem	5522	Blue Gem	335	315	235	260	225	225	145	140
Walters, Luke	Luke Walters	5600	Blue Gem	335	315	235	260	225	225	145	140
CAMPBELL COUNTY, TENN.											
Kidd, John	John Kidd	5601	Jellico	300	280	225	250	215	215	170	165
SUBDISTRICT NO. 7—VIRGINIA											
DICKENSON COUNTY, VA.											
Hibbitts, Logan	Hibbitts	5588	Clintwood	265	245	220	220	215	210	155	150

[1] Indicates change in mine name.
*Indicates previously classified these size groups.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 2" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 7—VIRGINIA—Continued											
WISE COUNTY, VA.											
Clay, G. G.	G. G. Clay Coal Co.	5618	Widow Kennedy	275	255	220	240	225	210	155	150
Hubbard, J. K.	Hubbard Coal Co...	5608	Norton	265	245	220	220	215	210	155	150
Johnson, A. A.	A. A. Johnson	5606	Widow Kennedy	275	255	220	240	225	210	155	150
Owens, J. A.	Owen Coal Co	5598	Kelley	265	245	220	220	215	210	155	150
Sargent, W. M.	W. M. Sargent Coal Co.	5589	Clintwood	265	245	220	220	215	210	155	150
SUBDISTRICT NO. 8—WILLIAMSON											
PIKE COUNTY, KY.											
Lowe, Walker	Lowe	5607	Pond Creek	245	225	225	210	200	215	160	155
MINGO COUNTY, W. VA.											
Cline, Quintin & Sibert Cline...	Pond Creek [1]	5419	Pond Creek	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

[1] Indicates change in mine name.
*Indicates previously classified these size groups.

[F. R. Doc. 42-7773; Filed, August 10, 1942; 11:45 a. m.]

[Docket No. A-1523]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R–I, § 333.7 (a) (*Special prices—Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R–II, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R–II, § 333.24 (*General prices*) is amended by adding thereto Supplement R–IV, § 333.25 (*Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R–V, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplements T–II and T–III, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of the Wilburn Smith Nos. 1, 2 and 3 Mines of Wilburn Smith, or as to the Twin Arrow Mine of Fondren & Guthrie, for the reason that the Division has received no code acceptances from these producers.

No relief is granted herein as to the coals of the Loyd Mine (Mine Index No. 1471) of Luther P. Dodd for truck shipments for the reasons that such relief has already been granted this mine in Docket No. A–1330, when it was operated by Elbert Loyd.

Price classifications and minimum prices for Mine Index Nos. 713, 1348, 1430, 1504, 844 and 178 in Marion County, Tennessee, and for Mine Index Nos. 1542, 1222, 181, 738, 1406, 830, 1493, 116, 26 and 831 in Dade County, Georgia, for all shipments except truck into Market Area No. 112 have been established 2 cents higher than the price classifications and minimum prices proposed for these mines for such shipment in the original petition for the reason that records of the Division indicate that the freight rate for shipments from Mine Index No. 95, which mine's prices are used as base prices, have been increased 5 cents per net ton into Market Area No. 112, while the freight rates for such shipments from the mines listed above have been increased only 3 cents per net ton.

Dated: July 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

§ 333.6 *General prices*—Supplement R–I—Continued

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	WALKER COUNTY, ALA.—Continued				
1531	Keston, W. H.	W. H. Keston [9]	1	Mary Lee	101
621	Lockhart, W. H.	Lockhart [11]	1	Mary Lee	100
1595	Kelley & Leonard (Lee Kelley)	Kelley & Leonard [12] (Strip)	1	Jagger	110
1624	Kelley & Leonard (Lee Kelley)	Kelley & Leonard [12] (Deep)	1	Jagger	110
647	Rice Trenton	Rice #1 [13]	1	Black Creek	80
1447	Rice, H. [14]	Rice #1 [13]	1	Black Creek	80
618	Robbins, Mack	Robbins Coal Co. [15]	1	Black Creek	80
	WINSTON COUNTY, ALA.				
1630	Farris, F. L.	Reeves [16]	1	Black Creek	111
1471	Dodd, Luther P.	Loyd [16]	1	Black Creek	111

[9] Shipping Point: Carbon Hill, Ala. Railroad: SI–SF. This mine shall have in size group 13 on each respective price table a price which is 10¢ less than that shown in size group 12 on such table for Mine Index No. 31 (Stith Coal Company, Aldridge Shaft mine, Price Schedule No. 1).

[10] Shipping Point: Jasper, Ala. Railroad: So. Ry. The prices published as from the Black Creek seam in Docket No. A–588 for size groups 1 through 5, for delivery to Lowe, Walker, Mingo County, W. Va., and Dunlow, Wayne County, W. Va., for shipment from Shipping Point: Prospect, Ala. Railroad: So. Ry. These mines shall have in Size Groups 1 and 2 on each respective price table the same prices as are listed in these respective size groups for Mine Index No 33 (Calloway Coal Company, Holly Grove mine, Price Schedule No. 1); and in Size Groups 7, 13, 19, 22, and 23, on each such table these mines shall have prices which are 10¢ less than those respectively listed in Size Groups 6, 12, 14, 17, and 18, respectively, for said Mine Index No. 33.

[11] Shipping Point: Drummond, Ala. Railroad: SI–SF. These mines shall have in size groups 2 and 4 on each respective price table the same prices as are listed in these respective sizegroups for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Price Schedule No. 1).

[12] Shipping Point: Drummond, Ala. Drummond is shipping point but without change in railroad or Freight Origin Group. Shipping points at Rosemary, Ala., and Hamilton, Ala., shall no longer be applicable. Railroad: SI–SF.

This mine shall have in Size Groups 1, 2, 4, 6, and 23, on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Price Schedule No. 1); and in Size Groups 7 and 23 on each such table this mine shall have prices which are 10¢ less than those respectively listed in Size Groups 6 and 23 for said Mine Index No. 22.

This mine shall have in Size Group 13 on each respective price table a price which is 10¢ higher than that listed thereon in this size group for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1); and in Size Group 12 on each such table this mine shall have a price which is 10¢ higher than that established herein in Size Group 13 for Mine Index No. 68.

[13] Shipping Point: Trenton, Ala. Railroad: So. Ry. This mine shall have in size group 13 on each respective price table a price which is 10¢ less than that shown in size group 12 on such table for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1); and in size groups 7, 22, and 23, on each such table this mine shall respectively have a price which is 10¢ less than that listed in size groups 6, 17, and 18, respectively, for said Mine Index No. 14; and in size groups 20 and 21 on each such table this mine shall have the same price as is established herein for Mine Index No. 1504 in size group 19.

[14] Shipping Point: Rice, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2, 4, 13, and 19, on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1); and in size groups 7, 22, and 23, on each such table this mine shall have prices which are 10¢ less than those respectively listed in Size Groups 6, 17, and 18, respectively, for said Mine Index No. 14.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R–II

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in subdistrict No. 1. For all sizes customarily furnished railroads for locomotive fuel]

Mine Index No.	Central of Georgia	Seaboard Air Line Ry. [1]	St. Louis & San Francisco R. R. for consignment west of the Mississippi River	St. Louis & San Francisco R. R. for consignment east of the Mississippi River	All other railroads not specifically shown
165, 897, 1457, 1471, 1478, 1479, 1531, 1595, 1599, 1624, 1630	220	220	200	220	280

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 *General prices*—Supplement R–I

[Prices F. O. B. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	BIBB COUNTY, ALA.				
1599	Cooke & Gray (J. M. Gray)	Cooke & Gray 1 (strip)	1	Thompson	160
1625	Cooke & Gray (J.M. Gray)	Cooke & Gray (deep)	1	Thompson	160
	BLOUNT COUNTY, ALA.				
165	Perrin & Horsley (W. E. Horsley)	Rock Creek [1]	1	Inland	31
	MARION COUNTY, ALA.				
897	Rowell, A. B.	Gold Eagle #6 [1]	1	Black Creek	111
1478	Sims, H. F.	O'Mary #1	1	Black Creek	60
1479	Sims, H. F.	O'Mary #2	1	Black Creek	60
1120	Sims & Powell (Sam Sims)	Wates & Sims [2]	1	Black Creek	60
	SHELBY COUNTY, ALA.				
1596	Paramount Coal Company	Paramount #5 [3]	1	Helena	31
	TUSCALOOSA COUNTY, ALA.				
519	Alston, C. L.	C. L. Alston [4]	1	Milldale	44
	WALKER COUNTY, ALA.				
1457	Carmichael, T. L.	Tower [4]	1	Mary Lee	80
1609	Hendrick, W. F.	Hendrick Coal Co. [5]	1	Black Creek	80

[1] Shipping Point: Belle Ellen, Ala. Railroad: L&N. These mines shall have in size group 13 on each respective price table the same price as is shown thereon for that size group as shipped from Mine Index No. 4 (Little Calahaba Coal Company, Tiger mine, Price Schedule No. 1).

[2] Shipping Point: Inland, Ala. Railroad: L&N. This mine shall have in size group 1 on each respective price table the same prices as are shown thereon for Mine Index No. 33 (Galloway Coal Company, Holly Grove mine, Price Schedule No. 1); and in size groups 7, 11, 13, and 23, on each such table this mine shall have prices which are 10¢ less than those respectively listed in size groups 6, 10, 12, and 18, for Mine Index No. 31 (Stith Coal Company, Aldridge Shaft mine, Price Schedule No. 1).

[3] Shipping Point: Helena, Ala. Railroad: So. Ry. This mine shall have in size groups 1, 2, 9, and 11 on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 20 (Brilliant Coal Co., Eldridge mine, Price Schedule No. 1); and in size groups 18, 19, and 23, on each such table, the same prices as are provided for in the revision of prices for said Mine Index No. 20 in Docket No. A–883.

[4] Shipping point: Brilliant, Ala. Railroad: I. C. R. R. These mines shall have in size groups 1, 2, 4, 6, and 18, on each respective price table, the same prices as are listed in these respective size groups for Mine Index No. 18 (Brilliant Coal Company, Brilliant mine, Price Schedule No. 1).

[5] Shipping Point: Dora, Ala. Railroad: L&N. This mine shall have in size groups 1, 2, 9, 11, and 13, on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 867 (A. B. Rowell, Gold Eagle #6 mine, Docket No. A-1523); and in size group 7 this mine shall have on each respective price table a price which is 10¢ less than that listed thereon in size group 6 for Mine Index No. 18 (Brilliant Coal Company, Brilliant mine, Price Schedule No. 1).

[6] Shipping Point: Travilla, Ala. Railroad: L&N. This mine shall have in size groups 1, 2, 4, 12, 14, 15, 16, 17, 18, and 24, on each respective price table the same price as is shown thereon in such size group for Mine Index No. 58 (Paramount Coal Company, Paramount #4 mine, Price Schedule No. 1).

[7] Shipping Point: Travilla, Ala. Railroad: L&N. This mine shall have in size groups 1 and 2 on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 14 (Southern Coal & Coke Co., Eldridge mine, Price Schedule No. 1); and in size group 7 this mine shall have on each respective price table the same price as is listed thereon in said size group for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1).

[8] Shipping Point: Dora, Ala. Railroad: SI–SF. This mine shall have in size group 13 on each respective price table a price which is 10¢ less than that shown in size group 12 on such table for Mine Index No. 31 (Stith Coal Company, Aldridge Shaft mine, Price Schedule No. 1).

[9] Shipping Point: Drummond, Ala. Railroad: SI–SF. Drummond, Ala., is new shipping point but without change in railroad or Freight Origin Group. Shipping points at Rosemary, Ala., and Sumiton, Ala., shall no longer be applicable.

This mine shall have in size group 23 on each respective price table a price which is 10¢ less than that shown in Size Group 13 for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Price Schedule No. 1).

§ 333.7 *Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R–III

[Prices F. O. B. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

Mine index No.	Mine group	Size groups and prices applicable for steamship vessel fuel			
		14, 15, 16, 17, 18	12	13	23
1630	Black Creek	285	285	285	275
1478, 1479	Black Creek	270		270	
1599, 1623	Cahaba	245			
1595, 1624	Carbon Hill Big Seam				

§ 333.24 *General prices*—Supplement R–IV

[Prices F. O. B. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
713	Etna Coal & Coke Company, Inc.	Etna No. 2 [1]	3	Etna	190
1348	Stansbury & Stansbury	Stansbury [1]	3	Etna & No. 7	190
1630	Merciers, Frank	Frank Merciers [1]	3	Etna	190
1604	Stansbury & Stansbury	Stansbury No. 2 [1]	3	Etna No. 3	190
904	Westmoreland & Manning (Morris Westmoreland).	Jenkins [1]	3	Etna	190
[2] 896	Williams, George (see *NOTE)	CMW [2]	3	Etna	190
	SEQUATCHIE COUNTY, TENN.				
1602	Sunshine Coal & Coke Co. c/o Moe B. Flanigan.	Elbert Tate [4]	3	Sewanee	160

[1] Shipping Point: Ladds, Tenn. Railroad: NC & St. L.
[2] Shipping Point: Whiteside, Tenn. Railroad: NC & St. L.
[3] In Docket No. A–1049, Supplement T, the listing of Mine Index No. 178 showed it as located in Dade County, Georgia, but in the petition in Docket No. A–1429 this was corrected by District Board for District No. 13 to show the correct location as Marion County, Tennessee. No revision of prices For Truck Shipments is required.
[4] Shipping Point: Daus, Tenn. Railroad: NC & St. L. On each respective price table this mine shall have in each size group the same respective price as is listed for Mine Index No. 95 (Tennessee Products Corporation, Whitewell mine, Price Schedule No. 1).

*NOTE: Each of the above 6 mines shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, on each respective price table except that for Market Area No. 112, the same price in each of these respective size groups as is listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Price Schedule No. 1): and in Size Groups 10, 11, 12, and 14, on each such table and in each of said size groups a price which is 10¢ higher than that shown for said Mine Index No. 95: and in Size Group 13 on each such table each of these mines shall have a price which is 5¢ higher than is listed in this size group for said Mine Index No. 95. In the price table for Market Area No. 112 each of these mines shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, a price which is 45¢ higher in each of these size groups than is respectively listed in these size groups for said Mine Index No. 95: and in Size Groups 10, 11, 12, and 14, a price which is 55¢ higher than that respectively listed for said Mine Index No. 95: and in Size Group 13 a price which is 55¢ higher than is listed in this size group for said Mine Index No. 95.

§ 333.24 *General prices*—Supplement R–IV—Continued

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	DADE COUNTY, GEORGIA				
1542	Avery, Claude H.	Avery No. 1 [4]	3	Etna	190
1222	Bailey, George W.	Bailey [4]	3	Etna	190
181	Breedlove, Bill	Raines [4]	3	Etna	190
738	Holland & Wallace	Murphy [4]	3	Etna	190
1406	Jenkins, W. R.	Jenkins, No. 2 [4]	3	Etna	190
830	Knight & Jackson	Pat O'Brien [4]	3	Etna	190
1493	Murphy, George	Murphy [4]	3	Etna	190
116	Prince, H. B.	Prince [4]	3	Etna	190
26	Ringer, B. F.	Ringer [4]	3	Old Dade	190
831	Sanders, Lawrence	Lawrence Sanders [4]	3	Etna	190

[4] Shipping Point: Ladds, Tenn. Railroad: NC & St. L.
[4] Shipping Point: Whiteside, Tenn. Railroad: NC & St. L.

NOTE: Each of the above 10 mines shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, on each respective price table except that for Market Area No. 112, the same price in each of these respective size groups as is listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Price Schedule No. 1): and in Size Groups 10, 11, 12, and 14, on each such table and in each of said size groups a price which is 10¢ higher than that shown for said Mine Index No. 95: and in Size Group 13 on each such table each of these mines shall have a price which is 5¢ higher than is listed in this size group for said Mine Index No. 95. In the price table for Market Area No. 112 each of these mines shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, a price which is 45¢ higher in each of these size groups than is respectively listed in these size groups for said Mine Index No. 95: and in Size Groups 10, 11, 12, and 14, a price which is 55¢ higher than that respectively listed for said Mine Index No. 95: and in Size Group 13 a price which is 55¢ higher than is listed in this size group for said Mine Index No. 95.

§ 333.25 *Special prices—(b) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R–V

[Prices F. O. B. mines for shipment to all railroads for locomotive fuel, station heating, power plants, and other uses]

For mines in subdistrict No. 3	Size	Price
Mine index No.: 26, 116, 178, 181, 713, 738, 830, 831, 844, 1222, 1348, 1406, 1430, 1493, 1504, 1542.	For all sizes except screenings	225
	Screenings with top size not more than 2".	215

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index and name	Mine	Mine index No.	Subdistrict	Seam	Lump, over 2" egg, top size over 6"	Egg, top size 6" and under	Lump, 2" and under	Nut, top size 3" and under; bottom size over 1½"		Chestnut, top size 3" and under; bottom size 1½" and under		Chestnut, top size 1½" and under; bottom size, ½" and under		Run of mine, modified R/M	Resultants, 3" and under		Screenings, 1¼" and under		Industrial coal [1]
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24, 25, 26
ALABAMA																			
BIBB COUNTY																			
Cooke & Gray (J. M. Gray)	Cooke & Gray (strip)	1599	2	Thompson	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
Cooke & Gray (J. M. Gray)	Cooke & Gray (deep)	1623	2	Thompson	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
BLOUNT COUNTY																			
Cannon & Hampton (Dewey Cannon)	Cannon	1561	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
Murphy, Pierson, & Walker Coal Co	#1	1593	2	(?) a stray seam with Black Creek characteristics.	280	280	275	295	275			270	250	230	235	200	230	180	230
Reno, F. N	Adabel	1560	2	Black Creek	355	355	340	345	325	310	300	295	285	285	275	265	265	250	285
JEFFERSON COUNTY																			
Franklin, W. M	Arcadia	1622	2	Pratt	325	325	325	320	310	310	295	305	290	265	270	250	265	240	305
Snider, Auther	Snider #2	1600	2	L. Nunnally	280	280	275	295	275			270	250	230	235	200	230	180	230
MARION COUNTY																			
Powell, W. A	W. A. Powell	1550	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
SHELBY COUNTY																			
Johnson, Kathleen (Mrs.) (Kathleen Coal Co.)	Kathleen Coal Co. #2	1588	2	Wadsworth	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
Murphy, P. E	Murphy #2	1627	2	Helena	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
Paramount Coal Company	Paramount #5	1598	2	Helena	365	365		335						275	260		250		290
TUSCALOOSA COUNTY																			
Kizziah, William N	Avery & Riley Coal Co. #2.	1228	2	Brookwood	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225
WALKER COUNTY																			
Kelley & Lenard (Lee Kelley)	Kelley & Lenard (strip)	1595	2	Jagger	280	280	275	295	275			270	250	230	235	200	230	180	230
Kelley & Lenard (Lee Kelley)	Kelley & Lenard (deep)	1624	2	Jagger	280	280	275	295	275			270	250	230	235	200	230	180	230
Wilson & Tanner (E. S. Wilson) Docket No. A–1523.	Burnwell #1	1563	2	Mary Lee	275	275	275	295	275	280	260	270	250	225	235	200	230	180	225

[1] Mine Index No. 960 previously assigned in Docket No. A–631 shall no longer be applicable.

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I—Continued

Code member index and name	Mine	Mine index No.	Sub-district	Seam	Lump, over 2", exc. top size 6" and under	Egg, top size 6" and under	Lump, 2" and under	Nut, top size 3" and under; bottom size ½" over		Chestnut, top size 1¼" and under; bottom size, ½" and under		Screenings, 1¼" and under		Resultants, 3" and under		Run of mine, modified R/M	Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	Raw	
					1	2	3	6	7	8	9	18	23	17	22	13	24, 25, 26
ALABAMA																	
WINSTON COUNTY																	
Farris, F. L.	Reeves	1630	2	Black Creek	385	385	300	335	315	310	305	265	225	275	265	290	290

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Code member index	Mine	Mine index No.	Subdistrict	Seam	Lump: Over 2"; Egg: Top size over 3"; Egg: Top size 3" and under; bottom size 2" and under	Lump: 2" and under	Nut: Top size 2" and under; bottom size 1" and under	Stoker: Top size 1¼" and under; bottom size ¼" and under	Stoker: Top size ¾" and under; bottom size ¼" and under	Straight and modified M/R	Resultants: 3" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ¾" and under	Industrial coal
					1	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																		
HAMILTON COUNTY, TENN.																		
Luttlur & Johnson (Marvin Johnson)	Luttlur & Johnson	1665	4	Soddy #12	305	305	295	250	240	220	225	225	205	205	195	190	165	250
MARION COUNTY, TENN.																		
Layde, Amos	Dykes Hollow	1640	4	Sewanee	315	315	306	260	250	245	235	235	205	205	205	200	165	200
SEQUATCHIE COUNTY, TENN.																		
Market Street Coal Company (R. L. Styles)	Keener	1589	4	Sewanee	315	315	305	260	250	245	235	235	205	205	205	200	165	200
Sunshine Coal & Coke Co. c/o Moe H. Flanigan.		1602	4	Sewanee														
DADE COUNTY, GEORGIA																		
Mauls, Sam	Morris #1	1564	4	Etna	315	315	305	260	250	245	235	235	205	205	205	200	175	290

*For sizes included see Size Group Table § 333.42.

FOR TRUCK SHIPMENTS

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–III

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Mine index No.	Subdistrict	Seam	Base sizes: Lump over 2", exc 4" x 6"	Lump 2" and under, exc 3" x 6"	Lump ¾" and under	Egg 2" x 4", exc 2" x 6"	Stove 3" and under, not 2" and under	Straight mine run	2" and under slack	¾" and under slack
					1	2	3	4	5	6	7	8
TENNESSEE												
WHITE COUNTY												
Beam, Sam	Sam Beam	1590	4	Bon Air	250	230	205	210	185	195	135	130

[F. R. Doc. 42–7770; Filed, August 10, 1942; 11:43 a. m.]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER ON PETITION FOR PRICE REVISION

Findings of fact, conclusions of law, memorandum opinion and order of the Acting Director in the matter of the petition of District Board No. 15 for revision of the effective minimum prices for certain coals produced in District No. 15.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on June 9, 1942, by District Board No. 15, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition requests increases in the prices published in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck applicable to code member's mines in Production Groups Nos. 1, 2, 4, 5, 10, and 11, District 15, for shipment to Market Area No. 75 (Kansas City), and in Production Group No. 4, District 15, for shipment into Market Area No. 78 (St. Joseph, Missouri, etc.).

Pursuant to Order of June 18, 1942, and after due notice to all interested persons, a hearing was held on July 8, 1942, before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The original petitioner and Bituminous Coal Consumers' Counsel appeared at the hearing. The preparation and filing of a Report by the Examiner were waived, and the record was thereupon submitted to the Acting Director.

This proceeding involves the adjustment of certain effective minimum prices in District 15 to conform to freight rate changes. On March 18, 1942, freight rate advances became effective (I.C.C. Ex Parte No. 148) on lump coal and fine coal produced in Production Groups Nos. 1, 2, 4, and 5 when for shipment to Market Area 75 (Greater Kansas City), and in Production Groups Nos. 3 and 4 when for shipment to Market Area 78 (St. Joseph, Missouri, etc.). Where the freight rate was one dollar or less the increase is 3 cents, and where the freight rate was more than one dollar the increase is 5 cents per net ton.

A. *Market Area 75.* A tabulation showing the freight rates formerly existing and those in effect following the increase and showing the amount of the increase applicable to the sizes of coal from the production groups involved when for shipment to Market Area 75, is as follows:

	From production groups Nos.—							
	1		2		4		5	
	Lump	Fine	Lump	Fine	Lump	Fine	Lump	Fine
Formerly	175	135	132	115	95 (a)	85	73	85	73
As increased	180	140	137	120	98 (a)	88	76	88	76
Amount of increase	5	5	5	5	3	3	3	3	3

(a) 1¼" round hole screenings from which no coal has been removed (Size Groups 13 and 14).

Established minimum prices for coals produced in District 15 are predicated upon delivered differentials arrived at by relating the coals to one or more particular production group as a base group. For shipment to Market Area 75, Production Group No. 1 is the base. When freight rate changes are uniform, the delivered differentials are not disturbed. On the other hand, if there is a lack of uniformity in freight rate changes there results a disruption of the delivered differentials and consequently the coordination, measured by the differences in freight rate changes as between the base production group and the production groups related to the base.

In the case of Market Area 75, the base production group was increased 5 cents when Production Groups 4 and 5 and Size Groups 13 and 14 in Production Group 2 were increased 3 cents per net ton, a difference of 2 cents per net ton. Translated to the prices, this 2 cents difference in freight rate disrupts the coordination in Market Area 75 by from 1 to 3 cents per net ton. The variation which results in the translation of the freight rate change to the prices arises out of the method of determining prices in District 15. Thus the evidence shows that coals in Size Groups 11, 12, and 13 for domestic and commercial use, and Size Groups 12 and 13 for industrial use, produced in Production Group 1, for shipment to Market Area 75 should be increased 1 cent per net ton. This is due to delivered relationships and the application of the percentage which determines differentials. In this instance the price schedule provides that the delivered price for Size Group 13 shall be 10 per cent over the delivered price of Size Group 14. Since the delivered price includes the freight rate, the 10 per cent operates upon the freight rate also, and increasing the latter increases the delivered price and 10 per cent of that price. The application of this formula here results in a difference of 5 mills by which the prices would be increased.

The petitioner requested that the 5 mills be converted to 1 cent and that the prices be so increased. Bituminous Coal Consumers' Counsel filed a brief in opposition to the requested 1 cent increase, contending that if the one-half cent is dropped, the delivered differential will be as close to 10 percent as it will be if 1 cent is added, which, as simple mathematics, is true. Consumers' Counsel further objected to the principle whereby in all cases the one-half cent is rounded out to 1 cent, contending that to do so does not comport with the statistical rule.

§318.12 (a) (1) in the Marketing Rules and Regulations, provides:

(1) If, in converting a net or gross ton price, freight rate or freight rate differential, the calculation extends to more than two (2) decimals, and the third decimal is .005 or more, it shall be added as .01, and if under .005, it shall be eliminated.

Under the foregoing rule the prices should be increased by 1 cent.

In the case of Size Groups 11, 12, 13, and 14 for domestic and commercial use, and Size Groups 12, 13, and 14 for industrial use in Production Group 2, and Size Groups 1–8, 10, and 14 for domestic and commercial use and Size Group 14 for industrial use in Production Groups 4 and 5, the evidence shows that the effective minimum prices should be increased 2

temporary relief is granted as follows:

Commencing forthwith, § 343.4 (*Code member price index*) is amended by adding thereto Supplement R–I. § 343.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R–II. § 343.21 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

DAN H. WHEELER,
Acting Director.

[SEAL]

[Docket No. A-1539]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

ORDER GRANTING RELIEF FOR ATLAS MINE

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Atlas Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Atlas Mine (Mine Index No. 170) in District No. 23; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 343.4 (*Code member price index*) is amended by adding thereto Supplement R–I. § 343.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R–II. § 343.21 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

DAN H. WHEELER,
Acting Director.

[SEAL]

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 343, Minimum Price Schedule for District No. 23, and supplements thereto.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 23:

§ 343.4 *Code member price index*—Supplement R–I. Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Shipping point	Sub-district price group	Railroad	F. O. B. No.	Prices	
								Rail	Truck
Atlas Coal Mines, Inc., c/o Robert Knight.	Atlas	170	Lewis	Morton	"G"	CM&StP&P	48	$343.5	$343.21

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Part 1

DOMESTIC, COMMERCIAL AND INDUSTRIAL COAL SCHEDULE—PART 1

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Supplement R

[Minimum prices f. o. b. mine for coal shipped by rail to Market Area No. 78, St. Joseph, Missouri, and Specific Points in Illinois, and Each Intermediate Point on Rail Routes Between Such Points and Mines in Group No. 1 Taking the Same Prices as Those Specified for Such Points, Except Points in Group No. 1 Taking Prices 10 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 2 Taking Prices 5 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 3 Taking Prices 15 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 4 Taking Prices 20 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 5 Taking Prices 25 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 6 Taking Prices 30 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 7 Taking Prices 35 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 8 Taking Prices 40 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 9 Taking Prices 45 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 10 Taking Prices 50 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 11 Taking Prices 55 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 12 Taking Prices 60 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 13 Taking Prices 65 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 14 Taking Prices 70 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 15 Taking Prices 75 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 16 Taking Prices 80 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 17 Taking Prices 85 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 18 Taking Prices 90 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 19 Taking Prices 95 Cents Higher Than Those Specified for Such Points, and Except Points in Group No. 20 Taking Prices $1.00 Higher Than Those Specified for Such Points, and Except Points in Group No. 21 Taking Prices $1.05 Higher Than Those Specified for Such Points, and Except Points in Group No. 22 Taking Prices $1.10 Higher Than Those Specified for Such Points, and Except Points in Group No.

(b) Each bank receiving currency of other than Hawaiian Series pursuant to this general license shall, at the beginning of each calendar month, file with the Office of the Governor of Hawaii one copy of each certification on Form TFR–H30 presented to such bank during the preceding month.

CHARLES M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–7780; Filed, August 10, 1942; 4:29 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXI]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Subparagraph (..) of paragraph (a) of § 802.13,[1] *Ship and plane stores, supplies and equipment*, is hereby amended to read as follows:

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) • • •

(1) When exportation is made on freight or passenger vessels operating under the control of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a), or on foreign vessels operating under United States Maritime Commission warrants, these general licenses authorize the exportation of bunker fuel, ordinary ship stores, sea stores, and supplies for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled, and also of equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

AUGUST 8, 1942.

[F. R. Doc. 42–7814; Filed, August 11, 1942; 11:36 a. m.]

[Amendment No. XXII]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS TO EXPORT CERTAIN COMMODITIES

Paragraph (1) of § 804.7[1] *Special provisions concerning applications to export certain commodities* is amended to read as follows:

(1) *Vehicles.* Applications for licenses to export vehicles or equipment of a type requiring rubber tires, casings, or tubes for operation must include either (1) a statement that no rubber tires, casings, or tubes are to be mounted on, or otherwise included as part of the shipment of, such vehicles or equipment when exported, or (2) a statement of the number, size, ply, and tread design of the rubber tires, casings, or tubes which are to be mounted on, or otherwise included as part of the shipment of, such vehicles or equipment when exported; and a statement as to whether the tires, casings or tubes are new or used. In the latter case, applications need not include a statement of the crude rubber content of such tires, casings, or tubes. If any spare tire, casing, or tube is to be mounted on, or otherwise included as part of the shipment of, a vehicle when exported, the application must include a statement showing the urgent necessity for such spare tire, casing or tube.

This amendment shall become effective August 20, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch
Office of Exports.

AUGUST 8, 1942.

[F. R. Doc. 42–7815; Filed August 11, 1942; 11:36 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 4 to Priorities Regulation 1]

Part 944, Priorities Regulation No. 1, is hereby amended in the following respects:

1. Section 944.5[1] is amended to read as follows:

§ 944.5 *Sequence of preference ratings.* (a) Preference ratings in order of precedence are: AAA, AA–1, AA–2, AA–2X, AA–3, AA–4, etc.; A–1–a, A–1–b, etc.; A–2, A–3, etc.; B–1, B–2, etc. All preference ratings of AA heretofore assigned and in effect are hereby amended to AA–2, unless and until the deliveries bearing such ratings are otherwise specifically rerated.

(b) Effective immediately, ratings of AA–1 and AA–2 are to be deemed ratings of the same grade, both ratings being equivalent to the present rating of AA–1, and this rule shall apply to deliveries heretofore or hereafter rated with either of such ratings. No person shall be required by reason of this paragraph (b) to terminate or interrupt a production schedule immediately in any case where such termination or interruption would result in a substantial loss of production: *Provided, however,* That in any such case termination or interruption of the schedule required by reason of this paragraph (b) may not be postponed more than forty days from the effective date of this paragraph (b)—August 10, 1942.

2. Section 944.7(d)[1] is hereby amended to read as follows:

(d) Notwithstanding the foregoing provisions of this § 944.7, no person who receives any rated order shall be required by reason of such order to terminate or interrupt a production schedule immediately in any case where such termination or interruption would result in a substantial loss of production: *Provided, however,* That in any such case termination or interruption of the schedule required by the receipt of such rated order shall not be postponed more than forty days after such receipt.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7796; Filed, August 10, 1942; 5:20 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 12 as amended August 10, 1942]

ESTABLISHING RERATING PROCEDURES

Priorities Regulation 12 (§944.33) is hereby amended to read as follows:

§ 944.33 *Priorities Regulation No. 12*—(a) *General.* Deliveries bearing preference ratings may be rerated and, subject to the limitations hereinafter provided, such reratings may be applied or extended in the manner provided in this Regulation. Such reratings shall change only the grade of the preference rating, and shall not increase the amount of material to which the rating may be applied or extended.

(b) *Methods of initiating rerating.* (1) Reratings may be effected in the first instance through the issuance, by the Director General for Operations or by such government officials as may be authorized by him, of either (i) a new preference rating order or certificate, (ii) an amendment of an existing order or certificate, or (iii) a rerating direction on Form PD–4X, attached hereto[2] (or such other form as may be prescribed), specifying the change of rating and the items to which it applies. A single Rerating Direction may be used to rerate deliveries to be made under different contracts with the same contractor, and may specify different new ratings for separate deliveries to be made under a single contract.

(2) A Rerating Direction in the PD–4X series shall be used only:

(i) To rerate deliveries under prime contracts directly to, or construction of facilities under direct contract with, the United States Army or Navy or other United States Government agencies specified in the definition of "defense order" appearing in § 944.1 (b) of Priorities Regulation No. 1 as amended, and in addition, notwithstanding the limitations indicated on Form PD–4X:

(ii) To rerate any other delivery to be made directly to a prime contractor or subcontractor with the United States Army or Navy or other United States Government agency so specified; provided such delivery has previously been duly rated either (*a*) by a preference rating certificate on Form PD–3, PD–3A, PD–4 or PD–5, or (*b*) by a preference rating order in the P–19, P–19–a or P–19–h series countersigned by an officer of the United States Army or Navy: *And provided further,* That the original rating was assigned by such preference rating certificate or order issued directly to and in the name of the person who is to receive the delivery to be rerated, and not merely applied or extended to such person by another contractor or subcontractor.

Rerating directions on forms in the PD–4X series may be prepared and issued only by authorized government officials, and are not to be prepared or filed with any government agency by any person as application forms to secure reratings.

(c) *Extent to which rerating may be extended.* (1) In any case where a delivery to be made by a person has been rerated, such person may rerate deliveries to be made to him of the following material only:

(i) Material which will itself be delivered by such person on a rerated delivery, or which will be physically incorporated into material to be so delivered, or

(ii) Material which is required to replace in inventory material so delivered or incorporated. Material shall not be deemed to be required if the delivery can be made and a practicable working minimum inventory of such material still retained; and if, in making delivery, the inventory is reduced below such minimum, the new rating may be applied or extended to replace such material only to the extent necessary to restore the inventory to such minimum: *Provided, however,* That the material ordered for replacement must be substantially the same as the material delivered or incorporated in the material delivered, subject only to minor variations in size, shape or design, or substitution of less scarce materials, which, in any case, do not substantially alter the purpose for which the same is to be used.

(2) In addition, any person may extend the new rating to deliveries of operating supplies (including lubricants, catalysts, abrasives and small perishable tools) which are actually required and will be consumed by him in physically processing other material to the delivery of which he has extended the same new rating, except that

(i) The cost of the operating supplies to which he extends the rating shall not exceed ten percent of the cost of the particular materials to be processed therewith, and to which he extends the new rating; and

(ii) Not more than 25 percent by value of the operating supplies so rated in any calendar month shall be metals in any of the forms listed on the Metals List attached to Priorities Regulation No. 11 § 944.32)[3]

(3) When a delivery to be made by a person has been rerated, such person may *not* extend the new rating to materials for plant improvement, expansion or construction, to machine tools or other capital equipment, to maintenance and repair items, to business machines whether purchased or leased, or to operating supplies other than those specified above in subparagraph (2) of this paragraph (c). If rerating of such material is necessary, the new rating must be assigned by the appropriate government official, except as provided with respect to PRP Units in paragraph (d) of this regulation.

(4) In each case, the new rating applied or extended by any person pursuant to this paragraph (c) shall be the same as the new rating which he has received for the rerated delivery to be made by him, even though this may require him to apply or extend separate new ratings to items previously covered by a single rating; except that, to the extent necessary to avoid production or delivery in quantities smaller than the minimum commercially practicable, items which might be rerated with new ratings of different grades may be combined, and the total delivery rerated with the new rating of the lowest grade.

(d) *Special provisions applicable to PRP Units.* (1) Notwithstanding the provisions of Priorities Regulation No. 11 (§ 944.32) and of Preference Rating Order P–90, a PRP Unit may extend a new rating in accordance with paragraph (c) of this regulation when a delivery to be made by it has been rerated, but (i) this provision shall not be deemed to authorize a PRP Unit to extend a rating in connection with the receipt of a new rated order (as distinct from the rerating of an order previously received) except as authorized in subparagraph (2) of this paragraph (d), and (ii) the total amount of any material of which a PRP Unit is permitted to accept delivery in any quarter shall continue to be limited to the amount authorized on its PRP Certificates, as further provided in subparagraph (4) of this paragraph (d).

(2) In addition, notwithstanding the provisions of Priorities Regulation No. 11 or of Preference Rating Order P–90, a PRP Unit may, not more than twice in any calendar month, revise the rating pattern which it may apply to deliveries to be made to it and may apply preference ratings in accordance with such revised pattern as follows:

(i) The PRP Unit shall first determine, as of the latest practicable date, (*a*) the total dollar amount of all unfilled orders placed with it which are scheduled for production (though subject to postponement or cancellation in case of receipt of higher rated orders), and (*b*) the percentage of such dollar amount covered by such grade of preference rating, taking into account all changes of ratings as of said date. The PRP Unit shall then be entitled to rate or rerate its own purchase orders in accordance with the pattern of ratings so determined in such manner that its purchase orders outstanding covered by each grade of rating shall be the same percentage (by dollar amount) of its total outstanding purchase orders as the percentage of scheduled unfilled orders placed with it covered by the same rating. It may not either rate or rerate any purchase order if the result of such rating or rerating will be to increase the dollar value of its orders bearing the same rating to a percentage of the value of its total purchase orders greater than the percentage of deliveries to be made by it bearing the same rating (unless such rating or rerating is authorized by a PRP Certificate) except as otherwise provided in subdivision (iii) of this subparagraph (2) below, and except that, if any rating is not applied to the full extent permissible, the balance not used may be added to the permissible amount of any lower rating or ratings. The term "purchase order" as used in this subdivision (i) shall *not* include any order for materials for plant improvement, expansion or construction, for business machines whether purchased or leased, or for machine tools or other large capital equipment. Such items may not be rated or rerated on the basis of the rating pattern. They may be rated or rerated only by the issuance to the PRP Unit of a new or amended preference rating certificate or order or of a rerating direction as specified in paragraph (b) of this regulation.

(ii) Except as otherwise provided in subdivision (iii) below, ratings and reratings pursuant to this subparagraph (2) shall be applied only in such manner that incoming deliveries of each material will bear the same rating as outgoing deliveries in which that material is incorporated, and material obtained under a rating or rerating applied pursuant to this subparagraph (2) shall be used *only* for the production of material to be delivered under the same or a higher rating. A PRP Unit must comply with the limitations of this subdivision (ii) on the basis of the most accurate determinations which it can make in the light of available records. However, in cases where detailed examination of outstanding purchase orders would be impracticable, reasonable estimates may be made, and physical segregation of material obtained under different ratings it is not required: *Provided,* That the amounts of each kind of material used to fill orders bearing different ratings do not exceed the amounts permitted by compliance with said limitations.

(iii) Notwithstanding the foregoing provisions, any PRP Unit which rates or rerates its own purchase orders in accordance with a pattern determined by it pursuant to this subparagraph (2) shall, after determining such pattern, group the percentages represented by ratings from A–1–b to A–1–k inclusive and apply to the percentage representing the entire group the highest rating assigned between A–1–b and A–1–k inclusive on its most re-

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[1] 7 F.R. 5745.
[2] 7 F.R. 5081.

[1] 6 F.R. 4489, 6680; 7 F.R. 3311, 4832.

[1] 6 F.R. 4489, 6680; 7 F.R. 4832.
[2] Filed as part of the original document.

[3] 7 F.R. 4423, 4615, 4698, 4848, 5359, 6147.

cent PRP Certificate, and shall likewise apply to the entire percentage represented by ratings from A-2 to A-10 inclusive the highest rating assigned between A-2 and A-10 inclusive on such certificate.

(3) Unless otherwise expressly provided in its PRP Certificate or any supplement thereto, any PRP Unit may apply either the rating pattern authorized in its current PRP Certificate (including any supplemental certificate on Form PD-25F or otherwise) or a pattern determined by the PRP Unit as provided in subparagraph (2) of this paragraph (d). It may also rerate deliveries as provided in subparagraph (1) of this paragraph (d): *Provided*, That, in any event, no single purchase order may be rerated more than once in any consecutive period of thirty-one days unless the supplier consents to such rerating.

(4) Nothing in this regulation, or in any rerating direction or certificate issued hereunder, shall authorize a PRP Unit, or any person required by Priorities Regulation No. 11 to become a PRP Unit, to receive any delivery or apply or extend a rating to any delivery, of any material in an amount greater than permitted by said regulation, and in no event shall the amount of any material rated by a PRP Unit for delivery in any calendar quarter exceed the amount authorized for rating on its PRP Certificates: *Provided, however*, That purchase orders may be rated according to the authorized pattern even if scheduled for delivery in a quarter for which no PRP Certificate has yet been received, but upon receipt of such certificate, purchase orders must be adjusted to authorized amounts as required by paragraph (d) (1) (iii) of Priorities Regulation No. 11.

(e) *Method of application or extension.* (1) In any case where a person has applied or extended a preference rating to a delivery to be made to him and is subsequently authorized to rerate such delivery pursuant to this regulation, he may at his option either:

(i) Furnish to his supplier a rerating certificate in the form of Form PD-4Y attached hereto,[2] containing the information therein specified (other than Government contract numbers or other government identification, where none are available);

(ii) Notify his supplier in writing that the previous rating has been cancelled and furnish him with duplicate purchase orders carrying the appropriate endorsement for the new rating as provided by Priorities Regulation No. 3 (§ 944.23);[3] or

(iii) Advise his supplier of the change in rating by letter or telegram listing the purchase orders on which the ratings are changed, giving the numbers of the original purchase orders, the original rating and the new ratings, and instructing the supplier to file such letter or telegram with the original purchase orders.

In any event, the information given to the supplier must be sufficiently specific with respect to the particular deliveries rerated so that he will be able to adjust his production schedules accordingly. The supplier must be specifically informed, by reference to purchase order numbers, delivery schedules, description of items or otherwise, as to which deliveries are subject to which new ratings. It is not sufficient to state merely that all outstanding purchase orders placed with the supplier are rerated according to specified percentages, unless the material involved is of such type and in such quantities that the supplier can readily determine, from percentage figures alone, the exact effect of the rerating on his production and delivery schedule, and except that, if the supplier consents, orders not yet in production may be rerated on a percentage basis, provided actual amounts and deliveries are identified by supplementary information furnished to the supplier before production is to be scheduled. The supplier shall be entitled to rely on the information given unless he knows or has reason to believe it to be false.

(2) Each person rerating any delivery to be made to him shall maintain at his regular place of business for not less than two years copies of all rerating certificates issued by him, records of the basis of each determination of a new rating pattern made by him pursuant to paragraph (d) (2) of this regulation, and all rerating directions or certificates received by him, upon which he relies as entitling him to rerate such deliveries. In the case of a PHP Unit applying ratings pursuant to paragraph (d) (2) of this regulation, such records must clearly indicate which rating pattern has been used with respect to each order rated or rerated by the Unit. All such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. Notices to supplier shall be signed manually or as provided in Priorities Regulation No. 7 (§ 944.27)[4] by an official duly authorized for such purpose.

(f) *Use of new rating where rating has not yet been used.* If a person who is entitled to rerate a delivery to be made to him has not yet applied or extended a rating to such delivery, he may apply or extend the new rating in the same manner in which he could have applied or extended the earlier rating, subject to the provisions of Priorities Regulation No. 3, as amended (§ 944.23), and to the provisions of paragraphs (c) and (d) of this regulation.

(g) *Effective date of rerating.* The sequence of rated and rerated deliveries shall be determined as if the rerated item had carried the new rating at the time the first rating covering the delivery was received, and the person whose delivery is rerated shall make any necessary change in his production or delivery schedule promptly on receipt of the rerating: *Provided, however*, That

(1) Any person who, prior to July 15, 1942, receives a rerating for a delivery to be made by him, shall make the necessary changes in his production and delivery schedules on July 15, 1942, and shall put such changes into effect immediately thereafter except as otherwise provided in subparagraphs (2), (3) and (4) of this paragraph (g);

(2) If such person has received reratings for all deliveries which are to be completed in 1942 on any one production schedule, he may proceed to make the necessary changes in such schedule before July 15, 1942, subject to the provisions of subparagraphs (3) and (4) of this paragraph (g);

(3) No person shall, by reason of a rerating, divert material specifically produced for an order bearing a rating higher than A-2 and deliver the same under the higher rerated order if such material is completed at the time the rerating is received or is scheduled for completion within fifteen days thereafter, unless such diversion is specifically directed by the Director General for Operations, or unless the new rating is AAA;

(4) No person shall be required by reason of a rerating to terminate or interrupt a production schedule in any case where such termination or interruption would result in a substantial loss of production: *Provided, however*, That in any such case the termination or interruption of the schedule required by the rerating shall not be postponed more than forty days after such rerating is received. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7797; Filed, August 10, 1942; 5:20 p. m.]

PART 1022—PLUMBING AND HEATING EMERGENCY REPAIRS

[Amendment 1 to Preference Rating Order P-84]

Section 1022.1 (Preference Rating Order P-84[1]) is amended in the following respects:

Paragraph (b) (1) is amended to read as follows:

(1) Plumbing equipment means any equipment, fixtures, fittings, pipes, accessories or supplies of types used in, or connected to, water, sewer, or gas systems, also any device using coal, oil or gas as fuel for cooking, baking, or heating food, or for heating dishes or kitchen utensils, except machinery the manufacture or distribution of which is restricted by General Limitation Order L-83, as amended from time to time, provided that "plumbing equipment" does not include any tools for use in installation of repairs, or any hoses, sprinklers or other devices of types commonly attached to outdoor faucets.

[1] 7 F.R. 1997, 4167.

(b) Paragraph (b) (2) is amended by striking out the word "primary" wherever it appears in said paragraph.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7810; Filed, August 11, 1942; 11:17 a. m.]

PART 1154—METAL PLUMBING AND HEATING EQUIPMENT

[Amendment 1 to Limitation Order L-79, as Amended May 23, 1942]

Paragraph (a) (1) (iv) of § 1154.1 (General Limitation Order L-79, as amended May 23, 1942[1]) is amended to read as follows:

(iv) Cooking and baking equipment using coal, oil or gas as fuel for cooking, baking, or heating food, or for heating dishes or kitchen utensils, except machinery the manufacture or distribution of which is restricted by General Limitation Order No. L-83, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7809; Filed, August 11, 1942; 11:17 a. m.]

PART 1154—METAL PLUMBING AND HEATING EQUIPMENT

[Amendment 2 to Limitation Order L-79, as amended May 23, 1942]

Section 1154.1 (General Limitation Order L-79, as amended May 23, 1942[1]) is hereby amended in the following respects:

Paragraph (a) (2) is amended by adding at the end thereof the following new subparagraph (viii):

(viii) The following items of heating equipment using gas as fuel; steam and hot water heating boilers, warm air furnaces, floor furnaces, unit heaters, conversion burners, and gas steam radiators.

Paragraph (b) (3) (i) is revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7811; Filed, August 11, 1942; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Maximum Price Regulation 200]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

In the judgment of the Price Administrator the prices of rubber heels, rubber heels attached and attaching rubber heels have risen to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber heels, rubber heels attached and attaching rubber heels prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 200 is hereby issued.

Sec.
1315.1401 Prohibition against dealing in rubber heels, rubber heels attached and attaching rubber heels at prices in excess of the maximum.
1315.1402 Federal and state taxes.
1315.1403 Sales for export.
1315.1404 Less than maximum prices.
1315.1405 Evasion.
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AUTHORITY: §§ 1315.1401 to 1315.1420, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1315.1401 *Prohibition against dealing in rubber heels, rubber heels attached, and attaching rubber heels at prices in excess of the maximum.* On and after September 1, 1942, regardless of any contract, agreement, lease or other obligation: (a) no person shall sell or deliver rubber heels or attached rubber heels, in the shoe repair trade, and no person shall buy or receive rubber heels or attached rubber heels, in the shoe repair trade, in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1315.1420; and (b) no person shall attach rubber heels at prices higher than the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of rubber heels to a purchaser if prior to September 1, 1942, such rubber heels had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1315.1402 *Federal and state taxes.* (a) For all sales other than sales by a shoe repairman there may be added to the maximum price established by this Maximum Price Regulation No. 200 the amount of tax levied by any federal excise tax statute or any state or municipal sales, gross receipts or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer or user on the bill, sales check or evidence of sale at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of state or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer or user.

(b) For all sales by a shoe repairman the maximum price established by this Maximum Price Regulation No. 200 shall

[2] Filed as part of the original document.
[3] 7 F.R. 4422, 4833, 5404.
[4] 7 F.R. 1062.
[1] 7 F.R. 3852, 3880.
*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 971, 3663.

include the amount of tax levied by any federal excise tax statute. However, there may be added to the maximum price established for sales by a shoe repairman by this Maximum Price Regulation No. 200 the amount of tax levied by any state or municipal sales, gross receipts or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if but only if, (1) such statute or ordnance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user on the bill, sales check or evidence of sale at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of state or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer or user.

§ 1315.1403 *Sales for export.* The maximum price at which a person may export any rubber heels shall be determined in accordance with the provisions of the Maximum Export Price Regulation[3] issued by the Office of Price Administration.

§ 1315.1404 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1315.1420) may be charged, demanded, paid or offered.

§ 1315.1405 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 200 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rubber heels alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Every purchaser shall have the choice of buying rubber heels of a particular type and grade without buying rubber heels of another type and grade or buying any other commodity, and every purchaser, other than a purchaser from a shoe repairman, shall have the choice of buying rubber heels of a particular type and grade without having any service performed.

(c) A purchaser of rubber heels from a shoe repairman shall always have the choice of buying rubber heels and having the seller attach them to shoes without having any other service performed or buying any other commodity.

[3] 7 F.R. 3696, 3884, 4294.

§ 1315.1406 *Marking and posting.* (a) Every manufacturer of rubber heels (except women's scoop lifts, toplifts, toplift strips and toplift blocks) manufactured after August 31, 1942, for sale in the shoe repair trade, shall imprint prominently on the face of every such heel in the place receiving the least wear the symbol "V–1", "V–2", "V–3", or "V–4", which symbol shall represent the physical tests, as set forth in paragraph (g) (6) of § 1315.1420, which the heel in question is able to equal or exceed. Women's scoop lifts, toplifts, toplift strips and toplift blocks manufactured after August 31, 1942, for sale in the shoe repair trade may be marked in some other manner approved by the Office of Price Administration in order to indicate the quality thereof.

(b) On and after September 1, 1942, every shoe repairman engaged in the business of selling rubber heels or attached rubber heels or of attaching rubber heels shall keep posted in a conspicuous place in each establishment at which rubber heels are offered for sale, or at which the attaching of rubber heels is contracted for, a statement setting forth the maximum prices which he is permitted to charge under this Maximum Price Regulation No. 200 and the brands to which these maximum prices apply. For this purpose it shall be permissible to employ a list of maximum prices and brands furnished by the Office of Price Administration for posting pursuant to the provisions of this paragraph.

§ 1315.1407 *Records.* (a) Every person, other than a shoe repairman or a person making a purchase from a shoe repairman, making a sale or purchase subject to this Maximum Price Regulation No. 200 after August 31, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale or purchase, showing the date thereof, the name and the address of the buyer or seller, the price paid or received and the quantity of each type and grade of rubber heels sold or purchased.

(b) Every person subject to this Maximum Price Regulation No. 200 shall keep such other records in addition to or in place of the records required in paragraph (a) of this § 1315.1407, as the Office of Price Administration may from time to time require or permit.

§ 1315.1408 *Reports.* (a) Every manufacturer of rubber heels, subject to the provisions of this Maximum Price Regulation No. 200, shall file a report with the Office of Price Administration, Washington, D. C., stating the unit costs (labor costs, materials costs, factory overhead, other expenses and total costs) as of January 1, 1942, July 1, 1942, and as of the first day of every quarter thereafter, for each grade of men's rubber half heels produced by him, except that if during the year 1941 the manufacturer's sales of another rubber heel type exceeded his sales of men's rubber half heels, such reports shall be filed for that type. The reports as of January 1, 1942, and July 1, 1942, shall be filed on or before October 1, 1942. The reports as of the first day of each quarter after July 1, 1942, shall be filed not later than thirty days after the date as of which they must be filed.

(b) Every person subject to this Maximum Price Regulation No. 200 shall submit such other reports to the Office of Price Administration in addition to or in place of the reports required in paragraph (a) of this § 1315.1408, as the Office of Price Administration may from time to time require or permit.

§ 1315.1409 *Sales slips and receipts.* Any person subject to this Maximum Price Regulation No. 200 who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person subject to this Maximum Price Regulation No. 200 shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand, and grade of the rubber heels sold and the price therefor.

§ 1315.1410 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 200 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 200 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1411 *Adjustable pricing.* No person subject to the provisions of this Maximum Price Regulation No. 200 shall enter into any agreement permitting the adjustment of the prices of rubber heels, attached rubber heels or attaching rubber heels to prices which may be higher than the maximum prices, except that any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

§ 1315.1412 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 200 may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1315.1413 *Exclusions.* This Maximum Price Regulation No. 200 shall not apply to sales and deliveries of rubber heels, made in accordance with military specification, pursuant to contract with:

(a) Any war procurement agency of the United States Government; or

(b) Any person who contracts to sell the purchased rubber heels to any war procurement agency of the United States Government or to any contractor or subcontractor who physically incorporates the rubber heels in an article being processed for any such war procurement agency.

§ 1315.1414 *Definitions.* (a) When used in this Maximum Price Regulation No. 200 the term:

(1) "Continental United States" means only the forty-eight states and the District of Columbia.

(2) "Export" means any sale between a seller in the Continental United States and a purchaser outside thereof.

(3) "Manufacturer" means any person engaged in the production of rubber heels.

(4) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(5) "Rubber" means all forms and types of rubber, including synthetic and reclaimed rubber.

(6) "Rubber heels" includes all unattached heels, heel bases, scoop lifts, toplifts, toplift strips and toplift blocks, made in whole or in part of rubber.

(7) "Rubber heels sold in the shoe repair trade" means rubber heels sold or offered for sale by or to a shoe repairman, by wholesalers to the persons who sell rubber heels to a shoe repairman, or by manufacturers to any of the persons named in this subparagraph.

(8) "Shoe repairman" includes any person engaged in the business of replacing worn heels for an ultimate consumer, other than an industrial, commercial or governmental consumer.

(9) "Wholesaler" includes any person, other than a manufacturer, who sells or offers to sell rubber heels to a shoe repairman or to persons who sell or offer to sell rubber heels to a shoe repairman.

(10) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1415 *Applicability.* The provisions of this Maximum Price Regulation No. 200 shall be applicable to the Continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1315.1416 *Licensing—Applicability of the registration and licensing provisions of the General Maximum Price Regulation[3] and Maximum Price Regulation No. 165.*[4] (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Regulation selling at wholesale or retail rubber heels. When used in this paragraph (a) the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o), respectively, of the General Maximum Price Regulation.

(b) The registration and licensing provisions of §§ 1499.111 and 1499.112 of Maximum Price Regulation No. 165 are applicable to every person subject to this regulation, selling attached rubber heels to an ultimate consumer, or attaching rubber heels for such consumer.

§ 1315.1417 *Applicability of the General Maximum Price Regulation.* Except as provided in § 1315.1416, the provisions of this Maximum Price Regulation No. 200 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14, and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1315.1418 *Applicability of Maximum Price Regulation No. 165.* Except as provided in § 1315.1416, the provisions of this Maximum Price Regulation No. 200 supersede the provisions of Maximum Price Regulation No. 165 with respect to sales of consumer services for which maximum prices are established by this Regulation.

§ 1315.1419 *Effective date.* This Maximum Price Regulation No. 200 (§§ 1315.1401 to 1315.1420, inclusive) shall become effective September 1, 1942.

§ 1315.1420 *Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubber heels.* (a) The maximum prices for rubber heels, sold in the shoe repair trade shall be the prices listed in Table I–A.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783.

[4] 7 F.R. 4734, 5028, 5567.

TABLE I-A.—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE

Item.	Maximum price for sales to wholesalers [1]	Maximum price for sales to shoe repairmen [2]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [3] (per pair)
1. Men's half heels (all sizes):				
Super grade or V-1	[4] $1.50	[4] $2.00	1 dozen pairs	$0.55
Standard grade or V-2	[5] 1.39	[5] 1.85	1 dozen pairs	.50
Competitive grade or V-3	1.16	1.55	1 dozen pairs	.45
Special competitive grade or V-4	.94	1.25	1 dozen pairs	.40
2. Men's whole heels (all sizes):				
Corded	1.99	2.65	1 dozen pairs	.65
Super grade or V-1	1.73	2.30	1 dozen pairs	.55
Standard grade or V-2	1.65	2.20	1 dozen pairs	.55
Competitive grade or V-3	1.43	1.90	1 dozen pairs	.50
Special competitive grade or V-4	1.20	1.60	1 dozen pairs	.45
3. Boys' whole heels (all sizes):				
Corded	1.58	2.10	1 dozen pairs	.55
Super or standard grade, V-1 or V-2	1.39	1.85	1 dozen pairs	.50
Competitive grade or V-3	1.16	1.55	1 dozen pairs	.45
Special competitive grade or V-4	.94	1.25	1 dozen pairs	.40
4. Women's Cuban heels (scoops or flat type) and junior wedges (all sizes):				
Super grade or V-1	1.09	1.45	1 dozen pairs	.40
Standard grade or V-2	1.05	1.40	1 dozen pairs	.40
Competitive grade or V-3	.90	1.20	1 dozen pairs	.35
Special competitive grade or V-4	.71	.95	1 dozen pairs	.30
5. Women's toplifts:				
(a) Thin Scoop Lifts (3 nail hole, fiber back, with washers) (all sizes):				
Super Grade or V-1 (with nails)	.75	1.00	1 dozen pairs	$.30
Super Grade or V-1 (without nails)	.71	.95	1 dozen pairs	$.30
All other grades V-2, V-3, V-4, (with nails)	.71	.95	1 dozen pairs	$.30
All other grades V-2, V-3, V-4 (without nails)	.68	.90	1 dozen pairs	$.30
(b) 1 nail hole toplifts plain or fiber back, no washers (all grades, V-1, V-2, V-3, V-4):				
(1) 1 dozen to carton (with nails) (all colors except white*), by size:				
9-0	.34	.45	1 dozen pairs	$.25
7-0	.38	.50	1 dozen pairs	$.25
5-0	.45	.60	1 dozen pairs	$.25
3-0	.49	.65	1 dozen pairs	$.25
2-0	.56	.75	1 dozen pairs	$.25
1-0	.56	.75	1 dozen pairs	$.25
2	.60	.80	1 dozen pairs	$.25
4	.68	.90	1 dozen pairs	$.25
6	.71	.95	1 dozen pairs	$.25
0	.68	.90	1 dozen pairs	$.25
1	.71	.95	1 dozen pairs	$.25
3	.71	.95	1 dozen pairs	
5				
*For white add to each price	.11	.15		.10
(2) 6 dozen to carton (without nails) (all colors but white*), by size:				
9-0	1.80	2.40	6 dozen pairs	$.25
7-0	2.03	2.70	6 dozen pairs	$.25
5-0	2.25	3.00	6 dozen pairs	$.25
3-0	2.70	3.60	6 dozen pairs	$.25
2-0	2.93	3.90	6 dozen pairs	$.25
1-0	2.93	3.90	6 dozen pairs	$.25
2	3.08	4.10	6 dozen pairs	$.25
4	3.49	4.65	6 dozen pairs	$.25
6	3.79	5.05	6 dozen pairs	$.25
1	3.49	4.65	6 dozen pairs	$.25
3	3.79	5.05	6 dozen pairs	$.25
5	3.79	5.05	6 dozen pairs	$.25
6	3.79	5.05	6 dozen pairs	$.25
*For white add to each price	.67	.90		.10
(c) Died out toplifts, plain or fiber back:				
Super grade or V-1, by size:				
10½ iron:				
Black	.56	.75	Pound	$.20
Tan or no mark black	.60	.80	Pound	$.20
White	.75	1.00	Pound	$.30
All other grades V-2, V-3, V-4, by size:				
9 iron:				
Black	.56	.75	Pound	$.20
Tan or no mark black	.60	.80	Pound	$.20
White	.75	1.00	Pound	$.30
10½ iron:				
Black	.53	.70	Pound	$.20
Tan or no mark black	.56	.75	Pound	$.20
White	.68	.90	Pound	$.30
12 iron:				
Black	.49	.65	Pound	$.20
Tan or no mark black	.53	.70	Pound	$.20
White	.68	.90	Pound	$.30

[1] These prices shall be reduced by 5 percent if the purchaser pays cash within 30 days after delivery in accordance with the provisions of § 1315.1420 (d) (1). Federal excise taxes and other taxes may be added in accordance with the provisions of § 1315.1402 (a).

[2] These prices shall be decreased by the customary cash discounts in accordance with the provisions of § 1315.1420 (d) (2). Federal excise taxes and other taxes may be added in accordance with the provisions of § 1315.1402 (a).

[3] These prices include the Federal excise tax but other taxes may be added in accordance with § 1315.1402 (b).

[4] For O'Sullivan Aristocrat and Goodrich "D" Plywood Core, there shall be substituted in table I–A $1.69 instead of $1.50 and $2.25 instead of $2.

[5] For Goodyear G–50 heels, there shall be substituted in table I–A $1.43 instead of $1.39 and $1.90 instead of $1.85.

[6] If repairs are made to the heel bases of women's toplifts, the shoe repairman may add a sum not to exceed $0.10 per pair for such repairs in accordance with the provisions of § 1315.1420 (c).

TABLE I-A.—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE—Continued

Item	Maximum price for sales to wholesalers	Maximum price for sales to shoe repairmen	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen (per pair)
5. Women's toplifts—Continued.				
(d) Toplift strips (12½" x 26"):				
(1) Plain back, black:*				
Super grade or V-1, by size:				
7 iron	$1.13	$1.50	Each	$0.20
7½ iron	1.13	1.50	Each	$.20
9 iron	1.16	1.55	Each	$.20
10½ iron	1.24	1.65	Each	$.20
12 iron	1.35	1.80	Each	$.20
Standard grade or V-2 by size:				
7 iron	1.09	1.45	Each	$.20
7½ iron	1.09	1.45	Each	$.20
9 iron	1.13	1.50	Each	$.20
10½ iron	1.16	1.55	Each	$.20
12 iron	1.28	1.70	Each	$.20
Special competitive or V-3, V-4 by size:				
7 iron	.98	1.30	Each	$.20
7½ iron	.98	1.30	Each	$.20
9 iron	1.01	1.35	Each	$.20
10½ iron	1.05	1.40	Each	$.20
12 iron	1.16	1.55	Each	$.20
*Fiber back add to each price	.15	.20		.00
(2) Plain back, tan and no mark black:**				
Super grade or V-1 by size:				
7 iron	1.35	1.80	Each	$.20
7½ iron	1.35	1.80	Each	$.20
9 iron	1.43	1.90	Each	$.20
10½ iron	1.50	2.00	Each	$.20
12 iron	1.65	2.20	Each	$.20
Standard grade or V-2 by size:				
7 iron	1.28	1.70	Each	$.20
7½ iron	1.28	1.70	Each	$.20
9 iron	1.35	1.80	Each	$.20
10½ iron	1.43	1.90	Each	$.20
12 iron	1.58	2.10	Each	$.20
Competitive or special competitive, V-3 or V-4 by size:				
7 iron	1.16	1.55	Each	$.20
7½ iron	1.16	1.55	Each	$.20
9 iron	1.24	1.65	Each	$.20
10½ iron	1.31	1.75	Each	$.20
12 iron	1.46	1.95	Each	$.20
**Fiber back add to each price	.15	.20		.00
(3) Plain back, white:*				
All grades by size:				
7 iron	1.61	2.15	Each	$.30
7½ iron	1.61	2.15	Each	$.30
9 iron	1.72	2.30	Each	$.30
10½ iron	1.91	2.55	Each	$.30
12 iron	2.17	2.90	Each	$.30
*Fiber back add to each price	.15	.20	Each	.00
(e) Toplift blocks (8⅛ x 12½"):				
(1) Plain back, black:†				
Super grade or V-1, by size:				
7 iron	4.50	6.00	1 dozen pairs	$.20
9 iron	4.65	6.20	1 dozen pairs	$.20
10½ iron	4.95	6.60	1 dozen pairs	$.20
12 iron	5.40	7.20	1 dozen pairs	$.20
All other grades V-2, V-3, V-4 by size:				
7½ iron	4.35	5.80	1 dozen pairs	$.20
9 iron	4.50	6.00	1 dozen pairs	$.20
10½ iron	4.65	6.20	1 dozen pairs	$.20
12 iron	5.10	6.80	1 dozen pairs	$.20
†Fiber back add to each price	.60	.80		.00
(2) Plain back, tan and no mark black:†				
Super grade or V-1 by size:				
7 iron	5.40	7.20	1 dozen pairs	$.20
9 iron	5.70	7.60	1 dozen pairs	$.20
10½ iron	6.00	8.00	1 dozen pairs	$.20
12 iron	6.60	8.80	1 dozen pairs	$.20
All other grades V-2, V-3, V-4 by size:				
7½ iron	5.10	6.80	1 dozen pairs	$.20
9 iron	5.40	7.20	1 dozen pairs	$.20
10½ iron	5.70	7.60	1 dozen pairs	$.20
12 iron	6.30	8.40	1 dozen pairs	$.20
†Fiber back add to each price	.60	.80		.00
(3) Plain back, white:†				
All grades, by size:				
7 iron	6.45	8.60	1 dozen pairs	$.30
9 iron	6.90	9.20	1 dozen pairs	$.30
10½ iron	7.65	10.20	1 dozen pairs	$.30
12 iron	8.70	11.60	1 dozen pairs	$.30
†Fiber back—add to each price	.60	.80		.00
6. Orthopedic heels (all sizes):				
Men's whole	2.55	3.40	1 dozen pairs	.75
Men's half	2.14	2.85	1 dozen pairs	.65
Women's half	1.76	2.35	1 dozen pairs	.60

See footnotes on page 6262.

TABLE I-A.—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE—Continued

Item	Maximum price for sales to wholesalers	Maximum price for sales to shoe repairmen	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen (per pair)
7. Combination leather and rubber lifts (all sizes):				
Men's	$2.36	$3.15	1 dozen pairs	$0.75
Women's	1.69	2.25	1 dozen pairs	.60
8. Heel bases, by thickness:				
2½/8"	.71	.95	1 dozen pairs	.25
3/8"	.71	.95	1 dozen pairs	.25
9. Wedge and sport heels (all colors) (all sizes):				
Super, standard, V-1, V-2:	1.99	2.65	1 dozen pairs	.65
Men's (cord and natural inserts)	1.61	2.15	1 dozen pairs	.55
Men's	1.35	1.80	1 dozen pairs	.50
Women's				
10. White heels:				
Men's half	1.80	2.40	1 dozen pairs	.60
Women's cuban (scoop, flat type or junior wedges)	1.24	1.65	1 dozen pairs	.50
Women's thin scoop super	.97	1.30	1 dozen pairs	[9].40
All other grades	.94	1.25	1 dozen pairs	[9].40

See footnotes on page 6262.

(b) The maximum price stated in Table I–A for a sale by a shoe repairman shall include the price of the rubber heels and the price of attaching the rubber heels to shoes. If rubber heels are sold by a shoe repairman unattached, the maximum price for such sales shall be 40% of the price listed in Table I–A for sales of rubber heels of the same type and grade by a shoe repairman. The maximum price for attaching rubber heels supplied by a purchaser shall be 60% of the price stated in Table I–A for sales of rubber heels of the same type and grade by a shoe repairman.

(c) The maximum price stated in Table I–A for a sale by a shoe repairman shall include all repairs made by the shoe repairman in the process of attaching rubber heels, except that if a shoe repairman makes repairs to the heel base in the process of attaching women's toplifts, he may add to the maximum price stated in Table I–A for the women's toplifts in question a sum not to exceed $0.10 per pair for such repairs.

(d) (1) The manufacturer's price to wholesalers stated in Table I–A shall be decreased by five (5%) per cent if the purchaser pays cash within thirty days after delivery.

(2) The maximum price for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March, 1942.

(e) (1) The maximum prices for sales to wholesalers listed in Table I–A shall include the costs of transportation of the rubber heels to the buyer's place of business if the order in question amounts to one hundred pounds or more.

(2) The maximum prices for sales to shoe repairmen listed in Table I–A shall include the costs of transportation of the rubber heels to the buyer's place of business.

(f) The prices set forth in Table I–A shall not be increased by any charges for the extension of credit.

(g) When used in this § 1315.1420:

(1) "Super grade" means rubber heels manufactured before September 1, 1942 bearing the following brand names and made by the following manufacturers:

SUPER

Brand	Manufacturer
Adjusto-Wear	Seiberling Rubber Company.
Aristocrat	O'Sullivan Rubber Company.
Biltrite	Panther Panco Rubber Company.
Cat's Paw	Holtite Manufacturing Company.
Custom-50	Goodyear Tire & Rubber Company.
Delux Suprex	B. F. Goodrich Co.-Hood Rubber Co.
Goodrich "D" Plywood-Core.	B. F. Goodrich Co.-Hood Rubber Co.
Goodrich Lifelong	B. F. Goodrich Co.-Hood Rubber Co.
No Jar Super 50	Cupples Company.
Seiberling Bonded	Seiberling Rubber Company.
Tuffies	The I. T. S. Company.
Tufford	The I. T. S. Company.
U. S. Super Royal	U. S. Rubber Company.

(2) "Standard grade" means rubber heels manufactured before September 1, 1942 bearing the following brand names and made by the following manufacturers:

STANDARD

Brand	Manufacturer
Commander	Holtite Manufacturing Company.
G-50	Goodyear Tire & Rubber Company.
Hyflex	Essex Rubber Company.
I. T. S.	The I. T. S. Company.
Imperial	U. S. Rubber Company.
Monarch Certified	Monarch Rubber Company.
Nojar	Cupples Company.
O'Sullivan Service	O'Sullivan Rubber Company.
O'Sullivan Stylist	O'Sullivan Rubber Company.
Panco Triple Wear	Panther Panco Rubber Company.
Presto grip	Cupples Company.
Seiberling	Seiberling Rubber Company.
Suprex	B. F. Goodrich Co.-Hood Rubber Co.
U. S. Royal	U. S. Rubber Company.
U. S. Royal Nukup	U. S. Rubber Company.
Uskide	U. S. Rubber Company.
Wingfoot	Goodyear Tire & Rubber Company.

(3) "Competitive grade" means rubber heels manufactured before September 1, 1942 bearing the following brand names and made by the following manufacturers:

COMPETITIVE

Brand	Manufacturer
Ambassador	Monarch Rubber Company.
Arrow	B. F. Goodrich Co.-Hood Rubber Co.
Cupples Delux	Cupples Company.
Cupples Ribbed	Cupples Company.
Foster	Holtite Manufacturing Company.
Greyhound	B. F. Goodrich Co.-Hood Rubber Co.
Holtite	Holtite Manufacturing Company.
Jax	Holtite Manufacturing Company.
L. and R	The I. T. S. Company.
Mercury	Goodyear Tire & Rubber Co.
Monarch	Monarch Rubber Company.
Monogram	Panther Panco Rubber Company.
Pancrom Diamond Grip.	Panther Panco Rubber Company.
Portage	Seiberling Rubber Company.
Resolute	Goodyear Tire & Rubber Company.
Ritz	The I. T. S. Company.
Springstep	U. S. Rubber Company
Tredwell	O'Sullivan Rubber Company.
Tite-Edge	Essex Rubber Company.

(4) "Special competitive grade" means rubber heels manufactured before September 1, 1942 whose brand name is not specifically listed in this paragraph (g) and rubber heels bearing the following brand names and made by the following manufacturers:

SPECIAL COMPETITIVE

Brand	Manufacturer
Ace	Plymouth Rubber Company.
Ace Double Duty	Plymouth Rubber Company.
Adlife	Hagerstown Rubber Company.
Airway	Donovan Rubber Company.
Armortred	Quabaug Rubber Company.
Athletic	Queens Rubber Heel Company.
Belmont	B. F. Goodrich Co.—Hood Rubber Co.
Camel	Victor Products Company.
Columbia	New Jersey Rubber Company.
Coronet	Holtite Manufacturing Company.
Daisy	Schacht Rubber Manufacturing Co.
Dictator	Holtite Manufacturing Company.
Duwear	Cupples Company.
E. Z	Hagerstown Rubber Company.
Eagle	Queens Rubber Heel Company.
Elmor	Queens Rubber Heel Company.
Fleetfoot	New Jersey Rubber Company.
Fleetfoot 60	New Jersey Rubber Company.

Brand	Manufacturer
Gold Crown	Holtite Manufacturing Company.
Grippo	Holtite Manufacturing Company.
Gueting	Gueting Rubber Company.
Gueting Service	Gueting Rubber Company.
Hy Way	Holtite Manufacturing Company.
Hi Test	Holtite Manufacturing Company.
Leviathan	Victor Products Company.
New Yorker	Velveton Rubber Heel Corporation.
Regent	U. S. Rubber Company.
Reliance	U. S. Rubber Company.
Rite Pro	Bradstone Rubber Company.
Roamer	Monarch Rubber Company.
Royal Balloon	P & B Rubber Company.
Runner	Goodyear Tire & Rubber Company.
Skylark	Essex Rubber Company.
Slipknot	Plymouth Rubber Company.
Slipknot Double Duty.	Plymouth Rubber Company.
Spartan	New Jersey Rubber Company.
Surestep	Panther Panco Rubber Company.
Tauko	New Jersey Rubber Company.
Velveton	Velveton Rubber Heel Corporation.
Weartex	Monarch Rubber Company.
Windsor	Hagerstown Rubber Company.

(5) "Corded" means rubber heels bearing the following brand names and made by the following manufacturers, provided that if they are manufactured after August 31, 1942, they must have a minimum abrasion of 30.[5]

CORDED

Brand	Manufacturer
Aristocrat Cord Grip.	O'Sullivan Rubber Company.
Corded Service	O'Sullivan Rubber Company.
Biltrite Cord-on-end.	Panther Panco Rubber Company.
Goodyear Corded	Goodyear Tire & Rubber Company.
Gro-Cord	Lima Cord Sole & Heel Company.
Pancord Tuffgrip Hy-bloc Cord-on-end.	Panther Panco Rubber Company.
U. S. Royal Cord	U. S. Rubber Company.

(6) Grades "V–1," "V–2," "V–3," and "V–4" mean rubber heels manufactured after August 31, 1942 which can meet the following physical tests:

Grade	Minimum abrasion [6]	Tensile strength
V–1	25	1,000
V–2	20	800
V–3	15	500
V–4	10	400

[6] A minus tolerance of two points from the specified average abrasion index requirements is permitted with an unlimited plus tolerance. The methods of Federal Specifications EA–ZZ–H–141 and ZZ–R–601 shall be applicable to the specifications.

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7792; Filed, August 10, 1942; 5:16 p. m.]

PART 1340—FUEL

[Amendment 15 to Maximum Price Regulation 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum prices established for Size Groups 6 to 10, inclusive, under § 1340.213 (b) (2); for Size Groups 6 to 10, inclusive, under § 1340.214 (b) (2); for Size Groups 6 to 12, inclusive, under § 1340.215 (b) (2); and for Size Groups 6 to 12 inclusive, under § 1340.217 (b) (2) are amended as set forth below:

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* * * *

(b) * * *

(2) Maximum prices in cents per net ton for shipment via Great Lakes to all destinations for all uses (exclusive of railroad fuel, vessel and bunker fuel and byproduct).

Price classifications	Size group nos.									
	1	2	3	4	5	6	7	8	9	10
A	(*)	(*)	(*)	(*)	(*)	275	245	245	240	240
B	(*)	(*)	(*)	(*)	(*)	275	245	245	240	230
C	(*)	(*)	(*)	(*)	(*)	275	245	245	230	220
D	(*)	(*)	(*)	(*)	(*)	265	240	240	215	210
E	(*)	(*)	(*)	(*)	(*)	245	220	220	210	205
F	(*)	(*)	(*)	(*)	(*)	240	220	220	210	----
G	(*)	(*)	(*)	(*)	(*)	240	215	215	210	----
H	(*)	(*)	(*)	(*)	(*)	235	205	205	205	----
J	(*)	(*)	(*)	(*)	(*)	215	205	205	205	----
K	(*)	(*)	----	----	----	----	190	190	190	----
L	(*)	(*)	----	----	----	----	----	----	----	----

§ 1340.214 *Appendix C: Maximum prices for bituminous coal produced in District No. 3.* * * *

(b) * * *

(2) Maximum prices in cents per net ton for shipment via Great Lakes to all destinations for all uses (exclusive of railroad fuel, vessel and bunker fuel and byproduct).

Price classifications	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	(*)	(*)	(*)	(*)	(*)	275	260	260	245	245
D	(*)	(*)	(*)	(*)	(*)	240	225	225	220	225
E	(*)	(*)	(*)	(*)	(*)	240	215	215	205	205
F	(*)	(*)	(*)	(*)	(*)	230	210	210	200	200
G	(*)	(*)	(*)	(*)	(*)	240	240	240	225	225
H	(*)	(*)	(*)	(*)	(*)	220	210	210	200	200
J	(*)	(*)	(*)	(*)	(*)	220	210	210	195	150

§ 1340.215 *Appendix D: Maximum Prices for bituminous coal produced in District No. 4.* * * *

(b) * * *

(2) Maximum prices in cents per net ton for shipment via Great Lakes to all destinations for all uses (exclusive of railroad fuel, vessel and bunker fuel).

For shipment from all mines in freight origin districts	Prices and size group No.											
	1	2	3	4	5	6	7	8	9	10	11	12
Ohio No. 8	(*)	(*)	(*)	(*)	(*)	220	195	185	220	170	..	220
Cambridge	(*)	(*)	(*)	(*)	(*)	220	195	185	220	170	..	220
Hocking	(*)	(*)	(*)	(*)	(*)	235	215	205	235	205	..	235
Pomeroy	(*)	(*)	(*)	(*)	(*)	235	205	205	210	170	..	210
Crooksville	(*)	(*)	(*)	(*)	(*)	235	205	205	210	170	..	210
Jackson	(*)	(*)	(*)	(*)	(*)	235	205	205	235	205	..	235
Middle	(*)	(*)	(*)	(*)	(*)	240	210	200	240	195	..	240
Leonia	(*)	(*)	(*)	(*)	(*)	240	210	200	240	195	..	240
Ohio Middle	(*)	(*)	(*)	(*)	(*)	225	225	215	225	190	..	225

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* * * *

(b) * * *

(2) Maximum prices in cents per net ton for shipment via Great Lakes to all destinations for all uses (exclusive of railroad fuel, vessel and bunker fuel).

For shipments from all mines	Prices and size group No.											
	1	2	3	4	5	6	7	8	9	10	11	12
	(*)	(*)	(*)	(*)	(*)	235	200	190	220	170	(*)	220

§ 1340.211a *Effective dates of amendments.* * * *

(p) Amendment No. 15 (§ 1340.213 (b) (2), § 1340.214 (b) (2), § 1340.215 (b) (2), § 1340.217 (b) (2) to Maximum Price Regulation No. 120 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7786; Filed, August 10, 1942; 5:10 p. m.]

[9] A minus tolerance of two points from the specified average abrasion index requirements is permitted with an unlimited plus tolerance. The methods of Federal Specifications EA–ZZ–H–141 and ZZ–R–601 shall be applicable to the specifications.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 5 to Maximum Price Regulation 152[1]]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1341.22 a new sentence is added to paragraph (g). Section 1341.22 (e) is revoked.

§ 1341.22. *Canner's maximum prices for canned vegetables.* • • •

(g) • • • Nothing in this Maximum Price Regulation No. 152 or in the General Maximum Price Regulation shall apply to the sale or delivery by canners of canned tomatoes and canned peas to the United States Department of Agriculture, or any purchasing agency thereof.

§ 1341.32. *Effective dates of amendment.* • • •

(e) Amendment No. 5 (§ 1341.22 (e), (g)) shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7793; Filed, August 10, 1942; 5:15 p. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Amendment 2 to Revised Ration Order 7[2]]

NEW ADULT BICYCLE RATION REGULATIONS

Sections 1391.7 (a) (1) and (a) (2) are amended to read as set forth below; and §§ 1391.7 (a) (5) and 1391.37 (b) are added:

Transfers for Use or Salvage

§ 1391.7 *Eligibility for certificates.* Subject to the quota provisions of Revised Ration Order No. 7, any of the following persons may obtain a certificate:

(a) A person who establishes the following:

(1) That he performs work or services as a:

(i) Physician, surgeon, osteopath, chiropractor, farm veterinarian, dentist, mid-wife, druggist, embalmer, who is licensed by the appropriate governmental agency, or public health nurse, or medical laboratory worker or technologist, or Red Cross or social worker engaged directly in caring for or preventing sickness or in promoting hygienic conditions; or

(ii) Regularly practicing minister of any religious faith who serves a congregation and who requires transportation to meet the religious needs of the locality which he regularly serves; or religious practitioner, other than a minister, who is duly authorized by an organized religious faith to render service of a religious nature to members of such faith and who requires transportation to render such religious services to members of such faith in the locality which he regularly serves; or

(iii) Person engaged in the maintenance of mail services by or on behalf of the United States; or

(iv) Person engaged in the maintenance of fire fighting services; or

(v) Person engaged in the performance of public police services; or

(vi) Duly elected or appointed agent, officer, employee, representative of a Federal, State, local, or foreign government or government agency, who is performing functions essential to the public health, safety or war effort; or

(vii) Worker (including executive, technician, or office worker but not including a salesman) or an employer's representative or representative of a labor organization whose services are necessary to the operation or functioning of, or to the maintenance of peaceful industrial relations at, any of the establishments or facilities listed below:

(*a*) Naval, military, or hospital establishments or facilities;

(*b*) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in production or distribution of heat, light, power, gas, steam, or water; or of irrigation, drainage, flood control, or sanitation systems; or of telephone, telegraph, radio, or other communication systems; or of newspapers;

(*c*) Industrial or extractive establishments essential to the war effort, including: plants or establishments engaged in the extraction, production, processing, or assembling of any aircraft, motor vehicles, ships, marine equipment, armament, implement or engine of war or necessary part thereof; or of any raw material, semi-processed or finished materials, supplies, or accessories necessarily used in the manufacture thereof, or of tools, machinery, or appliances essential to the manufacture or use thereof; or of munitions or fuels; or of essential medical supplies or essential food or clothing; or

(viii) Farm worker, commercial fisherman, seaman, or marine worker requiring transportation between his residence or lodging and his place of employment, or between places of employment; or

(ix) Representative of an employer, employer's organization, or labor organization, or any other person, recruiting or training workers for employment as agricultural workers, transportation workers, commercial fishermen, seamen, or marine workers, or for employment in any of the plants or establishments defined in subdivision (vii) of this paragraph; or

(x) Engineer, architect, technician, supervisor, repair or maintenance man or other worker (but not including a salesman), engaged in construction, repair, installation, or maintenance work or in rendering indispensable services of a special nature to agricultural, extractive or industrial establishments. Services of a specialized nature shall include: services related to the natural and artificial breeding of livestock; branding; crop or livestock inspection in connection with the marketing or processing thereof; selection, grading, or processing of lumber or timber; inspection in connection with the improvement of farm sanitation; protection of crops, livestock or farms from blights, diseases or pests; soil conservation; discovery and location of minerals; and acquisition of mineral bearing and pipe line tracts;

(xi) Person engaged in, and requiring a bicycle for, delivery of messages, materials, goods and products essential to the public welfare or the war effort, including wholesale delivery and delivery to the ultimate user. Such messages, materials, goods and products include but are not limited to foods, drugs and medical supplies, radiograms, cables, telegrams, newspapers, magazines, periodicals, general hardware and commercial laundry; or

(xii) Member of the armed forces of the United States or state military forces organized pursuant to Section 61 of the National Defense Act as amended; or

(xiii) Person engaged in organized activities essential to the public health, safety or war effort, including but not limited to such activities of the following as are essential to the public health, safety or war effort: Army, Navy, American Red Cross, Office of Civilian Defense, Civil Air Patrol, Forest Fire Fighters Service, Selective Service System, United Service Organization; or

(xiv) Traveling salesman selling farm, extractive, or industrial equipment, foods or medical supplies, the distribution of which by such salesman is essential to the war effort; or

(xv) Public school teacher or public school official.

(2) That he needs a bicycle to travel to and from or in the performance of, the work or services listed in paragraph (1) of paragraph (a) of this section and that he will use the bicycle principally and not less than four days a week in traveling to and from or in the performance of such work or services.

Unless other circumstances require a contrary conclusion, an applicant shall be deemed to have established his need for a bicycle if he shows any of the following in connection with such work or services:

(i) He must travel quickly or frequently in delivering merchandise or messages, or in performing any other work or services mentioned above, and he would be better able to do so by bicycle than by walking or by using public transportation facilities; or

(ii) Without a bicycle and using the most convenient public transportation facilities, he would have to walk a total of at least 3 miles in going to and coming from his work or occupation; or

(iii) He would have to spend a total of at least 1½ hours, including necessary walking and waiting time, in going to and coming from his work or occupation by the use of public transportation facilities, which time could be reduced by at least 30 minutes through the use of a bicycle; or

(iv) The available public transportation facilities are overcrowded; or

(v) A bicycle is clearly needed because of other circumstances.

• • • • • •

(5) That he does not have available under appropriate rationing regulations any private means of transportation adequate for the purpose for which a bicycle is sought.

(i) No certificate shall be issued under this paragraph (5) to an applicant who has the use of an automobile or motorcycle equipped with tires for which he has obtained, in the area in which gasoline is rationed, a gasoline ration sufficient for the purpose for which a bicycle is sought, or which he could use for such purpose without impairing the eligibility of such vehicle for certificates under section 405 or 504 of the Tire Rationing Regulations: *Provided, however,* That this subparagraph (5) shall not prohibit the issuance of a certificate to an applicant who uses and will continue to use such automobile or motorcycle principally for delivery of newspapers, messages or commodities.

(ii) Under this subparagraph (5) an automobile or motorcycle shall not be deemed "available" if the applicant does not possess tires or a gasoline ration adequate for the purpose for which a bicycle is sought, regardless of whether or not the applicant might obtain for such purpose a new or recapped tire certificate under section 405 or 504 of the Tire Rationing Regulations, or a gasoline ration under sections 506, 602 or 702 of the Gasoline Rationing Regulations.

• • • • • •

Effective Dates

§ 1391.37 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1391.7 (a) (1), (a) (2), (a) (5)) to Revised Ration Order No. 7 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Supplementary Directive No. 1G, 7 F.R. 562, 3546)

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7787; Filed, August 10, 1942; 5:13 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 6 to Ration Order 5A[1]]

GASOLINE RATIONING REGULATIONS

Paragraph (a), subparagraph (16), of § 1394.151, §§ 1394.201, 1394.1601 and 1394.1602 are amended; and a new paragraph (f) to § 1394.302, paragraph (d) to § 1394.403, paragraph (d) to § 1394.505, paragraph (c) to § 1394.706, subparagraph (7) to paragraph (b) of § 1394.801, paragraph (c) to §§ 1394.1105, 1394.1513, and 1394.1631, and a new paragraph (g) to § 1394.1902, are added; as set forth below:

Definitions

§ 1394.151 *Definitions.* (a) • • •

(16) "Limitation area" means:

(i) The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario, and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair, and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant, and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe, and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham, and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole, and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Apalachicola River in the State of Florida; and

(ii) Limitation Area "A", which shall consist of the counties of Erie, Genesee, Livingston, Monroe, Niagara, Orleans, and Wyoming in the State of New York.

• • • • • •

Scope of Ration Order No. 5A

§ 1394.201 *Territorial limitations.* (a) Except as otherwise expressly provided, Ration Order No. 5A shall apply only to the limitation area as defined in paragraph (a) (16), of § 1394.151.

(b) All of the provisions of this Ration Order No. 5A shall be applicable to Limitation Area "A," except to the extent to which they are inconsistent with the provisions of paragraph (f) of § 1394.302, paragraph (d) of § 1394.403, paragraph (d) of § 1394.506, paragraph (d) of § 1394.605, paragraph (c) of § 1394.706, paragraph (b) (7) of § 1394.801, paragraph (c) of § 1394.1105, § 1394.1513, paragraphs (b) and (c) of § 1394.1601, paragraph (b) of § 1394.1602 and § 1394.1631.

• • • • • •

Administration and Personnel

§ 1394.302 *Jurisdiction of boards over issuance of rations.* • • •

(f) The issuance of Basic rations in Limitation Area "A": *Provided,* That during the period from August 13 to August 21, 1942, inclusive, such rations shall be issued only by registrars, in accordance with § 1394.403.

• • • • • •

Basic Rations

§ 1394.403 *Application for and issuance of basic rations.* • • •

(d) During the period from August 13, 1942, to August 21, 1942, inclusive, applications for Basic rations in Limitation Area "A" shall be made at any application site designated as such by the Office of Price Administration, and Basic rations shall be issued only at such application sites during such period, in accordance with the provisions of this Section. Thereafter, applications shall be made to, and Basic rations shall be issued by, a Board: *Provided,* That, except for good cause shown for failure to apply at an application site, application may not be made to a Board prior to August 27, 1942. Four coupons numbered "1" shall be removed by the registrar from each Class A book issued prior to August 22, 1942. In the case of a Class A book issued between August 22, 1942, and September 21, 1942, four such coupons shall be removed by the Board and, in addition, one such coupon shall be removed for each full eight days which have elapsed between August 22, 1942, and the date of issuance. The Board shall remove from any Class A book issued on or after September 22, 1942, all expired coupons and one currently valid coupon for each full eight days which have elapsed in the *valid period* during which such book is issued. Four coupons shall be removed by the registrar from each Basic Class D book issued prior to August 22, 1942. In the case of a Basic Class D book issued on or after August 22, 1942, four coupons shall be removed by the Board from each such book issued, and, in addition, one coupon shall be removed for each full eight days which have elapsed since August 22, 1942.

• • • • • •

Supplemental Rations

§ 1394.505 *Issuance of supplemental rations.* • • •

(d) Class C books and Class D books marked "Supplemental" issued in Limitation Area "A" shall bear expiration dates three months from August 22, 1942, or the date of issuance, whichever is later.

• • • • • •

Fleet Rations (For Fleet Passenger Automobiles and Motorcycles)

§ 1394.605 *Issuance of fleet rations.* • • •

(d) Class C books and Class D books marked "Fleet" issued in Limitation Area "A" shall be valid for a period of three months from, and shall bear expiration dates three months from, August 22, 1942, or the date of issuance, whichever is later.

• • • • • •

Service Rations

§ 1394.706 *Issuance of service rations.* • • •

(c) The Board shall note on the face of S–1 or S–2 books, or Class D books marked "Service", issued in Limitation Area "A", the date of issuance (or August 22, 1942, whichever is later) and the date of expiration of such books, in accordance with the provisions of paragraph (b) of § 1394.704.

• • • • • •

Special Rations

§ 1394.801 *Application for special rations.* • • •

(b) • • •

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3895, 3963, 4453.

[2] 7 F.R. 5062, 5871.

[1] 7 F.R. 5225, 5362, 5426, 5606, 5566, 5666, 5674, 5942.

(7) To return a motor vehicle or boat which was, on August 22, 1942, away from the regular place of residence of the owner or person entitled to the use thereof to such regular place of residence, if such regular place of residence is located within Limitation Area "A".

* * * * * *

Restrictions on Use of Rations and Gasoline

§ 1394.1105 *Restrictions on consumption of gasoline.* * * *

(c) Except as provided in § 1394.1102, paragraph (a) of § 1394.1104, and § 1394.1507, no person shall consume gasoline in Limitation Area "A" unless such gasoline was acquired by him or on his behalf in exchange for valid coupons: *Provided*, That:

(1) Any consumer may use for nonhighway purposes (other than nonoccupational boat operations in the limitation area) gasoline owned by him or in his possession in Limitation Area "A" prior to August 22, 1942;

(2) Any consumer may use gasoline owned by him and in his possession in Limitation Area "A" prior to August 22, 1942, for the operation of a registered motor vehicle, or for non-occupational boat operation, if, at the time of transfer of such gasoline into the fuel tank of such vehicle or boat, he destroys currently valid coupons issued therefor equal in value to the number of gallons of gasoline so transferred: *Provided*, That gasoline placed in the fuel supply tank of such vehicle or boat prior to August 22, 1942, may be used therein without restriction.

* * * * * *

Restrictions on Transfers

§ 1394.1513 *Restrictions applicable to limitation area "A".* Sections 1394.1501 to 1394.1512, inclusive, shall become effective within Limitation Area "A" at 12:01 a. m., August 22, 1942.

* * * * * *

Replenishment and Audit

§ 1394.1601 *Registration of inventory and capacity.* (a) Every dealer and intermediate distributor having a place of business within the limitation area shall take an actual physical inventory of his total gasoline supplies on hand as of his first opening of business on or after July 22, 1942 (or if there is no interruption of business, as of 12:01 a. m., of that date) and shall, on July 22 or 23, 1942, register (on Form OPA R–545 in duplicate) with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(1) His total inventory of gasoline on hand as of his first opening of business on or after (or midnight beginning) July 22, 1942.

(2) His total gasoline storage capacity.

(3) His name, firm name, business address, and type of business.

(4) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by such dealer or intermediate distributor for each place of business within the limitation area where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located: *Provided, however*, That any person a part of whose operations in any one state falls within the definition of a licensed distributor and a part within the definition of an intermediate distributor shall be treated as a licensed distributor and shall not be authorized to register.

(b) Every dealer and intermediate distributor having a place of business in Limitation Area "A" shall take an actual physical inventory of his total gasoline supplies on hand as of 12:01 a. m., August 22, 1942, and shall register on August 22 or 24, 1942, in the manner provided in paragraph (a) of this section.

(c) Every licensed distributor operating within Limitation Area "A" a service station, bulk plant, or similar place of business corresponding in nature and function to the place of business of a dealer or intermediate distributor, and every person receiving gasoline from a licensed distributor on consignment for purposes of sale, shall register such place of business (on Form OPA R–545 in duplicate) on August 22 or 24, 1942, with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board: *Provided, however*, That neither the inventory of gasoline on hand nor the gasoline storage capacity shall be registered, but only the name of the licensed distributor or consignee operating such place of business, a statement that the place of business is operated by a licensed distributor, or by a consignee, and a certification as to the correctness of this information. Any such place of business shall be deemed to be operated by a licensed distributor where gasoline deliveries made to such place of business are not on a sales basis but are treated only as a transfer of stock, title to the gasoline remaining in the licensed distributor until the time of actual sale, and the state motor fuel taxes are paid only on sales or receipts at such place of business and not on the transfer of stock thereto. Any such place of business shall be deemed to be operated by a consignee where the operator of such place of business holds gasoline on consignment from the licensed distributor, title to such gasoline remaining in the licensed distributor until the time of actual sale by the consignee.

§ 1395.1602 *What constitutes gasoline on hand.* (a) The registrant shall register all gasoline on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, or other containers, except gasoline in the fuel tank of a motor vehicle. The registrant shall not register gasoline in transit which did not arrive at his place of business prior to his first opening of business on or after (or midnight beginning) July 22, 1942. Gasoline shipped to a dealer or intermediate distributor prior to July 22, 1942, but received by him at any time after July 21, 1942, shall be deemed to be gasoline transferred to him subsequent to July 21, 1942, and shall require an exchange therefor of coupons or other evidences in the manner provided in §§ 1394.1607 and 1394.1609.

(b) The registrant having a place of business in Limitation Area "A" shall not register gasoline in transit which did not arrive at his place of business prior to 12: 01 a. m., August 22, 1942. Gasoline shipped to such a dealer or intermediate distributor prior to August 22, 1942, but received by him at any time after 12: 01 a. m., August 22, 1942, shall be deemed to be gasoline transferred to him subsequent to that time, and shall require an exchange therefor of coupons or other evidences in the manner provided in §§ 1394.1607 and 1394.1609.

* * * * * *

§ 1394.1631 *Provisions applicable to limitation Area "A".* §§ 1394.1601 to 1394.1630, inclusive, shall become effective within Limitation Area "A" at 12:01 a. m., August 22, 1942.

* * * * * *

Effective Date

§ 1394.1902 *Effective dates of amendments.* * * *

(g) Amendment No. 6 (§§ 1394.151 (a) (16), 1394.201, 1394.302 (f), 1394.403 (d), 1394.506 (d), 1394.605 (d), 1394.706 (c), 1394.801 (b) (7), 1394.1105 (c), 1394.1513, 1394.1601, 1394.1602, and 1394.1631) to Ration Order No. 5A shall become effective August 10, 1942.

(Pub. No. 671, 76th Cong., 3rd Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2d Sess., Pub. No. 421, 77th Cong., 2d Sess., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H) 7 F.R. 562, 5216).

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7788; Filed, August 10, 1942; 5:10 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 1 to Maximum Price Regulation 194[1]]

ALASKA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (2) of paragraph (a) of § 1418.52, and subdivision (v) of subparagraph (1) of paragraph (c) of § 1418.56 are amended to read as follows, and new subparagraphs (11) and (12) are added to paragraph (a) of § 1418.63, as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5909.

§ 1418.52 *Maximum prices for commodities not actually produced or manufactured in the territory of Alaska.* (a) * * *

(2) Plus the amount of mark-up over the direct cost to the seller of the commodity sold during the period from November 7, 1941 to December 6, 1941, inclusive, which the seller added in his highest selling price for the same or similar commodity sold during such period to a purchaser of the same class, or if no sale was made during such period, the amount of such mark-up added by the seller in his highest selling price of such commodity to a purchaser of the same class, during the last thirty days prior to November 7, 1941, in which a sale was made:

Provided: That the price determined in acordance with this Section, if such price is not in line with the maximum prices of other similar sellers, may be adjusted by the Administrator of the Ninth Region of the Office of Price Administration, subject to review as provided in Procedural Regulation No. 7.[2]

* * * * * *

§ 1418.56 *Records and reports.* * * *

(c) * * *

(1) * * *

(v) The highest price at which the seller sold to a purchaser of the same class a commodity, the same as or similar to such listed commodity during the period from November 7, 1941, to December 6, 1941, inclusive, or if the commodity was not sold during such period, then the highest selling price of such commodity to a purchaser of the same class during the last thirty days prior to November 7, 1941, in which a sale was made.

* * * * * *

§ 1418.63 *Definitions.* (a) * * *

(11) "Purchaser of the same class", as used in this Maximum Price Regulation No. 194 refers to the different classes of purchasers created by any practice adopted by the seller in setting different prices for commodities in connection with sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or to purchasers located in different areas or of different quantities or under different conditions of sale. But if during the mark-up period provided in § 1418.52 of this Maximum Price Regulation No. 194, a seller (i) had an established practice of making allowances, discounts or price differentials to different classes of purchasers, and (ii) raised his general level of prices for a commodity but thereafter, during such mark-up period, made no delivery to any purchaser of a particular class, he shall, for that particular class of purchasers, calculate the highest selling price by taking the highest selling price during such mark-up period to a purchaser of another class and then adjusting such price to reflect his established allowances, discounts and price differentials. No seller shall evade any of the provisions of this Regulation by changing his customary allowances, discounts or other price differentials.

(12) "Maximum Price", except where the context otherwise requires, means the maximum price established by Maximum Price Regulation No. 194 adjusted to the nearest nickel.

* * * * * *

§ 1418.66 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1418.52 (a) (2), 1418.56 (c) (1) (v), and 1418.63 (a) (11) and (12)) to Maximum Price Regulation No. 194 shall become effective August 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7794; Filed, August 10, 1942; 5:16 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Maximum Price Regulation 201]

VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 201 is hereby issued.

Sec.

1418.101 Prohibition against dealing in commodities above maximum prices.
1418.102 Maximum prices for commodities not actually produced or manufactured in the Virgin Islands of the United States.
1418.103 Less than maximum prices.
1418.104 Adjustable pricing.
1418.105 Evasion.
1418.106 Records and reports.
1418.107 Sales slips and receipts.
1418.108 Licensing.
1418.109 Registration of licensees.
1418.110 Enforcement.
1418.111 Applicability of other maximum price regulations.
1418.112 Petitions for amendment and applications for adjustment.
1418.113 Definitions.
1418.114 Applicability.
1418.115 Effective dates.

AUTHORITY: §§ 1418.101 to 1418.115, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1418.101 *Prohibition against dealing in commodities above maximum prices.* On and after August 17, 1942, with respect to any commodity not actually manufactured or produced in the Virgin Islands of the United States, regardless of any contract or obligation:

(a) No person shall sell or deliver in the Virgin Islands of the United States any such commodity for which a maximum price regulation is issued or may be issued in the continental United States at a price higher than the maximum prices established by this Maximum Price Regulation No. 201.

(b) No person, in the course of trade or business, shall buy or receive any such commodity at a price higher than the maximum prices established by this Maximum Price Regulation No. 201.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1418.102 *Maximum prices for commodities not actually produced or manufactured in the Virgin Islands of the United States.* (a) Except as provided in paragraph (b) of this § 1418.102, with respect to any commodity for which a maximum price has been established in the continental United States and which is not actually manufactured or produced in the Virgin Islands of the United States, the maximum price to a buyer in the Virgin Islands of the United States shall be:

(1) The direct cost to the seller of the commodity sold.

(2) Plus the amount of mark-up over the direct cost to the seller of the commodity sold during the period from November 7, 1941 to December 6, 1941, inclusive, which the seller added in his highest selling price for the same or similar commodity sold during such period to a purchaser of the same class, or if no such sale was made during such period, the amount of such mark-up added by the seller in his highest selling price of such commodity to a purchaser of the same class during the last thirty days prior to November 7, 1941, in which a sale was made: *Provided*, That the price determined in accordance with this section, if such price is not in line with the maximum prices of other similar sellers, may be adjusted by the Administrator of the Ninth Region of the Office of Price Administration, subject to review as provided in Procedural Regulation No. 7.[2]

(b) Where, a seller offered for sale or delivery to a buyer in the Virgin Islands of the United States any commodity for which a maximum price regulation has been issued in the Continental United States, and which is not actually produced or manufactured in the Virgin Islands of the United States, and the maximum price of such commodity cannot be determined under the provisions of paragraph (a) of this § 1418.102, the maximum price of such commodity shall be specifically authorized by the Administrator of the Ninth Region. The seller of such commodity shall file a sworn petition containing:

(1) A description of the commodity.

(2) A statement of the facts which prevent determination of the maximum price under paragraph (a) of § 1418.102.

(3) The price charged by sellers of the same competitive class for the same or similar commodity.

(4) A statement of the direct cost of the commodity to the seller.

(5) The price at which the seller intends to offer the commodity for sale.

[2] 7 F.R. 4779.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 4779.

(6) Such other facts which the seller deems relevant in the determination of a price for such commodity.

The Administrator of the Ninth Region shall authorize a price which is in line with the maximum prices of other similar sellers of the same or similar commodity, subject to review as provided in Procedural Regulation No. 7.

§ 1418.103 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 201 may be charged, demanded, paid or offered

§ 1418.104 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1418.105 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 201 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1418.106 *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation No. 201 shall, on and after September 1, 1942, or if a commodity becomes subject to this Regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged by the seller, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 201 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of the mark-up charged by the seller, each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, and the quantity purchased by the seller.

(b) *Prices to be marked and posted.* On and after September 1, 1942, every person within the Virgin Islands of the United States, offering to sell or deliver at retail to a buyer in the Virgin Islands of the United States those cost-of-living commodities included in § 1499.25, Appendix B, of the General Maximum Price Regulation [3] which are not actually produced or manufactured in the Virgin Islands of the United States, shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $------" or "Our Ceiling $------".

(c) *Lists to be filed.* (1) Every person within the Virgin Islands of the United States, offering to sell or deliver to a buyer in the Virgin Islands of the United States those cost-of-living commodities included in § 1499.25, Appendix B, of the General Maximum Price Regulation [3] which are not actually produced or manufactured in the Virgin Islands of the United States, shall file with the Regional Office of the Office of Price Administration, St. Thomas, Virgin Islands, not later than September 1, 1942, a statement, setting forth:

(i) A list of all such commodities offered for sale by such person and the selling price thereof.

(ii) The maximum price which the seller is permitted to charge for each such commodity under the provisions of this § 1418.106.

(iii) The direct cost, as defined herein, of every such commodity listed.

(iv) The amount of mark-up of every such commodity listed.

(v) The highest price at which the seller sold to a purchaser of the same class a commodity, the same as or similar to such listed commodity during the period from November 7, 1941, to December 6, 1941, inclusive, or if the commodity was not sold during such period, then the highest selling price of such commodity to a purchaser of the same class during the last thirty days prior to November 7, 1941, in which a sale was made.

(vi) The amount of mark-up which the seller added in the price submitted under subdivision (v) above.

(2) Every person offering to sell or deliver to a buyer in the Virgin Islands of the United States commodities, not included among the cost-of-living items set forth in § 1499.25, Appendix B, of the General Maximum Price Regulation, and which are not actually produced or manufactured in the Virgin Islands of the United States, shall prepare, not later than September 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement of the information required under subparagraph (1). Any person who claims that substantial injury would result to him from making such statement available to any other person may file the statement with the Office of Price Administration, St. Thomas, Virgin Islands. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Regulation.

(3) Supplementary statements shall be filed by the seller whenever his price for a commodity is lower or higher than the price previously submitted under paragraph (c) (1) (ii) of this § 1418.106.

(4) All statements submitted shall be signed under oath or affirmation.

(5) The statements required under this § 1418.106 shall be kept up-to-date by the seller by filing on the tenth day of every succeeding calendar month, a statement of the information required under paragraph (c) of this § 1418.106 for any commodity which became subject to this regulation during the previous calendar month.

§ 1418.107 *Sales slips and receipts.* Every seller at retail of the commodities subject to this Maximum Price Regulation No. 201 who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

§ 1418.108 *Licensing*—(a) *License required.* A license as a condition of selling, is hereby required of every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 201.

(b) *License granted.* Every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 201 is hereby granted a license as a condition of selling any such commodity. Such license shall be effective on August 17, 1942, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that said regulation or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation superseded.* This § 1418.108 supersedes the provisions of § 1499.16 of the General Maximum Price Regulation insofar as said section may be applicable to persons selling any commodity for which a maximum price is established by this Maximum Price Regulation No. 201.

§ 1418.109 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4736, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058.

§ 1418.110 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 201 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the Office of Price Administration, St. Thomas, Virgin Islands, or the principal Office in Washington, D. C.

§ 1418.111 *Applicability of other maximum price regulations.* The provisions of this Maximum Price Regulation No. 201 supersede the provisions of all other maximum price regulations, except as otherwise provided herein, with respect to sales or deliveries of commodities for which maximum prices are established by this regulation.

§ 1418.112 *Petitions for amendment and applications for adjustment.* Persons seeking any modification of this Maximum Price Regulation No. 201, or an adjustment or exception not provided for herein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, or applications for adjustment in accordance with the provisions of Procedural Regulation No. 7, issued by the Office of Price Administration.

§ 1418.113 *Definitions.* (a) When used in this Maximum Price Regulation No. 201, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any purchaser for resale or to a commercial or industrial user.

(3) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(4) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller.

(5) "Sales and deliveries to a buyer in the Virgin Islands of the United States" does not include sales from a seller outside the Virgin Islands of the United States to a purchaser in the Virgin Islands of the United States. Export sales, from a seller in the Continental United States to a purchaser in the Virgin Islands of the United States shall be governed by the maximum prices established for export sales by the Revised Maximum Export Price Regulation.[4]

(6) "Amount of mark-up" means the amount in dollars and cents which added to the amount of direct cost constituted the seller's price. It does not mean the percentage of mark-up.

(7) "Selling price" means the price for which a commodity is sold, offered for sale, or listed for sale.

(8) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(9) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(10) "Maximum Price Regulation", as used in this Regulation, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(11) "Purchaser of the same class", as used in this Regulation, refers to the different classes of purchasers created by any practice adopted by the seller in setting different prices for commodities in connection with sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or to purchasers located in different areas or of different quantities or under different conditions of sale. But if during the mark-up period provided in § 1418.102 of this Maximum Price Regulation No. 201, a seller (i) had an established practice of making allowances, discounts or price differentials to different classes of purchasers, and (ii) raised his general level of prices for a commodity but thereafter, during such mark-up period, made no delivery to any purchaser of a particular class, he shall, for that particular class of purchasers, calculate the highest selling price by taking the highest selling price during such mark-up period to a purchaser of another class and then adjusting such price to reflect his established allowances, discounts and price differentials. No seller shall evade any of the provisions of this Regulation by changing his customary allowances, discounts or other price differentials.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1418.114 *Applicability.* The provisions of this Maximum Price Regulation No. 201 shall be applicable to the Virgin Islands of the United States.

§ 1418.115 *Effective dates.* This Maximum Price Regulation No. 201 (§§ 1418.101 to 1418.115, inclusive) shall become effective August 17, 1942.

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7789; Filed, August 10, 1942; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation [1]—Amendment 5 to Supplementary Regulation 14 [2]]

TRANSPORTATION SERVICES OF CERTAIN MOTOR VEHICLE CARRIERS

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (6) is added to paragraph (a) of § 1499.73 as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(6) *Transportation services of carriers by motor vehicle, other than common carriers within the exemption conferred by section 302 (c) of the Emergency Price Control Act of 1942.* (1) The maximum rate per net ton that may be charged by truck owners and operators for transporting coal from mines in Fayette, Westmoreland, and Greene Counties, Pennsylvania, to beehive coke ovens, or to barges on the Monongahela River, or to rail cars, all in Fayette, Westmoreland and Greene Counties, Pennsylvania for distances up to and including twenty-five miles, shall be:

10¢ per mile—for the first 2 miles.
6¢ per mile—for the next 3 miles.
5¢ per mile—thereafter.

5¢ per net ton additional for coal transported from stripping plants. 2¢ per net ton additional for accessorial services

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5793, 6058, 6081.

[2] 7 F.R. 5466, 5709, 6008, 5911.

[4] 7 F.R. 5059.

performed on contracts under which the contracting motor carrier operator assumes responsibility for the entire movement of the coal and supervises all trucks performing the transportation.

(b) *Effective date.* • • •

(6) Amendment No. 5 (§ 1499.73 (a) (6)) to Supplementary Regulation No. 14 shall become effective August 10, 1942. (Pub. Law, 421, 77th Cong.)

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7795; Filed, August 10, 1942; 5:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 46[1] under § 1499.3 (b) of General Maximum Price Regulation[2]]

BRASS MILL PRODUCTS

An opinion setting forth the reasons for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1499.260 three new items are added to the second sentence in paragraph (c) (2) as set forth below:

§ 1499.260 *Method by which brass mills may determine maximum prices for brass mill products which cannot be priced under § 1499.2 of the General Maximum Price Regulation.* • • •

(c) • • •

(2) • • • It does not include die castings, friction bushings and bearings, or any rod, coil, wire, casting or other shape for which a maximum price is established by Revised Price Schedule No. 82, Wire, Cable and Cable Accessories,* or Maximum Price Regulation No. 125, Non-Ferrous Castings,* or Maximum Price Regulation No. 136, Machines and Parts,* or any other regulation heretofore or hereafter issued by the Office of Price Administration.

• • • • • •

(e) (1) Amendment No. 1 (§ 1499.260 (c) (2)) to Order No. 46 shall become effective August 15, 1942. (Pub. Law 421, 77th Cong.)

Issued this 10 day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7791; Filed August 10, 1942; 5:15 p. m.]

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5829.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081.

[3] 7 F.R. 1358, 1836, 2133.

[4] 7 F.R. 3202, 3990.

[5] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908.

PART 1499—COMMODITIES AND SERVICES

[Order 53 Under § 1499.3 (b) of General Maximum Price Regulation[1]]

VAN STRAATEN CHEMICAL CO.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.267 *Approval of maximum prices for sales of lubricating and other metal working specialties, produced by the Van Straaten Chemical Company.* (a) The maximum price per pound for sales by the Van Straaten Chemical Company, of Chicago, Illinois, of any lubricating and other metal working specialties manufactured by it, for which maximum prices cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be the sum which bears the same percentage relationship to the sum of subparagraphs (1) and (2) below, as the net sales of the Van Straaten Chemical Company in March 1942, bore to the sum of raw material costs and manufacturing costs for all articles sold in that month, which percentage relationship is established in a statement filed by the Van Straaten Chemical Company.

(1) Raw material costs per unit, computed on the basis of actual prices (not to exceed the applicable maximum prices) paid for raw materials, and in any case not to exceed the highest price charged in March, 1942, by the actual supplier to a purchaser of the same class as the Van Straaten Chemical Company.

(2) Manufacturing costs, equal to the sum of the applicable unit costs prevailing during March 1942 for the operations used in making the article to be priced, as specified in a list of unit manufacturing costs filed by the Van Straaten Chemical Company with the Office of Price Administration.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect during March 1942, on the sale by the Company of comparable products, shall apply to the maximum prices determined under paragraph (a).

(c) On or before the last day of each month, beginning with August 1942, the Van Straaten Chemical Company shall submit to the Office of Price Administration in Washington, D. C., an individual report in affidavit form for each product priced under this Order No. 53 during the preceding month. Each such report shall include a description of the product so priced; a statement showing why the product cannot be priced under § 1499.2 of the General Maximum Price Regulation; the maximum price determined; and a detailed statement of the factors referred to in paragraph (a) of this Order which were used in the determination of such maximum price.

(d) Each price reported under (c) shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 53 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 53 (§ 1499.267) shall become effective August 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7790; Filed, August 10, 1942; 5:14 p. m.]

PART 1340—FUELS

[Amendment 16 to Maximum Price Regulation 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) of § 1340.205 is amended and a new paragraph (d) is added thereto to read as set forth below:

§ 1340.205 *Records and reports.* (a) Every producer and distributor making a sale of bituminous coal and every person making a purchase of bituminous coal from a producer or distributor in the course of trade or business, on and after May 18, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase showing the date thereof; the name and address of the buyer and of the person making the sale; the size, brand or trade name and quantity of the bituminous coal sold or purchased, together with the name of the mine at which it originated and the mine index number of such mine; the method of transportation employed in the delivery thereof; and the price received or paid therefor. • • •

(d) Persons subject to this Maximum Price Regulation No. 120 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.

§ 1340.211a *Effective dates of amendments.* • • •

(q) Amendment 16 (§ 1340.205 (a) and (d)) shall become effective August 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7817; Filed, August 11, 1942; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 54 Under § 1499.3 (b) of General Maximum Price Regulation[1]]

PROCTER AND GAMBLE DISTRIBUTING CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

§ 1499.268 *Approval of maximum prices for P & G White Laundry Soap and OK Laundry Soap for sale by Procter and Gamble Distributing Company.* (a) On and after June 12, 1942, the maximum prices for the sale by the Procter and Gamble Distributing Company, a corporation having its principal place of business in Cincinnati, Ohio, of laundry soaps known as P & G White Laundry Soap and OK Laundry Soap shall be those hereinafter set forth:

(1) *Carload quantities.* (i) P & G White Laundry Soap in boxes of 100 cakes of 9.185 ounces each: $3.7345 delivered.

(ii) OK Laundry Soap in boxes of 100 cakes of 10.1 ounces each: $3.7830 delivered.

(2) *Less than carload quantities.* The same price differentials in effect by Procter and Gamble Distributing Company during March, 1942, for sales in less than carload quantities of the 10 ounce laundry soap heretofore manufactured by that company and known as P & G The White Naphtha Soap shall apply to sales in less than carload quantities of P & G White Laundry Soap and of the new 10.1 ounce bar of OK Laundry Soap.

(b) The same allowances and discounts in effect by Procter and Gamble Distributing Company in March, 1942, with respect to 10 ounce laundry soap heretofore manufactured by that company and known as P&G The White Naphtha Soap shall continue in effect for P&G White Laundry Soap and for the new 10.1 ounce bar of OK Laundry Soap.

(c) Procter and Gamble Distributing Company shall mail or cause to be mailed to all persons who purchase P&G White Laundry Soap and OK Laundry Soap from said Company, for which maximum prices are established in this order, written notice as to the proper method for determining maximum prices for sales by such purchasers together with an explanation of the method of establishing maximum prices for sales of such soaps at retail, under the General Maximum Price Regulation. All persons who sell such soaps to persons who will sell them at retail shall mail or cause to be mailed copies to sellers at retail of such explanation of the method of establishing maximum prices for sales at retail.

(d) The authorization granted in this Order No. 54 shall terminate on October 1, 1942.

(e) This Order No. 54 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 54 (§ 1499.268) shall become effective as of June 12, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7818; Filed, August 11, 1942; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 55 Under § 1499.3 (b) of General Maximum Price Regulation[1]]

DAVISON CHEMICAL CORP.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.269. *Approval of maximum prices for sale by Davison Chemical Corporation of Protek Sorb and Humidity Indicator Cards in special containers.* (a) The maximum prices for the sale by Davison Chemical Corporation, Baltimore, Maryland, of Protek Sorb and Humidity Indicator Cards in special containers not delivered or offered for delivery during March 1942 shall be the sum of the following:

(1) The sum of the maximum prices to the class of purchaser enjoying the lowest net price or the highest rate of discount, for the sale by Davison Chemical Corporation of the individual packages of Protek Sorb and Humidity Indicator Cards placed in the special container, determined in accordance with the General Maximum Price Regulation;

(2) The actual cost of the special container, not to exceed the applicable maximum price;

(3) 5 per cent of the cost of the special container;

(4) The labor cost of packaging the special container, not exceeding the highest cost during March 1942 for similar labor.

(b) All trade practices, and practices relating to the payment of shipping charges in effect in March 1942 on the sale by this corporation of comparable products shall apply to the maximum prices set forth in paragraph (a).

(c) This Order No. 55 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 55 (§ 1499.269) shall become effective August 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7819; Filed, August 11, 1942; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 16 Under § 1499.18 (c) of General Maximum Price Regulation]

RAILROAD COMPANIES—TEMPORARY GRAIN DOORS

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.366 *Adjustment of maximum prices for railroad companies for temporary grain doors transferred to other railroads in a shipment of grain.* (a) The maximum price which a railroad company may receive for a temporary grain door which it sends with a car of grain on to the tracks of another railroad shall be its replacement cost of such door.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 16 (§ 1499.366) is hereby incorporated as a section of supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 16 (§ 1499.366) shall become effective August 17, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 11th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7816; Filed, August 11, 1942; 11:42 a. m.]

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

DEER FLAT NATIONAL WILDLIFE REFUGE, IDAHO

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (53 Stat. 1431), and in extension

of § 12.9 of the regulations of December 19, 1940,[1] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the following regulations governing hunting within the Deer Flat National Wildlife Refuge, Idaho, are prescribed:

§ 22.221a *Hunting; Deer Flat National Wildlife Refuge, Idaho.* Until further notice, migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken within the areas herein or hereafter described of the Deer Flat National Wildlife Refuge, Idaho, during the period prescribed for the taking of such birds in Idaho by the Migratory Bird Treaty Act regulations, in accordance with the provisions of the regulations dated December 19, 1940,[1] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the following special provisions, conditions, restrictions, and requirements:

(a) *Areas open to hunting.* All the lands of the United States within the following-described area of the refuge shall be open to hunting: All the lands of the refuge in secs. 15, 16, 17, 19, 20, 21, 22, 27, 28, 29, and 30, except the area known as the Military Restricted Area that lies northwesterly of a straight line extending from the northeast corner of the SE¼SE¼ of said sec. 17 to a point near the center of the NE¼NW¼ of the said sec. 30, all in T. 3 N., R. 3 W., Boise Meridian, Idaho.

(b) *State laws.* Any person while hunting within the refuge must comply with the applicable laws and regulations of the State of Idaho.

(c) *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid hunting license issued by the State of Idaho, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The said license and stamp must be exhibited upon the request of any representative of the Idaho Fish and Game Commission authorized to enforce the State game laws or any representative of the Department of the Interior. Upon request of the officer in charge, the licensee also must exhibit for inspection all birds killed by him or in his possession.

(d) *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(e) *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(f) *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

(g) *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of the regulations in this section will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

Dated: August 3, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-7798; Filed, August 11, 1942; 10:08 a. m.]

[1] 5 F.R. 5284.

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

RED ROCK LAKES NATIONAL WILDLIFE REFUGE, MONTANA

Under authority of section 84 of the act of March 4, 1909, 35 Stat. 1088, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (53 Stat. 1431), and in extension of § 12.9 of the regulations of December 19, 1940[1] for the administration of national wildlife refuges, the title and paragraph (a) of § 22.760 of the regulation[2] permitting hunting on the Red Rock Lakes Migratory Waterfowl Refuge, Montana, is amended to read as follows:

§ 22.760 *Red Rock Lakes National Wildlife Refuge, Montana*—(a) *Waterfowl hunting.* Pursuant to and in accordance with the provisions of the regulations dated December 19, 1940,[1] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, migratory waterfowl (except those species not permitted to be taken under the Migratory Bird Treaty Act regulations and all species of geese) and coots may be taken during the period prescribed for the taking of such birds in Montana by the said Migratory Bird Treaty Act regulations, if permitted by State law, within the area of the Red Rock Lakes National Wildlife Refuge, Beaverhead County, Montana, hereinafter described.

Dated: August 3, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-7799; Filed, August 11, 1942; 10:08 a. m.]

[1] 5 F.R. 5284.
[2] 2 F.R. 2082; approved September 30, 1937.

Notices

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 29-A 4]

DUBUQUE, IOWA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Dubuque, Iowa, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Court Room of the Federal Building, Dubuque, Iowa, beginning at 10:00 a. m., c. w. t., August 19, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area.[1]

This public hearing is for the purpose of receiving evidence with respect to the amendments which are hereinafter set forth in detail. These amendments have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the provisions to which such amendments relate. The amendments which have been proposed are as follows:

a. Proposed by Dubuque Cooperative Dairy Marketing Association:

1. Delete § 912.1 (a) (3) and substitute therefor the following:

(3) The term "producer" means any person who has been certified by the Dubuque Department of Public Health as one who produces milk in accordance with the Grade A milk requirements of the Milk Ordinance of the City of Dubuque, Iowa, irrespective of whether such a person is also a handler, and who produces milk which is received at the plant of a handler from which milk or cream is disposed of in the marketing area or which is caused to be delivered by a handler to a plant from which no milk is disposed of in the marketing area.

[1] 6 F.R. 6393.

2. Delete § 912.3 (b) (1) and substitute therefor the following:

(1) Class I milk shall be all milk and skim milk disposed of as milk, buttermilk, milk drinks whether plain or flavored, and all milk not specifically accounted for as Class II milk, Class III milk, or Class IV milk.

3. Delete § 912.3 (b) (2) and substitute therefor the following:

(2) Class II milk shall be all milk disposed of as cream, for consumption as cream, including any cream products in fluid form which contain less than the minimum butterfat content required for fluid cream, and as creamed cottage cheese.

4. Delete § 912.3 (b) (3) and substitute therefor the following:

(3) Class III milk shall be all milk specifically accounted for as used to produce evaporated milk, condensed milk, ice cream mix, unsalted butter, or any milk product other than those specified in Class II milk and Class IV milk.

5. Delete § 912.3 (b) (4) and substitute therefor the following:

(4) Class IV milk shall be all milk specifically accounted for as used to produce cheese, other than creamed cottage cheese, butter, and all milk accounted for as actual plant shrinkage but not to exceed 3 percent of the total receipts of milk from producers.

(6) Delete § 912.4 (a) (4) and substitute therefor the following:

(4) For Class III milk—the price shall be the result of the following computations by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content receive during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be the price for Class III milk for such delivery period: multiply by 0.4 the average weekly prevailing price per pound of Twins during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin (in the absence of such prices the prevailing prices of Twins at Chicago as reported by the United States Department of Agriculture shall be used), add the average wholesale price per pound of 92-score butter at Chicago for said delivery period as reported by the United States Department of Agriculture, and multiply such result by 3.9.

Concern:	*Location of plants*
Amboy Milk Prod. Co	Amboy, Ill.
United Milk Products Co	Argo Fey, Ill.
Dean Milk Co	Belvidere, Ill.
Borden Co	Dixon, Ill.
Libby, McNeil & Libby Co	Morrison, Ill.
Carnation Milk Co	Oregon, Ill.
Dean Milk Co	Pearl City, Ill.
Dean Milk Co	Pecatonica, Ill.
Borden Co	Sterling, Ill.
Pet Milk Co	Schullsburg, Wis.

Provided further, That for that portion of the Class III milk specifically accounted for as used by the handler to produce ice cream mix or unsalted butter, the price shall be as computed above for Class III milk less 5 cents per hundredweight. (Also to be used if any ice cream mix is included in Class III.)

7. Delete § 912.4 (a) (5) and substitute therefor the following:

(5) For Class IV milk—the price shall be the result of the following computation by the market administrator: multiply by 2.4 the average weekly prevailing price per pound of Twins during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin (in the absence of such prices the prices of Twins at Chicago as reported by the United States Department of Agriculture shall be used), and multiply such result by 3.5: *Provided further*, That for that portion of the Class IV milk specifically accounted for as used by the handler to produce a product other than cheese, except cottage cheese, the price shall be the result of the following computations by the market administrator: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received and add:

(i) 10 percent thereof when such average price of 92-score butter is less than 30 cents;

(ii) 15 percent thereof when such average price of 92-score butter is 30 cents or over, but less than 35 cents;

(iii) 20 percent thereof when such average price of 92-score butter is 35 cents or over, but less than 40 cents; and

(iv) 25 percent thereof when such average price of 92-score butter is 40 cents or over.

8. Delete the word "cream" in the third line of § 912.5 (a) and substitute therefor the words "milk products."

9. Delete § 912.5 (a) (5) and substitute therefor the following:

(5) The respective quantities of milk and milk products which were disposed of for the purpose of classification pursuant to § 912.3.

10. Add to § 912.5 (a), as § 912.5 (a) (6), the following:

(6) The respective butterfat tests of such milk and milk products.

11. Renumber §§ 912.7 (b) (3), (4), (5), (6), as §§ 912.7 (b) (4), (5), (6), (7), and add as § 912.7 (b) (3) the following:

(3) Subtract the total amount to be paid non-Grade A producers pursuant to § 912.8 (a) (3).

12. Delete in § 912.8 (a) (1) the words "To producers" and substitute therefor the words, "To Grade A Producers."

b. Proposed by handlers:

1. Delete in § 912.3 (b) (4) the phase "of milk from producers" and substitute therefore the phrase "of butterfat."

Proposed by Dairy and Poultry Branch, Agricultural Marketing Administration, United States Department of Agriculture:

1. Revise in § 912.1 (a) the term "handler."

2. Revise § 912.3 (a) so as to specify with greater particularity the basis of classification of milk, particularly with respect to interplant movements of milk.

3. Add a paragraph to § 912.3 establishing the burden of proof of classification of milk.

4. Include in § 912.3 language which will set forth the manner in which the market administrator shall compute the amount of milk in each class.

5. Add a paragraph to § 912.3 providing for the reconciliation of total utilization of milk by classes with receipts of milk from producers,

(1) Where total utilization is less than the receipts of milk from producers, and

(2) Where total utilization is greater than the receipts of milk from producers.

6. Substitute in § 912.5 (a) the phrase "or milk products" for the phrase "or cream" together with the revisions necessitated elsewhere by this amendment.

7. Add to § 912.5 (a) a requirement of reports of handlers on the butterfat content of the receipts specified in subparagraphs (1), (2), (3), and (4).

8. Amend § 912.5 dealing with reports by handlers so as to provide that reports by producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall be in a form and at a time elected by the market administrator, and further amend § 912.5 by specifying fully the nature of the reports which are to be verified, the manner of verification, and the responsibilities of the handlers in connection with such verification.

9. Add a paragraph to § 912.6 which provides the method and manner of payment for milk received by handlers from sources determined as other than producers or other handlers.

10. Add a paragraph to § 912.6 which provides for payment to producers for milk or butterfat in excess of receipts apparent on the basis of handlers' reports.

11. Delete § 912.7 (a) and substitute therefor a new § 912.7 (a) which will set forth the manner in which the market administrator shall compute the net pool obligation of handlers.

12. Revise § 912.8 (a), so as to provide the time and method of payment to producers for milk, deleting § 912.8 (e).

13. Reconsider the amount and method of arriving at the butterfat differential provided pursuant to § 912.8 (b).

14. Revise § 912.9 dealing with expense of administration so as to subject handlers to administrative assessment on all milk handled.

15. Provide in § 912.10 for the making of marketing service deductions on receipts from sources other than other handlers, including receipts from handler's own production.

16. Provide such amendments as may be necessitated by the above proposed revisions.

17. Revise the definition of "Secretary" in § 912.1 (a) (9) to include any

person who may be authorized to exercise the powers and perform the duties of the Secretary.

18. Add a new section, as follows:

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing and of Order No. 12, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

Dated: August 10, 1942.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-7803; Filed, August 11, 1942; 11:06 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4772]

KOCH LABORATORIES, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the Matter of Koch Laboratories, Inc., a corporation; William F. Koch, individually, and as an officer of Koch Laboratories, Inc.; and Louis G. Koch, individually, and as an officer of Koch Laboratories, Inc.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, September 1, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 859, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-7806; Filed, August 11, 1942; 11:15 a. m.]

[Docket No. 4778]

JOHNSON SMITH & CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Alfred Johnson Smith, Paul Smith, and Arthur Smith, copartners, doing business as Johnson Smith & Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, August 31, 1942, at two o'clock in the afternoon of that day (eastern standard time) in Room 921, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-7807; Filed, August 11, 1942; 11:16 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 11 Under Revised Price Schedule 57[1]—Wool Floor Coverings]

HARDWICK & MAGEE COMPANY

APPROVAL OF MAXIMUM PRICES

On June 23, 1942, Hardwick and Magee Company, Philadelphia, Pennsylvania, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture two new fabrics and for approval of maximum prices thereof. These new fabrics were designated in the application as A667 and A668.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Hardwick and Magee Company may sell, offer to sell or deliver the following new fabrics at prices no higher than those specified:

A667 at $3.70 per square yard, f. o. b. mill;
A668 at $3.91 per square yard, f. o. b. mill;

subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum prices for Diamond and Beaucraft, respectively, as established by Revised Price Schedule No. 57. The differentials between the maximum square yard f. o. b. mill prices, and the cut-order, extra size and zone prices of A667 and A668 shall be no less favorable than the differentials, as established by Revised Price Schedule No. 57, between the maximum square yard f. o. b. mill prices, and the cut-order, extra size, and zone maximum prices of Diamond and Beaucraft, respectively.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 11 shall become effective on the 11th day of August, 1942.

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7783; Filed, August 10, 1942; 5:13 p. m.]

[Order 12 Under Revised Price Schedule 57[1]—Wool Floor Coverings]

STRONG RUG COMPANY

APPROVAL OF MAXIMUM PRICES

On June 2, 1942, Felix Varese, doing business as the Strong Rug Company, New York City, hereinafter called applicant, filed an application, pursuant to § 1352.4 of Revised Price Schedule No. 57, for approval of maximum prices of certain rugs designated as Strong-Tex.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the provisions of Procedural Regulation No. 1,[2] it is hereby ordered:

(a) Felix Varese, doing business as the Strong Rug Company, may sell, offer to sell, deliver, or transfer Strong-Tex rugs at prices no higher than those set forth below:

(1) To dealers: 9' x 12'—$23.20 f. o. b. mill, subject to regular carpet terms of 4%, 10 days, 60 days extra, or 5% 10 days.

(2) To distributors: 9' x 12'—$20.00 f. o. b. mill, net 10 days.

The differential between the maximum f. o. b. mill price for the 9' x 12' size and the maximum prices for all other sizes shall be no less favorable than the differentials between the f. o. b. mill price of the 9' x 12' size and such other sizes in effect on February 2, 1942. Thirty cents may be added to all of the above maximum f. o. b. mill prices on each article, for deliveries in the New York metropolitan district.

(b) This Order No. 12 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 12 shall become effective on the 11th day of August, 1942.

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7784; Filed, August 10, 1942; 5:13 a. m.]

[Order 4 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts]

UPCHURCH PACKING CO., INC.

[Docket No. 3148-7]

PETITION FOR ADJUSTMENT GRANTED

On June 9, 1942, Upchurch Packing Co., Inc., 16 Brady Avenue NW., Atlanta, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Upchurch Packing Co., Inc., may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from Upchurch Packing Co., Inc.

(b)

	Cents per pound
Skinned hams fresh or frozen	28
Skinned shoulders fresh or frozen	27
Smoked hams fresh or frozen	32
Baked hams	52
Boiled hams	47¾
Barbeque hams	52
Boneless smoked hams	45
Dry seedless square cut bellies	18½
Dry seedless regular bellies	17½
Smoked regular picnics	27
Smoked shankless picnics	29
Boston butts fresh or frozen	29½

(c) The permission granted to the Upchurch Packing Co., Inc., in this Order No. 4 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Upchurch Packing Co., Inc., may sell or deliver or agree, offer, solicit, or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from Upchurch Packing Co., Inc., each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 4 shall become effective August 11, 1942.

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7785; Filed, August 10, 1942; 5:15 p. m.]

[Order 10 Under Revised Price Schedule[1]—Wool Floor Coverings]

THE MAGEE CARPET COMPANY

APPROVAL OF MAXIMUM PRICES

On June 30, 1942, The Magee Carpet Company, Bloomsburg, Pennsylvania, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57 for permission to manufacture four new cotton fabrics and for approval of maximum prices thereof. These new fabrics are designated in the application as Nos. 7, 11, 15 and 17.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) The Magee Carpet Company may sell, offer to sell or deliver the following new fabrics at prices no higher than those specified:

No. 7 at $3.23 per square yard, f. o. b. mill;
No. 11 at $3.36 per square yard, f. o. b. mill;
No. 15 at $2.39 per square yard, f. o. b. mill;
No. 17 at $3.66 per square yard, f. o. b. mill;

subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum prices for Par, as established by Revised Price Schedule No. 57. The differentials between the maximum square yard f. o. b. mill prices, and the cut order, extra size and zone prices of Nos. 7, 11, 15 and 17 shall be no less favorable than the differentials, as established by Revised Price Schedule No. 57, between the maximum square yard f. o. b. mill price, and the cut-order, extra size, and zone maximum prices of Par.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 10 shall become effective on the 11th day of August 1942.

Issued this 10th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7782; Filed, August 10, 1942; 5:11 p. m.]

[Suspension Order 6 Under Tire Rationing Regulations]

ALFRED STIDHAM TIRE COMPANY

ORDER RESTRICTING TRANSACTIONS

Alfred Stidham, doing business as Alfred Stidham Tire Company, 1336 Fourteenth Street NW., Washington, D. C., herein called respondent, is engaged in selling tires and tubes and is subject to the Tire Rationing Regulations[1] and the Revised Tire Rationing Regulations[2] issued by the Office of Price Administration. There was duly served on respondent a notice of specific charges of violations of the Tire Rationing Regulations, and a notice of hearing thereon. Pursuant to said notice a hearing upon said charges was held on June 10, 1942 in Washington, D. C. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence was duly considered by the Deputy Administrator, and Suspension Order No. 3 under the Tire Rationing Regulations, restricting trans-

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656)

[1] 7 F.R. 1314, 1836, 2000, 2132.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1314, 1836, 2000, 2132.

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 971, 3663.
[2] 7 F.R. 3821, 4342.
[3] 7 F.R. 971, 3663.

[1] 7 F.R. 1314, 1836, 2000, 2132.

[1] 7 F.R. 971, 3663.
[2] 7 F.R. 72.
[3] 7 F.R. 1027.

actions by Alfred Stidham and Alfred Stidham Tire Company in the manner and to the extent therein set forth, was issued on July 25, 1942.

Thereafter on July 29, 1942 a stay of said Suspension Order No. 3 was granted by the Deputy Administrator until the further order of the Deputy Administrator.

Respondent having submitted further evidence which has been considered by the Deputy Administrator and having this day filed in the Office of The Secretary of the Office of Price Administration a Waiver and Consent from which it appears, among other things, that while the respondent asserts his innocence of any wilful and intentional violation of the Tire Rationing Regulations or the Revised Tire Rationing Regulations, he nevertheless has consented and does consent to the making and issuance of the Order now about to be issued, without any findings of fact, upon condition that his consent to the entry of said Order shall not constitute or be considered an admission, and the issuance of said Order, or the Order itself, shall not constitute or be considered an adjudication, that the respondent has in fact wilfully and intentionally violated said Tire Rationing Regulations or Revised Tire Rationing Regulations.

It is therefore ordered:

(a) That said Suspension Order No. 3 be and it hereby is rescinded.

(b) During the period in which this Suspension Order No. 6 shall be in effect,

(1) Respondent, his successors or assigns, shall not accept any deliveries or transfers of, nor in any manner directly or indirectly receive from any source any new or recapped or retreaded passenger type tires or new tubes primarily designed for use with passenger type tires,

(2) Respondent, his successors or assigns, shall not acept any purchase orders or enter into any contracts or commitments for the sale or delivery of, nor in any manner directly or indirectly sell, transfer, or deliver any new or recapped or retreaded passenger type tires or new tubes primarily designed for use with passenger type tires, except that the sales or contracts of sale of passenger type tires heretofore entered into by the respondent with the following parties with respect to the number of tires indicated, and any tubes which may be included in said sales or contracts of sale, may be completed and the tires or tubes delivered in accordance with the Revised Tire Rationing Regulations:

White House garage	1
Republic of Belgium	18
Republic of Ecuador	3
Republic of Nicaragua	3

(3) No person shall in any manner directly or indirectly sell, transfer or deliver any new or recapped or retreaded passenger type tires or new tubes primarily designed for use with passenger type tires to respondent, his successors or assigns, regardless of whether such new or recapped or retreaded passenger type tires or new tubes primarily designed for use with passenger type tires have been previously purchased and completely paid for.

(c) Nothing in this Order shall be construed to prohibit respondent from receiving and recapping or retreading tires the carcasses of which are supplied to respondent by other persons for recapping or retreading on behalf of such persons and redelivering such retreaded or recapped tires to such persons.

(d) Any terms used in this Order that are defined in the Revised Tire Rationing Regulations shall have the meaning there given them.

(e) This Order shall become effective immediately and unless sooner terminated shall expire 12:01 A. M., September 27, 1942. (Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925); O.P.M. Supplementary Order M–15–c (6 F.R. 6792).)

Issued this 8th day of August 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42–7781; Filed, August 10, 1942; 5:09 p. m.]

[Order 13 Under Revised Price Schedule 64[1]—Domestic Cooking and Heating Stoves]

FLOYD-WELLS COMPANY

APPROVAL OF MAXIMUM PRICES

On May 8, 1942, Floyd-Wells Company, Royersford, Pennsylvania, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for two new models of coal ranges, designated in the application as Models 301–300 and 401–400.

Due consideration has been given to the application and an opinion issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Floyd-Wells Company may sell, offer to sell or deliver the following new model coal ranges at prices no higher than those specified:

	f. o. b. factory
Model 301–300	844.70
Model 401–400	53.70

subject to discounts, allowances and terms no less favorable than those in effect with respect to the maximum prices for the respective comparable models, 80–19 G–9 and 80–19 H–9, as established under Revised Price Schedule No. 64.

(b) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 13 shall become effective on the 12 day of August, 1942.

Issued this 11th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7820; Filed, August 11, 1942; 11:39 a. m.]

[1] 7 F.R. 1329, 1836, 2132.

WAR PRODUCTION BOARD.

[Certificate No. 8]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

The Attorney General:

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose Recommendation No. 48[1] of the Petroleum Coordinator for War, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

AUGUST 7, 1942.

[F. R. Doc. 42–7801; Filed, August 11, 1942; 10:41 a. m.]

[Certificate No. 9]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

THE ATTORNEY GENERAL:

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose Recommendation No. 41[1] of the Petroleum Coordinator for War, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

AUGUST 7, 1942.

[F. R. Doc. 42–7802; Filed, August 11, 1942; 10:41 a. m.]

[1] Not filed as part of the original document.

Belbrace

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THE NATIONAL ARCHIVES
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1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 159

Washington, Thursday, August 13, 1942

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4625]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

TIGER YARN COMPANY

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) using the word "tweed," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool; (2) using the word "Shetland," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool of Shetland sheep grown on the Shetland Islands or the contiguous mainland of Scotland; (3) using the term "Camel's Hair," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the camel; (4) using the word "Cashmere," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Cashmere goat; (5) using the word "Angora," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat; (6) using the word "Silk," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any material which is not composed entirely of silk, the product of the cocoon of the silkworm; and (7) using the unqualified word "Crepe," or any other descriptive term indicative of silk, to designate, describe, or refer to any product which is not composed entirely of silk, the product of the cocoon of the silkworm; prohibited; subject to the respective provisions, however, as respects aforesaid prohibitions, that in the case of a (1) product composed in part of wool and other fibers or materials, word "tweed" may be used as descriptive of the wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; (2) product composed in part of wool of Shetland sheep as hereinbefore set forth and in part of other fibers or materials, word "Shetland" may be used as descriptive of the Shetland wool content, subject to the qualification hereinbefore set forth; (3) product composed in part of the hair of the Camel and in part of other fibers or materials, term "Camel's Hair" may be used as descriptive of the Camel hair content, subject to the aforesaid qualification; (4) product composed in part of the hair of the Cashmere goat, word "Cashmere" may be used as descriptive of the Cashmere content, subject to the aforesaid qualification; (5) product composed in part of the hair of the Angora goat and in part of other fibers or materials, word "Angora" may be used as descriptive of the Angora content, subject to the aforesaid qualification; (6) product composed in part of silk, the product of the cocoon of the silkworm and in part of other fibers or materials, word silk may be used as descriptive of the part which is silk, the product of the cocoon of the silkworm, subject to the aforesaid qualification; and

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

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that (7) as respects use of word "Crepe," such word or descriptive term may be used truthfully to designate or describe the type of weave, construction or finish, if qualified by using in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words accurately describing the fibers or materials from which such product is made; and subject to the further proviso that no provision of order in question shall be construed as relieving respondent in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Tiger Yarn Company, etc., Docket 4625, August 5, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Importer:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.71 (a) *Neglecting, unfairly or deceptively to make material disclosure—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) advertising, offering for sale, or selling products composed in whole or in part of rayon without clearly disclosing such rayon content; and (2) using the word "Importer," or any other word or words of similar import and meaning, to designate, describe, or refer to respondent's business, or any portion thereof, or otherwise representing that respondent is an importer; prohibited, subject to provision as respects said first prohibition, that when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed; and subject to further proviso that no provision of order in question shall be construed as relieving respondent in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Tiger Yarn Company, etc., Docket 4625, August 5, 1942]

In the Matter of Benjamin Goldman, Individually and Trading as Tiger Yarn Company, Minnette Yarn Company, Bengo Yarn Shop, and Goldman's Yarn Shop

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 5th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief filed by counsel for the Commission, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Benjamin Goldman, an individual trading as Tiger Yarn Company, or Minnette Yarn Company, or Bengo Yarn Shop, or Goldman's Yarn Shop, or under any other name, his representatives, agents, or employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of knitting yarns in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "tweed," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool: *Provided, however*, That in the case of a product composed in part of wool and in part of other fibers or materials, such word may be used as descriptive of the wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

2. Using the word "Shetland," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool of Shetland sheep grown on the Shetland Islands or the contiguous mainland of Scotland: *Provided, however*, That in the case of a product composed in part of such wool and in part of other fibers or materials, such word may be used as descriptive of the Shetland wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

3. Using the term "Camel's Hair," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the camel: *Provided, however*, That in the case of a product composed in part of hair of the camel and in part of other fibers or materials, such term may be used as descriptive of the camel hair content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

4. Using the word "Cashmere," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Cashmere goat: *Provided, however*, That in the case of a product composed in part of hair of the Cashmere goat and in part of other fibers or materials, such word may be used as descriptive of the cashmere fiber content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

5. Using the word "Angora," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat: *Provided, however*, That in the case of a product composed in part of hair of the Angora goat and in part of other fibers or materials, such word may be used as descriptive of the angora fiber content if there are used in immediate connection or conjunction therewith, in letters of at least equal size conspicuousness, words truthfully describing such other constituent fibers or materials;

6. Using the word "Silk," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any material which is not composed entirely of silk, the product of the cocoon of the silkworm: *Provided, however*, That in the case of a material composed in part of silk, the product of the cocoon of the silkworm, and in part of other fibers or materials, such word may be used as descriptive of the content which is silk, the product of the cocoon of the silkworm, if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

7. Using the unqualified word "Crepe," or any other descriptive term indicative of silk, to designate, describe, or refer to any product which is not composed entirely of silk, the product of the cocoon of the silkworm: *Provided, however*, That such word or descriptive term may be used truthfully to designate or describe the type of weave, construction, or finish if such word is qualified by using in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words accurately describing the fibers or materials from which such product is made;

8. Advertising, offering for sale, or selling products composed in whole or in part of rayon without clearly disclosing such rayon content, and when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed.

9. Using the word "Importer," or any other word or words of similar import and meaning, to designate, describe, or refer to respondent's business, or any portion thereof, or otherwise representing that respondent is an importer.

It is further ordered, That respondent shall, within sixty (60) days after the service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

It is further ordered, That no provision of this order to cease and desist shall be construed as relieving respondent in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7847; Filed, August 12, 1942; 11:20 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Forwarders

PART 425—SETTLEMENT OF FREIGHT CHARGES

EXTENSION OF CREDIT FOR FREIGHT CHARGES ON FORWARDER FREIGHT BY FREIGHT FORWARDERS AND BY COMMON CARRIERS BY MOTOR VEHICLE

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 10th day of August, A. D. 1942.

It appearing, that Section 414 of Part IV of the Interstate Commerce Act, which is to become effective August 14, 1942, provides in part as follows:

In the case of service subject to this part, it shall be unlawful for a freight forwarder, or a common carrier by motor vehicle subject to part II of this Act whose services are utilized by a freight forwarder, to deliver or relinquish possession of property to the consignee named in the bill of lading, shipping receipt, or freight bill of the freight forwarder until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to govern the settlement of all such rates and charges and to prevent unjust discrimination or undue preference or prejudice: • • •;

It further appearing, that a committee representing freight forwarders has requested that such forwarders be permitted to apply, on and after August 14, 1942, and pending such formal investigation of the matter as may be instituted by the Commission, the same rules and regulations as those prescribed and now applicable to common carriers by motor vehicle in connection with service subject to Part II of said Act;

And it further appearing, That it is in the public interest that freight forwarders subject to Part IV of said Act and common carriers subject to Part II thereof, when their services are utilized by freight forwarders, should be permitted to extend credit in the settlement of freight charges for service subject to Part IV of said Act, and the Division so finding;

It is ordered, That the following rules and regulations shall take effect on August 14, 1942, and remain in force until further order of the Commission:

§ 425.1 *Credit for freight charges on forwarder freight by freight forwarders subject to Part IV of the Interstate Commerce Act and by common carriers by motor vehicle subject to Part II of that Act collecting charges for such forwarders.* The rules and regulations prescribed by order entered July 8, 1936, in Ex Parte MC 1, 2 MCC 365–378 (part 188 of this chapter), governing the extension of credit for freight charges by common carriers by motor vehicle in case of service subject to part II of the Interstate Commerce Act, shall apply on and after August 14, 1942, to freight forwarders subject to part IV of the Interstate Commerce Act and to common carriers by motor vehicle subject to part II of that act when collecting charges for such forwarders, in the case of service subject to part IV of that act.

And it is further ordered, That notice of this order be given to all freight forwarders subject to part IV, and, to all common carriers by motor vehicle subject to part II, of the Interstate Commerce Act and to the public by depositing copies of the order in the office of the Secretary of the Commission, Washington, D. C., and by filing with the Division of the Federal Register of the National Archives. (Sec. 414, 56 Stat. 296; 49 U.S.C. 1014)

By the Commission, division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-7853; Filed, August 12, 1942; 11:33 a. m.]

Chapter II—Office of Defense Transportation

[General Permit O.D.T. No. 17-13]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

CALL BACKS BY SERVICE OR REPAIR TRUCKS

In accordance with the provisions of General Order O. D. T. No. 17,[1] Title 49, Chapter II, Part 501, Subpart K, § 501.71,

It is hereby authorized, That:

§ 521.2889 *Call backs by service or repair trucks.* Notwithstanding the provisions of paragraph (b) of § 501.68 of General Order O.D.T. No. 17, any motor carrier when operating a motor truck engaged exclusively in the transportation of repair or service men and their supplies or equipment may make call backs with such truck. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678).

This General Permit shall become effective August 12, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 12th day of August 1942.

JOSEPH B. EASTMAN, *Director of Defense Transportation.*

[F. R. Doc. 42-7852; Filed, August 12, 1942; 11:32 a. m.]

[1] 7 F.R. 5678.

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

REVISION III, AUGUST 10, 1942

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), The Proclaimed List of Certain Blocked Nationals, Revision II of May 12, 1942, and Supplements 1, 2, 3, 4, and 5 thereto (7 F.R. 3867, 4222, 4639, 5545, 5970), are superseded by the following Revision III of the List, which is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.
D. W. BELL,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director,
Board of Economic Warfare.
J. C. ROVENSKY,
Acting Coordinator of Inter-American Affairs.

AUGUST 10, 1942.

GENERAL NOTES: (1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics. The List as herein consolidated and revised supersedes Revision II and Supplements 1, 2, 3, 4, and 5 thereto.

(2) No additions or deletions are made in this revision; however, changes of address and minor changes in spelling of names listed, etc., are made and are indicated by footnotes.

(3) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions:

If the title includes a full personal name, that is, a given name or initial and surname, the title is listed under the *surname*.

Personal-name prefixes such as *de, la, von*, etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cía.; Comp.
Compañía Anónima; C.A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S.A.; Soc. Anón.

(4) Addresses appearing after names on the List are not intended to exclude other addresses of the same firms or individuals. A listed name refers to all branches of the business in the country.

(5) Subsequent supplements to this revision will contain additions, deletions, and amendments.

(6) For the convenience of users, symbols are placed after each name on the List to indicate, by reference to the table below, the dates of the supplements or revisions in which the name first appeared or was amended. It has not been found practicable, however, to indicate here the dates of listings made between July 17, 1941, the date of the original list, and Revision I, dated February 7, 1942. Accordingly, names appearing previous to Revision I, and retained in that revision, are followed only by the symbol "I". Roman numerals refer to revisions, arabic numerals to supplements.

I	2–7–42	II	5–12–42
I–1	2–28–42	II–1	5–22–42
I–2	3–27–42	II–2	6–2–42
I–3	4–11–42	II–3	6–19–42
I–4	5–1–42	II–4	7–17–42
		II–5	7–31–42

PART I—LISTINGS IN AMERICAN REPUBLICS

ARGENTINA

A.E.G., Compañía Argentina de Electricidad S.A.[1]—Bernardo de Irigoyen 330, Buenos Aires, and all branches in Argentina. I; II–4.

Aachen y Munich, Compañía de Seguros.—Corrientes 330, Buenos Aires. I.

Abate, Ricardo.—Avenida Presidente Roque Sáenz Peña 501, Buenos Aires. I–2.

Accumulatoren-Fabrik A.G.—Cangallo 2629, Buenos Aires. I.

Aceros Poldi S. de R.L.—Jujuy 1926–42, Buenos Aires. I.

Aceros Roechling-Buderus S.A.—Bulnes 2593, Buenos Aires. I.

Aceros Schoeller-Bleckmann S. de R.L.—Defensa 324, Buenos Aires. I.

Aceros "Styria" S. de R.L.—Esparza 43, Buenos Aires. I.

Afa-Tudor-Varta S.A., Fábricas Renunidas de Acumuladores.—Cangallo 2629, Buenos Aires. I.

Agencia Burgos.—La Quiaca, Jujuy. I–4.

Agfa Argentina-Dr. Kurt Oppenheim y Cía.—Bernardo de Irigoyen 653, Buenos Aires. I.

Aiello de J. Carlos Armagnague, Casa J. Juan.—Bolivar 1828, Buenos Aires. I.

Air France.—Buenos Aires, and all branches in Argentina. I.

Amann, Eugenio.—Pampa 2975, Buenos Aires. I–1.

Amme, Giesecke y Konegen S. de R.L.—25 de Mayo 252, Buenos Aires. I.

Ando y Cía., S.—Defensa 540, Buenos Aires. I.

Anilina "Colibri".—Avenida Alvarez Thomas 1340, Buenos Aires. I.

Anilinas Alemanas S.A.—Salta 323–25, Buenos Aires, and all branches in Argentina. I.

Arai, Takao Soto.— I.

Arbolito, S. de R. L.—Chacabuco 430, Buenos Aires. II–4.

Argentina Comercial e Industrial de Pesquería, Cía.—Defensa 1597, Buenos Aires. I.

Argentina de Cereales y Algodón S.A., Cía.—Moreno 970, Buenos Aires. I.

Argentina de Comercio S.A., Cía.—Moreno 970, Buenos Aires. I.

Argentina de Fiscalizaciones y Mandatos, Cía.—Reconquista 336, Buenos Aires. I.

Argentina de Importación y Exportación S.A., Cía.—25 de Mayo 11, Buenos Aires. I.

Argentina de Mandatos, Cía.—Reconquista 134, Buenos Aires. I.

Argentina de Máquinas S. de R. L., Cía.—Reconquista 336 y Moreno 986, Buenos Aires. I.

Argentina de Motores "Deutz Otto" Legítimo S.A., Cía.—Pueyrredón 602, Buenos Aires, and all branches in Argentina. I.

Argentina Exportadora de Cereales S.A., Cía.—Corrientes 424, Buenos Aires. I.

"Argentina" Nueva Compañía General de Navegación S.A.[2]—% A. M. Delfino y Cía., Florida 439, Buenos Aires. I.

Argentine Sanitary Corporation.—25 de Mayo 158, Buenos Aires. I.

Argento, Mario.—Buenos Aires. I.

Armagnague, Casa J. Juan Aiello de J. Carlos.—Bolívar 1828, Buenos Aires. I.

"ARSACO" Argentine Sanitary Corporation.—25 de Mayo 158, Buenos Aires. I.

Asaya, Sukeye.—Bartolomé Mitre 559, Buenos Aires. II–1.

Aseguradora Argentina, Cía.—San Martín 233, Buenos Aires. I.

Asociación de Comerciantes Japoneses.—Corrientes 222, Buenos Aires. I.

Aurelio, Francisco.—Pavón 4068–70, Buenos Aires. II–5.

Aversa y Cía., Carlos.—Beazley 3651, Buenos Aires. II–3.

Baehne, Paul.—Cangallo 541 y Quesada 1919, Buenos Aires. II–1.

Baltzer, Werner.—Monroe 1378, Buenos Aires. I–1.

Banco Alemán Transatlántico.—Buenos Aires, and all branches in Argentina. I.

Banco di Nápoli.—Cangallo 332, Buenos Aires. I.

Banco Germánico de la América del Sud.—Buenos Aires. I.

Banque Française et Italiènne pour l'Amérique du Sud S.A.—Buenos Aires, and all branches in Argentina. I.

Barahona, Julio G.—Ayacucho 134, Buenos Aires. I–1.

Barbero, Luis.—Buenos Aires. I.

Barletta, Amadeo.—Buenos Aires. II–2.

Bauckhage y Cía.—José Uriburú 259, Buenos Aires. I.

Bayer S.A., La Química.—Cerviño 3101, Buenos Aires, and all branches in Argentina. I.

Baylon, Olindo.—Guido 1982, Buenos Aires. II–1.

Beiersdorf S. de R.L.—Rioja 1767, Buenos Aires. I.

Bekker, Werner.—Sarmiento 212, Buenos Aires. I.

Berg-Boulin, Peter.—Buenos Aires. I.

Bergdolt, Alberto.—Piedras 736–44, Buenos Aires. II–4.

Berger y Cía., S. de R.L., Curt.—25 de Mayo 386, Buenos Aires. I.

Bernhardt, Hans.—Azcuenaga 1360, Vicente López, F.C.C.A. I–4.

Beutelspacher, Ernesto.—Sarmiento 815, Buenos Aires. I–1.

Bianchi, Armando.—Lafuente 184, Buenos Aires. II–5.

Biester, Hans.—Lavalle 2057, Buenos Aires. I.

Bisleri, Argentina, S. de R.L.—Avenida de Mayo 1402, Buenos Aires. I–3.

[1] Not to be confused with C.A.D.E., Compañía Argentina de Electricidad S.A., Balcarce 184, Buenos Aires.

[2] Owners of S.S. *Buenos Aires*, S.S. *Comodoro Rivadavia*, and S.S. *Madryn*.

Bobbio & Castiglioni.—Sáenz Peña 105, Buenos Aires. I–3.

Bocklenberg, Paul.—Pampa 2975, Buenos Aires. I.

Boker y Cía., S. de R.L.—Moreno 437, Buenos Aires. I.

Bonacina y Cía.—Moreno 1423, Buenos Aires. I–3.

Bonnetti, Andrés.—Pringles 1327, Buenos Aires. I–2.

Bonomo, Francisco.—Lavalle 1977, Buenos Aires. II–5.

Bonomo Film.—Lavalle 1977, Buenos Aires. II–5.

Borchardt y Cía., S. de R.L.—Moreno 369, Buenos Aires. I–4.

Borelli, Oscar Ricardo.—Génova 669, Ciudadela, F.C.O., B.A. II–1.

Bosch, S.A., Robert.—Río Bamba 340–50, Buenos Aires. I.

Bose, Walter.—Sarmiento 459, Buenos Aires. I.

Bosenberg, Rodolfo.—Rivadavia 633, Buenos Aires. II–5.

Brandt, Gottfried (Dr.).—Obligado 1720, Belgrano, Buenos Aires. I–1.

Brandt y Cía., G. (Dr.).—Victoria 3101, Buenos Aires. I.

Brauhardt & Lützeler.—Tacuari 591, Buenos Aires. I.

Bromberg y Cía., S.A.C.—Moreno 970, Buenos Aires, and all branches in Argentina. I.

Bruggemann, Heinrich.—Aguero 1549, Buenos Aires. II–4.

Brugger, Fernando G.—Arcos 2070, Buenos Aires. I.

Brugues, Antonio.—Cerrito 330, Buenos Aires. I–4.

Brunner, Francisco.—Avenida de Mayo 1035 Buenos Aires. I.

Buchlein, Gerardo.—Florida 1065, Buenos Aires. I.

Buessau, Carlos.—Alsina 890, Buenos Aires. I.

Bunge, O. F.—Casilla 1458, Buenos Aires. I.

Burgos, F. Isaías.—La Quiaca, Jujuy. I–4.

Busso Hermanos.—Avenida Pellegrini 398, Rosario. I–3.

CPS (Correo Periodístico Sudamericano).—Buenos Aires. II–1.

"CADECA" Compañía Argentina de Cereales y Algodón S. A.—Moreno 970, Buenos Aires. I.

"CADECIN" Compañía Argentina de Comercio S. A.—Moreno 970, Buenos Aires. I.

"CADEFIMA" Compañía Argentina de Fiscalizaciones y Mandatos.—Reconquista 336, Buenos Aires. I.

"CADEMA" Compañía Argentina de Máquinas S. de R. L.—Reconquista 336 y Moreno 986, Buenos Aires. I.

Cafici y Cía., R.—Reconquista 542 y Rivadavia 3440, Buenos Aires. II–2.

Caille, Jorge.—Sarmiento 1401, Buenos Aires. I–2.

Caimi y Pozzi.—Rincón 226, Buenos Aires. I–1.

Calera Avellaneda S. A.—Bartolomé Mitre 226, Buenos Aires. I.

Camacho, Cristóbal.—Avenida de Mayo 869, Buenos Aires, 1–2.

Capano, Julio.—Méjico 628, Buenos Aires. I–2.

Carballo, Manuel.—Avenida Leandro N. Alem 1474 y 1510, Buenos Aires. II–2.

Carbonera, Buenos Aires S. de R.L.—Belgrano 752, Buenos Aires. I.

"CARDIMEX" Compañía Argentina de Importación y Exportación S. A.—25 de Mayo 11, Buenos Aires. I.

Carozzo Rolleri, Mario.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.

Cartonería e Imprenta "Oefinger".—Córdoba 5653, Buenos Aires. I–1.

Casa Artus.—Bolívar 853, Buenos Aires. II–3.

Casa Denk-Aceros "Boehler", S. de R.L.—Belgrano 550, Buenos Aires. I.

Casa "Don Juan".—Segurola 1101, Buenos Aires. I–1.

Casa Fehling.—Avenida Alvear 3154, Buenos Aires. I–1.

Casa Itoh.—San Martín 66, Buenos Aires. I.

Casa Mika S. de R.L.—Directorio 192–194, Buenos Aires. I.

"Casa Pareja".—Chiclana 3360, Buenos Aires. II–2.

"Casa Pass".—Carlos Pellegrini 61, Buenos Aires. II–2.

Casa Stolzenberg.—Reconquista 358, Buenos Aires. I–4.

Causa, José María.—Avenida de Mayo 580, Buenos Aires. I–3.

Cayani, Hugo Paoletti.—Bartolomé Mitre 311, Buenos Aires. I.

Cebral, Antonio.—Congreso 2287, Buenos Aires. II–4.

Chiesa, Elio.—Esmeralda 320, Buenos Aires. II–4.

Chingotto, Julio Raúl.—Casilla 878, Buenos Aires; and Avenida Teniente General Uriburú 618, Lanús. I.

Christiani, Hans.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Ciarlo, Agustín.—25 de Mayo 375, Buenos Aires. I.

Cilander, Augusto.—Simbrón 3328, Buenos Aires. I–1.

Cine Alvear.—Buenos Aires. I.

Cine Ideal Monroe.—Monroe 3245, Buenos Aires. II–4.

Clarfeld y Cía. Ltda., S.A., Federico.—Paseo Colón 746, Buenos Aires. I.

Clemens, Pedro.—Bartolomé Mitre 559, Buenos Aires. I.

Club del Libro A.L.A., Amigos del Libro Americano.—Carlos Pellegrini 1536, Buenos Aires. I.

Combescot, Jean.—Sarmiento 354, Buenos Aires. II–4.

Comercial de Ascensores Italianos Stigler Ltda., Cía.—San Martín 195, Buenos Aires. I.

Comino y Cía., Pablo.—Callao 35, Buenos Aires. I–4.

"COMPAREX" Compañía Argentina Exportadora de Cereales S.A.—Corrientes 424, Buenos Aires. I.

Cóndor Ltda., Sindicato.—Corrientes 330–332, Buenos Aires. I.

"Continental" Compañía Transantlática de Caoutchouc S.A.—Lavalle 1681, Buenos Aires. I.

Correo Periodístico Sudamericano.—Buenos Aires. II–1.

Coutinho, Caro y Cía.—San Martín 232, Buenos Aires. I.

DNB (Deutsches Nachrichtenbüro).—Buenos Aires. II–1.

Daarnhouwer, J. F.—Defensa 320, Buenos Aires. I.

Daido Baiki Kaisya Ltda.— I.

Dainesi, Julio.—Rosario, F.C.C.A. II–5.

Dainesi Hermanos.—Méjico 3240, Buenos Aires. II–5.

*Danela, Hugo.—Carlos Pellegrini 1100, Avellaneda, F.C.S., B.A. II–1; III.

Daponte y Cía., José (hijo).—Uspallata 2741, Buenos Aires. II–1.

de Azevedo, Horacio V.—Rivadavia 1757, Buenos Aires. I–2.

Delfino y Cía., A. M.[2]—Florida 439, Buenos Aires. I.

Denk, G., y Cía., Sociedad en Comandita Exclusividad de los Aceros "Boehler".—Belgrano 550, Buenos Aires. I.

Deutsche La Plata Zeitung.—Corrientes 672, Buenos Aires. I.

Deutsche Lufthansa A.G.—All branches in Argentina. I.

Deutsches Nachrichtenbüro.—Buenos Aires. II–1.

"Deutz Otto" Legítimo, S.A., Compañía Argentina de Motores.—Pueyrredón 602, Buenos Aires, and all branches in Argentina. I.

Dieringer, Otto.—Alsina 531, Buenos Aires. I–4.

Di Fiore, Nicolás Eduardo.—Corrientes 565, Buenos Aires. I–1.

Dillenius y Cía.—Libertad 40, Buenos Aires. I.

Di Toma, Nicolás.—Méjico 936, Buenos Aires. II–2.

Dornfeld, Guillermo F.—Corrientes 424, Buenos Aires. I.

Droguería Retienne.—Sarmiento 1127, Buenos Aires. I.

Ducati Argentina S. de R. L.—Lavalle 1675, Buenos Aires. I.

Duranona y Cía.—Alsina 1367, Buenos Aires. I.

Dyckerhoff y Widmann S.A.—Avenida Presidente Roque Sáenz Peña 700, Buenos Aires. I.

Edén La Falda S.A.—La Falda, F. C. C. N. A., Córdoba. I–2.

Editora Italo Argentina, S.A.—Tucumán 439, Buenos Aires. I–1.

Editorial Argentina S. de R. L.—Rivadavia 655, Buenos Aires. I.

Editorial La Mazorca.—Piedras 338, Buenos Aires. I–4.

Eisenwerk Wuelfel S. de R. L.—Alsina 971, Buenos Aires. 1.

"El Crisantemo".—Cerrito 1168, Buenos Aires. I–2.

"El Fénix Sudamericano" Compañía de Reaseguros. — Bartolomé Mitre 226, Buenos Aires. I.

"El Pampero".—Piedras 338, Buenos Aires. I.

Electra Ltda., Compañía de Representaciones de Responsabilidad Ltda.—5 de Julio 494, Buenos Aires. I.

Electro Metalúrgica Argentina S.A., Soc.—Camino a la Plata y Carlos Fiorito, Avellaneda; Belgrano 857, Buenos Aires; and all branches in Argentina. I–1.

Ellerhorst, Fernando. — Reconquista 336, Buenos Aires. II–5.

Endler, Walter.—25 de Mayo 347, Buenos Aires. I.

Engels y Cía., S. de R.L.—Chacabuco 430, Buenos Aires. I.

Erb, Emilio.—Vera 1034, Buenos Aires. I–1.

*Address added or changed with this revision.

[2] Owners of tugs *Almagro* and *San Martín*.

Erbslöh, Otto.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Erdmann, Hans.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Ernesto, Hugo.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Escuela Argentina Modelo.—Callao 1542, Buenos Aires. I–1.

Esso Standard Oil S.A.—Buenos Aires, and all branches in Argentina. I.

Estrada, Ricardo.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

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Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

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Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

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Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

Etchepare, Pedro, Sucesión de, Cía. Comercial Ganadera Inmobiliaria Financiera Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal Minera Marítima Fluvial Aérea Importadora Exportadora Comercial Industrial Agrícola Forestal.—Avenida Presidente Roque Sáenz Peña 637, Buenos Aires. I.

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Erba, S.A., Agencia Carlos.—Paseo Colón 329, Buenos Aires. I.

Establecimientos Iguazú, S. de R.L.—Herrera 2097–2111, Buenos Aires. I–4.

Establecimientos Klöckner Sociedad Anónima Industrial Argentina.—Belgrano 931, Buenos Aires. I.

"EXANOR" Exportadora Argentina Norteña S. de R.L.—Levalle 754, Avellaneda, F.C.S., B.A.; and Carlos Pellegrini 1100, Salta, F.C.C.N.A., B.A. II–5.

Exportadora Argentina Norteña S. de R.L.—Levalle 754, Avallaneda, F.C.S., B.A.; and Carlos Pellegrini 1100, Salta, F.C.C.N.A., B.A. II–5.

F.I.R.C.A., Fábrica e Instaladora para Refrigeración y Calefacción Argentina Sociedad de Responsabilidad Ltda.[1]—Rivadavia 719–23, Buenos Aires. I–4; III.

Faber "Lápices dos Martillos", Johann.—Victoria 1951, Buenos Aires. I.

Fábrica Argentina de Cierres Automáticos "De-Pe".—Marcos Sastre 3021, Buenos Aires. I–2.

Fábrica Argentina de Pólvora y Explosivos Dieterle S. de R.L.—Avenida del Carril 4435, Buenos Aires; and Sierras Bayas, F.C.S. II–3.

Fábrica de Acumuladores S.A.—Cangallo 2629, Buenos Aires. I.

Fábrica e Instaladora para Refrigeración y Calefacción Argentina Sociedad de Responsabilidad Ltda.—Rivadavia 719–23, Buenos Aires. I–4.

Fábrica de Jabones y Productos Químicos "El Puma".—Estados Unidos 176, Bahía Blanca. II–4.

Fábricas Reunidas de Utiles Sanitarios S.A.—Callao 1063, Buenos Aires. II–4.

Falhetty, Horacio.—Ovidio Lagos 1087, Rosario. I–1.

Fanal, S. de R.L.—Perú 139, Buenos Aires. I–2.

"FAPRO" Soc. de Resp. Ltda.—Reconquista 46, Buenos Aires. I.

Farma Platense S. de R.L.—Cavia 3333, Buenos Aires. I.

Farmacia Murray Florida.—Florida 501, Buenos Aires. I–2.

Federación de las Asociaciones de Exportadores e Importadores del Japón para la América del Sud.—Corrientes 330, Buenos Aires. I–1.

Fehling, Guillermo E.—Avenida Alvear 3154, Buenos Aires. I–1.

Feise, Herman.—Sarmiento 212, Buenos Aires. I.

Feldrape, Ernst.—Hotel Argentino, Río Gallegos. II–2.

Fenner-Achenbach, Rodolfo Arturo.—Buenos Aires. I.

Fernández Prado, Manuel.—Comodoro Rivadavia. II–4.

Ferretería Germania.—Perú 169, Buenos Aires. II–1; II–5.

Ferrostaal S. A.—25 de Mayo 145, Buenos Aires. I.

Fiat Argentina S. A.—Buenos Aires. I.

Financiera y Comercial Fuhrmann, S. A.—Herrera 2272, Buenos Aires. I.

Finger, Pablo.—Perú 375, Buenos Aires. I.

Fiocchi, José.—San Martín 195, Buenos Aires. I–3.

[1] Name changed with this revision from F.I.R.C.A., Fábrica e Instaladora para Refrigeración y Calefacción Argentina de Responsabilidad Ltda.

Fiocchi & Co.—San Martín 195, Buenos Aires. I–3.

First Pan American Mercantile Corporation, Argentina, S. de R. L.—Avenida Presidente Roque Sáenz Peña 917, Buenos Aires. I.

Fischer, Carlos M.—La Rural 158, Buenos Aires. I–2.

Fischer, Guillermo.—Independencia 980, Buenos Aires. I.

Fleischner, Erwin.—25 de Mayo y Sarmiento (Casilla 1062), Buenos Aires. I.

Fontán, Marcos José.—El Hornero 265, Buenos Aires. I–1.

Frasca, Felice (Dr.).—Bartolomé Mitre 311, Buenos Aires. II–4.

Frers, Pablo.—Reconquista 336, Buenos Aires. I.

Frers y Cía.—Segurola 1101, Buenos Aires. I–1.

Freund, Arturo.—Avenida San Martín 7161, Buenos Aires. II–4.

Freytag, Felix.—Avenida Presidente Roque Sáenz Peña 651, Buenos Aires. I.

Freytag, Werner.—Cerviño 3101 y Arenales 1987, Buenos Aires. I–3.

Friedrich, Alberto.—Bolivar 218, Buenos Aires. I.

Frohwein, Federico A.—Rivadavia 532 y Obligado 1720 (Casilla 883), Buenos Aires. I.

Frommhold, Humberto.—San Martín 66, Buenos Aires. I–4.

Fuhrmann, Sociedad Anónima Financiera y Comercial.—Herrera 2272, Buenos Aires. I.

Fukushima, Iwao.—Cerrito 1168, Buenos Aires. I–2.

Gamm e Hijo, J. E.—Sarmiento 385, Buenos Aires. I.

Gainza W., Luis.—La Quiaca. II–3.

Gando, Pedro.—Yerbal 2186, Buenos Aires. I–1.

Gangler, Camilio M. F.—Paseo Colón 285, Buenos Aires. I.

García, Germán.—French 2859, Buenos Aires. I–1.

García, Sánchez y Cía.—Belgrano 1441, Buenos Aires. I–4.

Garling y Cía.—Perú 375, Buenos Aires. I.

Gassauer, Emilio.—Melián 2050 (Casilla 1676), Buenos Aires. I–2.

Gavatelli, Renzo.—Río Bamba 905, Buenos Aires. I.

Gebauer, Frederick Henry.—Lavalle 442, Buenos Aires. I–2.

"Geco" Compañía Industrial y Comercial S.A.—Balcarce 615–21, Buenos Aires. I.

Gehrls y Cía., Otto.—Carlos Pellegrini 61, Buenos Aires. II–2.

Geisenhof, Arturo.—Lavalle 1530, Buenos Aires. I.

General de Construcciones S.A., Cía.—Avenida Presidente Roque Sáenz Peña 933, Buenos Aires. I.

General de Financiaciones S.A., Cía.—San Martín 66, Buenos Aires. II–3.

General de Obras Públicas S.A., Cía.—Bernardo de Irigoyen 330, Buenos Aires. I.

General Mármoles y Piedras de Italia S.A., Soc.—Brasil 71–73, Buenos Aires. I.

"GEOPE" Compañía General de Obras Públicas S.A.—Bernardo de Irigoyen 330, Buenos Aires. I.

Ghiringhelli, Celestino.—Buenos Aires. I.

Giacompol, José.—Cangallo 1570, Buenos Aires. I–2.

Giovanelli, Aquiles.—Salta 935, Buenos Aires. I.

Gleichentheil, Aloisio.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.

Gonçalves, Antonio.—Sarmiento 320, Buenos Aires. I–4.

González y Cía.[2]—Florida 501, Buenos Aires. I–2; I–4.

Gramm, Herbert.—Avenida de Mayo 1229, Buenos Aires. I–1.

Gran Cine Mitre.—Bartolomé Mitre 1332, Buenos Aires. II–2.

Gran Cine Teatro San Martín.—Buenos Aires. I.

Gran Edén Hotel.—La Falda, F.C.C.-N.A., Córdoba. I–2.

Grieco, José Andrés.—Esmeralda 320, Buenos Aires. II–4.

Grimm, R.—Juncal 1980, Buenos Aires. I.

Grote, Arturo.—San Martín 361, Paraná, Entre Ríos. I–2.

Gruen & Bilfinger S. de R.L.—San Martín 235, Buenos Aires. I.

Gual, Manuel Angel.—Piedras de Gales 2565, Remedios de Escalada, F.C.S. II–3.

Günther y Cía., Alfredo.—Balcarce 627 (Casilla 936), Buenos Aires. I.

Guthmann, Juan.—Callao 1984, Buenos Aires. I; II.

Haase, Alfonso.—Cochabamba 760, Buenos Aires. I–1.

Hamburg S.A. "La Plata" Line.—Florida 439, Buenos Aires. I.

Hara y Cía., N.—Belgrano 1470, Buenos Aires. I.

Hardt y Cía., Engelbert.—Corrientes 378, Buenos Aires. I.

Hartenstein, Wolf.—General Rodríguez 110, Lomas de Zamora. I–1.

Hartrodt y Cía., S. de R.L.—Lavalle 341, Buenos Aires. I.

Hasenclever y Cía.—Belgrano 673, Buenos Aires. I.

Hattori, Sadao.—Independencia 2650, Buenos Aires. I–1.

Hausner y Cía.—Perú 84, Buenos Aires. I.

Havero Trading Co. Ltda.—San Martín 296, Buenos Aires. I.

Hayd y Cía.—Carlos Calvo 708, Buenos Aires. I.

Heines, Sixta.—Bartolomé Mitre 3925, Buenos Aires. II–4.

Hellen y Cía.—Moreno 1259, Buenos Aires. I.

Hellmuth, Max.—Reconquista 390 y Corrientes 424, Buenos Aires. I–1.

Henschel e Hijos S.A.—25 de Mayo 145, Buenos Aires. I.

Herbener, Carlos O.—Cabildo 1268, Buenos Aires. I–1.

Herder, F. A. (sohn).—Viamonte 750, Buenos Aires. I.

Hilb, Roberto (Dr.).—Avenida Presidente Roque Sáenz Peña 457, Buenos Aires. I–3.

Hirota, Ichiro.—Chile 1029, Buenos Aires. I–1.

Hohner, M., Sociedad Anónima Comercial e Importadora.[3]—Alsina 1156, Buenos Aires. I.

Holste y Cía., Juan J.—Sarmiento 212, Buenos Aires. I.

[2] Not to be confused with R. H. González & Co., Cangallo 315, Buenos Aires.

[3] Formerly M. Hohner Ltda., S. de R.L.

Holzmann Monaco, Michel.—Avenida Quintana 386, Buenos Aires. I.

Homann, Heinrich.—San Isidro, F.C.-C.A. I–1.

Honda y Cía., Jiro.—Moreno 1320, Buenos Aires. I.

Horn, Francisco L.—Progreso 1436, San Martín, F.C.C.A. II–3.

Hosmann y Cía.—Corrientes 330, Buenos Aires. I.

Hoter, Guillermo.—J. Penna 929, Olivos, F.C.C.A. I; II–5.

I.L.S.A., Importazione Lane S.A.—San Martín 195, Buenos Aires. I.

Iida y Cía. Ltda., Takashimaya.—Rodríguez Peña 162, Buenos Aires. I.

Il Mattino D'Italia.—Tucumán 439, Buenos Aires. I–1.

"IMAP" Soc. de Resp. Ltda.—Sarmiento 212, Buenos Aires. I.

Importazione Lane (Biella), S.A.—Universidad 1025, Buenos Aires. I.

Importazione Lane S.A.—San Martín 195, Buenos Aires. I.

Imprenta Beu.—Moreno 369, Buenos Aires. I–4.

Imprenta Kuper.—Buenos Aires. II–5.

"Inag" Fábricas Reunidas de Utiles Sanitorios S.A.—Callao 1063, Buenos Aires. I.

"INDUNIDAS" Sociedad Anónima Mercantil de Industrias Unidas.—Azopardo 858, Buenos Aires. I.

Industrial y Mercantil Thyssen Ltda., Cía., "Thyssen-Lametal".—Belgrano 752, Buenos Aires, and all branches in Argentina. I.

Industrias Rurales en el Río Negro, S.A., de.—Paseo Colón 317, Buenos Aires. II–2.

Instituto Behring de Terapéutica Experimental, S. de R.L.—Intendente Tomkinson s/n, San Isidro, F.C.C.A. I–1.

Intercambio Comercial Americano.—Tucumán 536, Buenos Aires. I.

"Intergrafic". — Avenida Presidente Roque Sáenz Peña 651, Buenos Aires. I.

Isawa, Hiroshi.—Bartolomé Mitre 559, Buenos Aires. II–1.

Ishiy, Carlos C.—Bartolomé Mitre 341, Buenos Aires. I.

Itakura, Iwao.—Independencia 3693, Buenos Aires. II–3.

"Italcable" Compañía Italiana del Cavi Telegrafici Sottomarini S.A.—San Martín 318, Buenos Aires. I.

Italiana del Cavi Telegrafici Sottomarini S.A., "Italcable" Cía.—San Martín 318, Buenos Aires. I.

Italiana Lanera S.A., Cía.—San Martín 478, Buenos Aires. I.

"Italmar" Sociedad Anónima de Empresas Marítimas.—Avenida Presidente Roque Sáenz Peña 680, Buenos Aires. I.

"Italóptica".—Corrientes 571, Buenos Aires. I.

Iwai Argentina, S. de R.L.—Bartolomé Mitre 559, Buenos Aires. I–1; II–1.

Jurado, Pedro A.—Avenida Ing. Luis A. Huergo 729, Buenos Aires. I–3.

Kade, Federico.—Jaramillo 4141, Buenos Aires. I.

Kalmar, Hugo.—Maipú 429, Buenos Aires. I–3.

Kanematsu Rioplatense, S. de R.L.—Piedras 113, Buenos Aires. I; II–1.

Kast y Ehinger S. de R.L.—Metán 4146, Buenos Aires. I.

Kato, K.—Viamonte 624, Buenos Aires. I.

Kato Bussan Kaisha Ltda.—Sarmiento 643, Buenos Aires. I–1.

Katsuda y Cía.—Méjico 1474, Buenos Aires. I.

Kawai, Kingo.— I.

Kellerhoff, Carlos.—Santa Fe 1364, Rosario. I.

Kemper, Hubert.—Arenales 843, Buenos Aires. II–3.

Kern y Cía., Hugo.—Leandro N. Alem 643, Buenos Aires. II–5.

Kerstan, Werner Korth.—Venezuela 663 y Martínez 1934, Buenos Aires. II–1.

Ketelhohn Hermanos.—Bartolomé Mitre 311, Buenos Aires. I.

Kirchner, Erico.—Bartolomé Mitre 858, Buenos Aires. I–2; I–4.

Kirschbaum y Cía. S. en C.—Independencia 401, Buenos Aires, and all branches in Argentina. I.

Kirschen, Armand.—Diagonal Sud 570, Buenos Aires. II–2.

Klein, Otto.—25 de Mayo 158, Buenos Aires. I.

Konig, Juan.—Sarmiento 459, Buenos Aires. I.

Konrad, Alberto.—Corrientes 424 y Reconquista 390, Buenos Aires. I–3.

"Kores" Soc. de Resp. Ltda.—Bolívar 825, Buenos Aires. I.

Korner, Carlos.—Avenida Presidente Roque Sáenz Peña 651, Buenos Aires. I.

Korth y Cía., Juan.—Venezuela 663, Buenos Aires. I.

Krapf, José.—Libertad 565, Buenos Aires. I–2.

Krapf, Otto.—Libertad 565, Buenos Aires. I–2.

Krapf y Cía.—Libertad 565, Buenos Aires. I–2.

Kreuz, Carlos.—25 de Mayo 158, Buenos Aires. I.

Kreuz y Cía.—25 de Mayo 158, Buenos Aires. I.

Kropp, Sociedad Colectiva, R. & H.—Venezuela 1782, Buenos Aires. I–3.

Kruger, Luis.—Estancia San Juan, Estación Tres Sargentos, F.C.C.G., B.A. I.

"Krupp" Sociedad Metalúrgica Argentina S.A.—Sarmiento 329, Buenos Aires. I.

Kumasaka, Seishiro.—Guayaquil 87, Buenos Aires. I–1.

Künstler e Hijos, Carlos.—Sarmiento 1411, Buenos Aires. I.

Kuperschmid, Guillermo.—Bolívar 1268, Buenos Aires. II–5.

Kuwahara, Kiyozo.—Buenos Aires. I.

Kuribayashi, Yohiji.—Avenida Roque Sáenz Peña 832, Buenos Aires. II–3.

Kyburg, Bernardo L.—Perú 375, Buenos Aires. I.

Kyburg, Luis.—Perú 375, Buenos Aires. I.

L.A.T.I., Linhas Aéreas Transcontinentaes Italiana S.A.—Buenos Aires. I.

La Agencia Domei.—Buenos Aires. II–1.

La Agencia Euroamérica.—Buenos Aires. II–1.

La Agencia Stefani.—Buenos Aires. II–1.

[4] La Ferretería Alemana.—Sarmiento 1401, Buenos Aires, and all branches in Argentina. I; III.

[4] Address added or changed with this revision.

"La Germano-Argentina" Compañía de Seguros.—Maipú 262, Buenos Aires. I.

"La Gran China".—Sarmiento 740, Buenos Aires. I.

"La Holandesa".—Cangallo 868, Buenos Aires. II–5.

"La Internacional" Compañía de Seguros.—Corrientes 330, piso 6°, Buenos Aires. II–3.

"La Maison Saturna".—Juncal 776, Buenos Aires. I–2.

La Mannheim, Compañía de Seguros.—Corrientes 330, Buenos Aires. I.

La Plata Ozalid, S. de R.L.—Piedras 825, Buenos Aires. I–3.

La Plata Post.—Corrientes 672, Buenos Aires. I–1.

"La Porteña" Empresa de Remolcadores.[1]—c/o A. M. Delfino y Cia., Florida 439, Buenos Aires. I.

"La Protectora", Compañía de Seguros.—Corrientes 330, Buenos Aires. I–4.

"La Querencia" S.A., Compañía Inmobiliaria y Financiera.—Bernardo de Irigoyen 330, Buenos Aires. I–1.

La Química Bayer S.A.—Cerviño 3101, Buenos Aires, and all branches in Argentina. I.

La Serica Platense, S. de R.L.—Moreno 1423, Buenos Aires. I–3.

La Unión Bulonera Argentina, S. de R.L.—Almafuerte 475, Avellaneda. I–3.

Laboratorio Químico Biológico S.A.—Mónroe 1378, Buenos Aires. I.

Laborda, Manuel J.—Lavalle 90J, Buenos Aires. I–1.

Lacasia, José Pablo.—Cangallo 1570, Buenos Aires. I–2.

Lahusen y Cía., Ltda.—Paseo Colón 317, Buenos Aires. I.

Lange, Otto.—Bolívar 218, Buenos Aires. I

Lanz, Werner.—Gazcón 352, Buenos Aires. II–1.

Lapaco, Arcadio.—Castillo 1533, Buenos Aires. I.

Larssen, H. W.—Bolívar 218, Buenos Aires. I.

Larssen, Henry Gualterio.—Bolívar 218, Buenos Aires. I.

Leeb, Curt H.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.

Leineweber y Cía.—Sarmiento 740, Buenos Aires. I.

Leisse y Cía.—Chacabuco 390, Buenos Aires. I.

Lenger, Ferdinand.—Bartolomé Mitre 1265 y Cevallos 411, Buenos Aires. I.

Lentz, G.—Quilmes. I.

Lentz, Wolf.—Sarmiento 459, Buenos Aires. I.

"Librería Alemana."—Sarmiento 328, Buenos Aires. I–3.

Librería "La Cultura".—San Martín 361, Paraná, Entre Ríos. I–2.

Liebl, José.—Marcos Sastre 3021, Buenos Aires. I–2.

Linhas Aéreas Transcontinentaes Italiana S.A.—Buenos Aires. I.

Linificio e Canapificio Nazionale S.A.—Avenida Presidente Roque Sáenz Peña 825, Buenos Aires. I.

Lloyd Norte Alemán.—25 de Mayo 267, Buenos Aires. I.

[1] Owners of tugs *Atleta, Ciclope, Coloso, Gigante, Hércules,* and *Titan;* tug and salvage steamer *Goliat;* and salvage steamer *Samson.*

Lohmann, Otto W.—Alsina 2478 y Córdoba 5653, Buenos Aires. I; II–5.
Lohmann & Walther.—Córdoba 5653, Buenos Aires. I–1.
López, Félix.—Casilla 2434, Buenos Aires. I.
López, J. Mario.—25 de Mayo 140, Buenos Aires. I–1.
López Rojas, Juan.—Corrientes 565, Buenos Aires. II–1.
Loray, José.—Lavalle 416, Buenos Aires. II–5.
Lynen, Gustavo.—Etados Unidos 176, Bahía Blanca. II–4.
Mackenzie Ltda., S. de R.L.—Avenida Presidente Roque Sáenz Peña 547, Buenos Aires. I–3.
Malagamba, Francisco.—Cangallo 315, Buenos Aires. I–2.
Malvar, José.—Defensa 119, Buenos Aires. I–1.
Mammes, Bernhard.—Alsina 2196, Buenos Aires. I–4.
Mampoy, Julio.—Lavalle 341, Buenos Aires. I.
Mancasola, Teodoro.—Juncal 3453, Buenos Aires. I–3.
Mang, Erwin.—25 de Mayo 347, Buenos Aires. I–1.
Mannesmann Ltda., Sociedad Tubos.—Belgrano 327, Buenos Aires, and all branches in Argentina. I.
Manuello y Cía.—Callao 1553, Rosario. II–3.
Marelli Motores S.A.—Callao 353, Buenos Aires, and all branches in Argentina. I.
Markstahler, Carlos Federico.—Avenida Leandro N. Alem 1474 y 1510, Buenos Aires. II–2.
Marsan S.A., Guido Ajmone.—Herrera 2272, Buenos Aires. I.
Martens, Thilo.—25 de Mayo 267, Buenos Aires. I.
Martens y Cía. S. de R.L.—25 de Mayo 267, Buenos Aires. I.
Martínez, Manuel.—Corrientes 330, Buenos Aires. I–1.
Maubach, Guillermo.—Sarmiento 381, Buenos Aires. I.
Mayer & Magnus S. de R.L.—Leandro N. Alem 168, Buenos Aires. I.
Mayrhofer y Cía., S. de R.L., Ludóvico.—Pueyrredón 930, Buenos Aires. I.
Mehr, Hugo.—Sarmiento 459, Buenos Aires. I.
Meldon Export Corporation.—San Martín 50, Buenos Aires. I.
"Mercedes-Benz" Automóviles.—Avenida General Alvear 2620, Buenos Aires. I.
Merck Química Argentina S.A.—Roseti 1084, Buenos Aires. I.
Mertig, Roberto.—Serrano 1818 y Callao 45–61, Buenos Aires. I.
Mesquera, Pascual Pino.—O'Higgins 1577, Buenos Aires. I.
Metzinger & Schinkel.—Alsina 1367, Buenos Aires. I.
Meyer Cía., Ltda., L.D.—Paseo Colón 301, Buenos Aires. I.
Meyer y Cía. S.A.C., Diego.—Corrientes 330, Buenos Aires; Avenida San Martín 222, Bahía Blanca; and all branches in Argentina. II–1.
Mezger, Alberto.—Chacabuco 430, Buenos Aires. II–4.
Mieth, Germán.—Bartolomé Mitre 2224, Buenos Aires; and Constitución 750, Haedo. I–4.
Milani, Tomaso.—Buenos Aires. II–1.
Millinghausen, Guillermo.—5 de Julio 489, Buenos Aires. I.
Mimoto, S.—Presidente Roque Sáenz Peña 616, Buenos Aires. I–1.
Miniño, Juan.—Chacabuco 1553, Buenos Aires. I.
Miramatsu, T.—Avenida Presidente Roque Sáenz Peña 995, Buenos Aires. I.
Mitsubishi Argentina S. de R.L.—Avenida Presidente Roque Sáenz Peña 832, Buenos Aires. I.
Mitsui Bussan Kaisha.— I.
"Monopol" Ltda., S. de R.L.—Médanos 1328–30 y Maturín 2666, Buenos Aires. I.
Montagna, Luis.—Bolívar 535, Buenos Aires. I.
Moreda, Juan.—Bolívar 238, Buenos Aires. II–5.
Moreira, Juan Carlos.—Cangallo 559, Buenos Aires. II–4.
Morikawa, Jojuro.—Chile 332, Buenos Aires. II–3.
Morishita, Harunoshin.—Piedras 611, Buenos Aires. II–5.
Morisita, Juan.—Piedras 611, Buenos Aires. II–5.
Morseletto, S.A., Establecimientos Metalúrgicos.—Helguera 1481, Buenos Aires. I–1.
Motores Diesel Modaag Sendling S. de R.L.—Perú 707, Buenos Aires. I.
Motte, Otto.—Buenos Aires. I–1.
Motte y Cía., Ltda., Sociedad Anónima Comercial e Importadora, Otto.—Córdoba 1467, Buenos Aires. I.
Muchall, Juan.—Victoria 561, Buenos Aires. I–1.
Mühlenberg, F.—Lavalle 350, Temperley, F.C.S. I.
Muller, Juan Pablo Eberhard.—Alberti 374 y Metán 4176, Buenos Aires. II–5.
Murai, Taro.—Maipú 463, Buenos Aires. I.
"Naaki" Soc. de Resp. Ltda.—Sarmiento 212, Buenos Aires. I.
Nagrassus, Federico A.—Lavalle 428, Buenos Aires. I.
Nagrassus y Cía., Emilio.—Reconquista 358, Buenos Aires. I–4.
"Nambei" Compañía de Importación y Exportación S.A.—San Martín 379, Buenos Aires. I.
Nebiolo, S.A.—Paseo Colón 542, Buenos Aires. I.
Neddermann, Rodolfo.—Ramón B. Castro 601 (Casilla 499), Buenos Aires. II–2.
Nehab & Winter.—Santiago del Estero 386, Buenos Aires. I–4.
Nellen y Cía.—Azopardo 1271, Buenos Aires. I–1.
Niebuhr, C. Ernesto (Dr.).—Reconquista 336, Buenos Aires. I–1.
Nishizawa, Takeo.—Buenos Aires. I.
Nobel y Naumann.—25 de Mayo 145, Buenos Aires. I.
Noss, Augusto.—Alsina 531, Buenos Aires. I.
Oberst, Herman.—Rodríguez Peña 530, Buenos Aires. I.
Oberst, Pedro.—Rodríguez Peña 530, Buenos Aires. I.
Oberst Hnos.—Rodríguez Peña 530, Buenos Aires. I.
"Obimare" Soc. de Resp. Ltda.—25 de Mayo 11, Buenos Aires. I.
"OCA" Organizacion Cinematográfica Argentina.—Rodríguez Peña 190 y Cangallo 439, Buenos Aires. II–5.
Oehley, Max.—Alsina 971, Buenos Aires. II–4.
Oficina de Turismo del Japón.—Florida 746, Buenos Aires. I–1.
Ogawa, I.—Jujuy 136, Buenos Aires. I–1.
Ohno, K.— I–1.
Okamoto, Hidenosuke.— I.
Olivetti Argentina Sociedad Anónima Comercial e Industrial.—Florida 677, Buenos Aires. I.
Omura, M.—San Martín 235, Buenos Aires. I.
Oppenheim y Cía., Dr. Kurt – Agía Argentina.—Bernardo de Irigoyen 653, Buenos Aires. I.
Orbis, Sociedad Anónima Industrial Metalúrgica.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Orduvini, Augusto H.—Bernardo de Irigoyen 330 y Santa Fe 3936, Buenos Aires. I.
Orenstein & Koppel S.A.—San Martín 66, Buenos Aires. I.
Organización Cinematográfica Argentina.—Rodríguez Peña 190 y Cangallo 439, Buenos Aires. II–5.
Ortkras, Germán.—Avenida Alvarez Thomas 1340, Buenos Aires. I.
Osaka Syosen Kabusiki Kaisya–Compañía Japonesa de Navegación.—Avenida Presidente Roque Sáenz Peña 616, Buenos Aires. I.
Oses, Enrique.—Buenos Aires. I.
"Osram" Compañía Argentina de Lámparas Eléctricas S.A.—Luca 2251, Buenos Aires, and all branches in Argentina. I.
Ottonello y Cía.*—Corrientes 4757, Buenos Aires. I–4.
Oubiña y Cía.—Corrientes 424, Buenos Aires. I–1; I–2.
Pabstmann, Teodoro.—Paseo Colón 520, Buenos Aires. I.
Palanza, Augusto (Dr.).—Cangallo 1570, Buenos Aires. I–2.
Pallavicini y Cía., S.A.C., E.—Moreno 970, Buenos Aires. I.
Pando, Gonzalo.—Moreno 970, Buenos Aires. II–3.
Pappier, F.—Bahía Blanca. I.
Pareja, Compañía Argentina de Hierros y Aceros, Sucesión de José.—Chiclana 3360, Buenos Aires. II–2.
Patow y Cía.—Venezuela 131, Buenos Aires. I.
Pawlowski, Juan.—Bartolomé Mitre 1265, Buenos Aires. I.
Pazcazzi, Antonio.—Laprida 888, Rosario. I–1.
Pazcazzi, Joaquín.—Laprida 888, Rosario. I–1.
Pellegrini y Cía., Clemente.—Carlos Pellegrini 1536, Buenos Aires. I.
Pereira, Manuel.—Casilla 355, Buenos Aires. I; II–5.
Perfumerias Tosca, S.A.—Blanco Encalada 3145, Buenos Aires. II–5.
Perimar S. de R.L.—Avenida Presidente Roque Sáenz Peña 1119, Buenos Aires. II–5.
Pesci, Remo.—Juan de Garat 2260, Olivos. I.
Pfeifer & Huber.—José E. Uriburú 746, Buenos Aires. I–2.
Phoenix Shipping Co., Argentina, S. de R.L.—25 de Mayo 158, Buenos Aires. I.
Pieper & Otto.—Moreno 451, Buenos Aires. I–4.

*Not to be confused with Ottonello Hermanos y Cía., Perú 330, Buenos Aires.

Pierini, Américo.—Ayacucho 134, Buenos Aires. I–1.
Pino, Pascual.—O'Higgins 1577, Buenos Aires. I.
Pinturería Leidi.—Libertad 565, Buenos Aires. I–2.
Platense de Electricidad Siemens-Schuckert S.A., Cía.—Avenida de Mayo 869, Buenos Aires, and all branches in Argentina. I.
Potrykus, Wladislaus.—Avenida Presidente Roque Sáenz Peña 615, Buenos Aires. I–1.
Pouldji, Miguel Eduardo.—Chile 1477, Buenos Aires. I.
Prescher, Carlos.—Humberto I 1739, Buenos Aires. I–2.
Produmet Argentina.—Avenida Quintana 386, Buenos Aires. I.
Química Importadora y Exportadora, Sociedad Comercial y Industrial de Responsabilidad Ltda.—Gazcón 352, Buenos Aires. II–1.
Química Schering S.A.—Monroe 1378, Buenos Aires. I.
Racca, Angel.—Rosario. I–1.
Racca, Edgardo.—Rosario. I–1.
Rademacher y Cía., W.—25 de Mayo 145, Buenos Aires. I.
"Radio Corporación Italo Americana".—Méjico 936, Buenos Aires. II–2.
Ranger, Jacobo.—Puerto Monte Carlo, Misiones. I–4.
Ranieri, Amilcar.—Lavalle 1977, Buenos Aires. II–5.
Rappard, Gustavo A.—San Martín 232, Buenos Aires. I.
Reinhold, F.—Casilla 2034, Buenos Aires. I.
Reinke, Gustavo.—Bolívar 144, Buenos Aires. I.
Reiser, Engelbert.—Avenida Alcorta 3733, Buenos Aires. II–2.
Retienne S. en C., Eduardo.—Sarmiento 1127, Buenos Aires. I.
Rheinmetall-Borsig Compañía Argentina de Máquinas S. de R.L.—25 de Mayo 375, Buenos Aires. I.
"Rhodius" Sociedad Anónima Comercial y Financiera.—Reconquista 336, Buenos Aires. I.
Rhodius y Cía.—Avenida de Mayo 560, Buenos Aires. I.
"Ribereña del Plata" Compañía Sudamericana de Comercio S.A.—Avenida de Mayo 869, Buenos Aires, and all branches in Argentina. I.
Ricordi Americana, Sociedad Anónima Editorial y Comercial.—Cangallo 1570, Buenos Aires. I–2.
Riedel y Lavalle S. de R.L.—Lavalle 2666–68, Buenos Aires. I.
Rihaco, S. de R.L.—Belgrano 1470, Buenos Aires. I–4.
Rimpler, Félix Máximo.—Avenida Leandro N. Alem 1474 y 1510, Buenos Aires. II–2.
Roediger, Rodolfo.—Perú 707, Buenos Aires. I.
Roemmers y Cía., Alberto J.—Antequera 1165, Buenos Aires. I.
"Rolaf".—Avenida San Martín 7161, Buenos Aires. II–4.
Runze, Artur.—Chile 1477, Buenos Aires. I.
Rural Los Cerros de San Juan y Cochicó S.A., Cía.—Cangallo 546, Buenos Aires; and Calle No. 7, La Plata, F.C.S. II–2.
S.A.T.I., Sociedad Anónima Tabacchi Italiani.—Alberti 40, Buenos Aires. I.
S.E.B.A., Servicio Envios Buenos Aires, Compañía Argentina de Representaciones.—Cangallo 541, Buenos Aires. I.
S.E.M.A., Sociedad Electro Metalúrgica Argentina S.A.—Camino a la Plata y Carlos Fiorito, Avellaneda; Belgrano 857, Buenos Aires; and all branches in Argentina. I–1.
Salado, Luis.—General Lavalle 754–56, Avellaneda; and Carlos Pellegrini 1100, Salta. I–3.
Salado y Cía.—General Lavalle 754–56, Avellaneda; and Carlos Pellegrini 1100, Salta. I–3.
Salerno Hermanos.—Matheu 1553, Buenos Aires. I–3.
Sandmann, Kurt.—Avenida de Mayo 1370, Buenos Aires. I.
Savelsbergh y Cía., José.—Buenos Aires. I.
Schaack, Luis R.—Victoria 1951, Buenos Aires. I.
Scharf & Velten S. de R.L.—Alsina 1871, Buenos Aires. I.
Schering, S.A., Química.—Monroe 1378, Buenos Aires. I.
Schinkel, John.—Alsina 1367, Buenos Aires. II–3.
Schmidt, C.A.D.—Pino 3502, Buenos Aires. I.
Schmidt, Neithold.—Libertad 1358, Buenos Aires. I.
Schmidt, Ricardo.—Adrogue, F.C.S., B.A. II–5.
Schreiterer, Julio.—Paseo Colón 317, Buenos Aires. II–2.
Schubert, Victor.—Bernardo de Irigoyen 330, Buenos Aires. I.
Schulz, Pablo.—Avenida Presidente Roque Sáenz Peña 651, Buenos Aires. I.
Schulze, Otto.—Sarmiento 459, Buenos Aires. I.
Schumann, Ella Emma Kaufmann de.—Avenida Leandro N. Alem 1474 y 1510, Buenos Aires. II–2.
Schumann, Walter.—Avenida Leandro N. Alem 1474 y 1510, Buenos Aires. II–2.
Schumann y Cía. S. de R.L., W.—Avenida Leandro N. Alem 1474 y 1510, Buenos Aires. II–2.
Schweizer & Malvar.—Defensa 119, Buenos Aires. I–1.
Schwippert, Casa Arturo.—Bolívar 853, Buenos Aires. II–3.
Seculi, Gahn y Cía.—General Mitre 1563, Rosario. II–3.
Sedas Gutermann S.A.—Gutiérrez 3972, Buenos Aires. I.
Seifert & Co.—25 de Mayo 145, Buenos Aires. I.
Servicio Aéreos Cóndor Ltda.—Corrientes 330–336, Buenos Aires. I–2.
Servicio Envios Buenos Aires, Compañía Argentina de Representaciones.—Cangallo 541, Buenos Aires. I.
Seufer, Emilio.—Corrientes 550, Buenos Aires. I–1.
Shimazu, S.—Piedras 113, Buenos Aires. I.
Shimozato, Minosuke.—Avenida Roque Sáenz Peña 616, Buenos Aires. I–1; II–1.
Shore, León.—Bartolomé Mitre 3927, Buenos Aires. I–4.
Siderúrgica Panamérica Inc., Cía.—Paseo Colón 285, Buenos Aires. I.
Siemens y Halske A.G.—Buenos Aires. I.
Siemens-Bauunión Compañía Platense de Construcciones S.A.—Avenida de Mayo 869, Buenos Aires. I.
Siemens-Schuckert S.A., Compañía Platense de Electricidad.—Avenida de Mayo 869, Buenos Aires, and all branches in Argentina. I.
Sigmaringo, Eduardo F.—Avenida Presidente Roque Sáenz Peña 501, Buenos Aires. II–4.
Sindermann, Hans.—Alsina 675, Buenos Aires. II–5.
Sindicato Cóndor Ltda.—Corrientes 330–332, Buenos Aires. I.
Sommer, Rodolfo Carlos.—San Martín 66, Buenos Aires. II–3.
Sommer, E. R. & R. C.—San Martín 66, Buenos Aires. II–3.
Soteras y Cía., S. de R.L., Camilo.—Avenida Castañares 1435, Buenos Aires. II–2.
Soucek, Adalberto.—25 de Mayo 347, Buenos Aires. I; II.
Spahr, Carlos.—Buenos Aires. I–1.
Springer, C. W.—Avenida Montes de Oca 1015, Buenos Aires. I.
Springer y Möller S.A.—Zepita 3177, Buenos Aires. I.
Starke, E. G.—Rincón 477, Buenos Aires. I.
Staudt y Cía., S.A.C.—Bernardo de Irigoyen 330, Buenos Aires, and all branches in Argentina. I.
Steenhus y Cía., C.—Reconquista 336, Buenos Aires. I.
Steinhorst, George.—Avenida Presidente Roque Sáenz Peña 530, Buenos Aires. I.
Stinnes, Ltda., Sociedad Anónima Comercial e Industrial, Hugo.—25 de Mayo 145, Buenos Aires. I.
Stinnes Marítima S.A., Hugo.—25 de Mayo 145, Buenos Aires. I.
Storz, Carlos W.—Tucumán 839, Buenos Aires. I.
Strohschnitter y Cía.—Cangallo 315, Buenos Aires. I.
Suárez, Victor.—Juncal 3453, Buenos Aires. I–3.
Sucesores Muchall y Cía.—Avenida Presidente Roque Sáenz Peña 530, Buenos Aires. I.
Suda, Kenkichi.—Bartolomé Mitre 559, Buenos Aires. I–1; II–1.
"Sudamsteel" Soc. de Resp. Ltda.—Sarmiento 459, Buenos Aires. I.
Suematsu, Daizaburo.—Bartolomé Mitre 559, Buenos Aires. II–1.
TO (Transocean).—Buenos Aires. II–1.
T.A.E.M., Talleres Argentinos Electro-Mecánicos.—Belgrano 752, Buenos Aires. I–3.
Taacks, Walter.—25 de Mayo 140 (Casilla 1326), Buenos Aires. I–2.
Tabacchi Italiani, S.A.—Alberti 40, Buenos Aires. I.
Takashimaya, Iida y Cía., Ltda.—Rodríguez Peña 162, Buenos Aires. I.
Takeuchi, Y.—Avenida Presidente Roque Sáenz Peña 995, Buenos Aires. I.
Takinami, B.—Victoria 2702, Buenos Aires. I.
Talleres Argentinos Electro-Mecánicos.—Belgrano 752, Buenos Aires. I–3.
Talleres Fotograbado "El Lucero" S. de R.I.—Piedras 346, Buenos Aires. II–3.
Talleres Gráficos Bodonia S.A.—Tucumán 439, Buenos Aires. II–1.

Tanke, C. G.—Leandro N. Alem 2160, Buenos Aires. I.
Taufer, Willy.—Perú 169, Buenos Aires. II–1.
Taufer Hermanos.—Perú 169, Buenos Aires. II–1.
Tausch, Máximo.—Callao 53–61 y Serrano 1818, Buenos Aires. II–5.
Teatro American Palace.—Córdoba 1785, Buenos Aires. II–1.
Teatro Belgrano.—Calles San Martín y San Juan, Rosario. I–1.
Teatro Cineac.—Corrientes 565, Buenos Aires. II–1.
Teloni, Gaetano.—San Martín 66, Buenos Aires. II–1.
Thomae, Federico Otto Heinrich.—Belgrano 530, Buenos Aires. I.
Thorhauer y Cía.—Martín Rodríguez 1140, Buenos Aires. I.
"Thyssen-Lametal" Compañía Industrial y Mercantil Thyssen Ltda.—Belgrano 752, Buenos Aires, and all branches in Argentina. I.
Tiberia Film.—Lavalle 1977, Buenos Aires. II–5.
Tjarks & Co., Hermann.—Corrientes 672, Buenos Aires. I.
Tobías, Julius.—Corrientes 4910, Buenos Aires. I–1.
Tolentino, Gino.—San Martín 195, Buenos Aires. II–1.
Tonetti, Andrés.—City Hotel, Buenos Aires. I–2.
Trabanco, Aquilino.—Bernardo de Irigoyen 15, Buenos Aires. I.
Trabanco, Casa A.—Bernardo de Irigoyen 15, Buenos Aires. I.
Transatlántica de Caoutchouc S.A., "Continental" Cía.—Lavalle 1681, Buenos Aires. I.
"Transocean" Agencia Noticiosa.—Buenos Aires. I.
Treusch, Alberto.—Bolívar 218, Buenos Aires. II–5.
Trombauer, Alberto.—Reconquista 336, Buenos Aires. I.
Trombino, Guillermo C.—Esmeralda 191, Buenos Aires. I.
Tsuji, S.—Chile 299, Buenos Aires. I.
Tsukamoto, T.—Sarmiento 643, Buenos Aires. I–1.
Tubos Mannesmann Ltda., Soc.—Belgrano 327, Buenos Aires, and all branches in Argentina. I.
U.F.A. Universans Film Aktiengesellschaft.—Lavalle 2057, Buenos Aires. I.
Uhlitzsch y Cía.—Cramer 1376, Buenos Aires I–1.
"Unitas" Compañía Financiera Argentina S.A.—Bernardo de Irigoyen 330, Buenos Aires. I–1.
Valcarenghi, Guido.—Cangallo 1570, Buenos Aires. I–2.
Valdani, Víctor.—Tucumán 439, Buenos Aires. I–1.
Van der Velde, Otto.—Sarmiento 459, Buenos Aires. I.
Van der Velde y Cía., Otto.—San Martín 235, Buenos Aires. I.
Van der Velde y Wraage S. de R.L.—Sarmiento 459, Buenos Aires. I.
Van Rossum, Ernesto.—Santiago del Estero 532, Buenos Aires. I–4.
Van Rossum, Juan M.—Santiago del Estero 532, Buenos Aires. I–4.
Vendemiati, Pablo.—Lavalle 1118, Buenos Aires. II–4.
Vigo, Luis Gerónimo.—Cangallo 868, Buenos Aires. II–5.
Vilallonga, Fermín.—Solís 206 y Cangallo 362, Buenos Aires. II–5.
Viscosa Platense, S.A.—Avenida Presidente Roque Sáenz Peña 825, Buenos Aires. I–3.
Vogel, Ernesto.—Perú 707, Buenos Aires. II–2.
Volberg, Enrique.—Leandro N. Alem 168, Buenos Aires. I.
Von Borries, Kurt.—25 de Mayo 195, Buenos Aires. I–1.
Von Borries & Bubach.—25 de Mayo 195, Buenos Aires. I–1.
Von Buch, Max.—O'Higgins 1347, Buenos Aires. II–3.
Von Ehrenstein, H. S.—5 de Julio 1289, Vicente López. I–1.
Von Engels, José.—Avenida de Mayo 981, Buenos Aires. I.
Von Schulz-Hausmann, F.—Bernardo de Irigoyen 330, Buenos Aires. I.
Von Tyszka, Enrique.—Avenida Presidente Roque Sáenz Peña 547, Buenos Aires. I–3.
Vsetecka, Miroslav.—Perú 457, Buenos Aires I.
Wachter, Jorge.—Pozos 67, Buenos Aires. I–3.
Wagenpfeil, Enrique.—Monroe 3245, Buenos Aires. II–4.
Wagner S. de R.L., Gunther.—Humberto I 2031, Buenos Aires. I.
Wail y Cía.—Bartolomé Mitre 531, Buenos Aires. I.
Walser, Wald y Cía.—Florida 486, Buenos Aires. I.
Walther, Emilio.—Pichincha 68 y Córdoba 5653, Buenos Aires. I–1; II–5.
Wasser, Rudolfo.—Buenos Aires. I–1.
Wayss & Freytag S.A.—Leandro N. Alem 168, Buenos Aires. I.
Weinschenk, Martín.—Moreno 970, Buenos Aires. I–3.
Wella-Sudamerica, S.A.—General Paz 1891–99 y Sucre 2500, Buenos Aires. I–1.
Wendel, Rodolfo.—Bernardo de Irigoyen 440, Buenos Aires. I–1.
Wendler, Ernst.—Avenida de Mayo 580, Buenos Aires. II–3.
Wenkebach, Georg. — San Isidro, F.C.C.A. I–1.
Wenzel, Francisco.—Kilómetro 7, Gerli, Avellaneda. I.
Werners, Juan Gerardo.—Conesa 2757, Buenos Aires. I.
Weygand, Ernesto.—Florida 229, Buenos Aires. I–4.
Wilckens Hermanos.—Carlos Tejedor 1742, Lanús. I.
Wilkening, Harry.—Sarmiento 329, Buenos Aires. I–3.
Wilkening, Walter.—Sarmiento 329, Buenos Aires. I–3.
Winkler y Cía.—Avenida Presidente Roque Sáenz Peña 636, Buenos Aires. I.
Witte, Max.—Avenida La Plata 31, Buenos Aires. I.
Wollanke, Federico.—25 de Mayo 347, Buenos Aires. I–1.
Wolters, Juan.—Moreno 970, Buenos Aires. II–4.
Wraage, Bernardo.—Sarmiento 459, Buenos Aires. I.
Yamada y Cía. S. de R.L., S.—Moreno 2033–39, Buenos Aires. I.
Yamamoto Hnos.—Talcahuano 487, Buenos Aires. I.
Yamashita Kisen Kaisha, Ltda.—Avenida Roque Sáenz Peña 616, Buenos Aires. I–1; II–1.
Yokohama, Kenkichi. — Esmeralda 1080, Buenos Aires. I–1.
Yokohama Specie Bank Limited.—Avenida Presidente Roque Sáenz Peña 825, Buenos Aires. I.
Zaghi, Santos.—Corrientes 571, Buenos Aires. I.
Zarazaga, José M.—25 de Mayo 158, Buenos Aires. II–5.
Zbrojovka Ceskolovenska S.A.—25 de Mayo 11, Buenos Aires. I.
Zeising, Herman.—Moreno 550, Buenos Aires. II–5.
Zeiss, Carl.—Bernardo de Irigoyen 330, Buenos Aires. I.
Zimmermann, Eduardo.—25 de Mayo 158, Buenos Aires. I–3.

BOLIVIA

Abel, Helmouth.—Trinidad. II–5.
*Adad, Selín.—Yanacocha 354, La Paz. I–1; III–1.
*Albert, Fritz.—Sucre 134, Cochabamba. II–1; III.
Albert y Cía., F.—Casilla 124, Cochabamba. II–5.
*Almacén "El Sol".—Socabaya 250 (Casilla 297), La Paz. I–3; III.
*Almacenes "El Globo" de Hugo Medina Santa Cruz.—Bolívar 60 (Casilla 167), Potosí; and Sucre. II–1; III.
Almacenes Ono.—Comercio 436, La Paz. I.
Alvarado, Julián.—La Paz. I.
*Aoki, Kanji.—Colón 120 (Casilla 212), La Paz. I; III.
Aoki, Raúl K.—Sagárnaga y Avenida Santa Cruz, La Paz. I.
*Arce, Armando.—Colón 236, La Paz. I; II–1; III.
*Ashton & Schulz "El Condor".—Mercado esquina Colón (Casilla 205), La Paz. I–1; II–2; III.
*Baer, H.—Mercado esquina Yanacocha, La Paz. I–1; III.
Bar Comercio.—Cochabamba. II–1.
*Barber, Alfredo O.—España 39–43, Cochabamba. I–1; III.
Barber, Harold.—Tarija. II–3.
Barber & Co., Sucrs., Alfredo W.[1]—Riberalta. I.
*Barraca Ferdinandt.—Avenida 6 de Agosto (Casilla 324), Oruro. I; III.
*Barrientos, Emilio.—Mercado esquina Yanacocha, La Paz. I; III.
Barron y Rauthmann.—Cochabamba. II–2.
*Bazar Fuji.—Mercado 216 (Casilla 527), La Paz. I; III.
*Bazar Fukuya.—La Plata 1446, Oruro. I; III.
*Bazar Japonés.—Potosí 323 (Casilla 53), La Paz. I; III.
Bazar Matsuya.—Mercado 1–7, La Paz. I.
*Bazar Tokyo.—Yanacocha 362 (Casilla 436), La Paz. I; III.
*Bazar Unión.—Comercio 322 (Casilla 720), La Paz. I; II; III.
Bazar Yokohama.—J. Sanjinés 273, La Paz. I.

*Address added or changed with this revision.
[1] Not to be confused with Casa Barber, Cochabamba.

*Beckmann, Fritz.—Calle Ladislao Cabrera, Cochabamba. II–1; III.
*Beckmann, Hans.—Calle Ladislao Cabrera, Cochabamba. II–1; III.
*Bedregal Vela, Daniel.[2]—Mercado esquina Yanacocha, La Paz. I; III.
*Benavides, I. A.[3]—Calle Ayacucho (Casilla 7), La Paz. I; II–1; III.
*Bendel y Cía.[4]—Ayacucho 279, La Paz. I; III.
*Biggemann, Antonio.—Socaboya 274 (Casilla 573), La Paz. I–1; III.
*Biggemann Company, Antonio.—Socabaya 274 (Casilla 573), La Paz. I–1; III.
Bock, Rudolf.—Esteban Arce 193, Cochabamba. II–5.
*Bollweg, L.—La Plata esquina Adolfo Mier, Oruro. I; III.
*Borda, José Vicenio.—España 501, Cochabamba. I; III.
*Borgolte, Rudolph.—Plaza San Francisco, La Paz; and Nataniel Aguirre 144, Cochabamba. I; III.
*Botica Germania.—6 de Octubre esquina Bolívar, Oruro. I; III.
*Brandes, Robert.—Sucre 170, Cochabamba. II–1; III.
*Brito, Octavio Peña.—Avenida Camacho esquina Colón, La Paz. I; II–1; III.
Brocker, Bruno.—Cochabamba. I.
Buck Sucrs., Joyería y Relojería F.—Mercado 126 (Casilla 397), La Paz. II–2.
Burgos, F. Isaías.—Villazón. I.
Capdevila, José.—Santa Cruz de la Sierra. I.
Carpintero, Juan A.—La Paz. II–4.
*Casa Bernardo.—Avenida Camacho esquina Colón (Casilla 685), La Paz. I; III.
*Casa Gundlach.—Reyes Ortiz 73 (Casilla 15), La Paz, and all branches in Bolivia. I; III.
*Casa Komori.—Comercio 495 (Casilla 682), La Paz. I; III.
Casa "Mármo".—Bolívar 646, Oruro. II–4.
*Casa Ochiay.—Socabaya 250 y Potosí 345 (Casilla 281), La Paz. I; III.
*Casa Oishi.—Mercado 55 (Casilla 178), La Paz. I; III.
Casa Orión.—Sagárnaga y Avenida Santa Cruz, La Paz. I.
Casa Sahashi.—Yanacocha 448, La Paz I.
Casa Satsuma.—Comercio 396, La Paz. I.
*Casa Sawaya.—Comercio 505 (Casilla 53), La Paz. I; III.
*Casa Showa.—Comercio 468 (Casilla 844), La Paz. I; III.
Cattoretti y Cía., V.—Loayza 49 (Casilla 1313), La Paz. I.
*Cazoria, Miguel.[5]—Plaza San Francisco, La Paz. I–1; III.
Chávez F., Humberto.—Riberalta. II–5.

*Address added or changed with this revision.
[2] Not to be confused with Daniel Bedregal Urquizo, La Paz.
[3] Not to be confused with Alberto Benavides.
[4] Not to be confused with Baender y Cía., La Paz.
[5] Not to be confused with Cazoria Hermanos, Casilla 69, La Paz; Mollendo (Peru); and Arica (Chile).

Chávez y Cía., Humberto.—Riber-alta. II–5.
Christiansen, Walter.—Cochabamba. II–4.
Conzelman, Oscar.—Tarija. I.
Conzelman y Cía.—Tarija. I.
Copa Pérez, Marcelino.—Oruro. II–4.
Dauelsberg, Elard.—Avenida Montés 702 (Casilla 68), La Paz, and all branches in Bolivia. II–1.
Dauelsberg, Percy.—Avenida Montés 702 (Casilla 68), La Paz. II–1.
Dauelsberg y Cía.—Avenida Montés 702 (Casilla 68), La Paz, and all branches in Bolivia. I.
*Daut, Beatrice Denz de.—Murguía 1645, Oruro. I–1; I–3; III.
*de Fujiike, Takeko.—Mercado 216 (Casilla 527), La Paz. I–1; III.
Delius, Antonio.—La Paz. II–4.
*de Loaiza, Carlos.—Avenida Camacho esquina Colón, La Paz. I; II–2; III.
Deutsche Lufthansa A.G.—All branches in Bolivia. I.
*Díaz, Adalid.—Mercado esquina Yanacocha, La Paz. I; II–2; III.
Dillmann, Ricardo. — Cochabamba. I–1.
*Doelger, Hermann.—Perú 60, Cochabamba. II–1; III.
Donoso, Humberto.—Yacuiba. II–3.
Dorado, Manuel.—La Paz. I–1.
*Droguería Albrecht. — Colón 402 (Casilla 432), La Paz. I; III.
Droguería Hamburgo.—Socabaya 126 (Casilla 262), La Paz. I.
Durán A., Miguel.—Riberalta. II–5.
Edenhofer, M.—Mercado 126 (Casilla 397), La Paz. II–2.
Edenhofer, R.—Mercado 126 (Casilla 397), La Paz. II–2.
*"El Cóndor".[6]—Mercado esquina Colón (Casilla 205), La Paz. I–1; III.
*"El Fénix".[7]—Potosí 225 (Casilla 167), La Paz. I–2; III.
*"El Sol".—La Plata esquina Adolfo Mier, Oruro. I; III.
*Elsner y Cía., Bernardo.—Avenida Camacho esquina Colón (Casilla 685), La Paz. I; III.
*Elsner y Cía., Juan.—Mercado esquina Socabaya (Casilla 454), La Paz, and all branches in Bolivia. I; II–4; III.
*Encinas, Gerardo.—Mercado esquina Socabaya (Casilla 454), La Paz. I; III.
Endo, Mario.—Calles J. Sanjinés y Potosí, La Paz. II–3.
*Ernst, Rotmann & Co.—Yanacocha esquina Ingavi (Casilla 422), La Paz. I; III.
Escher, Leo.—Sucre. I.
*Excelsior, The.—Calle Belisario Salinas (Casilla 629), La Paz. I–1; III.
Fábrica de Alcoholes Tunari.—Cochabamba. II–2.
Fábrica de Camisas.—Calle Fernando Guachalla, La Paz. I.
Fábrica de Fideos "La María".—Tarija. II–3.
Fábrica de Jabones y Velas.—Bolívar 95–97, Potosí. I–3.
Fábrica de Salchichas Tunari.—Cochabamba. II–1.
Fábrica Nacional de Alcoholes.—La Paz. I–4.
Farmacia Nueva.—La Paz. I.
*Ferdinandt, Kurt.—Calle Bolívar, Oruro. I; III.
*Ferretería Findel.—Adolfo Mier esquina Pagador (Casilla 50), Oruro. I; III.
Ferretería Mueller.—Plaza 14 de Septiembre, Cochabamba. II–1.
Ferretería y Barraca Nacional.—Bolívar esquina Buenos Aires (Casilla 102), Oruro; and Potosí. I–1; III.
Ferrostaal A. G. Essen.—Yanacocha 368 (Casilla 514), La Paz. I.
Flores, Pedro M.—Avenida Montés 740, La Paz. II–2.
Flossbach, Walter.—La Paz. II–1.
Forns Samso, Francisco.—Potosí 490 (Casilla 476), La Paz. I.
Foto Jensen.—Colón 64, La Paz. II–3.
*Fujiike, Tomaste.—Mercado 216 (Casilla 527), La Paz. I; III.
*Fujiike y Cía.—Mercado 216 (Casilla 527), La Paz. I–1; III.
Gainza W., Luis.—Villazón. II–3.
*Garage Beckmann.—Calle Ladislao Cabrera, Cochabamba. II–1; III.
*Gasser, Gebhard.—Calle Bolívar, Cochabamba. II–1; III.
*Gasser e Hijos.—Calle Bolívar, Cochabamba. I; III.
*Gitschtaler, José.—Calle Colón, La Paz. I–1; III.
*Glaeser, Arnold.—6 de Octubre esquina Bolívar, Oruro. I; III.
Goto, Masayoshi.—Mercado 216, La Paz. I–1.
Gross, Hans.—Bolívar 95–97, Potosí. I–3.
Gross, Margarita Vladislavić de.—Bolívar 95–97, Potosí. II–4.
*Guardia, Darío.—Avenida Camacho esquina Colón, La Paz. I; III.
*Guidi, Armando.—Plaza 25 de Mayo 15 (Casilla 189), Sucre. I–1; III.
*Guidi Hermanos.—Plaza 25 de Mayo 15 (Casilla 189), Sucre. I–1; III.
Gumuchio, Juan.—Cochabamba. I.
Gumucio, Juan.—Cochabamba. I.
*Gundlach & Co., Cornelius F.—Calle Reyes Ortiz (Casilla 15), La Paz, and all branches in Bolivia. I; III.
Günther Sucrs. Inc., Ernesto.—Sorata. I.
Hagen y Cía., S. en C.—Calle La Plata, Oruro. I–1.
Hardt, E. & W.—La Paz. I; II–1.
Harjes, H.—Colón 168 (Casilla 526), La Paz. I.
*Hayakawa, Torajiro.—Loayza 192 (Casilla 19), La Paz. I; II; III.
Heinrich, Pablo.—Trinidad. II–5.
*Hero S.A., Compañía de Representaciones y Comercio en General.[8]—Avenida Montés 660 (Casilla 422), La Paz. I; III.
Hertzog, Carlos.—La Paz. I–4.
*Higa, Rioki.—Comercio 362, La Paz; and Hoyas 13, Potosí. I; III.
Higa, Rioko.—La Paz. I.
Higa, Rosita.—Riberalta. II–5.
Higa Hermanos.—Riberalta. II–5.
Higa Hnos.—México 358, La Paz. I.
*Higa y Cía.—Bolívar 526, Oruro. I; III.

[6] Not to be confused with Radio "El Cóndor" (CP 15 and CP 20), La Paz.
[7] Not to be confused with Editorial "El Fénix" de Rafael Quiroga, Comercio 66, La Paz.
[8] Not to be confused with Hero, Sociedad Anónima Comercial, Buenos Aires, Argentina; and Hero, Sociedade Anonyma Commercial, São Paulo, Brazil.

*Higa y Cía, Ryoko K.—Linares 29, Potosí. I; III.
Higa y Hno., Rioko.—16 de Julio 45, La Paz. I; I–2.
*Hiramatsu, M.—Mercado 1–7, Edificio Ultima Hora (Casilla 475), La Paz. I; III.
*Hochstetter, Francisco.—Aniceto Arce 21–23, Sucre. II–1; III.
*Hochstetter, Juan.—Aniceto Arce 21–23, Sucre. II–1; III.
*Hochstetter Hnos.—Aniceto Arce 21–23, Sucre. II–1; III.
Hubert y Cía.—La Paz and Cochabamba. II–4.
"IBUSA" Industrias Bolivianas Unidas S.A.—Casilla 215, La Paz. II–4.
Imprenta Antoniana.—Tarija. II–3.
*Imprenta y Editorial Eléctrica.—Calle Colón, La Paz. I–1; III.
Imprenta y Librería "La Escolar".—Potosí 490 (Casilla 476), La Paz. I.
*Industrias Bolivianas Unidas, S.A.—Vásquez 246 (Casilla 215), La Paz. I; III.
*Inoue, Koichiro.—Comercio 468 (Casilla 844), La Paz. I–1; III.
Ismael Akileh, Emilio.—Oruro. I–4.
Ismael Akileh, Hach.—Oruro. I–4.
Ismael Akileh, Moussa.—Oruro. I–4.
Ismael y Cía., H.—Oruro. I–4.
Jacobsen, Haye.—Viacha and La Paz. I.
James, Eduardo.—Tarija. I.
Japonesa, Cía.—Riberalta. II–5.
Jensen, Otto.—Colón 64, La Paz. II–3.
Joyería y Relojería F. Buck, Sucrs.—Mercado 126 (Casilla 397), La Paz. II–2.
Katura, Alberto.—Trinidad. II–5.
Kawamura, Isaac.—Comercio 322 (Casilla 270), Pa Paz. I; I–4.
*Kawamura, Y.—Comercio 322 (Casilla 270), La Paz. I; I–4; III.
*Kawamura y Cía., Y.—Comercio 322 (Casilla 270), La Paz. I; II; III.
Kayaki, I.— I.
Keidel y Cía.—Potosí. I.
Kernkamp, George.—Cochabamba. II–1.
Kina, Julio.—Evaristo Valle 95–97, La Paz. I.
Kiyonari, Enrique N.—Loayza s/n, La Paz. I.
*Kiyoto, Miguel K.—Camacho y Colón, La Paz; and Nataniel Aguirre 70, Cochabamba. I; III.
*Koester, Germán.—Avenida 20 de Octubre 557, La Paz. I; III.
Kohlberg, Julius.—Tarija. I.
Kollros, Paul.—Cochabamba. II–1.
*Komori, Santiago T.—Fernando Guachalla s/n (Casilla 693), La Paz. I; III.
*Komori y Cía., T.—Comercio 495 (Casilla 682), La Paz. I; III.
Kremser, Luis.—Guayaramerín. II–5.
Kuguimiya, Guillermo.—Oruro. I.
*Kuhne, Werner.—Calle Eastaban Arce, Cochabamba. II–1; III.
*Kummel, Beatriz Denz viuda de.—Murguia 1645, Oruro. I; III.
Kusćević, Juan.—Oruro and Cochabamba. II–2.
*Kyllman, Bauer y Cía.—Mercado esquina Yanacocha, La Paz, and all branches in Boliva. I; III.
*"La Calle".—Colón 236, La Paz. I; III.

*Address added or changed with this revision.

*"La Papelera" de J. Von Bergen.—Plaza Murillo esquina París (Casilla 614), La Paz. I–4; III.
Laguna, Martinić y Cía.—Calvo 23–25 (Casilla 70); Sucre. II–4.
Loeffler, Erick.—Potosí. II–1.
López, Alberto.—La Paz. I–1.
Luján, Macedonio.—La Paz. I–4.
Lutsch, Sigmar.—Casilla 199, Cochabamba. I.
Machiduke, Emilio.—San Andrés, Beni. II–5.
*Maeshiro, R. K.—Bolivar 536, Oruro. I; III.
Maimura, Antonio.—Trinidad. II–5.
*Mansmann, Hans.—Plaza 10 de Febrero (Casilla 45), Oruro. I; III.
Marmo, Kimimichi.—Bolivar 646, Oruro. II–4.
*Masmann, H.—Plaza 10 de Febrero (Casilla 45), Oruro. I; III.
Matsuya.—Mercado 1–7, La Paz; and Cochabamba. I.
*Medina Santa Cruz, Hugo.—Bolivar 60 (Casilla 167). Potosí; and Sucre. II–1; III.
Mertens, Carlos.—Riberalta. II–1.
Methfessel, Gerhard.—Tarija. I.
Michimata, Miguel.—Comercio 481, La Paz. I.
*Minakawa, K.—Loayza 161 (Casilla 16), La Paz. I; III.
Mitsui & Co.—La Paz. I.
*Mohanna, Nassib.[9]—Socabaya 250 (Casilla 297), La Paz. I–3; III.
Moll, José O.—La Paz. II–1.
*Montaño, Teófilo.—Avenida 6 de Agosta esquina Bolívar, Oruro. I; III.
*Mori, Luis T.—Bolivar 525, Oruro. I; III.
Mueller, Karl.—Plaza 14 de Septiembre, Cochabamba. II–1.
Murakami, Sebastián. — Trinidad. II–5.
Nachtmann, Anna K.[10]—La Paz. II–3; II–4.
Nagao, Jacinto.—Trinidad. II–5.
Nakazano y Cía.—Colón 120, La Paz. I.
*Nishi, Lucio D.—Comercio 468 (Casilla 844), La Paz. I; III.
*Noda, Carlos T.—Bolivar esquina 6 de Octubre, Oruro. I; III.
Noda, Domingo.—Trinidad. II–5.
*Oberlis, Alfredo.—Jordán 69, Cochabamba. II–1; III.
*Oberlis y Cía.—Jordán 69, Cochabamba. II–1; III.
*Ochiay, Vicente R.—Socabaya 250 y Potosí 345 (Casilla 281), La Paz. I; III.
*Ochiay y Cía.—Socabaya 250 y Potosí 345 (Casilla 281), La Paz. I; III.
"Ocularium" Instituto de Optica Moderna.—Género Sanjinés 429, La Paz. I–1.
*Oishi, Alberto.—Mercado 55 (Casilla 178), La Paz. I; III.
Oizumi, Alejandro.—Yanacocha 328, La Paz. I.
Oizumi y Miranda.—J. Sanjinés 273, La Paz. I.
Ojara, Luis.—Trinidad. II–5.
Oku, Carlos K.—Comercio 396, La Paz. I.
Olmos, Emilio M.—La Paz. I.

[9] Name changed with this revision from Mohanna, Nacif.
[10] Not to be confused with A. Nachmann & Company, Comercio 407 (Casilla 950), La Paz.

Omote, Hiroji.—Cochabamba 62, La Paz. I; II.
*Omoya, Tomás.—Bolivar 439, Oruro. I; III.
Ono, Armando H.—Comercio 463, La Paz. I.
Osaki, Pedro.—Yanacocha 344, La Paz. I.
Paulsen, Christian.—Oruro. II–1.
*Pedregal Veia, Daniel.—Mercado esquino Yanacocha, La Paz. I; II–1; III.
Peñalosa, Celestino.—La Paz. II–1.
Piccardo, Carlos.—Tarija. II–3.
*Plattner Sucrs., A. & M.—Colón 402 (Casilla 432), La Paz. I; III.
*Quidde & Co., George.—Avenida Montés 740 (Casilla 671), La Paz. I; III.
Radio Electra.— I–2.
*Representaciones y Comercio en General Hero S.A., Cía. de.[11]—Avenida Montés 660 (Casilla 422), La Paz. I; III.
Reye, Ulrich.—Yanacocha 243–247 (Casilla 525), La Paz. II–5.
*Rivas Guzmán, Blanca T. de.—Casilla 354, La Paz. I; III.
*Rivero y Cía., T.—General Achá 129, Cochabamba; Santa Cruz; and Oruro. II–1; III.
*Rodríguez, Francisco.—Mercado esquina Yanacocha, La Paz. I–1; III.
*Rossell, E.—Mercado esquina Yanacocha, La Paz. I; III.
Rossetti, Antonio.—La Paz. II–2.
*Rude, Ernest.—Adolfo Mier esquina Pagador, Oruro. I; III.
Ruecker, Hans.—Esteban Arce 173, Cochabamba. II–5.
Sahashi, Chuji.—Yanacocha 448, La Paz. I.
Sakihama, Hugo.—La Paz. I.
Salchichería y Fábrica de Conservas Cochabamba.—Cochabamba. I–1.
*Sánchez, Augusto. — Calle Bolivar, Cochabamba. I; III.
Sasaki, Guillermo.—Comercio 427, La Paz. I.
Sato, Hiroaki.—Eucaliptus and Oruro. II–4.
Sato, Juan.—Rurrenabaque. II–5.
*Schilling, Ernst.—Socabaya 126 (Casilla 262), La Paz. I; III.
*Schmidt, John.—Adolfo Mier esquina Pagador, Oruro. I; III.
Schmidt, Willy.—Casilla 102, Oruro. I–1; II–4.
Schmidt y Cía., Sucrs., Otto.—Esteban Arce 173, Cochabamba. II–5.
*Schomann & Co., Gustavo.—Yanacocha 354, La Paz. I; III.
*Schuchard, Werner.—Mercado esquina Yanacocha, La Paz. I; III.
*Schuett, Nicholas Jurgen.[12]—Matos 4–6, Potosí; and Sucre. I; III.
Schuett Urdininea, Nicolás Alberto.—Potosí. I–3.
*Schuett Sucr., Nicolás Jurgen.—Matos 4–6, Potosí; and Sucre. I–3; II; III.
*Schweitzer y Cía.—Santa Cruz, and all branches in Bolivia. I; III.
Seidel, Carlos.—Tarija. II–3.
Seuchi, José.—Cobija. II–5.
Shintani, Nicolás.—Loayza 186, La Paz. II–3.

[11] Not to be confused with Hero, Sociedad Anónima Comercial, Buenos Aires, Argentina; and Hero, Sociedade Anonyma Commercial, São Paulo, Brazil.
[12] Not to be confused with firm of same name in La Paz.

Sickinger y Cía., Sucrs.—Plaza San Francisco 4–20 (Casilla 661), La Paz. I.
*Siles, A.—Mercado esquina Yanacocha, La Paz. I; III.
Simamoto, Julio.—Trinidad. II–5.
Sonnenschein, Adela.—Riberalta. II–1.
Sonnenschein, Carl.—Riberalta. I.
Sonnenschein, Carlos.—Riberalta. II–1.
Sonnenschein Hermanos.—Riberalta. II–1.
Stege, Karl Reinhard.—La Paz. II–3.
Stege, Fábrica de Conservas de Jorge.—La Paz. II–3.
Suemito, Alfredo.—Trinidad. II–5.
Sugiura y Cía.—Yanacocha 336, La Paz. I.
*Sukekawa, Masaji.—La Plata 1446, Oruro. I; III.
*Sunahashi & Co.—Jordán 34, Cochabamba. I; III.
Taenzer, Frank.—La Paz. II–2.
*Taenzer, Herman.—Avenida Saavedra, La Paz. I–1; I–3; III.
*Takagaki & Co., B.—Nataniel Aguirre 54, Cochabamba. I; III.
Takaki, Setaro.—Loayza 192, La Paz. I.
*Takamori, Jorge K.—Yanacocha 362 (Casilla 436), La Paz. I; III.
Takaoka, Alberto S.—Comercio 303–307, La Paz. I.
*Takeuchi, Ernesto.—Esteban Arce 68–88 Cochabamba. I; III.
Takiguchi, Nicasio.—Comercio 422, La Paz I.
Tamaki, José.—Avenida Saavedra 408, La Paz. I–1.
Tamashiro, Eisio.—Tumusla 305, La Paz. I.
*Tames, César.—Plaza San Francisco, La Paz. I; III.
Tanaka, Claudio.—Trinidad. II–5.
Tanaka & Co., H.—Mercado 1–7, La Paz. I.
Tanaka Hnos.—Trinidad. I.
*Tapia, Joaquín.—Mercado esquina Socabaya, La Paz. I; III.
*Teresawa, Kaiji.—Potosí 323 y Comercio 505 (Casilla 53), La Paz. I; II; III.
Thames, José.—La Paz. II–4.
Tienda El Blanco y Negro.—Oruro. I–4.
Tienda "El Sol".—Tarija. II–3.
*Torres Ballivián, B.—Yanacocha 354, La Paz. I; I–4; III.
"Transocean".—La Paz. I.
Trigo Arce, Luis.—Potosí. II–1.
Valdivia, Miguel.—Potosí. I–3.
Vargas Martínez, Hugo.—Villazón. II–3.
*Velasco S., Guillermo.—Mercado esquina Socabaya, La Paz. I; III.
*Vergara, Max.—Mercado esquina Yanacocha, La Paz. I; III.
Vilaseca Ríos, Antonio.—Potosí. II–4.
Virreira, Renato.—Tarija and Tupiza. I.
Vladislavic, J.—Bolivar 95–97, Potosí. I–3.
*Vogel y Cía.—Bolivar 60 (Casilla 167), Potosí, and all branches in Bolivia. I; III.
*Von Bergen y Cía., J.—La Plaza Murillo esquina París (Casilla 629), La Paz. I; III.
Von Gartzen, Curt.—La Paz. I–1.
Von Landwust, Hans.—Potosí and Sucre. I.

*Address added or changed with this revision.

*Wagener, Guillermo.—Calle Potosí, Oruro. I–1; III.
Wakabayashi, Tomio.—Yanacocha 368, La Paz. I.
*Weichert, Wolfgang.—General Achá 129, Cochabamba; Santa Cruz; Sucre; and Oruro. I; III.
*Wintruff, Casa "El Fénix" de F.—Potosí 225 (Casilla 167), La Paz. I; III.
*Witt, Rudolfo.—Comercio 420 (Casilla 899), La Paz. I–1; III.
Yamada y Hermano, S.—Yanacocha 391, La Paz. I; I–1.
Yamamoto, Victor K.—Calle La Plata, Oruro. I.
Yamane, Y.—Mercado 216, La Paz. I–1.
Yamashita, Jorge.—Calle Sagárnaga, La Paz. I.
Yokota, Tomás.—Riberalta. II–5.
*Yoshida, E. W.—Almirante Grau 46 (Casilla 871), La Paz. I; III.
*Yoshizaki, Kozo.—Alonso de Mendoza 214 (Casilla 684), La Paz. I–1; III.
*Yoshizaki, Ricardo J.—Potosí 356 (Casilla 437), La Paz. I; III.
Yshihara, Y.—Oruro. I–2.
Yutaka, Imon.—Sagárnaga 227, La Paz. I.
*Zehl, Albert.—Plaza 14 de Septiembre, Cochabamba; and Oruro. II–1; III.
*Zehl y Cía., Albert.—Plaza 14 de Septiembre, Cochabamba; and Oruro. II–1; III.
*Zeller, Mozer y Cía.—Avenida Recreo 295 (Casilla 705), La Paz, and all branches in Bolivia. I; III.
Zetsche, Heinz G.—Yanacocha 263, La Paz. I; II.
Zetsche & Co., Herbert.—Colón 168, La Paz. I.
*Ziegler y Cía., Alfredo.—Avenida Uruguay 4, La Paz. I; III.
*Zieriacks, Becker y Cía.—Casilla 354, La Paz. I; III.
Ziesenitz, F.—All branches in Bolivia. I.
Zippel, Herbert.—Sucre, I–3.
Zobernig, Otto.—La Paz. II–1.
Zugel, Paul.—Tarija. I.

BRAZIL

A.E.G., Companhia Sul Americana de Electricidade.—Avenida Rio Branco 47, Rio de Janeiro, and all branches in Brazil. I.
A Chimica Bayer, Ltda.—Rua Dom Gerardo 42, Rio de Janeiro, and all branches in Brazil. I.
A Ultraferramenta, Ltda.—Rua Newton Prado 406, São Paulo. I; II.
Acidos S.A., Cía., de.—Avenida Rio Branco 128, Rio de Janeiro. II–2.
Aços Marathon do Brasil, Ltda.—Avenida Visconde de Inhauma 38, Rio de Janeiro, and all branches in Brazil. I.
Aços Phenix, Ltda.—Rua São Pedro 120, Rio de Janeiro. I.
Aços Roechling-Buderus do Brasil de Electricidade.—São Paulo. I.
Aços Roechling - Buderus do Brasil, Ltda.—Travéssa Bom Jesús 6–8, Rio de Janeiro, and all branches in Brazil. I.
Aços Styria, Ltda.—Rua Teófilo Ottoni 66, Rio de Janeiro. I.
Acumuladores Varta do Brasil, Ltda.—Avenida Nilo Peçanha 38, Rio de Janeiro. I; I–1.
Administradora Industrial, S.A.—Rua Guaycurús, São Paulo. I; II.
Adriatica de Seguros, Cía.—Rua Uruguayana 87, Rio de Janeiro. I.
Agencia Brasileira, S.A.—Rosário 136, Rio de Janeiro; and Xavier Toledo 46, São Paulo. I.
Agencia Commercial do Japão.—Avenida Rio Branco 193, Recife, Pernambuco. I.
Agencia Maritima Lagunense Ltda.—Laguna, Santa Catharina. I.
Agencia Will: Deutsche Buchhandlung.—Rua da Alfândega 69, Rio de Janeiro. I.
Agfa Photo, A Chimica Bayer, Ltda.—Rua Dom Gerardo 42, Rio de Janeiro, and all branches in Brazil. I; I–4.
Agro Chimica, Ltda.—Rua Libero Badaró 73, São Paulo. I.
Aichinger, M. E.—Rua Tomoyos 438, Bello-Horizonte. I.
Air France.—Rua da Gloria 32, Rio de Janeiro, and all branches in Brazil. I; II.
Albrecht, Emil Erich.—Rua São Pedro 28, Rio de Janeiro. I–1.
Algodoeira Bratac, Ltda.—Praça da Sé 81, São Paulo. I.
Algodoeira do Sul, Ltda.—Rua Dr. Falcão Filho 56, São Paulo. I.
Alliança Cinematographica, Ltda.—Praça Getulio Vargas 2, Rio de Janeiro, and all branches in Brazil. I.
Alliança Commercial de Anilinas, Ltda.—Avenida Almirante Barroso 81, Rio de Janeiro, and all branches in Brazil. I.
Alm & Heinritz.—Rua Javorau 380, São Paulo. I.
Almeida, Lins e Cía.—Rua Nova 260, Recife. II–2; II–5.
"Alnorma", Soc. de Machinas Ltda.—Rua São Pedro 89, Rio de Janeiro. I; II–4.
Amado, Amandio Silva.—Rua Conselheiro Saraiva 41, Rio de Janeiro. I; I–4.
Ando e Cia., Ltda.—Rua Bôa Vista 15, São Paulo. I.
Anna.[1]—Florianópolis. II–5.
Aoki & Irmãos, Sukeo.—Lins, São Paulo. II–2.
Aranda e Regnier.—Rua Candelária 92, Rio de Janeiro. I.
Arens & Langen.—Avenida Capichaba 10, Victoria, Espirito Santo. I.
Armazem Kaiko, Ltda.— I.
Artigos Dentarcos Poladon, Ltda.—Rio de Janeiro. I.
Assicurazioni Generali di Trieste e Venezia.—Avenida Rio Branco 128, Rio de Janeiro. I.
Associação Central Nippo-Brasileira.—Praça Getulio Vargas 2, Rio de Janeiro. I.
Associação Economica Nippo-Brasileira.—Rua México 174, Rio de Janeiro. I.
Auto Distribuidora, Ltda., Soc.—Rua Senador Euzebio 180–182, Rio de Janeiro. I; II–1.
Auto-Radio, Ltda.—Rua Barãs de Itapetininga 288, São Paulo. I.
Auto-Union Brasil, Ltda.—Rua Riachuelo 187–189, Rio de Janeiro. I.
Awazu, Kicroku.—São Paulo. I.
Banco Allemão Transatlántico.—Rio de Janeiro, and all branches in Brazil. I.

[1] Vessel owned by Empreza Nacional de Navegação Hoepcke.

Banco America do Sul, Ltda.—Praça da Sé 393, São Paulo. I.

Banco Germanico da America do Sul.—Rio de Janeiro, and all branches in Brazil. I.

Banque Française et Italiènne pour l'Amérique du Sud, S.A.—Rio de Janeiro, and all branches in Brazil. I.

Bastos Eléctrica Ltda.—Fazenda Bastos, São Paulo. I–1.

Bata, Jan.—São Paulo. I.

Bayer, Ltda., A Chimica.—Rua Dom Gerardo 42, Rio de Janeiro, and all branches in Brazil. I.

Bebion, Wilhelm.—Rua General Câmara 129, Rio de Janeiro. I–1.

Becker, Ernst.—Rua do Ouvidor 169, Rio de Janeiro. I.

Beneficiamento de Arroz de Alecrim Ltda., Soc.—Pedro de Toledo, São Paulo. I–1.

Bennack, Sociedade Anonyma Metalúrgica, Otto.—Rua 7 de Setembro 149, Joinville, Santa Catharina. II–2.

Berringer e Cia.—Boulevard Castilhos Franca 59, Pará; and Rua Marechal Deodóro 63, Manáos. I.

Berude, Dan H.—Rua Saddock de Sá 305, Rio de Janeiro. I–1.

Bicker, Harald.—Rio de Janeiro. I.

Bickarck e Cia., C.—Rua São Pedro 28 (Caixa Postal 767), Rio de Janeiro. I.

Biermann, Nicolau.—Rua 3 de Dezembro 17 (Caixa Postal 1831), São Paulo. I.

Biermann & Co.—São Caetano. I.

Billington, Reidar.—Rua Min Godoy 628, São Paulo. I.

Bluhm, Paulo.—Rua da Bahia 1022, e Edificio Lutetia, Avenida Amazonas, Bello-Horizonte, Minas Geraes. I.

Bockmann, Paul L.—Rua Libero Badaró 641 (Caixa Postal 515), São Paulo. I; II.

Boelsums, Boelsum Johannes.—Rio de Janeiro. I.

Borghoff e Cia., Willy.—Rua Evaristo da Veiga 130 (Caixa Postal 619), Rio de Janeiro. I.

Borstelmann e Cia.—Rua do Bom Jesús 230, Recife, Pernambuco; and Rua Sá e Albuquerque 90, Jaraguá, Maceió. I.

Bozzi, Luciano.—Rua São Bento 405, São Paulo; and Rua do Commercio 25, Santos. I–1.

Branco, Alfrain Vidal.—Florianópolis, Santa Catharina; and all branches in Brazil. II–2; II–4.

Brandt, Herbert.—Fortaleza, Ceará. II–2.

Brasileira de Electricidade Siemens-Schuckert S.A., Cia.—Rua General Câmara 78, Rio de Janeiro, and all branches in Brazil. I.

Brasunido, S.A.—Rua Teófilo Ottoni 74 (Caixa Postal 1015), Rio de Janeiro. I.

Braun, Otto.—Caixa Postal 3360, São Paulo. II–5.

Brautigam, José.—Rua General Câmara 67, Rio de Janeiro. I.

Brazcot, Ltda.—Rua Bôa Vista 116, São Paulo. I.

Bredenick, Frederico.—Nossa Senhora Aparecida 7, Villa Conceição, Porto Alegre, Rio Grande do Sul. I–1.

Bremensis, Ltda., Sociedade Technica.—Caixa Postal 1548, Rio de Janeiro, and all branches in Brazil. I.

Bremer, Paul J. C.—Praça 15 de Novembro 20, Rio de Janeiro. I.

Brito, Antonio O.—Rio de Janeiro. I.

Bromberg e Cia.—Avenida Tiradentes 34 (Caixa Postal 756), São Paulo; and Rua General Câmara 64, Rio de Janeiro. I.

Buchheister, Alfredo.—Rua da Quitanda 47 (Caixa Postal 1421), Rio de Janeiro. I.

Buckup e Cia., P.—Avenida Celso Garcia 409 (Caixa Postal 2903), São Paulo. I.

Buechler, Carlos Heinz.—Florianópolis, Santa Catharina. II–2.

Buerkle, Erwin.—Rua Buenos Aires 78, Rio de Janeiro. I.

Bürgers, Richard.—Caixa Postal 92, Natal, R. G. do Norte. I–1.

Burgos, José Filiu.—Rua São Pedro 30, Rio de Janeiro. I.

Buuck e Cia., Ltda.—Rua Senador Feijó 318, Santos. I.

Câmara de Commercio Nippo-Brasileira—Rua da Alfândega 107, Rio de Janeiro. I.

Cappuccini e Cia.—Rua da Alfândega 172, Rio de Janeiro. I.

Cardoso, Emidio (Emilio) (Jr.).—Florianópolis, Santa Catharina, and all branches in Brazil. II–2; II–4.

Carl Hoepcke.[1]—Florianópolis. II–5.

Casa Allemã.—Rua Direita 176, São Paulo, and all branches in Brazil. I.

Casa Bancaria Bratac.—Praça da Sé 77, São Paulo. I.

Casa Bancaria Brazcot, Ltda.—Rua Bôa Vista 116, São Paulo. I.

Casa Bancaria Immigratoria, Ltda.—Rua 15 de Novembro 155, Santos. I.

Casa Bancaria Tozan.—Rua Florencio Abreu 318, São Paulo. I.

Casa Bratac, Ltda.—Praça da Sé 399, São Paulo; Avenida Graça Aranha 39–A, Rio de Janeiro; and all branches in Brazil. I.

Casa de Despachos Almeida, Ltda.—Rua José Bonifacio 278, São Paulo. I.

Casa dos Presentes Ltda.—Largo São Francisco 66, São Paulo. II–2.

Casa Kuniy.—Baurú, São Paulo. II–2.

Casa Lohner, S. A.—Avenida Rio Branco, Rio de Janeiro, and all branches in Brazil. I.

Casa Pfaff.—Avenida 7 de Setembro 38, Bahia. I.

Casa Pfaff.—Rua da Carioca 46, Rio de Janeiro. I.

Casa Systema Ltda.—Rua Carijos 226, Bello-Horizonte, Minas Geraes. I–1.

Casa Tokio.—Rua Santa Ephigenia 37, São Paulo. I–1.

Casa Tozan, Ltda.—Rua Florencio de Abreu 318, São Paulo. I.

Casa Trommel.—Avenida Celso Garcia 409 (Caixa Postal 2903), São Paulo. I

Casa Vencedora.—Lins, São Paulo. II–2.

Casa Wagner.—Rua Libero Badaró 388, São Paulo. II–2.

Casa Yashima.—Garça, São Paulo. I–1.

Cekace Farmacêutica, Ltda.—Rua da Alfândega 144 (Caixa Postal 1912), Rio de Janeiro. I; II.

Central Discount Company.—Avenida Atlântica 124, Rio de Janeiro. II–5.

Centro de Mel.—Porto Alegre. I–2.

[1] Vessel owned by Empreza Nacional de Navegação Hoepcke.

•Chá Tupi, Ltda., Soc.—Rua Felipe de Oliveira 1, São Paulo; and Estrada de Ferro Sorocabana, Ramal Juquiá, São Paulo. I; III.

Charutos Dannemann, Cia. de.—Rua Portugal 1, Bahia; and Rio de Janeiro. I.

Chaves e Cia.—Fortaleza, Ceará. II–2.

Chiba, Saburo.—Rio de Janeiro. I.

Chikasawa, Yoshio (N.).—São Paulo. I.

Chimica "Merck" do Brasil S.A., Cia.—Avenida Nilo Peçanha 155, Rio de Janeiro, and all branches in Brazil. I.

"CIMA" S.A., Companhia Industrial Mercantil e Agricola.—Rua Libero Badaró 137, São Paulo. II–4.

Cindric, Erich.—Caixa Postal 3747, São Paulo. I–1.

Cinema Bastos.—Fazenda Bastos, São Paulo. I.

Citra-Mina, Ltda.—Praça Mauá 7 (Caixa Postal 285), Rio de Janeiro. I.

Cohen, Moyses.—Rua da Alfândega 82, Rio de Janeiro. II–2.

Cohnitz, Franz.—Praça 15 de Novembro 20, e Avenida Francisco Bicalho, Rio de Janeiro. I.

Cohnitz e Cia.—Rio de Janeiro, and all branches in Brazil. I.

Colombelli, Ernesto.—Rua Bella Cintra 1631, São Paulo. I.

Colonia de Pescadores Z–1, José Bonifacio.—Santos, São Paulo. I–1.

Colonizadora do Brasil, Ltd., Soc.—Praçada Se 399, São Paulo. I.

Combescot, Jean.—Praia do Flamengo 284, Rio de Janeiro. II–1.

Comercial Industrial de Marília Ltda., Soc.—Marilia, São Paulo. II–2.

Commercial Alto Paraná, Cia.—Rua Libero Badaró 137, São Paulo, and all branches in Brazil. I.

Commercial de Tintas Ltda., Soc.—Rua da Candelária 83, Rio de Janeiro. II–2.

Commercial Nippo-Brasileira, Ltda., Soc.—Rua Dr. Falcão Filho 56, São Paulo; and Avenida Nilo Peçanha 151, Rio de Janeiro. I.

Commercial "Waco" Ltda., Soc.—Caixa Postal 2331, São Paulo. I.

Commissaria Italo-Brasileira, Ltda.—Rua General Câmara 35, Rio de Janeiro. I.

Condor, Ltda., Serviços Aéreos.—Avenida Rio Branco 128, Rio de Janeiro. I.

Constructora Federal S.A., Cia.—Avenida Rio Branco 108, Rio de Janeiro. II–2.

Constructora Nacional S.A., Cia.—Rua México 168, Rio de Janeiro, and all branches in Brazil. I.

Coóperativa Agricola de Avaré.—São Paulo. I–1.

Coóperativa Agrícola de Bastos.—Fazenda Bastos, São Paulo. I–1.

Coóperativa Agrícola de Cotia.—Rua Cardeal Arcoverde 2539, São Paulo. I.

Coóperativa Agricola Mista de Birigui.—Birigui, São Paulo. II–2.

Coóperativa Agrícola Mista de Mesquita.—Mesquita, São Paulo. II–2.

Coóperativa Agricola Mista de Pompeia.—Pompeia, São Paulo. II–2.

Coóperativa Agricola Mista de Rinópolis (Tupã), São Paulo. II–2.

Coóperativa Agrícola Nippo Bandeirante.—Rua Antonio Pais 101, São Paulo. I.

• Address added or changed with this revision.

Coóperativa Agrícola Três Barras.—Assaí via Jataí, Paraná. I–1; II–1.

Coóperativa Bastos Ltda.—Fazenda Bastos, São Paulo. I–1.

Coóperativa Central Nippo Brasileira.—Praça João Mendes 154, São Paulo. I.

Coóperativa da Fazenda Aliança.—Com. Arbues, São Paulo. I–1.

Coóperativa dos Plantadores de Banana Juquiá.—Santos, São Paulo. II–2.

Coóperativa Nippo Brasileira.—Fraça João Mendes 154, São Paulo. I.

Corneta, Ltda.—Rua Turiassú 309, São Paulo. I.

Corrêa da Costa, Antonio.—Rua General Câmara 106, Rio de Janeiro. I.

Costa Carvalho e Cia.—Rua do Bom Jesús, Recife. I.

Couderc, Jean.—Rua Ronald de Carvalho 5, Rio de Janeiro. II–2.

Couderc Export Company.—Rua Ronald de Carvalho 5, Rio de Janeiro. II–2.

Cunha, A. R. (Jr.).—Rua Araujo, Porto Alegre 70, Rio de Janeiro. I.

Cunha, Orlando Ferreira.—Florianópolis, Santa Catharina, and all branches in Brazil. II–2; II–4.

Czerna e Cia., Ltda.—Rua Conselheiro Dantas 2, Bahia; and Santa Cruz Cabralia, Estado do Bahia. II–2.

Dannemann, Companhia de Charutos.—Rua Portugal 1, Bahia; and Rio de Janeiro. II–4.

de Almeida e Cia., Furtado.—Rua 3 de Dezembro 17, São Paulo. I.

de Almeida e Cia., Ltda., Barreira.—Rua José Bonifacio 278, São Paulo. I.

Dedkind, Martin.—Rua Augusta 598, São Paulo. I.

de Oliveira Brito, Antonio.—Rio de Janeiro. I.

de Saboia e Cia., J. Thomé.—Rua Major Facundo 126, Fortaleza, Ceará. II–2.

Deutsche Lufthansa A.G.—All branches in Brazil. I.

"Deutz Otto" Legitimo, Ltda., Sociedade de Motores.—Rio de Janeiro. I.

Diamants et Carbones, S.A.—Rua 1° de Março, Rio de Janeiro. I.

"Dibraco" Ltda., Distribuidora Brasileira de Aços e Metaes.—Rua José Bonifacio 278, São Paulo. I.

Distribuidora Brasileira de Aços e Metaes "Dibraco" Ltda.—Rua José Bonifacio 278, São Paulo. I.

•Doi e Cia., N.—Rua Amador Bueno 132, Santos; Biguá, and Registro, São Paulo. I–1; III.

Domschke e Cia.—Rua Portugal 10, Bahia. I.

Douglas Trading Company.—Caixa Postal 1795, Rio de Janeiro. I–1.

Draeger Ltda., Soc.—Rua Mayrink Veiga 4, Rio de Janeiro. I.

Dralle do Brasil Ltda., Perfumaria.—Rua Duque de Caxias, Joinville, Santa Catharina. II–2.

Dubois e Cia., W.—Rua da Alfândega 74, Rio de Janeiro. I; I–4.

E.N.I.T., Ente Nazionale Industrie Turistiche.—Avenida Rio Branco 104, Rio de Janeiro. I.

Eckert, Carl.—Rua Mauá 1079, Porto Alegre. I.

• Address added or changed with this revision.

Ehlermann e Cia., Ltda.—Rua Teófilo Ottoni 17, Rio de Janeiro. II–2.

Eickhoff, Wilhelm.—Rua Santa Christina 104, Rio de Janeiro. II–2.

Eifler e Cia., Bernhard.—Rua Duque de Caxias 340–1°, Recife, Pernambuco. I–1.

Eléctrica Importadora Ltda.—Rua Florencio de Abreu 150, São Paulo. II–2.

Electro-Chimica Fluminense, Cia.—Avenida Almirante Barroso 81, Rio de Janeiro. I; II–1.

Empresa Bahiana de Mineráes, Ltda.—Rua Torquato Bahia 3 (Caixa Postal 434), Bahia. I.

Empresa Brasileira de Mineração, Ltda.—São Paulo. I.

Empresa Constructora Brasileira Gruenblif, Ltda.—Rua João Briccola 10, São Paulo. I.

Empresa Constructora Bratac, Ltda.—Praça da Sé 399, São Paulo. I.

Empresa Constructora Siemens Bauunion do Brasil, S.A.—Rio de Janeiro. II–1.

Empreza da Pesca Ltda.—Paranaguá, Paraná. I–1.

Empreza de Propaganda "Productos Knoll".—Rua Alvaro Alvim 27, Rio de Janeiro. II–2.

Empreza Gráfica Leuzinger S.A.—Rua do Lavradio 162, Rio de Janeiro. I–1.

Empreza Japoneza de Pesca Ltda.—Paranaguá, Paraná. I–1.

Empreza Nacional de Navegação Hoepcke. — Florianópolis, and all branches in Brazil. I–4.

Empreza Theatral Nichiyama.—Londrina and Cornelio Procopio, Paraná. I–1.

Engel, Carlos.—Rua Vigario José Ignacio 58, Porto Alegre. II–2.

Englebrecht e Cia.—Rua Augusto de Queiroz 158, São Paulo. I–1.

Engenheiros, Industraes Regnier, S.A.—Rua 1° de Março 141, Rio de Janeiro. I.

Ente Nazionale Industrie Turistiche.—Avenida Rio Branco 104, Rio de Janeiro. I.

Estaleiro Arataca.—Florianópolis. I–4.

Exportadora de Madeira do Brasil Ltda., Soc.—Passo Fundo, Rio Grande do Sul. II–2.

Exportadora e Maritima Ltda., Soc.—Praça Mauá 7, Rio de Janeiro; and Rua Dom Pedro 11–16, Santos. I.

Faber Bleistift Fabrik, Johann.—Rua do Ouvidor 164, Rio de Janeiro. I.

Faber Lapis, Ltda., Johann.—Epitácio Pessôa 201–9, São Paulo. I.

Fabrica de Adubos Esperanca.—São Paulo. I.

Fábrica de Ferramentas de Precisão.—Rua Javorau 380, São Paulo. I.

Fábrica de Gelo "Rita Maria".—Florianópolis. I–1.

Fábrica de Machinas Raimann, Ltda.—Joinville, Santa Catharina. I.

Fabrica de Pontas "Rita Maria".—Florianópolis. I–1.

Fábrica de Rendas e Bordados Hoepcke S.A.—Florianópolis. I–1; II.

Fábrica Fiel, Ltda.—Rua Guaycurús, 225, São Paulo. I.

Fábrica Nacional de Tambores, Ltda.—Rua Clelia 93, São Paulo; and Rio de Janeiro. I.

Fábrica Rio Grandense de Adubos e Productos Chimicos, S.A.—Pelótas, Rio Grande do Sul. I.

Fábrica Tupy.—Rua General Bruce 40, Rio de Janeiro. I–1.

Farmacia Central.—Araçatuba, São Paulo. II–2.

Farmacia Fructal.—Guararapes, São Paulo. II–2.

Farmaco, Ltda.—Rua São Bento 22, Rio de Janeiro. I.

Fatio, Jacques M.—Rua Libero Badaró 346 (Caixa Postal 2485), São Paulo; and Rua Miguel Couto 111, Rio de Janeiro. I.

Fatio, Norberto.—Rua São Bento 290 (Caixa Postal 3635), São Paulo. I.

Fazenda "Bastos".—Rancharia, São Paulo. I.

Fazenda "Monte D'Este", Ltda.—Campinas, São Paulo. I.

Fazenda "Tiete".—Lussanvira, São Paulo. I.

Fazenda "Três Barras".—Jataby, Paraná. I.

Federal de Fundição, Cia.—Rua Nery Pinheiro 70, Rio de Janeiro. I.

Ferreira, A.[1]—Avenida Augusto Severo 58, Rio de Janeiro. I.

Ferrostaal A. G. Essen.—Rio de Janeiro. I.

Fiação de Seda Bratac, Ltda.—Praça da Sé 399, São Paulo. I.

Fiação e Tecelagem São Leopoldo, Ltda.—São Paulo. I.

Fiat Brasileira S.A.—Praça 15 de Novembro 20, Rio de Janeiro. I.

Fiduciaria Brasileira, Cia.—Avenida Graça Aranha 26, Rio de Janeiro. I; II–1.

Filippone e Cia., G.—Rua Senador Dantas 35–A, Rio de Janeiro. I.

Fillios, Henri Albert.—Rio de Janeiro. II–5.

Financeira Barros-Handley, Ltda, Soc.—Largo do Café 14, São Paulo. I.

Fink, L. J.—Avenida Rodriguez Alves 161 (Caixa Postal 2866), Rio de Janeiro. I.

Fink e Cia, Carlos.—Rua do Bom Jesús 227 (Caixa Postal 478), Pernambuco. I.

Fischer, Carl.—Praça Mauá 7, Rio de Janeiro; and Rua Dom Pedro 11–16, Santos. I.

Fischer, Friedrich J.—Blumenau, Santa Catharina. II–2.

Fogões Junker e Ruh, Ltda.—Avenida Jurucé 2, São Paulo. I.

Fouquet, Paul.—Rua 1° de Março, Rio de Janeiro. I.

Franck, Franklin Chaves.—Fortaleza, Ceará. II–2.

Franck, Germano Paulo.—Fortaleza, Ceará. II–2.

Frey, Frederico Paulo Adolfo.—Rua Thiers 136, São Paulo. II–2.

Fujihira e Cia., Ltda.—Largo do Ouvidor 5, São Paulo. I–1.

Fujiwara, Hisato.—Cafelandia, São Paulo. II–2.

Fujiwara & Takeuchi.—Cafelandia, São Paulo. II–2.

Fukuda e Cia.—Pompéia, São Paulo. I–1.

Funtymod Fundição de Typos Modernos, Ltda.—Rua Riberio da Lima 282, São Paulo. I.

Galeria Paulista de Modas.—Rua Direita 176, São Paulo. II–2.

[1] Owner of Laboratório Veritas, Ltda.

Geco Ltda., Soc.—Rua Teófilo Ottoni 35–44, Rio de Janeiro. I.

"GEOBRA" Companhia Geral de Obras e Construcções S.A.—Praça Mauá 7, Rio de Janeiro. I; II–3.

Geral de Obras e Construcções S.A., Cia.—Praça Mauá 7, Rio de Janeiro. I; II–3.

Germania Agencia Importadora, Ltda.—Praça Antenor Navarro 36–50, João Pessôa, and all branches in Brazil. I.

Gieseler, Wilhelm Adolf Paul.—Rua Pero Correia 33, São Vicente, Santos. I.

Giesseler, Guilherme.—Rua Pero Correia 33, São Vicente, Santos. I.

Gilbert, Horst Tassilio.—Rua República do Perú 83 e Rua da Candelária 53, Rio de Janeiro. I.

Gins, Adolpho.—Avenida Alberto Bins 357, Porto Alegre, Rio Grande do Sul. II–2.

Goichbum, Chuno.—Rua São Pedro 30, 1° andar, Rio de Janeiro. I.

Gonzales, Celso R.—Rua General Câmara 90, Rio de Janeiro. I.

Gottmann e Cia., Carlos J.—Rua João Adolpho 2–A (Caixa Postal 2376), São Paulo. I.

Graphicor Concentra Hartmann Irmãos S.A.—Praça do São Christovão 249, Rio de Janeiro. I.

Grasmuck, Albert.—Rua da Alfândega 171, Rio de Janeiro. I–1.

Guimarães e Cia., Ernesto.—Rua Cidade de Toledo 23, Santos. I.

Gunze Silk Corporation.—Rua Alvares Penteado 24–6, São Paulo. I.

Hachiya, Gosuke.—Rua Teófilo Ottoni 85, Rio de Janeiro. I.

Hachiya, Kazuo.—Rio de Janeiro. I.

Hachiya, Kenkuro.—Rio de Janeiro. I.

Hachiya, Senichi.—Rio de Janeiro. I.

Hachiya, Andrade e Cia., Ltda.—Rio de Janeiro. I–1.

Hachiya Irmãos e Cia.—Rua Teófilo Ottoni 85, e Rua Barão de Mesquita 781–A, Rio de Janeiro, and all branches in Brazil. I.

Hackradt e Cia., Fernando.—Rua São Bento 217, São Paulo. I–1.

Hafers, Ernesto Magalhães (Dr.).—Santos. I.

Halboth, Armin.—Rua Buenos Aires 152, Rio de Janeiro. I.

Hama e Companhia.—Rua Paula Sousa 290, São Paulo. I; II.

Hamaoka, Kenyto.—São Paulo. I.

Hamburgueza Sul Americana, Cia.—Andradas 1290, Porto Alegre, and all branches in Brazil. I.

Hamers, Maximilian.—Travéssa Braz Barros 19, Rio de Janeiro; and 25 de Março 1215, São Paulo. I.

Hamers, M., S.A., Companhia de Productos Quimicos e Industriaes.—Travéssa Braz Barros 19, Rio de Janeiro. I; II.

Hamers, S.A., M.—25 de Março 1215, São Paulo. I.

Handley e Cia., Ltda., Godofredo.—Largo do Café 14, São Paulo. I.

Hansen e Cia., Alfred.—Rua da Alfândega 107, Rio de Janeiro. I.

Hanstein, Wolfgang.—Rua Mayrink Veiga 8, Rio de Janeiro. I.

Hara e Companhia, Ltda.—Praça da Sé 54, São Paulo. I.

Harada, Tatsunosuke.—São Paulo. I.

Hase, Sakuro.—Rua Irmã Simpliciana 102, São Paulo. I.

Hasenclever e Cia.—Avenida Rio Branco 69–77, Rio de Janeiro, and all branches in Brazil. I.

Hasenclever e Cia., Ltda., Alexandre.—Rua Mayrink Veiga 4–3°, s–4, Rio de Janeiro. I.

Hatanaka, Senjiro.—São Paulo. I.

Haupt & Co.—Rua São Pedro 50, Rio de Janeiro; and Rua 1° de Março 25, São Paulo. I.

Heidelmann e Cia., E.A.—Praça Antenor Navarro 36–50, João Pessôa, Parahyba. I; I–4.

Heinzerling & Lock, Ltda.—Rua Turiassú 1687, São Paulo. I.

Hennig, Adolfo.—Julio de Castilhos 220, Santa Cruz, Rio Grande do Sul. I.

Hennig, Arnaldo.—Julio de Castilhos 220, Santa Cruz, Rio Grande do Sul. I.

Hennig, Ervino.—Julio de Castilhos 220, Santa Cruz, Rio Grande do Sul. I.

Hennig Irmãos.—Julio de Castilhos 220, Santa Cruz, Rio Grande do Sul. I.

Hey, Willi.—Praça Argollo, Teófilo Ottoni, Minas Geraes. I.

Higashi, Johachi.—Rua Alfândega 110, Rio de Janeiro. I.

Hirokawa, Casa Kanematsu de I.—Rio de Janeiro. I.

Hirth, Laubisch e Cia., Georg.—Rua do Ouvidor 86, Rio de Janeiro. I–1.

Hoepcke S.A., Commercio e Industria, Carlos.—Florianópolis, and all branches in Brazil. I.

Hoepcke S.A., Fábrica de Gelo Carlos.—Florianópolis. I–1.

Holzgrefe e Cia.—Rua Portugal 27, Bahia. I.

Hoos, George Kurt.—Fortaleza, Ceará. I.

Horn, Karl.—Pensão Jensen, Avenida 7 de Setembro 276, e Rua Portugal 27, Bahia. I.

Hotel Lutecia.—Rua das Larangeiras 486, Rio de Janeiro. I–1.

Huland e Cia., Ltda., Oscar.—Rua Major Facunde 173, Fortaleza, Ceará. I.

Hunsche e Cia.—Rua Dr. Flôres 119, Porto Alegre, and all branches in Brazil. I.

Imaizumi, Miaso.—Rua Bôa Vista 116, São Paulo. I.

Imaki, M.—Rio de Janeiro. I.

Imaki, Masuo.—Avenida Nilo Peçanha 151, Rio de Janeiro. I.

Imbras Limitada.—Rua Bella Cintra 1541, São Paulo. I; II.

Importadora Brasil, Ltda.—Rua Cristovão Colombo 3, São Paulo. II–2.

Importadora Nipo-Brasileira, Ltda., Soc.—Rua Bendito Hipólito 10, Rio de Janeiro. I.

Importadores, Fornecedores e Constructores Brasunido, S.A.—Rua Teófilo Ottoni 74, Rio de Janeiro. II–5.

Impressora Paranáense.—Rua Commendador Araujo 731–747, Curitiba, Paraná. I.

Industria Agricola Campineira Ltda.—São Paulo. II–2.

Industria de Electro Aços Plangg, Ltda.—Novo Hamburgo, Rio Grande do Sul. I; II.

Industria Typográphia Italiana.—Avenida Apparicio Borges 131, Rio de Janeiro. I.

Industrial Amazonense S.A., Cia.—Manáos, Amazonas. I.

Industrial e Commercial Schmuziger, Ltda., Soc.—São Paulo and Rio de Janeiro. I.

Industrial, Mercantil e Agricola.—Rua Libero Badaró 137, São Paulo. I.

Industrias Chimicas Geronazzo, Ltda.—Rua Catharina Braida, 9, São Paulo, and all branches in Brazil. I.

Industrias de Adubos Kanakao, S.A.—Rua Theodóro Sampaio 2756, e Rua Itapura Miranda 17, São Paulo. I; II.

Industrias Rodolpho, S.A.—Fortaleza, Ceará. I.

Informadora Rapida, Ltda.—Praça Mauá 7, Rio de Janeiro. I.

Instaladora Geral.—Rua Rangel 162, Recife. II–2.

Instituto Behring de Therapêutica Experimental, Ltda.—Rua Dom Gerardo 42, e Estrada Cafunda 1290, Rio de Janeiro. I.

Interam Exportadora, Ltda., Soc.—Rua São Pedro 39–1°, Rio de Janeiro. I.

Intercontinental Sociedade Exportadora e Importadora.—Rua da Alfândega 84, Rio de Janeiro. I.

Internacional de Commercio, Ltda., Soc.—Rua Uruguayana 104, Rio de Janeiro. I.

Isolectra, Ltda.—Rua Julio Colaco 59, São Paulo. I.

"Italcable" Companhia Italiana del Cavi Telegrafici Sottomarini S.A.—Rua Buenos Aires 44, Rio de Janeiro, and all branches in Brazil. I.

"Italfilm", Ltda.—Rua Helvetia 647, São Paulo. I.

Italiana del Cavi Telegrafici Sottomarini S.A., "Italcable" Cia.—Rua Buenos Aires 44, Rio de Janeiro, and all branches in Brazil. I.

"Italmar".—Avenida Rio Branco 2–6, Rio de Janeiro, and all branches in Brazil. I.

Italo Brasileira de Industria e Commercio S.A., Cia.—Rua Deocleciana 15, São Paulo. I.

Itinoze, R.—Araçatuba, São Paulo. II–2.

Ito, Yozo.—São Paulo. I.

Ito e Cia., Ltda., Yozo.—Rua Irmã Simpliciana 78, São Paulo. I.

Iwasaki, Hikoyata.—São Paulo. I.

Iwasaki, Takaya.—São Paulo. I.

Iwasaki, Tsuneya.—São Paulo. I.

Jacobi e Cia.—Porto Alegre, Rio Grande do Sul. II–2.

Jenner, Ernst.—João Pessôa, Parahyba. I.

Jenner e Cia., Ernesto.—João Pessôa, Parahyba, and all branches in Brazil. I.

Jimmi, Ltda., Soc.—Rua Irmã Simpliciana 78, São Paulo. I.

Joest, Pedro.—Santos, São Paulo. I–1.

Joplia Exportadora, Ltda.—Recife, Pernambuco. I.

Kaigai Kogyo Kabushiki Kaisha.—Praça da Sé 54, São Paulo; Rua Barão de Paranapiacaba 139, Santos; and all other branches in Brazil. I.

Kanakao, S. A.—Rua Theodóro Sampaio 2756, e Rua Itapura Miranda 17, São Paulo. I; II.

Kanegae, Waziro.—Birigui, São Paulo. II–2.

Kanne, Ryoji.—São Paulo. I.

Kanzaki, Shota.—São Paula. I.

Kato, Carlos Y.—São Paula. I.

Katsura Ltda., Soc. de.—São Paulo. I–1.

Kaucher, Walter.—Santa María de Itabira. I.

Kehl, Albert.—Rua Barros 221, Niterói, Estado do Rio de Janeiro. II–2.

Keppler, Alfredo.—Caixa Postal 186, São Paulo. II–2.

Kern e Cía., Ltda., Carlos.—Rua da Alfândega 144, Rio de Janeiro. I.

Kiefer, Otto.—Rua João Briccola 10 e Avenida Atlântica 5 (Caixa Postal 3285), São Paulo. I.

Kiener & Kay.—Rua Senador Queiroz 185, São Paulo. II–2.

Kimitsuka, Shin.—São Paulo. I.

Kimura, Yoshikichi.—São Paulo. I.

Kiokawa, João.—Guararapes, São Paulo. II–2.

Kircher, Hillmann e Cia.—Praça Ruy Barbosa 188, Porto Alegre. I.

Kirsten, Carlos (Successor of Kirsten & Weber).—Rua Lopes Cardoso 16, Bahia. I.

Koehler e Cía., Ernest.—Guajará-Mirim, Matto Grosso, and all branches in Brazil. I–1.

Koga, Genzabro.—Fazenda Bastos, São Paulo. I.

Konishi e Companhia, Ltda.—Rua Senador Feijó 177, São Paulo. I.

Kozuki e Cía.—Pres. Prudente, São Paulo. I–1.

Krappe, Leo G. Sezefredo.—Florianópolis, Santa Catharina, and all branches in Brazil. II–2; II–4.

Kraus, Franz.—Rua General Câmara 41, Rio de Janeiro. I.

Krebs, Fonseca e Cía., Ltda., W.—Rua da Alfândega 189, Rio de Janeiro. I; II–1.

Krizai, Estefano A. A.—Rua José Bonifacio 278, São Paulo. II–2.

Kuny, G.—São Paulo. II–2.

L.A.T.I., Linhas Aéreas Transcontinentaes Italiana S.A.—Rua México 90, Rio de Janeiro, and all branches in Brazil. I.

Laboratório Esculapio, Ltda.—Rua da Alfândega 144 (Caixa Postal 1912), Rio de Janeiro. I.

Laboratório Veritas, Ltda.—Avenida Augusto Severo 58, Rio de Janeiro. I.

Laboratório Zambeletti, Ltda.—Rua Albuquerque Lima 480, São Paulo. I–1.

Laboratórios Novotherapica Ltda.—São Paulo. II–2.

Landgraf, Ricardo.—Rua 7 de Setembro 816, Porto Alegre. II–2.

Lang e Cia., Ltda.—Rua Commendador Manoel Pereira 177, Porto Alegre. I.

Lange e Cia., Ltda., H.—Rua México 90, Rio de Janeiro, and all branches in Brazil. I.

Laubisch & Hirth, Carlos.—Rua Riachuelo 81–87, Rio de Janeiro. I–1.

Lecoultre e Cia., Ltda.—Rua Libero Badaró 173, São Paulo. I.

Lettieri, G.—Rua Chile 65–67 e 103–106, Natal. I.

Leutzgen, Guilherme.—Rua Luiz Góes 122 (Caixa Postal 2027), São Paulo. I.

Leuzinger, S.A.—Rua do Lavradio 162, Rio de Janeiro. I.

Levier, Leo E.—Candelária 74, Rio de Janeiro. I.

Linhas, Aéreas Transcontinentaes Italiana S.A.—Rua México 90, Rio de Janeiro, and all branches in Brazil. I.

Litografica Blumenau, Cia.—Blumenau, Santa Catharina. II–2.

Livraria Allemã.—Rua da Bahia 1022, a Edificio Lutetia, Avenida Amazonas, Bello-Horizonte, Minas Geraes. I.

Livraria Herrmann.—Rua dos Andradas, Porto Alegre, Rio Grande do Sul. II–2.

Livraria Paraná.—Rua Barão do Rio Branco 23, Curitiba, Paraná. II–2.

Lobo e Cia., Mancel.—Três Casas, Rio Madeira, Amazonas. II–2.

Lodders, Ricardo.—Avenida Rio Branco 69–77, Rio de Janeiro. I.

Lohmann e Cia.—Rua Miguel Couto 51 (Caixa Postal 947), Rio de Janeiro. I.

Lohmann e Cia., Ernst.—Travessa Padre Eutychio 59, Pará. I.

Loja Kilto.—Rua Direita 255, São Paulo. I.

"Loja Telefunken".—Rua Tamoyos 438, Bello-Horizonte. I.

Lück e Cia., Gurgel.—Rua do Commercio 161–165, Natal. I.

Luik, Paul.—Rua Teófilo Ottoni 89, Rio de Janeiro. I.

Luik e Kleiner, Ltda.—Rua Teófilo Ottoni 89, Rio de Janeiro. I.

Machinas Excelsior.—Rua Capitão Salomão 87, São Paulo. II–2.

Machinas Ferri Ltda.—Rua dos Alpes 101–109, São Paulo. II–2.

Machinas & Ferrovias Ltda.—Avenida Rio Branco 52, Rio de Janeiro. II–2.

Machinas Metro, Ltda.—São Paulo. I.

Machinas para Escriptório Mercedes do Brasil, Ltda.—Rua da Quitanda 65, Rio de Janeiro; and São Paulo. I.

Machinas Ypiranga.—Rua Cavour 38, Villa Prudente, São Paulo. II–2.

Madeiras Compensadas Ltda.—Rua 24 de Maio 594, Curitiba, Paraná. II–2.

Maebata & Ohira.—Garça, São Paulo I–1.

Maecklenburg, Kurt.—Rua Barão do Rio Branco 23, Curitiba, Paraná. II–2.

Mahlmann, Emil.—Andradas 1290, Porto Alegre. I.

Makota Trading Co., Ltd.—All branches in Brazil. I.

Malheiro, Menici.—Avenida Rio Branco 69–77, Rio de Janeiro. I.

Mangels & Kreutzberg, Ltda.—Avenida Presidente Wilson 1866, São Paulo. I.

Mannesmann S.A., Tubos.—Rua General Câmara 90, Rio de Janeiro. I.

Marconi, Umberto.—Alamêda Barão de Limeira 331, São Paulo. II–3.

Margutti, Stefano.—Rua da Quitanda 96, São Paulo. I.

Marschner, Francisco.—Avenida Amazonas 308, Bello-Horizonte, Minas Geraes. I.

Masaki, Iyda Ltda.—Promissão, São Paulo. II–2.

Maselli, Arthur.—Praça Mauá 7, s–1510, Rio de Janeiro. I.

Matsumoto, Kasuhiro.—São Paulo. I.

Matsushita, Aikiti.—Vera Cruz, São Paulo. II–2.

Max.[4]—Florianópolis. II–5.

Melching, A.O.H.—Rua São Bento 405 (Caixa Postal 2505), São Paulo. I.

Melzer, Winrich.—Rua Senador Queiroz 96, São Paulo. I.

Meng, Hermann.—Rua Buenos Aires 85, Rio de Janeiro. I.

"Merck" do Brasil S.A., Companhia Chimica.—Avenida Nilo Pecanha 155, Rio de Janeiro, and all branches in Brazil. I.

Meridional Tintas e Composicões, Ltda.—Rua da Candelária 9, Rio de Janeiro. I.

Merten, Wilhelm Holland.—Avenida Graça Aranha 43, Rio de Janeiro. II–2.

Messner, Franz (Dr.).—Rua General Câmara 19, Rio de Janeiro. I.

Metallurgica Mar.—São Paulo. I.

Metz, Carl.—Rio de Janeiro. II–4.

Metzner, Kurt.—Rio de Janeiro. I.

Meyer, Alwin.—Rua Mayrink Veiga 4, Rio de Janeiro. I.

Meyer, João.—Rua Teófilo Ottoni 104, Rio de Janeiro. II–2.

Meyer e Cia., Oswald.—Rua Coronel Vicente 384, Porto Alegre, Rio Grande do Sul. II–2.

Michahelles e Cia., Itda.[5]—Rua Mayrink Veiga 8 (Caixa Postal 759), Rio de Janeiro; São Paulo; and all branches in Brazil. I.

Mimósa Photo.[6]—Rua General Câmara 106, Rio de Janeiro. I; II–4.

Minas Brasilmica, Ltda.—Rua Lino Coutinho 1718, São Paulo. I.

Mineração Oldenburg Ltda.—Rio de Janeiro. I–1.

Misukami, Fujio.—São Paulo. I; I–2.

Mitsubishi & Co.—All branches in Brazil. I.

Mitsui & Co.—All branches in Brazil. I.

Miyasaki, Kunito.—São Paulo. I.

Miyasaki e Cia., Ltda.—Pompeia, São Paulo. II–2.

Moeller, Guilhermo.—Rua do Carmo 9 (Caixa Postal 2039), São Paulo; and Rio de Janeiro. I.

Moeller, Henrique.—Rua da Conceição 134, São Paulo. II–2.

Mogi, Seigo.—Praça Antonio, Prado 9, São Paulo. I.

Molinari e Cia., Hans.—Rua Luiz de Camões 75A, Rio de Janeiro. II–2.

Molize, Anse.—Araçatuba, São Paulo, and all branches in Brazil. II–2.

Mori, Goro.—São Paulo. I.

Motores "Deutz Otto" Legitimo, Ltda., Soc. de.—Rua da Alfândega 116, Rio de Janeiro. I.

Motores Marelli S.A.—Rua Camerino 91–93, Rio de Janeiro. I; II–4.

Mueller, Guilherme.—Rio de Janeiro. II–2.

Muller, Peter.—Rua Floriano Peixôto 6, Pernambuco. I.

Murai, Yo.—I.

Murakami e Cia.—Duartina, São Paulo. I–1.

Nakamura, Joaquim.—Guararapes, São Paulo. II–2.

Nakano Iwao.—Rua Anhangabahu 911, São Paulo. I.

Napp, Scherer e Cia., Ltda.—Rio Grande do Sul. I.

Navarini, Alexandre Aguillar.—Avenida Delphim Moreira 1120, Rio de Janeiro. II–2.

[4] Vessel owned by Empreza Nacional de Navegação Hoepcke.

[5] Formerly Petersen, Michahelles e Cia., Ltda.

[6] Owned by J. G. Stuebing.

Nelson, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nemetz, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nestlé e Anglo-Swiss Milk Co.—Rua Libero Badaró 152, São Paulo, and all branches in Brazil. I.

Neuhaus, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Neumann, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nicolai, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nicolau, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nippon Yusen Kaisha.—Rua Alvares Penteado 24–6, São Paulo. I.

Nishimura, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nitsch, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nobel, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nobre, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nogueira, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nolasco, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nolte, Ltda., Soc.—Rua Visconde de Inhaúma 58, Rio de Janeiro. I.

Nordeste Brasileiro S.A., Cia

Nebiolo, S.A.—Rua Buenos Aires 263, Rio de Janeiro; São Paulo; and all branches in Brazil. I.
Neme, Tuffic.—Avenida Beira Mar 220, Rio de Janeiro. II–2.
Neugebauer e Cia., Ernesto.—Avenida Germania 230, Porto Alegre. I.
Nichikida Ltda., F.T.—Assaí São Paulo. I–1.
Nieckele, Palmeira e Cia.—Rua Marechal Floriano 14–16, Pelotas, Rio Grande do Sul. II–2.
Niemer e Cia.—Rua Julio Adolpho 10, Bahia. II–2.
Niponica de Plantação do Brasil S.A., Cia.—Praça Frei Caetano Brandão 37, Pará. I.
Nishihara, Sakae.—São Paulo. I.
Nishio, Hagemu.—Rua Rosário 113–A, Rio de Janeiro. I.
Nishitani, Kazuo.—Rio de Janeiro. I.
Nishitani, Shoichi.—Rio de Janeiro. I.
Nishitani e Cia., Ltda.—Rua São Pedro 208, Rio de Janeiro; and Rua do Carmo 400, São Paulo. I.
Nishiyma e Cia., Irmãos.—Londrina and Cornelio Procopio, Paraná. I.
Nitihaku Takushoku Kaisha.—São Paulo. I–1.
Nitsche-Guenther-Busch do Brasil, Ltda.—Avenida Rio Branco 122, Rio de Janeiro. I.
Noethlich, Herbert.—Avenida Rio Branco 52, Rio de Janeiro. I.
Noetzlin, Hans.—Rua Portugal 9, Bahia. I.
Noguchi e Cia.—Mercado Municipal, Rio de Janeiro. I.
Nygaard, Christiano (filho).—Rua Commendador Cominha 48, Porto Alegre. I.
O Japão Em São Paulo.—Rua Libero Badaró 472, São Paulo. I.
Officina Mechanica Tozan.—Avenida Celso Garcia 1248, São Paulo. I.
Officinas Mechanicas Aeronáuticas do Brazil, Ltda.—Rua México 90, Rio de Janeiro. I.
Ohara, Irmão & Co.—Rua Paula Souza 224, São Paulo. I–1.
Ohno, Mochisa.—Rio de Janeiro. I.
Okada, Shiguezo.—São Paulo. I.
Okamoto, Hidenosuke.— I.
Okamoto e Cia., Haruichi.—Marília, São Paulo. I–1.
Okomoto, Haruishi.—Marília, São Paulo. II–2.
Okomoto, Sentaro.—Marília, São Paulo. II–2.
Oldendorf, E.—Rua Senador Queiroz 192, São Paulo. I.
Olivetti do Brasil, S. A.—Rua Florencio de Abreu 37, São Paulo; and Rua Buenos Aires 17, Rio de Janeiro. I.
Olympia, Machinas de Escrever Ltda.—Rua Teófilo Ottoni 86 (Caixa Postal 2754), Rio de Janeiro. I; II–4.
Omnipol Brasileira S.A.—Rua General Câmara 139 (Caixa Postal 2734), Rio de Janeiro. I.
Organização Carsel Ltda.—Rua Portugal 9, Bahia. I–4.
Osaka do Brasil Ltda., Sociedade de Navegação.—Avenida Rio Branco 37, Rio de Janeiro; Rua Cidade de Toledo 31, Santos; Rua Alvares Penteado 200, São Paulo; and all branches in Brazil. I.
Osaka Syosen Kaisya "O.S.K." Line.—Rio de Janeiro. I.
Osaki, Takahashi e Cia., Ltda.—Rua Visconde de São Vicente 83, Rio de Janeiro. I.
Osborne, Herbert.—Avenida Pessôa Anta 73, Fortaleza, Ceará. I.
Outta & Kawano.—São Paulo. II–2.
Ozaki, Tsugio.—Rio de Janeiro. I.
Pallavicini, Helmuth Csaky.—Rua da Alfândega 104, Rio de Janeiro. II–2.
Palmeira e Cia., Nieckele.—Rua Marechal Floriano 14–16, Pelotas, Rio Grande do Sul. II–2.
Paschen e Cia.—Caixa Postal 44, Fortaleza, Ceará. I.
Peres, Sabbá e Cia.—Rua Guilherme Moreira 221, Manáos, Amazonas. II–2; II–4.
Perfumaria Ciaco, Ltda.—Fortaleza, Ceará. I.
Perfumaria Dralle do Brasil Ltda.—Rua Duque de Caxias, Joinville, Santa Catharina. II–2.
Petersen e Cia., Ltda.—Caixa Postal 1046, São Paulo. I.
Petersen, Michaelles e Cia., Ltda.—Rio de Janeiro, and all branches in Brazil. I.
Petsch, Willy.—Porto Alegre. I.
Pfluegger e Cia., Ernesto.—Manaos. I; II.
Pharmacia Allemã.—Rua da Alfândega 74, Rio de Janeiro. I.
Photo Halifax.—Rua Buenos Aires 120, Rio de Janeiro. II–2.
Photo Mimósa.[7]—Rua General Câmara 106, Rio de Janeiro. II–4.
"Piam" Farmacêutica e Commercial do Brasil Ltda.—Rua do Ouvidor 15, Rio de Janeiro. I–1.
Picard, Ernesto.—Rua Brigadeiro Tobias 673 (Caixa Postal 4226), São Paulo. I.
Pietrocolla, Akiyoshi e Cia.—Rua Cardeal Arcoverde 2544, São Paulo. I–1.
Pneumaticos Continental do Brasil, Ltda.—Rio de Janeiro. I.
Prado e Cia., Ltda., A.—Rua Luiz Teixeira 18, São Paulo. I.
Productos Bisleri Ltda.—Rua da Alfándega 201 e Rua Dias da Costa 12, Rio de Janeiro. II–2.
Productos Bruschettini.—Rua Senador Dantas 55, Rio de Janeiro. I.
Productos Chimicos "Elekeiroz" S.A.—São Paulo. II–2.
Productos de Lavoura, Ltda.—Rua Libero Badaró 73, São Paulo. I.
"Productos Knoll".—Rua Alvaro Alvim 27, Rio de Janeiro. II–2.
Raacke, C. H.—Avenida Graça Aranha 40 (Caixa Postal 261), Rio de Janeiro. I.
Raimann e Cia.—Rua Florencio de Abreu 123, São Paulo, and all branches in Brazil. I.
Ranniger e Cia.—Boulevard Castilhos Franca 73, Pará. I.
Rantex, Ltda.—Rua Libero Badaró 346, São Paulo. I.
Regnier & Anachoreta.—Rua Candelária 92, Rio de Janeiro. I.
Regnier de Maquinas e Baterias Electricas, S.A.—Rua Candelária 92, Rio de Janeiro. I.
Regnier e Cia., Ltda.—Rua Candelária 92, Rio de Janeiro. I.
Regnier, S.A.—Rua Candelária 92, Rio de Janeiro. I.

[7] Owned by J. G. Stuebing.

Rehder, Raul.—José Maria Lisbôa 1163, São Paulo. I.
Reis, Wilhelm.—Avenida Almirante Barroso 81, Rio de Janeiro. I.
Representações Union, Ltda.—Rua 1° de Março 118 (Caixa Postal 590), Rio de Janeiro. I.
Reprex Ltda.—Blumenau, Santa Catharina. II–2.
Residuos Algodôeira, Ltda.—Rua São Bento 290, São Paulo. I.
Ribeiro dos Santos, Antonio.—São Paulo. I.
Ribeiro e Cia., Ltda., J.A.[8]—Rua Costa Pereira 128, Victoria, and all branches in Brazil. I; II–5.
Ricordi e Cia., G.—Alameda Barão de Limeira 331, São Paulo. I.
Ricotti, Attilio.—Avenida Rangel Pestana 1086–88, São Paulo. I.
Riedel, J.D.-E. de Haen e Cia., Ltda.—Travéssa Santa Rita 24, Rio de Janeiro; and São Paulo. I; I–4.
Rik, Richard.—Rua Conselheiro Moreira de Barros 213, São Paulo. I.
Robertson, Herbert.—Rua Ministro Ferreira Alves 593, São Paulo. II–2.
Roenn, Wilhelm.—Rua Libero Badaró 346, São Paulo. I.
Romano, Adolpho.—Praça Coronel Eneas 38, Curitiba, and all branches in Brazil. II–2; II–5.
Rossi, Evaristo.—Rua São Bento 405, São Paulo; Rua do Commercio 25, Santos. I–1.
Roth e Cia., G.—Avenida 17 de Agosto 189, Pernambuco. I.
Rouviere, Edmundo.—Rua Duvivier 43, Rio de Janeiro I.
Rudert, H.—Rio de Janeiro. I.
Russo, Francisco Giunta.—Rua Libero Badaró 388, São Paulo. II–2.
Sakamoto, Masaharu.—São Paulo. I.
Sapaco para Commercio e Industria, Cia.—Batatuba, São Paulo; Avenida Agua Branca 524, São Paulo; and all branches in Brazil. I; II–4.
Sarnelli, Alberto.—Praça Visconde Cavrú 19, Bahia. II–2.
Sasano, Fukusi.—Rua Goiaz Piedade 564, Rio de Janeiro. I.
Satoh, Sei.—Rua Rosário 69, Rio de Janeiro. I.
Sawamura, K.—Rua General Câmara 104, Rio de Janeiro. I.
Schadlich Obert e Cia.—Rua Direita 160, São Paulo, and all branches in Brazil. I.
Schaeffer e Cia.—Rua Voluntários da Pátria 294–304, Porto Alegre. I.
Scheidt e Cia., Ltda., F. W.—Rua Domingos Lina 322, São Paulo. I.
Schendel, W.—Rua 7 de Setembro 790 (Caixa Postal 424), Porto Alegre, Rio Grande do Sul II–2.
Schering S.A.—Rua Moráes Silva 43, Rio de Janeiro; and São Paulo. I.
Scheurer, Hans Peter (Dr.).—Rua Teófilo Ottoni 17, Rio de Janeiro. II–2.
Schiefferdecker, Henrique.—São Paulo. I.
Schlemm e Cia., E.—Rua 15 de Novembro 387 (Caixa Postal 550), Curitiba, Paraná. I.

[8] Not to be confused with A. Ribeiro e Cia., Rua Florencio de Abreu 285, São Paulo, nor with J. A. Ribeiro e Cia., Fortaleza, Ceará.

Schluepmann, Werner.—Avenida Presidente Getulio Vargas 12, Parnahyba, Piauhy. I.
Schlupmann e Cia. — Parnahyba, Piauhy. I.
Schmarje, William.—Hotel Russell, Praia do Russell 64, Rio de Janeiro. I–2.
Schmid, A.—Rua do Ouvidor 164, Rio de Janeiro. I.
Schmidlin, Hugo.—Rua Tamoyos 487, Bello-Horizonte, Minas Geraes. I.
Schmidlin e Cia.—Rua Tamoyos 487, Bello-Horizonte, Minas Geraes. I.
Schmidt e Cia.—Rua Julio Adolfo 14, Bahia. I.
Schmidt S.A. Comercio e Industria, Walter.—Rua 15 de Novembro 1495, Blumenau, Santa Catharina. II–2.
Schmitt & Alberto.—Rua Evaristo da Veiga 142–4, Rio de Janeiro. I.
Schmitt e Cia., Ltda.—Rua 24 de Maio 207, São Paulo. I.
Schmuziger, Ltda., Sociedade Industrial e Commercial.—Rua Benjamin Constant 147, São Paulo; and Rua da Candelária 78, Rio de Janeiro. I.
Schnitzer, Franz.—Rua Alvaro Alvim 27, Rio de Janeiro. II–2.
Schrappe, Max.—Rua Commendador Araujo 731–747, Curitiba, Paraná. I.
Schreurs e Cia., Ltda., H.—Rua Voluntários da Pátria 140, Porto Alegre. I.
Schupp e Cia., Emilio.—Rua Miguel Couto 42–4, Rio de Janeiro. I.
Schutte e Cia., Ltda., Alfred H.—Rua São Pedro 88, Rio de Janeiro, and all branches in Brazil. I.
Schwab, Filho e Cia., Adolpho.—Rua Dr. José Montauri 72, Porto Alegre. II–2.
Schwalbe, Franz.—Rua General Bruce 40, Rio de Janeiro. I–2.
Schwerdtner, Friedrich.—Rua Professor Saldanha 125, Rio de Janeiro. II–2.
Segui, Tetsueiri.—Marília, São Paulo. II–2.
Seibel e Cia.—Rua Voluntários da Pátria 608, Porto Alegre. I.
Seikkel, Jacques.—Avenida Calogéras 6, Rio de Janeiro. I.
Selinke, Otto Max.—Florianópolis, Santa Catharina. II–2.
Selmi e Cia., Ltda.—Rua Portugal 9, Bahia. I.
Semper e Cia.—Rua Marechal Deodóro 172, Manáos, and all branches in Brazil. I.
Serviços Aéreos Condor, Ltda.—Avenida Rio Branco 128, Rio de Janeiro, and all branches in Brazil. I.
Shiino, Yutaka.—Rua Teófilo Ottoni 113, Rio de Janeiro. I.
Shimizú e Cia.—Paranaguá, Paraná. I–1.
Shirato, Kanji.—Rio de Janeiro. I.
"SIDAPAR" Usina Siderurgica e Laminadora Nossa Senhora Aparecida, S.A.—Rua da Quinta 71, São Paulo. I.
Siemens Bauunion do Brasil S.A., Empresa Constructora.—Rio de Janeiro. I; II–1.
Siemens-Schuckert, S.A., Companhia Brasileira de Electricidade.—Rua General Câmara 78, Rio de Janeiro, and all branches in Brazil. I.
Silva e Cia.—Rua Portugal 26, Bahia. I.
Sinner e Cia.—Avenida Venezuela 43, Rio de Janeiro. I.
Siqueira, Fortunato.—Manáos, Amazonas. II–2.
Siqueira, J.R.—Manáos, Amazonas. II–2.
Siqueira e Cia., J.R.—Manáos, Amazonas. II–2.
Soejima, Arthur.—Guarantan (Pirajú), São Paulo. II–2.
"SOINC" Sociedade Internacional de Commercio, Ltda.—Rua Uruguayana 104, Rio de Janeiro. I.
Spredtke, Johannes Hans Paul.—Rua Portugal 27, Bahia. I.
Sswao, Isositi.—Baurú, São Paulo. II–2.
Stahlunion, Ltda.—Rua Candelária 53, Rio de Janeiro; and Rua Senador Queiroz 76, São Paulo. I.
Stark e Cia. (Successor of Hans Riepery Cia.).—Rua Portugal 24, Bahia. I; II.
Steffen e Cia., Ltda., Arnoldo.—Rua Portugal 9, Bahia. I.
Steinbach e Cia.—Rua Miguel Calmon 36, Bahia. I.
Stoltz e Cia., Hermann.—Avenida Rio Branco 66–74, Rio de Janeiro, and all branches in Brazil. I.
Stuebing, J. G.—Rua General Câmara 106, Rio de Janeiro. I; II–1.
Stummel, Joseph.—Rua São Pedro 89, Rio de Janeiro. II–2.
Suematsu, Midori.—Marília, São Paulo. II–2.
Sugayama, Terúkiti.—Lins, São Paulo. II–2.
Sugimoto, Yosinosuke.—Rua Santa Ephigenia 37, São Paulo. I–1.
Sumbeck, Fritz.—Praça Mauá 7, Rio de Janeiro; and Rua Dom Pedro 11–16, Santos. I.
Syndicato Condor, Ltda.—Avenida Rio Branco 128, Rio de Janeiro, and all branches in Brazil. I.
Tagawa, Seiichi.—Rua Dr. Falcão Filho 56, São Paulo. I.
Takaima, Sampey.—Rio de Janeiro. I.
Takeda, Kanichi.—Rio de Janeiro. I.
Takeda Irmão e Cia.—Baurú, São Paulo. II–2.
Tamanouchi, Hideo.—São Paulo. I.
Tarrago & Lang.—Uruguayana, Rio Grande do Sul. II–2.
Tecelagem de Seda Paulicea, Ltda.—Avenida Alvaro Ramos 35, São Paulo. I.
Technica Bremensis, Ltda., Soc.—Caixa Postal 1548, Rio de Janeiro, and all branches in Brazil. I.
Tecidos Japonezes S.A.—Rua Direita 255, São Paulo. I.
Thewico de Armazens Geraes S.A., Cia.—Avenida Rodrigues Alves e Avenida Rio Branco 79–81, Rio de Janeiro. I.
Tintas Sprimo, S.A.—Rua Coronel Pedro Alves 100 (Caixa Postal 1839), Rio de Janeiro. I.
Tintas Victoria, Ltda.—Rua Conde Leopoldina 644, Rio de Janeiro; and Duque de Caxias 555, São Paulo. I.
"Tok and Niwa".—Rio de Janeiro. I.
Tokuya, Koseki.—São Paulo. I.
Tone e Cia.—Ourinhos, São Paulo. I–1.
"Transocean" G.m.b.H.—Rosário 136, Rio de Janeiro. I.
Trepper e Cia., Ltda.—Rua 12 de Março 39, Rio de Janeiro. I; I–4.
Truppel e Cia., B.—São Francisco do Sul (Caixa Postal 29), Santa Catharina. I.
Truppel e Cia.—Caixa Postal 29, São Francisco do Sul, Santa Catharina. I–4.
Tsukamoto, Takeshi.—Rio de Janeiro. I.
Ttuzu, Rikiti.—Araçatuba, São Paulo. II–2.
Tubos Mannesmann S.A.—Rua General Câmara 90, Rio de Janeiro. I.
Tuji, Kotaro.—Pará. I.
União de Ferros.—Rua Voluntários da Pátria 294–304, Porto Alegre. I.
Urbach, Joseph.—Avenida São João 239, São Paulo. I.
Usina Eléctrica de Bastos.—Bastos, São Paulo. II–2.
Usina Porongaba.—Fortaleza, Ceará. II–2.
Usina Siderurgica e Laminadora Nossa Senhora Aparecida S.A.—Rua da Quinta 71, São Paulo. I.
Uyetsuka, Tsukasa.—Pará. I.
Valente, Agostino Cesare.—Rua Senador Dantas 55, Rio de Janeiro. I.
Van Rees do Brasil, Ltda.—Rua Libero Badaró 92, São Paulo. I.
Vaz, Cyro.—Rua da Quitanda 163, sala 202, Rio de Janeiro. I.
Viação São Paulo-Mato Grosso, Cia.—Rua Libero Badaró 137, São Paulo. I.
Vianna, Braga e Cia.—Rua Conselheiro Dantas 35, São Salvador, Bahia; and Joazeiro, Bahia. I.
Von Dellingshausen, Nicolaus Eduard.—Rua Teófilo Ottoni 96, Rio de Janeiro. II–2.
Von Densteinen, Carlos.—Recife, Pernambuco. I.
Von Klobusitsky, Dionisio M. (Dr.).—Rua Voluntários da Pátria 132, Rio de Janeiro. I.
Von Zimmermann, Hortz.—Rua Tamoyos 487, Bello-Horizonte, Minas Geraes. I.
Wagner, Ltda., Fábrica Gunther.—Rua Mello Souza 86, Rio de Janeiro. I.
Wanderley e Cia., Ltda., Tercio.—Rua do Commercio 508–518, Maceió Alagôas. I.
Waste Export, Ltda.—Rua São Bento 290, São Paulo. I.
Weiszflog Irmãos.—Rua Libero Badaró 443, São Paulo; and Rua Gonçalves Dias 9, Rio de Janeiro. I.
Westphal, João.—Avenida São João 578, São Paulo. II–2.
Westphalen, Bach, Krohn e Cia.—Rua Miguel Calmon 36, Bahia. I.
Westphalen e Cia.—Rua da Allemanha 36, Bahia. I–4.
Will, Frederico.—Rua da Alfândega 69, Rio de Janeiro. I.
Wille Cia., Ltda., Theodor.—Avenida Rio Branco 79–81, Rio de Janeiro, and all branches in Brazil. I.
Willner e Cia., Ltda., E.[9]—Rua da Quitanda 60, Rio de Janeiro. II–2; III.
Winkelmann, Walter.—Rua Alvaro Alvim 33–7, Rio de Janeiro. I.
Wolff, Harald H.—Rua dos Benedictinos 21–22A, Rio de Janeiro. II–2.
Wolffmetal, Ltda.—Rua Hypodromo 1200, São Paulo. I.
Yamada, Tadashi.— I.
Yamagata, Faro e Cia., Ltda.—Niterói, Rio de Janeiro. I.
Yamamoto, Kioshi.—São Paulo. I.
Yamashita Kisen Kabushiki Kaisha "Yamashita" Line.—Praça da República 22, Santos; and Rua Libero Badaró 92, São Paulo. I.

[9] Name changed with this revision from Willner e Cia., E.

Yasumi & Shimisu.—Paranaguá, Paraná. II–5.
Yokohama Specie Bank, Ltda.—Rua da Candelária 23, Rio de Janeiro. I; II.
Yoshio e Cia.—Pres. Prudente, São Paulo. I–1.
Zaki, Shirato e Cia.—Rua Rosário 69, Rio de Janeiro. I.
Zeiss Sociedade Optica Ltda., Carl.—Rua dos Benedictinos 21, Rio de Janeiro, and all branches in Brazil. I; I–4.
Ziemer, Otto.—Rua H. Barros 197, Rio de Janeiro. I; II.
Ziemer e Cia.—Rua General Câmara 78, Rio de Janeiro; and Teófilo Ottoni, Minas Geraes. I; II.

CHILE

A.E.G., Compañía Sudamerikana de Electricidad.—Bandera 581 (Casilla 9393), Santiago. I.
Acción Chilena.—Huérfanos 1039, Santiago. II–4.
Ackermann Lochmann, Luis.—San Felipe 181 (Casilla 227), Puerto Montt. II–3.
Adura, José.—Avenida Independencia esquina Talca, Punta Arenas. II–1.
Agelindus, Sociedad Industrial Wenz y Cía.—Agustinas 1122 (Casilla 2522), Santiago. I–1.
Agencia Stefani.—Avenida Colón 796 y Agustinas 571, Santiago. I–1.
Agricola "Porvenir" Soc.—Independencia 601, Valdivia. II–4.
Agricultura e Industria San Pedro, Ltda., Soc. de.—Agustinas 975, Santiago. II–3.
Air France.—Santiago, and all branches in Chile. I.
Akita Araki, Yosokichi.—Aldunate 1130, Coquimbo. I–2.
Albingia Versicherungs Aktiengesellschaft.—Urriola 332 (Casilla 2060), Valparaiso. I–4.
Alemana de Vapores Kosmos, Cía.—Valparaiso. I.
Alert, Anselmo.—Avenida General Korner 582, Santiago. I.
Allianz und Stuttgarter Verein Versicherungs A.G.—Esmeralda 1013, Valparaiso. I–4.
*Almacén de Pinturas "La Paloma".—Avenida B. O'Higgins 1162 (Casilla 9566), Santiago. I–2; III.
Alverez, Adolfo.—Estado 378, Santiago. I–2.
Alverez R., Osvaldo.—Errázuriz 845, Punta Arenas. I.
Amano, Yoshitaro.—Fundo Andalien, Concepción. I; II.
Andersen Leibbrandt, Pablo.—Prat 340, piso 2, Antofagasta. I–4.
Andreani Destefani, Silvio.—Atacama 302, Copiapó. II–3.
Andresen Koch, Hans.—Ahumada 54, Santiago. I–2.
Andresen T., Hans.—Augustinas 1139, Santiago. I–2.
Andriola P. Nicolás.—Prat 437, Antofagasta. I–1.
Aninat, Armando.—Quilpué. II–4.
Apey Méndez, Carlos.—Cochrane 238 (Recreo), Viña del Mar. I–4.
Arrau, Raúl.—Santiago. I.
Arriagada, Jorge Orellana. — Casilla 1894, Santiago. I.

*Address added or changed with this revision.

Artuffo, Esteban. — Huérfanos 2566, Santiago. II–4.
Asai, K.—Avenida Bernardo O'Higgins 2740, Santiago. I; I–2.
Asmundsen, Juan Nicholas. — Covadonga 668, Iquique. I–1.
Atala, Abraham.—Las Rosas 1055 (Casilla 488), Santiago. I–1.
Backenberg, Julio.—Blanco 1303 (Casilla 480), Valparaiso. I.
Baehr & Mueller, Ltda.—Santo Domingo 1025 (Casilla 1941), Santiago. I.
Bahamondes y Cía., Ltda.—Huérfanos 1180, Santiago. I–1.
Banco Alemán Transatlántico.—Valparaiso, and all branches in Chile. I.
Banco Germánico de la América del Sud—Santiago and Valparaiso. I.
Banque Française et Italiènne pour l'Amérique du Sud S.A.—Santiago, and all branches in Chile. I.
Bar Alemán.—La Serena. II–3.
Bardina C., Juan.—Argentina 373, Valparaiso. II–3.
Barends, Barend.—José Infante 120 (Casilla 1393), Santiago. II–5.
Barra, Juan.—Casilla 389, Concepción. II–5.
Barreau, Eduardo.—Picarte 382 (Casilla 540), Valdivia. II–1.
Barreau y Cía. Ltda., Eduardo.—Picarte 382 (Casilla 540), Valdivia. II–1.
Barz, Dietrich.—Morandé 291, oficina 50, Santiago. I–1.
Barz y Cía., D. (Sucrs. de Erick Schiele).—Morandé 291, oficina 50, Santiago. I–1.
Bayer-Weskott y Cía., La Química.—Catedral 1312, Santiago. I.
Baum Hoffmann, Erich.—Catedral 1280 (Casilla 447), Santiago. II–3.
Bekker von Tietzen, Werner.—Catedral 1151 (Casilla 4086), Santiago. I–1.
Bekker & Feise.—Catedral 1151 (Casilla 4086), Santiago. I–1.
Benheim, Robert (Dr.).—Bandera 575, Santiago. I.
Benheim & Schwartz, Ltda.—Bandera 575, Santiago. II–3.
Benkel y Cía.—Catedral 1151 (Casilla 3421), Santiago. I.
Berg-Boulin, Peter.—Nueva York 52, Santiago. I.
Berkhoff, Ernesto.—Picarte 319 (Casilla 401), Valdivia. II–5.
Bevilacqua C., Juan.—Quilpué. I–4.
Binder, Alfredo.—Casilla 44, Puerto Varas. II–3.
Binder, Fernando.—Casilla 44, Puerto Varas. II–3.
Binder, Hermanos.—Casilla 44, Puerto Varas II–3.
Bizama Merino, Hedilberto.—Gálvez 152, Santiago. II–1.
Block, Enrique.—Bandera 547 (Casilla 457), Santiago. I.
Blunck, Gualterio.—Huérfanos 972, Santiago. II–4.
Bobillier B., Guillermo.—Gay 2040 y Bandera 60, Santiago. I–4.
Boccardo A., José.—Quilpué. I–4.
Boletín Relámpago.—Valdivia. II–3.
Bolland, Augusto.—Avenida Brasil 2136, Valparaiso. I–1.
Bolland y Cía.—Avenida Brasil 2136, Valparaiso. I–1.
Börger B., Max.—Calle General Cruz (Casilla 53–V), Valparaiso. II–1.
Boric & Arzic.—Talca 1143, Punta Arenas. I–1.
Bosco Hermanos.—Esmeralda 1132, Valparaiso. II–4.
Botica Unión.—Condell 1205, Valparaiso. I–2.
Botica Victoria.—Victoria 2698, Valparaiso. I–2.
Branchi S., Gustavo.—Blanco 1053, Valparaiso. II–5.
Branchi & Mutis.—Blanco 1053 (Casilla 567), Valparaiso. II–5.
Brandeis, Enrique.—Huérfanos 1372, Santiago. I–3.
Braumuller S., Gerardo.—Santa Beatriz 273, Santiago. II–3.
Brautigan Luhr, Alberto.—Aysen. I–2.
Bravo Hermanos.—21 de Mayo 583, Arica. II–5.
Brien G., Otto.—Pucón. II–3.
Brüchert y Cía.—Condell 1205, Valparaiso. I–2.
Bruhn H., Boie.—Gral. Alessandri 23 (Casilla 957), Santiago. I.
Bruhn, Johannes.—Nueva York 17, Santiago. I.
Buchholz, Gustavo.—Higuera 133, Cerro Alegre, Valparaiso. II–4.
Buchholz, Otto.—Cochrane 552 (Casilla 1407), Valparaiso. II–4.
Burgemeister y Frey, Ltda.—Picarte 321 (Casilla 69–D), Valdivia. I–2.
Burkhardt Steinborn, Alfredo.—Yungay 744, Valdivia. I–3.
Busch, E. W. de (Suc. de C. Wiedmaier).—Blanco 957, Valparaiso. II–3.
CB 93 (ex-Radio Hucke).—Huérfanos 1055, Santiago. II–1.
CB 134 Radio Cervantes.—Avenida Bernardo O'Higgins 924 (Casilla 4650), Santiago. II–5.
CE 1174 (ex-Radio Hucke).—Huérfanos 1055, Santiago. II–1.
Calderón, Emilio.—San Ignacio 1295. Santiago. I.
Campodonico R., Pedro.—Errázuriz 1028 y Blanco 1041, Valparaiso. I–1.
Campos Franco, Fausto.—Avenida Buzeta 290, Santiago. I.
Canales B., Mathilde.—Catedral 1361, Santiago. II–2.
Canepa Vaccarezza, José.—Juana Ross 181 (Casilla 4336), Valparaiso. II–5.
Caramello, Gerónimo. — Antofagasta. II–3.
Casa Alemana de Automóviles "Mercedes-Benz".—Monjitas 739, Santiago. I.
"Casa Bata".—Condell 1250, Valparaiso. I.
"Casa Cotroneo".—Ecuador 133, Viña del Mar. II–4.
Casa Ehni.—Estado 378, Santiago. I–2.
Casa Hargo.—Esmeralda 970, Valparaiso. I–1.
Casa Hombo.—Pasaje Matte 49, Santiago. I.
Casa Itoh Ltda. (Chile).—Nueva York 52, piso 7, Santiago. I; II.
Casa Japonesa.—Avenida Pedro Montt 2139, Valparaiso. I.
Casa Sedylan.—Viel 1896, Santiago. I.
Casa Yamato.—Avenida Bernardo O'Higgins 2488, Santiago. I; II.
Casamitjana Cirera, Elías.—Guillermo Rawson 308 (Casilla 4200), Valparaiso. II–5.
Casaro, Carlos.—Valdivia 551, Punta Arenas. I.

Casaro, Julio.—Chiloe 839, Punta Arenas. I.
Casaro e Hijo.—Punta Arenas. I.
Catecú S.A.—Peñaflor. I.
Celedón, Pedro.—Casillo 251, Valparaiso. II–3.
Central de Homeopatía Hahnemann.—Santo Domingo 1022, Santiago. II–4.
Cerutti y Cía., Ltda.—Lautaro esquina Prat, Angol. I–1.
Cervecería Stange y Cia., Ltda.—Puerto Montt. I–2.
Chenevy, Roberto.—General Salvo 348, Santiago. II–1.
Chiappe, Juan.—Casilla 66, Iquique. I–2.
Chilena de Artículos para Calzado, Soc.—Teatinos 975 (Clasificador 117), Santiago. I–1.
Chilena de Comercio Ltda., Soc.[1]—Prat 647 (Casilla 1804), Valparaiso. I–4; II–3.
Cigarrería Richter.—Camilo Henríquez 524, Valdivia. II–4.
Club Alemán Plaza.—Camilo Henríquez 540, Valdivia. II–4.
Club Alemán Unión.—Independencia 451, Valdivia. II–4.
Comercial Chileno–Oriental Ltda., Soc.—Ramón Nieto 920, piso 5, Santiago. I; II.
Comercial Mitsubishi-Chile, S.A.—Agustinas 972, oficina 613, Santiago. I; II.
Comercial Taibo S.A. Cía.—Huérfanos 972, oficina 512, Santiago. I; II.
Cóndor, Ltda., Sindicato.—All branches in Chile. I.
Cordero, Manuel J.—Catedral 1404–12 (Casilla 1716), Santiago. I.
Cornejo Tagle, Héctor.—Casilla 1826, Santiago. I–3.
Cornejo y Cía.—Huérfanos 1180, Santiago. I–3.
Cornelius, Jan.—Picarte 1223, Valdivia. II–2.
Coronata y Cía., Juan.—Casilla 72, Iquique. I.
Corporación Chilena de Films.—Estado 91, Santiago. I–1.
Correa Lagos, Alfonso.—Calle 8 Norte 803, Viña del Mar. I–4.
Costa V., Enrique.—Quilpué. I–4.
Curtex Ltda.—Agustinas 1215, Santiago. I.
Daikubara, Akira.—Huérfanos 587, Santiago. II–3.
D'Assurances Générales, Cie.—Prat 221, Santiago. II–4.
Dauelsberg y Cía.—Antofagasta and Arica. I.
de Flores, Francisco P.—Prat 871 (Casilla 1425), Valparaiso. I–2.
de Garbado, Antonio.—Oficina Ingenio Hércules, Estación Catalina, Taltal. II–1.
De la Ruelle, Jean Marie.—Santiago. I.
Dell'Orto y Cía, Ltda., "Vidriería Italiana".—Estado 149 (Casilla 558), Santiago. I–1; II.
Delpiano & Scheucher.—Bustamente 580, Santiago; and Arturo Prat 647, Valparaiso. I.
Demelt von Bach Guillermo.—San Francisco esquina San José (Casilla 1697), Puerto Varas. II–4.

[1] Not to be confused with Compañía Chilena Comercial S.A., Blanco 669 (Casilla 1573), Valparaiso.

Denecke y Cía.—Avenida Argentina 411 (Casilla 79), Concepción. I–2.
Deutsche Lufthansa A.G.—All branches in Chile. I.
Deutsche Zeitung für Chile.—Merced 673, Santiago. I–4.
Deutscher Verein Plaza.—Camilo Henríquez 540, Valdivia. II–4.
Deutscher Verein Unión.—Independencia 451, Valdivia. II–4.
Diario L'Italia.—O'Higgins 1266, Valparaiso. II–3.
Díaz Berguecio, Guillermo.—Catedral 1312, Santiago. I–1.
Diaz Gonzáles, Alicia.—Madrid 944, Santiago. I.
Distribuidora Chilena La Tejedora, Ltda., Soc.—Huérfanos 858 (Casilla 6056), Santiago. I–3.
Dittmann, Bruno.—Prat 828, Valparaiso. II–5.
Doebbel, Federico.—Bandera 227 (Casilla 3671), Santiago. I.
Droppelmann Krebs, Carlos.—Rosas 1274, Santiago. I–3.
Droppelmann Krebs, Luis.—Rosas 1274, Santiago. I–3.
Droppelmann Hnos.—Rosas 1274 (Casilla 28–D), Santiago, and all branches in Chile. I–3.
Droste y Cía., Carlos F.—Morandé 536 (Casilla 27), Santiago. II–5.
Dubrock, Adolfo.—Roca 843, Punta Arenas. II–5.
Dubrock, Carlos.—Roca 843, Punta Arenas. II–5.
Dubrock Hermanos.—Roca 843, Punta Arenas. II–5.
Dufour, Emile.—Agustinas 711, Santiago. II–4.
Eberhardt, Hermann. — Estancia Puerto Consuelo, Ultima Esperanza (near Natales), Magallanes. II–5.
Eberhardt Hermanos. — Estancia Puerto Consuelo, Ultima Esperanza (near Natales), Magallanes. II–5.
Echeverría, Renard y Cía. Ltd.—Santiago. II–4.
Eckermann, Hans.—San Diego 224 (Casilla 929), Santiago. I.
Edición de la Tarde del Diario L'Italia. — O'Higgins 1266, Valparaiso. II–3.
Editora Italiana, Soc.—O'Higgins 1266, Valparaiso. II–3.
Eggers G., Bruno.—Prat 732 (Casilla 1505), Valparaiso; and Huérfanos 972, oficina 603, Santiago. I–1.
Eggers G., Otto.—Prat 732 (Casilla 1505), Valparaiso; and Huérfanos 972, oficina 603, Santiago. I–1.
Ehni y Cía., G.—Estado 378, Santiago. I–2.
El Diario Relámpago.—Santiago. I–4.
"El Japón".—Barros Arana 409, Concepción. I.
"El Radio Expreso".—Huérfanos 2566, Santiago. II–4.
El Suplemento del Diario Alemán.—Merced 673, Santiago. I–4.
Elten y Schaale Ltda.—Errázuriz 845 (Casilla 338), Punta Arenas. I.
Emck, Gisberto.—Bandera 620 (Casilla 2961), Santiago. I.
"Emporio Alemán".—Arturo Prat 560, Temuco. I.
Engel, Alberto.—Santo Domingo 1025, Santiago. I.
Engel y Cía.—Santo Domingo 1025, Santiago. I.
Engelhardt Fischer, Eduardo.—Avenida Brasil 653, Santiago. I–3.
Erdmannsdorffer, B.—Casilla 3177, Santiago. I.
Establecimientos Pelikan, Soc. Ltda.—Rosas 1490, Santiago. I.
"Estación de Servicio Londres".—San Ignacio 224, Valparaiso. II–4.
Explotadora de Manganeso, Soc. Ltda.—Nueva York 52 (Casilla 1137), Santiago; and Coquimbo. I; II–1.
Exportadora del Vinos del Llano de Maipo Ltda., Soc.—Santiago. I.
Exss, Gustavo.—San José de la Mariquina. II–4.
Fábrica Calzado Weiss.—Pérez Rosales 1390, Valdivia. II–4.
Fábrica de Conservas "Oso".—Casilla 1–A, Los Andes. II–3.
Fábrica de Tejidos Tres Coronas.—Avenida Argentina 411 (Casilla 79), Concepción. I–2.
Fábrica Nacional de Carrocerias S.A.—Casilla 11–D, Viña del Mar. I–1.
Falciola, Carl Osborne.—Lira 856 (Casilla 2874), Santiago. I.
Fantuzzi P., Angel.—Avenida Salvador 774, Santiago. I–2.
Fantuzzi e Hijos, Angel.—Avenida Salvador 774, Santiago. I–2.
Farmacia Colón.—Avenida Argentina 318, Valparaiso. II–5.
Farmacia Germania.—Ahumada 199, Santiago. I–2.
Feise Washnschaffer, Hermann.—Catedral 1151 (Casilla 4086), Santiago. I–1.
Feldrape, Ernst.—Hotel Cosmos, Magallanes. I; I–4.
Fennekohl, Franz.—Napoleón 480 y Bandera 191, Santiago. I–2.
Ferrero C., Santiago.—Chacabuco 2621, Valparaiso. II–4.
Ferrostaal, A.G.—Santiago. I.
Ferrostaal, G.m.b.H.—Santiago. I.
Fiedler, Conrado (Dr.).—Santa Victorina 366 (Casilla 736), Valparaiso. II–5.
Fisher, Germán.—Valdivia 367, Santiago. II–1.
Fischer, Ottmar.—Picarte 1129, Valdivia. II–4.
Floegel, Josef.—Errázuriz 845, Punta Arenas. I–4.
Flores y Kersting.—Morandé 350 (Casilla 3161), Santiago. I–3.
Flugel Deming, Guillermo.—Bandera 620, piso 3 (Casilla 1120), Santiago. II–2.
Fosfato Germania Ltda., Soc.—Calle Regimiento s/n, Coquimbo. II–1.
Fotografía Japonesa.—Avenida Bernardo O'Higgins 2740, Santiago. I; II.
Fotografía Tunekawa.—San Antonio 39, Santiago. I; II.
Fracchia Ottone, Libero.—General Salvo 317, Santiago. II–5.
Framm, Eduardo.—Roberto del Río 1644, Santiago. II–2.
Framm y Cía., Eduardo.—Agustinas 1111, oficina 715, Santiago. II–2.
Frammknecht, Juan.—Catedral 1361 (Casilla 1130), Santiago. I.
Franz Thill, Rudolf.—San Francisco s/n (Casilla 145), Puerto Varas. II–3.

Frey, Casa Hans.'—Independencia 500 (Casilla 322), Valdivia. I–3.
Frey, Casa Hans.'—Manuel Montt 815, Temuco. I–3.
Friederichs, Ernest.—Esmeralda 1149, Valparaiso; and Agustinas 629, Santiago. I.
Friederichs, Herman.—Bernardo O'Higgins 1260, Valparaiso; and Agustinas 629, Santiago. I.
Friederichs, Kurt.—Esmeralda 1149, Valparaiso; and Agustinas 629, Santiago. I.
Friederichs Yung, Gustavo.—Bernardo O'Higgins 1260, Valparaiso; and Agustinas 629, Santiago. I.
Friederichs y Cía.—Bernardo O'Higgins 1260, Valparaiso; and Agustinas 629, Santiago. I.
Fritis Manzo, Román.—Casilla 50–V, Valparaiso; and Casilla 1848, Santiago, II–1.
Fuhrmann y Jüllich.—Blanco 1033 (Casilla 1478), Valparaiso. I.
Gamm, Hermann.—Antonio Varas 2143, Santiago. I–1.
Gandulfo Baumann, Salvador.—Cochrane 819, Valparaiso. II–4.
Gantz S., Guillermo.—Casilla 17, La Unión. II–4.
Garbaccio, Savino.—Luis Barros B. 61, Santiago. II–1.
Garces Gana, Agustín.—Nueva York 52 (Casilla 2998), Santiago. I.
García, Félix.—Santo Domingo 1231, Santiago. I.
García, Nicolás Yus.—Exposición 1044, Santiago. I.
Gardeweg Villegas, Enrique.—Ñuble 1168, Santiago. II–5.
Gardeweg V. y Hnos., Enrique.—Avenida Portales 1314, Valparaiso. I.
Garimani Valdata, Miguel.—8 Norte 1137, Viña del Mar. II–5.
Geco Ltda., Cia.—Zañartu 1052 (Casilla 346), Santiago. I.
General de Anilinas y Productos Químicos Soc. Ltda., Cia.—Huérfanos 1372 (Casilla 607), Santiago, and all branches in Chile. I.
General de Construcciones del Perú S.A., Cia.—Bandera 575, Santiago. I.
Gerhard y Cía., Ltda.—Catedral 1404–12 (Casilla 1716), Santiago. I.
Gerlach Straube, Hans.—Bolívar 352, Iquique. I–4.
Gerlach y Cía., Ltda.—Bolívar 352 (Casilla 9–D), Iquique, and Arica. I–4.
"Germania y Araucania", Compañía de Seguros.—Esmeralda 1015, Valparaiso. I–4.
Geschkat, Ernesto.—Aldunate 402, Coquimbo. II–1.
Gevert & Neeb.—Amunategui 480, Santiago. I–1.
Giemza Steel, Federico.—Prat 743, Valparaiso. I–2.
Giemza y Cía.—8 Norte 1137, Viña del Mar. I–2.
Gleisner, Lorenz.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago II–3.
Gleisner, Wolrad Moritz.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago. II–3.

²Owned by Adolfo Meyer.
'Owned by Hugo Rasmussen.

Gleisner y Cía., Ltda., M.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago. I.
Gnadt, Walter.—Avenida Portugal 8, Santiago. II–2.
Goehring Schunider, Helmuth.—Valdivia. II–2.
Goldmann, Janssen.—Blanco 1121 y Plaza A. Pinto 1179 (Casilla 1566), Valparaiso. I–2.
Goldmann Schaub, Erich A.—Avenida Brasil 1727 (Casilla 1378), Valparaiso; and Huérfanos 930 (Casilla 456), Santiago. I–2.
Goldmann Schaub, Kurt.—Blanco 1121 y Plaza A. Pinto 1179 (Casilla 1566), Valparaiso. I–2.
González Jamett, Eduardo.—Esmeralda 970, Valparaiso. I–1.
González, José M.—Casilla 278, Talca. II–5.
González y Cía., Ltda.—Esmeralda 970, Valparaiso. I–1.
Göpfert y Cía., Ltda., Pablo.—Bandera 575 (Casilla 1957), Santiago. I.
Greiner y Cía., Ltda.—Avenida Brasil 653, Santiago. I–3.
Grisar, Max.—Casilla 42–V, Valparaiso. II–3.
Groeger, Walter.—Santo Domingo 831, Santiago. I–1.
Groeger y Cía., Ltda.—Santo Domingo 831, Santiago. I–1.
Gross, Federico.—Estado 378, Santiago. I–4.
Grunwaldt B., Guillermo.—Merced 673, Santiago. I–4.
Gubernatis, Germán.—Antofagasta. I–1.
Gutiérrez, B.—Casilla 1698, Valparaiso. II–3.
Guzmán Palacios, Jorge.—Estado 91, Santiago. I–1.
Haardt, Carlos.—Avenida Brasil 2136, Valparaiso. I–1.
Haas, José.—Prat 643 (Casilla 1161), Valparaiso. II–5.
Haenel, Ricardo Pablo.—Bandera 575 (Casilla 185), Santiago. II–3.
Haeusler, Luis.—Compañía 1288, Santiago. I.
Hagemann, Walter.—Monjitas 739, Santiago. I.
Hagiwara, Yonosuke.—Ramón Nieto 920, Santiago. I.
Hahn B., Reinaldo.—Agustinas 972, oficina 339, y Avenida Larraín 6478, Santiago. II–4.
Hall Victor.—Ahumada 54, Santiago. I–2.
Hamburg-Amerika Linie.—Agustinas 1086, Santiago; and Valparaiso. I.
Hamdorf y Cia.—Arturo Prat 692, esquina Ant. Varas (Casilla 27–D), Temuco, and all branches in Chile. I.
Hampel y Kosiel, Ltda.—Santo Domingo 1031, Santiago. I–4.
Haramoto, S.—Santiago. I.
Hardt y Cía., E.—Valparaiso. I.
Harries, Ltda., H. W.—Cochrane 843 (Casilla 955), Valparaiso. I–1.
Harries & Weinborn.—Casilla 244, Arica. I–1.
Hartung, Alfredo J.—Esmeralda 970, Valparaiso. I–1.
Hattori Itinoze, Motoso.—Avenida Vicuña Mackenna 4, Santiago. I–2.
Hausner y Cía.—Nueva York 52, Santiago. I.
"Havastele" Agencia Noticiosa.—Agustinas 711, Santiago. II–4.
Hegeler, Walter.—Ramón Carnicer 5 (Casilla 9394), Santiago. I–1.
Heise, Alberto.—Estado 91 (Casilla 1567), Santiago. I–1.
Heissen, Emilio.—Avenida Manuel Rodríguez 799 (Casilla 2), San Fernando. II–5.
Heitmann L., Augusto.—Prat 647 (Casilla 1416), Valparaiso. II–3.
Helle, Augusto.—Picarte 486 (Casilla 661), Valdivia. I–2.
Helmke, Fritz.—Nueva York 52, Santiago. I.
Hengel y Rau.—Morandé 617, Santiago. I.
Henseleit, Julio.—Nueva York 62, Santiago. II–5.
Hinze y Bostelmann.—Bandera 419, Santiago. I.
Hirsch K., Martín.—Huérfanos 880, oficina 9, Santiago. I–1.
Hochstetter y Cía., Ltda.—Santo Domingo 1022, Santiago. II–4.
Hoffmann Thater, Otto.—Pérez Rosales 786, Valdivia. II–4.
Hoffmann Thater, Pablo.—Portal Fernández Concha 960, dept. 218, Santiago. II–4.
Hoffmeister, Werner.—Pedro Montt 249 (Recreo), Valparaiso. II–5.
Hoffmeister y Cía., Ltda.—Avenida Errázuriz 1356 (Casilla 2106), Valparaiso. II–5.
Holtheuer V., Germán.—Casilla 4650, Santiago. II–5.
Holzapfel, Clemente.—Casilla 33, Valdivia. II–4.
Hombo Hombo, Takayasu.—Pasaje Matte 49, Santiago. I.
Honiuchi Honiuchi, Sadao.—Avenida Ecuador 4126, Santiago. I–3.
Hortal, José.—Plaza de Armas 416, Santiago. II–3.
Hotel Pelz.—Chacabuco 394, Valdivia. II–1.
Hotel Schild.—Camilo Henríquez 522, Valdivia. II–3.
Hotel Unión.—Leteller 477 (Casilla 91), La Unión. II–1.
Hübner, George.—Berger 2076, Chorrillos, Viña del Mar. II–4.
Hucke, Hnos., S.A.C.—Avenida el Bosque 101, Santiago; and Valparaiso. I.
Hucke y Fischer Ltda.—Freire 799, Concepción. I.
Hurtado, Aurelio.—Valparaiso. II–5.
Ibáñez, Zamudie.—Santiago. II–5.
Ibar, Antonio.—Valparaiso. I.
Imprenta "Artuffo".—Huérfanos 2566, Santiago. II–4.
Imprenta Central.—Yungay 235, Valdivia. II–3.
Indoo, Zonji.— I.
Industrial del Aysen, Soc.—Arturo Prat 871 (Casilla 1425), Valparaiso. I.
Industrial Kunstmann S.A., Soc.—Picarte 449, Valdivia. II–4.
Industrial y Comercial Hoffmann, S.A.—Valdivia. II–4.
Irazabal, Perpetuo.—Aníbal Pinto 848, Concepción. I–2.
Iriarte Hnos.—San Joaquín 3525, Santiago. I.
"Italcable".—Santiago. I.

"Italmar" Sociedad Anónima de Empresas Marítimas.—Valparaiso and Santiago. I.
Jacob y Cía., A.—Ahumada 23, Santiago, and all branches in Chile. II–1.
Jacobsen G., Ernesto.—Huérfanos 972 y Carmen Silva 2345, Santiago. II–5.
Janssen Denneberg, Werner.—Blanco 1121 y Plaza A. Pinto 1179 (Casilla 1566), Valparaiso. I–2.
Kadelbach, Conrado.—Padre Mariano 267, Santiago; and Coquimbo. I; II.
Kanamori Kanamori, Koishe.—Blanco 1041, Valparaiso. I–2.
Kanda, Karamatsu.—Barros Arana 409, Concepción. I.
Kanda, Watanabe y Cía.—Barros Arana 409, Concepción. I.
Kanematsu & Co.—Avenida Bernardo O'Higgins 2334, piso 2, departamento D, Santiago. I; II.
Karcher Richter, Erich.—Valdivia. II–2.
Karlsruher, Herbert.—Condell 1436, Valparaiso. I–3.
Kawaguchi, K.—Huérfanos 972, oficina 512, Santiago. I; II.
Kawamura, K.—Huérfanos 972, oficina 512, Santiago. I; II.
Keller R., Carlos.—Morandé 720, Santiago. II–4.
Kelter, Hans Harald.—Nueva York 54, Santiago. I.
Kirschke & Co., A.—San Diego 133, Santiago. I.
Kito Kito, Nikki.—Santo Domingo 1079, Santiago. I–2.
Knop Niederhoff, Pablo.—San Martín 324, Valparaiso. I–1.
Knop Niederhoff, Reinaldo.—San Martín 324, Valparaiso. I–1.
Knop y Cía., R.—San Martín 324, Valparaiso. I–1.
Koch, Carlos.—Arica. I.
Koch, Hermann.—Casilla 19–D, Punta Arenas. I.
Kohler Flohr, Erwin.—Antonio Varas 325, Santiago. I–2.
Koike, Tsuneo.—Santiago. I.
Koller Walter.—Casilla 309, Valdivia. II–3.
Kommer, Lothar.—Augustinas 972, oficina 419, Santiago. II–5.
Koreska y Cía., W.—San Isidro 41, Santiago. I.
Kosmos Agencia Marítima.—Augustinas 1086, Santiago; and Valparaiso. I.
Kraemer y Cía., Ltda., Robert.—Augustinas 975 (Casilla 1194), Santiago. I–1.
Krause, Heriberto.—Salvador Donoso 1739, Valparaiso. II–3.
Krebs Schwetter, Luis.—Rosas 1274, Santiago. I–3.
Kristl, Peter J.—Bernardo O'Higgins 625, Antofagasta. I.
Kristl y Cía., P. J.—Bernardo O'Higgins 625, Antofagasta. I.
*Krueger G., Walter.—Avenida Bernardo O'Higgins 1162 (Casilla 9566), Santiago. II–3; III.
*Krueger y Cía, Ltda.—Avenida Bernardo O'Higgins 1162 (Casilla 9566), Santiago. I; III.
Kubo Takaray, Guillermo.—21 de Mayo 435, Arica. II–3.

*Address added or changed with this revision.

Kulenkampff, Knoop & Co.—Augustinas 1220 (Casilla 8027), Santiago, and all branches in Chile. I.
Kunstmann Munninch, Victor.—Picarte 449, Valdivia. II–4.
Kyonen T., Carlos.—Camino a Serena, Coquimbo. II–3.
"La Araucania", Compañía de Seguros.—Esmeralda 1015, Valparaiso. I–4.
"La Confianza", Compañía de Seguros.—Blanco 1002, Valparaiso; and Huérfanos 1151, Santiago. I–4.
"La Germania", Compañía de Seguros.—Esmeralda 1015, Valparaiso. I–4.
"La Gran Vía".—Aníbal Pinto 540, Concepción. II–3.
La Nueva Edad.—Casilla 9373, Santiago. II–1.
La Química Bayer-Weskott y Cía.—Catedral 1312, Santiago. I.
"La Reina de las Medias".—Ahumada 360, Santiago. I.
La Semana Internacional.—Argentina 373, Valparaiso. II–3.
Laboratorio Boston.—General Korner 1282, Santiago. II–3.
Lacassie, P.—Bandera 765, Santiago. I.
Lacquaniti G., Alberto.—Ecuador 133 (Casilla 233), Viña del Mar. II–4.
Lampe, Emilio.—Blanco 1395 (Casilla 933), Valparaiso. I–4.
Lampert, Enrique.—Yungay 235, Valdivia. II–3.
Lanera, Ltda., Soc.—Calle 15 Norte 960, Viña del Mar. I–1.
Langhaus, Guillermo.—Puerto Natales. II–5.
Langhaus, Jorge.—Puerto Natales. II–5.
Laroche P., Edmundo.—Agustinas 972 (Clasificador D–538), Santiago. I–1.
Lauezzari, Ricardo.—Punta Arenas. II–3.
Leist, Cristóbal.—Almagro 248 (Casilla 4148), Santiago. I.
Lejeune, Storm y Cía.—Cochrane 557, Valparaiso. I–1.
Leser, Hans.—Amunategui 137 (Casilla 3321), Santiago. II–1.
Lettura, Ernesto.—Serrano esquina Atacama, Taltal. II–1.
Librería Corona.—San Antonio 226 (Casilla 2851), Santiago. I–3.
Librería Médica Universal.—Huérfanos 972, Santiago. II–4.
Lingua Buzzetti, Theo.—Chacabuco 481 (Casilla 135), Copiapó. II–2.
Lobenstein, Roberto.—Agustinas 1153, Santiago. I–1.
Loch & Co., P.—Morandé 584 (Casilla 1286), Santiago. I.
Lodtmann K., Hans.—Nueva York 52 y Villaseca 353, Santiago. I–2.
Luco, Braumuller, Lorca y Cía., Ltda.—All branches in Chile. I.
Luco, Braumuller y Cía., Ltda.—All branches in Chile. I.
Lüders y Cía., Ltda.—Santo Domingo 1223, Santiago. I.
Ludorf, Enrique.—Amunátegui esquina Agustinas, Santiago. II–3.
Ludwig, Carlos (Dr.).—Casilla 227, Puerto Montt. II–4.
Lutz, Gustavo.—Nueva York 62, Santiago. II–5.
Luvecce G., Carlos Guillermo.—Ramón Nieto 940, Santiago. II–5.
Maderera "Valdivia" S.A., Cia.—Arauco 22, Valdivia. II–4.
Makatsuka, Sueyuke.—Ramón Nieto 920, Santiago. I.
Maldini G., Luis.—O'Higgins 110, Copiapó. II–5.
Mamiya Fuhara, Yei.—Bulnes 80, Santiago. I–2.
Mannesmann, Ltda., Sociedad Tubos.—Santiago. I.
Manufacturera de Caucho Tejidos y Cueros Catecú Ltda., Soc.—Condell 1250, Valparaiso. I.
Marín, Juan R.—Coquimbo. II–5.
Martens B., Ernesto.—Independencia 623, Valdivia. II–4.
Martínez Hnos. y Cía.—Aníbal Pinto 540, Concepción. II–3.
Martínez y Cía., Jesús.—Bandera 843, Santiago. I.
Martini y Rossi (Chile) Ltda.—Viña del Mar. I; II–3.
Martinic, Antonio. — O'Higgins 1046, Punta Arenas. II–1.
Mathiesen y Cía.—Amunátegui 163, Santiago. II–3.
Matsukawa, S.—Huérfanos 972, oficina 512, Santiago. I; II.
Matsumoto Itoh, Kanji.—Avenida Argentina 380, Valparaiso. I–2.
Matsumoto Josie, Julio.—Avenida Bernardo O'Higgins 2488, Santiago. I.
Matsumoto Matsumoto, Jiro.—Agustinas 972, Santiago. I–2.
Matsumoto y Yamamoto.—Avenida Bernardo O'Higgins 2488, Santiago. I; II.
Mattil, Enrique.—Temuco. I.
Mayenberger, Alfonso. — Huérfanos 972, Santiago. II–4.
Mayenberger, Hermann.—Huérfanos 972, Santiago. II–4.
Mayenberger Hnos., Ltda.—Huérfanos 972 (Casilla 146–D), Santiago. I.
Mayer N., Walter.—Casilla 271, Osorno. I–4.
Mercería Central.—Picarte 321 (Casilla 279), Valdivia. II–1.
Mercería Chile, Ltda., Soc.—Esmeralda 1149, Valparaiso; and Agustinas 629, Santiago. I.
Mercería "El Candado".—Guillermo Rawson 308 (Casilla 4200), Valparaiso. II–5.
Mercería Libertad.—Alameda 3023 (Casilla 4583), Santiago. II–5.
Mercería Scholtbach. — Varas 949, Puerto Montt. II–3.
Merck, Química Chilena, Soc. Ltda.—Compañía 2464, Santiago. I.
Mett, H. P.—Residencial Extrangera, L. Saint Jean, Pasaje Cousiño 4, Viña del Mar. II–5.
Meyer, Adolfo.—Independencia 500 (Casilla 322), Valdivia. I–3.
Miramoto, I.—Huérfanos 972, oficina 512, Santiago. I; II.
Mirando al Oriente.—Huérfanos 1165, Santiago. I–4.
Mitsubishi-Chile, Sociedad Anónima Comercial.—Agustinas 972, oficina 512, Santiago. I; II.
Mitsubishi, S. K.—Coquimbo. I.
Mitsui & Co.—All branches in Chile. I.
Miyake, J.—Ramón Nieto 920, pico 5, Santiago. I; II.
Miyake, Temo.—Santiago. I.
Miyake, Teruo.—Augustinas 972, oficina 613–4 (Casilla 69–D), Santiago. I.
Miyasaki, Goro.—Ramón Nieto 920, piso 5, Santiago. I; II.

Miyoshi, Sozan.—Ahumada 110, Santiago. I–3.
Mizokoshi, Tatsuo.—Nueva York 52, piso 7, oficina 11, Santiago. I.
Mizushima, Sigeru.—Biarritz 1920, Santiago. I–3.
Molinos y Fideos Carozzi, Cía.—Quilpué. I–4.
Moll, José O.—Casilla 224, Arica. II–1.
Moller y Fenner, Ltda.—San Antonio 429, Santiago. II–3.
Monguillo, Domingo.—Iquique. I.
Monti y Cía.—All branches in Chile. I.
Montt, A.—Agustinas 1070, Santiago. I.
Morales Dominguez, Carlos.—Manuel Montt 2481, Santiago. II–5.
Morán Acevedo, Sergio.—Santo Domingo 3669, Santiago. I–4.
Moreno, Armando.—San Luis de Francia 1776 (Casilla 4232), Santiago. I.
Morey C. Antonio.—Casilla 212, Coquimbo. II–1.
Morimoto Jimbo, Kanji.—Huérfanos 972, oficina 512, Santiago. I; II.
Mücke Hoffmann, Francisco.—Casilla 18, Ancud. II–4.
Mueschen, Walter B.—Nueva York 80, Santiago. I.
Muffeler, Peter.—Iquique and Arica. I.
Muggli, José.—Casilla 345, Santiago. I.
Müller y Cía., Ltda., Herbert J. E.—Huérfanos 972 (Casilla 3757), Santiago. I.
Munzel, Kurt.—Santo Domingo 1074, Santiago. I.
Musso y Cía., Fernando.—Santa Rosa 3996, Santiago. I.
Mutzembecher, Juan.—21 de Mayo 1262, Punta Arenas. I.
Nachtmann, Anna K.—"Kanka Huasi", Panguipulli. II–3.
Nakayama Nakayama, Kaname.—Ramon Nieto 920, Santiago. I–2.
Nanyo, K.—Catedral 1111, Santiago. I–2.
Nanyo, Fotografía K.—Catedral 1111, Santiago. I–2.
Nazal R., Juan.[1]—Avenida Prado 1853, Santiago. I–3.
Nazal & Co.[1]—Avenida Prado 1853, Santiago. I–3.
Neeb & Kirchgaessener Ltda.—General Korner 1282, Santiago. I–1.
Neef & Irritier.—Edificio Caja Nacional de Ahorros (Casilla 1246), Valparaiso. I.
Neef Rave, Arturo.—Prat 769 y Balmaceda s/n, Valparaiso. II–4.
Neff Vollmer, Bruno.—Amunátegui 163, Santiago. II–3.
Neitzel y Orthmann.—Compañía 1264 (Casilla 1894), Santiago. I.
Nevermann, Herman.—Arica. I–1.
Nevermann, Kurt.—Arica. I–1.
Nevermann y Cía.—Arica. I–1.
Niemeyer, Carlos.—Esmeralda 973, Valparaiso. I–1.
Nippon Trade Agency.—Agustinas 972, Santiago. I–2.

[1] Not to be confused with J. Nazal Hermanos, Temuco; and Mac-Iver 418 (Casilla 9457), Santiago.

Nippon Yusen Kaisha, "N.Y.K." Line.—Valparaiso. I.
Nishimura, T.—Avenida Bernardo O'Higgins 2334, piso 2, departamento D, Santiago. I–2; II.
Nissen, Teodoro.—21 de Mayo 1262, Punta Arenas. I–3.
Nomura, Fukunosuke.—Nueva York 52, piso 7, oficina 11, Santiago. I.
Nord-Deutsche Versicherungs Gesellschaft.—Alm. Gómez C. 150, Valparaiso. I–4.
Norddeutscher Lloyd.—Prat 828, Valparaiso; and Bandera 191, Santiago. II–3.
Noria del Campo Hnos.—Avenida Pedro Montt, Valparaiso. I–2.
Notoy, Torao.—Esquina 21 de Mayo y Baquedaño, Arica. I–2.
Oberpaur, Casa Ricardo.—Estado-Huérfanos (Casilla 2007), Santiago; and Valparaiso. I.
Oelbrich, Antonio.—Varas 880 (Casilla 6), Puerto Montt. II–3.
Oestemer, Franz Bickirt.—Arturo Prat 1120 (Casilla 3447), Santiago. I.
Oettinger Stegmaier, Adolfo.—Picarte 449, Valdivia. II–4.
Oetzmann, Friedrich.—Bandera 75, Santiago. I–2.
Oficina Grob Ltda.—Varas 880 (Casilla 6), Puerto Montt. II–3.
Okayama, M.—Huérfanos 972, oficina 512, Santiago. I; II.
Olivares Pérez, Miguel.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago. II–3.
Ono, Siro.—Paulino Alfonso 37, Casa B, Santiago. I–3.
Orlandini, Aldo.—Lastra 1436, Santiago. I.
Orlandini, Natalio.—Providencia 1022, Santiago. I.
Orlandini y Cía., Natalio.—Santiago. I.
Orlandini y Raggio, Ltda.—Providencia 1022, Santiago. I.
Orrego y Cía., Ltda., Carlos.—Avenida Bernardo O'Higgins 1799, Santiago. I.
Orth, Rodolfo.—Miguel Claro 1314, Santiago. I.
Osram, Fábrica de Ampolletas Eléctricas Ltda.—Avenida Vicuña Mackenna 1680, Santiago. II–1.
Osterloh, O.—Arturo Prat 834 (Casilla 526), Valparaiso; and Bandera 75, Santiago. I.
Osterloh y Cía., O.—Prat 834, Valparaiso. II–4.
Ottens, Rudolf.—El Vergel 2367, Santiago. I; II.
"PACH".—Bandera 60, Santiago. I–4.
Pannes, Werner.—Bandera 575, Santiago. I.
Parnow, Juan.—Punta Arenas. I.
Paulsen y Cía.—Huérfanos 1284 (Casilla 1035), Santiago. I.
Pensión Alemana.—Bernardo O'Higgins 625, Antofagasta. I.
Pentzke Brandes, Alberto.—Avenida de las Delicias 310 (Casilla 27), San Felipe. II–5.
Pérez Gazitua, Jorge.—Bandera 71, Santiago. I–2.
Pfennings Hohmann, Edgar.—Alameda 3023 (Casilla 4583), Santiago. II–5.
Piazza G., Juan Pedro.—5 Oriente 294, Viña del Mar. II–1.
Piazza Garibaldi, Andres.—Avenida Brasil 1472, Valparaiso. II–5.
Piazza, Borghi y Cía., Ltda.—Subida Esperanza 9, Matadero, Valparaiso. II–1.
Piazza y Bertucci Ltda.—Avenida Brasil 1601 (Casilla 1855), Valparaiso. II–1.
Piazza y Cía., Ltda.—Teatinos 273 (Casilla 1527), Santiago; and Avenida Brasil 1472, Valparaiso. II–1.
Pichalda, Georg.—Bandera 575 (Casilla 1303), Santiago. I.
Pieber & Boek.—Galería Alessandri 7 (Casilla 13102), Santiago. I–1.
Pieper, Franz.—Bandera 242 (Casilla 1982), Santiago. I–1.
Pitto, Solari y Cía., Ltda.—Avenida Uruguay 152 (Casilla 4070), Valparaiso. II–4.
Plesch y Cía., Julio.—Barros Arana 71 (Casilla 24–C), Concepción. I.
Poblete Pérez, Florentín.—McIver 144 (Casilla 2367), Santiago. II–3.
Pohl y Cía., Alberto.—Villarica s/n, Loncoche. II–4.
Prensa Asociada Chile.—Bandera 60, Santiago. I–4.
Purcell Hnos., Ltda.—Blanco 1131 (Casilla 2087), Valparaiso. II–2.
Química Bayer, Cía. Ltda.—Santiago. I–2.
Química Industrial, Ltda., Cía.—Santa Rosa 3440, Santiago. II–2.
Quirch, Herbert.—Bandera 620 (Casilla 1084), Santiago. I.
Raddatz Raddatz, Otto.—Salvador 19 (Casilla 5D), Puerto Varas. II–4.
Radio Cervantes CB 134.—Avenida Bernardo O'Higgins 924 (Casilla 4650), Santiago. II–5.
Radios Telefunken.[1]—Agustinas 1139, Santiago. I; I–2.
Raible W., Otto.—Luis Beltrán 1832, Santiago. II–4.
Raggio, Juan.—Providencia 1022, Santiago. I.
Rasmussen, Hugo.—Manuel Montt 815, Temuco. I–3.
Rathje, Ricardo.—Yungay 251, Valdivia. II–4.
Reble, Oscar.—Moneda 873, Santiago. I–1.
Reccius, Bruno.—Ahumada 199, Santiago. I–2.
Reichmann, Wilhelm.—Bandera 172 (Casilla 3124), Santiago. I.
Reimers, A. Hugo.—Madrid 944, Santiago. I.
Reiners, H. B.—Prat 773 (Casilla 874), Valparaiso. I–2.
Relojería Barreau.—Picarte 382 (Casilla 540), Valdivia. II–1.
Relojería Suiza.—Roca 843, Punta Arenas. II–5.
Rendel, Erich.—Arturo Prat 560, Temuco. I.
Renftel, Kurt.—Nueva York 80, Santiago. II–4.
Rensinghoff Hohdahl, Guillermo.—Puerto Montt. I–2.
Rensinghoff, Wilhelm y Cía.—Varas 350, Puerto Montt; and Del Salvador (Casilla 16), Puerto Varas. I; I–4; II–3.
Renz, Germán.—Blanco 1205 (Casilla 1097), Valparaiso. I.

[1] Managed by Hans Andresen T.

Reutter, Juan.—Catedral 1361 (Casilla 1130), Santiago. I.
Riccomini C., Renato.—Copiapó 474, Santiago. II–3.
Richter, Alfredo.—Calera. I–2.
Richter, Erich.—Vicuña Mackenna 6703 (La Florida), Santiago. I–1.
Richter, Hellmuth.—Camilo Henríquez 524, Valdivia. II–4.
Richter y Cía., E.—Vicuña Mackenna 6703 (La Florida), Santiago. I–1.
Riegel y Cía.—Avenida Brasil 1373 (Casilla 77–V), Valparaiso. I.
Robba, O., Julio.—Quilpué. I–4.
Roeschmann, Bruno.—Arturo Prat 782, Temuco. I–2.
Roeschmann, Carlos.—Arturo Prat 782, Temuco. I–2.
Roeschmann, Guillermo.—Roble 735, Chillán; and Calle 5 Oriente 1½ Norte, Talco. I–4.
Roeschmann, Jorge.—Roble 735, Chillán; and Calle 5 Oriente 1½ Norte, Talco. I–2.
Roeschmann, Walter.—Arturo Prat 782, Temuco. I–2.
Roeschmann Hermanos y Cía.—Arturo Prat 782, Temuco. I–2.
Roeschmann & Wagner Ltda.—Morandé 862, Santiago. II–5.
Roeschmann y Cía., Jorge.—Roble 735, Chillán; and Calle 5 Oriente 1½ Norte, Talca. I–2.
Rometsch, Emilio.—Ahumada 302, Santiago. I–2.
Rosende S., Germán.—Huérfanos 1294, Santiago. II–4.
Rossi Hermanos y Cía., Ltda.—Viña del Mar. II–3.
Ruff, Willy.—Estado 91 (Casilla 85–D), Santiago. I–3.
Ruff y Cía., Ltda.—Estado 91 (Casilla 85–D), Santiago. I–3.
Saelzer Boettinger, Jorge.—Valdivia. II–4.
Saelzer, Hermann.—Valdivia. II–4.
Saelzer y Schwarzenberg, Ltda.—San Carlos 115 y Pérez Rosales 600, Valdivia; Ramírez esquina Bulnes y Ramirez 914, Osorno; and all branches in Chile. II–4.
Saffer, Carlos.—Ahumada 360, Santiago. I.
Sahr Christie, Otto.—Casilla 26, Puerto Aysen. I–2.
Saito, Nagasi.—Barros Arana 409, Concepción. I.
Samhaber, Helmut.—California 2351, Santiago. I–2.
Samhaber y Cía.—Bascuñán 178, Santiago; and Avenida Latorre 20, Calera. I–2.
Sandoval de la Barra, Ernesto.—Pudeto 342, Valparaiso. II–5.
Santes, Primitivo.—Calera. II–5.
Sawabe Sawabe, Goro.—Monjitas esquina Andrés Bello, Santiago. II–3.
Scassi-Buffa, Odoardo.—Arlegui 155, Viña del Mar, and all branches in Chile. II–4.
Schadenberg, Enrique.—Roca 860, Punta Arenas. I.
Schaetz, Conrado Paul.—Bandera 521, Santiago. I–4.
Schauenburg, August.—Margarita 2320, Santiago. I.
Schering-Chile Ltda.—Santiago. I.
Scheucher, Arnold.—Cochrane 580 (Casilla 1804), Valparaiso. I.

Schiappacasse, Benedetto.—21 de Mayo 1254, Tocopilla. II–4.
Schmidt Romforth, Heriberto.—Errázuriz 391, piso 1°, Valparaiso. II–4.
Schoveling Niessing, Olaf.—Agustinas 972, oficina 401, Santiago. II–3.
Schreiterer. Julio.—Hotel Cosmos, Punta Arenas. I.
Schuch, Rodolfo.—General Boonen Rivera 1995, Santiago. I.
Schuchard y Cía., Ltda., E.—Agustinas 1070 (Casilla 3809), Santiago. I.
Schülbe Reinicke, Walter.—Santa Victorina 344, Valparaiso. II–4.
Schüler, Carlos.—Libertad 9, Valdivia. II–4.
Schüler, Pablo.—Valdivia. II–4.
Schulte, Siegfried.—Agustinas 1185, Santiago. I.
Schulze, Guillermo.—San Antonio 226 (Casilla 2851), Santiago. I–3.
Schulze, Otto.—Baquedaño 111, Antofagasta. I.
Schumacher "Demag" Ing., Carl.—Nueva York 52 (Casilla 1093), Santiago. I.
Schutz y Cía., Ltda., A.—Maipú esquina M. Pérez, Valdivia, and all branches in Chile. II–4.
Schutze, Fritz.—Bandera 22 y M.A. Maira 1265, Santiago. I–2.
Schwartz, Guillermo.—Bandera 575, Santiago. II–3.
Schwarzenberg, Adolfo.—Picarte 321 (Casilla 279), Valdivia. II–1.
Schwarzenberg Thater, Pablo. Valdivia. II–4.
Sedat, Albert.—Santo Domingo 831, Santiago. I–1.
*Seguros Aachen y Munich, Cía. de.—Agustinas 1111, Santiago. I–4; III.
Seguros La Mannheimer, Cía. de.—Alm. Gómez C. 150, Valparaiso. I–4.
Seguros "La Previsora", Cía. de.—Almirante Gómez C. 150, Valparaiso; Huérfanos 1055, Santiago; and all branches in Chile. I–2.
Senda Senda, Toyohe.—Barros Arana 299, Quilpué. I–2.
Sepulveda, Aurelio.—Agustinas 972, Santiago. I.
Seran, Vicente Félix.—Errázuriz 632, Punta Arenas. II–5.
Serio, Vicenzo (Vicencio).—Errázuriz 401, Valparaiso. II–3.
Serrano Fernández, Miguel.—Vicuña Mackenna 116, Santiago. II–1.
Shigemitsu, Kito.—Avenida Pedro Montt 2139, Valparaiso. I.
Shimizu, T.—Huérfanos 972, oficina 512, Santiago. I; II.
Shinya Shinya, Kichimatsu.—Agustinas 972, Santiago. I–2.
Shinya Shinya, Sakichi.—Pedro de Oña 42, Santiago. I–3.
Shiozaki, Kanzo.— I.
Shirakata, M.—Santiago. I; II.
Siebel Jenssen, Walter.—Agustinas 972, oficina 401, Santiago. II–3.
Siemens-Schuckert Ltda.—Valparaiso, and all branches in Chile. I.
Siering, Werner.—Catedral 1312, Santiago. I.
Silva Adriazola, Alberto.—Sucre 442, Antofagasta. I–3.

*Address added or changed with this revision.

Sindicato Cóndor Ltda.—All branches in Chile. I.
Smid, Gerhard.—Santo Domingo 1231 (Casilla 2181), Santiago. I.
"SOCAPAC" Sociedad Chilena de Artículos para Calzado.—Teatinos 975 (Clasificador 117), Santiago. I–1.
Solimano, Chiappe y Cía.—Casilla 66, Iquique. I–2.
Soto Carrasco, Heriberto.—Dieciocho 346 (Casilla 1084), Santiago. II–4.
Spann, Herman.—Quinta "El Progreso", La Cruz; and Independencia 2085 (Casilla 3157), Valparaiso. II–4.
Specht y Cía., Ltda., Hugo.—J. R. Gutiérrez 282, Santiago. II–4.
Spoerke L., Arturo.—Portal Alcaldesa 1842, Santiago. I–1.
Springmüller, Hans.—Yungay 649, Valdivia. II–3.
Stange Ditzel, Heriberto.—Puerto Montt. I–2.
Stange Ditzel, Osvaldo.—Puerto Montt. I–2.
Stanke Wegner, Alberto.—San Antonio 186, Santiago. I–3.
Staudt y Cía., Ltda.—Morandé 672 (Casilla 1848), Santiago, and all branches in Chile. I.
Steffens K., Kurt.—Santo Domingo 819, Santiago. II–3.
Steudel, Rolando.—Magallanes. I.
Stoltze Witt, Alfredo O.—Yungay 1874 (Casilla 3575), Valparaiso. I–3.
Stoltze & Serra, Ltda.—Yungay 1874 (Casilla 3575), Valparaiso. I–3.
Storandt, Edwin.—All branches in Chile. I.
Storm, Teodoro.—Cochrane 557, Valparaiso. I–1.
Stubenrauch y Cía.—Casilla 19–D, Punta Arenas; and Natales. I; II.
Stuck y Cía., Ltda., J.—Pedro Valdivia 1123, Concepción. II–5.
Sugawara, Yoshitaro Amano.—Fundo Andalien, Concepción. I; II.
Suplemento Ilustrado del Diario "El Radio Expreso".—Huérfanos 2566, Santiago. II–4.
Tagle Cerda, José.—Agustinas 975, oficina 608, Santiago. I–1.
Takada, Itsuka.—Hotel Carrera, Santiago. I–2; II.
Takasaki Higo, Tadao.—Avenida Bernardo O'Higgins 2370, Santiago. I–2.
Takenaka, Takeshi.—Valparaiso. I.
Talleres Gráficos del Diario Alemán.—Unión Literaria 1925, Santiago. II–4.
Tapia, Manuel Anibal.—Bandera 75, Santiago. II–2.
Tashiro, Shintaro.—4 Oriente 745, Talca. I–3.
Teatro Comedia.—Huérfanos 1180, Santiago. I–1.
Thomas, Eugenio.—Avenida C. Colón (Casilla 2961), Santiago. II–2.
Thomas Gerard, León Eduardo.—Ahumada 236, Santiago. II–5.
Timmermann, Bernardo.—Monjitas 831, Santiago. I–2.
Timmermann y Cía., B.—Monjitas 831, Santiago; and Barros Arana 171, Concepción. I–2.
Tintorería New York.—Pedro de Valdivia 47, Santiago. II–3.
TO (Transocean).—Seminario 506, Santiago. II–1.

"Toyo" Servicio Noticioso.— I.
"Trabajo".—Rosas 1281, Santiago. II–4.
"Transocean" Agencia Noticiosa.—Moneda 1054, Santiago. I; II.
Transportes Fluviales S.A.—Yungay 231, Valdivia. II–4.
Transportes Marítimos S.A., Cía. de.—Valparaíso and Santiago. I.
Truffello Hnos., Ltda.—Blanco 1041, Valparaíso; and Agustinas 975, Santiago. I–1.
Tsukame, Alejandro.—Sazie 1860 y Pedro de Valdivia 47, Santiago. I; II.
Tubos Mannesmann, Ltda., Soc.—Santiago. I.
Tunekawa, Guillermo.—San Antonio 39, Santiago. I; II.
20 (Twenty) Naciones.—Huérfanos 1165, Santiago. I–4.
Unitas Chilena S.A.C.—Morandé 672, Santiago. I; II.
Utgennant, Robert.—Casilla 4232, Santiago. I.
Valck, Carlos.—Coronel. I–2.
Valenzuela Aguilera, Leonidas.—Avenida Argentina 318, Valparaíso. II–5.
Vatter & Hirsch Ltda.—Huérfanos 880, oficina 9, Santiago. I–1.
Vega Blantiot, Roberto.—Huérfanos 1039, Santiago. II–4.
20 (Veinte) Naciones.—Huérfanos 1165, Santiago. I–4.
Veloz Santa Cruz, Alberto.—Huérfanos 1165, Santiago. I–4.
Venezian de Sanctis, Sergio.—Errázuriz 401, Valparaíso. II–4.
Verdugo Blanco, Enrique.—Teatinos 273, Santiago; and Avenida Brasil 1472, Valparaíso. II–3.
Vernal y Cía., L.—Lira 759, Santiago. I.
Vierling, Gustavo.—Avenida Holanda 390, Santiago. II–3.
Voelker & Kuhnt.—Ahumada 236, Santiago. I.
von Johnn Marteville, H.—Agustinas 972, oficina 645 (Casilla 2824), Santiago. I–1.
von Mühlenbrock L., Julio.—Yungay 760, Valdivia. II–3.
von Schulz-Hausmann, F.—Valparaíso. I.
von Wnuck, Emilio.—Amanategui 280, Santiago. I–2.
Vorwerk & Co.—Casilla 42–V, Valparaíso; and Santiago. I.
Vuillemin, Rémy.—Prat 221, Santiago. II–4.
Vuillemin & Eberhard Ltda.—Prat 221, Santiago. II–4.
Wachtel y Cía.—Casilla 87, Loncoche. I–1.
Wagner, Ernesto.—Estanque 1875, Santiago. II–3.
Wagner, Germán.—Temuco. I.
Wagner, Gunther.—Rosas 1490, Santiago. II–5.
Wagner, Chadwick y Cía., Ltda.—Agustinas 975 (Casilla 2607), Santiago and all branches in Chile. I.
Watanabe, Moyosuke.—Barros Arana 409, Concepción. I.
Watanabe Watanabe, Hideto.—Avenida Bernardo O'Higgins, 2740, Santiago. I–2.
Weber Hey, Pablo.—Independencia 475, Valdivia. II–5.
Weber y Cía., Ltda., P.—Independencia 475, Valdivia. II–5.
Weiler Fluyth, Hans.—Plaza Bulnes 31, departamento 56, Santiago. I–4.
Weiler y Cía., Ltda.—Agustinas 958, Santiago. I–4.
Weinrich, Erwin.—Nogales 716 (Casilla 927), Santiago. II–5.
Weiss, Alfredo.—General Lagos 1394, Valdivia. II–4.
Weiss e Hijos, Alfredo.—Picarte 398, Valdivia. II–4.
Weller, Bruno.—Aldunate 635, Coquimbo. I–1.
Wendler, Otto.—Picarte 483, Valdivia. II–4.
Weppelmann Koehne, Alberto.—Bandera 620, Santiago. I.
Werkmeister, Enrique 2°.—C. Henríquez 705 y General Lagos 965, Valdivia. II–3.
Werkmeister, Federico.—Avenida Pratt 470, Valdivia. II–4.
Werkmeister, Otto.—Avenida Pratt 470, Valdivia. II–5.
Werkmeister y Cía.—Avenida Pratt 470 (Casilla 97), Valdivia. II–4.
Werner Held, Alfredo.—Estación Llanquihua. II–2.
Werner Kretschmar, Jorge.—Estación Llanquihua. II–2.
Werner Raddatz, Erardo.—Estación Llanquihua. II–2.
Werner y Cía., A.—Estación Llanquihua. II–2.
Westkusten Beobachter.—Nueva York 80, Santiago. II–4.
Wiese y Cía., Ltda.—Romero 2460, Santiago. I–1; II.
Wilhelm Berner, Jorge.—Puerto Montt. I–2.
Willumsen, Hening K.—Roca 858, Punta Arenas. I.
Wistuba, José Luis.—Puerto Montt. I–2.
Witt, Marton (Mrs.).—Punta Arenas. I–4.
Worthmann y Cía., Ltda.—Huérfanos 930, oficina 62, Santiago. I; II.
Wulle Krapht, Juan.—Quinta "El Progreso", La Cruz; and Independencia 2085 (Casilla 3157), Valparaíso. II–4.
Yamamoto Oyama, Jorge.—Avenida Bernardo O'Higgins 2488, Santiago. I.
Yasmura K., Carlos.—San Jorge 104 (Casilla 1118), Concepción. I–3.
Yasuda Yasuda, Masac.—Moneda 973, Santiago. I–3.
Yatabe, Tadaichi.—Temuco. I–3.
Yokobori, Rynichi.— I.
Yunis García, Nicolás.—Santiago. I.
Yus García, Nicolás.—Santiago. I.
Zapatería "La Europa".—Valdivia. II–3.
Zárate Martínez, Luis.—San Ignacio 224, Valparaíso. II–4.
Zeisler, Hans.—Los Choros, La Higuera, Coquimbo. II–3.
Zeisler, Roberto.—Los Choros, La Higuera, Coquimbo. II–3.
Zelenka, Guillermo (Dr.).—Casilla 4190, Santiago. II–1.
Ziegele y Cía., A.—Picarte 46 (Casilla 59–D), Valdivia. II–4.
Zielenlewicz, Felix.—Casilla 1–A, Los Andes. II–3.
Ziener, Eric.—Casilla 2998, Santiago. II–1.
Zimmer y Cía., A.—Bandera 172 y Agustinas 1126, Santiago. I.

COLOMBIA

A.E.G. Electrotécnica.—Apartado 203, Bogotá, and all branches in Colombia. I.
Abuchaibe, Antonio.—Ríohacha. I–4.
Abuchaibe, Nicolás D.—Ríohacha. I; I–3.
Acme Continental S.A. (in liquidation).—Barranquilla. I.
Adamy, Fritz.—Carrera 7 No. 17–51 (Apartado Nacional 2724 y Apartado Aéreo 3920), Bogotá. I.
Adamy, Kurt.—Carrera 7 No. 17–51 (Apartado Nacional 2724 y Apartado Aéreo 3920), Bogotá. I.
Adamy Hermanos.—Carrera 7 No. 17–51 (Apartado Nacional 2724 y Apartado Aéreo 3920), Bogotá. I.
Agencia Phillipps.—Junín 53–68, Medellín. II–1.
Agencias de Ultramar, S.A.—Bogotá. I.
Agencias Internacionales.[1]—Medellín. I; II–1.
Agrícola Exportadora S.A., Cía.—Bogotá. I–1.
Ahrens, Guillermo.—Cali. I.
Ahrens, Heinrich.—Bogotá. I.
Albingia Versicherungs A.G.— I.
Almacén Bradford.—Carrera 8 No. 12–04, Bogotá. II–1.
Almacén Bremen.—Pereira. I; II–4.
Almacén Cali.—Cali. I–1.
Almacén Flandes.—Girardot, Cundinamarca. I.
Almacén Fux.—Barranquilla. I.
Almacén Gina.—Carrera 6–A No. 14–33, Bogotá. II–3.
Almacén Kruko.—Apartado 175, Cali. I.
Almacén Mil Novedades.—Bogotá. I.
Almacén Musical.—San Blas 12 (Apartado Nacional 138 y Apartado Aéreo 95), Barranquilla. I.
Almacén Palma.—Barranquilla. I–1.
Almacén Romano.—Carrera 8 No. 10–47, Bogotá. II–1; II–3.
Almacén Sánitas S.A.—Bogotá. I.
Almacén Stanford.—Calle 13 No. 7–20, Bogotá. I–4.
Almacenes Helda, Soc. Ltda.—Barranquilla. I.
Almacenes Sidea. Medellín. I.
Alwers, Kurt B.—Cali. I.
Anilinas Alemanas, Cía. Ltda.—Calle 13 No. 12–82, Bogotá. I.
Annicchiarico, Oscar.—Ríohacha. I–3.
"Arbia" Finanza Ktieselskab.— I.
Ariyoshi, Toshiro.— I–1.
Ariza V., Gabriel.—Barranquilla. I.
Arnhold, K. E.—Carrera 7 No. 12–62, Bogotá. I.
Asano Bussan.—Bogotá. I.
Aserradero Cabica.—Soledad. I–2.
Assicurazioni Generali.—Bogotá. I; I–3.
Backhaus, Werner.—Barranquilla. I–3.
Baer, Carmen Ruiz de.—Barranquilla. II–5.
Baer, Walter.—Barranquilla. II–5.
Balg, W. D.—Barranquilla. I.

[1] Not to be confused with Agencias Internacionales, San Blas, Cuartel, Barranquilla.

Banco Francés e Italiano para la América del Sur.—Bogotá, and all branches in Colombia. I.
Bandoh, I.—Edificio de la Bolsa, Bogotá. I.
Bandoh, K.—Barranquilla. I.
Barletta, Blas.—Boyacá, La Paz y Progreso, Barranquilla. I–1.
Barrios, José María.—Bogotá. I.
Barth, Erich.—Cali. I.
Barth, Theodore.—Cali. I.
Barthel y Cía., S. en C., Walter.—Apartado 34, Barranquilla. I.
Barthels, Herbert.—Cartagena. I.
Bauer, Carlos.—Carrera 4, Calles 13 y 14, Cali. I.
Bayer-Weskott y Cía., La Química.—Apartado 301, Bogotá. I.
Beck, Alfred.—Calle 54 No. 4–71 (Apartado 1304), Bogotá. I–1.
Berendt, Carl Friederich.—Bogotá. I.
Bermit, Wilhelm.—Bogotá. I.
Bermúdez L., Manuel.—Barranquilla. I.
Beschiroff, Boris D.—Medellín. I.
Biancardi, Giovanni.—Bogotá. I–1.
Bieler, Kurt.—Calle 13 No. 5–56, Cali. I.
Bieler, Werner.—Medellín. II–4.
Bilhuber, Otto.—Carrera 6 entre Calles 11 y 12, Cali. I.
Birkigt, F.—Bogotá. I.
Bizzarri, Enrique.—Bogotá. I.
Blass, Fritz (Dr.).—Medellín. I.
Blell, Walter.—Bogotá. I.
Bock, Alfredo.—Manizales. I.
Böhmer, Harold.—Cali. I.
Böhmer, Herman S.—Cali. I.
Böhmer y Cía., S.A.—Carrera 5a No. 12–65 (Apartado 317), Cali; and Pasto, Nariño. I.
Boll, Karl Anton.—Edificio Teodosio Moreno, Medellín. I.
Borchers, Adolfo.—Girardot, Cundinamarca. I.
Bothe, Helmuth.—Apartado 1124, Bogotá. I–1.
Brandt, Ludwig (Luis).—Pasto, Nariño. I–3.
Braun, Heriberto.—c/o Almacenes Helda, Cali. II–2.
Breuer, Möller & Co., Sucrs.—Barranquilla, and all branches in Colombia. I.
Brill, Herbert.—Medellín. I.
Bruckmann, Erich.—Belalcazar, 50–44, Medellín. I–1.
Buff, Clemens.—Medellín. I.
Burckhardt, Luis A.—Apartado 195, Cali. I.
Cabrera, Leónidas.—Bogotá. I–1.
Caiafa, Miguel.—Barranquilla. I–2.
Calle, Ricardo.—Andes, Antioquia. II–3.
Capasso, Miguel.—Bogotá. I–1.
Capasso e Hijos, Ltda., Nicolás.—Apartado Nacional 745, Bogotá. I–1.
Caputa, Jorge.—Comercio, 20 de Julio y Cuartel, Barranquilla. I–1.
Caputa y Cía.—Comercio, 20 de Julio y Cuartel, Barranquilla. I–1.
Cardinali, Vicente.—Barranquilla. I–2.
Casa Alemana.—Cali. I.
Casa América.—Calle 53 No. 47–48, Medellín. I–3.
Casa Nicar, S.A.—Bogotá. I.
Casa Olympia.—Bogotá. I.
"Casa Telefunken".—Carrera 7 No. 21–46, Bogotá. I.
Castelli, Antonio.—Bogotá. I–1.
Castelli Gallo, Antonio.—Carrera 8 No. 12–04, Bogotá. II–1.
Castelli y Biancardi.—Bogotá. I–1.
Cavazzoni, Silvio.—Carrera 6–A No. 14–33, Bogotá. II–3.
Celia, Antonio.—Boyacá, La Paz y Progreso, Barranquilla. I–1.
Celia & Barletta.—Boyacá, La Paz y Progreso, Barranquilla. I–1.
Centro Internacional de Información Commercial.—Apartado Nacional 307, Bogotá. I–2.
Cervecería Alemana.—Pasto, Nariño. I.
Cervecería Baviera.—Pasto, Nariño. I.
Chavarriaga, Carlos.—Medellín. II–3.
Christoph, Hans.—Armero. I–1.
"CIDIC" Centro Internacional de Información Comercial.—Apartado Nacional 307, Bogotá. I–2.
Claussen, Hermann.—Bogotá. I–1; II–1.
Club de Ventas de Artículos "Delta".—Medellín. II–4.
"COFEX" Compañía Agrícola Exportadora S.A.—Bogotá. I–1.
Colombiana de Colorantes Productos Químicos, Ltda., Cía.—Bogotá. I.
Colombiana de Inmuebles S.A., Cía.—Cartagena. I–1.
Colombiana de Máquinas Pfaff Ltda., Cía.—Carrera 8 No. 17–60, Bogotá, and all branches in Colombia. I.
Colombiana Manufacturera Ltda., Soc.—Calle 24 No. 5–31, Bogotá. I–2.
Comisariato.—Apartado Aéreo 45 y Apartado Nacional 54, Barranquilla. I.
Consonni, Egidio.—Apartado 307, Cali. I–2.
Consorcio Comercial.—Cali. I.
Construcciones e Inversiones, Ltda.—Cartagena. I–2.
Cozza, José.—Comercio, 20 de Julio y Cuartel, Barranquilla. I–1.
Cristalería Zapp.—Calle 12 No. 7–66, Bogotá. I.
Croce, Giovanni Roberto.—Carretera del Sur (Charquito), Bogotá. II–4.
Croce, Fábrica de Materiales de Construcción de Giovanni Roberto.—Carretera del Sur (Charquito), Bogotá. II–4.
Crocker, Wilhelm.—Bogotá. I.
Cromográficas.—Bogotá. I–1.
Da Deppo, Gino.—Carrera 8a No. 13–37, Bogotá. I–1.
Delle Donne, Ottavio.—Bogotá. I.
Deneke, Heinz.—Bogotá. I–1.
Deneke & Gerberth.—Bogotá and Barranquilla. I–1.
Denk, Hans.—Bogotá. I.
Dicoa.—Medellín. I–1.
Di Domenico, Giovanni.—Calle 54 No. 50–52, Medellín. I.
Di Domenico, José.—Ríohacha, Magdalena. I–1.
Di Napoli, Aquiles.—Santander, República y Olaya Herrera, Barranquilla. I–1.
Di Napoli, Blas.—Santander, República y Olaya Herrera, Barranquilla. I–1.
Distribuidora Colombo-Americana, Ltda., Cía.—Medellín. I–1.
Doku, J.—20 de Julio, Barranquilla. I.
Doyle, William.—Apartado 678, Barranquilla. I.
Doyle & Co.—Barranquilla. I.
Drago, Emilio.—Apartado Nacional 762 y Apartado Aéreo 3889, Bogotá. I–2.
Duque R., Hernando.—Calle 51 No. 51–12, Medellín. II–1.
Duque R. y Cía., Hernando.—Calle 51 No. 51–12, Medellín. II–1.
Eckhoff, Rudolf.—Apartado Nacional 216 y Apartado Aéreo 4119, Bogotá. II–5.
Ehlers, Walter.—Cartagena. I.
Eickworth, Gustav Walter.—Barranquilla. II–3.
Eikhof, Guillermo.—Ríohacha. I.
Eggers, Christian.—Bogotá. II–4.
El Gran Expreso.—Cali. I.
"El Serrucho".—Calle 13 No. 5–56, Cali. I–1.
Elaboradora de Artículos de Seda S.A., Soc.—Calle 33 No. 6–37, Bogotá. II–3.
Elger, Otto.—Manizales. I–1.
Empacadora Nacional de Consumos Alimenticios Standard Ltda.—Medellín. I.
Empresa Hanseática.—Barranquilla. I.
Empresa Molinera de Caldas, S.A.—Pereira. I.
Empresa Nacional de Productos de Magnesio.—Bogotá. I.
"ENCA" Standard Ltda, Empacadora Nacional de Consumos Alimenticios Standard Ltda.—Medellín. I.
Estornaiolo, Hipólito.—Pasto, Nariño. I.
Exportadora y Comercial del Atlántico, Ltda., Cía.—Real, 20 de Julio, Cuartel (Apartado 882), Barranquilla. I.
Faber, Ernesto Otto.—Cúcuta. I–3.
Faber, Georg.—Calle 22 No. 4–49, Bogotá. I–3.
Fábrica "Consonni's Hats".—Apartado 307, Cali. I–2.
Fábrica de Jabones Téxtiles.—Apartado 286, Medellín. II–2.
Fábrica de Pinturas y Productos Luqui S.A.—Apartado 437, Barranquilla. I–1.
Fábrica de Sombreros "Colombia".—Barranquilla. I–1.
Fábrica Italiana de Calzado.—Boyacá, La Paz y Progreso, Barranquilla. I–1.
Fábrica Nacional de Artículos de Aluminio S.A.—Apartado 568, Barranquilla. I.
Fadul y Cía., Miguel.—Calle de la Soledad 125, Cartagena. I.
"Faltalá".—Boyacá, La Paz y Progreso, Barranquilla. I–1.
"FANAL" Fábrica Nacional de Artículos de Aluminio, S.A.—Apartado 568, Barranquilla. I.
Feinauer, Heinrich.—Edificio Medina, oficina 36, Bogotá. II–2.
Ferretería Alemana.—Progreso, Real, Comercio, Barranquilla, I–3.
Ferretería "El Serrucho".—Calle 13 No. 5–56, Cali. I–1.
Ferretería "El Yunque".—Plaza de San Nicolás, Barranquilla. I.
Ferretería Girardot.—Carrera 9, Girardot, Cundinamarca. I–1.
Ferretería Industrial.—Bogotá. I–2.
Field Echenique, F. A.—Edificio Monsalve, Barranquilla. II–1.
Financiera Mercantil, S.A., Cía.— I–3.
Fiorini, Alberto Lorenzo.—Carrera 8 No. 16–43, Bogotá. II–1.
Fischer, F.—Bucaramanga. I.

Fluehr, Walter.—Medellín and Frontino. I–2.
Foto Agfa.—Medellín. I.
Foto Alemán.—Pasto, Nariño. I.
Foto Heumann.—Barranquilla. I.
Foto-Almacén Faber.—Cúcuta, Santander del Norte. I–3.
Foto-Almacén Lindner.—Bogotá. I.
Francke, Heinrich.—Apartado 852, Barranquilla. I–2.
François, Xavier.—Bogotá. I.
Freitag, Walter.—Avenida 2a de Bellavista entre Calles 10 y 11, Barranquilla. I.
Freitag, Werner.—Avenida 2a de Bellavista entre Calles 10 y 11, Barranquilla. I.
Friedrich, Walter.—Medellín. I–1.
Friedrichs, Kurt.—Manizales. I–2.
Fuchs, Emil.—Apartado 428, Barranquilla. I–1.
Fuchs, Erich.—Calle 12 No. 6–90, Bogotá. I–1.
Fuchs & Baumann Ltd.—Barranquilla. I.
Fuhrop, Fritz.—Barranquilla. I.
Fuhrop y Cía., Fritz.—Apartado 639, Barranquilla. I.
Gallo, Vicente (Jr.).—Apartado Nacional 306, Cartagena. II–1.
Gallo V., Vicente (Sr.).—Apartado Nacional 306, Cartagena. II–1.
Gallo y Cía., S. en C., Vicente (Jr.).—Apartado Nacional 306, Cartagena. I–1.
Ganadería de Saldaña S. C. Rocha y Cía.—Bogotá. I.
Garage Central.—Carrera 52 No. 54–52, Medellín. II–1.
Garbade, Günther.—Real, 20 de Julio, Cuartel (Apartado 882), Barranquilla. I.
Gast, Hans Otto.—Edificio Banco Alemán Antioqueño 305, Bogotá. I.
Gaviria, Octavio.—Apartado 286, Medellín. II–2.
Gazzera, Giuseppe.—Calle 33 No. 6–37, Bogotá. II–3.
Gebhardt, Taller de Fotograbado Gustavo.—Barranquilla. I.
Geisler, Juan (Hans).—Carrera 10 No. 12–75, Bogotá. I–3.
Geithner, Herbert.—Medellín. I.
Gerberth, Guillermo.—Bogotá. I.
Gerding, Guillermo.—Bogotá and Cali. I.
Gerding, Otto.—Bogotá and Cali. I.
Gerding Hermanos.—Calle 13, Carreras 7 y 8, Cali; and Bogotá. I.
Gethe, Juan.—Pasto, Nariño. I–1.
Goebel, Hans Joaquín.—Calle 25 No. 8–51, Bogotá. II–5.
Goerbert, R.—Bogotá. I.
Gómez, Germán.—Junín 53–68, Medellín. II–1.
Gómez, Horacio.—Yarumal. II–1.
González, Marco Tulio.—Bogotá. I.
González, Pablo.—Bogotá. I.
González-Cotes, Luis C.—Barranquilla. I.
González-Cotes & Reignier.—Barranquilla. I.
Grossart, Erich.—Barranquilla. I; I–3.
Grünwaldt, Alfredo.—Barranquilla. I.
Gundlach, Reinhard.—Medellín. I.
Gunter, Emil.—Pasto, Nariño. I–1.
Gutiérrez Portocarrero, Daniel.—Bogotá. I.
Gutiérrez Portocarrero, Henrique.—Carrera 8a No. 15–93, Bogotá. I–1.
Haas, Federico.—Apartado 1696, Bogotá. I.
Haase, Friederich Wilhelm.—Progreso, Boyacá, San Roque (Apartado 479), Barranquilla. I.
Hacienda Berlín.—Río Negro. I.
Haderer, Luis.—Calle 14 No. 6–85, Bogotá. I–2.
Haeberlin, Francisco.—Pasto, Nariño. I.
Hagelstein, H. (Dr.).—Barranquilla and Bogotá. I.
Hamburg Amerika Linie.—All branches in Colombia. I.
Hapag Lloyd.—All branches in Colombia. I.
Harders, Hans Joachim.—Calle 12 No. 10–68, Bogotá. I–1.
Hautmann, Max W.—Apartado 324, Barranquilla. II–2.
Heidmann, Wilhelm.—Camino Arriba 10 (Apartado 144), Cartagena. I.
Held, Adolfo K.—Barranquilla. I.
Held, Walter.—Bogotá. I.
Henjes, Alfred.—Bogotá. I.
Henning, Karl.—Cartagena. I.
Henríquez y Cía., S.D.C.—Riohacha. I.
Hergett, Gustavo.—Bogotá. I.
Hering, Juan.—Bogotá. I.
Hernández A., Sucesores, J.M.—Amargura 8, Cartagena. I–1.
Herrera S., Cesáreo.—Calle 13 No. 5–56, Cali. I–1.
Herrmann, Karl E.—Barranquilla. I–3.
Herwig, Carl Wilhelm. Bogotá. I; I–4.
Heumann, Erwin.—Barranquilla. I.
Hiroto, O.—Bogotá. I.
Hodapp, Vicente.—Barranquilla. I.
Hof, Walter Karl.—Medellín. I–3.
Hoffman, Hans.—Barranquilla. I–4.
Holzmann A.G., Phillipp.—Apartado 114, Bogotá. I.
Hoppner, Hans.—Calle 6 No. 10–26, Bucaramanga; and Bogotá. I.
Horn, José.—Bogotá. I.
Hoshino, Jorge Enrique.—Bogotá. I–1.
Hosie, Stuart.—Carrera 6 No. 14–50, Bogotá. I.
Hossfeld & Hamm.—Apartado 290, Cali. I.
Hotel Continental.—Avenida 1 de Mayo, Medellín. I.
Hotel Pacífico.—Carrera 4 No. 13–101, Cali. I–2.
Hotel Tivoli-Natili.—Paseo Bolívar, 20 de Julio, Progreso, Barranquilla. II–4.
Hungenbach, Francisco.—Medellín. I–2.
Iannini Buraglia, Genaro.—Calle 13 No. 7–20, Bogotá. I–2.
Iannini y Cía.—Calle 13 No. 7–20, Bogotá. I–2.
Ibler, Guillermo.—Carrera 13A No. 27–66, Bogotá. II–5.
Ibler, Taller de Vidrio Guillermo.—Carrera 13A No. 27–66, Bogotá. II–5.
Igarashi, Shiro.—Calle 13 No. 13–93, Bogotá. I.
Importadora El Faro Ltda., Cía.—Bogotá. I.
Importadora Santander, Ltda.—Cúcuta. II–2.
"Induquímica" La Unión Nacional de Química Industrial Ltda.—Apartado 917, Medellín. I.
Industria Cauchera Hércules, Cía. Ltda.—Cartagena. I.
Industria de Perfumes.—Comercio, Policarpa, Mercado, Barranquilla. I–4.
Industria de Sombreros Italo-Colombiana.—Calle Obando, Carrera Alondra, Barranquilla. II–4.
Industria Metalúrgica Colombiana, Ltda., Nucci Hermanos.—Boyacá, Vesubio, Barranquilla. II–3.
Industria Química Colombiana S.A.—Medellín. I.
Industrial Manufacturera Imperial Ltda., Soc.—Calle 24 No. 5–31, Bogotá. I–1.
Ingenieros Lignarolo.—Apartado 318, Cali. I.
Instituto Behring de Terapéutica Experimental, Cía., Ltda.—Bogotá. I.
Ishi Yoshio.— I.
"ISIC" Industria de Sombreros Italo-Colombiana.—Calle Obando, Carrera Alondra, Barranquilla. II–4.
Ittelberger, Carlos.—Barranquilla. I.
Jacob, Hans.—Medellín. I–3.
Jansky, Siegfried Fred.—Medellín. I–2.
Jaspersen Carrasco, Adolfo.—Bogotá. I–4.
Jesse, Federico.—Cali. I.
Jost, Alfredo.—Barranquilla. I.
Joyería Alemana.—Carrera 7 No. 12–47, Bogotá. I–1.
Joyería Fux.—Calle 12 No. 6–90, Bogotá. I–1.
Joyería "La Diadema".—Calle 12 No. 7–58, Bogotá. I–1.
Joyería "La Esmeralda".—Carrera 6 entre Calles 11 y 12, Cali. I.
Joyería Paris.[1]—Calle Junín Medellín. I–4; II–1.
Kallab, Herman.—Apartado 2736, Bogotá. I.
Kaiser, Hans.—Tumaco, Nariño. I.
Kalbfleisch, Karl.—Medellín. I.
Kallab, Herman.—Apartado 2736, Bogotá. I.
Kanterreith, Karl.—Medellín. I.
Kausel y Cía., Enrique.—Medellín and Cali. I.
Kiehn, Max.—Pasto, Nariño. I.
Kirschke & Co., A.—Apartado 1369, Bogotá. I.
Klotz, Hans.—Bogotá. I.
Kniess, Erwin.—Edificio Medina, oficina 36, Bogotá. II–2.
Kniess y Cía., Ltda., Erwin.—Edificio Medina, oficina 36, Bogotá. II–2.
Koch, Adolf.—Barranquilla. I.
Koch, Alfredo.—Pasto, Nariño. I–1.
Koenig, Ludwig.—Bogotá. I.
Koestner, George.—Pasto, Nariño. I.
Koltz, Helmuth.—Bogotá. I.
Kores, S.A.—Calle 17 No. 9–40 (Apartado 869), Bogotá. I.
Koreska.—Calle 17 No. 9–40 (Apartado 869), Bogotá. I.
Krackov, Felix.—Medellín. I.
Krause, Egon A.—Bogotá. I.
Krele, H.—Bogotá. I.
Kreutz, Albert.—Pasto, Nariño. I.
Krick, Martín.—Carrera 7 No. 12–47, Bogotá. I–1.
Kruse & Co., C. Enrique.—Apartado 175, Cali. I.
Kubart, Johann.—Calle 17 No. 9–40, Bogotá. I.

[1] Owned by Carlos Leidner.

Kuebler, Ruperto.—Edificio del Banco de Bogotá, Cali. I.
Kuhlmann, Gustavo.—Apartado 119, Cali. I.
Kukat, Willi.—Apartado 175, Cali. I.
Kurk, Karl Theodor.—Medellín. I.
"La Blanca".—Carrera 4, Calles 13 y 14, Cali. I.
"La Bodega".—Barranquilla. II–3.
"La Cascada".—Barranquilla. I–3.
"La Luz X".—Barranquilla. I–3.
La Proveedora.—San Blas y 20 de Julio, Barranquilla. I–1.
La Química Bayer-Weskott y Cía.—Apartado 301, Bogotá. I.
"La Riohachera".—Riohacha. I–3.
La Unión Nacional de Química Industrial Ltda., "Induquímica".—Medellín. I.
Laboratorios Enka Standard.—Medellín. I.
Laboratorios Román, S.A.—Universidad 108 (Apartado Nacional 84 y Apartado Aéreo 150), Cartagena. I.
Lacorazza, José.—Plaza de San Nicolás, Barranquilla. II–4.
Lacorazza, Romualdo.—Plaza de San Nicolás, Barranquilla. II–4.
Lacorazza Hermanos.—Plaza de San Nicolás, Barranquilla. II–4.
Lange, Fritz.—Pasto, Nariño. I.
Lange, Hans.—Cali. I.
Larsen, Fritz.—Carrera 5 No. 89, Cúcuta. II–2.
Larsen, H. H.—Barranquilla. I–1.
Laumayer, Alfredo.—Edificio Teodosio Moreno, Medellín, and all branches in Colombia. I.
Laumayer, Fritz.—Edifiico Teodosio Moreno, Medellín, and all branches in Colombia. I.
Laumayer y Cía., A.—Medellín. I.
Lehmann, Karl.—Popayán. I.
Lehmann, Otto.—Barranquilla. I.
Leib, Carlos.—Cali. I.
Leibbrand, Erwin.—Cali. I.
Leidner, Carlos.—Joyería París, Calle Junín, Medellín. I–4.
Lemcke, Herber.—Barranca Bermeja. I; I–4.
Lennings, Otto.—Bogotá. I.
Lennings & Hergett.—Bogotá. I.
Librería Cervantes.—San Blas y 20 de Julio (Apartado 233), Barranquilla. I.
Liebisch, Herbert.—Bogotá. I.
Liemann, Rudolf.—Riohacha. I–2.
Lignarolo, Giovani.—Buenaventura. I.
Lignarolo y Cía., Gaetano.—Apartado 318, Cali. I.
Lindemeyer, Hans.—Barranquilla. I.
Lindemeyer, Heinrich.—Barranquilla. I.
Litografía Italo-Francesa. — Bogotá. I–1.
Lloyd Colombiano.—All branches in Colombia. I.
Lubinus, Gustavo.—Bucaramanga. I.
Lubisch, R.—Bogotá. I.
Luchau, Karl.—Manizales. I.
Luchau, Margarita.—Pereira I.
Luers, Hans W.—Medellín. I.
Luisi y Cía., U.—Calle de los Santos de Piedra (Apartado Nacional 102 y Apartado Aéreo 151), Cartagena. II–1.
Lulleman, Oswaldo.—Apartado 818, Bogotá. I.
Lullemann, Walter.—Cali. I–1.
Lundi, Alberto.—Carrera 11 Sur 510, Bucaramanga. I.
Lupke, Franz.—Medellín. I.
Luth, Hanz.—Bogotá. I.
Luth & Liebisch.—Carrera 8 No. 15–88, Bogotá. I.
Madero París, Manuel.—Bogotá. I.
Mainero, Manuel.—Cartagena. I–1.
Maldonado, José Alberto.—Bogotá. I.
Mangels, Otto.—Barranquilla. I.
Mangels y Cía., Otto.—Barranquilla. I.
Manjarrés, José Manuel.—Bogotá. I.
Manufacturas Delta, Ltda.—Copacabaña. I.
Manzuoli, Italo Gino.—Carrera 4 No. 15–42, Bogotá. II–3.
Marggraff, Joachim.—Bogotá. I.
Marocco, Florindo.—Bucaramanga. I; II–1.
Martín L., Jorge.—Carrera 9 No. 12–49, Bogotá. I.
Massazza, Giametto.—Calle 59 No. 52–53, Medellín. II–4.
Mazzanti, Spartaco.—Barranquilla. I.
Mazzei, Gino.—Calle de los Santos de Piedra (Apartado Nacional 102 y Apartado Aéreo 151), Cartagena. II–1.
Medina, Luis A.—Bogotá. I.
Mei, Bartolino.—Mercado, Banco, Barranquilla. I–3.
Mei e Hijo, G.—Mercado, Banco, Barranquilla. I–3.
Menotti, Pierantonio.—Medellín. I.
Merck Colombia, S.A.—Bogotá. I.
Merino C., R.—Barranquilla. I.
Mesa, Alfredo.—Medellín. II–5.
Meyer, Carlos.—Bucaramanga. I.
Meyer, Heinz.—Manizales. I.
"Miami".—Barranquilla. II–3.
Miani, Alfredo.—Manizales. I.
Mitsubishi & Co.—Bogotá. I.
Mitsui & Co.—Bogotá. I.
Möller Hans.—Barranquilla. I.
Morín, Mario.—Medellín. I.
Mortier, Alejandro.—Medellín. I.
Müller, Herbert.—Riohacha. I.
Munch, Ernesto.—Pasto, Nariño. I.
Mundt, Carl.—Bogotá and Medellín. I.
Munevar, Bernardo.—Bogotá. I.
Nasi, Vicente.—Apartado 1311, Bogotá. I–1.
Natili, Antimo.—Barranquilla. II–4.
Nebiolo Torino, Societá.—Calle 12 No. 4–88 (Apartado Nacional 1157 y Apartado Aéreo 3762), Bogotá; and Barranquilla. I.
Neumann, Hellmut.—Cali. I–4.
Neumann, Roberto.—Cali. I–4.
Neumueller, Hans Inesberger (Dr.).—Cartagena. I–1.
Nichikuni, Kenichi.—Cali. I–1.
Niewerth, Walter.—Cali. I–2.
Nikko Boyeki Shokai.—Barranquilla. I.
Nippon Trade Agency.—Edificio de la Bolsa, Bogotá. I.
Nishizawa, Takeo.—Barranquilla or Cartagena. I.
Noach, Erich.—Cali. I.
Nucci, Quinto.—Boyacá, Vesubio, Barranquilla. II–3.
Nucci, Tulio.—Boyacá, Vesubio, Barranquilla. II–3.
Núñez B., Emilio.—Apartado Nacional 648, Barranquilla. I; II–1.
Ochoa U., Luis Carlos.[1]—Carrera 52 No. 54–52, Medellín. II–1.
Oesterreich, Richard.—Progreso, San Roque, Boyacá, Barranquilla. II–1.
Oesterreich, Rudolf.—Medellín. I–3.
Oesterreich Sucrs., Richard.—Barranquilla. I.
Oficina de Ingeniería Moderna.—Bucaramanga. I.
Oficina Técnica Industrial Comercial.[1]—Medellín. I–1; II–4.
Ogawa, K.—Baranquilla. I.
Ogawa, Michi.— I.
Oka, S.—Edificio de la Bolsa, Bogotá. I.
Optica Alemana.—Calle 12, Carreras 5a y 6a, Cali. I.
Optica Moderna.—Bogotá. I.
Ordóñez & Lullemann.—Calle 13 No. 6–32, Cali. I.
Orthmueller, Adolf.—Bucaramanga. I.
Osaka Shosen Kaisha.—Barranquilla. I.
Ospina Gaviría, Julio.—Bucaramanga. I.
"OTICO" Oficina Técnica Industrial Comercial.[1]—Medellín. I–1; II–4.
Otte, Ernest.—Manizales. I.
Otto, Hans (Juan).—Carrera 4 No. 13–101, Cali. I–2.
Otto, Werner.—Carrera 4 No. 13–101, Cali. I–2.
Palmer, Kurt.—20 de Julio, Real, Comercio Barranquilla. I.
Páramo, Manuel Guillermo de.—Apartado Aéreo 3844, Bogotá. II–1.
Pardo y Cía.—Carrera 8 No. 15–88, Bogotá. I.
Paschke, Rheinhold.—Plaza de la Aduana 6, Cartagena. I.
Pattern, Max.—Pasto, Nariño. I.
Párez U., Laureano.—Medellín. II–1.
Perico García, Pascual.—Barranquilla. II–3.
Pernigotti, Carlo.—Bogotá. I.
Pfeil-Schneider, Götz. — Manizales, Caldas. I–I.
Pilgrim, Walter.—Carrera 7 No. 21–46, Bogotá. I.
Pilgrim, Almacén de Radios y Discos Walter.—Carrera 7 No. 21–46, Bogotá. I.
Plantex, S.A.—Fusagasaga and Bogotá. I.
Pohn, A.—Barranquilla. I.
Prodema, Sociedad.—Bogotá. I.
Productos Metálicos Ltda.—Barranquilla. I–1.
Pruefert, Emil.—Barranquilla. I.
Prussmann, Gunther.—Medellín. I.
Pruter, Heinz.—Cali. I.
Puccini, Alberto L.—20 de Julio, San Blas, San Juan, Barranquilla. II–1.
Puccini V., Alberto.—San Blas y 20 de Julio, Barranquilla. I–1.
Puccini y Cía., Alberto.—San Blas y 20 de Julio, Barranquilla. I–1.
Puccini y Compañía, Vicente.—Apartado Aéreo 45 y Apartado Nacional 54, Barranquilla. I.
Puente B., Angel.—Bucaramanga and Cúcuta. I; II.
Pugliese, Donato.—Riohacha, Departamento de Magdalena. I–2.
Puttfarcken y Cía., Juan.—Cali. I.
Química Schering Colombiana S.A.—Bogotá. I.
Ramírez Beltrán, Manuel J.—Bogotá. I.

[1] Not to be confused with Ochoa O., Luis Carlos.

[1] Not to be confused with Oficina Técnica Industrial, Alberto Walliser, Medellín.

Rankin, James.—Old Providence Island. I–1.
Rasmussen, Ferdinand.—Cali. I.
Reber, Hans Barth.—Medellín. I–3.
Redeker, Kurt.—Buenaventura, Valle. I–1.
Reger & Co., Carlos.—Barranca Bermeja. I.
Rehbein Peralta, Alfredo.—Barranquilla. I.
Reignier, Bernard.— I.
Reinberg, Alfred.—Cartagena. I–2.
Reisner, Herman.—Bogotá. I; II–1.
Reissner, Paul.—Barranquilla. I.
Reitze, Alfred.—Medellín. I.
Restaurante Bavaria.—Calle Palace y Avenida Primero de Mayo, Medellín. I–2.
Ringle, Antonio.—Cartagena. I.
Ringweiski, Arturo. — Frontino and Medellín. I–2.
Rinkel, Heinrich.—Barranquilla. I–1.
Ritter, Adelbert.—Apartado 286, Medellín. II–2.
Ritzel, Walter.—Barranquilla. I–3.
Rodríguez H., José M.—Barranquilla. I–3.
Rodríguez H. y Cía., Sucr.—Progreso, Boyacá, San Roque, Barranquilla. I.
Roesler, Herbert E.—Medellín. I.
Romberg, Wilhelm A.—Bogotá. I.
Romera, Manuel Guillermo (Dr.).—Apartado 4004, Bogotá. II–3.
Röper, Hans.—Cali. I.
Rossin, Hans.—Barranquilla. I.
Roters, Alberto D.—Calle 12 No. 4–96, Bogotá. I–3.
Roters & Thielkuhl.—Calle 12 No. 4–96, Bogotá. I–3.
Royo, Emilio.—San Blas y 20 de Julio (Apartado 233), Barranquilla. I.
Rozo E., Santiago (Dr.).—Barranquilla. I–1.
Rullhusen, Heinz.—Bogotá. I–1.
Rummle, Max.—Cali. I.
Salazar, Gonzalo.—Manizales. II–3.
Salchichería Alemana.—20 de Julio, San Blas, San Juan, Barranquilla. I–3.
Salgueiro, Antonio.—Comercio, Policarpa, Mercado. Barranquilla. I–4.
Salmon, Heinz.—Bogotá. I.
Salvino y Cía., Alejandro.—Cúcuta, Santander del Norte. I–1.
Samek, Amelia de la Espriella de.—San Blas, Progreso, Edificio Napolitana, Barranquilla. II–2.
Samek, Erwin Anton.—San Blas, Progreso, Edificio Napolitana, Barranquilla. II–2.
Samek y Cía., E.—San Blas, Progreso, Edificio Napolitana, Barranquilla. II–2.
Sánchez, Alberto.—Medellín. II–3.
Saravalle, Augusto.—Apartado Nacional 24 y Apartado Aéreo 658, Barranquilla. II–1.
Saravalle, Cesare.—Apartado Nacional 24 y Apartado Aéreo 658, Barranquilla. II–1.
Schaefer, Nikolaus.—Bogotá. I.
Scharz, Georg.—Barranquilla. I.
Schatz, Joseph.—Barranquilla. I.
Scheuplein, Rudolf.—Medellín. I.
Schlenker, Harold.—Bogotá. I.
Schleubach, Henrich Edward.—Bogotá. I.
Schleubach, John Roddrick.—Bogotá. I.
Schleubach, Berendt y Cía.—Bogotá and Pereira. I.
Schmeltzer, C.—Barranquilla. I.
Schmidt, Walter.—Calle 12, Carreras 5a y 6a, Cali. I.
Schmitt, T.—Cartagena. I.
Schnieder, Wilhelm.—Bogotá. I; II–1.
Schnurbusch, William.— I.
Schomacker, Karl.—Cúcuta. II–2.
Schrimpff de Martens, Sophía.—Bogotá. I.
Schrimpff, Elizabeth.—Bogotá. I.
Schrimpff, Julius.—Bogotá. I.
Schrimpff, Phillip.—Bogotá. I.
Schrimpff, Rudolf.—Bogotá. I.
Schrimpff, Wilhelm.—Bogotá. I.
Schröder, Johannes Ludwig.—Medellín. I; II.
Schröder, Otto E.—Apartado 121, Cali. I.
Schultze, Erich.—Carrera 37 No. 26–01, Bogotá. II–4.
Schumacher, Hermann.—Calle 12 No. 7–58, Bogotá. I–1.
Schwanhaeuser, Heinz.—Bogotá. I.
Schwanhauser, Fred.—Apartado Nacional 307, Bogotá. I–2.
Schwartau & Co., S.A., Juan.—Armero. I.
Schwartz, Joseph.—Barranquilla. I.
Schwarzbach, Federico.—Medellín and Santa Helena. I–2.
Schwerttfeger, Hans L.—Medellín. I.
Sealman, Heinz.—Bogotá. I.
"SEDAS" Sociedad Elaboradora de Artículos de Seda, S.A.—Calle 33 No. 6–37, Bogotá. II–3.
Seguros Albingia, Cía. de.—Bogotá. I.
Selbstaedt, Hans D.—Barranquilla. I–1.
Senning, N.—Barranquilla. I.
Senning & Co.—Barranquilla. I.
Serrano Vargas, Pedro.—Bogotá. I.
Serventi, Emilio.—Manizales. I.
Serventi, Giovanni.—Bogotá. I.
Siegler, Otto.—Riohacha. I–1.
Siemens Bauunion Ltda.—Bogotá. I.
Siemens & Halske A.G.—Bogotá. I.
Siemens Reiniger Werke.—Bogotá. I.
Siemens-Schuckert A.G.—Bogotá. I.
Silva Ortiz, Carlos.—Carrera 8 No. 15–35, Bogotá. II–3.
"SIMI" Sociedad Industrial Manufacturera Imperial Ltda.—Calle 24 No. 5–31, Bogotá. I–1.
Skowronski, Martin.—Cali. I.
Soehlmann, Hans.—Manizales. I.
Sohm, Teodoro.—Medellín. I.
Sperling, Ed. Victor.—Cartagena, and all branches in Colombia. I.
Sperling, George (Jorge).— I–2.
Sperling Ltda., Ed. Victor.—Cartogena. 1–2.
Sperling S.A., Ed. Victor.—Cartagena, and all branches in Colombia. I.
Spitta, Arnold.—Bogotá. I.
Springer, Walther.—Medellín. I.
Stadtlaender, Karl A.—Bogotá. I.
Standard Agencies de Colombia.—Barranquilla. I.
Stangel, Otto T.—Pasto, Nariño. I.
Stapff, Adolfo.—Medellín. I.
Stapff y Cía., A.—Medellín. I.
Starke, Fred.—Pasto, Nariño. I.
Stiefken, Paul.—Bogotá. II–2.
Stober, Adolf.—Medellín. I.
Stoehr, Egon L.—Pereira. I.
Strauss, Hans.—Apartado 104, Barranquilla. I–1.
Striepke, Wilhelm F.—Cartagena. I–1.
Striepke & Husfeldt.—Cartagena. I.
Stubbs, Edgar.—Bogotá. I.
Stumpf, Wilhelm.—Cali. I.
Suganami, Shimichi.—Bogotá. I.
Taddei, Renato.—Barranquilla. I.
Takeshima, Yuzo.—Calle 12 No. 9–58. Cali. I.
Tamura, Naki.—Cali. I–3.
Taschiro, Oruro.—Cali. I–3.
Tauber, Miguel.—Calle 53 No. 47–48, Medellín. I–3.
Taura, Michi.—Cali. I–1.
Tedesco, Andrea.—Cali. II–1.
Tedesco, Filippo.—Cali. II–1.
Tedesco, Gaspare.—Cali. II–1.
Tedesco, S.A.—Calle 14 No. 5–48, Cali. II–1.
Thiel, Otto (Dr.).—Medellín. I–1.
Thierl, Richard.—Cartagena. I.
Tieck, Hans (Dr.).—Barranquilla. I.
Tietbohl, Walter W. A.—Barranquilla. I.
Tietjen, Albert.—Barranquilla. I.
Timm, H.—Bogotá. I.
Tipografía Mercurio.—Calle 14 No. 6–85, Bogotá. I–2.
Tipografía Olympia.—Calle 54 No. 50–52, Medellín. I.
"Tokyo Merchants".— I.
Transmares S.A.—Cali. I.
"Transocean" G.m.b.H.—Bogotá. I.
Trilladoras Deco, S.A.—Bogotá. I.
Troll, B. Richard.—Cali. I.
Trumpke, B. F.—Apartado 818, Bogotá. I–1.
Tutzer, Franz.—Bucaramanga. I.
Umbreit, Fritz.—Bogotá. I.
Unión Industrial S.A.—Barranquilla. I.
Varani, Atilio.—Paseo Bolívar, 20 de Julio, Progreso, Barranquilla. II–4.
Varani, Ernesto.—Paseo Bolívar, 20 de Julio, Progreso, Barranquilla. II–4.
Vellage, Enrique.—Cali. I.
Vieten, Hans H.—Medellín. I.
Volpe, Emilio.—Barranquilla. I–1.
Volpe, Vicente.—Barranquilla. I–1.
Volpe y Cía., S.A., Antonio.—Plaza de San Nicolás, Barranquilla. I.
Von Bauer, Peter Paul (Dr.).—Barranquilla. I–1.
Von Bockelmann, Carlos Fernando.—Cali. I.
Von der Heide, Gunter.—Apartado 402, Cali. I.
Von Dewitz, Achim.—Bogotá. I.
Von Dewitz, Curt.—Bogotá. I.
Von Dewitz, Oswald.—Bogotá. I.
Von Dewitz, Ruth.—Bogotá. I.
Von Graefe, Hans.—Pereira. I; I–4.
Von Griesheim, Werner.—Barranquilla. I.
Von Mellenthin, Hans.—Bogotá. I.
Von Mellenthin y Cía.—Bogotá. I.
Von Wahlert, Karl August.—Bogotá. I.
Von Wussow, Ernest Gunther.—Cali. I.
Wahlen, Enrique.—Pasaje Cadena 21–23, Bucaramanga. I.
Weber, Hans.—Progreso y San Blas, Edificio Napolitana, Barranquilla. I.
Weisbach, Everhard.—Bogotá. I–1.
Weitlich, Gustave.—Calle Maracaibo, Medellín. I–2.
Wernher, Hans.—Apartado Aéreo 4230 y Apartado Nacional 468, Bogotá. I.
Wessels, Bernhard.—Bucaramanga. I; I–3.
Westendarp, Rodolfo.—Manizales. I
Wiese, H.—Cartagena. I.
Wiese & Starck.—Barranquilla. I.

Wild, Leonardo.—Bogotá. II–1.
Willich, — .—Barranquilla. I.
Winz, Carlos (Jr.).—Carrera 8 No. 15–35, Bogotá. I–3.
Winz, Carlos (Sr.).—Carrera 8 No. 15–35, Bogotá. I; I–3.
Wirz y Cía., Sucrs. de C.—Barranquilla. I.
Wolf, Herman.—Tumaco. I.
Wolff, Herbert R.—Medellín. I: II–5
Wunderlich & Co., Gerhard.—20 de Julio, Real, Comercio (Apartado 174), Barranquilla. I.
Yamanaka, Sinuiko.—Barranquilla. I; I–1.
Yoshida, Roberto.—Bogotá. I–1.
Yoshino, C.—Bolsa de Comercio, oficina 701, Bogotá. I.
Yuzo.—Cali. I.
Zapateiro, Manuel.—Apartado 84, Cartagena. I.
Zapp y Cía.—Calle 12 No. 7–66, Bogotá. I.
Zollia, Giordano.—Bogotá. I–4.
Zúñiga, Antonio R.—Riohacha. I.

COSTA RICA

Acosta G., Alfonso (Dr.).—San José. I.
Agencia Internacional de Comercio e Industria, S.A.—San José. I.
Agencias Mundo, S.A.—San José. I.
Agencias Wiessel.—San José. I.
"Agfa".—San José. I.
Agrícola de Turrialba, Cía.—San José. I.
Almacén Feoli, S.A.—San José. II–4.
Almacén Romolus.[1]—San José. II–2; II–4.
"Almacén Unión".—San José. I.
Alvarado G., A.—San José. I–1.
Alvarez Iraeta, Manuel (Dr.).—San José. I–1.
"Amano".—Puntarenas. I.
Amano, Yoshitaro.—San José. I.
Amano Cía.—Puntarenas. I.
Amrhein, Franz.—San José. I.
André, Arnoldo.—San José. I.
André, Otto.—San José and Cartago. I.
Angulo Marín, Guillermo.—San José. I.
Appel, Willy.—San José. I–1.
Arend, Walter.—Puntarenas. I–1.
Assmann, Theodore.—Calle, A.V., Avenidas 1 y 3, San José. I.
Automotriz, S.A., Cía.—Calle 1, Avenidas 1 y 3 (Apartado 327), San José. I.
Bartorelli, Gabriello.—San José. I–1.
Bartorelli, Gastone.—San José. I–1.
Baumgartner Lehmann, Adolfo.—Apartado 1712, San José. I.
Bayer-Meister-Lucius.—San José. I.
Becker, Kuno.—San José. I.
Behnke, Walter.—Calle 1, Avenidas F.G. y 2, San José. I.
Benedetti Gregorio, Otelio.—San José. II–1.
Botica de la Catedral.—San José. I.
Brammer, Eric.—San José. I–1.
Brenes Díaz-Granados, Mario.—Apartado 1166, San José. I–1.
Brenes Gutiérrez, Ramiro (Dr.).—San José. I.
Brenes Torres, Rodolfo.—San José. II–4.

[1] Not to be confused with Rómulo Artavia, Apartado 653, San José, or his shipping mark "Romulo."

Bruce, Starr Pait.—Apartado 219, San José. I–3.
Campabadal, Roberto.—San José. I.
Cantero, Juana viuda de.—San José. I.
Capra Roveri, Vittorio.—San José. II–1.
Casa de Agencias y Comisiones "Delcohijo" S.A.—Apartado 1042, San José. I.
Casalvolone Fait, Juan.[2]—Puntarenas. I.
Casalvolone Rivolta, Luis.—San José and Puntarenas. I.
Castillo, Rigoberto.—San José. II–2; II–3.
Chacón, Alberto.—Puntarenas. I–1.
Classen & Co.—Apartado 281, San José. I.
Club Alemán.—San José. I.
Corvetti, José (Dr.).—San José. I.
Costarricense de Tejidos S.A., Cía.—Apartado 1467, San José. I–2.
Croceri Pelaconi, Constantino.—San José. II–1.
Delpholz, Sophie.—San José. I–1.
"Delcohijo" S.A., Casa de Agencias y Comisiones.—Apartado 1042, San José. I.
Delcore, Rafael.—Apartado 1042, San José. I.
Delcore e Hijo, S.A.—Apartado 1042, San José. I.
Delcore Belluci, Amadeo.—Puntarenas. I.
Dominguez F., Germán.—Aserri. II–4.
Dondoli Burgazzi, César.—San José. II–1.
Dorsam, Emilio.—Calles 2 y 4, Avenida 3 (Apartado 1303), San José. I.
Dyes & Co., H. O.—Pasaje Dent, San José. I.
East Pacific Fishery Co., Ltd.—Puntarenas. I.
Eckstein, Fritz.—San José. I.
Efinger, Max.—San José. I.
Ehrenberg, Paul.—San José. I.
El Bolsín.—San José. I–4.
Fabián, Carlos.—Apartado P., San José. I.
Fabián y Cía., Victor.—Apartado P., San José. I.
Fábrica de Café "La Económica".—San José. II–1.
Federation of Japanese Importers & Exporters.—Chaguite. I.
Feoli D'Agostino, Nicolás.—San José. II–1.
Feoli y Cía., S.A.[3]—San José. II–1; II–4.
Fernández P., C.[4]—San José. I; I–1.
Fernández Palma, Claudio.—San José. I.
Finca San Miguel.—Barranca. II–3.
Fischbeck, Gerhard.—Puerto Limón. I.
"Foto Sport".—Apartado 846, San José. I.
Gambassi, Guido.—San José. II–1.
Gambassi, José.—San José. I–3.
Garage del Correo.—San José. II–4.
German Club.—San José. I.
German School.—San José. I.

[2] Not to be confused with Juan Fait Casalvolone.
[3] Not to be confused with Feoli e Hijos, Nicolás.
[4] Not to be confused with P. C. Fernandez & Co., 727 Atlantic Avenue, Boston, Massachusetts, nor its subsidiary, P. C. Fernandez & Co., Avenida Ancón 72, Panamá.

Giegler, Carl.—Puerto Limón. I.
Gran Hotel Plaza.—San José. I–4.
Grebien, Ferdinand.— I.
Grosser, Erwin.—San José. I.
Guettler, Paul.—San José. II–5.
Gurcke, Karl Oskar.—Tilarán. I–1.
Gurcke, Star Pait Bruce (Mrs.).—Apartado 219, San José. I–3.
Gurcke, Werner.—San José. I–1.
Gurcke y Cía., Werner.—Apartado 219, San José. I.
Gutman, Jacobo.—San José. I–1.
Hapag-Lloyd Steamship Lines.—San José. I.
Hauke, Emil.— I.
Henkel, Juan.—Apartado 959, San José. I.
Hering & Schoenfeld.—San José. I.
Hernández, Luis.—Apartado 1294, San José. I.
Hernández Mosquero, Pedro.—San José and Puerto Limón. I–1.
Herrera G., Hernán.—San José. I.
Holdinghausen, Gertrude. — Apartado 1015, San José. II–5.
Hubbe Hijos.—San José. I.
Iezzi, Alfredo.—San José. II–4.
Iezzi, Guerino.—San José. II–2.
Iezzi, Nicola.—San José. I.
Kawakubo, Daizo Jyoho.—San José. I; I–4.
Kitzing, Karl.—San José. I.
Kitzing & Steinvorth.—San José. I.
Kliefoth, Richard.—San José. I.
Kloss, Walter.—San José. I.
Knöhr, Erwin.—Apartado 48, San José. II–3.
Knöhr, Herbert.—San José. I.
Kött, Werner. — Hacienda Lindora, Santa Ana. II–5.
Krogmann, O. W.—San José. I.
Kruse, Alfredo.—Puntarenas. I.
La Casa Ursus.—San José. II–4.
"La Epoca".—San José. I.
Lachner, Rafael (Dr.).—Cartago. I–1.
Lapeira C., Nicolás (Sucesor de Lapeira y Aguilar).—Apartado 616, San José. I; I–4.
Lehmann[5] & Co.—Apartado 147, San José. I.
Librería Lehmann y Cía.—Apartado 147, San José. I.
Lindgens, Rudolf.—Puntarenas. I.
Lohrengel, C. W.—Apartado XIX, San José; and Tres Ríos. I–1.
Lorenzen, Detlef. San José. I.
Los Baños.[5]—Puntarenas. I–1.
Manhartsberger, Carlos.—San José. I–1.
Marozzi Bernini, Angel.—Cartago. II–1.
Marzal, P. C.—Apartado 1326, San José. I–2.
Mata Meneses, Roberto.—San José. I–1.
Matsui, Seijiro.—Puntarenas. I.
Méndez, Haydeé Zeledón Barrantes, vda. de Rois.—San José. I–1.
Méndez & Co., H. Z. de R.—San José. I–1.
Merlein, Max.—San José. I.
Metger, Gabriela.—San Juan Poas. I; I–4.
Miller, Bruno.—Tres Ríos. I–1.
Miller, Kurt.—San José and Tres Ríos. I–1.

[5] Not to be confused with Hotel "Los Baños" of Puntarenas.

Miller, Otto.—Tres Ríos. I–1.
Miller Hermanos.—Apartado 100, San José. I.
Montuoro, Aristides.—San José. II–1.
Morelli Cosenza, Eugenio.—San José. II–1.
Musmanni Hermanos.—San José. I.
N.I.C.S.A., National Importing Company S.A.—Apartado 785, San José. I.
Naranjo Prida, Sebastián.—San José. II–3.
National Importing Company S.A.—Apartado 785, San José. I.
Navarette, Juan.—San José. I.
Neumann, Richard.— I.
Niehaus, Guillermo.—San José. I–1.
Niehaus, Hans.—San José. I–1.
Niehaus, Walter.—San José. I–2.
Niehaus, Willie.—Apartado 167, San José. I–1.
Niehaus & Co., Guillermo.—San José and Puerto Limón. I.
Pan American Agencies Co., S.A.[4]—Apartado 785, San José. I.
Panadería Musmanni.—Calle 12, Avenidas F.G. y 2, San José. I.
Pandolfi, Antonio.—Calles A.V. y 2, Avenida F.G., San José. I–1.
Pandolfi, Pascuale.—Calles A.V. y 2, Avenida F.G., San José. I–1.
Pandolfi Hermanos.—Calles A.V. y 2, Avenida F.G., San José. I–1.
Paschka, Kurt.—Cartago. I–1.
Paschka, Max.—San José. I.
Pensión Alemana.—San José. I.
Pensión Germania.—San José. I.
"Pensión Italiana".—San José. I–3.
Pérez Solano, Andrés.—San José. I–1.
Peters, Rudolf.—San José and Sarchi. I.
Peters, Werner.—San José. I.
Peters, Wilhelm (Jr.).—San José. I.
Peters, Wilhelm (Sr.).—San José. I.
Piva Cugola, Alfio.—Guadalupe, San José. II–1.
Platería Alemana.—Apartado 1015, San José. II–5.
Prado Pérez, Edgardo.—Apartado 1830, San José. II–2; II–4.
Preinfalk, Friedrich.—San José. I.
Prince Segismund of Prussia.—Barranca. II–3.
Quijano, Rodolfo.—San José. I.
Química Bayer, S.A.—San José. I–1.
Química Schering S.A.—San José. I.
Quirós Madrigal, Fernando (Dr.).—I–3.
Reimers, Fritz.—San José. I–1.
Reimers & Co., Fritz.—San José. I.
Richter, Erhard.—Apartado 854, San José. I.
Richter, Heinz.—Apartado 854, San José. I.
Rimolo Rocco, José B.—San José. II–1.
Rojas Matamoras, Rafael.—San José. I–4; II–4.
Rothe, Fernando H.—San José. I; I–4.
Royo, Emilio.—28 Miles and Puerto Limón. II–4.
Sanabria, Hernán.—Apartado 928, San José. I.
Sastrería y Tienda Scaglietti y Sobrinos.—Calle 2, Avenidas F.G. y 1 (Apartado 478), San José. I.
Sauter, Federico.—San José. I–1.
Sauter, Josef.—San José. I–1.
Scaglietti, Hugo.—Apartado 478, San José. I.
Scaglietti, Mario.—Apartado 478, San José. I.
Scaglietti y Sobrinos.—Calle 2, Avenidas F.G. y 1 (Apartado 478), San José. I.
Schell, Albert.—San José. I.
Scherer, Stephan.—Puerto Limón. I.
Schering, S.A., Química.—San José. I.
Schlager, Arturo.—Puntarenas. I.
Schlager y Hermano, A.—Puntarenas. I.
Schlager Quesada, Guillermo.—San José. I.
Scholz, E.—Puerto Limón. I–2.
Scholz, Erich.—Puerto Limón. I–2.
Scholz, Werner.—San José. I–2.
Schroeder, Ricardo.—Puerto Limón. II–4.
Seevers, Georg (Jr.).—Santa Bárbara. I.
Seevers, Georg (Sr.).—Santa Bárbara. I.
Siebe, Luis O.[4]—Calles A.V. y 2, Avenida F.G., San José. I; I–1.
Sottanis, Giuseppe.—San José. I.
Spesny, Christina Betik de.—San José. I–3.
Spesny, Roberto.—San José. I–3.
Spesny, Wilhelm (Guillermo).—Apartado 1600, San José. II–1.
Spoerl, Pablo.—Apartado 13, San José. I.
Staufer, José.—San José. I–1.
Staufer & Co., José.—Avenida F.G. y Calle 3 (Apartado 1294), San José. I.
Steinvorth, Botho.—San José. I–1.
Steinvorth, Eberhard.—San José. I.
Steinvorth, Ernesto.—San José. I–1.
Steinvorth, Gerardo.—San José. I–1.
Steinvorth, Ricardo.—San José. I–1.
Steinvorth y Hermano, W.—Avenida F.G. y Calle 1, San José. I.
Sugawara.—San José. I.
Surroca, Pedro.—San José. I; I–4.
Tienda El Buen Gusto.—San José. I–3.
Trejos González, Marta.—San José. II–5.
Tsunemoto, Hajimi.—Chaguite. I.
Union Agency Co., S.A.—Apartado 1712, San José. I.
Vedoua, Franz Ferdinand.—San José. I.
Von Breymann, Guillermo.—Apartado 93, San José. I.
Von Breymann-Figueroa, Guillermo.—Apartado 93, San José. I.
Von Heymann & Co., Hans.—San José. I.
Von Schroter, Guido.—San José. I.
Walter, Pablo.—Calles A.V. y 2, Avenida F.G. (Apartado 1081), San José. I.
Wiessel, Carlos M.—San José. I.
Wiessel, Federico B.—San José. I.
Wiessel y Cía., Federico.—Apartado 1790, San José. I.
Wimmer, Frank.—Puerto Limón. I.
Wimmer, Otto.—Puerto Limón. I.
Wunder, Kurt (Wunder-Nordhausen).—San José. I.
Zeuner, Fritz.—San José. I.
Ziegler, Paul.—San José. I.

[4] Not to be confused with Pan American Agencies operated by Roberto Sutherland Polsen.

[5] Not to be confused with Luis Olle Seuba, San José.

CUBA

Ackermann, Gerardo.—Ricla 98 (Apartado 1343), Habana. I.
Adrián, Ignacio. — Consulado 107 (Apartado 1094), Habana. I.
Adrián y Cía., S.L.—Consulado 107 (Apartado 1094), Habana. I.
Ahrens, Carlos.—Marina 217, Habana. I.
Aldrey García, C.—Avenida de la Paz 17, Reparto Kohly, Marianao, Habana. I–2.
Alvarez Rodríguez, José.—Los Maceo esquina a Narciso López, Guantánamo. I–2.
Andrade & Company, M. T.—República del Brasil 15 (Apartado 1064), Habana. II–1.
Barletta, Amadeo.— I.
Berndes, René.—Edificio La Metropolitana, Habana. II–1.
Berndes y Compañía, Charles E.—República del Brasil 112, Habana. I.
Biederlack, Eberhard.—Habana. I.
Biederlack, Hans.—Habana. I.
Bona, Alejandro.—Empedrado 4, Habana. I–1.
Bona y Cía., A.—Empedrado 4, Habana. I–1.
Buffa Rosbock, Federico (Dr.).—Baños 409, Vedado, Habana. I–2.
Chojnowski, Clemens.—Muralla 415, Habana. I.
"Cifesa".—Habana. I; II–5.
Cine Cinecito.—Habana. I–2.
Cinematográfica Corporation San Rafael, S.A.—Habana. I–2.
Clasing, Lionel.—Prado 303, Habana. II–3.
Clasing, Luis.—Hotel Plaza, Habana. I.
Colegio Alemán.—Calle 19 No. 907, Vedado, Habana. I.
Costa Marcote, Juan.—Habana. I; I–3.
Deutsche Lufthansa A.G.—All branches in Cuba. I.
Díaz Baliño, Joaquín.—San Rafael 263, Habana. I–1; I–4.
Di Bianco, Alfonso.—J. A. Saco 352, Santiago de Cuba. I.
Diehl, Hermann.—Obrapía 23 (Apartado 1765), Habana. I.
Durán, R. M.—Cristo 22, Habana. I–4.
"El Sol Naciente".—Obispo y Villegas, Habana. I.
Eppinger, Albert.—Avenida de Bélgica 568, Habana. I.
Evertz, Guillermo.—Avenida de Bélgica 568, Habana. I.
Exclusivas Berndes.—Consulado 164, Habana. I.
Fábrica de Cuchillas "Aevos".—Regla, Habana. I–1.
Fischer, Philip.—Habana. I.
Friederich, George H.—Aguiar 609, Habana. I–3.
Friederich, Roberto.—Teniente Rey 113, Habana. I.
Fritsche, Otto Walter.—Aguiar 132 (Apartado 2404), Habana. I.
Gómez Varela, Manuel.—10 de Octubre 13, Habana. I–1.
Gómez Varela, Ramón.—10 de Octubre 13 (bajos), Habana. II–4.
Hachez, Emil.—Edificio Abreu 302, Habana. I.

Hamburg-Amerika, Compañía de Vapores.—Prado 303, Habana. I.
Heckl, Luis.—Gertrudes 109, Habana. I–1.
Heisinger, A. C.—Santiago de Cuba. I.
Hermann, Hans G.—Habana. I.
Hoppe, Eugene.—Martí 73, Regla, Habana. I–1.
Hoppman, Willi.—Concordia 755, Habana. I.
Huber & Co.—San José 98, Habana. I.
Inversiones Sadomoco S.A., Cía. de.—Habana. I–1.
Juedicke, Ernst Fr.—Lonja del Comercio 430, Habana. I.
Kaupp, Arturo.—Neptuno 204, Habana. I.
Kelly Auto School.—Marina 217, Habana. I.
Koch, Adolfo.—Apartado 2114, Habana. I–2.
Koch, Fritz Arthur.—Nuevitas. I.
Kohl, Erich.—Neptuno 755 Altos, Habana. I–1.
"La Euterápica".—Baños 409, Vedado, Habana. I–2.
Landes, Richard E.—Calle 27 No. 1458, Habana. I.
Ludtke, Paul C.—Obispo 61 y Calle E 381, Habana. I.
Luettich, Herman.—Apartado 722, Habana. I.
Luhn, Enrique.—Ricla 98 (Apartado 2077), Habana. I.
Machinery & Chemical Supply Company.—Habana. I.
Munch, Hans.—Calle 10 entre 12 y 13, Ampliación de Almenderes, Habana. I–3.
Naviera y Comercial S.A., Cía.—Aguiar 411, Edificio La Cubana (Apartado 1986), Habana. I.
Nuevas Industrias, S.A.—Callejón de Aspurú y Chucoyola, Luyano. I.
Ohira, Hugo.—Villegas 115, Habana. I–1.
Ohira, Keitaro.—Habana. I.
Ohira, Todao.—Habana. I.
Orth, Guillermo.—Mercaderes 160 (Apartado 1645), Habana. I.
Pfeiffer, Michael.—Edificio Banco de Nova Scotia 304–305, Habana. I.
Pharmaceutical Importers, S.A.—Habana. I.
Pinks, Anton.—Habana. I.
Pinks, Gerhard.—Habana. I.
Productos Nacionales "REL" S.A.—Calle 27 No. 1458, Habana. I.
Proveedora Marítima S.A., Cía.—Teniente Rey 113 (Apartado 1905), Habana. I.
Química Lissa S.A.—Linea 552, Vedado, Habana. I.
Química Schering S.A.—Avenida Wilson 552, Habana. I.
Reichel, René.—Egido 658, Habana. I; I–2.
Roemer & Co., Hans.—Aguiar 126, Habana. I.
Rosbock, Pierre.—Perseverancia 111, Habana. I.
Sakakibara, R.—O'Reilly 522, Habana. I.
Schering Pharmaceutical Corporation of Cuba S.A.—Habana. I.
Schering S.A., Química.—Avenida Wilson, 552, Habana. I.
Soliño, Norberto.—Habana. I.
Stein, Max.—República del Brasil 15 (Apartado 1064), Habana. II–1.
Steindler, Rudolph R.—Habana. I.
Suministradora de Maquinarias y Productos Químicos, Cía.—Habana. I.
Thol, Hans.—Habana. I.
Uhlinger, Louise.—Habana. I.
"Vanity".—San Rafael 263, Habana. I–1.
Vogt, Carl.—Arbol Seco 308, Habana. I.
Wagner, Aurelio.—Habana 560, Habana. I–4.
Wehle, Adolfo.—Avenida de Bélgica 568, Habana. I–2.
Will S. en C., R.A.—República del Brasil 112, Habana. I.
Yama, Ramón.—San Rafael 1816, Habana. I.
Zeiss, Anton.—Avenida del Brasil 405 (Apartado 2566), Habana. I.
Zimmerman, Enrique.—Calle A No. 13 (Apartado 874), Vedado, Habana. I.

DOMINICAN REPUBLIC

Agencia Antillana. — Apartado 211, Ciudad Trujillo. I; II–1.
Barkhausen, Hermann.—Apartado 211, Ciudad Trujillo. I; II–1.
Barletta, Antonio.—Ciudad Trujillo. I.
Barletta & Co. C. por A., Antonio.—Ciudad Trujillo. I; II–1.
Bodden, César A.—Isabel la Católica 40, Ciudad Trujillo. I–1.
Casa Palamara C. por A.—El Conde 35, Ciudad Trujillo. I.
Cibao Comercial.—Santiago. I.
Cobián, Salustiano.—Ciudad Trujillo. I.
Cobián & Co.—Avenida Mella 102, Ciudad Trujillo. I.
Comercial C. por A., Cía.—Monte Cristi. I.
"Diario del Comercio".—Ciudad Trujillo. I.
Dohse, Ernst Heinrich.—Ciudad Trujillo. I–1.
Dohse Jorge, Ernesto.—Ciudad Trujillo. I–1.
Dominican Soap Co. C. por A.—Ciudad Trujillo. I; II–1.
Dominican Tobacco Company.—Ciudad Trujillo. I.
Escovar Hurtado, Rafael.—Santiago. I–4.
Gerard, Georges O.—Arzobispo Nouel 9, Ciudad Trujillo. I.
Grossart, Friedrich Rudolf.—Monte Cristi. I–1; II.
Hartmann, Frederick Wilhelm.—Santiago. I.
Hertel, Carl.—Ciudad Trujillo. I.
Importadora Dominicana, Cía.—Arzobispo Nouel 9, Ciudad Trujillo. I.
Indorf, Jost Walter.—Ciudad Trujillo. I.
Jurgens, Kurt.—Santiago. I–1.
Knebol, Martín.—Ciudad Trujillo. I–1.
Langa, Antonio.—Ciudad Trujillo. II–4.
Lefeld Martínez, F.—Ciudad Trujillo. I; I–2.
Mallorga, Fernando.—Ciudad Trujillo. I.
Oppenheim-Gerard, Georges.—Arzobispo Nouel 9, Ciudad Trujillo. I.
Palamara, Battesimo.—El Conde 35, Ciudad Trujillo. I.
Pérez, Brígido Fernando.—Azua 30 (Apartado 573), Ciudad Trujillo. I; II–1.
Pérez & Co.—Azua 30 (Apartado 573), Ciudad Trujillo. I; II–1.
Pogson Sucrs., Charles A.—Ciudad Trujillo. I; I–4.
Prieto, Esteban (Jr.).—19 de Marzo 50, Ciudad Trujillo. I–1.
Ron Suárez, Eduardo.—Ciudad Trujillo. I–2.
Rua García, Antonio.—Ciudad Trujillo. I–2.
Rua y Cía., Antonio.—Mercedes 2, Ciudad Trujillo. I–1; II.
Santo Domingo Motors Co. C. por A.—José Dolores Alfonseca 20, Ciudad Trujillo. I.
Sotomayor, Emeterio.—Ciudad Trujillo. I–4.
Ultramar Comercial C. por A.—Ciudad Trujillo. I.
Weisgerber, Erwin.—Edificio Baquero 610, Ciudad Trujillo. I.

ECUADOR

Aachen & Munchner Feuer-Versicherungs — Gesellschaft. — Apartado 486, Guayaquil. I–3.
Acunzo, Francisco.—Guayaquil. I–2.
Agencia Italo-Ecuatoriana. — Casilla 205, Guayaquil. I–1.
Agencias Internacionales C.A.—Junin 216 (Casilla 1264), Guayaquil. I.
Aguirre & Co.—10 de Agosto 326, Guayaquil. I.
Alemana de Agencias, Cía.—Guayaquil. I.
Almacén "La Fortuna".—Guayaquil. I–2.
Almerini, Giovanni.—Casilla 345, Guayaquil. I–1.
Almerini, Fossati y Cía.—Casilla 345, Guayaquil. I–1.
Altgelt, Hagen Ernesto Gerardo.—Quito. I–2; II.
Andretta, Romolo.—Quito. I–2.
Anselmi, Anselmo.—Guayaquil. I–2.
Babinsky, Walter.—Ambato. I–2.
Baldus, Otto.—Calacalí. I–2.
Baquerizo, Clemente G.—18 de Setiembre 179 y Estrada (Casilla 480), Quito. I.
Bar "Piedra".—Tulcán. I–2.
Bazaar "Idolo".—Aguirre 304, Guayaquil. II–5.
Beate, Bio.—Quito. I–2.
Beckmann, G.—Quito. I–2.
Beltrani, Agostini.—Guayaquil. I–2.
Berge, Wolf.—Riobamba. I–2.
Bergholz, Klaus.—P. Icaza 507, Guayaquil. I–2.
Besecke, Herbert.—Pedro Moncayo 718, Guayaquil. I–2.
Bittner, Rudolfo.—Avenida Nueve de Octubre, Guayaquil. I–1.
Bittner & Voegli.—Guayaquil. I–4.
Bloenken, Heinrich.—Bolívar 725, Guayaquil. I–2.
Boche, Ernst K. Henry.—Guayaquil. I–2.
Bockeman, Hans.—Casilla 405, Guayaquil. I–1; II.
Boettger, Waldemar.—Ibarra and Otavalo. I–2.
Bolte, Hugo.—Rumichaca 520, Guayaquil. I–2.
Bonzi, Giacomo.—Casilla 205, Guayaquil. I–1.
Boschetti, Tulio T.—Casilla 492, Quito. I–1.
Bossareck, Anton.—I–2.

Botica Eloy Alfaro.—Casilla 1050, Guayaquil. I–1.
Brachetti, Theodore.—Casilla 860, Quito; and Casilla 53, Guayaquil. I.
Brauer Gehin, Alfredo.—Guayaquil 60 (Casilla 687), Quito. I–2; II–5.
Brauer Gehin, Leopoldo M. (Jr.).—Guayaquil 60 (Casilla 687), Quito. I–2; II–5.
Brauer, Leopoldo M.—Casilla 687, Quito. I.
Brill, Alfred.—Quito. I–2.
Brill, Charles.—Quito. I–2.
Brill, Max.—Zambrano 7 (Casilla 92), Quito. I–2; II–5.
Bruckmann, Ludwig E.—Calle Carrión, Guayaquil. I–2.
Bruckmann, Luis Edward.—Vivero 501, Guayaquil. I–2.
Bruckmann & Co., L. E.—Guayaquil and Manta. I.
Bruzone, Domingo.—Quito. I–2; II.
Burbano Zúñiga, Enrique.—Nueve de Octubre 913, Guayaquil. II–1.
Cañarte, Alvaro.—Guayaquil. II–1.
Carmigniani, César.—Guayaquil. I–2; II.
Carstanjen, Otto Heinrich.—Avenidas 18 de Setiembre y Colón, Quito. I–2.
Casa Alemana.—García Moreno 69 (Casilla 394), Quito. I; II–5.
Casa Tagua S.A.—Manta, and all branches in Ecuador. I.
Cedeño, Guido.—Malecón Simón Bolívar 2014, Guayaquil. II–5.
Chanange, Gustavo L.—Casillas 103 y 77, Guayaquil. I–2; II–3.
"CIALDA" Compañía Alemana de Agencias.—Casilla 787, Guayaquil. I.
Cibelli, Gaetano.—Hacienda San Pablo, Naranjal. I–2.
Clementina Plantagen Gesellschaft.—Babahoyo (Casilla 1291), Guayaquil. II–5.
Constructora Técnica S.A., Soc.—Casilla 584, Guayaquil. I–1.
Contag, Arturo.—Tomás Martínez 305 (Casilla 200), Guayaquil. I–1.
Contag, Ernesto.—Pasaje Pérez, Quito. I–1.
Continental, Sociedad.—Casilla 409, Guayaquil. I.
Cuhne, Alfredo.—Maldonado. I–2.
Darr, Erwin.—Guayaquil. I–2.
De Agostini, Carlo.—Roca y 9 de Octubre, Quito. I–2.
Deckert, Hans.— I–2.
Degetau, Pablo.— I–2.
Detken, Herman.—Quito. I–2.
Deutsche Lufthansa A.G. — All branches in Ecuador. I.
Diebler, Hans.— I–2.
Diener, Walter.—12 de Octubre, Quito. I–2.
Diesemreiter, María.—Quito. I–2.
Dingendroff, Hans. — Mourgeón 12, Quito. I–2.
Dirani B., Humberto.—Chile 8 (Apartado 111), Quito. II–4.
*Dirani M., Franco.[1]—Oriente 152, Quito. I–2; III.
Dorn, Helmut.—Guayaquil. I–2.
Dreher, Benjamin.—Chimborazo 1508 (Casilla 731), Guayaquil. I–1.

*Address added or changed with this revision.
[1] Name changed with this revision from Franco Dirani.

Dreier, Hermann.[2]—García Moreno 69 (Casilla 394), Quito. I; II–5.
Duffer, Enrique.—Esmeraldas. I; I–4.
Ebert, Fritz.—Casilla 1256, Guayaquil. I.
"Ecuapetrol" Compañía Petrolera y Comercial S.A.—Guayaquil, and all branches in Ecuador. I.
Ecuatoriana de Transportes Aéreos, Soc.—Quito. I.
Ehmig, Anton.—Quito. I–2.
Einicke Spring, Heriberto P.—Guayaquil. I–2.
"El Nido".—Ambato. I–2.
Ell, George.—República 3, Quito. I–2.
Endemann, Hans.—Casilla 584, Guayaquil. I–1.
Erdelen, Rudolf.—P. Icaza, Guayaquil. I–2.
Espinosa Tamayo, Luis.—Casilla 1050, Guavaquil. I–1.
Ferrari, Herederos de Luis.—Casilla 126, Guayaquil. I–1.
Ferrostaal A.G.—Quito and Guayaquil. I.
Fossati, Luigi.—Casilla 345, Guayaquil. I–1.
Fukumoto, Makoto.—Ríobamba. I–2.
Funke, Richard (Walter).—Guayaquil. I–2.
Galeotti, Piero.—Casilla 1157, Guayaquil. I–1.
Gertlich, Conrad Otto.—Quito. I–2.
Giese, Erna.—Quito. I–2.
Giesel, Enrique.—Baños. I–2.
Giesel, Luis Enrique.—Ambato. I–2.
González, Antonio.—Casilla 1150, Guayaquil. II–5.
González, Florentino.—Casilla 1150, Guayaquil. II–5.
González y Cía., Florentino.[3]—Casilla 1150, Guayaquil. I–1.
Griesbach & Roehl.—Pasaje Royal (Casilla 326), Quito. I; II–5.
Grob, Ernest.—Ambato. I–2.
Grosse, Kurt.—Guayaquil. I–2.
Grunner, Justis.—Guayaquil. I–2.
Gubitz & Schwark.—Guayaquil 66 (Casilla 433), Quito. I; II–5.
Hacienda Clementina.—Babahoyo (Casilla 1291), Guayaquil. II–5.
Hahlbaum, Hans.—Chimborazo 408, Quito. I–2.
Haller, Paul.—Avenida Olmeda y Eloy Alfaro, Guayaquil. I–2.
Haller, Paul (Mrs.).—Avenida Olmeda y Eloy Alfaro, Guayaquil. I–2.
Harms, Siegfried.—Chile 309, Guayaquil. I.
Hartsch, Carlos.—Colegio Alemán, Quito. I–2.
Haus, H. A.— I–2.
Heed, Ernest.—Guayaquil. I–2.
Heintze, Señora de.—Colegio Alemán, Quito. I–2.
Herzogg, Hans Dietrich.—Quito. I–2.
Hille, Otto (Dr.).—Ambato. I–2.
Hirasawa, Shigetane.—Riobamba. I–2.
Hirtz, Carlos.—Pasaje Royal, Quito. I–2.
Hoelldorfer, Kurt.—Panamá y Junín, Guayaquil. I–2.

[2] Not to be confused with the Hermann Drier who is associated with Jacobo Vorbeck.
[3] Not to be confused with González Hermanos y Cía., 108 Malecón Simón Bolívar (Casilla 372), Guayaquil.

Hotel Majestic.—Salinas. I–1.
Huttner, Johann Karl.— I–2.
Industrial Beco C.A., Soc.—Casilla 8, Manta. I.
Industrial Corozo Ecuador, S.A.—Manta. I.
Industrias Téxtiles S.A., Soc.—Ascasubi 14 (Casilla 337), Quito.. I; II–5.
Inoue, Zyuichi.—Ríobamba. I–2.
Isenberg, Irma Schnoor.—Ambato. I–2; II.
Janssen, Ludwig.—Quito. I–2; II–5.
Jeremías, Siegfried. — Casilla 112, Guayaquil. I–1.
Jeremías, Herederos de L.—Guayaquil. I–1.
Jeremías y Robinson. — Guayaquil. I–1.
Joyería "El Brillante".—Guayaquil. I–1.
Joyería "Queirola".—Guayaquil. I–1.
Jungnickel, Paula.—Avenida Colón 458, Quito. I–2.
Juris, Carlos.—Mercado Central o Mourgeón 24, Quito. I–2.
Kakabadze, Ivan.— I–2.
Kehrer, Wilhelm.—Salinas. I–1.
Kiederle, Frederico.— I–2.
Kiederle, George.—Mera. I–2.
Kiefel, Gottlieb.—Casilla "B", Guayaquil. I–1.
Klaere, Adolfo.—Salinas. I–1.
Kläschen, C.—Manta. I.
Klein, Arturo.—Quito. I–2.
Kolb, Herman.— I–2.
Konitzer, Willy.— I–2.
Kruger, Lottie (Mrs. J. H.).—Guayaquil. II–1.
Kruger, Viuda y Herederos de J. H.—Guayaquil. I.
Kudajewsky, Paul.— I–2.
Kunze, Albert Julius Robert.— I–2.
La Casa Wiking S.A.—Venezuela 97 (Casilla 556), Quito. I; II–5.
Lafontaine, Dan Hans.— I–2.
Langpap, Walter Paul.—Batán Road, Quito. I–2.
Levinsohn, Max.— I–2.
Lindner, Erich.—Quito. I–2.
Linz, Alfredo.—Quito. I–2.
Linz, Juan.—Quito. I–2.
Lisken, Gunter Otto.—Pedro Moncayo 910, Guayaquil. I–2.
Loeschner, Heinrich.—Pasaje Royal, Quito. I–2.
Lorentzen, Walther.—Miraflores Road, Ambato. I–2; II.
Luciano, Stefano.—Pasaje Royal y Venezuela, Quito. I–2.
Makisima, Masao.—Ríobamba. I–2.
Marotzke, Hans.—Calicuchima 319, Guayaquil. I–2.
Mateju, Eugenia.—Mejía 27, Quito. I–2.
Mauer, Oscar Max.— I–2.
Melli, Ettori.—Guayaquil. I–2.
Merello G., Alberto.—Casilla 788, Quito. I.
Mestichelli, Leo.—Salinas. I–1.
Meyer, Franz.—Guayaquil. I–2.
Meyer, Willy.—Guayaquil. I–2.
Miranda, Pietro.—Casilla 252, Quito. I–1.
Missale, Emilio.—Casilla 1058, Guayaquil. I–1.
Moebius, Gunther Rudolf.—Colegio Alemán, Quito. I–2.

Moller, Gustavo.—Casilla 930, Guayaquil; and Calles Bolivia y Venezuela, Quito. I.
Moller, Hermann.—Casilla 930, Guayaquil; and Calles Bolivia y Venezuela, Quito. I.
Moller, Wilhelm.—Casilla 930, Guayaquil; and Calles Bolivia y Venezuela, Quito. I.
Muller, Alexander.—Quito. I–2.
Muller, Olek.—Quito. I–2.
Naritoma, Michio.—Ríobamba. I–2.
Nickel, Gurte August Hans Ernst.—Esmeraldas. I–2.
Nickelsen, Albert.—Machachi. I–2; II.
Nielsen, Alfredo.— I–2.
Paffrath, George.—Carrión 7 y 9 de Octubre, Quito. I–2.
Pankratz, Will.—Guayaquil. I–2.
Panse, Arnold.—Guayaquil. I; I–4.
Panse, Eduardo.—Guayaquil. I–2.
Panse, Ernesto.—Malecón Simón Bolívar 307 (Apartado 787), Guayaquil. I.
Panzer, Ferdinand.— I–2.
Partmuss, Frederico Pablo.—Quito. I–2.
Penke, Anton.— I–2.
Penke, Werner.— I–2.
Pensión Sibarita.—Quito. I–2.
Pensión Suiza-Alemana.—Baños. I–2.
Pernigotti, Ernesto.—Casilla 1100, Guayaquil. I–1.
Pernigotti, Gabriel.—Casilla 1100, Guayaquil. I–1.
Pernigotti y Cía.—Casilla 1100, Guayaquil. I–1.
Peters, Erich Christian.—Quayaquil. I–2; II–5.
Petruska, Juan.—Ambato. II–5.
Piana, Elio.—Manabí 24, Quito. I–2; II–5.
Piepetz, Maximilian Franz C.—Carrión 26, Quito. I–2.
Pierrottet, Tulio.—Clemente Ballén 424 (Casilla 1228), Guayaquil. I.
Plantaciones Clementina, Cía. de.—Casilla 1291, Guayaquil. II–5.
Ponto, B.—Bahía de Caraquez. I.
Química Schering Ecuatoriana S.A.—Chile 309, Guayaquil. I.
Rabascall, Severo (Dr.).—Hotel Majestic, Salinas. II–5.
Radiotécnica Ecuatoriana, Soc.—Quito. I–1.
Rap y Galeotti.—Casilla 1157, Guayaquil. I–1.
Razzini, Enrico.—Quito. I–2.
Reimers, Hans Ferdinand Eduard.—Guayaquil. I–2.
Ridder, Augusto Ernesto.—Núñez de Vela, Quito. I–2.
Ridder, Heddy.—Quito. I–2.
Roehl, Paul.—Avenida 12 de Octubre, Quito. I–2.
Roeseler, Fritz.—Quito. I–2; II.
Rota, Luigi.—Casilla 414, Quito; and Chimborazo 205, Guayaquil. I.
Rothenback, Kaspar.—Avenida 18 de Setiembre y Tarqui, Quito. I–2; II–5.
Rueff, Gertrudis de.— I–2.
Rueff, Max.— I–2.
Ruffilli, Aldo.—Guayaquil. I–2.
Ruperti, Arturo.—Calle Garaicoa, Guayaquil. I–2.
S.E.D.T.A., Sociedad Ecuatoriana de Transportes Aéreos.—Quito. I.
Saalmann y Cía.—Casilla 1130, Guayaquil. I.
Sachs, Herbert.—Gualaquil. I.
Sacklowski, Wilhelm.—Colegio Alemán, Quito. I–2; II.
Sacklowski, Wilhelm (Mrs.).—Quito. I–2; II.
Salón "La Cita".—9 de Octubre, Guayaquil. I–2.
Salón "Victoria".—Quito. I–2.
Salvestroni, Pietro.—Calle Roca, Quito. I–2.
Sato, Tadeo.—Guayaquil. I.
Sawatari, Mititaka.—Ríobamba. I–2.
Schering Ecuatoriana S.A., Química.—Chile 309, Guayaquil. I.
Schiersand, Carlos.—Ambato. I–2.
Schiller, Friedrich.—Guayaquil. I–2.
Schilling, J. E.—Baños. I–2.
Schlundt, Friedrich.—Ambato. I–2.
Schmidt, Hagius.—Guayaquil. I–2.
Schmidt, Hermann Willi.— I–2.
Schneider, Gustavo.—Quito. I–2.
Schneider, Lillian (Mrs.).—Guayaquil. I–2.
Schroeder, Otto.—Simón Bolívar 401, Guayaquil. I.
Schulte, Eugen.—Quito. I–2.
Schulte, Heinz.—El Batán Grande, Quito. I–1.
Schulz, Wilhelm.—Calle Pablo Herrera y Baquerizo, Quito. I–1; II.
Schwalbe, Enrique.—Quito. I–2.
Schwalbe, Katarina.—Quito. I–2.
Schwalbe, Reinaldo.—Quito. I–2.
Schwark, Carl Max.—Calle Galicia, Quito. I–2.
Schwarmann, Heinrich.—Guayaquil. I–2.
Schwartz, Otto.—Casilla 564, Guayaquil. I.
Scotoni, Edwin.—Quito. I–2.
Scotoni, Eugen.—Quito. I–2.
Scotoni, Hilda María.—Quito. I–2.
Sebelefsky, W.—Casilla 1101, Guayaquil. I–1.
Shoemaker, Peter.—Guayaquil. I–2.
Slaviero, Aldo.—Calle Gonzalo Pizarro, Quito. I–2.
Slaviero, Mario.—Calle Gonzalo Pizarro, Quito. I–2.
Sojos, Benjamín (Dr.).—Cuenca. II–5.
Sonnenholzner, Georg.—Guayaquil. I–2; II.
Stagg, Leonardo.—Casilla 645, Guayaquil. I.
Stamer, Emilio.—Guayaquil. I–2.
Stamer & Co.—Guayaquil. I.
Steher, Minna.—Guayaquil. I–2.
Steyer, Florian.—Ríobamba. II–5.
Steyer, Luis.—Ríobamba. II–5.
Stornaiolo, Cosimo.—Palacio de Comercio, Carrera Venezuela 60, Quito. I–1.
Stuis, Anton.— I–2.
Suzuki, Toshitake.—Calles Bolívar y Coronel, Guayaquil. I.
Takahashi, Hiroji.—Riobamba. I–2.
Tettke, Edgar.—Hurtado y Tungurahua 1000, Guayaquil. I–2.
Thom, Kurt.— I–2.
Timmer, Helmut.—Casilla 584, Guayaquil. I–1.
Timpe, Teodoro.—Riofrío, Casilla 342, Quito. I.
Tobar, Luis A.—Casilla 1076, Guayaquil. I–2.
"Transocean" Servicio Noticioso.—Quito. I.
Uchida, Kanji.—Ríobamba. I–2.
Ultramares Trading Co., S.A.—Casilla 1328, Guayaquil. I.
Von Baumbach, Horst Dietrich.—Quito. I–2.
Von Hartrodt, Martha viuda de.—Quito. I–2.
"Voz Obrera".—Quito. I.
Walker, Werner.—Guayaquil. I–2.
Walle, Gerhard.—Noguchi 746, Guayaquil. I–2.
Weber, Ludwig.—Ríobamba. I–2.
Weber, Walter.—Malecón 814, Guayaquil. I–1.
Weinelt, Emilio.—Quito. I–2.
Wickenhauser, Julio.—Casilla 346, Guayaquil. I–1.
Wiesner, Señora de.—Colegio Alemán, Quito. I–2.
Winkler, Hans.—Colegio Alemán, Quito. I–2.
Woehlermann, Walter (Jr.).—Casilla 788, Quito. I; I–4.
Wolff, Otto.—Guayaquil, and all branches in Ecuador. I.
Wosadtka, Juan.—Quito. I–2.
Wosadtka, María.—Legación Alemana, Quito. I–2.
Yamamoto, Hikaru.—Guayaquil. I.
Yanaguida, Bunji.—Ríobamba. I–2.
Yannuzzelli, Donato.—Esmeraldas. I–2.
Zang, Carlos E.—Casilla 692, Quito. I.
Zeller, Alfredo.—Quito. I–2.
Zimmerman, Otto.—Quito. I–2.
Zohrer, Adolf.—Casilla 277, Guayaquil. II–5.
Zweigert, Hans Hugo.—Quito. I–2; II.
"Agfa".—San Salvador. I.
Almacén "El Fénix".—2a Calle Oriente 5 2a Avenida Sur, San Salvador. I.
Almacén "El Nippon".—Frente Punto Camionetas, San Salvador. I.
Almacén Littoria.—Frente Teatro Nacional, San Salvador. I.
Annicchiarico, José.—Jucuapa. I.
Annicchiarico, Victor.—Jucuapa. I.
Annicchiarico y Sessa.—Jucuapa. I.
Annicchiarico y Cía.—Jucuapa. I.
Annichiarico, Victor.—San Salvador. I.
Béndix, Alberto.—Ahuachapán. I.
Beneficio "Giessler".—Chinameca. I–1.
Beneficio "Los Ausoles".—Ahuachapán. I–1.
Beneficio "San Guillermo".—Tepecoyo. I–1.
Beneficio "San Jacinto".—San Salvador. I–1.
Beneficio "San José".—Zacatecoluca, La Paz. I–1.
Bodewig, Joseph.—3a Avenida Norte 52, San Salvador. I.
Boef, Federico.—San Salvador. I.
Boef & Co.—San Salvador. I.
Boellersen, Heinrich.—San Salvador. I.
Borghwardt, Enrique.—Santa Ana. I–1.
Bruch, Carlos H.—Santa Ana. I–2.
Buchner, Augusto.—Avenida España (Apartado 392), San Salvador. I.
"Carnicería Modelo".—4a Calle Poniente 4, San Salvador. I–1.
Carozzi, Enea.—Apartado 540, San Salvador. I.
Caruso, Alfonso.—San Salvador. I–1.
Caruso, Pascual.—San Salvador. I–4.
Caruso, Vittorio.—San Salvador. I–4.
Caruso Hermanos.—Apartado 122, San Salvador. I.
Caruso, Pascual y Rizziero.—Frente Teatro Nacional, San Salvador. I.
Castelli, Antonio.—San Salvador. I–1.

Castelli, Fantini & Co.—Apartado 434, San Salvador. I.
Castelli y Cía., Antonio.—Apartado 248, San Salvador. I.
Clar, Carlos.—Santa Ana. I–1.
Crisonino, Virgilio. — San Salvador. I–1.
Crisonino y Cía., Virgilio.—Delgado 21, San Salvador. I.
Cristiani, Alfredo.—San Vicente. I–1.
Cristiani, Juan.—1a Avenida Norte y la Calle Poniente, San Salvador. I.
Custode, Juan.—San Salvador. I–1.
Deutsche Lufthansa A.G.—All branches in El Salvador. I.
Dreiss, Ernesto.—Santa Ana. I–1.
Droguería "Astra". — San Salvador. I–2.
Fábrica de Jabón y Velas "La Salvadoreña".—San Salvador. I–1.
Falconio, Aristides.—Delgado 3, San Salvador. I.
Fantini, Conrado.—Apartado 434, San Salvador. I.
Farmacia "Normal".—1a Avenida Sur y 4a Calle Poniente, San Salvador. I–3.
Farmacia "Santa Lucía".—1a Avenida Norte y la Calle Poniente, San Salvador. I.
Fax, Paul.—San Salvador. I.
Ferracuti, Alberto. — San Salvador. I–1.
Ferracuti, Antonio.—San Salvador. I–1.
Ferracuti, Piero.—San Salvador. I–1.
Ferracuti & Co., A.—Gerardo Barrios 87, San Salvador. I.
Ferretera, Cía.—Calle Arce, esquina Avenida España (Apartado 266), San Salvador. I–4.
Finca "El Paraíso".—Santa Ana. I–1.
Finca "Santa Bárbara".—Santa Ana. I–1.
Foerstenberg, Wilhelm.—4a Calle Oriente 16, San Salvador. I.
Freese, Carlos.—Chinameca. I–2.
Giessler, Federico.—Apartado 72, San Salvador. I.
Gossman y Cía.—2a Calle Oriente y 2a Avenida Sur, San Salvador. I.
Groskorth, Ernesto.—San Salvador. I–1.
Groskorth y Cía.—San Salvador. I.
Hamburg-Amerika Linie.—San Salvador. I.
Hentzen, Erhart.—Avenida España, Edificio Sol, San Salvador. I.
Hepperle, Werner.—Avenida España, Edificio Sol, San Salvador. I.
"Italia" Sociedad Anónima di Navigazione.—San Salvador. I.
Jokisch, Juan.—Apartado 539, San Salvador. I.
Kaneshige, Alfonso H.—Frente Punto Camionetas, San Salvador. I.
Kleipel, Francisco.—Ciudad Barrios, San Miguel. I–1.
Koch, Carlos.—Apartado 312, San Salvador. I.
Kreutz, José.—Santa Ana. I–1; I–4.
"La Alpina".—Calle Delgado, Edificio Letona, San Salvador. I.
Luders y Cía., Sucrs., Juan.—2a Calle Oriente y 2a Avenida Sur, San Salvador. I.
Mathies, Gustavo.—Santa Ana. I–1.
Mathies, Luis Federico.—Santa Ana. I–1.
Mathies, Salvador.—Santa Ana. I–1.
Michiels, Augusto.—San Salvador. I–2.
Mitsui Bussan Kaisha.—San Salvador. I.
Moritz Friedrich.—San Salvador. I.
Muller, Guillermo.—Santa Ana. I–1.
Norddeutscher, Lloyd.—San Salvador. I.
Nottebohm Trading Co.—4a Calle Oriente 17, San Salvador. I.
Oertel, Pablo.—San Salvador. I–1.
Oertel y Cía., Pablo.—Delgado 31, San Salvador. I.
"Optica Cientifica".—4a Calle Oriente 16, San Salvador. I.
Panadería Alemana "La Corona".—San Salvador. I–2.
Puschmann, Frederico.—San Salvador. I.
Raubusch, Wilfred.—Avenida España, Edificio Sol, San Salvador. I.
Reiss, Anton.—Apartado 85, San Salvador. I.
Relojería "El Tiempo".—Avenida España, Edificio Sol, San Salvador. I.
Relojería "La Princesa".—San Salvador. I.
Restaurante "Ben Tanabe".—La Ceiba. I; II.
Roeder, Otto.—Calle Delgado, Edificio Letona, San Salvador. I.
Roverso, Patuzzo y Cía.—1a Calle Oriente 102, San Salvador. I.
Salandra Hermanos.—4a Avenida Norte 2, San Salvador. I–1.
Salón de Belleza.[1]—Delgado 22, San Salvador. I–3.
Santimone y Cía., Generoso.—1a Calle Poniente 7, San Salvador. I–1.
Santimone y Cía., José.—Ahuachapán. I–1.
Schafer, Felix.—San Salvador. I–4.
Schmidt, Guillermo.—Tepecoyo. I.
Schmidt & Co., Carlos A.—Calle Arce, esquina Avenida España (Apartado 266), San Salvador. I.
Seoane, José María.—Zacatecoluca, La Paz. I–1.
Sessa, Gaetano.—Jucuapa. I.
Sessa, José.—Jucuapa. I.
Shiraki, Antonio T.—Frente Punto Camionetas, San Salvador. I.
Shiraki, José T.—Frente Punto Camionetas, San Salvador. I.
Shiraki y Cía., José T.—Frente Punto Camionetas, San Salvador. I.
Standard Photo Supply Company.—San Salvador. I–1.
Szaratta, Otto.—3a Calle Poniente 18, San Salvador. I; I–4.
Tanabe, Benjamín.—La Ceiba. I–2.
Tillino, Juan.—4a Calle Poniente 4, San Salvador. I–1.
Unión Agrícola Industrial, Soc.—San Salvador. I.
Wilmes, Heriberto W.—San Salvador. I–1.
Wilmes y Cía., H.—4a Calle Poniente 3, San Salvador. I.
Woerner, Elsa de.—San Salvador. I–3.
Woerner, Hans F.—Calle Delgado y 6a Avenida Sur, San Salvador. I.
Wurst, Herbert.—San Salvador. I.
Zelaya, Salvador (Dr.).—1a Avenida Sur y 4a Calle Poniente, San Salvador. I–3.

[1] Owned by Elsa de Woerner, San Salvador.

Zelaya & Co.—1a Avenida Sur y 4a Calle Poniente, San Salvador. I–3.

GUATEMALA

A.E.G., Almacén Eléctrico General.—7a Avenida Sur 12, Guatemala, Guatemala. I.
Administración General Fincas "La Aurora", "El Edén", "Nuevo Edén", and "Camelias".—Candelaria - Xolhuitz, Retalhuleu. I.
Administración Giesemann & Co.—Reforma and Nuevo Progreso, San Marcos; and Guatemala, Guatemala. I.
Administradora "Cecilia" Ltda., Cía.—Quezaltenango, and all branches in Guatemala. I.
Agrícola Viñas Zapote, Soc.—13a Calle Oriente 7, Guatemala, Guatemala, and all branches in Guatemala. I.
Ahrens, Edgar.—7a Avenida Sur 97, Guatemala, Guatemala. I.
Albingia Versicherungs A.G.—Guatemala, Guatemala. I–1.
Albrecht, Jorge y Fritz.—San Felipe Retalhuleu. II–4.
Allgemeine Elektricitaets Gesellschaft.—7a Avenida Sur 10, Guatemala, Guatemala. I.
Almacén "Colibrí".—7a Avenida Sur 12 (Apartado 19), Guatemala, Guatemala. I.
Almacén Eléctrico General.—7a Avenida Sur 10, Guatemala, Guatemala. I.
Almacén "La Oriental".—12a Avenida Sur 25–27, Guatemala, Guatemala. I–1.
Almacén La Perla.—Quezaltenango. I–1.
Almacén "La Retalteca".—6a Calle Oriente 11, Guatemala, Guatemala; and Retalhuleu. I; II.
Alte Leipziger.—9a Calle Poniente 1; Guatemala, Guatemala. I–3.
Altuve, Blanca E.—4a Avenida Sur 4, Guatemala, Guatemala. I.
Asseburg, Adolf.—Quezaltenango, and Malacatán, San Marcos. I.
Asseburg, Wilhelm.—Quezaltenango, and Malacatán, San Marcos. I.
Asseburg & Company.—Quezaltenango, and Malacatán, San Marcos. I.
Asseburg, Hermanos.—Quezaltenango, and Malacatán, San Marcos. I.
Augustynski, Max.—7a Calle Poniente 36, Guatemala, Guatemala; and San Vicente Pacaya. I.
"Auto Salón".—5a Avenida Sur 35, Guatemala, Guatemala. I.
Bar, Hans J.—11a Calle Oriente, Contiguo al Salón Granada. I; II.
Beyer, Pablo.—Ingenio "Palo Gordo", San Antonio Suchitepequez, Suchitepequez. I–2.
Biener y Cía., Adolfo.—6a Avenida Sur 3, Guatemala, Guatemala. I.
Boehm, Jorge.—Cobán, Alta Verapaz. I.
Bohnenberger, Otto.—Quezaltenango. I.
Bollmann, Jorge.—Chicacao, Suchitepequez. I.
Bornholt e Hijos, Claudio.—8a Avenida Sur 5, Guatemala, Guatemala. I.
Brackman y Cía., M.—Guatemala, Guatemala. I.
Brackmanne Hijos, Juan.—6a Avenida Sur 12–E, Guatemala, Guatemala. I.
Brackmann Hijos y Cía., Sucrs., Juan.—6a Avenida Sur 12–E, Guatemala, Guatemala. II–2.

Braeuner y Cía., R. O.—19a Calle Oriente 10, Guatemala, Guatemala. I–1.
Brandenburg, Juan.—Quezaltenango. I–2.
Bregartner, Máximo.—San Andrés Villa Seca, Retalhuleu. I.
Brueckner, George.—Guatemala, Guatemala. II–3.
Buechsel, Gerhard.—San Pedro Carcha, Alta Verapaz. I.
Buechsel & Co.—San Pedro Carcha, Alta Verapaz. I.
Buhl, Carlotta viuda de.—Tumbador, San Marcos. I.
Buhl & Co., Sucrs.—Tumbador, and all branches in Guatemala. I.
Bunge, Rodolfo.—Livingston. I.
Camisería "España".—8a Avenida Sur 13, Guatemala, Guatemala. I–1.
Central American Plantations Corporation.—3a Avenida Sur 3, Guatemala, Guatemala, and all branches in Guatemala. I.
Central American Trading Company.—Guatemala, Guatemala. I–4.
Christ, Alfredo.—Cobán, Alta Verapaz. I.
Christ José.—Cobán, Alta Verapaz. I.
Comercial y Agrícola de Guatemala, Cía.[1]—Guatemala, Guatemala. I–4.
Daetz, Arnoldo.—Cobán. I.
Deutsche Lufthansa A.G.—All branches in Guatemala. I.
Deutsche Zeitung Guatemala.—Edificio París, 6a Avenida Sur, Guatemala, Guatemala. I.
Dieseldorff y Cía., Sucrs.[2]—Cobán. I.
Diestel, Eberhardt.—10a Calle Poniente 3, Guatemala, Guatemala. I.
Diestel, Hastedt & Co.—10a Calle Poniente, 3, Guatemala, Guatemala. I.
Dietz, José.—Quezaltenango. I.
Dietz, José (Jr.).—Quezaltenango. I–1.
Döscher, Paul.—Livingston. I.
Droege, Hugo.—San Pedro Carcha, Alta Verapaz. I.
El Fénix Sudamericano.—Guatemala, Guatemala. I–1.
Fábrica de Sombreros "Atlas".—Guatemala, Guatemala. I.
Farmacia Alemana.—Cobán. I.
Farmacia Verapaz.—Cobán. I.
Feddersen, Teodoro.—Senahú, Alta Verapaz. II–4.
Felsmann, Erica Niedered Bornholdt de.—Guatemala, Guatemala. I.
Felsmann, Kurt.—Guatemala, Guatemala. I.
Felsmann y Cía., Kurt.—Guatemala, Guatemala. I.
Fernández García, Rafael.—12a Avenida Sur 25–27, Guatemala, Guatemala, I–1.
Fernández y Cía., Rafael.—12a Avenida Sur 27, Guatemala, Guatemala. I.
Ferretería "La Guatemalteca".—Quezaltenango. I.
Fickert Först, Emma viuda de.—Senahú, Alta Verapaz. I.
Finca "Actelá".—La Tinta, Alta Verapaz. I.
Finca "Alabama Grande".—Tumbador, San Marcos. I.
Finca "Alicia".—Reforma, San Marcos. I.
Finca "Alsacia".—San Rafael Pie de la Cuesta, San Marcos. I.
Finca "Aquil".—Cobán, Alta Verapaz. I.
Finca "Argentina".—San Rafael Pie de la Cuesta, San Marcos. I.
Finca "Armenia".—Panzos, Alta Verapaz. I.
Finca "Armenia" y Anexos.—San Rafael Pie de la Cuesta, San Marcos. I.
Finca "Asunción".—Colomba, Quezaltenango. II–2.
Finca "Bola de Oro".—Tumbador, San Marcos. I.
Finca "Cafetal Hamburgo".—San Felipe, Retalhuleu. I.
Finca "Camelias".—Candelaria-Xolhuitz, Retalhuleu. I.
Finca "Campur".—San Pedro Carcha, Alta Verapaz. I.
Finca "Candelaria-Xolhuitz".—Quezaltenango. I.
Finca "Castaños".—Chicacao. I.
Finca "Cecilia" y Anexos.—San Francisco Zapotitlán. I.
Finca "Ceniza".—Zacapa. I.
Finca "Cerro Redondo".—Barberena, Santa Rosa. I.
Finca "Chiacán".—San Pedro Carcha, Alta Verapaz. I.
Finca "Chicoj".—Cobán, Alta Verapaz. I.
Finca "Chicoyonito".—Cobán, Alta Verapaz. I.
Finca "Chilte".—San Pedro Carcha, Alta Verapaz. I.
Finca "Chimax".—Cobán, Alta Verapaz. I.
Finca "Chimo".—San Pedro Carcha, Alta Verapaz. I.
Finca "Chimote".—Cobán, Alta Verapaz. I.
Finca "Chinama".—Lanquin, Alta Verapaz. I.
Finca "Chinán".—Chicacao, Suchitepequez. I.
Finca "Chinasajub".—Cobán, Alta Verpaz. I.
Finca "Chipemech".—Cahabón, Alta Verapaz. I.
Finca "Chiquihuite".—Colomba, Quezaltenango. I.
Finca "Chirrepec".—Cobán, Alta Verapaz. I.
Finca "Chulac".—Senahú, Alta Verapaz. I.
Finca "Cocoyán".—San Pedro Carcha, Alta Verapaz. I.
Finca "Concepción".—Escuintla. I.
Finca "Concepción-Candelaria".—La Reforma, San Marcos. I.
Finca "Coyocte".—Tucurú, Alta Verapaz. I.
Finca "Dolores".—Mazatenango, Suchitepequez. I.
Finca "El Baluarte".—Reforma, San Marcos. I.
Finca "El Capucal".—Gualán, Zacapa. I.
Finca "El Carmen".[3]—San Andrés Villa Seca, Retalhuleu. I.
Finca "El Carmen".[4]—Tajumulco, San Marcos. I–1.
Finca "El Corozo".—Samayac, Suchitepequez. I.
Finca "El Edén".—Candelaria-Xolhuitz, Retalhuleu. I.
Finca "El Encanto".—Nuevo San Carlos, Quezaltenango. I.
Finca "El Jocote".—Santa Cruz Naranjo, Santa Rosa. I.
Finca "El Paraíso" y Anexos.—Pochuta, Chimaltenango. I.
Finca "El Pensamiento-Palmira".—Colomba, Quezaltenango. I.
Finca "El Perú".—San Antonio, Suchitepequez; and Tumbador, San Marcos. I.
Finca "El Pino".—San José Pinula, Guatemala. I–2.
Finca "El Porvenir".—San Pablo, San Marcos. I.
Finca "El Potosí".—Pochuta, Chimaltenango. I.
Finca "El Recuerdo".—Pochuta, Chimaltenango. I–1.
Finca "El Rosario".—Tumbador, San Marcos. I.
Finca "El Rosario Bola de Oro".—Colomba, Quezaltenango. I; II.
Finca "El Salto".—Tucurú, Alta Verapaz. I.
Finca "El Tránsito".—Colomba, Quezaltenango. I.
Finca "El Zapote".—San Rafael Pie de la Cuesta, San Marcos. II–4.
Finca "Escobillo".—El Rodeo, San Marcos. I.
Finca "Esmeralda".[5]—Colomba, Quezaltenango. I.
Finca "Esmeralda".[6]—Tucurú, Alta Verapaz. I.
Finca "Florida".—Pochuta, Chimaltenango. I.
Finca "Guaxpom".—Tucurú, Alta Verapaz. I.
Finca "Jalaute".—Purulha, Baja Verapaz. I.
Finca "Joya Grande".—Pueblo Nuevo Viñas. I.
Finca "La Aurora".—Candelaria-Xolhuitz, Retalhuleu. I.
Finca "La Concha".—Acatenango, Chimaltenango. I.
Finca "La Esperancita".—Asintal Retalhuleu. I.
Finca "La Esperanza".—Tucurú, Alta Verapaz. I.
Finca "La Fama".—Colomba, Quezaltenango. I.
Finca "La Fe".—San Antonio, Suchitepequez. I.
Finca "La Florida".—Tucurú, Alta Verapaz. I.
Finca "La Fuente".—Retalhuleu. I.
Finca "La Igualdad".—La Reforma, San Marcos. I.
Finca "La Independencia".—Retalhuleu. I.
Finca "La Perla".—Chicacao, Suchitepequez. I.
Finca "La Providencia".—San Cristóbal, Alta Verapaz. I.
Finca "La Suiza".[7]—La Reforma, San Marcos. I.
Finca "La Suiza".[8]—San Vicente Pacaya. I.
Finca "La Unión".—Nuevo Progreso, San Marcos. I.
Finca "Las Animas".—Santo Domingo, Suchitepequez. I.

[1] Not to be confused with Compañía Agrícola de Guatemala.
[2] Not to be confused with W. E. Dieseldorff of Cobán.
[3] Owned by Máximo Bregartner.
[4] Owned by Alberto Hartleben.
[5] Owned by Enrique Hermann.
[6] Owned by Matilde de and Máximo Quirín.
[7] Owned by Wilhelm Greite.
[8] Owned by Max Augustynski.

Finca "Las Camelias".—San Pedro Carcha, Alta Verapaz. I.
Finca "Las Carolinas".—San Martín Zapotitlán, Retalhuleu. I.
Finca "Las Mercedes".—Colomba, Quezaltenango. I.
Finca "Las Sabanetas".—Barberena, Santa Rosa. I.
Finca "Las Viñas".—Barberena, Santa Rosa. I.
Finca "Lorena".—San Rafael Pie de la Cuesta, San Marcos. I.
Finca "Los Brillantes".—Mulua, Retalhuleu. I.
Finca "Los Castaños".—Chicacao, Suchitepequez. I.
Finca "Los Laureles".—Nuevo San Carlos, Quezaltenango. I.
Finca "Lucita Linda".—Tumbador, San Marcos. I–1.
Finca "Magdalena".—Cobán, Alta Verapaz. I.
Finca "Medio Día".—San Antonio, Suchitepequez. I.
Finca "Medio Día, Filipinas y Monte Cristo".—Tumbador, San Marcos, I; I–2.
Finca "Milán".—Chicacao, Suchitepequez. I.
Finca "Monte Blanco".—Purulha, Baja Verapaz. I.
Finca "Monte Limar".—Malacatán, San Marcos. I.
Finca "Morelia-Santa Sofía".—Yepocapa, Chimaltenango. I.
Finca "Mundo Nuevo".—Malacatán, San Marcos. I.
Finca "Nueva Granada".—Tumbador, San Marcos. I.
Finca "Nuevo Edén".—Candelaria-Xolhuitz, Retalhuleu. I.
Finca "Pachilha".—Tucurú, Alta Verapaz. I.
Finca "Pancuz".—Purulha, Baja Verapaz. I.
Finca "Pantic".—Senahú, Alta Verapaz. I.
Finca "Pavón".—Santa Catarina Pinula, Guatemala. I–2.
Finca "Pena Plata".—Acatenango, Chimaltenango. I.
Finca "Piedras Blancas".—Gualán, Zacapa. I; II.
Finca "Providencia".—Baja Verapaz. I.
Finca "Sabana Grande".—Siquinalá, Escuintla. I.
Finca "Sacham".—Alta Verapaz. I.
Finca "Sacoyou".—Cobán, Alta Verapaz. I–2.
Finca "Sacsamani".—Purulha, Baja Verapaz. I.
Finca "Salitrillo".—Barberena, Santa Rosa. I.
Finca "San Andrés Osuna".—Escuintla, Escuintla. I.
Finca "San Augustín".—Patulul, Suchitepequez. I; II.
Finca "San Basilio".—Santa Bárbara, Suchitepequez. I.
Finca "San Carlos Chucul".—San Antonio, Suchitepequez. I; I–2.
Finca "San Dionisio".—San Felipe, Retalhuleu. I.
Finca "San Francisco Miramar".—Colomba, Quezaltenango. I.
Finca "San Francisco Pecul".—San Felipe, Retalhuleu. I.
Finca "San Javier".—Lanquín, Alta Verapaz. I.
Finca "San Juan".—Senahú, Alta Verapaz. I.
Finca "San Julián".—Patulul, Suchitepequez. I.
Finca "San Luis".—Malacatán, San Marcos. I.
Finca "San Rafael Panán".—Santa Bárbara, Suchitepequez. I.
Finca "San Vicente".—San Pedro Carcha, Alta Verapaz. I.
Finca "Santa Augustina".—Candelaria-Xolhuitz, Quezaltenango. I.
Finca "Santa Clara".—Chicacao, Suchitepequez. I.
Finca "Santa Isabel".—Pueblo Nuevo Viñas, Santa Rosa. I.
Finca "Santiago".—Senahú, Alta Verapaz. I.
Finca "Secoyocte".—Senahú, Alta Verapaz. I.
Finca "Serilquiche".—Senahú, Alta Verapaz. I.
Finca "Sibaja".—Yepocapa, Chimaltenango. I.
Finca "Sola".—El Quetzal, San Marcos. I.
Finca "Soledad".—Santa Bárbara, Suchitepequez. I.
Finca "Trece Aguas".—Senahú, Alta Verapaz. I.
Finca "Venecia".[9]—Nuevo Progresso, San Marcos. I; I–2.
Finca "Venecia".[10]—Villa Canales. I–2.
Finca "Westfalia".—Purulha, Baja Verapaz. I.
Finca "Xicacao".—San Pedro Carcha, Alta Verapaz. I.
Fleck, Arturo.—Senahú, Alta Verapaz. I.
Franke, Conrado.—Quezaltenango. I–1.
Franke y Cía., Conrado.—Calle Morazán, Quezaltenango. I.
Fresse & Rubien.—Candelaria-Xolhuitz, Retalhuleu. I–1.
Frey, Martin.—Cobán. I–1.
Freyler, Erwin.—San Lucas, Sacatepequez. II–1.
Ganzauge, Herbert.—Quezaltenango. I–1.
Gees, Hans (Dr.).—Colomba, Quezaltenango. I.
Gerlach & Co., Sucrs.—5a Avenida Sur 4, Guatemala, Guatemala. I.
Gieseler, Carlos.—5a Avenida Sur 8 (Apartado 24), Guatemala, Guatemala. I.
Giesemann Hermanos.—Reforma and Nuevo Progreso, San Marcos; and Guatemala, Guatemala. I.
Graf, Máximo.—10a Calle Oriente y 7a Avenida Sur, Guatemala, Guatemala. I–2.
Graf Welchert, Enrique.—Tumbador, San Marcos. I–2.
Graf & Co., Máximo.—7a Avenida Sur y 10a Calle Oriente, Guatemala, Guatemala. I.
Greite, Wilhelm.—La Reforma, San Marcos. I.
Gross, Augusto.—Livingston. I.
Gross, Francisco.—Avenida La Reforma y 5a Calle de Santa Clara, Guatemala, Guatemala, and all branches in Guatemala. I.
Grote, Wilhelm.—Guatemala, Guatemala. I–1.
Grunau, Alberto.—6a Avenida Sur 14, Guatemala, Guatemala. I; II.
Hachmeister & Co., Sucrs.—Tumbador and El Rodeo, San Marcos. I.
Hacienda "Chocolá".—San Pablo Jocopilas, Suchitepequez. I.
Hacienda "El Reposo".—Génova, Quezaltenango. I.
Haese, Wilhelm.—7a Avenida Sur y 9a Calle Oriente, Guatemala, Guatemala. II–1.
Hahmann, Bruno.—Quezaltenango. I–1.
Hapag-Lloyd Agency.—12a Calle Oriente 5, Guatemala, Guatemala. I.
Hartleben, Alberto.—Finca "El Carmen", Tajumulco, San Marcos. I–1.
Hartleben, Federico.—Malacatán, San Marcos. I.
Hastedt, Herbert W.—10a Calle Poniente 3, Guatemala, Guatemala. I–1.
Hastedt Sucrs. y Cía., J. Francisco.—Ciudad Vieja, and all branches in Guatemala. I.
Hauber, Hugo.—Livingston. I.
Hegel, Carlos.—5a Avenida Sur 24a, Guatemala, Guatemala, and all branches in Guatemala. I.
Hegel, Carlos (Jr.).—Guatemala, Guatemala. I–2.
Hegel, E. Enrique.—Guatemala, Guatemala. I–2.
Hemmerling, Oswaldo.—Retalhuleu, Retalhuleu. I.
Henequenera La Isla.—Alta Verapaz. I.
Herederos de Carlos Sauerbrey.—8a Avenida Sur 8, Guatemala, Guatemala, and all branches in Guatemala. I.
Hermann, Enrique.—Colomba, Quezaltenango. I.
Hermann, Lotty.—Colomba, Quezaltenango. I.
Hermann, Rudolph.—Colomba, Quezaltenango. II–2.
Hermann y Hnos., Herbert.—Colomba, Quezaltenango. I.
Hermanos Daetz Villela.—Cobán. I.
Herring, Alfonso.—San Cristóbal, Alta Verapaz; and 8a Calle Oriente, frente al Mercado Central, Guatemala, Guatemala. I.
Hertzsch, Enrique.—6a Avenida Sur y 17a Calle, Guatemala, Guatemala; and San Antonio, Suchitepequez. I.
Hoepfner Sucrs., Hermann.—Pochuta, Chimaltenango; and Santa Bárbara, Suchitepequez. I.
Hoepker, Henry.—Apartado 350, Guatemala, Guatemala, and all branches in Guatemala. I.
Hotel Europa.—Coatepeque. I.
Hotel Européo.—Quezaltenango. I.
Hotel Mänchen.—Antigua, Sacatepequez. I.
Hotel San Rafael.—Mixco. I.
Hotel Weymann.—Panajachel, Solola. I.
Huber, Francisco.—Antigua. I–4.
Hussmann, Carlos.—Senahú, Alta Verapaz. I.
Hussmann, Netty viuda de.—Villa de Guadalupe, Guatemala, Guatemala; and Baja Verapaz. I.
Hussmann, Otto.—Purulha, Baja Verapaz. I.
Hussmann Herederos.—Purulha, Baja Verapaz. I.

[9] Owned by Pablo Jelkmann.
[10] Owned by Rodolfo Reiffen.

"Imprenta Electra".—10a Calle Oriente y Pasaje Coloma, Guatemala, Guatemala. I.
Industria Mate Guatemala.—Real Ciudad Vieja 55, Guatemala, Guatemala. I.
Ingenio Concepción.—Escuintla. I–1.
Ingenio "Palo Gordo".—San Antonio Suchitepequez, Suchitepequez. I.
Jaeger, Augusto L.—7a Avenida Sur 12a, Guatemala, Guatemala. I.
Jauch, Otto.—San Rafael Pie de la Cuesta, San Marcos. I.
Jelkmann, Pablo.—Nuevo Progreso, San Marcos. I.
Johansen y Cía., Sucrs.—Quezaltenango. I.
Jordens, Friederich.—Guatemala, Guatemala. I–2.
Kaffee & Import, Ges.—All branches in Guatemala. I.
Kaltwasser, Hermann.—Guatemala, Guatemala. I–2.
Kaltwasser y Cía., Hermann.—4a Avenida Sur 4, Guatemala, Guatemala. I.
Kaufmann & Co., Berta de.—Gualán, Zacapa. I.
Keller, Herederos de Federico.—Pueblo Nuevo Viñas, Santa Rosa; and Oriente. I.
Knoetzsch, Martin.—5a Avenida Sur y 10a Calle Poniente, Guatemala, Guatemala. I.
Koegler, Enrique—Guatemala, Guatemala. I–2.
Köper, Federico (hijo).—Acatenango and Yepocapa, Chimaltenango. I.
Köper, Lottmann & Co.—8a Avenida Sur 23, Guatemala, Guatemala. I; II.
Kownatzki, Gustavo.—Guatemala, Guatemala. I–4.
Krause, Hans.—8a Avenida Sur 3, Guatemala, Guatemala. I.
Krische Hermanos.—La Reforma, San Marcos. I.
"La Bodega".—San Lucas, Sacatepequez. I.
"La Diadema".—10a Calle Oriente y 7a Avenida Sur, Guatemala, Guatemala. I.
"La Duquesa".—Pasaje Rubio y 6a Avenida Sur 2, Guatemala, Guatemala. I.
"La Femina".—6a Avenida Sur 16, Guatemala, Guatemala. I.
La Perla S.A.—6a Avenida Sur y 9a Calle (Apartado 135), Guatemala, Guatemala. I.
Laeisz y Cía., Sucrs.—Quezaltenango, and all branches in Guatemala. I.
Leber, Joseph.—11a Calle Oriente 9, Guatemala, Guatemala. I.
Leber & Co.—11a Calle Oriente 9, Guatemala, Guatemala. I.
Lehnoff, Juan.—2a Avenida Sur 52–A, Guatemala, Guatemala. I.
Lewald, Willy.—1a Avenida Sur 23, Guatemala, Guatemala. I; II.
Librería Cosmos.—6a Avenida Sur, Edificio Aguirre, Guatemala, Guatemala. I.
Lindener, Kurt.—La Tinta, Alta Verapaz. I.
Lindener & Co.—% Gerlach & Co., Sucrs., 5a Avenida Sur 4, Guatemala, Guatemala, and all branches in Guatemala. I.
Liscutín, Antonio.—6a Avenida Sur 18, Guatemala, Guatemala. I.
Lottmann, Guillermo.—8a Avenida Sur 23, Guatemala, Guatemala. I–2.
Lütjens, Ingrid Renate.—4a Avenida Sur 67, Guatemala, Guatemala. I.
Lütjens, Juan A.—4a Avenida Sur 67, Guatemala, Guatemala. I.
Luttmann, Guillermo.—Pochuta, Chimaltenango; Tumbador, and Reforma, San Marcos. I.
Luttmann, Rodolfo.—Finca "Lucita Linda", Tumbador, San Marcos. I–1.
"Luz".—11a Calle Oriente 24, Guatemala, Guatemala. I.
Mahler, Herederos de Max.—San Rafael Pie de la Cuesta, San Marcos. II–4.
Mann, Jorge.—Antigua. I–2.
Martín S., Juan.—Finca "San Rafael Panán", Santa Bárbara, Suchitepequez. I.
Mazariegos, Julián.—c/o Laeisz y Cía., Sucrs., Quezaltenango. I.
Meissner, Hans Fritz.—3a Avenida Sur 3, Guatemala, Guatemala. I.
Mersiovsky, Juan.—Finca "San Rafael Panán", Santa Bárbara, Suchitepequez. I.
Methe, Knedel & Co.—7a Avenida Sur y 10a Calle Oriente, Guatemala, Guatemala. I.
Moeschler, Enrique.—Cobán, San Pedro Carcha; and Tucurú, Alta Verapaz. I.
Moeschler, Oscar.—Cobán, San Pedro Carcha; and Tucurú, Alta Verapaz. I.
Montenegro, Emilio.—Calle 13 No. 50, Guatemala, Guatemala. I.
Morjan, Conrado.—Siquinalá, Escuintla. I.
Muenschmeyer, Roberto.—Mazatenango, Suchitepequez. I.
Müller, Kurt.—7a Avenida Sur, Pasaje Aguirre, Guatemala, Guatemala. I.
Nehlsen, Harold.—12a Calle Oriente 5, Guatemala, Guatemala. I.
Neutze, Guillermo G.—9a Avenida Sur 2, Guatemala, Guatemala. I.
Noack, Guillermo.—Senahú, Alta Verapaz. I.
Noack, Otto.—Cobán, Alta Verapaz. I.
Noltenius, Wilhelm.—8a Avenida Sur y 8a Calle Oriente, Guatemala, Guatemala. I–2.
Noltenius & Jordens.—8a Avenida Sur y 8a Calle Oriente, Guatemala, Guatemala. I.
Nottebohm, Federico.—Guatemala, Guatemala. I–4.
Nottebohm, Karl Heinz.—Guatemala, Guatemala. I–4.
Nottebohm, Kurt.—6a Avenida 5, Guatemala, Guatemala. I–2.
Nottebohm, Mary Stolz de.—Guatemala, Guatemala. I–4.
Nottebohm Banking Corporation.—Guatemala, Guatemala. I.
Nottebohm & Co., Kurt.—5a Avenida Sur y 2a Calle Poniente, Guatemala, Guatemala, and all branches in Guatemala. I.
Nottebohm Hermanos.—All branches in Guatemala. I.
Ockelmann, Carl.—San Felipe, Retalhuleu. I.
Ockelmann, Celina de.—San Felipe, Retalhuleu. I.
Overdick Kern, Hans.—Guatemala, Guatemala. I–1.
Paetau, Max.—Guatemala, Guatemala. I–1.
Paetau, Max (hijo).—Guatemala, Guatemala. I–1.
Paetau & Co., Max.—9a Avenida Sur 10, Guatemala, Guatemala. I.
"Palacio de Cristal".—7a Avenida Sur y 9a Calle Oriente, Guatemala, Guatemala. I.
Panadería y Pastelería "Viena".—5a Avenida Sur 20, Guatemala, Guatemala. I; I–4.
Peltzner, Guillermo (hijo).—Patulul, Suchitepequez. I.
Peltzner, Gustavo.—Finca "El Recuerdo", Pochuta, Chimaltenango. I–1.
Pensión Moeller.—9a Calle Poniente 11, Guatemala, Guatemala. I.
Petersdorf Mahler, Federico.—Tumbador, San Marcos. I–2.
Petersen, Teodoro.—Malacatán, San Marcos. I–1.
Pfister, W.—La Tinta, Alta Verapaz. I.
Plantaciones "Concepción" de Guatemala, Cía. de.—8a Avenida Sur 47, Guatemala, Guatemala. I.
Plantaciones "Santa Augustina".—Candelaria-Xolhuitz, Quezaltenango. I.
Prem, Sucrs., Juan.[11]—4a Avenida Sur 67, Guatemala, Guatemala. I.
"Pro-Salud".—12a Calle Poniente 1–D, Guatemala, Guatemala. I–2.
Quirín, Matilde de and Máximo.—Cobán and Tucurú, Alta Verapaz. I.
"Radios Grunau".—6a Avenida Sur 14, Guatemala, Guatemala. I; II.
Räusch, Enrique.—Pochuta, Chimaltenango. I.
Rauscher, Hans.—12a Calle Poniente 3, Guatemala, Guatemala. I.
Rehbach, Teodoro.—San Rafael Pie de la Cuesta, San Marcos. I.
Reiffen, Rodolfo.—7a Avenida Sur 12 (Apartado 19), Guatemala, Guatemala. I.
Restaurante "El Quetzal".—4a Avenida Sur 30, Guatemala, Guatemala. I.
Riege & Co.—6a Calle Oriente 11, Guatemala, Guatemala; and Retalhuleu. I; II.
Sak, Max.—7a Avenida Sur y 10a Calle Oriente, Guatemala, Guatemala. I.
Salchichonería Germania.—Guatemala, Guatemala. I.
Sánchez, Alberto.—6a Calle Oriente 11, Guatemala, Guatemala. I.
Sapper, David E.—Callejón Dolores 2, Guatemala, Guatemala. I.
Sapper & Co., Ltda.—Cobán, Alta Verapaz, and all branches in Guatemala. I.
Sauerbrey, Otto.—Mazatenango. I.
Sauerbrey & Co., Carlos (Herederos de Carlos Sauerbrey).—8a Avenida Sur 8, Guatemala, Guatemala, and all branches in Guatemala. I.
Schellenberg, Walter.—Apartado 101, Guatemala, Guatemala. I.
Scheuffler, Max.—5a Avenida Sur 32, Guatemala, Guatemala. I.
Schieber, Eugenio.—2a Avenida Sur 26 y Pasaje Providencia, Tivoli, Guatemala, Guatemala. I–1.
Schilling, Alberto H.—All branches in Guatemala. I.
Schlatermund, Hans.—10a Calle Oriente 6, Guatemala, Guatemala. I; II.
Schleehauf, F.—Cobán and Tucurú, Alta Verapaz. I.

[11] Juan Prem, the individual, is no longer connected with this firm.

Schlesinger, Ernesto.—Guatemala, Guatemala. I–2.
Schlesinger, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schlesinger, Max.—Guatemala, Guatemala. I–2.
Schlesinger, Max (hijo).—Guatemala, Guatemala. I–2.
Schlesinger, Rudolf.—Guatemala, Guatemala. I–2.
Schlesinger, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schlesinger Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schlesinger Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schmidt, Alfredo.—Guatemala, Guatemala. I–2.
Schmidt, Alfredo (hijo).—Guatemala, Guatemala. I–2.
Schmidt, Carlos.—Guatemala, Guatemala. I–2.
Schmidt, Carlos (hijo).—Guatemala, Guatemala. I–2.
Schmidt, Ernesto.—Guatemala, Guatemala. I–2.
Schmidt, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schmidt, Federico.—Guatemala, Guatemala. I–2.
Schmidt, Federico (hijo).—Guatemala, Guatemala. I–2.
Schmidt, Max.—Guatemala, Guatemala. I–2.
Schmidt, Max (hijo).—Guatemala, Guatemala. I–2.
Schmidt, Rudolf.—Guatemala, Guatemala. I–2.
Schmidt, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Alfredo.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Alfredo.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Carlos.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Carlos.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Federico.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Federico.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Max.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Max.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schmidt Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schmoll, Ernesto.—Guatemala, Guatemala. I–2.
Schmoll, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schmoll, Max.—Guatemala, Guatemala. I–2.
Schmoll, Max (hijo).—Guatemala, Guatemala. I–2.
Schmoll, Rudolf.—Guatemala, Guatemala. I–2.
Schmoll, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schmoll Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schmoll Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schmoll Sucrs., Max.—Guatemala, Guatemala. I–2.
Schmoll Sucrs., Max.—Guatemala, Guatemala. I–2.
Schmoll Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schmoll Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schneider, Hans.—Guatemala, Guatemala. I–2.
Schneider, Hans (hijo).—Guatemala, Guatemala. I–2.
Schneider, Max.—Guatemala, Guatemala. I–2.
Schneider, Max (hijo).—Guatemala, Guatemala. I–2.
Schneider, Rudolf.—Guatemala, Guatemala. I–2.
Schneider, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schneider Sucrs., Hans.—Guatemala, Guatemala. I–2.
Schneider Sucrs., Hans.—Guatemala, Guatemala. I–2.
Schneider Sucrs., Max.—Guatemala, Guatemala. I–2.
Schneider Sucrs., Max.—Guatemala, Guatemala. I–2.
Schneider Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schneider Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoenfeld, Ernesto.—Guatemala, Guatemala. I–2.
Schoenfeld, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schoenfeld, Max.—Guatemala, Guatemala. I–2.
Schoenfeld, Max (hijo).—Guatemala, Guatemala. I–2.
Schoenfeld, Rudolf.—Guatemala, Guatemala. I–2.
Schoenfeld, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schoenfeld Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoenfeld Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoenfeld Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoenfeld Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoenfeld Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoenfeld Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoenheinz, Ernesto.—Guatemala, Guatemala. I–2.
Schoenheinz, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schoenheinz, Max.—Guatemala, Guatemala. I–2.
Schoenheinz, Max (hijo).—Guatemala, Guatemala. I–2.
Schoenheinz, Rudolf.—Guatemala, Guatemala. I–2.
Schoenheinz, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schoenheinz Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoenheinz Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoenheinz Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoenheinz Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoenheinz Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoenheinz Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoenthal, Ernesto.—Guatemala, Guatemala. I–2.
Schoenthal, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schoenthal, Max.—Guatemala, Guatemala. I–2.
Schoenthal, Max (hijo).—Guatemala, Guatemala. I–2.
Schoenthal, Rudolf.—Guatemala, Guatemala. I–2.
Schoenthal, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schoenthal Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoenthal Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoenthal Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoenthal Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoenthal Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoenthal Sucrs., Rudolf.—Guatemala, Guatemala. I–2.
Schoknecht, Ernesto.—Guatemala, Guatemala. I–2.
Schoknecht, Ernesto (hijo).—Guatemala, Guatemala. I–2.
Schoknecht, Max.—Guatemala, Guatemala. I–2.
Schoknecht, Max (hijo).—Guatemala, Guatemala. I–2.
Schoknecht, Rudolf.—Guatemala, Guatemala. I–2.
Schoknecht, Rudolf (hijo).—Guatemala, Guatemala. I–2.
Schoknecht Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoknecht Sucrs., Ernesto.—Guatemala, Guatemala. I–2.
Schoknecht Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoknecht Sucrs., Max.—Guatemala, Guatemala. I–2.
Schoknecht Sucrs., Rudolf

Schoenstedt, W. E.—6a Avenida Sur, Edificio Aguirre, Guatemala, Guatemala. I.
Scholz, Juan.—Finca "Morelia-Santa Sofía", Yepocapa, Chimaltenango. I–2.
Schreckenbach, Hans M.—Finca "San Rafael Panán", Santa Bárbara, Suchitepequez. I.
Schuster, Lisy.—Guatemala, Guatemala. I–1.
Schwoercke, Reinaldo. — Tumbador, San Marcos. I.
Seguros Albingia, Cía. de.—Guatemala, Guatemala. I–1.
Singer, Ernesto.—Malacatán, San Marcos. I–1.
Stäbler, Gottlieb M.—10a Calle Oriente y Pasaje Coloma, Guatemala, Guatemala. I; I–4.
Stäbler Hermanos.—10a Calle Oriente y Pasaje Coloma, Guatemala, Guatemala. I.
Steckmeister, Hans Detlef.—Finca "San Luis", Malacatán, San Marcos. I–2.
Steffens, Alfredo C.—Colomba, Quezaltenango. I.
Stellreiter, José.—10a Calle Oriente y 7a Avenida Sur, Guatemala, Guatemala. I–2.
Sterkel, Emilio.—Tucurú, Alta Verapaz. I.
Sterkel, Julio.—Tucurú, Alta Verapaz. I.
Sterkel, Rodolfo.—Tucurú, Alta Verapaz. I.
Stümpel, Hertha.—c/o Central American Plantations Corporation, 3a Avenida Sur 3, Guatemala, Guatemala. I–2.
Sundfeld, Antonio.—6a Avenida Sur 3, Guatemala, Guatemala. I.
Suse, Edmund T.—Guatemala, Guatemala. I.
Tenería Moll.—19a Calle Oriente final, Guatemala, Guatemala. I.
Thiemer, Waldemar.—San Cristóbal, Alta Verapaz. I.
Thiemer y Cía., Sucrs.—Livingston. I.
Thomae, Fernando.—Guatemala, Guatemala. I–2.
Thomae & Koegler.—9a Avenida Sur 5 y 7, Guatemala, Guatemala. I.
"Thuringia" Salchichonería y Carnicería.—5a Avenida Sur 32, Guatemala, Guatemala. I.
Tienda "La Famosa".—4a Avenida Sur 67, Guatemala, Guatemala. I.
Tintorería Alemana.—14a Calle Poniente 13, Guatemala, Guatemala. I.
Tischler, Otto.—6a Avenida Sur 16, Guatemala, Guatemala. I.
"Transocean" Servicio Noticioso.—6a Avenida Sur 10, Guatemala, Guatemala. I.
Transportes Diesel M.A.N.—2a Avenida Sur 26, Guatemala, Guatemala. I–1.
Trennert, Gustav.—6a Calle Oriente 11, Guatemala, Guatemala. I.
Vialardi, Francisco.—Pasaje Rubio (Apartado 371), Guatemala, Guatemala. I.
Von Scheven, Lother Peter Emil.—Apartado 416, or c/o Hotel Astoria, Guatemala, Guatemala. I.
Voss, Walter.—10a Calle Poniente (Apartado 122), Guatemala, Guatemala. I.
Wagner, E. R.—Patulul, Suchitepequez. I.
Wagner, Reginaldo.—9a Calle Poniente 1-a, Guatemala, Guatemala. I.
Wagner Hermanos.—5a Avenida Sur 20, Guatemala, Guatemala. I.
Wahl, Eugenio.—Real Ciudad Vieja 55, Guatemala, Guatemala. I.
Walch, Hermann.—San Cristóbal, Alta Verapaz. II–5.
Wehner, Kurt C.—14a Calle Poniente 13, Guatemala, Guatemala. I.
Weller, Felipe.—Guatemala, Guatemala. I–4.
Weller & Babczynsky.—9a Calle Oriente 2, Guatemala, Guatemala. I.
Widmann, Walter.—8a Avenida Sur 47, Guatemala, Guatemala. I.
Wietfeldt, Hans.—Finca "Candelaria-Xolhuitz", Nuevo San Carlos, Quezaltenango. I–1.
Wöhlers, Máximo.—Senahú and Cahabón, Alta Verapaz. I.
Wulff, Federico.—Pasaje Rubio y 6a Avenida Sur 2, Guatemala, Guatemala. I.
Wulff, Kurt.—Callejón de Córdova 8, Guatemala, Guatemala. I.
Zieseness, Otto.—5a Avenida Sur 35, Guatemala, Guatemala. I.
Zoller, Enrique.—Ayutla. I–1.
Zuckau, Guillermo.—Colomba, Quezaltenango. I.
Zurheilen, B.—Livingston. I.

HAITI

Andersen, Gunther E.—Pétionville. I.
Bata Shoe Co., Inc.—Port-au-Prince. I.
Beck, Kuno.—Cap Haitien. I.
Beck, Kurt.—Cap Haitien. I.
Beck, Vera Teuchler (Mme.).— I.
Buch, Wilhelm (Jr.).—Pétionville. I.
Chaussures Bata Haiti, S.A.—Avenue Président Trujillo (Boite Postale A–144), Port-au-Prince. I.
Cianciulli et Cie.—Cap Haitien. I.
Commerciale et Industrielle d'Haiti, Soc.—Port-au-Prince. I.
De Matteis & Co., A. (Sucr. Arthur de Matteis).—Boite Postale 122, Port-au-Prince. I; II–1.
Grohl, Arthur Karl.—Port-au-Prince. I.
Hackenbruck, Hans.—Port-au-Prince. I.
Haehner, George.—Rue Roux, Port-au-Prince. I–1.
Haitienne de Banque et de Placement, Soc.—Port-au-Prince. I.
Haitienne de Produits Pharmaceutiques, Soc.—Port-au-Prince. I.
Hamburg America S.S. Line.—Port-au-Prince. I.
Hirsch & Lemke.—Port-au-Prince. I.
Horn S.S. Line.—Port-au-Prince. I.
Kahl, Wilhelm.—Pétionville. I.
Kahl's Hotel.—Pétionville. I.
Loffredo, María C.—Cap Haitien. I.
Luciani & Co., Jean.—Cap Haitien. I.
Lüders, Ernst.—Port-au-Prince. I.
Marra, Alphonse.—Cap Haitien. I.
Marra & Co., A.—Cap Haitien. I.
Masucci, Héctor.—Cap Haitien. I–4.
Otte, Richard William.—Aux Cayes. I.
Petersen, Johannes.—Port-au-Prince. I.
Pharmacie Buch.—Port-au-Prince. I.
Plesch, Arpad.—Port-au-Prince. I.
Reinbold, Georges.—Port-au-Prince. I.
Reinbold & Co.—Port-au-Prince, and all branches in Haiti. I.
Rieper, Joachim.— I–1.
Rode, George.—St. Marc. I.
Rohlsen, Gustave.—Port-au-Prince. I.
Rosenthal, Albert.—Cap Haitien. I.
Schettini, Jean (Mrs.).—Cap Haitien. I.
Schmid, Jacob Fredrich.—Port-au-Prince. I.
Schutt & Co., Otto.—Cap Haitien, and all branches in Haiti. I.
Seidel & Company, Karl.—Aux Cayes. I.
Seims, Alexander.—St. Marc. I.
Siegel, Franz.—Port-au-Prince. I.
Sonn, Kurt.—Port-au-Prince. I.
Stompf, Johannes.—Port-au-Prince. I.
Streitwolf, Gunther.—Gonaïves. I.
Teuchler, René.—Cap Haitien. I.
Theophile, Max Heinrich.—Petit Goâve. I.
Vitiello, Antoine.—Cap Haitien. I.
Wahl, H. C.—Port-au-Prince. I; I–4.
Wehrle, Laurent.—Port-au-Prince. I.

HONDURAS

Appenzeller, Richard.—San Pedro Sula. I–1.
Ariza, Vicente Alfredo (Dr.).—Tegucigalpa. I–1.
Bastel & Co., W.—Apartado 10, San Pedro Sula; and Tegucigalpa. I.
Bazar Unión.—Tela. I.
Boehm & Faasch.—San Pedro Sula and Tegucigalpa. I.
Bove, Cayetano (Gaetano).—Tegucigalpa. II–1.
Brito, Jorge.—San Pedro Sula. I.
Casa Konke, S.A.—Tegucigalpa. I.
Casa Rossner, S.A.—Tegucigalpa. I.
Cornelsen, Heinz.—Tegucigalpa. I–1.
Cornelsen Sucrs., N.—Tegucigalpa. I.
Doborow, Juan.—San Pedro Sula and Tegucigalpa. I.
Drawert, Max.—Marcala. II–1.
Droguería Alemana.—Tegucigalpa. I.
Droguería Bayer.—Tegucigalpa. I.
Droguería Rischbieth.—Tegucigalpa. I–1.
Engelhardt, Erich.—Tela. I.
Fábrica Dayton.—Tegucigalpa. II–1.
Fábrica de Camisas "Duxor".—Calle Real, Comayaguela. II–1.
Fábrica de Tejidos de Juan Doborow.—Tegucigalpa. II–1.
Gough, Admiral.—Roatan. II–5.
Gough, George.—Roatan. II–5.
Gough, James.—Roatan. II–5.
Gough, Joseph.—Roatan. II–5.
"Gough Brothers".—Roatan. II–5.
Hupp, Alfonso.—Tegucigalpa. I–1.
Imprenta Aristón.—Tegucigalpa. I.
Januschek, Federico.—San Pedro Sula. I–2.
Jardín de Italia.—Avenida Paz Barahona, Tegucigalpa. I–1.
Kabel & Schwenn.—Puerto Cortés, and all branches in Honduras. I.
Koster, Karl.—Tegucigalpa. I–1.
Krone, Teodoro.—Tegucigalpa. II–1.
Merz, Ernesto.—Tegucigalpa. I.
Meyer, Albert.—Apartado 108, Tegucigalpa. I–1.
Motz, José R.—Choluteca. II–1.
Paysen, Detlef.—Amapala. I–1.
Paysen, Erich George Wilhelm.—Tegucigalpa. I–1.
Paz & Co., J.—San Pedro Sula. I.

Rauscher, Hugo.—Tegucigalpa. I–2.
Reese y Cía., J.—Tegucigalpa. I.
Rischbieth & Co., Werner.—Tegucigalpa. I.
Rizzo, Carmelo.—Avenida Paz Barahona, Tegucigalpa. I–1.
Rossner, Roberto.—Tegucigalpa. II–1.
Rossner y Cía., J.—Tegucigalpa. I–1.
Schutte, Willi.—Tegucigalpa. I–1.
Schweinfurth, Werner.—Tegucigalpa. II–4.
Schwenn, Gerhard.—Tegucigalpa. I–1.
Seidel, Guillermo.—La Ceiba. I.
Siercke, Ernesto.—Choluteca. I.
Siercke, Francisco.—Tegucigalpa, and all branches in Honduras. I.
Siercke, Víctor.—Tegucigalpa. I–1.
Tostmann, Willi.—Tegucigalpa. I–1.
Vairo, Luis.—Comayaguela. II–1.
Vives Monjil, Enrique (Dr.).—Tegucigalpa. II–4.
Weiss, Harry.—Tegucigalpa. II–1.

MEXICO

A.E.G., Compañía Mexicana de Electricidad S.A.—Avenida 5 de Mayo 10, México, D.F. I.
Abastecedora de Cal de Apasco, S.A.—Ferrocarriles Nacionales 155, México, D.F. I–1.
Abastecedora de Impresos, S.A.—J. M. Izázaga (San Miguel) 29, México, D.F. II–1.
Abe, J.—M. Ocampo 321, Mazatlán. I–1.
Adachi, Mutsumi.—Manzanillo. I–1.
Administración Giesemann & Co.—La Violetta, Correo Argovia, Chiapas. I.
Afirmación.—México, D.F. I.
Agencia Bayer.—Edificio I. Garza, despacho 214, Monterrey. I.
Agencia Comercial de Puebla, S.A.—Esquina 3a Poniente y 23 Sur, Puebla. I–2.
Agencia Comercial y Marítima.—Edificio Boker, 16 de Septiembre 58, México, D.F., and all branches in Mexico. I; II–4.
Agencia Internacional de Librería y Publicaciones.—Avenida Uruguay 10, México, D.F. I.
Agencia Mexicana de Representaciones.—Avenida 16 de Septiembre 52 (Apartado 40), México, D.F. I.
Agencia Química y Mercantil, S. de R.L.—Apartado 1119, México, D.F. I.
Agencias Unidas de México.—Avenida 5 de Mayo, Pasaje América, México, D.F. I.
Agfa Foto S.A.—Avenida Juárez 76, México, D.F. I.
Aguilar, Carlos.—5 de Febrero 30, México D.F.—I–1.
Ahnert, Alfred.—Victoria 203 Oriente, Ciudad Lerdo. I–1.
Ahns, Gottfried.—Paseo de la Reforma 36, México, D.F. I–2.
Albert y Cía., Sucrs., Julio.—Avenida 16 de Septiembre 83 y Avenida 5 de Febrero 3, México, D.F. I.
Almex, Soc. de Resp. Ltda.—México, D.F. I.
Amano, J.K. (Dr.).—Cristerna 19, Rosario, Sinoloa. I–1.
Amtmann, Karl R.—Avenida Uruguay 66 y Insurgentes 320–24 (Apartado 267), México, D.F. I.
Ando, Sadao Nioki.—Calle 63, Ciudad Obregón. I–3.

Antigua Botica de Tacuba.—Tacuba 80, México, D.F. I–1.
Aoyama, Lic. M.—Edificio Banco Mexicano, México, D.F. I–3.
Arceo R., David.—Calle 58 No. 501–A, Mérida, Yucatán. II–1.
Arikado, Crescencio P.—Chihuahua. I.
Arimori, Yoshikivo.— I.
Arita, Leonardo T.—Rosales 24 B. P., Culiacán, Sinaloa. I–1.
Artefactos Metálicos Monterrey, S.A.—Calzada Victoria y Cuauhtémoc (Apartado 79), Monterrey. I.
Artículos de Papelería, S.A.—Motolinía 31, México, D.F. II–1.
Artículos para Farmacias y Hospitales, S. de R.L.—Zuazua Sur 933, Monterrey. I–4.
Arvide, Manuel.—Avenida Independencia 91, Veracruz. I–1.
Asato, K.—López 34, México, D.F. I–3.
Asay, J.—San Juan de Letrán 21, México, D.F. I–3.
Ashida, Federico.—Sihuatlán, Manzanillo; and Pedro Moreno 1751, Guadalajara. I; II.
Ashihara, Luis.—San Luis Potosí. I.
Ashihira, Frank.—Nacozari. I.
Assburg y Compañía.—Tapachula. I–2.
Atzumi, Kanski (Dr.).—Avenida Madero 34, México, D.F. II–3.
Aztlán, S.A.—República del Salvador 31–3, México, D.F. I–1; II–1.
Babatz, Guillermo E.—Abasolo 954, Monterrey. I–4.
Bach y Dorsch, Sucrs.—Motolinía 20 (Apartado 412), México, D.F. I.
Baez, Raul.—Obrero Mundial 29, México, D.F. II–1.
Bahnseh, Johann Heinrich.—Jiménez 145 Norte, Monterrey. I.
Baldi, Franco (Dr.).—c/o Carlo Erba S.A., Barcelona 27, México, D.F. I.
Banco Germánico de la América del Sud.—México, D.F. I.
Bando, Roberto.—Mazatlán, Sinaloa. I–1.
Baring, Curt.—Apartado 991, México, D.F. I–2.
Baumgartner, Juan.—Avenida Uruguay 10, México, D.F. I.
Bayer, Agencia.—Edificio I. Garza, despacho 214, Monterrey. I.
Bayer, S.A., Casa.—San Juan de Letrán 24, México, D.F. I.
Beick, Guillermo.—Patzcuaro 125, Lomas de Chapultepec, México, D.F. II–1; II–3.
Beick, Félix y Cía., S. en C.—Avenida Francisco Madero 39, México, D.F., and all branches in Mexico. I; I–3.
Berentsen, Lambertus.—Palma 308 (Apartado 1009), México, D.F. I.
Biagi Hermanos.—Avenida Hidalgo 1302, Tampico. I.
Black Horse Tobacco Company.—Avenida Piño Suárez 314 Norte, Monterrey. I.
Boehm, Federico.—Venustiano Carranza 40, México, D.F. I.
Boesch Sucs. S. en C., Guillermo.[1]—Orizaba. I–2; II–2.
Bolbrugge, Christopher.—1a Venustiano Carranza 27 (Apartado 865), México, D.F. I.

[1] Formerly known as G. Boesch y Cía.

Boletín Noticioso Semanal.—Balderas 72 y 78, México, D.F. I–2.
Bona & Co., A.—Apartado 967, México, D.F. I.
Bopp, Juan José (Dr.).—Uruguay 77, México, D.F. I.
Bork, Ewald.—Sierra Madre 265, México, D.F. II–1.
Bosse, Agustín.—Navojoa. I–3.
Boston, S.A.—Uruguay 76, México, D.F. I.
"Botica Japonesa".—Madero 111, Orizaba. II–3.
Botica Japonesa.—Manzanillo. I.
Botica Japonesa.—Tampico. I.
Botica Japonesa.—Tapachula, Chiapas. I–1.
Botica "La Palma", S.A.—Avenida Hidalgo 1518 Poniente, Torreón. I–2.
Botica Moderna.—Chihuahua. I–1.
Brehme, Arno Hugo.—Avenida Francisco I. Madero 8, México, D.F. II–1; II–3.
Breidsprecher, Kurt.—México, D.F. I–1.
Bremer, Eduardo.—Avenida Hidalgo 1745 Poniente (Apartado 4), Monterrey. I.
Bremer, Elsa (Mrs.).—Apartado 116, Monterrey. I–4.
Brunssen, Guillermo.—Avenida Dr. Pasteur 13, México, D.F. I.
Buchóau y Cía., Sucrs.—Torreón. J–1.
Burmex, Soc. de Resp. Ltda.—Juárez 56 y Sierra Nevada 415a, Lomas de Chapultepec (Apartado 2872), México, D.F. I.
Busch, Juan.—Avenida Uruguay 42–1°, México, D.F. I.
Bustillos Hijos, J. E.—Tacuba 80, México, D.F. I–1.
Bustos Mejía, Tomás.—México, D.F. I–3.
Buto, Luis.—Chihuahua. I.
Cabezut y Cía. S. de R. L., Alberto M.—Madero 405 Oriente, Tampico. I.
Cajiga Estrada, Hipólito (Dr.).—México, D.F. I.
Calera de Apasco S.A., Cía.—Ferrocarriles Nacionales 155, México, D.F. I–1.
Calidra, S.A.—Ferrocarriles Nacionales 155, México, D.F. I–1.
Campanella Hermanos.—Gante 15, México, D.F. II–1.
Canseco, Casa de Arturo.—La Paz. I.
Cantú Gracia, Manuel T.—Saltillo, Coahuila. I–4; II–3.
Carillo, Miguel.—Tacuba 14, México, D.F. I–1.
Carrero, G. A.—Pasaje América, despacho 408, México, D.F. I–1.
Carvajal, Antonio.—Bajío 52, México, D.F. I–1.
Casa Alemana.—Calle Quebrada, Acapulco. I–2.
Casa Astra.—Venustiano Carranza 40, México, D.F. I.
Casa Bayer, S.A.—San Juan de Letrán 24, México, D.F. I.
Casa Boker.—Avenida 16 de Septiembre 60, México, D.F. I.
Casa Brunssen, S.A.—Avenida Dr. Pasteur 13, México, D.F. I.
Casa Cram.—Calzada Victoria y Cuauhtémoc (Apartado 79), Monterrey. I.
Casa Dental Japonesa.—Avenida Hidalgo 19, México, D.F. I.

Casa Eléctrica de Torreón.—Valdez Carrillo 415 Sur, Torreón. I–1.
Casa "Emy".—Manzanillo. I.
Casa Henkel.—Tapachula. I–2.
Casa Holck S.A.—Matamoros 409 Oeste, Monterrey. I.
Casa Kanibo.—Uruguay 94, México, D.F. I.
Casa Lammers, S.A.—Revillagigedo 83, México, D.F. I.
Casa May.—México, D.F. I.
Casa Piate, S. de R.L.—Apartado 955, México, D.F. I.
Casa Sekiguchi.—México, D.F. I.
Casa Shibakura.—México, D.F. I–3.
Casa Veerkamp S.A.—Mesones 21 (Apartado 851), México, D.F. I.
Casa Wagner.—Venustiano Carranza 21 (Apartado 396), México, D.F. I.
Casa Wettstein, S.A.—Avenida Uruguay 5, México, D.F. I.
Casino Alemán.—México, D.F. I.
Castro, Antonio.—Sullivan 15–2, México, D.F. I–3; II–4.
Central Radio Musical.—Gante 7, México, D.F. I–2.
Centro Alemán de México.—México, D.F. I.
Cerritos Comercial, S.A.—Cerritos, San Luis Potosí. I–3.
Chávez, Salomón.—5 de Febrero 144, México, D.F. I–2.
Clever y Lassman.—Avenida Uruguay 44, México, D.F. I.
Club Alemán.—Matamoros 405 Oriente, Monterrey. I.
Club Alemán.—Tapachula. I–2.
Club Hipico Alemán, S.A.—México, D.F. I.
"CODIPA" S.A., Compañía Distribuidora de Papel y Maquinaria para las Artes Gráficas.—República del Salvador 59, México, D.F. I–1.
Coello, Jaime H.—Tuxtla Gutiérrez, Chiapas. I; I–1.
Colegio Alemán.—Villagrán y A. Nervo, Monterrey. I.
Comercial Dahlhaus, S. de R.L., Cía.—México, D.F. I–1.
Comercial de Mazatlán S.A., Cía.—5 de Mayo 166, Mazatlán, Sinaloa. I–1.
Comercial Sankyo, S. de R.L., Cía.—México, D.F. I.
Comisiones S.A.—Apartado 429, México, D.F. I.
Cram, Hans.—Calzada Victoria 7, Cuauhtémoc, Monterrey. I–3.
Culin y Cía.—Salina Cruz. I–2.
Dahlhaus y Cía.—Apartado 862, México, D.F. I.
Decke, Nicolás.—Jesús Carranza 127, México, D.F. I–2.
De la Parra, Jorge O.—Uruguay 10, despacho 9, México, D.F. I–2.
Delmar, Eduardo.—Pasaje América, despacho 408, México, D.F. I–1.
Delmar G., Eduardo.—Pasaje América, despacho 408, México, D.F. I–1.
Denigris Hermanos.—Juárez 203 Poniente (Apartado 46), Saltillo, Coahuila. I.
Deportes del Noroeste.—21 de Marzo 202, Mazatlán, Sinaloa. I–1.
Deutsche Lufthansa A.G.—All branches in Mexico. I.
Deutsche Schule.—México, D.F. I.
Deutsche Volksgemeinschaft.—México, D.F. I.
Deutsche Zeitung von Mexico.—México, D.F. II–1.
"Deutz Otto" Legítimo, S.A., Compañía Mexicana de Motores.[1]—All branches in Mexico. I; II–3.
Díaz, Manuel.—Apartado 225, México, D.F. I–3.
Diederichsen, Walter.—Isabel la Católica 78, México, D.F. I–2.
Diener, Hermanos Sucrs.—Avenida Madero 38, México, D.F. I–2.
Distribuidora de Aceros Escudo, S.A.—Isabel la Católica 51, México, D.F. I.
Distribuidora de Papel y Maquinaria para las Artes Gráficas, Cía.—República del Salvador 59, México, D.F. I–1.
Distribuidora de Radios Telefunken, S.A.—Avenida Madero 56, México, D.F. II–3.
Distribuidora e Importadora Mexicana, S.A.—Piño Suárez 34 y Avenida Venustiano Carranza 13, México, D.F. I.
Distribuidora Mexicana de Radios.—Calle Padre Mier 411 Oriente (Apartado 871), Monterrey. I.
Dittmer y Cía, Carlos.—Avenida República del Salvador 47 (Apartado 464), México, D.F. I.
Dode, M.—Pirámide 29, Col. Clavería, México, D.F. I–3.
Dohrman, Herman.—Minatitlán. I–2.
"Domei" Japanese Press Service.—México, D.F. I.
Dorenberg, Petersen y Cía., Sucrs., S. en C.—Puebla. I.
Dorner, Hermann.—Apartado 1036, México, D.F. I.
Dratein y Holste, Sucr.—Venustiano Carranza 45, despacho 302, México, D.F. I.
Droguería Cosmopólita S.A.—Esquina Avenida Piño Suárez y Plaza Constitución, México, D.F. I.
Droguería de la Palma.—Corregidora 7–A y Avenida Madero 28, México, D.F. I.
Droguería del Refugio S.A.—5 de Febrero 1, México, D.F. I.
Droguería Regina S.A.—5 de Febrero 7, México, D.F. I.
Droguería Stein, S.A.—Mazatlán. I.
Droguería y Farmacia "Panamericana".—Morelos y Zaragoza, Monterrey. I.
Dygula, Martin.—Guadalajara. I–2.
Ebitsuka, M.— I.
Edelman, H.—Huixtla. I–2.
"Edificio Boker".—16 de Septiembre y Isabel la Católica, México, D.F. I.
Ehni Strauss, George.—Avenida Madero 37, México, D.F. I–2.
El Ancla.—Tlaxcia 427, Ciudad Juárez. I.
"El Celuloide".—México, D.F. I–3.
El Centro Mercantil.[2]—Avenida Madero y Mejía, Ciudad Juárez. I; II–4.
El Gallo.—Avenida Hidalgo 50, Oaxaca. I.
"El Globo", S.A.—Avenida Hidalgo 127, Zacatecas. I.
El Mayoreo, S.A.—Puebla. I–3.
"El Nuevo Japón" S.A.—20 de Noviembre y República del Salvador, México, D.F. I.
"El Nuevo Tokio".—México, D.F. I–3.
El Rikko, S. de R.L.—San Antonio Abad 321, México, D.F. I–3.
El Sol Naciente.—Avenida Juárez 347, Guadalajara. I; II.
El Sol Naciente.—Edificio Royal, Calle A. Flores, Mazatlán, Sinaloa. I–1.
Elizondo, Eleutrio.—Sabinas. I–2.
Emesco, S.A.—Avenida Uruguay 26, México, D.F. I.
Empacadora Meenan, S.A., Cía.—Jesús Carranza 127, México, D.F. I–2.
Empacadora Rico, S. de R.L. y C.V.—Mayorazgo 1219 (Apartado 8807), México, D.F. II–3.
Endo, Tetsu.—Mejía 332 Oeste, Ciudad Juárez. I.
Enkerlin, Ernesto.—San Juan de Letrán 81, México, D.F. II–3.
Equipos para Oficinas, S.A.[4]—Avenida Juárez 56, México, D.F. I.
Erba, S.A., Carlo.—Barcelona 27, México, D.F. I.
Estambres y Artiselas, S.A.—República del Salvador 78, México, D.F. I–1.
Eversbusch, Ricardo.—Tintoreto 39, Mixcoac, D.F. II–1.
Ewald, Albert.—Mezones 44, México, D.F. I.
Explotadora de Riquezas Naturales de México, S. de R.L.— I.
Exportadora e Importadora Soc. de Resp. Ltda., Cía.[5]—Dr. Mora 9–22 y Avenida Juárez 56, México, D.F. I.
Fábrica de Acidos "La Viga".—México, D.F. I.
Fábrica de Lactosa Shill.—Colonia Dublán Chihuahua. II–3.
Fábrica de Loza "El Anfora", S.A.—Parque Oriental de la Penitenciera China (Apartodo 508), México, D.F. I.
Fábrica de Productos Químicos y Farmacéuticos.—Carpio 105, México, D.F. I–1.
Farmacéutica Nacional, S.A.—Uruguay 45, México, D.F. I–2.
Farmacia Apolo.—Piño Suárez y G.O. Salazar. Monterrey. I.
Farmacia Arvide.—Avenida Independencia 91, Veracruz. I–1.
Farmacia Central.—Tapachula, Chiapas. I–1.
Farmacia Continental (en liquidación).—Guadalajara. I.
Farmacia Juárez.—Chihuahua. I.
Farmacia Lux.—Calle V y Avenida Dos, Agua Prieta. I–2.
Farmacia Mexicana, S. de R.L.—Esquina Insurgentes y Coahuila, México, D.F. I–2.
Farmacia Mexicana Tsurumi.—Avenida Juárez 35, Cananea. I.
Farmacia Moderna.—Chihuahua. I.
Farmacia Nacional.—Tapachula. I–1.
Farmacia Plaza.—Zuazua y Morelos, or Zuazua 943 Sur, Monterrey. I.
Farmacia Salvador.—Avenida Hidalgo 1320 Poniente, Torreón. I–2.
Farmacia y Droguería Principal.—Avenida 16 de Septiembre 3, México, D.F. I.

[1] Not to be confused with Deutz Hermanos, S.A., Avenida V. Carranza 25 (Apartado 98), San Luis Potosí.
[2] Not to be confused with El Centro Mercantil, S.A., Plaza de la Constitución y Avenida 16 de Septiembre (Apartado 902), México, D.F.
[4] Not to be confused with Equipos para Oficinas, S. de R.L., Calle Juan A. de la Fuente 320 Sur, Torreón, Coahuila.
[5] Formerly Compañía Exportadora de Productos Mexicanos. Not to be confused with Compañía Exportadora e Importadora Mexicana, S.A., Gante 15, México, D.F.

"Farmamex" Productos Farmacéuticos, S.A.—Isabel la Católica 15, México, D.F. I.
Feixas, Francisco.—Avenida 5 de Mayo 43, México, D.F. II–3.
Ferretería "La Palma".—Uruapán, Michoacán. I–3.
*Ferretería "La Palma", S.A.—Morelia, Michoacán. I–3; III.
Ferretería La Palma, S.A. de C.V.—Avenida Colón y López Cotilla, Guadalajara. I; I–4.
Ferretería Langstroth, S.A.—Avenida Escobedo y Calle Padre Mier (Apartado 18), Monterrey. I.
Ferretería Mexicana, S.A., Cía.—Avenida 16 de Septiembre 60, México, D.F. I.
Ferrum, S.A.—Apartado 2918, México, D.F. I.
Fibra Comercial Mexicana, S.A.—Insurgentes 785 (Apartado 8810), México, D.F. I.
Fiehn, Ulrich.—Chihuahua. I.
Finca "Argovia".—Chicharras. I–2.
Finca "Chinenze".—Chicharras. I–2.
Finca "El Retiro".—Chicharras. I–2, II.
Finca "Germania".—Huixtla. I–2.
Finca "Hannover".—Huixtla. I–2.
Finca "La Granja".—Pueblo Nuevo. I–2.
Finca "La Libertad".—Chicharras. I–2.
*Finca "La Paz".—Pueblo Nuevo. I–2.
Finca "Laguna".—Chicharras. I–2.
Finca "Prusia".—Huixtla. I–2.
Finca "San Cristóbal".—Huixtla. I–2.
Finca "San José".—Chicharras. I–2.
Finca "San Nicolás".—Chicharras. I–2.
Finca "San Vicente".—Cacahuatan. I–2.
Finca "Violetas".—Chicharras. I–2.
Fischer, Juan M.—Colonia Los Alamos, México, D.F. II–1.
Fischer, Martin.—Uruguay 76, México, D.F. I.
Forbriger, Lothar.—Belisario Domínguez 1779, Monterrey. I.
Foto Gante, S.A.—Gante 3–B, México, D.F. II–1.
Foto Laboratorios, S. de R. L.—Avenida Venustiano Carranza 11, México, D.F. II–1.
Foto Mantel, S.A.—Venustiano Carranza 11, México, D.F.; Hotel Comercial, Tijuana, Baja California; Morelos 557 Oriente, Monterrey, Nuevo León; Avenida Colón 224, Guadalajara, Jalisco; and all other branches in Mexico. I; II–1.
Foto Principal.—Avenida 16 de Septiembre 3, México, D.F. I.
Foto Productos, S.A.—Revillagigedo 25, México, D.F. I.
Friese, Bruno.—Edificio Condesa V. 7, México, D.F. I.
Frisch, Herbert.—Alvarez 253 Sur, Monterrey. I.
Fucumura, Kiyoso.—Coatzacoalcos, Veracruz. I–1.
Fujisawa, T.—Ayuntamiento 89, México, D.F. I–3.
Fujiyoshi, Y.—Bucareli 65, México, D.F. I–3.
Funatsu, U.—Netzahualcoyotl 140, México, D.F. I–3.
Fundidora de Minerales Dos Banderas, Cía.—Mesones 44, México, D.F. I–2.

*Address added or changed with this revision.

Furukawa, Fernando.—Tapachula, Chiapas. I–1.
Furukawa, José María.—Corona 835 Norte, Monterrey. I.
Furuya Ishida, Choji.—Calle 4a y Avenida 4a, Agua Prieta. I; I–2.
Furuzawa, Tokuhei Murakami.—Callejón Durazno 225, Ciudad Obregón. I–3.
Gaehd, César.—Zuazua Sur 933, Monterrey. I–4.
Gaehd Garza, Ramón.—Zuazua Sur 933, Monterrey. I–4.
Gagstatter, Herman.— Salina Cruz. I–2.
Galván, Alberto R.—Obregón 52–A, México, D.F. I; I–2.
García, Enrique W.—Pedro Loza 19, Guadalajara. I–3.
García Hermanos.—Colón 467 Poniente, Monterrey. I.
General de Anilinas, S.A., Cía.—Avenida Uruguay 54, México, D.F. I.
Gerber, G.—Guadalajara. I.
German Photo & Movie Supply, S. de R.L.—Gante 3–B, México, D.F. I–4; II.
German School.—México, D.F. I.
Gertz, José Cornelio.—Apartado 100, Veracruz. I–1.
Goerling, Dora Lehmann de.—Bolívar 23, México, D.F. I–1.
Goerling A.G., A.—Bolívar 23, despacho 302, México, D.F. I.
Goldhammer, Arno.— Avenida 15 de Mayo 1745 Poniente, Monterrey. I.
Gómez, Miguel.—Avenida Uruguay 54 (Apartado 2882), México, D.F. I–2.
Gómez Portugal, José.—Zamora 132, México, D.F. I–3.
González, Ignacio G.—Avenida Juárez 76, México, D.F. I–2.
Goto, Masanori.— I.
Grebe, Frederico.—Esquina Aduana y Francisco Madero, Tampico. I.
Grossman Escalante Heriberto.—Ignacio Zuazua 10, México, D.F. I–2.
Grossman, Pablo.—Zuazua 10 (Apartado 8702), México, D.F. I.
Groth & Kuhlmann.—Apartado 662, México, D.F. I.
Guasco, Javier.—Apartado 1253, México, D.F. I–2.
Guitrón, Manuel V.—Ciudad Juárez. I–1.
Guldner, Ricardo.—Gante 3–B, Mexico, D.F. I–4; II.
Gulf Shipping Company.—San Juan de Letrán 13, México, D.F. I–4.
Gumler, Jorge.—General Prim 57, México, D.F. I.
Gutiérrez O., M.—Revillagigedo 83 (Apartado 459), México, D.F. II–2.
Gutiérrez y Cía., S. en C. por A., Eduardo.—Isabel la Católica 85, México, D.F. I–1.
Haas, Carlos.—Avenida Juárez 30, Edificio Siemens (Apartado 2008), México, D.F. I.
Hackmack, Roberto.—Avenida Hidalgo 50, Oaxaca. I.
Hagmeier, Carlos.—Calle 13 No. 201, Colonia García Ginerés (Apartado 399), Mérida. I–2.
Hahne, Albert.—Mesones 41, México, D.F. I–1.
Hajen, Ernesto.—Avenida Morelos 546 Oriente, Monterrey. I.
Hama, Choji Sio.—El Pozo de Morelos, Agua Prieta. I–1.
Hammer y Cía.—Tapachula. I–2.
Hanami, Y.—Orizaba 36, México, D. F. I–3.
Haranda, Masatsura.— I.
Hasegawa, Tseneburo.—Avenida Juarez 313, Ciudad Juárez. I.
Hasutaro y Hermanos, Luis.—Calles Mejía y Constitución, Ciudad Juárez. I.
Hata y Miyata.—Reforma 360, Mexicali. I.
Hausmann, Reinhold.—Avenida Uruguay 73 (Apartado 7365), México, D.F. I.
Hausmann, Walter.—Avenida Uruguay 74, México, D.F. II–3.
Hayakawa, Y.—B. Badillo 13, México, D.F. I–3.
Hayasaka, Kieya.—Madero 480, Mexicali. I.
Hayasaka, Masakichi.—Madero 492, Mexicali. I.
Hayashi, José.—Chihuahua. I.
Hayashida, S.—República del Salvador 75, México, D.F. I–3.
Heinrichsen, H. (Dr.).—Calzada de la Viga 54, México, D.F. I–4.
Hellig, Waldemar.—Alvarez 109 Norte, Monterrey. I.
Hentza, Willi.—México, D.F. I.
Herfurth, Ricardo.—Serapia Rendón 57, México, D.F. I–1.
Hering, Carlos. — Guadalajara and México, D.F. I.
Hering y Cía., Carlos.—Pedro Moreno 770, Guadalajara; and México, D.F. I; II.
Herlinda.[6]— I–4.
Hermann, Julio.—Avenida 16 de Septiembre 52 (Apartado 831), México, D.F. I.
Hermkes, Joseph.—México, D.F. I.
Hernández, Julián.— Apartado 318, México, D.F. I–2.
"Heromex".—México, D.F. I.
Herrasti Amaya, Adolfo.—Apartado 2110, México, D.F. I–1.
Herrasti & Co., Adolfo.—México, D.F. I–1.
Herzer, Hans (Dr.).—Venustiano Carranza 35–7, México, D.F. I.
Hesselmann y Cía., S. de R.L.—Uruguay 25 (Apartado 567), México, D.F. I–2.
Heuer, Adolf.—Revillagigedo 8, México, D.F. I.
Heynen, Eversbusch & Co.—Edificio Boker, 16 de Septiembre 58, México, D.F., and all branches in Mexico. I; II–4.
Higashida, T.—Isabel la Católica 129 México, D.F. I–3.
Hintze & Wenzel, S. de R.L.—Tapachula. I–4.
Hintze y Cía.—Tapachula. I–2.
Hirata, Alfonso.—Avenida Juárez 35, Cananea. I–1.
Hirata, Kanosuke.—Sonora 207, Ciudad Obregón. I–3.
Hirata, Natzuyo.—Cananea. I–1.
Hirata, Pablo.—Agua Prieta. I–1.
Hirata, Pablo.—Nacozari, Sonora. I–1.
Hirata, Sakae.—Cananea. I–1.
Hirugami, Manuel.—Acapulco. I.
Hispanidad.—Artículo 123–97, México, D.F. I.
Hofmann y Cía.—Pueblo Nuevo. I–2.
Hojyo, Takaichi.—Nogales. I; II.
Holste, Alejandro.—Puebla 258 (Apartado 438), México, D.F. I–2.

[6] Boat, owned by Gulf Shipping Company, San Juan de Letrán 13, México, D.F.

Homberg, Martha Lehman de.—Apartado 2672, México, D.F. I–1.
Homberg, W.—Apartado 2672, México, D.F. I–1.
Honda, Kiyoji.—Tlaxcla 427, Ciudad Juárez. I.
Honda, Yoshio.—Avenida Madero y 16 de Septiembre, Ciudad Juárez. I; II.
Hori, Mario D.—Minatitlán, Veracruz. I–3.
Hornik, Ignacio (Dr.).—Isabel la Católica 40, México, D.F. I–2.
Hoshi y Sakaguchi en Compañía.—Madero 390, Mexicali. I.
Hoshiko, Gohachi.—Reforma 332, Mexicali. I.
Hoshiko, Akira, y T. Hoshiko.—Reforma 377, Mexicali. I.
Hoshiko y Hoshiko.—Madero 494, Mexicali. I.
Hotel Central.—Manzanillo. I.
Hotel Isabel.—Isabel la Católica 78, México, D.F. I–2.
Hotzen Hermanos.—Tapachula. I–2.
Humboldt, Alexandro.—Edificio Banco de México, México, D.F. I–2.
Ichizu, H.—Avenida Reforma 530, Mexicali. I–1.
Ieda, K. (Dr.).—Apartado 76, Navojoa, Sonora. I–3; II–5.
Iijima, Ricardo S.—Guadalajara, Jalisco. I; I–4.
Iijima, Ricardo S. (Jr.).—Guadalajara, Jalisco. I: 1–4.
Imada, Sosho.—Avenida Reforma 210, Mexicali. I–1.
"IMCO".—General Prim 57, México, D.F. I.
Imhausser, Walter (Dr.).—Motolinía 33, despacho 315, México, D.F. I.
Importaciones Andrade, S. de R.L.—Avenida Uruguay 19, México, D. F. I.
Importadora de Maquinaria, Cía.—San Juan de Letrán 24 (Apartado 756), México, D.F. I.
Importadora Mercantil Japonesa, S. de R.L., Cía.—República del Salvador 73, México, D.F. I–3.
Imprenta El Sobre Azul.—J. M. Izázaga (San Miguel) 29, México, D.F. I–2; I–3; II.
Imuta, Eduardo K.—Callejón Durazno 225, Ciudad Obregón. I–3.
Industria Lanera, S.A.—Mayorazgo 1439, Colonia del Valle, México, D.F. II–1.
Instituto Behring de Terapéutica Experimental S. de R.L.—Calzada Tecoyotitla, Villa Obregon. I; II–5.
Internacional de Comercio S.A., Cía.—Isabel la Católica 85, México, D.F. I.
Internacional de Drogas, S.A., Cía.—Isabel la Católica 85, México, D.F. I.
International Supply Company, The.—Avenida Juárez 88, despacho 213, México, D.F. I.
Inukai, T.—Navojoa. I.
Ishino, Francisco.—Avenida Revolución y Calle 6a, Tijuana. I.
Ishitaki, E.—Uruguay 94, México, D.F. I–3.
Itoh, K.—Camelia 9, México, D.F. I–3.
Itoh Chu Shoji, K. K.—Isabel la Católica 85, México, D.F. I–3.
Iwadare, Luis.—Cerritos, San Luis Potosí. I; I–3.
Iwadare, Teikichi.—Cerritos, San Luis Potosí. I–3.
Iwahashi, Shozabulo.—Huixtla, Chiapas. II–3.
Iwamoto, Giro.—México, D.F. I.
Iwasaki, Ricardo.—Minatitlán, Veracruz. I–3.
Jaffre, Melanie (Melly) Moebius de.—Zuazua Sur 933, Monterrey. I–4.
Japonesa de Monterrey, N. L., Soc.—Monterrey. I.
Jaquet, Julio.—Luis Gonzáles Obregón 17, despacho 301, México, D.F. I–3.
Jayasi, Pablo.—Agua Prieta. I.
Jayasi, Pablo (Sr.).—Colonia Morelos. I.
Jemura, Alberto C.—Avenida Lerdo Interior 400, Ciudad Juárez. I.
Jesús y Kunitaki.—Agua Prieta. I.
Jori, Hector (Dr.).—Colima. I.
Joyería La Perla.—Esquina Aduana y Francisco Madero, Tampico. I.
Kagazima, José.—Chihuahua. I.
Kahle, Guillermo.—Tapachula. I–2.
Kahle, Walter.—Huixtla. I–2.
Kajiwara, Manuel.—Tapachula, Chiapas. I–1.
Kajiyama, M.—San Cosme 12, México, D.F. I–3.
Kamisima, Mariano.—Rayón y Carona, Saltillo. I.
Kane, Hasashi.—México, D.F. I–3; II–5.
Karai, R.—Agua Prieta. I.
Kasai Furuya, Reikichi.—Calle 4a y Avenida 4a, Agua Prieta. I–1; II–4.
Kasai Uychala, Moriji.—Colonia Morelos, Agua Prieta. I; 1–2.
Kasbech, Oscar.—Tapachula. I–2.
Kataura, Jorge.—San Lorenzo y Plaza Juárez, Gustavo Madero, D.F. I–1.
Kato, Gengi.—Uruguay 94, México, D.F. I.
Kato, Heiji.—20 de Noviembre y República del Salvador, México, D.F. I.
Kato, Hideo.—Coatzacoalcos, Veracruz. I–1.
Kato Shoji Kabushiki Kaisha.—20 de Noviembre 66, México, D.F. I–3.
Katsubo, Antonio.—Naco. I.
Kaufmann, Luis.—Tapachula. I–1.
Kawabe, Shigezo.—Tijuana. I.
Kawamoto, Ramón.—Calzada Gabriel Leyva s/n, Mazatlán, Sinaloa. I–1.
Kawasaki Kisen Kaisha, Ltd.— I.
Kawata, Luis Yoshini.—Nacozari, Sonora. I–1.
Kazuza, Octavio T. (Dr.).—Chihuahua. I.
Kido, José.—Puebla 74, México, D.F. I–2.
Kido, K.—Puebla 74, México, D.F. I–3.
Kiel, Horst.—Avenida 16 de Septiembre 52 (Apartado 40), México, D.F. I.
Kientzle, R. T.—Torreón. I–1.
Klesseler P., Fritz.—Apartado 2009, México, D.F. I–1.
Kimura, Pablo S.—Veracruz. I–3.
Kimura, Toshimasa.—Aquiles Serdán 70, Veracruz. II–3.
Kinoshita, M.—Peralvillo 130, México, D.F. I–3.
Kiyota, Kiyoshi.—Avenida Madero 226, Mexicali. I–1.
Klaeger, F. G.—Morelos 420 Oriente, Monterrey. I.
Klein, Guillermo.—Argovia. I–2.
Klett, Federico.—Nilo 52, México, D.F. II–3.
Klingbeil, Hans.—Puebla 241 (Apartado 1063), México, D.F. I–3.
Klinkisch y Cía., Pablo.—Palma 38, México, D.F. I–1.
Knoichi, Ichinosuke.—S. Díaz Mirón 42 Oriente, Tampico. I.
Knolle, Federico E.—Apartado 2004, México, D.F. I.
Kobayoshi, T.—Avenida Madero 496, Mexicali. I–1.
Koch, Arturo.—Edificio La Nacional, Monterrey. I–4.
Koehler, Jorge Ernesto.—Avenida Centenario 10, Tampico. I–1.
Koga, Alfonso.—Uruguay 104, México, D.F. I–3.
Koga, K.—Uruguay 104, México, D.F. I–3.
Koga Koga, Chiyoko.—Calle 3a No. 13, Agua Prieta. I–1.
Koga, Rusaku.—Calle 3a No. 13, Agua Prieta. I; I–2.
Kohashi, Enrique.—Ixtepec, Oaxaca. I–3.
Koizumi, K.—Díaz Mirón 108, México, D.F. I–3.
Komaba, José.—Chihuahua. I.
Komikado, Luis.—Nacozari. I.
Konigs Decker, Mathías.—Edificio Moderno, Calle 4a, Agua Prieta. I–2.
Kores, Soc. de Resp. Ltda.—Motolinía 9, México, D.F. I.
Körting-Motores, S.A.—Avenida del Ejido 37 (Apartado 1882), México, D.F. I.
Kosonoy, J. Jesús.—Manzanillo and Sihuatlán. I.
Kotake, Martín.—Nacozari. I.
Koyama, Yubi.—Rosales 64 Poniente, Culiacán, Sinaloa. I–1.
Kramer, Juan.—Tuxtla Gutiérrez. I–2.
Kramer, Theodore.—Avenida Uruguay 51, México, D.F. II–1.
Krieger y Cía.—Uruguay 50 (Apartado 2344), México, D.F. I.
Kritzler, Hans J.—Chimalpopoca 20, México, D.F. II–1.
Krumbholz, F. (Dr.).—Apartado 2008, México, D.F. I–2.
Kruse, Ernesto L.—Venustiano Carranza 94, México, D.F. I–3.
Kruse, Guy P.—Venustiano Carranza 94, México, D.F. I–4.
Kumagai, Victor.—Huixtla, Chiapas. I–1; II–3.
Kunitaki, Jesús Y.—Avenida 3a, Agua Prieta. I–1.
Kurachi, Antonio Y.—San Luis Potosí. I.
Kushida, Luis N.—Tapia 540 Poniente, Monterrey. I.
Kutugata, José.—Piño Suárez 457 Norte, Monterrey. I.
Kyushu Soda Company.—México, D.F. I.
La Alianza.—Avenida Madero y 16 de Septiembre, Ciudad Juárez. I.
La Antigua Ferretería de la Palma, S.A.—Palma 38, México, D.F. I–1.
La Aurora.—Mina 130, Ciudad Juárez. I.
"La Barmenia", S.A.—Dr. Lucio 181, México, D.F. I–1.
"La Campana".—Pasteur 803 Norte, Durango. I–2.
"La Casa Japonesa".—Orizaba. II–3.
"La Ciudad de Tokío".—Pedro Loza 19, Guadalajara. I; I–4.
"La Cosmopólita".—Veracruz. I–3.
La Crisantema.—Morelos 346 Oriente, Monterrey. I.

La Distribuidora de Cerveza S.A.—Navojoa. I–3.
"La Equitativa" S.A. Compañía Mexicana de Seguros.—16 de Septiembre 58, México, D.F. I–1.
"La Estrella".—Juárez 403 Sur, Durango. I–2.
"La Gran Sedería".—16 de Septiembre 83 y 5 de Febrero 3, México, D.F. I.
"La Internacional" S.A.—Avenida Juárez 105, México, D.F. I.
"La Japonesa".[7]—Hidalgo 435, Guadalajara. I; II.
"La Japonesa".[8]—3a Zaragcza y Fuente (Apartado 115), San Luis Potosí. I–4.
La Japonesa.—Torreón. I.
La Joya de México.—Calle 58 No. 522, Mérida, Yucatán. I.
"La Marsellesa".—México, D.F. I.
La Opinión.—Culiacán. II–1.
"La Paloma" Negociación en Ferretería y Maquinaria, S.A.—Isabel la Católica 59 (Apartado 2761), México, D.F. I.
"La Peletera" S.A.—Mesones 41, México, D.F. I–1.
La Perla.—Avenida Madero 38, México, D.F. I–2.
La Popular.—Calles Mejía y Constitución, Ciudad Juárez. I.
"La Providencia".—Orizaba. II–3.
La Química Industrial Bayer-Meister-Lucius.—México, D.F. I.
La Reacción.—Avenida Uruguay 56, despachos 207–208, Mexico, D.F. II–1.
La Sirena, S.A.—Avenida 16 de Septiembre 71, México, D.F. I.
"La Suiza".—5 de Febrero 403 Poniente, Durango. I; II–3.
La Suministradora S.A.—Isabel la Católica 24, México, D.F. I–1.
La Unión Química, S.A.—Avenida Juárez 76, México, D.F. I.
La Vencedora.—Calle Mejía y Callejón Progreso, Ciudad Juárez. I.
La Violeta.—Mejía 332 Oeste, Ciudad Juárez. I.
La Violeta, S.A.—Avenida Madero 37, México, D.F. I–2.
"La Voz del Pueblo".—Mazatlán. I.
Laboratorios Biológicos Nacionales.—Avenida Guatemala 44, México, D.F. I–1.
Laboratorios Carbo Hnos., S.A.—Ciprés 259, México, D.F. I.
Laboratorios Codex.—Esquina Calles Nardo y Fresno, México, D.F. I.
Laboratorios Madame Clare S. de R.L.—Havre 35, México, D.F. I.
Laboratorios Quimofarma.—Carpio 105, México, D.F. I–1.
Laguna y Mitsui, Cía.— I.
Lamprecht, S. en C., E.—López Cotilla 4 Altos, Guadalajara. I.
Lápiz Nacional S.A.—San Juan de Letrán y Popocatepetl, México, D.F. I.
Lara, José Weneslao.—Luis Moya 73, México, D.F. I–3.
Las Fábricas Apolo.—Avenida Uruguay 42, México, D.F.; and Monterrey. I.
Lehmann, Franz.—Venustiano Carranza 552 Sur, Monterrey. I.
León Export Company, S. de R.L.—México, D.F. I.

[7] Owned by Toshimasa Kimura.
[8] Owned by Wakida y Tsubuki.
[9] Operated by Umaba Baba, Tokichi.

Lepori, Luigi.—Venustiano Carranza 69–208, México, D.F. I.
Linga, Carlos.—México, D.F. I–1.
Llorens, Antonio.—Apartado 92, Manzanillo. I.
López Calderón, Heberto.—Avenida Uruguay 74, México, D.F. I–1.
López Calderón, I.—Avenida Uruguay 74, México, D.F. I–1.
López Cortina, A.—México, D.F. II–3.
Lozano, E.—México, D.F. I–1.
Lozano, José.—Juárez 210 Norte, Monterrey. I.
Macheleidt, Francisco E.—Coatzacoalcos. I–2.
Mafisa, S.A.—Avenida Uruguay 76, México, D.F. I.
Magneto Service.—Artículo 123–130–B, México, D.F. I.
Maier, Walter Robert.—Pirineos 540, México, D.F. I–2.
Maigler, S. en C., Alberto.—Balderas 140, México, D.F. I.
Malakowski, Erich.—Monterrey. I.
Manufacturera de Hilados y Tejidos de Lana Boston, S.A.—Uruguay 76, México, D.F. I.
Máquinas para Organizaciones Comerciales.—Bolivar 23, México, D.F. I–1.
Máquinas Pfaff, S.A.—Avenida Uruguay 44–5 (Apartado 549), México, D.F. I.
Marentes, Severo H.—Versalles 43, México, D.F. I–2.
Marquet y Cía., Guillermo.—Artículo 123 No. 9, México, D.F. I.
Martínez R., Francisco.—Cerritos, San Luis Potosí. I–3.
Martiniani & Perina, A. en P.—Venustiano Carranza 69, México, D.F. I.
Masuoko, Hatsumi.—Tijuana. I.
Matoo, Masaru.—Ciudad Guzmán, Jalisco. I; II.
Matsubara, Juan.—Los Mochis, Sinaloa. I.
Matsui, Namisaburo.—Ensenada. I.
Matsumiya, Kise Siegal.—Avenida Serdán, Guaymas. I–3.
Matsumoto, Shigemasa.—Zaragoza y Arista, Veracruz. II–3.
Matsumoto, Tomás T.—Mina 130 Ciudad Juárez. I.
Matsumoto, Yasutaro.—Tijuana. I.
Matsumoto, S.A.—Colima 92, México, D.F. I.
Matsuo, S.—San Juan de Letrán 21, México, D.F. I–3.
Matsusaka, Keiji.—Acacias 710, Ciudad Juárez. I.
Mattes, Hans.—Puebla. I–1.
Matzuo, Kin.—Altamirano 198, Mexicali. I–1.
Mayer, Werner.—Tapachula. I–2.
Medicinas y Drogas S.A.—Avenida Hidalgo 1320 Poniente, Torreón. I–2.
Mega, Italo.—Caleana 724 Sur, Monterrey. I.
Meguro, Benito.—Tapachula, Chiapas. I–1.
Méndez, Tito.—San Martín Tecualtitlán, Puebla. II–1.
Mendoza Becerril, Francisco.—Barcelona 26, México, D.F. I.
Mercantil Impex de México, S. de R.L.—Palma 335, México, D.F. I–2.
Mercería La Universal.—Torreón. I.
Mercería Nueva S. de R.L.—Apartado 232, Guadalajara, Jalisco. I–2.
Merck México S.A.—México, D.F. I.
Messtorff, Heinz.—México, D.F. I.
Mexicana de Motores "Deutz Otto" Legítimo, S.A., Cía.[10]—All branches in Mexico. I; II–3.
Mexicana de Petroleo, Laguna, S.A., Cía.—México, D.F. I.
Mexicana de Productores Químicos, S.A., Cía.—Versailles 43), México, D.F. I.
México Alemana, Sociedad.—Edificio Banco de México, México, D.F. I–2.
México Shigen Kaihatsu Goshi Kaisha.— I.
Meyer & Co., G. H.—Avenida Uruguay 79–7, México, D.F. I.
Miami, P. R. (Dr.).—Chihuahua. I.
Mich, Birk Sucrs., S. en C.—Avenida Uruguay 74 (Apartado 7305), México, D.F. I.
Michel, S.A., Christian.—Avenida Uruguay 37, México, D.F. I.
Minakata, Enrique G.—Guadalcazar. I.
Minakata y Cía., S.A.—Avenida Inglaterra 1, Guadalajara. I; I–4.
Minera "El Talismán" S.A., Cía.—Ciudad Lerdo. I–1.
Minera "La Purísima", Cía.—Torreón. I–1.
Mirahka, Yojino.— I.
Misawa, Ryo.—Aquiles Serdán 309, Mazatlán. I–1.
Misawa, S. J. (Dr.).—Aquiles Serdán 309; Mazatlán. I–1.
Mitoma, Francisco, J.—Manzanillo. I.
Mitre, Héctor H.—Palma Norte 330–E, México, D.F. I–2.
Mitre, María L. de.—Palma Norte 330–E, México, D.F. II–1.
Mitsubishi Shoji Kaisha Ltd.—Insurgentes 469, México, D.F. I.
Mitsui & Co.—Basilio Badillo 13, México, D.F. I.
Miyagusuku, Yasu Miyagi Oshibo.—Reforma 320, Mexicali. I.
Miyazawa, Jiro.—Mexicali. I.
Moebius, Guido (Jr.).—Avenida Piño Suárez 838 Norte, Monterrey. I.
Moeller, Eitel Fritz.—Apartado 1813, México, D.F. I.
Moeller, Hans.—Pablo Ocello 8 (Apartado 252), México, D.F. I.
Mohimura, Tetsuo.— I.
Mohr & Schimpf.—Mapastepeo. I–2.
Moreno, Víctor.[11]—Avenida Colón 224, Guadalajara, Jalisco. II–1; III.
Morimoto, Federico S.—Navojoa. I–3.
Morino, Seigi.— I.
Morishita, Shinichi.—Avenida Gastelum 198, Ensenada. I.
Moriyama, Eduardo (Dr.).—Rosales 24 Poniente, Culiacán, Sinaloa. I–1.
Mueller, Victor H.—Colonia Guadalupe Inn, D.F. II–1.
Murakami, Masanobu.—Avenida Madero 456, Mexicali. I–1.
Murakami, Ysao.—Hildalgo 323, Veracruz. II–3.
Murakani, Teizaburo.—Calle Ira. No. 311, Tijuana. I; I–2.

[10] Not to be confused with Deutz Hermanos, S.A., Avenida V. Carranza 25 (Apartado 98), San Luis Potosí.
[11] Not to be confused with Victor Moreno Caveda, Avenida Uruguay 119 (Apartado 7741), México, D.F.

Muray, Benito K.—Colón 38, Orizaba. II–3.
Mutsumi, Adachi.—Manzanillo. I–1.
Nacional Droga-Express S.A.—Abraham González 64, México, D. F. I.
Nagabuchi, S.—Bucareli 8, México, D.F. I.
Nagamatsu, Yukio.— I.
Naito, Ben.—Ensenada. I.
Naitoh, Hachiro.—Pihuamo, Jalisco. I; I–4.
Nakagawa, Juan S.—Ixtepec, Oaxaca. I–3.
Nakagosuke, Kameichi U.—Manzanillo. I.
Nakakawa, Jesús.—Mazatlán, Sinaloa. I–1.
Nakakawa, Matilde.—Mazatlán, Sinaloa. I–1.
Nakakawa y Cía.—Avenida Juárez 347, Guadalajara. I; II.
Nakamura, Carlos.—Bajos del Hotel Carillo, Mexicali. I–1.
Nakamura, María Gómez.—Manzanillo. I; I–4.
Nakanishi, Dionisio S.—Madero 111, Orizaba. II–3.
Nakano, Yoshiro.—Manzanillo. I.
Nakashimada, M.—Avenida Reforma 305, Mexicali. I.
Nakasima, Luis.—Aldama 507 Poniente, Saltillo. I; II.
Nakasono Hermanos.—Avenida Guerrero, Nuevo Laredo. I–1.
Nakazano, Eduardo H. (Dr.).—Rosales 3, Navclato, Sinaloa. I–1.
Narihiro, N. (Dr.).—Nacozari, Sonora. I–1.
Naviera de Cabotaje S.A., Cía.—Veracruz. II–3.
Negayama, J.—Uruguay 89, México, D. F. I–3.
Negociación Comercial Mexicana S.A.—Uruguay 77, México, D.F. I.
Neicoechea, Fernando.—Puebla. I–3.
Neicoechea Hermanos.—Puebla. I–3.
Nevería Central.—Avenida 3a, Agua Prieta. I.
Niederschuck, Walter.—Apartado 2749, México, D.F. I–1.
Nii, Sanjiro.—México, D.F. I.
Nipon Suisan Kabushiki Kaisha.—20 de Noviembre 66, México, D.F. I–3.
Nippon Soda Company.—México, D.F. I.
Nippon Yusen Kaisha, "N.Y.K.".—México, D.F. I.
Nisch, Antonio.—Huixtla. I–2.
Nisch y Cía.—Huixtla. I–2.
Nishi, Y.—Insurgentes 586, México, D. F. I–3.
Nishiyama, Jesús.—Avenida Guerrero 303, Nuevo Laredo. I–1.
Nitanda, K.—Ensenada. I.
Niwa, Carlos.—Chihuahua. I.
Niwa, Shuichi.—Altamirano 256, Mexicali. I.
Nobara, R.—Jesús María 49, México, D.F. I–3.
Noeh. Walter.—López 35, México, D.F. I.
Noguchi, J. C.—Salina Cruz, Oaxaca. I–1.
Nonaka, Yanosuke.—Ensenada. I.
Oetling, Fritz F.—Apartado 928, México, D.F. I.
Ogane, K.—Mexicali. I.
Ogata.— I.
Ogatachayo, Keijiro.—Tampico. I.
Ogulta, Mario.—Tehuantepec, Oaxaca. I–3.
Ohtomo, Ricardo.—Torreón. I.
Oikawa, Jiro.—República del Salvador 60 (Apartado 1084), México, D.F. I–3.
Oka, Ichisei (Dr.).—Tampico. I.
Okamura, Francisco Z.—Cananea. I–1.
Okamura, José S. (Dr.).—Calles Rosales e Independencia, Culiacán, Sinaloa. I–1.
Okuno, Ejiro.—Calzada 5 de Febrero 1101, Ciudad Juárez. I.
Olbrich, Erich (Dr.).—Havre 35, México, D.F. I–4.
Olguín Ruiz, Antonio.—Lauro Aguirre 127, México, D.F. I–1.
Olympia, S.A.—Isabel la Católica 40 (Apartado 1933), México, D.F. I; I–4.
"Omega".[12]—Jardín de San Fernando 5, México, D.F. I.
Omori, Takeo.—Manzanillo. I.
Orenstein & Koppel S.A.—Motolinía 20, México, D.F. I.
Oshino, Justo.—Juchitán, Oaxaca. I–3.
Otahal, Joseph (Dr.).—Isabel la Católica 24, México, D.F. I–3.
Otani, Y.—5 de Febrero 39–6, México, D.F. I–3
Ozawa, Kainoshin O.—Avenida Ruiz y Calle 13, Ensenada. I.
P.A.L.M.A., S.A.—Humboldt 42, México, D.F I–3.
Pablo Corn Mill.—Nacozari. I.
Pabst, F. W.—Zaragoza 24, México, D.F. I.
Papelería Lada.—Apartado 9981, México, D.F. I–2.
Paredes, Enrique M.—Tlalpam, D.F. I–1.
Partes Aéreas, A. en P.—General Prim 57, México, D.F. I.
Pertack, Imprenta R.—Regina 85, México, D.F. I–2.
Peters y Cía.—5 de Febrero 403 Poniente, Durango. I.
Peters y Cía., Sucrs., Guillermo.—Avenida Hidalgo 1407 Poniente, Torreón. I.
Petersen, Carlos (Dr.).—2 Oriente 15, Puebla. I–2.
Petleonsa Company.—México, D.F. I.
Petroleos León, S.A., Cía.—Isabel la Católica 33, México, D.F. I.
Petrolera Veracruzana S.A., Cía.—Tampico and México, D.F. I; I–2.
Petzold, Kurt H.—V. Carranza 548 Sur, and c/o Casa Holck, S.A., Apartado 1, Monterrey. II–1.
Phillips, Abraham Z.—Isabel la Católica 33 México, D.F. I.
Piening, Pablo.—Francisco Madero 43, México, D.F. I.
Pigelheim, Heda.—Chicharras. I–2.
Pipper, Josef R.—Avenida Cap. Carranza 412 Poniente, Tampico. I–2.
Pirsch, Ernesto.—Manzanillo. I.
Plasencia G., Guillermo.—Morelos 557 Oriente, Monterrey, Nuevo León. II–1.
Pohlenz y Cía.—Tapachula. I–2.
Popp, Nicolás.—Igualá 38, México, D.F. I–3.
Posta Mex, S. de R.L.—Díaz Mirón 146, México, D.F. II–1.
Productos Abrasivos, S.A.—Apartado 255, México, D.F. I.

[12] Not to be confused with La Omega, S.A., México, D.F.

Productos Noeh.—López 35, México, D.F. I–4.
Productos Químico-Farmacéuticos S.A.—Pasaje América, despacho 408, México, D. F. I–1.
Productos Químicos Fletcher, S.A.—Morelia 15, México, D.F. I.
Propulsora Minera, S.A.—México, D.F. I–4.
Proveedora de Artículos para Laboratorio y Material de Análisis, S.A.—Humboldt 42, México, D.F. I–3.
Química Schering Mexicana S.A.—Versalles 43, México, D.F. I.
Quinta "Crisantema Japonesa".—Piño Suárez 457 Norte, Monterrey. I–2.
Quinta Cuitláhuac.—Cuitláhuac 16 Norte, Saltillo. I–2.
Quinta Japonesa.—Piño Suárez y Espinosa, Monterrey. I.
Rademacher, O.—Apartado 131, Guadalajara. I.
Radio Popular.—Palma Norte 330–E, México, D.F. I–2.
Ramírez de Arellano y Cía.—Veracruz. I.
Rancho Rusballo.—Colonia Morelos, Agua Prieta. I–1.
Rebora y Cía.—Tapachula. I–2.
"Relojería Alemana".—Avenida Morelos 546 Oriente, Monterrey. I.
"Relojería y Joyería Italiana".—Juárez 203 Poniente (Apartado 46), Saltillo. Coahuila. I.
Repertorio Wagner, S.A.—Venustiano Carranza 21 (Apartado 396), México, D.F. I.
Reyes Núñez, Armando.—Hermosillo 19, México, D.F. I–2.
Richter, Wilhelm.—Gante 7, México, D.F. I.
Richter y Cía.—Mesones 29, México, D.F. I–2.
Riefkohl, Alejandro.—Ferrocarriles Nacionales 155, México, D.F. I–1.
Riefkohl, Luis.—Ferrocarriles Nacionales 155, México, D.F. I–1.
Rimex, Soc. de Resp. Ltda.—Motolinía 20, México, D.F., and all branches in Mexico. I.
Ritter, Otto (Dr.).—Avenida 16 de Septiembre, México, D.F. I.
Rivas, Alfonso.—Mesones 21, México, D.F. I–3.
Rodríguez, Luz H.—Calle 23 Sur 302, Puebla. I–2.
Rodríguez, Roberto.—c/o Alberto M. Cabezut y Cía., S. de R.L., Edificio Alijadores, or Avenida Colón 18–A Norte, Tampico. I–1.
Rodríguez y Cía., S. de R.L., Francisco.—Madero 101 Oriente, Tampico, Tamaulipas. I–3.
Roemer y Cía.—5 de Mayo 50, México, D.F. I–3.
Roentsch S.A., Pablo.—Avenida Uruguay 19 (Apartado 38), México, D.F. I.
Rohde, Kurt V.—Palma 38, México, D.F. I–1.
Rombold, Ingeniero Luis.—México, D.F. I.
Rubiel, Ricardo.—La Montiel 2, Colonia Gustavo A. Madero, México, D.F. I–1.
Rudiger, Rudolph.—Avenida Venustiano Carranza 11, México, D.F. I.
Sagner, Gustav.—Andalucía 165; México, DF. I.

Saito, Alejandro.—21 de Marzo 205 (Apartado 85), Mazatlán. I.
Saito, Satie.—Manzanillo. I.
Saito, T.—México, D.F. I.
Sakaguchi, U.—Unión 31, Calzada Balbuena, México, D.F. I–3.
Sakurai, Angel K.—Avenidas Madero y Mejía, Ciudad Juárez. I.
Salas, Antonio.—México, D.F. I–1.
Salchichonería "Rex".—Morelos 125 Poniente, Monterrey. I–1.
Samaguchi.—Insurgentes 469, México, D.F. I.
Sánchez, Pedro.—Independencia 41, México, D.F. I–3.
Sara, Fumiko M.—Calle Mejía y Callejón Progreso, Ciudad Juárez. I.
Sato, Félix.—Avenidas 6a y 7a, Agua Prieta; and Rancho Rusballo, Colonia Morelos, Agua Prieta. I–1.
Sato Gasirro, Saburo.—Avenidas 6a y 7a, Agua Prieta; and Rancho Rusballo, Colonia Morelos, Agua Prieta. I–1.
Sato, H.— I.
Sato, K.—Amsterdam 79, México, D.F. I–3.
Sato, S.—Amsterdan 162, México, D.F. I–3.
Sato y Hayasaka, Hashi.—Reforma 322, Mexicali. I.
Sato, Yoshio.—Avenida Juárez 338–N, Ciudad Juárez. I.
Sato Trading Co.—República del Salvador 82, México, D.F. I–3.
Schaich, Willy.—Guadalajara. I.
Scharff, Felix.—Calle Quebrada, Acapulco. I–2.
Schauer, R. (Dr.).—Murcia 17, Colonia Schering, S.A.—Mexico, D.F. I.
Schering, S.A.—México,D.F. I.
Schiemann, Wilhelm.—Independencia 10, México, D.F. I.
Schmidt, Manuel.—Londres 14, México, D.F. II–1.
Schmidt, Max.—Avenida Uruguay 26, México, D.F. I.
Schmiedehaus, Walter.—Chihuahua. I.
Schrieber, L.—Apartado 2535, México, D.F. I–3.
Schroeder, Federico.—Juárez 403 Sur. Durango. I–2.
Schuchard, Otto.—Tapachula. I–2.
Schultz, Alfredo (Jr.).—Montebianco 1175, Lomas de Chapultepec, México, D.F. I.
Schultz, Guillermo.—Huixtla. I–2.
Schwarz, Fritz.—Armijo 46 bis (Apartado 7), San Luis Potosí. II–1.
Schwarz & Georgi.—Armijo 46 bis (Apartado 7), San Luis Potosí. II–1.
Seidel, Artur.—Motolinía 25 (Apartado 1614), México, D.F. I.
Seippel e Hijo, Carlos.—Tuxtla Gutiérrez. I–2.
Sem, Zuzuki.—Avenida Reforma 256, Mexicali. I–1.
Servicios para Oficinas, S.A.—Luis Moya 19, México, D.F. I.
Shiba, Motosuke.—Madero 304, Mexicali. I.
*Shibayama, Oscar K.[13] — Juchitán, Oaxaca. I–3; III.
Shibata, Masahide.—Avenida 3a No. 27, Agua Prieta. I–1.

*Address added or changed with this revision.

[13] Name changed with this revision from Shibagama, Oscar B.

Shill, Alois.—Casas Grandes. I–1.
Shimabuku e Hijos, Tomás.—Minatitlán, Veracruz. I–3.
Shimanuki, S.I.—Tapachula, Chiapas. I–1.
Shimizu, Luis K.—Mazatlán, Sinaloa. I–1.
Shimizu, P.P.—5 de Febrero 39–6, México, D.F. I–3.
Shimizu, Roberto.—21 de Marzo 205 (Apartado 85), Mazatlán. I.
Shimizu, Toshio K. (Dr.).—3 de Mayo 152, Mazatlán, Sinaloa. I–1.
Shimizu y Saito.—21 de Marzo 205 (Apartado 85), Mazatlán. I.
Shinmon, K.—San Antonio Abad 92, México, D.F. I–3.
Shiraki, Asa.—Cortés 70, Veracruz. II–3.
Shirata, Shin.—Tijuana. I; I–2.
Shiromaru, T.—Peralvillo 76, México, D.F. I–3.
Shiyama, Mitori.—Coatzacoalcos, Veracruz. I–1.
Shizuru, H.—Guerrero 176, México, D.F. I–3.
Siebert, Alfred.—Dr. Lucio 37, Colonia Doctores. I–1.
Siemens-México, S.A.—Avenida Juárez 30, México, D.F. I.
"Sodería Guaymense".—Avenida Serdán, Guaymas. I–3.
Solana, Felipe.—J. M. Izázaga (San Miguel) 29, México, D.F. I–2; II; II–1.
Sommer, Hermann y Cía., Sucrs., S.A.—Palma 33 (Apartado 299), México, D.F., and all branches in Mexico. I.
Sommer, S.A., Gustavo.—Isabel la Católica 51, México, D.F. I.
Southern Cross.— I–2.
Speisseger & Co., R. F.—Avenida 16 de Septiembre 52, México, D.F. I.
Stalliforth, Alberto.—Parral. I.
Stalliforth, Hermann.—García Conde 20, México, D.F. I–1.
Stein y Cía., Carlos.—5 de Febrero 174, México, D.F. I.
Stein y Schuetze.—Edificio Lutecia 220, Guadalajara. I.
Stubbe, George.—Sierra Madre 265, Chapultepec Heights, México, D.F. I–2.
Sugawara, Chuzo.—Santo Degollado 28 (Apartado 799), México, D.F. I–3.
Sugihara, Shigeyoshi.—Isabel la Católica 85 (Apartado 7119), México, D.F. I.
Supertex Mexicana S.A.—Avenida Uruguay 55, México, D.F. I.
Susumo, Tomeo.—Coatzacoalcos, Veracruz. I–1.
Taiheiyo Sekiyu K. Kaisha Co.—México, D.F. I.
Takaki, José M.—Cananea. I–1.
Takeda, Julio.—Hidalgo 2, Navolato, Sinaloa. I–1.
Takeguchi, J. M.—Avenida Revolución y Calle 6a, Tijuana. I.
Takemura, S.—Uruguay 75, México, D.F. I–3.
Tamaura, S.A.—M. Ocampo 321, Mazatlán. I–1.
Tamm y Cía.—Avenida Uruguay 68 (Apartado 1541), México, D.F. I.
Tanabe, K.—Héroes 73, México, D.F. I–3.
Tanabe Kodai, Jesús.—Calle 5a No. 37, Agua Prieta. I–1.
Tanabe Restaurant.—Calle 5a, Agua Prieta. I.
Tanaka, Alberto.—Avenida Corona 575, Guadalajara. I; II.
Tanaka, Luis.—Torreón. I.
Tanaka, Tukumi.—5 de Febrero 40, México, D.F. I–3.
Taniguichi, Saichi.—Sonora 324, Ciudad Obregón. I–3.
Tauchert, Max.—Apartado 2569, México, D.F. I–3.
Tautimer, María Jesús Vásquez viuda de.—Avenidas 6a y 7a, Agua Prieta; and Rancho Rusballo, Colonia Morelos, Agua Prieta. II–1.
Técnica Comercial, Cía.[14]—Revillagigedo 8, México, D.F. I.
Telefunken S.A.—Avenida Madero 56, México, D.F. I; II–3.
Tenería Huasteca.— Tacubaya, D.F. II–1.
Terreños y Casas, S.A.—Edificio La Nacional, Monterrey. I–4.
Terui, Heriberto.—Matías Romero, Oaxaca. I–3.
Téxtiles Artificiales S.A.—Mesones 34, México, D.F. I.
Theiss, Fritz.—Colegio Alemán, Puebla. I–2.
Tintas Rex, S. A.—Isabel la Católica 750, México, D.F. I.
Tlapalería "El Unfo".— Juárez 210 Norte, Monterrey. I.
Togava, Francisco.—Nacozari. I; I–2.
Tolteca.[15]— I–4; II–3.
Torres, Hilario.—Monterrey. I–1.
Toyota, Jorge.— Mazatlán, Sinaloa. I–1.
Trampe, Carlos.—Tapachula. I–2.
Trampe, Felipe.—Tapachula. I–2.
Trampe y Cía.—Pueblo Nuevo. I–2.
"Transocean" Servicio Internacional de Informaciones de Prensa.—Avenida Juárez 60, México, D.F. I.
Trapeha S.A.—Revillagigedo 6 (Apartado 2298), México, D.F. I.
Trotter, Edmund.—México, D.F. I–2.
Tsubuki, Guillermo T. (Dr.).—Pedro Moreno 739, Guadalajara. I; II.
Tsubuki, Risaburo.—Hidalgo 435, Guadalajara. I; II.
Tsuji, Aya.— Morelos 346 Oriente, Monterrey. I–2.
Tsuji, T.—Apartado 7812, México, D.F. I–3.
Tsuru, Kiso (Dr.).—Isabel la Católica 85, México, D.F. I.
Tsurumi, Masakichi.—Avenida Juárez 35, Cananea. I–1.
Tsutsumi, Jukichi.—Mexicali. I.
Tsutsumi y Hermanos.—Reforma 254, Mexicali. I.
Tsuyi, T.—Apartado 7812, México, D.F. I–3.
Tucán S.A., Cía.—Tonala 73 (Apartado 7078), México, D.F. I.
Tugamoto Sigeno, Tisakichi.—El Pozo de Morelos, Agua Prieta. I–1.
Turu Mining Co.—Isabel la Católica 85, México, D.F. I.
Ueji, Kintaro.—Tijuana. I.
Ueji, Kunihei.—Ensenada. I.
Ughiyama, K.— I.
Ulrich, Fritz.—Villagrán y A. Nervo, Monterrey. I.

[14] Not to be confused with Técnica y Mercantil, S.A.

[15] Boat, owned by Compañía Naviera de Cabotaje S.A., Veracruz.

Umaba Baba, Tokichi.—3a Zaragoza y Fuente (Apartado 115), San Luis Potosí. I; I–4; II–1.
Umezawa, Sabas.—Cuitláhuac 16 Norte, Saltillo. I.
Unión Mercantil S.A.—Serapia Rendón 57, México, D.F. I–1.
Unión Química S.A.—Avenida Juárez 76, México, D.F. I.
Urias, César.—República Argentina 17, México, D.F. II–3.
Uyeno, Inosaku.—Coatzacoalcos, Veracruz. I–1.
Vanguardia.—México, D.F. I–1.
Vásquez viuda de Tautimer, María Jesús.—Avenidas 6a y 7a, Agua Prieta; and Rancho Rusballo, Colonia Morelos, Agua Prieta. II–1.
Veerkamp y Cía., Alfredo.—2a Mesones 21, México, D.F. I.
Vegeler, Guillermo.—Matamoros 1526 Poniente, Monterrey. I–1.
Veraza y Cía., J. J.—Artículo 123, México, D.F. I.
Viesca, Carlos (Jr.).—J. A. de la Fuente 116, Torreón. II–1.
Voigt, Hans Carl.—Monte Himalaya 510, México, D.F. I–3.
Volnie, Bernard.—República del Salvador 59, México, D.F. I–1.
Von Anderten, Bernardo.—Tapachula. I–2.
Von Bertrab, Othon.—Pasteur 303 Norte, Durango. I–2.
Von Humboldt, Baron W.—Gante 15, México, D.F. I.
Von Imhoff, Rupert.—Dr. Mora 9, México, D.F. I; I–4.
Von Richter, Hermann.—Avenida Uruguay 37, México, D.F. I.
Von Riegen, Arend.—13 Poniente 311, Puebla. I–1.
Von Riegen, Hans.—23 Sur 302, Puebla. I–1.
Von Rosendal, Bruno.—Isabel la Católico 40, México, D.F. I.
Von Schiebrugge, Franz.—Motolinía 20, México, D.F. I–1.
Von Tuerckheim, O. G.—Tapachula. I–2.
Von Watzdorff, Baron.—México, D.F. I.
Wabst, Alberto.—Avenida Morelos 125 Poniente, Monterrey. I–1.
Wakasugi, Kaname.—México, D.F. I.
Wakatsuki, Tuyoshi.—Manzanillo. I.
Wakida, Tosho.—Hidalgo 435, Guadalajara. I; II.
Wakida y Tsubuki.—Hidalgo 435, Guadalajara. I; II.
Wakido, T.—5 de Mayo 166, Mazatlán, Sinaloa. I–1.
Watanabe, Francisco.—Pedro Loza 19, Guadalajara. I.
Watanabe, G.—México, D.F. I–3.
Watanabe, Pablo Ch.—Matías Romero, Oaxaca. I–3.
Watanabe, Sinta.— I–1.
Wega, S.A.—México, D.F. I–2.
Wenner-Gren, Axel.— I.
Wenzel, Arthur.—Avenida Alvarado Obregón 178, México, D.F. I–2.
Weskott y Cía.—San Juan de Letrán 24, México, D.F. I.
Westphal, Hermann.—Uruguay 45, México, D.F. I–4.
Wettstein, Oscar.—Avenida Uruguay 5, México, D.F. I.
Widmaier Hermanos (en liquidación).—Huixtla. I–2.
Willms, Paul Otto.—México, D.F. I.
Woehler Bartning Sucrs.—Mazatlán. I.
Wolff, Guillermo.—Avenida Uruguay 51 (Apartado 1381), México, D.F.; and Guadalajara. I; II.
Wolff, Walter.—Torreón. I–4.
Wülfrath, Arturo.—Durango 138, México, D.F. I.
Xukuguachi, Santiago.—Chihuahua. I.
Yabuta, Kunio.—Madero 438, Mexicali. I.
Yabuta, R. K.—Mexicali. I.
Yakajama, Antonio.—Mexicali. I.
Yamada, Hector Y.—Galeana 221, Guadalajara. I; I–4.
Yamado, Mazato.—Navojoa. I–3.
Yamaguchi, Alameda F.—México, D.F. I.
Yamane, Antonio K.—Piño Suárez y Espinosa, Monterrey. I.
Yamasaki, Felipe.—Tapachula. I.
Yamashita, Teriyo Sinchara Tanaka.—Avenida 3a No. 110, Agua Prieta. I–1.
Yamashita Yanagi, Rikita.—Avenida 3a No. 110, Agua Prieta. I–1.
Yamate, Antonio K.—Monterrey. I.
Yamazi, Hiroko.—Manzanillo. I.
Yamazi, Kazuyuki.—Manzanillo. I.
Yamazi, Mazako.—Manzanillo. I.
Yamazi, Yoshimo.—Manzanillo. I.
Yanajara, H.—Navojoa. I–3.
Yanome, Ernesto M.—Guadalajara, Jalisco. I; II.
Yasuhara, S.—Tijuana. I.
Ychizu, Masahichi.—México 210, Ensenada. I–1.
Yesaki, Mario.—I. Garza 409 Poniente, Monterrey. I.
Yida, M. M. (Dr.).—Cananea. I–1.
Ykeo, H.—Cananea. I–1.
Ykeo, Shizuco viuda de.—Colonia Morelos, Agua Prieta. I–1.
Yokohashe, Enrique.—Ixtepec, Oaxaca. II–3.
Yokota, Shintaro Kotaki.—Minatitlán, Veracruz. I–3.
Yokoyama, Antonio.—Madero 369, Mexicali. I.
Yokoyama, José N.—Madero 436, Mexicali. I.
Yoshida, Josefina de.—Navolato, Sinaloa. I–1.
"Zapatería Lucerna".—Pedro Loza 19, Guadalajara. I–3.
Zawadski, Kurt.—México, D.F. I–1.
Zenzes, Alexander Montamus (Dr.).—Mayorazgo 1219 (Apartado 8807), México, D.F. II–3.
Zenses, Ernesto.—Mayorazgo 1219 (Apartado 8807), México, D.F. II–3.
Zepeda y Calderón, S. de R.L.—México, D.F. I–3.
Zuber, Carlos Lessee.—Manzanillo. I–1.
Zuzuki, J. K.—Navolato, Sinaloa. I–1.

NICARAGUA

Agencia Bayer.—Apartado 359, Managua. I.
Agencia Merck.[1]—Apartado 364, Managua. I.
"Alemania".[2]—Casa Colorada. I.
Almacén de 5 a 95 cts.—Managua. I.
Almacén "La Ganga".—Managua. I.
Arceyut y Cía., Ltda., Mercedes.—Managua. I.
Arnold, Otto.—Managua. I.
Bahlcke, Julio C.—Managua. I.
Bayer, Agencia.—Apartado 359, Managua. I.
Berewinkel, Kurt Gerhard.—Managua. I.
Bermúdez V., Manuel.—Managua. I.
Boehmer, Immo.—Apartado 114, Managua. I.
Brachti, Karl.—Managua. I.
Brigneti y Cía., Piero.—Managua. I.
Brockman y Cía., Ltda., F.—Managua. I.
Bunge, Rolf (Rudolf).—Managua. I–3.
Carpena, Felicísimo.—Managua. II–1.
Casa Geerz.—Managua. I.
Central American Trading Co.—Managua I.
"Chale Costa".—El Tamarindo, Paz Centro. I–3.
Comercial Nicaraguense Geerz Ltda., Cía.—Managua. I.
Danckers, Hugo.—Managua. I.
Deutsche Lufthansa A.G.—All branches in Nicaragua. I.
Eitzen, Ulrico.—Managua. I.
Eitzen y Arnold.—Managua. I.
"El Guayabal".—El Tamarindo, Paz Centro. I–3.
Eyl, Carl Hermann.—Managua. I.
Fiedler, Jorge.—León and Managua. I.
Fischer, Arthur.—Managua. I.
Fischer, Klaus.—Managua. I.
Geerz Ltda., Compañía Comercial Nicaraguense.—Managua. I.
Geier, Ana.—Granada. I.
Grimm, Eugenio José.—Managua. I.
Haaschke, ...—Managua. I.
Hammer, Ernesto.—Managua. I.
Harder, Richard.—Managua. I.
Hüper, Guillermo.—Matagalpa. I.
Hüper, Guillermo (hijo).—Matagalpa. I–1.
Kunze, Louis.—Managua. I.
"La Estrella de Nicaragua".—Managua I.
"La Joya Alemana" (Successors de F Beeger & Co.).—Managua. I.
Lang, Guillermo.—Managua. I.
Lang & Co., Ltd., Eugenio.—Managua. I.
Langschwager & Co., Hans.—Apartado 372, Managua. I.
Librería Hispano Americana.—Managua. I.
Möller, Pablo.—Jinotega. I–1.
Morlock, Fritz.—Managua. I.
Palazio, Alfredo.—Corinto. I–1.
Palazio, Carlos.—Corinto. I–1.
Palazio, Enrique.—Corinto. I–1.
Palazio, Luis.—Managua. I–1; I–3.
Palazio y Cía., Ltda., E.—Corinto. I–1.
Pérez Alonso, Carlos Manuel.—Managua. I.
Peter, Albert William.—Managua. I.
Peter, Oscar.—Managua. I.
Puschendorf, Eric.—Managua. I–1.
Puschendorf, Walter.—Managua. I–1.
Puschendorf y Cía., Ltda., M.—Managua. I.
Raven, Hans B.—Managua. I.
Recalde y Cía., Víctor.—Managua. I.
Reese, Hugo.—Matagalpa. I.

[1] Agents for E. Merck G.m.b.H., Darmstadt, Germany.
[2] Finca owned by Julio C. Bahlcke.

Reuter, Arthur.—Managua. I.
Reuter y Cía., Ltda., Arthur.—Managua. I.
Riedel, Willy.—Managua. I.
Siercke, Ernesto.—León. I.
Solorzano, Carlos.—Managua. I.
Souza & Co., Victor S.—Apartado 22, Managua. I.
Stein, Hans.—Managua. I.
"Tienda Alemana".—León and Managua. I.
Überseiszig, María de.—Managua. I.
Veit, Friederich.—Managua. I.
Vogts, William.—Managua. I.
Von Breymann, Guillermo.—Managua. I.
Wettstein, Hans Rudolf.—Managua. I.
Wilms, Oscar.—Managua. I.

PANAMA

Almacén "Miyako".—Avenida Central 108, Panamá. I.
Amano, Y.—Panamá. I.
Amano & Co., Ltd., Y.—Avenida Central 102, Panamá. I.
Atlantis, S.A.—Panamá. I.
Bata Shoe Co., Inc.—Apartado 1347, Panamá. I.
Bazaar "Tokyo".—Avenida Central 141, Panamá. I.
Casa "Japonesa".—Avenida Central 102, Panamá. I.
Central American Trading Co.—Avenida Central 47, Panamá; and Apartado 453, Ancón, Canal Zone. I.
Cerjack-Boyna, Eric O.—Calle 6 No. 17, Panamá. I.
Cunquero, Manuel.—Colón. II–5.
de Azevedo, Horacio V.—Panamá. I–1.
Dziuk, Augusto.—Ramón Valdés 1 (Apartado 599), Panamá. I.
Fotografía Laurenza.—Avenida Central 56 (Apartado 404), Panamá. I.
Grebien & Hauke.—Avenida Federico Boyd 6158, Colón. I.
Guerrero, Manuel.—Colón. II–5.
Hapag-Lloyd.—Colón. I.
Hara, Takeshi.—Panamá. I.
Hata, Hiromi.—Panamá. I.
Heidelk, Hans.—Panamá. I.
Hellinger Sucrs., M.—Calle "A" 8 (Apartado 31), Panamá. I.
Hess, Aurora Meléndez de.—Bolivar 4062, Colón. I.
Jabs, Herbert.—Calle "I" 4, Panamá. I.
Japanese Barbers' Association.—Panamá. I.
Kaufmann, Arno Wilhelm August.—Imperial Hotel, Colón. I.
Kirchner, Walter.—Ramón Valdés 1 (Apartado 755), Panamá. I.
Kohpcke & Neumann, Inc.—Avenida Norte 54, Panamá. I.
Lage-Schulte, H.—Avenida Balboa 10.-087, Colón. I.
Laurenza, Giuseppe.—Panamá. I–3.
Lloyd-Triestino "Italian" Line.—Cristóbal. I.
Nagao, N.—Panamá. I.
Nagao & Co., Inc.—Avenida Central 108, Panamá. I.
Nippon Trade Agency.—Panamá. I.
Papio, Angelo.—Calle 6 No. 7.025, Colón. I.
Papio, Miguel (Dr.).—Calle del Frente, Colón. I.
Sadahiro, Y.—Avenida Central 102, Panamá. I.
Schell, Albert.—Calle 18 No. 9.074, Colón. I.
Schering Kahlbaum A.G.—Panamá. I.
Schmidt, Walter.—c/o Hapag-Lloyd Agency, Colón. I.
Shiraishi, Miyuki.—Avenida Central 141, Panamá. I.
Snotomi, K.—c/o Y. Amano & Co., Ltd., Avenida Central 102, Panamá. I.
Toepser, George.—Calle 8 No. 6, Panamá. I.
Trute, Bernard (Sucesor de Trute Hermanos).—Avenida Norte 46, Panamá. I.
Trute, Hermanos.—Avenida North 46, Panamá. I.
Universal Drug Store.—Bolivar 4062, Colón. I.
Wegener, Sigfrido.—4 de Julio 8 (Apartado 1225), Panamá. I.
Yoshida, M. T.—Panamá. I.
Yoshida & Co., M. T.—Avenida Central 141, Panamá. I.

PARAGUAY

Bader, Teófilo G.—15 de Agosto 432, Asunción. I.
Ballasch, Enrique.—25 de Noviembre 130, Asunción. I–1.
Banco Germánico de la América del Sud.—Asunción. I.
Bernardes, Manuel.—Asunción. II–4.
Bodega Alemana.—Presidente Franco 160, Asunción. II–4.
Casa Nobilis.—Palma 158, Asunción. II–4.
Claude, José W.—Palma 531 y 14 de Julio 315, Asunción. I–1.
Confitería y Fiambrería "Felsina".—Palma 190, Asunción. I–1.
Cramer, Curt.—Presidente Franco 151, Asunción. I–2.
Deutsche Lufthansa A.G.—All branches in Paraguay. I.
Doljak, Antonio.—Palma 158, Asunción. II–4.
Doljak y Cía.—Palma 158, Asunción. II–4.
Egusquiza, J.—Asunción. II–4.
El Nacionalista.—Asunción. II–4.
Electro Técnica Alemana.—Palma 351, Asunción. I–1.
Farmacia la Catedral.—Palma 10, Asunción. I.
Ferretería Alemana, S.A.—Calle Catorce, Asunción. I.
Ferretería Universal, S.A.—Palma y Ayolas, Asunción, and all branches in Paraguay. I.
Fukuoka, Shortaro.—14 de Mayo 261, Asunción. I–1.
Grabow, Federico.—Asunción. I.
Grabow & Muller.—Estrella 288, Asunción. I.
Gran Hotel del Paraguay.—Mazzini y Domingo F. Sarmiento, Asunción. I–2.
Hahlweg, Arno.—General Díaz 258, Asunción. I–1.
Hotel del Lago.—San Bernadino. I–2.
"IPA" Sociedad Anónima.—Palma 349, Asunción, and all branches in Paraguay. I.
Jardín Japonés.—14 de Mayo 261, Asunción. I–1.
Jessen, Franz.—Palma 351, Asunción. I–1.
Klug y Cía.—Alberdi 120, Asunción. I–1.
Krauch y Cía. S.A., Federico.—Asunción, and all branches in Paraguay. I.
Lange, Walter.—Presidente Eligio Ayala 200, Asunción. I–2.
Lange y Aguilar.—Presidente Eligio Ayala 200, Asunción. I–2.
Laug, Otto.—Presidente Franco 160, Asunción. II–4.
Muller, Werner.—Asunción. I–1.
Pane, Juan (hijo).—Perú esquina 25 de Mayo, Asunción. I–1.
Porzio Hermanos.—Asunción. I.
Reider y Cía., F.—Calle Palma, Asunción. I.
Remmele y Cía.—Presidente Ayala 20, Asunción. I.
Roehrig, Juan Federico. Asunción. I.
Salum Hermanos.—Estrella 136, Asunción. II–4.
Scavone Hermanos, S.A.—Palma 10, Asunción. I.
Schorkau, Juan.—Asunción. I–1.
Staudt y Cía.—Asunción. I.
Stefani Agency, The.—Asunción. I–1.
Tintorería Tokio.—Colón y Gral. Díaz, Asunción. I–2.
"Transocean" Agency, The.—Asunción. I–1.
Tubos Mannesmann Soc. Ltda., S.A.—Benjamín Constant 215, Asunción. I.
Ueda, Teruichi.—Colón y Gral. Díaz, Asunción. I–2.
Vollrath, Guillermo.—4a Nueva 42, Asunción. I–2.
Von Stroeher, José.—Benjamín Constant 215, Asunción. I.
Weiler e Hijos.—Mazzini y Domingo F. Sarmiento, Asunción. I–2.
Wiske & Co., Juan.—Asunción. I.
Zanotti, Cavazzoni, Billi y Cía.—Presidente Franco 420, Asunción. I–2.

PERU

Aba, Sangoro.—Cuzco 787, Lima. I–2.
Abe y Hnos.—Hoyos 889, Lima. I–2.
Abey, T.—Carabaya 312, Lima. I.
Abiko, Y.—Lima 443, Miraflores, Lima. I–2.
Abratani, Y.—Palacio 204, Lima. I–2.
Adaniya, S.—Hualgayoc 352, Lima. I–3.
Adler, Richard.—Lima. I.
Agencia Marítima Kosmos.—Daniel Nieto 155 (Casilla 32), Callao. I–2.
Agencia Nacional de Representaciones S.A.—Lampa 680–A, Lima. II–3.
Agencias Unidas de Aduanas S.A.—Ucayali (San Pedro) 399, Lima; and Avenida República de Panamá 282, Callao. I.
Agrícola La Colmena S.A., La Cía.—Banco del Herrador 569, Lima; Ica; and Nazca. II–1; II–4.
Agrícola "Retes" Ltda., Soc.—Edificio Minería 420, Lima. I.
Agrícola San Bartolo, S.A., Soc.—Santa, Chimbote. II–3.
Agrícola Tanguche, Ltda., Soc.—Trujillo. II–4.
Agro-Química Peruana Ltda., Cía.—Junín 312, Lima; and Tingo María, Departamento de Huanuco. II–4.
Agua Mineral Chuquitanta.—Avenida Progreso, 965, Lima. II–1.
Aguino, Yoshiter.—General Garzón 840, Jesús María, Lima. I–2.
Aida & Co., A.—Lima. II–3.
Aimoto, Richard.—Motupe, Chiclayo. I–4.

Akagui, M.—Doña Elvira 872, Lima. I–4.
Akao, Jorge.—Arequipa. II–3.
Akarel, Shinki.—Lima. I–2.
Alalu, Nissim.—Judíos 246, Lima. I–2; II.
Albrecht, Heinz.—Arequipa and Cuzco. I–2.
Albrecht, Rotmann y Cía., S.A.—Carabaya (Filipinas) 587 (Casilla 1778), Lima. I.
Alemana de Vapores Hapag Kosmos, Cía.—Lima, and all branches in Peru. I–2.
Alisch, Berkeld.—José Gonzales 671, Miraflores, Lima. I–2.
Allemant, Santiago.—Lima. I–2; II.
Alvarez, Victor M.—Copacabaña 510, Lima. II–4.
Amano, Yoshitaro.—Apartado 1310, Lima. I–2.
*Amemiya, A. N.—S. Roca 1625, Lima. I; III.
Amemiya, Entoshi.—Lima. I–2.
Amemiya, K.—Lampa 587, Lima. I.
Amemiya & Co., A. N.—Jirón Sinchi Roca 1625, Lima. II–3.
Ameniya, Sigguenobu.—Lima. I–2.
American Representations S. A., Sucesores de F. S. Cockburn.—Lampa 663, Lima. II–3.
Amino, T.—Puno 1009, Lima. I–2.
Andrade, Jorge.—Lima. II–3.
Andress, Hans E.—Avenida Arequipa 3610, San Isidro, Lima. I.
Antigua Casa Holtig.—Carabaya 559, Lima. I–2.
Antigua Vidriería Santa Apolonia S.A.—Lampa 337, Lima. I–2.
Aoki, T.—San Vicente de Cañete. I–4.
Aral, J.—Hacienda Chúcupe, Chiclayo. I–4.
Arakaki, Juan.—Huacho. II–3.
Arakaki y Cía., Luis.—Santa. I–4.
Araki, G.—Cuzco 751, Lima. I.
Arana, Eduardo.—República 598, Miraflores (Casilla 1353), Lima. I.
Arashiro, S.—Sáenz Peña 512, Callao. I–2.
Aray, K. & S.—Ascope and Trujillo. I–4.
Aray, N.—Edificio Minería 420, Lima. I.
Arens, Ernesto.—Piura. I–2.
Arens, José.—Piura. I–2.
Arens & Lessel, S.A., Ltda.—Calle Libertad, Piura, and all branches in Peru. I.
Arias, Rodrigo.—Chiclayo. I.
Arima, Carlos.—Lima. I–4.
Arima & Co., K.—Trujillo. I.
Asano Bussan & Co., Ltd.—Máximo Abril 513, Lima. I.
Asca, Armando.—Iquitos 1129, Lima. II–4.
Azaida, C.—Huaral. II–3.
Azama, K.—Barranca. I–4.
Azuma, Rei.— I–2.
Baba, M.—Lima. I–1.
Balarezo Delta, Glicerio.—Camaná 459, Lima. I; II.
Banco Alemán Transatlántico.—Carabaya (Coca) 429, Lima; and Arequipa. I.
Bank, Friedrich (Dr.).—José Gonzales 539, Miraflores, Lima. I–2.

* Address added or changed with this revision.

Baños y Hotel de Churin. — Churin. II–3.
Bar Tokio.—Teatro 618, Chiclayo. I.
Barberis S.A., Hugo.—Cuzco. II–3.
Bauer, Fritz.— I–2.
Bayer S.A., La Química. — Avenida Brasil 198, Lima. I.
Bazaar de Novedades Ohmura.—Calle Marquez, Cuzco. II–3.
Bazaar Mishiyawa. — Calle Mantas, Cuzco. II–3.
Bazar Tokio.—Miraflores. II–3.
Becerra, Otilia.—Carabaya 1005, Lima. I–2.
Beck, Konrad.—Lima. I–2.
Benavides Gonzales, Augusto.—Bodegones 330, Lima. I.
Benavides & Co., Inc.—Bodegones 330, Lima. I.
Berenguer, Raul.—Cuzco 1053, Lima. II–1.
Berry, G. Harold.—Lampa 836, Lima. II–4.
Blume y Heiler. — Huancavelica 246, Lima. I–2.
Bodechtel, George. — Arequipa (San Marcelo) 325 (Casilla 82), Lima. I.
Bolivar S.A., Cía.—Inquisición 525, Lima. I–2.
Brándes y Cía., S.A., Guillermo.—Unión (Mercaderes) 529, Lima. I.
Bruning, Kurt.—Lima. I–2.
Brunke, Walter.—Avenida Grau 412, Miraflores, Lima. I–2.
Bullitta, Salvador Enologo.—Puno 364, Lima. II–3.
Burga Canales, R.—Camaná 574, Lima. I–2.
Burger, Hans.—Arequipa. I–2.
Burghardt, Alois.—Plateros de San Agustín 140, Lima. I–2.
Burghardt, Hans.—Pileta de La Merced 130 y Santa Cruz 773, Lima. I–2; II.
Buschmann, Federico.—Lampa 680–A, Lima. II–3.
Calderón, Julio O.—Judíos 254, Lima. II–1.
Calmet & Coloma.—Huanta 1008, Lima. II–3.
Cámara de Comercio Alemana.—Hotel Bolivar 610, Lima. I–2; II.
Campos y Cía.—Jirón Junín 569, Lima. II–1.
*Candela y Candela, Constantino.—Ayacucho (Antonio Miró Quesada) 396, Lima. I; II; III.
Casa Asahi.—Carabaya 312, Lima. I.
Casa Elva.—Camaná 505, Lima. II–3.
Casa Olympia, S.A.—Hotel Bolívar, Lima. I.
Casa Oshima.—Huaral. I–3.
"Casa Rayo Lux".—Lima. I–1.
Casa Rehder.—Unión (Mercaderes) 483, Lima. I.
Casa Welsch.—Unión (Mercaderes) 498, Lima. I.
Castillo, Jorge.—Mercaderes 498, Lima. I–2.
Central American Trading Co.—Edificio Wiese 504 (Casilla 1582), Lima. I.
Central Japonesa del Perú, Soc.—Abancay 570, Lima. I–2.
Chávez, Pedro.—Junín 442, Lima. I–1.
Chinen, M.—Huaral. I–4.
Cockburn, F.S.—Iquique 459 y Lampa 663, Lima. II–3.
Cockburn, Otto.—Lima. II–3.
Cockburn Hnos.—Lampa 663, Lima. II–3.
Colegio Japonés Mixto.—Huancayo. I–3.
Colibrí, S.A.—Unión (Espaderos) 586, Lima. I.
Comercial "Meta" S.A., Cía.—Carabaya 364, Lima. I.
Comercial Santa Rosa S.A., Cía.—Edificio Chiarella (oficina 24), Plaza San Martín 186, Lima. I–2.
Cooperativa Colonizadora del Perú, Soc.—Colinda con la Hacienda San Juan de Perené Puñitas, San Luis, Chanchamayo. I–2; II.
Cornejo, Guillermo R.—Avenida 2 de Mayo 945, San Isidro, Lima. I.
Cuadros, Neptalí.—Arequipa. I–2.
Daiko, T.—Ayacucho 309, Lima. I.
de Azevedo, Horacio V.— I–2.
Dedering, Carl.—Edificio Belén 3, Avenida Uruguay y Avenida de Los Incas 295, San Isidro, Lima. I.
De Freitas, Carlos.—Iquitos. I–4.
De la Cadena, Raquel.—J. Gonzales 280, Miraflores, Lima. II–1.
Demen, Guillermo.—Motupe, Chiclayo. I–4.
Deneumostier, Julio. — Camaná 505, Lima. II–3.
Desmotadora e Industrial de Huaral, Soc.—Edificio Minería 424, Lima. I.
Detgen, Paul.—Arequipa. I–2.
Detgen, Walter.—Cuzco. I–2.
Detgen & Barten, S.A.—La Merced 112, Arequipa, and all branches in Peru. I.
Deutsche Lufthansa A.G. Perú.—Lampa (Banco del Herrador) 587, Lima, and all branches in Peru. I.
*Deutz-Diesel.—Aparicio 173, Lima. II–1; III.
Diers, Wilhelm.—Lima. I–2.
Dohme, Alfred.—Lima. I–2.
Dohme, Walter.—Lima. I–2.
Dohme y Cía.—Lampa (Santa Apolonia) 318 (Casilla 162), Lima; and Miraflores, Lima. I.
Doy, Yoshiro.—Avenida Grau 485, Barranco, Lima. I–2.
Droguería Kato.—Paz Soldán 488, Lima. I.
Ehni y Cía., G.—Unión (Mercaderes) 498, Lima. I.
Einfeldt, Hans.—La Paz 608, Miraflores, Lima. I–2.
El Costurero, S.A.—Ucayali (Plateros de San Pedro) 105, Lima. I.
Emmel, Federico.—Arequipa. I–2.
Emmel, Walter.—Arequipa and Cuzco. I–2.
Emmel Hnos. S.A.—Mercaderes 410, Arequipa. I.
*Emmel S.A. Ltda., Fernando.—Puente Bolognesi 126, Arequipa; and San Juan de Dios, Cuzco. I; III.
Endo, Francisco.—Chimbote. I–4.
Endo, Kiyoshi.—Huallaga 677, Lima. I–2.
Endo, S.—Trujillo. I–2; II–4.
Endo, Toshio.—Lima. I–2.
Endo y Cía., N.—Ayacucho 1201, Lima. I.
Erba, Carlo.—Lima. II–1.
Erlenbusch, Heinrich.—Trípoli 263, Miraflores, Lima. I–2.
Fábrica de Anteojos.—Hoyos (Paruro) 870, Lima. I–2.

Fábrica de Artículos de Jebe.—Avenida Iquitos 1100, Lima. I.
Fábrica de Calzado Peruano S.A.—Casilla 65. Lima. I
Fábrica de Chocolates Bernina.—Olmedo 455, Lima. II–3.
Fábrica de Embutidos.—Carabaya 581, Lima; and Lima 554, Miraflores, Lima. II–3.
Fábrica de Jabón Pacocha.—Cajamarca 664, Lima. I.
Fábrica de Jabón Rosalinda.—Chávez 1341, Lima. I–1.
Fábrica de Jabón Unión.—Avenida Unión 214, Lima. I–2; II.
Fábrica de Tejidos de Punto Rex.—Lima. I–4.
Fábrica de Tejidos La Textilia S.A.—Avenida Iquitos 930 y 946, Lima. I; II.
Fábrica de Tejidos "Moll".—General Orbegoso 291 y Santa Apolonia 316, Lima. I; II.
Fábrica de Vidrios La Perricholi S.A.—Juan Castilla 186, Lima. I–2.
Fábrica Nacional de Lámparas Eléctricas "Diha", S.A.—Loreto 430, Lima. I.
Fábrica Nacional de Medias "El Inca", S.A.—Iquique 476, Lima. I.
Fábrica Nacional de Sombreros La Unión.—Caquetá 322, Lima. I–2.
Factoría Nacional S.A.—Avenida Grau 242–260, Lima. I.
Factoria Sakata.—Manco Capac 500, Callao. II–3.
Fernández, Alfredo.—Camaná 364, Lima. II–1.
Fernández Hnos. de R., Ltda.—Arequipa. II–3.
Ferretería y Vidriería Cuzco-Emmel Hnos. y Cía.—Cuzco. I–4.
Ferrostaal A.G. Essen.—Edificio Royal 403, Lima. I.
Fetzer, Emilio.—Lima. I–2.
Fleischer, Herbert.—Porta 419, Miraflores, Lima. I–2.
Fleischmann, Yoeno.—Callao 152, Lima. I–2; II.
Fleischmann Mayo y Cía.—Pasaje Olaya 162, Lima. I–2.
"Foto Agfa".—Carabaya (Coca) 409, Lima. I.
Frank, W.—Casilla 177, Arequipa. I.
Fuchiyama, M. K.—Huacho. I–4.
Fuji Trading Co.—Junín 429, Lima. I.
Fujii, H.—Pasco 781, Lima. I–2.
Fujii, S.—Pasco 781, Lima. I–2.
Fujimoto, Y.—Imperial. I–4.
Fujita, U.—San Luis de Cañete. I–4.
Fujiy, K.—Unión 518, Trujillo. I–2.
Fukuda, Victoria.—Huaral. II–3.
Fukunaga, Manuel.—Trujillo. I–3.
Fukuzawa, Marke G.—Tarma. I–3.
Fullimoto, Juan.—Imperial de Cañete. I–2.
Fullimoto, Y.—San Vicente de Cañete and Imperial de Cañete. I–4.
Furukawa, K.—Huacho. II–3.
Furuya, Angel K.—Mercaderes 136, Arequipa. I.
Furuya, Luis Y.—Mercaderes 136, Arequipa. I–2.
Furuya, Nicholás.—Mercaderes 136, Arequipa. I.
Furuya Tarabe, Miguel.—Mercaderes 136, Arequipa. I–2.
Furuya & Co., N. K.—Mercaderes 136, Arequipa. I.
Furuya y Cía, S.A., Ltda.—Huanta 1008, Lima. I.
Furuya y Cía, S.A., N. K.—Mercaderes 136, Arequipa. I–2.
Fusumada, Manuel.—Lima. I–4.
Fuyita, U.—San Luis de Cañete. I–2.
Ganter, J. Gerson.—Zela 155, San Isidro, Lima. I–2.
General de Anilinas S.A., Cía.—Edificio Minería (Casilla 1572), Lima. I; II.
General de Construcciones del Perú S.A., Cía.—Azángaro (Aldabas) 235, Edificio Gildemeister, Lima. I.
Gerberding, Bruno.—Avenida Uruguay 490, Lima. II–3.
Gerbolini, Flavio.—Unión (Mercaderes) 416, Lima. I.
Gerdt, Heinz.—Arequipa. I–2.
Giurato, Toto (Dr.).—Puno 297, Lima. I–2.
Gondo, Yoshi.—Imperial de Cañete. I–2.
Gorbitz, Max.—Real 51, Chiclayo. II–3.
Goto, Juan.—Avenida Iquitos 601, Lima. II–3.
Goto, T.—Junín y Grau, Trujillo. I–2.
Gottschalk, Heinrich.—Francia 687, Miraflores, Lima. I–2.
Grau, Hugo E.—Plaza de la Inquisición 569, Lima. I.
Grosse, Erich.—Lima. I–2.
Grosspietsch, Wolf.—Pasaje Sucre 151, Miraflores, Lima. I–2.
Gubbins, Reynaldo.—Lima. I–2.
Gubbins & Co.—Ayacucho (Antonio Miró Quesada) 341, Lima. I.
Gulda & Hillmann, S.A.—Ucayali (Estudios) 425–431 (Casilla 2792), Lima; and Arequipa. I; II.
Gunther, Adolf.—Arequipa. I–2.
Gushiken, K.—Lima. I–4.
Hachimine, S.—Lima. I–4.
Hachiya, Juan H.—Huancayo. I–3.
Hacienda Palpa.—Chancay. I.
Haedke, Curt.—Coronel Odriozola 125, San Isidro, Lima. I–2.
Hagestedt, H.—Unión (Mercaderes) 483, Lima. I.
Hagiwara, S.—Plaza de la Inquisición 569, Lima. I.
Hamamura & S. Ishii.—Real, Huancayo. I.
Hamamura y Cía.—Huancayo. I–3; II.
Hamann, A. C.—Abancay (Compás de la Concepción) 358 (Casilla 370), Lima. I.
Hamburg Amerika Linie.—Lima, and all branches in Peru. I–2.
Hapag Kosmos.—Lima, and all branches in Peru. I–2.
Harada, Sioyi.—Mercado Central, Lima. I–2.
Harbeck, Karl.—Lima. I.
Hardt, Engelbert.—Lima. I–2.
Hardt y Cía., E.—Ayacucho (Antonio Miró Quesada) 396, Lima, and all branches in Peru. I; I–4.
Hasegawa, D.—Lima. I.
Hasegawa, Kumataru.—San Pedro 52, Chiclayo. II–3.
Hasegawa, Y.—Jirón Trujillo 363, Lima. I–2.
Hashikawa.—San Pedro 52, Chiclayo. I.
Hashima, F.—Mercado Central, Nos. 43 y 57, Lima. I–2.
Hata, M.—Carabaya 415 y Arequipa 238, Lima. I.
Hatada, S.—Gamarra 423, Trujillo. I–2.
Hayakawa, Shotaro.—Avenida S. L. González 420, Chiclayo. II–3.
Hayashi, H.—Cuzco 787, Lima. I–2.
Hayashi, K. F.—Lima. I.
Hayashi, Kishiro.—Cuzco 787, Lima. I–2.
Hayashi, S.—Mercaderes 141, Arequipa. I–3.
Hayashi, Seich.i—Cuzco 787, Lima. I–2.
Hayashi & Co., E.—Cuzco 787, Lima. I.
Hayashida, Luis.—Juan Cuglievan 619, Chiclayo. I; II.
Hayashida, Tazuhiro.—7 de Enero 663, Chiclayo. II–3.
Hayashida, Toriki.—San José 614. Chiclayo. II–3.
Hayasida, Toriki.—San José 614, Chiclayo. II–3.
Haybara, Tadashi.—Parque Central 295, Miraflores, Lima. I; II.
Haybara, Tanomu.—Callao 214, Lima. I; II.
Henriod, Carlos.—Lima. I.
Hernández, Alejandro.—Avenida 2 de Mayo 455, San Isidro, Lima. I.
Heydtmann, Adolf.—Lima. I.
Hidaka, S.—Trujillo. I–2.
Higa, Gempo.—Chávez 1341, Lima. I–1.
Higa, Gitoko.—Teatro 711, Chiclayo. I.
Higa, Reisuke.—Lima. I–2.
Higa, Ryosei.—Ortiz 305, Lima. I; II.
Higa, Seise.—Ayacucho 1200, Lima. I–4.
Higa, Y.—Miraflores. I–4.
Higa e Hijo, M.—Jequetepeque, Pacasmayo. I–4.
Higa Hnos., José.—Huaral. II–3.
Higashida, K.—Lima. I–4.
Higashide, S.—Ica. I.
*Higuchi, M.—Pativilca. I–4; III.
Hilbeck, Kuntze y Cía., S.A.[1]—Pacasmayo. I; III.
Hirakawa, T.—La Oroya. I–4.
Hiraoka, K.—Esquina Ayacucho y Camarra, Trujillo. II–3.
Hirata, T.—Ayacucho 510, Trujillo. I–2.
Hirata Hnos., K.—Salaverry. I.
Hironaka, I.—Abancay 1099, Lima. I.
Hirose y Omura.—Arequipa. II–3.
Hishikawa, M.—Avenida Merino 2098, Lima. I–4.
Hishikawa, Vicente.—Juliaca. II–3.
Holle, Walter.—Lima. I–2.
Holle, Schrader & Co., S.A.—Huallaga (Concepción) 533 (Casilla 1857). Lima. I.
Horita, R.—Puno. II–3.
Horiuchi, Enrique.—Mercaderes 136, Arequipa. I.
Hotel Comercio.—Trujillo. I–2.
Hotel Europa.—Chiclayo. II–3.
Hotel International.—Trujillo. I–2.
Hubiaki, Pedro R.—Huaura. II–3.
Huchiyama, Asaichi.—San Pedro 50, Chiclayo. II–3.
Huchiyama, Muneichi.—Teatro 722, Chiclayo. II–3.
Huchiyama, Rafael.—Chiclayo. I–3.
Huchiyama, Tekeaki.—San Pedro 50, Chiclayo. II–3.

*Address added or changed with this revision.
[1] Name changed with this revision from Hilbck, Kuntze y Cía., S.A.

Huchiyawa, Soichi.—Teatro 722, Chiclayo. I.
Hutmacher, Wilhelm F.—Schell 634, Miraflores, Lima. I–2.
Ichikawa, Manuel.—Trujillo. I–4.
Ichino, R.—Pasaje Olaya 139, Lima. I.
Ide, Masatoshi.—Teatro 704, Chiclayo. II–3.
Ikeda, Julio.—Lima. I–4.
Ikeda, Victor.—Arequipa. I–4.
Ikehara, Santos.—7 de Enero 1107, Chiclayo. II–3.
Ikenaga, Victor.—Jauja. I–4.
Imafuku, Dairoki.—Lima. I.
Importadora, S.A.—Edificio Royal 404 (Casilla 2464), Lima. I.
Inafuko, Manuel.—Huaral. II–3.
Inamine y Hno.—Junín 460, Lima. I–2.
Inayoshi, Alejandro.—Colón 598, Callao. I–4.
Industrial Cauchifera Ltda., S.A., Cia.—Pacasmayo 276, Lima. II–3.
Inouye, Kuichi.—Ancash 556, Lima. I.
Inouye & Co., K.—Ancash 556, Lima. I.
Isayama y Cía., S.—Supe. I–3.
Isenbeck, Hans.—Avenida Arequipa 385, Miraflores, Lima. I–2.
Ishibashi, Kinzo,—Callao 540, Lima. I–2.
Ishibashi, M.—Callao. I–4.
Ishihara & Co.—Huacho. II–3.
Ishii, T.—Ayacucho 786, Lima. I.
Ishii Hnos. y Cía., Y.—Ayacucho 786, Lima. I.
Ishikawa, Luis T.—Ayacucho. I.
Ishimura, Santos.—Pisco. II–3.
Ishizawa, Julio.—Lima. I–2.
Isuji, Kizabro.—Lima. I–4.
Italia-Società Anonima di Navigazione.—Lima. I–2.
Iwai Co.—General Garzón 1147, Lima. I.
Iwanaga, Carlos.—Arequipa. II–3.
Iwasaki, S.—Pueblo Supe. II–3.
Jaeger, Wil H.—Lampa 669 (Edificio El Porvenir 231–233), Lima. I–1.
Jardín Tokio.—Miraflores, Lima. I–3.
Jayama, Alberto.—San Vicente de Cañete. I–2.
Jensen, Hans-Juergen.—Lima. I–2.
Jinguji, Keiguen.—Santo Domingo 707, Chiclayo. II–3.
Jiramatsu, T.—Lima. I–4.
Jitsukata, Tsuneyoshi.—Paruro 1053, Lima. I.
Jonda, S.—Andahuasi. I–4.
Jonda y Kasano.—Huacho. II–3.
Joyería Welsch.—Unión 498, Lima. I–1.
Kadena, Chigin.—Colmena 280, Lima. I–2.
Kadena, Chiko.—Colmena 280, Lima. I–2.
Kadena, Chitsu.—Colmena 280, Lima. I–2.
Kadena Hermanos y Cía., C.—Colmena 280, Lima. I.
Kakuda, Sogo.—Oroya. I–2.
Kakutani, S.—Tacna. I–3.
Kamichi Hnos., M.—Lima. I–4.
Kamita.—Ascope. I–2.
Kamiya, K.—Jirón Abancay 964, Lima. I–4.
Kanamori, Eduardo.—Lima. I–4.
Kanamori, S.—Lima. I–4.
Kanashiro, Antonio.—Santa. I–4.
Kanashiro, Eiko.—Teatro 719, Chiclayo. II–3.
Kanashiro, Kotaro.—Santa. I–4.
Kanashiro, S.—Junín 1800, Lima. I–2.
Kaneko, Kakuaki.—Huallaga 439, Lima. I.
Kanno, Unshiro.—Parque Central 349, Miraflores, Lima. I–2.
Kano, Naogiro.—Ascope. I–4.
Kasay, S.—Los Angeles. II–3.
Kasay, Takujei.[2]—Huacho. I–3; III.
Kato.—Cajabamba. I–2.
Kato, Chuhei.—Paz Soldán 488, Lima. I.
Kato, K.—Lima. I–4.
Katsuki, Yukiji.—Lima. I–4.
Kawahara, Carlos.—Ferreñafe. I–3.
Kawahara, Tamekichi.—Avenida Uruguay 189, Lima. I.
Kawahara Electric Co.—Avenida Uruguay 189, Lima. I.
Kawai y Hno., M.—Avenida Iquitos 1100, Lima. I.
Kawaii, Sogoro.— I.
Kawakama, S.—Pasco 781, Lima. I–2.
Kawamoto B., Asahi.—Cuzco 132, Lima. II–3.
Kawamoto y Cía.—Supe. I–3.
Kawamoto y Cía., S. en C., S.—Ucayali 706, Lima. I.
Kawanishi, Antonio.—La Huaca. I–4.
Kawasaki Kisen Kaisha "K" Line.—Lima. I.
Kawata, Luis.—Ica. I–4.
Kaway, Manuel.—Huancayo. II–3.
Kaway Hnos., M.—Avenida Iquitos 1100, Lima. I–4.
Kibune, Y.—Mercaderes 123, Arequipa. I.
Kichikawa, Katuji.—Teatro 613, Chiclayo. II–3.
Kichikawa, Takeo.—Sáenz Peña 233, Chiclayo. II–3.
Kigoshi, Alfredo.—Nepeña, Chimbote. I–4.
Kihara, Tomás.—Conquistadores 317, San Isidro, Lima. I–2.
Kikawa, Jorge.—Teatro 613, Chiclayo. I.
Kikigawa, D.—Juliaca. I–4.
Kikue de Eto.—Piura. I–3; I–4.
Kimata, G.—Cuzco 679, Lima. I.
Kimura, Sine.—San Pedro 95, Chiclayo. I.
Kishi, Hagime.—Lima. I–2.
Kitsuta Hermanos.—Trinitarias 701, Lima. I–2.
Kiyan, José.—Cuzco 159, Callao. I–2.
Kiyohara y Cía., Enrique.—Lima. II–3.
Klinge, Fritz H.—Carabaya 301, Lima. I–2.
Klinge, Kurt.—Lima. I–2.
Klinge y Cía., S.A. Ltda., F.[3]—Carabaya (Bodegones) 301 y Parque Central 341, Miraflores, Lima. I; I–2.
Klingenberger, H. W.—Carabaya (Coca) 409, Lima. I.
Kobayashi, H.—Cañete. II–3.
Kobayashi, M. Yosio.— I.
Kodata, I.—Casma. II–3.
Koepff y Cía., Wilhelm H.—Lima. I.
Kohatsu, Nirva.—Pasco 500, Lima. I–2.
Kohler, Hans.—Edificio Italia 302, Lima. I.
Koike, Juan S.—Junín 642, Trujillo. I.
Koike, Tsuneo.—Edificio Wiese 310, Lima. I.
Koisume.—Cajabamba. I–2.
Koisumi, Tomiji.—Casa Grande, Trujillo. I–4.
Konno, J.—Plaza Buenos Aires 873, Lima. I–4.
Konno, Pedro S.—Siete Jeringas 801, Lima. I–4.
Koster, Juan J.—Mollendo. II–1.
Krefft, Ernst.—Lampa (Banco del Herrador) 587, Lima. I.
Krefft, Erwin.—Lima. II–3.
Krefft, Richard.—Lima. I–2.
Kricke, Hans.—Unión (La Merced) 628, Lima. I.
Krisch, Albert Karl.—c/o Cía., Aurífera Nazca, Nazca. I–2.
Krumdiek, Oscar.—Hacienda Huacara, San Ramón-Tarma. I–2.
Kudo, José.—Candelaria. II–3.
Kudo, M.—Padre Jerónimo 401, Lima. I–2; II.
Kudo, Rokuichi.—Unión 522, Lima. I.
Kudo & Company, K.—Unión 522, Lima. I.
Kuhn, Paul.—Carabaya 581, Lima; and Lima 554, Miraflores, Lima. II–3.
Kuhn, Fábrica de Salchichas Paul.—Yungar 265, Lima. II–3.
Kuhn, Grifo Paul.—Pista Chosica primera cuadra, No. 228. II–3.
Kunckel, Erwin.—Los Fresnos 237, Orrantia, Lima. I–2.
Kuriaki, Tomás.—Chimbote. II–3.
Kurihara, Sazo.—7 de Enero 627, Chiclayo. II–3.
Kuriwara, K.—Huaral. I–4.
Kuroiwa, Juan.—San Luis de Cañete. I–2.
Kuroki, Jorge.—Chulucanas, Piura. I–4.
Kurotobi, T.—Ucayali 640, Lima. I.
Kurotobi y Cía., T.—Ucayali 640, Lima. I.
Kutsuma, José.—Conquistadores 200, San Isidro. I–4.
La Interamericana.—Casilla 868, Lima. II–3.
"La Mariposa".—Carabaya 312, Lima. II–3.
La Mercantil Ayacucho.—Ayacucho. I–2.
"La Papelera".—Junín (Zárate) 442 (Casilla 337), Lima. I; II.
La Pluma de Oro.—Huallaga 488, Lima. I.
La Química Bayer S.A.—Avenida Brasil 198, Lima. I.
La Rosa, Luis.—Esquivel. II–3.
"La Victoria". Fábrica de Jebe.—Avenida Iquitos 1100, Lima. II–3.
Labarthe y Durand, Luis A.—Ayacucho (Antonio Miró Quesada) 396, Lima. I.
Lahrius, Otto F.—Lima. I–2.
Leemhuis, Wert.[4]—Pasaje Ronald, oficina 111, Callao. I.
Lessel, C.—Piura. I–2.
Lessel, Karl.—Piura and Sullana. I–2.
Lima Nippo.—Lima. I.
Linder, Konrad.—Lima. I–2.
Linder y Hno. S.A., Konrad.—Puno (Bejarano) 250, Lima. I.

[2] Name changed with this revision from Kassy, Takujei.
[3] Not to be confused with Franko Klinge y Cía., S.A., Puno 268 (Apartado 452), Lima.
[4] Owner of Aux. M. V. *Ollanta*.

Llata, N.—Sullana. I–2.
Longo, Quinto M.—Unión 486, Lima. I–2.
Longo y Cía., S.A.—Colmena 323, Lima. I–2.
Lorenz, Willmar.—Alcanfores 1070, Miraflores, Lima. I–2; II.
Lucioni V. Sucesores, Carlos.—Arequipa. II–3.
Maeda, Akira.—Teatro 627, Chiclayo. II–3.
Maeda, J.—Huaral. II–3.
Maeda & Co., G.—Esperanza 269 y La Paz 306, Miraflores, Lima. I–2.
Maisch, Carlos.—Unión 1151, Lima. II–1.
Makimoto, José.—Pisco. I–4.
Makino, Kenzo.—Elías Aguirre 128, Chiclayo. II–3.
Makino, S.—Chicherías 432, Lima. I–4.
Malaspina, Alberto.—Lima. I–2.
Maoki, U.—Balta 119, Chiclayo. I.
Maoki y Cía., U.—Chiclayo. I–3; I–4.
Maruno, Manuel.—Caraz. II–3.
Masagi, Hatta.—Pisco. II–3.
Masamoto, Eduardo.—Sullana. I–2.
Masuda, S.—Capón 702, Lima. I–2.
Matayoshi, J.—Ica. I–4.
Matayoshi, K.—Constitución 794, Callao. I–4.
Matayoshi, Yoshiyuki.—Teatro, Chiclayo. II–3.
Matsubayashi, S., & F. Ikeda.—Lima. I.
Matsukawa, D.—Huaral. I–3.
Matsukawa, S.—Mercado 419, Callao. I–4.
Matsumoto, M.—Huaral. II–3.
Matsumoto, P. M.—Huacho. II–3.
Matsuoka, N. O.—Huaral. II–3.
Matsuura, H.—Mercado Central, puesto 66, Lima. I–4.
Matsuura, M.—Concepción 513, Lima. I–4.
Matuda, Víctor F.—Jauja. I–4.
Matusita, José.—Ayacucho 913, Lima. I.
Matuy, Sigueso.—7 de Enero 918, Chiclayo. II–3.
Matzumoto, Pedro M.—Huacho. I–4.
Mayshiro, G.—F. Pizarro 471, Lima. I–4.
Menozzi, Víctor.—Junín 329, Lima. I–2.
Mercaderías Peruanas S. A.—Inquisición 527, Lima. I–2.
Mercuriale, A.—Unión 486, Lima. II–1.
Mevius, Fritz.—Buenos Aires 185, Miraflores, Lima; and Jirón Carabaya 569, Lima. I.
Michelsen, Carlos.—Lima. I–2.
Michelsen, Luise.—Lima. I–2.
Michelsen y Cía., S.A.—Lima. I–2.
Miguita, Sando.—Puerto Supe. I–2.
Minagawa, U.—Huancayo. I–4.
Minami, Antonio.—Huacho. I–4.
Minera Cinco Cruces, Soc.—Ica. I–2.
Mirakami, Y.—Chimbote. I–4.
Mishima, T.—San Vicente de Cañete. I–2.
*Mishima y Cía., Juan T.—San Vicente de Cañete. I–3; III.
Mishina, Shoichi.—Lima. I–2.
Mishina & Co., S.—Azángaro 1017, Lima. I.
Mitsubishi Shoji Kaisha.—Edificio Wiese 310, Lima. I.
Mitsui Bussan Kaisha.—Lima. I.
Mitsui & Co., Ltd.—Plaza de la Inquisición 569, Lima. I.
Mitsumatsu y Hnos., V.—Cuzco 633, Lima. I–4.
Miura, J.—San Nicolás. I–4.
Miyagosuku, Enroku.—7 de Enero 1107, Chiclayo. II–3.
Miyagui, G.—Miraflores. I–4.
Miyakawa, H.—Zavala 594, Lima. I.
Miyakawa, Sadeshi.—Washington 476, Lima. I–4.
Miyake, Manuel.—Trujillo. I–4.
Miyamoto.—Ascope, near Trujillo. I–2; II.
Miyamoto, Jacinto C.—Paita. I–4.
Miyamoto, Juan.—Pisco. I–4.
Miyano, A. R.—Callao. I–4.
Miyasato, Antonio.—Callao. I–4.
Miyasato, T.—Angamos 1000, Lima. I–4.
Miyasato, Ushi.—Minas 200, Lima. I–4.
Miyasawa, Santiago.—La Oroya. I–3.
Miyashiro, Julio.—Huaral. II–3.
Miyashiro, R. S.—Lima. I–4
Miyata, Luis G.—Chimbote. I–4.
Miyazawa, T.—La Oroya. I–3.
Mizuarai, Kumaki.—Balta 62, Chiclayo. II–3.
Mizuta, N.—Lima. I–1.
Mizuta & Co.—Manoa 248, Lima, and all branches in Peru. I–1.
Mochizaki, José.—Ica. II–3.
Mochizu, Tombo.—Washington 402, Lima. I–4.
Mochizuki, Eduardo T.—Washington 402, Lima. I–2.
Mochizuki, F.—Urubamba 494, Lima. I–2.
Moebius, Luis Herbert.—Ica 258, Lima. I–2.
Molina, Máximo.—Chámbara. II–3.
Molino Oriental.—20 de Septiembre, Lima. I–2.
Moll, F. G.—General Orbegoso 291 y Santa Apolonia 316, Lima. I; II.
Momiy, R.—Huacho. I–3.
Momojara y Hno., J.—Huacho. I–4.
Moreno Vélez, Rafael.—Lampa 569, Depto. 229, Lima. I–1.
Morimoto, R.—Carabaya 415 y Arequipa 238, Lima. I.
Morimoto y Cía. S.A., I.—Carabaya 415 y Arequipa 238, Lima. I.
Morisaki, K.—Arequipa. I–2.
Morishigue, M.—Gamarra 621, Trujillo. I–2.
Moromisato, Ansey.—Lima. I–4.
Mosaka, M.—Huacho. I–4.
Moser, Hans Joachim.—Lima. I–2.
Mukakami, I.—Chimbote. I–4.
Munakata, K.—Chincha Alta. I–2.
Murakami, B.—Mercado de la Aurora 307, Lima. I–4.
Murakami, Eduardo.—Pativilca. I–4.
Murakami, Kitchitaro.—Huallaga 230, Lima. I–2.
Murakami Hermanos, S.—Esperanza 323, Miraflores, Lima. I–1.
Murakami & Hno., M.T.—Abancay 910, Lima. I–2.
Muraki, Pedro.—Tarma. I–3.
Muranaka e Hija, Fumi.—Tarma. I–4.
Murata, T.—Lima. I–4.
Murayama, Francisco.—Lima. I–4.
Murayama, R.—Máximo Abril 513, Lima. I.
Murayama, S.—Lima. I–4.
Murono, Gino.—Huallaga 488, Lima. I.
Murono, Monsuke.—Huallaga 488, Lima. I.
Murono y Cía., N.—Huallaga 488, Lima. I; II–5.
Muroy y Hnos., Y.—Ica 135, Lima. I–1.
Muta, Kanji.—Teatro 610, Chiclayo. II–3.
Muta, Mango.—Teatro 610, Chiclayo. I.
Muto, Yoshihisa.—Arequipa. I.
Nabeta, Alberto.—Lima 401, Lima. I–2.
Nabeta, Pedro.—Lima 401, Lima. I–2.
Nabeta, Tomio.—Lima 401, Lima. I–2.
Nacional de Papeles, S.A., Cía.—Junín 442, Lima. II–3.
Naeman, Andrey.—Lima. II–3.
Nagahama, Seshin.—Pisco. I–4.
Nagahata, José.—Lima. II–3.
Nagahata, T.—Huallaga 677, Camaná 244, Unión 110 y Caquetá 322, Lima. I–2.
Nagai, Chiri.—Lima. I–4.
Nagatami, T.—Huancayo. I–3.
Nagatani Hermanos.—Lima. I–1.
Nagatomi, T.—Luzuriaga 532, Lima. I–2.
Nagatsuna, Hideo.—Junín 312 y Montero Rosas 1154–B, Lima. II–4.
Naito, T.—Brasil 2058, Lima. I–2.
Nakaganeko, Shinei.—Teatro 719, Chiclayo. I.
Nakagawa, Masao.—Colón 648, Chiclayo. II–3.
Nakagawa, Yoshiro.—San Pedro 817, Chiclayo. II–3.
Nakagawa y Cía., T.—Callao. I.
Nakahara, S.—Sáenz Peña 542, Callao. I–2.
Nakajima, T.—Avenida Buenaventura Aguirre 399, Lima. I–2; II.
Nakamura, Ch.—Mercado Central, No. 80, Lima. I–2.
Nakamura, H.—Mercado 409, Callao. I–2.
Nakamura, Isuko.—Lima. I–3.
Nakamura, Manuel.—Jauja. I–3.
Nakamura, R.—Lima. I.
Nakamura, S.—Chiclayo. I–4.
Nakaneku, Sinei.—Teatro 719, Chiclayo. II–3.
Nakao, H.—Callao. I–4.
Nakasaki, Roberto.—Ferreñafe, Chiclayo. I–4.
Nakashima, K.—Mercado 553, Callao. I–2.
Nakawa.—Colón, Chiclayo. I.
Nakayama, Juan.—Jauja. I–3.
Nakazone, Roberto.—Jirón Trujillo 798, Lima. I–4.
Nakoyoshi, Choki.—José Olaya 181, Chorrillos. I–2.
Nebiolo Torino, Societá.—Camaná (Plumereros) 364, Lima. I.
Negociación Agrícola.—Huaral. I.
Negociación Comercial Chuquitanta, S.A.—Avenida Progreso 965, Lima. I–2.
Negociación Gerbolini, S.A.—Paseo República 299 (Casilla 68), Lima. I.
Nellen, Heinrich.—José Gonzales 665, Miraflores, Lima. I–2.
Neugebauer, Wilhelm.—c/o Emmel Hnos., S.A., Mercaderes 410, Arequipa. I.
Nippon Menka K.K.—Lima. I.

*Address added or changed with this revision.

Nippon Yusen Kaisha, "N.Y.K." Line.—Lampa 587, Lima. I.
Nishii & Co.—Pasco 781, Lima. I.
Nishino, Y.—Barranco. I–4.
Nishiyama, Antonio.—Caraz. II–3.
*Nishizawa, Kimiwo.—La Oroya. I–2; III.
Nochi, Takechi.—Pachitea 347, Lima. I–4.
Noeth, Hans.—Ccollacalle, Cuzco. I–2.
Nogumi, K.—Pativilca. I–4.
Nohara, Julio K.—Callao. I–4.
Nonegawa, José.—Supe. I–4.
Nonogawa, Pedro.—Puerto Supe. I–2.
Nonomiya, Genzo.—Lima. I–2.
Nonomiya, Motozo.—San José 306, Lima. I.
Nonomiya Shoten, S.A.—Junín 312, Lima. I.
Norddeutscher Lloyd.—Lima, and all branches in Peru. I–2.
Nose, M.—Pativilca. I–4.
Nottebohm, Claus.—Carabaya (Coca) 478, y Espinar 219, Miraflores, Lima. I.
Nottebohm Hermanos.—Lima. I.
Novata, H. & M.—Huacho. I–4.
Obara, N.—Barranca. I–4.
Oberrauch, Gustavo.—Hotel Bolívar, Lima. I.
Oda, Manuel.—Puno. I–4.
Oda, Yoshii.—Cuzco 724, Lima. I–2.
Ogata, Carlos.—Sandia 277, Lima. II–3.
Ogata, José H.—Jauja. I–4.
Ogata, M. T.—Supe. I–4.
Ogata, T.—Lima. I–4.
Ogata, Zenegaro.—Guadalupe. I–4.
Ogata y Cía., Alberto K.—Sandia 254–278, Lima. II–3.
Ogawa, Kenho.—7 de Enero 500, Chiclayo. II–3.
Ogawa & Co., Jorge.—Parque Russo, Santa Inés, Chiclayo. I; II.
Ogura, Juan C.—Paruro 870, Lima. I.
Ogura Hermanos.—Paruro 883, Lima. II–4.
Ohashi, Taro.—Miraflores, Lima. I–2.
Ohmuro, M.—Cuzco. II–3.
Ojasi, José.—Jauja. I–3.
Okabe, Miguel.—Ica. I–4.
Okada, N.—Huaral. I.
Okada, S.—Paita 204, Lima. I–4.
Okamoto, Seijiro.—Carabaya 102–719, Lima. I.
Okashi, Yasuiko.—Huallaga 488, Lima. I.
Okihiro, Victor M.—Tarma. I–3.
Okinaka, Angel N.—Arequipa. I–3.
Okinaka, Miguel.—Piérola 312, Arequipa. I–2.
Okinaka y Cía., Angel N.—Piérola 312, Arequipa. I.
Okugawa, T.—Cuzco 665, Lima. I.
Okugawa, Y.—Huancayo. I–3.
Okugawa & Company.—Cuzco 665, Lima. I.
Okura & Co.— I.
Okuyama, Julio K.—Urubamba 455, Lima. I.
*Olivos, Waldo.—Cuzco 225, Lima. II–1; III.
Omori, Carlos K.—Almirante Guisse 840, Lima. I–4.
Omuro, Z.—San Nicolás. II–3.

*Address added or changed with this revision.

Onaga, M.—Avenida Progreso 857, Lima. I–4.
Onaga Hno., R.—Huallaga 794, Lima. I–4.
Onari, Alberto K.—San Ramón. I–3.
Optica Moderna.—Hoyos 854, Lima. I–3.
Orihashi, Samuel.—Morococha. I–4.
Orihuela, Mariano.—Cuadra 15, Avenida Brasil, Magdalena Bieja, Lima. I–1; II.
Oshima y Cía., J.—Huaral. I–4.
Oshiro, Eduardo Y.—Mercado 436, Callao. I–2.
Oshiro, M.—Mercado 407, Callao. I–2.
Oshiro, R. S.—Callao. I–4.
Oshita, Saichi.—Huacho. I–3.
Osokawa, A.—Pasco 781, Lima. I–2.
Ostendorff, C. A.—Piura. I–2.
Ostendorff, Walter.—Piura. I–2.
Ostern, Franz Ludwig.—Lima. I–2.
Ostern & Co., S.A.—Lampa (Banco del Herrador) 587, Lima. I.
Ota, Enrique E.—Puno. I–4.
Otani y Cía., T.—Unión 441, Lima. I.
Otten, Ernesto.—Avenida Arequipa 399, Lima. I–2.
Otten y Cía. S.A.—Plaza San Martín 130, Lima. I.
Ouchi, K.—Huallaga 419, Lima. I.
Oyakawa Hnos., Y.—Avenida Alfonso Ugarte 1374, Lima. I–2.
Oyama, F. K.—Chiclayo. I.
Pacific Trading Company.—Lima. I.
Paez, Federico E.—Arequipa 263, Lima. II–3.
Palacios, Gerardo.—c/o La Química Bayer S.A., Lima. I–4.
Penzhorn, Adolf.—Carabaya (Coca) 478, Lima. I.
Perazzo & Cañedo.—Ocoña 242, Lima. I–1.
Perú Jiho.—Lima. I.
Perú Kyoikukai.—Francia 100, Lima. I–2.
Perú Menka Kabushiki Kaisha.—Pasaje Olaya 139, Lima. I.
Peruana de Comercio Intercontinental S.A., Ltda., Cía.—Plaza San Martín 181, Edificio Talleri 308 (Casilla 2137), Lima. I.
Ponce de León, Oscar.—Lima. I–4.
Preutsky, Jaime.—Avenida Progreso 977, Lima. II–1.
Radio Distribuidora Telefunken Unión, S.A.—Unión 790, Lima. I.
Raschig, Fritz Paul.—Lima. I–2.
"Retes" Ltda., Sociedad Agrícola.—Edificio Minería 420, Lima. I.
Rhonhof, H. Schultze.—Libertadores 310, San Isidro, Lima. I.
Richter, Adolfo.—Chiclayo. II–3.
Riedner, Tobias.—Banco Alemán Transatlántico, Lima; and Cantuarias 374, Miraflores, Lima. I–2; II.
Rittermann, S.A., Hans G.—Azángaro (Aldabas) 235, Lima. I.
Rivera O., Manuel.—Arequipa. I–2.
Rodríguez, Manuel.—Arequipa. I–2.
Roedenbeck, Ernesto J.—Avenida Arequipa 4160, Lima. I–1.
Roedinger, H.—Ica. I–2.
Roedinger y Cía., S.A., H.—La Mar 272, Ica, and all branches in Peru. I.
Rojas Gallo, Alejandro.—Sáenz Peña 185 (Casilla 145), Callao. I.
Rosell de Cárdenas, Wenceslao.—Hotel Bolívar 684 y Carabaya 1005, Lima. I–2.
Rosell y Cía.—Carabaya 1005, Lima. I–2.
Rotmann, Franz.—Carabaya (Filipinas) 587, Lima. I.
Ruiz Eldredge, Godofredo.—Avenida Petit Thouars 1033, Lima. II–1.
Ruiz de Beracoechea, Pablo.—Lima. I–2.
Ruiz de Somocurcio, Torcuato.—Mercaderes 136, Arequipa. I–2.
Rushimito, Pedro.—Chimbote. II–3.
Sachs, William E.—Lima. I–2.
Saiki, F. S.—Mollendo. I.
Saiki, Masao.—Apartado 13, Tacna. I–2.
Saiki Hnos.—Casilla 354, Arequipa; and Mollendo. I–2.
Saisho, S.—Avenida Olaya 217, Chorrillos. I–4.
Saito, Isami.— I–2.
Saito, Y.—Portal de Botoneros 118, Lima. I.
Sakaguchi, Antonio.—Cuzco 774, Lima. I–2.
Sakaguchi, S.—Pativilca. I–4.
Sakai, Santiago.—Gálvez 323, Callao. I.
Sakamoto, K.—Puno 650, Lima. I–2.
Sakanishi, Takiji.—Teatro 608, Chiclayo. I.
Sakata, F. K.—Azángaro 1017, Avenida Uruguay 135 y Abancay 1051, Lima. I; I–2.
Sakata, Faustino T.—Sáenz Peña 327, Callao. I.
Sakata, S.—Lima. I–2.
Sakay, Toshiichiro.—Cuzco 787, Lima. I–2.
Salazar, Juan Andrés,—Casilla 67, Lima. I–1.
Salinas, Augusto.—Piérola 415, Arequipa. II–1.
Salón Tokio.—Camarra 508, Trujillo. II–3.
Sampei, U.—Huacho. I–4.
Sasaki, E.—Gamarra 625, Trujillo. I–2.
Sasaki, S.—Huancavelica 141, Lima. I–1.
Sato, A. D.—Teatro 611, Chiclayo. I.
Sato, Ch.—Barranca. I–2.
Sato, Naokichi.—Siete Jeringas 870, Lima. I–4.
Sato, T.—Angamos 1514, Lima. I.
Sato & Co., José H.—Junín 273, Lima. I.
Sato & Company, Roberto M.—Urubamba 590, Lima. I.
Sauter, Werner.—Junín 442, Lima; and Larco 768, Miraflores, Lima. I–2.
Sauter & Lahrius.—Junín (Zárate) 442 (Casilla 337), Lima. I; II.
Sawao, Y.—Samanco, Chimbote, and all branches in Peru. I; II; II–3.
Saxonia Import Co., S.A.—Ica (San Agustín) 258 (Casilla 161), Lima. I.
Schaller, August.—Lima. I–2.
Schriever, Hans.—Lima. I–2.
Schriever, Paul.—Lima. I–2.
Schroder, Willy.—Ica. I–2.
Schroeder, C. M.—Avenida Unión 214, Lima. I–2.
Schultze-Rhonhof, H.—Libertadores 310, San Isidro, Lima. I.
Seeger, Albrecht.—San Martín 583, Miraflores, Lima. I–2.
Seo y Cía., M.—Nazarenas 598, Lima. I–3.
Shibata, T.—Esquivel. II–3.
Shibayama, Yuzo.—Puno 623, Lima. I.
Shiga, Y.—Jauja. I–4.
Shigueta, M.—Pativilca. I–4.

Shigyo, E.—Abancay 1091, Lima. II–3.
Shijo, Miguel.—Jauja. I–4.
Shikima, S.—Jirón Sucre 299, Callao. I–4.
Shima, M.—Virú. I–2.
Shima Hnos.—Virú, Trujillo. I.
Shimabuko, Julio.—Huaral. II–3.
Shimabuku, K.—Mercado 242, Callao. I–4.
Shimbo, Adoriano.—Casapalca. I–4.
Shimizu, M. Y.—Arequipa. I.
Shimizu, N.—Lima. I–1.
Shimizu, S.—Lima. I–1.
Shimizu, T.—Lima. I–1.
Shimooda, Carolina C. viuda de.—Chimbote. I–4.
Shimooka y Cía., Harso.—Trujillo 439, Lima. I–4.
Shimura & Co., T.—Callao 214, Lima. I.
Shingaki, T.—Huaral. I–4.
Shinkawa, Yashiro.—Abancay 1191, Lima. I.
Shinkawa, Agencias Llantas.—Abancay 1191, Lima. I–2.
Shinke, S.—Huaral. I–4.
Shinke, T.—Ucayali 706, Lima. I–2.
Shintani, K.—Puno 650, Lima. I–1.
Shinya, K.—San Luis de Cañete. I–4.
Shinzato, Roberto C.—Avenida Sáenz Peña 532, Callao. I–2.
Shinzato, S.—Mercado 435, Callao. I–4.
Showa Tsusho Kaisha.— I.
Shumabuko, K.—Callao. I–4.
Sindicato Explotador de Sayapullo.—Departamento de Cajamarca. I–1.
Singelmann, Martin S.—Mollendo. I–2.
Singelmann y Cía.—Arequipa 17–19 (Casilla 46), Mollendo. I.
Sironoshita, K.—San Nicolás. II–3.
Sivata, H.—Trujillo. I–4.
Snotomi y Cía., K.—Lima. I.
Soken, C.—Callao. I–4.
Soken, M.—Mercado 467, Callao. I–2.
Southern Cotton Company, S.A.—Ayacucho 309, Lima. I.
Spickernagel, Willy (Dr.).—Colmena 550, Lima; and Avenida 28 de Julio 639, Miraflores, Lima. I–2.
Sprinenmoller, Fritz A.—Avenida Goyeneche 312, Arequipa. I–2.
Stammer, Alfredo.—Junín 331, Lima; and Manco Capac 648 y Trípoli 345; Miraflores, Lima. I–2.
Standke, Guillermo.—Lampa 337, Lima. I–2.
Stein Abrill, Alfonso.—Mercaderes 136, Arequipa. I–2.
Steindl, Armin.—Cuzco. I–2.
Strassberger, Emil.—Iquitos. I–2.
Strassberger & Co., E.—Malecón Tarapacá Iquitos. I.
Sturmann, H.—Jirón Callao 326 y Juan Fanning 561, Miraflores, Lima. II–3.
Suárez Sauri, F.—Callao 327, Lima. I–1.
Suchiro, José.—Lima. I–4.
Suenaga, José H.—Canta 735, La Victoria, Lima. II–3.
Suetomi, K. T.—Lima. I–2.
Suetomi y Cía., K. T.—Camaná 224, Lima. I.
Sueyoshi, K. M.—Avenida Grau 388, Barranco, Lima. I–2.
Sugano, Y.—Huacho. I–4.
Suguimoto, Ch.—Mercado 416, Callao. I–2.
Suguiyama y Cía., Siguero.—Pachitea 345, Lima. I–4.
Sunohara, K.—La Oroya. I–3.
Susuki, S.—Abancay 1062, Lima. I.
Susuki y Cía., I.—Abancay 1062, Lima. I–4.
*Suva, Jorge K.—28 de Julio 499, Huacho. I; III.
Suzuki, Y. F.—Manco Capac 155, Lima. I–3.
Suzuki Hermanos.—Huancayo. I.
Tabata, S.—Ayacucho 786, Lima. I.
"Taibo", Sociedad Anónima.—Edificio Royal 210, Lima. I.
Taisho & Company.—Pasco 321, Lima. I.
Tajara, Antonio.—Pisco. I–4.
Takajara, J.—Arequipa. I–4.
Takahashi, H.—La Oroya. I–3.
Takahashi, K.—La Oroya. I–3.
*Takahashi, S.—Lima. I; III.
Takahashi, Tuzin.—San Pedro 160, Chiclayo. II–3.
Takahashi y Hnos., Ricardo.—Abancay 554, Lima. I.
Takano, K.—Lima. I–4.
Takano y Hnos., Augusto H.—Jirón Abancay 902, Lima. I–2.
Takata, Víctor.—Cuzco 777, Lima. I–4.
Takayanagui, J.—Lima. I–4.
Takei, Shizuko.—Cuzco 724, Lima. I.
Takei, Turaken.—Cuzco 724, Lima. I–2.
*Takizawa, Sadao.—La Oroya. I–4; III.
Takuma, Masaki.—Ucayali 699, Lima. I.
Tamura y Cía., S.—San Camilo 227, Arequipa. I.
Tanabe, Regi.—Pacasmayo. I–4.
Tanabe, Reikichi.—Unión 522, Lima. I–2.
Tanaka, Carlos.—Chepen, Pacasmayo. I–4.
Tanaka, F.—Lima. I–4.
Tanaka, Guillermo.—Canta 1195, Lima. I.
Tanaka, Koko.—Lima. I–3.
Tañaka, R.—7 de Enero 1001, Chiclayo. I.
Tanaka, S.—Paruro 372, Lima. I–2.
Tanaka, Shigetaro.—General Garzón 1147, Lima. I–2.
Tanaka, Yoshida.—Puno. I–4.
Tanaka y Cía., K.—Huacho. I–3.
Tanji, Luis.—Huacho. II–3.
Taniguchi, Keido.—Casma. I–3.
Taniguchi, Nabuo.— I.
Taniguchi, Tadao.—Lima. I.
Taniguchi y Cía., T.—Huallaga 230, Lima. I.
Tanoue, José.—Ica. II–3.
Tao, Julio.—Ancash 781, Lima; and Pizarro 706, Trujillo. I; I–2.
Tao, Segundo.—Cascas. I–2.
Tatejita, Ituji.—7 de Enero 918, Chiclayo. II–3.
Tchiki, Yoshitaro.—Casa Dall'Orso, Chiclayo. II–3.
Tealdo, H. L.—Unión 1151, Lima. II–1.
Técnica Ibero-Americana S.A., Cía.—Ayacucho (Antonio Miró Quesada), 396, Lima. I.
Telefunken Unión S.A., Radio Distribuidora.—Unión (Baquijano) 790, Lima. I.
Teruya, S.—Lima. I–4.
Teuber, Heinrich.—Lima. I–2.
Thomsen, Fritz.—Unión (La Merced) 636, Lima. I.
Tidow, Juan.—Malecón Reserva 121, Miraflores, Lima. I.
Tidow y Cía, S.A., Ltda., Juan.—Cajamarca (Arco) 664 y Camaná (Plumereros) 341, Lima, and all branches in Peru. I.
Tiendas Americanas.—Unión (La Merced) 628, Lima. I.
Tochiu, Octavio.—Arequipa. I–3.
Todohuara, José.—Lima. I.
Toghashi, Goro.—Pativilca. I–4.
Toguita, H.—Ancash 510, Lima. I.
Tokutake & Kawakami.—San Vicente de Cañete. I.
Tomijama, S. A.—Huacho. II–3.
Tomiji, Nishio.—Lima. I–2.
Tominaga, Roberto.—Huacho. II–3.
Tomioka, Antonio.—La Oroya. I–4.
Tomita y Cía., I.—Guadalupe 1027, Lima. II–3.
Toriu, Turukichi.—Colegio Japonés, Chiclayo. II–3.
Tosa, Alberto.—Hacienda Vilcahuaura, Huacho. I.
Toum, Hans.—Pasaje Olaya 104, Lima. I–2.
Toyomura, Tomokichi.—Balta 157, Chiclayo. II–3.
"Transocean".—Lima. I.
Tschischke, Federico.—Mercaderes 121, Arequipa. I–2.
Tsuboyama, Carlos Y.—Arequipa 695–699 y 501–505, Lima. I–4.
Tsuchida Yoshitaro.—Paruro 1101, Lima. I.
Tsuchikame, J. T.—Hoyos 848, Lima. I–4.
Tsuchiya Hnos.—Unión 100, Lima. I–4.
Tsuchiya Hnos., S.—Cuzco 400, Lima. I.
Tsukayama, T.—Huaral. I–4.
Tsushio & Co.—Pasco 321, Lima. I.
Tsuyama, K.—Plateros de San Agustín 187, Lima. I–3.
Tudela, Rosa.—Arequipa. II–3.
Uchida, K.—Lima. I–3.
Uchimi, S.—Doña Elvira 1100, "La Confianza", Lima. I–4.
Uchiyama, H.—San Pedro 50, Chiclayo. I.
Uchiyama, Juan.—Huancayo. II–3.
Uchiyama, Rafael.—Chiclayo. I–4.
Ueda, A. K.—Jauja. I–4.
Ueda, Ysabro.—7 de Enero 1119, Chiclayo. II–3.
Uesu, Ysuhiro.—Avenida Grau 99, Barranco. I–4.
Uesugi, A.—Huallaga 307, Lima. I.
Ugamoto, K.—Concepción 535, Lima. I–2.
Ujike, S.—Abancay 700, Lima. I–4.
Umetzu, Miguel Z.—Avenida Manco Capac 598, Lima. I–4.
Unión Comercial Peruana-Alemana S.A.—Pasaje Olaya 104, Lima. I.
Uruma, Yasuji.—Huanta 541, Lima. I.
Usauro, Maoki.—7 de Enero 918, Chiclayo. I.
Ushida, Jorge.—Teatro 627 y 701, Chiclayo. I.
Ushida & Company, Jorge.—Chiclayo. I.
Utsunomiya, Augusto A.— I–2.
Uyehara, Eizo.—Teatro 618, Chiclayo. I.
Vargas, Ambrosio.—Arequipa. I–2.
Vásquez, Virgilio.—Lima. I.
Verein Germania.—Ucayali 224, Lima; Bolívar 488, Miraflores, Lima; and all branches in Peru. I–2.

*Address added or changed with this revision.

Vetter, Arthur.—Camaná (General La Fuente) 574, Lima. I.
Vier, Erich.—Ayacucho 410, Lima. I-2.
Vier y Galván S.A. Ltda.—Ayacucho (Botica de San Pedro) 410, Lima. I.
Vinicula Primor S.A., Cía.—Jirón Sinchi Roca 1625, Lima. II-3.
Vogler & Rieckhof.—Iquitos. II-1.
Von Breymann, Eduardo.—Atahualpa 448, Miraflores, Lima. I-2.
Von Buch, Hans Chr.—Edificio Wiese 428 (Apartado 715), Lima. I.
Von Massenbach, G. W.—San Agustín 301, Surquillo, Lima. I-2.
Von Oldershausen, Eberhard.—José Gonzales 675, Miraflores, Lima. I-2.
Von Siemens, Walther.— I-2.
Von Steinitz, Kurt.—Lima. I.
Wada, Francisco.—Arequipa. I-3.
Wakamatzu, Ichisi.—La Viña, Chiclayo. I-4.
Wakao, S.—Avenida Manco Capac 317, Lima. I-2.
Watanabe, Chesabure.—Sayán. I-3.
Watanabe, E.—Cascas. I-2.
Watanabe, José M.—El Alto. I-4.
Watanabe, Ricardo.—La Huaca, Piura. I-4.
Watanabe, Roberto.—Callao. I.
Watanabe y Cía., Kenzo.—San Vicente de Cañete. I-2.
Watano, Y.—Lima. I.
Wehner, Ernst.—La Mar 170, Miraflores, Lima. I.
Weisaki, Alfredo.—Ferreñafe, Chiclayo. I-4.
Weiss, Karl.—Chiclayo. II-3.
Wenner-Gren, Axel.— I.
Wenzel, F.—Sáenz Peña 550, Balneario La Perla, Callao. I.
Westermann, Karl Richard (Dr.).—Jorge Chávez 699, Miraflores, Lima; and Ayacucho 113, Depto. 214, Lima. I-2.
Woyke, Carlos.—Chiclayo. I-2.
Woyke y Cía., Sociedad Anónima Comercial e Industrial.—Elias Aguirre 102, Chiclayo. I.
Wuest, Willy.—Lima. I-2.
Wust, Hermann.—Lima. I-2.
Yabiku, M.—Junín 582 y Pasco 568, Lima. I-2.
Yabuki, T.—Casilla 316, Trujillo. I.
Yagihashi, Carlos U.—Huaral. I-4.
Yagihashi & Okada.—Plaza de Armas 117, Huaral. I-2.
Yagui, Seizon.—Huacho. I-4.
Yakabi, S.—Huacho. II-3.
Yaki, M.—Zárate 489, Lima. I-2.
Yamada, Hisbask[1].—Avenida Manco Capac 251, Lima. II-3.
Yamada, Koso.—7 de Enero 1601, Chiclayo. II-3.
Yamada, N.—Supe. I-2.
Yamaguchi, Sinkichi.—7 de Enero 1107, Chiclayo. II-3.
Yamakawa Hermanos.—Moquegua 811, Lima. I-2.
Yamamoto, Jitsuo.—Huallaga 278, Lima. I.
Yamamoto, Juan.—Elías Aguirre 238, Chiclayo. I.
Yamamoto, Juan.—Pisco. I-4.
Yamamoto, Kaichi.—Abancay 1062, Lima. I.
Yamamoto, T.—Lima. I-4.
Yamamoto & Susuki.—Abancay 1062, Lima. I.
Yamanaka, S.—Ayacucho 867, Lima. I.
Yamanaka y Cía., Y.—Ayacucho 867, Lima. I-4.
Yamasaki Hnos., T. F.—Avenida Manco Capac 141, Lima. I-2.
Yamashiro, Kotoku.—Balta 310, Chiclayo. II-3.
Yamazato Hnos.—Avenida Arica 330, Lima. I-4.
Yanagui, Carlos.—Chiclayo. I-4.
Yanay, Y.—Chimbote. I-4.
Yáñez, Víctor.—Caridad 670, Lima. II-1.
Yano, S.—Mercado 6, Barranco. I-4.
Yasaki, Jorge.— I-2.
Yashiro, Daniel.—Chongoyape, Chiclayo. I-4.
Yasuda, Y.—Trujillo. I-4.
Yata, Francisco K.—Sullana. I-4.
Ychikawa, Y. S.—Huallaga 677, Camaná 244, Unión 110, y Caqueta 322, Lima. I.
Ychikawa & Company, K.—Lima 401, Lima. I.
Ychikawa & Co., S.A., Y. S.—Huallaga 677, Camaná 244, Unión 110, y Caqueta 322, Lima. I.
Ydogawa, Yesada.—San Pedro 108, Chiclayo. II-3.
Yogui Hno., Jitsusei.—Lima. I-4.
Yokota, Francisco S.—Lima. I-4.
Yonamine, H.—Mercado 420, Callao. I-2.
Yonamine, S.—Mercado 406, Callao. I-2.
Yonekure, Antonio R.—Imperial de Cañete. I-2.
Yoneyama, K.—Jirón Azángaro 974, Lima. I-4.
Yoshida, Ishitaro.—Elías Aguirre 128–130, Chiclayo. I-2.
Yoshida, Juan.—San Vicente de Cañete. I-2.
Yoshida, Kakuo.—Elías Aguirre 128–130, Chiclayo. I-2.
Yoshida, Tatuki.—Teatro 627, Chiclayo. II-3.
Yoshida, Yojio.—Elías Aguirre 128–130, Chiclayo. I-2; II-3.
Yoshida, Ota & Co.—Jirón Trujillo 401 y 405, Lima. I-2.
Yoshida, Tanaka y Cía.—Puno. I-4.
Yoshida y Cía., Y. S.—Elías Aguirre 128–130, Chiclayo. I.
Yoshika, Rikimatu.—Sullana. I-2.
Yoshika, Uichi.—Teatro 627, Chiclayo. II-3.
Yoshimoto, Francisco.—Tarma. I-4.
Yoshimoto, Hiroshi.—Pulpitos 944, Lima. II-3.
Yoshimura, Masatazzi.—Teatro 704, Chiclayo. I.
Yoshinaga, E.—Lima. I-4.
Yoshio, Gondo.—Cañete. I-4.
Yoshioka, Tamakio.—Ayacucho 844, Lima. I-2.
Yoshioka & Co., Y. & T.—Ayacucho 844, Lima. I.
Yrey, T.—Arzobispo 205, Lima. I-4.
Ysayama, S.—San Nicolás. I-2.
*Ysono, Tamatu.—Manuel María Izaga 249, Chiclayo. I; III.
Ysuchida, Y.—Lima. I-2.
Yumoto, Tojiro (Sadajiro).—Lima. I-2.

*Address added or changed with this revision.

Yusa, D.—Mercado Central 81, Lima. I-4.
Yusa, S.—Ancash 739, Lima. I.
Ywasaki, S.—Supe. I-4.
Zacharias, Helmuth.—Chiclayo. II-3.
Zettel, José.—Unión 517, Lima; and Lima 475, Miraflores, Lima. I-2.
Ziener, Eric.— I.
Zuiko, Santiago.—Huacho. I-3.
Zuiko, Teodoro.—Vilcahuaura. II-3.
Zukeran, Manuel.—Andahuasi. II-3.
Zuzuki, H.—Ayacucho 539, Trujillo. I-2.
Zuzuki, Matute.—Motupe, Chiclayo. I-4.

URUGUAY

Aceros "Styria", S. de R.L.—Piedras 579, Montevideo. I.
Agencia Merck.—Canelones 1325, Montevideo. I.
Ahlig, Curt.—E. Valdenegro 4105 (Casilla 545), Montevideo. I; II.
Albacete, Juan.—Paraguay 1263, Montevideo. I-1.
Albers, Dirk.—Avenida Brasil 3105, piso 7, Apt. 31, Montevideo. II-2.
"Albingia" S.A.—Sarandí 444, Montevideo. I.
Albingia Versicherungs A.G.—Sarandí 444, Montevideo. I.
Alonso Freire, Rafael.—25 de Agosto 376, Montevideo. I; I-3.
Amari, Itaro.—25 de Mayo 470, Montevideo. I.
Andrés, Tomás Arribas.—Larravide 2414, Montevideo. I-2.
Anilinas Alemanas S.A.—Florida 1450, Montevideo. I.
Arquati, Juan A.—Arenal Grande 1641, Montevideo. I-1.
Arribas Andrés, Tomás.—Larravide 2414, Montevideo. I-2.
Asiya, Koichi.—Montevideo. I; I-3.
Avenatti, Constante.—Faustino Carámbula 1186, Rivera. I-4.
Avenatti, Vittorio.—Rivera. II-4.
Balverde, José.—Río Branco 1575, Montevideo. I-1.
Banco Alemán Transatlántico.—Zabala 1463, Montevideo. I; II.
Banque Française et Italiènne pour l'Amérique du Sud S.A.—25 de Mayo 471, Montevideo. I; II.
Barth y Cía. Sucrs., Eugenio.—25 de Mayo 731–7, Montevideo. I.
Bayer, La Química.—Uruguay 1016, Montevideo. I; II.
Bayer y Cía.—Piedras 437 y Venezuela 1211, Montevideo. I; II.
Bazar "La Sensación".—Andes 1256, Montevideo. I-3; II-1.
Bergengruen, Paul Rudolf.—21 de Setiembre 3077, Montevideo. II-4.
Berger, Francisco (Franz).—Camino Tokinson 2459, Montevideo. I-4.
Berger y Cía., S. de R.L., Curt.—Cerrito 677, Montevideo. I.
Bernitt, R.—Misiones 1472 y Laguna Merín 12, Montevideo. I-1.
Bernitt y Cía.—Misiones 1472, Montevideo. I.
Bonamico, Cándido.—Mercedes. I-4.
Bongoll, Guillermo.—Bequeló 2332, Montevideo. II-4.
Bonino & Kahl.—Montevideo. I; II.
Brehmer y Cía.—Misiones 1434, Montevideo. I.

Buch y Basso.—Mercedes 959, Montevideo. I.
Buch y Cía.—Mercedes 967, Montevideo. I.
Buchard, Rodolfo.—Juan Carlos Gómez 1267, Montevideo. I-1; II.
Bucksath, Carlos.—Palacio Salvo, piso 7, Montevideo. I; II.
Bujard, Rodolfo.—Juan Carlos Gómez 1267, Montevideo. I-1; II.
Butor Ltda.—Camino Propios 2857, Montevideo. I.
Butron, Sergio.—Camino Maldonado 5278, Montevideo. I-2.
Cafaro, José.—Cerro Largo 1001, Montevideo. I.
Cámara de Comercio Alemana.—25 de Mayo 470, Montevideo. I.
Cámara de Comercio Italiana.—Rincón 454, Montevideo. I.
Cambre, E. G.—Colombia 1308 (Casilla 281), Montevideo. I; II.
Cánepa y Cía., A.—Avenida Millán 2370, Montevideo. I-4.
Carbone Battaini de Horler, A.—Laguna Merín 4347, Montevideo. I-2; II-1.
Carnevali, Natalio.—Montevideo. I.
Carrocería Feuerstein.—Cerro Largo 791, Montevideo. II-2.
Casa Skoda.—25 de Mayo 477, Montevideo. I.
Casa Suiza.—25 de Mayo 635–639, Montevideo. I.
Casaretto, Sucesores de Luis.—Galicia 1084, Montevideo. I-3.
Cayani, Hugo Paoletti.—Palacio Salvo, piso 5, Montevideo. I; II.
Cine Teatro de Verano.—Mercedes. I-4.
Clarfeld y Cía., Ltda., Federico.—Juncal 1461, Montevideo. I.
Club Alemán.—Buenos Aires 488, Montevideo. I-3.
Cogorno, Gerónimo.—Bartolomé Mitre 1339, Montevideo. I-3.
Cogorno Hermanos.—Bartolomé Mitre 1339, Montevideo. I-3.
Cominotti, Pietro.—Carmelo. II-4.
Cóndor, Ltda., Sindicato.—All branches in Uruguay. I.
Confitería Oro del Rhin.—Colonia esquina Convención y 21 de Setiembre 2847 (Pocitos), Montevideo. I; II; II-3.
Crawford Montés, Leslie.—Miñones 460, Montevideo. I-2.
Dalidorf, Ernesto.—Paysandú 958, Montevideo. I.
Delfino y Espinosa, Eduardo.—Piedras 439 y Durazno 1818, Montevideo. I-1.
De los Santos, Luis M.—P. Vázquez y Vega 1095, Montevideo. I-2.
De Loy Mones, Ltda., F.—Rincón 733, Montevideo. I-3.
de Santis, Doménico.—Paysandú. II-4.
Deutsche Lufthansa A.G.—All branches in Uruguay. I.
Diez Abella, Wellington.[1]—Yí 1227 y Segundo Vázquez 1134, Montevideo. I; II-4.
Dürnhofer, O. M.—Zabala 1463 y L.B. Cavia 2873, Montevideo. I-1.
Dyckerhoff y Widemann S.A.—Paysandú 935, Montevideo. I; II.
Echague, Julio.—Camino Santos 4232, Montevideo. I-1.
El Paraíso de los Niños.—Sarandí 620, Montevideo. I-3.

[1] Distributor for Schering, Productos Farmacéuticos, in Uruguay.

El Riverista.—Faustino Carámbula 1186, Rivera. I-4.
Empresa Nacional de Radiofusión, Soc. Ltda.—Ibicuy 1285, Montevideo. II-3.
Endler, Walter.—25 de Mayo 477 (Casilla 347), Montevideo. I.
Establecimientos Skoda S.A.—25 de Mayo 477, Montevideo. I.
Eymer, Carlos.—25 de Mayo 477, Montevideo. I.
Fernández Fraga, Germán.—Avenida Lezica 6007, Montevideo. I-3; II.
Fernández, Nicolás.—Larrañaga 4517, Montevideo. I.
Ferrer Llull, Francisco.—Ellauri 1061, Montevideo. I-3.
Finsterwald, Carlos.—25 de Mayo 635–639, Montevideo. I.
Finsterwald & Schaich.—25 de Mayo 635–639, Montevideo. II-2.
Forker, Werner.—Montevideo. I-4; II.
Franke, Oscar.—Carlos María Maggiolo 456, Montevideo. II-5.
Frick, Carlos.—Durazno. II-4.
Frick-Davie, Carlos (Dr.).—Plaza Libertad 1356, Montevideo. II-4.
Fuhrmann, Sociedad Anónima Financiera y Comercial.—Paraguay 2434, Montevideo. I; I-4; II.
Garagorry, Fernando.—25 de Mayo 417, Montevideo. I.
"GEOPE" Compañía General de Obras Públicas S.A.—Palacio Salvo, piso 9, Montevideo. I.
Giacummo, Frederico.—República Dominicana 2935, Montevideo. I; II.
Giffoni, Blás (Biagie).—Uruguay 820, Montevideo. I-4.
Gil, Luis G.—Avenida Sarandí 873, Rivera. I-4.
Göller, Alfredo.—Cerrito 740, Montevideo. I-2.
Gorlero Hermanos.—Migulete 1700, Montevideo. I.
Grimm, Oscar.—Paraguay 2434, Montevideo. I-3.
Guthmann, Arturo R.—Montevideo. I; II.
Heinze, Carlos.—Juan Carlos Gómez 1388 (Casilla 596), Montevideo. I.
Himoto, Yozaku.—25 de Agosto 532, Montevideo. I.
Hoffmeister y Bremer.—Juan Paullier 2368, Montevideo. I.
Horler, Rodolfo.—Montevideo. I; II.
Hotel Maas.—18 de Julio 937, Montevideo. I-1.
Hüners, Wilhelm.—Montevideo. I-2; II.
I.L.S.A., Importazione Lane S.A.—25 de Mayo 555, Montevideo. I.
I.N.T.E.L.A.S., Industria Nacional Tejidos en Lana, Algodón, Seda.—Avenida General Flores 2965, Montevideo. II-3.
Iida y Cía. Ltda., Takashimaya.—Montevideo. I.
Importazione Lane S.A.—25 de Mayo 555, Montevideo. I.
Imprenta Germano - Uruguaya.—Cerrito 740, Montevideo. I.
Imprenta Teutonia.—Bartolomé Mitre 1413, Montevideo. I-2.
Industria Nacional Tejidos en Lana, Algodón, Seda.—Avenida General Flores 2965, Montevideo. II-3.
Ishiy, Carlos C.—Montevideo. I.
"Italcable".—25 de Mayo 400 y Zabala 1441, Montevideo. I.
Italiana Importazione Lane (Biella), S.A.—Avenida General Rondeau 2024, Montevideo. I.
Italiana Lanera (Lane) S.A., Cía.—Avenida General Rondeau 2298, Montevideo. I.
"Italmar" S.A.—Juan Carlos Gómez 1306, Montevideo. I.
Ito, Saburo.—25 de Mayo 555, Montevideo. I.
Jaeger, Martín.—25 de Mayo 456, Montevideo. I.
Jones, C. A.—Sarandí 444, Montevideo. I.
"KABO" Katwinkel & Bocksberger.—Juncal 1375, Colonia 883, Montevideo. I-3.
Kahl, Henry.—Ituzaingó 1467, sala 32, Montevideo. I-1.
Katwinkel & Bocksberger.—Juncal 1375, Colonia 883, Montevideo. I-3.
Klimesch, Erico.—Miguel Barreiro 3323 (Casilla 583), Montevideo. I-1; II.
Klimesch, Guillermo.—Colonia 1268 (Casilla 470), Montevideo. I-1.
Koch, Juan.—Avenida General Rondeau 2126 (Casilla 35), Montevideo. I-1.
Kohler, Máximo J.—Carlos Berg 2606, Montevideo. I; II.
Krawehl, Guillermo.—25 de Mayo 477, Montevideo. I-2.
Kubota, Shigeto.—Juan Carlos Gómez 1537, Montevideo. I.
"La Germano-Argentina" Compañía de Seguros.—Mercedes 959, Montevideo. I.
"La Internacional" Compañía de Seguros.—Juan Carlos Gómez 1518, Montevideo. I.
"La Mannheim" Compañía de Seguros.—Juan Carlos Gómez 1518, Montevideo. I.
La Química Bayer.—Uruguay 1016, Montevideo. I; II.
Lahusen y Cía. Ltda.—Galicia 927, Montevideo. I.
Lamenza, Emilio. San José. II-4.
Larsen, Herbert.—25 de Mayo 731–7 y Pedro F. Berro 1091, Montevideo. I-1.
Laureiro, Omar H.—Barros Arana 5007, Montevideo. I-2.
Lebrato Suárez, Recadero.—Cololó 2605, Montevideo. I-2.
Leemann, Enrique.—Juan Carlos Gómez 1513, Montevideo. I-4.
Leemann y Cía., Roberto.—Juan Carlos Gómez 1513, Montevideo. I-4.
Leopold y Cía., Carlos.—Uruguay 786, Montevideo. I-4.
Librería Kabo, Katwinkel y Bocksberger.—Juncal 1375, Montevideo. I.
Lichtenberger, Hans.—Montevideo. I-1; II.
Luttich, H.—Misiones 1380 y Boulevard España 2418, Montevideo. I-1.
Maas, Carlos F.—18 de Julio 937, Montevideo. I-1.
Magerl, Arturo.—Estancia "La Estiria", Trinidad, Departamento de Flores. II-4.
Magnone, Oscar A.—Leyenda Patria 2924, Montevideo. I.
Mangino y Cía., Alberto.—25 de Mayo 477, esc. 29, Montevideo. I-1; II.
Mannesmann, Sociedad Tubos.—Colombia 1308 (Casilla 281), Montevido. I; II.
Mannheimer Versicherungs A.G.—Juan Carlos Gómez 1518, Montevideo. I.

Marelli Motores S.A.—Uruguay 1117–19, Montevideo. I.
Marsan S.A., Guido Ajmone.—Avenida General Rondeau 2126, Montevideo. I.
Martinetto, Domingo.—Montevideo. I.
Martinetto y Compañía "Fibratex".—Calle Martín Berinduague, esquina Concordia, Montevideo. I.
Martínez, Homero A.—José Hernández 2481, Montevideo. I–2; II; II–1.
Martínez, Rogelio.—José M. Montero 2794, Montevideo. I–2; II.
Meerhoff, Walter (Dr.).—Paraguay 1281, Montevideo. I–1.
Menge, Kurt.—Avenida Tokinson 968, Montevideo. I–2.
Metzen y Cía., Vincenti.—Misiones 1526, Montevideo. I.
Migliaro, Orestes.—Salto. I.
Montaldi, Marco.—Avenida General Rondeau 2298, Montevideo. I; I–3.
Moreno, Humberto.—Garibaldi 2379, Montevideo. I–1.
Morganti, Carlos.—Lavalleja 969, Durazno. I–3.
Nantillo, Alfonso.—Rincón 472 y José Ellauri (Casilla 108), Montevideo. I–1.
Nazari, Vincente.—18 de Julio 1485, Montevideo. I.
Nazari & Carnevali.—18 de Julio 1485, Montevideo. I.
Neri, Roberto.—Canelones 2535, Montevideo. I.
Nier, Walter.—Canelones 1325, Montevedio. I.
Omnipol Trading Co., Ltda.—25 de Mayo 477, Montevideo. I.
Omura, Matsutaro.—Soriano 1190, Montevideo. I.
Osten y Cía.—Bernardo Susviela 4174, Montevideo. II–1.
Ostendorf, Juan.—Colonia Suiza, Nueva Helvecia, Departamento de Colonia. I–3.
Paoletti Cayani, Hugo.—Palacio Salvo, piso 5, Montevideo. I–2.
Paredes, Jacinto.—Montevideo. I; II.
Pascual, Pablo M.—Convención 1263, Montevideo. I–1.
Pérez León.—Sarandí 319, Montevideo. I.
Pfahler y Cía., Ernesto P.—Acevedo Díaz 2387, Montevideo. I; II.
Pfeiffer, J.—Mariano Soler 3260, Montevideo. I–1.
Piccinino, Carminantonio Donato.—Florida. II–4.
Pies, Eugenio.—25 de Mayo 555, Montevideo. I; II.
Popelka, Victor.—Salto. II–4.
Pumarega, José.—Nueva York 1190, Montevideo. I–3.
Putti, Guido.—Mercedes. II–4.
Quincke, Erich.—Cerro Largo 851 y Ciaguá 1300, Montevideo. I–1.
Quincke S.A., Ernesto.—Cerro Largo 851, Montevideo. I.
Rabe, Fritz A.—Misiones 1487, Montevideo. I–4.
Rabe y Cía., Otto.—25 de Mayo 694–700, Montevideo. I.
Racine y Schmidt.—Juan Carlos Gómez 1431, Montevideo. I–4.
Radio Artigas (CX 34).—Avenida Millán 2370, Montevideo. I–4.
Radio Continental (CXA 2).—Camino Carrasco 5151, Montevideo. I–4.
Radio Nativa (CX 50).—Avenida Simón Martínez 6080 (Kilómetro 11), Montevideo. II–3.
Radio Uruguay (CX 26).—Avenida Millán 2370, Montevideo. I–4.
Rainusso, Emilio.—La Paz. II–4.
Rauhut, Herman. — Siracusa 2412, Montevideo. II–5.
Rauhut, Rodolfo. — Camino Propios 2499, Montevideo. II–4.
Rein, Oscar.—Plaza Zabala 306, Montevideo. I–1.
Restaurant "Al Franciscano".—Juan Carlos Gómez 1435, Montevideo. I–1.
Rey, Ricardo.—Río Branco 1575, Montevideo. I–1.
Rhodius y Cía.—25 de Agosto 709, Montevideo. I.
"Riberena del Plata" Compañía Sudamericana de Comercio S.A.—Piedras 350, Montevideo. I.
Ricca, Sergio Nantillo.—Rincón 472, Montevideo. I–4.
Roosen, Herbert.—25 de Mayo 477 (Ap. 29) y Hidalgos 469, Montevideo. I–1.
Rossati y Cía.—San José 1080, Montevideo. I.
Sagara, Shukichi.—Simón Bolívar 1436, Montevideo. II–2.
Schaeffer, R.—Uruguay 1016 y Palacio Salvo, piso 7, Montevideo. I–1.
Schaich, Adolfo.—25 de Mayo 635–639, Montevideo. I.
Scharnweber, Walter.—Piedras 419, Montevideo. I.
Schering, Productos Farmacéuticos.—Yi 1227, Montevideo. II–4.
Schmidt, Guillermo.—Paysandú 935, piso 3, Montevideo. II–4.
Schneider, Ernst.—Colonia 2277, Montevideo. I–2.
Schuler, Hermann.—José L. Terra 3427–27, Montevideo. I–1.
Sciutto, Luis A.—Octavio Lapido 1125, Montevideo. I–2.
Seidlitz, Walter.—Montevideo. I–2; II.
Sickinger, Reinardo.—25 de Mayo 477 (Ap. 5A), y Avenida Sarmiento, Montevideo. I–1.
Siemens Bauunion.—Palacio Salvo, piso 9, Montevideo, and all branches in Uruguay. I.
Siemens y Cía.—Montevideo. I.
Sindicato Cóndor, Ltda.—All branches in Uruguay. I.
Skoda, S.A., Establecimientos.—25 de Mayo 477, Montevideo. I; II–2.
Slowak, Roberto.—Nelson 3209, Montevideo. II–3.
Solaro, Stéfano.—Salto. II–4.
Somba, Ltda.—Galicia 1026–30, Montevideo. I.
Sommersguter, Leonardo.—Galicia 1026, Montevideo. I.
Sosa, Artigas F.—Cerrito 580, Montevideo. II–1.
Spitz, Walter.—Tristan Narvaja 1724–28, Montevideo. I; II.
Sprengler, Otto.—Bartolomé Mitre 1413, Montevideo. I–2.
Stahl, Hermann.—Convención 1403, Montevideo. I.
Staudt y Cía., S.A.C.—Paysandú 935, Montevideo. I.
Sturzenegger & Co.—Cerro Largo 777 (Casilla 553), Montevideo. I.
Sudamericana de Comercio S.A. "Riberena del Plata", Cía.—Piedras 350, Montevideo. I.
Taboas, Manuel.—25 de Mayo 555, Montevideo. I.
Takashimaya, Iida y Cía., Ltda.—Montevideo. I.
Takinami, B.—Juan Carlos Gómez 1426, Montevideo. I.
Talleres Gráficos "El Riverista".—Faustino Carámbula 1186, Rivera. I–4.
Tidemann, Hugo.—Estancia "Tidemann", Trinidad, Depto. de Flores. II–2.
Tienda "El Guipur".—Bartolomé Mitre 1339, Montevideo. I–3.
Tintorería Franco Española.—Boulevard General Artigas 3269, Montevideo. I.
"Transocean" Agencia Noticiosa.—Juncal 1380, Montevideo. I.
Troullier Crespi, Gayetano.—Yaguarón 1416, Montevideo. I–1; II.
Tubos Mannesmann, Soc.—Colombia 1308 (Casilla 281), Montevideo. I; II.
Tucci, Homero Miguel.—Uruguay 989, Montevideo. I–1.
Tucci e Hijo, Francisco.—Uruguay 989, Montevideo. I–1.
Valcada, Juan L.—Waterloo 889, Montevideo. I–1.
Valcada y Cía.—Waterloo 889, Montevideo. I.
Vallendor, Hermann.—Durazno 1362, Montevideo. I.
Vanoni, David.—Lucas Obes 1275 (Apartado 1), Montevideo. I–2.
Velazco, Oscar Otto.—Piedras 437, Montevideo. I; II.
Von Buch, Max.—Montevideo. II–3.
Von Metzen, Alfredo.—Estancia "La Favorita", Estación Quebracho F.C.M., Departamento de Paysandú. I–4.
Von Metzen, Carlos (hijo).—Fábrica de Azulejos, Empalme Olmos. I–4.
Wedekind, Willy.—Juan Carlos Gómez 1435, Montevideo. I–1.
Weskott y Cía.—Uruguay 1016, Montevideo. I; II.
Wild, Augusto.—25 de Mayo 667, Montevideo. I–1.
Wild, Rodolfo.—Colonia 2242, Montevideo. I–1.
Yamada y Cía.—Uruguay 1184, Montevideo. I; II.
Zambra, Domingo.—Pando 2664–2668, Montevideo. II–1.
Zambra, D. & B.—Pando 2664–2668, Montevideo. II–1.
Zambra Hermanos.—Agraciada 3909, Montevideo. I–1.

VENEZUELA

Agencia Metropolitana.—Reducto a Miracielos 21 (Apartado 1981), Caracas. I–2.
Albingia Versicherungs A.G.—Apartado 1282, Caracas. I–3.
Almacén Littorio.—Monjas a Padre Sierra 6, Caracas. I–2.
Amado, Enrique.—Viveres, Avenida Sucre 89 Oeste, Maracaibo. II–3.
Ametani, Seiichi.—Caracas. I.
Anez y Cía., Julio A.—Comercio 10, Maracaibo. I.
Aue & Co., Ernesto.—Pajaritos a Palma 30, Caracas. I.

Banco Alemán Antioqueño.—Caracas, and all branches in Venezuela. I.
Bayer-Weskott y Cía., La Química.—Mijares a Mercedes 38, Caracas. I.
Becker, Alfredo.—Pyrineo a Brisas, Caracas. I–1.
Beckmann y Cía., Sucrs.—Apartado 384, Maracaibo. I.
Bello & Co.—La Guaira. I–4.
Bloemer, Hugo.—Apartado 552, Caracas. II–2.
Blohm, Henrique (Heinz).—Caracas. I–2.
Blohm & Company.—Caracas, and all branches in Venezuela. I–2.
Boede, Ernesto.—Apartado 553, Caracas. I–2.
Borghi, Rag. Atilio.—Altagracia a Salas 39 (Apartado 1071), Caracas. I–2; II.
Borghi, Cía. Anón.—Altagracia a Salas 39 (Apartado 1071), Caracas. I–2.
Bornhorst, Carlos.—Maracaibo. I.
Breuer, Möller & Co., Sucrs.—Comercio 17, Maracaibo. I.
Bruhns, Friedrich Paul.—Comercio 2 (Apartado 412), Maracaibo. I.
Büsing, Guillermo (Jr.). — Caracas. I–3.
Büsing, Wilhelm.—Caracas. I–3.
Café Henningsmeyer. — Los Palos Grandes, Estado Miranda. I–3.
Calloso, Benito.—Caracas. I–2.
Carrieri, Sucrs., V.—Palma a Municipal 3, Caracas. I.
Carrizales y Cía., Luis R.—Apartado 1093, Caracas. I–2.
Casa de Abasto La Campiña.—Urbanización La Campiña, Distrito Federal. I–3.
Casa Ganar.—Reducto a Miracielos 21, Caracas. I–1.
Casa Nippon.—Caracas. I.
Colegio Alemán.—Urbanización San Antonio, Sabana Grande, Distrito Federal. I–3.
Colegio Humboldt.—Urbanización San Antonio, Sabana Grande, Distrito Federal. I–3.
Comercial de Crédito, Cía., Anón.—Apartado 69, Caracas. II–4.
de Egliegor, Manuel.—Punceres a Escalinatas 15 y 19 (Apartados 447 y 474), Caracas. II–4.
De Stefano, Rafael F.—Gradillas a Sociedad 4, Caracas. I–1.
Deutsche Lufthansa A.G. — All branches in Venezuela. I.
Deyhle, Otto.—Apartado 1173, Caracas. I–3.
Demus.—Gradillas a Sociedad 4, Caracas. II–4.
Droguería Nacional.—Camejo a Pajaritos 7, Caracas. I.
Dürr, Fritz.—Caracas. II–2.
Eickmann, Paul Hugo.—Reducto a Miracielos 21, Caracas. I–2.
El Autoradio.—Barquisimeto. I–2.
Erba S.A. (Milan), Carlo.—Caracas. I.
Essig, Julius.—Torre a Veroes 11, Caracas. II–4.
Fábrica de Sombreros.—Valencia. I–4.
Factorias A.B.C.—Valencia. I–2.
Falkenhagen, Ernesto.—Apartado 602, Caracas. I.
Feltner, Kurt.—Valencia. I–2.
Fernández, Luis Guillermo.—c/o Breuer, Möller & Co., Sucrs., Comercio 17, Maracaibo. I.
Flores y Cía., Juan Francisco.—Pajaritos a la Palma 26, Caracas. I.
Frey, Hans.—Puerto Cabello. I–2.
Frey, Lother.—Puerto Cabello. I–2.
Frey y Cía.—Puerto Cabello and Valencia. I–2.
Friedel, Wilhelm.— I–2.
Fujinacka, C. Sucamu.—Caracas. I–1.
Furuya, Yoshitomi.—Oeste 3, No. 100–1 (Apartado 1652), Caracas. I.
García, A. (Argimiro).—Apartado 1941, Caracas. I–3; II; II–5.
García, Cipriano.—Comercio 10 (Apartado 17), Maracaibo. I–2.
García Morales, Clemente.—Esquina de la Pólvora 71, La Guaira. I–2.
García, Roger E.—Maracaibo. I.
Gathmann Hnos.—Bolsa a Mercaderes 36 y 48, Caracas. I.
Gautier, Enrique.—Norte 4 No. 28, Caracas. I.
Gehrenbeck, Ernst A.—Gesto 10 No. 71–9, Caracas. I.
Giugni, Angel E.—Valencia. II–1.
Giugni y Cía. Sucrs.—Constitución 300–2, Valencia. II–1.
Goeke, H. C.— I–2; II; II–3.
Gómez Luigi, Domingo (Dr.)—Candelaria a Miquelacho 16, Caracas. I–4.
Gorrín, Emilio.—Caracas. I–2.
Govea, Rómulo.[1]—Comercio 37, Maracaibo. I–2.
Gramcko, Carlos Augusto.—Puerto Cabello. I–3.
Gramcko, Carlos H.—Puerto Cabello. I–3.
Groschel, Gottfried.—Puerto Cabello and Valencia. I–2.
Gudel, Gregorio.—Maracaibo and Caracas. II–2.
Guevara Reyes, Juan M.—Apartado 1412, Caracas. I–3; I–4.
Gutiérrez, Lindorfo.—Maracaibo. I.
Hachija Hermanos, Kabushiki Kaisha.—Caracas. I.
Hadamovsky, Walter.—Caracas. I.
Hadamovsky & Co.—Caracas. I.
Hamburg Amerika Linie.—Caracas, and all branches in Venezuela. I.
Hartkopf, Erich Friedrich.—Padre Sierra a Muñoz 9 (Apartado 1082), Caracas. I.
Hauck & Co., Sucesores de Ludwig.—Dr. Díaz a Zamuro 57, Caracas. I.
"Hauck" S.A. (Sucesores de Ludwig Hauck & Co.).—Dr. Díaz a Zamuro 57, Caracas. I.
Hauenschild y Cía.—Reducto a Miracielos 21 (Apartado 1606), Caracas. I; II.
Hauselmann, Carlos.—Pasaje Capitolio 11 (Apartado 1086), Caracas. I; II.
Heemson, Enrique.—Puerto Cabello and Valencia. I–2.
Hegedus y Cía., Imre.—Colón a Dr. Díaz 28, Caracas. I–2.
Heimerdinger, P.—Gradillas a Sociedad 15–1 Altos, Caracas. I.
Hellmund W. y Cía., C.—Torre a Veroes 25, Caracas. II–1.
Henningsmeyer, Willy.—Los Palos Grandes, Estado Miranda. I–3.
Herbertz, Reinhard.—Conde a Piñango 7, Caracas. II–2.
Hermanos Nakata.—Esquina San Vicente, Parroquia la Pastora, Caracas. I–1.
Hernández Rojas, Carlos.—Caracas. I–3.
Hildebrand, Karl.—Camejo a Pajaritos 5, Caracas. I–3.
Hinterlach, Carl.—Avenida Este 17 Altas (Apartado 588), Caracas. I–3.
Hollweg, Arthur.—Sociedad a Traposos 1 Altos (Apartado 241), Caracas. I.
Horie, Matuo.—Paradero a Venus 236, Caracas. I–3.
Horie Hermanos, Matuo.—Paradero a Venus 236, Caracas. I–3.
Horn, Lotte Schirmer de.—Valencia. I–4.
Horn, Otto.—Valencia. I–4.
Horn Linie.—Principal a Conde 16, Caracas, and all branches in Venezuela. I.
Hotel "Casa Domke".—Punceres a Escalinatas 15–19 (Apartados 447 y 474), Caracas. I–3.
Hotel Cervantes.—Punceres a Escalinatas 15–19 (Apartados 447 y 474), Caracas. II–4.
Hotel Spiess.—Los Caobos, Caracas. I–3.
Hupfer, Joseph.—Madrices a Ibarras 6 (Apartado 746), Caracas. I.
Industrias del Hierro.—Puerto Cabello. II–4.
Instituto Químico Biológico, S.A.—Caracas. I.
Instrumentos Científicos "Urania", C.A. de.—Oeste 6–5 (Apartado 959), Caracas. I.
Jagenberg, Adolf Harry Adalbert.—Caracas. I–1.
Jagenberg, Klaus.—c/o Otto Deyhle, Apartado 1173, Caracas. I–3.
Jagenburg, Kurt.—Caracas. I–3.
Jancquel, Oscar H.—Palma a Municipal 11 (Apartado 1787), Caracas. I.
Joyería, Florencia.—Torre a Veroes 11, Caracas. II–4.
Kirschke, A.—Maracaibo. I.
Kirschke y Cía., A.—Maracaibo and Caracas. I.
Klaus, Hermann.—Apartado 1468, Caracas. II–1.
Krafft & Co.—Norte 9–32 (Apartados 426 y 1861), Caracas. I.
Krogmann, Alfred.—Caracas. I–3; II.
"La Albingia".—Apartado 1282, Caracas. I–3.
La Casa Confort.—Coro. I–2.
La Casa de Abasto "La Popular".—Calle Real, Parroquia El Recreo, Caracas. I–1.
La Casa de las Grandes Marcas.—Altagracia a Salas 39 (Apartado 1071), Caracas. I–2.
La Casa Fénix.—Valencia, Puerto Cabello, and Maracay. I–2.
"La Casa Japonesa".—Sociedad a Camejo 27, Caracas. I.
La Diadema.—Caracas. I.
La Joya.—Caracas. I.
La Moda al Día.—Puerto Cabello. I–2.
La Química Bayer-Weskott y Cía.—Mijares a Mercedes 38, Caracas. I.
La Rosa de Oro.—Avenida Sur 27, Caracas. I–3.
Laboratorio Meyer, C. A.—Avenida Principal, San Augustín del Sur, Caracas. I.
Lang, Máximo.—Apartado 1486, Caracas. I.
Larsen, Hans E.—Comercio 2 (Apartado 412), Maracaibo. I.

[1] Not to be confused with J. R. y E. Govea, Maracaibo.

Leberl, W.—Punceres a Escalinatas 15–19 (Apartados 447 y 474), Caracas. I–3.
Leberl, W. (Mrs.).—Punceres a Escalinatas 15–19 (Apartados 447 y 474), Caracas. I–3.
Leisse, J.—Avenida Oeste 16, Caracas; and La Guaira. I.
Lemke, Gunther.—Reducto a Miranda 67, Caracas. I–3.
Lomer, K. H.—Calle de Comercio 24, Puerto Cabello; and Valencia. I–3.
Luning, Willy.—Apartado 1632, Caracas. I–3.
Maelzner, Walter.—Torre a Madrices 17, Caracas. I.
Mantovani, Walter.—Calle Sur 9 No. 44–3, Caracas. I.
Marmoleria la Nueva Industria.—Caracas. I–1.
Marquez, Cesar A.—Apartado 827, Caracas. II–4.
Martens, Philip.—Apartado 573, Maracaibo. I–4.
Martínez José.—Maracaibo. I.
Melchert, Sucr., A.—Calle Bolivar, La Guaira. I–3.
Mestern y Cia.—Puerto Cabello and Valencia. I–1.
Mett, H. P.—Principal a Conde 16, Edificio España 18–19 (Apartado 711), Caracas. I.
Muller Karger, Edgar A. (Dr.).—Apartado 365, Caracas. II–1.
Nakata, Kizazi.—Caracas. I–1.
Nakata, Shigeo.—Caracas. I–1.
Neigert, Luitpold.—Bolsa a Mercaderes 48, Caracas. I.
Neigert, L., "Ocularium" Instituto Optico de.—Bolsa a Mercaderes 48, Caracas. I.
Niemtschik y Cia., Carlos.—Avenida Este 16, Caracas. I–3.
Nieves, M. de.—Reducto a Miraclelos 21, Caracas. I–2.
Novarro, Luis.—Ciencias 7, Maracaibo. I–3.
Oficina Alemana de Representaciones.—Apartado 602, Caracas. I.
Oficina Científica Merck.—Apartado 1486, Caracas. I.
Oficina Lemke.—Reducto a Miranda 67, Caracas. I–3.
Oficina Técnica Industrial.—Apartado 1086, Caracas. I.
Optica Alemana.—Valencia. I–2.
Osorio Reyes, Gustavo.—Maracaibo. I.
Pennacchiotti, A.—Veroes a Santos (Apartado 1), Caracas. I.
Pennacchiotti & Salmoiraghi.—Veroes a Santos (Apartado 1), Caracas. I.
Perfumería Rococo, S.A.—Caracas. I.
Perrone y Cia., J.—Muñoz a Pedrera 17 (Apartado 1201), Caracas. I.
Pesci Feltri, Carlos.—Urbanización Mis Encantos, Chacad, Estado Miranda. I–1.
Peters, W. H.—Maracaibo. I–1.
Pigna, José.—Guyabal a Puente de Hierro, Caracas. I–1.
Pigna Sucrs., Francisco. — Caracas. I–1.
Pina, Miguel.—Apartado 374, Caracas. I.
Productos Agrícolas.—Pirineo a Brisas 140, Caracas. I–2; II.
Pruchtnow, Werner.—Maracaibo and Boconó. I–2.
Pruchtnow & Co., Werner.—Comercio 13, Maracaibo. I.
Publicidad Cinematográfica.—Veroes a Santa Capilla 1 Altos, Caracas. I–2.
Publicidad Unida.—Veroes a Santa Capilla 1 Altos, Caracas. I–2.
Química Schering S.A.—Plaza de Candelaria, Caracas. I.
Rappard, Erich.—Oeste 10 No. 63 (Apartado 1406), Caracas. I–2.
Rayhrer & Willson.—Gradillas a Sociedad 15–1, Caracas. I–4.
Riese y Cia. Sucrs.—Camejo a Pajaritos 7 (Apartado 372), Caracas. I–1.
Roversi J., Sucrs.—Avenida Sur 55 (Apartado 2012), Caracas. I–1.
Roversi Monaco, Franco.—Avenida Sur 55 (Apartado 2012), Caracas. I–1.
Rupertus, Heinrich.—Pasaje Benzo 22, Caracas. I–1.
Sakakibara, Tatuzo.—Caracas. I–1.
Sakakibara y Cia., Tatuzo.—Esquina la Esmeralda, Parroquia Candelaria, Caracas. I–1.
Sánchez, Jesús A.—Maracaibo. I–3.
Sandmann, Margarete.—Caracas. I–2.
Sass y Cia., F.—Veroes Jesuitas 20, Caracas. I.
Schering S.A., Química.—Plaza de Candelaria, Caracas. I.
Schirmer, Otto.—Valencia. I–4.
Schirmer, Sucrs. Otto.—Valencia. I–4.
Schlick, Walter.—Urbanización Castellana, Estado Miranda. I–3.
Schnell y Cía.—Palma a Municipal 9, Caracas. I.
Schroeder, Federico.—Bolsa a Pedrera 15 (Apartado 149), Caracas. I.
Schubert, Carlos.—Gradillas a Sociedad 10 (Apartado 1452), Caracas. I.
Schüler, Josef.—Apartado 827, Caracas. I–2; I–3.
Selle, Rudolf.—Bolsa a Pedrera 12, Caracas. I.
Serizawa, Isamu.—Caracas. I–1.
Spiess, Rudolf.—Los Caobos, Caracas. I–3.
Spitzer, Isodoro.—Apartado 1705, Caracas. II–4.
Stampfl, Karl.—Caracas. I–3.
Stegemann & Co.—Avenida Sur 15 Altos (Apartado 847), Caracas. I.
Steinvorth y Cía.—San Cristóbal and Caracas. I–1.
Stornaiuolo Hnos.—Monjas a Padre Sierra 6, Caracas. I–2.
Susuki, Kunihei.—Caracas. I–1.
Takaji, Sigeji.—Caracas. I.
Telares de San Agustín, Cía. Anón.—Caracas. I–2.
Téxtil Venezolana, Compañía Anónima.—Caracas. I–2.
Thedans, John.—Caracas. I–2.
Tillich, Georg.—Apartado 645, Caracas. II–4.
Uchida, Umekiche.—Caracas. I–1.
Ulivi y Cía., Sucr., Ilio.—Gradillas a San Jacinto (Apartado 1146), Caracas. I–3.
"Urania" Compañía Anónima de Instrumentos Científicos.—Oeste 6–5 (Apartado 959), Caracas. I.
Urdaneta y Cía., Sucrs., A.[1]—La Rosa de Oro, Dr. Paul a Salvador de León, No. 57, Caracas. I–3; I–4.
Valentiner & Co.—Camejo a Pajaritos 7, Caracas. I.

[1] Not to be confused with L. Urdaneta y Cía., Maracaibo.

Van Dissel, Rode y Cía. Sucrs.—Calle Comercio, Maracaibo. I.
Venezuelan Agencies.—Reducto a Miracielos 21, Caracas. I–2.
Voerg, Hermann.—Valencia. I–2.
Vogel, Johann.—Apartado 1712, Caracas. I–4.
Vogel y Cía.—Apartado 1712, Caracas. I–4.
Von Einem, Karl.—Reducto a Miraclelos 21 (Apartado 1606), Caracas. I–1.
Von Jess, Hartwig.—Maracaibo. I.
Watay y Cía., Sakae.—Caracas. I.
Werner, C. R.—Caracas. I–2.
Werner, Kurt.—Caracas. I–2.
Woltz & Co., Hermann.—Palma a Municipal 9, Caracas. I.
Yawasaki, Kikuye.—Caracas. I–1.
Yawasaki, Shigeo.—Caracas. I–1.
Yazawa y Cía., Sucr.—Sociedad a Camejo 27, Caracas. I.
Yakoy, Hiroe.—Caracas. I–1.
Yonekura, Yozo.—Caracas. I.
Yonekura, Yuzo.—Oeste 3 No. 100–1 (Apartado 1652), Caracas. I.
Yonekura y Cía., Y.—Oeste 3 No. 100–1 (Apartado 1652), Caracas. I.
Zimlich, Ricardo.—Apartado 552, Caracas. II–2.
Zingg y Cía., Gustavo.—Sociedad a Traposas, Caracas, and all branches in Venezuela. I.
Zschaeck & Co., Sucr., W.—Altagracia a Mijares 8 (Apartado 945), Caracas. I.

PART II—LISTINGS OUTSIDE THE AMERICAN REPUBLICS

ANDORRA

"Interco" Cia. Internacional de Industria y Comercio de Andorra.—Andorra la Vieja. II–3.
Internacional de Industria y Comercio de Andorra, Cia. "Interco".—Andorra la Vieja. II–3.

IRAN

A.E.G.—Tehran, ahd all branches in Iran. II–3.
Atlas Transport.—Ave. Lalezar, Tehran. II–3.
Austria Export.—Ave. Ferdowsi, Tehran. II–3.
Barbieri, Guiseppe.—Ave. Chah 773, Tehran. II–3.
Bayer & Co.—Tehran. II–3.
Darudi (Darroudi), Aghai Ali.—Meshed. II–3.
Darudi (Darroudi), Mehdi.—Meshed. II–3.
Fasting, Ernst.—Ave. Ferdowsi, Tehran. II–3.
Ferrostahl & Co.—Tehran. II–3.
Formenton, Luigi.—Tehran. II–3.
Freitze, Hans.—Tabriz. II–3.
Habachian, H. M. Ismail.—Tabriz. II–4.
Hansa Line, D.D.G.—Tehran, and all branches in Iran. II–3.
Hochtief S.A. Iranienne.—Rue Hedayat, Tehran. II–3.
Holzmann, Philipp.—Ave. Seyyum Esfand, Tehran. II–3.
Ibtag.—Ave. Pahlevi, Tehran. II–3.
Impresse Italiane All'estero-Oriente (Moasesseyeh Italiani Dar Kharedjeh-Chargh).—Ave. Shah, Tehran. II–3.

Iran-Japan Trading Co. Ltd.—Tehran. II–3.
Janowsky, Georges.—Ave. Seyyum Esfand, Tehran. II–3.
Krupp & Co.—Tehran. II–3.
Kuehnreich, Nico.—Tehran. II–3.
Lendle, H.—Ave. Ferdowsi, Tehran. II–3.
Leschan, Konstantin.—Ave. Ferdowsi, Tehran. II–3.
Lloyd Triestino.—Tehran. II–3.
Lubel, Sherkat Sahami.—Tehran. II–3.
M.A.N.—Tehran. II–3.
Mitsui Bussan Kaisha Ltd.—Tehran. II–3.
Monberg, Axel.—Tehran. II–3.
Nouvel Iran-Express (Iran Expressi Nov).—Ave. Ferdowsi, Tehran, and all branches in Iran. II–3.
Oertel, R.—Ave. Tewfighi, Tehran. II–3.
Rust, Heinrich.—Ave. Raphael, Tehran II–3.
Schaefer, Henry.—Ave. Ferdowsi, Tehran. II–3.
Schiffahrtskontor Fuer Iran G.m.b.H.—Tehran, and all branches in Iran. II–3.
Schlüter, Edward.—Tehran. II–3.
Schnell, Willy.—Tehran. II–3.
Schunemann.—Isfahan. II–3.
Sherkat Industria Ba Massooliat Mahdood.—Khiaban Ferdowci, Tehran. II–3.
Shirkat Irani Barbari Saheli.—Tehran, and Ahwaz. II–3.
Siemens & Co.—Tehran. II–3.
Spiegel, Erwin.—Tehran. II–3.
Tabriztchi, Djaffer.—Sarayi Mehdi, Tabriz, and at Tehran. II–5.
Telefunken.—Tehran. II–3.
Terdjimanian, V. K.—Timcheh Sadr Azam, Tehran. II–4.
Thorsen, Ejnar.—Tehran. II–3.
Tubino, Ricardo.—Ave. Chah 773, Tehran. II–3.
Undeutsch, F. & Co.—Tehran, and all branches in Iran. II–3.
Weinzinger, Dr. Erich.—Tehran. II–3.
Wolfinger, Carl.—Tabriz. II–3.
Zendjandji, Hadji Mohammed.—Serai Amir, Tabriz. II–4.

IRAQ

Abdeni, Ernest.—Samawal St., Baghdad. II–3.
Abdeni, Gabriel.—Samawal St., Baghdad. II–3.
Abdeni, G. G. & Co. Ltd.—Samawal St., Baghdad. II–3.
Apánai, Amin.—13A–23, Rewak Lane, Baghdad. II–3.
Assouad, Cesar.—Khan Hayawi, Rewaq, Baghdad. II–3.
Aziz Ephraim.—228–1, Al Rashid St., Baghdad. II–3.
Baladi, Edgar Habib.—5–33, Rewaq St., Baghdad. II–3.
Baladi, H. & Fils.—5–33, Rewaq St., Baghdad. II–3.
Banco di Roma.—Al Rashid St., Baghdad. II–3.
Daud, Abdul Ahad.—Al Rashid St., Baghdad. II–3.
De Kelaita, R. M.—158 Shorja, P.O. Box 78, Baghdad. II–3.
Ezra E. Brothers.—228–1, Al Rashid St., Baghdad. II–3.
Farraj, Artine J.—5A–176, Ras-el-Karya, and 6–11, Karrada Sabba Ksoor, Baghdad. II–3.
Ferrostahl A.G.—Bab-al-agha, Baghdad. II–3.
Gabbay, E. H.—228–1, Al Rashid St., Baghdad. II–3.
Gabbay, Ezra Ephraim.—228–1, Al Rashid St., Baghdad. II–3.
Gabbay, N. S.—228–1, Al Rashid St., Baghdad. II–3.
Habba, Sadiq.—Baghdad. II–4.
Hobayashii & Suma, Kenji.—Mustansir St., Baghdad. II–3.
Iraq Trading Co.—228–1, Al Rashid St., Baghdad. II–3.
Menger, Ahmet Veli.—13A–23, Rewak Lane, Baghdad. II–3.
Orient Optical Co.—Al Rashid St., Baghdad. II–3.
Saad, Sami ud Din.—104–27, Ma' Mun St., Baghdad. II–3.
Samhery, Antoine.—Baghdad. II–3.
Sami Drug Store.—Ras al Qassah, Baghdad. II–3.
Sanawi, Tariq al.—Al Rashid St., Baghdad. II–3.
Shammas, Jean.—8–33 Khan Hayawi, Rewaq, Baghdad. II–3.
Varga, Victor.—King Faisal Ave., Baghdad. II–3.
Zebouni, Selim.—Rewaq, Baghdad. II–3.

LIECHTENSTEIN

Bock, Dr. Paul Friedrich.—Vaduz. II–3.
Credit Commercial et Industriel Trust.—Vaduz. II–3.
Etepha, A.G.—Eschen. II–3.
Export Transithandels A.G.—Triesen. II–3.
Gasina Trust A.G.—P.O. Box 444–72, Vaduz. II–3.
Hanauer & Schmidt A.G.—Muhleholz, Vaduz. II–3.
Papier und Bureaubedarfsartikel, A.G. für.—Vaduz. II–3.
"Ramco" A.G., Zahnfabrik (The Ramco Tooth Mfg. Co. Ltd.).—Schaan. II–3.
Sprenger Corpn.—Vaduz. II–3.
Uebersee Trust.—Vaduz. II–5.

PORTUGAL AND POSSESSIONS

Portugal

A. E. G. Lusitana de Electricidade.—Rua dos Fanqueiros 12, Lisbon; and Rua Sa da Bandeira 211, Oporto. I.
A.L.M.A. Ltda. Soc., Editorial.—Rua do Alecrim 65, Lisbon. I.
A. Transportadora Ltda. (Owners of S.S. "Transportador" ex "Trevo Segundo").—Rua Augusta 188, Lisbon. I–4; II–3.
Abreu, Augusto Vieira Lopes de (Agencia Abreu).—Rua do Loureiro 40, Oporto. I.
Abrunhosa, Cesar Augusto. — Margueira, Lisbon. I.
Acos Finos Roechling S.A.—Lisbon, and all branches in Portugal. I.
Adragna, Francesco.—Olhao. I.
Afincao, Domingos do O.—Largo Prainhas 92, Olhao. I.
Africana Ltda., Soc. Geral.—Lisbon. I.
Agencia Comercial Portuguesa Ltda.—Rua dos Sapateiros 39, Lisbon. I.
Agencia Comerciale Francesa – A. Vincent Ltda.—Rua Ivens 56, Lisbon. II–4.
Agencia de Representacoes Agricolas, Ltda.—Rua Jose Falcao 185, Oporto. I.
Agro-Pecuaria Ltda., Soc.—Rua Augusta 280, Lisbon. I–4.
Aguiar & Cia. Ltda., Marques de.—Ave. dos Aliados 22, Oporto. I.
Ala Littoria.—Lisbon. I.
Alberto, Andrea Strazzera.—Olhao. I; I–2.
Albuquerque, Oscar de.—Travessa Nova de S. Domingos 9, Lisbon, and Queluz Sintra. I.
Alcobia, José.—Ave. Antonio Augusto de Aguiar 191, Lisbon. I.
Aldag, Otto.—Avenida Palace Hotel, Lisbon. I.
Alegria, Francisco Marques.—Campo 24 de Agosto 208, Oporto. I.
Alexandrino Ltda.—Ave. dos Aliados 22, Oporto. I.
Alianca Agricola e Comercial Ltda.—C. do Duque 3, Lisbon. I.
Alianca Fabril Lacobrigense Ltda.—Lagos. I.
Almada e Lencastre, Nuno Miguel de.—Praca Duque da Terceira 24, and Rua Primo de Maio, Lisbon. II–3.
Almeida, Fernando de.—Travessa dos Fieis de Deus 128, Lisbon. II–4.
Almeida, Jose Cardoso de.—Rua Nova da Alfandega 77, Oporto. II–3.
Alonso Lamberte, Leopoldo.—Cais das Pedras 18, Massarelos, Oporto. I.
Altisent, Antonio.—Hotel Universao, Rua do Carmo 102, Lisbon. I–3.
Alves, Fernando.—Ave. Almirante Reis 28, Lisbon; and "Alfaiateria Lisbonense", Montemor-o-Novo. II–3.
Amaral, Adolfo do.—Rua do Bomjardin 374–76, Oporto. I–2.
Amaral, Jose A. do.—Rua Formosa 333, Oporto; and Rua Dr. Jose Falcao 54, Ovar. I.
America, Carlo.—Rua Dr. Alves da Veiga 634, Matozinhos, Oporto. I.
America, Giuseppe.—Rua da Nova Alfandega 27, Oporto. I.
Amram, Joshua.—Praca do Municipio 32, Lisbon. I.
Amram, S. & Filhos Ltda.—Praca do Municipio 32, Lisbon. I.
Andrade, Cordeiro & Mesquita Ltda.—Travessa do Forno do Torel 1, Lisbon. I.
Analinas Ltda., Soc. de.—Travessa das Pedras Negres, Lisbon, and all branches in Portugal. I.
Antunes, Fernando.—Rua Guilherme Braga 2, Lisbon. II–3.
Aragao, Jose Trigueiros Coelho de.—Bolsa de Mercadorias, Praca do Commercio, and Ave. Berne 10, Lisbon. I–1.
Araujo, Eduardo Caldeira Borja de.—Calcada do Sacramento 14, Lisbon. I.
Araujo & Bastos Ltda.—Calcada do Sacramento 14, Lisbon. I.
Astoria Ltda., Soc.—Regueirao dos Anjos 68, Lisbon. I.
Aurino, Giacomo.—Rua Sampaio Pina 50, Lisbon. I.
Auto-Material Ltda.—Calcada do Carmo 25, Lisbon. I.
Automobilista Ltda.—Rua Alves Correia 160, Lisbon. I–3.
Avelar, Manuel.—Margueira, and Rua da Prata 40, Lisbon. I.
Azevedo, M. Sequeira.—Rua de Traz 10, Oporto. I.
Azinhais, Eurico.—Largo da Graca 63, and Rua da Penha de Franca 246, Lisbon. II–4.

Baeta, Antonio.—Rua Sampaio Pina 50, Lisbon. I.
Baeta, Jose.—Rua Sampaio Pina 50, Lisbon. I.
Baeta, Manuel.—Rua Sampaio Pina 50, Lisbon. I.
Baeta, Mario.—Rua Sampaio Pina 50, Lisbon. I.
Baeta, Rodrigo.—Rua Sampaio Pina 50, Lisbon. I.
Baeta, Vasco.—Rua Sampaio Pina 50, Lisbon. I.
Bandeira, Antonio.—Rua Sampaio Pina 50, Lisbon. I.
Barbosa, Antonio.—Rua Sampaio Pina 50, Lisbon. I.
Barbosa, Jose.—Rua Sampaio Pina 50, Lisbon. I.
Barbosa, Manuel.—Rua Sampaio Pina 50, Lisbon. I.
Barbosa, Mario.—Rua Sampaio Pina 50, Lisbon. I.
Barbosa, Rodrigo.—Rua Sampaio Pina 50, Lisbon. I.
Barbosa, Vasco.—Rua Sampaio Pina 50, Lisbon. I.
Barreiros, Antonio.—Rua Sampaio Pina 50, Lisbon. I.
Barreiros, Jose.—Rua Sampaio Pina 50, Lisbon. I.
Barreiros, Manuel.—Rua Sampaio Pina 50, Lisbon. I.
Barreiros, Mario.—Rua Sampaio Pina 50, Lisbon. I.
Barreiros, Rodrigo.—Rua Sampaio Pina 50, Lisbon. I.
Barreiros, Vasco.—Rua Sampaio Pina 50, Lisbon. I.
Barros, Antonio.—Rua Sampaio Pina 50, Lisbon. I.
Barros, Jose.—Rua Sampaio Pina 50, Lisbon. I.
Barros, Manuel.—Rua Sampaio Pina 50, Lisbon. I.
Barros, Mario.—Rua Sampaio Pina 50, Lisbon. I.
Barros, Rodrigo.—Rua Sampaio Pina 50, Lisbon. I.
Barros, Vasco.—Rua Sampaio Pina 50, Lisbon. I.
Bastos, Antonio.—Rua Sampaio Pina 50, Lisbon. I.
Bastos, Jose.—Rua Sampaio Pina 50, Lisbon. I.
Bastos, Manuel.—Rua Sampaio Pina 50, Lisbon. I.
Bastos, Mario.—Rua Sampaio Pina 50, Lisbon. I.
Bastos, Rodrigo.—Rua Sampaio Pina 50, Lisbon. I.
Bastos, Vasco.—Rua Sampaio Pina 50, Lisbon. I.
Bayer Portuguesa Ltda

Back, Paul.—Avenida Palace Hotel, Lisbon. II–5.
Baierbach, Wilhelm.—Rua Poeta Milton 3, Lisbon. I–3.
Barabino, Emanuele.—Avenida Palace Hotel, Lisbon. I.
Barata, Alberto Cortez.—Rua do Ferregial 46–48, and Rua das Lusiadas 5, Lisbon. I.
Barbosa, Eduardo F. (Casa das Loucas).—Rua Formosa 331–333, Oporto. I.
Barbosa, Joaquim Alves.—Rua Alexandre Braga 28–38, Oporto. I.
Barros, Arnoldo Dias Monteiro de.—Largo Dr. Alfonso Pena 14, Lisbon. I.
Barros, Pedro Amor Monteiro de.—Rua Infantaria Dezasseis 77, Lisbon. I.
Barrosa, Armando Barcelos da Silva.—Rua Mousinho da Silveira 287, Oporto. II–3.
Bastos, Joao Burnay.—Rua de Mocambique 30, Lisbon. I.
Bayer, Ltda.—Lisbon and Oporto. I.
Beaumont, Count Antoine W.R.G.M.J.-A. de.—Rua da Palma 40, and Rua das Fabrica das Sedas 24, Lisbon. I–1.
Beja, Jose dos Santos.—Rua da Barroca 109, Lisbon. II–4.
Beja, Palmira Martins.—Rua da Barroca 109, Lisbon. II–4.
Beken, Wolfgang.—Vila Edith, Monte Estoril, and Rua dos Douredores 7, Lisbon. I.
Belard, Arthur Mantero.—Rua de S. Nicolau 26, Lisbon. I.
Belard, Carlos Mantero.—Rua de S. Nicolau 26, Lisbon. I.
Belard, Francisco Mantero.—Rua de S. Nicolau 26, and at Ave. Joao Crisostomo 6, Lisbon. I.
Belard, Henrique Mantero.—Rua de S. Nicolau 26, Lisbon. I.
Benzinho Ltda.—Estrada de Vizo, Caixa Postal 14, Setubal. I.
Berghaeger, Erwin.—Praca Luiz de Camoes 36, Lisbon. I.
Biener Ltda., Hermann.—Rua Ferreira Borges 175, Coimbra. I.
Bitetti, Olindo.—Frankfurt Hotel, Lisbon. I.
Blohm, Carl Werner.—Rua Ives I, Alges, Lisbon. II–5.
Bock, August.—Largo 13 de Fevereiro 4, Oporto. I.
Bodoni, Ladislau Winter.—Rua Dr. Silva Teles 11, Lisbon. I.
Boloto, Domingos Lourenco.—Rua da Vitoria, Viseu. II–3.
Bordan, Dr. Octave.—Hotel Miramar, Monte Estoril, Lisbon. I.
Borges, B. J. Ltda.—Rua Maury 5, Caixa Postal 330, Lisbon. I–2.
Borges, Bernardino Jose.—Rua Maury 5, Lisbon. I–2.
Borges, Mario Pinto.—Rua da Palma 40, and Rua Coelho da Rocha 22, Lisbon. I–1.
Borges & Pacheco Ltda.—Rua da Prata 98, Lisbon. I–1.
Bornhöft, Rudolf.—Calcada do Combro 129, Lisbon. I.
Bote I. lho, Joaquim Serrano de Sousa.—Rua Alexandre Herculano 111, Lisbon.
Bracinhas & Silva Ltda.—Rua dos Douradores 80, Lisbon. I.
Brand, Leo.—Palacio Hotel, Estoril. I–2.
Brandao, Alfredo de Sousa.—Colmeias, Leiria. I.
Brehm, Hans.—Ave. Antonio Augusto Aguiar 122, Lisbon. I.
Brinett, Ltda.—Praca Duque da Terceira 24, Lisbon. I.
Brito, Antonio Batista.—Travessa do Carvalho 15, Lisbon. I.
Broedersdorf, Hans (Joao) Erich.—Rua Marques Sa da Bandeira 124, Lisbon; and Alhos Vedros, Moita. II–3.
Brucker Traus, Germain.—Rua da Prata 80, Lisbon. I–3.
Brucker-Traus, G. Ltda.—Rua da Prata 80, Lisbon, and all branches in Portugal. I–3.
Brumm, Johann Heinrich Erwin.—Rua da Prata 51 and 59, Lisbon. I–4.
Bruno, Augusto.—Olhao. I.
Burmester & Cia. Ltda.—Rua da Reboleira 49, Oporto. I.
Burmester, J. W. & Cia. Ltda.—Rua de Belomonte 39, Oporto. I.
Burmester Ltda., Vasco.—Rua dos Sapateiros 219, Lisbon; and Rua de Belomonte 39, Oporto. I.
C.I.D.I.E. (Comercio Internacional de Importacao e Exportacao Ltda.).—Rua da Madalena 66, Lisbon. I.
Cabral, Antonio Roque de Costa.—Rua Gilberto Rola 10, and Rua de Fabrica de Polvora 145, Lisbon. I.
Cabrita, A. J.—Rua do Amparo 25, and Ave. Manuel da Maia 26, Lisbon; and at Albufeira, Algarve. I.
Cabrita, Joaquim Vinhas.—Rua do Amparo 25, Lisbon; and at Albufeira, Algarve. I.
Caiado, Andre Martins.—Rua da Prata 198, Lisbon; and at Faro. I.
Calderia, Luiz Correia.—Sobral da Lourinha. I.
Calderoni, Renato.—Hotel Tivoli, Ave. da Liberdade 179, Lisbon. I.
Cale, Jose.—Mexilhoeria da Carregacao, Portimao. I.
Camara, Joao Gago da.—Calcada da Estrella 29, Lisbon. I.
Camilo, Heitor Luiz.—Rua Augusta 176, Lisbon. II–3.
Camponovo, Alberto.—Rua da Angola 5, Lisbon. I.
Camponovo & Camara Ltda.—Rua Gomes Freire 136, Lisbon. I.
Cappanari, Silvio.—Praca dos Restauradores 13, Lisbon. II–1.
Carbonati, Viuva de Angelo.—Rua da Prata 145, Lisbon. I.
Cardoso, Guedes & Cia. Ltda.—Rua Dr. Alexandre Braga 88, Oporto. II–3.
Carneiro & Filho (Fabrica de Curtumes de Ponte de Pedra).—Ponte de Pedra, Sao Mamede de Infesta, Oporto. I.
Carp, M., Ltda.—Rua Bartolomeu Dias 120, Lisbon, and all branches in Portugal. II–4.
Carpalhosa, Manuel de Sousa.—Colmeias, Leiria. I.
Carpalhosa & Filhos, Manuel de Sousa.—Rua da Madalena 133, Lisbon; and at Colmeias, Leiria. I.
Carvalho, Antonio de.—Rua do Arco do Cego 21, Lisbon. I.
Carvalho, E. C.—Praca dos Restauradores 65, and Ave. Almirante dos Reis 2, Lisbon. I–2.
Conciato, J.—Rua Heliodoro Salgado 5, Lisbon. I.
Casimiro & Nascimento; Sucrs.—Largo Antonio Joaquim Correira, Setubal. I.
Castelos Ltda., Soc. dos.—Ave. dos Aliados 64, Oporto. I.
Castro, Amadeu de.—Ave. Rodriques de Freitas 100, Oporto. I–3.
Cavaglio, Michele.—Rua do Açúcar 36-48, Lisbon. I.
Cazalls, Pierre (Herdeiro).—Rua de S. Nicolau 26, Lisbon. I.
Cereais e Farinhas Ltda., Soc. de.—Travessa da Fabrica 2, Oporto; and Campo das Cebolas 33, Lisbon. I; I–4.
Cerqueira, Francisco Jose.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon. I.
Cerqueira Jnr., Francisco Jose.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon. I.
Chiarpotto, Nino.—Olhao. I.
Chocolates Camarana Ltda., Soc. de.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon. I.
Ciclame, Agencia-Portirio & Ferreira Ltda.—Rua Garrett 74, and Estrada do Calharez de Benfica, Lisbon. I–4.
Civil do Sobralinho Ltda., Soc.—S. Pedro de Alverca, Vila Franca de Xira. II–4.
Clarfeld & Preussner Ltda.—Largo do Caldas 8, Lisbon. I.
Classen, Wilhelm G.—Avenida Palace Hotel, Lisbon. II–5.
Claussen, Julius.—Rua Joaquim Antonio de Aguiar 19, and Rua Sampaio Pina, M.F.C., Lisbon. I.
Cobo Ltda., Antonio.—Travessa do Corpo Santo 29, Caixa Postal 294, Lisbon. I.
Cocco di Michele, Francisco.—Rua Roberto Ivens 66, Matozinhos, Oporto. I.
Cocco, Dr. Michele.—Rua Garrett 17, Lisbon. I.
Cocco, Francesco.—Olhao. I.
Cocco, Francisco & Paolo.—Rua Andrade 4, Lisbon; and Rua Sousa Aroso 24, Matozinhos, Oporto. I.
Cocco fu Giuseppe, Francisco.—Rua Sousa Aroso 24, Matozinhos, Oporto. I.
Cocco, Paolo.—Rua Andrade 4, Lisbon. I.
Cocco, Salvatore.—Olhao. I.
Coelho, A. Filho.—Viana do Castelo, and Praca da Republica, Oporto. II–3.
Coelho, Antonio Pinto.—Rua dos Sapateiros 219, Lisbon. I.
Coelho, A. & Cia.—Viana do Castelo, and Praca da Republica, Oporto. II–3.
Coelho, A. Ltda.—Viana do Castelo, and Praca da Republica, Oporto. II–3.
Cohen, Werner A.—Rua da Madalena 215, Lisbon. I.
Colombo, E., Ltda.—Rua dos Sapateiros 219, Lisbon. I.
Comercial de Resinas Ltda., Soc.—Rua do Ouro 140, Lisbon. I.
Comercio Ibero-Ultramar Ltda.—Rua Eugenio dos Santos 25–31, Lisbon. II–5.
Comercio Internacional de Importacao e Exportacao Ltda. C.I.D.I.E.—Rua da Madalena 66, Lisbon. I.
Comercio Tejo Ltda., Soc.—Rua de Sao Juliao 67, Lisbon; and at Trafaria. I.
Conceicao, Jose E. R.—Vila Real de Santo Antonio. I–1.
Conciato, Mario.—Rua Renato Batista 92, Lisbon. I.

Conservas Alimenticias a Boa Nova, Fabrica de-Jose Rodrigues Serrano & Filhos Ltda.—Rua Conselheiro Costa Braga 279, Matozinhos, Oporto. I.
Conservas Belamar Ltda., Soc. de.—Largo Prainhas 92, Olhao. I.
Consignacoes e Representacoes Ltda., Soc. de.—Praca dos Restauradores 13, Lisbon. II–1.
Consorcio Tecnico Industrial Ltda.—Rua S. Nicolau 42, Lisbon, and all branches in Portugal. I.
Construtora e Comercial Ltda., Soc.—Ave. Almirante Reis 1, Lisbon. I.
Cordeiro, J. & Cia., Ltda.—Doca do Alcantara, Lisbon. I.
Correia, J. M.—Rua Filipe Folque 42, and Praca D. Pedro IV (or Rossio) 59, Lisbon. II–4.
Correia, Joaquim Mendes.—Rua Filipe Folque 42, and Praca D. Pedro IV (or Rossio) 59, Lisbon. I; II–4.
Correia Ltda., Antonio.—Rua Alexandre Herculane 59, Lisbon. II–3.
Corticas de Portugal Ltda.—Travessa de Praia da Mutela Caramujo, Almada; and Rua do Ouro 226, Lisbon. I.
Cosp & Co. Ltda., Antonio.—Faro. I.
Costa, José Luiz.—Caixa Postal 238, Lisbon. I.
Costanzo, Dr. Giovanni.—Rua da Emenda 30, Lisbon. II–3.
Couto, Ltda., Oliveira.—Rua Firmeaza 312, Oporto. I.
Coveiro, Jose Martins Mendes.—Rua dos Espingardeiros, Moura. I–4.
Craveiro Jnr., Jose.—Tortozendo. II–5.
Cristovao, J. Ltda.—Rua da Boa Vista 18, Lisbon. I.
Cruz, Francisco Nabaes da.—Rua Aurea 265, Lisbon. I.
Cruz, Manoel Freire da.—Rua de D. Estafania 7, Lisbon, and all branches in Portugal. I–1.
Cruz & Cia. Ltda., Lopes do (Fabrica Oceano).—Rua Brito e Cunha 541, Matozinhos, Oporto. I.
Cruz, M. F. Ltda.—Rua de D. Estefania 7, Lisbon, and all branches in Portugal. I–1.
Cuadrado Vila, Eduardo de Pablo.—Rua Joaquim Antonio de Aguiar 70, Lisbon. I–3.
Cudell, Roberto.—Largo do Directorio 14, Lisbon; and Rua Passos Manuel 41, Oporto. I.
Cudell Ltda., Roberto, Escritorio Tecnico.—Rua Passos Manuel 41, Oporto. I.
Cudell & Weltzien Ltda.—Rua de S. Paulo 117–121, Lisbon. I.
Cunha, Manuel.—Rua Aurea 265, Lisbon. I.
Cunze Ltda., August.—Rua dos Fanqueiros 44, Lisbon. I.
Cupertino de Miranda & Cia.—Rua Sa da Bandeira 56, Oporto, and all branches in Portugal. I.
Curto, Joaquim Joao.—Sobral da Lourinha. I.
Curtumes de Ponte de Pedra, Fabrica de Carneiro & Filho.—Ponte de Pedra, Sao Mamede de Infesta, Oporto. I.
Custodio & Cia., Ltda.—Rua Miguel Bombarda 7, Cacilhas, Lisbon; and at Setubal. I.
Da Costa, Afredo Jose.—Rua Miguel Paes, Barreiro. I.
Daehnhardt, Hans Wilhelm.—Rua da Victoria 42, Lisbon. I.
Da Fonseca, Jose Antonio.—Rua da Sociedad Farmaceutica 50, Lisbon, and all branches in Portugal. I.
Dahl, Karl.—Rua Formosa 400, Oporto. I–2.
Da Palma, Jose Afonso.—Ave. Almirante Reis 230, and Rua Carvalho Araujo 159, Lisbon. I.
Da Silva, E. Torres Pinto.—Faro. I.
De Brito, Eduardo Faria.—Campo 28 de Maio 180, Lisbon; and Rua Herois de Chaves 806, Oporto. I.
De Magalhaes, Antonio Neves Reposo.—Alcobaca. I–2.
Dias, Manuel.—Oporto. II–5.
Dias, Narciso.—Encarnacao, nr. Santarem. I.
Diederichs, Carl.—Chalet Castim, Paco d'Arcos; and at Lisbon. I.
Diego Curto, Gregorio.—Rua Fernanda Palha 47, and Rua Rodrigo da Fonseca 149, Caixa Postal 514, Lisbon; and at Guarda. I; I–3.
Dobler, Herbert.—Rua Santa Marta 232, Lisbon. I.
Dobling, Heinz.—Calcada do Carmo 25, Lisbon. I.
D'Oliveira, Francisco Henriques.—Calcada do Carmo 25, and Rua Antero do Quintal 37, Lisbon. I.
D'Oliveira, F., Ltda.—Rua Arco do Bandeira 112, Lisbon. I.
Droll, Mario.—Lisbon. I–2.
Drolhe, Mario.—Lisbon. I–2.
Duarte, Americo Hasse.—Rua S. Nicolau 42, Lisbon. I.
Durao, Antonio d'Oliveira.—Calcada Duque Lafoes, Lisbon. I–2.
Eberhard, Dr. Richard.—Hotel Tivoli, Lisbon. II–1.
"Editorial do Foro Ltda."—Rua do Crucifixo 50–2, Lisbon. I.
Ehrenfest, Frederic.—Rua da Victora 53, and Ave. Trouville Villa das Acacias, Monte Estoril, Lisbon. I.
Electrificadora Alentejana Ltda., Soc.—Rua de Lisboa 19, Beja (Alentejo). I–2.
"Electro-Rayd", Pedro Aires Gomes.—Rua da Trindade 13–15, Oporto. I.
Ell, Josef.—Rua da Prata 184, Lisbon. I.
Elmo Ltda.—Rua da Victoria 53, Lisbon. I.
Empresa Comercial de Maquinas e Electricidade Ltda.—Rua da Palma 225, Lisbon. I.
Empresa Comercial Jurgens Ltda.—Travessa da Fabrica 2, Oporto. I.
Empresa de Conservas Sagrada Familia (Jose da Silva Torres).—Rua Brito Capelo 960–970, Matozinhos, Oporto. I.
Empresa de Fiacao e Tecidos de Benfica.—Ave Barjona de Freitas 7, Lisbon. II–5.
Empresa Forncecedora de Mantimentos, Safari Ltda.—Rua Cais de Santarem 24, Lisbon. I.
Empresa Mineira de Sabrosa Ltda.—Rua Trindade Coelho 1, Oporto. II–3.
Empresa Mineira Viriato Ltda.—Praca dos Restauradores 13, Lisbon. II–5.
Empresa Nacional de Pesca–Enape Ltda.—Rua Serpa Pinto 122, Matozinhos, Oporto. II–3.
Empresa Resineira do Centra do Portugal Ltda.—Rua da Madalena 133, Lisbon; and at Colmeias, Leiria. I.
Enape Ltda. (Empresa Nacional de Pesca).—Rua Serpa Pinto 122, Matozinhos, Oporto. II–3.
"Escol", Escritorio de Comercio Geral Ltda.—Rua Sa da Bandeira 510, Oporto. I.
Estaleiros de Sao Jacinto.—Aveiro. I–2.
Eter Ltda.—Rua da Victoria 53, Lisbon. I.
Exploracoes Florestaes Ltda., Soc. de.—Rua dos Fanqueiros 234, Lisbon. I.
Exploradora de Transportes Ltda., Soc.—Praca Duque da Terceira 24, Lisbon. II–3.
Exportadora de Corticas Ltda., Soc.—S. Pedro de Alverca, Vila Franca de Xiva. I.
Fabrica S. Francisco (Viuva e Herdeiros de Francisco Feria Tenorio).—Vila Real de Santo Antonio. I–1.
Fabricius, Hans Joachim.—Rua da Imprensa Nacional 40, Lisbon. I.
Fahrmeir, Adolf.—Rua do Crucifixo 76, Lisbon. II–3.
Fahrmeir, A. Ltda.—Rua do Crucifixo 76, Lisbon. II–3.
Faria, Jose Serrao de.—Rua Brito e Cunha, Matozinhos, Oporto; and Ave. Barbosa du Bocage 126, Lisbon. II–1.
Faria & Cia., Serrao de.—Rua Nova do Almada 59, Lisbon. II–1.
Fenollar, Fernando M.—Rua da Misericordia 20, Lisbon. I.
Feria, Manuel de Mora.—Alhos Vedros. II–1.
Fernandes, Abel.—Rua Augusta 176, Lisbon. II–3.
Fernandes, Antonio Jose.—Travessa de Cima 300, Oporto. I.
Fernandes & Cia. Ltda., Abel.—Rua Augusta 176, Lisbon. I.
Ferrao, Fernando de Oliveira Abranches (Dr.).—Rua do Crucifixo 50–2, Lisbon. I.
Ferraz & Alcada.—Guarda. II–3.
Ferreira, Fernando Simoes.—Rua Garrett 74, and Rua Luz Soriano 90, Lisbon. I–4.
Ferreira, Francisco.—Rua Aurea 165, Lisbon. I.
Ferreira Filipe Ltda.—Rua da Madalena 18, Lisbon; and Quinta da Maceda, Barreiro. I.
Ferreira Ltda., Ernesto.—Rua da Madalena 40–44, Lisbon, and all branches in Portugal. I.
Ferreira, Manuel Mendes "Casa Ferreira".—Rua da Rosa 185, Lisbon. I–4.
Ferrero, Egon Giulio.—Avenida Palace Hotel, Lisbon. I.
Feu, Manuel.—Mexilhoeira da Carregacao, Portimao. I.
Feu Marchena, Caetano.—Mexilhoeira da Carregacao, Portimao. I.
Feu Marchena, Ernesto.—Mexilhoeira da Carregacao, Portimao. I.
Feu Marchena, Jose Antonio.—Mexilhoeira de Carregacao, Portimao. I.
Feu Hnos. Soc. de Resp. Ltda.—Mexilhoeira da Carregacao, Portimao. I.
Fiat Portuguesa S.A.—Rua Santa Catarina 122, Oporto, and all branches in Portgual I.
Fibra Comercial Lusitana Ltda.—Ave. da Bóa Vista 1904, Oporto. I.
Figueiredo, Carlos de.—Rua das Pretas 23, and Rua da Conceicao da Gloria 9, Lisbon. II–1.

Figueiredo, Fernando.—Rua de Passos Manuel 99, Lisbon. I–4.
Fidrmuc, Paul.—Hotel do Parque, Parque Estoril, Lisbon. I.
Filacchioni, Bruno.—Avenida Palace Hotel, Lisbon. I.
Finlandia, Casa da.—Rua da Palma, Lisbon. I–4.
Fischer, Karl.—Rua S. Joao da Mata 117, Lisbon. I.
Flecha, Doroteo.—Beja (Alentejo). I–4.
Florentino, Joaquim Abelha.—Rua Barao de Sao Cosmo 28, Oporto. I.
Fragoso, Antonio R.—Rua dos Fanqueiros 65, Lisbon. I.
Franchi, Alcino.—Rua Nova do Desterro 34, Lisbon. I.
Franchi, Claudio.—% Soc. Com. Luso-Italiana, Travessa das Salgadeiras 7, and Rua S. Antonio des Caputos 2, Lisbon. I–3.
Franco & Cia. Ltda.—Rua do Almada 501, Oporto. II–1.
Frank, Camillo.—Rua da Boa Vista 7, Alges, nr. Lisbon. I–3.
Frazao, Fernando.—Largo Tito Fontes 672, Oporto. I–4.
Frederico, C. Ltda.—Rua dos Douradores 32, Lisbon. I.
Freitas, Jaime Lancastre de.—Rua Padre Antonio Vieira 6, Lisbon. I.
Freitas Ltda., de.—Rua da Prata 8, Lisbon. I.
Freitas Sucrs. Ltda., Jose Augusto de.—Rua Cais de Monchique 22, Oporto. II–3.
Friebel, Werner.—Hotel das Duas Nacoes, Rua da Victoria, Lisbon. I.
Fritzsche, Volkmar.—Rua Rosa Damasceno, and Rua do Comercio 8, Lisbon. II–5.
Funghini, Goffredo.—Hotel Tivoli, Ave. da Liberdade 179, Lisbon. I.
Gallicani, Dino.—Rua Arco do Bandeira 219, Lisbon. I.
Galuppo, Giuseppe (fu Carlo).—Estrada do Circunvalacao, Olhao. I.
Garagem Dafundo.—Rua Policarpo Anjos 70, Dafundo, Lisbon. I.
Garagem Grandella.—Rua Tomaz Ribeiro 83, Lisbon. I; II–4.
Garcia, David Benito.—Rua do Comercio 8, Lisbon. I.
Garcia, Ilidio.—Rua dos Sapateiros 39, Lisbon. I.
Garcia, Martin Munoz.—Avenida Palace Hotel, Lisbon. I–2.
Garcia, Natalio.—Rua do Comercio 8, Lisbon. I.
Garcia Ltda., Benito.—Rua do Comercio 8, Lisbon. I.
Gawrisch, Heinz.—Rua Goncalo Cristovao 68, Oporto. I.
Gellweiler, Joao Jose Vieira.—Travessa do Alecrim 3, Lisbon. I.
Gellweiler, Joseph.—Travessa do Alecrim 3, Lisbon. I.
Georgieff, Ansen.—Hotel Tivoli, Lisbon. I.
Godinho, Joao Pedro.—Figueiro dos Vinhos. I.
Goeben, Gustav F.—Rua dos Correeiros 134, Lisbon. I.
Gomes, Pedro Aires "Electro-Rayd".—Rua da Trindade 13–15, Oporto. I.
Goni, Andres.—Rua do Comercio 95–107, Lisbon. I.
Gonzales, Artur.—Ginjal 41, Almada, I.
Gonzales & Nascimento Ltda.—Ginjal 41, Alamada. I.
Goti, Alfredo.—Avenida Palace Hotel, Lisbon. I–4.
Gottlieb, Egon.—Rua do Arsenal 108, Lisbon. I.
Gourdel, G.—Palace Hotel, Estoril, Lisbon. II–3.
Graef, Max.—Rua da Prata 51 and 59, Lisbon. I–4.
Grebler, Albert.—Lisbon. II–4.
Greiner Ltda.—Faro. I.
Grimeisen, Herman.—Rua do Ouro 110–116, Lisbon. I.
Grimm, Hans.—Rua de Montepio Geral 30, Lisbon. II–5.
Gruen & Bilfinger S.A.—Rua da Madalena 163, Lisbon. I.
Guerin, Carlos.—Rua do Arsenal 108, Lisbon. I.
Guerin Ltda., Carlos (Transportes Internacionas).—Rua do Arsenal 108, Lisbon; and Rua Santa Catarina 304–308, Oporto. I.
Guerreiro, Feliciano.—Rua Poeta Milton 3, Lisbon. I–3.
Guimaraes, Antonio Henrique de Sousa.—Rua Mousinho de Albuquerque 349, Matozinhos, Oporto. I.
Guimaraes, Eduardo de Sousa.—Rua Mousinho de Albuquerque 349, Matozinhos, Oporto. I.
Guimaraes, Olivio d'Almeida Antao.—Vivenda Guimaraes, Ave. Central 40, Telheiras de Cima. I.
Guimaraes & Neves.—Torres-Vedras, Lisbon. I.
Halpern, Samy.—Rua Aurea 280, Lisbon. II–3.
Hamann, Frederico Willy.—Rua Jose de Carvalho 68, Foz; and Rua da Alegria 617, Oporto. I.
Hansa Ltda.—Praca Luis de Camoes 36, Lisbon. I.
Haut, Vladimir Eugen.—Rua Aurea 200, and Rua da Madalena 85, Lisbon, and at Oporto. I–3.
Heim, Willi.—% J. Wimmer & Co., Ave. 24 de Julho 34, and Estrada de Bemfica 71, Lisbon. II–1.
Henriques, Artur.—Rua do Arsenal 94, Lisbon. I.
Henriques Irmaos Ltda.—Rua do Arsenal 94, Lisbon. I.
Hentze, Richard.—% Schuette & Cia. Ltda., Praca Luiz de Camoes 36, Lisbon. II–4.
Henzler, Fritz.—Faro. I.
Herold, Henrique Jerosch.—Rua da Vitoria 53, Lisbon. II–5.
Hingste, Hermann zum.—Rua da Madalena 18, Lisbon. I.
Hipolito, Antonio.—Lisbon. I.
Hipolito, Casa.—Rua Serpa Pinto, Torres-Vedras, Lisbon. I.
Hitzemann & Cia., Ltda.—Rua Sa da Bandeira 520–6, Oporto. I.
Hofle, Adolfo & Queiroz.—Rua Sa da Bandeira 257A, Oporto. I.
Hollmueller, Alfred.—% J. Wimmer & Co., Ave. 24 de Julho 34, Lisbon. I
Hombravella, Gerardo.—Lisbon. I–2.
Hora, Virgilio Felisberto Martins da.—Rua de Andaluz 17, Lisbon. II–3.
Hübert, Alberto.—Caxias, Apartado 321, Lisbon. I.
Hungria, Antonio.—Rua Bernardino Costa 50, Lisbon. I.
I.C.A. Portuguesa Ltda.—Largo do Conde Barao 27, Lisbon. I.
Ilari, Carlos.—Olhao. I.
Imperial Ltda.—Rua Aurea 265, Lisbon. I.
Imprensa Barreiro.—Rua Victor Bastos 51, Lisbon. I.
Inacio, Antonio Francisco.—Alcanena. II–3.
Industrial e Mercantil dos Olivais Ltda., Soc., "SIMOL".—Rua Augusta 280, Lisbon. I.
Industrial Tejo, Soc.—Praca do Municipio 20, Lisbon. II–4.
Insulana de Transportes Maritimos Ltda., Soc.—Praca Duque da Terceira 24, Lisbon. I.
Interco Ltda.—Rua Rodrigues Sampaio 4, Lisbon. I.
Intermundo Ltda.—Rua Miguel Pais 40, Barreiro, and Rua do Cruzeiro a Ajuda 10, Lisbon. I–3.
Issel, Fritz.—Rua das Pedras Negras 30, Lisbon. I.
Italcable, Comp. Italiana Deicavi-Telegrafici Sottomarini.—Rua da Conceicao 124–130, Lisbon; and at Oporto. I.
Jacinto, Jose Viegas.—Faro. I.
Jacinto Jnr., Manuel Viegas.—Estrada da Senhora da Saude, Faro. I.
Jacob, Karl Heinrich.—Rua do Comercio 8, and Rua Heliodoro Salgado 11, Lisbon. II–5.
Jahncke, Bernard.—Rua do Cais de Santarem 24, Lisbon. II–4.
Jerosch Herold, Heinrich.—Rua da Vitoria 53, Lisbon. II–5.
Jordao, Joaquim Magalhaes.—Rua Arco do Bandeira, Lisbon; and at Valado, Alcobaca. I.
Jurgens, Heinrich.—Travessa da Fabrica 2, Oporto. I.
Kalmar, Hugo.—Avenida Palace Hotel, Lisbon. I.
Kantor, Samuel.—Ave. Santos Dumont 67, Lisbon. I–4.
Karastoyanoff, Gheorghi.—Hotel Tivoli, Lisbon. I–2.
Karl, Ltda., Walther.—Rua do Comercio 42, Lisbon. I.
Katzenstein, Eduardo.—Travessa da Amoreira 20, Pampulha, Lisbon. I.
Knapp, Max.—Palacio Hotel, Estoril. I–2.
Knigge, Baron Otal.—Rua Joaquim Antonio de Aguiar 73, Lisbon. I.
Kohlhoff, Erich.—Rua Jardim do Regedor 2, Lisbon. I.
Kores Ltda.—Rua de S. Nicolau 13, Lisbon. I.
Kozaroff, Dr. Theodor.—Hotel Tivoli, Lisbon. I.
Kraft, Julio.—Rua Aurea 200, Lisbon, and at Carnaxide. I–3.
Kramer Ltda. (Farmac).—Galeria de Paris 102, Oporto. I.
Krebs, Karl Heinrich.—Rua do Cativo 22, Oporto. I.
Kulenkampff, Helmut.—Rua Joao Anastacio Rosa 12, Lisbon. I.
Lacasta, Manuel Jose Stichaner.—Largo Prainhas 92, Olhao. I.
Lacasta Ltda.—Olhao. II–3.
Lanz, Humberto.—Hotel Tivoli, Lisbon. I.
Lanzani, Miguel.—Hotel Universo, Lisbon. I.
Lassen & Cia., Ltda.—Rua da Prata 59, Lisbon; and at Oporto. I.

Lauterbach, Paulo Kunst.—Largo do Conde Barao 27, Lisbon. I.
Lavandeira, Alvaro.—Rua Rodrigues Sampaio 4, Lisbon. I.
Lazaro, Bonifacio.—Rua da Saude, Setabal. I.
Lazzara, Carlo.—Olhao. I.
Lazzara, Niccolo.—Olhao. I.
Lazzari, Emmanuele.—Rua dos Sapateiros 219, Lisbon. I.
Leal, Antonio do Carmo.—Lagos. I.
Leal, Joaquim do Carmo.—Lagos. I.
Ledo, Mario.—Parque Escolas, Setubal. I.
Leichsenring, Erich.—Rua do Almada 539, Oporto. I.
Leichsenring Ltda.—Rua de Belomonte 59, Oporto. I.
Leitao & Lilienthal Ltda.—Praca dos Restauradores 13, Lisbon. I.
Lepori, Luigi.—Rua Victor Cordon I–E & I–G, Lisbon. I.
Lesser, Bruno.—Rua Cais de Santarem 32, Lisbon. I.
Lewandowsky, Georg.—Caixa Postal 360, Lisbon. I.
Lima, Paulo Pinto.—Praca Duque da Terceira 24, Lisbon. I.
Lisboa Filme Ltda.—Quinta dos Ulmeiros, Al. das Linhas de Torres, Lumiar, Lisbon. I.
Lobar-Grupo Portuguese Importador e Exportador Ltda.—Rua do Ouro 191, Caixa Postal 366, Lisbon. I.
Lobe & Cia., Albrecht.—Rua Antonio Barroso 299, Oporto. I.
Loesch, Hermann.—Rua do Comercio 42, Lisbon. I.
Lopes & Cia. Ltda., Joao Manuel.—Galeria de Paris 102, Oporto. I.
Lopez, Valeiras Hnos.—Rua Camilo Castelo Branco, Setubal. I.
Loucas, Casa das-Eduardo F. Barbosa.—Rua Formosa 331–333, Oporto. I.
Lourenco & Charneca Ltda.—Faro. I.
Lovioz, Carlo Guiseppe.—Avenida Palace Hotel, Lisbon. I.
Loy, Karl.—Rua de Cedofeita 103, Oporo. I.
Lucas & Cia. Ltda.—Rua Herois de Franca 223, Matozinhos, Oporto. II–3.
Lucas & Filhos, Joaquim Ferreira Pedro.—Rua Serpa Pinto 227, Matozinhos, Oporto. II–3.
Lucas & Filhos Ltda., Antonio.—Ave. Meneres 853, Matozinhos, Oporto. II–3.
Lueddeke, Juan.—Hotel Atlantico, Estoril, Lisbon. I–4.
Luso-Exportadora Ltda.—Praca dos Restauradores 13, Lisbon. I.
Luso-Hungara Ltda., Soc.—Rua Serpa Pinto 14, Lisbon. I.
Luso-Italiana Ltda., Soc. Comercial.—Travessa das Salgadeiras 7, Lisbon. I.
M.O.T.O.P. Motores a Oleos Pesados.—88 Rua da Victoria 30, Lisbon. I.
Macedo e Conto, Joaquim:—Calcada dos Barbadinhos, 15, Lisbon. I–1.
Macedo, Joao Maria da Costa Cabral de.—Rua da Victoria 53, Lisbon; and Quinta de Santa Sofia Cruz, Quebrada. I.
Machado, Olivia.—Rua Conde S. Salvador 106, Matozinhos, Oporto. II–3.
Machado & Nunes Ltda.—Rua dos Fanqueiros 38, Lisbon. I.
Madureira e Rego Ltda. (Owners of A.S.V. "Nina" [ex "Dina"]).—Rua da Conceicao 125, Lisbon. I.

Magalhaes, Mario Ferreira.—Vila Mea. II–3.
Mainto, Riccardo.—Avenida Palace Hotel, Lisbon. I.
Maissa, Elio Francisco.—Rua do Ouro 87, and Ave. Alias Garcia 31, Lisbon. II–4.
Malato, Vittorio Emmanuele.—Rua Policarpo Anjos 70, Dafundo, Lisbon. I.
Malheiro, Antonio.—Viana do Castelo, and Praca da Republica, Oporto. II–3.
Malheiro, Antonio Coelho de Castro Vilas-Boas.—Viana do Castelo, and Praca da Republica, Oporto. II–3.
Mallet, Claude George Coventry.—Vila Marie Christine, Praia da Roche, and Quinta do Serpa Vilalonga, Povoa de Santa Iria. II–5.
Mantero, Ltda., Francisco.—Rua de S. Nicolau 26, Lisbon. I.
Marcomina Ltda.—Rua da Assuncao 57, Lisbon. I.
Marcus y Harting, Ltda.—Rocio 50, Lisbon. I.
Marin, José Olivares.—Rua de S. Nicolau 26, Lisbon. I.
"Mariposa, Alfarataria"—Jose Dos Santos Jnr.—Rua dos Fanqueiros 87–91, and Ave. Barbosa dos Bocage 21, Lisbon. II–5.
Marques, Afonso de Oliveira.—Rua Camilo Castelo Branco, Setubal. I.
Marques, Jose de Oliveira.—Rua Camilo Castelo Branco, Setubal. I.
Marques Jnr., Afonso de Oliveira.—Rua Camilo Castelo Branco Setubal. I.
Marques, Marcial.—Lisbon. I–2.
Marques, Norberto.—Rua Augusta 188, Lisbon. I–4.
Marques, Neves & Cia. Ltda.—Rua Camilo Castelo Branco, Setubal; and at Matozinhos, Oporto. I.
Martenson, Colonel Bertel.—Lisbon. II–5.
Martinez de Prado, Frederico.—Hotel das Duas Nacoes, Rua da Victoria, Lisbon. I.
Martino, Mario de.—Rua Capitao Nobre, Olhao. I.
Martins, Augusto.—Rua Almirante Barroso 1, Lisbon. I.
Martins, Vasco Burmester.—Rua Jose Falcao 185, Oporto. I.
Martins & Filhos Ltda., Antonio Gomes.—Lordelo do Ouro, Oporto. II–4.
Mascarenhas, Jose Thomas de.—Ave. Antonio Augusto de Aguiar 191, Lisbon. I–3.
Matos, Dr. Leontino Jose de.—Ave. Todi 156, Setubal. I.
Matos Jnr., Joaquim Ferreira Silva.—Rua da Alegria 617, Oporto. I.
Matos, M. Pereiera de.—Largo do Carmo 18, Lisbon. I.
Mauler, Josef.—Rua de S. Nicolau 13, Lisbon. I.
Mayer, Bruno.—Avenida Palace Hotel, Lisbon. I–2.
Medeiros e Camara, Segesmundo Pereira de.—Rua Gomes Freire 136, Lisbon. I.
Mederos Gil, Luis.—Lisbon. II–3.
Mediterranea de Permutas Ltda.—Ave. Antonio Augusta d'Aguiar 138, Lisbon. II–5.
Meiners, Jorge.—Rua da Prata 198, Lisbon. II–4.
Mendes, J., & Co.—Olhao. II–4.
Mendes Ltda.—Praca D. Pedro IV (or Rossio) 59, Lisbon. I; II–4.
Mendonca & Cia. Ltda. "Metalurgica Alentejana".—Rua do Arsenal 126, Lisbon; and at Beja (Alentejo). I–2.
Menegani, Giovanni.—Ave. da Liberdade 234, Lisbon. I.
Menendez, Fernando.—Rua de S. Juliao 50, Lisbon. I.
Meneres Sucrs. Ltda., Antonio Ferreira.—Cais da Fontinha, Vila Nova de Gaia, Oporto. I–2.
"Metalurgica Alentejana" Mendonca & Cia. Ltda.—Rua do Arsenal 126, Lisbon; and at Beja (Alentejo). I–2.
Metalurgica de Bemfica.—Estrada das Garridas, Lisbon. I.
Metropolitana e Colonial de Construcoes, Ltda., Soc. (S.O.M.E.C.).—Rua da Madalena 163, Lisbon. I.
Meyer, Hans.—Rua Dr. Silva Teles 9, Lisbon. I.
Meyer, Herbert.—Rua Dr. Silva Teles 9, Lisbon. I.
Meyer Ltda.—Rua dos Fanqueiros 267, Caixa Postal 32, Lisbon. I.
Meyer Ltda., Fritz W.—Rua Vasco da Gama 1–5, Esquina de Praca D. Luiz 27, Lisbon. I.
Mickley, Ewald.—Praca Luiz de Camoes 36, Lisbon. I.
Midoes, Alberto Emidio.—Central Hotel, Rua Brito Capelo 161, Matozinhos, Oporto. II–3.
Mineira Lisbonense S.A.R.L.—Ruo do Comercio 8, Lisbon. II–5.
Minero Silvicola, Ltda.—Rua do Comercio 8, Lisbon; and Rua Santa Catarina 377, Oporto; and all branches in Portugal. I; II–1.
Ministro, Tenente Joaquim Figueiredo.—Rua da Madalene 215, Lisbon. I.
Minnemann, W. (Wolfram Anthime Ludwig Marques Minnemann).—Rua Cimo de Vila 5, Oporto. I.
Miranda, Jose Pereira.—S. Pedro de Alverca, Vila Franca de Xiva. I.
Moita, F.—Rossio 3, Lisbon. I.
Monteflor Ltda.—Rua do Ferregial 46–48, Lisbon. I.
Monteiro, Antonio de Sousa.—Rua Almeida e Sousa 13, and Chalet Noemia Estoril, Lisbon. I.
Monteiro, Jose M. Alves.—Travessa do Ameal 330, Oporto. I–2.
Monteiro, Luiz Maia.—Rua Coelho da Rocha 44, Lisbon. I–3.
Monteiro & Cia., Ltda., Manuel J.—Rua dos Correeiros 134, Lisbon. I.
Moraes, Jnr., Eduardo Victorino de.—Rua Santana a Lapa, Lisbon, and all branches in Portugal. I.
Moraes Ltda., Eduardo de.—Calcada do Sacramento 14, Lisbon. II–4.
Moreira, Manuel A.C.—Rua da Madalena 215, Lisbon. I.
Moreno, Edelmiro.—Ruo San Juliao 48, and Hotel Suisso Atlantico, Rua de Gloria 3, Lisbon. I.
Mota, Jose S.M.—c/o J. Wimmer & Co., Ave. 24 de Julho 34, Lisbon. I.
Motores a Oleos Pesados (M.O.T.O.P.).—88 Rua da Victoria 30, Lisbon. I.
Moura & Leitao Ltda.—Rua da Assuncao 99, Lisbon. II–4.
Mouths, Fernando.—Rua do Mundo 36, Caixa Postal 558, Lisbon. I–3.
Mugica Maiztegui, Angel.—Rua dos Sapateiros 62, Lisbon. I–3.

Mumoz Garcia, Martin.—Avenida Palace Hotel, Lisbon. I–2.
Nacional da Industria Mineira Ltda., Soc.-Sonimi.—Azinhaga dos Ameixiais, Lisbon. I.
Nagy, Bartolomeu de.—Alto Estoril, Lisbon. I.
Nascimento, Alvaro do.—Estrada de Vizo, Caixa Postal 14, Setubal. I.
Nascimento, Americo do.—Estrada de Vizo, Caixa Postal 14, Setubal. I.
Nascimento, Joao.—Ginjal 41, Almada. I.
Nascimento, Joao Manuel.—Ginjal 41, Almada. I.
Nascimento, Manoel do.—Largo Antonio Joaquim Correira, Setubal. I.
Nascimento, Mario do.—Estrada de Vizo, Caixa Postal 14, Setubal. I.
Navas, Manuel Fernandez.—Rua Rodrigues Sampaio 50, Lisbon. II–1.
Neto, Abel de Oliveira.—Rua Viriato 11, Lisbon. II–4.
Neumann, Hans.—Rua do Arsenal 108, Lisbon. I.
Nogueiro, Ermando Borges.—Rua de S. Damaso 51, Guimaraes. I.
Oceano, Fabrica-Lopes do Cruz & Cia., Ltda.—Rua Brito e Cunha 541, Matozinhos, Oporto. I.
Oleos Lubrificantes Ltda., Soc. de.—Ave. Joao Crisostomo 72, Lisbon; and Rua Santa Catarina 253, Oporto. II–3.
Oliu, Americo.—Rua dos Fanqueiros 257, and Travessa da Trabuqueta 28, Lisbon. II–3.
Oliveira, Jose Belmonte Pereira de.—Rua do Ferregial 46–48, and Rua da Polvora 12, Lisbon. I.
Oliveira, Manoel.—Rua Dr. Julio de Matos 430, Oporto. I.
Olst, Otto.—Rua dos Sapateiros 139, Lisbon. I.
Optica Medica Ltda.—Rua do Bomjardin 374–76, Oporto. I–2.
Optica Técnica Optec Ltda., Soc.—Rua 1st de Dezembro 101, Lisbon. I.
Ornelas e Oliveira, M.A.—Rua da Victoria 38, Lisbon. I.
Osswald, Ernst.—Rua Herois de Chaves 892, Oporto. I.
Palau, Luis.—English Bar, Monte Estoril, Caixa Postal 521, Lisbon. I.
Palha, Carlos Vanzeller Pereira.—Quinta das Areias, Vila Franca de Xira. I.
Palha, Francisco Vanzeller Pereira.—Quinta das Areias, Vila Franca de Xira. I.
Palma & Viana Ltda.—Rua dos Correiros 92, Lisbon. II–1.
Pankow, Werner.—Ave. de Berne 120, Lisbon. I.
Parodi, Angelo:—Vilareal, and all branches in Portugal. I.
Parreira, Vasco.—Rua Serpa Pinto, Torres Vedras, Lisbon. I.
Patatel, Artur.—Lisbon and Oporto. I.
Peixoto, Antonio "Uniao Mecanica".—Rua de Santo Andre, Braga. II–3.
Peixoto, Nuno Miguel.—Lisbon. II–3.
Pena, Joaquim.—Lisbon. I.
Pereira, Alexandre Marques.—Rua Sampaio Bruno 49, and Largo da Anunciada 9, Lisbon. I.
Pereira, Augusto Paulo.—Ave. Almirante Reis 70, Lisbon. I.
Pereira, Diamantino Nunes.—Rua Arco do Bandeira 38, Lisbon. I.
Pereira, Francisco Miguel.—Mora-Setubal. II–3.
Pereira, Guilherme.—Ave. de Berne, Lisbon; and Quinta de Grilo, Carnaxide. II–3.
Pereira, Jose Ruide Matos (owner of S.S. "Alvaiazere").—Praca de Alegria 12, Lisbon. I–3; I–4.
Pereira Jnr., Guilherme.—Rua Tomaz Ribeiro 83, Lisbon. I; II–4.
Pereira, Maria Theresa.—Rua Sampaio Bruno 49, and Largo da Anunciada 9, Lisbon. I.
Pereira & Cia. Ltda., Guilherme.—Ave. de Berne, Lisbon. II–3.
Pereira & Martins Ltda.—Rua da Barroca 109, and Praca dos Restauradores 13, Lisbon. II–4.
Perola do Rocio Ltda.—Rocio 105, Lisbon. I.
Pescoller, Heinrich. Lisbon. I.
Pestana, Victor Rodrigues.—Ave. Sacadura Cabral 21, Lisbon; and at Alpiarca. I.
"Pfaff" Maquinas de Costura-Santos & Araujo Ltda.—Rua Garrett 49–51, Lisbon. I.
Piano, Alvaro A. C.—Rua Aurea 103–105, Lisbon. I.
Piano Jnr., Jose.—Lisbon. I.
Piano Jnr., A. & Co.—Lisbon. I.
Picao, Antonio da Silveira.—Praca D. Joao da Camara 19, Lisbon. I.
Pimenta, Francisco Bethencourt.—Calcada do Desterro 11, and Rua Rodrigues Sampaio 76, Lisbon. I.
Pimenta, Vicente Bethencourt.—Rua Saudade 23, Lisbon. I.
Pinto & Cia., Ltda., Alvaro.—Rua das Arameiros 11, Lisbon. I.
Pinto Marques & Cia.—Vila Mea, Amarante. I.
Pires, Carmolino Ferreira.—Rua da Madalena 91 and 113, Lisbon. I.
Poehner, Egon.—Avenida Palace Hotel, Lisbon. I.
Polonia, Adao Pacheco.—Rua Brito Capelo 1104–1200, and Rua Serpa Pinto 122, Matozinhos, Oporto. II–3.
Polonia & Cia. Ltda., Adao.—Rua Brito Capelo 1104–1200, Matozinhos, Oporto. II–3.
Pontes Ltda., Jose Correia.—Rua Nova de Levante 87–89, and Rua Manuel Tome Viegas Vaz 2–4, Olhao. 1–4.
Popescu, Giorgi.—Hotel Metropole, Lisbon. II–4.
Popescu, Pascal.—Hotel Metropole, Lisbon. II–4.
Porfirio & Ferreira Ltda. (Agencia Ciclame).—Rua Garrett 74, and Estrada do Calharez de Benfica, Lisbon. I–4.
Porst, Kurt.—Rua da Prata 59, Lisbon. I.
Porst Ltda., Kurt.—Rua da Prata 51 and 59, Lisbon. I–4.
Portugal Previdente.—Rua do Alecrim 10, Lisbon; and at Oporto. I.
Portuguesa Bodoni Ltda., Soc.—Rua de S. Nicolau 23–4, and Travessa Nova de S. Domingo 9, Lisbon. I.
Portuguesa Ltda. Soc., Comercial.—Rua dos Sapateiros 39, Lisbon. I.
Potthoff, Francisco.—Rua da Luta 26, Lisbon. I.
Productora Algarvia Ltda.—Olhao. II–4.
Produtos Africanos, Soc. de.—Rua de S. Nicolau 26, Lisbon. I.
Puls, Helmuth.—Lisbon. I.
Quimico-Farmaceutica Ltda.—Rua Gomez Freire 96, Lisbon. I.
Quinta da Alegria.—Carregado, Alenquer. I–4.
Rabenau, Walter.—Rua dos Fanqueiros 136, Lisbon. I.
Ramos, Manoel.—Carcavellos. II–3.
Ramos Ltda., Jose.—Rua Aurea 280, Lisbon. II–3.
Ratfisch, Werner.—Chalet Boby, St. Joao do Estoril, Nr. Lisbon, and Rua do Comercio 8, Lisbon. II–5.
Razzini, Giovanni.—Olhao. I.
Reich, Bruno.—Ave. Ressano Garcia 37, Lisbon. I.
Reich, Ernesto.—Rua Damasceno Monteiro 67A, Lisbon. I–4.
Reima S.A.—Lisbon. I–2.
Reinelt, Bruno C.—Rua Sampaio e Pina 64, Lisbon. I–3.
Rezende, Jorge Gomes de.—Rua Elisio de Melo 28, Oporto. II–5.
Ribatejo Ltda., Soc. do.—Praca do Municipio 13, Lisbon; and at Fontes de Reguengo, Pontevel. II–3.
Ribeiro, Dr. Joao Correia.—Rua Nova do Almada 53, Lisbon. I.
Ribeiro, Porfirio Marques.—Rua Garrett 74, Lisbon; and at Santarem. I–4.
Ribeiro & Lopes Ltda.—Rua Aurea 103–105, Lisbon. I.
Richter, Erich.—Palacio Hotel, Estoril, Lisbon. I–4.
Rimoldi, Angelo.—Avenida Palace Hotel, Lisbon. I–4.
Rober, Wilhelm.—Ave. Elias Gracia 172, Lisbon. I.
Rocha, Celestino Malo.—Rua dos Fanqueiros 221, Lisbon. I.
Rodrigues, Albino Casimiro.—Castro Daire, Folgosa. II–3.
Rodrigues, Antonio Fraga.—Rua dos Pedroucas 75A, Lisbon. I–4.
Rodrigues, Candido Fraga.—Rua dos Pedroucos 75A, Lisbon. I; I–3.
Rodrigues, Diego d'Oliveira.—Ave. Almirante Reis 50, Lisbon. I.
Rodrigues, Joao Gomes—Rua da Betesga 57, and Rua do Comercio 8, Lisbon. II–5.
Rodrigues, Luciano.—Vila Verde, Paranhos, Seia. I–2.
Rodrigues, Maria Piedade.—Rua de D. Estefania 105, Lisbon. I.
Rodrigues & Cia Ltda., J. Oliveira.—Ave. Julio Graca, Vila do Conde, Oporto. I.
Rodriguez & Mira Ltda.—Rua Centieira, Olivais, Lisbon. I.
Roeder, Carlos Alberto.—Lisbon and Beja (Alentejo). I–2.
Roesner, Gustav Emil.—Lisbon. I–2.
Rohde, Walter.—Rua dos Correiros 15, Lisbon. I–3.
Rosa, Jose.—Olhao. II–5.
Rosario, Julio Ferreira do.—Rua dos Fanqueiros 262, Lisbon. II–1.
Rosenstein, Martin (Mojzesk).—Rua de Palma 126, and Rua Zaire 5. Lisbon. II–3.
Rothes, Francisco Lopes.—Rua Val Formosa 210, Oporto. I.
Roubau, Nicoliaus.—Club Alemao, Carcavelos, Casais. I.
Russia, Casa da.—Rua Augusta 142, Lisbon. I–4.
Russo, Enrico.—Ave. Elias Garcia 153, Lisbon. II–4.

Ryck, Clemens.—Rua da Guine 8, Lisbon. II–5.
Ryck & Warncke Ltda.—Praca do Municipio 19, Lisbon. I.
Sàla & Irmao.—Galeria de Paris 97–99, Oporto. I.
Sancho, Rafael Dias.—Faro. I.
Santos, Alberto da Silva.—Rua Dr. R. Sousa Martins 6, Lisbon. I.
Santos, Jnr., Jose dos.—Alfaiataria Mariposa, Rua dos Fanqueiros 87–91, and Ave. Barbosa dos Bocage 21, Lisbon. I.
Santos & Araujo Ltda. (Maquinas de Costura "Pfaff").—Rua Garrett 49–51, Lisbon. I.
Sardinha Ltda., Antonio.—Rua Santa Catarina 253, Oporto. II–3.
Sartorio, Ennio.—Ave. da Liberdade 232, Lisbon. II–3.
Saul, Gustav.—Hotel Victoria, and Atlantic Hotel, Monte Estoril, Lisbon. I.
Schaub, Friedrich.—Lisbon. II–4.
Schering S.A. Portuguesa S.A.R.L.—Largo da Anunciada 9, Lisbon. I.
Scheyer, Paul.—Rua Passos Manuel 174–178, Oporto. I.
Schinkel, Herbert.—Rua do Arsenal 108, and Ave. Antonio Augusto de Aginar 187, Lisbon. I.
Schloesser, Luiz Thoratier.—Rua dos Sapateiros 76, Lisbon, and Ave. Miguel Bombarda, Cacias. I–3.
Schmidt, August.—Praca dos Restauradores 13, Lisbon. I.
Schneider, Walter.—Rua Fialho d'Almeida 26, Lisbon. I.
Schodt, Wolfgang.—Praca Duque da Terceira 24, Lisbon. I.
Schoeppen, Alfred. — Rua Sampaio Bruno 12, Oporto. I.
Schoeppen, Alfredo Jose Maria.—Rua Sampaio Bruno 12, Oporto. I.
Scholz, Hans.—Rua da Victoria 41, Lisbon, and all branches in Portugal. I.
Schrader, Julius.—Rua de Santa Marta 141–143, Lisbon. I.
Schuebel, Georg W.—Lisbon. I.
Schuette & Cia. Ltda.—Praca Luiz de Camoes 36, Lisbon. I.
Schuldt, Carl.—Rua da Prata 59, Lisbon. I.
Schwair, Max.—Rua da Agra 435, Oporto. I.
Schwarz, Hans.—Rua dos Fanqueiros 15, Lisbon. I.
Schwarz & Co.—Rua dos Fanqueiros 15, Lisbon. I.
Sciunnach, Angel.—Lisbon. I–3.
Seguradora International Ltda.—Rua da Prata 81, Lisbon. I.
Sepulveda, Affonso Carlos.—Ave. Almirante Reis 199, Lisbon. I.
Sequeira, F. J. Armando.—Rua Novo do Loureiro 37 Lisbon. I.
Serra, Eduardo da Silva.—Rua Mousinho da Silveira 283, Oporto. I.
Serrador, Antonio dos Santos.—Rua da Madalena 133, Lisbon. I.
Serrano & Filhos Ltda., Jose Rodrigues (Fabrica de Conservas Alimenticias a Boa Nova).—Rua Conselheiro Costa Braga 279, Matozinhos, Oporto. I.
Siegel, Wilhelm Hörske.—Largo do Conde Barao 27, Lisbon, I.
Siemens, Cia. de Electricidade.—Rua Augusta 118, Lisbon; and Rua das Carmelitas 12, Oporto. I.
Siemens Reiniger S.A.R.L.—Rua de Santa Marta 141–143, Lisbon; and Rua Candido dos Reis 120, Oporto. I.
Silva, A. Ferreira da (Antonio Ferreira da Silva).—Rua Alexandre Braga 82, Oporto, and at Vila Nova de Gaia. I–3.
Silva, Artur Rodrigues da.—Rua Luciano Cordeiro 98, Lisbon. I.
Silva, Joao Rodrigues da.—Rua Sao Miguel 47, Oporto. I–3.
Silva, Jose Santos.—Rua das Muzas 110, Oporto. I.
Silva, Laurentino Martins da.—Travessa da Fabrica 2, Oporto. I.
Silva, Luciano Rodrigues da.—Vila Verde, Paranhos, Seia. I; I–2.
Silva, Mario (Transportes Mecanicos).—Rua Coelho da Rocha 44, Lisbon. II–1.
Silva, J. & Ledo Ltda.—Parque Escolas, Setubal. I.
Simoes, Virgilio Duque (owner of S.S. "Mareante").—Rua do Ataide 9, Lisbon. I–1.
"SIMOL" Sociedade Industrial e Mercantil dos Olivais Ltda.—Rua Augusta 280, Lisbon. I.
Sinapius, Otto Herman Gustav.—Largo de S. Domingos 17, Lisbon. I–3.
Sinapius Ltda., Otto.—Largo de S. Domingos 17, Lisbon. I–3.
Siragusa, Giuseppe.—Olhao. I.
Sobralense Ltda.—Sobral da Lourinha. I.
Sociedade de Engenharia Michaelis de Vasconcelos.—Ave. dos Aliados 6, Oporto, and Rua Fialho de Almeida 1, Lisbon. I–1.
Sociedade de Importacao-Enrique Thumann.—Rua Formosa 400, Oporto. I–2.
Sociedade de Peles e Artigos de Viagem Ltda.—Rua Augusta 142, Lisbon. I–4.
Sociedade Financiera Industriale-Sofindus.—Rua Augusta 47, Lisbon. I.
Sofindus (Sociedade Financiera Industriale).—Rua Augusta 47, Lisbon. I.
Solacclu, Mircea.—Hotel Metropole, Lisbon. II–4.
Sonimi (Soc. Nacional da Industria Mineira Ltda.).—Azinhaga dos Ameixiais, Lisbon. I.
Soriano, Jose Jorge Alves.—Rua da Junqueira 29, Lisbon. I.
Sousa, Francisco Sales Pereira de.—Belmonte. II–3.
Sousa, Pedro Jesus de.—Vila Real de Santo Antonio. II–4.
Sousa, Virgilio Pereira de.—Belmonte. II–3.
Sousa Gomes, Ltda.—Calcada do Carmo 6, Lisbon. I.
Spinola Guadalupi, Ugo.—Lisbon. I.
Stamer, Roberto Sloman.—Vila Arriaga, Rua Pinheiro, Monte Estoril, Lisbon. I–3.
Steglich, A. W.—Rua do Crucifixo 76, and Rua Augusta 280, Lisbon. I–3.
Steglich, Fritz R.—Rua Augusta 280, Lisbon. I–3.
Stehn, Kuno.—Rua dos Fanqueiros 15, Lisbon. I.
Stone, Humberto da Camara Pereira.—Rua de D. Estafania 7, Lisbon. I–1.
Strzellewicz, H.—Rua da Conceicáo 67, Oporto. I.
Stuhlmacher, Hans.—Ave. Antonio Augusto de Aguiar 66, Lisbon. I–3.
Stuhlmacher Ltda., Friedrich.—Rua do Ouro 124, Lisbon. I–3.
Stuve, W. & Co.—Rua de S. Francisco 4, Oporto. I.
Suhl, Henry.—Lisbon. I.
Suppan, Vilmos.—Palacio Hotel, Estoril. I–2.
Swiss Watch Trust-Trust Relojoeiro Suisso Ltda.—Rua Aurea 280, Lisbon. II–3.
Targioni, Eduardo.—Avenida Palace Hotel, Lisbon. II–5.
Tavares, Arnaldo Martins.—Rua dos Fanqueiros 221, Lisbon. I.
Tavares, Ernesto Eduardo.—Rua dos Fanqueiros 221, Lisbon. I.
Tavares, Manoel Rodrigues.—Rua 31 de Janeiro, Guarda. II–5.
Tavares & Rocha Ltda.—Rua dos Fanqueiros 221, Lisbon. I.
Tenorio, Viuva e Herdeiros de Francisco Feria-Fabrica S. Francisco.—Vila Real de Santo Antonio. I–1.
Teutonia Ltda.—Ave. Ressano Garcia 21, Lisbon. II–5.
Textil Artificial do Porto Ltda.—Travessa das Andrezas 90, Oporto. I.
Thobe, Walter (Hans Carl Walter Thobe).—Ave. da Boa Vista, Oporto. I; II–4.
Thoratier, Luiz.—Rua dos Sapateiros 76, Lisbon. I–3.
Thumann, Enrique.—Rua Formosa 400, Oporto. I–2.
Thumann, Enrique (Sociedade de Importacao).—Rua Formosa 400, Oporto. I–2.
Tobis Portuguesa.—Alameda das Linhas de Torres 156, Lisbon. II–4.
Tocci, Luciano.--Lisbon. I–3.
Toesca, Chiaffredo.—Ave. da Liberdade 253, Lisbon. I.
Torres, Benedito.—Lisbon and Viana de Castelo. II–1.
Torres, Jose da Silva - Empresa de Conservas Sagrada Familia.—Rua Brito Capelo 960–970, Matozinhos, Oporto. I.
Tortella Figueras S.A.—Lisbon. I–2.
Transportadora Ltda. A.—Rua Augusta 188 Lisbon. I–4.
Transportes Internacionas - Carlos Guerin Ltda.—Rua do Arsenal 108, Lisbon; and Rua Santa Catarina 304–308, Oporto. I.
Transportes Mecanicos Mario Silva (owners of A.S.V. "Pescador").—Rua Coelho da Rocha 44, Lisbon. I; I–2; I–4.
Trevisan, Giuseppe.—Rua Joaquim Antonio de Aguiar 46, Oporto. I.
Trombetta, Fabrisio.—Lisbon. I.
Trust Relojoeiro Suisso Ltda. (Swiss Watch Trust).—Rua Aurea 280, Lisbon. II–3.
Turci, Captain Edmondo.—Lisbon. II–4.
Uebele, Christian.—Lisbon. I.
Uhlfelder, Fritz.—Rua Duque de Loule 112, Oporto. I.
Ulrich, Huller.—Lisbon. I.
"Uniao Mecanica" Antonio Peixoto.—Rua de Santo Andre, Braga. II–3.
Universal de Transportes Ltda., Soc.—Rua dos Fanqueiros 250, Lisbon. I–4.
Vasconcellos & Vasconcellos, Ltda.—Rua do Cura 24, Lisbon. I.
Vasques, Jose Mesquita.—Travessa do Formo do Torel 1, Lisbon. I.

Veiga, Vasco Soares da.—Rua da Madalena 133, Lisbon. I.
Veith, August.—Rua da Palma 146, Lisbon. I.
Viale, Mario.—Rua Duarte Galvao 44, Lisbon. I.
Viana, A. Rocha.—Rua dos Correiros 92–3, and Rua da Condessa 60, Lisbon. I.
Viana, Luiz.—Rua Dr. Jose Ventura 133, Matozinhos, Oporto. II–5.
Viegas, Carlos Bernardino.—Ave. 5 de Outubro 23, Setubal. I.
Viegas, Francisco.—Ave. Antonio Serpa 38, Lisbon. I.
Viegas, Jose.—Setubal. I.
Viegas, Dias & Cia. Ltda.—Calcada do Sacramento 14, Lisbon; and Estrada Graca 256, Fontainhas, Setubal. I.
Viegas & Colombo Ltda.—Setubal. I.
Viegas & Lopes.—Ave. 5 de Outubro 23, Setubal. I.
Viegas Irmaos Ltda.—Rua dos Fanqueiros 38, Lisbon. I.
Viera, Antonio Alves.—Rua do Arsenal 108, Lisbon. I.
Vila, Eduardo de Pablo Cuadrado.—Rua Joaquim Antonio de Aguiar 70, Lisbon. I–3.
Vila Ltda., Eduardo.—Rua Joaquim Antonio de Aguiar 70, Lisbon. I–3.
Vilaca, Jose Julio.—Rua Dr. Sousa Viterbo 87, Oporto. I.
Vincent, Fernand.—Rua Ivens 56, Lisbon. I–1.
Vincent, A. Ltda. (Agencia Comerciale Francesa).—Rua Ivens 56, Lisbon. I–1; II–4.
Vogel, Elka.—Rua da Palma 40, Lisbon. I–1.
Volz, Kurt.—Vila Carlos Costa 9, Santa Amaro de Oeiras. I.
Von Ratibor, Prince Ernst.—Estoril. II–4.
Von Ratibor, Princess Ernst.—Estoril. II–4.
Wagner, Ludwig.—Rua Candido dos Reis 74, Oporto. I.
Waldhausen, C. Herbert.—Rua do Ouro 191, Lisbon. I.
Waldsachs, Emil.—Rua Nova do Almada 81, Lisbon. I–3.
Warncke de Vasconcelos, Goncalo.—Ave. Ressano Garcia 21, Lisbon. II–5.
Warren, William.—Travessa do Navegantes 10, Cascaes. II–4.
Weber & Cia.—Galeria de Paris 82, Oporto. I.
Wehr, Paul.—Vivenda Rodrigues 5, Santo Amaro de Oeiras. I–3.
Weigel, Kurt.—Rua de Santa Marta 141–143, Lisbon. I.
Wendt & Bydekarken Ltda.—Rua dos Sapateiros 70, Lisbon. I.
Wiedau, Arend.—Rua da Palma 219, Lisbon. I.
Wieprecht, Horst.—Praca Luiz de Camoes 36, Lisbon. I.
Wieprecht Ltda., Horst.—Praca Luiz de Camoes 36, Lisbon. I.
Wilhelm, Carl.—Rua da Boa Vista 56, Lisbon. I.
Wilhelm & Cia., Carl.—Rua da Boa Vista 56, Lisbon. I.
Wilms, Willy.—Rua do Castanheiro 25, Oporto. I.
Wimmer, J. & Co.—Ave. 24 de Julho 34, Lisbon; and Rua Mousinho da Silveira 18, Oporto. I.
Winkler, Ludwig.—Regueirao dos Anjos 68, Lisbon. I.
Wirges, Wilhelm.—Rua Victor Cordon 34, Lisbon. I.
Wirges & Simoes Ltda.—Rua Victor Cordon 34, Lisbon. I.
Wischmann, Otto.—Rua de Santa Marta 169, and Ave. Luiz Bivar 12, Lisbon. I; I–2.
Wittenburg, Helmut.—Calcada do Carmo 25, Lisbon. I.
Wollmer, Theodor.—Rua Luciano Cordeiro 77, and Rua do Comercio 8, Lisbon. II–5.
Wuensche, Alex.—Rua da Prata 51, Lisbon. I.
Wuthenow, Ernst.—Lisbon. II–5.
Zickermann Soc. S.A.R.L.—Rossio 3, Caixa Postal 115, Lisbon; and Ave. dos Aliados 64, Oporto. I.

Angola

Agricola Kiskerhof Ltda., Soc.—Cubal. I.
Aguiar, Jose.—Dondo and Porto Amboim. I.
Alves, Jose.—Mossamedes. I.
Bagdahn, Herbert.—Nova Sintra, Bie. I.
Becker, Emil-Fazenda Canjonja.—Cambunze. I–2.
Boebs, Carl Ludwig—Plantation Boebs.—Catumbela. I–2.
Brock, Arnold.—Loanda. I.
Comercio Geral Ltda., Soc. de.—Caixa Postal 74, Nova Lisboa. I.
Conjo Ltda.—Vila General Machado. I–2.
Fazenda Agricola Lundungo-Ernst March.—Caixa Postal 33, Vila Machado Ganda. I.
Fazenda Belo Horizonte Ltda.—Dembos. I–2.
Fazenda Canata.—Andulo. I.
Fazenda Canjonjo (Emil Becker).—Cambunze. I–2.
Fazenda Cantana.—Nova Sintra, Bie. I.
Fazenda Entre-Rios.—Catamba, Vila Mariano Machado, Lobito. I.
Fazenda Franconia.—Chicuma, Benguela. I.
Fazenda Kalubunda.—Golugo Alto. I.
Fazenda Lombongo.—Dala Cachibo, Libolo, Cuanza-Sul. I.
Fazenda Longwe.—Longwe. I.
Fazenda Lucipa.—Chicuma, Benguela. I.
Fazenda Lunda.—Chicuma, Benguela. I.
Fazenda N'Danga.—Dala Cachibo, Libolo, Cuanza-Sul. I.
Fazenda Quiemba Ltda. (Gruessel).—Dembos. I–2.
Fazenda Tuma Samba.—Calulo. Libolo. I.
Fazenda Vumba.—Libolo. I–4.
Gaertner, Klaus.—Caixa Postal 74, Nova Lisboa. I–3.
Gaertner, Leopold (Luzogaert Ltda).—Caixa Postal 74, Nova Lisboa. I.
Gaertner, Nina Austerlitz.—Caixa Postal 74, Nova Lisboa. I–3.
Gartner, Margarethe.—Chicuma, Benguela. I.
Goedecke, Ernst.—Vila General Machado. I–2.
Goldschmidt, Louis.—Rua Farinha Leitas, Caixa Postal 356, Loanda. I.
Gomes, Jaime Martins.—Caixa Postal 22, Nova Lisboa. I.
Gruessel-Fazenda Quiemba Ltda.—Dembos. I–2.
Guttzeit, Harald.—Catamba, Vila Mariano Machado, Lobito. I.
Hachmeister, Richard.—Caixa Postal 33, Mossamedes; and Caixa Postal 131, Benguela. I.
Hachmeister & Milewski.—Caixa Postal 33, Mossamedes; and Caixa Postal 131, Benguela. I.
Hildebrandt, Gunther.—c/o Plantacoes de Pamba Ltda., Lucala, Cazengo, Cuanza-Norte. I–4.
Holman, Werner.—Gamba, Alto Andulo, Bie. I.
Industrial do Chinguar Ltda., Soc.—Chinguar, Bie. I.
Kath, Alfred Hugo Walter.—Dembos. I.
Kisker, Alexander.—Cubal. I.
Kisker, Hans Oscar.—Cubal. I.
Klein, Hans.—Loanda. I.
Klinker, Ernest Karl.—Quiculungo, Calandula, Malange. I.
Kroel, Dr. Franz Ludwig.—Libolo. I.
Krueger, Georg.—Dondo and Porto Amboim. I.
Kuhn, Auri.—Roca Montes Herminios, Dembos, Loanda. I.
Lanaro, Tina Maria.—Chinguar, Bie. I.
Lange, M. G. & Cia. Ltda.—Rue Pereira Forjaz, Caixa Postal 211, Loanda; and Caixa Postal 33, Benguela. I.
Longa Agricola Ltda.—Cachibo, Libolo, Cuanza-Sul. I.
Luckner, Graf Ulrich Ferdinand.—Lunge, Dala Cachibo. I.
Luzo-Alema Ltda., Soc.—Caixa Postal 1222, Loanda. I.
Luzogaert Ltda.-Leopold Gaertner.—Caixa Postal 74, Nova Lisboa. I.
March, Ernst (Fazenda Agricola Lundungo).—Caixa Postal 33, Vila Machado Ganda. I.
Massano, Carlo Lodovico.—Chinguar, Bie. I.
Milewski, Hans.—Caixa Postal 33, Mossamedes; and Caixa Postal 131, Benguela. I.
Moessner, Anton.—Fazenda Vumba, Libolo. I–4.
Monteiro, Jose M. Alves.—Ave. 5 de Outubro, Nova Lisboa. I–2.
Monteiro, Serafin.—Ave. 5 de Outubro, Nova Lisboa. I.
Mundt, Herbert.—Fazenda Vumba, Libolo. I–4.
N'Hia Agricola Ltda.—Caixa Postal 33, Gabela. I.
Oesterlen, Richard.—Dala Cachibo, Libolo, Cuanza-Sul. I.
Plantacao Alto Cubal Ltda.—Alto Cubal. I.
Plantacao Cahombo.—Rampa, nr. Lucala. I.
Plantacoes da Pamba Ltda.—Lucala, Cazengo, Cuanza-Norte. I.
Plantacoes de Angola Ltda.—Roca Montes Herminios, Dembos, Loanda. I.
Plantacoes de Mucozo Ltda.—Dondo, Cambambe, Cuanza-Norte. I.
Plantacoes de Quisocolo Ltda.—Pango-Aluquem, Dembos. I.

Plantation Boebs (Carl Ludwig Boebs).—Catumbela. I–2.
Porto-Huambo Commercial Ltda.—Ave. 5 de Outubro, Nova Lisboa, and at Huambo. I–2.
Reich, Hellmutt.—Catamba, Vila Mariano Machado, Lobito. I.
Reiss, Bruno.—Caixa Postal 5, Nova Lisboa. I.
Riehle, Emil.—Angola. I.
Roca Bango.—Quiculungo. I.
Roca Canzele Ltda.—Quiculungo, Calandula, Malange. I.
Roca Vale de Loma.—Dembos. I.
Rouselle, Oscar.—Dala Cachibo, Libolo, Cuanza-Sul. I.
Santos, Carlos.—Rua Pereira Forjaz, Loanda. I.
Sauer, Friedrich Wilhelm Albert.—Loanda. I.
Schoen, Fritz.—Gabela, Amboim. I.
Schreiber, Emil.—Lobito. I.
Smidt Reinier.—Luati, Libolo, Cuanza-Sul. I.
Stevenson, Dr. Maximo.—Chinguar, Bie. I.
Stiehl, Werner.—Fazenda Canata, Andulo. I.
Tappe, Franz.—Catamba, Vila Mariano Machado, Lobito. I.
Thieleke, Leo.—Calulo. I–4.
Toscano, Mario.—Caixa Postal 88, Nova Lisboa. I.
Ullerich, Otto.—Pango-Aluquem, Dembos. I.
Van Linde Siden, H.—Dondo and Porto Amboim. I.
Von Krosighk, Volrat.—Libolo, Cuanza-Sul. I.
Von Larisch, Nicolaus.—Quiculungo. I.
Von Loen, Baron.—Libolo, Cuanza-Sul. I.
Von Rischtofen, Baron Gerhardt.—Dala Cachibo, Libolo, Cuanza-Sul. I.
Woermann, Brock & Co.—Ambrizette and Loanda. I.
Woermann Linie.—Lobito. I.
Zilger, Wilhelm.—Caixa Postal 3, Salombigna, Vila Mariano Machado. I.

Azores

Auto-Electrigia de Tavares & Cia. Ltda.—Rua Joao Chagas 56–8, Ponta Delgada, São Miguel. I.
Azevedo & Cia., Sucrs.—Ponta Delgada, São Miguel. I.
Camponovo & Cia. Ltda.—Rua Dr. Caetano de Andrade, Ponta Delgada, São Miguel. I.
Italcable.—Horta, Fayal Is. I.
Neppach, Oscar.—Caixa Postal 20, Ponta Delgada, São Miguel. I.

Cape Verde Islands

Ferro, Henrique da Silva Pinto (owner of S.V. "Carvalho").—Paul, São Antao. I–1.
Italcable.—St. Vincent. I.
Kiel, Heinrich.—Praia (Ilha de Santiago). I–2.
Santos, Jose dos.—Caixa Postal 27, Mindello, St. Vincent. I.
Santos Ltda., Albino dos.—Caixa Postal 27, Mindello, St. Vincent. I.

Goa

Desai, Venctexa.—Panjim. I.
Dias, Dr. Victor.—Nova Goa. I.
Drogaria Luso-Indiana (Venctexa Desai).—Panjim. I.
Koch, Robert.—Mesquito Hotel, Campbel, Panjim. I.
Pereira & Sons, Elesbao.—Marmagao. I.

Madeira

Empresa Forneced D'Agua a Navegacao.—Funchal. I.
Franca, Manuel de Jesus.—Funchal. I.
Gesche, Emil.—Rua Dr. Costa Ferreira 37, Funchal. I.
Hoffmann, Wilhelm.—Funchal. I.
Insulana de Transportes Maritimos Ltda., Soc.—Funchal. I.
Kiekeben, Max.—Rua do Conselheiro 39, Funchal. I.
Madeira Embroidery Co. Ltd.—Rua do Conselheiro 39, Caixa Postal 52, Funchal. I.
Moro e Figli, Tomaso.—Funchal. I.
Rier, Maria Helena.—Rua do Conselheiro 39, Funchal. I.

Mozambique

Africana Ltda., Soc. Geral.—Caixa Postal 47, Lourenço Marques; and Caixa Postal 291, Beira. I.
Agricola de Muaguide Ltda., Cia.—Porto Amelia. I.
Agricola de Nametoria Ltda., Soc.—Angoche Is. I.
Arndt & Cohn Ltda.—Lourenço Marques. I.
Baumann, Adolf.—Porto Amelia. I.
Berg, Karl Heinrich.—Bellavista Farm, Machipanda. I–1.
Buccellato, Giuseppe Buffa.—Lourenço Marques. I.
Buccellato, Ignacio.—Lourenço Marques. I.
Buccellato & Miguel-Soc.-Metalurgica Portuguesa.—Lourenço Marques. I.
Buccellato & Valentim & Cia.—Lourenço Marques. I.
Carvalho, Francisco Nobre de.—Caixa Postal 130, Mozambique. I.
Colonial de Nangororo, Cia.—Caixa Postal 24, Porto Amelia. I.
Correia & Martins Ltda.—Caixa Postal 373, Lourenço Marques. I.
Derfuss, Hans.—Lourenço Marques. I.
Deutsche Ost Afrika Linie (Beira) Ltda.—Beira. I.
Dieckman, Ernst.—Lourenço Marques and Beira. I.
"Eadom" Monapo.—Monapo, Mozambique. I.
East African Trading Co., Ltd.—Caixa Postal 487, Lourenço Marques; and Caixa Postal 291, Beira. I; II–4.
East African Trading Society.—Caixa Postal 487, Lourenço Marques; and Caixa Postal 291, Beira. I–3; II–4.
Empresa Agricola de Mezerepane.—Mozambique. I.
Emprêsa Agricola do Monapo Ltda.—Monapo, Mozambique. I.
Empresa Grafica de Mocambique Ltda.—Mozambique. I.
Exploracoes Mineiras (Niassa) Ltda.—Caixa Postal 18, Porto Amelia. I.
Garlipp & Bene.—Beira. I.
Goertz, Helmuth.—Mozambique. I.
Gomann, Irene.—Mozambique. I.
Gomann, H. & Co.—Mozambique. I.
Gouveia, Jose Luzia Fernandes.—Caixa Postal 103, Mozambique. I.
Hieronymus, Hermann.—Mozambique. I.
Janssen, John Henri Gustav.—Caixa Postal 316, Biera. I.
Junge, Heinrich.—Porto Amelia. I.
Koencke, Rudolfo.—c/o Cia. Agricola de Muaguide Ltda., Porto Amelia. I.
Kohl, Jacob.—Lourenço Marques. I.
Lair, Manoel Ribeiro.—Mozambique. II–1.
Leidenberg, Justus.—Caixa Postal 505, Lourenço Marques. I.
Lobo, Braz Xavier.—Ave. Paiva Manso, Lourenço Marques. II–4.
Manna, Alfredo M.—Rua Consigliere, Lourenço Marques. II–3.
Marunga Ltda., Soc.—Metuge, Porto Amelia. I.
Mascarenhas, Santana Piedade.—Caixa Postal 279, Beira. II–3.
Metalurgica Portuguesa, Soc. (Buccellato & Miguel).—Lourenço Marques. I.
Moura, A. Ribeiro de Castro e.—Rua Gouveia 8 and 10, Caixa Postal 1037, Lourenço Marques. II–5.
Pagan, Carlos.—Rua Consigliere, Lourenço Marques. II–3.
Pagan, Umberto.—Rua Consigliere, Lourenço Marques. II–3.
Pechner, Erna.—Lourenço Marques and Beira. I.
Pechner Ltda.—Caixa Postal 47, Lourenço Marques; and Caixa Postal 291, Beira. I.
Philippi & Co., Wilhelm.—Mozambique, and all branches in Mozambique. I.
Plantacao Namanje.—Port Amelia. I.
Raabe, H.—Beira. I.
Requadt, August.—Chanculo, nr. Lourenço Marques. II–4.
Requadt, Herbert.—Chanculo nr. Lourenço, Marques. II–5.
Requadt, Wilhelm.—Chanculo nr. Lourenço Marques. II–4.
Ridi Sisal Ltda.—Quelimaquito, Porto Amelia. I.
Roessler, Friedrich.—Porto Amelia. I.
Rufijya Pflanzungs G.m.b.H.—Porto Amelia. I.
Schroeder, Georg and Leidenberg.—Lourenço Marques. I.
Sisal A.G.—Porto Amelia. I.
Sisal S.A.—Porto Amelia. I.
Steegmann, Rudolph.—Pebane. I.
Stefani e Radio Roma, Agencias.—Rua Consigliere, Lourenço Marques. II–3.
Stockigt, Arthur.—Ave. 5 de Outubre 41, Caixa Postal 373 and 826, Lourenço Marques. I.
Toennies, Gustav.—Caixa Postal 505, and c/o Wilhelm Philippi & Co., Caixa Postal 109, Lourenço Marques. I–4.
Von Burchard, Joachim.—Metuge, Porto Amelia. I.
Von Hirschfeld, Alexander Wilhelm Adolf Ludwig.—Elvas Siding, and Chimezi Estate, Macequece, Zambezia. I.
Webendorfer, Kurt.—Lourenço Marques and Beira. I.
Woermann, Hans.—Monapo, Mozambique. I.
Zimmermann, Kurt.—Lourenço Marques. I; I–3.

Portuguese China

Waibel & Cia.—Macao. I.

Portuguese Guinea

Agricola e Fabril da Guiné, Cia—Bubaque, Bissagos Islands. I.
Brandao, Manuel de Pinho.—Bolama. I.
Elawar & Co. Mahmud.—Bafata, Bissau, and all branches in Portuguese Guinea. II–5 .
Jabre, Hussein.—Bolama. II–5.
Loehndorf, August.—Geba. I.
Nienhaber, Paul.—Caixa Postal 79, Bissau. I.
Peyrissac & Cie., Anc. Etab. Charles.—Bissau. II–1.
Ringel Ltda., Soc. Comercial.—Caixa Postal 79, Bissau. I.
Seifert, Paul.—Caixa Postal 79, Bissau. I.
Souleiman, Alatrach.—Bafata, Bissau, and all branches in Portuguese Guinea. II–5.
Souleiman & Co., Aly.—Bafata, Bissau, and all branches in Portuguese Guinea. II–5.

SPAIN AND POSSESSIONS

Spain

A. F. G. Iebrica de Electricidad S.A.—Madrid, and all branches in Spain. I.
Abello Oxigeno Linde S.A.—Barcelona. I.
Aceros Boehler.—Rodriquez Arias 6, Bilbao. I.
Aceros Finos Phoenix.—Rodriquez Arias 8, Bilbao. I.
Aceros Finos Roechling.—Barcelona, and all branches in Spain. I.
Aceros Marathon, S.A.—Henao 64, Bilbao. I.
Adriatica de Seguros, Cia.—Layetana 47, Barcelona and all branches in Spain. I.
Adriatica, S. A. de Navigacione.—Alcala 45, Madrid, and all branches in Spain. I.
Aduanas & Consignaciones Maritimas S. A., Cia. General de (formerly Agencia Maritima P. Pannocchia).—Pasaje Comercio 1–3, Barcelona. I.
Afeian, Narciso Bagos.—Calle Mallorca 217, Barcelona. I–1.
Agencia Alemana de Prensa D.N.B.—Al. Urquijo 74, Bilbao. I.
Agfa Foto S. A.—Rambla Cataluna 347, Barcelona, and all branches in Spain. I.
Agro S. A.—Gravina 53, Seville. I.
Aguilar, M.—La Comercial Maritima S. A.—Ancha 13, Barcelona. I.
Ala Littoria.—Paseo Gracia 13, Barcelona, and all branches in Spain. I.
Alemanes, Almacenes–Editorial Perello S. A.—Calle Pelayo 20, Barcelona. I–2.
Alimbau Codina M.—Calle San Lorenzo 86, Reus. I.
Alimbau Minguell, Hijo de Miguel.—Calle de San Carlos y San Jose 50, Reus. I.
Aller, Eyl y Stiegler.—Casanova 30, Barcelona. I.
Alvarez Gonzalez, Francisco.—Calle Jupiter 6, Seville. I–1.
Alvarez Tome, Manuel.—Pablo Murillo 4, Vigo. I.
Alvargonzalez, Erhardt y Cia.—Instituto 25, Gijon. I.
Amann, Jose Maria.—Ave. Generalisimo 13, Madrid. I.
Amann, Juan.—Borrell 128, Barcelona, and Mira Cruz 4, San Sebastian. I.
Amann, Victor.—Borrell 128, Barcelona, and Mira Cruz 4, San Sebastian. I.
Ambrosolli.—Plaza Cataluna 9, Barcelona. II–1.
Amerex Soc. Ltda.—Via Layetana 13, Barcelona. I.
Andreani, Attilio.—Ave. Jose Antonio 65, Madrid. II–4.
Anilinas S. A.—Calle Ausias March 16–18, Barcelona. I.
Anso y Cia.—Pasajes. I.
Aparatos de Radio Telefonia.—Hernan Cortes 13, Madrid. I–4.
Arana, Domingo.—Espartero 3, Bilbao. I.
Areizaga, Adolfo.—Urazurrutia 1, Bilbao. I.
Arp, Dr. Enrique (Heinz).—Calle Rodriguez Arias 32, Apartado 200, Bilbao. I–1.
Arrancudiaga, Rafael.—Ave. Generalisimo 1, Madrid. I.
"Autogasogenos".—Marques de Cuba 23, Madrid. II–1.
Bakumar, Agencia de Viajes.—Plaza Queipo de Llano 1, Malaga, and all branches in Spain. I.
Baldacci, Especialidades Farmaceuticas.—Calle Provenza 427, Barcelona; and Calle Arturio Soria 430, Madrid. I–3.
Banca Nazionale del Lavoro (Delegation de).—Alcala 62, Madrid, and all branches in Spain. I.
Banco Aleman Transatlantico (Deutsche Uberseeische Bank).—Madrid, and all branches in Spain. I.
Banco di Roma (España).—Madrid. I.
Banco Germanico de la America del Sud S.A. -Madrid. I.
Banco Vitalicio de Espana.—Rambla Cataluna 18, Barcelona. I.
Baquera Kusche & Martin S.A. ("Bakumar").—Plaza de las Cortes 3, Madrid, and all branches in Spain. I.
Barabino, Emanuele.—Palace Hotel, Madrid. I.
Barale y Bergese.—Serrano 25, Madrid. I.
Barletti, Paolo.—Ave. Generalisimo 51, Ave. Jose Antonio 27, and Castellana 51, Madrid. I.
Barreras, Gaspar Masso.—Colon 6, Vigo. I.
Bassas, Ferando Ernesto.—Via Layetana 45, Barcelona. I.
Baum, Carlos.—Rambla Cataluna 66, Barcelona, and all branches in Spain. I–1.
Baum, Mrs. Carlos.—Rambla Cataluna 66, Barcelona, and all branches in Spain. I–1.
Bavastro & Raimondi.—Calle Junqueras 2, Barcelona. I.
Bayarri, Jose.—Barcelona. I.
Bayer, La Quimica Com. Farm.—Lepanto 2, Vigo. I.
Bayo. José Luis.—Ave. Generalisimo 13, Madrid. I.
Bela, Jorge.—Castello 93, Madrid. I.
Benito, Tomas.—Pintor Sorolla 23, Valencia. I.
Berkenbusch, Antonio.—Antonio Maura 10, Madrid. I–2.
Bernhardt, Johann.—Gran Via 62, Bilbao. I.
Biermann, Rudolf.—Lagasca 121, Madrid. I.
Bilbaina de Minerales y Metales, Soc.—Buenos Aires 4, Bilbao. I.
Bilbao Industrial S.A.—Rodriguez Arias 8 Bilbao. I.
Biro, Albin.—Marques de Cuba 25, Madrid. I–1.
Bjorge, Bjorn Rock.—Paseo de Colon 16, Seville. I.
Blass S.A.—Núnez de Balboa 25, Madrid. I.
Bodegas Levantinas Espanolas S.A.—Valencia. I.
Boehme, Franz.—Felipe Sanchez 24, Vigo. I.
Boehringer Productos Quimicos-Farmaceuticos S.A.—Copernico 6, Barcelona. I.
Bofill Gelpi, Jaime.—San Feliu de Guixols, Gerona. I–4.
Bofill, Juan.—Ave. Jose Antonio 752, Barcelona. I.
Bofill, Ramiro.—Calle Santa Paula 28, Seville. I.
Boggio Marzet, Anselmo.—Gijon. II–5.
Bozung, Pedro.—Calle Provenza 197, Barcelona. II–5.
Bracker, Ernesto Heinrich.—Rambla Cataluna 66, Barcelona. II–3.
Brana y Boggio.—Gijon. II–5.
Brauns-Ltda., Especialidades Domesticas.—Barcelona. I.
Brendle, Juan.—Calabria 31, Barcelona. I.
Broemme, Anton.—Pavillon Citreon Ave. de Francia, Irun. I.
Buch, Carlos.—Calle Cuarte 138, Valencia. I.
Buch, Maximo.—Calle Cuarte 138, Valencia. I.
Buckau, Wolf.—Barquillo 47, Madrid. I.
Buettner, Arno Richard.—Diego de Leon 28, Madrid. I–2.
Busseti, Pier.—Calle Velazquez 71, Madrid. I.
Bustamente, Luis Crovetto.—Calle de Jardines 18, Granada. I.
C.E.R.I. (Consignaciones Exportacion Representacion Importacion Soc. Ltda.).—Plaza Cataluna 9, Barcelona. II–1; II–3.
C.I.D.S.A., Comercial Ibero Danesa S.A.—Calle Sarria 7, Barcelona; and Calle Moreto 15, Madrid. I.
C.I.E.R., Cia. de Importaciones Exportaciones y Representaciones.—Ave. Jose Antonio 27, Madrid. II–3.
C.I.M.S.A., Comercial Industrial Mediterranea S.A.—Almagro 26, Madrid. I; II–4.
C.I.S.A., Construcciones Industriales S.A.—General Mola 9, Madrid. I–4.
Cabella, Alexandro.—Calle de Principe 14, Madrid. I.
Cabezon Bergasa, Fernando.—Calle Valencia 300, Barcelona. I.
Cabre Pibernat, Andres.—Calle Albareda 13, and Luna 10, Barcelona. I.
Cagliero, Enrique.—Quintana 11, Madrid. I–3.
Caja de Prevision y Socorro.—Rambla Cataluna 19–21, Barcelona. II–5.
Calvet, Juan.—Ave. Jose Antonio 31, Madrid. II–5.
Campi y Jove.—Ave. Jose Antonio 671, Barcelona. I.

Candina, Jose Maria.—Berastegui 2, Bilbao. I.
Capilla Hurtado, Jose.—Calle Sagunto 37, Valencia, and Calle Arquitecto, Grao-Valencia. II–4.
Carandini, Carlos.—Ronda Universidad 31, Barcelona. II–4.
Carandini, Emilio.—Via Layetana 7, Barcelona, and all branches in Spain. I.
Carandini, C. y G. Ltda.—Ronda Universidad 31, Barcelona. II–4.
Carey Hnos, y Cia.—Tarragona. I.
Carranza, Fernando.—Ave. Generalisimo 13, Madrid. I.
Carrion, Rafael.—Talavera de la Reina. I–2.
Caruncho, H.—Lagasca 66, Madrid. II–3.
Casas Narciso.—Via Layetana 36, Barcelona. II–3.
Chiner, Patricio.—Torrente, Valencia. I–3.
Cilus-Comercial Ibero-Lusitana.—Ave. Jose Antonio 49, Madrid. II–5.
Classen, Wilhelm G.—Madrid. II–5.
Clauss, Luis.—Huelva. I.
Climent, Gonzalo Simo.—Carreteria 54, Malaga. I–2.
Clols, Pablo.—Calle Ali-Bey 138, Barcelona. I.
Coll, Javier.—Calle Corcega 269, Barcelona. I–4.
Coll & Soriano S.L.—Rambla Santa Monica 8–12, Barcelona. I.
Collado, Julio.—Calle Tres Cruces 7, Madrid. I–2.
Colombin, Bruno.—Seville, and other addresses in Spain. II–3.
Comatra (Cia. Comercial Maritima de Transportes S.A.).—Ave. Generalisimo 1, and Calle Moratim 52, Madrid. I; I–2.
Combalia Sagrera S.A., Comercial.—Via Layetana 15, Barcelona, and all branches in Spain. I–1.
Comercial Andaluza Extremena S.A.—Peligros 9, Apartado 240, Madrid; and Santiago 25, Seville. I.
Comercial Centro Iberica S.A.—Via Layetana 45, Barcelona. I.
Comercial Hispano-Neerlandesa Cia. (Nedespana S.A.E.).—Ayala 10, Madrid. II–3.
Comercial Ibero Danesa S.A. (C.I.D.-S.A.).—Calle Sarria 7, Barcelona; and Calle Moreto 15, Madrid. I.
Comercial Ibero-Lusitania (Cilus).—Ave. Jose Antonio 49, Madrid. II–5.
Comercial Industrial Mediterranea S.A. (C.I.M.S.A.).—Almagro 26, Madrid. I; II–4.
Comercial Italo Espanola S.A.—Via Layetana 45, Barcelona. I.
Comercial Maritima de Transportes S.A., Cia. (owners of S.S. "Adeje", "Ellen" (ex "Nere Ametza"), "Isora", "José Trujillo", "Maria Amalia", "San Eduardo", "San Isidro Labrador", "San Juan II", Sebastian", and "Tercio Montejurra").—Ave. Generalisimo 1, and Calle Moratim 52, Madrid. I; I–2; II–1; II–3; II–4.
Comercial Quimico Metalurgica S.A.—Alameda de Mazarredo 8, Bilbao. I–2.
Comptoir D'Espana.—Via Layetana 52, Barcelona. I–3.
Consignaciones Exportacion Representacion Importacion Soc. Ltda.—C.E.R.I.—Plaza Cataluna 9, Barcelona. II–3.
Consorcio Hispano-Italiano S.L.—Conde Aranda 22, Madrid. I.
Construcciones Industriales S.A. (C.I.-S.A.).—General Mola 9, Madrid. I–4.
Continental Fabrica Espanola del Caucho.—Segasta 15, Madrid, and all branches in Spain. I.
Corchos de Andalucia S.A.—Castelar 22, Seville. I.
Corchos zum Hingste, S.A.—Castelar 22, Seville. I.
Coto, Jose.—Ave. Queipo de Llano 44, Seville. II–5.
Coto Lafuente y Cia.—Ave. Queipo de Llano 44, Seville. II–5.
Covadonga S.A. de Seguros.—Alarcón 7, Madrid; and Vitoria 16, Burgos. I.
Cristobal Colon, S.A. (Owners of Aux "Industrial", and "Marina", and S.S. "Suevia").—Genova 7, Madrid. I; I–3.
Crosigani, Renato.—Calle de Angli 8, Barcelona. II–5.
Cupini, Luigi.—Ave. Generalisimo 51, and Ave. Jose Antonio 27, Madrid. I.
D.K.W. Espanola Soc. Ltda.—Barcelona. I–1.
Dach, Hugo.—Paseo de Gracia 50, Apartado 5039, Barcelonia. I–4.
Dalmaso, Tito.—Granada. I.
De Filipo, C.—Rambla Cataluna 95, Barcelona. II–5.
Defries, S.A.E.—Ave. Jose Antonio 547, Barcelona, and all branches in Spain. II–5.
Delleani, Guido.—Malaga. I.
Del Manzano Parody, Antonio.—Ausiliadora 15, Seville. I.
Demag, Maquinaria Soc. Ltda.—Iparraguire 2, Bilbao. I.
Deposito de Carbones de Tenerife S.A. Fernanflor 8, Madrid, and all branches in Spain. I.
Deposito Dental Paradentum.—Calle Jose Antonio 59, Vigo. II–5.
Deromedis, Carlo.—Ave. Jose Antonio 27, Madrid. I.
D'Errico, Enrico.—Ave. Generalisimo 51, Ave. Jose Antonio 27, and Castellana 51, Madrid. I.
Deutsche Luft-Hansa A.G.—Fernanflor 6, Madrid, and all branches in Spain. I.
Deutz, Otto – Cia. Espanola de Motores Deutz S.A.—Serrano 16, Madrid. I.
Diego Curto, Gregorio.—Pozo Amarillo 24, Salamanca; and Ave. Jose Antonio 38, Madrid. I; I–3.
Dietze, Max.—Calle Cornet y Mas 6, Barcelona. I.
Direnzo, Francisco.—Marques de Cuba 25, Madrid. I–1.
Dominguez Sierra, Carlos.—Calle Velazques 98, Madrid; and Costa 11, Apartado 11, Zaragoza. I.
Dondit, Juan.—Calle de Madrazo 105, Barcelona. I–1.
Droll, Mario—Palencia and Madrid. I–2.
Drolhe, Mario.—Palencia and Madrid. I–2.
Drumen, S.A.—Rue de l'Universite 17, Barcelona. I.
Editorial Perello S.A. (Almacenes Alemanes).—Calle Pelayo 20, Barcelona. I–2.
Eger, Alberto.—Galileo 83, Madrid. I–1.
Eggenberger, Urbano.—Calle de Paz 5, Bilbao. I.
Ehlis, Hans.—Paseo de Gracia 105, and Calle Pintor Fortuny 4, Barcelona, and at San Cugat del Valles, Barcelona. II–4.
Eickhoff, Guillermo.—Plaza M. Ensanche 9, Bilboa. I.
Einhart & Co.—Ave. Jose Antonio 31, Madrid. I.
Electro-Quimica de Flix, S.A.—Flix, Tarragona. I.
El Salvado.—Murcia 20, Apartado 7070, Madrid. I–2.
Emproma S.A.—Fuenterrabia 42, San Sebastian. I–2.
Encarnacion R. Arias.—Ave. Jose Antonio 30, Madrid. II–1.
Endres, Jacobo.—Calle Provenza 197, Barcelona. II–5.
Endres & Bozung.—Calle Provenza 197, Barcelona, and Elda, Alicante. II–5.
Equipo Bosch S.A.—Mallorca 281, Barcelona. I; I–2.
Erhardt, Eugenio.—Plaza M. Ensanche 9, Bilbao. I.
Erhardt, Otto.—Plaza M. Ensanche 9, Bilbao. I.
Erhardt y Cia., Ltda.—Plaza M. Ensanche 9, Bilbao, and all branches in Spain. I.
Espanola de Exportaciones y Importaciones S.A., Soc.—Calle Salvatierra 20, Valencia. I.
Espanola de Motores Deutz S.A., Cia. (Otto Deutz).—Serrano 16, Madrid. I–1.
Espanola de Talcos S.A., Soc.—Alcazar de Toledo 8, Leon. I.
Especialidades Terapeuticas, S.A. (S.A.E.T.).—Calle Provenza 427, Barcelona. II–4.
Estudios y Exploraciones Mineras Santa Tecla, S.A. de.—Policarpo Sanz 35, Vigo. I.
Estudios y Exploraciones Mineros Montana.—Gran Via 62, Bilbao. I.
Europa Comercial Espanola S.A.—Reina 33, Madrid. II–5.
Euwens, Joseph.—Rue de l'Universite 17, Barcelona. I.
Exportadora de Pieles S.A. Soc.—Pozo Amarillo 24, Salamanca; and Ave. Jose Antonio 38, Madrid. I.
F.E.M.S.A.—Fabrica Espanola de Magnetos S.A.—Ave. Jose Antonio 27, Aparatado 678, Madrid. I–2.
F.I.S.A.—Fomento Immobiliaro S.A.—Genova 7, and Ave. Jose Antonio 27, Madrid. I–1.
Fabrica Espanola de Magnetos S.A.—(F.E.M.S.A.).—Ave. Jose Antonio 27, Apartado 678, Madrid. I–2.
Fabricacion Nacional de Colorantes y Explosivos S.A.—Rambla Cataluna 102 bis, Barcelona. I.
Faust y Kamman S.A.—Paseo de Gracia 45, Barcelona. I.
Feliu, Fernandez y Cia.—Alcada 61, Madrid, and all branches in Spain. I–2.
Fernandez, Jacinto.—Calle Tetuan 25, Santander. I–2.
Ferrero, Cecilia.—Hotel New York, Madrid. II–4.
Fiat Hispania, S.A.—Paseo Ramon y Cajal 23, Madrid, and all branches in Spain. I.
Fibra Comercial de Espana, S.A.—Via Layetana 23, Barcelona. I.

Fiebig, Friedrich Wilhelm.—c/o Hierro Esmaltes, Maliano, nr. Santander. I–2.
Finanzauto S.A.—Plaza de las Cortes 8, Madrid, and Calle Urgel 112, Barcelona. I–1.
Foerschler, Pablo.—Montalban 10, Juan Padillo 8, Madrid. I.
Foerster, Frederico.—Calle Consejo de Ciento 335, Barcelona. II–3.
Fomento Imobiliaro S.A. (F.I.S.A.).—Genova 7 and Ave. Jose Antonio 27, Madrid. I.
Franqueza, Jesus.—Barcelona. I–4.
Fricke, Enrique.—Calle Carros 6, Malaga, and at Cartagena. I.
Frischkorn, Johann.—Hotel, Nacional, and Morejon 2, Madrid. II–4.
Frommer, Geza.—Palace Hotel, Madrid. II–5.
Frutos Secos, S.A.—Reus, Tarragona. I.
Fuchs Medam, Ewald.—Calle Almargo 46, Apartado 6074, Madrid. I.
Funghini, Goffredo.—Calle Jose Anselmo Clave 9, Barcelona. I.
Gaertner Zavala y Cia., Ltda.—Plaza Centenario 6, San Sebastian. I.
Gairoli.—Alcazar de Toledo 8, Leon. I.
Gante, Francisco Perez.—Al. Mazarredo 17, Bilbao. I.
Ganz Iberica S.A.E.—Almirante 15, Madrid. I.
Garcia Blay, Marcelino.—Calle Apodaca 13, Tarragona. I.
Garcia Carcel, Francisco.—Tamarit 185, Barcelona. I–2.
Garcia Cazana, Jacinto.—Calle Ramon y Cajal 1, San Sebastian; and Francos Rodriguez 100, Madrid. I.
Garcia y Garcia, Jose.—Cadiz. I–3.
Gassol Camprecios, Manuel.—Balmes 109, Barcelona. I–1.
Geathom, AEG – ALS – THOM – I.G.E., Co., S.A.—Paseo de Recoletos 17, Madrid, and all branches in Spain. I.
Gebhard Reina, Hermann.—Ave. Jose Antonio 11, Madrid. I.
Gebhard y Cia.—Ave. Jose Antonio 11, Madrid. I.
Gehe y Cia., A.G.—Calle Moncado 21, Barcelona. I.
General de Lanas, S.A., Cia.—Ayala 10, Madrid. I.
Georgi, Curt.—Aragon 92, Barcelona. I.
Gerdtzen, Otto.—Calle Urzaiz 16, Vigo. I.
Giannini, Fausto.—Madrid. II–3.
Giebel Ltda., Herbert.—Ave. Queipo de Llano 44, Apartado 12, Seville; and Ave. Jose Antonio 31, Apartado 288, Madrid. I.
Giner, Pascual.—Calle de Gerona 22, Barcelona. I.
Goetz, Hanelise.—Calle Muntaner 183, Barcelona. I–2.
Gomes Monche, Jose.—Genova 7, Madrid. I.
Gonzalez Blanco, J.—San Jeronimo 36, Madrid. I.
Goti, Alfredo.—Ave. Jose Antonio 27, Madrid. I–4.
Greiner, J. A.—Calle Pecher y Santa, San Feliu de Guixols. I.
Greiner, C. A. y Hijos S. A.—Calle Pecher y Santa, San Feliu de Guixols. I.
Grollero, Anselmo.—Calle Pintor Fortuny 3, Barcelona. I–4.
Grollero, Eugenio.—Calle Pintor Fortuny 3, Barcelona. I–4.
Grollero, Jeronimo.—Calle Pintor Fortuny 3, Barcelona. I–4.
Guerrero de las Penas, Hijo de Diego.—Cisneros 55, Malaga. I–2.
Guilliet Hijos y Cia.—Fernando VI. 23, Madrid, and all branches in Spain. I.
Guzman, Domingo.—Al. Mazarredo 8, Bilbao. I.
Hamburg-Amerika Line.—Alcalá 43, Madrid. I.
Hammer, Johan.—Calle Ribera 1, Valencia. I–4.
Hansa y Cia., Ricardo C.—Serrano 17, Madrid. I.
Heine, George.—Rue de l'Universite 17, Barcelona. I.
Heller, H.—San Feliu de Guixols, Gerona. I–4.
Hengstenberg, Hermann.—Hermanos Orozco 7, Madrid. II–3.
Hentze, Richard.—Calle Angel Guimara 3, Barcelona. II–4.
Herbeck, J. Mv.—Ave. Generalisimo 13, Madrid. I.
Herranz y Lipperheide.—Gran Via 36, Bilbao. I.
Heydt, Hermann.—Murcia 20, Apartado 7070, Madrid. I–2.
Hielscher, Adolf.—San Augustin 2, and Sebastian Herrera 8, Madrid. I.
"Hierro Esmaltes".—Maliano, nr. Santander. I–2.
Hiller, Carlos.—Pasajes. I.
Hinderer y Cia., S.L., Carlos.—Calle Piamonte 10, Madrid. I.
Hingste, Hermann zum.—Castelar 22, Seville. I.
Hisma.—Madrid, and all branches in Spain. I.
Hispana.—Africana de Reconocimentos Atlanticos, S.A. (owners of S.S. "Sidi Ifni").—Calle Sagasta 27, Madrid. I–4; II–1.
Hispania Tobis S.A.—Marques de Valdeiglesias 8, Madrid, and all branches in Spain. I.
Hispano, Alemana S.L.—Calle Ribera 1, Valencia. I–4.
Hoffman, Andres Martin.—Ave. Jose Antonio 27, Madrid. I.
Holzhausen, Karl F.—Ciscar 27, Valencia. I.
Hombravella, Jacinto.—Ave. Jose Antonio 31, Madrid. I–2.
Hoppe, Alfredo.—Al. Mazarredo 17, Bilbao. I.
Hoppe, Herman.—Al. Mazarredo 17, Bilbao; and Paseo de Pereda 29, Santander. I.
Hoppe y Cia., Ltda.—Al. Mazarredo 17, Bilbao; and Paseo de Pereda 29, Santander. I.
Huber, Dr. Hans.—Paseo de Gracia 51, Barcelona; and Grijalva 1, Madrid. I.
"Ibero Caribiana".—Ave. Jose Antonio 31, Madrid. I.
Ibero-Levantina S.A. "Ileva".—Huertas Altas 11, Valez-Malaga. I–4.
Iglesias, Eloy.—Martires de Guadalupe 19, Irun. I.
"Ileva" Ibero-Levantina S.A.—Huertas Altas 11, Valez-Malaga,. I–4.
Importaciones Exportaciones y Representaciones, Cia. de (C.I.E.R.).—Ave. Jose Antonio 27, Madrid. II–3.
Incompex Ltda.—Gran Via de Germanias 47–49, Valencia. I–4.
Industrial Corchera S.A.—Apartado 14, Seville. I–4.
Industria y Comercio del Automobil, Ltda.—Manuel Silvela 1, Madrid; and at Vigo. I.
Industrias Electroliticas Jose Capilla Hurtado.—Calle Arquitecto Alfaro, Grao-Valencia. II–4.
"Infarma"-Laboratorio de Industrias Farmaceuticas S.L.—Calle Entenza 65, Barcelona. II–5.
Intercambio Comercial Espanol.—Pintor Sorolla 23, Valencia. I.
Intercambio Comercial Iberico.—Alarcon 7, Madrid. I.
"Interco", Cia. Internacional de Industria y Comercio de Andorra.—Antonio Maura 7, Madrid; and Calle Fontanella 15, Barcelona. I.
Internacional de Industria y Comercio de Andorra, Cia. "Interco".—Antonio Maura 7, Madrid; and Calle Fontanella 15, Barcelona. I.
Italcable.—Ave. Jose Antonio 5, Madrid, and all branches in Spain. I.
Italia, S.A. de Navigacion.—Alcalá 45, Madrid, and all branches in Spain. I.
Italia Seguros Maritimas.—Plaza Cataluna 7, Barcelona; and Calle Martin 8, Seville. I.
Italiana di Turismo, Cia.—Paseo Gracia 13, Barcelona, and all branches in Spain. I.
Jaenicke, Alexander.—Covadonga 24, Gijon. II–5.
Jannone, Armando.—Pajes del Corro 108, Seville. I.
Jimenez Beltran, Diego.—Huerta de Almanzor, Alcalá de Guadaira, Seville. I–4.
Jobal, Angel Pinestres.—Vilamari 53, Barcelona. I.
Kaehler, Kurt.—Valencia. I–3.
Kahl, J. A.—Plaza del Caudillo 26, Ed. Equitativa, Valencia. I.
Karastoyanoff, Georges.—Don Ramon de la Cruz 45, Madrid. I–2; II–1.
Kaufmann, Harold F. N.—Salvador 10, Valladolid. I.
Keusses, A. J.—Pasco de Colon 3, Barcelona. I.
Kindling, Richard.—Felipe Sanchez 24, Apartado 43, Vigo. I.
Kirkegaard, Erling Visse.—Ave. Jose Antonio 49, Madrid. I–2.
Kopp, Exclusivas.—Aragon 266, Barcelona. I.
Koreska, W.—Calle Encina 6, Barcelona, and all branches in Spain. I.
Krabbe, Knudesen, Federico.—Alfonso XII 7, Madrid. I.
Kretschmar, Kurt.—Calle Mallorca 330, Barcelona. I–2.
Kroebel, Karl.—c/o Hierro Esmaltes, Maliano, nr. Santander. I–2.
Kromschroeder, S.A.—Calle Industria 278, Barcelona. II–5.
Kruckenberg, Gustavo.—Lepanto 2, Vigo. I.
Krusse, Ewald.—Pozo Amarillo 24, Salamanca; and Ave. Jose Antonio 38, Madrid. I.
Krutwing, Federico.—Rodriguez Arias 1, Bilbao. I.

Kuenne, Hermann.—Ave. Jose Antonio 27, Madrid. I–2.
Kusche, Ernest.—Plaza Queipo de Llano 1, Malaga. I.
Kustner, Emilio.—Calle Casas de Campos 27, Malaga. I–3.
L.A.T.I. (Linea Aerea Transcontinental Italiana).—Seville. I.
La Anonima de Accidentes.—Rambla Cataluna 19–21, Barcelona. II–5.
L'Assicuratrice Italiana.—Via Layetana 47, Barcelona, and all branches in Spain. I.
La Comercial Maritima S.A. (M. Aguilar).—Ancha 13, Barcelona. I.
La Constancia Cia., An. de Seguros.—Universidad 4, Barcelona. I.
La Electrica Industrial, S. A.—San Isidro 56, Tarrasa, I.
La Fodina S. A.—Sallent. I–1.
La Hispanense Industrial y Comercial S. A.—Paseo de Recoletos 21, Madrid; and Calle Bruch 42, Barcelona. I.
La Minera S. A.—Calle de Muntaner 6, and Paseo de Gracia 93, Barcelona. I–1.
La Quimica Comercial y Farmaceutica S. A. (Bayer).—Barcelona; and at Madrid. I.
La Radiologia.—Barquillo 22, Madrid. I.
Laboratorio de Industrias Farmaceuticas S. L. ("Infarma").—Calle Entenza 65, Barcona. II–5.
Laboratorios E. F. E.—Menendez Pelayo 10, Seville. I.
Lafuente Garcia, Luis.—Ave. Queipo de Llano 44, Seville. II–5.
Lamaignere, J. & A.—Ave. Queipo de Llano 44, Seville, and all branches in Spain. I.
Lancia, Automoviles S.A.E.—Ave. Gen. Franco 437, Barcelona. I.
Lanzani, Miguel.—San Jeronimo 36, Madrid. I.
Lazard, Agustin.—Irun and Pasajes. I–4.
Lemmel S. A.—Ave. Generalisimo 309, Barcelona, and all branches in Spain. I.
Leonhardt, Dr. Ernesto.—Rambla Cataluna 66, and Monasterio G. Sarria. Barcelona. I–2.
Leonori, Marcelo.—Diagonal 435, Barcelona. II–5.
Leopold, Hijo de Guillermo.—Ave. Jose Antonio 642, Barcelona. I.
Leopold, Walter.—Ave. Jose Antonio 642, Barcelona. I–3.
Lepori, Luigi.—Cardenal Vives y Tuto G. & H., Barcelona. I.
Lettieri, Gino.—Quintana 5, Madrid. II–4.
Lettieri, Marcelo.—Quintana 5, Madrid. II–4.
Leuthold, Pablo.—Conde Xiquena 6, Apartado 44, Madrid. I.
"Levant," Comp. Italiana de Seguros y Reaseguros.—Via Layetana 69, Barcelona.I–3.
Libreria Herder.—Calle Balmes 22, Barcelona. I–3.
Liesau, Francisco Oficina Tecnica.—Alcalá 60, Madrid, and all branches in Spain. I.
Lindemann, Ricardo.—Ave. Gen. Franco 600, Barcelona. I.
Lipperheide y Guzman, S. A.—Al. Mazarredo 7, Bilbao. I.
Lis Rausell, Federico.—Jorge Juan 8, Valencia. I–4.

Llaudes, viuda de Salvador.—Ave. Puerto 291, Grao-Valencia. I–3.
Llorca.—Plaza Cataluna 9, Barcelona. II–1.
Llorente y von Jess Ltda.—G. Olloqui 19, Vigo. I.
Lloyd Norte Aleman Viajes.—Al. Mazarredo 17, Bilbao. I.
Loeck y Cia. Ltda.—Gardoqui 9, Bilbao. I.
Lohse, Edgar.—Al. Mazarredo 17, Bilbao. I.
Lohse, Juan.—Via Layetana 53, Barcelona; and Calle Fuenterrabia 42, San Sebastian. I; II–4.
Lopez Vinals, Vicente.—Burjasot, Valencia. I–4.
Lowe, F.—Tarragona. I.
Luca de Tena; Eduardo.—Ave. Queipo de Llano 44, Seville. I.
Luca de Tena, S. en C., Hijos de.—Almirante Espinosa 1, Apartado 12, Seville. I.
Luca de Tena y Ita, Fernando.—Ave. Jose Antonio 27, Madrid. I–2.
Lueddeke, Juan.—Madrid. I–4.
Madert, Bruno.—Calle Cucurulla 2, Barcelona. I.
Mallet, Wilhelm F. (Formerly "Pahama", S.A.).—Alarcon 7, Madrid. I.
Mamut, Bujias.—Galileo 28, Madrid. I–1.
Mannos S.A., Cuchilleria.—Calle Muntaner 178, Barcelona. I.
Manufacturas Espanolas de Vidrio Al Soplete S.A.—Badalona. II–5.
Maquineria y Aparatos de Electricidad.—Hernan Cortes 13, Madrid. I–4.
Marelli, Soc. Espanola de Maquinera.—Prim 5, Madrid, and all branches in Spain. I.
Maristany Jnr., Amadeo.—Via Layetana 15, Barcelona. I–1.
Maristany Snr., Amadeo.—Via Layetana 15, Barcelona. I–1.
Marogna, Guido.—Ave. Jose Antonio 38, and Fuencarral 137, Madrid. I–4.
Marques, Marcial.—Talavera de la Reina. I–2.
Martinengo Zaveifel, Alberto.—Calle Zurbano 61, Madrid. I–1.
Martinez Almeida, Pablo.—Genova 7, Madrid. I.
Martinez Ruiz, J.—Barcelo 15, Madrid. II–1.
Martini & Rossi S.A.—Reina 27, Madrid, and all branches in Spain. I.
Masi Guiolia, Miguel.—Calle del Prado 14, Madrid. II–1.
Matz, Marianne.—Madrid and Valencia. I–2.
Maus, Lothar.—Pozo Amarillo 24, Salamanca, and Ave. Jose Antonio 38, Madrid. I.
Mayer, Bruno.—Hotel New York, Ave. Jose Antonio, Madrid. I.
Mayer, Enrique (Heinrich).—Madrid. I–4.
Mayer von Wittgenstein, Heinrich.—Madrid. I–4.
Meessen, Nicolas.—Ayala 112, Madrid, and Puerto 10, Malaga. II–4.
Melia Ballester, Jose.—Calle del Mar 75, Valencia. I.
Melia Sinisterra, Jose.—Calle del Mar 75, Valencia. I.
Melia y Cia., José.—Calle de La Paz 41, and Calle del Mar 76, Valencia. I.
Mencarelli Santirelli, Amadeo.—Madrid. II–3.
Mengel, Willy.—Plaza del Caudillo 7, Valencia. I.
Merello Cosmelli, Vittorio.—Alcalá 62, Madrid. I.
Mey, Reinhard A.—Calle Sagunto 37, Valencia. II–4.
Meyer, Conrado F.—Calle Carrero 11, and Pi y Margall 64, Vigo. I.
Meyer, Pablo Juan.—Calle Montesa 27, Madrid. I–1.
Meyrin, Federico.—Valverde 49, Madrid. I–1.
Minas del Carpio Soc. Ltda.—Huelva. I.
Minerales de Espana, S.A.—Gran Via 62, Bilbao. I.
Minerva, S.A.—Calle Mendivil 5, Apartado 119, Malaga. I.
Mittelstrasse, Carlo Otto.—Calle Mariano Cubi 85, Barcelona. I–2.
Mojedano, Juan.—Prim 34, San Sebastian. I.
Mompo, Hijo de J. Antonio.—Pintor Sorolla 23, Valencia. I.
Mompo, Luis.—Pintor Sorolla 23, Valencia; and Hotel Capitol, Madrid. I.
Monguio y Scharlau Sucr.—Aragon 219, and Calle Balmes 65, Barcelona; and Ave. Jose Antonio 25, Madrid. II–3.
Montanas del Sur S.A.—Seville. I.
Montero Cermeno, Ricardo.—Plaza de los Bandos 3, Salamanca. I–2.
Montes Milla, Jose.—Gran Via de Germanias 36, and 47–49, Valencia; and at Madrid. I–4.
Monzo Mompo, V., Hijos de.—Mayor 26, Montaberner, Valencia, and all branches in Spain. I–3.
Morera, José Maria.—Via Layetana 13, Barcelona. I.
Moritz, W. A.—Via Layetana 28, Barcelona. I–1.
"Moro" S.A., Etablecimientos.—Paseo Tilos, Apartado 186, Malaga. I.
Motores Deutsche Werke S.A.—Calle Provenza 314, Barcelona. I.
Mouths, Fernando.—Alfonso XII 24, Madrid. I–3.
Mugica, Hermenegildo.—Elcano 5, Bilboa. I–3.
Mugica Maiztegui, Angel.—Elcano 5, Bilboa. I–3.
Muller, Carlos E. A. (Karl Heinrich Anton Muller).—Calle Urgel 45, and Calle Nueva de San Francisco 27, Barcelona. I.
Muller de Goupille, J.—Tarragona. I.
Munoz Garcia, Martin.—Alarcon 7, Madrid. I–2.
Nacional Suiza de Seguros.—Via Layetana 21–23, Barcelona, and Hernando Colon 13, Seville. II–4.
Naruva S.A.—Plaza del Cuadillo 26, Ed. Equitativa, Valencia. I.
Navarrete del Pino.—Rafael de la Viesca 5, Cadiz. I.
Naviera Levantina, Ltda., Cia. (Owners of S. S. "Vicente").—Calle del Mar 75, Valencia. I; II–3.
Nedespana S.A.E. Cia. Comercial Hispano-Neerlandesa.—Ayala 10, Madrid, II–3.
Neumaticos-Continental S.A.—Segasta 15, Madrid, and all branches in Spain. I.
Niemeyer, Dr.—Plaza Canalejas 3, Madrid. I.

Norddeutscher Lloyd Bremen.—Carrera San Jeronimo 33, Madrid. I.

Noresco-Cia. Noruega Espanola de Comercio Ltda.—Ave de la Republica Argentina 13, Barcelona. I.

Norsk Spansk Handelskompani.—Ave. de la Republica Argentina 13, Barcelona. I.

Noruega Espanola de Comercio Ltda., Cia. (Noresco).—Ave. de la Republica Argentina 13, Barcelona. I.

Nova S.A.—Ave. Generalisimo 13, Madrid; and Gral Concha 12, Bilbao. I.

Nuzzo & Cia., Guillermo.—Ave. Jose Antonio 27, Madrid; and Plaza Uribitarte 3, Bilbao. I.

Ocimex (Oficina Comercial Importadora y Exportadora).—Ave. Jose Antonio 27, Apartado 701, Madrid. I.

Oggerin, Helmuth.—Madrid. II–4.

Omnipol Barcelona—Alberto Suess.—Calle Diputacion 320, Barcelona. I.

Ordinas Carrascosa, Juan.—Serrano 91, Madrid; and Trafalgar 25, Barcelona. I–3.

Orenstein & Koppel S.A.—Carrera San Jeronimo 36, Madrid. I.

Orenstein y Koppel, Arthur Koppel S. A.—Rambla Cataluna 66, Barcelona, and all branches in Spain. I.

Orphanides N. G.—Reus, Tarragona. I.

Osram.—Madrid. I.

Palazzolo, Domenico.—Ave. de Molo, Laredo, Santander, and all branches in Spain. II–5.

Palmieri, Adolfo.—Calle Duque de la Victoria, Barcelona. I.

Pannocchia, P.—Pasaje Comercio 1–3, Barcelona. I.

Pareras, P. & Cia.—Palafrugell. I.

Pares y Cia. S. en C.—Ave. Marques Argentine 15, Barcelona, and all branches in Spain. II–5.

Parvis, Taurino – "Voz de Espana" S.A.—Ave. Tibidabo 18, Barcelona. I.

Pasch, Guillermo.—Gran Via 62, and Plaza Galdor 4, Bilbao. I.

Pasch, G. y Hnos.—Al. Recalde 36, Bilbao. I.

Pavesio, Cesare.—Ave. Gen Franco 407, Barcelona. I.

Pavon Isern, Miguel.—Velazquez 110, Madrid. II–3.

Peche, Ernesto.—Ave. Marques de Sotelo 5, Valencia. I–3.

Pena, Joaquin.—Alfredo Calderon 10, Valencia. I.

Perez Wosswinkel, Enrique.—Madrid. I–4.

Pernigotti, Ernesto.—Hotel Gaylords, Madrid. I.

Petricca, Annibale.—Calle de la Montera 53, Madrid. I; I–4.

Pfeiffer, Adolfo.—San Agustin 2, Madrid. I–3.

Pfeiffer, Ernesto.—Pintor Fortuny 4, Barcelona; and Ave. Jose Antonio 29, Madrid. I–3.

Piastra, Attila Augusto.—Ave. Jose Antonio 65, Madrid. I; II–3.

Pimentel, Francisco.—Calle Carreteria 139, and Pasillo de Santo Domingo 28, Malaga. II–5.

Pinna, Niceo.—Conde Aranda 22, Madrid. I.

Plass, Hermann.—Calle Escuelas Pias 19, Barcelona. II–5.

Platte, Federico.—Al. Recalde 45, Bilboa. I.

Plus Ultra Cia. An. de Seguros Generales.—Place de las Cortes 8, Madrid. I.

Poehner, Egon.—Madrid. I.

Poldi Fundiciones de Acero S.A.—Barcelona, and all branches in Spain. I.

Portillo & Co.—Rafael de la Viesca 5, Cadiz. I.

Prinz, Hugo.—Almeria. I.

Prinz, Bohlmann & Remmers.—Almeria. I.

Productos Agricolas S.A.—Plaza del Caudillo 5, Valencia, and all branches in Spain. I.

Productos Quimico Farmaceuticos S.A.—Pasco Pujadas 9, Barcelona, and all branches in Spain. I.

Productos Quimicos Gehe. — Calle Moncada 21, Barcelona. II–3.

Pujol Xicoy, E. y J.—Via Layetana 167, Barcelona. I.

Quimica Farmaceutica Industrial, S.A.—Calle Miguel Moya 4, Madrid. II–3.

R.I.C.S.A.—Representaciones de Industria y Comercio S.A.—Ave. Jose Antonio 27, Apartado 678, Madrid. I–2.

Raab, Francisco.—Ave. Pearson 9, Pedralbes, Barcelona. I.

Radeke, Alfred E.—Maestro Gonzalvo 18, Valencia. I.

Radiotecnica Iberica S.A.—Carretera de Madrid 101, Getafe, Madrid. I–1.

Ranken, Guillermo.—Huelva. I–4.

Raskop, Juan.—Gran Via 62, Bilbao. II–3.

Rava, Oscar.—Ave. Gen. Franco 437, Barcelona; and Palace Hotel, Madrid. I.

Reali, Hijo de Camilo.—De la Reina 7, Grao-Valencia. I.

Reder, Gustavo.—Calle Zorilla 17, Madrid. I.

Reder, Juan.—Calle Zorilla 17, Madrid. I.

Reima S.A.—Calle Tres Cruces 7, Madrid. I–2.

Reimex.—Calle de Principe 14 and Victor Hugo 1, Madrid. I; I–4.

Representaciones de Industria y Comercio S.A. (R.I.C.S.A.).—Ave. Jose Antonio 27, Apartado 678, Madrid. I–2.

Resch, Karl.—Santa Marina 17, Zarauz. I.

Resinas Sinteticas Espanolas, S.A.—Buenos Aires 4, Bilbao. I.

Restegui Solar, Jose.—Trinidad 37, and Instituto 16, Gijon. II–3.

Rewir, Luis.—Al. Mazarredo 17, Bilbao. I.

Rheinmetall Aceros y Metales, S.A.—Valencia 372, Barcelona. I.

Rhone-Poulenc, Importador de los Productos de la Societe des Usines Chimiques.—Calle Corcega, 269, Barcelona. I–4.

Rimoldi, Angelo.—Via Layetana 45, Barcelona. I.

Ripoll, Guillermo.—Genova 7, Madrid. I.

Roca Miro, Enrique.—Calle de Rosellon, 255, Barcelona. I–4.

Roesner, Gustave Emil.—Calle Tres Cruces 7, Madrid. I–2.

Roessner, Federico.—Ave. Generalisimo 30, Madrid. I.

Rohm, Alfredo.—Calle Cerdena 70, Barcelona. I–2.

Ron Rubio, Juan.—Calle Tomas Heredia, Malaga. I–2.

Roth, Ricardo.—Pasaje de Vila 10, Seville, and at Madrid. I–3.

Rubinos, Antonio.—Acalá 104, Madrid. I.

Rubira, Boehme y Cia. Ltda.—Felipe Sanchez 24, Vigo. I.

Rueckauer, Juan.—Rodrigues Arias 8, Bilbao. I.

S.A.E.M.A.R. (S.A. Esp de Empresas Maritimes).—Alcalá 45, Madrid. I.

S.A.E.T.-S.A. Especialidades Terapeuticas.—Calle Provenza 427, Barcelona. II–4.

S.A.F.N.I., S.A. Fertilizzanti Nazionali Italiana.—Marques del Riscal 10, Madrid. I.

S.N.I.A.C.E.—Sociedad Nacional de Industrias y Aplicaciones de Celulosa Espanola.—Alcala 23, Madrid; and at Torrelavega, Santander. I.

S.U.P.R.E.—S.A. Suministros para Relojeria.—Calle Cururulla 2, Barcelona. II–4.

Sagrera Ferran, Eduardo.—Via Layetana 15, Barcelona. I–1.

Sagrera Ferran, Pablo.—Via Layetana 15, Barcelona. I–1.

Sainz de Inchaustegui (Marques del Real Socorro).—Madrid. I–1.

Sama Laporta, Augustin.—Paseo de Santa Maria de la Cabeza 17, Madrid. I–2.

Sanchez Saugar, F.—Calle Goya 77, Madrid. I.

Santos, Hijos de Sabino.—Ayala 10, Madrid, and Mansilla de Las Mulas, Leon. II–4.

Sastre Alba, Jose.—Marques de Cuba 23, Madrid. II–1.

Schad, Ernesto.—Concha 28, Bilbao. I–1.

Scharlau, Pablo.—Aragon 219, and Calle Balmes 65, Barcelona; and Ave. Jose Antonio 25, Madrid. II–1.

Scherer Huber, Adolfo.—Calle de Mallorca 193, Barcelona. II–4.

Schering S.A., Productos Quimicos.—Lope de Rueda 16, and General Mola 9, Madrid. I; II–1.

Schmidt, H.—Tarragona. I.

Schmidt, Herman.—Rue de l'Universite 17, Barcelona. I.

Schmitz, Rodolfo.—Ave. de Recalde 7, Bilbao. I.

Schneegluth, Hans Meyer.—Calle Camps y Fabres 7, Barcelona. II–3.

Schneider de Duve, Federico.—Paseo de Las Acacias, Malaga. I.

Scholtz Hnos., S.A.—Don Christian 9, Malaga. I.

Schuebel, Georg W.—Plaza Cataluna 22, Apartado 380, Barcelona. I.

Schulz, Carlos.—Huertas Altas 11, Velez-Malaga. I–4.

Schumacher, Jose.—Rambla Cataluna 66, Barcelona. II–5.

Schutte y Cia. S.L., Alfred H.—Calle Lauria 18, Barcelona, and all branches in Spain. I.

Sciunnach, Angel.—Legazpi 11, San Sebastian. I.

Serrats, Jose.—Capitan Zubiaur, Bermeo, Vizcaya. II–3.

Serrats, J. e Hijos.—Capitan Zubiaur, and Portal San Francisco 12, Bermeo, Vizcaya. II–3.

Servicio de Publicidad.—Fernanflor 6, Madrid. I.

Siemens Industria Electrica S.A.—Barquilla 38, Madrid, and all branches in Spain. I.

Siemens Reiñeger Veifa S.A.—Paseo de Gracia 48, Barcelona. I.

Siemens-Halske S.A.—Barquilla 38, Madrid. I.

Siemens-Schuckert S.A.—Barquilla 38, Madrid. I.

Sierra de Gredos S.A., Cia. Minera.—Ave. Generalisimo 1, Madrid; and Gran Via 62, Bilbao. I–4.

Skala, Jaroslav.—Alcala 32, Madrid. I.

Skotecky, Dr.—Plaza de Bilbao 8, Madrid. I.

Sociedad Financiera Industrial S.A.-Sofindus.—Ave. Generalisimo, Madrid. I.

Sociedad Nacional de Industrias y Aplicaciones de Celulosa Espanola (S.N.I. A.C.E.).—Alcalá 23, Madrid, and at Torrelavega, Santander. I.

Socorro, Marques del Real (Sainz de Inchaustegui).—Madrid. I–1.

Sofindus (Sociedad Financiera Industrial S.A.).—Ave. Generalisimo, Madrid. I.

Soler Canet, Miguel.—Calle Albareda 13, Barcelona. I.

Soler Duran, Antonio.—Carmen 38, Barcelona. I.

Soler Ferrer, Jose.—Bailen 68, Barcelona; and Ave. Conde Oliveto 4, Pamplona. I; I–3.

Soler Miralles, J.—Calle Albareda 13, Barcelona I.

Somma, Vincenzo.—Ritz Hotel, Barcelona. II–1.

Soriano, Eduardo.—Calle Del Manso 70, Barcelona. I.

Spagnolo de Luciano, Alfonso.—Calle Balmes 145, Barcelona. I.

"Specia", Importador de los Productos de la Societe Parisenne d'Expansion Chimique.—Calle Corcega 269, Barcelona. I–4.

Spieler, Erwin.—Al. Urquijo 20, Bilbao. I.

Spinola Guadalupi, Ugo.—Serrano 106, Madrid. I.

Stabile, Nicolas.—Serreria 9, Grao-Valencia. I.

Stamer, Theodore.—Instituto 25, Gijon. I.

Stiegler, Manfred.—Melchor de Palau 30–3¢ Barcelona. II–1.

Stinchi Zacco, Augusto.—Calle Sagasta 34, Madrid. I–4.

Struth, Pablo.—Calle Balmes 60, Barcelona. II–5.

Sturm, Juan Federico.—Fernanflor 8, Madrid. I.

Stussel Schuts, Alfred.—Via Layetana 128, Barcelona. I–1.

Suess, Alberto (Omnipol Barcelona).—Calle Diputacion 320, Barcelona. I.

Suministros para Relojeria S.A. (S.U.P.R.E.).—Calle Cucurulla 2, Barcelona. II–4.

Talasac, Ramon.—Loteria 2, Bilbao. I–2.

Talleres Zugasti.—Madrid. I–4.

Tamburini, Luigi.—Nicolas Maria Rivero 4, Madrid. I.

Targioni, Eduardo.—Palace Hotel, and Reina 33, Madrid, and at Barcelona. II–5.

Tarnow, Arriaga & Cia.—Espartero 11–13, Bilbao. I.

Tarnow y Cia. Ltda.—Espartero 11–13, Bilbao. I.

"Tarsia" S.A.—General Mola 9, Madrid. I–4.

Technofarma S.A.—Ave. Generalisimo 309, Barcelona. II–5.

Tenbergen, G.—Penota 9, Santurce, Bilbao. I.

Teschendorff y Cia.—Calle Peana 11, Grao-Valencia. I.

Tetzlaff y Wenzel.—Via Layetana 128, Barcelona. I–1.

Textilma S.A.—Via Layetana 23, Barcelona. I.

Thim, Cenek.—Hermanos Becquer 10, Madrid. I.

Tiedra Maroto, A.—Plaza de Nicolas Salmeron 10, Madrid. I–3.

Tocci, Luciano.—Madrid and Barcelona. I–3.

Török, Andres.—Calle Balmes 205, Barcelona. I–4.

Tortella Figueras S.A.—Ave. Jose Antonio 31, Madrid, and all branches in Spain. I–2.

Transcomar (Cia. Comercial Maritima de Transportes S.A.).—Ave. Generalisimo 1, and Calle Moratim 52, Madrid. I; I–2.

Transmar S.A.—Via Layetana 7, Barcelona. I.

Transportes Marion S.A.—Van Dyck 6, Salamanca, and all branches in Spain. I.

Trautwein, Hans Otto.—Ayala 10, Madrid. II–3.

Travalloni (Trabaglioni), Attilio.—Ave. Jose Antonio 27, Madrid. II–3.

Tresmafil S.A.—Bilbao. II–3.

Triunfo Soc.—Calle Alcalcá 4, Madrid. I–2.

Tungsram S.L.—Ave. Jose Antonio 27, Madrid; and Caspe 12, Barcelona. I.

Turci, Captain Edmondo. — Madrid. II–4; II–5.

Uebele, Christian.—Calle Bailen 150, and Calle Consejo de Ciento 263, Barcelona. I.

Unicolor S.A.—Calle Corcega 348, Barcelona, and all branches in Spain. I; I–4.

Union Quimica del Norte de Espana, S.A.—Buenos Aires 4, Bilbao. I.

Usai, Mario.—Calle Placentines 20, Apartado 431, Seville; and at Madrid. II–1.

Varvaro, Francisco.—Ave. Puerto 291, Grao-Valencia. I–3.

Vasquez, Alberto.—Guzman el Beno 19, Madrid. I.

Ventura, Carlos.—Calle Balmes 178, Barcelona. I–1.

Viale, Mario.—Calle Provenza 427, Barcelona. I–3.

Vilardell Puig, Jose L.—Ave. Jose Antonio 31, Madrid. I–2.

Vinicola Iberica, S.A.—Tarragona. I.

Virzi, Francisco.—Teis, nr. Vigo. II–3.

Virzi, Juan.—Teis, nr. Vigo. II–3.

Von Appen, Gunther.—Sagasta 15, Madrid. I–1.

Von Boddien, Joaquim.—Calle Madrazo 51, Barcelona. I.

Von Jess, E. E.—Colon 8, Vigo. I.

Vorkauf, Carlos A.—Cmdte. Felipe Sanchez 9, Calvario, Vigo. I.

"Voz de Espana", S.A. Taurino Parvis.—Ave. Tibidabo 18, Barcelona. I.

Wagner, Gunther Productos Pelikan S.A.—Padre Claret 264, Barcelona. I.

Weickert, Bruno.—Huelva. I–4.

Wetzig, Bruno.—Huelva. I–4.

Wetzig, Weickert y Cia.—Huelva. I–4.

Wicke, Alberto.—Alameda de Mazarredo 8, Bilbao. I–2.

Wilmer, H. & O. (Sucrs. to H. Toennies).—Peligros 24, Madrid, and all branches in Spain. I.

Wirz, Francisco Javier W.—Calle Tres Cruces 7, Madrid. I–2.

Woessner, Carlos.—Calle Mallorca 330, and Ave. Generalisimo 335, Barcelona. I–2.

Woessner, Otto.—Calle Mallorca 330, Barcelona. I–2.

Wuelfing, Federico.—Calle Pecher y Santa, San Feliu de Guixols. I.

Wuthenow, Ernst.—Madrid. II–5.

Yipland, Jeronimo. –Ave. Republica Argentina 70, Barcelona. I–4.

Zamalloa, Juan.—Irun. I–2.

Zanquitu, Hijo de Miguel de.—Al. Urquijo 82, Bilbao. I.

Zeiss, Carl.—Plaza Canalejas 3, Madrid. I.

Zenker, Heredos de Pablo.—Sebastian Elcano 3, and Mariana Pineda 5, Madrid. I; II–3.

Ziegler, Wolfgang.—Ave. Jose Antonio 27, Madrid. II–3.

Ziesler, Carlos.—Fernanflor 8, Madrid. I.

Zillman, G.—Ave. Gen. Franco 580, Barcelona. I.

Zimmer, Enrique.—Calle Jupiter 6, Seville. I–1.

Zugasti Gil, Mariano.—Hernan Cortes 13, Madrid. I–4.

Zugasti, Pellejero, Mariano.—Hernan Cortes 13, Madrid. I–4.

Zugasti S. L., Almacenes Mariano.—Hernan Cortes 13, Madrid. I–4.

Zupan, Emilio Jose.—Via Layetana 13, Barcelona. I.

Balearic Islands

Alzina, Lorenzo.—Hotel Royal, Palma Majorca. II–1.

Ferrer, Jose.—Paseo General Franco 44, Palma Majorca. I–2.

"Foto Balear".—Palma Majorca. II–1.

Geathom, AEG-ALS-THOM-I.G.E., Co. S.A.—Palma Majorca. I.

Haussmann, Enrique.—Palma Majorca, II–1.

Matz, Marianne.—Palma Majorca. I–2.

Naviera Mallorquina (owned by Damian Ramis) (owners of Aux "Cala Antio", "Cala Contesa", "Cala Falco", "Cala Fornelio", "Cala Galiota", "Cala Llamp", "Cala Llonga", "Cala Marsal", "Cala Mondrago", "Cala Morlanda", "Cala Murta", "Cala Pi", "Cala Gat", "Cala Tuent", "Juanot Colom", "Manuel Guasp", "Piedad", and "Cala Virgili"; and S.S. "Cala Bona", "Cala Mitjana", and "Cala Castell"; and Aux "Eduardo Weibel".—Ave. Antonio Maura 50, Palma Majorca. I; I–2; I–3.

Orzingers, Emilio.—Palma Majorca. II–1.

Ramis, Damian (owner of Naviera Mallorquina).—Ave. Antonio Maura 50, Palma, Majorca. I.

Roma S.A.—Palma Majorca. II–1.
Trasportes Ferrer.—Paseo General Franco 44, Palma Majorca. I–2.

Canary Islands

Ahlers, Jacob.—San José, Santa Cruz, Tenerife. I.
Bata S.A. Tanger.—Calle Castillo 21, Santa Cruz, Tenerife; and Triana 89, Las Palmas, Grand Canary. I.
Bossi, Jose Jess.—Alvareda 10, Puerto de la Luz, Las Palmas, Grand Canary. I.
Castellano, Jose Maria.—Plazoleto Peroja 49, Las Palmas, Grand Canary. I.
Ceballos, Andres S. (owner of S.S. "San Miguel"). Las Palmas, Grand Canary. I.
Chicote, Manuel de Luque.—San José 10, Santa Cruz, Tenerife. I.
Cruz Gomez Sucrs., Santiago.—Calle San José 27, Santa Cruz, Tenerife. I–2.
Deposito de Carbones de Tenerife, S.A.—Las Palmas, and all branches in Canary Islands. I.
Diaz Navarro, Maximiliano.—San José 20, Santa Cruz, Tenerife. I.
"Electro Moderno" Walter Jablonowski.—Las Palmas, Grand Canary. I–1.
Espinosa, Antonio.—San Francisco 1, Santa Cruz, Tenerife. II–4.
Fiess, Alberto.—General Moscardo 3, Santa Cruz, Tenerife. I.
Gonzalez, Martin Julio (owner of M. V. "Delfin" and "Maria Bonmatti").—Las Palmas, Grand Canary. I.
Grimm, Karl.—Grau Basas 27, Las Palmas, Grand Canary. I.
Guanarteme, Almacenes.—Chile Road 81, Puerto de la Luz, Las Palmas, Grand Canary. I.
Henning, Paul V. (Pablo).—Arena 24, Apartado 248, Las Palmas, Grand Canary. I.
Hisma Ltda.—Pi y Margall 15, Santa Cruz, Tenerife; and Alvareda 153, Las Palmas, Grand Canary. I.
Hispania Tobis S.A.—Las Palmas, Grand Canary. I.
Isasi Castresana, Maximo.—Quintana 4, Las Palmas, Grand Canary. I.
"Italcable".—Parque, Sta. Catalina, Las Palmas, Grand Canary. I.
Jablonowski, Walter, "Electro Moderno".—Calle Triana 126, Apartado 236, Las Palmas, Grand Canary. I.
Kaehler C.H.E.—H.K. Schmidt Sucrs.—Perdomo 16, Las Palmas, Grand Canary. I.
Kahl, J. A.—Las Palmas, Grand Canary. I.
La Quimica Comercial y Farmaceutica S.A.—Canalejas 16, Las Palmas, Grand Canary, and at Tenerife. I.
Lindemann, Ricardo.—V. y Clavijo 15, Las Palmas, Grand Canary. I.
Mayer, Bruno.—Las Palmas, Grand Canary. I.
Mederos Gil, Luis.—Las Palmas, Grand Canary. II–3.
Molowny Gomez, Andres Eugenio.—Seris 8, Santa Cruz, Tenerife. I.
Molowny Perez, Andres.—Seris 8, Santa Cruz, Tenerife. I.
Paukner, A.—Marina 9, Santa Cruz, Tenerife. I.
Rodriguez, Manuel (owner of S.V. "Fermina Concepcion").—Arrecife, Lanzarote. I–1.
Sauermann, Walther.—Albareda 153, Las Palmas, Grand Canary. I.
Schmidt, H. K. Sucrs. (C.H.E. Kaehler).—Perdomo 16, Las Palmas, Grand Canary. I.
Siemens, Enrique.—Pta. Canseco 55, Santa Cruz, Tenerife; and Buenos Aires 7, Las Palmas, Grand Canary. I.
Siemens Industria Electrica S.A.—San Francisco 25, Santa Cruz, Tenerife. I.
Vannucci Ciomei, Saverio.—Via Bethencour 4, Santa Cruz, Tenerife. I.
Woermann Linie.—Las Palmas, Grand Canary. I.

Fernando Po and Spanish Guinea

Betancor Bermudez, Enriquez.—Fernando Po. I.
Comag S.A.—Calatrava, Kogo. I–3.
Dekage Colonial Cia.—Bata, and all branches in Spanish Guinea. I.
Drumen, S.A.—Fernando Po, and all branches in Spanish Guinea. I.
Fortuny, Juan.—Fernando Po and Spanish Guinea. I.
Franco, Jacin Navarro.—Bata. I.
Gonzalez Pena, Pedro.—Fernando Po. I–1.
Heid, Rudolf.—Rio Benito. I.
Intercambio Comercial Iberico.—Bata. I.
Janssen, Holmer.—c/o Woermann & Co., Kogo. I–2.
Kells.—Calatrava, Kogo. I–3.
Klaess.—Calatrava, Kogo. I–3.
Luhr, Heinrich (Casa Lua).—Apartado 73, Santa Isabel, Fernando Po. I.
Macias, Antonio.—San Carlos. I.
Martinez, Francisco.—Fernando Po. I.
Moritz, W. A.—Fernando Po and Spanish Guinea. I.
Perez Villanueva, Lisardo.—Fernando Po, and all branches in Spanish Guinea. I.
Sempere, R.—Fernando Po and Spanish Guinea. I.
Serra, Jose Rius.—Bata. I.
Vasquez, Lola.—Santa Isabel, Fernando Po. I.
Von Boddien, Joaquim.—Kogo. I.
Woermann & Co.—Bata, and all branches in Spanish Guinea. I.

SWEDEN

A.E.G. Elektriska A/B.—Sveavägen 21–23, Stockholm. I.
Agfa Foto A/B.—Malmtorgsgatan 5, Stockholm. I.
Albrecht, Dr. F. W.—Furusundsgatan 16, Stockholm. I.
Allasko A/B. — Blasieholmstorg 9, Stockholm. I–2.
Anilinkompaniet A/B.—Göteborg, and all branches in Sweden. I.
Appelquist Kolimport A/B, A.R.—Regeringsgatan 5, Stockholm. I.
Arafart A/B. — Regeringsgatan 5, Stockholm. I.
Arania Rederi A/B. — Stureplan 19, Stockholm. I.
Arto A/B.—Sodra Forstadsgatan 2, Malmö, and all branches in Sweden. I.
Autoropa A/B.—Exercisgatan 12, Malmö. I.
Axelsson & Co., Torsten.—Kungsgatan 42, Stockholm. II–5.
Axelsson, Gussich & Co.—Majorsgatan 12, Stockholm. II–5.
B.M.W.-Argenturen, A/B. — Artillerigatan 6, Stockholm. I–1.
Bahner, Ludwig.—Lund. II–4.
Bata Handels A/B.—Klarabgsgatan 40, Stockholm, and all branches in Sweden. I.
Becker, Eitel.—Nybrokajen 7, Stockholm. I.
Behm, Kare.—Norrmalmstorg 1, Stockholm. I.
Belgo Baltic Co. A/B.—Norrmalmstorg 1, Stockholm. I.
Berg A/B, Victor.—Kungsgatan 4, Stockholm. I.
Bore, Omsesidigt, Forsakringsbolaget.—Kungsgatan 48, Stockholm. II–4.
Bornemann, Herman.—Jörgen Kocksgatan 4, Malmö, and Slussplan 5, Stockholm. I–2.
Branslecentral. — Sannegardshammen, Göteborg. I.
Bris, Rederi A/B.—Stureplan 4, Stockholm. II–3.
Broderna Sjunneson, A/B.—Drottninggatan 30, Stockholm. I.
Carlberg, C. E.—Odengatan 42, Stockholm. II–3.
Coal and Oil Trading Co. A/B.—Jörgen, Kocksgatan 2, Malmö. I.
Continental—Caoutchouc Compagnie A/B.—Torsgatan 41, Stockholm. I.
Dahlöf, Linné & Co. A/B.—Kanaltorget 1, Tga Dahloo, Göteborg. I.
Däumichen, Max.—Karlevägen 48, Stockholm. I.
Dralle Parfumerie Georg.—Karlav 83, Stockholm. I.
Durkopp A/B.—Göteborg. I.
Enhornings Kemisk-Tekniska A/B.—Kungsgatan 4B, Stockholm. II–4.
Ericsson, Eric Siegfried.—Norrmalmstorg 1, Stockholm. I.
Fabbricotti & Co. A/B, Carlo.—St. Eriksgatan 81, Stockholm. II–1.
Fallai A/B.—Birger Jarlsgatan 38, Stockholm. I.
Ferrania S. A. Milano.—Vasagatan 48, Stockholm. I.
Fiat Svenska A/B.—Nybrokajen 7, Stockholm. I.
Garvamnes Weibull A/B.—Landskrona. I.
Gratenau, H. & A. A/B.—Smalandsgatan 4, Stockholm. I–1.
Haksbergs Nya Gruf A/B.—Haksberg-Grasberg, nr. Ludvika. I.
Helios Kemisk Tekniska Fabrika A/B.—Nybrokajen 7, Stockholm. I.
Helmstrand, Karl A.—David Bagaresgaten 3, Stockholm. II–3.
Henkel Kemiskt Teknist A/B.—Nybrokajen 7, Stockholm. I.
Henzel, Dr. Carl Heinz.—Banergatan 4, Stockholm. I.
Heumann, L. & Co. A/B.—Lindhagensgatan 132, Stockholm. I.
Hoffmeister, Wilhelm.—Abacksgatan 8, Molndal, Göteborg. I.
Hogman, A.W.—Kungstradgardsgatan 18, Stockholm. I–2.
Hogman, A.W., Bankirfirman.—Kungstradgardsgatan 18, Stockholm. I–2.
Hydraulisk Paltryckning A/B.—Folkungagatan 3, and Sodra Vulkan 1 and 8, Göteborg. I.
Igefa Svenska A/B.—Norrlandsgatan 18, Stockholm. I.

Internat A/B.—Lund. II–4.
Jansson, P. & Co. A/B.—N. Stromsgatan 15, Norrköping. I.
Jönköpings Kol A/B.—Ostra Storgatan 3, Jönköping. I.
Kaffe & Kolonial A/B.—Norra Vallgatan 44, Malmö. I–2.
Koerfer, Walter.—Ostermalmsgatan 7, Stockholm. I–2.
Kontors & Skrivmaskiner A/B.—Regeringsgatan 20, Stockholm. I.
Kores A/B.—Nybrokajen 3, Stockholm. I.
Kullager, F.A.G. A/B.—Upplandsgatan 33, Stockholm. I.
Landsverk, A/B.—Landskrona. I.
Larssons Rederi A/B.—Stureplan 4, Stockholm. II–3.
Larrsons Skeppsmakleri A/B.—Stureplan 4, Stockholm. II–3.
Larrsons Skeppsmakleri, Oxelosunds Kontoret A/B.—Oxelosund. II–3.
Latex A/B.—Birger Jarlsgatan 22, Stockholm. I.
Lauer, Dr. Koloman.—Valhallavagen 174, Stockholm. I–2.
Lavens Kolimport A/B.—Kungsgatan 4, Stockholm. I.
Lekomberg Gruf A/B.—Sorvik, nr. Ludvika. I.
Lickfett, Dr. Herbert.—Bost, Djursholm 376, Stockholm. I.
Mattsson, H. Handels & Agenturfirma.—Kungsgatan 30, Stockholm. II–3.
Meyer, Arno Felix.—Hamngatan 26, Stockholm. I–3.
Midby, Tage.—Sandgatan 13, Falkenberg. I–2.
Moll, August.—Stuartsgatan 6, Gothenburg. II–4.
Mülhens, Eau de Cologne & Parfymerifabriks (i Köhn) fils., Ferd.—Sundybyberg. I.
Norddeutscher Lloyd Svenska A/B.—Jakobstorg 1, Stockholm. I.
Nordenstein, Oscar.—Stockholm. II–3.
Nordiska Ror A/B.—Kungsgatan 16–18, Stockholm. I.
Nordiska Travaruagenturen, Ake Wettergren.—Regeringsgatan 22, Stockholm. I–2; II–4.
Nordiske Skinnauktioner, A/B.—Kungsgatan 16–18, Stockholm. I–4.
Nordring A/B.—Bibliotekgatan 3, Stockholm. I.
Norrkopings Bransle A/B.—N. Stromsgatan 15, Norrköping. I.
Nya Noragruvorna A/B.—Nora. I.
Nyander & Jeinsen A/B.—Parmateregatan 9, Stockholm. I–4.
Ohlsens Enke, J. E. A/B.—Norra Vallgatan 16, Malmö, and all branches in Sweden. I–2.
Olympia Skrivmaskiner A/B.—Kungsgatan 16–18, Stockholm. I–1.
Omnipol, Svenska A/B.—Strandvagen 7B, Stockholm. I–2.
Osram Elektraverken A/B. — Stockholm, and all branches in Sweden. I.
Pennco, Bensin A/B.—Drottninggatan 1, Norrköping. I.
Pennco, Bilkol A/B.—Stockholmsvagan 22, Norrköping. I–1.
Pennco, Cistern A/B.—Drottninggatan 1, Norrköping. I–1.
Pennco, Garage A/B.—Stockholmsvagan 22, Norrköping. I–1.
Riso Textil A/B.—Sveavagen 28–30, Stockholm. I–2.
Ronstrom, Snr. & Co. A/B, William.—Strandvagen 3, Stockholm. II–3.
Rugaard, P. A/B.—Kungsgatan 27, Stockholm. I–4.
Rylander & Asplund A/B.—Kungsgatan 34, Stockholm. I.
Scana A/B.—Jörgen, Kockgatan 2, Malmö. I.
Schaffer & Budenberg A/B.—Klara Sodra Kyrkogatan 18, Stockholm. II–4.
Schau, R. L. M. Georg.—Wollmar Yxkullsgatan 50, Stockholm. I.
Schaufensterkunst, Firma (Ernst Sindahl).—Olofsgatan 6, Stockholm. I–2.
Schering Nordiska A/B.—Wahrendorffsgatan 6, Stockholm. I.
Schimmelpfeng, W., Auskunftei.—Drottninggatan 86, Stockholm. I–1.
Schmiterlow, Bertram.—Blasieholmstorg 9, Stockholm. II–3.
Schuchardt & Schütte A/B.—Drottninggatan 11, Stockholm. I.
Seestedt, Adolf.—Erik Dahlbergsgatan 33, Stockholm. II–3.
Semda A/B.—Kyrkogatan 20, Göteborg; and Svartensgatan 12, Stockholm. I.
Siemens, Elektriska A/B.—Kungsgatan 36, Stockholm, and all branches in Sweden. I.
Sindahl, Ernst–Firma Schaufensterkunst.—Olofsgatan 6, Stockholm. I–2.
Sjofart & Kol A/B.—Tradgardsgatan 17, Stockholm. I.
Skandinaviska Montanindustri A/B.—Striberg, Nora. I.
Skandinaviska Travaruagenturen Ake Wettergren.—Kungstradgardsgatan 20, Stockholm. II–4.
Smalands Taberg A/B.—Stockholm, and at Smalands Taberg. I.
Stahlunion A/B.—Kungsgatan 33, Stockholm. I.
Stenciler & Farg.—Uplandsgatan 22, Stockholm. I–2.
Stollbergs Grufvor och Anrikningsverk A/B.—Haksberg. I.
Stora Langviks Gruv A/B.—Hedemora. I.
Strafoder A/B.—Karlavagen 43, Stockholm. II–4.
Stromdahl, Axel Rudolf.—Karlavagen 43, Stockholm. II–4.
Svea Rike Forlag.—Odengatan 42, Stockholm. I–2.
Svecia Exportkompaniet A/B.—Kungsgatan 30, Stockholm. I.
Svenska Instrument A/B.—Sveavagen 21–23, Stockholm. I.
Svenska Lyxstrumpfabriken A/B.—Lund. II–4.
Svenska Orion Forsaljnings A/B.—Svarvarg 14, Stockholm. I–3; II–4.
Svenska Strebelverken A/B.—Vastervik. I.
Svenska Torrelement A/B.—Vollmar Yxkullsgatan 15A, Stockholm. II–4.
Svenska Tradlos Telegrafi A/B.—Sveavagen 21, Stockholm. I.
Tenconi A/B., Angelo.—Hertzia Packhuspltsn 2, Göteborg. I–1.
Tobis Film A/B.—Adolf Fredriks Kyrkogatan 5–7, Stockholm. I–2.
"Tudor" Ackumulatorfabriks A/B.—Bibliotekgatan 3, Stockholm. I.
Tyska Turistbyran.—Kungsgatan 16–18, Stockholm. I–2.
Ufafilm A/B.—Kungsgatan 44, Stockholm. I.
Uhlhorn, H.—Igelkottsvagen 53, Appelviken, Stockholm. I–2.
Von Jeinsen, Carlo.—Parmateregatan 9, Stockholm. I–4.
Vulcanus Bergverks A/B.—Blotberget, nr. Ludvika. I.
Wagner's Nederlag, Guenther.—Stockholm. I.
Weibull, John G. E.—Landskrona. I.
Weist & Co. A/B, Fritz.—Regeringsgatan 32, Stockholm. I.
Werner & Pfleiderer A/B.—Kungsgatan 33, Stockholm. I.
Wettergren, Ake (Nordiska Travaruagenturen).—Regeringsgatan 22, Stockholm. I–2; II–5.
Witte & Co., Export A/B, Franz.—Bararegatan 14, Göteborg. I.
Zeiss, Svenska A/B.—Kungsgatan 33, Stockholm. I.
Zeuthen & Aagaard A/B.—Kungsgatan 44, Stockholm, and all branches in Sweden. I–1; I–2.
Zieglers Kol & Koks A/B.—Karlstad. I.
Zieglers Speditions A/B.—Sannegardshamnen, Göteborg. I.

SWITZERLAND

A.E.G. Elektrizitaets A.G.—Stamfenbachstrasse 1, Zürich. I.
A.G.T. Maschinenbau A.G.—Uetlibergstrasse 113, Zürich. I.
Aarewerke A.G.—Obere Vorstadt 37, Brugg. I.
Abt-Türler & Co., A.G.—Bettingerstr. 112, Riehen. II–3.
Adrema A.G.—Talstrasse 11; Zürich. I.
Aero-Metall A.G.—Theaterstrasse 20, Zürich. I.
Agfa Photo A.G.—Bleicherweg 10, Zürich. I.
Akomfina A.G. für kommerzielle und Finanzielle Angelegenheiten.—Gotthardstrasse 61, Zürich. I.
Aktiengesellschaft für aetherische Oele.—Glarus. I.
Albert, Mariann.—Stampfenbachstrasse 67, Zürich. I.
Albiswerk Zurich A.G.—Albisriederstrasse 245, Zürich. I.
Albula Verwaltungs und Beteiligungs A.G.—Chur. I–3.
Alfa Romeo, S.A. per il Commercio dei Prodotti.—Via Nassa 29, Lugano.
Alfermann, Clemens.—Lausanne. I.
Allgemeine Depositen A.G.—Talstr. 11, Zürich. I.
Alliance Aluminium Cie.—Aeschengraben 22, Basel. I.
Aluminium Rolling & Press Works Ltd. — Tramstrasse 56, Münchenstein, Basel. I.
Aluminium - Verkaufsstelle Münchenstein A.G.—Tramstrasse 56, Münchenstein, Basel. I.
"Amag" Automobil & Motoren A.G.—Kreuzstrasse 4, Zürich. I.
Amann, Alois, in Hohenems Filiale St. Gallen.—Webergasse 5, St. Gallen. I.
Ammann, August.—Au, St. Gallen. I.
Ammann, Carl Ludwig.—Zürich. II–3.
Ammonia Casale S.A.—Massagno. I.
Amor Skin Corpn. A.G. Zurich.—Werdmuhlestrasse 5, Zürich. I.
Appareillage Gardy S.A.—La Jonction, Geneva. I.

Arbitrium Handels A.G.—Alpenstr. 9, Zug. I.
Arpic, S.A., Etablissements.—Rue St. Leger 6, Geneva. I.
Association Allemande pour l'Etude des Problems pour la Societe des Nations.—Rue Toepfer 21, Geneva. I–3.
"Astra" Beteiligungs und Verwaltungs G.m.b.H.—Bondastrasse, Chur. I.
Atlantis, S.A.—Aeschenvorstadt 1, P.O. Box 17350, Basel. I.
"Atlas", Speditions & Transport-Kontor.—Eulerstrasse 59, Basel. I.
Attenberger H. Hapag-Reisebureau A.G.—Bahnhofstrasse 90, Zürich. I.
Augsbourg & Co., Maurice.—Kannenfeldstrasse 36, Basel I.
Aussenhandel A.G., Gesellschaft für.—Elisabethenstrasse 2, Basel. I.
Autex, A.G.—Zürich. II–1.
Autol A.G.—Neuhausstr. 15, Basel. I.
Autoservizi S.A.—Lugano. I.
Badel, Leon E.—Rue Diday 8, Geneva. I.
Bally, Alfred.—St. Alban-Anlage 2A, Aeschenplatz, Basel. I.
Bally-Rochling, Alfred.—St. Alban-Anlage 2A, Aeschenplatz, Basel. I.
Balmer, E.—Dufourstr. 42, Basel. I–2.
Balmer, H.—Wabernstr. 24, Bern. II–3.
Bama G.m.b.H.—Muehlengraben 7, Basel. II–1.
Banca della Svizzera Italiana.—Lugano, and all branches in Switzerland. I.
Banco di Roma.—Lugano. I.
Barberot, R., S.A., Etablissements.—Rue de la Navigation 11–13, Geneva. I.
Baszanger, Lucien.—Rue du Rhone 6, Geneva. I.
Bat'a-Schuh-A.G.—Möhlin, and all branches in Switzerland. I.
Baumwoll-Industrie A.G. — Dietikon, Zürich. I.
Baumwollspinnerei & Wirkwaren A.G.—Bahnhofstrasse 32, Zürich. I.
Beatus A.G. Zurich (Beatus S.A. Zurich).—Stampfenbachstr. 69, and Todistr. 36, Zürich. II–4.
Benninger, R.—Oberer Graben 35, St. Gallen. I.
Berchtold, Hans.—Bahnhofstr. 10 and Borsenstr. 18, Zürich. I.
Berndorfer Kruppmetallwerke A.G.—Murbachstrasse 3, Lucerne. I.
Bestgen, Frederic Henry Joseph.—Ch. de Contamines 11, Geneva. I.
Beyer, Max.—Arbon. II–3.
Bianca & Co.—Hafnerstrasse 10, Zürich. I.
Bianchi, Carlo.—Gartenstrasse 12, Zürich. I.
Billian, L. & Co. A.G.—Limmatquai 104, Zürich. I.
Bishoff, Joseph.—Lausanne. II–1.
Blatter, Josef.—Au, St. Gallen. I.
Bodmer, Albert.—Goldach, St. Gallen. II–1.
Boehringer, A.G., Robert.—Oetenbachgasse 28, Zürich. I.
Boehringer, C. & Cie. A.G.—Spitalstr. 40, Basel. II–1.
Boehringer, C. F. & Sohne A.G.—Zollikofen, nr. Bern. I.
Bohler Gebr. & Co., A.G.—Bahnhofstrasse 45, Zürich. I.
Bohn, Andre.—Rue de la Servette 96, Geneva. I.
Bohnenberger, Friedrich, Verlag Stuttgart Filiale Zurich.—Tödistrasse 67, Zürich. I.
Bohny-Hinrichsen, Gustav.—Chrischonastr. 41, Basel, and at Bern. I–3.
Boismines S.A.—Via Canova 7, Lugano. I.
Boller, Hans.—Gossau, Zürich. II–3.
Boller-Benz, H.—Albisriederstr. 184, Zürich. II–3.
Bosch A.G., Robert.—Badenstrasse 329, Zürich, and at Geneva. I.
Bosshard & de Vries.—Wila, Zürich. I.
Boy, A.G.—Bahnhofstrasse 57c, Zürich. I.
Brandenberger Sohne, Carl.—Limmatplatz 7, Zürich. II–5.
Brandt vorm. Apotheker Rich A.G.—Finsterwaldstrasse 95, Schaffhausen. I.
Braus-Riggenbach (vorm. Henning Oppermann).—Baumleingasse 18, Basel. I.
Brevette Scott A.G.—Birchstr. 155, Zürich. I.
Bronner & Cie. A.G.—Aeschengraben 33, Basel. I.
Brugge, Rodolphe.—Ave. de Beau Sejour, Geneva. I; II–1.
Bruhin, Karl.—Sternenstr. 16, Zürich. I.
Buas A. G.—Aeschengraben 24, Basel. I.
Bucher A.G., Haus der.—Baeumleingasse 18, Basel. II–5.
Buchhandlung Zum Elsässer A.G.—Limmatquai 18, Zürich. I.
Buchwalter, Emanuel.—Bogenschuetzenstr. 6, Bern. II–3.
Bühnle, Emil Georg.—Birchstr. 155, Zürich. I.
Bulgari, Sotirio.—Via Pretoria 2, Lugano. I.
Burckhardt A.G., Maschinenfabrik.—Dornacherstr. 192, Basel. I–2.
Buser, J. C.—Spalenvorstadt 15, Basel. I–2.
Buser-Kobler, Jaques Carl.—Spalenvorstadt 15, Basel. I–2.
C.I.T., Cia. Italiana di Turismo.—Bahnhofstrasse 74, Zürich. I.
Caesar u Loretz, Halle a S., Zweigniederlassung Zurich.—Limmatstrasse 45, Zürich. I.
Campari, Davide, Lugano.—Via Vincenso D'Alberti 12, Lugano. I.
Casino-Gesellschaft.—Steinenberg 14, Basel. I–2.
Cassani, Karl.—Bern. II–1.
Castelletti S.A., Angelo.—Via Pasteur 1, Chiasso. II–1.
Cece-Graphit Werke A.G.—Wehntalerstrasse 600, Zürich. I.
Celluloidwarenfabrik Zollikofen A.G.—Zollikofen, Bern. I.
Cementia Holding A.G.—Pelikanstrasse 6, Zürich. I.
"Chepha", A.G. Fuer Chemische und Pharmaceutische Unternehmungen.—Lausanne. I.
Cinzano, Soc. pour L'Importation et la Vente des Produits.—Place St. François 2, Lausanne. I–4.
"Cipa" D'Importation de Produits Alimentaires Cie. et Agricoles S. A.—Rue de la Cite 22, and Rue de la Corraterie 14, Geneva. II–5.
Coffee Trading Company Kaiser Ltd.—Guterstrasse 311, Basel, and all branches in Switzerland. I.
Cofinco, Compagnie Financière Commerciale S.A.—Muri. I.
Cohen, Gabriele.—Vacallo, Chiasso. II–1.
Cohen, Gabriele, Nachfolger Federico Lupi.—Vacallo, Chiasso. II–1.
Columeta A.G.—Steinenring 51, Basel. II–5.
Commissia. S.A.—Rue de la Tour de l'Ile 1, Geneva. I.
Commissionaria di Esportazione e. di Importazione, Soc. "S.C.E.I." (Kommissiongesellschaft für Aus-und-Einfuhr., K.A.E.).—Nueschelerstrasse 30, Zürich. I.
Commissionaria S.A. (Sacom).—Via Nassa 29, Lugano. I.
Comptoir Commerciale S. A. (Handels Kontor A.G.).—Bogenschuetzenstr. 6, Bern. II–3.
Comptoir de Specialties Pharmaceutiques S.A. (formerly Andre Junod S.A.).—Rue de la Scie 4–6, Geneva. I.
Comptoir de Vente et D'Achat.—Rue de Bourg 27, Lausanne. I–1.
Connstein, Dr. Wilhelm.—Rue de l'Athenee 8, Geneva. I.
Continental Caoutchouc Co. A.G.—Talstrasse 15, Zürich, and all branches in Switzerland. I.
Contraves A.G.—Bahnhofstr. 92, and Dreikonigstr. 18, Zürich. I.
Corti & Co. Dr. Ch., Agostino.—Lugano. I.
Cotonniere du Tonkin, Soc.—Rue Ph. Plantamour 16, Geneva. II–5.
Credit Commercial et Industriel Trust.—Via Al Forte 2, Lugano. I.
Cuprum A.G.—Glarus. I.
Curti, Figli di Virginio.—Taverne-Torricelli (Tessin). II–5.
Daeschner, A. C.—Villa Roccolo, Viganello, Lugano. I.
Daetwyler, Otto.—Giesshuebelstr. 62, and Limmatstr. 214, Zurich. I–4.
De Bac, Andre.—Rue de la Tour de l'Ile 1, Geneva. I.
Degele.—Hofwiesenstrasse 96, Zürich. I.
D'Importation de Produits Alimentaires Cie. et Agricoles "Cipa" S.A.—Rue de la Cite 22, and Rue de la Corraterie 14, Geneva. II–5.
Del Bianco, Mario.—St. Jakobstr., Basel. I–1.
Delorme, Leon Luis.—Rue de la Cite 22, Geneva. II–5.
Deutsche Buch-Gemeinschaft C.A. Koch's Verlag Nachf. Berlin, Filiale Zürich.—Stampfenbachstrasse 67, Zürich. I.
Deutsche Hilfsvereins-Stiftung.—Alban-Vorstadt 12, Basel. II–4.
Deutsche Kolonie in der Schweiz.—Muristr. 53, Basel. I–3.
Deutsche Luftfahrt-Industrie Kommission.—Restelbergstr. 49, Zürich. I–3.
Deutsche Zeitung in der Schweiz.—Bahnhofplatz 3, Bern. II–3.
Diamants et Carbones S.A.—Thonex, Geneva. I.
Diamantschleiferei Vogeli & Wirz, A.G.—Gürzelenstrasse 7, Biel, Bern. I.
Diamantwerkzeuge, A.G.—Gurzelenstrasse 7, Biel, Bern. I.
Diener, R. W.—Mullerstr. 33, Zürich. II–3.
Dixi, S.A. Machines.—Cote 29, and Rue des Billodes 18A, Le Locle, Neuchâtel. I–2.

Dornier Werke A.G.—Altenrhein, St. Gallen. I.
Dorsch, Paul.—Clarastr. 30, Basel. I–2.
Dralle A.G., Georg.—Basel. I.
Drhoelec, Franz.—Seefeldstrasse 14, and Uraniastrasse 35, Zürich. I.
Drott, Max Raimund.—Feldeggstrasse 43, Zürich. I.
Du Bois, Dr. Georges Charles.—Peseux. II–1.
Duerkoppwerke, A.G.—Albisstrasse 28, Zürich. I.
Duncan, Bart., Sil Oliver.—Grand Hotel Dolder, Zürich. I.
Eberhard, Dr. Richard.—Zürich. II–1.
Egli, Jean Martin.—Wil, St. Gallen. II–3.
Ehni & Co., Geo.—Pelikanstrasse 2, and Fraumünsterstrasse 15, Zürich. I.
Ehninger & Co., Dr. (St. Leonhards-Apotheke).—Leimenstr. 27, Basel. I–2.
Eilers, Jr., Wilhelm, Bielefeld, Zweigniederlassung Zurich. — Sternhaldenstrasse 63, Zürich. I.
Eisen und Metall A.G.—Utoquai 29, Zürich. I.
Electrische und Industrielle Unternehmungen im Orient, A.G. für.—Bahnhofstrasse 28A, Zürich. I.
Elex A. G.—Seefeldstr. 8, Zürich. I–2.
"Elfa" Elektro-Chemische, Fabrik Francke.—Rohrerstrasse 84, Aarau. I.
Elna S.A.—Rue de la Tour de l'Ile 1, Geneva. I.
Engel, C. & Co.—Egnacherweg. I.
Entreprises et Travaux de Construction S.A.—Bahnhofstrasse 89, Zürich. I.
Etablissements Arpic, S.A.—Rue St. Leger 6, Geneva. I.
Etana, A.G.—Bremgartnerstr. 71, P. O. Box 51, Zürich. I–2.
Eurasia G.m.b.H.—Bahnhofplatz 5, Bern. I–2.
Europa Press.—Lausanne. I.
Europaische Holding Intercito A.G. (Holding Europeene Intercito S.A.).—c/o Pilatus Flugzeugwerke A.G., Stans, Nidwalden. I–2.
Ewel & Co.—Brandschenkestrasse 20, Zürich. I.
Export Transithandels A.G.—Sihlstrasse 34, Zürich. I.
Extraktion A.G.—Hirzbrunnenallee 28, Basel. I.
Fabrique de Machines a Tricoter de Schaffhouse — Schaffhauser Strickmaschinenfabrik.—Moserstrasse 23, Schaffhausen. I.
Fanto-Benzin Import A.G.—Bahnhofstrasse 44, Zürich. I.
Fayaud, W. Adriano.—Chiasso. I.
Feinweberei Murg-Baden (Deutschland) A.G. für.—Flawil, St. Gallen. I.
Feisst, Walter O.—Casa Ville 1184, Lausanne. I.
Fer-Ulrich, Henri.—Rue du Pont 16, La Chaux-de-Fonds; and at Cheserex-Sur-Nyon, Vaud. II–1.
Fiat Automobil—Handels A.G. Verkaufsstelle Zurich.—Wiesenstrasse 7–9, Zürich. I.
Fibroplast, A.G.—Fronwagplatz 7, Schaffhausen. I.
Financiere de Banque et de Change a Geneva Soc. S.A.—Rue de la Tour de l'Ile 1, Geneva. I.
Finanziaria Assicurativa Milano, Succursale di Zurigo Soc.—Stadthausquai 7, Zürich. I.
"Finelectra" Finanzgesellschaft für Elektrizitats — Beteiligungen A.G.—Bahnhofstrasse 70, Aarau. I.
Fink, Theo.—Bahnhofplatz 5, Bern. I–3.
Fischer & Rechsteiner Sucr.—Chiasso. I.
Flamenot, Edmee.—Rue du Grand Chene 5, Lausanne. I–1.
Flamenot-Rouvenaz.—Rue du Grand Chene 5, Lausanne. I–1
Fonda A.G.—Industriestrasse 25, Arlesheim, and at Munchenstein. I.
Foresta Romena Holding, S.A.—Jenatschstrasse 1, Zürich. I.
"Forinvent" Gesellschaft für auswärtige Anlagen und Erfindungen A.G.—Aeschenvortstadt 1, Basel. I.
Fuchs, A.—Bahnhofstr. 5, Zürich. I–3.
Fuog, Paul. — Thiersteinerallee 23, Basel. I–4.
Furrer, Heinrich. — Bahnhofstr. 17, Zürich. II–1.
Galvanocor A.G.—Lucerne. I–3; II–1.
Ganz & Co.—Bahnhofstrasse 40, Zürich. I.
Ganzoni, Werner.—Gruzenstr. 44, Winterthur. I–3.
Ganzoni & Cie.—Gruzenstr. 44, Winterthur. I–3.
Gas und Wassermesserfabrik A.G. in Lucerne. — Krienserstrasse 527, Lucerne. I.
Gas-Industrie, A.G. für. — Loewenstrasse 2, Zürich. I.
Gassner-Zauli, Erwin.—St. Gallen. I.
Gastpar, Paul.—Amthausquai 11, Olten. I–2.
Gefuag, A.G.—Monbijoustr. 10, Bern. I–1.
Gelbert, Heinrich-Pfaff Nahmaschinenfabrik. — Bahnhofstrasse 100, Zürich. I.
Georgi, Curt.—Stampfenbachplatz 2, Zürich. I.
Gerber, Otto.—Hasenrainstr. 67, Binningen. I–2.
Germann, August. — Schaffhausen. II–1.
Getreide Import A.G.—Bleicherweg 47, Zürich. I.
Globag A.G.—Schaffhausen. I.
Glühlampenfabrik Winterthur A.G.—Burglistr. 33, Winterthur. II–3.
Goedecke, Cedric.—Aeschengraben 13, Basel. I–4.
Goedecke, H.A. — Aeschengraben 13, Basel. I–4.
Goedecke, Haimo Alex.—Aeschengraben 13, Basel. I–4.
Golay et Fils, Louis.—Rue du Rhone 57, Geneva. I.
Goldray S.A.—Rue de la Cite 22, Geneva. I–4.
Golvag A.G. Goliath-Vertrieb.—Oberdorfstrasse 3, Zürich. I.
Graf, Theo.—Fraumünsterstrasse 14, Zürich. I.
Grebler, Albert.—La Chaux-de-Fonds. II–4.
Gremminger, Ferdinand.—Schaffhausen. II–3.
Gretener, Th.—Bahnhofstr. 16, Dietikon. II–4.
Grodtmann, Johann.—La Tour de Peilz, Vevey. I.
Grunauer, A. & Co. A.G.—Basel. I.
Guindani, Mario.—Klingenstr. 34, Zürich. II–3.
Gunzburger, S. & Cie. A.G.—St. Johannesvorstadt 90, Basel. I.
Gütermanns Nähseiden A.G.—Stampfenbachstrasse 12, Zürich. I.
Haab, Otto Albert Anton.—Muttenz. I–3.
Haas'sche Schriftgiesserei A.G.—Münchenstein. I.
Haegler, Dr. Harry.—Nueschelerstr. 44, Zürich. I–4.
Haff Gebr. C., H. & F., A.G. Handel in Reisszeugen und Mathematischen Instrumenten.—Bahnhofplatz 5, Zürich. I.
Hagmann & Co.—Loewenstrasse 20, Zürich. I.
Hamel, Spinn- & Zwirnereimachinen A.G., Carl.—Arbon. I.
Hangartner, W.—Zürich. I–2.
Hartman A.G. Gebr.—Neubrunnenstr. 41, Oerlikon, Zürich. II–3.
Haubensack, Emanuel.—Nürensdorf, Zurich. I.
Hauff-Fabrikate-Verkaufs A.G.—Loewenstrasse 19, Zürich. I.
Hauff - Photo-Vertretung. — Loewen - strasse 19, Zürich. I.
Haymann, J. Konstanz Filiale Kreuzlingen.—Hafenstrasse 111, Kreuzlingen. I.
Heer & Co. A.G.—Oberuzwil. I.
Heimoz, Marcel.—Place Centrale 25, Lausanne. II–4.
Hellmuth, Fritz.—Mattenstrasse 76, Basel. I.
Hellmuth, Hans.—Mattenstrasse 76, Basel. I.
Hellmuth & Cie., Loerrach, Filiale Basel.—Mattenstrasse 76, Basel. I.
Henkel & Co. A.G.—Kirschgartenstrasse 12, Basel. I.
Henkels Persilwerke A.G.—Pratteln, Basel. I.
Hentsch et Cie.—Rue de la Corraterie 15, Geneva. I–1.
Hepp Gebr. — Bahnhofstrasse 79, Zürich. I.
Hering-Bad A.G.—Blumlisalpstrasse 18, Zürich. I.
Hevaloid A.G.—Talstrasse 15, Zürich. I.
Hilb, Siegfried Konstanz Filiale Kreuzlingen.—Bahnhofstrasse 31, Kreuzlingen. I.
Hispano Suiza, S.A.—Rue du Rhone 29, Geneva. I.
Hochrhein Lagerungs A.G.—Rheinhafen 70, Birsfelden, Basel. I–1.
Hochstrasser & Co.—Hornweg 20, Kusnacht, Zürich. I.
Hoff, B. (late of Riga).—Schweizerhof Hotel, Zürich. I.
"Holbeinstube".—Dufourstr. 42, Basel. I–2.
Holding Europeene Intercito S.A.—Europaische Holding Intercito A.G.—c/o Pilatus Flugzeugwerke A.G., Stans, Nidwalden. I–2.
Holzveredlung A.G. für.—Loewenstrasse 11, Zürich. I.
Homann, Franz, Bregenz Zweigniederlassung St. Margrethen.—St. Margrethen, St. Gallen. I.
Hösli & Co., Georg.—Bahnhofstrasse 79, Zürich. I.
Hostmann-Steinberg Farben A.G. Chr.—Bederstrasse 103A, Zürich. I.
Igepha, A.G.—Loewenstr. 3, Zürich. II–1.
"Imbert-Gas" A.G.—Rohrerstrasse 76, Aarau. I.

Importations Coloniales S.A.—Rue Bonivard 8, Geneva. I.
Imprese Elettriche dell' America Latina (Latinalux).—Mesocco. I.
Incosa A.G.—Winterthur. I.
Industrie Bank A.G.—Bahnhofstr. 17, Zürich. II–1.
Industriegerate G.m.b.H.—Dufourstrasse 57, Zürich. I.
Industrielle de Mecanique Horlogere S.A. a Puteaux (Seine) Succursale de Moutier, Cie.—Ave. Belle Vue 12, Moutier. II–4.
Intermundo S.A.—Schuetzengasse 9, St. Gallen; and Rue du Mont Blanc 14, Geneva. I–3.
Internationale Gesellschaft der Stickstoff Industrie A.G.—St. Jakobstrasse 22, Basel. I.
Internationale Gesellschaft für Chemische Unternehmungen A.G. (I.G. Chemie) (Soc. Internationale pour Entreprises Chimiques S.A., I.G. Chemie).—Peter Merianstrasse 19, Basel. I.
Interradio G.m.b.H.—Limmattalstrasse 209, Zürich. I.
Intestinum A.G.—Schmidholzstr. 56, Neuewelt, Basel. I–4.
In-Und Auslandische-Werte A.G. für.—Am Platz 13, Schaffhausen. II–4.
Ipsa A.G. für Petroleum-Industrie.—Rothkreuz, Zug. I.
Iselin, Dr. Felix.—Basel. II–1.
Isiaseide.—Breganzona. I.
"Italelvetica" di Partecipazione Finanziarie ed Industrialzi S.A.—Chur. I.
Jenschik Reisedienst Urania.—Heimatweg 1, Lucerne. I.
Jucker, Henri.—Rue Petitot 1, Geneva, and at Winterthur. I–3.
Justa, S.A.—Lugano. I.
Kadus-Werk.—Molkenstrasse 8, Zürich. I.
Kagann, Salomon.—Ave. W–Favre 24, Geneva. I.
Kahl, Siegfried Hermann.—Bvd. du Theatre 12, Geneva. I.
Kaiser, T., A.G.—Liestal, Basel. I.
Kaiser's Kaffee-Geschaft A.G.—Guterstrasse 311, Basel, and all branches in Switzerland. I.
Kanderner Tonwarenfabrik, Ernest Kammueller, Kandern, Filiale Basel.—Drahtzugstrasse 14, Basel. I.
Karlsruher Parfumerie & Toiletteseifenfabrik (F. Wolff & Sohn, G.m.b.H.).—Grenzacherstrasse 63, Basel. I.
Kartro A.G.—Bahnhofstrasse 86, Zürich. I.
Kast & Ehinger G.m.b.H.—Hornergasse 12, Zürich. I.
Keller, Dr. Gottfried.—Aarau. II–1.
Keramische Rohstoff A.G.—Bahnhofstrasse 46, Zürich. I.
Keramische Werte A.G.—Seefeldstr. 8, Zürich. I–2.
Klaiber, Richard.—Birsigstrasse 58, Basel. I.
Klement & Spaeth, Parfumerie & Seifenfabriken Ravensburg Zweigniederlassung Romanshorn.—Romanshorn. I.
Klepper-Sporterzeugnisse, A.G. für.—Uraniastrasse 14, Zürich. I.
Klingelnberg Sohne, W. Ferd. Remscheid, Zweigniederlassung Zurich.—Hotzestrasse 45, Zürich. I.
Kohlen & Briketwerke A.G.—Nauenstr. 63A, Basel. I–3.
Königer & Sohn, Karl, G.m.b.H. Kattowitz Zweigniederlassung Zurich.—Torgasse 2, Zürich. I.
Kores-Bureaubedarf A.G.—Todistrasse 68, Zürich. I.
Kosmas A.G. für Internationale Transporte.—Basel. I.
Kotva-Export-Import A.G.—Bahnhofquai 7, Zürich. I.
Kraeutli Auto Electric Parts Bruxelles, Succursale de Zurich.—Zürich. I–2.
Krebs, Dr., Srebel-Kessel & Radiatoren.—Fluelastrasse 19, Zürich. I.
Kristallglaswerk, A.G. (formerly A. Pfeiffer & Co.).—Schuetzenstrasse 191, Feuerthalen, Schaffhausen. I.
Krupp, Dr. Arthur.—Lucerne. I.
Kuendig, R., A.G.—Bahnhofstr. 80, Zürich. I–2.
Kugellagerfabrik Arbon A.G.—Arbon. II–5.
Kuhner, Heinrich.—Basel. II–5.
Kuisel, G. & Co.—Bahnhofstrasse 89, Zürich. I.
"La Metallurgie".—Mainaustr. 17, Zürich. II–1.
La Soudiere Suisse.—Zurzach and Albangraben, Basel. I–4; II–4.
Lackfarben A.G., Berlin Filiale Kreuzlingen.—Unterseestrasse 32, Kreuzlingen. I.
Lacour, J. T.—Ave. Ermitage 59, Geneva. I.
Lambercier, Georges.—Rue des Bains 11, Geneva. I.
Landesprodukte A.G.—Erlenstr. 15, Basel. I.
Langbein Pfanhauser Werke A.G., Schweizerische Filiale der.—Schaffhauserstrasse 228, Zürich. I.
Latinalux-Imprese Elettriche dell' America Latina.—Mesocco. I.
Leader, A.G.—Aronstrasse, St. Moritz. I.
Leder & Schuh A.G.—Talstrasse 11, Zürich. I.
Lengweiler, Walter.—St. Gallen. I.
Leukon A.G.—Freigutstrasse 7, Zürich. I.
Liguna, S.A.—Pelikanstrasse 1, Zürich. I.
"Limmat" Industrie und Handels A.G.—Talstrasse EE, Zürich. I.
Lista A.G., Tabakextrakt-und-Nikotinfabrik.—Liestal. II–4.
Lloyd-Reiseburo R. Kündig A.G.—Bahnhofstrasse 80, Zürich. I.
Lonza Elektrizitatswerke und Chemische Fabriken A.G.—Aeschenvorstadt 72, Basel; and at Gampel. I; I–2.
Lorenz, C., A.G. Berlin, Zweigniederlassung Bern.—Bubenbergplatz 10, Bern. I.
Lorenzoni, Valeriano Ditta in Verona Filiale di Chiasso.—Chiasso. I.
Luebbert, Gunther.—Apartmenthaus St. Jakob, St. Jakostr. 39, Zürich. II–5.
Luzi, Hermann.—Stampfenbachplatz 2, Zürich. I.
Magerle Gebr. G.m.b.H.—Effretikon. I.
Mannhart, J. C., Konstanz Filiale Kreuzlingen.—Hauptstrasse 61A, Kreuzlingen. I.
Manometer A.G.—Andreasstrasse 9, Zürich. I.
Marabuwerke A.G. Tamm, Zweignielerlassung Seebach.—Andreasstrasse 7–9, Zürich. I.
Marathon Edelstahl A.G.—Klaustrasse 19, Zürich. I.
Marelli, S. A. Aeromeccanica.—Rue de la Fontaine 7, Geneva. I.
Marelli, S. A. Machines.—Rue du Rhone 59, Geneva. I.
Marti, Fritz.—Ryffligaesschen 6, Bern. II–3.
Martini & Rossi.—Rue de Montchoisi 42, Geneva. II–4.
Mas, Michael.—Bleicherweg 20, Zürich. I–2.
Massie Verlag G.m.b.H.—Feldeggstr. 12, Zürich. I–4.
Masstabfabrik A.G.—Gewerberstrasse 6, Schaffhausen. I.
Mayor, Louis.—Ave du Simplon 13, Chene-Bourg, Geneva. I–1.
Meckes-Dreher, Wilhelm.—Grenzacherweg 77, Riehen. I.
Meier, Karl Arnold.—Kusnacht-Tugermoos, nr. Zürich. I.
Meiss A.G., Hans.—Bahnhofplatz, and Loewenstr. 71, Zürich. I–2.
Meiss, Gio. Corr Milano Succursale di Chiasso.—Chiasso. II–5.
Meisser, Em.—Steinenberg 14, Basel. I–2.
Melitta A.G.—Waldmannstrasse 12, Zürich. I.
Mencarelli Santirelli, Amadeo.—Zürich. II–3.
Mercedes-Benz-Automobil A.G.—Badenerstrasse 119, Zürich. I.
Merck Produkten A.G. für den Handel in.—Bahnhofstrasse 23, Zug. I.
Merck-Unternehmungen, Holding A.G. für.—Bahnhofstrasse 23, Zug. I.
Merk, Jean.—Bahnhofstrasse 57B, Zürich. I.
Merk, Max Roh-Produkten-Kontor.—Stampfenbachstrasse 70, Zürich. I.
Merk & Co., Max.—Stampfenbachstrasse 70, Zürich. I.
Merz & Co., Chemische Fabrik.—Dufourstrasse 176 and Froehlichstrasse 28, Zürich. I.
Meta, S A.—Leimenstrasse 51, Basel. I.
Metallgiesserei und Armaturenfabrik A.G.—Lyss, Bern. I–2.
Metallverwertung A.G. für.—Talstra. 15, Zürich. I–4.
Metallwerke A.G.—Dornach. I.
Metallwerke Refonda A.G.—Zürich. I.
Metzger & Cie., Robert, Location de Wagons-Reservoirs S.A.—Place et Rue des Grottes 1, Geneva. I.
Meyer, Heilmuth G. (Zoppot Zweigniederlassung Zurich).—Zürich. II–1.
Meyerhofer & Co.—Seefeldstr. 8, Zürich. I–2.
Mezritz, Denis.—Rue de la Navigation 11–13, Geneva. I.
Milliquet, Malinot.—Mainaustr. 17, Zürich. II–1.
Mineral & Metall A.G. (Mineral & Metal S.A.).—Bahnhofplatz 225, Chur, and Talstrasse 15, Zürich. I.
Minerva-Auto-Mobilen, A.G. für den Verkauf in der Schweiz von.—Utoquai 29, Zürich. I.
Minimax, A.G.—Muhlenbachstrasse 28, Zürich. I.
Mobiliare Verkehrs A.G.—Pelikanstrasse 8, Zürich. I.
Modiano S.A. "Universum".—Chiasso. II–1.
Moebius, H. & Sohn.—Neuhausstr. 15, Basel. I.

Moeckli & Co., Otto.—Uraniastr. 35, Zürich. I–4.
Moje, Heinrich.—Todistrasse 16, Zürich. I.
Mollwo, Carlo.—Plan Fleuri, Prilly, nr. Lausanne. II–1.
Moneta, Annibale.—Badstr. 9, Baden. II–1.
Montaner, Juan.—Rue du vieux College, Geneva. I.
Moor, Dr. Hans.—Steinenvorstadt 25, Basel. II–5.
Moos, Gebr. & Söhne.—Kreuzlingen. I.
Morf, Ernst.—Nuerensdorf. I.
Movag Editions de Mode.—Stadtelhoferstrasse 42, Zürich. I.
Mueller, Albert F.—Monbijoustrasse 91, Bern. I.
Mueller, Friedrich.—Rosentalstr. 71, Basel. II–5.
Mutter, Albert (Loerrach, Filiale Basel).—Rosentalstr. 71, Basel. II–5.
Naruva S.A.—Place de Cornavin, Geneva. I.
Nasoni, Figli di Luigi.—Via Emilio Bossi 11, Lugano. II–1.
Neuss, Johann.—Seefeldstrasse 14, and Uraniastrasse 35, Zürich. I.
Nied, Dr. Willibald.—Bahnhofplatz 3, Bern. II–3.
Nielsen-Bohny & Co. A.G.—Chrischonastr. 41, Basel. I–3.
Noerpel C. E., Friedrichshafen, Filiale St. Gallen.—Postrasse 22, St. Gallen. I.
"Non Ferrum" Gesellschaft zur Finanzierung von Unternehmungen des Bergbaues und der Industrie der Nichteisenmetalle A.G.—Bahnhofstrasse 45, Zürich. I.
Nordisk Films Co. S.A.—Uraniastrasse 33, Zürich. I.
Nordstern Allgemeine Versicherungs A.G.—Laupenstr. 2, Bern, and Weinbergstr. 11, Zürich. I–3.
Nord-Sud, Reiseburo. — Clarastr. 30, Basel. I–2.
Nouvelles Usinages, S.A.—Rue du Pont 16, La Chaux-de-Fonds. I–3.
Nova Vita A.G.—Gutenbergstr. 10, Zürich. I–3.
Nur, Mahomet Thabit Abdul.—Zürich and Geneva. I.
Oberrhein Reederei & Kohlenhandels A.G.—Nauenstrasse 63A, Basel. I.
Oerlikon (Werkzeugmaschinenfabrik Oerlikon Bührle & Co.).—Birchstr. 155, Zürich. II–4.
Officine del Gottardo S.A. für Elektro-Chemische Industria.—Bodio, Tessin. I.
Olivieri, S.A., Giuseppe.—Chiasso. I.
Orbis, S.A.—Feldeggweg 1, Bern. I.
Orenstein & Koppel, A.G. für Feld und Kleinbahnen Bedarf. — Weinbergstrasse 15, Zürich. I.
Orion-Automobil-Werkstatten.—Hardturmstrasse 185, Zürich. I.
"Osa" Industrielle Beteiligungen A.G.—Fasenstaubstrasse 30, Schaffhausen. I.
Oski A.G.—Seefeldstr. 8, Zürich. I–2.
Osmon, A.G.—Schaffhausen. I–2.
Osram, A.G.—Limmatquai 3, Zürich, and all branches in Switzerland. I.
Pagani, Butti e Basilico Trasporti Internazionali Globus, Succ. ad Oscar Negri et Cie.—Via Internazionale 8, Chiasso. I.
Parisi, Francesco. — Paradeplatz 5, Zürich. I.
Paukner, Emil.—Repfergasse 13, Schaffhausen. I.

Pauly Jnr., Walther. — Oberrieden, Zürich. I.
Pauly, Walther.—Gotthardstrasse 61, Zürich. I.
Pelikan A.G. — Bachofnerstrasse 8, Zürich. I.
Pesch, Friedrich W.—Talstr. 20, Zürich. I–2.
"Petrowag" Petroleumwerke A.G.—Poststrasse 2, Chur. I.
Pfaff Nahmaschinenfabrik (Heinrich Gelbert).—Bahnhofstrasse 100, Zürich. I.
Pfeiffer, A. & Co.—Feuerthalen, Schaffhausen. I.
Pfister, A.—Gessnerallee 34, Zürich. I.
Pfister, Carl.—Wohlen. I.
Pfrunder, Oscar.—Loewenstrasse 59, Zürich. I.
Picard, Roger Gaston.—Rue de Hesse 8–10, Geneva. I.
"Pila" A.G.—Bahnhofstrasse Zürich. I.
Pilatus Flugzeugwerke A.G.—Stans, Nidwalden. I; I–2.
Platter, Hans.—Rutlistrasse 15, Winterthur. I.
Plesch, Arpad.—Ave. Victor-Ruffey 2, Lausanne. I.
Plus Accumulatorenfabrik.—Muehlengraben 3, Basel. II–1.
Poldi, Prague, Aciéres (Poldihütte Prag. Zweigniederlassung Genf.). — Rue des Terreaux du Temple 3–7, Geneva. I.
Poldihütte Prag. Zweigniederlassung Zurich.—Limmatstrasse 23, Zürich. I.
Poli, Sergio.—Ruelle du Grand Pont 6, Lausanne. II–4.
Polizza Immobili S.A.—Via Pretorio 2, Lugano. I.
Ponti, Gennari et Cie.—Rue des Vieux Grenadiers 7, Geneva. I.
"Pragma" A.G.—Bankstr., Glarus. I.
Processi Palazzo S.A.—Mesocco. I.
Proditti Biroschi S.A.—Balerna. I.
Produits Cirio, S.A.—Rue de la Tour de l'Ile 1, Geneva. I.
Produits Magnesiens S.A., des.—Viaduktstrasse 60, Basel. I.
Raab, M.—Sihlstrasse 34 and Nuschelerstrasse 24, Zürich, and Rue Contamines 17, Geneva. I; I–2.
Raviola, Adolphe.—Rue de la Scie 4–6, Geneva. I.
Reclam & Cie.—Im Eisenen Zeit 8, Zürich. I.
Reishauer Werkzeuge A.G.—Limmatstr. 87, Zürich. I–4.
Resinelli, Dionigi.—Bellinzona. I.
Ressort A.G., für Patentverwertung.—Bahnhofstrasse 23, Zug. I.
Rhein und See Transport A.G.—Riehenstrasse 145, Basel. I.
"Rhenus" A.G. für Schiffahrt & Spedition ("Rhenus" S.A. de navigation et d'expédition).—Hafenstrasse 13, Basel. I.
Rhone-Poulenc, Soc. des Usines Chimiques.—Dardagny, nr. Geneva. I.
Richter, Otto.—Zürich. I–3.
Rickli, I.—Ilkir Versand, P. O. Box 28, Lucerne. I–2.
Risso, Oddone-Roberto, Dott.—Tobelhofstrasse 227, Zürich. I.
Ritschard, H. et Cie.—Place Cornavin 18, Geneva. II–5.
Ritz Tours.—Bern and Bienne. I–4.
Rivoire e Milano C.A. Succursale di Chiasso.—Chiasso. I.
"Roba" Schiffahrtsagentur und Lagerhaus A.G.—Muenchenstein and Basel. I.
Roch, Karl.—Spluegenstrasse 4, Zürich. I.
Röchling & Co., Bank.—St. Alban-Anlage 2A, Aeschenplatz, Basel. I.
Rod & Co.—Corseaux S/Vevey, and Rue du College, Vevey. II–3.
Rodopia, Societe de Gestion.—Geneva. I.
Roechling & Cie. A.G.—Seevogelstrasse 1, Basel. I.
Roechling Stahl A.G.—Hardstrasse 225, Zürich, and at Basel. I.
Rognon, Alfred.—Ave. Vinet 13, Lausanne. I–1.
Rohner A.G., Chemische Fabrik.—Pratteln. I.
Röhren-Handels-Gesellschaft Zurich.—Limmatquai 72, Zürich. I.
Rotopulsor A.G.—Fronwagplatz 9, Schaffhausen. I.
Rouvenaz, Blanche.—Rue du Grand Chene 5, Lausanne. I–1.
Rubber Investment A.G.—Bahnhofstrasse 55, Zürich. I.
Ruhr-und-Saar Kohle A.G.—Basel. I.
Rupp & Co., Chs.—Talstrasse 11, Zürich, and Bahnhofstrasse 22, Erlenbach. I.
S.A.I.M.A. Societe Anonima Innocente Mangili Adriatica.—Palazzo Bankverein, via Internazionale, Chiasso. I.
"S.C.E.I." Soc. Commissionaria di Esportazione e di Importazione (Kommissionsgesellschaft für Aus-und-Einfuhr. K.A.E.).—Nueschelerstrasse 30, Zürich. I.
S. Serumwerk A.G.—Mittlerestrasse 19, Basel. I.
Sacaf (S.A. pour le commerce des Automobiles Fiat en Suisse).—Route de Lyon 100, Geneva, and all branches in Switzerland. I.
Sachsische Metallwarenfabrik A.G.—Zürich. I.
Sacom — Commissionari S.A. — Via Nassa 29, Lugano. I.
Sacova.—Ave. Vinet 13, Lausanne. I–1.
St. Leonhards-Apotheke—Dr. Ehninger & Co.—Leimenstr. 27, Basel. I–2.
Salamander Schuh A.G. Zurich.—Bahnhofstrasse 72, Zürich. I.
Sander, A.G., Ernst.—Freigutstrasse 7, Zürich. I.
Saprochi S.A.—Rue la Navigation 13, Geneva. I.
Sapt A.G.—Bahnhofstr. 57a, Zürich. I–4.
Sarasin — Vonder Muhll, Rudolf.—Chrischonastr. 41, Basel, and at Bern. I–3.
"Saten," S.A. Tessuti Novita.—Corso San Gottardo, Chiasso. I.
Sauerstoff und Wasserstoffwerk A.G.—Lucerne. I.
Saurenhaus & Co., Max.—Gundeldingerstr. 190, Basel. I.
Schaer, Wilhelm.—Rue Toepfer 21, Geneva. I–3.
Schaerer, M., A.G.—Wallgasse 2, Bern, and all branches in Switzerland. I.
Schaffhauser Strickmaschinenfabrik (Fabrique de Machines a Tricoter de Schaffhouse).—Moserstrasse 23, Schaffhausen. I.
Schaffner, Emil A.—Stampfenbachstrasse 67, Zürich. I.
Schairer, Gottlieb.—Liestal. I.

Scheller, H. & L.—Bleicherweg 10, Zürich, and at Deitikon. I–2.
Schenker & Co. A.G.—Buchs, St. Gallen. I.
Schenker—Unternehmungen Holding A.G.—Mythenquai 20, Zürich. I.
Schmucki, Max Alfred.—Elizabethenstr. 1, Basel. I; II–3.
Schmucki - Schlageter, Max.—Elizabethenstr. 1, Basel. I.
Schneider, Alexander.—Via Nassa 29, Lugano. I.
Schneider, Ernst, Photographische Kunstanstalt Berlin, Zweigniederlassung Zurich.—Möhrlistrasse 101, Zürich. I.
Schneider, Ines.—Lugano. II–3.
Schoeller, Bleckmann, & Cie. Stahlhaus.—Limmatstrasse 183, Zürich. I.
Schoellkopf A.G., Hermann.—Beethovenstrasse 38, Zürich. I.
Schoetensack, O.—Silvahof, Jubilacumsstr. 97, Bern. II–1.
Schriesheimers Sohn, Max.—Bahnhofstrasse 31, Kreuzlingen. I.
Schroder, Dr. Hans.—Habsburgstrasse 19, Bern, and at Muri. I.
Schulte Kommanditgesellschaft Schlossfabrik, Wilhelm.—Schaenis, St. Gallen. I–2.
Schultz-Peltzer, Fritz.—Konkordiastr. 22, Zürich. I–3.
Schurter, Max.—Oberwillerstr. 124, Basel. I–2.
Schwabenland & Co. A.G., Zurich.—Nueschelerstrasse 44, Zürich. I.
Schweiz, Italien A.G.—Bahnhofstrasse 80, Zürich. I.
Schweizerische Filiale der Langbein Pfanhauser Werke, A.G.—Schaffhauserstrasse 228, Zürich. I.
Schweizerische Industriegas Gesellschaft A.G.—Brunigstr. 24, Lucerne. I–2.
Schweizerische National Versicherungs Gesellschaft.—Steinengraben 39–41, and Leimenstrasse 30, Basel. I.
Schweizerischer Verband Creditreform.—Walchestr. 21, Zürich, and all branches in Switzerland. II–5.
Scientia A.G.—Feldeggstr. 12, Zürich. I–2.
Seiden Textile A.G.—Talstrasse 14, Zürich. I.
Seligman, Schurch & Co., Hans.—Kaufhausgasse 7, Basel. I.
"Semperit" Central Agentur für Gummiwaren A.G.—Hischgasse 6, Basel. I.
Senking, A., A.G.—Walchestrasse 34, and Stampfenbachstrasse 69, Zürich. I.
Serumwerk A.G., S.—Mittlerstr. 19, Basel. I–2.
Siemens Elektrizitats Erzeugnisse A.G.—Loewenstrasse 35, Zürich, and at Bern. I.
Siemens & Halske.—Zürich. I.
Siemens S.A. des Produits Electrotechniques.—Place de la Gare 12, Lausanne. I.
Sigolin A.G.—Reinacherstrasse 131, Basel. I.
Sisal A.G. ("Sisal" S.A.).—Platz 13, Schaffhausen. I.
Sitos A.G.—Schifflande 2, Basel. I–4.
Societe Auxiliaire de Participations et de Depots S.A.—Rue d'Etraz 2, Lausanne. II–1.
Societe de Credits Internationaux S.A.—Rue de la Tour de l'Ile 1, Geneva. I.
"Socoder" Societe pour le Commerce des Combustibles et de leurs Derives.—Rue de la Corraterie 7, Geneva. I–3.
Soennecken, F. Bonn Zweigniederlassung Zurich.—Loewenstrasse 17, Zürich. I.
"Softec", Soc. Financière et Technique.—Basel. I.
Sola S.A.—Chemin de Ruth 41, Cologny, Geneva. I.
Somatra Umschlags - und - Transport A.G.—St. Jakobstrasse 1, Basel.
Sosico A.G.—Konkordiastrasse 22, Zürich. I.
"Sotag" Automobil Handels A.G.—Kreuzstrasse 4, Zürich. I.
Spagnoli, Jacques.—Mousquines 2, Lausanne. II–4.
Spahn, Dr. Carl Alfred.—Bahnhofstr. 1, Zürich. I.
Spiesshofer & Braun.—Zurzach. I.
Springer & Möller A.G.—Neugasse 55 & 61, Zürich. I.
Stadler, Theodor.—Dornach, and Industriestrasse 25, Arlesheim. I.
Stahl-Holding Co. A.G.—Schanzengraben 27, Zürich. I.
Stallmann Gebr.—Heiden. I.
Steckborn Kuntseide A.G.—Steckborn. I.
Steyr Solothurn Waffen A.G.—Bahnhofstrasse 89, Zürich. I.
Steyr-Automobile A.G. Generalvertretung für.—Albisriederplatz 3, Zürich. I.
Steyr-Daimler-Puch A.G. Vertriebsaktiengesellschaft der.—Albisriederplatz 3, Zürich. I.
Stocker, Ernst.—Splugenstr. 9, Zürich. II–4.
Stockwerkzeuge und Maschinen Verkaufs A.G.—Güterstrasse 88, Basel. I.
Storz, Hans.—St. Moritzstrasse 21, Zürich. I.
Straehl & Co., Friedrich.—Nationalstrasse 19, Kreuzlingen. I.
Strassberger, Paul.—Via Canova 7, Lugano. I.
Straub, Ernst, Konstanz Filiale Zurich.—Limmatstrasse 45, Zürich. I.
Straub, F. & Meier, C.—Schwarzwaldalle 29, Basel. II–4.
Stromeyer, L. & Cie.—Poststrasse 50, Kreuzlingen. I.
Stromeyer M., Kohlenhandel A.G.—Nauenstrasse 63, Basel, and all branches in Switzerland. I.
Studer, Paul.—Bahnhofplatz 5, Bern. I–3.
Sturzenegger, Dr. Hans.—Schaffhausen. II–1.
Sturzenegger, H. & Co.—St. Jakobstrasse 22, Basel. I.
Styria Stahl A.G.—Ausstellungsstrasse 104, Zürich. I.
Tabacchi, Soc. Commerciale di.—Lugano. I.
Tanner, Ernesto.—Viganello. II–3.
Tarex S.A.—La Jonction, Geneva. I.
Tavaro S.A.—Ave. d'Aire 44, Geneva. I.
Technik & Finanz A.G.—St. Jakobstrasse 22, Basel. I.
Teerfarben A.G.—Bahnhofstrasse 55, Zürich. I.
Telefunken Gesellschaft fuer Drahtlose Telegraphie G.m.b.H. Berlin.—Stampfenbachstrasse 12, Zürich. I.
Telefunken Zürich A.G.—Stampfenbachstrasse 13, Zürich. I.
Tepro A.G.—Gotthardstr. 21, Zürich. I–3.
Tessuti Novita S.A. "Saten".—Corso San Gottardo, Chiasso. I.
Textil A.G. vormals J. Paravicini.—Schwanden, Glarus. I–3.
Themis Finanz-Gesellschaft.—Bahnhofstrasse 23, Zug. I.
Tillmanns - Schmidt Riloga - Werk.—Wängi. I.
"Tobis" Film-Verleih A.G.—Talstrasse 15, Zürich. I.
Togal A.G.—Stradelhoferstrasse 40, Zürich. I.
Togalwerk Gerhard F. Schmidt A.G.—Via Morella 2, Massagno. I.
Transit Transportgesellschaft m.b.H. Singen a.H. Filiale Schaffhausen.—Bahnhofstrasse 54, Schaffhausen, and all branches in Switzerland. I; I–2.
Travaux Publics et Constructions en Generale.—Bahnhofstrasse 89, Zürich. I.
Trudel, A.G.—Fraumunsterstr. 13, Zürich. I–3.
"Tungsram" Elektrizitats, A.G.—Bederstrasse 1, Zürich. I.
Uhren A.G. vormals Mauthe Uhren A.G.—Uraniabrucke. 6, Zürich. I.
Ultramar A.G.—Schwanden, Glarus. I.
Uma A.G.—Poststrasse 2 (Bureau Dr. Mettier), Chur. I.
Union Rückversicherungs Gesellschaft (L'Union Societe de Reassurances).—Alpenquai, 8 Zürich. I.
Union Suisse Compagnie Generale D'Assurances.—Rue de Rive 1, Geneva. II–5.
Universale Rückversicherungs A.G.—Bahnhofstrasse 1, Zürich. I.
Valmobil S.A.—Rue de la Tour de l'Ile 1, Geneva. I.
Vannay & Fils S.A., Paul.—Rue de vieux-1 College, Geneva. I.
Vapor, A.G.—Alpenstrasse 14, Zug. I.
Verkaufsbuero Pronto.—Neumuehlequai 30–32, and Bahnhofstr. 79, Zürich. I–2.
Verkaufsgesellschaft der Mielewerke A.G., in Zürich.—Schaffhauserstrasse, 472, Zürich. I.
Verlags G.m.b.H.—Thunstr. 11, Bern. II–3.
Verwaltungs Gesellschaft der Werkzeugmaschinenfabric Oerlikon.—Birchstr. 155, Zürich. II–3.
Vieli, Joseph.—Zürich. I–2.
Vieli, Joseph Balthasar.—Elisabethenstr. 2, Basel. I–2.
Vinci & Bischler.—Ave. de Champel 19, Geneva. I.
Viscose Suisse A.G., Soc. de la.—Emmenbruecke. I.
Vlasov, Alexander.—Lausanne. I.
Volker, Willi.—Restelbergstr. 49, Zürich. I–3.
"Volkerbund".—Rue Toepfer 21, Geneva. I–3.
"Vulkan" Kohlenhandels A.G.—Peterstrasse 1, Zürich. I.
Waffenfabrik Solothurn A.G.—Solothurn. I.
Wagner, Alfred. — Loewenstrasse 11, Zürich. I.
Wagner, A.G., Gunther.—Bachofnerstrasse 8, Zürich. I.
Webendoerfer Gebr. Hamburg Zweigniederlassung.—Zürich. I.

Weidenmann, Hermann. — Bahnhofplatz 225, Chur, and Talstr. 15, Zürich. I–4.
Weiss, Walther.—Freistr. 16, P. O. Box 1,817, Basel. I–3.
Weiss, Gebr.—Buchs, St. Gallen, and all branches in Switzerland. I; II.
Werkzeugmaschinenfabrik Oerlikon, Bührle & Co.—Birchstr. 155, Zürich. I.
Werkzeug-Union G.m.b.H.—Mythenstr. 1, Zürich. I; II–5.
Wiegering, Gottfried. — Dolderstrasse 111, Zürich. I.
Wiesinger, Max.—Morgantenring 159, Basel. II–3.
Willach & Söhne, Hugo.—Konstanzerstrasse 40, Kreuzlingen. I.
Winterstein & Co.—Zürich. I.
Wiskemann, Otto & Albin.—Seefeldstrasse 222, Zürich. I.
Wittkop & Co.—Beckenried. I.
Wolfensperger, Theodor. — Monchaltorf. II–1.
Wolff, F. and Son, G.m.b.H.–Karlsruher Parfumerie & Toiletteseifenfabrik. — Grenzacherstrasse 63, Basel. I.
Wolff, P. W. W.—Thunstr. 11, Bern. II–3.
Wys Müller & Co. Amsterdam Zweigniederlassung Zurich.—Paradeplatz 5, Zürich. I.
Xamax A.G.—Birchstr. 210, Zürich. I–2.
Zapp, A.G. Robert.—Konradstrasse 78, and Schanzengraben 27, Zürich. I.
Zeitungs A.G.—Thiersteinerallee 23, Basel. I; II–3.
Zeller, Emil.—Dolderstrasse 96, Dolderburg, Zürich. I.
Zennaro-Venezia, A.—Lugano. I–4.
Ziegler & Cie.—St. Gallerstrasse 152, Winterthur. I.
Zimmermann, N. J.—Basel. II–5.
Zloczower, Justinus.—Neuengasse 39, Bern. II–1.
Zuest & Bachmeier S.A.—Chiasso. I.
Zürcher Lagerhaus A.G.—Giesshubelstr. 62, Zürich. I–4.

TURKEY

A.E.G. (A.E.G. Turk A. Elektrik S. Umumiyesi).—Galata, Istanbul. I.
Aachener & Munchener Feuer V.A.G.—Ahen-Munih Han, Istanbul. I.
Aboressi, Bohor M.—Yusufyan Han 28, Fincancilar Cad., Istanbul. I.
Aciman ve Ortaklari, Moiz.—Istanbul. I.
Adler Dikis Makineleri K. ve A. Valasakis.—Rizapasa Yokusu 48, Istanbul. I.
Adriatica S. Vapur Agentasi.—Galata, Istanbul. I.
Agit Kollektif Sirketi, Konstantino Milovic ve Mario Pari.—Eski Sarap Iskelesi 15, Galata, Istanbul; and Ikinci Kordon 72, Izmir. I–4.
A'bohor, M.—Agopyan Han 5, Voyvoda Cad., Istanbul. II–4.
Aliotti Biraderler E. K. Sti.—Kazim Dirik Cad., Izmir. I.
Allianz und Stuttgarter Verein V.A.G.—Anadolu Han, P. O. Box 79, Istanbul. I.
Aperio, Pol J.—Ataturk Cad. 92, Izmir. I.
Arev, Mamigon V.—Aslan Han 4–5, Persembepazar, Istanbul. I.
Aslan, Albert.—Havyar Han 89, Dahili 2, Galata, Istanbul. II–3.
Aslan Figli Pietro-Piyer Aslan Mahdumlari.—Havyar Han 89, Dahili 2, Galata, Istanbul. II–3.
Aslan, Joseph.—Havyar Han 89, Dahili 2, Galata, Istanbul. II–3.
Aslan Mahdumlari, Piyer (Pietro Aslan Figli).—Havyar Han 89, Dahili 2, Galata, Istanbul. II–3.
Assicurazioni Generali.—Sigorta Han, Galata, Istanbul, and all branches in Turkey. I.
Assouad, Victor.—P.O. Box 9, Iskenderum (Alexandretta). II–4.
Atlas, Abdullah.—Assikurazione Generali Han, Galata, Istanbul. I–3.
Austro-Turk, Tutun Sirketi.—Corakkapi 1264, Izmir. I.
Azer, Abdullah Teknik Buro.—Yenishehir Konur Sok, 20, Ankara. I.
Azer, Muhendis Abdullah.—Yenishehir Konur Sok, 20, Ankara. I.
Badetti, Emilio A.—Ismailpasa Han, Sirkeci, P.O. Box 357, Istanbul. I.
Badetti, Umberto.—Ismailpasa Han, Sirkeci, P.O. Box 357, Istanbul. I.
Badische Assekuranz Ges. A.G.—Hudavendigar Han, Istanbul. I.
Balhause, Fritz.—Kerasund. I.
Banca Commerciale Italiana.—Istanbul and Izmir. I.
Banco di Roma S.A.—Istanbul and Izmir. I.
Behr, Werner.—Izmir. I.
Beitlich, Franz.—Rihtim Cad. Kefezi Huseyin Han 33, P.O. Box 1136, Galata, Istanbul. II–1.
Bennahmias, Isakino.—Vakif Han 2, Istanbul. II–3.
Bennahmias, M. L. Halefi.—Vakif Han 2, Istanbul. II–3.
Berghaus, Walter (H. Hartel).—Yusufides Han, Istanbul. I.
Bertamini, Edward.—Mersin. I.
Biller, Carol.—Yogurtcu Sok, 19, Bebek and Eski Gumruk 40, Istanbul. I.
Blaupunkt Radyolari (Nejad Serven). —Karakoy Palas 16, Galata, Istanbul. I–2.
Bonaldi, Natale.—Persembe Pazar, Arslan Han 5–6, Galata, Istanbul. I–3.
Bonaldi, Natale, Leonardi Grolo ve Panayoti Hiotaki.—Persembe Pazar, Arslan Han 5–6, Galata, Istanbul. I–3.
Buchtele, Alfred.—Unyon Han 64, Istanbul. I.
Burghard, P.—Divanyolu Emin Vafi Evi Yaninda Yeni, Istanbul. I.
C.I.T., Cia., Italiana di Turismo.—Quais de Galata 157–159, Hudavendigar Han, P. O. Box 1030, Istanbul, and all branches in Turkey. I.
Cangopulo, Nikola & A. Tewfik.—Istiklal Cad. 116, Beyoglu. I–3.
"Cay Is" Tecim Evi (Ed. Bertamini).—Mersin. I.
"Cemberlitas Sinemasi, Isman Ilkbasan".—Cemberlitas, Karisinda, Istanbul. I–3.
Comptoir de Representations.—Birinci Kordon, Izmir. I.
Corpi (Korpi), Angelo.—Samil Sokak 3, Beyoglu, Galata, Istanbul. I–4.
Cuhaci, Mirza Ali.—Tahtakale, Menase Han 45, Istanbul. I.
D.K.W.—Istiklal Cad. 28, Istanbul. I.
Dabkovic ve Sur.—Frekyan Han 3, Galata, Istanbul. I.
Dandria, John.—Tepebasi, Istanbul. II–1.
Danielsen, P. P.—Trebizond, and all branches in Turkey. I.
Danon Fils, Heskia.—Asirefendi Cad. 37, Imar Han 4, Istanbul. I.
"Der Naehe Osten."—Galibdede Cad. 56, Beyoglu, P. O. Box 1269, Istanbul. I–2.
Deutsche Bank.—Istanbul. I.
Deutsche Levante Linie.—Havagimyan Han 3, Galata, Istanbul, and all branches in Turkey. I.
Deutsche Lufthansa A.G., Berlin—Kefeli Huseyin Han, Istanbul. I.
Deutsche Orientbank (Filiale der Dresdner Bank).—Istanbul and Izmir. I.
Deutscher Lloyd V.A.G.—Istanbul. I.
Donau Allgemeine V.A.G.—Danub-Sigorta Han, Galata, Istanbul. I.
Dumani, Edward B.—Mersin. I.
Egolf, J.—Buyuk Kardicali Han 21–22, Izmir. I.
Ehrengruber, Richard.—Yogurcu Han 6, Persembepazar, Galata, Istanbul. I.
Ekrem, Ural.—Sultanhamam, Yesilderek. Setvan Han 25, Istanbul. I.
Elektron T.A.S.—Voyvoda Cad. 58–62, Galata, Istanbul. I.
Erses, Necip.—Cemberlitas, Istanbul. I.
Faraggi, Leon (Faraci).—Nisantasiyan Han, Galata, Istanbul. I.
Felemenk Turk Anon, Tutun S.—P.O. Box 1296, Galata, Istanbul; and at Izmir. I.
Feustel, Hans Walter.—Kefeli Han alt, 45, Galata, Istanbul. I.
Fiat Otomobil Sirketi Istanbul Subesi.—Taksim, Koatebek S, Istanbul. I.
Fink, Otto.—Izmir. I.
Flottmann.—Vis a Vis, Karakoy Palas, Istanbul. I.
Fonzi, Carlo.—Trebizond. I.
Frank, Hans ve Seriki.—Agopyan Han 5, Voyvoda Cad., Istanbul. II–4.
Franko, Rahamin J.—Kurtulus 854, ncu Sokak, Izmir. I–3.
"Fratelli Aliotti".—Kazim Dirik Cad., Izmir. I.
Frey, Adolf.—Istanbul. I.
Froehlich C., Halefi Dr. Ernest Ruff ve Sirketi y Topuzoglu.—Manhayim Han, Galata, Istanbul. I.
Frohlich, C.—Kendros Han 6, Istanbul. I.
Fukiyama Nakamura, Japon Magazasi.—Istiklal Cad. 150, Beyoglu, Istanbul. II–1.
Galadini, Commandant E. Bucci.—Galata, Istanbul. I.
Gallerini, Vittorio.—Katircioglu Han, Istanbul. I.
Ganz Turk Sirketi Ltd.—Karakoy Palas, Galata, Istanbul. I–2.
Gassner, Hans G.—Kuto Han 12, Galata, Istanbul. I.
Giudici, Umberto.—Bornova Sok. 86, Alsancak, Izmir. I.
Grolo, Leonardi.—Persembe Pazar, Arslan Han 5–6, Galata, Istanbul. I–3.
Grunstein, L.—Nisantasiyan Han, Galata, Istanbul. I.
Gullani, M. S.—Abdulhamit Cad. 32, Istanbul. I–2; I–4; II–3.
Haendel, Arnold - Sabri Bey.—Deutsche Orientbank, Galata, Istanbul. II–1.
Hamburger, Dr. Wilhelm.—Minerva Han, Galata, Istanbul. I–2.
Hannig, Dr. Gerhard.—Galibdede Cad. 56, Beyoglu, P.O. Box 1269, Istanbul. I–2.

Hausmann, Kurt.—Ortakoy, Divanyolu 105, Emin Vafikkosku, Istanbul. I.
Hermann, Hugo.—Kredi Liyone Han, Istanbul. I.
Hiotaki, Panayoti.—Persembe Pazar, Arslan Han 5–6, Galata, Istanbul. I–3.
Hohstrasser ve Ssi (Hochstrasser & Co.).—Istanbul, and all branches in Turkey. I; II–1.
Hohtif A.G. (Hoch & Tiefbauten).—Istiklal Cad. 269, Galata, Istanbul. I.
Hollenbach, G. (Hollenbach-Boeck).—Abdulhakhamit Cad. 72, Taksim, P. O. Box 1481, Istanbul. I; II–3.
"Holtab" Hollandsche Tabak Mij.—P.O. Box 1296, Galata, Istanbul; and at Izmir. I.
Holzmann, A.G. Philipp.—Galata, Istanbul. I.
Ilkbasan, Osman.—Cemberlitas, Istanbul. I.
Inderau, Dimitri.—Voyvoda Cad. 32, Galata, Istanbul. I.
Inderau, Friederich.—Voyvoda Cad. 32, Galata, Istanbul. I.
Inderau, F. & D.—Voyvoda Cad. 32, Galata, Istanbul. I.
Inkisaf Ticaret, Anadolu Sirketi Ltd.—Yenigun 1329 ncu S, Izmir, and all branches in Turkey. I.
Instituto Nazionale Delle Assicurazioni.—Karakoy Palas, Galata, Istanbul. I.
Issakides, Aristides. — Sultanhamam, Ihsaniye Han 5–6, Istanbul. II–4.
Jansen, Helmuth. — Ayazpasa, Kunt Palace 8, Beyoglu, P.O. Box 2222, Istanbul. I.
Japon Magazasi, Fukiyama Nakamura. —Istiklal Cad. 150, Beyoglu, Istanbul. II–1.
Jogna, Emilio.—Rihtimi Kefeli Han 13, Galata, Istanbul. I.
Kapps, Andreas.—Istiklal Cad. 390, Istanbul. I.
Kapps & Livadari (Antonio Livadari & Heinrich Koelle Sucr.).—Sultanhamam, Messadet Han, Istanbul. II–3.
Kaslowski, Luigi. — Asirefendi Cad., Basiret Han, Istanbul. I.
Kastoryano, Marko.—Istanbul. I.
Kertes, Dr. Stephan.—P.O. Box 2017, Istanbul. II–1.
Kimya ve Ecza Maddeleri, T., Sirketi Ltd.—Imar Han, Istanbul. I.
Kocman, Sitki Muhendis.—Hamidiye Turbe Sokak, Ugurlu Han 3, Istanbul. II–5.
Kocman, Sitki, ve Ortaklari Turk Ltd.—Hamidiye Turbe Sokak, Ugurlu Han 3, Istanbul. II–5.
Koelle, Heinrich.—Sultanhamam, Messadet Han, Istanbul. II–3.
Kraft, Fred W.—Marmara Han, Galata, Istanbul. I.
Kraft ve Ostrowsky (Fred W. Kraft).—Marmara Han, Galata, Istanbul. I.
Krupp Germanya Verft A.G. (Fried Krupp A.G. Essen).—Kasimpasa, Istanbul. I.
Ksantopulo, A.—Canakkale. I.
Kumbaracilar, Dr. Sedad.—Erenkoy Etem Efendi Cad. 23, Istanbul. I.
Lastik, Oto.—Abdulhak Hamid Cad. 2, Taksim, Istanbul. II–1.
Latif, Akif.—Fatih, Tramvay Duragi Yerinde 84, Istanbul. I.
Leonardi, Ulisse.—Tahtakale Cedid Han, Istanbul. I.
Levant Marine Insurance & Reinsurance Co. (Levant Soc. Italiana di Assicurazioni e Riassicurazioni).—Istanbul. I.
Levante, Emilo.—Mersin. I.
Levante & Co.—Iskenderun. I.
Lipovatz, Constantine.—P.O. Box 283, Izmir. I.
Livadari, Antonio. — Sultanhamam, Messadet Han, Istanbul. II–3.
Livadari & Heinrich Koelle Sucr., Antonio-Kapps & Livadari.—Sultanhamam, Messadet Han, Istanbul. II–3.
Lochner, Heinrich.—Izmir. I.
Londra, Oteli. — Tepebasi, Istanbul. II–1.
L'Orient d'Assurances S.A.-Sark Sigorta Anonim Sirketi.—Sark Han, Galata, Istanbul. I.
Madenoff, Nicholas.—Tepebasi, Istanbul. II–1.
Magdeburger Feuer V.G.—Bahtiyar Han, Voyvoda Cad. Galata, Istanbul; and at Izmir. I.
Maier, M. U.—Alyanak Han 11–18, Istanbul. II–3.
Maier, Norbert.—Sultanhamam, Vakif Han, and Alyanak Han 11–18, Istanbul. II–3.
Mainetti, Maurice.—Ataturk Cad. 62, Izmir. I.
Mannheimer V.G.—Rue Kurekciler, Manhaym Han, Istanbul. I.
Marinelli, Giuino.—Izmir. I.
Mayer, Evald.—Istanbul. I.
Mecdi, Eren.—Hamidiye Turbe Sokak, Ugurlu Han 3, Istanbul. II–5.
Medina, Cav. Giulio de.—Hacopulo Han 42–43, Istanbul. I.
Medina do Ogüst (August de Medina).—Hacopulo Han 42–43, Istanbul. I.
Meissner, Heinrich.—Bosfor Han, Galata, Istanbul. I.
Menger, Ahmet Veli.—Assikurazione Generali Han, Galata, Istanbul. I.
Mercedes.—Voyvoda Cad., Istanbul. I.
Meyer, Y.—Tunel Cad. 29, Galata, Istanbul. II–1.
Meyer & Fils, Emil.—Tunel Cad. 29, Galata, Istanbul. II–1.
Milovic, Konstantino.—Eski Sarap Iskelesi 15, Galata, Istanbul. I–4.
Missir, Emil.—Cumhuriyet Medani, P. O. Box 219, Izmir. I.
Moscovitz, Rubin.—Nisantasiyan Han, Galata, Istanbul. I.
Motola, Yusuf.—Menase Han 37, Tahtakale, Istanbul. I.
Muhendis Tarnopol (Tarnopol Muhendis).—Hezaren Cad. 69, Galata, Istanbul, and all branches in Turkey. II–4.
Müller, C. A. ve Sür.—Minerva Han 2, Galata, Istanbul. I.
Musacco, Domenico.—Izmir. I.
Naumann Makineleri Satis Turk Ltd. S.—Hezeran Sok. 132–143, Galata, Istanbul. I.
Navon, M.—Abdulhak Hamid Cad. 2, Taksim, Istanbul. II–1.
Nigri, Francisco (Sucr. R. Casaretto & Figli).—Sark Han, Galata, Istanbul. I.
Nord Deutsche V.G.—Vitol Han 8, P.O. Box 282, Istanbul; and at Izmir. I.
Nordstern Allgemeine V.A.G.—Voyvoda Cad., Danub-Sigorta Han, Galata, Istanbul. I.
Ojalvo, Jacques.—Cicekpazar, Ostratyadi Han 3, Istanbul. I.
Omnipol Turk Sirketi Ltd. (formerly Omnipol Mahmut Mesuliyetli, Ticaret Sirketi.—Guven Han 55, Galata, Istanbul, and all branches in Turkey. I.
Orak, Suha Fazli.—Bozkurt Han, Istanbul; and at Ankara. I.
Orenstein und Koppel A.G. (Berlin).—Sazmas S. Bahcekapi Tas Han, Istanbul. I.
Orient Export Ltd.—Sultanhamam, Vakif Han, Istanbul. I.
Papagno, A. & Co.—Izmir. I.
Pari, Mario.—Eski Sarap Iskelesi 15, Galata, Istanbul. I–4.
Parisi, Francesco (Representative Ermanno Rappaport).—Taksim, Lamartin Cad. 9, P.O. Box 1304, Istanbul; and at Izmir. I.
Parma, A.—Sultanhamam, Selvelli Han 9–11, Istanbul; and Kardicali Han 57, Izmir. I.
Passarge, Paul.—Istanbul. II–1.
Paykuric, H.—Frenkyan Han, Galata, Istanbul. I.
Pekyar (Pekiar), Yiyas.—Nazli Han 10, Galata, Istanbul. II–5.
Perpignani, Carlo. — Persembepazar, Arslan Han 4, Galata, Istanbul. I.
Perpinyani, Karlos. — Persembepazar, Arslan Han 4, Galata, Istanbul. I
Pesah, Ilya I. Levi & Y. Zevulum.—Emniyet Ticaret Evi, Cicek Pazar, Altiparmak Han 10, Istanbul. I.
Petrini, Michel.—Erler 895, nci Sokak 25, Izmir. I.
Pinarsoy, Haydar.—Cemberlitas, Istanbul. I.
Pinarsoy, Haydar ve Necip Erses.—Cemberlitas, Istanbul. I.
Pisani, K. Aleksandr.—Anadolu Han 23, Istanbul. I.
Platner, Otto.—Nordstern Han, Galata, Istanbul. I.
Praga Elksport Mühendis Abdullah Azer ve Ortak, Kollck.—Unyon Han 64, Istanbul. I.
Rappaport, Ermanno (Francesco Parisi).—Taksim, Lamartin Cad. 9, P. O. Box 1304, Istanbul; and at Izmir. I.
Raymond, Raoul.—Istiklal Cad. 150, Beyoglu, Istanbul. II–1; II–3.
"Reemtsma".—Galata, Istanbul, and all branches in Turkey. I.
Reggio & Musacco, D.—Izmir. I.
Reppen, Theodore.—Frenkyan Han, Galata, Istanbul. I.
Rheydt, Kablwerk.—Vis a Vis Karakoy Palas, Istanbul. I.
Reforzo, Umberto.—Cituri Han, Galata, Istanbul. II–3.
Reggio, Christian.—Londra Hotel, Tepebasi, Istanbul. II–5.
Riunione Adriatica di Sicurta.—Sark Han, Galata, Istanbul; and at Izmir. I.
Riza Dervis ve Ortagi.—Imar Han, Istanbul. I.
Rocchi, Gaetano de (Gaytano di Roki).—Tahmisonu Trifonidis Han 20, Tacir, Istanbul. I.
Romano, G.—Atatürk Cad. 144, Izmir. I.
Rosenfeldt, Charles.—Alasa Appt., Ayas Pasa, Istanbul. I.
Ruff, Dr. Ernest.—Manhayim Han, Galata, Istanbul. I.
Ruff, Edmund.—Manhayim Han, Galata, Istanbul. I.
Ruff, Heda.—Manhayim Han, Galata, Istanbul. I.

Russo, Salamia.—Canakkale. I.
Sabri Bey (Arnold Haendel).—Deutsche Orientbank, Galata, Istanbul. II–1.
Sadikoglu, Aslan ve Mahdumu (owners of S.S. "Galatasaray").—Kucu Han, Galata, Istanbul. I; I–4.
Sark (Ekler) Sinemasi.—Istiklal Cad. 116, Beyoglu. I–3.
Sark Sigorta Anonim Sirketi (L'Orient d'Assurances S.A.).—Sark Han, Galata, Istanbul. I.
Sark Ticaret Aristides Issakides.—Sultanhamam, Ihsaniye Han 5–6, Istanbul. II–4.
Schaefer, Dr. Eduard.—Istanbul. I–2.
Schenker & Co., A.G.—Turkye Milli Han, Galata, Istanbul. I.
Schering Kahlbaum A.G. (Berlin).—Imar Han, Istanbul. I.
Schnur, Livio.—Cicek Pazar, Altiparmak Han 15, Istanbul. I.
Schoenmann, Dr. Leo.—Hudavendigar Han 51, Galata, Istanbul. I–3.
Serven, Nejad.—Karakoy Palas 16, Galata, Istanbul. I–2.
Serven, Silvia Nejad.—Karakoy Palas 16, Galata, Istanbul. I–2.
Ses Film.—Beyoglu, Istanbul. II–1.
Silberman, S.—Nisantasiyan Han, Galata, Istanbul. I.
Simeonides, Constantin. — Degirmen Han, Hasircilar Cad. 43, Istanbul. I–1.
Sixtus, A.—Abdulhak Hamid Cad. 2, Taksim, Istanbul. II–1.
Societe pour le Developpement de Commerce en Orient Ltd.—Yenigun 1329 ncu S, Izmir, and all branches in Turkey. I.
"Sodor".—Yenigun 1329 ncu S, Izmir, and all branches in Turkey. I.
Solari, F., Ltd.—Atatürk Cad. 2, Izmir, and all branches in Turkey. I.
Sonmez, Sadeddin ve Logotheti, Mihal.—Sirkeci, Korasancyan Han 35, Istanbul. I.
Sovelli, Alfredo.—Mumbane, Muradiye Han, Galata, Istanbul. I.
Sperco, R. J.—Izmir. I.
Sperco, Fratelli (Sucrs. of Enrico Sperco Figli).—Hudavendigar Han, P. O. Box 1030, Galata, Istanbul; and at Izmir. I.
Stinnes Rederay A.G., Hugo.—Vakif Han 6 ci, Galata, Istanbul. I.
Strakosch, Francesco. — Hovagimyan Han, Galata, Istanbul. I.
Sud-Ost Spedition G.m.b.H.—Istanbul. I.
Sudosteuropa Turk Sirketi Ltd.—Abdulhamit Cad. 32, Istanbul. I–2.
Tadihan, Rifat.—Birinci Kordon 124, Izmir. I–2.
Tarnopol, Alexander (Isak).—Hezaren Cad. 69, Galata, Istanbul. II–4.
Tarnopol, Muhendis (Muhendis Tarnopol).—Hezaren Cad. 69, Galata, Istanbul, and all branches in Turkey. II–4.
Telefonbeau & Normalzeit.—Vis a Vis, Karakoy Palas, Istanbul. I.
Telefunken Radyolari.—Voyvoda Cad. 58–62, Galata, Istanbul. I.
Theodorides (Teadoridi ve Sirketi).—Frenkyan Han, Galata, Istanbul. I.
Thilmany, R.—Agopyan Han 5, Voyvoda Cad., Istanbul. II–4.
Trakas, Francesco.—Ankara. I.
Treves, Joseph.—Nisantasiyan Han, Galata, Istanbul. I.
Tselepides.—Istanbul. I.
Tubino, Ricardo.—Istanbul. II–4.
"Turk Isi" (Ed. Bertamini).—Mersin. I.
Türk Klöckner-Humboldt Deutz Ltd. S.—Cinar Han, Galata, Istanbul. I.
Turk Macar Ticaret Sirketi (Turkish Hungarian Commercial Co.).—Yeni Sehir Cad., Ankara. I.
"Turkanil", Sabri Atayolu ve Sirketi.—Minerva Han, Galata, Istanbul. I.
"Turkische Post".—Galibdede Cad. 56, Beyoglu, P. O. Box 1269, Istanbul. I–2.
Turkkan (formerly Michel Ioannides).—Bosfor Apartameni 5, Ayaz Pasa, Istanbul. II–1.
U. M. N. A. K.-Umumi Nakliyat ve Komisyon Ltd.—Vakif Han 6, Galata, Istanbul. II–1.
Umumi Nakliyat ve Komisyon Ltd. (U M. N. A. K.).—Vakif Han 6, Galata, Istanbul. II–1.
Universum Matbaacilik Sirketi Ltd.—Galibdede Cad. 56, Beyoglu, P. O. Box 1269, Istanbul. I–2.
Unz, Eugen.—Dr. Mustafabey Cad. 16, Izmir. I.
Unz, Max.—Ahen-Munih Han, Galata, Istanbul; and Izmir. I.
Vadasz, E.—P. O. Box 1047, Galata, Istanbul. I.
Vesco (Vesko), G.—Mumhane Cad. Yildiz Han 1, Galata, Istanbul. I.
Victoria zu Berlin Allegemeine V. A. G.—Kurekdjiler-Sok, Manhaym Han, Galata, Istanbul. I.
Viyana Oteli, Lokanta ve Birahanesi.—Buyuk Kabristan Sokak 113, Tepebasi, Istanbul. II–1.
Voigtlander, u Sohn A. G. (Braunschweig).—Asirefendi Cad. Iman Han, Istanbul. I.
Wagner, Wilhelm.—Hudavendigar Han 51, Galata, Istanbul. I–3.
Webber, Dr. Hans.—Ahen Munih Han 2, Galata, Istanbul. I–4.
Weidemann, Dr. Hans.—Ahen Munih Han 2, Galata, Istanbul. I–4.
Weidemann, Dr. Hans ve Webber, Dr. Hans.—Ahen Munih Han 2, Galata, Istanbul. I–4.
Weinberg.—Buyuk Kabristan Sokak 113, Tepebasi. II–1.
Weiss & Freitag A.G.—Sirkeci Palas 3, Istanbul. I.
Weisshaeupl, Ernst Rudolf.—Besiktas, Cihannuma, Tekselvi Sok 3, Istanbul. I.
Wertheim.—Minerva Han, Istanbul. I.
Westdeutsche Seil Indust.—Vis a Vis, Karakoy Palas, Istanbul. I.
Widmann, Marius.—Mithatpasa Han, Istanbul. I.
Widmann ve Seriki.—Mithatpasa Han, Istanbul, and all branches in Turkey. I.
Zandonati de R.—Bornova Kurtulus Cad. 1, and Kurtulus 854 ncu S. 35, Izmir. I; II–4.
Zeckser, Heinrich.—Ahen-Munih Han, Galata, Istanbul. I.

[F. R. Doc. 42-7826; Filed, August 11, 1942; 3:40 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1532]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of district board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in district No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and

Commencing forthwith, the shipping point and freight origin group appearing in the aforesaid "Supplement R" for Mine Index No. 2416 shall be effective in place of the shipping point and freight origin group heretofore assigned to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No	Seam	Freight origin group No.	Railroad	Shipping point	1	2	3	4	5
1158	Burkholder, H. P.	Keystone	41	Rdst. Tgh.	100	B&O	Hocking Jct., Pa.	(†)	(†)	G	(†)	(†)
1272	Davis, Claire J.	Davis	18	B	52	P.R.R.	Dean, Pa.	(†)	(†)	D	(†)	(†)
783	Gay, A. J. (Gay Coal Co.)	Gay Coal Co.	26	H	28	C.&I.-P.R.R.	Nanty-glo, Pa.	(†)	(†)	D	(†)	(†)
3645	Harper & Witters (E. L. Harper).	Bacon	14	D	40	C.R.I.&P. (NYC&PRR)	Osceola Mills, Pa.	(†)	(†)	D	(†)	(†)
3600	Hess Coal Co. (D. R. Gates).	Hess	15	D	50	P.R.R.	Dixonville, Pa.	(†)	(†)	D	(†)	(†)
3646	Koshko, Michael	Lehigh #25 (Deep)	9	A	49	P.R.R.	Irvona, Pa.	(†)	(†)	D	(†)	(†)
3647	Koshko, Michael	Lehigh #25 (Strip)	9	C	49	P.R.R.	Show Shoe, Pa.	(†)	(†)	D	(†)	(†)
3643	McGarey Coal Mining Company.	McGarey #1 (Strip)	5	E	110	P.&S.	Conifer, Pa.	(†)	(†)	D	(†)	(†)
3510	Mauk, James M.	J. M. Mauk	5	E	110	P.R.R.	Dora, Pa.	(†)	(†)	D	(†)	(†)
3497	Miller Coal Co. (I. J. Heiman).	Miller & Heiman #2	29	D	49	P.R.R.	Winber, Pa.	(†)	(†)	D	(†)	(†)
3648	Myers & Marshall (Merle L. Myers).	M & M #2 (Strip)	18	D	52	N.Y.C.	Coverdale, Pa.	(†)	(†)	D	(†)	(†)
3593	Noerr, Lott	Noerr	6	C	50	P.R.R.	Ashilla, Pa.	(†)	(†)	D	(†)	(†)
3656	Passell, D. K.	Pine Tree	9	C	44	P.R.R.	Karthaus, Pa.	(†)	(†)	D	(†)	(†)
3594	Riddle & Riddle (Harry E. Riddle).	Riddle #1	7	B	45	P.R.R.	Grampian, Pa.	(†)	(†)	D	(†)	(†)
3649	Sharkey & Bell Coal Co. (John J. Sharkey).	S & B #2	7	E	45	P.R.R.	Clearfield, Pa.	(†)	(†)	D	(†)	(†)
3570	Thomas Bros. House Coal (Clifton Thomas).	Thomas #2	7	D	45	P.R.R.	Clearfield, Pa.	(†)	(†)	D	(†)	(†)
3651	Tocarchick & Sereda (Joe Tocarchick).	Tocarchick & Sereda	16	D	45	P.R.R.	St. Lawrence, Pa.	(†)	(†)	D	(†)	(†)
3614	Wilks Coal Co. (Thomas Wilks, Jr.).	Wilks #2	14	H	45	N.Y.C.	Osceola Mills, Pa.	(†)	(†)	D	(†)	(†)
2238	Will, Harold R.	Harold Will Coal Company	36	E	100	P.R.R.	Rockwood, Pa.	(†)	(†)	E	(†)	(†)

†Indicates no classification effective for this size group.
*Indicates previously classified for this size group.

‡ Denotes new shipping point and Freight Origin Group. Shipping point at Curwensville, Pa., on the B & O Railroad in Freight Origin Group No. 113 shall no longer be applicable.

TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal, double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
Harper & Witters (E. L. Harper).	3645	Bacon	14	Centre	B	(†)	(†)	215	(†)	(†)
Hess Coal Co. (D. R. Gates).	3600	Hess	15	Indiana	D	(†)	(†)	220	(†)	(†)
Koshko, Michael	3646	Lehigh #25 (D)	9	Centre	A	(†)	(†)	230	(†)	(†)
Koshko, Michael	3647	Lehigh #25 (S)	9	Centre	A	(†)	(†)	230	(†)	(†)
McGarey Coal Mining Company.	3643	McGarey #1 (S)	5	Jefferson	C	(†)	(†)	220	(†)	(†)
Mauk, James M	3510	J. M. Mauk	5	Jefferson	E	(†)	(†)	215	(†	(†)
Miller Coal Co. (I. J. Heiman).	3497	Miller & Heiman #2	29	Cambria	D	(†)	(†)	(*)	210	200
Murawski & Solensky (C. J. Murawski).	3576	Lakeside #2	8	Clearfield	B	(†)	(†)	225	(†)	(†)
Myers & Marshall (Merle L. Myers).	3648	M & M #2 (S)	18	Clearfield	D	(†)	(†)	220	(†)	(†)
Noerr, Lott	3593	Noerr	6	Jefferson	D	(†)	(†)	225	215	205
Passell, D. K.	3656	Pine Tree	9	Clearfield	C	(†)	(†)	225	(†)	(†)
Riddle & Riddle (Harry E. Riddle).	3594	Riddle #1	7	Clearfield	B	(†)	(†)	220	(†)	(†)
Sharkey & Bell Coal Co. (John J. Sharkey).	3649	S & B #2	7	Clearfield	E	(†)	(†)	220	(†)	(†)
Thomas Bros. House Coal (Clifton Thomas).	3570	Thomas #2	7	Clearfield	D	(†)	(†)	220	(†)	(†)
Tocarchick & Sereda (Joe Tocarchick).	3651	Tocarchick & Sereda	16	Cambria	D	(†)	(†)	225	(†)	(†)
Wilks Coal Co. (Thomas Wilks, Jr.).	3614	Wilks #2	14	Clearfield	B	(†)	(†)	225	(†)	(†)

*Indicates prices previously established for this size group.
†Indicates no prices effective for this size group.

[F. R. Doc. 42-7822; Filed, August 11, 1942; 11:46 a. m.]

[Docket No. A-1540]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices and for a change in freight origin group numbers and shipping points for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth hereto and hereby made a part hereof; and commencing forthwith, the Freight Origin Group Numbers and shipping points appearing in the aforesaid Supplement R for Mine Index Nos. 955 and 2538 mentioned therein are effective in place of the Freight Origin Group Numbers and shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 3, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub. district No.	Seam	Shipping point	Railroad	Freight origin group No.	1		3	4	5
3310	B & M Coal Co. (John Barger)	B & M Coal Co. #2 (S)	36	Pgh	Boswell, Pa	B&O	100	(†)	(†)	(*)	E	E
3668	B & M Coal Co. (John Barger)	B & M Coal Co. #3 (D)	36	Pgh	Boswell, Pa	B&O	100	(†)	(†)	E	E	E
3663	Baldacchino, Philip (Philip's Coal Mine)	Philip's #2	24	D	Carrolltown, Pa	NYC	44	(†)	(†)	E	(†)	(†)
955	Davison & Co., T. H. (T. H. Davison)	Bennett	23	E	Smith, Pa.[1]	PRR	82	(†)	(†)	(*)	(†)	(†)
2538	Davison & Co., T. H. (T. H. Davison)	Lyda	28	E	Smith, Pa.[1]	PRR	82	(†)	(†)	(*)	(†)	(†)
1300	Dougherty-Mountain Coal Company	Rutter #1	18	C'	Dean, Pa	PRR	52	(†)	(†)	E	(†)	(†)
3659	Woolridge Coal Company	Woolridge #1 (S)	8	E	Woodland, Pa	NYC	44	(†)	(†)	E	(†)	(†)
3660	Woolridge Coal Company	Woolridge #1 (D)	8	E	Woodland, Pa	NYC	44	(†)	(†)	E	(†)	(†)
3662	Zeigler, Charles	Pletcher	36	D	Friedens, Pa	B&O	100	(†)	(†)	E	(†)	(†)

*Indicates previously classified for this size group.
†Indicates no classification or prices effective in this size group.

[1] Denotes new shipping point and Freight Origin group. Shipping point at Josephine, Pa. on the PRR and B&O in Freight Origin Group No. 56 shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top; size 2" and over	Double screened top size 2" and under	Run of mine mollified M/M	2" and under, slack	¾" and under, slack
						1	2	3	4	5
B & M Coal Co. (John Barger)	3310	B & M Coal Co. #2 (S).	36	Somerset	Pgh	(†)	(†)	(*)	215	205
B & M Coal Co. (John Barger)	3668	B & M Coal Co. #3 (D).	36	Somerset	Pgh	(†)	(†)	225	215	205
Baldacchino, Philip (Philip's Coal Mine).	3663	Philip's #2	24	Cambria	D	(†)	(†)	225	(†)	(†)
Gardner, Lester H. & Dwight	1409	Gardner Bros	36	Somerset	C'	250	(†)	(*)	215	(†)
Gardner, Lester H. & Dwight	3664	Gardner #2	36	Somerset	D	(†)	(†)	225	(†)	(†)
Hill, Allen C	3661	Hill Coal Co	18	Cambria	C'	(†)	(†)	225	(†)	(†)
Osman & Sons, William	3639	Osman #6	31	Cambria	C'	(†)	(†)	235	(†)	(†)
Swancer, William	3665	Swancer's Mine	9	Centre	B	(†)	(†)	215	(†)	(†)
Woolridge Coal Company	3659	Woolridge #1 (S)	8	Clearfield	E	(†)	(†)	225	(†)	(†)
Woolridge Coal Company	3660	Woolridge #1 (D)	8	Clearfield	E	(†)	(†)	225	(†)	(†)
Zeigler, Charles	3662	Pletcher	36	Somerset	D	(†)	(†)	225	(†)	(†)

* Indicates previously classified for this size group.
† Indicates no classification or prices effective in this size group.

[F. R. Doc. 42-7821; Filed, August 11, 1942; 11:46 a. m.]

[Dockets No. A-1541 and A-1543]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point appearing in the aforesaid Supplement R for Mine Index No. 1838 shall be effective in place of the shipping point heretofore established for this mine.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

DISTRICT 8

FOR RAIL SHIPMENTS

§ 328.11 *Alphabetical list of code members*—Supplement R

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile steam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
5663	Cornett-Lewis Coal Company.	Corlew #2	Low Splint	2	Louellen, Ky	L&N	80	A	A	A	A	A	A	C	C	C	G	M	(†)	A	A	A	(†)	A	A	A	A	A	A	C	B	G	M	A	A	A	(†)
5642	Elkhorn Mining Company (E. D. Stephenson).	Lower Elkhorn No. 2.	Lower Elkhorn.	1	Elkhorn City, Ky.	C&O & CC&O.	63	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	K	G	(†)	(†)	(†)	(†)	C
5624	Fannon, C. J	Fannon Jellico	Jellico	6	Myrick, Ky	A&J	110	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
1509	Gibson, Good	Gibson	Hignite	6	Kelos, Ky	L&N & Sou.	113	H	H	F	E	E	C	E	D	D	K	(†)	(†)	(†)	(†)	(†)	(†)	H	H	F	C	B	C	E	*	K	(†)	(†)	(†)	(†)	(†)
5639	Greene, A. M	Wilton-Jellico #52	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5619	Knuckles, Carl D	Knuckles Jellico	Jellico	6	Myrick, Ky	A&J	110	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5627	Miller, Harvey & Jim Engle (Harvey Miller).	Miller & Engle	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
1838	Moses, Everett H	Jess Cox	Blue Gem	6	Mountain Ash, Ky.[1]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5632	Pike County Collieries, Inc. c/o C. D. Jacobs.	Harolds Branch	Elkhorn No. 3.	1	Pikeville, Ky	C&O	61	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	K	G	(†)	(†)	(†)	(†)	C
5648	Sizemore Mining Corporation, c/o J. H. Cooley.	Turner No. 3	Elkhorn No. 1.	1	McDowell, Ky	C&O	61	H	H	H	G	E	C	E	B	C	G	L	(†)		A	A	A	H	H	H	D	B	B	E	J	G	L	A	A	A	A
5651	Sizemore Mining Corporation. c/o J. H. Cooley.	Turner No. 4	Elkhorn No. 2.	1	McDowell, Ky	C&O	61	H	H	H	G	E	C	E	B	C	G	L	(†)	A	A	A	A	H	H	H	D	B	B	E	J	G	L	A	A	A	A

[1] Denotes new shipping point. Shipping Po nt at Pleasant View, Ky. shall no longer be applicable.
*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 3, KNOX COUNTY																		
Strom & Sons, Art (Art Strom).	1589	Strom No. 2	6	255	250	245	235	230	225	185	165	160	155	155	155	125	115	60
SECTION NO. 4, FULTON COUNTY																		
Rinning & Son	1686	Rinning & Son	2	255	250	245	235	230	225	185	165	160	155	155	155	125	115	60

[F. R. Doc. 42-7824; Filed, August 11, 1942; 11:46 a. m.]

[Docket No. A-1549]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of District Board No. 11 for the deletion of Kangley, Illinois, from the alphabetical list of all points in Market Area No. 41.

An original petition was duly filed with this Division by the above-named party pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the deletion of the destination Kangley, Illinois, from the alphabetical list of all points in Market Area No. 41 and destination group numbers applying thereto as shown in § 331.9 in the Schedule of Effective Minimum Prices for District No. 11 For All Shipments Except Truck pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It appears that Kangley, Illinois, was erroneously included in the list of destinations in Market Area No. 41, to which absorptions are permitted as scheduled in § 331.9 in the Schedule of Effective Minimum Prices in District No. 11 For All Shipments Except Truck and that

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes 1	2	3	4	5	6	7	8
				Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 3" x 6"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
FLOYD COUNTY, KY.											
Stegner Mining Corporation c/o J. H. Cooley.	Turner No. 3	5648	Elkhorn No. 1	285	260	225	230	215	215	170	165
Stegner Mining Corporation c/o J. H. Cooley.	Turner No. 4	5651	Elkhorn No. 2	285	265	225	230	215	215	170	165
PIKE COUNTY, KY.											
Elkhorn Mining Company (E. D. Stephenson).	Lower Elkhorn No. 2	5642	Lower Elkhorn	275	255	220	230	215	210	170	165
Pike County Collieries, Inc., c/o C. D. Jacobs.	Harolds Branch	5632	Elkhorn No. 3	275	255	220	230	215	210	170	165
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Cornett-Lewis Coal Company	Corlew #2	5633	Low Splint	385	315	225	260	225	215	170	165
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
KNOX COUNTY, KY.											
Fannon, C. J.	Fannon Jellico	5094	Jellico	255	255	225	225	205	205	155	150
Steele, A. M.	Wilson-Jellico #62	5639	Jellico	255	255	225	225	205	205	155	150
Knuckles, Carl D.	Knuckles Jellico	5019	Jellico	255	255	225	225	205	215	155	150
Miller, Harvey & Jim Engle (Harvey Miller).	Miller & Engle	5627	Jellico	255	255	225	225	205	215	155	150
WHITLEY COUNTY, KY											
Barton, Alex	Barton Blue Gem No. 2	5640	Blue Gem	335	315	235	260	225	225	145	140

[F. R. Doc. 42-7823; Filed, August 11, 1942; 11:46 a. m.]

[Docket No. A-1545]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10 for truck shipment; and

Kangley, Illinois, is actually located in Market Area No. 38 for which no schedule of absorptions has been provided in the Schedule of Effective Minimum Prices for District No. 11 For All Shipments Except Truck.

Accordingly, it is ordered, That, effective fifteen (15) days from the date of this order, Kangley, Illinois, shall be, and it hereby is, deleted from the alphabetical list of all points in Market Area No. 41 and destination group numbers applying thereto as shown in § 331.9 (*Adjustment in f. o. b. mine prices*) in the Schedule of Effective Minimum Prices for District No. 11 For All Shipments Except Truck.

It is further ordered, That pleadings in opposition to the relief herein granted shall be filed within fifteen (15) days from the date of this Order.

Dated: August 11, 1942.

[SEAL] E. BOYKIN HARTLEY, *Acting Director.*

[F. R. Doc. 42-7848; Filed, August 12, 1942; 11:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 49]

PHILADELPHIA STATE HOSPITAL PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 [1] dated February 6, 1941, hereby designate the Philadelphia State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 49. Said project, located at Philadelphia, Philadelphia County, Pennsylvania, will be the base of operations for work at the Philadelphia State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Philadelphia State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Philadelphia State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Philadelphia State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY, *Director.*

AUGUST 10, 1942.

[1] 6 F.R. 831.

[F. R. Doc. 42-7845; Filed, August 12, 1942; 11:01 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-75]

ALABAMA FLOUR MILLS

Alabama Flour Mills is a branch of the Nebraska Consolidated Mills Company, of Omaha, Nebraska. Since August, 1941, it has engaged in the production of cattle feeds at Decatur, Alabama, and is a "Class 2 Purchaser" subject to the restrictions of General Preference Order No. M-54,[1] issued by the Director of Industry Operations to conserve the supply and direct the distribution of molasses.

During the second quarter of 1942, the Alabama Flour Mills, with full knowledge of the restrictions of General Preference Order No. M-54, consumed 106,900 pounds of molasses over and above the quota allotted it under the order. This constituted a wilful violation of General Preference Order No. M-54, and resulted in diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing,

It is hereby ordered:

§ 1010.75 *Suspension Order S-75.* (a) During the period that this order shall be in effect, Alabama Flour Mills, a branch of Nebraska Consolidated Mills Company, shall not receive or consume molasses (as defined in General Preference Order No. M-54, as amended March 27, 1942).

(b) This order shall take effect August 13, 1942, and shall expire on December 31, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of August 1942.

AMORY HOUGHTON, *Director General for Operations.*

[1] 7 F.R. 2384, 3479, 3882.

[F. R. Doc. 42-7825; Filed August 11, 1942; 1:49 p. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation,[1] Amendment 6 to Supplementary Regulation 14 [2]]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73, paragraph (a) (1), is amended as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk.* (i) *Maximum prices for fluid milk sold at retail in specified localities.* The maximum prices for sales at retail of fluid milk of the grade, container size and type of container and sold and delivered in the localities, all as set forth below, shall be the applicable price listed below or the seller's maximum price as determined under § 1499.2, general provisions, of the General Maximum Price Regulation, whichever is higher:

Locality	Grade	Type of delivery	Container size	Type of container	Cents
(a) New York Metropolitan area.	Approved	Out of the store or to the home.	Quart	Glass	12
	Approved	Out of the store or to the home.	Quart	Paper	13
(b) Goodland, Kansas	A (Pasteurized)	Out of the store or to the home.	Quart	Glass	12
(c) Front Royal, Virginia	A, B, or C	Out of the store or to the home.	Quart	Glass	13
(d) Selma, Alabama	A	Out of the store	Quart	Glass	14
	A	To the home	Quart	Glass	15
	A	Out of the store	Pint	Glass	8
	A	To the home	Pint	Glass	9
(e) Ogden, Utah	A	To the home	Quart	Glass or paper	12
	Raw and Guernsey.	To the home	Quart	Glass or paper	13

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

[2] 7 F.R. 5486, 5709, 6008, 5911.

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.* The maximum prices for sales at wholesale of fluid milk of the grade, container size and type of container and sold and delivered in the localities, all as set forth below, shall be the applicable price listed below or the seller's maximum price as determined under § 1499.2, general provisions, of the General Maximum Price Regulation, whichever is higher:

Locality	Grade	Container size	Type of container	Cents
(a) Goodland, Kansas	A (Pasteurized)	Quart	Glass	10
(b) Front Royal, Virginia	A, B, or C	Quart	Glass	11
(c) Selma, Alabama	A	Quart	Glass	12
	A	Pint	Glass	7

(iii) *Definitions.* For purposes of this subparagraph (1):

(a) "Milk" means cow's milk produced, processed, distributed, and sold for consumption in fluid form as whole milk.

(b) "New York Metropolitan area" means the City of New York, the counties of Nassau, Suffolk (except Fisher's Island), and Westchester, all in the State of New York.

(c) "Goodland, Kansas" means the area included within the city limits of the City of Goodland, in the State of Kansas.

(d) "Front Royal, Virginia" means the Front Royal marketing area as defined by the State Milk Commission of the State of Virginia.

(e) "Selma, Alabama" means the Selma marketing area as defined by the State Milk Control Board of the State of Alabama.

(f) "Ogden, Utah" means the area included within the city limits of the City of Ogden, in the State of Utah, and any place within ten miles of said city limits.

(b) *Effective dates.* • • •

(7) Amendment No. 6 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective August 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7854; Filed, August 12, 1942; 12:01 p. m.]

Chapter XVII—Office of Civilian Defense

[Regulations No. 1]

PART 1901—LOANS OF EQUIPMENT AND SUPPLIES TO CIVIL AUTHORITIES

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9088 dated March 6, 1942, and pursuant to section 1 of the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088 dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, §§ 1901.1 to 1901.10, inclusive of this chapter, (sections 1 to 10, inclusive, of Office of Civilian Defense Regulations No. 1) are hereby amended to read as hereinafter set forth, and a new § 1901.11 (section 11 of Office of Civilian Defense Regulations No. 1) is added, to wit:

Sec.
1901.1 General program.
1901.2 Definitions.
1901.3 Certificate and agreement of civil authority of borrowing community.
1901.4 Duties of Regional Directors.
1901.5 Appointment and tenure of State and local property officers.
1901.6 Bonding of property officers.
1901.7 Distribution and use of civilian defense property.
1901.8 Duties of state property officers.
1901.9 Duties of local property officers.
1901.10 Operating instructions.
1901.11 Effective date.

AUTHORITY: Pub. Law 415, 77th Congress; E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887.

§ 1901.1 *General program.* (a) The Director of Civilian Defense will from time to time make available to localities of the United States, its territories and possessions, equipment and supplies for the protection of persons and property from bombing attacks, sabotage, and other war hazards.

(b) Such equipment and supplies will be made available by loans to communities within the States, which communities may in turn distribute, under the direction of the Commander of the United States Citizens Defense Corps in the community, the equipment and supplies to responsible and qualified individuals or organizations, all in accordance with regulations issued by the Director of Civilian Defense.

(c) Each borrowing community will designate a local property officer who will act as custodian of the property pending its distribution and will be responsible therefor to the Office of Civilian Defense. State property officers are to be appointed to maintain records with respect to all property loaned in their respective States, and property may, in certain instances, be delivered to the communities through such State property officers. State property officers and local property officers will deal with and distribute the property only in the manner prescribed by the Director of Civilian Defense.

(d) Regional Directors of the Office of Civilian Defense are to supervise the activities of State property officers and local property officers.

(e) The equipment and supplies shall at all times be at the disposition of the United States Government, and the United States Government shall retain its full rights as owner, lessee, or borrower, as the case may be, of such property. To such extent as may be practicable, all such supplies and equipment shall at all times be clearly and distinctly marked as the property of, or under the control of, the United States Government, Office of Civilian Defense.

(f) These regulations relating to such loans are part of the agreement of each community receiving such a loan, and in addition govern State and local property officers in the performance of their duties.

§ 1901.2 *Definitions.* (a) "Civil authority" means any State or community, as hereinafter defined, or any duly elected or appointed official, agent, board, commission, or other body of persons duly authorized to act on behalf of any State or community.

(b) "State" means any State or territory or possession of the United States.

(c) "Community" means any municipality, town or village, or any other political subdivision of any State, or any area designated by the Director of Civilian Defense as a community for purposes of these regulations.

(d) "Locality" means any territory within which a community is situated and which is described or specified in OCD Form No. 501 executed by the community, which territory may include all or part of the county in which the community is situated or of any other county or counties.

(e) "Chief executive officer" means the Mayor of a community or other person or body exercising paramount local executive power.

(f) "Local defense council" means the body duly appointed by the duly authorized appointive authority to be responsible for civilian defense in the community.

(g) "Director" means the Director of the Office of Civilian Defense appointed by the President of the United States.

(h) "Federal Law" means the "Act to provide protection of persons and property from bombing attacks in the United States, and for other purposes" approved January 27, 1942, and Acts supplemental thereto relating to the Office of Civilian Defense, and Executive Orders issued pursuant to such Acts or relating to the Office of Civilian Defense.

(i) "Commander" means the Commander duly appointed by the duly authorized appointive authority to be in command of the United States Citizens Defense Corps organized in the community pursuant to §§ 1903.1 to 1903.17, inclusive, of this chapter, as amended (Office of Civilian Defense Regulations No. 3).

(j) "Property" means equipment and supplies belonging to, or under the control of, the Office of Civilian Defense.

(k) "Accountability" devolves upon any person who is required to maintain records and a property account with respect to property, whether or not in the custody of such person, and is discharged by the maintenance of proper records and accounts and by the production of proper receipts for all property received by such person but no longer in his custody.

(l) "Responsibility" devolves upon any person who has custody of property or the duty to supervise others having such custody, and is discharged by the exercise of good faith and due care in the performance of all specified duties.

(m) "Custody" means actual possession of property by a person or his agents.

(n) "Essential facility" means (1) any public utility, privately or publicly owned, determined by the Commander to be essential to the national war effort or civilian defense, including railroads or other transportation systems, telegraph, telephone or other communication companies, and public utilities furnishing or distributing electricity, water, gas, or steam, or (2) any hospital, infirmary, sanitarium or other institution, publicly or privately owned, designated as a casualty receiving hospital or emergency base hospital by the Chief of the Emergency Medical Service of the local United States Citizens Defense Corps, or (3) any other organization designated as such by the Director.

§ 1901.3 *Certificate and agreement of civil authority of borrowing community.* Each community to which a loan of property is to be made by the Director, shall, prior to the making of such loan, furnish to the Office of Civilian Defense a certificate and agreement, on OCD Form No. 501 duly executed by its Chief Executive Officer, as the civil authority of the community duly authorized to act in such respect, which certificate and agreement shall include, among other things, a certification that the community is in need of, but unable to provide the property therein specified, an agreement on behalf of the community as to the maintenance, use, distribution and return of the property, and a certification as to the appointment, by the duly authorized appointive authority, of a designated local property officer as the agent of the community authorized to receive the property on behalf of the community and to perform the duties prescribed with respect thereto by the Director. Such certification that the community is in need of, but unable to provide, the property specified in its certificate and agreement shall be deemed to relate to the locality within which the community is situated; and any such property loaned to the community may be distributed by it throughout such locality, subject to the provisions of § 1901.7 of this chapter (section 7 of Office of Civilian Defense Regulations No. 1). The community to which such property is loaned and which is responsible for such property may make any mutually satisfactory arrangements with other communities or individuals or organizations, within the locality in which the property is distributed, with respect to the maintenance and protection thereof. Each local property officer shall agree, on OCD Form No. 501, to comply with all rules, regulations, orders, and instructions of the Director.

§ 1901.4 *Duties of Regional Directors.* Regional Directors of the Office of Civilian Defense, appointed by the Director, will supervise the activities of State property officers and local property officers with the view of assuring compliance with rules, regulations, orders, and instructions of the Director. Regional Directors are authorized to take such steps as may be deemed by them to be desirable to supervise the arrangements made by State property officers and local property officers with respect to the storage, handling, maintaining, protecting, delivering, and returning of all property and the maintaining and filing of proper reports, records, and accounts with respect thereto, and in particular with respect to the distribution of property in the communities in accordance with the provisions of § 1901.7 of this chapter (section 7 of Office of Civilian Defense Regulations No. 1); and they shall from time to time make inspections for such purpose.

§ 1901.5 *Appointment and tenure of State and local property officers.* (a) As a condition precedent to the making of any loan to a community in any State, the Governor of such State shall duly appoint a State property officer. The duties and obligations of each State property officer shall be as set forth in these regulations or as otherwise prescribed by the Director. Each State property officer shall hold office during the pleasure of the appointing Governor. Appointments of State property officers shall be on OCD Form No. 500; each State property officer shall agree thereon to comply with all rules, regulations, orders, and instructions of the Director.

(b) As a condition precedent to the making of any loan to a community, the duly authorized appointive authority of such community shall duly appoint, on OCD Form No. 501, a local property officer to serve as the duly authorized agent of the community to receive such loan upon such terms and conditions as shall be prescribed by the Director. The duties and obligations of each local property officer shall be as set forth in these regulations or as otherwise prescribed by the Director. Each local property officer shall hold office during the pleasure of the local appointive authority.

(c) If the office of State property officer or local property officer shall become vacant by resignation, death, removal, or other cause, a successive property officer shall be duly appointed, on OCD Form No. 512, by the Governor of the State or the Chief Executive Officer of the community, as the case may be, and shall agree thereon to comply with all rules, regulations, orders, and instructions of the Director.

§ 1901.6 *Bonding of property officers.* (a) The Office of Civilian Defense, Washington, D. C., requires State property officers to be bonded in the amount of $10,000 to the Federal Government, and the obligation for the premium thereon shall be assumed by the State property officer or by the State designating any such State property officer.

(b) The Office of Civilian Defense, Washington, D. C., requires local property officers to be bonded to the Federal Government, in the amount of $10,000 in communities whose population is 200,000 or more, and $5,000 in other communities, and the obligation for the premium thereon shall be assumed by the local property officer or by the community for which the local property officer has been designated.

(c) Each such bond shall be executed on OCD Form No. 502 and by such corporate surety as shall be acceptable to the Director.

§ 1901.7 *Distribution and use of civilian defense property.* (a) Each local property officer shall distribute the property received by him, as the authorized agent of his community, to responsible and qualified (1) individuals or (2) organizations which are essential facilities, in, or having an office in, his community or the territory adjacent thereto or, if the Director shall order distribution outside of the community, then in the locality within which the community is situated; such distribution shall be in such amounts and in such manner, and to such persons and organizations (subject to § 1901.7 (c) of this chapter (section 7 (c) of Office of Civilian Defense Regulations No. 1)), as shall be deemed advisable by the Commander of the community in which distribution is to be made (or, in the absence of a Commander, by such person as shall be designated by the Regional Director) in order to comply with the requirements of Federal Law, including the requirement that such property shall be distributed for the adequate protection of persons and property from bombing attacks, sabotage, or other war hazards: *Provided, however,* That such distribution shall at all times be subject to and in accordance with such rules, regulations, orders, and instructions as the Director may make with respect thereto. Each local property officer shall obtain from each individual or organization to whom any property is distributed by him, whether for further distribution or for their own use, a duly executed receipt for the property.

(b) Each individual or organization to whom property is distributed by the local property officer, and any subsequent transferee thereof, shall exercise due care in the storage, handling, maintenance, protection and use thereof; shall use such property only for the protection of persons and property from bombing attacks, sabotage, and other war hazards, or for training and instruction incidental to such use; shall return such property, unless lost, destroyed or consumed in the course of such use, forthwith to the United States Government at any time upon order of or pursuant to rules and regulations prescribed by the Director; shall comply with all rules, regulations, orders and instructions issued by the Director with respect to said property or the use thereof; and shall not transfer or redistribute any such property except with the approval of the Commander in the community or as otherwise ordered by the Director. Each such distributee shall obtain from any transferee and retain in his own files a duly executed receipt for the property so transferred by him.

(c) Property (except medical equipment and supplies) loaned to communities shall, unless otherwise ordered by

the Director, be distributed directly or indirectly only to essential facilities or to members of or, subject to § 1903.7 (c) of this chapter (section 7 (c) of Office of Civilian Defense Regulations No. 3), trainees for the United States Citizens Defense Corps (hereinafter called the "Defense Corps") or to members of the local police department or fire department, all in accordance with the instructions of the Commander. All loaned property, including fire-fighting pumping units, but excluding medical equipment and supplies, received by any community and distributed otherwise than to an essential facility, shall, unless otherwise ordered by the Director, be used only by members of or (subject to § 1903.7 (d) of this chapter (section 7 (d) of Office of Civilian Defense Regulations No. 3)) trainees for the Defense Corps or by members of the local police department and fire department. Unless otherwise ordered by the Director, any community which distributes any such loaned property (except such as is distributed to an essential facility) to any person not a member of or trainee for the Defense Corps, or a member of the local police department or fire department, or not in accordance with the instructions of the Commander, or which permits any person not a member of or, to the extent provided in § 1903.7 (c) of this chapter (section 7 (c) of Office of Civilian Defense Regulations No. 3), a trainee for the Defense Corps or a member of the local police department or fire department, to use or wear any such loaned property, or which fails promptly to recall any such loaned property from any person whose membership or training status in the Defense Corps has been suspended or terminated, shall be deemed to have violated its agreement (OCD Form No. 501) with the Director pursuant to which such property was loaned; and in such event the Director may proceed to recall all or any part of the property of any character loaned to such community.

(d) Any loaned property heretofore or hereafter distributed by a local property officer may be recalled by the Commander in the community in which the property is distributed from the distributee or any transferee and such property may be redistributed, subject to the provisions of § 1901.7 of this chapter (section 7 of Office of Civilian Defense Regulations No. 1), in such manner as shall be deemed advisable by such Commander.

§ 1901.8 *Duties of State property officers.* The duties of each State property officer are to:

(a) Receive all property shipped to him by the Office of Civilian Defense for communities within his State, and cause such property to be delivered forthwith and without delay to the local property officers of the respective communities, in such amounts and manner as shall be specified in any order or instruction issued by the Office of Civilian Defense, Washington, D. C.

(b) Maintain an adequate record of all property shipped to him and all property delivered to local property officers within his State, and preserve all receipts for property shipped to and redelivered by him.

(c) Prepare and submit to the Office of Civilian Defense, Washington, D. C., and to his Regional Director, reports and information in such form and manner as required by them, respectively, as to the location, condition, and status of all property in his custody.

(d) Supervise the examination and checking of all property shipped to or by him.

(e) Supervise the storage and handling of all property in his custody, and make arrangements so that such property may be inspected at any time by the representatives of the Office of Civilian Defense.

(f) Make arrangements, satisfactory to the Office of Civilian Defense, Washington, D. C., adequately to store, handle, maintain, protect, deliver, and return all property in his custody, and provide suitable facilities, at the expense of his State, for the proper storage, handling, protection, delivery, and return of all such property: *Provided, however,* That he is not required to obtain fire, burglary, or other insurance with respect to any property.

(g) Make arrangements, satisfactory to the Office of Civilian Defense, Washington, D. C., for the prompt return of any property received by him (unless lost, destroyed, or consumed in the course of its use in accordance herewith and proper Report of Loss or Damage with respect thereto has been filed with and approved by the Office of Civilian Defense) and in his custody if and when recalled for any reason whatsoever by the Office of Civilian Defense, Washington, D. C., and cause such property forthwith and without delay to be expeditiously transported and delivered to or upon the order of the Office of Civilian Defense, Washington, D. C.: *Provided, however,* That any reasonable expense incident to the return of such property will be borne by the Office of Civilian Defense upon the presentation of duly verified vouchers.

(h) Be accountable to the Office of Civilian Defense for all property within his State and of which he has received due notification.

(i) Be responsible to the Office of Civilian Defense for the performance of his duties, including the storing, handling, maintaining, protecting, delivering, and returning of all property received by him or his agents until such property shall have been delivered by him to and received by local property officers in accordance with rules, regulations, orders, and instructions of the Director.

(j) Perform such other duties as may be necessary in administering his office, or as shall be prescribed by the Director.

State property officers may appoint agents to assist in the performance of their duties, but shall be responsible for the acts or omissions of such agents.

§ 1901.9 *Duties of local property officers.* The duties of each local property officer are to:

(a) Receive all property loaned to his community by the Office of Civilian Defense and shipped to him, as the agent of his community, by the Office of Civilian Defense, or by or on behalf of the State property officer, and cause such property to be distributed forthwith and without delay in accordance with § 1901.7 of this chapter, section 7 of Office of Civilian Defense Regulations No. 1) and any other rules, regulations, orders, and instructions of the Director.

(b) Maintain an adequate record of all property delivered to him or for his account, and of all property distributed by him, and preserve all receipts for such property.

(c) Prepare and submit reports and information, in such form and manner as required by his State property officer or the Office of Civilian Defense, Washington, D. C., or his Regional Director, as to the location, custody, condition, and status of all property loaned to his community.

(d) Supervise the examination and checking of all property shipped to or by him.

(e) Supervise the storage and handling of all property in his custody, and make arrangements so that such property may be inspected at any time by representatives of the Office of Civilian Defense.

(f) Pursuant to the agreement of his community contained in OCD Form No. 501, make arrangements satisfactory to the Office of Civilian Defense, Washington, D. C., adequately to store, handle, maintain, protect, deliver, and return all property in his custody, and supervise the furnishing of suitable facilities and the making of suitable arrangements for the proper storage, handling, maintenance, protection, distribution, and return of all property loaned to his community but in the custody of others: *Provided, however,* That he is not required to obtain fire, burglary, or other insurance with respect to any property.

(g) Ascertain, as a condition precedent to the distribution by him of any property, that the individuals or organizations to whom the property is to be distributed by him have arranged for and provided suitable facilities as specified in paragraph (f) of this section.

(h) Ascertain, before distributing any fire-fighting pumping units, that the community, pursuant to its agreement contained in OCD Form No. 501, has provided an appropriate vehicle on which said pumps and equipment will be mounted at the expense of the community, to assure the mobility of such equipment.

(i) Obtain from all individuals or organizations to whom any property is distributed by him, whether for further distribution or for their own use, a receipt as provided in § 1901.7 (a) of this chapter (section 7 (a) of Office of Civilian Defense Regulations No. 1).

(j) Make arrangements satisfactory to the Office of Civilian Defense, Washington, D. C., for the prompt return of all property loaned to his community (unless lost, destroyed, or consumed in the course of its use in accordance herewith and proper Report of Loss or Damage with respect thereto has been filed with and approved by the Office of Civilian Defense) if and when recalled for any reason whatsoever by the Office of Civilian Defense, Washington, D. C., and cause such property forthwith and without delay to be expeditiously transported and delivered to or upon the order of the Office of Civilian Defense, Washington, D. C.: *Provided, however,* That any reasonable expense incident to the return of such property will be borne by the Office of Civilian Defense upon the presentation of duly verified vouchers.

(k) Be responsible to the Office of Civilian Defense for the performance of his duties, including the storing, handling, maintaining, protecting, delivering, and returning of all property received by him or his agents until such property shall have been distributed by him to and received by individuals or organizations in accordance with rules, regulations, orders, and instructions of the Director.

(l) Initiate and transmit reports of loss or damage as and when required by rules, regulations, orders, or instructions of the Director.

(m) Perform such other duties as may be necessary in administering his office, or as shall be prescribed by the Director with respect thereto.

Local property officers may appoint agents to assist in the performance of their duties, but shall be responsible for the acts or omissions of such agents.

§ 1901.10 *Operating instructions.* The Office of Civilian Defense, Washington, D. C., will from time to time issue instructions to State and local property officers relating to procedures and forms for use in performance of their duties.

§ 1901.11 *Effective date.* These regulations shall become effective immediately.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 11, 1942.

[F. R. Doc. 42-7835; Filed, August 11, 1942; 4:17 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

NEWARK SLOUGH, CALIFORNIA

Pursuant to the provisions of section 5 of the River and Harbor Act approved August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), paragraph (b) (16) of the rules and regulations to govern the operation of the drawbridges crossing all navigable waters of the United States within the State of California approved March 4, 1936, as amended April 18, 1940, is hereby further amended as follows:

§ 203.710 *State of California: bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connected bays and river systems tributary thereto.* • • •

(b) *Special regulations.* • • •

(16) *Newark Slough—Southern Pacific Company Bridge near Newark, Calif.* (i) Notice to bridge operators. The owner of the above bridge shall, upon due notice, cause the bridge to be opened for any vessel desiring to pass. The notice shall state the time at which the vessel desires to pass through the bridge and shall be given at least twenty-four hours in advance of such time. Notice shall be given to the Superintendent, Southern Pacific Company, Oakland Pier, Oakland, California.

(ii) There shall be posted in a conspicuous place on each side of the bridge a copy of these regulations, together with a sign, stating to whom notice should be given when it is desired that the bridge be opened, the sign giving the necessary directions for communication with such person by telephone or otherwise. (28 Stat. 362; 33 U. S. C. 499) [Regs. July 31, 1942 (CE 6371 (Southern Pacific R. R.—Newark Slough.)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7827; Filed, August 11, 1942; 3:48 p. m.]

PART 204—DANGER ZONE REGULATIONS

POTOMAC RIVER

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), the torpedo testing range[1] defined in § 204.50 (c) (1) Danger Zone Regulations, is hereby enlarged to include waters of the Potomac River between a point five miles above Piney Point and Point Lookout, the danger zone being redefined and the title of the paragraph being amended as follows:

§ 204.50 *Potomac River.* • • •

(c) *United States Naval Torpedo Testing Range; Five miles above Piney Point to Point Lookout, Md.*—(1) *The danger zone.* The torpedo testing range, which constitutes a danger zone, is defined as follows:

Bounded on the north by a line from buoy S "19DW" to Piney Point Light, thence to the (1 QK FL R) bell buoy at the southeastern tip of Saint Georges Bar, thence to Point Lookout Light, bounded on the east by a line from Point Lookout Light to buoy S "16W", bounded on the south by a line from S "16W" through buoys S "16AW", S "17W", S "18W", S "18AW", FL W "5A", to S "19W" and bounded on the west by a line from buoy S "19W" to buoy S "19DW".

(40 Stat. 892; 33 U.S.C. 3) [Regs. July 31, 1942 (CE 7005 (Potomac River)—SPEON)]

• • • • •

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7828; Filed, August 11, 1942; 3:48 p. m.]

[1] Chart filed as part of the original document.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 6,[1] Supplement 2]

PART 305—INSURANCE

WAR RISK INSURANCE—AUTOMATIC COVERAGE ON IMPORT CARGOES

Pursuant to the authority contained in the Merchant Marine Act of 1936, as amended, the following additional rules and regulations for the underwriting of cargo war risk insurance on imports to the United States are hereby promulgated.

§ 305.62 *Extended transhipment clause.* Section 305.59 for attachment to Warshipopencargo policy form incorporated in §§ 305.50 to 305.61 inclusive as published in the FEDERAL REGISTER of July 30, 1942[2] reading as follows:

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4c of Part II of this policy is deleted.

It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to cover, subject to its terms, to such substituted destination without further additional premium. This insurance shall also continue in force as aforesaid if the merchandise insured hereunder subsequent to attachment of this insurance is discharged at the port of loading but only provided that at the time of such discharge title to and interest in the goods is vested in a citizen of the United States, and such insurance shall terminate if at any time during the continuance of such issuance as aforesaid title to and interest in the goods shall no longer be vested in a citizen of the United States. All other terms and conditions remaining unchanged

is hereby designated "Warshipopencargo Policy"—Standard Optional Endorsement #I.

§ 305.63 *Goods sold while en route.* The following standard optional endorsement, hereinafter to be referred to as "Warshipopencargo Policy—Standard Optional Endorsement #II", is hereby promulgated:

It is understood and agreed that in the event that goods insured hereunder are sold by the Assured subsequent to the attachment of risk hereunder, on terms requiring the Assured to provide war risk insurance to the port of discharge, this insurance shall remain in full force and effect. The Assured may assign to the purchaser any rights under this policy in event of loss, but this assignment shall not relieve the Assured from any of his responsibilities or obligations under the terms

[1] 7 F.R. 2478, 5881

[2] §§ 305.50 to 305.61 appeared as §§ 305.34 to 305.41.

of this policy, and in the event of loss the amount collectible hereunder shall in no event exceed the amount which would have been collectible by the Assured in the event the goods had not been sold by him. All other terms and conditions remaining unchanged.

§ 305.64 *Goods insured by shipper.* The following standard optional endorsement, hereafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #III", is hereby promulgated:

In consideration of the payment of premium as hereinafter provided, this policy is extended to cover goods otherwise coming within the scope of this policy but shipped by the Assured and for his account and risk, or shipped by the Assured and sold by him prior to shipment on terms requiring him to provide War Risk Insurance to the port of discharge. The Assured agrees to file separately upon the Standard Forms provided for in Supplement No. 1 of General Order No. 6, Provisional and Closing Reports of all shipments to insured, such report to be filed subject to all of the rules and conditions as set forth in said General Order. In the event of loss claims shall be filed by the Assured unless otherwise permitted by the War Shipping Administration for good cause shown. In the event that with the consent of the War Shipping Administration claim is filed by the purchaser said purchaser shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the claimant, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code. All other terms and conditions remaining unchanged.

§ 305.65 *Goods imported for account of third parties.* The following standard optional endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #IV", is hereby promulgated:

It is understood and agreed that this policy is extended to cover with respect to all imports to the Continental United States, excluding Alaska, (except as to such imports as may be specifically excluded from this policy by special agreement noted hereon by endorsement) shipped to or consigned to the Assured and for the account and risk of _____. The Assured warrants that he is a duly authorized agent of said _____ for the procuring and importing into the United States of the merchandise insured hereunder. The Assured warrants that provisional and closing reports as provided for by the terms of this policy and by the terms of General Order No. 6, Supplement #1, of the War Shipping Administration will be filed by him with respect to all shipments insured hereunder, and subject to all of the conditions and regulations of the War Shipping Administration relating to such reports. In the event of loss, any sums payable under the terms of this policy shall be paid to the order of the principal for whom the agent acts, and said principal shall be required to file the affidavit called for by Part I of this policy. In the event of loss, the amount collectible hereunder shall in no event exceed the amount which would have been collectible by the Assured named hereunder, in the event the goods had been imported for his own account. All other terms and conditions remaining unchanged.

§ 305.66 *Exports to territories and possessions of the United States—Inclusive endorsement.*—The following standard optional endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #V", is hereby promulgated:

It is understood and agreed that this policy is hereby extended, subject to all of its terms, to cover shipments from the Continental United States (excluding Alaska) to the territories and possessions of the United States including the Canal Zone and Alaska. The Assured warrants that with respect to such shipments, all the terms and conditions of this policy as originally written will apply, and that full provisional and closing reports, supported by affidavits as and if required, will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

§ 305.67 *Exports to territories and possessions of the United States—Exclusive endorsement.* The following standard optional endorsement, hereinafter to be designated "WARSHIPOPENCARGO Policy—Standard Optional Endorsement #VI", is hereby promulgated:

Notwithstanding anything to the contrary contained in Sections 305.59 and 305.60 of this policy, it is understood and agreed that this policy covers only shipments from the Continental United States (excluding Alaska) to the territories and possessions of the United States, including the Canal Zone and Alaska. The Assured warrants that with respect to such shipments, all the terms and conditions of this policy as originally written will apply, and if required will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

§ 305.68 *Shipments between ports in the Continental United States.* The following standard optional endorsement, hereinafter to be designated "WARSHIPOPENCARGO Policy—Standard Optional Endorsement #VII", is hereby promulgated:

It is understood and agreed that this policy is hereby extended, subject to all of its terms, to cover shipments between ports in the Continental United States (excluding Alaska), the Assured warrants that with respect to such shipments all the terms and conditions of this policy as originally written will apply, and that full provisional and closing reports, supported by affidavits as and if required, will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

§ 305.69 *Authorization to agents to execute endorsements.* Underwriting agents of the War Shipping Administration are authorized to execute any of the foregoing endorsements for incorporation in war risk insurance policies issued pursuant to the provisions of §§ 305.50 to 305.61 inclusive, published in the FEDERAL REGISTER July 30, 1942.

§ 305.70 *Definition of imports.* Effective 48 hours from the date hereof, it is understood and agreed that the following clauses are deemed to be incorporated in § 305.60 of WARSHIPOPENCARGO Policy Form:

Where and as used in this policy, the word "imports" means property which, at the time of the attachment of the risk, is (a) intended for use, consumption, manufacturing or other processing, or sale, within the Continental United States (excluding Alaska), or (b) intended for inclusion within a common stock of goods, wares, merchandise, located within the Continental United States (excluding Alaska), for sale or resale out of such common stock in the foreign or domestic commerce of the United States, or (c) consigned to the Continental United States (excluding Alaska) for account of the United States or any department or agency thereof, including corporations wholly owned by the United States. Such property shall not cease to be considered imported in the event of a bona fide change in intention on the part of the Assured or other person having control of the goods, made subsequent to the attachment of the risk and without prior agreement, understanding, or arrangement, provided such change in intention is not accompanied by an alteration of the immediate destination of the goods to a point outside of the Continental United States (excluding Alaska). Without limiting the generality of the foregoing, goods, which at the time of attachment to the risk were intended to be transshipped or re-exported otherwise than to a place within the Continental United States (excluding Alaska), shall not be considered imports for the purposes of said policy, unless such re-export is to a port or place shipments to which are covered by the terms of an endorsement to this policy.

EXCLUSION OF VALUABLES

This policy does not cover shipments of specie, currency, securities, valuable documents, jewelry, precious stones, gold and silver and other precious metals, or any articles transported by means of ordinary or registered mail or parcel post.

§ 305.71 *Privilege to place additional insurance.* Where war risk insurance on cargo is insured with the War Shipping Administration under the terms of the "WARSHIPOPENCARGO" Policy, §§ 359.59 and 305.60, the parties at interest may place increased value or additional insurance in commercial or other markets beyond the amount of insurance provided in the War Shipping Administration policy. Such insurance, if placed, need not be participating with the War Shipping Administration coverage, and shall be without benefit of salvage or right of contribution.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

AUGUST 10, 1942.

[F. R. Doc. 42-7837; Filed, August 11, 1942; 4:35 p. m.]

[General Order 12,[1] Supplement 3-A]

PART 306—TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS

COMBINATION CARGO AND PASSENGER VESSELS

Order clarifying provisions of Supplement No. 3.

Provisions of §§ 306.7 and 306.8 of General Order No. 12[2] shall apply in their entirety to service rendered under §§ 306.21 to 306.28 inclusive and no brokerage or other agency fees not specifically authorized in said §§ 306.7 and 306.8 or in §§ 306.21 to 306.28 inclusive shall be allowed unless previously approved by the War Shipping Administration. (E.O. 9054; 7 F.R. 837.)

By order of the War Shipping Administration.

[SEAL] W. C. PEET, Jr.,
Secretary.

Approved August 7, 1942.

[F. R. Doc. 42-7777; Filed, August 10, 1942; 4:13 p. m.]

[1] 7 F.R. 4496; General Order No. 12 formerly appeared under Part 330.

[2] 7 F.R. 5143, 4741.

[General Order 12[1], Supplement 4]

PART 306—GENERAL AGENTS AND AGENTS

BROKERAGE OR OTHER COMMISSIONS

§ 306.35 *Brokerage or other commissions.* Except with the prior approval of the Administrator no brokerage or other commission shall be paid for any services rendered or to be rendered in the procurement of or the preparation or execution of charter parties, space contracts or other contracts of affreightment for the carriage of goods in bulk or otherwise in merchant vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America. (E. O. 9054, 7 F.R. 837)

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

August 10, 1942.

[F. R. Doc. 42-7836; Filed, August 11, 1942; 4:35 p. m.]

[1] 7 F.R. 4496, 4741.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-125]

J. T. DANIELS, CODE MEMBER, DEFENDANT

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore rescheduled for hearing at 10:00 a. m. on September 19, 1942, at a hearing room of the Bituminous Coal Division at the Court House, Middlesboro, Kentucky; and

It appearing to the Acting Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10:00 a. m. on September 19, 1942, Court House, Middlesboro, Kentucky, to a place and date to be hereafter designated by appropriate order.

Dated: August 10, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7850; Filed, August 12, 1942; 11:25 a. m.]

[Docket No. B-82]

RUSH CREEK COAL CO., ET AL.

ORDER GRANTING PERMISSION TO WITHDRAW COMPLAINT AND DISCONTINUE MATTER

In the matter of Elmer Jones, Arthur Sexton, Carl Jones, Earl Jones, Barnard Wallace, Millard Waugh, Ben Derefield, W. O. Tufts, Edward Sexton, and Ralph Wallace, individually and as copartners, doing business under the name and style of Rush Creek Coal Company, Code Member.

Bituminous Coal Producers Board for District No. 8, complainant herein, having filed on August 1, 1942, a request that the complaint against the above-named code member filed with the Division on October 14, 1941, be withdrawn without prejudice; and

The Acting Director deeming it advisable that said complaint be withdrawn and the matter discontinued;

Now, therefore, it is ordered, That said request for permission to withdraw the complaint in the above-entitled matter be, and it hereby is granted and that said complaint hereby is withdrawn without prejudice; and

It is further ordered, That the above-entitled matter be, and it hereby is, discontinued.

Dated: August 10, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7851; Filed, August 12, 1942; 11:25 a. m.]

[Docket No. C-19]

ACCEPTANCES OF THE BITUMINOUS COAL CODE SUBMITTED BY BETHLEHEM STEEL COMPANY AND INDUSTRIAL COLLIERIES CORPORATION WITH RESPECT TO CERTAIN MINES IN DISTRICTS 1, 2 AND 3

NOTICE OF AND ORDER FOR HEARING

On July 30, 1942, Bethlehem Steel Company submitted to the Division an acceptance of the Bituminous Coal Code. In the said acceptance the company represents itself as the producer of the coals produced at the following mines situated in the districts and at the places indicated:

Name of mine	District	Location
Rosedale No. 72	1	Johnstown, Pa.
Franklin No. 72	1	Johnstown, Pa.
Franklin No. 73	1	Johnstown, Pa.
Marianna No. 58	2	Marianna, Pa.
Slickville No. 91	2	Slickville, Pa.
Ellsworth No. 52	2	Ellsworth, Pa.
Cokeburg No. 53	2	Cokeburg, Pa.
Richard No. 21	3	Dellslow, W. Va.
Barrackville No. 41	3	Barrackville, W. Va.
Dakota No. 42	3	Fairmont, W. Va.

Likewise on July 30, 1942, Industrial Collieries Corporation submitted to the Division an acceptance of the Bituminous Coal Code in which the corporation represents that Bethlehem Steel Company is the operator of the aforesaid mines but that Industrial Collieries Corporation also has the right to mine coal from the said mines for its own account. For the purpose of determining whether Bethlehem Steel Company or Industrial Collieries Corporation, or both, are entitled to membership in the Bituminous Coal Code, a hearing should be held.

Now, therefore, it is ordered, That a hearing in the above-entitled matter, under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division, be held on September 15, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to Bethlehem Steel Company, to Industrial Collieries Corporation, and to all persons and entities having an interest in these proceedings and eligible to become a party herein. Any person or entity eligible under the Rules of Practice and Procedure Before the Bituminous Coal Division may file a petition of intervention herein, setting forth the grounds of the proposed intervention, and the position and interest of the petitioner in the proceeding. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 9, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically set forth herein, other matters necessarily incidental and related thereto which may be raised by answers of Bethlehem Steel Company and Industrial Collieries Corporation, petitions of intervention or otherwise, or which may be necessary corollaries to the determinations or orders, if any, to be made on the basis of this proceeding.

The matter concerned herewith is in regard to the acceptances of membership in the Bituminous Coal Code submitted to the Division on July 30, 1942, by Bethelehem Steel Company and Industrial Collieries Corporation, and a determination as to whether either or both of the said entities are producers within

the meaning of the Bituminous Coal Act of 1937, and, therefore, entitled to membership in the Bituminous Coal Code with respect to the coals produced at the aforesaid mines.

Dated: August 11, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7849; Filed, August 12, 1942; 11:25 a. m.]

General Land Office.

[Public Land Order 21]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A PRACTICE BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942,[1] and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C. title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as a practice bombing range:

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 23 E.,
Sec. 27, S½;
Sec. 34, N½.

The areas described aggregate 640 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing New Mexico Grazing District No. 6, is hereby modified to the extent necessary to permit the use of the above-described lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 6, 1942.

[F. R. Doc. 42-7839; Filed, August 12, 1942; 9:33 a. m.]

[Public Land Order 22]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS BOMBING RANGES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942,[1] it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as bombing ranges:

GILA AND SALT RIVER MERIDIAN

T. 6 S., R. 2 E.,
Sec. 25, lots 7, 8, 17, 18, 19, 20, S½NW¼, SW¼;
T. 10 S., R. 6 E.,
Sec. 30;
T. 5 S., R. 15 E.,
Sec. 34, SE¼;
Sec. 35, SW¼;
T. 6 S., R. 15 E.,
Sec. 3, lots 1, 2, S½NE¼.

The areas described aggregate 1,582.89 acres.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934 as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 6, 1942.

[F. R. Doc. 42-7840; Filed, August 12, 1942; 9:33 a. m.]

ORDER REDUCING AND REVOKING CERTAIN STOCK DRIVEWAY WITHDRAWALS IN NEVADA

Corrections

In the land description appearing on page 5919 of the issue of Friday, July 31, 1942, the line in the middle column which reads "T. 2 N., R. 24 E.," should read as follows: "T. 25 N., R. 24 E.,". In the middle column of page 5921 the first line under Township 37 North, Range 38 East should read "Secs. 10, 14, 26, and 32".

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

CINCINNATI, OHIO, MARKETING AREA

EXTENSION OF TIME FOR FILING EXCEPTIONS TO THE REPORT OF THE ADMINISTRATOR, AGRICULTURAL MARKETING ADMINISTRATION, WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND ORDER REGULATING THE HANDLING OF MILK IN THE CINCINNATI OHIO, MARKETING AREA

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (6 F.R. 6571), as amended (7 F.R. 3350), and upon the request of interested persons, the time for filing exceptions to the report of the Administrator, Agricultural Marketing Administration, with respect to a proposed marketing agreement and a proposed order regulating the handling of milk in the Cincinnati, Ohio, marketing area, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), which was filed on July 30, 1942 with the hearing clerk, Office of the Solicitor, the United States Department of Agriculture, Washington, D. C., is hereby extended from August 8, 1942 to 12:00 p. m., e. w. t., August 15, 1942.

The aforesaid report of the Administrator, Agricultural Marketing Administration, was published in the FEDERAL REGISTER on August 1, 1942 (7 F.R. 5954). Copies of the said report may be secured from the hearing clerk, Office of the Solicitor, Room 1019 South Building, United States Department of Agriculture, Washington, D. C., or from Charles J. Reif, Building Industries Building, 622 Broadway, Cincinnati, Ohio.

[SEAL] ROY F. HENDRICKSON,
Administrator.

AUGUST 8, 1942.

[F. R. Doc. 42-7846; Filed, August 12, 1942; 11:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Suspension Order 7 Under Tire Rationing Regulations]

CHARLOTTESVILLE MOTORS, INC.

ORDER RESTRICTING TRANSACTIONS

Charlottesville Motors, Incorporated, a Virginia corporation, 856 West Main Street, Charlottesville, Virginia, hereinafter called respondent, is and since before December 30, 1941 has been engaged in transferring new automobile tires and tubes directly to consumers and subject to the provisions of the Tire Rationing Regulations[1] and the Revised Tire Rationing Regulations[2] issued by the Office of Price Administration. A notice of hearing was duly served on respondent stating specifically that respondent was charged with having violated the provisions of the said Tire Rationing Regulations and of the said Revised Tire Rationing Regulations. Pursuant to said notice a hearing on these charges was held on June 13, 1942 in Charlottesville, Virginia, at which time and place there appeared a representative of the Virginia State Office of the Office of Price Administration and respondent. Both parties presented their evidence pertaining to such charges before a duly authorized presiding officer. Such evidence having been duly considered by the Deputy Administrator,

It is hereby determined that:

Respondent has violated the said Tire Rationing Regulations and the said Revised Tire Rationing Regulations in that on January 3, 1942, and at divers times thereafter until the 24th day of March 1942 respondent sold and transferred to divers consumers new passenger type automobile tires and tubes without requiring the surrender of certificates authorizing such transfers as required by the provisions of said Tire Rationing Regulations and said Revised Tire Rationing Regulations.

Because of the great scarcity and critical importance of tires and tubes in the United States, violations of the said Tire Rationing Regulations and the said Revised Tire Rationing Regulations necessarily result in the diversion of new tires and tubes from essential civilian and military uses into non-essential uses in a manner contrary to the public interest and detrimental to national defense. It further appears to the Deputy Administrator, on the evidence before him, that further violations of the said Revised Tire Rationing Regulations by respondent are likely unless appropriate administrative action be taken.

It is therefore ordered, That (a) During the period in which this Suspension Order No. 7 shall be in effect:

(1) Respondent shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, new tires or tubes or any recapped or retreaded tires.

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer to respondent tires or tubes or any recapped or retreaded tires, regardless of whether such tires or tubes have been previously purchased and completely paid for.

(b) Any terms used in this order that are defined in the Revised Tire Rationing Regulations shall have the meaning there given them.

(c) This Suspension Order No. 7 shall become effective August 15, 1942 and, unless sooner terminated, shall expire 12:01 A. M. August 15, 1943. (Pub. Law 421, 77th Cong. sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719; WPB Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925); OPM Supplementary Order No. M-15-c (6 F.R. 6792))

Issued this 11th day of August 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42-7838; Filed, August 11, 1942; 5:01 p. m.]

[1] 7 F.R. 3067.
[1] 7 F.R. 3067.
[1] 7 F.R. 72.
[2] 7 F.R. 1027.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-524]

THE LACLEDE GAS LIGHT COMPANY

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of August, A. D., 1942.

The New York Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5% Refunding and Extension Mortgage Gold Bonds, Due 1934 Extended to 1939 of The Laclede Gas Light Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:30 a. m. on Tuesday, September 8, 1942, at the office of the Securities and Exchange Commission, 120 Broadway, New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7829; Filed, August 11, 1942; 3:48 p. m.]

[File No. 1-793]

THE CHESAPEAKE CORPORATION

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of August, A. D., 1942.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value of The Chesapeake Corporation; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Tuesday, September 8, 1942, at the office of the Securities and Exchange Commission, 120 Broadway, New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7830; Filed, August 11, 1942; 3:49 p. m.]

[File No. 54-46]

LONE STAR GAS CORP., ET AL.

NOTICE OF AND ORDER RECONVENING HEARING AND ORDER DESIGNATING NEW TRIAL EXAMINER

In the matter of Lone Star Gas Corporation, Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, The Dallas Gas Company, Council Bluffs Gas Company and Lone Star Gasoline Company.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of August, 1942.

The Commission having on March 4, 1942, issued its Notice of and Order for Hearing under sections 11 (b) (1) and 11 (e) of the Public Utility Holding Company Act of 1935 with respect to the above-named parties; and hearings having been held on March 24, 25, 26, and 27, 1942, before a Trial Examiner for the purpose of taking evidence on the issues raised under sections 11 (b) (1) and 11 (e); and

Said hearings having been continued for the purpose of enabling counsel to prepare and consider exhibits proposed to be offered in evidence; and

The Commission being advised that counsel are ready to proceed, and deeming it appropriate that the hearings be reconvened for the purpose of completing the taking of evidence with respect to the issues involved under sections 11 (b) (1) and 11 (e) of the Act; and

It appearing that the Trial Examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so;

It is ordered, That the hearings in the above-entitled proceedings be reconvened on August 25, 1942, at 10:00 A. M., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318.

It is further ordered, That Edmund H. Worthy, an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as the Trial Examiner heretofore designated to preside at such hearing.

Notice of such hearing is hereby given to the applicants and to all other persons whose participation in such proceedings may be in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7831; Filed, August 11, 1942; 3:49 p. m.]

[File No. 70-289]

SOUTHEASTERN TELEPHONE CO. AND AMERICAN UTILITIES SERVICE CORP.

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

sylvania, on the 7th day of August, A. D. 1942.

American Utilities Service Corporation, a registered holding company, and Southeastern Telephone Company, a non-utility subsidiary, having filed supplemental applications pursuant to sections 6 (b) and 10 of the Public Utility Holding Company Act of 1935, regarding: (a) the acquisition by American Utilities Service Corporation of 1,272 shares of common stock of Southeastern Telephone Company in conversion of 848 shares of 6% Cumulative Convertible Preferred Stock, $25 par value, of Southeastern Telephone Company; (b) the issuance by Southeastern Telephone Company of 1,272 shares of common stock to American Utilities Service Corporation upon the aforementioned conversion; (c) the issuance by Southeastern Telephone Company of 14,748½ shares of common stock from time to time, if, when and as public holders of its preferred stock should exercise their option to convert such shares into common stock at the rate of one and one-half shares of common stock for each share of preferred stock.

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein;

It is ordered, That, subject to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations of the Commission, said supplemental applications, pursuant to sections 6 (b) and 10 of the Act, be and hereby are granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7832. Filed, August 11, 1942; 3:49 p. m.]

[File No. 70-509]

NORTHERN STATES POWER COMPANY (MINNESOTA), PEOPLES NATURAL GAS COMPANY (DELAWARE), AND NORTHERN NATURAL GAS COMPANY (DELAWARE)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of August 1942.

An application and declaration, and amendments thereto, having been filed with this Commission by Northern Natural Gas Company, a registered holding company, Peoples Natural Gas Company, a wholly-owned subsidiary of Northern Natural Gas Company, and Northern States Power Company, a Minnesota corporation which is also a registered holding company, pursuant to sections 10 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated pursuant to said Act, regarding the sale by Peoples Natural Gas Company, and the acquisition by Northern States Power Company, of certain gas utility assets located within the City of St. Paul, Minnesota; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter, and having made and filed its Findings and Opinion herein,

It is ordered, That said application, as amended, be and hereby is granted forthwith, and said declaration, as amended, be and hereby is permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24, and to the further condition that Northern Natural Gas Company make a donation to Peoples Natural Gas Company of $56,719, which donation shall be credited to capital surplus.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7833; Filed, August 11, 1942; 3:50 p. m.]

[File No. 70-552]

NATIONAL GAS & ELECTRIC CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1942.

National Gas & Electric Corporation, a registered holding company, having filed a declaration, and amendments thereto, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 as implemented by Rule U-44 promulgated thereunder regarding the sale by said corporation to Keith Kindred of Chicago, Illinois, an individual not affiliated with any public utility holding or operating company, of all of the securities of its subsidiary company, The Greeley Gas and Fuel Company, such securities consisting of $160,000 principal amount of First Mortgage 5% Bonds, due 1953, and 400 shares of no par Common Stock with a stated value of $40,000 and the consideration to be received therefor amounting to $200,000 in cash; and

Public hearings having been held on said declaration, as amended, after appropriate notice, and the Commission having examined the record and made and filed its Findings and Opinion based thereon;

It is ordered, That, subject to the terms and conditions prescribed in Rule U-24 promulgated under said Act, said declaration, as amended, of National Gas & Electric Corporation be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7834; Filed, August 11, 1942; 3:49 p. m.]

[File No. 70-556]

THE CALIFORNIA OREGON POWER CO. AND STANDARD GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1942.

The California Oregon Power Company and its parent, Standard Gas and Electric Company, a registered holding company, have filed a joint application and declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 6 (a) and 6 (b), 7 (c), 10, 12 (b), 12 (c), 12 (d) and 12 (f) and Rules U-43 and U-45 promulgated thereunder. The proposed transactions include a contribution by Standard Gas and Electric Company of senior and junior securities of The California Oregon Power Company, the issuance and sale of 10 year serial notes in the amount of $3,500,000 and the cancellation in part and payment in part of an issue of debentures in the amount of $5,500,000 due October 1, 1942.

Public hearing having been held after appropriate notice, and the Commission having considered the record, and having this day made and filed its findings and opinion herein;

It is ordered, That said application and declaration, as amended, be and the same are hereby granted and permitted to become effective forthwith, subject, however, to the terms and conditions set forth in Rule U-24 of this Commission, and upon the further conditions, (1) that there be credited at this time by The California Oregon Power Company the sum of $200,746 to the Capital Stock Discount and Expense Account by charging the same to capital surplus, and, (2) that a reserve be created on the books of said company to provide for Adjustments to Property Account by charging $1,850,000 to capital surplus and $780,000 to earned surplus; and (3) that until further order of this Commission (a) no charges shall be made by said company to the balance remaining after giving effect to conditions numbered (1) and (2) above in the capital and reduction surplus accounts other than to make such adjustments as may be ordered by a regulatory Commission having jurisdiction in the premises and (b) that no dividends may be paid by said company other than out of earnings subsequent to April 30, 1942, except an aggregate of $300,000 on the preferred stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7842; Filed, August 12, 1942; 9:33 a. m.]

[File No. 30-87]

TRUSTEES OF PEOPLES LIGHT AND POWER CO.

ORDER GRANTING APPLICATION SUBJECT TO CERTAIN CONDITION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of August, A. D. 1942.

In the matter of W. H. Duff, Henry A. Erhard, Gerald P. Kynett, M. Harry Taylor, John M. Taylor, Voting Trustees under Voting Trust Agreement dated February 9, 1938 for Class A Common Stock of Peoples Light and Power Company.

W. H. Duff, Henry A. Erhard, Gerald P. Kynett, M. Harry Taylor and John M. Taylor, Voting Trustees under Voting Trust Agreement dated February 9, 1938 for Class A Common Stock of Peoples Light and Power Company, a registered holding company, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 requesting that Applicants be declared that they have ceased to be a holding company; and

A public hearing having been duly held on said application after appropriate notice and the Commission having made and filed its Findings and Opinion herein:

It is ordered, That said applicants have ceased to be a holding company and that the registration of said Voting Trustees cease to be in effect, subject, however, to the following condition:

That said Voting Trustees shall not vote at any time the remaining Class A shares of Common Stock outstanding in their names.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7843; Filed, August 12, 1942; 9:34 a. m.]

[File No. 70-586]

CONSOLIDATED NATURAL GAS COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August 1942.

Notice is hereby given that declarations or applications (or both) have been filed pursuant to the Public Utility Holding Company Act of 1935 by the Consolidated Natural Gas Company, (hereinafter referred to as "applicant") which has filed a notice of registration as a person purposing to become a holding company.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Standard Oil Company (New Jersey), (hereinafter referred to as "Standard") owns all of the outstanding capital stock of four natural gas subsidiary companies, the Hope Natural Gas Company, The East Ohio Gas Company, The Peoples Natural Gas Company and The River Gas Company. Applicant proposed to acquire from Standard all of the capital stock of said four gas utility companies which at the date of filing was as follows:

Hope Natural Gas Company—279,693 shares of common stock—par value $100.00	$27,969,300.00
The East Ohio Gas Company—100,000 shares of 7% preferred stock—par value $100.00	10,000,000.00
285,000 shares of common stock—par value $100.00	28,500,000.00
The Peoples Natural Gas Company—170,000 shares of common stock—par value $100.00	17,000,000.00
The River Gas Company—5,000 shares of common stock—par value $100.00	$500,000.00
Total	83,969,300.00
The surplus accounts of each of the four gas utility companies as of December 31, 1941 are as follows, per books:	
Hope Natural Gas Company	10,718,294.00
The East Ohio Gas Company	3,456,089.00
The Peoples Natural Gas Company	4,090,871.00
The River Gas Company	39,646.00
Total	18,214,900.00

The Peoples Natural Gas Company as of December 31, 1941, and as of the present date, has outstanding a note in the principal amount of $2,000,000, bearing interest at the rate of 4% per annum and maturing July 1, 1948, which is owned by Standard. Applicant does not propose to acquire such note.

In exchange for the capital stock referred to above, applicant proposes to issue to Standard 2,728,359 shares of its common stock of a par value of $30.00 per share. The total par value of applicant's stock so to be exchanged is $81,850,770.00. Applicant represents that the capital stock of said four gas utilities to be acquired by it has a sound and fair value of not less than $83,969,300.00, which is the value at which applicant proposes to set up the said stock on its books, leaving a capital surplus of $2,118,530.00.

Applicant states that the acquisition of said gas utility stock and the issuance to Standard of applicant's stock is a part of a general program necessitated by an order of the Commission entered February 5, 1942, File No. 31-130, wherein the application of Standard for exemption under the Act was denied. Applicant further states that it is anticipated that after Standard has received applicant's stock that Standard will file a notification of registration under section 5 (a), and at the same time will file a plan under section 11 (e) of the Act for the divestment of control by Standard over applicant and the gas utilities in question and that if the general program as outlined is approved by the Commission, and Standard is ordered to divest itself of the stock of Applicant which it then owns, there will be distributed to Standard's stockholders by Standard all of the stock of applicant which Standard will then own.

Applicant alleges that sections 6, 7, 9, 10 and 11 of the Public Utility Holding Company Act of 1935 and Rules U-20, U-22, U-23, U-24 and U-50 of the General Rules and Regulations promulgated thereunder, are applicable to the transaction and that it intends to apply for an exemption from the competitive bidding provisions of Rule U-50.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that hearings be held with respect to said transactions and that said applications should not be granted nor should said declarations be permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules of the Commission thereunder be held on September 22, 1942, at 10:00 o'clock, A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown as to why such declarations or applications (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarant or applicant and to all other interested persons; such notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to execute all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That any person desiring to be heard in connection with this matter shall file with the Secretary of the Commission, on or before September 15, 1942, a written statement relative thereto, and that any person proposing to intervene shall file with the Secretary of the Commission, on or before such date, application therefor, as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That all matters contained in the record of the proceedings before this Commission on the application for exemption of Standard, pursuant to section 3 (a) (3) of the Act (File No. 31-130), be and the same hereby are specifically incorporated in the record of the present proceeding.

It is further ordered, That jurisdiction be and is hereby reserved to separate either for hearing or for disposition any of the issues or questions which may arise in these proceedings, or to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

It is further ordered, That without limiting the scope of the issues presented by said declarations or applications (or both), the following matters and questions will be considered.

(1) Whether the acquisition by applicant of the capital stock of the four natural gas utility subsidiaries of Standard will serve the public interest by tending toward the economical and efficient development of an integrated public utility system so as to comply with the provisions of section 10 (c) (2) of the Public Utility Holding Company Act of 1935.

Baltimore AUG 17 1942

(a) Whether the four natural gas utility subsidiaries of Standard together constitute a single integrated public utility system.

(b) Whether, if one or more of the gas utility subsidiaries are found not to be part of a single integrated system, such subsidiaries may be deemed to be retainable as "additional systems" under section 11 (b) (1), (A), (B) and (C).

(c) Whether, if the production and transmission assets of the four gas utility subsidiaries are not parts of a single integrated public utility system nor of retainable "additional systems," such production and transmission assets are retainable as reasonably incidental, or economically necessary or appropriate to the operation of such integrated public utility system or systems.

(2) Whether the consideration to be given by applicant in connection with the proposed acquisition is reasonable and bears a fair relation to the sums invested in or the earning capacity of the utility assets underlying the securities to be acquired.

(3) Whether the proposed acquisition meets the other requirements of section 10 of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

(4) Whether the accounting entries to be made in connection with the proposed transactions are appropriate under the standards and requirements of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

(5) Whether terms and conditions are appropriate in the public interest or for the protection of investors or consumers or are necessary to be imposed to ensure compliance with requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations, or orders promulgated thereunder.

(6) Generally, whether all action proposed to be taken complies with the requirements of the Public Utility Holding Company Act of 1935, and the rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7841; Filed, August 12, 1942; 9:33 a. m.]

EMMETT R. NAWN CO.

FINDINGS AND ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 11th day of August, A. D. 1942.

In the matter of Emmett R. Nawn, doing business as E. R. Nawn Company, 145 Lancaster Street, Albany, New York.

(1) Emmett R. Nawn, doing business as E. R. Nawn Company, hereinafter called the registrant, is registered with this Commission as a broker and dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934. Pursuant to section 15 (b), we instituted proceedings to determine whether registrant's registration as a broker and dealer should be revoked.

(2) Our order of March 20, 1942, instituting proceedings, stated that members of its staff had reported to the Commission information obtained as a result of an investigation which tended to show that registrant was permanently enjoined by decree of the Supreme Court of the State of New York, held in and for the County of Albany, entered on or about February 2, 1942, from engaging in certain acts and practices in connection with the purchase and sale of securities.

(3) Pursuant to the above order, notice was served upon the registrant and the hearing in the matter was held before a trial examiner in New York City on April 6, 1942. The registrant did not appear either in person or by counsel.

(4) The record shows, and we find, that by judgment of the Supreme Court of the State of New York, in and for the County of Albany, entered on February 2, 1942, Emmett R. Nawn, "as owner, dealer, broker, partner (dormant, limited or otherwise), agent, stockholder, or director of any person, firm or corporation," is restrained and enjoined permanently "from the issuance, purchase, sale, promotion, negotiation, advertisement or distribution of any stocks, bonds, notes, evidences of interest or indebtedness or other securities of any person, firm, association or corporation in or from the State of New York." The complaint upon which the judgment of the Court was based recited that registrant accepted a certain sum of money from one of his customers for the purpose of purchasing for said customer certain securities, and the registrant did not purchase such securities but instead converted the money to his own personal use, in violation of Article 23-A of the General Business Law and the Penal Law of the State of New York.

(5) We find that revocation of registrant's registration as a broker and dealer is in the public interest.

Accordingly, it is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of Emmett R. Nawn, doing business as E. R. Nawn Company, as a broker and dealer be, and it hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7844; Filed, August 12, 1942; 9:34 a. m.]

Reference

AUG 17 1942

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 160

Washington, Friday, August 14, 1942

The President

EXECUTIVE ORDER 9218

AUTHORIZING THE OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT IN THE OFFICE FOR EMERGENCY MANAGEMENT TO ACQUIRE AND DISPOSE OF PROPERTY

By virtue of and pursuant to the authority vested in me by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (Public Law 507, 77th Congress), the Office of Scientific Research and Development in the Office for Emergency Management is hereby authorized to exercise the authority contained in the said Title II of the Second War Powers Act, 1942, to acquire, use, and dispose of any real property, temporary use thereof, or other interest therein, together with any personal property located thereon, or used therewith, which the Office of Scientific Research and Development shall deem necessary for military, naval, or other war purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 11, 1942.

[F. R. Doc. 42-7856; Filed, August 12, 1942; 1:46 p. m.]

EXECUTIVE ORDER 9219

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER NO. 9001 OF DECEMBER 27, 1941, TO THE OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT IN THE OFFICE FOR EMERGENCY MANAGEMENT

By virtue of the authority vested in me by the act of Congress entitled "An Act to expedite the prosecution of the war effort", approved December 18, 1941, and as President of the United States, and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001 of December 27, 1941,[1] to the Office of Scientific Research and Development in the Office for Emergency Management with respect to all contracts made or to be made by it relating to the prosecution of the war; and subject to the limitations and regulations contained in such Executive order, I hereby authorize the Director of the Office of Scientific Research and Development, and such officers, employees, and agencies as he may designate, to perform and exercise as to that office all the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the Chairman of the United States Maritime Commission by such Executive order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 11, 1942.

[F. R. Doc. 42-7857; Filed, August 12, 1942; 1:47 p. m.]

[1] 6 F.R. 6787.

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

APPLICATION AND TITLE DETERMINATION FEES

Section 24.1 of Title 6, Code of Federal Regulations, as amended (7 F.R. 921), is amended to read as follows:

§ 24.1 *Application and title determination fees (loans through associations, direct loans and Commissioner loans).* The following application and title determination fees are charged.

APPRAISAL FEE TO BE SUBMITTED WITH THE APPLICATION ON ALL APPLICATIONS OF—

$5,000 or under	$5.00
$5,100 to $50,000 inclusive	10.00

TITLE DETERMINATION FEE DEDUCTED WHEN LOAN IS CLOSED ON ALL LOANS OF—

$1,000 or under	$6.00
$1,100 to $3,000 inclusive	10.00
$3,100 to $50,000 inclusive	15.00

The bank will retain the whole amount of the application fee, unless the application is rejected without appraisal, in which case the fee sent with the application will be returned to the borrower through the appropriate association. (Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth," 723

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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(e), 1016 (e) and Sup.; 6 C.F.R. 19.4019) [Res. Bd. Dir., July 20, 1942].

The Federal Land Bank of Louisville acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] By E. RICE, *President.*

[F. R. Doc. 42-7859; Filed, August 12, 1942; 4:02 p. m.]

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

TITLE RESERVE FEES

Section 24.3 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.3 *Title reserve fees.* No title reserve fees shall be charged. (Sec. 7, 39 Stat. 365, as amended, sec. 13 "Ninth," 39 Stat. 372, sec. 32, 48 Stat. 48, as amended, 12 U.S.C. 723 (e), 781 "Ninth," 1016 (e) and Sup.) [Res. Bd. Dir., July 20, 1942.]

The Federal Land Bank of Louisville, acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] By E. RICE, *President.*

[F. R. Doc. 42-7858; Filed, August 12, 1942; 4:02 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4769]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

J. AND J. CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy, or any other merchandise, (1) selling, etc., candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise, or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. and J. Candy Company, Docket 4769, August 4, 1942]

In the Matter of Vinton T. James and George E. James, Individually and as Co-partners Doing Business Under the Firm Name and Style of J. and J. Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearings as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Vinton T. James and George E. James, individually and as co-partners trading as J. and J. Candy Company, or trading under any other name, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, to forthwith cease and desist from:

(1) Selling or distributing candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise, or lottery scheme.

(2) Supplying to or placing in the hands of others push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public.

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7898; Filed, August 13, 1942; 11:20 a. m.]

[Docket No. 3479]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

POPULAR PRODUCTS CORPORATION, ET AL

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Terms and conditions:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of pen and pencil sets, cigarette lighters, electric lamps, chinaware and various other articles, or any other merchandise, (1) supplying, etc., others with pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, etc., to agents or distributors, or to members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; and (4) using the word "Free", or any other word of similar import, to designate, describe, or refer to any merchandise which is furnished as compensation for services rendered; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Popular Products Corporation, et al., Docket 3479, August 4, 1942]

In the Matter of Popular Products Corporation, a Corporation, Mitchell Cinader, and Esther Cinader, Individually, and as Officers of Popular Products Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiners upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument, and the Commission having made its findings as to the facts and its conclusion that certain of the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents Popular Products Corporation, a corporation, its officers, and Mitchell Cinader, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of pen and pencil sets, cigarette lighters, electric lamps, chinaware, silverware, cameras, clocks, jewelry, cosmetics, bedding, and kitchenware, or any other merchandise, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Shipping, mailing, or transporting to agents or distributors, or to members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondents' merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

4. Using the word "Free", or any other word of similar import, to designate, describe, or refer to any merchandise which is furnished as compensation for services rendered.

It is further ordered, That said respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That this proceeding be, and it hereby is, dismissed as to respondent Esther Cinader.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7897; Filed, August 13, 1942; 11:21 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[General Ruling 10–A]

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, AS AMENDED, EXECUTIVE ORDER NO. 9193, SECTIONS 3 (a) AND 5 (b) OF THE TRADING WITH THE ENEMY ACT, AS AMENDED BY THE FIRST WAR POWERS ACT, 1941, RELATING TO FOREIGN FUNDS CONTROL.

PHILIPPINE COMPANY TRANSACTIONS

AUGUST 12, 1942.

General Ruling No. 10–A under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, Relating to Foreign Funds Control.

§ 132.10a *General Ruling No. 10–A.* (a) Unless authorized by a license expressly referring to this general ruling:

(1) No Philippine company shall make any payment, or perform any covenant, duty, condition or service within the United States on, or with respect to, any direct or indirect obligation or security of, or claim against, such company.

(2) No person shall exercise within the United States any right, remedy, power or privilege with respect to, or directly or indirectly arising out of or in connection with, any obligation or security of, or claim against, any Philippine company, including any right, remedy, power or privilege with respect to any guaranty, covenant or agreement that such Philippine company will perform any covenant, duty, condition, or service.

(b) Unless otherwise provided, an appropriate license or other authorization issued by the Secretary of the Treasury shall remove all the restrictions, disabilities and other limitations imposed by this general ruling to the same extent as such restrictions, disabilities and other limitations have been imposed by this general ruling.

(c) This general ruling shall not be deemed to prohibit or otherwise restrict the ordinary purchase, sale, transfer, pledge, or hypothecation of, or similar dealing in, securities which are issued by, or the obligation of, any Philippine company or to prohibit or restrict transactions incidental thereto.

(d) As used in this general ruling, the term "Philippine company" shall mean:

(1) Any partnership, association, corporation or other organization organized under the laws of the Philippine Islands and which prior to January 1, 1942, derived its principal income from the Philippine Islands;

(2) Any sole proprietorship which prior to January 1, 1942, derived its principal income from, and was primarily engaged in business in, the Philippine Islands; and

(3) Any agent, trustee, transfer or paying agent, or other representative of or for any Philippine company to the extent that it acts as such. (Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179. Pub. Law 354, 77th Cong., 55 Stat. 838; E.O. 8389, as amended by E.O. 8785, E.O. 8832, E.O. 8963, E.O. 8998, and E.O. 9193; Regs., April 10, 1940, as amended June 14, 1941, and July 26, 1941.

[SEAL] RANDOLPH PAUL, *Acting Secretary of the Treasury.*

[F. R. Doc. 42-7861; Filed, August 12, 1942; 4:35 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[Amendment 1 to General Preference Order E–1–b]

General Preference Order No. E–1–b[1] (§ 997.2) is hereby amended by changing paragraphs (e) (5) and (e) (6) so as to read as follows, and by adding paragraphs (7) and (8):

(e) * * *

(5) If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from any particular group of service purchasers equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from members of other groups of service purchasers for that size and type for delivery during that month. Where members of two or more other groups have placed purchase orders aggregating more than such unordered balance of the first group's quota, the producer must first schedule the purchase orders of those purchasers who are members of the group having the greatest ratio of:

(i) Unfilled purchase orders, specifying required delivery dates in said month

[1] 7 F.R. 3231, 3660, 4615, 5903, 6212.

of delivery and in preceding months, but not scheduled for delivery in said months to

(ii) The number of tools to which said group is entitled under its quota,

until that ratio has been reduced to or below the ratio of another group or groups, after which the producer shall schedule the purchase orders of members of the group or groups which then have the greatest ratio, and shall continue to schedule in this manner until the unordered balance has been entirely distributed. Where several groups have the same ratio, and there are not sufficient undistributed tools to schedule one for each group, preference shall be given to the groups having the lower percentage quotas.

(6) Likewise, if a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from foreign and other purchasers equal to 25 percent of his production of a size of a given type of tool for that month, the producer shall schedule purchase orders received from service purchasers for that type and size for delivery during that month, in the manner provided in paragraph (e) (5) hereof.

(7) A purchase order which has been scheduled as provided in paragraphs (5) and (6) hereof shall represent an addition to the quota of the group of which the service purchaser in question is a member, and such purchase order shall not thereafter be affected by the receipt of a purchase order from a member of any other group, irrespective of the urgency standing of the latter.

(8) In preparing his schedules of deliveries for a given month for service purchasers, a producer shall fix the dates of his deliveries to the different groups so that each group will receive its percentage of tools equitably in point of time within the month.

This amendment shall not affect deliveries of machine tools which have been scheduled for the months of August, September, October and November, pursuant to General Preference Order No. E–1–b as originally issued.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7893; File, August 13, 1942; 11:14 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Reissuance of Preference Rating Order P–98, Extended and Amended]

It is hereby ordered, That § 1041.1 *Preference Rating Order P–98,*[1] extended and amended, issued March 14, 1942, as amended on June 19, 1942 and June 30, 1942, is reissued effective today. This order shall continue in effect until September 15, 1942, unless sooner revoked by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7892; Filed, August 13, 1942; 11:14 a. m.]

PART 1046—SUPPLIERS

[Suppliers' Inventory Limitation Order L–63, Amended August 13, 1942]

Part 1046 is hereby amended to read as follows and as so amended supersedes all amendments to and exemptions under L–63 heretofore issued by the War Production Board:

§ 1046.1 *Suppliers' Inventory Limitation Order L–63.*[1]—(a) *Definitions.* (1) "Supplies" means all the supplies listed below:

(i) Automotive supplies.
(ii) Aviation supplies.
(iii) Builders' supplies.
(iv) Construction supplies.
(v) Dairy supplies.
(vi) Electrical supplies.
(vii) Farm supplies.
(viii) Foundry supplies.
(ix) Grain elevator supplies.
(x) Hardware supplies.
(xi) Industrial supplies.
(xii) Plumbing & heating supplies.
(xiii) Refrigeration supplies.
(xiv) Restaurant supplies.
(xv) Textile mill supplies.
(xvi) Transmission supplies.
(xvii) Welding & cutting supplies.

Except that "supplies" shall not be deemed to include any of the materials set forth in List A.

(2) "Supplier" means any person (other than a producer) located in the 48 states or the District of Columbia, whose business consists, in whole or in part, of the sale from stock or inventory of supplies. "Supplier" includes wholesalers, distributors, jobbers, dealers, retailers, branch warehouses of producers and other persons performing a similar function.

(3) "Producer" means any person including any branch, division or section of any enterprise, which manufactures, processes, fabricates, assembles or otherwise physically changes any material.

(4) "Sales" means sales from stock including consigned stocks and excluding direct shipments.

(5) "Seasonal lines" means any line of supplies in which a minimum of 40% of the supplier's total annual sales are made during a period of 90 days, or less.

(6) "Maximum permissible inventory" of supplies means:

(i) In the case of a supplier located in the Eastern or Central War Time zones, an inventory (owned or consigned to him) of supplies of a total dollar value (by physical or book inventory, at the option of the supplier) equal either to

(*a*) Twice the sales of such supplies, shipped from his inventories, during the second preceding calendar month; or (at the option of the supplier);

(*b*) Two thirds of the sales of said supplies shipped from his inventories during the three preceding calendar months.

(ii) In the case of a supplier, located in any other time zone, an inventory (owned or consigned to him) of supplies of a total dollar value (by physical or book inventory, at the option of the supplier) equal either to

(*a*) Three times the sales of such supplies, shipped from his inventories, during the second preceding calendar month; or (at the option of the supplier);

(*b*) The sales of such supplies, shipped from his inventory, during the three preceding calendar months.

(b) *Limitation of supplier's inventories.* (1) Except as provided in paragraph (b) (3), (4), (5), and (6), no supplier shall accept any delivery of supplies from any person which will effect an increase in the inventories of the supplier above his maximum permissible inventory; and

(2) Except as provided in paragraph (b) (3), (4), (5) and (6), no person shall make to any supplier any delivery of supplies which such person knows or has reason to believe will effect an increase in such supplier's inventory of supplies above the supplier's maximum permissible inventory.

(3) The supplier in any time zone shall be permitted to purchase and store an amount of seasonal lines equal to those which he purchased in the peak period of a comparable period of the previous year, but this peak period shall not exceed ninety days.

(4) A supplier may accept delivery of supplies which will increase his stock above the maximum permissible inventory, if such supplier's inventory of supplies is at the time of delivery less than his maximum permissible inventory and the delivery is of the minimum quantity of such supplies that can be commercially procured.

(5) A supplier may accept delivery of specific items of supplies when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory, but only to the extent necessary to bring such supplier's inventory of those specific items (owned or consigned to him) up to a total dollar value equal to the sales of such items shipped from such supplier's inventories during the preceding month.

(6) The Director General for Operations may, from time to time, exempt specified suppliers or classes of suppliers from the provisions of this order, subject to such restrictions as the Director General for Operations may impose.

(7) The provisions of this order shall not apply to any supplier:

(i) Whose total inventory at cost, including consigned stocks, of all supplies is less than $20,000.00, and;

(ii) Whose total inventory at cost of each type of supplies as set forth in paragraph (a) (1) of this order, is less than $10,000.00.

(c) *Provisions of other orders.* No provision of this order shall be construed to permit the accumulation of inventories of any item of material in contravention of the provisions of any other applicable order or orders issued by the War Production Board or heretofore issued by the Office of Production Management.

(d) *Appeals.* Any person affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may apply for relief to the War Production Board by telegram or letter setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(e) *Records and reports.* (1) Each supplier (other than those suppliers who are exempt from the provisions of this order pursuant to paragraph (b) (6) or (7)) shall, on or before the twentieth day of each month make proper entry of inventory (book or physical at cost), sales of direct shipments, sales from stock, and total sales of each type of supplies as set forth in paragraph (a) (1) of this order, during the previous calendar month on Form PD–336. This form must be retained for a period of at least two years for inspection by representatives of the War Production Board.

(2) The Director General for Operations may at any time call for these reports to be submitted to the War Production Board.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(g) *Communications.* All communications concerning this order shall be addressed to "War Production Board, Distributors' Branch, Washington, D. C., Ref.: L–63." (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST A

The types of material set forth below are not deemed to be supplies within the meaning of paragraph (a) (1). Accordingly, these materials may be excluded from the monthly report required by paragraph (e), and are not subject to the inventory restrictions required by paragraph (b), provided that sales of such materials are not included in computing maximum permissible inventory as defined in paragraph (a) (6).

(1) All materials referred to in schedules A and B of § 962.3 (*General Preference Order M–21–b*, as amended from time to time);

(2) Materials made of aluminum, provided such materials were acquired by the supplier pursuant to allocation or other specific authorization of the Director of Industry Operations or the Director General for Operations of the War Production Board;

(3) Automobile and truck replacement parts as defined in:

(i) Section 1297.1 (c) (8), Limitation Order No. L–158, issued July 4, 1942; and

(ii) Section 983.4 (b) (4), Supplementary Limitation Order L–4–B, issued April 25, 1942;

(4) Functional replacement parts for machinery and equipment: *Provided,* That in no event shall the supplier accept delivery of any such parts where his inventory thereof is, or will by virtue of such delivery become in excess of six times his sales of such parts during the second preceding calendar month;

(5) Machinery or equipment which is purchased by the supplier at a cost per unit in excess of $500;

(6) Any material which is subject to rationing by the Office of Price Administration;

(7) The following building materials: Portland and natural cement, lime, gypsum and gypsum products, bituminous roofing materials, concrete pipe, cut stone, sand and gravel, crushed stone, clay products, insulation board, acoustical materials, mineral wool, paving materials, concrete products, glass, lumber, wooden mill work.

[F. R. Doc. 42–7894; Filed, August 13, 1942; 11:15 a. m.]

PART 1132—PRINTING INK

[Amendment 1 to Conservation Order M–53, as Amended June 29, 1942]

Paragraph (b) of § 1132.1 *Conservation Order M–53,*[1] as amended June 29, 1942 is hereby amended in the following respects:

1. Subparagraph (1) is amended by striking therefrom the words and figures, "Orange Mineral, 70%"

2. Subparagraph (4) is amended to read:

(4) Use any glycerol phthalate resins or phenolic resins for the production of any gloss ink, non-scratch ink or gloss overprint varnish; provided, however, that nothing contained in this paragraph (b) (4) shall restrict the use of varnishes containing such resins in the inventories of ink producers, printers, or manufacturers of varnishes for the printing ink industry, where such varnishes were manufactured prior to March 30, 1942, for use in the manufacture of printing ink.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 13th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7895; Filed, August 13, 1942; 11:15 a. m.]

PART 1134—TEA

[Amendment 2 to Conservation Order M–111, as Amended May 1, 1942]

Section 1134.1 *Conservation Order M–111,*[1] as amended May 1, 1942, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Restrictions relating to wholesale receivers inventories.* Except as specifically authorized by the Director General for Operations, no wholesale receiver shall accept any deliveries of tea which will increase his inventory thereof to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

2. Paragraph (i) is amended by the addition of the following language:

* * * Within 10 days after the close of each quarterly period, every packer shall report, by letter, to the War Production Board the total quantity of any quota-exempt deliveries of tea made during that quarterly period by him in connection with each class of persons under paragraph (d) (4), as amended. The first such report shall be forwarded by October 10, 1942 for the quarterly period ending September 30, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7896; Filed, August 13, 1942; 11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supplementary Order 12]

AMENDING DEFINITION OF "PERSON" IN CERTAIN REVISED PRICE SCHEDULES AND MAXIMUM PRICE REGULATIONS

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including section 201 (d) thereof, it is hereby ordered that:

§ 1305.16 *Definition of the term "person" in certain price schedules and regulations.* (a) The definition of the term "person" in the section or paragraph or subparagraph of each revised price schedule or maximum price regulation, listed in paragraph (b), is amended to read as follows:

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2099, 3712, 4646, 5020.

[1] 7 F.R. 4480

[1] 7 F.R. 4850.

[1] 7 F.R. 3265, 4841.

foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) The applicable section number, paragraph, or subparagraph and the Revised Price Schedule or Maximum Price Regulation is as follows:

Section:	Schedule or Regulation No.
1301.3 (a)	1
1306.8 (a)	6
1307.9 (a)	7
1314.10 (a)	9
1306.51 (a)	10
1316.11 (a)	11
1309.58 (a)	15
1334.7 (a)	16
1333.8 (a)	17
1339.9 (a)	18
1335.58 (a)	21
1342.8 (a)	24
1335.157 (a)	28
1345.7	29
1335.208 (a)	31
1307.58 (a)	33
1335.258 (a)	34
1316.59 (a)	35
1335.308 (a)	36
1335.358 (a)	37
1335.408 (a)	38
1346.7 (a)	40
1306.109 (a)	41
1335.458 (a)	42
1312.157 (a)	44
1346.57 (a)	45
1306.157 (a)	49
1351.7 (a)	50
1351.59 (a)	51
1351.109 (a)	52
1351.157 (a)	53
1315.59 (a)	56
1352.11 (a)	57
1353.9 (a)	59
1334.59 (a)	60
1358.8 (a)	62
1356.11 (a)	64
1315.1208 (a)	66
1301.58 (a)	67
1335.508 (a)	68
1355.7 (a)	69
1357.7 (b)	71
1363.9 (a)	73
1362.8 (a)	75
1335.707 (a)	76
1345.58 (a)	77
1335.557 (a)	78
1335.607 (a)	79
1335.657 (a)	80
1303.57 (b)	81
1336.60 (a) (1)	83
1336.109 (a) (1)	84
1360.58 (a)	85
1380.9 (a)	86
1316.109 (a)	89
1351.259 (a)	91
1351.308 (a)	92
1312.257 (a)	94
1330.108 (a)	96
1335.757 (a)	98
1335.807 (a)	99
1306.307 (a) (1)	100
1360.58 (a)	102
1335.957 (a)	103
1335.907 (a)	104
1391.65 (a)	158

(c) This Supplementary Order No. 12 shall become effective August 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7864; Filed, August 12, 1942; 4:32 p. m.]

PART 1340—FUEL

[Amendment 5 to Maximum Price Regulation 121 [1]]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (b), (c) (1) and (d) of § 1340.249 are amended to read as set forth below:

§ 1340.249 *Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.* * * *

(b) If the maximum price cannot be determined under paragraph (a) of this section, the maximum price for the sale of miscellaneous solid fuel by a producer or distributor thereof shall be the "average price" charged by the same person during the period December 15–31, inclusive, 1941. This "average price" shall be determined by dividing into the aggregate of the prices charged by such person during December 15–31, inclusive, 1941 (before the deduction of any allowances or discounts or the addition of any special service charges), the aggregate of the tonnage sold by such person during December 15–31, inclusive, 1941, on sales of:

(1) The same size, kind and quality of solid fuel;

(2) In similar quantities;

(3) To purchasers of the same general class (e. g. domestic, commercial, industrial);

(4) By the same method of delivery (e. g. truck, rail, etc.); and

(5) Under the same terms of delivery (e. g. delivered to purchaser or f. o. b. transportation facilities at the mine, preparation plant, coke oven or briquette plant, etc.).

(c) (1) If the maximum price cannot be determined under paragraphs (a) or (b) of this section, the maximum price for the sale of miscellaneous solid fuel by a producer or distributor thereof shall be the price of any other competitive producer or distributor in the same locality for the sale of miscellaneous solid fuel as specified in the last price circular, list or schedule issued by such person on or before December 31, 1941 and in effect during any portion of the period December 15–31, inclusive, 1941. This shall be the price so specified for the sale of:

(i) The same size, kind and quality of miscellaneous solid fuel;

(ii) In quantities taking the same price per ton;

(iii) To purchasers of the same general class (e. g. domestic, commercial, industrial);

(iv) By the same method of delivery (e. g. truck, rail, etc.); and

(v) Under the same terms of delivery (e. g. delivered to the purchaser or f. o. b. transportation facilities at the mines, preparation plant, coke oven or briquette plant, etc.)

* * * * *

(d) Where a miscellaneous solid fuel is sold f. o. b. a mine or preparation plant operated as an adjunct of a mine or mines, or a coke oven or briquette plant, and is delivered therefrom in any transportation facilities owned or subject to the control of the producer or a distributor thereof, or in any transportation facilities hired by the producer or a distributor thereof, there may be added to the maximum prices established by this Maximum Price Regulation No. 121 a sum not exceeding the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points.

§ 1340.250a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1340.249 (b), (c) (1) and (d)) to Maximum Price Regulation No. 121 shall become effective August 18 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7865; Filed, August 12, 1942; 4:31 p. m.]

PART 1345—COKE

[Amendment 2 to Revised Price Schedule 77 [1]]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1345.51 is amended, and a new section, § 1345.51a, is added, as set forth below:

§ 1345.51 *Maximum delivered prices for beehive oven furnace coke produced in Pennsylvania.* Except as hereinafter provided, on and after January 26, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer, beehive oven furnace coke produced in Pennsylvania to any consumer, and no consumer shall buy, offer to buy or accept delivery of beehive oven furnace coke produced in Pennsylvania at a delivered price higher than $6.00 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed: *Provided*, That on and after August 12, 1942, subject to the conditions hereinafter set forth, in any operation in which ovens are hand-drawn and the total coal supply for such hand-drawn ovens is necessarily trucked from the mine to the ovens, the maximum delivered price shall be $6.50 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed, subject however to the express conditions that a seller of any such coke who intends to charge a price higher than $6.00 per net ton f. o. b. cars ovens shall file with the Office of Price Administration, within seven days after first charging such higher price, an affidavit stating the name, ownership, size and average monthly production of the operation, whether part or all of the ovens are hand-drawn, the distance and place from which the coal must be trucked and whether or not all of the coal is so trucked.

§ 1345.51a *Maximum selling commissions or charges.* On and after August 12, 1942, regardless of the terms of any contract or other commitment, selling commissions or charges for the sale of beehive oven furnace coke produced in Pennsylvania shall not exceed $.25 per net ton.

§ 1345.61 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1345.51, 1345.51a, 1345.61) shall become effective August 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7866; Filed, August 12, 1942; 4:26 p. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3237, 3989, 4483.

[1] 7 F.R. 1352, 1836, 2000, 2132, 2760.

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 3 to Revised Price Schedule 50 [1]]

GREEN COFFEE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: 1351.1 (a), (b) (1), (c).

§ 1351.1 *Maximum prices for green coffee.* (a) On and after December 11, 1941, no person shall sell, offer to sell, deliver or transfer green coffee, and no person shall buy, offer to buy, or accept delivery of green coffee at prices higher than the maximum prices; except that

(1) Contracts entered into prior to December 11, 1941, providing for a price higher than the maximum prices may be carried out at the contract price.

(2) Contracts entered into prior to August 12, 1942, calling for delivery on or after that date, providing for a price higher than the maximum prices because of a bona fide error or misunderstanding as to customary trade differentials in effect prior to December 8, 1941, between types and grades of green coffee may be carried out at the contract prices: *Provided*, That the seller shall report the terms of any such contract to the Office of Price Administration, Washington, D. C., on or before September 11, 1942.

(3) Special coffee agreements now or hereafter entered into with Commodity Credit Corporation (United States Department of Agriculture, 1942, C. C. C., Coffee Form 1) providing for a price higher than the maximum prices may be carried out at the contract price.

(b) The maximum prices shall include all commissions and all other charges; except that (1) *Ocean freight, war risk insurance and marine insurance:*

(i) *Special lots of green coffee for which an onboard bill of lading was signed prior to 12:01 A. M. July 2, 1942.* Increases in the charges prevailing prior to the opening of business on December 8, 1941, for ocean freight, war risk insurance and marine insurance may be added to the maximum prices for such green coffee if such charges were actually incurred by the seller. Decreases in said charges prevailing prior to the opening of business on December 8, 1941, must be subtracted from the maximum prices for such green coffee.

(ii) *Special lots of green coffee for which an onboard bill of lading was signed after 12:01 A. M. July 2, 1942.* Increases in the charges prevailing prior to the opening of business on December 8, 1941, for freight, war risk insurance, and marine insurance may not be added to the maximum prices for such green coffee, except that increases in said charges may be added to the maximum prices in the case of sales to the War Department of the United States of America.

* * * * *

(c) The maximum prices for all types and grades of green coffee shall be as follows:

Country and Price in Cents Per Pound ex Dock New York City

SANTOS

	Strictly soft	Soft	Free from Rio flavor	Other cup descriptions or undescribed
2s	*14⅛	13⅝	12⅞	*0
2¾	14			
3	13⅞	13⅜	12⅝	9⅞
3¾	13⅝			
4	*13⅜	12⅞	12⅛	9¾
4¾	13¼			
5	13⅛	12⅝	11⅞	9⅝
5¾	13			
6	12⅞	12⅜	11⅝	9½
6¾	12¾			
7	12⅝	12⅛	11⅜	9⅜

PARANAGUA—ANGRA DOS REIS—SUL DE MINAS

[Sao Paulo shipped via Rio-Angra Dos Reis, or Paranagua]

2s	13⅞	13¼	12⅝	10
3	13⅝	13⅛	12⅜	9⅞
4	13⅛	12⅝	11⅞	9⅜
5	12⅞	12⅜	11⅜	9⅛
6	12⅝	12⅛	11⅛	9½
7	12⅜	11⅞	11⅛	9⅛

	Rio	Rio Gro style	Rio PBY
2s	10	10⅛	10⅛
3	9⅞	10⅛	10⅛
4	9⅝	10	10⅛
5	9⅝	9⅞	10
5¾			9⅞
6	9⅜	9⅝	
7	*9⅜		
7¾	9⅛		

	Victoria	Victoria Gro style	Victoria PBY
2s	9⅞	10⅛	10⅛
3	9¾	10	10⅛
4	9⅝	9⅞	10
5	9½	9¾	9⅞
5¾			9⅝
6	9⅜		9⅝
7	9¼		
7⅞	9¼		

	Pernambuco soft	Pernambuco	Bahia
2s	13⅝	10	9⅝
3	13⅜	9⅞	9½
4	12⅞	9⅝	9⅜
5	12⅜	9⅝	9¼
6		9½	9⅛
7		9⅜	9
7⅞		9¼	8⅞

COLOMBIA

Medellin Excelso	*16¼
Pensilvania Excelso	16¼
Armenia Excelso	16¼
Manizales Excelso	*15⅞
Sevilla Excelso	15⅞
Cucuta Excelso	15⅝
Bucks Excelso	15⅝
Bogota Excelso	15⅝
Girardot Excelso	15⅝
Neiva Excelso	15⅝
Libano Excelso	15⅝
Tolima Excelso	15⅝
Cumbre Excelso	15⅝
Popayan Excelso	15⅝
Narino Excelso	15½
Ocana Excelso	15¼
Santa Marta Excelso	15¼
Segunda—1¢ under Excelso for corresponding district.	
Consumo—1½¢ under Excelso for corresponding district.	
Pasilla—2½¢ under Excelso for corresponding district.	

COSTA RICA

Strictly Hard	*16½
Hard	16¼
Semi Hard	16⅛
Prime	*16
Fine Atlantic	15½
Good Atlantic	15¼

CUBA

Good Washed	*14¼
Fair Washed	13¾
Natural Soft 3's or better	11¾
Corriente Soft	10½
Corriente Hard	8⅞

ECUADOR

Washed Ecuador	13¼
Extra Superior Unwashed	*11¼
Extra Unwashed	10¾
Selecto Unwashed	10¼
Corriente Unwashed	9⅜

GUATEMALA

Antigua	16¾
Strictly Hard Bean	*16½
Hard Bean	16¼
Semi Hard	16
Extra Prime	15¾
Prime	15½
Maragogipe	15½
Extra Good Washed	14¾
Good Washed	*14½
Fair	14¼
Bourbon	14⅛
Coban Strictly Hard	16½
Coban Hard Bean	16¼
Coban Semi Hard	16
Peaberry	No premium

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1305, 1836, 2132, 2945, 5462.

HAITI

Good Washed Sweet	*13¾
Trie A La Main xx	11¼
Trie A La Main xxx	11¾
Trie A La Main xxxx	12
Trie A La Main xxxxx	12½

HAWAII

No. 1 Extra Prime	*16½

HONDURAS

Good Washed	*15
Corriente 5's Hard	9⅜

JAMAICA

Washed	*14½
Natural /A	11½
Natural /B	11
Good Ordinary	10¾

MEXICO

Coatepec	*16½
Huatusco	16⅜
Orizaba	16
Jalapa	16
Cordoba	16
Tapachula Firsts	*15½
Tapachula Seconds	15
Tapachula Thirds	14⅛
Oaxaca	15
Maragogipe	15½
Current Quality Oaxaca	13½

NICARAGUA

Matagalpa	*15
Good Washed	*14½
Superior Unwashed	13
Current Unwashed	11

PERU

Fancy Washed	*15¼

PUERTO RICO

Fancy	*15½
Good Washed	*14½

SALVADOR

High Grown	*16
Prime Washed	15¾
Good Washed	*15½
Superior Unwashed	*13¾
Current Unwashed	13⅜

SANTO DOMINGO

Good Washed Sweet	*13¾
Natural Sweet	11¼
Natural Hard	9⅜

SURINAM

Surinam	*7¾

TRINIDAD

Trinidad	*14½

VENEZUELA

Washed	Fine	Good	Ordinary
Maracaibo	15⅝	15¼	14⅝
Caracas	*15⅝	15¼	14⅝
Tachira	15⅜	15¼	14⅝
Puerto Cabello	15⅜	14⅜	14

Standard Unwashed Sweet Maracaibo	
Tachira	*13⅜
Bocono	13⅛
Tovar	13½
Trujillo	10¾

Unwashed	Good	Average	Poor
Caracas	13	12½	10¾
Puerto Cabello	12¼	12	10¾

ABYSSINIA

Long Berry Harar	*17

BELGIAN CONGO

Washed Arabica Ungraded	*15½
Washed Robusta	12½
Natural Robusta	11¼

BUKOBA

Plantation	*13½
Native Washed	11¼
Native Unwashed	10½

KENYA

Washed A	*16
Washed B	15¾
Washed C	14¾
Washed T T	14¼
Washed T	14
Washed Ungraded	15¾

MOCHA

Mocha (Arabia)	*18½

NETHERLANDS EAST INDIES

Genuine Washed Java	*19½
Sumatra—Average Age—6 months:	
Ankola	25
Nandheling	25
Timor	15½
Boengie	15½
Washed Java Robusta	11¼
Natural Java Robusta	10½

PORTUGUESE WEST AFRICA

Amboim	*11¼
Ambriz	*11¼
Novo Redondo	*11¼
Encoge	11
Cazengo	11

TANGANYIKA

Washed /A	*15¾
Washed /B	15½
Washed /C	14½
Washed /TT	14
Washed /T	13¾
Washed Ungraded	15½

UGANDA

Washed	16
Plantation	*13
Native Washed	11¼
Native Unwashed	10½

In all cases the above descriptions apply to the best quality of each type and grade mentioned. The maximum prices designated by (*) were established by Amendment No. 2 to Price Schedule No. 50,[2] which was issued on December 27, 1941 and became effective December 29, 1941. The maximum prices not designated by (*) are established by this Amendment No. 3 to Revised Price Schedule No. 50. The maximum prices for green coffee imported from any other country, or for grades of poorer quality or other descriptions than those named, shall be determined by applying the customary trade differentials in effect prior to December 8, 1941 to the maximum prices specifically set forth in this paragraph.

For aged grades of "extra superior" quality, or for imports from any country of limited amounts of coffee, markedly superior to the best grade listed for that country, a premium may be added to the maximum price listed for the corresponding grade, providing such premium is commensurate with trade practices prevailing prior to December 8, 1941.

§ 1351.9 *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1351.1 (a), (b) (1), (c)) to Revised Price Schedule No. 50 shall become effective August 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7867; Filed, August 12, 1942; 4:27 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 4 to Maximum Price Regulation 26 [1]]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In paragraph (a) of § 1381.62 under the heading entitled "Maximum Prices for Aircraft Douglas Fir, United States Treasury Department Procurement Division Specifications", subparagraphs (1) and (2) are amended and subparagraph (4) is added, as set forth below:

§ 1381.62 *Appendix A: Maximum prices for Douglas fir and other West Coast lumber where shipment originates at a mill.* (a) The maximum prices for Douglas fir lumber f. o. b. mill per one thousand feet board measure where shipment originates at the mill, shall be as follows:

• • • • • •

Maximum Prices for Aircraft Douglas Fir, United States Treasury Department Procurement Division Specifications.

(1) *Firace Grade*	$145.00
(2) *AS Grade*	115.00
• • • • •	
(4) Y Grade (United States Treasury Procurement Division Specification)	90.00
• • • • •	

§ 1381.61a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1381.62 (a)) to Maximum Price Regulation No. 26 shall become effective August 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7868; Filed, August 12, 1942; 4:33 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4573, 4701, 5180, 5360.

[2] 6 F.R. 6803.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 4 to Designation and Rent Declaration 25]

DESIGNATION OF 260 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items (60) and (64) listed in the table of § 1388.1201 [1] of Designation and Rent Declaration No. 25 are amended to read as set forth below:

§ 1388.1201 *Designation.* • • •

	Name of defense-rental area [1]	In State or States of:	Defense-rental area consists of:
	• •	•	• •
(60)	Quad Cities	Illinois	County of Rock Island.
		Iowa	County of Scott.
	• •	•	•
(64)	Savanna-Clinton	Illinois	County of Carroll.
		Iowa	County of Clinton.
	• •	•	• •

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

This Amendment No. 4 (§ 1388.1201) shall become effective August 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7871; Filed, August 12, 1942; 4:33 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 1 to Ration Order 5 B [1]]

Section 1394.2751 and paragraph (b) of § 1394.2703 are hereby repealed, § 1394.2752 is redesignated § 1394.2751; two new sections, §§ 1394.2752, and 1394.3052 (a), and two new paragraphs (b) and (c) of § 1394.2851 are added; and §§ 1394.2251, 1394.2304 (b), 1394.2305 (a), 1394.2306 (a) and (l), 1394.2354 (b), 1394.2404 (a), 1394.2405 (a) (2), 1394.2653 (a), 1394.2804 (a), and 1394.2805 (a), are amended, as set forth below.

Basic Rations

§ 1394.2251 *Persons entitled to basic rations.* (a) The owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle may obtain during the period from July 22, 1942 to January 31, 1945 a basic ration for use with such vehicle, except that no basic ration shall be issued for use with a passenger automobile or motorcycle which is:

(1) A public car, taxi, or vehicle available for public rental.

(2) Owned or leased by a Federal, Insular, municipal, or foreign government or government agency.

(3) Specially built or rebuilt as an ambulance or hearse.

(4) Part of a fleet of passenger automobiles or motorcycles; or

(5) Held by a motor vehicle dealer for sale or resale.

Supplemental Rations

§ 1394.2304 *Allowance of mileage.* • • •

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow mileage for any of the purposes listed in § 1394.2303 (b) for which the applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. In the absence of a ride-sharing arrangement the Board shall allow only that portion of the claimed mileage with respect to which the applicant has established the inadequacy of alternative means of transportation in accordance with paragraph (a) (2) (ii) of this section. The Board shall then allow the applicant an average occupational mileage per month required by the applicant: *Provided*, That the Board shall not allow an average of more than 256 miles per month for a passenger automobile, or more than 280 miles per month for a motorcycle, for occupational mileage unless the mileage in excess of such 256 miles or 280 miles per month consists of preferred mileage as defined in § 1394.2306 The total occupational mileage allowed any applicant shall not exceed 576 miles per month for a passenger automobile, or 560 miles per month for a motorcycle.

• • • • • •

§ 1394.2305 *Issuance of supplemental rations.* (a) Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.2304 for the unexpired portion of the ration period for which the ration book issued is valid.

(1) In the case of a passenger automobile the Board shall issue:

(i) In the event that the occupational mileage allowed by the Board is 256 miles per month or less, sufficient coupons in one Class B book to provide the gallonage determined by the Board to be necessary for the mileage allowed for the three-month ration period. For the purpose of determining the gallonage necessary for such mileage the Board shall conclusively presume that a passenger automobile obtains an average of 12 miles per gallon.

(ii) In the event that the mileage allowed by the Board pursuant to §§ 1394.2304 and 1394.2306 exceeds 256 miles per month, sufficient coupons in one Class C book to provide the gallonage determined by the Board to be necessary for the mileage allowed for the three-month ration period. For the purpose of determining the gallonage necessary for such mileage the Board shall conclusively presume that a passenger automobile obtains an average of 12 miles per gallon.

(2) In the case of a motorcycle, the Board shall issue sufficient coupons in not more than two Class D books, if the mileage allowed is 280 miles or less per month, or in not more than four Class D books, if the mileage allowed is more than 280 miles per month, to provide the gallonage determined by the Board to be necessary for the six-month ration period. Each such book shall be marked "Supplemental". For the purpose of determining the gallonage necessary for such mileage the Board shall conclusively presume that the motorcycle obtains 35 miles per gallon.

§ 1394.2306 *Preferred mileage.* The mileage driven, in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

(a) By a duly elected or appointed agent, officer, representative, or employee of a Federal, insular, municipal, or foreign government or government agency for performing the official business or carrying out an official function of such government or government agency in a passenger automobile or motorcycle not owned or leased by such government or government agency.

• • • • • •

(l) By traveling salesmen engaged in the sale of necessary productive equipment for farms, factories, mines, and similar productive or extractive establishments, or of medical supplies, if the marketing of such equipment or supplies by salesmen is essential to the war effort.

Fleet Rations (for Fleet Passenger Automobiles and Motorcycles)

§ 1394.2354 *Allowance of mileage.* • • •

(b) Subject to the provisions of paragraph (a) of this section, the Board shall allow the total average mileage per month determined by it to be required in the pursuit of an occupation, and shall issue a ration in accordance with the provisions of §1394.2355 to provide such mileage: *Provided*, That the Board shall not allow more than 256 miles per month for any passenger automobile, nor an average of more than 256 miles per month per automobile for any group of passenger automobiles, nor shall it allow more than 280 miles per month for a motorcycle, nor an average of more than 280 miles per month per motorcycle for any group of motorcycles, unless such excess mileage consists of preferred mileage as defined in § 1394.2306. The total occupational mileage allowed to any applicant shall not exceed 576 miles per month per passenger automobile nor more than 560 miles per month per motorcycle.

Service Rations

§ 1394.2404 *Application for service ration.* (a) Application for a service ration may be made to a Board by the owner or the person entitled to the use of the vehicle, or the agent of either of them, on and after July 22, 1942, on Form OPA PRR-3. One application form may be used for all vehicles for which the applicant seeks a service ration.

[1] 7 F.R. 3195, 3892, 4179, 5812.

[2] 7 F.R. 5607.

§ 1394.2405 *Issuance of service rations.* (a) Service rations shall be issued to eligible applicants in the manner indicated below:

* * * * *

(2) Government Passenger Automobiles and Motorcycles: Sufficient coupons in not more than one S–1 book for an automobile, or in not more than four Class D books, each marked "Service," for a motorcycle, or bulk coupons, if bulk coupons are requested, to provide the gallonage necessary for the minimum mileage required during the five-month ration period, in the case of an automobile, or the six-month ration period, in the case of a motorcycle, solely for the performance of official government business. For the purpose of determining the gallonage necessary for the mileage allowed vehicles pursuant to this paragraph, the Board shall conclusively presume that the automobile is operated an average of 12 miles per gallon, and the motorcycle, 35 miles per gallon.

Restrictions on Use of Rations and Gasoline

§ 1394.2653 *Change of occupation of holder of Class C ration.* (a) The holder of a Class C ration (or of a Class D ration based on allowed mileage in excess of 280 miles per month) shall report to the issuing Board any change in the principal occupation for the pursuit of which such ration was issued. Such report shall be transmitted to the Board within five (5) days after such change and shall describe fully the nature of the new occupation, the exact type of work performed, the business or industry in which such work is performed, and the purpose, if any, for which the motor vehicle will be used in such new occupation. If, on the basis of such report, the Board finds that such motor vehicle will no longer be used for a preferred purpose listed in § 1394.2306, it shall notify such holder, in writing, that his right to such ration is to be re-examined. Such notice shall be mailed to such holder at the address shown on his application (or at the address shown on his report), and shall require him to file a new application for a ration within ten (10) days after the mailing date shown on such notice. If no new application is filed within such time, the Board shall revoke such ration and shall recall all Class C books or coupons (or Class D books or coupons based on allowed mileage in excess of 280 miles per month) issued in connection therewith. If a new application is filed, and if the Board determines that the motor vehicle will be used for a preferred purpose listed in § 1394.2306, it shall take no further action. If the Board finds that the vehicle will no longer be used for a preferred purpose listed in § 1394.2306, it shall revoke the ration and recall the coupons or coupon book originally issued and shall issue, in lieu thereof, such ration if any, as it determines that the holder is entitled to receive on the basis of his new application.

General Provisions With Respect to Issuance of Gasoline Rations

§ 1394.2752 *Temporary certification in lieu of license certificate.* (a) If the license certificate of any applicant is held at the time of application for a ration book by the Department of Interior of the Insular Government, such person may obtain a ration book by certifying in writing to such fact. A ration book so issued shall be invalid, and shall be surrendered to the Board, within two weeks after issuance unless the license certificate or a duplicate thereof is presented to the Board.

Expiration and Revocation of Rations

§ 1394.2804 *Denial of gasoline rations* (a) No person whose name has been recorded by a Board, in accordance with the provisions of § 1394.2806 (c) for refusal to surrender a gasoline ration book upon direction of the Board, or for failure or refusal, without good cause shown, to appear before such Board for examination, shall be entitled to obtain a ration of any type under Ration Order No. 5 B while his name remains thus recorded.

§ 1394.2805 *Suspension and revocation of rations.* (a) All coupon books, bulk coupons and inventory coupons issued shall remain the property of the Office of Price Administration. The Director of the Office of Price Administration for Puerto Rico may suspend, cancel, revoke, or recall any ration, and may require the surrender and return of any coupon book, bulk coupon or inventory coupons during suspension or pursuant to cancellation, whenever he deems it to be in the public interest to do so.

Restrictions on Transfers

§ 1394.2851 *Restrictions on transfer to consumers.* * * *

(b) No dealer shall transfer gasoline to a consumer on August 1, 1942, or August 2, 1942.

(c) On or after August 3, 1942, no dealer shall transfer gasoline to a consumer between the hours of 6 p. m. on any day and 8 a. m. on the following day, nor between the hours of 1 p. m. on a Saturday and 8 a. m. on the following Monday.

Replenishment and Audit

§ 1394.2901 *Registration of inventory and capacity.* (a) No dealer or intermediate distributor having a place of business in Puerto Rico shall make or receive any transfer of gasoline between the hours of 4 p. m. and midnight on July 31, 1942. During such hours every dealer shall take an actual physical inventory of his total gasoline supplies on hand and shall register, on Form OPA R–545, in duplicate, with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(1) His total inventory of gasoline on hand as of the close of business on July 31, 1942;

(2) His total gasoline storage capacity;

(3) His name, firm name, business address, and type of business;

(4) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by such dealer or intermediate distributor for each place of business in Puerto Rico where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located.

Effective Dates

§ 1394.3052 *Effective Dates of Amendments.* (a) Amendment No. 1 to Ration Order No. 5 B (§§ 1394.2251; 1394.2304 (b); 1394.2305 (a); 1394.2306 (a) and (1); 1394.2354 (b); 1394.2404 (a); 1394.2405 (a) (2); 1394.2653 (a); 1394.2703 (b); 1394.2751; 1394.2752; 1394.2804 (a); 1394.2805 (a); 1394.2851 (b) and (c); and 1394.3052 (a) shall become effective July 27, 1942.

(Pub. No. 617, 76th Cong., 3rd sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2nd sess., Pub. No. 421, 77th Cong., 2nd sess., WPB Directive No. 1, Supp. Dir. No. 1 J, OPA Administrative Order 18, 7 F.R. 5148.

Issued this 27th day of July 1942.

PAUL EDWARDS,
Director of the Office of Price Administration for Puerto Rico.

[F. R. Doc. 42–7872; Filed, August 12, 1942; 4:34 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 2 to Ration Order 5B [1]]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A new section, § 1394.2407, and two new paragraphs, paragraph (b) of § 1394.2913 and paragraph (b) of § 1394.3052, are added; and §§ 1394.2306 (k) and (l), 1394.2406 (a); and 1394.2601, are amended, as set forth below:

Supplemental Rations

§ 1394.2306 *Preferred mileage.* The mileage driven, in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

* * * * *

(k) By a worker (including an executive, technician, or office worker, but not including salesmen) or by an employer, employer's representative or representative of a labor organization in travel to, from, within, or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

* * * * *

(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants or establishments engaged in the production or distribution of heat, light, power, petroleum products, gas, steam or water; or of irrigation, drainage, flood-control or sanitation systems; or of telephone, telegraph, radio or other communications systems; or of newspapers.

* * * * *

(l) By traveling salesmen engaged in the sale of necessary productive equipment for farms, factories, mines, and similar productive or extractive establishments, of medical supplies, or of petroleum products, if the marketing of such equipment or supplies by salesmen is essential to the war effort.

Service Rations

§ 1394.2406 *Issuance of essential service rations to trucks.* (a) On or after August 15, 1942, a Board, in its discretion, may issue one or more additional S–1 books, in the case of light trucks, and one or more additional S–2 books, in the case of heavy trucks, for any truck the principal use of which is made in one or more of the following essential services:

* * * * *

(12) To deliver newspapers wholesale.

§ 1394.2407 *Issuance of temporary Class S–1 Certificate.* (a) Notwithstanding any other provisions of Ration Order No. 5B, a Board may issue, in lieu of one Class S–1 Book, whenever a Class S–1 Book is not available, a Temporary Class S–1 Coupon Certificate (Form OPA PRR–10), valid only until August 15, 1942.

(b) Every Temporary Class S–1 Coupon Certificate issued pursuant to paragraph (a) of this section shall be surrendered to the Board upon issuance of the regular Class S–1 Book in lieu of which such Coupon Certificate was originally issued. The Board shall remove from the Class S–1 Book issued at least a number of S coupons equal to the number of units which had been detached from the Coupon Certificate at the time of its surrender to the Board.

Gallonage Value of Coupons

§1394.2601 *Value of coupons.* (a) Each gasoline ration coupon of the class herewith designated shall have the following value in gallons of gasoline:

Class:	
A	1
B	4
C	1½
D	½
E	3
R	10
S-1	3
S-2	8

Replenishment and Audit

§ 1394.2913 *Exchange of coupons for certificates.* * * *

(b) The Director of the Office of Price Administration for Puerto Rico may require any dealer or intermediate distributor to exchange all coupons of any class or classes held by such dealer or intermediate distributor for exchange certificates, inventory coupons, or other evidences of gallonage value within 24 hours after announcement of an alteration in the unit value of coupons pursuant to the provisions of § 1394.2501 (b).

Effective Date

§ 1394.3052 *Effective date of amendments.* * * *

(b) Amendment No. 2 to Ration Order No. 5 B (§§ 1394.2306 (k) and (l); 1394.2406; 1394.2407; 1394.2601; 1394.2913 (b); and 1394.3052 (b)) shall become effective July 29, 1942.

Issued this 29th day of July 1942.

PAUL EDWARDS,
Director of the Office of Price Administration for Puerto Rico.

[F. R. Doc. 42–7873; Filed, August 12, 1942; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 56 under § 1499.3 (b) of the General Maximum Price Regulation [1]]

NICKEL ANODES FOR NICKEL PLATING

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.270 *Maximum price at which any seller, other than a seller at wholesale or retail, may sell new or partly used nickel anodes for nickel plating purposes if such seller is unable to determine a maximum price under § 1499.2 of the General Maximum Price Regulation.* (a) On and after August 13, 1942, any person, other than a seller at wholesale or retail, having any new or partly used nickel anodes for which he is unable to determine a maximum price under § 1499.2 of the General Maximum Price Regulation, may sell and deliver such new or partly used nickel anodes to any person authorized by the Director General for Operations, War Production Board, to purchase such new or partly used nickel anodes for nickel plating purposes or for resale for nickel plating purposes, and any such person may purchase for nickel plating purposes, or for resale for nickel plating purposes, such new nickel anodes at a price not in excess of 46¢ per pound (weight without hooks) f. o. b. seller's place of business and such partly used nickel anodes at a price not in excess of 43¢ per pound (weight without hooks) f. o. b. seller's place of business. Nothing contained in this section shall supersede or modify the provisions of Revised Price Schedule No. 8 [2] or any amendment thereto.

(b) This Order 56 may be revoked or amended by the Price Administrator at any time.

(c) This Order 56 (§ 1499.270) shall become effective as of August 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7874; Filed, August 12, 1942; 4:31 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276.

[2] 7 F.R. 1224, 1836, 2132, 2478, 2818.

PART 1499—COMMODITIES AND SERVICES

[Order 16 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF1–228–P]

ARIZONA BREWING CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.316 *Adjustment of maximum prices for beer produced by Ralph B. Feffer, Trustee in Bankruptcy for Arizona Brewing Company.* (a) Ralph B. Feffer, Trustee in Bankruptcy for Arizona Brewing Company, 1153 East Madison Street, Phoenix, Arizona, may sell and deliver and any person may buy and receive from Ralph B. Feffer, Trustee in Bankruptcy for Arizona Brewing Company, the following commodities at prices not higher than those set forth below:

DUTCH TREAT BEER

11 oz. bottles—1 to 9 cases, $1.45 per case, plus state tax and deposit; 10 to 24 cases, inclusive, $1.30 per case, plus state tax and deposit; 25 cases or over, $1.25 per case, plus state tax and deposit.

32 oz. bottles—1 to 9 cases, inclusive, $2.00 per case, plus state tax and deposit; 10 to 24 cases inclusive, $1.85 per case, plus state tax and deposit; 25 cases or over, $1.80 per case, plus state tax and deposit.

ELDER BRAU BEER

12 oz. bottles—1 to 4 cases, inclusive, $1.75 per case, plus state tax and deposit; 5 to 9 cases, inclusive, $1.70 per case, plus state tax and deposit; 10 to 24 cases, inclusive, $1.65 per case, plus state tax and deposit; 25 cases or over, $1.60 per case, plus state tax and deposit.

32 oz. bottles—1 to 4 cases, inclusive, $2.25 per case, plus state tax and deposit; 5 to 9 cases, inclusive, $2.20 per case, plus state tax and deposit; 10 to 24 cases, inclusive, $2.15 per case, plus state tax and deposit; 25 cases or over, $2.10 per case, plus state tax and deposit.

(b) The adjustment granted to Ralph B. Feffer, Trustee in Bankruptcy for Arizona Brewing Company, in paragraph (a) is subject to the following conditions:

1. Ralph B. Feffer, Trustee in Bankruptcy for Arizona Brewing Company shall forthwith, by circular or other appropriate means, notify its customers that the Office of Price Administration has authorized adjustment of its maximum prices to those set forth in paragraph (a).

(c) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 16 (§ 1499.316) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 16 (§ 1499.316) shall become effective August 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7869; Filed, August 12, 1942; 4:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 17 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF1–192–P]

UNITED GROCERY CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.367 *Adjustment of maximum prices for the following commodities sold by United Grocery Company.* (a) United Grocery Company, of Irvington, New Jersey, may sell and deliver to United Grocery Company retail outlets, and any such retail outlet may buy and receive from United Grocery Company the following commodities at prices not higher than those set forth below:

Item	Size	Unit	Price
Bottle Caps	1 gross	12	$2.39
Chickadee Candy	1 lb. boxes	32	4.02
Rivet Puffed White Rice	4 oz. pkge	24	1.31
Dairy Maid Baking Choc	½ lb. bars	12	1.21
Clothes Line	50 ft. hanks	12	2.62
Clothes Line	100 ft. hanks	12	5.02
Ezee Freeze Ice Cream Mix	Pkge	12	.82
Fiske Pie Crust Mix	Pkge	12	1.39
Libby Corned Beef Hash	1 lb. tins	24	4.50
Blue King Mayonnaise	1 gal. jars	2	3.19
Mop Handles	each	12	1.26
Imported Olive Oil	1½ oz. bottle	24	2.09
Imported Olive Oil	6 oz. bottle	12	3.82
Dromedary Tapioca	7 oz. pkge	24	2.41
Blue King Desserts, Gelatin	3¼ oz. pkge	12	.58
Blue Ribbon Malt	3# tins	6	5.76
Pancake Syrup	12 oz. bottle	12	1.52
Pancake Syrup	32 oz. bottle	12	2.83
Libby Vienna Sausage	#½ tin	18	1.83
Blue King Vinegar	1 gal. jug	4	1.10
Pure Extract	1½ oz. bottle	12	2.10
Celery Seed	1¼ oz. pkge	12	1.51
Cinnamon	1¼ oz. pkge	12	1.51
Nutmeg	1 oz. pkge	12	1.36
Black pepper	2 oz. pkge	12	.53
Cream of Tartar	1½ oz. pkge	6	.98
Thyme	½ oz. pkge	12	.79
Tumeric	1¼ oz. pkge	12	.79
Whole Spice, Cinnamon	1 oz. pkge	12	1.03
Whole Cloves	1 oz. pkge	12	.83
Whole Nutmeg	1½ oz. pkge	12	1.36
All Spice	1¼ oz. pkge	12	.79
Beechnut Coffee	1# tin	12	3.80
Desire Coffee	Bulk	20	3.80
Maxwell House Coffee	2 lb. tins	12	7.28
Maxwell House Coffee	1 lb. tins	12	3.77
Savarin Coffee	1 lb. tin	24	7.65
Sanka Coffee	1 lb. tin	12	4.08
Yuban Coffee	1 lb. tin	12	4.40
California Mackerel	1 lb. tin	24	3.09

(b) The relief granted herein is granted without prejudice to the prayers of the application for relief on other items listed in its protest, the consideration of such additional items having not yet been completed.

(c) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 17 (§ 1499.367) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 17 (§ 1499.367) shall become effective August 13, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7870; Filed, August 12, 1942; 4:29 p. m.]

Chapter XIII—Office of Petroleum Coordinator for War

[Recommendation No. 41]

PART 1504—PROCESSING AND REFINING

CATALYTIC CRACKING AND HYDRO CATALYTIC REFORMING

To Shell Development Company, Standard Catalytic Company, Standard Oil Development Company, Texaco Development Corporation, Standard Oil Company (Indiana), Universal Oil Products Company, The M. W. Kellogg Company, and their respective affiliated companies:

The above-named companies have represented that they have exchanged technical data and information and have cooperated in the development of new and efficient catalytic refining processes including a continuous catalytic cracking process using a so-called fluid catalyst (hereinafter called the "Catalytic Cracking Process") and a catalytic reforming process carried out in the presence of hydrogen (hereinafter called the "Hydro Catalytic Reforming Process") which are now available for commercial use and other catalytic refining processes closely related thereto which are rapidly approaching the stage of development where they will be available for commercial use by the petroleum industry; that they have patent rights pertaining to such processes and are in a position to license the Catalytic Cracking Process and the Hydro Catalytic Reforming Process to the petroleum industry and to assist the industry in making use of such processes.

They have further represented that these processes will increase the quantity, as well as improve the quality, of high octane aviation gasoline, will increase the quantity of toluene and will produce raw materials suitable for use in the production of butadiene; and that they are willing materially to reduce the royalty rates heretofore established for such processes in so far as such processes are used in connection with the war program.

Therefore, pursuant to the President's letter of May 28, 1941 establishing the Office of Petroleum Coordinator for War, I do hereby recommend that immediately and until further notice:

AUTHORITY: §§ 1504.52 to 1504.54, inclusive, issued under the authority contained in the President's letter of May 28, 1941, to the Secretary of the Interior (6 F.R. 2760).

§ 1504.52 *Designs and plants.* Shell Development Company, Standard Catalytic Company, Standard Oil Development Company, Texaco Development Corporation, Standard Oil Company (Indiana), Universal Oil Products Company, The M. W. Kellogg Company, and their respective affiliated companies, or any of them, shall negotiate a cross-license and licensing arrangement and carry forward their cooperative research and development work with respect to the Catalytic Cracking Process, the Hydro Catalytic Reforming Process and the related catalytic refining processes above mentioned; and, with respect to such processes as now are or shall become available for commercial use, shall standardize the design, construction, and operation of plants adapted to operate such processes, so far as possible and consistent with the present need for saving critical materials, shall make available to the petroleum refining industry, directly or through agents and engineering contractors, all preliminary information and data to enable any petroleum refiner to obtain prompt and reliable estimates and bids, and, shall make available to any petroleum refiner licensed under the patent rights of the above-named companies for such processes or any of them all information required in connection with the construction and operation of licensed plants: *Provided*, That no such cross-license and licensing arrangement shall become operative until it has been specifically approved by the Chief Counsel of the Office of Petroleum Coordinator for War and certified by the Chairman of the War Production Board pursuant to section 12 of Public Law No. 603, 77th Congress.

§ 1504.53 *Licenses.* The terms and conditions in any license for any of such processes, to be issued under the collective patent rights under any cross-license or licensing arrangement developed pursuant to § 1504.52 of this chapter, shall be negotiated in the usual manner between the licensor and licensee, shall be subject to the approval of Chief Counsel of the Office of Petroleum Coordinator for War, and, among other things, shall not provide any royalty rate in excess of that approved by the Office of Petroleum Coordinator for War with respect to all products produced and sold, prior to the expiration of six months after the termination of the present war, to the Government of the United States, any duly authorized agency thereof, or, upon the written request of the Government of the United States, to any other purchaser designated in writing by the Government of the United States, shall provide that the licensor shall defend the licensee at the licensor's own cost and expense and shall indemnify and hold such licensee harmless against patent infringement suits brought by others up to the extent of the royalties received under the license from the licensee, and, shall contain a most-favored-licensee clause and suitable definitions.

§ 1504.54 *Scope.* §§ 1504.52 and 1504.53 of this chapter do not grant any exclusive right, privilege, or interest to any of the parties named herein or in the development or licensing of any of the processes referred to herein and do not constitute any judgment in favor of or against the value or merits of any patent rights involved or sanction the doing of any act or thing or the omission to do any act or thing beyond such as may be set forth in said sections or alter, modify or amend any of the provisions of the Consent Decree entered in the District Court of the United States for the District of New Jersey on March 25, 1942 in the case of United States of America v. Standard Oil Company (New Jersey) et al.

HAROLD L. ICKES,
Deputy Petroleum Coordinator for War.

JULY 24, 1942.

[F. R. Doc. 42–7900; Filed, August 13, 1942; 11:41 a. m.]

[Recommendation No. 48]

PART 1504—PROCESSING AND REFINING

WAR PROCESSES

To those persons, natural or artificial, owning or controlling technical information pertaining to processes which are necessary or useful in producing aviation gasoline, alcohols, benzene, toluene and other materials necessary or useful in the war, which are manufactured or otherwise obtained from petroleum and petroleum hydrocarbons.

The successful prosecution of the war depends in no small degree upon the technical skill and ingenuity exercised by the petroleum industry in the production of aviation gasoline, alcohols, benzene, toluene and other necessary or useful materials, which are manufactured or otherwise obtained from petroleum and petroleum hydrocarbons. Recognizing this fact, certain members of the petroleum refining industry have offered their respective patent rights and technical information pertaining to such processes. However, this Office deems it essential to collect the pertinent information as to certain processes wherever available in the entire petroleum refining industry and to direct exchanges thereof to make possible the largest saving of critical materials in new construction, the maximum utilization of existing facilities, the most efficient design or adaptation of plants to produce war products and the quickest procurement of required amounts of such products.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, I do hereby recommend that immediately and until further notice:

AUTHORITY: §§ 1504.60 to 1504.63, inclusive, issued under the authority contained in the President's letter of May 28, 1941, to the Secretary of the Interior (6 F.R. 2760).

§ 1504.60 *War processes.* Each person, natural or artificial, owning or controlling technical information pertaining to processes necessary or useful in producing aviation gasoline, alcohols, benzene, toluene, and other materials necessary or useful in the war, which are manufactured or otherwise obtained from petroleum and petroleum hydrocarbons, which can contribute to the furtherance of the war program, shall furnish this Office, if, as and at the time requested by this Office, with a typical detailed flow sheet for each such process so indicated setting forth thereon the pertinent data and information necessary or useful in an understanding thereof, with a detailed statement of typical results on typical charging stocks charged to such process and with such further technical information as may be designated from time to time by this Office.

§ 1504.61 *Licenses.* Any license that may be issued for any process referred to in § 1504.60 of this chapter, covering the operation of any war plant, during the period that the United States of America is at war or during the period of the existing National Emergency as declared by the President to exist by his proclamation dated May 27, 1941, whichever period is the longer, shall contain terms and conditions subject to the approval of Chief Counsel of the Office of Petroleum Coordinator for War and shall not provide any rate or rates of royalty in excess of those recommended by this Office. The operator of any war plant shall be entitled to the issuance to him upon request of such a license covering his operation of such war plant.

§ 1504.62 *Exchange of technical information.* Each person, natural or artificial, referred to in § 1504.60 of this chapter shall exchange technical data and information in the field of such process, if, as and at the time requested by this Office, with any other such person having a similar or complementary process, upon such terms and conditions and to such extent and for such time as this Office may from time to time direct and approve, so that pertinent information can be sent to those persons, natural or artificial, indicated by this Office, for application to the design, construction or operation of war plants or to other matters necessary or useful in furthering the war program.

Each party to any such exchange and any party receiving any information thereunder shall agree that it will not, during the period that the United States of America is at war or during the period of the existing National Emergency declared by the President to exist by his proclamation dated May 27, 1941, whichever period is the longer, with respect to any war plant receiving technical data or information involved in any such exchange, bring or cause to be brought any action or suit for infringement of patents against any other such party or against the licensees of any such party to any such exchange or against any party receiving any information hereunder pursuant to the approval of this Office, such agreement being without prejudice to the right of any party to bring or cause to be brought, after such period, any action or suit for infringement, if any, which may have been committed.

Neither any agreement concerning any such exchange of technical data and information nor any agreement as to any cross-license or licensing arrangement that may be entered into by any party as a result of action pursuant to §§ 1504.60 to 1504.62, inclusive, of this chapter, shall become operative until it has been specifically approved by the Chief Counsel of the Office of Petroleum Coordinator for War and certified by the Chairman of the War Production Board pursuant to Section 12 of Public Law No. 603, 77th Congress.

Nothing in §§ 1504.60 to 1504.62, inclusive, of this chapter, shall be construed to alter, modify or amend the provisions of the Consent Decree entered in the District Court of the United States for the District of New Jersey on March 25, 1942 in the case of United States of America v. Standard Oil Company (New Jersey) et al.

§ 1504.63 *Committees.* Any committee, sub-committee, or person appointed by the Office of Petroleum Coordinator for War, shall be empowered to work with any other committee, sub-committee or person designated by this Office, for the purpose of assisting the representatives of this Office in the study and determination of methods, materials and mechanisms to achieve the intendment of §§ 1504.60 to 1504.62, inclusive, of this chapter, and further, to assist such representatives in such execution thereof as may be required.

HAROLD L. ICKES,
Deputy Petroleum Coordinator for War.

JULY 24, 1942.

[F. R. Doc. 42–7901; Filed, August 13, 1942; 11:40 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

Subchapter O—Regulations Applicable To Certain Vessels and Shipping During Emergency

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN; REGULATIONS DURING EMERGENCY

By virtue of the authority vested in me by R.S. 161, 4405, 4438, 4439, 4440, 4441, 4442, 4488, 4491, as amended, 49 Stat. 1544, (5 U.S.C. 22, 46 U.S.C. 375, 224, 226, 228, 229, 214, 481, 489, 367) and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the emergency regulations and approval of miscellaneous items of equipment for the better security of life at sea, are prescribed:

Part 155 is amended by the addition of a new § 155.12, reading as follows:

§ 155.12 *Original licenses.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by

§§ 36.1–1[1], 62.1[2], 78.1, 96.1, and 115.1 of this chapter:

(a) Before an original license is granted to any person to act as master, mate, pilot, or engineer, he shall personally appear before some board of local inspectors for examination. Any person who has attained the age of 21 years and is qualified in all other respects shall be eligible for examination: *Provided*, That license as third mate, third assistant engineer, or second-class pilot may be granted to applicants who have reached the age of 19 years, and that license as second mate or second assistant engineer may be granted to applicants who have reached the age of 20 years and are qualified in all other respects: *Provided, further*, That no such license as second mate or second assistant engineer may be raised in grade before the holder thereof shall have reached the age of 21 years.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

Davit

Welin Straight Boom Sheath Screw Davit, Type "B" (General arrangement Dwg. No. 2203, dated 18 February 1942) (Maximum load of 6,500 pounds per arm), manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Lifeboat Hand-Propelling Gear

Allen hand-operated lifeboat propelling gear, Model 1942 (Dwg. No. 100, dated 25 February 1942), manufactured by C. W. Allen, San Francisco, California.

Life Rafts

18-person life raft (Dwg. No. 4, dated 8 July 1942), manufactured by R. & J. F. Johnson, 204 E. 58th Street, New York, New York.

18-person life raft (Dwg. No. 44, dated 19 June 1942), manufactured by Kearns Bros., Redwood City, California.

15-person and 18-person plywood pontoon life rafts (Dwg. Nos. PLR–5, dated 20 June 1942; and PLR–4, dated 20 June 1942; respectively), manufactured by Hunter Boat Co., Suisun, California.

20-person catamaran life raft (Dwg. dated 1 July 1942), manufactured by R. H. Bozman & Bros., Baltimore, Maryland.

Life Floats

Steel float No. 19–A, 19-person metallic cylinder life float (Dwg. No. 1718, dated 6 July 1942), manufactured by L. A. Young Spring and Wire Corp., Oakland, California.

Line-Carrying Gun

Steel line-carrying gun (Dwg. No. D–1374–GD, Alt. C., dated 24 April 1942), manufactured by Heat Transfer Products, Inc., New York, N. Y.

Life Preservers

Style 2B adult balsa wood life preserver (Dwg. dated 8 June 1942), Approval No. B–159, manufactured by The American Pad & Textile Company, Greenfield, Ohio.

10–A–#1 adult kapok life preserver, Approval No. B–157; and 10–A–#2 adult kapok life preserver, Approval No. B–158 (Dwgs. dated 22 June 1942), manufactured by Colvin-Slocum Boats, Inc., New York, New York. (10–A–#2 adult kapok life preserver approved for general use and also for use with lifesaving suits.)

Adult kapok life preserver, quilted type (Dwg. No. SAKJ–14, dated 22 July 1942) Approval No. B–161, manufactured by Seaway Manufacturing Co., Inc., New Orleans, Louisiana. (Approved for general use and also for use with lifesaving suits).

Adult kapok life preserver, quilted type (Dwg. dated 17 July 1942) Approval No. B–162, manufactured by Acme Products, Inc., New Haven, Conn. (Approved for general use and also for use with lifesaving suits).

No. 101 adult kapok life preserver (Dwg. Fig. No. 101, Approval No. B–160), manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Lifesaving Suits

Boston fire-resistant overboard coverall lifesaving suit, Model CM, submitted by R. L. Morey Co., Inc., New York, N. Y. (In conjunction with life preservers bearing Approval Nos. B–97, B–152, B–153, B–154, B–155, B–156, B–158, B–161, or B–162.)

The B. F. Goodrich Co. lifesaving suit, Model 1, submitted by the B. F. Goodrich Co., Akron, Ohio. (In conjunction with life preservers bearing Approval Nos. B–97, B–152, B–153, B–154, B–155, B–156, B–158, B–161, or B–162.)

Victory Lifesaving Suit, submitted by The Watertight Slide Fastener Corp., New York, New York. (In conjunction with life preservers bearing Approval Nos. B–97, B–152, B–153, B–154, B–155, B–156, B–158, B–161, or B–162.)

Model M–M–1 lifesaving suit, manufactured by the Seamless Rubber Company, New Haven, Conn. (In conjunction with life preservers bearing Approval Nos. B–97, B–152, B–153, B–154, B–155, B–156, B–158, B–161, or B–162.)

R. R. WAESCHE,
Commandant.

AUGUST 12, 1942.

[F. R. Doc. 42–7878; Filed, August 13, 1942; 9:41 a. m.]

[1] 6 F.R. 6701; 7 F.R. 2641, 4235.
[2] 7 F.R. 2643.

Chapter IV—War Shipping Administration

[General Order No. 11, Supplement 1–B]

PART 302—CONTRACTS WITH VESSEL OWNERS

AMENDMENT OF WARSHIPOILTIME FORM

Amendment to Clause 4, Sec. 302.55 (Warshipoiltime).

The provisions of Clause 4 of time charter form 102 (Warshipoiltime) § 302.55, 7 F.R. 4588, shall not be construed to require any reduction of hire to the extent that time lost thereunder does not exceed six (6) hours in any one period: *Provided*, That the owner shall, at all times during such period, employ the utmost dispatch and diligence to remedy the deficiency of the vessel.

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

AUGUST 12, 1942.

[F. R. Doc. 42–7886; Filed, August 13, 1942; 10:30 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order No. 105]

COMMON CARRIERS BY WIRE OR RADIO

INFORMATION TO BE FILED

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of August 1942;

The Commission desiring to obtain full and complete information necessary to the proper administration of its duties under the Communications Act of 1934, as amended, pertaining to the proper keeping of accounts, records and memoranda of carriers;

It is ordered, That each and every common carrier by wire or radio to which this Commission's accounting regulations (including those in force under the provisions of section 604 (a) of the Communications Act of 1934, as amended) are applicable shall file with this Commission, under oath, not later than September 10, 1942, the following information:

(1) The name and title of the individual responsible (at the date of filing the response hereto) for compliance by the filing carrier with such accounting regulations, together with the date such individual was made thus responsible;

(2) The name and title of each and every other individual responsible for compliance by the filing carrier with such accounting regulations at any time between July 11, 1934, and the date of filing the response hereto, both dates inclusive, together with the respective beginning and concluding dates of the period during which each such individual was thus responsible;

(3) With respect to each individual named in response to the foregoing paragraphs (1) and (2), the source of the assignment, or the delegation, of responsibility to him for compliance with such regulations (such as, e. g., by-laws, resolution of the board of directors, or special action of the stockholders); together with a certified copy of the instrument or other evidence of action, if any, establishing such responsibility; and

(4) With respect to each individual named in response to the foregoing paragraphs (1) and (2), the name of the group or individual to whom he is or was responsible (such as, e. g., stockholders, board of directors, executive committee, chairman of the board, or president) under the provisions of the instrument establishing such responsibility;

It is further ordered, That a supplemental response shall be filed setting forth all the information called for by the foregoing requirements with respect to each new individual to whom the aforementioned responsibility may be assigned or delegated at any time after the filing of the original response hereto, such supplemental filing to be made not more than five (5) days after such new assignment or delegation;

It is further ordered, That references to the information appearing in the annual reports to the Commission (such as Forms M, O, and R) shall be deemed not to be responsive to this order.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–7884; Filed, August 13, 1942; 10:05 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 1—GENERAL RULES OF PRACTICE

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AUTHORITY: §§ 1.1 to 1.102, inclusive, issued under sec. 17, 24 Stat. 385, sec. 6, 25 Stat. 861, sec. 2, 40 Stat. 270, secs. 430–432, 41 Stat. 492, 493, 47 Stat. 1368, secs. 204 (a) (6) and 205, 49 Stat. 546, 548, secs. 4 to 7, inclusive, 52 Stat. 1237, secs. 12, 20, and 304 (a), 54 Stat. 913, 923, 933, sec. 403 (a), 56 Stat. 285; 49 U.S.C. 17, 304 (a) (6), 305, 904 (a), and 1003 (a).

NOTE: This part, effective September 15, 1942, supersedes former §§ 1.1 to 1.23, inclusive, and also supersedes parts 5 and 6 in their entirety.

GENERAL INFORMATION

§ 1.1 *Scope of rules.* These general rules govern procedure before the Interstate Commerce Commission in proceedings under the Interstate Commerce Act and related acts, unless otherwise directed by the Commission in any proceeding.

§ 1.2 *Liberal construction.* These rules shall be liberally construed to secure just, speedy, and inexpensive determination of the issues presented.

§ 1.3 *Information; special instructions.* Information as to procedure under these rules, and instructions supplementing these rules in special instances, will be furnished upon application to the Secretary of the Commission, Washington D. C.

§ 1.4 *Communications and pleadings generally*—(a) *How addressed.* All communications, including correspondence concerning matters referred to boards, should be addressed to the Commission unless otherwise specifically directed.

(b) *Timely filing required.* Pleadings, requests, or other papers or documents required or permitted to be filed under these rules must be received for filing at the Commission's offices at Washington D. C., within the time limits, if any, for such filing. The date of receipt at the Commission and not the date of deposit in the mails is determinative.

(c) *Disposition of, when defective.* In any proceeding when upon inspection the Commission is of the opinion that a pleading, document, or paper tendered for filing does not comply with these rules, or, if it be an application, does not sufficiently set forth required material or is otherwise insufficient, the Commission may decline to accept the pleading, document, or paper for filing and may return it unfiled, or the Commission may accept it for filing and advise the person tendering it of the deficiency and require that the deficiency be corrected.

(b) *Objectionable matter.* The Commission may order, any redundant, immaterial, impertinent, or scandalous matter stricken from any pleading.

§ 1.5 *Definitions.* As used in these rules:

(a) The terms "act" and "part" mean the Interstate Commerce Act and the several parts thereof, respectively. The term "act" also means, unless the context otherwise indicates, any other statute which the Commission administers in whole or in part.

(b) The term "proceeding" shall include: (1) an informal or formal "complaint" alleging violation of any provision of the act or of any regulation or requirement made pursuant to a power granted by such act, including petitions on the special docket; (2) an "application" for (i) the granting of any right, privilege, authority, or relief under or from any provision of the act or of any regulation or requirement made pursuant to a power granted by such act, or (ii) the consideration of any submission required by law to be made to the Commission; and (3) an "investigation" instituted or requested to be instituted by the Commission, including, among other, matters on the valuation and investigation-and-suspension dockets.

(c) The term "complainant" means a person filing a complaint; "defendant" means a carrier or other person against whom complaint is filed; "applicant" means a person filing an application; "respondent" means a person designated in an investigation; "protestant" means a person opposed to a tentative valuation, to the granting of an application, or to any tariff or schedule becoming effective; "intervener" means a person permitted to intervene as provided in § 1.72 and "petitioner" means any other person seeking relief otherwise than by complaint or application.

(d) The term "pleading" means a complaint, answer, reply, application, protest, motion (other than motion orally made at hearing or argument), petition, document supplementing oral hearing as described in §1.86 and all documents filed under modified and shortened procedure.

(e) The term "practitioner" means a person authorized by the Commission to appear before it in a representative capacity.

(f) The term "officer", except as a different meaning is indicated in §§ 1.17 (b), 1.57 to 1.66, inclusive, 1.71, and 1.78 (civil and corporate functionaries), includes: (1) a Commissioner, a board of employees (herein called an "employee board"), an examiner, or special board composed of State representatives (herein called a "joint board"), to which a proceeding (herein called "referred matter") is by order assigned or referred for hearing, consideration, or recommendation of an appropriate order thereon pursuant to provisions of law;[1] and (2) a Commissioner, an examiner, or other Commission employee before whom, without entry of an order of reference, a proceeding is assigned for hearing. The term "board" means either an employee board or a joint board as the context requires.

(g) The term "proposed report" means an officer's written statement of the issues, the facts and the findings the officer proposes that the Commission should make, with the reasons therefor, but with no recommended order.

(h) The term "report and recommended order" means an officer's written statement in a referred matter of the issues, the facts, the findings, reasons for such findings, and a recommended order.

[1] Such as sections 17 and 205 of the Interstate Commerce Act.

(i) The term "officer's report" or "board's report" means a proposed report or report and recommended order.

(j) The term "shortened procedure" means the procedure specified in § 1.44 and rules therein mentioned. Such rules provide, upon written consent of the parties, and upon the Commission's initiative or its approval of a request therefor made prior to hearing by any party, for the filing and serving of pleadings in formal-complaint proceedings with a view to avoiding an oral hearing.

(k) The term "modified procedure" means the procedure specified in §§ 1.45 to 1.54, inclusive, which rules provide for the filing and serving of pleadings in formal-complaint proceedings with a view to limiting the matters upon which subsequent oral evidence, if any, will be introduced.

§ 1.6 *Use of gender and number.* Words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; and words importing the masculine gender may be applied to females.

PRACTITIONERS

§ 1.7 *Register of practitioners.* A register is maintained by the Commission in which are entered the names of all persons entitled to practice before the Commission. Corporations and firms will not be admitted or recognized.

§ 1.8 *Practitioners' qualifications and classes.* The following classes of persons whom the Commission finds, upon consideration of their applications, to be of good moral character and to possess the requisite qualifications to represent others may be admitted to practice before the Commission:

(a) *Attorneys at law.* Attorneys at law who are admitted to practice before the highest court of any State or Territory or the District of Columbia.

(b) *Persons not attorneys.* Any person not an attorney at law who is a citizen or resident of the United States, and who shall satisfy the Commission that he is possessed of the necessary legal and technical qualifications to enable him to render valuable service before the Commission, and that he is otherwise competent to advise and assist in the presentation of matters before the Commission.

§ 1.9 *Applications for admission to practice.* An application under oath for admission to practice shall be addressed to the Commission, Washington, D. C., and must state the name, residence address, and business address of the applicant, and the time and place of his admission to the bar, or the nature of his qualifications. Such application shall also state whether the applicant has ever been suspended or disbarred as an attorney, or whether his right to practice has ever been revoked by any court, commission, or administrative agency, in any jurisdiction. Such application shall be accompanied by a certificate of the clerk of the court in which applicant is admitted to practice to the effect that he has been so admitted and is in good standing; or by a certificate signed by three or more practitioners as sponsors for the applicant, which certificate shall recite that applicant possesses all the requisite qualifications under this section, and the sponsors shall incorporate in their certificate a recommendation and motion that applicant be admitted to practice under this section.

§ 1.10 *Additional certificates by practitioner's sponsors; hearing; abandonment of application.* The Commission in its discretion may call upon the practitioners making such certificate for a full statement of the nature and extent of their knowledge of the qualifications of the applicant. If upon consideration of the papers filed by the applicant and the statements submitted by his sponsors, or otherwise, the Commission is not satisfied as to the sufficiency of the applicant's qualifications under these rules, it will so notify him by registered mail, whereupon he may request a hearing for the purpose of showing his qualifications. If he presents such request, the Commission will accord him a hearing. If he presents to the Commission no request for such hearing within 20 days after receiving the notification above referred to, his application shall be deemed to be withdrawn.

§ 1.11 *Application fee.* An application filed after this section becomes effective must be accompanied by a fee of $10. Payment must be made either in cash or by New York draft, certified check, express or postal money order payable to the order of the Treasurer of the United States. The fee will be returned if applicant is not admitted to practice.

§ 1.12 *Practitioner's oath.* No person shall be admitted to practice before the Commission until he shall have subscribed to an oath or affirmation that he will demean himself, as a practitioner before this Commission, uprightly, and according to law; and that he will support the Constitution of the United States and laws of the United States and will conform to the rules and regulations of the Commission.

§ 1.13. *Denial of admission, censure, suspension, or disbarment of practitioners.* The Commission may, in its discretion, deny admission, censure, suspend, or disbar any person who, it finds, does not possess the requisite qualifications to represent others, or is lacking in character, integrity, or proper professional conduct. Any person who has been admitted to practice may be suspended or disbarred only after he is afforded an opportunity to be heard.

SPECIAL RULES RESPECTING BOARDS

§ 1.14 *Special rules respecting boards.*—(a) *Organization.* After a joint board has been created it shall select one of its members to act as chairman for all purposes concerning matters which may be referred to it. In the event the member so selected is absent from any meeting of the joint board the members attending shall select one of such members, except as provided in paragraph (b) of this section, temporarily to act as chairman.

(b) *Waiver by absence of a joint-board member.* The failure of a duly appointed member of a joint board to participate in any hearing after notice thereof on a matter referred to such joint board shall be considered to constitute, as to the matter referred, a waiver of action on the part of the State from which such member was appointed.

(c) *Procedural rulings in case of disagreement.* If the members of a board or a majority thereof in actual attendance at a hearing shall be unable to agree upon the disposition of a procedural question arising therein, the chairman (or acting chairman) of the board shall decide the question and rule or order accordingly.

(d) *Form of board's report; service.* For the sake of uniformity the board's report shall conform as nearly as may be practicable to the form of report issued by the Commission in similar cases. The board's report will be served by the Commission.

(e) *Termination of joint board jurisdiction; subsequent procedure.* The jurisdiction of a joint board over a referred matter shall be terminated in the event of: (1) service of a report as provided in paragraph (d) of this section; (2) submission of the board's conclusions without written report; (3) waiver of action in writing by appropriate authority of each State from which a member is entitled to be appointed; (4) failure of all members of the board to appear at the hearing; (5) failure of a majority of the board to agree; or (6) entry of order vacating the order of reference to the joint board. Except where a report is served as provided in paragraph (d) of this section, in which event the subsequent procedure will be as provided in § 1.96 and subsequent sections, a referred matter, after termination of joint-board jurisdiction, will be decided by the Commission or be made the subject of another officer's report on the record theretofore made or after such hearing or further hearing as may be required.

PLEADING SPECIFICATIONS GENERALLY

§ 1.15 *Typographical specifications generally.* Except as otherwise provided respecting applications (§ 1.38 (a)), exhibits (§ 1.84 (a)), and informal complaints (§ 1.24 (a)), all pleadings, documents, and papers to be filed under these rules shall be on opaque, unglazed, durable paper not exceeding 8½ by 11 inches. To permit of binding in covers of uniform size, margins of at least 1½ and 1 inch, respectively, shall be allowed on the left and right margins. Binding shall be on the left margin. Reproduction may be by printing, multilithing, multigraphing, mimeographing or by any other process, provided the copies are clear and permanently legible. Whiteline blue prints which can not be reproduced by photography are not desirable. If directly typewritten, or if in facsimile reproduction of typewriting, the impression must be on one side[2] of the paper and must be double-spaced, except that long quotations shall be single-spaced and indented. If printed, adequate leading and nothing less than 10-point type shall be used, except that 8-point type may be employed in footnotes and in tabular matter where printing limitations so require. A brief in excess of 50 pages, including cover pages, indexes, and appendixes, may not be typewritten.

§ 1.16 *Copies.*—(a) *Generally.* The original and 14 copies of every pleading, document, or paper permitted or required to be filed under these rules shall be furnished for the use of the Commission, except as a different number is required under paragraph (b) of this section, or as otherwise provided respecting: answers (§ 1.35 (c)); applications (§§ 1.38 (b) and 1.40 (c)); complaints; formal (§§ 1.26 and 1.37) and informal (§§ 1.24 (a) and 1.25 (d)); depositions (§ 1.64); exhibits (§§ 1.84 (c) and 1.86); modified and shortened procedure (§§ 1.44 (c) and 1.52); petitions in intervention (§ 1.72 (d)); protests in investigation-and-suspension proceedings (§ 1.42 (c)); replies (§ 1.23 (b)); and matters respecting oral argument (§ 1.98); subpenas (§ 1.56 (a)), time modification (§ 1.21 (b)), and transcript correction (§ 1.90 (b)).

(b) *In bankruptcy proceedings.* Except as otherwise provided in an application form or instruction (§1.38) and respecting exhibits (§1.84 (c)), the original and 19 copies of every pleading, document, or paper filed in a proceeding arising under the Uniform Bankruptcy Act shall be furnished for the use of the Commission.

§ 1.17 *Attestation.*— (a) *Practitioner's signature.* If a party is represented by a practitioner each pleading, document, or paper of such party shall be signed in ink by one such practitioner whose address shall be stated. The signature of a practitioner constitutes a certificate by him that he has read the pleading, document, or paper; that he is authorized to file it; that to the best of his knowledge, information, and belief there is good ground for it; that it is not interposed for delay; and that with respect to a complaint he files it with the distinct knowledge and specific consent of complainant. A pleading, document, or paper thus signed need not be verified or accompanied by affidavit except as otherwise provided respecting applications (§ 1.38), modified and shortened procedure (§§ 1.44 (c) and 1.50), and statements of claimed damages (§ 1.100).

(b) *When no practitioner's signature.* A pleading, document, or paper not signed by a practitioner must be signed in ink, the address of the signer shall be stated, and the facts alleged in a pleading must be verified under oath by the person in whose behalf it is filed. Signature and verification in such manner must be by at least one complainant if the pleading is a complaint. A pleading, document, or paper filed on behalf of a corporation or other organization authorized to make complaint under the act which is not signed by a practitioner must be signed in ink, and the facts alleged in a pleading must be verified by an executive officer of such corporation or organization.

§ 1.18 *Affirmation in lieu of oath.* Whenever under these rules an oath is required, an affirmation in judicial form will be accepted in lieu thereof.

§ 1.19 *Pleadings part of record.* Recitals of material and relevant facts in a pleading filed prior to oral hearing in any proceeding, unless specifically denied in a counterpleading filed under these rules, shall constitute evidence and be a part of the record without special admission or incorporation therein, but if request is seasonably made, a competent witness must be made available for cross examination on the evidence so included in the record.

§ 1.20 *Amendments.* Leave to file amendments to any pleading will be allowed or denied as a matter of discretion.

§ 1.21 *Time*—(a) *Computation.* In computing any period of time prescribed or allowed by these rules, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is Sunday or a legal holiday in the District of Columbia, in which event the period runs until the end of the next day which is neither a Sunday nor a holiday. A half holiday shall not be considered as a holiday.

(b) *Modification.* Except as to the maximum time periods provided by law or specified in these rules respecting informal complaints seeking damages (§ 1.25) and petitions for reconsideration (§ 1.101 (e)), any time period prescribed or permitted in these rules may, upon request and for cause, be modified by the Commission. The request must seasonably be filed in writing. If granted, the party making the request shall promptly so notify all parties to the proceeding and so certify to the Commission. The original only of the request and certificate need be filed with the Commission.

(c) *Five days additional.* If the general office of a person party to a proceeding, or office of the practitioner representing him, is located at or west of El Paso, Tex., Salt Lake City, Utah, or Helena, Mont., five days shall be added for all parties to the time periods specified in these rules when such rules are applied in any proceeding in which such person is a party.

§ 1.22 *Service; pleadings and papers to show*—(a) *Generally.* Except as otherwise provided in paragraph (b) of this section or as otherwise provided respect-

[2] The one-side provision shall not take effect until six months after the current state of war shall officially have been declared at an end. In the meantime, use of both sides of paper will be permitted.

ing applications (§ 1.38(b)), formal complaints (§ 1.34), informal complaints (§ 1.24(b)), and petitions in intervention (§ 1.72(d)), every pleading, document, or paper must, when filed, or tendered to the Commission for filing, include a certificate showing simultaneous service thereof upon all parties to the proceeding. Such service shall be made by delivery in person or by first-class mail or express, properly addressed with charges prepaid, one copy to each party. When any party is represented by a practitioner, service upon such practitioner will be deemed service upon the party.

(b) *Exceptions as to letters.* Copies of letters to the Commission relating to oral argument (§ 1.98), subpenas (§ 1.56(a)), and time modification (§ 1.21(b)) need not be served upon other parties to the proceeding.

§ 1.23 *Replies*—(a) *Time for filing.* Except that a reply to a reply is not permitted, and except as otherwise provided respecting answers (§ 1.35(c)), modified and shortened procedure (§§ 1.44(c) and 1.51), and briefs (§§ 1.92 and 1.93), an adverse party may file and serve a reply to any pleading permitted under these rules within 10 days after service thereof.

(b) *Copies.* The original of the reply should be accompanied by the same number of copies as required respecting the pleading to which the reply is responsive.

COMMENCEMENT OF PROCEEDINGS

§ 1.24 *Informal complaints not seeking damages*—(a) *Form and content.* Informal complaint may be by letter or other writing, and will be serially numbered and filed as of the date of its receipt. No form of informal complaint is suggested, but in substance the letter or other writing (original only need be filed except as provided in § 1.25 (d)) must contain the essential elements of a formal complaint as specified in §§ 1.28 and 1.30. It may embrace supporting papers.

(b) *Correspondence handling.* If the informal complaint appears to be susceptible of informal adjustment, a copy or a statement of the substance thereof will be transmitted by the Commission to each person complained of in an endeavor to have it satisfied by correspondence and thus obviate the filing of a formal complaint.

(c) *Discontinuance without prejudice.* A proceeding thus instituted on the informal docket is without prejudice to complainant's right to file and prosecute a formal complaint, in which event the proceeding on the informal docket will be discontinued.

§ 1.25 *Informal complaints seeking damages*—(a) *Actual filing required.* Notification to the Commission that an informal complaint may or will be filed later seeking damages is not a filing within the meaning of the statute except as provided in paragraph (e) of this section.

(b) *Content.* An informal complaint seeking damages, when permitted under the act, must be filed within the statutory period, and should contain such data as will serve to identify with reasonable definiteness the shipments or transportation services in respect of which damages are sought. Such complaint should state: (1) that complainant makes claim for damages, (2) the name of each individual claimant seeking damages, (3) the names of defendants against which claim is made, (4) the commodities, the rate applied, the date when the charges were paid, by whom paid, and by whom borne, (5) the period of time within which or the specific dates upon which the shipments were made, and the dates when they were delivered or tendered for delivery, (6) the points of origin and destination, either specifically or, where they are numerous, by definite indication of a defined territorial or rate group of the points of origin and destination and, if known, the routes of movement, and (7) the nature and amount of the injury sustained by each claimant.

(c) *Statement of prior claim.* If a complaint filed under paragraph (b) or (e) of this section contains a claim on any shipment which has been the subject of a previous informal or formal complaint to the Commission, reference to such complaint must be given.

(d) *Copies.* It is desirable that the original of an informal complaint seeking damages be accompanied by copies in sufficient number to enable the Commission to transmit one to each defendant named.

(e) *Special-docket proceedings.* Where the act provides for an award of damages for violation thereof and a carrier is willing to pay them, or to waive collection of undercharges, petition for appropriate authority should be filed by the carrier on the special docket in the form prescribed by the Commission. If the petition is granted an appropriate order will be entered. Such petition, when not filed in connection with an informal complaint pending before the Commission, must be filed within the statutory period and will be deemed the equivalent of an informal complaint and an answer thereto admitting the matters stated in the petition. If a carrier is unable to file such petition within the statutory period and the claim is not already protected from the operation of the statute by informal complaint, a statement setting forth the facts may be filed by the carrier within the statutory period. Such statement will be deemed the equivalent of an informal complaint filed on behalf of the shipper or consignee and sufficient to stay the operation of the statute.

(f) *Six months' rule.* If an informal complaint seeking damages cannot be disposed of informally, or is denied, or is withdrawn by complaint from further consideration, the parties affected will be so notified in writing by the Commission. The matter in such complaint will not be reconsidered unless, within six months after the date such notice is mailed, either a formal complaint as to such matter is filed, or it is informally resubmitted on an additional fact basis. Such filing or resubmission will be deemed to relate back to the date of the original filing, but reference to that date and the Commission's file number must be made in such resubmission or in the formal complaint filed. If the matter is not so resubmitted, or included in a formal complaint, as provided in this section, complainant will be deemed to have abandoned the complaint, and no complaint seeking damages based on the same cause of action will thereafter be placed on file or considered unless itself filed within the statutory period.

§ 1.26 *Formal complaints; copies*—(a) *Generally.* The original of each formal complaint, amended or supplemental formal complaint, or cross complaint, must be accompanied by copies in sufficient number to enable the Commission to serve one upon each defendant, including each receiver or trustee, and retain six copies in addition to the original.

(b) *Provision for State authorities.* If complaint is made under part II, or respecting State-made rates (§ 1.30 (b)), sufficient copies in addition to those required under paragraph (a) shall be furnished to permit the Commission to supply one to the appropriate authority in each of the States included in the scope of the complaint.

§ 1.27 *Formal complaints; joinder*—(a) *Causes of action.* Two or more grounds of complaint concerning the same principle, subject, or state of facts may be included in one complaint, but should separately be stated and numbered.

(b) *Complainants.* Two or more complainants may join in one complaint if their respective causes of action are against the same defendant or defendants and concern substantially the same alleged violation of the act and a like state of facts.

(c) *Defendants.* If complaint is made with respect to through transportation by continuous carriage or shipment, all persons subject to the act participating therein, and against which an order is sought, should be made defendants. If complaint is made of a classification or any provision thereof, ordinarily it will suffice to make defendants the persons operating one or more through routes between representative points of origin and destination.

(d) *Correct designation of parties.* The unabbreviated names of all parties complainant and defendant must be stated correctly.

§ 1.28 *Formal complaints; allegations generally.* A formal complaint should be so drawn as fully and completely to advise the parties defendant and the Commission in what respects the provisions of the act have been or are violated or will be violated, and should set forth briefly and in plain language the facts claimed to constitute such violation. If two or more sections or subsections of the act or requirements established pursuant thereto are alleged to be violated, the facts claimed to constitute violation of one section, subsection, or requirement should be stated separately from those claimed to constitute a violation of another section, subsection, or requirement whenever that can be done by reference or otherwise without undue repetition.

§ 1.29 *Formal complaints; when damages sought.* A formal complaint that includes a request for an award of damages should contain the information specified for an informal complaint seeking damages (§ 1.25, paragraphs (b) and (c)).

§ 1.30 *Formal complaints; discrimination, preference, and prejudice*—(a) *Generally.* A complaint that alleges the act is violated because of an undue or unreasonable preference or advantage, undue or unreasonable prejudice or disadvantage, or unjust discrimination should specify clearly the particular elements stated in the act[2] as constituting such violation, and the facts which complainant relies upon to establish it.

(b) *State-made rates.* A complaint that brings in issue any rate, fare, charge, classification, regulation, or practice, made or imposed by authority of any State, upon the ground that it violates provisions of the act which prohibit undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce and persons or localities in interstate or foreign commerce, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce, should bring in issue the justness and reasonableness of the rate, fare, charge, classification, regulation, or practice applicable to the interstate or foreign commerce involved in such complaint. Such complaint should also bring in issue the question as to what should be the rate, fare, or charge, or the maximum or minimum, or maximum and minimum, thereafter to be charged, and the classification, regulation, or practice that should be established so as to remove any such advantage, preference, prejudice, or such unjust discrimination..

§ 1.31 *Formal complaints; other specifications*—(a) *Tariff or schedule references.* The several rates, fares, charges, schedules, classifications, regulations, or practices of which complaint is made should be set out by specific reference to the tariffs or schedules in which they appear, whenever that is practicable.

(b) *States in which transportation occurs.* A formal complaint under part II should specifically name the States in and through which the transportation which gives rise to the complaint is performed.

(c) *Hearing place.* A formal complaint should be accompanied by a statement of the place at which hearing is desired.

§ 1.32 *Formal complaints; prayers for relief*—(a) *Generally.* A formal complaint in which relief for the future is sought should contain a detailed statement of the relief desired. Relief in the alternative or of several different types may be demanded, but the issues raised in the formal complaint should not be broader than those to which complainant's evidence is to be directed at the hearing.

(b) *Specific prayer for damages.* Except under unusual circumstances, and for good cause shown, damages will not be awarded upon a complaint unless specifically prayed for, or upon a new complaint by or for the same complainant which is based upon any finding in the original proceeding.

§ 1.33 *Amended and supplemental formal complaints.* An amended or supplemental complaint may be tendered for filing by a complainant against a defendant or defendants named in the original complaint, stating a cause of action alleged to have accrued within the statutory period immediately preceding the date of such tender, in favor of complainant and against the defendant or defendants.

§ 1.34 *Service of formal and cross complaints.* The Commission will serve formal complaints. It will also serve supplemental, amended, and cross complaints when it has granted leave to file such pleadings. Such service will be made personally upon a carrier or freight forwarder or upon an agent thereof designated for purposes of service, or by mail addressed to the carrier or freight forwarder or to the agent thereof at the address filed. If no agent has been designated, service may be made by posting in the office of the Secretary of the Commission, and if the defendant be a carrier subject to Part II of the act, by also posting in the office of the secretary or clerk of the motor-carrier regulatory board of the State wherein the motor carrier maintains headquarters. If the complaint involves only the lawfulness of rates, fares, charges, classifications, or practices, service in the manner indicated in the third sentence of this section may be made upon an attorney in fact of a carrier or freight forwarder who has filed a tariff or schedule in behalf of such carrier or freight forwarder, but such service will not be made upon a carrier subject to part I unless such carrier has failed to designate an agent for service in the city of Washington.

§ 1.35 *Answers and cross complaints to formal complaints*—(a) *Generally.* An answer may simultaneously be responsive to a formal complaint and to any amendment or supplement thereof. It should be drawn so as fully and completely to advise the parties and the Commission of the nature of the defense, including, if a departure from the requirements of section 4 (1) of the act is involved, the number of the particular application or order, if any, which protects such departure; and should admit or deny specifically and in detail each material allegation of the pleading answered. An answer may embrace a detailed statement of any counter proposal which a defendant may desire to submit.

(b) *Cross complaints.* A cross complaint alleging that other persons, parties to the proceeding, have violated the act or requirements established pursuant thereto, or seeking relief against them under the act, may be tendered for filing by a defendant with its answer.

(c) *Time for filing; copies.* Unless otherwise directed by the Commission, an answer to a complaint should be filed within 20 days after the day on which the complaint to which answer is filed was served. The original and six copies of an answer shall be filed with the Commission.

(d) *When issue joined.* If any defendant answers or fails to file and serve answer within the period specified in paragraph (c), issue thereby is joined as to such defendant.

§ 1.36 *Motions to make more definite and certain*—(a) *As to complaint.* Defendant may file with his answer, or with his statement under modified or shortened procedure, a motion that the allegations in the complaint be made more definite and certain, such motion to point out the defects complained of and the details desired.

(b) *As to answer.* No replication to the answer shall be filed, but any party may file, within 10 days after the filing of an answer, or, in the case of modified or shortened procedure, complainant may file with his statement in reply, a motion that the answer, or defendant's statement, as the case may be, be made more definite and certain, such motion to point out the defects complained of and the details desired.

§ 1.37 *Satisfaction of complaint.* If a defendant satisfies a formal complaint, either before or after answering, a statement to that effect signed by the opposing parties must be filed (original only need be filed), setting forth when and how the complaint has been satisfied.

§ 1.38 *Applications*—(a) *Forms and instructions.* An application filed with the Commission shall be prepared in accord with and contain the information called for in the form of application, if any, prescribed by the Commission, or any instructions which may have been issued by the Commission with respect to the filing of an application.

(b) *Copies; service.* Copies of an application shall be furnished in such number, and be filed and served in the manner and upon the persons specified in the form or instruction.

§ 1.39 *Applications; notice.* Appropriate notice of the filing of an application will be given by the applicant or by the Commission to the States, to State authorities, or to other persons as may be required by the form or instruction or by the act.

§ 1.40 *Protests against applications*—(a) *Content.* A protest against the granting of any application shall set forth specifically the grounds upon which it is made and contain a concise statement of the interest of protestant in the proceeding.

(b) *When filed.* Any protest shall be filed with the Commission promptly after the application is filed. If the proceeding be one respecting which the Commission has issued a notice advising the public of the filing of the application, the protest shall be filed within the time specified in such notice. Failure to file a protest shall not prejudice subsequent participation in the proceeding.

(c) *Copies; service.* A protest filed under this section shall be served upon applicant and, unless otherwise specified

[2] Special rate, rebate, drawback, or other device; and particular person, company, firm, corporation, association, port, port district, gateway, transit point, locality, region, district, territory, or description of traffic.

in the public notice, the original and two copies of the protest shall be filed with the Commission.

(d) *When rule disregarded.* An application may be set for hearing without awaiting the filing of a protest or of a reply thereto, and also may be disposed of without regard to the prior paragraphs of this section unless the act provides that the particular application may be granted only upon hearing.

§ 1.41 *Valuation proceedings; protests.* A protest of a tentative valuation shall contain a concise statement of the essential elements of protest with particular reference to the matters in the tentative valuation concerning which protest is made and shall include a statement of the changes therein desired by protestant. When practicable each object of protest should be set up as a separate item in a separately numbered paragraph. Each item of protest against land values or areas must state the valuation section and zone on the Commission's maps in which the land is located. When protestant claims that property owned or used has been omitted, a full description of such property and its location must be included in the protest.

§ 1.42 *Petitions for suspension of tariffs or schedules*—(a) *Content.* The protested tariff or schedule sought to be suspended should be identified by making reference to the name of the publishing carrier, freight forwarder, or agent, to the Interstate Commerce Commission number, and to the specific items or particular provisions protested. Reference should also be made to the tariff or schedule, and the specific provisions thereof, proposed to be superseded. The protest should state the grounds in support thereof, indicate in what respect the protested tariff or schedule is considered to be unlawful, and state what protestant offers by way of substitution.

(b) *When filed.* A protest against, and a prayer for suspension of, any tariff or schedule filed under the act ordinarily will not be considered unless made in writing, and filed with the Commission at least 10 days before the effective date of the tariff or schedule. In an emergency satisfactorily shown by protestant, and within the time limits herein provided, a telegraphic protest may be sent to the Commission and to the publishing carrier, freight forwarder, or agent, stating the grounds relied upon, but such telegraphic protest must immediately be confirmed by protest filed and served in accordance with this section.

(c) *Copies; service.* Seven copies of each protest or reply filed under this section must be filed with the Commission and one copy of the protest simultaneously be served upon the publishing carrier, freight forwarder, or agent, and upon other persons known by protestant to be interested.

(d) *Reply to protest.* A reply to a protest filed under this section should be filed and served promptly.

§ 1.43 *Service of investigation order; default where failure to comply.* An order instituting an investigation will be served by the Commission upon respondents. If within a time period stated in that order a respondent fails to comply with any requirement specified therein respondent shall be deemed in default and to have waived any further hearing. Thereafter the investigation may be decided without further proceedings.

SHORTENED AND MODIFIED PROCEDURE

§ 1.44 *Shortened procedure*—(a) *Consent; notice.* In shortened procedure (see § 1.5 (j)) the Commission will request all the parties thereto to advise the Commission within a time to be specified by it whether they consent to presentation under shortened procedure. Such advice should include, if the party is to be represented by a practitioner, the name and address of such practitioner. If all parties consent to the procedure, they will be advised that it will be followed.

(b) *Declination; hearing.* If any party declines to consent to shortened procedure, such declination shall not affect or prejudice the right or interest of such party. The proceeding will thereupon be conducted under modified procedure or be set for oral hearing as the Commission may direct. At the request of any party, received prior to service of an officer's report in a proceeding being conducted under shortened procedure, the Commission in its discretion may set the proceeding for oral hearing.

(c) *Other applicable rules.* The provisions for modified procedure in §§ 1.46 (a), 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, and 1.54 shall also apply to shortened procedure. The time periods specified in § 1.51 shall begin to run from the date the Commission advises the parties that shortened procedure will be followed.

§ 1.45 *Modified procedure; how initiated*—(a) *Petition or Commission's initiative.* Modified procedure (see § 1.5 (k) will be ordered in a proceeding upon the Commission's initiative or upon its approval of a petition filed by any party that the modified procedure shall be observed.

(b) *Order directing modified procedure.* An order directing modified procedure will list the names and addresses of the persons who at that time are parties to the proceeding, and direct that they comply with the modified-procedure rules.

§ 1.46 *Modified procedure; effect of order*—(a) *Relief from answer rule.* Issuance of an order directing modified procedure shall relieve defendant from the obligation of answering as provided in § 1.35.

(b) *Default where failure to comply.* If within any time period provided in the modified-procedure rules a party fails to file a pleading required by those rules, or otherwise fails to comply therewith, such party shall be deemed to be in default and to have waived any further hearing. Thereafter the complaint may be disposed of without further notice to the defaulting party, and without other formal proceedings as to such party.

§ 1.47 *Modified procedure; intervention.* Persons permitted to intervene under modified procedure shall file and serve pleadings in conformity with the provisions relating to the parties in whose behalf they intervene.

§ 1.48 *Modified procedure; joint pleadings.* Parties having common interests shall arrange for joint preparation of pleadings filed under modified procedure.

§ 1.49 *Modified procedure; content of pleadings*—(a) *Generally.* A statement filed under the modified procedure after that procedure has been directed shall state the facts and include the exhibits upon which the party relies. In addition, defendant's statement and complainant's statement in reply shall specify those statements of fact of the opposite party to which exception is taken, and include a statement of the facts constituting the basis for such exception. Complainant's statement of reply shall be confined to rebuttal of the defendant's statement.

(b) *Exhibit identification.* In addition to being in compliance with paragraphs (a) and (b) of § 1.84, an exhibit which is part of any pleading filed under modified procedure shall serially be numbered and bear the notation, properly filled out, in the upper right-hand corner: "Complainant (Defendant) ----------, Exhibit No. ----------, Witness ----------"

(c) *Damages.* If an award of damages is sought the paid freight bills or properly certified copies thereof should accompany the original of complainant's statement when there are not more than 10 shipments, but otherwise the documents should be retained.

§ 1.50 *Modified procedure; attestation.* The facts asserted in any pleading filed under modified procedure must be sworn to by persons having knowledge thereof, which latter fact must affirmatively appear in the affidavit. Except under unusual circumstances, such persons should be those who would appear as witnesses orally to substantiate the facts asserted should hearing become necessary. The original of any pleading filed under modified procedure must show the signature, capacity, and impression seal, if any, of the person administering the oath, and the date thereof.

§ 1.51 *Modified procedure; when pleadings filed and served.* Within 20 days from the date of an order requiring modified procedure complainant shall serve upon the other parties a statement of all the evidence upon which it relies. Within 30 days thereafter defendant shall serve its statement. Within 10 days thereafter complainant shall serve its statement in reply. No further reply may be made by any party except by permission of the Commission.

§ 1.52 *Modified procedure; copies of pleadings.* The original and six copies of any pleading served under modified procedure shall be filed with the Commission.

§ 1.53 *Modified procedure; hearings*—(a) *Request for cross examination or other hearing.* If cross examination of any witness is desired the name of the witness and the subject matter of the

desired cross examination shall, together with any other request for oral hearing, including the basis therefor, be stated at the end of defendant's statement or complainant's statement in reply as the case may be.

(b) *Hearing issues limited.* The order setting the complaint for oral hearing, if hearing is deemed necessary, will specify the matters upon which the parties are not in agreement and respecting which oral evidence is to be introduced.

§ 1.54 *Modified procedure; subsequent procedure.* Procedure subsequent to that provided in the modified-procedure rules shall be the same as that in proceedings not handled under modified procedure.

NOTICE OF HEARING; SUBPENAS; DEPOSITIONS

§ 1.55 *Notice of hearing*—(a) *Assignment; service and posting of notice.* In those proceedings in which a hearing is to be held the Commission will, by order or otherwise, assign a time and place for hearing. Notice of such hearing will be posted in the office of the Secretary of the Commission, and will be served upon the parties and such other persons as may be entitled to receive notice under the act.

(b) *Change of assignment.* The Commission may confine the service of notice of a change of time or place assigned for hearing (other than by publication or posting), or of any adjourned, further, or supplemental hearing to those only who have indicated to the Commission a desire to be notified, at their own expense if telegraphic advice becomes necessary, of any such change.

§ 1.56 *Subpenas*—(a) *Request; particularity.* Unless directed by the Commission upon its own motion, a subpena to compel a witness to produce documentary evidence will be issued only upon petition, which must specify with particularity the books, papers, or documents desired, and the facts expected to be proved thereby. A request for issuance of a subpena other than to compel the production of documentary evidence may be made either by letter (original only need be filed with the Commission) or orally upon the record at a hearing.

(b) *Issuance.* A subpena will issue only upon signature by the Secretary or a member of the Commission.

(c) *Service.* The original subpena shall be exhibited to the person served, shall be read to him if he is unable to read, and a copy thereof shall be delivered to him by the officer or person making service.

(d) *Return.* If service of subpena is made by a United States marshal or his deputy, such service shall be evidenced by his return thereon. If made by any other person, such person shall make affidavit thereof, stating the date, time, and manner of service; and return such affidavit on, or with, the original subpena in accordance with the form thereon. In case of failure to make service the reasons for the failure shall be stated on the original subpena. The written acceptance of service of a subpena by the person named therein shall be sufficient without other evidence of return. The original subpena, bearing or accompanied by the required return, affidavit, statement, or acceptance of service, shall be returned forthwith to the Secretary of the Commission, or, if so directed on the subpena, to the officer presiding at the hearing at which the person subpenaed is required to appear.

(e) *Witness fees.* A witness who is summoned and responds thereto is entitled to the same fee as is paid for like service in the courts of the United States, such fee to be paid by the party at whose instance the testimony is taken at the time the subpena is served.

§ 1.57 *Deposition; preliminary*—(a) *When permissible.* The Commission will either upon its own initiative, or for good cause shown by a party to a proceeding, issue an order to take a deposition.

(b) *Officer before whom taken.* Within the United States or within a territory or insular possession subject to the dominion of the United States, depositions shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held. Within a foreign country a deposition may be taken before an officer or person designated by the Commission, or agreed upon by the parties by stipulation in writing to be filed with the Commission.

(c) *When taken.* Unless under special circumstances and for good cause shown, no deposition shall be taken within 10 days prior to the assigned date of the heaing in such proceeding, and when the deposition is taken in a foreign country it shall not be taken within 30 days prior to such date of hearing.

(d) *Fees.* A witness whose deposition is taken pursuant to these rules and the officer taking same, unless he be employed by the Commission, shall be entitled to the same fee paid for like service in the courts of the United States, which fee shall be paid by the party at whose instance the deposition is taken.

§ 1.58 *Depositions; petitions.* A petition requesting an order to take a deposition shall be filed with due regard to the time periods specified in § 1.57 (c) and shall set forth the name and address of the witness, the place where, the time when, the name and office of the officer before whom, and the cause or reason why such deposition should be taken.

§ 1.59 *Depositions; order; interrogatories*—(a) *Order.* If the petition requesting an order to take a deposition is granted which action may be taken without awaiting the possible filing of a reply, the Commission will serve upon the parties an order which will name the witness whose deposition is to be taken, and specify the time when, the place where, and the officer before whom the witness is to testify, but such time and place, and the officer before whom the deposition is to be taken, so specified in the Commission's order, may or may not be the same as set out in the petition.

(b) *Interrogatories.* In lieu of participating in the oral examination, parties served with the order for the taking of a deposition may promptly transmit written interrogatories to the officer, who shall propound them to the witness and record the answers verbatim, but it is not necessary that such interrogatories be served upon the party at whose instance the deposition is taken.

§ 1.60 *Depositions; recordation of testimony.* The officer before whom the deposition is to be taken shall observe the provisions respecting appearances (§ 1.71 (a)), and typographical specifications (§ 1.15), put the witness on oath, and shall personally, or by some one acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically and transcribed unless the parties agree otherwise to record the evidence.

§ 1.61 *Depositions; objections.* All objections made at the time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections.

§ 1.62 *Depositions; deponent's signature.* When the testimony is fully transcribed or otherwise recorded the deposition of each witness shall be submitted to him for examination and shall be read to or by him. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing, or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall state at the foot thereof the fact of the waiver or of the illness or absence of the witness, or the fact of the refusal to sign, together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless, on a motion to suppress, the Commission finds that the reasons given for the refusal to sign are sufficient to require rejection of the deposition in whole or in part.

§ 1.63 *Depositions; officer's attestation.* The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness, and that the officer is not of counsel or attorney for any of the parties, and that he is not interested in the event of the proceeding.

§ 1.64 *Depositions; return to Commission.* The officer shall securely seal the deposition in an envelope endorsed with the title of the proceeding, and shall promptly send the original and one copy thereof, together with the original and one copy of all exhibits, by registered mail to the Secretary of the Commission. The deposition must reach the Commission not later than 5 days before the date of the hearing at which it is to be offered as evidence.

§ 1.65 *Depositions; notice of filing.* The party taking the deposition shall

give prompt notice of its filing to all other parties.

§ 1.66 *Depositions; copies.* Upon payment of reasonable charges therefor, the officer before whom the deposition is taken shall furnish a copy of it to any interested party or to the deponent.

§ 1.67 *Depositions; inclusion in record.* At the oral hearing, if one is held, the deposition shall be offered in evidence by the party at whose instance it was taken. If not offered by such party, it may be offered in whole or in part by the adverse party. If only part of a deposition is offered in evidence by a party, an adverse party may require him to introduce all of it, which is relevant to the part introduced, and any party may introduce any other parts. Such deposition shall be admissible in evidence subject to such objections as to competency of the witness, or to the competency, relevancy, or materiality of the testimony as were noted at the time of taking of said deposition, or are made at the time it is offered in evidence.

HEARINGS

§ 1.68 *Prehearing conferences* — (a) *Purposes.* Upon written notice by the Commission in any proceeding, or upon written or oral instruction of an officer, parties or their attorneys may be directed to appear before an officer at a specified time and place for a conference, prior to or during the course of a hearing, or in lieu of personally appearing to submit suggestions in writing, for the purpose of formulating issues and considering:

(1) The simplification of issues;

(2) The necessity or desirability of amending the pleadings either for the purpose of clarification, amplification, or limitation;

(3) The possibility of making admissions of certain averments of fact or stipulations concerning the use by either or both parties of matters of public record, such as annual reports and the like, to the end of avoiding the unnecessary introduction of proof;

(4) The procedure at the hearing;

(5) The limitation of the number of witnesses;

(6) The propriety of prior mutual exchange between or among the parties of prepared testimony and exhibits; and

(7) Such other matters as may aid in the simplification of the evidence and disposition of the proceeding.

(b) *Facts disclosed privileged.* Facts disclosed in the course of the prehearing conference are privileged and, except by agreement, shall not be used against participating parties either before the Commission or elsewhere unless fully substantiated by other evidence.

(c) *Recordation and order.* Action taken at the conference, including a recitation of the amendments allowed to the pleadings, the agreements made by the parties as to any of the matters considered and defining the issues, shall be recorded in an appropriate order, unless the parties enter upon a written stipulation as to such matters, or agree to a statement thereof made on the record by the officer.

(d) *Objection to the order; subsequent proceedings.* If an order is entered a reasonable time shall be allowed to the parties to present objections on the ground that it does not fully or correctly embody the agreements reached at such conference. Thereafter the terms of the said order or modification thereof, the written stipulation, or statement of the officer, as the case may be, shall determine the subsequent course of the proceeding, unless modified to prevent manifest injustice.

§ 1.69 *Stipulations.* Apart from the procedure contemplated by the prehearing provisions (§ 1.68), and upon permission granted, the parties may in the discretion of the officer, by stipulation in writing filed with the Commission at any stage of the proceeding, or orally made at the hearing, agree upon any pertinent facts in the proceeding. It is desired that the facts be thus agreed upon so far as and whenever practicable.

§ 1.70 *Authority of officers.* An officer may grant leave to amend or to file any pleadings, or to intervene, upon request tendered at the hearing, but in no event shall an officer grant such leave if thereby the issues would be so narrowed as to make a refererd matter one which should properly be referred to a different officer. An officer shall have no power to decide any motion to dismiss the proceeding or other motion which involves final determination of the merits of the proceeding. The officer shall regulate the procedure in the hearing before him and take all measures necessary or proper for the efficient performance of the duties assigned him.

§ 1.71 *Appearances; standards of conduct*—(a) *Who may appear.* Any individual may appear for himself, and any member of a partnership party to any proceeding may appear for such partnership upon adequate identification. A bona fide officer, or a full-time employee of a corporation, association, or of an individual, may appear for such corporation, association, or individual by permission of the officer presiding at the hearing. A party also may be represented by a practitioner.

(b) *Standards of conduct.* All persons appearing must conform to the standards of conduct required by the code of ethics of the Association of Interstate Commerce Commission Practitioners. Failure to conform to those standards will be ground for declining to permit appearance in any proceeding before the Commission.

§ 1.72 *Intervention; petitions*—(a) *Content generally.* A petition for leave to intervene must set forth the grounds of the proposed intervention, the position and interest of the petitioner in the proceeding, and whether petitioner's position is in support of or opposition to the relief sought. If the proceeding be by formal complaint and affirmative relief is sought by petitioner, the petition should conform to the requirements for a formal complaint.

(b) *When filed.* A petition for leave to intervene in any proceeding should be filed prior to or at the time the proceeding is called for hearing, but not after except for good cause shown.

(c) *Broadening issues; filing.* If the petitioner seeks a broadening of the issues and shows that they would not thereby be unduly broadened, and in respect thereof seeks affirmative relief, the petition should be filed in season to permit service upon and answer by the parties in advance of the hearing.

(d) *Copies; service.* When tendered at the hearing, sufficient copies of a petition for leave to intervene must be provided for distribution as motion papers to the parties represented at the hearing. If leave be granted at the hearing, one additional copy must be furnished for the use of the Commission. When not tendered at the hearing, the original of the petition shall be accompanied by copies in sufficient number to enable the Commission to retain one for its own use after it has made such service, if any, as next mentioned. All petitions for leave to intervene not tendered at the hearing will be served by the Commission, and copies shall be furnished accordingly, except petitions for leave to intervene in application proceedings under part II, which shall be served by petitioners.

(e) *Disposition.* Leave will not be granted except on averments reasonably pertinent to the issues already presented and which do not unduly broaden them. If leave is granted the petitioner thereby becomes an intervener and a party to the proceeding.

§ 1.73 *Participation without intervention.* In an investigation proceeding, in a proceeding for the issuance of a certificate of convenience and necessity for the abandonment of a line of railroad or its operation, in an application proceeding involving a motor carrier filed under section 5 of the act, in application proceedings under parts II, III, and IV, and in a proceeding of any one of the characters herein enumerated when heard on a consolidated record with a complaint proceeding, but in no other proceeding, an appearance may be entered at the hearing without filing a petition in intervention or other pleading, if no affirmative relief is sought, if there is full disclosure of the identity of the person or persons in whose behalf the appearance is to be entered, if the interest of such person in the proceeding and the position intended to be taken are stated fairly, and if the contentions will be reasonably pertinent to the issues already presented and any right to broaden them unduly is disclaimed. A person in whose behalf an appearance is entered in this manner becomes a party to the proceeding.

§ 1.74 *Witness examination; order of procedure.* Witnesses will be orally examined under oath before the officer unless their testimony is taken by deposition or the facts are presented to the Commission in the manner provided under modified or shortened procedure. In formal-complaint, application, and investigation proceedings complainant, applicant, and respondent, respectively, shall open and close at the hearing. Interveners shall follow the party in whose behalf the intervention is made. The foregoing order of presentation may be varied by the officer, who also shall designate the order of presentation in any other type of proceeding, of any other party to any proceeding, or of parties to several proceedings being heard upon a consolidated record.

§ 1.75 *Evidence; admissibility generally.* Any evidence which would be admissible under the general statutes of the United States, or under the rules of evidence governing proceedings in matters not involving trial by jury in the courts of the United States, shall be admissible in hearings before the Commission. The rules of evidence shall be applied in any proceeding to the end that needful and proper evidence shall be conveniently, inexpensively, and speedily produced, while preserving the substantial rights of the parties.

§ 1.76 *Evidence; cumulative restriction.* The right is reserved to limit the number of witnesses whose testimony may be merely cumulative.

§ 1.77 *Evidence; prepared statements.* With the approval of the officer a witness may read into the record as his testimony, statements of fact or expressions of his opinion prepared by him, or written answers to interrogatories of counsel, provided that the statement shall not include argument; that before any such statement is read, the witness shall deliver to the officer, the reporter, and to opposing counsel as may be directed by the officer, a copy of such statement or of such interrogatories and his written answers thereto; and that the admissibility of the evidence contained in such statement shall be subject to the same rules as if such testimony were produced in the usual manner. Such approval ordinarily will be denied when in the opinion of the officer the memory or demeanor of the witness may be of importance.

§ 1.78 *Evidence; official records.* An official record or an entry therein, when admissible for any purpose, may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody of the record, or by his deputy, and accompanied with a certificate that such officer has the custody. If the office in which the record is kept is within the United States or within a territory or insular possession subject to the dominion of the United States, the certificate may be made by a judge of a court of record of the district or political subdivision in which the record is kept, authenticated by the seal of the court, or may be made by any public officer having a seal of office and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office. If the office in which the record is kept is in a foreign state or country, the certificate may be made by a secretary of embassy or legation, consul general, consul, vice consul, or consular agent or by any officer in the foreign service of the United States stationed in the foreign state or country in which the record is kept, and authenticated by the seal of his office. A written statement signed by an officer having the custody of an official record or by his deputy that after diligent search no record or entry of a specified tenor is found to exist in the records of his office, accompanied by a certificate as above provided, is admissible as evidence that the records of his office contain no such record or entry. This section does not prevent the proof of official records or of entry of lack of entry therein or official notice thereof by a method authorized by any applicable statute or by the rules of evidence.

§ 1.79 *Evidence; entries in regular course of business.* Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, will be admissible as evidence thereof if it shall appear that it was made in the regular course of business, and that it was the regular course of business to make such memorandum or record at the time such record was made, or within a reasonable time thereafter.

§ 1.80 *Evidence; documents containing matter not material.* When material and relevant matter offered in evidence is in a document containing other matter not material or relevant, the offering party shall produce the document at the hearing, shall plainly designate the matter so offered, and shall accord to the officer and to participating counsel an opportunity to inspect it. Unless it is desired to read such matter into the record, and the officer so directs, true copies in proper form of the material and relevant matter taken from the document may be received as an exhibit, but other parties shall be afforded an opportunity to introduce in evidence, in like manner, other portions of such document if found to be material and relevant. The document itself will not be received.

§ 1.81 *Evidence; documents in Commission's files*—(a) *In general.* If any matter contained in a report or other document, not a tariff or schedule, open to public inspection in the files of the Commission is offered in evidence such report or other document need not be produced, but in other respects the provisions of § 1.80 will apply.

(b) *Tariffs and schedules; official notice in investigation proceedings.* If any matter contained in a tariff or schedule on file with the Commission is offered in evidence, such tariff or schedule need not be produced or marked for identification, but the matter so offered shall be specified with particularity in such manner as to be readily identified and may be received in evidence subject to check by reference to the original tariff or schedule. Official notice will be taken without offer or production of that portion of any tariff or schedule which is the subject matter of an order of investigation and suspension.

§ 1.82 *Evidence; records in other Commission proceedings.* If any portion of the record before the Commission in any proceeding other than the one on hearing is offered in evidence a true copy of such portion shall be presented for the record in the form of an exhibit unless:

(a) The party offering the same agrees to supply such copy later at his own expense, if and when required by the Commission; and

(b) The portion is specified with particularity in such manner as to be readily identified; and

(c) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any other portion offered by any other party may be incorporated by like reference subject to (a) and (b); and

(d) The officer directs such incorporation. Any such portion so offered, whether in the form of an exhibit or by reference, shall be subject to objection.

§ 1.83 *Evidence; abstracts of documents.* When documents are numerous, such as freight bills or bills of lading, the officer may refuse to receive in evidence other than a limited number of such documents said to be typical. Instead he may instruct, if the proffer be for the purpose of proving damage, that introduction be deferred until there is opportunity to comply with § 1.100. If the proffer be for other purpose the officer may require the party in orderly fashion to abstract the relevant data from the documents, affording other parties reasonable opportunity to examine both the documents and the abstract, and thereupon offer such abstract in evidence in exhibit form.

§ 1.84 *Evidence; exhibits*—(a) *Generally.* Exhibits of a documentary character may have a maximum width of 22 inches by 12½ inches in height. Whenever practicable the sheets of each exhibit and the lines of each sheet should be numbered. If the exhibit consists of five or more sheets the first sheet or title-page should be confined to a brief statement of what the exhibit purports to show, with reference by sheet and line to illustrative or typical examples contained therein. The exhibit should bear an identifying number, letter, or short title which will readily distinguish it from other exhibits offered by the same party. It is desirable that, whenever practicable, rate comparisons and other evidence should be condensed into tables. Whenever practicable, especially in proceedings in which it is likely that many documents will be offered, all the documents produced by a single witness should be assembled and bound together, suitably arranged and indexed, so that they may be identified and offered as one exhibit. Exhibits should not be argumentative and should be limited to statements of fact, and be relevant and material to the issue, which can better be shown in that form than by oral testimony.

(b) *Reference to tariff authority, routes, and distances.* All exhibits showing rates, fares, charges, or other tariff or schedule provisions must, by appropriate Interstate Commerce Commission number reference, indicate the tariff or schedule authority therefor, and if distances are shown must also show the authority therefor and, by lines, highways, or waterways, and junction points, the routes over which the distances are

computed; except that the routes over which the distances are computed need not be shown when such distances are specifically published in a tariff or schedule lawfully on file with the Commission, or definitely ascertainable from a tariff or schedule on file with the Commission showing rates prescribed by the Commission and based on short-line distances, or short-highway distances, provided the exhibit makes specific reference to such tariff or schedule as provided by this section.

(c) *Copies.* Unless the officer shall otherwise direct, the original and one copy of each exhibit of a documentary character shall be furnished for the use of the Commission—original to be delivered to the reporter, and the copy to the officer. If the hearing be before a board, a copy of the exhibit shall be furnished to each member of the board, unless the board otherwise directs. Unless the officer for cause directs otherwise, a reasonable number of copies shall be furnished to counsel in attendance at the hearing. Unless the officer shall otherwise direct, in proceedings under the Uniform Bankruptcy Act, the original and three copies of every exhibit of a documentary character shall be furnished for use of the Commission—original to be delivered to the reporter, and the three copies to the officer.

(d) *Interchange prior to hearing.* Whenever practicable, the parties should interchange copies of exhibits or other pertinent material, or matter before or at the commencement of the hearing.

(e) *When excluded how treated.* In case an exhibit has been identified, objected to, and excluded, the officer will develop whether the party offering the exhibit withdraws the offer, and if so, permit the return of the exhibit to him. If the excluded exhibit is not withdrawn it should be given an exhibit number for identification and be incorporated in the record. Exhibit numbers once used for identification will not be duplicated thereafter.

§ 1.85 *Record in referred matter unaffected by a second reference.* If for any reason an order referring a matter to a particular officer is vacated and the matter referred to a different officer, any testimony already taken in such proceeding shall be part of the record along with any testimony which thereafter may be taken.

§ 1.86 *Evidence; filing of subsequent to hearing; copies.* Except as provided below, or as expressly may be permitted in a particular instance, the Commission will not receive in evidence or consider as part of the record any documents, letters, or other writings submitted for consideration in connection with any proceeding after close of the hearing, and may return any such documents to the sender. Before the close of a hearing the officer may, at the request of a party or upon his own motion, or upon agreement of the parties, require that a party furnish additional documentary evidence supplementary to the existing record, within a stated period of time. Documentary evidence thus to be furnished will not be assigned an exhibit number at the hearing, but the document will be given an exhibit number at the time of filing and the parties accordingly advised. Unless otherwise directed by the officer, the original and one copy of such submission shall be filed with the Commission.

§ 1.87 *Evidence; objections to.* Formal exception to a ruling of an officer at a hearing is unnecessary. It is sufficient that a party at the time the ruling is made or sought, make known to the officer the action which he desires the officer to take or his objection to the action of the officer and his grounds therefor. An objection not pressed in brief will be considered as waived.

§ 1.88 *Oral argument before officer.* If oral argument before the officer is desired, he should be so notified at or before the hearing and may arrange to hear the argument at the close of the testimony within such limits of time as he may determine, having regard to other assignments for hearing before him. Such argument will be transcribed and bound with the transcript of testimony, and will be available to the Commission for consideration in deciding the case. The making of such argument shall not preclude oral argument before the Commission and request therefor may be made as provided in § 1.98.

§ 1.89 *Adjournment of hearing.* A continuance may be granted if it is impossible to conclude a hearing within the time available, or for any reason a continuance is necessary or advisable, but a joint board shall not set a date and place for a continued hearing without first consulting the Commission. If consultation with the Commission is impracticable, the hearing shall be adjourned by the joint board to such time and place as the Commission subsequently shall determine.

§ 1.90 *Transcript of record*—(a) *Filing.* After the close of the hearing the complete transcript of testimony taken and the exhibits shall be filed with the Commission.

(b) *Corrections.* A suggested change in a transcript ordinarily will be considered only if offered not later than 10 days prior to the due date for opening briefs (§§ 1.92 and 1.93). If opening briefs are not to be filed, a suggested change will not be considered unless offered within 20 days after the date the transcript is filed with the Commission. A copy of the letter (the original only need be filed with the Commission) requesting the suggested change shall be served upon all parties of record and upon the official reporter.

(c) *No free copies.* No free copies of transcript will be furnished to any party to any proceeding.

BRIEFS; REPORTS; ORAL ARGUMENT

§ 1.91 *Briefs; content and arrangement*—(a) *Due date.* The due date of each brief must appear on its front cover or title page.

(b) *Table of contents; citations.* A brief of more than 20 pages shall contain on its front flyleaves a table of contents and points made with page references, the table of contents to be supplemented by a list of citations, alphabetically arranged, with references to the pages where they appear.

(c) *Sketch or chart.* In proceedings wherein misrouting or undue prejudice or preference are alleged, the complainant should include as part of the brief a small sketch or chart adequately reflecting the situation.

(d) *Evidence abstract.* A brief filed after a hearing should contain an abstract of the evidence relied upon by the party filing it, preferably assembled by subjects, with reference to the pages of the record or exhibit where the evidence appears. The abstract should follow the statement of the case and precede the argument. In the event the party elects not to include a separate abstract in his brief, he should give specific reference to the portions of the record, whether transcript or otherwise, relied upon in support of the respective statements of fact made throughout the brief.

(e) *Requested findings.* Each brief should include such requests for specific findings, separately stated and numbered, as the party desires the Commission to make.

(f) *Exhibit reproduction.* Exhibits should not be reproduced in the brief, but may, if desired, be shown, within reasonable limits, in an appendix to the brief. Analyses of such exhibits should be included in the abstract of evidence under the subjects to which they pertain.

§ 1.92 *Briefs; when officer's report is served.* In a proceeding which has been the subject of hearing, and in which an officer's report is to be prepared and served, which fact will be stated by the officer on the record, only one brief shall be filed by each party. The officer shall fix for all parties the same time within which to file briefs. Reply briefs are not permitted at this stage.

§ 1.93 *Briefs; when officer's report is not served.* If no officer's report is to be prepared and served, which fact will be stated by the officer, in a proceeding which has been the subject of hearing the officer may, subject to variation for cause shown, fix times for filing and serving the respective briefs as follows: for the opening brief, 30 days from the close of hearing; for the brief of any opposing party, 15 days after the date fixed for the opening brief; for reply brief, 10 days after the date fixed for the brief of the opposing party; or he may fix the same time for filing and serving of briefs of all parties. Where the same time is fixed, within 15 days after expiration of the time so fixed reply briefs may be filed, and such briefs must be confined strictly to reply and contain no new matter: *Provided, however,* That no reply brief may be filed in an investigation-and-suspension proceeding.

§ 1.94 *Briefs of interveners.* Briefs of interveners shall be filed and served within the time fixed for the brief of the party in whose behalf the intervention is made or as may be otherwise directed by the officer.

§ 1.95 *Officer's report; when and how served.* After expiration of the time set for filing briefs, if the proceeding be one in which a hearing has been held, the officer's report will be prepared and served by mailing a copy to each party. An officer's report prepared in a proceeding in which a hearing has not been held will be served by mailing a copy to each party of record and to any other persons not parties to the proceeding who are believed to have an interest in the proceeding.

§ 1.96 *Exceptions to officer's report*—(a) *Generally.* Exceptions to the officer's report with respect to statements of fact or matters of law must be specific and must be stated and numbered separately. If exception is taken to conclusions in the report, the points relied upon to support the exception must be stated and numbered separately. When exception is taken to a statement of fact contained in the report, reference also must be made to the page or part of the record relied upon to support the exception and a corrected statement must be incorporated.

(b) *When filed.* Within 20 days after service of the officer's report any party may file and serve exceptions thereto and reasons in support thereof.

(c) *Request for hearing.* If the proceeding is one in which no oral hearing has been held, any person not a party to the proceeding, but having an interest therein, may file and serve upon applicant, or complainant, as the case may be, exceptions to the officer's report and reasons in support thereof. A request for hearing may be included therein but the exceptions need not include a request for hearing if none is deemed necessary.

§ 1.97 *Effect of exceptions or absence thereof*—(a) *Upon report and recommended order.* The filing of exceptions to a recommended order operates to stay the effectiveness of the order and thereafter decision by the Commission will be made in due course. If no exception is filed to the recommended order and the Commission does not stay it, the recommended order becomes the order of the Commission upon expiration of the period for filing exceptions provided in § 1.96 (b), or of any postponement of such period, or postponement of the effective date of such order, and a notice stating that the recommended order has, giving the date, become the order of the Commission will be mailed to the parties by the Commission.

(b) *Upon proposed report.* A proposed report will not become the decision of the Commission through failure to file exceptions, but in the absence of exceptions or of ascertained error the officer's statement of the issues and of the facts ordinarily will be taken by the Commission as the basis of its decision.

§ 1.98 *Oral argument before Commission*—(a) *Request; how made.* If no officer's report is to be served, request for oral argument before the Commission must be made at the hearing or by letter (original only need be filed with the Commission) within 10 days after the hearing. If an officer's report is to be served, the request for oral argument must be included as part of the exceptions brief or reply thereto.

(b) *Request for time allotment.* If the petition is granted a notice will be served by the Commission upon the parties setting the date for the oral argument. At least 10 days before that date any party desiring to participate in the oral argument must make request by letter (original only need be filed with the Commission) for an allotment of time. Only those making request in this manner will be permitted to participate.

ORDER COMPLIANCE; DAMAGE STATEMENTS

§ 1.99 *Compliance with Commission orders* When in consequence of proceedings under the act, the Commission has by its order directed a defendant or a respondent to do or desist from doing a particular thing, such defendant or respondent must notify the Commission on or before the date upon which such order becomes effective whether or not compliance has been made therewith. If a change in rates or schedules is required the notification must be given in addition to the filing of proper tariffs or schedules, and must specify the Interstate Commerce Commission numbers of the tariffs or schedules so filed.

§ 1.100 *Statements of claimed damages based on Commission findings.* When the Commission finds that damages are due, but that the amount cannot be ascertained upon the record before it, the complainant should immediately prepare a statement showing details of the shipments on which damages are claimed, in accordance with the form No. 5. (See appendix). The statement should not include any shipment not covered by the Commission's findings, or any shipment on which complaint was not filed with the Commission within the statutory period. The filing of a statement will not stop the running of the statute of limitations as to shipments not covered by complaint or supplemental complaint. If the shipments moved over more than one route a separate statement should be prepared for each route, and separately numbered, except that shipments as to which the collecting carrier is in each instance the same may be listed in a single statement if grouped according to routes. The statement, together with the paid freight bills on the shipments, or true copies thereof, should then be forwarded to the carrier which collected the charges for verification and certification as to its accuracy. If the statement is not forwarded immediately to the collecting carrier for certification, a letter request from defendants that forwarding be expedited will be considered to the end that steps be taken to have the statement forwarded immediately. All discrepancies, duplications, or other errors in the statements should be adjusted by the parties and correct agreed statements submitted to the Commission. The certificate must be signed in ink by a general accounting officer of the carrier and should cover all of the information shown in the statement. If the carrier which collected the charges is not a defendant in the case its certificate must be concurred in by like signature on behalf of a carrier defendant. Statements so prepared and certified shall be filed with the Commission whereupon it will consider entry of an order awarding damages.

REHEARING; REARGUMENT; OR RECONSIDERATION

§ 1.101 *Petitions for rehearing, reargument, or reconsideration*—(a) *In general.* A petition seeking any change in a decision, order, or requirement of the Commission should specify whether the prayer is for reconsideration, reargument, rehearing, further hearing, modification of effective date, vacation, suspension, or otherwise.

(b) *Rehearing or further hearing.* When in a petition filed under this section opportunity is sought to introduce evidence, the evidence to be adduced must be stated briefly, such evidence must not appear to be cumulative, and explanation must be given why such evidence was not previously adduced.

(c) *Modification of effective date.* A petition under this section seeking only modification of the effective date of a decision, order, or requirement, or in the period of notice, or other period or date prescribed therein, must be filed seasonably, except that, in case of unforeseen emergency satisfactorily shown by petitioner, such relief may be sought informally by telegram or otherwise, provided like notice is simultaneously communicated to all parties of record.

(d) *Reconsideration.* If relief under this section other than under paragraphs (b) and (c) is sought, the matters claimed to have been erroneously decided and the alleged errors or relief sought must be specified with the particularity respecting exceptions as outlined in § 1.96 (a), as should also any substitute finding or other substitute requirement desired by petitioner.

(e) *Time for filing.* Except for good cause shown, and upon leave granted, petitions under this section must be filed within 30 days after the date of service of a decision or order granting an application in whole or in part, and within 60 days after the date of service of any other character of decision or order.

(f) *Successive petitions on same grounds, not entertained.* A successive petition under paragraph (d) of this section filed by the same party or parties, and upon substantially the same grounds as a former petition, which has been considered and denied by the entire Commission, or by an appropriate appellate division, will not be entertained.

§ 1.102 *Petitions not otherwise covered.* When the subject matter of any desired relief is not specifically covered by these rules, a petition seeking such relief and stating the reasons therefor may be served and filed.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

APPENDIX

APPROVED FORMS

[These forms may be used in cases to which they are applicable, with such alterations as the circumstances may render necessary. Before using such forms the perti-

nent rules, particularly those referred to in the footnotes, should carefully be studied.]

No. 1. COMPLAINT [1]

Before the Interstate Commerce Commission

COMPLAINT

---

v.

[Insert without abbreviation the names of complainant and defendant (including each of the receivers, operating trustees, or other legal representatives of defendant), and whether a corporation, firm, or partnership, specifying the individual names of the parties composing the partnership; and the post-office address of any motor-carrier defendant.]

The Complaint of the above-named complainant respectfully shows:

I. That [complainant should here state nature and place of busines, also whether a corporation, firm, or partnership, and if a firm or partnership, the individual names of the parties composing the same.]

II. That the defendant above named is [here state whether: (a) carrier by railroad, express, motor vehicle (common or contract), water (common or contract), a freight forwarder, or otherwise; (b) the transportation is of property or passengers, or both; and (c) the transportation involves a freight forwarder or more than one type of carrier, specifying particulars] between points in the State of _____ and points in the State of _____ [a complaint under part II should specifically name the States in and through which the transportation which gives rise to the complaint is performed] and as such defendant is subject to the provisions of the Interstate Commerce Act.

III. That [state in this and subsequent paragraphs to be numbered IV, V, etc., the matter or matters intended to be complained of, naming every rate, fare, charge, classification, regulation, or practice the lawfulness of which is challenged, and also, if practicable, the points between which the rates, etc., complained of are applied. Where it is impracticable to designate each point, describe clearly the rate territory or rate group involved. Whenever practicable tariff or schedule reference should be given.]

[Where unlawful discrimination, preference, or prejudice is alleged the particular elements specified in the act as constituting such violation (see sections 2, 3, 4, 13, 216, 217, 218, 305, and 406) and the facts upon which complainant relies to establish the violation should be stated clearly. Where any provision of the act other than those just mentioned, or any requirement established pursuant to the act, is alleged to be violated, the pertinent statutory provision, or established requirement, together with the facts which are alleged to constitute the violation, should be stated. If two or more subsections of the act or requirements established pursuant thereto are alleged to be violated, the facts claimed to constitute violation of one subsection, or requirement, should be stated separately from those claimed to constitute a violation of another subsection, or requirement, wherever that can be done by reference or otherwise without undue repetition.]

X. That by reason of the facts stated in the foregoing paragraphs complainant has been subjected to the payment of rates [fares or charges, etc.] for transportation which were when exacted and still are (1) unjust and unreasonable in violation of section _____ of the Interstate Commerce Act, and (2) unjustly discriminatory in violation of section _____, and (3) unduly preferential or prejudicial in violation of section _____, and (4) in violation of the long-and-short-haul [or aggregate of intermediate rates] provision of section 4 thereof. [Use one or more of the allegations numbered (1), (2), (3), (4), or other appropriate allegation according to the nature of the complaint.] That [if recovery of damages is sought] complainant has been injured thereby to his damage in the sum of $ _____.

Wherefore complainant prays that defendant be required to answer the charges herein; that after due hearing and investigation an order be made commanding said defendant [and each of them] to cease and desist from the aforesaid violations of said act, and establish and put in force and apply in future to the transportation of _____ between the origin and destination points named in paragraph _____ hereof, in lieu of the rates [fares, or charges, etc.], named in said paragraph, such other rates [fares, or charges, etc.], as the Commission may deem reasonable and just [and also, if recovery of damages is sought, pay to complainant by way of reparation for the unlawful charges hereinbefore alleged the sum of $ _____, or such other sum as, in view of the evidence to be adduced herein, the Commission shall determine that complainant is entitled to an award of damages under the provisions of said act for violation thereof], and that such other and further order or orders be made as the Commission may consider proper in the premises.

Dated at _____, 19_____.

_____
(Complainant's signature [2])

_____
(Office and post-office address)

_____
(Signature of practitioner)

_____
(Post-office address)

VERIFICATION [3]

STATE of _____ }
County of _____ } *ss:*

_____, being duly sworn, deposes and says: that he is the complainant (or, one of the complainants; or, is the (insert title of the affiant if complainant is a corporation) of the _____ company, complainant) in the above-entitled proceeding; that he has read the foregoing complaint, and knows the contents thereof; that the same are true as stated, except as to matters and things if any, stated on information and belief, and that as to those matters and things, he believes them to be true.

_____

Subscribed in my presence, and sworn to before me, by the affiant above named, this _____ day of _____, 19__.

[USE AN L. S. IMPRESSION SEAL]

_____
[Title of Officer]

Commission expires _____

[1] See §§ 1.26 to 1.33, inclusive.

[2] See footnote to Verification.

[3] Signature and verification by complainant unnecessary if complaint is signed by a practitioner. See § 1.17.

No. 2. ANSWER [4]

Before the Interstate Commerce Commission

ANSWER

Docket No. _____

---

v.

The above-named defendant, for answer to the complaint in this proceeding, respectively states:

I. [Here set forth appropriate and responsive admissions, denials, and averments, specifically answering the complaint paragraph by paragraph.]

Wherefore defendant prays that _____.

Dated _____, 19 ____.

_____
[Name of defendant]

By [5] _____

_____
[Title of officer]

_____
[Office and post-office address]

_____
[Signature of practitioner]

_____
[Post-office address]

No. 3. CERTIFICATE OF SERVICE [6]

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by delivering a copy thereof in person to [here name persons served in person] and by mailing by first-class mail [or sending by express] a copy thereof properly addressed to each other party.

Dated at _____, this _____ day of _____, 19____.

[Signature] _____

No. 4. PETITION FOR LEAVE TO INTERVENE [7]

Before the Interstate Commerce Commission

PETITION

_____ }
v. } Docket No. _____
_____ }
[or state other title]

Comes now your petitioner, _____, and respectfully represents that he has an interest in the matters in controversy in the above-entitled proceeding and desires to intervene in and become a party to said proceeding, and for grounds of the proposed intervention says:

I. That [petitioner should here state nature and place of business, and whether a corporation, firm, or partnership, etc., as in form No. 1].

II. [Petitioner should here set out specifically his position and interest in the proceeding.]

III. [If affirmative relief is sought see paragraphs III and X and prayer in form No. 1.]

Wherefore said _____ prays leave to intervene and be treated as a party hereto with the right to have notice of and appear at the taking of testimony, produce and cross examine witnesses, and be heard in person or by counsel upon brief and at the oral argument, if oral argument is granted.

[If affirmative relief is sought insert appropriate prayer here.]

Dated at _____, 19_____.

[See forms Nos. 1 and 3 as to subscription, verification, and certificate of service.]

[4] See §§ 1.35 to 1.37, inclusive.

[5] See § 1.17.

[6] See § 1.22.

[7] See § 1.72.

No. 5.—FORM OF REPARATION STATEMENT UNDER §1.100

[Claim of _____ under decision of the Interstate Commerce Commission in Docket No. _____]

Date of shipment	Date of delivery or tender of delivery	Date charges were paid	Car [1] initials	Car [2] number	Origin	Destination	Route	Commodity	Weight	As charged		Should be		Reparation basis of the Commission's decision [3]	Charges paid by [4]
										Rate	Amount	Rate	Amount		

Claimant hereby certifies that this statement includes claims only on shipments covered by the findings in the docket above described and contains no claim for reparation previously filed with the Commission by or on behalf of claimant or, so far as claimant knows, by or on behalf of any other person, in any other proceedings, except as follows: (Here indicate any exceptions, and explanation thereof).

_____
Claimant

By _____
Practitioner

_____
Address

_____
Date

Total amount of reparation $_____

The undersigned hereby certifies that this statement has been checked against the records of this company and found correct.

Date _____ Concurred [4] in: _____ Company

_____ Company, Defendant Collecting Carrier, Defendant [5]

By _____, Auditor By _____, Auditor

[1] Substitute "Vessel" if water carrier involved.
[2] Substitute "Voyage No." if water carrier involved.
[3] Here insert name of person paying charges in the first instance, and state whether as consignor, consignee, or in what other capacity.
[4] If not a defendant, strike out word "defendant"
[5] For concurring certificate in case collecting carrier is not a defendant.

[F. R. Doc. 42-7860; Filed, August 12, 1942; 4:14 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

SAN ANDRES NATIONAL WILDLIFE REFUGE, NEW MEXICO

HUNTING REGULATIONS

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II [1] (53 Stat. 1431), and in extension of section 12.9 of the regulations of December 19, 1940,[2] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the following regulations permitting and governing the hunting of deer in the San Andres National Wildlife Refuge, New Mexico, are made and prescribed:

§ 23.800 *Hunting of deer, San Andres National Wildlife Refuge, New Mexico.* Until further notice deer may be taken during the open season prescribed therefor by the State Game and Fish Commission of New Mexico on certain lands hereinafter described of the United States within the San Andres National Wildlife Refuge, New Mexico, under the following special provisions, conditions, restrictions, and requirements:

(a) No open season shall be declared on this described area in any year until after joint examination or consultation by the Fish and Wildlife Service, the Forest Service, and the Game and Fish Commission of the State of New Mexico. If such annual examination or consultation indicates there is a surplus of deer on the area which should be reduced in any year, the number of deer to be so removed shall be determined and agreed upon by the participating agencies.

(b) *Area open to hunting.* The following-described lands of the United States within the refuge shall be open to the hunting of deer; That part of the refuge common to the Jornada Experimental Range and bounded on the east by a line approximately one-half mile west of the rim of the San Andres Range to be flagged or otherwise suitably marked on the ground by the officer in charge.

(c) *Compliance with State laws and regulations.* Any person who hunts on the refuge shall have in his possession a valid State hunting license and a permit, if such license and permit are required, authorizing him to hunt deer. The license and permit shall be exhibited upon the request of any representative of the New Mexico Game and Fish Commission authorized to enforce the State Game Laws or of any representative of the Department of the Interior, the Department of Agriculture, or other authorized official. The permittee must comply in every respect with the state laws and regulations govering the hunting of deer and must upon request of any of the aforesaid representatives exhibit for inspection all game killed by him or in his possession.

(d) *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(e) *Entry upon refuge; civil liability.* Persons entering the refuge for the purpose of hunting, as permitted by these regulations, are subject to civil liability for injuring or killing any livestock or damaging any property thereon, and shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

(f) *Limitation on firearms and bullets.* Deer may be taken only by the use of rifled firearms. Regulation No. 57 of the New Mexico Game and Fish Laws and Regulations, promulgated March 10, 1934, section 5 providing that "No big game, except turkeys, shall be shot at, wounded, taken or killed with a steel, or hard pointed bullet," shall apply to the hunting of deer on the refuge.

(g) *Penalties.* Failure of any person hunting upon the refuge to comply with any of the conditions, restrictions or requirements of the regulations in this section will be sufficient cause for removing such person from the refuge and for refusing him further hunting privileges on the refuge.

(h) *State cooperation in management of the shooting area.* The provisions of the regulations in this section shall be incorporated in and be deemed to be a part of any agreement between the Director of the Fish and Wildlife Service and the State Game Commission of New Mexico for the regulation, management, and operation of the shooting area established hereunder.

OSCAR L. CHAPMAN,
Assistant Secretary.

AUGUST 5, 1942.

[F. R. Doc. 42-7879; Filed, August 13, 1942; 9:47 a. m.]

[1] 4 F.R. 2731.
[2] 5 F.R. 5284; 50 CFR Part 12.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1016]

DISTRICT BOARD NO. 1—ALLEGHENY RIVER MINING CO.

ORDER CONTINUING TEMPORARY RELIEF

In the Matter of the Petition of District Board No. 1 for the Establishment of Price Classifications and Minimum

Prices, for all Shipments Except Truck, for a Mixture of the Coals of the Cadogan Mine (Mine Index No. 76), of the Allegheny River Mining Company with the Coals of Certain Other Mines in District No. 1, Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division by the Bituminous Coal Producers Board for District No. 1, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petitioner requested the establishment of temporary price classifications of "H" in Size Groups 1, 2, and 3 and "J" in Size Groups 4 and 5 for the coals of the Freebrook No. 7 Mine (Mine Index No. 664) of the Freebrook Corporation, the Loyal T. Henderson Mine (Mine Index No. 1491) of Loyal T. Henderson, the Orpha Mine (Mine Index No. 353) of the James Coal Mining Company, the Mohawk Mine (Mine Index No. 326) of the Mohawk Mining Company, the Radaker Mine (Mine Index No. 1921) of C. C. Radaker, when such coals are mixed with the coals of the Cadogan Mine (Mine Index No. 76) of the Allegheny River Mining Company and loaded over the Cadogan tipple.

Subsequent to the hearing in this matter before Examiner Joseph D. Dermody, the Freebrook Corporation, C. C. Radaker and Loyal T. Henderson requested that the classifications proposed for their respective mines for preparation and loading at the Cadogan tipple be withdrawn from consideration in this proceeding.

Upon recommendation by the Examiner, to which no exceptions were taken by any party to the proceeding, the Acting Director on June 8, 1942, ordered that commencing therewith the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck be, and thereby was, temporarily amended for a period of sixty (60) days by adding thereto a provision reading as follows:

When the coals of Mine Index No. 353 and 326 are mixed and loaded in the same car with coals of the Allegheny River Mining Company at Cadogan, Pennsylvania, the price to be applied to such mixture shall be the price listed for the coals of the mine in such mixture having the highest price classification.

On August 7, 1942, the Bituminous Coal Producers Board for District No. 1 requested that the temporary classifications established by the Order of the Acting Director dated June 8, 1942, in the above-entitled matter be continued for an additional period of sixty (60) days.

The undersigned finds that a reasonable showing of necessity has been made for the continuation of the temporary classifications established by the Order of the Acting Director dated June 8, 1942.

Now, therefore, it is ordered, That, commencing forthwith the temporary classifications established by the Order of the Acting Director dated June 8, 1942 in the above-entitled matter be continued for an additional period of sixty (60) days.

Dated: August 12, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7890; Filed, August 13, 1942; 11:02 a. m.]

[Docket No. B-309]

WM. HOWELLS AND T. A. HOWELLS, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

In the Matter of Wm. Howells and T. A. Howells, individually, and as co-partners, doing business under the name and style of Wm. Howells and T. A. Howells, code member.

A complaint dated July 1, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 7, 1942, by the Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Wm. and T. A. Howells, individually and as co-partners doing business under the name and style of Wm. and T. A. Howells, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder and an amended complaint, dated July 27, 1942, in the above-entitled matter having been duly filed on July 31, 1942 (the complaint as amended hereinafter referred to as the "Complaint");

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 22, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Canton, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under section 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to section 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Wm. Howells and T. A. Howells, doing business under the name and style of Wm. Howells and T. A. Howells, whose address is R. F. D. No. 5, Salem, Ohio, a code member, whose code membership became effective as of December 15, 1937, operating the Brookwood Mine, Mine Index No. 1400, located in Columbiana County, Ohio, in Subdistrict No. 4 of District No. 4, wilfully violated section 4 II (a) of the Act and Part 4 II (a) of the Code and Orders Nos. 307 and 309, promulgated by the Division on December 11, 1940 and January 14, 1941, respectively, by failing and refusing to file with the Statistical Bureau for District No. 4 for each month from January 1941 to June 1942, inclusive, within five (5) days after the end of each of said months, reports of all sales made during each of said months of coal produced at the above-named mine and shipped from said mine to various purchasers and copies of truck tickets, sales slips, invoices and listings of said sales as required by the respective provisions of said Orders Nos. 307 and 309.

Dated: August 12, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7891; Filed, August 13, 1942; 11:02 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[E. P. C. Docket No. 1[1]]

CERTAIN DESIGNATED COMMODITIES

NOTICE OF HEARING RELATIVE TO COMPARABLE PRICES

AMENDMENT OF PRIOR ORDER

The commodities listed after date of August 26 should read as follows:

August 26—soybeans, peanuts for oil, and tung nuts; green lima beans for processing, beets for processing, and other vegetables for processing, such as carrots, squash, pumpkin, okra, parsnips, turnips, and rhubarb.

[1] 7 F.R. 6230.

Done at Washington, D. C., this 12th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-7899; Filed, August 13, 1942; 11:32 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 22, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 13, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Barton Neckwear Co., 1106 Arch St., Philadelphia, Pennsylvania; Men's neckwear; 1 learner (T); August 13, 1943.

Hansley Mills, Inc., 1800 Main St., Paris, Kentucky; Men's shorts; 5 percent (T); August 13, 1943.

McCurrach Organization, 1873 Eastern Parkway, Brooklyn, New York; Men's neckties; 5 percent (T); August 13, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Blue Bell Globe Manufacturing Co., Natchez, Mississippi; Shirts, trousers; 10 percent (T); August 13, 1943.

Glaser Brothers, Inc., Eldon, Missouri; Men's and boys' trousers; 10 percent (T); August 13, 1943.

Hartmann-Schneider Co., Elder St., Johnstown, Pennsylvania; Work pants, shirts, and overalls; 5 learners (T); August 10, 1943. (This certificate effective August 10, 1942.)

Henry Manufacturing Co., Belvidere, Illinois; Govt. uniforms, U. S. Army overalls; 5 learners (T); August 13, 1943.

B. Laster, 123 North 13th St., Philadelphia, Pennsylvania; Children's dresses; 5 learners (T); August 13, 1943.

Meyersdale Manufacturing Co., Inc., Meyersdale, Pennsylvania; Shirts, 10 percent (T); August 13, 1943.

Playtime Boys' Togs, Inc., 234 South 4th St., Philadelphia, Pennsylvania; Boys' novelty suits; 2 learners (T); August 13, 1943.

Samette Manufacturing Co., 1702 Hanover Ave., Allentown, Pennsylvania; Ladies slips; 10 percent (T); August 13, 1943.

Charles T. Saylor, Beavertown, Pennsylvania; Shirts; 10 percent (T); August 13, 1943.

P. A. Specht Est., Blooming Glen, Pennsylvania; Trousers; 5 learners (T); August 13, 1943.

Stetson Pajama Co., King Georges Road, Fords, New Jersey; Pajamas, sportswear, 10 learners (T); August 13, 1943.

Cigar

Bayuk Cigars, Inc., Mervine and Montgomery Streets, Phialdelphia, Pennsylvania; Cigars; 180 learners (E); Cigar Machine Operators and Packers to have a learning period of 320 hours and Stripping Machine Operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 21, 1942. (This certificate effective August 10, 1942).

S. Frieder & Sons Co., West Market St., Xenia, Ohio; Cigars; 200 learners (E); Cigar Machine Operators and Packers to have a learning period of 320 hours and Stripping Machine Operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; February 10, 1943. (This certificate effective August 10, 1942.)

Pennstate Cigar Corporation, 426 E. Allegheny Avenue, Philadelphia, Pennsylvania; Cigars; 10 percent (T); Cigar Machine Operators and Packers to have a learning period of 320 hours and Stripping Machine Operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943.

Signed at New York, N. Y., this 11th day of August 1942.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7855; Filed, August 12, 1941; 12:28 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 17 Under Revised Price Schedule 6[1]—Docket 3006-20]

GRANITE CITY STEEL COMPANY

ORDER GRANTING RELIEF ON CERTAIN LEND-LEASE CONTRACTS

On June 30, 1942, Granite City Steel Company of Granite City, Illinois, filed a petition for an exception to Revised Price Schedule No. 6 as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition, and opinion in support of this Order No. 17 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Granite City Steel Company, Granite City, Illinois, may sell and deliver, and the Lend-Lease Administration and the Treasury Department, Procurement Division, for the account of the Lend-Lease Administration, may buy and receive iron and steel products as described in (b) herein, at a price not in excess of the price therein stated.

(b) 5,500 gross tons of plain carbon steel O. H. sheet mill slabs, identified by Lend-Lease allocation No. 7151-12598 may be sold at the maximum basing point price at Chicago, Illinois, as established by Revised Price Schedule No. 6 as amended, f. o. b. Granite City, Illinois.

(c) Copies of invoices covering delivery of the steel described herein shall be filed with the Office of Price Administration not later than ten days after delivery in whole or in part of the said steel.

(d) This Order No. 17 may be revoked or amended by the Administrator at any time.

[1] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780.

[2] 7 F.R. 971, 3663.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

This Order No. 17 shall become effective August 13, 1942.

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7875; Filed, August 12, 1942; 4:27 p. m.]

[Amendment 1 to Order 1 Under Maximum Price Regulation 122 [1]—solid fuels delivered from facilities other than producing facilities—dealers—Docket 3122-46]

GEO. B. NEWTON COAL CO.

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1 [2], a new item "#4 Buckwheat $0.303" is added to paragraph (b).

Amendment No. 1 to Order No. 1 shall become effective the 13th day of August 1942.

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7877; Filed, August 12, 1942; 4:28 p. m.]

[Order 24 Under Maximum Price Regulation 120 [3]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 1120-98-P]

CLOVER SPLINT COAL COMPANY

ORDER GRANTING EXCEPTION

On June 27, 1942, the Clover Splint Coal Company, Koppers Building, Pittsburgh, Pennsylvania, hereinafter called the Protestant, filed a protest against the provisions of Maximum Price Regulation No. 120. In accordance with § 1300.33 of Procedural Regulation No. 1, the protest is being treated not only as such but also as a petition for amendment, adjustment, or exception filed pursuant to § 1340.207 of this regulation. For the reasons set forth in an opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, and Procedural Regulation No. 1, [4] it is ordered:

(a) On and after June 27, 1942 sales of its 1" x ¼" and ¼" x 0" (Size Group 18) coals produced at its Closplint Mine (Mine Index No. 123), located at Closplint, Kentucky, in District 8, by the Clover Splint Coal Company may be made at the applicable maximum price subject to an agreement with the purchasers of such coals to adjust prices upon deliveries made during the pendency of its protest, in accordance with the disposition thereof.

(b) This Order No. 24 may be revoked or amended by the Price Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally determined by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 24 shall become effective August 13, 1942.

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7863; Filed, August 12, 1942; 4:28 p. m.]

[Amendment 1 to Order 12 under Maximum Price Regulation 120 [1]—Bituminous coal delivered from mine or preparation plant—Docket 1120-9-P]

MORRIS RUN COAL MINING CO.

ORDER GRANTING EXCEPTION

A new subparagraph (4) is added to paragraph (b) of Order No. 12 under Maximum Price Regulation No. 120 to read as set forth below:

* * * * *

(4) The prices specified in this paragraph shall apply to deliveries made on or after May 18, 1942 pursuant to contracts which Morris Run Coal Mining Company had in effect on that date.

* * * * *

(f) (1) Amendment No. 1 to Order No. 12 shall become effective August 13, 1942.

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7876; Filed August 12, 1942; 4:29 p. m.]

[Order 11 under Maximum Price Regulation 122 [2]—solid fuels delivered from facilities other than producing facilities—dealers—Docket 3122-32]

COPPER RANGE COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, [3] it is ordered:

(a) The Copper Range Company, Painesdale, Michigan may sell and deliver solid fuels, and any person may buy and receive from Copper Range Company solid fuels at prices not in excess of those stated in paragraph (b) below:

(b) Maximum prices for the sale of solid fuels by Copper Range Company shall be the maximum prices determined in accordance with §1340.261 (b) of Maximum Price Regulation No. 122 plus not more than 30 cents per net ton:

Provided, That in the event of a decrease or decreases in the delivered costs to Copper Range Company of solid fuels below $6.435 per net ton, then the maximum price set forth in paragraph (b) above shall be reduced accordingly for application to sales of such solid fuels purchased by it at such decreased prices.

(c) This Order No. 11 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This Order No. 11 shall become effective August 13, 1942.

Issued this 12th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7862; Filed, August 12, 1942; 4:32 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-577]

ILLINOIS IOWA POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 12th day of August, A. D., 1942.

Illinois Iowa Power Company, a registered holding company, having on July 13, 1942 filed an application or declaration (or both) with this Commission pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9 (a) and 10 of said Act, and Notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and the application or declaration (or both) being concerned with the proposed acquisition by Illinois Iowa Power Company of the outstanding publicly held preferred stock of Kewanee Public Service Company, (Kewanee), an "associate company" of the applicant or declarant; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application or declaration (or both) and that said application shall not be granted or said declaration shall not become effective except pursuant to the further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules and Regulations thereunder be held on September 2, 1942 at 10:0 A. M., E. W. T., on that day at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such applicant or declarant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file notice to that effect with the Commission on or before August 27th, 1942.

It is further ordered, That, without limiting the scope of issues presented by said application or declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Availability of funds of Illinois Iowa Power Company and the propriety of utilizing such funds for the purposes outlined in the application;

(2) Analysis of the Property Account of Kewanee;

(3) Analysis of the past due note of Kewanee held by North American Light & Power Company and the open account from which such note originated;

(4) Analysis of Surplus Accounts of Kewanee to determine the propriety of charges and credits thereto;

(5) Analysis of the Depreciation Reserve and annual accruals thereto as set up on the books of Kewanee;

(6) The fairness of the proposed maximum price to be paid for said shares;

(7) The fairness of the proposed method of acquisition of said shares.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7880; Filed, August 13, 1942; 9:45 a. m.]

[File No. 1-1863]

THE GEORGIAN INCORPORATED

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of August, A. D. 1942.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of The Georgian Incorporated Eight Per Cent Cumulative Class A Preference Stock $20 Par Value, should be suspended or withdrawn.

I. It appearing to the Commission:

That The Georgian Incorporated, a corporation organized under the laws of the State of Massachusetts, is the issuer of Eight Per Cent Cumulative Class A Preference Stock, $20 Par Value; and

That said The Georgian Incorporated registered such security on the Boston Stock Exchange, a national securities exchange, by filing on or about July 1, 1935, an application on Form 10 with the Exchange and with the Commission pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule X-12B-1, as amended, promulgated by the Commission thereunder, which registration became effective July 16, 1935, and has remained in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said The Georgian Incorporated; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said The Georgian Incorporated has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that no request for extension was filed by said The Georgian Incorporated; and that no annual report for the fiscal year ended December 31, 1941, was filed by July 1, 1942, within the maximum period allowable under the rule; and

II. The Commission having reasonable cause to believe:

That said The Georgian Incorporated has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether The Georgian Incorporated has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Eight Per Cent Cumulative Class A Preference Stock, $20 Par Value, of said The Georgian Incorporated on said Boston Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, Frank Kopelman, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 10th day of September, 1942, at 10:00 A. M. at the Regional Office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7881; Filed, August 13, 1942; 9:45 a. m.]

[File No. 70-579]

TRI-CITY UTILITIES COMPANY AND ASSOCIATED ELECTRIC COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 11th day of August, A. D., 1942.

A declaration and application having been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company, a registered holding company, and Tri-City Utilities Company, a wholly-owned subsidiary of Associated Electric Company, with respect to the reduction by Tri-City Utilities Company of its capital stock from time to time through the purchase and retirement of its common stock at its par value in amounts equal to the cash available for such purposes, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and

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[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.
[2] 7 F.R. 971, 3663.
[3] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.
[4] 7 F.R. 971, 3663.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4640, 4700, 5059, 5560, 5607.
[2] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.
[3] 7 F.R. 971, 3663.

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The Tennessee Railroad and Public Utilities Commission and the City of Jellico, a municipal corporation under the laws of Tennessee, and E. S. Miller, James L. Hefferman, John W. Howe and M. A. Wheeler, residents of said City, having filed petitions requesting that a hearing be held with respect to the said matter, and said petitions having alleged the existence of certain claims on behalf of certain citizens of the City of Jellico against the assets of Tri-City Utilities Company, the alleged claims arising out of a rate reduction order of the Tennessee Railroad and Public Utilities Commission; and

The Commission having considered such petitions and the allegation contained therein, and it appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said declaration and application and that said declaration shall not become effective or said application be granted except pursuant to further order of the Commission, and that at said hearing there be considered, among other things, the various matters hereinafter set forth;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on September 1, 1942, at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said application or declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the acquisition and retirement by Tri-City Utilities Company of its common stock from time to time will be detrimental to the public interest or the interest of investors and consumers;

(2) Whether terms or conditions are necessary to be imposed to protect the financial integrity or to safeguard the working capital of Tri-City Utilities Company and to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder;

(3) Whether any part of the funds which Tri-City Utilities Company proposes to use to acquire its common stock should be set aside for the satisfaction of claims asserted by the City of Jellico, Tennessee, and certain of its residents; and

(4) Generally, whether all actions proposed to be taken comply with the requirements of the Act, and rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7882; Filed, August 13, 1942; 9:46 a. m.]

[File No. 1-2285]

REORGANIZED WILSON MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of August, A. D., 1942.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Reorganized Wilson Mining Company, assessable Common Stock, 10¢ par value, should be suspended or withdrawn.

I. It appearing to the Commission:

That Reorganized Wilson Mining Company, a corporation organized under the laws of the State of Nevada, is the issuer of Assessable Common Stock, 10¢ par value; and

That said Reorganized Wilson Mining Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing on or about November 23, 1935, an application on Form 10 with the Exchange and with the Commission pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule X-12B-1, as amended, promulgated by the Commission thereunder, which registration became effective June 1, 1936, and has remained in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Reorganized Wilson Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Reorganized Wilson Mining Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that the time for filing was extended to June 30, 1942, the maximum extension permitted by Rule X-13A-1; that the annual report for the fiscal year ended December 31, 1941 was not filed either within such extended period or at any later date; and

II. The Commission having reasonable cause to believe that:

The said Reorganized Wilson Mining Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941 within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Reorganized Wilson Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Assessable Common Stock, 10¢ Par Value, of said Reorganized Wilson Mining Company on said San Francisco Mining Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 26th day of August, 1942, at 10:00 a. m. at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7883; Filed, August 12, 1942; 9:47 a. m.]

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Reference

THE NATIONAL ARCHIVES OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 161

Washington, Saturday, August 15, 1942

The President

EXECUTIVE ORDER 9220

[AUTHORIZING THE SECRETARY OF THE NAVY TO TAKE POSSESSION AND OPERATE THE PLANT OF THE GENERAL CABLE COMPANY AT BAYONNE, NEW JERSEY]

By virtue of the power and authority vested in me by the Constitution and laws of the United States, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered and directed as follows:

The Secretary of the Navy is authorized and directed immediately to take possession of and operate the plant of the General Cable Company located at Bayonne, New Jersey, through and with the aid of such person or persons or instrumentality as he may designate, and, in so far as may be necessary or desirable, to produce the war materials called for by the Company's contracts with the United States, its departments and agencies, or as may be otherwise required for the war effort, and do all things necessary or incidental to that end. The Secretary of the Navy shall employ such employees, including a competent civilian advisor on industrial relations, as are necessary to carry out the provisions of this Order, and, in furtherance of the purposes of this Order, the Secretary of the Navy may exercise any existing contractual or other rights of said Company, or take such steps as may be necessary or desirable.

Possession and operation hereunder shall be terminated by the President as soon as he determines that the plant of the General Cable Company will be privately operated in a manner consistent with the war effort.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 13, 1942.
6 p. m., E. W. T.

[F. R. Doc. 42-7953; Filed, August 14, 1942; 11:43 a. m.]

Regulations

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[B. A. I. Order 375]

Subchapter B—Prevention of Animal Diseases: Cooperation with States

PART 51 — TUBERCULOUS, PARATUBERCULOUS, AND BANG'S DISEASE REACTING CATTLE

AUGUST 13, 1942.

Under the authority conferred upon the Secretary of Agriculture by section 3 of the Act of Congress approved May 29, 1884 (23 Stat. 32; 21 U. S. C. 114), section 2 of the Act of Congress approved February 2, 1903 (32 Stat. 792; 21 U.S.C. 111), and appropriate provisions of recurring annual appropriation acts for the Department of Agriculture (21 U.S.C. 129), Part 51 of Title 9, Chapter 1, Subchapter B, Code of Federal Regulations, 1938 Supplement, as amended [B. A. I. Order 367, as amended], is hereby revoked, and the following new Part 51 is hereby adopted in lieu thereof, effective August 15, 1942:

Sec.
51.1 Definitions.
51.2 Payments to owners for cattle destroyed.
51.3 Appraisal of cattle.
51.4 Report of appraisals.
51.5 Time limit for slaughter.
51.6 Report of proceeds of marketing.
51.7 Claims for compensation.
51.8 Claims not allowed.
51.9 Part 53 not applicable.

AUTHORITY: §§ 51.1 to 51.9, inclusive, issued under 23 Stat. 32; 32 Stat. 792; 21 U. S. C. 111, 114, 129.

§ 51.1 *Definitions.* For the purpose of these regulations, the following words, names, and terms shall be construed, respectively, to mean:

(a) "The Department" means the United States Department of Agriculture.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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(b) "The Secretary" means the Secretary of Agriculture of the United States.

(c) "The Bureau" means the Bureau of Animal Industry of the United States Department of Agriculture.

(d) "Bureau representative" means any inspector or other person employed by the bureau who is authorized by the Chief of Bureau to do any work or perform any duty in connection with the arrest and eradication of tuberculosis, paratuberculosis, and Bang's disease (brucellosis) of animals.

(e) "Accredited veterinarian" means any veterinarian accredited by State and Bureau.

(f) "Destroyed" means condemned and destroyed by slaughter or by death otherwise.

§ 51.2 *Payments to owners for cattle destroyed.* Owners of cattle destroyed because they are affected with tuberculosis, paratuberculosis, or Bang's disease of cattle shall be paid an indemnity not to exceed one-third of the difference between the appraised value of each animal so destroyed and the value of the salvage thereof, ascertained in accordance with the provisions of §§ 51.3 and 51.6 hereof: *Provided, however,* That no such payment shall exceed $25 for any grade animal or $50 for any purebred animal: *And provided further,* That no such payment shall exceed the amount paid or to be paid by the State, Territory, county, or municipality where the animal shall be condemned.

§ 51.3 *Appraisal of cattle.* Cattle affected with tuberculosis, paratuberculosis, or Bang's disease shall be appraised by a Bureau representative or a representative of the cooperating State, Territory, county, or municipality in which they are condemned. When thus appraised, due consideration shall be given to their breeding value as well as to their dairy or meat value. Cattle presented for appraisal as purebreds shall be accompanied by their registration papers at the time of appraisal, or they shall be appraised as grades: *Provided, however,* That, if the cattle are less than three years old and unregistered, the Chief of Bureau may grant a reasonable time for their registration and the presentation of their registration papers to the appraiser. The Bureau may decline to accept any appraisal that appears to it to be unreasonable or out of proportion to the market value of similar cattle of a like quality. Appraisals shall not exceed any limit that may be set by the laws or regulations of the State, Territory, county, or municipality in which the cattle are condemned.

§ 51.4 *Report of appraisals.* Appraisals made under § 51.3 hereof shall be reported on forms furnished by the Bureau (T. E. Form 23 (revised)), which shall show the number of cattle, the age and value of each, the registration names and numbers of all purebred cattle and the amount paid or to be paid for each animal by the State, Territory, county, or municipality in which it was condemned. The T. E. Form 23 (revised) shall be signed by the appraiser or appraisers and approved by the Bureau inspector in charge and a duly authorized official of the cooperating State, Territory, county, or municipality. It shall also be signed by the owner of the animals, or his agent, certifying that the appraisal is accepted by him and that the amounts stated to be due him from the United States and the cooperating State, Territory, county, or municipality are correct. One copy of the T. E. Form 23 (revised) shall be submitted to the Bureau with the claim for compensation provided for in § 51.7 and one copy shall be retained by the Bureau inspector in charge who approves the claim. Additional copies may be furnished to officials of the cooperating State, Territory, county, or municipality and to the owner, upon request.

§ 51.5 *Time limit for slaughter.* Tuberculous, paratuberculous, or Bang's disease reacting cattle, for the elimination of which payment is to be made, shall be slaughtered within 15 days after the date of appraisal, except that the Bureau inspector in charge, for reasons satisfactory to him, may extend the period to thirty days and the Chief of Bureau, within his discretion, may extend it beyond thirty days.

§ 51.6 *Report of proceeds of marketing.* A report of the salvage derived from the sale of *each* animal slaughtered in accordance with these regulations shall be made on T. E. Form 24 (revised) which shall be signed by the purchaser or his agent, or by the selling agent handling the animals. If the animals are sold by the pound, the T. E. Form 24 (revised) shall show the weight, price per pound, gross receipts, expenses, if any, and net proceeds. If the animals are not sold on a per pound basis, the net purchase price of *each* animal must be stated on the T. E. Form 24 (revised) and an explanation showing how the amount received was arrived at must be submitted. In the event that the animals are not disposed of through regular slaughterers or through selling agents, the owner shall furnish, in lieu of the T. E. Form 24 (revised), an affidavit showing the amount of salvage obtained by him, and certify that said amount is all that he has received or will receive as salvage for said animal or animals. A certificate executed by the inspector in charge will be accepted in lieu of the owner's affidavit. The salvage shall be considered to be the net amount received for the animal after deducting freight, truckage, yardage, commissions, slaughtering charges, etc., but no charges for holding animals on the farm pending slaughter or for trucking by the owner of the animals shall be deducted, and no such charges will be paid by the Department. One copy of T. E. Form 24 (revised) or the affidavit or certificate of the inspector in charge, furnished in lieu thereof, shall be submitted to the Bureau with the claim and one copy shall be retained by the Bureau inspector in charge who approves the claim. Additional copies may be prepared and furnished to the State, Territory, county, or municipal authorities, if required by them.

§ 51.7 *Claims for compensation.* Claims for compensation for cattle destroyed on account of tuberculosis, paratuberculosis, or Bang's disease shall be presented on Standard Form 1034 (revised), or such other form as may be prescribed by the General Accounting Office, properly executed and accompanied by T. E. Form 23 (revised), and by T. E. Form 24 (revised) or the affidavit or certificate in lieu of T. E. Form 24 (revised) authorized by § 51.6.

§ 51.8 *Claims not allowed.* Claims for compensation for cattle destroyed on account of tuberculosis, paratuberculosis, or Bang's disease shall not be allowed if any of the following circumstances exists:

(a) If the claimant has failed to comply with any of the requirements of these regulations.

(b) If the existence of either disease in the cattle was not determined as the result of a tuberculin, johnin, or agglutination test applied by a Bureau veterinarian, a cooperating, regularly employed, State, Territorial, county, or municipal veterinary inspector, or an accredited veterinarian.

(c) If the existence of either disease in the cattle was determined as the result of a tuberculin, johnin, or agglutination test applied by an accredited veterinarian and specific instructions for the administration of such test had not previously been issued to such veterinarian in writing by the proper State and Federal authorities.

(d) If the cattle are classified as tuberculous or paratuberculous, unless they have reacted to the tuberculin or johnin test or reveal lesions of either disease upon autopsy.

(e) If, at the time of their condemnation the cattle were not in a State, Territory, county, or municipality in which cooperative tuberculosis, paratuberculosis, or Bang's disease eradication work was being conducted.

(f) If the claim is not to be paid in cooperation with, and supplementary to payments to be made by, the State, Territory, county, or municipality in which said cattle were condemned.

(g) If any part of the claimant's herd has not been tested under Federal and State supervision for the eradication of tuberculosis, paratuberculosis, or Bang's disease.

(h) If the premises occupied by the cattle have not been properly cleaned and disinfected with a disinfectant permitted by the Bureau in accordance with recommendations of the proper State or Bureau official.

(i) If the cattle are steers, unless they are work oxen, or if they are bulls and are not purebred.

(j) If the cattle were destroyed on account of tuberculosis or paratuberculosis, unless they were marked for identification by branding the letter "T" on the left jaw, not less than 2 nor more than 3 inches high, and unless a metal tag bearing a serial number and the inscription "U. S. B. A. I. Reactor" or a similar State reactor tag shall have been suitably attached to the left ear of each animal.

(k) If the cattle were destroyed on account of Bang's disease, unless they were marked for identification by branding the letter "B" on the left jaw, not less than 2 nor more than 3 inches high, and unless a metal tag bearing a serial number and the inscription "U. S. B. A. I. Reactor, B. D.," or a similar State reactor tag shall have been suitably attached to the left ear of each animal.

(l) If the cattle reacted positively to the agglutination blood test for Bang's disease and, at any time after they became 8 months old, they had been vaccinated with any vaccine made from or through the agency of Brucella microorganisms; or if they reacted positively to such test and they had been vaccinated with such a vaccine when they were 8 months old or less, unless 18 months had elapsed between the date of vaccination and the date of reaction.

(m) If the cattle are calves under 6 months old which have reacted only to the agglutination blood test for Bang's disease.

(n) If there is substantial evidence that the owner or his agent has in any way been responsible for any attempt unlawfully or improperly to obtain indemnity funds for such cattle.

§ 51.9 *Part 53 not applicable.* No claim for compensation for cattle destroyed on account of tuberculosis, paratuberculosis, or Bang's disease shall hereafter be paid or allowed under the regulations contained in Title 9, Chapter 1, Subchapter B, Part 53, Code of Federal Regulations [B.A.I. Order 237], but all such claims shall be presented and paid pursuant to and in compliance with regulations contained in this order.

Done at Washington this 13th day of August 1942.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42–7941; Filed, August 14, 1942; 11:13 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

On August 12, 1942, the Board of Governors of the Federal Reserve System amended Part 222[1] in the following respects to become effective immediately:

1. Strike out the word "instalment" in the first line of § 222.8 (c) entitled "Educational, Hospital, Medical, Dental, and Funeral Expenses."

2. Strike out the phrase "in any listed article" and the word "such" in § 222.8 (f) entitled "Credit to Dealers."

3. Add the following new paragraphs at the end of § 222.8:

(n) *Railroad watches.* Any extension of credit to finance the purchase of a railroad standard watch (whether new or used) by a railroad time service employee, provided the Registrant obtains a certification with respect to such employee in the form prescribed by General Limitation Order of the War Production Board limiting the transfer of railroad standard watches.

(o) *Commodity Credit Corporation.* Any extension of credit made by the Commodity Credit Corporation or made by a Registrant in accordance with a loan program formulated and adminis-

[1] 7 F.R. 3351, 5080, 5807.

tered by the Commodity Credit Corporation.

4. Amend item 1 in Group B in § 222.13 (a) to read as follows:

1. Furniture, household (including ice refrigerators, bed springs, mattresses, and materials and services employed in reupholstering).

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; sec. 301, Pub. Law 354, 77th Congress; 12 U.S.C. 95 (a) and Sup., and Executive Order No. 8843, dated August 9, 1941, E.O. 8843, 6 F.R. 4035)

Board of Governors of the Federal Reserve System.

[SEAL] S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-7962; Filed, August 14, 1942; 11:56 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T.D. 5165]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

Sections 19.47–1, 19.52–1, 19.53–1, 19.56–1 (a), 19.235–1 (b), and 19.236–1 (b) Regulations 103 amended: Returns by corporations not in existence throughout an annual accounting period, time for filing corporation returns and paying the tax for a fractional part of a year.

PARAGRAPH 1. Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] are amended as follows:

(A) By changing the fourth sentence of § 19.47–1, relating to returns for periods of less than twelve months, to read as follows:

The requirements with respect to the filing of a separate return and the payment of tax for a part of a year are the same as for the filing of a return and the payment of tax for a full taxable year closing at the same time, except as otherwise provided in § 19.53–1 and § 19.56–1 (a).

(B) By striking the first sentence of § 19.53–1, relating to the time for filing returns, and inserting in lieu thereof the following:

Returns of income (except in the case of nonresident alien individuals, as to which see section 217, and foreign corporations, as to which see section 235, and except in the case of a return by a corporation for a fractional part of a year) must be made on or before the 15th day of the third month following the close of the taxable year. The return by a corporation (other than a nonresident foreign corporation) for a fractional part of a year must be filed on or before the 15th day of the third full calendar month following the close of the fractional part of a year, except that, upon a showing by the taxpayer of unusual circumstances, the Commissioner may prescribe a later time for the filing of the return. In such a case, the time prescribed by the Commissioner shall not be later than the 15th day of the third month following (1) the close of the calendar year in which or with which such fractional part of a year ends or (2) the close of the 12th month ending after the beginning of such fractional part of a year, whichever is earlier.

(C) By inserting immediately after the first sentence in § 19.56–1 (a), relating to the date on which tax shall be paid, the following:

In the case of a return by a corporation (other than a nonresident foreign corporation) for a fractional part of a year, the tax is to be paid on or before the last day prescribed for the filing of such return (see § 19.53–1).

(D) By inserting immediately after the first sentence in parentheses in § 19.235–1 (b), relating to the time and place for filing returns for resident foreign corporations, the following:

If the return is for a fractional part of a year, it shall be filed at the time prescribed in § 19.53–1.

(E) By inserting immediately after the first sentence of § 19.236–1 (b), relating to the date on which tax shall be paid by resident foreign corporations, the following:

If the return is made for a fractional part of a year, the tax shall be paid at the time prescribed in § 19.56–1 (a).

PAR. 2. Section 19.52–1 of such Regulations 103 is amended by inserting immediately after the fourth sentence thereof the following:

If a corporation was not in existence throughout an annual accounting period (either calendar year or fiscal year), and if the fractional part of a year during which it was in existence ended after June 30, 1941, then the corporation is required to make a return for that fractional part of a year during which it was in existence. A corporation is not in existence after it ceases operations and is dissolved, retaining no assets.

(Sections 47, 52, 53, 56, 62, 235, 236 and 3791 (b) of the Internal Revenue Code (53 Stat. 26, 27, 28, 31, 32, 79, and 467; 26 U.S.C., sections 47, 52, 53, 56, 62, 235, 236, and 3791 (b).)

[SEAL] NORMAN D. CANN,
Commissioner of Internal Revenue.

Approved: August 13, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7963; Filed, August 14, 1942; 11:51 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 624—MINIMUM WAGE RATES IN THE RAILROAD CARRIER INDUSTRY

WAGE ORDER

In the matter of the recommendations of Industry Committee No. 44 for minimum wage rates in the Railroad Carrier Industry.

Whereas on April 4, 1942, pursuant to section 5 of the Fair Labor Standards Act of 1938, hereinafter called the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 147, appointed Industry Committee No. 44 for the Railroad Carrier Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Railroad Carrier Industry in accordance with section 8 of the Act; and

Whereas the Committee included four disinterested persons representing the public and a like number of persons representing the employees in the Railroad Carrier Industry, and a like number representing employers in the Industry, and each group was appointed with due regard to the geographical regions in which the Railroad Carrier Industry is carried on; and

Whereas on April 29, 1942, after investigation of conditions in the Industry, the Committee filed with the Administrator a report containing its recommendations for a 40 cent per hour minimum wage rate in the Railroad Carrier Industry; and

Whereas after notice published in the FEDERAL REGISTER on June 23, 1942, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendations at New York, New York, on July 15, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

Whereas although all persons appearing at said public hearing before the Presiding Officer were given leave to file briefs on or before August 5, 1942, no briefs were filed; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, concludes that the Committee's recommendations for the Railroad Carrier Industry, as defined in Administrative Order No. 147 are made in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of section 8 of the Act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Industry Committee No. 44 for a Minimum Wage Rate in the Railroad Carrier Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, 165 West 46 Street, New York, New York.

Now, therefore, it is ordered, That:

Sec.
624.1 Approval of recommendations of industry committee.
624.2 Wage rate.
624.3 Posting of notices.
624.4 Definition of railroad carrier industry.
624.5 Effective date.

AUTHORITY: §§ 624.1 to 624.5, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. 208.

§ 624.1 *Approval of recommendations of industry committee.* The Committee's recommendations are hereby approved.

§ 624.2 *Wage rate.* Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the Railroad Carrier Industry who is engaged in commerce or in the production of goods for commerce.

§ 624.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Railroad Carrier Industry shall post and keep posted in a conspicuous place in each department of each of his establishments where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor, and shall give such other notice as the Division may from time to time prescribe.

§ 624.4 *Definition of railroad carrier industry.* The railroad carrier industry to which this order shall apply is hereby defined as follows:

For the purpose of this order the term "railroad carrier industry" means the industry carried on by any express company, sleeping car company or carrier by railroad, subject to Part I of the Interstate Commerce Act, and by any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and by any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such company or carrier by railroad: *Provided, however,* That the term "railroad carrier industry" shall not include the industry carried on by any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power.

§ 624.5 *Effective date.* This wage order shall become effective August 31, 1942.

Signed at New York, N. Y., this 13th day of August, 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-7926; Filed, August 14, 1942; 10:56 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO.

[General Ruling No. 14 Relating to Foreign Funds Control]

TRANSMISSION OF UNITED STATES CURRENCY TO MEXICO

§ 132.14 *General Ruling No. 14.* The sending, mailing, exporting, or otherwise transmitting of any United States currency out of the United States directly or indirectly to Mexico on and after August 14, 1942, is hereby prohibited, except as specifically licensed or otherwise authorized by the Secretary of the Treasury. (Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, E.O. 8998, Dec. 26, 1941; and E.O. 9193, July 6, 1942; Regulations, Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941.)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7964; Filed, August 14, 1942; 11:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 603—SELECTIVE SERVICE OFFICERS

[Amendment 71, 2d Ed.]

JURISDICTION OF BOARD OF APPEALS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. No. 8545, 5 F.R. 2779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 603.24[1] to read as follows:

§ 603.24 *Jurisdiction.* Each board of appeal shall have jurisdiction to review and to affirm or change any decision appealed to it from any local board in its area or any decision appealed from any local board not in its area when transferred to it in the manner provided by § 627.22.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 13, 1942.

[F. R. Doc. 42-7956; Filed, August 14, 1942; 11:49 a. m.]

[1] 6 F.R. 6827.

PART 628—APPEAL TO THE PRESIDENT

[Amendment 70, 2d Ed.]

METHOD OF TAKING APPEAL

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 628.3[1] to read as follows:

§ 628.3. *How appeal to the President is taken.* The appeal shall be taken (a) by mailing or delivering to the local board written notice of appeal or (b) by going to the local board and signing the appeal to the President on the Selective Service Questionnaire (Form 40). If the appeal is taken by filing a written notice of appeal, such notice need not be in any particular form but should include the name of the registrant, his serial and order numbers, the identity of the person appealing (sufficiently definite to show the right of appeal), and the fact that such person wishes the President to review the determination of the board of appeal.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 13, 1942.

[F. R. Doc. 42-7955; Filed, August 14, 1942; 11.49 a. m.]

[Special Order No. 1]

WAIVING LOCAL BOARD PHYSICAL EXAMINATION IN NEW YORK IN CERTAIN INSTANCES

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885), as amended, and the authority vested in me by the rules and regulations prescribed thereunder, and more particularly the provisions of § 623.35 of the Selective Service Regulations, I hereby waive the requirement that registrants be physically examined by an examining physician in the manner provided in part 623,[2] Selective Service Regulations, in those cases where the State Director of Selective Service of New York, requests the reopening of the classification of registrants in Class I–B, and I hereby direct that the reconsideration of classifications of such registrants be completed in the manner provided in § 623.51 (f), Selective Service Regulations, without such physical examination by a local board examining physician.

LEWIS B. HERSHEY,
Director.

AUGUST 1, 1942.

[F. R. Doc. 42-7958; Filed August 14, 1942; 11:50 a. m.]

[1] 6 F.R. 6846.

[2] 6 F.R. 6611, 6643; 7 F.R. 68, 653, 808, 2088, 8745, 4154, 4403.

[Order No. 50]

PRESBYTERIAN HOSPITAL PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Presbyterian Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 50. Said project, located at New York City, New York, will be the base of operations for work at the Presbyterian Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Presbyterian Hospital Project will be engaged in clerical work, as attendants, waiters, etc., and shall be under the direction of the Superintendent, Presbyterian Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Presbyterian Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

AUGUST 13, 1942.

[F. R. Doc. 42–7960; Filed, August 14, 1942; 11:50 a. m.]

ACCUMULATIVE PROGRESS REPORT OF CLASSIFICATION AND INDUCTION

ORDER PRESCRIBING FORM

[No. 107]

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Discontinuance of DSS Form 140, entitled "Accumulative Progress Report of Classification and Induction," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing discontinuance shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 13, 1942.

[F. R. Doc. 42–7959; Filed, August 14, 1942; 11:50 a. m.]

[1] Filed as part of the original document.

ACCUMULATIVE REPORT OF CLASSIFICATION AND INDUCTION

ORDER PRESCRIBING FORM

[No. 108]

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 140A, entitled "Accumulative Report of Classification and Induction," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 1, 1942.

[F. R. Doc. 42–7957; Filed, August 14, 1942; 11:49 a. m.]

[1] Form filed as part of the original document.

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXIII]

PART 801—GENERAL REGULATIONS

COPPER SULPHATE

§ 801.2. *Prohibited exportations* is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	*Gen. Lic. Group*
Copper sulphate	None

This amendment shall become effective August 15, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

AUGUST 12, 1942.

[F. R. Doc. 42–7903; Filed, August 13, 1942; 1:54 p. m.]

[Amendment No. XXIV]

PART 804—INDIVIDUAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (b) of § 804.8 *Certificates of necessity*[1] is hereby amended by adding to the list of commodities contained therein the following item:

Commodity:	*Department of Commerce Schedule B Number*
Potassium chlorate	8359.08, 8359.09

It is further amended by deleting from said list the following items:

Brushes, paint and varnish, short or long bristle.
Cobalt oxide.
Cranes.
Derricks.
Electric incandescent lamps.
Ferrochromium.
Flake graphite content in manufactures.
Heavy trucks.
Hoists.
Light trucks.
Locomotives:
Diesel and Diesel electric.
Electric.
Gasoline.
Steam.
Parts and accessories.
Manila cordage.
Manila fiber.
Medium trucks.
Metal furniture.
Molybdenum wire.
Passenger cars.
Refrigerators.
Rubber, crude.
Rubber manufactures.
Tanning materials (chromium).
Tires and tubes, automobile.
Tricresyl phosphate.
Tungsten metal, wire, shapes, and alloys.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong.; Pub. Law 636, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

AUGUST 12, 1942.

[F. R. Doc. 42–7904; Filed, August 13, 1942; 1:55 p. m.]

[1] 7 F.R. 5010, 5591, 5937.
[2] 7 F.R. 5020.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1055—WOOL

[Amendment No. 1 to Conservation Order M–73 as Amended for the Period August 3, 1942, to January 31, 1943]

Section 1055.1 *Conservation Order No. M–73*[1] for the period August 3, 1942, to January 31, 1943 is hereby amended in the following respects:

1. Paragraph (a) (3) (i) and subparagraph (d) (2) are amended by deleting the words "mohair, either kid or adult," therein.

2. Paragraph (b) is amended by deleting the words "mohair, either kid or adult, or" therein.

3. Paragraph (i) (5) (i) is amended by deleting the words "Angora or" therein.

4. Paragraph (i) (5) (vii) is amended by inserting after the word "wool" wherever it appears therein the words "and mohair, either kid or adult,".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7931; Filed, August 14, 1942; 11:12 a. m.]

[1] 7 F.R. 5552.

PART 1141—MOTOR FUEL

[Amendment 1 to Limitation Order L–70, as Amended]

Section 1141.1 *Limitation Order L–70*,[1] as Amended, paragraph (g) is hereby amended to read as follows:

(g) *Emergency reserves and replacements.* (1) In those areas in which the provisions of Exhibit "B" are in effect, any service station which makes deliveries of motor fuel for official use in vehicles or boats owned or operated by the United States Army or the United States Navy, which deliveries are not a normal part of such service station's regular business, shall be entitled to replacement from his supplier of the amount thereof and may accept delivery of such replacement in addition to the monthly quota for such service station.

(2) In the States of Oregon and Washington:

(i) In addition to the delivery of that supply of motor fuel which is permitted under paragraphs (d) and (k) (1), a supplier shall deliver a quantity of motor fuel sufficient to permit any service station supplied by him to maintain the minimum necessary reserve specified in paragraph (g) (2) (ii).

(ii) In addition to that supply of motor fuel which is permitted under paragraphs (d) and (k) (1), a service station shall accept delivery of and maintain motor fuel in a quantity equal to 25 percent of the total motor fuel storage capacity of such service station, or 500 gallons, whichever is the lesser.

(iii) Such minimum necessary reserve may be delivered by any service station only upon a direction of the Army, the Navy, the Office of Civilian Defense, the Office of Petroleum Coordinator for War or the Director General for Operations, in the following words and signed manually:

Deliver (quantity) of motor fuel from the minimum necessary reserve authorized under paragraph (g) (2) of Limitation Order L–70, as Amended.

Signature

Title or Rank

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7930; Filed, August 14, 1942; 11:11 a. m.]

[1] 7 F.R. 4842, 5643.

PART 1233—THERMOPLASTICS

[Amendment 2 to General Preference Order M–154]

Section 1233.1 *General Preference Order M–154*[1] is hereby amended as follows:

1. Paragraph (b) is hereby amended to read as follows:

(b) *Placing of orders.* On and after September 1, 1942, no producer shall accept and no person shall tender an order for delivery of thermoplastics unless such order is accompanied by a certificate manually signed by the person (or his duly authorized agent) tendering such order containing representations by the person seeking delivery that the thermoplastics sought will not be used in violation of paragraph (f) of this order.

2. Paragraph (d) is hereby amended by striking the words and figures "15th of August, 1942" in the opening paragraph and substituting in their place the words and figures "1st of October, 1942".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7932; Filed, August 14, 1942; 11:12 a. m.]

PART 1233—THERMOPLASTICS

[Supplementary Order M–154–a]

§ 1233.2 *Supplementary Order M–154–a*—(a) *Definition.* For the purpose of this order "polyvinyl butyral" means polyvinyl butyral resin formed by the reaction of butyraldehyde with a hydrolized polymer of vinyl acetate.

(b) *Restriction on disposition of butyral.* No person shall use, process or deliver polyvinyl butyral except as follows:

(1) Pursuant to the terms of a contract, subcontract or order for polyvinyl butyral or products made therefrom, where such polyvinyl butyral or such products are to be delivered to, or incorporated into any material to be delivered to, the United States Army, Navy, Coast Guard, Maritime Commission, or War Shipping Administration, or the Government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or

(2) For research purposes: *Provided*, That no delivery of polyvinyl butyral for research purposes shall be made except on orders bearing preference ratings of A–2 or higher; *and provided further*, That no person may accept delivery of more than one hundred (100) pounds of polyvinyl butyral in any one calendar month for research purposes; or

(3) Pursuant to specific authorization of the Director General for Operations.

(c) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C.—Ref.: M–154–a. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7933; Filed, August 14, 1942; 11:13 a. m.]

PART 1233—THERMOPLASTICS

[Supplementary Order M–154–b]

§ 1233.3 *Supplementary Order M–154–b*—(a) *Definition.* For the purpose of this order "methyl methacrylate" means any polymer of the esters of acrilic and methacrylic acid.

(b) *Restrictions on disposition of methyl methacrylate sheet scrap.* Ex-

cept as otherwise specifically authorized by the Director General for Operations, no person shall sell or deliver scrap resulting from the cutting or fabricating of methyl methacrylate sheets except for the purpose of reprocessing such scrap into methyl methacrylate sheets.

(c) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of methyl methacrylate scrap shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C.—Ref.: M-154-b. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7934; Filed, August 14, 1942; 11:13 a. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Schedule II—Limitation Order L-154]

STEAM SURFACE CONDENSERS

§ 1288.3 *Schedule II to Limitation Order L-154*[1]—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates, or assembles steam surface condensers.

(2) "Steam surface condenser" means any tube and shell steam condenser used in land installations which employs water in its circulating system to condense the steam exhausted from a prime mover or from the jets of a steam jet air pump.

(3) "Admiralty metal" and "Muntz metal" mean those alloys so designated, respectively, in A. S. T. M. specification B111-40T.

(b) *Restrictions on materials.* The following restrictions on materials are hereby established for the manufacture of steam surface condensers:

(1) No producer shall install or incorporate, or accept delivery of for the purpose of installing or incorporating, in any steam surface condenser, whether such condenser be new or used,

(i) Tube sheets which contain any copper, copper base alloy, or nickel, or tube sheets which are tin-coated;

(ii) Tubing which contains any cupronickel alloy;

(iii) Tubing which is tin-coated;

(iv) Tubing which contains any copper or copper base alloy except:

(*a*) Tubing constituted entirely of Muntz metal or of an alloy containing a lower percentage of copper than Muntz metal and no tin in a condenser designed to employ normal fresh water in its circulating system; or

(*b*) Tubing constituted entirely of Admiralty metal or of an alloy containing a lower percentage of copper than Admiralty metal and no tin in a condenser designed to employ brackish or salt water in its circulating system;

(v) Any other part, (such as, but not limited to, bolts, bracing, ferrules, or baffles in the water passages or steam spaces) which contains any copper or copper base alloy.

(2) Nothing herein contained shall prevent the delivery or use of tubing, tube sheets, or other parts, which were in process or fully fabricated five days after the issuance of this schedule.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7929; Filed, August 14, 1942; 11:11 a. m.]

PART 1210—INDUSTRIAL POWER TRUCKS

[Supplementary Limitation Order L-112a]

In accordance with the provisions of § 1201.1 *General Limitation Order L-112*,[1] which the following order supplements, it is hereby ordered that:

§ 1210.2 *Supplementary Limitation Order L-112a*—(a) *Approved standard models.* Pursuant to paragraph (d) (2) of Limitation Order L-112, approved standard models of industrial power trucks for each manufacturer named herein shall be those models listed below for such manufacturer: *Provided, however,* That notwithstanding any other provision of Limitation Order L-112, as supplemented, no such model shall be manufactured in more than one size of platform width and length, nor shall any such model contain battery boxes built to accommodate larger capacity batteries than the manufacturer's standard battery for the model:

Name of Manufacturer and Approved Standard Models

Atlas Car and Manufacturing Company: HP-3, 3-EA-62, 3-EA-17, 3-DWT-2, 2-WT-2.

Automatic Transportation Company: LN-2, LN-3, LO-5, TLN-2, TLN-3, TLO-5, CHTF-2, THTF-L-4, THTF-L-6, TETF-7, THTF-M-10. TN-4, TN-6, TW-4, TW-6 in platform lengths 36, 48, 60, & 72 inches and heights 6, 7, 9, and 11 inches—motorized lift truck TS-103, 2000 # Crane attachment.

Baker-Raulang Company: E-2, E-3, E-5, H-2, H-3, H-5, JOM-20, JOM-40, JOM-60, CXA, CXB, CXF.

Clark Equipment Company: Electric Comet, Electric Plate, Electric Stalwart 6025; Lemur, Fisher, Mink, Otter, Badger, Panther, Lion, Comet, Tops, Plate, Stalwart 6025, Stalwart 7025, Clarkat, Standard, Mill.

Crescent Truck Company: LA-3, NA-4, LDLF, NBR-4, NDRE-4, NDRE-6, NCRE-4, NCRE-6, NCDE-4, NCTE-10, NTW.

Dallas Machine and Locomotive Works, Incorporated: PH-462-130, PH-562-130, PH-662-130, 4MH-4560, 4MH-5170, SMH-4560, SRH-5660, SRH-5770, SRH-5778, SRH-6978, SMH-5170, SRH-4560.

Easton Car and Construction Company: HP-4, LP-4, LL-4, LL-6, TLC-4, TLC-6.

Elwell-Parker Electric Company: EQ-4, EP-4, EP-6, EP-10, ELN-6, ELN-10, F-23, F-19, F-25, C-4, C-X, C-S, 2000 # Crane attachment, GEP-6.

W. F. Hebard Company: A-3, A-14, J-233.

Howell Industrial Truck Company: 112, 30, 90, 80-FC, 5.

Lewis-Shepard Sales Corporation: EFT-3, EFT-4, GFT-3, GFT-4.

Lift Trucks, Incorporated: EHN-3000 # in platform lengths: 38, 44, 50, 62 inches EHW-3000 #, EHW-4000 #, EHW-6000 # in platform lengths: 44, 50, 62, 74 inches. All in 6, 7, 9, and 11 inch platform heights.

Mercury Manufacturing Company: A-1007, A-1006, A-1020, A-1001, A-1017, A-1018, A-1360, A-1480, A-540, Banty.

Rocky Mountain Steel Products Company: Pony Express-24 volt, Pony Express-32 volt, Pony Express-Gas.

Ross Carrier Company: 20-H, 18-H, 16-H, 15-H, 12-H, 70-5445, 70-6051, 90-6554, 90-6556, 90-7056, 90-7968, 90-10868.

Towmotor Company: LT-40, LT-44, LT-46, LT-53, LT-56, LT-62, LT-72.

Vaughan Motor Company: PAW, SAL, SAW, C.

Willamette Hyster Company: Karry Krane Handy Andy-30, Handy-Andy-50, Stevego, Hyster 75, Space Saver, M-4560, M-5766, MH-4566, MH-5778, MH-57-108, MH-6370, MH-6878.

Wright-Hibbard Industrial Electric Truck Company, Incorporated: RBH-2, RBH-3, RBH-4, TRC-2, TRC-3, TRC-4.

Yale and Towne Manufacturing Company: K-20-4, K-20-6, KM-4L, K-23-E4, K23-E6, K-26-S10, K26G-20L, K22-4, KM-4H. K-25, K-33, KM-30-2M, K41-II. K41-III, K41-V, K42-3-7-65, K42-SH6-78, K42-G10-5½-78, C2-T.

Yard-Man, Incorporated: C-Truck-Man.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7961; Filed, August 14, 1942; 11:55 a. m.]

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[1] 7 F.R. 4533.

[1] 7 F.R. 5306.

Chapter XI—Office of Price Administration

PART 1309—COPPER

[Maximum Price Regulation 202]

BRASS AND BRONZE ALLOY INGOT

In the judgment of the Price Administrator the prices of brass and bronze alloy ingot have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of brass and bronze alloy ingot prevailing between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Act.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 202 is hereby issued.

AUTHORITY: §§ 1309.151 to 1309.165, issued under Pub. Law 421, 77th Cong.

§ 1309.151 *Prohibition against dealing in brass or bronze alloy ingot at prices above the maximum.* On and after August 19, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver, and no person in the course of trade or business shall buy or receive any brass or bronze alloy ingot at a price higher than the maximum price established for such ingot by Appendix A (§ 1309.165), and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided, however,* That contracts for the sale of brass or bronze alloy ingot entered into in writing prior to July 10, 1942, at prices not in excess of the prices established by the General Maximum Price Regulation[2] may be carried out in accordance with their terms if the seller, prior to September 1, 1942, delivers such ingot to the buyer's plant or warehouse or to a carrier not owned or controlled by the seller for transportation to the buyer's plant or warehouse.

§ 1309.152 *Sales for export.* The maximum price at which a person may export brass or bronze alloy ingot shall be determined in accordance with the provisions of Revised Maximum Export Price Regulation[3] issued by the Office of Price Administration.

§ 1309.153 *Adjustable pricing.* Any person may offer, or agree to adjust, or fix, prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In any appropriate situation where a petition for amendment, adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1309.154 *Less than maximum prices.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 202 may be charged, demanded, paid or offered.

§ 1309.155 *Records.* (a) Every sale of brass or bronze alloy ingot on and after August 19, 1942, shall be invoiced by the seller. The original invoice shall be delivered to the buyer with the brass or bronze alloy ingot, and shall state: (1) the date of delivery, (2) the names and addresses of the buyer and seller, (3) the ingot identification number or, in the case of a brass or bronze alloy ingot not given an ingot identification number, the exact alloy composition, including any impurities or physical specifications, (4) the quantity in pounds ordered and delivered, and (5) the price per pound and the total amount payable by the buyer, showing separately the transportation costs if such costs exceed 0.25¢ per pound and if the excess is payable by the buyer.

(b) On and after August 19, 1942, every buyer of brass or bronze alloy ingot shall preserve for inspection by the Office of Price Administration for a period of at least two years, the original, and every seller of brass or bronze alloy ingot shall so preserve a copy, of each invoice required to be furnished by paragraph (a) of this section.

§ 1309.156 *Reports.* (a) On or before September 10, 1942, and on or before the tenth day of each month thereafter, each producer of brass and bronze alloy ingot shall submit to the Office of Price Administration a report showing all deliveries of brass and bronze alloy ingot for the preceding calendar month. Such report shall list the deliveries in pounds opposite each ingot identification number in Appendix A and the deliveries in pounds opposite the nominal specification of each brass or bronze alloy ingot not given an identification number in Appendix A.

(b) On or before the first day of the second calendar month following the close of each quarter of his fiscal year beginning with the first quarter ending after August 19, 1942, each producer of brass or bronze alloy ingot who has not filed OPA Form B—Interim Financial Report, covering such accounting period shall furnish to the Office of Price Administration his balance sheet and profit and loss statement covering such accounting period as normally prepared for his own use, except that the profit and loss statement must show the profit of such producer before federal income and excess profits taxes.

(c) Persons affected by this regulation shall also submit such other reports to the Office of Price Administration as it may from time to time require.

§ 1309.157 *Certificates of analysis.* Any seller who has customarily given a buyer a certificate of analysis shall continue to do so. Upon request from the buyer, any seller, regardless of previous custom, shall give the buyer a certificate of analysis signed by the seller, or a duly-authorized partner, officer or employee of the seller, or by a recognized independent testing laboratory, showing the exact chemical analysis of the ingot, including all relevant impurities, except that if the maximum price of the ingot is determined on the basis of physical specifications, such certificate shall show the relevant physical properties of the ingot.

§ 1309.158 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 202 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, brass or bronze alloy ingot, alone or in conjunction with any other commodity, or by use of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement, trade understanding or otherwise.

§ 1309.159 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 202 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 202 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1309.160 *Petition for amendment.* Persons seeking modification of any provisions of this Maximum Price Regulation No. 202 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1309.161 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 202 supersede the provisions of the General Maximum Price Regulation with respect to the sales and deliveries for which maximum prices are established by this Regulation.

§ 1309.162 *Definitions.* (a) When used in this Maximum Price Regulation No. 202, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other Government or any of its political subdivisions or any agency of the foregoing.

(2) "Carload lot" means the minimum quantity of brass or bronze alloy ingot

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783.

[3] 7 F.R. 3096, 3824, 4294, 4541.

RANGES OF ALLOY CONTENT—Continued

TABLE II. 88-10-2 GROUP—Continued

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
253	85.00	92.00	4.50	5.74	1.00	2.99	1.00	9.00			14.25
255	83.50	90.00	4.50	5.74	2.01	2.99	1.00	9.00			13.50
256	83.50	86.00	3.00	4.49	1.75	2.99	1.00	9.00			13.00

TABLE III. 80-10-10 GROUP

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
295	77.00	82.00	15.00	17.00	4.00	6.00	0.25	1.00	0.00 Ni, 0.50–1.00 Fe, 0.25 Sb, 0.35	0.50 Others 0.35	19.75
296	69.00	72.00	12.00	14.00	14.00	16.00	0.00	0.50			18.00
297	80.00	85.00	9.50	11.49	4.25	6.00	0.00	0.50	0.00 Ni, 0.50–1.00 Fe, 0.25 Sb, 0.00–0.25 Total 0.75–1.50	0.75 Others 0.35	15.25
298	80.00	85.00	9.00	11.00	4.25	6.25	1.00	5.00		1.50	16.25
300	77.00	82.00	9.00	10.74	8.50	11.74					14.50
305	82.00	87.00	9.00	10.74	8.50	21.74			0.00 Ni, 0.50–1.00 Fe, 0.25 Sb, 0.00–0.25 Total 0.75–1.50	0.75 Others 0.35	14.25
306	82.00	87.00	8.99	10.74	7.25	8.74				1.50	13.50
311	82.00	85.00	8.99	9.74	7.25	9.74					16.00
312	78.00	81.99	7.50	8.99	8.73	10.99		3.00	0.00 Ni, 0.25–0.50 Total 0.75–2.00	0.75	13.25
313	74.00	81.99	7.50	8.99	12.00	15.99				1.50	14.25
314	74.00	81.99	7.50	8.99	12.00	15.99		4.00	0.25 Total 0.75–2.00	0.75	13.75
315	79.00	86.00	5.50	7.49	6.00	10.50				1.50	13.00
319	74.00	82.00	5.75	7.49	12.00	16.00	S. A. E. 67	3.00	0.00 Ni, 0.50 Fe, 0.00 Sb, 0.00 Total 0.50	0.50	12.25
320	74.00	82.00	5.75	7.49	12.00	16.75				1.50	12.50
321	72.00	77.00	5.75	7.49	16.75	20.74					11.75
322	72.00	77.00	5.75	7.49	16.75	21.75					14.25
323	67.50	72.50	4.00	6.00	21.75	26.00		0.50	Aeron. #440 Mat. Spec. 0.00 Ni, 0.50 Fe, 0.00 Sb, 0.00 Total 0.50	0.50	11.75
324	62.00	67.49	4.00	5.75	26.00	32.00		3.00		1.50	11.75
325	72.00	85.00	3.50	5.74	11.75	21.74		4.00		.50	12.25
326	80.00	86.00	3.50	6.49	8.00	10.00					

TABLE IV. YELLOW GROUP

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
400	70.00	74.99	0.50	1.74	2.00	4.00	Balance				10.50
403	66.00	69.99	0.50	1.74	2.00	4.00	Balance				10.25
405	Any	65.99	0.50	1.50	0.50	4.00	Balance				10.00
405.1	Any	65.99	0.50	1.50	0.50	1.00	Balance				12.25
405.2	Any	65.99	0.50	1.00	1.00	1.50	Balance		Navy 46B10F		11.75
407	66.00	72.00	0.00	0.50	0.00	0.50	Balance		Incl. Sn. & Pb.		11.50
408	83.00	86.00	0.00	0.20	0.00	0.50	Balance				13.00
409	Any	61.00	None		1.50	2.00	Balance			.25	12.25

TABLE V. MISCELLANEOUS

NICKEL ALLOYS

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
410	Any		5.00			10.00	Any		Nickel 9.00	13.99	13.00
411	Any		5.00			10.00	Any		14.00	17.99	15.25
412	Any		5.00			10.00	Any		18.00	21.99	16.50
413	Any		5.00			10.00	Any		22.00	26.99	18.00
414	Any		5.00			10.00	Any		27.00	32.99	19.50

ALUMINUM BRONZE

Ingot identification No.	Aluminum		Zinc		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	
415	8.00	13.00	Any		15.75

RANGES OF ALLOY CONTENT—Continued

TABLE V. MISCELLANEOUS—Continued

MANGANESE BRONZE

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
					Tensile Strength				*Elongation*		
420					60–65,000				Any		12.75
421					65–80,000				Any		13.75
422					80–90,000				Any		14.75
423					90–100,000				Any		16.00
424					100,000 Plus				Any		17.00

SILICON BRONZE

Ingot identification No.	Copper+Zinc		Tin		Other Elements		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
500	90.00		0.00	2.00	Si. 2.00 Fe 0.00 Mn 0.00	5.50 2.50 1.50	0.00	15.00		.50	15.50

Additions for phosphorus in all groups:
Phosphorus, 0.05% to 0.19%, Plus-Minus 0 cents per pound.
Phosphorus, 0.20% to 0.49%, Plus 0.25 cents per pound.
Phosphorus, 0.50% and over, Plus 0.50 cents per pound.
Additions for Nickel in all Groups except Yellow and Nickel:
Nickel, Under 1%, Plus-Minus 0 cents per pound.
Nickel, 1% or over, Each percent Plus 0.25 cents per pound.

*Ingots to be sold at the price indicated for these ranges of alloy content must have lead at least ½ of 1% higher than tin.
†No addition for phosphorus may be made to the price of this alloy.
‡Where no specific impurity limitations are stated, the customary impurity limitations shall prevail.

(c) *Maximum prices for sales or deliveries in carload lots of brass or bronze alloy ingot not included in paragraph* (a). (1) The maximum price for any grade of brass or bronze alloy ingot, other than a grade for which a maximum price is established in paragraph (b) of this section, shall be a price hereafter approved by the Administrator.

(2) Pending such approval by the Administrator, any person may sell or deliver, and any person may buy or receive, any such ingot at the price submitted for approval. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved, the seller shall refund the excess: *Provided, however,* That the price submitted by the seller for approval shall be deemed to be approved unless the Administrator specifically disapproves such price and establishes an approved maximum price within fifteen days from the date on which the report required in paragraph (c) (3) of this section is received by the Office of Price Administration or, if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration.

(3) On and after August 19, 1942, the seller of any such ingot, regardless of whether the seller has previously sold or delivered brass or bronze alloy ingot of such alloy content at a price approved by the Office of Price Administration, shall (i) report every such sale to the Office of Price Administration, Washington, D. C., within five days from the date thereof, stating (a) the quantity sold, (b) the alloy content, including specific mention of any impurity limitations and physical specifications where relevant, (c) the proposed price, in carload lots, and (ii) provide such other information concerning the manufacture or sale of such ingot, including the name of the buyer, as may be requested by the Office of Price Administration in order to determine the proper maximum price of such ingot.

(d) *Maximum prices for sales and deliveries in less than carload lots.* A premium of ¼¢ per pound may be added to the maximum prices established in paragraphs (b) and (c) of this § 1309.165 for a sale and delivery of brass and bronze alloy ingot in less than a carload lot.

(e) *Credit terms.* The maximum prices established by this regulation shall not be increased by any charges for the extension of credit, and shall be reduced by ½ of 1% for payment within ten days after delivery.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7906; Filed, August 13, 1942; 4:59 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 24 to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Section 1315.804 (c) is amended, and a new subparagraph (5) is added to § 1315.803 (d) as set forth below:

[1] 7 F.R. 1027, 1089, 2106, 2107, 2541, 2633.

Transfers and Deliveries of New Tires and Tubes, Retreaded or Recapped Tires and Camelback

§ 1315.803 *Permitted and prohibited deliveries of camelback.* * * *

(d) *Other transfers.* * * *

(5) *To retreaders for Army.* Notwithstanding the provisions of § 1315.803 (c), any manufacturer or dealer in camelback may (without certificate) transfer camelback for use on tires owned by the United States Army to any retreader or recapper who either has a prime contract with the War Department to retread or recap such tires or has a subcontract with the prime contractor, but only when the following conditions are first satisfied.

(i) the retreader or recapper who is a prime contractor shall make out a purchase order in duplicate showing upon its face the number or other identification of his prime contract with the War Department, and shall forward one copy to the manufacturer or dealer in camelback, and shall retain one copy in his files;

(ii) the retreader or recapper who is a subcontractor shall make out a purchase order in triplicate and shall submit one copy to the manufacturer or dealer in camelback, another copy to the prime contractor who shall approve the order in writing and forward it to the manufacturer or dealer in camelback, and shall retain the third copy in his files;

(iii) When the manufacturer or dealer is also the retreader or recapper, he shall make out a requisition order setting forth the amount of camelback withdrawn and the date of withdrawal, and shall retain it in his files.

(iv) A manufacturer or dealer in camelback shall file a separate monthly report within fifteen days from the end of each calendar month for each retreader or recapper to whom he has made any transfer of camelback pursuant to this paragraph (d) (5) (i) or (ii). Such report shall be filed with the Regional Office of the Office of Price Administration serving the area in which the retreader or recapper is located and shall set forth the name and address of the prime contractor and the name and address of the subcontractor, if any, the numbers and dates of the purchase orders, and the amount and date of each shipment of camelback during such calendar month. When the manufacturer or dealer is also the retreader or recapper, he shall make out and file a similar report, stating the numbers and dates of the requisition orders, the amount of camelback used during the month, the dates when the retreaded or recapped tires were shipped, and the number of such tires.

§ 1315.804. *Transfer of new tires or tubes, retreaded or recapped tires, or camelback to certain governmental agencies, to manufacturers of new vehicles, and for export.* * * *

(c) *Receipt.* Any person who makes any transfer pursuant to paragraphs (a) or (b) of this section, shall obtain a receipt from the purchaser upon OPA Form No. R–12 (Revised): *Provided, how-*

of one or more grades, as set forth in the tariffs of the railroads, upon which the lowest carload rate from the point of shipment to the buyer's receiving point is based.

(3) "Brass or bronze alloy ingot" means any alloy ingot (except such hardeners and deoxidizers as are suitable for use only with other materials in the production of castings) in the composition of which the weight of copper metal is 50% or more of the total weight of the ingot. (4) "Ingot identification number" means the number appearing in the column most near the left-hand margin of the tables in § 1309.165(b).

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 202.

§ 1309.163 *Geographical applicability.* The provisions of this regulation shall apply to the forty-eight states of the United States and to the District of Columbia.

§ 1309.164 *Effective dates.* Maximum Price Regulation No. 202 (§§ 1309.151 to 1309.165) shall become effective August 19, 1942.

§ 1309.165 *Appendix A: Maximum prices for brass and bronze alloy ingot—*

(a) *Delivery charges.* The maximum prices herein established for brass and bronze alloy ingot include transportation costs to any destination within the continental United States, not exceeding 25 cents per hundredweight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

(b) *Maximum prices for sales or deliveries in carload lots:*

RANGES OF ALLOY CONTENT

TABLE I. 85-5-5 GROUP

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities[1]		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
100	83.00	85.55	4.00	5.74	2.75	3.99	1.00	9.49			12.75
101	82.00	85.99	4.50	6.74	2.00	2.99	0.50	15.99			13.00
110	83.50	87.99	4.50	5.49	4.25	7.00	2.00	7.00			12.50
115*	84.00	85.99	4.00	5.49	4.25	7.00	4.00	10.00			12.00
120	82.00	83.99	3.00	4.49	5.00	10.00	6.00	18.00	QQ-B-701-3		11.75
122	79.00	81.99	2.00	4.00	5.00	8.00	6.00	18.00			11.50
125	75.00	78.99	1.00	3.01	4.25	10.00	8.00	20.00			11.25
130	72.00	74.99	1.00	2.00	1.00	2.00	2.00	8.00			11.50
131	92.00	94.99	1.00	2.00	1.00	3.00	Balance				11.75
132	86.00	88.00	1.00	3.00	1.00	3.00					

TABLE II. 88-10-2 GROUP

Ingot identification No.	Copper		Tin		Lead		Zinc		Impurities[1]		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
194	77.00	78.99	21.00	23.00						0.50	23.00
195	80.00	81.99	18.01	20.00						0.50	22.00
196	82.00	83.99	16.01	18.00						0.50	20.50
196	84.00	85.99	14.01	16.00						0.50	19.75
197	84.00	86.00	13.50	14.50		0.20		1.50	QQ-B-701-9		
198	86.00	87.99	12.01	14.00		1.00	2.50	4.50	Navy 46B10F	0.50	18.25
200	84.00	86.00	10.75	12.24	0.75	1.25		0.10		0.50	19.00
201	84.00	86.00	10.75	12.00	0.61	1.24	1.00	4.00			17.00
203	86.00	88.00	9.00	11.00	1.00	2.50			S. A. E. 63	0.50	18.25
206	86.00	89.00	9.00	10.74	0.00	0.20	1.00	7.00			17.50
210	81.00	89.00	9.00	9.75	0.51	1.24	1.00	7.00			17.75
211	81.00	89.00	9.00	10.74	0.51	1.25	1.00	7.00			16.00
220	82.00	85.00	9.00	10.74	1.25	4.24	1.00	5.00			16.50
221	85.00	90.00	7.50	9.74	0.21	0.40	1.00	7.00	Navy 46M6g-G		16.75
225	80.00	90.00	7.50	8.99	0.51	1.24	1.00	7.00			16.00
230	83.00	89.50	7.50	8.99	1.25	2.74	1.00	6.00			15.00
235	92.00	93.50	7.50	8.99	2.75	4.25	1.00	6.00			15.00
240	81.00	89.00	7.50	8.99	1.25	6.25	1.00	7.50			14.50
241	91.00	94.00	7.50	8.99						1.00	16.25
245	91.00	94.00	6.00	7.50	1.00	1.99	1.00	7.00			16.25
250	84.00	90.00	5.75	7.49	2.00	3.24	2.00	6.00	Navy 46B8g-M		14.25
251	83.50	90.00	5.75	7.49	3.25						13.75

See footnote at end of table.

ever, That a manufacturer who makes any transfer of new tires, tubes, or camelback pursuant to the same paragraphs, need not obtain such form from the purchaser, except when the transfer is made or originates from premises on which the manufacturer performs retail or distributive functions.

(1) OPA Form No. R–12 (Revised) may be obtained from any Local Board and will also be distributed through appropriate governmental agencies. The form shall consist of four parts. Part A shall be mailed to the Regional Office of the Office of Price Administration serving the area in which the seller is located within fifteen (15) days from the end of each calendar month in which deliveries or shipments of tires, tubes, or camelback have been made. Part B shall be used as a basis for replenishing stocks in accordance with the transfer provisions of §§ 1315.801 (d), 1315.802 (c), and 1315.803 (c), whichever is appropriate; any person who retreads or recaps Army tires shall not use OPA Form No. R–12 (Revised) to replenish the camelback so used, but upon obtaining that form from the United States Army shall forward Part B thereof together with Part A to the Regional Office of the Office of Price Administration. Part C shall be retained by the seller as his record of the transaction in accordance with the record keeping requirements of these regulations. Part D shall be retained by the purchaser as his record.

* * * * *

§ 1315.1199a *Effective dates of amendment.* * * *

(x) Amendment No. 24 (§§ 1315.803 and 1315.804) to Revised Tire Rationing Regulations shall become effective August 14, 1942.

(Pub. Law 421, 77th Cong., O.P.M. Supp. Order No. M–15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 562, 925)

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7907; Filed, August 13, 1942; 4:58 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 12 to Rationing Order 2A [1]]

NEW PASSENGER AUTOMOBILES RATIONING REGULATIONS

A new paragraph (o) is hereby added to § 1360.372, as set forth below:

Persons Eligible to Acquire New Passenger Automobiles by Transfer With Certificates

§ 1360.372 *Eligibility classification.* * * *

(o) Any member of the Army or Navy of the United States who requires a new passenger automobile which will be used principally for transportation between his residence and his post of duty (but not for transfers from post to post), or on official business, where no military vehicle is available.

(1) No certificate shall be issued under this paragraph unless the applicant presents with his application a statement from his commanding officer which sets forth the following:

(i) The application is for a new passenger automobile required for necessary transportation between residence and post of duty (but not for transfers from post to post) or on official business;

(ii) no quarters can be provided for the applicant at his post of duty or where his work is to be performed, or that the applicant's duties require frequent traveling on official business;

(iii) no other practicable means of transportation are available and that no military vehicle can be supplied for the applicant's use;

(iv) the commanding officer will take all reasonable steps to insure,

(*a*) that the applicant will limit his use of the vehicle to the purpose for which the application is made except for minimum incidental use for necessary personal purposes other than pleasure traveling; and

(*b*) that every effort is made by the applicant to transport as many passengers as possible, consistent with the capacity of the vehicle.

(2) The Board shall issue a certificate under this paragraph only if the conditions of subparagraph (1) are complied with and, in addition, if it is satisfied that the use of a new passenger automobile is necessary for the accomplishment of the purpose for which the applicant needs a new passenger automobile, and that no other practicable means of transportation are available.

* * * * *

Effective Dates

§ 1360.442 *Effective dates of amendments.* * * *

(l) Amendment No. 12 (§ 1360.372) to Rationing Order No. 2a shall become effective August 17, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 13th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7908; Filed, August 13, 1942; 4:56 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[Amendment 6 to Maximum Price Regulation 157 [1]]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The second paragraph (c) of § 1378.4 is redesignated (d) and is amended to read as follows:

§ 1378.4 *Sales or fabrication of textiles, apparel and related articles for military purposes temporarily exempted from price regulation.*

* * * * *

(d) This Maximum Price Regulation No. 157 and the General Maximum Price Regulation shall not apply to any sale, delivery or fabrication of field jackets pursuant to a contract with a war procurement agency or a contractor or subcontractor thereof, if such contract was entered into prior to July 27, 1942.

§ 1378.12 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1378.4 (d)) to Maximum Price Regulation No. 157 shall become effective August 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7909; Filed, August 13, 1942; 4:56 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 5 to Maximum Price Regulation 26 [1]]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1381.61 as set forth below:

§ 1381.61 *Effective date.* * * *

(c) The following contracts for delivery of Douglas fir ponton lumber may be completed according to their terms, regardless of any other provisions of this Maximum Price Regulation No. 26—Requisition W869 Contracts (Ponton Lumber) Contract No. and firm:

ENG 5453	Weyerhaeuser Sales Co.
ENG 5454	Oregon American Lumber Corp.
ENG 5455	Nettleton Lumber Co.
ENG 5456	Bloedel Donovan Lumber Co.
ENG 5457	Long Bell Lumber Co.
ENG 5956	Bloedel Donovan Lumber Co.
ENG 5927	White Lumber Co.
ENG 5948	Herbert A. Templeton Lumber Co.
ENG 6016	Medford Corp.
5G–547	Oregon American Lumber Corp.
5G–546	Giustina Brothers Lumber Co.
5G–584	The Long Bell Lumber Co.
ENG 6700	Grays Harbor Exportation Co.
ENG 6701	Grays Harbor Exportation Co.
5G–582	Giustina Brothers Lumber Corp.
ENG 6263	Oregon American Lumber Co.
ENG 6282	The Long Bell Lumber Co.
ENG 6278	Herbert A. Templeton Co.
ENG 6387	J. H. Chambers & Son
5G–583	Herbert A. Templeton
ENG 6293	Oregon American Lumber Corp.
ENG 6284	White Star Lumber Co.
ENG 6231	Westfir Lumber Co.
ENG 6280	The Long Bell Lumber Co.
5G–580	Bohemia Lumber Sales Co.
5G–581	W. A. Woodard Lumber Co.

[1] 7 F.R. 4573, 4701, 5180, 5360, 6168.

In the State of Oklahoma, the Counties of Cleveland and McClain.

§ 1388.1332 *Necessity.* The necessity for the stabilization or reduction of rents for defense-area housing accommodations in the defense-rental area designated in § 1388.1331 is as follows:

The designated area is the location of establishments of the armed forces of the United States. An increase in employment is about to take place in the area. Such an increase in employment reflecting the expansion of war activities threatens to result in increased demands for rental housing accommodations by persons residing in the area.

Defense activities in the designated area threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942. As war activities continue to expand, the demand for housing accommodations will become more extensive, and rent increases and threatened rent increases will materialize unless prevented. Accordingly, it is necessary that rents for such housing accommodations in the designated area be reduced or stabilized.

§ 1388.1333 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the defense-rental area designated in § 1388.1331 inconsistent with the purposes of the Act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization or reduction of rents for housing accommodations within the designated defense-rental area are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942 should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the Norman Defense-Rental Area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1334 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within the defense-rental area designated in § 1388.1331 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1335 *Effective date.* This designation and rent declaration (§§ 1388.1331 to 1388.1335, inclusive) shall become effective August 13, 1942.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7911; Filed, August 13, 1942; 4:55 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 8 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

New paragraphs (h) and (i) are added to § 1390.2; in § 1390.32 (h) the item "Mechanical instruments for measuring, testing, recording, or indicating, including aircraft, marine, scientific, laboratory, and precision instruments (not including carpenters' tools, or surgical, optical, and dental instruments)" is amended to exclude "special gages manufactured pursuant to customer's drawings"; and in § 1390.33 (c), the item "Special gages manufactured pursuant to customer's drawings (including special purpose plug, ring, snap, height, length, and location gages, but not general purpose graduated or adjustable gages)" is added, and the item "battery charges" is amended to read "battery chargers", all as set forth below:

§ 1390.2 *Exclusions.* * * *

(h) Any lease of the following items:

(1) Public address systems.

(2) Electric storage batteries.

(3) Surveying and drafting instruments, and engineering reproduction equipment.

(i) Any machinery service performed in connection with the following:

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[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049.

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 4273, 4541, 4618, 5716.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908.

(1) The repairing of public address systems.

(2) The repairing of electric storage batteries (including the charging and recharging thereof).

(3) The repairing of X-ray and electro-therapeutic apparatus.

(4) The repairing of surveying and drafting instruments, and engineering reproduction equipment.

§ 1390.32 *Appendix A: Machines and parts to which the October 1, 1941 date is applicable.* • • •

(h) *Miscellaneous.* • • •

Mechanical instruments for measuring, testing, recording, or indicating, including aircraft, marine, scientific, laboratory, and precision instruments (not including special gages manufactured pursuant to the customer's drawings, carpenters' tools, or surgical, optical, and dental instruments).

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942 date is applicable.* • • •

(c) *Miscellaneous.* • • •

Battery chargers (except motor generator sets).

Special gages manufactured pursuant to the customer's drawings (including special purpose plug, ring, snap, height, length, and location gages, but not general purpose graduated or adjustable gages).

§ 1390.31a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§ 1390.2 (h) (i), 1390.32 (h), 1390.33 (c)) to Maximum Price Regulation No. 136, as amended, shall become effective August 19, 1942.

(Public Law 421, 77th Cong.)

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7912; Filed, August 13, 1942; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 5 to Revised Supplementary Regulation 4[1] to General Maximum Price Regulation [2]]

EXCEPTIONS FOR CERTAIN COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Added: §§ 1499.29 (a) (19) and 1499.29 (d) (6), as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(19) Sales or deliveries prior to January 1, 1943 to the United States or any agency thereof of the following canned products: Corned Beef Hash (5½ pound can), Meat and Vegetable Stew (30 oz. can), Meat and Vegetable Hash (6 lb. 12 oz. can), Chili Con Carne (6 lb. 8 oz. can), Rations 1, 2 and 3 (12 oz. cans).

• • • • • •

(d) *Effective dates of amendments.* • • •

(6) Amendment No. 5 (§ 1499.29 (a) (19), (d) (6)) to Revised Supplementary Regulation No. 4 shall become effective August 14, 1942. (Pub. Law 421, 77th Cong.)

Issued this 13th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7913; Filed, August 13, 1942; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Revised Supplementary Regulation 11[1] to General Maximum Price Regulation [2]]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of the considerations involved in the issuance of this revised regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* § 1499.46 is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* (a) The provisions of the General Maximum Price Regulation, other than § 1499.11 (a), shall not apply to the following services until September 1, 1942:

(1) Stevedoring, and car loading and unloading, when performed under a contract for any war procurement agency.

(2) Transportation of property in tank trucks by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

(1) Accountants and auditors—fees and charges of.

(2) Actuaries—fees and charges of.

(3) Advertising agencies—rates charged by.

(4) Advertising facilities (outdoor)—rates charged for use of.

(5) Agents: Artists', authors', playwrights', actors'—fees and charges of.

(6) Adjustment agencies—fees and charges of.

(7) Animals—boarding, clipping, shoeing, or rental of.

(8) Arbitration and Conciliation services—fees and charges of.

(9) Architects—fees and charges of.

(10) Authors—fees and compensation of.

(11) Boats, ships and vessels—repairs to, when undertaken for a war procurement agency.

(12) Bookkeeping services—compensation for.

(13) Booking agents (theatrical, etc.)—fees and charges of.

(14) Check-cashing services—fees and charges for.

(15) Chemists (consulting)—fees and compensation of.

(16) Cider pressing or grape crushing.

(17) Cigarette lighter repair.

(18) Claim adjusting—charges for.

(19) Clock or watch repair or rental.

(20) Collection bureaus and agencies—fees and rates of.

(21) Correspondents—fees and compensation of.

(22) Court reporting (except when a transcript is furnished)—fees and charges for.

(23) Credit information services—rates and charges for.

(24) Detective agencies—fees and charges of.

(25) Disinfecting.

(26) Dusting or spraying of trees, bushes, or plants.

(27) Efficiency experts—fees and charges of.

(28) Electricity (companies furnishing, as public utilities)—rates charged by.

(29) Employment agencies—rates charged by.

(30) Engineers, consulting (civil, electrical, mechanical, marine, etc.), other than engineering firms engaged in the sale of equipment or in contract construction—fees and charges of.

(31) Engrossing of diplomas, resolutions and similar documents.

(32) Entertainers—fees and compensation of.

(33) Express companies and freight forwarders offering their services to the general public as common carriers—rates charged by.

(34) Exterminating.

(35) Electrical logging of oil-well holes—charges for.

(36) Financial services—fees and charges for.

(37) Farm-management services—fees and charges for.

(38) Fire-reporting services—fees and charges for.

(39) Fountain pen and mechanical pencil repair.

(40) Fumigating, except the fumigating of feed, grain and seeds.

(41) Gas (companies supplying, as public utilities through mains)—rates charged by.

(42) Grading, inspecting, or licensing fees fixed, approved, or collected by the United States Department of Agriculture.

(43) Grain warehousing services performed for the United States or any agency thereof.

(44) Hunting, fishing, and trapping on preserves—rates charged for.

(45) Incorporation services—fees and charges for.

(46) Insurance—rates charged by any person selling or underwriting.

(47) Investment counselling—fees and charges for.

(48) Jewelry—repair, engraving or storage of, and setting or resetting of precious or semi-precious stones and pearls.

(49) Lawyers—fees and charges of.

(50) Lecturers—fees and compensation of.

(51) Light, heat, or power (companies furnishing, as public utilities)—rates charged by.

(52) Livery stables—renting of horses or horse-drawn vehicles.

(53) Mannequin and modelling services—fees and compensation for.

(54) Marketing forecasting—fees and charges for.

(55) Marine salvage operations, including the leasing or rental of equipment incident thereto.

(56) Merchandising counsel—fees and charges of.

(57) Motion pictures or other theater enterprise—rates charged by.

(58) Musical instruments—repair, maintenance, tuning or rental of.

(59) News syndicates—rates charged by.

(60) Newspapers, periodicals and magazines—rates charged by.

(61) Notary Publics—fees and charges of.

(62) Personnel Management services—fees and charges for.

(63) Press association and feature services—rates charged by.

(64) Process servers—fees and charges of.

(65) Public-relation and publicity counsels—fees and charges of.

(66) Radio and television stations—rates charged by.

(67) Rates and charges by persons engaged in the business of publishing, printing, typesetting, platemaking and binding and rendering related services in connection with books, magazines, newspapers and periodicals.

(68) Research services (food, investment, laboratory, statistical, marketing, etc.)—fees and charges for.

(69) Saddles, luggage or handbags, whether made of leather or other materials—repair or maintenance of.

(70) Seismographic exploration—rates charged for.

(71) Services rendered in connection with title guaranty, title search, abstracting and surveying—fees and charges for.

(72) Services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of live stock or poultry or live stock or poultry products (but not including repairs to or maintenance of farm buildings and other farm structures, or repairs or maintenance of farm equipment)—rates, charges, and compensation for.

(73) Services the rates for which are regulated by the Department of Agriculture under the Stockyards and Packers Act.

(74) Shoe shining.

(75) Shot-hole drilling—fees and charges for.

(76) Speakers' bureaus—fees and charges of.

(77) Systematizing services—fees and charges for.

(78) Tax consultants—fees and charges of.

(79) Taxidermy.

(80) Telephone service, secretarial—rates charged for.

(81) Telephone services—rates charged for.

(82) Telegraph service—rates charged for.

(83) Tents or flies—repairing, waterproofing, or rental of.

(84) Termite control.

(85) Ticker services—fees and charges for.

(86) Ticket services and agencies for theater, or passenger transportation—fees and charges for.

(87) Tourist agencies and travel bureaus—fees and charges of.

(88) Toys (including, but not limited to, dolls)—repair of.

(89) Traffic consultants—fees and charges of.

(90) Translation services—fees and charges for.

(91) Transportation of commodities by persons offering their services to the general public as common carriers by rail, water, motor, pipe line, or other means of conveyances, rates charged for: *Provided, however,* That charges for storage and warehousing and all other services incident thereto by any person shall not be excluded from the General Maximum Price Regulation.

(92) Transportation of persons—rates charged for.

(93) Tree surgery—fees and charges for.

(94) Tricycles, baby carriages, or children's wheel goods—repair or rental of (including, but not limited to, repair of tires or wheels or other parts or accessories).

(95) Umbrellas—repair or rental of.

(96) Veterinarians—fees and charges of.

(97) Wagons—repair, maintenance or rental of.

(98) Watchman services—fees and charges for.

(99) Water (companies supplying, to urban areas as public utilities)—rates charged by.

(100) Window display service—fees and charges for.

Provided, That where, in connection with the supply or offer for supply during March 1942 of any of the services designated in paragraphs (a) and (b) of this Revised Supplementary Regulation No. 11, a commodity was sold or offered for sale, the rates, fees, charges or compensation for the supply of such commodity shall not be excepted from the application of the General Maximum Price Regulation if (i) a separate charge was made during March 1942 for the supply of such commodity, and (ii) if such a commodity when sold separately would otherwise be subject to the General Maximum Price Regulation.

(c) Definitions:

(1) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(2) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the War Shipping Administration, the Office of Scientific Research and Development and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of the foregoing.

(3) The definition of "farm equipment" set forth in § 1361.9 (a) (3) of Maximum Price Regulation No. 133[2] shall apply for the purposes of this Regulation.

(d) Effective date.

(1) Revised Supplementary Regulation No. 11 (§ 1499.46) shall become effective August 19, 1942. (Pub. Law 421, 77th Cong.)

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7916; Filed, August 13, 1942; 5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 17 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-433]

JOSEPH H. REINFELD, INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.317 *Adjustment of maximum prices for Abbott's Bitters and Martini & Rossi Sweet and Dry Vermouth sold by Joseph H. Reinfeld, Inc.* (a) Joseph H. Reinfeld, Inc., 461-467 Frelinghuysen Avenue, Newark, New Jersey may sell and deliver and any person may buy and receive from Joseph H. Reinfeld Inc. the following commodities at prices not higher than those set forth below:

	Per case
Abbott's Bitters:	
18 oz. bottles	$29.00
8 oz. bottles	13.75
Less customary discounts.	
Martini & Rossi Sweet and Dry Vermouth: $14.25 per case less customary discounts.	

(b) The adjustment granted to Joseph H. Reinfeld Inc., in paragraph (a) is subject to the following conditions:

(1) Joseph H. Reinfeld Inc., shall forthwith by circular or other appropriate means, notify its customers that the Office of Price Administration has authorized adjustment of its maximum prices for Abbott's Bitters and Martini and Rossi Sweet and Dry Vermouth to those set in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

[2] 7 F.R. 185.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5056, 5059.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[1] 7 F.R. 4543, 4738, 5028, 5057.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5484, 5775, 5784, 5783.

(e) This Order No. 17 (§ 1499.317) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by Section 1499.2.

(f) This Order No. 17 (§ 1499.317) shall become effective August 14, 1942. (Pub. Law 421, 77th Cong.)

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7915; Filed, August 13, 1942; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 18 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF3-273]

RUTHERFORD CO.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

§ 1499.368 *Denial of adjustment of maximum prices for car unloading services sold by Rutherford Company.* (a) The application for adjustment filed by Rutherford Company and assigned Docket No. GF3-273 is denied.

(b) This Order No. 18 (§ 1499.368) shall become effective August 14, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7914; Filed, August 13, 1942; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 165]

CONSUMER SERVICE

The title and preamble are amended, and §§ 1499.101 to 1499.121, inclusive, are renumbered and amended to read as set forth below:

[Maximum Price Regulation 165 as amended]

SERVICES

In the judgment of the Price Administrator the prices of services generally have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

In the judgment of the Price Administrator the maximum prices established by this regulation, which apply with certain exceptions to all services not otherwise subject to regulation, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act.

So far as practicable the Price Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability. So far as practicable the Price Administrator has consulted with representatives of trade and industry.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, this Maximum Price Regulation No. 165 as amended—Services is hereby issued.

AUTHORITY: §§ 1499.101 to 1499.124 inclusive, issued under Pub. Law 421, 77th Cong.

NOTE: The meaning of certain provisions and terms of Maximum Price Regulation No. 165 as amended is further explained and defined in § 1499.116. The explanations and definitions are set forth in alphabetical order. The terms explained and defined are in quotation marks the first time they appear in the text.

§ 1499.101 *Prohibition against dealing in services above maximum prices.* On and after July 1, 1942, regardless of any contract or other obligation:

(a) *Sales.* No "person" shall "sell" or supply any of the "services" set forth in paragraph (c) of this section at a price higher than the maximum price permitted by this Maximum Price Regulation No. 165 as amended.

(b) *Purchases.* No person in the course of trade or business shall buy or receive any of the services set forth in paragraph (c) of this section at a price higher than the maximum price permitted by this Maximum Price Regulation No. 165 as amended: *Provided,* That the provisions of this paragraph (b) of this section shall not be applicable to any "war procurement agency" or any contracting or paying finance officer thereof, and any such agency or contracting or paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, with respect to any matter covered by this Maximum Price Regulation No. 165 as amended.

(c) *Services covered.* This Maximum Price Regulation No. 165 as amended shall apply to all rates and charges for the following services, except when such services are rendered as an employee:

(1) Aircraft—lubrication, maintenance, painting, "rental," repair, storage, washing, or other servicing of (including but not limited to maintenance or repairs of accessories or parts).

(2) Air raid precautionary services dealing with buildings or parts thereof.

(3) Ash, debris, garbage or trash removal.

(4) Automotive vehicles (including but not limited to automobiles, busses, motorcycles, semi-trailers, tractors, trailers and trucks)—lubrication, maintenance, painting, rental, repair, storage (including but not limited to dead storage and parking), towing, washing or other servicing of (including but not limited to maintenance, rental or repair of accessories or parts such as batteries, radios, tires, or tubes except recapping and retreading of tires, but including though not limited to pick-up and delivery and mounting and demounting of tires and use of loaned tires and tubes).

(5) Barrels, bottles or containers—cleaning, collecting, maintenance, painting, reconditioning, re-cooperage, rental, repair, stenciling, sterilizing, or washing of.

(6) Beer pumps, coils, or other draught beer equipment—cleaning, maintenance, rental or repair of.

(7) Bicycles—rental or repair of (including but not limited to repair of tires or wheels or other parts or accessories.)

(8) Boats—cleaning, hauling, maintenance, overhauling, painting, rental, repair, or storage of (including but not limited to repairs of engines, motors, sails or other parts or equipment) except for services to boats under government control or to cargo boats of over 100 tons displacement, or to boats which are common carriers.

(9) Buildings, houses or offices—cleaning of (including but not limited to chimney-cleaning, cleaning of exteriors, floor-cleaning, -sanding, -scraping, -waxing, sand-blasting, steam-cleaning, window-cleaning, or rental or repair of floor-cleaning, -sanding, -scraping, -waxing equipment, or contract janitorial service.

(10) Business, office or store equipment or machinery—maintenance, rental or repair of (including but not limited to maintenance, rental or repair of adding and computing machines, cash registers, duplicating machines, meat grinders, scales, slicers, soda fountains, and the maintenance or repair, but not the rental, of typewriters.)

(11) Carloading or unloading unless performed by common carriers in their capacity as such.

(12) Carpentry repairs (shopwork only.)

(13) Carpets, linoleum, rugs or other floor covering—binding, cleaning, cutting, fitting, laying, maintenance, piece dyeing, rental, repair, sewing, stretching or washing of (except by a seller of such commodities in connection with the sale thereof.)

(14) Checkroom, checking or parcel room service.

(15) Clothing, garments, finished or manufactured articles made of textiles or leather, household fabrics (including but not limited to coats, corsets, curtains, draperies, dresses, gloves, hats, hosiery, millinery, slip covers, suits, or uniforms)—alteration, blocking, cleaning, dyeing, mending, moth-proofing, pressing, remodeling, rental, repair, or waterproofing of (including but not limited to locker club and valet service, rental of costumes and dress suits) but not including services performed by the seller of such commodities in connection with the sale thereof.

(16) Coin operated machines—maintenance, rental or repair of.

(17) Commission selling, auctioneering or brokerage of commodities.

(18) Corrective or therapeutic devices (including but not limited to artificial limbs, braces, hearing aids, pads, splints, trusses or wheel chairs)—maintenance, rental or repair of.

(19) Customhouse brokers' service.

(20) Drugs, chemicals and cosmetics—conversion, processing, refining, or reprocessing of, on a custom basis when raw materials are supplied by the customer.

(21) Electrical appliances (small or portable, commonly used in homes, hospitals, hotels, institutions, offices, retail establishments, or schools) — maintenance, rental or repair of.

(22) Farm equipment—maintenance, rental or repair of.

(23) Feed and grain—aspirating, bagging, baking, bleaching, bolting, cleaning, conditioning, cooling, cracking, crimping, crushing, dehydrating, drying, elevating, expelling, extracting, flaking, fumigating, grading, grinding, heating, hulling, inspecting, mixing, pearling, pelleting, rolling, sampling, scouring, screening, shelling, steel cutting, testing, or weighing of, when done on a custom basis. Grinding or mixing refers to work done by both stationary or portable grinders or mixers.

(24) Food locker service or rental (including but not limited to processing of commodities to be stored.)

(25) Freight consolidating, distributing or forwarding services, except those offered the general public by persons operating as common carriers in their capacity as such.

(26) Fruit or vegetables—canning, dehydrating, drying, freezing, inspecting, packing, processing, sealing or sorting of, on a toll or contract basis.

(27) Furs—repair or storage of.

(28) Furniture and household equipment, whether from or in homes, hospitals, hotels, offices, retail establishments, schools, or other institutions (including but not limited to awnings, burglar alarms, chairs, china dishes, doorchecks, glass, household utensils or ornaments, ironing machines, lamps, lampshades, locks, mattresses, mirrors, other articles of furniture, pictures, pillows, quilts, refrigerators, sewing machines, silverware, tables, vacuum cleaners, washing machines, window screens or window shades)—cleaning, maintenance, painting, reconditioning, redecorating, refinishing, remodeling, rental, repair, reupholstering or sterilizing of, or cabinet work, the framing of pictures, the making or cutting of original keys, or the resilvering of mirrors.

(29) Gas appliances (except gas furnaces, industrial equipment, unit heaters or water heaters)—maintenance, rental or repair of.

(30) Ginning.

(31) Hops—baling, drying or fumigating of.

(32) Imported botanicals—cleansing or drying of.

(33) Insecticides—grinding, mixing, or other processing of.

(34) Instruments (dental, engineering, medical, surgical or surveying)—maintenance, rental or repair of.

(35) Kitchen equipment, commonly used in the preparation of foods for consumption on the premises—maintenance, rental or repair of.

(36) Laundering (including but not limited to laundry collection and including also but not limited to diaper, linen, towel, uniform or work clothes supply service, with or without laundering.)

(37) Lumber—drying, milling, processing and treating of by custom mills or dryers.

(38) Metal work, plating, replating and welding (shopwork only and only for consumers other than commercial, governmental or industrial users.)

(39) Mint oil—distilling of, on a custom basis.

(40) Nuts—processing of vegetable or fruit.

(41) Oil burners burning No. 5 oil and lighter—maintenance, rental or repair of (except free services rendered in conjunction with the sale of oil).

(42) Packing or packaging of commodities (including but not limited to crating, labeling, marking or package consolidation) except by the seller of such commodities in connection with the sale thereof.

(43) Photography services as follows: copying, developing, enlarging, exposing, printing, or taking of all still camera films and plates; developing, exposing, printing or reversing of motion picture films; color and monochrome printing from color transparencies; editing, splicing, titling, or toning of motion picture films; mounting, retouching, tinting or toning of films and prints; vaporating or other preservative treatment of films; repairs or services to or rentals of photographic equipment, or rentals of film subjects.

(44) Public address systems—maintenance, rental or repair of.

(45) Radios and phonographs (not primarily designed for commercial, military or police use)—maintenance, rental or repair of.

(46) Rice—bagging, elevating, grading, granulating, inspecting, milling, polishing, sampling, screening, testing, or weighing of, when done on a toll or custom basis.

(47) Rubber goods (including but not limited to belts, clothing, drug sundries, footwear, hose (except for construction, mining, or road-maintenance machinery), mechanical goods, rollers, rubber-lined tanks or tubes)—alteration, maintenance, rental or repair of.

(48) Safe deposit rental.

(49) Seeds—bagging, cleaning, cooling, drying, dusting, fumigating, grading, hot water treatment, hulling, inspecting, mixing, sampling, scarifying, screening, seed bag cleaning, seed bag opening, shelling, testing or weighing of, on a custom basis.

(50) Septic tanks or cesspools—cleaning of.

(51) Shoes—alteration, dyeing, remodeling, repair, or waterproofing of.

(52) Signs—maintenance, painting or repair of.

(53) Sporting goods (including but not limited to guns)—remodeling, rental or repair of.

(54) Stevedoring.

(55) Stoves—maintenance, rental or repair of.

(56) Sweet potatoes—kiln drying of, when done on a custom basis.

(57) Tools, saws, knives or lawnmowers (limited to hand or portable tools)—rental, repair or sharpening of.

(58) Transportation agents (other than employees of transportation companies)—services of, except when rendered in connection with the transportation of persons.

(59) Transportation brokerage.

(60) Transportation—rental of transportation equipment, or servicing of merchandise for shipment (including but not limited to cleaning, heating, icing, pre-cooling or ventilating), by companies or persons other than common carriers.

(61) Weighing of foods or other commodities (business service).

When used in this § 1499.101 (c) the word "or" shall mean "or", "and," and "and/or."

§ 1499.102 *Maximum prices for services; General provisions.* Except as otherwise provided in Maximum Price Regulation No. 165, as amended, the seller's maximum price for any service to which this Maximum Price Regulation No. 165, as amended, is applicable shall be:

(a) The highest price charged during March 1942 (as defined in this section) by the seller—

(1) For the same service; or

(2) If no charge was made for the same service, for the similar service most nearly like it;

Provided, however, That if the seller in computing his prices during March 1942 regularly used a rate or a "pricing method" including specific charges for particular items in the service rendered, the price resulting from proper application (i) of the highest such rate in effect during March 1942 or (ii) of such pricing method, using the highest charges in effect during March 1942, shall be deemed to be the highest price charged by the seller during that month for any service to which the rate or pricing method was then applicable or by usual trade practice would have been applicable had the

*Copies may be obtained from the Office of Price Administration.

service been offered in March, 1942, and shall be the seller's maximum price for any such service; or

(b) If the seller's maximum price cannot be determined under paragraph (a), the highest price charged during March 1942 (as defined in this section) by the "most closely competitive seller of the same class"—

(1) For the same service; or

(2) If no charge was made for the same service, for the similar service most nearly like it; or

(c) If the seller's maximum price cannot be determined under paragraphs (a) or (b) of this section, a price determined by applying the rate, or the pricing method and charges, regularly used by the seller for any other service or type of service which he supplied during March 1942, which price, however, shall not exceed a combination of the following items:

(1) An item for cost of direct labor used in supplying the service for which a price is sought, computed on a basis no higher than the highest wage rate which the seller had in effect for each type of employee during March 1942, or if he had no wage rate in effect during such month, the highest wage rate which his competitors in the same area had in effect for each type of employee during March 1942, plus

(2) An item for cost of materials used in supplying the service for which a price is being determined, computed on a basis no higher than the maximum prices, for purchase by the seller, established for such material by the Office of Price Administration, or if no maximum price has been established, then the highest price which the seller, or a purchaser of the same class, had to pay for such material in the month of March 1942, plus

(3) The margin over such cost for direct labor and materials (i. e., subparagraph (1) plus subparagraph (2)) equal, as a percentage of cost, to the average margin over direct labor and material cost which was figured on the service or type of service for which a price was charged by the seller during March 1942, and which accounted for a greater portion of the seller's gross income from services than any other service during March 1942, less

(4) All discounts and other allowances granted during March 1942 to a purchaser of the same class.

Within ten days after determining the maximum price under this paragraph the seller shall report such price to the "appropriate Field Office of the Office of Price Administration" upon Form No. 265:1. Such Form shall be duly filled out in duplicate and may be copied from the Form contained in Appendix A (§ 1499.122) of this Maximum Price Regulation No. 165, as amended, or secured from the appropriate Field Office of the Office of Price Administration. The Price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) If the seller did not supply any service during March 1942, and if the service to be priced is not the same as or similar to any service supplied during that month by a competitive seller of the same class, and if such service cannot be priced under § 1499.103 of this Maximum Price Regulation No. 165, as amended, a price approved by the Office of Price Administration. Application for such approval shall be made on Form 265:3 contained in Appendix C (§ 1499.-124) of this Maximum Price Regulation No. 165, as amended, and shall be filed in duplicate with the appropriate field office of the Office of Price Administration. The application shall contain (1) "an appropriate description and identification" of the service for which a price is being reported; (2) a statement of the reasons why it can not be priced except under this paragraph (d); and (3) a statement of the proposed maximum price, setting forth separately the amount included for labor, the amount for materials, and the amount for overhead and profit. Unless the Office of Price Administration or an authorized representative thereof shall, by order mailed to the applicant within 10 days from the date of filing the application, disapprove the maximum price as reported, such price shall be deemed to have been approved, subject to disapproval or adjustment at any time by the Office of Price Administration.

(e) *Similar services subsequently sold.* Any maximum price determined under paragraphs (c) and (d) of this § 1499.103 shall be the maximum price for all services subsequently sold by the seller which are the same as or similar to the service for which a maximum price has been so determined, without regard to subsequent changes in cost. A report on Form 265:1 must be filed only for the sale of a service the price of which is not regularly computed by the same pricing method as that already set forth in a Form 265:1 previously filed by the seller with the Office of Price Administration and not adjusted by the Office of Price Administration. A report on Form 265:3 need be filed only for the sale of services the price of which is not the same as the price of the same or a similar service already set forth in a Form 265:3 previously filed by the seller with the Office of Price Administration and not disapproved or adjusted by the Office of Price Administration.

Highest Price Charged During March 1942

For the purposes of this Maximum Price Regulation No. 165, as amended, the highest price charged by a seller during March 1942 shall be:

(1) The highest price which the seller charged for a service "supplied" by him during March 1942; or

(2) If the seller supplied no such service during March 1942, his highest "offering price" for supply during that month:

The "highest price charged during March 1942" shall be the highest price charged by the seller during such month to a "purchaser of the same class":

Provided, however, That if the seller did not supply the service to be priced, and had no offering price for such service, to a purchaser of the same class, it shall be the highest price charged by the seller to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers; and

Provided, further, That if, prior to April 1, 1942, the seller raised his prices for the supply of a service to his classes of purchasers generally, and if, during March 1942, he supplied such service at the higher price to at least one class of purchasers, the highest price charged during March 1942 for each class of purchaser—

(i) To which the service was not supplied during March 1942 at the higher price, and

(ii) To which the service was not supplied during March 1942 at a lower price after the price rise, unless supplied pursuant to a firm commitment entered into before such price rise

shall be the seller's highest offering price for supply to such class of purchaser during March 1942, or, if he had no such offering price for supply to a particular class of purchaser during March 1942 the highest price charged by the seller during March 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

No seller shall evade any of the provisions of this Maximum Price Regulation No. 165, as amended, by changing his customary allowances, discounts, or other price differentials.

No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the supply of any service, than the seller required purchasers of the same class to pay during March 1942 in sales of the same or similar types of services.

Similar Services

One service shall be deemed similar to another service if the first has the same use and purpose as the second and belongs to a type which would ordinarily be supplied for the same or substantially the same price.

§ 1499.103 *Maximum prices for seasonal services*—(a) *Services subject to seasonal variations in price.* If the seller of a service has had a regularly established "seasonal" variation in price for the same service or for a similar service, the seller's maximum price shall be the highest price charged [1] during the corresponding season of the year from March 1, 1941 to February 28, 1942 inclusive, for the same service or the similar service most nearly like it, plus an amount equal to that price multiplied by the percentage increase in the cost of living between the last period [2] of the corresponding season and March 1942.[3]

(b) *Services not performed by the seller in March 1942, and performed by him regularly only during one season of the year March 1, 1941 to February 28, 1942.* If the seller of a service did not perform such service in March 1942, and if such service falls within a class of services performed by him regularly only during one season of the year March 1, 1941, to February 28, 1942, the seller's maximum price shall be the highest price charged by him for the same service or the similar service most nearly like it during the last period [2] previous to March 1942 in which such service was supplied or offered, plus an amount equal to that price multiplied by the percentage increase in the cost of living between that last period and March 1942.[3]

(c) *Maximum price for seasonal services not previously supplied by the seller.* The seller's maximum price for a service which falls within a class of services having a regularly established seasonal variation in price, or performed regularly during only one season of the year March 1, 1941, to February 28, 1942, if the seller did not sell or offer to sell the same or a similar service in the corresponding season of the year March 1, 1941, to February 28, 1942, shall be the maximum price of the most closely competitive seller of the same class for the same or a similar service, determined under this § 1499.103.

(d) *Reports.* Within ten days after determining a maximum price under this § 1499.103 the seller shall report such price to the appropriate field office of the Office of Price Administration upon Form No. 265:2. Such form shall be duly filled out in duplicate and may be copied from the form contained in Appendix B (§ 1499.123) of this Maximum Price Regulation No. 165 as amended, or secured from the appropriate field office of the Office of Price Administration. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(e) *Similar services subsequently sold.* Any maximum price determined under paragraphs (a), (b), or (c) of this section shall be the maximum price for all services subsequently sold by the seller which are the same or similar to the service for which a maximum price had been so determined without regard to subsequent changes in cost. A report on Form 265:2 must be filed only for the sale of a service the price of which is not regularly computed by the same rate, or the same pricing method and charges, already set forth in, or not the same as or similar to a service for which a price has already been set forth in, a Form 265:2 previously filed by the same seller with the Office of Price Administration and not adjusted by the Office of Price Administration.

§ 1499.104 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to supply the same type of services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferer would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferer shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 165 as amended.

§ 1499.105 *Federal and State taxes.* Any tax upon, or incident to, the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during the base period.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price in the "base period" the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 165 as amended.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum prices under Maximum Price Regulation No. 165 as amended.

(b) *As to a tax or increase in a tax which becomes effective after the base period.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1499.106 *Less than maximum prices.* Lower prices than those established by Maximum Price Regulation No. 165 as amended may be charged, demanded, paid, or offered.

SERVICES EXCEPTED FROM THIS REGULATION

§ 1499.107 *Services excepted from Maximum Price Regulation 165 as amended.* The provisions of this regulation shall not apply to the services excepted from the General Maximum Price Regulation [4] by Supplementary Regulation No. 11 [4] to the General Maximum Price Regulation and any amendments thereto, in so far and for such time as such services are thereby excepted.

RECORDS AND REPORTS

§ 1499.108 *Base-period records and reports.* Every person selling services for which, upon sale by that person, maximum prices are established by Maximum Price Regulation No. 165 as amended shall:

(a) Preserve for examination by the Office of Price Administration all his existing "records" relating to the prices which he charged, the rates, or the pricing methods and charges which he used for such of those services as he supplied during March 1942, or during the applicable base period, his offering prices for supply of such services during such month, or period, and an appropriate description and identification of such services;

(b) Prepare on or before September 1, 1942, to the full extent of all available

[1] The term "highest price charged" when used in § 1499.103 shall be given the same meaning as that set forth in § 1499.102 above except that the "base period" shall be used in place of the month of March 1942.

[2] *Percentage increase in cost of living: The percentage used shall be as follows for the applicable period:*

Percentage	Period
12.9% (.129)	Mar. 1, 1941, to Apr. 14, 1941, inc.
11.8% (.118)	Apr. 15, 1941, to May 14, 1941, inc.
11.1% (.111)	May 15, 1941, to June 14, 1941, inc.
9.3% (.093)	June 15, 1941, to July 14, 1941, inc.
8.5% (.085)	July 15, 1941, to Aug. 14, 1941, inc.
7.6% (.076)	Aug. 15, 1941, to Sept. 14, 1941, inc.
5.7% (.057)	Sept. 15, 1941, to Oct. 14, 1941, inc.
4.6% (.046)	Oct. 15, 1941, to Nov. 14, 1941, inc.
3.7% (.037)	Nov. 15, 1941, to Dec. 14, 1941, inc.
3.4% (.034)	Dec. 15, 1941, to Jan. 14, 1942, inc.
2.1% (.021)	Jan. 15, 1942, to Feb. 14, 1942, inc.
1.2% (.012)	Feb. 15, 1942, to Feb. 28, 1942, inc.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

[4] 7 F.R. 4543, 4738.

information and records and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(1) The highest prices which he charged for services supplied during March 1942 for which prices were regularly quoted in that month together with an appropriate description and identification of such services;

(2) The rate, if any, or the pricing method and charges, if any, regularly used during March 1942; and

(3) All his customary allowances, discounts, and other price differentials in effect during March 1942.

A duplicate of this statement shall be filed, on or before September 10, 1942, with the appropriate "War Price and Rationing Board of the Office of Price Administration."

(c) If a seller of a service sells any service not the same as or similar to a service sold by him in March 1942, or not priced by the same rate, or pricing method and charges as he regularly used in March 1942, a statement identical with that required by paragraph (b) of this section shall be prepared, kept and filed as required by that paragraph, except that:

(1) The statement shall set forth the date on which the service was first sold; the maximum price, or the rate, or the pricing method and charges, used by the seller, including all customary allowances, discounts, or other price differentials, to determine the maximum price of the service; and the manner in which this maximum price, rate, or pricing method and charges was determined, including the name of the most closely competitive seller of the same class, if the determination of the price involved such a seller;

(2) The date for the preparation and keeping of such statement shall be September 1, 1942, or ten (10) days after the first sale of the service, whichever is later.

(3) The date for the filing of such statement shall be September 10, 1942, or twenty (20) days after the first sale of the service, whichever is later; and

(4) Such a statement need be prepared and filed only for the sale of a service the price of which is not regularly computed by the same rate, or the same pricing method and charges, already set forth in, or not the same as or similar to a service for which a price has already been set forth in, a statement previously prepared and filed by the same seller.

§ 1499.109 *Non-disclosure of base-period records.* Any person, other than a person "selling at retail," who claims that substantial injury would result to him from making the statement provided for in § 1499.108 (b) or (c) of this regulation available to any other person, need only file the statement with the appropriate War Price and Rationing Board of the Office of Price Administration, accompanying it with an affidavit that disclosure would result in substantial injury. The information contained in such statements will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of Maximum Price Regulation No. 165 as amended.

§ 1499.110 *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each service sold and the price received for it.

§ 1499.111 *Licensing*—(a) *License required.* A license as a condition of selling is hereby required of every person now or hereafter selling any service for which a maximum price is established by this Maximum Price Regulation No. 165 as amended or by any other price regulation of the Office of Price Administration.

(b) *License granted.* Every person now or hereafter selling any service for which a maximum price is established by this Maximum Price Regulation No. 165 as amended or by any other price regulation of the Office of Price Administration is hereby granted a license as a condition of selling any such service. The provisions of the regulation or of any price regulation of the Office of Price Administration to which this section is now or may hereafter become applicable, shall be deemed to be incorporated in the license hereby granted and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on July 1, 1942, the effective date of this regulation, or when any person becomes subject to the maximum price provisions of this or any other such price regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, continue in force so long as and to the extent that this or any other such price regulation, or any amendment or supplement thereto, remains in effect.

(c) *Licensing section of General Maximum Price Regulation superseded.* This section supersedes the provisions of § 1499.16 of the General Maximum Price Regulation insofar as said section may be applicable to persons selling any service.

§ 1499.112 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1499.113 *Penalties.* Persons violating any provision of Maximum Price Regulation No. 165 as amended are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, and proceedings for the suspension of licenses.

PROCEDURE FOR ADJUSTMENT OR AMENDMENT

§ 1499.114 *Applications for adjustment by sellers.* (a) Any seller who finds that the maximum price of a service established for him under the provisions of §§ 1499.102 or 1499.103 is abnormally low in relation to the maximum prices of the same or similar services established for other sellers, and that this abnormality subjects him to substantial hardship, may file an application for adjustment of that maximum price in accordance with Temporary Procedural Regulation No. 5[5] issued June 23, 1942, by the Office of Price Administration. (b) Any seller, who finds that the maximum price of a service established for him under the provisions of §§ 1499.102 or 1499.103 subjects him to substantial hardship because of cost increases (i) incurred between February 1, 1942, and April 27, 1942, not reflected in the prices which are established for him under the above provisions, including any increase subsequent to April 27, 1942, resulting from a collective bargaining contract or other wage agreement which contract or agreement (i) was entered into on or prior to April 27, 1942, and (ii) provides for an unconditional increase in wage rates of a fixed amount or percent, and (2) where such cost increases threaten the continued supply of the service, may file an application for adjustment of that maximum price in accordance with Temporary Procedural Regulation No. 5[5] issued June 23, 1942, by the Office of Price Administration. Such application, if filed with respect to sales other than retail sales, shall contain a statement setting forth in detail the effect that, in the applicant's opinion, the granting of the relief sought would have upon the retail price level of the particular service, together with all of the facts upon which applicant relies in support of this opinion. The Price Administrator, or his authorized representative, may deny in whole or in part any such application which, in his judgment, will increase the level of retail prices for the particular service. (c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 165 as amended, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1,[6] and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of Maximum Price Regulation No. 165 as amended to eliminate the danger of inflation.

[5] 7 F.R. 4730.
[6] 7 F.R. 971, 3663.

§ 1499.115 *Petitions for amendment.* Any person seeking a modification of any provision of Maximum Price Regulation No. 165 as amended or an adjustment not otherwise provided for may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1[6] issued by the Office of Price Administration.

§ 1499.116 *Definitions and explanations.* (a) When used in Maximum Price Regulation No. 165 as amended:

(1) "Appropriate description and identification" means a complete listing of the specifications, process, and other characteristics of the service, or of the various grades of services.

(2) "Appropriate field office of the Office of Price Administration" means district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales are made.

(3) "Appropriate War Price and Rationing Board" means the War Price and Rationing Board for the area in which is located the seller's place of business from which the services are offered for sale.

(4) "Base period" means: (a) for prices determined under § 1499.102, March, 1942; and (b) for prices determined under § 1499.103, the season or period prior to March, 1942, with reference to which the seller's maximum price is determined.

(5) "Most closely competitive seller of the same class." "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (ii) of similar type (for example, cash and carry, pick-up and delivery, chain store, specialty shop, cut-rate store), (iii) dealing in the same type of service, and (iv) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (*a*) is selling the same or a similar service, and (*b*) is closely competitive in the sale of such service, and (*c*) is located nearest to the seller.

(6) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner, or the price determined by the rate, or the pricing method and charges, which the seller regularly used. But "offering price" shall not include a price intended to withhold a service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(7) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(8) "Pricing method" means the formula by which the seller figures his price for any service, whether such formula is disclosed to the purchaser or is merely the seller's device for figuring cost of labor and materials, other costs, and margin of profit.

(9) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(10) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for services for sales to different purchasers or kinds of purchasers (for example, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(11) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(12) "Rental" means any leasing of a commodity except where the lease is a substitute for a conditional sale, chattel mortgage, or other security device in connection with an instalment sale, or except where the lease contains a provision giving the lessee an option to buy the leased commodity at a stipulated price from which all or a portion of the payments made as rent are to be deducted.

(13) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user. Sales to farmers shall be considered sales at retail.

(14) "Season" or "seasonal" means any division of the year into periods of one or more months or portions thereof for pricing purposes, such division being based upon regular and recurrent differences in demand for or supply of the service or materials or in the costs of doing business.

(15) "Sell" includes sell, rent, supply, dispose, barter, exchange, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser" shall be construed accordingly. Nothing in this Maximum Price Regulation No. 165 as amended shall be construed to prohibit the making of a contract to sell service at a price not to exceed the maximum price at the time of supply.

(16) "Seller" includes a seller of any service. Where a seller supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each separate place of business of the seller shall be deemed to be a separate seller, except that for the purposes of § 1499.111 of this Maximum Price Regulation No. 165 as amended, the owner of the business shall be considered the seller regardless of the number of separate places of business he owns.

(17) "Service" shall include any and all of those services listed in § 1499.101 (c), and shall include any commodity or article sold in connection with the sale of a particular service.

(18) "Sold" and "supplied." A service shall be deemed to be "sold" or "supplied" when completed, except that rental services and storage services shall be deemed to be sold or supplied when the rental or storage period begins.

(19) "War procurement agency" includes the Department of the Navy, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Office of Scientific Research and Development, the United States Maritime Commission, the War Department, the War Shipping Administration or any agency of the foregoing.

§ 1499.117 *Exclusions.* This Maximum Price Regulation No. 165, as amended, shall not apply, and the General Maximum Price Regulation shall not apply, to:

(a) *Developmental contracts and subcontracts.* (1) This Maximum Price Regulation No. 165, as amended shall not apply, and the General Maximum Price Regulation shall not apply, to any sale of a service performed pursuant to a contract or subcontract certified in writing to the Office of Price Administration by any war procurement agency or any duly authorized officer thereof as being developmental: *Provided*, That a report is filed pursuant to paragraph (2) of this § 1499.117 (a). For the purpose of this section, a contract is deemed to be "developmental" during such period, not to exceed ninety days as is required for the selection of a particular service by the purchaser or for the accumulation of sufficient operating experience by the seller or supplier to permit a fair estimate of the cost of rendering such service, or both. After the Office of Price Administration shall have determined after consultation with the appropriate war procurement agency that the period, not to exceed ninety days, necessary for development has expired, and has in writing so notified such agency and the supplier of such service, this Maximum Price Regulation No. 165, as amended shall apply to all subsequent sales or performances of such services performed thereafter.

(2) Within ten days after entering into any such developmental contract or subcontract, the supplier of such service shall file a report with the Office of Price Administration, Washington, D. C., containing a summary of the terms of the contract or subcontract including all pricing provisions, a short statement of the service plan of which this contract is part, and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on August 19, 1942, such report shall be filed prior to September 9, 1942.

(b) *Secret contracts.* (1) This Maximum Price Regulation No. 165, as amended, shall not apply, and the General Maximum Price Regulation shall

[6] 7 F.R. 971, 3663.

not apply, to any sale of a service pursuant to a contract or subcontract which is deemed to be a "secret" contract and is so certified to the Office of Price Administration by any war procurement agency or any duly authorized officer thereof. Such certification shall set forth the date of the "secret" contract and its number or other designation. After the Office of Price Administration shall have received notice from the certifying agency that such contract is no longer deemed to be secret, this Maximum Price Regulation No. 165, as amended, shall apply to all subsequent sales of such service performed thereafter.

(c) *Emergency purchases.* (1) This Maximum Price Regulation No. 165, as amended, shall not apply, and the General Maximum Price Regulation shall not apply, to any sale of a service pursuant to any emergency purchase by any war procurement agency or any duly authorized officer thereof of such service for immediate performance: *Provided*, That, if the total price exceeds five hundred dollars, a report is filed pursuant to paragraph (2) of this § 1499.117 (c).

(2) Within ten days after making any such emergency purchase in the amount of more than five hundred dollars at a price which is known or suspected by the purchaser to be in excess of the maximum price which would otherwise be applicable, any person making such purchase on behalf of any war procurement agency shall file a report with the Office of Price Administration, Washington, D. C., certifying that such purchase was made in a situation in which it was imperative to secure the immediate performance of the service and in which it was impossible to secure, or unfair to require, immediate performance at the applicable maximum price and setting forth (i) the name and address of the seller or supplier; (ii) date of purchase; (iii) date of performance; (iv) appropriate description and identification of the service performed; (v) amount or quantity of service performed; (vi) price at which supplied; (vii) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

§ 1499.118 *Privileges accorded to certain Governments.* The privileges accorded to the United States or any agency thereof by § 1499.117 hereof shall apply to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the act of March 11, 1942, entitled "An Act to Promote the Defense of the United States," or to any agency of such government.

§ 1499.119 *Applicability.* The provisions of Maximum Price Regulation No. 165, as amended, shall be applicable to the continental United States and the District of Columbia, but shall not be applicable to the territories and possessions of the United States.

§ 1499.120 *Effect of other price regulation.* The provisions of this Maximum Price Regulation No. 165, as amended, except §§ 1499.111 and 1499.112, shall not apply to any sale of services other than those services set forth in § 1499.101 (c), nor to such of those services for which a maximum price is in effect under the provisions of any "price regulation" other than the General Maximum Price Regulation, issued or which may be issued by The Office of Price Administration, except as otherwise provided in any such price regulation.

§ 1499.121 *Effective date.* All of the provisions of the Maximum Price Regulation No. 165, as amended (§§ 1499.101 to 1499.124 inclusive), shall become effective August 19, 1942.

§ 1499.122 *Appendix A: Form 265:1.*

REPORT OF A MAXIMUM PRICE FOR A NON-SEASONAL SERVICE

This form should be used to report a maximum price determined under § 1499.102 (c) of Maximum Price Regulation No. 165 as amended. It should be used only for services which cannot be priced under § 1499.102 (a) or (b), which are not subject to seasonal variations and which are performed during more than one season of the year.

To: Office of Price Administration.

From:_____
(Name)

Name of store or business_____

_____
(Fill in exact form used, like The Fixit Shop, etc.)

Address of store or business_____

_____
(Number) (Street) (Phone number)

_____
(City) (State)

Report of maximum price determination of the service described in Item 1 below made in accordance with § 1499.102 (c) of Maximum Price Regulation No. 165, as amended.

1. Brief description of the service for which a maximum price is reported. This should include the hours of labor involved, the number of employees who perform the service, if any, and a description of the kind and amount of material used_____

2. Brief description of your business_____

3. Reasons why the maximum price could not be determined under § 1499.102 (a) or (b) of Maximum Price Regulation No. 165, as amended _____

4. Description of your pricing method adopted for any other service supplied by you in March 1942. (This item must be based on actual service supplied by you in March 1942. Be specific and show figures. If sufficient space is not provided below, use additional pages and attach them to this report.) _____

(a) Cost of direct labor_____ ____
(b) Cost of materials_____ ____
(c) Margin (in dollars or cents) above cost of direct labor and materials _____ ____
(d) Percentage of margin (margin, item c÷cost, items a–b)_____ ____

5. Maximum price for the service for which a maximum price is reported, based upon the pricing method applied in Number 4, above.

NOTE: This price cannot exceed a combination of the items set forth in Number 6, below. _____

6. (a) Cost of direct labor used in supplying the service for which a price is determined (computed on a basis no higher than the highest wage rate which you had in effect for each type of employee during March 1942.) _____

(b) If you had no wage rate in effect during March 1942, the highest wage rate which your competitors in the same area had in effect for each type of employee during March 1942. (If item (a) above is filled out this item should be left blank) _____

(c) Cost of materials used in supplying the service for which a price is determined (computed on a basis no higher than the maximum prices established for such materials by the Office of Price Administration) _____

(d) If no such maximum price has been established, the highest price which you, or a purchaser of the same class, had to pay for such material in the month of March 1942. (If item (c) above is filled out this item should be left blank.) _____

(e) The margin (dollars or cents) over cost of labor and materials (items 6 (a) or 6 (b), and 6 (c) or 6 (d)) equal, as a percentage of cost, to the average margin over direct labor and material cost which was figured on the service, or type of service, for which a price was charged during March 1942, and which accounted for a greater portion of your gross income from services than any other service during March 1942.

_____

(f) Total of items (a) or (b), (c) or (d), and (e), added together_____ _____

(g) Subtract all applicable discounts and other allowances in effect during March 1942 to a purchaser of the same class _____ _____

(h) Result (item (f) minus item (g)) your maximum price, regardless of the pricing method used, cannot exceed this figure_____ _____

Signature_____
(Applicant)

By_____

_____
(Title)

Your signature is not required to be acknowledged before a Notary Public.

Pursuant to section 205 (b) of the Emergency Price Control Act of 1942, it is a criminal offense punishable by a fine of not more than $5,000, or by imprisonment for not more than 1 year, or both, to make any false statement or entry in the above report.

§ 1499.123 *Appendix B.—Form 265:2.*

REPORT OF A SEASONAL OR SEASONALLY VARYING MAXIMUM PRICE FOR A SERVICE

This form should be used to report a maximum price for a service determined under § 1499.103 (a), (b) or (c) of Maximum Price Regulation No. 165, as amended. It should be used only for services subject to seasonal variations in price or for services performed in one season of the year, but not in March 1942.

To: OFFICE OF PRICE ADMINISTRATION

From:_____
(Name)

Name of store or business_____
(Fill in exact form used, like The Fixit Shop, etc.)

Address of store or business_____
(Number) (Street) (Phone Number)

_____
(City) (State)

Report of determination, made in accordance with § 1499.103 (indicate (a) , (b) , or (c) , of Maximum Price Regulation No. 165, as amended, for the service described in Item 1, below).

1. Brief description of service for which a maximum price is determined_____

2. If this report is filed under § 1499.103 (a) or (b), fill out the following:

(a) In column (a) show the season or seasons in which the service is performed—or in which price varies. Indicate by months.

(b) In column (b) show the highest price charged by you for such service in the corresponding season from March 1, 1941 to February 28, 1942, inclusive.

(c) In column (c) show the percentage of increase in the cost of living from the last period of the corresponding season to March 1942, as set forth in footnote to § 1499.103 of Maximum Price Regulation No. 165 as amended.

(d) In column (d) show the sum to be added to the highest price charged in the most recent corresponding season. (Price shown in column (b) multiplied by percentage shown in column (c).)

(e) In column (e) show the maximum price for the service. (Price shown in column (b) plus amount shown in column (d).)

(a)	(b)	(c)	(d)	(e)

3. If this report is filed under § 1499.103 (c), fill out the following:

My nearest competitor of the same class in supplying this service is _____ his address is _____. He filed maximum prices with OPA on _____, 194__.

Column (a) below shows the season or seasons in which the service is performed—or during which price varies. Column (b) shows my nearest competitor's maximum price for each such season, which are now my maximum prices:

(a)	(b)

Signature_____
(Applicant)

By_____

_____
(Title)

Your signature is not required to be acknowledged before a Notary Public.

Pursuant to section 205 (b) of the Emergency Price Control Act of 1942 it is a criminal offense punishable by a fine of not more than $5,000, or by imprisonment for not more than 1 year, or both, to make any false statement or entry in the above report.

§ 1499.124 *Appendix C.—Form 265:3.*

APPLICATION FOR APPROVAL OF A MAXIMUM PRICE FOR A NEW SERVICE

[In accordance with § 1499.102 (d) of Maximum Price Regulation No. 165 as amended]

This form is to be used when (1) the same or a similar service was not sold or offered by the applicant or by a competitor in March 1942, (2) a price cannot be determined for the service in the manner provided for a seasonal service, and (3) the applicant was not supplying any service in March 1942.

NOTE.—A separate application for approval must be filed for each class of service with Office of Price Administration.

_____ hereby applies to the
(Name of Applicant)
Office of Price Administration for approval of maximum price for _____
(Service)
in accordance with Maximum Price Regulation No. 165 as amended, § 1499.102, paragraph (d). Applicant's relation to the business is: _____ The proposed maximum price is $_____ per _____
(Owner, manager, partner, officer, etc.)
(Unit)

The following facts are furnished to the Office of Price Administration in support of this application:

1. Name of establishment or business: _____
(Fill in exact form used, like the Fixit Shop, Acme Shoe Repair, etc.)

2. Address of establishment or business:

Number Street Phone No.

City County State

3. Type of business:_____
(Fill in exact and complete description. For example, indicate whether a Laundry is a *hand* or a *power* laundry; whether an auto shop does *general* repairs or just *body* and *fender* repairs.)

4. Type of operation: Retail only ( ) Both wholesale and retail ( ) (check one) Wholesale only ( ) Other (specify) _____

5. Ownership: Individual ownership ( ) Partnership ( ) (check one) Corporation ( ) Other (specify) ( )

6. Is your store or business a unit in any sort of chain? Yes. ( ) No. ( ) If "yes" explain exact type of chain and operation and give address of main office. _____

7. Type of service for which application for a maximum price is made: (Describe service in detail)_____

8. The reasons why this service cannot be priced except under paragraph (d) of § 1499.102 of Maximum Price Regulation No. 165 as amended are: _____

9. Date when you commenced supplying this service: _____

10. The service is performed at _____
(Your own shop, customer's house, wholesale establishment, etc.)
Does this service include delivery? Yes. ( ) No. ( ).

11. List all rebates, discounts, allowances, and special offers customarily given or to be given purchasers _____

12. Summary of materials and supplies cost for this service. (List materials and supplies in terms of units purchased by you.) _____

Type of material or supplies	Purchasing unit	Cost per unit	Amount used per unit of service performed [1]	Cost per unit of service performed [1]
Total				

[1] If this item cannot be stated per unit of service, give the same information for each 100 units, or estimated consumption per week or month. Indicate on which basis the cost is computed.

13. Summary of labor costs for this service. (List rate per hour, per week, per piece, or however else it is paid.)

Occupational classifications [2]	Rate	Unit	Amount used per unit of service performed	Cost per unit of service performed [1]
Total				

[2] List each principal type of operator employed in performing this service—such as, for a power laundry: Washerman, finisher, deliveryman, etc.; for an auto repair shop: Motor mechanic, body and fender man, ignition specialist, etc. Indicate with an "X" following the classification which, if any, of these are performed primarily by the owner.

If your labor costs have increased or decreased since the date you first commenced supplying this service give details respecting such increase or decrease. _____

14. Overhead cost—*per unit* of service: $_____ (Included in overhead are all costs of supplying the service not covered in items for material and supplies and labor, e. g. rent, insurance, taxes (except income taxes), repairs, depreciation, etc. Do not include salary or wages of owner or the amount he has taken out of the business, if he does not take any regular salary or wages. If your overhead also covers the sale of commodities or services other than the service in this application, it must be apportioned among them. Further details respecting overhead may be required, and may be attached to this application.)

15. Profit—*per unit* of service: $_____.

Signature _____
(Applicant)

By _____

_____
(Title)

The signature is not required to be acknowledged before a notary public. Pursuant to section 205 (b) of the Emergency Price Control Act of 1942 it is a criminal offense punishable by a fine of not more than $5,000, or by imprisonment for not more than one year, or both,

to make any false statement or entry in the above report. If additional space is required for answering questions on this form use a separate sheet and attach it to the form.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7917; Filed, August 13, 1942; 5:01 p. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 2—EDUCATION AND TRAINING OF WAR WORKERS

Regulations Governing the Education and Training of War Workers Pursuant to the Provisions of Title II, Subheading "Education and Training, Defense Workers (National Defense)" of the "Labor-Federal Security Appropriation Act, 1943," Public Law 647, 77th Congress, 2nd Session, Approved July 2, 1942

INTRODUCTORY

Pursuant to the authority conferred by Title II, subheading "Education and Training, Defense Workers (National Defense)" of the "Labor-Federal Security Appropriation Act, 1943", Public Law 647, 77th Congress, 2nd Session, approved July 2, 1942, the following regulations are prescribed for the administration of the provisions of the said Act.

Section 2.1 defines terms that are used in these regulations.

Sections 2.2–2.10 deal with courses conducted by State agencies under subdivision (1) of the Act.

Sections 2.11–2.16 deal with courses conducted by colleges under subdivision (2) of the Act.

Sections 2.17–2.24 deal with courses conducted by State agencies under subdivision (3) of the Act.

Sections 2.25–2.26 contain provisions of general applicability.

Sections 2.1 to 2.29 inclusive (sections 101 to 603 inclusive as signed by the President), issued under the authority contained in Title II, subheading "Education and Training, Defense Workers (National Defense)" of the Labor-Federal Security Appropriation Act, 1942 (55 Stat. 476)[1] are superseded by the following regulations.

DEFINITIONS

Sec.
2.1 Terms

COURSES CONDUCTED BY STATE AGENCIES UNDER SUBDIVISION (1) OF THE ACT

2.2 Provisions of the Act.
2.3 Purpose of requirement of State plans.
2.4 Survey of facilities.
2.5 Bases of administration, coordination and supervision.
2.6 Provision for additional space and equipment.
2.7 Disposition of products manufactured in courses.
2.8 Reports and audits.
2.9 Courses by private vocational schools.

[1] 6 F.R. 4147.

COURSES CONDUCTED BY COLLEGES UNDER SUBDIVISION (2) OF THE ACT

Sec.
2.10 Certification for payment.
2.11 Provisions of the Act.
2.12 National Advisory Committee.
2.13 Regional coordination.
2.14 Determination of needs.
2.15 College plans.
2.16 Certification for payment.

COURSES CONDUCTED BY STATE AGENCIES UNDER SUBDIVISION (3) OF THE ACT

2.17 Provisions of the Act.
2.18 Purpose of requirement of State plans.
2.19 Survey of facilities.
2.20 Bases of administration, coordination and supervision.
2.21 Certification for payment.
2.22 Provisions for additional space and equipment.
2.23 Disposition of products manufactured in courses.
2.24 Reports and audits.

GENERAL PROVISIONS

2.25 Labor resources.
2.26 Continued operation under plans pursuant to Public Law 146.

AUTHORITY: §§ 2.1 to 2.6, inclusive, issued under Pub. Law 647, 77th Cong.

DEFINITIONS

§ 2.1 *Terms.* Unless otherwise clearly indicated, the following terms shall have the meaning hereinafter defined:

(a) "Act" means Title II, subheading "Education and Training, Defense Workers (National Defense)" of the "Labor-Federal Security Appropriation Act, 1943", Public Law 647, 77th Congress, 2d Session, approved July 2, 1942.

(b) "Subdivision" refers to the indicated subdivision of the Act.

(c) "Commissioner" means the United States Commissioner of Education.

(d) "Director" means the officer in the United States Office of Education acting under the Commissioner's supervision to whom he delegates powers, duties, and functions and who is accordingly charged by the Commissioner with the chief responsibility for carrying out the particular war training program involved. All delegation of powers, duties, and functions under the Act is and shall remain subject to the right of the Commissioner to resume at his discretion any of the powers, duties, and functions delegated.

(e) "Director of Defense Training" means the officer appointed by the Federal Security Administrator to direct and supervise the various defense training activities of the constituent units of the Federal Security Agency. This officer is also the Chief, Training Division, War Manpower Commission.

(f) "State" includes the several States, District of Columbia, Hawaii, Alaska, Puerto Rico and any other qualified public authority.

(g) "State agency" means an agency of a State, subdivision thereof or other public agency operating public educational facilities.

(h) "Local agency" means a subdivision of a State, or other public agency participating in a State plan under the control and supervision of a State agency.

(i) "Public employment office registers" means the registers maintained by the United States Employment Service and the register maintained by the United States Civil Service Commission, except in Puerto Rico, where it means the register maintained by the Employment Service of the Insular Department of Labor of Puerto Rico.

(j) "College" means a degree-granting college or a university whose educational property is exempt from taxation by virtue of the provisions of the special or general law under which it is organized and operates or a public degree-granting educational institution. Degree-granting as used herein shall mean that the institution, in recognition of satisfactory completion of a curriculum of four years or longer beyond high school graduation, granted during the academic year 1940–41 or 1941–42 degrees with a major in one or more of the following fields: engineering, chemistry, physics, or production supervision.

(k) "Courses of college grade" refers to the character and content of the course and not to an institution and indicates an academic standard customarily required of college and university students in the same field.

(l) "Courses of less than college grade" refers to the character and content of the course and not to an institution and indicates a course, the content of which is determined by occupational rather than by academic standards and has as an objective, employment in an occupation for which training of college grade is not customarily required.

(m) "Cost of courses" means all expenditures necessary for organization, administration, supervision, instruction, and maintenance and operation of plant in conducting the courses pursuant to an approved plan. It may include expenses for such items as personal services; supplies and material; heat, light and power; travel; transportation of trainees; physical examination of instructors and trainees; insurance, including workmen's compensation; contributions to teachers' retirement plans; communications, including postage; maintenance and repair of equipment; replacement of parts; necessary printing and duplicating; books and other instructional material when such material is necessary as part of the instruction; necessary additional space and equipment; and national and regional coordination. Cost of courses does not include items of expense the incurrence of which is not necessitated by activities under war training plans. For example, it does not include items of expense which an agency, school, or college incurs in the normal operation of its plant or would have incurred regardless of whether it had conducted courses under the Act.

(n) "Occupations essential to war production" means occupations approved as essential to war production by the Chairman of the War Manpower Commission or the person to whom he delegates the function of approving such occupations. Occupation refers to a payroll job rather than to an industry.

COURSES CONDUCTED BY STATE AGENCIES UNDER SUBDIVISION (1) OF THE ACT

§ 2.2 *Provisions of the Act.* Subdivision (1) provides $94,000,000 for the cost other than for equipment of vocational courses of less than college grade provided by State agencies and by vocational schools exempt from Federal income tax by reason of their educational character and also by private schools and other private facilities where equipment for training is available. Not to exceed five million dollars of this amount is available for rental of necessary additional space. Courses include those supplementary to employment, preemployment courses, and refresher courses. Courses supplementary to employment are those designed to train workers who are currently engaged in occupations essential to war production or closely related occupations. Preemployment courses are those designed to prepare for such occupations. Refresher courses are those designed to develop and revive skills on the part of workers who may have had some training or skill in an occupation essential to war production. Unemployment is not a condition of eligibility for entrance into courses. Preemployment and refresher trainees must be selected from public employment office registers.

The First Deficiency Appropriation Act, 1942, Public Law 463, 77th Congress, 2nd Session, Title I under the heading "Federal Security Agency," subheading, "Office of Education," provides $10,000,000 to be available until June 30, 1943, for payment to State agencies for the acquisition by them of equipment to be used under plans approved by the Director in giving courses provided under subdivision (1).

§ 2.3 *Purpose of requirement of State plans.* The basic condition to the approval of courses, acquisition of equipment, rental of space, and payment of the budgeted costs thereof from the foregoing appropriations is the submission of agency proposals in conformity with underlying plans of the State agency, as approved by the Director. The purpose of this requirement in the Act is to insure continued and mutual understanding at the State and Federal levels that the courses and training thereby provided as well as all other activities of the State in connection with the war production training program are maintained in close harmony and effective coordination with the development of the war production program as a whole.

The content of State plans and the reporting procedures thereunder should be sufficiently comprehensive in detail to permit of an accurate evaluation of the State's contribution in terms of current procedures and placements. State plans should be formulated in such a way as to show the most effective use that can be made of the available training facilities within each State as well as of those that can be made available with reasonable expenditure of time and money.

For this purpose State Boards for Vocational Education upon consultation with State Advisory Committees hereinafter referred to are to submit new plans or to confirm, amend or extend existing plans as may be necessary to bring them into conformity with the Act and these regulations.

§ 2.4 *Survey of facilities.* Each State plan should contain, as may be required by the Director, evaluative statements or survey of the principal facilities and resources of the State both in use and available for use for vocational training within the contemplation of the foregoing provisions and should from time to time and as may be required by the Director indicate the feasibility and probable costs of providing additional space and equipment so as to expand facilities of the State for vocational training purposes in accordance with the ascertained needs of the national program of war production. The Director may also require any other information deemed necessary to make the most effective allocation of funds to the various States.

In the case of any State whose law provides for separate schools to serve separate population groups, the plan should provide that all proposals, whether for the conduct of courses or for the acquisition of additional space or equipment, will state such facts and circumstances as will serve to indicate that approval thereof is consistent with the requirement of the Act that to the extent needed for trainees of each such group equitable provisions shall be made for facilities and training of like quality.

§ 2.5 *Bases of administration, coordination and supervision.* State plans should develop the following bases of administration, coordination and supervision:

(a) *State Board for Vocational Education.* The basic jurisdiction of the State Board for Vocational Education as the authority responsible for phases of the training program within the State and the use of the State's training facilities is recognized. Each State plan shall indicate the designation or appointment of a State Director of Vocational Training for War Production Workers who shall be a full-time employee of the State Board for Vocational Education qualified in the field of vocational education. The State plan shall provide that his appointment shall be subject to the approval of the Director and that he shall carry out the policies of the State Board and assume responsibility for the preparation and submission of State plans, reports, budgets and accounting in compliance with all State and Federal requirements.

(b) *Advisory committees.* In order that the proper coordination of training programs with labor and industry may be assured, State plans for vocational training for war production workers shall provide for the establishment and utilization of State and local representative advisory committees. These committees shall be composed of an equal number of representatives from management and from labor. The representatives shall be selected from lists of nominees submitted by bona fide labor organizations and employer groups in response to written requests from the proper State or local school authorities. Representatives of other interested groups or agencies, whose cooperation is essential to the successful operation of the program, shall serve as consultants to the committees.

The State plans for vocational training for war production workers shall also provide for counsel and advice from individual craft organizations representing the occupations for which classes are organized. This may be done through the use of either craft committees or authorized craft consultants to the general local advisory committees.

Each State may provide suitable procedures for participation of the agency in the enrollment and dispatch of workers to other training centers within or without the State whenever this course offers the most expeditious and economical method of coordinating supply and demand of training facilities. Such transfers should be made only after clearance has been effected through the United States Employment Service.

(c) *Employment service.* The United States Employment Service has the general responsibility for utilizing its facilities in the effort to ascertain the supply and demand of all types of labor and skills needed in the war production program, and for this purpose to report the data affecting demand and supply of labor and labor market developments on the basis of its contacts and experience, and to report deficiencies in available labor and labor skills with specific data as to number, dates needed and job specifications that must be met in all areas of the United States. State and local Directors of Vocational Training for War Production Workers assume the responsibility for seeing that such data, including the specific needs within the areas which they service, are utilized and reflected in proposals for courses except as otherwise ordered by the Director of Defense Training.

The responsibility for making applications for approval of courses rests with the local public school authorities conducting the vocational training program for war production workers and the responsibility for approving such courses rests with the State Director of Vocational Training for War Production Workers.

In order to facilitate and further implement the functioning of the employment service in this respect all refresher and pre-employment enrollments, transfers of enrollees and specifications of the training of enrollees shall be reported to the local employment manager according to a regular schedule for such reporting. In like manner the vocational schools shall report regularly to the employment service all material facts known to them in relation to the placement of trainees other than through the employment service itself.

(d) *Training for excess needs.* The following rules shall apply to the situation in which local facilities for training are found insufficient to meet the demands placed upon them, or when after due canvass the supply of trainees appears inadequate to meet the call upon the community or area for a particular order or skills. In either event the State Director of Vocational Training for War Production Workers will take appropriate steps to meet the deficiency either by submitting proposals for the acquisition of additional space and equipment for

training purposes or to the extent feasible by cooperative utilization of facilities possessed by other communities available to meet the deficiency. In either case the facts and proposals shall be fully reported to the Director.

When over-all shortages in particular occupations develop because of pending war production contracts, war production training may be authorized in any community in excess of locally reported need. In order to meet needs determined on a national basis such training should be given only pursuant to express arrangement and authorization by the Director of Defense Training. The purpose of such procedure should be to create a reservoir of workers with initial skills in selected occupations. Courses will be designed to give specific training for specific jobs in war production industries.

(e) *General requirements and standards.* Within these general requirements the plan shall provide for the submission of courses in accordance with such detailed forms and procedures as may be provided by the Director, including accompanying budgets or estimates of costs subject to such revisions as he may require for approval thereof. The plan shall provide that all courses shall be conducted under the detailed supervision and direction of the State Director of Vocational Training for War Production Workers and with due observance of the standards established by him for such instruction. The plan shall include a statement of the qualifications of instructors and detailed methods and procedures employed in the selection and enrollment of trainees. The Director may make such investigations, examination, and inspection thereof and of the conditions under which courses are conducted as may be expedient or necessary and may require the maintenance of such standards in respect of the content of the several courses, the qualifications of the instructors thereof, the selection of trainees, the time within which such courses must be given or completed, and the adoption of such procedures as may serve to assure effective use of Federal funds.

§ 2.6 *Provision for additional space and equipment.* All proposals for the rental of additional space and acquisition of equipment shall be made on the forms and in accordance with detailed specifications to be provided by the Director. The Director may prescribe by rule or otherwise those items of expenditure which constitute cost of equipment. Title to equipment which is purchased from funds made available pursuant to the Act shall be in the State for use and subject to transfer as required by the Director for war production training as long as the need exists. Where such equipment is placed in buildings not owned by the State, suitable measures shall be taken to safeguard the continued availability of the equipment for the aforementioned purposes.

§ 2.7 *Disposition of products manufactured in courses.* Articles made in war production training courses from supplies furnished by Federal funds may be disposed of in such a manner as will best carry out the purpose of the Act. Such articles may be used in the conduct of the training program if suitable or they may be dismantled to furnish raw materials for further training or otherwise disposed of with the appoval of and in a manner provided by the State Board for Vocational Education.

§ 2.8 *Reports and audits.* Each State plan shall provide that the State agency will make such reports in such form and containing such information as the Director may from time to time require and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

For this purpose plans shall provide for the maintenance at the State level of such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants, including the disposition of all moneys received and the nature and amount of all charges claimed to lie against the respective Federal authorizations.

Estimates of cost of courses and of additional space and equipment as well as final statements thereof subject to audit and verification as aforesaid shall be submitted in such form and at such times as the Director may indicate. Such fiscal reports and detailed statistical statements of the enrollments, training transfers, placements and other details of the State's activities shall be furnished monthly or at such other times and subject to such supplementation as the Director may require and shall be sufficient to enable the Commissioner to transmit to Congress quarterly reports of this war production training program as required by the terms of the Act.

§ 2.9 *Courses by private vocational schools.* Courses given under subdivision (1) of the Act in private vocational schools and in other private facilities where equipment is available shall be included in the State plan and conducted thereunder unless the Director shall determine that circumstances warrant submission of an institutional plan or form of contract or both.

§ 2.10 *Certification for payment.* After approval of the State plan certification for payment to the officer authorized under State law to act as custodian of funds provided under this Act will be made at such time or times as the certifying officer may specify. Funds paid to a State under the Act shall be held and disbursed according to the fiscal policies and procedures of the State: *Provided, however,* That the Director may make rules with respect to the custody and disposition of such funds as may be deemed reasonably necessary to safeguard their availability and use in the war production training program.

COURSES CONDUCTED BY COLLEGES UNDER SUBDIVISION (2) OF THE ACT

§ 2.11 *Provisions of the Act.* Subdivision (2) of the Act provides $30,000,000 for the cost of short courses of college grade provided by colleges and designed to meet the shortage of engineers, chemists, physicists and production supervisors in fields essential to the national war program pursuant to plans which may provide for regional coordination of the war training program of the participating colleges and provides that not to exceed 20 per centum of the amount allotted to any school shall be allotted to it for expenditure for purchase and rental of additional equipment and leasing of additional space.

§ 2.12 *National Advisory Committee.* To assure guidance in the formulation of policies and procedures in the administration of the war training program, the Commissioner is authorized to designate a National Advisory Committee with whom he may consult at such times as he deems advisable. Each of the several professions for which training is provided in the Act shall be represented on the committee. Proper expenditures by such committee members shall constitute a permissible item in the cost of courses by the respective colleges to which the committee members are attached.

§ 2.13 *Regional coordination.* For the better achievement of the purposes of the Act, there may be defined and established regional areas adapted to the purposes of coordinating war training activities and there may be designated for each such region an adviser who is associated with one of the colleges within such region and whose functions shall be to assist in coordinating war training in the colleges within the region, and with the war needs of government and industry, to the extent and in the manner prescribed by the Director. The functions of the regional adviser may include among others the following: assembly of facts and data bearing upon the need for professional personnel of the above description; necessary contacts with governmental and industrial agencies or institutions within the region; liaison between the different colleges within the region; and consultation with representatives of the United States Office of Education in negotiations relating to or arising out of proposals for specific courses in colleges within the regional area. Proper expenditures by such advisers shall constitute a permissible item in the cost of courses conducted by the respective colleges to which they are attached.

§ 2.14 *Determination of needs.* It shall be the duty of the Director to assemble from time to time from the reports of the regional advisers, the findings of the National Advisory Committee, and from all other sources available to him the relative needs for professional training authorized by the Act. Approval of courses shall be determined on the basis of these findings.

§ 2.15 *College plans.* Each participating college shall as a condition to its participation submit for approval a plan pursuant to which courses are to be conducted. Such plans shall be subject to revision from time to time, and shall be formulated with the view to the most effective utilization of college facilities carrying out the war training program.

Such college plans as thus revised and approved from time to time shall include the following:

(a) Each plan shall indicate that the college is exempt from taxation with respect to its educational property and has authority to receive and administer Federal funds. The Director may require presentation of such additional facts and verification as he may from time to time deem necessary to substantiate the qualifications of the institution for carrying out its approved plan.

(b) The plan shall be executed in the name of the college by its duly authorized officer. It shall designate an institutional representative who shall coordinate all activities at the college under its approved plan, and shall serve as the liaison officer between the college and Federal officials and between the college and other participating colleges. Among other things he shall be authorized to conduct negotiations with the Director, to assume responsibility for making reports, and to assure representation of his college on the regional committee. The plan shall also contain provisions which will enable the college to comply with any arrangements for regional coordination arising under § 2.13. It shall indicate the college official authorized to receive and receipt for Federal funds.

(c) Such plan shall indicate to the extent required by the Director the facilities available to the college for war training within the Federal authorization, including both staff and physical equipment. The plan may provide for the utilization by the college of facilities of other public or private agencies and institutions. In no event, however, may any course be given for which the college does not assume full responsibility for the scope, content, and standards of instruction, and the actual direction and control of activities under the plan in all important substantive and procedural aspects. The plan shall provide that all courses shall be of college grade.

(d) Within these general requirements the plan shall provide for the submission of proposals for courses in accordance with such forms and procedures as may be provided from time to time by the Director. Approval of any proposal shall be subject to the further action of the Director who may require the course to be discontinued subject to such reimbursement for expenditures made or incurred by the college as he may determine to be equitable, or provide for the continuance thereof subject to such conditions as he may deem essential to effectuate the purposes of the national program. The Director may likewise make such investigations, examination, and inspection thereof and of the conditions under which courses are given as may be expedient or necessary, and may require the maintenance of such standards and the adoption of such procedures as may serve to assure effective use of Federal funds.

(e) The plan shall further provide that any equipment purchased from Federal funds provided by the Act shall be held available at all times for use in war training courses, and shall be subject to disposition by the Director for use elsewhere in the program. For these purposes title to equipment shall be held by the college or its nominee. The total amount expended by the college chargeable to Federal funds for purchase and rental of additional equipment and leasing of additional space for use under its approved plan shall not be in excess of 20 per centum of the total expenditures of such college under the approved plan.

(f) *Reports and audits.* Each plan shall provide that the college will make such reports in such form and containing such information as the Director may from time to time require and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

For this purpose the plan shall provide for the maintenance by the college of such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grant, including the disposition of all moneys received and the nature and amount of all charges claimed to lie against the Federal authorization.

To provide reimbursement for costs that cannot reasonably be accounted for separately, the college may, subject to prior approval by the Director, charge to the cost of courses a percentage of definitely ascertainable costs. Any such percentage and the basis for application must be justified by such evidence as the Director may require.

Estimates of the cost of courses and of additional space and equipment as well as final statements thereof, subject to audit and verification as aforesaid, shall be submitted in such form and at such times as the Director may require. Such fiscal reports and detailed statistical statements of the enrollments, training, transfers, placements and other details of the college's activities under the plan shall be furnished monthly or at such other times and subject to such supplementation as the Director may require and shall be sufficient to enable the Commissioner to transmit to Congress quarterly reports of the war training program as required by the provisions of the Act.

§ 2.16 *Certification for payment.* Upon approval of the plan, certification for payment to the college official authorized to receive and receipt for Federal funds will be made at such time or times as the certifying officer may specify. Funds thus certified and paid shall be held by such official and expended in accordance with the regulations of the college which are applicable to other college funds: *Provided, however,* That the Director may make rules with respect to the custody and disposition of such funds as may be deemed reasonably necessary to safeguard their availability and use in the war training program.

COURSES CONDUCTED BY STATE AGENCIES UNDER SUBDIVISION (3) OF THE ACT

§ 2.17 *Provisions of the Act.* Subdivision (3) provides $15,000,000 for the cost of vocational courses of less than college grade and related instruction provided by State agencies for out-of-school rural persons who have attained the age of seventeen and who, if unemployed, have filed a registration card with the United States Employment Service. Such courses are hereinafter referred to as rural war production training. The appropriation is also available for nonrural persons who otherwise meet the foregoing requirements, and whose training is not feasible under subdivisions (1) and (2) of the Act. Not to exceed 20 per centum of the appropriation is available for purchase and rental of equipment and rental of necessary additional space. Subdivision (3) authorizes vocational courses in the production of farm commodities and in the repair, operation and construction of farm machinery and equipment as may be necessary to meet the needs of farmers in obtaining the production of goals of those farm commodities designated from time to time in the "Food for Freedom" program and promulgated by the Secretary of Agriculture. The training may also include subjects related to war production occupations with a view to developing general manipulative skills in such trades as woodworking and auto shop work. All vocational courses conducted under subdivision (3) are limited to a list of courses having prior approval of the Chairman of the War Manpower Commission or the person to whom he delegates the function of approving such courses.

§ 2.18 *Purpose of requirement of State plans.* The basic condition to the approval of courses, acquisition of equipment, rental of space and payment of the budgeted costs thereof from the foregoing appropriation is the submission of agency proposals in conformity with underlying plans of the State agency, as approved by the Director. The purpose of this requirement in the Act is to insure continued and mutual understanding at the State and Federal levels that the courses and training thereby provided as well as all other activities of the State in connection with this rural war production training program are maintained in close harmony and effective coordination with the development of the war production program as a whole.

The content of the State plan and the reporting procedures thereunder shall be sufficiently comprehensive in detail to permit of an accurate evaluation of the program. State plans shall be formulated in such a way as to show the most effective use that can be made of the available training facilities within each State as well as of those that can be made available with reasonable expenditure of time and money. For this purpose State Boards for Vocational Education are to submit new plans or to amend existing plans as may be necessary to bring them into conformity with the Act and these regulations.

§ 2.19 *Survey of facilities.* Each State plan shall contain, as may be required by the Director, evaluative statements or survey of the principal facilities and resources of the State both in use and available for use for the rural war production training program. The Director may also require any other in-

formation deemed necessary to make the most effective allocation of funds to the various States.

In the case of any State whose law provides for separate schools to serve separate population groups, the plan shall provide that all proposals, whether for the conduct of courses or for the acquisition of additional space or equipment, will state such facts and circumstances as will serve to indicate that approval thereof is consistent with the requirement of the Act that to the extent needed for trainees of each such group equitable provisions shall be made for facilities and training of like quality.

§ 2.20 *Bases of administration, coordination and supervision.* State plans should develop the following bases of administration, coordination and supervision:

(a) *State Board for Vocational Education.* The basic jurisdiction of the State Board for Vocational Education as the authority responsible for phases of the training program within the State and the use of the State's training facilities is recognized. Each State plan shall indicate the designation or appointment of a State Director of Rural War Production Training who shall be a full-time employee of the State Board for Vocational Education qualified in the field of vocational education. The State plan shall provide that his appointment shall be subject to the approval of the Director and that he shall carry out the policies of the State Board and assume responsibility for the preparation and submission of State plans, reports, budgets and accounting in compliance with all State and Federal requirements.

(b) *Employment service.* The United States Employment Service has the general responsibility for utilizing its facilities in the effort to ascertain the supply and demand of all types of labor and skills needed in the war production program, and for this purpose to report the data affecting demand and supply of labor and labor market developments on the basis of its contacts and experience, and to report deficiencies in available labor and labor skills with specific data as to number, dates needed and job specifications that must be met in all areas of the United States. State Directors of Rural War Production Training assume the responsibility for seeing that such data, including the specific needs within the areas which they service, are utilized and reflected in proposals for courses except as otherwise ordered by the Director. The responsibility for making applications for approval of courses rests with the local public school authorities conducting the rural war production training program and the responsibility for approving such courses rests with the State Director of Rural War Production Training.

In order to facilitate and further implement the functioning of the employment service in this respect, specifications of the training of the unemployed enrollees shall be reported to the local employment manager according to a regular schedule for such reporting. In like manner the vocational schools shall report regularly to the United States Employment Service all material facts known to them in relation to the placement of trainees other than through the United States Employment Service itself.

(c) *Supervision of courses.* The rural war production training program has been planned to meet a number of predetermined needs. In meeting those needs it has been planned to utilize the training facilities available in the various rural communities having Departments of Vocational Agriculture as well as other suitable facilities available in communities not having Departments of Vocational Agriculture. To insure that the program is operated efficiently in meeting these predetermined needs, State plans shall include provisions for adequate supervision by qualified supervisors on both State and local levels.

(d) *General requirements and standards.* Within these general requirements State plans shall include provisions for the submission to the Director, of applications for approval of courses in accordance with such detailed forms and procedures as may be provided from time to time by the Director, including accompanying budgets or estimates of costs. As a condition of his approval of such courses and budgets, the Director may require revisions thereof deemed essential to the foregoing purposes.

The Director may make or cause to be made such investigation, examination and inspection of courses and of the conditions under which they are given as may be expedient or necessary, and may formulate standards with respect to the conduct of such courses, the qualifications of teachers, supervisors and Directors thereof, the selection of trainees, and in other respects in keeping with these regulations.

§ 2.21 *Certification for payment.* After approval of the State plan certification for payment to the officer authorized under State law to act as custodian of funds provided under this Act will be made at such time or times as the certifying officer may specify. Funds paid to a State under the Act shall be held and disbursed according to the fiscal policies and procedures of the State: *Provided, however,* That the Director may make rules with respect to the custody and disposition of such funds as may be deemed reasonably necessary to safeguard their availability and use in this training program.

§ 2.22 *Provisions for additional space and equipment.* All expenditures for the rental of additional space, both for instructional purposes and for supervision, must have prior approval by the Director. Except when specifically approved by the Director, all expenditures for the purchase or rental of equipment shall be for the purpose of completing instructional equipment of a school shop already partially equipped. The additional equipment purchased from these funds must be that necessary to accommodate the number of persons enrolled for whom it is found desirable to provide instruction. Title to equipment which is purchased from funds made available pursuant to subdivision (3) of the Act shall be in the State for use and subject to transfer as required by the Director in rural war production training as long as the need exists. Where such equipment is placed in buildings not owned by the State, suitable measures shall be taken to safeguard the continued availability of the equipment for the aforementioned purposes.

§ 2.23 *Disposition of products manufactured in courses.* Articles made in rural war production training courses from supplies furnished by Federal funds may be disposed of in such a manner as will best carry out the purpose of the Act. Such articles may be used in the conduct of the training program if suitable or they may be dismantled to furnish raw materials for further training or otherwise disposed of with the approval of and in a manner provided by the State Board for Vocational Education.

§ 2.24 *Reports and audits.* Each State plan shall provide that the State agency shall make reports in such form and containing such information as the Director may from time to time require and that the State shall comply with such provisions as the Director may find necessary to assure the correctness and verification of such reports.

For this purpose plans shall provide for the maintenance at the State level of such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants, including the disposition of all moneys received and the nature and amount of all charges claimed to lie against the respective Federal authorizations.

Estimates of cost of courses and of additional space and equipment, as well as final statements thereof, subject to audit and verification as aforesaid, shall be submitted in such form and at such times as the Director may require. Fiscal reports and detailed statistical statements of training, enrollments, transfers, placements, and other details of the State's activities shall be furnished monthly or at such other times and subject to such supplementation as the Director may require and shall be sufficient to enable the Commissioner to transmit to Congress, quarterly, reports required by the Act.

GENERAL PROVISIONS

§ 2.25 *Labor resources.* Unless otherwise indicated the following provisions are applicable to war training programs under the Act.

(a) *Discrimination.* The Act provides that no trainee in courses conducted pursuant to subdivisions (1), (2), and (3) of the Act shall be discriminated against because of sex, race, or color and it is also provided that the selection of trainees shall be based upon the existing and anticipated need for war workers and where separate schools are required by law for separate population groups, to the extent needed for trainees of each such group, equitable provisions shall be made for facilities and training of like quality.

Executive Order No. 8802 of June 25, 1941, as amended, reaffirms the policy of the United States that there shall be no discrimination in the employment of workers in war industries or in the government because of race, creed, color, or national origin. It orders that all departments and agencies of the government of the United States concerned with vocational and training programs for war production shall take measures to assure that such programs are administered without discrimination because of race, creed, color, or national origin. It requires provisions in government contracts for carrying out this policy and establishes in the War Production Board a Committee on Fair Employment Practice to investigate complaints of discrimination in violation of the provisions of the order and to take appropriate steps to redress valid grievances. The Committee is also empowered to recommend to the several departments and agencies of the Government and to the President all measures which may be deemed by it necessary or proper to carry out the provisions of the order. All training programs under the provisions of the Act shall be so conducted as to carry out the policies and provisions of this order.

(b) *Women workers.* In considering the eligibility of women for courses recognition should be given to the policies adopted by the War Manpower Commission to promote the employment of women as the general labor market tightens. Training of women, however, must take into consideration the ability of such women to secure presently or in the future employment in occupations essential to the war program.

(c) *Shortage of farm labor.* State plans should take into consideration the possibility of a shortage of farm labor in certain regions in which national policy requires an expansion of production. Agricultural as well as non-agricultural needs should be considered.

§ 2.26 *Continued operation under plans pursuant to Public Law 146.* Insofar as they are not inconsistent with the policies expressed in these Regulations, existing plans for courses under all subdivisions of the Act under which State agencies and colleges are operating pursuant to the Labor-Federal Security Appropriation Act of 1942 (55 Stat. 476) Public Law 146, 77th Congress, 1st Session, may furnish the basis under which courses under this Act are conducted. Where these regulations would require changes or additions, time will be allowed by the Commissioner or the designated Director to enable the cooperating agencies to comply with such requirements without impairing the use of funds for carrying on the war training program under existing plans.

Issued August 11, 1942.

J. W. STUDEBAKER,
U. S. Commissioner of Education.

JULY 30, 1942.

Approved: July 31, 1942.

PAUL V. MCNUTT,
Federal Security Administrator.

Approved: July 31, 1942.

PAUL V. MCNUTT,
Chairman,
War Manpower Commission.

Approved: August 11, 1942.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 42-7902; Filed, August 13, 1942; 2:18 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 154—MATERIALS AND SUPPLIES

ORDER WAIVING THE PROVISIONS OF CERTAIN VALUATION ORDERS FOR THE YEAR 1942

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 10th day of August A. D., 1942.

It is ordered, That the requirements of Valuation Orders Nos. 4 and 22, relating to inventory of materials and supplies, made and entered by the Commission under dates of June 25, 1914, and July 26, 1918 (§ 154.0 *Inventories*), respectively, be, and they are hereby, waived insofar as applicable to the year 1942.

By the Commission, division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42—7942; Filed, August 14, 1942; 11:19 a. m.]

Notices

TREASURY DEPARTMENT.

Bureau of Customs.

[T.D. 50703]

DRAWBACK—EXTENSION OF PERIOD FOR USE OF SUGAR

Acting under the authority vested in him by section 318, Tariff Act of 1930, the President, on August 7, 1942, issued a proclamation declaring an emergency to exist and authorizing the Secretary of the Treasury to extend to three years the time prescribed in section 313 (b), Tariff Act of 1930, for the use of sugar in the manufacture or production of articles, in any case in which the time prescribed in such section has not expired. The proclamation is published below for your information and guidance. [Here follows Proc. 2566; 7 F.R. 6157.]

Pursuant to the authority conferred upon the Secretary of the Treasury by the proclamation, the period of one year prescribed in section 313 (b), Tariff Act of 1930, for the use of sugar in the manufacture or production of articles is hereby extended to three years.

The extension herein granted is not applicable in any case in which the one-year period prescribed in section 313 (b) expired before August 7, 1942, the date on which the proclamation was issued. No extension of the three-year period for exportation prescribed in section 313 (h), Tariff Act of 1930, is authorized in the proclamation. (Sec. 313, 318, 46 Stat. 694, 696; 19 U.S.C. 1313, 1318. Proc. 2566, August 7, 1942; 7 F.R. 6157.)

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-7965; Filed, August 14, 1942; 11: 51 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1793-FD]

HERMAN SANDERS, CODE MEMBER

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint having been filed herein on July 5, 1941 by the Bituminous Coal Producers Board for District No. 13, as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by Herman Sanders, Monteagle, Tennessee, code member in District No. 13, of the Act, of the Bituminous Coal Code (the "Code"), and rules and regulations thereunder; and

An Order having been issued herein on July 9, 1942 revoking and cancelling the code membership of said Herman Sanders, effective fifteen (15) days from the date of said Order; and

Said Order of Cancellation and Revocation having been duly served on July 13, 1942 on said Herman Sanders; and

Said Herman Sanders having filed with the Division, as provided in section 5 (c) of the Act, his application dated August 1, 1942 for restoration to code membership to become effective simultaneously with the effective date of said cancellation and revocation of his code membership; and

It appearing from said application that said Herman Sanders has paid to the Collector of Internal Revenue at Nashville, Tennessee, on July 22, 1942, the sum of $509.95, pursuant to said Order dated July 9, 1942, as a condition

precedent to the restoration of his code membership;

Now, therefore, it is ordered, That said application of Herman Sanders, dated August 1, 1942, be, and it hereby is, granted.

It is further ordered, That said restoration of the code membership of Herman Sanders be effective as of the effective date of said cancellation and revocation of his code membership.

Dated: August 13, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7935; Filed, August 14, 1942; 11:15 a. m.]

DISTRICT BOARD No. 8

[Docket No. A-1567]

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change in the price classifications and minimum prices for rail and truck shipments for the coals of certain mines in Bell, Knox, and Whitley Counties, Kentucky, Claiborne County, Tennessee, and Wyoming County, West Virginia, District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is Ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 14, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petition of intervention shall be filed with the Bituminous Coal Division on or before October 7, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 8 requesting changes in the price classifications, minimum prices for rail and truck shipments, seam and county designations for the coals of certain mines in Bell, Knox, and Whitley Counties, Kentucky, Claiborne County, Tennessee, and Wyoming County, West Virginia, District No. 8, including, among other things, increases and decreases in effective minimum prices.

Dated: August 13, 1942.

[SEAL] H. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7936; Filed, August 14, 1942; 11:15 a. m.]

[Docket No. A-1582]

DISTRICT BOARD No. 3

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 3 for a change in price classifications and minimum prices for the coals of Sunset Mine, Mine Index No. 776, of J. A. Jackson, and the Franklin Mine, Mine Index No. 243, of H. S. Glenn, District No. 3.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 15, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to peform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 8, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 3 requesting that the price classification of "F" in Size Groups 1 to 10, inclusive, now established for the coals of Sunset Mine, Mine Index No. 243, be changed to "DE" in Size Groups 1–6, inclusive, and "DF" in Size Groups 7–10, inclusive, and that the price classification of "B" in Size Groups 11–16, inclusive, be established. It appears that the temporary price classifications and minimum prices requested to be established are higher than the price classifications and minimum prices now established for the coals of these mines, that price classifications and minimum prices for additional size groups are requested, and that a hearing will be necessary in order to determine if these changes should be made permanent. It further appears, however, that an adequate showing of necessity has been made for the granting of temporary relief establishing temporary price classifications and minimum prices for the coals of the above-named mines as requested.

It is, therefore, ordered, That pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 3, For All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R", annexed hereto and hereby made a part hereof.[1]

Dated: August 13, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7937; Filed, August 14, 1942; 11:16 a. m.]

[1] Not filed with the Division of the Federal Register.

[Docket No. B-289]

JOE ADDIS AND PHILLIP ADDIS, CODE MEMBER

ORDER POSTPONING HEARING

In the matter of Joe Addis and Phillip Addis, individually and as co-partners, doing business under the name and style of Joe Addis and Son, Code Member.

The above-entitled matter having been heretofore scheduled for hearing at 10:00 a. m. on September 24, 1942, at a hearing room of the Bituminous Coal Division at the Cabell County Court House, Huntington, West Virginia; and

It appearing to the Acting Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10:00 a. m. on September 24, 1942, Cabell County Court House, Huntington, West Virginia, to a place and date to be hereafter designated by appropriate order.

Dated: August 13, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-7938; Filed, August 14, 1942; 11:16 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P. & S. Docket No. 1510]

ESSEX COUNTY COOP CO.

ORDER OF SUSPENSION

In re Seymour Berkowitz and Elsie Landskroner, copartners, trading as the Essex County Coop Company, respondents.

On August 5, 1942, Seymour Berkowitz and Elsie Landskroner, copartners, trading as the Essex County Coop Company, filed with the Secretary a schedule of rates and charges, effective August 15, amendatory of Tariff No. 1 which was filed January 9, 1942, the effect of which is to increase the rates and charges for the rental of coops from 55 cents to 58½ cents in the designated cities of Newark, New Jersey, Jersey City, New Jersey, and New York, New York, and there is reason to believe that the increase proposed by such new schedule is not justified and is unreasonable.

It is concluded that a proceeding under Title III of the Packers and Stockyards Act, 1921, as amended, 7 U.S.C. 1940 ed. 181, should be had for the purpose of determining the reasonableness and lawfulness of the rates and charges set forth in Amendment No. 1 to Tariff No. 1 and that pending a hearing and decision in such proceeding, the amended tariff should be suspended and its use deferred.

It is further concluded that a hearing should be had for the purpose of determining the lawfulness of all rates and charges of the respondents and of any rule, regulation, or practice affecting such rates and charges and whether any stockyard service is rendered by the respondent without making a lawful charge therefor.

It is therefore ordered, That the operation and use of the tariff filed by the respondents on August 5, effective August 15, 1942, and designated as Amendment No. 1 to Tariff No. 1 shall be and it is hereby suspended and its use deferred until the expiration of 30 days beyond the time when such tariff would otherwise go into effect.

Done at Washington, D. C. this 13th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-7905; Filed, August 13, 1942; 4:29 p. m.]

[Docket No. AO 23-A 4]

KANSAS CITY, MISSOURI, MARKETING AREA

HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Kansas City, Missouri, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the United States Court House, 811 Grand Avenue, Kansas City, Missouri, beginning at 10:00 a. m., c. w. t., August 21, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Kansas City, Missouri, marketing area.

This public hearing is for the purpose of receiving evidence with respect to the amendments which are hereinafter set forth in detail. These amendments have not received the approval of the Secretary of Agriculture. Evidence will be received at the hearing relative to all aspects of the marketing conditions which are dealt with by the provisions to which such amendments relate and which may require revision in the event any of the proposed amendments are to be made effective. The amendments which have been proposed are as follows:

A. Proposed by the Pure Milk Producers Association of Greater Kansas City and the Bates County Milk Producers Association:

1. Delete § 913.1 (a) (3) and substitute therefor the following:

(3) The term "producer" means any person who produces milk which is purchased or received by a handler. It is provided that a handler who buys milk from producers shall pool his own farm production as a producer.

The term "graded producer" means any person, who with respect to the regulations applicable to milk to be used for consumption as milk or cream in the marketing area, (i) under supervision of the health department of Kansas City, Kansas; Leavenworth, Kansas; Excelsior Springs, Missouri; Independence, Missouri or Kansas City, Missouri or (ii) under a permit issued by either the Kansas State Board of Health or the Missouri State Board of Health, produces milk which is purchased or received at a plant of a handler, or which a cooperative association caused to be delivered from such person's farm to a plant from which no milk is disposed of as Class I milk or Class II milk in the marketing area, for the account of such cooperative association.

2. Delete § 913.1 (a) (4) and substitute therefor the following:

(4) The term "handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk or cream at his plant from producers, association of producers, his own farm production, other handlers, or any other source, all or a portion of which is disposed of as Class I milk or Class II milk in the marketing area.

A handler who received no milk from producers other than his own farm production and who sold or disposed of no Class I milk or Class II milk to other than the ultimate consumer shall be exempt from the provisions of §§ 913.4, 913.7, 913.8, 913.9, 913.10, 913.11: *Provided*, That (i) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk on his own farm is the personal enterprise of and at the personal risk of such person in his capacity as a producer and (ii) the processing, packaging and distribution of the milk is the personal enterprise of and at the personal risk of such person in his capacity as a handler: *And provided further*, That such handler may sell or dispose of bulk milk as Class III milk to another handler or to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area.

It is still further provided, That the term "handler" shall include any cooperative association with respect to the milk of any graded producer which such cooperative association causes to be delivered to a plant from which no milk is disposed of as Class I or as Class II milk in the marketing area for the account of such cooperative association.

3. Renumber § 913.1 (a) (5), (6), (7), (8), (9), and (10) as § 913.1 (a) (6), (7), (8), (9), (10), and (11).

4. Add as § 913.1 (a) (5) the following:

(5) The term "ultimate consumer" means a person who purchases milk or cream for use only in his own household.

5. Delete § 913.3 (a) and substitute therefor the following:

(a) *Basis of classification.* All milk and milk products purchased or received by each handler, including the milk of a graded producer which a cooperative association caused to be delivered from such producer's farm to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area,

for the account of such cooperative association, shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

6. Delete § 913.3 (b) and substitute therefor the following:

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of bottled skim milk, fluid milk containing less than 6 percent butterfat, except such milk as is accounted for pursuant to subparagraphs (2) and (3) of this paragraph and all milk not accounted for pursuant to subparagraphs (2) and (3) of this paragraph.

(2) Class II milk shall be all milk disposed of in the form of flavored milk or flavored milk drinks, creamed buttermilk, creamed cottage cheese, aerated cream, eggnog, and milk or cream (both sweet and sour) containing 6 percent butterfat or more, except such milk as is accounted for pursuant to subparagraph (3) of this paragraph.

(3) Class III milk shall be all milk; used to produce butter, cheese (other than creamed cottage cheese), evaporated milk, condensed milk, ice cream, and powdered whole milk; used for starter churning, wholesale baking, and candy making purposes; accounted for as salvage from products where the recovery of fat is impossible; not accounted for but not in excess of 3 percent of the total receipts of milk from producers.

(4) Class IV milk shall be all milk which a cooperative association caused to be delivered from a graded producer's farm to a manufacturing plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area, for the account of such cooperative association.

7. Delete § 913.4 and substitute therefor the following:

§ 913.4 *Minimum prices*—(a) *Class prices.* Each handler shall pay producers, at the time and in the manner set forth in § 913.9, for milk purchased or received from them not less than the following prices:

(1) *Class I milk.* The price per hundredweight of Class I milk during each delivery period shall be the price determined pursuant to subparagraph (5) of this paragraph plus 90 cents, or the Class IV price plus 90 cents, whichever price is higher.

(2) *Class II milk.* The price per hundredweight of Class II milk during each delivery period shall be the price determined pursuant to subparagraph (5) of this paragraph plus 65 cents, or the Class IV price plus 65 cents, whichever price is higher.

(3) *Class III milk.* The price per hundredweight of Class III milk during each delivery period shall be the price of Class IV milk plus 40 cents or the price determined pursuant to subparagraph (5) of this paragraph plus 40 cents, whichever is higher.

(4) *Class IV milk.* The price per hundredweight of Class IV milk during each delivery period shall be the highest price ascertained by the market administrator to have been quoted for ungraded milk of the same butterfat content received during such delivery period by any one of the three following plants: The Meyer Sanitary Milk Company at its plant at Valley Falls, Kansas; the Franklin Ice Cream Company at its plant at Tonganoxie, Kansas; and the Milk Producers Marketing Company at its plant at Kansas City, Kansas.

(5) *Determination of foundation price of Class I and Class II milk.* The market administrator shall compute and announce on or before the 5th day of the delivery period the arithmetical average of the prices per hundredweight reported to the United States Department of Agriculture as being paid all farmers for milk of 3.8 percent butterfat content delivered f. o. b. plant during the immediately preceding delivery period at the following plants and places:

Borden Company, Mt. Pleasant, Mich.
Carnation Company, Sparta, Mich.
Pet Milk Company, Hudson, Mich.
Pet Milk Company, Wayland, Mich.
Pet Milk Company, Coopersville, Mich.
Borden Company, Greenville, Wis.
Borden Company, Black Creek, Wis.
Borden Company, Orfordville, Wis.
Carnation Company, Chilton, Wis.
Carnation Company, Berlin, Wis.
Carnation Company, Richland Center, Wis.
Carnation Company, Oconomowoc, Wis.
Carnation Company, Jefferson, Wis.
Pet Milk Company, New Glarus, Wis.
Pet Milk Company, Belleville, Wis.
Borden Company, New London, Wis.
White House Milk Company, Manitowoc, Wis.
White House Milk Company, West Bend, Wis.

8. Add a new § 913.4 (a) (6):

Butterfat differential to handlers. If any handler has purchased or received milk from producers containing more or less than 3.8 percent butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of one percent butterfat above or below 3.8 percent, an amount computed as follows: Divide the price of Class IV milk, as ascertained by the market administrator, by 3.8, and divide the result by 10.

9. Delete § 913.6 (a), (b), and (d) and redesignate paragraph (c) as paragraph (a).

10. Delete the third proviso of § 913.7 (a) and substitute therefor the following:

Provided further, That if any such milk received at such plant located outside the marketing area is sold or disposed of to another handler, the volume of such milk shall not be used in the determination pursuant to (1) of the first proviso of this paragraph.

11. Delete in § 913.7 (b) (1) the phrase "(1) For delivery periods from the effective date hereof to and including December 31, 1941:" and substitute therefor the following: (1) For the delivery periods excepting April, May, and June of each year:

12. Delete in § 913.7 (b) (2) the phrase "(2) For delivery periods subsequent to December 31, 1941, subject to subparagraph (3) of this paragraph:" and substitute therefor the following: (2) For the delivery periods of April, May and June of each year:

13. Delete § 913.7 (b) (3).

14. Delete § 913.8 (a) and substitute therefor the following:

(a) *Determination of base.* For the delivery periods of April, May and June of each year, the base of each graded producer shall be a quantity of milk calculated by the market administrator in the following manner: multiply by the applicable figure computed pursuant to subparagraphs (1), (2), or (3) of paragraph (b) of this section adjusted by paragraph (c) of this section by the number of days during such delivery period on which milk was received from such graded producer.

15. Delete § 913.8 (b) and substitute therefor the following:

(b) *Determination of base.* (1) Effective for the delivery periods of April, May, and June of each year, the daily base of each graded producer, who regularly delivered milk to a handler during the entire next previous delivery periods of October, November, December, and January, shall be computed by the market administrator from reports submitted by the handlers pursuant to § 913.5 from the best information available in the following manner:

(i) Determine for each graded producer who regularly delivered milk to a handler during the entire next previous delivery periods of October, November, December, and January, the average daily delivery of milk to a handler, for the period from the next previous October 1 to and including January 31. This result shall be known as the graded producer's daily base.

(2) Effective for the delivery periods of April, May, and June of each year, the daily base of each graded producer, who did not regularly deliver milk to a handler during the entire next previous delivery periods of October, November, December, and January, but who began regular deliveries of milk to a handler, subsequent to October 1 and previous to March 1, shall be computed by the market administrator from reports submitted by the handlers pursuant to § 913.5 or from the best information available in the following manner:

(i) Determine for each such graded producer, the average daily delivery of milk to a handler, for each delivery period of April, May, and June, and (ii) multiply by 70 percent. This result shall be known as the graded producer's daily base.

(3) In case a handler who distributes within the marketing area milk of his own production ceases to act as a handler and who begins regular deliveries of milk to a handler, the daily base of such graded producer shall be computed by the market administrator in the following manner: determine the average daily Class I milk and Class II milk produced and disposed of during the three months next preceding the date of his ceasing to act as a handler.

16. Delete § 913.8(c) and substitute therefor the following:

(1) In case a graded producer sells or delivers to a handler milk not of his own production as being milk of his own production, the amount to be paid such graded producer for all milk sold or delivered to a handler by such graded producer during such delivery period shall be the price of Class IV milk for such delivery period pursuant to § 913.4 (a) (4) and such milk shall not be included in the computation pursuant to § 913.8 (b) (1).

(2) A base of a graded producer may be transferred to the surviving spouse or a direct heir, upon written request of such person to the market administrator on or before the fifth day following the delivery period when such transfer is to be effective and if accompanied by an affidavit with respect to such graded producer's death.

(3) A landlord who rents on a crop-share basis shall be entitled to the entire daily base to the exclusion of the tenant if the landlord owns the entire herd. Likewise, the tenant who rents on a crop-share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by tenant and landlord, the daily base shall be divided between the joint owners according to the ownership of the cattle, if and when such joint owners terminate the tenant and landlord relationship.

(4) A graded producer, whether landlord or tenant of a farm, may retain his base when moving his entire herd of cows from one farm to another farm: *Provided,* That at the beginning of tenant and landlord relationship the allotted base of each tenant and landlord shall be a combined base and may be divided only if such relationship is terminated.

17. Insert in (i) of § 913.9 (a) (1) between the words "to" and "producers" the word "graded".

18. Insert in (i) of § 913.9 (a) (2) between the words "to" and "producers" the word "graded".

19. Amend such other sections as may be necessary because of the above proposed amendments.

B. Proposed by Handlers:

1. Amend § 913.2 by adding a new § 913.2 (c) (6).

(6) Promptly notify all handlers when any handler's reports of sales or accounts are 30 days or more past due.

2. Amend § 913.10 (a) by inserting after the word "period," in line 6 the phrase "except milk purchased in bottles or from a handler's own production."

C. Proposed by Dairy and Poultry Branch, Agricultural Marketing Administration, United States Department of Agriculture:

1. Revise in § 913.1 (a) the meaning of the term "Secretary" to include any person who may be authorized to exercise the powers and perform the duties of the Secretary.

2. Revise § 913.3 (c) so as to specify with greater particularity the basis of classification of milk, particularly with respect to interplant movements of milk.

3. Add a paragraph to § 913.3 establishing upon whom the burden of proof of classification of milk shall rest.

4. Add a paragraph to § 913.3 setting forth the manner in which the market administrator shall compute the amount of milk in each class.

5. Add a paragraph to § 913.3 providing for a method of reconciling the utilization of milk by classes with receipts of milk from producers.

6. Revise § 913.5 so as to provide that reports by handlers whose sole sources of supply are receipts from other handlers or from own farm production shall be in a form and at a time elected by the market administrator and so as to further provide the nature of the reports which are to be verified, the manner of verification, and the responsibilities of the handlers in connection with such verification.

7. Add a paragraph to §913.6 providing the method and manner of payment for milk received by handlers from sources determined as other than producers or other handlers.

8. Add a paragraph to §913.6 providing for payment to producers for milk or butterfat in excess of receipts apparent on the basis of handlers' reports.

9. Revise § 913.7 with respect to the manner in which the market administrator shall compute the net pool obligations of handlers and the uniform prices.

10. Revise §913.11 so as to make it fully apparent that handlers are subject to administrative assessment on all milk handled.

11. Add a new section, as follows:

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing and of Order No. 13, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

Dated: August 14, 1942.

[F. R. Doc. 42-7952; Filed August 14, 1942; 11:42 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2658).

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6393]

LARUS AND BROTHER, INC. (NEW)

NOTICE OF HEARING

In re application of Larus and Brother Company, Inc. (New), dated March 25, 1942; for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, 12 miles southeast of Richmond, Virginia, on James River; operating assignment specified: Frequency, 1,646, 2,090, 2,190, 2,830 kilocycles; power, 35 watts (A-3 emission); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942;

2. To determine whether, in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of §1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Larus and Brother Company, Inc., 22d and Cary Streets, Richmond, Virginia.

Dated at Washington, D. C., August 12, 1942.

By the Commission:

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7950; Filed, August 14, 1942; 11:32 a. m.]

[Docket No. 6394]

WHEC, INC. (NEW)

NOTICE OF HEARING

In re application of WHEC, Inc. (New), dated April 10, 1942; for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, Rochester, New York; operating assignment specified: Frequency, 30,820, 33,740, 35,820, 37,980 kcs., emission: A-3; power, 30 w. night; 30 w. day; hours of operation, section 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942;

2. To determine whether, in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of

a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

WHEC, Incorporated, 40 Franklin Street, Rochester, New York.

Dated at Washington, D. C., August 12, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7951; Filed, August 14, 1942; 11:32 a. m.]

[Docket No. 6331]

WDSU, Inc. (WDSU)

NOTICE OF HEARING

In re application of WDSU, Incorporated (WDSU), dated December 24, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, New Orleans, La.; operating assignment specified: frequency, 1,280 kc.; power, 5 kw. (DA-Day and night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of WDSU, Incorporated, Docket No. 6332; Natchez Broadcasting Company, Docket No. 6333; and P. K. Ewing, Docket No. 6334, for the following reasons:

1. To determine whether, in view of the Commission's Memorandum Opinion of April 27, 1942 and the evidence adduced under the issues relating to the application for renewal of license of Station WDSU, Docket No. 6332, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WDSU, Incorporated, Radio Station WDSU, Hotel Monteleone, 214 Royal Street, New Orleans, Louisiana.

Dated at Washington, D. C., August 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7943; Filed, August 14, 1942; 11:29 a. m.]

[Docket No. 6332]

WDSU, INC. (WDSU)

NOTICE OF HEARING

In re application of WDSU, Incorporated (WDSU); dated March 27, 1942; for Renewal of License; class of service, Broadcast; class of stations, Broadcast; location, New Orleans, La. Operating assignment specified: Frequency, 1280 kc; power, 1 kw night, 1 kw day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of WDSU, Incorporated, Docket No. 6331; Natchez Broadcasting Company, Docket No. 6333; and P. K. Ewing, Docket No. 6334, for the following reasons:

1. To determine whether on or about March 14, 1938 the station was equipped with a suitable plate volt meter for the last radio stage, as required by Rule 143.

2. To determine whether on or about May 17, 1939: (a) the station's operating log was maintained in accordance with the requirements of Rule 172; (b) the station was operated in a manner consistent with good quality of transmission and good broadcast practice as required by Rule 139; and (c) the operating power of the station was maintained in exact accordance with its licensed power at all times, as required by Rule 142.

3. To determine whether on or about October 9, 1939, recordings and transcriptions were announced as such as required by § 3.93 (c), Federal Communications Commission's Rules.

4. To determine whether on or about November 4, 1939, the station's identification announcements were made in accordance with § 3.92 (c), Federal Communications Commission's Rules.

5. To determine whether on or about August 29, 1940, the transmitter proper and associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto.

6. To determine whether on or about December 19, 1940: (a) the transmitter proper and associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto; and (b) the transmitter was operated in such a manner as to have excessive carrier shift and asymmetrical modulation in violation of §§ 3.46, the Standards of Good Engineering Practice issued pursuant thereto, and § 3.55, Federal Communications Commission's Rules.

7. To determine whether at or about 3:25 p. m. on May 30, 1941, a licensed operator was on duty at the transmitter, as required by § 3.402, Federal Communications Commission's Rules and section 318 of the Communications Act of 1934, as amended.

8. To determine whether on or about June 2, 1941: (a) the transmitter proper and associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto; (b) the operating percentage of modulation was maintained as high as possible, consistent with good quality of transmission and good broadcast practice as required by § 3.55, Federal Communications Commission's Rules; and (c) transcriptions and recordings were properly logged as such as required by § 3.404, Federal Communications Commission's Rules.

9. To determine whether the station's program log contained identification entries for the following times and dates: 2:30 p. m., May 20, 21, and 22, 1941; 3:30, May 22, 1941; 9:00 and 9:30 p. m., May 23, 1941; 8:30 p. m., May 25, 1941; 2:30 p. m., June 2, 1941, as required by § 3.404, Federal Communications Commission's Rules; and (b) the station program logs were maintained on or about May 12, 1941, as required by § 3.404, Federal Communications Commission's Rules.

10. To determine whether the licensee, its officers, directors, and stockholders or the station management and personnel are technically qualified to continue the operation of Station WDSU.

11. To determine whether Station WDSU has been operated at all times in accordance with the rules and regulations of the Federal Communications Commission and the Standards (or the Interpretations) of Good Engineering Practice issued pursuant thereto.

12. To determine whether the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

WDSU, Incorporated, Radio Station WDSU, Hotel Monteleone, 214 Royal Street, New Orleans, Louisiana.

Dated at Washington, D. C., August 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7944; Filed, August 14, 1942; 11:29 a. m.]

[Docket No. 6333]

NATCHEZ BROADCASTING CO. (WMIS)

NOTICE OF HEARING

In re application of Natchez Broadcasting Company (WMIS); Dated October 15, 1941; for renewal of license; class of service, broadcast; class of station, broadcast; Location, Natchez, Mississippi. Operating assignment specified: Frequency, 1490 kc; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of WDSU, Incorporated, Docket No. 6331; WDSU, Incorporated, Docket No. 6332; and P. K. Ewing, Docket No. 6334, for the following reasons:

1. To determine whether on or about June 21, 1941: (a) the license of the operator on duty at the transmitter was posted in a conspicuous place, as required by § 2.52, Federal Communications Commission's Rules; (b) the transmitter proper and the associated transmitting equipment were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto; (c) the station was operated in such a manner as was consistent with good quality of transmission and good broadcast practice as required by § 3.55, Federal Communications Commission's Rules; and (d) proper entries were made in the program log relative to the time of beginning and ending of programs, as required by § 3.404, Federal Communications Commission's Rules.

2. To determine whether on or about May 5 to June 13, 1941 and 7:55 a. m. to 9 a. m., June 21, 1941, proper entries were made in the operating log, as required by § 3.404, Federal Communications Commission's Rules.

3. To determine whether on or about October 22, 1941: (a) the antenna tower of the station was illuminated in accordance with the specifications supplied by the Commission, pursuant to § 303 (q) of the Communications Act of 1934, as amended, § 3.45, Federal Communications Commission's Rules, and § 6 of the Standards of Good Engineering Practice; (b) the transmitter proper and the associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto; (c) the license of the operator on duty at the transmitter was posted in a conspicuous place, as required by § 2.52, Federal Communications Commission's Rules; and (d) the station logs were maintained in accordance with § 3.404, Federal Communications Commission's Rules.

4. To determine whether: (a) the transmitter operator failed to sign the log upon going off duty September 11, 21, and 22, 1941 and October 18, 1941, in violation of § 3.404, Federal Communications Commission's Rules and (b) whether entries for "program and carrier off" were made September 7 and 11, 1941, and October 18, 1941, as required by § 3.404, Federal Communications Commission's Rules.

5. To determine whether the applicant failed to reply to an "Official Notice (Form 793)" dated November 4, 1941, within three days after the receipt thereof, as required by Section 1.391, Federal Communications Commission's Rules.

6. To determine whether the licensee, its officer, directors, and stockholders, or the station management and personnel, are technically qualified to continue the operation of Station WMIS.

7. To determine the financial qualifications of the licensee to continue the operation of Station WMIS.

8. To determine whether Station WMIS has been operated at all times in accordance with the rules and regulations of the Federal Communications Commission and the Standards of Good Engineering Practice issued pursuant thereto.

9. To determine whether the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Natchez Broadcasting Company, Radio Station WMIS, City Bank & Trust Building, 407 Franklin Street, Natchez, Mississippi.

Dated at Washington, D. C., August 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7945; Filed, August 14, 1942; 11:29 a. m.]

[Docket No. 6334]

P. K. EWING (WGRM)

NOTICE OF HEARING

In re application of P. K. Ewing (WGRM), dated July 26, 1941, for renewal of license; class of service, broadcast; class of station, broadcast; location, Greenwood, Mississippi; operating assignment specified: Frequency, 1,240 kc; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of WDSU, Incorporated, Docket No. 6331; WDSU, Incorporated, Docket No. 6332; and Natchez Broadcasting Company, Docket No. 6333, for the following reasons:

1. To determine whether on or about November 8, 1937, the station was operating within the limits of 50 cycles above and 50 cycles below the assigned frequency in accordance with the requirements of Rule 144.

2. To determine whether on or about November 22, 1937, the transmitter proper and associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of Rule 132, and Interpretations of Good Engineering Practice issued pursuant thereto.

3. To determine whether on or about December 11, 1937: (a) the transmitter proper and the associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of Rule 132, and Interpretations of Good Engineering Practice issued pursuant thereto; (b) the modulation monitor was installed and in operation at the station as required by Rule 139 (b); (c) the operating power of the station was maintained in exact accordance with the licensed power as required by Rule 142; (d) the station had installed and in operation an approved frequency monitor as required by Rule 145; and (e) the operating logs of the station truly and accurately reflected the operating conditions of the station, as required by Rule 172.

4. To determine whether: (a) on or about November 17, 1938, the transmitter proper and the associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of Rule 132, and the Interpretations of Good Engineering Practice issued pursuant thereto; (b) on or about October 24 to November 16, 1938, the nighttime operating power of the station was computed in accordance with Rule 136 and maintained in exact accordance with the licensed power as required by Rule 142; (c) on or about October 2 to October 22, 1938, the operating power of the station was maintained in exact accordance with its licensed power as required by Rule 142; (d) on or about October 26 to November 17, 1938, the modulation monitor was installed and in operation at the station as required by Rule 139 (b); and

(e) on or about November 17, 1938, the antenna ammeter in use at the station was the same as that specified in the application for construction permit or prior to said date had been changed or replaced without authority of the Commission, in violation of Rule 143.

5. To determine whether on or about July 19, 1939: (a) the transmitter proper and the associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of Rule 132, and Interpretations of Good Engineering Practice issued pursuant thereto; (b) the transmitter was capable of delivering satisfactorily the authorized power with modulation of 85% with not over 10% combined audio frequency harmonics generated by the transmitter as required by Rule 139 (a); and (c) the plate volt meter, plate ammeter, and antenna ammeter were the same as those described in the application for renewal of license dated March 29, 1939, or whether prior to July 19, 1939, these instruments were changed or replaced without the authority of the Commission in violation of Rule 143.

6. To determine whether on or about October 21, 1939, suitable facilities for the transmitter operator's welfare and comfort were provided as required by § 3.46, Federal Communications Commission's Rules (section 12 (d) (2) Standards of Good Engineering Practice).

7. To determine whether on or about November 9, December 14, 1939, and February 8, 1940, the station was operated within the limits of 50 cycles above and 50 cycles below the assigned frequency in accordance with the requirements of § 3.59, Federal Communications Commission's Rules.

8. To determine whether on or about July 26, 1940: (a) the program logs of the station were maintained in accordance with § 3.404; and (b) suitable facilities were provided for the transmitter operator's welfare and comfort in accordance with § 3.46, Federal Communications Commission's Rules (section 12 (d) (2) Standards of Good Engineering Practice).

9. To determine whether on or about December 11, 1940, suitable facilities were provided for the transmitter operator's welfare and comfort in accordance with § 3.46.

10. To determine whether the licensee replied to an "Official Notice (Form 793)" dated December 11, 1940, within three days after the receipt thereof as required by § 1.391, Federal Communications Commission's Rules.

11. To determine whether on or about June 18, 1941: (a) proper entries were made in the station's operating log between 12:00 o'clock noon and 1:15 P. M. as required by § 3.404, Federal Communications Commission's Rules; (b) the station logs were properly signed by the operators as required by § 2.55, Federal Communications Commission's Rules; (c) the operating power was maintained within the tolerance limits of 105% and 90% of the power specified in the license, as required by § 2.80, Federal Communications Commission's Rules; (d) the transmitter proper and the associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto; (e) suitable facilities were provided for the transmitter operator's welfare and comfort in accordance with § 3.46, Federal Communications Commission's Rules (section 12 (d) (2), Standards of Good Engineering Practice); (f) the operating power of the station was computed by using the direct method of power determination as required by § 3.51, Federal Communications Commission's Rules; (g) the station was being operated in such a manner as was consistent with good quality of transmission and good broadcast practice as required by § 3.55, Federal Communications Commission's Rules; (h) the painting and lighting specifications for the tower were posted as required by § 3.401, Federal Communications Commission's Rules; (i) there was a licensed operator on duty at the transmitter at about 1:15 P. M., Central Standard Time, as required by § 3.402, Federal Communications Commission's Rules, and section 318 of the Communications Act of 1934, as amended; and (j) whether the program logs were maintained in accordance with § 3.404, Federal Communications Commission's Rules.

12. To determine whether on or about October 25, 1941: (a) the transmitter proper and associated transmitting equipment of the station were designed, constructed, maintained and operated in accordance with the provisions of § 3.46, Federal Communications Commission's Rules and the Standards of Good Engineering Practice issued pursuant thereto; (b) suitable facilities were provided for the transmitter operator's welfare and comfort in accordance with the provisions of § 3.46, Federal Communications Commission's Rules (section 12 (d) (2) of the Standards of Good Engineering Practice); and (c) frequency monitor in operation at the station had stability and accuracy of at least five parts per million as required by § 3.60, Federal Communications Commission's Rules.

13. To determine whether the licensee answered an "Official Notice (Form 793)" dated November 5, 1941 within three days after the receipt thereof as required by § 1.391, Federal Communications Commission's Rules.

14. To determine whether applicant is financially qualified to continue the operation of Station WGRM.

15. To determine whether the applicant or the station management and personnel are technically qualified to continue the operation of Station WGRM.

16. To determine whether Station WGRM has been operated at all times in accordance with the rules and regulations of the Federal Communications Commission and the Standards (or interpretations) of Good Engineering Practice issued pursuant thereto.

17. To determine whether the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: P. K. Ewing, Radio Station WGRM, 222 Howard Street, Greenwood, Mississippi.

Dated at Washington, D. C., August 10, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7946; Filed, August 14, 1942; 11:30 a. m.]

[Docket No. 6385]

BLUE NETWORK CO., INC. (NEW)

NOTICE OF HEARING

In re application of Blue Network Company Inc. (New), dated April 29, 1942, for construction permit, class of service, relay broadcast; class of station, relay broadcast; location, Hollywood, California; operating assignment specified: Frequency, 31,220, 35,620, 37,020, 39,260 kcs.; emission, A-3; power, 25 w. night, 25 w. day; hours of operation, section 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Blue Network Company, Inc., RCA Building, 30 Rockefeller Plaza, New York, New York.

Dated at Washington, D. C., August 12, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7947; Filed, August 14, 1942; 11:30 a. m.]

[Docket No. 6388]

W. A. PATTERSON (NEW)

NOTICE OF HEARING

In re application of W. A. Patterson (New), dated March 20, 1942, for Construction Permit; class of service, relay broadcast; class of station, relay broadcast; location, Chattanooga, Tennessee; operating assignment specified: Frequency, 1,622, 2,058, 2,150, 2,790 kcs.; emission, A-3; power, 35 w. night, 35 w. day; hours of operation, section 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: W. A. Patterson, Read House, Ninth and Broad Streets, Chattanooga, Tennessee.

Dated at Washington, D. C., August 12, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7948; Filed, August 14, 1942; 11:31 a. m.]

[Docket No. 6392]

LARUS AND BROTHER, INC. (NEW)

NOTICE OF HEARING

In re application of Larus and Brother Company, Inc. (New); dated April 9, 1942; for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, Richmond, Virginia; operating assignment specified: Frequency, 1,646, 2,090, 2,190, 2,830 kcs., emission: A-3; power, 40 w. night; 40 w. day; hours of operation, section 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Larus and Brother Company, Inc., 22d and Cary Streets, Richmond, Virginia.

Dated at Washington, D. C., August 12, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7949; Filed, August 14, 1942; 11:31 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-38]

LISTING AND CERTIFICATE OF COAL TAR COLORS

NOTICE OF HEARING

Notice of public hearing for the purpose of receiving evidence upon which a regulation may be promulgated amending "Regulations Under the Federal Food, Drug, and Cosmetic Act for the Listing of Coal-tar Colors, Certification of Batches Thereof and Payment of Fees for Such Service", by the listing of an additional coal-tar color.

In accordance with the Federal Food, Drug, and Cosmetic Act of 1938, sections 504, 604, and 701 [21 U.S.C., sections 354, 364, 371 (1940 ed.)], and in accordance with the Coal Tar Color Regulations heretofore promulgated [4 F.R. 1922], as amended, notice is hereby given to all interested persons that a public hearing will be held beginning at 10 A. M. on Tuesday, September 15, 1942, in Room 3106, South Building, Department of Agriculture, between 12th and 14th Streets, SW., Washington, D. C., for the purpose of receiving evidence upon the basis of which the Administrator of the Federal Security Agency may determine whether he shall promulgate a regulation further amending such Coal Tar Color Regulations by the listing of an additional coal-tar color, and what the provisions of any such amendment should be.

All interested persons are invited to attend and to offer relevant and material evidence either in person or by representative. In lieu of personal appearance, affidavits may be presented at any time prior to the opening of the hearing by delivery to the Presiding Officer, Joseph L. Maguire, Room 2242, South Building, Department of Agriculture. Such affidavits must be submitted in quintuplicate, and, if relevant and material, may be received and made a part of the record at the hearing, but the Administrator will consider the lack of adequate opportunity for cross-examination in determining the weight to be given to statements contained therein. Interested persons will be permitted to examine the affidavits offered and to file counter-affidavits.

The suggested amendment is subject to adoption, rejection, amendment or modification by the administrator in whole or in part as the evidence adduced at the hearing may require.

The hearing will be conducted in accordance with the "Rules of Practice for Hearings Required under the Federal Food, Drug, and Cosmetic Act", published in the FEDERAL REGISTER, June 26, 1940 [5 F.R. 2379].

Mr. Joseph L. Maguire is hereby designated as representative of the Administrator and as Presiding Officer to conduct in place of the Administrator the said hearing, with full power to administer oaths and affirmations, and to do all things necessary and appropriate for the proper conduct of such hearing.

SUGGESTED AMENDMENT TO THE REGULATIONS FOR THE LISTING OF COAL-TAR COLORS, CERTIFICATION OF BATCHES THEREOF, AND PAYMENT OF FEES FOR SUCH SERVICE

The regulations under the Federal Food, Drug, and Cosmetic Act for the listing of coal-tar colors, certification of batches thereof, and payment of fees for such service are hereby further amended:

By adding to the colors listed in § 135.05 the following:

EXT D&C Yellow No. 6

Specifications

Disodium salt of 5-(para-sulfo-phenyl azo)-salicylic acid.
Volatile matter (at 135° C.), not more than 3.0 percent.
Water insoluble matter, not more than 1.0 percent.
Ether extracts, not more than 0.5 percent.
Sulfanilic acid, not more than 0.2 percent.
Salicylic acid, not more than 0.5 percent.
Chlorides and sulfates of sodium, not more than 15.0 percent.

Mixed oxides, not more than 1.0 percent.
Pure dye (as determined by titration with titanium trichloride), not less than 82.0 percent.

[SEAL] WATSON B. MILLER,
Acting Administrator.

WASHINGTON, D. C.,
AUGUST 13, 1942.

[F. R. Doc. 42-7927; Filed, August 14, 1942; 10:54 a. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-374]

PROPOSED TRADE PRACTICE RULES RELATING TO COLORFASTNESS OF TEXTILES

NOTICE OF ADDITIONAL HEARING AND OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 14th day of August, A. D. 1942.

Notice is hereby given by the Federal Trade Commission to all persons, partnerships, corporations, associations, consumer organizations, and other parties or groups affected by or having an interest in the proposed trade practice rules relating to Colorfastness of Textiles, that further public hearing in respect to such rules will be held at the Pennsylvania Hotel, New York, N. Y., beginning at 10 a. m., September 9, 1942, at which any such person, concern, organization, group, or other interested or affected party, may appear and be heard in the premises. Such hearing shall be in addition to the hearing which, as heretofore announced, will be held on August 18, 1942, in Washington, D. C.

Presentation of suggestions or views for the consideration of the Commission may also be made in writing by filing the same with the Commission at any time prior to the conclusion of such final hearing on September 9th.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-7954; Filed, August 14, 1942; 11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 under Maximum Price Regulation 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-1]

THE ANDALA COMPANY, INC.

ORDER GRANTING PETITION FOR ADJUSTMENT

On June 20, 1942, The Andala Company, Inc. of Andalusia, Alabama, filed a petition for amendment, adjustment or exception under Maximum Price Regulation No. 157. With the consent of the petitioner, said petition has been considered and treated as an application for adjustment under § 1378.2 (c) of Maximum Price Regulation No. 157. Due consideration has been given to said application and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulations Nos. 1 and 6 issued by the Office of Price Administration, it is hereby ordered:

(a) The Andala Company, Inc. may sell and deliver, and agree, offer, solicit and attempt to sell and deliver to any war procurement agency the commodity described in paragraph (b) at a price not in excess of the price stated therein. Any war procurement agency may buy and receive, and agree, offer, solicit and attempt to buy and receive, such commodity at such price from The Andala Company, Inc.

(b) 8.2 ounce cotton khaki trousers fabricated in accordance with Quartermaster Corps Tentative Specification P. Q. D. No. 19A may be sold and delivered to any war procurement agency at 63½ cents per pair.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 1 shall become effective August 13, 1942.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7919; Filed, August 13, 1942; 4:54 p. m.]

BALENTINE PACKING COMPANY, INC.

[Order 5 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-12]

ORDER GRANTING PETITION FOR ADJUSTMENT

On June 27, 1942, Balentine Packing Company, Inc., 110 East Court Street, Greenville, South Carolina, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Balentine Packing Company, Inc. may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from Balentine Packing Company, Inc.

	Cents per pound
(b) Pork Loins, fresh or frozen	29½
Shoulders, fresh or frozen	26
Hams, Boned, Rolled, Tied & Cured	44
Regular Picnic Hams Smoked	27
Skinned Picnics Smoked	29

(c) The permission granted to the Balentine Packing Company, Inc. in this Order No. 5 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Balentine Packing Company, Inc. may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from Balentine Packing Company, Inc. each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 5 shall become effective August 14, 1942.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7920; Filed, August 13, 1942; 4:53 p. m.]

[Order 12 Under Maximum Price Regulation 122[1]—Solid Fuels Delivered from Facilities Other Than Producing Facilities—Dealers—Docket 1122-152-P]

LANCASTER COAL COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

For the reasons set forth in an opinion which has been issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] it is ordered:

(a) Lancaster Coal Company, Wingo, Kentucky may sell and deliver and any person may buy and receive from Lancaster Coal Company the size, kind and quality of solid fuel set forth in paragraph (b) below at a price not in excess of that stated therein;

(b) The maximum price for the sale of 7" x 3" egg size bituminous coal by Lancaster Coal Company shall be the maximum price for sales thereof determined in accordance with Section 1340.261 of Maximum Price Regulation No. 122 plus not more than 20 cents per net ton, i. e., $4.75 per net ton.

(c) This Order No. 12 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This Order No. 12 shall become effective August 17, 1942.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7921; Filed, August 13, 1942; 4:53 p. m.]

[General Maximum Price Regulation—Order 13 Under Supplementary Regulation 1[1]]

LORRAINE FIBRE MILLS, INC.

DISAPPROVAL OF REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The following company applied for registration and approval of the Office of Price Administration in order that its sales and deliveries might be excepted from the provisions of the General Maximum Price Regulation pursuant to § 1499.26 (b) (1) of Supplementary Regulation No. 1: Lorraine Fibre Mills, Inc., 430 Bond Street, Brooklyn, New York.

Due consideration has been given to the application for registration and approval of Lorraine Fibre Mills, Inc. and it has been found that said company does not meet the requirements of § 1499.26 (b) (1) of Supplementary Regulation No. 1. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) That the said application for registration and approval of Lorraine Fibre Mills, Inc., 430 Bond Street, Brooklyn, New York, be, and the same is, denied and disapproved.

(b) This Order No. 13 shall become effective August 14, 1942.

Issued this 13th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7918; Filed, August 13, 1942; 4:57 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3821, 4342.

[2] 7 F.R. 971.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3158, 3486, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366.

[1] 7 F.R. 4777.

RAILROAD RETIREMENT BOARD.

STATUS OF CUPPLES STATION, ST. LOUIS, MO.

NOTICE OF HEARING

Pursuant to regulations under the Railroad Unemployment Insurance Act (45 U.S.C. 1940 ed. 351-367), Part 319, §§ 319.42 et seq.,[1] the following orders have been issued:

ORDER AWARDING BENEFITS

In accordance with the determination of the issues presented and passed upon in my opinion of July 17, 1940, L-40-351, as supplemented by my memorandum of April 2, 1941, L-41-156, and as approved by the Board April 8, 1941, B. O. 41-159, and holding that Cupples Station of St. Louis, Missouri, as a separable and identifiable enterprise of Washington University, was on August 29, 1935 and thereafter has been a carrier by railroad subject to part I of the Interstate Commerce Act and, as such, an employer under the Railroad Retirement Acts and the Railroad Unemployment Insurance Act:

Benefits are hereby awarded to all individuals whose compensation, earned in the service of said Cupples Station exclusively or in addition to compensation earned in the service of other covered employers, is $150 or more in the applicable base year, such benefits to be determined in accordance with section 2 (a) of the Railroad Unemployment Insurance Act by including compensation earned in the service of said Cupples Station, and to be payable for any days of unemployment established in accordance with the Railroad Unemployment Insurance Act and applicable regulations: *Provided, however*, That all benefits paid pursuant to this award shall be paid subject to a right of recovery thereof as provided in section 5 (c) of the Railroad Unemployment Insurance Act.

Order entered and award of benefits made pursuant to authority vested in me by Regulations § 319.40, this 19th day of June, 1942.

LESTER P. SCHOENE,
General Counsel.

ORDER REOPENING DETERMINATION AND DESIGNATING EXAMINER

Pursuant to Regulations §§ 319.42 and 319.45 all issues determined by my opinion of July 17, 1940, L-40-351, as supplemented by my memorandum of April 2, 1941, L-41-158, and as approved by the Board April 8, 1941, B. O. 41-159, relating to the employer status of Cupples Station of St. Louis, Missouri, are hereby reopened for further consideration and proceedings pursuant to Regulations Part 319, and for the conduct of such proceedings Mr. Paul M. Johnson is designated to serve as examiner, with all powers, duties and functions accruing to such examiner pursuant to such designation under Regulations Part 319. The examiner shall arrange for a hearing at the earliest date meeting the convenience of parties in interest, and shall notify all parties properly interested in any issue involved in the proceeding of the reopening of the determination and of their rights to participate in the proceeding and to present evidence and argument.

LESTER P. SCHOENE,
General Counsel.

JUNE 19, 1942.

Pursuant to the above orders, notice is hereby given that a hearing will be held Wednesday, August 26, 1942, at 10:00 a. m., in Room 206, Main Post Office, St. Louis, Missouri, on the question whether the said Cupples Station was on August 29, 1935, and thereafter, an employer under the Railroad Retirement Acts and the Railroad Unemployment Insurance Act.

Cupples Station, Washington University, the individuals who have been awarded benefits on the basis of pay earned in the service of Cupples Station, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the Examiner.

In preparation for, and in the conduct of, said hearing, the Examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations. A record will be kept of all evidence presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. The Examiner may require that copies of all exhibits admitted in evidence at the hearing be furnished by the party offering the same to all other parties participating or entering an appearance in the proceeding.

Dated: August 11, 1942.

PAUL M. JOHNSON,
Examiner.

[F. R. Doc. 42-7922; Filed, August 14, 1942; 9:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-32]

DENIS J. DRISCOLL AND WILLARD L. THORP, AS TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORPORATION, RESPONDENT

ORDER REQUIRING DIVESTITURE OF CERTAIN PROPERTIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of August, A. D. 1942.

The Commission having on September 4, 1941, by notice and order for hearing, as amended by a notice and order dated September 11, 1941, instituted proceedings under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 with respect to Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, to determine their status and the status of the Associated Gas and Electric Corporation holding company system under said section, and the said Trustees having answered such notice and order; and

Hearings having been held after due notice, proposed findings of fact and briefs having been filed, and oral argument having been heard; and

It appearing that the said Trustees have made no claim and offered no proof with respect to the question whether certain companies within their holding company system may be retained under the standards of section 11 (b) (1) of the Public Utility Holding Company Act of 1935, and it further appearing from the record that such companies may not

be retained under the requirements of section 11 (b) (1) of said Act; and

The Commission being advised in the premises, and having this day issued its findings and opinions herein;

It is ordered, Pursuant to section 11 (b) (1), that Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, a registered holding company, shall sever their relationship with the companies named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the rules and regulations promulgated thereunder, of their direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by the following companies:

Canadea Power Corporation.
Granville Electric Company.
Litchfield Electric Light & Power Co.
Long Island Water Corporation.
Jersey Central Power & Light Co.
Agincourt Land Corporation.
Lakewood Water Company.
New Jersey Northern Gas Company.
Patchogue Electric Light Company.
Staten Island Edison Corporation.
Richmond Light and Railroad Co.
Spring Brook Water Company.
York Railways Company.
Dover Gas Light Company.
Eastern Shore Public Service Co.
Eastern Shore Public Service Co. of Maryland.
Eastern Shore Public Service Co. of Virginia.
Maryland Light and Power Company.
Sante Fe Land Company.
Lexington Water Power Company.
Sanford Gas Company.
South Carolina Electric & Gas Co.
Southern Electric Utilities Co.
Tide Water Power Company.
Virginia Public Service Company.
Citizens Rapid Transit Corporation.
Harpers Ferry Paper Company.
Virginia Northern Ice Corp.
Arizona General Utilities Company.
Eastern Land Corporation
Escudero Electric Service Co.
Indiana Gas Utilities Company.
Lake Shore Gas Company.
Louisiana Public Utilities Co., Inc.
Manila Electric Company.
Associated Utilities Investing Corp.
Missouri General Utilities Company.
Missouri Southern Public Service Company.
New Matamoras Electric Company.
Ohio-Midland Light and Power Company.
Ohio River Power Company.
Owensboro Gas Company.
Panhandle Public Service Company.
Portmouth Gas Company.
Texas General Utilities Company.
Union Gas & Electric Company.
West Virginia Light, Heat & Power Co.
Biglerville Water Company.
Brookville Electric Company.
Caribou Water, Light & Power Co.
City Water Company.
Clarion Water Company.
Consumers Water Company of Montrose, Pa.
Dawson Springs Waterworks Company.
Eastport Water Company.
Edwardsville Water Company.
Ellwood Consolidated Water Company.
Everett Water Company.
General Utilities Company.
Gettysburg Water Company.
Grafton Water Company.
Greenville Water Company.
Guilford Water Company.
Hampton Water-Works Company.
Hartland Water Company.
Hazelton Water Company
Latrobe Water Company.
Limestone Water and Sewer Company.
Louisa Water Company.
Mars Hill & Blaine Water Company.
Maryland Water Works Company.
Massachusetts Water Works Company.
Mechanic Falls Water Company.
Mystic Valley Water Company.
North Berwick Water Company.
Northeastern Water & Electric Service Corp.
Norway Water Company.
Ohio Northern Public Service Co.
Oxford Water Company.
Parkesburg Water Company.
Penobscot County Water Company.
Riverton Consolidated Water Co.
Salisbury Water Supply Company.
Sangerville Water Supply Company.
Skowhegan Water Company.
Southwest Harbor Water Company.
Stockton Springs Water Company.
Waldoboro Water Company.
West Helena Water Works Company.
West Penn Water Company.
Western Reserve Power and Light Co.
New London Power Company.
Broome Electric Corp.
Lockport Light, Heat and Power Co.
Massachusetts Northeastern Transportation Company.
New Jersey and Staten Island Ferry Co.
Reading and Southwestern Street Railway Company.
Reading Street Railway Company.
Reading Traction Company.
Schenectady Rapid Transit, Inc.
Valley Public Service Company.
Associated Real Properties, Inc.
E. M. Gilbert Engineering Corp.
Paul Smith's Electric Light and Power and Railroad Co.
Paul Smith's Hotel Company.
Railway and Bus Associates.
Gas and Electric Associates.
Richmond Railways, Inc.
Rochester Transit Corporation.
East Avenue Bus Company, Inc.
Rochester Electric Railway Company.
Rochester Interurban Bus Company, Inc.
Syracuse Transit Corporation.
Syracuse & Valley Land Co.
Utilities Investing Trust.
New England Gas and Electric Association and its subsidiaries.

It is provided, That jurisdiction is expressly reserved to determine subsequently what action should be taken with respect to all issues in the proceeding not disposed of in the findings, opinion and order this day issued and to make such orders as the Commission shall deem necessary or appropriate in order to effectuate compliance by the respondents with section 11 (b) (1) of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7923; Filed, August 14, 1942; 9:54 a. m.]

[File No. 70-580]

WILLIAMSTOWN WATER COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of August, A. D. 1942.

Williamstown Water Company, a wholly-owned subsidiary company of Greenwich Water System, Inc., both subsidiary companies of American Water Works and Electric Company, Incorporated, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 promulgated thereunder regarding the payment of a partial liquidating dividend of $100,000 by Williamstown Water Company to its only stockholder, Greenwich Water System, Inc., and

Such declaration having been filed on July 21, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration pursuant to Rule U-46 to become effective, and finding that the requirements of section 12 (c) are satisfied, and being satisfied that the effective date of such declaration should be advanced:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7924; Filed, August 14, 1942; 9:56 a. m.]

[File No. 1-2838]

LE ROI COMPANY $10 PAR COMMON STOCK

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of August, A. D., 1942.

The Le Roi Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its $10 Par Common Stock from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 22, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7925; Filed, August 14, 1942; 9:56 a. m.]

WAR MANPOWER COMMISSION.

[Directive No. IX]

DAY-CARE OF CHILDREN OF WORKING MOTHERS

COORDINATION OF FEDERAL PROGRAMS

Directive to certain Government departments and agencies, to develop, integrate and coordinate Federal programs for the day-care of children of working mothers.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9139,[1] establishing the War Manpower Commission, and having found, after consultation with the members of the War Manpower Commission, that existing and anticipated requirements for workers in essential activities render necessary the employment of large numbers of women, that among such women may be found many mothers of young children, that no woman responsible for the care of young children should be encouraged or compelled to seek employment which deprives her children of her essential care until after all other sources of labor supply have been exhausted, but that if such women are employed, adequate provision for the care of such children will facilitate their employment, and that the measures hereinafter set forth will promote the effective mobilization and maximum utilization of the Nation's manpower in the prosecution of the war, it is hereby directed:

I. The Office of Defense Health and Welfare Services, in consultation with such departments and agencies of the Federal Government as it may deem appropriate, shall:

(a) Promote and coordinate the development of necessary programs for the day-care of children of mothers employed in essential activities;

(b) Determine, either directly or through such Federal departments and agencies as it may designate, areas in which such programs of day-care should be promoted, and the respective responsibilities of the Federal departments and agencies concerned in the development of such programs; and

(c) Take such action as may be necessary or appropriate to assure the effectuation of all such programs.

II. The United States Employment Service shall prepare, keep current and make available to the Office of Defense Health and Welfare Services, data reporting its best estimates with respect to the number of working mothers with young children, and the anticipated requirements of essential activities for the employment of such mothers, by periods and areas.

III. The Work Projects Administration in the Federal Works Agency, the Children's Bureau in the Department of Labor, the Office of Education in the Federal Security Agency, the Bureau of Public Assistance in the Social Security Board in the Federal Security Agency, the Farm Security Administration in the Department of Agriculture, the Federal Public Housing Authority in the National Housing Agency and every other Federal department or agency carrying on child day-care programs or programs related thereto shall make available to the Office of Defense Health and Welfare Services reports with respect to such day-care programs or programs related thereto, carried on by such department or agency, and shall take such action as may be necessary or appropriate to insure the integration and coordination, through the Office of Defense Health and Welfare Services, of all Federal programs for the day-care of children of working mothers and otherwise to carry out the purposes of this directive.

IV. This directive may be cited as the "Directive to Develop, Integrate and Coordinate Federal programs for the Day-Care of Children of Working Mothers."

PAUL V. MCNUTT,
Chairman.

AUGUST 12, 1942.

[F. R. Doc. 42-7928; Filed, August 14, 1942; 11:09 a. m.]

[1] 7 F.R. 2919.

AUG 20 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 162

Washington, Tuesday, August 18, 1942

The President

EXECUTIVE ORDER 9221

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER NO. 9001 OF DECEMBER 27, 1941, TO CONTRACTS OF FEDERAL PRISON INDUSTRIES, INC.

By virtue of the authority vested in me by the act of Congress entitled "An Act to expedite the prosecution of the war effort", approved December 18, 1941, and as President of the United States, and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001 of December 27, 1941,[1] to Federal Prison Industries, Inc., with respect to all contracts made or to be made by it; and subject to the limitations and regulations contained in such Executive order, I hereby authorize the Board of Directors of Federal Prison Industries, Inc., and such officers and employees as said Board may designate, to perform and exercise, as to Federal Prison Industries, Inc., all the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the Chairman of the United States Maritime Commission by such Executive order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 15, 1942.

[F. R. Doc. 42-8025; Filed, August 17, 1942; 11:46 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[General Orders No. 26]

PART 101—CONTROL OF FLYING WITHIN THE VITAL AIR DEFENSE AREAS

Headquarters Eastern Defense Command and First Army, Governors Island, New York.

JULY 16, 1942.

§ 101.1 *Eastern Defense Command and First Army.* (a) War Department Circular, dated March 11, 1942, subject: "National Policy of Air Defense Regulations and General Flight Rules", establishes within the Eastern Defense Command, the "Eastern Air Defense Zone", which comprises the air space extending along the Atlantic Coast from the United States—Canadian border to Key West, Florida, thence north along the west coast of Florida to the Apalachicola River, and from the shore line extending 200 miles seaward and 150 miles inland. Said circular prescribes further that: "Additional special restrictions within active defense zones may be imposed by responsible defense commanders as military or naval situations demand". Pursuant to authority of said circular, these regulations are issued as necessary to make possible an effective defense against enemy air attack.

(b) That portion of the Eastern Air Defense Zone east of the line: Weston, Maine; Sebago, Maine; Crafton, Massachusetts; Pawling, New York; Sussex, New Jersey; Pottsville, Pennsylvania; Middleburg, Virginia; Franklin, Virginia; Corolla, North Carolina and the area extending 200 miles to sea is designated a "Vital Air Defense Area", hereinafter referred to as the Area, within which the operation of aircraft is prohibited or is authorized subject to the conditions prescribed herein or hereafter. That portion of the Eastern Air Defense Zone not included in the above defined Area will be covered in future regulations.

(c) The following activities jeopardize the air defense of the Area. They shall be discontinued at the earliest practicable date:

(1) Civil flying training, including Civil Pilot Training Schools.

(2) Civil photographic, news, commuting, pleasure, and other miscellaneous civil flights.

(3) Army and Navy primary, basic, and advanced flying training, other than operational training.

(d) All other flying, Army, Navy and Civil, within the area, is restricted to that which is necessary to the war effort. On local flights, aircraft shall remain as close to the airport as practicable, and in all cases within five miles of its center. For these local flights, no flight plan is required.

(e) (1) All aircraft intending to fly outside a five (5) mile radius from the

(Continued on next page)

[1] 6 F.R. 6787.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

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center of the airport shall submit a flight plan and receive approval thereof before take-off. (For exceptions, see paragraph (j) (2) of this section.) In flight they shall adhere strictly to the flight plan as approved, and shall comply with all rules governing flights which are or may be prescribed by the Civil Aeronautics Administration. The flight plan shall contain the following data:

(i) Local flight plan number.

(ii) The aircraft identification number or the name of the governmental service in which the aircraft is employed, if so employed, or the name of the carrier operator and the trip number, if engaged in a scheduled air transportation service.

(iii) The type of aircraft involved and the number of aircraft making the flight, if the aircraft are in formation.

(iv) The name of the pilot, or the flight commander if the aircraft are in formation.

(v) The point of departure of the particular flight for which such plan is being filed.

(vi) The proposed cruising altitude or altitudes.

(vii) The point of first intended landing.

(viii) The proposed cruising airspeed.

(ix) The radio equipment carried in the aircraft. (If no radio—NORDO; if radio receiver only—RONLY; if two-way radio, a statement of transmitter frequency to be used.)

(x) The proposed time of departure. (The time of departure shall be considered as the time when the aircraft leaves the ground.)

(xi) The estimated elapsed time until arrival on the ground at the point of first intended landing. (For scheduled operation, the first stop to be made, together with additional stops if requested by an airway traffic control center.)

(xii) The alternate airport, if the flight is to involve instrument flight.

(xiii) The route and any other pertinent information which the pilot deems useful for control purposes or which may be requested by an airway traffic control center.

(xiv) Purpose of flight or mission.

(2) The flight plan shall be submitted to the Regional Information Center in whose area the flight originates for approval as prescribed in paragraph (e) (1) of this section.

(f) The airways for a distance of thirty miles in all directions from the following radio range stations are narrowed to a width of six miles: Portland, Maine; Boston, Massachusetts; Providence, Rhode Island; Hartford, Connecticut; Elizabeth, New Jersey; Philadelphia, Pennsylvania; Washington, D. C.; Norfolk, Virginia; Charleston, South Carolina. All civil air carriers operating within thirty miles of the above named radio range stations shall make certain that no passenger can see the ground until the aircraft has landed or has reached a point beyond this thirty mile limit.

(g) Each flight originating outside the Area shall enter the Area on a civil airway, proceed along the airways to the point nearest the destination, then proceed direct to the destination. Each flight departing the Area shall proceed direct to the point on the airways nearest the point of departure, then proceed along the airways until outside the Area.

(h) Aircraft on point to point flights within the Area, other than those on missions in defense of the Area, shall follow the civil airways except when the Regional Commander concerned determines that the route between the point of origin and the destination is so circuitous as to render such procedure impracticable. Requests for exceptions in these instances shall be made at the time of filing flight plans.

(i) when an "alert" or "air raid alarm" is ordered, the following restrictions shall govern all non-combat airplanes, and combat airplanes other than those directed by competent military or naval authority to intercept or attack the enemy:

(1) Airplanes on the ground shall remain on the ground.

(2) Airplanes flying locally shall land immediately.

(3) Airplanes flying on flight plans shall land, turn back or proceed as directed by the Commanding General, Fighter Command.

(j) (1) All aircraft authorized, under the provisions of paragraph (d) of these regulations, to operate within a five mile radius of the airport, shall first obtain a clearance from the appropriate Army, Navy or Civil authority before take-off. The clearing authority shall maintain a record of clearances and, upon request, shall furnish the Commanding General, Fighter Command, with data concerning the number of airplanes flying within the five mile radius.

(2) Army and Navy emergency flights, as defined in paragraph 14*a* (4), WD Cir., March 11, 1942, may take off without an approved flight plan when necessary. The Commander responsible for the dispatch of the flight shall report flight plans data without delay to the Regional Information Center concerned by direct line, if available; otherwise through the CAA communications.

(3) Emergency variation from the approved flight plan which affects the route, altitude, or time in excess of ten minutes, shall be reported without delay by radio to the nearest Army, Navy or CAA Airways Communications station for transmission to the nearest Regional Information Center, except when such transmission will jeopardize the successful completion of the mission.

(k) No person or agency, other than the Commanding General, Fighter Command, may establish channels of air traffic, restricted air areas, prohibited air areas, danger zones, identification stations; nor issue instructions, restrictions, or regulations governing air traffic within the described Area.

(l) Authority to order blackouts and to suspend radio broadcasts and other radio emissions is hereby delegated to the Commanding General, Fighter Command.

(m) All persons, military or civilian, except members of antiaircraft artillery units, are prohibited from firing at any aircraft, balloon, or dirigible, or at any parachutists, unless it or he be first positively identified as enemy.

NOTE: Antiaircraft artillery units have separate specific instructions to govern their actions.

(n) Aircraft violating the regulations in this section will be intercepted and forced to the ground by pursuit aircraft. Disciplinary action will be taken against military personnel. Civilian personnel involved will be prosecuted.

By command of Lieutenant General Drum.

[SEAL] KENNETH P. LORD,
Brigadier General, G. S. C.,
Chief of Staff.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–7885; Filed, August 13, 1942; 10:12 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 600—DESIGNATION OF CIVIL AIRWAYS

[Amendment No. 8.]

DELETION OF BLUE CIVIL AIRWAY NO. 21

AUGUST 12, 1942.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics[1] as follows:

By striking § 600.10320, *Blue civil airway No. 21* (Grand Rapids, Michigan, to Traverse City, Michigan).

This amendment will become effective 0001 E. S. T., August 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42–8021; Filed, August 17, 1942; 11:14 a. m.]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CENTRAL ZONES OF INTERSECTION, CENTRAL AIRPORTS, AND RADIO FIXES

[Amendment No. 12]

DELETION OF BLUE CIVIL AIRWAY NO. 21 (AIRWAY TRAFFIC CONTROL AREAS), BLUE CIVIL AIRWAY NO. 21 (RADIO FIX); REDESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, GREEN CIVIL AIRWAY NO. 6, AMBER CIVIL AIRWAY NO. 7, RED CIVIL AIRWAY NO. 34

AUGUST 12, 1942

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and §§ 60.112, 60.22, and 60.23 of the Civil Air Regulations and Special Regulation of the Civil Aeronautics Board, Serial No. 197, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics,[2] as follows:

1. By striking § 601.10321 Blue civil airway No. 21 airway traffic control areas (Grand Rapids, Mich., to Traverse City, Mich.).

2. By striking § 601.40321 Blue civil airway No. 21 (Grand Rapids, Mich., to Traverse City, Mich.).

3. By amending § 601.1006 to read as follows:

§ 601.1006 *Green civil airway No. 6 airway traffic control areas (Corpus Christi, Tex., to Norfolk, Va.).* From Corpus Christi, Tex., to a line extended at right angles across such airway through a point 25 miles northwest of the Norfolk radio range station.

4. By amending § 601.1017 to read as follows:

§ 601.1017 *Amber civil airway No. 7 airway traffic control areas (Key West, Fla., to Caribou, Maine).* All of amber civil airway No. 7.

5. By amending § 601.10234 to read as follows:

§ 601.10234 *Red civil airway No. 34 (Raleigh, N. C., to Pulaski, Va.).* All of red civil airway No. 34.

This amendment will become effective 0001 E. S. T., August 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42–8022; Filed, August 17, 1942; 11:14 a. m.]

[1] 7 F.R. 1417, 1748, 2381, 2864, 4131, 4939, 5387, 5540.

[2] 7 F.R. 378, 529, 597, 841, 1016, 1424, 1748, 2864, 2865, 3466, 4190.

INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

[Amendment No. 13]

DELETION OF CONTROL ZONE OF INTERSECTION

AUGUST 12, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, § 60.22 of the Civil Air Regulations, and special regulation of the Civil Aeronautics Board, serial No. 197, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics [1] as follows:

By striking the following control zone of intersection in § 601.2: Raleigh, N. C.

This amendment will become effective 0001 E.S.T., August 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42-8023; Filed, August 17, 1942; 11:14 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-27]

PART 27—CANNED FRUIT: DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

CANNED FRUIT COCKTAIL

By virtue of authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act, 52 Stat. 1046 and 1055, 21 U.S.C. secs. 341 and 371; the Reorganization Act of 1939, 53 Stat. 561 ff., 5 U.S.C. sec. 133-133r; and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (5 F.R. 2421); and upon the basis of evidence received at the hearing herein: the following order is promulgated hereby.

The regulations hereby promulgated shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER. (52 Stat. 1046, 53 Stat. 561ff; 21 U.S.C., sec. 341; 5 U.S.C., sec. 133-133r; and Reorganization Plans Nos. I and IV, 4 F.R. 2727, 5 F.R. 2421).

QUALITY

Findings of Fact

1. The use of canned fruit cocktail for cocktail, salad, and dessert purposes makes an appetizing appearance a relatively important factor in its quality.

2. Insofar as the appearance of canned fruit cocktail is not controlled by natural factors it is largely dependent upon the size and shape of the units of peach, pear and pineapple; upon the absence from the food of cracked or crushed grapes or grapes from which the cap stems have not been removed; upon the absence of peach, pear, grape and cherry ingredient from blemishes; and upon the uniformity of color of the units of cherry ingredient, when artificially colored cherries are used.

3. Canned fruit cocktail is not of good quality when the units of peach, pear and pineapple are too large for use as a cocktail or dessert or are not of reasonably uniform shape. Such defects impair the utility and appearance of the food. The presence of an excessive number of small units tends to make the product unsightly and to increase the difficulty of heat processing, with resulting disintegration. The size and shape of grapes and of the units of the cherry ingredient are controlled by the natural dimensions of the fruits, and are not sufficiently variable to affect adversely the quality of the product.

4. Throughout the life of the product the units of peach, pear, and pineapple when diced have been diced in machines in which the cutting knives are ordinarily set at one-half inch intervals. Such machines do not always cut units to perfectly uniform size, and the heat processing results in a small amount of shrinkage in the size of the units.

5. The diced units of peach, pear and pineapple are sifted and sorted to remove those which are too large, too small, or misshapen.

6. When cut and sorted in the customary manner such units are usually about one-half inch in each dimension, but there are occasional units having one or more dimensions as great as three-fourths inch. There are also many units having one or more dimensions as small as five-sixteenths inch.

7. When the units of pineapple are sectors rather than dice, they are prepared from rings as such rings are commonly cut for canning. The length and thickness of the sectors is determined by the size of the rings.

8. The sectors of pineapple ordinarily conform to the following dimensions: The length of the outside arc is more than $\frac{3}{8}$ inch but is not more than $\frac{3}{4}$ inch; the thickness is more than $\frac{5}{16}$ inch but is not more than $\frac{1}{2}$ inch; the length (measured along the radius from inside arc to outside arc) is more than $\frac{3}{4}$ inch but not more than $1\frac{1}{4}$ inch.

9. It is impossible in the exercise of due care under good manufacturing practices to avoid some units of peach, pear and pineapple which fail to conform to the specifications set forth in findings 6 and 8 because of the irregularity of the natural shape of the fruits and because of the impracticability of completely efficient sorting. In addition, when the units are heated in the can, some breakage results. For these reasons a tolerance on units of peach, pear and pineapple which do not conform to such measurements is necessary.

10. The experience of the fruit cocktail canning industry over a period of years demonstrates that where due care is exercised under good commercial practices, not more than 10 percent by weight of the units of pineapple will fail to conform to such specifications for size. A convenient and accurate method of determining whether the diced units fall below five-sixteenths inch in edge dimensions is to determine whether they pass through the meshes of a sieve designated as five-sixteenths inch in table I of "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards.

11. When the units of peach, pear, and pineapple conform to such tolerance, canned fruit cocktail is of acceptable quality to consumers generally in respect of the shape and size of such units for the reason that such units are reasonably uniform in size and shape and are acceptable for the customary uses of the food. When the units do not conform to such tolerance, the food is inferior in quality and frequently would not serve the purposes for which it is bought.

12. Canned fruit cocktail is not of good quality when significant quantities of peel remain on the units of peach and pear since adhering peel on such units is unsightly and unpleasant to eat.

13. Peach peel and pear peel are ordinarily easily removed in their entirety in the preparation of the units of fruit for canning.

14. Occasionally, even when due care is exercised under good manufacturing practices, some adhering peel will escape attention in the hand-sorting of the units and for this reason a tolerance on adhering peel is necessary.

15. The experience of the industry demonstrates that a reasonable tolerance for adhering peel on the units of peach and pear in canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices, is not more than one square inch for each pound of such fruit. For the purpose of applying this tolerance, the weight of such units of peach or pear is computed as that proportion of the weight of the net contents of the container which the weight of such drained units bears to the total weight of fruit drained from the container.

16. When the units of peach and pear conform to such tolerance on adhering peel canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from adhering peel for the reason that such units are relatively free from peel and are acceptable for the customary uses of the food. When the units do not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought.

17. When the units of peach, pear, grape and the cherry ingredient are blemished with scab, hail injury, scar tissue, discoloration, or other abnormalities, they are unappetizing and canned fruit cocktail containing them is not of good quality. Freedom from a substantial number of blemished units of peaches, pears or grapes and of 15 percent of blemished units of the cherry ingredient is a reasonable tolerance for canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices.

18. Some peaches, pears, grapes and cherries are so blemished in their natural condition. Such blemished fruits are ordinarily removed by hand-sorting both by the producer of the fruit and the fruit cocktail manufacturer, but removal cannot be accomplished with absolute efficiency. For this reason a tolerance on blemished units of peach, pear, grape and the cherry ingredient is necessary.

19. The experience of the industry has demonstrated that a tolerance of 20 percent of blemished units of peaches, pears or grapes and of 15 percent of blemished units of the cherry ingredient is a reasonable tolerance for canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices.

20. When the units of peach, pear, grape and the cherry ingredient conform to such tolerance on blemished units, canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from blemishes on such units for the reason that such units are relatively free from blemishes and are acceptable for the customary uses of the food. When the units do not conform to such tolerance, the food is inferior in quality and frequently would not serve the purposes for which it is bought.

21. When the grapes in canned fruit cocktail are crushed or cracked to the extent of being severed into two parts, the canned fruit cocktail is unsightly and unappetizing. Freedom from such grapes is a significant factor in consumers' preferences among canned fruit cocktails.

22. If not carefully handled mature grapes crush easily. Such crushed grapes are ordinarily segregated and discarded, along with grapes which are so cracked, prior to the time they are placed in the can. In the hand-sorting of the fruit, however, some crushed grapes escape attention. Heat-processing of canned fruit cocktail so as to prevent spoilage unavoidably cracks some of the grapes into two parts after they are packed in the container. For these reasons a tolerance on crushed grapes and grapes so cracked is necessary.

23. The experience of the industry has demonstrated that by the exercise of due care under good manufacturing practices not more than 10 percent of the grapes in the finished canned fruit cocktail are cracked to the extent of being severed into two parts or crushed to the extent that their normal shape is destroyed, and that a tolerance of 10 percent of such cracked and crushed grapes is a reasonable tolerance on such grapes for canned fruit cocktail.

24. When the units of grape conform to such tolerance the canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from crushed and cracked grapes for the reason that the food is reasonably free from blemishes on pineapple are not a significant occurrence in the canning of canned fruit cocktail.

25. Grapes are attached by a small cap stem to the larger stem of an entire bunch. When a grape is removed from the bunch, the cap stem frequently remains attached to the grape. Such stems are inedible and unsightly and their presence is a significant factor in consumers' preference among canned fruit cocktails.

26. Canned fruit cocktail which contains any significant quantity of grapes with attached cap stems is not of good quality.

27. It is the practice in the industry to remove such cap stems by the use of a stemming machine, followed by inspection and hand removal. Even under careful supervision such operation involves occasional oversights which make a tolerance on attached cap stems necessary.

28. The experience of the industry demonstrates that by the exercise of due care under good manufacturing practices, not more than 10 percent of the grapes in the finished canned fruit cocktail have their cap stems attached, and that a tolerance of 10 percent of grapes with attached cap stems is a reasonable tolerance on such grapes for canned fruit cocktail.

29. When the grapes conform to such tolerance on attached cap stems canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from grapes with attached cap stems for the reason that it is reasonably free from cap stems and is acceptable for all the customary uses of fruit cocktail. When it does not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought.

30. If the units of cherry ingredient in canned fruit cocktail are artificially colored and each unit is not evenly colored, the appearance of the canned fruit cocktail is impaired and its desirability is lessened. Uniformity of distribution of color on each unit of the cherry ingredient is a significant factor in consumer's preference among fruit cocktails.

31. Artificial coloring does not contribute the same intensity of color to all cherries and for this reason a tolerance on cherries other than uniformly red in color is necessary.

32. Under normal canning operations not more than 15 percent of the cherries remaining after they have been handgraded are other than uniformly red in color, and a tolerance of 15 percent is a reasonable tolerance on artifically colored cherries other than uniformly red in color.

33. When the artificially colored cherry ingredient conforms to such tolerance canned fruit cocktail is of acceptable quality to consumers generally because its appearance is not materially below standard in quality in any respect, a statement on the label as follows: "Below Standard in Quality. Good Food—Not High Grade", is a simple, informative and adequate statement of that fact. Because the food is a mixture of several fruits it is not practicable to state on the label in what particular the food falls below standard in quality. Such statement serves its purpose when it appears on the label in the following manner and form:

The statement "Below Standard in Quality Good Food—Not High Grade" is printed in two lines of Cheltenham bold condensed caps. The words "Below Standard in Quality" constitute the first line, and the second immediately follows. If the quantity of the contents of the container is less than 1 pound, the type of the first line is 12-point, and of the second, 8-point. If such quantity is 1 pound or more, the type of the first line is 14-point, and of the second 10-point. Such statement is enclosed within lines, not less than 6 points in width, forming a rectangle. Such statement with enclosing lines, is on a strongly contrasting, uniform background, and is so placed as to be easily seen when the name of the food or any pictorial representation thereof is viewed, wherever such name or representation appears so conspicuously as to be easily seen under customary conditions of purchase.

Upon the basis of the foregoing detailed findings of fact, it is found that the promulgation of the following regulation fixing and establishing a standard quality for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, and specifying the manner and form of a label statement of substandard quality, will promote honesty and fair dealing in the interest of consumers; and that it gives consideration to and makes due allowance for the differing characteristics of the several varieties of the fruits present in canned fruit cocktail.

Regulation

§ 27.041 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—Quality; label statement of substandard quality.* (a) The standard of quality for canned fruit cocktail is as follows:

(1) Not more than 20 percent by weight of the units in the container of peach or pear, or of pineapple if the units thereof are diced, are more than $\frac{3}{4}$ inch in greatest edge dimension, or pass through the meshes of a sieve designated as $\frac{5}{16}$ inch in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the National Bureau of Standards, U. S. Department of Commerce. If the units of pineapple are in the form of sectors, not more than 20 percent of such sectors in the container fail to conform to the following dimensions: The length of the outside arc is not more than $\frac{3}{4}$ inch but is more than $\frac{3}{8}$ inch; the thickness is not more than

[1] *Supra.*

½ inch but is more than 5/16 inch; the length (measured along the radius from the inside arc to the outside arc) is not more than 1¼ inches but is more than ¾ inch.

(2) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one ten grapes, is cracked to the extent of being severed into two parts or is crushed to the extent that their normal shape is destroyed.

(3) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one grape in a container containing less than ten grapes, has the cap stem attached.

(4) There is present in the finished canned fruit cocktail not more than one square inch of pear peel per each one pound of drained weight of units of pear plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of the units of pear bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in § 27.042.

(5) There is present in the finished canned fruit cocktail not more than one square inch of peach peel per each one pound of drained weight of units of peach plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of units of peach bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in § 27.042.

(6) Not more than 15 percent of the units of cherry ingredient, and not more than 20 percent of the units of peach, pear, or grape, in the container is blemished with scab, hail injury, scar tissue or other abnormality.

(7) If the cherry ingredient is artificially colored, the color of not more than 15 percent of the units thereof in a container containing six units or less, is other and of not more than one unit in a container containing six units or less, is other than evenly distributed in the unit or other than uniform with the color of the other units of the cherry ingredient.

(b) If the quality of canned fruit cocktail falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.020 (a), in the manner and form therein specified.

FILL OF CONTAINER

Findings of Fact

1. Canned fruit cocktail is purchased and used by consumers primarily for its fruit content although the liquid present is a necessary and valuable adjunct; and the quantity of fruit units present is a significant factor in consumers' preference among canned fruit cocktails.

2. The maximum quantity of fruit units which can be placed in each size of container is limited by the undesirable effects of forcing too large a quantity of fruit units into the container. Such undesirable effects are that when the quantity of fruit units present is too large, the quantity of liquid present must be so limited that the length of time required for heat-processing would be unduly extended, and this excessive processing would frequently disintegrate the units of fruit and would often damage their flavor and color. In addition sufficient space for enough liquid adequately to sweeten the fruit cocktail would not be available in the case of sweetened canned fruit cocktails.

3. A quantity of fruit units which may be placed in the container under all ordinary circumstances without detrimental effect on the fruit is such quantity as results in a drained weight of units of fruit of not less than 65 percent by weight of the water capacity of the container. Such quantity represents the amount of fruit by weight which experienced producers regard as the maximum quantity of fruit which can always be present, upon the basis of observation and test of a large number of cans of fruit cocktail.

4. The weight of water which a container will hold is a convenient method of specifying the capacity of the container and is well-known to canners generally. The method for determining the water capacity of containers prescribed in §10.010 (a) of the general regulations under the Federal Food, Drug, and Cosmetic Act, as follows, gives accurate, reliable and uniform results under all conditions:

(1) In the case of a container with lid attached by double seam, cut out the lid without removing or altering the height of the double seam.

(2) Wash, dry, and weigh the empty container.

(3) Fill the container with distilled water at 68° Fahrenheit to 1/8 inch vertical distance below the top level of the container, and weigh the container thus filled.

(4) Subtract the weight found in (2) from the weight found in (3). The difference shall be considered to be the weight of water required to fill the container.

In the case of a container with lid attached otherwise than by double seam, remove the lid and proceed as directed in clauses (2) to (4) inclusive, except that under clause (3) fill the container to the level of the top thereof.

5. In order that uniform determinations may be made it is necessary that a fixed method for determining the weight of fruit present be prescribed. A method which gives accurate, uniform, and reliable results under all normal conditions, and which is well-known to canners generally is as follows:

Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

6. Containers of canned fruit cocktail which contain fruit units in a quantity less than 65 percent by weight of the water capacities of the containers, as determined by the foregoing methods, are not so filled as to promote honesty and fair dealing in the interest of consumers in the absence of a label statement that they are below standard in fill.

7. When canned fruit cocktail is below standard in fill of container the statement on the label, "Below Standard in Fill" is a simple, understandable, and adequate statement of that fact when appearing on the label in the following manner and form:

The statement "Below Standard in Fill" is printed in Cheltenham bold condensed caps. If the quantity of the contents of the container is less than 1 pound, the statement is in 12-point type; if such quantity is 1 pound or more, the statement is in 14-point type. Such statement is enclosed within lines, not less than 6 points in width; forming a rectangle. Such statement with enclosing lines, is on a strongly contrasting, uniform background, and are so placed as to be easily seen when the name of the food or any pictorial representation thereof is viewed, wherever such name or representation appears so conspicuously as to be easily seen under customary conditions of purchase.

Upon the basis of the foregoing detailed findings of fact it is found that the promulgation of the following regulation fixing and establishing a standard of fill of container for canned fruit cocktail, canned cocktail fruits, canned fruit for cocktail, and specifying the manner and form of a label statement of substandard fill of container will promote honesty and fair dealing in the interest of consumers.

Regulation

§ 27.042 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—Fill of container; label statement of substandard fill.* (a) The standard of fill of container for canned fruit cocktail is a fill such that the total weight of drained fruit is not less than 65 percent of the water capacity of the container, as determined by the general method for water capacity of containers prescribed in § 10.010 (a). Such total weight of drained fruit is determined by the following method:

Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L.C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

(b) If canned fruit cocktail falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.020 (b), in the manner and form therein prescribed.

[SEAL] WATSON B. MILLER,
Acting Administrator.

AUGUST 13, 1942.

[F. R. Doc. 42-8024; Filed, August 17, 1942; 11:15 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

[Docket No. A-1382, Part II]

ASSIGNMENT OF AN ADDITIONAL SHIPPING POINT FOR COALS OF DEER STRIP MINE

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of the Bituminous Coal Producers Board for District No. 2 for assignment of an additional shipping point for the coals of the Deer Strip Mine, Mine Index No. 491, in District No. 2 for rail shipment.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on March 30, 1942, by the Bituminous Coal Producers Board for District No. 2 ("District Board No. 2"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The original petition requested changes in freight origin group numbers and shipping points for the coals of certain mines in District No. 2 for rail shipment, and assignment of additional shipping points for the coals of certain other mines in District No. 2. On April 21, 1942, 7 F.R. 3259, the Acting Director issued an order granting temporary relief and conditionally providing for final relief for all mines involved, except Mine Index No. 491. On April 23, 1942, the Acting Director issued an order separating from and designating as Docket No. A-1382, Part II, that portion of the former docket relating to Mine Index No. 491.

A petition of intervention was filed on May 12, 1942, by the Bituminous Coal Producers Board for District No. 3 ("District Board No. 3"). Petitions of intervention were also filed on April 20 and May 16, respectively, by the following code members in District No. 2: The Butler Consolidated Coal Company ("Butler") and the Deer Field Coal Company ("Deer Field").

After due notice to interested persons, a hearing in this matter was held on May 19, 1942, before D. C. McCurtain, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by petitioner and by all intervenors. Preparation and filing of a report by the Examiner was waived, and the record was thereupon submitted to the undersigned.

Petitioner requests that the price classifications and minimum prices now effective for the coals of the Deer Strip Mine, Mine Index No. 491, of the Deer Field Coal Company, when shipped on the Bessemer & Lake Erie Railroad ("B&LE") from Bairdford, Pennsylvania, be made effective also for such coals when shipped over the Baltimore & Ohio Railroad ("B&O"), from Gibsonia, Pennsylvania. The Deer Strip Mine is located in Allegheny County, Pennsylvania. This mine now possesses loading facilities on the B&LE at Bairdford, Pennsylvania, about one and one-half miles from the mine workings. The distance from the mine to the requested additional loading point at Gibsonia, Pennsylvania, is about four miles. The road from the mine to the loading facilities is a macadam state highway; no other railroads are crossed.

The port on Lake Erie to which the B&LE gives Deer Strip coals access is Conneaut, Ohio. The bulk of the output of the Deer Strip Mine that has been shipped by rail has moved in the past to Conneaut. Deer Strip coals cannot move to Fairport Harbor, Ohio, over the B&LE. J. S. Carr, Secretary-Treasurer of Deer Field, testified that a distributor to whom the Carr Coal Company (of which company Carr is the majority stockholder) has shipped 30,000 tons of coal through Fairport Harbor during each of the two preceding summers, has agreed to take all the coal that the companies associated with Carr can provide. The source of this tonnage moving to Fairport Harbor was the Carr No. 1 Mine, Mine Index No. 313, located near Universal, Pennsylvania. Carr testified that, because of an increased demand for coal in the Pittsburgh area, it was not believed that the Carr No. 1 Mine could provide the Fairport customer with more than 50 percent of the tonnage that it had provided him in previous years. If the Deer Strip Mine had loading facilities on the B&O, it could help to meet the demand for cargo coal for shipment through Fairport Harbor which the Carr No. 1 Mine cannot fully satisfy.

Carr further testified that Deer Field was negotiating for the purchase of additional stripping equipment for the Deer Strip Mine. If this equipment were obtained, he estimated that the "maximum average capacity," of the mine would be increased from 350 tons a day to 1,000 or 1,200 tons a day. The record shows that ability to ship over the B&O would open up new outlets for Deer Strip coals.

Both District Board No. 3 and Butler opposed the granting of the relief asked for. District Board No. 3 claimed that granting relief would put at an undue competitive disadvantage those producers in District No. 3 who ship coal over the B&O for lake movement. Substantially the same claim was made by Butler in so far as the competitive opportunities of its Wildwood Mine, Mine Index No. 242, are concerned. Both intervening parties maintained that the right to ship from two loading points on two railroads would enable the Deer Strip Mine to obtain, during a shortage of railroad cars, a car supply in excess of its capacity to ship. It was argued by witnesses for both intervenors that an appreciable shortage of cars for lake shipment has prevailed on the B&O for some time. But Witness D. T. Buckley, Chairman of District Board No. 3, admitted, however, that assignment of the B&O loading point at Gibsonia to the Deer Strip Mine would operate to reduce only to a negligible extent the number of cars available to other B&O shippers.

Again, it was claimed by witness Duffy, Traffic Manager of Butler, that permitting the Deer Strip Mine to ship over the B&O would unduly prejudice competitors of that mine because such permission would enable it to reach markets from which it has hitherto been barred, but to which markets certain mines competing with the Deer Strip Mine—and, especially, the Wildwood Mine—have had access. Deer Strip coals have not moved to certain points in Market Areas 7 and 11 apparently because of differentials in freight rates to those points favoring shippers over the B&O as against shippers over the B&LE. Duffy pointed out that the Deer Strip Mine now enjoys advantageous differentials in freight rates on the B&LE to certain other markets as against B&O shippers. He argued that the Deer Strip Mine should not be allowed to enjoy the advantageous differentials which prevail on both railroads. There is no merit in this argument. Permitting the Deer Strip Mine to ship over the B&O will, of course, not enable it to ship to points within Market Areas 7 and 11 at lower freight rates than those at which the Wildwood Mine or other mines now shipping on the B&O must ship. Granting the relief asked for will not serve to disrupt fair competitive opportunities. It will simply give the Deer Strip Mine an opportunity to compete. The Act does not require stifling of competition.

Witness Duffy further contended that possession in the Deer Strip Mine of a shipping point on the B & O was not necessary to a satisfactory marketing of coals produced at that time, and at others with which witness Carr is associated. It was admitted by Carr that 95 percent of the winter output, and 50

that possession of an additional loading point on the B&O at Gibsonia will not involve an uneconomical movement of coals produced at the Deer Strip Mine. Possession of a second loading point will not disrupt the fair competitive opportunities of other producers in District No. 2 or in other districts. Under these circumstances, the undersigned is of the opinion that it is proper to assign to the Deer Strip Mine, Mine Index No. 491, of the Deer Field Coal Company, an additional loading point which will be on the Baltimore & Ohio Railroad at Gibsonia, Pennsylvania. Shipments from this loading point as well as from that at Bairdford, Pennsylvania, will be governed, of course, by the applicable rates assigned to Freight Origin Group No. 46.

Now, therefore, it is ordered, That effective fifteen (15) days from the date hereof § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Freight origin group No.	Railroad	Size group Nos.												
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
491	Deer Field Coal Company	Deer (Strip)	Freeport	8	Bairdford, Pa., Gibsonia, Pa.	46	B&LE, R&O	E	E	D	D	D	D	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective for these size groups.

NOTE: The above prices are applicable only Via the respective Freight Origin Group, Shipping Points, Railroads and Railroad Fuel Group shown for the respective mine. Freight Origin Group, Shipping Points, Railroads and Railroad Fuel Group shown in previous schedules are hereby deleted.

Note: Freight Origin Group No. 46 will take the same necessary and permissible adjustments as Freight Origin Group No. 84 will apply, except for specific destinations in § 322.8, where adjustments applicable to Freight Origin Group No. 84 will apply.

§ 322.9 *Special prices* (c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index number in group shown. Group No. 9: 491.

[F. R. Doc. 42-7940; Filed, August 14, 1942; 11:18 a. m.]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

[Docket No. A-1476]

ADDITIONAL PRICES

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of Bituminous Coal Producers Board for District No. 18 for additions in minimum prices for certain size groups of coals produced in District No. 18 for rail shipment into Market Area No. 241, for which coals prices for shipment by rail have not heretofore been established.

This is a proceeding instituted upon an original petition dated May 27, 1942, filed May 29, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by the Bituminous Coal Producers Board No. 18 (hereinafter referred to as District Board No. 18). In its petition, District Board No. 18 requests the establishment of minimum prices for certain size groups of coals, produced in District No. 18 for rail shipment into Market Area 241, for which prices for shipment by rail have not heretofore been established.

Pursuant to the Order of the Acting Director dated June 24, 1942, a hearing in the matter was to be held on June 28, 1942.

Pursuant to the Order of the Acting Director dated July 15, 1942, granting a motion by counsel for the petitioner that the hearing be advanced, and after notice to all interested parties, a hearing in the matter was held on July 20, 1942, before Floyd McGown, a duly designated Examiner of the Division, at a hearing room in Washington, D. C. Appearances were entered by District Board No. 18 and the Bituminous Coal Consumers' Counsel.

The preparation and filing of a report by the Examiner were waived by all interested parties and the record was thereupon submitted to the Acting Director.

The matter concerned herewith involves the petition of District Board No. 18 for the establishment of the following minimum prices, in cents per net ton, for the coals in the size groups specified, produced in subdistricts Nos. 1 and 2 of District No. 18 for shipment by rail into Market Area 241.

	Size group No.	
	11	12	13
SUBDISTRICT NO. 1			
Requested minimum prices	190	170	(†)
SUBDISTRICT NO. 2			
Requested minimum prices	225	200	165

† No request for the establishment of a minimum price for Size Group No. 13 coals produced in Subdistrict No. 1 was made, as a minimum price was established therefor by Order No. 107, Acting Director dated September 29, 1941, 6 F. R. 5005, Docket No. A-264.

Minimum prices for the slack sizes set forth in the petition have not been heretofore proposed for Subdistrict Nos. 1 and 2 for the reason that the potential market did not exist. It appears from the record that the districts normally supplying coals to Market Area 241 in the hereinabove specified sizes, would not be able to do so under present demands of defense and army projects in that area, resulting in the necessity for producers from other districts entering into competition in that market area.

From the record it further appears that the coals of Subdistrict 1 are free burning and will proximate 11,000 B. t. u.'s with approximately 11 percent ash and 10 percent moisture, whereas the coals of Subdistrict 2 will proximate 13,000 B. t. u.'s with 15 to 17 percent ash and 5 percent moisture. On this basis, it appears that the coals of Subdistrict 2 are more valuable than the coals of Subdistrict 1.

Upon the basis of the uncontroverted evidence, I find that the proposed minimum prices for rail shipment for coal in the size groups set forth in the petition from Subdistricts 1 and 2 of District 18, to various points of delivery in Market Area 241, properly reflect the relative values of the coals produced in said Subdistricts with relation to their use in the consuming plants in Market Area 241; further that the minimum prices requested as set forth in the original petition are just and equitable as between code member producers in District No. 18 as well as code member producers in other districts with whom the producers in District 18 would compete in Market Area 241, and that said proposed minimum prices will preserve the existing opportunities of those producers to compete fairly in that market area.

For the foregoing reasons and based upon the above Findings of Fact, I conclude that:

1. The Schedule of Effective Minimum Prices for District 18 for All Shipments should be amended as follows:

§ 338.5—By inserting the following prices for Subdistrict No. 1 (Gallup) for shipment into Market Area 241:

Size groups	11	12
	190	170

§ 338.5—By inserting the following prices for Subdistrict No. 2 (Cerrillos) for shipment into Market Area 241:

Size groups	11	12	13
	225	200	165

2. Such change in the Schedule of Effective Minimum Prices for District 18 for All Shipments will properly effectuate the purposes of section 4 II (a) and (b) of the Act and comply with all the standards thereof.

No. 162——2

Now, therefore, it is ordered, That effective fifteen (15) days from the date hereof § 338.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated: August 6, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

DISTRICT NO. 18

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule 1 for District No. 18 and Supplements thereto.

§ 338.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R. Insert the following additional minimum f. o. b. mine prices in cents per net ton for shipment via rail transportation into Market Area 241:

SUBDISTRICT NO. 1—GALLUP

	Size groups	
	11	12
Market Area 241	190	170

SUBDISTRICT NO. 2—CERRILLOS

	Size groups		
	11	12	13
Market Area 241	225	200	165

[F. R. Doc. 42-7939; Filed, August 14, 1942; 11:18 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

REGULATIONS RELATING TO SECURITIES

[Amendment 1]

AUGUST 4, 1942.

The Regulations Relating to Securities, issued July 3, 1942 (§ 133.2),[1] are hereby amended as follows:

1. By inserting after § 133.2 (b) (1) the letter (i), and adding the following new subdivision to said paragraph (b) (1):

(ii) Subject to the provisions of subparagraph (3) of this paragraph, all securities physically within the Territory of Hawaii issued by private corporations organized under the laws of, and having their principal place of business in the Territory of Hawaii, whether held in safe deposit boxes or otherwise, are hereby required to be placed, on or before September 1, 1942, in a securities custody account with a domestic bank in the Territory, and after September 1, 1942, no person other than a domestic bank shall have physical possession or custody of any such security within the Territory. In lieu of deposit in a securities custody account any security may, on or before September 1, 1942, be deposited in the mails for transmittal, or otherwise exported, to the continental United States. Except as otherwise provided, the provisions of paragraph (a) (3) of this section shall be complied with in the case of any such export or shipment.

2. By deleting § 133.2 (b) (4) and substituting therefor the following:

(4) (i) Unless otherwise exempted by special license, each domestic bank in the Territory of Hawaii, the Treasurer of the Territory of Hawaii, and such other persons as may be specified, shall file a report in triplicate on Form TFR–H400 with the Office of the Governor of Hawaii with respect to all securities held pursuant to subparagraph (1) (i) of this paragraph at the close of business on August 1, 1942. Such report shall be filed as soon as practicable, and in no event later than August 15, 1942. Unless otherwise exempted by special license, weekly supplemental reports on Form TFR–H401 shall be filed in triplicate with the Office of the Governor of Hawaii with respect to changes in such security holdings after August 1, 1942.

(ii) Unless otherwise exempted by special license, each domestic bank in the Territory of Hawaii, the Treasurer of the Territory of Hawaii, and such other persons as may be specified, shall file a report in triplicate on Form TFR–H400 with the Office of the Governor of Hawaii with respect to all securities held pursuant to subparagraph (1) (ii) of this paragraph at the close of business on September 1, 1942. Such report shall be filed as soon as practicable and in no event later than September 15, 1942. Unless otherwise exempted by special license, weekly supplemental reports on Form TFR–H401 shall be filed in triplicate with the Office of the Governor of Hawaii with respect to changes in such security holdings after September 1, 1942.

(iii) Persons required to file reports on Form TFR–H400 and Form TFR–H401 shall maintain a record in triplicate on Form TFR–H402 in a manner which will facilitate the completion of such form in a brief period of time. Reports on Form TFR–H402 shall be filed in triplicate in accordance with the instructions contained on such form.

(iv) Unless otherwise exempted by special license based upon satisfactory evidence that adequate records are maintained in the continental United States, every private corporation organized under the laws of the Territory of Hawaii shall file, on or before September 15, 1942, a report under oath, in triplicate, with the Office of the Governor of Hawaii setting forth a list of all of its security

[1] 7 F.R. 5808.

holders of record as of September 1, 1942. Weekly supplemental reports under oath, in triplicate, shall be filed with the Office of the Governor of Hawaii with respect to any changes in such holdings of record after September 1, 1942.

3. By deleting the text of § 133.2 (d) (1) and substituting therefor the following:

(d) *General provisions.* (1) Any person whose total holdings of securities of any kind physically within the Territory of Hawaii, had, on July 15, 1942, an aggregate market value, or, in the absence thereof, an estimated value, of less than $100.00, may continue to hold such securities without regard to paragraphs (a) and (b) of this section, and any person whose total holdings of securities physically within the Territory of Hawaii, issued by private corporations organized under the laws of, and having their principal place of business in the Territory of Hawaii, had, on July 15, 1942 an aggregate market value, or, in the absence thereof, an estimated value, of less than $300.00, may continue to hold such securities without regard to Title II of these regulations: *Provided, however,* That securities held pursuant to this section may not be purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, unless the provisions of Titles I and II are fully complied with immediately upon the completion of any such transaction.

[SEAL] CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7983; Filed, August 15, 1942; 10:18 a. m.]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII; APPENDIX

[Public Circular No. HS-2]

CERTIFICATION OF SECURITIES WHICH MAY BE SENT TO CONTINENTAL UNITED STATES

AUGUST 5, 1942.

The Office of the Governor of Hawaii, Foreign Funds Control, is prepared to certify as to securties which may be sent to the continental United States pursuant to § 133.2 (b) (1) of the Regulations Relating to Securities, as amended.[1] Persons desiring to obtain the certification of the Foreign Funds Control with respect to securities to be sent to the continental United States by registered mail will be required to observe the following procedure:

(a) Securities to be shipped to the continental United States will be described on Form TFR-H31, which is to be executed in quadruplicate and filed with a representative of the Office of the Governor of Hawaii, Foreign Funds Control, at the time the package or envelope containing the securities is presented to such office. Persons who wish to avail themselves of these facilities may bring the securities to be shipped together with a description thereof on Form TFR-H31 to a representative of the Office of the Governor of Hawaii, Foreign Funds Control, stationed in the registry lobby of the Honolulu Post Office, in the Federal Building, Honolulu, T. H.

(b) A representative of the Office of the Governor of Hawaii will check such securities against the description thereof on Form TFR-H31 and, if it appears that the securities to be forwarded to the continental United States are the securities described in said report and that the description thereof on Form TFR-H31 is adequate, such representative will sign the certification on Form TFR-H31, and will attach clearance certificate TFEL-2 to such securities as have been perforated. One copy of such certification will be returned to the person submitting the securities for identification, two copies thereof will be forwarded by the Office of the Governor of Hawaii, Foreign Funds Control, to the United States Treasury Department, Washington, D. C., and one copy will be retained by the Office of the Governor of Hawaii, Foreign Funds Control.

(c) The securities will be placed in the package or envelope by the person submitting the same for verification, and the package or envelope will be sealed in the presence of a representative of the Office of the Governor of Hawaii, Foreign Funds Control.

(d) Such package or envelope will be returned to the person submitting the same, who will at the time deliver it, under the observation of a representative of the Office of the Governor of Hawaii, Foreign Funds Control, to the post office for transmission by registered mail to the continental United States.

Neither the Office of the Governor of Hawaii, Foreign Funds Control, nor the United States Treasury Department assumes any responsibility whatsoever for the mailing of such securities, and such mailing will be effected by the person shipping such securities to the continental United States. The certification contained on Form TFR-H31, signed by a representative of the Office of the Governor of Hawaii, is not in any way to be regarded as a guaranty, either by the Office of the Governor of Hawaii or the United States Treasury Department, of the genuineness of the securities described or of their subsequent reissuance in the event of loss or destruction. However, in the event of loss or destruction of any such security, copies of the certification on Form TFR-H31 with respect thereto will be available at the United States Treasury Department, Washington, D. C.

After a package or envelope has been sealed in the presence of a representative of the Office of the Governor of Hawaii, Foreign Funds Control, the contents of such package must not in any way be changed or altered.

CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7984; Filed, August 15, 1942; 10:19 a. m.]

[1] 7 F.R. 5808 and *supra*.

PART 135 — GENERAL LICENSES ISSUED UNDER SECURITIES REGULATIONS OF THE GOVERNOR OF HAWAII

[General License HS-1]

SECURITIES NOT PRESENTED WITHIN PRESCRIBED TIME LIMITS; AFFIDAVIT REQUIREMENT

AUGUST 5, 1942.

§ 135.1 *General license HS-1.* A general license is hereby granted authorizing any domestic bank, the Treasurer of the Territory of Hawaii, or any other person authorized to perforate and/or accept securities for deposit in securities custody accounts, pursuant to the Regulations Relating to Securities (§ 133.2),[1] to continue to perforate securities, and, in the case of securities of the type referred to in § 133.2 (b) (1) (i), to continue to accept such securities for deposit in securities custody accounts: *Provided,* That an affidavit in triplicate shall be obtained from any person presenting securities for perforation or deposit pursuant to this general license, stating in detail why such securities were not presented within the time limits fixed by § 133.2. Such affidavits shall be filed promptly by persons receiving them with the Office of the Governor of Hawaii.

This license shall expire at the close of business on August 15, 1942.

CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7985; Filed, August 15, 1942; 10:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Amendment 6 to Limitation Order L-30[2]]

Paragraph (b) (9) of § 1052.1 *General Limitation Order L-30* is hereby amended to read as follows:

(9) During the period of two months beginning August 1, 1942, no manufacturer shall use more iron and steel in his total production of:

(i) Group I products than two times 70% of his average monthly use of scarce materials in the production of such products in the base period, or

(ii) Group II products than two times 50% of his average monthly use of scarce materials in the production of such products in the base period,

except that a manufacturer may use in the production of Group I products any part of his quota of iron and steel for Group II products: *Provided,* That he reduces his quota of iron and steel for Group II products by an equivalen amount.

[1] 7 F.R. 5808, and *supra*.

[2] 7 F.R. 2463, 2785, 3473, 4450, 5045, 5939.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F.R. Doc. 42-7986; Filed, August 15, 1942; 11:45 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 15 to Supplementary Order M-15-b-1]

Section 940.5 *Supplementary Order M-15-b-1*[1] is amended as follows:

1. By inserting immediately after paragraph (b) (18) thereof the following new paragraph designated (b) (19):

(19) Rubber covered rolls (except washing machine wringers, printer, finger print and business machines), List 19.

2. By attaching thereto the attached list designated List 19. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 19

Specifications for the manufacture of rubber covered rolls

(Except washing machine wringers, printer, finger print and business machines)

No person shall consume crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber in the manufacture of rubber covered rolls enumerated below in subdivision (b) of this List 19 except in accordance with the specifications herein prescribed.

(a) *Compounds*

(1) RUBBER COMPOUNDS

Grade	Maximum percent by volume	
	Crude rubber	Total RHC
M-C	55	55
M-D	80	80
M-E	75	75
M-F	70	70
M-G-1	65	65
M-H-2	60	80

(2) SYNTHETIC RUBBER COMPOUNDS

Grades			Total SRV
Butadiene	Chloroprene	Polysulfid	
M-SB-5	M-SN-5	M-ST-2	85
			70

NOTE 1: The total rubber hydrocarbon (RHC) is the sum total of crude rubber and the average rubber value of reclaimed rubber expressed on a volume basis.
NOTE 2: The total synthetic rubber value (SRV) is the total synthetic rubber expressed on a volume basis.

NOTE 3: Where crude rubber or reclaimed rubber is mixed with synthetic compounds or where a mixture of synthetics is used, the R. H. C. volume plus the S. R. V. volume shall not exceed the maximum S. R. V. by volume of the grade specified.
NOTE 4: Compounds of lower rubber and rubber hydrocarbon (RHC) content may be used in manufacturing rubber covered rolls listed in this List 19, provided the physical and service requirements, where specified, are met.

(b) *Rubber covered rolls*

(1) Roll covering compounds for each of the types of rolls listed in Table A below shall be made from the grade of compounds (as listed in subdivision (a) (1) and (a) (2) of this List 19) specified for such type in Table A.

Table A

	Grade of compound
Pusey & Jones Plastometer (hardness—⅛" ball):	
Above 220	M-C, M-SB-5, M-SN-5 or M-ST-2.
180-220	M-D, M-SB-5, M-SN-5 or M-ST-2.
90-180	M-E, M-SB-5, M-SN-5 or M-ST-2.
60- 90	M-F, M-SB-5, M-SN-5 or M-ST-2.
0- 60	M-G-1, M-SB-5, M-SN-5 or M-ST-2.
Base rubber for rolls of all hardnesses	M-H-2.

(2) The cover thickness of each of the types of rolls listed in table B below shall not exceed that specified for such type in table B.

Table B

Industry	Type of roll	Maximum cover thickness
Paper		
Group I	Press, smoothing, sizing, lump breaker, breast pad.	¾" on rolls up to and including 24" core diameter. ⅞" on rolls of larger core diameter.
	Waxing—all types	½".
	Baby, monkey and primary press.	When used as top roll ¾"; when used as bottom roll ½".
Group II	Suction press	7/16".
	Couch, including cylinder wet machine and extractor.	1¼".
	Couch, for deckers, thickeners, save-alls, and washers.	½".
	Felt, table, wire carrier, guide.	¼".
	Worm felt	¼" over-all.
	Draw cutters (wormed).	½" over-all.
	Coating	1".

NOTE 1: Coverings for the classes of rolls described in Group II above may be applied only to cores already in use as a component part of the machine. No new cores for existing or new machines may be covered with rubber.
NOTE 2: Embossing rolls shall not be rubber covered.

[Textile industry for dyeing, bleaching and finishing industry]

Type of roll	*Maximum cover thickness, inch*
For flat goods service:	
Top rolls—all types	5/8
Bottom rolls	3/8
For rope form and warp yarn service:	
Top rolls—all types	¾
Bottom	3/8
For other services, including jig, beam, immersion guide, and where protective covering against corrosive chemicals is required	¼

NOTE: Wool scouring rolls may be made to existing dimensions.

[Tanning Industry]

Type of roll	*Maximum cover thickness, inches*
Splitting machines	1
Setting-out, buffing, fleshing, putting-out, unhairing	¾
Wringer, shaving, breast and staking	½
Steel mills	
Electrolytic and tinning	⅝
Scrubber	1½
Carrier and support	1
Dancer and immersion	¾
Acid	¾
Pinch	1½
Polishing	1¼
Bonderizing	¾

NOTE: On all rolls where ends, shafts or shoulders are protected from corrosion with coverings, the thickness shall not exceed ¼". For all other industrial rolls (except those excluded in the caption of this List 19) a thickness of covering in excess of ¾" maximum is prohibited.

[F. R. Doc. 42-7990; Filed, August 15, 1942; 11:46 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 12 as Amended August 10, 1942]

ESTABLISHING REBATING PROCEDURES

Corrections

In paragraph (d) (2) (i) of § 944.33, appearing on page 6257 of the issue of Wednesday, August 12, 1942, the first sentence should read as follows:

(i) The PRP Unit shall first determine, as of the latest practicable date, (*a*) the total dollar amount of all unfilled orders placed with it which are scheduled for production (though subject to postponement or cancellation in case of receipt of higher rated orders), and (*b*) the percentage of such dollar amount covered by each grade of preference rating, taking into account all changes of ratings as of said date.

[1] 7 F.R. 967, 2344, 2346, 2449, 2595, 2782, 4480, 4448, 5019, 5296, 5592, 5603, 5748, 5984, 6071, 6211.

In paragraph (d) (2) (ii) the last sentence should read as follows:

However, in cases where detailed examination of outstanding purchase orders would be impracticable, reasonable estimates may be made, and physical segregation of material obtained under different ratings is not required: *Provided*, That the amounts of each kind of material used to fill orders bearing different ratings do not exceed the amounts permitted by compliance with said limitations.

Paragraph (e) (2), appearing on page 6258, should read as follows:

(2) Each person rerating any delivery to be made to him shall maintain at his regular place of business for not less than two years copies of all rerating certificates issued by him, records of the basis of each determination of a new rating pattern made by him pursuant to paragraph (d) (2) of this regulation, and all rerating directions or certificates received by him, upon which he relies as entitling him to rerate such deliveries. In the case of a PRP Unit applying ratings pursuant to paragraph (d) (2) of this regulation, such records must clearly indicate which rating pattern has been used with respect to each order rated or rerated by the Unit. All such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. Notices to suppliers shall be signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Extension 1 of Supplemental General Imports Order M-63-b]

Supplemental General Imports Order M-63-b[1] (§ 1042.3) is hereby extended, to expire at 12:00 midnight September 30, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7987; Filed, August 15, 1942; 11:45 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Amendment 3 to Schedule II to Limitation Order L-42]

The following fittings are added to Table 2 of the Appendix to § 1076.3 (Schedule II[1] to Limitation Order No. L-42):

Reducing Tees

1 x 1 x ¼"	4 x 2½ x 3"
1 x ¼ x 1"	4 x 2 x 3½"
1¼ x 1 x 2"	3½ x 3½ x 4"
1½ x 1 x ½"	3½ x 3 x 4"
1½ x ½ x 1¼"	3½ x 2½ x 4"
1¼ x 1 x 1½"	3½ x 2 x 4"
2 x 1¼ x 1"	3 x 2½ x 4"
2 x 1 x 1½"	5 x 5 x 3½"
2 x 1 x 1¼"	5 x 4 x 3½"
2 x ½ x 1½"	5 x 4 x 3"
1½ x 1¼ x 2"	5 x 4 x 2½"
1½ x 1 x 2"	5 x 4 x 2"
1¼ x 1 x 2"	5 x 4 x 1½"
2½ x 1¼ x 2"	5 x 4 x 1¼"
2½ x 1¼ x 1½"	5 x 3½ x 3"
2½ x 1 x 2"	5 x 3½ x 4"
2½ x 1½ x 2"	5 x 3½ x 3"
2 x 1½ x 2½"	5 x 3 x 4"
2 x 1¼ x 2½"	5 x 3 x 3½"
3 x 2½ x 1½"	5 x 3 x 3"
3 x 1½ x 2½"	5 x 2½ x 3"
3 x 1¼ x 2½"	5 x 2½ x 4"
3 x 1 x 2½"	5 x 1½ x 5"
2½ x 2 x 3"	5 x 1¼ x 5"
2½ x 1½ x 3"	4 x 3½ x 5"
2½ x 1¼ x 3"	4 x 3 x 5"
2½ x 1 x 3"	4 x 2½ x 5"
3½ x 3 x 3½"	3½ x 3½ x 5"
3½ x 3 x 3"	3½ x 3 x 5"
3½ x 3 x 2½"	3 x 3 x 5"
3½ x 3 x 2"	6 x 6 x 3½"
3½ x 3 x 1½"	6 x 5 x 6"
3½ x 3 x 1¼"	6 x 5 x 3½"
3½ x 3 x 1"	6 x 5 x 1½"
3½ x 2½ x 3½"	6 x 5 x 1¼"
3½ x 2½ x 3"	6 x 3½ x 6"
3½ x 2½ x 2½"	6 x 3½ x 5"
3½ x 3½ x 3½"	6 x 3 x 5"
3½ x 2 x 3"	6 x 3 x 4"
3½ x 1½ x 3½"	6 x 1½ x 6"
3½ x 1¼ x 3½"	6 x 1¼ x 6"
3½ x 1 x 3½"	5 x 4 x 6"
3 x 3 x 3½"	5 x 3½ x 6"
3 x 2½ x 3½"	5 x 3 x 6"
3 x 1½ x 3½"	4 x 3½ x 6"
2½ x 2½ x 3½"	8 x 8 x 3½"
4 x 3½ x 4"	8 x 8 x 3"
4 x 3½ x 3½"	8 x 8 x 2½"
4 x 3½ x 3"	8 x 8 x 2"
4 x 3½ x 2½"	8 x 6 x 6"
4 x 3½ x 2"	8 x 6 x 5"
4 x 3½ x 1½"	8 x 6 x 4"
4 x 3½ x 1¼"	8 x 5 x 5"
4 x 3½ x 1"	8 x 4 x 8"
4 x 3 x 3½"	8 x 2 x 8"
4 x 2½ x 3½"	6 x 5 x 8"

Reducing Crosses

1½ x 1½ x 1 x 1"	3½ x 3 x 2 x 2"
1½ x 1¼ x 1 x 1"	3½ x 3 x 1½ x 1¼"
2 x 2 x 1 x 1"	3½ x 3 x 1¼ x 1¼"
2 x 1½ x 1¼ x 1¼"	4 x 4 x 3½ x 3½"
2 x 1½ x 1 x 1"	4 x 4 x 3 x 3"
2½ x 2½ x 2 x 2"	4 x 4 x 2½ x 2½"
2½ x 2½ x 1½ x 1½"	4 x 4 x 2 x 2"
2½ x 2½ x 1¼ x 1¼"	4 x 4 x 1½ x 1½"
2½ x 2½ x 1 x 1"	4 x 4 x 1¼ x 1¼"
2½ x 2 x 2 x 2"	4 x 4 x 1 x 1"
2½ x 2 x 1½ x 1½"	4 x 3½ x 2½ x 1"
2½ x 2 x 1¼ x 1¼"	4 x 3½ x 2 x 2"
2½ x 1½ x 1½ x 1"	4 x 3½ x 1½ x 1½"
2½ x 1½ x 1¼ x 1¼"	4 x 3½ x 1¼ x 1¼"
3 x 3 x 2½ x 2½"	5 x 5 x 4 x 4"
3 x 3 x 2 x 2"	5 x 5 x 3½ x 3½"
3 x 3 x 1½ x 1½"	5 x 5 x 3 x 3"
3 x 3 x 1¼ x 1¼"	5 x 5 x 2½ x 2½"
3 x 3 x 1 x 1"	5 x 5 x 1½ x 1½"
3 x 2½ x 2 x 2"	5 x 5 x 1¼ x 1¼"
3 x 2½ x 1½ x 1½"	8 x 4 x 2½ x 2½"
3 x 2½ x 1¼ x 1¼"	5 x 4 x 2 x 2"
3 x 2½ x 1 x 1"	5 x 5 x 2 x 2"
3½ x 3½ x 3 x 3"	6 x 6 x 5 x 5"
3½ x 3½ x 2½ x 2½"	6 x 6 x 4 x 4"
3½ x 3½ x 2 x 2"	6 x 6 x 3½ x 3½"
3½ x 3½ x 1½ x 1½"	6 x 6 x 3 x 3"
3½ x 3½ x 1¼ x 1¼"	6 x 6 x 2½ x 2½"
3½ x 3½ x 1 x 1"	6 x 6 x 2 x 2"
3½ x 3 x 2½ x 2½"	6 x 6 x 1½ x 1¼"
8 x 8 x 4 x 4"	8 x 8 x 6 x 6"

Reducers-Eccentric

1¼ x 1	1½ x ¾
1¼ x ¾	2 x 1½
1½ x 1¼	2 x 1¼
1½ x 1	2 x 1

[1] 7 F.R. 4880.

Reducers-Eccentric—Continued

2 x ¾	4 x 2½
2½ x 2	4 x 2
2½ x 1½	4 x 1½
2½ x 1¼	4 x 1¼
2½ x 1	4 x 1
3 x 2½	5 x 4
3 x 2	5 x 3½
3 x 1½	5 x 3
3 x 1¼	5 x 2½
3 x 1	5 x 2
3½ x 3	6 x 5
3½ x 2½	6 x 4
3½ x 2	6 x 3½
3½ x 1½	6 x 3
3½ x 1¼	6 x 2½
3½ x 1	6 x 2
4 x 3½	8 x 6
4 x 3	8 x 5

(b) The following fittings are added to Table 5 of the Appendix to § 1076.3 (Schedule II to Limitation Order No. L-42):

Bushings-Eccentric

1¼ x ¼	3½ x 2
1¼ x ½	3½ x 1½
1½ x ¾	3½ x 1¼
1½ x ½	4 x 3
2 x 1¼	4 x 2½
2 x 1	4 x 2
2 x ¾	4 x 1½
2 x ½	4 x 1¼
2½ x 1¼	4 x 1
2½ x 1¼	5 x 4
2½ x 1	5 x 3½
2½ x ¾	5 x 3
2½ x ½	5 x 2½
3 x 2	5 x 2
3 x 1½	6 x 4
3 x 1¼	6 x 3
3 x 1	6 x 2½
3 x ¾	6 x 2
3½ x 2½	

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7988; Filed, August 15, 1942; 11:45 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Amendment 1 to General Limitation Order L-86]

Section 1167.1 *General Limitation Order L-86*[1] is amended in the following respects:

1. Paragraph (d) (5) is amended to read as follows:

(5) To any case where the Director General for Operations, War Production Board, has determined that the use of liquefied petroleum gas equipment is necessary and appropriate in the public interest and to promote the war effort (including any such determination made under Conservation Order M-68-c[2]). Application for such a determination shall be made on Form PD-397 (Revised) and filed with the Director General for Operations, Washington, D. C.

[1] 7 F.R. 1571, 2351, 2626, 3713.

[1] 7 F.R. 2709, 3083.
[2] 7 F.R. 2272, 3806, 4760.

2. Paragraph (f) is amended by striking out "or Preference Rating Order P-98".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7989; Filed, August 15, 1942; 11:45 a. m.]

PART 1096—WOOD PULP

[Amendment 2 to General Preference Order M-93]

Paragraph (e) of § 1096.1 *General Preference Order M-93*,[1] as amended, is hereby amended to read as follows:

(e) *Special provisions as to deliveries*—(1) *Small quantities.* Notwithstanding the provisions of paragraphs (c) and (d) of this order, any person may deliver wood pulp to any other person or persons in an amount not exceeding five tons of any one grade to each such person during any calendar month, and any person may accept deliveries of wood pulp from any other person or persons in an amount not exceeding five tons of any one grade from each such person during any calendar month.

(2) *Intra-company deliveries.* The prohibitions and restrictions contained in this order shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single business enterprise to another branch, division, or section of the same or any other business enterprise to another branch, division, or section of the same or any other business enterprise under common ownership or control; and each such affiliate, subsidiary, branch, division or section shall for the purposes of this order be deemed a separate person.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8020; filed, August 17, 1942; 11:17 a. m.]

PART 1108—REPAIR, MAINTENANCE, AND OPERATION OF PLANTS PROCESSING OR PRODUCING DAIRY PRODUCTS

[Interpretation 1 of Preference Rating Order P-118]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1108.1 *Preference Rating Order P-118*.[1]

Order P-118, as amended, assigns high preference ratings to milk and cream "processors" to enable them to obtain deliveries of repair, maintenance, operating and replacement materials in sufficient time to avoid spoilage of milk or cream.

The order defines a "processor" as a person engaged in certain dairy businesses, to the extent that he is so engaged. Question has arisen as to what phases of such a processor's business may be supplied under the order. The order is interpreted as applying to only the primary processing operations and not to secondary processing or distribution operations. The line of demarcation between primary processing and secondary processing is at the point at which milk, cream, or dairy products have been made ready for delivery from the processor's original processing plant. Ratings under the order may be applied to materials related to any operations up to that point, subject to the restrictions in the order. Ratings under the order may not be applied to materials related to the operations beyond that point, such as delivery from the original plant, reprocessing or repackaging ice cream mix, cheese, butter or other dairy products in a plant other than the original plant, distribution of the finished product, or refrigeration maintained in customers' establishments.

Question has also arisen as to whether the ratings under the order may be applied to obtain automotive replacement parts. The War Production Board program for automotive replacement parts, as provided for in Limitation Order No. L-158[2] (Part 1297), is devised to develop a sufficient supply of such parts to meet reasonable needs without the use of preference ratings for their acquisition. Order P-118, in paragraph (d) (1) (iii) as amended, prohibits the use of its ratings to obtain material which can be secured without the use of those ratings. Therefore, such ratings may not be used to obtain automotive replacement parts.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8019; Filed, August 17, 1942; 11:17 a. m.]

[1] 7 F.R. 1978, 2237, 2789, 5022.

[1] 7 F.R. 2937, 3078, 4840.

[1] 7 F.R. 5127, 5982.

Chapter XI—Office of Price Administration

PART 1302—ALUMINUM

[Revised Price Schedule 2,[1] as Amended]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this Revised Price Schedule No. 2, as amended, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The title, preamble, and §§ 1302.1 to 1302.11, inclusive, of Revised Price Schedule No. 2 are renumbered and amended to read as set forth herein:

In the judgment of the Price Administrator the prices of aluminum scrap and secondary aluminum ingot have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of aluminum scrap and secondary aluminum ingot prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by the Price Schedule.

In the judgment of the Price Administrator the maximum prices established by this Revised Price Schedule No. 2, as amended, are, and will be, generally fair and equitable and will effectuate the purposes of the Act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Revised Price Schedule No. 2, as amended, is hereby issued.

Sec.

1302.1 Prohibition against dealing in aluminum scrap at prices above the maximum.
1302.2 Prohibition against dealing in secondary aluminum ingot at prices above the maximum.
1302.3 Less than maximum prices.
1302.4 Sales for export.
1302.5 Adjustable pricing.
1302.6 Evasion.
1302.7 Records.
1302.8 Reports.
1302.9 Enforcement.
1302.10 Petitions for amendment.
1302.11 Applicability of General Maximum Price Regulation.
1302.12 Definitions.
1302.13 Effective date of Revised Price Schedule No. 2, as amended.
1302.14 Appendix A: Maximum prices for aluminum scrap.
1302.15 Appendix B: Maximum prices for secondary aluminum ingot.

AUTHORITY: §§ 1302.1 to 1302.15, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1302.1 *Prohibition against dealing in aluminum scrap at prices above the maximum.* (a) On and after August 20, 1942, regardless of any contract, agreement, lease or other obligation, and except as provided in paragraph (b) of this section, no person shall sell or deliver aluminum scrap, and no person in the course of trade or business shall buy or receive aluminum scrap, at a price higher than the maximum prices established for such scrap by Appendix A (§ 1302.14); and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to August 20, 1942, under the terms of, and at prices in conformance with, Revised Price Schedule No. 2, may be carried out at contract prices until September 20, 1942.

(b) Any person may sell, offer to sell, deliver or transfer aluminum scrap to the Metals Reserve Company, or its duly authorized agent or agents, pursuant to the program with respect to idle or excessive inventories of aluminum materials adopted and announced by the War Production Board, Division of Industry Operations, on February 24, 1942; and the Metals Reserve Company, or its duly authorized agent or agents, may buy, offer to buy, or accept delivery of, aluminum scrap, pursuant to such program, without regard to the provisions of Revised Price Schedule No. 2, as amended: *Provided, however*, That the provisions of Revised Price Schedule No. 2, as amended, shall apply to all sales, deliveries, or transfers of such aluminum scrap by the Metals Reserve Company or its duly authorized agent or agents.

§ 1302.2 *Prohibition against dealing in secondary aluminum ingot at prices above the maximum.* (a) On and after August 20, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver secondary aluminum ingot, and no person in the course of trade or business shall buy or receive secondary aluminum ingot, at a price higher than the maximum prices established for such ingot by Appendix B (§ 1302.15); and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to August 20, 1942, under the terms of, and at prices in conformance with Revised Price Schedule No. 2, may be carried out at contract prices until September 20, 1942.

(b) The provisions of this § 1302.2 shall apply only to the 48 States of the United States and the District of Columbia.

§ 1302.3 *Less than maximum prices.* Lower prices than the maximum prices established by this Revised Price Schedule No. 2, as amended, may be charged, demanded, paid or offered.

§ 1302.4 *Sales for export.* The maximum price at which any person may export aluminum scrap or secondary aluminum ingot shall be determined in accordance with the provisions of the Maximum Export Price Regulation,[3] issued by the Office of Price Administration.

§ 1302.5 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In any appropriate situation where a petition for an adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1302.6 *Evasion.* The price limitations set forth in this Revised Price Schedule No. 2, as amended, shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to aluminum scrap or secondary aluminum ingot, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1302.7 *Records.* (a) On and after August 20, 1942, every person making sales and every person in the course of trade or business making purchases of aluminum scrap shall keep for inspection by the Office of Price Administration, for not less than two years, complete and accurate records of each such sale or purchase, showing: (1) the date thereof, (2) the name and address of the buyer or seller, (3) the quantity in pounds of each kind or grade of aluminum scrap purchased or sold, (4) the price paid or received, (5) the method of delivery and delivery charges paid or received, (6) the dates of settlement and method of payment, and (7) other terms of sale and shipment.

(b) On and after August 20, 1942, every sale of secondary aluminum ingot shall be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state: (1) the date of delivery, (2) the names and addresses of the buyer and seller, (3) the quantity in pounds ordered and delivered, (4) the price per pound, and the total amount payable by the buyer, showing separately the transportation costs, if such costs exceed 75 cents per hundredweight and if the excess is payable by the buyer, (5) the alloy number or other identification, and (6) whether or not such ingot was produced in melts or heats of 250 pounds or less.

(c) Every buyer of secondary aluminum ingot shall preserve for inspection by the Office of Price Administration, for a period of at least two years, the original, and every seller of secondary aluminum ingot shall so preserve a copy, of each invoice required to be furnished by paragraph (b) of this section.

§ 1302.8 *Reports.* (a) On or before the first day of the second calendar month following the close of each quarter of his fiscal year, beginning with the first quarter following August 20, 1942, each producer of secondary aluminum ingot who has not filed OPA Form B—Interim Financial Report, covering such accounting period shall furnish to the Office of Price Administration his balance sheet and profit and loss statement covering such accounting period as normally prepared for his own use, except that such profit and loss statement shall show the profit of such producer before Federal income and excess profits taxes.

(b) Persons affected by this Revised Price Schedule No. 2, as amended, shall also submit such other reports to the Office of Price Administration as the Administrator may from time to time require.

§ 1302.9. *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 2, as amended, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 2, as amended, or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No 5[4]—Licensing, are applicable to every dealer subject to this Revised Price Schedule No. 2, as amended, selling aluminum scrap to a consumer. "Dealer" shall have the meaning given to it by Supplementary Order No. 5.

§ 1302.10 *Petitions for amendment.* Persons seeking any modification of this Revised Price Schedule No. 2, as amended, or an adjustment or exception not provided for therein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1302.11 *Applicability of General Maximum Price Regulation.*[5] The provisions of this Revised Price Schedule No. 2, as amended, supersede the provisions of the General Maximum Price Regulation with respect to the sales and deliveries for which maximum prices are established by this Revised Price Schedule No. 2, as amended.

§ 1302.12 *Definitions.* (a) When used in this Revised Price Schedule No. 2, as amended, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Aluminum scrap" means the grades of aluminum scrap set forth in § 1302.14, Appendix A. These grades include all aluminum materials which are the waste or by-product of any kind of metal working, as well as materials which have been discarded from inventory or use because of obsolescence, failure or other reason, and which are to be remelted for further use.

(3) "Secondary aluminum ingot" includes the grades of secondary aluminum ingot set forth in § 1302.15, Appendix B, and all other kinds and grades of secondary ingot containing 50% or more aluminum by weight.

(4) "Consumer" includes any person whose business consists, in whole or in part, of smelting, refining, melting, or otherwise processing scrap into a form other than scrap or of having such scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by, a consumer, and any person owned, operated or otherwise controlled by an officer, director, partner, or proprietor of a consumer shall also be considered to be a consumer for the purposes of this Revised Price Schedule No. 2, as amended.

(5) "Point of shipment" means the point at which aluminum scrap is first loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but if the scrap is shipped directly to the buyer's receiving point from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment. In the case of scrap shipped by water from outside the limits of the continental United States, the point of shipment means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. If such scrap is brought into the continental United States by overland shipment from Mexico or Canada, the point of shipment means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico or Canada, as the case may be, at which the scrap first enters the United States.

(6) "At the buyer's receiving point" means that aluminum scrap or secondary aluminum ingot has arrived at the buyer's plant, warehouse or yard and is ready for unloading.

(7) "Shipment at one time" includes all aluminum scrap which, under a single contract of purchase or other agreement and within any three consecutive calendar days, excluding Saturdays, Sundays and legal holidays is (i) received at one or more points of shipment by the public carrier transporting such scrap to the buyer's receiving point, or (ii) loaded on the buyer's conveyance at one or more points of shipment, or (iii) received at the buyer's receiving point from one or more points of shipment when delivery is made otherwise than by a public carrier or the buyer's conveyance.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Revised Price Schedule No. 2, as amended.

§ 1302.13 *Effective date of Revised Price Schedule No. 2, as amended.* This Revised Price Schedule No. 2, as amended, (§§ 1302.1 to 1302.15, inclusive) shall become effective August 20, 1942.

§ 1302.14 *Appendix A: Maximum prices for aluminum scrap.*—(a) *Schedule of prices.* (The maximum prices for aluminum scrap established in this § 1302.14, with the exception of those established for drosses, skimmings, grindings, sweepings, sawings and spatters, are f. o. b. point of shipment. In the case of drosses, skimmings, grindings, sweepings, sawings and spatters the maximum prices herein established are for such scrap delivered to the buyer's receiving point.)

Grade of aluminum scrap	Column I: Maximum price (cents per pound) for shipment at one time of less than 1,000 pounds	Column II: Maximum price (cents per pound) for shipment at one time of 1,000 to 20,000 pounds (if shipped by truck) or 1,000 pounds to minimum carload (if shipped by rail)	Column III: Maximum price (cents per pound) for shipment at one time of 20,000 pounds or more (if shipped by truck) or minimum carload or more if shipped by rail)
(1) *Plant scrap, segregated:*			
2S solids	10	11	11½
17S, 24S, and 52S solids briquetted, or in large pieces too heavy to briquette	10½	11½	12
Baled or packaged, suitable for briquetting	10	11	11½
Loose, suitable for briquetting	9½	10½	11
All other solids	9½	10½	11
Borings and turnings	7½	8½	9
(2) *Plant scrap, mixed:*			
All solids	8½	9½	10
Borings and turnings	6½	7½	8
(3) *Obsolete scrap:*			
Pure cable	10	11	11½
Old sheet and utensils	8½	9½	10
Old castings and forgings	9	9½	10
Pistons free of struts	9	9½	10
Pistons with struts	7	7½	8
(4) *Drosses, skimmings, grindings, sweepings, sawings, and spatters.*	8 cents per pound of metal contained, as determined by fire assay, irrespective of quantity.		

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1203, 1600, 1836, 2132, 3746, 4584.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 3096, 3824, 4294, 4541.

[4] 7 F.R. 3403.

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445.

NOTE 1. *Meaning of terms.* "Plant scrap" means scrap which is generated in the course of fabrication or manufacture and includes new material or parts rejected or discarded because defective, damaged in processing, or otherwise unfit for use. The terms "solids" and "solid plant scrap" mean plant scrap generated by shearing, clipping, cutting, blanking, or similar process, also defective or rejected wrought aluminum parts, defective or rejected castings, and gates, sprues, risers or similar foundry scrap. Scrap shall not be deemed "segregated", whether in the form of solids or in the form of borings, turnings or other machinings, unless it consists of one alloy only and is so identified and handled as to be accepted for reprocessing into aluminum of the original alloy specifications without the necessity for other than routine examination by the processor.

NOTE 2. *Low-grade or contaminated scrap.* Maximum prices may be charged and paid only for scrap which is clean and dry and which otherwise meets generally accepted maximum standards of the trade. Low-grade scrap, scrap which is not clean and dry or which is otherwise contaminated, and scrap which for any other reason fails to meet such maximum standards, must be sold at prices below the established maximum prices. It is particularly important that proper deductions from the established maximum prices be made for oil, water and other forms of contamination contained in borings, turnings and similar machinings.

NOTE 3. *Quantity differentials.* The requisite quantities for which premiums are provided in Columns II and III, above, may consist of various grades of aluminum scrap, but other metals may not be included for the purpose of making up such quantities. A minimum carload is the minimum quantity, as set forth in the tariffs of the railroads, upon which the lowest carload rate from the point of shipment to the buyer's receiving point is based. In computing the weight necessary to obtain a quantity differential the actual weight of the material at the point of shipment, as determined by the public carrier, or as certified to and accepted by the public carrier, or as certified by a public weigher, is to be used. If the weight of the material at the point of shipment is not determined by any of the methods herein specified the actual weight of the material at the buyer's receiving point shall be used.

NOTE 4. *Aluminum foil.* Aluminum foil and light gauge aluminum sheet which does not exceed 0.006 of an inch in thickness is not considered within this Price Schedule, but the provisions of the General Maximum Price Regulation shall apply to such scrap.

(b) *Delivery charges.* (1) If aluminum scrap is delivered to the buyer's receiving point by a pubic (common or contract) carrier, the maximum delivery charge which may be added to the established maximum price, f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If aluminum scrap is delivered to the buyer's receiving point by vehicle owned or controlled by the seller or by private carrier not owned or controlled by the buyer, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.60
10	15	1.80
15	20	1.95
20	25	2.10
25	30	2.25
30	35	2.40
35	40	2.55
40	50	2.80
50	60	3.00
60	70	3.20
70	80	3.40
80	90	3.60
90	100	3.80
100	110	3.95
110	120	4.10
120	130	4.25
130	140	4.40
140	150	4.55
150	160	4.70
160	170	4.85
170	180	5.00
180	190	5.15
190	200	5.30
200	210	5.45
210	220	5.60
220	230	5.75
230	240	5.90
240	250	6.05
250	260	6.20
260	270	6.35
270	280	6.50
280	290	6.65
290	300	6.80
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of aluminum scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the table above.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(3) The seller shall furnish to the buyer on the invoice or on a separate statement the point or points of shipment, the mileage upon which the delivery charge is based, and the total delivery charge.

(4) If aluminum scrap is shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad: the rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(ii) Entirely by public carrier truck: the established rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the buyer: the rate set forth in subparagraph (2) of this paragraph (b) from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the buyer, or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (4): *Provided*, That the rate governing any method of shipment not actually employed may be disregarded.

§ 1302.15 *Appendix B: Maximum prices for secondary aluminum ingot*—(a) *Delivery charges.* The maximum prices herein established for secondary aluminum ingot include transportation costs to any destination within the continental United States, not exceeding the lowest carload rate of rail freight, but in no event to exceed 75 cents per hundredweight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

(b) *Certain common alloys.*

Grades:	Maximum price (cents per pound)
98 percent pure aluminum ingot	15
Silicon alloys	15
Piston alloys	14½
No. 12 aluminum	14½
Deoxidizing aluminum, notch-bar, granulated or shot	[1] 13½

[1] Plus 2 cents for special shapes.

Quantity Differentials

The maximum prices established above are applicable if secondary aluminum ingot is either sold or delivered in quantities of 30,000 pounds or more. The following premiums may be charged, in addition to the maximum prices set forth above, for the quantities specified;

Quantity:	Premium (cents per pound)
10,000 to 30,000 pounds	¼
1,000 to 10,000 pounds	½
Less than 1,000 pounds	1

In determining whether the quantity differentials herein provided are applicable, the quantity sold or the quantity delivered to one buyer at one time, whichever is larger, shall be used in all cases, and regardless of the fact that such sale or shipment may be composed of different alloys.

(c) *Other alloys.* (1) Except as provided in paragraphs (d) and (e) of this section, the maximum price for any grade of secondary aluminum ingot other than a grade for which a maximum price is established in paragraph (b) of this section, shall be a price approved by the Administrator. Pending such approval by the Administrator, any person may sell or deliver, and any person may buy or receive, any such ingot at the price submitted for approval. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved the seller shall refund the excess: *Provided*, however, that the price submitted by the seller for approval shall be deemed to be approved unless the Administrator specifically disapproves such price and establishes an approved maximum price within 15 days from the date on which the report required in paragraph (c) (2) (i) of this section is received by the Office of Price Administration, or, if further information is requested from the seller within such 15-day period, then within 15 days from the date on which all such information is received by the Office of Price Administration.

(2) On and after August 20, 1942, except as hereinafter specifically provided, the seller of any such ingot shall:

(i) report every such sale to the Office of Price Administration, Washington, D. C., within five days from the date thereof, stating:

(*a*) The name and address of the buyer;

(*b*) The quantity sold;

(*c*) The proposed price;

(*d*) The alloy content of such ingot, including specific mention of any impurity limitations;

(*e*) The cost breakdown, including the type of metals used and the cost thereof, the smelting cost, and the allowance for overhead; and

(ii) Provide such other information concerning the manufacture and sale of such ingot as may be required by the Administrator in order to determine the proper maximum price for such ingot.

(3) The foregoing provisions of this paragraph (c) shall not apply to sales of any ingot at a price previously reported to and approved by the Administrator in accordance with the provisions of this paragraph (c). Whenever the price proposed by any person for a particular grade of secondary aluminum ingot has been so reported, the price so approved by the Administrator shall be the maximum price at which such person may thereafter sell such ingot; but each subsequent sale thereof shall be reported in accordance with the provisions of subparagraph (2) of this paragraph (c), except that the cost breakdown required by paragraph (c) (2) (i) (*e*) need not be furnished. Nothing herein contained, however, shall be construed to prevent the Administrator from adjusting any price so approved when in his judgment such adjustment is warranted.

(d) *Other alloys produced in small quantities.* The maximum price for any grade of secondary aluminum ingot, other than a grade for which a maximum price is established in paragraph (b) of this section, which is produced in melts or heats of 250 pounds or less, shall be:

(1) The highest price which the seller charged for such grade of ingot delivered by him to a purchaser of the same class during March 1942; or

(2) If the seller did not deliver such grade of ingot to a purchaser of the same class during March 1942, the highest price quoted in the seller's price list, or, if he had no price list, the highest price which the seller regularly quoted in any other manner, for delivery of such grade of ingot to a purchaser of the same class during March 1942; or

(3) If the maximum price for such grade of ingot cannot be determined under the foregoing provisions of this paragraph (d), a price approved by the Administrator. On and after August 20, 1942, the seller of any such grade of ingot shall report every such sale to the Office of Price Administration and obtain approval of a maximum price for such grade as prescribed in paragraph (c) of this section. The provisions of paragraph (c) shall apply in all respects to sales of such grade of ingot, except that the cost breakdown required by paragraph (c) (2) (i) (*e*) need not be furnished.

(e) *Other alloys sold for 15 cents or less during March 1942.* The maximum price for any grade of secondary aluminum ingot, other than a grade for which a maximum price is established in paragraphs (b) and (d) of this section, shall be:

(1) The highest price which the seller charged for that grade of ingot delivered by him to a purchaser of the same class during March 1942: *Provided*, That the highest price so charged was 15 cents per pound or less; or,

(2) If the seller did not deliver that grade of ingot to a purchaser of the same class during March 1942 as prescribed in subparagraph (e) (1) of this section, the highest price quoted in the seller's price list, or, if he had no price list, the highest price which the seller regularly quoted in any other manner, for delivery of that grade of ingot to a purchaser of the same class during March 1942: *Provided*, That the highest price so quoted was 15 cents per pound or less; or

(3) If the maximum price for such grade of ingot cannot be determined under the foregoing provisions of this paragraph (e), a price approved by the Administrator. On and after August 20, 1942, the seller of any such grade of ingot shall report every such sale to the Office of Price Administration and obtain approval of a maximum price for such grade as prescribed in paragraph (c) of this section. The provisions of paragraph (c) shall apply in all respects to sales of such grades of ingot.

(*f*) *Meaning of terms.* For the purposes of paragraphs (d) and (e) of this section:

(1) In determining the highest price charged or quoted by him during March 1942, the seller shall, if such price was not quoted f. o. b. point of shipment, adjust such price so that it shall reflect the actual price charged by him f. o. b. point of shipment; and the price so determined shall be his maximum price, and shall include transportation costs to the extent specified in paragraph (a) of this section.

(2) Secondary aluminum ingot shall be deemed to have been "delivered," during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(3) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for secondary aluminum ingot for sales to different purchasers or kinds of purchasers or for purchasers located in different areas or for different quantities or under different conditions of sale.

Issued this 14th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7974; Filed, August 14, 1942; 4:54 p. m.]

PART 1340—FUEL

[Amendment 29 to Revised Price Schedule 88 [1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (5) the headnotes *Maximum prices for roofing flux f. o. b. refinery, roofing asphalt,* and *paving asphalt, cut-back asphalt, asphalt emulsions and road oils* are designated (i), (ii) and (iii), respectively, and a new subdivision (iv) is added as set forth below:

§ 1340.159. *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(5) *Paving and cut-back asphalts, asphalt emulsions, road oils, roofing asphalt and roofing flux.* * * *

(iv) *Maximum prices exclusive of taxes for paving asphalt, cut-back asphalt and road oils, f. o. b. refinery and ocean terminals in California, Washington and Oregon.* Notwithstanding the provisions of (iii) above, maximum prices for the grades of paving asphalt, cut-back asphalt and road oils specified below, f. o. b. refineries and terminals in the areas specified below shall be as follows:

(*a*) *Paving asphalt*

Location	Grade	Price per ton
Refineries within 50 miles of San Francisco, California.	11-40 Penetration	$12.00
	41-200 Penetration	9.50
Refineries within 100 rail miles of Bakersfield, California.	41-200 Penetration	9.50
Refineries within 50 miles of Los Angeles, California.	11-40 Penetration	12.00
	41-200 Penetration	9.00
Refineries in the Santa Maria Valley of California.	11-40 Penetration	10.00
	41-200 Penetration	7.50

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

(b) *Cut-back asphalt*

Location	Grade	Price per ton
Refineries within 50 miles of San Francisco, California.	RC-0 and RC-1	$11.50
	RC-2, RC-3, RC-4 and RC-5.	10.00
	MC-0 and MC-1	11.50
	MC-2, MC-3, MC-4 and MC-5.	10.00
Refineries within 100 rail miles of Bakersfield, California.	RC-0 and RC-1	11.50
	RC-2, RC-3, RC-4 and RC-5.	10.00
	MC-0 and MC-1	11.50
	MC-2, MC-3, MC-4 MC-5.	10.00
Refineries within 50 miles of Los Angeles, California.	RC-0 and RC-1	11.00
	RC-2, RC-3, RC-4 and RC-5.	9.50
	MC-0 and MC-1	11.00
	MC-2, MC-3, MC-4 and MC-5.	9.50
Refineries in the Santa Maria Valley of California.	RC-0 and RC-1	9.50
	RC-2, RC-3, RC-4 and RC-5.	8.00
	MC-0 and MC-1	9.50
	MC-2, MC-3, MC-4 and MC-5.	8.00
Terminals within 100 miles of Portland, Oregon, for water-borne cut-back asphalt only.	RC-3	12.50
	RC-4	12.50
	MC-2	12.50
Terminals within 150 miles of Seattle, Washington for water-borne cut-back asphalt only.	RC-3	12.50
	RC-4	12.50
	MC-2	12.50

(c) *Road oils*

Location	Grade	Price per ton
Refineries within 50 miles of San Francisco, California.	ROMC-0 and ROMC-1, ROMC-2 ROMC-3, ROMC-4, ROMC-5, and ROMC-6.	$11.50 10.00
	SC-0	10.00
	SC-1	7.60
	SC-1A	5.40
	SC-2, SC-3, SC-4, SC-5 and SC-6.	9.50
Refineries located within 100 rail miles of Bakersfield, California.	ROMC-0 and ROMC-1	$11.50
	ROMC-2, ROMC-3, ROMC-4, ROMC-5, and ROMC-6.	10.00
	SC-0	9.75
	SC-1	6.60
	SC-1A	5.10
	SC-2	7.50
	SC-3	8.00
	SC-4	8.00
	SC-5	9.00
	SC-6	9.00
Refineries within 50 miles of Los Angeles, California.	ROMC-0 and ROMC-1, ROMC-2 and ROMC-3, ROMC-4 and ROMC-5.	11.00 9.50
	SC-0	9.75
	SC-1	6.60
	SC-1A	5.10
	SC-2	7.00
	SC-3	7.50
	SC-4	7.50
	SC-5	8.50
	SC-6	8.50
Refineries located in the Santa Maria Valley of California.	ROMC-0 and ROMC-1 ROMC-2 and ROMC-3, ROMC-4 and ROMC-5, ROMC-6.	9.50 8.00
	SC-0	8.00
	SC-1	5.60
	SC-2	7.50
	SC-3	7.50
	SC-4	7.50
	SC-5	7.50
	SC-6	7.50
Terminals within 100 miles of Portland, Oregon for water-borne road-oils only.	SC-0	12.50
	SC-1A	6.30
	SC-2	12.00
Terminals within 100 miles of Seattle, Washington for water-borne road-oils only.	SC-0	12.50
	SC-1A	6.30
	SC-2	12.00

(*d*) The following charges may be added to the maximum f. o. b. refinery prices specified in (*a*), (*b*) and (*c*) above:

$6.00 a ton for paving asphalt sold in open head wooden barrels;

$7.25 a ton for paving asphalt sold in double head wooden barrels;

$7.50 a ton for paving asphalt sold in six hoop double head barrels; and

Other customary charges which were in effect between October 1 and 15, 1941 for handling, packaging and loading services;

Provided, however, That such charges may not be added unless they are separately itemized on the bills or invoices rendered to the buyer.

(*e*) Notwithstanding the provisions of (*a*), (*b*) and (*c*) above, refiners in the Santa Maria Valley of California may charge a price delivered to the buyer on the sale of any asphaltic product for which a maximum f. o. b. refinery price is established in (*a*), (*b*) or (*c*) not in excess of the sum of the maximum f. o. b. refinery or terminal price for the same product established for the refinery or terminal nearest to the particular destination and the rail freight tariff from such nearest refinery or terminal to destination.

(*f*) In any case where the maximum price for a particular grade of paving asphalt, cut-back asphalt or road oil f. o. b. refinery or terminal in the area specified in (*a*), (*b*) and (*c*) above is not provided for in (*a*), (*b*) or (*c*) the seller may set a tentative maximum price f. o. b. the particular refinery or terminal, in line with the maximum prices established by this § 1340.159 (c) (5) (iv) for refineries or terminals in the area in which the particular refinery or terminal is located. The seller shall request approval by the Office of Price Administration for such tentative maximum price within fifteen days after it has been set by him. In connection with such request, the seller shall file with the Office of Price Administration at its principal Office in Washington, D. C. a statement setting forth (*1*) such tentative price, (2) a description in detail of the grade to which such tentative price applies including its composition, specifications and quality, (3) the facts which differentiate such grade from the grades for which a maximum price is specified in (*a*), (*b*) or (*c*) above f. o. b. the particular refinery or terminal, and (*4*) the maximum prices established by this § 1340.159 (c) (5) (iv), for the most closely similar grade for which a maximum price is so specified which customarily sold for a price lower than the grade to which the tentative price applies and the most closely similar grade for which a maximum price is so specified which customarily sold at a price higher than the grade to which the tentative price applies. Such tentative price shall be the seller's maximum price f. o. b. the particular terminal or refinery for such grade unless it is disapproved in writing by the Office of Price Administration within 15 days from the date it is filed as above provided.

§ 1340.158a *Effective dates of amendments.* • • •

(cc) Amendment No. 29 (§ 1340.159 (c) (5)) to Revised Price Schedule No. 88 shall become effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc 42-7973; Filed, August 14, 1942; 4:53 p. m.]

PART 1340—FUEL

[Amendment 15 to Maximum Price Regulation 120]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Corrections

In the table appearing in § 1340.214 (b) (2) [page 6265 of the issue for Wednesday, August 12, 1942] the following changes should be made in the column for Size Group No. 10: opposite "D", "225" should read "220"; opposite "H", "290" should read "200"; opposite "J", "150" should read "195".

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 6 to Maximum Price Regulation 152[1]]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (e) is added to § 1341.22 and the last sentence of paragraph (g) is revoked.

§ 1341.22 *Canner's maximum prices for canned vegetables.* • • •

(e) If the maximum prices for the canner of No. 2 U. S. Grade C or better canned tomatoes and No. 2 U. S. Grade C or better canned peas, as determined under this section, are lower than the support prices for canned tomatoes and canned peas announced by the Secretary of Agriculture on December 19, 1941, the support prices so announced shall be the maximum prices for such canner.

• • • • • •

§ 1341.32 *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§ 1341.22 (e), (g)) shall become effective August 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7969; Filed, August 14, 1942; 4:50 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3895, 3963, 4453, 5133, 5363, 6219, 6266.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 8 to Rationing Order 3[1]]

SUGAR RATIONING REGULATION

A new item is added to § 1407.243, as set forth below:

Schedules

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
•	•	•
No. 8 (Aug. 23 to Oct. 31, 1942).	Stamp No. 8	5 pounds.

Effective Dates

§ 1407.222 *Effective dates of Amendments.* • • •

(h) Amendment No. 8 (§ 1407.243) to Rationing Order No. 3 shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong. 2d Sess., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E 7 F.R. 562, 2965)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7968; Filed, August 14, 1942; 4:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 21 to Supplementary Regulation 1[2] to General Maximum Price Regulation[3]]

EXCLUDING CERTAIN SALES AND DELIVERIES OF VOLATILE ("ESSENTIAL") OILS BY DOMESTIC GROWERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.26 is amended by adding a new subparagraph (4) to paragraph (b), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales, and deliveries.* • • •

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries: • • •

(4) Sales or deliveries of volatile ("essential") oils by the growers in any of the forty-eight states and the District of Columbia of the plants from which these oils were distilled.

• • • • • •

(e) *Effective dates.* • • •

(22) This Amendment 21 (§ 1499.26 (b) (4)) to Supplementary Regulation No. 1 shall become effective May 11, 1942.

(Public Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7971; Filed, August 14, 1942; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 22 to Supplementary Regulation 1[2] to General Maximum Price Regulation[3]]

FORD MOTOR CO.

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (5) has been added to paragraph (b) of § 1499.26 as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* • • •

(b) • • •

(5) Sales and deliveries until November 1, 1942 to the Ford Motor Company for use as raw material in its wood distillation plant at Iron Mountain, Michigan of saw or veneer mill wood wastes including, but not limited to, slabs, edgings, veneer log ends and cores, and ground wood.

• • • • • •

(e) *Effective dates.* • • •

(23) Amendment No. 22 (§ 1499.26 (b) (5)) to Supplementary Regulation No. 1 shall become effective August 14, 1942 (Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7970: Filed, August 14, 1942; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 8 to Supplementary Regulation 14[2] to General Maximum Price Regulation[4]]

FIREWOOD IN OREGON AND WASHINGTON

A new subparagraph (8) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(8) *Firewood in the States of Oregon and Washington.* In the States of Oregon and Washington, the maximum prices for the sale or delivery of firewood (e. g. cordwood, sawdust, mill ends and shavings and slabwood) may be modified as indicated below:

(i) Wherever the State Office of the Office of Price Administration for the State of Washington or for the State of Oregon determines, either upon application or its own motion, that the maximum prices established in section 2 of the General Maximum Price Regulation for the sale or delivery of firewood are inadequate to insure a sufficient supply of firewood to meet heating requirements in any locality or localities within its jurisdiction, it may by order adjust such maximum prices to the minimum extent necessary to insure a sufficient supply of firewood therein. Such adjustments shall be made in relation (*a*) to the increased production costs which sellers of firewood in the locality or localities affected must incur in order to produce such firewood, compared with the costs of production in March 1942 (or the nearest earlier month in which firewood was generally produced in such locality or localities), and/or (*b*) the extent of increased transportation costs which must be incurred by sellers of firewood in order to move sufficient supplies thereof to meet the requirements of the locality or localities affected and (*c*) such other circumstances as may be pertinent to the procurement of sufficient supplies of firewood to meet the requirements of the locality or localities affected.

(ii) (*a*) Every order issued pursuant to the provisions of subdivision (i) above shall be accompanied by a statement of the reasons for the action taken therein.

(*b*) Whenever a State Office issues such an order, it shall promptly take steps to insure that the order is duly publicized in the locality or localities affected, and shall transmit a copy thereof, together with the accompanying statement, to the Regional Office of the Office of Price Administration in San Francisco, California, and to the National Office of the Office of Price Administration in Washington, D. C.

(b) *Effective dates of amendments.* • • •

(9) Amendment No. 8 (§ 1499.73 (a) (8)) to Supplementary Regulation No. 14 to General Maximum Price Regulation shall become effective August 14, 1942. (Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7972; Filed, August 14, 1942; 4:52 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084.

[2] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5464, 5565, 5775.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

[3] F.R. 5486.

[4] F.R.. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6216.

PART 1306—IRON AND STEEL

[Amendment 2 to Revised Price Schedule 10 [1]]

PIG IRON

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph, (d), is added to § 1306.52, as set forth below:

§ 1306.52 *Maximum ("ceiling") prices on sales of pig iron.* • • •

(d) Notwithstanding the provisions of paragraphs (a) and (c) of this section, in any case in which the Price Administrator shall find that by reason of priority or preference ratings, allocation orders, or similar orders or requests of the War Production Board or other authorized Government agency, a shipment of pig iron is made from the Buffalo, New York, area to a place within the usual market area of the plant from which shipment is made and to which the customary method of shipment before the emergency conditions arising from the present war was by barge or by barge and rail, the Price Administrator may authorize the person selling such pig iron to charge, if barge transportation is not used for such shipment, a price therefor not to exceed the aggregate of: (1) the Basing Point Base Price at the Governing Basing Point; (2) differentials; (3) transportation charges from the Governing Basing Point to the place of delivery as customarily computed; (4) the difference between the charges for all-rail transportation and the charges for barge or barge and rail transportation from Buffalo to the place of delivery, calculated at the established rates in effect during the barge shipping season of 1941.

§ 1306.59 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1306.52 (d), 1306.59) to Revised Price Schedule No. 10 shall become effective August 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7996; Filed, August 15, 1942; 12:24 p. m.]

PART 1335—CHEMICALS

[Amendment 5 to Revised Price Schedule 68 [2]]

HIDE GLUE STOCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) of § 1335.510 is amended to read as set forth below:

§ 1335.510 *Appendix A: Maximum prices for hide glue stock.* (a) The following maximum prices are established for hide glue stock, f. o. b. seller's shipping point:

	Per cwt.
(1) Green salted hide trimmings—including green salted pates, green salted tips, cattle tail pieces.	$1.05
(2) Limed cattle trimmings—including limed hide trimmings, limed cattle pieces.	.87
(3) Goat trimmings and pieces—including long haired, short haired, de-haired.	.45
(4) Limed calf trimmings—including calf trimmings, green limed calf.	1.00
(5) Limed calf cheekings	2.25
(6) Chrome stock—including chrome splits, chrome shavings, chrome trimmings.	.50
(7) Coney stock	3.50
(8) Goat and sheep fleshings	.125
(9) Packers trimmings—including green salted ears, lips, snouts and tails, green salted sinews and pizzles.	.95
(10) Sheep trimmings—including limed sheep trimmings, limed sheep tails, pickled sheep.	.60
(11) Horse fleshings	.225
(12) Calf fleshings	.325
(13) Horse and Beam trimmings—including green salted horse trimmings, limed horse trimmings, beam trimmings, horse tail pieces.	.425
(14) Sole leather fleshings	.85
(15) Common and #2 fleshings	.66
(16) Other cattle fleshings—including sulfide fleshings, kip fleshings.	.575

§ 1335.509a *Effective dates of amendments.* • • •

(e) Amendment No. 5 (Paragraph (a) of § 1335.510) shall be effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7997; Filed, August 15, 1942; 12:24 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[Amendment 2 to Maximum Price Regulation 116 [1]]

CHINA AND POTTERY

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subdivision (iii) is added to § 1362.61 (b) (1) as set forth below:

§ 1362.61 *Appendix A: Maximum prices for sales of china and pottery by manufacturers.* • • •

(b) *Sales to purchasers other than departments or agencies of the United States Goverment*—(1) *Articles first offered for sale during the period October 1–October 15, 1941.* • • •

(iii) *Provided,* That, the maximum price for sales by Universal Potteries, Inc. of Cambridge, Ohio to Sears, Roebuck, & Company, Chicago, Illinois, of articles of the Empress pattern, decoration number C92–1 SAN, in sets and in open stock, shall be 110% of the prices at which such articles were offered for sale to Sears, Roebuck & Company, during the period October 1–October 15, 1941.

• • • • •

§ 1362.63 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1362.61 (b) (1) (iii) to Maximum Price Regulation No. 116 shall become effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7998; Filed, August 15, 1942; 12:25 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE WATERBURY DEFENSE-RENTAL AREA

The first sentence of § 1388.67 of Maximum Rent Regulation No. 2 is hereby amended to read as follows:

§ 1388.67 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Plymouth, Thomaston, Watertown in the County of Litchfield, and the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott in the County of New Haven, in the State of Connecticut, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.74a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.67) to Maximum Rent Regulation No. 2 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7995; Filed, August 15, 1942; 12:28 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1230, 1836, 2841.

[2] 7 F.R. 1338, 1836, 2000, 2182, 2241, 2948, 3125, 5362.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3036, 3858.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3 to Maximum Rent Regulation 5]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE BRIDGEPORT DEFENSE-RENTAL AREA

The first sentence of § 1388.217 of Maximum Rent Regulation No. 5 is hereby amended to read as follows:

§ 1388.217 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport in the County of Fairfield, in the State of Connecticut, on or before August 31, 1942) or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.224a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.217) to Maximum Rent Regulation No. 5 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7992; Filed, August 15, 1942; 12:27 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 6]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE HARTFORD-NEW BRITAIN DEFENSE-RENTAL AREA

The first sentence of § 1388.267 of Maximum Rent Regulation No. 6 is hereby amended to read as follows:

§ 1388.267 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks in the County of Hartford, the Towns of Cromwell, Middlefield, Middletown, and Portland in the County of Middlesex, the Towns of Meriden and Wallingford in the County of New Haven, and the Town of Vernon in the County of Tolland, in the State of Connecticut, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.274a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.267) to Maximum Rent Regulation No. 6 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7993; Filed, August 15, 1942; 12:27 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 26]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1707 of Maximum Rent Regulation No. 26 is hereby amended to read as follows:

§ 1388.1707 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation (or, as to housing accommodations within the New Haven Defense-Rental Area, the New London Defense-Rental Area, and the Bath Defense-Rental Area, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.1714a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1388.1707) to Maximum Rent Regulation No. 26 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7993; Filed, August 15, 1942; 12:27 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3 to Maximum Rent Regulation 28]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1807 of Maximum Rent Regulation No. 28 is hereby amended to read as follows:

§ 1388.1807 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation (or, as to housing accommodations within the Chicago Defense-Rental Area and the Pittsburgh Defense-Rental Area, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. • • •

§ 1388.1814a. *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1388.1807) to Maximum Rent Regulation No. 28 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7991; Filed, August 15, 1942; 12:27 p. m.]

PART 1389—APPAREL

[Correction to Maximum Price Regulation 177 [1]]

MEN'S AND BOYS' TAILORED CLOTHING

A statement of the considerations involved in the issuance of this correction has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The *Exception* in § 1389.105 (a) (2), and § 1389.119 (a) (3), are corrected as set forth below, and in § 1389.116 (d) the phrase "On and after 1942" is corrected to read "On and after July 11, 1942." A new § 1389.120a is added:

§ 1389.105 *Maximum prices for all sales of men's and boys' tailored clothing "made to measure" and "tailored to the trade."* • • •

(a) For garments other than outer coats. • • •

(2) • • • *Except:* That no maximum price determined pursuant to paragraph (a) of this section shall exceed the highest price at which the seller during January or February 1942 offered a garment of the same classification, plus the amount indicated by the table in Appendix C (§ 1389.123).

§ 1389.119 Definitions. (a) • • • • • • • • • •

(3) "Booking" means accepting orders for delivery immediately or at any later time.

§ 1389.120a *Effective dates of corrections and amendments.* (a) Correction (§§ 1389.105 (a) (2), 1389.116 (d) and 1389.119 (a) (3)) to Maximum Price Regulation No. 177 is effective as of July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7999; Filed, August 15, 1942; 12:23 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5182.

PART 1396—FINE CHEMICALS AND DRUGS

[Maximum Price Regulation 203]

VITAMIN A NATURAL OILS AND CONCENTRATES

In the judgment of the Price Administrator the prices of Vitamin A natural oils and concentrates have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Vitamin A natural oils and concentrates prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 203 is hereby issued.

Sec.

1396.201 Maximum prices for Vitamin A natural oils and concentrates.
1396.202 Pre-existing contracts.
1396.203 Less than maximum prices.
1396.204 Adjustable pricing.
1396.205 Export sales.
1396.206 Evasion
1396.207 Enforcement.
1396.208 Licensing.
1396.209 Records and reports.
1396.210 Applicability of other regulations.
1396.211 Petitions for amendment.
1396.212 Definitions.
1396.213 Effective date.
1396.214 Appendix A: Maximum prices for Vitamin A natural oils and concentrates.

AUTHORITY: §§ 1396.201 to 1396.214, inclusive, issued pursuant to authority contained in Pub. Law 421, 77th Cong.

§ 1396.201 *Maximum prices for Vitamin A natural oils and concentrates.* (a) On and after August 20, 1942, regardless of any contract, agreement, lease, or other obligation, except as provided in § 1396.202 hereof, no person shall sell or deliver Vitamin A natural oils or concentrates, and no person shall buy or receive Vitamin A natural oils or concentrates in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1396.214; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of Vitamin A natural oils or concentrates to a purchaser if, prior to August 20, 1942, such Vitamin A natural oils or concentrates had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) This Maximum Price Regulation No. 203 shall not apply to sales or deliveries of the following:

(1) Vitamin A natural oils or concentrates destined for human consumption without further processing or packing by the buyer.

(2) Capsules or tablets containing Vitamin A.

(3) Crystalline vitamin A.

(4) A water or milk miscible product containing Vitamin A, or a Vitamin A concentrate in alcohol, at least 90 percent of which is nonoleaginous material.

§ 1396.202 *Pre-existing contracts.* Any person who prior to August 20, 1942 had purchased natural vitamin A oil and had it in his possession or in the custody of a carrier or warehouse, other than a carrier or warehouse owned or controlled by the person from whom such oil was acquired, in order to fulfill a contract entered into prior to March 31, 1942 for the sale of such oil or for the sale of a concentrate to be produced from such oil, may deliver such oil or concentrate in accordance with such contract: *Provided*, That no deliveries shall be made under this section after December 31, 1942. Deliveries made in accordance with this section shall, however, continue to be subject to the provisions of Revised Price Schedule No. 53—Fats and Oils.[2]

§ 1396.203 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1396.214) may be charged, demanded, paid or offered.

§ 1396.204 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1396.205 *Export sales.* The maximum prices at which a person may export Vitamin A natural oils or concentrates shall be determined in accordance with the provisions of the Maximum Export Price Regulation* issued by the Office of Price Administration.

§ 1396.206 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 203 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Vitamin A natural oils or concentrates, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1396.207 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 203, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 203, or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1396.208 *Licensing.* The provisions of Supplementary Order No. 11 [4] (§ 1305.15) licensing distributors of chemicals and drugs, shall be applicable to every distributer of Vitamin A natural oils and concentrates covered by this Maximum Price Regulation No. 203 who is subject to Supplementary Order No. 11. The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

§ 1396.209 *Records and reports.* (a) Every person making a sale or purchase of Vitamin A natural oils or concentrates after August 20, 1942 for which, upon sale or purchase by that person, maximum prices are established by this Maximum Price Regulation No 203, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and the seller, the price paid or received, the quantity bought or sold in millions of U. S. P. units of Vitamin A, and the Vitamin A and Vitamin D potency per gram of each grade of such oil or concentrate purchased or sold.

(b) Persons affected by this Maximum Price Regulation No. 203 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1396.210 *Applicability of other regulations.* The provisions of this Maximum Price Regulation No. 203 supersede the provisions of the General Maximum Price Regulation* and Revised Price Schedule No. 53—Fats and Oils, with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1396.211 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 203 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1396.212. *Definitions.* (a) When used in this Maximum Price Regulation No. 203, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Vitamin A natural oil" means any unconcentrated fish or marine animal oil or fish or marine animal liver oil containing more than 6,000 and less than 200,000 USP units of Vitamin A per gram, with the exception of cod liver oil.

(3) "Vitamin A concentrate" means any product containing Vitamin A which is derived from Vitamin A natural oil by distillation, solvent extraction, use of digestants, extraction of unsaponifiable matter, adsorption on earths or other agents, crystallization, or fortification with another concentrate, provided that the Vitamin A potency per gram of such product is at least four times that of the original natural oil. A Vitamin A concentrate may be prepared by the direct processing of fish or marine animal livers by one of the methods listed herein, provided the concentrate has at least four times the Vitamin A potency that the natural oil derived from such livers would have had. Vitamin A natural oils containing 200,000 or more U. S. P. units of Vitamin A per gram, and blends of a concentrate and an edible vegetable oil, shall be considered concentrates.

(4) "Seller's shipping point" means a point of distribution maintained by a seller from which actual shipment is made.

(5) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 203.

§ 1396.213 *Effective date.* This Maximum Price Regulation No. 203 (§§ 1396.201 to 1396.214, inclusive) shall become effective August 20, 1942.

§ 1396.214 *Appendix A: Maximum prices for Vitamin A natural oils and concentrates.* (a) The following maximum prices are established for Vitamin A natural oils and concentrates, f. o. b. seller's shipping point:

VITAMIN A NATURAL OIL

Potency in U. S. P. units of Vitamin A per gram:	*Maximum price per million U. S. P. units of Vitamin A*
More than 6,000 and less than 60,000	$0.14
60,000 and more, but less than 200,000	.20

VITAMIN A CONCENTRATE

Any	$0.30

(b) (1) The maximum prices set forth in paragraph (a) of this section shall not apply to any Vitamin A natural oil or concentrate in which the ratio of the USP units of Vitamin A per gram to the USP units of Vitamin D per gram is less than 1 to 1.

(2) No charge may be added to the maximum prices set forth in paragraph (a) of this section for the Vitamin D content of any oil or concentrate in which the ratio of the USP units of Vitamin A per gram to the USP units of Vitamin D per gram is more than 75 to 1.

(3) In cases not covered by subparagraphs (1) and (2) of this paragraph, there may be added to the maximum prices set forth in paragraph (a) of this section, an amount not exceeding the highest charge to purchasers of the same class during March 1942 for the Vitamin D content in comparable Vitamin A and Vitamin D oils or concentrates.

(c) The maximum prices set forth in this section shall not be increased by any charges for the extension of credit.

(d) No charge may be added to the maximum prices set forth in this section for containers, but the buyer may be required to make a reasonable deposit for the return of containers. The deposit must be refunded to the buyer by the seller when the containers are returned in good condition, and transportation expenses in connection with the return of containers must be paid by the seller.

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8000; Filed, August 15, 1942; 12:26 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL SILK, SYNTHETICS AND ADMIXTURES

[Amendment 2 to Maximum Price Regulation 123 [1]]

RAW AND PROCESSED WOOL WASTE MATERIALS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1410.78, subparagraph (4) of paragraph (a) is amended as set forth below:

§ 1410.78 *Definitions.* (a) When used in this Maximum Price Regulation No. 123, the term:

* * * * *

(4) "Processed wool waste materials" means raw wool waste materials, whether or not in combination with wool or other fibers, which have been subjected to any one or a combination of more than one of the processes enumerated in subparagraph (3). Without limiting the generality of the above definition, processed wool waste materials include both "reused wool" and "reprocessed wool" as those terms are defined in the Wool Products Labeling Act of 1939.

* * * * * *

§ 1410.79a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1410.78 (a) (4)) to Maximum Price Regulation No. 123 shall become effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8001; Filed, August 15, 1942; 12:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 7 to Supplementary Regulation 14 to General Maximum Price Regulation]

FOOD PRODUCTS SOLD IN NEW CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (7) is added to paragraph (a) of § 1499.73 as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * * *

(7) *Food products sold in new containers.* The seller's maximum price for a food product which is of the same kind and quality as a food product delivered or offered for delivery by the same manufacturer during March 1942 only in a tin container but differs from such product in that it is sold in a container made of different materials, the content of which by weight or volume does not vary from the content of the tin container by more than twenty percent, shall be determined in accordance with the provisions of this subparagraph.

The container made of different materials is referred to in this subparagraph as the "new container". The tin container in which the food product was delivered or offered for delivery during March 1942 by the same manufacturer and which is nearest in size to the new

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605.

[3] 7 F.R. 5059.

[4] 7 F.R. 6167.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4330, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3088, 3330, 3829.

*Copies may be obtained from the Office of Price Administration.

container is referred to as the "tin container".

"Maximum price", as used in this subparagraph, means the maximum price to a purchaser of the same class for the seller's customary unit of sale, whether per case, per dozen or per can, jar or the like.

"Net cost" of a container, as used in this subparagraph, means the delivered price paid by the manufacturer for the container, cap (if any) and shipping carton, less any discounts allowed to him.

(i) *Sales by manufacturers.* (*a*) If the contents of the new container are the same by weight or volume as the contents of the tin container:

The manufacturer shall, (*1*) subtract from his maximum price for the food product in the tin container the current net cost of the tin container and, (*2*) add to this figure the current net cost of the new container. The resulting figure shall be his maximum price for the food product in the new container. Such maximum price shall be computed by each manufacturer before the first delivery of such food product after the effective date hereof and shall be his maximum price from that time forward.

(*b*) If the contents of the new container vary by weight or volume from the contents of the tin container by no more than twenty percent:

The manufacturer shall, (*1*) divide his maximum price for the food product in the tin container by the number of units of contents packed therein (ounces, pounds, or quarts or the like); (*2*) multiply the figure so obtained by the number of units in the new container; (*3*) subtract from this figure the current net cost of the tin container; and (*4*) add the current net cost of the new container. The resulting figure shall be his maximum price for the food product in the new container. Such maximum price shall be computed by each manufacturer before the first delivery of such food product after the effective date hereof and shall be his maximum price from that time forward.

(ii) *Sales by wholesalers or retailers.* If the contents of the new container are the same by weight or volume as the contents of the tin container, or do not vary therefrom by more than twenty percent:

A seller at wholesale or retail of the food product in the new container shall add to (if the difference is an increase) or subtract from (if the difference is a decrease) his maximum price for the food product in the tin container, the exact amount of the difference between his supplier's maximum price to him for the product in the tin container and the product in the new container. The resulting figure shall be his maximum price for the food product in the new container.

(iii) *Fractions of a cent.* (*a*) In determining the sales price for one or more units of a food product under the provisions of this subparagraph, sellers, other than sellers at retail, shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than a half-cent to the next lower cent.

(*b*) Sellers at retail, in determining maximum prices for a food product under the provisions of this subparagraph, shall adjust increases or decreases of less than one-half cent from their maximum prices of the food product in the tin container to the next higher half-cent. After this adjustment, sellers at retail, in determining the sales price for one or more units, may adjust half-cents to the next higher cent.

(iv) *Report of prices*—(*a*) *Manufacturers.* Within ten days after determining a maximum price under the provisions of this subparagraph, the manufacturer shall report such price to the Office of Price Administration, Washington, D. C. in a statement which shall set forth:

(*1*) The kind, brand and grade of the food product for which a maximum price is determined;

(*2*) The size of the new container and the content thereof by weight or volume;

(*3*) The size of the tin container and the content thereof by weight or volume;

(*4*) The maximum price or prices determined for each class of purchaser to which the manufacturer sells;

(*5*) Each of the figures from which such maximum price was calculated and the actual calculation of such maximum price.

(*b*) *Sellers at retail.* Prior to the tenth day of the month after first offering any cost-of-living commodity for sale the maximum price of which is determined in accordance with the provisions of this subparagraph, a seller at retail shall file with the appropriate War Price and Rationing Board of the Office of Price Administration, in accordance with § 1499.13 (b) of the General Maximum Price Regulation, as amended, a statement showing his maximum price for such commodity.

(v) *Notification of new maximum price*—(*a*) *Deliveries after the effective date hereof.* Any seller, other than a seller at retail, who determines the maximum price for a food product in accordance with the provisions of this subparagraph shall accompany the first delivery of each such food product to each purchaser with a statement in writing in which he shall set forth:

(*1*) That the maximum price of such purchaser is to be determined in accordance with § 1499.73 (a) (7) (ii) of Supplementary Regulation No. 14;

(*2*) The exact amount of the difference between the supplier's maximum price to such purchaser for the food product in the new container and the food product in the tin container, specifically indicating whether such difference is an increase or a decrease from the supplier's maximum price to such purchaser for the food product in the tin container;

(*3*) That such purchaser shall determine his maximum resale price for the food product in the new container by adding such increase to or subtracting such decrease from his maximum price for the food product in the tin container;

(*4*) That, in determining his maximum price, a seller at retail shall adjust increases or decreases of less than one-half cent from his maximum price of the food product in the tin container to the next higher half-cent.

(*5*) Whether such food product is a cost-of-living commodity, and if so, that a seller at retail shall report, to his appropriate War Price and Rationing Board, his new maximum price for such product in accordance with § 1499.13 (b) of the General Maximum Price Regulation, as amended.

(*b*) *Deliveries before the effective date hereof.* Any seller, other than a seller at retail, of food products, the maximum prices of which are determinable in accordance with the provisions of this subparagraph but which were delivered after March 31, 1942 and before the effective date hereof, shall, prior to September 15, 1942 send to each purchaser a statement in writing which shall set forth for such food products the information prescribed in subdivision (v) (*a*), hereof. Such purchaser shall after the receipt of such information determine his maximum prices in accordance with subdivision (ii) hereof. Until such information has been received from his supplier or until September 15, 1942, whichever is earlier, a seller at wholesale or retail may continue to charge for such food products any maximum price which has been lawfully determined, prior to the effective date hereof, under the provisions of the General Maximum Price Regulation.

(vi) *Adjustment of maximum prices.* Any price determined pursuant to this subparagraph shall be subject to adjustment at any time by the Office of Price Administration.

(vii) *Applicability.* This subparagraph shall apply only to sales or deliveries which are, at the time of such sales or deliveries, subject to the general provisions of § 1499.2 of the General Maximum Price Regulation. It shall not apply to any sale or delivery for which a maximum price is in effect, at the time of such sale or delivery, under the provisions of any other price regulation issued or which may be issued by the Office of Price Administration or under the provisions of any supplementary regulation, amendment or order issued under the General Maximum Price Regulation, unless otherwise provided in any such price regulation, supplementary regulation, amendment or order.

(b) *Effective dates.* • • •

(8) Amendment No. 7 (§ 1499.73 (a) (7)) to Supplementary Regulation No. 14 shall become effective August 21, 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8002; Filed, August 15, 1942; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 18 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-1107]

SEEMAN BROTHERS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.318 *Adjustment of maximum prices for sales of canned tuna fish sold by Seeman Brothers, Inc.* (a) Seeman Brothers, Inc., of New York, New York, may sell and deliver, and any purchaser may buy and receive from Seeman Brothers, Inc. canned tuna fish at prices not higher than those set forth below:

(1) White meat tuna fish—No. ½ size cans @ $4.85 per dozen;

(2) Light meat tuna fish—No ½ size cans @ $4.00 per dozen.

(b) The adjustments granted in paragraph (a) are subject to the condition that Seeman Brothers, Inc. shall not change its customary allowances, discounts or other price differentials, unless such change results in a lower price.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 18 (§ 1499.318) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 18 (§ 1499.318) shall become effective August 17, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8003; Filed, August 15, 1942; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 23 Under § 1499.18 (b) of General Maximum Price Regulation—Docket No. GF3-1043]

SALE KNITTING CO., INC.—MONTGOMERY WARD

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.323 *Adjustment of maximum prices for sweat shirts manufactured by Sale Knitting Company, Inc., for Montgomery Ward.* (a) Sale Knitting Company, Inc., of Martinsville, Virginia, may sell and deliver, and Montgomery Ward may buy and receive from Sale Knitting Company, Inc., the following commodities at prices not higher than those set forth below:

Sweat shirts manufactured for Montgomery Ward under Montgomery Ward catalog Nos. 5807-5808-5811 at $8.62½ per dozen.

(b) The adjustment granted to Sale Knitting Company, Inc., in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by Sale Knitting Company, Inc., to Montgomery Ward.

(2) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942 shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 23 (§ 1499.323) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 23 (§ 1499.323) shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8005; Filed, August 15, 1942; 12:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 204]

IDLE OR FROZEN MATERIALS SOLD UNDER PRIORITIES REGULATION NO. 13 [1]

In the judgment of the Price Administrator it is necessary and proper to establish in a separate regulation maximum prices for sales of idle or frozen inventories which, because of their occasional and nonrepetitive character, in many cases cannot be satisfactorily priced under the provisions of specific maximum price regulations or under the General Maximum Price Regulation.[2]

In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 204 are, and will be, generally fair and equitable and in conformity with the level of prices established by the General Maximum Price Regulation, and will effectuate the purposes of the Act.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 204 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 204 is hereby issued.

AUTHORITY: §§ 1499.501 to 1499.515, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1499.501 *Prohibition against dealing in idle or frozen materials above maximum prices.*[4] On and after the effective date of this Maximum Price Regulation No. 204, regardless of any contract or other obligation:

(a) No "person" shall sell or deliver any "idle" or "frozen" material at a price higher than the maximum price permitted by this Maximum Price Regulation No. 204;

(b) No person in the course of trade or business shall buy or receive any idle or frozen material at a price higher than the maximum price permitted by this Maximum Price Regulation No. 204: *Provided*, That if, upon the purchase of any idle or frozen material, the purchaser shall receive from the seller a written affirmation that, to the best of his knowledge, information, and belief, the prices charged do not exceed the maximum price established by this Maximum Price Regulation No. 204, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this paragraph; and

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1499.502 *Maximum prices for idle or frozen materials.*—(a) *Idle or frozen material which is in the form in which originally purchased by the seller.* (1) Where a "dollar and cents maximum price" established by any "maximum price regulation"[5] is applicable to the sale by the seller the maximum price shall be the maximum price established by such regulation.

(2) Where no dollar and cents maximum price established by any maximum price regulation is applicable to the sale by the seller and the material is sold to:

(i) A producer of this, or similar, material, there shall be no maximum price applicable to such sale.

(ii) Any other authorized buyer.

(*a*) The maximum price shall be that maximum price which the original supplier would be permitted to charge for the same or similar materials under the applicable maximum price regulation, including the same discounts, allowances, or premiums for quantity, quality, shape, form, class of purchaser, or promptness of payment. In computing what delivery charges, if any, the seller may add to the maximum price thus established, the provisions of the applicable maximum price regulation shall be followed and for the purpose of the computation the material shall be considered as if it were located at the original supplier's plant, warehouse or place of business, irrespective of the present location of the material.

(*b*) If the original supplier has no maximum price for the same or similar material, the maximum price f. o. b. the present location of the material shall be the "actual delivered cost" of the material to the seller.

(b) *Idle or frozen materials which have been fabricated, processed, or otherwise altered or alloyed, assembled, mixed, or otherwise combined so that they are no longer in the form in which originally purchased by the seller.* (1) If sold to a person who regularly purchases materials in substantially the same fabricated, processed, altered, alloyed, assembled,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5167, 5604.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5192, 5365, 5445, 5563, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216.

[3] 7 FR. 971, 3663.

[4] The meaning of certain terms used in this and subsequent sections is explained in § 1499.511. The terms so explained are italicized the first time they appear in the text.

[5] Any district, state or regional office of the Office of Price Administration can supply a list of the materials covered by maximum price regulations.

mixed, or otherwise combined form either for his own use in further manufacturing or processing operations or for resale in such form, or to a person who would otherwise himself alter or combine the materials into substantially the same form in the course of his operations and

(i) If a dollar and cents maximum price established by any maximum price regulation is applicable to the sale by the seller, the maximum price shall be the maximum price established by such regulation;

(ii) If no dollar and cents maximum price established by any maximum price regulation is applicable to the sale by the seller, the maximum price f. o. b. the present location of the materials shall be the actual delivered cost of the materials to the seller, plus actual direct labor costs of fabricating, processing, alloying, assembling, mixing or combining the materials into their present form, plus the same percentage markup over cost of materials and direct labor costs which was obtained by the seller during the last previous month's production of the completed product or products into which the materials would normally have gone. If the seller is unable to determine the allowable percentage markup because the materials were fabricated, processed, alloyed, assembled, mixed or combined into their present form for inclusion in a product intended for use by the seller and not for sale, he may use a percentage markup of not more than 10 percent.

(2) If sold to any other authorized buyer and

(i) If a dollar and cents maximum price established by a maximum price regulation is applicable to the sale of such materials as scrap, waste or salvage, the maximum price shall be the maximum price established by such regulation; or

(ii) If there is no dollar and cents maximum price established by a maximum price regulation and applicable to the sale of such material as scrap, waste or salvage and the materials are sold to a person other than an industrial consumer of such materials, or a Government department or agency, there shall be no maximum price applicable to such sale; or

(iii) If no dollar and cents maximum price is established by a maximum price regulation applicable to the sale of such materials as scrap, waste or salvage, and if the materials are sold as scrap, waste or salvage to an industrial consumer of such materials or to a Government department or agency except as hereafter provided, the maximum price f. o. b. the present location of the materials shall be 80% of the actual delivered cost of the materials to the seller.

§ 1499.503 *Sales for export.* The maximum price at which a person may export idle or frozen material shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [6] issued by the Office of Price Administration.

[6] 7 F.R. 5059.

§ 1499.504 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of idle or frozen material imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for idle or frozen material and in preparing the records of such seller with respect thereto:

(a) If, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 204.

(b) In all other cases the seller may not collect the amount of such tax in addition to the maximum price.

§ 1499.505 *Less than maximum prices.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 204 may be charged, demanded, paid or offered.

§ 1499.506 *Sales excepted from this Maximum Price Regulation No. 204 and other maximum price regulations.* Nothing in this Maximum Price Regulation No. 204 or in any other maximum price regulation issued prior to the effective date of this Maximum Price Regulation No. 204, or in any maximum price regulation issued on or after the effective date of this Maximum Price Regulation No. 204, unless otherwise hereafter specifically provided in such maximum price regulation, shall apply to any sale or delivery of any material to the War Department, Department of the Navy, Maritime Commission, Lend-Lease Section of the Procurement Division of the Treasury Department, Board of Economic Warfare, Commodity Credit Corporation, Reconstruction Finance Corporation or any subsidiary or agent thereof, pursuant to any program for the purchase of surplus inventories, announced by the War Production Board or any other Government department or agency, specified in an order hereafter issued

§ 1499.507 *Records and reports.* (a) On and after the effective date of this Maximum Price Regulation No. 204 every person making sales of idle or frozen materials shall make and keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale showing (1) a description of the material, (2) the quantity sold, (3) when, at what price and from whom the material was purchased, (4) when, at what price and to whom the material was sold, and (5) how the selling price was arrived at.

(b) Every person making purchases or sales of idle or frozen materials shall under this section identifying such program and establishing maximum prices for such purchases.
submit such reports to the Office of Price Administration and keep such records in addition to, or in place of, the records required by paragraph (a) of this section as the Office of Price Administration may, from time to time, require.

§ 1499.508 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 204 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 204 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1499.509 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 204 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, idle or frozen material, alone or in conjunction with any other material, or by use of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement, trade understanding or otherwise.

§ 1499.510 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* Any person seeking relief from a maximum price established by this Maximum Price Regulation No. 204 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 204 to eliminate the danger of inflation, shall establish that the prospective purchaser is able and willing to absorb such increase in price, and shall include the information required by Appendix A, incorporated herein as § 1499.515.

(b) *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 204 (other than an adjustment provided by paragraph (a) of this section) may file a petition for amendment in accordance with the provisions of

Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1499.511 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other government or any of its political subdivisions or any agency of the foregoing.

(2) "Idle or frozen materials" means any commodity, accessory, part, assembly or product not in a form normally sold by the seller in the ordinary course of his business and sold or delivered pursuant to Priorities Regulation No. 13 issued by the Division of Industry Operations of the War Production Board on July 7, 1942. It does not include any raw or unprocessed agricultural commodity.

(3) "Dollar and cents maximum price" means any price fixed by or determinable under a maximum price regulation, except (i) a maximum price which is arrived at by the use of a formula which requires the seller to take into account certain or all of his production costs and markups, or (ii) which is determined by reference to the price at which the seller or some other person sold or offered the material for sale during a given period of time. It includes all discounts, allowances, or premiums for quantity, quality, shape, form, class of purchaser, or promptness of payment required or permitted by such maximum price regulation. In computing what delivery charges, if any, the seller may add to the maximum price thus established, the provisions required or permitted by such regulation shall be followed.

(4) "Maximum price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942 or a maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to such schedule or regulation.

(5) "Authorized buyer" means any person authorized to purchase idle or frozen materials under the provisions of Priorities Regulation No. 13 or any order of the Director of Industry Operations issued under paragraph (c) (2) (ii) thereof.

(6) "Original supplier" means the person from whom the seller originally purchased the material, except that if the material was originally purchased from more than one supplier, and if the seller cannot identify the material purchased from each supplier, the last person from whom any portion of the material was purchased shall be considered as the original supplier.

(7) "Actual delivered cost" means the net price per unit actually paid by the seller for the material after deducting all discounts allowed to the seller and adding all transportation and delivery charges actually paid by the seller. It does not include any storage, handling, or other charges paid or received after the material was received at the seller's plant or warehouse. If the material was originally purchased at more than one price, and if the seller cannot identify the material purchased at each price, the actual delivered cost shall be the delivered cost paid for the last portion of the material delivered, unless the seller maintains an average delivered cost valuation upon his inventory of such material, in which case it shall be that average delivered cost.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 204.

§ 1499.512 *Effect of other regulations.* The provisions of this Maximum Price Regulation No. 204 supersede the provisions of the General Maximum Price Regulation and any other maximum price regulation, except Maximum Price Regulation No. 174—Freight Car Materials Sold By Car Builders,[7] issued prior to the effective date of this Maximum Price Regulation No. 204 with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 204. To the extent provided in § 1499.506, this Maximum Price Regulation No. 204 shall supersede the provisions of any maximum price regulation issued on or after the effective date of this Maximum Price Regulation No. 204 unless otherwise hereafter specifically provided in such maximum price regulation.

§ 1499.513 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 204 shall apply to the forty-eight states of the United States and to the District of Columbia.

§ 1499.514 *Effective date.* Maximum Price Regulation No. 204 (§§ 1499.501 to 1499.515) shall become effective August 20, 1942.

§ 1499.515 *Appendix A: Information required in a petition for adjustment pursuant to § 1499.510(a) in addition to the information required by Procedural Regulation No. 1.*—(a) *Material in the form in which originally purchased.*

(1) Complete description of material, including all specifications and all other factors affecting price.

(2) The product or products for use in which material was originally purchased, together with a description of the manner in which the material was to have been used.

(3) Amount of material for sale (specify in physical units).

(4) Actual delivered cost of material including names and addresses of suppliers, dates of purchase and delivery, unit price paid, and transportation charges actually paid, if any, shown separately. (If purchased at more than one delivered cost and portions of material are identifiable, show amount bought at each delivered cost; otherwise, show highest and lowest delivered cost, delivered cost of last purchase, and average inventory delivered cost, if such a record is regularly maintained.)

(5) The present ceiling price of each original supplier. If original supplier has no present ceiling price, explain why.

(6) Name and address of prospective purchaser or purchasers.

(7) The proposed price.

(8) Detailed explanation of the reasons justifying an exception for this material from the provisions of Maximum Price Regulation No. 204, including wherever possible a written statement from each prospective purchaser that the proposed price will not be used by him as the basis for any application for adjustment, exception or amendment to any maximum price regulation.

(9) The seller shall also furnish his last available balance sheet and profit and loss statement as normally prepared for his own use, except that the profit and loss statement shall show as a separate item the profit before Federal income and excess profits taxes.

(b) *Material not in the form in which originally purchased.* (1) Complete description of present form of material, including specifications, operations performed, amounts of component elements, and any or all other factors affecting price.

(2) Description of component materials in form in which originally purchased.

(3) Product or products for use in which material was originally purchased and fabricated, processed or altered, together with a description of the further fabrication or processing which would normally have taken place.

(4) Amount of material for sale (specify in physical units).

(5) Actual delivered costs of component materials, including names and addresses of suppliers, dates of purchase and delivery, unit prices paid, and transportation charges actually paid, if any, shown separately. (If some or all of the materials were purchased at more than one delivered cost and portions of the materials are identifiable, show amounts bought at each price; otherwise, show highest and lowest delivered costs, delivered costs of last purchases, and average delivered costs of inventories, if such records are regularly maintained.)

(6) Direct labor costs of fabrication, explaining in detail how those costs were measured or estimated.

(7) Last full month in which product or products referred to in (3) were sold.

(i) Total net sales of those products for that month

(ii) Cost of materials used in the production of those products sold during that month

(iii) Direct labor costs incurred in the production of those products sold during that month, explaining how those costs were measured or estimated.

[7] F.R. 5061.

(8) Names and addresses of prospective purchasers.

(i) Nature of each of their businesses.

(ii) Purpose for which each of them proposes to acquire the material.

(9) The proposed price.

(10) Detailed explanation of reasons justifying an exception for this material from the provisions of Maximum Price Regulation No. 204, including wherever possible a written statement from each prospective purchaser that he will not use the proposed price as the basis for any application for adjustment, exception or amendment to any maximum price regulation.

(11) The seller shall also furnish his last available balance sheet and profit and loss statement as normally prepared for his own use except that the profit and loss statement shall show as a separate item the profit before Federal income and excess profits taxes.

Issued this 15th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8006; Filed, August 15, 1942; 12:21 p. m.]

PART 1309—COPPER

[Correction to Amendment 1[1] to Revised Price Schedule 20, as amended.[2]]

COPPER SCRAP AND COPPER ALLOY SCRAP

In Footnote No. 2 to the table in § 1309.71 (b) (2), the second occurrence of the price for No. 2 Copper Wire and Mixed Heavy Copper appearing as "8.75¢" is corrected to appear as "8.65¢".

* * * * *

§ 1309.70a *Effective date of amendments.* * * *

(b) Correction (§ 1309.71 (b) (2)) to Amendment No. 1 to Revised Price Schedule No. 20, as amended, shall become effective August 17, 1942.

(Pub. Law 421, 77th Cong.

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8031; Filed, August 17, 1942; 11:53 a. m.]

PART 1367—FERTILIZERS

[Maximum Price Regulation 205]

SULPHATE OF AMMONIA PRODUCERS, IMPORTERS AND PRIMARY JOBBERS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of sulphate of ammonia by producers, importers or primary jobbers. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of the prices established by the General Maximum Price Regulation.[1] So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 205 is hereby issued.

AUTHORITY: §§ 1367.51 to 1367.63 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1367.51 *Maximum prices for sulphate of ammonia.* On and after August 22, 1942 regardless of any contract, agreement or other obligation, no producer, importer or primary jobber shall sell or deliver sulphate of ammonia, and no person in the course of business shall buy or receive sulphate of ammonia from a producer, importer or primary jobber at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1367.63; and no such person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of sulphate of ammonia to a purchaser if prior to August 22, 1942 such sulphate of ammonia had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1367.52 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1367.63) may be charged, demanded, paid or offered.

§ 1367.53 *Conditional agreements.* No producer, importer or primary jobber of sulphate of ammonia shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1367.63, in the event that this Maximum Price Regulation No. 205 is amended or determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of this petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1367.54 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 205 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to sulphate of ammonia, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practice is prohibited: Selling sulphate of ammonia f. o. b. the point of production in order to avoid the payment of all or part of the cost of transportation to buyer's true destination point, as required by § 1367.54. The seller is required to make every reasonable effort to determine the buyer's true destination point.

§ 1367.55 *Records and reports.* (a) On and after August 22, 1942 every producer, importer or primary jobber who offers, agrees to sell, sells, or delivers sulphate of ammonia shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address of the buyer, the destination point, the price charged or received, the total transportation charges, the amount of the transportation charges paid by the producer, importer, or primary jobber and the quantity sold.

(b) Persons affected by this Maximum Price Regulation No. 205 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1367.56 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 205 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 205 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1367.57 *Petition for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 205 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1367.58 *Licensing.* The provisions of Supplementary Order No. 11[3] "Licensing distributors of chemicals and drugs" shall be applicable to every distributor subject to that Order selling any sulphate of ammonia for which maximum prices are fixed by this Maximum Price Regulation No. 205. When used in this section the term distributor shall have the meaning given to it by Supplementary Order No. 11.[4]

§ 1367.59 *Applicability of the General Maximum Price Regulation.* Except as provided in §§ 1367.58 and 1367.61 (b), this Maximum Price Regulation No. 205 supersedes the provisions of the General Maximum Price Regulation[4] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1367.60 *Exempt sales.* (a) The provisions of this Maximum Price Regulation No. 205 shall not apply (1) to sales of sulphate of ammonia for shipment to a destination point in any of the states of Washington, Oregon, California, Montana, Wyoming, Idaho, Nevada, Utah, Arizona or in the territories of Alaska or Hawaii, (2) to sales of sulphate of ammonia for industrial uses.

§ 1367.61 *Definitions.* (a) When used in this Maximum Price Regulation No. 205 the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Producer" means a person who manufactures sulphate of ammonia and includes any agent or affiliate of a producer.

(3) "Importer" means a person who imports sulphate of ammonia from a foreign country for resale in this country.

(4) "Primary jobber" means a person such as The Barrett Division of Allied Chemical and Dye Corporation who purchases sulphate of ammonia from a producer for resale to others than consumers.

(5) "Sulphate of Ammonia" means the various grades of ammonium sulphate, containing not less than 20.5% of nitrogen, when sold or marketed as an aid to the growth of plants or crops.

(6) "Inland oven" means the following:

Alabama:
- Alabama City.
- Fairfield.
- North Birmingham.
- Tarrant.
- Thomas.
- Woodward.

Colorado:
- Pueblo.

Illinois:
- Chicago.
- Joliet.
- Rockford.
- South Chicago.
- Waukegan.

Indiana:
- Gary.
- Indiana Harbor.
- Indianapolis.

Michigan:
- Detroit.
- Flint.

Minnesota:
- Duluth.
- St. Paul.

Missouri:
- St. Louis.

New York:
- Buffalo.
- Lackawanna.
- Troy.

Ohio:
- Canton.
- Cleveland.
- Hamilton.
- Lorain.
- Massilon.
- Toledo.
- Warren.
- Youngstown.

Pennsylvania:
- Aliquippa.
- Bethlehem.
- Clairton.
- Erie.
- Johnstown.
- Midland.
- Neville Island.
- Pittsburgh.
- Steelton.
- Swedeland.

Tennessee:
- Chattanooga.

West Virginia:
- Fairmont.
- Follansbee.
- Weirton.

(7) "Port" means the following:

Maine:
- Searsport.

Massachusetts:
- Everett.
- Boston.

Connecticut:
- New Haven.

New York:
- Hunts Point.
- Brooklyn.
- New York.

New Jersey:
- Kearny.
- Carteret.
- Camden.

Pennsylvania:
- Philadelphia.

Mississippi:
- Gulfport.

Maryland:
- Baltimore.

Virginia:
- Norfolk.

North Carolina:
- Wilmington.

South Carolina:
- Charleston.

Georgia:
- Savannah.

Florida:
- Jacksonville.
- Tampa.
- Panama City.
- Pensacola.

Alabama:
- Mobile.

Louisiana:
- New Orleans.
- Lake Charles.

(8) "Port nearest to such destination" means the port from which the lowest railroad rate from such port applies to the buyer's destination.

(9) "Inland oven nearest to such destination" means the inland oven from which the lowest railroad rate from such oven applies to the buyer's destination.

(b) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation[5] and the definitions set forth in § 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1367.62 *Effective date.* This Maximum Price Regulation No. 205 (§§ 1367.51 to 1367.63 inclusive) shall become effective August 22, 1942.

§ 1367.63 *Appendix A: Maximum Prices for sulphate of ammonia.* (a) Except as provided in paragraphs (b), (c), (d), (e) and (f) of this section, the maximum price a producer, importer or primary jobber may charge for sulphate of ammonia shall be the lower of the following prices:

(1) The base price of $28.20 per ton at inland oven, plus the transportation charges to buyer's destination from the inland oven nearest to such destination; or

(2) The base price of $29.20 per ton at port, plus the transportation charges to buyer's destination from the port nearest to such destination.

(b) *Sales to destination points in certain mid-western states.* The maximum price a producer, importer or primary jobber may charge for sulphate of ammonia, where buyer's destination is in any of the states of Ohio, Indiana, Michigan, Illinois, Kentucky, Wisconsin or in the Ohio River section of West Virginia, shall be the lower of the following prices:

(1) The base price of $29.20 per ton, delivered to buyer's destination, or

(2) The base price of $28.20 per ton at inland oven, plus the transportation charges to buyer's destination from the inland oven nearest to such destination.

(c) *Diverted shipments of sulphate of ammonia.* In the event that a purchaser of sulphate of ammonia directs a producer, importer or primary jobber to make shipments of sulphate of ammonia to a destination point other than the destination point specified in the contract for the sale of such material, the buyer may be required to pay any increase in freight charges arising from such change in destination point, except in a case within the prohibition contained in § 1367.54 (b). This paragraph shall have no application to diverted shipments of sulphate of ammonia due to orders, instructions or requests of War Production Board or any other government agency.

(d) *Sales to Office of Lend-Lease Administration.* The maximum price a producer, importer or primary jobber of sulphate of ammonia may charge the Office of Lend-Lease Administration shall be $28.20 per ton f. o. b. inland oven, or $29.20 per ton f. o. b. port oven.

(e) *Export sales.* The maximum price at which a producer, importer or primary jobber may export sulphate of ammonia shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[6] issued by the Office of Price Administration. For the purposes of §§ 1375.1 (a) and 1375.1 (b) of that regulation, the maximum domestic price of sulphate of ammonia shall be $28.20 per ton f. o. b. inland oven or $29.20 per ton f. o. b. port oven, except in the case of exports to Puerto Rico or the Virgin Islands of the United States, in which case the maximum domestic price shall be $29.20 per ton f. o. b. the port of normal exportation of such material.

(f) *Bags and bagging.* Whenever the producer, importer or primary jobber sells sulphate of ammonia in bags, there may be added to the maximum prices permitted by paragraphs (a), (b), (c), (d) and (e) above, the sum of $1.00, together with the cost of the bags.

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8038; Filed, August 17, 1942; 11:54 a. m.]

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[1] 7 F.R. 5316.
[2] 7 F.R. 3404, 3489, 5516.

[1] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783.
[2] 7 F.R. 971, 3663.

[3] 7 F.R. 6167.

[3] 7 F.R. 6167.
[4] *Supra*, note 1.

[5] *Supra*, note 1.

[6] 7 F.R. 5059.

PART 1400—TEXTILE FABRICS; COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 10 to Maximum Price Regulation 118[1]]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: § 1400.115 (a) (5) (ii) (*n*), (a) (6), (a) (7); § 1400.118 (a) (8), (d) (2) (vii), (d) (18) reference numbers 7 through 18h, (d) (22) (ii) (c), (d) (25) (iii) reference number 5, footnote 1, (d) (26) (v) (*h*), (d) (26) (v) (*i*).

Amended: § 1400.115 (a) (1), (a) (5) (ii) (*l*); § 1400.118 (d) (8) (i), (d) (18) reference number 6, (d) (24) (v) the words "Concord Fabrics" and "Toggeroy" are amended to read "Concord Textile Co." and "Togeroy", respectively; (d) (26) (i), (d) (26) (ii), (d) (26) (v) (*f*), (d) (29).

Redesignated and amended: § 1400.118 (vii) to (viii).

Revoked: § 1400.118 (d) (28).

§ 1400.115 *Definitions.* (a) • • •

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing;

• • • • • • •

(5) "Cotton products". • • •

(ii) The term does not include • • • (*l*) products of the following persons:

• • • • • • •

Granite Textile Mills, Inc., Midland Park, N. J.

• • • • • • •

(*n*) Any product of non-profit-making agency for the blind on which 75 percent of the direct labor in man-hours has been performed by blind persons;

• • • • • • •

(6) "Non-profit-making agency for the blind" means any institution operated in the interest of blind persons, the net income of which institution does not inure in whole or in part to the benefit of shareholders or individuals;

(7) "Blind persons" means persons whose visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity is greater than 20/200 but who have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

• • • • • •

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5524, 5405, 5567, 5836.

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* (a) The effective dates of the maximum prices set forth in paragraph (d) of this section are as follows:

• • • • • •

(8) For printed flannels, miscellaneous special products, reference numbers 7 through 18h inclusive, terry products of Blair Mills and Muscogee Manufacturing Company, and for huck and crash towels and corded napkins (other than those described in subparagraph (5) above): August 22, 1942.

(d) • • •

(2) *Flannels.* • • •

(vii) *Printed flannels.* (*a*) The base maximum prices for printed flannels containing substantially the same coverage and amount of color as the fabrics in each seller's line delivered during the base period shall be:

Width (inches)	Finished weight (yds. per lb., market designation)	Women's wear patterns	Heavy celers—men's wear patterns
		Cents per yd.	
35-36	4.31-4.50	18¾	19¼
35-36	4.30 and heavier	19¼	19¾
27	Approx. 6.50	15	15½

(*b*) In addition to the base maximum price the seller may charge for sanforizing an amount no exceeding his charge therefor during March, 1942.

(*c*) For irregulars the base maximum prices shall be decreased as follows:

	Cents per yard
Seconds	½
10–20 yd. lengths	½
2–10 yd. lengths	1¾

(viii) *Other flannels.* For flannels of any type, construction, or grade not covered by the maximum prices in (i) to (vii), inclusive, above, the maximum price shall be a price in line with [12] said maximum prices. • • •

(8) *Ducks (in the grey)*—(i) *Put up; irregulars.* (*a*) The maximum prices established in subdivisions (ii), (vi), (ix), (xi) and (xii) for numbered duck (wide sail, narrow, and harvester), wagon-cover duck (double-filling flat duck), laundry roll cover duck (plied warp and plied filling), oil press duck (naught duck), and filter twills are for continuous rolls of 85 yards or more. For irregulars of these fabrics the maximum prices there established shall be decreased as follows:

	Percent
Seconds	5
Two-piece rolls, firsts or seconds	5
Lengths 2.01 to 10 yds	25

(*b*) The maximum prices established in subdivisions (iii), (iv), (v), and (viii) below for single-filling ounce duck (flat duck), double filling ounce duck (flat duck), army duck (including shoe duck) and enameling duck are for cuts of 40 yards or more where bale packing is customary and for cuts of 85 yards or more where roll packing is customary. For irregulars of these goods the maximum prices shall be decreased as follows:

	Goods of types customarily bale-packed	Goods of types customarily roll-packed
	Percent	Percent
Seconds	5	5
Two-piece rolls, firsts or seconds		5
Short lengths:		
20.01 to 39.99 yds	10	
10.01 to 20 yds	15	
2.01 to 10 yds	25	25

(*c*) The maximum prices established in (vii) and (x) below for hose and belting duck and chafer fabrics are for continuous length pieces as specified by the buyer. For irreguiars, the maximum prices there established shall be decreased as follows:

	Percent
Seconds	5
Lengths over 10 yards but shorter than specified by the buyer	5
Lengths 2.01 to 10 yds	25

(*d*) For pieces of any duck less than 2 yards in length the maximum price shall be 20.37 cents per pound.

• • • • • •

(18) *Miscellaneous special products.* • • •

[12] For definition of the term "in line with", see footnote 5, § 1400.101.

Reference No.	Description	Producer	Maximum price
6	Luggage cloth: Type A: 37" 54 x 36 3.70 yds. Type B: 37" 76 x 34 3.10 yds.	Stonewall Cotton Mills, Inc.	18.1 cents per yd. 22.6 cents per yd.
7	66" Cap cloth	Swift Manufacturing Company.	50 cents per yd.
8	57" MacFarlane Coating	Swift Manufacturing Company.	46 cents per yd.
9	Hat cloth	Swift Manufacturing Company.	
	Style / Width / Weave		
	S-1777 / 34" / Plain		21¼ cents per yd.
	S-1777 / 36" / Plain		22¾ cents per yd.
	M-472-A / 36" / Plain		21⅛ cents per yd.
	S-1818 / 36" / Dobby		20⅜ cents per yd.
	S-1820 / 36" / Dobby		21½ cents per yd.

Reference No.	Description	Producer	Maximum price
10	Leno fabric 60" 10 x 5 6.78 yds, per lb., warp yarn number 9, filling yarn number 12/2 ply.	Swift Manufacturing Company.	45 cents per lb.
11	Meads cloth of the following construction conforming to Federal Specifications U-P-401 or any closely related construction serving the same functional use: 40½" to 41" 74 to 75 warp ends 56 picks. Weight—2.85 to 2.90.		53½ cents per lb., net 10 days.
12	Buff cloth 40" to 41" 84 x 92 2.85 to 3.00.		52 cents per lb., net 10 days.
13	Girl Scout colored-yarn uniform cloth.		36¾ cents per yd.
14	60" 72 x 48 1.25 yd. drill	Roanoke Mills Company.	45 cents per lb., terms, net 10 days.
15	Sugar bagging style #1939 51" 45 x 30 1.30 yd. part waste: Grey / Piece-dyed finish	Rosemary Mfg. Company. Swift Mfg. Co.	39¾ cents per lb. 41¼ cents per lb.
16	Crash fabric S-1905 40 x 28 7 oz. to sq. yd. 25 percent stock dyed black cotton: Under 42" / 42" and over	Swift Mfg. Co.	37¾ cents per lb. 41½ cents per lb.
17	Finished osnaburg S-1847 50" and over 4.5 x 4.87 1.65 yd. (basis 54") spiral filling yarn.	Swift Mfg. Co.	45½ cents per lb.
18a–18h	Table coverings and napkins	Bates Mfg. Co.	(The maximum prices for reference numbers 18a through 18h are subject to terms of 3 percent 10 days, 2/10/60 extra, f. o. b. mill.)
18a	S/1330—colored-yarn damask, 45" wide.	Bates Mfg. Co.	52¾ cents per yd.
18b	S/1330—colored-yarn damask, 54" wide.	Bates Mfg. Co.	59¼ cents per yd.
18c	S/1370 Alpine Cover 58 x 58 (jacquard damask).	Bates Mfg. Co.	$1.07¼ each.
18d	S/1372 Peasant Cover Set (jacquard) 52 x 52—4 napkins 12 x 14.	Bates Mfg. Co.	$1.59¾ per set.
18e	S/1372 Peasant Cover Set 52 x 52—6 napkins 12 x 14.	Bates Mfg. Co.	$1.75½ per set.
18f	S/1372 Peasant Cover Set 52 x 72—8 napkins 12 x 14.	Bates Mfg. Co.	$2.21 per set.
18g	S/1394 Cherry Cover Set (jacquard) Cover 54 x 54—6 napkins 17 x 17.	Bates Mfg. Co.	$2.18¾ per set.
18h	S/1396 El Patio—Cover 54 x 54—6 napkins 14 x 14.	Bates Mfg. Co.	$1.83 per set.

• • • • • •

(22) *Bedspreads.* • • •

(ii) • • •

(*c*) The following additional amounts for the below-mentioned styles of Stevens Textile Manufacturing Company, Fall River, Massachusetts: 4½ cents for styles designated Charleston Basket, Candle-Dot, and Plantation, and 1½ cents for the style designated Hollywood, in each case per pound of cotton contained in the bedspread after weaving and before any finishing or fabrication.

• • • • • •

(25) *Cottonades and whipcords.* • • •

(iii) • • •

Reference No.	Width	Weight (yds. per lb.)	Finish	Trade name	Cents per yard
5	36"	1.45	Sanforized	"Champion"	[1] 32½

[1] For double napped goods of this trade name a premium of ½ cent per yard may be charged

(26) *Terry products.* (i) The following maximum prices for terry products shall be subject to the terms listed below in connection with each seller's line:

(*a*) Callaway Mills	3% 10 days, or 2% 10 days, 60 extra, f. o. b. mill, La Grange, Ga. 5% trade discount to jobbers — net, no discount to retailers.
(*b*) Cannon Mills Co.	3% 30 days, f. o. b. mill, Kannapolis, N. C.
(*c*) Cone Export and Commission Co.	2% 10 days, 60 extra, f. o. b. mill, Cliffside, N. C.
(*d*) Marshall Field & Co.	2% 10 days, 60 extra, f. o. b. mill, Fieldale, Va.
(*e*) Mooresville Cotton Mills.	3% 30 days, f. o. b. mill, Mooresville, N. C.
(*f*) Wellington Sears Co.	3% 10 days, or 2% 10 days, 60 extra, f. o. b. mill.
(*g*) Woodward Baldwin & Co.	2% 10 days, 60 extra, f. o. b. Georgia Kincaid Mills, Griffin, Ga.
(*h*) Blair Mills	2% 10 days, 60 extra, f. o. b. mill, Belton, S. C.
(*i*) Muscogee Manufacturing Co.	Same terms to each customer or class of customer as were accorded during third quarter of 1941.

(ii) • • • This subdivision (ii) shall not be applicable to terry products produced and sold by Muscogee Manufacturing Company, Columbus, Georgia.

• • • • • •

(v) • • •

(*f*) Wellington Sears Company, 65 Worth Street, New York City.

• • • • • •

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Wash cloths	374	62	12 x 12	0.775

TABLE III.—NAME-WOVEN INSTITUTIONAL MERCHANDISE

A—MARTEX DIVISION

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) (50 dozen lots)	Maximum price (dollars per dozen) (100 dozen lots) (25 dozen lots)
BATH MATS:					
	456	268	20 x 30		8.47
	457	1,950	20 x 30		7.92
	458	1,960	20 x 30		8.46
	459	278	22 x 36		11.50
	460	1,950	22 x 36		10.13
	461	1,960	22 x 36		11.38

(*h*) Blair Mills, Belton, South Carolina.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Turkish towels	1	239	16 x 30	$0.94
	2	265	17½ x 34	1.14
	3	130	17½ x 34	1.15
	4	407	19 x 39	1.46
	5	420	19 x 39	1.46
	6	421	19 x 39	1.46
	7	408	19 x 39	1.51
	8	711	20 x 40	1.93
	9	719	20 x 40	1.98
	10	723	20 x 40	1.98

(*i*) Muscogee Manufacturing Company, Columbus, Georgia.

For irregulars of terry products manufactured by Muscogee Manufacturing Company the maximum prices set forth herein shall be as follows:

	Percent of the maximum prices set forth below
Seconds:	
Other than name-woven	95
Name-woven	85
	Percent of the average price per pound of firsts invoiced during preceding month
Thirds	75
Samples, longs, and shorts	85

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	1	2	36 x 68	7.81
	2	G-4	17 x 30	1.28
	3	19	36 x 68	7.80
	4	H-114	14 x 24	.81
	5	H-120	21 x 13	.59
	6	H-147W	16 x 32	1.31
	7	H-147C	16 x 32	1.32
	8	175	15 x 26	1.07
	9	180	15 x 26	1.07
	10	185	16 x 30	1.24
	11	192	18 x 36	1.49
	12	253	15 x 29½	.95
	13	277	22 x 44	3.15
	14	278	18 x 34	1.41
	15	278A	18 x 32	1.34
	16	280	15 x 29½	1.08
	17	330	24 x 48	4.85
	18	340	19¾ x 40	2.81
	19	364	20 x 40	2.65
	20	364A	20 x 40	2.53
	21	406	20 x 40	2.63
	22	413X	13 x 29½	.95
	23	551A	22 x 44	5.13
	24	551B	22 x 44	4.52

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	25	551C	17 x 29	2.67
	26	612	19 x 38	3.07
	27	618	20 x 40	2.92
	28	618A	20 x 40	3.00
	29	678	20 x 40	2.18
	30	682	22 x 44	3.04
	31	683A	16 x 28	1.61
	32	723	18 x 36	1.29
	33	724	17 x 30	1.23
	34	764R	19 x 38½	2.88
	35	764X	19 x 38½	2.91
	36	768	22 x 44	2.17
	37	794	20 x 36	2.93
	38	825	16½ x 22	1.20
	39	1627W	16½ x 27	1.48
	40	1627C	16½ x 27	1.50
	41	1629W	17 x 27	1.78
	42	1629C	17 x 27	1.80
	43	2045	20 x 40	2.09
	44	2059	16½ x 30	1.08
	45	2468	18 x 36	1.60
	46	2469	20 x 40	1.94
	47	2470	22 x 44	2.31
	48	2473	22 x 44	3.02
	49	2991	23 x 46	3.14
	50	3011	22½ x 44	2.99
	51	3012	22 x 44	3.12
	52	3014A	22 x 44	3.92
	53	4308A	19¼ x 18	.91
	54	4321	20 x 40	.88
	55	5286	18 x 36	1.57
	56	5287	20 x 40	1.89
	57	5288	22 x 44	2.28
	58	6078	16 x 28	1.64
	59	6079	22 x 44	3.04
	60	6079A	21 x 42	2.90
	61	7513	17½ x 36	1.88
	62	8002	18 x 36	1.41
	63	8003	20 x 40	1.85
	64	8015	16 x 28	1.33
	65	8019	20 x 42	3.01
	66	8031	36 x 68	8.32
	67	8043	14 x 26	.82
	68	8044	20 x 40	4.00
	69	8049	16 x 28	1.73
	70	8058	16 x 27	1.90
	71	8059	16 x 27	2.02
	72	8063	17 x 34	2.26
	73	8065	22 x 44	2.84
	74	8067	18 x 36	1.92
	75	8068	20 x 40	2.18
	76	8069	22 x 44	2.62
	77	8071	20 x 40	2.95
	78	8073	20 x 40	1.89
	79	8074	18 x 36	1.58
	80	8077	16 x 28	1.47
	81	8078	22 x 44	2.85
	82	8082	22 x 44	3.68
	83	8092	22 x 44	4.01
	84	8097	20 x 40	1.67
	85	8098	20 x 40	1.62
	86	8100	14½ x 29	.79
	87	8103	20 x 40	2.19
	88	8124	20 x 44	3.59
	89	8129	22 x 44	3.64
	90	8130	17 x 27	1.98
	91	8132	20 x 40	2.52
	92	8144	20 x 40	1.88
	93	8157	16 x 28	1.56
	94	8161	17 x 34	1.26
	95	8162	22 x 44	3.58
	96	8163	16 x 27	2.13
	97	8165	25 x 48	5.90

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	98	8167	20 x 40	3.27
	99	8170	22 x 44	4.02
	100	8173	28 x 56	5.03
	101	8174	36 x 68	7.89
	102	8175	28 x 56	5.49
	103	8177	16 x 28	2.15
	104	8179	20 x 40	2.53
	105	8180	16 x 32	1.74
	106	8181	28 x 56	4.58
	107	8182	20 x 40	2.31
	108	8183	20 x 40	2.77
	109	8185	22 x 44	3.09
	110	8186	16 x 27	1.23
	111	8187	24 x 48	5.75
	112	8199	20 x 40	1.73
	113	8202A	17 x 34	1.21
	114	8203	18 x 36	1.72
	115	8205	16 x 32	1.27
	116	8210	22 x 44	3.43
	117	8211	17 x 27	2.00
	118	8211A	17 x 27	1.93
	119	8224	20 x 40	2.05
	120	8225	22 x 44	2.47
	121	8226	18 x 36	1.66
	122	8227	20 x 40	1.94
	123	8229	22 x 44	2.43
	124	8232	20 x 40	1.82
	125	8233	18 x 36	1.45
	126	8235	20 x 40	1.85
	127	8236	16 x 27	1.95
	128	8246	16 x 27	1.95
	129	8247	14½ x 29	.93
	130	8248	16 x 27	1.90
	131	8249	20 x 40	3.40
	132	8253	16 x 28	1.20
	133	8259	18 x 36	2.52
	134	8262	16 x 26	1.94
	135	8264	22 x 44	3.59
	136	8267	18 x 36	1.58
	137	8268	20 x 40	1.91
	138	8280	20 x 40	2.82
	139	8283X	22 x 44	3.06
	140	8284	16 x 28	1.58
	141	8286	36 x 68	10.08
	142	8287	18 x 36	1.92
	143	8288	20 x 40	2.20
	144	8289	22 x 44	2.61
	145	8290	18 x 36	1.86
	146	8292	22 x 44	2.49
	147	8293	20 x 40	2.74
	148	8294	28 x 56	5.54
	149	8295	16 x 32	1.94
	150	8296	28 x 56	5.17
	151	8303	20 x 40	2.19
	152	8304	15 x 30	1.16
	153	8305	16 x 28	2.21
	154	8310	22 x 44	2.97
	155	8311	22 x 44	2.43
	156	8313	22 x 44	2.47
	157	8316	18 x 36	1.89
	158	8321	14½ x 28	.89
	159	8330	20 x 40	2.01
	160	8331	18 x 36	1.69
	161	8332	20 x 40	2.05
	162	8333	18 x 36	1.71
	163	8336	22 x 44	2.82
	164	8340	18 x 36	2.02
	165	8341	18 x 36	2.04
	166	8342	18 x 36	2.16
	167	8343	22 x 44	3.28
	168	8344	22 x 44	3.23
	169	8350	16 x 28	1.84
	170	8352	16 x 28	1.83
	171	8353	22 x 44	3.30
	172	8354	16 x 28	1.84
	173	8355W	28 x 56	4.51
	174	8355C	28 x 56	4.90
	175	8360W	20 x 42	2.42
	176	8360C	20 x 42	2.68
	177	8361	18 x 36	1.62
	178	8362	20 x 40	1.92
	179	8363	22 x 44	2.40
	180	8364	16 x 27	1.98
	181	8365	22 x 48	4.28
	182	8366	17 x 32	1.18
	183	8370	18 x 32	1.21
	184	8372	18 x 36	1.73
	185	8373	20 x 40	2.05
	186	8374	22 x 44	2.45
	187	8375	22 x 44	2.72
	188	8376	18 x 36	1.83
	189	8380	22 x 44	2.80
	190	8381	18 x 36	1.82
	191	8382	16 x 32	1.24
	192	8383	16 x 32	1.24
	193	8384	18 x 36	2.04
	194	8385	22 x 44	3.60
	195	8386	16 x 27	1.75
	196	8389	18 x 30	1.14
	197	8393	20 x 40	2.59
	198	8394	15 x 26	1.44

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	199	8401	28 x 56	4.24
	200	8406	22 x 44	2.85
	201	8410	18 x 36	1.92
	202	8415	30 x 40	2.74
	203	8421	22 x 44	2.85
	204	8422	16 x 27	1.50
	205	8423	15 x 26	1.08
	206	8424	22 x 44	3.73
	207	8425	16 x 27	1.75
	208	8426	15 x 27	1.55
	209	8430	20 x 40	2.72
	210	8431	22 x 44	3.19
	211	8432	15 x 27	1.50
Bath Mats	212	7	20 x 30	6.91
	213	8	22 x 32	7.01
	214	17	21 x 33	5.14
Wash Cloths	215	15	12 x 12	.55
	216	36	12 x 12	.40
	217	53	12 x 12	.37
	218	61	12 x 12	.42
	219	79	12 x 12	.50
	220	84	13¾ x 14	.91
	221	84A	13¾ x 14	.86
	222	110	12 x 12	.41
	223	115	12 x 12	.52
	224	134	12 x 12	.48
	225	163	12 x 12	.52
	226	7006	12 x 12	.38
	227	7013	12 x 12	.44
	228	7021	12 x 12	.48
	229	7023A	12 x 12	.48
	230	7024	12 x 12	.51
	231	7025	12 x 12	.59
	232	7027	12 x 12	.42
	233	7030	20 x 15	.58
	234	7031	12 x 12	.54
	235	7036	12 x 12	.66
	236	7037	12 x 12	.56
	237	7038	12 x 12	.49
	238	7046	15 x 15	.62
	239	7047	12 x 12	.58
	240	7048	12 x 12	.63
	241	7051	12 x 12	.76
	242	7052	12 x 12	.55
	243	7053	12 x 12	.53
	244	7054	12 x 12	.58
	245	7055	12 x 12	.53
	246	7059	12 x 12	.59
	247	7060	12 x 12	.47
	248	7061	12 x 12	.47
	249	7062	11 x 11	.35
	250	7067	12 x 12	.54
	251	7069	12 x 12	.45
	252	7070	12 x 12	.47
	253	7071	12 x 12	.48
	254	7072	12 x 12	.59
	255	7073	12 x 12	.53
	256	7074	11½ x 11¾	.42
	257	7075	12 x 12	.79
	258	7077	12 x 12	.51
	259	7078	12 x 12	.49
	260	7079	12 x 12	.75
	261	7082	12 x 12	.62
	262	7083	12 x 12	.39
	263	7084	12 x 12	.59
	264	7085	12 x 12	.59
	265	7086	12 x 12	.58
	266	7087	12 x 12	.44
	267	7088	12 x 12	.42
	268	7089	12 x 12	.46
	269	7090	12 x 12	.49
	270	7091	12 x 12	.52
	271	7092	11 x 11	.33
	272	7093	11 x 11	.33
	273	7094	12 x 12	.69
	274	7095	12 x 12	.49
	275	7096	11 x 11	.48
	276	7103	12 x 12	.52
	277	7104	12 x 12	.70
	278	7105	12 x 12	.52
	279	7110	12 x 12	.68
	280	7111	12 x 12	.66
Matched sets	281	Mayflower 1	22 x 44	5.14
	282	Mayflower 2	16 x 28	2.55
	283	Mayflower 3	12 x 12	.97
	284	Mayflower 4	22 x 32	8.19
	285	Floral 1	22 x 44	5.14
	286	Floral 2	16 x 28	2.51
	287	Floral 3	12 x 12	.97
	288	Floral 4	22 x 32	8.19
	289	Wildrose 1	22 x 44	4.29
	290	Wildrose 2	16 x 27	2.16
	291	Wildrose 3	12 x 12	.86
	292	Primrose 1	22 x 44	4.29
	293	Primrose 2	16 x 27	2.16
	294	Primrose 3	12 x 12	.86

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Toweling	295	B. R. #1	41	Per yard 0.29½
	296	P. W. A. #1	20	.15½
	297	P. W. A. #2	20	.16½
	298	27-T-2C	28	.34
	299	36X	36	.29½
	300	38X	36	.35
	301	156X	22	.19¼
	302	304	32	.42
	303	305	33	.43½
	304	306	34	.44½
	305	308	35	.44½
	306	340X	19¾	.19¾
	307	551B	21½	.29½
	308	793X	19¾	.21
	309	794X	20	.24
	310	1636	18	.12¾
	311	2048W	18	.17
	312	2048C	18	.17½
	313	3011	22½	.20
	314	4308	20	.13¾
	315	4309	18	.14½
	316	5019W	36	.38¼
	317	9019C	36	.45½
	318	9022	36	.34
	319	9026	36	.29¼
	320	9027	36	.29¼
	321	9031	36	.29¼
	322	9038	36	.28¼
	323	9039	36	.32
	324	9043X	36	.28¾
	325	9048	36	.29¼
	326	9048A-W	36	.28
	327	9048A-C	36	.32¼
	328	9057	36	.29¼
	329	9059	36	.30¼
	330	9068W	36	.29½
	331	9068C	36	.33½
	332	9069W	36	.29½
	333	9069C	36	.33½
	334	9070W	36	.29½
	335	9070C	36	.33½
	336	9071	36	.27½
	337	9077	36	.27
	338	9084	36	.26¾
	339	9085	34	.33½
	340	9087	36	.36
	341	9088	18	.20¾
	342	9094	18	.13¾

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Toweling	343	9097	36	Per yard 0.28½
	344	9098	36	.23¼
	345	9099	36	.28
	346	9100	36	.28
	347	9101	36	.28
	348	9102	36	.27
	349	9106	24	.23½
	350	9111	36	.34½

TABLE II—*Name-Woven Institutional Merchandise Towels—Bath Mats*

For name woven in color, the seller may add 15 cents per dozen to the prices set forth below.

For name woven in white across both ends, the seller may add 20 cents per dozen to the prices set forth below.

For turned selvages, the seller may add 15 cents per dozen to the prices set forth below.

For purchases in quantities of 25 dozen or less of a name, the seller may add 10 cents per dozen to the 50-dozen-lot prices set forth below.

The maximum prices set forth in this Table II are to be discounted as follows, for purchases in larger quantities:

Dozen of a name	Cents per dozen less than	Dozen lots
250	5	100
500	10	100
1,000	15	100

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 50 dozen lots	Maximum price (dollars per dozen) 100 dozen lots
TOWELS					
Name woven in white thru center	351	1026	16 x 26	1.93	1.78
			16 x 27	2.01	1.86
			16 x 30	2.23	2.08
			16 x 32	2.39	2.24
	352	1054	20 x 40	5.52	5.27
			22 x 44	6.65	6.50
			24 x 44	7.24	7.09
			24 x 48	7.91	7.76
			25 x 50	8.57	8.42
	353	1056	20 x 40	3.97	3.82
			22 x 44	4.80	4.65
			22 x 48	5.24	5.09
			24 x 48	5.72	5.57
	354	1062	22 x 44	5.86	5.71
			22 x 46	6.15	6.00
			24 x 48	6.97	6.82
			25 x 50	7.55	7.40
	355	1070	22 x 44	6.42	6.27
			24 x 44	7.00	6.85
			24 x 48	7.64	7.49
			25 x 50	8.29	8.14
			27 x 50	8.93	8.78
			27 x 54	9.70	9.55
	356	1113	22 x 44	6.33	6.18
Bath mat	357	117	21 x 33	6.93	6.78
Name woven in white thru center	358	6	20 x 30	7.86	7.71

(29) *Huck and crash towels and corded napkins.* (i) The following maximum prices for huck and crash towels and corded napkins shall be subject to the terms shown in (v) of this subparagraph.

(ii) The maximum prices for seconds of huck and crash towels and corded nap-

kins set forth in (v) of this subparagraph are to be discounted as follows:

Type of merchandise:	*Discount*
Face and hand towels, dish towels and corded napkins (plain)	10 percent.
Toweling (plain)	½ cent per yd.
Name-woven dobby face and hand towels, dish towels, corded napkins and towelings	10 percent.
Jacquard face and hand towels, dish towels, corded napkins and towelings	15 percent.

(iii) For products of any style for which a maximum price is not listed in (v) of this subparagraph, the maximum price shall be a price in line with [21] the maximum price set forth in this subparagraph for the most nearly comparable product of the same manufacturer.

(iv) In addition to the base maximum prices, a seller may charge:

(*a*) For special services a premium not in excess of such extra charge as he made for the same special services during the base period;

(*b*) For cutting and hemming toweling, a premium not in excess of 10 cents per dozen;

(v) The following are maximum prices for the styles of huck and crash towels and corded napkins listed in this subdivision:

(*a*) Cannon Mills Company, Kannapolis, N. C. Terms: 3 per cent 30 days, f. o. b. Kannapolis, N. C.

[21] See footnote 5, § 1400.101, for definition of "in line with".

TABLE I.—PLAIN MERCHANDISE

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		156	17 x 32	1.35
2		157	18 x 36	1.56
3		160	18 x 36	1.56
4		165	18 x 36	1.51
5		603	15½ x 32	1.30
6		629	17 x 32	1.51
7		633	18 x 36	1.75
8		665	18 x 36	1.73
9		675	14 x 24	.86
10		679	18 x 36	1.57
11		686	16 x 32	1.22
12		687	18 x 36	1.88
13		693	18 x 36	1.67
14		823	16 x 32	1.27
15		853	14 x 24	.91
16		855	14 x 20	.80
	TOWELING			(*Per yard*)
17		219	11½	.09
18		241	18	.14
19		259	17	.15
	DISH TOWELS			(*Per dozen*)
20		113	16 x 28	.96
21		128–8	16 x 30	.96
22		173	16 x 32	1.30
23		174	16 x 32	1.30
24		178	16 x 32	1.30
25		180	17 x 32	1.82
26		190	16 x 32	1.21
27		610	17 x 32	1.82
28		614	17 x 32	1.82
29		618	17 x 32	1.82
30		624	17 x 32	1.81
31		688	17 x 34	1.30
	CORDED NAPKINS			
32		643	17½ x 19½	.88
	MISCELLANEOUS TOWELS			
33		23	13 x 21	.67
34		24	14 x 24	.73
35		632	16 x 32	1.29
36		634	20 x 42	2.36
37		669	17 x 36	1.83
38		835/3	13 x 19	.90

TABLE II—*Name-woven Merchandise*

On all orders for jacquard-name towels, towelings, and corded napkins, the seller may require that the purchaser will accept 10 percent more or less than the quantity specified at the contract price, and that the purchaser will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 15 percent.

On all orders for dobby-name towels, towelings and corded napkins, the seller may require that the purchaser will accept 10 percent more or less than the quantity specified at the contract price, and that the purchaser will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 10 percent.

The maximum prices for jacquard-name huck towels set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
298	250	7½	50
	500	10	50
	1,000	12½	50
578, 588 and 898	250	7½	100
	500	10	100
	1,000	12½	100
566	250	10	100
	500	12½	100
	1,000	15	100
590 and 591	250	10	100
	500	12½	100
	1,000	15	100

The maximum prices for jacquard-name huck towelings set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than—	Yard price
578, 588 and 898—17" and 18"	3,000	½	1,500

The maximum prices for dobby-name towelings set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than base price
S–14, 249, 544, 546, 548, 661–17", 661–18", Wearmore–16", Winmore–16", Worthmore–16"	6,000	¼
	10,000	½
	25,000	¾

The maximum prices for jacquard or dobby corded napkins set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
464 and 466	500	2½	250
	1,000	5	250

For name-woven jacquard huck towels the seller may add to the maximum prices set forth in this Table II the following amounts for purchases in the style and weave listed below:

Style No.	Weave	Cents per dozen
578, 588 and 898.	Name woven across ends in white.	0.05
	Name woven in color through center.	.10
566	Name woven across ends in color.	.15
	Name woven across ends in white.	.05
	Name woven in color through center.	.10
590 and 591	Name woven across ends in color.	.15
	Name woven in color either through center or across border.	.10

For name-woven jacquard huck towelings the seller may add to the maximum prices set forth in this Table II the following amounts for purchases in the style and weave listed below:

Style No.	Weave	Cents per yard
578, 588, and 898—17" and 18".	Name woven in color through center.	01
	Name woven across ends in white.	½
	Name woven across ends in color.	1½

For jacquard corded napkins with name woven in white the seller shall deduct 5 cents per dozen from the maximum prices set forth in this Table II.

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Base maximum price (dollars per dozen)	Basis quantity of
	FACE AND HAND TOWELS				
39		298	17 x 32	$1.91	50 dozen center warp color.
40		566	17 x 32	1.94	100 dozen center warp white.
41		566	18 x 36	2.10	Do.
42		578	15 x 20	1.23	Do.
43		578	17 x 32	1.86	Do.
44		578	18 x 36	2.14	Do.
45		578	19 x 38	2.30	Do.
46		588	15 x 20	1.41	Do.
47		588	17 x 32	2.11	Do.
48		588	18 x 36	2.40	Do.
49		588	19 x 38	2.63	Do.
50		590	15 x 20	1.81	Do.
51		590	17 x 32	2.38	Do.
52		590	18 x 36	2.79	Do.
53		590	19 x 38	3.18	Do.
54		591	15 x 20	1.95	Do.
55		591	17 x 32	2.63	Do.
56		591	18 x 36	3.08	Do.
57		591	19 x 38	3.42	Do.
58		898	15 x 20	1.28	Do.
59		898	17 x 32	1.91	Do.
60		898	18 x 36	2.22	Do.
61		898	19 x 38	2.41	Do.
	TOWELINGS			(*per yard*)	
62		S–14	16	.12	3000 yards center warp color.
63		249	16	.12	Do.
64		544	16	.12	Do.
65		546	16	.12	Do.
66		548	16	.12	Do.
67		578	17	.16	1500 yards center warp white.
68		578	18	.17	Do.
69		588	17	.18	Do.
70		588	18	.19	Do.
71		661	17	.16	3000 yards center warp color.
72		661	18	.16	Do.
73		898	17	.17	1500 yards center warp white.
74		898	18	.17	Do.
75		Wearmore	16	.12	3000 yards center warp color.
76		Winmore	16	.12	Do.
77		Worthmore	16	.12	Do.
	CORDED NAPKINS			(*per doz.*)	
78		464 Jacq	17½ x 19½	1.20	250 dozen center warp color.
79		464 Dob	17½ x 19½	1.05	Do.
80		466 Jacq	17½ x 19½	1.31	Do.
81		466 Dob	17½ x 19½	1.16	Do.

(*b*) George Wood Sons & Co., 512 Walnut Street, Philadelphia, Pennsylvania.

Terms: 2 percent 10 days, 60 extra, f. o. b. mill.

TABLE I.—*Plain Merchandise*

For dobby name-woven patterns, the seller may add to the maximum prices set forth in this Table I the following amounts for the quantities and colors listed below:

Quantity (yards)	Cents per yard	
	Red, blue or gold lettering	White lettering
25,000 and over	1	¾
10,000 to 25,000	1¼	1
6,000 to 10,000	1½	1¼
3,000 to 6,000	1¾	1½

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		#652 Huck	16 x 32	1.38
2		#748 Huck	14 x 20	.87
3		#836 Huck	18 x 36	1.70
	TOWELING			(*Per yard*)
4		#3 Roller	16	.09
5		#5 Bleached, Red	15	.09
6		#11 Boston	16	.12
7		#165 Grey	16	.07
8		#207 M L Huck	16	.10
9		#268 Honeycomb	16	.08
10		#293 Herringbone	16	.10
11		#306 Cheek Glass	16	.12
12		#682 Hercules Huck	16	.11
13		#682 Hercules Herringbone	16	.10
14		#823 Blue Twill	17	.14
15		#1306 Girvin	16	.11
16		Emerald	16	.12
17		Erin	17	.10
18		Heavy plain	16	.10
19		League	16	.09
20		Maxine	16	.10
21		Plain Roman	17	.11
22		Super Stripe		
	CORDED NAPKINS			(*Per dozen*)
23		#377	17 x 18¼	.90
24		#384	17 x 17⅜	.77
	MISCELLANEOUS			(*Per yard*)
25		Bureau Scarfing	17	.10
26		Silver Knight	18	.11

(c) Marshall Field and Co. (Manufacturing Division), 82 Worth Street, New York City.
Terms: 2 percent 10 days, 60 extra, f. o. b. Fieldale, Virginia.

TABLE I.—*Plain Merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		3217	16 x 32	1.41
2		3220	14 x 20	.83
3		3224	14 x 24	.93
4		3265	18 x 36	1.56
5		3300	16 x 32	1.55
6		3302	16 x 32	1.70
7		3305	15 x 30	1.20
8		3325	16 x 32	1.40
9		3408	18 x 36	2.22
10		3411	18 x 36	2.21
11		32121	16 x 32	1.70
12		32165	18 x 36	1.67
13		33133	17 x 34	2.22
	TOWELING			(*Per yard*)
14		1018	18	.15
15		1106	16	.10
16		1146	16	.11
17		1378	18	.12
	DISH TOWELS			(*Per dozen*)
18		3488	16 x 32	1.50
19		3498	16 x 32	1.50
	CORDED NAPKINS			
20		2118	18 x 19	.96

(d) Parker Wilder & Co. (Boott Mills), 40 Worth Street, New York City.
Terms: 2 percent 10 days, 60 extra or 3 percent 10 days, f. o. b. mill, Lowell, Massachusetts.

TABLE I.—*Plain Merchandise.*

For dobby name-woven toweling the seller may add to the maximum prices set forth in this Table I the following amounts for the quantities listed below:

Quantity (yards)	*Cents per yard*
Minimum 5,000	2
5,001 to 10,000	1¾
10,001 to 20,000	1½
20,001 and over	1¼

Reference No.	Type of merchandise	Style No.	Size or width, cut size	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		Boott	18 x 36	1.70
2		do	16 x 32	1.41
3		Boott Solid Color	16 x 27	1.69
4		do	18 x 36	2.31
	TOWELING			(*Per yard*)
5		Boott	13	.11
6		do	16	.13
7		do	18	.15
8		Boott Solid Color	16	.16
9		Boott Solid Color	18	.18
10		A-179	16	.15
11		Argyle	17	.15
12		Argyle Ecru	17	.18
13		A-220	16	.12
	DISH TOWELS			(*Per dozen*)
14		A-220	16 x 32	1.35
15		A-179	16 x 32	1.75
	MISCELLANEOUS TOWELS			
16		Boott Grommet	13 x 20½	.93
17		Boott Bleached Scarfs	18 x 45	2.45
18		Boott Bleached Scarfs	18 x 54	2.90
19		Boott Ecru Scarfs	18 x 45	2.90
20		Boott Ecru Scarfs	18 x 54	3.44
21		Argyle Bleached Scarfs	17 x 45	2.45
22		Argyle Bleached Scarfs	17 x 54	2.90
23		Argyle Ecru Scarfs	17 x 45	2.90
24		Argyle Ecru Scarfs	17 x 54	3.44

(e) Superba Mills, Inc., Hawkinsville, Georgia.
Terms: 3 percent 10 days, or 2 percent 10 days, 60 extra, f. o. b. mill.

TABLE I.—*Plain Merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		13	18 x 36	1.56
2		220	18 x 36	1.75
3		250	19 x 38	2.18
4		256	16 x 32	1.24
5		272	17 x 35	1.60
6		283	17 x 37	1.69
7		284	19 x 38	2.00
8		285	16 x 32	1.21
9		292	16 x 27	1.03
10		399	18 x 36	1.66
11		400	19 x 38	1.82
12		402	14 x 20	.75
13		409	14 x 24	.85
	TOWELING			(*Per yard*)
14		11	16	.12
15		288	15	.11
16		304	16	.13
17		306	18	.14
18		422	16	.11
19		442	16½	.11
20		458 bleached	16	.12
21		458 unbleached	16	.11
22		450	17½	.10
23		480	16	.11
24		544	20	.11
25		785	16	.10
	CORDED NAPKINS			(*Per dozen*)
26		142	17 x 18½	.78
27		144	17 x 18½	.81

TABLE II—NAME-WOVEN MERCHANDISE

Reference No.	Type of merchandise	Style No.	Size or width	Maximum price (dollars dozen)	Basis quantity of—
	FACE AND HAND TOWELS				
28		52-O	17 x 37	2.28	2,000 dozen.
29		274-A	17 x 36	1.91	2,000 dozen.
30		274-N	17 x 39	2.05	2,000 dozen.
31		274-NE	17 x 36	1.91	2,000 dozen.
32		285-H	16 x 32	1.51	2,000 dozen.
	TOWELING			(*Per yard*)	
33		120-C	16"	.14	20,000 yards.

(*f*) Wellington Sears Co., 65 Worth Street, New York City.
Terms: 3 per cent 10 days or 2 per cent 10 days, 60 extra, f. o. b. Fairfax, Ala.

TABLE I.—*Plain Merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		101	12½ x 27	0.73
2		131	18 x 36	2.15
3		247	13 x 19	.91
4		542	18 x 32	1.62
5		544	18 x 32	1.62
6		548	18 x 36	2.22
7		604	18 x 36	1.62
8		605	18 x 36	1.77
9		607	16 x 32	1.20
10		614	18 x 36	1.72
11		0614	18 x 36	1.72
12		615	18 x 36	1.87
13		617	16 x 32	1.30
14		620	14 x 20	.85
15		622	16 x 32	1.30
16		623	16 x 32	1.40
17		715	18 x 36	1.54
18		718	16 x 32	1.28
19		725	16 x 32	1.34
20		743	16 x 32	1.30
21		744	16 x 32	1.40
22		752	17 x 32	1.43
23		753	14 x 20	.83
24		757	14 x 24	.90
25		765	18 x 36	1.59
26		766	18 x 36	1.60
27		793	18 x 36	1.83
28		928	17 x 36	1.78
29		3231	18 x 36	2.40
	TOWELING			(*Per yard*)
30		Arbutus	16	.10
31		doubledent	16	.10
32		fairfax	16	.10
33		121	12	.09
34		191	15	.14
35		240	18	.10
36		247	13	.10
37		288	16	.11
38		290	16	.10
39		323	12	.09
40		333	14¾	.10
41		350	16	.13
42		505	18	.14
	DISH TOWELS			(*per dozen*)
43		551	17 x 32	1.52
	CORDED NAPKINS			
44		921	17½ x 19¼	.88
45		921X	17½ x 19½	.98
46		924	17 x 18¾	.83
47		941	17 x 18½	.78

TABLE II—*Name-woven Merchandise*

The seller may require on all orders for jacquard-name towels and toweling that the purchaser will accept 10 percent more or less than the quantity specified and will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 15 percent.

The seller may require on all orders for dobby-name towels and dobby-toweling that the purchaser may accept 10 percent more or less than the quantity specified and will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 10 percent.

The maximum prices for jacquard-name huck towels set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
852, 864 and 876	250	7½	100
	500	10	100
	1,000	12½	100
724, 725 and 726	250	7½	100
	500	10	100
	1,000	12½	100

The maximum prices for jacquard-name huck toweling set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than	Yard price
852, 864 and 876	3,000	½	1,500

The maximum prices for dobby-name crashes set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than	Yard price
16" Fairfax, 16" Arbutus, Styles 315, 430, 469, 306 and 170	10,000	¼	6,000
	25,000	½	6,000

For name-woven jacquard huck towels the maximum prices set forth in this Table II for the style and weave listed below, shall be increased or decreased by the following differentials:

Style No.	Weave	Differential
852, 864 and 876	Name woven in white.	Deduct 10 cents per dozen.
	Name woven across ends.	Add 5 cents per dozen.
724, 725 and 726	Name woven in color.	Add 10 cents per dozen.
	Name woven across ends.	Add 5 cents per dozen.

For name-woven jacquard huck towelings the maximum prices set forth in this Table II for the style and weave listed below, shall be increased or decreased by the following differentials:

Style No.	Weave	Differential
852, 864 and 876	Names woven across ends.	Add ½ cent per yard.
	Names woven in white.	Deduct 1 cent per yard.

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)	Basis quantity of
	FACE AND HAND TOWELS				
48		724	15 x 20	1.23	100 doz.
49		724	17 x 32	1.86	
50		724	18 x 36	2.14	
51		724	19 x 38	2.40	
52		725	15 x 20	1.28	White center name
53		725	17 x 32	1.91	
54		725	18 x 36	2.22	
55		725	19 x 38	2.41	
56		726	15 x 20	1.41	
57		726	17 x 32	2.12	
58		726	18 x 36	2.40	
59		726	19 x 38	2.64	
60		852	15 x 20	1.33	100 doz.
61		852	17 x 32	1.95	
62		852	18 x 36	2.25	
63		852	19 x 38	2.40	Name thru center warp in color.
64		864	15 x 20	1.39	
65		864	17 x 32	2.01	
66		864	18 x 36	2.32	
67		864	19 x 38	2.51	
68		876	15 x 20	1.51	
69		876	17 x 32	2.22	
70		876	18 x 36	2.50	
71		876	19 x 38	2.74	
	TOWELING			(*Per yard*)	
72		Fairfax	16	.12	6,000 yds.
73		Arbutus	16	.12	Name thru center warp in color.
74		170	16	.12	
75		306	16	.12	
76		315	17	.15	
77		430	18	.16	
78		469	16	.12	
79		852	17	.17	1,500 yds.
80		852	18	.17	Name thru center warp in color.
81		864	17	.17	
82		864	18	.18	
83		876	17	.19	
84		876	18	.20	

(*g*) Woodward Baldwin & Co., 45 Worth Street, New York City. Terms: 2 percent 10 days, 60 extra, f. o. b. mill.

TABLE I.—*Plain merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		1509	18 x 36	1.57
2		1517	14 x 20	.80
3		1519	14 x 24	.86
4		1523	15½ x 32	1.30
5		1525	18 x 36	1.77
6		1529	17 x 34	1.66
7		1531	18 x 36	1.51
8		1551	14 x 24	.91
9		1560	17 x 32	1.41
10		1584	15 x 30	1.19
11		1590	18 x 36	1.67
12		1599	16 x 32	1.27
	TOWELING			(*Per yard*)
13		2025	12	.09
14		2041	18	.10
15		2048	16	.09
16		2052	16	.10
17		2058	16	.10
18		2095	14½	.10
19		2182	12	.10
20		2200	16½	.08
21		2309	17	.12
22		2311	17	.15
23		2331	12	.09
24		2385	17	.15
25		Dunworth	16	.09
	DISH TOWELS			(*Per dozen*)
26		2182	16 x 29	1.09
27		2184	16 x 29	1.09
28		2186	16 x 29	1.09
	CORDED NAPKINS			
29		1401	17½ x 18½	.82
30		1403	do	.78
31		1405	do	.88
	MISCELLANEOUS TOWELS			
32		1205	13 x 19	.90
33		1230	14 x 24	.73
34		1285	17 x 50	3.00
35		1596	14½ x 14½	.46
36		1696	14½ x 15½	.75

TABLE II—*Name-woven Merchandise*

The maximum prices for name-woven towels set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
700, 701, 718 and 719	250	2½	100
	500	7½	100
	1,000	10	100
2800, 2804 and 2818	250	7½	100
	500	10	100
	1,000	12½	100

The maximum prices for name-woven towelings set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than	Yard price
2800, 2804 and 2818	3000	½	1500

The maximum prices for name-woven towels set forth in this Table II may be increased as follows for purchases in the style and quantities listed below:

Style No.	Dozen of a name	Add cents per dozen to	Dozen lots
2800, 2804 and 2818	50	10	100

For name woven in color, the seller may add 10 cents per dozen to the maximum prices set forth in this Table II for name-woven towels.

For name woven across ends, the seller may add 5 cents per dozen to the maximum prices set forth in this Table II for white and colored name-woven towels.

For name-woven toweling in color, the seller may add 1 cent per yard to the maximum prices set forth in this Table II.

For toweling with name woven crosswise, the seller may add ½ cent per yard to the maximum prices set forth in this Table II for white and colored name-woven towelings.

Reference No.	Type of merchandise	Style No.	Size or width	Maximum price (dollars per dozen)	Basis quantity of
	FACE AND HAND TOWELS				
37		700	16 x 32	1.42	100 dozen; center name color.
38		701	16 x 32	1.40	
39		718	16 x 32	1.34	
40		719	16 x 32	1.45	
41		2809	15 x 20	1.23	
42		2800	17 x 32	1.86	
43		2800	18 x 36	2.14	
44		2804	15 x 20	1.28	100 dozen; center name white.
45		2804	17 x 32	1.91	
46		2804	18 x 36	2.22	
47		2818	15 x 20	1.41	
48		2818	17 x 32	2.11	
49		2818	18 x 36	2.40	
	TOWELING			*Per yard*	
50		2800	17	.16	1,500-yard lots; center; name; white.
51		2800	18	.16	
52		2804	17	.16	
53		2804	18	.17	
54		2818	17	.18	
55		2818	18	.19	

(*h*) Fulton Bag & Cotton Mills, Atlanta, Georgia.

Terms: 2% 10 days, 60 extra, f. o. b. mill.

Description:	*Maximum Price*
Narrow crash toweling S/16SR, 16" 36x36 6.00 yd	8⅞ cents per yd.

(i) Huck towels manufactured in accordance with Federal Specification DDD–T–531 (without woven name or colored stripe, or unstamped) 1.73 dollars per dozen, terms, net f. o. b. shipping point.

For stamping, if required by the specifications, a premium of 5 cents per dozen may be added to the maximum price set forth herein.

§ 1400.117 *Effective dates of amendment.* • • •

(j) Amendment No. 10 to Maximum Price Regulation No. 118 (§ 1400.115 (a) (1), (a) (5) (ii) (*l*) and (*n*), (a) (6) and (7), 1400.118 (a) (8), (d) (2) (vii) and (viii), (d) (8) (i), (d) (18) reference numbers 6 through 18h, (d) (22) (ii) (c), (d) (24) (v), (d) (25) (iii) reference number 5, (d) (26) (i) (ii), (v) (*f*) (*h*) and (i), (d) (28), (d) (29)) shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8037; Filed, August 17, 1942; 11:54 a. m.]

PART 1410—WOOL

[Amendment 7 to Revised Price Schedule 58,[1] as amended]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2397, 2543, 2580, 3088, 3271, 4117, 4296, 4299, 4428.

In § 1410.51 (e) (3) the reference to paragraph "(c)" or "(d)" is amended to read "(b)" or "(c)"; in § 1410.63 (h) the reference in the last line to "this paragraph" is amended to read "this appendix"; in § 1410.65 (a) the reference to subparagraphs "(4)" and "(5)" is amended to read "(3)" and "(4)"; in § 1410.65 (c) (6) the reference to paragraph "(b)" is amended to read "(c)".

In § 1410.57 subparagraph (4) of paragraph (a) is amended; in § 1410.64 a new unnumbered paragraph is added to paragraph (e) and a new subparagraph (5) is added to paragraph (f); in § 1410.65 subparagraph (6) of paragraph (c) is amended and a new subparagraph (6) is added to paragraph (d); in § 1410.66 the text preceding (a) is amended and a new paragraph (f) is added as set forth below:

§ 1410.57 *Definitions.* (a) When used in Revised Price Schedule No. 58, as amended, the term:

• • • • •

(4) "Yarns" means yarns containing 10% or more wool by fiber weight except (i) imported yarns and (ii) yarns dyed and converted for the handknitting trade.

§ 1410.64 *Appendix D: Maximum prices for wool yarns.* • • •

(e) *Yarns spun from blended wool and other fibers.* • • •

Where yarns are spun from blended wool and mohair the maximum price shall be a price reduced from the applicable maximum price for yarn spun from wool by the amount thereby saved in raw material cost. The amount saved in raw material cost shall be the difference between the actual price paid for the mohair top used and the maximum price for that portion of wool top for which the mohair is substituted.

(f) *Woolen sales yarns.* • • •

(5) *Woolen sales yarns sold in the scoured state.* For woolen sales yarns sold in the scoured state there shall be added to the applicable maximum price set forth in subparagraphs (1), (2) or (3) of this paragraph an amount equal to the loss due to shrinkage of the yarn and the actual cost for scouring and for packing: *Provided*, That the amount of each such charge shall be separately set forth in an invoice or similar document delivered to the purchaser.

§ 1410.65 *Appendix E: Maximum prices for foreign wools.* • • •

(c) *South American shorn wools scoured in the United States.* • • •

(6) *Invoices.* After June 9, 1942, every person making a sale of South American shorn wools scoured in the United States covered by this paragraph shall deliver to the purchaser an invoice or similar document which shall show: (i) the class, kind, type, condition and grade of wool sold; and (ii) the price contracted, received or paid therefor, indicating separately any adjustments made for processing, for choice or inferior wools or for marine and war risk insurance in conformity with the provisions of this paragraph.

(d) *Australian, New Zealand, South African and other British Wool Control shorn wool.* • • •

(6) *Carbonized, neutralized and dusted wools.* The maximum prices for carbonized, neutralized and dusted wools shall be determined by adding 5 cents to the applicable maximum price set forth in this paragraph (d). The maximum price for wool carbonized only, carbonized and neutralized, or carbonized and dusted shall be reduced to a price in line with the maximum price for the same class, kind, type, condition and grade of wool carbonized, dusted and neutralized.

§ 1410.66 *Appendix F: Maximum for foreign pulled wools.* The prices set forth in paragraphs (a) to (e), inclusive, are maximum prices per pound for foreign pulled wools, other than British Wool Control pulled wools pulled abroad, of average to good character, duty paid, f. o. b. wool pullery or scouring plant. Such prices do not include marine and war risk charges which may be added as set forth in paragraph (e) below. Terms of sale shall be cash less 1% up to 10 days, or 60 days net cash.

• • • • •

(f) *Maximum prices for British Wool Control pulled wools, pulled abroad.* The maximum prices for British Wool Control pulled wools, pulled abroad, shall be determined in accordance with the provisions of paragraph (d) of § 1410.65.

§ 1410.60 *Effective dates of amendments.* • • •

(i) Amendment No. 7 (§§ 1410.51 (e) (3), 1410.57 (a) (4), 1410.63 (h), 1410.64 (e) and (f) (5), 1410.65 (a), (a) (6), (c) (6) and (d) (6), 1410.66 and (f)) to Revised Price Schedule No. 58, as amended, shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8028; Filed, August 17, 1942; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 57 Under § 1499.3 (b) Of General Maximum Price Regulation]

SALES OF WELTING CONTAINING COMPOUNDED SYNTHETIC RESINS

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.271 *Maximum prices for sales of welting containing compounded synthetic resins.* (a) On and after August 18, 1942, Dewey and Almy Chemical Company, incorporated under the laws of the State of Massachusetts, may sell and deliver and offer, agree, solicit and attempt to sell and deliver either directly or through an agent, consignee, or factor that particular type of welting developed by such company, which is made from a fibrous material bound by compounded synthetic resins, and any person may buy said welting, either directly or through an agent, consignee or factor, at prices no higher than those hereinafter set forth:

	Maximum prices $/M yards
Stitchdown welting (used in stitchdown shoes):	
6/32" x 2/32"	$7.00
7/32" x 2/32"	8.00
PM Welting (used on Goodyear welts and pre-welt shoes):	
10/32" x 1/12"	19.00
12/32" x 1/12"	22.95
13/22" x 1/12"	23.75
14/32" x 1/12"	24.75

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March, 1942, on the sale by this company of comparable products shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 57 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 57 (§ 1499.271) shall become effective August 18, 1942. (Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8041; Filed, August 17, 1942; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 58 Under § 1499.3 (b) of General Maximum Price Regulation[1]]

LARUS & BROTHER COMPANY, INC.

Larus & Brother Company, Inc. of Richmond, Virginia, has made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for a Christmas package of smoking tobacco which it proposes to manufacture for Cambridge Tobacco Company, Inc., of New York, New York. Due consideration has been given to the application and an opinion in support of this order issued simultaneously herewith has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.272 *Authorization of a maximum price for a certain Christmas package of smoking tobacco for Larus & Brother Company, Inc.* (a) On and after August 18, 1942, Larus & Brother, Inc., may sell and deliver to Cambridge Tobacco Company, Inc., and Cambridge Tobacco Company, Inc., may buy and receive from Larus & Brother Inc. a Christmas package of smoking tobacco (consisting of 1⅛ ounces each of Bowl of Roses, Cambridge Arms, Jameson's Irish Mixture, Patterson's Rum and Maple, and Patterson's Honey and Rum packed in individual cardboard containers assembled on a circular tray) at a price no higher than that hereinafter set forth:

$7.40 per dozen Christmas packages less 2% cash discount for payment within 10 days.

(b) This Order No. 58 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 58 (§ 1499.272) shall become effective August 18, 1942. (Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8039; Filed, August 17, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 19 Under § 1499.18 (b) of General Maximum Price Regulation, Docket GF3–25]

PILSER BREWING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.319 *Adjustment of maximum prices for fermented malt beverages manufactured by Pilser Brewing Co. Inc.* (a) Pilser Brewing Co. Inc., of 586 East 161st Street, New York, New York, wholesalers and retailers may sell and deliver and any person may buy and receive from Pilser Brewing Co. Inc., wholesalers and retailers fermented malt beverages manufactured by Pilser Brewing Co. Inc. at prices not higher than those set forth below:

(1) *Pilser Brewing Co. Inc.* The maximum prices established for Pilser Brewing Co. Inc., under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

4 cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

Provided, That the adjustments granted with respect to ⅛, ¼ and ½ barrels shall not be applicable to sales to retailers.

(2) *Wholesalers.* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

4 cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

Provided, That if the particular wholesaler raised his prices during March, 1942, he may add only the excess, if any, of the adjustments permitted hereunder over his March price increases.

(3) *Retailers.* The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation plus one cent for 3 twelve ounce bottles, one cent for each quart bottle, and 2 cents for each half gallon bottle; *Provided*, That such prices as increased shall not exceed 27 cents for 3 twelve ounce bottles, 22 cents for each quart bottle, and 39 cents for each half gallon bottle.

(b) The adjustment granted to Pilser Brewing Co. Inc., wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted under paragraph (a) shall only be made in the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester, State of New York.

(2) Pilser Brewing Co., Inc., shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its fermented malt beverages that they may increase their prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 19 (§ 1499.319) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 19 (§ 1499.319) shall become effective August 18, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8029; Filed, August 17, 1942; 11:53 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4738, 5027, 5192, 5276, 4659, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6058, 6081, 6007, 6216.

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3–24]

OLD DUTCH BREWERS INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.320 *Adjustment of maximum prices for fermented malt beverages manufactured by Old Dutch Brewers Inc.* (a) Old Dutch Brewers Inc., of 761 East 42d Street, Brooklyn, New York, wholesalers and retailers may sell and deliver and any person may buy and receive from Old Dutch Brewers Inc., wholesalers and retailers fermented malt beverages manufactured by Old Dutch Brewers Inc., at prices not higher than those set forth below:

(1) *Old Dutch Brewers Inc.* The maximum prices established for Old Dutch Brewers Inc., under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

2½ cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

(2) *Wholesalers:* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

2½ cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

Provided, That if the particular wholesaler raised his prices during March 1942, he may add the excess, if any, of the adjustments permitted hereunder over his March price increases.

(3) *Retailers.* The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation plus one cent for four twelve ounce bottles, one cent for each quart bottle, and 2 cents for each half gallon bottle: *Provided*, That such prices as increased shall not exceed 27 cents for four twelve ounce bottles, 17 cents for each quart bottle, and 39 cents for each half gallon bottle.

(b) The adjustment granted to Old Dutch Brewers Inc., wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted under paragraph (a) shall only be made in the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester, State of New York.

(2) Old Dutch Brewers Inc., shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its fermented malt beverages that they may increase their prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 20 (§ 1499.320) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 20 (§ 1499.320) shall become effective August 18, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8040; Filed, August 17, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 21 Under § 1499.18 (b) of the General Maximum Regulation—Docket GF1–498–P]

JAMES HANLEY CO.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

§ 1499.321 *Adjustment of maximum prices for fermented malt beverages manufactured by James Hanley Company.* (a) James Hanley of 35 Jackson Street, Providence, Rhode Island, wholesalers and retailers, may sell and deliver and any person may buy and receive from James Hanley Company, wholesalers and retailers fermented malt beverages manufactured by James Hanley Company at prices not higher than those set forth below:

(1) *James Hanley Company and wholesalers.* The maximum prices established under § 1499.2 of the General Maximum Price Regulation for James Hanley Company and the particular wholesaler respectively plus the following amounts:

4 cents per case of 24 twelve ounce bottles.
10 cents per case of 12 quart bottles.

Provided, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustment permitted hereunder over his March price increases.

(2) *Retailers.* The maximum prices established under § 1499.2 of the General Maximum Price Regulation for the particular retailer plus 1¢ for 3 twelve ounce bottles and 1¢ for each quart bottle: *Provided*, That such prices as increased shall not exceed 27¢ for 3 twelve ounce bottles and 22¢ for each quart bottle.

(b) The adjustment granted to James Hanley Company, wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted under paragraph (a) shall only be made in the State of Connecticut.

(2) James Hanley Company shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its fermented malt beverages that they may increase their prices as provided in paragraph (a).

(c) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 21 (§ 1499.321) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 21, (§ 1499.321) shall become effective August 18, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8030; Filed, August 17, 1942; 11:53 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Correction of General Permit O.D.T. 17–4][1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

DELIVERIES TO VESSELS

In General Permit O.D.T. No. 17–4 the reference "§ 501.2878" should read "§ 521.2878" and the reference "§ 501.2879" should read "§ 521.2879". General Permit O.D.T. No. 17–4 is corrected accordingly.

Issued at Washington, D. C., this 14th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42–7966; Filed, August 14, 1942; 4:46 p. m.]

[General Order O.D.T. No. 18]

PART 500—CONSERVATION OF RAIL EQUIPMENT

SUBPART C—MAXIMUM LOADING OF FREIGHT CARS

By virtue of the authority vested in me by Executive Order No. 8989, issued December 18, 1941, and in order to make available railway cars and other transportation facilities and equipment for the preferential transportation of material of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to prevent shortages of equipment necessary for such transportation; to conserve and providently utilize motive power, other transportation facilities and service; and to expedite the movement of freight traffic, the attainment of which purposes is essential to the successful prosecution of the war:

[1] 7 F.R. 5887.

It is hereby ordered, That:

Sec.
500.20 Definitions.
500.21 Maximum loading required.
500.22 Bulk freight loading.
500.23 Non-bulk freight loading.
500.24 Specific commodity loading exceptions; non-bulk freight.
500.25 Specific commodity loading exceptions; bulk freight.
500.26 Miscellaneous loading exceptions.
500.27 General exceptions.
500.28 Maximum loading; consignor's certificate.
500.29 Stop-offs to complete loading and for partial unloading.
500.30 Consolidation of shipments in a single car.
500.31 Filing rate publications; rates not to be increased.

AUTHORITY: §§ 500.20 to 500.31, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 500.20 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, association, municipal corporation, or other type of legal entity, or any trustee, receiver, assignee or personal representative thereof.

(b) The term "rail carrier" means any person engaged in transportation as a common carrier by railroad in any of the several States or the District of Columbia.

(c) The term "closed freight car" means any box car, refrigerator car, stock car, or any other closed railway car, except a tank car, used by a rail carrier for the transportation of freight by rail.

(d) The term "open freight car" means any gondola car or hopper car used by a rail carrier for the transportation of freight by rail.

(e) The terms "freight car" and "car" mean any open or closed freight car.

(f) The term "marked load limit" as applied to a freight car means the maximum carrying capacity of said car by weight as ascertained and marked upon said car according to the rules of the Mechanical Division of the Association of American Railroads.

(g) The term "bulk freight" means any non-liquid, non-gaseous commodity shipped loose or in mass and which in the loading or unloading thereof must be shoveled, scooped, forked, or mechanically conveyed or which is not in containers or in units of sufficient size to permit piece by piece loading or unloading.

(h) The term "non-bulk freight" means any liquid or gaseous commodity enclosed in containers and capable of being loaded or unloaded piece by piece or any other commodity not included within the term "bulk freight."

(i) The term "required capacity" as applied to a freight car means the extent to which such car must be loaded in order to comply with the provisions of this subpart.

§ 500.21 *Maximum loading required.* (a) No rail carrier shall accept for transportation or forwarding or forward, any freight car containing freight which is not loaded to required capacity.

(b) Except as otherwise provided in this subpart, a freight car shall be deemed loaded to required capacity if it is loaded either to its marked load limit or to its full visible capacity, whichever is the lesser.

(c) Notwithstanding any provision of this subpart, no car shall be loaded to such an extent or in such manner as to create a transportation hazard or as to cause damage to the lading. Any freight car subject to the provisions of this subpart shall, however, be deemed loaded to required capacity if in the loading thereof efficient stowage practices are followed and it is loaded to the utmost extent without creating a transportation hazard or causing damage to lading.

(d) Notwithstanding any provision of this subpart, no car, the lading in which is to be refrigerated, heated, or ventilated in such car, shall be loaded to such an extent beyond the refrigerating, heating, or ventilating capacity thereof as to cause abnormal deterioration of the lading. Any such car shall, however, be deemed loaded to required capacity if it is loaded to its full refrigerating, heating, or ventilating capacity.

§ 500.22 *Bulk freight loading.* A closed freight car containing bulk freight shall not be deemed loaded to full visible capacity unless it is loaded up to an elevation 18 inches below the roof of the car measured at its side walls or if the interior walls of such car are partially sheathed or lined but not to said elevation, then to the utmost elevation practicable without overrunning the sheathing or lining.

§ 500.23 *Non-bulk freight loading.* A freight car containing non-bulk freight shall not be deemed loaded to required capacity unless all of the practical stowage space within the limits of its marked load limit or full visible capacity, whichever is the lesser, has been filled with containers, bales, bundles, rolls, reels or pieces of commodities constituting the cargo.

§ 500.24 *Specific commodity loading exceptions; non-bulk freight.* Any car subject to the provisions of this subpart shall be deemed loaded to required capacity:

(a) If such car is loaded with non-bulk freight consisting of any one or more of the following commodities: grain products, grain byproducts, cereal food preparations, vegetable oil meal, all in containers, and vegetable oil cake, to a minimum weight of 60,000 pounds or to full visible capacity;

(b) If such car is a closed freight car and is loaded with non-bulk freight consisting of any one or more of the following wood products: lumber, shingles, lath, box and crate material and other kindred wood products, up to an elevation 12 inches below the roof of the car measured at its side walls.

§ 500.25 *Specific commodity loading exceptions; bulk freight.* Any car subject to the provisions of this subpart shall be deemed loaded to required capacity:

(a) If such car is loaded with bulk freight consisting of any one or more of the following commodities: corn or maize (not popcorn) in the ear (shucked or not shucked), oats, unground screenings, sorghum grains in the heads and unthreshed, to 80 per cent of the marked load limit of the car or up to an elevation 24 inches below the roof of the car measured at its side walls or to its full practicable space capacity;

(b) If such car is loaded with bulk freight consisting of shelled corn or maize, threshed sorghum grains or grains other than those mentioned in the next preceding paragraph, to the car's marked load limit or up to an elevation 24 inches below the roof of the car measured at its side walls or up to the lawfully marked grain line of a car so marked or when loaded to full practicable space capacity;

(c) If such car is a closed freight car and is loaded with bulk freight consisting of coal to 80 per cent of the car's marked load limit or if the interior walls of such car are partially sheathed or lined to an elevation insufficient to permit such loading without overrunning the sheathing or lining, then to the utmost elevation practicable without causing such overrunning.

§ 500.26 *Miscellaneous loading exceptions.* Any car subject to the provisions of this subpart shall be deemed loaded to required capacity if it contains freight loaded and moving under and in accordance with "clean-out" or "remnant" rules or "gathering rates and rules" established in applicable tariffs.

§ 500.27 *General exceptions.* This subpart shall not apply:

(a) to cars containing shipments of merchandise as defined in, and loaded in accordance with, General Order O.D.T. No. 1[1] or any amendments or revisions thereof or supplements thereto issued by the Office of Defense Transportation;

(b) to shipments in cars which because of construction or design cannot be interchanged with other carriers under MCB rules;

(c) to shipments in cars containing principally airplanes, marine equipment, armament, artillery, munitions, parts thereof, tools and machinery therefor, or materials used in the production thereof shipped by or consigned to any military, naval or lend lease agency of the United States;

(d) to shipments of cotton and cotton linters, in bales.

(e) to a shipment of any commodity which has been allocated or limited by an order of an agency of the United States Government in such quantity as to preclude shipment of an amount sufficient to meet the maximum loading requirements of this subpart;

(f) to shipments shipped by or consigned to any establishment of the United States Army, Coast Guard, Marine Corps or Navy;

(g) to shipments by any rail carrier of its own material or equipment over its own lines;

[1] 7 F.R. 3046, 3213, 3753.

(h) to shipments of explosives and other dangerous articles as defined and listed in Part 2 of "Regulations for Transportation of Explosives and Other Dangerous Articles"[1] adopted by the Interstate Commerce Commission by order of August 16, 1940, effective January 7, 1941, in Docket No. 3666, pursuant to the provisions of Title 18, Sec. 383, U. S. Code, or on pages 42 to 57, inclusive, of Agent W. S. Topping's Freight Tariff No. 4, I. C. C. No. 4, and amendments thereof or supplements thereto, if the provisions thereof coincide with the provisions of said Part 2.

(i) to any shipment accepted for transportation or forwarding or forwarded as authorized by, and in accordance with, any general or special permit issued by the Office of Defense Transportation in its discretion to meet or overcome an unusual condition or situation in which compliance with this subpart is impractical or impossible without materially hampering the production or distribution of essential war materials, or without loss of transportation efficiency, or would impose undue hardship upon an industry or community;

(j) to shipments as authorized by and in accordance with any special permit issued without unreasonable or undue discrimination or preference by the general manager or division superintendent of the initial rail carrier in a specific case where, in his sound judgment, because of the unusual character of the lading or of unusual circumstances or of undue car detention, he believes compliance with the maximum loading provisions of this subpart would result in the inefficient use, or unduly retard the efficient use, of cars or locomotives. Recurrence of like or similar cases must be covered by special or general permit issued by the Office of Defense Transportation. Weekly reports of all special permits issued by general managers or division superintendents of each rail carrier shall be made to the Office of Defense Transportation by the vice-president in charge of operations of each such rail carrier upon forms prescribed by the Office of Defense Transportation.

§ 500.28 *Maximum loading; consignor's certificate.* (a) When a freight car is loaded by a consignor or on his behalf by any agent other than a rail carrier, such consignor or his authorized agent shall certify on the bill of lading and shipping instructions that such car has been loaded in accordance with the requirements of this subpart, or if the shipment contained in such car falls within any of the general exceptions mentioned in § 500.27 of this subpart he shall specify the governing exception, and if the shipment is authorized under the terms of a special or general permit issued in accordance with paragraphs (i) and (j) of § 500.27 of this subpart he shall refer upon the bill of lading and shipping instructions to such permit by number or other identification. The form of certificate hereby required shall be as prescribed by the Office of Defense Transportation.

(b) When more than one carload consignment is loaded in a single car as contemplated by the provisions of § 500.30, the consignor, or any agent other than a rail carrier in his behalf, who completes loading of the car, shall comply with the requirements of paragraph (a) of this § 500.28.

§ 500.29 *Stop-offs to complete loading and for partial unloading.* (a) Every rail carrier upon reasonable demand by a shipper or consignor of a car and upon reasonable terms, conditions, and charges, shall permit a single stop of such car in transit to complete loading in accordance with § 500.21 of this subpart, and permit an additional stop in transit for partial unloading: *Provided*, That no such carrier is required to permit such stops in connection with shipments of:

(1) Bulk freight;

(2) Livestock or other live animals or live poultry;

(3) Freight consigned to order, or to order notify or otherwise so consigned as to require surrender of bill of lading, written order, or any other document in advance of delivery;

(4) Freight moving without recourse on the consignor or under instructions against its delivery without collection of freight and other lawful charges as provided in the uniform bill of lading;

And, provided further, That no such carrier is required to permit such stops at any prepay or non-agency station.

(b) Any such car while in movement from point of initial loading to stop-off point for additional loading and from stop-off point for partial unloading to final destination shall be exempt from the loading requirements of this subpart.

(c) Nothing in this § 500.29 shall be deemed or construed to limit or restrict any stop-off privileges presently authorized and provided for in rail carrier tariffs on file but, subject to the exceptions contained in § 500.27 of this subpart, such privileges shall be accorded only when the freight car employed is loaded to capacity while in movement from the point of loading or completion of loading to the point of unloading or of first partial unloading.

§ 500.30 *Consolidation of shipments in a single car.* (a) Notwithstanding the provisions of § 500.21 of this subpart, any carrier, or any consignor or consignors, not exceeding three, may consolidate and ship in a single car from one or more points of origin, but not exceeding three such points, two or more carload consignments of the same or different commodities moving at the same or different rates or ratings to one or more, but not exceeding three, consignees at one or more, but not exceeding three, destination points, each of which consignments shall be considered and treated for the purpose of applying rates and charges and rendering transportation service as if shipped in a single car: *Provided*, That:

(1) Between the point of completion of loading of such car and the point of initial unloading, the car is loaded to required capacity,

(2) The character of any portion of the cargo is not of such nature as to contaminate or damage other lading in the car,

(3) Each intermediate point at which a consignment is loaded or unloaded is directly intermediate by way of the direct route of movement of the car from the origin point of the initial consignment to the final destination of such car: *And provided further*, That none of the consolidation services above provided for need be extended or rendered at any prepay or non-agency station.

(b) In computing the rates and charges upon such consignments, each consignment shipped in the car shall be considered, treated as, and the charges computed as for, a separate carload shipment subject to the applicable carload minimum weight on each shipment from the point of origin of such consignment to its destination.

(c) Nothing in this § 500.30 shall be deemed or construed to require the extension or rendering of the consolidation services above provided for in connection with shipments of:

(1) Bulk freight;

(2) Livestock or other live animals or live poultry;

(3) Freight consigned to order, or to order notify, or otherwise so consigned as to require surrender of bill of lading, written order, or any other document in advance of delivery;

(4) Freight moving without recourse on the consignor or under instructions against its delivery without collection of freight and other lawful charges as provided in the uniform bill of lading.

§ 500.31 *Filing rate publications, rates not to be increased.* Every rail carrier required by law to file tariffs of rates, charges, rules or practices shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect only for the duration of the present emergency unless otherwise ordered, tariffs or appropriate supplements to filed tariffs setting forth any changes in the rates and charges, rules, regulations, or practices of such rail carrier which may be necessary to enable such carrier, consistently with appropriate statutes, to comply with the provisions of this subpart, together with a copy of this subpart; and shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one-day's, or the absolute minimum period of, notice. Nothing in this subpart shall be deemed or construed as requiring or sanctioning the revision, amendment, change, or alteration of established carload minima or as requiring or approving increases in transportation rates.

Paragraph (i) of § 500.27 and § 500.31, hereof shall become effective upon the date of issuance of this subpart and shall remain in full force and effect until the further order of this Office.

All other sections and provisions hereof shall become effective on the 15th day of September, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C. this 15th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7962; Filed, August 15, 1942; 11:21 a. m.]

[1] 5 F.R. 4905.

[General Order O.D.T. 19]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART G—MOVEMENT OF LIQUID CARGO IN BULK IN GREAT LAKES, INLAND WATERWAY, COASTWISE AND INTERCOASTAL SHIPPING

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and in order to assure maximum utilization of the facilities, services, and equipment of carriers of liquid cargo in bulk by water craft for the preferential transportation of materials of war and to prevent shortages of equipment necessary for such transportation, as contemplated by section 6 (8) of the Interstate Commerce Act; to expedite the movement and provide for the maximum flow of such traffic; and to conserve and providently utilize the transportation facilities and services of carriers by water craft, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

Sec.
502.60 Definitions.
502.61 Permit required.
502.62 Application for permit.
502.63 Vessels subject to control.
502.64 Records and reports.
502.65 Suspension of provisions.
502.66 Exemptions.
502.67 Effective date.

AUTHORITY: §§ 502.60 to 502.67, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 502.60 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, association, governmental corporation, or other type of legal entity or any trustee, receiver, assignee, or personal representative thereof.

(b) The term "vessel" means any water craft or other artificial contrivance of whatever description which is designed or converted for use, and which is used, or is capable of being, or is intended to be used, as a means of transportation by water of liquid cargo in bulk.

(c) The term "domestic transportation" means transportation by water of property between points and places in the United States.

§ 502.61 *Permit required.* No person shall operate any vessel in domestic transportation except in the transportation of such property, from and to such points and places, as may be authorized by general or special permit issued by the Office of Defense Transportation.

§ 502.62 *Application for permit.* Application for permit shall be made in writing to the Office of Defense Transportation and shall be in such form and contain such information as the Office of Defense Transportation shall require.

§ 502.63 *Vessels subject to control.* Every person, upon direction of the Office of Defense Transportation, shall cause any and all vessels operated in domestic transportation, of which such person may have possession or control, to be moved to such loading points, for transportation of such commodity or commodities, to be assigned for loading, to be loaded, unloaded or used in such service, at such times, between such ports, as the Office of Defense Transportation may direct, from time to time, notwithstanding any existing contract, charter, lease, or other commitment, express or implied, for use or service other than that directed: *Provided, however*, That, except as required by a direction or order of the Office of Defense Transportation, this subpart shall not be construed to cancel or modify any contract, charter, lease, or other agreement with respect to vessels or rights arising out of vessel ownership.

§ 502.64 *Records and reports.* Every person owning, chartering, subchartering, leasing, subleasing, loading, unloading, or operating a vessel shall keep such records and make such reports as the Office of Defense Transportation shall require.

§ 502.65 *Suspension of provisions.* The provisions of this subpart or any part thereof may be suspended, from time to time, by order of the Office of Defense Transportation.

§ 502.66 *Exemptions.* The provisions of this subpart shall not apply:

(a) To nationals of a friendly nation with respect to vessels not documented under the laws of the United States;

(b) To the transportation by vessel of property consigned by or to the United States or any department or agency thereof;

(c) To any vessel owned, controlled, or operated by the United States or any department or agency thereof except governmental corporations.

§ 502.67 *Effective date.* This subpart shall become effective on the 10th day of September 1942, and shall remain in full force and effect until further order of the Office of Defense Transportation.

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8035; Filed, August 17, 1942; 11:48 a. m.]

[Suspension Order O.D.T. 19-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, SUSPENSIONS, AND PERMITS

SUBPART G—MOVEMENT OF LIQUID CARGO IN BULK IN GREAT LAKES, INLAND WATERWAY, COASTWISE AND INTERCOASTAL SHIPPING

Pursuant to the authority conferred by General Order O.D.T. No. 19,[1] Title 49, Chapter II, Section 502.65.

It is hereby ordered, That:

§ 522.700 *Suspension Order 19-1.* The provisions of § 502.61 of General Order O.D.T. No. 19 shall be and are hereby suspended until further order with respect to the transportation of:

(a) Crude petroleum and petroleum products from any port or shipping point via the Gulf of Mexico or the Gulf Intracoastal Waterway to a destination east or north of the shipping point;

(b) Crude petroleum from points and places west of milepost 200 on the Gulf Intracoastal Waterway to points west of shipping point and east of milepost 300 on the Gulf Intracoastal Waterway;

(c) Crude petroleum from producing oil fields to refining centers located within 60 miles from point of origin;

(d) Crude petroleum and petroleum products northward and eastward along the Atlantic coast, by sea or by the Atlantic Intracoastal Waterway and adjacent and tributary waters, for delivery to any destination in the Atlantic seaboard area of the United States, except northward on the Hudson river above Peekskill;

(e) Petroleum products from Baton Rouge, Louisiana, to New Orleans, Louisiana, for export or for shipment eastward and northward pursuant to the provisions of paragraphs (a) and (d);

(f) Crude petroleum and petroleum products northward on the Mississippi river as far as its junction with the Ohio river and eastward and northward on the Ohio river and its tributaries;

(g) Crude petroleum and petroleum products from the confluence of the New York State barge canal system with the Hudson river generally northward on the Hudson river to the head of navigation and generally southward on the Hudson river to New York harbor points;

(h) Crude petroleum and petroleum products from any point or place on the Great Lakes to Buffalo or Oswego, New York, or to points on the New York State barge canal system including points on the Hudson river;

(i) Crude petroleum and petroleum products eastward on the New York State barge canal system;

(j) Crude petroleum and petroleum products on the Pacific ocean and waters adjacent and tributary thereto;

(k) Crude petroleum and petroleum products between points in the same harbor when the point of destination is not more than 35 miles distant by water from the point of origin. (E.O. 8989, 6

[1] *Supra.*

F.R. 6725; General Order O.D.T. No. 19, this issue)

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8034; Filed, August 17, 1942; 11:48 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 24]

WYOMING

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and from leasing under the mineral leasing laws, and the minerals in the lands are reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SIXTH PRINCIPAL MERIDIAN

T. 31 N., R. 117 W.,
Secs. 4 to 9, inclusive, unsurveyed.
T. 32 N., R. 117 W.
Secs. 5 to 8, inclusive, unsurveyed;
Secs. 17 to 20, inclusive, unsurveyed;
Secs. 29 to 32, inclusive, unsurveyed.
T. 33 N., R. 117 W.,
Secs. 3 to 11, inclusive, unsurveyed;
Secs. 14 to 22, inclusive, unsurveyed;
Secs. 26 to 35, inclusive, unsurveyed.
T. 34 N., R. 117 W.,
Secs. 27 to 34, inclusive, unsurveyed.
T. 31 N., R. 118 W.,
Secs. 1 to 4, inclusive, unsurveyed;
Secs. 9 to 12, inclusive, unsurveyed.
T. 32 N., R. 118 W.,
Secs. 1 and 2, unsurveyed;
Sec. 4, W½, unsurveyed;
T. 32 N., R. 118 W.,
Sec. 5, E½, unsurveyed;
Sec. 8, E½, unsurveyed;
Sec. 9, W½, unsurveyed;
Secs. 11 to 14, inclusive, unsurveyed;
Sec. 16, W½, unsurveyed;
Sec. 21, all, unsurveyed;
Secs. 23 to 28, inclusive, unsurveyed;
Secs. 33 to 36, inclusive, unsurveyed.
T. 33 N., R. 118 W.,
Sec. 1, E½E½;
Sec. 11, SE¼SE¼;
Sec. 12, E½E½ and W½SW¼;
Sec. 13, NE¼NE¼, NW¼NW¼, and SE¼SE¼;
Sec. 14, lots 1, 2 and 3, NE¼ and S½S½;
Sec. 23, W½E½ and W½;
Sec. 24, N½ and SE¼;
Sec. 25, E½;
Sec. 26, W½E½ and W½;
Sec. 34, E½E½;
Sec. 35, W½;
Sec. 36, NE¼ and E½SE¼.
T. 34 N., R. 118 W.,
Sec. 36, E½E½.
T. 26 N., R. 119 W.,
Secs. 6, 7, 18, and 19.
T. 27 N., R. 119 W.,
Secs. 18, 19, 30, and 31.

The areas described, including both public and non-public lands, aggregate 61,082 acres.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 11, 1942.

[F. R. Doc. 42-7975; Filed, August 15, 1942; 9:23 a. m.]

CONSOLIDATED OIL CORPORATION, ET AL.

NOTICE OF AND ORDER FOR HEARING

The Secretary of the Interior having heretofore on April 16, 1942, issued an order to the Consolidated Oil Corporation, Standard Oil Company (Indiana) and various subsidiary and affiliated companies thereof to show cause:

(1) Why the present rate of 70½ cents per barrel charged for transporting oil from the Salt Creek area (by way of Ft. Laramie, Wyoming) to the vicinity of Salt Lake City, Utah, via Stanolind-Utah pipe line, as compared to the proportionately lower rates charged by Stanolind Pipe Line Company from Welch, Wyoming, to Sugar Creek, Missouri, Whiting, Indiana, and Wood River, Illinois, as well as from and to other points, should not be considered as unreasonable and discriminatory;

(2) Why the refusal of the Sinclair Refining Company, a common carrier by pipe line, to accept and convey oil at a reasonable rate from the Salt Creek area, Wyoming, to Parco, Wyoming, for transfer at the latter point to the pipe line of the Utah Oil Refining Company, should not be considered as discriminatory and in violation of the terms of the respective rights of way granting acts;

(3) Why the Sinclair Refining Company and the Utah Oil Refining Company should not be required to establish and maintain appropriate facilities at Parco, Wyoming, for the transfer or transportation of oil at that point between their respective pipe lines and to establish a reasonable and nondiscriminatory joint rate for the transportation of oil from the Salt Creek field, Wyoming, to the vicinity of Salt Lake City, Utah; and

The several companies to whom the order to show cause was addressed having filed responses thereto in which they challenge the jurisdiction of the Department of the Interior over them in any of the matters set out in the show cause order and having requested that a hearing be granted to them;

It is ordered that an oral hearing on the question of the jurisdiction of the Department of the Interior in the matters set out in the order to show cause be held on September 3, 1942, at 10 a. m. in Room 5160, Interior Building, Washington, D. C.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 13, 1942.

[F. R. Doc. 42-7976; Filed, August 15, 1942; 9:23 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

LOGGING AND SAWMILL, ETC., OPERATIONS

NOTICE OF PROPOSED AMENDMENT OF HAZARDOUS-OCCUPATIONS ORDER

AUGUST 17, 1942.

Whereas the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous-Occupations Order No. 4 (6 F.R. 3148, June 28, 1941), effective August 1, 1941, providing that all occupations in logging and in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill, excepting certain specified occupations, are particularly hazardous for the employment of minors between 16 and 18 years of age, and

Whereas a supplementary investigation has been made which reveals that shortages of labor are limiting production of lumber needed for war purposes, and

Whereas such supplementary investigation also reveals that certain of the above occupations are not as highly hazardous as other occupations covered by such order, and

Whereas it appears that the production of lumber needed for war purposes will be aided by the employment of minors between 16 and 18 years of age in such occupations, and

Whereas, the Chief of the Children's Bureau proposes to issue an order in the form set forth below amending Hazardous Occupations Order No. 4 by adding paragraph (e) to § 422.4 of such order,

Now, therefore, notice is hereby given that any interested person may, within twenty days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the chief of the Children's Bureau, United States Department of Labor, Washington, D. C., written objections thereto. Any person filing such objections may, within ten days from the date of such filing, file a memorandum or brief in support thereof. Any interested person may secure a copy of the report of the Children's Bureau entitled "Occupational Hazards to Young Workers: Supplementary Investigation of the Sawmilling Industry" upon request made to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

Proposed Order

It is ordered that § 422.4 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to include the following paragraph, to be designated as paragraph (e):

(e) Notwithstanding the provisions of paragraph (a) of this section, during the continuance of the present war and for six months after the termination thereof this order shall not apply to saw filing, except in connection with logging operations; packing shingles; straightening, marking, tallying, or pulling lumber from the dry chain, the drop sorter, or the green chain (other than the pulling of lumber larger than 1 inch by 6 inches in size from the green chain); unstacking from the dry kiln; clean-up in the lumber yard; or the handling or shipping of dry lumber or of lumber products in yards or sheds of sawmills, lath mills, shingle mills, or cooperage-stock mills excepting the operation of cranes, lumber carriers, and other power-driven equipment, and the occupation of crane hooker.

This amendment shall become effective upon publication in the FEDERAL REGISTER and shall remain in force during the continuance of the present war and for six months after the termination thereof, or until amended or repealed by order hereafter made and published by the Chief of the Children's Bureau, whichever is earlier.

[SEAL] KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 42-8026; Filed, August 17, 1942; 11:39 a. m.]

Wage and Hour Division.

[Administrative Order No. 150]

CANDY AND RELATED PRODUCTS MANUFACTURING INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE NO. 47

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the Candy and Related Products Manufacturing Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: Paul F. Brissenden, Chairman, New York, New York; Mrs. Glen E. Plumb, Chicago, Illinois; Leland J. Gordon, Granville, Ohio; Robert P. Brooks, Athens, Georgia; E. B. Alderfer, Drexel Hill, Pennsylvania.

For the employees: Martin Kyne, New York, New York; A. A. Myrup, Washington, D. C.; William Schnitzler, Newark, New Jersey; James Cross, Chicago, Illinois; Barney Henley, Charleston, South Carolina.

For the Employers: Amelio Obici, Wilkes-Barre, Pennsylvania; A. F. Dirksen, Chicago, Illinois; Herman L. Heide, New York, New York; Theodore White, San Francisco, California; Carl E. Gill, Dorchester, Massachusetts;

2. For the purpose of this order the term "candy and related products manufacturing industry" means:

The production of candies and related products, including, but without limitation, stuffed fruits; candied, crystallized or glace fruits and fruit peels; candied popcorn; salted, sugared or roasted nuts; chocolate and cocoa products; marshmallow crème; and chewing gum: *Provided*, That the shelling and cleaning of nuts are excluded except where the operations are performed in plants also engaged in the further processing of nuts.

3. The definition of the candy and related products manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet at 10:00 a. m. on September 3, 1942 in the College Room of the Hotel Astor, New York City, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 14th day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8015; Filed, August 17, 1942; 11:07 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446)

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective August 17, 1942. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Parksley Garment Co., Cassatt Ave. & Bennett St., Parksley, Virginia; Men's underwear; 5 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of July 27, 1943.)

Elite Neckwear Co., Inc., 106 Essex St., Boston, Massachusetts; Neckties; 2 learners (T); August 17, 1943.

Stan-Lou Corp., Philadelphia Ave., Egg Harbor, New Jersey; Men's clothing; 7 learners (T); August 17, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheeplined Garments Divisions of the Apparel Industry

Boston Blouse Co., 75 Kneeland St., Boston, Massachusetts; Women's Blouses; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of November 3, 1942.)

W. L. Cressman, Milford Square, Pennsylvania; Men's trousers; 3 learners (T); August 17, 1943.

Joseph A. Daniels Co., 52 12th St., Fall River, Massachusetts; Women's dresses and aprons; 10 learners (T); August 17, 1943.

Dott Sportwear Co., 14th & Market Sts., Pottsville, Pennsylvania; Ladies' waists and blouses; 10 learners (T); August 17, 1943.

Elgin Dress Co., 19 North Spring St., Elgin, Illinois; Ladies cotton garments; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of February 26, 1943).

Gem Frock Co., 445 North Darien St., Philadelphia, Pennsylvania; Children's dresses; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of October 16, 1942).

Helmer Mfg. Co., Ore St., Bowmanstown, Pennsylvania; Dresses; 10 learners (T); August 17, 1943.

Helmer Mfg. Co., Ore St., Bowmanstown, Pennsylvania; Dresses; 15 learners (E); February 17, 1943.

Hilb & Co. Mfg. Division, 1731 Arapahoe St., Denver, Colorado; Slack suits, skirts; 5 learners (T); August 17, 1943.

Hostess Frocks, Inc., 45 East John St., Hicksville, New York; Dresses; 10 learners (T); August 17, 1943.

Joy Undergarments Co., 64 Main St., Englishtown, New Jersey; Ladies lingerie; 3 learners (T); August 17, 1943.

Leading Lady Slip Corp., 400 Walnut St., Yonkers, New York; Ladies rayon slips, panties; 10 learners (T); February 17, 1943.

Meyrowitz Brothers, 40th St., Union City, New Jersey; Men's shirts; 4 learners (T); August 17, 1943.

The Monarch Co., 383½ Whitehall St., S. W., Atlanta, Georgia; Boys' trousers, dress suits, jackets, etc.; 10 percent (T); August 17, 1943.

Nunnally & McCrea Co., 292 Lambert St., Atlanta, Georgia; Pants & trousers; 50 learners (T); February 17, 1943.

Onyx Blouse Co., Inc., Long Ave., Orwigsburg, Pennsylvania; Boys shirts and blouses; 10 learners (T); August 17, 1943.

Onyx Blouse Co., Inc., Valley St., New Philadelphia, Pennsylvania; Boys shirts and blouses; 10 learners (T); August 17, 1943.

Onyx Blouse Co., Inc., 474 North Center St., Pottsville, Pennsylvania; Boys and men's shirts and blouses; 10 learners (T); August 17, 1943.

S. R. L. Mfg. Co., 127 East 9th St., Los Angeles, California; Ladies mannish tailored shirts; 5 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of July 23, 1943).

E. R. Smock, Inc., 17 Lewis St., Eatontown, New Jersey; Women's pajamas; 3 learners (T); August 17, 1943.

Stylerite Dress Co., 510 1st Ave., North, Minneapolis, Minnesota; Dresses; 10 learners (T); August 17, 1943.

Uni Sportswear Co., 210 West Van Buren St., Chicago, Illinois; Cotton gabardine jackets, shirts, etc.; 10 learners (T); February 17, 1943. (This certificate replaces the one bearing the expiration date of September 23, 1942).

Villa Dress Co., 15 South Spring St., Elgin, Illinois; Ladies & misses dresses; 7 learners (T); August 17, 1943.

Westboro Underwear Co., 50 Milk Street, Westboro, Massachusetts; Women's cotton nightgowns, pajamas, slips and bloomers; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of October 13, 1942).

Westwood Sportswear, 3429 South Main St., Los Angeles, California; Slack suits, skirts, slack pants; 5 learners (T); August 17, 1943.

Cigar

Alles & Fisher, Inc., 349 Shawmut Ave., Boston, Massachusetts; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

Consolidated Cigar Corp., 5–15 North Cherry St., Poughkeepsie, New York; Cigars; 25 learners (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

Consolidated Cigar Corp., 737 Cortlandt St., Perth Amboy, New Jersey; Cigars; 27 learners (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., Water & Russell Sts., South River, New Jersey; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Water & Russell Sts., South River, New Jersey; Cigars; 4 learners (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 154 W. Church St., Nanticoke, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

General Cigar Co., 154 W. Church St., Nanticoke, Pennsylvania; Cigars; 11 learners (T); Stripping machine operators to have a learning period of 160 hours at 75 percent of applicable minimum wage; August 17, 1943. (This certificate effective August 13, 1942).

General Cigar Co., 217 Somerset St., New Brunswick, New Jersey; Cigars; 5 learners (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 217 Somerset St., New Brunswick, New Jersey; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Anthracite Ave., Kingston, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Anthracite Ave., Kingston, Pennsylvania; Cigars; 35 learners (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 715 No. 4th St., Allentown, Pennsylvania; Cigars; 61 learners (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 715 No. 4th St., Allentown, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Johnstone & Neville Streets, Perth Amboy, New Jersey; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

M & N Cigar Manufacturers, Inc., 922 Woodland Ave., Cleveland, Ohio; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

F. X. Smith's Sons Co., 372 North St., McSherrystown, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

H. E. Snyder Cigar Co., Inc., Fourth St., Perkasie, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

Gloves

Fulton Embroidery Works, 28½ East Pine St., Gloversville, New York; Leather dress and knit fabric gloves; 5 learners (T); August 17. 1943.

Hosiery

Evenknit Hosiery Mills, 108 North Walnut St., Bay City, Michigan; Full-fashioned hosiery; 5 learners (T); August 17, 1943.

Fox Chase Knitting Mills, Inc., 27 Jarrett Ave., Rockledge, Pennsylvania; Full-fashioned hosiery; 5 percent (T); August 17, 1943.

Hellam Hosiery Co., Church & Beaver Sts., Hellam, Pennsylvania; Full-fashioned hosiery; 5 learners (T); August 17, 1943.

Interwoven Stocking Co., Morristown, Tennessee; Seamless hosiery; 5 percent (T); August 17, 1943.

Koonts Hosiery Mill, Route 3, Lexington, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Miller White Hosiery Mill, Taylorsville, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Pasquotank Hosiery Co., Sixth St., Elizabeth City, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Prim Era Hosiery Mills, Inc., Chester, Illinois; Full-fashioned hosiery; 5 percent (T); August 17, 1943.

Siler City Hosiery Co., Smith St. & High School Ave., Siler City, North Carolina; Full-fashioned hosiery; 5 percent (T); August 17, 1943.

Knitted Wear

Dorco Knitting Mills, Inc., 1310 North Lawrence St., Philadelphia, Pennsylvania; Knitted outerwear; 3 learners (T); August 17, 1943.

Utica Knitting Co., Mill No. 1, 1712 Erie St., Utica, New York; Knitted underwear; 15 learners (E); February 17, 1943.

Telephone

Lebanon Telephone Co., 40 Sherman St., Lebanon, Oregon; To employ learners as commercial switchboard operators at its Lebanon, Oregon Exchange at Lebanon, Oregon (T); August 17, 1943.

Textile

American Yarn & Processing Co., Union Branch, Maiden, North Carolina; Cotton yarn; 4 learners (T); August 17, 1943.

American Yarn & Processing Co., Madora Branch, Mount Holly, North Carolina; Cotton yarn; 3 percent (T); August 17, 1943.

American Yarn & Processing Co., Mount Holly, North Carolina; Cotton Yarn; 3 percent (T); August 17, 1943.

American Yarn & Processing Co., Mount Holly, North Carolina, Adrian Branch; Mfg. cotton thread; 3 percent (T); August 17, 1943.

Bonat Bedspread Co., 503 Broadway, New York, New York; Bedspreads; 3 learners (T); February 17, 1943.

Gastonia Combed Yarn Corp., Armstrong Plant, S. Marietta St., Gastonia, North Carolina; Cotton; 3 percent (T); August 17, 1943.

Gastonia Combed Yarn Corp., Clara Plant, S. Oakland St., Gastonia, North Carolina; Cotton; 3 percent (T); August 17, 1943.

Gastonia Combed Yarn Corp., Dunn Plant, East Fifth Ave., Gastonia, North Carolina; cotton; 3 percent (T); August 17, 1943.

Groves Thread Co., Inc., Gastonia, North Carolina; manufacturing and processing cotton yarns; 3 percent (T); August 17, 1943.

Indiana Cotton Mills, Washington St., Cannelton, Indiana; Sheetings, drill and duck; 3 percent (T); August 17, 1943.

Lonsdale Co., Blackstone Mill, Tripp St., North Smithfield, Rhode Island; Lawn, wind resistant broadcloth, wind resistant poplin and nurses uniform poplin; 3 percent (T); August 17, 1943.

Small Brothers Mfg. Co., 37 Hillside St., Fall River, Massachusetts; Manufacturing of braids; 3 percent (T); August 17, 1943.

Signed at New York, N. Y., this 15th day of August 1942.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8017; Filed, August 17, 1942; 11:08 a. m.]

[Administrative Order No. 151]

ORDER DESIGNATING CORNELIUS J. DANAHER AS REPRESENTATIVE

Designating Cornelius J. Danaher, Commissioner, Connecticut Department of Labor and Factory Inspection, as authorized representative to grant or deny applications for special certificates for the employment of handicapped workers, and to cancel such special certificates.

By virtue of, and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, Department of Labor, hereby designate Cornelius J. Danaher, Commissioner, Connecticut Department of Labor and Factory Inspection, as my authorized representative, with full power and authority to grant or deny applications for special certificates for the employment of handicapped workers, and to sign, issue and cancel special certificates authorizing the employment of handicapped workers pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and Regulations, Title 29—Labor, Chapter V—Wage and Hour Division, Part 524.

Signed at New York, New York, this 7th day of August, 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-8016; Filed, August 17, 1942; 11:07 a. m.]

OFFICE OF THE ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 51]

VESTING INTEREST OF UBERSEE FINANZ-KORPORATION, A. G., ET AL., IN CONTRACT WITH AMERLAGENE, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All right, title and interest of Ubersee Finanz-Korporation, A. G., (Overseas Finance Corporation, Limited) and/or Arnhold and S. Bleichroeder, Inc., a New York corporation, in and to that certain contract executed under date of October 18, 1940 by and between said Arnhold and S. Bleichroeder, Inc., and Amerlagene, Inc., a Delaware corporation,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and

(b) That the property described as follows:

All income, profits and other property heretofore accrued or which may hereafter accrue to Ubersee Finanz-Korporation, A. G., (Overseas Finance Corporation, Limited) and Arnhold and S. Bleichroeder, Inc., a New York corporation, or either of them, by virtue of the aforesaid contract dated October 18, 1940,

is part and parcel of the property hereinbefore described in subparagraph (a), but determining that to the extent, if any, that it is not, it is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that they be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national

[1] 7 F.R. 5205.

interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such returns should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 10, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7887; Filed, August 13, 1942; 10:00 a. m.]

[Vesting Order No. 70]

997 SHARES OF THE CAPITAL STOCK OF MIDLAND INVESTMENT COMPANY

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

997 shares of $100 par value common capital stock of Midland Investment Company, an Illinois corporation, registered in the name of and owned by L. Zulelkha von Vietinghoff, whose last known address was represented to the undersigned as being 10a Corneliustrasse, Berlin, Germany; and

All right, title and interest of the aforesaid L. Zulelkha von Vietinghoff in and to three additional shares of such stock, one such share being registered in the name of Edwin H. Cassels, a second in the name of Edward H. Carus, and the third in the name of Karl Gruenwald;

is property of, and represents control of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7888; Filed, August 13, 1942; 10:00 a. m.]

[Vesting Order No. 72]

98 SHARES OF THE CAPITAL STOCK OF JOHANN MARIA FARINA, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

98 shares of no par value common capital stock of Johann Maria Farina, Inc., a New York corporation, owned by Franz Karl von Bock, whose last known address was represented to the undersigned as being Cologne, Germany,

is property of, and represents control of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7889; Filed, August 13, 1942; 10:01 a. m.]

[1] 7 F.R. 5205.

[1] 7 F.R. 5205.

CIVIL AERONAUTICS BOARD.

[Docket No. 723]

UNIVERAL AIR FREIGHT CORP.

NOTICE OF ORAL ARGUMENT

In the matter of certain activities of Universal Air Freight Corporation.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1002 of said Act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on August 26, 1942, at 2:30 p. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated, Washington, D. C., August 14, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–8014; Filed, August 17, 1942; 10:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6074]

PORT ARTHUR COLLEGE

ORDER DENYING PETITION, ETC.

In re application of Port Arthur College (KPAC) Port Arthur, Texas for modification of license.

At a general session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of August, 1942;

Upon consideration of the petition filed May 19, 1942, by Port Arthur College (KPAC), Port Arthur, Texas, for grant without hearing of the above-described application;

It is ordered, That said petition be, and the same is hereby, denied;

It is further ordered, That the issues heretofore released on the application be, and the same are hereby, amended to read as follows:

1. To determine whether the granting of the application would be consistent with the Standards of Good Engineering Practice, particularly as to transmitter location.

2. To determine the nature, extent and character of the interference which the operation of station KPAC as proposed herein would cause to Mexican Stations XESJ, at Saltillo, Coah.; XEDL, at Hermosillo; XEDK, at Guadalajara; and XETF, at Vera Cruz.

3. To determine whether the operation of KPAC, as proposed, would be consistent with the provisions of the North American Regional Broadcasting Agreement.

4. To determine the areas and populations served by KPAC as now operated and the areas and populations which would be served by the operation of Station KPAC, as proposed, as well as the broadcast service available thereto.

5. To determine whether in view of the foregoing, public interest, convenience or necessity would be served by granting the application.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[R. F. Doc. 42–8007; Filed, August 17, 1942; 10:07 a. m.]

[Docket No. 5972]

JOE L. SMITH, JR. (WJLS)

NOTICE OF HEARING

In re application of Joe L. Smith, Jr., (WJLS), dated February 8, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Beckley, West Virginia; operating assignment specified: frequency 560 kc., power 100 w. night, 250 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.

2. To determine the extent of any interefence which would result from the simultaneous operation of Station WJLS as proposed herein and Station WCHS.

3. To determine the areas and populations which may be expected to lose primary service particularly from Station WCHS, should Station WJLS operate as proposed herein and what other broadcast service is available to these areas and populations.

4. To determine whether the radiating system complies with the Standards of Good Engineering Practice particularly with reference to the minimum height requirements for 560 kc.

5. To determine the areas and populations which may be expected to gain primary service from the operation of Station WJLS as proposed and what other broadcast service is available to these areas and populations.

6. To determine the areas and populations which would lose primary service from Station WJLS if this application is granted, and what other broadcast service is available to these areas and populations.

7. To determine whether Station WJLS operating as proposed herein would provide a minimum field intensity of 25 to 50 mv/m over the business district of Beckley, West Virginia.

8. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice and proper allocation of broadcast facilities (Footnote 4, Page 3, Standards of Good Engineering Practice).

9. To determine whether the granting of this application would be consistent with the policy set forth in the Commission's Memorandum Opinion of April 27, 1942.

10. To determine whether, in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Mr. Joe L. Smith, Jr., Radio Station WJLS, 608 Woodlawn Avenue, Beckley, West Virginia.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–8008; Filed, August 17, 1942; 10:07 a. m.]

[Docket No. 6384]

METRO-GOLDWYN-MAYER STUDIOS, INC. (K 61 LA)

NOTICE OF HEARING

In re application of Metro-Goldwyn-Mayer Studios, Inc. (K 61 LA), dated February 10, 1942, for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Los Angeles, California; Operating assignment specified: Frequency, 46,100 kcs.; coverage: 7,000 square miles; power, hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B5–PH–90, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B5–PH–90, was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B5–PH–90 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Metro-Goldwyn-Mayer Studios, Inc., 1540 Broadway, New York, New York.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8009; Filed, August 17, 1942; 10:08 a. m.]

[Docket No. 6386]

ST. LOUIS UNIVERSITY (K51L)

NOTICE OF HEARING

In re application of St. Louis University (K51L), dated July 2, 1942, for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; operating assignment specified: frequency, 45,100 kcs.; coverage: 13,000 square miles; power, ____; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Comsion's Rules of Practice and Procedure.

The applicant's address is as follows: St. Louis University, 221 North Grand Avenue, St. Louis, Missouri.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8010; Filed, August 17, 1942; 10:08 a. m.]

[Docket No. 6389]

KTRH BROADCASTING CO.

NOTICE OF HEARING

In re application of KTRH Broadcasting Company (New), dated March 30, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1,606, 2,074, 2,102, 2,758 kcs.; emission: A-3; power, 50 w. night; 50 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KTRH Broadcasting Company, Main and Texas Streets, Houston, Texas.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8011; Filed, August 17, 1942; 10:08 a. m.]

[Docket No. 6390]

KTRH BROADCASTING CO.

NOTICE OF HEARING

In re application of KTRH Broadcasting Company, (New), dated March 30, 1942, for construction permit; Class of service, relay broadcast; Class of station, relay broadcast; Location, Houston, Texas; Operating assignment specified: Frequency, 30820, 33740, 35820, 37980 kcs.; power 3 w. night; 3 w. day; hours of operation, unlimited—§ 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KTRH Broadcasting Company, Main and Texas Streets, Houston, Texas.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8012; Filed, August 17, 1942; 10:09 a. m.]

[Docket No. 6391]

HOUSTON PRINTING CORP.

NOTICE OF HEARING

In re application of Houston Printing Corporation (New), dated February 28, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1646, 2090, 2190, 2830 kcs.; emission: A-3; power, 100 w. night; 100 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Houston Printing Corporation, 2318 Polk Avenue, Houston, Texas.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8013; Filed, August 17, 1942; 10:09 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-162]

AUGUST 13, 1942.

NEW YORK STATE NATURAL GAS CORPORATION

ORDER FIXING DATE FOR RESUMPTION OF HEARINGS

It appearing to the Commission that:

(a) Hearings in these proceedings were adjourned on July 10, 1940, subject to call upon forty-eight hours' notice;

(b) The public interest requires that this matter be reconvened and disposed of at an early date;

The Commission *orders* that:

The hearings in these proceedings be resumed on August 31, 1942, at 9:45 o'clock a. m. (E. W. T.) in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-7981; Filed, August 15, 1942; 9:24 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order O.D.T. No. B-13]

BOSTON, MASS.—ST. STEPHEN, N. B.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Eastern Greyhound Lines of New England (Division of The Greyhound Corporation), Cleveland, Ohio, Boston & Maine Transportation Company, Boston, Massachusetts, and Maine Central Transportation Company, Portland, Maine, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Eastern Greyhound Lines of New England, Boston & Maine Transportation Company and Maine Central Transportation Company (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Boston, Massachuetts, and St. Stephen, New Brunswick, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against any of such carriers.

2. Eastern Greyhound Lines of New England shall suspend service on its routes between Boston, Massachusetts, and Concord, New Hampshire, and between Portland, Maine, and Belfast, Maine, and forthwith, shall file with the Interstate Commerce Commission and the appropriate state regulatory bodies a notice describing the routes to be suspended in compliance herewith. It shall operate no service between Belfast, Maine, and Bangor, Maine.

3. Boston & Maine Transportation Company shall operate a through service of not to exceed nine round trips daily between Boston, Massachusetts, and Portland, Maine. Eastern Greyhound Lines of New England shall operate a through service of not to exceed seven round trips daily between such points.

4. Maine Central Trahsportation Company shall operate a through service of not to exceed three round trips daily between Portland, Maine, and Bangor, Maine, via Augusta, Maine. Eastern Greyhound Lines of New England shall operate a through service of not to exceed two round trips daily between such points.

5. Maine Central Transportation Company and Eastern Greyhound Lines of New England shall each operate a through service of not to exceed one round trip daily between Bangor, Maine, and St. Stephen, New Brunswick.

6. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective August 25, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN, *Director of Defense Transportation.*

[F. R. Doc. 42-8032; Filed, August 17, 1942; 11:48 a. m.]

[Special Order O.D.T. No. B-14]

FORT WAYNE, IND.—TERRE HAUTE, IND.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Indiana Railroad Company, Indianapolis, Indiana, A. B. C. Coach Lines, Inc., Fort Wayne, Indiana, and Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Indiana Railroad Company, A. B. C. Coach Lines, Inc., and Pennsylvania Greyhound Lines, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Fort Wayne, Indianapolis, and Terre Haute, Indiana, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial,

without preference or discrimination for or against any of such carriers.

2. Pennsylvania Greyhound Lines, Inc. shall restrict its operations between Indianapolis, Indiana, and Terre Haute, Indiana to through schedules extending beyond Terre Haute. Local schedules between such points shall be operated by Indiana Railroad Company.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective August 25, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8033; Filed, August 17, 1942; 11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order No. 6—Maximum Price Regulation No. 148 [1]—Dressed Hogs and Wholesale Pork Cuts, Docket No. 3148-9]

HUMPHREY SUPPLY COMPANY

PETITION FOR ADJUSTMENT GRANTED

On April 30, 1942, the Humphrey Supply Company, Reno, Nevada, filed a protest to Temporary Maximum Price Regulation No. 8 which was denied as a protest and refiled on June 17, 1942, as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 6 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Humphrey Supply Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive such kinds of wholesale pork cuts at such prices from the Humphrey Supply Company.

	Cents per pound
(b) Regular hams smoked	35
Skinned hams smoked	36
Picnics fresh or frozen	26
Picnics smoked	29½
Smoked bacon	31½

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 6 shall become effective August 17, 1942.

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8004; Filed, August 15, 1942; 12:25 p. m.]

[Order 14 Under Supplementary Regulation 1[1] To General Maximum Price Regulation]

TOPLIS AND HARDING, INC.

ORDER APPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Toplis and Harding, Inc., 116 John Street, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Toplis and Harding, Inc., New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplemetary Regulation No. 1.

(b) This Order No. 14 shall become effective August 18, 1942.

Issued this 17th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8036; Filed, August 17, 1942; 11:56 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3821, 4342.

[2] 7 F.R. 971.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3486, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 60-19, 37-28]

TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORP. ET AL.

ORDER DISMISSING PROCEEDINGS; ORDER OF SEVERANCE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of August, A. D. 1942.

In the Matter of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, Gilbert Associates, Inc., File No. 60-19, and Atlantic Utility Service Corporation, File No. 37-28.

The Commission, on July 15, 1942, having instituted proceedings, *In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and Gilbert Associates, Inc.*, pursuant to sections 2 (a) (8) (B), 2 (a) (11) (D), 12 (f), 13 (b), 13 (e), 13 (f), and 18 of the Public Utility Holding Company Act of 1935, and having consolidated the same with proceedings on the application of Atlantic Utility Service Corporation for approval as a mutual service company; and

Due notice having been given, hearings having been held in these matters and the Commission having entered its opinion in regard thereto;

It is hereby ordered, That the proceedings in these matters heretofore consolidated be and hereby are severed.

It is further ordered, That the proceedings instituted by the Commission, *In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation* and *Gilbert Associates, Inc.*, (File 60-19) be and hereby are dismissed, without prejudice to the institution of further or new proceedings in such matter, as may be warranted in the public interest and in the interest of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7980; Filed, August 15, 1942; 9:21 a. m.]

[File No. 70-576]

NEW ENGLAND POWER SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August 1942.

New England Power Service Company, a subsidiary service company of New England Power Association, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 7 thereof, concerning the following transaction:

The borrowing from banks from time to time of sums not exceeding in the aggregate more than $500,000 at one time and the issuing therefor a note or notes to mature in not more than six months, the funds so to be borrowed to be used solely to finance work under war contracts. Said notes will be either unsecured or secured by an assignment of claims for money due under any or all of said war contracts, and will be issued upon such reasonable terms and conditions as will enable New England Power Service Company to obtain the necessary funds economically and expeditiously.

Said declaration having been filed on July 12, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and for the protection of investors and consumers to permit said declaration to become effective and finding with respect to said declaration under section 7 of said Act that the requirements of section 7 (c) of said Act are satisfied and that no adverse findings are necessary under section 7 (d) of said Act:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, that the aforesaid declaration be and hereby is permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and to the further condition set forth by declarant in the amendment of its declaration filed August 6, 1942, that any net profits resulting from work under the war contracts shall inure to the benefit of the operating subsidiaries of the holding-company system serviced by declarant, such profits to be disposed of only after prior approval of this Commission, jurisdiction being reserved herein and pursuant to sections 13 and 15 of said Act, to insure the carrying out of this condition in an appropriate manner.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7979; Filed, August 15, 1942; 9:21 a. m.]

[File No. 70-573]

BROCKTON EDISON CO., ET AL

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of August 1942.

In the Matter of Brockton Edison Company, Montaup Electric Company, Blackstone Valley Gas and Electric Company, and Fall River Electric Light Company.

Brockton Edison Company (hereinafter called Brockton), Montaup Electric Company (hereinafter called Montaup) and Blackstone Valley Gas and Electric Company (hereinafter called Blackstone), all subsidiaries of Eastern Utilities Associates, a registered holding company, and Fall River Electric Light Company (hereinafter called Fall River), a subsidiary of New England Power Association, a registered holding company, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 10 and 12 (d) thereof, concerning the following transactions:

(1) The issue and sale by Brockton of $1,900,000 of 10-year 3% notes to the New England Mutual Life Insurance Company and John Hancock Mutual Life Insurance Company under a trust indenture between Brockton and Old Colony Trust Company, Boston, Massachusetts, as Trustee.

(2) The issue and sale by Montaup to Brockton of 12,750 shares of its common stock at par ($100 per share). Montaup will use the proceeds thereof to reimburse itself for expenditures heretofore made for capital additions and to provide a portion of funds required to complete such additions. Inasmuch as the rights to subscribe to these 12,750 shares will in the first instance accrue to Blackstone, Brockton and Fall River pursuant to an agreement among them, Montaup will issue warrants entitling these companies to subscribe to the 12,750 shares as follows:

	Shares
Blackstone	4,347,170
Brockton	2,306,608
Fall River	6,096,222

Blackstone and Fall River will thereupon assign their subscription warrants to Brockton without consideration, and Brockton will acquire and exercise such subscription rights, in addition to its own.

(3) Of the $1,900,000 to be received by Brockton from the sale of the said notes, $1,275,000 will be invested in common stock of Montaup as above indicated. Of the remaining $625,000, $460,000 will be applied by Brockton to the payment of short-term bank loans incurred providing funds for capital additions, and $165,000 will be used to reimburse Brockton for funds previously used for capital additions and now needed to maintain a minimum cash position.

(4) The issuance and sale by Montaup to Blackstone of 30,000 shares of its common stock in payment of a $3,000,000 note of Montaup now held by Blackstone. This is being done pursuant to a provision in said note whereunder said note is convertible at the option of either Montaup or Blackstone into common stock of Montaup at the rate of one share of such common stock for each $100 principal amount of such note.

Said applications and declarations having been filed on July 8, 1942, and the last amendment thereto having been filed on August 11, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said declarations within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and for the protection of investors and consumers to grant said applications and to permit said declarations to become effective, and finding with respect to said applications and declarations under section 10 of said Act that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) and that the transactions involved have the tendency required by section 10 (c) (2);

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid applications as amended be and hereby are granted and the aforesaid declarations as amended be and hereby are permitted to become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reason set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7978; Filed, August 15, 1942; 9:22 a. m.]

[File No. 70-546]

MISSOURI EDISON CO. AND EAST MISSOURI POWER CO.

ORDER APPROVING APPLICATIONS SUBJECT TO CERTAIN CONDITIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 13th day of August, A. D., 1942.

Missouri Edison Company and East Missouri Power Company having filed a joint application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for an exemption from the provisions of section 6 (a) of the Act with respect to the following transactions:

a. Missouri Edison Company proposes (1) to issue and sell privately to The Connecticut Mutual Life Insurance Company $550,000 principal amount of its 3¾% first mortgage bonds to be dated January 1, 1942 and due January 1, 1967 at an approximate price of 101.52% of their principal amount ($558,378.87) plus accrued interest to date of delivery, and (2) to issue and sell privately to American National Bank and Trust Company of Chicago $70,000 principal amount of its 3% Serial Unsecured Notes payable over a six and one-half year period in twenty-five quarterly payments of $2,250 each and a final payment of $13,750. The company proposes to apply the proceeds of such sales, together with other of its moneys to the extent required, to the redemption at par plus accrued interest of its total outstanding 5½% First Mortgage Gold Bonds, 1927 Series, in the principal amount of $636,700, due December 1, 1947.

b. East Missouri Power Company proposes to issue and sell privately to The Connecticut Mutual Life Insurance Com-

pany $218,000 principal amount of its 3¾% first mortgage bonds to be dated January 1, 1942, and due January 1, 1967, at an approximate price of 105.02% of their principal amount ($228,951.13) plus accrued interest to date of delivery. The company proposes to apply the proceeds of such sale, together with other of its moneys to the extent required, to the redemption at 104 plus accrued interest, of its total outstanding 5% first mortgage bonds, Series A, due March 1, 1956 in the principal amount of $218,000.

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said applications as amended be, and the same hereby are, approved, subject, however, to the conditions prescribed in Rule U-24 and to the following further conditions:

1. Missouri Edison Company shall not declare or pay any dividend on any shares of its common stock (other than dividends payable solely in shares of its common stock) or make any distribution upon any shares of its common stock or purchase or otherwise retire any shares of its common stock, except out of earned surplus earned subsequent to December 31, 1941; and until all of the serial unsecured notes in the aggregate principal amount of $70,000 proposed to be issued by Missouri Edison Company shall be fully paid (without replacement in whole or in part by any debt security), no such dividend, payment, distribution, purchase or retirement shall be made unless the earned surplus earned subsequent to December 31, 1941 remaining after such payment, distribution, purchase or retirement, shall be equal to the greater of (a) the aggregate principal amount of serial unsecured notes of the company which shall have matured, or (b) fifty per cent of the aggregate net income earned subsequent to December 31, 1941, available (except for this restriction) for the payment of common dividends.

2. Missouri Edison Company shall, within 30 days from the date of the issuance and sale of its mortgage bonds and serial notes, eliminate the $120,000 of write-up presently reflected in its utility plant and common stock accounts by (a) a charge to common stock account and a credit to capital surplus account of $120,000, respectively, and (b) concurrently therewith a charge to capital surplus account and a credit to utility plant account of $120,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7977; Filed, August 15, 1942; 9:22 a. m.]

[File No. 70-568]

THE NORTH AMERICAN COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 14th day of August, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company; and

Notice is hereby given that any interested party may, not later than August 27, 1942 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested parties are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

The declarant, The North American Company, a registered holding company, proposes to pay on October 1, 1942, a dividend to its holders of common stock of record on September 5, 1942. Such dividend will be payable in the capital stock of The Detroit Edison Company, owned by declarant at the rate of one share of capital stock of The Detroit Edison Company on each fifty shares of common stock of the declarant outstanding. No certificates will be issued for fractions of shares of stock of The Detroit Edison Company, but, in lieu thereof, cash will be paid at the rate of 31 cents for each 1/50th of a share of stock of The Detroit Edison Company. The declarant estimates that to pay the above mentioned dividend it will have to distribute not more than 155,000 shares of the 452,298 shares of the capital stock of The Detroit Edison Company owned by it; that the amount of cash to be distributed in lieu of fractional shares of such capital stock will not exceed $325,000; and the payment of this dividend will result in a charge to earned surplus of approximately $4,100,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8018; Filed, August 17, 1942; 11:14 a. m.]

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 7 NUMBER 163

Washington, Wednesday, August 19, 1942

The President

EXECUTIVE ORDER 9222

AUTHORIZING THE PAYMENT OF MONETARY ALLOWANCES IN LIEU OF TRANSPORTATION IN KIND FOR DEPENDENTS OF OFFICERS, WARRANT OFFICERS, AND ENLISTED MEN ABOVE THE FOURTH GRADE OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, COAST AND GEODETIC SURVEY, AND THE PUBLIC HEALTH SERVICE UPON PERMANENT CHANGE OF STATION

By virtue of the authority vested in me by section 12 of the Pay Readjustment Act of 1942, approved June 16, 1942 (Public Law 607, 77th Congress), and as President of the United States, it is hereby ordered as follows:

1. The heads of the respective departments and establishments concerned are hereby authorized, in lieu of transportation in kind for travel of dependents of officers, warrant officers, and enlisted men above the fourth grade of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service authorized by the fifth paragraph of the said section 12 upon permanent change of station, to make payment in money of amounts equal to commercial transportation costs for the whole or such part of the travel of such dependents for which transportation in kind is not furnished when such travel shall have been completed.

2. The heads of the respective departments and establishments concerned may prescribe additional regulations not inconsistent herewith or with the terms of the said section 12 as may be necessary for carrying out the provisions of this order.

3. This order shall supersede Executive Order No. 3726, dated August 25, 1922, and shall become effective as of June 1, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 15, 1942.

[F. R. Doc. 42-8046; Filed, August 17, 1942; 3:05 p. m.]

EXECUTIVE ORDER 9223

CHANGING EFFECTIVE DATE OF A PROVISION OF REGULATIONS GOVERNING PAYMENT OF EXPENSES OF TRANSPORTATION OF HOUSEHOLD GOODS AND PERSONAL EFFECTS OF CERTAIN CIVILIAN OFFICERS AND EMPLOYEES OF THE UNITED STATES

By virtue of the authority vested in me by the act of October 10, 1940, 54 Stat. 1105, it is hereby ordered as follows:

1. The provision "Such an extension shall be approved by the head of the department or establishment within the six months' period during which shipment would otherwise begin . . ." contained in section 12 of Executive Order No. 8588 of November 7, 1940,[1] prescribing regulations governing the payment of expenses of transportation of household goods and personal effects of certain civilian officers and employees of the United States, as amended by section 4 of Executive Order No. 9122 of April 6, 1942,[2] shall become effective October 1, 1942; and section 5 of the last-mentioned order is modified accordingly.

2. This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 15, 1942.

[F. R. Doc. 42-8045; Filed, August 17, 1942; 3:05 p. m.]

EXECUTIVE ORDER 9224

TRANSFERRING JURISDICTION OVER CERTAIN LANDS FROM THE SECRETARY OF AGRICULTURE TO THE SECRETARY OF WAR FOR MILITARY PURPOSES

ALABAMA

WHEREAS certain lands in the State of Alabama within the area shown on the diagram attached hereto and made a part hereof have been acquired, or are in process of acquisition, under the authority of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appro-

[1] 5 F.R. 4448.
[2] 7 F.R. 2665.

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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priation Act of 1935, approved April 8, 1935 (49 Stat. 115), and Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), in connection with the Pea River Land Utilization Project of the Department of Agriculture; and

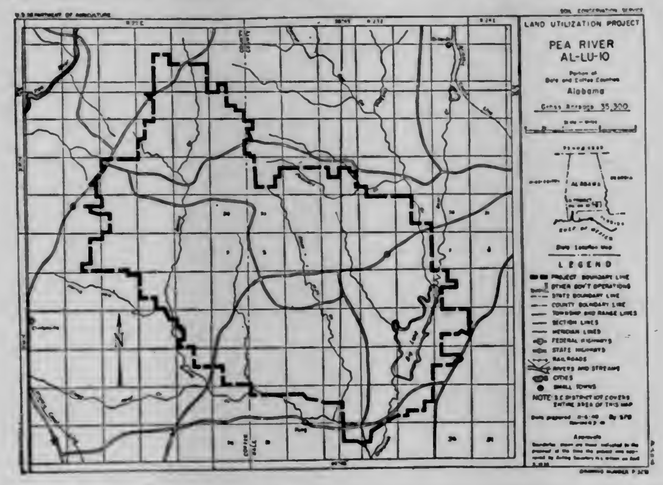
WHEREAS by Executive Order No. 7908 of June 9, 1938,[1] all the right, title, and interest of the United States in those lands acquired, or in the process of acquisition, under the authority of the aforesaid National Industrial Recovery Act and the Emergency Relief Appropriation Act of 1935 were transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the aforesaid Bankhead-Jones Farm Tenant Act, and the related provisions of Title IV *however*, that the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete their acquisition.

It is intended that the lands transferred by this order shall be returned to the Secretary of Agriculture, for use, administration, and disposition pursuant to Title III of the said Bankhead-Jones Farm Tenant Act, when they are no longer needed for military purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 15, 1942.

[F. R. Doc. 42–8044; Filed, August 17, 1942; 3:05 p. m.]



thereof; and immediately upon the acquisition of legal title to those lands now in process of acquisition under the authority of said acts, said order, under the terms thereof, will become applicable to all the additional right, title, and interest thereby acquired by the United States; and

WHEREAS it appears that the use of such lands by the Secretary of War for military purposes would best carry out the land-conservation and land-utilization program for which such lands were acquired, and would be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me by section 32 of Title III of the aforesaid Bankhead-Jones Farm Tenant Act, and upon recommendation of the Secretary of Agriculture, it is ordered that all lands acquired, or in process of acquisition, by the United States within the area delineated on the diagram attached hereto and made a part hereof, together with the improvements thereon, be, and they are hereby, transferred to the Secretary of War for military purposes: *Provided,*

[1] 3 F.R. 1389.

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4528]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LOUIS A. WALTON CO., ET AL.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name — Goods.— Composition.* In connection with offer, etc., in commerce, of fabrics or articles of clothing, and among other things, as in order set forth, (1) using the word "Alpaca", or any simulation thereof, either alone or in connection or conjunction with any other word or words to designate, describe, or refer to any product which is not composed entirely of the hair of the alpaca; (2) using the term "Camel Hair", or any other word or words of similar import and meaning, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of the hair of the camel; (3) using the word "Wool", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool; (4) using the word "Mohair", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat; and (5) using the word "Silk," or any simulation thereof, either alone or in connection or conjunction with any other word or words to designate, describe, or refer to any material which is not composed entirely of silk, the product of the cocoon of the silkworm; prohibited, subject to the respective provisions, however, as respects aforesaid prohibitions, (1) that in the case of a product composed in part of the hair of the alpaca and in part of other fibers or materials, word "Alpaca" may be used as descriptive of the alpaca hair content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; (2) that in the case of a product composed in part of the hair of the camel and in part of other fibers or materials, term "Camel" may be used as descriptive of the camel hair content, subject to the qualification hereinbefore set forth; (3) that in the case of a product composed in part of wool and in part of other fibers or materials, word "Wool" may be used as descriptive of the wool content, subject to the aforesaid qualification; (4) that in the case of a product composed in part of the hair of the Angora goat and in part of other fibers or materials, word "Mohair" may be used as descriptive of the Angora content, subject to the aforesaid qualification; and (5) as respects use of word "Silk", that in the case of a product composed in part of silk, the product of the cocoon of the silkworm, and in part of other fibers or materials, word "Silk" may be used as descriptive of the silk content, subject to the aforesaid qualification; and subject to the further proviso that no provision of order in question shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Louis A. Walton Co., et al., Docket 4528, August 14, 1942].

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition.* In connection with offer, etc., in commerce, of fabrics or articles of clothing, and among other things, as in order set forth, (1) representing by the use of the word "Imported", or in any manner whatsoever, that fabrics or garments of domestic manufacture are imported from any foreign country; (2) using the term "The House of Wool Fabrics", or any other words or terms of similar import or meaning, to designate, describe, or refer to any business which includes the offering for sale and sale of fabrics which are not composed entirely of wool or garments made from such fabrics; and (3) advertising, offering for sale, or selling products composed in whole or in part of rayon without clearly disclosing such rayon content; prohibited, subject to provision as respects said last prohibition, that when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed; and subject to further proviso that no provision of order in question shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Louis A. Walton Co. et al., Docket 4528, August 14, 1942]

In the Matter of Louis A. Walton Co., Kling Bros. & Co., Inc., a Corporation, and Leopold Kling and Samuel Kling, Individually and as Officers of Louis A. Walton Co., and Kling Bros. & Co., Inc.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of certain of respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner and exceptions thereto, and briefs filed in support of and in opposition to said complaint, and the Commission having made its findings as to the facts and its conclusion that respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Louis A. Walton Company, a corporation, and Kling Brothers & Company, Inc., a corporation, their officers, representatives, agents, and employees, and respondents Leopold Kling and Samuel Kling, individually and as officers of respondents Louis A. Walton Company and Kling Brothers & Company, Inc., their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of fabrics or articles of clothing in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Alpaca", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of the hair of the alpaca: *Provided, however*, That in the case of a product composed in part of the hair of the alpaca and in part of other fibers or materials, such word may be used as descriptive of the alpaca hair content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

2. Using the term "Camel Hair," or any other word or words of similar import and meaning, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of the hair of the camel: *Provided, however*, That in the case of a product composed in part of the hair of the camel and in part of other fibers or materials, such term may be used as descriptive of the camel hair content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully designating such other constituent fibers or materials;

3. Using the word "Wool," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool: *Provided, however*, That in the case of a product composed in part of wool and in part of other fibers or materials, such word may be used as descriptive of the wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing the constituent fibers or materials of such product;

4. Using the word "Mohair", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat: *Provided, however*, That in the case of a product composed in part of the hair of the Angora goat and in part of other fibers or materials, such word may be used as descriptive of the angora content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

5. Using the word "Silk", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any material which is not

composed entirely of silk, the product of the cocoon of the silkworm: *Provided, however,* That in the case of material composed in part of silk, the product of the cocoon of the silkworm, and in part of other fibers or materials, such word may be used as descriptive of the silk content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials:

6. Representing by the use of the word "Imported," or in any manner whatsoever, that fabrics or garments of domestic manufacture are imported from any foreign country;

7. Using the term "The House of Wool Fabrics," or any other words or terms of similar import or meaning, to designate, describe, or refer to any business which includes the offering for sale and sale of fabrics which are not composed entirely of wool or garments made from such fabrics;

8. Advertising, offering for sale, or selling products composed in whole or in part of rayon without clearly disclosing such rayon content; and when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, filed with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That no provision of this order to cease and desist shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8074; Filed, August 18, 1942; 11:33 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1558]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I; § 324.8 (*Numerical list of mines*) is amended by adding thereto Supplement R-II, § 324.2 (*Seasonal discounts*) is amended by adding thereto Supplement R-III; § 324.9 (*Recapitulation of price classifications*) is amended by adding thereto Supplement IV; § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) is amended by adding thereto Supplement V, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practices and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 11, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material in these supplements is to be read in the light of the classifications, price instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Sub-dist. No.	Seam	Type	Shipping points in Ohio	Railroad	Freight origin group Nos.	Price classifications by size group Nos.											
									1	2	3	4	5	6	7	8	9	10	11	12
1433	Cambridge Coal Company, c/o A. Jackson.		2	7	Strip	Cambridge	PRR	16	R	R	R	Q	O	O	Q	Q	Q	Q		Q
2744	Dozer & Sons Coal Co., O. D	Dozer	6	6	Deep	Crooksville	NYC	32	O	O	O	O	O	O	Q	Q	Q			O
460	Eberhart, David	Eberhart	1	8	Deep	Lafferty	B&O	12	O	O	O	O	O	O	O	O	O			O
2305	Fairview Coal Co. (Freeman Nelson).	Fairview	8	8	Deep	Hobson (Bradbury)	NYC	25	K	K	O	O	O	O	Q	Q	Q			Q
1657	Gill & Ford (John W. Gill)	Mt. Zion	2	7	Deep	Cambridge (Lawrence Ramp).	PRR	16	R	R	R	Q	O	O	O	O	O			O
1024	Givens & Sons, Charles (Chas. Givens).	Givens Coal Co	6	6	Deep	McLuney	PRR	34	O	O	O	O	O	O	Q	Q	Q			Q
883	Good, Lawrence R	Good Coal Co	6	7	Deep	Crooksville	NYC	32	O	O	O	O	O	O	Q	Q	Q			Q
2646	Nelson, E. P. & Company (E. P. Nelson).	Elwood	6	6	Deep	Moxahala	NYC	33	O	O	O	O	O	O	Q	Q	Q			Q
453	Pletcher, J. W. (Pletcher Coal Co.).	Davis #2	4	6	Deep	Lisbon	Erie	71	Q	Q	Q	Q	O	O	Q	Q	Q			Q
1038	Steele & Reed (George Steele)	Steele & Reed #6	7	5	Deep	Welliston	B&O	41	K	K	O	O	O	O	O	O	O			O

[1] Subject to Price Exception No. (4), § 324.1 (b) of Minimum Price Schedule.

§ 324.8 *Numerical list of mines*—Supplement R-II

Mine index No.	Mine name	Code member	Freight origin districts	Freight origin group Nos.	Railroad	Sub district No.
433		Cambridge Coal Company c/o A. Jackson.	Cambridge	16	PRR	2
453	Davis #2	Pletcher, J. W. (Pletcher Coal Co.)	Leetonia	71	Erie	4
460	Eberhart	Eberhart, David	Ohio No. 8	12	B&O	1
657	Mt. Zion	Gill & Ford (John W. Gill)	Cambridge	16	PRR	2
883	Good Coal Co	Good, Lawrence R	Crooksville	32	NYC	6
1024	Givens Coal Co	Givens & Sons, Charles (Chas. Givens)	Crooksville	34	PRR	6
1038	Steele & Reed #6	Steele & Reed (George Steele)	Jackson	41	B&O	7
2305	Fairview	Fairview Coal Co. (Freeman Nelson)	Pomeroy	25	NYC	8
2646	Elwood	Nelson, E. P. & Company (E. P. Nelson).	Crooksville	33	NYC	6
2744	Dozer	Dozer & Sons Coal Co., O. D	Crooksville	32	NYC	6

§ 324.2 *Seasonal discounts*—Supplement R-III

[On all shipments of coal in Size Groups 1 or 2, the discounts shown below in cents per net ton may apply. The date of shipment and not the date of sale shall gover n the seasonal price applicable. These seasonal discounts apply for shipments to all Market Areas except Market Areas 1 to 13, inclusive, 98 and 99 (Great Lakes), River Shipments, Vessel Fuel and Railroad Fuel.]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index Nos.	Additional mine index Nos.	Amount of discount for shipments during the month of				
					April	May	June	July	August
Ohio No. 8	9, 10, 11, 12, 14, 15, 17, 18, 19.		10, 21, 26, 30, 31, 34, 35, 42, 43, 54, 55, 56, 57, 65, 78, 81, 99, 102, 103, 107, 111, 114, 115, 116, 122, 123, 124, 127, 128, 144, 145, 147, 152, 157, 164, 167,	Add mine index No. 460.	30	20	10		
Cambridge		Add 16		Add mine index No. 433.	30	20	10		
	13	Add 16	87, 121	Add mine index No. 687.	30	20	10		
Pomeroy	23, 25		14, 22, 38, 70, 82, 100, 101, 105, 112, 113.	Add mine index No. 2305.	50	40	30	20	10
Crooksville	31, 32, 33, 34, 36		4, 28, 66, 85, 91, 104, 106, 125, 138, 143, 146, 155, 156, 160, 162, 165.	Add mine index Nos. 883, 1024, 2646, 2744.	30	20	10		
Jackson	41, 42, 43		2, 131, 134	Add mine index No. 1038.	50	40	30	20	10
Leetonia	71		53	Add mine index No. 453.	30	20	10		

NOTE:—Seasonal discounts as shown in § 324.2 in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.9 *Recapitulation of price classifications*—Supplement R-IV

[Prices for all rail shipment from mines indexed below into market areas as shown. For shipment into all market areas—see schedule of effective minimum prices, § 324.9 and § 324.10. Also applies to Market Areas 98 and 99 (Great Lakes), § 324.11 (b) and § 324.11 (c) and Vessel Fuel, § 324.11 (d)]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index No.	Additional mine index Nos.
Ohio No. 8	9, 10, 11, 12, 14, 15, 17, 18, 19.		10, 21, 26, 30, 31, 34, 35, 42, 43, 54, 55, 56, 57, 65, 78, 81, 99, 102, 103, 107, 111, 114, 115, 116, 122, 123, 124, 127, 128, 144, 145, 147, 152, 157, 164, 167.	460.
Cambridge		Add 16		[1] 433.
		Add 16	(Subject to Exception No. 4, page 3)	[1] 433.
	13	Add 16	87, 121	687.
	13	Add 16	87, 121 (Subject to Exception No. 4, page 3).	687.
Pomeroy	23-25		14, 22, 38, 70, 82, 100, 101, 105, 112, 113	2305.
Crooksville	31, 32, 33, 34, 36		4, 28, 66, 85, 91, 104, 106, 125, 138, 143, 146, 155, 156, 160, 162, 165.	883, 1024, 2646, 2744.
Jackson	41, 42, 43		2, 131, 134	1038.
Leetonia	71		53	453.

[1] Prices as shown for Mine Index Nos. 87 and 121, appearing in the Schedule of Effective Minimum Prices for District No. 4, less 10¢ in Size Groups 7, 8, 9 and 12, will apply to additional Mine Index No. 433 hereinabove noted for all Market Areas except Market Area 14. In addition, Mine Index No. 433 will have a price in Size Group 10 equal to the applicable minimum price for its Size Group 8 less 5¢ for all Market Areas except Market Area 14. Prices for Market Area 14 shall be 5¢ per ton less in Size Groups 7, 8, 9 and 12 than Mine Index Nos. 87 and 121, and the price in Size Group 10 shall be the same as its Size Group 8.

NOTE: Prices as shown in § 324.9, § 324.10, § 324.11(b), § 324.11(c) and § 324.11 (d) in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.11 *Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*—Supplement R-V

[Railroad fuel prices for all movements exclusive of lake cargo railroad fuel from mines indexed below. For shipment to railroads as shown—see Schedule of Effective Minimum Prices, § 324.11 (a)]

Name of railroad	Mine index Nos.	Additional mine index Nos.
Baltimore & Ohio Railroad Co	10, 21, 30, 33, 39, 49, 58, 71, 72, 78, 81, 85, 87, 95, 96, 103, 104, 106, 116, 121, 124, 128, 134, 136, 144, 146, 147, 151, 155, 157, 160, 162.	460, 1038.
Erie Railroad	53	453.
New York Central System	1, 4, 6, 18, 22, 27, 28, 34, 35, 47, 54, 59, 64, 66, 73, 74, 83, 90, 91, 100, 107, 109, 125, 126, 138, 141, 143, 156, 158, 172.	883, 2305, 2646, 2744.
Pennsylvania Railroad Co	11, 26, 31, 42, 43, 49, 50, 55, 56, 57, 62, 65, 67, 80, 81, 94, 111, 114, 115, 132, 152, 162, 165, 169.	687, 1024.
Akron, Canton & Youngstown Railway Co.	166	433.
Ann Arbor Railroad Co. Canadian National Railways and Grand Trunk Railway System. Canadian Pacific Railway Co. Detroit and Mackinac Railway Company. Detroit & Toledo Shore Line Railroad Co.	From all Mine Index Nos. except those shown below.	453, 460, 687, 883, 1024, 1038, 2305, 2646, 2744.
Erie Railroad Nickel Plate Road. (New York, Chicago & St. Louis Railroad Co.). Pere Marquette Railway Co.	From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	433.
For all railroads not shown above	From all Mine Index Nos. except those shown below. From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	453, 460, 687, 883, 1024, 1038, 2305, 2646, 2744. 433.

NOTE: Prices as shown in §324.11(a) in the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T

Code member	Mine	Mine index No.	Type	Seam	Base sizes: 6" lump	3"-4"-5" lump	2" lump	2" x 4" egg; 2" x 6" egg	1¼" lump; 1¼" x 4" egg	Mine run nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT No. 1—EASTERN OHIO												
BELMONT COUNTY												
Eberhart, David	Eberhart Mine	460	Deep	8	285	275	260	235	230	220	200	190
SUBDISTRICT No. 2—CAMBRIDGE												
GUERNSEY COUNTY												
Cambridge Coal Company, c/o A. Jackson		433	Strip	7	270	260	245	220	220	220	200	190
NOBLE COUNTY												
Bonar, Bert	Bonar #2	430	Deep	8	270	260	245	220	220	220	200	190
SUBDISTRICT No. 4—MIDDLE												
CARROLL COUNTY												
Yeager, Corwin (Yeager Coal Co.)	Yeager	452	Deep	Harlem	275	265	250	235	235	220	190	180
COLUMBIANA COUNTY												
Fletcher, J. W. (Pletcher Coal Co.)	Davis #2	453	Deep	6	300	290	275	250	245	235	205	195
COSHOCTON COUNTY												
Ingham, Wm.	Ingham	436	Deep	6	280	270	260	235	230	195	165	155
Sharrock, Russell	Sharrock	451	Deep	6	280	270	260	235	230	195	165	155
STARK COUNTY												
Garaux Brothers Company, The	Garaux #2	466	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #3	467	Strip	5	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #4	468	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #5	469	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #6	470	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #7	471	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #8	472	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #9	473	Strip	6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #10	474	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #11	475	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #12	476	Strip	5 & 6	275	265	250	235	235	210	190	180
Garaux Brothers Company, The	Garaux #13	477	Strip	5	275	265	250	235	235	210	190	180
Metro Coal & Limestone, Inc.	Metro #2	479	Strip	5 & 6	275	265	250	235	235	210	190	180
Metro Coal & Limestone, Inc.	Metro #3	480	Strip	5 & 6	275	265	250	235	235	210	190	180
Metro Coal & Limestone, Inc.	Metro #4	481	Strip	5 & 6	275	265	250	235	235	210	190	180
Metro Coal & Limestone, Inc.	Metro #5	482	Strip	4	275	265	250	235	235	210	190	180
Metro Coal & Limestone, Inc.	Metro #6	483	Strip	5	275	265	250	235	235	210	190	180
Metro Coal & Limestone, Inc.	Metro #7	484	Strip	5 & 6	275	265	250	235	235	210	190	180
SUBDISTRICT No. 6—CROOKSVILLE												
MUSKINGUM COUNTY												
Christie, Donald	Christie	432	Deep	7	280	270	260	235	230	195	165	165
SUBDISTRICT No. 7—JACKSON												
JACKSON COUNTY												
Black Diamond Coal Co. (B. D. Nichols)	Black Diamond	450	Deep	2	295	285	275	250	245	195	175	165
LAWRENCE COUNTY												
Cambria Clay Products Co., The	Cambria	435	Deep	5	295	285	275	250	245	195	175	165
Cambria Clay Products Co., The	No. 11	434	Deep	4	295	285	275	250	245	195	175	165
Williams & Donley (L. P. Donley)	W & T	454	Deep	4	295	285	275	250	245	195	175	165

[F. R. Doc. 42-8027; Filed, August 17, 1942; 11:57 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 51]

FORT STEILACOOM HOSPITAL PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Western State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 51. Said project, located at Fort Steilacoom, Pierce County, Washington, will be the base of operations for work at the Western State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Western State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Supervisor of Public Institutions of the State of Washington, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Washington State Hospitals. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

AUGUST 14, 1942.

[F. R. Doc. 42-8042; Filed, August 17, 1942; 2:11 p. m.]

[Amendment No. 72, 2d Ed.]

PART 632—INDUCTION CALLS

INDUCTION CALLS BY STATE DIRECTOR

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 632.2 *Induction calls by the State Director of Selective Service*[1] by deleting paragraph (c) thereof in its entirety.

[1] 6 F.R. 6849.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

(54 Stat. 885; 50 U.S.C. 301–318, incl.; E.O. 8545, 5 F.R. 3779)

LEWIS B. HERSHEY,
Director.

AUGUST 15, 1942.

[F. R. Doc. 42-8043; Filed, August 17, 1942; 2:57 p. m.]

PART 622—CLASSIFICATION

[Amendment 73, 2d Ed.]

MISCELLANEOUS AMENDMENTS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend § 622.1[1] by deleting it in its entirety.

2. Amend § 622.11[2] to read as follows:

§ 622.11. *Class I–A; Available for military service.* In Class I–A shall be placed every registrant who, upon classification, has not been placed in Class I–C, Class IV–E, Class I–A–O, or in a deferred class.

3. Amend § 622.12[3] to read as follows:

§ 622.12 *Class I–A–O; Available for noncombatant military service; conscientious objector.* In Class I–A–O shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to participation in war in any form and to be conscientiously opposed to combatant military service in which he might be ordered to take human life, but not conscientiously opposed to noncombatant military service in which he could contribute to the health, comfort, and preservation of others.

4. Amend § 622.13[4] to read as follows:

§ 622.13 *Class I–B; Formerly available for limited military service.* No registrant shall hereafter be placed in Class I–B, and all registrants now in Class I–B shall be reclassified at the time and in the manner specified by the Director of Selective Service.

5. Amend § 622.14[5] to read as follows:

§ 622.14 *Class I–B–O; Formerly available for noncombatant limited military service.* No registrant shall hereafter be placed in Class I–B–O, and all registrants now in Class I–B–O shall be reclassified at the time and in the manner specified by the Director of Selective Service.

6. Amend § 622.51[6] to read as follows:

§ 622.51 *Class IV–E; Available for work of national importance; conscientious objector.* (a) In Class IV–E shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to participation in war in any form and to be conscientiously opposed to both combatant and noncombatant military service.

(b) Upon being advised by the Director of Selective Service that a registrant who was inducted into the land or naval forces for military service will be discharged because of conscientious objections which make him unadaptable to military service, the local board shall change such registrant's classification and place him in Class IV–E. The Director of Selective Service shall assign such registrant to work of national importance under civilian direction.

7. Amend § 622.52[7] to read as follows:

§ 622.52 *Class IV–E–LS; Formerly available for limited service in work of national importance; conscientious objector.* No registrant shall hereafter be placed in Class IV–E–LS, and all registrants now in class IV–E–LS shall be reclassified at the time and in the manner specified by the Director of Selective Service.

8. Amend § 622.53[8] to read as follows:

§ 622.53 *Class IV–E–H; Man formerly classified in Class IV–E, since deferred by reason of age.* In Class IV–E–H shall be placed every registrant theretofore classified in Class IV–E who, prior to being assigned to and accepted for work of national importance under civilian direction, may be deferred by reason of age. Unless and until it is determined that a particular age group should be deferred, no registrant shall be classified in Class IV–E–H.

9. Amend § 622.62[9] to read as follows:

§ 622.62 *Class IV–F; Physically or mentally unfit.* In Class IV–F shall be placed any registrant who:

(a) After physical examination by the examining physician is found to have a defect set forth in the List of Defects (Form 220);

(b) After physical examination by the armed forces is found to be physically or mentally unfit for any military service; or

(c) Is a conscientious objector to both combatant and noncombatant military service found, after physical examination (final type), to be physically or mentally unfit for work of national importance under civilian direction.

10. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 17, 1942.

[F. R. Doc. 42-8053; Filed, August 18, 1942; 10:04 a. m.]

[1] 7 F.R. 3056.
[2] 7 F.R. 4154.
[3] 6 F.R. 6607.
[4] 7 F.R. 4154.
[5] 6 F.R. 6608.
[6] 7 F.R. 4270.
[7] 6 F.R. 6766.
[8] 6 F.R. 6611.

PART 623—CLASSIFICATION PROCEDURE

[Amendment 74, 2d Ed.]

MISCELLANEOUS AMENDMENTS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend paragraphs (a), (e), and (h) of § 623.33[1] to read as follows:

§ 623.33 *Physical examination by examining physician.* (a) The Director of Selective Service, from time to time, will issue a List of Defects (Form 220), which will set forth defects, not remediable, which manifestly disqualify the registrant for military service.

* * * * *

(e) The examining physician may report upon a registrant as having a condition listed in the List of Defects (Form 220) when he has professional knowledge to the effect that the registrant is suffering from diabetes mellitus, necessitating the constant administration of insulin; pernicious anemia, necessitating the constant parenteral administration of liver extract; sex perversion; active peptic ulcer with positive X-ray findings; alcoholism, chronic, in such a degree that it interferes with earning a living in civil life; or hypoglycemia, chronic, persistent, in such a degree that it interferes with earning a living in civil life. The examining physician may also report to the local board on the case of a registrant who does not personally appear before him when the report is based upon his professional knowledge that a registrant has a history of commitment for mental disease, is actually confined in a mental institution with a diagnosis of psychosis, is an idiot or imbecile, or is confined as an invalid to his home or in an institution and such condition is of a character which makes it inadvisable for the registrant to personally appear before the examining physician at the place fixed for his physical examination. If the examining physician does not have professional knowledge of such condition of the registrant, he may accept an affidavit from a reputable physician or an official statement from the government agency concerned as to such condition, and such affidavit or official statement shall be attached to the Report of Physical Examination and Induction (Form 221). In all other cases, the registrant shall personally appear before the examining physician and be examined in the manner provided in paragraph (c) of this section.

* * * * *

(h) The examining physician, in Item 26 on the Report of Physical Examination and Induction (Form 221), shall complete the answer to the following question: Do you find that the above-named registrant has any of the defects set forth in the List of Defects (Form 220)? If the examining physician's answer is "Yes," he shall describe the de-

[1] 6 F.R. 6612, 6613.

fects in order of their significance. If the examining physician enterthins a doubt as to whether he should answer "Yes" or "No," his answer shall be "No."

2. Amend § 623.51 [1] by deleting paragraph (d) and amending paragraphs (b), (e), (f), and (g) to read as follows:

§ 623.51 *Procedure for classification after physical examination.* • • •

(b) If the registrant is found to have a defect set forth in the List of Defects (Form 220) as manifestly disqualifying him for military service, he shall be classified in Class IV–F.

• • • • •

(d) (Deleted)

(e) If the registrant has not been classified in Class IV–F in the manner provided in paragraph (b) of this section, he shall be classified in Class I–A; provided that: (1) If such registrant has been found to be a conscientious objector to combatant military service but not a conscientious objector to noncombatant military service, he shall be classified in Class I–A–O; or (2) if such registrant has been found to be a conscientious objector to both combatant and noncombatant military service, he shall be classified in Class IV–E.

(f) If the requirement that the registrant be physically examined by the examining physician has been waived by the Director of Selective Service under the provisions of § 623.55, the classification of the registrant shall be completed in the manner set forth in this section with the exception that the local board shall make its determination without the assistance of a report of the examining physician and shall not consider whether the registrant has a physical or mental defect which would require that he be classified in Class IV–F. Such registrant shall, therefore, be classified in either Class I–A, Class I–A–O, or Class IV–E. The classification thus made by the local board shall have the same effect as a classification made following physical examination by an examining physician. The rights and obligations of each such registrant following classification under such circumstances are exactly the same as if he had been classified following a physical examination by the examining physician.

(g) As soon as the time in which the registrant may take an appeal has expired or, if an appeal is taken, as soon as the registrant's classification has been determined on appeal, the original and copies of the Report of Physical Examination and Induction (Form 221) of registrants classified under this section shall be distributed as follows:

(1) If the registrant has been classified in Class I–A, Class I–A–O, or Class IV–E, the original and all copies shall be placed in the registrant's Cover Sheet (Form 53).

(2) If the registrant is classified in Class IV–F, the National Headquarters' Copy and the Surgeon General's Copy shall be transmitted to the State Director of Selective Service, who shall forward such copies to the Director of Selective Service, and the Armed Forces' Original and the Local Board's Copy shall be filed in the registrant's Cover Sheet (Form 53).

3. Amend paragraphs (a) and (b) of § 623.61 to read as follows:

§ 623.61 [2] *Classification and change of classification.* (a) As soon as practicable after the local board has classified or changed the classification of a registrant, it shall:

(1) Mail a notice thereof on a Notice of Classification (Form 57) to the registrant. (The date on which the deferment of the registrant terminates will be shown if he is classified in Class II–A or Class II–B);

(2) Mail a copy of the Notice of Classification (Form 57) to every person whose signed Affidavit to Support Claim for Occupational Deferment (Form 42A) is on file in the registrant's Cover Sheet (Form 53) when the registrant is classified in Class II–A or Class II–B;

(3) Mail a Notice to Employer of Right to Appeal (Form 59) to every person whose signed Affidavit to Support Claim for Occupational Deferment (Form 42A) is on file in the registrant's Cover Sheet (Form 53) when the registrant is classified in Class I–A, Class I–A–O, or Class IV–E;

(4) Mail a copy of the Notice of Classification (Form 57) to every person whose signed Affidavit of Dependent Over 18 Years of Age (Form 40A) is on file in the registrant's Cover Sheet (Form 53);

(5) Mail a copy of the Notice of Classification (Form 57) to every person whose Claim for Deferred Classification by Person Other Than Registrant (Form 42) is on file in the registrant's Cover Sheet (Form 53); and

(6) Mail a copy of the Notice of Classification (Form 57) to any other person authorized to request the reopening of the registrant's classification under the provisions of § 626.2 whose request is on file in the registrant's Cover Sheet (Form 53).

(b) After each local board meeting, a copy of the Local Board Action Report (Form 110), listing the registrants who have been classified or whose classification has been changed, shall be posted in the office of the local board. A copy shall also be sent to the government appeal agent.

• • • • •

4. Amend § 623.62 [3] to read as follows:

§ 623.62 *Register of conscientious objectors.* The local board shall list on a register of conscientious objectors each registrant whose claim for special classification as a conscientious objector has been sustained, either by the local board or upon appeal. The register of conscientious objectors shall show separately those registrants who have been classified as available for noncombatant military service (Class I–A–O) and those who have been classified as available for work of national importance under civilian direction only (Class IV–E). No special form is provided for this register.

5. Amend paragraph (a) of § 623.71 [4] to read as follows:

§ 623.71 *Steps to be taken by registrant and local board.* (a) When the local board, under the provisions of § 623.51, classifies a registrant who is not a national of the United States, as defined in § 601.2, in Class I–A or Class I–A–O, the local board, without waiting to determine whether such registrant wishes to or does request a personal appearance or take an appeal, shall mail such registrant an Alien's Personal History and Statement (Form 304).

• • • • •

6. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 17, 1942.

[F. R. Doc. 42–8054; Filed, August 18, 1942; 10:04 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive No. 7]

COMMODITY CREDIT CORPORATION

AUTHORITY OVER VEGETABLE OIL SEEDS

§ 903.12 *Delegation of allocation authority over vegetable oil seeds to Commodity Credit Corporation.* Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9040 of January 24, 1942, and Executive Order 9125 of April 7, 1942, and in order to delegate to Commodity Credit Corporation authority to provide for the increased production of oil and linters from vegetable oil seeds, it is hereby ordered that:

(a) Commodity Credit Corporation is authorized, from and after the effective date of this Directive, to perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. No. 671, 76th Cong., 54 Stat. 676) as amended by the Act of May 31, 1941 (Pub. No. 89, 77th Cong., 55 Stat. 236), with respect to the allocation of vegetable oil seeds and oilseed products, and more particularly, without limiting the generality of the foregoing, (1) to direct the kinds, quantities and conditions of purchase and sale of any vegetable oil seeds to be received or crushed by any crusher, and the kinds, quantities and conditions of purchase and sale of oilseed products to be received or first processed by any refiner or bleacher, (2) to direct the kinds and quantities of vegetable oil seeds and oilseed products to be stored, (3) to direct the type and method of operation of crushing facilities suitable for the crushing of vegetable oil seeds, (4) to direct the area within which vegetable oil seeds and oilseed products may be purchased or not purchased, all in such manner and to such extent as it may deem necessary, in the public interest and to promote the National Defense, for assuring the production of sufficient oil and linters from vegetable oil seeds and the efficient use of processing facilities. The authority of Commodity Credit Corporation under this Directive shall include the power to regulate or prohibit the processing, sale, transfer or other disposition of vegetable oil seeds and any oil, meal, cake or linters derived therefrom by any person who has acted in violation of any regulation or order prescribed by Commodity Credit Corporation hereunder, and the power to allocate to itself the entire production, or any portion thereof, of any vegetable oil seeds or oilseed products for resale by it on such terms as it deems appropriate. Commodity Credit Corporation is likewise authorized to require such reports and the keeping of such records, and to make such investigations as it may deem necessary or appropriate for the administration of the allocation powers conferred herein; and it may take such measures as it may deem necessary or appropriate for the enforcement of any direction or order prescribed pursuant to this Directive.

(b) The Commodity Credit Corporation may exercise the power, authority and discretion conferred upon it by this Directive through such officials, including part time and uncompensated special agents, and in such manner as it may determine.

(c) The Chairman of the War Production Board may from time to time delegate to Commodity Credit Corporation such additional powers with respect to the exercise of control over vegetable oil seeds and oilseed products, or amend the delegation herein in such manner and to such extent as he may determine to be necessary or appropriate.

(d) Nothing herein shall be construed to limit or modify any order heretofore issued by the Director of Priorities of the Office of Production Management, or the Director of Industry Operations of the War Production Board, or the Director General for Operations of the War Production Board, nor to delegate to Commodity Credit Corporation the power to extend, amend or modify any such order, nor to terminate or limit the power of the Director General for Operations to issue future orders regulating transactions in vegetable oil seeds and oilseed products. The authority hereby delegated shall be exercised in conformity with any such order heretofore or hereafter issued.

(e) For the purposes of this Directive:

(1) "Vegetable oil seeds" means cottonseed, flaxseed, peanuts and soybeans.

(2) To "crush" means to press, expel or extract oils from vegetable oil seeds.

(3) "Crusher" means a person who crushes vegetable oil seeds.

(4) "Oilseed products" means crude oil, oil meal and linters derived from vegetable oil seeds.

This Directive shall take effect with respect to cottonseed, flaxseed, and peanuts and products made therefrom, on September 1, 1942, and with respect to soybeans and products made therefrom on October 1, 1942, and in each case shall continue in effect for one year from the applicable effective date unless sooner revoked by the Chairman of the War Production Board. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

W. L. BATT,
Acting Chairman.

[F. R. Doc. 42–8065; Filed, August 18, 1942; 10:32 a. m.]

PART 921—ALUMINUM

[Revocation of Supplementary Order M–1–e]

Section 921.7 *Supplementary Order M–1–e* [1] is hereby revoked, the subject matter of said Order now being covered by § 921.11 *Supplementary Order M–1–i.* [2] This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Order M–1–e. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8059; Filed, August 18, 1942; 10:29 a. m.]

PART 921—ALUMINUM

[Revocation of Supplementary Order M–1–f]

Section 921.8 *Supplementary Order M–1–f* [3] is hereby revoked, the subject matter of said order now being covered by § 921.11 *Supplementary Order M–1–i.* [3] This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Order M–1–f. (P.D. Reg. 1, as amended, 6. F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8060; Filed, August 18, 1942; 10:29 a. m.]

PART 921—ALUMINUM

[Supplementary Order M–1–i]

TO CONSERVE THE SUPPLY AND DIRECT THE DISTRIBUTION OF ALUMINUM

Whereas, national defense requirements have created a shortage of aluminum; and

Whereas, the restrictions and requirements relating to the use of aluminum hereinafter set forth are necessary to conserve the supply and direct the distribution thereof in the interest of national defense;

Now, therefore, it is ordered, That:

§ 921.11 *Supplementary Order M–1–i*—(a) *Certain orders superseded.* This supplementary order supersedes § 921.7 *Supplementary Order M–1–e* [1] and § 921.8 *Supplementary Order M–1–f* [1] and all amendments to said sections.

(b) *Definitions.* For the purposes of this order:

(1) "Aluminum" means any material the principal individual ingredient of which by either weight or volume is metallic aluminum, in ingot or similar raw form or drosses or in the form of finished or semifinished parts, assemblies, or products of any kind; but not including aluminum scrap as defined in Supplementary Order M–1–d, [2] or aluminum pigment or aluminum paint as defined in Supplementary Order M–1–g. [3]

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(3) "Producer" means the Aluminum Company of America, the Reynolds Metal Company, the Olin Corporation, and any other person who may be so designated by the Director.

(4) "Fabricator" means any person who manufactures basic aluminum products, such as, but not limited to, sheet, plate, wire, rod, bar, rolled shapes, extruded shapes, tubing, tube blooms, redraw tubing, pipe, rivets, forgings, castings, impact extrusions, foil or powder.

(5) "Use aluminum in manufacture" means to melt, roll, forge, cast, extrude, draw, turn spin, fabricate, produce or process in any other way to assemble, to incorporate in assemblies, or to consume or otherwise use in the course of manufacture, any aluminum; but does not include the installation of a finished prod-

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[1] 6 F.R. 6613.

[2] 7 F.R. 808.

[3] 6 F.R. 6614.

[4] 7 F.R. 2088.

[1] 7 F.R. 539.

[2] *Infra.*

[3] 7 F.R. 1104.

[1] *Supra.*

[2] 7 F.R. 160, 3324.

[3] 7 F.R. 1834.

uct or repair part for the ultimate consumer.

(6) "Low grade aluminum" means aluminum which contains copper in excess of 4% by weight, and either iron or zinc in excess of 1% by weight.

(7) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), and prescribed for field or combat use by the Army or Navy of the United States; also parts, assemblies, and materials to be physically incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items, nor does it include any other equipment required by the armed forces, whether or not used in combat and field operations, which is not declared to be essential to the successful prosecution of the war, by the Army and Navy Munitions Board.

(8) "Director" means Director General for Operations.

(c) *Allocation of aluminum.* Allocation of aluminum will be made by the Director in the interest of war production by approval of an application on the applicable Form of the PD–26 Series (hereinafter referred to as Form PD–26).

(d) *Delivery and use.* Except as authorized, subsequent to October 31, 1941, pursuant to an allocation on Form PD–26 or other specific authorization of the Director, (1) no producer, smelter or fabricator shall deliver any aluminum, and (2) no person shall accept the delivery of any aluminum from any producer, smelter or fabricator or use any aluminum in manufacture.

(e) *Application for allocation of aluminum.* Each producer, smelter, fabricator, or such other person as the Director may designate, seeking an authorization required by this order for any month shall file a Form PD–26 for such month, on or before the 15th day of the second preceding month. Except where the customer is required to file an application on Form PD–26, no item shall be included unless the customer, on or before the 5th day of the second preceding month (1) shall have definitely requested the delivery thereof in such month, and (2) shall have filed with his purchase order, information as to the exact part to be made from the aluminum, the product in which such part is to be incorporated or assembled, and the end use to be made of such product, also, any further information which may be necessary to enable the supplier to fill out his Form PD–26. Where the customer is a fabricator or producer or smelter, he need only indicate to the supplier that he has filed such information on his own Form PD–26. The Director will issue specific allocations authorizing the deliveries which may be made, or the aluminum which may be used in manufacture during that month. A supplementary schedule permitting delivery for emergency items may be filed at any date, on Form PD–26.

(f) *Requirements relating to placement of orders with, and acceptance of orders by, producers, smelters, and fabricators.* Only eligible items (as set forth in paragraph (g) below) shall be included on a Form PD–26 except when specific written approval has been secured from the Director for inclusion of certain other items. Request for inclusion of other than eligible items shall be made to the Aluminum and Magnesium Branch, War Production Board, giving the information specified in paragraph (e) (2) above. In the event such an application is denied, appeal for relief may be made to the War Production Board, Washington, D. C., on Form PD–500.

(g) *Eligible items.* Within the limits of available aluminum and fabricating facilities, the Director will authorize the essential requirements for the manufacture of the following eligible items:

(1) Implements of war as defined above which are being produced for any foreign country pursuant to the Act of March 11, 1941, "An Act to Promote the Defense of the United States" (Lease-Lend Act), or for the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, or the Coast Guard, where the use of aluminum in the grade and to the extent employed is required by the latest issue of specifications of the respective government agencies applicable to the contract.

(2) Alloys, other than zinc base alloys. The amount permitted in any month will not exceed 12% by weight of the amount of such alloys produced during such month, and the aluminum content of any alloy produced will not be permitted to exceed 15% by weight.

(3) Carbometer wire.

(4) Cathodes for the electrolytic refining of zinc.

(5) Chemical processing equipment for use in manufacturing plants: *Provided*, That the customer certifies in writing to the manufacturers at the time of placing his order that the use of alternate material is impracticable, indicating reasons therefor, and the manufacturer causes a copy of such certification to be submitted to the War Production Board with the PD–26 Application.

(6) Commercial aircraft.

(7) Containers for intravenous solutions.

(8) Fixed electrolytic and paper condensers: *Provided*, That the person using the aluminum has filed required report with War Production Board for the preceding month, on Form PD–97.

(9) Orthopedic equipment: *Provided*, That lightweight is vital to the operation of the equipment.

(10) Repair and maintenance parts for mechanical or electrical equipment used domestically or in industry: *Provided*, That the manufacturer certifies in writing to the War Production Board that the use of other material is impracticable, stating the specific reasons therefor, and that an equivalent weight of similar defective aluminum parts has been returned by the manufacturer or his customers as evidenced by certificates obtained from waste material dealers or smelters. In the event that the manufacturer operates his own foundry, the certificates of scrap parts disposed of should be attached to his PD–26 Proposed Shipping Schedule. In all other cases, the scrap certificates should support the manufacturer's application.

(11) Thermit reaction. For use in the manufacture of thermit powders and ferroalloys where and to the extent that the use of any other material is not possible.

(12) Welding rod and metallizing wire.

(13) X-ray tube housings.

Only low-grade aluminum will be allocated for the following items:

(14) Anhydrous aluminum chloride: *Provided*, That the customer certifies in writing to the manufacturer at the time of placing his order that such chloride will be used in the production of dyes for textiles, or in the production of synthetic rubber, high-octane gasoline, tear gas, nylon, or pharmaceuticals. Drosses or grindings may be authorized for this purpose.

(15) Match plates, patterns, core boxes, core dryers, and snap flasks; *Provided*, That the customer certifies in writing to the manufacturer that their use is essential to the fulfillment of quantity production orders bearing priority ratings higher than A–2. However, a manufacturer may use aluminum to make new pattern equipment, provided that the customer certifies that the new equipment will be used to fulfill quantity production orders bearing A–10 or higher priority ratings, and that he will supply an equivalent weight of defective or obsolete aluminum equipment, and upon approval on Form PD–26 the manufacturer may melt such scrap notwithstanding the provisions of Supplementary Order M–1–d.

(16) Pistons for engines of trucks (1½ tons or over), heavy duty tractors, Diesel engines, and engines in portable firefighting equipment.

(17) Steel deoxidizer. The total amount permitted for deoxidizing during any month will not average more than 0.6 pound per ton of carbon steel, and 2.0 pounds per ton of alloy steel, produced during such month. Steel foundries may be authorized to use during any month an average of not over 2.5 pounds per ton of steel castings produced during such month.

(18) Tools. Portable electric and pneumatic:

(i) In pneumatic and high cycle electric tools, except grinders: (a) net weight—eight pounds or under—any parts; (b) net weight over eight pounds and up to and including twenty-three pounds—motor housings and gear housings only; (c) net weight over twenty-three pounds—motor housings only.

(ii) In universal electric drills, screw drivers, nut runners, and tappers: (a) net weight ten pounds or under—any parts; (b) net weight over ten pounds and up to and including twenty-three pounds—motor housings and gear housings only; (c) net weight over twenty-three pounds—motor housings only.

Net weight shall be the net weight specified in each producer's latest catalog issued prior to April 18, 1942.

(iii) In all other universal electric tools and in pneumatic and high cycle electric grinders—any parts.

(iv) In handles cast integrally with motor housings.

(19) Zinc base alloy. Not in excess of 2% by weight of the amount of zinc base alloy produced during any month.

(h) *Temporary exception for military orders.* For a period of ninety days after the date of the issuance of this order, the prohibitions and restrictions contained in paragraph (f) of this order shall not apply to any application filed on Form PD–26, insofar as such application relates to the use of aluminum, or to the delivery of aluminum for use, in the manufacture of any item (or the necessary material therefor) which is being produced under a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office for Scientific Research and Development, or any foreign country pursuant to the Act of March 11, 1941, "An Act to Promote the Defense of the United States" (Lease-Lend Act), if, but only if, in any such case, the use of aluminum to the extent employed is required by the specifications of the prime contract.

(i) *Report of inventory.* Any person who, in any calendar quarter has had any ingot, similar raw forms of aluminum, or aluminum basic products as defined in paragraph (b) (4) or has used aluminum in manufacture shall, on or before the 20th of the month succeeding the end of the quarter, file an inventory report on Form PD–40A or such other form as may be prescribed for this purpose.

(j) *Dead stock.* Notwithstanding paragraph (d) above, all aluminum, which is not being used in, or which is in excess of reasonable needs for the manufacture of items approved on Form PD–26, shall be promptly disposed of pursuant either to Priorities Regulation No. 13, or where such Regulation does not apply, pursuant to Supplementary Order M–1–d.

(k) *Tolling.* Except as the Director may specifically authorize on Form PD–114, no aluminum shall be delivered or received for melting under any toll, repurchase or similar arrangement.

(l) *Operations of same person in different capacities.* Any person who, in the use of aluminum in manufacture, operates in more than one capacity, (for example, both as a producer and fabricator) shall, in each such capacity, be subject to the applicable obligations and restrictions imposed by this order. The initial putting into fabrication or other use of raw aluminum by a producer or smelter who produced the same shall be deemed a delivery thereof hereunder.

(m) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8064; Filed, August 18, 1942; 10:29 a. m.]

PART 923—TUNGSTEN

[Amendment 1 to General Preference Order M–29, as Amended June 30, 1942]

Section 923.3 *General Preference Order M–29*,[1] as amended June 30, 1942 is hereby amended as follows:

1. By changing the words "Director of Industry Operations" wherever they appear in the body of said section so as to read "Director General for Operations".

2. By amending paragraph (c) (2) of said section to read as follows:

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director General for Operations, the following transactions are permitted without specific authorization by the Director General for Operations;

(i) Tungsten in any form may be delivered by any person;

(*a*) To the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of any such corporation, or

(*b*) To any person in quantities of 25 pounds or less of contained tungsten, provided that the total quantity in terms of tungsten content which any person may receive pursuant to the provisions of this subparagraph during any one calendar month, beginning with the month of July, 1942, from all sources of supply shall be limited to 25 pounds.

(ii) Tungsten ores or concentrates may be delivered by any producer, dealer, or processor:

(*a*) To any processor for the purpose of being concentrated, further concentrated or beneficiated by the processor receiving such delivery, or

(*b*) To any dealer, provided that no dealer shall store or otherwise hold for more than 120 days any material acquired by him under the provisions of this subparagraph.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8061; Filed, August 18, 1942; 10:31 a. m.]

[1] 7 F.R. 4877.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 3 of General Imports Order M–63, as Amended June 2, 1942]

1. Section 1042.1 *General Imports Order M–63*,[1] as amended June 2, 1942 is hereby amended by making the following changes in List I, List II, and List III:

Change	Material	Commerce Import Class Number
Add to List I	Muru muru nut oil	*N. S. C.
	Oleo oil	0036.2
	Tucum oil	*N. S. C.
Move from List I to List II.	Oiticica oil	2936.6
	Ouricury (uricury) nuts and kernels	2239.61 2239.62
	Ouricury (uricury) oil	*N. S. C.
	Sperm oil, crude, refined, or otherwise processed.	0803.0 0803.1
Remove from List I.	Wool (apparel finer than 44's).	3525.0 3527.0 3529.0
Add to List II	Cotton yarns and fabrics as follows:	
	Combed SAK cotton yarns, single or plied, in counts of 60's and finer.	*N. S. C.
	Tracing cloth	3970.0.
	Typewriter ribbon fabric.	*N. S. C.
	Type III balloon fabric.	*N. S. C.
	Type SS balloon fabric.	*N. S. C.
	Type MM airplane cloth.	*N. S. C.
	Loofa (Luffa) sponges	*N. S. C.
Add to List III	China clay or Kaolin	5300.0
Remove from List III.	Wool (apparel, finer than 44's).	3521.0

*N. S. C.=No Separate Class. Commodity number has not yet been assigned by the Department of Commerce. Statistical Classification of Imports.

2. This amendment shall take effect on August 21, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8062; Filed, August 18, 1942; 10:32 a. m.]

[1] 7 F.R. 4199, 4404, 4878, 5638.

PART 1112—OFFICE MACHINERY

[Interpretation 1 of General Limitation Order L-54-c]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1112.4, *General Limitation Order L-54-c:*[1]

Under paragraph (e) (1) (iii) (a) of Order L-54-c, the Director General for Operations notifies manufacturers and dealers on Form PD-423 of quantities of new office machinery which "shall be delivered to the Army, the Navy, or the Maritime Commission, without further authorization." Under paragraph (e) (1) (iii) (b) of the same order, manufacturers and dealers may not deliver new office machinery except pursuant to an order "(other than an order for the Army, the Navy or the Maritime Commission)" accompanied by a preference rating on Form PD-1A.

Whether a delivery is "to" the Army, Navy or Maritime Commission within the meaning of paragraph (e) (1) (iii) (a) and whether an order is "for" the Army, Navy or Maritime Commission within the meaning of paragraph (e) (1) (iii) (b) are determined by the use to be made of the machinery. Delivery is considered as being made "to" the person for whose use the machinery is intended, whether delivery is made directly to such person or through an intermediary. An order is considered to be "for" the person for whose use the machinery is intended, whether the order is placed directly by such person or through an intermediary.

The terms "Army of the United States," "Navy of the United States" and "Maritime Commission" are defined in paragraph (a) (6) to exclude certain cost-plus-fixed-fee contractors. Accordingly, if an order is placed for machinery to be installed by such a contractor but intended for use by the Army, Navy or Maritime Commission, authorization should be secured on Form PD-423. On the other hand, if an order is placed for machinery to be used by such a contractor during the performance of his contract, it must be accompanied by a preference rating on Form PD-1A. These rules apply irrespective of the person or agency which places the order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8058; Filed, August 18, 1942; 10:29 a. m.]

[1] 7 F.R. 4202, 5479.

PART 3042—PILCHARD

[Conservation Order M-206]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pilchard for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3042.1 *General Preference Order M-206*—(a) *Definitions.* For the purposes of this order:

(1) "Delivery" means the transfer of pilchard to a processing plant, for canning or reduction, or to a place of storage, whether or not the same person owns or controls the vessel from which it is transferred, the plant, or the fish.

(2) "Pilchard" means raw, unprocessed pilchard (Sardinia caerulea), by whatever name known, including sardines.

(b) *Restrictions on delivery.* Unless authorized by the Director General for Operations, on and after September 1, 1942:

(1) No contract or agreement shall be entered into or carried out which directly or indirectly operates to place "limits" on the amount of pilchard which may be caught by any fishing vessel nor the frequency with which any pilchard fishing vessel shall leave port for or return from the fishing grounds.

(2) No fishing vessel with a cargo of pilchard aboard shall remain, or be required to remain, for more than twelve hours at a processing plant for unloading.

(3) No processing plant shall accept delivery of more pilchard than can be processed, by canning or reduction, in such plant within 48 hours after receipt of such pilchard.

(c) *Applications and reports.* (1) On and after September 1, 1942, no person owning or operating a fishing vessel shall make delivery of any pilchard to any person unless on or before the date of first delivery he files with the War Production Board a statement substantially in the form of Exhibit A attached hereto, certifying that he has not entered into any contract or agreement placing "limits" on his catch of pilchard, or if he has done so, that such "limits" are not now effective. Failure on the part of any person owning or operating a fishing vessel to file such statement may be construed as notice to the Director General for Operations that such person does not desire to make delivery of pilchard to any person.

(2) On and after September 1, 1942, no person shall accept delivery of pilchard unless on or before the date on which delivery is desired, he shall have filed with the War Production Board a statement substantially in the form of Exhibit B, attached hereto, certifying that he has not directly or indirectly caused "limits" to be placed upon the catch of any vessel fishing for pilchard, or if he has done so, that such "limits" are not now effective. Failure by any person to file such statement may be construed as notice to the Director General for Operations that such person does not desire to accept delivery of pilchard.

(d) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him may appeal to the War Production Board, by letter, setting forth the pertinent facts and reasons such person considers that he is entitled to relief. The Director General for Operations may take such action as he deems appropriate.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order or by any rule, regulation or order of the Director General for Operations, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Communications to War Production Board.* All reports and certifications required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, San Francisco, California. Ref.: M-206.

(h) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT "A"

WAR PRODUCTION BOARD

WASHINGTON, D. C.

Pilchard (Pacific sardine) Fishing Vessel Owner's Certificate

The undersigned hereby certifies that he owns or operates the fishing vessel _____ (Name of _____, Official No. _____; that he vessel)

intends to operate such vessel in the pilchard fisheries during the season 1942-1943; that neither he nor anyone else has entered into any contract or agreement placing limits on the catch of the said vessel, or, if he or anyone else has done so, that such limits are not now effective; that no such agreement will be entered into during the effective life of Order M-206, with the terms of which he is familiar; that he will not deliver pilchard to any person who, under the terms of Order M-206, is not entitled to receive the same; and that he will comply with the said Order M-206 and all orders or instructions issued by the Director General for Operations pursuant thereto.

_____
(Name of Owner)

By _____
(Duly authorized official)

This certificate, when filled in, should be mailed to:

War Production Board
Food Branch
San Francisco, California Ref.: M-206

EXHIBIT "B"

WAR PRODUCTION BOARD

WASHINGTON, D. C.

Pilchard (Pacific sardine) Canners and Reductionists Certificate

The undersigned hereby certifies that it is a processor of pilchard; that it is familiar with the terms of Order M-206 and agrees to comply with the said order and all orders or instructions issued by the Director General for Operations pursuant thereto; that it has not directly or indirectly caused limits to be placed upon the catch of any vessel fishing for pilchard, or, if it has done so that such limits are not now effective; that it will enter into no such agreement during the effective life of Order M-206.

_____
(Date)

_____
(Name of Company)

_____
(Signature of Authorized Official)

This certificate, when filled in, should be mailed to:

War Production Board
Food Branch
San Francisco, California Ref.: M-206

[F. R. Doc. 42-8063; Filed, August 18, 1942; 10:32 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supplementary Order 13]

RETAIL SELLERS OPERATING MORE THAN ONE ESTABLISHMENT

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

§ 1305.17 *Determination of maximum prices by sellers at retail operating more than one retail establishment.* (a) A seller who owns more than one establishment selling commodities or services at retail and who has had a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices in all or certain of such establishments may make written application to the Office of Price Administration, Retail Trade and Services Division, Washington, D. C., for authorization to determine and use uniform maximum prices under any price regulation issued or which may be issued by the Office of Price Administration in all of such establishments in which it has been the practice to charge uniform or substantially uniform prices. Such application shall state (1) the name and address of the principal office of the seller; (2) the number of separate retail establishments owned by the seller and the address of each such establishment; (3) the kind of merchandise or services dealt in by such retail establishments; (4) if the application relates to the sale of commodities, whether commodities are purchased centrally by the seller and distributed by the seller to such retail establishments or are purchased separately by such establishments; (5) a description of the fixed practice of the seller of selling commodities or services at uniform or substantially uniform prices in all or certain of such retail establishments, indicating the length of time during which such practice has been in effect and whether uniform selling prices are determined in a central office; (6) the names and addresses of the seller's most closely competitive sellers of the same class on a national or regional basis; and (7) any other facts which the seller wishes to submit in support of the application. If such authorization is given, it will be accompanied by instructions as to the method by which the seller may determine and use uniform maximum prices under the applicable maximum price regulations.

(b) *Definitions.* (1) "Price regulation", as used in this supplementary order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order heretofore or hereafter issued thereunder.

(c) *Effective dates.* (1) This Supplementary Order No. 13 (§ 1305.17) shall become effective August 17, 1942. (Pub. Law 421, 77th Cong.)

Issued this 17th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8049; Filed, August 17, 1942; 5:12 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1340—FUEL

[Amendment 17 to Maximum Price Regulation 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this Amendment No. 17, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.207 of Maximum Price Regulation No. 120 is amended to read as follows:

§ 1340.207 *Petitions for amendment and adjustment or exception.* (a) The Administrator may by order grant an adjustment of or exception from the maximum prices to any producer who shows to the satisfaction of the Administrator that (1) its cost of production is above its mine realization at maximum prices, and (2) its maximum prices do not permit it to obtain its average October 1941 realization.

(b) The Administrator may by order grant an adjustment of or exception from the maximum prices to any producer who shows to the satisfaction of the Administrator that (1) the sale of its mine's entire production at the maximum prices would not return a realization equal to its representative cost of production prior

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607.

to May 1942, and (2) such costs of production are of a continuing nature.

(c) The Administrator may by order grant an adjustment of or exception from the maximum prices to any producer who shows to the satisfaction of the Administrator that (1) its mine is unable to obtain October 1941 realization if all the coal produced at the mine were sold at the maximum prices and (2) the producer is thereby subjected to undue hardship, or the production or distribution of bituminous coal needed for war industries or industries directly connected with war industries is thereby impeded.

(d) Any person seeking relief, for which no provision is made in the foregoing paragraphs of this section, from a maximum price established under this Maximum Price Regulation No. 120 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 as amended, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 120 to eliminate the danger of inflation.

(e) (1) In petitions filed pursuant to the provisions of this §1340.207, the petitioner should submit and the Office of Price Administration will consider all relevant cost and realization data and the necessity, in terms of the war effort for the granting of such adjustment or exception. Where cost of production varies from month to month and does not conform to average cost as indicated by monthly reports filed with the Bituminous Coal Division, petitioner must indicate which cost is regarded as representative and the reasons therefor, and also the reasons for the fluctuations.

(2) In connection with any requested increase or modification of the maximum prices, petitioner must indicate in detail whether, and if so, to what extent, such relief would cause or threaten to cause an increase in the level of retail prices, specifying for each size in which a change is requested the percentage of his distribution thereof which normally moves to retail dealers and the prices at which such coals were sold to retail dealers in each month during the last quarter of 1941 and the first quarter of 1942. Where petitioner claims that the maximum price cannot be obtained on certain sizes, the petition shall indicate the maximum amount which can be obtained in each such size and a historical comparison, since October 1940, of the price relationship in the market between petitioner's coals in such sizes and other similarly classified coals.

(3) The Office of Price Administration may require in connection with any such petition, filed under the provisions of this section, full data on costs, profits and other relevant factors. Petitions for adjustment or exception pursuant to this § 1340.207 shall be filed in accordance with Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

(f) Persons seeking any modification of this Maximum Price Regulation No. 120 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

§ 1340.211a *Effective dates of amendments.* * * *

(r) Amendment No. 17 (§ 1340.207) to Maximum Price Regulation No. 120 shall become effective August 22, 1942.

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8050; Filed, August 17, 1942; 5:13 p. m.]

PART 1340—FUEL

[Amendment 18 to Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (i) is added to paragraph (b) (4) of § 1340.219, as set forth below.

§ 1340.219 *Appendix H. Maximum Price for Bituminous Coal Produced in District No. 8.* * * *

(b) * * *

(4) *Maximum prices in cents per net ton for railroad fuel.* * * *

(i) *Special price instructions.* (a) Maximum prices for run of mine and resultant run of mine (larger than 2½" x 0, but not exceeding 6" x 0) coals for sales to the Georgia Railroad for locomotive fuel shall not exceed $2.50 and $2.30 per net ton, respectively.

§ 1340.211a *Effective dates of amendments.* * * *

(s) Amendment No. 18 (§ 1340.219 (b) (4) (i)) to Maximum Price Regulation No. 120 shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8047; Filed, August 17, 1942; 5:12 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[Maximum Price Regulation 206]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942 to establish as the maximum prices for vitrified clay sewer pipe and allied products the prices prevailing with respect thereto during the period October 1 to 15, 1941.

The maximum prices established by this regulation are, in the judgment of the Price Administrator generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.[1] A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,* issued by the Office of Price Administration, Maximum Price Regulation No. 206 is hereby issued:

AUTHORITY: §§ 1362.101 to 1362.115 inclusive, issued under Public Law 421, 77th Cong.

§ 1362.101 *Maximum prices for vitrified clay sewer pipe and allied products.* On and after August 22, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver any vitrified clay sewer pipe or allied products, where shipment originates at the factory where the products are made rather than at a distribution yard, and no person shall buy or receive any of the foregoing products in the course of trade or business, where shipment originates at a factory, at prices higher than the maximum prices set forth in Appendices A, B, and C hereof, incorporated herein as §§ 1362.113, 1362.114, and 1362.115, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of vitrified clay sewer pipe and allied products to a purchaser if prior to August 22, 1942 such vitrified clay sewer pipe and allied products had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1362.102 *Less than maximum prices.* Lower prices than those set forth in Appendices A (§ 1362.113), B (§ 1362.114), and C (§ 1362.115) may be charged, demanded, paid, or offered.

§ 1362.103 *Conditional agreements.* No seller of vitrified clay sewer pipe or allied products shall enter into an agreement permitting the adjustment of the price to prices which may be higher than maximum prices provided by §§ 1362.113, 1362.114, and 1362.115 in the event that this Maximum Price Regulation No. 206 is amended or is determined by a court to be invalid or upon any other contingency: *Provided,* That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Price Administrator determines that an exception should be made in the public interest pending such consideration, the Price Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1362.104 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 206 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to vitrified clay sewer pipe and allied products, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or by unnecessarily routing vitrified clay sewer pipe and allied products through a distribution yard or otherwise.

§ 1362.105 *Records and reports.* (a) Every person making purchases or sales subject to this Maximum Price Regulation No. 206 of vitrified clay sewer pipe and allied products in the amount of $200.00 or more in any one month, after August 21, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of each purchase, sale, or delivery showing the date thereof, the name and address of the buyer or the seller, the point of origin and the point of delivery of the shipment, the price paid or received, and the quantity of each grade and classification of the product purchased, sold, or delivered.

(b) Every person making a purchase or sale subject to this Maximum Price Regulation No. 206 of vitrified clay sewer pipe and allied products shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1362.106. *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 206 are subject to the criminal penalties, and civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 206 or any Price Schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1362.107 *Applications for adjustment.* The Office of Price Administration may by order adjust any maximum price established under this Maximum Price Regulation No. 206 in any case in which the seller shows that such maximum price causes him substantial hardship. Any person seeking relief from a maximum price established under this Maximum Price Regulation No. 206 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which the maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 or of this Maximum Price Regulation No. 206 to eliminate the danger of inflation.

§ 1362.108 *Petitions for amendment.* Persons seeking any modification to this Maximum Price Regulation No. 206 or any adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1362.109 *Definitions.* (a) When used in the Maximum Price Regulation No. 206, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Vitrified clay sewer pipe and allied products" means any sewer pipe, pipe fittings, flue linings, and wall copings, of the types listed in Appendices A (§ 1362.113), B (§ 1362.114), and C (§ 1362.115) made from surface clay, fire clay, or shale, or combinations of these materials,

(3) "Carload shipment" means a shipment or quantity of vitrified clay sewer pipe and allied products which totals at least the minimum weight, as set forth in the tariffs of railroad carriers, upon which the railroad carload rate from the point of shipment to the point of destination is based, *Provided, however,* That where a smaller quantity is shipped which would move at the railroad carload rate rather than at the railroad less-than-carload rate because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload shipment.

(4) "Pick up basis" when used in reference to a sale means a transaction in which a purchaser takes delivery of products at the factory and removes the products from the factory in a conveyance provided by the purchaser.

(5) "Distribution yard" means a place of business at which vitrified clay sewer pipe and allied products are received for purposes of storing and resale.

(6) "Factory" means a place where vitrified clay sewer pipe and allied products are made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1362.110 *General Maximum Price Regulation superseded.*[2] The provisions of this Maximum Price Regulation No. 206 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which

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[1] 7 F.R. 971, 3663.

* *Supra,* note 1.

maximum prices are established by this regulation.

§ 1362.111 *Export sales.* The maximum price at which a person may export vitrified clay sewer pipe and allied products shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1362.112 *Effective date.* This Maximum Price Regulation No. 206 (§§ 1362.101 to 1362.115, inclusive), shall become effective August 22, 1942.

§ 1362.113 *Appendix A: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Eastern Area*—(a) *Application.* The provisions of Appendix A shall apply to sales of vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Eastern Area which is hereby defined as the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that part of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

(b) *List prices.* The list prices of vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Eastern Area shall be as shown in the following tables numbered 1 to 19, inclusive. Each item shown in the tables of List Prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

Description of products — *Table Nos.*

Flue lining: Rectangular or square	16
Flue lining: Round	17
Flue Rings	18
Sewer Pipe: #1 Single strength	1
Sewer Pipe: #1 double strength	2
Sewer Pipe: #2 single strength	3
Sewer Pipe: #2 double strength	4
Sewer Pipe Fittings:	
Curves	6
Elbows	6
Increasers	6
Reducers	6
Saddles	6
Slants	6
Stoppers	6
Strainers	6
T's: single and double; standard and special	5
Traps:	
Catch basin	13
Half	12
H.H	8
Double H.H	9
Center H.H	10
P & R	7
S	11
Vee Branches	6
Y Branches: single and double; standard and special	5
Stove Pipe	19
Stove Pipe Fittings:	
Anchor bonnetts	19
Bird cage wind guards	19
Bottoms	19
Chimney bases	19
Double openings	19
Drop bottoms	19
Keg bonnets	19
Mandary tops	19
O. G. bonnets	19
Single openings	19
Wall Coping:	
Camel back	14
Double slant	14
New style	14
Single slant	15
Wall coping fittings:	
Angles	14 and 15
Closed ends or starters	14 and 15
Corners	14 and 15
Tees	14 and 15

[1] 7 F.R. 5059.

TABLE 1.—SEWER PIPE: #1 SINGLE STRENGTH—2 FT. AND 3 FT. LENGTHS

Inside diameter, inches	Per foot	Discount No. 2 feet	Discount No. 3 feet
3	$0.30	2	
4	.30	2	6
5	.45	2	6
6	.45	2	6
8	.70	2	4
9	1.05	2	4
10	1.05	2	4
12	1.35	2	4
15	1.80	2	4
18	2.50	2	4
20	3.00	2	4
21	3.50	2	4
22	4.00	2	4
24	4.50	2	4
27	6.50		10
30	7.20		10
33	9.00		13
36	10.25		13

TABLE 2.—SEWER PIPE: #1 DOUBLE STRENGTH 2 FT. AND 3 FT. LENGTHS

Inside diameter, inches	Per foot	Discount No. 2 feet	Discount No. 3 feet
15	$1.80	7	11
18	2.50	11	12
20	3.00	11	12
21	3.50	11	12
22	4.00	11	12
24	4.50	11	12
27	6.50		14
30	7.20		14
33	9.00		16
36	10.25		16

TABLE 3.—SEWER PIPE: #2 SINGLE STRENGTH 2 FT. AND 3 FT. LENGTHS

Inside diameter, inches	Per foot	Discount No. 2 feet	Discount No. 3 feet
3	$0.30	1	1
4	.30	1	1
5	.45	1	1
6	.45	1	1
8	.70	1	1
9	1.05	1	1
10	1.05	1	1
12	1.35	1	1
15	1.80	1	1
18	2.50	1	1
20	3.00	1	1
21	3.50	1	1
22	4.00	1	1
24	4.50	1	1
27	6.50	1	9
30	7.20		9
33	9.00		15
36	10.25		15

TABLE 4.—SEWER PIPE: #2 DOUBLE STRENGTH 2 FT. AND 3 FT. LENGTHS

Inside diameter, inches	Per foot	Discount No. 2 feet	Discount No. 3 feet
15	$1.80	3	3
18	2.50	5	5
20	3.00	5	5
21	3.50	5	5
22	4.00	5	5
24	4.50	5	5
27	6.50		9
30	7.20		9
33	9.00		15
36	10.25		15

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL Y AND T BRANCHES SINGLE AND DOUBLE

Size (inches)	Y's and T's 2 feet each	Y's and T's 3 feet each	Double Y's and T's 2 feet each	Double Y's and T's 3 feet each	Discount No.
3 x 3	$1.20		$2.40		2
4 x 3	1.20		2.40		2
4 x 4	1.20		1.50		2
5 x 3	2.25		3.60		2
5 x 4	1.80		2.25		2
5 x 5	1.80		3.60		2
6 x 3	2.25		3.60		2
6 x 4	1.80	$2.25	2.25	$2.70	2
6 x 5	1.80	2.25	2.25	2.70	2
6 x 6	1.80	2.25	3.60	4.05	2
8 x 3	3.50	4.20	5.60	6.30	2
8 x 4	2.80	3.50	5.60	6.30	2
8 x 5	2.80	3.50	3.50	4.20	2
8 x 6	2.80	3.50	3.50	4.20	2
8 x 8	3.50	4.20	5.60	6.30	2
9 x 4	4.20	5.25	8.40	9.45	2
9 x 5	4.20	5.25	8.40	9.45	2
9 x 6	4.20	5.25	8.40	9.45	2
9 x 8	4.20	5.25	8.40	9.45	2
9 x 9	5.25	6.30	8.40	9.45	2
10 x 4	4.20	5.25	8.40	9.45	2
10 x 5	4.20	5.25	8.40	9.45	2
10 x 6	4.20	5.25	8.40	9.45	2
10 x 8	4.20	5.25	8.40	9.45	2
10 x 10	5.25	6.30	8.40	9.45	2
12 x 4	5.40	6.75	10.80	12.15	2
12 x 5	5.40	6.75	10.80	12.15	2
12 x 6	5.40	6.75	10.80	12.15	2
12 x 8	5.40	6.75	10.80	12.15	2
12 x 9	6.75	8.10	10.80	12.15	2
12 x 10	6.75	8.10	10.80	12.15	2
12 x 12	6.75	8.10	10.80	12.15	2

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL Y AND T BRANCHES: SINGLE AND DOUBLE—Continued

Size (inches)	Y's and T's 2 feet each	Y's and T's 3 feet each	Double Y's and T's 2 feet each	Double Y's and T's 3 feet each	Discount No.
15 x 4	$7.20	$9.00	$14.40	$16.20	2
15 x 5	7.20	9.00	14.40	16.20	2
15 x 6	7.20	9.00	14.40	16.20	2
15 x 8	7.20	9.00	14.40	16.20	2
15 x 9	7.20	9.00	14.40	16.20	2
15 x 10	7.20	9.00	14.40	16.20	2
15 x 12	9.00	10.80	14.40	16.20	2
15 x 15		16.20		18.00	2
18 x 4	10.00	12.50	20.00	22.50	2
18 x 5	10.00	12.50	20.00	22.50	2
18 x 6	10.00	12.50	20.00	22.50	2
18 x 8	10.00	12.50	20.00	22.50	2
18 x 9	10.00	12.50	20.00	22.50	2
18 x 10	10.00	12.50	20.00	22.50	2
18 x 12	10.00	12.50	20.00	22.50	2
18 x 15		22.50		25.00	2
18 x 18		22.50			2
20 x 4	12.00	15.00	24.00	27.00	2
20 x 5	12.00	15.00	24.00	27.00	2
20 x 6	12.00	15.00	24.00	27.00	2
20 x 8	12.00	15.00	24.00	27.00	2
20 x 10	12.00	15.00	24.00	27.00	2
20 x 12	12.00	15.00	24.00	27.00	2
20 x 15		27.00		30.00	2
20 x 18		27.00			2
20 x 20		27.00			2
21 x 4	14.00	17.50	28.00	31.50	2
21 x 5	14.00	17.50	28.00	31.50	2
21 x 6	14.00	17.50	28.00	31.50	2

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL Y AND T BRANCHES: SINGLE AND DOUBLE—Continued

Size (inches)	Y's and T's 2 feet each	Y's and T's 3 feet each	Double Y's and T's 2 feet each	Double Y's and T's 3 feet each	Discount No.
21 x 8	$14.00	$17.50	$28.00	$31.50	2
21 x 10	14.00	17.50	28.00	31.50	2
21 x 12	14.00	17.50	28.00	31.50	2
21 x 15		31.50		35.00	2
21 x 18		31.50			2
21 x 20		31.50			2
21 x 21		31.50			2
22 x 4	16.00	20.00	32.00	36.00	2
22 x 5	16.00	20.00	32.00	36.00	2
22 x 6	16.00	20.00	32.00	36.00	2
22 x 8	16.00	20.00	32.00	36.00	2
22 x 10	16.00	20.00	32.00	36.00	2
22 x 12	16.00	20.00	32.00	36.00	2
22 x 15		36.00		40.00	2
22 x 18		36.00			2
22 x 20		36.00			2
22 x 21		36.00			2
22 x 22		36.00			2
24 x 4	18.00	22.50	36.00	40.50	2
24 x 5	18.00	22.50	36.00	40.50	2
24 x 6	18.00	22.50	36.00	40.50	2
24 x 8	18.00	22.50	36.00	40.50	2
24 x 10	18.00	22.50	36.00	40.50	2
24 x 12	18.00	22.50	36.00	40.50	2
24 x 15		40.50		45.00	2
24 x 18		40.50		45.00	2
24 x 20		40.50			2
24 x 21		40.50			2

TABLE 6.—SEWER PIPE FITTINGS: VEE BRANCHES, CURVES AND ELBOWS, SLANTS, INCREASERS AND DECREASERS, SADDLES, STOPPERS AND STRAINERS

Inside diameter, inches	Vee branches, each	Curves, each	Elbows, each	Slants, 2 foot or less, each	Increasers and reducers, each	Saddles, each	Stoppers, each	Strainers, each	Discount No.
3	$3.00	$1.20	$1.20	$1.80		$1.20	$0.15	$0.30	2
4	3.00	1.20	1.20	1.80	$1.20	1.20	.15	.30	2
5	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	2
6	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	2
8	7.00	2.80	2.80	2.80	2.80	2.80	.35	.70	2
9	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	2
10	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	2
12	13.50	5.40	5.40	5.40	5.10	5.40	.67½	1.35	2
15	18.00	7.20	14.40	7.20	10.80		5.40		2
18	25.00	10.00	20.00	15.00	15.00		7.50		2
20	30.00	12.00	24.00	18.00	18.00				2
21	35.00	14.00	28.00	21.00	21.00				2
22	40.00	16.00	32.00	24.00	24.00				2
24	45.00	18.00	36.00	27.00	27.00				2

NOTE.—Curves and elbows in sizes 10" and 12", when furnished molded, take 5 times the price of 1 foot of pipe of same size.

NOTE.—Curves and elbows 3" to 8", inclusive, when furnished in 24" lengths, take 6 times the price of 1 foot of pipe of same size.

TABLE 7.—SEWER PIPE FITTINGS: P. & R. TRAPS

Size	Each	Discount No.
3"	$2.40	2
4"	2.40	2
5"	3.60	2
6"	3.60	2
8"	5.60	2
9"	15.75	2
10"	15.75	2
12"	27.00	2

TABLE 8.—SEWER PIPE FITTINGS: H. H. TRAPS

Size	Each	Discount No.
3 x 3"	$2.40	2
4 x 4"	2.40	2
5 x 4"	3.60	2
5 x 5"	3.60	2
6 x 4"	3.60	2
6 x 5"	3.60	2
6 x 6"	3.60	2
8 x 5"	5.60	2
8 x 6"	5.60	2
10 x 3"	15.75	2
10 x 4"	15.75	2
10 x 5"	15.75	2
10 x 6"	15.75	2
10 x 8"	15.75	2
10 x 10"	15.75	2
12 x 3"	27.00	2
12 x 4"	27.00	2
12 x 5"	27.00	2
12 x 6"	27.00	2
12 x 8"	27.00	2
12 x 10"	27.00	2
12 x 12"	27.00	2

H. H. Traps not listed above take ten times the list price of one foot of Pipe of the same size.

TABLE 9.—SEWER PIPE FITTINGS: DOUBLE H. H. TRAPS

Size	Each	Discount No.
3"	$3.00	2
4"	3.60	2
5"	5.40	2
6"	5.40	2
8"	8.40	2

TABLE 10.—SEWER PIPE FITTINGS: CENTER H. H. TRAPS

Size	Each	Discount No.
4 x 4"	$2.40	2
5 x 4"	3.60	2
5 x 5"	3.60	2
6 x 4"	3.60	2
6 x 5"	3.60	2
6 x 6"	4.50	2
8 x 3"	7.00	2
8 x 4"	7.00	2
8 x 5"	7.00	2
8 x 6"	7.00	2
8 x 8"	7.00	2

Center H. H. Traps not listed above take 10 times the list price of 1 foot of pipe of same size.

TABLE 11.—SEWER PIPE FITTINGS: S TRAPS

Size	Each	Discount No.
3"	$3.00	2
4"	3.00	2
5"	4.50	2
6"	4.50	2
8"	7.00	2

TABLE 12.—SEWER PIPE FITTINGS: HALF TRAPS

Size	Each	Discount No.
4"	$2.40	2
5"	3.60	2
6"	3.60	2
8"	5.60	2
9"	10.50	2
10"	10.50	2
12"	20.25	2

TABLE 13.—SEWER PIPE FITTINGS: CATCH BASIN TRAPS

Size	Each	Discount No.
6 x 4"	$2.25	2

TABLE 14.—WALL COPING AND FITTINGS: DOUBLE SLANT CAMEL BACK AND NEW STYLE

	Sizes 9"	Sizes 13"	Sizes 18"	Discount No. Double slant, camel back	Discount No. New style
Straight Coping, per ft.	$0.40	$0.60	$1.20	2	8
Corners, each	1.20	1.80	3.60	2	8
Closed Ends or Starters, each	1.20	1.80	3.60	2	8
Angles, each	2.00	3.00	6.00	2	8
Tees, each	3.20	4.80	9.60	2	8

TABLE 15.—WALL COPING AND FITTINGS: SINGLE SLANT COPING

	Sizes			Discount No.
	9"	13"	18"	
Straight coping, per ft.	$0.80	$1.20	$2.40	2
Corners, each	2.40	3.60	7.20	2
Closed ends or starters, each	2.40	3.60	7.20	2
Angles, each	4.00	6.00	12.00	2
Tees, each	6.40	9.60	19.20	2

TABLE 16.—FLUE LINING: SQUARE OR RECTANGULAR

Size (inches)	Price per foot	Discount No.
4½ x 8½	$0.45	2
4½ x 13	.60	2
7½ x 7½	.45	2
8½ x 8½	.60	2
8½ x 13	.90	2
8½ x 18	1.35	2
13 x 13	1.15	2
13 x 18	1.75	2
18 x 18	2.25	2
20 x 20	3.25	15
20 x 24	3.75	15
24 x 24	4.25	15

TABLE 17.—FLUE LINING: ROUND

Inside measure, inches	Price per foot	Discount No.
6	$0.45	2
7	.70	2
8	.70	2
10	1.05	2
12	1.35	2
15	1.80	2
18	2.50	2
20	3.00	2
21	3.50	2
22	4.00	2
24	4.50	2

TABLE 18.—FLUE LINING: FLUE RINGS

With or without flange]

Inside diameter, inches	List price, each	Lengths (inches)	Discount No.
5	$0.75	4½, 6, 9, 12	2
6	.75	4½, 6, 9, 12	2
7	1.05	4½, 6, 9, 12	2
8	1.05	4½, 6, 9, 12	2
9	1.25	4½, 6, 9, 12	2
10	1.25	4½, 6, 9, 12	2
12	1.50	4½, 6, 9, 12	2

TABLE 19.—STOVE PIPE AND FITTINGS

Inside diameter, inches	Stove pipe, per foot	Single openings, each	Double openings, each	Bottoms 2 feet long, each	Drop bottoms, each	Mandary tops keg and O. G. bonnets and bird-cage wind guards	Anchor bonnets and chimney	Discount No.
5	$0.45	$1.80	$2.25	$1.80	$2.70		$2.25	2
6	.45	1.80	2.25	1.80	2.70	$2.70	2.25	2
7	.70	2.80	3.50	2.80	4.20	4.20	3.50	2
8	.70	2.80	3.50	2.80	4.20	4.90	3.50	2
9	1.05	4.20		4.20				2
10	1.05	4.20		4.20				2
12	1.35	5.40		5.40				2
15	1.80	7.20		7.20				2
18	2.50	10.00		10.00				2
20	3.00	12.00		12.00				2
24	4.50	18.00		18.00				2

Single or Double Openings supplied with or without closed ends.
Single or Double Openings, with closed end, take 50% additional to list price.

(c) *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any freight zone in the Eastern Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. The horizontal line of figures at the top of the table indicates various rail freight rate zones per cwt. from Akron, Ohio, to points of destination. After determining the proper freight zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical freight zone column and the horizontal line at which the predetermined discount number appears.

[Percentage discounts]

Discount No.	1-10¢	11-13¢	14-16¢	17-19¢	20-22¢	23-25¢	26-28¢	29-31¢	32-34¢	35-37¢	38-40¢	41-43¢	44-46¢	47-49¢	50-52¢
1	73	72	71	70	69	68	67	66	65	64	63	62	61	60	59
2	70	69	68	67	66	65	64	63	62	61	60	59	58	57	56
3	70	69	67	66	64	63	61	60	58	57	55	54	52	51	49
4	67	66	65	64	63	62	61	60	59	58	57	56	55	54	53
5	67	66	64	63	61	60	58	57	55	54	52	51	49	48	46
6	65	64	63	62	61	60	59	58	57	56	55	54	53	52	51
7	65	64	62	61	59	58	56	55	53	52	50	49	47	46	45
8	64	63	62	61	60	59	58	57	56	55	54	53	52	51	50
9	63	62	61	60	59	58	57	56	55	54	53	52	51	50	49
10	62	61	60	59	58	57	56	55	54	53	52	51	50	49	48
11	62	61	59	58	57	56	53	52	50	49	47	46	44	43	41
12	62	61	59	58	56	53	53	52	50	49	47	46	44	43	41
13	59	58	56	55	53	52	50	49	47	46	44	43	41	40	38
14	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43
15	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43
16	52	51	49	48	46	45	43	42	40	39	37	36	34	33	31

[1] Freight rates in excess of the highest rate in one zone fall within the next highest zone.

(d) *Maximum prices.* Maximum prices shall be determined by applying to the list prices in Tables 1–19 inclusive the discount as determined in paragraph (c) hereof in accordance with the rules set forth in the following paragraph hereof:

(1) The maximum delivered prices, full freight allowed, for straight and mixed carload shipments by rail shall be determined by applying the appropriate discounts to the list prices contained in paragraph (b) of Appendix A.

(2) The maximum f. o. b. factory prices for less than carload shipments by rail shall be determined by applying to the list prices contained in paragraph (b) hereof the discounts (established in paragraph (c)) applicable to a carload shipment by rail to a point where the railroad carload rate per hundredweight from Akron, Ohio, does not exceed 10 cents. Delivered prices may be charged which do not exceed such maximum prices plus the less than carload rail charges from the factory to the point of delivery designated by the purchaser.

(3) The maximum delivered prices, full freight allowed, for all shipments by motor carrier shall be determined by applying to the list prices contained in paragraph (b) hereof discounts two points shorter than the discounts (established in paragraph (c)) which would be applicable had the shipment been a carload shipment by rail.

(4) The maximum price f. o. b. factory for sales on a "pick-up" basis shall be the maximum f. o. b. factory prices for less than carload shipments by rail.

(e) *Delivery obligations.* For purposes of this section the delivery obligation on all sales (except those on a "pick-up basis") shall be considered as completed when, in the case of rail shipment, the shipment arrives at the rail siding nearest the location designated by the purchase; or when, in the case of shipment by motor carrier, the shipment arrives at the site designated by the purchaser.

(f) *Taxes.* There may be added to the maximum price established by this Maximum Price Regulation No. 206 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vender to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer, or user.

(g) *Credit terms.* The maximum prices established in this appendix shall not be increased by any charges for the extension of credit and shall be reduced for prompt payment of invoices to the extent that they were or would have been reduced on October 1, 1941, for such payment in the case of sales to a purchaser recognized by the trade as in the same class as the person purchasing under this Maximum Price Regulation No. 206.

(h) *Other factors.* The maximum prices established in this appendix include all commissions. The seller may not add to the maximum prices a charge for performing services that are not specified in this Maximum Price Regulation No. 206.

§ 1362.114 *Appendix B: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Southern Area.*—(a) *Application.* The provision of Appendix B shall apply to all sales of vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Southern Area which is hereby defined as the States of North Carolina, South Carolina, Georgia, Alabama, Florida,[1] Tennessee, Mississippi, and Louisiana east of the Mississippi River.

(b) *List prices.* The list prices of vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Southern Area shall be as shown in the following tables numbered 1 to 10, inclusive. Each item shown in the tables of List Prices carries a discount number which is shown opposite such items in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

Description of products

	Table Nos.
Flue Lining:	
Rectangular	7
Round	8
Flue Rings	9
Sewer Pipe: ⌀1 and ⌀2	1
Sewer Pipe Fittings:	
Curves	3
Elbows	3
Increasers	3
Reducers	3
Saddles	3
Slants	3
Stoppers	3
Strainers	3
T's: Single and Double, Standard & Special	2
Traps:	
H. H.	5
P & R	4
Vent	5
Vee Branches	3
Sewer Pipe Fittings—Con.	*Table Nos.*
Y Branches: Single and Double, Standard and Special	2
Stove Pipe	10
Stove Pipe Fittings	10
Anchor Bonnets	10
Chime Bottom	10
Double Openings	10
Drop Bottoms	10
Wall Coping: Double Slant	6
Wall Coping Fittings	6
Angles	6
Closed Ends or Starters	6
Corners	6
Tees	6

TABLE 1.—SEWER PIPE: NO. 1 AND NO. 2

Inside diameter, inches		Per foot	Discount No.	
			No. 1 pipe	No. 2 pipe
4	2 ft. long	$0.20	1	3
6	2 ft. and 2½ ft. long	.30	1	3
8	2½ ft. and 3 ft. long	.50	1	3
10	2½ ft. and 3 ft. long	.70	1	3
12	2½ ft. and 3 ft. long	.90	1	3
15	2½ ft. and 3 ft. long	1.25	2	4
18	2½ ft. and 3 ft. long	1.70	2	4
21	2½ ft. and 3 ft. long	2.50	2	4
24	2½ ft. and 3 ft. long	3.25	2	4

TABLE 2.—SEWER PIPE FITTINGS: Y AND T BRANCHES,[1] 2 FT., 2½ FT., AND 3 FT. LENGTHS

Inside diameter, inches		2 ft. lengths, each	2½ ft. lengths, each	3 ft. lengths, each	Discount No.
4		$0.90			1
6		1.35	$1.50		1
8			2.50	$2.75	1
10			3.50	3.85	1
12			4.50	4.95	1
15	With inlet 12" and smaller		6.25	6.88	2
18	do		8.50	9.35	2
21	do		12.50	13.75	2
24	do		16.25	17.88	2

[1] T's and Y's, 2½ ft. long, with inlet larger than 12" inch, each at price of 7½ feet of pipe of same diameter; T's and Y's, 3 ft. long, with inlet larger than 12-inch, each at price of 8 feet of pipe of same diameter; double T's and Y's, 50% more than single T's and Y's of the same diameter of pipe and inlet.

TABLE 3.—SEWER PIPE FITTINGS: CURVES AND ELBOWS, VEE BRANCHES, SADDLES AND SLANTS, INCREASERS AND REDUCERS, STOPPERS AND STRAINERS

Inside diameter, inches	Curves, each	Elbows, each	Vee branches, each	Saddles and slants, each	Increasers and reducers, each	Stoppers, each	Strainers, each	Discount No.
4	$0.90	$0.90	$2.00			$0.10	$0.15	1
6	1.35	1.35	3.00	$1.20	$1.20	.15	.25	1
8	2.50	2.50	5.00	2.00	2.00	.20	.30	1
10	3.50	3.50	7.00	2.80	2.80	.40	.60	1
12	4.50	4.50	9.00	3.60	3.60	.70	1.05	1
15	5.00	10.00	12.50	5.00	5.00	1.00		2
18	6.80	13.60	17.00		6.80	1.75		2
21	10.00	20.00	25.00		10.00	2.75		2
24	13.00	26.00	32.50		13.00	4.00		2

[1] Florida shall be divided into two areas to be known as North Florida and South Florida. The dividing line shall be a line running from the East Coast of Florida just south of the city limits of New Smyrna, north of Mount Dora and just south of Leesburg and Inverness to the West Coast.

TABLE 4.—SEWER PIPE FITTINGS: R AND P TRAPS

Inside diameter, inches	R traps and P traps, each	Discount No.
4	$2.00	1
6	3.50	1
8	6.00	1

TABLE 5.—SEWER PIPE FITTINGS: TRAPS, H. H. AND VENT

Inside diameter, inches	H. H. and vent, each	Discount No.
4 x 4	$2.00	1
6 x 4	3.50	1
6 x 6	3.50	1
8 x 6	6.00	1

TABLE 6.—WALL COPING AND FITTINGS DOUBLE SLANT

Width (inches)	Straight coping, per foot	Corners, each	Angles, each	Closed ends, each	Tees, each	Discount No.
9	$0.22	$0.88	$0.88	$0.88	$1.10	7
13	.32	1.28	1.28	1.28	1.60	7
18	.64	2.56	2.56	2.56	3.20	7

TABLE 7.—FLUE LINING: RECTANGULAR

Outside dimensions, inches	Per foot	Discount No.
4½ x 8½	$0.30	5
4½ x 13	.45	5
8½ x 8½	.45	5
8½ x 13	.65	5
8½ x 18	.90	5
13 x 13	.85	5
13 x 18	1.20	5
18 x 18	2.00	5
20 x 20	2.50	5
24 x 24	3.50	5

TABLE 8.—FLUE LINING: ROUND

Inside diameter, inches	Per foot	Discount No.
6	$0.30	5
8	.50	5
10	.70	5
12	.90	5
15	1.25	5
18	1.70	5
21	2.50	5
24	3.25	5

TABLE 9.—FLUE LINING: THIMBLES OR RINGS

Inside diameter, inches	4½ in. long, each	6 in. long, each	9 in. long, each	12 in. long, each	Discount No.
6	$0.25	$0.35	$0.45	$0.50	5
7	.30	.40	.50	.60	5
8	.35	.45	.60	.70	5
10	.40	.50	.65	.75	5
12		.55	.75	1.00	5

TABLE 10.—STOVE PIPE AND FITTINGS

Inside diameter, inches	Socket pipe, per foot	Drop bottom, double opening, per each	Chime bottom, each	Anchor bonnets, each	Discount No.
6	$0.40	$2.40	$1.60	$2.25	6
7	.50	3.00	2.00	2.75	6
8	.60	3.60	2.40	3.30	6

(c) *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable discount for any item for delivery in any geographical zone in the Southern Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount No.	North Carolina	South Carolina, Georgia, Alabama, Mississippi, Louisiana, (East Mississippi River)	Tennessee	North Florida	South Florida
1	47	45	46	45	40
2	40	40	40	35	25
3	49	47	48	47	42
4	42	42	42	37	27
5	47	45	45	45	40
6	47	45	45	45	40
7	32	30	30	30	25

(d) *Maximum prices.* Maximum prices shall be determined by applying to the list prices in Tables 1–10 inclusive the discount as determined in Paragraph (c) hereof in accordance with the rules set forth in the following paragraphs hereof:

(1) The maximum f. o. b. factory prices, full freight allowed to points located on standard gauge railroads, for straight or mixed carload shipment by rail shall be determined by applying the appropriate discounts to the list prices contained in paragraph (b) of Appendix B.

(2) The maximum f. o. b. factory prices for less than carload shipments by rail shall be determined by applying to the list prices contained in paragraph (b) hereof the discounts (established in paragraph (c)) applicable to a carload shipment by rail to points within the state or zone in which the factory from which the shipment originates is located. Delivered prices may be charged which do not exceed such maximum prices plus the less than carload rail charges from the factory to the point of delivery designated by the purchaser.

(3) The maximum delivered prices, full freight allowed, for all shipments by motor carrier shall be determined by applying to the list prices contained in paragraph (g) hereof discounts two points shorter than the discounts (established in paragraph (c)) which would be applicable had the shipment been a carload by rail.

(4) The maximum price f. o. b. factory for sales on a "pick-up" basis shall be the maximum f. o. b. factory prices for less than carload shipments by rail.

(e) *Delivery obligations.* For purposes of this section the delivery obligation on all sales (except those on a "pick-up" basis") shall be considered as completed when, in the case of rail shipment, the shipment arrives at the rail siding nearest the location designated by the purchaser; or when, in the case of shipment by motor carrier the shipment arrives at the site designated by the purchaser.

(f) *Taxes.* There may be added to the maximum price established by this Maximum Price Regulation No. 206 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer, or user.

(g) *Credit terms.* The maximum prices established in this Appendix shall not be increased by any charges for the extension of credit and shall be reduced for prompt payment of invoices to the extent that they were or would have been reduced on October 1, 1941, for such payment in the case of sales to a purchaser recognized by the trade as in the same class as the person purchasing under this Maximum Price Regulation No. 206.

(h) *Other factors.* The maximum prices established in this appendix include all commissions. The seller may not add to the maximum prices a charge for performing services that are not specified in this Maximum Price Regulation No. 206.

§ 1362.115 *Appendix C: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the East Central area.*—(a) *Application.* The provisions of Appendix C shall apply to sales of vitrified clay sewer pipe and allied products when delivery to the purchaser is within the East Central area which is hereby defined as zones 1, 2, and 5 in the state of Illinois. Zone 1 comprises all points on and east of Third Principal Meridian south of B & O RR. (C. I. & W. RR.) extending through Decatur and Tuscola to the Indiana State Line; zone No. 2 covers all points on and north of the B & O RR. (C. I. & W. RR.) extending through Decatur and Tuscola, to the Indiana State Line, and east of Third Principal Meridian from point of intersection with the B & O RR. west of Decatur north to point of intersection with the Illinois Central RR. near Mendota, on and east of the I. C. RR. through Dixon and Freeport to the Wisconsin State Line, excepting all of Lake, Cook, Kane, Du Page and Will counties; zone No. 5 includes all of Lake, Cook, Kane, Du Page and Will Counties. The East Central area shall also consist of zones 1, 2, and 5 in the State of Wisconsin, zone 1 commencing south of a line drawn from Foscoro on Lake Michigan west along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, including the southeast corner of Shawano County, and east of a line running north and south along the western boundary of Green, Dane, Sauk, Janeau, and Wood counties, excepting the counties of Kenosha, Racine, and Milwaukee; zone No. 2 starting north of a line drawn from Foscoro on Lake Michigan along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, and through the southeast corner of Shawano County and east of a line drawn north and south along the western boundary of Marathon, Lincoln, Oneida, and Iron counties; zone No. 5 consisting of Kenosha, Racine and Milwaukee Counties; Upper Peninsula of Michigan, the entire State of Indiana, all of the State of Kentucky, except places in Campbell and Kenton counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railroad.

(b) *List prices.* The list prices of vitrified clay sewer pipe and allied products when delivery to the purchaser is within the East Central Area shall be as shown in the following tables numbered 1 to 19, inclusive. Each item shown in the tables of List Prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

Description of products

	Table Nos.
Flue lining: Rectangular or square	16
Flue Lining: Round	17
Flue Rings	18
Sewer Pipe: #1 single strength 3" to 24" inclusive	1
Sewer Pipe: #1 double strength 15" to 24" inclusive	2
Sewer Pipe: #2 single strength 3" to 24" inclusive	3
Sewer Pipe: #2 double strength 15" to 24" inclusive	4
Sewer Pipe Fittings:	
Curves	6
Elbows	6
Increasers	6
Reducers	6
Saddles	6
Slants	6
Sewer Pipe Fittings—Continued.	
Stoppers	6
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T's: single and double; standard and special	5
Traps:	
Catch basin	13
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Stove Pipe	19
Stove Pipe Fittings:	
Anchor bonnets	19
Bird cage wind guards	19
Bottoms	19
Chimney bases	19
Double openings	19
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Camel back	14
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Wall coping fittings:	
Angles	14 and 15
Closed ends or starters	14 and 15
Corners	14 and 15
Tees	14 and 15

TABLE 1.—SEWER PIPE: NO. 1 SINGLE STRENGTH

Inside diameter, inches	Per foot	Discount No.
3	$0.30	1
4	.30	1
5	.45	1
6	.45	1
8	.70	1
9	1.05	1
10	1.05	1
12	1.35	1
15	1.80	1
18	2.50	1
20	3.00	1
21	3.50	1
22	4.00	1
24	4.50	1

TABLE 2—SEWER PIPE: NO. 1 DOUBLE STRENGTH

Inside diameter, inches	Per foot	Discount No.
15	$1.80	2
18	2.50	3
20	3.00	3
21	3.50	3
22	4.00	3
24	4.50	3

TABLE 3.—SEWER PIPE: NO. 2 SINGLE STRENGTH

Inside diameter, inches	Per foot	Discount No.
3	$0.30	4
4	.30	4
5	.45	4
6	.45	4
8	.70	5
9	1.05	5
10	1.05	5
12	1.35	5
15	1.80	5
18	2.50	5
20	3.00	5
21	3.50	5
22	4.00	5
24	4.50	5

TABLE 4.—SEWER PIPE: NO. 2 DOUBLE STRENGTH

Inside diameter, inches	Per foot	Discount No.
15	$1.80	6
18	2.50	7
20	3.00	7
21	3.50	7
22	4.00	7
24	4.50	7

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL; Y AND T BRANCHES; SINGLE AND DOUBLE

Size, inches	Y's and T's		Double Y's and T's		Discount No.
	2 ft. each	3 ft. each	2 ft. each	3 ft. each	
3 x 3	$1.20	-------	$2.40	-------	1
4 x 3	1.20	-------	2.40	-------	1
4 x 4	1.20	-------	1.50	-------	1
5 x 3	2.25	-------	3.60	-------	1
5 x 4	1.80	-------	2.25	-------	1
5 x 5	1.80	-------	3.60	-------	1
6 x 3	2.25	-------	3.60	-------	1
6 x 4	1.80	$2.25	2.25	$2.70	1
6 x 5	1.80	2.25	2.25	2.70	1
6 x 6	1.80	2.25	3.60	4.05	1
8 x 3	3.50	4.20	5.60	6.30	1
8 x 4	2.80	3.50	5.60	6.30	1
8 x 5	2.80	3.50	3.50	4.20	1
8 x 6	2.80	3.50	3.50	4.20	1
8 x 8	3.50	4.20	5.60	6.30	1
9 x 4	4.20	5.25	8.40	9.45	1
9 x 5	4.20	5.25	8.40	9.45	1
9 x 6	4.20	5.25	8.40	9.45	1
9 x 8	4.20	5.25	8.40	9.45	1
9 x 9	5.25	6.30	8.40	9.45	1
10 x 4	4.20	5.25	8.40	9.45	1
10 x 5	4.20	5.25	8.40	9.45	1
10 x 6	4.20	5.25	8.40	9.45	1
10 x 8	4.20	5.25	8.40	9.45	1

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL; Y AND T BRANCHES; SINGLE AND DOUBLE—Continued

Size, inches	Y's and T's		Double Y's and T's		Discount No.
	2 ft. each	3 ft. each	2 ft. each	3 ft. each	
10 x 10	$5.25	$6.30	$8.40	$9.45	1
12 x 4	5.40	6.75	10.80	12.15	1
12 x 5	5.40	6.75	10.80	12.15	1
12 x 6	5.40	6.75	10.80	12.15	1
12 x 8	5.40	6.75	10.80	12.15	1
12 x 9	6.75	8.10	10.80	12.15	1
12 x 10	6.75	8.10	10.80	12.15	1
12 x 12	6.75	8.10	10.80	12.15	1
15 x 4	7.20	9.00	14.40	16.20	1
15 x 5	7.20	9.00	14.40	16.20	1
15 x 6	7.20	9.00	14.40	16.20	1
15 x 8	7.20	9.00	14.40	16.20	1
15 x 9	7.20	9.00	14.40	16.20	1
15 x 10	7.20	9.00	14.40	16.20	1
15 x 12	9.00	10.80	14.40	16.20	1
15 x 15	-------	16.20	-------	18.00	1
18 x 4	10.00	12.50	20.00	22.50	1
18 x 5	10.00	12.50	20.00	22.50	1
18 x 6	10.00	12.50	20.00	22.50	1
18 x 8	10.00	12.50	20.00	22.50	1
18 x 9	10.00	12.50	20.00	22.50	1
18 x 10	10.00	12.50	20.00	22.50	1
18 x 12	10.00	12.50	20.00	22.50	1
18 x 15	-------	22.50	-------	25.00	1
18 x 18	-------	22.50	-------	-------	1
20 x 4	12.00	15.00	24.00	27.00	1
20 x 5	12.00	15.00	24.00	27.00	1
20 x 6	12.00	15.00	24.00	27.00	1
20 x 8	12.00	15.00	24.00	27.00	1
20 x 10	12.00	15.00	24.00	27.00	1
20 x 12	12.00	15.00	24.00	27.00	1
20 x 15	-------	27.00	-------	30.00	1
20 x 18	-------	27.00	-------	-------	1
20 x 20	-------	27.00	-------	-------	1
21 x 4	14.00	17.50	28.00	31.50	1
21 x 5	14.00	17.50	28.00	31.50	1
21 x 6	14.00	17.50	28.00	31.50	1
21 x 8	14.00	17.50	28.00	31.50	1
21 x 10	14.00	17.50	28.00	31.50	1
21 x 12	14.00	17.50	28.00	31.50	1
21 x 15	-------	31.50	-------	35.00	1
21 x 18	-------	31.50	-------	-------	1
21 x 20	-------	31.50	-------	-------	1
21 x 21	-------	31.50	-------	-------	1
22 x 4	16.00	20.00	32.00	36.00	1
22 x 5	16.00	20.00	32.00	36.00	1
22 x 6	16.00	20.00	32.00	36.00	1
22 x 8	16.00	20.00	32.00	36.00	1
22 x 10	16.00	20.00	32.00	36.00	1
22 x 12	16.00	20.00	32.00	36.00	1
22 x 15	-------	36.00	-------	40.00	2
22 x 18	-------	36.00	-------	-------	1
22 x 20	-------	36.00	-------	-------	1
22 x 21	-------	36.00	-------	-------	1
22 x 22	-------	36.00	-------	-------	1
24 x 4	18.00	22.50	36.00	40.50	1
24 x 5	18.00	22.50	36.00	40.50	1
24 x 6	18.00	22.50	36.00	40.50	1
24 x 8	18.00	22.50	36.00	40.50	1
24 x 10	18.00	22.50	36.00	40.50	1
24 x 12	18.00	22.50	36.00	40.50	1
24 x 15	-------	40.50	-------	45.00	1
24 x 18	-------	40.50	-------	45.00	1
24 x 20	-------	40.50	-------	-------	1
24 x 21	-------	40.50	-------	-------	1

TABLE 6.—SEWER PIPE FITTINGS: VEE BRANCHES, CURVES AND ELBOWS, SLANTS, INCREASERS AND DECREASERS, SADDLES, STOPPERS AND STRAINERS

Inside diameter, inches	Vee branches, each	Curves, each	Elbows, each	Slants, 2 foot or less, each	Increasers and reducers, each	Saddles, each	Stoppers, each	Strainers, each	Discount No.
3	$3.00	$1.20	$1.20	$1.80	-------	$1.20	$0.15	$0.30	1
4	3.00	1.20	1.20	1.80	$1.20	1.20	.15	.30	1
5	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	1
6	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	1
8	7.00	2.80	2.80	2.80	2.80	2.80	.35	.70	1
9	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	1
10	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	1
12	13.50	5.40	5.40	5.40	8.10	5.40	.67½	1.35	1
15	18.00	7.20	14.40	7.20	10.80	-------	5.40	-------	1
18	25.00	10.00	20.00	15.00	15.00	-------	7.50	-------	1
20	30.00	12.00	24.00	18.00	18.00	-------	-------	-------	1
21	35.00	14.00	28.00	21.00	21.00	-------	-------	-------	1
22	40.00	16.00	32.00	24.00	24.00	-------	-------	-------	1
24	45.00	18.00	36.00	27.00	27.00	-------	-------	-------	1

NOTE.—Curves and elbows in sizes 10" and 12", when furnished Moulded, take five times the price of one foot of Pipe of same size.

NOTE.—Curves and elbows 3" to 8", inclusive, when furnished in 24" lengths, take six times the price of one foot of Pipe of same size.

TABLE 7.—SEWER PIPE FITTINGS: P AND R TRAPS

Size	Each	Discount No.
3"	$2.40	2
4"	2.40	2
5"	3.60	2
6"	3.60	2
8"	5.60	1
9"	15.75	1
10"	15.75	1
12"	27.00	1

TABLE 8.—SEWER PIPE FITTINGS: H. H. TRAPS

Size	Each	Discount No.
3 x 3"	$2.40	2
4 x 4"	2.40	2
5 x 4"	3.60	2
5 x 5"	3.60	2
6 x 4"	3.60	2
6 x 5"	3.60	2
6 x 6"	3.60	2
8 x 5"	5.60	2
8 x 6"	5.60	2
10 x 3"	15.75	2
10 x 4"	15.75	2
10 x 5"	15.75	1
10 x 6"	15.75	1
10 x 8"	15.75	1
10 x 10"	27.00	1
12 x 3"	27.00	1
12 x 4"	27.00	1
12 x 5"	27.00	1
12 x 6"	27.00	1
12 x 8"	27.00	1
12 x 10"	27.00	1
12 x 12"	27.00	1

H. H. Traps not listed above take ten times the list price of one foot of Pipe of the same size.

TABLE 9.—SEWER PIPE FITTINGS: DOUBLE H. H. TRAPS

Size	Each	Discount No.
3"	$3.60	1
4"	3.60	1
5"	5.40	1
6"	5.40	1
8"	8.40	1

TABLE 10.—SEWER PIPE FITTINGS: CENTER H. H. TRAPS

Size	Each	Discount No
4 x 4"	$2.40	1
5 x 4"	3.60	1
5 x 5"	3.60	1
6 x 4"	3.60	1
6 x 5"	3.60	1
6 x 6"	4.50	1
8 x 3"	7.00	1
8 x 4"	7.00	1
8 x 5"	7.00	1
8 x 6"	7.00	1
8 x 8"	7.00	1

Center H. H. Traps not listed above take ten times the list price of one foot of pipe of same size.

TABLE 11.—SEWER PIPE FITTINGS: S TRAPS

Size, inches	Each	Discount No.
3	$3.00	1
4	3.00	1
5	4.50	1
6	4.50	1
8	7.00	1

TABLE 12.—SEWER PIPE FITTINGS: HALF TRAPS

Size, inches	Each	Discount No.
4	$2.40	1
5	3.60	1
6	3.60	1
8	5.60	1
9	10.50	1
10	10.50	1
12	20.25	1

TABLE 13.—SEWER PIPE FITTINGS; CATCH BASIN TRAPS

Size, inches	Each	Discount No.
6 x 4	$2.25	1

TABLE 14.—WALL COPING AND FITTINGS DOUBLE SLANT, CAMEL BACK AND NEW STYLE

	Sizes			Discount No.	
	9"	13"	18"	Double slant, camel back	New style
Straight coping, per ft	$0.40	$0.60	$1.20	8	9
Corners, each	1.20	1.80	3.60	8	9
Closed ends or starters, each	1.20	1.80	3.60	8	9
Angles, each	2.00	3.00	6.00	8	9
Tees, each	3.20	4.80	9.60	8	9

TABLE 15.—WALL COPING AND FITTINGS: SINGLE SLANT COPING

	Sizes			Discount No.
	9"	13"	18"	
Straight coping, per ft	$0.80	$1.20	$2.40	8
Corners, each	2.40	3.60	7.20	8
Closed ends or starters, each	2.40	3.60	7.20	8
Angles, each	4.00	6.00	12.00	8
Tees, each	6.40	9.60	19.20	8

TABLE 16.—FLUE LINING; SQUARE OR RECTANGULAR

Size, inches	Price, per foot	Discount No.
4½ x 8½	$0.45	8
4½ x 13	.60	8
7½ x 7½	.45	8
8½ x 8½	.60	8
8½ x 13	.90	8
8½ x 18	1.35	8
13 x 13	1.15	8
13 x 18	1.75	8
18 x 18	2.25	8
20 x 20	3.25	10
20 x 24	3.75	10
24 x 24	4.25	10

TABLE 17.—FLUE LINING: ROUND

Inside measure, inches	Price, per foot	Discount No.
6	$0.45	11
7	.70	11
8	.70	11
10	1.05	11
12	1.35	11
15	1.80	11
18	2.50	11
20	3.00	11
21	3.50	11
22	4.00	11
24	4.50	11
27	6.50	12
30	7.20	12
33	9.00	13
36	10.25	13

TABLE 18.—FLUE LINING: FLUE RINGS WITH OR WITHOUT FLANGE

Inside diameter, inches	List price each	Lengths, inches	Discount No.
5	$0.75	4½, 6, 9, 12	8
6	.75	4½, 6, 9, 12	8
7	1.05	4½, 6, 9, 12	8
8	1.05	4½, 6, 9, 12	8
9	1.25	4½, 6, 9, 12	8
10	1.25	4½, 6, 9, 12	8
12	1.50	4½, 6, 9, 12	8

TABLE 19.—STOVE PIPE AND FITTINGS

Inside diameter, inches	Stove pipe per foot	Single openings each [1]	Double openings each [1]	Bottoms 2 feet long each	Drop bottoms each	Mandatory type keg and U. O. I. hoods and bird cage wind guards	Anchor hoonets and chimney	Discount No.
5	$0.45	$1.80	$2.25	$1.80	$2.70			
6	.45	1.80	2.25	1.80	2.70		$2.70	$2.25
7	.70	2.80	3.50	2.80	4.20		4.20	3.50
8	.70	2.80	3.50	2.80	4.20		4.20	3.50
9	1.05	4.20		4.20				
10	1.05	4.20		4.20				
12	1.35	5.40		5.40				
15	1.80	7.20		7.20				
18	2.50	10.00		10.00				
20	3.00	12.00		12.00				
21	4.50	18.00		18.00				

[1] Single or Double Openings supplied with or without closed end; Single or Double Openings, with closed end, take 50% additional to list price.

(c) *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any geographical zone in the East Central Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount No.	Illinois zones 1, 2, and 5	Wisconsin zones 1 and 5	Wisconsin zone 2	Michigan Upper Peninsula	Indiana	Kentucky
1	64	62	60	67	67	67
2	57	55	53	53	64	62
3	57	55	53	53	62	62
4	67	65	63	63	70	68
5	67	65	63	63	70	70
6	60	58	56	56	69	65
7	60	58	56	56	67	65
8	64	62	60	60	67	65
9	58	56	54	54	61	------
10	54	52	50	50	56	58
11	64	62	60	60	67	------
12	51	49	47	47	------	------
13	46	44	42	42	------	------

(d) *Maximum prices.* Maximum prices shall be determined by applying to the list prices in Tables 1-19 inclusive the discount as determined in paragraph (c) hereof in accordance with the rules set forth in the following paragraphs hereof:

(1) The maximum f. o. b. factory prices, full freight allowed, for straight and mixed carload shipments by rail shall be determined by applying the appropriate discounts to the list prices contained in paragraph (b) of Appendix C.

(2) The maximum f. o. b. factory prices for less than carload shipments by rail shall be determined by applying to the list prices contained in paragraph (b) hereof the discounts (established in paragraph (c)) applicable to a carload shipment by rail to points within the state or zone in which the factory from which the shipment originates is located. Delivered prices may be charged which do not exceed such maximum prices plus the less than carload rail charges from the factory to the point of delivery designated by the purchaser.

(3) The maximum delivered prices, full freight allowed, for all shipments by motor carrier shall be determined by applying to the list prices contained in paragraph (b) hereof discounts two points shorter than the discounts (established in paragraph (c)) which would be applicable had the shipment been a carload by rail.

(4) (i) The following maximum f. o. b. factory prices per foot, full freight allowed, for straight and mixed carload shipments by rail to points designated by the purchaser, for Nos. 1 and 2 single or double strength sewer pipe 27 to 36 inches inclusive are hereby established when the product is delivered to a point within:

Large sewer pipe (inside diameter, inches)	Illinois zones 1 2, and 5		Wisconsin zones 1, 2, and 5		Upper Peninsula of Michigan		Indiana		Kentucky	
	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength
27" #1, per foot	$2.80	$3.15	$2.90	$3.25	$2.50	$3.25	------	$3.12	------	------
30" #1, per foot	3.10	3.45	3.25	3.60	3.25	3.60	------	3.45	------	------
33" #1, per foot	------	4.80	------	4.95	------	4.95	------	4.77	------	------
36" #1, per foot	4.92	5.45	5.12	5.65	5.12	5.65	------	5.43	------	------
27" #2, per foot	2.60	2.85	2.75	2.95	2.75	2.95	$2.34	2.34	------	------
30" #2, per foot	2.90	3.15	3.00	3.50	3.00	3.30	2.60	2.60	------	------
33" #2, per foot	------	4.40	------	4.35	------	4.25	3.69	3.69	------	------
36" #2, per foot	4.60	5.05	4.80	5.25	4.80	5.25	4.20	4.20	------	------

(ii) The maximum f. o. b. factory prices per foot for less than carload shipments by rail shall be those established in paragraph (4) (i), hereof, for No. 1 and No. 2, single or double strength sewer pipe 27 to 36 inches inclusive. Delivered prices may be charged which do not exceed such maximum prices plus the less than carload rail charges from the factory to the point of delivery designated by the purchaser.

(5) The following maximum delivered prices per foot, for all shipments by motor carrier to points designated by the purchaser, for Nos. 1 and 2 single or double strength sewer pipe 27 to 36 inches inclusive are hereby established when the product is delivered to a point within:

Large sewer pipe (inside diameter, inches)	Illinois zones 1 2, and 5		Wisconsin zones 1, 2, and 5		Upper Peninsula of Michigan		Indiana		Kentucky	
	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength
27" #1, per foot	$2.95	$3.30	$3.15	$3.40	$3.15	$3.40	------	$3.25	------	------
30" #1, per foot	3.25	3.65	3.40	3.75	3.40	3.75	------	3.60	------	------
33" #1, per foot	------	5.00	------	5.15	------	5.15	------	4.95	------	------
36" #1, per foot	5.12	5.65	5.32	5.85	5.32	5.85	------	5.64	------	------
27" #2, per foot	2.75	3.00	2.90	3.10	2.90	3.10	$2.47	2.47	------	------
30" #2, per foot	3.05	3.35	3.15	3.45	3.15	3.45	2.74	2.74	------	------
33" #2, per foot	------	4.60	------	4.75	------	4.75	3.87	3.87	------	------
36" #2, per foot	4.80	5.25	5.00	5.45	5.00	5.45	4.41	4.41	------	------

(6) The maximum price f. o. b. factory for sales on a "pick-up" basis shall be the maximum f. o. b. factory prices established in this paragraph for less than carload shipments by rail.

(e) *Delivery obligations.* For purposes of this section the delivery obligations on all sales (except those on a "pick-up basis") shall be considered as completed when, in the case of rail shipment, the shipment arrives at the rail siding nearest the location designated by the purchaser; or when, in the case of shipment by motor carrier, the shipment arrives at the site designated by the purchaser.

(f) *Taxes.* There may be added to the maximum price established by this Maximum Price Regulation No. 206 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance required such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer, or user.

(g) *Credit terms.* The maximum prices established in this appendix shall not be increased by any charges for the extension of credit and shall be reduced for prompt payment of invoice to the extent that they were or would have been reduced on October 1, 1941, for such payment in the case of sales to a purchaser recognized by the trade as in the same class as the person purchasing under this Maximum Price Regulation No. 206.

(h) *Other factors.* The maximum prices established in this appendix include all commissions. The seller may not add to the maximum prices a charge for performing services that are not specified in this Maximum Price Regulation No. 206.

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8048; Filed, August 17, 1942; 5:12 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 25 [1]]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Section 1388.1656 (a) of Maximum Rent Regulation No. 25 is hereby amended to read as follows:

§ 1388.1656 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

* * * * *

§ 1388.1664a *Effective dates of amendments.* (a) Amendment No. 1 to Maximum Rent Regulation No. 25, (§ 1388.1656 (a)) shall become effective August 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8051; Filed, August 17, 1942; 5:13 p. m.]

PART 1300—PROCEDURE

[Amendment 2 to Temporary Procedural Regulation 5]

TEMPORARY PROCEDURAL REGULATION NO. 5 [2]

Section 1300.311, effective date of amendments, is redesignated § 1300.310a and § 1300.311, Appendix A, is amended to read as set forth below.

§ 1300.310a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1300.310a, 1300.311) to Temporary Procedural Regulation No. 5 shall become effective August 24, 1942.

§ 1300.311 *Appendix A.*

APPLICATION FOR ADJUSTMENT

Two copies of this form must be filed with the Regional Office of the Office of Price Administration in your area.

[1] 7 F.R. 4902, 5045, 5912.
[2] 7 F.R. 4730, 5987.

UNITED STATES OF AMERICA

Office of Price Administration

Form OPA 5PR1 (revised)

This form may be used for an Application for Adjustment in prices established under Maximum Price Regulation No. 165, as amended, Services. A separate application should be used to cover the price of each service, such as a single item, like the relining of brakes, or a series of items, like the laundering of shirts, sheets, collars, socks, etc.

NOTE.—If there are two or more classes of service, each with a different price list, such as "Home" and "De Luxe" laundry service, a separate Application for Adjustments must be filed for each.

---------- hereby applies to the Office of Price Administration for an adjustment in the maximum price for
(Name of Applicant)

---------- from $---------- per---------- as established in accordance with Maximum Price Regulation No. 165, as amended, Services, to $---------- per---------- Applicant's relation to the business is:
(Service) (Unit) (Unit)

(Owner, Manager, Partner, Officer, etc.)

This application is made under § 1499.114 ----(a), ----(b) (indicate which) of Maximum Price Regulation No. 165, as amended, Services.

The following facts are furnished to the Office of Price Administration in support of this application:

SECTION I.—This section must be filled in completely on every application.

1. Name of store or business:----------
(Fill in exact form used, like The Fixit Shop, Acme Shoe Repair, etc.)
2. Address of store or business: Number---- Street---------- Phone Number------- City---------- State----------
3. Type of business: ----------
(Fill in exact and complete description. For example, indicate whether a laundry is a hand or a power laundry; whether an auto shop does general repairs or just body and fender repairs, etc.)
4. Type of operation: Retail only ☐ Both wholesale and retail ☐ (Check one) Wholesale only ☐ Other (give details) ☐----------
5. Ownership: Individual ownership ☐ Partnership ☐ Corporation ☐ (Check one) Other (give details) ☐----------
6. Is your store or business a unit in any sort of chain? Yes ☐ No ☐ If "Yes" give details including address of main office: ----------
7. The service for which a price adjustment is asked is performed at----------
(Your own shop, customer's home, wholesale establishment, etc.) and is paid for by the customer (in cash, by charge account, when bill is rendered, etc.)----------
Does the service include delivery? Yes ☐ No ☐.
8. The prices charged for this service have been:

	During month of—											
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1941												
1942												

List all rebates, discounts, and special offers, customarily given or given in March 1942: ----------

(If you have printed price lists, catalogs, etc., attach copies to this form. If the prices cannot be listed in the space above attach a separate sheet giving them in detail.)

9. Were your March 1942 prices for this service lower than the prices you had charged for the same service at any time between October 1, 1941 and February 28, 1942?
Yes ☐ No ☐
If "Yes"—Explain why----------

10. List below the names, addresses, and prices for this service, or the similar service most nearly like it, of your five closest competitors of the same class.

(This means competitors located nearest to you who have the same sort of business, customers, store, etc. Cash and carry dry cleaners should list only other cash and carry dry cleaners, because pick-up and delivery dry cleaners are not competitors of the same class. If you do not have five such competitors, list as many as you can.)

Name and address of competitor	Pricing unit	Highest price charged during March 1942	Highest price charged during October 1941

(If you do not have enough space above to list competitor's prices, attach a separate sheet showing them.)

11. The principal items of cost in performing or supplying this service are: (List your costs of materials and supplies in terms of units regularly purchased wherever possible, for example: a photo finishing shop might list, 5 x 7 Glossy Paper Single Weight, per gross, $1.45 in October 1941, $1.80 on Feb. 1, 1942, etc.: a general automotive repair shop might list, Cylinder Head Gaskets, each 68¢ in October 1941, 76¢ on Feb. 1, 1942, etc. If wages are included in your costs, they should be shown in detail, as: Pressers, on a piece work basis, 3-piece men's suits, 10¢ in October 1941, 13¢ on Feb. 1, 1942: or, Delivery Truck Drivers (3 employed) per week, $22.50 in October 1941, $26.50 on Feb. 1, 1942, etc.)

Materials, supplies, labor, or wholesale services paid for or received	Pricing unit	Cost in October 1941	Cost on Feb. 1, 1942	Cost on Apr. 27, 1942	Total amount spent on this item in 1941. If you do not have exact figures give the best estimate you can

(If your costs changed between Feb. 1, 1942, and Apr. 27, 1942, or if you contracted prior to Apr. 27, 1942, to pay a higher labor cost thereafter, give details including dates of all changes or contracts on an attached sheet.)

12. Names and addresses of firms supplying your materials, supplies or wholesale services:

Firm Name and Address	Supplier of	From	To

13. Your Total Gross Income or Total Receipts for the service for which you are applying for adjustment of the maximum price:

(Gross Income or Total Receipts means the total amount of money which you received from customers for the service for which you are applying for adjustment and which you sold or supplied to them. If you perform or render several different kinds of service and are applying for adjustment on only one of them, list only the income from that one service. If you perform only the one service, it is not necessary to answer this question.)

If you have monthly figures give them as indicated below:

	During the month of											
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1941												
1942												

If you have no monthly figures give the following totals:

Total for 1941 $----------

Total for 1942 to date (Jan. 1 to end of last calendar month) $----------

14. Your Total Gross Income or Total Receipts for your store or business:

(Gross Income or Total Receipts means the total amount of money which you received from customers for the services which you sold or supplied to them. If your store or business sells both commodities and services, the figures required in this question are to be for the Services Part of the business only, and on a separate attached sheet you are to list the corresponding figures for the entire business, the totals for commodity sales and service sales.)

	During the month of											
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1941												
1942												

If you have no monthly figures give the following totals:

Total for 1941 $----------

Total for 1942 to date (Jan. 1 to end of last calendar month) $----------

15. Your Total Expenses or Total Cost of Operating your Store or Business:

(Expenses or Cost of Doing Business includes Rent, Light, Taxes (except income taxes) Labor, Materials, Supplies, Repair and Maintenance of Equipment, etc. It does not include the salary or wages of the owner, or the amount that he had taken out of the business if he did not take any regular salary or wages.)

	During the month of—											
	January	February	March	April	May	June	July	August	September	October	November	December
1941												
1942												

If you have no monthly figures give the following totals:

Total for 1941 $_____

Total for 1942 to date (January 1 to end of last calendar month) $_____

16. List below, with a brief description of each, the principal services which you perform or supply (Use additional attached sheets, if necessary):

---

17. Indicate here the manner in which the cost increases outlined in this application may interfere with the continuance of this service.

(If additional space is needed, use extra sheets and attach them to this form)

18. General Comments (It is the purpose and intention of the Office of Price Administration to act on all applications for Adjustment as quickly as possible. The more information, the quicker the decision. If there is any further information or detail which you feel would be valuable and helpful in aiding a quick decision, use the space below, and if necessary, additional attached sheets)

SECTION II. For use by wholesale suppliers only.

This section is to be filled in only on applications filed by wholesale suppliers. It must be filled in completely on every application filed by a wholesale supplier.

1. If your business operation is both wholesale and retail, what percentage of your total dollar volume is Wholesale ____ percent? What percentage is Retail ____ percent?

2. List the average number of retail outlets for which you were the wholesale supplier of the service for which this application is made, during each of the last 12 months.

Month of	Average number of outlets	Month of	Average number of outlets

3. What percentage of your total wholesale business is represented by the particular wholesale service for which this application is filed? ____ percent.

4. If you are engaged in both wholesale and retail business what was the highest March 1942 price which you charged for this service at retail? _____

5. List so far as you can, ceiling retail prices charged for this service during March 1942 by the retail outlets which you serve as a wholesale supplier and give the approximate percentage of the total of such retail outlets charging each retail price.

Retail price	Percent of outlets served charging this price	Retail price	Percent of outlets served charging this price

6. Indicate below your opinion regarding the effect, if any, which this increased wholesale price, if granted, would have on the retail price level of the particular service. Give all facts and data supporting this opinion, and if necessary use additional sheets attaching them to this form.

SECTION III. Signature.

(This section must be filled in completely on every application.)

Signature_____
Applicant

By_____

_____
Title

AFFIDAVIT

STATE OF_____
*County of*_____ ss:

The undersigned, _____, being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
Signature

Subscribed and sworn to before me this ____ day of _____, A. D. 194__.

_____
Officer Administering Oath

(Pub. Law 421, 77th Cong.)

Issued this 18th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8076; Filed, August 18, 1942; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 22 Under § 1499.18 (b) of the General Maximum Price Regulation]

CENTRAL VIRGINIA STAVE COMPANY

For the reasons set forth in an opinion[1] issued simultaneously herewith, it is ordered:

§ 1499.322 *Adjustment of maximum prices for 18 inch pine keg staves sold by the Central Virginia Stave Company.* (a) The maximum price f. o. b. Clayville, Virginia, for 18 inch pine keg staves with 7/16 inch bilge, crozed chamfered, sold by the Central Virginia Stave Company, Clayville, Virginia, shall be $.90 per bundle.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 22 (§ 1499.322) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 22 (§ 1499.322) shall become effective August 19, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 18th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8075; Filed, August 18, 1942; 11:48 a. m.]

[1] Copies may be obtained from the Office of Price Administration.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

GENERAL ORDERS AND SUPPLEMENTS

Part
300 General Provisions.
301 General Regulations.
302 Contracts With Vessel Owners and Rates of Compensation Relating Thereto.
303 Contracts For Carriage on Vessels Owned or Chartered by the War Shipping Administration.
304 Labor.
305 War Risk Insurance.
306 General Agents and Agents.
341 Ship Warrant Regulations.

Because of the rapidly expanding functions of the War Shipping Administration, it has been found necessary to revise the method of codifying general orders and suplements, without changing the general order and supplement numbers or the context thereof all of which shall remain in full force and effect as of the date approved.

The general orders and supplements have been classified under the following parts and the sections renumbered, as follows:

General Order No.	*Federal Register* Sec.
1	302.1
1, Supp. 1	302.2
1, Supp. 2	302.3
1, Supp. 3	302.4
1, Supp. 4	303.1
1, Supp. 4A	Amendt. to 303.1
1, Supp. 4B	Amendt. to 303.1
1, Supp. 5	302.5
2	301.1
2, Supp. 1	303.2
2, Supp. 2	Not Published in Federal Register
2, Supp 3	303.3
3	341.91 to 341.93, incl.
4	Not Published in Federal Register
5	304.1 to 304. 7, incl.
6	305.50 to 305.61, incl.
6, Supp. 1	305.50 to 305.61, incl.
6, Supp. 2	305.62 to 305.71, incl.
7	300.1
7, Supp. 1	300.2
8	302.12 to 302.16, incl.
8, Supp. 1	302.17 to 302.21, incl.
8, Supp. 2	302.22
8, Supp. 3	302.23
8, Supp. 4	302.24
9	302.28 to 302.35, incl.
9, Supp. 1	302.36a
9, Supp. 2	302.36b
10	302.44
11	302.50
11, Supp. 1	302.55 and 302.56
11, Supp. 1A	Amendt. to 302.56
11, Supp. 1B	Amendt. to 302.55
12	306.1 to 306.12, incl.
12, Supp. 1	Amendt. to 306.4 and 306.5
12, Supp. 2	306.13 to 306.20, incl.
12, Supp. 3	306.21 to 306.28, incl.
12, Supp. 3A	Clarifying 306.7 and 306.8
12, Supp. 4	306.35
13	302.61 and 302.62
14	301.2
15	306.29 to 306.34, incl.
16	303.11 to 303.19, incl.
16, Supp. 1	Amendt. to 303.11
16, Supp. 2	303.21
16, Supp. 3	303.20
17	304.10
18	300.9
Ship Warrant Regulations	341.1 to 341.73, incl.

PART 300 GENERAL PROVISIONS

Sec.
300.1 Transfer of property, records, etc., from the Maritime Commission to the War Shipping Administration.
300.2 Transfer of property from Maritime Commission to the War Shipping Administration.
300.9 Procurement of articles, materials and supplies for the War Shipping Administration during the unlimited national emergency without regard to the provisions of the "Buy American Act."

AUTHORITY: §§ 300.1, 300.2 and 300.9, issued under E.O. 9054, 7 F.R. 837.

§ 300.1 *Records and property transferred to Administrator.* The Administrator of the War Shipping Administration deems presently necessary to the full exercise of his functions and duties prescribed by Executive Order No. 9054, dated February 7, 1942, the following records and public property:

(a) All vessels now owned by the United States of America, represented by the United States Maritime Commission. and all records concerning the same or pertaining thereto.

(b) All vessels the ownership of which may be hereafter acquired by the United States of America, represented by the United States Maritime Commission, and all records concerning the same or pertaining thereto, except (1) any vessel constructed pursuant to Title V or Title VII of the Merchant Marine Act, 1936, as amended, which the United States Maritime Commission will have contracted to sell to an applicant upon its completion, and (2) any vessel constructed with funds made available to carry out the purposes of Public Law Number 11—77th Congress, for disposition to the Government of any country whose defense the President deems vital to the defense of the United States. [General Order No. 7, approved April 21, 1942; 7 F.R. 3673]

§ 300.2 *Transfer of property from Maritime Commission to W.S.A.* The Administrator of the War Shipping Administration deems presently necessary to the full exercise of his functions and duties prescribed by said Executive Order the custody, use of, and obligations to maintain, the following public property now vested in the United States Maritime Commission and records pertaining thereto, subject to existing permits, rights and privileges:

(a) The property located in Hoboken, New Jersey, and commonly known as the Hobcken Terminal.

(b) The property located in Norfolk, Virginia and commonly known as the Norfolk Army Base Terminal.

(c) The property located in Philadelphia, Pennsylvania and commonly known as the Philadelphia Army Base Terminal. [General Order 7, Supp. 1, approved July 28, 1942; 7 F.R. 5880]

§ 300.9 *Procurement of articles, materials and supplies for the War Shipping Administration during the unlimited national emergency without regard to the provisions of the "Buy American Act."* (a) For the duration of the unlimited national emergency proclaimed by the President of the United States on May 27, 1941, the provisions of Title III of the Act of March 3, 1933 (Public No. 428, Seventy-Second Congress, 47 Stat. 1520, 41 U.S.C. Secs. 10a, 10b, and 10c) shall not be applicable to the purchase of articles, materials, and supplies, manufactured or unmanufactured, for the account of, or under contracts with, the War Shipping Administration.

(b) Preference shall be given to articles, materials, and supplies, manufactured, produced or mined in the United States, purchased for the account of the War Shipping Administration, whenever convenient in the judgment of the purchasing officer, employee, and agent or general agent conducting the business of vessels under service agreements.

(c) Proper officials of the War Shipping Administration are hereby authorized to enter into contracts, and into amendments or modifications of existing contracts, without regard to the provisions of Title III of the Act of March 3, 1933 (Public No. 428, Seventy-Second Congress, 47 Stat. 1520, 41 U.S.C. Secs. 10a, 10b, and 10c), and in accordance with the provisions of this General Order. [General Order 18, approved July 27, 1942; 7 F.R. 5880]

PART 301—GENERAL REGULATIONS

Sec.
301.1 Information required from steamship operators offered charter.
301.2 Report to Port Director before sailing required.

AUTHORITY: §§ 301.1 and 301.2 issued under E.O. 9054, 7 F.R. 837.

§ 301.1 *Information required from steamship operators offered charter.* All owners who are American citizens, within the meaning of section 2 of the Shipping Act, 1916, as amended, of ocean-going passenger and dry cargo vessels of one thousand gross register tons or more shall, and all such ship-owners of other nationalities (except of nations with which the United States of America is at war) may, file with the War Shipping Administrator within ten days after the effective date hereof with respect to each of such vessels owned by them the following information as set forth in the following form:

WAR SHIPPING ADMINISTRATION,
Washington, D.C.
Attention: Charter Section.

VESSEL DATA

1. Name and Ex Names of Vessel: SS/MS _____

2. Flag _____ Official Number _____

3. (a) When Built _____
(b) Classed _____ at _____

4. Present Owner (Correct Corporate Name) _____
Incorporated under laws of _____

5. If now under charter, name of charterer _____

Form of Charter (Bareboat or Time) _____

Period of Charter _____

6. Name and address for Notices and Payments under any Charter to United States _____

7. (a) Bulk Cargo Capacity: _____ (grain/bale) cubic feet.

(b) Deadweight capacity for cargo, fresh water and stores _____ tons (of 2,240 lbs.), including permanent bunkers of _____ (tons/barrels) of fuel on mean draft (_____ normal Summer freeboard) of _____ ft. and _____ in.
8. Gross Tonnage _____
(b) Net Tonnage _____
9. Passenger Capacity by Classes _____
10. Capacity of Accommodations for Crew
11. Refrigerated Space for Commercial Cargo _____
Temperature Range _____
12. Maximum Warranted Capacity of gear in tons: _____
13. Speed in Knots (U. S. Maritime Commission formula) _____
14. Daily Fuel Consumption at such speed
State kind of fuel used _____
15 Horsepower _____
Indicated
Shaft
16. Any special features of the ship or any pertinent factors which the undersigned wishes to have considered in arranging terms and rate of hire:

The undersigned agrees to advise you of any changes in the foregoing information from time to time.

By: _____
_____
(Date)

Such information shall constitute the representations of the owner with respect to the vessel for which it is filed for the purposes of any charter which shall be offered by the Administrator to such owner.

Where any such owner has heretofore filed any such information with the United States Maritime Commission, such information may be incorporated by reference in a letter setting forth so much of the foregoing information beyond that filed with said Commission as is required by this General Order. [General Order No. 2, approved February 20, 1942; 7 F.R. 1505]

§ 301.2 *Report to Port Director required.* (a) Any vessel operating out of any port in the continental United States, its territories or possessions (including, without limitation, any and all vessels owned by citizens of the United States; under the control of the War Shipping Administration; holding warrants under the Act of July 14, 1941, Public Law 173, 77th Congress; and all other vessels), before commencing any voyage from any such port, shall report to the Port Director, United States Navy, and shall apply for and comply with routing or other special instructions to be issued by such Port Director.

(b) As to vessels holding warrants under the Act of July 14, 1941 (Public Law 173, 77th Congress), compliance wih the requirements of this General Order shall be a condition to the continued enjoyment of the priorities and other advantages provided in said Act of July 14, 1941.

(c) This order does not apply to sailings from ports on the Great Lakes.

[General Order No. 14, approved June 23, 1942; 7 F.R. 4741]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

Sec.
302.1 Uniform time charter for all dry cargo vessels.
302.2 Uniform tanker time charter.
302.3 Uniform bareboat charter for passenger vessels.
302.4 Uniform small craft bareboat requisition charter.
302.5 Small craft bareboat requisition charter "Warshiptow".
302.12 Vessels included.
302.13 Basic rates.
302.14 Deadweight determination.
302.15 Excluded vessels.
302.16 Basic terms and conditions.
302.17 Vessels included.
302.18 Basic rates.
302.19 Deadweight determination.
302.20 Basic terms and conditions.
302.21 Not a revision of General Order No. 8 as revised. §§ 302.12–302.16.
302.22 Rates affecting Central American and South American flag vessels.
302.23 Rates of time charter hire on unclassed vessels (dry cargo and tankers).
302.24 Rates of time charter hire on vessels operating outside of continental United States.
302.28 Applicability of insurance valuation provisions.
302.29 Basic valuation for insurance valuation purposes.
302.30 Speed bonus for insurance valuation purposes.
302.31 Adjustments for refrigerated capacity for insurance valuation purposes.
302.32 Adjustments for general average and salvage charges for insurance valuation purposes.
302.33 Deadweight determination for insurance valuation purposes.
302.34 Excluded vessels.
302.35 Additional insurances.
302.36 Insurance valuations.
302.44 Statement of formulae prescribed for calculating sea speed of vessels.
302.45 Other provisions concerning calculation of sea speed; trial in deep water; normal shaft horsepower; normal power.
302.46 Modification or supplementation of formulae.
302.50 Uniform requisition time charter for cargo vessels.
302.55 Requisition time charter for tank vessels.
302.56 Uniform time charter terms and conditions for tank vessels.
302.61 Requisition bareboat charter for dry cargo and tank vessels.
302.62 Uniform bareboat terms and conditions for dry cargo and tank vessels.

AUTHORITY: §§ 302.1 to 302.3, inclusive, and §§ 302.44 to 302.62, inclusive, issued under E.O. 9054. §§ 302.4 to 302.36, inclusive, issued under sec. 902, 49 Stat. 2015, 53 Stat. 1255; 46 U.S.C. 1242.

§ 302.1 *Uniform time charter for all dry cargo vessels.* The attached form of Time Charter consisting of Part I and Part II is hereby adopted as the uniform time charter for all dry cargo vessels.[1] Appropriate special provisions shall be inserted as the owner and the War Shipping Administration shall agree. [General Order 1, approved February 20, 1942; 7 F.R. 1505]

§ 302.2 *Uniform time charter for all tank vessels.* The attached form of Time Charter consisting of Part I and Part II is hereby adopted as the uniform time charter for all tank vessels.[2] Appropriate special provisions shall be inserted as the owner and the War Shipping Administration shall agree. [General Order 1, Supp. 1, approved February 24, 1942; 7 F.R. 1548]

§ 302.3 *Uniform bareboat charter for all passenger vessels.* (a) The following form of bareboat charter is hereby adopted as the uniform bareboat charter for all passenger vessels.

(b) Appropriate special provisions shall be inserted, either by addendum or by insertion, as the owner and the War Shipping Administration shall agree.

Passenger
3/11/42

Contract No. WSA–

This bareboat charter made as of _____, between the United States of America, acting by and through the Administrator, War Shipping Administration (herein called the "Charterer") and _____, a _____ corporation (herein called the "Owner")

Witnesseth:

Whereas:

I. The Charterer has determined, pursuant to an Act of Congress approved June 6, 1941 (Public, No. 101, 77th Cong., Ch. 174) that vessels in addition to those otherwise available are necessary for the transportation of commodities essential to the national defense;

II. The Charter deems the Owner's S. S. _____ (Official Number_____) (herein called the "Vessel") suitable for such transportation and the terms and conditions hereof and the period of this Charter and the restrictions herein contained to be necessary or desirable for the protection of the public interest and the rate of hire herein provided to be fair and reasonable; and

III. It is the intention of the Charterer to subcharter or otherwise make Vessel available to the Navy Department or War Department for military use as a public vessel;

Now, therefore, the parties hereto agree as follows:

ARTICLE 1. *Vessel Chartered.* The Owner agrees to let and the Charterer agrees to hire the vessel for lawful purposes for a period of twelve month (subject to earlier termination either by mutual agreement at any time or by either party upon thirty days' written notice to the other) beginning with the time of the Vessel's delivery hereunder and such additional time needed (a) for the Vessel to complete her current voyage at the expiration of said twelve months' period or of the said 30 day notice period, as the case may be, and (b) for the Charterer to place the Vessel in the condition required on redelivery under the terms of this Charter.

ART. 2. *Delivery and Redelivery of Vessel.* The vessel shall be delivered as of -- o'clock ____, ____ Time, on _____, at the port of _____, as evidenced by the delivery receipt, and redelivered at the port of _____, after being restored to her condition on delivery as provided in Article 4 hereof, unless actually or constructively lost, at such safe place or pier

[1] Form superseded by General Order 11.

[2] Form superseded by General Order 11, Supplement 1.

to be designated by the Owner, unless otherwise mutually arranged.

ART. 3. *Charter Hire.* The Charterer shall pay the Owner hire in the amount of $_____ for each day of twenty-four hours, and pro rata for any part of a day, from the time of the Vessel's delivery, until the time of her redelivery, or, if the Vessel is sooner lost, to and including the time of its loss (if the time of such loss is uncertain, then to and including the time the Vessel is last heard from), or if the Vessel is a declared constructive total loss as provided in Article 14 hereof, to the time of the declaration of such constructive total loss by the Charterer.

Such hire shall be due and payable on the first day of each calendar month during the period of this Charter, for the preceding month or portion thereof.

ART. 4. *Condition of Vessel on Delivery and Redelivery.* The Charterer shall accept the Vessel "as is", in whatever condition it may be at the time of delivery thereof, without any agreement, representation or warranty, expressed or implied, by the Owner as to its physical condition, equipment, seaworthiness, or fitness for any purposes whatsoever. The Vessel, unless lost, shall be redelivered by the Charterer to the Owner after she has been restored by the Charterer to the same condition as a commercial passenger liner as that in which delivered, ordinary wear and tear in commercial operation excepted.

The Charterer shall be at liberty to install any equipment and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading or discharging cargo beyond that on board at the beginning of this Charter. Such work shall be done at the Charterer's expense and on its time, and shall not be such as to affect the seaworthiness of the Vessel. Such equipment, materials, and gear so fitted are to be considered Charterer's property; and the Charterer shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear in commercial operation excepted).

No structural changes shall be made in the Vessel, her boilers, machinery or appurtenances without the prior written consent of the Owner. If any such structural changes are made, or any changes are made in her boilers, machinery, appurtenances or spare parts, the Vessel upon redelivery shall, if the Owner so requests, be restored to her original condition, ordinary wear and tear in commercial operation excepted.

ART. 5. *Maintenance.* The Charterer shall, at its own expense, maintain the Vessel, so far as possible, in at least as good condition, working order and repair as said Vessel was in at the time of her delivery to the Charterer hereunder, ordinary wear and tear in commercial operation excepted.

The Charterer shall drydock the Vessel as may be necessary at least once in every six months from the date of this Charter for the purpose of cleaning and painting her bottom.

The Vessel shall be drydocked and surveyed jointly by representatives of the Charterer and the Owner before delivery at the expense of the Charterer. Should the Charterer elect to waive drydocking before delivery, any damage to the Vessel's bottom found on redelivery shall be presumed in the absence of proof to the contrary to have occurred subsequent to the date of delivery, and all expenses in repairing such damages shall be for the account of the Charterer.

The Vessel shall be surveyed jointly by representatives of the Charterer and the Owner on redelivery, to determine its condition. Such survey shall include drydocking to determine the condition of the underwater parts which shall be at the expense of the Owner, unless drydocking for cleaning and painting bottom is past due, or unless underwater damage is found or unless there is evidence that since the last drydocking the Vessel has been involved in a grounding and underwater contact, or a collision, in any of which events it shall be at the expense of the Charterer. If on the redelivery survey it shall appear that the Vessel is not in as good condition as on delivery, ordinary wear and tear in commercial operation excepted, then the Charterer before redelivery shall make at its own expense all repairs, renewals, and replacements necessary to put the Vessel in at least as good condition as on delivery, ordinary wear and tear in commercial operation excepted.

ART. 6. *Fuel and stores on board vessel at delivery and redelivery.* The Charterer shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board at the time of delivery, and the Owner shall accept and pay for all unbroached consumable stores, fuel oil and fresh water (acceptable by the Owner) on board on redelivery at the current market prices at the ports of delivery and of redelivery, respectively, on the respective dates of the inventories thereof. "Consumable stores" within the meaning of this paragraph are all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A, and 7919A (Revised Forms 1939).

ART. 7. *Inventories.* A complete inventory of the Vessel's entire outfit, equipment, hotel equipment, furniture, furnishings, appliances, spare and replacement parts and of all consumable stores, fuel oil and fresh water on board as of the time of the Vessel's delivery shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them as to items and as to price with respect to all consumable stores, fuel oil and fresh water (but if it is impracticable to make such inventory, then the Charterer will accept the Owner's inventory or reasonable estimates as to items and as to reasonable prices where pricing is required) at the time of delivery, or as soon thereafter as may be possible, and a similar inventory shall be so jointly taken and mutually agreed upon immediately after redelivery.

ART. 8. *Use of equipment.* The Charterer shall have the use of all outfit, equipment, hotel equipment, furniture, furnishings, appliances, spare and replacement parts on board the Vessel from the time of delivery without extra cost with the exception of the leased equipment), and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, any such items lost, destroyed, damaged, or so worn in service as to be unfit for use in the Owner's regular passenger service, to be replaced or made good by the Charterer in kind before redelivery or in value at the time of redelivery.

ART. 9. *Removal of equipment.* The Owner may, prior to the first departure of the Vessel from its port of delivery, and thereafter at any reasonable time, remove such equipment on board as is not required for the intended employment of the Vessel, but the Charterer shall reimburse the Owner for the expense of such removal, of the transportation and storage of and insurance on the removed equipment during the term of this Charter, unless sooner removed from storage, and of replacing or reinstalling such equipment on the Vessel at the termination of this Charter. If such property is stored on the premises of the Owner or any subsidiary or affiliate or holding company, then the amount allowed for such storage will be that determined to be fair and reasonable by the Charterer, but in no event more than the cost of storage in comparable facilities or in a public warehouse, whichever is the lesser. However, the Charterer, at its option, may purchase such equipment at any time during the currency of this Charter at its fair and reasonable value if such storage charges exceed such value.

ART. 10. *Leased equipment.* The Charterer shall assume the obligations of the Owner under any contracts in connection with leased equipment on board and all expenses connected therewith after delivery, either by direct payment to the lessor thereof or by reimbursing the Owner for the rental and any other expenses under the Owner's contracts for such equipment during the period of this Charter, at the Owner's option, except that the Charterer, at the beginning of the charter period may substitute any other form of agreement as to such services mutually satisfactory to the Charterer and these contractors.

ART. 11. *Charterer to man, victual, and navigate.* During the period hereof, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident thereto, it being understood that the Owner retains no control, possession or command whatsoever during the period of the Charter, but that the Charterer shall have exclusive possession, control and command of said Vessel during the period of this Charter.

ART. 12. *Marine and war risks.* The Charterer shall, effective with the time of delivery of the Vessel under this Charter, assume war, marine and all other risks or liabilities of whatsoever nature or kind, including, without limitation, all risks or liabilities for breach of statute or for damage to property including cargo and other vessels, or for the personal injuries or death of any persons whatsoever, and shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter. The Charterer will insure in its Insurance Fund that portion of the value of the Vessel which relates to the interest of the United States of America as mortgagee to the extent that the risks assumed by the Charterer hereunder are of such a nature that they can be insured in such fund.

ART. 13. *Actual total loss liability.* In the event of total loss of the Vessel, the Charterer shall reimburse the Owner therefor in the amount of $_____ together with interest at the rate of 3½ per cent per annum beginning one hundred twenty days from the date of the Vessel's loss, if known, otherwise beginning one hundred twenty days from the date she was last heard from. The said sum of $_____ shall be paid as follows: (1) The Charterer shall pay the Owner $_____ in cash forthwith. (2) The Charterer shall pay the balance of said sum (i. e., $_____) into a joint account in the names of the Owner and Charterer with a depository satisfactory to both parties, to be held in escrow for use for the replacement of the Vessel by new construction approved by the United States Maritime Commission to be completed within three years after peace between the United States and the nations with which it is now at war is proclaimed. In the event that the Owner does not elect to replace such Vessel and such funds in such account are not so used within such prescribed period, they shall be returned to the Charterer. The

creation of the joint escrow account and withdrawals therefrom shall be governed by and be in accordance with the applicable rules and regulations and orders of the United States Maritime Commission and the Treasury Department under the provisions of section 112 (f) of the Internal Revenue Code, or section 511 of the Merchant Marine Act of 1936, as amended, as the Owner may elect.

ART. 14. *Constructive total loss liability.* In case of damage to the Vessel (not amounting to total loss but amounting to more than 50 per cent of the total loss valuation in the opinion of the principal surveyor of the American Bureau of Shipping) during the period of this Charter, the Charterer shall have the option of declaring the Vessel a constructive total loss by so notifying the Owner in writing or of restoring the Vessel before redelivery to the Owner to a condition at least as good as its condition on delivery, ordinary wear and tear in commercial operation excepted, as required under this Charter. In the event of the declaration by the Charterer of the constructive total loss of the Vessel, the Charterer shall forthwith reimburse the Owner in the amounts and in the manner indicated in Article 13 above in the case of actual total loss. Against such payment the Owner will give the Charterer such releases and instruments granting the Vessel or the property of her remaining as the Charterer may require.

ART. 15. *Insurance.*

(a) On and after the date of delivery of the Vessel under this Charter, the Owner shall not be required to carry any insurance whatsoever, but the Owner shall, as promptly as may be practicable, effect the cancellation of existing policies of insurance, and the pro rata premium payable with respect to the period between the date of delivery under this Charter and the effective date of such cancellation, shall be payable by the Charterer. The Charterer shall reimburse the Owner for any loss occasioned to it by the operation of any "short term cancellation rate" applicable to premiums paid for insurance with respect to the Vessel.

(b) If the Charterer shall insure the Vessel, in its own Insurance Fund, the Charterer shall not, either as Charterer or insurer, have any right of subrogation against the Owner on account of loss or damage to the Vessel or its machinery or appurtenances, or on account of payments made to discharge claims against or liabilities of the Vessel or the Owner covered by insurance underwritten by the Charterer. Such insurance shall not in any way affect the Charterer's obligation to the Owner under this Charter.

ART. 16. *Indemnification.* The Owner shall forever indemnify and hold harmless the Charterer against any item of whatsoever nature upon the vessel at the time of its delivery hereunder. The Charterer shall forever indemnify, hold harmless and defend the Owner against any liens of whatsoever nature by whomsoever asserted and against any claim of lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid) whenever and by whomsoever asserted, upon the Vessel at the time of its redelivery hereunder. The Charterer shall also indemnify, hold harmless and defend the Owner and the Vessel against any claims, demands, or liabilities against them or either of them (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) arising out of the use or operation of the Vessel by the Charterer or any subcharterer, or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer. The Charterer in its use and operation of the Vessel, shall abide by, and comply with, all applicable laws and governmental rules and regulations and the terms of any Governmental preferred mortgage on said Vessel and shall not use or operate the Vessel, or permit use or operation of the Vessel except in full compliance with all such laws, rules and regulations, and shall indemnify the Vessel and the Owner against any loss, claim, liability, damage or expense on account of any such violation of law, rule, or regulation.

ART. 17. *Subcharter.* The Charterer shall at all times have the right to subcharter the Vessel bareboat to any other department or agency of the Government of the United States of America without prejudice to this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions. When any such subcharter is made the Charterer will forthwith notify Owner of the name of the subcharterer and the terms thereof.

ART. 18. *Officials not to benefit.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909 (35 Stat. 1109). No member of or Delegate to Congress, nor Resident Commissioner, shall be employed by the Owner either with or without compensation as an attorney, agent, officer or director.

In witness whereof, the parties hereto have executed this Charter in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By: E. S. LAND, *Administrator,*
War Shipping Administration.

By: ----------
For the Administrator

By: ----------

Attest:

Secretary

Approved as to form:

Assistant General Counsel,
War Shipping Administration

[General Order No. 1. Supp. 2, approved, March 25, 1942; 7 F.R. 2320]

§ 302.4 *Uniform small craft bareboat requisition charter.* The following form of small craft requisition charter is hereby adopted as the uniform charter for all vessels, or other watercraft of 1,000 gross tons and under, owned by citizens of the United States, the use and possession of which are requisitioned on a bareboat charter basis pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended (Sec. 902, 49 Stat. 2015, 53 Stat. 1255; 46 U.S.C. 1242).

3/23/42

UNITED STATES OF AMERICA

SMALL CRAFT BAREBOAT REQUISITION CHARTER

This charter, made and concluded upon in the District of Columbia the ____day of ____, 19__, between the United States of America, acting through the War Shipping Administrator (hereinafter called the "Charterer"), and

----
(hereinafter called the "Owner"), owner of the

Vessel ---------- (hereinafter called the "Vessel"), of ----------, Official No. ---------- of ---------- tons gross register and ---------- tons net register, witnesseth, that

Whereas, by Proclamation of May 27, 1941, the President declared an unlimited national emergency, and the security of the national defense made it advisable for the Charterer to requisition and charter the use of vessels and other water craft owned by citizens of the United States; and

Whereas, pursuant to the aforesaid Proclamation of the President and the provisions of Section 902, Merchant Marine Act, 1936, as amended, the Charterer has requisitioned the use of the Vessel by Small Craft Requisition No. ---------- approved on ----------, 19__; and

Whereas, this Charter sets forth the terms which, in the Charterer's judgment, should govern the relations between the United States and the Owner and a statement of the rate of hire which, in the Charterer's judgment, will be just compensation for the use of the Vessel and for the services required under the terms of this Charter;

Now, therefore, it is agreed as follows:

ART. 1. *Charter period.* The Owner agrees to let and the Charterer agrees to hire the Vessel for a period (subject to sooner termination by the Charterer upon fifteen days' written notice to the Owner) beginning with the time of the Vessel's delivery hereunder until the termination of the emergency proclaimed by the President on May 27, 1941, and such additional time needed for (a) the Vessel to complete here current voyage at either the end of said emergency period or at the end of said fifteen days' notice period, as the case may be, and (b) the Charterer to place the Vessel in the condition required on redelivery under the terms of this Charter.

ART. 2. *Delivery and redelivery of vessel.* The Vessel shall be delivered as of ---------- o'clock ---------- Time, on ---------- ---------- 19__, at the Port of----------, as evidenced by the delivery receipt, and there redelivered after being restored to her condition on delivery as hereinafter provided, unless actually or constructively lost, at such safe place or pier to be designated by the Owner, unless otherwise mutually arranged.

ART. 3. *Charter hire.* The Charterer shall pay the Owner hire in the amount of $----------, for each day of twenty-four hours, and pro rata for any part of a day, from the time of delivery, until the time of redelivery, or, if the Vessel is sooner lost, until the time of her loss (if the time of such loss is uncertain, then until the time last heard from), or if the Vessel is a declared constructive total loss as hereinafter provided, to the time of such declaration by the Charterer.

Such hire shall be due and payable on the first day of each calendar month during the period of this Charter, for the preceding month or portion thereof.

ART. 4. *Condition of vessel on delivery and redelivery.* Subject to the provisions of the second paragraph of Article 5, the Charterer shall accept the Vessel "as is", in whatever condition it may be at the time of delivery thereof, without any agreement, representation or warranty, expressed or implied, by the Owner as to its physical condition, equipment, seaworthiness, or fitness for any purposes whatsoever, or against any defects, except as to latent defects, against all of which the Owner warrants the Vessel.

The Charterer shall be at liberty to install any equipment and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading or discharging cargo beyond that on board at the beginning of this Charter. Such equipment, materials, and gear so fitted are to be considered Charterer's property; and the Charterer shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear excepted).

Unless actually or constructively lost, the Vessel on redelivery shall, at the cost of the Charterer, be restored to the Owner in a condition at least as good as when delivered hereunder, less ordinary wear and tear, or in lieu of making such repairs, the Charterer (at its option) shall pay the Owner an amount to place the Vessel in such condition, which payment shall include (a) an amount (payable month by month) equal to the hire herein fixed for use of the Vessel for the period of time necessary, the utmost diligence and despatch being used, for such repairing; and (b) any such further amount necessarily expended or to be expended by the Owner for insurance, wages and subsistence of master and members of the crew and other vessel expenses incurred during the period of time necessary, such diligence and despatch being used, for repairing the damage.

ART. 5. *Maintenance.* The Charterer shall, at its own expense, maintain the Vessel, so far as possible, in at least as good condition, working order and repair as said Vessel was in at the time of her delivery to the Charterer hereunder, ordinary wear and tear excepted.

The Vessel shall be drydocked and surveyed before delivery and on redelivery to determine her condition under the terms of this Charter. The cost of drydocking on delivery shall be paid for by the Charterer, and the cost of drydocking on redelivery shall be paid for by the Owner. Should the Charterer elect to waive drydocking on delivery, any damage to the Vessel's bottom found on redelivery shall be presumed, in the absence of proof to the contrary, to have occurred subsequent to the date of delivery, and all expenses in repairing such damage shall be for account of the Charterer.

ART. 6. *Fuel and stores on board vessel at delivery and redelivery.* The Charterer shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board at the time of delivery, in good order and condition and not in excess of vessel's normal requirements, and the Owner shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board on redelivery, in good order and condition and not in excess of vessel's normal requirements, at the current market prices at the port of delivery and of redelivery, respectively, on the respective dates of the inventories thereof. "Consumable stores" within the meaning of this paragraph are all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A, and 7919A (Revised Forms 1939).

ART. 7. *Inventories* A complete inventory of the Vessel's entire outfit, equipment, furniture, furnishings, appliances, spare and replacement parts and of all consumable stores, fuel oil and fresh water on board as of the time of the Vessel's delivery shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them both as to items and price at such time or as soon thereafter as may be possible, and a similar inventory shall be so jointly taken and mutually agreed upon immediately after redelivery. Items other than fuel, water and consumable stores included in the redelivery inventory, however, shall not be repriced on redelivery.

ART. 8. *Use of equipment.* The Charterer shall have the use of all outfit, equipment, furniture, furnishings, appliances, spare and replacement parts on board the Vessel from the time of delivery without extra cost (with the exception of the leased equipment), and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, any such items lost, destroyed, damaged, or so worn in service as to be unfit for use to be replaced or made good by the Charterer in kind before redelivery or in value at the time of redelivery. The Charterer shall also have the benefit of all apparatus and appliances and spare repair replacement parts on shore, at prices to be mutually agreed upon between the parties, and the Owner shall furnish the Charterer forthwith a list of such parts and equipments.

ART. 9. *Leased equipment.* The Charterer may assume the obligations of the Owner under any contracts in connection with leased equipment on board and all expenses connected therewith after delivery, either by direct payment of the lessor thereof or by reimbursing the Owner for the rental and any other expenses under the Owner's contracts for such equipment during the period of this Charter, at the Owner's option, except that the Charterer, at the beginning of the charter period may substitute any other form of agreement as to such services mutually satisfactory to the Charterer and these contractors.

ART. 10. *Charterer to man, victual and navigate.* During the period hereof, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident thereto.

ART. 11. *Marine and war risk.* The Charterer shall, effective with the time of delivery of the Vessel under this Charter, assume war, marine and all other risks or liabilities of whatsoever nature or kind, against the Owner or Vessel including all risks or liabilities for breach of statute or for damage caused to other vessels, persons or property, and shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage, injury (including death claims), and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter.

ART. 12. *Loss of vessel.* In the event the Vessel is actually lost or is declared to be a constructive total loss or is an arranged total loss, the Charterer shall pay to the Owner as soon as practicable $------ for the Vessel, including interest at the rate of three per centum (3%) per annum calculated in the case of actual total loss beginning 90 days from the date of loss, if known, otherwise beginning 90 days from the date the Vessel was last heard from; in the case of declared constructive total loss beginning on the date such declaration is made; and in the case of an arranged total loss beginning on the date the loss is agreed upon.

If the Vessel sustains serious damage or injury arising during the period of this Charter, to such extent that the Charterer shall consider her to be a constructive total loss, the Charterer shall have the option (to be exercised as promptly as possible, but in no event later than 90 days from the date of the casualty), of declaring the Vessel to be a constructive total loss as of the date of such declaration and of taking over or selling her, and the Owner shall be paid the amount provided above.

ART. 13. *Indemnification.* The Owner shall forever indemnify and hold harmless the Charterer against any liens of whatsoever nature upon the Vessel at the time of its delivery hereunder and the Charterer shall forever indemnify, hold harmless, and defend the Owner against any liens of whatsoever nature upon the Vessel at the time of its redelivery hereunder, by whomsoever asserted, and against any claim of lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid) whenever and by whomsoever asserted, arising out of any matter occurring during the period of this Charter or out of the use or operation of the Vessel by the Charterer or any subcharterer or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel or out of any obligation or liability incurred by the Charterer or any subcharterer. The Charterer shall also indemnify, hold harmless and defend the Owner against any claims, demands, or liabilities against the Owner (including costs and reasonable attorneys' fees in defending such claims or demand, whether or not the claim or demand be found to be valid) arising out of the use or operation of the Vessel by the Charterer or any subcharterer, or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer.

ART. 14. *Subcharter.* The Charterer shall at at all times have the right to subcharter the Vessel bareboat to any other department or agency of the Government of the United States of America without prejudice to this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

ART. 15 *Payments.* All payments to be made by the Charterer to the Owner and all payments to be made by the Owner to the Charterer, under the terms of this Charter, shall be made in the District of Columbia by or to the Charterer.

In consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the United States of America arising out of the requisition of the Vessel and accepts the compensation herein provided for as the compensation required by law.

ART. 16. *Officials not to benefit.* No member of or Delegate to Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act, approved March 4, 1909 (35 Stats. 1109). No member of or Delegate to Congress, nor Resident Commissioner, shall be employed by the Owner either with or without compensation as an attorney, agent, officer or director.

In witness whereof, the parties hereto have executed this Charter Party Agreement in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION,
By ----------
For the Administrator

By ----------

Attest:

Secretary.

or

(for non-corporate Owners)

In the presence of:

Witness.

and

Witness.

Approved as to form:

Assistant General Counsel
War Shipping Administration

[General Order 1, Supplementary 3, approved April 20, 1942; 7 F.R. 4588]

§ 302.5 *Smallcraft bareboat requisition charter "Warshiptow".* (a) The

following form of bareboat charter, identified as form No. 109, "Warshiptow", 8/1/42, to be entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, is approved and adopted for the requisitioned use on a bareboat basis of tugs, barges, and other vessels whether or not self-propelled used in or in conjunction with barges services in or between such port or ports as the Administrator may from time to time determine.

ARTICLE 1. *Charter period.* The Owner agrees to let and the Charterer agrees to hire the Vessel for a period (subject to sooner termination by the Charterer upon fifteen days' written notice to the Owner) beginning with the time of the Vessel's delivery hereunder until the termination of the emergency proclaimed by the President on May 27, 1941, and such additional time needed for (a) the Vessel to complete her current voyage at either the end of said emergency period or at the end of said fifteen days' notice period, as the case may be, and, (b) the Charterer to place the Vessel in the condition required on redelivery under the terms of this Charter.

ART. 2. *Delivery and Redelivery of Vessel.* The Vessel shall be delivered as of ------- o'clock ---------- Time, on -------- 19--, at the Port of ----------, as evidenced by the delivery receipt, and there redelivered after being restored to her condition on delivery as hereinafter provided, unless actually or constructively lost, at such safe place or pier to be designated by the Owner, unless otherwise mutually arranged.

ART. 3. *Charter hire.* The Charterer shall pay the Owner hire in the amount of $--------, for each day of twenty-four hours, and pro rata for any part of a day, from the time of acceptance, until the time of redelivery, or, if the Vessel is sooner lost, until the time of her loss (if the time of such loss is uncertain, then until the time last heard from), or if the Vessel is a declared constructive total loss as hereinafter provided, to the time of such declaration by the Charterer.

Such hire shall be due and payable on the first day of each calendar month during the period of this Charter, for the preceding month or portion thereof.

ART. 4. *Condition of vessel on delivery and redelivery.* Subject to the provisions of the second and third paragraphs of Article 5, the Charterer shall accept the Vessel "as is", in whatever condition it may be at the time of acceptance thereof, without any agreement, representation or warranty, expressed or implied, by the Owner as to its physical condition, equipment, seaworthiness, or fitness for any purposes whatsoever, or against any defects, except as to latent defects, against all of which the Owner warrants the Vessel.

The Charterer shall be at liberty to install any equipment and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading, carrying or discharging cargo or for towing or other services beyond that on board at the beginning of this Charter. Such equipment, materials, and gear so fitted are to be considered Charterer's property; and the Charter shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear excepted).

Unless actually or constructively lost, the Vessel on redelivery shall, at the cost of the Charterer, be restored to the Owner in a condition at least as good as when accepted hereunder, less ordinary wear and tear, or in lieu of making such repairs, the Charterer (at its option) shall pay the Owner an amount to place the Vessel in such condition, which payment shall include: (a) an amount (payable month by month) equal to the hire herein fixed for use of the Vessel for the period of time necessary, the utmost diligence and despatch being used, for such repairing; and (b) any such further amount necessarily expended or to be expended by the Owner for insurance, wages and subsistence of master and members of the crew and other vessel expenses incurred during the period of time necessary, such diligence and despatch being used, for repairing the damage.

ART. 5. *Maintenance.* The Charterer shall, at its own expense, maintain the Vessel, so far as possible, in at least as good condition, working order and repair as said Vessel was in at the time of her acceptance to the Charterer hereunder, ordinary wear and tear excepted.

The Vessel shall be drydocked and surveyed before acceptance and on redelivery to determine her condition under the terms of this Charter. The cost of drydocking on acceptance shall be paid for by the Charterer, and the cost of drydocking on redelivery shall be paid for by the Owner. Should the Charterer elect to waive drydocking on acceptance, any damage to the Vessel's bottom found on redelivery shall be presumed, in the absence of proof to the contrary, to have occurred subsequent to the date of acceptance, and all expenses in repairing such damage shall be for account of the Charterer.

If, at the time of delivery hereunder, the Vessel has outstanding classification requirements or has sustained unrepaired damage of an insurable nature, the cost of repairing such unrepaired damage or of satisfying the outstanding classification requirements shall be for the Owner's account and, if the Charterer is not reimbursed for such cost by the Owner, such cost shall be deducted by the Charterer from the charter hire due hereunder and, in either event, during the time required for such repairs, the Vessel shall be off-hire.

Decay or corrosion from natural causes which require the entire replacement of frame, deck beams, deck housing, planking and side or bottom plates other than that caused by collision or other accidents shall be for the Owner's account as will natural deterioration of boilers, pump condensers and main engines. If, during the term of this Charter excessive repairs are necessary in the way of replacement of machinery or to hull and such repairs shall be considered as renewing or adding to the value of the Vessel, such repairs may be made by the Charterer and shall be for the Owner's account provided, however, that if caused by collision or other accident it shall be for the Charterer's account.

ART. 6. *Fuel and stores on board vessel at delivery and redelivery.* The Charterer shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board at the time of delivery, in good order and condition and not in excess of vessel's normal requirements, and the Owner shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board on redelivery, in good order and condition and not in excess of vessel's normal requirements, at the current market prices at the port of delivery and of redelivery, respectively, on the respective dates of the inventories thereof. "Consumable stores" within the meaning of this paragraph are all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A, and 7919 A (Revised Forms 1939).

ART. 7. *Inventories.* A complete inventory of the Vessel's entire outfit, equipment, furniture, furnishings, appliances, spare and replacement parts and of all consumable stores, fuel oil, and fresh water on board as of the time of the Vessel's delivery shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them both as to items and price at such time or as soon thereafter as may be possible, and a similar inventory shall be so jointly taken and mutually agreed upon immediately after redelivery. Items other than fuel, water and consumable stores included in the redelivery inventory, however, shall not be repriced on redelivery.

ART. 8. *Use of equipment.* The Charterer shall have the use of all outfit, equipment, furniture, furnishings, appliances, spare and replacement parts on board the Vessel from the time of delivery without extra cost (with the exception of the leased equipment), and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, and any such items lost, destroyed, damaged, or so worn in service as to be unfit for use to be replaced or made good by the Charterer in kind before redelivery or in value at the time of redelivery. The Charterer shall also have the benefit of all apparatus and appliances and spare repair replacement parts on shore, at prices to be mutually agreed upon between the parties, and the Owner shall furnish the Charterer forthwith a list of such parts and equipments.

ART. 9. *Leased equipment.* The Charterer may assume the obligations of the Owner under any contracts in connection with leased equipment on board and all expenses connected therewith after delivery, either by direct payment to the lessor thereof or by reimbursing the Owner for the rental and any other expenses under the Owner's contracts for such equipment during the period of this Charter, at the Owner's option, except that the Charterer, at the beginning of the charter period may substitute any other form of agreement as to such services mutually satisfactory to the Charterer and these contractors.

ART 10. *Charterer to man, victual, and navigate.* During the period hereof, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident thereto.

ART. 11. *Marine and war risk.* The Charterer shall, effective with the time of delivery of the Vessel under this Charter, assume war, marine and all other risks or liabilities of whatsoever nature or kind, against the Owner or Vessel including all risks or liabilities for breach of statute or for damage caused to other vessels, persons or property, and shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage, injury (including death claims), and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter.

ART. 12. *Loss of vessel.* In the event the Vessel is actually lost or is declared to be a constructive total loss or is an arranged total loss, the Charterer shall pay to the Owner as soon as practicable $-------- for the Vessel, including interest at the rate of three per centum (3%) per annum calculated in the case of actual total loss beginning 90 days from the date of loss, if known, otherwise beginning 90 days from the date the Vessel was last heard from; in the case of declared constructive total loss beginning on the date such declaration is made; and in the case of an arranged total loss beginning on the date the loss is agreed upon.

If the Vessel sustains serious damage or injury arising during the period of this Charter, to such extent that the Charterer shall consider her to be a constructive total loss, the Charterer shall have the option (to be exercised as promptly as possible, but in no event later than 90 days from the date of the casualty), of declaring the Vessel to be a constructive total loss as of the date of such declaration and of taking over or selling her, and the Owner shall be paid the amount provided above.

If the Vessel is a total loss (actual or constructive) or is purchased or title thereto is requisitioned by the Charterer, the Owner agrees to allow the Charterer a deduction of one-third of the total hire paid or accrued hereunder to the time of such loss or the date of delivery under such purchase or requisition, from the sum stipulated as payable by the Charterer to the Owner under the provisions of this Article in the event of total loss, and the payment of such stipulated sum, less such deduction, shall constitute just compensation and full satisfaction for such loss, purchase or taking.

ART. 13. *Indemnification.* The Owner shall forever indemnify and hold harmless the Charterer against any liens of whatsoever nature upon the Vessel at the time of its delivery hereunder and the Charterer shall forever indemnify, hold harmless, and defend the Owner against any liens of whatsoever nature upon the Vessel at the time of its redelivery hereunder, by whomsoever asserted, and against any claim of lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid) whenever and by whomsoever asserted, arising out of any matter occurring during the period of this Charter or out of the use or operation of the Vessel by the Charterer or any subcharterer or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel or out of any obligation or liability incurred by the Charterer or any subcharterer. The Charterer shall also indemnify, hold harmless and defend the Owner against any claims, demands, or liabilities against the Owner (including costs and reasonable attorneys' fees in defending such claims or demand, whether or not the claim or demand be found to be valid) arising out of the use or operation of the Vessel by the Charterer or any subcharterer, or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer.

ART. 14. *Subcharter.* The Charterer shall at all times have the right to subcharter the Vessel, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

ART. 15. *Payments.* All payments to be made by the Charterer to the Owner and all payments to be made by the Owner to the Charterer, under the terms of this Charter, shall be made in the District of Columbia by or to the Charterer.

In consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the United States of America arising out of the requisition of the Vessel and accepts the compensation herein provided for as the compensation required by law.

ART. 16. *Officials not to Benefit.* No member of or delegate to Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act, approved March 4, 1909 (35 Stats. 1109). No member of or Delegate to Congress, nor Resident Commissioner, shall be employed by the Owner either with or without compensation as an attorney, agent, officer or director.

In witness whereof the parties hereto have executed this Charter Party Agreement in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION,
By ----------
For the Administrator

By ----------

Attest:

Secretary

or
(for non-corporate Owners)
In the presence of:

Witness
and

Witness

Approved as to form:

Assistant General Counsel
War Shipping Administration

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ---------- a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ---------- who signed this Agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL] ----------
Secretary

Form No. 109
"Warshiptow"
8/1/42

[General Order No. 1, Supplement 5, approved July 27, 1942; 7 F.R. 6012]

§ 302.12 *Vessels included.*[1] Time charter rates herein prescribed are applicable to all American-flag self-propelled ocean-going iron and steel dry cargo vessels chartered under terms and conditions of charter parties tendered by the War Shipping Administration to owners of such vessels pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended, *except:*

(a) Vessels with refrigerated capacity in excess of 50% of total capacity.

(b) Combination passenger and freight vessels.

(c) Car ferries.

(d) Seatrains.

(e) Vessels which are not classed A–1 American Bureau of Shipping, or equivalent.

(f) Vessels of less than 8 knots of speed determined in accordance with General Order No. 10.

(g) Vessels of less than 1,000 tons deadweight.

(h) Tankers.

(i) Other vessels excepted from this order by the Administrator from time to time.

[1] Basis for the determination of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended. [General Order No. 8, Revised]

§ 302.13 *Basic rates—(a) Charter rates on all vessels covered by this general order.* Effective January 20, 1942, the charter rate on all vessels covered by this general order shall be as follows:

[Per DWT per month]

	On sailings prior to May 16, 1942	On sailings on and after May 16, 1942
10,000 DWT and up	$3.75	$4.00
9,000 to 9,999	3.90	4.15
8,000 to 8,999	4.10	4.35
7,000 to 7,999	4.35	4.60
6,000 to 6,999	4.65	4.90
5,000 to 5,999	5.00	5.25
4,000 to 4,999	5.40	5.65
3,500 to 3,999	5.60	5.85
3,000 to 3,499	5.85	6.10
2,500 to 2,999	6.15	6.40
2,000 to 2,499	6.50	6.75
1,500 to 1,999	6.90	7.15
1,000 to 1,499	7.35	7.60

NOTE: The sailing date shall be the date when the vessel commences to load outbound from a United States Continental port, excluding Alaska.

Provided, That no vessel shall receive more aggregate charter hire (including adjustments) than a vessel of the same kind of the lowest tonnage in the next higher class can receive at the rate (with corresponding adjustments) shown for its class.

(b) *Adjustments for speed.* Vessels with a speed in excess of 10½ knots, as determined pursuant to General Order No. 10, shall receive an additional sum of 10¢ per dwt per month for each knot or major fraction (including one-half) thereof over 10½ knots. Speed added to the vessel at the cost of the United States shall be ignored for the purpose of this determination; subject to this, a certificate of speed, as computed in accordance with General Order No. 10, given by the American Bureau of Shipping in satisfactory form shall constiute sufficient proof of the vessel's speed.

(c) *Adjustment for refrigerated capacity.* Where vessels have refrigerated space available for cargo in excess of 6,000 cu. ft., 2¢ per cubic foot per month will be added with respect to such excess refrigerated space, except to the extent that the cost of such space has been paid or subsidized by the United States.

(d) *Adjustments for arming and degaussing.* Time lost in partially or entirely arming, degaussing or demagnetizing any vessel at any time prior to delivery to the Government and not previously compensated for by the Government shall be compensated for under the charter tendered pursuant to this order. Such compensation shall be computed on the basis of the applicable time charter rate established by this order and shall constitute additional charter hire earned upon delivery and acceptance of the vessel under any charter tendered hereunder. Time lost shall be determined in accordance with regulations hereinafter determined by the Administrator.

(e) *Adjustments for war risk insurance and bonuses.* War risk insurance on vessels and crew war risk bonuses as well as marine insurance occasioned by trading beyond the Institute Warranties shall

be for the account of the charter in accordance with the provisions of standard form of time charter agreement designated Warshiptime Form No. 101 and approved by General Order No. 11.

(f) *Adjustments for motorships.* Vessels with Diesel engine propulsion shall receive an additional sum of 35¢ per dwt per month.

(g) *Adjustments for age of vessels not built under construction-differential subsidy agreements.* Vessels constructed in the United States subsequent to 1928 shall receive an additional sum per dwt per month computed in accordance with the following schedule:

Year of construction:	*Additional premium per dwt. per month*
1929	$0.05
1930	.10
1931	.15
1932	.20
1933	.25
1934	.30
1935	.35
1936	.40
1937	.45
1938	.50
1939	.55
1940	.60
1941 and subsequent years (minimum)	.65

The date of delivery by the shipbuilder shall constitute the date of construction hereunder. Upon application, consideration will be given to the allowance of a greater adjustment under this subsection for vessels delivered in 1941 and thereafter.

(h) *Adjustments for age of vessels built with construction-differential subsidy.* Vessels constructed pursuant to the Merchant Marine Act, 1936, as amended, with a construction-differential subsidy shall receive an additional sum per dwt per month as follows:

C–1 Class 10¢ per dwt per month.
C–2 Class 20¢ per dwt per month.
C–3 Class 30¢ per dwt per month.

Other subsidized vessels shall receive additional compensation to correspond with the foregoing amounts in accordance with the relation of the particular vessel's horsepower to that of the most comparable vessels of the three enumerated types. The adjustment under paragraph (g) of this section shall not apply to vessels covered by the adjustments under this paragraph.

§ 302.14 *Deadweight determination.* Deadweight capacity is to be established in accordance with normal summer freeboard as assigned pursuant to the International Load Line Convention, 1930. Deadweight shall be calculated exclusive of weight added by installation of refrigerated cargo capacity, arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other installation or equipment required by the Administrator, the United States Maritime Commission, the Army, or the Navy. Certificate of deadweight, in satisfactory form, by American Bureau of Shipping shall constitute sufficient proof of deadweight capacity.

§ 302.15 *Excluded vessels.* Time charter rates for vessels excluded under the terms of this order shall be established from time to time by supplements hereto and such rates shall become effective as of the dates stipulated in such supplements. With respect to any existing charter covering vessels excluded from the operation of this order where the charter provides that rates may be readjusted in accordance with rate determinations made prior to May 15, the time for such rate determinations is extended to June 30, 1942.

§ 302.16 *Basic terms and conditions.* The rates and adjustments herein prescribed are based upon standard form of time charter agreement approved by the War Shipping Administrator and designated Warshiptime Form No. 101 in General Order No. 11. The reference in Part I of said charter to General Order No. 8 shall refer to and mean this General Order No. 8 as hereby revised. This Revised General Order No. 8 supersedes General Order No. 8 approved May 14, 1942, and the right is reserved to further revise or amend this General Order No. 8 (§§ 302.12 to 302.16): *Provided, however,* That any basic rates or adjustments set forth in any such revision or amendment shall not apply to any charters tendered before the date of such revision or amendment. [General Order 8, Revised, approved June 15, 1942; 7 F.R. 4592]

§ 302.17 *Vessels included.*[1] Time charter rates herein prescribed are applicable to all American-flag self-propelled ocean-going iron and steel tank vessels chartered under terms and conditions of charter parties tendered by the War Shipping Administration to owners of such vessels pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended, *except:*

(a) Vessels which are not classed A–1 American Bureau of Shipping, or equivalent;

(b) Vessels of less than 8 knots of speed determined in accordance with General Order No. 10;

(c) Vessels of less than 3,000 tons deadweight; and

(d) Other vessels excepted from this order by the Administrator from time to time.

§ 302.18 *Basic rates.* Effective noon, April 20, 1942, the charter rate on all vessels covered by this general order shall be as follows:

(a) Charter rates on all vessels covered by this general order.

	Per DWT per month
18,000 DWT and up	$3.25
16,000 to 18,000	3.35
14,000 to 16,000	3.45
12,000 to 14,000	3.60
10,000 to 12,000	3.75
9,000 to 10,000	3.90
8,000 to 9,000	4.10
7,000 to 8,000	4.35
Under 7,000	4.65

[1] Basis for the determination of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag tankers chartered or requisitioned for use pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended.

Provided, That no vessel shall receive more aggregate charter hire (including adjustments) than a vessel of the same kind of the lowest tonnage in the next higher class can receive at the rate (with corresponding adjustments) shown for its class.

(b) *Adjustments for speed.* Vessels with a speed in excess of 10½ knots, as determined pursuant to General Order No. 10, shall receive an additional sum of 10¢ per dwt per month for each knot or major fraction (including one-half) thereof over 10½ knots. Speed added to the vessel at the cost of the United States shall be ignored for the purpose of this determination; subject to this, a certificate of speed, as computed in accordance with General Order No. 10, given by the American Bureau of Shipping in satisfactory form shall constitute sufficient proof of the vessel's speed.

(c) *Adjustments for arming and degaussing.* Time lost in partially or entirely arming, degaussing or demagnetizing any vessel at any time prior to delivery to the Government and not previously compensated for by the Government shall be compensated for under the charter tendered pursuant to this order. Such compensation shall be computed on the basis of the applicable time charter rate established by this order and shall constitute additional charter hire earned upon delivery and acceptance of the vessel under any charter tendered hereunder. Time lost shall be determined in accordance with regulations hereinafter determined by the Administrator.

(d) *Adjustments for war risk insurance and bonuses.* War risk insurance on vessels and crew war risk bonuses as well as marine insurance occasioned by trading beyond the Institute Warranties shall be for the account of the charterer in accordance with the provisions of standard form of time charter agreement designated Warshipoiltime Form No. 102 and approved by General Order No. 11, Supplement No. 1.

(e) *Adjustments for age of vessels.* Vessels constructed in the United States subsequent to 1928 shall receive an additional sum per dwt per month computed in accordance with the following schedule:

Year of Construction:	*Additional Premium Per DWT Per Month*
1929	$.05
1930	.10
1931	.15
1932	.20
1933	.25
1934	.30
1935	.35
1936	.40
1937	.45
1938	.50
1939	.55
1940	.60
1941 and subsequent years	.65

The date of delivery by the shipbuilder shall constitute the date of construction hereunder.

(f) *Adjustments for motorships.* Vessels with Diesel engine propulsion shall receive an additional sum of 35¢ per dwt per month.

§302.19 *Deadweight determination.* Deadweight capacity is to be established

in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930. Deadweight shall be calculated exclusive of weight added by installation of refrigerated cargo capacity, arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other installation or equipment required by the Administrator, the United States Maritime Commission, the Army, or the Navy. Certificate of deadweight, in satisfactory form, by American Bureau of Shipping shall constitute sufficient proof of deadweight capacity.

§ 302.20 *Basic terms and conditions.* The charter rates and adjustments herein prescribed are based upon standard form of time charter agreement approved by the War Shipping Administrator and designated Warshipoiltime Form No. 102 in General Order No. 11, Supplement No. 1.

§ 302.21 *Not a revision of General Order No. 8 as revised.* This order is not a revision or amendment of General Order No. 8 (Revised) but is an order of independent operation designated as a supplement to General Order No. 8 for convenience of reference. [General Order 8, Supplement 1, approved June 15, 1942; 7 F.R. 4594]

§ 302.22 *Rates affecting Central American and South American Flag Vessels having stipulated characteristics.* The applicability of General Order No. 8 (Revised) and Supplement No. 1 thereto, prescribing rates for American flag vessels having stipulated characteristics (§§ 302.12 and 302.17) is hereby extended to cover vessels having such characteristics registered under the flags of Central American and South American countries, which are owned by nationals of the United States or by foreign corporations ninety-five per cent of whose stock is owned by nationals of the United States. [General Order 8, Supplement 2, approved June 15, 1942; 7 F.R. 4594]

§ 302.23 *Rates of time charter hire on unclassed vessels.* The rates of time charter hire on vessels (both tankers and dry cargo vessels) not classed A–1 American Bureau or equivalent shall be $.25 per deadweight ton per month less in each instance than the appropriate rate applicable to a comparable vessel which is so classed. [General Order 8, Supplement 3, approved June 29, 1942; 7 F.R. 5677]

§ 302.24 *Rates of time charter hire on vessels operating outside of Continental United States.* With respect to vessels which on May 16th were operating indefinitely in services not requiring ports of call at ports in the Continental United States excluding Alaska, the rate applicable under General Order No. 8 (Revised) for sailings on and after May 16, 1942, will be applied effective with the first sailing from the first port of call on and after July 1, 1942. [General Order 8, Supplement 4, approved July 17, 1942; 7 F.R. 5677]

§ 302.28 *Applicability of insurance valuation provisions.*[1] Insurance valuations prescribed in §§ 302.28 to 302.35, inclusive, of this chapter are applicable to all American-flag self-propelled ocean-going iron and steel dry cargo vessels chartered under terms and conditions of charter parties tendered by the War Shipping Administration to owners of such vessels pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended, except:

(a) Vessels with refrigerated capacity in excess of 50% of total capacity.

(b) Combination passenger and freight vessels.

(c) Car ferries.

(d) Seatrains.

(e) Vessels which are not classed A–1 American Bureau of Shipping, or equivalent.

(f) Vessels of less than 8 knots of speed determined in accordance with §§ 301.16 to 301.18, inclusive, of this chapter.

(g) Vessels of less than 1,000 tons deadweight.

(h) Vessels constructed pursuant to construction contracts made and entered into subsequent to January 1, 1935.

(i) Other vessels excepted from §§ 301.8 to 301.13, inclusive, of this chapter by the Administrator from time to time.

§ 302.29 *Basic valuation for insurance valuation purposes.* The basic valuation shall be $65 per deadweight ton.

§ 302.30 *Speed bonus for insurance valuation purposes.* Vessels with a speed in excess of 8½ knots determined in accordance with §§ 301.16 to 301.18, inclusive, of this chapter shall be allowed an additional valuation of $5 per deadweight ton for each knot or major fraction thereof over 8½ knots.

§ 302.31 *Adjustments for refrigerated capacity for insurance valuation purposes.* Vessels with refrigerated space available for cargo in excess of 6,000 cu. ft., shall be allowed an additional valuation of $1.25 per cubic foot for such excess space.

§ 302.32 *Adjustments for general average and salvage charges for insurance valuation purposes.* If, by reason of the limitations on valuation contained in §§ 301.8 to 301.13, inclusive, of this chapter, the owner of a vessel becomes a coinsurer for a portion of general average or salvage charges, insurance policies issued by the War Shipping Administration will provide for payment in full of such charges, up to the face amount of the policy, or if such policies do not constitute the total amount of insurance placed upon the vessel, they will provide for payment, up to the face amount of the policy, of that portion of such charges which the amount of the insurance underwritten by the War Shipping Administration bears to the total amount of insurance placed upon the vessel.

§ 302.33 *Deadweight determination for insurance valuation purposes.* Deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930. Deadweight shall be calculated exclusive of weight added by installation of refrigerated capacity, arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other installation or equipment required by the Administrator, the United States Maritime Commission, the Army, or the Navy. Certificate of deadweight, in satisfactory form, by American Bureau of Shipping shall constitute sufficient proof of deadweight capacity.

§ 302.34 *Excluded vessels.* Insurance valuations for vessels excluded under the terms of §§ 301.8 to 301.15, inclusive, of this chapter shall be established from time to time by supplements hereto and such valuations shall become effective as of the dates stipulated in such supplements with respect to any existing charter covering vessels excluded. With respect to any existing charter covering vessels excluded from the operation of §§ 301.8 to 301.13, inclusive, of this chapter, where the charter provides that valuations may be re-adjusted in accordance with rate determinations made prior to May 15, the time for such determinations is extended to June 30, 1942.

§ 302.35 *Additional insurances.* Owners may place additional insurance at their own expense in commercial or other markets beyond the amount of the valuations provided for in §§ 302.28 to 302.35, inclusive, of this chapter. However, the cost of such insurance shall not be the basis of any claim against the Administrator nor shall the existence of such additional coverage be construed as evidence as to the value of the additional insurance therein. All such additional coverage shall be reported promptly to the Administrator. The Administrator reserves the right to revoke this permission in whole or in part from time to time. [General Order No. 9, approved May 14, 1942, 7 F.R. 3679]

§ 302.36 *Insurance valuations* — (a) *Central American and South American Flag Vessels.* The applicability of General Order No. 9 prescribing insurance valuations for American-flag vessels having stipulated characteristics (as set forth in § 302.28 thereof) is hereby extended to cover vessels having such characteristics registered under the flags of Central American and South American countries, which are owned by nationals of the United States or by foreign corporations ninety-five percent of whose stock is owned by nationals of the United States. [General Order No. 9, Supplement 1, approved June 15, 1942; 7 F.R. 4594]

(b) *For tank vessels over 3,000 gross tons, owned by American nationals or corporations.* The provisions of §§ 302.28 and 302.35 (a) are hereby extended to tank vessels over 3,000 gross tons owned by American nationals or corporations, ninety-five percent of the stock of which is owned by American nationals. With

[1] Basis for valuation of vessels for insurance purposes.

respect to all such tank vessels, chartered or requisitioned on or after April 20, 1942, such rates shall become effective on the effective date of such requisitions or charters. With respect to all other charters, such rates shall become effective on safe arrival at the first port of call after June 9, 1942. [General Order No. 9, Supplement 2, approved June 18, 1942; 7 F.R. 4672]

§ 302.44 *Statement of formulae prescribed for calculating sea speed of vessels.*[1] The following formulae are hereby prescribed for the calculation of the sea speed of vessels by the War Shipping Administration:

(a) The speed of the ship, or of a sister ship, with clean bottom, at a draft corresponding to the International Summer Load Line, even keel, no current, corrected for wind, at 80% of normal power is taken as the "sea speed" of the ship. The mentioned speed is based on standardization over a measured mile in deep water.

(b) Where no standardization has been run, a self-propelled model test in the David W. Taylor Model Basin or the Washington Model Basin corrected for sea conditions as above, will be accepted. Tests that have been run in other model basins in substantial conformity with those of the David W. Taylor Model Basin will be considered.

(c) Where neither self-propelled model tests nor standardization on a measured mile are available on the ship, the sea speed for a single screw ship shall be that speed at which the effective horsepower is equal to fifty per cent of the normal shaft horsepower, and for a twin screw ship forty-five per cent of the normal shaft horsepower. The effective horsepower shall be based upon the bare hull, even keel at a draft corresponding to the Summer Load Line assigned pursuant to the International Load Line Convention, 1930. The calculation of effective horsepower shall be made by the methods given in "Speed and Power of Ships" by the late Rear Admiral David W. Taylor, published in 1933. Where this speed falls below that corresponding to a speed length ratio of .60, the power shall be that determined by extending the speed-effective horsepower curve on the basis that the ship power varies as the cube of the speed. The speed length ratio shall be defined as the quotient of the speed of the ship in knots divided by the square root of the water line length of the ship in feet.

(d) Voyage results will, in general, not be accepted.

§ 302.45 *Other provisions concerning calculation of sea speed; trial in deep water; normal shaft horsepower; normal power.* (a) At any time the charterer has the privilege to request a trial in deep water, either on a standard deep water measured mile or other course approved by the War Shipping Administration. On this trial the operator shall determine to the satisfaction of representatives of the War Shipping Administration the speed at which the vessel runs when the engines are developing 80% of their normal power. All expenses, etc., in connection with such a trial shall be borne by the operator.

(b) The normal shaft horsepower for a Diesel ship shall be based on the engine builder's guarantees. Should this information be unavailable the normal power for a Diesel ship shall be based on maximum brake mean effective pressures and piston speeds of 61 lbs. per square inch and 1100 feet per minute respectively for two-cycle engines and 75 lbs. per square inch and 1200 feet per minute, respectively, for four-cycle engines. Special consideration will be given to engines of unusual design.

(c) The normal power for an American turbine ship shall be based on manufacturer's guarantees for the unit in question. For a foreign ship the normal power shall be based upon manufacturer's guarantees when these are available. When these are not available the turbine horsepower used by the classification societies in computing line shaft diameters shall be used.

(d) The normal shaft horsepower of a steamship driven by reciprocating engines shall be the product of the indicated horsepower assigned by the engine builders for continuous service and the guaranteed mechanical efficiency.

§ 302.46 *Modification or supplementation of formulae.* The formulae set forth in §§ 301.16 and 301.17 of this chapter may be modified or supplemented by such other modifications or formula or formulae as may be adopted from time to time hereafter. [General Order No. 10, approved May 14, 1942; 7 F.R. 3679]

§ 302.50 *Uniform time charter for requisitioned and other dry cargo vessels.* (a) Time charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, for dry cargo vessels included in §§ 301.3 to 301.7 of this chapter, shall consist of two parts, designated, respectively, Part I and Part II.

(b) The form of Part I for dry cargo vessels requisitioned or chartered in lieu of requisition shall be as follows:

(c) The uniform terms and conditions designated Part II applicable to all dry cargo vessels time chartered by the War Shipping Administration, which shall be incorporated by reference in and need not be attached to Part I of the Charter, shall be as follows:

Form No. 101
5/16/42 Contract No. ---------

WAR SHIPPING ADMINISTRATION

Warshiptime

REQUISITION TIME CHARTER FOR DRY CARGO VESSEL

Part I

Time Charter as of ----------, 1942, between ----------

Address ----------

OWNER of the good steel SS/MS ---------- ---------- (herein called the "Vessel"), with hull, machinery and equipment in a thoroughly efficient state, as far as the exercise of due diligence can make her so, and United States of America, Charterer:

Vessel's particulars are as follows:

Deadweight capacity for cargo, fresh water and stores about ------ tons ---------- (2,240 lbs.), including Permanent Bunkers for fuel -------- tons/barrels on mean draft (---------- Normal Summer Freeboard) ---- feet ---- inches.

Classed ----------

Bale capacity in cubic feet, about ----------

Speed about ---- knots fully laden under good weather conditions ----------

Consumption best grade fuel per 24 hours about ------ tons/barrels.

Maximum lifts for all derricks ---------- tons.

Owner agrees to let and Charterer agrees to hire the Vessel, from time of delivery for trading subject to the following terms:

Part I

A. Period of charter: From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President May 27, 1941: *Provided*, That after September 1, 1942 either party may sooner terminate this Charter (the Vessel to be redelivered as hereinafter provided) upon not less than 30 days' written or telegraphic notice.

B. Trading limits: World-wide.

C. Rate: *Option I.* A basic rate of $------- per deadweight ton per month computed in accordance with the Charterer's General Order No. 8, together with any appropriate adjustments or premiums in accordance with such General Order, which full rate shall be subject to revision not more often than once in every 120 days as in paragraph D below provided; or

Option II. 75 per centum of the full rate payable in accordance with Option I above and such further sum, if any, adjudicated to be necessary to make up just compensation for the use of the Vessel and the services required in connection therewith under the terms of this Charter, pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended.

D. Rate revision (Option I only): At any time after September 1, 1942, but not more often than once every 120 days, either party may request a redetermination of the rate of charter hire upon 30 days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined or agreed upon within such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and charter hire for the balance of the period of this Charter shall be just compensation within the meaning of Section 902 of the Merchant Marine Act, 1936, as amended, and shall be established and paid as therein provided. In such latter event, the use of the Vessel, if not theretofore requisitioned, shall be deemed to have been requisitioned pursuant to Section 902 as of noon (EWT) of the day after the end of such 30-day period. This paragraph shall not operate so as to terminate the period of or otherwise modify the provisions of this Charter, notwithstanding any such modifications, adjustments, or terminations of the charter hire provisions of this Charter by operation of this paragraph.

E. War Risk Insurance Valuation: *Option I.* The sum of $-------- per deadweight ton computed in accordance with General Order No. 9 of the Charterer together with any premiums or adjustments, or any assumption of war risk, general average, collision or salvage risks or liabilities as may be provided for in said General Order and which are applicable to the Vessel by the Terms of said General Order: *Provided*, That if said General Order No. 9 does not set forth a formula for ascertaining such valuation, then Option II below shall apply; or

Option II. Just compensation to be determined in accordance with Section 902 of the Merchant Marine Act, 1936, as amended, for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

F. Port of delivery ----------

G. Port of redelivery: Not less favorable to either party than the port of delivery, unless otherwise agreed.

H. Notice of redelivery ----------

I. Uniform terms: This Charter consists of this Part I and Part II, the Uniform Time Charter Terms and Conditions for Dry Cargo Vessels, published in the FEDERAL REGISTER of ----------, 1942. Unless in this Part I otherwise expressly provided, all of the provisions of said Part II shall be part of this Charter as though fully incorporated herein.

J. Special provisions: 1. Unless the Owner otherwise indicates in the execution hereof, or unless the proviso in War Risk Insurance Valuation Option I applies to the Vessel which will be indicated if the sum in said Option I is written "$ none", Rate Option I and War Risk Insurance Valuation Option I shall apply and in such event, in consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and accepts the compensation herein provided for as the compensation required by law. If the Owner in the execution hereof elects Rate Option I and War Risk Insurance Valuation Option II, then the Owner shall accept this Charter and such hire in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and as the compensation required by law except as to any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

2 In witness whereof, the parties hereto have executed this Agreement in triplicate the day and year first above written, and the Owner has elected Rate Option and War Risk Insurance Valuation Option.

As to execution for OWNER

By:----------

UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator*,
War Shipping Administration.

By----------
For the Administrator.

Attest:

----
or if not incorporated.
In the presence of:

Witness
and

Witness

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ----------, a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ----------, who signed this Agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL] ----------
Secretary.

3. The uniform terms and conditions designated Part II applicable to all dry cargo vessels time chartered by the War Shipping Administration, which shall be incorporated by reference in and need not be attached to Part I of the Charter, shall be as follows:

Form No. 101
Warshiptime
5/16/42

WAR SHIPPING ADMINISTRATION

Uniform Time Charter Terms and Conditions for Dry Cargo Vessels

(Part II)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery shall be ready to receive cargo with clean-swept holds and, as far as due diligence can make her so, tight, staunch, strong, and in every way fitted for service, having water ballast, winches, and power sufficient to run all the winches at one and the same time and a Master and a full complement of officers and crew for a vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter. The Vessel shall be employed in carrying passengers (to the extent permitted by law and available accommodations) and lawful merchandise, including petroleum or its products in proper containers, in lawful trades between safe ports or places within the trading limits of this Charter, as the Charterer or its agents shall direct.

CLAUSE 2. The whole reach and burthen of the Vessel's holds, decks and usual places of loading (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal, reserving only space proper and sufficient in the opinion of the Master for Vessel's officers and crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores, and fuel.

CLAUSE 3. The Charterer shall (except as otherwise expressly provided herein) pay hire for the use of the Vessel at the rate provided in Part I per calendar month or pro rata for any portion thereof, beginning with the time of her delivery, and continuing until the time of her redelivery in like good order and condition, ordinary wear and tear excepted, to the Owner at the port of redelivery, unless the parties hereto otherwise agree, or if the Vessel shall be lost, until the time of her loss, if known; otherwise to the time last heard from; or in the case of a constructive total loss to the time of the casualty resulting in such constructive total loss, except that where two or more successive casualties contribute to such loss, the time of the casualty last occurring shall be the time when hire ceases. Redelivery shall not be made until completion of repairs of any damage arising from causes specified in Clause 4 (i), and full hire shall continue until completion of such repairs, except to the extent that loss of time is caused by failure of the Owner to exercise due diligence to have such repairs effected promptly and to prevent loss of time. The hire provided for in this Charter and all other monies accruing in any month in favor of the Owner shall be due and payable on the first day of each calendar month for the preceding month or portion thereof. Unless otherwise provided, the Charterer shall give the Owner written or telegraphic notice of the Vessel's expected date and port of redelivery as provided in Part I.

Cash for any expenses which are for the Owner's account under this Charter may be advanced by the Charterer or its agents, and the Owner shall reimburse or secure the Charterer for such advances, or, at the Charterer's election, the equivalent thereof shall be deducted from the hire. The Charterer shall not, however, be responsible for the application of such advances.

If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel as required under this Charter to make any payment to the United States by way or reimbursement of construction differential subsidy or payment of additional interest, then the Charterer shall pay to the Owner any amount so paid, in addition to the hire payable under this Charter.

CLAUSE 4. Payment of hire hereunder shall be reduced one-half to the extent that time is lost to the Charterer:

(a) If the Vessel is prevented, in whole or in part, from working because of a deficiency of men or stores while the Vessel is in the continental United States excluding Alaska, or because of breakdown of machinery, collision, stranding, or fire or other accident or damage to the Vessel; or

(b) Because of breach of orders or neglect of duty by the Master, officers or crew: *Provided, however*, That, except to the extent that loss of time is caused by the failure of the Owner to exercise due diligence to keep the Vessel working and to prevent loss of time, payment of hire shall not be reduced because of:

(i) The happening of any event listed in (a) above caused by the fault of the Charterer or caused or contributed to by war or warlike acts, sailing in convoy, operating (contrary to peacetime custom) without lights or pilots, navigating or mooring in (contrary to peacetime custom) unlighted, unbuoyed, or overcrowded waters, excessive usage (because of war or warlike conditions) of machinery or equipment, navigating (contrary to peacetime custom) under the direction of naval, military, coast guard or other governmental authorities, discharging alongside ships or into ships, or ice if loss of time due to ice damage does not result from wilful negligence or default of the Owner, Master, officers or crew; or

(ii) Time lost (when the Vessel needs repairs necessary to her working) (1) due to lack of available repair facilities in a port outside the continental United States excluding Alaska, or (2) due to the Vessel's having to leave a port outside the continental United States excluding Alaska to go to another port for such repairs when the facilities for such repairs at the port so left would not have been available in the time required to proceed to and return from such other port: *Provided*, That this clause (ii) shall not affect any other provisions in this Charter as to the reduction of hire while repairs are in progress.

The cost of fuel and water consumed while hire is reduced hereunder, as well as all port charges, pilotages, and other expenses for the Charterer's account (except those for wages and bonuses provided for in Clause 7 and the war risk and extra marine insurance provided for in Clause 20) incurred during

[1] Sea speed.

such period and consequent upon the putting into any port or place other than that to which the Vessel is bound, shall be borne by the Owner; but should the Vessel be delayed or driven into port or to anchorage by stress of weather or on account of accident to or other consideration for her cargo, such delay, departure, or loss of time, shall be for Charterer's account. Cleaning of boilers and overhauling of machinery whenever possible shall be done during service, but if impossible and without limiting other provisions of this Clause, the Charterer shall give the Owner forty-eight hours in any two months for such work, which, at Charterer's option, may be given in one period of forty-eight consecutive hours; should the Vessel be further detained by reason of such cleaning of boilers or overhauling of machinery, hire shall be reduced one-half for the time lost by such further detention. Credit shall be given to the Charterer for any expenses set forth in Clause 6 which are saved by the Owner during any loss of time for which no reduction of hire is provided.

CLAUSE 5. The deadweight capacity and the speed of the Vessel, as stipulated in this Charter, are representations by the Owner and shall not be binding upon the Charterer, and in the event that the Vessel's deadweight capacity or her speed (the speed to be determined according to the Charterer's General Order No. 10) shall not be in accord with either or both of such representations, the hire shall be equitably adjusted to be appropriate for the Vessel with her speed as thus determined and for the Vessel's actual deadweight capacity to the extent that the hire is computed on speed or deadweight capacity; this Charter otherwise to remain unaffected. This Clause shall not require a reduction of hire where the rate applicable to the Vessel is based on minimum speed standards adopted by the Charterer.

Also, if the War Risk valuation as stipulated in this Charter is based on the deadweight tonnage of the Vessel stipulated and if the Vessel's deadweight shall not be as stipulated, the War Risk valuation shall be adjusted to conform with the Vessel's actual deadweight to the extent that such valuation is computed upon the Vessel's deadweight capacity; this Charter to remain otherwise unaffected.

CLAUSE 6. The Owner shall provide and pay for: All provisions; all galley, cabin, deck and engine room stores; fuel for cooking; wages of, and consular, shipping and discharging fees and other expenses pertaining to, the Master, officers and crew (except as herein otherwise provided; 25 per cent of all fresh water used by the Vessel if a steamer, or 75 per cent if a motorship, all water ballast; and insurance (except as herein otherwise provided) on the Vessel, and maintain her class. Fumigations ordered because of illness of the crew shall be for the Owner's account.

CLAUSE 7. The Charterer shall reimburse the Owner for its actual out-of-pocket expenses, including all taxes with respect thereto for which the Owner is responsible, for (a) any war bonuses, extra wages based on the areas to be traversed during, or the ports of call of, any voyage hereunder and extra wages arising out of the nature of any cargo carried hereunder, where such bonuses and extra wages are payable by the Owner to the Master, officers or crew in accordance with ship's Articles or the Owner's collective bargaining agreements or decisions of the Maritime War Emergency Board, (b) all wages and bonuses of any extra officers and men beyond the Vessel's normal complement, who are required to be employed because of the Vessel's service under this Charter, or to provide for any persons carried at the request of the United States of America or additional watchmen or other personnel employed upon the order or request of any governmental authority, and (c) required payments for or in lieu of returning the officers and crews to nearest port of signing off under the Articles (and wages during such period) necessarily incurred to make the Vessel sooner available to the Charterer under this Charter pursuant to specific orders of the Charterer.

The Charterer shall pay the Owner at the rate of $1.50 per day per person for victualing any persons carried at the request of the United States of America and $1.00 per day per person for victualing any extra complement required, as above provided. If however, the number of persons so carried and the extra complement exceeds 20, the Charterer shall reimburse the Owner for the reasonable cost of such victualing.

CLAUSE 8. The Charterer shall (except as herein otherwise provided) provide and pay for: All fuel (except for cooking); 75 percent of all fresh water (except water ballast) if the Vessel is a steamer, or 25 percent if a motorship; all port charges, pilotages, light, dock, canal and other dues, stevedoring, agencies, commissions, reasonable ballast (except water ballast) and the cost of loading and discharging it; tug assistance and boating where incurred for the Charterer's business; taxes of foreign countries or public authorities thereof payable by the Owner to the extent levied on or measured by the freights of the Vessel; and all other charges and expenses whatsoever except those which, by the terms of this Charter, are expressly payable by the Owner. Fumigations ordered because of cargoes carried or ports visited while the Vessel is employed under this Charter shall be for the Charterer's account.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. The Charterer shall make good any damage to or shortage of shifting boards which are on board at delivery.

CLAUSE 10. The Charterer shall pay for 75 percent, if a steamer, or 25 per cent if a motorship, of all fresh water in the Vessel's service tanks, and for all fuel in the Vessel's bunkers, upon delivery, and the Owner shall pay for 75 per cent if a steamer, or 25 per cent if a motorship, of all fresh water in the Vessel's service tanks, and for all fuel in the Vessel's bunkers on redelivery, at current market prices of the ports of delivery and redelivery respectively.

CLAUSE 11. The Charterer shall be at liberty to install any equipment or defensive armament (including demagnetization by installed equipment or other process, e. g. degaussing, wiping or deperming) and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading or discharging cargo beyond that on board at the beginning of this Charter. Such work shall be done at the Charterer's expense and on its time, and shall not be such as to affect the seaworthiness of the safety of the crew, or as to be in contravention of any applicable law of the United States or regulation made pursuant thereto. Such equipment, materials, and gear so fitted are to be considered Charterer's property; and the Charterer shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear excepted).

CLAUSE 12. The Owner agrees at its expense to drydock the vessel, to clean and paint her bottom, at intervals of about every eight months and not less often than once every twelve months, unless the Charterer otherwise agrees, and, when due, the Charterer agrees to send the Vessel to a port where she can so drydock and paint. In case of drydocking pursuant to this clause at a port where the Vessel is sent by the Charterer on its business, hire shall be suspended from the time the Vessel receives free pratique on arrival, if without cargo, or on completion of discharge of cargo, if she arrives loaded, until the Vessel is again ready for service. If the Owner sends the Vessel to a port (other than one designated by the Charterer) for such drydocking, hire shall be suspended from the time of the Vessel's arrival there at the sea buoy inbound until her departure from the sea buoy outbound. Hire shall not be suspended in either case for any time lost by the Vessel because of unavailability of drydock resulting from causes beyond the control of the Owner. All towage, pilotage, and other expenses incidental to the drydocking, and all port charges incurred and fuel and water consumed (to the extent such fresh water is to be provided or paid for by the Charterer) while hire is suspended as provided in this Clause, shall be for the Owner's account.

CLAUSE. 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its Agents, and furnish the Charterer or its Agents, when required, with a true copy of daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the directions of the Charterer, the Master shall prosecute his voyages with the utmost dispatch and shall render all customary assistance with Ship's crew and boats; and shall use due diligence in caring for and ventilating the cargo. The Master (although appointed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency, and prosecution of the voyages; and the Charterer shall load, stow, trim and discharge the cargo at its expense under the supervision of the Master, who is to sign bills of lading for cargo as presented, in conformity with Mate's or Tally Clerk's receipts. Bills of Lading are to be signed at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its Agents may direct, provided that the Vessel can safely lie afloat at any time of tide.

CLAUSE 16. The Owner shall provide and maintain gear for all derricks, which gear shall be capable of handling lifts up to the weight set forth in Part I of this Charter, but heavier lifts shall be at the Charterer's expense and responsibility. The Owner shall maintain the gear of the ship as fitted, and shall also provide ropes, falls and blocks. The Owner shall also provide on the Vessel lanterns and oil for night work, and give the use of electric lights when the Vessel is so fitted. The Charterer shall have the use of any gear on board the Vessel, including slings.

CLAUSE 17. The Vessel shall work night and day, if required by the Charterer, and all winches to be at the Charterer's disposal during loading and discharging. Shore winchmen, where necessary, shall be provided and paid by the Charterer. In the event of a disabled winch or winches or insufficient power to operate winches unless resulting from causes specified under Clause 4 (i) hereof, the Owner shall pay for a shore engine, or engines, in lieu thereof, if required, and hire shall be reduced one-half for any resulting loss of time. Any and all overtime or additional compensation based upon the nature of the work done, whether in port or at sea, payable to the Vessel's personnel, by reason of the Charterer's orders or operations, shall be paid by the Charterer at rates stated in the Vessel's Articles or collective bargaining agreements or decisions of the Maritime War Emergency Board.

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Clause Paramount.* This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further.

(ii) *Both-to-blame collision clause.* If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

(iii) *General average clause.* General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

(iv) *Amended "Jason" Clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers.

(v) *War Clauses.* In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or executed from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges as incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner, shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the Owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing, insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner nor the Charterer, shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder arising or resulting from: Act of God, act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. Unless otherwise mutually arranged, at all times during the currency of this Charter the Charterer shall provide and pay for or assume: (i) Insurance on the Vessel, under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, which shall include malicious damage, sabotage, strikes, riots and civil commotion, insured for and valued at the amount set forth in Part I which insurance shall be made payable to the persons entitled thereto; (ii) all war risk insurance, as required, on the lives of or for injuries to officers and crew and loss of or damage to their personal effects, including sextants of deck officers, on leased equipment aboard for which the Owner is responsible

to the extent not otherwise covered hereunder, on slop chests, on the actual value of the Vessel's unused consumable stores and on cash carried on board but not in excess of $5,000 unless otherwise agreed; and (iii) war risk protection and indemnity insurance, for the benefit of the Owner and the Charterer as their interests may appear, including Owner's liabilities to officers and crew until repatriated.

The Charterer shall reimburse the Owner for (or, if the Owner is a self-insurer, pay the equivalent of) the actual extra cost of marine insurance occasioned by the Vessel's trading beyond the full limits of Institute Warranties in effect on the effective date of the marine insurance carried on the Vessel at the time of her delivery, or after the date of any renewal of such insurance occurring during the term or extended term of this Charter, beyond such limits, as revised, in effect on the date of any such renewal: *Provided*, That, if the Owner is a self-insurer, such limits shall be deemed to be those in effect on the date of the Vessel's delivery, and if the term or extended term of this Charter shall be for more than one year, such limits, as revised, shall be deemed to be those in effect on each anniversary date of the Vessel's delivery hereunder. Unless otherwise mutually agreed, the foregoing reference to Institute Warranties shall be deemed to mean "American Institute Trade Warranties".

In the event of loss, damage or expense to the Vessel caused by ice which would be recoverable under the terms of a full American Hull form of insurance policy but which is excluded from such policy by the provisions of American Institute Trade Warranties, such loss, damage or expense shall be made good by the Charterer, but in no event shall the Charterer's liability in this respect exceed the amount of the deductible average stated therein with respect to any one voyage.

Except as to risks or liabilities assumed, insured or indemnified against by the Charterer pursuant to this Charter, unless otherwise agreed, the Owner shall assume or insure against all other risks or liabilities of whatever nature including without limitation those of a Marine Hull and P. and I. nature and such Hull and P. and I. coverage shall also protect the interests of the Charterer to the extent of the liability it would have if it were the owner of the Vessel.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer after deducting Master's, officers' and crew's share, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such moneys.

CLAUSE 22. General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Owner's agents who shall be satisfactory to the Charterer and shall be entitled to receive the usual charges and commissions.

CLAUSE 23. If the Charterer shall notify the Owner that the employment or the continued employment of the Master, any officer, or any member of the crew is prejudicial to the interests of the United States of America in the prosecution of the war, the Owner shall make any changes necessary in the appointments.

If the Charterer shall have reason to be dissatisfied with the conduct of the Master, officers, or any member of the crew, the Owner shall on receiving particulars of the complaint, investigate and make any changes necessary in the appointments.

CLAUSE 24. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force.

CLAUSE 25. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 26. Penalty for nonperformance of this contract shall be proved damages.

CLAUSE 27. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 28. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 29. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel: *Provided, however*, That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel hereunder, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the Government of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however*, That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, the Vessel, her crew and cargo.

CLAUSE 30. The Charterer shall indemnify and hold harmless the Owner, the Master and the Vessel from all consequences and liabilities whatsoever, to the extent not recoverable under the terms of customary hull and P. & I. insurance, arising from compliance with any orders or directions of the Charterer, its agents, representatives or employees, unless properly chargeable to the Owner under this Charter. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

CLAUSE 31. The Charterer (except as to matters affecting only the stability of the Vessel) shall be exclusively responsible for proper loading, stowage and discharge of goods of an inflammable, explosive or dangerous nature, and shall comply with all applicable regulations and furnish any necessary fittings.

CLAUSE 32. Unless otherwise provided herein or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 33. No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

CLAUSE 34. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

[General Order No. 11, approved May 14, 1942. 7 F.R. 3674]

§ 302.55 *Requisition time charter for tank vessels.* (a) Time charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, for tank vessels included in General Order No. 8, Supplement No. 1, shall consist of two parts, designated respectively, Part I and Part II.

(b) The form of Part I for tank vessels requisitioned or chartered in lieu of requisition shall be as follows:

Contract No.------

Form No. 102
Warshipoiltime
5/22/42
Part I

WAR SHIPPING ADMINISTRATION

REQUISITION TIME CHARTER FOR TANK VESSEL

Time Charter as of ---------- 194--
between ----------
Address ----------
owner of the good ---------- SS/MS
---------- (herein called the "Vessel"),
with hull, machinery and equipment in a thoroughly efficient state, as far as the exercise of due diligence can make her so, and United States of America, Charterer, particulars as follows:

Deadweight capacity for cargo, fresh water and stores about ---------- tons (2240 lbs.), including Permanent Bunkers for fuel -------- tons/barrels, on mean draft (Assigned Summer Freeboard, 1930 Convention) ---------- feet ---------- inches; classed ----------; speed about --------- knots fully laden under good weather conditions; consumption per 24 hours about ---------- tons/barrels; bulk cargo capacity (less 2% for expansion and excluding permanent bunkers) ----------; discharge capacity all pumps per hour ------ tons barrels; tanks coiled ----------; last two successive cargoes ----------; Panama Canal transit highest grade products under current regulations; constructed and equipped Suez Canal transit with crude petroleum or products in bulk.

Owner agrees to let and Charterer agrees to hire the Vessel, from time of delivery for trading subject to the following terms:

Part I

A. Period of Charter: From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President May 27, 1941: *Provided*, That after September 1, 1942 either party may sooner terminate this Charter (the Vessel to be redelivered as hereinafter provided) upon not less than 30 days' written or telegraphic notice.

B. Trading limits: World-wide.

C. Rate: *Option I*—A basic rate of $------ per deadweight ton per month computed in accordance with the Charterer's General Order No. 8, Supplement No. 1, together with any appropriate adjustments or premiums in accordance with such Supplement No. 1 to General Order No. 8, which full rate shall be subject to revision not more often than once in every 120 days as in paragraph D below provided; or

Option II—75 per centum of the full rate payable in accordance with Option I above and such further sum, if any, adjudicated to be necessary to make up just compensation for the use of the Vessel, and the services required in connection therewith under the terms of this Charter, pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended.

D. Rate revision (Option I only): At any time after September 1, 1942, but not more often than once every 120 days, either party may request a redetermination of the rate of charter hire upon 30 days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined or agreed upon within such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and charter hire for the balance of the period of this Charter shall be just compensation within the meaning of section 902 of the Merchant Marine Act, 1936, as amended, and shall be established and paid as therein provided. In such latter event, the use of the Vessel, if not theretofore requisitioned, shall be deemed to have been requisitioned pursuant to Section 902 as of noon (EWT) of the day after the end of such 30-day period. This paragraph shall not operate so as to terminate the period of or otherwise modify the provisions of this Charter, notwithstanding any such modifications, adjustments, or terminations of the charter hire provisions of this Charter by operation of this paragraph.

E. War risk insurance valuation: *Option I*—The sum of $---- per deadweight ton computed in accordance with General Order No. 9 of the Charterer together with any premiums or adjustments, or any assumption of war risk, general average, collision or salvage risks or liabilities as may be provided for in said General Order and which are applicable to the Vessel by the terms of said General Order: *Provided*, That if said General Order No. 9 does not set forth a formula for ascertaining such valuation, then Option II below shall apply unless otherwise agreed in the Special Provisions hereinbelow; or

Option II—Just compensation to be determined in accordance with Section 902 of the Merchant Marine Act, 1936, as amended, for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

F. Port of delivery:

G. Port of redelivery: Not less favorable to either party than the port of delivery, unless otherwise agreed.

H. Notice of redelivery:

I. Uniform terms: This Charter consists of this Part I and Part II, the Uniform Time Charter Terms and Conditions for Tank Vessels, published in the FEDERAL REGISTER of August 19, 1942. Unless in this Part I otherwise expressly provided, all of the provisions of said Part II shall be part of this Charter as though fully incorporated herein.

J. Special provisions: 1. Unless the Owner otherwise indicates in the execution hereof, or unless the proviso in War Risk Insurance Valuation Option I applies to the Vessel which will be indicated if the sum in said Option I is written "$none", Rate Option I and War Risk Insurance Valuation Option I shall apply and in such event, in consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and accepts the compensation herein provided for as the compensation required by law. If the Owner in the execution hereof elects Rate Option I and War Risk Insurance Valuation Option II, then the Owner shall accept this Charter and such hire in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and as the compensation required by law except as to any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

2. (a) If at the time of requisition the vessel had cargo on board, then Charter hire for the Vessel's first voyage shall be adjusted on such fair and equitable accounting basis as the Charterer shall determine.

(b) If redelivery is made at a port that is more favorable to the Owner then the Owner shall make the Charterer a proper allowance of any savings to the Owner thereby; If the port of redelivery is less favorable to the Owner, then the Charterer shall pay the Owner a proper allowance to cover the additional cost required to put the Owner in the same position as if the Vessel had been redelivered at the port of original delivery.

In witness whereof; the parties hereto have executed this Agreement in triplicate the day and year first above written, and the Owner has elected Rate Option and War Risk Insurance Valuation Option

By ----------
UNITED STATES OF AMERICA
By E. S. LAND, *Administrator*,
War Shipping Administration.

By ----------
For the Admininstrator.

As to execution for OWNER
ATTEST:

---
or if not incorporated
In the presence of:

Witness

and

Witness

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of----------
a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that

---
who signed this Agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL] ----------
Secretary.

3. The uniform terms and conditions designated Part II Applicable to all tank vessels time chartered by the War Shipping Administration, which shall be incorporated by reference in and need not be attached to Part I of the Charter, shall be as follows:

Amendment to § 302.55 (Warshipoiltime)

The provisions of clause 4 of time charter 102 (Warshipoiltime) Sec. 302.55, 7 F.R. 4588, shall not be construed to require any reduction of hire to the extent that time lost thereunder does not exceed six (6) hours in any one period; provided that the owner shall, at all times during such period, employ the utmost dispatch and diligence to remedy the deficiency of the vessel. [General Order No. 11, Supp. 1–B, approved August 12, 1942, 7 F.R. 6394]

§ 302.56 *Uniform time charter terms and conditions for tank vessels.*

Form No. 102
Warshipoiltime
5/22/42

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR TANK VESSELS (PART II)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery shall be ready to receive cargo and, as far as due diligence can make her so, tight, staunch, strong, and with pipe lines and pumps in good working condition, and in every way fitted for service, with a Master and sufficient complement of officers and crew for a vessel of her tonnage and character, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter. The Vessel shall be employed in carrying lawful merchandise, subject to the further provisions of this Charter, in lawful trades between safe ports or places within the trading limits of this Charter, as the Charterer or its agents shall direct.

CLAUSE 2. The whole reach and burthen of of the Vessel's holds, decks, and usual places of loading (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal, reserving only space proper and sufficient in the opinion of the Master for the Vessel's officers and crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores and fuel. The Charterer shall have the option of shipping lawful merchandise in cases, cans or other packages in the Vessel's forehold, 'tween decks or other suitable space available, subject, however, to the Master's approval as to kind, character, amount and stowage, and to the extent that the Owner is not required therby to obtain a certificate of convenience and necessity therefor under the Transportation Act of 1940. All expenses for dunnage, loading, stowing and discharging so incurred shall be paid by the Charterer, but the Owner is not to provide any equipment not already on board for handling such cargo, and such merchandise shall be shipped at the shipper's risk and peril.

CLAUSE 3. The Charterer shall (except as otherwise expressly provided herein) pay hire for the use of the Vessel at the rate provided in Part I per calendar month or pro rata for any portion thereof, beginning with the time of her delivery, and continuing until the time of her redelivery in like good order and condition, ordinary wear and tear excepted, to the Owner at the port of redelivery, unless the parties hereto otherwise agree, or if the Vessel shall be lost, until the time of her loss, if known, otherwise to the time last heard from; or in the case of a constructive total loss to the time of the casualty

resulting in such constructive total loss, except that where two or more successive casualties contribute to such loss, the time of the casualty last occurring shall be the time when hire ceases. Redelivery shall not be made until completion of repairs of any damage arising from causes specified in Clause 4 (1), and full hire shall continue until completion of such repairs, except to the extent that loss of time is caused by failure of the Owner to exercise due diligence to have such repairs effected promptly and to prevent loss of time. The hire provided for in this Charter and all other monies accruing in any month in favor of the Owner shall be due and payable on the first day of each calendar month for the preceding month or portion thereof. Unless otherwise provided, the Charterer shall give the Owner written or telegraphic notice of the Vessel's expected date and port of redelivery as provided in Part I.

Cash for any expenses which are for the Owner's account under this Charter may be advanced by the Charterer or its agents, and the Owner shall reimburse or secure the Charterer for such advances, or, at the Charterer's election, the equivalent thereof shall be deducted from the hire. The Charterer shall not, however, be responsible for the application of such advances.

If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel as required under this Charter to make any payment to the United States by way of reimbursement of construction differential subsidy or payment of additional interest, then the Charterer shall pay to the Owner any amount so paid, in addition to the hire payable under this Charter.

CLAUSE 4. Payment of hire hereunder shall be reduced one-half to the extent that time is lost to the Charterer:

(a) If the Vessel is prevented, in whole or in part, from working because of a deficiency of men or stores while the Vessel is in the continental United States excluding Alaska, or because of breakdown of machinery, collision, stranding, or fire or other accident or damage to the Vessel; or

(b) Because of breach of orders or neglect of duty by the Master, officers or crew;

Provided, however, That, except to the extent that loss of time is caused by the failure of the Owner to exercise due diligence to keep the Vessel working and to prevent loss of time, payment of hire shall not be reduced because of:

(i) The happening of any event listed in (a) above cause by the fault of the Charterer or caused or contributed to by war or warlike acts, sailing in convoy, operating (contrary to peacetime custom) without lights or pilots, navigating or mooring in (contrary to peacetime custom) unlighted, unbuoyed, or overcrowded waters, excessive usage (because of war or warlike conditions) of machinery or equipment, navigating (contrary to peacetime custom) under the direction of naval, military, coast guard or other governmental authorities, discharging alongside ships or into ships, or ice if loss of time due to ice damage does not result from wilful negligence or default of the Owner, Master, officers or crew; or

(ii) Time lost (when the Vessel needs repairs necessary to her working) (1) due to lack of available repair facilities in a port outside the continental United States excluding Alaska, or (2) due to the Vessel's having to leave a port outside the continental United States excluding Alaska to go to another port for such repairs when the facilities for such repairs at the port so left would not have been available in the time required to proceed to and return from such other port: *Provided,* That this clause (ii) shall not affect any other provisions in this Charter as to the reduction of hire while repairs are in progress.

The cost of fuel and water consumed while hire is reduced hereunder, as well as all port charges, pilotages, and other expenses for the Charterer's account (except those for wages and bonuses provided for in Clause 7 and the war risk and extra marine insurance provided for in Clause 20) incurred during such period and consequent upon the putting into any port or place other than that to which the Vessel is bound, shall be borne by the Owner; but should the Vessel be delayed or driven into port or to anchorage by stress of weather or on account of accident to or other consideration for her cargo, such delay, departure, or loss of time, shall be for Charterer's account. Cleaning of boilers and overhauling of machinery whenever possible shall be done during service, but if impossible and without limiting other provisions of this Clause, the Charterer shall give the Owner forty-eight hours in any two months for such work, which, at Charterer's option, may be given in one period of forty-eight consecutive hours; should the Vessel be further detained by reason of such cleaning of boilers or overhauling of machinery, hire shall be reduced one-half for the time lost by such further detention. Credit shall be given to the Charterer for any expenses set forth in Clause 6 which are saved by the Owner during any loss of time for which no reduction of hire is provided.

CLAUSE 5. The deadweight capacity and the speed of the Vessel, as stipulated in this Charter are representations by the Owner and shall not be binding upon the Charterer, and in the event that the Vessel's deadweight capacity or her speed (the speed to be determined according to the Charterer's General Order No. 10) shall not be in accord with either or both of such representations, the hire shall be equitably adjusted to be appropriate for the Vessel with her speed as thus determined and for the Vessel's actual deadweight capacity to the extent that the hire is computed on speed or deadweight capacity; this Charter otherwise to remain unaffected. This Clause shall not require a reduction of hire where the rate applicable to the Vessel is based on minimum speed standards adopted by the Charterer.

Also, if the War Risk valuation as stipulated in this Charter is based on the deadweight tonnage of the Vessel stipulated and if the Vessel's deadweight shall not be as stipulated, the War Risk valuation shall be adjusted to conform with the Vessel's actual deadweight to the extent that such valuation is computed upon the Vessel's deadweight capacity; this Charter to remain otherwise unaffected.

CLAUSE 6. The Owner shall provide and pay for: All provisions; all galley, cabin, deck and engine room stores; fuel for cooking; wages of, and consular, shipping and discharging fees and other expenses pertaining to, the Master, officers and crew (except as herein otherwise provided); 25 per cent of all fresh water used by the Vessel if a steamer, or 75 per cent if a motorship, all water ballast; and insurance (except as herein otherwise provided) on the vessel, and maintain her class. Fumigations ordered because of illness of the crew shall be for the Owner's account.

CLAUSE 7. The Charterer shall reimburse the Owner for its actual out-of-pocket expenses, including all taxes with respect thereto for which the Owner is responsible, for (a) any war bonuses, extra wages based on the areas to be traversed during, or the ports of call of, any voyage hereunder and extra wages arising out of the nature of any cargo carried hereunder, where such bonuses and extra wages are payable by the Owner to the Master, officers or crew in accordance with ship's Articles or the Owner's collective bargaining agreements or decisions of the Maritime War Emergency Board, (b) all wages and bonuses of any extra officers and men beyond the Vessel's normal complement, who are required to be employed because of the Vessel's service under this Charter, or to provide for any persons carried at the request of the United States of America or additional watchmen or other personnel employed upon the order or request of any governmental authority, and (c) required payments for or in lieu of returning the officers and crew to nearest port of signing off under the Articles (and wages during such period) necessarily incurred to make the Vessel sooner available to the Charterer under this Charter pursuant to specific orders of the Charterer.

The Charterer shall pay the Owner at the rate of $1.50 per day per person for victualing any persons carried at the request of the United States of America and $1 per day per person for victualing any extra complement required, as above provided. If, however the number of the persons so carried and the extra complement exceeds 20, the Charterer shall reimburse the Owner for the reasonable cost of such victualing.

CLAUSE 8. The Charterer shall (except as herein otherwise provided) provide and pay for: All fuel (except cooking); 75 percent of all fresh water (except water ballast) if the Vessel is a steamer, or 25 percent if a motorship; all port charges, pilotages, light, dock, canal and other dues, expenses of loading and discharging cargoes, agencies, commissions; tug assistance and boating where incurred for the Charterer's business; taxes of foreign countries or public authorities thereof payable by the Owner to the extent levied on or measured by the freights of the Vessel; and all other charges and expenses whatsoever except those which, by the terms of this Charter, are expressly payable by the Owner. Fumigations ordered because of cargoes carried or ports visited while the Vessel is employed under this Charter shall be for the Charterer's account.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. The Charterer shall make good any damage to or shortage of shifting boards which are on board at delivery.

CLAUSE 10. The Charterer shall pay for 75 percent, if a steamer, or 25 percent if a motorship, of all fresh water in the Vessel's service tanks, and for all fuel in the Vessel's bunkers, upon delivery, and the Owner shall pay for 75 percent if a steamer, or 25 percent if a motorship, of all fresh water in the Vessel's service tanks, and for all fuel in the Vessel's bunkers on redelivery, at current market prices of the ports of delivery and redelivery respectively.

CLAUSE. 11. The Charterer shall be at liberty to install any equipment or defensive armament (including demagnetization by installed equipment or other process, e. g., degaussing, wiping, or deperming) and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading or discharging cargo beyond that on board at the beginning of this Charter. Such work shall be done at Charterer's expense and on its time, and shall not be such as to affect the seaworthiness of the Vessel or the safety of the crew, or as to be in contravention of any applicable law of the United States or regulation made pursuant thereto. Such equipment, materials, and gear so fitted or previously fitted are to be considered Charterer's property; and the Charterer shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear excepted); however, heater coils installed by the Charterer shall be purchased by the Owner on redelivery, if then in good working order and condition, at the cost of installation less depreciation (at the rate of 20% per annum) to the time of redelivery.

CLAUSE 12. The Owner agrees at its expense to drydock and paint the Vessel's bottom about every eight months and not less often than once every twelve months unless the Charterer otherwise agrees, and, when due, the Charterer agrees to send the Vessel to a port where she can be cleared of oil and gas, and drydock and paint. In such event the Owner shall always be solely responsible for clearing the Vessel of oil and gas, but the expense and time of such clearing shall be for the Charterer's account if drydocking the Vessel is for the purpose of cleaning and painting the bottom primarily, and for the Owner's account if drydocking is for the purpose of effecting any repairs (except repairs required by causes for which hire is not reduced by the provisions of Clause 4) as well as cleaning and painting bottom. In case of drydocking for cleaning and painting bottom only pursuant to this Clause at a port where the Vessel is sent by the Charterer on its business, hire shall be suspended from the time the Vessel receives free pratique on arrival, if without cargo, or on completion of discharge of cargo, if she arrives loaded, until the Vessel is again ready for service. If the Owner sends the Vessel to a port (other than one designated by the Charterer) for such drydocking, hire shall be suspended from the time of the Vessel's arrival there at the sea buoy inbound until her departure from the sea buoy outbound. Hire shall not be suspended in either case for any time lost by the Vessel because of unavailability of drydock resulting from causes beyond the control of the Owner. All towage, pilotage, and other expenses incidental to the drydocking, and all port charges incurred and fuel and water consumed (to the extent such water is to be provided or paid for by the Charterer) while hire is suspended as provided in this Clause, shall be for the Owner's account.

CLAUSE 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its Agents, and furnish the Charterer or its Agents, when required, with a true copy of daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the direction of the Charterer, the Master shall prosecute his voyages with the utmost dispatch, use due diligence to care for the cargo, and shall render all reasonable assistance with the Vessel's crew and equipment. Any overtime of officers and crew as required by the Vessel's articles or collective bargaining agreements or decisions of the Maritime War Emergency Board shall be at the Charterer's expense when incurred at the request of the Charterer or its agents. Bills of lading are to be signed by the Master in the form and at any rate of freight the Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel from all consequences or liabilities that may arise from the Charterer or its agents, or the Master, signing bills of lading or other documents inconsistent with this Charter, or from any irregularity in papers supplied by the Charterer or its agents, or from complying with its or its agents' orders.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its Agents may direct, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat.

CLAUSE 16. The Owner agrees in so far as practicable (and if the construction of the Vessel permits) that the Vessel will be maintained in such manner as to carry, without admixture, two qualities or descriptions of oil, provided the cargo is properly segregated. Except for such agreement neither the Owner nor the Vessel shall be responsible for any admixture, if more than one quality of oil is shipped nor for leakage, contamination or deterioration in quality of the cargo. No injurious cargoes, including acids that are injurious to the Vessel, are to be shipped, it being understood that gasoline, Ethyl gasoline, benzol, creosote, molasses, and the various vegetable oils, customarily carried in tank vessels, are not to be considered as injurious. Charterer undertakes in case it employs the Vessel to carry any other cargo than petroleum and its products in bulk to indemnify the Owner against any damage that may arise to such cargo owing to the Vessel having previously loaded oil, or to oil after having loaded other cargo. If the Vessel's tanks at the time of delivery are gas free and clean and fit for the transportation of clean products, such as refined petroleum or naphtha, the Vessel is to be redelivered in the same condition as on delivery. Similarly, if her tanks are soiled at the time of delivery the Vessel may be redelivered with tanks in like condition.

CLAUSE 17. No product shall be shipped which fails to meet one or the other of the two following requirements: (1) The vapor pressure at one-hundred degrees Fahrenheit (100° F.) shall not exceed thirteen pounds (13 lbs.) as determined by the A. S. T. M. Method (Reid Method) identified as D-323 current at the time shipment is made. (2) The distillation loss shall not exceed four per cent (4%) and the sum of the distillation loss and the distillate collected in the receiving graduate shall not exceed ten per cent (10%) when the thermometer reads one-hundred twenty-two degrees Fahrenheit (122° F.). NOTE.—The distillation test shall be made by A. S. T. M. Method identified as D-86 current at the time shipment is made. When products other than Naphtha or Gasoline are tested, the distillation loss may be determined by distilling not less than twenty-five per cent (25%) and deducting from one-hundred per cent (100%) the sum of the volumes of the distillate and the residue in the flask (cooled to a temperature of sixty degrees Fahrenheit (60° F.).

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(1) *Clause paramount.* This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further.

(ii) *Both-to-blame collision clause.* If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

(iii) *General average clause.* General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

(iv) *Amended "Jason" clause.* In the event of accident, danger, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers.

(v) *War clauses.* In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at

the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazarette, draft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and owner, shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing, insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defect in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner And neither the Vessel, her Master or Owner, nor the Charterer, shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder arising or resulting from: Act of God, act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers of people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. Unless otherwise mutually arranged, at all times during the currency of this Charter the Charterer shall provide and pay for or assume: (i) insurance on the Vessel, under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, which shall include malicious damage, sabotage, strikes, riots and civil commotion, insured for and valued at the amount set forth in Part I which insurance shall be made payable to the persons entitled thereto; (ii) all war risk insurance, as required, on the lives of or for injuries to officers and crew and loss of or damage to their personal effects, including sextants of deck officers, on leased equipment aboard for which the Owner is responsible to the extent not otherwise covered hereunder, on slop chests, on the actual value of the Vessel's unused consumable stores and on cash carried on board but not in excess of $5,000 unless otherwise agreed; and (iii) war risk protection and indemnity insurance, for the benefit of the Owner and the Charterer as their interests may appear, including Owner's liabilities to officers and crew until repatriated.

The Charterer shall reimburse the Owner for (or, if the Owner is a self-insurer, pay the equivalent of) the actual extra cost of marine insurance occasioned by the Vessel's trading beyond the full limits of Institute Warranties in effect on the effective date of the marine insurance carried on the Vessel at the time of her delivery, or after the date of any renewal of such insurance occurring during the term or extended term of this Charter, beyond such limits, as revised, in effect on the date of any such renewal: *Provided*, That, if the Owner is a self-insurer, such limits shall be deemed to be those in effect on the date of the Vessel's delivery, and if the term or extended term of this Charter shall be for more than one year, such limits, as revised, shall be deemed to be those in effect on each anniversary date of the Vessel's delivery hereunder. Unless otherwise mutually agreed, the foregoing reference to Institute Warranties shall be deemed to mean "American Institute Trade Warranties".

In the event of loss, damage or expense to the Vessel caused by ice which would be recoverable under the terms of a full American Hull form of insurance policy but which is excluded from such policy by the provisions of American Institute Trade Warranties, such loss, damage or expense shall be made good by the Charterer, but in no event shall the Charterer's liability in this respect exceed the amount of the deductible average stated therein with respect to any one voyage.

Except as to risks or liabilities assumed, insured or indemnified against by the Charterer pursuant to this Charter, unless otherwise agreed, the Owner shall assume or insure against all other risks or liabilities of whatever nature including without limitation those of a Marine Hull and P. and I. nature and such Hull and P. and I. coverage shall also protect the interests of the Charterer to the extent of the liability it would have if it were the owner of the Vessel.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer after deducting Master's, officers' and crew's share, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such moneys.

CLAUSE 22. General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Owner's agents who shall be satisfactory to the Charterer and shall be entitled to receive the usual charges and commissions.

CLAUSE 23. If the Charterer shall notify the Owner that the employment or the continued employment of the Master, any officer, or any member of the crew is prejudicial to the interests of the United States of America in the prosecution of the war, the Owner shall make any changes necessary in the appointments.

If the Charterer shall have reason to be dissatisfied with the conduct of the Master, officers, or any member of the crew, the Owner shall on receiving particulars of the the complaint, investigate and make any changes necessary in the appointments.

CLAUSE 24. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force.

CLAUSE 25. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 26. Penalty for nonperformance of this contract shall be proved damages.

CLAUSE 27. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 28. The Charterer shall have lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 29. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel: *Provided, however*, That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel hereunder, the Master shall if practicable, apply to the Charterer or its agents or to a representative of the Government of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however*, That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, the Vessel, her crew and cargo.

CLAUSE 30. The Charterer shall indemnify and hold harmless the Owner, the Master and the Vessel from all consequences and liabilities whatsoever to the extent not recoverable under the terms of customary hull and P. & I. insurance, arising from compliance with any orders or directions of the Charterer, its agents, representatives or employees, unless properly chargeable to the Owner under this charter. The Owner shall, as far as may be practicable, keep the charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

CLAUSE 31. The Charterer (except as to matters affecting only the stability of the Vessel) shall be exclusively responsible for proper loading, stowage and discharge of ammunition, and shall comply with all applicable regulations and furnish any necessary fittings.

CLAUSE 32. Unless otherwise provided herein or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this charter, shall be made or addressed to the Charterer at its office in Washington, District of Columbia.

CLAUSE 33. No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

CLAUSE 34. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

[General Order No. 11, Supp. 1, Approved June 15, 1942; 7 F. R. 4588.]

Amendment to Clause 3 of § 302.56 Uniform Time Charter Terms and Conditions for Tank Vessels

If at the time of requisition of any tank vessel under the uniform time charter terms and conditions for tank vessels (Warshipoiltime, Form No. 102) such vessel is equipped with heater coils in good working order and condition for the transportation of dirty products and the coils thereafter become damaged, deteriorated or perforated by reason of the employment of the vessel, pursuant to the direction of the War Shipping Administration, for the transportation of clean petroleum products, Clause 3 of Part II of the terms and conditions of said charter shall be construed to require the War Shipping Administration to restore the heater coils to good working order and condition upon redelivery of the vessel to the Owner. [General Order No. 11, Supp. 1–A, approved August 6, 1942; 7 F.R. 6227]

§ 302.61 *Requisition bareboat charter for cargo and tank vessels.*

(a) Bareboat charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, for cargo and tank vessels, shall consist of two parts, designated respectively, Part I and Part II.

(b) The form of Part I for cargo and tank vessels requisitioned or chartered in lieu of requisition shall be as follows:

Form No. 103
5/29/42 Contract No. ------
Warshipdemise

REQUISITION BAREBOAT CHARTER FOR CARGO AND TANK VESSELS

PART I

Bareboat charter as of ----------, 1942, between ----------
Address ----------
Owner of the SS/MS ----------, Official No. -------- (herein called the "Vessel"), and United States of America, Charterer:

• • • • •

Owner agrees to let and Charterer agrees to hire the Vessel, from time of delivery for trading subject to the following terms:

PART I

A. Period of Charter: From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President May 27, 1941: *Provided*, That after September 1, 1942 either party may sooner terminate this Charter (the Vessel to be redelivered as hereinafter provided) upon not less than 60 days' written or telegraphic notice.

B. Trading limits: World-wide.

C. Rate: *Option I.* A basic rate of $------ per deadweight ton per month, subject to adjustment in accordance with any General Order adopted by the Charterer with respect to fair and reasonable maximum rates of charter hire for vessels chartered on a bareboat basis, said adjusted rate being subject to revision not more than once in every 120 days as in paragraph D below provided; or

Option II. 75 per centum of the rate payable in accordance with Option I above and such further sum, if any, adjudicated to be necessary to make up just compensation for the use of the Vessel and the services required in connection therewith under the terms of this Charter, pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended.

D. Rate revision (Option I only): At any time after September 1, 1942, but not more often than once every 120 days, either party may request a redetermination of the rate of charter hire upon 30 days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined or agreed upon within such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and charter hire for the balance of the period of this Charter shall be just compensation within the meaning of Section 902 of the Merchant Marine Act, 1936, as amended, and shall be established and paid as therein provided. In such latter event, the use of the Vessel, if not theretofore requisitioned, shall be deemed to have been requisitioned pursuant to Section 902 as of noon (EWT) of the day after the end of such 30-day period. This paragraph shall not operate so as to terminate the period of or otherwise modify the provisions of this Charter, notwithstanding any such modifications, adjustments, or terminations of the charter hire provisions of this Charter by operation of this paragraph.

E. Total loss valuation: *Option I.* The sum of $------- per deadweight ton computed in accordance with General Order No. 9 of the Charterer together with any premiums or adjustments, or any assumption of war risk, general average, collision or salvage risks or liabilities as may be provided for in said General Order and which are applicable to the Vessel by the terms of said General Order: *Provided*, That if said General Order No. 9 does not set forth a formula for ascertaining such valuation, then Option II below shall apply; or

Option II. Just compensation to be determined in accordance with Section 902 of the Merchant Marine Act, 1936, as amended, for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

F. Port of delivery:

G. Port of redelivery: Not less favorable to either party than the port of delivery, unless otherwise agreed.

H. Notice of redelivery:

I. Uniform terms: This Charter consists of this Part I and Part II, the Uniform Bareboat Charter Terms and Conditions for Cargo and Tank Vessels, published in the Federal Register of ----------, 1942. Unless in this Part I otherwise expressly provided all of the provisions of said Part II shall be part of this Charter as though fully incorporated herein.

J. Special provisions: 1. Unless the Owner otherwise indicates in the execution hereof, Rate Option I and Total Loss Valuation Option ---- shall apply and in such event, in consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and accepts the compensation herein provided for as the compensation required by law If the Owner in the execution hereof elects Rate Option I and Total Loss Valuation Option II, then the Owner shall accept this Charter and such hire in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and as the compensation required by law except as to any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

In witness whereof, the parties hereto have executed this Agreement in triplicate the day and year first above written, and the Owner has elected Rate Option ------ and Total Loss Valuation Option -------.

By ----------
UNITED STATES OF AMERICA,
By E. S. LAND,
Administrator, War Shipping Administration.
By ----------
For the Administrator.
As to execution for Owner
Attest:
----
or if *not incorporated*
In the presence of:

Witness
and

Witness

retary of _____, a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Agreement on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

_____
Secretary

[CORPORATE SEAL]

3. The uniform terms and conditions designated Part II applicable to all cargo and tank vessels bareboat chartered by the War Shipping Administration, which shall be incorporated by reference in and need not be attached to Part I of the Charter, shall be as follows:

Form No. 103
Warshipdemise
5/29/42

§ 302.62 *Uniform bareboat charter terms and conditions for cargo and tank vessels.*

UNIFORM BAREBOAT CHARTER TERMS AND CONDITIONS FOR CARGO AND TANK VESSELS (PART II)

1. The Vessel shall be delivered to the Charterer in the port of delivery at such safe place as the Charterer may designate. Unless otherwise noted on the delivery receipt or survey report, and subject to the provisions of this Clause 1, the Charterer shall accept the Vessel "as is", in whatever condition she may be at the time of delivery thereof, without any agreement, representation or warranty, expressed or implied, by the Owner as to its physical condition, equipment, seaworthiness, or fitness for any purposes whatsoever, except only that the Owner shall be responsible to make or pay for such repairs and renewals as may be required to remedy latent defects of hull or machinery. The Vessel, unless lost, shall be redelivered by the Charterer to the Owner after she has been restored by the Charterer to the same or equivalent condition as that in which accepted, ordinary wear and tear excepted.

If, at the time of delivery hereunder, the Vessel has outstanding classification requirements or has sustained unrepaired damage of an insurable nature, the cost of repairing such unrepaired damage or of satisfying the outstanding classification requirements shall be for the Owner's account and, if the Charterer is not reimbursed for such cost by the Owner, such cost shall be deducted by the Charterer from the charter hire due hereunder and, in either event, during the time required for such repairs, the Vessel shall be off-hire.

2. The Charterer shall be at liberty to install any equipment and make alterations and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading or discharging cargo beyond that on board at the beginning of this Charter. Such work shall be done at the Charterer's expense and on its time, and shall not be such as to affect the seaworthiness of the Vessel. Such equipment, materials, and gear so fitted are to be considered Charterer's property; and, unless otherwise agreed, the Charterer shall remove the same at its expense before redelivery, and shall restore the

3. Structural changes may be made in the Vessel, her boilers, machinery or appurtenances without the prior written consent of the Owner. However, if any such structural changes are made, or if any changes are made in her boilers, machinery, appurtenances or spare parts, the Vessel upon redelivery may, or, if the Owner so requests, shall be restored to her original condition, ordinary wear and tear excepted.

4. The Charterer shall (except as otherwise expressly provided herein) pay hire for the use of the Vessel at the rate provided in Part I per calendar month and pro rata for any portion thereof, beginning with the time of her delivery, and continuing until the time of her redelivery in like good order and condition as at the time of her acceptance, ordinary wear and tear excepted, to the Owner at the port of redelivery unless the parties hereto otherwise agree, or if the Vessel be lost, until the time of her loss, if known, otherwise to the time last heard from; or in the case of a constructive total loss, as provided in Clause 17 hereof, to the time of the casualty resulting in such constructive total loss, except that where two or more successive casualties contribute to such loss, the time of the casualty last occurring shall be the time when hire ceases. Such hire shall be due and payable on the first day of each calendar month for the preceding month or portion thereof.

5. If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel as required under this Charter to make any payment to the United States by way of reimbursement of construction differential subsidy or payment of additional interest, then the Charterer shall pay to the Owner any amount so paid, in addition to the hire payable under this Charter.

6. The Charterer shall, at its own expense, maintain the Vessel, so far as possible, in at least as good condition, working order and repair as said Vessel was in at the time of her acceptance by the Charterer hereunder, ordinary wear and tear excepted. The Charterer shall drydock the Vessel and clean and paint her underwater parts every eight months, subject to postponement if such postponement is necessary in the prosecution of the war.

7. The Vessel shall be drydocked and surveyed jointly by representatives of the Charterer and the Owner before acceptance at the expense of the Charterer. Should the Charterer elect to waive drydocking before acceptance, any damage to the Vessel's bottom found on redelivery shall be presumed in the absence of proof to the contrary to have occurred subsequent to the date of delivery, and all expenses in repairing such damages shall be for the account of the Charterer.

8. The Vessel shall be surveyed jointly by representatives of the Charterer and the Owner on redelivery, to determine its condition. Such survey shall include drydocking to determine the condition of the underwater parts which shall be at the expense of the Owner, unless drydocking for cleaning and painting bottom is past due, or unless underwater damage is found or unless there is evidence that since the last drydocking the Vessel has been involved in a grounding and underwater contact, or a collision, in any of which events it shall be at the expense of the Charterer. If on the redelivery survey it shall appear that the Vessel is not in as good condition as on acceptance, ordinary wear and tear excepted, then the Charterer before redelivery shall make at its own expense all repairs, renewals, and replacements necessary to put the Vessel in at least as good

pairs, the Charterer (at its option) shall pay the Owner an amount to place the Vessel in such condition, which payment shall include: (a) an amount (payable month by month) equal to the hire herein fixed for use of the Vessel for the period of time necessary, the utmost diligence and despatch being used, for such repairing; and (b) any such further amount necessarily expended or to be expended by the Owner for insurance, wages and subsistence of master, officers and crew and other vessel expenses incurred during the period of time necessary, such diligence and despatch being used, for repairing the damage. "Ordinary wear and tear" as used in this Charter shall be deemed to mean only such ordinary wear and tear as the Vessel would be subject to in normal commercial trading.

9. The Charterer shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board at the time of delivery, in good order and condition and not in excess of the Vessel's normal requirements, and the Owner shall accept and pay for all unbroached consumable stores, fuel oil and fresh water (usable by the Owner) on board on redelivery in good order and condition and not in excess of the Vessel's normal requirements at the current market prices at the ports of delivery and of redelivery, respectively, on the respective dates of the delivery and redelivery thereof. "Consumable stores" within the meaning of this paragraph are all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 7919A (Revised Forms 1939).

10. A complete inventory of the Vessel's entire outfit, equipment, furniture, furnishings, appliances, spare and replacement parts and of all consumable stores, fuel oil and fresh water on board as of the time of the Vessel's delivery shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them as to items and as to price with respect to all consumable stores, fuel and fresh water (but if it is impracticable to make such inventory, then the Charterer will accept the Owner's inventory or reasonable estimates as to items and as to reasonable prices where pricing is required) at the time of delivery, or as soon thereafter as may be possible, and a similar inventory shall be so jointly taken and mutually agreed upon immediately after redelivery.

11. The Charterer shall have the use of all outfit, equipment, furniture, furnishings appliances, spare and replacement parts on board the Vessel from the time of delivery without extra cost (with the exception of the leased equipment), and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, ordinary wear and tear excepted, any such items lost, destroyed, damaged, or so worn in service as to be unfit for use to be replaced or made good by the Charterer in kind or value at redelivery. The Charterer shall also have the benefit of all apparatus and appliances and spare repair replacement parts on shore, at prices to be mutually agreed upon, and the Owner shall furnish the Charterer forthwith a list of such parts and equipment.

12. The Owner may, and upon demand of the Charterer shall, prior to the first departure of the vessel from its port of delivery, and thereafter at any reasonable time, remove such equipment on board as is not required for the intended employment of the Vessel.

and all expenses connected therewith after delivery, either by direct payment to the lessor thereof or by reimbursing the Owner for the rental and any other expenses under the Owner's contracts for such equipment during the period of this Charter at the Owner's option, except that the Charterer, at the beginning of the charter period may substitute any other form of agreement as to such services mutually satisfactory to the Charterer and these contractors.

14. During the period hereof, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident thereto. The Charterer and not the Owner shall have exclusive possession, control and command of said Vessel during the entire period of this Charter.

15. (a) From the time of delivery of the Vessel under this Charter, the Owner shall not be required to carry any insurance whatsoever, but (unless the Charterer shall otherwise request and the Owner shall accede thereto) the Owner shall, as promptly as may be practicable, effect the cancellation of existing policies of insurance, and the pro rata premium payable with respect to the period between the time of delivery under this Charter and the effective time of such cancellation, shall be payable by the Charterer if the Charterer's interests are covered by such insurance. Except with respect to risks covered by policies of insurance which have not been cancelled as aforesaid, the Charterer shall, effective with the time of delivery of the Vessel under this Charter, assume or insure war, marine and all other risks or liabilities of whatsoever nature or kind, including without limitation, all risks or liabilities for breach of statute or contract or for damage to property including cargo and other vessels, or for personal injuries or death of any persons whatsoever, and shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage, and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter.

(b) Subject to the foregoing provisions of this Clause with respect to the continuance of existing insurance, the Charterer will provide insurance with respect to that portion of the value of the Vessel which relates to the interest of the United States of America as mortgagee to the extent that the risks assumed by the Charterer hereunder are of such a nature that they can be insured under customary forms of marine insurance policy. If the Charterer shall insure the Vessel, in its own Insurance Fund, the Charterer shall not, either as Charterer or insurer, have any right of subrogation against the Owner on account of loss or damage to the Vessel or its machinery or appurtenances, or on account of payments made to discharge claims against or liabilities of the Vessel or the Owner covered by insurance underwritten by the Charterer. Such insurance shall not in any way limit, diminish or prejudice the Charterer's obligation to the Owner under this Charter.

16. In the event of total loss of the Vessel, the Charterer shall pay the Owner the Agreed Total Loss Valuation stated in Part I of this Charter, together with interest thereon to the date of payment at the rate of 3½ per cent per annum beginning one hundred twenty days from the date of the Vessel's loss, if known, otherwise beginning one hundred twenty days from the date she was last heard from. If such Agreed Total Loss Valuation is not applicable to this Charter, then the Charterer shall pay just compensation to be determined in accordance with Section 902 of

terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

17. In case of serious damage or injury to the Vessel during the period of this Charter, to the extent that the Charterer shall consider here to be a constructive total loss, the Charterer shall have the option of declaring her a constructive total loss by so notifying the Owner in writing. In the event of such a declaration by the Charterer, the Charterer shall forthwith pay the Owner as though the Vessel were an actual total loss. Against such payment the Owner will give the Charterer such releases and instruments granting the Vessel or the property of her remaining as the Charterer may require.

18. The Owner shall forever indemnify, hold harmless, and defend the Charterer against any liens, claims, demands, or liabilities of whatsoever nature by whomsoever asserted (including costs and reasonable attorneys' fees paid or incurred in defending such line, claim or demand, whether or not it shall be found to be valid) upon the Vessel at the time of her delivery hereunder, or arising out of the use or operation of the Vessel prior to her delivery hereunder. The Charterer shall forever indemnify, hold harmless and defend the Owner against any liens of whatsoever nature by whomsoever asserted and against any claim of lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid) whenever and by whomsoever asserted, upon the Vessel at the time of its redelivery hereunder. The Charterer shall also indemnify, hold harmless and defend the Owner and the Vessel against any claims, demands, or liabilities against them or either of them (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) arising out of the use or operation of the Vessel by the Charterer or any subcharterer, or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer. The Charterer in its use and operation of the Vessel, shall abide by, and comply with, all applicable laws and governmental rules and regulations and the terms of any governmental preferred mortgage on said Vessel and shall not use or operate the Vessel, or permit use of operation of the Vessel except in full compliance with all such laws, rules and regulations, and shall indemnify the Vessel and the Owner against any loss, claim, liability, damage, or expense on account of any such violation of law, rule, or regulation.

19. The Charterer shall at all times have the right to subcharter the Vessel as it may see fit without prejudice to this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

20. No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909 (35 Stat. 1109).

21. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

[General Order No. 13, approved June 18, 1942, 7 F.R. 4669]

WAR SHIPPING ADMINISTRATION

Sec.
303.1 Uniform sugar charter for transportation of Cuban sugar.
303.2 Uniform tanker charter party, "Warshipoilvoy".
303.3 Uniform tanker charter party, "Molasses".
303.11 Uniform bill of lading, "Warshiplading".
303.12 Size and type of bill of lading.
303.13 Authority from master to agent to sign.
303.14 Special terms and conditions.
303.15 Special arrangements on the face of bill of lading.
303.16 Short form bill of lading.
303.17 Government form of bill of lading.
303.18 Not used for bulk carriage.
303.19 Approval of other forms of bill of lading.
303.20 Clause 27 optional.
303.21 Uniform bill of lading for barges, tugs, and other vessels in barge service, "Warshiptowblading".

AUTHORITY: §§ 303.1 to 303.3, inclusive, and §§ 303.11, 303.20, and 303.21 issued under E.O. 9054, 7 F.R. 837.

§ 303.1 *Uniform sugar charter for transportation of Cuban sugar.* (a) The following form of sugar charter partly identified as Form No. 105, Warshipsugar, 5/20/42, is hereby adopted as the uniform charter for the carriage of sugar from Cuban ports to United States Atlantic and Gulf ports.

(b) Appropriate special provisions shall be inserted, either by addendum or by insertion, as the owner and the War Shipping Administration shall agree.

(c) The terms and conditions of such charter party shall become effective with respect to vessels chartered on and after June 8, 1942.

Form No. 105
Warshipsugar
5/20/42

WAR SHIPPING ADMINISTRATION

SUGAR CHARTER PARTY

This charter party, made and concluded the _____ day of _____ between _____ owner/_____ chartered owner of the good _____ vessel _____ of _____ built _____ at _____ classed _____ at _____ of the measurement of _____ tons net register according to _____ now _____, and _____ charterer.

Witnesseth, That the said owner agrees on the freighting and chartering of the whole of said vessel (with the exception of the deck, cabin, and necessary room for the crew and storage of provisions, sails, cables, and fuel), or sufficient room for the cargo hereinafter mentioned to the charterer, for a voyage from _____ vessel to load at not more than two berths or loading places in any one port or its jurisdiction, same to count as one port of loading, except that if vessel loads in the Manzanillo district, only one sub-port to be used at the one port rate), or as near thereunto as she can safely proceed and always lie afloat with safety, to_____ _____ _____ to be declared upon signing of bills of lading (charter party), on the following terms and conditions:

First. The said vessel shall be tight, staunch, strong, and in every way fitted for such a voyage as far as the exercise of due diligence can make her so, and, except as hereinafter provided as to seaworthiness and latent defects, shall receive on board during the aforesaid voyage the merchandise hereinafter mentioned.

Second. The Vessel, her Master and Owner, shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the Owner, the shipper or consignee of the cargo, their agents or representatives, insufficiency of packing, insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defect in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of th Owner. And neither the Vessel, her Master or Owner, nor the Charterer, shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder arising or resulting from: Act of God, act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lock-out or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this clause shall diminish its obligations for hire under the other provisions of this Charter.

Third. The charterer shall provide and furnish a full and complete cargo under deck,

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of sugar in bags of about 330 pounds each (the owner estimates but does not guarantee that the vessel will carry ____ bags of about 330 pounds each) and to pay to the owner, for the use of said vessel during the voyage aforesaid: Freight on sugar in bags, per 100 pounds, gross landed weight as determined by Public Weighers as follows: If to:

Freight shall be payable as follows: Seventy-five percent (75%) of freight payable in cash on the basis of gross bill of lading weight on arrival of vessel at discharging berth to the order of vessel, owner, operator or agent, and on final discharge of cargo any over or short payment to be adjusted on the gross landed weight as determined by Public Weighers' returns, free of discount or interest, at discharging berth. Bills for demurrage and/or despatch, discharging and wharfage to be settled at time of final settlement of freight.

If, however, cargo is discharged at a United States port for transshipment to a refinery at another United States port, eighty-five percent (85%) of the freight shall be payable in cash on the basis of gross bill of lading weight on arrival of vessel at discharging berth at the transshipment port to the order of Vessel, Owner, Operator or Agent, and on final delivery of cargo to the refinery any over or short payment shall be adjusted on the gross landed weight as determined by Public Weighers.

"If, however, cargo is discharged at a United States port for transshipment to a refinery at another United States port, eighty-five percent (85%) of the freight shall be payable in cash on the basis of gross bill of lading weight on arrival of vessel at discharging berth at the transshipment port to the order of Vessel, Owner, Operator or Agent, and on final delivery of cargo to the refinery any over or short payment shall be adjusted on the gross landed weight as determined by Public Weighers." [1]

Freight to be considered earned on completion of loading and non-returnable Vessel and/or cargo lost or not lost, and in the event of loss of Vessel freight is to be paid on gross bill of lading weight.

Fourth. Lay days at the rate of 7000 bags of about 330 pounds each or equivalent, per running day of 24 hours, weather permitting, Sundays and holidays not excepted, unless Vessel arrives after the end of the working day preceding a Sunday or holiday too late to permit shippers and Vessels' agents to make necessary arrangements for delivery of cargo alongside Vessel and stevedoring personnel for working on Sundays or holidays, shall be allowed to the said Charterer (if vessel is not soon loaded) for loading and shall be continuous; time employed in shifting ports, different anchorages or loading places within the same port or its jurisdiction to count as lay days. Lay days for loading to begin (unless loading commences sooner) at the beginning of the next working period after Captain reports Vessel ready to receive cargo, whether berthed or not. It is understood that the 7000 bags or equivalent referred to herein must be loaded into the ship by the Vessel, and any overtime (exclusive of ship's personnel overtime), incurred in order to load this quantity shall be shared equally by Vessel and cargo, but Charterer is obliged to have sufficient cargo alongside at all times to enable Vessel to load at the rate of 7000 bags or equivalent referred to herein, and should extra expenses be incurred due to failure of Charterer to have sufficient cargo alongside, all such extra expenses incurred shall be for account of Charterer.

If the Vessel arrives at loading port within cancellation period, and there is a strike of stevedores or other Vessel's servants in effect at the port, lay days for loading shall begin at first working period after settlement of strike, unless loading begins sooner.

In the event of a strike or strikes, riot or riots, or any other unavoidable hindrance which may prevent the delivery of cargo, and Charterer is unwilling to pay demurrage as provided below, Owner reserves the right to despatch the Vessel with such portion of cargo as may then be on board, or in ballast, if no cargo has been loaded. In either case Charterer not to be liable for dead freight or demurrage or both on cargo which is not loaded up to the time of commencement of such hindrance. Vessel Owner to notify Charterer prior to withdrawal of the Vessel.

Lay days for discharging to begin (unless discharging commences sooner) at the beginning of the next working period after Captain reports Vessel ready to discharge cargo, whether in berth or not, Sundays and holidays not excepted, unless Vessel arrives on the evening preceding a Sunday or holiday too late to permit receivers to make necessary arrangements for plant and stevedoring personnel for working on Sunday or holidays.

[1] This paragraph added by General Order 1, Supp. 4-A, dated June 5, 1942, 7 F.R. 4304.

The working period for Sunday or holiday work shall be considered as the same time as the working period for any other day, any custom of the port to the contrary notwithstanding, but not more than 24 hours to be allowed for this exemption.

Any time used rigging, removing hatches and preparing staging to count as lay time unless done before lay time commences. At discharging port, in the event of strike of stevedores or other ship's servants, the lay days for discharging shall begin at first working period after settlement of strike, unless discharge begins sooner.

Cargo to be received at port of discharge at the rate of not less than 10,500 bags of about 330 pounds each, or equivalent, per running day of 24 hours, weather permitting, Sundays and holidays not excepted.

Lay days are not reversible.

If Vessel is unable to load or discharge at the rates provided, lay days shall be computed on the basis of the Vessel's capacity for loading or discharging.

Stevedores at loading port to be appointed by Owner or his agent, Vessel paying rates not exceeding those in effect at loading port on March 16, 1942, including compensation insurance and other charges of any nature pertaining to loading. The rate of freight mentioned above is predicated on such stevedoring rates and any increase in same to be for account of cargo.

If cargo is discharged at a Florida or U. S. Gulf port for transshipment to a refinery at another U. S. port, Charterer will designate wharf or dock at which cargo is to be discharged and will nominate stevedores to perform the discharging operation at current rates, it being further understood that rates for stevedoring are not to exceed those in effect at New Orleans refineries on September 15, 1941. If Vessel discharges at any refinery, receivers to appoint stevedores, same to be paid for by the Owner, but it is understood and agreed that any increase in the cost of stevedoring for raw sugar at a refinery in excess of the rates current September 15, 1941, is to be for account of cargo.

It is understood that the cargo is to be received and delivered alongside the Vessel within reach of the ship's tackle, and any lighterage is to be at the risk and expense of the cargo.

Demurrage in loading and discharging, except as otherwise provided herein, shall be payable by the Charterer or his agent, day by day, on the basis of ------ cents (------¢) U. S. Currency per net registered tonnage of Vessel per day. Despatch money in loading and discharging shall be payable to the Charterer or his agent, if earned, at the rate of ------ cents (------¢) U. S. Currency per net registered tonnage of Vessel per lay day saved on cargo vessels and at the rate of ------ cents (------¢) U. S. Currency per ton of cargo carried per lay day saved on vessels definitely named at time of charter as mail vessels or vessels operating on customary scheduled sailings with general cargo.

If such Vessel operating on customary scheduled sailings elects to deliver by lighter instead of at berth designated by the Charterer or his agent, the cargo may be so discharged into lighters at the risk of the cargo but at the expense of the Vessel, and it is mutually understood and agreed that each lighter shall be discharged within five (5) days after same is loaded, and for each and every day's detention of the lighter or lighters beyond the free period, demurrage shall be paid by the cargo at the current rate of the port for each lighter so detained and shall constitute a lien on the goods, but no demurrage shall accrue to the Vessel.

On mail vessels and on vessels operating on customary scheduled sailings, no demurrage shall be charged at port of loading, but

the Owner reserves the right to sail the vessel without cargo, and the Charterer shall be liable for dead freight if cargo is not tendered in time to enable the Vessel to load and sail on schedule.

If demurrage is incurred or despatch is earned, it shall be computed on the basis of a twenty-four (24) hour day.

Demurrage at loading ports shall be endorsed upon bills of lading, but whether so endorsed or not, upon proof of its having been incurred, shall become a lien upon the cargo and shall be collectible in the same manner as the freight money.

Despatch at loading port shall be endorsed upon bills of lading, but, whether so endorsed at not, upon proof of its having been earned, shall be deducted upon settlement of freight.

In the event of any stoppage of work caused by adverse weather conditions, lay days shall be extended for a corresponding period in the determination of demurrage but not in the determination of despatch.

Shore Tally-men, if required, to be employed by the vessel at the expense of the vessel.

Fifth. Bills of lading on approved form shall be signed without prejudice to this charter, and subject to this contract as to freight, dead freight, and all other conditions, including loading, discharging, demurrage and despatch. Captain to sign bills of lading as presented for full or partial lots as soon as sugar is loaded on board, making proper notation on bills of lading of "not cargo bags." All bags are to be considered cargo bags unless otherwise specified and stowed separately.

Sixth. Public Weighers' count shall be used in determining outturn of cargo, and if there be any dispute in reference to count, an adjustment of such dispute must be arrived at immediately as the truck passes over the Public Weighers' scale, which must be located near the Government scale, and this adjustment must be made by a representative each of the Shipper, the Vessel, and the Consignee, and the decision arrived at by a majority of these three parties is to be final and binding on all parties hereto. Vessels shall be furnished with as many copies of Public Weighers' certificate as may be required, free of charge.

The Vessel is to deliver the total number of bags of sugar as shown by the bills of lading. Should the Vessel fail to deliver the number of bags specified in the bills of lading the Vessel owner or agent shall pay for such shortage to the Shipper or his agent, at the market quotation on the date of entry at the Custom House at the port of discharge, less freight. In the event of the Vessel having aboard a greater number of bags of sugar than called for by the bills of lading, such greater number of bags are to be delivered where landed to the order of the Shipper or his agent. All sugar cargo on board to be delivered.

Seventh. The Vessel shall have the liberty to tow and be towed, and to assist vessels in all situations, and to call at any port or ports for coal or other supplies or both.

Eighth Extra insurance premium, if any, above the customary minimum rates, to be paid by the Vessel, but in no case more than ——— cents (¢) per $100.00; which sum is to be deducted from the freight charges.

Ninth. The cargo or cargoes shall be delivered and received alongside the vessel, where she can load and discharge always safely afloat, and proceed and return always safely afloat, within reach of her tackles; and lighterage and also extra lighterage, if any, shall be at the risk and expense of the cargo.

Tenth. The Vessel shall be discharged at such wharf as Charterer may designate, where she shall pay not more than the established legal rate of wharfage, and where she may safely lie afloat and wholly alongside. The Vessel is to leave receiver's berth immediately upon completing delivery, weather and tide permitting. The Vessel will discharge at a second berth at the same discharging port, provided that the consignee pays for all extra expense of shifting, time for shifting to count.

Eleventh. The Vessel shall have an absolute lien on cargo, for freight, dead freight and demurrage, and any other charges due hereunder.

Twelfth. Lay days, if required by Charterer shall not commence before ———— ——. Charterer or his agent have the privilege of cancelling this charter should the Vessel not be at loading port ready for cargo by ——.

Thirteenth. Owner to appoint and pay agents at loading and discharging ports to attend to ship's business.

Fourteenth. The Vessel shall be free of all weighing expenses at port of discharge, notwithstanding any custom of the port to the contrary.

Fifteenth. Any and all differences and disputes of whatsoever nature arising out of this charter shall be put to arbitration at the final place of discharge unless the parties hereto otherwise agree pursuant to the provisions of the United States Arbitration Act (Title 9 of U.S.C., Chapter 213 of the Act of Feb. 12, 1925, 43 Stat. 833) except that the provisions of Section 8 thereof shall not apply to any arbitration hereunder. The decision of any two of the three on any point or points shall be final. Either party hereto may call for such arbitration by service upon any officer of the other, wherever he may be found, of a written notice specifying the name and address of the arbitrator chosen by the first moving party and a brief description of the disputes or differences which such party desires to put to arbitration. If the other party shall not, by notice served upon an officer of the first moving party within twenty days of the service of such first notice, appoint its arbitrator to arbitrate the dispute of differences specified, then the first moving party shall have the right without further notice to appoint a second arbitrator, who shall be a disinterested person, with precisely the same force and effect as if said second arbitrator had been appointed by the other party. In the event that the two arbitrators fail to appoint a third arbitrator within twenty days of the appointment of the second arbitrator, either arbitrator may apply to a Judge of any court of maritime jurisdiction in the city above mentioned for the appointment of a third arbitrator, and the appointment of such arbitrator by such Judge on such application shall have precisely the same force and effect as if such arbitrator had been appointed by the two arbitrators. Until such time as the arbitrators finally close the hearings either party shall have the right by written notice served on the arbitrators and on an officer of the other party to specify further disputes or differences under this Charter for hearing and determination. Awards made in pursuance to this Clause may include costs, including a reasonable allowance for attorney's fees, and judgment may be entered upon any award made hereunder in any Court having jurisdiction in the premises.

Sixteenth. Neither the carrier nor any corporation owned or employed by, subsidiary to or associated or affiliated with or furnishing wharfage to the carrier shall be liable for any loss or damage to the goods occurring at any time, and even though before loading on or after discharge from the vessel, by reason of any fire whatsoever, unless such fire shall be caused by its design or neglect.

Seventeenth. A commission of 1¼% upon the gross freight under this Charter is due and payable by the Vessel and Owner, upon payment of freight, to Charterer's Brokers.

Where appropriate but always subject to prior approval by the Administrator, a commission may be allowed. (General Order 1, Supp. 4-B, July 29, 1942; 7 F.R. 5914.)

All arrangements for weighers, samplers and other Customs formalities in connection with the cargo to be taken care of by the consignees and any delay in loading or discharging due to the failure of consignees to make such arrangements shall count as laytime.

Eighteenth. All bills of lading issued hereunder shall contain, directly or by reference, the following clauses:

(i) *Clause paramount.* This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further.

(ii) *Both-to-blame collision clause.* If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

(iii) *General average clause.* General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment

[1] This sentence was deleted by General Order 1, Supp. 4-B, July 29, 1942; 7 F.R. 5914.

in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

(iv) *Amended "Jason" clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers.

(v) In any situation whatsoever and wheresoever occuring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master of the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods, or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

(vi) The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry cantraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

This charter shall also be subject to the provisions of paragraphs (ii), (iii), (iv), (v) and (vi) of this Clause Eighteen.

Nineteenth. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel: *Provided, however,* That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel hereunder, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the Government of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however,* That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, the Vessel, her crew and cargo.

Twentieth. If the United States of America is a party to this charter, no member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

To the true and faithful performance of all and every one of the foregoing agreements, we, the said parties do hereby bind ourselves, our heirs, executors, administrators, and assigns, each to the other in the sum of the proved damages, but not exceeding the estimated amount of freight.

This agreement is subject to the approval of the United States Maritime Commission and any conditions imposed by said commission pursuant to the Ship Warrants Act. (Public Law 173, 77th Congress.)

In witness whereof, we hereunto set our hands the day and year first above written.

[General Order No. 1, Supp. 4, approved June 1, 1942, F.R. 4304]

§ 303.2 *Uniform tanker voyage charter party "Warshipoilvoy".* (a) Voyage charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, or his duly appointed agents, for the carriage of Petroleum and/or its products in bulk on vessels the use of which has been requisitioned or acquired by the United States on a time charter basis, shall consist of two parts, designated respectively, Part I and Part II.

(b) The form of Part I of said voyage charter shall be as follows:

Form No. 104
Warshipoilvoy
6/1/42
Part I

Contract No. ------

TANKER VOYAGE CHARTER PARTY

PART I

Charter party made as of ----------, 194.., at ---------- between the United States of America, acting by and through the War Shipping Administration (hereinafter called the "Owner") of the good ---------- ---------- MS, SS ---------- hereinafter called the "Vessel") and ---------- (hereinafter called the "Charterer")

This Charter Party consists of this Part I and Part II on the reverse hereof. Unless in this Part I otherwise provided, all of the provisions of Part II shall be part of this Charter Party as though fully incorporated herein.

Net Registered Tonnage of Vessel: ------- Classed: ---------- Loaded Draft of Vessel Applicable for this Voyage, ------ ft. ------ in. in salt water. Capacity of: ------ bbls. (of 42 American measured gallons at 60° F. each) or -------- tons of 2240 lbs. of ---------- (10% more or less, vessel's option.)
Now: ---------- Coiled: ----------
Loading Port: ----------
Cargo: ----------
Discharging Port: ----------
Freight Rate: --------Payable at:----------
Readiness date: -------Cancelling Date: -----
Hours for Loading & Discharging: --------
Demurrage per hour: ------ Last 2 cargoes: --------

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ---------- ---------- a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ---------- who signed this Agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

Secretary.

[CORPORATE SEAL]

3. The Uniform terms and conditions designated Part II, and which in the printed form hereof will appear on the reverse side of Part I, applicable to the carriage of Petroleum and/or its products on all tank vessels time chartered by the War Shipping Administration, shall be as follows:

Special provisions: ----------

In witness whereof the parties hereto have executed this agreement, in triplicate, as of the day and year first above written.

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION,
By ----------, *Agents.*
By ----------
Witness the signature of:

Witness the signature of:

Form No. 104
Warshipoilvoy
6/1/42
Part II

TANKER VOYAGE CHARTER PARTY

PART II

Loading Port Warranty Cargo Discharging Port Freight Rate Inspector's Certificate

1 (a) The Vessel, classed as aforesaid and to be so maintained during the currency of this Charter, shall, with all convenient dispatch, proceed as ordered to Loading Port or so near thereunto as she may safely get (always afloat), and being tight, staunch and strong, and having all pipes, pumps and heater coils in good working order, and being in every respect fitted for the voyage, so far as the foregoing conditions can be attained by the exercise of due diligence, perils of the sea and any other cause of whatsoever kind beyond the Owner's control excepted, shall load (always afloat) from the factors of the Charterer a full and complete cargo of Petroleum and/or its products in bulk, not exceeding what she can reasonably stow and carry over and above her tackle, apparel, stores and furniture (sufficient space to be left in the expansion tanks to provide for the expansion in. in salt water. Capacity of: ------ bbls. of the cargo), and being so loaded shall forthwith proceed, as ordered on signing Bills of Lading, to Discharging Port, or so near thereunto as she may safely get (always afloat), and deliver said cargo. The freight shall be at and after the rate stipulated in Part I hereof, based on intake quantity as shown on the Inspector's Certificate of Inspection, the services of the Petroleum Inspector to be arranged and paid for by the Charterer who shall furnish the Owner's Agent with a copy of the Inspector's Certificate. No deduction of freight shall be made for water and/or sediment contained in the Oil.

1 (b) *Freight payable.* Full freight shall be irrevocably earned on cargo as loaded, vessel and/or cargo lost or not lost; payment to be made in United States Dollars to Owner's Agent at the Agent's place of business upon receipt by the Agent of figures indicating quantity or cargo loaded as provided in 1 (a) above. On completion of loading, Owner will order vessel to sail to discharging port, Charterer nevertheless remaining liable to the Owner for all freight and charges, vessel and/or cargo lost or not lost.

1 (c). *Advances.* Cash shall be advanced by Charterer to the Master or Owner's Agents, if required, for ordinary disbursements at ports of loading and/or discharge at current rates of exchange.

2. *Time for naming loading port.* The Charterer shall name the loading port twenty-four (24) hours prior to the Vessel's readiness to sail from the last previous port of discharge, or from her bunkering port for the voyage, or upon signing this Charter if the Vessel has already sailed. Any extra expenses incurred by reason of the Charterer's delay in furnishing loading port orders shall be paid for by the Charterer, and any time thereby lost to the Vessel shall count as used lay time.

3. *Readiness and cancelling date.* Lay time shall not commence before the readiness date stipulated in Part I hereof, except with the Charterer's sanction, and should the Vessel not be ready to load by 4:00 o'clock P. M. (local time) on the cancelling date stipulated in Part I hereof, the Charterer shall have the option of cancelling this Charter by giving Owner notice of such cancellation within twenty-four (24) hours after such cancellation date; otherwise this Charter to remain in full force and effect.

4. *Notice of readiness.* The Master or his representative shall give the Charterer or his agent at the ports of loading and discharge notice in writing during ordinary business hours that the Vessel is ready to load or discharge cargo, berth or no berth, and lay time shall commence upon the expiration of six (6) hours after receipt of such notice, or upon the Vessel's arrival in berth (i. e., finished mooring when at a sealoading or discharging terminal and all fast when loading or discharging alongside a wharf), whichever first occurs: *Provided, however,* That where, because of routing instructions or other orders of the Owner over which the Charterer has no control, delay is caused to the Vessel for more than six (6) hours after notice of readiness is given, in waiting turn to load or discharge, lay time shall not commence until Vessel is berthed.

5. *Hours for loading and discharging.* Such number of running hours as are stipulated in Part I hereof shall be allowed the Charterer as lay time for loading and discharging cargo; but if the Vessel's condition or facilities do not admit of loading and discharging in the time allowed, then the additional time necessary therefor shall be included in lay time. If regulations of the Owner or port authorities prohibit loading or discharging of the cargo at night, time so lost shall not count as used lay time; if the Charterer, Shipper or Consignee prohibits loading or discharging at night, time so lost shall count as used lay time.

6 (a) *Safe berth.* The Vessel shall load and discharge at any safe place or wharf, or alongside vessels or lighters reachable on her arrival, which shall be designated and secured by the Charterer, any lighterage being at the expense, risk and peril of the Charterer, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat. The Charterer shall have the right of shifting the Vessel at ports of loading and/or discharge from one safe berth to another on payment of all expenses incurred, except as stated in Clause 14 hereof. Time consumed on account of shifting shall count as used lay time, except as stated in Clause 14.

6 (b) *Flashpoint.* No petroleum or its products having a flashpoint under 150° Fahrenheit (Closed Cup Abel Test) shall be loaded from lighters but this clause shall not restrict the Charterer from loading or topping off crude oil from vessels or barges inside or outside the bar at any port or place where bar conditions exist.

7. *Pumping in and out.* The cargo shall be pumped into the Vessel at the expense, risk and peril of the Charterer, and shall be pumped out of the Vessel at the expense of the Vessel, but at the risk and peril of the Vessel only so far as the Vessel's permanent hose connections, where delivery of the cargo shall be taken by the Charterer or its Consignee. The Vessel shall supply her pumps and the necessary steam for discharging in all ports where the regulations permit of fire on board, as well as necessary hands. Should regulations not permit fires on board, the Charterer or Consignee shall supply, at its expense, all steam necessary for discharging as well as loading, but the Owners shall pay for steam supplied to the Vessel for all other purposes. If cargo is loaded from lighters, the Vessel, if permitted to have fires on board, shall, if required, furnish steam to lighters at Charterer's expense for pumping cargo into the Vessel.

8. *Hoses.* Hoses for loading and discharging to be furnished by Charterer at its risk and expense.

9. *Deadfreight.* Should the Charterer fail to supply a full cargo, the Vessel may, at the Master's option, and shall, upon request of the Charterer, proceed on her voyage, provided that the tanks in which cargo is loaded are sufficiently filled to put her in seaworthy condition. In that event, however, dead freight shall be paid on the difference between the quantity loaded and the quantity the Vessel would have carried if loaded to her minimum permissible freeboard for the voyage.

10. *Demurrage.* Charterer shall pay demurrage per running hour and pro rata for a part thereof at the rate stipulated in Part I for all time that loading and discharging and used lay time as elsewhere herein provided exceeds the allowed lay time herein specified. If, however, demurrage shall be incurred at ports of loading and/or discharge because of fire or explosion in or about the plant, or because of breakdown of machinery of the Charterer, shipper, or consignee of the cargo, the rate of demurrage shall be reduced to one-half the rate stipulated in Part I hereof per running hour and pro rata of such reduced rate for part of an hour for demurrage so incurred.

11. *Dues, wharfage.* Dues and other charges on the cargo shall be paid by the Charterer, and dues and other charges on the Vessel shall be paid by the Owner. The Vessel, however, shall always be free of wharfage, dockage, and quay dues.

12. *Previous cargo.* The last two successive cargoes carried, or to be carried, by the Vessel immediately preceding her entering upon this Charter consisted, or will consist, of cargoes as stipulated in Part I hereof.

13. *Products excluded.* No product shall be shipped which fails to meet one or the other of the two following requirements: (1) The vapor pressure at one hundred degrees Fahrenheit (100° F.) shall not exceed thirteen pounds (13 lbs.) as determined by the A.S.T.M. Method (Reid Method) identified as D-323 current at the time shipment is made. (2) The distillation loss shall not exceed four per cent (4%) and the sum of the distillation loss and the distillate collected in the receiving graduate shall not exceed ten per cent (10%) when the thermometer reads one hundred twenty-two degrees Fahrenheit (122° F.). Note—The distillation test shall be made by A.S.T.M. Method identified as D-86 current at the time shipment is made. When products other than Naphtha or Gasoline are tested, the distillation loss may be determined by distilling not less than twenty-five per cent (25%) and deducting from one hundred per cent (100%) the sum of the volumes of the distillate and the residue in the flask (cooled to a temperature of sixty degrees Fahrenheit (60° F.)).

14. *Two ports counting as one.* The following two ports, viz., Paulsboro (New Jersey), and Marcus Hook (Pennsylvania), Paulsboro (New Jersey), and Wilmington (Delaware), Beaumont and Sabine (Texas), Baytown and Texas City (Texas), Ingleside and Harbor Island (Texas), and Baton Rouge, (Louisiana) and a safe port on the Mississippi River below Baton Rouge, respectively, shall count as one port, and all expenses incurred in shifting from Paulsboro to Marcus Hook, Paulsboro (New Jersey) to Wilmington (Delaware), or vice versa, or from Beaumont to Sabine, or from Baytown to Texas City, or from Ingleside to Harbor Island, or from Baton Rouge to a safe port on the Mississippi River below Baton Rouge or vice versa, shall be for account of the Owner,

except that any extra port charges incurred by reason of calling at the second port in each group shall be for account of the Charterer. Time consumed in shifting shall not count as used lay time.

15. *Ice.* In case port of loading or discharge should be inaccessible owing to ice, the Vessel shall direct her course according to Master's judgment, notifying by telegraph or radio, if available, the Charterer, Shipper or Consignee, who is bound to telegraph or radio orders for another port (at its option), which is free from ice, and where there are facilities for the loading or reception of Petroleum in bulk. The whole of the time occupied from the time the Vessel is diverted by reason of the ice until her arrival at an ice-free port of loading or discharge as the case may be shall be paid for by the Charterer at the rate stipulated in Part I hereof.

16. If on Vessel's arrival off the port of loading or discharge there is danger of the Vessel being frozen in, the Master shall communicate by telegraph or radio, if available, with the Charterer, Shipper or Consignee of the cargo, who shall telegraph or radio him in reply, giving orders to proceed to another port as per Clause 15, where there is no danger of ice and where there are the necessary facilities for the loading or reception of Petroleum in bulk, or to remain at the original port at their risk, and in either case Charterer to pay for the time that the Vessel may be delayed, at the rate stipulated in Part I hereof.

17. *Quarantine.* Should the Charterer send the Vessel to any port or place where a quarantine exists, any delay thereby caused to the Vessel shall count as used lay time; but should the quarantine not be declared until the Vessel is on passage to such port, the Charterer shall not be liable for any resulting delay.

18. If the Vessel, prior to or after entering upon this Charter, has docked or docks at any wharf which is not rat-free or stegomyia-free, she shall, before proceeding to a rat-free or stegomyia-free wharf, be fumigated by the Owner at his expense, except that if the Charterer ordered the Vessel to the infected wharf he shall bear the expenses of fumigation.

19. *Cleaning.* If requested by the Charterer, the Vessel will steam the tanks, pipes and pumps of the Vessel or Butterworth en route to loading port and there pump water ballast and/or slops into shore tank or barge to be supplied by Charterer immediately on arrival. Any delay in furnishing these facilities shall count as used lay time. Any further cleaning, if required, shall be done by and at the expense of Charterer and time consumed shall count as used lay time. If Charterer does not require additional cleaning at port of loading Owner shall not be responsible for any damage caused to or contamination of cargo, by reason of failure to have the tanks properly cleaned for receiving the shipment. Except as may otherwise be indicated in Part I, the Vessel shall not be responsible for leakage, shrinkage, difference between reported intake and reported outturn, deterioration, discoloration, or change in quality of the cargo, nor for any consequences arising out of shipping more than one grade of cargo.

20 (a). *Act of God, etc.* The vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage, or delay or failure in performing hereunder, arising or resulting from:—any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer or Owner, Shipper or Consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defect in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer, shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from:—Act of God; act of war; act of public enemies, pirates or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process provided bond is promptly furnished to release the Vessel or cargo; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion.

20 (b). *Water ballast.* Charges for handling, storing or disposing of water ballast at loading port to be for account of Charterer.

20 (c). *Taxes.* Any Habilitation tax, customs overtime, and taxes on freight at loading or discharging ports, also any unusual taxes, assessments and governmental charges that are not presently in effect but in the future may be imposed on the vessel or freight are to be borne by Charterer.

21. *Jason clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the cargo, shippers, consignees, or owners of the cargo shall contribute with the Owner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the cargo. If a salving ship is owned or operated by the Owner, salvage shall be paid for as fully as if the salving ship or ships belong to strangers.

22. *General average.* General average shall be adjusted, stated and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port of place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the cargo. Such cash deposit as the Owner or his agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees or owners of the cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money

23. *Deviation.* The Vessel shall have liberty to call at any ports in any order, to sail with or without pilots, to tow or be towed, to go to the assistance of vessels in distress, to deviate for the purpose of saving life or property or of landing any ill or injured person on board, and to call for fuel at any port or ports in or out of the regular course of the voyage. Any salvage shall be for the sole benefit of the Owner.

24. *Bills of lading.* Bills of Lading, in the form appearing below, for cargo shipped shall be signed by the Master as requested. Any Bill of Lading signed by the Master or Agent of the Owner shall be without prejudice to the terms, conditions and exceptions of this Charter. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel from all Consequences or liabilities that may arise from the Charterer or its agents, or the Master, signing bills of lading or other documents inconsistent with this Charter, or from any irregularity in papers supplied by the Charterer or its agents, or from complying with its or its agents' orders.

25. *Clause paramount.* All Bills of Lading issued hereunder shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated therein, and nothing therein or herein contained shall be deemed a surrender by the Owner of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of any Bill of Lading issued hereunder be repugnant to said Act to any extent, such term shall be void to that extent but no further.

26. *Both to blame.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the Owner in the navigation or in the management of the Vessel, the owners of the cargo carried hereunder will indemnify the Owner against all loss or liability to the other or non-carrying ship or her Owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said cargo, paid or payable by the other or non-carrying ship or her Owners to the owners of said cargo and set off, recouped or recovered by the other or non-carrying ship or her Owners as part of their claim against the carrying ship or Owner. The foregoing provisions shall also apply where the Owners, operators or those in charge of any ship or ships or object other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

27. *Lien.* The Owner shall have an absolute lien on the cargo for all freight, dead freight, demurrage and costs, including attorney's fees, of recovering the same, which lien shall continue after delivery of the cargo into the possession of the Charterer, or of the holders of any Bills of Lading covering the same, or of any storageman.

28. *Agents.* The Owner shall appoint Vessel's agents at all ports.

29 (a). *War clause.* In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgement of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the Vessel or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the cargo at the port of discharge, or

to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the cargo at port of shipment and upon their failure to do so, may warehouse the cargo at the risk and expense of the cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the cargo there, may discharge the cargo into depot, lazaretto, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the cargo, or any part thereof, at any such port of place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master thinks advisable and discharge the cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the cargo by any means at the risk and expense of the cargo. The Owner or the Master is not required to give notice of discharge of the cargo, or the forwarding thereof as herein provided. When the cargo is discharged from the Vessel, as herein provided, it shall be at its own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Owner shall be freed from any further responsibility for any service rendered to the cargo as herein provided the Owner shall be entitled to a reasonable extra compensation.

29 (b). The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

29 (c). In addition to all other liberties herein the Owner shall have the right to withhold delivery of, reship to, deposit or discharge the cargo at any place whatsoever, surrender or dispose of the cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the cargo shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the cargo.

30. *Priority.* All agreements of the Owner contained in this Charter Party shall be subject to any orders or instructions of priority or requisition issued by the United States Government or the Government of the flag of the Vessel or any agencies thereof, or the requirement of naval or military authorities or other Agencies of Government.

31. *Limitation of liability.* Any provision of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner or Chartered Owner of vessels by any statute or rule of law for the time being in force.

32. *Approval.* The voyage under this Charter is subject to the approval of the War Shipping Administration and any conditions imposed by said Administration pursuant to the Ship Warrants Act (Public Law 173, 77th Congress).

33. *Assignment.* Subject to the approval of War Shipping Administration, the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

34. *Breach.* Damages for breach of this Charter shall include all provable damages, and all costs of suit and attorney fees incurred in any action hereunder.

35. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

36. *Definition of "owner".* Wherever the word "Owner" appears herein same shall be deemed to include a Time Charterer, Demise Charterer, or a Requisition Charterer or user.

37. This Charter Party consists of this Part II and of Part I on the reverse hereof. Unless in this Part II otherwise provided, all of the provisions of said Part I shall be part of this Charter Party as though fully incorporated herein. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

BILL OF LADING

Shipped in apparent good order and condition by _____ on board the _____ Motorship _____ whereof _____ is Master, at the port of _____ _____ to be delivered at the port of _____ or so near thereto as the Vessel can safely get, always afloat, unto _____ Or order on Payment of freight at the rate of _____ This shipment is carried under and pursuant to the terms of the Charter dated _____ at _____ _____ between _____ _____ and _____ _____, as Charterer, and all the terms whatsoever of the said Charter except the rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.

In Witness Whereof, the Master has signed _____ Bills of Lading of this tenor and date, one of which being accomplished, the others will be void.

Dated at _____
this _____ day of _____

_____
Master

[General Order No. 2, Supp. 1, Approved June 5, 1942, 7 F.R. 4386]

§ 303.3 *Uniform tanker voyage charter party, "Molasses".* (a) Voyage Charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, or his duly appointed agents, for the carriage of molasses in bulk on vessels, the use of which has been requisitioned or acquired by the United States, on a time charter basis, shall consist of two parts, designated respectively Part I and Part II.

(b) The form of Part I of said voyage charter shall be as follows:

Form. No. 106
Warshipmolvoy
6/10/42
Part I

Contract No. ____

TANKER VOYAGE CHARTER PARTY (MOLASSES)

PART I

Charter party made as of _____ _____, 194____, at _____ _____ between the United States of America, acting by and through the War Shipping Administration (hereinafter called the "Owner") of the good _____ _____MS _____SS _____ (hereinafter called the "Vessel") and _____ (hereinafter called the "Charterer")

This Charter Party consists of this Part I and Part II on the reverse hereof. Unless in this Part I otherwise provided, all of the provisions of Part II shall be part of this Charter Party as though fully incorporated herein. Net Registered Tonnage of Vessel: _____ Classed: _____
Loaded Draft of Vessel Applicable for this Voyage, _____ ft. _____ in. in salt water.
Capacity of: _____ gallons of Molasses (10% more or less, vessel's option.)
Now: _____ Coiled: _____
Loading Port: _____
Cargo: _____
Discharging Port: _____
Freight Rate: _____ Payable at _____
Readiness Date: _____ Cancelling Date: _____
Hours for Loading and Discharging: ____ Demurrage per hour: ____ Last 2 cargoes: _____
_____
Special Provisions: _____
_____
_____

In witness whereof the parties hereto have executed this agreement, in triplicate, as of the day and year first above written.
Witness the signature of:

UNITED STATES OF AMERICA
By: WAR SHIPPING ADMINISTRATION
By: _____, Agents
By: _____
Witness the signature of: _____

(c) The uniform terms and conditions designated Part II, and which in the printed form hereof will appear on the reverse side of Part I, applicable to the carriage of Molasses in bulk on all tank vessels time chartered by the War Shipping Administration, shall be as follows:

Form No. 106
Warshipmolvoy
6/10/42
Part II

TANKER VOYAGE CHARTER PARTY (MOLASSES)

PART II

Loading port warranty cargo discharging port freight rate inspector's certificate

1 (a). The vessel, classed as aforesaid and to be so maintained during the currency of this charter, shall, with all convenient dispatch, proceed as ordered to Loading port or so near thereunto as she may safely get (always afloat), and being tight, staunch and strong, and having all pipes, pumps and heater coils in good order, and being in every respect fitted for the voyage, so far as the foregoing conditions can be attained by the exercise of due diligence, perils of the sea and any other cause of whatsoever kind beyond the Owner's control excepted, shall load (always afloat) from the factors of the Charterer a full and complete cargo of molasses in bulk, not exceeding what she can

reasonably stow and carry over and above her tackle, apparel, stores and furniture (sufficient space to be left in the expansion tanks to provide for the expansion of the cargo), and being so loaded shall forthwith proceed, as ordered on signing bills of lading to Discharging port, or so near thereunto as she may safely get (always afloat), and deliver said cargo. The freight shall be at and after the rate stipulated in Part I hereof per American measured gallon of molasses, based on bill of lading quantity, adjustable on outturn gauge as shown in the independent inspectors certificate of gauge if cargo is free of duty, or customs certificate of gauge if cargo is dutiable, a copy of certificate in either case to be furnished to owners' agent by charterer.

1 (b). *Freight payable.*—Full freight shall be irrevocably earned on cargo as loaded, vessel and/or cargo lost or not lost; payment to be made in United States dollars to owner's agent at the agent's place of business as follows:

Ninety percent on receipt of figures indicating Bill of Lading quantity shipped, notice of which shall be given promptly by Charterer to Owner's Agent; remainder on receipt of outturn gauge certificate; Bill of Lading quantity conclusive, if vessel and/or cargo lost.

The Owners will, upon completion of loading, order the vessel to sail to the discharging port, the Charterer in any case remaining liable to the Owner for all freight and charges, vessel and/or cargo lost or not lost.

1 (c). *Advances.*—Cash shall be advanced by Charterer to the Master or Owner's Agents, if required, for ordinary disbursements at ports of loading and/or discharge at current rates of exchange.

2. *Time for naming loading port.*—The Charterer shall name the loading port twenty-four (24) hours prior to the Vessel's readiness to sail from the last previous port of discharge, or from her bunkering port for the voyage, or upon signing this Charter if the Vessel has already sailed. Any extra expenses incurred by reason of the Charterer's delay in furnishing loading port orders shall be paid for by the Charterer, and any time thereby lost to the Vessel shall count as used lay time.

2 (a). *Rotation of ports.*—Except as provided in Clause 14, if vessel loads at more than one port the ports shall be in geographical rotation either toward last loading port or toward the port of discharge.

3. *Readiness and cancelling date.*—Lay time shall not commence before the readiness date stipulated in Part I hereof, except with the Charterer's sanction, and should the Vessel not be ready to load by 4:00 o'clock P. M. (local time) on the cancelling date stipulated in Part I hereof, the Charterer shall have the option of cancelling this Charter by giving Owner notice of such cancellation within twenty-four (24) hours after such cancellation date; otherwise this Charter to remain in full force and effect.

4. *Notice of readiness.* The Master or his representative shall give the Charterer or his agent at the ports of loading and discharge notice in writing during ordinary business hours that the Vessel is ready to load or discharge cargo, berth or no berth, and lay time shall commence upon the expiration of six (6) hours after receipt of such notice, or upon the Vessel's arrival in berth (i. e., finished mooring when at a sealoading or discharging terminal, and all fast when loading or discharging alongside a wharf), whichever first occurs: *Provided, however,* That where, because of routing instructions or other orders of the Owner over which the Charterer has no control, delay is caused to the Vessel for more than six (6) hours after notice of readiness is given, in waiting turn to load or discharge, lay time shall not commence until Vessel is berthed.

5. *Hours for loading and discharging.* Such number of running hours as are stipulated in Part I hereof shall be allowed the Charterer as lay time for loading and discharging cargo; but if the Vessel's condition or facilities do not admit of loading and discharging in the time allowed, then the additional time necessary therefor shall be included in lay time. If regulations of the Owner or port authorities prohibit loading or discharging of the cargo at night, time so lost shall not count as used lay time; if the Charterer, Shipper or Consignee prohibits loading or discharging at night, time so lost shall count as used lay time.

5 (a). If vessel loads at more than one port lay time shall commence at each additional port when Vessel passes over bar going in and count until Vessel passes over bar coming out. However, if the tide is suitable upon completion of loading and Vessel delays her sailing, time lost thereby shall not count as lay time. If, on completion of loading, tide is not favorable and Vessel does not sail at next favorable tide, time lost thereafter until time of sailing shall not count as lay time.

6 (a). *Safe berth.* The Vessel shall load and discharge at any safe place or wharf, or alongside vessels or lighters reachable on her arrival, which shall be designated and secured by the Charterer, any lighterage being at the expense, risk and peril of the Charterer, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat. The Charterer shall have the right of shifting the Vessel at ports of loading and/or discharge from one safe berth to another on payment of all expenses incurred, except as stated in Clause 14 hereof. Time consumed on account of shifting shall count as used lay time, except as stated in Clause 14.

7. *Pumping in and out.* The cargo shall be pumped into the Vessel at the expense, risk and peril of the Charterer, and shall be pumped out of the Vessel at the expense of the Vessel, but at the risk and peril of the Vessel only so far as the Vessel's permanent hose connections, where delivery of the cargo shall be taken by the charterer or its consignee. The Vessel shall supply her pumps and the necessary steam for discharging in all ports where the regulations permit of fire on board, as well as necessary hands. Should regulations not permit fires on board, the charterer or consignee shall supply, at its expense, all steam necessary for discharging as well as loading, but the owner shall pay for steam supplied to the vessel for all other purposes. If cargo is loaded from lighters, the Vessel, if permitted to have fires on board, shall, if required, furnish steam to lighters at Charterer's expense for pumping cargo into the Vessel.

8. *Hoses.* Hoses for loading and discharging to be furnished by Charterer at its risk and expense.

9. *Dead freight.* Should the Charterer fail to supply a full cargo, the Vessel may, at the Master's option, and shall, upon request of the Charterer, proceed on her voyage, provided that the tanks in which cargo is loaded are sufficiently filled to put her in seaworthy condition. In that event, however, dead freight shall be paid on the difference between between the quantity loaded and the quantity the Vessel would have carried if loaded to her minimum permissible freeboard for the voyage.

10. *Demurrage.* Charterer shall pay demurrage per running hour and pro rata for a part thereof at the rate stipulated in Part I for all time that loading and discharging and used lay time as elsewhere herein provided exceeds the allowed lay time herein specified. If, however, demurrage shall be incurred at ports of loading and/or discharge because of fire or explosion in or about the plant, or because of breakdown of machinery of the Charterer, shipper, or consignee of the cargo, the rate of demurrage shall be reduced to one-half the rate stipulated in Part I hereof per running hour and pro rata of such reduced rate for part of an hour for demurrage so incurred.

11. *Dues, wharfage.* Dues and other charges on the cargo shall be paid by the Charterer, and dues and other charges on the Vessel shall be paid by the Owner. The vessel, however, shall always be free of wharfage, dockage, and quay dues.

12. *Previous cargo.* The last two successive cargoes carried, or to be carried, by the vessel immediately preceding her entering upon this Charter consisted, or will consist, of cargoes as stipulated in Part I hereof.

13. *Heating cargo.* 48 hours before arrival at discharging berth, if required by Charterer, Vessel shall apply heat gradually to cargo so that on arrival at discharging berth cargo is heated to between 85° and 90° Fahrenheit at coils. If required by Charterer, after Vessel has arrived at discharging berth, Vessel shall increase temperature and maintain it to 100° Fahrenheit or over during discharge. Steam shall be supplied at Owner's expense.

14. *Two ports counting as one.* The following: Paulsboro and Philadelphia; Camden and Philadelphia; Antilla and Preston; Deseo and Guantanamo; and any two of the following: Bufadero, Nuevitas, Pastelillo and Puerto Tarafa; Guayabal, Manopla and Santa Cruz del Sur, shall be regarded as in one port, and all expenses incurred in shifting shall be for account of the Owner, except that any extra port charges by reason of calling at the second port in each group shall be for account of the Charterer. The order of ports in any of the foregoing groups shall be at the Charterer's option. Time consumed in shifting shall not count as used lay time.

15. *Ice.* In case port of loading or discharge should be inaccessible owing to ice, the vessel shall direct her course according to Master's judgment, notifying by telegraph or radio, if available, the Charterer, Shipper or Consignee, who is bound to telegraph or radio orders for another port (at its option), which is free from ice, and where there are facilities for the loading or reception of molasses in bulk. The whole of the time occupied from the time the Vessel is diverted by reason of the ice until her arrival at an ice-free port of loading or discharge as the case may be shall be paid for by the Charterer at the rate stipulated in Part I hereof.

16. If on Vessel's arrival off the port of loading or discharge there is danger of the Vessel being frozen in, the Master shall communicate by telegraph or radio, if available, with the Charterer, Shipper or Consignee of the cargo, who shall telegraph or radio him in reply, giving orders to proceed to another port as per Clause 15, where there is no danger of ice and where there are the necessary facilities for the loading or reception of molasses in bulk, or to remain at the original port at their risk, and in either case Charterer to pay for the time that the Vessel may be delayed, at the rate stipulated in Part I hereof.

17. *Quarantine.* Should the Charterer send the Vessel to any port or place where a quarantine exists, any delay thereby caused to the Vessel shall count as used lay time, but should the quarantine not be declared until the Vessel is on passage to such port, the Charterer shall not be liable for any resulting delay.

18. If the Vessel, prior to or after entering upon this Charter, has docked or docks at any wharf which is not rat-free or stegomyia-free, she shall, before proceeding to a[nother]

free or stegomyia-free wharf, be fumigated by the Owner at his expense, except that if the Charterer ordered the Vessel to the infected wharf he shall bear the expenses of fumigation.

19. *Cleaning.* If requested by the Charterer, the Vessel will steam the tanks, pipes and pumps of the Vessel or Butterworth en route to loading port and there pump water ballast and/or slops into shore tank or barge to be supplied by Charterer immediately on arrival. Any delay in furnishing these facilities shall count as used lay time. Any further cleaning, if required, shall be done by and at the expense of Charterer and time consumed shall count as used lay time. If Charterer does not require additional cleaning at port of loading Owner shall not be responsible for any damage caused to or contamination of cargo, by reason of failure to have the tanks properly cleaned for receiving the shipment. Except as may otherwise be indicated in Part I, the Vessel shall not be responsible for leakage, shrinkage, difference between reported intake and reported outturn, deterioration, discoloration, or change in quality of the cargo, nor for any consequences arising out of shipping more than one grade of cargo.

20 (a). *Act of God, etc.* The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage, or delay or failure in performing hereunder, arising or resulting from:—any act, neglect, default or barratry of the master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer or Owner, Shipper or Consignee of the cargo, their agents or representatives; insufficiency of packing; insufficient or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defect in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer, shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from:—Act of God; act of war; act of public enemies, pirates or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process provided bond is promptly furnished to release the Vessel or cargo; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion.

20 (b). *Water ballast.* Charges for handling, storing or disposing of water ballast at loading port to be for account of Charterer.

20 (c). *Taxes.* Any habilitacion tax, customs overtime, and taxes on freight at loading or discharging ports, also any unusual taxes, assessment and governmental charges that are not presently in effect but in the future may be imposed on the vessel or freight are to be borne by Charterer.

21. *Jason clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the cargo, shippers, consignees, or owners of the cargo shall contribute with the Owner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the cargo. If a salving ship is owned or operated by the Owner, salvage shall be paid for as fully as if the salving ship or ships belong to strangers.

22. *General average.* General average shall be adjusted, stated and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the cargo. Such cash deposit as the Owner or his agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees or owners of the cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

23. *Deviation.* The Vessel shall have liberty to call at any ports in any order, to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress, to deviate for the purpose of saving life or property or of landing any ill or injured person on board, and to call for fuel at any port or ports in or out of the regular course of the voyage. Any salvage shall be for the sole benefit of the Owner.

24. *Bills of lading.* Bills of Lading, in the form appearing below, for cargo shipped shall be signed by the Master as requested. Any Bill of Lading signed by the Master or Agent of the Owner shall be without prejudice to the terms, conditions and exceptions of this Charter. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel from all consequences or liabilities that may arise from the Charterer or its agents, or the Master, signing bills of lading or other documents inconsistent with this Charter, or from any irregularity in papers supplied by the Charterer or its agents, or from complying with its or its agents' orders.

25. *Clause paramount.* All Bills of Lading issued hereunder shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated therein, and nothing therein or herein contained shall be deemed a surrender by the Owner of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of any Bill of Lading issued hereunder be repugnant to said Act to any extent, such term shall be void to that extent but no further.

26. *Both to blame.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the Owner in the navigation or in the management of the Vessel, the owners of the cargo carried hereunder will indemnify the Owner against all loss or liability to the other or non-carrying ship or her Owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said cargo, paid or payable by the other or non-carrying ship or her Owners to the owners of said cargo and set off, recouped or recovered by the other or non-carrying ship or her Owners as part of their claim against the carrying ship or Owner. The foregoing provisions shall also apply where the Owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

27. *Lien.* The Owner shall have an absolute lien on the cargo for all freight, dead freight, demurrage and costs, including attorney's fees, of recovering the same, which lien shall continue after delivery of the cargo into the possession of the Charterer, or of the holders of any Bills of Lading covering the same, or of any storageman.

28. *Agents.* The Owner shall appoint Vessel's agents at all ports.

29 (a). *War clause.* In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the Vessel or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the cargo at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the cargo at port of shipment and upon their failure to do so, may warehouse the cargo at the risk and expense of the cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the cargo there, may discharge the cargo into depot, lazaretto, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the cargo, or any part thereof, at any such port or place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master thinks advisable and discharge the cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the cargo by any means at the risk and expense of the cargo. The Owner or the Master is not required to give notice of discharge of the cargo, or the forwarding thereof as herein provided. When the cargo is discharged from the Vessel, as herein provided, it shall be at its own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Owner shall be freed from any further responsibility. For any service rendered to the cargo as herein provided, the Owner shall be entitled to a reasonable extra compensation.

29 (b). The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, foutes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or

department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war-risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

29 (c). In addition to all other liberties herein the Owner shall have the right to withhold delivery of, reship to, deposit or discharge the cargo at any place whatsoever, surrender or dispose of the cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the cargo shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the cargo.

30. *Priority.* All agreements of the Owner contained in this Charter Party shall be subject to any orders or instructions of priority or requisition issued by the United States Government or the Government of the flag of the Vessel or any agencies thereof, or the requirement of naval or military authorities or other Agencies of Government.

31. *Limitation of Liability.* Any provision of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner or Chartered Owner of vessels by any statute or rule of law for the time being in force.

32. *Approval.* The voyage under this Charter is subject to the approval of the War Shipping Administration and any conditions imposed by said Administration pursuant to the Ship Warrants Act (Public Law 173, 77th Congress).

33. *Assignment.* Subject to the approval of War Shipping Administration, the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

34. *Breach.* Damages for breach of this Charter shall include all provable damages, and all costs of suit and attorney fees incurred in any action hereunder.

35. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

36. *Definition of "Owner".* Wherever the word "Owner" appears herein same shall be deemed to include a Time Charterer, Demise Charterer, or a Requisition Charterer or user.

37. This Charter Party consists of this Part II and of Part I on the reverse hereof. Unless in this Part II otherwise provided, all of the provisions of said Part I shall be part of this Charter Party as though fully incorporated herein. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

BILL OF LADING

Shipped in apparent good order and condition by _____
on board the _____
Motorship, Steamship_____
whereof _____ is Master,
at the port of _____
to be delivered at the port of_____
or so near thereto as the Vessel can safely get, always afloat, unto _____
or order on payment of freight at the rate of _____
*his shipment is carried under and pursuant to the terms of the Charter dated _____
at _____ between _____
and _____, as Charterer, and all the terms whatsoever of the said Charter except the rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.

In Witness Whereof, the Master has signed _____ Bills of Lading of this tenor and date, one of which being accomplished, the other will be void.

Dated at _____ this ____ day of _____.

_____
Master

[General Order 2, Supplement 3, Approved June 24, 1942; 7 F.R. 4930]

§ 303.11 *Uniform bill of lading.* All operators of vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America shall, on or before August 15, 1942,[1] on all outbound shipments from continental United States ports excluding Alaska, and as soon thereafter as possible on all other shipments, and on all subsequent shipments, use or cause to be used only the Uniform Bill of Lading designated as "War Shiplading 7/1/42," which shall be as follows:

War Shiplading
7/1/42

X Y Z SHIPPING COMPANY

Received from the Shipper hereinafter named, the goods or packages said to contain goods hereinafter mentioned, in apparent good order and condition, unless otherwise indicated in this bill of lading, to be transported subject to all the terms of this bill of lading with liberty to proceed via any port or ports within the scope of the voyage described herein, to the port of discharge or so near thereunto as the ship can always safely get and leave, always afloat at all stages and conditions of water and weather, and there to be delivered or transshipped on payment of the charges thereon. If the goods in whole or in part are shut out from the ship named herein for any cause, the Carrier shall have liberty to forward them under the terms of this bill of lading on the next available ship.

It is agreed that the custody and carriage of the goods are subject to the following terms on the face and back hereof which shall govern the relations, whatsoever they may be, between the shipper, consignee, and the Carrier, Master and ship in every contingency, wheresoever and whensoever occurring, and also in the event of deviation, or of unseaworthiness of the ship at the time of loading or inception of the voyage or subsequently, and none of the terms of this bill of lading shall be deemed to have been waived by the Carrier unless by express waiver signed by a duly authorized agent of the Carrier:

Ship: {M.S. / S.S._____ Voyage No. _____
Port of Loading _____
Shipper: _____
Consignee: Order of _____ or assigns
_____
If consigned to Shipper's Order arrival notice to be addressed to_____
_____
(Without liability to carrier, see Clause 12 hereof)
Port of Discharge from Ship: _____
(If goods to be transshipped at port of discharge)
Destination of Goods: _____
(See Clause 11 hereof)

THE SCOPE OF THE VOYAGE IS DESCRIBED IN CLAUSE 3 HEREOF. PARTICULARS FURNISHED BY SHIPPER OF GOODS

Marks and numbers	Quantity or number of pieces or packages	Description of goods	Gross weight pounds	Measurement

_____ @ ____ per 100 lbs...$_____
_____ @ ____ per 2,240 lbs...$_____
____ ft ____ in. @ ____ per cub. ft...$_____
____ ft ____ in. @ ____ per 40 cub. ft...$_____
_____ @ ____ ...$_____
$_____
*Freight to be prepaid—To collect $_____
$_____

*(Cross out words not applicable)

In accepting this bill of lading the shipper, consignee and owner of the goods agree to be bound by all of its stipulations, exceptions, and condition, whether written, printed, or stamped on the front or back hereof, any local customs or privileges to the contrary notwithstanding.

In witness whereof, the Master of the said ship has affirmed to _____ (Number) _____ bills of lading, all of this tenor and date, ONE of which being accomplished, the others to stand void.

Dated at _____
For the master
By _____
(Name of Agent in Print)
as Agent for the Master
By _____
B/L No._____

1. This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States of America, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the ship and throughout the entire time the goods are in the custody of the Carrier. The Carrier shall not be liable in any capacity whatsoever for any delay, non-delivery or mis-delivery, or loss of or damage to the goods occurring while the goods are not in the actual custody of the Carrier. If this bill of lading is issued in a locality where there is in force a Carriage of Goods by Sea Act or Ordinance or Statute of a similar nature to the International Convention for the Unification of Certain Rules Relating to Bills of Lading at Brussels of August 25, 1924, it is subject to the provisions stated in such Act, Ordinance and rules thereto annexed which may be in effect where this bill of lading is issued.

[1] Date changed from July 31, 1942, to August 15, 1942, by General Order 16 Supp. 1, July 22, 1942. 7 F.R. 5677.

(a) The Carrier shall be entitled to the full benefit of, and right to, all limitations of, or exemptions from, liability authorized by any provisions of sections 4281 to 4286 of the Revised Statutes of the United States and amendments thereto and of any other provisions of the laws of the United States or of any other country whose laws shall apply. If the ship is not owned by or chartered by demise to the War Shipping Administration or the Company designated herein (as may be the case notwithstanding anything that appears to the contrary) this bill of lading shall take effect only as a contract with the owner or demise charterer, as the case may be, as principal, made through the agency of the War Shipping Administration or the Company designated herein which acts as agent only and shall be under no personal liability whatsoever in respect thereof. If, however, it shall be adjudged that any other than the owner or demise charterer is carrier and/or bailee of the goods all limitations of and exonerations from liability provided by law or by the terms hereof shall be available to such other.

2. In this bill of lading the word "ship" shall include any substituted vessel, and any craft, lighter or other means of conveyance owned, chartered or operated by the Carrier used in the performance of this contract; the word "Carrier" shall include the ship, her owner, master, operator, demise charterer, and if bound hereby the time charterer, and any substituted carrier, whether the owner, operator, charterer, or master shall be acting as carrier or bailee; the word "shipper" shall include the person named as such in this bill of lading and the person for whose account the goods are shipped; the word "consignee" shall include the holder of the bill of lading, properly endorsed, and the receiver and the owner of the goods; the word "charges" shall include freight and all expenses and money obligations incurred and payable by the goods, shipper, consignee, or any of them.

3. The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not, also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the ship may sail beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and includes all canals, straits and other waters. The ship may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The ship may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the goods, known or unknown at the time of such loading and matters occurring after such loading, either with or without the goods or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, drydock, with or without cargo aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

4. In any situation whatsoever and wheresover occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Carrier or the Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the ship or any part of her cargo, to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual or agreed place of discharge in such port, the Carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon failure to do so, may warehouse the goods at the risk and expense of the goods; or the Carrier or the Master, whether or not proceeding toward or entering or attempting to enter the port of dischage or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft, or other place; or the ship may proceed or return, directly or indirectly, to or stop at any port or place whatsoever as the Master or the Carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the Carrier or the Master may retain the cargo on board until the return trip or until such time as the Carrier or the Master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the Carrier or the Master may discharge and forward the goods by any means, rail, water, land, or air at the risk and expense of the goods. The Carrier or the Master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Carrier shall be freed from any further responsibility. For any services rendered to the goods as hereinabove provided, the Carrier shall be entitled to a reasonable extra compensation.

5. The Carrier, Master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the Carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

6. Unless otherwise stated herein, the description of the goods and the particulars of the packages mentioned herein are those furnished in writing by the shipper and the Carrier shall not be concluded as to the correctness of marks, number, quantity, weight, gauge, measurement, contents, nature, quality or value. Single pieces or packages exceeding 4480 lbs. in weight shall be liable to pay extra charges in accordance with tariff rates in effect at time of shipment for loading, handling, transshipping or discharging and the weight of each such piece or package shall be declared in writing by the shipper on shipment and clearly and durably marked on the outside of the piece or package. The shipper and the goods shall also be liable for, and shall indemnify the Carrier in respect of any injury, loss or damage arising from shipper's failure to declare and mark the weight of any such piece or package or from inadequate or improper description of the goods or from the incorrect weight of any such piece or package having been declared or marked thereon, or from failure fully to disclose the nature and character of the goods.

7. Goods may be stowed in poop, forecastle, deck house, shelter deck, passenger space or any other covered in space commonly used in the trade and suitable for the carriage of goods, and when so stowed shall be deemed for all purposes to be stowed under deck. In respect of goods carried on deck all risks of loss or damage by perils inherent in such carriage shall be borne by the shipper or the consignee but in all other respects the custody and carriage of such goods shall be governed by the terms of this bill of lading and the provisions stated in said Carriage of Goods by Sea Act notwithstanding sec. 1 (c) thereof, or the corresponding provisions of any Carriage of Goods by Sea Act that may be applicable. Specially heated or specially cooled stowage is not to be furnished unless contracted for at an increased freight rate. Goods or articles carried in any such compartment are at the sole risk of the owner thereof and subject to all the conditions, exceptions and limitations as to the Carrier's liability and other provisions of this bill of lading; and further the Carrier shall not be liable for any loss or damage occasioned by the temperature, risks of refrigeration, defects or insufficiency in or accidents to or explosion, breakage, derangement or failure of any refrigerator plant or part thereof, or by or in any material or the supply or use thereof used in the process of refrigeration unless shown to have been caused by negligence of the Carrier from liability for which the Carrier is not by law entitled to exemption.

8. Live animals, birds, reptiles and fish are received and carried at shipper's risk of accident or mortality, and the Carrier shall not be liable for any loss or damage thereto arising or resulting from any matters mentioned in section 4, sub-section 2, a to p inclusive of said Carriage of Goods by Sea Act or similar sections of any Carriage of Goods by Sea Act that may be applicable, or from any other cause whatsoever not due to the fault of the Carrier, any warranty of seaworthiness in the premises being hereby waived by the shipper. Except as provided above such shipments shall be deemed goods, and shall be subject to all terms and provisions in this bill of lading relating to goods.

9. If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the Master mariner, pilot or the servants of the Carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the Carrier against all loss or liability to the other or non-carrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or non-carrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying ship or Carrier.

The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other

than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

10. General average shall be adjusted, stated and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Carrier must be furnished before delivery of the goods. Such cash deposit as the Carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees or owners of the goods to the Carrier before delivery. Such deposit shall, at the option of the Carrier, be payable in United States money and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the General Average and refunds or credit balances, if any, shall be paid in United States money.

In the event of accident, danger, damage, or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers.

11. Whenever the Carrier or the Master may deem it advisable or in any case where the goods are consigned to a point where the ship does not expect to discharge, the Carrier or master may, without notice, forward the whole or any part of the goods before or after loading at the original port of shipment, or any other place or places even though outside the scope of the voyage or the route to or beyond the port of discharge or the destination of the goods, by any vessel, vessels or other means of transportation by water or by land or by air or by any such means, whether operated by the Carrier or by others and whether departing or arriving or scheduled to depart or arrive before or after the ship expected to be used for the transportation of the goods. This Carrier, in making arrangements for any transshipping of forwarding vessel or means of transportation not operand by this Carrier shall be considered solely the forwarding agent of the shipper and without any other responsibility whatsoever.

The carriage by any transshipping or forwarding carrier and all transshipment or forwarding shall be subject to all the terms whatsoever in the regular form of bill of lading, freight note, contract or other shipping document used at the time by such carrier, whether issued for the goods or not, and even though such terms may be less favorable to the shipper or consignee than the terms of this bill of lading and may contain more stringent requirements as to notice of claim or commencement of suit and may exempt the on-carrier from liability for negligence. The shipper expressly authorizes the Carrier to arrange with any such transshipping or forwarding carrier that the lowest valuation of the goods or limitation of liability contained in the bill of lading or shipping document of such carrier shall apply even though lower than the valuation or limitation herein, provided that the shipper shall not be compelled to pay a rate higher than that applicable to the valuation contained in such bill of lading. Pending or during transshipment the goods may be stored ashore or afloat at their risk and expense and the Carrier shall not be liable for detention.

12. The port authorities are hereby authorized to grant a general order for discharging immediately upon arrival of the ship and the Carrier without giving notice either of arrival or discharge, may discharge the goods directly they come to hand, at or onto any wharf, craft or place that the carrier may select, and continuously Sundays and holidays included, at all such hours by day or by night as the Carrier may determine no matter what the state of the weather or custom of the port may be. The Carrier shall not be liable in any respect whatsoever if heat or refrigeration or special cooling facilities shall not be furnished during loading or discharge or any part of the time that the goods are upon the wharf, craft, or other loading or discharging place. All lighterage and use of craft in discharging shall be at the risk and expense of the goods. Landing and delivery charges and pier dues shall be at the expense of the goods unless included in the freight herein provided for. If the goods are not taken away by the consignee by the expiration of the next working day after the goods are at his disposal, the goods may at Carrier's option and subject to Carrier's lien, be sent to store or warehouse or be permitted to lie where landed, but always at the expense and risk of the goods. The responsibility of the Carrier in any capacity shall altogether cease and the goods shall be considered to be delivered and at their own risk and expense in every respect when taken into the custody of customs or other authorities. The Carrier shall not be required to give any notification of disposition of the goods.

13. The Carrier shall not be liable for failure to deliver in accordance with marks unless such marks shall have been clearly and durably stamped or marked by the shipper before shipment upon the goods or packages, in letters and numbers not less than two inches high, together with name of the port of discharge. Goods that cannot be identified as to marks or numbers, cargo sweepings, liquid residue and any unclaimed goods not otherwise accounted for shall be allocated for completing delivery to the various consignees of goods of like character, in proportion to any apparent shortage, loss of weight or damage. Loss or damage to goods in bulk stowed without separation from other goods in bulk of like quality, shipped by either the same or another shipper, shall be divided in proportion among the several shipments.

14. The goods shall be liable for all expense of mending, cooperage, baling or reconditioning of the goods or packages and gathering of loose contents of packages; also for any payment, expense, fine, dues, duty, tax, impost, loss, damage or detention sustained or incurred by or levied upon the Carrier or the ship in connection with the goods, howsoever caused, including any action or requirement of any government or governmental authority or person purporting to act under the authority thereof, seizure under legal process or attempted seizure, incorrect or insufficient marking, numbering or addressing of packages or description of the contents, failure of the shipper to procure consular, Board of Health or other certificates to accompany the goods or to comply with laws or regulations of any kind imposed with respect to the goods by the authorities at any port of place or any act or omission of the shipper or consignee.

15. Freight shall be payable on actual gross intake weight or measurement or, at Carrier's option, on actual gross discharged weight or measurement. Freight may be calculated on the basis of the particulars of the goods furnished by the shipper herein but the Carrier may at any time open the packages and examine, weigh, measure and value the goods. In case shipper's particulars are found to be erroneous and additional freight is payable, the goods shall be liable for any expense incurred for examining, weighing, measuring and valuing the goods. Full freight shall be paid on damaged or unsound goods. Full freight hereunder to port of discharge named herein shall be considered completely earned on shipment whether the freight be stated or intended to be prepaid or to be collected at destination; and the Carrier shall be entitled to all freight and charges due hereunder, whether actually paid or not, and to receive and retain them irrevocably under all circumstances whatsoever ship and/or cargo lost or not lost or the voyage broken up or abandoned. If there shall be a forced interruption or abandonment of the voyage at the port of shipment or elsewhere any forwarding of the goods or any part thereof shall be at the risk and expense of the goods. All unpaid charges shall be paid in full and without any offset, counterclaim or deduction in the currency of the port of shipment, or, at Carrier's option, in the currency of the port of discharge at the demand rate of New York exchange as quoted on the day of the ship's entry at the Custom House of her port of discharge. The Carrier shall have a lien on the goods, which shall survive delivery, for all charges due hereunder and may enforce this lien by public or private sale and without notice. The shipper and the consignee shall be jointly and severally liable to the Carrier for the payment of all charges and for the performance of the obligation of each of them hereunder.

16. Neither the Carrier nor any corporation owned by, subsidiary to or associated or affiliated with the Carrier shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the ship, by reason or by means of any fire whatsoever, unless such fire shall be caused by its design or neglect.

17. In case of any loss or damage to or in connection with goods exceeding in actual value $500 lawful money of the United States, per package, or, in case of goods not shipped in packages, per customary freight unit, the value of the goods shall be deemed to be $500 per package or per unit, on which basis the freight is adjusted and the Carrier's liability, if any, shall be determined on the basis of a value of $500 per package or per customary freight unit, or pro rata in case of partial loss or damage, unless the nature of the goods and a valuation higher than $500 shall have been declared in writing by the shipper upon delivery to the Carrier and inserted in this bill of lading and extra freight paid if required and in such case if the actual value of the goods per package or per customary freight unit shall exceed such declared value, the value shall nevertheless be deemed to be the declared value and any partial loss or damage shall be adjusted pro rata on the basis of such declared value.

Whenever the value of the goods is less than $500 per package or other freight unit, their value in the calculation and adjustment of claims for which the Carrier may be liable shall for the purpose of avoiding uncertainties and difficulties in fixing value be deemed to be the invoice value, plus freight and insurance if paid, irrespective of whether any other value is greater or less.

18. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the Carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the Carrier of the goods as described in the bill of lading. If the loss or damage is not apparent the notice must be given within three days of the delivery. The Carrier shall not be liable upon any claim for loss or damage unless written particulars of such claim shall be received by the Carrier within thirty days after receipt of the notice herein provided for.

19. In any event the Carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after the delivery of the goods or the date when the goods should have been delivered. Suit shall not be deemed brought until jurisdiction shall have been obtained over the Carrier and/or the ship by service of process or by an agreement to appear.

20. To avoid or alleviate preventions or delays in prosecution or completion of the voyage incident to the existence of hostilities, the Carrier has liberty and is authorized by the shipper and the owner of the goods to agree with the representatives of any government to submit the goods to examination at any place or places whatsoever and to delay delivery of the same until any restriction asserted by any governmental authority shall have been removed. The Carrier may put the goods in store ashore or afloat at the risk and expense of the owner of the same pending examination; and thereupon the Carrier's responsibility shall end. Any damage or deterioration occasioned by such examination or by delay and other risks of whatsoever nature shall be solely for account of the owner of the goods. All expenses incurred by the Carrier in relation to such detention of the goods shall be paid by the shipper or consignee or owner of the goods.

21. This Bill of Lading shall be construed and the rights of the parties thereunder determined according to the law of the United States.

22. Cargo skids and labor on quay are to be provided by ship's agent for account of consignee at current rates, and any cargo which may be ordered for delivery into fiscal deposits, must be taken by an official cartman appointed by the agent of the ship, at current rates for account and risk of consignee.

23. If any bagged or baled goods are landed slack or torn, receiver and/or consignee shall accept its proportion of the sweepings. Ship not responsible for loss of weight in bags or bales torn, mended or with sample holes.

24. Cotton: Description of the condition of the cotton does not relate to the insufficiency of or torn condition of the covering, nor to any damage resulting therefrom and Carrier shall not be responsible for damage of such nature.

25. Specie: Specie will not be shipped or landed by the Carrier; it must be put on board by the shipper, and will only be delivered on board on presentation of the bills of lading properly endorsed; it may be carried on at consignee's risk if delivery is not taken during the ship's stay in port, and in every case the liability of the Carrier shall cease when the specie leaves the ship's deck.

26. *Specified dock discharge.* If the carrier makes a special agreement, whether by stamp hereon or otherwise, to deliver the goods hereby receipted for at a specified dock or wharf at the port of discharge, it is mutually agreed that such agreement shall be construed to mean that the Carrier is to make such delivery only if, in the sole judgment of the Master, the ship can safely under her own power, proceed to, lie at, and return from said dock or wharf, always afloat at any time of tide, and only if such dock or wharf is available to the ship immediately the ship is ready to discharge the goods and, that otherwise, the ship shall discharge the goods in accordance with Clause 12 of this bill of lading, whereupon Carrier's responsibility shall cease.

27. *Freight collect.* Carrier to place insurance on collect freight for account of carrier, shipper and consignee with losses, if any, payable to carrier. Consignee to pay premium for same; but if premium is higher than shipper or consignee would pay for marine and war risk on cargo difference to be absorbed by the owners.

28. All agreements or freight engagements for the shipment of the goods are superseded by this bill of lading, and all its terms, whether written, typed, stamped, or printed, are accepted and agreed by the shipper to be binding as fully as if signed by the shipper, any local customs or privileges to the contrary notwithstanding. Nothing in this bill of lading shall operate to limit or deprive the Carrier of any statutory protection or exemption from or limitation of liability. If required by the Carrier, one signed bill of lading duly endorsed must be surrendered to the agent of the ship at the port of discharge in exchange for delivery order.

§ 303.12 *Size and type of bill of lading.* Said bill of lading when printed shall be of a uniform size 10" x 17", to be printed in type no smaller than 6 point,[1] the back thereof to be printed in two columns. All operators shall at their own expense, under agency agreements now or hereafter in effect, cause said bill of lading to be printed as aforesaid, and any such operator shall indicate its name and may also print appropriate and customary house flags, office addresses, etc., on the face thereof.

§ 303.13 *Authority from master to agent to sign.* Prior to the issuance of said bills of lading for the carriage of goods on any vessel the operator or agent thereof shall obtain the written consent of the Master of said vessel to the execution of said bills of lading, acting for and on behalf of said Master.

§ 303.14 *Special terms and conditions.* The following special terms and conditions, in addition to the terms and conditions set forth in said uniform bill of lading, shall respectively be incorporated in all bills of lading in all trades and on all routes to which they are severally appropriate, and the said special terms and conditions shall follow the general terms and conditions set forth in said uniform bill of lading:

[1] "7 point" changed to "6 point" by General Order 16, Supp. 1, July 22, 1942; 7 F.R. 5677.

Special Clauses for Particular Trades

I. At *Pernambuco*, the goods are to be dispatched at custom house within 24 hours of vessel's arrival, or they will be deposited by vessel's agents at consignee's risk and expense.

II. At *Santos*, the custom permits for the landing of these goods at wharf shall be taken out within twenty-four (24) hours after ship's arrival, or the goods may be deposited in hulk or elsewhere at consignee's risk and expense.

III. At *Buenos Aires*, should the authorities order the goods or any portion thereof to be discharged or deposited at the warehouse of the Empresa de las Catalinas the consignees are bound to accept and pay the official or special tariff applicable for the goods.

IV. At *Rosario*, the Gas Mole charges shall be for account of the goods.

V If in any situation indicated in Article 4 or 5 of this bill of lading, the goods are discharged at any port or place north of Suez, an additional freight of ____ per ton, weight or measurement, ship's option, shall be paid by the shipper and/or consignee, and the same shall be a lien on the goods.

VI. Owing to congestion at customs and bonded stores, Suez cargo may be landed in open spaces at entire risk of owner of goods.

VII. At *Montevideo*, should it be found impossible for the ship to discharge owing to there being no berth, shed, deposit or wagons available, or for lack of space on wharf at berth assigned by port authorities, or for any other cause of "force majeure" or should anything else prevent the ship from discarging on arrival, which will be verified by a declaration of the Administracion Nacional del Puerto (Port Administration), the cargo will be discharged into lighters sent by the agents for the account and risk of the consignees.

VIII Flour and lard shipped to *Rio de Janeiro* shall be landed at Trapiche, designated by the Carrier's agent at that port, the custom of said port to the contrary notwithstanding.

IX. Handling charges at *Pacific Coast Ports:* Any provisions herein to the contrary notwithstanding, goods may be received and/or delivered by Carrier at ship's tackle and receipt and delivery beyond ship's tackle shall be entirely at the option of the Carrier and solely at the expense of the shipper or consignee.

X If by reason of ice or other unforeseen accident or occurrence to or in the *Manchester Ship Canal* or its approaches the ship is prevented from proceeding to Manchester in the ordinary course and without delay, the goods shipped hereunder may at Carrier's option be delivered at the port of Liverpool against payment of the then current ocean rate of freight from the port of shipment to that port in addition to any inland freight and charges, or they may be forwarded by the Carrier for delivery at destination at the expense and risk of the owner thereof and against payment of the freight herein provided for.

XI. *London Clause* (A) The Carrier shall, at its option, be entitled to land the goods within mentioned on the quay, or to discharge them into craft hired by it immediately on arrival at dock, quay, river wharf or other wharf or landing place selected by the Carrier, and at consignee's risk and expense, the Carrier being entitled to collect the same

charges on goods entered for landing at the docks, as on goods entered for delivery to lighters. Consignees desirous of conveying their goods elsewhere, shall, on making application to the ship's agent, or to the dock or wharf company, within 72 hours, after ship shall have been reported, except as provided hereafter, be entitled to delivery in consignee's lighters or land conveyances at the following rates, to be paid with the freight to the ship's agent, against release, or to the dock or wharf company, if so directed by the ship's agent, viz.: Following wooden goods in packages; clothes-pegs, handles, blind rollers, hubs, spokes, wheels, and oars, 1/3 per ton measurement; hops, 2/9 per ton weight; lumber and logs, 2/– per ton measurement or 2/6 per ton weight at ship's option; slates, 2/– per ton weight; wheaten flour, 1/3 per ton weight. All other general cargo 1/9 per ton weight or measurement at ship's option; minimum charge, one ton.

(B) Grain for overside delivery is to be applied for within twenty-four hours of ship's arrival (for thereafter immediately it becomes clear) at any dock, quay, river wharf or other wharf or landing place selected by the ship owners or agents. In the absence of sufficient consignee's craft, with responsible persons in charge, to receive as fast as ship can discharge overside into lighters during usual working hours, the Master or agent may land or discharge into lighters at the risk and expense of the consignee. The Carrier or agent may land or discharge continuously day and/or night, any grain landed or discharged for ship's convenience during usual working hours (consignee's craft being duly in attendance) and any grain that may be landed or discharged before or after usual working hours (whether craft or then in attendance or not) is to be given up free to consignee's craft applying for same within seventy-two hours from its landing or discharge; otherwise it will be subject to the usual dock, quay, river wharf or other wharf or landing place charges.

An extra freight of 7d. per ton shall be paid to the Carrier or agent on each consignment of grain whether any portion be landed or not. The grain is to be weighed at time of discharge, either on deck and/or dock, quay, river wharf or other wharf or landing place and/or craft at ship's option. Working out charges (including weighing) as fixed by the Port of London Authority for grain in bulk and/or ship's bags are to be paid by the consignee with the freight to the ship's agent or to the authorized representative of the dock, quay, river wharf or other wharf or landing place if so directed by the ship's agent in exchange for release. Neither party shall be liable for any interference with the performance of the contract herein contained, which is caused by strikes, or lockout of seamen, lightermen, stevedores, or shore laborers, or railway or transport or other disturbances of any kind or in furtherance thereof, whether partial or otherwise, nor for any consequences thereof, and in such case the Carrier or agent shall be entitled to land or put into craft at the risk and expense of consignee. In case the grain shipped under this bill of lading forms part of a larger bulk, each bill of lading is to bear its proportion of shortage and damage, if any.

(C) Acetone, asphalt, carbon black, celluloid, cotton, cotton waste, hay, hemp, hydrolene, istle, jute, lampblack, illuminating and oil of all kinds, whether animal, vegetable, or mineral, and the liquid products of them or any of them, pitch, rags, rosin, straw, tar, turpentine, varnish, wood spirits, also any other goods of a more or less hazardous nature. Consignees to have craft in attendance immediately on ship's arrival at any discharging berth selected by the Carrier, to take delivery from ship or otherwise (at ship's option), of any of the above-mentioned commodities, the Carrier having the option of working continuously by day and/or night, and consignees to pay 1/3d. per ton weight or measurement at ship's option. If consignee's craft is not in attendance, the goods may be put into Captain's entry craft at risk and expense of consignees.

(D) *Refrigerator cargo.* Goods may be discharged immediately on arrival at dock, quay, river wharf or other wharf or landing place selected by the Carrier, who shall have the option of working continuously day and/or night and are to be removed by consignees within 24 hours after ship shall have been reported at the Custom House. Consignee is to pay 1/9d. per ton weight or measurement at ship's option, otherwise the Carrier has the right of removing or of calling upon the dock, quay or wharf authorities to receive or remove all or any part thereof for storage or realization of consignee's risk and expense.

(E) In the case of heavy timber of rafting size delivered into the water in one of the docks in the river Thames, each consignee of such timber shall pay two-thirds of the ship's dock dues payable in respect of the space occupied by his portion of such cargo so delivered into the water.

Craft which are in attendance for delivery under above clauses and stipulations shall wait free of demurrage their regular turn to receive goods or grain as required by Carrier, either from ship or quay or Captain's entry craft.

All Port of London Authority charges are to be paid by consignee of the goods, and the Carrier shall have the same lien, rights, and remedies on goods or grain referred to in the above clauses or under any other clauses of the bill of lading, as they have by law in respect to freight.

This London Clause is, in respect of goods destined to that port, to form part of this bill of lading, and any words at variance with them are hereby cancelled.

XII. On all shipments, forwarded to *Lourenco Marques, Mombasa,* and ports for transshipment, the landing, lighterage, and delivery charges, and pier dues at destination are to be paid by consignee.

§ 303.15. *Special arrangements on the face of bill of lading.* The operator shall, upon previous advice to War Shipping Administration, incorporate in bills of lading any special arrangements on the face thereof and any other special clauses respectively appropriate to the trade and route undertaken.

§ 303.16 *Short form bill of lading.* If or when a short form of bill of lading shall have been approved incorporating by reference the aforesaid terms and conditions of carriage it shall be used with the same force and effect as though the said terms and conditions had been set forth in full therein.

§ 303.17 *Government form of bill of lading.* Property of the United States of America required to be shipped pursuant to the Government Form of Bill of Lading (Standard Form No. 1058) shall continue to be so shipped and the carrier's bill of lading therein referred to shall be deemed to mean the bill of lading herein approved.

§ 303.18 *Not used for bulk carriage.* The bill of lading herein approved need not be employed for bulk cargoes (without count or mark) customarily carried pursuant to receipt forms of bills of lading issued under charters or other contracts of affreightment.

§ 303.19 *Approval of other forms of bills of lading.* The right is reserved to approve other forms of bills of lading or clauses as the Administrator may deem appropriate in special circumstances.

§ 303.20. *Clause 27 optional.*[1] Clause 27 of this General Order shall be included in the printed form of bill of lading whenever customary in a particular trade; otherwise it may be omitted. Where used it may be amended by striking therefrom the word "owners" and substituting therefor the word "carrier."

[General Order No. 16, approved July 6, 1942, 7 F.R. 5246]

§ 303.21. *Uniform bill of lading for barges, tugs and other vessels used in barge service, warshipstowblading.* (a) All operators of vessels used in barge services for the use or account of the United States of America in domestic or foreign commerce shall, on or before August 15, 1942, use or cause to be used only the Uniform Bill of lading identified as Form No. 108 Warshiptowblading 8/1/42, which shall be in the form attached.

(b) The operators shall, upon previous advice to War Shipping Administration, incorporate in such bills of lading any special arrangements on the face thereof and any other special clauses respectively appropriate to the trade and route undertaken.

(c) If or when a short form of bill of lading shall have been approved incorporating by reference the aforesaid terms and conditions of carriage it shall be used with the same force and effect as though the said terms and conditions had been set forth in full therein.

(d) Property of the United States of America required to be shipped pursuant to the Government Form Bill of Lading (Standard Form No. 1058) shall continue to be so shipped and the Carrier's bill of lading therein referred to shall be deemed to mean the bill of lading herein approved.

(e) The right is reserved to approve other forms of bills of lading or clauses as the Administrator may deem appropriate in certain circumstances.

[1] This paragraph was added by General Order 16, Supp. 3, July 30, 1942; 7 F.R. 6017.

Warshiptowblading
8/1/42
Form No. 108

UNITED STATES OF AMERICA ACTING BY AND THROUGH THE WAR SHIPPING ADMINISTRATION BY AGENT

Received from the Shipper hereinafter named, the goods or packages said to contain goods hereinafter mentioned, in apparent good order and condition, unless otherwise indicated in this bill of lading, to be transported subject to all the terms of this bill of lading with liberty to proceed via any port or ports within the scope of the voyage described herein, to the port of discharge or so near thereunto as the vessel can always safely get and leave, always afloat at all stages and conditions of water and weather, and there to be delivered or transshipped on payment of the charges thereon. If the goods in whole or in part are shut out from the vessel named herein for any cause, the Carrier shall have liberty to forward them under the terms of this bill of lading on the next available vessel.

It is agreed that the custody and carriage of the goods are subject to the following terms on the face and reverse hereof which shall govern the relations, whatsoever they may be, between the shipper, consignee, and the Carrier, Master and vessel in every contingency, wheresoever and whensoever occurring, and also in the event of deviation, or of unseaworthiness of the vessel at the time of loading or inception of the voyage or subsequently, and none of the terms of this bill of lading shall be deemed to have been waived by the Carrier unless by express waiver signed by a duly authorized agent of the Carrier:

Barge: ---------- Voyage No. ------
Port of Loading: ----------
Shipper: ----------
Consignee: Order of---------- or assigns ----------
If consigned to Shipper's Order arrival notice to be addressed to ----------
----
(Without Liability to carrier, see Clause 11 hereof)
Port of Discharge from Ship:----------

(If goods to be transshipped at port of discharge)
Destination of Goods: ----------
(See Clause 10 hereof)

THE SCOPE OF THE VOYAGE IS DESCRIBED IN CLAUSE 3 HEREOF. PARTICULARS FURNISHED BY SHIPPER OF GOODS

Marks and numbers	Quantity or number of pieces or packages	Description of goods	Gross weight, pounds	Measurement

---------- @----per 100 lbs----- $--------
---------- @----per 2,240 lbs---- $--------
----ft---in.@----per cub. ft------ $--------
----ft---in.@----per cub. ft------ $--------
----------@---- ------$--------
$--------
*Freight to be prepaid—To collect $--------
$--------

*(Cross out words not applicable)

In accepting this bill of lading the shipper, consignee, and owner of the goods agree to be bound by all of its stipulations, exceptions, and condition, whether written, printed, or stamped on the front or back hereof, any local customs or privileges to the contrary notwithstanding.

UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE WAR SHIPPING ADMINISTRATION.

By: ----------
As Agent

By: ----------
B/L No. ----------

1. This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States of America, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the vessel and throughout the entire time the goods are in the custody of the Carrier. The Carrier shall not be liable in any capacity whatsoever for any delay, non-delivery or misdelivery, or loss of or damage to the goods occurring while the goods are not in the actual custody of the Carrier.

(a) The Carrier shall be entitled to the full benefit of, and right to, all limitations of, or exemptions from, liability authorized by any provisions of section 4281 to 4286 of the Revised Statutes of the United States and amendments thereto and of any other provisions of the laws of the United States or of any other country whose laws shall apply.

2. The contract voyage contemplates carriage of the goods herein described by barge, lighter or other craft, whether or not self-propelled and in this bill of lading the word "vessel" shall include any substituted vessel, and any craft, lighter or other means of conveyance owned, chartered or operated by the Carrier used in the performance of this contract; the word "Carrier" shall include the vessel, the tug or other towing vessel used thereby, her owner, master, operator, demise charterer, and if bound hereby any time charterer, and any substituted carrier, whether the owner, operator, charterer, or master shall be acting as carrier or bailee; the word "shipper" shall include the person named as such in this bill of lading and the person for whose account the goods are shipped; the word "consignee" shall include the holder of the bill of lading, properly endorsed, and the receiver and the owner of the goods; the word "charges" shall include freight and all expenses and money obligations incurred and payable by the goods, shipper, consignee, or any of them.

3. The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not, also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the vessel may sail or be towed beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and includes all canals, straits and other waters. The vessel may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The vessel may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the goods, known or unknown at the time of such loading and matters occurring after such loading, either with or without the goods or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, dry dock, with or without cargo aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

4. In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Carrier or the Master is likely to give rise to risk of capture, seizure, detention, damage, delay or disadvantage to or loss of the vessel or any part of her cargo, to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual or agreed place of discharge in such port, the Carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon failure to do so, may warehouse the goods at the risk and expense of the goods; or the Carrier or the Master, whether or not proceeding toward or entering or attempting to enter the port of discharge, or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft, or other place; or the vessel may proceed or return, directly or indirectly, to or stop at any port or place whatsoever as the Master or the Carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the Carrier or the Master may retain the cargo on board until the return trip or until such time as the Carrier or the Master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the Carrier or the Master may discharge and forward the goods by any means, rail, water, land, or air at the risk and expense of the goods. The Carrier or the Master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the vessel, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the Carrier shall be freed from any further responsibility. For any services rendered to the goods as hereinabove provided, the Carrier shall be entitled to a reasonable extra compensation.

5. The Carrier, Master and vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharges, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such governments or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the vessel, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the Carrier shall have the right to withhold delivery or, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with

any direction, condition or agreement imposed upon or exacted from the Carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods.

6. Unless otherwise stated herein, the description of the goods and the particulars of the packages mentioned herein are those furnished in writing by the shipper and the Carrier shall not be concluded as to the correctness of marks, number, quantity, weight, gauge, measurement, contents, nature, quality or value. Single pieces or packages exceeding 4480 lbs. in weight shall be liable to pay extra charges in accordance with tariff rates or terminal charges in effect at time of shipment for loading, handling, transshipping or discharging and the weight of each such piece or package shall be declared in writing by the shipper on shipment and clearly and durably marked on the outside of the piece or package. The shipper and the goods shall also be liable for, and shall indemnify the Carrier in respect of any injury, loss or damage arising from shipper's failure to declare and mark the weight of any such piece or package or from inadequate or improper description of the goods or from the incorrect weight of any such piece or package having been declared or marked thereon, or from failure to disclose fully the nature and character of the goods.

7. In respect of goods carried on deck all risks of loss or damage by perils inherent in such carriage shall be borne by the shipper or the consignee but in all other respects the custody and carriage of such goods shall be governed by the terms of this bill of lading and the provisions stated in said Carriage of Goods by Sea Act notwithstanding sec. 1 (c) thereof.

Due to existing war conditions and to consequent lack of tonnage it is agreed that the goods herein described may be transported by a vessel not lineseed, constructed or equipped for the contract voyage and all risks of loss or damage by perils inherent in such carriage shall be borne by the shipper or consignee.

8. If the vessel comes into collision with another vessel as a result of the negligence of the other vessel and any act, neglect or default of the Master, mariner, pilot or the servants of the Carrier in the navigation or in the management of the vessel, the owners of the goods carried hereunder will indemnify the Carrier against all loss or liability to the other or non-carrying vessel or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other on non-carrying vessel or her owners to the owners of said goods and set-off, recouped or recovered by the other or non-carrying vessel or her owners as part of their claim against the carrying vessel or Carrier.

The foregoing provisions shall also apply where the owners, operators or those in charge of any vessel or vessels or objects other than, or in addition to, the colliding vessels or objects are at fault in respect of a collision or contact.

9. General Average shall be adjusted, stated and settled, according to Rules 1 to 15 inclusive, 17 to 22 inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Carrier, and as to matters not provided for by these rules, according to the laws and usages at the port of New York. In such adjustment disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the Carrier, must be furnished before delivery of the goods. Such cash deposit as the Carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees or owners of the goods to the Carrier before delivery. Such deposit shall, at the option of the Carrier, be payable in United States money and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the General Average and refunds or credit balances, if any, shall be paid in United States money.

In the event of accident, danger, damage, or disaster, before or after commencement of the voyage resulting from any cause whatosever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving vessel is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving vessel or vessels belonged to strangers.

10. Whenever the Carrier or the Master may deem it advisable or in any case where the goods are consigned to a point where the vessel does not expect to discharge, the Carrier or Master may, without notice, forward the whole or any part of the goods before or after loading at the original port of shipment, or any other place or places even though outside the scope of the voyage or the route to or beyond the port of discharge or the destination of the goods, by any vessel, vessels or other means of transportation by water or by land or by air or by any such means, whether operated by the Carrier or by others and whether departing or arriving or scheduled to depart or arrive before or after the vessel expected to be used for the transportation of the goods. This Carrier, in making arrangements for any transhipping or forwarding vessel or means of transportation not operated by this Carrier shall be considered solely the forwarding agent of the shipper and without any other responsibility whatsoever.

The carriage by any transshipping or forwarding carrier and all transshipment or forwarding shall be subject to all the terms whatsoever in the regular form or bill of lading, freight note, contract or other shipping document used at the time by such carrier, whether issued for the goods or not, and even though such terms may be less favorable to the shipper or consignee than the terms of this bill of lading and may contain more stringent requirements as to notice of claim or commencement of suit and may exempt the on-carrier from liability for negligence. The shipper expressly authorizes the Carrier to arrange with any such transshipping or forwarding carrier that the lowest valuation of the goods or limitation of liability containing in the bill of lading or shipping document of such carrier shall apply even though lower than the valuation or limitation herein, provided that the shipper shall not be compelled to pay a rate higher than that applicable to the valuation contained in such bill of lading. Pending or during transshipment the goods may be stored ashore or afloat at their risk and expense and the Carrier shall not be liable for detention.

11. The port authorities are hereby authorized to grant a general order for discharging immediately upon arrival of the vessel and the Carrier without giving notice either of arrival or discharge, may discharge the goods directly they come to hand, at or onto any wharf, craft or place that the Carrier may select, and continuously Sundays and holidays included, at all such hours by day or by night as the Carrier may determine no matter what the state of the weather or custom of the port may be. The Carrier shall not be liable in any respect whatsoever if heat or refrigeration or special cooling facilities shall not be furnished during loading or discharge or any part of the time that the goods are upon the wharf, craft, or other loading or discharging place. All lighterage and use of craft in receiving or discharging shall be at the risk and expense of the goods. Landing and delivery charges and pier dues shall be at the expense of the goods unless included in the freight herein provided for. If the goods are not taken away by the consignee by the expiration of the next working day after the goods are at his disposal, the goods may at Carrier's option and subject to Carrier's lien, be sent to store or warehouse or be permitted to lie where landed, but always at the expense and risk of the goods. The responsibility of the Carrier in any capacity shall altogether cease and the goods shall be considered to be delivered and at their own risk and expense in every respect when taken into the custody of customs or other authorities. The Carrier shall not be required to give any notification or disposition of the goods.

The cargo or cargoes shall be delivered and received alongside the Vessel, where she can load and discharge always safely afloat, and proceed and return always safely afloat, within reach of her tackles; and lighterage and also extra lighterage, if any, shall be at the risk and expense of the cargo.

12. The Carrier shall not be liable for failure to deliver in accordance with marks unless such marks shall have been clearly and durably stamped or marked by the shipper before shipment upon the goods or packages, in letters and numbers not less than two inches high, together with name of the port of discharge. Goods that cannot be identified as to marks or numbers, cargo sweepings, liquid residue and any unclaimed goods not otherwise accounted for shall be allocated for completing delivery to the various consignees of goods of like character, in proportion to any apparent shortage, loss of weight or damage. Loss or damage to goods in bulk stowed without separation from other goods in bulk of like quality, shipped by either the same or another shipper, shall be divided in proportion among the several shipments.

13. The goods shall be liable for all expense of mending, cooperage, baling or reconditioning of the goods or packages and gathering of loose contents of packages; also for any payment, expense, fine, dues, duty, tax, impost, loss, damage or detention sustained or incurred by or levied upon the Carrier or the ship in connection with the goods, howsoever caused, including any action or requirement of any government or governmental authority or person purporting to act under the authority thereof, seizure under legal process or attempted seizure, incorrect or insufficient marking, numbering or addressing of packages or description of the contents, failure of the shipper to procure consular, Board of Health or other certificates to accompany the goods or to comply with laws or regulations of any kind imposed with respect to the goods by the authorities at any port or place or any act or omission of the shipper or consignee.

14. Freight shall be payable on actual gross intake weight or measurement or, at Carrier's option, on actual gross discharged weight or measurement. Freight may be calculated on the basis of the particulars of the goods furnished by the shipper herein but the Carrier may at any time open the packages and examine, weigh, measure and value the goods. In case shipper's particulars are found to be erroneous and additional freight is payable, the goods shall be liable for any expense incurred for examining, weighing, measuring, and valuing the goods. Full freight shall be paid on damaged or unsound goods. Freight on sugar shall be payable as follows: Eighty-five percent (85%) of freight payable in cash on the basis of gross bill of lading weight on arrival of Vessel at discharging berth to the order of Vessel, Owner, Operator or Agent, and on final discharge of cargo any over or short payment to be adjusted on the gross landed weight as determined by Public Weighers' returns, free of discount or interest. Full freight hereunder to port of discharge named herein shall be considered completely earned on shipment whether the freight be stated or intended to be prepaid or to be collected at destination; and the Carrier shall be entitled to all freight and charges due hereunder, whether actually paid or not, and to receive and retain them irrevocably under all circumstances whatsoever vessel and/or cargo lost or not lost or the voyage broken up or abandoned. If there shall be forced interruption or abandonment of the voyage at the port of shipment or elsewhere any forwarding of the goods or any part thereof shall be at the risk and expense of the goods. All unpaid charges shall be paid in full and without any offset, counterclaim or deduction in the currency of the port of shipment, or, at Carrier's option, in the currency of the port of discharge, at the demand rate of New York exchange as quoted on the day of the vessel's entry at the Custom House of her port of discharge. The Carrier shall have a lien on the goods, which shall survive delivery, for all charges due hereunder and may enforce this lien by public or private sale and without notice. The shipper and the consignee shall be jointly and severally liable to the Carrier for the payment of all charges and for the performance of the obligation of each of them hereunder.

15. Neither the Carrier nor any corporation owned by, subsidiary to or associated or affiliated with the Carrier shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the vessel, by reason or by means of any fire whatsoever, unless such fire shall be caused by its design or neglect.

16. In case of any loss or damage to or in connection with goods exceeding in actual value $500 lawful money of the United States, per package, or, in case of goods not shipped in packages, per customary freight unit, the value of the goods shall be deemed to be $500 per package or per unit, on which basis the freight is adjusted and the Carrier's liability, if any, shall be determined on the basis of a value of $500 per package or per customary freight unit, or pro rata in case of partial loss or damage, unless the nature of the goods and a valuation higher than $500 shall have been declared in writing by the shipper upon delivery to the Carrier and inserted in this bill of lading and extra freight paid if required and in such case if the actual value of the goods per package or per customary freight unit shall exceed such declared value, the value shall nevertheless be deemed to be the declared value and the Carrier's liability, if any, shall not exceed the declared value and any partial loss or damage shall be adjusted pro rata on the basis of such declared value.

Whenever the value of goods is less than $500 per package or other freight unit, their value in the calculation and adjustment of claims for which the Carrier may be liable shall for the purpose of avoiding uncertainties and difficulties in fixing value be deemed to be the invoice value, plus freight and insurance if paid, irrespective of whether any other value is greater or less.

17. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the Carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the Carrier of the goods as described in the bill of lading. If the loss or damage is not apparent the notice must be given within three days of the delivery. The Carrier shall not be liable upon any claim for loss or damage unless written particulars of such claim shall be received by the Carrier within thirty days after receipt of the notice provided for.

18. In any event the Carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after the delivery of the goods or the date when the goods should have been delivered. Suit shall not be deemed brought until jurisdiction shall have been obtained over Carrier and/or the ship by service of process or by an agreement to appear.

19. To avoid or alleviate preventions or delays in prosecution or completion of the voyage incident to the existence of hostilities, the Carrier has liberty and is authorized by the shipper and the owner of the goods to agree with the representatives of any government to submit the goods to examination at any place or places whatsoever and to delay delivery of the same until any restriction asserted by any governmental authority shall have been removed. The Carrier may put the goods in store ashore or afloat at the risk and expense of the owner of the same pending examination; and thereupon the Carrier's responsibility shall end. Any damage or deterioration occasioned by such examination or by delay and other risks of whatsoever nature shall be solely for account of the owner of the goods. All expenses incurred by the Carrier in relation to such detention of the goods shall be paid by the shipper or consignee or owner of the goods.

20. This Bill of Lading shall be construed and the rights of the parties thereunder determined according to the law of the United States.

21. Cargo skids and labor on quay are to be provided by vessel's agent for account of consignee at current rate, and any cargo which may be ordered for delivery into fiscal deposits, must be taken by an official cartman appointed by the agent of the vessel, at current rates for account and risk of consignee.

22. If any bagged or baled goods are landed slack or torn, receiver and/or consignee shall accept its proportion of the sweepings. Ship not responsible for loss of weight in bags or bales torn, mended or with sample holes.

23. The carriage herein contemplated is upon a multiple tow basis, any custom or practice of the trade to the contrary notwithstanding; and it shall not be deviation or a violation of this contract for the carrier to proceed to other point or points whether or not within the same port for the purpose of making tow and whether or not such other point or points are in or out of the advertised, geographical, usual or ordinary route or order.

24. All agreements or freight engagements for the shipment of the goods are superseded by this bill of lading, and all its terms, whether written, typed, stamped, or printed, are accepted and agreed by the shipper to be binding as fully as if signed by the shipper, any local customs or privileges to the contrary notwithstanding. Nothing in this bill of lading shall operate to limit or deprive the Carrier of any statutory protection or exemption from or limitation of liability. If required by the Carrier, one signed bill of lading duly endorsed must be surrendered to the agent of the vessel at the port of discharge in exchange for delivery order.

25. Public Weighers' count shall be used in determining outturn of sugar cargo, and if there be any dispute in reference to count, an adjustment of such dispute must be arrived at immediately as the truck passes over the Public Weighers' scale, which must be located near the Government scale, and this adjustment must be made by a representative each of the Shipper, the Vessel, and the Consignee, and the decision arrived at by a majority of these three parties is to be final and binding on all parties hereto. Vessel shall be furnished with as many copies of Public Weighers' certificate as may be required, free of charge.

[General Order 16, Supp. 2, approved July 27, 1942; 7 F.R. 6014]

PART 304—LABOR

Sec.
304.1 Creation of Pacific Coast Maritime Industry Board.
304.2 Membership.
304.3 Delegation of power.
304.4 Consultation with Pacific Coast Director of Administration.
304.5 Surveys.
304.6 Rules and regulations.
304.7 Reports to Administrator.
304.8 Restrictions of employment of certain foreign nationals on American flag vessels.
304.9 Restriction of employment of certain foreign nationals on Panamanian and Honduran flag vessels.
304.10 Employment of officers and crews for all American flag vessels and Panamanian and Honduran flag vessels.

AUTHORITY: §§ 304.1 to 304.10 inclusive issued under E.O. 9054; 7 F.R. 837.

§ 304.1 *Creation of Pacific Coast Maritime Industry Board.* There is hereby created a Pacific Coast Maritime Industry Board (hereinafter referred to as the Board) as an agency of and within the War Shipping Administration.

§ 304.2 *Membership.* The Board shall consist of five members: a Chairman (and a Vice-Chairman to act in his absence), two representatives of the owners, operators, or agents on the Pacific Coast, and two representatives of the longshore unions on the Pacific Coast:

(a) *Chairman.* The Chairman shall be appointed by the Administrator.

(b) *Employer and Union Representatives and Alternates.* The representatives of the employers and the unions shall be appointed by the Administrator. He may also designate two employer alternates and four union alternates. The four union alternates shall be divided equally by the A. F. of L. and C. I. O. unions. In matters arising in ports in which the A. F. of L. unions represent the stevedores for collective bargaining purposes, the two A. F. of L. alternates shall, at the request of the Chairman, serve on the Board as the union representatives. The Administrator may at any time revoke such employment or designation as representative or alter-

nate and make a new appointment or designation.

(c) *Vice-chairman.* The Vice-Chairman shall be selected by the Chairman with the approval of the Administrator, and will act as Chairman in the absence of the Chairman and shall have full power granted to the Chairman.

§ 304.3 *Delegation of power.* Subject to such directives as may be issued and such policies as may be determined by the Administrator, the Board shall have all the power vested in the Administrator by Executive Order of the President, (No. 9054), dated February 7, 1942, to coordinate the efforts of the employer and employee groups on the Pacific Coast for the purpose of increasing efficiency in loading and discharging vessels in that area.

§ 304.4 *Consulation with Pacific coast Director of Administration.* The Board shall consult with the Pacific Coast Director of the War Shipping Administration with regard to matters that affect efficiency in the Longshore Industry as well as with regard to matters that affect efficiency in the Marine and Longshore Industries jointly.

§ 304.5 *Surveys.* The Board shall from time to time conduct surveys of the loading and discharging of vessels on the Pacific Coast for the purpose of recommending to the Administrator and to the Industry (employer and employee groups alike) measures to increase the efficiency thereof; to devise methods to increase efficiency and also ways and means to waive collective bargaining agreements and any rights therein of either party to such agreements if the Board determines such waiver to be in the interest of the war effort.

§ 304.6 *Rules and regulations.* The Board shall have power to promulgate rules and regulations appropriate for the performance of its duties.

§ 304.7 *Reports to Administrator.* The Board shall from time to time report to the Administrator on its activities hereunder and on the status of the efficiency of ship loading and discharging operations on the Pacific Coast, insofar as such operations are related to the prosecution of the war effort. [General Order No. 5, approved March 11, 1942, 7 F.R. 2176]

§ 304.8 *Restrictions of employment of certain foreign nationals on American flag vessels.* All owners, operators, and agents of vessels registered under the laws of the United States of America, are hereby instructed not to employ on any vessel registered under the laws of the United States of America any Norwegian, Netherlands, Belgian, Polish, Yugoslavian, Greek or British national who was not so employed on April 8, 1942, or had not been so employed prior thereto, except by consent of a properly accredited consular representative of the nation involved. (Addition to General Order No. 5, approved February 7, 1942, 7 F.R. 2761)

§ 304.9 *Restriction of employment of certain foreign nationals on Panamanian and Honduran flag vessels.* All owners, operators, and agents of vessels registered under the laws of the Republics of Panama and Honduras, are hereby instructed not to employ on any vessel registered under the laws of the Republics of Panama or Honduras any Norwegian, Netherlands, Belgian, Polish, Yugoslavian, Greek or British national who was not so employed on April 8, 1942, or had not been so employed prior thereto, except by consent of a properly accredited consular representative of the nation involved. [Addition to General Order No. 5, approved February 7, 1942, 7 F.R. 2761]

§ 304.10. *Employment of officers and crews for all American flag vessels and Panamanian and Honduran flag vessels.* All owners, operators, agents, Maritime Unions and others employing officers and crews for vessels registered under the laws of the United States of America and the Republics of Panama and Honduras will be governed by the following regulations:

(a) Graduates of the following training stations, who have not previously accepted positions prior to the date of this Order, may be employed upon graduation only through the offices of the Recruitment and Manning Organization of the War Shipping Administration:

Fort Trumbull, New London, Conn.
Government Island, Alameda, Calif.
United States Merchant Marine Academy, New York, N. Y.
California Maritime Academy.
Maine Maritime Academy.
Massachusetts Maritime Academy.
New York State Maritime Academy.
Hoffman Island, New York, N. Y.
St. Petersburg, Fla.
Sheepshead Bay, N. Y.
Port Hueneme, Calif.
Gallups Island Radio School, Boston, Mass.

(b) All graduates of the aforesaid training schools shall be assigned to ships through the offices of the Recruitment and Manning Organization, located at:

(1) 200 Bush Street, San Francisco, California;

(2) 45 Broadway, New York, New York;

(3) Federal Office Building, New Orleans, Louisiana; and

(4) Such other port offices as the Director of the Recruitment and Manning Organization may designate.

(c) Graduates of the aforesaid training stations who are assigned to vessels operating under preferential collective bargaining agreements with maritime unions with respect to the particular ratings involved will, upon the request of the union having such agreement, be assigned to vessels through the office of the Recruitment and Manning Organization via the established union hiring hall or employment center operated by said maritime union.

(d) All owners, operators, agents, maritime unions and other persons employing officers and crews are requested immediately to advise the Recruitment and manning Organization, War Shipping Administration, Washington, D. C., of any agreements with, or commitments to, any trainee who is now in training at one of the aforesaid training stations, concerning employment upon his graduation, including in such information the name of the trainee, the date of his graduation, and the substance of the agreement or commitment.

(e) This order shall take effect immediately. (Approved July 25, 1942) [General Order No. 17, 7 F.R. 5785]

PART 305—INSURANCE

AUTHORITY: §§ 305.1 to 305.42, inclusive, issued under Pub. Law 482, 77th Congress; §§ 305.50 to 305.71, inclusive, issued under 49 Stat. 1985; 46 U.S.C., ch. 27.

WAR RISK INSURANCE

Pursuant to the authority contained in the Act approved March 6, 1942 (Public Law 482—77th Congress, 2d Session), the following rules and regulations for the underwriting by the War Shipping Administration of war risk insurance on hulls, cargoes and crew interests are hereby promulgated.

WAR RISK INSURANCE

SUBPART A—GENERAL RULES

Sec.
305.1 Submission of risks.
305.2 Requests for quotations.
305.3 Expiration of quotations.
305.4 Acceptance of quotations and evidence thereof.
305.5 Attachment of insurance.
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305.11 Information required for cargo quotations.
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SUBPART C—SPECIAL RULES APPLICABLE TO WAR RISK INSURANCE ON HULL

305.21 Information required for hull quotations.
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305.31 Information required for crew interests quotations.
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305.62 Extended transshipment clause.
305.63 Goods sold while en route.
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305.66 Exports to territories and possessions of the United States; inclusive endorsement.
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305.68 Shipments between ports in the continental United States.
305.69 Authorization to agents to execute endorsements.
305.70 Definition of imports.
305.71 Privilege to place additional insurance.

SUBPART A—GENERAL RULES

§ 305.1 *Submission of risks.* All risks should be submitted by letter or telegram addressed to the War Shipping Administration, Washington, D. C., and directed to the attention of the Wartime Insurance Committee. Where risks are offered by telephone, telegraphic confirmation must also be received by the Wartime Insurance Committee before any quotation will be made.

§ 305.2 *Requests for quotations.* Requests for quotations should be received by the Wartime Insurance Committee not later than 4:00 P. M. (Eastern War Time) on the date quotation is desired.

§ 305.3 *Expiration of quotations.* Unless otherwise stipulated by the Wartime Insurance Committee, quotations will hold good until 3:00 P. M. (Eastern War Time) of the first business day following quotation and will expire at that time if not accepted.

§ 305.4 *Acceptance of quotations and evidence thereof.* Acceptance of quotation must be evidenced by (a) telegraphic notice to the Wartime Insurance Committee filed prior to 3:00 P. M. (Eastern War Time) of the first business day following quotation, and (b) delivery of a certified check, cashier's check or money order, made payable to the War Shipping Administration and bearing the serial number of the binder for identification, to War Shipping Administration, Washington, D. C., or any of the following district agents, managers and/or representatives: Baltimore, Md., Boston, Mass., Galveston, Texas, Los Angeles, Calif., Mobile, Alabama, New Orleans, La., New York, N. Y., Norfolk, Va., Philadelphia, Pa., Seattle, Wash., not later than 3:00 P. M. (Eastern War Time) of the first business day following quotation.

§ 305.5 *Attachment of insurance.* No insurance will attach until acceptance of risk has been affected as provided above.

§ 305.6 *Reservation of right to decline quotation.* The Administration reserves the right to decline to quote on any risk submitted, or to defer quoting on risks where prompt sailing of the vessel is not anticipated.

SUBPART B—SPECIAL RULES APPLICABLE TO WAR RISK INSURANCE ON CARGO

§ 305.11 *Information required for cargo quotations.* All requests for quotations, if forwarded by mail, should contain the following information: (a) Name of party to be insured; (b) Payee in event of loss; (c) Description and quantity of goods; (d) Identification of goods insured (i. e. marks and numbers, bill of lading number, or other specific identification); (e) voyage to be insured; (f) Amount of insurance; (g) Name of vessel or steamship line, if know; (h) Anticipated date of shipment from point of origin, whether port or interior. Requests for quotations made by telegram should not contain vessel's name or anticipated date of shipment, but such information should be included in an air mail letter of even date and telegram should state that such a letter has been sent. Copy of said air mail letter should be attached to check delivered to Administration for payment of premium.*

§ 305.12 *Time for shipment.* Risks insured by the Administration must be shipped and in transit within 30 days of date of binder, unless extension of this period is granted by the Wartime Insurance Committee.

§ 305.13 *Interruption or termination of transit.* If transit of goods is interrupted or terminated by the shipper, the consignee, or the assured, or any party acting under their instructions, the insurance shall forthwith terminate unless otherwise agreed on behalf of the Administration by the Wartime Insurance Committee.

§ 305.14 *Special clauses.* All insurances shall be subject to the following clauses, unless otherwise stipulated by the binder:

(a) *Valuation of goods.* In event of loss the valuation of the goods insured hereunder shall not exceed the invoice cost, or if there be no invoice the value of the goods at time and place of shipment, plus transportation and insurance costs actually incurred with respect to the shipment, plus 10%.

(b) *Not water-borne warranty.* Warranted that the goods insured hereunder have not become water-borne on overeas vessels on or prior to the date of this insurance.

Provided, however, That on shipments attaching in United States ports, the following clause may, upon application, be substituted for clause (b)

(c) *Good safety warranty.* Warranted that the interest insured is in good safety in a United States port at day and hour of attachment of risk.

§ 305.15 *Cancellation of insurance.* Insurance once bound is not subject to cancellation unless the goods insured are not shipped and unless policies and binder are returned for cancellation.

§ 305.16 *Coverage at intermediate ports.* Where application therefor is made at the time insurance is bound, the Administration will consider granting, at additional premium, the following indorsement:

In consideration of an additional premium of $_____ it is understood and agreed that Clause 4 (c) of this policy is deleted. It is further understood and agreed that if, owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to cover, subject to its terms, to such substituted destination without further additional premium.

SUBPART C—SPECIAL RULES APPLICABLE TO WAR RISK INSURANCE ON HULL

§ 305.21 *Information required for Hull Quotations.* All requests for quotations, if forwarded by mail, should contain the following information: (a) Flag of vessel; (b) Name of owner; (c) Voyage for which quotation requested and anticipated number of days involved; (d) Amount of insurance requested and total value of vessel for war risk insurance purposes; (e) Statement as to commercial war risk insurance rates; (f) Name of vessel; (g) Expected sailing date. If such requests are forwarded by telegram, name of vessel and sailing date must not appear in the telegram; but such telegram must be supplemented by an air mail letter of even date providing such information, and the telegram must state that such a letter has been sent. Copy of said air mail letter should be attached to check delivered to Administration for payment of premium.

§ 305.22 *Time for sailing.* Vessels insured by the Administration must sail within 30 days of acceptance of risk unless an extension is granted by the Administration and an additional premium paid, if required, or unless some shorter period of time is stipulated by the Administration at time of quotation.

§ 305.23 *Rules accepted subject to current rules, etc.* All risks accepted by the Administration will be subject to the current rules, regulations, conditions and policy forms as prescribed by the Administration, and to the possession by the Assured of a United States Warrant, and in certain instances of a British Ship Warrant.

§ 305.24 *Safe in port warranty.* Unless otherwise specially agreed, all insurances shall be subject to the following warranty:

Warranted vessel safe in port at time of attachment of this insurance.

§ 305.25 *Fixed rates on fleets.* Where an owner desires to insure all of his vessels, or all of his vessels operating in a stated trade, with the War Shipping Administration, the Administration will give consideration to naming fixed rates for all risks attaching within a period of 30 days or 60 days. Where such rates are named by the Administration they must be accepted within 48 hours or such other period as may be stipulated by the Administration. Thereafter, the owner has an obligation to report all such risks to the Administration but no insurance shall attach until such report is made and premium paid as hereinbefore specified. Such reports, containing name of steamer and attachment date, should not be sent by telegram but should be mailed in sufficient time to permit receipt by the War Shipping Administration prior to date of attachment of risk.

SUBPART D—RULES APPLICABLE TO WAR RISK INSURANCE ON CREW INTERESTS

§ 305.31 *Information required for crew interests quotations.* Insurances on crew interests must be submitted to the Administration in accordance with the rules specified for insurance on hulls but the request for quotation should include: (a) Where crew life and dismemberment insurance is required, a statement of the total number of master, officers and crew and total amount of insurance desired; (b) Where insurance covering crew's personal effects is required, a statement of the total amount of such insurance desired, and (c) Where insurance covering owners liability for wages and emergency wages during repatriation or detention is required, a statement as to the annual payroll and as to the total amount of insurance desired. Where insurance is desired for more than one year's wages, the rate quoted by the Administration will be applied to the annual payroll.

§ 305.32 *Decision of Maritime War Emergency Board.* Subject to the limits of insurance requested by the owners of the vessel in each case, insurances on crew interests will be in accordance with the decisions of the Maritime War Emergency Board, in effect at time of binding risk.

SUBPART E—AMENDMENTS TO RULES

§ 305.41 *Incorporation of amendments in bulletins.* Amendments to these rules and regulations will be incorporated in a series of bulletins which will be issued by the Administration from time to time and which will be numbered consecutively. Copies of these bulletins will be available upon request to parties properly interested therein. The foregoing rules and regulations will be incorporated in Bulletin No. 1 of such series.

§ 305.42 *Schedules of war risk rates.* Schedules of war risk rates will be similarly issued by the Administration. Where special circumstances exclude particular ships or cargoes from the rates quoted in the bulletins, rates may be named upon application to the War-time Insurance Committee. (Approved, March 16, 1942) [General Order No. 6, 7 F.R. 2748]

OPEN CARGO RISK INSURANCE

Effective as of August 1, 1942, the War Shipping Administration is prepared to provide open cargo war risk insurance policies covering imports to the continental United States (excluding Alaska), from foreign ports and from territories and possessions of the United States (including Alaska). Such open policies will be subject to the standard war risk import open cargo policy form of the War Shipping Administration hereinafter referred to as the Warshipopencargo Form and published in the FEDERAL REGISTER as a part hereof. All such policies will be issued on behalf of the War Shipping Administration by Underwriting Agents appointed by the Administration for this purpose. Underwriting Agents will in all instances be insurance companies licensed to do a marine insurance business in a State of the United States.

§ 305.50 *Rules of procedure on open cargo war risk insurance on import cargoes.* The following specific rules have been promulgated in connection with insurance under such open policies:

(a) Applications for open policies must be filed in accordance with the form attached hereto, such filing to be made to an Underwriting Agent of the War Shipping Administration. All applications for open policies must specify the basis of valuation to be incorporated therein. The Assured shall have the option at the time of application of selecting one of the two following alternative bases of valuation:

(1) Invoice cost, plus transportation and insurance charges actually incurred with respect to the insured shipment, plus such percentage thereof as may be specified in the policy but not exceeding 10%. Where invoice is in foreign currency, amount to be converted to U. S. dollars at the mean rate of exchange at New York upon date of shipment as indicated by the Bill of Lading or otherwise.

(2) A value per unit to be specified in the policy.

Regardless of which option is selected, the assured shall recover only his actual out of pocket loss and the policy shall embody the following clause:

"In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the Assured exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code."

(b) All applications for open cargo war risk insurance policies must maintain with the War Shipping Administration either a collateral deposit fund or a surety bond subject to the following regulations:

(1) Applicant wishing to establish a collateral deposit fund in compliance with the foregoing may do so by depositing with the Underwriting Agent of the War Shipping Administration through whom the open policy is to be issued a certified check or cashier's check payable to the order of the Treasurer of the United States in an amount as hereinafter provided, together with a letter of transmission in duplicate in accordance with the attached form. Such deposit when received will be held under a serial number assigned thereto until the cancellation of said open cargo policy and until final settlement of all premiums due thereunder has been effected. Until such time no part of such collateral deposit fund will be returned to the depositor unless otherwise specifically agreed by the War Shipping Administration. Assureds depositing additional certified or cashier's checks or money orders with the Underwriting Agent in order that their collateral deposit fund may be at all times sufficient to comply with Clause 13 of Part II of said Open War Risk Insurance Policy should refer to the serial number given to the original deposit as provided in Paragraph C of this bulletin.

In the event any Assured fails to pay all premiums due under any Open War Risk Insurance Policy issued to him by the War Shipping Administration as the same become due and payable, the War Shipping Administration reserves the right to cancel the policy in accordance with its terms and to deduct such due amounts from such Assured's collateral deposit fund.

No deposit will be accepted in accordance with the terms of this supplement unless amounting to $1,000.00 or more.

(2) Applicant wishing to furnish a surety bond in compliance with the foregoing shall present to the Underwriting Agent of the War Shipping Administration through whom the policy is issued a surety bond executed by the Assured as Principal and by the Surety, the bond to be in the amount desired by the Assured: *Provided, however,* That in no event shall it be for an amount less than $1,000. The sufficiency of the surety shall be subject to approval by the War Shipping Administration: *Provided, however,* That the Underwriting Agent may accept on behalf of the War Shipping Administration a surety bond executed by a surety on the approved list of the Treasury Department for the acceptance of bonds to secure obligations due the United States, provided the bond is within the maximum amount for which the surety is so authorized to write bonds as shown by the said approved list.

If the proposed surety is not on said approved list, the Underwriting Agent, before accepting the surety bond, shall first secure the specific written approval of the Assistant Deputy Administrator for Fiscal Affairs, War Shipping Administration, or his properly authorized designee.

In the event any Assured fails to pay all premiums due under any open war risk insurance policy issued to him by the War Shipping Administration as the same become due and payable, the policy will be subject to cancellation and the premium involved will become a liability collectible under said bond.

The form of bond shall be as hereinafter set forth, and no variation therefrom shall be permitted except with the express written approval of the Director of Wartime Insurance and the General Counsel, War Shipping Administration.

(3) The amount of collateral deposit fund or surety bond as aforesaid must in no event be less than $1,000 and must at all times be maintained by the Assured in an amount sufficient so that at all times such amount is in excess of the unpaid premium due with respect to any and all risks which have attached under the terms of the open policy. Failure to comply with this provision will automatically void such policy.

(c) *Provisional reports.* Within thirty days after issuance of each open policy the Assured must file in duplicate with the Underwriting Agent a list of all anticipated imports coming within the scope of the policy, identifying each item by a serial number and by a statement as to approximate quantity or value and anticipated date of shipment if known; thereafter, not less frequently than once monthly the Assured must report to the Underwriting Agent in duplicate all further commitments as to imports with respect to goods coming within the scope of the policy. All such provisional reports must be on standard form in accordance with the attached.

(d) *Closing reports.* Not later than the twenty-fifth day of each month, the Assured must make reports to the Underwriting Agents of all shipments as prescribed in Clause 12 of Part II of Warshipopencargo form and must pay premium in accordance with the terms thereof. Such reports must be in duplicate and upon standard form in accordance with the attached specimen, and must be supported by the execution of the affidavit embodied in said form.

In the event that the Assured has no shipments to report during any given month the standard form of closing report must nonetheless be filed as prescribed herein, with the notation thereon. It is certified that no shipments coming within the scope of the policy arrived at port of destination in continental United States during the preceding month, and that during said month no knowledge has come to the Assured of shipments attaching under the terms of the policy which will not arrive by reason of loss, frustration or other similar cause.

(e) All closing reports as called for by the preceding Article must be accompanied by a certified check for the full amount of the premium, computed on the basis provided for in the policy. Such checks must be made payable to the order of the Treasurer of the United States.

(f) *Return premiums.* No return premiums will be payable to the Assured except in event of error in application of rate or in computation of premium, or in event goods are not shipped or are short-shipped. All claims for return premiums must be filed in standard form prescribed by the War Shipping Administration, per specimen form attached. Such form must be filed in quadruplicate with the Underwriting Agents who will transmit the same to the War Shipping Administration for payment.

(g) No special policy of insurance will be issued with respect to shipments covered under open policies provided in accordance with this section.

(h) All claims for losses recoverable under the terms of open cargo war risk insurance policies issued by the War Shipping Administration should be filed by the Assured with the Underwriting Agent by whom the policy was issued. Such claims should be supported by the customary documents required in connection with war risk insurance claims, together with the affidavit referred to in paragraph (a) hereof, and such further data as may now or hereafter be required by the War Shipping Administration.

(i) The following standard forms, to be used in carrying out the foregoing, are hereby prescribed:

§ 305.51 *Application form for open policy.*

UNITED STATES OF AMERICA, WAR SHIPPING ADMINISTRATION, WARSHIPOPENCARGO POLICY APPLICATION

IMPORTS ONLY

Effective with respect to shipments (a) under Ocean Bills of Lading dated on and after _____, (which shall be not earlier than the date of issuance of the policy), or (b) if Ocean Bills of Lading not issued under equivalent shipping documents dated on and after said date, or (c) if no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessels on and after said date, a War Risk Open Policy containing the warranties and conditions promulgated in Supplement 1 of General Order No. 6 of the War Shipping Administration is requested by:

Name of Assured _____

Address _____ _____ _____
No. Street City

_____ _____
County State

Merchandise not to be covered, if any _____

Does applicant require coverage of goods on shore (subject to additional premium as required by W. S. A.) where such goods are discharged short of destination _____?

The applicant must select ONE of the following valuation clauses. Indicate by check mark your selection, and if Clause (a) is selected, insert desired percentage not exceeding 10%:

(a) Invoice cost plus transportation and insurance charges actually incurred with respect to the insured shipment, plus _____ per cent. Where invoice is in foreign currency, amount to be converted to United States dollars as per policy provisions.

(b) A specified value per unit, viz., $_____ per _____

Regardless of which valuation clause is selected, the following policy provision shall apply:

"In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of Section 35 (a) of the Criminal Code."

Assured _____
By _____
Title _____

This application must be accompanied by either (a) Standard Form of Transmittal of Collateral Deposit Fund with accompanying Cashier's or certified check, or (b) Standard Form of Surety Bond executed by the Assured as Principal and by the Surety, complying in either case with all applicable provisions of Clause (b) of General Order No. 6, Supplement 1. Shipments with respect to which premiums are not covered in full by the amount of such collateral fund or surety bond will not be insured under the policy.

§ 305.52 *Standard form of provisional report.* The Assured represents that he has no knowledge of any facts or circumstances which would render incorrect, incomplete, untrue, or misleading, any statements contained in this Provisional Report.

PROVISIONAL REPORT OF SHIPMENTS FOR ACCOUNT OF

_____
Assured

For the month of _____

Dated _____ Agent's No. _____
Assured _____ Warshipopencargo Policy No. _____
By _____ Report No. _____
Title _____ This form to be filed in duplicate.

Seria No.	Quantity of goods	Description of goods	Approximate value	Contract or letter of credit No.	Expected month of shipment	Port of shipment	Remarks

§ 305.53 *Standard form of closing report.* To be filed in duplicate.

NOTE: This report must be sworn to by use of affidavit on reverse hereof.

Monthly closing report for the month of ----------, 1942.

Assured ----------

Agent's No. ---------- Policy No. ----------

Closing Report No. ----------

Do not use this space		Check Deposited
Rate verified	----	
Premium verified	----	
Footings verified	----	Date
Summary Posted	----	Receipt No.

Risk No.	Provisional No.	Descriptive: Rate	Descriptive: Type	Document No.	Marks and Numbers	Quantity of goods	Type of goods or Merchandise	Voyage	Arrival Date	Amount	Rate	Premium	Remarks

AFFIDAVIT TO BE ATTACHED TO CLOSING REPORT

COUNTY OF ----------
State of ----------, *ss:*

----------, being first duly sworn, deposes and says that he is the Assured named in Open Cargo War Risk Policy No. ------ issued by the War Shipping Administration, or the ---------- of said Assured, a ----------, and does hereby certify, warrant, represent and affirm on his own behalf and on behalf of said Assured that the information set forth herein is in all respects a true accurate and complete list of all goods shipped to or consigned to the Assured and for his account and risk, or shipped to other parties within the United States for the account and risk of the Assured under Ocean Bills of Lading and arriving at port of destination in the continental United States during the month ending ---------, 1942 and includes a true, accurate and complete list of all such goods which failed to arrive by reason of loss, frustration or similar cause with respect to which knowledge of such non-arrival has become known to the Assured during said month. The foregoing information is furnished by Assured pursuant to the terms and conditions of said Open Cargo War Risk Insurance Policy and ~~is~~ provided by affiant and Assured with full knowledge that War Shipping Administration will rely thereon and with the intent and purpose of inducing the War Shipping Administration to rely thereon.

Subscribed and sworn to before me this ---- day of ---------, 1942. ----------, Notary Public.

Attention is directed to section 35 (a) of the Criminal Code of the United States which provides for punishments ranging as high as 10 years imprisonment or ten thousand dollars fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.54 *Standard form of letter for transmittal of collateral deposit fund.*

COLLATERAL DEPOSIT FUND
TRANSMITTAL FORM

UNITED STATES OF AMERICA WAR SHIPPING ADMINISTRATION

Policy No. ---------
Amount inclosed $-------.
To: War Shipping Administration.
C/O ----------, Underwriting Agent

Inclosed herewith is certified or cashier's check drawn to the order of the Treasurer of the United States in the above sum to be held by the War Shipping Administration as a collateral deposit fund under the above numbered WARSHIPOPENCARGO policy pursuant to all of the terms and conditions of said policy, and such additional conditions and regulations as may be promulgated from time to time by the War Shipping Administration, and published by the War Shipping Administration in the Federal Register as provided in said policy.

Dated: ----------

Assurred

Received this -- day of -----, 194..

Underwriting Agent

Deposited in Federal Reserve Bank at ---------- on ----------, 194..

This form must be executed in quadruplicate.

§ 305.55 *Standard form of application for return premium.*

This application must be filed in quadruplicate with underwriting agency issuing policy.

Do not fill out this space

Premium paid----------
Checked by Underwriting Agent----------
Checked by clearing Organization----------
Approved by:

For Director of Wartime Insurance

APPLICATION FOR RETURN PREMIUM UNDER WARSHIP OPENCARGO FORM

WAR SHIPPING ADMINISTRATION, DIVISION OF WARTIME INSURANCE

Assured---------- Policy No. ------
Address----------
Underwriting agent ----------
Date of payment----------
Nature of cargo----------

INSURANCE DECLARED

Quantity (tons, bbls., bales, etc.)	Amount of insurance	Rate	Premium
Total			

INSURANCE AT RISK

Total			

Return premium ----------

Remarks: ----------

Application is hereby made for return premium as set forth above by

Name ----------
Date ----------
COUNTY OF ----------
State of ---------, *ss:*

----------, being first duly sworn, deposes and says that he is the Assured named in the foregoing application for return premium or the ---------- of said Assured, a ----------, and that the information set forth in said application is in all respects true and correct and is made to induce the War Shipping Administration to return part or all of the premiums heretofore paid by said Assured to said War Shipping Administration for Open Cargo War Risk Insurance. Said application is made with full knowledge by the Assured and this affiant that said War Shipping Administration will rely on the information set forth therein.

Subscribed and sworn to before me this ---------- day of ----------, 1942.

Notary Public

Attention is directed to section 35 (a) of the Criminal Code of the United States which provided for imprisonment ranging as high as 10 years or ten thousand dollars fine, or both, for filing false, fictitious or fraudulent claims with a department or agency of the United States.

§ 305.56 *Standard form of application for appointment of underwriting agent.*

War Shipping Administration
Department of Commerce Building
Washington, D. C.

Attention: Director, Wartime Insurance

DEAR SIRS: The undersigned, an insurance company duly admitted to transact the business of marine insurance in the following State or States of the United States, ---------- hereby applies for appointment as Underwriting Agent of the Administrator, War Shipping Administration, to issue and execute open war risk cargo insurance policies on behalf of the United States of America, acting by and through the Administrator, War Shipping Administration, and to perform other functions and duties, as are more specifically set forth in the standard form of underwriting agency agreement adopted by the Administrator and promulgated in the Federal Register of the United States on the ------ day of ----------, 1942. In connection with this application, we are transmitting herewith three executed counterparts of an underwriting agency agreement in such standard form. Upon the execution of said agreement by or on behalf of the Administrator and the receipt from the Administrator of a duly executed Certificate of Designation of ourselves as underwriting agent and attorney in fact for the War Shipping Administration, this appointment shall thereupon become effective.

Dated ----------

----------,
(Company)

§ 305.57 *Certificate of designation of underwriting agent.*

Certificate of designation of ---------- as underwriting agent for the War Shipping Administration:

Agency Number --------

It is hereby certified that the United States of America, acting by and through the Administrator, War Shipping Administration, has appointed ---------- of ---------- its duly authorized agent and attorney in fact to execute and issue open war risk cargo policies of insurance in the name of the United States of America, acting by and through the Administrator, War Shipping Administration, and perform other functions and duties of underwriting agent as provided in an underwriting agency agreement executed by and between the Administrator and said underwriting agent dated ----------, which agreement is in the standard form heretofore adopted by the Administrator and published in the Federal Register of the United States under date of ----------, 1942.

Dated, Washington, D. C. ----------

UNITED STATES OF AMERICA,
WAR SHIPPING ADMINISTRATION,
By: ----------
(Name and title)
For the Administrator.

§ 305.58 *Standard form of underwriting agency agreements.*

UNDERWRITING AGENCY AGREEMENT

This Agreement made and entered into this ------ day of ----------, 194--, by and between the Administrator of the War Shipping Administration, acting for and on behalf of the United States of America, (hereinafter called the "Administrator") and ----------, a corporation organized and existing uder the laws of ----------, and admitted to do the business of marine insurance in one or more of the States of the United States, having an office for the transaction of business at ----------, (hereinafter called the "Underwriting Agent"),

WITNESSETH:

Whereas under and pursuant to the President's Executive Order 9054 of February 7, 1942, and Public Law 523 of the Seventy-seventh Congress, the Administrator is authorized under certain circumstances to provide marine insurance and reinsurance against loss or damage by the risks of war, and to exercise this power through such officials or agencies and in such manner as he may determine; and

Whereas the Administrator has determined to exercise certain of these powers for the insurance of cargo through certain private insurance corporations, including the Underwriting Agent, upon the terms and conditions hereinafter set forth;

Now, therefore, in consideration of the premises and of the mutual covenants and agreements, and upon the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The Administrator hereby authorizes the Underwriting Agent, as Agent, and not as an independent contractor, to perform the functions hereinafter provided for, subject to the terms and conditions hereinafter specified, and in accordance with the Memoranda of Instructions which may be issued hereunder by the Administrator from time to time.

2. The Underwriting Agent agrees to utilize its offices and facilities to make available to the public the insurance of cargoes against war risks furnished by the Administrator. The Underwriting Agent may act through its Home Office, branch offices or agencies in the United States, its territories or possessions, which are authorized to write marine insurance on behalf of the Underwriting Agent.

The duties of the Underwriting Agent shall be as follows:

(a) The Underwriting Agent shall issue policies covering the class or classes of property and subject to the rates and conditions named by the Administrator. The insurer under such policies shall be the Administrator, and the policy shall be executed or countersigned by the Underwriting Agent.

(b) The Underwriting Agent shall keep a full and complete record of all such policies, and shall also record any premium, collateral deposit fund, or surety bonds required by the terms of such policy, so that a record may be available at all times to the Administrator, both as to all policies issued and as to all Collateral deposit funds or surety bonds provided by the assured in connection with such policies.

(c) The Underwriting Agent shall receive customary Provisional Reports from policyholders, and subject to such regulations as may be adopted by the Administrator, shall take the necessary steps to follow up the same.

(d) The Underwriting Agent shall accept monthly Closing Reports from each policyholder for transmission to a clearing organization which shall be appointed or created by the Administrator for this and other purposes. The Underwriting Agent shall also receive certified checks drawn to the Treasurer of the United States for the premiums involved, if the premiums have not been previously paid, which checks shall be deposited by the Underwriting Agents in the Federal Reserve Bank nearest to its office, or in such other bank as may be authorized by the Administrator to receive such deposits. The Underwriting Agent is to receive from the bank in which the deposits are made receipts therefor in such number as may be prescribed in general instructions to the Agent and handle the receipts so received in accordance with such general instructions.

(e) The Underwriting Agent shall prepare a monthly summary of all such Closing Reports on a standard form to be approved by the Administrator and transmit the same, together with supporting Closing Reports and receipts for deposits made as above provided, to the clearing organization.

(f) The Underwriting Agent shall receive from holders of policies issued by such Underwriting Agent any claims for return premiums in a standard form to be prescribed by the Administrator and shall certify thereon, if such is the fact, that the amounts with respect to which such return is claimed were previously included in closing reports submitted to the Administrator and that based upon the statements included in such application by the Assured the return premium applied for is payable in accordance with the regulations of the Administration. Such applications and certifications shall be transmitted promptly to the clearing organization.

(g) The Underwriting Agent shall receive reports of losses, prepare adjustments and vouchers, and other data, required by the Administrator, and submit the same with its recommendation as to whether claims are in order for settlement to the Administrator through the clearing organization.

(h) The Underwriting Agent will cooperate with other Underwriting Agents acting in a similar capacity to establish and maintain, through the American Institute of Marine Underwriters or otherwise, an advisory underwriting committee to deal with specific underwriting problems, subject to regulations of the Administrator, and such other advisory committees as may seem necessary to safeguard the interest of the Administrator, including a loss committee to act as a recipient for information as to losses, and to pass upon any recommendations made by the Underwriting Agent as to losses in excess of an amount to be fixed by the Administrator.

3. The Underwriting Agent shall receive for its services such amount as the Administrator may from time to time determine to be fair and reasonable compensation. Such compensation shall be determined by the Administrator at such sums as reasonably approximate expenses of Underwriting Agents generally under this form of agreement without contemplation of profit. In addition to such fair and reasonable compensation the Underwriting Agent shall receive reimbursement for out of pocket expenditures reasonably incurred, meaning payments to persons not regularly employed by the Underwriting Agent, but excluding payments to attorneys unless such employment has been authorized by the Administrator: *Provided, however,* That all such expenditures shall be subject to the review of the Administrator: *And further provided,* That such expenditures shall not include any fee or other consideration paid to an insurance broker or other person acting in a similar intermediary capacity.

A statement of the compensation due to the Underwriting Agent (including reimbursement for out of pocket expenses as herein provided) shall be submitted by the Underwriting Agent to the Administrator monthly or at such other intervals as the Administrator may direct, with an appropriate voucher, and the amount of such compensation, if approved, shall be promptly paid to the Underwriting Agent.

4. In the discharge of the duties and obligations arising under this agreement, the Underwriting Agent shall conform to a standard of performance and accuracy reasonably to be expected of an insurance company in the administration of its own business, and consistent with the highest decree of good faith. It is agreed, however, that as the Underwriting Agent is acting without expectation of profit, it shall not be responsible for errors or omissions of agents and employees in whose selection and supervision it has exercised reasonable care (other than willful misconduct on the part of the principal officers of said Underwriting Agents) excepting that the Underwriting Agent assumes full and complete responsibility for the disposition of any funds received by it or its employees or agents under and pursuant to this agreement. The exercise of reasonable care in the selection of agents by the Underwriting Agent shall be deemed to include a determination by the Underwriting Agent that the agent so selected is experienced in the transaction of such phases of the marine insurance business as may be delegated to such agent by the Underwriting Agent. It is understood that the Underwriting Agent is or may be engaged in writing war risk insurance on hulls and cargoes for its own account, and it is agreed that it may write such insurance notwithstanding its operations on behalf of the Administrator.

5. All books, records and accounts covering the operations and activities under this agreement shall be kept separate from those relating to other business of the Underwriting Agent, in accordance with regulations made from time to time by the Administrator, and shall at all times be subject to inspection by the Administrator.

6. It is recognized that in the conduct of its operations and activities hereunder the Underwriting Agent shall act only as agent for the Administrator, who shall be the principal in connection with all such operations and activities. The Underwriting Agent shall have no authority other than as provided in this Agreement and in Memoranda of Instructions issued hereunder, and any unauthorized acts of said Underwriting Agent shall be null and void, and of no effect. It is agreed that the Administrator will issue to the Underwriting Agent a Certificate of Designation authorizing the Underwriting Agent to execute and issue war risk cargo policies of insurance in the name of the United States of America and to perform the other duties and functions provided for herein. It is further agreed, in view of the fact that the statutory power of the Administrator to write insurance is conditioned on the existence of certain facts of which the Underwriting Agent may have no knowledge or means of knowledge, that the Underwriting Agent may insert in all policies above its signature, a statement that it acts solely under the said Certificate

§ 305.53 *Standard form of closing report.* To be filed in duplicate.

NOTE: This report must be sworn to by use of affidavit on reverse hereof.

Monthly closing report for the month of _____, 1942.

Assured _____

Agent's No. _____ Policy No. _____

Closing Report No. _____

Do not use this space		Check Deposited
Rate verified	----	
Premium verified	----	
Footings verified	----	Date
Summary Posted	----	
		Receipt No.

Risk No.	Provisional No.	Descriptive: Rate	Descriptive: Type	Document No.	Marks and Numbers	Quantity of goods	Type of goods or Merchandise	Voyage	Arrival Date	Amount	Rate	Premium	Remarks

AFFIDAVIT TO BE ATTACHED TO CLOSING REPORT

COUNTY OF _____

State of _____, *ss:*

_____, being first duly sworn, deposes and says that he is the Assured named in Open Cargo War Risk Policy No. _____ issued by the War Shipping Administration, or the _____ of said Assured, a _____, and does hereby certify, warrant, represent and affirm on his own behalf and on behalf of said Assured that the information set forth herein is in all respects a true accurate and complete list of all goods shipped to or consigned to the Assured and for his account and risk, or shipped to other parties within the United States for the account and risk of the Assured under Ocean Bills of Lading and arriving at port of destination in the continental United States during the month ending _____, 1942 and includes a true, accurate and complete list of all such goods which failed to arrive by reason of loss, frustration or similar cause with respect to which knowledge of such non-arrival has become known to the Assured during said month. The foregoing information is furnished by Assured pursuant to the terms and conditions of said Open Cargo War Risk Insurance Policy and ~~is~~ provided by affiant and Assured with full knowledge that War Shipping Administration will rely thereon and with the intent and purpose of inducing the War Shipping Administration to rely thereon.

_____

Subscribed and sworn to before me this ____ day of _____, 1942. _____, Notary Public.

Attention is directed to section 35 (a) of the Criminal Code of the United States which provides for punishments ranging as high as 10 years imprisonment or ten thousand dollars fine, or both, for filing false, fictitious or fraudulent claims with a department or agency of the United States.

Remarks: _____

_____

Application is hereby made for return premium as set forth above by

Name _____

Date _____

COUNTY OF _____

State of _____, *ss:*

_____, being first duly sworn, deposes and says that he is the Assured named in the foregoing application for return premium or the _____ of said Assured, a _____, and that the information set forth in said application is in all respects true and correct and is made to induce the War Shipping Administration to return part or all of the premiums heretofore paid by said Assured to said War Shipping Administration for Open Cargo War Risk Insurance. Said application is made with full knowledge by the Assured and this affiant that said War Shipping Administration will rely on the information set forth therein.

_____

Subscribed and sworn to before me this _____ day of _____, 1942.

_____

Notary Public

Attention is directed to section 35 (a) of the Criminal Code of the United States which provided for imprisonment ranging as high as 10 years or ten thousand dollars fine, or both, for filing false, fictitious or fraudulent claims with a department or agency of the United States.

§ 305.54 *Standard form of bond to be executed by Assured.*

KNOW ALL MEN BY THESE PRESENTS, that we, _____, as principal, and _____, as surety, are held and firmly bound unto the United States of America in the sum of _____ dollars ($_____) for the payment of which sum we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal has applied for return premium in the sum of _____ dollars ($_____) under Open Cargo War Risk Insurance Policy No. _____ issued by the War Shipping Administration, or the _____ of said Assured, a _____, and has executed an application for return premium dated _____, 1942, and

WHEREAS, the War Shipping Administration has required the execution of this bond as a condition precedent to the payment of said return premium,

NOW, THEREFORE, the condition of this obligation is such that if the above bounden principal shall pay to the United States of America any and all sums of money which may be found due from said principal to the United States of America by the War Shipping Administration, or by any duly authorized officer, agent or representative thereof, on account of any overpayment of premium or premiums under said policy, then this obligation shall be void; otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 1942.

_____ (Seal)

_____ (Seal)

_____ (Seal)

Witness:

_____

_____

_____

§ 305.55 *Standard form of application for return premium.*

This application must be filed in quadruplicate with underwriting agency issuing policy.

Do not fill out this space

Premium paid _____

Checked by Underwriting Agent _____

Checked by clearing Organization _____

Approved by:

_____

For Director of Wartime Insurance

APPLICATION FOR RETURN PREMIUM UNDER WARSHIP OPENCARGO FORM

WAR SHIPPING ADMINISTRATION, DIVISION OF WARTIME INSURANCE

Assured _____ Policy No. _____

Address _____

of the United States in the above sum to be held by the War Shipping Administration as a collateral deposit fund under the above numbered WARSHIPOPENCARGO policy pursuant to all of the terms and conditions of said policy, and such additional conditions and regulations as may be promulgated from time to time by the War Shipping Administration, and published by the War Shipping Administration in the Federal Register as provided in said policy.

Dated: _____

_____

Assurred

Received this __ day of ____, 194..

_____

Underwriting Agent

Deposited in Federal Reserve Bank at _____ on _____, 194..

_____

This form must be executed in quadruplicate.

§ 305.56 *Standard form of application for appointment of underwriting agent.*

War Shipping Administration
Department of Commerce Building
Washington, D. C.

Attention: Director, Wartime Insurance

DEAR SIRS: The undersigned, an insurance company duly admitted to transact the business of marine insurance in the following State or States of the United States, _____ hereby applies for appointment as Underwriting Agent of the Administrator, War Shipping Administration, to issue and execute open war risk cargo insurance policies on behalf of the United States of America, acting by and through the Administrator, War Shipping Administration, and to perform other functions and duties, as are more specifically set forth in the standard form of underwriting agency agreement adopted by the Administrator and promulgated in the Federal Register of the United States on the _____ day of _____, 1942. In connection with this application, we are transmitting herewith three executed counterparts of an underwriting agency agreement in such standard form. Upon the execution of said agreement by or on behalf of the Administrator and the receipt from the Administrator of a duly executed Certificate of Designation of ourselves as underwriting agent and attorney in fact for the War Shipping Administration, this appointment shall thereupon become effective.

Dated _____

of Designation and makes no warranty, either express or implied, of its own authority or the authority of the Administrator to sign or issue the said documents.

7. Notwithstanding the provisions of paragraph 3 hereof, in the event that the Underwriting Agent, after giving notice to the Administrator, shall be compelled to pay to any state, territory, or possession of the United States, or political subdivision thereof any tax or fee or interest or penalty relating thereto claimed to be due by reason of the business transacted pursuant to this agreement and which would not have been payable except for the operation of the Underwriting Agent hereunder, the Underwriting Agent shall be reimbursed by the Administratof therefor, and for any special expenses necessarily incurred in connection therewith. Moreover, if the Administrator shall reject any claim for loss under any policy of insurance issued pursuant to this agreement and if legal proceedings be instituted against the Underwriting Agent with respect to such claim, or if the Underwriting Agent shall be obligated to defend any legal suit or proceeding on account of its action in rejecting any application or failing to issue any policy or in canceling any policy, or in denying the payment of any return premium, the Administrator shall, upon due notice at his expense, defend such proceeding and if in any such proceeding the Underwriting Agent be compelled to make payment, the Administrator shall reimburse the Underwriting Agent for the amount thereof, provided always the action of the Underwriting Agent complained of shall have been consistent with the standard of performance required hereunder. In any of the foregoing cases, the Underwriting Agent shall render to the Administrator such reasonable cooperation and assistance as the Administrator may require.

8. This agreement shall take effect as of the date of its execution by the Administrator and continue in force until terminated. It may be terminated, as of midnight on the last day of any calendar monthby either party giving at least fifteen (15) days prior written notice to the other party by registered mail. Such termination shall not effect the obligation of the parties hereunder with respect to any insurance written or expenses incurred prior thereto.

9. Any act or thing herein required or permitted to be done hereunder by the Administrator may be done by such other official or officials of the War Shipping Administration as the Administrator may designate.

10. (a) The Underwriting Agent warrants that it has not employed any person to solicit or secure this agreement upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the United States the right to annul this agreement, or, in its discretion, to deduct from any amount payable hereunder the amount of such commission, percentage, brokerage, or contingent fee.

(b) In any act performed under this agreement the Underwriting Agent shall not discriminate against any citizen of the United States of America on the ground of race, creed, color or national origin.

11. No person elected or appointed a member of or delegate to Congress or a Resident Commissioner, directly or indirectly, himself or by any other person in trust for him, or for his use or benefit, or on his account shall hold or enjoy this agreement in whole or in part, except as provided in Section 206, Title 18, U. S. C. The Underwriting Agent shall not employ any member of Congress, either with or without compensation, as an attorney, agent, officer or director.

In witness whereof the parties hereto have duly executed this Agreement in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By (Sgd.) E. S. LAND,
E. S. Land, *Administrator*,
WAR SHIPPING ADMINISTRATION,

By ----------
For the Administrator.

Attest:

By ----------

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ----------, a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ---------- ------ who signed this agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

(CORPORATE SEAL)

(Where special action of the governing body is not immediately practicable, the following must be signed by the United States Manager, or by the Branch Manager or other similar executive who executes the Agreement.)

I, ----------, certify that I am the ---------- of ---------- the party to this Agreement referred to therein as the Underwriting Agent; that I personally signed this Agreement on behalf of said corporation, under powers given to me by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

---------- L. S.

§ 305.59 *Standard form of Warshipopencargo policy.*

Warship
Opencargo
Form

UNITED STATES OF AMERICA WAR SHIPPING ADMINISTRATION

FORM OF POLICY

Part I

This policy shall consist of this Part I and Part II published in the FEDERAL REGISTER under date of July 30, 1942, as part of Supplement I to General Order No. 6 of the War Shipping Administration. Part II shall be deemed incorporated herein and made a part of this contract, and this contract shall be subject to the terms and conditions of both parts. This policy may be amended by endorsement attached hereto and executed on behalf of the Administrator of the War Shipping Administration by a duly authorized underwriting agent pursuant to prior written or telegraphic instructions from the War Shipping Administration or by publication of an amendment to the Warshipopencargo Policy form in the FEDERAL REGISTER. In the latter event such amendment shall become effective 48 hours after the date of such publication unless a longer period is provided for therein, but such amendment shall not affect any shipments which attached hereunder prior to the expiration of such period. In the event that the Assured is unwilling to accept any amendment to this policy as aforesaid, he shall have the option of terminating this policy as of the effective date of such amendment upon written or telegraphic notice to the Administrator, War Shipping Administration prior to such effective date.

In consideration of a collateral deposit,fund or surety bond to be established in accordance with Clause 13 of Part II of this policy, and of premiums computed and paid as provided in Clause 12, Part II of this policy, War Shipping Administration by this policy of insurance hereby insures---------- against War Risks as specified in Part II with respect to all imports to the Continental United States, excluding Alaska (except as to such imports as may be specifically excluded from this policy by special agreement noted hereon by endorsement) shipped to or consigned to the Assured and for his account and risk or shipped to other parties within the United States for the account and at the risk of the Assured:

a. Under ocean Bills of Lading dated on or after ----------, or

b. If ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no ocean Bills of Lading or equivalent documents are issued or the same are undated, laden on overseas vessel on and after said date.

For the purpose of this insurance, goods insured hereunder shall be valued at -------

In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of Section 35 (a) of the Criminal Code.

This policy may be cancelled at any time upon 15 days written or telegraphic notice to or by the Assured or 15 days subsequent to the publication of a notice of cancellation in the FEDERAL REGISTER: *Provided, however,* That no such cancellation shall terminate this policy with respect to any shipments which have become a risk under the terms hereof prior to the effective date of such notice.

In the event of loss which may give rise to claim under this policy, prompt notice should be given to the Underwriting Agent of the War Shipping Administration by whom this policy is countersigned.

Any loss payable hereunder shall be payable in funds current in the United States, to the order of ---------- 30 days after full proofs of loss and proofs of interest have been filed with the War Shipping Administration.

In witness whereof the War Shipping Administration has caused this policy to be signed by the Administrator at Washington, D. C. but this policy shall not be valid unless countersigned by a duly authorized Underwriting Agent of the War Shipping Administration.

(Sgd.) E. S. LAND,
E. S. Land,
Administrator.

*Countersigned this ---- day of ---------- ----, 194--.

Underwriting Agent of War Shipping Administration

By: ----------
Its ----------

*The Underwriting Agent does not, by countersigning and issuing this policy or otherwise, warrant its own authority, or the authority of the War Shipping Administration, to issue this Policy, but acts solely under the power conveyed by the Standard Form of Certificate of Designation issued by the War Shipping Administration.

Optional Clause which may be attached to Warshipopencargo Policy by endorsement:

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4 c of Part II of this policy is deleted.

It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to cover, subject to its terms, to such substituted destination without further additional premium. This insurance shall also continue in force as aforesaid if the merchandise insured hereunder subsequent to attachment of this insurance is discharged at the port of loading but only provided that at the time of such discharge title to and interest in the goods is vested in a citizen of the United States, and such insurance shall terminate if at any time during the continuance of such insurance as aforesaid title to and interest in the goods shall no longer be vested in a citizen of the United States.

§ 305.60 *Standard form of Warshipopencargo policy.*

Warship
Opencargo
Form

UNITED STATES OF AMERICA WAR SHIPPING ADMINISTRATION

FORM OF POLICY

Part II

1. This insurance is only against the risks of capture, seizure, destruction, or damage by men of war, piracy, takings at sea, arrests, restraints and detainments, and other warlike operations and acts of kings, princes, and peoples in prosecution of hostilities or in the application of sanctions under international agreements, whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, and including the risks of aerial bombardment, floating or stationary mines, and stray or derelict torpedoes; but excluding claims for delay, deterioration and/or loss of market, and warranted not to abandon (on any ground other than physical damage to ship or cargo) until after condemnation of the property insured. Also warranted not to abandon in case of blockade, and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade, to be at liberty to proceed to an open port and there end the voyage.

2. Warranted free from any claim based upon loss of, or frustration of, the insured voyage or adventure caused by arrests, restraints or detainments.

3. This insurance does not cover any loss or damage caused by or resulting from any of the following causes:

(a) Commandeering, preemption, requisition, or nationalization by the government (de facto or otherwise) of the country to or from which the goods are insured.

(b) Seizure or destruction under quarantine or customs regulations.

(c) Capture, seizure, arrest, restraint, detainment, or condemnation by the Government of the United States of America, or of any State, territory, or possession thereof, or by any government which is or may become party signatory of the "United Nations Pact" promulgated on or about January 2, 1942.

4. This insurance shall not attach to the interest hereby insured or to any part thereof:

(a) Prior to being on board an overseas vessel (for the purpose of this clause 4 an overseas vessel shall be deemed to mean a vessel carrying the interest from one port or place to another where such voyage involves a sea passage by that vessel);

(b)after being discharged overside from an overseas vessel at the final port of discharge, or after expiry of fifteen days counting from midnight of the day on which the overseas vessel is safely anchored or moored at the final port of discharge, whichever shall first occur;

(c) at a port or place of transshipment to another overseas vessel after the expiry of fifteen days (counting from midnight of the day on which the overseas vessel entering with the interest is safely anchored or moored) until the interest is on board the oncarrying overseas vessel.

In the event of the exercise of any liberty granted to the Shipowner or Charterer under the contract of affreightment whereby such contract is terminated at a port or place other than the destination named therein such port or place shall be deemed the final port of discharge for the purpose of this clause 4.

5. Subject to the terms of clause 4 above and to any conditions or warranties which may be endorsed hereon, it is agreed that this insurance shall not be vitiated by deviation, overcarriage, change of voyage, or by any error or unintentional omission in the description of interest, vessel or voyage, provided the same be communicated to the War Shipping Administration as soon as known to the Assured and an additional premium paid if required.

6. And in case of any loss or misfortune, it shall be lawful and necessary to and for the Assured, his or their factors, servants and assigns to sue, labor, and travel for, in and about the defense, safeguard, and recovery of the said goods and merchandises, or any part thereof without prejudice to this insurance; nor shall the acts of the Assured or Assurers, in recovering, saving, and preserving the property insured, in case of disaster, be considered a waiver or an acceptance of an abandonment; and to the charges whereof, the said Assures will contribute according to the rate and quantity of the sum hereby insured.

7. General Average and salvage charges (resulting from a peril hereby insured against) payable according to Foreign Statement or York-Antwerp Rules if in accordance with the contract of affreightment.

8. Notwithstanding anything to the contrary contained in this policy, it is understood and agreed:

(a) That no claim for freight, storage, or other expense due to the requisition or commandeering of the title or use of any vessel by or with the consent of the country whose flag she flies shall be payable under this insurance, and if as a result of such requisition or commandeering the insured cargo is discharged at a port or place other than the port or place of destination, the port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

(b) That if any vessel shall be ordered into or detained in any port by the United States Government or by any government which is or may become party signatory of the "United Nations Pact" and the goods hereby insured shall be discharged at such port, then, if the goods be not the subject of proceedings of the nature set forth in clause 3 (a), such port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

9. If the ordinary course of transit of the goods hereby insured is interrupted or terminated by the shipper, consignee, or assured or any party acting on their behalf, this insurance shall forthwith terminate unless otherwise specially agreed by the War Shipping Administration.

10. This insurance shall include loss, damage or destruction of the property insured caused by saboteurs or other enemy agents.

11. It is a condition of this insurance that with respect to all risks coming within the scope of this Policy, the Assured shall file with the Underwriting Agent Provisional Reports in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time.

12. It is warranted that not later than the 25th day of each month, the Assured will file with the Underwriting Agent closing reports in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time of all shipments coming within the scope of this policy:

(1) Which have arrived at port of destination in the Continental United States during the preceding month, and,

(2) With respect to which inability to so arrive is by reason of loss, frustration, or other similar cause, comes to the knowledge of the Assured during the preceding month.

And will pay premium thereon at the rate prescribed by the War Shipping Administration and in effect:

a. On date of Ocean Bill of Lading, or

b. If Ocean Bill of Lading not issued, on date of equivalent shipping document, or

c. If no Ocean Bill of Lading or equivalent shipping document issued, or if same are undated, on date goods are laden on overseas vessel.

13. It is warranted that the Assured will at all times maintain with the War Shipping Administration a Collateral Deposit Fund sufficient in amount to satisfy all premiums due under this Policy with respect to risks which have attached hereunder and upon which premiums have not already been paid, or that in lieu of such Collateral Deposit Fund a surety bond in form prescribed by the War Shipping Administration will be filed with the Underwriting Agent and maintained in full force and effect. If at any time the Collateral Deposit Fund or surety bond is not sufficient to cover all shipments at risk hereunder on which the premium has not been paid, all shipments which would otherwise become at risk hereunder after the said bond or fund is exhausted shall be excluded from any coverage under this Policy. Such collateral deposit fund or surety bond must be maintained in accordance with all rules and regulations of the War Shipping Administration.

14. The Assured warrant and agree that it will regularly keep books, records and accounts in such manner and form that all information available to the Assured as to the amounts at risk and the amounts of losses incurred and premiums due can be readily ascertained therefrom by the War Shipping Administration. The Assured, as often as may be reasonably required, shall exhibit such books, records and accounts to any person designated by the War Shipping Administration, and submit to examinations under oath by any person named by the War Shipping Administration, and subscribe the same.

15. This insurance shall not be invalidated by any error or omission in the filing of Provisional or Closing Reports which is demonstrated to the satisfaction of the Administrator to have been inadvertent or unintentional, or by any failure to report which is demonstrated to the satisfaction of the Administrator to have arisen from causes beyond control of the Assured.

§ 305.61 *Standard form of surety bond.*

Know all men by these presents, That We ---------- of ----------, as Principal, and ----------, as Surety, are held and firmly bound unto War Shipping Administration in the sum of ---------- ($--------) Dollars, to the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

The condition of this obligation is such that whereas War Shipping Administration has issued and delivered to ---------- Principal, on the -------- day of ----------, 1942, that certain Open War Risk Insurance Policy #--------, and ----------

Whereas, War Shipping Administration has agreed to accept this bond as a guarantee of the payment of all premiums due and payable under the terms and conditions of such Open War Risk Insurance Policy #----------, or endorsements thereto or modifications thereof whether or not consented to by the Surety.

Now, therefore, if the Principal shall well and truly pay unto War Shipping Administration the premiums due under the said Open War Risk Insurance Policy at the times and in the manner provided therefor in said Policy, then this obligation is to be void; otherwise to remain in full force and effect;

Provided, however, This bond is executed by the Surety, upon the following express conditions, which shall be precedent to the right of recovery hereunder.

1. If the Principal shall fail to file with the Underwriting Agent of the War Shipping Administration on or before the 25th day of each month during which this bond is in effect, a sworn statement of values of import shipments covered under the policy during the preceding calendar month and concurrently therewith pay to War Shipping Administration the premiums called for by said sworn statement, then the War Shipping Administration shall so notify the Surety as soon as practicable but in no event later than 45 days from date such sworn statement is due; and, in such event the Surety shall not be liable for any premiums accruing on risks attaching subsequent to date of such notice under said Open War Risk Insurance Policy.

2. This bond may be cancelled by either the Principal or the Surety at any time upon fifteen days (15) written or telegraphic notice to the Director of Wartime Insurance of War Shipping Administration at Washington, D. C., but such cancellation shall not affect the liability of the Principal and the Surety hereunder for premiums on risks attaching on or prior to expiration of said fifteen (15) days period.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this -------- day of ---------- 19----, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

By ----------

By ----------

Resident Vice President

Attest ----------

Attest ----------

Resident Assistant Secretary

(j) The provisions of this Supplement No. 1 of General Order No. 6 shall govern all transactions falling within its scope, anything to the contrary in said General Order No. 6 notwithstanding, but nothing herein shall be construed to affect the provisions of such General Order No. 6 as the same may be applicable to other insurance transactions.

(k) Amendments to these rules and to the standard forms may be made from time to time in the form of Supplements to this General Order. Such supplements, unless otherwise specified, shall become effective 48 hours after the date of publication of such supplement in the FEDERAL REGISTER. (Approved July 29, 1942) [General Order No. 6, Supplement 1] 7 F.R. 5881.

§ 305.62 *Extended transshipment clause.* Section 305.59 for attachment to Warshipopencargo policy form incorporated in §§ 305.50 to 305.61 inclusive as published in the FEDERAL REGISTER of July 30, 1942, reading as follows:

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4 c of Part II of this policy is deleted.

It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to cover, subject to its terms, to such substituted destination without further additional premium. This insurance shall also continue in force as aforesaid if the merchandise insured hereunder subsequent to attachment of this insurance is discharged at the port of loading but only provided that at the time of such discharge title to and interest in the goods is vested in a citizen of the United States, and such insurance shall terminate if at any time during the continuance of such insurance as aforesaid title to and interest in the goods shall no longer be vested in a citizen of the United States. All other terms and conditions remaining unchanged.

is hereby designated "Warshipopencargo Policy"—Standard Optional Endorsement #I.

§ 305.63 *Goods sold while en route.* The following Standard Optional Endorsement, hereinafter to be referred to as "Warshipopencargo Policy—Standard Optional Endorsement #II", is hereby promulgated:

It is understood and agreed that in the event that goods insured hereunder are sold by the Assured subsequent to the attachment of risk hereunder, on terms requiring the Assured to provide war risk insurance to the port of discharge, this insurance shall remain in full force and effect. The Assured may assign to the purchaser any rights under this policy in event of loss, but this assignment shall not relieve the Assured from any of his responsibilities or obligations under the terms of this policy, and in the event of loss the amount collectible hereunder shall in no event exceed the amount which would have been collectible by the Assured in the event the goods had not been sold by him. All other terms and conditions remaining unchanged.

§ 305.64 *Goods insured by shipper.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #III", is hereby promulgated:

In consideration of the payment of premium as hereinafter provided, this policy is extended to cover goods otherwise coming within the scope of this policy but shipped by the Assured and for his account and risk, or shipped by the Assured and sold by him prior to shipment on terms requiring him to provide War Risk Insurance to the port of discharge. The Assured agrees to file separately, upon the Standard Forms provided for in Supplement No. 1 of General Order No. 6, Provisional and Closing Reports of all shipments to insured, such report to be filed subject to all of the rules and conditions as set forth in said General Order. In the event that with the consent of the War Shipping Administration claim is filed by the purchaser said purchaser shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the claimant, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code. All other terms and conditions remaining unchanged.

§ 305.65 *Goods imported for account of third parties.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #IV, is hereby promulgated:

It is understood and agreed that this policy is extended to cover with respect to all imports to the Continental United States, excluding Alaska, (except as to such imports as may be specifically excluded from this policy by special agreement noted hereon by endorsement) shipped to or consigned to the Assured and for the account and risk of ---------- The Assured warrants that he is a duly authorized agent of said ---------- for the procuring and importing into the United States of the merchandise insured hereunder. The Assured warrants that provisional and closing reports as provided for by the terms of this policy and by the terms of General Order No. 6, Supplement #1, of the War Shipping Administration will be filed by him with respect to all shipments insured hereunder, and subject to all of the conditions and regulations of the War Shipping Administration relating to such reports. In the event of loss, any sums payable under the terms of this policy shall be paid to the order of the principal for whom the agent acts, and said principal shall be required to file the affidavit called for by Part I of this policy. In the event of loss, the amount collectible hereunder shall in no event exceed the amount which would have been collectible by the Assured named hereunder, in the event the goods had been imported for his own account. All other terms and conditions remaining unchanged.

§ 305.66 *Exports to territories and possessions of the United States—inclusive endorsement.* The following Standand Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #V", is hereby promulgated:

It is understood and agreed that this policy is hereby extended, subject to all of its terms, to cover shipments from the Continental United States (excluding Alaska) to the territories and possessions of the United States including the Canal Zone and Alaska. The Assured warrants that with respect to such shipments, all the terms and conditions of this policy as originally written will apply, and that full provisional and closing reports, supported by affidavits as and if required, will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

§ 305.67 *Exports to territories and possessions of the United States; exclusive endorsement.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #VI", is hereby promulgated:

Notwithstanding anything to the contrary contained in §§ 305.59 and 305.60 of this policy, it is understood and agreed that this policy covers only shipments from the Continental United States (excluding Alaska) to the territories and possessions of the United States, including the Canal Zone and Alaska. The Assured warrants that with respect to such shipments, all the terms and conditions of this policy as originally written will apply, and if required will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

§ 305.68 *Shipments between ports in the Continental United States.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #VII", is hereby promulgated:

It is understood and agreed that this policy is hereby extended, subject to all of its terms, to cover shipments between ports in the Continental United States (excluding Alaska), the Assured warrants that with respect to such shipments all the terms and conditions of this policy as originally written will apply, and that full provisional and closing reports, supported by affidavits as and if required, will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

§ 305.69 *Authorization to agents to execute endorsements.* Underwriting agents of the War Shipping Administration are authorized to execute any of the foregoing endorsements for incorporation in war risk insurance policies issued pursuant to the provisions of §§ 305.50 to 305.61 inclusive, published in the FEDERAL REGISTER July 30, 1942.

§ 305.70 *Definition of imports.* Effective 48 hours from the date hereof, it is understood and agreed that the following clauses are deemed to be incorporated in § 305.60 of Warshipopencargo Policy Form:

Where and as used in this policy, the word "imports" means property which, at the time of the attachment of the risk, is (a) intended for use, consumption, manufacturing or other processing, or sale, within the Continental United States (excluding Alaska), or (b) intended for inclusion within a common stock of goods, wares, merchandise, located within the Continental United States (excluding Alaska), for sale or resale out of such common stock in the foreign or domestic commerce of the United States, or (c) consigned to the Continental United States (excluding Alaska) for account of the United States or any department or agency thereof, including corporations wholly owned by the United States. Such property shall not cease to be considered imported in the event of a bona fide change in intention on the part of the Assured or other person having control of the goods, made subsequent to the attachment of the risk and without prior agreement, understanding, or arrangement, provided such change in intention is not accompanied by an alteration of the immediate destination of the goods to a point outside of the Continental United States (excluding Alaska). Without limiting the generality of the foregoing, goods, which at the time of attachment to the risk were intended to be transshipped or re-exported otherwise than to a place within the Continental United States (excluding Alaska), shall not be considered imports for the purposes of said policy, unless such re-export is to a port or place shipments to which are covered by the terms of an endorsement to this policy.

EXCLUSION OF VALUABLES

This policy does not cover shipments of specie, currency, securities, valuable documents, jewelry, precious stones, gold and silver and other precious metals, or any articles transported by means of ordinary or registered mail or parcel post.

§ 305.71 *Privilege to place additional insurance.* Where war risk insurance on cargo is insured with the War Shipping Administration under the terms of the "Warshipopencargo" Policy, §§ 359.59 and 305.60, the parties at interest may place increased value or additional insurance in commercial or other markets beyond the amount of insurance provided in the War Shipping Administration policy. Such insurance, if placed, need not be participating with the War Shipping Administration coverage, and shall be without benefit of salvage or right of contribution. [General Order No. 6, Supp. 2, approved August 10, 1942; 7 F.R. 6373]

PART 306—GENERAL AGENTS AND AGENTS

TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON DRY CARGO VESSELS

306.1 Vessels included.
306.2 Effective period.
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TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON TANKERS

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TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON COMBINATION CARGO AND PASSENGER VESSELS

306.21 Vessels included.
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306.23 Definition of terms.
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TERMINAL OPERATIONS

306.29 Designation of terminals within continental United States.
306.30 Payment of tariff rates.
306.31 Compensation of general agents or agents.
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306.33 Reports of general agents and agents.
306.34 Method of computing charges.

CLARIFYING PROVISIONS OF SUPPLEMENT NO. 3

306.35 Brokerage or other commissions.

AUTHORITY: §§ 306.1 to 306.35 inclusive issued under E.O. 9054, 7 F.R. 837.

TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON DRY CARGO VESSELS

§ 306.1 *Vessels included.* Sections 306.11 to 306.12 of this part are applicable to services rendered in connection with operation of dry cargo vessels under the standard form of service agreement for vessels time chartered from others for the War Shipping Administration (TCA–4–4–42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac vice (GAA–4–4–42).

§ 306.2 *Effective period.* This general order shall become effective at the earliest dates permissible under said service agreements.

§ 306.3 *General agents defined.* A general agent is one who takes care of the vessel's business on behalf of the War Shipping Administration, under a standard form of service agreement (GAA–4–4–42), appoints agents as directed by the War Shipping Administration to handle those functions which relate to the handling of the cargo and functions incidental thereto, and assumes those duties when not otherwise instructed, obtains all accounting for all revenue and expenses and accounts to the War Shipping Administration for all business of the vessel.

§ 306.4 *Agent defined.* All persons, firms or corporations designated as "agent" under a standard form of service agreement (TCA–4–4–42) shall be entitled to the compensation of agent hereunder. In addition, where a general agent assigns vessels to berth operators as agents in accordance with Article 6 of the general agent's agreement or in accordance with general policy of the War Shipping Administration, such berth operator shall be entitled to compensation as

15. This insurance shall not be invalidated by any error or omission in the filing of Provisional or Closing Reports which is demonstrated to the satisfaction of the Administrator to have been inadvertent or unintentional, or by any failure to report which is demonstrated to the satisfaction of the Administrator to have arisen from causes beyond control of the Assured.

§ 305.61 *Standard form of surety bond.*

Know all men by these presents, That We _____ of _____, as Principal, and _____, as Surety, are held and firmly bound unto War Shipping Administration in the sum of _____ ($_____) Dollars, to the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

The condition of this obligation is such that whereas War Shipping Administration has issued and delivered to _____ Principal, on the _____ day of _____ 1942, that certain Open War Risk Insurance Policy #_____, and _____

Whereas, War Shipping Administration has agreed to accept this bond as a guarantee of the payment of all premiums due and payable under the terms and conditions of such Open War Risk Insurance Policy #_____, or endorsements thereto or modifications thereof whether or not consented to by the Surety.

Now, therefore, if the Principal shall well and truly pay unto War Shipping Administration the premiums due under the said Open War Risk Insurance Policy at the times and in the manner provided therefor in said Policy, then this obligation is to be void; otherwise to remain in full force and effect;

Provided, however, This bond is executed by the Surety, upon the following express conditions, which shall be precedent to the right of recovery hereunder.

1. If the Principal shall fail to file with the Underwriting Agent of the War Shipping Administration any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

2. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 30 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

3. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 60 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

4. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 90 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

5. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 120 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

6. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 150 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

7. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 180 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

8. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 210 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

9. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 240 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

10. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 270 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

11. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 300 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

12. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 330 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

13. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 360 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

14. If the Principal shall fail to file with the Underwriting Agent any report required by the Open War Risk Insurance Policy, or any endorsement thereto, within 390 days after the time specified therein, the Surety shall be liable hereunder only for the premiums due for the period covered by the last report filed with the Underwriting Agent prior to the time specified in the Policy for the filing of the report in default.

15. This insurance shall not be invalidated by any error or omission in the filing of Provisional or Closing Reports which is demonstrated to the satisfaction of the Administrator to have been inadvertent or unintentional, or by any failure to report which is demonstrated to the satisfaction of the Administrator to have arisen from causes beyond control of the Assured.

(j) The provisions of this Supplement No. 1 of General Order No. 6 shall govern all transactions falling within its scope, anything to the contrary in said General Order No. 6 notwithstanding, but nothing herein shall be construed to affect the provisions of such General Order No. 6 as the same may be applicable to other insurance transactions.

(k) Amendments to these rules and to the standard forms may be made from time to time in the form of Supplements to this General Order. Such supplements, unless otherwise specified, shall become effective 48 hours after the date of publication of such supplement in the FEDERAL REGISTER. (Approved July 29, 1942) [General Order No. 6, Supplement 1] 7 F.R. 5881.

§ 305.62 *Extended transshipment clause.* Section 305.59 for attachment to Warshipopencargo policy form incorporated in §§ 305.50 to 305.61 inclusive as published in the FEDERAL REGISTER of July 30, 1942, reading as follows:

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4 c of Part II of this policy is deleted.

It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to would have been collectible by the Assured in the event the goods had not been sold by him. All other terms and conditions remaining unchanged.

§ 305.64 *Goods insured by shipper.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #III", is hereby promulgated:

In consideration of the payment of premium as hereinafter provided, this policy is extended to cover goods otherwise coming within the scope of this policy but shipped by the Assured and for his account and risk, or shipped by the Assured and sold by him prior to shipment on terms requiring him to provide War Risk Insurance to the port of discharge. The Assured agrees to file separately, upon the Standard Forms provided for in Supplement No. 1 of General Order No. 6, Provisional and Closing Reports of all shipments to insured, such report to be filed subject to all of the rules and conditions as set forth in said General Order. In the event that with the consent of the War Shipping Administration claim is filed by the purchaser said purchaser shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the claimant, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code. All other terms and conditions remaining unchanged.

§ 305.65 *Goods imported for account of third parties.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #IV, is hereby promulgated:

It is understood and agreed that this pol-

"agent" hereunder but the compensation of such agent shall be collected from their general agent. General agent shall not be held responsible for acts of an agent appointed by or at the direction of the War Shipping Administration.

§ 306.5 *Sub-agents defined.* A sub-agent is one who is appointed by an agent or general agent to perform any of the functions of the general agent or agent pursuant to the standard form of service agreements herein above referred to, and shall be compensated by the general agents and agents respectively out of the compensation received by such general agents and agents hereunder. A foreign sub-agent is a sub-agent who performs his functions outside the continental limits of the United States and shall be compensated in accordance with § 306.8 hereunder.

NOTE: Preceding sections in small type were amended by General Order No. 12, Supplement 1, approved June 22, 1942 (7 F.R. 4741). The amended sections follow in large type.

§ 306.4 *Agent defined.* All persons, firms, or corporations designated as "Agent" under a standard form of service agreement (TCA–4–4–42) shall be entitled to the compensation of agent hereunder.

§ 306.5 *Sub-agents defined*—(a) *Berth sub-agent defined.* A berth sub-agent is one who is appointed by the general agent or agent as berth operator in accordance with Article 6 of the General Agent's Agreement, general policy or instructions of the War Shipping Administration. The berth sub-agent shall for the period of such subagency perform all of the functions of an agent, subject to the supervision of the agent or general agent. Such berth sub-agent shall receive as compensation 80% of the compensation as provided in § 306.7 hereof, but the compensation of such berth sub-agent shall be collected from the agent or general agent. The agent or general agent shall not be held responsible for acts of a berth sub-agent expressly appointed by or at the direction of the War Shipping Administration, but such berth sub-agent shall be responsible to the War Shipping Administration to the same extent as agent under Agreement TCA–4–4–42.

(b) *Sub-agents.* A sub-agent is one who is appointed by an agent, general agent berth sub-agent to perform any of the functions of the general agent, agent or berth sub-agent, and shall be compensated by the general agents, agents or berth sub-agents, respectively out of the compensation received by such general agents, agents, or berth sub-agents hereunder. A foreign sub-agent is a sub-agent who performs his functions outside of the continental limits of the United States including Alaska and shall be compensated in accordance with paragraph 8 hereunder.

This supplement shall become effective at the commencement of all voyages begun after midnight, local time, June 30, 1942, except that as to any voyage then in progress it shall not become effective until the vessel is next free of cargo on board at that time.

§ 306.6 *Other definitions.* (a) "Handled tons" means the number of tons of cargo (outward, way, or homeward) loaded and discharged by the vessel at each port taken care of by the agent or a foreign subagent, as manifested on a weight or measurement basis in accordance with the practice of the trade in which operated, or the current practices approved by the War Shipping Administration. (A ton of cargo which is billed on a measurement basis for the purpose hereof shall be computed as 40 cubic feet.)

(b) "Payable tons" means the vessel tonnage husbanded by the general agent, arrived at by adding together the deadweight tonnage of the vessel and 1/40th of the under deck bale capacity and dividing the resulting sum by 2.

(c) "Outward" means cargo loaded outward from continental U. S. port or ports.

(d) "Homeward" means cargo loaded at an outport for discharge at a continental U. S. port or ports.

(e) "Way" means cargo both loaded and discharged at ports outside the continental limits of the U. S. A.

(f) "Coastwise" means cargo handled between two ports within the continental limits of the U. S.

(g) Lumber billed on the basis of board foot measure, 600 ft. board measure shall constitute one handled ton.

(h) "Bulk cargoes" means cargoes not hand stowed, such as bulk cargoes of grain, ores, coal and similar cargoes.

§ 306.7 *Compensation of agents in continental United States ports.* As compensation for each handled ton of cargo loaded or discharged by the vessel in continental U. S. ports, each agent shall be compensated at fair and reasonable commercial rates but not in excess of the following maximum compensation out of which he will reimburse subagents:

(a) 2½¢ per handled ton for all Army and Navy cargo outward or homeward handled at Army or Navy terminals where the Agent performs any supervisory or other substantial functions in connection with the receiving, delivering, loading, discharging or checking of the cargo, otherwise no compensation shall be payable.

(b) 10¢ per handled ton for all outward and homeward bulk cargo or cargoes and for all coastwise cargo.

(c) 15¢ per handled ton for all outward Lend-Lease cargo and 12½¢ per handled ton for all such homeward or way cargo.

(d) 25¢ per handled ton for all other cargoes outward and 20¢ per handled ton for all other homeward or way cargoes. (The Administrator reserves the right to determine the reasonableness of commercial rates on bulk and other cargoes, from the effective date of this order.)

The foregoing scale of compensation is subject to the following special conditions: (1) Minimum compensation for each port of loading or discharging, $100.00; (2) Minimum compensation for services rendered whenever a vessel enters a port for purposes other than loading or discharging shall be $50.00 for all services in connection with entry and clearance, arrangements for pilotage and towage and other usual port services of like nature. Additional allowances may be made by the Administrator for extraordinary services in such connection.

No brokerage will be paid except with the prior approval of the Administrator and applications for such approval will not be considered unless brokerage was formerly paid in such trade.

§ 306.8 *Compensation of agents at ports outside of continental United States.* As compensation for services rendered outside of continental United States the Agent may pay prevailing commercial rates (in accordance with § 330.7), but in no event in excess of the following maximum compensation to his foreign Sub-Agents whose services are utilized in this connection as follows:

(a) 2½ cents per handled ton shall be paid in connection with Army or Navy outward or homeward cargoes handled at Army or Navy terminals where the Sub-Agent performs substantial services in connection with the handling of such cargo, otherwise no compensation shall be paid therefor;

(b) 7½ cents per handled ton for outward or homeward bulk cargoes;

(c) 10 cents per handled ton for outward or homeward cargo shipped for "Lend-Lease" or Army and Navy account at commercial piers;

(d) 25 cents per handled ton for all homeward cargo and way cargo loaded, 20 cents for outward and way cargoes discharged not falling within classifications (a), (b) and (c).

The foregoing scale of compensation is subject to the following special conditions:

Minimum compensation for each port of call—$100.00.

Additional allowances may be made by the Administrator for extraordinary services.

The Administrator reserves the right to determine the prevailing commercial rates on bulk and other cargoes from the effective date of this order. No brokerage will be paid except with the prior approval of the Administrator and applications for such brokerage will not be considered unless brokerage was formerly paid in such trade.

§ 306.9 *Compensation of general agents.* The general agent shall be compensated both as Agent, and as general agent as herein provided. He shall receive all agency fees earned from the operation of vessels assigned to him. From the sums received under the agency formula he shall compensate all Agents as provided in Article 6 of the standard form of service agreement (GAA–4–4–42). From his compensation as general agent the general agent shall compensate all sub-agents performing services which are required to be performed by him under the service agreement. In addition to the agency fees, the general agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or prorata thereof beginning with the month in which the first vessel subject hereto is delivered to the general agent and ending with the calendar month or prorata thereof in which the last vessel subject hereto is redelivered by the general agent, the basic compensation, computed on the basis of payable tons of the vessels handled during each such month, shall be calculated in accordance with the following scale:

First 80,000 tons 50¢ per payable ton per month.
Next 40,000 tons 40¢ per payable ton per month.
Next 40,000 tons 30¢ per payable ton per month.
Next 40,000 tons 25¢ per payable ton per month.
Next 50,000 tons 20¢ per payable ton per month.
Over 250,000 tons 15¢ per payable ton per month.

In computing compensation hereunder all owners of vessels time chartered to the War Shipping Administration will calculate payable tons of such time chartered vessels, which payable ton months will be added to the total payable ton months of assigned vessels. Compensation shall be payable on the assigned vessels only at the rates shown above, which would be applicable to such assigned vessels in the proper brackets after first applying tonnage of time chartered vessels.

(b) *Adjustment when vessels are idle.* The Administrator reserves the right to reduce compensation to the extent that any vessel is idle at any port for causes for which the general agent is responsible, at the highest applicable rate hereunder.

(c) *Computation of net compensation.* In order to compute the net compensation due with respect to any calendar month, the general agent shall:

(1) Multiply the number of payable tons of each vessel by the number of days operated each month, vessels time chartered to the War Shipping Administration and assigned vessels to be calculated separately;

(2) Divide each figure resulting from the foregoing calculation by the number of days in said calendar month, thereby obtaining the net payable ton per month on which compensation is to be based;

(3) Calculate the compensation payable at the rates and in the brackets shown on the time chartered vessels for which no bill is to be rendered, using the formula as perscribed in subparagraph (1) hereof, and then calculate the compensation payable in the lower brackets on the assigned vessels in accordance with the formula prescribed in subparagraph (1) hereof, for which compensation will be billed.

The general agent shall, as soon as may be practicable after the close of each calendar month, render an invoice to the War Shipping Administration covering the compensation due him, computed in accordance with the foregoing.

§306.10 *Adjustment of earnings to cover deficiencies.* Whenever it is demonstrated to the satisfaction of the Administrator that any general agent performing services hereunder has not earned sufficient annual income pursuant to the provisions of this order, plus other earnings against which any portion of the overhead expense is properly allocable, to cover all of such general agent's fair and reasonable overhead expenses as determined by the Administrator, then the general agent shall receive as additional compensation hereunder an amount equal to 85% of such deficit: *Provided, however,* That such additional compensation shall not exceed 50% of the compensation otherwise payable hereunder. (§ 330.9). The deficit shall be determined in accordance with sound accounting rules and regulations of the Administrator promulgated from time to time. In computing such deficit, the Administrator shall take into account income and overhead expense of the general agent, any subsidiary, or other company whom the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expense, in connection with the operation of any other vessels for the account of the War Shipping Administration, for the agent's own account, for the account of any government or otherwise as well as the overhead allowance included in any charter hire paid to the general agent by the Administrator.

§ 306.11 *Adjustment for excessive compensation.* If the amount of compensation received by a general agent or agent hereunder, plus sums otherwise earned from other sources and allocable to overhead expense, exceeds the general agent's or agent's aggregate fair and reasonable overhead expense on an annual basis as determined by the Administrator, the amount of compensation payable hereunder shall be reduced to the extent of 75% of such excess: *Provided, however,* That compensation in no event shall be reduced below 25% of the compensation otherwise payable. The amount of such reduced compensation shall be determined in accordance with sound accounting rules and regulations promulgated from time to time by the Administrator. All sums earned by the general agent or agent, or any subsidiary or other companies whom the Administrator deems should be included for accounting purposes, from whatever source, against which any portion of such overhead expense is properly allocable, shall be taken into account in determining such reduction, including sums earned in connection with the operation of vessels for the direct account of the general agent or agent, for the account of the United States of America, or any foreign government or otherwise. Such determination shall also reflect allowance for overhead in charter hire paid by the Administrator under any time or bareboat charter. General agents and agents shall refund such excess compensation at the end of each calendar year or otherwise as may be required in fiscal regulations issued in connection herewith.

§ 306.12 *Accounting.* (a) Beginning with March 31, 1942, all general agents and agents will render quarterly income statements twenty-five days after the end of period, and for the calendar year not later than February 28 of the following year, covering results of all operations as general agents and agents under G. A. A. & T. C. A. agreements, vessels time chartered by W. S. A. and vessels under bareboat charter to W. S. A. as well as other operations prepared in accordance with U. S. Maritime Commission G. O. 22, issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Separate columns shall be used separating income as follows:

Overall total.
Income from vessels under time charter to W. S. A.
Income from vessels under bareboat charter to W. S. A.
Income under G. A. A. & T. C. A. agreements.
Income from other operations.

Appropriate expenses shall be allocated against such income with overhead expenses being appropriately allocated to each operation. Income statement shall be accompanied by statement giving basis of allocation of overhead, also surplus statement giving balance at beginning of period and additions thereto and deductions therefrom with balance at end of period.

(b) Where a vessel is assigned to one person as general agent and another person as agent, the agent shall account to the general agent for all income and expenses (including the agent's compensation and that paid by him to foreign sub-agents as voyage expenses), after verification of such accounts by auditors of the Administrator in the office of the agent.

(c) The general agent shall account to the War Shipping Administration for all income and expenses of the vessels assigned to him.

(d) Each agent operating vessels under time charter to the War Shipping Administration shall account directly to the Administration for the income and expenses of the vessels so operated, and render monthly invoice to the Administration for his compensation. [General Order No. 12, Approved June 12, 1942; 7 F.R. 4496]

TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON TANKERS

§ 306.13 *Vessels included.* Sections 306.13 to 306.20 inclusive, are applicable to services rendered in connection with operations of tank vessels under the standard form of tanker service agreement (Warshipoil-TCA).

§ 306.14 *Effective period.* Sections 306.13 to 306.20 inclusive, shall become effective at the earliest dates permissible under said service agreements.

§ 306.15 *Agent defined.* All persons, firms or corporations designated as "Agent" under a standard form of tanker service agreement (Warshipoil-TCA)

shall be entitled to the compensation of agent under this Part II.

§ 306.16 *Sub-agents defined.* A "sub-agent" is one who is appointed by an agent to perform any of the functions of the Agent pursuant to the standard form of tanker service agreement (Warship-oil-TCA). A "foreign sub-agent" is a sub-agent who performs his functions outside the continental limits of the United States.

§ 306.17 *Compensation of agents in continental United States ports.* As compensation for each tanker allocated to an agent to conduct the business of the vessel for the War Shipping Administration, such agent shall be paid at the rate of $400 per month. Out of this compensation the agent must pay, among other things, all of the Agent's outgoing communication costs except for communications to places outside the continental United States excluding Alaska).

§ 306.18 *Compensation of sub-agents in continental United States ports.* As compensation for services rendered by a sub-agent for both the United States and the owner, the sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $125 for the first three days the vessel remains in port, and thereafter at the rate of $25 per day for each additional day: *Provided*, That no fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the owner.

As compensation for services rendered by a sub-agent for the United States only, the sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day: *Provided*, That no fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 306.19. *Compensation of sub-agents at ports outside of continental United States.* As compensation for services rendered by a foreign sub-agent for both the United States and the owner, the foreign sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $125 for the first three days the vessel remains in port, and thereafter at the rate of $25 per day for each additional day: *Provided*, That no fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the owner.

As compensation for services rendered by a foreign sub-agent for the United States only, the foreign sub-agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day: *Provided*, That no fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 306.20 *Brokerage.* No brokerage will be paid except with the prior approval of the Administrator and application for such brokerage will not be considered unless brokerage was formerly paid in such trade. [General Order No. 1, Supplement 2. Approved June 27, 1942; 7 F.R. 4933]

TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON COMBINATION CARGO AND PASSENGER VESSELS

§ 306.21 *Vessels included.* Sections 306.21 to 306.28 inclusive, as amended by Supplement 1 thereto, are applicable to services rendered in connection with the operation of combination cargo and passenger vessels for the War Shipping Administration under the standard form of service agreement for vessels time chartered from others for the War Shipping Administration (TCA-4-4-42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac vice (GAA-4-4-42).

§ 306.22 *Effective period.* This Part III shall become effective at the earliest dates permissible under such service agreements.

§ 306.23 *Definition of terms.* The words defined in §§ 306.3, 306.4, 306.5, and 306.6 of Part I of General Order No. 12, as amended by Supplement No. 1 thereto, shall have the same meaning in this Part III, except that the terms "general agent" and "agent" shall be deemed to include wholly owned subsidiaries or any other related or interested companies that the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expenses.

The term "passenger" as used in this Part III means each person carried on the vessel other than members of the gun crew, the master, and licensed and unlicensed personnel of the vessel, and military personnel when the vessel is operated as a troop transport.

§ 306.24 *Compensation of agents in continental United States ports.* Agents for combination cargo and passenger vessels shall be compensated for the handling of cargo at the same rates as provided in § 306.7 of Part I of General Order No. 12, as amended for Agents of Cargo vessels. In addition, the agents of combination cargo and passenger vessels shall receive as compensation for services rendered in connection with transportation of passengers the following fees: $3 for each passenger carried outward, and $2 for each passenger carried homeward or between out ports.

§ 306.25 *Compensation of sub-agents at ports outside of continental United States.* As compensation for services rendered outside of the continental limits of the United States including Alaska, the agent may pay with respect to cargo handled or for other services performed at rates provided in § 306.8 of Part I of General Order No. 12. In addition, the agent may pay with respect to passengers the prevailing commercial rates, but not in excess of the following: $2 for each passenger embarked, and $1 for each passenger disembarked.

§ 306.26 *Compensation of general agents.* No compensation shall be paid to any general agent for his services in connection with the management and operation of the vessels where such vessels are chartered under a charter party that makes allowances for the general agents' services (whether designated as overhead or otherwise in the charter party), except, however, the general agent may receive payment for the amounts hereinabove provided for the account of sub-agents, where such services are performed by branch office of the general agent located outside the continental limits of the United States including Alaska.

In cases where the General Agent does not receive an allowance for services under a charter party for the combination cargo and passenger vessel, he shall be compensated both (a) as agent to the extent provided in § 306.4 of this Part III, and (b) as general agent to the extent provided below. From the sums received under the agency formula he shall compensate all Agents as provided in Article 6 of the standard form of service agreement (GAA-4-4-42). From his compensation as general agent he shall compensate all sub-agents performing services that are required to be performed by him under the service agreement. In addition to the agency fees, the general agent in such cases will be paid compensation as provided in paragraph 9 of General Order No. 12, except that "payable tons" for combination cargo and passenger vessels shall be the gross tonnage of each such vessel multiplied by two, and, in the event that the general agent has been allocated cargo vessels as well as combination cargo and passenger vessels, the compensation payable to the general agent shall not be calculated separately for cargo vessels and combination cargo and passenger vessels, but, in such case, the combined payable tons of both types of vessels shall be used in determining the compensation due the General Agent for services rendered in connection with both types of vessels.

§ 306.27 *Adjustments.* The compensation of Agents and General Agents shall be subject to adjustment in accordance with §§ 306.9, 306.10 and 306.11 of Part I of General Order No. 12.

§ 306.28 *Accounting.* The provisions of §306.12 Part I of General Order No. 12 are incorporated in this Part III and made a part hereof by reference. [General Order No. 12, Supplement 3, Approved July 1, 1942; 7 F.R. 4930]

TERMINAL OPERATIONS

§ 306.29 *Designation of terminals within continental United States.* (a) Unless otherwise determined by the Administrator, terminals to be used in all ports shall be designated by the agents or general agents of the vessels with due regard for the most efficient and economical handling of the ship's business.

(b) Unless otherwise determined by the Administrator, and except as provided in § 306.31 the agent or general agent in ports within the continental limits of the United States may:

(1) (i) When the designated terminal is not owned or rented by the agent or general agent, pay and charge against the vessel the going rates, less all refunds, in the ports for charges customarily assumed by the vessel for the use of such terminals when said tariff rates are duly filed and approved by a governmental regulating body;

(ii) When the terminal is rented by the agent or general agent, charge against the vessel a fair and reasonable proportion of the actual monthly cost to him for the terminal operating costs which will include rental, fire and liability insurance, light, heat, power, repairs and upkeep, pier superintendent, head receiving and delivery clerk, watchman or gateman, plus compensation insurance and taxes on such personnel.

(iii) When the terminal is owned by the agent or general agent, charge against the vessel a fair and reasonable proportion of a monthly rental rate for the terminal facilities as determined by the Administrator.

(2) Pay and charge against the vessel the actual cost for checkers, talleyman, dock labor, coopers, and special cargo or ship's watchman, including compensation insurance and taxes on such labor.

§ 306.30 *Payment of tariff rates.* Where under the established tariff applicable to any terminal any of the above charges are charged against the cargo rather than against the vessel, such charges shall be paid by the cargo and not by the agent or general agent. The agent or general agent shall make collections from the cargo and remit such collections to the terminal company in accordance with the usual practice.

(a) Where some or all of the expense of the terminal is assumed by the vessel, the vessel's revenue shall be credited with all handling charges collected from the cargo.

§ 306.31 *Compensation of general agents or agents.* A general agent or agent who directly or through an affiliate performs general supervisory services at a terminal in connection with handling the vessel's business shall be compensated for his services, or a general agent or agent who employes a sub-agent to perform such services at a terminal shall compensate his sub-agent and be reimbursed on the following basis:

Manifest tons handled by each vessel at 5¢ per ton; with a minimum of $100.00 per vessel, *Provided, however*, That this schedule of fees shall not apply:

(a) When a public terminal or private terminal company not affiliated with the agent or general agent (as determined by the Administrator) performs such supervisory services under a stipulated tariff rate;

(b) In any port outside of the United States, its Territories and Possessions;

(c) In terminals where supervision is handled by special agreement with the War Shipping Administration;

(d) To liquid cargoes at any terminal or sugar, bulk, or other cargoes loaded or discharged at refineries, sugar docks, ore docks, coal docks, lumber or other mills or at private terminals not owned or leased by the agent or general agent or his affiliates. In such cases the agent may charge against the vessel the actual net cost for such dockage, clerking, checking and watching as is customarily and properly incurred for the account of the vessel.

§ 306.32 *Basis of compensation to general agents and agents.* As approved or required by the Administrator, the net of the terminal operations of each pier or terminal of each general agent or agent shall be taken into consideration in making determination under §§ 330.10 and 330.12 under General Order No. 12 and in accordance with Fiscal Regulations issued thereunder.

§ 306.33 *Reports of general agents and agents.* This order shall become effective with the handling of all vessels under G.A.A.4-4-12 and T.C.A. 4-4-42. All general agents and agents operating terminals where any part of the cost of the operation is charged to vessels owned by or operated for the account of the War Shipping Administration will come within the provisions of this order. Each such general agent or agent shall submit immediately for approval to the Assistant Deputy Administrator for Fiscal Affairs, a report containing full data as to location, complete description, rental rate, maintenance, upkeep, etc., of rented piers and similar information including cost and depreciated value of owned piers and such other information as the Administrator may require.

§ 306.34 *Method of computing charges.* All charges shall be billed and allocated against the vessel in accordance with such fiscal regulations as may from time to time be prescribed by the Assistant Deputy Administrator for Fiscal Affairs. In allowing such charges, the Administrator shall take into account charges made by the agent or general agent against any other agencies of the United States or for the use of terminal for lend-lease or defense aid cargo and may reduce the charges herein provided to the extent that charges are made against other agencies or for the use of terminal for lend-lease or defense aid cargo in excess of the rates provided by this order. [General Order No. 15, Approved July 3, 1942; 7 F.R. 5142]

CLARIFYING PROVISIONS OF SUPPLEMENT NO. 3

Provisions of §§ 306.7 and 306.8 of General Order No. 12 shall apply in their entirety to service rendered under §§ 306.21 to 306.28 inclusive and no brokerage or other agency fees not specifically authorized in said §§ 306.7 and 306.8 or in §§ 306.21 to 306.28 inclusive shall be allowed unless previously approved by the War Shipping Administration. [General Order No. 12, Supp. 3-A; 7 F. R. 6374]

§ 306.35 *Brokerage or other commissions.* Except with the prior approval of the Administrator no brokerage or other commission shall be paid for any services rendered or to be rendered in the procurement of or the preparation or execution of charter parties, space contracts or other contracts of affreightment for the carriage of goods in bulk or otherwise in merchant vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America. [General Order No. 12, Supp. 4; 7 F.R. 6375]

PART 341—SHIP WARRANT REGULATIONS[1]

Sections 241.1 to 241.73 of the Ship Warrant Regulations issued by the Maritime Commission, 6 F.R. 4537, were adopted by the War Shipping Administration on February 18, 1942 and have been renumbered Part 341, §§ 341.1 to 341.73.

Sec.
341.91 Maximum freight rates.
341.92 Revision of rates and surcharges.
341.93 Rate orders.

AUTHORITY: §§ 341.91 to 341.93 inclusive issued under E.O. 9054, 7 F.R. 837.

§ 341.91 *Maximum freight rates.* The maximum rates relating to berth service, lump sum charters or other freighting arrangements shall be those in effect on September 1, 1940 (or comparable charges in case no charge was then in effect) plus such reasonable additional surcharges as were approved by the United States Maritime Commission to become effective on or before February 7, 1942, to cover additional expense of operation due to increases, after September 1, 1940, in the cost of war risk insurance on hull and machinery, war risk P. & I. insurance, life insurance on the crew, internment insurance, crew bonus, increased length of voyage due to routing, convoy, etc., and increases in other operating expenses not assumed by an owner under time charter: *Provided*, That in cases in which the United States Maritime Commission, after September 1, 1940, specified freight rates, such rates shall constitute the maximum rates

[1] The Ship Warrant Regulations of the United States Maritime Commission, published in the FEDERAL REGISTER under Title 46—Shipping; Chapter II—Maritime Commission; (6 F.R. 4537) part 241, sections numbered from 241.1 to 241.73 inclusive, were adopted by the War Shipping Administration under date of February 18, 1942 and made a part of Chapter IV, War Shipping Administration and renumbered Part 341, §§ 341.1 to 341.73.

hereby prescribed, it being understood, however, that such rates may for the purposes of the Act of July 14, 1941, be hereafter adjusted separately. (U. S. Maritime Commission General Order No. 49 and Supplement No. 1.)

§ 341.92 *Revision of rates and surcharges.* The surcharges herein prescribed, and the basic rates on which they are to be calculated, are subject to revision from time to time in the light of changing conditions, pursuant to the provisions of the Act of July 14, 1941, and shall be subject to the provisions of the Shipping Act, 1916, as amended, and related acts; to any proceedings upon complaint by shippers or other interested parties; to any investigation with respect to the surcharge or rates in question, including any findings of fact or conclusions of law, and to any valid orders or directions which may be issued with respect thereto, either by the United States Maritime Commission or the War Shipping Administration. In the determination of such surcharges, valuations for purposes of war risk insurance shall be subject to approval by the War Shipping Administration.

§ 341.93 *Rate orders.* All modifications, amplifications or changes made by the Administration in the rates and conditions hereby prescribed, pursuant to the Act of July 14, 1941, shall be in the form of "Rate Orders" hereafter to be issued. [General Order No. 3, approved February 10, 1942; 7 F.R. 3674]

By Order of the War Shipping Administrator. Approved: August 14, 1942.

[SEAL] W. C. PEET, Jr.,
Secretary.

[F. R. Doc. 42-7967; Filed, August 14, 1942; 4:43 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Correction of General Order O.D.T. 12]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART D—DOMESTIC TRAFFIC MOVEMENT OF EXPORT, COASTWISE AND INTERCOASTAL FREIGHT

Wherever the section numbers "500.20" and "500.21" appear in General Order O.D.T. No. 12,[1] —the numerical designations should read "502.20" and "502.21" and General Order O.D.T. No. 12 is hereby corrected accordingly.

Issued at Washington, D. C., this 18th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8067; Filed August 18, 1942; 11:07 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-262]

G. W. ROSE COAL CO.

CEASE AND DESIST ORDER, ETC.

In the matter of G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, Code Member.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure for disposition hereof without formal hearing and cancelling hearing and to cease and desist.

A complaint dated May 13, 1942 pursuant to the provisions of sections 4 II(j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on May 14, 1942 with the Bituminous Coal Division (the "Division") by the Bituminous Coal Producers Board for District No. 8, a District Board (the "complainant") alleging that G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, a code member (the "Code Member") operating the G. W. Rose Mine, Mine Index No. 2358, located in Wise County, Virginia, district No. 8, wilfully violated the provisions of the Act, and the Bituminous Coal Code (the "Code"), the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments and Rules and Regulations respectively promulgated thereunder by the Division as more fully set forth in the complaint;

The complaint herein and the Notice of and Order for Hearing, issued May 28, 1942, having been duly served on the code member on June 1, 1942, and the hearing herein noticed for July 1, 1942, having been postponed by Order, issued June 22, 1942, to a date and place to be thereafter designated by an appropriate order; and

The Code Member, having duly filed with the Division on June 10, 1942, an application dated June 8, 1942, for the disposition of this compliance proceeding without formal hearing pursuant to § 301.132 of the Rules of Practice and Procedure; and

Notice, dated July 13, 1942, of the filing of said application, having been published in the FEDERAL REGISTER on July 15, 1942, pursuant to said § 301.132; and copies thereof having been duly mailed to interested parties, including the complainant herein; and

Said Notice of filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said Notice file recommendations, or requests for informal conferences, in respect to said application, and it appearing that no such recommendations or requests have been filed with the Division within said fifteen (15) day period; and

It appearing from said application that the code member admits that he wilfully committed the violates alleged in the complaint herein by selling, delivering and offering to sell to various purchasers on various dates between October 2, 1940 and August 23, 1941, approximately 104 tons of high volatile Size Group 5 (for truck shipment) 1¼ x 2" nut coal, produced by the applicant at his mine, Mine Index No. 2358, located in Wise County, Virginia, District No. 8, at a price of $1.55 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was $2.25 per net ton f. o. b. the mine; and

It further appearing in said application that the code member represents that to the best of his knowledge he has not committed any violations of the Act, the Code or Rules and Regulations thereunder other than those admitted and more particularly described in said application; and

It further appearing in said application that the code member consents to the entry of an order directing him to cease and desist from further violations of the Act, the Code and Rules and Regulations thereunder;

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act authorizing it to adjust complaints of violations and to compose the differences of the parties thereto, and upon said application of the code member for disposition without formal hearing of the charges contained in the complaint herein, pursuant to said § 301.132 of the Rules of Practice and Procedure and upon evidence in the possession of the Division:

It is hereby found that:

(a) G. W. Rose is an individual doing business under the name and style of G. W. Rose Coal Company and engaged in the business of mining and producing bituminous coal in Wise County, Virginia, District No. 8;

(b) G. W. Rose, doing business under the name and style of G. W. Rose Coal Company filed with the Division his acceptance of code membership, dated August 3, 1939. Said acceptance was made effective as of August 7, 1939, and since that day he has been and is now a code member in District No. 8 operating the G. W. Rose Mine (Mine Index No. 2358) located in Wise County, Virginia;

(c) G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, during the period October 2, 1940 to August 23, 1941, both dates inclusive, wilfully violated the Act, the Code, and Rules and Regulations and effective minimum prices thereunder by offering to sell, selling and delivering approximately 104 tons of high volatile Size Group 5, 1¼" x 2" nut coal, produced by G. W. Rose at the above-named mine, to various purchasers at a price of $1.55 per net ton f. o. b. said mine for truck shipment, whereas the effective minimum price for said coal was $2.25 per net ton f. o. b. said mine, as established and set forth in the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments.

It is hereby further found, pursuant to the provisions of section 5 (b) of the Act, G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, should be directed to cease and desist from further violations as described in paragraph (c) hereinabove.

Now, therefore, upon the basis of the above findings and the said admission and the consent filed by G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, pursuant to § 301.132 of the Rules of Practice and Procedure;

It is ordered, That the aforesaid application of G. W. Rose doing business under the name and style of G. W. Rose Coal Company be and the same hereby is granted;

It is further ordered, That the hearing heretofore postponed by order, dated June 22, 1942, to a date and place to be thereafter designated by appropriate order, be and the same hereby is cancelled;

It is further ordered, That pursuant to section 5 (b) of the Act, G. W. Rose, his agents, servants, employees, attorneys, receivers, assigns and all persons acting or claiming to act on his behalf, or in his interest, cease and desist, and they hereby are permanently enjoined and restrained from violating the Act, the Code, and the Rules and Regulations issued thereunder;

It is further ordered, That the Division, upon failure of G. W. Rose to comply with this order, may apply to the Circuit Court of Appeals of the United States within any Circuit that G. W. Rose carries on business for the enforcement thereof or take other appropriate action.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-8068; Filed, August 18, 1942; 11:18 a. m.]

[1] 7 F.R. 4858.

[Docket No. A-1568]

DISTRICT BOARD NO. 8

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change to higher price classifications and higher minimum prices for rail and truck shipments for the coals of Mine Index Nos. 339, 278, 892, 5215, 5214, 669 and 480 in the No. 5 Seam in Virginia Subdistrict, District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 15, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given t all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 8, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 8 requesting a change to higher price classifications and higher minimum prices for rail and truck shipments for the coals of the following mines: Monarch Mine, Mine Index No. 339 of Blue Diamond Coal Company, Mines Nos. 1 & 2, 3, 5, 6 and Millers Cove, having Mine Index Nos. 278, 892, 5215, 5214 and 669, respectively, of Kemmerer Gem Coal Company; and Virginia Lee Mine, Mine Index No. 480, of the Virginia-Lee Company, in No. 5 Seam in Virginia Subdistrict of District No. 8.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-8069; Filed August 18, 1942; 11:18 a. m.]

[Docket No. A-1580]

DISTRICT BOARD NO. 8

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change in territorial boundary between District 3 and District 8 in Nicholas County, West Virginia.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named part;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 22, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 15, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with this Division by District Board No. 8 requesting a change in the territorial boundary between District 3 and District 8 in Nicholas County, West Virginia.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-8070; Filed, August 18, 1942; 11:19 a. m.]

[No. 42]

APPLICATIONS FOR REGISTRATION AS DISTRIBUTOR, ETC.

To all District Boards, Code Members, distributors, the Consumers' Counsel and other interested persons:

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address:	*Date application filed*
Fruit Belt Coal Co. (Bert Malott), 4th and Park Sts., Benton Harbor, Mich.	7/30/42
S. M. Miller, P. O. Box 865, Beckley, W. Va.	7/27/42

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before September 14, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated, August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-8071; Filed, August 18, 1942; 11:20 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 152]

CONVERTED PAPER PRODUCTS INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE NO. 48

(1) By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the Converted Paper Products Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: William E. Simkin, Chairman, Philadelphia, Pennsylvania; Thomas L. Norton, Buffalo, New York; Tipton R. Snavely, Charlottesville, Virginia; William John Wilgus, Ascutney, Vermont; Edgar M. Hoover, Jr., Washington, D. C.; John A. Lapp, Chicago, Illinois; Joseph M. Klamon, St. Louis, Missouri.

For the Employees: Frank Grasso, New York, New York; Burt J. Mason, Chicago, Illinois; Earl Taylor, Toledo, Ohio; Homer L. Humble, Prichard, Alabama; Harriet Wray, New York, New York; C. V. Ernest, Baltimore, Maryland; Boris Shishkin, Washington, D. C.

For the Employers: A. R. Leiserson, Richmond, Virginia; Allan K. Schleicher, St. Louis, Missouri; Ralph A. Hayward, Kalamazoo, Michigan; James L. Coker, Hartsville, South Carolina; E. V. Johnson, Springfield, Massachusetts; Walter F. Lipford, Richmond, Virginia; Emory R. Beetham, Cleveland, Ohio.

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

(2) For the purpose of this order the term "converted paper products industry" means:

The manufacture of all products which have as a basic component pulp, paper or board (as those terms are used in Administrative Order No. 41 defining the Pulp and Primary Paper Industry) and the manufacture of all like products in which synthetic materials, such as cellophane, pliofilm or synthetic resin, used in sheet form, is a basic component.

Provided, however, That the manufacture of the following shall not be included:

(a) Any product the manufacture of which is covered by a wage order of the Administrator relating to the Textile, Apparel, Hat, Millinery, Shoe, Pulp and Primary Paper, Carpet and Rug, Portable Lamp and Shade, or Luggage, Leather Goods and Women's Handbag Industry.

(b) Any product, such as rayon, cellophane, etc., made from such pulp by a process which involves the destruction of the original fibrous structure of such pulp.

(c) Roofing paper, insulation board and products therefrom for use as building materials, or shingles.

(d) Newspapers, magazines, books, blueprints, photographs and other products in which graphic art is the exclusive medium through which the products function: *Provided, however*, That the production of printed forms, stationery, blank books, and tablets, other than the printing thereof in a job printing establishment, and the production of other products in the use of which graphic art is applied by the ultimate consumer of the products, shall be included within the converted paper products industry as herein defined.

(3) The definition of the converted paper products industry covers all occupations in the industry which are necessary to the production of the products specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

(4) The industry committee herein created shall meet at 10:00 A. M. on September 9, 1942 in the College Room of the Hotel Astor, New York City, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 15th day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8052; Filed, August 18, 1942; 10:09 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6401]

WESTERN UNION TELEGRAPH COMPANY

CHANGES IN DIRECTORY OF STATION LISTINGS, ETC.

Order in the matter of changes in directory of station listings and increased rates of the Western Union Telegraph Company for service to and from various points in the United States and Canada.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of August 1942;

It appearing, that there has been filed with the Commission Supplements Nos. 63, 64 and 65, and the revised numbered pages set forth in the attached list, marked Exhibit "A"[1] and made a part hereof, to The Western Union Telegraph Company Tariff F.C.C. No. 217, effective August 13, 18, 26 and 13, 1942, respectively, changing said company's directory of station listings at the various named points set forth in the attached list, marked Exhibit "B", and made a part hereof, and providing for the discontinuance of certain public telegraph offices and for an increase in the rates and charges applicable to the receipt, transmission, and delivery of telegraph messages to and from such points;

It further appearing, that said Supplements Nos. 63, 64 and 65, and said revised numbered pages to The Western Union Telegraph Company Tariff F.C.C. No. 217, make increases in rates and charges and state regulations and practices effecting such increase in rates and charges for the receipt, transmission, and delivery of telegraph messages in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective dates of said tariff supplements and revised pages insofar as they relate to increases in rates should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplements Nos. 63, 64 and 65, and said revised numbered pages to The West Union Telegraph Company Tariff F.C.C. No. 217, insofar as they relate to changes in such company's directory of station listings at the various named points set forth in Exhibit "B";[1]

It is further ordered, That the operation of said tariff supplements and revised numbered pages, insofar as they provide for an increase in the rates and charges for the receipt, transmission and delivery of interstate or foreign telegraph messages to and from the points set forth in Exhibit "B", be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such points, insofar as they provide for an increase in the rates and charges, be deferred for a period of three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in the rates, charges, regulations and practices herein suspended or in the rates or charges sought to be increased or the regulations and practices relating thereto unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted, into the lawfulness of the rates, charges, classifications, regulations, practices and services of The Western Union Telegraph Company for and in connection with service to and from the points named in Supplements Nos. 63, 64 and 65 and said revised numbered pages of The Western Union Telegraph Company Tariff F.C.C. No. 217;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Western Union Telegraph Company, and all carriers subject to the Commission's jurisdiction participating in service provided under the tariff provisions sus-

[1] Filed as part of the original document.

pended herein, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected or received by each of them by reason of any increase in charges affected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That The Western Union Telegraph Company and each participating carrier subject to the Commission's jurisdiction shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing December 10, 1942, showing the amounts charged, collected or received and accounted for as aforesaid, during the previous calendar month:

It is further ordered, That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff supplements and revised numbered pages herein suspended in part; that copies hereof be served upon the carrier parties to such supplements and tariff; and that said carrier parties be, and they are hereby, each made a party respondent to this proceeding;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing at 10 a. m. on the 9th day of September 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8066; Filed, August 18, 1942; 10:56 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-675]

PEPSI-COLA COMPANY

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of August, A. D. 1942.

In the matter of application of the Boston Stock Exchange to extend unlisted trading privileges to Pepsi-Cola Company, Common Stock, $1 Par Value.

The Boston Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Wednesday, September 23, 1942, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Frank Kopelman, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8055; Filed, August 18, 1942; 10:37 a. m.]

[File No. 1-2884]

ALLEN ELECTRIC & EQUIPMENT COMPANY

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of August, A. D. 1942.

The Allen Electric & Equipment Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Detroit Stock Exchange; and

The Commission having ordered that a hearing be held in this matter on Wednesday, August 19, 1942, in Cleveland, Ohio; and

The Trial Examiner for the Commission having requested a postponement of said hearing, which postponement was consented to by the Applicant and by the Detroit Stock Exchange;

It is ordered, That the matter be set down for hearing at 10 a. m. Wednesday, September 2, 1942, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the case and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8056; Filed, August 18, 1942; 10:37 a. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO., ET AL.

ORDER GRANTING TIME EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 15th day of August 1942.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, respondents, (File No. 59-17); The United Light and Power Company and its subsidiary companies, respondents, (File No. 59-11); and The United Light and Power Company, applicant, (File No. 54-25).

The Commission having by order dated August 5, 1941, entered pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directed that The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company and Continental Gas & Electric Corporation, registered holding companies, dispose of certain of their interests in designated companies; and said order having provided that the respondents should make application to the Commission for the entry of such further orders as are necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate; and

The aforementioned holding companies having filed an application, designated as "Application No. 15", requesting an extension of time for one year within which to comply with our order of August 5, 1941; and

The Commission having found that said holding companies have been unable in the exercise of due diligence to comply with said order within the initial statutory period of one year from the date of its entry, and that an extension of time is necessary and appropriate in the public interest and for the protection of investors;

It is ordered, That said holding companies be, and they hereby are, granted an additional period of one year from August 5, 1942 within which to comply with said Order of August 5, 1941.

By the Commission.

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8057; Filed, August 18, 1942; 10:38 a. m.]

Reference

AUG 21 1942

THE NATIONAL ARCHIVES LITTERA SCRIPTA MANET 1934 OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 164

Washington, Thursday, August 20, 1942

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation WD 1]

PART 103—WAR RELOCATION PROJECTS

RELOCATION CENTERS, ARKANSAS, COLORADO AND WYOMING

AUGUST 13, 1942.

TO: The people within the States of Arkansas, Colorado and Wyoming, and the Public Generally:

Whereas by Executive Order No. 9066, dated February 19, 1942,[1] the President of the United States authorized and directed the Secretary of War, whenever he deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he may determine, from which any or all persons may be excluded, and with respect to which the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War may impose in his discretion; and

Whereas the United States has been subjected to attacks and attempted invasion by the armed forces of nations with which the United States is now at war, and in connection therewith, is subject to espionage and acts of sabotage, thereby requiring the adoption of military measures necessary to establish safeguards against such enemy operations emanating from within as well as from without the national boundaries; and

Whereas the present situation requires as a matter of military necessity that persons of Japanese ancestry who have been evacuated from certain regions of the United States shall be removed to Relocation Centers for their relocation, maintenance and supervision in War Relocation Projects and further requires the promulgation of appropriate restrictions regulating and controlling the rights of all such persons of Japanese ancestry, both alien and non-alien, so evacuated to such Relocation Centers, and of all other persons to enter, remain in, or leave such areas;

Now, therefore, I, Henry L. Stimson, Secretary of War, by virtue of the authority vested in me by the President of the United States, and my powers and prerogatives as Secretary of War, do hereby declare that:

§ 103.1 *Relocation centers; Arkansas, Colorado, and Wyoming.* (a) Pursuant to the determination of military necessity hereinbefore set out, all the territory within the established boundaries of Heart Mountain Relocation Project, approximately twelve miles northeast of Cody, Wyoming; Granada Relocation Project, approximately two miles southwest of Granada, Colorado; Jerome Relocation Project, approximately one mile northeast of Jerome, Arkansas; and Rohwer Relocation Project, adjacent to and west of Rohwer, Arkansas, are hereby established as Military Areas, and are designated as War Relocation Project Areas.

(b) All persons of Japanese ancestry and all members of their families, both alien and non-alien, who now or shall hereafter be or reside, pursuant to orders and instructions of the Secretary of War, or pursuant to the orders or instructions of the Commanding General, Western Defense Command and Fourth Army, or otherwise, within the bounds of any of said War Relocation Project Areas are required to remain within the bounds of said War Relocation Project Areas at all times unless specifically authorized to leave as set forth in paragraph (c) hereof.

(c) Any person of Japanese ancestry and any member of his family, whether alien or non-alien, who shall now or hereafter be or reside within any of said War Relocation Project Areas, before leaving any of said Areas, shall obtain a written authorization executed by or pursuant to the express authority of the Secretary of War or the Director, War

[1] 7 F.R. 1407.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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Relocation Authority, setting forth the effective period of said authorization and the terms and conditions upon and purposes for which it has been granted.

(d) No persons other than the persons of Japanese ancestry and members of their families described in paragraph (b) hereof, other than military personnel on duty at a given War Relocation Project, and other than persons employed by the War Relocation Authority established by Executive Order No. 9102, dated March 18, 1942,[1] shall enter any of such War Relocation Project Areas except upon written authorization executed by or pursuant to the express authority of the Secretary of War or the Director, War Relocation Authority, first obtained, which said authorization shall set forth the effective period thereof and the terms and conditions upon and purposes for which it has been granted.

(e) Failure of persons subject to the provisions of this Public Proclamation No. WD 1 to conform to the terms and provisions thereof shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress approved March 21, 1942, entitled "An Act to Provide a penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones".

HENRY L. STIMSON,
Secretary of War.

[F. R. Doc. 42–8094; Filed, August 19, 1942; 11:11 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 204—RESERVES OF MEMBER BANKS

MISCELLANEOUS AMENDMENTS

On August 18, 1942, the Board of Governors of the Federal Reserve System amended § 204.5 [Supplement to Regulation D], effective as to each member bank at the opening of business on August 20, 1942, to read as follows:

§ 204.5 *Supplement; reserves required to be maintained by member banks with Federal Reserve banks.* Pursuant to the provisions of section 19 of the Federal Reserve Act and § 204.2 (a),[2] the Board of Governors of the Federal Reserve System hereby prescribes the following reserve balances which each member bank of the Federal Reserve System is required to maintain on deposit with the Federal Reserve Bank of its district:

6 per cent of its time deposits plus—

14 per cent of its net demand deposits if not in a reserve or central reserve city;

20 per cent of its net demand deposits if in a reserve city, except as to any bank located in an outlying district of a reserve city or in territory added to such city by the extension of the city's corporate limits, which, by the affirmative vote of five members of the Board of Governors of the Federal Reserve System, is permitted to maintain 14 per cent reserves against its net demand deposits;

24 per cent of its net demand deposits if located in a central reserve city, except as to any bank located in an outlying district of a central reserve city or in territory added to such city by the extension of the city's corporate limits, which, by the affirmative vote of five members of the Board of Governors of the Federal Reserve System, is permitted to maintain 14 per cent or 20 per cent reserves against its net demand deposits.

Section 204.5 of this part which was previously issued is hereby revoked and superseded.

(Sec. 11 (c), (e), (i), 38 Stat. 262, sec. 10, 40 Stat. 239, sec. 4, 40 Stat. 970, sec. 207, 49 Stat. 706, sec. 324, 49 Stat. 714, Public No. 656, 77th Congress; 12 U.S.C. 248 (c), (e), (i), 462, 466, 12 U.S.C., Sup., 462b, 461, 462a1, 465)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
R. S. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42–8101; Filed, August 19, 1942; 11:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5166]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

Amending §§ 19.23 (a)–1 and 19.24–2 of Regulations 103.

Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Supp.) are amended as follows:

PARAGRAPH 1. The seventh sentence of § 19.23 (a)–1 reading in part as follows:

• • • Among the items included in business expenses are management expenses, commissions, labor, supplies, • • •.

is amended by inserting "(but see § 19.24–2)" immediately after "commissions."

PAR. 2. The seventh sentence of § 19.24–2 reading as follows:

• • • Commissions paid in selling securities, when such commissions are not an ordinary and necessary business expense, are an offset against the selling price.

is amended to read as follows:

• • • Commissions paid in selling securities are an offset against the selling price, except that in the case of dealers in securities such commissions may be treated as an ordinary and necessary business expense.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: August 17, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42–8087; Filed, August 18, 1942; 5:06 p. m.]

[1] 7 F.R. 5475.
[2] 7 F.R. 2165.

[T.D. 5167]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

TIME EXTENSION FOR FILING CERTAIN NONTAXABLE RETURNS

Amending Regulations 103, granting extension of time for filing nontaxable returns of fiduciaries for estates and trusts.

Section 19.53–3 of Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Supp.) is amended to read as follows:

§ 19.53–3 *Extensions of time in the case of foreign organizations, certain domestic corporations, citizens of United States residing or traveling abroad, and nontaxable returns of fiduciaries for estates or trusts.* (a) An extension of time for filing returns of income for taxable years begun after December 31, 1938, is hereby granted up to and including the 15th day of the sixth month following the close of the taxable year in the case of:

(1) Foreign partnerships regardless of whether they maintain an office or place of business within the United States;

(2) Foreign corporations which maintain an office or place of business within the United States;

(3) Domestic corporations which transact their business and keep their records and books of account abroad;

(4) Domestic corporations whose principal income is from sources within the possessions of the United States; and

(5) American citizens residing or traveling abroad, including persons in military or naval service on duty outside the United States.

In all such cases a statement must be attached to the return showing that the person for whom the return is made is a person described in this paragraph. Taxpayers who take advantage of this extension of time will be charged with interest at the rate of 6 percent per annum on the first installment of tax, if any, from the original due date until paid.

(b) An extension of time for filing nontaxable returns of income for taxable years begun after December 31, 1941, is hereby granted up to and including the 15th day of the fifth month following the close of the taxable year in the cases of fiduciaries for estates or trusts. The extension so granted is not applicable to returns of beneficiaries or other distributees of such estates or trusts.

(Secs. 53 and 62 of the Internal Revenue Code (53 Stat. 32, 33 as amended by 53 Stat. 876, 26 U.S.C. 1940 Ed., 53, 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: August 17, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42–8088; Filed, August 18, 1942; 5:06 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey

PART 251—ADMINISTRATION OF GOVERNMENT-OWNED PATENT RIGHTS REGARDING A METHOD AND MEANS FOR EXTINGUISHING MAGNESIUM INCENDIARY BOMBS[1]

AMENDMENTS

Section 251.2 is amended to read as follows:

§ 251.2 *Preliminary considerations to the issuance of licenses.* As it will be necessary, to enable prompt disposition of applications for licenses, to rely largely on the representations made by the applicants, the application papers must be sworn to (or affirmed) before a notary public or other officer authorized to administer oaths. Great care should be taken to insure that every representation or statement made in the application papers, quarterly reports, and other documents filed pursuant to these regulations is exactly true and that every material fact has been fully disclosed since any wilfully false representation or statement or wilful concealment of a material fact will not only warrant the revocation of the license subsequent to its issuance, but will subject the applicant to criminal liability.

Section 251.14 is amended to read as follows:

§ 251.14 *Quarterly reports.* Quarterly reports of operations under the license shall be submitted to the Secretary of the Interior not later than March 15, June 15, September 15, and December 15 of each year. These reports must show the amount or number of units of extinguisher material distributed or marketed and the principal places of such distribution or marketing; the returns received on sales; the gross and net profits realized therefrom; the efforts made to cooperate with civilian defense organizations in a constructive manner for the protection of the general public; and any other matters deemed pertinent. A ground sample representative of the product marketed during the period covered by the report should also be furnished.

Recommended for approval: August 8, 1942.

W. C. MENDENHALL,
Director of the Geological Survey.

Approved: August 14, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42–8084; Filed, August 18, 1942; 3:53 p. m.]

[1] 7 F.R. 5974.

Chapter III—Bituminous Coal Division

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

[Docket No. A–1550]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is, therefore, ordered, That the footnote "# shipping point at Flagler in Freight Origin Group No. 26 shall no longer be applicable" in Supplement R, § 332.2 (*Alphabetical list of code members*), annexed to the order of July 14, 1942, should be and hereby is deleted.

It is further ordered, That shipping point and mine origin group number appearing in Supplement R, § 332.2 (*Alphabetical list of code members*), annexed hereto shall be effective for the No. 3 Mine (Mine Index No. 75) Premium Coal Company, Inc., c/o Glen A. Beebout, instead of the shipping point and mine origin group number heretofore assigned to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 10, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

§ 332.2 *Alphabetical list of code members*—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups (for delivery by railroad)]

Mine index No.	Code member	Mine	Mine origin group	Originating railroad	Mine origin group No.
75	Premium Coal Co., Inc. c/o Glen A. Beebout	#1	Knoxville [1]	CB&Q	30

[1] Indicates mines shipping via public sidings and ramps for railway delivery.
[2] Shipping point at Flagler in Freight Origin Group No. 26 shall no longer be applicable.

[F. R. Doc. 42-8072; Filed, August 18, 1942; 11:20 a. m.]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

[Docket No. A-1499]

ORDER AMENDING RELIEF ORDER

Order correcting order granting temporary relief and conditionally providing for final relief, and providing for additional temporary and conditionally final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 12.

On July 14, 1942, 7 F.R. 5696, an order was issued in the above-entitled matter granting temporary relief and conditionally providing for final relief.

It appears that the footnote reading "# shipping point at Flagler in Freight Origin Group No. 26 shall no longer be applicable" in Supplement R" annexed to the order was improperly included.

It further appears that this order granted no relief with respect to the request of the petitioner for a change in the shipping point of the No. 3 Mine (Mine Index No. 75) of the Premium Coal Company, Inc., c/o Glen A. Beebout, for the reason that records of the Division indicated that the code acceptance filed on behalf of this operator was improper.

It now appears that the Premium Coal Company, Inc., is a code member in good standing.

It is further ordered, That the footnote "# shipping point at Flagler in Freight Origin Group No. 26 shall no longer be applicable" in Supplement R, § 332.2 (*Alphabetical list of code members*), annexed to the order of July 14, 1942, should be and hereby is deleted.

It is further ordered, That shipping point and mine origin group number appearing in Supplement R, § 332.2 (*Alphabetical list of code members*), annexed hereto shall be effective for the No. 3 Mine (Mine Index No. 75) Premium Coal Company, Inc., c/o Glen A. Beebout, instead of the shipping point and mine origin group number heretofore assigned to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 10, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

No relief is granted herein with respect to the request of District Board No. 10 for establishment of effective minimum prices for the coals of the Black Hawk Mine (Mine Index No. 970) of Maurice Dieu, a code member in District No. 10, for truck shipments, for the reason that it appears that the prices for the coals of Mine Index No. 970 have been established in Price Schedule No. 1 of District No. 10 for truck shipments for Black Hawk Coal Company and Maurice Dieu is a successor of Black Hawk Coal Company in the operation of this mine.

Dated: August 10, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index and name	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 3 STARK COUNTY																		
Galli, Joseph & John (Joseph Galli).	1590	Galli's Mine	6	255	250	245	235	230	225	185	165	160	155	155	125	115	60	
SECTION NO. 4 FULTON COUNTY																		
Leonard & Hertford (Lewis Hertford).	1587	Leonard & Herriford	5	255	250	245	235	230	225	185	165	160	155	155	125	115	60	
Liberty Coal Co. (Frank Wolgemuth).	1591	Liberty #2	5	255	250	245	235	230	225	185	165	160	155	155	125	115	60	
PEORIA COUNTY																		
Pankey, J. H.	1592	Whip-Poor-Will #2	5	255	250	240	235	230	225	185	165	160	155	155	125	115	60	

[F. R. Doc. 42-8073; Filed, August 18, 1942; 11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-77]

KRONKE CO.

Kronke Company of Oakland, California, is a corporation engaged in manufacturing and selling cotton duck and cotton duck products. Between March 1 and April 2, 1942, the company made deliveries of 9,175 yards of cotton duck without specific authorization from the Director of Industry Operations on orders which did not bear a preference rating higher than A-2 in violation of General Preference Order M-91.[1] At least 2,625½ yards of this amount were delivered after the company had full knowledge of the restrictions contained in the order. The company also used a substantial amount of cotton duck in the manufacture of awning stripe in wilful violation of General Preference Order M-91 during the month of March. 1942.

These violations of General Preference Order M-91 have hampered and impeded the war effort of the United States by diverting cotton duck to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.77 *Suspension Order S-77.* (a) Kronke Company, its successors and assigns, shall not accept delivery of, deliver, or use in the manufacture of any article any cotton duck as the same is defined in General Preference Order M-91 except as specifically authorized by the Director General for Operations.

(b) Deliveries of material to Kronke Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Kronke Company by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Kronke Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Kronke Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 23, 1942, and shall expire on November 23, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8079; Filed, August 18, 1942; 2:50 p. m.]

[1] 7 F.R. 1671, 2596, 4029, 5353.

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S-78]

ADDRESSOGRAPH SALES AGENCY OF SAN FRANCISCO, CALIF.

On or about June 8, 1942, C. E. L. Shaw, doing business as Addressograph Sales Agency of San Francisco, California, was awarded a contract for 150,000 metal identification tags from the City of San Francisco. The Addressograph Sales Agency ordered these tags from Larkin Specialty Manufacturing Company which agreed to stamp them out of plated steel sheet then in its possession, deliver them to Standard Plating Works for cleaning and ball burnishing and subsequent delivery to Addressograph Sales Agency for indenting. Approximately 19,000 tags were stamped out prior to June 19, 1942, but only a few thousand of these tags had been ball burnished prior to that date.

Between July 2 and July 8, 1942, Larkin Specialty Manufacturing Company, acting on advice from Addressograph Sales Agency, that the War Production Board had approved the completion of the contract, stamped out approximately 52,000 more tags although this constituted a violation of General Conservation Order M-126[1] which prohibited the processing of steel for the purpose of making identification tags subsequent to June 19, 1942. Most of these tags were delivered to Standard Plating Works for ball burnishing, which also constituted prohibited processing under General Conservation Order M-126. Approximately 48,000 of the tags have been delivered to Addressograph Sales Agency and about 17,000 have been indented. Although Addressograph Sales Agency knew, or had reason to know, that these tags had been stamped out and ball burnished in violation of General Conservation Order M-126, it, nevertheless, accepted delivery thereof. This constituted a wilful violation of General Conservation Order M-126 by Addressograph Sales Agency which violation has hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.78 *Suspension Order No. S-78.* (a) C. E. L. Shaw, doing business as Addressograph Sales Agency, his sucesgors and assigns shall make no deliveries to the City of San Francisco or any other person of any identification tags which were stamped out by Larkin Specialty Manufacturing Company except as specifically authorized by the Director General for Operations. This prohibition shall apply to all of the identification tags whether or not the same have already been indented by C. E. L. Shaw, doing business as Addressograph Sales Agency and whether or not the same were stamped out in violation of Conservation Order M-126.

(b) This order shall take effect immediately and shall continue in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc 42-8080; Filed, August 18, 1942; 2:50 p. m.]

[1] 7 F.R. 5353, 5358, 5462, 5510, 5902, 6047.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-79]

CALIFORNIA COTTON MILLS CO.

California Cotton Mills Company of Oakland, California, is engaged in buying and selling cotton duck and processing the same. Between March 1 and March 24, 1942, the Company used more than 15,000 yards of cotton duck in the manufacture of canvas door strips without specific authorization from the Director of Industry Operations to fill orders bearing a preference rating lower than A-2. A substantial amount of this cotton duck was used after the Company had become fully aware of the restrictions contained in General Preference Order M-91.[1] The processing of this cotton duck constituted a wilful violation of General Preference Order M-91 which has hampered and impeded the war effort of the United States by diverting cotton duck to uses unauthorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered:*

§ 1010.79 *Suspension Order S-79.* (a) California Cotton Mills Company, Oakland, California, its successors and assigns, shall not cut, process, or make deliveries of any cotton duck as the same is defined in General Preference Order M-91 whether or not the cotton duck has been rejected by the Army and Navy of the United States, except as specifically authorized by the Regional Compliance Chief of the San Francisco Regional Office, War Production Board.

(b) Nothing contained in this Order shall be deemed to relieve California Cotton Mills Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director

[1] 7 F.R. 1671, 2596, 4029, 5353.

of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect August 23, 1942, and shall expire on October 23, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F R. Doc. 42-8081; Filed, August 18, 1942; 2:51 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-83]

ELMER H. FARNSWORTH

Elmer H. Farnsworth of Brockton, Massachusetts, operates two service stations, one located at Howard and North Montello Streets, the other at Spring and Pleasant Streets, Brockton, Massachusetts. During the latter part of May, 1942, large quantities of gasoline were delivered to Farnsworth at his Spring and Pleasant Streets station which were then transferred by him from that station to his other station at Howard and North Montello Streets. Prior to the transfer of this gasoline to the Howard and North Montello Streets station, that station had, as Farnsworth knew, already accepted delivery of the monthly quota of motor fuel which it was permitted to receive under Limitation Order L-70.

The acceptance of delivery of motor fuel by Farnsworth at this service station at a time when he knew the service station had already received its monthly quota constituted a wilful violation of Limitation Order L-70 which has hampered and impeded the war effort of the United States.

In view of the foregoing, *It is hereby ordered:*

§ 1010.83 *Suspension Order S-83.* (a) Elmer H. Farnsworth and any other person or persons who may now or hereafter occupy the Service Station located at Howard and North Montello Streets, Brockton, Massachusetts, now or recently occupied by said Elmer H. Farnsworth shall not accept delivery at such Service Station of any motor fuel as the same is defined in Limitation Order L-70.

(b) Elmer H. Farnsworth shall not accept delivery at any Service Station now or hereafter owned, operated, or leased by him of any motor fuel as the same is defined in Limitation Order L-70.[1]

(c) No person shall deliver any motor fuel as the same is defined in Limitation Order L-70 to the Service Station located at Howard and North Montello Streets, Brockton, Massachusetts, now or recently occupied by Elmer H. Farnsworth or to any Service Station now or hereafter owned, leased, or operated by Elmer H. Farnsworth.

(d) Nothing contained in this Order shall be deemed to relieve Elmer H. Farnsworth from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect August 20, 1942, and shall expire on December 20, 1942, at which time the restrictions contained in this Order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc 42-8077; Filed, August 18, 1942; 2:50 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-84]

CAPITAL CO.

Capital Company of San Francisco, California, is a real estate company which does construction work for Bank of America National Trust and Savings Association. Capital Company was hired by Bank of America to act as its agent in remodeling two buildings, one located at Vernon, California, the other at Huntington Park, California, into premises suitable for occupancy by branches of Bank of America. The Huntington Park property is owned by Bank of America and the Vernon property is leased by it.

On or about April 20, 1942, with full knowledge of the restrictions contained in Conservation Order L-41,[1] Capital Company, acting as agent for Bank of America, first began construction on these projects by physically incorporating therein materials which were an integral part thereof. This constituted a wilful violation of Conservation Order L-41, which has hampered and impeded the war effort of the United States by diverting scarce materials to users unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.84 *Suspension Order S-84.* (a) Neither Capital Company nor Bank of America National Trust and Savings Association nor any other person, shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to continue construction on the properties located at Vernon, California, and Huntington Park, California, on which construction was begun in violation of Conservation Order L-41. The Vernon property is more specifically described as Lots 52, 53, and 54 of Block 3 corrected map, Adeline Square Tract, Los Angeles, California, and the Huntington Park property is more specifically described as Lots 15, 16, and 17, Block 23, located at the corner of Clarendon and Pacific Streets, Huntington Park, California.

(b) No application for authorization to continue construction on the aforesaid properties located at Vernon, California, and Huntington Park, California, shall be granted by the War Production Board.

(c) This order shall take effect immediately and shall continue in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8082; Filed, August 18, 1942; 2:51 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-74]

DUART MANUFACTURING CO.

Duart Manufacturing Company of San Francisco, California, is engaged in the business of manufacturing permanent wave machines. Subsequent to February 17, 1942, the Company delivered aluminum castings containing approximately 3,517 pounds of aluminum to another company although such deliveries were not in fulfillment of rated purchase orders for essential items. The castings were then fabricated into parts for permanent wave machines and returned to Duart Manufacturing Company which thereupon assembled the parts into finished permanent wave machines and items sold in conjunction therewith. The delivery of these aluminum castings for processing and return to the Company constituted a violation of Supplementary Order M-1-f[1] and the assembling of the aluminum parts into the finished machines constituted a violation of Supplementary Order M-1-e.[2] Through its violations of these orders the Company was able to manufacture at least 490 permanent wave machines.

These violations of Supplementary Orders M-1-f and M-1-e have impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.74 *Suspension Order S-74.* (a) Duart Manufacturing Company, its successors and assigns, shall not sell, transfer or otherwise dispose of 490 of the permanent wave machines containing aluminum which are now in its inventory, except as specifically authorized by the Director General for Operations: *Provided, however,* That the Company may deliver or transfer such permanent wave machines for the purpose of storing the same for its own use.

(b) Nothing contained in this order shall be deemed to relieve Duart Manufacturing Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect immediately and shall remain in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F R. Doc. 42-8078; Filed, August 18, 1942; 2:50 p. m.]

PART 1090—AGAVE FIBER

[Amendment 1 to General Preference Order M-84, as amended August 5, 1942]

Section 1090.1 *General Preference Order* M-84,[1] paragraph (c) (4), is hereby amended by substituting for the date "August 19, 1942" appearing in the second sentence thereof, the date "August 31, 1942." (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8093; Filed, August 19, 1942; 10:57 a. m.]

Chapter XI—Office of Price Administration

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 207]

FROZEN FRUITS, BERRIES AND VEGETABLES

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of frozen fruits, berries and vegetables by packers have resulted in the establishment under the General Maximum Price Regulation[2] of maximum prices for such sales which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to assist in securing adequate production of such commodities. This Maximum Price Regulation No. 207 is issued by the Price Administrator in order to establish for the packers of frozen fruits, berries and vegetables maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The Price Administrator has ascertained and given due consideration to the prices of frozen fruits, berries and vegetables prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has consulted with representatives of the frozen fruit, berries and vegetables industry.

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which frozen fruits, berries and vegetables are manufactured, a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 15, 1941; or (4) the average price for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 207 is hereby issued.

AUTHORITY: §§ 1341.201 to 1341.214, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.201 *Prohibition against dealing in frozen fruits, berries and vegetables above maximum prices.* (a) On and after August 24, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any frozen fruits, berries or vegetables packed after the 1941 pack at a price higher than the maximum prices established pursuant to this Maximum Price Regulation No. 207.

(b) No person in the course of trade or business shall buy or receive any frozen fruits, berries or vegetables from a packer at a price higher than the maximum price established by this Maximum Price Regulation No. 207; and

(c) No packer or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.202 *Packer's maximum prices for frozen fruits, berries and vegetables.* (a) The packer's maximum price per dozen or other unit f. o. b. factory for each kind, grade and container size of frozen fruits, berries and vegetables packed after the 1941 pack shall be:

(1) The weighted average price per dozen or other unit f. o. b. factory charged by the packer for such kind, grade and container size during the first 60 days after the beginning of the 1941 pack, revised to reflect no more than seven months' storage in the case of quick-frozen fruits, berries and vegetables and no more than thirty days' storage in the case of cold-packed fruits, berries and vegetables; plus

(2) Twelve per cent of such revised weighted average price per dozen or other unit f. o. b. factory, as determined under paragraph (a) (1) of this section; plus

(3) The actual increase per dozen or other unit in the cost of the raw agricultural commodity delivered at the factory in 1942 over the cost of the same raw agricultural commodity delivered at the factory for the 1941 pack, except as hereinafter limited in paragraph (b) (2) of this section.

(b) In determining the packer's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each kind, grade and container size, divided by the number of units sold of such kind, grade and container size. All sales made in the regular course of business during the first 60 days after the beginning of the 1941 pack shall be included, except sales made to the armed forces of the United States.

(2) The "actual increase in the cost of the raw agricultural commodity" shall be:

(i) The difference per dozen or other unit of each kind, grade and container size between (*a*) the weighted average cost per unit to the packer of the raw agricultural commodity purchased for the 1941 pack, computed by dividing the total amount paid by the number of units purchased, and (*b*) the weighted average of the prices per unit, paid or contracted to be paid by the packer to the grower for the same raw agricultural commmodity in 1942, based on not less than the first 75 per cent of his 1942 purchases: *Provided,* That in the case of strawberries any packer who in 1942 purchased his strawberries at less than eight cents per pound may include in the 1942 cost of such strawberries any amount per pound subsequently paid by him to the grower which when added to the amount already paid does not exceed the sum of eight cents per pound.

(ii) But in no case to exceed: (*a*) For all fruits, the following maximum amounts:

Raw Agricultural Commodity:	*Maximum permitted increase (per ton)*
Apples	(1)
Apricots	$23
Cherries, red sour pitted	50
Cherries, sweet	56
Grapes	14
Peaches, freestone (including freestone nectarines)	15
Pears	15
Plums	2
Prunes	13

[1] To be announced.

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[1] 7 F.R. 5552, 6419.

[1] 7 F.R. 2730, 3712, 3774, 4326, 5661.

[1] 7 F.R. 1104, 6519.
[2] 7 F.R. 539, 6519.

[1] 7 F.R. 6144.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058.

*Copies may be obtained from the Office of Price Administration.

(b) For all berries, except strawberries, the amount of three cents per pound.

(c) For strawberries, the difference between the weighted average cost per pound delivered at the packing plant in 1941 and eight cents per pound.

(d) For all vegetables, the difference between the weighted average cost per ton of raw material delivered at the packing plant in 1941 and the weighted average cost per ton delivered at the packing plant in 1942 of at least 75 per cent of the packer's 1942 raw material requirements, but excluding from such weighted average costs in 1942 any raw material costs incurred on or after July 6, 1942, in excess of the market prices of such raw material delivered at the packing plant prevailing on the respective dates on which such raw material was contracted for.

(iii) The actual increase per dozen or other unit which any cooperative packer is entitled to recognize hereunder shall be the actual increase which the most closely competitive non-cooperative packer is entitled to recognize for the same kind, grade and container size.

(iv) In converting the increased cost of the raw agricultural commodity into increased cost per dozen or other unit for each grade and container size, the increase shall be allocated to each grade and container size in the same proportion as costs of raw materials in 1941 were allocated to each grade and container size.

(v) The actual increase per dozen or other unit in the cost of the raw agricultural commodity shall not be computed until the packer has purchased 75 per cent or more of his 1942 requirements. Such increase, as determined hereunder by a packer, shall be deemed to be his actual increase and shall not be subject to adjustment thereafter for later fluctuations in the cost of the raw agricultural commodity.

(c) If the maximum price for any kind, grade and container size of any frozen fruits, berries or vegetables cannot be determined under paragraphs (a) and (b) of this section, the packer's maximum price for such kind, grade and container size shall be the maximum price of the most closely competitive packer.

(d) If the packer's maximum price cannot be determined under paragraphs (a), (b), or (c) of this section, the maximum price shall be a price determined by the packer after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a description in detail of the kind, grade and container size of the frozen fruits, berries or vegetables for which a maximum price is sought; and (2) a statement of the facts which differentiate such kind, grade and container size of frozen fruits, berries or vegetables from the most similar kind, grade and container size for which he has determined a maximum price, stating such most similar kind, grade and container size and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the packer shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(e) Any packer who believes that the maximum prices determined pursuant to the provisions of this section are such that they subject him to hardship with respect to any particular brand of frozen fruits, berries or vegetables, may apply to the Office of Price Administration, Washington, D. C., for authorization to compute his maximum prices hereunder separately for such brand. Such application shall set forth, under oath or affirmation, (1) the maximum prices which would be established under this section for each kind, grade and container size of such brand if such prices for such brand were computed separately under the foregoing paragraphs of this section, (2) the number of years in which the packer has packed under such particular brand, (3) the amount of each kind, grade and container size of that particular brand packed by him during the 1941 pack, (4) the amount of the same kind, grade and container size packed by him during the 1941 pack which was not packed under such brand, (5) the extent to which the brand in question was used and advertised during the year 1941, (6) the price relationship between the particular brand in question and his other brands or unbranded frozen fruits, berries and vegetables of the 1941 pack, (7) the number of brands, other than the particular brand in question under which the packer packed the same kind of frozen fruits, berries or vegetables in 1941, and (8) such other facts as the packer may deem relevant.

(f) The maximum price for each kind grade and container size for a packer who owns more than one factory shall be determined separately for each factory, except that if any group of two or more factories located in the same growing or packing area had the same f. o. b. factory prices in 1941, the maximum prices shall be determined uniformly for the entire group by using the combined figures for all of the factories in the group in computing the maximum price under paragraphs (a) and (b) of this section, or if that cannot be determined, by using the price of the most closely competitive packer, under paragraph (c) of this section, as the maximum price of the entire group. In applying for the specific authorization of a price under paragraph (d) of this section, the application may be made for a uniform maximum price for all of the factories in such group.

(g) Any packer who sold and delivered a particular brand of frozen fruits, berries or vegetables packed by him during the calendar year 1941 on an established uniform delivered price basis by zone or area, may add to the maximum price per dozen f. o. b. factory computed under the foregoing paragraphs of this section for each grade and container size of such brand of frozen fruits, berries or vegetables, the freight charge he added to his f. o. b. factory price during the calendar year 1941, for such grade and container size of such brand of frozen fruits, berries or vegetables in the same zone or area. The resulting price shall be the packer's maximum delivered price for such grade and container size of such brand of frozen fruits, berries or vegetables for the zone or area in which the same freight factor was used in 1941.

(h) No packer shall change his customary allowances, discounts or other price differentials, including price differentials between different classes of purchasers and price differentials between brands, except when authorized to comput brand differentials pursuant to paragraph (e) of this section, unless such change results in a lower price.

§ 1341.203 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 207 may be charged, demanded, paid or offered.

§ 1341.204 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a packer are sold or otherwise transferred on or after August 24, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this Maximum Price Regulation No. 207.

§ 1341.205 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 207 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to frozen fruits, berries or vegetables, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.206 *Records and reports.* Every packer who makes sales of frozen fruits, berries or vegetables packed after the 1941 pack, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by § 1341.202, and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for frozen fruits, berries or vegetables sold on and after August 24, 1942, and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each kind of frozen fruits, berries or vegetables, a statement certified under oath or affirmation showing his weighted average price and his increase in the cost of the raw agricultural commodity, as determined under § 1341.202 hereof, together with the maximum price determined hereunder for each grade and container size of such kind of frozen fruits, berries or vegetables and all his customary allowances and discounts, and (d) in those cases in which the maximum price of any kind, grade and container size of frozen fruits, berries or vegetables was determined by the maximum price of the most closely competitive packer, showing the maximum price of such kind, grade and container size and the name and address of the packer whose maximum price was so adopted, and (e) in those cases in which a packer made sales and deliveries of a particular brand of frozen fruits, berries or vegetables packed by him in 1941 on an established uniform delivered price basis by zone or area, showing his maximum price per dozen f. o. b. factory for each grade and size of such brand of frozen fruits, berries or vegetables, the freight charge which he added to his f. o. b. factory price during the calendar year 1941 for each zone or area and the maximum delivered price for each kind, grade and container size of frozen fruits, berries or vegetables packed after the 1941 pack delivered in each zone or area, and (f) preserve for a period of two years a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any packer who claims that substantial injury would result to him from making any such statement available to any other person, may file such copy of such statement with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 207.

§ 1341.207 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 207, are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.208 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 207 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1341.209 *Applicability.* The provisions of this Maximum Price Regulation No. 207 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.210 *Definitions.* (a) When used in this Maximum Price Regulation No. 207 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means a person who freezes and packs, either as a quick freezer or as a cold packer, any of the products defined herein as frozen fruits, berries and vegetables.

(3) "Frozen fruits, berries and vegetables" means any fruits, berries or vegetables which have been frozen and packed.

(4) "1941 pack" of any frozen fruits, berries or vegetables shall be that pack the major portion of which was frozen and packed during the calendar year 1941.

(5) "The most closely competitive packer" means the packer who:

(i) Sells to the same class of buyers,

(ii) Packs the same or similar quality range of the product in question,

(iii) Has sold in the past the same kind of frozen fruits, berries or vegetables at approximately the same prices as the packer establishing a maximum,

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area, or if there is no such packer in the same general growing and packing area, is located in the nearest growing and packing area.

(6) "Kind", when referring to any frozen fruits, berries or vegetables, also refers to the style of the pack of such frozen fruits, berries or vegetables.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.211 *Export sales.* The maximum price at which a person may export frozen fruits, berries and vegetables shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [3] issued by the Office of Price Administration.

§ 1341.212 *Sales of frozen strawberries before effective date.* In any case in which a packer has sold before August 24, 1942, any frozen strawberries which were packed after the 1941 pack, such packer is hereby authorized to receive further payments from his buyer to the extent that such payments, when added to those already received under the contract of sale, do not exceed the maximum price which would have been established for him by this Maximum Price Regulation No. 207 had sale or delivery occurred after August 24, 1942.

§ 1341.213 *When prices established under § 1341.202 may be charged.* Every packer of frozen fruits, berries and vegetables shall take inventory of his stock of frozen fruits, berries and vegetables as of August 24, 1942, and shall deduct therefrom all such frozen fruits, berries and vegetables as were packed after the 1941 pack and prior to August 24, 1942. The difference so obtained shall be the quantity which such packer is hereby required to sell subject to maximum prices computed in conformity with the provisions of the General Maximum Price Regulation before he is entitled to sell any frozen fruits, berries and vegetables subject to the maximum prices established under § 1341.202 of this Maximum Price Regulation No. 207.

§ 1341.214 *Effective date.* This Maximum Price Regulation No. 207 (§§ 1341.201 to 1341.214 inclusive) shall become effective August 24, 1942.

Issued this 18th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8085; Filed, August 18, 1942; 4:50 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 13 to Rationing Order 2A [1]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

Section 1360.331 is amended to read as set forth below:

Restriction of Transfers

§ 1360.331 *Prohibitions.* Notwithstanding the terms of any contract or other commitment, regardless of when made, (a) No person shall make or offer to make, or accept or offer to accept, a transfer of a new passenger automobile except in accordance with the provisions of Rationing Order No. 2A; and

(b) During the period from August 18, 1942 to October 31, 1942, inclusive, no person shall make or offer to make, and no person including a certificate holder shall accept or offer to accept, a transfer of any Ford, Chevrolet or Plymouth, four-door, hardtop, 1942 model passenger automobile which on August 18, 1942 was held for sale or other transfer, had been driven less than 1,000 miles, and had a list price of $1,000 or less pursuant to Appendix A (§ 1360.61) of Revised Price Schedule No. 85 or any amendment thereto issued by the Office of Price Administration; *Provided, however,* That this section shall not prohibit the transfer of any such automobile to any person specified in § 1360.332 (b) or to any person acquiring such automobile for transfer to a person specified in § 1360.332 (b).

(1) The word "transfer" is broadly defined by these regulations. For example, the term includes not only transfers by sale, lease, or trade of the automobile, but also by gift from one person to another. Unless specifically exempted, all physical transfers involving a change in the actual use of the car are included. Thus, if a partnership gives what has been exclusively a partnership car to one

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3432, 4343, 5424, 6049.

[2] 7 F.R. 5059.

[3] 7 F.R. 5059.

of the partners for his own use, a transfer has occurred. On the other hand, putting a car in a garage or warehouse, or letting a repairman drive it to his shop, is not a transfer within these regulations.

(2) There are certain specific exemptions from the broad definition of "transfer." Delivery to a railroad or other carrier for shipment, and delivery by such carrier to the consignee, are not included. In this situation, the transfer takes place between the consignor and the consignee.

(3) A lease or loan made in good faith for a week or less is also not included in the word "transfer." This exception allows temporary loans to friends and does not prevent the leasing of new passenger automobiles possessed on January 2, 1942, by concerns which lease automobiles to the public for short periods. The requirement of good faith means that the lease or loan must really be temporary. If a person continually lends a car to the same person for six days of the week and takes it back on Sundays, he has made a loan for less than a week but, since he is clearly attempting to evade the regulations, he has not made the loan in good faith and the transaction is a "transfer."

(4) The term "transfer" does not include a technical transfer of title for security purposes without an accompanying transfer of use. Thus, security transactions, such as conditional sales contracts, bailment leases, or chattel mortgages, do not involve "transfers."

Effective Dates

§ 1360.442 *Effective dates of amendment* • • •

(m) Amendment No. 13 (§ 1360.331) to Rationing Order No. 2A shall become effective August 18, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 18th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8086; Filed, August 18, 1942; 4:50 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Maximum Price Regulation 150[1] as amended]

MILLED RICE

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 150, as amended, has been issued simultaneously herewith and filed with the Division of the Federal Register.* Sections 1351.451 to 1351.464 inclusive, are amended and renumbered to read as set forth below:

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 3856, 3901.

Sec.
1351.451 Maximum prices for milled rice.
1351.452 Less than maximum prices.
1351.453 Exempt sales.
1351.454 Conditional agreements.
1351.455 Guarantee.
1351.456 Evasion.
1351.457 Records and reports.
1351.458 Enforcement.
1351.459 Applicability of General Maximum Price Regulation.
1351.460 Petitions for amendment.
1351.461 Definitions.
1351.462 Applicability.
1351.463 Effective dates of amendments.
1351.464 Appendix A: Maximum prices for milled rice.

AUTHORITY: §§ 1351.451 to 1351.464, inclusive issued under Pub. Law 421, 77th Cong.

§ 1351.451 *Maximum prices for milled rice.* On and after June 1, 1942 regardless of any contract, agreement, or other obligation, no rice miller or first seller of milled rice shall sell, offer to sell, or deliver milled rice, and no person shall buy, offer to buy, or accept delivery of milled rice from a rice miller or first seller of milled rice at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1351.464 except as provided for in § 1351.453. The maximum prices shall not be increased by any charges for the extension of credit, and shall include commissions and all other charges, and shall apply to sales made for export.

§ 1351.452 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1351.464) may be charged, demanded, paid or offered.

§ 1351.453 *Exempt sales.* The maximum prices for milled rice established herein and the provisions of § 1351.451 are not applicable to sales of milled rice at retail or to sales of rice in packages of three pounds or less.

§ 1351.454 *Conditional agreements.* No person selling milled rice, which sale is subject to the maximum prices set forth in Appendix A (§ 1351.464), shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices set forth in Appendix A (§1351.464) in the event that this Maximum Price Regulation No. 150 is amended or is determined by court to be invalid, or upon any other contingency: *Provided*, That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section, permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or for exception, as the case may be.) Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception.)

§ 1351.455 *Guarantee.* At or prior to the time of shipment every seller of milled rice covered by this regulation must furnish the purchaser with an invoice covering the milled rice delivered, specifying clearly the following guarantee for each lot covered by the invoice:

(a) The total *minimum* percentage of whole kernel rice of all varieties.

(b) The variety and *minimum* percentage of whole kernel rice of the predominant variety.

(c) The variety and the *maximum* percentage of whole kernel rice of each other variety.

(d) The variety and the *maximum* percentage of each variety of second head milled rice.

(e) The *maximum* percentage of screenings milled rice.

(f) The *maximum* percentage of brewers milled rice.

The total of (b) and (c) shall equal (a) and the total of (a), (d), (e), and (f) shall equal 100%. Each lot of rice and its corresponding invoice must bear the same lot number or other similar mark of identification.

§ 1351.456 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 150 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, guarantee, delivery or purchase of, or relating to, milled rice, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1351.457 *Records and reports.* (a) Every person making sales of milled rice, which sales are subject to the maximum prices set forth in Appendix A (§ 1351.464) herein, and every person making purchases of milled rice, which purchases are subject to the maximum prices set forth in Appendix A (§ 1351.464) herein, after May 31, 1942 shall keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of each such sale or purchase, showing the date thereof, names and addresses of the buyer and seller, the prices contracted for, or paid, or received, and the variety and amount sold or purchased.

(b) Such sellers and such purchasers shall submit such reports to the Office of Price Administration and keep such other records in addition to, or in place of, the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require or permit.

§ 1351.458 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 150 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 150, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest Field or Regional Office of the Office of Price Administration, or its principal Office in Washington, D. C.

§ 1351.459 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 150 supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of milled rice for which maximum prices are established by this regulation.

§ 1351.460 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 150 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1351.461 *Definitions.* (a) When used in this Maximum Price Regulation No. 150, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing and includes the United States, an agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly. Nothing in this Maximum Price Regulation No. 150 shall be construed to prohibit the making of a contract to sell milled rice at a price not to exceed the maximum price at the time of delivery or supply.

(3) "First seller of milled rice" means the first person to sell rice after it has been milled.

(4) "Milled rice" means the whole or broken kernels of rice from which the hulls and practically all of the germs and bran layers have been removed, which may be either coated or uncoated, and which does not contain more than 10 percent of cereal grains, including paddy grains, seeds or foreign material either singly or in any combination.

(5) "Second head milled rice", "screenings milled rice" and "brewers milled rice" shall have the meanings given to them by "United States Standards for Milled Rice" as published by the United States Department of Agriculture effective May 15, 1942.

(6) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user or Government agency.

(7) "To deliver" means to transfer actual possession of the milled rice to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser: *Provided however*, That within the meaning of § 1351.464, the term "delivery" means transfer of actual possession of milled rice to the purchaser at the point of destination as specified in paragraph (d) (4) of § 1351.464.

(8) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

§ 1351.462 *Applicability.* The provisions of this Maximum Price Regulation No. 150 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1351.463 *Effective dates of amendments.* (a) This Maximum Price Regulation No. 150, as amended (§§ 1351.451 to 1351.464, inclusive) shall become effective August 19, 1942.

§1351.464 *Appendix A: Maximum prices for milled rice*—(a) *Maximum prices at the base points.* Maximum prices at the base points, Crowley, Louisiana; El Campo, Texas; Stuttgart, Arkansas; Imperial, California; and San Francisco, California for the varieties of milled rice enumerated in the schedule below, apply only to milled rice containing not more than four per cent of broken kernels and not more than one per cent of whole kernels of a variety other than the predominant variety. The maximum prices enumerated for broken rice classes apply to all grades of the specified class. All prices are in dollars per 100 pounds f. o. b. conveyance at base points except that for shipments based on San Francisco for shipment from San Francisco by boat to points outside continental United States prices are f. a. s. vessel:

Varieties:	*Base point price*
Rexoro	$8.25
Nira	8.25
Fortuna	7.50
Edith	7.00
Calady	6.65
Blue Rose	6.50
American Pearl	6.50
Lady Wright	6.50
Zenith	6.25
Early Prolific	6.20
Broken Rice Classes:	
Second Head	
Rexoro, Nira and Fortuna	6.00
Other Varieties	5.25
Screening	4.50
Brewers	4.00

The maximum price per 100 pounds for any lot of milled rice at the base points containing more than four percent of broken kernels or more than one percent of whole kernels of a variety other than the predominant variety shall be computed by adding the results obtained by multiplying the percentage of each variety and/or each broken rice class of milled rice forming a part of the lot, as shown by the guarantee, by the applicable maximum price for each variety of broken rice class as specified in the foregoing table.

Where the milled rice sold is packed in 5 pound, 10 pound, 25 pound or 50 pound bags or containers, the applicable maximum price per 100 pounds shall be increased by 50 cents, 35 cents, 15 cents or 10 cents respectively.

Where the milled rice sold has been granulated, the applicable maximum price per 100 pounds shall be increased by 10 cents.

(b) *Maximum delivered prices within a base point for rice milled in the same base point.* For deliveries within a base point of rice milled in the same base point, the maximum delivered price shall be the maximum base point price plus the customary local delivery charge per 100 pounds, when actually incurred by the seller: *Provided*, That no local delivery charge may be added until the seller shall have filed with the Office of Price Administration in Washington, D. C., a schedule of such customary local delivery charges.

(c) *Maximum delivered prices within a mill point other than a base point for rice milled in the same mill point.* For deliveries within a mill point other than a base point for rice milled in the same mill point, the maximum delivered price shall be the maximum delivered price computed in the same manner as in paragraph (d) of this section plus the customary local delivery charge per 100 pounds, when actually incurred by the seller: *Provided*, That no local delivery charge may be added until the seller shall have filed with the Office of Price Administration in Washington, D. C., a schedule of such customary local delivery charges.

(d) *All other maximum delivered prices.* (1) For non-export shipments the maximum base point prices enumerated in paragraph (a) of this section may be increased by adding the lowest established charge per 100 pounds available for the transportation of an identical shipment of milled rice from the applicable base point to the point of destination.

(2) For export shipments the maximum delivered prices shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration on July 2, 1942 and any amendments thereto.

(3) For the purpose of determining maximum prices in accordance with the Maximum Export Price Regulation pursuant to the provisions of subparagraph (2) of this paragraph, the maximum domestic prices shall be the maximum base point prices enumerated in paragraph (a) of this section, plus the lowest established charge per 100 pounds for export shipment of milled rice available for the transportation of an identical shipment from the applicable base point to that port to which the lowest established charge per 100 pounds for export shipment of milled rice from such base point applies: *Provided*, That in no event shall the shipping charges from mill to the actual port of exportation be included as part of the shipping charges provided for in the Maximum Export Price Regulation.

(4) In determining the transportation charges pursuant to the provisions of

subparagraphs (1), (2) and (3) of this paragraph, where a shipment originates in a place outside of a base point and actually moves at a carload rate, the maximum transportation charge to be added shall be computed at the lowest railroad carload rate from the applicable base point to the point of destination or the port of exportation. Where coastwise or intercoastal shipments are made by water, the maximum delivered prices may be increased further by the addition of charges for war risk cargo insurance, surcharges and emergency charges necessarily incident to the transportation, where actually incurred by the seller. Within the meaning of this paragraph (d) the applicable base point shall be that base point from which the lowest established rate for transportation of milled rice applies to the seller's mill, and the point of destination shall be f. o. b. conveyance at the dock or siding at or in the vicinity of the buyer's warehouse or place of business or some other point designated by the buyer if the shipment actually moves to such other point directly from the mill point.

(e) *Definitions of "base point" and "mill point".* Within the meaning of this section, the term "base point" shall include the incorporated area and the established switching district of the base point city; and the term "mill point" shall include the incorporated area and the established switching district of any city in which a rice mill is located. A rice mill shall be deemed located within a city if it is situated within the incorporated area or within the established switching district of such city.

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8102; Filed, August 19, 1942; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 59 Under § 1499.3 (b) of the General Maximum Price Regulation [1]]

WEYERHAEUSER SALES COMPANY

MAXIMUM PRICES FOR SHIPMENT OF WOOD CULVERT STAVES

The Weyerhaeuser Sales Company of Saint Paul, Minnesota, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of proposed maximum prices for shipment of wood culvert staves. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration it is ordered:

§ 1499.273 *Approval of maximum prices for sale by Weyerhaeuser Sales Company of wood culvert staves.* (a) On and after August 20, 1942, the maximum price f. o. b. mill, at which the Weyerhaeuser Sales Company of Saint Paul, Minnesota, may sell wood culvert staves, constructed according to specifications set forth herein, shall be as follows:

Wood Culvert Staves

Description: Manufactured from Douglas Fir, White Fir, West Coast Hemlock, or Ponderosa Pine (commercially dry), Select Common or Better grade, sound and tight-knotted stock; nominal thickness and width of 2" x 4", nominal lengths 3', 4' and 6', for culverts with inside diameters of 8", 10", 12", 15", 18" and 24"; special tongue and groove on edges and shiplap ends edge worked and beveled for size of culvert to produce full bearing at joints staves marked so as to indicate size of culvert.

Price per hundred staves in quantities of 100 or more:

Length (feet):	Price
3	$9.26
4	12.36
6	18.52

Customary discounts for cash to be maintained.

(b) This Order No. 59 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 59 (§ 1499.273) shall become effective August 20, 1942. (Pub. Law 421, 77th Cong.)

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8106; Filed, August 19, 1942; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 60 Under § 1499.3 (b) of the General Maximum Price Regulation [1]]

WEYERHAEUSER SALES COMPANY

MAXIMUM PRICES FOR WOOD FENCE POSTS

The Weyerhaeuser Sales Company of Saint Paul, Minnesota, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of proposed maximum prices for wood fence posts. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration it is ordered:

§ 1499.274 *Approval of maximum prices for sale by Weyerhaeuser Sales Company of wood fence posts.* (a) On and after August 20, 1942, the maximum price, f. o. b. mill, at which the Weyerhaeuser Sales Company of Saint Paul, Minnesota, may sell wood fence posts, constructed according to specifications set forth herein, shall be as follows:

WOOD FENCE POSTS

Description: Manufactured from Douglas Fir lumber, Select merchantable grade; tapering from nominal thickness and width of 3" x 4" at top to nominal thickness and width of 2" x 3" at botton; headed at top and pointed at bottom; incised at grade line; given toxic and water repellant treatment.

Price per unit in lots of 100 units or more:

Length:	Price
5' 6"	$0.23
6'	.25
6' 6"	.27
7'	.29
8'	.33
9'	.37

Customary discounts for cash to be maintained.

(b) This Order No. 60 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 60 (§ 1499.274) shall become effective August 20, 1942. (Pub. Law 421, 77th Cong.)

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8104; Filed, August 19, 1942; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 61 Under § 1499.3 (b) of General Maximum Price Regulation [1]]

FABRICATED STRUCTURAL STEEL, ETC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.275 *Authorization to fabricators and sellers of fabricated structural steel shapes and fabricated steel plates and bars.* (a) Specific authorization is hereby given to any person who sells or contracts to sell on or after the effective date of this Order No. 61 fabricated structural steel shapes, fabricated steel plates and bars or the service of fabricating structural steel shapes, plates and bars, to determine the maximum price for any such sale or contract of sale where such prices cannot be established under § 1499.2 of the General Maximum Price Regulation, by the following formula: The maximum price for each such sale or contract of sale shall be a net price (after adjustment for all applicable extra charges, discounts or other allowances) not in excess of that at which such person would have made an identical sale or contract of sale during March 1942, under the pricing formula or method of calculating prices customarily used by him during March 1942, employing the same cost factors (wage rates, prices of materials and rate of overhead or burden) which were in effect for such person during March 1942, and the mark-up or margin above allowable costs which he would have included on an identical sale in March 1942, even though his costs or mark-ups or margins may have increased since that period.

(b) On or before the last day of each month beginning with September 30, 1942, each person shall report the prices of all sales or contracts of sale as described in paragraph (a) of this section priced under § 1499.3 (b) of the General Maximum Price Regulation during the preceding month or part thereof during which this order shall have been in effect and which total $5000.00 or more, or which are part of, or necessary for, some other contract or contracts between the same parties totaling $5000.00 or more. Such reports shall be submitted to the Office of Price Administration, Washington, D. C., upon, and in the detail required by, forms to be supplied. Each price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(c) When used in this Order No. 61 the term "allowable costs" means those costs which may be properly computed in the formula established in paragraph (a) of this section.

(d) This Order No. 61 (§ 1499.275) shall become effective August 20, 1942. (Pub. Law 421, 77th Cong.)

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8108; Filed, August 19, 1942; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 19 Under § 1499.18 (c) of General Maximum Price Regulation]

WEST COAST LUMBERMEN'S ASSOCIATION

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.369 *Adjustment of maximum prices for sale of grading services, etc. by the West Coast Bureau of Lumber Grades and Inspection of the West Coast Lumbermen's Association.* (a) The maximum price for the sale by the West Coast Bureau of Lumber Grades and Inspection of the West Coast Lumbermen's Association, 364 Stuart Building, Seattle, Washington, of the services of grading, tallying, grade marking, inspecting or certifying grades and/or tallies of lumber or lumber products shall be a price computed on the pricing formula in use by this company in March 1942, and based upon cost and other factors at the March 1942 levels, except that the factor of labor cost may be based upon the wage rate which the said Bureau on June 1, 1942 agreed upon with its inspectors.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 19 (§ 1499.369) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 19 (§ 1499.369) shall become effective August 20, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8107; Filed, August 19, 1942; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under § 1499.18 (c) of General Maximum Price Regulation]

A. E. STALEY MFG. CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.370 *Adjustment of the maximum prices for sales of 12-ounce packages of laundry cube starch manufactured by A. E. Staley Manufacturing Company.* (a) All purchasers of 12-ounce packages of laundry cube starch from A. E. Staley Manufacturing Company, of Decatur, Illinois, who during March, 1942 sold the 16-ounce package of laundry cube starch manufactured by A. E. Staley Manufacturing Company, may sell and deliver and any person may buy and receive from such purchasers 12-ounce packages of laundry cube starch, manufactured by A. E. Staley Manufacturing Company, at a price equal to their maximum price as allowed under § 1499.2 of the General Maximum Price Regulation for 16-ounce packages of laundry cube starch, manufactured by A. E. Staley Manufacturing Company.

(b) The adjustment granted in paragraph (a) is subject to the following conditions:

(1) A. E. Staley Manufacturing Company shall notify each of its customers affected by this order of the modification of their maximum prices made by this order and shall accompany such notice with a copy of this order;

(2) No seller shall change his customary allowances, discounts or other price differentials, unless such change shall result in a lower price.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 20 (§ 1499.370) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 20 (§ 1499.370) shall become effective August 20, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8103; Filed, August 19, 1942; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 1 Under § 1499.29 of General Maximum Price Regulation—Docket No. GF1-14-P]

FERRO MACHINE AND FOUNDRY CO.

On May 14, 1942, The Ferro Machine and Foundry Company, 3155 East 66th Street, Cleveland, Ohio, herein called the protestant, filed a protest against the provisions of the General Maximum Price Regulation, and on June 10, 1942, protestant filed a statement indicating the nature of the commodity for the price of which relief was requested and establishing that such commodity is a gray iron casting and is subject to the General Maximum Price Regulation. Thereafter, pursuant to an order providing protestant an opportunity to prevent further evidence issued June 30, 1942, protestant filed such further evidence with the Office of Price Administration on July 17, 1942. The protest has been considered as an application for adjustment under Supplementary Regulation No. 4, § 1499.29 of the General Maximum Price Regulation, and so considered, the application is hereby granted in part; insofar as the application has not been granted, the protest is denied.

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Adminstrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration it is hereby ordered:

§ 1499.401 (a) *Adjustment of maximum prices for cylinder heads sold by the Ferro Machine and Foundry Company.* (1) The Ferro Machine and Foundry Company, 3155 East 66th Street, Cleveland, Ohio, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, gray iron castings designated in its protest as Part No. 6107412 Cylinder Head, produced at its plant in Cleveland, Ohio, at a price not to exceed $5.51 each, f. o. b. Cleveland, Ohio. The General Motors Truck and Coach Division of Yellow Truck and Coach Manufacturing Company, Pontiac, Michigan may buy and receive, and agree, offer, solicit and attempt to buy and receive such cylinder heads at such price from the Ferro Machine and Foundry Company.

(2) The price stated herein may be charged for shipments of such cylinder heads made on or after May 14, 1942.

(3) This order may be revoked or amended by the Price Administrator at any time.

(4) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to the terms used herein.

(5) Paragraph (a) of this Order No. 1 (§ 1499.401) is hereby incorporated as a section of Supplementary Regulation No.

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*Copies may be obtained from OPA.

[1] 7 F.R. 3153, 3830, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

[2] 7 F.R. 971, 3663.

*Copies may be obtained from the Office of Price Administration.

14, which contains modifications of maximum prices established by § 1499.2.

(b) *Denial of Protest except insofar as relief is granted by this Order No. 1.* (1) Insofar as relief has not been granted by this Order No. 1, the Protest is denied.

(c) This Order No. 1 (§ 1499.401) shall become effective August 20, 1942. (Pub. Law 421, 77th Cong.)

Issued this 19th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8105; Filed, August 19, 1942; 11:52 a. m.]

Chapter XVII—Office of Civilian Defense

PART 1902—INSIGNIA

[Regulations 2—Amendment 1]

REPRODUCTION IN CONNECTION WITH PUBLICATION FOR POLITICAL PURPOSES

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9088 dated March 6, 1942, and pursuant to the Act of June 29, 1932, as amended by the Act of May 22, 1939 and the Act of January 27, 1942, it is hereby ordered that § 1902.7 [1] of this chapter (section 7 of Office of Civilian Defense Regulations No. 2) is amended by adding thereto a new subparagraph (c), to read as follows:

(c) The reproduction of prescribed insignia in connection with any publication or article used for political purposes is prohibited.

(E.O. 8757, 6 F.R. 2517; E.O. 9134, 7 F.R. 2887; E.O. 9088, 7 F.R. 1775; 42 Stat. 1286; 45 Stat. 437)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 18, 1942.

[F. R. Doc. 42-8083; Filed, August 18, 1942; 3:15 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

PART 192—OIL AND GAS PERMITS AND LEASES

[Circular No. 1515]

EXCHANGE OF CERTAIN OUTSTANDING OIL AND GAS LEASES FOR NEW LEASES

Regulations governing Oil and Gas Exchange Leases under section 2 (a) of the act of August 21, 1935 (49 Stat. 674) superseding § 192.29 of Title 43 of the Code of Federal Regulations.

Sec.
192.86 Statutory authority.
192.87 Overriding royalties.
192.88 Lands in the vicinity of Naval Petroleum Reserves.
192.89 Application for exchange.
192.90 Report by Geological Survey.
192.91 Action in General Land Office.
192.92 Bond.
192.93 Rental.
192.94 Exchange lease.
192.95 Applicability.

AUTHORITY: §§ 192.86 to 192.95, inclusive, issued under sec. 32, 41 Stat. 450; 30 U.S.C. 189.

§ 192.86 *Statutory authority.* Section 2 (a) of the Act of August 21, 1935 (49 Stat. 679; 30 U.S.C. 223a) provides for the issuance of new leases to lessees holding oil or gas leases under any of the provisions of the Act at the time the Act becomes effective, such new leases to be in lieu of the leases then held by such lessees and to be at a royalty rate of not less than 12½ percent in amount or value of the production, and upon such terms and conditions as the Secretary of the Interior shall by general rule prescribe, provided that no limitation of acreage not provided for under the law or regulations under which the old lease was issued shall be applicable to the new lease.

§ 192.87 *Overriding royalties.* Oil and gas exchange leases will not be issued unless overriding royalties are reduced to not more than 5 percent by agreement between the interested parties. An affidavit must be furnished by the applicant for the exchange lease showing that there will be no overriding royalties in excess of 5 percent outstanding under the lease, if issued, and that no other payments will be made out of production which constitute a burden upon lease operations prejudicial to the interests of the United States. If other payments are to be made out of production, a full showing relative thereto must be furnished.

§ 192.88 *Lands in the vicinity of Naval Petroleum Reserves.* No section 2 (a) exchange lease will be issued for lands within the known geologic structure of an oil and gas field comprising in whole or in part a naval petroleum reserve, or for lands within one mile of such a reserve where the limits of the structure cannot be reasonably determined, unless the applicant consents to the amendment of the drilling requirements under section 2 (c) of the lease form (4-208f) to read as follows:

Wells.—That, since the leased lands are adjacent to or near Naval Petroleum Reserve No. ..., no additional wells shall be drilled nor shall any existing wells be deepened on the lands covered hereby: *Provided, however,* That additional wells necessary to protect the leased lands from drainage by wells drilled on adjoining lands not owned by the United States or on lands of the United States leased to others may be drilled upon the approval of the Secretary of the Interior. Should producing operations be suspended in the interest of conservation or for any other reason on adjoining lands the lessee further agrees upon the request of the Secretary of the Interior to suspend production on the leased lands for the period production is suspended on the adjoining lands aforesaid, with the understanding that the term of the lease shall be extended by adding any such suspension period thereto.

and these restrictions shall not be waived or modified by the Secretary of the Interior without first affording the Navy Department an opportunity to express its views relative thereto.

§ 192.89 *Application for exchange.* The application for exchange lease should be filed in triplicate with the register of the land office for the district in which the leased lands are located or, if in a state in which there is no district land office, with the General Land Office. Such application should be made by the record title holder, or holders, of the lease and be joined in or consented to by the operator of record. It should be stated in the application that all moneys due the United States have been paid and that operations under the lease have been conducted in accordance with the regulations of the Department and that outstanding overriding royalty interests under the lease do not exceed 5 percent, exclusive of the royalty payable to the United States, and must be accompanied by the affidavit required under § 192.87. The register will forward one copy of the application to the supervisor of oil and gas operations, Geological Survey, for the district in which the lands are located.

§ 192.90 *Report by Geological Survey.* Upon receipt of the application for exchange the oil and gas supervisor will report to the Director of the Geological Survey as to the number and status of the wells drilled on the leasehold; the current rate of production if any; whether the lessee has made full compliance with the operating regulations of the Geological Survey and if not the respects in which the lessee has failed to make compliance; whether present or prospective operation of existing wells on the lease premises, if adjacent to or near a naval petroleum reserve, will result in drainage of the oil or gas deposits in the reserve; and whether the effect of such exchange would be to reduce the current royalty values more than 20 percent. Thereupon the Director of the Geological Survey will transmit a report to the Commissioner of the General Land Office with such recommendation as the facts may warrant.

§ 192.91 *Action in General Land Office.* The Commissioner of the General Land Office shall consider the application and report submitted by the Director of the Geological Survey.

(a) If no objection to the exchange of the lease appears to the Commissioner of the General Land Office, copies of an exchange lease in triplicate will be forwarded to the lessee through the Register for execution and return together with a satisfactory lease bond. The Commissioner of the General Land Office shall then make recommendation to the Secretary of the Interior and if the lease is executed by the Secretary, one copy thereof will be delivered to the lessee.

(b) If the effect of the exchange would be to reduce the current royalty values more than 20 percent, the Commissioner will prepare a letter to the Secretary of the Interior calling attention to this feature, with a complete showing of all other facts which might be of importance in determining whether an approval of the exchange would be to the advantage of the United States, and recommending authorization of the exchange lease, if such a recommendation is deemed warranted by the Commissioner. In this case bond and lease forms will not be prepared for transmittal to the lessee through the Register until such authorization is received from the Secretary of the Interior. Upon such authorization, copies of an exchange lease in triplicate will be forwarded to the lessee through the register for execution and return together with a satisfactory lease bond. Upon receipt of the lease forms and bond properly executed by the lessee, they will be submitted to the Secretary of the Interior, and if executed by him, one copy thereof will be delivered to the lessee.

§ 192.92 *Bond.* The applicant shall furnish and maintain a corporate surety lease bond of not less than $5,000.

§ 192.93 *Rental.* Under the exchange lease the lessee shall pay an annual rental of $1.00 per acre where all or a part of the leased lands are situated within the limits of a geologic structure of a producing oil or gas field as theretofore or thereafter defined by the Geological Survey, the rental for any one year to be credited against the royalty accruing for that year, provided (a) that such rental may be reduced in the discretion of the Secretary of the Interior to a minimum of not less than 25 cents per acre where a satisfactory showing is made that the lease cannot be operated at the higher rental herein prescribed, and (b) that prior to a valuable discovery of oil or gas within the limits of the geologic structure upon which all or a part of the leased lands are situated, the rental shall be 25 cents per acre.

§ 192.94 *Exchange lease.* The exchange lease will be executed on form 4-208f, bear current date, and will run for a period of 10 years and so long thereafter as oil and gas are produced in paying quantities. Two or more outstanding leases may be combined into a single lease where held in common ownership and the lands are sufficiently compact to justify their inclusion in one lease. Except as otherwise provided in §§ 192.86-192.93 the form of exchange lease contains substantially the same terms and conditions as the form of oil and gas lease prescribed for leases granted under the amendatory act of August 21, 1935, contained in § 192.28.

§ 192.95 *Applicability.* §§ 192.86-192.94 shall be effective as to all applications heretofore or hereafter filed for the exchange of leases, and supersede the general instructions contained in § 192.29.

FRED W. JOHNSON,
Commissioner.

I concur:

W. C. MENDENHALL,
Director, Geological Survey.

Approved: August 3, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-8089; Filed, August 19, 1942; 9:58 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order No. 19]

PART 301—GENERAL REGULATIONS

ASSIGNMENT OF CADETS ON MERCHANT VESSELS

Instructions to all operators of merchant vessels under the control of the War Shipping Administration, including those registered under Panamanian and Honduran flags.

§ 301.3 *Assignment of two Cadets on each merchant ship registered under the Flags of the United States, Panama or Honduras.* (a) Operators of all merchant vessels registered under the Flags of the United States, Panama and Honduras, which are owned, chartered or controlled by the War Shipping Administration, are hereby directed to include in the crew of each of such vessels, at least two Cadets assigned to them by the Supervisor of Cadet Training of the Division of Training of the War Shipping Administration for training purposes.

(b) The status, wages, messing and training schedules of Cadets so assigned shall be as prescribed in "Emergency Regulations Governing the Appointment and Training of Cadets" approved by the Maritime Commission on January 8, 1942, as amended by decisions of the Maritime War Emergency Board.

(c) The extra expenses resulting from compliance with this order, in case of time chartered vessels, will be handled pursuant to Clause 7, "Warshiptime", "Warshipoltime". (E.O. 9054, 7 F.R. 837)

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

AUGUST 17, 1942.

[F. R. Doc. 42-8092; Filed, August 19, 1942; 10:44 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 25]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEFENSE PLANT CORPORATION IN CONNECTION WITH THE CONSTRUCTION AND OPERATION OF A SCHOOL FOR TRAINING AIRCRAFT PILOTS,

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942,[1] it is ordered as follows:

The following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved, subject to valid existing rights, for the use of the Defense Plant Corporation in connection with the construction and operation of a flying school near Blythe, California, for the training of aircraft pilots for the Government:

SAN BERNARDINO MERIDIAN

T. 6 S., R. 22 E., sec. 2, W½SE¼; containing 80 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 12, 1942.

[F. R. Doc. 42-8090; Filed, August 19, 1942; 9:58 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-70]

INVESTIGATION OF ACCIDENT OCCURRING NEAR DANVILLE, ILL.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 38581 and NC 29668, which occurred near Danville, Illinois, on August 13, 1942.

Notice is hereby given that a public hearing in the above-entitled matter will be held on Friday, August 21, 1942, at

[1] 7 F.R. 3067.

[1] 7 F.R. 3242.

9:30 a. m. (C. W. T.) at the Wolford Hotel, Danville, Illinois.

Dated: Washington, D. C., August 18, 1942.

W. K. ANDREWS, Jr.,
Presiding Officer.

[F. R. Doc. 42-8091; Filed, August 19, 1942; 10:32 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 65]

500 SHARES OF THE CAPITAL STOCK OF THE KORFUND CO., INC., AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

500 shares of no par value common capital stock of The Korfund Co., Inc., a New York corporation, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses:	Number of shares
Dr. Hugo Stoessel, Berlin-Heinersdorf, Germany	250
Werner Genest, Lindenstrasse 13, Berlin, Germany	250
Total	500

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Dr. Hugo Stoessel and Werner Genest, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them, or either of them, by said The Korfund Co., Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany), and determining that the property described in this subparagraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C. on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8095; Filed, August 17, 1942; 10:38 a. m.]

[Vesting Order No. 67]

150 SHARES OF THE CAPITAL STOCK OF CORK FOUNDATION CO., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

150 shares of no par value common capital stock of Cork Foundation Co., Inc., a New York corporation, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses:	Number of shares
Dr. Hugo Stoessel, Berlin-Heinersdorf, Germany	75
Werner Genest, Lindenstrasse 13, Berlin, Germany	75
Total	150

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8098; Filed, August 17, 1942; 10:39 a. m.]

[Vesting Order No. 86]

ESTATE OF HENRY ELIAS, DECEASED

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Katie von Kracker, sometimes known as Katie Kracker von Schwartzenfeld, as life tenant, and of Hubertus Kracker von Schwartzenfeld, Erika Kracker von Schwartzenfeld, Edith von Bauer and Maria (Marie) Kracker von Schwartzenfeld, now known as Frau Hans Staubenmayer, as remaindermen, the last known addresses of all of whom were represented to the undersigned as being in Germany, in and to the trust created under and by the last will and testament of Henry Elias, deceased, which trust is in the process of administration by William J. Elias as sole surviving substituted trustee under the supervision of the Surrogate's Court in the County of New York, State of New York,

is property which is payable or deliverable to, or claimed by, nationals of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on July 31, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8096; Filed, August 17, 1942; 10:38 a. m.]

[Vesting Order No. 89]

245 SHARES OF THE CAPITAL STOCK OF R. A. C. E., INCORPORATED

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

245 shares of the common capital stock of R. A. C. E., Incorporated, an Ohio corporation, belonging to Leonardo Cerini, whose last known address was represented to the undersigned as being Castellanza, Italy,

is property of, and represents control of a business enterprise within the United States which is, a national of a designated enemy country (Italy),

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Leonardo Cerini in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by said R. A. C. E., Incorporated, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Italy), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinafter described in sub-paragraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Italy) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on July 31, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8097; Filed, August 17, 1942; 10:38 a. m.]

[Vesting Order No. 93]

INTERESTS OF PARTNERS IN KIYONO NURSERIES

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Tsukusa Kiyono and Mrs. Tomoe Kiyono, and each of them, the last known addresses of both of whom were represented to the undersigned as being in Tokyo, Japan, as copartners in and to Kiyono Nurseries, an Alabama partnership, located at Semmes (R. F. D., Crichton P. O.), Alabama,

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may

[1] 7 F.R. 5205.

file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C. on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8099; Filed, August 17, 1942; 10:39 a. m.]

[Vesting Order No. 97]

82 SHARES OF THE CAPITAL STOCK OF G. BRUNING TOBACCO EXTRACT CO., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

82 shares of the common capital stock of G. Bruning Tobacco Extract Co., Inc., a Virginia corporation, which is a business enterprise within the United States, owned by the Estate of Mrs. G. Schilling, Bremen, Germany,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C. on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8100; Filed, August 17, 1942; 10:40 a. m.]

[1] 7 F.R. 5205.

Reference

AUG. 24 1942

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 165

Washington, Friday, August 21, 1942

Regulations

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Order No. 245; Foreign Commerce Statistical Decision 33]

PART 30—FOREIGN TRADE STATISTICS

SHIPPER'S EXPORT DECLARATIONS

AUGUST 19, 1942.

Section 30.7 is amended to read as follows:

§ 30.7 *Shipper's export declarations.* (a) The kinds, quantities and values of articles exported to foreign countries, or shipped between the United States and its territories and possessions shall be compiled from the shipper's export declaration furnished by the shipper or his agent to the collector of customs at the port of exportation.

(b) The shipper's export declaration must be prepared by the shipper, owner, or consignor, or his properly authorized agent. If the shipper's export declaration is prepared by an agent of the shipper, his authority to sign such declaration must be in the form of a properly executed power of attorney, signed by the owner, shipper or consignor, or in a less formal written authorization such as that printed on the shipper's export declaration. The production of a power of attorney or authorization may be waived if the collector has personal knowledge that the person signing the declaration is authorized or is held out to the public by the shipper as his agent. In every event the data required in the shipper's export declaration must be correct and be based on personal knowledge of the facts stated, or on invoices or information furnished by the principal.

(c) The original shipper's export declaration for shipments by vessel must be verified by oath before a notary public, customs officer, or other person authorized to administer oaths. The oath is not required on declarations for shipments made by rail, vehicle, ferry or aircraft.

(d) Certificates of inspection by the Department of Agriculture for exports of cheese, oleomargarine, butter, meats, and other food products must be presented to the collector as required by the regulations of the Department of Agriculture.

(e) Shipper's export declarations may be purchased for a nominal price from collectors of customs and the Superintendent of Documents, Government Printing Office, Washington, D. C. Declarations may be printed by private parties providing they conform strictly to the official form in size, wording, color, and arrangement, including the instructions printed on the reverse side thereof.

Section 30.28 is amended to read as follows:

§ 30.28 *Coding and forwarding of export declarations.* Shipper's export declarations will be numbered, coded and forwarded to the Section of Customs Statistics, Division of Foreign Trade Statistics, Bureau of the Census, Customhouse, New York, New York, in accordance with instructions issued by the Director of the Bureau of the Census in the form of Foreign Commerce Statistical Decisions. Instructions may also be issued by the Chief Statistician, Division of Foreign Trade Statistics, Bureau of the Census in special instances.

Section 30.42 is amended by adding the following subparagraphs:

§ 30.42 *Shipments from the interior for export; shipments or declarations originating at a port of exportation.*
* * *

(c) Upon arrival of the goods at the seaboard, the carrier will deliver three copies of the shipper's export declaration to the collector of customs who will retain the original, certify and deliver a duplicate to the party designated to attend to the exportation, to be delivered to the exporting vessel as a permit to export and evidence that the original shipper's export declaration has been filed with the collector. The triplicate copy shall be retained by the collector.

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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(d) For shipments to Canada or Mexico by rail consisting of two or more cars, a separate shipper's export declaration should be furnished for each car in order to avoid possible delay at the border.

(e) If the shipment originates or the shipper's export declaration is prepared at the port of exportation, the shipper must deliver the declaration in triplicate to the collector of customs. Collectors will retain the original and certify one copy for presentation by the shipper to the transportation company to be attached to the outward vessel or car manifest. This certified copy when returned to the Collector to the Section of Customs Statistics, Division of Foreign Trade Statistics, Bureau of the Census, Customhouse, New York, New York. The triplicate copy will be retained by the collector.

(R.S. 161, Sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 42–8123; Filed, August 20, 1942; 11:47 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1511 Part II]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief, and terminating the hearing in this matter, noticed to be held on August 24, 1942, in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Co.); Ella Mine, Mine Index No. 59, of McDermott Coal Co.; Williams Mine, Mine Index No. 698, of Williams Coal Co.; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for rail shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway.

An Order Granting Temporary Relief and Notice of and Order for Hearing to be held on August 24, 1942, was issued in the above-entitled matter on July 10, 1942, 7 F.R. 5372, temporarily establishing price classifications and minimum prices for the coals of the Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkiewicz; Ella Mine, Mine Index No. 5059, of John Balas (Balas Coal Co.); Ella Mine, Mine Index No. 59 of McDermott Coal Co.; Williams Mine, Mine Index No. 698 of Williams Coal Co.; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, from Somers, Pennsylvania, on the Pittsburgh and Lake Erie Railroad for all shipments except truck. The petition also proposed that price classifications and minimum prices for the coals of the above-mentioned mines be made effective from Pricedale, Pennsylvania, on the Monessen Southwestern Railway. The original petition did not set forth sufficient facts, without a hearing, to warrant making such price classifications and minimum prices effective from Pricedale, Pennsylvania, on the Monessen Southwestern Railway for the coals of these mines for all shipments except truck. The latter proposal was, therefore, noticed for hearing which was to be held on August 24, 1942.

The original petitioner in the above-entitled matter on July 20, 1942, filed a Motion with the Division requesting that the original petition in this matter be amended by eliminating therefrom the proposal that price classifications and minimum prices be established for the coals of these mines for rail shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway, and further requesting that the hearing in this matter, noticed to be held on August 24, 1942, by Order of July 10, 1942, be terminated.

It appears that good cause has been shown for the granting of the Motion in the manner hereinafter set forth, and that no pleadings in opposition to said Motion have been filed with the Division in the above-entitled matter.

Now, therefore, it is ordered, That the Motion filed with the Division by petitioner in this matter be, and it hereby is, granted, by eliminating from the original petition the proposal that price classifications and minimum prices be established for the coal of the Johnson Mine, Mine Index No. 109, of A. L. Brautegam (Victoria Coal Company); Patko Mine, Mine Index No. 2006, of Alex Opatkeiwicz; Ella Mine, Ella Mine Index No. 5059, of John Balas (Balas Coal Co.); Ella Mine, Mine Index No. 59 of McDermott Coal Co.; Williams Mine, Mine Index No. 698, of Williams Coal Co.; and the Bertone Mine, Mine Index No. 511, of Sam Bertone, for rail shipment from Pricedale, Pennsylvania, on the Monessen Southwestern Railway.

It is further ordered, That pending final disposition of Docket No. A–1511, Part II, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the relief hereinabove granted shall become permanent sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

It is further ordered, That the hearing in this matter, noticed to be held on August 24, 1942, be, and the same is, hereby terminated.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: August 14, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE.—The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Sub-dist. No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
59	McDermott Coal Company	Ella	Pittsburgh	9	Somers, Pa	P&LE	73	E	E	O	O	O	O	O	O	O	(1)	(1)	(1)	(1)	(1)	(1)	(1)
5059	Balas, John (Balas Coal Co.)	Ella	Pittsburgh	9	Somers, Pa	P&LE	73	E	E	O	O	O	O	O	O	O	(1)	(1)	(1)	(1)	(1)	(1)	(1)
511	Bertone, Sam	Bertone	Pittsburgh	9	Somers, Pa	P&LE	73	E	E	O	O	O	O	O	O	O	(1)	(1)	(1)	(1)	(1)	(1)	(1)
109	Brautegam, A. L. (Victoria Coal Company)	Johnson	Pittsburgh	9	Somers, Pa	P&LE	73	E	E	O	O	O	O	O	O	O	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2006	Opatkeiwicz, Alex	Patko	Redstone	9	Somers, Pa	P&LE	73	G	G	G	G	G	G	G	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
698	Williams Coal Co	Williams	Redstone	9	Somers, Pa	P&LE	73	G	G	G	G	G	G	G	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)

(1) Indicates no classifications effective for these size groups.

NOTE.—The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown in previous schedules are hereby deleted.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 59, 109, 511, 5059; Group No. 2: 698, 2006.

[F. R. Doc. 42–8109; Filed, August 19, 1942; 12:18 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 135—GENERAL LICENCES UNDER SECURITIES REGULATIONS OF THE GOVERNOR OF HAWAII

[General License HS–2]

BUILDING AND LOAN, ETC., ASSOCIATIONS

AUGUST 11, 1942.

§ 135.2 *General License HS–2*—(a) A general license is hereby granted authorizing any building and loan or savings and loan association doing business in the Territory of Hawaii to hold, for the account of its shareholders, share certificates issued by such association to its shareholders: *Provided*, That:

(1) All certificates so held shall be deposited by the association holding them with a domestic bank, to be held in its securities vault; and

(2) Each building and loan or savings and loan association holding share certificates pursuant to this general license shall file reports in triplicate with the Office of the Governor of Hawaii as required by § 133.2 (b) (4) of the Regulations Relating to Securities,[1] as amended: *Provided, however*, That such reports may be filed in the form of lists giving the required information rather than on Forms TFR–H400 and TFR–H401, as required in said § 133.2 (b) (4).

(b) Domestic banks acting as depositaries for share certificates held pursuant to this general license are hereby exempted from the report requirements of § 133.2 (b) (4) of the Regulations Relating to Securities, as amended, with respect to such certificates.

J. B. POINDEXTER,
Governor of Hawaii.

[F. R. Doc. 42–8115; Filed, August 19, 1942; 4:26 p. m.]

Chapter IX—War Production Board

PART 1010—SUSPENSION ORDERS

[Suspension Order S–81]

J. E. TALBERT

Chapter IX—War Production Board, doing business in Chicago, Illinois, is engaged in the business of buying, selling and otherwise dealing in copper. During the period from February 6 to May 11, 1942, said Talbert violated the provisions of General Preference Order M–9–a, as amended February 6, 1942, by selling and delivering approximately 20,776 pounds of copper tubing on unrated orders. On or about May 17, 1942, said Talbert knowingly and willfully violated the provisions of General Preference Order M–9–a, as amended February 6, 1942, by selling and delivering approximately 1,638 pounds of copper tubing on unrated orders.

These violations of General Preference Order M–9–a have impeded and hampered the war effort of the United States by diverting copper to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.81 *Suspension Order No. S–81.* (a) Deliveries of material or equipment to J. E. Talbert, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be applied or assigned to such deliveries by preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or of the Director General for Operations.

(b) No allocations shall be made to J. E. Talbert, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or of the Director General for Operations, except as specifically authorized by the Director General for Operations.

[1] 7 F.R. 3424, 5043, 5980.

Chapter VI—Selective Service System

[No. 109]

DAILY CLASSIFICATION LIST

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President

[1] 7 F.R. 5808, 6463.

(c) J. E. Talbert shall not receive, process, use, deliver or deal in any copper or copper base alloy, as defined in General Preference Order M–9–a, or any amendments thereof, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve said J. E. Talbert, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or of the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 22, 1942, and shall expire on August 22, 1943, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F. R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8112; Filed, August 19, 1942; 2:43 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–82]

ATLANTIC ELECTRICAL SUPPLY CORP.

Atlantic Electrical Supply Corporation, a Virginia Corporation with its main office at 15 South Eighth Street, Richmond, Virginia, is a distributor of electrical supplies and fixtures: it is a warehouse as defined in General Preference Order M–9–a.

The Atlantic Electrical Supply Corporation violated Preference Rating Order P–100 by over extending the preference rating assigned by this order to deliveries to it of critical materials. The Company also violated General Preference Order M–9–a, as amended[1] February 6, and May 7, 1942, by making deliveries of copper wire and cable on unrated orders and on rated orders which failed to bear the required preference rating. The Company also wilfully falsified records in violation of Priorities Regulation No. 1 by stamping over the customer's signature on the order, without his authorization or knowledge, the certification prescribed in Preference Rating Order P–100.

These violations of Preference Rating Order P–100 and General Preference Order M–9–a and Priorities Regulation No. 1 have impeded and hampered the war effort of the United States by diverting materials to uses not authorized by the Director of Industry Operations. In view of the foregoing, *It is hereby ordered:*

§ 1010.82 *Suspension Order S–82.* (a) Deliveries of material to Atlantic Electrical Supply Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Orders, General Preference Orders, or any other orders or regulations of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Atlantic Electrical Supply Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Atlantic Electrical Supply Corporation, from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect August 20, 1942 and shall expire November 20, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8113; Filed, August 19, 1942; 2:43 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Exemption 2 to Priorities Regulation 11]

EXEMPTIONS FOR CERTAIN MATERIALS

§ 944.32b *Exemption No. 2 to Priorities Regulation No. 11.*[1] Pursuant to paragraph (d) (2) (iii) of Priorities Regulation No. 11, transactions in the following materials shall be exempted from the limitations imposed by paragraph (d) (1) (ii) of said regulation regardless of whether specifically rated or otherwise authorized by any PRP certificate:

(a) Any material not listed under Nos. 100 to 792, inclusive, on Materials List No. 1, revised, as included in Form PD–25A for the fourth quarter of 1942;

(b) Any material listed on Schedule A of General Inventory Order M–161 as the same may be amended from time to time;

Provided, however, That any such transactions shall remain subject to any other limitations imposed by any applicable regulations or orders of the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8120; Filed, August 20, 1942; 11:02 a. m.]

PART 1164—RUBBER SEALED CLOSURES FOR GLASS CONTAINERS

[Amendment 2 of Conservation Order M–119]

Section 1164.1 *Conservation Order M–119*[1] is hereby amended in the following particulars:

1. Paragraph (c) is amended by adding the following subparagraph:

(5) The provisions of subparagraphs (2) and (3) of this paragraph (c) shall apply with full force and effect to the use of rubber sealed closures in connection with the packing of dried beans in whatever form prepared, except that the applicable date set forth in the said subparagraphs shall be the date of issuance of this amendment rather than April 19, 1942.

2. The following item is added to the prohibited products listed in Table I:

Dried beans in whatever form prepared.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F R. Doc. 42–8121; Filed, August 20, 1942; 11:02 a. m.]

PART 3032—FILM

[Limitation Order L–178]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of film for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3032.1 *General Limitation Order L–178*—(a) *Definitions.* For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(3) "Transfer" means to sell, lease, trade, lend, deliver, ship or transfer 35 mm. film from one person to any other person. For the purposes of this order, the following shall not be regarded as transfers:

(i) To sell, lease, trade, lend, deliver, ship or transfer 35 mm. film from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control;

(ii) A transfer of title merely for security purposes to a person financing a conditional sale or a similar transaction made simultaneously with the transfer of 35 mm. film.

(b) *Restrictions on transfers of film on and after 11:59 P. M., Eastern War Time, August 20, 1942.* On and after 11:59 P. M., Eastern War Time, August 20, 1942, until 11:59 P. M., Eastern War Time, November 18, 1942, no person shall transfer any 35 mm. film, except (1) any 35 mm. film actually in transit at the time this order takes effect may be delivered to its immediate destination, or (2) pursuant to specific authorization of the Director General for Operations.

(c) *Records and reports.* (1) Every person, other than the Army or Navy of the United States, who has any 35 mm. film on the effective date of this order shall keep and preserve, for not less than two years, accurate and complete records of all such 35 mm. film and of all sales and shipments made by him pursuant to this order. Such records shall be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(2) On or before the 15th day following the effective date of this order, every person, other than the Army or Navy of the United States, who has any 35 mm. film on the effective date of this order shall file with the War Production Board a statement of the amount in linear feet and type of 35 mm. film in stock on the effective date of this order.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(e) *Applications for specific authorization by the Director General for Operations.* Any person desiring film may apply in writing to the Director General for Operations, War Production Board, Washington, D. C., Ref.: L–178, fully setting forth the amount in linear feet by types of 35 mm. film desired, the reasons why such person deems it appropriate that he obtain such film and the use to which such film is to be put. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the War Production Board, Washington, D. C., Ref.: L–178.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F R. Doc. 42–8119; Filed, August 20, 1942; 11:02 a. m.]

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[1] 7 F.R. 3424, 5043, 5980.

[1] 7 F.R. 4423, 4615, 4698, 4848, 5359, 6147.

[1] 7 F.R. 2734, 6074.

Chapter XI—Office of Price Administration

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS & ADMIXTURES

[Amendment 2 to Maximum Price Regulation 128[1]]

PROCESSING PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1400.27 paragraph (a) is amended to read as set forth below:

§ 1400.27 *Reports.* (a) Every job processor and vertical organization processing piece goods in the course of trade or business on or after May 4, 1942, shall submit to the Office of Price Administration a full report of its maximum prices determined pursuant to § 1400.21 for all types of processing services[2] performed by such job processor or vertical organization. Reports of prices for processing services established during the period between March 16 and April 15, 1942, inclusive, shall be submitted in duplicate on or before July 20, 1942. Reports of prices for any new or substantially modified processing service established after April 15, 1942, shall be submitted in duplicate on or before September 10, 1942, or on or before the tenth day of the month following the establishment of such price, whichever date is the later. Such reports shall be submitted on Forms 228:1 and 228:2, whichever is appropriate, copies of which may be obtained from the Office of Price Administration.

* * * * *

§ 1400.33 *Effective dates of amendments.* * * *

Similarly, all terms and conditions of the contract, including working allowance, shall be separately shown on each report.

(b) Amendment No. 2 (§ 1400.27 (a)) to Maximum Price Regulation No. 128 shall become effective August 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F R. Doc. 42–8131; Filed, August 20, 1942; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 23 to General Maximum Price Regulation]

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.2 is amended to read as set forth below:

§ 1499.2 *Maximum prices for commodities and services; General provisions.* Except as otherwise provided in this regulation, the "seller's" maximum price for any commodity or service shall be:

(a) The highest price charged by the seller during March 1942:

(1) For the same commodity or service; or

(2) If no charge was made for the same commodity or service, for the similar commodity or service most nearly like it; or

(b) If the seller's maximum price cannot be determined under paragraph (a), the highest price charged during March 1942 by the "most closely competitive seller of the same class":

(1) For the same commodity or service; or

(2) If no charge was made for the same commodity or service, for the similar commodity or service most nearly like it.

HIGHEST PRICE CHARGED DURING MARCH 1942

For the purposes of this General Maximum Price Regulation, the highest price charged by a seller during March 1942 shall be:

(a) The highest price which the seller charged for a commodity "delivered" or service "supplied" by him during March 1942 to a "purchaser of the same class"; or

(b) If the seller made no such delivery or supplied no such service during March 1942, his highest offering price for delivery or supply during that month to a purchaser of the same class; or

(c) If the seller made no such delivery or supplied no such service and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3117, 4659.

[2] For the purpose of determining maximum prices, and for the purpose of reporting such maximum prices, each different class of color, each different class of pattern, each different finish, and each different put-up shall be regarded as a separate type of processing service, and shall be separately reported.

Provided, however, That if, prior to April 1, 1942, the seller raised his prices for the delivery of a commodity or the supply of a service to his classes of purchasers generally, and if, during March 1942, he delivered such commodity or supplied such service at the higher price to at least one class of purchasers, the highest price charged during March 1942 for each class of purchasers:

(1) To which no delivery was made or service was supplied during March 1942 at the higher price, and

(2) To which no delivery was made or service was supplied during March 1942 at a lower price after the price rise, unless made or supplied pursuant to a firm commitment entered into before such price rise

shall be the seller's highest offering price for delivery or supply to such class of purchasers during March 1942.

No seller shall evade any of the provisions of this General Maximum Price Regulation by changing his customary allowances, discounts or other price differentials.

No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchasers of the same class to pay during March 1942 on deliveries or supplies of the same or similar types of commodities or services.

§ 1499.23a *Effective dates of amendments.* * * *

(w) Amendment No. 23 (§ 1499.2) to General Maximum Price Regulation shall become effective August 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8130; Filed, August 20, 1942; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[Order 21 Under § 1499.18 (c) of General Maximum Price Regulation; Docket GF 3-463]

LITTLE CROW MILLING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.371 *Adjustment of maximum prices for sale of private label pancake flour by Little Crow Milling Company, Inc., of Warsaw, Indiana.* (a) Little Crow Milling Company, Inc., of Warsaw, Indiana, may sell and any person may buy from Little Crow Milling Company, Inc., the following commodity at prices not higher than those set forth below:

Private label pancake flour, packed 24-20 ounce packages to the case, at a price not exceeding $1.30 per case delivered in carload quantities.

This maximum price for carload quantities may be increased for sales in pool cars, mixed cars or less-than-carload quantities, by the differential in cents applied, or which would have been applied, by Little Crow Milling Company, Inc., for such sales during March, 1942.

(b) The adjustment granted to Little Crow Milling Company, Inc., in paragraph (a) is subject to the following conditions:

(1) The maximum prices so determined shall be subject to the discounts, allowances, except advertising allowances, which were payments for specific advertising services, and terms no less favorable than those given during March, 1942.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 21 (§ 1499.371) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 21 (§ 1499.371) shall become effective August 21, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8132; Filed August 20, 1942; 11:59 a. m.]

Chapter XIII—Office of Petroleum Coordinator for War

[Petroleum Directive No. 57 [1]]

PART 1510—SUPPLY

DISTILLATES AND OTHER FUEL OILS, ETC.

The diversion for war of a large part of the American and foreign registry tanker fleet, normally employed in transporting petroleum and petroleum products to the Atlantic Seaboard area, together with the loss through enemy action of other vessels of that fleet, has resulted both in an acute shortage of petroleum products in that area, and in disruption of the balance of refinery operations in that area, and other strategic areas in the United States. In order to minimize this shortage of petroleum products and, more particularly, distillates and other fuel oils, and to maintain supply of raw materials required for the maximum production of war products manufactured by the petroleum industry and other basic industries dependent upon an adequate and continuous supply of petroleum products, it is necessary to increase and supplement means of overland transportation of such products, and to obtain the maximum efficient use of all available supply and distribution facilities in order to effect an adequate wartime balance of refinery operations, the maximum output of war products and to maintain supply of products essential to maintenance of public health, safety and necessary industrial operations.

[1] See also War Production Board, *infra*.

Now, therefore, in order to bring about more effectively that action required by the President's letters of May 28, 1941 defining the objectives and duties of the Petroleum Coordinator for War, and supplementing the action required under the provisions of Petroleum Directive No. 50, and superseding any inconsistent provisions of that Directive, issued May 27, 1942, I do hereby direct that:

AUTHORITY: §§ 1510.17 to 1510.23, inclusive, issued under President's letter of May 28, 1941, to the Secretary of the Interior (6 F.R. 2760)

§ 1510.17 *Area of restriction upon movement of certain petroleum products by rail.* No person, natural or artificial, engaged in the business of refining, transporting, purchasing or distributing petroleum or petroleum products in the United States on or after August 24, 1942, shall move, cause to be moved, purchase or sell for movement by railroad tank car, any automotive gasoline for commercial distribution, from any point within the United States to any other point within the States of Texas, Louisiana, Mississippi, Alabama, Oklahoma, Arkansas, Tennessee, Kentucky, Missouri, Kansas, Nebraska, Iowa, Illinois, Indiana, Ohio, Michigan, Wisconsin, Minnesota, North Dakota or South Dakota.

§ 1510.18 *Purchases, sales, exchanges and common use of facilities.* In order, during the effective period of this directive, to maintain necessary supply and distribution of petroleum products described in § 1510.17 of this chapter, and in order to avoid undue hardship upon suppliers, distributors, and purchasers throughout the states named in §1510.17 of this chapter, all persons, natural or artificial, in those states, engaged in refining, transporting or distributing petroleum products shall make such purchases, sales, exchanges, or loans of petroleum products affected by this directive, and shall arrange for such common use of terminals, transportation or distribution facilities as may be required in order to attain the most efficient utilization of all such facilities. All such purchases, sales, exchanges or loans, and arrangements for common use of terminals, transportation or distribution facilities shall remain subject to review by the District Director of Supply of the Office of Petroleum Coordinator for War to the end that no supplier or distributor, in the area affected shall be deprived of an opportunity to share equitably in the available supply and use of facilities throughout the area affected.

§ 1510.19 *Functions of Supply and Distribution Subcommittees.* The Supplies and Distribution Subcommittees for District Two or Three shall, subject to the direction of the Director of Supply, Office of Petroleum Coordinator for War, or of such District Director as he may designate, arrange for such common purchases, sales, exchanges, and loans of petroleum products described in § 1510.17 of this chapter, and for such common use of transportation, terminal or distribution facilities as may be necessary to attain maximum efficient utilization of all available transportation, supply and distribution facilities, as will insure the maintenance of adequate supplies of petroleum products throughout the area included within the states enumerated in § 1510.17 of this chapter. All such common purchases, sales, exchanges, and loans of products, together with the common use of available transportation, terminal or distribution facilities shall be made upon such terms and conditions as will afford every supplier and distributor in the area affected a fair share of, and equitable oportunity to share in, the total supply and use of facilities throughout the area affected.

§ 1510.20 *Reports.* All persons effecting purchases, sales, exchanges, or loans of products, or arrangements for joint use of transportation, terminal and distribution facilities, as referred to in §§ 1510.18 and 1510.19 of this chapter, shall promptly inform the Supplies and Distribution Subcommittee for District Two or District Three, of the terms and conditions of all such arrangements or agreements. Each Supply and Distribution Subcommittee shall compile and digest such information and furnish a condensed report thereof weekly to the District Director of Supply and to the Director of Supply of the Office of Petroleum Coordinator for War.

§ 1510.21 *Exempted movements.* The provisions of § 1510.17 of this chapter shall not apply to movement of petroleum products by or for the account of the Army, Navy or any other agency, bureau or department of the United States Government.

§ 1510.22 *Exceptions.* Any person affected by this directive who can show that compliance therewith would result in the non-delivery of petroleum products shown to be necessary for agricultural production, continued efficient operation of any essential industrial establishment, or for maintenance of the public health or safety may apply to the District Director of Transportation of the Office of Petroleum Coordinator for War for either District Two or Three for special written authorization to make such deviation from the requirements of § 1510.17 of this chapter as is necessary to avoid such result. No such authorization shall be granted except upon proof, satisfactory to the district director to whom application is made, that alternative action in accordance with the provisions of §§ 1510.18 and 1510.19 of this chapter is impossible, impracticable or insufficient to meet essential requirements.

§ 1510.23 *Effective date and termination.* This directive shall become effective upon issuance by the Petroleum Coordinator for War or the Deputy Coordinator and, unless sooner revoked by such officer, shall terminate, insofar as the commencement of any new action by any person is concerned, upon the issuance and promulgation by the War Production Board of an order requiring direct allocation of materials movement by railway tank car.

R. K. DAVIES,
Deputy Petroleum Coordinator for War.

AUGUST 19, 1942.

[F. R. Doc. 42-8127; Filed, August 20, 1942; 11:56 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

GENERAL ORDERS AND SUPPLEMENTS

Correction

In the table of General Orders appearing in the first column of page 6537 (issue of Wednesday, August 19, 1942) the Federal Register section numbers for General Order No. 6 should read "305.1 to 305.42, incl." instead of "305.50 to 305.61, incl."

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Amendment 2 to General Order O. D. T. 10 [1]]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART G—CHARTER AND SIGHTSEEING SERVICE

SIGHTSEEING SERVICE PROHIBITED

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, General Order O.D.T. No. 10, Chapter II of this Title, Part 501, § 501.40 is hereby amended to read as follows:

§ 501.40 *Sightseeing service prohibited.* No person shall engage in sightseeing service by bus, or shall operate, or cause or permit to be operated, any rubber-tired vehicle propelled or drawn by mechanical power, for hire or under hire, for the primary purpose of permitting any passenger or passengers to see places or objects of general or special interest, whether or not the services of a driver or operator are provided with such vehicle.

This amendment shall become effective September 10, 1942. (E.O. 8989, 6 F.R. 6725)

Issued at Washington, D. C., this 20th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8122; Filed, August 20, 1942; 11:48 a. m.]

[1] 7 F.R. 3786; 7 F.R. 5950; 7 F.R. 6060.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-150]

CONCO BUILDING PRODUCTS, INC.

ORDER REINSTATING REGISTRATION

In the matter of Conco Building Products, Inc., a corporation, registered distributor, registration No. 1763, respondent.

An Order having been issued in the above-entitled matter on May 30, 1942, suspending the registration of the above-named respondent for a period of sixty (60) days beginning fifteen (15) days after said date of issuance of said Order; and

Said Order having been duly served on the above-named respondent on June 8, 1942, and said period of suspension having expired on August 12, 1942; and

An affidavit dated July 16, 1942, and a supplemental affidavit dated August 10, 1942, having been filed by said respondent with the Bituminous Coal Division on July 20, 1942 and August 12, 1942, respectively, pursuant to the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said Order of Suspension issued herein on May 30, 1942; and

It appearing from said affidavits that Conco Building Products, Inc., in accordance with the Findings made herein, has refunded improperly accepted discounts to the code members named below as follows:

Reliable Coal Company	$15.75
Midvale Coal Company	22.54
Enos Coal Mining Company	42.47
United Electric Coal Co	6.73
C. W. & F. Coal Company	32.17

and that said affidavits comply with the provisions of said § 304.15 of the Rules and Regulations for the Registration of Distributors and of said Order of Suspension issued on May 30, 1942;

Now, therefore, it is ordered, That the registration of Conco Building Products, Inc., as a registered distributor, Registration No. 1763, be, and the same hereby is, reinstated effective as of 12:01 a. m. on August 13, 1942.

Dated: August 19, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8134; Filed, August 20, 1942; 11:52 a. m.]

[Docket Nos. A-1569, A-1569, Part II]

DISTRICT BOARD NO. 9

NOTICE OF HEARING, ETC.

In the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices

for the coals of certain mines in District No. 9.

In the matter of the petition of district Board No. 9 for the revision of minimum prices for the coals of the Wolf Hills Mine (Mine Index No. 530) of Wolf Hills Coal Company for truck shipments.

Memorandum opinion and order severing Docket No. A–1569 part II from Docket No. A–1569; and notice of and order for hearing in Docket No. A–1569 part II.

The original petition in the above entitled matter which was filed with this Division, requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 9 and revising the minimum prices applicable for the coals of the Wolf Hills Mine (Mine Index No. 530) of Wolf Hills Coal Company for Truck Shipments.

As indicated in an order issued today in Docket No. A–1569, a reasonable showing of necessity has been made for the relief prayed for by the petitioner except as to Mine Index No. 530.

The original petition prays for an increase in the minimum prices applicable to the coals in Mine Index No. 530 in certain size groups for Truck Shipments. The coals of this mine were originally priced for Truck Shipment in Supplement No. 2 to Price Schedule No. 1, in District No. 9 and it appears that the original petition has not set forth sufficient facts to warrant making such increases effective in the applicable minimum prices for the coals of this mine for Truck Shipments without a hearing.

Now, therefore, it is ordered, That the portion of Docket No. A–1569 relating to the coals of the Wolf Hills Mine (Mine Index No. 530) of Wolf Hills Coal Company be and it hereby is severed from the remainder of Docket No. A–1569 and designated as Docket No. A–1569, Part II.

It is further ordered, That a hearing in Docket No. A–1569, Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the Rules of the Division be held on 22d day of September 1942 at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the undersigned proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on on before September 19, 1942.

The matter concerned herewith is in regard to the petition of District No. 9 for an increase in the effective minimum prices for the coals of the Wolf Hills Mine (Mine Index No. 530) of the Wolf Hills Coal Company for Truck Shipments as follows:

Size group	1	2	3	4
From	2.05	2.05	1.95	1.85
To	2.35	2.35	2.25	2.15

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–8135; Filed, August 20, 1942; 11:52 a. m.]

[Docket No. A–1469]

DISTRICT BOARD NO. 18

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for certain mines in District No. 18.

The original petition in the above-entitled matter filed with this Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 requests the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 18 for both rail and truck shipment. However, the petition does not indicate that any of the mines identified therein have shipped, or proposed to ship, their coals by rail. Furthermore, neither the rail shipping points nor the railroads upon which such coals would originate for rail shipment have been designated by the petitioner. Inasmuch as the petition fails to contain all pertinent information necessary for the establishment of the price classifications and minimum prices requested for such coals for shipment by rail and since no clear showing has been made that the granting of such relief is necessary, it does not appear advisable to temporarily or permanently establish such price classifications and minimum prices without a hearing.

Petitioner requests that certain minimum prices be established for the coals in Size Groups Nos. 7, 9 and 13 produced from the Sanford Mine, Mine Index No. 168, in Subdistrict No. 1 of District No. 18. However, reference to the records of the Division discloses that no specific minimum prices have heretofore been established for coals in those size groups for the mines of other code members in Subdistrict No. 1 for shipment by truck, and that pursuant to the provisions of Price Instruction and Exception No. 5 in the Schedule of Effective Minimum Prices for District No. 18 For All Shipments, such coals are subject to the minimum prices in effect for the next larger size of coal for which a price is listed for the producing mine. The petition does not contain facts sufficient to warrant the establishment, either temporary or permanent, of the minimum prices requested for the coals of Mine Index No. 168 in Size Groups 7, 9 and 13 for truck shipments without a hearing.

Petitioner also requests the establishment of a minimum price of $2.50 per ton for coal in Size Group No. 11 produced from the Magdalena Mine, Mine Index No. 169 in Subdistrict No. 6 of District No. 18 for shipment by truck. No specific minimum prices have heretofore been established for the coals in Size Group No. 11 produced from other mines in Subdistrict No. 6 for shipment by truck, such coals likewise being subject to the minimum prices for the next larger size coal for which a price is listed for the producing mine. The original petition in this matter does not contain facts sufficient to warrant the establishment, either temporary or permanent, of the minimum price therein requested for the coals of Mine Index No. 169, in Size Group No. 11, without a hearing.

It does appear, however, that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth and that pending final disposition of the original petition, temporary price classifications and minimum prices should be established for the coals of the Neff Mine, Mine Index No. 167, the Magdalena Mine, Mine Index No. 169 and the Sanford Mine, Mine Index No. 168, for truck shipments.

The price classifications and minimum prices proposed by petitioner for the coals of the Neff Mine, Mine Index No. 167, in Subdistrict No. 8, do not correspond, in certain size groups, with the price classifications and minimum prices in effect for the coals produced from other mines in that subdistrict. The classifications and minimum prices for coals produced in Subdistrict 8 were revised by the order entered in Docket No. A–1256 on June 12, 1942. It appears that the price classifications and minimum prices established for the coals of the Neff Mine for truck shipments should be made to correspond with those presently in effect for coals produced from other mines in that subdistrict. Accordingly, the temporary price classifications and minimum prices set forth below for the coals of the Neff Mine, Mine Index No. 167 for truck shipments are the same as those in effect for the coals produced from other mines in Subdistrict No. 8 of District No. 18.

Now, therefore, it is ordered, That a hearing in Docket No. A–1469 under the applicable provisions of said Act and the rules of the Division be held on September 17, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 12, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of District Board No. 18 for the establishment of price classifications and minimum prices, for both rail and truck shipments, for the coals of the Neff Mine, Mine Index No. 167, of code member Harman Dufur, the Magdalena Mine, Mine Index No. 169, of code member Salome Morgan and the Sanford Mine, Mine Index No. 168, of code member George Sanford.

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 18 for All Shipments is supplemented to include the following price classifications and minimum prices for the coals of the Neff Mine (Mine Index No. 167), the Magdalena Mine (Mine Index No. 169) and the Sanford Mine (Mine Index No. 168) for truck shipments.

TRUCK SHIPMENTS

Code member name	Mine	County	Size groups									
			1	2	4	6	8	9	10	11	12	13	15
SUBDISTRICT NO. 1													
Sanford, George	Sanford	McKinley	450	425	400	350	300	----	----	190	170	----	325
SUBDISTRICT NO. 6													
Morgan, Salome	Magdalena	Socorro	----	400	----	350	300	215	----	----	170	150	350
SUBDISTRICT NO. 8													
Dufur, Harman	Neff	San Juan	350	300	----	----	175	150	100	75	----	----	200

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–8136; Filed, August 20, 1942; 11:52 a. m.]

[Docket No. B–10]

J. B. WILLIAMSON, CODE MEMBER

ORDER DENYING MOTIONS OF DEFENDANT, GRANTING APPLICATION OF DEFENDANT FOR ISSUANCE OF SUBPOENA DUCES TECUM AND POSTPONING HEARING

In the matter of J. B. Williamson, code member, defendant.

The above-entitled matter having been reopened and rescheduled for hearing on July 31, 1942 at Cleveland, Ohio by order of the Acting Director dated July 17, 1942 and subsequently postponed to August 21, 1942 at the same place by order of the Acting Director dated July 30, 1942; and

The defendant in said matter having on August 13, 1942 filed with the Division motions that:

(a) The Acting Director make findings of fact or issue an order directing the trial examiner to submit to the Acting Director his report, proposed findings of fact, and recommendations herein,

(b) The Acting Director produce the record of the original hearing herein or issue his order requiring the trial examiner to produce the record of said hearing,

(c) The Acting Director announce to all parties herein the reason or reasons for failing or refusing to produce said record,

(d) The Acting Director dismiss the complaint herein,

(e) The Acting Director produce and deliver to the defendant or order the trial examiner to produce and deliver to the defendant at least three days prior to the reopened hearing in this matter either the original or a conformed copy of the record in this matter to the present date, whether or not said record contains the transcript of the testimony taken at the original hearing in this matter, and

(f) The Acting Director continue the proposed hearing in this matter to August 31, 1942 or to any date subsequent thereto; and

The defendant in said matter having on August 13, 1942 filed with the Division an application for issuance of subpoena duces tecum to Herman I. Toll, N. B. C. Building, Cleveland, Ohio to testify and give evidence and produce the transcript of the testimony taken at the original hearing in this matter; and

It appearing to the Acting Director that no good reasons have been shown for the granting of said motions; and

It further appearing to the Acting Director that said application for the issuance of a subpoena duces tecum to Herman I. Toll be granted; and

The Acting Director deeming it advisable to postpone the hearing from August 21, 1942, to August 26, 1942.

Now, therefore, it is ordered, That motions of the defendant as set forth above be and the same hereby are denied.

It is further ordered, That the application for issuance of a subpoena duces tecum as set forth above be and the same hereby is granted.

It is further ordered, That the reopened hearing in this matter be and the same hereby is postponed from August 21, 1942, at 10:00 a. m. at a hearing room of the Bituminous Coal Division, 518 Bulkley Building, Cleveland, Ohio, to August 26, 1942, at 10:00 a. m. at a hearing room of the Bituminous Coal Division, 518 Bulkley Building, Cleveland, Ohio, before the officer or officers previously designated.

Dated: August 19, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–8137; Filed, August 20, 1942; 11:53 a. m.]

[Docket No. B–139]

PERRY COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated November 10, 1941, having been filed on November 12, 1941, by the Bituminous Coal Producers Board for District No. 10, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by the Perry Coal Company, St. Louis, Missouri, of the Bituminous Coal Code or

the rules and regulations thereunder; and

An Order having been issued herein on August 5, 1942, revoking and cancelling the code membership, after hearing on said complaint, of the Perry Coal Company, effective as of August 20, 1942, and said Order having been duly served on the said Perry Coal Company; and

The said Perry Coal Company having filed with the Division on August 15, 1942, its application for restoration of its code membership to become effective simultaneously with the effective date of said cancellation and revocation of its code membership; and

It appearing from said application that the said Perry Coal Company has paid to the Collector of Internal Revenue at Springfield, Illinois, on August 14, 1942, the sum of $985.53, pursuant to Order dated August 5, 1942, as a condition precedent to the restoration of its code membership.

Now, therefore, it is ordered, That said application of Perry Coal Company, filed August 15, 1942, for restoration of its code membership, be, and the same hereby is granted.

It is further ordered, That said restoration of the code membership of the Perry Coal Company be effective simultaneously with the effective date of said Order of revocation and cancellation of code membership.

Dated: August 19, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8138; Filed, August 20, 1942; 11:53 a. m.]

[Docket No. B-219]

FREEBROOK CORPORATION

ORDER CONDITIONALLY RESTORING CODE MEMBERSHIP

A written complaint dated February 4, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on February 10, 1942, by the Bituminous Coal Producers Board for District No. 1, a District Board, complainant, with the Bituminous Coal Division (the "Division"); and

An amended application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for disposition of the above-entitled matter without formal hearing, dated April 30, 1942, having been duly filed with the Division on April 30, 1942; and

An order having been issued herein on July 31, 1942, granting the said amended application, revoking and cancelling the membership of Freebrook Corporation in the Bituminous Coal Code (the "Code") as of fifteen (15) days from the date of said order, and providing, pursuant to section 5 (c) of the Act for the payment to the United States of a tax in the amount of $8,500.08 as a condition precedent to the restoration of Freebrook Corporation to membership in the Code and enjoining and restraining Freebrook Corporation from violating the Act, the Code, and rules and regulations thereunder upon any restoration of Freebrook Corporation to membership in the Code pursuant to section 5 (c) of the Act; and

An agreement dated August 13, 1942, between Freebrook Corporation and Walter L. Miller, Collector of Internal Revenue for the 23rd District of Pennsylvania of the Treasury Department of the United States, at Pittsburgh, Pennsylvania, from which it appears that said Freebrook Corporation agrees to pay said tax in the amount of $8,500.08 in installments as set forth in said agreement; and

An application dated August 14, 1942, for conditional restoration to membership in the Code together with the signed copy of the aforesaid agreement having been duly filed by Freebrook Corporation with the Division on August 14, 1942, in which it is provided that installment payments of said tax shall be made in the amount and in the manner as set forth in said agreement and that if Freebrook Corporation fails to make any installment payment as provided in said agreement, the entire balance of said tax then owing shall become due and payable and that all coal sold or otherwise disposed of by said Freebrook Corporation on and after August 16, 1942, shall be subject to 19½% tax provided by section 3520 (b) (1) of the Internal Revenue Code.

Now, therefore, it is ordered, That membership of Freebrook Corporation in the Code be and the same hereby is conditionally restored effective simultaneously with the effective date of said order of revocation and cancellation herein, dated July 31, 1942, and upon the following terms and conditions:

In the event of default by Freebrook Corporation in making any installment payment as provided in said agreement made August 13, 1942, between said Freebrook Corporation and Walter L. Miller, Collector of Internal Revenue, such conditional restoration of code membership shall become wholly ineffective as of August 16, 1942, the entire balance of said tax then owing shall become due and payable and that all coal sold or otherwise disposed of by said Freebrook Corporation on and after August 16, 1942, shall be subject to 19½% tax provided by section 3520 (b) (1) of the Internal Revenue Code.

It is further ordered, That upon payment of said tax in full in accordance with the terms of said agreement said Freebrook Corporation shall submit to the Division the receipt therefor issued by said Collector or a statement by said Collector that said tax has been paid in full and thereupon an order shall be issued restoring said Freebrook Corporation to full and unconditional membership in the Code.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

[F. R. Doc. 42-8139; Filed, August 20, 1942; 11:53 a. m.]

[Docket No. A-1578]

DISTRICT BOARD No. 10

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 10 for the establishment of price absorptions for the Flamingo Mine for shipment via The Chicago, Burlington and Quincy Railroad.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 24, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 19, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 10 for the establishment of price absorptions for the Flamingo Mine (Mine Index No. 1450) of Fairview Collieries Corporation for shipment via the Chicago, Burlington and Quincy Railroad as follows: (1) permission to absorb 5¢ per ton of the freight rate on shipments via the Chicago, Burlington and Quincy Railroad to the Peoria-Pekin District, (2) the establishment of effective minimum prices of $2.00 per net ton for mine run and $1.40 per net ton for screenings on coal sold to the Chicago, Burlington and Quincy Railroad for locomotive fuel use, (3) to make applicable on offline sales of railroad locomotive fuel originating on the Chicago, Burlington and Quincy Railroad, railroad locomotive price absorptions 1 (f), 2 (a), 6, 7, 8, 35 and 43 appearing in the Schedule of Effective Minimum Prices for District No. 10 For All Shipments Except Truck, (4) to extend the relief granted Mine Index No. 1450 in Docket No. A-1311 so as to permit this mine to absorb not more than 48¢ per net ton of the freight charges on railroad locomotive fuel sold to the Peoria and Pekin Union Railway, when shipments of this fuel originate on the Chicago, Burlington and Quincy Railroad at Fairview, Illinois.

It is further ordered, That pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 10 For All Shipments Except Truck is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Temporary Supplement R" annexed hereto and made a part hereof.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8140; Filed, August 20, 1942; 11:54 a. m.]

DISTRICT BOARD No. 13

NOTICE OF HEARING, ETC.

[Docket Nos. A-1548, A-1548, Part II]

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr, and for the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell for all shipments except truck.

Memorandum opinion and order severing Docket No. A-1548 Part II from Docket No. A-1548 and notice of and order for hearing in Docket No. A-1548, Part II.

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 13.

As indicated in an Order issued today in Docket No. A-1548, a reasonable showing of necessity has been made for the relief prayed by the petitioner except as to the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr and the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell, for all shipments except truck.

The proposed price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr, for all shipments except truck, do not conform to those for any known adjacent and analogous mines, nor is Odenville, Alabama, the proposed shipping point for this mine, shown in the tariffs of the SAL RR as a point of origin for coal. Also, petitioner has failed to explain the wide variations between the published truck prices and the proposed rail prices for this mine. It appears, therefore, that petitioner has not set forth sufficient facts to warrant establishing without a hearing its proposed price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) for all shipments except truck.

The petitioner proposed price classifications and minimum prices for the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell for all shipments except truck which would place this mine for rail shipments in Subdistrict 3, in Tennessee-Georgia, in the 15 size groups applicable to Subdistrict 3, whereas this mine is located in Jackson County, Alabama. By definition, all mines in Alabama are in Subdistricts 1 or 2 (or both) and are classified and priced in size groups numbered from 1 to 26, inclusive (with minor exceptions). It appears, therefore, that such price classifications and minimum prices proposed for the coals of this mine for all shipments except truck should not be established without a hearing.

Now, therefore, it is ordered, That the portion of Docket No. A-1548 relating to the coals of Mine Index Nos. 1273 and 276 be, and it hereby is, severed from the remainder of Docket No. A-1548 and designated as Docket No. A-1548, Part II.

It is further ordered, That a hearing in Docket No. A-1548, Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on September 29, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the undersigned proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 25, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr, and for the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell, for all shipments except truck.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8141; Filed, August 20, 1942; 11:54 a. m.]

[Docket No. B-164]

REED AND RENNICK

ORDER DISMISSING COMPLAINT, CANCELLING HEARING AND TERMINATING MATTER

In the matter of Kenneth Reed and George H. Rennick, individually and as copartners doing business under the name and style of Reed and Rennick, Code Member.

The Bituminous Coal Producers Board for District No. 11, complainant herein, by motion filed with the Bituminous Coal Division on July 29, 1942, having moved that its complaint herein filed with the Division on December 4, 1941 against the above-named code member be dismissed without prejudice on the ground that Kenneth Reed and George H. Rennick, individually and as copartners doing business under the name and style of Reed and Rennick, are no longer engaged in the business of mining coal;

The Acting Director deeming it advisable to grant said motion;

Now, therefore, it is ordered, That the said complaint herein be, and it hereby is dismissed without prejudice.

It is further ordered, That the hearing herein heretofore postponed by order dated July 29, 1942, to a date and place to be thereafter designated by appropri-

ate order, be, and the same hereby is cancelled; and

It is further ordered, That the matter herein, Docket No. B–164 be, and the same hereby is, terminated.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42–8142; Filed, August 20, 1942; 11:54 a. m.]

General Land Office.

[Public Land Order 23]

WASHINGTON

WITHDRAWING PUBLIC LAND FOR USE AS AN ADMINISTRATIVE SITE IN CONNECTION WITH THE COLUMBIA NATIONAL FOREST

By virtue of the authority contained in the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141–143), and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

The following-described public land in Washington is hereby temporarily withdrawn from settlement, location, sale, or entry; and reserved for use by the Forest Service, Department of Agriculture, as the Swift Creek Administrative Site in connection with the administration of the Columbia National Forest, subject to valid existing rights and to the existing power project reservation covering the land:

WILLAMETTE MERIDIAN

T. 7 N., R. 5 E., sec. 28, SE¼NE¼. 40 acres.

This withdrawal is made on condition that if and when the use of this site is needed for power purposes, it will be evacuated by the Forest Service.

ABE FORTAS, *Acting Secretary of the Interior.*

AUGUST 7, 1942.

[F. R. Doc. 42–8116; Filed, August 20, 1942; 9:30 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

PROCESSING OF SORGO INTO SORGO SYRUP

HEARING ON EXEMPTION AS SEASONAL INDUSTRY

Notice of hearing in the matter of the application for the exemption of the processing of sorgo into sorgo syrup from the maximum hours provisions of the Fair Labor Standards Act of 1938 pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas upon consideration of an application filed by the American Sugar Cane League of the U. S. A., Inc., for the exemption of the processing of sorgo into sorgo syrup in Louisiana from the maximum hours provisions of the Fair Labor Standards Act of 1938 pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder, a preliminary determination was made that a prima facie case had been shown for amendment of the exemption granted under section 7 (b) (3) of the Act to that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana, to include in the exemption granted to this branch of the industry the processing of sorgo into sorgo syrup; and

Whereas within fifteen days following the publication of that preliminary determination the Administrator received an objection and request for hearing, and also received an application from the Waconia Sorghum Company, Cedar Rapids, Iowa, for the exemption of the processing of sorgo into sorgo syrup outside of Louisiana as an industry of a seasonal nature;

Now, therefore, notice is hereby given of a public hearing to be held pursuant to §§ 526.5 and 526.6 of the regulations, at the National Offices of the Wage and Hour Division, 165 West 46th Street, New York, New York, at 10:00 a. m., on August 28, 1942, before Nathan Rubinstein, the duly authorized representative of the Administrator, hereby authorized to receive evidence and hear arguments for the purpose of determining:

Whether the processing of sorgo into sorgo syrup in Louisiana is an integral part of the cane sugar processing and milling branch of the cane sugar industry in Louisiana, and if so, whether the combined raw sugar processing and sorgo processing operations in Louisiana constitute an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 of the regulations; and

Whether the processing of sorgo into sorgo syrup in the United States as a whole or in any one or more of the states constitutes an industry or a separable branch of an industry and is of a seasonal nature within the meaning of the Act and the regulations.

The term "processing of sorgo into sorgo syrup", as used in this notice, includes the operations of receiving, handling, unloading, and weighing the sorgo at the processing establishment; the extraction of the juice from the sorgo; the processing of this juice into sorgo syrup; the removal, handling, and conveying of the sorgo syrup to tank cars or storage tanks on or in the vicinity of the mill site; the removal, conveying, burning, bagging, baling, and piling and storing in bags or in baled form on or in the vicinity of the mill site of bagasse resulting from the processing of sorgo into sorgo syrup; and the operations necessary or incident to the foregoing.

Any person interested in supporting or opposing the application for exemption may file a written statement or may appear at the hearing in his own behalf or in behalf of any other person. Written statements or notices of intention to appear must be filed with the Administrator at the National Offices of the Wage and Hour Division, 165 West 46th Street, New York, New York, not later than August 27, 1942. The notice of intention to appear must contain the following information:

1. The name and address of the person appearing.

2. If he is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether he is appearing in support of or in opposition to the application for exemption.

Signed at New York, New York, this 19th day of August 1942.

WILLIAM B. GROGAN, *Acting Administrator.*

[F. R. Doc. 42–8117; Filed, August 20, 1942; 9:29 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 20, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Gold-form Neckwear, Inc., 26 East 14th St., Bayonne, New Jersey; Men's & boys neckwear; 5 learners (T); August 20, 1943.

Timely Clothes, Inc., 1415 Clinton Ave., N., Rochester, New York; Men's suits & overcoats; 5 percent (T) August 20, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Beauty Brassiere Co., 227 High St., Newark, New Jersey; Brassieres; 3 learners (T); August 20, 1943.

Blue Bell Globe Mfg. Co., Commerce, Georgia; Overall coats, denim jackets, H. B. T. jackets; 10 percent (T); August 20, 1943.

Alfred DeGennaro, 247 Bridge Ave., Red Bank, New Jersey; Women's dresses; 5 learners (T); August 20, 1943.

Roguecraft Sportswear, Inc., 7019 Santa Monica Boulevard, Hollywood, California; Boys & Men's sportswear; 6 learners (T); August 20, 1943.

S & W Dress Co., Russell St., Saugerties, New York; Ladies dresses; 5 learners (T); August 20, 1943.

Tony & Posell, 860 South Los Angeles St., Los Angeles, California; Ladies sportswear; 6 learners (T); August 20, 1943.

Trend Trousers, Inc., 509 Railroad St., North Judson, Indiana; Men's & boys dress trousers; 5 leaners (T); August 20, 1943.

Vanity Silk Underwear Co., 208 West St. Clair Ave., Cleveland, Ohio; Ladies silk underwear, nightgowns, etc.; 4 learners (T); August 20, 1943.

Cigar

Bobrow Brothers, Inc., 220 South 5th St., Philadelphia, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours and stripping machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; August 19, 1943.

H. Fendrich, Inc., 101 Oakley St., Evansville, Indiana; Cigars; 10 percent (T); Cigar machine operators to have learning period of 240 hours and stemming machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; August 19, 1943.

George Zifferblatt & Co., 271–79 South Third St., Philadelphia, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 19, 1943.

Glove

Sterling Silk Glove Co., 25 Messinger St., Bangor, Pennsylvania; Knit fabric gloves; 5 percent (T); August 20, 1943.

Hosiery

Haltom Hosiery Mill, 918 Millis St., High Point, North Carolina; Seamless hosiery; 5 learners (T); August 20, 1943.

The Meridian Hosiery Mills, 34th Ave. & 10th St., Meridian, Mississippi; Full-fashioned hosiery; 5 percent (T); August 20, 1943.

Knitted Wear

Haynes Textile Co., Inc., Main St., Mount Airy, North Carolina; Knitted underwear (cut and sew); 5 learners (T); August 20, 1943.

Textile

Lone Star Cotton Mills, Inc., 1800–12th St., El Paso, Texas; Sheetings: drill and duck; 3 percent (T); August 20, 1943.

Signed at New York, N. Y., this 18th day of August 1942.

PAULINE C. GILBERT, *Authorized Representative of the Administrator.*

[F. R. Doc. 42–8118; Filed, August 20, 1942; 10:14 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 25 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120–66]

JAMES M. McINTYRE & COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in the opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *It is ordered:*

(a) James M. McIntyre & Company, Philadelphia, Pennsylvania may sell and deliver, and any person may buy and receive, the kinds and grades of bituminous coal produced at the Shreeve No. 1 Mine (Mine Index No. 469), District No. 1, and set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) (1) The maximum prices for such coals in Size Groups 1 and 2 shall not exceed $3.75 per net ton, f. o. b. the mine, for shipment other than by truck or wagon.

(2) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not to exceed $1.30 per net ton for coals in Size Group 1 and plus a sum not to exceed $1.55 per net ton for coals in Size Group 2.

(c) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 25 shall become effective August 21, 1942.

Issued this 20th day of August 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42–8129; Filed, August 20, 1942; 11:58 a. m.]

[Order 7 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts; Docket No. 3148.24]

WHITE PACKING COMPANY, INCORPORATED

ORDER GRANTING ADJUSTMENT

On July 8, 1942, White Packing Company, Incorporated, Salisbury, North Carolina, filed a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *It is hereby ordered:*

(a) White Packing Company, Incorporated, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from White Packing Company, Incorporated.

(b)

	Cents per pound
Hams, fresh or frozen	28¾
Skinned hams, fresh or frozen	30
Shoulders, fresh or frozen	26½
Loins, fresh or frozen	29½
Loins, fresh or frozen of other weights	28½
Bellies, fresh or frozen	21
Boston butts, fresh or frozen	29½
Hams boned and rolled	42
Sliced bacon, cellophane wrapped	32
Sliced bacon in cartons	31
Hockless picnics	29
Cottage rolls	41½
Dry salt bellies	17¼

(c) The permission granted to the White Packing Company, Incorporated, in this Order No. 7 is subject to the following condition: that the several prices

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3821, 4342.

[2] 7 F.R. 971.

specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the White Packing Company, Incorporated, may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from White Packing Company, Incorporated, each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 7 shall become effective August 21, 1942.

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8128; Filed, August 20, 1942; 11:58 a. m.]

[Order 26 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-51]

ALBUQUERQUE AND CERRILLOS COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion which has been issued simultaneously herewith and under the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] it is ordered:

(a) Albuquerque and Cerrillos Coal Company, Madrid, New Mexico may sell and deliver, and any person may buy and receive the kinds and grades of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) Coals produced at the Jones Mine (Mine Index No. 11), located in Santa Fe County, New Mexico, District 18, may be sold for shipment by truck or wagon at the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding $1.70 in Size Group 1 and 5; $1.45 in Size Groups 3 and 6; $1.35 in Size Groups 4 and 8; $1.40 in Size Group 7; $1.50 in Size Group 9; $1.25 in Size Groups 11, 12 and 13; $1.15 in Size Group 14, respectively.

(c) This Order No. 26 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 26 shall become effective August 22, 1942.

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F R. Doc. 42-8133; Filed, August 20, 1942; 11:58 a. m.]

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[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835.

[2] 7 F.R. 971, 3663.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-540]

TRI-CITY UTILITIES CO. AND KENTUCKY UTILITIES CO.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of August, A. D. 1942.

In the matter of Tri-City Utilities Company, successor in interest herein to Kentucky-Tennessee Light and Power Company, and Kentucky Utilities Company.

Applications and declarations, and amendments thereto, having been filed with this Commission by Tri-City Utilities Company, a subsidiary of Associated Electric Company, a registered holding company, and Kentucky Utilities Company, a registered holding company and a subsidiary of The Middle West Corporation, a registered holding Company, pursuant to sections 10 and 12 (d), and Rule U-44 thereunder, of the Public Utility Holding Company Act of 1935, regarding the sale and exchange of certain electric public utility properties; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter, and having made and filed its Findings and Opinion herein;

It is ordered, That the applications, as amended, be and hereby are granted forthwith, and that the declarations, as amended, be and hereby are permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8110; Filed, August 19, 1942; 1:56 p. m.]

[File No. 70-574]

TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 18th day of August, A. D. 1942.

In the matter of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, having filed an application-declaration, together with an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 7 and 10 thereof, and Rules U-42 and U-100 (a) of the General Rules and Regulations promulgated thereunder, and the following direct and indirect subsidiaries of Associated Gas and Electric Corporation, namely, NY PA NJ Utilities Company, General Gas & Electric Corporation, Associated General Utilities Company, The Lake Shore Gas Company, Pennsylvania Electric Company, Long Island Water Corporation, New Jersey Power & Light Company, New York State Electric & Gas Corporation, York Railways Company, and Utilities Employees Securities Company, and Stanley Clarke, Trustee of Associated Gas and Electric Company, having filed applications for exemption pursuant to Rule U-100 (a) of the General Rules and Regulations and such filing being with respect to various transactions described below. Of these transactions the Commission has before it for consideration only the issuance of a note by the Trustees of Associated Gas and Electric Corporation and applications for the exemption of certain acquisitions of securities by various companies.

Pursuant to orders of the United States District Court for the Southern District of New York (and an order of this Commission exempting the acquisitions), the Trustees of Associated Gas and Electric Corporation and the Trustee of Associated Gas and Electric Company acquired various assets in compromise of certain claims against Howard C. Hopson, members of his family, and certain companies, trusts and partnerships, directly or indirectly owned by him or them (hereinafter referred to as "the Hopson Group").

As a plan of distribution of the assets acquired from the Hopson Group and held in trust by the three trustees (hereinafter referred to collectively in such capacity as "Trustees of the Hopson assets"), the Trustees of the Hopson assets propose to pay and deliver to each of the distributee companies, listed in the appendix to this order, the securities and amounts of cash there indicated. The plan provides that as a set-off against distributee companies the Trustees of the Hopson assets shall cancel and discharge all accounts payable by any distributee company owing to the Hopson fund.

The plan further provides that such tax as may finally be determined to be owing to the City of New York (the total amount claimed is $127,406.91) shall be borne pro rata by all distributee companies. In the case of companies receiving securities only, their pro rata burden of the tax will be paid by them in cash to the Trustees of the Hopson assets. According to the tabulation of the percentages of the tax claim to be borne by distributee companies, the Trustees of Associated Gas and Electric Corporation are to pay slightly more than one-third; the Trustee of Associated Gas and Electric Company, 7.1195%; while the various direct and indirect subsidiaries of Associated Gas and Electric Corporation will pay from 8.1788% of the claim (New York State Electric & Gas Corporation) to less than 1%.

The Trustees of the Hopson assets propose to turn over to the Trustees of Associated Gas and Electric Corporation, to be held and used by the latter for the sole use and benefit of the estate of Associated Gas and Electric Corporation, all Hopson assets other than those specifically referred to in the appendix to this order. These include securities of a number of non-system companies; notes receivable in the face amount of $85,335; one equal undivided half interest, formerly owned by Harold C. Hopson, in and to a certain trust, under a declaration of trust, dated June 1, 1924; miscellaneous assets including a mortgage, municipal bonds, real estate, federal and state excise stamps, tax lien certificates, furniture and fixtures and the following securities of system companies:

Issuing company	Security	Principal amount
Associated General Utilities Companies.	4%, due 1961..	$87,590
Associated General Utilities Companies.	5%, due 1956..	421,550
Utilities Employees Securities Company.	Income Notes, due 1981.	721,390

In accordance with the program proposed, these securities are to be held by the Trustees of Associated Gas and Electric Corporation, limited and restricted as to interest, voting rights, and the right of recovery thereon.

The Trustees of Associated Gas and Electric Corporation propose to execute and deliver to the Trustees of the Hopson assets their non-interest bearing note in the amount of $442,060.40. This note is to be junior to the administration expenses of the Estate of Associated Gas and Electric Corporation, to the Trustees' certificate of the Trustees of Associated Gas and Electric Corporation, in the principal amount of $5,000,000, and to allowable claims of the federal government against the Estate of the Corporation for additional unpaid federal income and excess profits taxes accrued prior to January 10, 1940. Under certain conditions the note is also junior to the administration expenses and Trustee's certificate of Associated Gas and Electric Company.

The Trustees of the Hopson assets propose to pay over at this time to each of the distributee companies 50% of the amount appearing after the names of such companies under the caption "Cash Dividends" in the appendix, and all of the securities itemized under the caption "Securities to be Received". As the Trustees of Associated Gas and Electric Corporation liquidate the residue of the Hopson assets which will come to them, payment is to be made to the Trustees of the Hopson assets upon the note in the amount of $442,060.40. Such payment is to be applied to payment of the cash dividends referred to, but the Trustees of Associated Gas and Electric Corporation shall be liable for the full amount of the note, whether or not the residual Hopson assets, which they acquire, are liquidated.

On August 13, 1942, the United States District Court for the Southern District of New York entered an order approving the program outlined above. The Commission is not required to pass upon the settlement of claims inasmuch as the settlement has been approved by such order of the Court.

Notice of the proposed transactions having been duly given in the form and manner prescribed by Rule U-23, promulgated by the Public Utility Holding Company Act of 1935; and the Commission not having received a request for a hearing with respect to the said declaration and applications within the period specified in the notice or otherwise, and not having ordered a hearing thereon; and

The Commission having considered the circumstances under which the distribution is to be made and the note issued; and

The Commission finding with respect to said declaration that the requirements of section 7 (c) of said Act are satisfied, and that no adverse findings are necessary under section 7 (d) of said Act; and

It appearing to the Commission that an exemption of the transactions from the applicable sections of the Act, and rules thereunder, will not be detrimental to the public interest or the interest of investors or consumers;

It is ordered, That pursuant to Rule U-23 and the applicable provisions of the Act, and subject to the terms and conditions prescribed in Rule U-24, the aforesaid applications are granted and the aforesaid declaration is permitted to become effective.

By the Commission, (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBOIS,
Secretary.

APPENDIX

Distributee company	Securities to be received	Cash dividend to be received
Trustee of Associated Gas and Electric Company.	$20,000 P. A. Ageco 5½% Conv. Int. Certs. extended to 1943. $132,800 P. A. Ageco 4½% Sinking Fund Inc. Debs. due 1986. $111,000 P. A. Ageco 5% Sinking Fund Inc. Debs, due 1986. $6,756,440 P. A. Ageco Conv. Obligations—various series. 48,112 Shs. Ageco Common Stock. 179,957 Shs. Ageco Class A Stock. 250 Shs. Ageco Original Series Preferred. 5 Shs. Ageco Preferred Stock. 19 Shs. Ageco $5.50 Preferred Stock. 2,143 Shs. Ageco $6.00 Preferred Stock. 699 Shs. Ageco $6.50 Preferred Stock. 145 Shs. Ageco $5.50 Preference Stock. 10 Shs. Ageco $6.00 Preference Stock. 33 Shs. Ageco $6.50 Preference Stock. 3,087,008 Ageco Optional Stock Purchase Warrants. 5 Ageco $8.00 Interest Bearing Allotment Certificates. $8.75 P. A. Ageco Interest Bearing Scrip. $300 P. A. Ageco Conv. Deb. Ctfs.—1999. 6,672.5 Ageco Common Stock Purchase Warrants (detached from Agecorp 8's 1940).	$78,302.08
Trustee of Associated Gas and Electric Corporation.	$814,485 P. A. Agecorp Debentures due 1973, various series. $3,799,260 P. A. Agecorp Debentures due 1978, various series. $252,470 P. A. Agecorp 8% Gold Bonds due 1940	0
Utilities Employees Securities Co	$143,080.00 P. A. UESCO Notes due 1981. $12,600.00 P. A. New England Capital Corp. 6% Debentures due 1964. 3,000 Shs. UESCO Class A Stock. 486 Shs. UESCO $5.00 Preferred Stock.	0
Associated General Utilities Company	$25,880 P. A. AGU 5% Debentures due 1956	0
Employees Welfare Ass'n. (Del.)		4,680.79
Associated Real Properties, Inc.		1,993.73
Dover Casualty Insurance Co.		202.77
Paul Smith's Electric L. & Pr. & R. R. Co.		395.66
Paul Smith's Hotel Co.		48.28
Shinn & Co.:		
Railway & Bus Associates		3,871.28
Gas & Electric Associates		59.35
Richmond Railways, Inc.		1,526.54
Rochester Transit Corp.		1.88
Northeastern Water & Electric Corp.		309.58
Northeastern Water & Electric Service Corporation.		95.73
Caribou Water, Light & Power Co.		18.51
Clarion Water, Light & Power Co.		0
United Coach Company		1,510.63
Broome Electric Corp.		3,293.85
Lockport Light, Heat & Power Co.		1,284.04
Mass N. E. Transportation Co.		493.05
New Jersey & Staten Island Ferry Co.		229.42
Reading Street Railway Co.		1,420.13
Reading Traction Company		168.48
Schenectady Rapid Transit, Inc.		125.91
The Valley Public Service Co.		283.55

Distributee company	Securities to be received	Cash dividend to be received
Litchfield Elec. Lt. & Pr. Co.	$50,000 Demand Note dated 8/5/38—Maker, Long Island Water Corp. (6%).	$2,330.36
Long Island Water Corp.		3,310.53
Metropolitan Edison Co.	$15,000 F. A. New Jersey Power & Light Co. 4½% Bonds due 1960.	45,739.01
New Jersey Power & Light Company		14,444.73
Jersey Central P. & L. Co.		9.70
New Jersey Northern Gas Co.		34.20
New York State Elec. & Gas Corp.	$6,000 F. A. Elmira Water, Light & R. R. Co. 5% Bonds due 1956.	155,153.52
The Fitchburg Elec. Lt. Co.		4,155.45
Staten Island Edison Corp.		24,068.41
Richmond Light & R. R. Co.		4,391.17
Northern Pennsylvania Power Co.		10,195.65
Waverly El. Lt. & Pr. Co.		19.55
Pennsylvania Water Co.		5,431.31
Pennsylvania Water & Supply Co.		92.61
Rochester Gas & Electric Corp.		28,338.68
Spring Brook Water Company		883.15
York Railways Company	$20,000 F. A. York Railways Co. 5% Bonds due 1947. $1,000 F. A. York Railways Co. 5% Bonds due 1937.	0
Edison Light & Power Co.		1,258.69
York Steam Heating Co.		42.72
Atlantic Utility Service Corporation.		18,674.59

[F. R. Doc. 42-8111; Filed, August 19, 1942; 1:55 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 10]

DIRECTIVE OF PETROLEUM COORDINATOR FOR WAR

THE ATTORNEY GENERAL:

Pursuant to the provisions of Section 12 of Public Law No. 603, 77th Congress, I enclose Petroleum Directive No. 57[1] of the Petroleum Coordinator for War, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

AUGUST 19, 1942.

[F. R. Doc. 42-8126; Filed, August 20, 1942; 11:56 a. m.]

[1] See Title 32, Chapter XIII, *supra*.

Distributee company	Securities to be received	Cash dividend to be received
Associated Electric Company		
Arizona General Utilities Company		$18,590.63
Eastern Land Corporation		144.21
Inland Gas Corporation		148.16
Lake Shore Gas Company		18,791.41
Louisiana Public Utilities Company		1,324.57
Manila Electric Company		2,116.75
Assoc. Utilities Investing Corp.		15,966.70
Missouri General Utilities Co.		2,923.84
Missouri Southern Public Service Co.		332.80
New Matamoras Electric Co.		119.26
Ohio-Midland L. & P. Co.		2,675.70
Owensboro Gas Co.		838.79
Peninsular Public Service Co.		339.51
Pemlico Water Company		227.47
Pennsylvania Electric Co.		54,076.89
Johnstown Fuel Supply Co.		
Portsmouth Gas Company		397.79
Texas General Utilities Co.		814.49
Texas Gas & Electric Co.		308.51
West Virginia Light, Heat & Power Co.		910.51
General Gas & Electric Corporation.		1,242.89
Dover Gas Light Company		2961.73
Eastern Shore P. S. Co. (Del.) (Md.) (Va.)		232.40
Maryland Light & Power Co.		124.40
Virginia Public Service Co.		3,574.45
Ohioana Rapid Transit Co.		12.96
Harpers Ferry Paper Co.		45.55
Virginia Northern Ice Corp.		3,067.51
Scioto Land Corporation		87
Florida Public Service Co.		9,360.82
Georgia Power & Light Co.		1,120.71
Lexington Water Power Co.		4,171.78
Roanoke Gas Company		284.63
South Carolina Electric & Gas Co.		17,371.58
Tide Water Power Company		1,728.02
Southern Electric Utilities Co.		72.30
NY PA NJ Utilities Company		63,722.39
Bradford Electric Co.		585.08
Canadea Power Corp.		192.16
Glen Rock Elec. Lt. & Pr. Co.		1,702.30
General Electric Co.		373.00
Keystone Public Service Co.		707.93
Citizens Transit Co.		14.09

Distributee company	Securities to be received	Cash dividend to be received
Associated Electric Company		
Arizona General Utilities Company		
Eastern Land Corporation		
Inland Gas Corporation		
Lake Shore Gas Company	$5,000 F. A. Lake Shore 5½% Bonds due 1950.	
Louisiana Public Utilities Company		
Manila Electric Company		
Assoc. Utilities Investing Corp.		
Missouri General Utilities Co.		
Missouri Southern Public Service Co.		
New Matamoras Electric Co.		
Ohio-Midland L. & P. Co.		
Owensboro Gas Co.		
Peninsular Public Service Co.		
Pemlico Water Company		
Pennsylvania Electric Co.	$4,000 F. A. Erie Lighting Co. 5% Bonds due 1967. $45,000 F. A. Pennsylvania Electric Company 4% Bonds due 1961. $1,000 F. A. Penn Public Service Corp. 6% Bonds due 1947—Series C.	
Johnstown Fuel Supply Co.		
Portsmouth Gas Company		
Texas General Utilities Co.		
Texas Gas & Electric Co.		
West Virginia Light, Heat & Power Co.	35 Shs. Gengas Common Stock	
General Gas & Electric Corporation.		
Dover Gas Light Company		
Eastern Shore P. S. Co. (Del.) (Md.) (Va.)		
Maryland Light & Power Co.		
Virginia Public Service Co.		
Ohioana Rapid Transit Co.		
Harpers Ferry Paper Co.		
Virginia Northern Ice Corp.		
Scioto Land Corporation		
Florida Public Service Co.		
Georgia Power & Light Co.		
Lexington Water Power Co.		
Roanoke Gas Company		
South Carolina Electric & Gas Co.		
Tide Water Power Company		
Southern Electric Utilities Co.	$44,000 F. A. NY PA NJ 5% Debentures due 1956. $45,000 F. A. York Railways Co. 5% Bonds due 1947. 289 Shs. NY PA NJ $3.00 Preferred Stock.	
Bradford Electric Co.		
Canadea Power Corp.		
Glen Rock Elec. Lt. & Pr. Co.		
General Electric Co.		
Keystone Public Service Co.		
Citizens Transit Co.		

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THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 166

Washington, Saturday, August 22, 1942

The President

EXECUTIVE ORDER 9225

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANT OF THE S. A. WOODS MACHINE COMPANY AT SOUTH BOSTON, MASSACHUSETTS

By virtue of the power and authority vested in me by the Constitution and laws of the United States, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered and directed as follows:

The Secretary of War is authorized and directed immediately to take possession of and operate the plant of the S. A. Woods Machine Company located at South Boston, Massachusetts, through and with the aid of such person or persons or instrumentality as he may designate, and, in so far as may be necessary or desirable, to produce the war materials called for by the Company's contracts with the United States, its departments and agencies, or as may be otherwise required for the war effort, and do all things necessary or incidental to that end. The Secretary of War shall employ such employees, including a competent civilian advisor on industrial relations, as are necessary to carry out the provisions of this order and the purposes of the directive order of the War Labor Board of August 1, 1942, in the matter of S. A. Woods Machine Company et al, and, in furtherance of the purposes of this order, the Secretary of War may exercise any existing contractual or other rights of said Company, or take such steps as may be necessary or desirable.

Possession and operation hereunder shall be terminated by the President as soon as he determines that the plant of the S. A. Woods Machine Company at South Boston, Massachusetts, will be privately operated in a manner consistent with the war effort.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 19, 1942, 10:40 a. m. E. W. T.

[F. R. Doc. 42-8144; Filed, August 20, 1942; 2:11 p. m.]

EXECUTIVE ORDER 9226

REGULATIONS GOVERNING THE FURNISHING OF CLOTHING IN KIND OR PAYMENT OF CASH ALLOWANCES IN LIEU THEREOF TO ENLISTED MEN OF THE NAVY, THE COAST GUARD, THE NAVAL RESERVE, AND THE COAST GUARD RESERVE

By virtue of and pursuant to the authority vested in me by section 10 of the Pay Readjustment Act of June 16, 1942 (Public Law No. 607, 77th Congress, 2nd Session), I hereby prescribe the following regulations governing the furnishing of clothing in kind, or payment of cash allowances in lieu thereof, to enlisted men of the Navy, the Coast Guard, the Naval Reserve, and the Coast Guard Reserve.

1. Enlisted men upon first enlistment, or upon reenlistment subsequent to expiration of three months from date of last discharge, shall be entitled to a cash clothing allowance of $133.81, except that men enlisted in chief petty officer rating or in the rating of officers' cook or officers' steward, or as members of the Navy, Naval Academy, or Coast Guard Academy Band shall be entitled to a cash clothing allowance of $300 on such first enlistment or such reenlistment.

2. Enlisted men advanced to chief petty officer rating or to the rating of officers' cook or officers' steward, or assigned to duty as members of the Navy, Naval Academy, or Coast Guard Academy Band, except those holding chief

(Continued on next page)

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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petty officer rating upon such assignment, shall be entitled to a cash clothing allowance of $250. Members of the Navy, Naval Academy, or Coast Guard Academy Band below chief petty officer rating shall not, when advanced to chief petty officer rating in their respective bands, be entitled to receive such cash clothing allowance, nor shall men in the rating of officers' cook or officers' steward, when advanced to the rating of officers' chief cook or officers' chief steward be entitled to receive such cash clothing allowances.

3. On the first day of the quarter following the anniversary date of enlistment (or reenlistment as specified in paragraph 1), date of reporting for active duty, date of appointment as chief petty officer, officers' cook, or officers' steward, or date of assignment to duty as a member of the Navy, Naval Academy, or Coast Guard Academy Band, and thereafter on the first day of each succeeding quarter while on active duty, enlisted men shall be paid a cash maintenance allowance for clothing, as follows:

(a) Enlisted men (general), $8.75.

(b) Chief petty officers, officers' cooks, officers' stewards, and members of the Navy, Naval Academy, or Coast Guard Academy Band, $18.75.

4. Retired enlisted men, members of the Naval Reserve (including the Fleet Reserve), and members of the Coast Guard Reserve, shall, upon reporting for active duty, be entitled to the cash clothing allowances prescribed in this order, except that the first quarterly payment of the cash maintenance allowance for clothing shall be paid on the first day of the quarter following the anniversary date of reporting for active duty. Retired enlisted men, and members of the Fleet Reserve on active duty on May 31, 1942, who were not granted a clothing outfit upon reporting for their current active duty, and all other enlisted men on active duty on June 30, 1942, who were not granted a clothing outfit during the fiscal year 1942, shall be entitled to the cash maintenance allowance for clothing provided in paragraph 3 beginning July 1, 1942. Enlisted men of the regular Navy and enlisted men of the Fleet Reserve on active duty on May 31, 1942, who may later be transferred to the Fleet Reserve or to the retired list and retained on active duty, shall continue to receive the cash allowances for clothing applicable to them prior to such transfer, or the cash allowances for clothing applicable in the event they are promoted to chief petty officer rating or to the ratings of officers' cook or officers' steward, or assigned duty as members of the Navy, Naval Academy, or Coast Guard Academy Band. The provisions of this paragraph shall not apply to temporary members of the Coast Guard Reserve on part time or intermittent active duty.

5. Members of the Naval Reserve undergoing flight training leading to a commission shall be entitled only to an issue of clothing in kind not to exceed $180 in value. Members of the Naval Reserve undergoing training, other than flight training, leading to a commission shall be entitled to an issue of clothing in kind not to exceed $15 in value, and in addition, may be temporarily issued government owned clothing not to exceed $120 in value. Temporary members of the Coast Guard Reserve on part time or intermittent active duty may be issued clothing in kind in an amount not to exceed the allowances prescribed in paragraph 1. These allowances in kind are in lieu of any cash clothing allowances.

6. Members of the Insular Force and the Samoan Native Guard and band shall be entitled to the cash clothing allowances prescribed herein, except that when not required to wear blue clothing the cash clothing allowances shall be one-half the rates prescribed herein.

7. The provisions of this order shall be effective from June 1, 1942, to June 30, 1943, except that enlisted men, other than chief petty officers, officers' cooks, officers' stewards, and members of the Navy, Naval Academy, or Coast Guard Academy Band, enlisting or reporting for active duty between June 1, 1942, and June 30, 1942, inclusive, shall be entitled to a cash clothing allowance of $118.95 in lieu of the cash clothing allowance of $133.81 as authorized in paragraph 1 of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 19, 1942.

[F. R. Doc. 42-8145; Filed August 20, 1942; 2:11 p. m.]

EXECUTIVE ORDER 9227

AMENDMENT OF EXECUTIVE ORDER NO. 4314 OF SEPTEMBER 25, 1925, ESTABLISHING RULES GOVERNING THE NAVIGATION OF THE PANAMA CANAL AND ADJACENT WATERS

By virtue of and pursuant to the authority vested in me by section 9 of title 2 of the Canal Zone Code, approved June 19, 1934, Executive Order No. 4314 of September 25, 1925, as amended, establishing rules governing the navigation of the Panama Canal and adjacent waters, is hereby further amended as shown below:

1. Rule 30 in Chapter IV of the said Executive order is amended to read as follows:

"Rule 30. *Status and function of pilot.* The pilot assigned to a vessel shall have control of the navigation and movement of such vessel."

2. Chapter VII of the said Executive order, consisting of Rules 89 to 101 thereof, is amended, in accordance with the provisions of section 10 of title 2 of the Canal Zone Code, as amended by section 1 of the act of June 13, 1940, c. 358, 54 Stat. 387, to read as follows:

"CHAPTER VII—ACCIDENTS AND CLAIMS

"Rule 89. *Injuries to vessels, etc., by reason of passage through locks.* The Governor of The Panama Canal shall promptly adjust and pay damages for injuries to vessels, or to the cargo, crew, or passengers of vessels, which may arise by reason of the passage of such vessels through the locks of the canal under the control of officers or employees of The Panama Canal: *Provided, however,* that no such damages shall be paid in any case wherein the Governor shall find that the injury was proximately caused by the negligence or fault of the vessel, master, crew, or passengers: *Provided further,* that in any case wherein the Governor shall find that the negligence or fault of the vessel, master, crew, or passengers proximately contributed to the injury, he shall diminish the award of damages in proportion to the negligence or fault, as determined by him, attributable to the said vessel, master, crew, or passengers: *And provided further,* that damages shall not be allowed and paid for injuries to any protrusion beyond the side of a vessel, whether such protrusion is permanent or temporary in character. The amounts of the respective awards of damages under this Rule may be adjusted, fixed, and determined by the Governor by mutual agreement, compromise, or otherwise, and such amounts shall be payable promptly out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal; and acceptance by any claimant of the amount awarded to him shall be deemed to be in full settlement of such claim against the Government of the United States.

"Rule 90. *When vessel deemed passing through locks.* For the purposes of Rule 89, a vessel shall be considered to be passing through the locks of the canal, under the control of officers or employees of The Panama Canal, from the time the first towing line is made fast on board before entrance into the locks and until the towing lines are cast off upon, or immediately prior to, departure from the lock chamber.

"Rule 91. *Action upon claim by claimant who considers himself aggrieved.* With respect to any claim for damages for injuries arising by reason of the passage of any vessel through the locks of the canal, as provided in Rules 89 and 90, any claimant for damages who considers himself aggrieved by the findings, determination, or award of the Governor, in reference to his claim, may, as provided in section 10 of title 2 of the Canal Zone Code, as amended as aforesaid, bring an action on such claim against The Panama Canal in the United States District Court for the District of the Canal Zone; and in any such action the provisions of said section 10 of title 2, as amended, and the regulations of the President authorized under section 9 of title 2 of the Canal Zone Code, applicable to the determination, adjustment, and payment of such claims for damages, by the Governor, shall be applicable; and any judgment obtained against The Panama Canal shall be paid promptly out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal.

"Rule 92. *Injuries to vessels, etc., in Canal Zone waters other than locks.* The Governor shall promptly adjust and pay damages for injuries to vessels, or to the cargo, crew, or passengers of vessels which may arise by reason of the presence of such vessels in the waters of the Canal Zone, other than the locks, when the Governor shall find that the injury was proximately caused by negligence or fault on the part of any officer or employee of The Panama Canal acting within the scope of his employment and in the line of his duties in connection with the operation of the canal: *Provided, however,* that when the Governor shall further find that the negligence or fault of the vessel, master, crew, or passengers proximately contributed to the injury, he shall diminish the award of damages in proportion to the negligence or fault, as determined by him, attributable to the said vessel, master, crew, or passengers: *Provided further,* that in the case of any vessel which is required by or pursuant to regulations heretofore or hereafter prescribed under section 9 of title 2 of the Canal Zone Code to have a Panama Canal pilot on duty aboard, no damages shall be adjusted and paid for injuries to any vessel, or to the cargo, crew, or passengers of any such vessel, incurred while the vessel is under way and in motion, unless at the time such injuries are incurred the navigation or movement of the vessel is under the control of a Panama Canal pilot: *And provided further,* that the Governor shall not adjust and pay under this Rule any claim for damages for injuries in case the amount of the claim exceeds $60,000, but shall submit such claim to the Congress by a special report containing the material facts and his recommendations thereon. The amounts of the respective awards of damages under this Rule may be adjusted, fixed, and determined by the Governor by mutual agreement, compromise, or otherwise, and such amounts shall be payable promptly out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal; and acceptance by any claimant of the amount awarded to him shall be deemed to be in full settlement of such claim against the Government of the United States.

"Rule 93. *Prohibition of certain actions upon claims.* Except as otherwise provided in Rule 91, no action for damages for injuries arising in connection with the operation of the canal and by reason of the presence of a vessel in the waters of the Canal Zone shall lie in any court against the United States or The Panama Canal, or against any officer or employee of The Panama Canal: *Provided, however,* that nothing in this Rule shall be construed to prevent or prohibit actions against officers or employees of The Panama Canal for damages for injuries resulting from acts of such officers or employees outside the scope of their employment and not in line with their duties, or from acts of such officers or employees committed or performed with intent to injure the person or property of another.

"Rule 94. *Investigation of accidents involving potential claims.* Whenever, within the waters of the Canal Zone, including the locks of the canal, a vessel, or its cargo, crew, or passengers, meets with an accident or sustains any injury which may be the basis of a claim against The Panama Canal, or inflicts any injury upon any structure, plant, or equipment of The Panama Canal, the Board of Local Inspectors of The Panama Canal, or a member thereof, shall promptly conduct an investigation of such accident or injury, including all the facts and circumstances surrounding it and bearing upon its proximate causation, the nature and extent of the injury, and the amount of the damages, if any, occasioned by such injury, and shall promptly, upon the conclusion of such investigation, transmit to the Governor, for his consideration in connection with any claim which may arise, a transcript of the record of such investigation, together with its findings and conclusions respecting the accident or injury. All matters pertaining to such investigation shall be completed before the vessel concerned leaves Canal Zone waters, and no claim shall be considered unless the basis therefor has been laid before the Canal authorities prior to the vessel's sailing.

CROSS-REFERENCE

Compelling attendance and testimony of witnesses and production of books and papers before members of board, see Canal Zone Code, title 2, sections 42 and 43.

"Rule 95. *Measure of damages in determining award.* (a) *General.* In determining the amount of the award of damages for injuries to a vessel for which The Panama Canal is found or determined to be liable, there may be

included: (1) actual or estimated costs of repairs; (2) charter hire actually lost by the owners or charter hire actually paid, depending upon the terms of the charter party, for the time the vessel is undergoing repairs; (3) maintenance of the vessel and wages of the crew, if such are shown to be actual additional expenses or losses incurred outside of the charter hire; (4) other expenses which are definitely and accurately shown to have been incurred necessarily and by reason of the accident or injuries: *Provided, however,* that there shall not be allowed agent's fees or commissions or other incidental expenses of similar character, or any items which are indefinite, indeterminable, speculative, or conjectural. The Comptroller of The Panama Canal shall be furnished such vouchers, receipts, or other evidence as may be required by him in support of any item of a claim.

(b) *Where vessel not operated under charter.* If a vessel is not operated under charter but by the owner directly, evidence shall be secured, if available, as to the sum for which vessels of the same size and class can be chartered in the market. If such charter value cannot be determined, the value of the use of such vessel to its owner in the business in which it was engaged at the time of the injuries shall be used as a basis for estimating the damage for the vessel's detention; and the books of the owner showing the vessel's earnings about the time of the accident or injuries shall be considered as evidence of probable earnings during the time of detention. If the books are unavailable, such other evidence shall be furnished as may be required by the Comptroller of The Panama Canal.

"Rule 96. *Delays for which no responsibility assumed.* The Panama Canal shall not be responsible, nor consider any claim, for demurrage or delays occasioned by landslides or other natural causes, by necessary construction or maintenance work on canal locks, terminals, or equipment, by obstructions arising from accidents, by time necessary for admeasurement, by congestion of traffic, or by any other cause except as may be specifically set forth in these Rules.

"Rule 97. *Handling of wrecked, injured, or burning vessels.* When a vessel in Canal Zone waters goes aground, or is wrecked, or is so injured that it is liable to become an obstruction in such waters, or is on fire, the Canal authorities shall have the right to supervise and direct, or to take complete charge of and conduct, all operations which may be necessary to float the vessel, to clear the wreckage, to remove the injured vessel to a safe location, or to extinguish the fire, as the case may be. The Canal authorities may, when necessary, take such action without awaiting the permission of the owner or agent of the vessel, and may require the master of the vessel and all persons under his supervision and control to place the vessel, and all equipment on board, at the disposal of the Canal authorities without cost to the Canal. In the event the vessel is subsequently found and determined to be responsible for the accident or the condition necessitating action by The Panama Canal, the necessary expenses incurred by the Canal in carrying out the provisions of this Rule shall be a proper charge against such vessel.

"Rule 98. *Penalty for injuring or obstructing canal.* As provided by section 821 of title 5 of the Canal Zone Code, any person who by any means or in any way injures or obstructs or attempts to injure or obstruct any part of the Panama Canal or the locks thereof or the approaches thereto, shall be punished by imprisonment in the penitentiary for not more than twenty years, or by a fine or not more than $10,000, or by both. And as provided by section 255 of title 5 of the said Code, if any act in violation of the foregoing provisions of this Rule shall cause the death of any person within a year and a day thereafter, the person so convicted shall be guilty of murder and shall be punished accordingly.

"Rule 99. *Liability of vessel for injury to Canal structures or equipment.* A vessel, or its owner or operator, shall be held liable for any injury to any structure, plant, or equipment of or pertaining to The Panama Canal when such injury is proximately caused by the negligence or fault of the vessel or its master or crew. No vessel shall make fast, or run any line, to any marker, buoy, beacon, or other aid to navigation; and a vessel shall so navigate as not to strike such aids in passing.

"Rule 100. *Spark and smoke hazard.* While within Canal Zone waters, vessels shall take necessary precaution to avoid the issuance of sparks or excessive smoke, and vessels shall be held liable for injuries caused by the issuance therefrom of sparks or excessive quantities of smoke.

"Rule 101. *Collection of damages from vessel owner.* In case of injury to any Canal structure, plant, or equipment occasioned by a vessel under the circumstances specified in Rules 99 and 100, the matter of damages shall be adjusted by mutual agreement when practicable between The Panama Canal and the owner, agents, or underwriters of the vessel; and in case of disagreement, the vessel or its owner or operator shall be proceeded against in the United States District Court for the District of the Canal Zone."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 19, 1942.

[F. R. Doc. 42-8147; Filed, August 20, 1942; 2:11 p. m.]

EXECUTIVE ORDER 9228

AMENDMENT OF EXECUTIVE ORDER No. 4314 OF SEPTEMBER 25, 1925, ESTABLISHING RULES GOVERNING THE NAVIGATION OF THE PANAMA CANAL AND ADJACENT WATERS

By virtue of and pursuant to the authority vested in me by section 9 of title 2 of the Canal Zone Code, approved June 19, 1934, Executive Order No. 4314 of September 25, 1925, as amended, establishing rules governing the navigation of The Panama Canal and adjacent waters, is hereby further amended by adding, following present Rule 45 in Chapter V thereof, a new rule numbered 45a and reading as follows:

"Rule 45a. *Gangway watch on vessels at piers in wartime.* In time of war in which the United States is engaged, and during any other period when ordered by the Governor subject to the provisions of section 8 of title 2 of the Canal Zone Code, the master of a vessel lying at any wharf or pier in the Canal Zone, or his representative, shall cause to be maintained a continuous and competent gangway watch which shall check the identity of all persons going on board or attempting to go on board such vessel, or leaving or attempting to leave such vessel, shall prevent unauthorized persons from going on board such vessel, and shall, through the master of such vessel or his representative, promptly report all cases wherein unauthorized persons board or attempt to board or leave or attempt to leave such vessel. The report hereinbefore required may be made to any Canal Zone police or customs officer, or to any member of the military guard or naval shore patrol, on the wharf or pier. As used in this Rule, the term 'unauthorized persons' shall mean and include all persons other than (a) officers, members of the crew, and passengers of such vessel, and (b) persons who bear proper photographic identification and establish that they have legitimate business on board such vessel."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 19, 1942.

[F. R. Doc. 42-8147; Filed, August 20, 1942; 2:11 p. m.]

EXECUTIVE ORDER 9229

POSSESSION RELINQUISHED OF BAYONNE PLANT OF GENERAL CABLE CORPORATION

WHEREAS, by Executive Order No. 9220 dated the 13th day of August 1942,[1] the Secretary of the Navy was authorized and directed by the President to take possession of and operate the plant of General Cable Corporation located at Bayonne, New Jersey, to produce the war materials called for by the Company's contracts with the United States, its departments and agencies, or as may be otherwise required for the war effort, and to do all things necessary or desirable to that end; and

WHEREAS, on the 14th day of August 1942, the Secretary of the Navy acting pursuant to said direction took and has retained possession of said plant of General Cable Corporation; and

WHEREAS, said Executive order provides that possession and operation thereunder shall be terminated by the President as soon as he determines that said plant of General Cable Corporation

[1] 7 F.R. 6413.

will be privately operated in a manner consistent with the war effort; and

WHEREAS, it now appears, and the President does so determine, that said plant will be privately operated in a manner consistent with the war effort:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as President of the United States and as Commander in Chief of the Army and Navy of the United States, hereby direct the Secretary of the Navy to relinquish possession of said plant of General Cable Corporation and to issue the necessary orders for carrying out the aforesaid direction.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 20, 1942.

[F. R. Doc. 42-8170; Filed, August 21, 1942; 10:16 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation No. 10]

PART 102—CONTROL OF LIGHTING WITHIN RESTRICTED ZONES

ZONE OF RESTRICTED LIGHTING; WASHINGTON, OREGON AND CALIFORNIA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

AUGUST 5, 1942.

To: The people within the States of Washington, Oregon and California, and to the Public Generally:

Whereas by Public Proclamation No. 1, dated March 2, 1942, this Headquarters, there were designated and established Military Areas Nos. 1 and 2; and

Whereas the armed forces of the enemy have made attacks upon vessels of the United States traveling along the Pacific Coastal waters and upon land installations within said Military Areas, and it is expected that such attacks will continue; and

Whereas it is necessary to provide maximum protection for war utilities, war materials and war premises located within the States of Washington, Oregon and California against enemy attacks by sea and by air;

Now, therefore, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Western Defense Command, do hereby declare that:

§ 102.1 *Zone of restricted lighting; Washington, Oregon, and California.* (a) The present situation requires as a matter of military necessity that a Zone of Restricted Lighting be established within Military Areas Nos. 1 and 2, and that illumination within said Zone of Restricted Lighting be extinguished or controlled in such manner and to such extent as may be necessary to prevent such illumination from aiding the operations of the enemy.

(b) Pursuant to the determination and statement of military necessity in paragraph (a) hereof, a Zone of Restricted Lighting, as particularly described in Exhibit A hereof,[1] and as generally shown on the map made a part hereof and marked Exhibit B,[1] is hereby designated and established. Illumination within the entire area of said Zone of Restricted Lighting shall be extinguished or controlled at all times at night from sunset to sunrise as follows:

(1) *Signs, commercial floodlighting, display lighting and amusement places.* Illuminated signs and ornamental lighting of every description which are visible out-of-doors, and floodlighting which illuminates buildings or signs, including but not limited to all exterior advertising signs, billboards, display lighting, theatre marquee signs, building outline lighting, and interior signs and ornamental lighting immediately within unobscured window areas, shall be extinguished. This provision is not intended to prohibit ordinary store show-window lighting of normal intensity, except as provided for in paragraph (c) of this Proclamation.

(2) *Ground areas and industrial illumination.* Illumination of outdoor areas shall be controlled as follows:

(i) Subject to the exceptions hereinafter stated, illumination on all outdoor ground areas, including but not limited to automobile service station yards, outdoor parking areas, recreation areas, and entrances to buildings, shall not exceed one foot candle at any point, and all outdoor light sources shall be so shielded that no light is emitted upward. The foregoing sentence shall not apply to street and highway lights nor to the ground areas illuminated solely thereby, nor to the class of illumination referred to in the next subparagraph hereof.

(ii) All light sources for industrial and protective purposes, and light from industrial processes, shall be shielded or revised to as great an extent as may be practicable in order to eliminate or reduce to a minimum the amount of light which is emitted upward.

(3) *Traffic signs and signals.* All illuminated signs or signals which are authorized or maintained by governmental authority for the purpose of controlling street or highway traffic shall remain in operation, but shall be so shielded that no light is emitted upward.

(4) *Navigation lights and railroad signals.* Authorized lights to facilitate air or water navigation, and authorized railroad signal lights, are hereby excepted from all the provisions of this Proclamation.

(c) In addition to the restrictions hereinbefore imposed, illumination within that part of the Zone of Restricted Lighting which is visible from the sea, as hereinafter defined, shall be further diminished or obscured at all times at night from sunset to sunrise as follows:

(1) *Street and highway lights.* Street and highway lights in areas which are normally visible from the sea shall be so shielded that they are not visible from the sea at night and so that no light is emitted upward. It is contemplated that street and highway lights in other areas within the Zone of Restricted Lighting shall be governed and controlled by such subsequent orders or proclamations as the exigencies of military necessity may determine.

(2) *Residential, commercial and industrial windows.* No lighting shall be permitted behind windows or glazed doors visible from the sea unless they are covered by drapes or shades.

(3) *Street and highway traffic.* Within areas from which normal automobile headlamps are visible from the sea all vehicles shall be subject to the following regulations:

No vehicle shall operate during the night hours between sunset and sunrise with more than two lighted driving lamps, regardless of the direction of travel. Each such lamp shall provide a maximum of not more than 250 beam candlepower.

(4) *Industrial fires.* All light from industrial processes, and from industrial fires, such as light from refuse burners, kilns, and furnaces, which are visible from the sea, shall be so shielded that they are not visible from the sea at night, and so that no light is emitted upward.

(5) Except for the lights referred to in subparagraphs (b) (3), and (b) (4) hereof, all other lights visible from the sea are prohibited at night, including but not limited to light from fires, bonfires, parked cars, flashlights and lanterns.

(6) The phrase "visible from the sea," as used herein, is intended and shall be construed to mean and include that which is visible from the waters of the Pacific Ocean and from all the portion of the waters of the Straits of Juan de Fuca extending inland from the Pacific Ocean to a line running due north and south through the easternmost point on the easterly boundary line of the City of Port Townsend, Washington.

(d) Any person violating any of the provisions of this Proclamation, or orders issued pursuant thereto, is subject to immediate exclusion from the territory of the Western Defense Command, and to the criminal penalties provided in Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones."

(e) The Ninth Regional Civilian Defense Board is hereby designated as the primary agency to aid in the enforcement of the foregoing provisions. It is requested that the civil law enforcement agencies within the States affected by

[1] Filed as part of the original document.

this Proclamation assist the Ninth Regional Civilian Defense Board in the enforcement hereof.

(f) This Proclamation shall become effective August 20, 1942.

[SEAL] J. L. DEWITT,
Lieutenant General,
U. S. Army, Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8148; Filed, August 20, 1942; 2:42 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 21-9, Civil Air Regulations]

PART 21—AIRLINE TRANSPORT PILOT RATING

CHANGE OF CERTAIN REFERENCES TO CONFORM TO THE NEW PART 20

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of August 1942.

Acting pursuant to sections 205 (a), 601, 602, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective September 1, 1942, Part 21 of the Civil Air Regulations is amended as follows:

1. By striking the reference "§§ 20.2 and 20.4" as it appears in § 21.221 and inserting in lieu thereof "§ 20.4".

2. By striking the reference "§ 20.65" as it appears in § 21.222[1] and inserting in lieu thereof "§ 20.8".

3. By striking the reference "§ 20.65" as it appears in § 21.43 and inserting in lieu thereof "§ 20.8".

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8171; Filed, August 21, 1942; 10:12 a. m.]

[Amendment 24-11, Civil Air Regulations]

PART 24—MECHANIC CERTIFICATES

MECHANIC CERTIFICATES—REPEAL OF OBSOLETE SECTION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of August, 1942.

Acting pursuant to sections 205(a), 601 and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective August 12, 1942, Part 24 of the Civil Air Regulations is amended as follows:

1. By striking § 24.37 and inserting in lieu thereof the following: "§ 24.37 Unassigned."

[1] 6 F.R. 2872.

2. By striking from the table of contents "§ 24.37 Special issuance of certificate or rating" and inserting in lieu thereof "§ 24.37 Unassigned."

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8165; Filed, August 21, 1942; 10:12 a. m.]

[Amendment 27-9, Civil Air Regulations]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

DISPATCHER RECENT EXPERIENCE REQUIREMENTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of August 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective August 12, 1942, Part 27 of the Civil Air Regulations is amended as follows:

By amending § 27.23 as follows:

1. By striking the colon after the word "has" as it appears in the first paragraph of § 27.23 and in lieu thereof insert "either:".

2. By inserting the word "or" between paragraphs (a) and (b).

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLE BROWN,
Secretary.

[F. R. Doc. 42-8166; Filed, August 21, 1942; 10:13 a. m.]

[Amendment 61-36, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

CHANGE OF CERTAIN REFERENCES TO CONFORM TO AMENDMENTS TO PART 61

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of August 1942.

Acting pursuant to sections 205 (a), 601, 602 and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective August 12, 1942, Part 61 of the Civil Air Regulations is amended as follows:

1. By striking the reference "§ 61.71090 through § 61.71093" as it appears in § 61.7300 and inserting in lieu thereof "§ 61.7109 through § 61.71092".

2. By striking the reference "§ 61.-71094" as it appears in the proviso of § 61.7300 and inserting in lieu thereof "§ 61.71091 (b)".

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc 42-8167; Filed, August 21, 1942; 10:13 a. m.]

[Amendment 61-37, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

CHANGE OF CERTAIN REFERENCES TO CONFORM TO THE NEW PART 20

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of August 1942.

Acting pursuant to sections 205 (a), 601, 602, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective September 1, 1942, Part 61 of the Civil Air Regulations is amended as follows:

By striking the reference "§ 20.21" as it appears in § 61.512 and inserting in lieu thereof "§ 20.44".

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8168; Filed, August 21, 1942; 10:13 a. m.]

[Amendment 61-38, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

REPEAL OF SECTION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of August 1942.

Acting pursuant to sections 205 (a), 601, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective August 17, 1942, Part 61 of the Civil Air Regulations is amended as follows:

By striking § 61.519 in its entirety and inserting in lieu thereof "61.519 (Unassigned)."

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8169; Filed, August 21, 1942; 10:13 a. m.]

[Regulations, Serial No. 237]

OPERATION OF MULTI-ENGINED LAND AIRCRAFT BETWEEN OAKLAND AND SAN FRANCISCO

Regulation amending Special Regulation Serial No. 192.[1]

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 15th day of August 1942.

It appearing that:

The provisions of §§ 61.3220 and 61.3230 of the Civil Air Regulations forbidding the operation of multi-engine land aircraft over water beyond a gliding distance from shore without the aid of power unless equipped with certain equipment for over-water flying causes scheduled air carrier aircraft to fly between Oakland Municipal Airport, Oakland, California, and San Francisco Municipal Airport, San Francisco, California, at altitudes frequently requiring unnecessary instrument operation;

[1] 6 F.R. 5084.

The Board finds that:

Its action is in the public interest and in the interest of safety of air transportation;

Now, therefore, the Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601 and 604 of said Act, makes and promulgates the following regulation, effective immediately.

Notwithstanding the provisions of §§ 61.3220 and 61.3230, scheduled air carriers in air transportation may operate multi-engine land aircraft on a direct route between Oakland Municipal Airport, Oakland, California, and San Francisco Municipal Airport, San Francisco, California, over the San Francisco Bay at a distance beyond gliding distance (power off) from shore when such operation is authorized by the Administrator.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8172; Filed, August 21, 1942; 10:14 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4249]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

STYLE & MEAT BUYING SERVICE

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of furs, fur garments, or other commodities in commerce, receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondents' own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondents are acting in fact for or in behalf, or are subject to the direct or indirect control, of the purchaser; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, Style & Merit Buying Service, Docket 4249, August 17, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of August, A. D. 1942.

In the Matter of Lewis Block, Frank Block, Mac Goldberg, Otto Langer, Morris Block, and Dora Block, Copartners, Doing Business Under the Firm Name Style & Merit Buying Service.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondents Lewis Block, Frank Block, Mac Goldberg, Otto Langer, Morris Block, and Dora Block, copartners, doing business under the firm name Style & Merit Buying Service, individually and as copartners, which answer admits all of the material allegations of the complaint to be true and waives all other intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion herein that said respondents, Lewis Block, Frank Block, Mac Goldberg, Otto Langer, Morris Block, and Dora Block, copartners, doing business under the firm name Style & Merit Buying Service, individually and as copartners, have violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C. Title 15, sec. 13);

It is ordered, That the respondents, Lewis Block, Frank Block, Mac Goldberg, Otto Langer, Morris Block, and Dora Block, copartners, doing business under the firm name Style & Merit Buying Service, individually and as copartners, or under any other name, jointly or severally, their agents, employees and representatives, directly or through any corporate or other device, in or in connection with the purchasing of furs, fur garments or other commodities in commerce, as commerce is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from:

Receiving or accepting directly or indirectly anything of value as brokerage, commission or other compensation or any allowance or discount in lieu thereof from any seller on or in connection with purchases made from such seller (a) when such purchases are made for respondents' own account, or (b) when such purchases are made as agent or buying representative of the purchaser, or (c) when in making such purchases respondents are acting in fact for or in behalf, or are subject to the direct or indirect control, of the purchaser.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8175; Filed, August 21, 1942; 11:39 a. m.]

[Docket No. 4662]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE N-A COMPANY

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's medicinal preparation designated variously as "N-A No. 7", "Vicine", "Nature's Aid", and "N-A", or other similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's medicinal preparation, which advertisements represent, directly or through inference, that respondent's medicinal preparation is a powerful germicide or a powerful antiseptic, or is other than a mild astringent and a mild antiseptic; that it is unequalled in stopping bleeding or will arrest venous or arterial hemorrhages; that it is a cure for athlete's foot or eczema, or that it has any value in the treatment of such diseases or conditions other than to give relief from the itching and irritation thereof; that it is a splendid iron tonic; that its use will prevent lockjaw or blood poisoning; that it is an effective treatment for indigestion, sour stomach, ptomaine poisoning, rheumatism, or kidney disorders; or that it has any substantial therapeutic value as an internal medicine for the treatment of any disease or condition of the body; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The N-A Company, Docket 4662, August 14, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of August, A. D. 1942.

In the Matter of Pat V. James, an Individual, Trading as The N-A Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered That the respondent, Pat V. James, individually and trading as The N-A Company, or trading under any other name, his agents, servants, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondent's medicinal preparation now designated variously by the names "N-A No. 7", "Vicine", "Nature's Aid" and "N-A", or any other preparation composed of substantially similar ingredients or possessing substantially similar properties, whether sold under those names or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails, or (b) by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement

represents, directly or through inference: That said medicinal preparation is a powerful germicide or a powerful antiseptic, or is other than a mild astringent and a mild antiseptic; that it is unequalled in stopping bleeding or will arrest venous or arterial hemorrhages; that it is a cure for athlete's foot or eczema, or that it has any value in the treatment of such diseases or conditions other than to give relieve from the itching and irritation thereof; that it is a splendid iron tonic; that its use will prevent lockjaw or blood poisoning; that it is an effective treatment for indigestion, sour stomach, ptomaine poisoning, rheumatism, or kidney disorders; or that it has any substantial therapeutic value as an internal medicine for the treatment of any disease or condition of the body.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said medicinal preparation, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8176; Filed, August 21, 1942; 11:39 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-27]

PART 27—CANNED FRUIT: DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINERS

CANNED FRUIT COCKTAIL

Corrections

The second undesignated paragraph of Finding 34, appearing in the third column of page 6459 of the issue for Tuesday, August 18, 1942, should read as follows:

Upon the basis of the foregoing detailed findings of fact, it is found that the promulgation of the following regulation fixing and establishing a standard of quality for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, and specifying the manner and form of a label statement of substandard quality, will promote honesty and fair dealing in the interest of consumers; and that it gives consideration to and makes due allowance for the differing characteristics of the several varieties of the fruits present in canned fruit cocktail.

A line is missing in subparagraph (2) § 27.041 (a), appearing in the first column of page 6460. Subparagraph (2) should read as follows:

(2) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one grape in a container containing less than ten grapes, is cracked to the extent of being severed into two parts or is crushed to the extent that their normal shape is destroyed.

Subparagraph (7) of § 27.041 (a), appearing in the first column of page 6460, should read as follows:

(7) If the cherry ingredient is artificially colored, the color of not more than 15 percent of the units thereof in a container containing more than six units, and of not more than one unit in a container containing six units or less, is other than evenly distributed in the unit or other than uniform with the color of the other units of the cherry ingredient.

In the last sentence of the first undesignated paragraph of Finding 7, appearing in the third column of page 6460, the word "are" should read "is".

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1579]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

§ 322.7 *Alphabetical list of code members*—Supplement R–I

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.														
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2488	Aloe, William	Rider #2 (s)	Pittsburgh	7	Boggs Station, Pa.	Montour	72	L	L	J	J	J	J	K	K	K	‡	‡	‡	‡	‡	‡	‡
2489	Aloe, William	Rider #3 (s)	Pittsburgh	7	Boggs Station, Pa.	Montour	72	L	L	J	J	J	J	K	K	K	‡	‡	‡	‡	‡	‡	‡
2486	Byrne & O'Laughlin (M. E. O'Laughlin).	Moorewood (s)	Pittsburgh	3	Nixon Siding, Alverton, Pa.	PRR	31	(†)	(†)	(†)	(†)	B	B	(†)	(†)	B	‡	‡	‡	‡	‡	‡	‡
2492	Byrne & O'Laughlin (M. E. O'Laughlin).	Moorewood (d)	Pittsburgh	3	Nixon Siding, Alverton, Pa.	PRR	31	(†)	(†)	(†)	(†)	B	B	(†)	(†)	B	‡	‡	‡	‡	‡	‡	‡
979	Eberly Coal & Coke Co., (O. Eberly).	Oliver #2 (d)	Pittsburgh	3	Oliver #2 Works, Pa.	B&O, PRR	114	E	E	C	C	B	B	B	B	(†)	A	A	C	E	E	E	E
2505	Gallardi Coal & Coke Company, (Phillip Gallardi).	Crawford #8 (d)	Pittsburgh	3	York Run, Pa.	B&O, PRR	114	(†)	(†)	(†)	(†)	(†)	(†)	D	E	E	(†)	(†)	(†)	E	E	E	E
975	Gilmore Coke Co., (Guy B. Gilmore).	Gilmore (d)	Pittsburgh	3	Gilmore Works, Pa.	B&O, PRR	114	(†)	(†)	(†)	(†)	(†)	(†)	D	E	E	(†)	(†)	(†)	E	E	E	E
2464	Lucidi & Clarion Building & Construction Co.).	Lucidi (s)	Pittsburgh	7	Peters Creek, Pa.	PRR	74	(†)	C	C	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2504	Penowa Coal Company	Armide #3 (s)	Pittsburgh	7	Burgettstown, Pa.	PRR	74	L	L	F	F	J	J	K	K	G	‡	‡	‡	‡	‡	‡	‡
2467	Seanor Coal Company, (W. H. Seanor).	Alcorn	Pittsburgh	9	Slickville, Pa.	PRR	90	L	L	F	F	G	G	G	G	G	‡	‡	‡	‡	‡	‡	‡
2482	Sholtis, George	Sholtis (s)	Sewickley	3	Shaw Mine Siding, Pa.	PRR	114	J	F	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2491	Smiley Coal Company, (J. R. Smiley).	Smiley (d)	Sewickley	3	Shaw Mine Siding, Pa.	PRR	114	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective in this size group.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18

(b) Except to the extent provided in

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 2: 2464, 2488, 2489, 2504. Group No. 6: 975, 979, 2486, 2492, 2505. Group No. 8: 2482, 2491. Group No. 21: 2487.

TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Tierney, Paul J	2483	Tierney	Pittsburgh	310	300	290	265	235	235	225	245	205	195	185
FAYETTE COUNTY														
Eberly Coal & Coke Co., (O. Eberly).	979	Oliver #2 (d)	Pittsburgh	310	300	290	270	250	240	235	240	210	200	185
Filiaggi Brothers (James Filiaggi)	2484	Filiaggi	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Galiardi Coal & Coke Company (Phillip Galiardi).	2505	Crawford #8 (d)	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Old Home Fuel Co	2497	Old Home #2	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Oslander, Bertha Mrs	2485	Oslander	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Sholtis, George	2482	Sholtis (s)	Sewickley	265	255	245	235	215	205	205	205	190	185	170
Smiley Coal Company (J. R. Smiley).	2491	Smiley	Sewickley	265	255	245	235	215	205	205	205	190	185	170
Walker, Carl W	2496	Little Run	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
WASHINGTON COUNTY														
Aloe, William	2488	Rider #2 (s)	Pittsburgh	275	265	255	235	215	215	210	220	190	180	170
Aloe, William	2489	Rider #3 (s)	Pittsburgh	275	265	255	235	215	215	210	220	190	180	170
Jones, Patrick	2503	Jones	Pittsburgh	310	300	290	270	250	240	235	245	210	200	175
Penown Coal Company	2504	Armide #3 (s)	Pittsburgh	275	265	255	230	220	205	195	205	180	170	160
WESTMORELAND COUNTY														
Byrne & O'Laughlin, (M. E. O'Laughlin).	2492	Moorewood (d)	Pittsburgh	280	270	260	245	230	220	215	235	195	185	175
Byrne & O'Laughlin, (M. E. O'Laughlin).	2486	Moorewood (s)	Pittsburgh	280	270	260	245	230	220	215	235	195	185	175
Lukasik, Gabriel	2507	Ardara	Pittsburgh	270	260	250	225	210	210	200	210	175	165	155
Seanor Coal Company, (W. H. Seanor).	2487	Alcorn	Pittsburgh	275	265	255	235	225	220	215	215	195	185	175
Viletto & Sons, Dominico.	2506	Viletto	U. Free	275	265	255	235	225	220	215	215	195	185	175

[F. R. Doc. 42–8124; Filed, August 20, 1942; 11:53 a. m.]

[Docket No. A–1565]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the Snowdrift Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Snowdrift Mine, Mine Index No. 170, of code member Lugarda Peisker for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 338.2 (*Code member price index*) is amended by adding thereto Supplement T–I, and § 338.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

Petitioner proposes a minimum price of $2.35 per ton for the coals of the Snowdrift Mine in Size Group 16 (railroad fuel) for shipment by truck, and by a footnote limits the proposed price to apply only to coals 8" x 0 in size. However, no minimum prices have heretofore been established for the coals in Size Group 16, produced from other mines in Subdistrict 4 of District No. 18, for shipment by truck, nor does the original petition in this matter contain facts sufficient to warrant the establishment of the minimum price requested therein for the coals of the Snowdrift Mine in that size group. Accordingly, since no clear showing has been made that the granting of such relief is necessary, no minimum price is established herein for the coals of the Snowdrift Mine in Size Group 16.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18, and supplements thereto.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 18:

§ 338.2 *Code member price index*—Supplement T–I. Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Subdistrict price group	Prices, page	
					Rail	Truck
Peisker, Lugarda	Snowdrift	170	Rio Arriba, N. Mex.	4	----	§ 338.21

§ 338.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II. Insert the following code member name, mine name and county under Sub-District No. 4, in proper order, and the following prices for transportation via truck:

Code member—mine name	County	Size groups			
		1	2	11	15
SUBDISTRICT NO. 4					
Peisker, Lugarda—Snowdrift	Rio Arriba, N. Mex.	450	400	160	250

[F. R. Doc. 42–8125; Filed, August 20, 1942; 11:52 a. m.]

[Docket No. A–1588]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of Leevale No. 2 Mine (Mine Index No. 291).

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Leevale No. 2 Mine (Mine Index No. 291); and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck is supplemented by adding thereto price classification "E" for Size Group 10, for great lakes cargo only, for the Leevale No. 2 Mine (Mine Index No. 291), of Leevale Collieries, Inc., Subdistrict 4, Powelton Seam, Freight Origin Group No. 123.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–8174; Filed, August 21, 1942; 11:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 987—COBALT

[Amendment 2 to Conservation Order M–39–b]

Section 987.3 *Conservation Order M–39–b*[1] as heretofore amended, is hereby further amended as follows:

(a) By revoking paragraph (a) (3) as added to said order by the provisions of Amendment No. 1, issued June 6, 1942.

[1] 7 F.R. 901, 4326.

(b) Except to the extent provided in paragraph (a), nothing herein shall be construed as revoking or modifying Amendment No. 1 issued June 6, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8183; Filed, August 21, 1942; 12:00 m.]

PART 1191—COFFEE

[Amendment 1 to Supplementary Order M–135–c]

1. Section 1191.4 *Supplementary Order M–135–c* is hereby amended in the following respects:

(a) Paragraph (a) is amended by deleting therefrom the figure "75%" and substituting therefor the figure "65%".

(b) Paragraphs (a) and (b) are amended by deleting from each paragraph the word "August" and substituting therefor the word "September".

2. This amendment shall take effect as of the opening of business September 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8184; Filed, August 21, 1942; 12:00 m.]

[Conservation Order M–208]

PART 3049—SOFTWOOD LUMBER

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3049.1 *Conservation Order M–208*—(a) *Definitions.* Wherever used in this order:

(1) "Softwood lumber" means any sawed lumber (except shingles or lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, or any species of softwood, but not including plywood, veneer or used lumber.

(2) "Class 1 orders" means purchase orders or contracts for softwood lumber to which preference ratings of AAA, AA–1 or AA–2 have been or may hereafter be assigned.

(3) "Class 2 orders" means purchase orders or contracts for softwood lumber to which preference ratings of AA–2x or lower, but higher than A–1–a, have been or may hereafter be assigned (including purchase orders or contracts for softwood lumber for the uses listed on List A attached to this order, unless such orders bear preference ratings higher than AA–2x).

(4) "Class 3 orders" means purchase orders or contracts for softwood lumber to which preference ratings A–1–a or lower but not lower than A–1–k have been or may hereafter be assigned (including purchase orders or contracts for softwood lumber for the uses listed on List B attached to this order, unless such orders bear preference ratings higher than A–1–a).

(5) "Class 4 orders" means purchase orders or contracts for softwood lumber to which preference ratings lower than A–1–k have been or may hereafter be assigned (including purchase orders or contracts for softwood lumber for the uses listed on List C attached to this order, unless such orders bear preference ratings higher than A–2).

(b) *Assignment of ratings for particular uses of lumber.* (1) The following preference ratings are hereby assigned to deliveries of softwood lumber to which no higher preference ratings are specifically applied or extended:

(i) AA–2x for the uses specified in List A attached to this order.

(ii) A–1–a for the uses specified in List B attached to this order.

(iii) A–2 for the uses specified in List C attached to this order.

(2) The ratings assigned in subparagraph (1) of this paragraph (b) may be applied by the person requiring delivery of lumber for the uses specified by endorsement of purchase orders in the manner prescribed by Priorities Regulation No. 3 [1] and Priorities Regulation No. 12,[2] and the ratings may be extended by any person receiving such an endorsed purchase order in the manner and to the extent permitted by those regulations: *Provided, however,* That any other rating assigned to any delivery of softwood lumber by any preference rating order or certificate may be applied or extended in accordance with the provisions of Priorities Regulation No. 3 and Priorities Regulation No. 12 in lieu of the rating assigned in subparagraph (1) of this paragraph (b).

(3) The assignment of a preference rating in subparagraph (1) of this paragraph (b) shall not constitute authorization to begin construction under Conservation Order No. L–41, and shall not authorize the use or delivery of any material, or the application or extension of any preference rating in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, the Office of Production Management, or by the Director of Industry Operations or the Director General for Operations of the War Production Board.

(c) *Ratings applicable to softwood lumber.* On and after August 27, 1942, all orders bearing any rating falling within Class 1, Class 2, Class 3 or Class 4 shall be deemed to bear the highest rating included within the particular class, and shall be so treated for all purposes, including the acceptance of rated orders and the sequence of deliveries and extension of preference ratings thereunder, without any further action on the part of the person placing the order.

(d) *Restrictions on rerating.* On and after September 1, 1942, no force or effect shall be given to any revision in or rerating of a preference rating applied or extended to any purchase order or contract for softwood lumber except as specifically directed by the Director General for Operations: *Provided, however,* That with respect to purchase orders or contracts for softwood lumber to which ratings were assigned prior to September 1, 1942, such orders may be rerated prior to September 17, 1942, subject to the provisions of Priorities Regulation No. 12.

(e) *Restrictions on delivery of softwood lumber.* (1) No person shall accept delivery of softwood lumber for ultimate consumption, unless the lumber is required for use within 60 days after receipt, except that in the case of green lumber needing seasoning the period shall be enlarged to 120 days.

(2) No person shall accept delivery of any item of softwood lumber when his inventory is, or will be immediately after acceptance of such delivery, in excess of a 60 days' supply thereof.

(3) The foregoing restrictions apply to all orders for softwood lumber, including orders bearing preference ratings.

(f) *Restrictions on use of softwood lumber.* (1) On and after August 27, 1942, notwithstanding the terms of any contract or purchase order, and notwithstanding the fact that such an order may bear a preference rating, no person shall, except as specifically authorized by the Director General for Operations on Form PD–423, use, or purchase, order or accept delivery of (i) Southern pine, Douglas fir or Western larch sold as meeting specifications of 1800 or 2000 lbs. fiber stress per square inch, or 1300 or 1400 lbs. compression stress, except on Class 1 orders.

(ii) Southern pine, Douglas fir or Western larch sold as meeting specifications of 1200, 1400 or 1600 lbs. fiber stress per square inch, or 1000, 1100 or 1200 lbs. compression stress, except on Class 1 or Class 2 orders;

(iii) Southern pine, Douglas fir, West Coast hemlock, noble fir or Sitka spruce, of grades No. 1, No. 2 or any higher common grade (not including clears, selects, finish, shop or factory, and not including D or better flooring, ceiling, drop siding or partition in Southern pine), except on Class 1, Class 2 or Class 3 orders;

(iv) Idaho white pine, Northern white pine, Eastern white pine, Norway pine, Ponderosa pine, sugar pine, Lodgepole pine, Jack pine, white fir, tamarack, Eastern spruce, Engelmann spruce or Western white spruce, of Grades No. 2 or No. 3 common, except on Class 1, Class 2 or Class 3 orders.

(2) Notwithstanding the provisions of this paragraph (b), softwood lumber in transit on August 27, 1942, may be delivered to its immediate destination, and any person having softwood lumber in inventory on August 27, 1942, or who receives softwood lumber which is in transit on that date, may use it without regard to the restrictions of this paragraph (f).

(g) *Further restrictions on delivery.* No person shall sell, deliver, or cause to be delivered any item of softwood lumber which he knows or has reason to believe will be received or used in violation of the provisions of paragraph (e) or paragraph (f) of this order.

(h) *Extension of preference ratings to softwood logs.* On and after August 27, 1942, no preference rating shall have any force or effect with respect to deliveries of softwood logs (whether to be used for lumber or any other purpose.)

(i) *Allocations.* The Director General for Operations may allocate specific quantities of softwood lumber to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of softwood lumber, or the production by any person of particular items of softwood lumber. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(j) *Applicability of priorities regulations.* All transactions affected by this order are subject to the provisions of Priorities Regulation No. 1 [3] (Part 944), Priorities Regulation No. 3 [4] (§ 944.23) and all other applicable priorities regulations except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(k) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal by addressing a letter to the Chief of the Lumber and Lumber Products Branch, War Production Board, Washington, D. C.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false informatiton to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, the Director General for Operations may prohibit such person from making or obtaining further deliveries of, or from processing or using, material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate.

(m) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Branch, War Production Board, Washington, D. C., Ref: M–208.

(n) *Limitation Order L–121.* [5] Effective August 27, 1942, the provisions of Limitation Order L–121, and authorizations granted thereunder shall have no force or effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

List A of Order M–208

Purchase orders for the following uses are hereby assigned a rating of AA–2x, unless a higher rating is applied or extended thereto under a preference rating order or certificate:

(1) Construction of:

(i) manufacturing plants rated under Preference Rating Orders P–19, P–19–a, P–19–h, and P–19–i, or Preference Rating Certificates PD–3 and PD–3A.

(2) Maintenance or repair of:

(i) Any building, structure or project owned or operated by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company; or any Lend-Lease Government.

(3) Boxing, crating, packing or stowing for shipment of material ordered for delivery (or ordered for incorporation into materials ordered for delivery), either directly or through intervening persons, to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company or any Lend-Lease Government, the Canadian Government or the Government of any country of the Western Hemisphere.

(4) Delivery, or for incorporation into material which is ordered for delivery (or ordered for incorporation into material ordered for delivery), either directly or through intervening persons, to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company or any Lend-Lease Government.

(5) Replacement in inventory of an equal number of board feet of softwood lumber sold for uses specified in this List A.

List B of Order M–208

Purchase orders for the following uses are hereby assigned a rating of A–1–a, unless a higher rating is applied or extended thereto under a preference rating order or certificate.

(1) Physical incorporation into:

(i) Auto trailers and equipment.

(ii) Agricultural implements, and agricultural machinery, parts, accessories and equipment.

(iii) Caskets or coffins, including rough boxes.

(iv) Communication equipment.

(v) Electrical equipment.

(vi) Industrial machinery, parts, accessories and equipment.

(vii) Livestock and poultry equipment.

(viii) Millwork.

(ix) Motor vehicles, parts, accessories and equipment (including bodies and cabs).

(x) Patterns and flasks.

(xi) Professional and scientific equipment.

(xii) Scientific and measuring instruments; and

(xiii) Tanks and vats.

(2) Construction of:

(i) Defense projects (not included in List A) rated under Preference Rating Order P–14–a, P–14–b, P–19, P–19–a, P–19–e, P–19–h, P–19–i, P–41, P–46 and P–56, or Preference Rating Certificates PD–3 and PD–3A.

(ii) Defense housing rated under Preference Rating Orders P–19–d, P–19–h, P–55 and P–55, amended, and remodeling projects rated under Preference Rating Order P–110.

(iii) Buildings or structures or parts thereof, to replace those destroyed or damaged by fire, flood, earthquake, tornado, act of God, or the public enemy.

(iv) Buildings or structures required for storage of agricultural products produced, by farmers, planters, ranchmen, dairymen, or nut or fruit growers, but not including shelters, barns, pens or sheds for livestock or poultry; and

(v) Buildings, structures or equipment for the efficient and safe operation of facilities directly connected with the discovery, development, depletion, smelting, or refining of mineral deposits, other than gold and silver.

(vi) Railroad rolling stock (including locomotives) and new railroad structures, including bridges, trestles and rights of way.

(vii) Shelters, barns, pens or sheds for livestock and poultry; or agricultural fences or gates; and

(viii) Structures and projects, other than buildings, to be constructed by any governmental unit.

(3) Maintenance and repair of

(i) Railway rolling stock (including locomotives), or railway bridges, trestles, or rights of way.

(ii) Electric, gas, communications, water or sewage facilities, regardless of ownership.

(iii) Hospitals, roads and bridges, dams, wharves, dock and harbor facilities, or airport structures.

(iv) Facilities directly connected with the discovery, development, depletion, smelting or refining of mineral deposits, other than gold and silver.

(v) Farm buildings other than dwellings.

(vi) Any building, structure or project used for the production or processing of material ordered for delivery, either directly or through intervening persons, to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company or any Lend-Lease Government.

(vii) Any building, structure or project used for the production or processing of material which is ordered for incorporation into other material ordered for delivery, either directly or through intervening persons, to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company or any Lend-Lease Government.

(viii) Agricultural implements, and agricultural machinery, parts, accessories and equipment.

(ix) Churches.

(x) Commercial and office buildings.

(xi) Communication equipment.

(xii) Dwellings.

(xiii) Industrial machinery and equipment.

(xiv) Industrial plants.

(xv) Office buildings (including remodeling) to provide accommodations for agencies of the United States Government.

[1] 7 F.R. 4422, 4833, 5404.

[2] 7 F.R. 6256, 6465.

[3] 6 F.R. 4489, 6680; 7 F.R. 1493, 1835, 2235, 3311, 3428, 4832, 5603, 6256.

[4] 7 F.R. 4422, 4833, 5404.

[5] 7 F.R. 5307, 6045, 6212.

(xvi) Oil pipe lines.
(xvii) Tanks and vats; and
(xviii) Motor vehicles, parts, accessories and equipment (including bodies and cabs).

(4) Boxing, crating, packing or stowing for shipment of:
(i) Abrasive wheels.
(ii) Alloys and rollings.
(iii) Agricultural implements.
(iv) Asbestos products.
(v) Bicycles.
(vi) Burners and boilers, and accessories.
(vii) Castings and forgings.
(viii) Chemicals.
(ix) Compressed or liquefied gas.
(x) Communication equipment.
(xi) Dairy products other than fresh milk, except those in metal, glass or crockery containers.
(xii) Explosives and ammunition (non-military).
(xiii) Fire extinguishers.
(xiv) Fish.
(xv) Food products machinery.
(xvi) Fresh fruits and vegetables.
(xvii) Fresh meat, meat products and lard.
(xviii) Fresh milk.
(xix) Hardware and paint.
(xx) Industrial machinery and equipment, engines and batteries.
(xxi) Internal combustion engines.
(xxii) Machine tools and accessories.
(xxiii) Metal sheets, rods and tubes.
(xxiv) Medical or surgical supplies.
(xxv) Mechanical power transmission machinery and equipment.
(xxvi) Metal working machinery.
(xxvii) Mining machinery.
(xxviii) Nuts, bolts, nails, screws and spikes.
(xxix) Petroleum products.
(xxx) Pipe and pipe fittings.
(xxxi) Poultry and poultry products, including eggs, shell and dry.
(xxxii) Professional and scientific equipment.
(xxxiii) Pumps and pumping equipment.
(xxxiv) Refractories.
(xxxv) Scientific and measuring instruments.
(xxxvi) Stampings, machine shop products.
(xxxvii) Steam fittings.
(xxxviii) Steam turbines.
(xxxix) Steel springs.
(xxxx) Tin cans and tinware.
(xxxxi) Tractors, construction equipment and motor vehicles, and parts, accessories and equipment; and
(xxxxii) Wire and wire work.

(5) Replacement in inventory of an equal number of board feet of softwood lumber sold for uses specified in this List B.

List C of Order M–208

Purchase orders for the following uses are hereby assigned a rating of A–2, unless a higher rating is applied or extended thereto under a preference rating order or certificate:

(1) Physical incorporation into:
(i) Boots and shoes.
(ii) Conduits, wood pipe.
(iii) Ladders.
(iv) Office and store machines.
(v) Photographic equipment; and
(vi) Refrigerators.

(2) Construction of:
(i) Churches.
(ii) Elevators; and
(iii) School and college buildings, structures or projects.

(3) Maintenance or repair of:
(i) Buildings, structures or projects owned by any Governmental unit; and
(ii) School and college buildings, structures or projects.

(4) Boxing, crating, packing or stowing for shipment of:
(i) Batteries.
(ii) Blowers and fans.
(iii) Books and printing.
(iv) Canned foods (including those in metal, glass or crockery containers).
(v) Cooking, heating appliances.
(vi) Dried and preserved fruits.
(vii) Enameled iron sanitary ware.
(viii) Fabricated structural metals.
(ix) Flat glass.
(x) Household and personal belongings.
(xi) Office and store machines.
(xii) Oil field machinery.
(xiii) Paper and pulp.
(xiv) Paper and pulp mill machinery.
(xv) Printing machinery.
(xvi) Refrigerators.
(xvii) Steam, hot water appliances.
(xviii) Stokers, mechanical.
(xix) Steel doors and windows.
(xx) Vitreous plumbing and enameled products.
(xxi) Tobacco; and
(xxii) Woodworking machinery.

(5) Replacement in inventory of an equal number of board feet of softwood lumber sold for uses specified in this List C

[F R. Doc. 42–8182; Filed, August 21, 1942; 12:00 m.]

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[Amendment 5 to Revised Price Schedule 35 [1]]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1270, 1836, 2132, 2738, 2795, 3060, 3164, 3447, 3900.

In § 1316.61 (b) (4) a new proviso and a new paragraph are added at the end of footnote 5 in Table III; Table IV and the third paragraph of footnote 1 thereto are amended, and footnote 2 is added thereto; Table V and the second paragraph of footnote 1 thereto are amended, and footnote 2a is added thereto; a new item (xi) is added at the end of Table VI; a new fabric specification and premium are added at the end of paragraph (c) (5); a new subparagraph (7) is added to paragraph (c); as set forth below.

§ 1316.61 *Appendix A: Maximum prices for cotton goods.* • • •

(b) • • •

(4) *Maximum price tables.* • • •

TABLE III—SHEETING YARN GROUP

• • • • •

[5] • • • *Provided*, That maximum prices for deliveries of osnaburgs 42" and over in width against contracts entered into between May 4, and May 29, 1942, both inclusive, shall be determined in accordance with Maximum Price Regulation No. 118 (7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005).

For 72" 36 x 22 1.00 basket-weave osnaburg seedbag fabric or for any other Class A or B osnaburg produced at the request of the War Production Board and made on looms normally used for the production of household blanket fabrics, a premium of 1½¢ per pound over the otherwise applicable maximum price may be charged.

TABLE IV—DENIMS[1] (PRICES ARE FOR ALL SHADES AND COLORS)

Type of cloth and yards per pound or ounces per yard	Spot cotton price—Cents per pound
	20.37
Denims:	*Cents per yard* [2]
Mill finish:	
3.50 yards	14.00
3.00 yards	15.75
2.60 yards	17.50
2.45 yards	18.25
2.40 yards	18.25
2.30 yards	19.25
2.20 yards	19.75
8 oz. (2.00)	21.50
9 oz. (1.78)	24.00
10 oz.	26.75
Sanforized:	
3.15 yards	16.50
3.00 yards	16.50
2.70 yards	18.25
2.45 yards	20.25
2.30 yards	21.00
8 oz. (2.00)	22.75
9 oz. (1.78)	24.75
10 oz. (1.60)	27.50

[1] • • •

Maximum prices for denims of weights (pro-rated to 29 inches) intermediate between those listed herein shall be determined by interpolation, according to the respective number of yards per pound, between the maximum prices set forth herein; maximum prices for denims of weights greater or less than any listed herein shall be determined in inverse proportion to the respective number of yards per pound from the maximum price for, respectively, the heaviest or lightest denim listed in this table. • • • • •

[2] The maximum prices set forth herein shall apply to contracts of sale entered into on or after August 26, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

TABLE V—COLORED YARN GROUP, EXCLUSIVE OF DENIMS (PRICES ARE FOR ALL SHADES AND COLORS)

Class of cloth and weight in yards per pound [1]	Cotton spot price—Cents per pound (all numbers inclusive)
	20.37
Carded fine yarn shirting:	*Cents per yard* [2] [2a]
Chambray: [3]	
Mill finish:	
4.85 yards	12.25
3.90 yards	13.50
3.20 yards	16.00
Sanforized:	
3.90 yards	16.00
3.20 yards	18.75
Carded coarse yarn shirting:	
Chambray:	
Mill finish: 3.00 yards	16.00
Sanforized: 3.00 yards	18.75
Carded fine yarn shirting coverts: [3]	
Mill finish:	
3.90 yards	14.25
3.20 yards	16.75
Sanforized:	
3.90 yards	16.75
3.20 yards	19.50
Carded coarse yarn shirting coverts:	
Mill finish: 3.20 yards	16.25
Sanforized: 3.20 yards	19.25
Cotton pants coverts: [4]	
Sanforized:	
1.65 yards	31.75
2.00 yards	26.31
2.40 yards	22.65

[1] • • •

Maximum prices for cloths of weight other than those listed herein (for the same type of cloth) shall be determined in inverse proportion to the respective number of yards per pound from the maximum price for the cloth of that type and of the nearest weight.

• • • • • •

[2] • • •

[2a] The maximum prices set forth herein shall apply to contracts of sale entered into on or after August 26, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

TABLE VI—*Woven tickings*

• • • • • •

(xi) *Special premium in lieu of other premiums.* In lieu of all other premiums and differentials, Alabama Mills, Inc., Birmingham, Alabama, may charge a premium of 3 cents per yard over the base prices listed in Table VI for 200,000 yards of their Sterling tickings, styles 78944 and 78945.

• • • • • •

(c) • • •

(5) • • •

Grey goods made for use in products to meet—	*Premium allowable (cents per yd.)*
• • • • •	
United States Army Specifications for synthetic resin coated raincoats delivered after March 14, 1942	½
• • • • •	

(7) *Premiums for Pequot narrow sheeting.* The provisions of subparagraphs (1) (2) and (3) of this paragraph (c) are not applicable to narrow sheetings manufactured by Pequot Mills of Salem, Massachusetts, for the brands and constructions described below, for which the premiums listed herein may be charged in addition to the otherwise applicable maximum price set forth in Table II of paragraph (b). The premiums are in lieu of all other premiums or differentials otherwise provided in this Price Schedule No. 35.

Construction:	*Premiums allowable (cents per lb.)*
Pequot 36" 68 x 72	5¾
Pequot 40" 68 x 72	5¾
Eldorado 86" 68 x 76	6½

§ 1316.60a *Effective dates of amendments.* • • •

(e) Amendment No. 5 (§ 1316.61 (b) (4) Table III, Table IV, Table V, Table VI (xi), (c) (5) and (7)) to Revised Price Schedule No. 35 shall become effective August 26, 1942.

• • • • • •

(Pub. Law 421, 77th Cong.)

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8158; Filed, August 20, 1942; 4:58 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 45]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of the Eastern Massachusetts Defense-Rental Area set out in § 3188.8051 (a) of this Maximum Rent Regulation No. 45, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended May 22, 1942, May 30, 1942, August 1, 1942, and August 12, 1942, and on May 26, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area and the said portion of the Eastern Massachusetts Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area and the said portion of the Eastern Massachusetts Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for housing accommodations within each such Defense-Rental Area and the said portion of the Eastern Massachusetts Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 45 is hereby issued.

AUTHORITY: §§ 1388.8051 to 1388.8064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.8051 *Scope of regulation.* (a) This maximum rent regulation applies to all housing accommodations within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation No. 45 as the "Defense-Rental Area"), as designated in the designations and rent declarations (§§ 1388.1201 to 1388.1205 and 1388.1251 to 1388.1255, inclusive) issued by the Administrator on April 28, 1942, as amended May 22, 1942, May 30, 1942, August 1, 1942, and August 12, 1942, and on May 26, 1942, except as provided in paragraph (b) of this section:

(1) The Dothan-Ozark Defense-Rental Area, consisting of the Counties of Dale and Houston, in the State of Alabama.

(2) The El Dorado Defense-Rental Area, consisting of the County of Union, in the State of Arkansas.

(3) The San Bernardino Defense-Rental Area, consisting of the County of San Bernardino, in the State of California.

(4) The Panama City Defense-Rental Area, consisting of the County of Bay, in the State of Florida.

(5) The Pensacola Defense-Rental Area, consisting of the County of Escambia, in the State of Florida.

(6) The Tampa Defense-Rental Area, consisting of the Counties of Hillsborough, Pinellas, and Polk, in the State of Florida.

(7) The Brunswick Defense-Rental Area, consisting of the Counties of Brantley, Camden, Glynn, McIntosh, and Wayne, in the State of Georgia.

(8) The Dixon Defense-Rental Area, consisting of the County of Lee, in the State of Illinois.

(9) The Quad Cities Defense-Rental Area, consisting of the County of Rock Island in the State of Illinois and the County of Scott in the State of Iowa.

(10) The Rantoul Defense-Rental Area, consisting of the County of Champaign, in the State of Illinois.

(11) The Savanna-Clinton Defense-Rental Area, consisting of the County of Carroll in the State of Illinois and the County of Clinton in the State of Iowa.

(12) The Clinton-Newport Defense-Rental Area, consisting of the Counties of Parke and Vermillion, in the State of Indiana, and the Counties of Edgar and Vermilion, in the State of Illinois.

(13) The Columbus, Indiana Defense-Rental Area, consisting of the Counties of Bartholomew, Brown, Johnson, Morgan, and Shelby, in the State of Indiana.

(14) The Evansville-Henderson Defense-Rental Area, consisting of the County of Vanderburgh, in the State of

Indiana, and the County of Henderson, in the State of Kentucky.

(15) The Des Moines Defense-Rental Area, consisting of the County of Polk, in the State of Iowa.

(16) The Baxter Springs Defense-Rental Area, consisting of the Counties of Cherokee and Crawford, in the State of Kansas, and the County of Ottawa, in the State of Oklahoma.

(17) The New Orleans Defense-Rental Area, consisting of the Parishes of Jefferson, Orleans, and St. Bernard, in the State of Louisiana.

(18) The Hagerstown Defense-Rental Area, consisting of the County of Washington, in the State of Maryland.

(19) That portion of the Eastern Massachusetts Defense-Rental Area consisting of the County of Essex, in the State of Massachusetts.

(20) The Worcester Defense-Rental Area, consisting of the County of Worcester, in the State of Massachusetts.

(21) The Jackson, Michigan Defense-Rental Area, consisting of the County of Jackson, in the State of Michigan.

(22) The Sault Ste. Marie Defense-Rental Area, consisting of the County of Chippewa, in the State of Michigan.

(23) The Kansas City Defense-Rental Area, consisting of the Counties of Clay, Jackson, and Platte, in the State of Missouri, and the Counties of Johnson, Leavenworth, and Wyandotte, in the State of Kansas.

(24) The Pike Defense-Rental Area, consisting of the County of Pike, in the State of Missouri, and the County of Pike, in the State of Illinois.

(25) The Elmira Defense-Rental Area, consisting of the Counties of Chemung and Steuben, in the State of New York.

(26) The Utica-Rome Defense-Rental Area, consisting of the Counties of Herkimer, Madison, and Oneida, in the State of New York.

(27) The Marion Defense-Rental Area, consisting of the County of Marion, in the State of Ohio.

(28) The Tulsa Defense-Rental Area, consisting of the Counties of Creek, Osage, and Tulsa, in the State of Oklahoma.

(29) The Allentown-Bethlehem Defense-Rental Area, consisting of the Counties of Lehigh and Northampton, in the State of Pennsylvania, and the County of Warren, in the State of New Jersey.

(30) The Meadville-Titusville Defense-Rental Area, consisting of the Counties of Crawford and Venango, in the State of Pennsylvania.

(31) The Chattanooga Defense-Rental Area, consisting of the Counties of Bradley, Hamilton, and Marion, in the State of Tennessee, and the Counties of Catoosa, Dade, and Walker, in the State of Georgia.

(32) The Clarksville Defense-Rental Area, consisting of the Counties of Montgomery and Stewart in the State of Tennessee and the Counties of Christian, Todd, and Trigg, in the State of Kentucky.

(33) The Paris, Tennessee Defense-Rental Area, consisting of the County of Henry, in the State of Tennessee.

(34) The Dumas-Sunray Defense-Rental Area, consisting of the Counties of Dallam, Hansford, Hartley, Moore, and Sherman, in the State of Texas.

(35) The Point Pleasant-Gallipolis Defense-Rental Area, consisting of the Counties of Jackson and Mason, in the State of West Virginia, and the Counties of Gallia and Meigs, in the State of Ohio.

(36) The Madison, Wisconsin Defense-Rental Area, consisting of the Counties of Columbia, Dane, and Sauk, in the State of Wisconsin.

(37) The Manitowoc Defense-Rental Area, consisting of the County of Manitowoc, in the State of Wisconsin.

(38) The Sturgeon Bay Defense-Rental Area, consisting of the County of Door, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 45 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the maximum rent regulation for hotels and rooming houses pursuant to the provisions of that regulation: *Provided*, That this maximum rent regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this maximum rent regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this maximum rent regulation is void. A tenant shall not be entitled by reason of this maximum rent regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this maximum rent regulation.

§ 1388.8052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 45 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this maximum rent regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this maximum rent regulation may be demanded or received.

§ 1388.8053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 45 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this maximum rent regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to §1388.8055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.8055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.8054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.8055) shall be: (a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on March 1, 1942 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 45, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.8055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this maximum rent regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.8055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this maximum rent regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.8055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942 or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.8055 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this maximum rent regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.8055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 45 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to March 1, 1942 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to March 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 45, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.8054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.8054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings of equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.8054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.8054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings of equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If, on the effective date of this Maximum Rent Regulation No. 45, the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(e) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.8054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.8054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings of equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially

higher than at other times of the year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this maximum rent regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this maximum rent regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this maximum rent regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.8056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 45; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this maximum rent regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is is a tenancy relationship between the landlord and the subtenant or other such occupant.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.8057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 45, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this maximum rent regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.8054 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.8058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.8059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 45 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.8060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 45 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.8061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 45 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.8062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 45 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.8063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 45:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this maximum rent regulation.

§ 1388.8064 *Effective date of the regulation.* This Maximum Rent Regulation No. 45 (§§ 1388.8051 to 1388.8064, inclusive) shall become effective September 1, 1942.

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8155; Filed, August 20, 1942; 4:53 p. m.]

PART 1388—DEFENSE RENTAL AREAS

[Maximum Rent Regulation 46A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of the Eastern Massachusetts Defense-Rental Area set out in § 1388.9001 (a) of this Maximum Rent Regulation No. 46A, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended May 22, 1942, May 30, 1942, August 1, 1942, and August 12, 1942, and on May 26, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area and the said portion of the Eastern Massachusetts Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area and the said portion of the Eastern Massachusetts Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for rooms in hotels and rooming houses within each such Defense-Rental Area and the said portion of the Eastern Massachusetts

Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 46A is hereby issued.

AUTHORITY: §§ 1388.9001 to 1388.9014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.9001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 46A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this maximum rent regulation as the "Defense-Rental Area"), as designated in the designations and rent declarations (§§ 1388.1201 to 1388.1205 and 1388.1251 to 1388.1255, inclusive) issued by the Administrator on April 28, 1942, as amended May 22, 1942, May 30, 1942, August 1, 1942, and August 12, 1942, and on May 26, 1942, except as provided in paragraph (b) of this section:

(1) The Dothan-Ozark Defense-Rental Area, consisting of the Counties of Dale and Houston, in the State of Alabama.

(2) The El Dorado Defense-Rental Area, consisting of the County of Union, in the State of Arkansas.

(3) The San Bernardino Defense-Rental Area, consisting of the County of San Bernardino, in the State of California.

(4) The Panama City Defense-Rental Area, consisting of the County of Bay, in the State of Florida.

(5) The Pensacola Defense-Rental Area, consisting of the County of Escambia, in the State of Florida.

(6) The Tampa Defense-Rental Area, consisting of the Counties of Hillsborough, Pinellas, and Polk, in the State of Florida.

(7) The Brunswick Defense-Rental Area, consisting of the Counties of Brantley, Camden, Glynn, McIntosh, and Wayne, in the State of Georgia.

(8) The Dixon Defense-Rental Area, consisting of the County of Lee, in the State of Illinois.

(9) The Quad Cities Defense-Rental Area, consisting of the County of Rock Island in the State of Illinois, and the County of Scott, in the State of Iowa.

(10) The Rantoul Defense-Rental Area, consisting of the County of Champaign, in the State of Illinois.

(11) The Savanna-Clinton Defense-Rental Area, consisting of the County of Carroll, in the State of Illinois, and the County of Clinton, in the State of Iowa.

(12) The Clinton-Newport Defense-Rental Area, consisting of the Counties of Parke and Vermillion, in the State of Indiana, and the Counties of Edgar and Vermilion, in the State of Illinois.

(13) The Columbus, Indiana Defense-Rental Area, consisting of the Counties of Bartholomew, Brown, Johnson, Morgan, and Shelby, in the State of Indiana.

(14) The Evansville-Henderson Defense-Rental Area, consisting of the County of Vanderburgh, in the State of Indiana, and the County of Henderson, in the State of Kentucky.

(15) The Des Moines Defense-Rental Area, consisting of the County of Polk, in the State of Iowa.

(16) The Baxter Springs Defense-Rental Area, consisting of the Counties of Cherokee and Crawford, in the State of Kansas, and the County of Ottawa, in the State of Oklahoma.

(17) The New Orleans Defense-Rental Area, consisting of the Parishes of Jefferson, Orleans, and St. Bernard, in the State of Louisiana.

(18) The Hagerstown Defense-Rental Area, consisting of the County of Washington, in the State of Maryland.

(19) That portion of the Eastern Massachusetts Defense-Rental Area consisting of the County of Essex, in the State of Massachusetts.

(20) The Worcester Defense-Rental Area, consisting of the County of Worcester, in the State of Massachusetts.

(21) The Jackson, Michigan Defense-Rental Area, consisting of the County of Jackson, in the State of Michigan.

(22) The Sault Ste. Marie Defense-Rental Area, consisting of the County of Chippewa, in the State of Michigan.

(23) The Kansas City Defense-Rental Area, consisting of the Counties of Clay, Jackson, and Platte, in the State of Missouri, and the Counties of Johnson, Leavenworth, and Wyandotte, in the State of Kansas.

(24) The Pike Defense-Rental Area, consisting of the County of Pike, in the State of Missouri, and the County of Pike, in the State of Illinois.

(25) The Elmira Defense-Rental Area, consisting of the Counties of Chemung and Steuben, in the State of New York.

(26) The Utica-Rome Defense-Rental Area, consisting of the Counties of Herkimer, Madison, and Oneida, in the State of New York.

(27) The Marion Defense-Rental Area, consisting of the County of Marion, in the State of Ohio.

(28) The Tulsa Defense-Rental Area, consisting of the Counties of Creek, Osage, and Tulsa, in the State of Oklahoma.

(29) The Allentown-Bethlehem Defense-Rental Area, consisting of the Counties of Lehigh and Northampton, in the State of Pennsylvania, and the County of Warren, in the State of New Jersey.

(30) The Meadville-Titusville Defense-Rental Area, consisting of the Counties of Crawford and Venango, in the State of Pennsylvania.

(31) The Chattanooga Defense-Rental Area, consisting of the Counties of Bradley, Hamilton, and Marion, in the State of Tennessee, and the Counties of Catoosa, Dade, and Walker, in the State of Georgia.

(32) The Clarksville Defense-Rental Area, consisting of the Counties of Montgomery and Stewart, in the State of Tennessee and the Counties of Christian, Todd, and Trigg, in the State of Kentucky.

(33) The Paris, Tennessee Defense-Rental Area, consisting of the County of Henry, in the State of Tennessee.

(34) The Dumas-Sunray Defense-Rental Area, consisting of the Counties of Dallam, Hansford, Hartley, Moore, and Sherman, in the State of Texas.

(35) The Point Pleasant-Gallipolis Defense-Rental Area, consisting of the Counties of Jackson and Mason, in the State of West Virginia, and the Counties of Gallia and Meigs, in the State of Ohio.

(36) The Madison, Wisconsin Defense-Rental Area, consisting of the Counties of Columbia, Dane, and Sauk, in the State of Wisconsin.

(37) The Manitowoc Defense-Rental Area, consisting of the County of Manitowoc, in the State of Wisconsin.

(38) The Sturgeon Bay Defense-Rental Area, consisting of the County of Door, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 46A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this maximum rent regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this maximum rent regulation is void. A tenant shall not be entitled by reason of this maximum rent regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this maximum rent regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this maximum rent regulation. A landlord who so elects shall file a registration statement under this maximum rent regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this maximum rent regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the maximum rent regulation for housing accommodations other than hotels and rooming houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this maximum rent regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the maximum rent regulation for housing accommodations other than hotels and rooming houses all housing accommodations previously brought under this maximum rent regulation by such election. He shall make such revocation by filing a registration statement or statements under the maximum rent regulation for housing accommodations other than hotels and rooming houses, including in such registration statement or statements all housing accommodations brought under this maximum rent regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the maximum rent regulation for housing accommodations other than hotels and rooming houses.

§ 1388.9002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 46A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this maximum rent regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this maximum rent regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this maximum rent regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.9003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 46A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this maximum rent regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.9005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.9005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.9004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.9005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after March 1, 1942 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such rooms; *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.9005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this maximum rent regulation by such rent schedule. The Administrator may order an increase in such rents if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.9005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this maximum rent regulation, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 46A, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.9006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this maximum rent regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein; *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this maximum rent regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 46A and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.9007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 46A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this maximum rent regulation under paragraphs (b) or (c) of § 1388.9004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.9004 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.9008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time require.

§ 1388.9009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 46A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.9010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 46A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.9011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 46A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.9012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 46A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.9013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 46A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this maximum rent regulation.

§ 1388.9014 *Effective date of the regulation.* This Maximum Rent Regulation No. 46A (§§ 1388.9001 to 1388.9014, inclusive) shall become effective September 1, 1942.

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8156; Filed, August 20, 1942; 4:53 p. m.]

PART 1389—APPAREL

[Maximum Price Regulation 208]

STAPLE WORK CLOTHING

In the judgment of the Price Administrator it is necessary and proper to establish prices for staple work clothing which differ in some respects from the prices established by the General Maxi-

mum Price Regulation.[1] The prices established by the following regulation, in the judgment of the Price Administrator, are fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the said act, Maximum Price Regulation No. 208 is hereby issued.

Sec.

1389.201 Prohibition against dealing in staple work clothing above maximum prices.
1389.202 Maximum prices for staple work clothing sold at retail.
1389.203 Maximum prices for staple work clothing sold otherwise than at retail.
1389.204 Maximum prices for staple work clothing which cannot be priced under the preceding sections.
1389.205 Less than maximum prices.
1389.206 Evasion.
1389.207 Relation of this regulation to other Maximum Price Regulations.
1389.208 Transfers of business or stock in trade.
1389.209 Federal and State taxes.
1389.210 Information required of sellers other than at retail.
1389.211 Registration and licensing.
1389.212 Enforcement.
1389.213 Applications for adjustment.
1389.214 Petitions for amendment.
1389.215 Definitions.
1389.216 Effective date.
1389.217 Appendix A: Definition of staple work clothing.
1389.218 Appendix B: Simplification.
1389.219 Appendix C: Same and similar garments.

AUTHORITY: §§ 1389.201 to 1389.219, inclusive issued under Pub. Law 421, 77th Congress.

§ 1389.201 *Prohibition against dealing in staple work clothing above maximum prices.* On and after August 26, 1942, regardless of any contract or other obligation: (a) No person shall sell or deliver any staple work clothing (defined in § 1389.217) at a higher price than the maximum price established by this Maximum Price Regulation No. 208;

(b) No person in the course of trade or business shall buy or receive any staple work clothing at a price higher than the maximum price established by this Maximum Price Regulation No. 208;

(c) No person shall agree, offer, solicit or attempt to do any of the acts set forth in paragraphs (a) and (b): *Provided*, That contracts which were entered into on or before May 4, 1942, at prices which conform to the General Maximum Price Regulation may be carried out at contract prices.

§ 1389.202 *Maximum prices for staple work clothing sold at retail.* Maximum prices for staple work clothing sold at retail shall be determined under the General Maximum Price Regulation, including the amendment thereto made in Appendix C (§ 1389.219) of this Maximum Price Regulation No. 208, which is incorporated by reference in Supplementary Regulation No. 14 (§ 1499.73)[2] to the General Maximum Price Regulation.

§ 1389.203 *Maximum prices of sellers other than at retail.* Except as otherwise provided in this Maximum Price Regulation No. 208, the maximum price of a seller other than at retail for staple work clothing shall be the base price, determined under paragraphs (a), (b) or (c) of this section, less the amount indicated in paragraph (e).

(a) *List prices.* The base price for sale of a garment to a purchaser of any class shall be the price for such a sale shown on the last issued written price list:

(1) which was generally circulated among the seller's customers or representatives, during or before March 1942; and

(2) pursuant to which the seller delivered one or more garments of the same classification to a purchaser of the same class during or before March 1942.

(b) *Discounts.* The base price for sale of any garment to purchasers of a class to whom such garment was not offered on any such list shall be a base price for the same garment, determined under paragraph (a), less the seller's established percentage discount to purchasers of such class, determined as provided in this section.

(c) *Formula prices.* The base price for sale of a garment to a purchaser of any class by a manufacturer, in cases in which the same garment was sold by the manufacturer during or before March 1942 but cannot be priced under paragraph (a) or (b), shall be a price determined as follows:

(1) *Pricing formula.* To establish a maximum price for a garment to a purchaser of any class, the manufacturer shall:

(i) Determine the unit direct cost of the garment being priced.

(ii) Select from garments of the same classification for which the base price to a purchaser of the same class can be determined under paragraph (a) or (b), the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If all such garments are either above or below, the one closest in unit direct cost shall be selected, and if any such garment has the same unit direct cost as the article being priced, it shall be selected in addition to the garments immediately above and below.

(iii) Determine the average percentage mark-up over unit direct cost included in the maximum prices of the garments selected.

(iv) Add to the unit direct cost of the article being priced this average percentage mark-up.

The result shall be the base price.

Example

Unit direct cost of garment being priced: $9.00.

(1) Unit direct costs of other garments of same classification	(2) Maximum prices of such garments	(3) Calculation of mark-up	
$10.00	$11.50	Total maximum prices (from (2))	$19.70
7.00	8.20	Total unit costs (from (1))	17.00
17.00	19.70	Total mark-up	2.70

Divide 2.70 (total mark-up) by 17.00 (total cost), and find average percentage mark-up of 15.9%

Multiply $9.00 (unit direct cost of garment being priced) by 15.9 and find dollar mark-up of $1.43. Add $9.00 and find maximum price $10.43

(2) *Computation of unit direct costs.* To establish the unit direct cost, the manufacturer shall add costs per unit of materials and direct labor, determined as follows:

(i) Material costs shall be calculated at the maximum prices which the manufacturer could lawfully be charged for such materials if purchased on his customary terms from the source of supply most used by him during the six months ending March 31, 1942, under the terms of schedules and regulations of the Office of Price Administration in effect on August 26, 1942, including Amendment No. 5 to Revised Price Schedule No. 35, and Amendment No. 8 to Maximum Price Regulation No. 127.

(ii) Wage rates shall be calculated at the rates paid by the seller on March 31, 1942, plus any increase subsequent thereto made pursuant to a collective bargaining contract or other wage agreement which was entered into on or before April 27, 1942, and which provides for an unconditional increase in wage rates of a fixed amount or percent.

(iii) Amounts of labor and material used shall be calculated on the basis of the manufacturer's most recent cost records of the manufacture of each garment during and before March 1942, and labor costs shall be confined to labor used in cutting, sewing, assembling, and inspecting the garment.

(d) *Meaning of terms for the purposes of this section*—(1) The "sellers established percentage discount" to any class of purchasers shall be the average of discounts allowed to purchasers of such class on orders accepted during the six months ending December 31, 1941, on the same material and labor cost basis, for the garment being priced, or if data are not available for that garment, for the most closely comparable garment of the same classification for which data are available.

(2) "Purchasers of the same class" shall be purchasers to whom the seller during the six months ending December 31, 1941, customarily charged the same prices.

(3) A garment shall be considered the "same" as another when:

(i) The garment belongs to the same classification (as defined in § 1389.217);

(ii) The garment contains body material which is the same with respect to (*a*) construction, (*b*) weight and thread count within the tolerances of the Worth Street Rules, (*c*) finish, including shrinkage treatment, and (*d*) color fastness;

(iii) The garment consumes substantially the same average yards per dozen and has substantially the same body dimensions;

(iv) The garment contains trimmings of fairly equivalent serviceability;

(v) The garment is constructed and assembled with the same standards of workmanship and inspection. Differences in color which are not ordinarily the basis of differences in price shall be disregarded.

(4) A simplified model (defined in § 1389.218) of any garment shall be considered the "same" as such garment before simplification, except when such simplified garment becomes the same, under paragraph (d) (3) of this section, as a lower priced garment in which the seller dealt during March 1942.

(e) *Deductions.* The deduction to be made from the base price of any garment, as determined under paragraphs (a), (b) and (c) of this section, in order to determine the maximum price, shall be the product which results from multiplying the number of yards of cloth used in the garment for which such base price was determined, before simplification (if any), by the number of cents indicated in the following Table I, according to the body material of which such garment was made.

TABLE I

Type of cloth	Weight of cloth	Cents per yard
Denims, mill finish	3.50–2.20	1.0
	2.00–1.60	1.5
Denims, sanforized	3.15–2.00	1.0
	1.75 and heavier	1.5
Carded coarse and fine yarn shirting chambrays, mill finish and sanforized.	All weights	0.5
Carded coarse and fine yarn shirting coverts, mill finish and sanforized.	All weights	0.5
Cotton pants coverts, sanforized.	1.65	1.5
Same	2.00–2.40	1.0
Finished jeans, 36" basis	2.85	0.5
Finished drills, 29"–28" basis	2.50	1.0
Cottonades, sanforized and regular finish, 36" basis	1.45–2.00	1.5
Whipcords, napped back, sanforized and regular finish, 36" basis	1.45–2.00	1.5
Moleskins, plain, 30" basis	7¾–8¼ oz.	1.0
Same, 30" basis	8¾–9¼ oz.	1.5
Same, 36" basis	9½–10 oz.	2.0
Moleskins, black and white, 30" basis	7½–7¾ oz.	1.0
	8–8½ oz.	1.0
Same	8¾–9¼ oz.	1.5
Carded poplin, 35" basis	2.50	1.0
Same	2.85–3.25	0.5
Twills, 36" basis	8.2 oz.	1.5

§ 1389.204 *Maximum prices for staple work clothing which cannot be priced under § 1389.203*—(a) *Special size and special order garments.* The maximum price of any garment of staple work clothing which cannot be priced under § 1389.203 by reason of its unusual size or dimensions shall be the maximum price of the most closely comparable garment of regular size priced under that section plus the percentage premiums:

(1) Which the seller customarily obtained for such garments during March 1942; or

(2) If the seller obtained no such premiums, which he customarily demanded for such garments during March 1942; or

(3) If the seller neither obtained nor demanded such premiums, which were customarily demanded during March 1942 by the most closely comparable seller who did demand such premiums.

(b) *Imperfect garments, or seconds.* The maximum price of any garment of staple work clothing which cannot be priced under § 1389.203 by reason of its substandard quality in any respect shall be the maximum price of the most closely comparable garment of standard quality priced under that section less the percentage discount:

(1) Which the seller customarily allowed for such garments during March 1942; or

(2) If the seller allowed no such discounts, which he customarily offered for such garments during March 1942; or

(3) If the seller neither allowed nor offered such discounts, which were customarily offered during March 1942 by the most closely comparable seller who did offer such discounts.

(c) *Maximum prices in other cases.* The maximum price of a garment of staple work clothing which cannot be priced by the provisions of § 1389.203 or of paragraphs (a) and (b) of this section, shall be a price determined by the seller pursuant to specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (a) a description in detail of the garment for which a maximum price is sought, and (b) a statement of the facts which differentiate the garment from others dealt in by the seller or by competitive sellers of the same class during March 1942, and shall furnish such further relevant information as may be required by the Office of Price Administration.

§ 1389.205 *Less than maximum prices.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 208 may be charged, demanded, paid or offered.

§ 1389.206 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 208 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to staple work clothing, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) No person shall use as a highest price charged during March 1942 to a purchaser of any class a price at which garments were delivered as samples, excepting garments delivered pursuant to an order in the ordinary course of business, under a firm commitment calling for later deliveries at the same price.

(2) No seller shall so change the allowances, discounts or other price differentials which he customarily made during March 1942 as to require any purchaser to pay a higher net price.

§ 1389.207 *Relation of this regulation to other Maximum Price Regulations.* (a) *General Maximum Price Regulation.* This Maximum Price Regulation No. 208 shall apply, and the General Maximum Price Regulation shall not apply, to sales and deliveries of staple work clothing other than at retail. The General Maximum Price Regulation shall apply, and this Maximum Price Regulation No. 208 shall not apply, except as provided in § 1389.219, to sales and deliveries of staple work clothing at retail.

(b) *Maximum Price Regulation No. 157.*[3] Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—shall apply, and this Maximum Price Regulation No. 208 shall not apply, to sales and deliveries for which maximum prices are established by Maximum Price Regulation No. 157.

(c) *Maximum Price Regulation No. 172.*[4] Maximum Price Regulation No. 172—Charges of Contractors in Apparel Industry—shall apply, and this Maximum Price Regulation No. 208 shall not apply to transactions for which maximum prices are established by Maximum Price Regulation No. 172.

(d) *Export sales.* The maximum price at which a person may export staple work clothing shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

§ 1389.208 *Transfer of business or stock in trade.* If the business, assets or stock in trade of any seller of staple work clothing have been or shall be transferred on or after April 28, 1942, and the transferee shall carry on the business, or continue to deal in staple work clothing, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep, make available, prepare and file records shall be the same. The transferor shall either prepare and make available, or

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484.

[2] 7 F.R. 5486.

[3] 7 F.R. 4273, 4541, 4618, 5180.

[4] 7 F.R. 4882.

[5] 7 F.R. 5059.

turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 208.

§ 1389.209 *Federal and State taxes.* Any tax upon, and incident to, the sale or delivery of staple work clothing, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum prices for staple work clothing, and in preparing the records of such seller with respect thereto:

(a) *As to tax in effect during March 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March 1942 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 208.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 208.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1389.210 *Informational requirements*—(a) *Records to be kept.* Every person selling staple work clothing otherwise than at retail shall keep and make available for examination by the Office of Price Administration:

(1) All his existing records relating to the prices which he charged for staple work clothing during March 1942;

(2) Records of the kind he has customarily kept relating to the prices charged for such clothing on and after April 28, 1942;

(3) A statement showing the calculation by which each maximum price for a garment sold or offered for sale on or after August 26, 1942, was determined.

(b) *Statements to be filed.* Every person selling staple work clothing otherwise than at retail shall prepare and file with the Office of Price Administration, Washington, D. C., on or before October 1, 1942:

(1) The latest written price list, generally circulated among the seller's customers or representatives, pursuant to which the seller delivered during March 1942, any garment of each classification to each class of purchasers, with a statement showing the date of issuance of such list, to whom circulated, and the name and address of a purchaser of each class to whom a garment of each classification was delivered.

(2) A statement which shall show the maximum prices to all classes of purchasers under this Maximum Price Regulation No. 208 for all garments offered for sale on or after August 26, 1942.

(3) A description of each garment referred to in subparagraphs (1) and (2), identifying it by classification and by lot number, and furnishing such details as may be required in report forms to be prescribed by the Office of Price Administration.

On or before the tenth day of each month after September 1942, every such person shall file a supplementary statement containing the information referred to in subparagraphs (2) and (3) with respect to any offering made during the preceding calendar month and not previously listed.

(c) *Notification of retailers.* Every person delivering staple work clothing to a purchaser for sale at retail shall, within ten days after the first delivery to such purchaser made on or after August 26, 1942, notify such purchaser that he is required to price such staple work clothing under the provisions of the General Maximum Price Regulation and shall supply such purchaser with the text of §§ 1389.217, 1389.218, and 1389.219 to serve as a guide in pricing under the provisions of the General Maximum Price Regulation: *Provided*, That if such first delivery is made prior to September 1, 1942 the text of such sections may be supplied within ten days of September 1, 1942.

(d) *Disclosure of maximum prices.* Every person selling or delivering staple work clothing otherwise than at retail shall within ten days after receipt of a written request from any person to whom such clothing shall have been sold, delivered or offered for sale on or after August 26, 1942, disclose in writing to such person the maximum prices established for such sale, delivery or offer.

(e) *Identification of garments.* Every person selling, delivering or offering to sell or deliver a garment of staple work clothing shall have attached thereto a label containing the manufacturer's lot number for the garment. If the garment has been simplified as provided in § 1389.218, the lot number shall be the number used in March 1942, prefixed by the symbol "S–". No person shall use on any garment a lot number which he used in March 1942 for a different garment.

§ 1389.211 *Registration and licensing.* The registration and licensing provision of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 208 selling staple work clothing at wholesale or at retail.

§ 1389.212 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 208 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for the suspension of licenses provided by the Emergency Price Control Act of 1942.

§ 1389.213 *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum prices established under this Maximum Price Regulation No. 208 for any seller other than a seller at retail in any case in which such seller shows:

(a) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar garments; and

(b) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar garments, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1.[*]

§ 1389.214 *Petitions for amendment.* Any person seeking a modification of any provisions of this regulation, or an adjustment not provided for in § 1389.213, may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1[*] issued by the Office of Price Administration.

§ 1389.215 *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation shall apply to terms used in this Maximum Price Regulation No. 208.

§ 1389.216 *Effective date.* The effective date of this Maximum Price Regulation No. 208 shall be August 26, 1942.

§ 1389.217 *Appendix A; Definition of staple work clothing.* Staple work clothing as used in this Maximum Price Regulation No. 208 means men's and boys' garments of the classifications listed below in paragraph (a) and made of cotton body materials of the constructions listed below in paragraph (b).

(a) *Classification of garments:*

(1) Bib overalls, including special trades overalls.
(2) Overall jackets.
(3) Waistband overalls or dungarees.
(4) Work shirts.
(5) Work pants.
(6) One-piece work suits.
(7) Work breeches.

(b) *Constructions of body materials:*

(1) Denims.
(2) Carded yarn shirting chambrays.
(3) Carded yarn shirting coverts.
(4) Cotton pants coverts.
(5) Finished jeans.
(6) Finished drills.
(7) Cottonades, napped back.
(8) Whipcords, napped back.
(9) Moleskins.
(10) Carded yarn poplins.
(11) Twills.

§ 1389.218 *Appendix B; Simplification*—(a) *Simplifications permitted.* A garment shall be deemed to be a "simplified model" of another when it is identical with the other except for the differences listed below:

(1) *Bib overalls.*
(i) Elimination of triple stitching.
(ii) Elimination of double thickness pockets.
(iii) Elimination of bar tacks in excess of 15.
(iv) Elimination of rule pockets or hammer loops in excess of one each.
(v) Elimination of fly buttons in excess of two up to and including size 38.

(2) *Overall jackets.*
(i) Elimination of triple stitching.
(ii) Elimination of double thickness pockets.
(iii) Elimination of pockets in excess of two.
(iv) Elimination of cuff buttons in excess of one on each cuff.
(v) Elimination of buttons on front in excess of four.

(3) *Dungarees or waist-band overalls.*
(i) Elimination of triple stitching.
(ii) Elimination of double thickness pockets.
(iii) Elimination of bar tacks or rivets in excess of nine except those needed for belt loops.
(iv) Elimination of hammer loops.
(v) Elimination of fly buttons in excess of five, including waist-band fasteners.
(vi) Elimination of suspender buttons.
(vii) Elimination of belt loops in excess of six.
(viii) Elimination of strap and buckle.

(4) *Work pants.*
(i) Elimination of triple stitching.
(ii) Elimination of double thickness pockets.
(iii) Elimination of flaps on pockets.
(iv) Elimination of bar tacks or rivets in excess of 11 except those needed for belt loops.
(v) Elimination of suspender buttons up to and including size 38.
(vi) Elimination of side straps and buckles.
(vii) Elimination of all cuffs on trousers manufactured of material heavier than 2.50 per pound on 30" grey weight basis.
(viii) Elimination of tunnel belt loops.
(ix) Elimination of self belts.
(x) Elimination of pleats.

(5) *Work shirts.*
(i) Elimination of triple stitching.
(ii) Elimination of flaps on pockets.
(iii) Elimination of bar tacks in excess of 4.
(iv) Elimination of cuff buttons in excess of one on each cuff.
(v) Elimination of front buttons in excess of 6.
(vi) Elimination of bellows pockets.
(vii) Elimination of lined cuffs.
(viii) Elimination of eyelets or vents.
(ix) Elimination of yoke back in excess of 2½ inches deep measured from the center of the bottom of the collar.

(6) *One piece work suits.*
(i) Elimination of triple stitching.
(ii) Elimination of double thickness pockets.
(iii) Elimination of bar tacks in excess of 17.
(iv) Elimination of rule pockets and hammer loops in excess of one each.

(7) *Work Breeches.*
(i) Elimination of triple stitching.
(ii) Elimination of flaps on pockets.
(iii) Elimination of double thickness pockets.
(iv) Elimination of fly buttons in excess of five.
(v) Elimination of tunnel belt loops.

(b) *Changes not permitted.* A garment shall not be considered a "simplified model" when it is altered as follows:

(1) By a change in the weight, finish or construction of body materials;

(2) By a reduction in body dimensions;

(3) By elimination or substantial reduction in the use of slide fasteners;

(4) By elimination of double thickness in shoulders, front or back, or in elbows;

(5) By elimination of double thickness in knees or in seats.

§ 1389.219 *Appendix C: Same and similar garments (under the General Maximum Price Regulation).* In determining maximum prices for staple work clothing under the General Maximum Price Regulation, a garment shall be considered the same as another, or similar to another, as provided in paragraphs (a), (b) and (c) of this section.

(a) *Same garments—in general.* One garment shall be considered the "same" as another when it is a garment of the same classification (as listed in § 1389.217 (a)), contains body material of the same construction, weight, and finish, substantially the same average yards per dozen of such material, the same standards of workmanship, and trimmings of fairly equivalent serviceability, and is constructed by the same manufacturer. Differences in color which are not ordinarily the basis of differences in price shall be disregarded.

(b) *Same garments—simplification.* A simplified model (defined in § 1389.218) of any garment shall be considered the "same" as such garment before simplification, except when such simplified model becomes the same, under paragraph (a) of this section, as a lower priced garment in which any seller dealt during March 1942.

(c) *Similar garments.* A garment shall be considered "similar" to another when it is constructed by a different manufacturer, but is otherwise the same.

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8157; Filed, August 20, 1942; 4:57 p. m.]

[*] 7 F.R. 971, 3663.

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS & ADMIXTURES

[Amendment 8 to Maximum Price Regulation 127[1]]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1400.78 subparagraphs (41) and (42) of paragraph (c) are amended and paragraphs (d), (e), (f), (g), (h), (i), (j), and (k) are amended; in § 1400.82 three new paragraphs, (p), (q), and (r) are added, as set forth below:

§ 1400.78 *Exempt sales.* The provisions of this Maximum Price Regulation No. 127 shall not apply to:

* * * * * *

(c) Sales or purchases of:

* * * * * *

(41) Loom finished fabrics: *Provided*, That any person selling such fabrics shall, on or before August 31, 1942, file his name and address with the Office of Price Administration: *Provided further*, That any such person shall also file with the Office of Price Administration, Washington, D. C., before the 10th day of each month, a report showing the total yards of finished piece goods delivered under such exemption during the preceding month.

(42) Woven or printed decorative pattern fabrics composed in an amount of 75% or more by weight of synthetic yarn, and sold exclusively for use by necktie manufacturers: *Provided*, That any person selling such fabrics shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that only such fabrics as are sold exclusively for use by necktie manufacturers will be sold hereunder.

(d) Sales of finished piece goods by furrier suppliers: *Provided*, That any person exempted by this paragraph (d) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he falls within the definition of furrier supplier as set forth in § 1400.81 (a) (15) of this Maximum Price Regulation No. 127.

(e) Sales of finished piece goods to custom shirtmakers by a custom shirtmaker's supplier: *Provided*, That any person exempted by this paragraph (e) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(f) Sales of finished piece goods by a woman's shoe fabric supplier: *Provided*, That any person exempted by this paragraph (f) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a woman's shoe fabric supplier as defined in § 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3119, 3242, 4180, 4454, 4587, 4762, 5364, 5675.

(g) Sales of finished piece goods by a milliners' supply house: *Provided*, That any person exempted by this paragraph (g) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(h) Sales of finished piece goods by a tailor trimming store: *Provided*, That any person exempted by this paragraph (h) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(i) Sales of finished piece goods by a dressmakers' supply house: *Provided*, That any person exempted by this paragraph (i) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(j) Sales and deliveries of printed woven decorative fabrics as defined in Maximum Price Regulation No. 39 [1] when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941 and March 31, 1942 was in fabrics selling at a price of 35 cents or more per yard: *Provided*, That any such person shall, on or before August 31, 1942 file his name and address with the Office of Price Administration, Washington, D. C.

(k) Sales of finished piece goods by an artificial flower manufacturers' supplier: *Provided*, That any person exempted by this paragraph (k) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is an artificial flower manufacturers' supplier as defined in §1400.81 (a) (20) of this Maximum Price Regulation No. 127.

§ 1400.82 *Appendix A: maximum prices for finished piece goods.* • • •

(p) *Specific prices for shoe-lining fabrics.* (1) On and after August 26, 1942, notwithstanding any of the provisions of §§1400.77 and 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, and regardless of any contract, agreement, lease or other obligation the base maximum prices for the following fabrics when sold to shoe manufacturers for use as shoe linings shall be as set forth in Tables V, VI, and VII hereof:

TABLE V—TWILLS AND DRILLS

Weight (yards per pound)	Finish	Maximum price (cents per yard)
1.50	Starch back twill	32.714
1.75	Starch back twill	29.164
2.00	Starch back twill	25.947
2.35	Starch back twill	23.765
1.50	Starch back napped twill	33.701
1.75	Starch back napped twill	30.152
2.25	Starch back drill	22.795
2.75	Starch back drill	20.370
3.95	Starch back drill	16.240

[1] 7 F.R. 5243.

TABLE VI—FLANNELS

Weight (yds. per lb.)	Width (inches)	Maximum price (cents per yard)
6.00	40½	13.643
5.00	40½	14.903
4.00	40½	16.791
3.40	40½	18.551
3.00	40½	20.248
2.50	40½	23.401
2.00	40½	28.342
1.60	40½	34.107
3.80	37	17.045
Light (EW)*	47½	21.670
Medium (FNS)*	47½	22.441
3.00 (CD)*	37	20.248

*Trade name.

(2) In addition to the base maximum prices set forth in the foregoing tables, the following premiums may be charged for special services or extra finishing:

TABLE VIII

Services or finish	Premium (cents per yard)
For bleaching	1
For dyeing	2½
For double napping	½
For sales in quantities of less than 1,000 yds. per color and finish	½

(3) The maximum prices established by subparagraphs (1) and (2) hereof are subject to credit terms as set forth in paragraph (h) of this section.

(q) *Specific reductions in prices of work-clothing fabrics.* (1) Notwithstanding any of the provisions of § 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, the maximum prices computed hereunder for the following finished piece goods shall be reduced as set forth in Table IX hereof:

TABLE IX

Type of fabric	Weight	Width (inch basis)	Reduction (cents per yard)
Finished jeans	2.85 yds. per lb	36	¾
Finished drills	2.50 yds. per lb	28-29	½
Moleskins, plain	7¾-8¼ oz. per yard	30	½
Moleskins, plain	8¾-9¼ oz. per yard	30	¾
Moleskins, plain	9½-10 oz. per yard	36	1
Moleskins, black and white	7½-7¾ oz. per yard	30	½
Moleskins, black and white	8-8½ oz. per yard	30	½
Moleskins, black and white	8¾-9¼ oz. per yard	30	¾
Carded poplins	3.25 yds. per lb	35-36	¼
Carded poplins	2.85 yds. per lb	35-36	¼
Carded poplins	2.50 yds. per lb	35-36	½

(2) The maximum prices established herein shall apply to contracts of sale entered into on or after August 26, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

(r) *Specific prices for private sales of certain Government-specification goods.* (1) Notwithstanding any of the provisions of §§ 1400.77 and 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, and regardless of any contract, agreement, lease or other obligation, the maximum prices for finished piece goods of the types and made with reference to the specifications (in their present form or as hereafter amended) listed below, when such goods are sold to any person other than a war procurement agency, shall be as set forth in Table X hereof:

TABLE X

Description	Specification	Maximum price (cents per yard)
8.2 combed uniform twill, khaki color.	P. Q. D. No. 33-A	
Type I		66
Type II		63
Type III		56
Type IV		43.75
Type V		60.87
Bleached and shrunk twill, white.	27 T 25	
Type C, 29" wide		40.96
Type D, 32" wide		41.50
Shrunk khaki suiting, 40" wide.	Marine Corps Specification November 22, 1937.	56.90
6 oz. combed twill, khaki, 36" wide.	P. Q. D. No. 95	43.75
Wind resistant cloth, olive drab.	P. Q. D. No. 1	
Type II poplin		62.00
Lining twill, olive drab.	6-100B	
Albert twill		31.50
Mosquito netting, olive drab.	P. Q. D. No. 17 A	
35" wide		14.37
47" wide		19.28
Balloon cloth	2/ C 13 (INT)	
Type BB		(*)
Type HH		(*)
Type MM		(*)
Type RR		(*)
Balloon cloth	6-39-G	
Type BB		(*)
Type HH		(*)
Type KK		(*)
Type MM		(*)
Type RR		(*)
Type SS		(*)
Airplane cloth	AN-CCC-C-300	
Marine shirting, olive drab.	Marine Corps Specification April 18, 1934, revised to March 10, 1942.	
Oxford 35½" wide		30
Rubberized fabric	M 54	(*)
Black lining twill	27 L 6	(*)
Balloon cloth substitute.	Specifications described in invitation Neg. 336.	(*)
8½ oz. carded herringbone twill, 36" standard 72 x 46.	6-261 and amendment No. 1 thereto.	39.50

*The maximum prices for goods so marked shall be those established by the most recent of (1) the last contract therefor awarded to the particular seller by a war procurement agency, as defined in § 1400.81 (a) (16) of this Maximum Price Regulation No. 127, or (2) the last subcontract therefor awarded to the particular seller by a person other than a war procurement agency for use in connection with the performance of a prime contract with such an agency.

(2) The above maximum prices shall be discounted as follows:

Rejects:	Percent
30 yards and up	5
20 to 30 yards	20
10 to 20 yards	30
1 to 10 yards	40
Finishing seconds:	
10 yards and up	25
1 to 10 yards	50

(3) The maximum prices established by subparagraphs (1) and (2) hereof are subject to credit terms as set forth in paragraph (h) of this section.

§ 1400.85 *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§ 1400.78 (c) (41), (c) (42), (d), (e), (f), (g), (h), (i), (j) and (k), § 1400.82 (p), (q), and (r)) to Maximum Price Regulation No. 127 shall become effective August 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8161; Filed, August 20, 1942; 4:58 p. m.]

PART 1412—SOLVENTS

[Revised Price Schedule 36 [1]]

ACETONE

The title, preamble and §§ 1335.301 to 1335.310 inclusive, are amended and renumbered to read as set forth below:

Maximum Price Regulation No. 36—Acetone

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 36, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, Maximum Price Regulation No. 36 is hereby issued.

Sec.

1412.51 Maximum prices for acetone.
1412.52 Less than maximum prices.
1412.53 Adjustable pricing.
1412.54 Evasion.
1412.55 Records and reports.
1412.56 Enforcement.
1412.57 Applicability of General Maximum Price Regulation.
1412.58 Licensing.
1412.59 Federal and State taxes.
1412.60 Applications for adjustment.
1412.61 Petitions for amendment.
1412.62 Definitions.
1412.63 Applicability.
1412.64 Export sales.
1412.65 Effective dates of amendments.
1412.66 Appendix A: Maximum prices for acetone.

AUTHORITY: Sections 1412.51 to 1412.66, inclusive, issued under Pub. Law 421, 77th Cong., 2nd Sess.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1276, 1836, 2000, 2132.

[2] 7 F.R. 971, 3663.

§ 1412.51 *Maximum prices for acetone.* (a) On and after September 3, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver acetone, and no person shall buy or receive acetone in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A (§ 1412.66); and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of acetone to a purchaser, if prior to September 3, 1942, such acetone had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) Any sales or deliveries of acetone not specifically referred to in Appendix A (§ 1412.66) shall be subject to the provisions of the General Maximum Price Regulation.[3]

§ 1412.52 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1412.66) may be charged, demanded, paid or offered.

§ 1412.53 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1412.54 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 36 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to acetone alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1412.55 *Records and reports.* (a) Every person making purchases or sales of acetone for which maximum prices are established by this Maximum Price Regulation No. 36, on and after September 3, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the prices paid or received, and the specifications and quantity, including the size of the containers, of such acetone purchased and sold.

(b) On or before October 3, 1942, and on or before the 10th day of each month thereafter, every producer of fermentation acetone shall submit to the Office of Price Administration a report on Form 136.1 in the detail required by such Form, showing the total production of fermentation acetone by such producer during the previous calendar month, the respective percentages of such total produced from molasses, corn, or other raw material, the cost of such raw material, and such other information as such Form shall require. Persons affected by Maximum Price Regulation No. 36 shall submit such other reports to the Office of Price Administration as it may, from time to time require.

(c) Every person selling synthetic acetone for which upon sale by that person maximum prices are established by this Maximum Price Regulation No. 36, shall:

(1) Preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for such of said synthetic acetone as he delivered during March 1942, and his offering prices for delivery of such synthetic acetone during such month; and

(2) Prepare on or before September 18, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(i) The highest prices he charged for such of said synthetic acetone as he delivered during March 1942, and his offering price for delivery of such synthetic acetone during such month, together with an appropriate description or identification of such synthetic acetone delivered or offered for delivery; and

(ii) All his customary allowances, discounts and other price differentials.

Any person, other than a person selling at retail, who claims that substantial injury would result to him from making such statement available to any other person may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 36. "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the State office for the State) in which is located the seller's place of business from which his sales are made.

§ 1412.56 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 36 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 36 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field, or Regional Office of the Office of Price Administration, or its principal Office in Washington, D. C.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565.

§ 1412.57 *Applicability of General Maximum Price Regulation.* Except as provided in §§ 1412.51 (b) and 1412.58 (b) the provisions of this Maximum Price Regulation No. 36 supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of acetone for which maximum prices are established by this Maximum Price Regulation No. 36.

§ 1412.58 *Licensing.* (a) The provisions of Supplementary Order No. 11,[4] Licensing Distributors of Chemicals and Drugs, are applicable to every distributor selling acetone for which maximum prices are established by Appendix A (§ 1412.66). The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail acetone for which maximum prices are established by Appendix A (§1412.66). The term "selling at retail" shall have the meaning given it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1412.59 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of acetone, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such acetone and in preparing the records of such seller with respect thereto.

(a) *As to a tax in effect during the thirty day period ending October 3, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the thirty day period ending October 3, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 36.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 36.

(b) *As to a tax or increase in a tax which becomes effective after September 3, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1412.60 *Applications for adjustment.* Any person seeking relief from a maximum price established under this Maximum Price Regulation No. 36 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 36 to eliminate the danger of inflation.

§ 1412.61 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 36 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1412.62 *Definitions.* (a) When used in this Maximum Price Regulation No. 36, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representatives of any of the foregoing, and includes the United States, any agency thereof, any other government or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Fermentation acetone" means acetone produced by the fermentation of any carbohydrate containing material.

(3) "Synthetic acetone" means acetone other than fermentation acetone.

(4) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller, plus all costs of shipment actually incurred by the seller.

(5) "Eastern territory" means the states of New Mexico, Colorado, Wyoming Montana, all states east thereof, and the District of Columbia.

(6) "Western territory" means all other states of the United States.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 36.

§ 1412.63 *Applicability.* The provisions of this Maximum Price Regulation No. 36 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1412.64 *Export sales.* The maximum price at which a person may export acetone shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

§ 1412.65 *Effective dates of amendments.* (a) Maximum Price Regulation No. 36 (§§ 1412.51 to 1412.66, inclusive) shall become effective September 3, 1942: *Provided,* That Revised Price Schedule No. 36 shall remain in effect until this Maximum Price Regulation No. 36 becomes effective on September 3, 1942.

§ 1412.66 *Maximum prices for acetone*—(a) *Sales in containers of 50 gallons or more of fermentation acetone.* Maximum prices for sales in containers of 50 gallons or more of fermentation acetone are established as set forth below:

(1) *Eastern territory:*

	Fermentation Acetone per pound delivered
Tank cars	$0.085
Drums, carload lots	.095
Drums, l. c. l. lots	.10

(2) *Western territory.* Delivered: ½ cent per pound may be added to the applicable maximum price established for Eastern territory by subparagraph (1) of this paragraph.

(3) *Deliveries from local stocks maintained by others than producers.* Ex seller's warehouse: $0.01 per pound may be added to the applicable maximum price established by subparagraph (1) or (2) of this paragraph, as the case may be.

(4) *Containers.* The maximum prices established by subparagraphs (1), (2) or (3) of this paragraph shall not be increased by any charges for containers. Seller may, however, require the return of containers, but in such case the maximum prices which may be charged are the maximum prices set forth in subparagraphs (1), (2) or (3) of this paragraph less $.003 per pound. When sales are made upon a container returnable basis, seller may require a reasonable deposit for the return of such containers, but such deposit must be refunded to the buyer upon the return of the container in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to seller shall in all cases be borne by seller.

(5) *Territories and possessions.*—(i) *Sales from plants in the territories and possessions.* Notwithstanding the provisions of subparagraphs (1) and (2) of this paragraph, maximum prices for fermentation acetone produced in plants in the territories or possessions of the United States shall be the applicable maximum prices established for Eastern territory by subparagraph (1) of this paragraph less ½ cent per pound f. o. b. plant.

(ii) *Deliveries from the continental United States to purchasers in the territories and possessions.* Sales of fermentation acetone by a seller shipping such commodity from the continental United States to a purchaser in the territories or possessions of the United States shall be governed by the maximum prices established for export sales by the Revised Maximum Export Price Regulation.

(iii) *Deliveries from local stocks maintained by a person other than a producer.* Maximum prices, ex warehouse, for fermentation acetone delivered from local stocks maintained by a seller other than a producer in a territory or possession of the United States shall be determined by adding to the direct cost to such seller of the fermentation acetone so delivered whichever of the following amounts per pound is applicable:

Bought in—	Sold in		
	Tank cars	Drums, carload	Drums, l. c. l.
Tank cars	$0.01	$0.02	$0.025
Drums, carload		0.01	0.015
Drums, l. c. l.		0.005	0.01

(b) *Sales in containers of 50 gallons or more of synthetic acetone.* The maximum prices for synthetic acetone in containers of 50 gallons or more shall be either the seller's maximum prices for such commodity as determined under the provisions of the General Maximum Price Regulation or the maximum prices established by paragraph (a) of this section for fermentation acetone, which ever is lower.

(c) *Credit charges.* The maximum prices established by this Maximum Price Regulation No. 36 shall not be increased by any charges for the extension of credit.

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8154; Filed, August 20, 1942; 4:56 p. m.]

PART 1412—SOLVENTS

[Revised Price Schedule 37[1]]

BUTYL ALCOHOL AND ESTERS THEREOF

The title, preamble and §§ 1335.351 to 1335.360 inclusive, are amended and renumbered to read as set forth below:

Maximum Price Regulation No. 37—Butyl Alcohol and Esters Thereof

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 37 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, Maximum Price Regulation No. 37 is hereby issued.

Sec.

1412.101 Maximum prices for butyl alcohol and esters thereof.
1412.102 Less than maximum prices.
1412.103 Adjustable pricing.
1412.104 Evasion.
1412.105 Records and reports.
1412.106 Enforcement.
1412.107 Applicability of General Maximum Price Regulation.
1412.108 Licensing.
1412.109 Federal and State taxes.
1412.110 Applications for adjustment.
1412.111 Petitions for amendment.
1412.112 Definitions.
1412.113 Applicability.
1412.114 Export sales.
1412.115 Effective dates of amendments.
1412.116 Appendix A: Maximum prices for butyl alcohol and esters thereof.

AUTHORITY: §§ 1412.1 to 1412.116, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1412.101 *Maximum prices for butyl alcohol and esters thereof.* (a) On and after September 3, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver butyl alcohol or esters thereof, and no person shall buy or receive butyl alcohol or esters thereof in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A (§ 1412.116); and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of butyl alcohol or esters thereof to a purchaser, if prior to September 3, 1942, such butyl alcohol or esters thereof had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) Any sales or deliveries of butyl alcohol or esters thereof not specifically referred to in Appendix A (§ 1412.116) shall be subject to the provisions of the General Maximum Price Regulation.[3]

§ 1412.102 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1412.116) may be charged, demanded, paid or offered.

§ 1412.103 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1412.104 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 37 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to butyl alcohol or esters thereof alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1412.105 *Records and reports.* (a) Every person making purchases or sales of butyl alcohol or esters thereof for which maximum prices are established by this Maximum Price Regulation No. 37, on and after September 3, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the prices paid or received, and the specifications and quantity, including the size of the containers, of such butyl alcohol or esters thereof purchased and sold.

(b) On or before October 3, 1942, and on or before the 10th day of each month thereafter, every producer of normal fermentation butyl alcohol, shall submit to the Office of Price Administration a report on Form 137:1 in the detail required by such form, showing the total production of normal fermentation butyl alcohol by such producer during the previous calendar month, the respective percentages of such total produced from molasses, corn, or other raw material, the cost of such raw material, and such other information as such form shall require. Persons affected by Maximum Price Regulation No. 37 shall submit such other reports to the Office of Price Administration as it may, from time to time, require.

(c) Every person selling normal synthetic butyl alcohol or normal synthetic butyl acetate for which upon sale by that person maximum prices are established by this Maximum Price Regulation No. 37, shall:

(1) Preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for such of those commodities as he delivered during March 1942, and his offering prices for delivery of such commodities during such month; and

(2) Prepare on or before September 18, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(i) The highest prices he charged for such of those commodities as he delivered during March 1942, and his offering price for delivery of such commodities during such month, together with an appropriate description or identification of each such commodity; and

(ii) All his customary allowances, discounts and other price differentials.

Any person, other than a person selling at retail, who claims that substantial injury would result to him from making such statement available to any other person, may file it with the appropriate field office of the Office of Price Ad-

[4] 7 F.R. 6167.

[5] 7 F.R. 5059.

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1277, 1836, 2000, 2132.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565.

normal fermentation butyl acetate are

ministration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 37. "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales are made.

§ 1412.106 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 37 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for trebie damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 37 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field, or Regional Office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1412.107 *Applicability of General Maximum Price Regulation.*[3] Except as provided in §§ 1412.101 (b) and 1412.108 (b), the provisions of this Maximum Price Regulation No. 37 supersede the provisions of the General Maximum Price Regulation with respect to sales or deliveries of butyl alcohol or esters thereof for which maximum prices are established by this Maximum Price Regulation No. 37.

§ 1412.108 *Licensing.* (a) The provisions of Supplementary Order No. 11,[4] Licensing Distributors of Chemicals and Drugs, are applicable to every distributor selling butyl alcohol or esters thereof for which maximum prices are established by Appendix A (§ 1412.116). The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail butyl alcohol or esters thereof for which maximum prices are established by Appendix A (§ 1412.116). The term "selling at retail" shall have the meaning given it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1412.109 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of butyl alcohol or esters thereof, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such butyl alcohol or esters thereof and in preparing the records of such seller with respect thereto.

[3] *Supra*, note 3.

(a) *As to a tax in effect during the thirty day period ending October 3, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the thirty day period ending October 3, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 37.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 37.

(b) *As to a tax or increase in a tax which becomes effective after September 3, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1412.110 *Applications for adjustment.* Any person seeking relief from a maximum price established under this Maximum Price Regulation No. 37 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 37 to eliminate the danger of inflation.

§ 1412.111 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 37 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1412.112 *Definitions.* (a) When used in this Maximum Price Regulation No. 37, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Normal fermentation butyl alcohol" means normal butyl alcohol produced by the fermentation of any carbohydrate containing material.

(3) "Normal synthetic butyl alcohol" means normal butyl alcohol other than normal fermentation butyl alcohol.

(4) "Normal fermentation butyl acetate" means normal butyl acetate prepared from normal fermentation butyl alcohol.

(5) "Normal synthetic butyl acetate" means normal butyl acetate other than normal fermentation butyl acetate.

(6) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller, plus all costs of shipment actually incurred by the seller.

(7) "Eastern territory" means the States of New Mexico, Colorado, Wyoming, Montana, all States east thereof, and the District of Columbia.

(8) "Western territory" means all other States of the United States.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 37.

§ 1412.113 *Applicability.* The provisions of this Maximum Price Regulation No. 37 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1412.114 *Export sales.* The maximum price at which a person may export butyl alcohol or esters thereof shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

§ 1412.115 *Effective dates of amendments.* (a) Maximum Price Regulation No. 37 (§§ 1412.101 to 1412.116, inclusive) shall become effective September 3, 1942: *Provided*, That Revised Price Schedule No. 37 shall remain in effect until this Maximum Price Regulation No. 37 becomes effective on September 3, 1942.

§ 1412.116 *Appendix A: Maximum prices for butyl alcohol and esters thereof*—(a) *Sales in containers of 50 gallons or more of normal fermentation butyl alcohol and normal fermentation butyl acetate.* Maximum prices for sales in containers of 50 gallons or more of normal fermentation butyl alcohol or normal fermentation butyl acetate are established as set forth below:

(1) *Eastern territory.*

	Per pound delivered	
	Normal fermentation butyl alcohol	Normal fermentation butyl acetate
Tank cars	$0.125	$0.135
Drums, carload lots	.135	.145
Drum l. c. l. lots	.140	.150

(2) *Western territory.* Delivered: ½ cent per pound may be added to the applicable maximum price established for Eastern territory by subparagraph (1) of this paragraph.

(3) *Deliveries from local stocks maintained by others than producers.* Ex seller's warehouse: $0.01 per pound may be added to the applicable maximum price established by subparagraph (1) or (2) of this paragraph, as the case may be.

(4) *Containers.* The maximum prices established by subparagraphs (1), (2), or (3) of this paragraph shall not be increased by any charges for containers. Seller may, however, require the return of containers, but in such case the maximum prices which may be charged are the maxium prices set forth in subparagraphs (1), (2) or (3) of this paragraph less $0.003 per pound. When sales are made upon a container returnable basis, seller may require a reasonable deposit for the return of such containers, but such deposit must be refunded to the buyer upon the return of the container in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to seller shall in all cases be borne by seller.

(5) *Territories and possessions*—(i) *Sales from plants in the territories and possessions.* Notwithstanding the provisions of subparagraphs (1) and (2) of this paragraph, maximum prices for normal fermentation butyl alcohol and normal fermentation butyl acetate produced in plants in the territories or possessions of the United States shall be the applicable maximum prices established for Eastern territory by subparagraph (1) of this paragraph less ½ cent per pound f. o. b. plant.

(ii) *Deliveries from the continental United States to purchasers in the territories and possessions.* Sales of normal fermentation butyl alcohol or normal fermentation butyl acetate by a seller shipping such commodities from the continental United States to a purchaser in the territories or possessions of the United States shall be governed by the maximum prices established for export sales by the Revised Maximum Export Price Regulation.

(iii) *Deliveries from local stocks maintained by a person other than a producer.* Maximum prices, ex warehouse, for normal fermentation butyl alcohol or normal fermentation butyl acetate delivered from local stocks maintained by a seller other than a producer in a territory or possession of the United States shall be determined by adding to the direct cost to such seller of the normal fermentation butyl alcohol or normal fermentation butyl acetate so delivered whichever of the following amounts per pound is applicable:

Bought in—	Sold in—		
	Tank cars	Drums, carload	Drums, l. c. l.
Tank cars	$0.01	$0.02	$0.025
Drums, carload		.01	.015
Drums, l. c. l.		.005	.01

(b) *Sales in containers of 50 gallons or more of normal synthetic butyl alcohol and normal synthetic butyl acetate.* The maximum prices for normal synthetic butyl alcohol or normal synthetic butyl acetate in containers of 50 gallons or more shall be either the seller's maximum prices for such commodities as determined under the provisions of the General Maximum Price Regulation or the maximum prices established by paragraph (a) of this section for normal fermentation butyl alcohol or normal fermentation butyl acetate respectively, whichever is lower.

(c) *Credit charges.* The maximum prices established by this Maximum Price Regulation No. 37 shall not be increased by any charges for the extension of credit.

Issued this 20th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8160; Filed, August 20, 1942; 4:56 p. m.]

[4] 7 F.R. 6167.

[5] 7 F.R. 5059.

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 2 to Maximum Price Regulation 183[1]]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (2) is added to paragraph (a) of § 1418.1, and paragraph (b) is added to § 1418.14.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

* * *

(2) On and after August 20, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued by the Office of Price Administration, no person shall sell or deliver pork fat backs in the Territory of Puerto Rico and no person shall buy or receive pork fat backs in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (b) Table II; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this subparagraph shall not be applicable to sales or deliveries of pork fat backs to a purchaser if prior to August 20, 1942, such pork fat backs had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

* * * * * *

§ 1418.13a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1418.1 (a) (2) and § 1418.14 (b)) to Maximum Price Regulation No. 183 shall become effective August 20, 1942.

§ 1418.14 *Tables of maximum prices.* * * *

(b) *Table II: Maximum prices for pork fat backs.* (1) The maximum prices for pork fat backs sold or delivered at wholesale and retail in the Territory of Puerto Rico shall be:

	Sales at wholesale (per cwt.)	*Sales at retail (per pound)*
Pork fat backs	$15.55	$0.18

(Pub. Law 421, 77th Cong.)

Issued this 20th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8159; Filed, Aug. 20, 1942; 4:56 p. m.]

[1] 7 F.R. 5620.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Amendment 4 to Maximum Price Regulation 169[1]]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: § 1364.52 (b) (5) and § 1364.62 (a) (4).

Added: § 1364.52 (h) and 1364.63 (d) as set forth below:

§ 1364.52 *Maximum prices for beef and veal carcasses and wholesale cuts.* * * *

(b) *Maximum prices for products shipped via car route.* * * *

(5) Maximum prices in each car route zone shall be determined by adding to the f. o. b. shipping point prices determined under subparagraph (b) (4) of this section the average transportation charge in such zone, except that in sales to the armed forces of the United States or to the Federal Surplus Commodities Corporation the maximum prices shall be determined by adding to such f. o. b. shipping point prices the transportation charge to destination which is actually incurred, which actual transportation charge shall in no instance exceed the highest transportation charge used as the basis for determining the average transportation charge in the zone of such destination point.

* * * * * *

[1] 7 F.R. 4653, 4798.

*Copies may be obtained from the Office of Price Administration.

§ 1900.1 *Insignia of Office of Civilian* (a) *Supervision.* The Defense Co-

(h) *Adjustment of maximum prices for products sold to certain governmental agencies to include certain special charges.* In any sale of beef or veal carcasses or wholesale cuts to the armed forces of the United States or to the Federal Surplus Commodities Corporation, the seller may add to the maximum prices determined under paragraphs (a), (b) and (c) of this section the actual cost of freezing and wrapping or packaging such products if such products are frozen and wrapped or packaged pursuant to specifications applicable to products for overseas shipment or supply ship delivery: *Provided*, That the actual cost of freezing shall in no event exceed the lowest commercial rate for such freezing in the market area.

* * * * *

§ 1364.62 *Definitions.* (a) * * *

(4) "Wholesale cuts" means all cuts and combinations of cuts derived from the dressed beef or veal carcass, including but not limited to: (i) fore-quarters and hind-quarters and fore-saddles and hind-saddles; (ii) rough and trimmed, bone in and boneless, whole and sliced; (iii) fresh, frozen, cured, pickled, spiced, smoked, cooked, dried or otherwise processed, including ground hamburger and sausage containing any proportion of beef or veal. Kosher wholesale cuts shall for the purposes of § 1364.52 be regarded as separate wholesale cuts, and kosher carcasses shall be regarded as separate carcasses.

Cuts of each grade and brand, and in each stage of processing, shall be considered separate wholesale cuts, except that fresh and frozen cuts shall not be considered separate wholesale cuts. Trimmings of each grade and in each stage of processing shall be considered separate wholesale cuts. Each type of canned and packaged meat, made entirely from beef or veal, shall be considered a separate wholesale cut.

§ 1364.63 *Effective date.* * * * (d) Amendment No. 4 (§§ 1364.52 (b) (5), (h), 1364.62 (a) (4), and 1364.63 (d)) to Maximum Price Regulation No. 169 shall become effective August 21, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8179; Filed, August 21, 1942; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 28 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-904]

DACOTAH SEED CO.

For the reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.328 *Adjustment of maximum prices for wholesale sales of binder twine by Dacotah Seed Company of Bismarck, North Dakota.* (a) Dacotah Seed Company, of Bismarck, North Dakota is hereby authorized to sell and deliver, at wholesale, International 600 foot binder twine at a price not exceeding $5.91 per bale of 50 pounds.

(b) The maximum price authorized by this order is subject to discounts, allowances and terms no less favorable than those in effect during March 1942.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 28 (§ 1499.328) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 28 (§ 1499.328) shall become effective this 22 day of August, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8180; Filed, August 21, 1942; 11:56 a. m.]

Chapter XV—Board of War Communications

[Order No. 17]

PART 1714—INTERNATIONAL RADIOTELEPHONE COMMUNICATIONS

CLOSURE OF NON-GOVERNMENTAL POINT-TO-POINT CIRCUITS

Whereas The Board of War Communications has determined that the national security and defense and the successful conduct of the war demand the termination of certain international radiotelephone communications;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964[1] dated December 10, 1941, §§ 1714.1 and 1714.2 (Order No. 15[2] of July 23, 1942) is hereby modified to read as follows:

It is hereby ordered as follows:

§ 1714.1 *Termination of certain international radiotelephone communications.* From and after the date hereof, (a) No non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere except England, unless such call is made in the interest of the United States or the United Nations and unless an agency of the United States Government sponsors such call and obtains prior approval therefor from the Office of Censorship: *Provided, however*, That this provision shall not apply to American press calls or radio broadcast programs, or to such other press calls and radio programs as may be specifically approved by the Office of Censorship.

(b) No calls of any nature, over the radiotelephone circuits under the jurisdiction of the United States, no matter where such calls may originate, unless sponsored and approved as provided in paragraph (a), shall be permitted to, from, or on behalf of, the following thirteen countries: Egypt, Finland, France, Iceland, Iran, Ireland, Latvia, Lithuania, Portugal, Spain, Sweden, Switzerland, and Turkey.

(c) Personal calls other than those prohibited in the foregoing paragraphs may be completed between two points in the Western Hemisphere.

§ 1714.2 *Closure of non-governmental point-to-point circuits between the United States and Australia.* All non-governmental point-to-point radiotelephone service between the United States and Australia Be, and it is hereby, designated for termination and, effective midnight August 31, 1942, Is terminated, except as to the transmission of duly authorized radiobroadcast programs.

Subject to such further order as the Board may deem appropriate.

Nothing herein shall apply to existing regulations governing the use of cable, telegraph or radiotelegraph communications.

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY, *Chairman.*

Attest: August 13, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-8153; Filed, August 20, 1942; 3:38 p. m.]

Chapter XVII—Office of Civilian Defense

PART 1900—ORGANIZATION

[Administrative Order 23, Amendment 3]

INSIGNIA

Pursuant to authority granted by Executive Order No. 8757 dated May 20, 1941, as amended, creating the Office of Civilian Defense, the Director of Civilian Defense (hereinafter referred to as the "Director") hereby orders that §§ 1900.1 to 1900.6 of this chapter (Office of Civilian Defense Administrative Order No. 23 dated April 29, 1942,[1]) which confirmed the establishment, within the Office of Civilian Defense, of:

United States Citizens Defense Corps.
United States Citizens Service Corps.
Civil Air Patrol.
Civilian Defense Auxiliary Group.

be further amended by striking out § 1900.6 thereof (section VI of Office of Civilian Defense Administrative Order No. 23), and by substituting for §§ 1900.1 to 1900.5, inclusive, thereof (sections I to V of Office of Civilian Defense Administrative Order No. 23), as heretofore amended, the following:

Sec.
1900.1 Insignia of Office of Civilian Defense and Administrative Staff.
1900.2 United States Citizens Defense Corps.
1900.3 United States Citizens Service Corps.
1900.4 Civil Air Patrol.
1900.5 Civilian Defense Auxiliary Group.

AUTHORITY: E.O. 8757, 6 F.R. 2517; E.O. 9134, 7 F.R. 2687.

[1] 7 F.R. 3785, 4858.

*Copies may be obtained from the Office of Price Administration.

[1] 6 F.R. 6367.
[2] 7 F.R. 5879.

§ 1900.1 *Insignia of Office of Civilian Defense and Administrative Staff*—(a) *Basic insigne.* The basic insigne prescribed for the Office of Civilian Defense shall consist of the letters "CD" in red centered in a white equilateral triangle embossed on a circular field of blue.

(b) *Insignia of Administrative Staff.* The prescribed insignia for the Administrative Staff shall consist of the basic insigne of the Office of Civilian Defense, which, when used by persons employed or appointed in any capacity in the Washington office and Regional Offices of the Office of Civilian Defense, may be superimposed on the letters "US", and when used by members of State Defense Councils or Local Defense Councils, or Committees thereof, including the local Civilian Defense Volunteer Office, or persons who are employed or appointed by such Committees as staff members or employees, may be used together with the name, or abbreviation of the name, of the particular State or community.

(c) *"CD" insignia.* The use of the letters "CD" alone and not in connection with prescribed insignia of the Office of Civilian Defense or any branch or unit thereof is restricted to arm bands for registered trainees for the United States Citizens Defense Corps.

§ 1900.2 *United States Citizens Defense Corps*—(a) *Units.* The United States Citizens Defense Corps (hereinafter referred to as the "Defense Corps") consists of units composed of enrolled members in (1) the protective services engaged in civilian defense now established and hereinafter specified, (2) additional protective services engaged in civilian defense from time to time established as units of the Defense Corps pursuant to order of the Director, (3) services related to the protective services engaged in civilian defense now or hereafter established as such by order of the Director, including chaplains. The protective services engaged in civilian defense now established are:

(i) Staff Unit.
(ii) Air Raid Wardens Unit.
(iii) Auxiliary Police Unit.
(iv) Auxiliary Firemen Unit.
(v) Fire Watchers Unit.
(vi) Demolition and Clearance Unit.
(vii) Road Repair Unit.
(viii) Rescue Unit.
(ix) Decontamination Unit.
(x) Medical Unit.
(xi) Nurses' Aides Unit.
(xii) Drivers Unit.
(xiii) Messengers Unit.
(xiv) Emergency Food and Housing Unit.
(xv) Utility Repair Unit.
(xvi) Instructors Unit.

(b) *Insignia.* The insignia for the aforesaid units of the Defense Corps are prescribed in § 1902.1 (c) of this chapter (Section 1 (c) of Office of Civilian Defense Regulations No. 2), and the use and wear of prescribed insignia shall be governed by the aforementioned section and all other rules, regulations, orders, and instructions of the Director.

(c) *Supervision.* The Defense Corps is under the supervision of the Office of Civilian Defense, Protection Branch, which is headed by an assistant director appointed by and responsible to the Director.

§ 1900.3 *United States Citizens Service Corps*—(a) *Membership and organization.* The United States Citizens Service Corps (hereinafter referred to as the "Service Corps") shall consist of members engaged in voluntary community war activities approved by the respective Local Defense Councils, except such as are related to protection against enemy attack and therefore are activities of the Defense Corps.

(b) *Insigne.* The insigne for the Service Corps is prescribed in § 1902.1 (c) of this chapter, and the use and wear of the prescribed insigne shall be governed by the aforementiond section and all other rules, regulations, orders, and instructions of the Director.

(c) *Supervision.* The Service Corps shall be under the supervision of the Office of Civilian Defense, Mobilization Branch, which shall be headed by an assistant director appointed by and responsible to the Director.

§ 1900.4 *Civil Air Patrol*—(a) *Units.* The Civil Air Patrol consists of units composed of volunteer members engaged in civilian air activities, including the performance of such missions as shall be requested by the United States Army or Navy or other departments or agencies of the United States Government, such as observation and patrol flying, courier service, ferry service, forest patrol, and other types of activity prescribed by the Director and appropriate to be performed by the Civil Air Patrol.

(b) *Insignia.* The insignia for the Civil Air Patrol are prescribed in § 1902.1 (c) of this chapter (Section 1 (c) of Office of Civilian Defense Regulations No. 2), and the use and wear of the prescribed insignia shall be governed by the aforementioned section and all other rules, regulations, orders, and instructions of the Director.

(c) *Supervision.* The Civil Air Patrol is under the supervision of the Office of Civilian Defense and is headed by the National Commander of the Civil Air Patrol appointed by and responsible to the Director.

§ 1900.5 *Civilian Defense Auxiliary Group*—(a) *Personnel.* The Civilian Defense Auxiliary Group hereinafter referred to as the "Auxiliary Group") includes certain classes of persons whose duties require them to be on the streets during air raids and air raid drills, but who have no special civilian defense training as required for members of the Defense Corps or the Civil Air Patrol. Certain classes of persons who may be included in the Auxiliary Group will be designated from time to time by order of the Director; but additional classes of persons may, subject to rules, regulations, or orders to be issued by the Director, be authorized by Local Defense Councils to be included in the Auxiliary Group, entitled to use and wear its insigne.

(b) *Insigne.* The insigne for the Auxiliary Group is prescribed in § 1902.1 (c) of this chapter (Section 1 (c) of Office of Civilian Defense Regulations No. 2), and the use and wear of the prescribed insigne shall be governed by the aforementioned section and all other rules, regulations, orders, and instructions of the Director. Use and wear of such prescribed insigne shall be governed by regulations to be issued by the Director. It shall be unlawful for any person to wear such insigne except in accordance with the rules, regulations, orders, and instructions of the Director. Persons in the Auxiliary Group shall not wear or use pins or lapel buttons embodying the prescribed insigne, but may use automobile plates or stickers, and during blackouts, practice blackouts, air raids, or air raid drills, while actively engaged in the performance of duties, or while in transit to or from their places of duty, may wear arm bands or brassards.

(c) *Supervision.* Persons in the Auxiliary Group shall be under the supervision and direction of the Local Defense Councils, subject to further order of the Director.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 21, 1942.

[F. R. Doc. 42-8177; Filed, August 21, 1942; 11:46 a. m.]

PART 1900—ORGANIZATION

ESTABLISHMENT OF FOREST FIRE FIGHTERS SERVICE

[Administrative Order 27 Amendment 1]

Pursuant to authority granted by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9165 dated May 19, 1942, the Director of Civilian Defense hereby orders that §§ 1900.10 to 1900.12 of this chapter (Office of Civilian Defense Administrative Order No. 27[1]), confirming the establishment of the Forest Fire Fighters Service, be amended by striking out § 1900.10 thereof (Section 1 of Office of Civilian Defense Administrative Order No. 27), and substituting therefor the following:

§ 1900.10 *Purpose.* The Forest Fire Fighters Service has been established in accordance with the policy of the Facility Security Program of the Office of Civilian Defense, to assist in safeguarding forest lands and other timber facilities and resources, to aid in prevention and suppression of fires which might endanger such facilities and resources, and to minimize the effects of any such fires. Its functions shall be to aid in nation-wide forest fire prevention education and to enroll volunteer fire fighters for serv-

[1] 7 F.R. 5463.

ice in forest and rural areas. It shall cooperate with the forest fire protection agencies of the Department of the Interior and the Department of Agriculture, with State forestry officials and private forest fire protective organizations.

(E.O. 8757, 6 F.R. 2517; E.O. 9134, 7 F.R. 2887; E.O. 9165, 7 F.R. 3765)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 21, 1942.

[F. R. Doc. 42-8178; Filed, August 21, 1942; 11:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICE

REQUIREMENTS OF EMERGENCY OR RESERVE INSTALLATION

The Commission on August 18, 1942, effective September 18, 1942, adopted the following paragraph (l) to § 8.115[1] *Requirements of emergency or reserve installations.* • • •

(l) A reliable artificial antenna shall be provided for use in testing the emergency transmitter for effective operation on the frequency 500 kc. and shall be capable of permitting this operation at not less than 70 per cent of the normal antenna current without endangering or damaging, from excessive voltage or current, any component of the transmitter and artificial antenna. In the event circuit arrangements permit connection of the artificial antenna to the main transmitter or any other transmitter, of higher power than is normally supplied to the artificial antenna by the emergency transmitter, the artificial antenna then shall be capable either of reliable operation at the highest power with which it can be supplied or shall be adequately protected against damage due to excessive voltage or current. The artificial antenna shall be available, at all times while the vessel is in a harbor or port, for immediate and convenient use with the emergency transmitter. (Sec. 4 (l), 48 Stat. 1068; 47 U.S.C. 154 (l))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-8164; Filed, August 21, 1942; 9:14 a. m.]

[1] 6 F.R. 625; 7 F.R. 3249.

Notices

WAR DEPARTMENT.

APPOINTMENT OF CHAPLAINS IN REGULAR ARMY

(1) In order to fill existing and prospective vacancies by appointment in the Corps of Chaplains, Regular Army, a selection board will be convened by the War Department December 1 to December 5, inclusive, 1942. Appointments will be made under the provisions of AR 605-30 except that any provisions of those regulations in conflict with this circular are suspended.

(2) Eligibility requirements will be as prescribed in paragraph 4, AR 605-30. Chaplains of the Army of the United States, who shall not have reached their 34th birthday at the time of their entrance upon extended active duty and who have been upon such duty for a continuous period of 6 months or more on the date of application may apply.

(3) Formal application on W.D., A.G.O. Form No. 62 (Application for Commission in the Regular Army) with recommendation and comments as to moral character and general fitness by the commanding officer, accompanied by certified transcript of college and seminary record, proper ecclesiastical indorsement and completed W.D., A.G.O. Form No. 63 (Report of Physical Examination), will be submitted through channels so as to reach The Adjutant General not later than December 1, 1942. Applications received after that date will not be considered. The Office of the Chief of Chaplains will endeavor to secure the ecclesiastical indorsement and college and seminary record for those applicants serving outside the continental limits of the United States.

(4) Personal appearance of the applicant before the board is not contemplated nor will a written thesis be required. Selection will be based upon the evidence submitted by the applicant and such other data as may be available to the board.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8162; Filed, August 20, 1942; 5:11 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-341]

WHEELING VALLEY COAL CORP. ET AL.

ORDER POSTPONING HEARING

In the matter of the petition of Wheeling Valley Coal Corporation, Cove Hill Coal Company and The Buffalo Coal and Coke Company, code members in District No. 6, for a reduction in the effective minimum prices for Ex-River Shipments into Market Areas 11, 12 and 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

A hearing in the above-entitled matter having been scheduled to be resumed at Washington, D. C., on August 24, 1942; and

Petitioners having moved that such resumption of hearing be postponed until October 5, 1942, alleging that counsel for petitioners has been consulted by counsel for several of the District Boards who are parties to the proceeding all of whom have stated that the time set will cause them inconvenience; and

It appearing advisable that the resumption of such hearing be postponed until October 13, 1942;

Now, therefore, it is ordered, That the resumption of the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of August 24, 1942, until 10 o'clock in the forenoon of October 13, 1942, at a hearing room of the Bituminous Coal Division, 734 15th Street, N.W., Washington, D. C.

It is further ordered, That the time for filing petitions for intervention be and it hereby is extended from August 24, 1942, to October 8, 1942.

In all other respects the Notice of Resumption of Hearing issued in this matter on August 5, 1942, shall remain in full force and effect.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8173; Filed, August 21, 1942; 11:43 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

ORDER AUTHORIZING SOLICITOR AND ASSOCIATE SOLICITORS OF THE DEPARTMENT OF AGRICULTURE TO AUTHENTICATE DOCUMENTS OF THE DEPARTMENT

The Solicitor (and, in the absence of the Solicitor, the Acting Solicitor) and the Associate Solicitors (and, in the absence of the Associate Solicitors, the Acting Associate Solicitors) of the Department of Agriculture are hereby authorized severally to authenticate, under the seal of the Department of Agriculture, pursuant to R.S. 882, as amended by sec. 6 (a), 48 Stat. 1109; 28 U.S.C., 1940 ed., 661, copies of any books, records, papers, or other documents, or any books or records of account in whatever form, or minutes (or portions thereof) of proceedings, or copies of such books, records of account, or minutes, in the Department of Agriculture. It is directed that, upon each such authenticated copy or original, as the case may be, there shall appear a recital that such copy or original has been authenticated and the seal of the Department of Agriculture affixed thereto by the direction of the Secretary of Agriculture. It is further directed that each certificate of authentication shall bear the genuine signature of the person executing such certificate.

This order supersedes the order dated January 8, 1942 (7 F.R. 188), authorizing the Solicitor and Assistant Solicitors to authenticate documents.

Done at Washington, D. C., this 19th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-8149; Filed, August 20, 1942; 3:12 p. m.]

CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS FRIDAY, JULY 31, 1942

Important. The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears.

IN ARREARS

State	Number of positions to which entitled	Number of positions occupied
1. Virgin Islands	20	0
2. Puerto Rico	1,494	57
3. Hawaii	338	25
4. Alaska	58	13
5. California	5,520	1,708
6. Louisiana	1,689	761
7. Michigan	4,200	1,708
8. Arizona	399	203
9. Texas	5,126	2,679
10. Kentucky	2,274	1,277
11. Georgia	2,496	1,426
12. Alabama	2,264	1,321
13. Ohio	5,520	3,343
14. South Carolina	1,518	963
15. Mississippi	1,745	1,114
16. Nevada	88	59
17. Arkansas	1,558	1,066
18. North Carolina	2,854	2,031
19. Indiana	2,739	2,051
20. New Jersey	3,324	2,311
21. Oregon	871	674
22. Tennessee	2,330	1,525
23. Illinois	6,311	5,097
24. Washington	1,387	1,137
25. Florida	1,516	1,269
26. New Mexico	425	357
27. Idaho	419	352
28. Connecticut	1,366	1,149
29. Delaware	213	181
30. Wisconsin	2,507	2,141
31. Vermont	287	268
32. Rhode Island	570	536

IN EXCESS

33. Missouri	3,024	3,068
34. Utah	440	450
35. Pennsylvania	7,911	8,284
36. West Virginia	1,520	1,622
37. Massachusetts	3,449	3,694
38. Maine	677	738
39. New Hampshire	393	430
40. Oklahoma	1,967	2,247
41. Iowa	2,028	2,536
42. Montana	447	559
43. Colorado	898	1,150
44. Minnesota	2,231	2,867
45. Wyoming	200	267
46. New York	10,771	14,972
47. No. Dakota	513	746
48. Kansas	1,439	2,163
49. Virginia	2,140	3,541
50. South Dakota	514	920
51. Nebraska	1,051	2,031
52. Maryland	1,455	3,926
53. District of Columbia	530	11,640
Gains		5,447
Losses		777
Total appointments		107,124

NOTE.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under Sec. 3, Rule VII, and the Attorney General's Opinion of August 25, 1934 22,804

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director, and Chief Examiner.

[F. R. Doc. 42-8143; Filed, August 20, 1942; 2:03 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-109, G-112]

NATURAL GAS PIPELINE CO. OF AMERICA, ET AL.

ORDER POSTPONING HEARING

AUGUST 20, 1942.

Illinois Commerce Commission, complainant, *v.* Natural Gas Pipeline Company of America and Texoma Natural Gas Company, defendants. In the matter of Natural Gas Pipeline Company of America and Texoma Natural Gas Company.

It appearing to the Commission that: (a) By its order of June 26, 1942, the Commission ordered that the hearing in the above-entitled matters be resumed on August 24, 1942, in accordance with the terms and purposes of the Commission's orders of October 14, 1938 and April 14, 1939;

(b) Good cause exists for the postponement of the hearing in the above-entitled matters:

The Commission *orders* that: The resumption of the hearing heretofore set by the Commission's order of June 26, 1942, to commence on August 24, 1942, be and the same is hereby postponed, subject to further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8163; Filed, August 21, 1942; 9:14 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 28 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-81]

SHAY COAL COMPANY

ORDER GRANTING ADJUSTMENT

On June 6, 1942, the Shay Coal Company, Kingwood, West Virginia, filed a petition for adjustment or exception, pursuant to § 1340.207 of Maximum Price Regulation No. 120.

Due consideration has been given to the petition and an opinion in support of this Order No. 28 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Shay Coal Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver by all methods of transportation except truck or wagon, the bituminous coal described in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive and agree, offer, solicit, and attempt to buy and receive such bituminous coal so shipped at such prices from the Shay Coal Company.

(b) Coals produced at the Shay No. 2 Mine (Mine Index No. 169) of the Shay Coal Company, located in Preston County, West Virginia, District No. 3, for all shipments except truck, may be sold at prices not to exceed $2.30 per ton in Size Group 6, $2.30 per ton in Size Group 7, and $2.15 per ton in Size Group 9.

(c) This Order No. 28 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 28 shall become effective August 22, 1942.

Issued this 21st day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R Doc 42-8181; Filed, August 21, 1942; 11:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-589]

MIDLAND UNITED COMPANY, TRUSTEES

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 19th day of August, A. D. 1942.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than September 3, 1942 at 5:30 p. m. E. W. T., request

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607.

[2] 7 F.R. 971, 3663.

the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration as filed or as amended may become effective or may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such requests should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration which is on file in the office of said Commission for a statement of the transactions therein proposed, which is summarized below:

The Trustees of Midland United Company, a registered holding company, propose to make a capital contribution to Indiana Railroad, a wholly owned, direct, non-utility subsidiary of Midland United Company. The total amount of the capital contribution proposed is $7,093,910.08, in the form and amounts as follows:

Open Account Indebtedness of Indiana Railroad to Midland United Company	$6,223,600.31
Fourteen Demand Promissory Notes of Indiana Railroad issued to Midland United Company during 1932 (aggregate face amount)	302,132.13
Two Demand Promissory Notes of Indiana Railroad payable to Public Service Company of Indiana and endorsed for transfer to Midland United Company (aggregate face amount)	176,932.10
Reduction in principal amount of Demand Promissory Note of Indiana Railroad payable to Midland United Company, issued December 31, 1931 presently in the face amount of $1,111,245.54 (amount of reduction)	391,245.54
Total	7,093,910.08

Upon the consummation of the proposed capital contribution as above described, the capitalization of Indiana Railroad will consist of 500 shares of common stock, no par value, with an aggregate stated value of $500 and a demand promissory note of Indiana Railroad payable to the order of Midland United Company, dated December 31, 1931, in the principal amount of $720,000. As at June 30, 1942 the balance sheet of Indiana Railroad indicated a net worth of $560,545.82.

The filing further indicates that upon the consummation of the capital contribution, Midland United Company proposes to sell to Wesson Company, a nonaffiliate, the entire remaining capitalization of Indiana Railroad for a cash consideration of $650,000 to be payable $200,000 in cash and the balance in three equal annual installments beginning September 1, 1943.

The declarant has indicated certain sections of the Act and certain Rules as being applicable to the proposed transactions, including section 12 (b) and Rule U-45.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8150; Filed, August 20, 1942; 3:38 p. m.]

[File No. 1-2577]

BELGIAN NATIONAL RAILWAYS CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of August, A. D. 1942.

In the matter of Belgian National Railways Company participating preferred stock, Series C to J, par value 500 Belgian francs; and American Shares each representing five shares of participating preferred stock, Series C to J.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities of Belgian National Railways Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Monday, September 21, 1942 at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8151; Filed, August 20, 1942; 3:38 p. m.]

[File No. 70-587]

POTOMAC ELECTRIC POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of August, A. D., 1942.

Potomac Electric Power Company, a public utility company and a subsidiary of Washington Railway and Electric Company, a registered holding company, and a subsidiary of The North American Company, a registered holding company, having on August 5, 1942 filed an application or declaration (or both) with this Commission pursuant to the Public Utility Holding Company Act of 1935 and particularly section 6 (b) and Rule U-50 promulgated under the provisions of said Act, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and the application or declaration (or both) being concerned with the proposed issue and sale at competitive bidding by Potomac Electric Power Company of $5,000,000 principal amount of its First Mortgage Bonds, 3¼% Series due 1977, due August 1, 1977; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application or declaration (or both) and that said application shall not be granted or said declaration shall not become effective except pursuant to the further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules and Regulations thereunder be held on August 26, 1942 at 11:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such applicant or declarant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file notice to that effect with the Commission on or before the date of the hearing.

It is further ordered, That without limiting the scope of issues presented by said application or declaration, particular attention will be directed at said hearing to the determination of whether any terms or conditions in the interest of investors or consumers should be imposed upon the applicant.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8152; Filed, August 20, 1942; 3:39 p. m.]

Clearance

AUG 24 1942

THE NATIONAL ARCHIVES
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OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 167

Washington, Tuesday, August 25, 1942

The President

EXECUTIVE ORDER 9230

AMENDING SECTION 3 OF EXECUTIVE ORDER NO. 8743 OF APRIL 23, 1941, EXTENDING THE CLASSIFIED CIVIL SERVICE

By virtue of the authority vested in me by section 1 of the act of November 26, 1940, entitled "Extending the Classified Civil Service of the United States" (54 Stat. 1211), by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes of the United States, it is ordered that section 3 of Executive Order No. 8743 of April 23, 1941,[1] extending the classified civil service be, and the same is, hereby amended to read as follows:

Section 3. (a) Upon consideration of the report of the Committee on Civil Service Improvement (House Document No. 118, 77th Congress) appointed by Executive Order No. 8044 of January 31, 1939,[2] it is hereby found and determined that the regulations and procedures hereinafter prescribed in this section with respect to attorney positions in the classified civil service are required by the conditions of good administration.

(b) There is hereby created in the Civil Service Commission (hereinafter referred to as the Commission) a board to be known as the Board of Legal Examiners (hereinafter referred to as the Board). The Board shall consist of the Solicitor General of the United States and the chief law officer of the Civil Service Commission, as members *ex officio*, and nine members to be appointed by the President, four of whom shall be attorneys chosen from the chief officers of the Executive departments, agencies or corporate instrumentalities of the Government, two from the law-teaching profession, and three from attorneys engaged in private practice. The President shall designate the chairman of the Board. Five members shall constitute a quorum, and the Board may transact business notwithstanding vacancies thereon. Members of the Board shall receive no salary as such, but shall be entitled to necessary expenses incurred in the performance of their duties hereunder.

(c) It shall be the duty of the Board to promote the development of a merit system for the recruitment, selection, appointment, promotion, and transfer of attorneys in the classified civil service in accordance with the general procedures outlined in Plan A of the report of the Committee on Civil Service Improvement, appointed by Executive Order No. 8044 of January 31, 1939.

(d) The Board, in consultation with the Commission, shall determine the regulations and procedures under this section governing the recruitment and examination of applicants for attorney positions, and the selection, appointment, promotion and transfer of attorneys, in the classified service.

(e) The Commission shall in the manner determined by the Board establish a register or registers for attorney positions in the classified service and such positions shall thereafter be filled from such registers as are designated by the Board. Unless otherwise determined by the Board, any register so established shall not be in effect for a period longer than one year from the date of its establishment. Upon request of the Board, the Commission shall appoint regional or local boards of examiners composed of persons approved by the Board, within or without the Federal service, to interview and examine applicants as the Board shall direct.

(f) The number of names to be placed upon any register of eligibles for attorney positions shall be limited to the number recommended by the Board; and such registers shall not be ranked according to the ratings received by the eligibles, except that persons entitled to veterans' preference as defined in section 1 of Civil Service Rule VI shall be appropriately designated thereon.

(g) Any person whose name has been placed upon three registers of eligibles

(Continued on next page)

[1] 6 F.R. 2118.
[2] 4 F.R. 497.

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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covering positions of the same grade, and who has not been appointed therefrom, shall not thereafter be eligible for placement upon any subsequently established register covering positions of such grade.

(h) So far as practicable and consistent with good administration, the eligibles on any register for attorney positions and appointments from such register shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained in the last preceding census. The Commission shall certify to the appointing officer for each vacancy all the eligibles on the appropriate register except those whose appointment would, in the determination of the Board, be inconsistent with the apportionment policy herein prescribed. The appointing officer shall make selections for any vacancy or vacancies in attorney positions from the register so certified, with sole reference to merit and fitness.

(i) Any position affected by this section may be filled before appropriate registers have been established pursuant to this section only by a person whose appointment is approved by the Board. The Board may require as a condition of its approval that persons thus proposed for appointment pass a noncompetitive examination and may designate examining committees composed of persons within or without the Federal service to conduct such examinations. Persons whose appointment was approved by the Board prior to March 16, 1942, and who pass a noncompetitive examination prescribed by the Board shall be eligible for a classified civil-service status after the expiration of six months from the date of appointment upon compliance with the provisions of Section 6 of Civil Service Rule II other than those provisions relating to examination. Effective March 16, 1942, all appointments to attorney and law clerk (trainee) positions shall be for the duration of the present war and for six months thereafter unless specifically limited to a shorter period.

(j) The incumbent of any attorney position covered into the classified service by section 1 of this order may acquire a classified civil-service status in accordance with the provisions of Section 2 (a) of the act of November 26, 1940 (54 Stat. 1211) or, in the discretion of the Board and when applicable, Section 6 of Civil Service Rule II: *Provided*, That the noncompetitive examination required thereunder shall be prescribed by the Commission with the approval of the Board.

(k) The Commission with the approval of the Board shall appoint a competent person to act as Executive Secretary to the Board; and the Commission shall furnish such further professional, clerical, stenographic, and other assistants as may be necessary to carry out the provisions of this section.

(l) The Civil Service Rules are hereby amended to the extent necessary to give effect to the provisions of this section.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 20, 1942.

[F. R. Doc. 42–8188; Filed, August 21, 1942; 3:16 p. m.]

EXECUTIVE ORDER 9231

SUSPENSION OF EIGHT-HOUR LAW AS TO MECHANICS AND LABORERS EMPLOYED BY THE DEPARTMENT OF THE INTERIOR OR THE FEDERAL WORKS AGENCY IN CONSTRUCTION AND RECONDITIONING OF HIGHWAYS NECESSARY FOR THE NATIONAL DEFENSE IN THE TERRITORY OF ALASKA

WHEREAS the Department of the Interior, Alsaka Road Commission, is in the process of constructing and reconditioning, respectively, the Glenn and Richardson Highways, in the Territory of Alaska, which highways are necessary for military purposes and national defense in the Territory of Alaska; and

WHEREAS the Public Roads Administration, Federal Works Agency, is engaged in the construction of the Alaska-Canada Highway in the Territory of Alaska, which highway is necessary for military purposes and national defense in the Territory of Alaska; and

WHEREAS the interests of national defense require the completion of these highways at the earliest practicable date; and

WHEREAS by section 1 of the act of August 1, 1892, 27 Stat. 340, as amended by the act of March 3, 1913, 37 Stat. 726 (U.S.C., title 40, section 321), the service of all laborers and mechanics employed by the Government upon any public work of the United States is limited to eight hours in any one day, except in case of extraordinary emergency; and

WHEREAS it appears that unless the eight-hour limitation is suspended as to laborers and mechanics employed by the Department of the Interior or by the Federal Works Agency in the construction of the foregoing public works, it will be impossible, because of the labor shortage in the Territory of Alaska and because of the remoteness of these projects from sources of labor supply in the United States and the difficulties of housing and transporting additional labor from the United States, to accomplish the work necessary to the completion of such public works within the time required by the interests of national defense; and

WHEREAS I find that by reason of the foregoing an extraordinary emergency exists:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of August 1, 1892, as amended by the said act of March 3, 1913, and as President of the United States, I hereby suspend, for the duration of the emergencies proclaimed by me on September 8, 1939 and May 27, 1941, the above-mentioned provisions of law prohibiting more than eight hours labor in any one day of laborers and mechanics employed by the Government of the United States as to all work performed by laborers and mechanics employed by the Department of the Interior in the construction and reconditioning, respectively, of the Glenn and Richardson Highways in the Territory of Alaska, and by the Federal Works Agency in the construction of the Alaska-Canada Highway in the Territory of Alaska: *Provided*, that the wages of all laborers and mechanics employed by the Department of the Interior or by the Federal Works Agency upon such projects shall be computed on a basic day rate of eight hours of work with overtime rates to be paid at not less than time and one-half the basic rate of pay for all hours of work in excess of eight hours in any one day.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 20, 1942.

[F. R. Doc. 42–8186; Filed, August 21, 1942; 3:16 p. m.]

EXECUTIVE ORDER 9232

TRANSFERRING THE FUNCTIONS OF THE SAMPLE SURVEYS SECTION OF THE WORK PROJECTS ADMINISTRATION TO THE BUREAU OF THE CENSUS

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law 354—77th Congress), it is hereby ordered as follows:

1. The functions, records, property (including office equipment), personnel, and administration of the Sample Surveys Section of the Work Projects Administration, Federal Works Agency, are transferred to the Bureau of the Census, Department of Commerce.

2. This order shall become effective August 24, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 20, 1942.

[F. R. Doc. 42–8187; Filed, August 21, 1942; 3:16 p. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79a [1]—ARMY SPECIALIST CORPS

MISCELLANEOUS AMENDMENTS

Sections 79a.37 (b) (2), 79a.38, 79a.39 and 79a.45 are hereby amended, and §§ 79a.46 and 79a.47 are added, as follows:

§ 79a.37 *Physical examination and standards.* • • •

(b) *Form used.* • • •

(2) The following certificate will be completed and appended to the WD., AGO Form No. 63, except when the applicant meets the physical requirements for any type of military service:

I certify that I have carefully examined the applicant and have correctly recorded the results of the examination; and that to the best of my judgment and belief,* (1) he is mentally and physically qualified for duties involving _____
(Arduous, moderate, or light)
physical exertion; (2) he is physically or mentally unsuitable for service in the Army Specialist Corps by reason of _____
_____
_____

*Line out either (1) or (2) whichever does not apply.

(R.S. 161; 5 U.S.C. 22) [Par. 42*b* (2), Army Specialist Corps Regulations (tentative) March 24, 1942, as amended by C 4, July 14, 1942]

• • • • • •

§ 79a.38 *Immunizations.* Each member will be immunized in accordance pertinent existing Army Regulations with the exception that immunization against yellow fever will be required for only such members who are to serve in the tropics or other areas where danger of yellow fever exists. (R. S. 161; 5 U. S. C. 22) [Par. 43, Army Specialist Corps Regulations (tentative) March 24, 1942, as amended by C 4, July 14, 1942]

§ 79a.39 *Medical attendance and hospitalization.* (a) An officer or specialist of the Corps will be furnished necessary medical attendance and hospitalization for injury or disease during the time such officer or specialist is on active duty status with the Corps. Hospitalization will be provided in contagious and infectious diseases (all venereal diseases are held to be infectious) until the acute stage of the disease is over and the danger of transmission or infection is believed to be past. Venereal patients will be disposed of as prescribed in § 79a.41. Medical care will not include definitive treatment for long-continued cases, elective surgical operations, or dental work

[1] 7 F.R. 3915, 4287.

other than that authorized by instructions from the War Department. When hospitalization is required, Army hospitals will be used if available and in the vicinity. If such hospitals are not available and within reasonable distance, hospitalization and medical attendance will be arranged for by corps area, department, or field commanders in other Government hospitals or, if such hospitals are not available, in civilian hospitals.

(b) A member who, during authorized absence from place of duty, is injured or becomes ill and who in consequence is confined to a hospital or elsewhere will be carried as absent sick, provided, the injury or illness is not a result of his own misconduct, and provided further that investigation discloses that the additional absence involved was unavoidable.

(c) Officers of the Corps when hospitalized in military hospitals will pay for hospital subsistence at the same rate charged officers of the Army, and will be provided with similar accommodations. Specialists will pay for hospital subsistence at the enlisted rate and will be provided with enlisted accommodations.

(d) Dependents of members of the Corps will not be furnished medical care or hospitalization; however, emergency treatment may be rendered at Army dispensaries or hospitals. (R.S. 161; 5 U.S.C. 22) [Par. 44, Army Specialist Corps Regulations (tentative) March 24, 1942, as amended by C 4, July 14, 1942]

§ 79a.45 *Uniforms, insignia, etc.*—(a) *Prescribed uniform and wearing thereof.* (1) Except as modified by the regulations in this part the provisions of §§ 79.1 to 79.64 and Army Regulation No. 600–40 [2] are hereby adopted as the uniform regulations for members of the Army Specialist Corps.

(2) The prescribed uniform will be worn by all members of the Corps at the same times and under the same circumstances as is prescribed for military personnel. Dress uniforms as prescribed by AR 600–38 [3] are not authorized for members of the Corps.

(b) *Buttons for officers and specialists*—(1) *Coat.* Of silver gray plastic of suitable composition and weight, circular and slightly convexed with raised rim, an eagle displayed with wings inverted with letters ASC above head of eagle in clear relief. To be 25-ligne (5/8 inch) for small, 36-ligne (9/10 inch) for large.

(2) *Overcoat.* Same as prescribed for coat. (See (1) above.)

(3) *Cap, service.* Same as for small size on coats. (See (1) above.)

(c) *Coat, service, winter, for officers.* The buckle for the cloth belt will be a detachable 1¾-inch tongueless bar of silver gray plastic.

(d) *Headgear.* Cap, garrison, for officers and specialists, will be of standard adopted design with curtain and with a cord edge braid of adopted Corps colors, which are burgundy and silver gray.

(e) *Insignia*—(1) *Cap, service, for wear by officers.* Insignia to be of silver gray plastic of suitable composition and weight, consisting of an eagle displayed with wings inverted, 2 inches in height.

(2) *Coat and shirt.* Insignia for coat and shirt will consist of:

(i) *U. S.* The block letters "U. S.", 7/16 inch in height, each letter to be followed by a period.

(ii) *A. S. C.* The block letters "A. S. C.", 7/16 inch in height, each letter to be followed by a period.

(3) *How worn*—(i) *By officers.* The letters "U. S." and the letters "A. S. C." will be worn in the same manner as is prescribed for wearing the letters "U. S." and the insignia of arm or service by Army officers.

(ii) *By specialists.* In the same manner as prescribed for officers of the Corps in (i) above, on the coat. Specialists will not wear collar insignia on the shirt.

(4) *Insignia of grade for officers and specialists.* Same as for military personnel, except that specialists will wear a tab of silver gray cloth with the letters A. S. C. embroidered thereon, in burgundy thread, of adopted size and shape worn ½ inch below the chevrons.

(5) *Unauthorized.* No insignia except as prescribed above will be worn by members of the Corps. (R.S. 161; 5 U.S.C. 22) [Par. 51 as amended and Pars. 52, 53, 54, and 55, Army Specialist Corps Regulations (tentative) March 24, 1942, as added by C 5, July 17, 1942]

§ 79a.46 *Decorations and service medals.* Members of the Corps who are entitled in their own right to decorations, service medals, and badges may wear them under the conditions and in the manner prescribed in Army Regulations. (R.S. 161; 5 U.S.C. 22) [Par. 57, Army Specialist Corps Regulations (tentative) March 24, 1942, as added by C 5, July 17, 1942]

§ 79a.47 *Authorized uniform pending availability of prescribed uniform.* Until the prescribed uniform of the Corps can be procured, members of the Corps proceeding to theaters of operations and oversea bases will wear the woolen or cotton service uniform of the Army, as prescribed by the commanding general, without insignia, and an "emblem, sleeve, noncombatant." The emblem will be worn attached permanently to the left sleeve of the outer garment, midway between the elbow and the shoulder. (R.S. 161; 5 U.S.C. 22) [Par. 58, Army Specialist Corps Regulations (tentative) March 24, 1942, as added by C 5, July 17, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–8205; Filed, August 22, 1942; 10:43 a. m.]

[2] Administrative regulations of the War Department relating to wearing of the prescribed uniform.

[3] Administrative regulations of the War Department relative to dress uniform for officers and warrant officers.

Chapter IX—Transport

PART 93 [1]—TRANSPORTATION OF INDIVIDUALS

RESTRICTION ON TRANSPORTATION OF DEPENDENTS AND MOVEMENT OF HOUSEHOLD GOODS

Section 93.8 is hereby added as follows:

§ 93.8 *Restriction on transportation of dependents and movement of household goods during the present war*—(a) *Regulations governing.* For military reasons and pursuant to the provisions of act June 5, 1942, Public Law 580–77th Congress (Bull. No. 27, W.D., 1942), effective September 1, 1942, and for the duration of the present war, the movement of dependents and household goods of all military personnel and civilian employees of the War Department will be governed by the provisions of subparagraphs (1) and (2) of this paragraph.

(1) All military personnel and civilian employees of the War Department who, prior to September 1, 1942, are on duty at a place designated by competent authority and who are thereafter assigned or transferred from their post, camp, or station or location to another post, camp, or station or location are authorized to move their dependents and household goods at Government expense to such location in the United States as may be designated by the military person or civilian employee concerned. Once dependents and household goods have been moved at Government expense on or after September 1, 1942, neither dependents nor household goods will again be moved at Government expense.

(2) All military personnel and civilian employees of the War Department who, on or after September 1, 1942, are placed on duty at a place designated by competent authority, are authorized to move their dependents and household goods at Government expense to such location in the United States as may be designated by the military person or civilian concerned. Once dependents and household goods have been moved at Government expense on or after September 1, 1942, neither dependents nor household goods will again be moved at Government expense.

(b) *Applicability.* (1) The above restrictions on movement of dependents apply to the movements for which travel allowances or travel in kind are now authorized, and to such movement of household goods as is now authorized to be made at Government expense.

(2) The above restrictions do not apply to movements which may be authorized by mass evacuation from designated areas.

(c) *Regulations remaining in effect.* (1) Except as limited above, all regulations now applicable to the movement of dependents and household goods remain in effect.

(2) Present regulations governing the movement of dependents and household goods of military personnel returned to civil life through retirement, discharge, or relief from active duty remain in effect and are not modified by the above limitations.

(3) Nothing contained herein will be construed so as to prevent the shipment of authorized baggage under the provisions of Army Regulations.

(d) *Suspension of conflicting Army Regulations.* All Army Regulations in conflict with these instructions are suspended for the duration of the present war. (R.S. 161; 5 U.S.C. 22, and Act of June 5, 1942, Public Law 580—77th Congress) [Cir. 261, W.D., August 4, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–8206; Filed, August 22, 1942; 10:43 a. m.]

[1] 6 F.R. 2501, 4057, 5918, 6249, 6730.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3862]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL COIN CORPORATION, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.6 (ff 5) *Advertising falsely or misleadingly—Undertakings, in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.72 (p) *Offering deceptive inducements to purchase—Undertakings, in general.* In connection with the offering to purchase and purchase of old and rare coins or the offering for sale, sale, and distribution of such coins and catalogs or other material describing same, in commerce, representing, directly or by implication, (1) that all old coins are rare coins or have values comparable to the values or prices of rare coins; (2) that old coins generally have any value greatly in excess of their face value; (3) that the values of or prices which may be obtained for a very few rare coins are representative of the values or usual selling prices of old coins generally; (4) that respondent will buy particular coins, or coins of certain kinds, at prices in excess of their face value, unless all conditions, limitations, or restrictions applicable to such purchases are clearly stated in conjunction therewith; and (5) that respondent's coin catalogs list all known valuable coins; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Coin Corporation, et al., Docket 3862, August 14, 1942]

In the Matter of National Coin Corporation, a Corporation, and John Romano, an Individual

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and testimony and other evidence in support of the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent John Romano, an individual, his representatives, agents, and employees directly, or through any corporate or other device, in connection with the offering to purchase and purchase of old and rare coins or the offering for sale, sale, and distribution of such coins and catalogs or other material describing same in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That all old coins are rare coins or have values comparable to the values or prices of rare coins;

2. That old coins generally have any value greatly in excess of their face value;

3. That the values of or prices which may be obtained for a very few rare coins are representative of the values or usual selling prices of old coins generally;

4. That respondent will buy particular coins, or coins of certain kinds, at prices in excess of their face value, unless all conditions, limitations, or restrictions applicable to such purchases are clearly stated in conjunction therewith;

5. That respondent's coin catalogs list all known valuable coins.

It is further ordered, That the said respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

It is further ordered, That, it appearing to the Commission that respondent National Coin Corporation has been dissolved and is not now in existence, this case be, and the same hereby is, closed as to said corporate respondent.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–8217; Filed, August 22, 1942; 11:16 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

CALL AND REDEMPTION OF SECURITIES ISSUED BY CLOSED-END REGISTERED INVESTMENT COMPANIES

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 23 (c) (3) and 38 (a) thereof, and deeming such action appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of said Act, hereby adopts the following § 279.23C–2 [Rule N-23C–2] to read as follows:

§ 270.23C–2 *Call and redemption of securities issued by registered closed-end companies.* (a) Notwithstanding the provisions of § 270.23C–1 [1] [Rule N-23C–1] a registered closed-end investment company may call or redeem any securities of which it is the issuer, in accordance with the terms of such securities or the charter, indenture or other instrument pursuant to which such securities were issued: *Provided,* That, if less than all the outstanding securities of a class or series are to be called or redeemed the call or redemption shall be made by lot, on a pro rata basis, or in such other manner as will not discriminate unfairly against any holder of the securities of such class or series.

(b) A registered closed-end investment company which proposes to call or redeem any securities of which it is the issuer shall file with the Commission notice of its intention to call or redeem such securities at least thirty days prior to the date set for the call or redemption: *Provided, however,* That if notice of the call or the redemption is required to be published in a newspaper or otherwise, notice shall be given to the Commission at least ten days in advance of the date of publication. Such notice shall be filed in triplicate and shall include (1) the title of the class of securities to be called or redeemed, (2) the date on which the securities are to be called or redeemed, (3) the applicable provisions of the governing instrument pursuant to which the securities are to be called or redeemed and, (4) if less than all the outstanding securities of a class or series are to be called or redeemed, the principal amount or number of shares and the basis upon which the securities to be called or redeemed are to be selected. [Rule N–23C–2, effective August 22, 1942.]

(Sec. 23, 54 Stat. 825; 15 U.S.C. 80a–23: sec. 38 (a) 54 Stat. 841; 15 U.S.C. 80a–38)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–8234; Filed, August 24, 1942; 10:16 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1437]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of District Board No. 11 for a

[1] 6 F.R. 1286.

change in description of railroad fuel for sale to the CMStP&P RR.

A petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 having been filed with the Bituminous Coal Division by District Board 11, requesting temporary and conditionally final relief by amendment of § 331.10 of the District 11 price schedule for all shipments except truck by changing those portions of the description of the size dimensions of coal for sale to the Chicago, Milwaukee, St. Paul and Pacific Railroad for locomotive fuel only, both at $1.85 and $1.95 per ton f. o. b. the mine, which now reads: "Double screened coal 8" x 2" down to 6" x 1¼" and intermediate sizes" and "Double screened coal with a bottom size of ¾" and smaller," to read "Lump and double screened coal";

The Bituminous Coal Consumers' Counsel having filed a notice of appearance;

A hearing in this matter having been held on June 10, 1942, before Examiner W. A. Cuff, at a hearing room of the Division in Washington, D. C., at which interested persons were afforded an opportunity to be present and participate fully in the hearing;

Preparation and filing of a report by the Examiner having been waived and the record in this proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered That § 331.10 (*Special prices: Railroad fuel*) in the Schedule of Effective Minimum Prices for District No. 11 For All Shipments Except Truck be and it hereby is amended, effective fifteen (15) days from the date hereof, by deleting from § 331.10 thereof those portions of the description of the size dimensions of coal for sale to the Chicago, Milwaukee, St. Paul and Pacific Railroad for locomotive fuel only, both at $1.85 and $1.95 per ton f.o.b. the mine, which now read: "Double screened coal 8" x 2" down to 6" x 1¼" and intermediate sizes" and "Double screened coal with a bottom size of ¾" and smaller," and by substituting in lieu thereof the words: "Lump and double screened coal."

It is further ordered, That in all other respects the prayers for relief contained in the petition filed herein be and they hereby are denied.

Dated: August 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8254; Filed, August 24, 1942; 11:49 a.m.]

[Docket No. A-1560]

PART 339—MINIMUM PRICE SCHEDULE, DISTRICT NO. 19

ORDER GRANTING RELIEF

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 19 for the establishment of certain price classifications and minimum prices for coals produced in Subdistrict 5 of District No. 19.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was duly filed with this Division by the above-named party requesting the establishment of certain price classifications and minimum prices for the coals, in Size Groups Nos. 1, 3, 5 and 8, produced in Subdistrict 5 of District No. 19 for shipment into Market Area 243, Alaska.

Petitioner alleges that no specific minimum prices have heretofore been established for the coals in Subdistrict 5 of District No. 19 for shipment to Market Area 243; that such coals, for shipment to that market area, are subject to the minimum prices in effect for shipment to "All Other Market Areas;" that the application of the "All Other Market Area" prices deprives the aforesaid coals of an opportunity to compete upon a fair basis with the coals produced and shipped from Subdistricts 1 and 2 of District No. 19 and Subdistrict 1 of District No. 20 to Market Area 243.

Petitioner further alleges that the need for the establishment of the minimum prices requested in the original petition in this matter is immediate and urgent; that such minimum prices were coordinated in General Docket No. 15 with the minimum prices for coals of comparable size produced in Subdistrict 1 of District No. 20 for shipment to Market Area 243 but that the minimum prices herein requested were inadvertently omitted from the Schedule of Effective Minimum Prices for District No. 19 For All Shipments when it was proposed and established.

No petitions of intervention have been filed with the Division in the above-entitled matter.

In view of the foregoing circumstances, it appears that a reasonable showing of necessity has been made for the granting of temporary relief and that, pending final disposition of this proceeding, interested persons will not be unduly prejudiced by the granting of such temporary relief in the manner hereinafter set forth.

Now, therefore, it is ordered That pending final disposition of the above-entitled matter temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 339.5 (*General prices; minimum prices for shipment via rail transportation*) is supplemented to include the price classifications and minimum prices set forth below for the coals of Subdistrict 5 in District No. 19, in the size groups designated, for shipment by all methods of transportation except truck or wagon to Market Area 243, Alaska.

Subdistrict No. 5—Gebo-Kirby Market Area 243	*Size-groups* 1	3	5	8
	325	315	300	275

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Acting Director shall otherwise order.

Dated: August 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8253; Filed, August 24, 1942; 11:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 303—GENERAL LICENSES PERTAINING TO EXPLOSIVES

SODIUM NITRATE USED AS FERTILIZER

The general purchaser's license for sodium nitrate as a fertilizer, heretofore issued and published,[1] is hereby amended to include the production of inedible oils, and as amended shall read as follows:

§ 303.6 *General purchaser's license for sodium nitrate as fertilizer.* A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), to any person as defined therein who, as owner, manager, tenant, or sharecropper, operates a tract of land for the production of food, fiber, medicinal herbs, tobacco, or inedible oils, authorizing him to purchase and possess sodium nitrate for use as a fertilizer on that tract of land and to use it for that purpose thereon.

This general license relieves those covered by it only from the duty of applying for and securing an individual license. It does not relieve them or anyone else from the duty of keeping records on the acquisition and disposition of sodium nitrate, as prescribed by the regulations issued under the Act, or from any other obligation imposed upon them by the Act or the regulations. It expires at the close of business on December 31, 1942, unless sooner terminated.

R. R. SAYERS,
Director, Bureau of Mines.

Approved: August 14, 1942.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-8235; Filed August 24, 1942; 10:16 a. m.]

Chapter VI—Selective Service System

[No. 110]

TRANSFER OF REGISTRANT FOR DELIVERY

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 155, entitled "Transfer of Registrant for Delivery," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of forms on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 15, 1942.

[F. R. Doc. 42-8204; Filed, August 22, 1942; 9:03 a. m.]

[1] 7 F.R. 4760.

[No. 111]

CLAIM FOR DEFERRED CLASSIFICATION BY PERSON OTHER THAN REGISTRANT

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat, 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 42 "Claim for Deferred Classification by Person Other Than Registrant," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of original DS Form 42 on hand will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

APRIL 13, 1942.

[F. R. Doc. 42-8203; Filed, August 22, 1942; 9:03 a. m.]

[1] Filed as part of the original document.

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXV]

PART 801—GENERAL REGULATIONS

EXPORTATION OF PETROLEUM PRODUCTS AND TETRAETHYL LEAD

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group," the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	Gen. Lic. group
PETROLEUM PRODUCTS AND TETRAETHYL LEAD		
C. Other crude oil (including topped crude, long residuum) not conforming to specifications of commodities classified under Department of Commerce Nos. 5011.03 and 5011.07	5011.98	C & 17
D3 and D4. Natural gasoline not conforming to specifications of commodities classified under Department of Commerce Nos. 5017.07 and 5017.98	5012	C & 17
G. Other motor fuel and gasoline from which by commercial distillation there can be separated more than 3% of a total fraction having an A. S. T. M. end point of 300° F. which will have, with the addition of 3 cc. tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 80 or more, and not conforming to specifications of commodities classified under Department of Commerce Nos. 5016.05 and 5016.98	5017.07	C & 17
H. Other Motor Fuels and gasoline not conforming to specifications of commodities classified under Department of Commerce Nos. 5016.05, 5016.98 and 5017.07	5017.98	C & 17
Q. Other motor lubricating oil not conforming to specifications for aviation lubricating oil, and not conforming to specifications of commodities classified under Department of Commerce Nos. 5040.01 and 5040.03	5040.98	C & 17
R. Other lubricating oils not conforming to specifications of commodities classified under Department of Commerce Nos. 5040.01 and 5040.03:		
Red and pale	5033	C & 17
Black	5034	C & 17
Bright stocks	5035.1	C & 17
Steam refined cylinder stocks	5035.2	C & 17
Insulating or transformer oils	5038	C & 17
Raw or semirefined distillates or stocks from which lubricants may be produced	5059	C & 17
Light lubricating oil in small packages	5039	C & 17
Lubricating oil, any other, n. e. s	5040.98	C & 17
X. Other petroleum products (except petroleum and petroleum jelly)	5059	C & 17

Shipment of the above-listed commodities to Mexico may not be made by water under these general licenses.

This amendment shall become effective August 27, 1942. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch, Office of Exports.

AUGUST 21, 1942.

[F. R. Doc. 42-8238; Filed, August 24, 1942; 10:37 a. m.]

[Amendment No. XXVI]

PART 801—GENERAL REGULATIONS

EXPORTATION OF FRUITS AND VEGETABLES

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	Gen. Lic. Group
Fruits and preparations: Other fruit preparations	1350	C
Vegetables and preparations:		
Corn, canned	1243	C
Green beans, canned	1249	C
Tomatoes, canned	1246	C
Tomato paste and puree, canned	1247	C
Tomato juice, canned	1248	C

This amendment shall become effective August 27, 1942. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch, Office of Exports.

AUGUST 21, 1942

[F.R. Doc. 42-8239; Filed, August 24, 1942; 10:37 a.m.]

[Amendment No. XXVII]

PART 801—GENERAL REGULATIONS

EXPORTATION TO PERSONS ON PROCLAIMED LIST

Part 801 General Regulations is hereby amended by adding the following new section:

§ 801.10 *The Proclaimed List.* The exportation of any articles, technical data, materials, or supplies, directly or indirectly to, or on behalf of, or for the account of any person, so long as his name appears upon "The Proclaimed List", is prohibited, except when authorized in each case by an individual license upon which appears the certificate of the Board of Economic Warfare that prohibition of the exportation would work an unusual hardship on American interests. A statement as to the nature of the transaction and its effect upon American interests must be filed with any application for a license pursuant to this section.

This amendment shall become effective August 25, 1942. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch, Office of Exports.

AUGUST 21, 1942.

[F. R. Doc. 42-8240; Filed, August 24, 1942; 10:38 a. m.]

[Amendment No. XXVIII]

PART 801—GENERAL REGULATIONS

MISCELLANEOUS AMENDMENTS

Section 801.2 *Prohibited Exportations* is amended in the following particulars: In the column headed "Gen Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	Gen. Lic. Group
Other clays	5309	O
Sulphur	5714	O
	5715	

Section 802.10 *General licenses which permit shipments not exceeding a specific value* is amended in the following particulars:

1. Paragraph (a) is amended to include the following list of items as exceptions to the general provisions therein contained:

Acetophenetiden.
Adalina.
Aperitol.
Atophan.
Bromural.
Ephedrine and salts.
Essential Oil of Peppermint.
Hexamethylenetetramine and compounds.
Ichthyol.
Kava-Kava.
Medinal.
Methylene Blue.
Novalgin.
Novatophan.
Phenobarbital.
Podophyllum.
Prominal.
Protargol.
Rivanol.
Salipyrine.
Tannigen.
Thyroid.
Yatrin (Loretin).

2. Paragraph (d) is amended to add to the list of items contained in the proviso of that paragraph, the following articles:

Adrenalin.
Alcatrao (Medicinal Tar).
Alsol (Aluminum Acetotartrate).
Aristol (Thymol Iodide).
Bismuth and Bismuth compounds including Bismuth Subgallate.
Boldine.
Calcium Gluconate.
Chalmoogra Oil.
Charcoal (Vegetable and Medicinal).
Cyclosal (Menthyl isopropyl-cyclohexenon).
Glycero phosphates.
Gomenol.
Hemoglobin.
Hormones.
Iodipine.
Pituitary Extract.
Vaccine Antigonoccia Polyvalent.

This amendment shall become effective August 27, 1942. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

AUGUST 21, 1942.

[F. R. Doc. 42-8241; Filed, August 24, 1942; 10:38 a. m.]

[Amendment No. XXIX]

PART 801—GENERAL REGULATIONS

EXPORTATION OF LIVE PIGEONS

Section 801.2 *Prohibited Exportations* is hereby amended in the following particulars: In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	Gen. lic. group
Pigeons, live	1, 47

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

AUGUST 21, 1942.

[F. R. Doc. 42-8242; Filed, August 24, 1942; 10:38 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 1 of Supplemental General Imports Order M-63-b]

Section 1042.3 (*Supplemental General Imports Order M-63-b*[1] as extended August 15, 1942) is hereby amended to read as follows:

Pursuant to General Imports Order M-63 as Amended June 2, 1942, which this order supplements, it is hereby ordered that:

§ 1042.3 *Supplemental General Imports Order M-63-b.* The following materials now listed under General Imports Order M-63 as Amended June 2, 1942, and June 30, 1942, are hereby exempted from the provisions of said order, to-wit:

List	Material	Commodity No.
List I	Wool (apparel, finer than 44's)	3520.0 3521.1 3521.2 3521.3 3522.0 3523.1 3523.2 3523.3 3526.0 3527.1 3527.2 3527.3 3528.0 3529.1 3529.2 3529.3

This order, unless sooner revoked, shall expire at 12:00 midnight September 30, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8221; Filed, August 22, 1942; 11:09 a. m.]

PART 3043—METAL CUTTING BAND SAW BLADES AND HACK SAW BLADES

[General Preference Order E-7]

METAL CUTTING BAND SAW BLADES AND HACK SAW BLADES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metal cutting band saw blades and hack saw blades for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3043.1 *General Preference Order E-7*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Consumer" means any person who purchases or accepts delivery of metal cutting band saw blades and/or hack saw blades for use and not for resale.

(3) "Retailer" means a person who sells metal cutting band saw blades and/or hack saw blades exclusively to consumers.

(b) *Restriction on sale and purchase of metal cutting band saw blades.* After August 31, 1942, no person shall sell or deliver to any consumer and no consumer shall buy or accept delivery of any metal cutting band saw blades except pursuant to a preference rating of A-9 or higher or pursuant to specific permission of the Director General for Operations.

(c) *Restriction on sale and purchase of hack saw blades.* After August 31, 1942, no person shall sell or deliver to any consumer and no consumer shall buy or accept delivery of any hack saw blades, except pursuant to a preference rating of A-9 or higher, or pursuant to specific permission of the Director General for Operations: *Provided, however,* That hack saw blades, which are not more than .025 inch thick, and not more than 12 inches long containing no alloys, may be purchased, sold and delivered, without preference rating.

(d) *Applicability to existing purchase orders and stock on hand.* The restrictions contained in this order shall apply to all existing contracts, purchase orders and stock on hand: *Provided, however,* That the stock of such metal cutting band saw blades and hack saw blades which a retailer has on hand as of August 31, 1942, the aggregate cost of which stock on hand to such retailer does not exceed the sum of fifty dollars ($50), may be purchased, sold, and delivered without preference rating.

(e) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

[1] 7 F.R. 4880, 6466.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations by addressing a letter to the War Production Board, Washington, D. C., Ref.: E-7, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: E-7.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8223; Filed, August 22, 1942; 11:09 a. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[General Preference Order M-207]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton textiles for use in the manufacture of work apparel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3045.1 *General Preference Order M-207*—(a) *Issuance of schedules covering cotton textiles used for various types or classifications of work apparel.* The Director General for Operations may from time to time issue schedules establishing definitions, allocations of looms or yardages, assignments of preference ratings, purchase quotas for manufacturers or users, as well as regulations upon inventories, manufacture and sale, and such other matters pertaining to cotton textiles used for various types or classifications of work apparel, as may be necessary and appropriate in the public interest and to promote the national defense.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on the use of material obtained pursuant to any schedule.* Except as otherwise expressly provided in any schedule issued hereunder, and subject to any more restrictive provisions contained therein, no person shall use or dispose of any material, whether in the original mill state or partially processed state, which was obtained by him, pursuant to the application of a preference rating assigned by any such schedule, or pursuant to the use of any certification required by any schedule for the acquisition thereof, except as follows:

(1) For the manufacture of the end products covered by the said schedule,

(2) For sale to any person on an order bearing a rating of A-2 or better; or

(3) For sale to or for the account of, or for physical incorporation into products to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents: *Provided,* That no person shall sell or deliver, on an order rated less than A-2, any such material for physical incorporation into products for any of said governmental agencies unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies that he requires the material covered by the annexed order for physical incorporation into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents.

(d) *Records.* All persons affected by this order shall keep and preserve for a period of not less than two years accurate and complete records concerning inventories, production and sales, and showing the yardage of each class of fabric, as indicated by the headings in the schedules, sold pursuant to the application of the rating assigned by each schedule, and any other records as may be required to be kept by any such person in accordance with the provision or provisions of the respective schedule or schedules issued by the Director General for Operations pursuant to this order.

(e) *Audit and inspection.* All records required to be kept by this order and the schedules issued hereunder shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* All persons affected by this order and the schedules issued hereunder shall execute and file with the War Production Board such other reports and questionnaires as may be required by the War Production Board from time to time in accordance with the provision or provisions of the respective schedule or schedules issued by the Director General for Operations pursuant to this order.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cotton textiles for work apparel conserved or made available, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal in writing to the War Production Board, Reference, M-207, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M-207.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8222; Filed, August 22, 1942; 11:09 a. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule I to General Preference Order M-207]

MALE WORK CLOTHING

§ 3045.2 *General Preference Order M-207* [1]—(a) *Additional definitions.* For the purposes of this schedule:

(1) "Male work clothing" shall mean any garments designed for male workers' wear while engaged in their occupations and of the type customarily sold as one of the following:

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
Blanket-lined overall jumpers or coats.
One-piece work suits.
Work pants.
Work breeches.
Cossack jackets.
Work shirts.
Work aprons.
Oilskin jackets, coats, hats or apron overalls.
Lined work coats.
Doctors', dentists', internes' or orderlies' gowns, suits or coats.
Druggists' coats.
Slaughter house workers' coats.
Butchers', fish handlers' or dairy workers' coats or apron sets.
Cooks' coats.
Safety garments made expressly to meet particular safety needs and to conform with safety codes.

(2) "Work clothing textiles" shall mean

(i) Cotton waistbands, cotton trouser curtains, cotton sewing thread, and the following fabrics made wholly of cotton, except as hereinafter expressly provided, either in the gray, original mill or regular finish or converted state, including seconds but excluding all cuts of less than twenty (20) yards as produced in the ordinary course of fabric manufacture:

Denims: White back, hickory and express stripes, 28" to 29" width basis.

Regular finish weight basis	or	*Shrunk weight basis*
1.60 yard		
2.00 yard		9 ounce
2.20 yard		8 ounce
2.45 yard		2.20 yard
3.00 yard		2.70 yard

Chambrays:
36" 3.90 yard, fine yarn, regular finish weight basis.
Coverts:
36" 3.90 yard, fine yarn, regular finish weight basis.
36" 3.20 yard, coarse yarn, regular finish weight basis.
36" 1.65 yard, shrunk weight basis.
36" 2.00 yard, shrunk weight basis.
36" 2.40 yard, shrunk weight basis.
Whipcords:
36" 1.65 yard, shrunk weight basis.
36" 1.45 yard, shrunk weight basis.
36" 1.35 yard, shrunk weight basis.
Cottonades:
36" 1.65 yard, shrunk weight basis.
36" 1.45 yard, shrunk weight basis.
Woven Shirting Flannels:
Plains and fancies.
36" 3.00 yard, regular finish weight basis.
36" 2.30 yard, regular finish weight basis.
Blanket Linings:
54" to 56" 16 ounce maximum weight, made of cotton or of cotton and reused wool.
Moleskins:
Finished weight basis:
30" 7¾ to 8¼ ounce, plain ground.
36" 9½ to 10 ounce, plain ground.
30" 8¾ to 9¼ ounce, plain ground.
30" 7½ to 7¾ ounce, black and white.
30" 8 to 8½ ounce, black and white.
30" 8¾ to 9¼ ounce, black and white.
Warp Sateen:
54", not lighter than 1.30 yard.
Corduroys:
36" 12 to 13 ounce thickest, finished weight basis.
Suedes:
Gray Width and Weight Basis: *Finished Widths*
40 to 40½" 1.60 to 1.65 yard ---------- 35 to 36"
40 to 40½" 3.00 yard---- 35 to 36"
Poplins:
Gray Width and Weight Basis:
38 to 39" 2.50 yard----- 35 to 36"
38 to 39" 2.85 yard----- 35 to 36"
38 to 39" 3.25 yard----- 35 to 36"
Drills:
Gray Width and Weight Basis:
30" 72 to 76 sley, 48 to 60 pick 2.50 yard-------- 28 to 29"
Twills:
Gray Width and Weight Basis:
39" minimum count 88x42, 1.60 & 1.90 yard- 35 to 36"
30" 88x56 2.10 to 2.20 yard ---------- 28"
39" 2.00 yard not less than 170 threads per sq. in---------- 35 to 36"
39" 2.50 yard not less than 170 threads per sq. in---------- 35 to 36"
39" 68x76 4.00 yard.
Jeans:
Gray Width and Weight Basis:
38 to 39" 96x64 2.85 yard- 35 to 36"
Print Cloth Yarn Fabrics:
Gray Width and Weight Basis:
36" 20x16 21.00 yard.
36" 28x24 15.00 yard.
36" 32x28 13.00 yard.
38½" 44x36 8.60 yard.
38½" 44x40 8.20 yard.
38½" 60x48 6.25 yard.
38½" 64x60 5.35 yard.
Sheetings:
36" 48x48 2.85 yard.
40" 48x48 2.85 yard.
40" 64x68 3.15 yard.
40" 48x44 3.75 yard.
40" 44x40 5.50 yard.

Any sheeting over 46" not exceeding 76 picks per inch, produced on looms normally weaving wide bed sheeting.

(ii) Pro rata widths of like count and weight to the above constructions, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical use in the manufacture of male work clothing.

(3) "Work clothing processor" shall mean:

(i) The manufacturer of male work clothing for sale

(ii) The manufacturer of waistbands or trouser curtains, to be used in male work clothing, for sale to a manufacturer of male work clothing

(iii) The converter or finisher of work clothing textiles who bleaches, finishes or processes work clothing textiles for resale to a manufacturer of male work clothing.

(4) "Inventory" shall mean the total quantity of work clothing textiles or of work clothing textiles in process of manufacture into male work clothing or of male work clothing owned by any work clothing processor and held by him in any mill, warehouse, place of storage or manufacturing plant.

(b) *Manufacture of denims.* The denims specified in paragraph (a) (2) (i) which are manufactured after October 31, 1942, and which are sold and delivered pursuant to the application of the rating assigned in paragraph (c) shall be woven 36 to 37" wide *pro rata*, to the extent that loom width permits.

(c) *Assignment of preference rating.* Purchase or manufacturing orders for work clothing textiles placed by work clothing processors are hereby assigned a preference rating of A-2.

(d) *Restrictions on use of work clothing textiles.* Notwithstanding the provisions of paragraph (c) (1) of General Preference Order M-207, no work clothing processor shall use any full length pieces of first quality or run-of-mill twills, drills or jeans heavier than 39"—4.00 yards in the manufacture of pocketings, waistbands or trouser curtains.

(e) *Application of preference rating.* Any work clothing processor, in order to apply the preference rating assigned by paragraph (c) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is applied, a certificate in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of male work clothing or otherwise disposed of only as permitted in General Preference Order No. M-207 and/or Schedule I thereto.

(Name of work clothing processor)	(Address)
By (Signature and title of duly authorized officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(f) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14 [2]):

(1) No manufacturer of the following garments of male work clothing

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
One-piece work suits.
Work pants.
Work breeches.
Work shirts other than of cotton flannel or cotton suede.
Work aprons.
Doctors', dentists', internes' or orderlies' gowns, suits or coats.
Druggists' coats.
Slaughter house workers' coats.
Butchers', fish handlers' or dairy workers' coats or apron sets.
Cooks' coats.
Safety garments as defined in paragraph (a) (1).

shall after August 22, 1942 hold in his inventory a total quantity of work clothing textiles for such garments, such textiles in process of manufacture into such garments and such completed garments in excess of such a total quantity as will be delivered out of his inventory within 150 days after the receipt of any delivery of such textiles to his inventory.

(2) No manufacturer of waistbands or trouser curtains and no converter or finisher of work clothing textiles shall after August 22, 1942 hold in his inventory any work clothing textiles in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inventory within ninety (90) days after the receipt of any delivery of such textiles to his inventory. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8220; Filed, August 22, 1942; 11:11 a. m.]

[1] *Supra.*

[2] 6 F.R. 4489, 6680; 7 F.R. 1493, 1835, 2235.

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule II to General Preference Order M-207]

WORK GLOVES

§ 3045.3 *Schedule II to General Preference Order M-207* [1]—(a) *Definitions.* For the purposes of this schedule: (1) "Work gloves" shall mean any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.

(2) "Work glove textiles" shall mean cotton sewing thread and the following cotton fabrics, either in the gray, regular, converted or processed state, including seconds, but excluding all cuts of less than 20 yards as produced in the ordinary course of manufacture, and including pro rata widths of like count and weight, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical use in the manufacture of work gloves:

Mitten flannel:
6 ounces per linear yard, 4 harness, 34 inches.
7 ounces per linear yard, 4 harness, 34 inches.
8 ounces per linear yard, 4 harness, 34 inches.
9 ounces per linear yard, 4 harness, 34 inches.
10 ounces per linear yard, 4 harness, 34 inches.
10 ounces per linear yard, 5 harness, 34 inches.
12 ounces per linear yard, 5 harness, 34 inches.
12 ounces per linear yard, 4 harness, 34 inches.
13 ounces per linear yard, 4 harness, 34 inches.
Colored stripe mitten flannel:
5½ ounces per linear yard, 4 harness, 34 inches.
5½ ounces per linear yard, 4 harness, 37 inches.
6 ounces per linear yard, 4 harness, 34 inches.
7 ounces per linear yard, 4 harness, 34 inches.
8 ounces per linear yard, 4 harness, 34 inches.
9 ounces per linear yard, 4 harness, 34 inches.
Knitted jersey:
8 ounces per square yard, partially napped, for duplexing only.
9 ounces per square yard, plain knit, minimum 22 gauge.
Knitted jersey—Continued.
10½ ounces per square yard, plain knit and cut presser, cut presser minimum 20 gauge.
13 ounces per square yard, plain knit and cut presser, cut presser minimum 20 gauge.
Twill:
37" 84 to 88/42 to 44—2.85 yard.
Sheeting:
40" 44/40—5.50 yard.
Osnaburg:
40" 32/28—3.55 yard.

(3) "Work glove processor" shall mean:

(i) The manufacturer of work gloves for sale

(ii) The converter or processor of work glove textiles who bleaches, finishes or processes work glove textiles for resale to a manufacturer of work gloves.

(4) "Inventory" shall mean the total quantity of work glove textiles, such textiles in process of manufacture into work gloves and work gloves owned by any work glove processor and held by him in any mill, warehouse, place of storage or manufacturing plant.

(b) *Assignment of preference rating.* Purchase or manufacturing orders for work glove textiles placed by work glove processors are hereby assigned a preference rating of A-2.

(c) *Application of preference rating.* Any work glove processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of materials to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27 [2]) by an official duly authorized for such purpose:

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of work gloves or otherwise disposed of only as permitted in General Preference Order M-207 and/or Schedule II thereto.

(Name of Work Glove Processor)	(Address)
By (Signature and Title of Duly Authorized Officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply

[1] *Supra.*

[2] 7 F.R. 1062.

or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(d) *Restriction on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14): (1) No work glove manufacturer shall after August 22, 1942, hold in his inventory a total quantity of work glove textiles or work gloves in excess of such a total quantity as will be delivered out of his inventory within 90 days after receipt of any delivery of such textiles to his inventory.

(2) No converter or processor of work glove textiles who bleaches, finishes or processes work glove textiles for resale to a manufacturer of work gloves shall after August 22, 1942, hold in his inventory a total quantity of work glove textiles in excess of such a total quantity as will be delivered out of his inventory within 60 days after the receipt of any delivery of such textiles to his inventory.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8219; Filed, August 22, 1942; 11:11 a. m.]

PART 3055—HEAT TREATING EQUIPMENT

[General Preference Order M-211]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of heat treating equipment for defense, for private account and for export; orderly scheduling of production and delivery of heat treating equipment is necessary in order that maximum productive efficiency and capacity can be maintained; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3055.1 *General Preference Order M-211*—(a) *Production and delivery of heat treating equipment.* (1) Each producer of heat treating equipment shall schedule its production and make deliveries of heat treating equipment in accordance with such specific directions as may be issued from time to time by the Director General for Operations.

(2) The production and delivery schedules established by any specific direction which may be issued from time to time pursuant to paragraph (a) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders and may be altered only upon specific directions of the Director General for Operations.

(3) If it becomes impossible for any producer to maintain production and delivery of heat treating equipment in accordance with any such schedule, he shall immediately notify the Director General for Operations, and, unless otherwise directed by the Director General for Operations, he shall continue to produce and deliver heat treating equipment in the order set forth in such schedule and shall postpone production and delivery of any such heat treating equipment only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(b) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(c) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: Heat-Treating Unit, Tools Division, War Production Board, Washington, D. C., Ref.: M-211.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8218; Filed, August 22, 1942; 11:11 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 14 to Supplementary Order M-15-b-1]

Section 940.5 *Supplementary Order M-15-b-1*[1] is amended as follows:

1. By striking from paragraph (b) thereof the following:

* * * or other purchase orders placed by or for the account of any other department or agency of the government of the United States. * * *

2. By changing paragraphs (b) (7), (b) (9) and (b) (10) to read as follows:

(7) Compounds for the manufacture of tires, tire casings, camelback, capping stock and tire and tube repair materials	List 7
(9) Tires and tire casings (except airplane and bicycle tires)	List 9
(10) Tire tubes for passenger automobile, truck and agricultural implement tires	List 10

3. By inserting immediately after paragraph (b) (17) thereof the following new paragraph designated (b) (18):

(18) Camelback and capping stock... List 18

4. By substituting the attached revised Lists 7, 9 and 10 for Lists 7, 9 and 10 now attached to such order.

5. By attaching thereto the following additional List designated List 18.

This order and the lists attached hereto shall become effective on August 24, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 7

[Revised effective August 24, 1942]

Specifications for the manufacture of compounds for the manufacture of tires, tire casings, camelback, capping stock and tire and tube repair materials.

This revised List 7 sets forth the specifications to be used in the manufacture of tires, tire casings, camelback, capping stock and tire and tube repair materials, and is intended to furnish standards for the grades of compounds listed. Other Lists now attached and to be hereafter attached to Supplementary Order M-15-b-1 will govern the use of these compounds in the manufacture of finished products. These compounds need be used only when required by other specifications contained in lists now or hereafter attached to Supplementary Order M-15-b-1. The variations permitted by subdivision (b) of this revised list 7 are allowed in the manufacture of finished products covered by other applicable Lists unless prohibited by such other lists.

[1] 7 F.R. 967, 2344, 2449, 2595, 2782, 3389, 4448, 5019, 5296, 5592, 5748, 5981, 6071, 6211, 6465.

(a) *Compounds*

Description of product: Type	Grade	Maximum percent by volume: Crude rubber	Maximum percent by volume: Whole tire reclaimed rubber
(1) Tread, capping stock and camelback compounds.	A	73.0	0.0
	B	59.5	17.5
	C	47.9	31.4
	D	40.4	41.3
	E	26.0	57.0
	F	0.0	89.3
(2) Friction compounds	A	88.5	1.0
	B	78.0	15.0
	C+	69.0	25.0
	C	60.0	35.0
	D	43.0	50.0
	E	19.0	73.0
	FF	6.4	85.0
	F	0.0	90.0

(b) *Variations*

(1) Variations from the above specifications are permitted as follows:

	Tread, capping stock and camelback compounds	Friction compounds
Crude rubber	Plus 0, minus 2	Plus 0, minus 5.
Whole tire reclaimed rubber.	Plus 2, minus (not limited).	Plus 5, minus (not limited).

(2) Any person may, with the prior approval of the Director General for Operations, reduce the percentages of crude rubber specified in these compounds, provided the tires manufactured therefrom bear the name of the manufacturer and, where produced to fill war orders, meet the specifications of the purchasers.

(3) With the types of formulas specified above, and with mold and gauges selected, a manufacturer can calculate the maximum amounts of crude rubber and whole tire reclaimed rubber which may be used in the manufacture of a tire or tire casing of any specified type and size. Within the maximum amounts of crude rubber and whole tire reclaimed rubber thus calculated, a manufacturer may, in his discretion, shift the amounts between friction and tread, but may not use in the manufacture of any tire or tire casing more crude rubber or more whole tire reclaimed rubber than would be used in the manufacture of such tire or tire casing if the above specifications for tread and friction were followed, after allowing for tolerance permitted.

(4) All compounded rubber in a tire, other than the tread and sidewalls, is considered as "friction", and the tread and sidewalls are considered "tread". Each tire manufacturer shall adopt minimum gauges or thicknesses in the following parts of all tires:

Sidewalls (but within the above specifications).
Plys and squeegees.
Under-tread (but within the above specifications).
Cushions and breakers.

"Minimum" as used in this paragraph (4) means the thinnest gauge which the manufacturer believes can be used without materially detracting from the performance of the tire.

(5) Any manufacturer who can use subtreads, or who can apply sidewalls separate from the tread, and who can in either of these ways save crude rubber without detracting materially from the performance of the tire shall do so, even if it requires the use of slightly more reclaimed rubber. The total amount of crude rubber which a manufacturer may use if he uses subtreads or sidewalls to save crude rubber is the amount calculated in accordance with the appropriate friction and tread formulas, less the amount which may be saved through the use of subtreads and/or sidewalls.

LIST 9

[Revised effective August 24, 1942]

Specifications for the manufacture of tires and tire casings (except airplane and bicycle tires)

(a) *For other than war orders*

(1) Except as provided in paragraphs (a) (3) and (b) hereof, the manufacture of tires and tire casings (except airplane and bicycle tires) shall be confined to the sizes, plies and tread types listed below and such other sizes, plies and tread types as may be permitted by special authorization of the Director General for Operations.

The friction and the tread, respectively, of each of the sizes of tires and tire casings listed below shall be made from one of the grades of compounds listed in List 7 attached to Supplementary Order M-15-b-1, as such list may be revised from time to time, and appropriate grade of compound to be used for each respective friction and tread being that hereinbelow specified therefor opposite the description and designation of such size.

TRUCK, BUS AND SPECIAL PURPOSE TIRES

WPB size No.	Size	Ply	Tread type	Compounds to be used: Friction	Compounds to be used: Tread
1	9.00-13	6	Regular	C	B
2	7.00-15	6	Regular	C	C
3	6.00-16	6	Regular	C	C
4	6.50-16	6	Regular	C	C
5	7.00-16	6	Regular	C	C
6	7.50-16	6	Regular	B	B
7	7.50-16	8	Regular	B	B
8	10.50-16	10	Regular	A	B
9	10.50-16	12	Regular	A	B
10	10.50-16	12	Mud-Snow	A	B
11	6.00-17	6	Regular	C	C
12	7.00-17	8	Regular	C	C
13	7.50-17	8	Regular	B	B

TRUCK, BUS AND SPECIAL PURPOSE TIRES—Continued

WPB size No.	Size	Ply	Tread type	Compound to be useds: Friction	Compound to be useds: Tread
14	7.50-18	8	Regular	B	B
15	8.25-18	10	Regular	A	B
16	9.00-18	10	Regular	A	B
17	10.00-18	12	Regular	A	B
18	11.00-18	12	Regular	A	B
19	6.00-20	6	Regular	C	C
20	6.50-20	6	Regular	C	C
21	6.50-20/32x6	8	Regular	C	C
22	6.50-20/32x6	8	Mud-Snow	C	C
23	7.00-20	8	Regular	C	C
24	7.00-20/32x6	10	Regular	A	B
25	7.00-20/32x6	10	Mud-Snow	A	B
26	7.50-20	8	Regular	B	B
27	7.50-20/34 x 7	10	Regular	A	B
28	7.50-20/34 x 7	10	Mud-Snow	A	B
29	8.25-20	10	Regular	A	B
30	8.25-20	10	Mud-Snow	A	B
31	9.00-20	10	Regular	A	B
32	9.00-20	10	Mud-Snow	A	B
33	9.00-20/36 x 8	12	Regular	A	B
34	10.00-20	12	Regular	A	B
35	10.00-20	12	Mud-Snow	A	B
36	11.00-20	12	Regular	A	B
37	11.00-20	12	Mud-Snow	A	B
38	12.00-20	14	Regular	A	B
39	13.00-20	16	Regular	A	B
40	9.00-22	10	Regular	A	B
41	10.00-22	12	Regular	A	B
42	11.00-22	12	Regular	A	B
43	7.00-24/36x6	10	Regular	A	B
44	7.50-24/38x7	10	Regular	A	B
45	9.00-24/40x8	12	Regular	A	B
46	10.00-24	12	Regular	A	B
47	11.00-24	12	Regular	A	B
48	12.00-24	14	Regular	A	B
49	13.00-24	16	Regular	A	B
101	8.25-20	10	Earthmover	B	A
102	9.00-20	10	Earthmover	B	A
103	10.00-20	12	Earthmover	B	A
104	11.00-20	12	Earthmover	B	A
105	12.00-20	12	Earthmover	B	A
106	13.00-20	14	Earthmover	B	A
107	14.00-20	16	Earthmover	B	A
108	16.00-20	16	Earthmover	B	A
109	18.00-24	16	Earthmover	B	A
110	18.00-24	20	Earthmover	B	A
111	21.00-24	16	Earthmover	A	A
112	21.00-24	20	Earthmover	A	A
113	24.00-32	24	Earthmover	A	A
114	24.00-32	36	Earthmover	A	A
115	36.00-40	34	Earthmover	A	A
116	8.25-20	12	Rock Service	A	A
117	9.00-20	12	Rock Service	A	A
118	10.00-20	14	Rock Service	A	A
119	11.00-20	14	Rock Service	A	A
120	11.00-24	14	Rock Service	A	A
121	12.00-24	16	Rock Service	A	A
122	13.00-24	16	Rock Service	A	A
123	14.00-24	20	Rock Service	A	A
124	16.00-24	20	Rock Service	A	A
125	18.00-24	20	Rock Service	A	A
126	21.00-24	20	Rock Service	A	A
127	18.00-24	16	Mud-Snow	A	A
128	18.00-24	20	Mud-Snow	A	A
129	18.00-40	20	Mud-Snow	A	A
130	21.00-24	16	Mud-Snow	A	A
131	21.00-21	20	Mud-Snow	A	A
132	21.00-28	20	Mud-Snow	A	A
133	24.00-32	24	Mud-Snow	A	A
134	24.00-32	36	Mud-Snow	A	A
135	30.00-40	34	Mud-Snow	A	A
151	7.00-20	10	(Flat base) rib	B	C
152	7.00-24	10	(Flat base) rib	B	C
153	7.50-24	10	(Flat base) rib	B	C
154	9.00-24	10	(Flat base) rib	B	C
155	9.00-24	10	(Flat base) traction.	B	C
156	9.00-24	10	(Drop center) traction.	B	C
157	10.00-24	8	(Drop center) traction.	B	C
158	11.00-24	8	(Drop center) traction.	B	C
159	12.00-24	8	(Drop center) traction.	B	C
160	13.00-20	10	(Drop center) traction.		C
161	13.00-24	8	(Drop center) traction.	B	C
62	14.00-20	12	(Drop center) traction.	B	C
176	7.50-15	10	Regular	A	B
177	8.25-15	12	Regular	A	B
178	9.00-15	12	Regular	A	B
179	10.00-15	14	Regular	A	B

TRUCK, BUS AND SPECIAL PURPOSE TIRES—Continued

Passenger automobile tires

WPB size No.	Size	Ply	Compounds to be used	
			Friction	Tread
201	6.50–15	4	C	B
202	7.00–15	4	C	B
203	7.00–15	6	C	B
204	7.50–15	6	C	B
205	5.50–16	4	C	B
206	6.00–16	4	C	B
207	6.00–16	6	C	B
208	6.25/6.50–16	4	C	B
209	6.25/6.50–16	6	C	B
210	7.00–16	4	C	B
211	7.00–16	6	C	B
212	7.50–16	6	C	B
213	5.25/5.50–17	4	D	C
214	6.00/6.50–17	4	D	C
215	7.00–17	6	C	B
216	7.50–17	6	C	B
217	5.25/5.50–18	4	D	C
218	6.00–18	6	D	C
219	4.75/5.00–19	4	D	C
220	5.25/5.50–19	4	D	C
221	6.00/6.50–19	6	D	C
222	4.50/4.75/5.00–20	4	D	C
223	5.25/20	6	D	C
224	6.00/20	6	D	C
225	4.40/4.50–21	4	D	C
226	5.25–21	4	D	C
227	30 x 3½ Clin.	4		

No limitation on tread designs.

MOTORCYCLE TIRES

251	26 x 2.25	2	C	B
252	3.25–19	4	C	B
253	3.30–18	2	C	B
254	3.50–18	2	C	B
255	3.85–18	4	C	A
256	4.00–18	4	C	A
257	4.50–18	4	C	A
258	4.00–19	4	C	A
259	4.50–19	4	C	A
260	5.00–16	4	C	A

No limitation on tread designs.

INDUSTRIAL TIRES

Description of product	Compounds to be used	
	Friction	Tread
Industrial pneumatic tires:		
Single tube—all sizes	E [1]	F
Straight side—under 6.00 (except 4.00–8 regular and H. D.)	E	F
Straight side—6.00 and up	D	C
Exception 1—4.00–8 regular	FF	F
Exception 2—4.00–8 heavy duty	D	C
Industrial solid tires:		
Stretch-on or Hollow Center		F
Molded-on for hand operated vehicle.		FF [1]
Molded-on for power driven or power drawn vehicles.		A
Pressed-on		A
Metal base demountable		A

[1] Including tube.
[2] Friction grade.

(2) No person shall manufacture any size of tire in more than one regular tread design, unless such manufacturers' mold equipment for such size and tread design is insufficient for his requirements.

(3) Mileage tires for city and intercity busses may be manufactured from friction and tread compounds up to and including Grade A compound as set forth in said revised List 7, without restriction as to sizes, plies or tread design.

(4) Unless permitted by special authorization of the Director General for Operations, rayon shall not be used in the manufacture of any tires except mileage tires for city and intercity busses, and tires of WPB sizes numbers 35, 38, 42 and 53 in the number of plies specified for such sizes, and no person shall manufacture tires of WPB sizes numbers 35, 38, 42 and 53 of both cotton and rayon construction.

(5) Each tire casing, manufactured under these specifications, except tire casings manufactured to fill war orders, shall be branded on the serial side near the serial number in letters at least ½ inch high, with the words "War Tire" and the letters specifying the respective grades of compounds used in the friction and the tread.

(b) *To fill war orders*

(1) The manufacture of tires and tire casings (other than airplane and bicycle tires) to fill war orders shall be confined to the sizes, plies, tread types and compounds specified in subdivision (a) hereof and the sizes, plies, tread types and compounds listed in subdivision (b) (2) hereof, except that other sizes, plies or tread types (but not other compounds) may be used when, but only when, there is delivered to the person manufacturing the tires a certificate signed by a contacting or inspecting official of the Army, Navy, Maritime Commission or other governmental agency listed in subparagraphs (a) (4) (i) (aa) or (a) (4) (ii) of Supplementary Order No. M–15–b, as amended, substantially as follows:

I hereby certify that the following tires covered by purchase order No. _____ are required for direct military (or naval) use, and that tires of sizes, plies and tread types enumerated in Revised List 9 attached to Supplementary Order No. M–15–b–1, as amended, are not adequate for such purpose:

Quantity	*Size*	*Plies*	*Tread Type*

(Insert description of tires)

Title.

For the (insert name of purchasing agency)

provided that this exception shall not apply to tractor or implement tire casings, which shall not be manufactured unless permitted by special authorization of the Director General for Operations.

(2) The friction and tread, respectively, of each of the sizes of treads and tire casings listed below shall be made from one of the grades and compounds listed in said List 7, the appropriate grade of compound to be used by each such respective friction or tread being that hereinbelow specified therefor opposite the description or designation of such size.

TRUCK AND BUS TIRES

WPB size No.	Size	Ply	Tread type	Compounds to be used	
				Friction	Tread
300	6.00–16	6	Mud-Snow N.D.	C	B
301	7.50–16	6	Mud-Snow N.D.	B	B
302	9.00–16	8	Mud-Snow N.D.	B	B
303	5.50–18	6	Regular	C	C
304	7.00–20	8	Mud-Snow N.D.	C	B
305	7.50–20	8	Mud-Snow N.D.	B	B
306	8.25–20	10	Mud-Snow N.D.	A	B
307	9.00–20	10	Mud-Snow N.D.	A	B
308	11.00–20	12	Mud-Snow N.D.	A	B
309	12.00–20	14	Mud-Snow N.D	A	B
310	14.00–20	16	Regular	A	B
311	14.00–20	16	Mud-Snow N.D	A	B
312	10.00–22	12	Mud-Snow N.D	A	B
313	11.00–24	12	Mud-Snow N.D	A	B
314	14.00–24	16	Regular	A	B
315	14.00–24	16	Mud-Snow N.D	A	B
317	14.00–24	24	Regular	A	C
318	6.50–10	6	Regular	C	B
319	8.25–15	14	Regular	A	

(3) The friction and the tread, respectively, of other sizes, plies and tread types not specified in paragraph (a) (1) and (b) (2) hereof shall be made from one of the grades of compounds listed in said List 7, the appropriate grade of compound to be used for each respective friction or tread being that hereinbelow specified therefor opposite the description or designation of such class: *Provided*, That no tractor or implement tire casings shall be manufactured unless permitted by special authorization of the Director General for Operations.

Description of product	Compounds to be used	
	Friction	Tread
13–24 inch rims, size 7.00 and smaller, 8 ply and less	C	C
13–24 inch rims, size 7.50, 8 ply and less	B	B
13–24 inch rims, size 8.25 and larger, 10 ply and more	A	B

(4) The skid depth of tires with mud-snow approved non-directional type treads shall be as follows:

Tire size	Actual mold measurements in inches
8.25–10	0.585
9.00–13	.62
15- and 16-inch rims:	
6.00	0.50
6.50	.52
7.00	.535
7.50	.56
8.25	.585
9.00	.62
10.00	.645
11.00	.67
20-, 22- and 24-inch rims:	
6.00	.50
6.50	.52
7.00	.535
7.50	.56
8.25	.585
9.00	.62
10.00	.645
11.00	.67
12.00	.70
13.00	.74
14.00	.80

Variations from the above measurements shall be permitted to the extent of 0.01 inch plus or minus throughout the mold.

(5) The outside diameter of tires with mud-snow approved non-directional type treads shall be as follows:

Tire dimension		Outside diameter in inches—inflated tire	
Diameter	Section	Minimum	Maximum
16-inch rims	6.00	28.60	28.80
	7.50	31.40	31.60
	9.00	35.00	35.30
	10.00	36.50	35.90
20-inch rims	7.00	35.60	35.90
	7.50	36.60	36.90
	8.25	38.10	38.40
	9.00	40.10	40.50
	10.00	41.00	41.50
	11.00	42.80	43.30
24-inch rims	12.00	44.20	44.70
	14.00	46.30	46.90
	14.00	52.30	52.90

(6) Standard tread radii of mud-snow approved non-directional type treads shall be between 80 and 95% of the line cross-section width of the Tire and Rim Association's standard tire sections.

(7) Run-flat combat tires to fill war orders may be manufactured in any sizes, plies and tread designs, and from any friction and tread compounds up to and including A grade compounds as listed in said List 7.

(8) Unless permitted by special authorization of the Director General for Operations, rayon shall not be used in the manufacture of any tires (including tires of the kinds and sizes referred to in subdivision (a) (4) of this revised List 9) to fill any war order, except run-flat combat tires.

(9) Where mud-snow tread is specified for a war order, the tire manufacturer shall use mud-snow N. D. molds in all cases in which he has mud-snow N. D. mold equipment of the proper size or sizes.

(c) *Definition*

Where used in this revised List 9: "regular" as applied to tread type means standard "100" level, on-the-road type.

LIST 10

[Revised effective August 24, 1942]

Specifications for the manufacture of passenger automobile, truck and agricultural implement tire tubes.

These specifications shall apply to all orders, including war orders.

No tire tube of any of the classes listed below shall be manufactured with a material volume in excess of the volume specified for such class as set forth below opposite the description or designation of such class.

Description of product type	Size	Maximum material volume (in cubic inches)
Passenger automobile tire tubes	5.50–16	51.2
	CD 16	57.8
	6.50–15	66.6
	7.00–15	72.2
	D–16	72
	7.50–15	89.4
	7.50–16	93.2
	A–20/21	42.8
	B–17/18	46.9
	C–17	56.1
	7.00–17	75.2
	7.50–17	93.4
Truck tire tubes 15- and 16-inch rims	6.00–16	65
	6.50–16	75
	7.00–15	85
	7.00–16	89
	7.50–15	103
	7.50–16	108
	9.00–16	191
	10.00–16	220
Truck tire tubes 20-inch rims or larger	6.00–20	75
	6.50–20	102
	7.00–20	135
	7.50–20	175
	8.25–20	197
	9.00–20	235
	10.00–20	300
	11.00–20	350
	12.00–20	450
	13.00–20	525
	14.00–20	670
Agricultural equipment tire tubes	4.00–12	25.3
	5.00–15	38.6
	6.00–9	36.8
	6.00–16	59.0
	DM 16	70.5
	6.50–32	137.8
	FM–24	153.5
	9.00–28	223.0
	HM 28	302.0
	KM 28	414.0
	5–40	92.5
	5.5–40	92.5
	6–40	118.0
	7–32	112.0
	8–32	157.0
	9–32	220.0
	10–28	242.0
	11–28	302.0
	12–30	385.5
	13–30	440.0
	14–30	498.0
	15–30	595.0
Lend-lease regular tire tubes	9.00–13	145
	10.50–16	250
	12.00–20	450
	13.50–20	670

Variations from the above maximum volumes shall be permitted to the extent of minus 3 per cent.

Sizes not specifically set forth shall have maximum volumes proportionate to the sizes listed.

In the event that the maximum volume herein permitted for a tube of a given type and size manufactured by any person on the effective date of this order is less than the maximum indicated above, such person shall make no change in the maximum volume of such tube as then manufactured by him without the prior approval of the Director General for Operations.

The foregoing restrictions on material volume of tire tubes shall not apply to tire tubes for use with mileage bus or run flat or combat tires.

LIST 18

Specifications for the manufacture of camelback and capping stock.

(1) *Applicability of specifications.* The specifications set forth in this List 18 shall apply to all purchase orders, including war orders.

(2) *General restriction.* Unless permitted by special authorization of the Director General for Operations, no size or type of either camelback or capping stock shall be manufactured unless such size or type (of camelback or capping stock, as the case may be) is mentioned in this List 18.

(3) *Compounds.* All references in this List 18 to grades of compounds refer to grades of compounds listed in List 7 attached to Supplementary Order No. M–15–b–1, as such list may be revised from time to time.

(4) *Sizes.* Capping stock and camelback shall be manufactured only in gauges of 10/32, 12/32, 14/32, 16/32, 18/32, 20/32, 22/32 inches and larger.

(5) *Passenger-type capping stock.* Passenger-type capping stock shall be manufactured only from compounds of Grade F, and may be faced with a compound of any of the gauges listed below, provided that such compound of any such gauge shall not contain more crude rubber by weight than the percentages set forth opposite such gauge.

Gauge:	*Percentage of crude rubber*
.012	54
.013	51
.014	48
.015	45
.016	42
.017	39
.018	36

(6) *Truck-type capping stock.* Truck-type capping stock shall be manufactured only from compounds of Grade C.

(7) *Truck-type camelback.* Truck-type camelback designed for retreading road building and road grading tires shall be manufactured only from compounds of Grade C.

(8) *Heavy-duty capping stock and heavy-duty camelback.* Heavy-duty capping stock and heavy-duty camelback designed for recapping and retreading mileage bus tires, or rock service tires of a cross-section of 8.25 inches or more may be manufactured from compounds of Grade A.

(9) *Airplane capping stock and camelback.* Capping stock and camelback designed for recapping and retreading airplane tires may be manufactured from compounds up to and including Grade A.

[F. R. Doc. 42–8249; Filed, August 24, 1942; 11:43 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Amendment 7 to Limitation Order L–30]

Section 1052.1 *General Limitation Order L–30*[1] is hereby amended in the following particulars:

The last sentence contained in subparagraph (2) of paragraph (a), (as added by Amendment No. 3, issued June 12, 1942) is hereby amended to read as follows:

"Group II products" shall not include: (i) Any pail or tub designed expressly for use as a packing or shipping container; or

(ii) Any pail or tub which contains metal in only hoops, bails, ears and handles, provided that the total weight of such metal does not exceed 15% of the total weight of the pail or tub, and further provided that any such pail does not have more than two hoops and that any such tub with a capacity of less than 15 gallons does not have more than two hoops.

Paragraph (a) (3), as amended, is hereby amended by striking out the words "all articles of fireplace equipment except fire screens", and substituting therefor the following: "all articles of fireplace equipment except fire screens, grates and dampers".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R Doc. 42–8247; Filed, August 24, 1942; 11:42 a. m.]

PART 3033—PORTLAND CEMENT

[Amendment 1 to General Limitation Order L–179[2]]

Section 3033.1 is hereby amended in the following particulars:

Paragraph (a) (2) is amended to read as follows:

(2) *Storage by manufacturers.* On and after September 20th, 1942, no manufacturer of portland cement shall allocate or continue the allocation of any silo, bin or other storage space or any part of any silo, bin or other storage space for the storage of portland cement to and for the exclusive use of the Army, the Navy, the United States Coast Guard, the United States Maritime Commission, or any other person. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8246; Filed, August 24, 1942; 11:42 a. m.]

PART 3050—WHITE OAK

[General Conservation Order M–209]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of white oak for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3050.1 *General Conservation Order M–209*—(a) *Definitions.* For the purposes of this order:

(1) "White oak logs" means logs of all the species of the genus *Quercus* which are known commercially as white oak.

(2) "Implements of war" means:

(i) Combat end-products, complete for technical operations, including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks and vehicles; and

(ii) Parts, assemblies and material to be physically incorporated into any of the items embraced by the foregoing.

"Implements of war" does not include facilities or equipment used to manufacture implements of war.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(b) *Restriction on use.* Except as provided in paragraph (c) of this order, no person shall hereafter use, or accept for use, any white oak logs in the manufacture of veneer.

(c) *Exceptions to restriction.* The restriction imposed by paragraph (b) of this order does not apply to the use of white oak logs in the manufacture of veneer for implements of war for delivery to or for the account of the Army, the Navy or the Coast Guard of the United States, the United States Maritime Commission or the War Shipping Administration, where the use of white oak logs to the extent employed is required by the specifications (including performance specifications) of the Army, the Navy or the Coast Guard of the United States, the United States Maritime Commission or the War Shipping Administration applicable to the contract, subcontract or purchase order.

(d) *Reports.* Any manufacturer of veneer who, on the date of issuance of this order, has in his possession or under his control any white oak logs in excess of fifty thousand board feet suitable for the manufacture of veneer shall file with the War Production Board, not later than the tenth day after such date, an inventory report on Form PD–631 of such white oak logs.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications to the War Production Board.* All communications concerning this order and all reports required to be filed hereunder, shall, unless otherwise directed, be addressed to the War Production Board, Lumber and Lumber Products Branch, Washington, D. C., Ref.: M–209. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R Doc. 42–8248; Filed, August 24, 1942; 11:43 a. m.]

PART 1210—INDUSTRIAL POWER TRUCKS

[Supplementary Limitation Order L–112a]

Corrections

In the introductory paragraph of the order appearing on page 6420 of the issue for Saturday, August 15, 1942, "§ 1201.1" should read "1210.1". In the list of manufacturers and approved models the letters "C–S" under the Elwell-Parker Electric Co. should read "C–Z".

Chapter XI—Office of Price Administration

PART 1340—FUEL

[Amendment 30 to Revised Price Schedule 88[1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

[1] 7 F.R. 2463, 2785, 3473, 4450, 5045, 5939, 6464.

[2] 7 F.R. 5986.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R., 1107, 1371, 1798, 1799, 1836, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3552, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868

Paragraphs (h) and (i) are revoked and a new paragraph (s) is added to § 1340.157, and §§ 1340.154 (b) and 1340.159 (a) are amended to read as set forth below:

§ 1340.154 *Records and reports* • • •

(b) Where a contract of the type described in paragraph (a) (3) of § 1340.159 was in effect as of October 1, 1941 duly authenticated copies of such contracts shall be filed with this Office within thirty days after August 26, 1942.

• • • • • •

§ 1340.157 *Definitions* • • •

(s) "Receiving tank" means the tank of the producer of crude petroleum, sometimes called stock tank or shipping tank, in which the oil from one or more wells is first gauged or measured for sale, delivery or storage.

• • • • • •

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(a) *Crude petroleum* (1) The maximum price at the receiving tank for crude petroleum from any given pool shall be the posted purchase price as of October 1, 1941 for such pool.

(2) Where on October 1, 1941, there was for any given pool no posted purchase price, or more than one posted purchase price, the maximum price at the receiving tank for crude petroleum from such pool shall be the price paid for crude petroleum at the same receiving tank as of October 1, 1941, unless this price is below the lower or lowest of the posted purchase prices, if any, and in that case, the maximum price shall not be in excess of such lower or lowest posted purchase price.

(3) Where a contract was in effect on October 1, 1941 for the purchase of crude petroleum at the receiving tank at a price in excess of any posted purchase price for the given pool applicable to such production or for the purchase of crude petroleum at a point other than at the receiving tank at a price in excess of the sum of such posted purchase price and the differential between such posted purchase price and the price at such other point in existence on October 1, 1941 such contract price shall be the maximum price at the receiving tank or at such other point for the production covered by the contract, or any renewal of such contract, or a new contract between the same buyer and seller concerning the same production.

(4) Where the maximum price for any sale of crude petroleum at the receiving tank cannot be determined under (1) through (3) above, the purchaser may set a temporary price for such crude petroleum subject to the provisions of § 1340.154 (c) above and subject also to disapproval of the Office of Price Administration. If such temporary price is a posted price, it shall, unless disapproved in writing by the Office of Price Administration within 30 days after it has been reported, be the maximum price at the receiving tank for any crude petroleum produced from the pool from which crude petroleum covered by the sale in question is produced. This provision also covers crude petroleum produced from wells representing discovery and development of the new pools subsequent to October 1, 1941.

(5) The maximum price for crude petroleum purchased at a point other than the receiving tank shall be at no greater differential at such point over the maximum price for such crude at the receiving tank than existed on October 1, 1941. If no differential existed at the given points on that date, the purchaser and seller may establish a temporary differential for a sale of crude petroleum at such point subject to provisions of § 1340.154 (c) hereof and subject also to disapproval by the Office of Price Administration: *Provided, however,* That if such differential is not disapproved in writing by the Office of Price Administration within 30 days after it has been reported in accordance with § 1340.154 (c), it shall be the maximum differential for the particular sale and for all subsequent sales of crude petroleum from the same receiving tank delivered at that point.

§ 1340.158a *Effective dates of amendments.* • • •

(dd) Amendment No. 30 (§§ 1340.157, 1340.159 (a) *Crude petroleum*) to Revised Price Schedule No. 88 shall become effective August 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8197; Filed, August 21, 1942; 4:24 p. m.]

PART 1352—FLOOR COVERINGS

[Amendment 1 to Maximum Price Regulation 65[1]]

RESALE OF FLOOR COVERINGS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1352.59 (a) and 1352.61 (a) (2) are amended to read as set forth below and three new sections, §§ 1352.58a, 1352.61a and 1352.63 are added.

§ 1352.58a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every distributor subject to this Maximum Price Regulation No. 65 selling at wholesale any unit of wool floor covering covered by this Maximum Price Regulation No. 65. When used in this § 1352.58a, the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1799.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991.

§ 1352.59 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 65 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

• • • • • •

§§ 1352.61 *Definitions.* (a) When used in this Maximum Price Regulation No. 65, the term:

• • • • • •

(2) "Distributor" means a person who resells wool floor coverings to any person other than the ultimate consumer, whether he resells such wool floor coverings as a distributor, jobber, agent or broker, and includes a person who resells wool floor coverings to both ultimate consumers and others.

• • • • • •

§ 1352.61a *Applicability to certain type of sales.* (a) This maximum Price Regulation No. 65 shall not apply to sales or deliveries to ultimate consumers or to sales or deliveries of specific units of wool floor coverings purchased by the seller from distributors or manufacturers at no discount from the manufacturer's low basis price list (with the exception of cash discounts and discounts for seconds, drops, imperfects, trial-runs, remnants, mill ends, or other similar units).

§1352.63 *Effective dates of amendments.* (a) Amendment No. 1 (§§1352.58 a, 1352.59 (a), 1352.61 (a) (2), 1352.61 a and 1352.63) to Maximum Price Regulation No. 65 shall become effective August 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8198; Filed, August 21, 1942; 4:25 p. m.]

PART 1382—HARDWOOD LUMBER

[Amendment 1 to Maximum Price Regulation 97[1]]

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Table entitled "(32) Construction Boards" of § 1382.112 (b) is amended and a new § 1382.111a is added as set forth below.

§ 1382.112 *Appendix A: Maximum prices for Southern hardwood lumber in standard or near standard grades.* • • •

(32) Construction Boards:

No. 2. Construction Boards..... $39.00

NOTE: This maximum price includes surfacing two, three or four sides. No addition may be made for any surfacing or any other machining.

§ 1382.111a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1382.-112 (b) and 1382.111a) to Maximum

[1] 7 F.R. 5667.

Price Regulation No. 97 shall become effective August 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8199; Filed, August 21, 1942; 4:25 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment No. 4 to Maximum Price Regulation 136,[1] as amended]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

New subparagraph (2) is added to paragraph (c) of § 1390.25 and new paragraph (d) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(2) *American Saw Mill Machinery Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6 the maximum price applicable to the sale to any purchaser of any item of woodworking or sawmill machinery, manufactured and sold by the American Saw Mill Machinery Company, Hackettstown, New Jersey, shall be the list price for such item in effect on October 1, 1941, subject to the discounts in effect to purchasers of the same class on November 1, 1941, and the maximum price applicable to the sale to any purchaser of any radial saw or part thereof manufactured and sold by said Company shall be the list price in effect on October 1, 1941, subject to the discounts in effect to purchasers of the same class on February 20, 1942.

1390.31a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1390.25 (c) (2)) to Maximum Price Regulation No. 136, as amended, shall become effective August 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8200; Filed, August 21, 1942; 4:23 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 5 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

New subparagraph (3) is added to paragraph (c) of § 1390.25 and new paragraph (e) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(3) *Monarch Engineering and Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any industrial furnace, oven or ladle heater manufactured and sold by the Monarch Engineering and Manufacturing Company, Baltimore, Maryland, for which such Company had a published or confidential list price in effect on October 1, 1941 shall be the net price determined in accordance with the provisions of § 1390.5, plus an amount equal to 4½% of such net price.

1390.31a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1390.25 (c) (3)) to Maximum Price Regulation No. 136, as amended, shall become effective August 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8201; Filed, August 21, 1942; 4:24 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 6 to Maximum Price Regulation 136,[1] as amended]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

New subparagraph (4) is added to paragraph (c) of § 1390.25 and new paragraph (f) is added to § 1390.31a as set forth below:

§ 1390.25. *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(4) *Middlesex Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any shoe rack or accessory manufactured and sold by the Middlesex Manufacturing Company, Medford, Massachusetts, for which such Company had a published or confidential list price in effect on October 1, 1941, shall be the net price determined in accordance with the provisions of § 1390.5, plus an amount equal to 10% of such net price.

§ 1390.31a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1390.25 (c) (4)) to Maximum Price Regulation No. 136, as amended, shall become effective August 26, 1942. (Pub. Law. 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8200; Filed, August 21, 1942; 4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 24 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-1176]

A. M. TODD CO.

For reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.324 *Adjustment of maximum prices of peppermint and spearmint oils sold by A. M. Todd Company.* (a) A. M. Todd Company, of Kalamazoo, Michigan, may sell and deliver, and any person may buy and receive from A. M. Todd Company, the following commodities at prices not higher than those set forth below:

	Per pound
Natural oil of spearmint	$3.50
U. S. P. special redistilled oil of peppermint	5.75
U. S. P. redistilled oil of peppermint	5.85

(b) All discounts, allowances and trade practices in effect with respect to the above-listed commodity during March 1942 by the seller shall remain in effect under this Order.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 24 (§ 1499.324) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 24 (§ 1499.324) shall become effective August 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8192; Filed, August 21, 1942; 4:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 25 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-865]

WILLIAM LEMAN, INC.

For reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.325 *Adjustment of maximum prices of peppermint and spearmint oils sold by William Leman, Incorporated.* (a) William Leman, Incorporated, of Bremen, Indiana, may sell and deliver, and any person may buy and receive from William Leman, Incorporated, the following commodities at prices not higher than those set forth below:

	Per pound
Natural oil of peppermint	$5.50
Natural oil of spearmint	3.50

(b) All discounts, allowances and trade practices in effect with respect to the above-listed commodities during March 1942 by the seller shall remain in effect under this Order.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 25 (§ 1499.325) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 25 (§ 1499.325) shall become effective August 26, 1942. (Pub. Law, 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8193; Filed, August 21, 1942; 4:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 26 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-219]

BLOUGH MANUFACTURING CO.—SEARS ROEBUCK AND CO.

For the reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.326 *Adjustment of maximum prices for infants' and children's sleeping and outerwear garments manufactured by Blough Manufacturing Company.* (a) Blough Manufacturing Company of Harrisburg, Pennsylvania, may sell and deliver to Sears Roebuck and Company, and Sears Roebuck and Company may buy and receive from Blough Manufacturing Company the following commodities at prices not higher than those set forth below:

Style No.	Commodity	Requested maximum price
5458	Bush jackets	$11.75
5459	....do	11.75
5460	....do	11.75
5461	Corduroy jodhpurs	10.75
5462	....do	10.75
5463	....do	10.75
6039	Corduroy overalls	7.25
6040	....do	7.25
6103	Overalls	4.50
6123	....do	5.25
6145	Corduroy jackets	11.00
6146	....do	11.00
6147	....do	11.00
6168	Corduroy overalls	7.75
6169	....do	7.75
9197	Pajamas	8.50
9198	....do	8.50
5800	....do	6.50
5801	....do	6.30
5812	Gowns	5.00
5813	....do	5.00
5850	Sleeper	5.70
5851	....do	5.70

*Copies may be obtained from the Office of Price Administration.

Style No.	Commodity	Requested maximum price
9357	Sleeper	$4.15
9358	....do	4.15
9365	....do	5.40
9366	....do	5.40
9368	....do	5.15
9382	Flannelette slips	3.15
9383	....do	3.15
9384	....do	3.15

(b) The adjustment granted to Blough Manufacturing Company in paragraph (a) is subject to the following conditions:

(1) This order is limited to sales to Sears Roebuck and Company by Blough Manufacturing Company;

(2) All discounts, trade practices relating to shipping and shipping charges in effect in March 1942 shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 26 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 26 (§ 1499.326) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 26 (§ 1499.326) shall become effective August 22, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8194; Filed, August 21, 1942; 4:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 27 Under § 1499.18 (b) of General Maximum Price Regulation]

BIRD-SHANKLE CORP.

For reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.327 *Adjustment of maximum prices for Bird-Shankle Corporation.* (a) Bird-Shankle Corporation, of San Antonio, Texas, may sell and deliver, and any person may buy and receive from Bird-Shankle Corporation, the following commodity at a price not higher than that set forth below:

Case of 48 14-oz. cans Old Dutch Cleanser	$3.19

(b) All discounts, allowances and trade practices in effect with respect to the above-listed commodity during March 1942 by the seller shall remain in effect under this order.

(c) Bird-Shankle Corporation shall mail or cause to be mailed to all persons who purchase for sale at retail Old Dutch Cleanser from it at prices established pursuant to this Order No. 27 (§ 1499.327) a notice reading as follows:

The Office of Price Administration, by Order No. 27 (§ 1499.32) effective August 22, 1942, pursuant to section 18 (b) of the General Maximum Price Regulation, has permitted the Bird-Shankle Corporation to raise its maximum price for sales to you of Old Dutch Cleanser from $3.10 per case to $3.19 per case, subject to all discounts, allowances and trade practices in effect during March 1942 with respect to sales of Old Dutch Cleanser by that corporation.

The permission contained in Order No. 27 (§ 1499.327) was granted by the Office of Price Administration upon the assumption that your maximum prices for sales of Old Dutch Cleanser established by the General Maximum Price Regulation are such that no hardship would be imposed upon you if you were required to pay as much as $3.19 per case, as above set forth. That Office ascertained that most retailers, in March 1942, the base pricing period of the General Maximum Price Regulation, had already advanced their prices sufficiently to cover a cost of as much as $3.19, determined as above stated.

Order No. 27 (§ 1499.327) *does not permit you to raise your maximum prices, as established under the General Maximum Price Regulation, for sales of Old Dutch Cleanser.* However, if the price charged by the Bird-Shankle Corporation for sales of Old Dutch Cleanser to you, pursuant to such Order, imposes a substantial hardship upon you, and if your maximum prices for sales of that commodity are abnormally low in relation to the maximum prices established for sales by other sellers at retail of Old Dutch Cleanser or similar commodities, you may petition the nearest District, State, Field, or Regional Office of the Office of Price Administration for an adjustment pursuant to § 1499.18 (a) of the General Maximum Price Regulation and Temporary Procedural Regulation No. 2 of the Office of Price Administration.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 27 may be revoked or amended by the Price Administrator at any itme.

(f) This Order No. 27 (§ 1499.327) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 27 (§ 1499.327) shall become effective August 22, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8195; Filed, August 21, 1942; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 22 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF3-401]

BLOCH BROTHERS TOBACCO CO.

For the reasons set forth in an opinion* issued simultaneously herewith, it is ordered.

§ 1499.372 *Adjustment of maximum prices for tobacco manufactured by The Bloch Brothers Tobacco Co.* (a) The Bloch Brothers Tobacco Co., 4000 Water Street, Wheeling, West Virginia may sell and deliver and Mail Pouch Tobacco Co. may buy and receive from The Bloch

*Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908.

Brothers Tobacco Co. the following commodities at any price which may be agreed upon between them without regard to the provisions of the General Maximum Price Regulation.

	Oz. package
Mail Pouch	1¾
Mail Pouch	1½
Mail Pouch—sample packages	⅞
Virginia Extra Dry Smoking Tobacco 4 oz. jars:	
Jack Frost Smoking Tobacco	1¾
Wow	3½
Wow	2¼
Wow	1

(b) The adjustment granted to The Bloch Brothers Tobacco Company in paragraph (a) is subject to the condition that it will not cause or permit the maximum prices established for Mail Pouch Tobacco Company under the provisions of the General Maximum Price Regulation to be increased.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 22 (§ 1499.372) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 22 (§ 1499.372) shall become effective August 22, 1942. (Pub. Law 421, 77th Cong.)

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8191; Filed, August 21, 1942; 4:22 p. m.]

PART 1340—FUEL

[Amendment 1 to Maximum Price Regulation 189 [1]]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (5) is added to § 1340.313 (a) and a new § 1340.314a is added, as set forth below:

§ 1340.313 *Appendix A: Maximum prices for bituminous coal for use as bunker fuel.* (a) • • •

(5) There may be added to the maximum prices established in subparagraphs (1) to (4) of this paragraph (a) not more than the exact amount per net ton of any railroad freight rate increases which became effective between January 15, 1942 and April 30, 1942, and which are actually incurred by the supplier of bunker fuel.

• • • • • •

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5831.

§ 1340.314a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1340.313 (a) (5)) to Maximum Price Regulation No. 189 shall be effective as of August 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8229; Filed, August 22, 1942; 11:38 a. m.]

PART 1389—APPAREL

[Amendment 1 to Maximum Price Regulation 172 [1]]

CHARGES OF CONTRACTORS IN APPAREL INDUSTRY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In §1389.52 paragraph (d) is amended, in § 1389.53 paragraph (a) is amended, a new § 1389.61 is added, as set forth below:

§ 1389.52 *Applicability of this Maximum Price Regulation No. 172 to the General Maximum Price Regulation and the Maximum Price Regulation No. 157.* [2]

• • •

(d) The term, "contractor," includes any person who performs one or more processes of manufacturing in the production of an article of apparel, or materials supplied by a principal, and who receives payment for the process or processes so performed and for the furnishing of materials, if any, that are incidental to such operations: *Provided*, That a contractor who furnishes materials, the value of which constitutes 30 percent or more of the price charged for his services or who furnishes more material than is customary in services of the type rendered, is excluded hereunder. It shall also include any person engaged in examining, shrinking and sponging of woolen or worsted fabrics.

• • • • • •

1389.53 *Maximum contractors' charges.* The seller's maximum price for any service governed by this Maximum Price Regulation No. 172 shall be as follows:

(a) *Where the material is consigned to the contractor.* The direct labor cost of the service plus the same percentage margin over direct labor cost obtained by the contractor for the same or similar services in March 1942.

• • • • • •

§ 1389.61 *Effective date of amendments.* (a) Amendment No. 1 (§§ 1389.52 (d), 1389.53 (a), 1389.61) to Maximum Price Regulation No. 172 shall become effective August 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8227; Filed, August 22, 1942; 11:37 a. m.]

[1] 7 F.R. 4882.

[2] 7 F.R. 4273, 4541, 4618.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 8 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

Paragraph (a), subparagraph (16), of § 1394.151 is amended; and a new paragraph (i) to § 1394.1902 is added; as set forth below:

Definitions

§ 1394.151 *Definitions.* (a) • • •

(16) "Limitation area" means:

(i) The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario, and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair, and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant, and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe, and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham, and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole, and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Apalachicola River in the State of Florida; and

(ii) Limitation Area "A," which shall consist of the counties of Erie, Genesee, Livingston, Monroe, Niagara, Orleans, and Wyoming in the State of New York:

Provided, That if any part of any incorporated or unincorporated city, town or village, or if any part of the establishment of any dealer or distributor, is located within the limitation area, all of such city, town, village, or establishment shall be considered as within such area.

• • • • • •

Effective Date

§ 1394.1902 *Effective dates of amendments.* • • •

(i) Amendment No. 8 (§ 1394.151 (a) (16) to Ration Order No. 5A shall become effective August 22, 1942. (Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H) 7 F.R. 562)

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8233; Filed, August 22, 1942; 12:11 p. m.]

[1] 7 F.R. 5225, 5362, 5426, 5566, 5606, 5666, 5674, 5942, 6267.

PART 1499—COMMODITIES AND SERVICES

[Amendment 23 to Supplementary Regulation 1 to General Maximum Price Regulation]

EXCEPTION FOR CERTAIN COMMODITIES, CERTAIN SALES AND DELIVERIES

CHRISTMAS TREES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (6) of § 1499.26 (b) is added and reads as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.*

• • •

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries:

• • • • • •

(6) The sale of any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

• • • • • •

(e) *Effective dates.* • • •

(24) Amendment No. 23 (§ 1499.26 (b) (6)) to Supplementary Regulation No. 1 shall become effective August 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8228; Filed, August 22, 1942; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 29 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-576]

ATLANTIC COAST FISHERIES CO., INC.—KROGER GROCERY AND BAKING CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.329 *Adjustment of maximum prices for sales of frozen codfish fillets by, Atlantic Coast Fisheries Company to Kroger Grocery and Baking Company under the brand "Fres-shore."* (a) Atlantic Coast Fisheries Company of 4 Fish Pier, Boston, Massachusetts, may sell and deliver to Kroger Grocery and Baking Company of Cincinnati, Ohio, and Kroger Grocery and Baking Company may buy and receive from Atlantic Coast Fisheries Company frozen codfish fillets packaged under the brand "Fres-shore" at prices not higher than the maximum prices chargeable by Atlantic Coast Fisheries Company under section 2 of the General Maximum Price Regulation for frozen codfish fillets sold under the brand "Nordic."

(b) The permission granted to Atlantic Coast Fisheries Company and Kroger Grocery and Baking Company is subject to the following condition: that the maximum prices chargeable by the Kroger Grocery and Baking Company for sales of frozen codfish fillets under the brand "Fres-shore" shall be maintained at the levels existing prior to the issuance of this Order.

(c) This Order No. 29 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 29 (§ 1499.329) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 29 (§ 1499.329) shall become effective August 24, 1942. (Pub. Law 421, 77th Cong.)

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8226; Filed, August 22, 1942; 11:39 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 3 to Revised Price Schedule 50]

GREEN COFFEE

Correction

In the table headed "Santos" appearing on page 6387 of the issue for Friday, August 14, 1942, the price for 2s under the boxhead, "Other cup descriptions or undescribed," should read "10" instead of "0". Under the same boxhead in the table headed "Paranagua—Angra Dos Reis—Sul de Minas," the price for 4s should read "9¾" instead of "9½".

PART 1355—LEAD

[Maximum Price Regulation 199]

LEAD BULLET ROD

Correction

The word "delivered" in the first column, third line, on page 6221 of the issue for August 11, 1942, should read "deliveries."

PART 1499—COMMODITIES AND SERVICES

[Order 59 Under § 1499.3 (b) of General Maximum Price Regulation]

WEYERHAUSER SALES COMPANY

MAXIMUM PRICES FOR SHIPMENT OF WOOD CULVERT STAVES

Corrections

Semicolons should appear in the middle column of page 6604 of the issue for August 20, 1942, in § 1499.273 under the caption "Wood Culvert Staves," in the ninth line following the word "ends" and in the eleventh line following the word "joints".

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

Pursuant to the Provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following special regulation is prescribed to govern the operation of the Southern Pacific Bridge near Knights Landing across Sacramento River below Chico Landing, California:

§ 203.710 *State of California; bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connected bays and river systems tributary thereto.* • • •

(b) *Special regulations.*

• • • • • •

(4) *Sacramento River.*

BELOW CHICO LANDING

• • • • • •

Southern Pacific Bridge near Knights Landing. Period of day for prompt opening. Between the hours of 8:00 a. m. and 11:59 p. m., this bridge shall upon proper signal be opened promptly for the passage of any vessel or vessels or other watercraft not able to pass underneath.

Between the hours of 11:59 p. m. and 8:00 a. m., the swing span may remain in open position and unattended.

Owners of vessels contemplating passage through the bridge between 11:59 p. m. and 8:00 a. m. during the months of November, December, January, and February are requested to notify the Southern Pacific Company General Superintendent at Sacramento, California, at least eight (8) hours in advance of the time at which they will pass the bridge. When such notice is given and when fog prevails, a bell shall be tolled continuously during the approach and passage of a vessel. (28 Stat. 362; 33 U.S.C. 499) [Regs. Aug. 12, 1942 (CE 6371 (Southern Pacific Co.—Sacramento R.—Knights Landing)—SPEON)]

• • • • • •

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8190; Filed, August 21, 1942; 3:18 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

CARRYING OF FIREARMS

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535,

16 U.S.C. 3), § 2.11 of Part 2, Title 36, Code of Federal Regulations, is hereby amended by adding thereto a new paragraph (e) reading as follows:

§ 2.11 *Firearms, etc.* • • •

(e) The members of the armed forces of the United States shall be permitted to carry unsealed firearms; and, in the discretion of the superintendent, members of the armed forces of the several states or friendly foreign nations may be permitted to carry unsealed firearms. The provisions of this paragraph shall be applicable only during time of war in which the United States is engaged. (39 Stat. 535, 16 U.S.C. 3)

Approved: August 14, 1942.

[SEAL] ABE FORTAS,
Under Secretary.

[F. R. Doc. 42-8216; Filed, August 22, 1942; 10:45 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service: Federal Security Agency

PART 29—PAYMENTS TO ESTABLISH RESERVES OF BLOOD PLASMA

SUBPART B—FISCAL YEAR 1943

REGULATIONS OF THE SURGEON GENERAL GOVERNING GRANTS TO HOSPITALS FOR ESTABLISHING RESERVES OF BLOOD PLASMA

Whereas the Federal Security Agency Appropriation Act, 1943, approved July 2, 1942, appropriates for the United States Public Health Service an amount not to exceed $420,000 for the fiscal year ending June 30, 1943, "to enable the Surgeon General, without regard to section 3709 of the Revised Statutes either independently or, subject to regulations promulgated by him, by grants to public and private hospitals, to procure and to establish reserves of liquid, frozen, or dry blood plasma or serum albumin for the treatment of casualties resulting from enemy action," the following regulations are promulgated to govern the administration of this appropriation:

Sec.
29.201 Eligibility for grants.
29.202 Approval of plans.
29.203 Conditions of grants.
29.204 Method of payment.

AUTHORITY: §§ 29.201 to 29.204, inclusive, issued under Pub. Law 647, 77th Cong.

§ 29.201 *Eligibility for grants.* Preference shall be given to hospitals serving communities whose geographical location implies a likelihood of civilian casualties from enemy action, and which are inadequately equipped to handle such casualties.

To be eligible for a grant a public or private hospital shall:

(a) Have a capacity of not less than 200 beds, exclusive of bassinets, provided that two or more smaller hospitals totaling 200 beds may submit a cooperative project designating one of the participating hospitals as the grantee;

(b) Be on the approved list of the American College of Surgeons and the Hospital Register of the American Medical Association;

(c) Have on the professional staff a physician whose qualifications are the equivalent of those required by the American Board of Pathology for its diplomates.

§ 29.202 *Approval of plans.* A grant may be used only for the purchase of equipment necessary for the preparation of liquid or frozen plasma, reconditioning or minor alterations of existing quarters, necessary travel and subsistence allowance of $6.00 per diem to cover a training period, if required, of not more than one week, for the physician directing the blood plasma project, and temporary salaries of personnel necessary for the establishment of a blood and plasma project.

A hospital desiring to receive a grant shall submit a plan to the Chief Medical Officer, Office of Civilian Defense, who is authorized to receive such plans on behalf of the Surgeon General of the United States Public Health Service. A plan shall contain the following information:

(a) The number of hospital beds classified according to use;

(b) The name and qualifications of the physician who will direct the plasma project;

(c) Description of present blood and plasma project, if any;

(d) The type and amount of plasma reserves which the applicant proposes to prepare;

(e) The delivered price of equipment necessary to complete the existing facilities for preparing such plasma. Such equipment shall be described in accordance with the equipment inventory in "A Manual on Citrated Normal Human Blood Plasma," issued by the Office of Civilian Defense, or equivalent approved equipment;

(f) The cost of materials or labor, if any, needed for adapting existing quarters to the needs of the blood plasma project;

(g) The salaries, if any, to be paid additional personnel until the plasma reserve has been prepared. Salary items shall also show the proposed periods of employment and monthly rates of pay for each individual.

When a plan is recommended by the Chief Medical Officer of the Office of Civilian Defense for the approval of the Surgeon General, the hospital will be furnished a budget and acceptance form to be signed, notarized and returned to the Chief Medical Officer, Office of Civilian Defense.

§ 29.203 *Conditions of grants.* (a) The hospital shall agree to build up a plasma reserve of at least one unit per bed within three months after delivery of the necessary equipment. If the hospital is within 75 miles of a Red Cross bleeding center procuring blood for the military services, no competitive publicity campaigns for donor procurement shall be conducted. In such hospitals, six months is allowed for building the required plasma reserve. A unit of plasma is defined as that amount which can be recovered by centrifuging from 500 cc. of whole blood to which has been added 50 cc. of anti-coagulant solution. It also may be interpreted as 300 cc. of citrated plasma;

(b) The agreed amount of plasma reserve shall be maintained for use without charge and only for treatment of casualties caused by enemy action. The reserve shall be released for use in other local hospitals for this purpose on order of the local Chief of Emergency Medical Service and for transfer within the State on order of the State Chief, Emergency Medical Service, or transfer from one State to another on the order of the Regional Medical Officer, Office of Civilian Defense;

(c) Liquid plasma shall be kept from being outdated by replacement of older by newer plasma. Plasma may be utilized for current needs of the hospital in the treatment of its regular patients, provided the plasma reserve shall not be allowed to fall below the stated minimum. If the plasma reserve is depleted because of large numbers of casualties, a reasonable time shall be allowed to rebuild the plasma reserve to the required minimum;

(d) All plasma shall be prepared in accordance with the principles described in the manuals of the Office of Civilian Defense prepared by the Subcommittee on Blood Substitutes of the National Research Council;

(e) The hospital shall agree to continue the plasma project for the duration of the war with the minimum stated reserve; thereafter the reserve may be used by the hospital without restriction;

(f) A record shall be kept of all blood doners, including their blood types, to expedite obtaining donors for emergencies;

(g) No funds made available under the grant shall be used for the payment of blood donors;

(h) Any blood plasma project under this program shall be subject to inspection by authorized representatives of the Surgeon General of the Public Health Service. Samples of plasma shall be submitted to the National Institute of Health for sterility testing as required by authorized representatives of the Public Health Service;

(i) Hospitals shall keep clinical records of all cases receiving blood or plasma transfusions and shall submit promptly reports including clinical abstracts of any untoward experiences encountered in the use of plasma for the duration of the war.

§ 29.204 *Method of payment.* Payments will be made on a reimbursement basis for expenditures made in accordance with the approved budget. Applications for reimbursement shall be notarized and addressed to the Chief Medical Officer, Office of Civilian Defense. The procedure for payment will be as follows:

(a) Payments from the allotment to cover the purchases of non-expendable equipment aggregating $300 or more will be paid upon receipt from the authorized administrative head and accounting officer of the hospital, of an itemized statement of the purchases supported by invoices showing the date of delivery of such equipment;

(b) Payment will be made for the authorized training expenses of the physician who is to direct the blood plasma project whenever the hospital presents a notarized claim itemizing the travel and per diem allowance incident to the training;

(c) Reimbursement for other items of the approved budget will begin only after actual production of blood plasma is started. During the first three months of production, reimbursement will be made on a monthly basis and quarterly thereafter for the duration of the grant. Such reimbursement will be made only upon receipt of a report form prescribed by the Surgeon General from the institution showing expenditures incurred during the period, total plasma prepared during the month, and the total reserve on hand to date;

(d) Payments may be withheld, and plasma produced as part of this project may be transferred by the Surgeon General, from any hospital which fails to meet the conditions of the grant or to comply with the regulations;

(e) Each hospital shall submit monthly reports during the period of the grant showing the amounts of plasma on hand and used; thereafter, for the duration of the war the hospital shall submit such reports quarterly on its use of the plasma.

[SEAL] THOMAS PARRAN,
Surgeon General.

JULY 27, 1942.

Approved August 20, 1942.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 42-8245; Filed, August 24, 1942; 11:16 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular No. 1516]

PART 260—SPECIAL LEASES OR SALES

REGULATIONS GOVERNING THE LEASE OR SALE OF PUBLIC LANDS FOR THE MANUFACTURE OR PRODUCTION OF WAR MATERIALS

AUG. 14, 1942.

Sec.
260.1 Statutory authority.
260.2 Policy.
260.3 Lands.
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260.8 Issuance of leases.
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260.10 Charges.
260.11 Publication and posting.
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260.13 Lien.
260.14 Assignment of lease.
260.15 Termination of lease.
260.16 Removal of materials, equipment or machinery on termination of lease.
260.17 Cancelation of lease.

AUTHORITY: § 260.1 to 260.17, inclusive, issued under Pub. Law 586, 77th Cong.

§ 260.1 *Statutory authority.* The Act of June 5, 1942, Public Law 536, authorizes the lease or sale of public lands to persons, partnerships and corporations

• • • for use in connection with the manufacture of arms, ammunition; and implements of war, or the production of equipment, supplies, and materials, or machinery usable in such manufacture.

The Act provides in section 4 that it shall cease to be operative 6 months after the termination of the unlimited national emergency proclaimed by Proclamation 2487 of May 27, 1941.[1]

§ 260.2 *Policy.* Although the Act of June 5, 1942, authorizes the lease or sale of public lands, in the discretion of the Secretary of the Interior, no sale will be made unless the needs of the applicant cannot be met satisfactorily by a lease. Each applicant to purchase land will be required to make a clear and convincing showing as to the necessity for the purchase.

No lands will be leased or sold, except with a reservation to the United States of all mineral deposits therein, together with the right to prospect for, mine and remove the same.

Leases under the Act will not be issued if other laws and regulations provide specific authority under which the resources or materials may be obtained, in the absence of a satisfactory showing by the applicant that such provisions are inadequate to meet his requirements.

The use of the leased lands will be restricted to the uses authorized by the lease. No timber, mineral or other resources may be removed from the lands unless specifically authorized.

All operations must be conducted so as not to cause unnecessary reduction in the usefulness of the lands for other purposes, or to impair the scenic values or recreational uses.

§ 260.3 *Lands.* Leases may be issued, or sales made, of vacant public lands withdrawn or reserved by Executive Order 6910 of November 26, 1934, or Executive Order 6964 of February 5, 1935, or within a grazing district, but not otherwise withdrawn or reserved from entry and disposal under non-mineral laws.

The acreage which may be leased or sold will be restricted to that area which is reasonably necessary for the proposed project.

§ 260.4 *Application.* An application must be submitted in affidavit form, in triplicate, and should be filed in the land office for the district in which the lands are situated. If there is no district land office in the State, the application should be filed in the General Land Office. The application should show:

(a) The name and address of each applicant.

[1] 6 F.R. 2617.

(b) The facts as to the age and citizenship of the applicant, if an individual, or as to the partnership or incorporation, and the citizenship of each partner or stockholder, if the applicant is a partnership or a corporation.

(c) The general business of the applicant, and its relation to the war program.

(d) Whether the applicant wishes to lease or purchase the land. If a lease is requested, the applicant should specify the period for which it is desired, not exceeding 6 months after the termination of the unlimited national emergency.

(e) If a sale is requested, the applicant should state why the acquisition of title in connection with the proposed project is necessary and why a lease of the land will not suffice.

(f) A description of the land involved. The land, if surveyed, should be described with reference to the public land surveys. If unsurveyed, it should be described in such a manner that it may be identified with certainty.

(g) That the land, or the resource or material thereon for which application is made, is needed and will be used by the applicant in connection with the manufacture of arms, ammunition or implements of war, or the production of equipment, supplies and materials, or machinery, usable in such manufacture. If the applicant has entered into any contract(s) involving the manufacture or production of such material or equipment, a copy of the contract(s), or information relative thereto, should be furnished.

(h) The facts as to the buildings and improvements, if any, including the estimated cost thereof, which the applicant proposes to place on the land, together with a description of the land desired for such structures.

(i) Whether the land is occupied or improved by any person. If so, the name of the occupant and the purpose for which the land is used should be given.

(j) When the lands were last examined by the applicant.

§ 260.5 *Citizenship.* Each applicant must be a citizen of the United States or one who has declared his intention to become a citizen, a partnership composed of such persons, or a corporation owned by such persons and organized under the laws of the United States or of a State or Territory thereof and authorized to transact business in the State or States in which the lands involved are situated.

§ 260.6 *Action by register.* When received, the register will give an application a current serial number and will note it on the records of the district land office. If the application is not properly executed, or is not accompanied by the required fee, or is otherwise irregular, the register will reject it. The applicant will have the right of appeal. The register will forward the application with the copies to the General Land Office by special letter.

§ 260.7 *Provisions of lease.* Each lease will contain such provisions as may

be necessary to safeguard the rights of the United States. The attached form, which is made a part of this section, will be used, so far as the form may be appropriate.

Unless the accomplishment of the purpose for which the lands are leased will be hindered, each lease will provide that it shall not interfere with or prevent:

(a) The prospecting, locating, developing, mining, entering, leasing, or patenting of the mineral resources under any laws or regulations applicable thereto.

(b) The issuance of grazing privileges, under applicable laws and regulations.

(c) The use and disposal of timber or other resources on the lands, under applicable laws and regulations.

(d) The acquisition or granting of rights-of-way or easements under applicable laws and regulations.

(e) Hunting and fishing on the lands by any person under applicable State or Federal hunting and fishing laws and regulations.

§ 260.8 *Issuance of leases.* The Secretary of the Interior is authorized, in his discretion, to issue leases under the Act of June 5, 1942. The Commissioner of the General Land Office will take appropriate action on all applications for the leases and will make recommendations to the Secretary as to the issuance of leases. No recommendation for the lease or sale of lands within grazing districts will be made without the prior concurrence of the Director of Grazing. All actions of the Commissioner on applications will be subject to review or appeal, in accordance with the Rules of Practice (43 CFR, Part 221).

§ 260.9 *Fee.* Each aplicant must pay a fee of $5.00 if the application is for 1,000 acres or less and an additional $5.00 for each 1,000 acres or fraction thereof. The fee will be carried as unearned pending action on the application. If the application is rejected, the fee will be returned. If a lease based on the application is offered to the applicant, and refused by him, the fee will be retained and earned as a service charge.

§ 260.10 *Charges.* All lessees, other than agencies of the Federal Government, will be required to make payment of a reasonable charge for the use of the land, or for the procurement of resources of materials therefrom, to be fixed in the lease. All annual rental charges shall be payable in advance.

Where public land is sold, the applicant will be required to pay its reasonable value, to be fixed by appraisement, but not less than $1.25 per acre.

All payments must be made to the Register of the land office for the district in which the lands are situated. Moneys received from sales of the lands will be deposited and accounted for in like manner as other proceeds from the sale of public lands. Lease rentals will be deposited and accounted for as miscellaneous receipts, rent of land.

§ 260.11 *Publication and posting.* Publication and posting will be required for 30 days, in connection with all sales of land. The notice must be published in a newspaper designated by the Commissioner of the General Land Office. If this be a daily paper, the notice must be published in the Wednesday issue for five consecutive weeks; if weekly, for five consecutive issues; and if semi-weekly, in either issue for five consecutive weeks. The Register will cause a similar notice to be posted in his office, such notice to remain posted during the entire period of publication. The applicant must file in the district land office prior to the issuance of final certificate evidence that publication has been had for the required period. The evidence may consist of the affidavit of the publisher, accompanied by a copy of the notice as published.

Publication and posting will not be required in connection with an application for lease.

§ 260.12 *Execution of lease; bond and advance rental payment.* Upon approval of an application, a proposed lease will be prepared and forwarded through the register to the applicant. The lease must be executed by the applicant in quadruplicate and returned by him to the register. The applicant must furnish with the proposed lease, when returned, a corporate surety bond in such amount as may be determined, but not less than $1,000, conditioned upon the performance by the applicant of all the terms of the lease. The applicant also must pay, in advance, the annual rental for the first year of the lease.

§ 260.13 *Lien.* A lien for rental charges and other payments which become due will be reserved to the United States on all improvements, fixtures, and personal property of the lessee on the lands. No improvements or fixtures may be removed from the land unless all moneys due the United States have been paid.

Each lease must be recorded by the lessee at his expense, pursuant to the applicable recordation statute of the jurisdiction wherein the land is situated, and evidence of such recordation must be furnished.

§ 260.14 *Assignment of lease.* A lessee may not assign his lease, or any interest therein, without the approval of the Secretary of the Interior. A proposed assignment must be executed in triplicate and forwarded, within 30 days from the date of its execution, to the register of the proper district land office, for transmittal to the Commissioner of the General Land Office. It must be supported by a statement signed by the assignee agreeing to be bound by the provisions of the lease if the assignment is approved, and a showing that the assignee possesses the qualifications required of a lessee. The Commissioner will make appropriate recommendations to the Secretary.

§ 260.15 *Termination of lease.* The lessee, with the consent of the Secretary of the Interior first had and obtained in writing, may surrender and terminate his lease upon payment of all charges due thereunder, upon payment of all wages and moneys due and payable to workmen employed by him, and upon making a showing satisfactory to the Secretary that the public interests will not be impaired.

If a lease is terminated because of the expiration of the unlimited national emergency prior to the expiration of any year for which advance annual rental has been paid, a proportionate refund of the rental payment will be made.

§ 260.16 *Removal of materials, equipment or machinery on termination of lease.* Upon the expiration of a lease, or the earlier termination thereof pursuant to the preceding section, the lessee shall have the right at any time within 90 days thereafter, or such extension thereof as may be granted by the Secretary of the Interior, to remove the materials, equipment or machinery placed by him on the land, provided, all moneys due the United States have been paid. Any materials, equipment or machinery remaining on the lands at the expiration of such period shall become the property of the United States.

§ 260.17 *Cancelation of lease.* A lease may be canceled by the Secretary of the Interior if the lessee shall change his production from war to non-war purposes; or shall fail to make any payment required thereunder, or to comply with any of the provisions thereof, and such default shall continue for 30 days after written notice thereof to the lessee.

FRED W. JOHNSON,
Commissioner.

Approved: August 14, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

Serial No. ------

LEASE OF PUBLIC LANDS FOR MANUFACTURE OR PRODUCTION OF WAR MATERIALS

The United States of America (lessor), acting through the Secretary of the Interior, and ----------
of ----------
(lessee), under the Act of Congress approved June 5, 1942, Public Law 586, and the regulations thereunder, all of which are made a part hereof, agree:

SEC. 1. *Rights granted.* That the lessee shall have the exclusive right and privilege of using for ---------- the following-described tract of land:

Section ------, Township ----------, Range ------, ---------- Meridian, State of ---------- containing ------ acres, more or less, for the following period: ----------

That the lessee also shall have the right to construct, and to maintain on that part of the leased land described below, during the period of this lease, such manufacturing, processing, storage and office buildings, including transportation facilities, as may be useful in connection with the operations authorized hereunder:

SEC. 2. In consideration of the foregoing, the lessee agrees:

(a) *Annual rental.* To pay the lessor each year in advance as annual rental the sum of $

(b) *Monthly statements; payment for materials covered by lease.* To furnish monthly statements at such time and in such form as may be required by the lessor, showing the facts as to all resources or material removed from the land, where such removal is authorized by this lease, and to pay the lessor for all resources or material so removed during each six months period of this lease within 30 days after the expiration of such period. The amount of the payments will be determined as follows:

(c) *Conduct of operations.* To conduct all operations on the leased land in accordance with the requirements of the laws of the State in which the land is located, as well as the laws of the United States.

(d) *Taxes.* To pay, when due, all taxes lawfully assessed and levied under the laws of the State or the United States on the leasehold or other right or interest of the lessee under this lease, or on the materials, equipment, or machinery placed by the lessee on the land.

(e) *Use of materials not covered by lease.* Not to cut timber from the land, or to remove any other resources or materials therefrom, unless specifically authorized by the provisions of this lease, without securing the prior approval of the Secretary of the Interior.

(f) *Waste; unauthorized use.* Not to commit waste or injury to the land, and not to devote the land to any occupation or use other than the purposes for which this lease is given.

(g) *Fires.* To take all reasonable precautions to prevent and suppress forest, brush and grass fires.

(h) *Pollution of waters.* To take all possible precautions to prevent pollution of waters on and in the vicinity of this tract, including, if required by state or local law, the installation of sewerage treatment works.

(i) *Wildlife.* To observe all laws and regulations for the protection of game animals, game birds, and non-game birds, and not to disturb such animals or birds unnecessarily.

(j) *Labor policy.* To accord all workmen and employees freedom to bargain collectively and complete freedom of purchase, to pay them at least twice each month in lawful money of the United States and to carry on all operations hereunder with due regard to their health and safety.

(k) *Roads.* Not to enclose roads or trails commonly used for public travel.

(l) *Regulations.* To abide by and conform to any and all reasonable regulations of the Secretary of the Interior now or hereafter in force under the Act of June 5, 1942, all of which regulations are made a part and condition of this lease, provided that such future regulations shall not effect any change in the annual rental or other charge without the consent of the parties hereto.

(m) *Inspection.* That the leased premises and the books and records of the lessee relating to operations under the lease shall be subject to inspection at all reasonable times by duly authorized representatives of the Department of the Interior, and that other Federal agencies, including game wardens, shall be given access to the premises in connection with necessary Government business.

(n) *Assignments.* Not to assign this lease, or any interest therein, without the consent of the Secretary of the Interior; that any such assignment, if made, will contain all the terms and conditions agreed upon by the parties thereto; and that the proposed assignment will be forwarded in triplicate within 30 days from the date of its execution to the register of the proper district land office for transmittal to the Commissioner of the General Land Office.

SEC. 3. *Lien.* A lien for rental charges and other payments which become due is hereby reserved to the United States on all improvements, fixtures, and personal property of the lessee on the lands. No improvements or fixtures may be removed from the lands unless all moneys due the United States have been paid.

The lessee agrees to record this lease at his expense, pursuant to the applicable recordation statute of the jurisdiction wherein the land is situated, and to furnish the lessor evidence of such recordation.

SEC. 4. *Rights reserved.* Except as indicated below, this lease shall not interfere with or prevent:

(a) The prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources under any laws or regulations applicable thereto.

(b) The issuance of grazing privileges, under applicable laws and regulations.

(c) The use and disposal of timber or other resources on the lands, under applicable laws and regulations.

(d) The acquisition or granting of rights-of-way or easements under applicable laws and regulations.

(e) Hunting and fishing on the lands by any person under applicable State or Federal hunting and fishing laws and regulations.

SEC. 5. *Termination of lease.* The lessee, with the consent of the lessor, first had and obtained in writing, may surrender and terminate this lease upon payment of all charges due thereunder, upon payment of all wages and moneys due and payable to workmen employed by him, and upon making a showing satisfactory to the lessor that the public interests will not be impaired.

If this lease is terminated because of the expiration of the unlimited national emergency prior to the expiration of any year for which advance annual rental has been paid, a proportionate refund of the rental payment will be made.

SEC. 6. *Removal of materials, equipment or improvements on termination of lease.* Upon the expiration of the lease, or the earlier termination thereof pursuant to the preceding section hereof, the lessee shall have the right at any time within 90 days thereafter, or such extension thereof as may be granted by the Secretary of the Interior, to remove the materials, equipment or improvement placed by him on the lands, provided all moneys due the United States have been paid. Any materials, equipment or machinery remaining on the lands at the expiration of such period shall become the property of the United States.

SEC. 7. *Cancelation of lease.* This lease may be canceled by the lessor if the lessee shall change his production from war to non-war purposes, or if he shall fail to make any payment required thereunder, or to comply with any provisions thereof, and such default shall continue for 30 days after written notice thereof to the lessee.

SEC. 8. *Unlawful interest.* No Member of, or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent or employee of the Department of the Interior, shall be admitted to any share or part in this lease, or derive any benefit that may arise therefrom. The provisions of action 3741 of the Revised Statutes and sections 114, 115, and 116 of the Criminal Code, approved March 4, 1909 (35 Stat. 1109), relating to contracts, enter into and form a part of this lease, so far as the same may be applicable.

SEC. 9. *Heirs and successors in interest.* Each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

In witness whereof:

THE UNITED STATES OF AMERICA.
By ----------

Witnesses to signature of lessee:

[F. R. Doc. 42-8215; Filed, August 22, 1942; 10:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Amendment 1 to General Order O. D. T. 3, Revised]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART B—COMMON CARRIERS OF PROPERTY

LOADING AND OPERATING

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, General Order ODT No. 3, Revised,[1] Title 49, Chapter II, Part 501, Subpart B, subparagraph (2) of paragraph (b) of § 501.6 is hereby amended as follows:

§ 501.6 *Loading and operating requirements.* * * *

(b) * * *

(2) Accept or receive any property for transportation over any circuitous route, except when no adequate common carrier service over a direct route is available, or except when the direct route in unsafe or unusable or is more destructive to tires or motor trucks. (E.O. 8989, 6 F.R. 6725)

* * * * * *

Issued at Washington, D. C. this 22d day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

AUGUST 22, 1942.

[F. R. Doc. 42-8225; Filed, August 22, 1942; 11:13 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-240]

HUDSON FUEL COMPANY

FILING OF APPLICATION

In the matter of Hudson Fuel Company, Registered Distributor, Registration No. 4581.

[1] 7 F.R. 5445.

Notice of filing application for disposition of compliance proceeding without formal hearing pursuant to § 301.132.

Notice is hereby given that an application dated July 9, 1942, for disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the "Division") on July 11, 1942, pursuant to § 301.132 of the Rules and Regulations Governing Practice and Procedure before the Division by Hudson Fuel Company, a corporation, the above-named registered distributor (the "Distributor").

In said application, the Distributor:

1. States that Peter Mazza is the President and majority stockholder of the Distributor which is engaged in the sale of coal and of Mazza Trucking Company, a corporation, which is engaged essentially in the hauling of coal for the Distributor; and that both companies have their principal place of business at 5052 Glazier Avenue, Cleveland, Ohio;

2. Admits that it committed the acts and failed to take the action referred to in the Notice of and Order for Hearing, dated April 27, 1942, and the Order Amending Notice of and Order for Hearing, dated May 19, 1942, resulting in violations of the Bituminous Coal Code and rules and regulations issued thereunder by purchasing for resale from various code member producers, during the period November 13, 1940, to September 27, 1941, both dates inclusive, 12,078.39 tons of various sizes of bituminous coal, which coal was physically handled and resold by it in less than carload lots by transporting the same from the mine facilities of said producers in trucks owned or under the control of its affiliate, Mazza Trucking Company, and accepted and retained discounts thereon in the total amount of $2,281.89.

3. States that on June 4, 1942, it surrendered to the Division for cancellation its Certificate of Registration as a Distributor (No. 4581); and

4. Upon the basis of the foregoing admitted violations, consents to the entry of an order confirming the revocation of its rights represented by said Certificate of Registration as a Distributor.

All interested parties desiring to do so may within fifteen (15) days from the date of this notice, file with the Division recommendations or requests for informal conference in respect to the above-described application.

Dated: August 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8250; Filed, August 24, 1942; 11:48 a. m.]

[Docket No. B-306]

GERBER COAL COMPANY, CODE MEMBER

FILING OF APPLICATION

Notice of filing of application for disposition of compliance proceedings without formal hearing pursuant to § 301.132 of the rules of practice and procedure before the division.

Notice is hereby given that an application, dated August 4, 1942, for the disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the "Division") on August 10, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Bituminous Coal Division by the Gerber Coal Company, the above-named Code Member (the "Code Member").

1. In said application the Code Member admits having committed violations of the Bituminous Coal Code and the effective minimum prices established thereunder, as alleged in the complaint, as follows:

(a) By selling for rail shipment approximately 366.9 net tons of 1" x 0 slack coal, produced at its mine, to the Great Northern Railway, Great Falls, Montana, during the period from October 11, 1940 to December 5, 1940, both dates inclusive, at 80 cents per net ton f. o. b. the mine, whereas the effective minimum price established for such coal was $1.00 per net ton f. o. b. the mine;

(b) By selling for rail shipment approximately 44.15 net tons of 9" x 6" furnace coal, produced at its mine, to School District No. 26, Collins, Montana, on November 20, 1940, at $3.25 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was $3.75 per net ton f. o. b. the mine;

(c) By selling for rail shipment approximately 62.5 net tons of mixed nut coal, produced at its mine, consisting of one-third 2" x 1¼" nut, invoiced at $3.25 per net ton f. o. b. the mine, and two-thirds 3" x 2" nut, invoiced at $3.50 per ton f. o. b. the mine, to the Graham & Ross Mercantile Company, Great Falls, Montana, on December 3, 1940, whereas the effective minimum price for 2" x 1¼" nut coal was $3.50, and 3" x 2" nut coal was $3.75 per net ton f. o. b. said mine; and

(d) By selling for rail shipment approximately 677.05 net tons of 6" x 3" egg coal, produced at its mine, to the Anaconda Copper Mining Company, Great Falls, Montana, during the period from October 24, 1940 to August 11, 1941, both dates inclusive, at $3.25 per net ton f. o. b. the mine, whereas the effective minimum price established for such coal was $3.50 per net ton f. o. b. the mine.

2. In said application, the Code Member also states that to the best of its knowledge and belief it has not committed any other violations of the Act, the Code or regulations thereunder, either before or after the admitted violations referred to hereinabove.

3. In said application, Code Member consents, upon the basis of the above-mentioned admitted violations, to the entry of an order directing it to cease and desist from further violations of the Act, the Code and the regulations thereunder.

All interested parties desiring to do so may file with the Division within fifteen (15) days from the date of this notice recommendations or requests for informal conference in respect to such application.

Dated: August 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8251; Filed, August 24, 1942; 11:48 a. m.]

[Docket No. 1867-FD]

SHERWOOD-TEMPLETON COAL CO., INC., AND SUMMIT COAL CO., INC.

ORDER DENYING EXEMPTION

In the matter of the application of Sherwood-Templeton Coal Company, Inc., and Linton-Summit Coal Company, Inc., for a Determination of the status of the waste slurry coal produced at Mine Index No. 63, 101, 108, and 112 in District No. 11, pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937.

An application having been filed with the Bituminous Coal Division by Sherwood-Templeton Coal Company, Inc., and Linton-Summit Coal Company, Inc., on July 25, 1941, pursuant to section 4-A of the Bituminous Coal Act of 1937, seeking an order in accordance with section 4 II (1) of the Act, exempting from the provisions of the Bituminous Coal Act of 1937 the slurry coal produced at Mine Index Nos. 108 and 112 of Sherwood-Templeton Coal Company, Inc., and Mine Index Nos. 63 and 101 of Linton-Summit Coal Company, Inc., and consumed by the Antioch Power Company, a corporation wholly owned by the applicants;

Pursuant to Orders of the Director and the Acting Director, and after due notice to all interested persons, a hearing in this matter having been held on January 5, 1942, before Floyd McGown, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The preparation and filing of a report by the Examiner having been waived and the matter having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion, which are filed herewith;

Now, therefore, it is ordered, That effective sixty (60) days from the date hereof, the exemption prayed for in the application herein be, and it hereby is, denied.

Dated: August 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8252; Filed, August 24, 1942; 11:48 a. m.]

General Land Office.

[Public Land Order 26]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A CAMP SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as a camp site:

MOUNT DIABLO MERIDIAN

T. 14 N., R. 6 E.,
Secs. 6, 8, and 23;
T. 15 N., R. 6 E.,
Secs. 1, 12, 13, 18, and 24;
T. 14 N., R. 7 E.,
Secs. 8 and 18.

The areas described, including both public and non-public lands, aggregate 5828.95 acres.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 12, 1942.

[F. R. Doc. 42-8210; Filed, August 22, 1942; 10:45 a. m.]

[Public Land Order 27]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for the use of the Department of the Interior in connection with the prosecution of the war:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 36 E.,
Sec. 21;
Sec. 22;
Sec. 23;
Sec. 27;
Sec. 28;
Sec. 33;
Sec. 34, NW¼;

containing 4,080 acres.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 12, 1942.

[F. R. Doc. 42-8211; Filed, August 22, 1942; 10:43 a. m.]

[Public Land Order 28]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands within the following described areas are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for the use of the Department of the Interior in connection with the prosecution of the war:

SAN BERNARDINO MERIDIAN

T. 17 N., R. 6 E.,
Sec. 4;
Sec. 5;
Sec. 8;
Sec. 9.
T. 18 N., R. 5 E.,
Sec. 20, SE¼;
Sec. 21;
Sec. 22;
Sec. 26, W½;
Sec. 27;
Sec. 28;
Sec. 29, E½.

The areas described, including both public and non-public lands, aggregate 5,920 acres.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 12, 1942.

[F. R. Doc. 42-8212; Filed, August 22, 1942; 10:44 a. m.]

[Public Land Order 29]

IDAHO

PARTIALLY REVOKING EXECUTIVE ORDER NO. 4796 OF JANUARY 19, 1928, AND AIR-NAVIGATION SITE WITHDRAWAL NO. 106

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, and the provisions of section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), it is ordered as follows:

Sec. 1. Executive Order No. 4796 of January 19, 1928, withdrawing certain lands in Idaho for the use of the Department of Commerce in the maintenance of air-navigation facilities, is hereby revoked so far as it affects the following-described lands, within Idaho Grazing Districts Nos. 1 and 5:

BOISE MERIDIAN

T. 4 S., R. 8 E., sec. 19, lot 1 of NW¼;
T. 5 S., R. 9 E., sec. 15, SE¼NW¼;
T. 9 S., R. 19 E., sec. 19, lot 3 or NW¼SW¼;
T. 9 S., R. 21 E., sec. 32, SW¼SW¼;
aggregating 139.25 acres.

SEC. 2. The order of the First Assistant Secretary of the Interior of July 29, 1936, withdrawing certain lands for the use of the Department of Commerce as Air-Navigation Site Withdrawal No. 106, is hereby revoked as to the following-described land, within Idaho Grazing District No. 1:

BOISE MERIDIAN

T. 5 S., R. 11 E., sec. 30, fractional SW¼ of lot 2, 7.81 acres.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 14, 1942.

[F. R. Doc. 42-8213; Filed, August 22, 1942; 10:44 a. m.]

[Public Land Order 31]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN AIR BASE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U.S.C., title 43, sec. 416), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an air base:

SAN BERNARDINO MERIDIAN

T. 1 S., R. 20 E., secs. 24 and 25;
T. 1 S., R. 21 E.,
secs. 19, 20, 29, and 30.

The areas described aggregate 3844.60 acres.

This order shall take precedence over but shall not rescind or revoke (1) the withdrawal for reclamation purposes made by the Secretary of the Interior on June 4, 1930, and (2) the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such orders affect any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 14, 1942.

[F. R. Doc. 42-8214; Filed, August 22, 1942; 10:44 a. m.]

NEVADA

STOCK DRIVEWAY WITHDRAWAL NO. 54, NEVADA NO. 10, AND NEVADA PROPOSED GRAZING DISTRICT MODIFIED

Under the authority of section 7 of the act of June 28, 1934, as amended by the act of June 26, 1936, 48 Stat. 1272, 49 Stat. 1976, 43 U.S.C. 315f, the following-described public land in Nevada is hereby classified as necessary and suitable for the purpose and, under the provisions of section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, such land, excepting any mineral deposits therein, is withdrawn from all disposal under the public-land laws and reserved for the use of the general public as an addition to Stock Driveway Withdrawal No. 54, Nevada No. 10, subject to valid existing rights:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 36 E.,
Section 17, SE¼, 160 acres

Any mineral deposit in the land shall be subject to location and entry only in the manner prescribed by the Secretary

of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

And the Departmental order of January 16, 1919, establishing Stock Driveway Withdrawal No. 54, Nevada No. 10, is hereby revoked as far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

Section 21, All;
Section 22, NW¼;
Section 28, NW¼.
960 acres.

And under the authority of section 7 of the Act of June 28, 1934, as amended, the Departmental order effective November 30, 1937, establishing the Nevada Proposed Grazing District is hereby revoked as far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 36 E.,
Section 21, All;
Section 22, All;
Section 23, All;
Section 27, All;
Section 28, All;
Section 33, All;
Section 34, NW¼.
4,080 acres.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 12, 1942.

[F. R. Doc. 42-8209; Filed, August 22, 1942; 10:44 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 24, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

American Clothing Co., 251 Clifton Ave., Clifton, New Jersey; Sewing men's coats; 16 learners (T); August 24, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Aetna Shirt Co., 110 South Paca St., Baltimore, Maryland; Men's dress shirts and men's sportswear; 10 percent (T); August 24, 1943.

Becker Dress, Inc., 113 W. Redwood St., Baltimore, Maryland; Ladies' rayon dresses; 20 learners (T); December 24, 1942.

Belmont Mfg. Co., 321 North 8th St., Philadelphia, Pennsylvania; Ladies' cotton rayon dresses and blouses; 20 learners (E); December 24, 1942.

H. D. Bob Co., Inc., Cherry St., Jessup, Georgia; Sport shirts, pajamas, slacks and dress shirts; 7 learners (T); August 24, 1943.

J. Brown & Co., 229 South Market St., Chicago, Illinois; Ladies' wearing apparel; 6 learners (T); August 24, 1943.

Dixie Shirt Co., Inc., Camp Wadsworth, Spartanburg, South Carolina; Army shirts; 10 percent (T); August 24, 1943.

Simon Fisher, White Horse Pike, Berlin, New Jersey; Ladies' cotton slips, children's cotton slips and ladies' & children's pajamas; 2 learners (T); August 24, 1943.

The Gluckin Corp., Cross St., Suffern, New York; Brassieres; 10 percent (T); August 24, 1943.

Jay-Gee Mfg. Co., 217 South Fifth St., Perkasie, Pennsylvania; Children's and misses' sportswear, beachwear, playwear and novelties; 15 learners (E); December 24, 1942.

Juliette Originals, 400 First Ave., N., Minneapolis, Minnesota; Dresses and dress suits; 5 learners (T); August 24, 1943.

Kaynee Co., 6925 Aetna Road, Cleveland, Ohio; Shirts and sportswear, boys' suits, pajamas; 10 percent (T); August 24, 1943.

Kolodney & Myers, Inc., Railroad St., Winchendon, Massachusetts; Dresses; 10 percent (T); August 24, 1943.

Lehigh Dress Co., 1401 Broadway, Bethlehem, Pennsylvania; Dresses; 10 percent (T); August 24, 1943.

Main Pants & Lumberjacket Co., Inc., 209 Exeter Ave., West Pittston, Pennsylvania; Boys pants; 7 learners (T); August 24, 1943.

Maybelle Sportswear Mfg. Co., 310½ West Weatherford St., Fort Worth, Texas; Women's sportswear; 10 percent (T); August 24, 1943.

Mike Malone Overall Co., 324 Market St., Philadelphia, Pennsylvania; Dungarees; 3 learners (T); August 24, 1943.

N & W Overall Co., Inc., So. President St., Jackson, Mississippi; Pants, overalls and coats, shirts; 10 percent (T); August 24, 1943.

Needlecraft Mfg. Co., 29 North Main St., Dover, Pennsylvania; Children's cotton work dresses; 7 learners (T); August 24, 1943.

The Pyke Mfg. Co., 154 West 2nd St., S., Salt Lake City, Utah; Men's work pants; 10 percent (T); August 24, 1943. (This certificate replaces the one bearing the expiration date of November 20, 1942).

Racine Shirt Co., Inc., Greensburg, Indiana; Army shirts, work shirts, mackinaws, coats; 10 percent (T); August 24, 1943.

Royal Trouser Mfg. Co., 37 Chestnut St., Norwich, Connecticut; Trousers; 10 learners (T); August 24, 1943.

Shriner Mfg. Co., Taneytown, Maryland; Pajamas; 5 learners (T); August 24, 1943.

The Sidley Co., 45 Ecker St., San Francisco, California; Corsets and brassieres; 1 learner (T); August 24, 1943.

Southland Mfg. Co., Inc., 204 Greenfield St., Wilmington, North Carolina; Shirts; 5 percent (T); August 24, 1943.

Standard Romper Co., Inc., 558 Roosevelt Ave., Central Falls, Rhode Island; Infants' and children's wear; 10 percent (T); August 24, 1943.

Standard Textile Co., Inc., 66 North 3rd St., Memphis, Tennessee; Work pants, work shirts; 20 learners (E); February 24, 1943.

Artificial Flowers and Feathers

H. Brand Feather Co., 7 West 30 St., New York, New York; Flowers and feathers; 5 learners (T); October 1, 1942. (This certificate effective August 20, 1942).

Goldston-Weber, 7 East 37th St., New York, New York; Flowers and feathers; 2 learners (T); October 1, 1942. (This certificate effective August 20, 1942).

Reliable Millinery Supply Co., Inc., 29 West 38th St., New York, New York; Flowers and feathers; 4 learners (T); October 1, 1942. (This certificate effective August 20, 1942).

Cigars

Federal Cigar Co., Inc., 560 West Broadway, Red Lion, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours, cigar packers to have learning period of 320 hours and stemming machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; August 23, 1943.

T. Lewis Cigar Mfg. Co., South Second St., Steelton, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 23, 1943.

Parodi Cigar Co. of New York, Inc., 441 N. Main Ave., Scranton, Pennsylvania; Cigars; 10 percent (T); Hand cigar makers to have learning period of 960 hours and cigar packers to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 23, 1943.

Webster Eisenlohr, Inc., 208 N. Beaver St., York, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 23, 1943.

Webster Eisenlohr, Inc., 7th & Washington Sts., Reading, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 23, 1943.

Webster Eisenlohr, Inc., 540 S. George St., York, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 23, 1943.

Glove

Becopa Glove Mills, Inc., 4 Warburton Ave., Yonkers, New York; Knit wool gloves; 10 percent (T); August 24, 1943.

Hega Knitting Mills, Inc., 204 South Broadway, Yonkers, New York; Knit wool gloves; 10 percent (T); August 24, 1943.

The National Mitten Works, 212–216 East Superior St., Kokomo, Indiana; Knit fabric and work gloves; 5 learners (T); August 24, 1943.

Reinhart Mitten Co., 451 North 4th St., Milwaukee, Wisconsin; Leather dress and work gloves; 3 learners (T); August 24, 1943.

M. M. Smith & Son, Inc., 66 Sherman St., Galeton, Pennsylvania; Leather dress and work gloves; 5 learners (T); August 24, 1943.

Sterling Silk Glove Co., Portland, Pennsylvania; Knit fabric gloves; 25 learners (E); February 24, 1943.

Hosiery

Cherokee Hosiery Mills, 242 Highland Ave., Hickory, North Carolina; Seamless and full-fashioned hosiery; 10 learners (E); January 24, 1943.

Dixie Hosiery Mills, Inc., 430 West Church St., Newport, Tennessee, Seamless hosiery; 5 learners (T); August 24, 1943.

Ft. Payne Hosiery Mills, Inc., Ft. Payne, Alabama; Seamless hosiery; 5 learners (T); August 24, 1943.

Lykens Hosiery Mills, Lykens, Pennsylvania; Seamless hosiery; 3 learners (T); August 24, 1943.

Sunshine Hosiery Mills, S. Church St., Murfreesboro, Tennessee; Seamless hosiery; 5 percent (T); August 24, 1943.

Tinicum Hosiery Mills, 3rd & Wyandotte Sts., Lester, Delaware Co., Pennsylvania; Full-fashioned hosiery; 4 learners (T); August 24, 1943.

Wilmington Hosiery Mills, Inc., Fifth & Monroe Sts., Wilmington, Delaware; Seamless hosiery; 5 percent (T); August 24, 1943.

Millinery

Carene Hat Co., Inc., 501 Madison Ave., New York, New York; Ladies hats; 2 learners (T); August 24, 1943.

Dan Levin Co., 228 Grant Ave., San Francisco, California; Felt hats; 3 learners (T); August 24, 1943.

Telephone

Central Iowa Telephone Co., Toledo, Iowa; To employ learners as commercial switchboard operators at its Reinbeck Exchange, located at Reinbeck, Iowa (T); August 24, 1943.

Textile

Stringer Silk Spinning Mills, Main St. & Mitchell Ave., Lansdale, Pennsylvania; Rayon ribbonzene; 3 learners (T); August 24, 1943.

Signed at New York, N. Y., this 22d day of August 1942.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8243; Filed, August 24, 1942; 10:48 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 525.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective August 24, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued under the employer's representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Eaton Paper Corp., South Church St., Pittsfield, Massachusetts; Converted paper products; 20 learners; Machine operators and hand operators to have learning period of four weeks at 33 cents per hour; November 2, 1942.

Engel Art Corners Mfg. Co., 4711–17 North Clark St., Chicago, Illinois; Converted paper products; 1 learner; Punch press operator to have learning period of four weeks at 32 cents per hour; November 2, 1942.

Melrose Hosiery Mills, Inc., English St., High Point, North Carolina; Seamless and full-fashioned hosiery; 10 learners; Sewing machine operators to have learning period of 480 hours at 25 cents per hour; February 24, 1943.

Signed at New York, N. Y., this 22d day of August 1942.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8244; Filed, August 24, 1942; 10:48 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 94]

PATENT APPLICATIONS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Patent applications listed and described in Exhibit A attached hereto and made a part hereof,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
96, 470	8/17/36	A. Ferretti	Manufacture of artificial textile fibres.
97, 266	8/21/36	I. Kreidl	Process for making white clouded enamel.
106, 911	10/21/36	S. Sordelli	Manufacture of artificial textiles.
110, 983	11/13/36	S. Sato	Tension apparatus.
125, 856	2/3/37	H. Prufer	Adhesive layers and their production.
129, 218	3/5/37	W. Dallenbach et al	Transmission and/or the reception of electromagnetic waves.
134, 186	3/31/37	H. Legerlotz	Manufacture of water-soluble antiseptics from hexylresorcinols.
134, 706	4/3/37	P. Gilli	Steam power plant with heat accumulator.
139, 213	4/27/37	L. De Tavy	Production of rollers.
150, 176	6/24/37	P. Filippi	Device for the automatic control of the articulation of the knee applicable to a prothesis of the thigh.
152, 290	7/7/37	P. Gilli	Accumulator plants.
152, 810	7/8/37	E. Faerber	Method of treating waste material of wood sugar processes or the like.
130, 143	8/14/37	R. Zwerina	Rocket propelled bodies.
160, 170	8/30/37	R. Matteucci	Air propeller with adjustable pitch during flight.
171, 130	10/29/37	F. Rapatz et al	High speed steel.
176, 941	11/27/37	K. Hefel	Power transmission.
184, 101	1/8/38	J. Berlek	Chrome-magnesia refractory and method.
186, 061	1/20/38	J. Hoffmann	Fully automatic filter press.
188, 988	2/5/38	Z. Foldi	Process for the production of new efficacious P-amino-benzene sulphamide derivatives, suitable for injection purposes.
191, 000	2/17/38	A. Ferretti	Manufacture of artificial textile fibres.
192, 177	2/28/38	G. Bottaro	Process and apparatus for the reclaiming of used lubricating oils.
194, 469	3/7/38	F. Lierz	Process of producing sensitive silver halide colloidal.
196, 546	3/17/38	H. Bretschneider	Process of preparation of sterol oxidation products containing two carbonyl groups.
196, 646	3/18/38	U. Cristofoletti, et al	Apparatus for self-loading vehicles.
196, 776	3/18/38	F. Skaupy, et al	Process and apparatus for continuous spinning of filaments and ribbons, etc.
204, 187	4/25/38	G. Revelli	Cartridge lifting device for repeating and automatic fire arms.
206, 693	5/7/38	A. Righi	Synchronism indicating apparatus.
206, 946	5/9/38	G. Donggenima	Nitrogenous textile fiber.
208, 556	5/18/38	G. Jendrassik	Working process and mechanical equipment for gas turbines.
211, 101	5/31/38	F. Lasch et al	Pancreatic hormone preparations and the production thereof.
213, 843	6/15/38	J. Erhlich	Method of detecting alterations of documents.
217, 505	7/5/38	G. Jendrassik	Apparatus for gas turbines.
217, 506	7/5/38	G. Jendrassik	Gas turbine plant equipped with regulating apparatus.
219, 604	7/16/38	A. Maximoff	Synthetic rubber and process of its manufacture.
220, 011	7/10/38	A. Maximoff	Manufacture of synthetic rubber.
227, 107	8/27/38	H. Suzuku	Method of preventing scale formation.
230, 013	9/15/38	J. Kales	Internal combustion engines.
231, 799	9/26/38	K. Munekata	Electrolytic apparatus for producing a hydroxide of metal.
233, 862	10/7/38	A. Bibolini	Adjustable closed circuit grinding process.
234, 011	10/8/38	A. Scotti	Machine for the automatic packing of shuttles and such like tools into cases.
234, 290	10/10/38	I. Yamasaki	Process of preparing growth promoting vitamin B_2 (vitamin G) by fermentation.
236, 335	10/21/38	A. Varni	Floating breakwater.
236, 981	10/26/38	A. Bagnulo	Engine with stratified mixture.
238, 158	11/1/38	E. Ferlito	Method of producing tempered glass sheets.
246, 213	12/16/38	F. Meiwald	Machine for knitting cable coverings and the like.
246, 483	12/17/38	H. Osawa	Process for dressing coals or similar substances.

Serial No.	Filing date	Inventor	Title
250, 505	1/12/39	G. Torok	Insertion for cushions or the like.
251, 226	1/16/39	A. Gini	Air conditioning systems.
251, 858	1/19/39	G. Griedmann	Method of fertilizing land.
253, 661	1/30/39	A. Gai	Fire arms.
253, 935	1/31/39	U. Somigliana	Glass panels.
254, 379	2/3/39	G. Von Pazsiczky	Production of curled mineral fibres.
254, 631	2/4/39	E. De Visart	Regulating roller for machines sowing in rows.
255, 525	2/11/39	A. Nadai et al	Belt shifter.
255, 977	2/11/39	R. Seherich	Fuel control for combustion engines.
256, 012	2/11/39	E. Santoni	Auxiliary aerophotogrammetric surveying apparatus, including the obtainment of photographs of the sun and enabling the realization of a novel process of aerotriangulation.
256, 838	2/17/39	M. Balz et al	Shock absorber arrangement; especially for motor vehicles.
260, 336	3/ 7/39	M. Giordani et al	Process for saccharifying cellulose.
260, 412	3/ 7/39	D. Perlusz et al	Devices for extracting coffee and/or tea.
261, 133	3/16/39	F. Palazzo	Process for obtaining cellulose from resinous pine woods.
262, 291	3/16/39	R. Bolaffi	Milling planer with swingable tool-spindle.
262, 519	3/17/39	A. Raimondi	Calculating machines.
263, 204	3/21/39	K. Koller et al	Manufacture of industrial gases.
263, 240	3/21/39	Y. Mackawa	Preparation of immune blood separated plasma and serum of said blood.
264, 425	3/27/39	K. Takahashi	Lidded vessels.
266, 187	4/5/39	H. Isobe	Process of manufacturing petroleum-like oil by dry distillation of a carbonaceous material.
267, 167	4/10/39	K. Nagao	Yeasty remedy and method of preparing the same.
268, 009	4/15/39	G. Jendrassik	Heat exchanger.
268, 414	4/17/39	A. Cucchi et al	Mould for inside riveting by means of hollow rivets and means for achieving the same.
269, 085	4/21/39	M. Rosner	Backwards looking glass for automobiles and other vehicles.
270, 551	4/28/39	Y. Kono	Cannula holder.
270, 919	4/29/39	A. Ferretti	Manufacture of artificial textile fibers.
271, 160	5/1/39	L. Bini	Process of making dialkyl stilboestrols.
271, 270	5/2/39	G. Giberti	Pistons.
275, 082	5/22/39	T. Hiromi et al	Piston rings and method of making same.
277, 955	6/7/39	T. Kajita et al	Process for manufacturing artificial fiber from protein contained in soy-bean.
277, 956	6/7/39	T. Kajita et al	Process for manufacturing artificial fiber from protein contained in soy-bean.
279, 533	6/16/39	S. Simkovits	Apparatus for the purification of liquids.
279, 960	6/19/39	V. Arata	A process for the production of pure iron or iron alloys.
280, 046	6/20/39	M. Weiss	Apparatus for the production of photoprints.
280, 527	6/22/39	G. Campolunghi	Production of threads.
281, 313	6/27/39	L. De Kramolin	System for generating electricity.
283, 285	7/7/39	T. Sato	Bender for rolled-up strip such as window frame, pipe or fuel tank of motor vehicles.
283, 472	7/8/39	G. Garbuio	Apparatus for solidifying and drying alimentary pastes.
284, 136	7/12/39	M. Veneri	Coin controlled billiard table.
285, 165	7/18/39	M. Marzetti	Pick-ups and circuits therefor.
285, 850	7/22/39	P. Borracci	Equipment for subaqueous arms destined to bring about the firing of same when traversed by a galvanic contact current.
287, 002	7/28/39	R. Fraknoi	Hollow rubber toys of big size and process for their production.
287, 028	7/28/39	A. Quentin	Apparatus for use in glass tempering.
287, 174	7/28/39	A. Basili	Electronic automatic regulator for low-voltage electric generators.
288, 563	8/5/39	G. Von Pazsiczky	Manufacture of glass fibers.
288, 821	8/7/39	H. Horio	Method and apparatus for recovering solvents.
288, 964	8/8/39	T. Ohmoto	Displacing device for the numeral wheel carriage in a rotary calculating machine.
288, 965	8/8/39	T. Ohmoto	Transferring device for the figures in a calculating machine.
289, 152	8/9/39	I. Szues	Batting reinforced with knitting stitches and a device for preparing same from raw material as it comes from the carding machine.
289, 710	8/11/39	G. Natta	Process for separating the components, etc.
289, 711	8/11/39	G. Natta	Process for the manufacture of butadiene.
290, 308	8/15/39	L. Cavalieri	Automatic machine for the production of ice-cream.
290, 346	8/16/39	F. Ferré	Manufacture of centrifugal fans.
291, 698	8/24/39	S. Toth	Devices for numerical fixing, measuring instruments.
292, 126	8/26/39	M. De Falco	Change speed gear.
292, 158	8/26/39	S. Bakonyi	Process for refining keratin-containing material, and moulding powders and products producible therefrom.
292, 479	8/29/39	M. Grivetto	Dry shavers.
292, 749	8/30/39	J. Albert	Processes for the production of asbestos cement slate possessing increased bending and impact strength.
293, 495	9/5/39	M. Marzetti	Devices for needle-change in talking machines.
293, 496	9/5/39	M. Marzetti	Tone arms.
295, 616	9/10/39	G. Natta et al	Process for the production of glycerol.
296, 136	9/22/39	S. Shirokisawa	Method for preservation of solid food

Serial No.	Filing date	Inventor	Title
296, 922	9/28/39	G. Modigliani	Selective blocking arrangement for the keyboards of teleprinters having complete keyboards.
297, 359	9/30/39	S. Sordelli	Apparatus for stretching filiform materials.
297, 737	10/3/39	P. Tura	Antiglare device.
297, 773	10/3/39	L. Gussalli	Astronautic vehicle.
297, 878	10/4/39	A. Baroni	Anemometric antenna for aircraft with two oppositely disposed pitot heads.
298, 323	10/6/39	G. Revelli	Elevator for repetition and automatic fire-arms.
298, 706	10/9/39	A. Pampinella	Tipping gravity davit device for life-boats.
299, 371	10/13/39	G. Tullio	Motor tractors.
299, 777	10/16/39	E. Rooof	Method for bleaching cellulose.
299, 781	10/16/39	R. Amendola	Process of making floor coverings.
299, 782	10/16/39	R. Amendola	Linoleum coverings for floors.
300, 213	10/19/39	C. D'Ascanio	Variable pitch air-screws.
300, 820	10/23/39	S. Beck	Heat exchange devices.
301, 264	10/25/31	V. Incagnoli	High note producing system in saxophone.
303, 057	11/6/39	G. Von Pazsiczky	Method of and apparatus for producing glass fibers.
303, 058	11/6/39	G. Von Pazsiczky	Method of and apparatus for producing glass fibers.
303, 852	11/10/39	G. Szigeth	Process for the production of a water gas suitable for synthetic purposes.
304, 088	11/13/39	G. Farina	High pressure hydraulic piston packing.
304, 226	11/13/39	P. De Kiraly et al	Breech mechanism for automatic firearms.
304, 227	11/13/39	P. De Kiraly et al	Automatic or repeating firearms.
304, 835	11/16/39	R. Matteucci	Universal damper for the torsional vibrations of coaxially revolving shafts.
305, 381	11/20/39	B. Beria	Differential mechanism for cash registers.
305, 382	11/20/39	B. Beria	Key interlock and release for cash register.
305, 403	11/20/39	S. Marocco	Process for manufacturing sheets, felts and mats of glass fibres by the wet process.
305, 419	11/21/39	O. Fuscaldo	Internal combustion engine fuel injectors.
305, 420	11/21/39	O. Fuscaldo	Fuel injection means for supercharged aircraft engines.
305, 982	11/24/39	S. Tsuno	Ozonizers.
306, 071	11/25/39	G. Fauser	Process for the manufacture of ammonium nitrate.
306, 518	11/28/39	M. Floroni	Process and device for obtaining the projection of luminous letters and drawings, particularly for the purpose of publicity and signalling.
306, 568	11/28/39	G. Prola	Automatic gun.
306, 683	11/29/39	T. Okita	Rubber-like materials from dihydroxyalkyl sulphides.
306, 684	11/29/39	T. Okita	Method of manufacturing rubber-like materials.
307, 990	12/7/39	H. Osawa	Process for dressing coals by employing an aqueous heavy suspension produced from silt.
308, 027	12/7/39	J. Farago	Process and apparatus for refrigeration.
308, 213	12/8/39	F. Bandini	Metallic saw blade for sawing stone, marble plates and the like from stone blocks.
308, 845	12/12/39	G. Revelli	Bolt closer for automatic arms.
308, 846	12/12/39	M. Tominaga	Material for arresting sounds and holding warmth.
308, 870	12/12/39	A. Vagliani	Air louvers for high velocity ventilation.
308, 871	12/12/39	G. Revelli	Firing mechanism for automatic arms.
308, 872	12/12/39	G. Antonietti	Machine for compression and forming plastic materials.
309, 103	12/13/39	P. Vanni	Air carburation system.
309, 110	12/13/39	E. Perogio	Process for drying by centrifugal action of juicy materials with particular regard to olives.
309, 111	12/13/39	W. Dallenbach	Arrangement for the background noiseless production of soun flims.
309, 215	12/14/39	B. Beria	Ticket delivering machine.
309, 569	12/16/39	E. Lanciani	Armed rotating turrets for aircraft.
310, 770	12/23/39	G. Bagnato	Closure device for bores and the like.
314, 001	1/15/40	M. Marzetti	Means for resilient mounting of units.
314, 030	1/16/40	P. Salvanoschi	Formation of hollow bodies.
314, 727	1/19/40	A. Quentin	Systems and devices for tempering hollow glass articles.
315, 734	1/26/40	O. Fiesldo	Electromagnetically controlled fuel injection.
315, 844	1/26/40	U. Isman	Process of molding plates.
315, 860	1/26/40	A. Maximoff et al	Process for the manufacture of diolefines from alcohols and aldehydes.
316, 520	1/31/40	D. Bartok	Method of treating human hair.
316, 697	1/31/40	G. Pinazza	Acting device for centrifugal force percussion apparata.
317, 991	2/8/40	E. Bertello	Record filing cabinet or the like, etc.
318, 113	2/9/40	H. Diamant-Berde	Photographic solution.
318, 190	2/9/40	C. Breciani	Device for driving and remote control of magnetic compasses.
319, 384	2/17/40	E. Bisco	Optical indicator for road signalling.
319, 763	2/19/40	C. Campodonico	Fire alarm devices.
319, 829	2/20/40	A. Pesora	Bathing trunk.
319, 977	2/20/40	C. Schleifer	Supporting and actuating means for a vertically reciprocating member.
320, 074	2/21/40	L. Rosa et al	Apparatus for the recording of slow processes.
320, 172	2/21/40	T. Akahira	Apparatus for cleaning surface of a bare wire.
320, 181	2/21/40	G. Catalani	Refrigerating apparatus.
320, 199	2/21/40	G. Guerci	Manufacturing fibro-cement pipes.
320, 200	2/21/40	G. Guerci	Corrugated fibro-cement slabs.
320, 320	2/28/40	G. Cattaneo	Multiple motor drive mechanism.

Serial No.	Filing date	Inventor	Title
321, 903	3/2/40	R. Weisz	Estradiol derivatives and process for preparing same.
321, 912	3/2/40	L. Paunz, et al	Hormone preparations and method for producing the same.
321, 918	3/2/40	L. Paunz, et al	Process of insolubilizing protein fibres during their manufacture.
322, 036	3/2/40	L. Hovarth, et al	Devices for treating the human masticating apparatus.
322, 193	3/4/40	L. deKramolin	Devices for regulating radio sets and the like.
322, 241	3/4/40	M. Gerendas	Closing and clamping devices.
322, 485	3/6/40	A. Dumontel	High explosive.
322, 548	3/6/40	F. Sciacca	Extraction of vanadium and phosphorus from residues of the preparation of alumina according to the alkaline method.
322, 619	3/6/40	R. Parenti	Accordions and similar musical instruments.
322, 850	3/7/40	G. Turco	Pressure control device with supply regulation for reservoir fittings in general, hydraulic outlets and similar applications.
323, 139	3/9/40	A. Kramli, et al	Process for the production of unsaturated ketonalcobols of the cyclopentano-polyhidro-phenantrene series.
323, 623	3/12/40	T. Shimizu	Rotary prime mover.
323, 633	3/12/40	Z. Martos	Membranes made of rubber or the like.
323, 985	3/14/40	C. Del Prato	Percussion fuse for artillery.
324, 000	3/14/40	G. Cadelani	Heating system.
324, 237	2/16/40	A. Szabo	Method for cutting garments.
324, 354	3/16/40	O. Fuscaldo	Fuel injection apparatus for internal combustion engines.
324, 411	3/16/40	P. Nasca	Parachute.
324, 426	3/16/40	E. Bonfiglioli	Process of making ornamental figures.
324, 429	3/16/40	C. Finzi	Crossed strip insulating complex for concentric cables.
324, 876	3/19/40	E. Hocke	Combustion chambers for internal combustion engines.
324, 939	3/20/40	R. Stolojan	Electro-magnetic coils for telephones and loud-speakers.
325, 567	3/29/40	G. Dallos	Amplitude limiting circuits.
326, 777	3/29/40	L. Antonelli	Stepped profile turning.
326, 790	3/29/40	A. Beldimano	Apparatus for transforming mechanical energy into heat.
326, 816	3/29/40	L. D'Amelio	Heat transfer process and device.
326, 817	3/29/40	L. D'Amelio	Heat exchanger.
326, 973	3/30/40	U. Sartorelli	Method of regenerating vulcanized rubber.
327, 734	4/3/40	G. Di Vasco	Process for making artificial textile fibres resistant to damp heat and to hot dyeing.
327, 896	4/4/40	M. Wald	Arrangement for noise-elimination at the receiver.
330, 125	4/17/40	O. Fuscaldo	Fuel injection apparatus for internal combustion engines.
330, 217	4/17/40	P. Nasca	Floating parachute pack.
330, 725	4/20/40	A. Ferretti	Embodiment in the process for manufacturing artificial textile fibres from animal casein.
330, 726	4/20/40	A. Ferretti	Embodiment in the process for manufacturing artificial textile fibres from animal casein.
330, 727	4/20/40	A. Ferretti	Embodiment in the process for manufacturing artificial textile fibres from animal casein.
330, 728	4/20/40	A. Ferretti	Embodiment in the process for manufacturing artificial textile fibres from animal casein.
331, 871	4/26/40	E. Musso	Resilient saddle for cycles, motorcycles and like vehicles.
331, 888	4/26/40	G. Tagliabue	Proceeding for superficial colouring decoration by means of colour transport and penetration into the pores of various bodies.
332, 047	4/27/40	G. Guarnieri	Sensitivity control for radio receiver.
332, 049	4/27/40	R. Caselle	Swimming and life-saving equipment.
332, 117	4/27/40	A. Alfano	Automatic distributors of goods.
333, 232	5/3/40	L. Rosa, et al	Device for functional test of organs of living bodies.
333, 778	5/7/40	T. Kikuyama	Driving mechanism.
334, 067	5/8/40	Y. Takayama	Method of manufacturing succinic acid.
334, 902	5/13/40	H. Jaruschka	Mortarlike construction material.
334, 990	5/13/40	Z. Foldi, et al	Process for preparing aminothiarol derivatives.
335, 177	5/14/40	A. Cibili	Vehicle lamps.
335, 379	5/15/40	G. Forro	Manufacture of hollow articles.
335, 549	5/16/40	A. Bojinescu, et al	Method of and apparatus for sterilising liquid foodstuffs.
335, 634	5/16/40	M. Gerendas	Closing and clamping device.
336, 671	5/22/40	R. Antona Traversi	Gun-carriage.
337, 084	5/24/40	V. Giardini	Limb guard.
337, 713	5/28/40	K. Wakabayashi	Method for complete combustion of fuel in boilers and arrangements therefor.
338, 385	6/1/40	G. Caletti	Key actuated tuning devices for radioreceivers.
339, 013	6/5/40	S. Marniyn	Focusing devices for portable photographic camera.
339, 994	6/11/40	L. Lombardini	Vertical file drawers.
340, 190	6/12/40	G. Ratti	Spectacles and goggles frames.
340, 196	6/12/40	G. Lisi	Parachute with variable surface.
340, 225	6/12/40	G. Natta	Process for the manufacture of keto-alcohols.
340, 228	6/12/40	G. Natta	Process for the manufacture of butadiene from butane or butane containing gases.
340, 476	6/14/40	B. Moskovits	Therapeutically valuable calcium salt dissolved in oil and a process for the production thereof.
340, 599	6/14/40	L. DeKramolin	Carrier current systems.
340, 602	6/14/40	P. Salvaneschi	Method and apparatus for moulding plastic material.
340, 617	6/14/40	G. Zanarini	Generation of saw-tooth synchronized voltages.
340, 618	6/14/40	P. Magni, et al	Loading apparatus for rapidly supplying aircrafts with ammunition.
340, 680	6/15/40	G. Azzaroli	Storage battery connection.

Serial No.	Filing date	Inventor	Title
363,374	10/29/40	E. Zanzi	Spark plugs having a mica insulator for internal combustion engines.
364,496	11/5/40	M. Dornig	Electro-magnetic organ.
363,238	11/12/40	G. Marullo	Hydraulic continuous press for concrete and the like.
342,190	6/22/40	T. Sakurada, et al	Process for preparation of sulphonamide derivatives.
343,166	6/29/40		Method of manufacturing synthetic fibres from polyvinyl alcohol.
343,501	7/1/40	F. Bortini	Speed device for measuring the quantity of air sent out in one or more breaths.
			Centrifugal superchargers for internal combustion engines.
344,185	7/5/40	A. Bal	Sound track of film.
344,402	7/11/40	K. Nagai, et al	Filters.
344,246	7/12/40	F. Voglio	Magnetic separators.
344,228	7/16/40	A. Vigl	Process for manufacturing Aro compound of cinchona alkaloid.
344,154	7/18/40	T. Takayanagi	Justifying mechanism for typewriters and the like.
344,496	7/20/40	K. Okabe	Process for manufacturing pile fabric such as carpet.
344,638	7/20/40	C. Del Prato	Electrical circuits utilizing parallel wire or cables.
344,639	7/20/40	C. Del Prato	Percussion cap safety device for percussion fuses.
344,640	7/20/40	A. Croff	Nautical device with circular floats rotating and running upon the surface of the water.
345,649	7/20/40	J. Morita	Manufacturing male members of snaps.
346,897	7/23/40	H. Tutiya	Reagent for the quantitative analysis of glucosium in the urine and the process of making the same.
346,960	7/29/40	E. Siron	Bath for the anodic oxydation of aluminum and its alloys for obtaining very hard and tough films.
347,313	7/24/40	A. Sassetti et al	Anti-oscillation suspension for clocks and the like.
347,414	7/30/40	A. Abeckaduri	Process for the production of artificial respiration.
347,152	7/30/40	E. Melani	Process of manufacturing a built-up permanent magnet.
346,134	7/31/40	G. Gelsao	Television apparatus.
346,226	7/31/40	T. Iseki	Process for manufacturing litmus dyestuff.
346,656	7/31/40	G. Zanarini	Arrangement to raise the break-down strength of insulators.
346,901	7/31/40	W. Peters	Device for holding slips or tabs for controlling systems or similar records and the respective
346,992	7/31/40	M. Pigni	stabilizer for cutting the slips.
346,993	7/31/40		Method and apparatus for sizing tubes.
346,994	8/1/40	M. Ishikawa	Water ski and the like.
347,297	8/1/40	A. Assandri	Apparatus for the production, in a closed space, of gases, vapours
351,649	8/6/40	B. Backeres	and/or smoke especially a tea or coffee kettle.
351,777	8/7/40	C. Pomilio	Process for the extraction of resin from tomato skins.
352,038	8/9/40	B. Berta	Apparatus for producing artificial respiration.
352,035	8/9/40	R. Maurl	Process for the manufacture of artificial textile fibres.
352,909	8/12/40	G. Zanarini	Automatic record disc changing device for grammophones.
352,416	8/13/40	C. Paoloni	System for directive radiation of electromagnetic waves.
			Process for making alcol.
352,616	8/14/40	T. Hasegawa	Process for making alkali.
353,314	8/14/40	A. Foleo	Process for the production of alkali metal percarbonates.
353,755	8/20/40	S. Beck	Apparatus for heat treating metallic goods in baths.
353,845	8/22/40	W. Dallenbach	Process for the production of lead and boron free glazes.
	8/23/40	L. Torriani	Dynamic microphone.
354,230	8/26/40	M. Obta	Motion picture reproducing systems.
354,393	8/27/40	N. Hayami	Centrifugal piston clutch.
			Bladed disc for radial flow rotary machines.
354,622	8/29/40	Y. Sakamoto	Electronic microscopes.
355,397	9/3/40	S. Nyui	Injectors with electro-magnetic control for internal combustion engines.
355,830	9/7/40	G. Gallo	Joints for demountable steel structures.
356,072	9/9/40	E. Schimanek	Process for the treatment of milk, etc.
			Device for obtaining automatically the proper fuel-air mixture under all conditions of operation for internal combustion engines, more especially of gasoline injection.
356,558	9/12/40	R. Yamamoto et al	Method of preparing stable dry vitamin C.
356,559	9/12/40	R. Yamamoto et al	Method of extracting vitamin C, a linoleum-like product by
356,564	9/12/40	G. DeBlasio et al	Process for the manufacture of linoleum.
			Means for keeping ammunitions sustained in the air.
356,590	9/12/40	T. Hara	Fountain pen.
356,709	9/16/40	G. Lisi	Process for producing pure iron or iron alloys.
357,045	9/16/40		Process for preparing sulphonamide derivatives.
			Devices for applying the brakes by mechanical power, for the control of the circulating pump, etc.
357,310	9/18/40	A. Baroni	Automatic gear.
357,314	9/20/40	E. Kieferdorf	Process for preparing sulphur dyes soluble in water.
357,560	9/23/40	E. Ricciardi	Process for saccharifying cellulosic materials by mechan-
358,077	9/23/40	A. Zelpelli et al	ical disintegration and simultaneous attack with mineral
358,094	9/24/40	G. Tolessoni	acid.
358,731	9/27/40	G. Tolessoni	Process for the manufacture of effect threads.
358,825	9/28/40	C. Mestinese	Lady's handbag.
358,923	9/30/40	I. Rosos	Circuit interrupter.
359,383	10/2/40	R. Di Pasquale	Steel cultivator.
359,791	10/4/40	C. Ghilardelli	Device for bolts, spindles or the like.
360,041	10/5/40	A. Bertolotti	Process for manufacturing casein filaments.
360,695	10/14/40	R. Berta	Spring hand coupling of a variable reduced length for interna
360,745	10/21/40	A. May	combustion engines.
362,458	10/23/40	Y. Ishida	Variable speed hydraulic couplings.
362,480	10/28/40		Clutch mechanism for aircraft wing flaps.
362,559	10/24/40	G. Muscari	Breathing apparatus for respiration at high altitudes.
362,677	10/24/40	G. Pacliano	Hand-operated cash register.
362,843	10/25/40	B. Felicli	Apparatus for picking up and reproduction of sounds.
			Method of treating wood or silk-like fibres from the colla-
			Method of treating fatty layers, tendons, etc., of animals.
			Process for the separation, etc.
			One-way clutch arrangement.
			Electrolytic cells.

Serial No.	Filing date	Inventor	Title
365,581	3/27/41	B. Sonnino	Process and device for printing fabrics of all kind.
365,680	3/28/41	L. Vargha, et al	Process for the decomposition of cholestenone and of halogen derivatives thereof.
366,195	3/31/41	M. Lamarchia	Sound track of film.
367,735	4/9/41	C. Pizzi	Method of binding straw fodder and the like sheaves.
367,976	4/10/41	Z. Foldi, et al	Sulphonamide derivatives.
367,979	4/10/41	Z. Foldi, et al	Sulphonamide derivatives.
367,980	4/10/41	Z. Foldi, et al	Sulphonamide derivatives.
368,753	4/16/41	F. Kesselring	Device for interrupting overloads.
390,124	4/24/41	R. Konig	Preparation of vitamin B_1.
390,181	4/24/41	A. Hehs	Parachute equipment.
390,742	4/28/41	R. Konig, et al	Preparation of vitamins of type B_1.
390,848	4/28/41	I. Kovacs	Process for preventing the formation of scale and/or for removing any scale formed in boilers.
391,223	4/30/41	G. Moschetto	Process for the manufacture of tubes and rods of sheet wood.
392,734	5/9/41	R. Weisz	Method for producing antirachitically active preparation and resultine products.
392,983	5/10/41	G. Zanarini	Mechanical energy transductor bases on byroscopic reaction.
393,122	5/12/41	O. Rossi	Method and means to increase duration of the contact and/or the surface of the said contact between a vaporous or gassy fluid and a liquid particularly for the purpose of distillation, etc.
393,434	5/14/41	F. Lamberti	Life-saving and exploring device, etc.
394,221	5/19/41	B. Moskovits	Process for the manufacture of dry vegetable products.
394,609	5/22/41	L. Marzoli	Pressure device for drawing cylinders for fly frames having three, four or more cylinders.
394,670	5/22/41	L. Marzoli	Pressure hinged lever system for cylinders of sliver or lap drawing frames for use in spinning textile fibres of various kinds.
395,500	5/27/41	U. Weiss et al	Internal and external gauge for regulable measuring and with with micrometric adjustment.
395,896	5/29/41	K. Hikami	Method of preventing natural combustion and overheating of sulphide ores and other mineral products.
397,246	6/9/41	V. Pogioli	Valveless engine.
397,388	6/10/41	F. Zoltan, et al	Preparation of vitamin B_1.
397,475	6/10/41	A. Tasso	Automatic silk-titre regulating device.
397,971	6/13/41	S. Yokogawa	Hydraulic press.
398,401	6/17/41	M. Makay	Process for the gelatinization of cellulose nitrate.
398,402	6/17/41	M. Makay	Process for the production of gun cotton gelatin suitable for being converted into guncotton devoid of solvent.
398,549	6/18/41	L. DeKramolin	Regulating arrangement.
399,916	6/26/41	S. Shinomiya	Device for sinking a deep oil-well and simultaneously elevating sands and earths.
399,917	6/26/41	S. Shinomiya	Drilling device capable of acting transversely in a deep oil-well.
400,876	7/2/41	E. Fukusima	Method for measuring the roughness of the metallic surface.
401,901	7/11/41	M. Cipolla	Oblique junction-plane rail joint.
402,042	7/11/41	F. Malagrino	Device for cutting threads sidewise with automatically with-drawing tool.
402,044	7/11/41	E. Castelli	Process of manufacture of mixed yarns of artificial textile fibre and natural silk threads.
402,549	7/15/41	M. Tominaga	Sound arrester in the ventilator of sound-arresting room.
402,868	7/17/41	A. Mengoli	Process for treating tomato plant stalks for the purpose of obtaining textile fibres and/or paper pulps.
403,580	7/22/41	B. Beria	Cash register.
405,443	8/4/41	D. Obolensky	Reels or spools for motion picture films.
407,804	8/21/41	F. Szalay	Current collectors for electric vehicles.
410,612	9/12/41	A. Zabelli	Electromagnetic devices for researching sunken ships, iron containing sands and other metal contsining bodies on the sea ground.
411,409	9/18/41	I. Kertesz	Parachute equipped airplanes.
411,429	9/18/41	P. Guareschi	Methods for purifying manganese in metal state.
411,430	9/18/41	P. Guareschi	Methods for producing manganese in metal state and pure manganese dioxide if desired, from manganese ores.
411,588	9/19/41	G. Merlini, et al	System for joining parts of metallic structures to each other.
413,906	10/6/41	S. Horii	Stencil sheets.
414,022	10/7/41	P. Achille	Electrolytic system.
416,130	10/22/41	L. Antonelli et al	System of heat milling for steel ingots.
416,465	10/25/41	A. Weisz	Timesetting devices for fuses.
417,598	11/3/41	D. Vazov	Sanitary hair-combing device.
417,644	11/3/41	S. Lusztig	Heels and bridges articulations made of rigid material, for boots and shoes.
418,094	11/6/41	A. Pampinella	Tipping gravity davits for life-boats.
419,507	11/17/41	G. Sborlino	Flotation-apparatus of the mechanically, etc.
420,283	11/24/41	G. Jendrassik	Compressor plant and method for regulating the quantity of working fluid delivered thereby.
420,572	11/26/41	G. Lorschy	Single-phase machines of the commutator type and in the circuit arrangement of them.
420,886	11/28/41	E. Bolockey	Motion picture projectors.
421,060	11/29/41	E. Schimanek	Method and device for regulating the ratio of mixture of gases.
421,061	11/29/41	T. Kovacs	Fountain pen.
421,062	11/29/41	T. Kovacs	Fountain pen.
421,249	12/ 1/41	M. Yu	Preparation of powerful soluble tubercle bacilli antigen.
422,552	12/11/41	E. D'Accadia	Gas producer by solid fuel, combined with a purifier, and suitable to feed gas motors, and especially auto motors.
422,843	12/13/41	A. Carlin	Injection means for internal combustion engines.
428,674	1/29/42	U. Pomilio	Processes for the extraction of cellulosic fibres from vegetable material.
430,622	2/12/42	F. Foldes	Fluid or solid insulin preparation, etc.
431,768	2/20/42	L. Antonelli, et al	Milling machine for ingots.
433,077	3/2/42	K. Farkas	Boat.
433,386	3/4/42	E. Salani	Projectors.
434,300	3/11/42	J. Horvath	Lattice-like stiffening ribbing for structural plates and process of making the same.
435,159½	3/18/42	M. Grivetto	Saddle support for cycle.
437,188	4/1/42	M. Nogrady	Apparatus for rifle-practice.
437,192	4/1/42	T. Weisz	Stockings.
445,888	6/5/42	G. Pasqualigo	Multi-anode electron tubes and working circuits therefor.

[F. R. Doc. 42-8237; Filed, August 24, 1942; 10:22 a. m.]

[Vesting Order No. 99]

Interests of Enemy Nationals in Patents

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Interests in patents listed and described in Exhibit A attached hereto and made a part hereof,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

1. Undivided interest which stands of record in the United States Patent Office in Polysius Offene Handelagesellschaft in United States Letters Patent No. 1,775,–313, dated March 19, 1935, inventor Otto Lellep, for: Process of and Apparatus for Burning Cement in Rotary Kilns. 1,992,704, dated February 26, 1935, inventor Otto Lellep, for: Process of, and Apparatus for Treating Cement and Similar Materials. 1,994,713, dated March 19, 1935, inventor Otto Lellep, for: Apparatus for Treating Finely Divided Material.

2. Non-exclusive license granted to Siemens and Halske, A. G., by Projector, G. m. b. H., dated May 10, 1937, under the following United States Letters Patent.

Patent No.	Date	Invention	Title
1,803,271	4/28/31	K. Morsbach	Film stopping device.
1,923,462	9/15/31	K. Morsbach	Photographic camera.
1,891,663	12/20/32	K. Morsbach	Moving picture projection apparatus.
1,897,762	2/14/33	K. Morsbach	Motion picture camera.
1,908,043	3/9/33	K. Morsbach et al	Optical projection system.
1,920,657	8/1/33	K. Morsbach	Reel for films and other flexible material.
1,935,327	11/14/33	K. Morsbach et al	Motion-picture film camera.
1,937,384	11/28/33	K. Morsbach	Motion-picture camera and film container adapted to be inserted into such cameras.
1,955,557	4/17/34	K. Morsbach et al	Motion picture apparatus and particularly an improved film feeding device.
1,956,358	4/24/34	K. Morsbach et al	Centrifugal governor.
1,960,061	5/22/34	K. Morsbach	Clockwork Motion Picture Camera.
1,960,062	5/22/34	K. Morsbach et al	Motion Picture Camera.
1,964,209	6/26/34	K. Morsbach et al	Motor-Driven Motion-Picture Projecting Machine.
2,003,971	6/ 4/35	K. Morsbach	Motion-picture camera.
2,029,736	2/ 4/36	K. Morsbach	Motion-picture camera.
2,159,998	5/30/39	K. Morsbach et al	Film holder for photographic cameras.

3. One-half interest which stands of record in the United States Patent Office in the name of Allessandro Magnani (also claimed by Magnani Societa Comentifera Italiana) in and to the following United States Letters Patent.

Patent No.	Date	Inventor	Title
1,898,881	2/21/33	A. Magnani	Manufacture of tubes from fibrous pulps.
2,004,703	6/11/35	A. Magnani	Process for the direct manufacture of fibrous cement tubes between couples of rotating cylinders.
2,199,137	4/30/40	A. Magnani	Rotary beater for the preparation of asbestos fibers and the like.
2,210,985	8/13/40	A. Magnani	Method for corrugating sheets.
2,228,696	1/14/41	A. Magnani	Method of making tubular bodies.
2,275,535	3/10/42	A. Magnani	Calendering machine.

4. All right of reversion and all other rights of I. G. Farbenindustrie A. G. by virtue of an assignment to General Dyestuff Corporation dated March 13, 1936 in relation to United States Letters Patent No. 2,030,009, dated February 4, 1936, inventor Ekbert Lederle, for Red Pigments

5. All right of reversion and all other right of I. G. Farbenindustrie A. G. by virtue of an assignment to Magnesium Development Corporation dated April 1, 1932, in relation to United States Letters Patent No. 1,749,854, dated March 11, 1930, inventor Karl Staib, for: Manufacture of Anhydrous Magnesium Chloride and United States Letters Patent No. 1,764,582, dated June 17, 1930, inventor Karl Staib, for: Method of Carrying out Exothermic Reactions

6. All right of reversion and all other rights of I. G. Farbenindustrie A. G. by virtue of an assignment to Magnesium Development Corporation dated April 1, 1932, in relation to United States Letters Patent No. 1,876,084, dated September 6, 1932, inventor Karl Staib, for: Method of Making Anhydrous Magnesium Chloride and United States Letters Patent No. 1,878,085, dated September 6, 1932, inventor Karl Staib, for: Method of Making Anhydrous Magnesium Chloride.

[F. R. Doc. 42-8236; Filed August 24, 1942; 10:22 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Amendment 1 to Special Order O.D.T. B-10]

MILWAUKEE, WIS.—CHICAGO, ILL.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Order directing coordinated operation of passenger carriers by motor vehicle between Milwaukee, Wisconsin, and Chicago, Illinois.

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Interstate Transit Lines, Inc., Omaha, Nebraska, and Northland Greyhound Lines, Inc., Minneapolis, Minnesota,

It is hereby ordered, That, the effective date of Special Order O.D.T. No. B-10[1] be and it is hereby suspended until September 1, 1942.

Issued at Washington, D. C. this 20th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8185; Filed, August 21, 1942; 1:41 p. m.]

[1] 7 F.R. 5926.

[Special Order O. D. T. B-15]

INDEPENDENT STAGES, INC.

SUSPENSION OF PASSENGER SERVICE BETWEEN SEATTLE, WASHINGTON, AND PORTLAND, OREGON

Upon consideration of the application filed with this Office by North Coast Transportation Co. and Independent Stages, Inc., Seattle, Washington (hereinafter called "carriers"), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war.

It is hereby ordered, That:

1. Independent Stages, Inc., shall suspend service over its route between Seattle, Washington, and Portland, Oregon, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory bodies a notice describing the operations to be suspended in compliance herewith.

2. North Coast Transportation Co. shall honor all outstanding tickets issued by Independent Stages, Inc.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective August 28, 1942, and shall remain in full force and effect until further order of this office.

Issued at Washington, D. C. this 22d day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8224; Filed, August 22, 1942; 11:13 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 29 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-70]

DAVIS COAL AND COKE COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Davis Coal and Coke Company, Keyser Building, Baltimore, Maryland, may sell and deliver, and Western Maryland Railway Company may buy and receive coals in Size Group 3 produced at the Pendleton No. 23 Mine (Mine Index No. 365) in District No. 1 at an f. o. b. mine price not in excess of $2.75 per net ton.

(b) This Order No. 29 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(d) This Order No. 29 shall become effective August 22, 1942.

Issued this 21st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8196; Filed, August 21, 1942; 4:23 p. m.]

[Order 8 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-6]

GREENWOOD PACKING COMPANY

PETITION FOR ADJUSTMENT GRANTED

On June 2, 1942, the Greenwood Packing Company, Greenwood, South Carolina, filed a petition for amendment redocketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Greenwood Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, such kinds of wholesale pork cuts at such prices from the Greenwood Packing Company.

(b)

	Cents per pound
Pork loins fresh or frozen	29½
Boston butts, fresh or frozen	29½
Picnics smoked and tenderized 6/8s	27
Picnics smoked and tenderized 4/6s	27
Smoked butts	30
Boneless butts smoked	39
Loins smoked	32
Shoulders smoked	27
Sliced bacon, Grade No. 1	32
Sliced bacon, Grade No. 2	30
Sliced bacon, Grade No. 3	29
Sliced bacon, Grade No. 4	26
Slab bacon, smoked	25

(c) The permission granted to the Greenwood Packing Company in this Order No. 8 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1, to March 31, inclusive, of any such year, the maximum price at which the Greenwood Packing Company may sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from the Greenwood Packing Company each pork cut specified shall be a price 1¾¢ lower than the maximum price provided for such pork cut in paragraph (b).

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 8 shall become effective August 24, 1942.

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8231; Filed, August 22, 1942; 11:37 a. m.]

[Order 27 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-123]

MINE "B" COAL CO.

ADJUSTABLE PRICING PERMISSION GRANTED

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) On and after June 26, 1942, the Mine "B" Coal Company, 320 South Sixth Street, Springfield, Illinois, may sell and deliver its coals in Size Groups 8, 12, and 14 produced at its Mine "A" Mine (Mine Index No. 28) and Mine "B" Mine (Mine Index No. 97) at the applicable maximum prices subject to an agreement with the purchasers of such coals, to adjust prices upon deliveries made during the pendency of its petition in accordance with the disposition thereof.

(b) This Order No. 27 may be revoked or amended by the Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally disposed of by the Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 27 shall become effective the 24th day of August 1942.

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8230; Filed, August 22, 1942; 11:37 a. m.]

[Order 30 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-67]

LEROY FARROW

ADJUSTMENT GRANTED

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, and Procedural Regulation No. 1,[2] it is hereby ordered:

(a) Leroy Farrow, doing business as the Middle Road Company, may sell and deliver and any person may buy and receive coal in Size Groups 8 and 10 produced at his Hilltop Mine (Mine Index No. 766), in District No. 10, at prices not in excess of $2.80 per net ton for shipment by truck or wagon.

(b) This Order No. 30 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in §1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(d) This Order No. 30 shall become effective August 24, 1942.

Issued this 22d day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8232; Filed, August 22, 1942; 11:38 a. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607.
[2] 7 F.R. 971, 3663.
[1] 7 F.R. 3821, 4342.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.
[2] 7 F.R. 971.

[1] 7 F.R. 3168, 3447, 3901, 4335, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835.
[2] 7 F.R. 971, 3663.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-581]

NEW ORLEANS PUBLIC SERVICE INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of August, A. D. 1942.

New Orleans Public Service Inc., a subsidiary of Electric Power & Light Corporation, a registered holding company, having filed a declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-42 thereunder, regarding the acquisition for retirement of such amount as may be purchasable of the present outstanding issue of $1,624,500 principal amount noncallable New Orleans City and Lake Railroad Company Consolidated First Mortgage Fifty-Year Five Per Cent Gold Bonds, due January 1st, 1942, assumed by the declarant, at a fixed schedule of prices so computed as to yield to the declarant three-eighths of one per cent per annum, but in no event at a price less than the principal amount plus accrued interest to the date of purchase;

Said declaration having been filed on July 22, 1942, and an amendment thereto having been filed on August 6, 1942, and notice of said filing having been duly given, in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration, as amended, to become effective pursuant to said section 12 (c) and Rule U-42, and finding with respect thereto that the proposed transactions are not in contravention of any rules or regulations under said Act:

It is hereby ordered, That the aforesaid declaration, as amended, be, and hereby is, permitted to become effective forthwith pursuant to said Rule U-23 and the applicable provisions of said Act, subject to the terms and conditions prescribed in Rule U-24.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8189; Filed, August 21, 1942; 3:18 p. m.]

[File No. 70-584]

NORTH BOSTON LIGHTING PROPERTIES, ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of August 1942.

North Boston Lighting Properties, New England Power Association, Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company, Suburban Gas and Electric Company.

Declarations and applications having been filed on July 25, 1942 pursuant to the Public Utility Holding Company Act of 1935 by North Boston Lighting Properties (hereinafter called NOBO), Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company and Suburban Gas and Electric Company (hereinafter called the Companies), all subsidiaries of New England Power Association, a registered holding company, and by said New England Power Association, concerning the refunding by NOBO of its presently outstanding $13,000,000 of 3½% secured notes maturing October 1, 1947, and the issue by the Companies of certain 10 months' 3% notes to evidence each of their presently existing indebtedness to NOBO now represented by certain overdue 3% notes and open accounts payable; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers that a hearing be held on such matters;

It is hereby ordered, That a hearing on such matters under the applicable provisions of the Act and the Rules of the Commission thereunder be held on August 27, 1942, at 10 A. M. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the Hearing Room Clerk in room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarants and applicants and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That any person proposing to intervene or desiring to be heard in this proceeding shall file with the Secretary of the Commission on or before August 25, 1942, his request or application therefor, as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That, without limiting the issues to be considered in this proceeding, particular attention will be directed at said hearing to the following matters and questions.

1. Whether or not the said 10 months' notes proposed to be issued by the Companies are reasonably adapted to the security structure and earning power of each of the respective issuers.

2. Whether or not the issue and sale of such 10 months' notes is necessary or appropriate to the economical and efficient operation of each of the issuer's business.

3. Whether the depreciation reserves and annual accruals thereto of each of the Companies are adequate.

4. Whether the fees and expenditures to be incurred in connection with the proposed transactions are reasonable.

5. Whether the terms and conditions are appropriate in the public interest or for the protection of investors and consumers, or necessary to insure compliance with the Act and the rules, regulations or orders promulgated thereunder.

6. Generally, whether all action proposed to be taken complies with the pertinent provisions of the Act and the rules, regulations or orders promulgated thereunder, and is consistent with the public interest and the interest of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8207; Filed, August 22, 1942; 10:45 a. m.]

[File Nos. 70-323, 31-512]

MIDDLE WEST CORPORATION, ET AL.

ORDER PERMITTING WITHDRAWAL OF DECLARATION AND APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 20th day of August, A. D., 1942.

In the Matter of The Middle West Corporation, Michigan Gas and Electric Company and the Albion Gas Light Company.

The Middle West Corporation, a registered holding company, having heretofore filed a declaration and an amendment thereto regarding the sale by it to Albert E. Peirce, subject to the terms and conditions of an agreement dated May 14, 1941, of all of the securities of Michigan Gas and Electric Company and The Albion Gas Light Company held by The Middle West Corporation;

Michigan Gas and Electric Company and The Albion Gas Light Company having filed an application requesting that, in view of the execution of said agreement, this Commission enter an order declaring that they are not subsidiary companies of The Middle West Corporation and exempting them from the provisions of the Public Utility Holding Company Act of 1935;

Said agreement having expired during the pendency of proceedings on said declaration and application, declarant and applicants having now requested permission to withdraw said declaration and said application, and the Commission after consideration thereof having found that said request may appropriately be granted;

It is ordered, That the request of The Middle West Corporation for withdrawal of said declaration, and the request of Michigan Gas and Electric Company and The Albion Gas Light Company for withdrawal of said application, be and the same are hereby granted, and said declaration and application are hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8208; Filed, August 22, 1942; 10:46 a. m.]

Reference

AUG 27 1942

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 168

Washington, Wednesday, August 26, 1942

The President

EXECUTIVE ORDER 9233

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER NO. 9001 OF DECEMBER 27, 1941, TO THE BOARD OF ECONOMIC WARFARE

By virtue of the authority vested in me by the act of Congress entitled "An Act to expedite the prosecution of the war effort", approved December 18, 1941, and as President of the United States, and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001, of December 27, 1941,[1] to the Board of Economic Warfare with respect to all contracts made or to be made by it relating to the prosecution of the war; and subject to the limitations and regulations contained in such Executive order, I hereby authorize the Chairman of the Board of Economic Warfare, and such officers and employees as he may designate, to perform and exercise, as to the Board of Economic Warfare, all of the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the United States Maritime Commission by such Executive order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 22, 1942.

[F. R. Doc. 42-8263; Filed, August 24, 1942; 2:39 p. m.]

[1] 6 F.R. 6787.

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation No. 11]

PART 104—EXCLUSION OF PERSONS OF JAPANESE ANCESTRY

CALIFORNIA PORTION OF MILITARY AREA NO. 2, ETC.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

AUGUST 18, 1942.

To: The People within the States of Washington, Oregon, California and Arizona, and the Public Generally:

Whereas, by Public Proclamation No. 1, dated March 2, 1942, this headquarters, there was designated and established Military Areas Nos. 1 and 2; and

Whereas, by Civilian Exclusion Orders Nos. 1 to 99 inclusive, this headquarters, and by Public Proclamation No. 7 dated June 8, 1942, this headquarters, all persons of Japanese ancestry, both alien and non-alien, were excluded from Military Area No. 1; and

Whereas, by Civilian Exclusion Orders Nos. 100 to 108 inclusive, this headquarters, all persons of Japanese ancestry, both alien and non-alien, were excluded from the California portion of Military Area No. 2; and

Whereas, the present situation requires as a matter of military necessity that all citizens of Japan and all persons of Jap-

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

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anese ancestry, both alien and non-alien, be excluded from all of the California portion of Military Area No. 2 and be prohibited from entering Military Area No. 1 and the California portion of Military Area No. 2:

Now, therefore, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare that:

§ 104.1 *California portion of Military Area No. 2.* (a) Civilian Exclusion Orders Nos. 100 to 108 inclusive, this headquarters, together with all exclusions and evacuations accomplished thereunder, are hereby ratified and confirmed.

(b) All citizens of Japan and all persons of Japanese ancestry, both alien and non-alien, now within the California portion of Military Area No. 2, except as provided in paragraph 4 hereof, are hereby excluded therefrom.

(c) All citizens of Japan and all persons of Japanese ancestry, both alien and non-alien, except under the written authority of this headquarters, are hereby prohibited from entering Military Area No. 1 and the California portion of Military Area No. 2.

(d) The following persons are hereby temporarily exempted or deferred from exclusion and evacuation:

(1) Those individuals who are within the bounds of an established Wartime Civil Control Administration Assembly Center or the area of a War Relocation Authority Project, while such individuals are therein pursuant to orders or instructions of this headquarters.

(2) Those individuals who are involuntarily interned or confined in Federal, State, or local institutions and who are in the custody of Federal, State or local authorities, while such individuals are so interned or confined.

(3) Those individuals who, by written permits of this headquarters, have been heretofore or are hereafter expressly authorized to be temporarily exempted or deferred from exclusion and evacuation, subject to the terms and conditions of such permits.

(e) All citizens of Japan and all persons of Japanese ancestry, both alien and non-alien, who are now in the California portion of Military Area No. 2 and who heretofore have not been excluded from any portion of said Area and who are not temporarily exempted or deferred from exclusion and evacuation under Paragraph (d) hereof, shall, and they are hereby required to report in person to the nearest established Wartime Civil Control Administration Assembly Center, or, in the alternative, to the nearest Federal, State, County, or local law enforcement agency, within 24 hours from 12:00 o'clock noon, P. W. T., August 18, 1942. Failure to so report will constitute a violation of this Proclamation.

(f) Any person violating this Proclamation will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and any alien Japanese will be subject to immediate apprehension and internment.

J. L. DEWITT,
Lieutenant General, U. S. Army, Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–8265; Filed, August 24, 1942; 3:43 p. m.]

TITLE 13—BUSINESS CREDIT

Chapter I—Reconstruction Finance Corporation

AMENDMENT TO THE CHARTER OF U. S. COMMERCIAL COMPANY

Reconstruction Finance Corporation hereby certifies that, pursuant to Paragraph TENTH of the Charter of U. S. Commercial Company and upon request of the Secretary of Commerce with the approval of the President of the United States, the Charter of U. S. Commercial Company[1] was, on August 6, 1942, amended:

1. By changing Paragraph THIRD of said Charter to read as follows:

THIRD, The objects, purposes and powers of the Company shall be:

[1] 7 F.R. 2426.

(a) To produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President;

(b) To purchase and lease land; purchase, lease, build, and expand plants, and purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith;

(c) To lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture;

(d) To engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture;

(e) To produce, lease, purchase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same;

(f) To purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training;

(g) To take such other action as the President and the Secretary of Commerce may deem necessary to expedite the national defense program;

(h) To do and perform all acts and things whatsoever which are necessary, suitable, convenient or proper in connection with or incidental to the foregoing objects, purposes, and powers, including, but without limitation, the power to borrow and hypothecate, to adopt and use a corporate seal, to make contracts, to acquire, hold and dispose of real and personal property and to sue and be sued in any court of competent jurisdiction.

RECONSTRUCTION FINANCE CORPORATION,
By CHARLES B. HENDERSON,
Chairman.

Attest:

A. T. HOBSON,
Acting Secretary.

[F. R. Doc. 42–8281; Filed, August 25, 1942; 9:40 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[1942 Revision, Effective Sept. 1, 1942]

PART 20—PILOT CERTIFICATES

Sec.
20.0 Classification of pilot certificates.
20.00 Special pilot ratings.
20.1 Pilot certificate requirements.
20.10 Student pilot certificate.
20.11 (Unassigned).
20.12 Private pilot certificate.
20.13 (Unassigned).
20.14 Commercial pilot certificate.
20.15 Student glider pilot certificate.
20.16 Private glider pilot certificate.
20.17 Commercial glider pilot certificate.
20.2 (Unassigned).
20.3 Pilot certificates.
20.30 Application.
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20.43 Flight instructor rating requirements.
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20.5 Pilot aircraft rating.
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20.51 Airplane class and horsepower rating.
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20.6 Examinations and tests.
20.60 General.
20.61 Aircraft used in tests.
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20.71 Flight area limitations.
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20.73 Periodic physical examination.
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20.75 Operation during physical deficiency.
20.76 Log-books.
20.8 Flight instruction.
20.80 Rating required.
20.81 Dual control.
20.82 Time limitations.
20.83 Instrument instruction.

AUTHORITY: §§ 20.0 to 20.8, inclusive, issued under secs. 205 (a), 601 (a), 602, 52 Stat. 984, 1007, 1008; 49 U.S.C. 425 (a), 551 (a), 552.

§ 20.0 *Classification of pilot certificates.* (a) Aircraft pilot certificates, other than glider or lighter-than-air, are classified in the following ascending grades:

(1) Student pilot certificate.
(2) Private pilot certificate.
(3) Commercial pilot certificate.
(4) Airline transport pilot certificate (provided for in all respects in Part 21).

(b) Glider pilot certificates are classified in the following ascending grades:

(1) Students glider pilot certificate.
(2) Private glider pilot certificate.
(3) Commercial glider pilot certificate.

(c) Lighter-than-air pilot certificates are provided for in all respects in Part 22.

§ 20.00 *Special pilot ratings.* Special pilot ratings are as follows:

(a) Flight instructor rating.
(b) Instrument rating.

§ 20.1 *Pilot certificate requirements.*

§ 20.10 *Student pilot certificate.* To be eligible for a student pilot certificate, an applicant shall comply with the following requirements.

§ 20.100 *Age.* Applicant shall be at least 16 years of age. If applicant be less than 21 years of age at the time of making application, he shall submit with his application the written consent of either parent, or legal or natural guardian to the issuance of the pilot certificate sought.

§ 20.101 *Character.* Applicant shall be of good moral character.

§ 20.102 *Citizenship.* Applicant shall be:

(a) A citizen of and of unquestionable loyalty to the United States, or

(b) A person who is in sympathy with the objectives of the United States and who is a trustworthy citizen of a friendly foreign government not under the domination of or associated with any government with which the United States is at war.

§ 20.103 *Education.* If an applicant is unable to read, speak, and understand the English language, appropriate operation limitations may be entered upon his student pilot certificate.

§ 20.104 *Physical condition.* Applicant shall meet the physical standards of the Third Class prescribed in Part 29.

§ 20.105 *Aeronautical knowledge.* No requirement is prescribed but, prior to his first solo flight, applicant shall demonstrate thorough familiarity with the provisions of Part 60 dealing with contact flight by satisfactorily accomplishing a written examination on such provisions, and such fact shall be certified to by his instructor.

§ 20.106 *Aeronautical experience.* No requirement.

§ 20.107 *Aeronautical skill.* No requirement is prescribed.

§ 20.11 (Unassigned).

§ 20.12 *Private pilot certificate.* To be eligible for a private pilot certificate an applicant shall comply with the following requirements.

§ 20.120 *Age.* Same as in § 20.100, except that applicant shall be at least 18 years of age.

§ 20.121 *Character.* Same as in § 20.101.

§ 20.122 *Citizenship.* Same as in § 20.102.

§20.123 *Education.* Applicant shall be able to read, speak, and understand the English language. A citizen of Puerto Rico may not be compelled to meet these requirements but in any such case appropriate operation limitations may be entered upon his Airman Rating Record.

§ 20.124 *Physical condition.* Applicant shall meet the physical standards of the Third Class prescribed in Part 29.

§ 20.125 *Aeronautical knowledge.* Applicant shall be familiar with and accomplish satisfactorily a written examination covering so much of the provisions of Parts 01, 20, and 60 as are pertinent to his certificate, prevailing weather conditions in the United States as encountered in flying, and the forecasting thereof, the analyzing of weather maps and sequence reports as furnished by the United States Weather Bureau, practical air navigation problems and the use of maps, navigation by terrain (pilot-

age) and by dead reckoning, including the use of instruments and other aids to navigation in visual contact flying, and the general servicing and operation of aircraft.

§ 20.126 *Aeronautical experience.* Applicant shall have logged at least 35 hours of solo flight time: *Provided,* That an applicant seeking a rating limited to two-control nonspinnable airplanes with nose wheel type landing gear shall have logged at least 25 hours of solo flight time. As part of the foregoing applicant shall have logged at least 5 hours within the 60 days immediately preceding the date of filing the application, and at least 5 hours of cross-country flying of which at least 3 hours shall be solo, which shall include at least one flight over a course of not less than 50 miles with at least two full-stop landings at different points along the course. Such experience shall be certified to by some person, other than the applicant, having direct knowledge thereof. A graduate of the private pilot course of a certificated flying school will be deemed to have met the above requirements upon presentation of his certificate of graduation within 30 days thereof.

NOTE: The approved private pilot flight course is specified in the pertinent provision of Part 50.

§ 20.127 *Aeronautical skill.* Applicant shall satisfactorily demonstrate his ability to pilot aircraft in solo flight and, in addition to normal take-offs, turns, and landings, to perform satisfactorily the following maneuvers:

(a) A series of three landings from an altitude not to exceed 1,000 feet, with engine throttled and a 180-degree turn, the aircraft touching the ground in normal landing attitude beyond and within 300 feet of a line or point designated by the examining inspector for the Administrator.

(b) A spiral in each direction of not less than three full turns, in a banked attitude of not less than 60 degrees, with engine throttled.

(c) The following three maneuvers: (1) three shallow figure eights either "on pylon" or "around pylon"; (2) three steep figure eights either "on pylon" or "around pylon", and (3) one 720-degree power turn in each direction in a banked attitude of at least 60 degrees. During each of these maneuvers the total variation in altitude shall not exceed 200 feet.

(d) A right-hand and a left-hand spin, each of at least one full turn.

NOTE.—At his discretion, the examining inspector may ride with the applicant during these maneuvers or may permit a certificated instructor to do so.

(e) Coordination exercises, straight climbs, climbing turns, slips and emergency maneuvers such as simulated forced landings, recovery from stalls entered from both level and steeply banked attitudes, and such other maneuvers as the examining inspector for the Administrator may deem necessary and appropriate to demonstrate the competency of the applicant for the certificate or rating sought.

(f) Under ordinary circumstances, none of the maneuvers provided for in § 20.127 shall be disregarded, but any such maneuver may be modified or eliminated by the examining inspector for the Administrator if such action is appropriate to the special characteristics of the aircraft used in the test. In any such case the applicant shall be limited to the particular makes and models, or general types, of aircraft specified in his Airman Rating Record.

§ 20.128 (Unassigned).

§ 20.129 *Military competence.* An applicant who is or, was within the 60 days preceding application, a member of the regular Army, Navy, Marine Corps, or Coast Guard, or a reserve member of any such service on active duty for a period of at least 1 year, will be deemed to have met the requirements of § 20.125 through § 20.127 if he submits to an inspector of the Administrator a certificate from the appropriate officer in charge of flying in his service, stating that the applicant is or, was within the 60 days preceding application, on flying status as an aircraft pilot and competent to pilot aircraft of a stated type and, in the case of an airplane, airplane class and horsepower.

§ 20.13 (Unassigned).

§ 20.14 *Commercial pilot certificate.* To be eligible for a commercial pilot certificate, an applicant shall comply with the following requirements:

§ 20.140 *Age.* Same as in § 20.120.

§ 20.141 *Character.* Same as in § 20.101.

§ 20.142 *Citizenship.* Applicant shall be:

(a) A citizen of and of unquestionable loyalty to the United States, or

(b) A person who is in sympathy with the objectives of the United States and who is a trustworthy citizen of a friendly foreign government not under the domination of or associated with any government with which the United States is at war and which government grants reciprocal commercial pilot privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

§ 20.143 *Education.* Applicant shall be able to read, speak, write, and understand the English language.

§ 20.144 *Physical condition.* Applicant shall meet the physical standards of the Second Class prescribed in Part 29.

§ 20.145 *Aeronautical knowledge.* Same as in § 20.125 except that the examinations will be more searching and in greater detail. In addition, applicant shall satisfactorily accomplish a written examination on the theory and the practice of flight and the maintenance of aircraft, and on the maintenance and proper use af aircraft power units in common use.

§ 20.146 *Aeronautical experience.* Applicant shall have logged at least 200 hours of solo flight time, of which at least 5 hours shall have been logged within the 60 days immediately preceding the date of filing the application. As part of the foregoing, applicant shall have logged at least 10 hours of solo cross-country flying, which shall include at least one flight over a course of not less than 100 miles with at least three full-stop landings at different points on such course. Such experience shall be certified to by some person, other than the applicant, having direct knowledge of the same: *Provided,* That a graduate of a commercial pilot course of a certificated flying school shall be deemed to have met the requirements of this section upon presentation of his certificate of graduation within 30 days thereof.

NOTE: The approved commercial pilot flight course is specified in the pertinent provision of Part 50.

§ 20.147 *Aeronautical skill.* Same as in § 20.127 except as follows:

(a) In the maneuvers required by § 20.127 (a), the aircraft shall touch the ground within 200 feet beyond the line or point designated.

(b) In each of the maneuvers required by § 20.127 (c) the total variation in altitude shall not exceed 100 feet.

(c) In the spins required by § 20.127 (d) the applicant shall perform a two-turn spin in each direction with an error of not more than plus or minus 10 degrees.

§ 20.148 (Unassigned).

§ 20.149 *Military competence.* An applicant who, within 60 days preceding application, has been an active member of the regular Army, Navy, Marine Corps, or Coast Guard of the United States, or a reserve member of such service, on active duty for a period of not less than 1 year, or a citizen of the United States who, within 60 days preceding application, has been an active member for a period of not less than 1 year of, and has been honorably discharged from, the armed service of any government allied with the United States during the present war emergency, will be deemed to have met the requirements of § 20.145 through § 20.147 if he submits to an inspector of the Administrator a certificate from the appropriate officer in charge of flying in his service that he was on a flying status as an aircraft pilot at the time of his separation from the service, and was at that time competent to pilot aircraft of a stated type and, in the case of an airplane, airplane class and horsepower: *Provided,* That an applicant who is an American citizen and who has been honorably discharged from the armed forces of a foreign government allied with the United States shall satisfactorily accomplish a written examination on the provisions of the Civil Air Regulations applicable to his grade of certificate.

§ 20.15 *Student glider pilot certificate.* To be eligible for a student glider pilot certificate, an applicant shall comply with the following requirements.

§ 20.150 *Age.* Applicant shall be at least 14 years of age. If applicant be less than 21 years of age at the time of making application, he shall submit with his application the written consent of either parent, or legal or natural guardian, to the issuance of the glider pilot certificate sought.

§ 20.151 *Character.* Applicant shall be of good moral character.

§ 20.152 *Citizenship.* Same as § 20.102.

§ 20.153 *Education.* If an applicant is unable to read, speak, and understand the English language, appropriate operation limitations may be entered upon his Airman Rating Record.

§ 20.154 *Physical condition.* Applicant shall have no physical defect which renders him incompetent to pilot a glider and shall so certify to the best of his knowledge and belief.

§ 20.155 *Aeronautical knowledge.* No requirements.

§ 20.156 *Aeronautical experience.* No requirements.

§ 20.157 *Aeronautical skill.* No requirements.

§ 20.16 *Private glider pilot certificate.* To be eligible for a private glider pilot certificate an applicant shall comply with the following requirements.

§ 20.160 *Age.* Same as in § 20.150.

§ 20.161 *Character.* Same as in § 20.151.

§ 20.162 *Citizenship.* Same as in § 20.102.

§ 20.163 *Education.* Applicant shall be able to read, speak, and understand the English language. A citizen of Puerto Rico may not be compelled to meet these requirements, but in any such case appropriate operation limitations may be entered upon his Airman Rating Record.

§ 20.164 *Physical condition.* Same as in § 20.154.

§ 20.165 *Aeronautical knowledge.* Applicant shall be familiar with and accomplish satisfactorily a written examination on the provisions of Part 60 dealing with contact flight.

§ 20.166 *Aeronautical experience.* Applicant shall have completed at least 100 gliding flights, 25 of which shall have each included a 360° turn, and at least 5 of such 25 flights shall have been made within the 60 days preceding the date of filing the application.

§ 20.167 *Aeronautical skill.* Applicant shall demonstrate his ability to pilot a glider by satisfactorily making at least the following: One flight with a 180° turn and a downwind landing, one flight with a 360° turn to the right and a landing to within 200 feet of a designated mark, and one flight with a 360° turn to the left and a similar landing.

§ 20.17 *Commercial glider pilot certificate.* To be eligible for a commercial glider pilot certificate, an applicant shall comply with the following requirements:

§ 20.170 *Age.* Same as § 20.150, except that applicant shall be at least 18 years of age.

§ 20.171 *Character.* Same as in § 20.151.

§ 20.172 *Citizenship.* Same as in § 20.142.

§ 20.173 *Education.* Same as in § 20.143.

§ 20.174 *Physical condition.* Same as in § 20.154.

§ 20.175 *Aeronautical knowledge.* Applicant shall be familiar with and accomplish satisfactorily a written examination on so much of the provisions of Parts 01, 20, and 60, as are pertinent to his certificate.

§ 20.176 *Aeronautical experience.* Applicant shall have completed at least 250 gliding flights or 200 gliding flights and 5 hours of soaring. At least 100 of such gliding flights shall each have included a 360° turn, and at least 5 of such 100 flights shall have been made within the 60 days preceding the date of filing the applicaton. Applicant shall also have had at least 1 hour of instruction in recovery from stalls and spins in an airplane of not more than 1,500 pounds standard weight by a certificated instructor, evidenced by the signed entry of such instructor in the log-book of the applicant. Any person who is the holder of at least a currently effective private pilot certificate and who shall have completed not less than 100 gliding flights or logged not less than 5 hours of gliding or soaring solo flight time, shall be deemed to have met the requirements of this section.

§ 20.177 *Aeronautical skill.* Applicant shall demonstrate his ability to pilot a glider by satisfactorily making at least the following: One flight with a 180° turn and a downward landing, one flight with a 360° turn to the right and a landing to a point not more than 100 feet beyond a designated line, one flight with a 360° turn to the left and a similar landing and two flights including right and left turns in each flight.

§ 20.178 *Military competence.* An applicant who has successfully completed a Glider Pilot Course, satisfactory to the Administrator, conducted under the supervision of the Army, Navy, Marine Corps, or Coast Guard, upon presentation of satisfactory evidence of completion of such course within 60 days from the date thereof, will be deemed to have met the requirements of §§ 20.175, 20.176, and 20.177.

§20.2 (Unassigned.)

§ 20.3 *Pilot certificates.*

§ 20.30 *Application.* Application for a pilot certificate shall be made upon the applicable form prescribed and furnished by the Administrator. If an applicant is applying as a graduate of a course of flight instruction approved by the Administrator of Civil Aeronautics, such application shall be accompanied by a recommendation from the applicant's instructor made upon a form prescribed and furnished by the Administrator.

§ 20.31 *Duration.* A pilot certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Administrator within such period, it shall continue in effect thereafter until otherwise specified by the Board unless suspended or revoked, or until the holder thereof has applied for and has been issued a new certificate of a different grade to pilot the same type of aircraft.

§ 20.310 *Existing certificates.* A pilot certificate currently effective on April 1, 1942, shall continue in effect for a period of 60 days subsequent to the date of its issuance and, unless the holder thereof is otherwise notified by the Administrator within such period, shall continue in effect indefinitely thereafter, unless suspended or revoked, or until the holder thereof has applied for and has been issued a new certificate of a different grade to pilot the same type of aircraft: *Provided,* That no limited commercial certificate shall remain effective after May 1, 1942: *Provided, further,* That a pilot certificate under suspension on April 1, 1942, shall, after reinstatement, continue in effect in accordance with the provisions of this section applicable to currently effective pilot certificates.

§ 20.32 *Expired certificates: special issuance.* The holder of any pilot certificate which has expired subsequent to April 1, 1941, upon application to any inspector made within one year of its expiration, may obtain a permanent certificate of the same or equivalent grade to pilot aircraft of the same type and with the same special ratings theretofore held by such person immediately prior to its expiration by passing a flight test appropriate to his grade of certificate. Such person shall be issued an aircraft rating based on the aircraft in which he passed such flight test.

§ 20.33 *Display.* A pilot certificate shall be kept in the personal possession of the pilot at all times when piloting aircraft, and shall be presented for inspection upon request of any passenger, of any authorized officer or employee of the Administrator or Board and of any State or municipal official charged with the duty of enforcing local laws or regulations involving Federal compliance.

§ 20.34 *Non-transferability.* A pilot certificate is not transferable.

§ 20.35 *Revocation.* No person whose pilot certificate has been revoked shall apply for or be issued a pilot certificate of any grade or rating for a period of one year after the revocation, except as the order of revocation may otherwise provide.

§ 20.36 *Surrender.* A holder of a pilot certificate shall, upon request, sur-

render such certificate to any officer or employee of the Administrator if it has been suspended or revoked.

§ 20.37 (Unassigned.)

§ 20.38 *Qualified foreign pilots.* (a) An applicant for a private pilot certificate or an instrument rating, upon a satisfactory showing to the Administrator that he is a member of a military or naval service of a foreign country on flying status, or is a holder of a pilot certificate of competency issued by a foreign country, the privileges of which are not less than those of a private pilot, may be deemed by the Administrator to have met the requirements prescribed in this part for a private pilot certificate. A person who holds a private pilot certificate issued under this section, and a valid instrument rating issued by the Army, Navy, Marine Corps, or Coast Guard may be deemed by the Administrator to have met the requirements prescribed in this part for an instrument rating.

(b) The provisions of this part shall not apply to certificates issued pursuant to this section nor to the holders of such certificates.

(c) Any person issued a private pilot certificate under the provisions of this section, before being eligible to pilot civil aircraft of the United States, shall offer proof satisfactory to the Administrator, or his duly authorized representative, that he is the duly authorized representative of a foreign person or nation contemplating the purchase of aircraft manufactured in the United States, or that he is the duly authorized representative of the competent aeronautical authorities of the foreign nation in which such aircraft will be registered; and such private pilot shall not pilot any civil aircraft of the United States except aircraft which a foreign person or nation contemplates purchasing, and then only in accordance with such terms and conditions as the Administrator may prescribe: *Provided*, That if such certificate authorizes instrument flight, such terms and conditions shall include a requirement that the holder be familiar with the let-down-through procedures for all airports into which he proposes to operate under instrument flight conditions.

§ 20.4 *Special rating.*

§ 20.40 *Provision for issuance.* Upon application made on the appropriate form prescribed and furnished by the Administrator, a special rating will be entered on the Airman Rating Record of a pilot who, after inspection and examination, is bound by the Administrator to meet the requirements prescribed for such rating in §§ 20.43 and 20.44.

§ 20.41 *Application.* Same as in § 20.30 applied to a special rating.

§ 20.42 (Unassigned.)

§ 20.43 *Flight instructor rating requirements.* To be eligible for an instructor rating, an applicant shall comply with the following requirements:

§ 20.430 *Age.* Same as in § 20.120.

§ 20.431 *Aeronautical knowledge.* Applicant shall have practical and theoretical knowledge of flight instruction and shall accomplish a satisfactory written and practical examination thereon.

§ 20.432 *Aeronautical experience.* Applicant shall be possessed of a valid commercial or private pilot certificate: *Provided*, That in the latter case, he meets the requirements of § 20.146.

§ 20.433 *Aeronautical skill.* Applicant shall satisfactorily accomplish a practical flight test as to his ability to perform with precision and teach properly such fundamental flight maneuvers as are, in the opinion of the Administrator, deemed necessary and appropriate for safe and sound instruction in the safe piloting of aircraft.

§ 20.44 *Instrument rating requirements.* To be eligible for an instrument rating, an applicant shall comply with the following requirements.

§ 20.440 *Aeronautical knowledge.* Applicant shall be familiar with the use of such instruments and other navigational aids, both in aircraft and on the ground, as are deemed by the Administrator to be necessary for the navigation of aircraft by instruments, and with meteorology as applied to weather analysis and forecasting, and the applicant shall satisfactorily accomplish a written examination thereon.

§ 20.441 *Aeronautical experience.* Applicant shall be possessed of a valid private or commercial pilot certificate, and shall have logged at least 200 hours of solo flight time as prescribed in § 20.146, including at least 20 hours of instrument instruction and practice under actual or simulated flight conditions approved by the Administrator: *Provided*, That not less than 10 hours of such 20-hour requirement shall be in actual flight.

§ 20.442 *Aeronautical skill.* Applicant shall satisfactorily accomplish, solely by instruments, a flight test with respect to the following:

(a) Straight level flight for a given period of time.

(b) Moderately banked 180° and 360° turns in both directions.

(c) Minimum glides and maximum climbs, and approaches to stalled attitudes of flight.

(d) Climbing turns.

(e) Stalls, skids, slips and spirals, and banks in excess of 45°, and recovery from the same.

(f) Such other maneuvers as the examining inspector of the Administrator deems necessary.

(g) A practical demonstration, while in flight or under simulated conditions, of estimating arrival time, taking into account speed, wind, and drift.

§ 20.443 *Radio skill.* Applicant shall satisfactorily accomplish, solely by instruments, flight test with respect to the following:

(a) Tuning radio.

(b) Orientation.

(c) Following radio range.

(d) Locating cone of silence.

(e) Letting-down-through on the range by the approved instrument approach procedure for the particular airport used in connection with the test.

(f) Such other maneuvers as the examining inspector of the Administrator deems necessary.

§ 20.444 *Military instrument competence.* An applicant who holds a valid instrument rating issued by the Army, Navy, Marine Corps, or Coast Guard and who holds a commercial pilot certificate may be issued an instrument rating valid only for piloting air carrier aircraft as a second pilot.

§ 20.5 *Pilot aircraft rating.*

§ 20.50 *Aircraft type rating.* For purposes of specifying the type of aircraft which the applicant is deemed competent to pilot and for convenience in examining and rating the applicant with respect thereto, aircraft are typed as follows:

(a) Airplane;

(b) Autogiro;

(c) Glider;

(d) Lighter-than-air aircraft.

§ 20.51 *Airplane class and horsepower rating.*

§ 20.510 *Airplane class rating.* For purposes of specifying the class of airplane which the applicant is deemed competent to pilot and for convenience in examining and rating the applicant with respect thereto, airplanes are classed as follows:

(a) Single-engine, land;

(b) Single-engine, sea;

(c) Multi-engine, land;

(d) Multi-engine, sea;

(e) Unconventional.

§ 20.511 *Horsepower rating.* For purposes of specifying the horsepower of airplanes which the applicant is deemed competent to pilot and for convenience in examining and rating the applicant with respect thereto, pilots are rated as follows:

(a) A certificated pilot shall be rated to fly airplanes of 80 or less horsepower if competence has been demonstrated in airplanes certificated for a maximum-except-take-off of 80 or less horsepower.

(b) Except where paragraph (a) hereof is applicable, a certificated pilot shall be rated to fly airplanes of a range of horsepower extending from 50 percent less to 50 percent greater than the total maximum-except-take-off horsepower for which the airplanes in which competency was demonstrated were certificated.

(c) A certificated pilot eligible for 2 or more horsepower range ratings shall be rated for one continuous range extending from the lowest to the highest horsepower for which he has qualified.

§ 20.512 *Multiple airplane class and horsepower ratings.* The horsepower rating shall apply to all airplane class ratings without the necessity of a separate flight test in each combination of such ratings. An applicant who has demonstrated competence in both single and multi-engine airplanes and in both land and sea airplanes may be rated for all airplane classes* except unconventional.

*NOTE: For example, a pilot may be rated under § 20.510 for single-engine land airplanes and under § 20.511 (a) and (b) for 180 or less horsepower by reason of flight tests in land planes of 50 hp and 120 hp. If he subsequently passes a rating flight test in a multi-engine seaplane of 450 hp, he will be rated under § 20.510 *for single or multi-engine* land or sea airplanes, and therefore, will be eligible to fly single or multi-engine *land or sea* airplanes of 675 or less horsepower.

§ 20.52 *Aircraft rating competence.* The aircraft which the applicant is deemed competent to pilot will be prescribed on his Airman Rating Record* or certificate by type and, in the case of an airplane, by airplane class and horsepower and, in the case of unconventional airplanes such description as is appropriate to define clearly the competence of the applicant. Competence to pilot aircraft in solo flight shall be demonstrated in aircraft of the type and, in the case of an airplane, the airplane class and horsepower range for which rating is sought. A pilot other than a student pilot, limited by his certificate or Airman Rating Record to two-control non-spinnable airplanes with nose wheel type landing gear shall have logged a minimum of 35 hours of solo flight time of which at least 10 hours shall have been in three-control airplanes of traditional type and he shall demonstrate his ability to pilot competently such airplanes before such limitation may be removed.

*NOTE: Under § 20.70 no certificated pilot, except a student pilot, may pilot aircraft unless an Airman Rating Record is attached to his certificate. The Airman Rating Record is a sheet which will be attached to all pilot certificates, except student certificates, when they are issued and will contain such items as type, class and horsepower ratings, special ratings, and flight area limitations.

§ 20.520 *Flight area rating.* When limited, the geographical area in which the applicant is deemed competent to pilot the aircraft will be entered upon his Airman Rating Record (see § 20.71).

§ 20.521 *Special rating.* When issued to an applicant, as provided for in §§ 20.43 and 20.44, any special rating will be entered upon his Airman Rating Record.

§ 20.522 *Application to amend.* When any change in an Airman Rating Record is desired, the applicant shall file a written request therefor with the Administrator upon a form prescribed and furnished by the Administrator.

§ 20.6 *Examinations and tests.*

§ 20.60 *General.* The examinations and tests prescribed in the foregoing regulations (both for pilot certificates and for the ratings issued with respect thereto) will be conducted by an authorized officer or employee of the Administrator or by a properly qualified person designated for the purpose by the Administrator.

§ 20.600 *Physical examinations.* The appropriate physical examination prescribed for the original issuance of a pilot certificate shall be accomplished before any practical or theoretical test or other examination will be given, and shall be completed within the 12-month period immediately preceding the giving of such tests or examinations.

§ 20.61 *Aircraft used in tests.* The applicant shall furnish a certified aircraft for any flight test involved. Each such aircraft, used in any test for a pilot certificate above the grade of student pilot, shall be equipped with dual controls and shall accommodate the applicant, the inspector, and parachutes for both. Aircraft having only one elevator and aileron control for two teats, or any arrangement whereby all flight and engine controls cannot be handled in a normal or conventional manner from either seat are not considered as having dual controls for the purpose of flight tests for pilot certificate or ratings. Each such aircraft shall have adequate vision for the pilot and check pilot.

§ 20.62 *Inspection.* The applicant for a pilot certificate or rating shall offer full cooperation with respect to any inspection or examination which may be made of such applicant upon proper request by any authorized representative of the Administrator prior or subsequent to the issuance of a pilot certificate or rating.

§ 20.63 *Standard of performance.* Every practical and theoretical examination and test shall be accomplished to the satisfaction of the Administrator and the passing grade in the subject of examination and test shall be at least 70 percent. Each flight maneuver will be graded separately. Other examinations will each be graded as a whole.

§ 20.64 *Time and place.* All examinations and tests will be held at such times and places as the Administrator or his representative may designate.

§ 20.65 *Reexamination.*

§20.650 *Pilot certificates.* The following rules will govern application for reexamination for pilot certificates:

(a) An applicant for a private or commercial pilot certificate who has failed to accomplish successfully any prescribed theoretical examination may apply for reexamination at any time after the expiration of 30 days from the date of such failure or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

(b) An applicant for a private or commercial pilot certificate who has failed to accomplish successfully any prescribed practical examination or test may apply for reexamination only after he has logged at least 6 additional hours of flight time, including at least 3 hours of dual instruction time with a certificated instructor and his instructor shall have certified in the applicant's log-book that he deems such applicant qualified for the certificate sought. Upon meeting the requirements set forth in this paragraph (b), an applicant for reexamination shall be deemed to have met the 5 hours solo flight time requirements set forth in §§ 20.126 and 20.146.

(c) An applicant for a private glider or commercial glider pilot certificate who has failed to accomplish successfully any prescribed theoretical examination may apply for reexamination at any time after the expiration of 30 days from the date of such failure or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

(d) An applicant for a private glider or commercial glider pilot certificate who has failed to accomplish successfully any prescribed practical examination or test may apply for reexamination only after he has made at least 20 additional gliding flights.

§ 20.651 *Special ratings.* The following rules shall govern application for reexamination for special ratings:

(a) An applicant who has failed any prescribed theoretical examination may apply for reexamination at any time after the expiration of thirty days from the date of such failure, or, after he has received not less than five hours instruction on each subject of the examination failed from whichever one of the following persons is appropriate:

(1) A certificated flight instructor.

(2) A certificated ground instructor, rated for the subject.

(3) A person qualified to instruct in the theory of instrument flight. Applicant shall verify such instruction by presenting a statement from the instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

(b) An applicant who has failed the flight test for a special rating may apply for reexamination thereon only after he has logged at least six additional hours of flight instruction and his instructor shall have certified in the applicant's log-book that he deems such applicant qualified to pass the required flight test; such instruction shall be given if for a flight instructor rating by a certificated flight instructor and if for an instrument rating by a pilot holding the appropriate aircraft rating and an instrument rating.

§ 20.7 *Pilot regulations.*

§ 20.70 *Airman Rating Record requirements.* No certificated pilot, except a student pilot, shall operate any aircraft unless there is attached to his pilot cer-

tificate the appropriate Airman Rating Record, prescribed and issued by the Administrator, nor shall any certificated pilot, including a student pilot, operate any aircraft otherwise than in accordance with the rating limitations prescribed by the Administrator and set forth in his pilot certificate of Airman Rating Record: *Provided*, That

(a) the holder of a valid commercial pilot certificate may pilot airplanes as a second pilot without an airplane class and horsepower rating for the particular airplane operated;

(b) the holder of a valid private or commercial pilot certificate may pilot airplanes of a class or within a horsepower range other than that specified in his Airman Rating Record, but shall not carry any person other than a certificated instructor rated for the airplane operated or any member of the crew thereof.

NOTE: This section does not permit a person who by reason of § 29.2 or § 20.127 (f) has been limited to the operation of a particular make or model of aircraft or a general type of aircraft to operate other makes or models or other general types.

(c) The holder of a valid private or commercial pilot certificate limited by his Airman Rating Record to the operation of aircraft incapable of spinning may pilot spinnable aircraft in accordance with paragraph (b) of this section only after receiving dual instruction in spins.

(d) The holder of a valid private or commercial pilot certificate limited by his Airman Rating Record to the operation of two-control non-spinnable airplanes with nose wheel type landing gear may pilot three-control airplanes of any class or horsepower in accordance with paragraph (b) of this section only after receiving 4 hours of dual instruction in three-control airplanes.

§ 20.71 *Flight area limitations.* (a) No student pilot shall make a solo flight outside of an area, in the vicinity of the operating base of his instructor, prescribed in writing by the person directly in charge of the landing area on which the instructor's operating base is located and approved by the local inpector of the Administrator, unless such student pilot has been certified for cross-country solo flights.

(b) No student pilot shall be certified for cross-country solo flight until after he shall have logged 8 hours solo flight time and his instructor shall have certified on his student pilot certificate, in the space provided therefor, that he deems the student competent to make such flight. No student pilot certified for cross-country solo flights shall make a solo flight outside of the area, within a 150-mile radius of the operating base of his instructor, prescribed in writing by the person directly in charge of the landing area on which the instructor's operating base is located and approved by the local inspector of the Administrator: *Provided*, That a certificated flying school may prescribe in writing an area within a 250-mile radius of its operating base and, upon approval of said area by the local inspector of the Administrator, a student pilot enrolled in the flight curriculum of said school and certified for cross-country solo flights may fly solo within such area at the direction of said flying school.

(c) No person shall operate an aircraft in solo flight outside the flight areas specified in his pilot certificate or Airman Rating Record.

(d) Flight area designations submitted to the local inspector under paragraphs (a) and (b) hereof shall be deemed approved by him unless the person submitting the designations is otherwise notified by the inspector within 15 days from the date of submission.

§ 20.72 *Flight limitations.*

§ 20.720 *Student.* A student pilot shall not operate aircraft for hire or carry anyone other than a certificated instructor. A student pilot who has not flown an aircraft within 90 days shall not operate aircraft in solo flight until he has passed a satisfactory flight check given by a certificated instructor and that fact has been endorsed on his student pilot certificate.

§ 20.7200 *Requirement for first solo*—(a) *Three-control airplanes of traditional type.* No first solo flight shall be made by a student pilot in a three-control airplane of traditional type until he shall have had a minimum of 8 hours of dual instruction in such aircraft, including recovery from spins and stalls.

(b) *Non-spinnable three-control airplanes.* No first solo flight shall be made by a student pilot in a non-spinnable three-control airplane until he shall have had a minimum of 8 hours of dual instruction in three-control airplanes. Instruction in spins is not required.

(c) *Two-control non-spinnable airplanes with nose wheel type landing gear.* No first solo flight shall be made by a student pilot in a two-control non-spinnable airplane with nose wheel type landing gear until he shall have had a minimum of 5 hours of dual instruction in such airplanes.

In addition to meeting the requirements contained in paragraphs (a), (b) or (c) above a student pilot shall not make a first solo flight unless his instructor deems him competent to make such flight and so certifies on the student pilot certificate in the space provided therefor.

§ 20.7201 *Solo flight restrictions after first solo.* Upon completion of a student pilot's first solo flight his instructor shall make a notation to that effect on the student pilot certificate together with a statement of the date, the type, and in the case of an airplane, the airplane class and horsepower range of the aircraft so flown. If such solo flight is made either in a two-control non-spinnable airplane with nose well type landing gear or in a three-control airplane determined to be characteristically incapable of spinning, the instructor shall also make an appropriate notation to that effect. Thereafter—

(a) If such first solo flight was made in a three-control airplane of traditional type the student shall not solo aircraft of a different type, class or horsepower range until such time as his instructor shall deem him competent to fly such other aircraft solo, and shall have made a notation to that effect on his certificate, together with the date, type, and in the case of an airplane, the class and horsepower range.

(b) If such first solo flight was made in a three-control airplane determined to be characteristically incapable of spinning, such pilot shall be subject to the limitations of paragraph (a) above, and in addition he shall not solo an airplane characteristically capable of spinning until after he shall have received dual instruction in spins, and a notation to that effect has been made on his Airman Rating Record.

(c) If such first solo flight was made in a two-control non-spinnable airplane with nose wheel type landing gear such pilot shall be subject to the limitations of paragraphs (a) and (b) above, and in addition, prior to flying solo a three-control airplane, shall have received a minimum of 4 hours of dual instruction in such airplanes.

§ 20.721 *Private pilot.* A person possessed of a valid private pilot certificate shall not pilot for hire any aircraft carrying any person or property; nor pilot any aircraft in furtherance of a business except as an incident to his personal transportation: *Provided*, That this section shall not prevent such pilot from receiving remuneration by direction of the Government of the United States, or of any State or political subdivision thereof, for participation in official missions of the Civil Air Patrol or of any other recognized semi-military organization, while a member of such organization.

§ 20.722 *Commercial pilot.* A person possessed of a valid commercial pilot certificate shall not pilot any aircraft carrying any person or property in scheduled air transportation service unless also possessed of a valid instrument rating.

§ 20.723 *Glider pilot.* No person shall pilot a glider for hire unless possessed of a valid commercial glider pilot certificate.

§ 20.724 *Dual control airplanes.* Airplanes equipped with fully or partially functioning dual controls shall not be operated with both control seats occupied unless one of such control seats is occupied (a) by a person possessed of at least a valid commercial pilot certificate, or (b) by a person possessed of at least a valid private pilot certificate and a valid instructor rating, or (c) by a person possessed of at least a valid private pilot certificate and whose Airman Rating Record has been endorsed by a duly authorized representative of the Administrator to the effect that such person has logged at least 200 hours of solo flight time and is competent to exercise the privilege granted by this section: *Provided*, That two persons may occupy such control seats if each such person is possessed of at least a valid private pilot certificate: *Provided further*, That where more than one passenger is carried for hire neither control seat shall be occupied by any person other than a properly certificated commercial pilot.

§ 20.725 *Simulated instrument flight.* No person shall operate an aircraft under simulated instrument flight conditions unless:

(a) Fully functioning dual controls are installed in the aircraft;

(b) A properly certificated pilot occupies the other control seat as safety pilot; and

(c) Such safety pilot at all times has adequate vision from the aircraft: *Provided*, That if the vision of the safety pilot forward or to either side of the aircraft is obstructed, a competent observer must occupy such a position in the aircraft that his field of vision adequately supplements that of the safety pilot.

(d) Notwithstanding provisions of paragraphs (a), (b), and (c) of this section, a member of the Armed Forces of the United States may operate single-place aircraft in simulated instrument flight: *Provided*, such flights shall be made only during the hours of daylight, in accordance with contact flight rules. *And provided further*, each such aircraft is accompanied by and under the continuous control by radio of a competent observer in an escort aircraft.

§ 20.726 *Permission to use aircraft.* Neither the owner nor anyone having custody of an aircraft shall permit any person to operate such aircraft unless the owner or the one having custody of the aircraft has ascertained that such person is the holder of an appropriate currently effective pilot certificate by actual examination of the certificate and by requiring such person to identify himself as the person referred to in the certificate.

§ 20.727 *Recent experience requirements.*

§ 20.7270 *Solo flight.* A certificated pilot who within the preceding 6 calendar months has not made and logged at least 5 take-offs and 5 landings to a full stop in an aircraft of the type and class proposed to be flown shall pass a flight check in such aircraft before otherwise piloting civil aircraft of that type and class. Such check flight shall be given by a certificated pilot of private grade or higher qualified according to § 20.7271 in an aircraft of the same type and class as that of the aircraft proposed to be flown.

§ 20.7271 *Passenger flight.* A certificated pilot shall not pilot any civil aircraft carrying any other person (other than a certificated pilot of at least private grade or higher, rated for the aircraft operated and possessed of the recent experience required by this section or any member of the crew thereof) unless, within the preceding 3 calendar months, he shall have made and logged at least 5 take-offs and 5 landings to a full stop in an aircraft of the same type and class as that of the aircraft in which any such person is carried: *Provided*, That a pilot while flying in schedule air transportation shall be governed as to recent experience for passenger flight by the provisions of Part 61.

§ 20.7272 *Instructional flight.* No flight instructor shall give flying instruction in civil aircraft to any other person unless within the preceding 12 calendar months he shall either

(a) While possessed of a valid instructor's rating have given at least 10 hours of flight instruction in aircraft for which he held at the time of giving such instruction a valid aircraft rating, or

(b) Have passed such practical flight test as the Administrator deems necessary and appropriate to demonstrate continued proficiency for giving flight instruction.

§ 20.7273 *Night flight.* No person shall take off or land a civil aircraft carrying passengers during the period from one hour after sunset to one hour before sunrise, unless he has made and logged at least 5 take-offs and 5 landings to a full stop during such period within the preceding 3 calendar months.

§ 20.7274 *Instrument flight.* A certificated pilot who within the preceding 6 calendar months has not flown and logged at least 2 hours of flight time solely by reference to instruments under either actual or properly simulated instrument flight conditions, shall not pilot an aircraft under such conditions until he has flown and logged at least 2 hours of such flight time accompanied by a certificated pilot of at least private grade holding an appropriate type, class, and horsepower rating for the aircraft, and authorized to operate aircraft under instrument conditions.

§ 20.73 *Periodic physical examination.* (a) A certificated pilot shall not pilot an aircraft in flight unless within the preceding 12 calendar months he has met the physical requirements for original issuance of his certificate by passing an examination, given by an authorized medical examiner of the Administrator.

(b) In lieu of the physical examination conducted by an authorized medical examiner of the Administrator, a certificate from the appropriate officer in charge of flying in the Army, Navy, Marine Corps, or Coast Guard certifying that the applicant is on pilot status solo in such service will be accepted as evidence of the physical fitness required for the issuance of any medical certificate provided for in this Part: *Provided*, That the physical qualifications required for such pilot status are not less than those required by these regulations for the grade of pilot certificate applied for.

§ 20.730 *Medical certificate.* A medical certificate issued by an authorized medical examiner of the Administrator or other evidence satisfactory to the Administrator that the pilot has met the appropriate physical requirements prescribed in this Part shall be carried by such pilot while piloting aircraft.

§ 20.731 *Correcting lenses.* A certificated pilot who, at his most recent periodic physical examination, met the physical qualifications for original issuance of his grade of certificate in accordance with § 20.73 only by the use of correcting lenses shall not pilot aircraft in flight without wearing such correcting lenses, and a statement to that effect shall be endorsed by the medical examiner on his medical certificate.

§ 20.74 *Pilot experience report.* At the time of each physical examination the pilot shall furnish to the medical examiner to be forwarded by him to the Administrator a report setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require, since his last preceding medical examination.

§ 20.75 *Operation during physical deficiency.* A certificated pilot shall not operate any aircraft during the period of any known physical deficiency which would render him during that period unable to meet the physical requirements with which he complied in order to secure his certificate: *Provided, however*, That the holder of at least a private pilot certificate may operate an aircraft otherwise than for hire during the period of a temporary physical deficiency if the aircraft is equipped with fully functioning dual controls and the other control seat is occupied by another pilot who holds at least a private pilot certificate.

§ 20.76 *Log-books.* The following rules shall govern pilot log-books.

§ 20.760 *General.* Every certificated pilot and every person receiving flying instruction shall keep an accurate record of his flying time in a log-book in which the entries with respect to solo flying time have been certified to by him and the entries with respect to dual instruction have been certified to by his certificated instructor. Log-books shall be bound records and the entries shall be accurate, legible, in ink or indelible pencil, and so arranged as to facilitate easy reference thereto.

§ 20.761 *Contents.* The log-book shall contain the date of flight, the make and model of aircraft flown, its type and, in the case of an airplane, its airplane class and horsepower, the aircraft identification mark, a statement of solo, dual instruction, instrument and night flying time, the duration of the flight, the points between which such flight was made, and, in addition, when any flight results in serious damage to the aircraft, a notation to this effect. Flying instruction time shall be logged in the same manner and, in addition, the instructor shall make complete entries in the log-book of his student showing the nature of maneuver in which instruction was given and the time spent thereon. The instructor shall attest each such entry with his initials, pilot certificate number and pertinent rating. A log-book shall be presented for inspection, upon request and reasonable notice, to any authorized representative of the Administrator or Board or State or municipal officer enforcing local regulations or laws involving Federal compliance.

§ 20.762 *Logging of pilot flight time*—(a) *Student pilot.* The holder of a student pilot certificate may log as solo flight time only that time during which he is the sole occupant of an aircraft in flight.

(b) *Pilots of private grade or higher.* The holder of a pilot certificate, other than a student pilot certificate, may log as solo flight time that portion of any flight during which he is the sole manipulator of the controls: *Provided,* That he may log as solo flight time only 50 percent of any flight time during which a certificated instructor or a certificated airline transport pilot is in the aircraft serving as an instructor for the purpose of reviewing or increasing such pilot's skill: *And provided further,* That the holder of a commercial pilot certificate while serving in scheduled air transportation shall log his flight time as provided in Part 61.

(c) *Flight instructor.* A certificated instructor may log as solo flight time all that flight time during which he is serving as an instructor for the purpose of reviewing or increasing another pilot's skill.

§ 20.8 *Flight instruction.* The following rules shall govern the giving of flight instruction:

§ 20.80 *Rating required.* No person shall give flying instruction to any other person unless possessed of at least a valid commercial pilot certificate and a valid flight instructor rating, or, in case of instruction of glider students, unless possessed of a valid commercial glider pilot certificate: *Provided, however,* That the holder of a valid private pilot certificate and a valid instructor rating may give flying instruction not for hire. *Provided further,* That nothing herein contained shall be construed to limit the instruction by one airline transport pilot of other pilots in air transportation service as provided in Part 21 of the Civil Air Regulations.

§ 20.81 *Dual control.* No flight instruction shall be given unless the aircraft in which the instruction is given is equipped with fully functioning dual controls, as set forth in § 20.61, except in aircraft manufactured prior to January 1, 1939.

§ 20.82 *Time limitations.* No flight instructor shall give more than 36 hours of dual flying instruction or check time in any 7-day period.

§ 20.83 *Instrument instruction.* Instrument instruction in flight shall not be deemed flying instruction within the meaning of § 20.8, but no person shall give instrument instruction in flight unless possessed of a valid instrument rating.

By the Civil Aeronautics Board.

DARWIN CHARLES BROWN,
Secretary.

CROSS-REFERENCE TABLE

From *old* section numbers (May, 1940 edition) to *new* section numbers (1942 revision)

Numbers from 20.0 through 20.177 are unchanged.

Old	New
20.2	20.2 (Unassigned).
20.20	20.43.
20.200	20.430.
20.201	20.431.
20.202	20.432.
20.203	20.433.
20.21	20.44.
20.210	20.440.
20.211	20.441.
20.212	20.442.
20.213	20.443.
20.214	20.444.
20.3	20.3.
20.30	Repealed.
20.300	20.52.
20.301	20.520.
20.302	20.521.
20.31	20.30.
20.310	20.522.
20.311	20.35.
20.32	20.33.
20.33	20.31.
20.330	20.310.
20.34 (Unassigned)	
20.35	20.32.
20.36	20.34.
20.37	20.75.
20.38	20.36.
20.39	20.650.
20.4	20.4.
20.40	20.40.
20.41	20.41.
20.42 (Unassigned)	20.42 (Unassigned).
20.43 (Unassigned)	
20.44 (Unassigned)	
20.45 (Unassigned)	
20.46	20.651.
20.5	20.6.
20.50	20.60.
20.500	20.600.
20.51	20.64.
20.52 (Unassigned)	
20.53	20.61.
20.54	20.50.
20.55	20.51.
20.550	20.510.
20.551	20.511.
20.552	20.512.
20.56	20.71.
20.57	20.62.
20.58	20.63.
20.6	20.7.
20.60	20.70.
20.61	20.72.
20.610	20.720.
20.6100	20.7200.
20.6101	20.7201.
20.611 (Unassigned)	
20.612	20.721.
20.613 (Unassigned)	
20.614	20.722.
20.615	20.723.
20.616	20.724.
20.617	20.725.
20.618	20.727.
20.6180	20.7270.
20.6181	20.7271.
20.6182	20.7272.
20.6183	20.7273.
20.6184	20.7274.
20.62	20.73.
20.620	20.730.
20.621	20.731.
20.622	20.74.
20.63 (Unassigned)	
20.64 (Unassigned)	
20.65	20.8.
20.650	20.80.
20.651	20.82.
20.652	20.81.
20.653	20.83
20.66 (Unassigned)	
20.67	20.76.
20.670	20.760.
20.671	20.761.
20.672	Repealed.
20.673	20.762.
20.68	20.725.
20.69	20.38.

CROSS REFERENCE TABLE

From *new* section numbers (1942 Revision) to *old* section numbers (May 1940 edition).

Numbers from 20.0 through 20.177 are unchanged.

New	Old
20.2 (Unassigned)	Repealed.
20.3	20.3.
20.30	20.31.
20.31	20.33.
20.310	20.330.
20.32	20.35.
20.33	20.32.
20.34	20.36.
20.35	20.311.
20.36	20.38.
20.37 (Unassigned)	
20.38	20.69.
20.4	20.4.
20.40	20.40.
20.41	20.41.
20.42 (Unassigned)	
20.43	20.20.
20.430	20.200.
20.431	20.201.
20.432	20.202.
20.433	20.203.
20.44	20.21.
20.440	20.210.
20.441	20.211.
20.442	20.212.
20.443	20.213.
20.444	20.214.
20.5	
20.50	20.54.
20.51	20.55.
20.510	20.550.
20.511	20.551.
20.512	20.552.
20.52	20.300.
20.520	20.301.
20.521	20.302.
20.522	20.310.
20.6	20.5.
20.60	20.50.
20.600	20.500.
20.61	20.53.
20.62	20.57.
20.63	20.58.
20.64	20.51.
20.65	
20.650	20.39.
20.651	20.46.
20.7	20.6.
20.70	20.60
20.71	20.56.
20.72	20.61.
20.720	20.610.
20.7200	20.6100.
20.7201	20.6101.
20.721	20.612.
20.722	20.614.
20.723	20.615.
20.724	20.616.
20.725	20.68.
20.727	20.617.
20.7270	20.618.
20.7271	20.6180.
20.7272	20.6181.
20.7273	20.6182.
20.7274	20.6183.
20.73	20.6184.
20.730	20.62.
20.731	20.620.
20.74	20.621.
20.75	20.622.
20.76	20.37
20.760	20.67.
20.761	20.670.
20.762	20.671.
20.8	20.673.
20.80	20.65.
20.81	20.650.
20.82	20.652.
20.83	20.651.
	20.653.

[F. R. Doc. 42-8289; Filed, August 25, 1942; 9:52 a. m.]

[Regulations, Serial No. 238]

NORTHWEST AIRLINES

AUTHORIZATION TO OPERATE A CERTAIN AIRPLANE WITHOUT TYPE CERTIFICATED RADIO EQUIPMENT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of August 1942.

It appearing that:

1. Northwest Airlines, Inc., is conducting an all cargo daylight contact operation between Minneapolis-St. Paul and Duluth, Minnesota;

2. The Stinson airplane used in this operation presently requires a major overhaul;

3. The plane available to conduct the operation during the interim is not equipped with the required radio facilities and such equipment is unavailable at the present time;

The Board finds that:

Its action is desirable in the public interest;

Now, therefore, The Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601, and 604, makes and promulgates the following Special Regulation:

Notwithstanding the provisions of § 40.335 of the Civil Air Regulations requiring an airplane engaged in scheduled air carrier operations to be equipped with a type certificated two-way radio telephone system, Northwest Airlines, may, for a period not exceeding 60 days from and after August 19, 1942, operate Stinson aircraft NC 17129 in daylight contact flight carrying mail and goods only in scheduled operations between the terminal points of Minneapolis-St. Paul and Duluth, Minnesota: *Provided,* That such aircraft is equipped with an RCA AVR–7C receiver, and RCA AVT–7B transmitter, and a crystal controlled communication receiver satisfactory to the Administration.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8288; Filed, August 25, 1942; 9:51 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4632]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

J. FRIEDSON SHOE COMPANY

§ 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approvals and testimonials:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Doctor's design or supervision of manufacture or preparation:* § 3.18 *Claiming indorsements or testimonials falsely:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards:* § 3.66 (h) *Misbranding or mislabeling—Qualities or properties:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Doctor's design or supervision:* § 3.96 (a) *Using misleading name—Goods—Qualities or properties:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Doctor's design or supervision.* In connection with offer, etc., in commerce, of shoes, (1) using the word "Doctor," or the abbreviation "Dr.," or any colorable simulation thereof, to designate, describe, or refer to shoes not designed or approved by a doctor; or otherwise representing, directly or by implication in any manner, that shoes not designed or approved by a doctor have been so designed or approved or have special features which are the result of medical advice; and (2) using the word "Health," or any other word or words of similar import or meaning, to designate, describe, or refer to shoes which have no special scientific or othopedic features; or otherwise representing, directly or by implication, that shoes of customary and usual construction have special health or corrective features; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. Freidson Shoe Company, Docket 4632, August 18, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and briefs in support of and in opposition to the complaint; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That J. Freidson Shoe Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of shoes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Doctor," or the abbreviation "Dr.," or any colorable simulation thereof, to designate, describe, or refer to shoes not designed or approved by a doctor; or otherwise representing, directly or by implication in any manner, that shoes not designed or approved by a doctor have been so designed or approved or have special features which are the result of medical advice;

2. Using the word "Health," or any other word or words of similar import or meaning, to designate, describe, or refer to shoes which have no special scientific or othopedic features; or otherwise representing, directly or by implication, that shoes of customary and usual construction have special health or corrective features.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8301; Filed, August 25, 1942; 11:40 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 621—MINIMUM WAGE RATE IN THE GLOVES AND MITTENS INDUSTRY

Wage Order in the matter of the recommendation of Industry Committee No. 40 for a minimum wage rate in the Gloves and Mittens Industry.

Whereas by Administrative Orders Nos. 137 and 140, dated January 6 and January 20, 1942, respectively, the Administrator, acting pursuant to section 5 of the Fair Labor Standards Act of 1938, appointed Industry Committee No. 40 for the Gloves and Mittens Industry, and directed the Committee to recommend minimum wage rates for the Gloves and Mittens Industry in accordance with section 8 of the Act; and

Whereas the Committee included six disinterested persons representing the public, a like number of persons representing employers in the Gloves and Mittens Industry, and a like number representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Gloves and Mittens Industry is carried on; and

Whereas Industry Committee No. 40 on January 28, 1942, after investigation of conditions in the industry, filed with the Administrator a report containing its recommendation for a minimum wage rate of 40 cents an hour in the Gloves and Mittens Industry; and

Whereas after notice published in the FEDERAL REGISTER on February 10, 1942, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing on March 2, 1942, at Washington, D. C., upon the Committee's recommendation and upon the question of what, if any, prohibition, restriction or regulation of home work is necessary to carry out the purposes of the wage order for the Gloves and Mittens Industry, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein, in the event an order is issued approving the recommendation of the Committee, at which hearing all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

Whereas all persons who appeared at the hearing before the Presiding Officer were given leave to file briefs on or before April 16, 1942; and

Whereas oral argument was held on April 20, 1942 before the Administrator; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for a minimum wage rate for the Gloves and Mittens Industry, as defined in Administrative Order No. 137, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act and that it is necessary to include terms and conditions in the wage order for this industry with respect to industrial home work to carry out the purpose of such order, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rate established therein; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 40 for a Minimum Wage in the Gloves and Mittens Industry and Industrial Home work in the Gloves and Mittens Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York;

Now, therefore, it is ordered, That:

Sec.

621.1 Approval of recommendation of Industry Committee.
621.2 Wage rate.
621.3 Restriction of home work.
621.4 Posting of notices.
621.5 Definition of the Gloves and Mittens Industry.
621.6 Scope of the definition.
621.7 Effective date.

AUTHORITY: §§ 621.1 to 621.7, inclusive, issued under section 8, 52 Stat. 1064, 29 U.S.C., sup. IV, sec. 208.

§ 621.1 *Approval of recommendation of Industry Committee.* The Committee's recommendation is hereby approved.

§ 621.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Gloves and Mittens Industry who is engaged in commerce or in the production of goods for commerce.

§ 621.3 *Restriction of home work.* No work in the Gloves and Mittens Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after September 21, 1942, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Gloves and Mittens Industry prior to April 1, 1941, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and who is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

§ 621.4 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the Gloves and Mittens Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 621.5 *Definition of the Gloves and Mittens Industry.* The Gloves and Mittens Industry, to which this order shall apply, is hereby defined as follows:

The production of gloves and mittens from any material or combination of materials, except athletic gloves and mittens: *Provided, however*, That the definition shall not include any product the manufacture of which is covered by an order of the Administrator defining an industry, and approving the recommendation of an industry committee or appointing an industry committee for such industry, issued prior to the signing of Administrative Order No. 137 appointing Industry Committee No. 40 for the Gloves and Mittens Industry, except the products included in the wage orders issued for the "Work Gloves and Mittens" and the "Gloves and Mittens Other Than Work Gloves and Mittens" Divisions of the Apparel Industry.

§ 621.6 *Scope of the definition.* The definition of the Gloves and Mittens Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided, further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 621.7 *Effective date.* This wage order shall become effective September 21, 1942.

Signed at New York, New York, this 22d day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8286; Filed, August 25, 1942; 9:48 a. m.]

PART 621—REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE GLOVES AND MITTENS INDUSTRY

The following regulations, §§ 621.100–112 applicable to the employment of industrial home workers in the Gloves and Mittens Industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 621.3 of the Regulations of the Wage and Hour Division. These regulations shall become effective September 21, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published

Signed at New York, New York, this 22d day of August 1942.

L. METCALFE WALLING,
Administrator.

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section shall • • • contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. • • •

Whereas § 621.3 of the wage order for the Gloves and Mittens Industry issued pursuant to section 8 (f) of the Act provides as follows:

No work in the Gloves and Mittens Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after September 21, 1942, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Gloves and Mittens Industry prior to April 1, 1941, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in section 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and who is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

Whereas section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective September 21, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Sec.

621.101 Definitions.
621.102 Applications on official forms.
621.103 Terms and conditions for the issuance of certificates.
621.104 Investigation may be ordered to determine whether the facts justify the issuance of a certificate.
621.105 Termination of certificates.
621.106 Revocation and cancellation.
621.107 Preservation of certificate.
621.108 Records and reports.
621.109 Wage rates.
621.110 Delegation of authority to grant, deny or cancel a certificate.
621.111 Petition for review.
621.112 Petition for amendment of regulations.

§ 621.101 *Definitions.* As used in these regulations, the term "industrial home work" means the production by any person in or about a home, apartment, or tenement, or room in a residential establishment, for an employer, of goods from material furnished directly by or indirectly for such employer.

The term "Gloves and Mittens Industry" as used herein means:

The production of gloves and mittens from any material or combination of materials, except athletic gloves and mittens: *Provided, however*, That the definition shall not include any product the manufacture of which is covered by an order of the Administrator defining an industry, and approving the recommendation of an industry committee or appointing an industry committee for such industry, issued prior to the signing of Administrative Order No. 137 appointing Industry Committee No. 40 for the Gloves and Mittens Industry, except the products included in the wage orders issued for the "Work Gloves and Mittens" and the "Gloves and Mittens Other Than Work Gloves and Mittens" Divisions of the Apparel Industry.

§ 621.102 *Applications on official forms.* Certificates authorizing the employment of industrial home workers in the Gloves and Mittens Industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 621.103 *Terms and conditions for the issuance of certificates.* If the application is in proper form and sets forth facts showing that the worker:

(a) (1) Was engaged in industrial home work in the Gloves and Mittens Industry prior to April 1, 1941.

(2) Is or will be engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

(b) (1) Is unable to adjust to factory work because of age or physical or mental disability.

(2) Is unable to leave home because the worker's presence is required to care for an invalid in the home.

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Gloves and Mittens Industry.

No home worker shall perform industrial home work for more than one employer in the Gloves and Mittens Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Gloves and Mittens Industry.

§ 621.104 *Investigation may be ordered to determine whether the facts justify the issuance of a certificate.* An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 621.105 *Termination of certificates.* Certificates shall be valid under the terms set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 621.106 *Revocation and cancellation.* Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall be issued to the offending employer for a period of one year. In any proceeding for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 621.107 *Preservation of certificate.* A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 621.108 *Records and reports.* The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by regulations, Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the Gloves and Mittens Industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on February 1 and August 1 of each year, the home work handbooks of each employee employed by him during the preceding six-month period in industrial home work in the Gloves and Mittens Industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained pursuant to these regulations but who were not employed in industrial home work in the Gloves and Mittens Industry during such period.

§ 621.109 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to regulations, Part 524. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 621.110 *Delegation of authority to grant, deny or cancel a certificate.* The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny, or cancel home work certificates.

§ 621.111 *Petition for review.* Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 621.112 *Petition for amendment of regulations.* Any person wishing a revision of any of the terms of the foregoing Regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations is set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes. The foregoing sections are issued pursuant to § 621.3 of the Regulations of the Wage and Hour Division and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938.

[F. R. Doc. 42-8285; Filed, August 25, 1942; 9:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1552]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point appearing in the aforesaid Supplement R shall be effective for Mine Index No. 2527 instead of the shipping point heretofore assigned to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 14, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2827	Berwindale Coal Co. (Lyla Shoff)	Berwindale #1	18	D	Irvona, Pa.‡	PRR	50	(†)	(†)	F	(†)	(†)
1204	Charlestown Big Vein Coal Co., (Harry L. Bell).	Charlestown #1	43	B V	Lonaconing, Md	W Md	67	(†)	(†)	D	(†)	(†)
3581	Danneker & Fox (Henry Danneker)	Oak Hill Coal Mine (deep)	13	D	Amesville, Pa	PRR	45	(†)	(†)	D	(†)	(†)
3573	Danneker & Fox (Henry Danneker)	Oak Hill Coal Mine (strip)	13	D	Amesville, Pa	PRR	45	H	(†)	H	(†)	H
3671	Davis, Charles W., Rec., (Middle Penna. Coal Corp.).	Belsena #1	13	A	Madera, Pa	PRR	45	H	(†)	H	(†)	H
2849	Davis, Charles W., Rec., (Middle Penna. Coal Corp.).	Belsena #2	13	A	Madera, Pa	PRR	45	H	(†)	H	(†)	H
1451	Griffith, George W	St. Clair #3	29	B & C'	Johnstown, Pa	C&BL	47	(†)	(†)	E	(†)	(†)
1524	Holtz, Isadore	Holtz	16	E	St. Benedict, Pa	NYC	44	(†)	(†)	E	(†)	(†)
3672	Lamkie Brothers (W. H. Lamkie)	Baird	12	C'	McGees, Pa	PRR	50	(†)	(†)	G	G	G
3673	Lamkie Brothers (W. H. Lamkie)	Connor Mine	12	D	McGees, Pa	PRR	50	(†)	(†)	G	G	G
3674	Lamkie Brothers (W. H. Lamkie)	Lamkie #5	12	D	McGees, Pa	PRR	50	(†)	(†)	G	G	G
2081	Sommerville Coal Co. (A. O. Sommerville).	Flannigan #1	17	D	Patton, Pa	PRR	50	(†)	(†)	E	(†)	(†)
2111	Stony River Coal Company	Stony River	44	E	Gorman, Md	W Md	68	(*)	(†)	(*)	D	(*)
2394	Summit Coal Mining Company (Roy H. Friel).	Summit #1	12	E	Glen Campbell, Pa., Juneau, Pa	PRR, B&O	63	(†)	(†)	(*)	G	G
833	Summit Coal Mining Company (Roy H. Friel).	Summit #2	12	E	Glen Campbell, Pa., Juneau, Pa	PRR, B&O	63	(†)	(†)	(*)	G	G
2224	Summit Coal Mining Company (Roy H. Friel).	Summit #3	12	E	Glen Campbell, Pa., Juneau, Pa	PRR, B&O	63	(†)	(†)	(*)	G	G
1541	Summit Coal Mining Company (Roy H. Friel).	Summit #4	12	E	Glen Campbell, Pa., Juneau, Pa	PRR, B&O	63	(†)	(†)	(*)	G	G
3675	Summit Coal Mining Company (Roy H. Friel).	Summit #5	12	E	Glen Campbell, Pa., Juneau, Pa	PRR, B&O	63	(†)	(†)	(*)	G	G

*When shown under a Size Group Number, this symbol indicates coals previously classified for this Size Group.
†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.
‡Denotes new shipping point. Shipping point at Berwindale, Pennsylvania on the Pennsylvania Railroad shall no longer be applicable.

TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened, top size 2" and over	Double screened top size 2" and under	Run of mine, modified R/M	2" and under, slack	¾" and under, slack
						1	2	3	4	5
Brewer, J. O.	3652	Karth	9	Clearfield	C	(†)	(†)	225	(†)	(†)
Butts Brothers (Roy Butts)	3622	Butts	44	Garrett	E	(†)	(†)	230	(†)	(†)
Danneker & Fox (Henry Danneker).	3581	Oak Hill Coal Mine (deep).	13	Clearfield	D	(†)	(†)	230	(†)	(†)
Danneker & Fox (Henry Danneker).	3573	Oak Hill Coal Mine (strip).	13	Clearfield	D	(†)	(†)	230	(†)	(†)
Davis, Charles W., Rec., (Middle Penna. Coal Corp.).	3671	Belsena #1	13	Clearfield	A	235	(†)	210	(†)	190
Davis, Charles W. Rec., (Middle Penna. Coal Corp.).	2849	Belsena #2	13	Clearfield	A	235	(†)	(*)	(†)	190
Lamkie Brothers (W. H. Lamkie)	3672	Baird	12	Indiana	C'	(†)	(†)	215	205	195
Lamkie Brothers (W. H. Lamkie)	3673	Connor Mine	12	Indiana	D	(†)	(†)	215	205	195
Lamkie Brothers (W. H. Lamkie)	3674	Lamkie #5	12	Indiana	D	(†)	(†)	215	205	195
Stony River Coal Company	2111	Stony River	44	Grant	E	(*)	(†)	(*)	220	(*)
Summit Coal Mining Company, (Roy H. Friel).	2394	Summit #1	12	Indiana	E	(†)	(†)	(*)	205	195
Summit Coal Mining Company, (Roy H. Friel).	833	Summit #2	12	Indiana	E	(†)	(†)	(*)	205	195
Summit Coal Mining Company, (Roy H. Friel).	2224	Summit #3	12	Indiana	E	(†)	(†)	(*)	205	195
Summit Coal Mining Company, (Roy H. Friel).	1541	Summit #4	12	Indiana	E	(†)	(†)	(*)	205	195
Summit Coal Mining Company, (Roy H. Friel).	3675	Summit #5	12	Indiana	E	(†)	(†)	215	205	195
Swank, John A	3621	Metzler	40	Somerset	D	(†)	(†)	210	(†)	(†)
Young & Say (John Young)	3618	Young	1	Clarion	A'	240	215	215	205	195

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.
*When shown under a Size Group Number, this symbol indicates coals previously classified for this Size Group.

[F. R. Doc. 42-8256; Filed, August 24, 1942; 11:51 a. m.]

[Docket No. A-1570]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having *railway* loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group Nos. 1	2	3	4	5	6	7	8	9	10
315	Gilliam Coal & Coke Company.	Gilliam #6	3	Poca. 6	North Fork, W. Va.	N&W	20	D	D	C	A	A	C	C	D	D	D
314	Stilwell, Shirley (Stilwell-Poca. Coal Co.).	Betty-Jean	4	War Creek	War, W. Va.	N&W	30	D	(†)	(†)	(†)	(†)	E	D	(†)	H	(†)

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.

TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine Index No.	Subdistrict No.	County	Seam	All lump ¾" or larger, all egg and stove	All nut or pea 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Gilliam Coal & Coke Company	Gilliam #6	315	3	McDowell	Poca. 6	290	250	270	205	185	180
Stilwell, Shirley (Stilwell-Poca. Coal Co.).	Betty-Jean	314	4	McDowell	War Creek	290	----	250	195	----	160

[F. R. Doc. 42-8257; Filed, August 24, 1942; 11:52 a. m.]

[Docket No. A-1576]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 13, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15/16
CLAY COUNTY																
Dixon, Millard (Millard Coal Company)	1336	Pell Rib Coal	B	310	285	265	255	250	245	215	215	195	185	155	145	50
SPENCER COUNTY																
Cotton, Earl	1335	Cotton No. 2	5	250	245	240	230	225	220	180	185	175	170	150	140	55/55
Neyenhuis, Alfred	1331	Shirel No. 2	6	250	245	240	230	225	220	180	185	175	170	150	140	55/55
WOOD COUNTY																
Harkes, Wm	1337	Eppert Rib	3	240	235	230	220	215	210	170	175	170	165	135	125	70/40

[F. R. Doc. 42-8258; Filed, August 24, 1942; 11:52 a. m.]

[Docket No. A-1585]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 4 PEORIA COUNTY																		
Goetz, Carl F.	1591	#2	5	255	250	245	235	230	225	185	185	160	155	155	155	125	125	115/60
SECTION NO. 5 SCOTT COUNTY																		
Whitehead, John Henry	1592	Black Hawk #2	2	255	250	245	235	230	225	170	185	160	155	155	155	125	125	115/60

[F. R. Doc. 42-8255; Filed, August 24, 1942; 11:51 a. m.]

[Docket No. A-1156]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

DISTRICT BOARD NO. 4

Order concerning exceptions to the proposed findings of fact, proposed conclusions of law, and recommendation of the Examiner, and granting certain relief in the matter of the petition of District Board No. 4 for the revision of the effective minimum prices for certain coals in Size Groups 3, 4, and 5 produced at mines in Subdistricts 1 to 4, inclusive, of District No. 4, for railroad fuel use.

A petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division by District Board 4, requesting amendment of the District 4 price schedule to permit the shipment of additional sizes of modified double-screened (egg) coal from mines in Subdistricts 1 to 4 of District 4 for railroad fuel use at the established mine run price; and, more particularly, the deletion, in § 324.11 (a) in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, of the footnote reading as follows:

4" x 1¼" Egg coal which as shipped shall contain not less than 35 percent of screenings not exceeding 1¼", may be applied at the Mine Run price applicable to all mines.

and the insertion, in lieu thereof, in § 324.11 (a) and § 324.11 (b) in the said schedule, of a footnote reading substantially as follows:

Double-screened coal shipped from Subdistricts 1, 2, 3, and 4, where the bottom size is either ⅜", ¾", 1¼", 1½", or 2", may be applied at the mine run price applicable to all mines in said subdistricts, provided that said double-screened coals shall be modified so as to contain not less than the following percentages of screenings of the bottom size, to-wit: ⅜"—20%; ¾"—28%; 1¼"—35%; 1½"—40%; 2"—50%.

Petitions of intervention having been filed by District Boards 1, 2, 3, 6, and 7, and an answer to the petition having been filed by the Bituminous Coal Consumers' Counsel in opposition to the requested relief;

A hearing having been held in this matter on January 20, 1942, pursuant to an order of the Acting Director, and after due notice, before Edward J. Hayes, a duly designated Examiner of the Division, at Washington, D. C., in which hearing all interested persons were afforded an opportunity to participate fully and at which hearing District Boards 1, 2, 3, 4, 6, and 7 appeared:

The petitioner having filed a brief in support of the petition on February 5, 1942;

The Examiner having filed his Report in this matter on May 12, 1942, in which he recommended amendment of the District 4 rail schedule by deleting the footnote applicable to 4" x 1¼" coal from § 324.11 (a) and by setting forth in said section the following footnote:

Egg coal produced in Subdistricts 1 to 4, inclusive, and having a bottom size of ⅜", ¾", 1¼", 1½", or 2" which as shipped contains, respectively, screenings in amounts not less than 20% of not exceeding ⅜", 28% of not exceeding ¾", 35% of not exceeding 1¼", 40% of not exceeding 1½", and 50% of not exceeding 2", may be applied at the minimum mine run price applicable to all mines in those subdistricts, except that modified egg coal with a bottom size of ⅜" shall be sold at 5 cents per ton above the applicable minimum mine run price. The privileges of substitution under § 318.11 (a) in the Marketing Rules and Regulations shall be inapplicable to sales of straight egg coal or modified egg coal produced at mines of operators in Subdistricts 1 to 4 who sell coal for railroad fuel use;

The petitioner having filed exceptions thereto and a supporting brief on May 29, 1942;

The undersigned having considered this matter and having made and entered his Findings of Fact, Conclusions of Law and Opinion, which is filed herewith;

Now, therefore, it is ordered, That the exceptions of the petitioner, District Board 4, be, and they hereby are, severally sustained in the respects indicated in the findings of fact filed herewith, and that in all other respects they be, and hereby are overruled;

It is further ordered, That the proposed findings of fact and conclusions of law of the Examiner, with the modifications indicated in the findings of fact filed herewith, be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned;

It is further ordered, That § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) and § 324.11 (*Special prices*—(b) *Prices for all-rail shipment of lake cargo railroad fuel*) in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be, and they hereby are, amended, effective fifteen (15) days from the date of this order, as follows:

By deleting therefrom the footnote in § 324.11 (a) which reads as follows:

4" x 1¼" Egg coal which as shipped shall contain not less than 35% of screenings not exceeding 1¼", may be applied at the Mine Run price applicable to all mines.

By setting forth in § 324.11 (a) and § 324.11 (b) the following footnote, to wit:

Egg coal produced in Subdistricts 1 to 4, inclusive, and having a bottom size of ⅜", ¾", 1¼", 1½", or 2" which as shipped contains, respectively, screenings in amounts not less than 28% of not exceeding ⅜", 28% of not exceeding ¾", 35% of not exceeding 1¼", 40% of not exceeding 1½", and 50% of not exceeding 2", may be applied at the minimum mine run price applicable to all mines in those subdistricts. The privilege of substitution under § 318.11 (a) in the Marketing Rules and Regulations shall be inapplicable to sales for railroad fuel use of modified egg coal produced in Subdistricts 1 to 4.

It is further ordered, That the relief prayed for in the petition be, and it hereby is, granted to the extent heretofore set out and in all other respects is denied.

Dated: August 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8294; Filed, August 25, 1942; 11:25 a. m.]

[Docket No. A-1451 Part II]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

DISTRICT BOARD NO. 8

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the No. 15 Mine of the West Virginia Coal and Coke Corporation.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division (the "Division") on May 12, 1942, by District Board No. 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act"). Petitioner requested the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 8 for which classifications and effective minimum prices previously had not been established.

The petition contains, among other proposals, a request for a price classification of "E" for coals in Size Groups 15, 16 and 17, to be produced from the No. 15 Mine, of the West Virginia Coal and Coke Corporation, Stirrat, West Virginia (Mine Index No. 5556) for all shipments except truck, and minimum prices of 215 cents in Size Group 3 and 205 cents in Size Group 6 for truck shipments.

The West Virginia Coal and Coke Corporation, on May 27, 1942, pursuant to section 4 II (d) of the Act, filed a petition of intervention in the proceedings, protesting the "E" classification, and praying that the coals in question be given a "G" classification.[1] Under date of July 6, 1942, the intervening petition was amended and, as amended, prayed:

I. That a special exception be granted to petitioner for permission to sell not to exceed 50,000 tons of the mine run coal to be produced from its No. 15 Mine at a price of not less than $1.95 per net ton

[1] The original petition was assigned Docket No. A-1451. By appropriate order dated June 10, 1942, 7 F.R. 4726, that portion of the docket relating to the No. 15 Mine of the West Virginia Coal and Coke Corporation was severed from the original docket and given the above indicated designation of No. A-1451 Part II. By way of temporary relief, the order directed that the classification and minimum prices proposed for coals of this mine by District Board No. 8 in the original petition be effective pending final disposition of the petition of intervention. The order also directed that a hearing be held to determine the proper permanent classifications and minimum prices for the coals of the mine. As it related to other mines, the relief requested in the original petition of District Board No. 8 was disposed of by separate order, dated June 10, 1942.

f. o. b. mines' *Provided*, That this coal shall come entirely from prospective main entries which will be driven for prospecting purposes, *And provided*, That this entire tonnage shall be ear-marked exclusively for and shipped exclusively to the Cincinnati Gas and Electric Company, Cincinnati, Ohio, for pulverization by them and for use in their steam generating furnaces and boilers at their two operations in Cincinnati, Ohio.

II. That classification "H" be granted to intervener for Size Groups 18–21, inclusive, to all markets including the Great Lakes for its No. 15 Mine, this classification being the same as now exists for its No. 4 Mine which is adjacent to its No. 15 Mine.

III. That intervener's exception to the temporary classification "E" in Size Group 16 be withdrawn.

The present order relates only to the intervening petition, as amended.

As a basis for the relief asked, intervening petitioner alleges:

I. That the coal to be produced is to come from main entries to be driven in some old workings, for the purpose of prospecting the remainder of intervener's coal reserve in the area of the No. 15 Mine.

II. That it being neither practicable, nor possible under present war conditions to equip a tipple at No. 15 Mine with either a crusher or other device for the preparation or sizing of coal, the coal is to be mined as it comes from the seam, run of mine, without cleaning, screening or care in the conservation of the size consist of the coal.

III. In view of the chemical and physical characteristics of the coal, and the manner in which it is to be produced, it will be competing directly with nut and slack coal, and must be sold at competitive prices with nut and slack in order to be acceptable to the market.

A hearing in this matter was held on July 7, 1942, before E. J. Hayes, a duly designated Examiner of the Division, in Room 806, Walker Building, Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. Appearances were entered by intervener and by the Bituminous Coal Producers Board for District No. 8. No other code members appeared.

At the conclusion of the hearing, the preparation and filing of the Examiner's report having been waived, the record was thereupon submitted to the undersigned.

No evidence having been introduced at the hearing tending to show that the classifications and minimum prices proposed for the coals of the No. 15 Mine (other than the price relating to the 50,000 tons hereinafter to be considered) by District Board No. 8, in its original petition, and intervener in its amended petition of intervention, should not be permanently established. Accordingly, I conclude that said classifications and minimum prices should be permanently established.

With respect to the 50,000 tons, for which intervener asks an exception to the established minimum price, it appeared from the evidence that intervener is desirous of prospecting certain of its old workings, known as the No. 15 Mine, located at Stirrat, West Virginia. This is prompted by the fact that 40% of intervener's coal reserve in the Logan (W. Va.) field area lies beyond the already developed portion of this mine. If the prospecting results justify the investment, intervener contemplates an improvement program calling for the erection between 1944 and 1946 of a large cleaning plant and central tipple at the mine.

In view of the difficulty of obtaining such equipment under present war conditions, as well as the marketing history of the coal,[3] intervener contemplates driving certain entries, for prospecting purposes only, without installing cleaning, picking, screening, or sizing facilities at this time. From these entries it plans to mine 50,000 tons of run of mine coal and to sell the coal, as it comes from the seam, to the Cincinnati Gas and Electric Company, Cincinnati, Ohio, at the special price of $1.95 per net ton, f.o.b. mine.

Analyses of run of mine samples, recently taken from representative headings of the mine, disclose that the uncleaned and unpicked coals are inferior in quality to the cleaned and picked run of mine and nut and slack coals '—previously produced from the same mine,[4] as well as the coals of adjacent mines and other competitive run of mine coals bearing "E" classifications.

The record shows that, as yet, no contract, with respect to the 50,000 tons of coal in question, has actually been entered into between petitioner and the Cincinnati Gas and Electric Company.[5] It fails to set forth any facts which would impel the Division, in granting relief to petitioner, to restrict petitioner in its sale of the 50,000 tons of coal to the one potential consumer. Although the record indicates that petitioner attempted to find other outlets for the coal, it fails to disclose that at $1.95 per ton, or between this price and the present effective minimum price of $2.05, it would be unable to dispose of the coal to consumers other than the Cincinnati Gas and Electric Company.

Since, according to the record, the 50,000 tons of coal to be produced will, in all probability, be inferior in quality to other run of mine coals produced in the vicinity of the mine; since there is no affirmative showing that sale of this coal will be unjust, or inequitable, as between producers in the district; and since, by permitting further development of the national coal resources, which are at present being heavily taxed, the interests of the consuming public would appear to be served, I conclude that petitioner should be granted the relief requested: *Provided, however*, That petitioner be permitted to sell the coal without any limitation as to any purchaser or purchasers thereof; *And provided further*, That this coal shall come entirely from prospective main entries to be driven for prospecting purposes, and shall receive no special preparation, cleaning, or handpicking, but will be loaded for market in its natural state as mined: *Provided further*, That the Division shall be furnished with analysis reports of all analyses of this coal made by petitioner, or any other party within a reasonable time after such analyses are made: *Provided, further*, That this exception is limited to a period of eighteen months from the effective date of this order.

It is, therefore, ordered, That § 328.11 (*Alphabetical list of code members*) and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) in the Schedules of Effective Minimum Prices for District 8 for All Shipments Except Truck and for Truck Shipments be, and hereby are, amended as follows:

1. By making permanent, effective forthwith, the temporary relief establishing price classification "E" in Size Groups 15, 16, and 17 for the coals of the No. 15 Mine (Mine Index No. 5556) of the West Virginia Coal and Coke Corporation for all shipments except truck § 328.11, and minimum prices of 215 cents in Size Group 3 and 205 cents in Size Group 6 for the coals of this mine for truck shipments § 328.34.

2. By the establishment, effective forthwith, of classification "H" in Size Groups 18 to 21, inclusive, for the coals of the aforesaid mine for all Shipments Except Truck § 328.11.

It is further ordered, That the West Virginia Coal and Coke Company be and it hereby is permitted to sell 50,000 tons of run of mine coal to be produced from its No. 15 Mine at a price of not less than $1.95 per net ton f. o. b. mines: *Provided*, That this coal comes entirely from the prospective main entries to be driven for prospecting purposes, and is given no special preparation, cleaning or hand picking, but is loaded for market in its natural state as mined: *Provided, further*, That the Division shall be furnished with analysis reports of all analyses of this coal made by petitioner, or any other party within a reasonable time after such analyses are made: *Provided, further*, That this permission is limited to a period of eighteen months from the date of this order.

Dated: August 22, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42–8293; Filed, August 25, 1942; 11:25 a. m.]

[Docket No. A–1414]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

DISTRICT BOARD NO. 10

Order granting relief in the matter of the petition of District Board No. 10 for the establishment of a price exception for railroad fuel of Mine Index No. 58.

A petition having been filed April 16, 1942 with the Bituminous Coal Division by District Board No. 10, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting that temporary and permanent relief be granted by the establishment of a price exception to the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck, to permit the Glenridge Mine (Mine Index No. 58) of the Marion County Coal Corporation, Incorporated, to substitute at its option, 6" x 3" egg coal for 6" x 1¼" egg coal on orders for locomotive fuel received from Chicago, Burlington and Quincy Railroad;

A hearing in this matter having been held on June 10, 1942, and July 14, 1942, before duly designated Examiners of the Division at a hearing room thereof in Washington, D. C., in which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard; the petitioner having appeared;

The preparation and filing of a report by the Examiner having been waived and the matter having been submitted to the undersigned;

The undersigned having made Findings of Fact, Conclusions of Law, and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That § 330.8 (*Price instructions and exceptions*—(b) *Price exceptions*) in the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck be and it hereby is amended to include the following price exception:

On orders for railroad locomotive fuel for Mine Index No. 58 by the Chicago, Burlington and Quincy Railroad specifying 6" x 1¼" egg coal, the code member may, at its option, apply 6" x 3" egg coal.

It is further ordered, That the prayer for relief contained in the petition filed herein be granted to the extent set forth above, and in all other respects denied.

Dated: August 22, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42–8295; Filed, August 25, 1942; 11:25 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

REGULATIONS RELATING TO SAFE DEPOSIT BOXES

AUGUST 13, 1942.

These regulations are issued under the authority vested in the Governor of Hawaii pursuant to Executive Order No. 8389, as amended; section 5 (b) of the Trading with the enemy Act, as amended by Title III of the First War Powers Act, 1941; General Orders No. 118, Office of the Military Governor, 25 June 1942; Regulations Relating to Currency, issued June 25, 1942, as amended;[1] General Orders No. 123, Office of the Military Governor, 3 July 1942; Regulations Relating to Securities, issued July 3, 1942, as amended;[2] and pursuant to all other authority vested in the undersigned Governor of Hawaii:

§ 133.3 *Regulations of August 13, 1942, relating to safe deposit boxes.* (a) (1) On or before October 1, 1942, every safe deposit box in the Territory of Hawaii shall be opened by the lessee of such box (or by such other person as may have access thereto) in the presence of such person as may be officially designated or, at the option of the lessee, in the presence of an authorized representative of the lessor of such box, and such designated person or authorized representative shall satisfy himself that such safe deposit box contains no securities held in violation of the Regulations Relating to Securities, as amended, and no United States currency held in violation of the Regulations Relating to Currency, as amended. Any such securities or currency found to be in any safe deposit box in violation of the Regulations Relating to Securities, as amended, or the Regulations Relating to Currency, as amended, shall be promptly disposed of in accordance with the terms of such regulations.

(2) On or before October 15, 1942, every lessor of safe deposit boxes within the Territory of Hawaii shall file a report on Form TFR–H27 with the Office of the Governor of Hawaii, setting forth the names and addresses of the lessees of all safe deposit boxes which have not been opened in accordance with these regulations; the names and addresses of any persons other than the lessees known to have access to such boxes; and the reasons, if known, why such boxes were not opened as required by these regulations. Appropriate action may thereafter be taken to enforce compliance with these regulations.

(3) After the opening of any safe deposit box in accordance with the terms of paragraph (a) (1) hereof, or, in any event, after October 1, 1942, lessors of safe deposit boxes in the Territory of Hawaii shall satisfy themselves, whenever access is had to such boxes, that no securities or United States currency is deposited therein in violation of the Regulations Relating to Securities, as amended, or the Regulations Relating to Currency, as amended.

(b) (1) Exception to any of the provisions of these regulations may be made by means of licenses, rulings, or otherwise, when it is considered that such exception is in accord with the purpose of these regulations or is otherwise necessary or desirable. Application for any such license may be filed with the Office of the Governor of Hawaii on Form TFR–H28, and the general procedure to be followed in handling applications for licenses will be that employed in the administration of Executive Order No. 8389, as amended. Unless the contrary is expressly provided, no license shall be deemed to authorize any transaction prohibited by reason of the provisions of any law, proclamation, order, or regulation other than these regulations. The decision with respect to the granting, denial, or other disposition of any application for a license shall be final.

(2) Rulings, instructions, interpretations, or licenses may, from time to time, be made or issued to carry out the purposes of these regulations, and reports may be required in addition to those specifically called for herein with respect to any property or transactions affected hereby.

(3) These regulations shall not be deemed to authorize any transaction prohibited by or pursuant to Executive Order No. 8389, as amended, except such transactions are are necessarily incidental to the performance of acts specifically required by these regulations.

(4) These regulations and any rulings, licenses, instructions, or forms issued hereunder may be amended, modified, or revoked at any time.

(c) Attention is directed to the penalties prescribed in General Orders No. 118, Office of the Military Governor, 25 June 1942; Regulations Relating to Currency issued June 25, 1942, as amended; General Orders No. 123, Office of the Military Governor, 3 July 1942; Regulations Relating to Securities, issued July 3, 1942, as amended; and to those contained in section 5 (b) of the Trading with the enemy Act, as amended.

J. B. POINDEXTER, *Governor of Hawaii.*

[F. R. Doc. 42–8264; Filed, August 24, 1942; 2:53 p. m.]

[1] The $1.95 price is 10¢ per ton less than the "E" classification price which would otherwise cover the sale of the coal.

[2] Operation of this mine was discontinued in 1935 when the Wabash Railroad, only customer of intervener for this coal, became dissatisfied and canceled its order. Analyses of the coal, made at that time, showed it to be relatively high in ash and sulphur content and to have a relatively low fusion temperature of ash. It contained a considerable amount of calcium and bone and its appearance was such that its marketability was confined to railroad fuel.

[3] 2" nut and slack coal comparable in quality with the No. 15 Mine bears a present minimum price of $1.65 per net ton f.o.b. mine.

[4] Under the previous operations the coal was hand cleaned at the face and picked and again manually cleaned on the tipple.

[5] It was established that the Cincinnati Gas and Electric Company has been a customer of intervener for more than 20 years, and that the 50,000 tons, if purchased by them, would constitute less than 5% of their annual coal purchases, and less than 10% of the amount of coal that company purchases each year from the intervener. Further, that amount of coal constitutes only approximately 10% of the increase in the past 2 years in the Cincinnati Company's consumption of coal, which from all indications, will be further augmented.

[1] 7 F.R. 5114, 5900, 6255.

[2] 7 F.R. 5808, 6463.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–80]

SCULLY STEEL PRODUCTS CO.

Scully Steel Products Company, a corporation, of Chicago, Illinois, is engaged in the business of maintaining and operating warehouses in different locations throughout the United States, including warehouses in the City of Chicago, Illinois, and the City of St. Paul, Minnesota. The Company violated Supplementary Order M–21–b by making deliveries of 3,565 pounds of stainless steel in greater than 50 pound lots in fulfillment of unrated orders during the period September 11 to December 19, 1941, inclusive, and by making deliveries of 38,202 pounds of carbon plate and alloy steel during the period February 1 through April 15, 1942 in fulfillment of unrated orders which were not for necessary repairs and maintenance purposes. The Company also violated Supplementary Order M–21–d by making deliveries of 1,056 pounds of stainless steel during the period from January 7 to February 18, 1942, inclusive, in fulfillment of orders rated lower than A–10, and in delivering through Carnegie-Illinois Steel Corporation, an affiliated Company, between January 8 and January 13, 1942, 10,502 pounds of stainless steel to Just Manufacturing Company of Chicago, Illinois on an unrated order.

These violations of Supplementary Orders M–21–b and M–21–d, dealing with steel warehouses and corrosion- and heat-resistant chrome steel respectively, have impeded and hampered the war effort of the United States by diverting stainless steel, carbon plate and alloy steel to uses unauthorized by the War Production Board. In view of the foregoing facts, *it is hereby ordered:*

§ 1010.80 *Suspension Order S–80.* (a) Scully Steel Products Company, its successors and assigns, shall not accept delivery of any stainless steel into its warehouses at Chicago, Illinois and St. Paul, Minnesota, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Scully Steel Products Company from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or of the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 27, 1942, and shall expire on October 27, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8259; Filed, August 24, 1942; 2:11 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–85]

MANNING MANUFACTURING CO.

Manning Manufacturing Company owns and operates five service stations in or near Rutland, Vermont, and is its own supplier of gasoline. One of the Company's service stations located on South Main Street, Rutland, Vermont, was established subsequent to April 1, 1942.

In computing its monthly quota under Limitation Order L–70,[1] the Company, because of an honest misinterpretation, treated the five stations as a unit instead of computing a separate quota for each station as provided in the order. However, in computing the combined monthly quota for all stations, the company arbitrarily and unjustifiably treated the fact that it had five service stations instead of four as permitting a 25% addition to what it considered its allowable supply of gasoline.

The company made certain other unjustifiable errors in calculating its monthly quota, all of which resulted in its making and accepting over-deliveries of motor fuel at three of its five stations during April, 1942, and at two of its five stations during May, 1942, as well as substantial over-deliveries to the five stations as a unit. The making and acceptance of these over-deliveries constituted a wilful violation of Limitation Order L–70 which has hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.85 *Suspension Order S–85.* (a) Manning Manufacturing Company, its successors and assigns, shall not accept delivery of, deliver or sell any motor fuel at the service station owned and operated by it located on South Main Street, Rutland, Vermont.

(b) This order shall take effect August 27th, 1942, and shall expire November 15, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8260; Filed, August 24, 1942; 2:11 p. m.]

[1] 7 F.R. 2103, 2722, 3549, 3550, 4171, 5552, 6419.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–86]

BLUE HILLS AVENUE SERVICE STATIONS, INC.

Blue Hills Avenue Service Stations, Inc. of Hartford, Connecticut, operates a filling station in Hartford. The company's regular supplier advised it as to its proper quotas of gasoline for the months of May and June 1942, under Limitation Order L–70,[1] and delivered the amount of such quotas to the company. Although the company had been advised as to its proper quota by its regular supplier and had accepted delivery thereof, the company, nevertheless, accepted further deliveries of gasoline from another supplier. By accepting these deliveries, the company obtained more than 1,000 gallons of gasoline in excess of its quota for May 1942, and more than 3,000 gallons of gasoline in excess of its quota for June 1942. This constituted a wilful violation of Limitation Order L–70 which has hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.86 *Suspension Order S–86.* (a) Blue Hills Avenue Service Stations, Inc., its successors and assigns, shall not accept delivery from any source of any motor fuel as the same is defined in Limitation Order L–70.

(b) No person shall deliver any motor fuel as the same is defined in Limitation Order L–70 to Blue Hills Avenue Service Stations, Inc., its successors and assigns.

(c) This order shall take effect August 26, 1942, and shall expire on December 26, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8261; Filed, August 24, 1942; 2:11 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–87]

HERBERT C. HUBER

Herbert C. Huber of Dayton, Ohio, is engaged in the real estate and contracting business in the city of Dayton, Ohio and vicinity. His activities include the development of residential districts and the contracting and sale of houses which he erects through subcontractors.

Subsequent to April 9, 1942, Herbert C. Huber began construction (as defined in Conservation Order L–41)[1] of three houses upon lots 3612, 3613 and 3614 located in the residential district known as "Far Hills Forest Plat" which he was developing in the city of Dayton. The estimated cost of construction of each of these houses was far in excess of $500. Construction of these three houses, known and described by Herbert C. Huber respectively as jobs 15, 16 and 24, was begun without regard for the prohibitions imposed upon the beginning of new construction by Conservation Order L–41.[1]

These violations of Conservation Order L–41 have impeded and hampered the war effort of the United States by diverting scarce material to uses prohibited by the War Production Board. In view of the foregoing, *It is hereby ordered that:*

§ 1010.87 *Suspension Order S–87.* (a) For a period of four months from the effective date of this order deliveries of material to Herbert C. Huber, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Orders, General Preference Orders, or any other orders or regulations of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) For a period of four months from the effective date of this order, no allocation shall be made to Herbert C. Huber, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) For a period of four months from the effective date of this order, no defense housing project or other construction with which Herbert C. Huber is directly or indirectly connected or upon which he is employed shall be accorded priorities assistance.

(d) Neither Herbert C. Huber nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue construction of the houses located on Lots 3612, 3613 and 3614, Far Hills Forest Plat, known as Jobs 15, 16 and 24. No application for authorization to continue construction on the aforesaid properties filed by Herbert C. Huber or any other person shall be granted by the War Production Board.

(e) Nothing contained in this order shall be deemed to relieve Herbert C. Huber from any restriction, prohibition or provision contained in any other order or regulation of the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on August 26, 1942, and shall continue in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8262; Filed, August 24, 1942; 2:11 p. m.]

[1] 7 F.R. 2730, 3712, 3774, 4326, 5661.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order No. M–15–b, as amended August 25, 1942]

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[Supplementary Order M–15–b, as amended August 25, 1942]

Supplementary Order No. M–15–b (including all prior amendments thereto) is hereby revised to read as follows:

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber and balata for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.3 *General Limitation Order M–15–b*—(a) *Definitions.* For the purposes of this order:

(1) "Crude rubber" means all forms and types of crude rubber (including crepe rubber for soles or any other purpose) but does not mean or include balata, gutta-percha, gutta siak, gutta jelutong, pontianac, reclaimed rubber, scrap rubber or latex.

(2) "Latex" means the rubber solids contained in liquid latex in crude form, and in compounded liquid latex (but not the rubber solids in shoe adhesives and container sealing compounds).

(3) "Scrap rubber product" means any finished rubber product or part thereof, made in whole or in part from crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber, which through wear, deterioration or obsolescence has served its primary purpose in its present state, but does not mean or include a repairable tire, treadable tire or any other manufactured product which is still usable for the primary purpose for which it was designed.

(4) "In-process scrap" means any material which is produced in the course of manufacture (including the repair, retreading or recapping of tires), and any defective or factory rejected materials or products which are not usable for the primary purpose for which they were designed and which contain any crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber, including all types and grades of residues, such as cuttings, trimmings, tuber heads, flash, cut edgings, sweepings, dust, buffings, sawings, grindings, drippings and any other form of rubber whether vulcanized or unvulcanized, which results from or is incident to the processing of crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber in the manufacture or repair of any product, but does not mean or include uncured friction scrap, reclaimed rubber or any finished rubber products.

(5) "Uncured friction scrap" means any scrap rubber which contains fabric and which is produced in the manufacture of tires, hose or belting before such products are finally vulcanized.

(6) "Scrap rubber" means and includes any scrap rubber product, in-process scrap or uncured friction scrap.

(7) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber.

(8) "Repairable tire" means a pneumatic tire or tire casing which has sufficient tread design or under tread to warrant repair for use for the purpose for which it was primarily designed. For the purposes of this definition:

(i) "Repair" means a vulcanized sectional repair, or vulcanized reinforcement or vulcanized spot repair which can be accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload) so that the tire when repaired will be in a safe condition for service.

(ii) The tread and sidewall must not be severely weather checked or cracked to the extent that the tire has more than two radial cracks which extend through the cord body.

(iii) The cord body:

(*a*) Must not have separation between plies.

(*b*) Must not have been damaged to the extent that cords are pulled loose beyond the first inside ply.

(*c*) Must not have any fabric injuries that exceed one-half the cross-sectional diameter of the tire. Example—Injuries in 600/16 (6 inch) tires must not be more than three inches long on the inside of the tire: in 10.00/20 tires not more than five inches.

(*d*) Must not have or show evidence of having had more than three injuries requiring sectional repairs.

(*e*) Must not have injuries below any point where the top of the rim flange makes contact with the tire.

(*f*) Must not have or exhibit circumferential or flex breaks on the inside ply.

(*g*) Bead area must be sound with no broken wires.

(9) "Treadable tire" means a pneumatic tire or tire casing which warrants repair and retreading or recapping for the purpose for which it was primarily designed in accordance with recognized commercial practice, and which can reasonably be expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload). For the purpose of this definition:

(i) The cord body:

(*a*) Must not be worn through more than one body ply for a total length of more than four inches on four ply tires.

(*b*) Must not be worn through more than two plies for a total length of more than four inches on tires of six plies or more.

(*c*) Must not have or show evidence of having had more than two injuries each not exceeding one-third the cross-sectional diameter of the tire. Example—Breaks in 600/16 (6 inch) tire must not be more than two inches long on the inside of the tire: 900/20 (9 inch) tires not more than three inches long.

(*d*) Must not have more than three radial cracks of more than one inch in length extending to the cord body.

(ii) The tire must in all other respects than specified in this paragraph (a) (9) conform to the requirements of a repairable tire.

(10) "Scrap consumer" means any person who consumes scrap rubber in the manufacture of any finished or partly finished product or material, and includes any person producing reclaimed rubber from scrap rubber, but does not include any person who separates scrap rubber or tears, splits or pulls scrap rubber apart (such as splitting tires) for the purpose of selling the component parts thereof to Rubber Reserve Company or to a scrap dealer.

(11) "Scrap dealer" means any person (other than a scrap consumer) buying, selling or collecting scrap rubber.

(12) "Synthetic rubber" means any of the varieties of compositions generally known as synthetic rubber, including, but not limited to, butadiene types, chloroprene, organic polysulfids and butyl.

(13) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata.

(14) "Inventory" means crude rubber, latex, scrap rubber, reclaimed rubber or balata, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies.

(15) "Consume" means to use, process, stamp, cut, or in any manner make any substantial change in the form, shape or chemical composition of any crude rubber, latex, scrap rubber, reclaimed rubber or balata.

(16) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(17) "War order" means:

(i) Any contract or purchase order for material or equipment to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development, but not to or for the account of any post exchange, ship's store, commissary, officer's mess, officers', non-commissioned officers' or enlisted men's club, or any similar agency or organization.

(ii) Any contract or purchase order placed by any agency of the United States for material or equipment to be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any contract or purchase order for material or equipment required by the person placing the same to fill his contracts or purchase orders on hand, provided such material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under (i) and (ii) of this paragraph (a) (17).

(b) *Restrictions on consumption of crude rubber, latex, reclaimed rubber, scrap rubber and balata*—(1) *Crude rubber.* Crude rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II-A attached to this order; but only upon receipt of authorization from the Director General for Operations:

(2) *Latex.* Latex may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II-B attached to this order; but only upon receipt of authorization from the Director General for Operations.

(3) *Reclaimed rubber.* Reclaimed rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those products set forth in Schedules II-A or II-B attached to this order and not set forth in Schedule II-C attached to this order; but only where special authorization for the consumption of crude rubber or latex to manufacture such products has been issued by the Director General for Operations.

(iii) To manufacture those groups of products set forth in Schedule II-C attached to this order which are also set forth in Schedule II-A or Schedule II-B attached to this order, whether or not mixed or compounded with crude rubber, latex or scrap rubber; but only upon receipt of authorization from the Director General for Operations for the consumption of the respective amounts of crude rubber, latex, reclaimed rubber and scrap rubber to be consumed.

(iv) To manufacture those groups of products set forth in Schedule II-C attached to this order and not set forth in Schedules II-A or II-B attached to this order; but only upon receipt of authorization from the Director General for Operations.

(4) *Scrap rubber.* Scrap rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those products set forth in Schedule II-A or II-B attached to this order and not set forth in Schedule II-C attached to this order; but only

where special authorization for the consumption of crude rubber or latex to manufacture such products has been issued by the Director General for Operations.

(iii) To manufacture those groups of products set forth in Schedule II-C attached to this order which are also set forth in Schedule II-A or Schedule II-B attached to this order, whether or not mixed or compounded with crude rubber, latex or reclaimed rubber; but only upon receipt of authorization from the Director General for Operations for the consumption of the respective amounts of crude rubber, latex, reclaimed rubber and scrap rubber to be consumed.

(iv) To manufacture those groups of products set forth in Schedule II-C attached to this order and not set forth in Schedule II-A or II-B attached to this order; but only upon receipt of authorization from the Director General for Operations.

(v) To manufacture reclaimed rubber.

(vi) As to in-process scrap or uncured friction scrap generated after March 31, 1942, by the person who generated such in-process scrap or uncured friction scrap; but only in the manufacture of any products of the group (as set forth in said Schedules II-A, II-B and II-C) in which is listed the product in connection with which such in-process scrap or uncured friction scrap was generated. In such case the in-process scrap or uncured friction scrap consumed shall not be charged against his quota or allotment of crude rubber, latex, reclaimed rubber or scrap rubber for making products of that group. Any person may consume in-process scrap or uncured friction scrap whether generated by him or not, in the manufacture of any products not so listed in the same group when, but only when, he has received from the Director General for Operations an authorization to consume reclaimed rubber or scrap rubber in the manufacture of such other group of products, and in such event the in-process scrap or uncured friction scrap consumed shall be within the limits of such authorization and shall be charged against his quota or allotment of reclaimed rubber or scrap rubber for manufacturing such other group of products.

(5) *Balata.* Balata shall be consumed only:

(i) To manufacture self-sealing fuel cells to fill war orders.

(ii) For such other purposes as may be permitted by special authorization of the Director General for Operations.

(c) *General provisions*—(1) *Distribution of crude rubber, latex, reclaimed rubber, scrap rubber and balata among plants.* Each company (which term when used in this subparagraph shall include any corporation together with all other corporations controlling, and all other corporations controlled by, such corporation) which is a processor of crude rubber, latex, scrap rubber, reclaimed rubber or balata and which operates plants in more than one community (all plants operated by the same company in the same community being herein collectively referred to as a "unit"), shall immediately upon distributing crude rubber, latex, scrap rubber, reclaimed rubber or balata during any calendar month among its units in proportions differing from the proportional distribution throughout such units during July, 1941, file with the Rubber and Rubber Products Branch of the War Production Board, a full report thereof showing clearly the reasons for such change in proportional distribution throughout its units. In any case in which it appears that such change in ratio was not justified or proper, the Director General for Operations may take such action as he deems appropriate.

(2) *Manufacture according to specifications.* Any of the products or materials whose manufacture is permitted by this order or by special authorization of the Director General for Operations shall be manufactured only in conformity with specifications now or hereafter set forth in lists attached to § 940.5 *Supplementary Order M-15-b-1* or such other specifications as may be issued by the Director General for Operations; provided that until specifications for particular products or groups of products are issued by the Director General for Operations, the crude rubber, latex or balata content by weight of any such products manufactured by any person shall not exceed the respective crude rubber, latex or balata content by weight of similar products manufactured by such person on the most recent date prior to September 1, 1942, on which he manufactured such products.

(3) *Limitation on consumption to fill war orders.* No person shall consume more crude rubber, latex, reclaimed rubber, scrap rubber or balata to fill any war order than is required for delivery within sixty days from the date such crude rubber, latex, reclaimed rubber, scrap rubber or balata is consumed under the delivery dates specified in the purchase order placed with him.

(4) *Limitation of inventories.* No person other than Rubber Reserve Company shall purchase, accept delivery of or otherwise acquire any crude rubber, latex or balata or products thereof, or any products of reclaimed rubber or scrap rubber, in the form of raw materials, semi-processed materials, finished products or parts or sub-assemblies in quantities which shall result in such person having an inventory of such material or products in excess of a minimum practicable working inventory, taking into consideration the limitations placed by this order on the production of products made of crude rubber, latex, balata, reclaimed rubber and scrap rubber. An inventory of crude rubber, latex or balata which can reasonably be expected to last more than sixty days shall be deemed to be in excess of a minimum practicable working inventory. The limitation on inventories imposed by this paragraph (c) (4) and by § 944.14, *Priorities Regulation No. 1*, as amended, shall not apply to inventories of reclaimed rubber held or acquired by persons engaged in the business of reclaiming rubber or by consumers of reclaimed rubber, it being contemplated that persons engaged in the business of reclaiming rubber and consumers of reclaimed rubber may accumulate such inventories of reclaimed rubber as they may deem advisable.

(5) *Restriction on the acquisition of crude rubber, latex, reclaimed rubber, scrap rubber and balata.* No person other than Rubber Reserve Company shall purchase, accept delivery of or otherwise acquire any crude rubber, latex, reclaimed rubber, scrap rubber or balata for any purpose except for the purpose of consuming the same in the manufacture of a product or products for which such material may be consumed under the provisions of this order or under special authorization of the Director General for Operations, provided that nothing in this order shall prevent any scrap dealer from acquiring scrap rubber in the usual course of his business for the purpose of selling the same to another scrap dealer or to Rubber Reserve Company.

(6) *Restriction on the sale of crude rubber, latex, reclaimed rubber and balata.* No person shall sell, trade or transfer the ownership of any crude rubber, latex, reclaimed rubber or balata, and no person shall accept any such sale, trade or transfer of ownership, except (i) as may be expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which special authorizations may be issued by the Director General for Operations; provided that nothing in this paragraph (c) (6) shall be deemed to prohibit the sale of unvulcanized rubber products or products made from balata which were in finished or marketable form on December 11, 1941, or which have become finished and marketable at any time after that date pursuant to processing not prohibited by any orders or other instructions heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations.

(7) *General restrictions on the purchase and sale of scrap rubber.* Except (i) as may be expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which special authorizations may be issued by the Director General for Operations:

(*a*) No person other than Rubber Reserve Company shall sell, trade or transfer the ownership or possession of any scrap rubber to any scrap consumer.

(*b*) No scrap consumer shall purchase, receive or accept delivery of any scrap rubber, or the right to receive any scrap rubber, from any person other than Rubber Reserve Company.

(*c*) No scrap consumer shall sell, trade or transfer the ownership or possession of any scrap rubber to any person, including any scrap dealer.

Provided, That the prohibitions of this paragraph (c) (7) shall not apply to any transfer or delivery of scrap rubber from one location to another location controlled by the same person where no change of ownership takes place, or to any purchase or sale by any corporation from or to another corporation which is its subsidiary or of which it is a subsid-

iary, of any in-process scrap or uncured friction scrap generated by the corporation making such sale or transfer, and any such sale shall be expressly permitted within the terms of paragraph (c) (2 (iii) of Priorities Regulation No. 13 (Part 944). For the purposes hereof a corporation shall be deemed to be a subsidiary of another corporation if all or substantially all of its voting stock is owned by such other corporation.

(8) *Restriction on the destruction of tires and scrap rubber.* No person shall destroy, damage, cut or tear apart any tire, tire casing or tire tube or any scrap rubber, whether by burning or any other means and whether for the purpose of making or repairing products or materials from or with all or any of its constituent parts; provided that this restriction shall not apply to the following:

(i) The consumption of any scrap rubber in the manufacture of any product for which crude rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of this order or under special authorization of the Director General for Operations; but subject to such limitations as to quantities, specifications and other restrictions as may be imposed by this order or such special authorization.

(ii) The consumption of any scrap rubber by any person producing reclaimed rubber as a necessary incident to such reclaiming operations.

(iii) The destruction of any scrap rubber (without destroying the rubber therein) for the purpose of selling its component parts to a scrap dealer for resale by him either (*a*) to Rubber Reserve Company, or (*b*) under rules or regulations prescribed from time to time by Rubber Reserve Company.

(iv) The destruction of the following articles when through obsolescence, use or deterioration the articles have entirely served their usefulness in their present state:

(*a*) Used battery containers and separators and parts thereof.

(*b*) Rough bore (metal reinforced) oil suction and discharge hose and hose containing asbestos combined with rubber.

(*c*) Wire cord generally classed as lamp cord and similar wire cords (but not other insulated wire or rubber covered cable).

(*d*) That part of rubber bonded to metal which cannot be separated from the metal by mechanical means.

(*e*) Brake linings and clutch facings.

(*f*) Metal-inserted packing.

(*g*) Metal-inserted running boards.

(*h*) Gasoline pump hose.

(*i*) Friction tape and adhesive tape (except in-process scrap).

(*j*) Burnt rubber all of which has been exposed to open flame (but not scorched rubber compounds).

(*k*) Gasket compounds containing cork.

(*l*) Typewriter platens.

(v) Ordinary wear and tear incident to the normal use of any article for the primary purpose for which it was designed.

(9) *Restriction on regrooving tires.* No person shall regroove the tread or tread surface of any tire or tire casing, whether by cutting, scraping, grinding, burning, heating, remolding or any other means.

(10) *Restriction on splitting camelback and capping stock.* No person shall split, cut, tear or otherwise separate any camelback or capping stock in such manner that there will result camelback or capping stock of gauges other than 10/32, 12/32, 14/32, 16/32, 18/32, 20/32, 22/32 inches and larger.

(11) *Reports covering war orders.* No person shall consume any crude rubber, latex, reclaimed rubber or scrap rubber to fill any war order until he has forwarded to the Rubber and Rubber Products Branch of the War Production Board a report on Form PD–330, or such other form for reporting war orders as may be prescribed by the Director General for Operations. Upon forwarding such report, such person may proceed to fill the war order covered by the report unless notified to the contrary by the Director General for Operations.

(12) *Prohibited products for other than war orders.* Except to fill war orders, no person shall consume any crude rubber, latex, reclaimed rubber or scrap rubber in the manufacture of any of the products for which the consumption of such material is prohibited by Schedule III attached to this order, even though the consumption of such material would otherwise be permitted under any of the broader provisions, classifications or groupings of this order or under any of the other schedules attached to this order.

(13) *Prohibited products for war orders.* Unless permitted by special authorization of the Director General for Operations, no person shall (i) consume any crude rubber or latex in the manufacture or assembly of any of the products or materials set forth in Groups A and B of Schedule IV attached to this order for delivery to fill any war order; or (ii) consume any reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials set forth in Group B of said Schedule IV for delivery to fill any war order.

(14) *Index of permitted and prohibited products.* Schedule V is attached to this order for the convenience of the industry. This schedule constitutes an index of the products for which crude rubber, latex, reclaimed rubber and scrap rubber may be consumed, and those for which these materials may not be consumed, and contains appropriate cross-references to the other schedules in which such products are mentioned.

(15) *Restriction on the importation of crude rubber, latex, reclaimed rubber, scrap rubber and balata and products thereof.* No person other than Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one of them, shall, except as authorized or otherwise directed in writing by the Director General for Operations, purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any crude rubber, latex, reclaimed rubber, scrap rubber or balata, whether in crude, partly processed or processed form, or any finished or partly finished product or material made from any of the foregoing. For the purpose hereof "import" means to transport into continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs; and products or materials shall be deemed to be made from crude rubber, latex, reclaimed rubber, scrap rubber or balata if at least ten per cent of the weight of such products or materials was made from crude rubber, latex, reclaimed rubber, scrap rubber and balata or from any one or more of them. The restriction of this paragraph (c) (15) shall not apply to the importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of crude rubber, latex, reclaimed rubber, scrap rubber and balata provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale.

(16) *Restriction on consumption of rubber products and materials.* No person shall use or consume any finished or partly finished product or material containing in the aggregate more than ten per cent by weight of crude rubber, latex, reclaimed rubber and scrap rubber, to manufacture for sale to others any other products for which he has not received an authorization from the Director General for Operations to consume crude rubber, latex, reclaimed rubber or scrap rubber. In any case in which any such product or material is used pursuant to any such authorization, it shall be chargeable to such person's quota of reclaimed rubber and/or scrap rubber for the manufacture of such permitted products.

(17) *Finished item deliveries.* No person shall sell, transfer or deliver, or purchase or accept or accept transfer or delivery of, any item which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

(18) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(19) *Applications for authorizations to consume crude rubber, latex, reclaimed rubber and scrap rubber.* Each person who wishes to consume any crude rubber, latex, reclaimed rubber or scrap rubber at any time subsequent to October 1, 1942 to manufacture any of the products or groups of products listed in Schedules II–A, II–B and II–C attached to this order, shall file with the Rubber and Rubber Products Branch of the War Production Board an application on Form PD–407. Such application shall be filed not later than the tenth day of the month preceding the calendar month during which such person wishes to consume crude rubber, latex, reclaimed rubber or scrap rubber.

(20) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by transmitting to the Rubber and Rubber Products Branch, War Production Board, Washington, D. C., an appeal on Form PD–500–b. The Director General for Operations may thereupon take such action as he deems appropriate.

(21) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles hereafter manufactured irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations heretofore or hereafter issued may have the effect of limiting or curtailing to a greater extent than herein provided the use of crude rubber, latex, scrap rubber, reclaimed rubber or balata in the production of any article, the limitations of such other order shall be observed.

(22) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities' assistance.

(23) *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Rubber and Rubber Products Branch, War Production Board, Washington, D. C. Ref.: M–15–b.

(24) *General reports.* Any person who, during any calendar month, consumes, ships or stocks any crude rubber, latex, reclaimed rubber, scrap rubber or balata, or who, on the last day of any calendar month, has in his possession any crude rubber, latex, reclaimed rubber, scrap rubber or balata, shall, not later than the fifteenth day of the succeeding month, file with the Rubber and Rubber Products Branch of the War Production Board a report on the appropriate form PD–49, PD–322 or such other form or forms as may be prescribed from time to time.

(25) *Outstanding special instructions.* No unrevoked special instruction (i. e., instruction issued by individual letter or telegram and not by general order) issued prior to September 1, 1942 by the Director of Priorities, Director of Industry Operations or Director General for Operations, which (i) authorizes the consumption of crude rubber, latex, reclaimed rubber or scrap rubber within a specified period or prior to a specified date, or (ii) forbids or restricts the consumption of crude rubber, latex, reclaimed rubber or scrap rubber, is revoked or rescinded by this revised Supplementary Order No. M–15–b. All such unrevoked instructions shall remain in effect unless hereafter specifically rescinded or revoked by the Director General for Operations.

(d) *Effective date.* This order shall become effective on September 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE I

Products for which crude rubber, latex, reclaimed rubber and scrap rubber may be consumed to fill war orders. (See paragraphs (b) (1) (i), (b) (2) (i), (b) (3) (i) and (b) (4) (i) of Revised Supplementary Order No. M–15–b)

Pending the issuance of a list of products for which crude rubber, latex, reclaimed rubber and scrap rubber may be required to fill war orders, to be set forth in a revised Schedule I, crude rubber, latex, reclaimed rubber and scrap rubber may be consumed to manufacture any product to fill any war order, unless the consumption of crude rubber, latex, reclaimed rubber and scrap rubber in the manufacture of such product is prohibited by paragraph (c) (13) of Revised Supplementary Order No. M–15–b and Schedule IV attached thereto or by special direction of the Director General for Operations.

SCHEDULE II–A

Products for which crude rubber may be consumed upon authorizations issued from time to time by the Director General for Operations. (See paragraph (b) (1) (ii) of Revised Supplementary Order No. M–15–b.)

Any authorization to consume crude rubber to manufacture any group of products set forth in this Schedule II–A also authorizes the manufacture from the quota or allotment of crude rubber for that group of cements necessary to the manufacture (but not the use or application) of such products. No crude rubber shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II–A unless permitted by special authorization of the Director General for Operations.

Group 1

Compounds for insulating wire and cable

Group 2

Cable splicing compound

Group 3

Belt splicing and repair material
Last puller belts
Polishing belts
Screen diaphragms designed for paper making equipment

Group 4

Conveyor and elevator belting

Group 5

Flat transmission belts
Hog beater belts

Group 6

Industrial brake lining and clutch facings

Group 7

V-belts

Group 8

Acid hose
Air drill hose
Cement handling hose, including cement grouting, concrete placing and cement and dry material hose
Chemical hose
Divers' hose
Dredging sleeves
Expansion joint hose
Flexible couplings
Flanged flexible hose
Grease gun hose
Gasoline and oil tank wagon hose (not including curb pump hose)
Hydraulic control hose
Industrial vacuum hose, including dust collector, blower or exhaust hose
Jetting and hydraulic hose, including arbor pipe forming and phosphate flexible hose
Milk conveying hose
Oil suction and discharge hose
Paint spray hose
Pinch valve hose
Pneumatic hose
Railroad hose (all types)
Rotary driller's hose
Sand blast hose
Sanitary hose
Spray hose (designed for working pressures of 300# per square inch and over)
Steam hose
Suction hose
Welding hose

Group 9

Hard rubber pipe and fittings (industrial only)
Rubber buckets, pails, dippers, funnels, measures, bottles, beakers, frames, baskets, racks, trays (designed for handling corrosive materials and explosives)
Rubber insulated fume-ducts, fans, racks, frames, trays, screens, pipe, buckets, pails, dippers, agitators, funnels and measures (designed for handling corrosive materials and explosives)
Rubber pumps
Rubber lining designed for blowers, exhausters and pumps
Rubber valves and valve parts (except tire tube valves)

Group 10

Rubber lined tanks, drums, pipes and fittings (hard and soft)

Group 11

Rubber covered rolls and roll coverings (except domestic washing machine wringer, printers', fingerprint and business machine rolls)

Group 12

Press die pads

Group 13

Loom pickers

Group 14

Storage battery parts, (including only separators, retainers, binding strips, element support rods, tie rods, and hand-built jars and hand-built containers, but not including hand-built jars and containers designed for radio, farm lighting, mine safety and automotive S. L. I.)

Group 15

Hard rubber sheets, rods and tubing (designed for dielectric purposes)
Insulated tools
Magneto parts
Molded cable connectors and terminal blocks (designed for dielectric purposes)

Group 16

Mine safety battery parts
Mine safety lamp parts, excepting insulated wire
Respirators, hose masks, gas masks, goggles, inhalators, excepting headharness (mining and industrial types)

Group 17

Sheet, strip and mechanical packings

Group 18

Oil well specialties (including only packers, testing, lining bumper and swab rubbers; blow-out preventors; drill pipe protectors; stabilizers; slush pump pistons and liners; mud and oil pump pistons, liners, valves and parts; valve cups; strippers; stuffing box rings)

Group 19

Industrial abrasive implements

Group 20

Airplane de-icer parts
Card clothing
Gas main bags
Gaskets and washers for hose
Lineman's protective devices (including only line hose, insulator hoods, blankets, cable end test caps and separators, cable bandages, lineman's sleeves and insulating stools)
Mine ventilating tubing
Molded seals for dam and lock gates

Group 21

Component parts (not elsewhere listed but not including sponge) of machinery for the processing and fabricating of raw and semi-finished materials and for the transmission of mechanical power (except as specifically prohibited in Schedule III attached to Revised Supplementary Order No. M-15-b)

Group 22

Pipe coupling rings

Group 23

Fire and mill hose

Group 24

Milk and milking machine equipment consisting of:
Couplings for pasteurizers and milk bottle and can washers
Gaskets for milk separators and clarifiers
Milk bottle filler rubbers
Milking machine inflations and tubing

Group 25

Box die gum, rubber die gum and rubber type gum, designed for industrial marking devices only

Group 26

Engravers' rubber (excluding rubber stamps, box dies, band daters and toy stamps)

Group 27

Printing plates (excluding rubber stamps, box dies, band daters and toy stamps)

Group 28

Cutting rubbers
Finger print rolls and finger print rubber
Offset and newspaper blankets
Printers' rollers
Rubber solution for wet plate negatives
Suction cups for printers' equipment

Group 29

Automotive parts consisting of the following only:
Air brake and vacuum brake parts, excepting boots and linings
Air brake and vacuum brake hose
Hydraulic brake cylinder parts, excepting boots and linings
Hydraulic brake hose
Hydraulic clutch and throttle controls
Pitman arm bushings for independent suspensions
Remote control gearshift bushings
Sealed beam gaskets
Shock absorber bushings
Steering post alignment bushings
Suspension and torque arm bushings
Steering box-to-frame pads for independent suspensions
Torsional vibration dampers
Windshield wiper blades and pivot to housing gaskets
Engine, transmission and propeller center bearing mountings

Group 30

Pneumatic, solid and cushion tires, (including tubes, flaps, airbags and valves) of the following types only:
Passenger
Truck and bus
Special purpose of the following types only: low platform trailer, rock service, earthmover, road builder and road grader
Industrial
Motorcycle
Airplane

Group 31

Camelback, capping stock, filler strip, stripping stock, cushion stock, lug stock, and base stock for retreading and recapping tires

Group 32

Full circle and sectional airbags designed for recapping, retreading and repairing tires

Group 33

Tire and tube repair materials (including only cushion stock, tread repair stock, cord friction, square woven fabric friction, repair patches, and tube repair gum)

Group 34

Rubber footwear designed for severe industrial use, including rubber boots, mine pacs, and work shoes all with plain or steel toes

Group 35

Rubber footwear (other than that listed in Group 34), including rubber boots, arctics, gaiters, and light and heavy rubbers

Group 36

Diaphragms designed for regulating the flow of fluids
Tank balls designed for flush valves
Bibb washers
Fuller balls
Ball cock washers

Group 37

Autopsy and mortuary gloves
Industrial all rubber gloves and industrial net-lined gloves and industrial finger cots

Group 38

Electricians' gloves

Group 39

Brain surgery caps
Colostomy outfits
Denture suctions and model formers
Dilators
Finger cots (medical, surgical, dental, veterinary, mortuary and laboratory types only)
Orthodontia bands
Parts for medical, surgical, dental, veterinary and mortuary instruments
Prostatic bags
Rubber bands and cushions designed for artificial limbs
Tubes and tubing (except fountain syringe lengths), including catheters, stopples, and rubber policemen (medical, surgical, dental, mortuary, veterinary and laboratory types only)
Urinals designed for individual wear
Vaccine caps
X-ray sheets, gloves, aprons and cooling hose

Group 40

Surgical tape, medicated footpads and plasters

Group 41

Breast pumps
Bulbs (medical, surgical, dental, veterinary, mortuary and laboratory types only)
Medicine droppers
Water bottles and combination syringes

Group 42

Ice bags
Metatarsal cushions or pads (not parts of shoes)
Pneumatic truss pads
Truss pad covers

Group 43

Acoustic aids (soft rubber parts only) designed for individual hearing instruments and audiometers

Group 44

Hard rubber pipes, connections and accessories (medical, surgical, dental, veterinary and mortuary types only)

Group 45

Tubing, fountain syringe lengths

Group 46

Blood pressure bags
Dental dam
Dental separating strips and mouth props
Denture rubber
Inhalation bags and face pieces, not including oxygen tents (medical, surgical, dental and veterinary types only)
Invalid rings, but not including sponge rubber rings
Operating cushions, but not including sponge rubber cushions
Tourniquets

Group 47

Hospital sheeting

Group 48

Feeding nipples

Group 49

Pessaries and prophylactics

Group 50

Surgeons' gloves (medical, surgical, dental and veterinary types only)

Group 51

Meteorological balloons

Group 52

Cements designed for the repair, use or application of products permitted to be manufactured from crude rubber by Revised Supplementary Order No. M-15-b, except cements for use in the manufacture of such products, except shoe adhesives

Group 53

Commercial diving equipment

Group 54

Compounds designed for seaming protective clothing other than footwear and gloves

Group 55

Abrasive sand blasting helmets and clothing

Group 56

Conductive soles, taps and heels

Group 57

Shoe cements

Group 58

Lifesaving suits

Group 59

Compounds designed for sealing cans made of tinplate, blackplate or terneplate
Rings and compounds for sealing glass containers

Group 60

Blended compounds or mixtures designed for laboratory testing

Group 61

Vacuum cleaner belts

Group 62

Airplane equipment not elsewhere listed

Group 63

Molding bags

Group 64

Street car wheel sandwich rings

Group 65

Vibration dampers

SCHEDULE II–B

Products for which latex may be consumed upon authorizations issued from time to time by the Director General for Operations. (See paragraph (b) (2) (ii) of Revised Supplementary Order No. M–15–b)

Any authorization to consume latex to manufacture any group of products set forth in this Schedule II–B also authorizes the manufacture from the quota or allotment of latex for that group of cements necessary to the manufacture (but not the use or application) of such products. No latex shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II–B unless permitted by special authorization of the Director General for Operations.

Group 1

Colostomy outfits
Finger cots (medical, surgical, dental, mortuary and veterinary types only)
Prostatic bags
Prosthetic devices
Tubes and tubing (except fountain syringe lengths), including catheters (medical, surgical, dental, mortuary, veterinary and laboratory types only)
Urinals designed for individual wear

Group 2

Blood pressure bags
Inhalation bags, and face pieces, not including oxygen tents (medical, surgical, dental and veterinary types only)
Veterinary sleeves

Group 3

Industrial rubberized fabric gloves designed for handling corrosive and severely abrasive materials

Group 4

Electricians' gloves

Group 5

Dental dam

Group 6

Autopsy and mortuary gloves
Industrial all rubber gloves and industrial net-lined gloves and industrial finger cots

Group 7

Meteorological balloons

Group 8

Feeding nipples

Group 9

Pessaries and prophylactics

Group 10

Surgeons' gloves (medical, surgical, dental and veterinary types only)

Group 11

Compounds designed for sealing glass containers and cans made of tinplate, blackplate or terneplate

Group 12

Shoe cements

Group 13

Latex insulation for fume ducts, fans, racks, frames, trays, screens, pipes and fittings, buckets, dippers, funnels, measures, drums, pumps, valves, baskets, concave rollers and agitators (designed for handling corrosive materials)

Group 14

Flat transmission belts
Round transmission belts
V-belts

Group 15

Mine ventilating tubing

Group 16

Industrial abrasive implements

Group 17

Blended compounds or mixtures designed for laboratory testing

Group 18

Tire cord dip

SCHEDULE II–C

Products for which reclaimed rubber and scrap rubber may be consumed upon authorizations issued from time to time by the Director General for Operations. (See paragraphs (b) (3) (iii) and (b) (4) (iii) of Revised Supplementary Order No. M–15–b)

Any authorization to consume reclaimed rubber or scrap rubber to manufacture any group of products set forth in this Schedule II–C also authorizes the manufacture from the quota or allotment of reclaimed rubber or scrap rubber for that group of cements necessary to the manufacture (but not the use or application) of such products. No reclaimed rubber or scrap rubber shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II–C unless permitted by special authorization of the Director General for Operations.

Group 1

Adhesives designed for fabricating steel wool, curled hair or fibre pads for surgical corrective appliances

Group 2

Adhesives for seaming bags and bagging
Gaskets and compounds for sealing jars, tumblers, cans, drums and pails

Group 3

Athletic equipment, consisting of the following only:
Basketball bladders
Football bladders
Athletic equipment, consisting of the following only—Continued.
Punching bag bladders
Soccer bladders
Volley ball bladders
Handballs
Squash balls
Tennis balls

Group 4

Automotive parts (including only spring bumpers—front and rear, tailpipe supports, battery drain tubes, brake boots, insulating forms or shapes for high tension wiring)

Group 5

Clutch facings, brake lining and brake blocks

Group 6

V-belts

Group 7

Barrel lining

Group 8

Brush setting compounds

Group 9

Molded battery containers except those designed for automotive S. L. I. batteries of S. A. E. Groups 1, 2 and 3

Group 10

Storage battery parts (except molded containers)

Group 11

Crutch tips

Group 12

Erasers and pencil plugs

Group 13

Friction tape

Group 14

Heels and heel bases (black dense composition only)

Group 15

Out soles, out soling strips, taps, top lifts and top lifting material (black dense composition only)

Group 16

Shoe bottom fillers and shoe tapes

Group 17

Insoles, midsoles and box toes

Group 18

Automotive radiator hose
Braided covered tubing
Cable covering, electric
Car heater hose
Curb line and garage air hose
Fire extinguisher tubing
Garden hose
Grease hose, low pressure, non-industrial
Pump and windshield wiper tubing
Rock wool insulation hose
Shaft covering, flexible
Spray hose (designed for working pressures under 300 pounds per square inch)
Vacuum cleaner hose
Water hose

Group 19

Parts for business machines (except platens and rolls)

Group 20

Parts for refrigerators, washing machines and motor-driven electric appliances (except hose and belts)

Group 21

Horseshoe pads

Group 22

Pressure sensitive tape

Group 23

Stamp gum

Group 24

Sponge for stamp gum cushion

Group 25

Truss pads

Group 26

Elastic fabrics and elastic webbing for:
Artificial legs
Gas masks
Goggles
Hose masks
Inhalators and respirators
Edging for baby pants
Industrial shoes
Repair web
Sanitary belts
Surgical bandages, stockings and supports
Trusses (including umbilical belts)

Group 27

Spud washers
Waste and overflow washers
Float valve shank washers
Flush elbows
Flush valve washers
Force cups
Gaskets and valves designed for back flow preventors (or vacuum breakers)
Siphon washers

Group 28

Cements designed for the repair, use or application of products permitted to be manufactured from crude rubber, latex, reclaimed rubber or scrap rubber by Revised Supplementary Order No. M–15–b, except cements for use in the manufacture of such products, and except shoe adhesives.

Group 29

Tire and tube repair materials (including only cushion stock, tread repair stock, cord friction, square woven fabric friction, repair patches and tube repair gum)

Group 30

Capping stock, filler strip, stripping stock, cushion stock, lug stock and base stock for retreading and recapping tires

Group 31

Blended compounds or mixtures designed for laboratory testing

Group 32

Compounds designed for proofing fabrics, other than footwear and gloves

Group 33

Bicycle tires (including casings, tubes, flaps and valves)

Group 34

Mallets and mallet heads

SCHEDULE III

Exceptions from groups of products set forth in Schedules II–A, II–B and II–C. (See paragraph (c) (12) of Revised Supplementary Order No. M–15–b)

Unless otherwise specified in this Schedule III, no person may consume any crude rubber, latex, reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials listed in this Schedule III, even though the consumption of crude rubber, latex, reclaimed rubber or scrap rubber might otherwise be permitted under any of the broader provisions or classifications of products under paragraphs (b) (1) (ii), (b) (2) (ii), (b) (3) (ii) or (b) (4) (ii) of Revised Supplementary Order No. M–15–b or Schedules II–A, II–B or II–C attached to said order. (The prohibitions of this Schedule II do not apply to the manufacture of products or materials to fill war orders, as to which see Schedule IV.)

The omission of any products or materials from this Schedule III does not mean that crude rubber, latex, reclaimed rubber or scrap rubber may be consumed in their manufacture. Crude rubber, latex, reclaimed rubber and scrap rubber may be consumed in the manufacture of products or materials not listed in this Schedule III only if and to the extent permitted by Revised Supplementary Order No. M–15–b and Schedules II–A, II–B and II–C attached to said order.

Accelerator pedals (automotive)
Animal boots and shoes
Arch supports
Arm rests
Artificial leather
Basin gaskets and washers
Basin stoppers
Bath sprays
Bath tub stoppers
Battery carrier straps
Beer tubing
Blowout shoes (for tires)
Bookbinding adhesives
Bottle carriers
Bottle driers
Brake rod rattlers
Brewery hose
Brush bristles
Bumper tacks
Bunion pads
Camera bellows
Camera focusing cloth
Candy molds
Carboy pads
Casket gaskets
Chair and furniture parts
Channel filler
Christmas tree lighting devices
Chute lining
Cigar machine aprons
Cleats for athletic and sport shoes
Coated clips
Coffee maker bushings and gaskets
Concentrator belts
Contraction joint seals and concrete filler
Corn pads
Crib sheeting
Crutch pads
Cutting blocks
Cushions, upholstery and mattresses (except invalid rings and operating cushions)
Defroster parts and hose
Desk and chair protective pads
Dish drainers
Drain pipe lining
Draper aprons
Electric base plugs, plug connectors and light sockets
Elevator belt buckets and cleats
Exercise machine parts
Extension lamp handles
Fan bases and blades
Faucet caps
Faucet filters
Feeding bottle caps and covers (except nipples)
Ferrules
Filter cloth
Finger pads
Flooring, tile and tiling, and wainscoting (except conductive)
Fountain pen stock
Fly paper
Foot bath trays
Gaskets, pads and shims made from scrap tires and tubes
Gasoline curb pump hose
Gasoline tubing
Gauntlets and cuffing (except linemen's sleeves)
Gear silencers
Glue dispensers
Graphite guns and parts thereof
Grommets (except dielectric)
Handle grips (except for dielectric purposes)
Hard rubber photographic trays and development tanks (except X-Ray)
Hard rubber spatulas (except for handling explosives and corrosive materials)
Hat-forming bags
Hatters' belts
Horse shoes
Horticultural binding tape
Hose nozzles
Household gloves
Hydrometer parts
Ice cube trays
Ink wells and bottles
Instep supports
Kneeling pads
Knife handles and grips
Labels and label plasters
Lamp shades
Lawn mower tires
Leather finishes
Line tube caps
Link mats
Loom harness strapping
Lug straps, bumpers and holdups (constituting textile machinery parts)
Mallets and mallet heads (except that reclaimed rubber or scrap rubber may be used)
Marbon B (except wire and cable insulation)
Mats and matting (except conductive)
Molds for casting
Molded wheels and casters
Musical instruments and parts thereof
Oxygen tent canopies
Pacifiers
Paint brush guards
Painters' graining tools
Panelboard
Paper machine aprons
Paper padding adhesives
Pedal rubber
Photo wringers
Photographers' bulbs and tubes
Pliofilm (except for wire and cable insulation)
Plioform (except for wire and cable insulation)
Pliolite (except for wire and cable insulation)
Plywood adhesives
Post insulators
Powder bags (mining)
Pulley lagging
Recoil pads
Refrigerator freezing trays
Rock wool insulation hose (except that reclaimed rubber or scrap rubber may be used)
Rubber bands (except orthodontia bands and bands for artificial limbs)
Rubber thread
Rubberized hair and fibre (except for surgical corrective appliances)
Sand blasting stencils
Screw bumpers
Self-adhering signs
Service station signal hose
Sink and lavatory gaskets (including mack gaskets)
Sink sprays and drain stoppers
Slip joint washers
Spark plug caps
Specimen (biological) injections
Sponge applicators
Stair and step treads
Stick-on soles and taps
Stipplers
Stirrup pump hose
Stirring rods
Street sweeper belts
Street car springs
Swimming pool hose
Table tops
Tank floats
Telephone bases
Telephone cord protectors
Telephone protectors
Test tube holders
Thermometer cases
Thermos bottle parts

Thermoplastic coatings (except for wire and cable insulation)
Tire reliners
Tire and tube repair materials made from scrap tires and tubes
Toggle straps
Toilet closet outlet gaskets
Toilet closet seat bumpers
Trolley wire guard
Typewriter keys, platens, feet and covers
Typewriter and office machinery silencers
V-belt shock absorbers
Vacuum cleaner tires and bumpers
Washing machine drain hose
Weatherstripping
Wheelbarrow tires
Whiskey hose
Windlace and windlace tubing
Yarning material

SCHEDULE IV

Products for which crude rubber, latex, reclaimed rubber and scrap rubber may not be consumed to fill war orders. (See paragraph (c) (13) of Revised Supplementary Order No. M–15–b).

No person may (1) consume any crude rubber or latex in the manufacture or assembly of any of the products or materials set forth in Groups A and B of this Schedule IV for delivery to fill any war order; or (2) consume any reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials set forth in Group B of this Schedule IV for delivery to fill any war order; even though the consumption of crude rubber, latex, reclaimed rubber or scrap rubber might otherwise be permitted under any of the broader provisions or classifications of products under paragraphs (b) (1) (i), (b) (2) (i), (b) (3) (i) or (b) (4) (i) of Revised Supplementary Order No. M–15–b or Schedule I attached to said order.

The omission of any products or materials from this Schedule IV does not mean that crude rubber, latex, reclaimed rubber or scrap rubber may be consumed in their manufacture. Crude rubber, latex, reclaimed rubber and scrap rubber may be consumed in the manufacture of products or materials not so listed only if and to the extent permitted by Revised Supplementary Order No. M–15–b and Schedule I attached to said order.

Group A—Products and materials for which crude rubber and latex shall not be consumed

Accelerator treadle connections
Brush-setting compounds
Bumpers (automotive axle)
Bumper stripping
Cellular discs
Channel rubber (except airplane)
Combined fabrics (except flotation and lighter-than-air equipment or as otherwise specified by List 3 attached to Supplementary Order No. M–15–b–1, as amended)
Cowl vent seals and gaskets
Cowl vent hose
Dust and lever housing covers
Erasers (including typewriter)
Escalator handrails
Flyers' clothing bags (Type B 4)
Fly Paper
Foot boards (motorcycle)
Friction tape
Gym and basketball shoes (except cement and foxings)
Handle grips (except dielectric)
Labels
Mallet heads
Marbon B. (except wire and cable insulation)
Pliofilm, Plioform, and Pliolite (except moisture proof envelopes for parts for airplanes, tanks and guns and wire and cable insulation)
Recoil pads (except machine gun and eye buffers)
Rubber bands (except parts of combat equipment)
Rubberized curled hair or vegetable fibre
Sponge cushioning including seat bottoms, seat backs, armrests, handrests, parachute backs and seats and tank crash pads and linings and all other (except vision and gunsight slot pads, mask parts, ear cushions, and cushioning for cameras, flight control and fire control instruments)
Toilet closet gaskets
Toilet seat bumpers
Water, garden and lawn hose (except as specified by List 1 attached to Supplementary Order No. M–15–b–1, as amended)
Weatherstrip (except airplane)

Group B—Products and materials for which crude rubber, latex, reclaimed rubber and scrap rubber shall not be consumed

Artificial leather and upholstery
Ash trays
Athletic equipment (except clothing)
Bath sprays, sponges and soap dishes
Bumper tacks
Buttons (clothing)
Canvas water bags
Cap covers
Cartridge clip boxes
Cellular pads for crash helmet cushions
Channel filler and glazing rubber (except airplane)
Chevrons
Desk and chair protection pads
Desk sets
Dishdrainers
Door checks and bumpers (reclaimed rubber and scrap rubber may be used for airplane and automotive parts)
Door knob covers
Fan bases and blades (reclaimed rubber and scrap rubber may be used for combat tank equipment)
Faucet caps
Fender protective plates
Fender welting
Flooring (except conductive)
Fly swatters
Footbath trays
Gear shift knobs
Grommets (except airplane and dielectric)
Gun grips
Hood supports and bumpers
Hospital sheeting
Inkwells and bottles
Kneeling pads
Leather finishes
Link mats (reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms)
Mastic deck covering (except repair)
Mats and matting (except switchboard and conductive; reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms)
Molded wheels and casters (except hospital and surgical equipment and airplane tailwheels)
Name plates
Office machine silencers
Paper padding adhesives
Paving blocks
Pedal rubbers
Picture screens
Plate wipers
Plywood adhesives
Rubber-covered lamp guards, handles, grab rails and knobs (except dielectric)
Rubber thread
Sateen gimp
Serving trays
Sewage disposal bags and paper
Shims (automotive)
Sink pads, mats, sprays and stoppers
Stair and step treads (except conductive)
Steering wheels
Step plates
Stove top pads
Table tops (except conductive)
Tank fenders and flaps
Telephone bases
Tent fabrics
Thermostat covers
Tile and tiling (except conductive)
Toilet seats
Tractor and implement tires
Typewriter keys
Valve stems for tire tubes other than airplane tire tubes
Wainscoting
Wheelbarrow and lawnmower tires
Window squeegees (but not windshield wipers)
Wrestling mat covers
Zipper tabs

SCHEDULE V

Index of products for which crude rubber, reclaimed rubber and scrap rubber may be consumed, and of products for which the consumption of these materials is prohibited. (See paragraph (c) (14) of Revised Supplementary Order No. M–15–b)

This Schedule constitutes an index of the permitted and prohibited products under Schedules I, II–A, II–B, II–C, III and IV attached to Revised Supplementary Order No. M–15–b, and is attached to such order for the convenience of the industry. Appropriate cross-references are made to such other schedules. Crude rubber, latex, reclaimed rubber and scrap rubber may not be consumed to manufacture any product or material not mentioned in this Schedule V unless otherwise authorized by the Director General for Operations.

Product	Schedule	Group	Remarks
Abrasive implements	II–A	19	
	II–B	16	
Accelerator connections	IV	A	
Accelerator pedals	III	------	
Accessories, medical, etc.	II–A	44	
Acid hose	II–A	8	
Acoustic aids	II–A	43	
Adhesives, bookbinding	III	------	See bookbinding.
Adhesives, paper padding	III	------	See paper padding.
	IV	B	
Adhesives, plywood	III	------	See plywood.
	IV	B	See plywood.
Adhesives, seaming bags	II–C	2	
Adhesives, surgical appliances	II–C	1	
Agitators	II–A	9	
	II–B	13	
Air brake hose	II–A	29	
Air brake parts	II–A	29	
Air drill hose	II–A	8	
Airbags, tire	II–A	30	
	II–A	32	
Airplane bumpers	IV	B	See door checks.
Airplane channel	IV	A	See channel.
	IV	B	

Product	Schedule	Group	Remarks
Airplane de-icer parts.	II-A	20	
Airplane door checks	IV	B	See door checks.
Airplane equipment	II-A	62	
Airplane tailwheels	IV	B	See molded wheels.
Airplane tires	II-A	30	
Airplane tire valve stems.	IV		See valve stems.
Airplane grommets	IV	B	See grommets.
Airplane walkways	IV	B	See link mats; also mats.
Airplane weatherstrip.	IV	A	See weatherstrip.
Animal boots & shoes.	III	------	
Appliances, surgical	II-C	1	
Applicators, sponge	III	------	See sponge applicators.
Aprons, cigar machine.	III	------	See cigar machine aprons.
Aprons, draper	III	------	See draper aprons.
Aprons, paper machine.	III	------	See paper machine aprons.
Aprons, X-ray	II-A	39	
Arbor pipe forming hose.	II-A	8	
Arch supports	III	------	
Arctics	II-A	35	
Arm rests	III	------	
Arm rests	IV	A	See sponge.
Artificial leather	III	------	
	IV	B	
Artificial limbs	II-A	39	
	II-C	26	
Ash trays	IV	B	
Athletic equipment	II-C	3	
	IV	B	
Athletic shoes	III	------	See cleats.
Audiometers	II-A	43	
Automotive accelerator pedals.	III	------	See accelerator pedals.
Automotive axle bumpers.	IV	A	See bumpers.
Automotive parts	II-A	29	
	II-C	4	
	IV	B	See door checks.
Automotive radiator hose.	II-C	18	
Automotive shims	IV	B	See shims.
Axle, bumpers	IV	A	See bumpers.
Bags, adhesives	II-C	2	
Bags, blood pressure	II-A	46	
	II-B	2	
Bags, canvas	IV	B	See canvas.
Bags, flyers'	IV	A	See flyers'.
Bags, gas main	II-A	20	
Bags, hat-forming	III	------	See hat-forming bags.
Bags, ice	II-A	42	
Bags, inhalation	II-A	46	
	II-B	2	
	II-A	63	
Bags, molding	III	------	See powder bags.
Bags, powder	II-A	39	
Bags, prostatic	II-B	1	
Bags, sewage disposal.	IV	B	See sewage.
Ball cock washers	II-A	36	
Balloons, meteorological.	II-A	51	
	II-B	7	
Bails, fuller	II-A	36	
Bails, tank	II-A	26	
Band daters	II-A	27	
Bands, artificial limbs.	II-A	39	
Bands, orthodontia	II-A	39	
Bands, rubber	III	------	See rubber bands
	IV	A	See rubber bands
	II-C	7	
Barrel lining	III	------	See fan bases.
Base, fan	IV	B	See fan bases.
Base plugs, electric	III	------	See electric base plugs.
Base stock	II-A	31	
	II-C	30	
Base, telephone	III	------	See telephone bases.
	IV	B	See telephone bases.
Basin gaskets and washers.	III	------	
Basin stoppers	III	------	
Basketball shoes	IV	A	See gym shoes.
Baskets, insulation	II-B	13	
Baskets, rubber	II-A	9	
Bath sprays	III	------	
	IV	B	
Bath trays, foot	III	------	See foot bath trays.
Bath tub steppers	III	------	
Battery carrier straps	III	------	
Battery containers	II-C	9	
Battery drain tubes	II-C	4	
Beakers	II-A	9	
Beer tubing	III	------	
Bellows, camera	III	------	See camera bellows.
Belt buckets, elevator.	III	------	See elevator belt buckets.
Belt repair material	II-A	3	
Belt splicing material.	II-A	3	
Belting, conveyor	II-A	4	
Belting, elevator	II-A	4	
Belts, concentrator	III	------	See concentrator belts.
Belts, flat transmission.	II-A	5	
	II-B	14	
Belts, hatters'	III	------	See hatters' belts.
Belts, hog beater	II-A	5	
Belts, last puller	II-A	3	
Belts, polishing	II-A	3	
Belts, round	II-B	14	
Belts, sanitary	II-C	26	
Belts, street sweeper	III	------	See street sweeper belts.
Belts, umbilical	II-C	26	
Belts, V	II-A	7	
	II-B	14	
	II-C	6	
Belts, vacuum cleaner.	II-A	61	
Bibb washers	II-A	36	
Bicycle tires	II-C	33	
Bladders basketball, etc.	II-C	3	
Blades, fan	III	------	See fan bases.
	IV	B	See fan bases.
Blades, windshield wiper.	II-A	29	
Blankets, lineman's	II-A	20	
Blankets, newspaper	II-A	29	
Blankets, offset	II-A	28	
Blocks, cutting	III	------	See cutting blocks.
Blocks, paving	IV	B	See paving blocks.
Blood pressure bags	II-A	46	
	II-B	2	
Blowers, lining	II-A	9	
Blow-out preventors, oil well.	II-A	18	
Blow-out shoes	III	------	
Bookbinding adhesives.	III	------	
Boots, air-brake	II-A	29	
Boots, animal	III	------	See animal boots.
Boots, brake	II-C	4	
Bottle caps	III	------	See feeding bottle.
Bottle carriers	III	------	
Bottle driers	III	------	
Bottles	II-A	9	
Bottles, ink	III	------	See ink wells.
	IV	B	See ink wells.
Bottles, thermos	III	------	See thermos bottle.
Bottles, water	II-A	41	
Box die gum	II-A	25	
Box dies	II-A	26	
	II-A	27	
Box toes (shoes)	II-C	17	
Boxes, cartridge clip.	IV	B	See cartridge.
Braided tubing	II-C	18	
Brain surgery caps	II-A	39	
Brake block	II-C	5	
Brake boots	II-C	4	
Brake lining	II-A	6	
	II-C	5	
Brake rod rattlers	III	------	
Breast pumps	II-A	41	
Brewery hose	III	------	
Brush bristles	III	------	
Brush setting compounds.	II-C	8	
	IV	A	
Buckets	II-A	9	
	II-B	13	
	II-A	44	
Bulbs, medical, etc.	III	------	
Bulbs, photographers'.	III	------	See photographers' bulbs.
Bumper stripping	IV	A	
Bumper tacks	III	------	
	IV	B	
Bumpers, axle	IV	A	
Bumpers, door	IV	B	See door checks.
Bumpers, hood	IV	B	See hood.
Bumpers, lug straps	III	------	See lug straps.
Bumpers, screw	III	------	
Bumpers, spring	II-C	4	
Bumpers, toilet seat	III	------	See toilet bumpers.
	IV	A	See toilet bumpers.
Bumpers, vacuum cleaner.	III	------	See vacuum cleaner tires.
Bunion pads	III	------	
Bus tires	II-A	30	
Bushings, coffee maker.	III	------	See coffee maker.
Bushings, automotive.	II-A	29	
Business machine parts.	II-C	19	
Buttons	IV	B	
Cable bandages, lineman's.	II-A	20	
Cable connectors	II-A	15	
Cable covering	II-C	18	
Cable end test caps	II-A	20	
Cable insulating compounds.	II-A	1	
Cable splicing compound.	II-A	2	
Camelback	II-A	31	
Camera bellows	III	------	
Camera cushioning	IV	A	See sponge.
Camera focusing cloth.	III	------	
Candy molds	III	------	
Canopies, oxygen tent.	III	------	See oxygen tent.
Canvas water bags	IV	B	
Cap covers	IV	B	
Capping stock	II-A	31	
	II-C	30	
Caps, spark plug	III	------	See spark plug.
Caps, surgery	II-A	39	
Caps, faucet	III	------	See faucet caps.
	IV	B	See faucet caps.
Caps, line tube	III	------	See line tube caps.
Caps, vaccine	II-A	39	
Carboy pads	III	------	
Car heater hose	II-C	18	
Card clothing	II-A	20	
Carriers, bottle	III	------	See bottle carriers.
Cartridge clip boxes.	IV	B	
Case, thermometer	III	------	See thermometer cases.
Casings, bicycle tire	II-C	33	
Casket gaskets	III	------	
Caster, molded	III	------	See molded wheels.
	IV	B	See molded wheels.
Casting, molds	III	------	See molds for casting.
Catheters	II-A	39	
	II-B	1	
Cellular discs	IV	A	
Cements, repair	II-A	52	
	II-C	28	
Cements, shoe	II-A	57	
	II-B	12	
Chair pads	III	------	See desk.
	IV	B	See desk.
Chair parts	III	------	
Channel filler	III	------	
	IV	B	
Channel rubber	IV	A	
Checks, door	IV	B	See door checks.
Chemical hose	II-A	8	
Chevrons	IV	B	
Christmas-tree devices.	III	------	
Chute lining	III	------	
Cigar machine aprons.	III	------	
Cleats, athletic shoes.	III	------	
Cleats, elevator	III	------	
Clip boxes, cartridge.	IV	B	See cartridge.
Clips, coated	III	------	See coated clips.
Cloth, filter	III	------	See filter cloth.
Clothing, athletic	IV	B	See athletic equipment.
Clothing bags	IV	A	See flyers'.
Clothing, sand blast	II-A	55	
Clutch facings	II-A	6	
	II-C	5	
Coated clips	III	------	
Coatings, thermoplastic.	III	------	See thermoplastic coatings.
Coffee maker bushings.	III	------	
Colostomy outfits	II-A	39	
	II-B	1	
Combined fabrics	IV	A	
Component parts	II-A	21	
Compound, cable splicing.	II-A	2	

Product	Schedule	Group	Remarks
Compounds, brush setting.	II-C	8	
	IV	A	See brush setting compounds.
Compounds, fabric proofing.	II-C	32	
Compounds, laboratory.	II-A	60	
	II-B	17	
	II-C	31	
Compounds, insulating.	II-A	1	
	IV	B	
Compounds, sealing	II-A	59	
	II-B	11	
	II-C	2	
Compounds, seaming clothing.	II-A	54	
Concentrator belts	III	------	
Concrete fillers	III	------	See contraction joints.
Concrete hose	II-A	8	
Conductive flooring	III	------	See flooring.
	IV	B	See flooring
Conductive mats	III	------	See mats.
	IV	B	See mats.
Conductive soles, taps, heels.	II-A	56	
Conductive table tops.	IV	B	See table tops.
Conductive tile	IV	B	See tile.
Conductive treads	IV	B	See stair treads.
Connections, accelerator.	IV	A	See accelerator.
Connections, medical, etc.	II-A	44	
Containers, battery	II-C	9	
Contraction joint seals.	III	------	
Controls, hydraulic	II-A	29	
Conveyor belting	II-A	4	
Cooling hose, X-ray	II-A	39	
Cord dip, tire	II-B	18	
Cord friction	II-A	33	
	II-C	29	
Corn pads	III	------	
Corrective appliances.	II-C	1	
Coupling rings, pipe	II-A	22	
Couplings, flexible	II-A	8	
Couplings, milk equipment.	II-A	24	
Covered rolls	II-A	11	
Covers, cap	IV	B	See cap covers.
Covers, dust and lever housing.	IV	A	See dust.
Covers, feeding	III	------	See feeding bottle caps.
Covers, thermostat	IV	B	See thermostat covers.
Covers, truss pads	II-A	42	
Covers, typewriter	III	------	See typewriter.
Covers, wrestling mat.	IV	B	See wrestling.
Cowl vent hose	IV	A	
Cowl vent seals & gaskets.	IV	A	
Crash helmet cushions.	IV	B	See cellular pads.
Crib sheeting	III	------	
Crutch pads	III	------	
Crutch tips	II-C	11	
Cuffing	III	------	See gauntlets.
Cups, force	II-C	27	
Curb line hose	II-C	18	
Cushion stock	II-A	31	
	II-A	33	
	II-C	29	
	II-C	30	
Cushioning, camera	IV	A	See sponge.
Cushioning, sponge	IV	A	See sponge.
Cushions, artificial limbs.	II-A	39	
Cushions, ear	IV	A	See sponge.
Cushions, metatarsal.	II-A	42	
Cushions, operating	II-A	46	
Cushions, upholstery.	III	------	
Cutting blocks	III	------	
Cutting rubbers	II-A	28	
Dam, dental	II-A	46	
	II-B	5	
Dam gates	II-A	20	
Dampers, vibration	II-A	29	
	II-A	65	
	II-A	26	
	II-A	27	
Deck covering	IV	B	See mastic.
Defroster parts & hose.	III	------	
De-icer parts, airplane.	II-A	20	
Dental bulbs	II-A	41	
Dental dam	II-A	46	
	II-B	5	
Dental instrument parts.	II-A	39	
Dental mouth props	II-A	46	
Dental separating strips.	II-A	46	
Dental supplies	II-A	39	
Dental tubes and tubing	II-A	39	
	II-B	1	
Denture rubber	II-A	46	
Denture suctions	II-A	39	
Desk pads	III	------	
	IV	B	
Desk sets	II-A	59	
Development tanks	III	------	See hard rubber trays.
Diaphragms, regulating.	II-A	36	
Dielectric grommets	III	------	See grommets.
	IV	B	See grommets.
Dielectric handle grips.	III	------	See handle.
	IV	A	
Dielectric lamp guards.	IV	B	See rubber covered.
Dies, box	II-A	26	
	II-A	27	
Dilators	II-A	39	
Dippers	II-A	9	
	II-B	13	
Discs, cellular	IV	A	See cellular discs.
Dish drainers	III	------	
	IV	B	
Dispensers, glue	III	------	See glue dispensers.
Divers' hose	II-A	8	
Diving equipment	II-A	53	
Door checks	IV	B	
Door knob covers	IV	B	
Drain hose	III	------	See washing machine.
Drain pipe lining	III	------	
Drain stoppers	III	------	See sink sprays.
Draper aprons	III	------	
Dredging sleeves	II-A	8	
Driers, bottle	III	------	See bottle driers.
Drill pipe protectors	II-A	18	
Droppers, medicine	II-A	41	
Drums, insulation	II-B	13	
Drums, lined	II-A	10	
Dust housing covers	IV	A	
Ear cushions	IV	A	See sponge.
Earthmover tires	II-A	30	
Edging, elastic	II-C	26	
Elastic fabrics	II-C	26	
Elbows, flush	II-C	27	
Electric appliance parts.	II-C	20	
Electric base plugs	III	------	
Elevator belting	II-A	4	
Elevator buckets and cleats.	III	------	
Engine mountings	II-A	29	
Engravers' rubber	II-A	26	
Envelopes	IV	A	See pliofilm.
Equipment, airplane	II-A	62	
Equipment, hospital.	IV	B	See molded wheels.
Erasers	II-C	12	
	IV	A	
Escalator handrails	IV	A	
Exercise machine parts.	III	------	
Exhausters, lining	II-A	9	
Expansion joint hose.	II-A	8	
Extension lamp handles.	III	------	
Eye buffer	IV	A	See recoil pads.
Fabric, tire repair	II-A	33	
	II-C	29	
Fabrics, combined	IV	A	See combined fabrics.
Fabrics, elastic	II-C	26	
Fabrics, proofing compounds.	II-C	32	
Fabrics, tent	IV	B	See tent.
Face pieces, inhalation.	II-A	46	
	II-B	2	
Fan bases & blades	III	------	
	IV	B	
Fans, insulation	II-A	9	
	II-B	13	
Faucet caps	III	------	
	IV	B	
Faucet filters	III	------	
Feeding bottle caps	III	------	
Feeding nipples	II-A	48	
	II-B	8	
Fender protective plates.	IV	B	
Fender welting	IV	B	
Fenders, tank	IV	B	See tank fenders.
Ferrules	III	------	
Fibre pads	II-C	1	
Fibre, rubberized	III	------	See rubberized hair.
	IV	A	See rubberized hair.
Filler, channel	III	------	See channel filler.
	IV	B	See channel filler.
Filler, concrete	III	------	See contraction joint.
Filler strip	II-A	31	
	II-C	30	
Filter cloth	III	------	
Filters, faucet	III	------	See faucet filters.
Finger cots, industrial.	II-A	37	
	II-B	6	
Finger cots, medical, etc.	II-A	39	
	II-B	1	
Finger pads	III	------	
Finger print rolls	II-A	28	
Finger print rubber	II-A	28	
Finishes, leather	III	------	See leather finishes.
	IV	B	See leather finishes.
Fire control cushioning.	IV	A	See sponge.
Fire extinguisher tubing.	II-C	18	
Fire hose	II-A	23	
Fittings, hard rubber.	II-A	9	
Fittings, insulation	II-B	13	
Fittings, lined	II-A	10	
Flanged flexible hose	II-A	8	
Flaps, bicycle tire	II-C	33	
Flaps, tank	IV	B	See tank fenders.
Flaps, tire	II-A	30	
Flat transmission belts.	II-A	5	
	II-B	14	
Flexible couplings	II-A	8	
Flight control cushioning.	IV	A	See sponge.
Float valve shank washers.	II-C	27	
Floats, tank	III	------	See tank floats.
Flooring	III	------	
	IV	B	
Flush elbows	II-C	27	
Flush valve washers	II-C	27	
Fly paper	III	------	
	IV	A	
Fly swatters	IV	B	
Flyers' clothing bags	IV	A	
Focusing cloth, camera.	III	------	See camera focusing.
Foot boards (motorcycle).	IV	A	
Footbath trays	III	------	
	IV	B	
Footpads, medicated.	II-A	40	
Footwear	II-A	34	
	II-A	35	
Force cups	II-C	27	
Fountain pen stock	III	------	
Fountain syringe tubing.	II-A	45	
Frames	II-A	9	
	II-B	13	
Freezing trays, refrigerator.	III	------	See refrigerator.
Friction, cord and fabric.	II-A	33	
	II-C	29	
Friction tape	II-C	13	
	IV	A	
Full circle airbags	II-A	32	
Fuller balls	II-A	36	
Fume duct, insulation.	II-A	9	
	II-B	13	
Funnels	II-A	9	
	II-B	13	
Furniture parts	III	------	See chair.
Gaiters	II-A	35	
Garage air hose	II-C	18	
Gas main bags	II-A	20	
Gas masks	II-A	16	
	II-C	26	
Gaskets	II-C	27	
	III	------	
Gaskets, basin	III	------	See basin gaskets.
Gaskets, casket	III	------	See casket gaskets.
Gaskets, coffee maker.	III	------	See coffee makers.
Gaskets, cowl	IV	A	See cowl vent.
Gaskets, hose	II-A	20	
Gaskets, lavatory	III	------	See sink gaskets.

Product	Schedule	Group	Remarks
Gaskets, milk equipment.	II-A	24	
Gaskets, sealed beam.	II-A	29	
Gaskets, sealing	II-C	2	
Gaskets, sink	III	------	See sink gaskets.
Gaskets, toilet	III	------	See toilet closet.
	IV	A	See toilet closet.
Gaskets, windshield wiper.	II-A	29	
Gasoline hose	II-A	8	
Gasoline pump hose	III	------	
Gasoline tubing	III	------	
Gauntlets	III	------	
Gear shift knobs	IV	B	
Gear silencers	III	------	
Gimp, sateen	IV	B	See sateen gimp.
Glazing rubber	IV	B	See channel filler.
Gloves, autopsy	II-A	37	
	II-B	6	
Gloves, electricians'	II-A	38	
	II-B	4	
Gloves, household	III	------	See household gloves.
Gloves, industrial	II-A	37	
	II-B	3	
	II-B	6	
Gloves, mortuary	II-A	37	
	II-B	6	
Gloves, net-lined	II-A	37	
Gloves, surgeons'	II-A	50	
	II-B	10	
Gloves, X-ray	II-A	39	
Glue dispensers	III	------	
Goggles	II-A	16	
	II-C	26	
Grab rails	IV	B	See rubber covered lamp.
Graining tools, painters'.	III	------	See painters'.
Graphite guns	III	------	
Grease gun hose	II-A	8	
Grease tubing	II-C	18	
Grips, gun	IV	B	See gun.
Grips, handle	III	------	See handle.
	IV	A	See handle.
Grips, knife	III	------	See knife handles.
Grommets	III	------	
	IV	B	
Guard, wire	III	------	See trolley wire guards.
Guards, paint brush.	III	------	See paint brush guards.
Gum, box die	II-A	25	
Gum, rubber die	II-A	25	
Gum, rubber type	II-A	25	
Gum, stamp	II-C	23	
Gum, tube repair	II-A	33	
	II-C	29	
Gun grips	IV	B	
Gun platforms	IV	B	See link mats, also mats & matting.
Guns, graphite	III	------	See graphite guns.
Gunsight slot pads	IV	A	See sponge.
Gym shoes	IV	A	
Hair, rubberized	III	------	See rubberized.
	IV	A	See rubberized.
Handballs	II-C	3	
Handle grips	III	------	
	IV	A	
Handles, extension lamp.	III	------	See extension lamp.
Handles, knife	III	------	See knife handles.
Handles, rubber covered.	IV	B	See rubber covered.
Hand rests	IV	A	See sponge.
Handrails, escalators	IV	A	See escalator.
Hard rubber, dielectric.	II-A	15	
Hard rubber, industrial	II-A	9	
Hard rubber, medical, etc.	II-A	44	
Hard rubber photographic trays.	III	------	
Hard rubber spatulas.	III	------	
Harness strapping, loom.	III	------	See loom harness.
Hat-forming bags	III	------	
Hatters' belts	III	------	
Headharness	II-A	16	
Heads, mallet	II-C	34	
	IV	A	See mallet.
Hearing instruments	II-A	43	
Heel bases	II-C	14	
Heels	II-C	14	
Heels, conductive	II-A	56	
Helmet cushions, crash.	IV	B	See cellular pads.
Helmets, sand blast	II-A	55	
Hog beater belts	II-A	5	
Holders, test tube	III	------	See test tube.
Holdups, lug straps	III	------	See lug straps.
Hood supports	IV	B	
Horse shoes	III	------	
Horseshoe pads	II-C	21	
Horticultural tape	III	------	
Hose, acid	II-A	8	
Hose, air brake	II-A	29	
Hose, air drill	II-A	8	
Hose, arbor pipe forming.	II-A	8	
Hose, automotive radiator.	II-C	18	
Hose, blower	II-A	8	
Hose, brewery	III	------	See brewery.
Hose, car heater	II-C	18	
Hose, cement	II-A	8	
Hose, chemical	II-A	8	
Hose, cowl vent	IV	A	See cowl vent.
Hose, curb pump	II-A	8	
Hose, curb line	II-C	18	
Hose, defroster	III	------	See defroster parts.
Hose, divers'	II-A	8	
Hose, dry material	II-A	8	
Hose, dust collector	II-A	8	
Hose, exhaust	II-A	8	
Hose, expansion joint.	II-A	8	
Hose, fire	II-A	23	
Hose, flanged	II-A	8	
Hose, garage air	II-C	18	
Hose, gaskets	II-A	20	
Hose, gasoline	II-A	8	
Hose, gasoline pump.	III	------	See gasoline.
Hose, grease	II-C	18	
Hose, grease gun	II-A	8	
Hose, hydraulic brake.	II-A	29	
Hose, hydraulic control.	II-A	8	
Hose, jetting	II-A	8	
Hose, lawn	IV	A	Sprinkler hose.
Hose, lineman's	II-A	20	
Hose masks	II-A	16	
	II-C	26	
Hose, milk conveying.	II-A	8	
Hose, mill	II-A	23	
Hose, nozzles	III	------	
Hose, oil	II-A	8	
Hose, paint	II-A	8	
Hose, phosphate	II-A	8	
Hose, pinch valve	II-A	8	
Hose, pneumatic	II-A	8	
Hose, railroad	II-A	8	
Hose, rock wool insulation.	II-C	18	
Hose, rotary drillers'	II-A	8	
Hose, sand blast	II-A	8	
Hose, sanitary	II-A	8	
Hose, service station	III	------	See service station.
Hose, spray	II-A	8	
	II-C	18	
Hose, steam	II-A	8	
Hose, stirrup pump	III	------	See stirrup pump.
Hose, suction	II-A	8	
Hose, swimming pool.	III	------	See swimming pool.
Hose, tank wagon	II-A	8	
Hose, vacuum	II-A	8	
Hose, vacuum brake	II-A	29	
Hose, vacuum cleaner.	II-C	18	
Hose, washers	II-A	20	
Hose, washing machine.	III	------	See washing machine.
Hose, water	II-C	18	
	IV	A	See water hose.
Hose, welding	II-A	8	
Hose, whiskey	III	------	See whiskey.
Hose, X-ray	II-A	39	
Hospital sheeting	II-A	47	
Hospital equipment wheels and casters.	IV	B	See molded wheels.
Household gloves	III	------	
Hydraulic brake hose.	II-A	29	
Hydraulic brake parts.	II-A	29	
Hydraulic clutch controls.	II-A	29	
Hydraulic control hose.	II-A	8	
Hydraulic throttle control.	II-A	29	
Hydrometer parts	III	------	
Ice bags	II-A	42	
Ice cube trays	III	------	
Implement tires	IV	B	See tractor.
Implements, abrasive.	II-A	19	
	II-B	16	
Inflations, milking machine.	II-A	24	
Inhalation bags	II-A	46	
	II-B	2	
Inhalation facepieces.	II-A	46	
	II-B	2	
Inhalators	II-A	16	
	II-C	26	
Injections (biological) specimen.	III	------	See specimen.
Inkwells	III	------	
	IV	B	
Insoles (shoe)	II-C	17	
Instep supports	III	------	
Instruments, cushioning.	IV	A	See sponge.
Instruments, musical.	III	------	See musical.
Insulator hoods	II-A	20	
Insulators, post	III	------	See post insulators.
Invalid rings	II-A	46	
Jetting hose	II-A	8	
Joint seals	III	------	See contraction joint.
Joint washers, slip	III	------	See slip joint.
Keys, typewriter	III	------	See typewriter keys.
	IV	B	See typewriter keys.
Kneeling pads	III	------	
	IV	B	
Knife handles	III	------	
Knobs, gear shift	IV	B	See gear shift knobs.
Knobs, rubber covered.	IV	B	See rubber covered.
Labels	III	------	
	IV	A	
Laboratory bulbs	II-A	41	
Laboratory compounds.	II-A	60	
	II-B	17	
	II-C	31	
Laboratory tubes and tubing.	II-A	39	
	II-B	1	
Lagging, pulley	III	------	See pulley lagging.
Lamp guards	IV	B	See rubber covered.
Lamp handles	III	------	See extension lamp.
Lamp shades	III	------	
Last puller belts	II-A	3	
Lavatory gaskets	III	------	See sink gaskets.
Lawn hose	IV	A	See water hose.
Lawnmower tires	III	------	
	IV	B	See wheelbarrow.
Leather, artificial	III	------	See artificial leather.
	IV	B	See artificial leather.
Leather finishes	III	------	
	IV	B	
Lever, housing	IV	A	See dust.
Life saving suits	II-A	58	
Light sockets	III	------	See electric base.
Line hose	II-A	20	
Line tube caps	III	------	
Lineman's equipment.	II-A	20	
Liners, oil well	II-A	18	
Lining, brake	II-A	6	
	II-C	5	
Lining, barrel	II-C	7	
Lining, blowers, exhausters and pumps.	II-A	9	
Lining bumper rubbers, oil well.	II-A	18	
Lining, chute	III	------	See chute lining.
Lining, drain pipe	III	------	See drain pipe.
Lining, industrial brake.	II-A	6	
Link mats	III	------	
	IV	B	
Lock gates, seals	II-A	20	
Loom harness	III	------	
Loom pickers	II-A	13	
Low platform tires	II-A	30	
Lug stock	II-A	31	
	II-C	30	
Lug straps	III	------	
Machine gun pads	IV	A	See recoil pads.

Product	Schedule	Group	Remarks
Machine parts, exercise.	III	------	See exercise machine.
Mack gaskets	III	------	See sink gaskets.
Magneto parts	II-A	15	
Mallet heads	IV	A	
Mallets	II-C	34	
Marbon B	III	------	
	IV	A	
Marking devices	II-A	25	
Mask parts	IV	A	See sponge.
Masks, gas	II-A	16	
	II-C	26	
Masks, hose	II-A	16	
	II-C	26	
Mastic deck covering.	IV	B	
Mat covers, wrestling.	IV	B	See wrestlings.
Mats and matting	III	------	
	IV	B	
Mats, link	III	------	See link mats.
	IV	B	See link mats.
Mattresses	III	------	See cushions.
Measures	II-A	9	
	II-B	13	
Mechanical packings	II-A	17	
Medical bulbs	II-A	41	
Medical instrument parts.	II-A	39	
Medical tubes and tubing.	II-A	39	
	II-B	1	
Medicine droppers	II-A	41	
Metatarsal cushions	II-A	42	
Metatarsal pads	II-A	42	
Meterological balloons.	II-A	51	
	II-B	7	
Midsoles (shoes)	II-C	17	
Milk conveying hose	II-A	8	
Milk equipment	II-A	24	
Mill hose	II-A	23	
Mine battery parts	II-A	16	
Mine lamp parts	II-A	16	
Mine pacs	II-A	34	
Mine ventilating tubing.	II-A	20	
	II-B	15	
Mining headharness	II-A	16	
Mixtures (laboratory testing).	II-A	60	
	II-B	17	
	II-C	31	
	II-A	63	
Molding bags	II-B	1	
Molds, candy	III	------	See candy molds.
Molds, casting	III	------	
Mortuary bulbs	II-A	41	
Mortuary instrument parts.	II-A	39	
Mortuary tubes and tubing.	II-A	39	
	II-B	1	
Motorcycle tires	II-A	30	
Motorcycle foot boards.	IV	A	See footboards.
Mountings, automotive.	II-A	29	
Mud pump parts, oil well.	II-A	18	
Musical instruments.	III	------	
Name plates	IV	B	
Newspaper blankets	II-A	28	
Nipples, feeding	II-A	48	
	II-B	8	
Nozzles, hose	III	------	See hose nozzles.
Office machine silencers.	IV	B	
Office machinery silencers.	III	------	See typewriter.
Offset blankets	II-A	28	
Oil hose	II-A	8	
Oil well parts	II-A	18	
Operating cushions	II-A	46	
Orthodontia bands	II-A	39	
Out soles (shoes)	II-C	15	
Out soling strips (shoes).	II-C	15	
Outlet gaskets, closet.	III	------	See toilet outlet gaskets
Oxygen tent canopies.	III	------	
Oxygen tents	II-A	46	
	II-B	2	
Pacifiers	III	------	
Packers, oil well	II-A	18	
Packing, mechanical	II-A	17	
Packing, sheet	II-A	17	
Packing, strip	II-A	17	
Pads	III	------	See gaskets, pads, etc.
Pads, bunion	III	------	See bunion pads.
Pads, carboy	III	------	See carboy pads.
Pads, chair	III	------	See desk.
	IV	B	See desk.
Pads, corn	III	------	See corn pads.
Pads, crash helmet	IV	B	See cellular.
Pads, crutch	III	------	See crutch pads.
Pads, desk	III	------	See desk.
	IV	B	See desk.
Pads, finger	III	------	See finger pads.
Pads, horseshoe	II-C	21	
Pads, kneeling	III	------	See kneeling pads.
	IV	B	See kneeling pads.
Pads, metatarsal	II-A	42	
Pads, press die	II-A	12	
Pads, recoil	III	------	See recoil pads.
	IV	A	See recoil pads.
Pads, sink	IV	B	See sink.
Pads, stove top	IV	B	See stove top pads.
Pads, surgical	II-C	1	
Pads, truss	II-A	42	
	II-C	26	
Pails	II-A	9	
Paint brush guards	III	------	
Paint spray hose	II-A	8	
Painters' graining tools.	III	------	
Panelboard	III	------	
Paper, fly	III	------	See fly paper.
	IV	A	See fly paper.
Paper machine aprons.	III	------	
Paper making equipment.	II-A	3	
Paper padding adhesives.	III	------	
	IV	B	
Paper, sewage disposal.	IV	B	See sewage.
Parachute backs and seats.	IV	A	See sponge.
Passenger car tires	II-A	30	
Pasteurizer coupplings.	II-A	24	
Patches, repair	II-A	33	
	II-C	29	
Paving blocks	IV	B	
Pedal rubbers	III	------	
	IV	B	
Pedals, accelerator	III	------	See accelerator.
Pen stock, fountain	III	------	See fountain pen.
Pencil plugs	II-C	12	
Pessaries	II-A	49	
	II-B	9	
Phosphate hose	II-A	8	
Photo wringers	III	------	
Photographers' bulbs & tubes.	III	------	
Photographic trays	III	------	See hard rubber.
Pickers, loom	II-A	13	
Picture screens	IV	B	
Pinch valve hose	II-A	8	
Pipe coupling rings	II-A	22	
Pipe, hard rubber	II-A	9	
	II-A	44	
Pipe, insulation	II-A	9	
	II-B	13	
Pipe, lined	II-A	10	
Pipe lining, drain	III	------	See drain pipe.
Pitman arm bushings.	II-A	29	
Plasters, label	III	------	See labels.
Plasters, medicated	II-A	40	
Plate wipers	IV	B	
Platens, typewriter	III	------	See typewriter.
Plates, fender	IV	B	See fender.
Plates, name	IV	B	See name plates.
Plates, printing	II-A	27	
Plates, step	IV	B	See step.
Pliofilm	III	------	
	IV	A	
Plioform	III	------	
	IV	A	
Pliolite	III	------	
	IV	A	
Plug connectors	III	------	See electric base plugs.
Plywood adhesives	III	------	
	IV	B	
Pneumatic hose	II-A	8	
Pneumatic truss pads.	II-A	42	
Policemen, rubber	II-A	39	
Polishing belts	II-A	3	
Post insulators	III	------	
Powder bags (mining).	III	------	
Press die pads	II-A	12	
Pressure sensitive tape.	II-C	22	
Printers' equipment	II-A	28	
Printers' rollers	II-A	28	
Printing plates	II-A	27	
Propeller bearing mountings.	II-A	29	
Prophylactics	II-A	49	
	II-B	9	
Prostatic bags	II-A	39	
	II-B	1	
Prosthetic devices	II-B	1	
Protective clothing seaming.	II-A	54	
Protective plates	IV	B	See fender.
Protectors, telephone.	III	------	See telephone protectors.
Protectors, telephone cord.	III	------	See telephone cord.
Pulley lagging	III	------	
Pump hose, gasoline	III	------	See gasoline curb.
Pump pistons, oil well.	II-A	18	
Pumps, breast	II-A	41	
Pumps, insulation	II-B	13	
Pumps, lining	II-A	9	
Pumps, rubber	II-A	9	
Pumps, tubing	II-C	18	
Racks	II-A	9	
	II-B	13	
Railroad hose	II-A	8	
Rattlers, brake rod	III	------	See brake rod.
Recapping materials	II-A	31	
	II-C	30	
Recoil pads	III	------	
	IV	A	
Refrigerator parts	II-C	20	
Refrigerator trays	III	------	
Reliners, tires	III	------	See tire reliners.
Repair, deck covering.	IV	B	See mastic deck.
Repair materials, tire and tube.	II-A	33	
	II-C	29	
	III	------	See tire & tube.
Respirators	II-A	16	
	II-C	20	
Rests, arm	III	------	See arm rests.
Retreading materials.	II-A	31	
	II-C	30	
Rings, invalid	II-A	46	
Rings, pipe coupling.	II-A	22	
Rings, sealing containers.	II-A	59	
Rings, street car wheel.	II-A	64	
Road builder tires	II-A	30	
Road grader tires	II-A	30	
Rock service tires	II-A	30	
Rock wool insulation hose.	II-C	18	
	III	------	
Rods, stirring	III	------	See stirring rods.
Roll coverings	II-A	11	
Rollers, insulation	II-B	13	
Rollers, printers'	II-A	28	
Rolls, finger print	II-A	28	
Rotary drillers' hose	II-A	8	
Rubber bands	III	------	
	IV	A	
Rubber, denture	II-A	46	
Rubber die gum	II-A	25	
Rubber, engravers'	II-A	26	
Rubber, finger print	II-A	28	
Rubber footwear	II-A	34	
	II-A	35	
Rubber, glazing	IV	B	See channel filler.
Rubber policemen	II-A	39	
Rubber solution for wet plate negatives.	II-A	28	
Rubber stamps	II-A	26	
	II-A	27	
Rubber thread	III	------	
	IV	B	
Rubber type gum	II-A	25	
Rubberized hair and fibre.	III	------	
	IV	A	
Rubbers, cutting	II-A	28	
Rubbers, footwear	II-A	35	
Rubbers, milk bottle filler.	II-A	24	
Sand blast clothing	II-A	55	
Sand blast hose	II-A	8	
Sand blast stencils	III	------	
Sanitary belts	II-C	26	
Sanitary hose	II-A	8	
Sateen gimp	IV	B	
Screen diaphragms	II-A	3	
Screens, insulation	II-A	9	
	II-B	13	
Screens, picture	IV	B	See picture.
Screw bumpers	III	------	
Sealed beam gaskets	II-A	29	
Sealing compounds	II-A	59	
	II-B	11	
	II-C	2	

Product	Schedule	Group	Remarks
Seals, contraction joint.	III	------	See contraction joint.
Seals, cowl vent	IV	A	See cowl vent seals.
Seat bottoms and backs.	IV	A	See sponge.
Seats, toilet	IV	B	See toilet seats.
Sectional airbags	II-A	32	
Self-adhering signs	III	------	
Separators, lineman's.	II-A	20	
Service station signal hose.	III	------	
Serving trays	IV	B	
Sets, desk	IV	B	See desk sets.
Sewage disposal bags	IV	B	
Shades, lamp	III	------	See lamp shades.
Shaft covering	II-C	18	
Shapes, automotive wiring.	II-C	4	
Sheet packings	II-C	17	
Sheeting, crib	III	------	See crib sheeting.
Sheeting, hospital	II-A	47	
	IV	B	See hospital sheeting.
Sheets, X-ray	II-A	39	
Shims	III	------	See gaskets, pads, etc.
Shims, automotive	IV	B	
Shock absorber bushings.	II-A	29	
Shock absorbers, V-belts.	III	------	See V-belt.
Shoe bottom fillers	II-C	16	
Shoe cements	II-A	57	
	II-B	12	
	II-C	16	
Shoe tapes	III	------	See animal boots.
Shoes, animal	III	------	See blowout shoes.
Shoes, blowout			
Shoes, elastic fabrics.	II-C	26	
Shoes, gym	IV	A	See gym.
Signal hose, service station.	III	------	See service station.
Signs, self-adhering	III	------	See self-adhering signs.
Silencers, gear	III	------	See gear silencers.
Silencers, office machine.	IV	B	See office machine.
Silencers, typewriter.	III	------	See typewriter.
Sink gaskets	III	------	
Sink pads, mats, sprays & stoppers.	IV	B	
Sink sprays and drain stoppers.	III	------	
Siphon washers	II-C	27	
Sleeves, dredging	II-A	8	
Sleeves, lineman's	II-A	20	
Sleeves, veterinary	II-B	2	
Slip joint washers	III	------	
Slush pump, oil well	II-A	18	
Soap dishes	IV	B	See bath sprays.
Soles, shoes	II-C	15	
Soles, conductive	II-A	56	
Soles, stick-on	III	------	See stick-on soles.
Soling strips, shoes	II-C	15	
Spark plug caps	III	------	
Spatulas	III	------	See hard rubber.
Special purpose tires	II-A	30	
Specimen (biological) injections.	III	------	
Splicing compound, cable.	II-A	2	
Sponge applicators	III	------	
Sponge cushioning	IV	A	
Sponge cushions	II-A	46	
Spongerings, invalid	II-A	46	
Sponge, stamp gum cushion.	II-C	24	
Sponges	IV	B	See bath sprays.
Sports shoes	III	------	See cleats.
Spray hose	II-A	8	
	II-C	18	
Sprays, bath	III	------	See bath sprays.
	IV	B	See bath sprays
Sprays, sink	III	------	See sink sprays.
	IV	B	See sink sprays.
Spring bumpers	II-C	4	
Springs, street car	III	------	See street car.
Spud washers	II-C	27	
Squash balls	II-C	3	
Squeegees, window	IV	B	See window.
Stabilizers, oil well	II-A	18	
Stair treads	III	------	
	IV	B	
Stamp gum	II-C	23	
Stamp sponge	II-C	24	
Stamps, rubber	II-A	27	
Stamps, toy	II-A	26	
	II-A	27	
Steam hose	II-A	8	
Steel wool pads	II-C	1	

Product	Schedule	Group	Remarks
Steering box pads	II-A	29	
Steering post bushings.	II-A	29	
Steering wheels	IV	B	
Stems, valve	IV	B	See valve stems.
Stencils, sand blast	III	------	See sand blasting.
Step plates	IV	B	
Stick-on soles and taps.	III	------	
Stippliers	III	------	
Stirring rods	III	------	
Stirrup pump hose	III	------	
Stock, fountain pen	III	------	See fountain pen stock.
Stools, lineman's	II-A	20	
Stoppers, basin	III	------	See basin stoppers.
			See bath tub.
Stoppers, bath tub	III	------	See sink sprays.
Stoppers, drain	III	------	See sink.
Stoppers, sink	IV	B	
Stopples, medical, etc.	II-A	39	
Storage battery parts.	II-A	14	
	II-C	10	
Store top pads	IV	B	
Strapping, loom harness.	III	------	See loom harness.
Straps, battery carrier.	III	------	See battery carrier.
Straps, lug	III	------	See lug straps.
Straps, toggle	III	------	See toggle straps.
Streetcar springs	III	------	
Streetcar wheel rings.	II-A	64	
Street sweeper belts	III	------	
Strip packings	II-A	17	
Strippers, oil well	II-A	18	
Stripping, bumper	IV	A	See bumper.
Stripping stock	II-A	31	
	II-C	30	
Stuffing box, oil well	II-A	18	
Suction cups, printers'.	II-A	28	
Suction hose	II-A	8	
Suctions, denture	II-A	39	
Suits, life-saving	II-A	58	
Supports, arch	III	------	See arch supports.
Supports, hood	IV	B	See hood.
Supports, instep	III	------	See instep supports.
Supports, surgical	II-C	26	
Surgeons' gloves	II-A	50	
	II-B	10	
Surgical appliances	II-C	1	
Surgical bandage and supports.	II-C	26	
Surgical bulbs	II-A	41	
Surgical equipment	IV	B	See molded wheels.
Surgical instrument parts.	II-A	39	
Surgical tape	II-A	40	
Surgical tubes and tubing.	II-A	39	
	II-B	1	
Swab rubbers, oil well.	II-A	18	
Swimming pool hose	III	------	
Switchboard mats	IV	B	See mats.
Syringe tubing	II-A	45	
Syringes, combination.	II-A	41	
Table tops	III	------	
	IV	B	
Tabs, zipper	IV	B	See zipper tabs.
Tacks, bumper	III	------	See bumper tacks.
	IV	B	See bumper tacks.
Tail-pipe supports	II-C	4	
Tailwheels, airplane.	IV	B	See molded wheels.
Tank balls	II-A	36	
Tank fenders and flaps.	IV	B	
Tank floats	III	------	
Tank pads and linings.	IV	A	See sponge.
Tanks, lined	II-A	10	
Tanks, hard rubber	III	------	See hard rubber.
Tanks, X-ray	III	------	See hard rubber.
Tape, friction	II-C	13	
	IV	A	See friction.
Tape, horticultural binding.	III	------	See horticultural.
Tape, pressure sensitive.	II-C	22	
Tape, surgical	II-A	40	
Tapes (shoes)	II-C	16	
Taps, conductive	II-A	56	
Taps (shoes)	II-C	15	

Product	Schedule	Group	Remarks
Taps, stick-on	III	------	See stick ons soles and taps.
Telephone bases	III	------	
	IV	B	
Telephone cord protectors.	III	------	
Telephone protectors.	III	------	
Tennis balls	II-C	3	
Tent fabrics	IV	B	
Terminal blocks	II-A	15	
Testing rubbers, oil well.	II-A	18	
Test tube holders	III	------	
Textile machinery parts.	III	------	See lug straps, etc.
Thermometer cases	III	------	
Thermoplastic coatings.	III	------	
Thermos bottle parts.	III	------	
Thermostat covers	IV	B	
Thread	III	------	See rubber thread.
	IV	B	See rubber thread.
Tile and cling	IV	B	
Tile flooring	III	------	See flooring, etc.
Tire airbags	II-A	30	
Tire blowout shoes	III	------	See blowout shoes.
Tire, cord dip	II-B	18	
Tire flaps	II-A	30	
Tire reliners	III	------	
Tire repair materials.	II-A	33	
	II-C	29	
	III	------	
Tire tubes	II-A	30	
Tire valve stems	IV	B	See valve stems
Tire valves	II-A	30	
Tires, bicycle	II-C	33	
Tires, lawnmower	III	------	
	IV	B	See wheelbarrow
Tires, pneumatic, solid & cushion.	II-A	30	
Tires, tractor and implement.	IV	B	See tractor.
Tires, vacuum cleaner.	III	------	See vacuum cleaner.
Tires, wheelbarrow	III	------	
	IV	B	
Toggle straps	III	------	
Toilet closet gaskets.	III	------	
	IV	A	
Toilet seat bumpers.	III	------	
	IV	A	
Toilet seats	IV	B	
Tools, insulated	II-A	15	
Tools, painters' graining.	III	------	See painters' graining.
Top-lifts (shoes)	II-C	15	
Tourniquets	II-A	46	
Toy stamps	II-A	26	
	II-A	27	
Tractor and implement tires.	IV	B	
Transmission belts	II-A	5	
	II-B	14	
Transmission mountings.	II-A	29	
Trays, corrosive materials.	II-A	9	
Trays, explosive materials.	II-A	9	
Trays, foot bath	III	------	See foot bath trays.
	IV	B	See foot bath trays.
Trays, hard rubber	III	------	See hard rubber photographic trays.
Trays, ice cube	III	------	See ice cube trays.
Trays, insulation	II-A	9	
	II-B	13	
Trays, refrigerator	III	------	See refrigerator freezing trays.
			See serving trays.
Trays, serving	IV	B	
Tread repair stock	II-A	33	
	II-C	29	
Treadle connections.	IV	A	See accelerator treadle connections.
Treads, stair	III	------	See stair and step treads.
	IV	B	See stair and step treads.
Tree lighting devices.	III	------	See Christmas tree.
Trolley wire guard	III	------	
Truck tires	II-A	30	
Truss pads	II-C	42	
		25	

Product	Schedule	Group	Remarks
Trusses	II-C	26	
Tube repair materials.	II-A	33	
	II-C	29	
	III	------	See tire and tube repair materials.
Tubes and tubing, medical, etc.	II-A	39	
	II-B	1	
Tubes, bicycle	II-C	33	
Tubes, photographers'.	III	------	See photographers' bulbs.
Tubes, tire	II-A	30	
Tubing, beer	III	------	See beer tubing.
Tubing, braided	II-C	18	
Tubing cable covering.	II-C	18	
Tubing, fire extinguisher.	II-C	18	
Tubing, gasoline	III	------	See gasoline tubing.
Tubing, hard rubber.	II-A	15	
Tubing, milking machine.	II-A	24	
Tubing, mine	II-B	15	
	II-A	20	
Tubing, pump	II-C	18	
Tubing, shaft covering.	II-C	18	
Tubing, syringe	II-A	45	
Tubing, windlace	III	------	See windlace & windlace tubing.
Tubing, windshield wiper.	II-C	18	
Typewriter erasers	IV	A	See erasers.
Typewriter keys	IV	B	
Typewriter silencers.	III	------	
Umbilical belts	II-C	26	
Upholstery	III	------	See cushions.
Upholstery, artificial.	IV	B	See artificial.
Urinals	II-A	39	
	II-B	1	
V-belt shock absorbers.	III	------	
V-belts	II-A	7	
	II-B	14	
	II-C	6	
Vaccine caps	II-A	39	
Vacuum brake hose	II-A	29	
Vacuum brake parts	II-A	29	
Vacuum breaker gaskets.	II-C	27	
Vacuum cleaner belts.	II-A	61	
Vacuum leaner bumpers	II	------	
Vacuum cleaner tires.	III	------	
Vacuum cleaner tubing.	II-C	18	
Valve stems	IV	B	
Valves	II-A	9	
Valves, back flow	II-C	27	
Valves, bicycle tire	II-C	33	
Valves, insulation	II-B	13	
Valves, oil well	II-A	18	
Valves, tire	II-A	30	
Ventilating tubing, mine.	II-A	20	
	II-B	15	
Veterinary bulbs	II-A	41	
Veterinary instrument parts.	II-A	39	
Veterinary sleeves	II-B	2	
Veterinary tubes and tubing.	II-A	39	
	II-B	1	
Vibration dampers	II-A	29	
	II-A	65	
Wainscoting	III	------	See flooring.
	IV	B	
Washers, ball cock	II-A	36	
Washers, basin	III	------	See basin washers.
Washers, bibb	II-A	36	
Washers, flush valve	II-C	27	
Washers, float valve	II-C	27	
Washers, hose	II-A	20	
Washers, overflow	II-C	27	
Washers, siphon	II-C	27	
Washers, slip joint	III	------	See slip joint washers.
Washers, spud	II-C	27	

Product	Schedule	Group	Remarks
Washers, waste	II-C	27	
Washing machine drain hose.	III	------	
Washing machine parts.	II-C	20	
Water bags, canvas	IV	B	See canvas.
Water bottles	II-A	41	
Water, hose	II-C	18	
	IV	A	
Weatherstrip	III	------	
	IV	A	
Webbing, elastic	II-C	26	
Welding hose	II-A	8	
Welting, fender	IV	B	See fender.
Wet plate negative solution.	II-A	28	
Wheelbarrow tires	III	------	
	IV	B	
Wheels, molded	III	------	See molded wheels.
	IV	B	See molded wheels.
Wheels, steering	IV	B	See steering.
Whiskey hose	III	------	
Windlace, tubing	III	------	
Window squeegees	IV	B	
Windshield wiper blades.	II-A	29	
Windshield wiper gaskets.	II-A	29	
Windshield wiper tubing.	II-C	18	
Windshield wipers	IV	B	See window squeegees.
Wipers, plate	IV	B	See plate wipers.
Wire guard, trolley	III	------	See trolley wire.
Wire, insulating compounds	II-A	1	
Workshoes	II-A	34	
Wrestling mat covers	IV	B	
Wringers, photo	III	------	See photowringers.
X-ray aprons	II-A	39	
X-ray cooling hose	II-A	39	
X-ray sheets	II-A	39	
X-ray tanks	III	------	See hard rubber.
X-ray trays	III	------	See hard rubber.
Yarning material	III	------	
Zipper tabs	IV	B	

[F. R. Doc. 42-8305; Filed, August 25, 1942; 11:24 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 4 of General Imports Order M-63, as Amended June 2, 1942]

Section 1042.1 *General Imports Order M-63* as amended June 2, 1942,[1] is further amended in the following respects:

(a) Subparagraph (1) of paragraph (b) is amended by inserting the following after the first sentence thereof:

• • • No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any such material unless such bank or person has received either a copy of the authorization issued by the Director General for Operations, or, if the material is one of those on List I or List II, an affidavit stating that the material is imported under a contract made before, or in existence on, the date when such material was first made subject to the provisions of this order.

[1] 7 F.R. 4199, 4404, 4878, 5638, 6521.

(b) Subparagraph (2) of paragraph (c) is amended to read as follows:

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless: (i) Such material was imported before it became subject to this order; or

(ii) Such person neither knows nor has reason to know that such material was imported after it became subject to this order; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8306; Filed, August 25, 1942; 11:23 a. m.]

PART 1257—CUTLERY

[Amendment 1 to General Limitation Order L-140]

Paragraph (b) of General Limitation Order L-140,[1] § 1257.1, is hereby amended by striking out the following words contained in the introductory part of that paragraph: "Except to fill direct orders for the Army, Navy or Maritime Commission of the United States", and by adding a new subparagraph (10) at the end of paragraph (b) as follows:

(10) The restrictions contained in subparagraphs (1) through (8) of this paragraph (b) shall not apply to any Class I, II, III or IV Cutlery produced in fulfillment of a specific purchase order or contract for delivery of such Cutlery to or for the account of:

(i) The United States Army (excluding purchase orders placed by or for delivery to Post Exchanges for resale by them);

(ii) The United States Navy (excluding purchase orders placed by or for delivery to Ships' Stores, Ships' Service

[1] 7 F.R. 4161, 4851.

Stores or Commissaries for resale by them); or

(iii) The United States Maritime Commission or the War Shipping Administration.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8304; Filed, August 25, 1942; 11:22 a. m.]

PART 3008—ELECTRIC FUSES

[Limitation Order L-161]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, iron, steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3008.1 *General Limitation Order L-161*—(a) *Definitions.* For the purposes of this order:

(1) "Electric fuse" means a thermal device used in an electrical circuit to prevent the flow of electricity in excess of a stated capacity in amperes. "Electric fuse" shall not include an electric fuse of 2300 volt size or larger or a "circuit breaker".

(2) "Manufacturer" means any person who makes, fabricates, assembles, casts or in any way processes material for the manufacture of electric fuses.

(3) "Copper" means unalloyed copper metal.

(4) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the metal.

(b) *General restrictions.* Notwithstanding any contract, agreement or preference rating to the contrary:

(1) No manufacturer shall on or after 15 days subsequent to the date of issuance of this order use in the manufacture, casting or processing of a component part of an electric fuse any copper or copper base alloy except as a conductor of electric current;

(2) No manufacturer shall on or after 30 days subsequent to the date of issuance of this order use in the assembly of an electric fuse or in the assembly of a component part of an electric fuse any copper or copper base alloy except as a conductor of electric current;

(3) No manufacturer shall on or after 15 days subsequent to the date of issuance of this order ship or sell to any person any electric fuse or component part of an electric fuse except: (i) A manufacturer may ship or sell an electric fuse or a component part of an electric fuse pursuant to a preference rating of A-10 or better;

(ii) A manufacturer may ship or sell an electric fuse or a component part of an electric fuse to another manufacturer.

The provisions of paragraph (b) (3) of this order shall neither limit nor prohibit a sale or shipment of any electric fuse or component part of an electric fuse by any person other than a manufacturer.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Applicability of other orders.* Insofar as any other order heretofore or hereafter issued by the Director General for Operations limits the use of any material in the production of electric fuses to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(i) *Routing of correspondence.* All communications concerning this order should be addressed to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L-161. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8303; Filed, August 25, 1942; 11:22 a. m.]

PART 3039—MANUFACTURED GAS

[Limitation Order L-174]

ORDER CURTAILING CONSUMPTION OF MANUFACTURED GAS

Whereas because of increased manufactured gas requirements for war production and civilian uses, because of scarcity of materials for the construction and operation of manufactured gas plants, mains and other facilities, and because of shortages of transportation facilities to haul fuel and materials used in the production of manufactured gas, shortages of manufactured gas have occurred in certain areas of the United States and are threatened in others; and

Whereas during periods of adverse weather conditions, the demand for manufactured gas in many areas may increase beyond the capacity for existing facilities to meet such demand; and

Whereas the limitations upon deliveries of manufactured gas hereinafter ordered are necessary in order to maintain deliveries of manufactured gas to war industries and essential civilian services;

Now, therefore, it is ordered:

§ 3039.1 *General Limitation Order L-174*—(a) *Definitions.* For the purposes of this order: (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Utility" means any person in the United States engaged in producing, transmitting or supplying manufactured gas directly or indirectly for general use by the public. Any system supplying natural or mixed natural and manufactured gas is not subject to this order but is subject to the provisions of Limitation Order L-31.

(3) "Non-utility producer" means any person who owns or operates any gas production or transmission facilities and who is not included in the definition of "utility" in paragraph (a) (2).

(4) "Consumer" means any ultimate user of manufactured gas produced, transmitted or distributed by any Utility or by any non-utility producer which is interconnected with any utility.

(5) "Manufactured gas" means any combustible gas produced by any manufacturing process (other than liquefied petroleum gas unmixed with any gas produced by any other manufacturing process).

(6) "Standby facilities" means equipment designed to use a fuel other than fuel oil to replace manufactured gas, and for the operation of which a supply of such fuel is obtainable.

(7) "Space heating equipment" means equipment used for the purpose of raising atmospheric temperature in any building or portion thereof.

(b) *Gas system operations.* (1) Each utility shall so operate its gas manufacturing, transmission, storage, distribution, and other facilities, as to achieve so far as practicable the maximum output of gas in any area in which a shortage of manufactured gas exists or is imminent. Where necessary for the above purposes, the Director General for Operations will from time to time issue directions as to the operation of gas manufacturing, transmission, storage, distribution or other facilities, and as to deliveries of gas.

(2) Each utility shall, as soon as practicable, make an investigation of the type, amount, and availability of any manufactured gas production facilities owned or operated by any non-utility producer located in or near its operating area, whether or not interconnected with such utility, and shall make such arrangements (including arrangements for interconnections where feasible) as can be made by means of voluntary agreement among the parties and as may be necessary or advisable to meet or to anticipate shortages of manufactured gas. Where such arrangements require the use of materials in excess of those available under any priority order issued by the Director General for Operations, application for authority to use or to acquire such materials shall be made to the Director General for Operations in accordance with established procedures. In any case in which efforts to complete voluntary arrangements fail, the utility shall report the fact to the Director General for Operations, setting forth all pertinent information. The Director General for Operations will, where necessary to accomplish the purposes of this order, issue specific directions to utilities and non-utility producers as to the integration of manufactured gas facilities.

(3) Upon notice from the Director General for Operations to any non-utility producer that a gas shortage exists or is imminent in any area served by any utility with which such non-utility producer is interconnected, such non-utility producer shall so order its operations as to make available for delivery to such utility all manufactured gas which it is capable of producing or supplying and which is not essential for its own operations, unless the Director General for Operations shall, upon application, determine that such gas, because of differences in heat value or chemical composition, cannot practicably be mixed with the gas supplied by such utility. It shall also make available for delivery to such utility further quantities of gas in accordance with directions of the Director General for Operations.

(c) *Limitation on deliveries of manufactured gas.* (1) In the event that the supply of manufactured gas available in any area is insufficient to meet the demand therefor, and reduction in deliveries to consumers becomes necessary, the utility supplying such area shall reduce deliveries to its consumers in the following manner and in accordance with such other specific directions as the Director General for Operations may from time to time issue:

(i) First, the utility shall, within the limits of its contractual rights, reduce deliveries (except those deliveries to war producers and essential civilian services referred to in Exhibit A, as the same may be amended from time to time) to all consumers purchasing gas under contracts permitting the supplier to interrupt deliveries, and shall, within the limits of its contractual rights, reduce deliveries to all consumers who have standby facilities the operation of which can directly or indirectly alleviate the shortage of manufactured gas in the area.

(ii) Second, the utility shall, without regard to its contractual rights or those of any consumer, reduce deliveries to all consumers who have standby facilities to the extent to which the operation of such facilities can directly or indirectly alleviate the shortage of manufactured gas in the area.

(iii) Third, whenever a utility finds that further reductions in deliveries in accordance with this paragraph are or will become necessary to relieve an actual or threatened shortage of manufactured gas, such utility shall notify the Director General for Operations who will prescribe such schedules or issue such directions as may be necessary in respect to deliveries to all consumers (other than deliveries to war producers and essential civilian services referred to in Exhibit A, as the same may be amended from time to time). Thereupon, such utility shall, without regard to its contractual rights or those of any consumer, reduce such deliveries in accordance with such schedules and directions.

(iv) If, after effectuating the reduction in deliveries of gas required by or pursuant to the foregoing provisions of this paragraph, it becomes necessary to curtail the deliveries of gas to war producers and essential civilian services referred to in Exhibit A, as the same may be amended from time to time, the Director General for Operations will issue specific directions providing for such curtailment.

(2) Whenever, pursuant to paragraph (c) (1) above or any directions issued thereunder, any utility is obliged to reduce deliveries to any consumer, such utility shall so inform all consumers to be curtailed, and each such consumer shall, upon such notification, reduce his acceptance of deliveries of manufactured gas in accordance with such notification.

(3) Whenever any utility finds it necessary to reduce deliveries, pursuant to paragraphs (c)(1)(ii), (c)(1)(iii) or (c)(1)(iv), such utility shall immediately notify the Power Branch of the War Production Board. Ref: L-174, of such curtailment by telegram. Following each such curtailment, the utility shall submit to the Power Branch a detailed report of the duration of curtailment and the extent to which deliveries to each such consumer were curtailed. Such report shall be filed on Form PD-628.

(d) *Restrictions upon increased deliveries.* After September 1, 1942, no utility shall deliver manufactured gas to any consumer, other than a domestic consumer, for the operation of any gas-fired equipment which was not operated by such consumer, or at the same premises, prior to such date unless:

(1) The total input capacity of all such equipment operated by any consumer is less than 150 cubic feet per hour, or

(2) Such equipment replaces existing gas-fired equipment of equal or greater capacity, or

(3) Such deliveries are specifically approved in advance by the Director General for Operations. Any consumer or utility which considers that such deliveries are necessary for war production or the operation of an essential civilian service may apply for such approval to the Director General for Operations.

(e) *Restrictions upon deliveries of manufactured gas for space heating.* After September 1, 1942, except where otherwise directed by the Director General for Operations, no utility shall deliver, and no consumer shall accept deliveries of manufactured gas for the operation of any space heating equipment unless such equipment:

(1) Was installed (or if converted from some other fuel to manufactured gas, such conversion was completed) prior to September 1, 1942, or

(2) Replaces gas-fired space heating equipment of equal or greater capacity, or

(3) Was installed prior to November 15, 1942, in a new building, and such equipment was specified in the construction contract, and the foundation under the main part of the structure in which the equipment is to be installed was completed prior to Sept. 1, 1942.

(f) *Applications to Director General for Operations.* (1) Any person who considers that any reduction in or prohibition of deliveries of manufactured gas made or proposed to be made pursuant to paragraphs (c) (1) or (e) or any direction issued thereunder interferes or will interfere materially with war production or the operation of an essential civilian service, may apply for relief to the Director General for Operations who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order. Such application shall state the nature of the war materials being manufactured or the nature of the service, the extent to which such production or service has been or may be curtailed because of reduced delivery of manufactured gas or inability to use gas for space heating, and the increase in deliveries of manufactured gas required for restoration of full production or service.

(2) Any utility which considers that the capacity of its gas manufacturing equipment and the supply of fuel oil, coal, coke or other fuel available for gas manufacturing are sufficient to take care of all existing and estimated future requirements of war industry and unrestricted

civilian use, may apply for exemption of the system or any portion thereof from the provisions of this order or any direction issued hereunder to the Director General for Operations who may grant such exemptions or take such other action as may be consistent with the purposes of this order.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the Director General for Operations who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order.

(h) *Violations.* Any person who wilfully violates any provision of this order or any direction of the Director General for Operations issued hereunder, or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from obtaining deliveries of manufactured gas or from making or obtaining further deliveries of, or from processing or using, other material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Reports and information.* (1) Each utility shall keep and preserve for not less than two years accurate and complete records concerning deliveries of manufactured gas to consumers.

(2) Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(3) All persons affected by this order shall execute, and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to Power Branch, War Production Board, Washington, D. C. Ref: L–174, (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E. O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT A

I. Deliveries, except for space heating purposes, to consumers whose operations fall within the classifications listed below:

(1) Fire and police stations, post offices, court houses, schools and prisons.
(2) Public eating establishments, including restaurants, cafes etc.
(3) Bakeries and dairies.
(4) Plants exclusively engaged in the production of the following munitions, equipment or materials:

(a) Airplanes, airplane engines, and parts.
(b) Naval and merchant ships and parts.
(c) Ordnance items, including guns, ammunition, explosives, combat vehicles, radio equipment and parts.
(d) Aluminum and alumina.
(e) Magnesium.
(f) Copper, brass, tin and lead.
(g) Zinc.
(h) Manganese.
(i) Mercury.
(j) Abrasives.
(k) Graphite electrodes.
(l) Forgings.
(m) The following machinery and equipment:
Power boilers.
Searchlights.
Electrical measuring instruments.
Generators.
Transformers, electrical control and switchboard apparatus.
Heat exchangers.
Pressure vessels.
Wire and cable.
Steam engines.
Steam turbines.
Diesel engines.
Gas engines.
Crawler tractors.
Mining machinery and equipment.
Machine tools.
Machine tool accessories and machinists precision tools.
Pumps and compressors.
Conveyors and conveying equipment.
Industrial cars and trucks.
Industrial blowers, exhaust and ventilating fans.
Mechanical testing equipment.
Ball and roller bearings and parts.
Mechanical power transmission equipment.
Water purification equipment.
Locomotives and railroad cars.
Navigation instruments.
Surgical, medical and dental equipment and supplies.
Optical instruments and lenses.
(n) Iron ore, pig iron, steel and ferroalloys.
(o) Sulphuric acid.
(p) Liquid oxygen.
(q) Rubber.

II. Deliveries, including deliveries for space heating purposes, to hospitals.

[F. R. Doc. 42–8302; Filed, August 25, 1942; 11:23 a. m.]

PART 1190—COTTON TEXTILES FOR ESSENTIAL INDUSTRIAL AND SURGICAL PRODUCTS

[General Preference Order M–134, as Amended August 25, 1942]

1. The designation of Part 1190 (formerly "Cotton Textile Fabrics for Use as Industrial Cloth or Tape") is hereby amended to read "Cotton Textiles for Essential Industrial and Surgical Products".

2. Section 1190.1 *General Preference Order M–134* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton textiles for use in the manufacture of essential industrial and surgical products, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1190.1 *General Preference Order M–134*—(a) *Issuance of schedules*[1] *covering cotton textiles used for various types or classifications of essential industrial and surgical products.* The Director General for Operations may from time to time issue schedules establishing definitions, allocations of looms or yardages, assignments of preference ratings, purchase quotas for manufacturers or users, as well as regulations upon inventories, manufacture and sale, and such other matters pertaining to cotton textiles used for various types or classifications of essential industrial and surgical products, as may be necessary and appropriate in the public interest and to promote the national defense.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on the use of material obtained pursuant to any schedule.* Except as otherwise expressly provided in any schedule issued hereunder, and subject to any more restrictive provisions contained therein, no person shall use or dispose of any material, whether in the original mill state or partially processed state, which was obtained by him pursuant to the application of a preference rating assigned by any such schedule, or pursuant to the use of any certification required by any schedule for the acquisition thereof, except as follows:

(1) For the manufacture of the end products covered by the said schedule,

(2) For sale to any person on an order bearing a rating of A–2 or better; or

(3) For sale to or for the account of, or for physical incorporation into products to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents: *Provided,* That no person shall sell or deliver, on an order rated less than A–2, any such material for physical incorporation into products for any of said governmental agencies unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies that he requires the material covered by the annexed order for physical incorporation into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents.

(d) *Records.* All persons affected by this order shall keep and preserve for a period of not less than two years accurate and complete records concerning inventories, production and sales, and showing the yardage of each class of fabric, as

[1] *Infra.*

indicated by the headings in the schedules, sold pursuant to the application of the rating assigned by each schedule, and any other records as may be required to be kept by any such person in accordance with the provision or provisions of the respective schedule or schedules issued by the Director General for Operations pursuant to this order.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by the War Production Board from time to time in accordance with the provision or provisions of the respective schedule or schedules issued by the Director General for Operations pursuant to this order.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cotton textiles for essential industrial and surgical products conserved or made available, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal in writing to the War Production Board, Reference M–134, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: M–134.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8310; Filed, August 25, 1942; 11:35 a. m.]

PART 1190—COTTON TEXTILES FOR ESSENTIAL INDUSTRIAL AND SURGICAL PRODUCTS

[General Preference Order M–134 as Amended August 25, 1942]

SCHEDULE I—INDUSTRIAL CLOTH OR TAPE

§ 1190.2 Schedule I of General Preference Order M–134—(a) *Additional definitions.* For the purposes of this Schedule:

(1) "Industrial cloth or tape" shall mean any adhesive, gummed, varnished, or otherwise treated cloth or tape used primarily for electrical insulation, for sealing, supporting, masking, separating, identifying and protective purposes, for reinforcing joints in corrugated or fibre shipping containers; including, but not limited to, varnished cambric cloth or tape, insulating tape, friction tape, carton tape, and pressure sensitive tape.

(2) "Industrial cloth or tape manufacturer" shall mean any person engaged in the manufacture of industrial cloth or tape.

(3) "Intermediate processor" shall mean any person engaged in the bleaching, finishing or processing, for resale, of cotton textile fabrics suitable for industrial cloth or tape in preparation for final manufacture into industrial cloth or tape.

(4) "Cotton textile fabrics suitable for industrial cloth or tape" shall mean the constructions listed below in original mill state:

Osnaburgs:
40″ 32/28 3.55 yd.
36″ 32/28 2.85 yd.
Sheetings:
43″ 36/40 5.80 yd.
40″ 36/40 5.55 yd.
40″ 44/40 5.50 yd.
46″ 24/40 4.78 yd.
40″ 56/48 4.30 yd.
40″ 44/40 4.25 yd.
40″ 56 to 60 by 56 to 60 4.00 yd.
40″ 48/48 2.85 yd.
Print cloths:
38½″ 64/60 5.35 yd.
39″ 68/72 4.75 yd.
39″ 72/68 4.73 yd.
39½ 72/72 4.52 yd.
39″ 80/80 4.00 yd.
Carded lawns:
39″ 72/68 6.25 yd.
Tubing:
27″ 68/72 3.37 yd.
27″ 72/68 4.10 yd.

and shall also include pro rata widths of like count and weight to the above constructions, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical use in the manufacture of industrial cloth or tape.

To the extent consistent with machinery limitations, the manufacture of cotton textile fabrics suitable for industrial cloth or tape shall be made pursuant to additional specifications, if furnished by an industrial cloth or tape manufacturer or an intermediate processor, establishing special physical requirements which cannot be met by the same goods of commercial quality.

(5) "Partially processed fabrics" shall mean any of the above defined cotton textile fabrics suitable for industrial cloth or tape after they have been bleached, finished, or processed in preparation for final manufacture into industrial cloth or tape.

(b) *Assignment of preference rating.* Purchase orders for cotton textile fabrics suitable for industrial cloth or tape placed by industrial cloth or tape manufacturers or by intermediate processors are hereby assigned a preference rating of A–2.

(c) *Restrictions on inventories of cotton textile fabrics suitable for industrial cloth or tape and of partially processed fabrics.* (1) No industrial cloth or tape manufacturer shall hereafter hold in any mill, warehouse, place of storage or manufacturing plant, any cotton textile fabrics suitable for industrial cloth or tape in excess of a practical minimum working inventory, and in no event, in excess of the aggregate yardage of such fabrics which will be completely manufactured by him into industrial cloth or tape within sixty (60) days after the receipt of any delivery thereof at such mill, warehouse, place of storage or manufacturing plant.

(2) No industrial cloth or tape manufacturer shall hereafter hold in any mill, warehouse, place of storage, or manufacturing plant, any partially processed fabrics in excess of a practical minimum working inventory, and in no event, in excess of the aggregate yardage of such fabrics which will be completely manufactured by him into industrial cloth or tape within thirty (30) days after the receipt of any delivery thereof at such mill, warehouse, place of storage or manufacturing plant.

(3) No intermediate processor shall hereafter hold in any mill, warehouse, place of storage or manufacturing plant, any cotton textile fabrics suitable for industrial cloth or tape, such fabrics in process of conversion to partially processed fabrics and partially processed fabrics in excess of the aggregate yardage of all such fabrics which are scheduled to be shipped by him within sixty (60) days after receipt of any delivery of cotton textile fabrics suitable for industrial cloth or tape at such mill, warehouse, place of storage, or manufacturing plant.

(d) *Sales of partially processed fabrics to manufacturers.* In addition to the use and disposition of partially processed fabrics permitted by paragraph (c) of General Preference Order M–134, (1) intermediate processors may sell and deliver partially processed fabrics to an industrial cloth or tape manufacturer without requiring any preference rating from him, but not unless and until such intermediate processor shall have received from such industrial cloth or tape manufacturer a certificate, manually signed by such industrial cloth or tape manufacturer or by an authorized individual, substantially in the following form:

The undersigned hereby certifies to the vendor and to the War Production Board that

he is familiar with the terms of Order M-134, and of Schedule I thereof, that the partially processed fabrics, as defined in paragraph (a) (5) of Schedule I thereof, covered by the annexed purchase order are needed for manufacture into industrial cloth or tape, as defined in paragraph (a) (1) of Schedule I thereof, and to the best of the undersigned's knowledge and belief, such partially processed fabrics will be manufactured into industrial cloth or tape within the next thirty (30) days after receipt of any delivery against this purchase order.

Name of industrial cloth or tape manufacturer

By ---
Duly authorized person

and (2) any industrial cloth or tape manufacturer may resell and deliver any partially processed fabrics so purchased to any other industrial cloth or tape manufacturer without requiring any preference rating, but only upon receipt from such other industrial cloth or tape manufacturer of a certificate in the form prescribed in this paragraph (d).

(e) *Application of preference rating.* Any industrial cloth or tape manufacturer, or intermediate processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is to be applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of industrial cloth or tape or otherwise disposed of only as permitted in General Preference Order M-134 and/or Schedule I thereto.

(Name of purchaser)	(Address)
By	
(Signature and title of duly authorized officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the purchase order is placed that such purchase orders are duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8311; Filed, August 25, 1942; 11:35 a. m.]

PART 1190—COTTON TEXTILES FOR ESSENTIAL INDUSTRIAL AND SURGICAL PRODUCTS

[General Preference Order M-134, as Amended August 25, 1942]

SCHEDULE II—SURGICAL DRESSINGS

§ 1190.3 *Schedule II to General Preference Order M-134*—(a) *Additional definitions.* For the purposes of this Schedule:

(1) "Surgical dressings" shall mean those products made wholly or partially of textiles and used or intended for use in the cure, mitigation, treatment, or prevention of traumatic or pathological conditions resulting from surgery, injury or disease; or for use in conjunction with the physiological functions of man and for other general needs of the public health, and which are commonly known or sold as surgical or medical products.

(2) "Surgical textiles" shall mean the constructions listed below in original mill state.

Sheetings:
40" to 41" Soft Filled weighing 1.50 to 1.75 yd.
40" to 42" 73 to 77 Sley, 84 to 88 Pick, 2.80 to 2.90 yd.
38" 40/23 2.80 yd.
36" 56 to 60 Sley, 56 to 60 Pick, 3.60 yd.
36" 56 to 60 Sley, 56 to 60 Pick, 4.00 yd.
40" 56 to 60 Sley, 56 to 60 Pick, 4.00 yd.
40" 56/48 4.30 yd.
36" 40/23 6.00 yd.

Print Cloth Yarn Fabrics:
39" to 41" 80 to 86 Sley, 72 to 80 Pick, 4.00 to 4.25 yd.
38½" 64/60 5.35 yd.
43" 56/48 5.85 yd.
38½" 60/48 6.25 yd.
40" 48/48 7.00 yd.
38½" 44/40 8.20 yd.
36" 40/36 9.65 yd.

Any Class "C" Print or Tobacco Cloth (71 Threads per square inch and under). Four Leaf Twills:
43" 58/43 1.25 yd.
46" 54/52 1.50 yd.
42½" 54/52 1.62 yd.

and shall also include pro rata widths of like count and weight to the above constructions, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical use in the manufacture of surgical dressings.

(3) "Surgical dressings manufacturer" shall mean any person engaged in the manufacture of surgical dressings.

(4) "Intermediate processor" shall mean any person engaged in the bleaching, finishing, or processing for resale of surgical textiles in preparation for final manufacture into surgical dressings.

(5) "Partially processed fabrics" shall mean any of the above defined surgical textiles after they have been bleached, finished or processed in preparation for final manufacture into surgical dressings.

(b) *Assignment of preference rating.* Purchase or manufacturing orders either for surgical textiles or for partially processed fabrics placed by surgical dressings manufacturers or by intermediate processors are hereby assigned a preference rating of A-2.

(c) *Restrictions on inventories of surgical textiles and of partially processed fabrics.* (1) No surgical dressings manufacturer shall hereafter hold in any mill, warehouse, place of storage, or manufacturing plant, any surgical textiles or any partially processed fabrics in excess of a practical minimum working inventory, and in no event in excess of the aggregate yardage of such fabrics which will be completely manufactured by him into surgical dressings within sixty (60) days after the receipt of any delivery thereof at such mill, warehouse, place of storage or manufacturing plant.

(2) No intermediate processor shall hereafter hold in any mill, warehouse, place of storage, or manufacturing plant, surgical textiles, such fabrics in process of conversion to partially processed fabrics and partially processed fabrics in excess of the aggregate yardage of all such fabrics which is scheduled to be sold and delivered by him in the form of partially processed fabrics within sixty (60) days after receipt of any delivery of surgical textiles at such mill, warehouse, place of storage or manufacturing plant.

(d) *Application of preference rating.* Any surgical dressings manufacturer or intermediate processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is to be applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this order, and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of surgical dressings or otherwise disposed of only as permitted in General Preference Order M-134 and/or Schedule II thereto.

(Name of Surgical Dressings Manufacturer or Intermediate Processor)	(Address)
By	
(Signature and Title of Duly Authorized Officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8312; Filed, August 25, 1942; 11:35 a. m.]

PART 1190—COTTON TEXTILES FOR ESSENTIAL INDUSTRIAL AND SURGICAL PRODUCTS

[General Preference Order M-134, as Amended August 25, 1942]

SCHEDULE III—LAMINATED PHENOLIC PRODUCTS

§ 1190.4 *Schedule III to General Preference Order M-134*—(a) *Additional definitions.* For the purposes of this Schedule:

(1) "Laminated phenolic products" shall mean homogeneous sheets, rods, tubes and finished shapes made by combining cotton textiles with synthetic resins.

(2) "Laminating fabrics" shall mean the constructions listed below, either in the gray or finished state:

Drills:
37" 68/40 2.35 yd.
Sheetings:
40" 48/48 2.50 yd.
40" 48/48 2.85 yd.
40" 64/68 3.15 yd.
40" 60/56 3.60 yd.
40" 48/44 3.75 yd.
40" 44/44 5.00 yd.
Print cloths:
39" 80/80 4.00 yd.
39" 72/76 4.25 yd.
39" 64/60 4.25 yd. (Approx. width)
39" 68/72 4.75 yd.
38½" 64/60 5.35 yd.
38½" 60/48 6.25 yd.
Lawns:
40" 96/100 7.00 yd.

and shall also include pro rata widths of like count and weight to the above constructions, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for use in laminated phenolic products.

(3) "Producer" shall mean any person engaged in the manufacture of laminated phenolic products.

(4) "Inventory" shall mean the total yardage of laminating fabrics owned by any producer and held by him in any warehouse, place of storage, or manufacturing plant. For the purpose of this schedule, such merchandise shall not be considered as being in inventory while it is in transit.

(b) *Assignment of preference ratings.* Purchase or manufacturing orders for laminating fabrics placed by producers are hereby assigned a preference rating of A-2.

(c) *Restrictions on inventories of cotton textiles.* No producer shall, within thirty days from the effective date of this schedule, hold in his inventory any laminating fabrics in excess of a practical minimum working inventory, and in no event in excess of the aggregate yardage of such fabrics which will be completely manufactured by him into laminated phenolic products within ninety days after receipt thereof in inventory.

(d) *Restrictions on uses of laminating fabrics.* Notwithstanding the provisions of paragraph (c) (1) of General Preference Order No. M-134, no producer shall use any laminating fabrics obtained by the use of the preference rating assigned by this schedule for the manufacture of laminated phenolic products except upon defense orders or for inventory of finished products for sale only upon defense orders.

(e) *Application of preference rating.* Any producer, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is to be applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, and that such application is in accordance with Priorities Regulation, No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of laminated phenolic products or otherwise disposed of only as permitted in General Preference Order No. M-134 and/or Schedule III thereto.

(Name of Purchaser)	(Address)
By	
(Signature and Title of Duly Authorized Officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the purchase or manufacturing order is placed that such purchase or manufacturing order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8313; Filed, August 25, 1942; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 2 to Maximum Price Regulation 132[1]]

WATERPROOF RUBBER FOOTWEAR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1315.70 (a) eleven new "types" of waterproof rubber footwear are added to subparagraph (1), "Table of Maximum Prices," and two new subparagraphs (4) and (5) are added, as set forth below:

§ 1315.70 *Appendix A: Maximum prices for waterproof rubber footwear, produced after February 11, 1942.* (a) • • •

(1) *Table of maximum prices.*

Type	*Price per pair*
BOOTS	
Men's Short, 14" height	$2.60
ARCTICS	
Boys' 3-buckle cloth arctic:	
(a) Cashmerette	2.20
(b) Jersey	2.00
Youths' 3-buckle cloth arctic:	
(a) Cashmerette	2.00
(b) Jersey	1.85
SEVERE OCCUPATIONAL	
Men's Stormking boot	4.45
Men's Stormking boot, steel toe	4.95

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3161, 4294.

SEVERE OCCUPATIONAL, NEOPRENE VENEER, PARGRIP SOLE

Type	Price per pair
Men's short boot, steel toe	$4.40
Men's Stormking boot, steel toe	5.95
Men's hip boot, steel toe	6.65
Men's rubber work shoe, steel toe	3.90

* * * * *

(4) A sum not exceeding the following may be added to the prices set forth in paragraph (a) (1) if the waterproof rubber footwear in question is made with a stitched replaceable outsole:

Category:	Sum permitted to be added
Boys'	$0.10
Men's	.12
Youths'	.08
Women's	.10
Misses'	.08
Children's	.07

(5) $0.15 per pair may be added to the prices set forth in paragraph (a) (1) for men's waterproof rubber footwear if hobnails and toe and heel cleats are affixed thereto.

§ 1315.69a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1315.70 (a) (1), 1315.70 (a) (4) and 1315.70 (a) (5)) to Maximum Price Regulation No. 132 shall become effective August 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8280; Filed, August 24, 1942; 4:54 p. m.]

PART 1340—FUEL

[Amendment 19 Under Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (i) is added to § 1340.210 (a) (2) to read as set forth below:

§ 1340.210 *Maximum price instructions.* (a) * * *

(2) * * *

Provided, (i) That, subject to such future regulation as may be appropriate, the maximum prices established herein shall not apply to the resale of United States bituminous coal by Canadian distributors who import such coal from the United States into the Dominion of Canada and resell it for consumption in the Dominion of Canada.

* * * * *

§ 1340.211a *Effective dates of amendments.* * * *

(t) Amendment No. 19 (§ 1340.210 (a) (2) (i)) to Maximum Price Regulation No. 120 shall become effective August 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8275; Filed, August 24, 1942; 4:54 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 1 To Maximum Price Regulation 183 [1]]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (4) of paragraph (a) of § 1418.11 is amended to read as follows, and § 1418.13a is added.

§ 1418.11 *Definitions.* (a) * * *

(4) "The direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller: *Provided,* That in computing the costs of shipment incurred by the seller, war risk insurance costs shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

* * * * *

§ 1418.13a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1418.11 (a) (4), 1418.13a) to Maximum Price Regulation No. 183 shall become effective August 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8276; Filed, August 24, 1942; 4:53 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 2 to Maximum Price Regulation 194 [2]]

ALASKA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (4) of paragraph (a) of § 1418.63 is amended to read as follows:

§ 1418.63 *Definitions.* (a) * * *

(4) "The direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller: *Provided,* That in computing the costs of shipment incurred by the seller, war risk insurance costs shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

* * * * *

§ 1418.66 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1418.63 (a) (4)) to Maximum Price Regulation No. 194 shall become effective August 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8274; Filed, August 24, 1942; 4:51 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 1 To Maximum Price Regulation 201 [1]]

VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (4) of paragraph (a) of § 1418.113 is amended to read as follows, and § 1418.116 is added.

§ 1418.113 *Definitions.* (a) * * *

(4) "The direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipments actually incurred by the seller: *Provided,* That in computing the costs of shipment incurred by the seller, war risk insurance costs shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

* * * * *

§ 1418.116 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1418.113(a) (4), 1418.116) to Maximum Price Regulation No. 201 shall become effective August 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8273; Filed, August 24, 1942; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 7 to Revised Supplementary Regulation 4 [2] to the General Maximum Price Regulation [4]]

EXCEPTIONS FOR CERTAIN COMMODITIES AND CERTAIN TRANSACTIONS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (21) is added to § 1499.29 (a) to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

* * * * *

(21) Sales or deliveries of dried apples, dried apricots, raisins, dried peaches, dried pears to the armed forces of the United States, and the Federal Surplus Commodities Corporation.

(d) *Effective dates of amendments.* * * *

(8) Amendment No. 7 (§ 1499.29 (a) (21)) to Revised Supplementary Regulation No. 4 shall become effective August 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8278; Filed, August 24, 1942; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 23 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-339]

INDEPENDENT GROCERS ALLIANCE DISTRIBUTING CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.373 *Adjustment of maximum prices for sales of "Jell-It", a gelatin dessert powder sold through affiliates of Independent Grocers Alliance Distributing Company.* (a) The affiliated wholesalers of the Independent Grocers Alliance Distributing Company, of Chicago, Illinois, may sell and deliver and any person may buy and receive from such wholesalers a case containing 36 packages of "Jell-It" gelatin dessert at a price equal to their maximum price as allowed under § 1499.2 of the General Maximum Price Regulation plus 18 cents, but in no event shall said price exceed $1.65 per case.

(b) Any customer of said affiliated wholesalers may sell and deliver and any purchaser from such customer may buy and receive a package of "Jell-It" at prices not higher than 6¢ per package when sold singly, two for 11¢, three for 17¢, or multiples thereof when sold in larger quantities or at their maximum price as allowed under § 1499.2 of the General Maximum Price Regulation, whichever is higher.

(c) The adjustments granted in paragraphs (a) and (b) are subject to the following conditions:

(1) Independent Grocers Alliance Distributing Company shall notify each of its affiliated wholesalers of the modification of their maximum prices made by this order and shall accompany such notice with a copy of this order;

(2) Every affiliated wholesaler of the Independent Grocers Alliance Distributing Company shall advise in writing all persons to whom they sell "Jell-It" of the modification of the maximum prices for such product permitted by this order. Such notification shall be made with the first delivery after the effective date of this order.

(3) No seller shall change his customary allowances, discounts or other price differentials, unless such change shall result in a lower price.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 23 (§ 1499.373) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 23 (§ 1499.373) shall become effective August 25, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8277; Filed, August 24, 1942; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 24 Under § 1499.18 (c) of General Maximum Price Regulation [1]—Docket GF3-64]

UTILITY BLADE CO.—S. H. KRESS & CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered:

§ 1499.374 *Adjustment of maximum prices for sales of Dictator hollow ground razor blades by Utility Blade Company to S. H. Kress & Co.* (a) Utility Blade Company of Cranford, New Jersey, is hereby authorized to sell and deliver to S. H. Kress and Co., and S. H. Kress and Co. is authorized to buy from Utility Blade Company, Dictator hollow ground razor blades at a price of $1.89 per dozen packages of twenty-five blades.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 24 may be revoked or amended by the Administrator at any time.

(d) This Order No. 24 (§ 1499.374) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 24 (§ 1499.374) shall become effective August 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8279; Filed, August 24, 1942; 4:55 p. m.]

Chapter XVII—Office of Civilian Defense

PART 1900—ORGANIZATION

ESTABLISHMENT OF CIVILIAN EVACUATION SERVICE

[Administrative Order No. 28]

Pursuant to authority granted by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, the Director of Civilian Defense hereby confirms the establishment, within the Office of Civilian Defense, of the Civilian Evacuation Service.

Sec.
1900.20 Purpose.
1900.21 Organization, supervision and membership.
1900.22 Insigne.
1900.23 Assisting personnel.

AUTHORITY: §§ 1900.20 to 1900.23, inclusive, issued under E.O. 8757, 9134; 6 F.R. 2517, 7 F.R. 2887.

§ 1900.20 *Purpose.* The Civilian Evacuation Service is established in accordance with the policy of the Joint Committee on Evacuation representing the Office of Civilian Defense, the Office of Defense Health and Welfare Services, the United States Public Health Service, the Children's Bureau of the United States Department of Labor, the United States Office of Education, and the Bureau of Public Assistance of the Social Security Board. Members of the Civilian Evacuation Service shall assist in planning and preparing for a possible evacuation of civilians and in effecting an actual evacuation and reception of civilians, in accordance with the policies developed by the Committee.

§ 1900.21 *Organization, supervision and membership.* The Civilian Evacuation Service shall operate under the supervision of the Regional Evacuation Officers, or persons designated to discharge this duty by the Regional Directors of Civilian Defense where no Regional Evacuation Officers have been appointed, and shall be directed by the chief officer of State or local evacuation authorities.

The membership of the Civilian Evacuation Service shall comprise members of State and local evacuation authorities, and persons who are designated or assigned to function in executive or supervisory positions with respect to the planning or actual operation of an evacuation, including persons who are designated as party leaders in the event of an

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5627, 5835.

[1] 7 F.R. 5620.

[2] 7 F.R. 5909, 6268.

[1] 7 F.R. 6269.

[2] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 5339, 4487, 4659, 4738, 5027, 5028, 5192, 5276, 5365, 5445, 5484.

actual evacuation. Such persons may be certified to the State or Local Defense Council for appointment to membership in the Civilian Evacuation Service and may, upon taking an oath of the character and in the manner described in § 1903.9 of this chapter (section 9 of Office of Civilian Defense Regulations No. 3) with respect to the United States Citizens Defense Corps, be appointed as members of the Civilian Evacuation Service by the State or Local Defense Council.

§ 1900.22 *Insigne.* The basic insigne prescribed for the Civilian Evacuation Service shall consist of a large block letter "E" in white, placed in the center of a red disc within a white equilateral triangle embossed on a circular field of blue. The basic insigne may be included in lapel pins and buttons, sleeve insignia for uniforms, collar and cap emblems for uniforms, automobile stickers and plates, and certificates of membership, but not arm bands or brassards. The basic insigne may also be included on badges three inches in diameter to identify evacuation leaders of parties and designated assistants in the event of an actual evacuation. The use and wear of all official articles embodying the prescribed insigne shall be governed by §§ 1902.1 to 1902.8, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2) and any other rules, regulations, orders, or instructions issued by the Director. Local Defense Councils shall issue official articles embodying prescribed insignia to the members of the Civilian Evacuation Service, with the approval of the Regional Directors of the Office of Civilian Defense or of the State Defense Councils, where power of approval has been delegated to them, as provided in § 1902.4 of this chapter (section 4 of Office of Civilian Defense Regulations No. 2).

§ 1900.23 *Assisting personnel.* Volunteers shall be recruited by the Civilian Defense Volunteer Office of the Local Defense Council for Governmental agencies engaged in the evacuation program, such as health, educational and welfare agencies, and for the State or local evacuation authority, to assist in such matters as registration of possible evacuees, the collection or compilation of survey data, the providing of information to evacuees, and the providing of social, health and educational service. When requested by such agencies or authorities, they shall be assigned to and trained by them, and shall perform required duties. When trained to the satisfaction of such agencies or authorities, they may be certified to the Local Defense Council for appointment to membership in the United States Citizens Service Corps; they do not become members of the Civilian Evacuation Service.

Members of the United States Citizens Defense Corps may, upon request of State or local evacuation authorities, be assigned by the Commander or Chief of Service to perform duties, as such members, in connection with the evacuation program; such persons do not become members of the Civilian Evacuation Service.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 24, 1942.

[F. R. Doc. 42-8266; Filed, August 24, 1942; 4:07 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

REFUSAL TO ISSUE CERTIFICATES OF AWARD OF NUMBER TO CERTAIN MOTORBOAT OWNERS

ORDER WAIVING COMPLIANCE WITH CERTAIN PROVISIONS

An order waiving compliance with the provisions of the Act of June 7, 1918, as amended, to the extent necessary to permit the Commandant, United States Coast Guard, to refuse to issue certificates of award of number in certain cases.

Pursuant to the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress, 2d Session), I hereby waive the provisions of the Act of June 7, 1918, as amended (Title 46 U.S.C., section 288), to the extent necessary to permit the Commandant, United States Coast Guard, or any Coast Guard officer whom the Commandant, United States Coast Guard, may designate, to refuse to issue certificates of award of number to the owners of undocumented motorboats when, in the opinion of the Commandant, or the officer designated by the Commandant, the issuance of such certificates of award of number would be inimicable to the national interest of the United States.

RALPH A. BARD,
Assistant Secretary of the Navy.

AUGUST 24, 1942.

[F. R. Doc. 42-8282; Filed, August 25, 1942; 9:44 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

REINSTATEMENT

Sections 10.3422 and 10.3423 are revised, and a new section, § 10.3424, is added, as follows:

§ 10.3422 *Reinstatement of National Service Life Insurance.* Subject to the provisions of the National Service Life Insurance policy, or any amendment or supplement thereto, any insurance which has lapsed, or may hereafter lapse, and which has not been surrendered for a cash value or for paid-up insurance, may be reinstated upon written application signed by the applicant, and upon payment of all premiums in arrears, with interest from their several due dates at the rate of 5 per centum per annum, compounded annually, provided such applicant at the time of application and tender of premiums is in the required state of health as shown in paragraph (a) or (b) of § 10.3423, whichever is applicable, and submits evidence thereof at the time of application and tender of premiums as may be satisfactory to the Administrator of Veterans Affairs: *Provided,* That application for reinstatement of a five-year level premium term policy accompanied by evidence of insurability and tender of premiums with interest must be submitted prior to the expiration of the five-year term period: and *Provided further,* That the payment or reinstatement of any indebtedness against any policy must be made, and if such indebtedness with interest exceeds the reserve of the policy at the time of application for reinstatement thereof, then the amount of such excess shall be paid by the applicant as a condition of the reinstatement of the indebtedness and of the policy. (August 25, 1942) (54 Stat. 1012; 38 U. S. C. 808)

§ 10.3423 *Health requirements.* National Service Life Insurance may be reinstated if application and tender of premiums are made:

(a) While the insured is in the active service or not more than three months after discharge therefrom, provided applicant is in as good health on the date of application and tender of premiums as he was on the due date of the premiums in default, and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs: *Provided further,* That reinstatements under this paragraph shall be restricted to applications submitted not more than three months after the war: *And provided further,* That when the insured makes inquiry within the grace period disclosing a clear intent to continue insurance protection, such as a request for information concerning premium rates or conversion privileges, etc., an additional reasonable period not exceeding thirty days may be granted for payment of premiums due without the requirement of a comparative health statement; but the premiums in any such case must be paid during the lifetime of the insured.

(b) After expiration of the period mentioned in paragraph (a) hereof, provided applicant is in good health on the date of application and tender of premiums, and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs. (August 25, 1942) (54 Stat. 1012; 38 U.S.C. 808)

§ 10.3424 *Evidence of insurability.* The applicant for reinstatement of a National Service Life Insurance policy must furnish evidence of insurability at the time of application satisfactory to the Administrator of Veterans Affairs and upon such forms as the said Administrator shall prescribe or otherwise as he shall require. Applicant's own statements of comparative health may be accepted as proof of insurability for the purpose of reinstatement under § 10.3423 (a), but whenever deemed necessary in any such case by the Administrator of Veterans Affairs report of physical examination may be required. Applications for reinstatement submitted after expiration of the period mentioned in §10.3423 (a) must be accompanied by proof of good health, as follows: (1) If application is submitted within three months after the due date of the premium in default, applicant's own statements may be accepted as proof of good health, but whenever deemed necessary in any such case by the Administrator of Veterans Affairs report of physical examination may be required; (2) applications submitted after expiration of the said three-months period must be accompanied by report of physical examination. Physical examinations incident to reinstatement of insurance shall be acceptable if made by medical officers of the Veterans Administration, War Department, Navy Department, United States Public Health Service or by physicians designated by the Administrator of Veterans Affairs to make such examinations. (August 25, 1942) (54 Stat. 1012; 38 U.S.C. 808)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 42-8291; Filed, August 25, 1942; 11:36 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 201—PROCEDURE FOR THE STIPULATION OF CONDITIONS IN GOVERNMENT PURCHASE CONTRACTS

TOLERANCE FOR HANDICAPPED WORKERS

Addition of § 201.1102 [Article 1102] to regulations for administration of the Act of June 30, 1936, Public No. 846, 74th Congress.

By virtue of the authority vested in me by section 4 of the Act approved June 30, 1936, 49 Stat. 2036, 41 U.S.C., secs. 35–45, I hereby add § 201.1102 [Article 1102] to Part 201 [Regulations No. 504, prescribed by the Secretary of Labor under Public Act No. 846, Seventy-fourth Congress (Series A)], which is to read as follows:

§ 201.1102 *Tolerance for handicapped workers.* Workers whose earning capacity is impaired by age or physical or mental deficiency or injury may be employed either by commercial establishments or as handicapped clients in sheltered workshops at wages lower than the prevailing minimum wages applicable under section 1 (b) of the Public Contracts Act upon the same terms and conditions as are prescribed for the employment of handicapped persons and of handicapped clients in sheltered workshops under section 14 of the Fair Labor standards Act of 1938, c. 676, 52 Stat. 1060, 29 U.S.C. sec. 201, by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (Title 29, Chapter V, Code of Federal Regulations, Parts 524 and 525), which are hereby adopted as the regulations governing employment of handicapped persons and of handicapped clients in sheltered workshops under the Public Contracts Act.

Any certificate issued by the Administrator of the Wage and Hour Division, pursuant to such regulations, authorizing the employment of a handicapped worker under the Fair Labor Standards Act shall constitute authorization for the employment of that worker under the Public Contracts Act in accordance with the terms of the certificate. The Administrator of the Wage and Hour Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two Acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act. (49 Stat. 2036; 41 U.S.C. 34, 45)

This order shall become effective on September 15, 1942.

Dated: August 12, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-8309; Filed, August 25, 1942; 11:15 a. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

EMPLOYMENT OF HANDICAPPED OR SUPERANNUATED WORKERS

Amendment to all prevailing minimum wage determinations issued pursuant to section 1 (b) of the Walsh-Healey Public Contracts Act and in effect on August 12, 1942.

I hereby determine:

That all the prevailing minimum wage determinations issued by me pursuant to section 1 (b) of the Walsh-Healey Public Contracts Act and in effect on August 12, 1942, are hereby amended to provide that handicapped or superannuated workers may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act, and that such handicapped or superannuated workers may not be employed at subminimum rates under any other conditions.

This amendment shall apply to all contracts subject to the Walsh-Healey Public Contracts Act bids for which are solicited or negotiations commenced by the contracting agency on or after September 15, 1942.

Dated: August 12, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-8308; Filed; August 25, 1942; 11:15 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education; Federal Security Agency

PART 3—LOANS TO COLLEGE STUDENTS IN ACCELERATED PROGRAMS

LOANS TO STUDENTS IN TECHNICAL AND PROFESSIONAL FIELDS IN COLLEGE AND UNIVERSITY ACCELERATED PROGRAMS

Pursuant to the authority conferred by Title II, subheading "Office of Education", under the caption "Loans to students in technical and professional fields (national defense)" of the "Labor-Federal Security Appropriation Act, 1943", Public Law 647, 77th Congress, 2d Session, approved July 2, 1942, the following regulations are prescribed for the administration of the provisions of the said Act.

Sec.
3.1 Definition of terms
3.2 General provisions of the Act
3.3 Loan and collection agency
3.4 Institutional plans
3.5 Qualifications of borrowers
3.6 Discrimination
3.7 Amount of loans
3.8 Conditions of loans
3.9 Application for and availability of loans
3.10 Legal evidence of loans
3.11 Collection of loans
3.12 Reports, records, and audits

AUTHORITY: §§ 3.1 to 3.12, inclusive, issued under Pub. Law 647, 77th Cong.

§ 3.1 *Definition of terms.* Unless otherwise clearly indicated the following terms shall have the meaning hereinafter defined:

(a) "Act" means Title II, subheading "Office of Education", under the caption "Loans to students in technical and professional fields (national defense)" of the "Labor-Federal Security Appropriation Act, 1943", Public Law 647, 77th Congress, 2d Session, approved July 2, 1942, or amendments or extensions thereof.

(b) "Chairman" means the Chairman of the War Manpower Commission.

(c) "Commissioner" means the United States Commissioner of Education or the person in the Office of Education designated by him to perform the function herein referred to.

(d) "Institution" means a degree-granting college or university participating with the approval of the Commissioner in the loans to students contemplated by the Act and covered by these regulations. Degree-granting means that the institution, in recognition of satisfactory completion of a standard curriculum, granted during the academic year 1941–42 degrees with a major in one or more of the following fields: engineering, physics, chemistry, medicine (including veterinary), dentistry, and pharmacy.

(e) "Agency" means the public or college-connected agency designated by the institution as the loan and collection agency for the loan program under the Act.

(f) "Accelerated program" means such an academic schedule in an institution as provides within a twelve-months year at least the equivalent of the work of one

and one-third academic years of nine months in one of the following curricula of undergraduate or graduate study: engineering, chemistry, physics, medicine (including veterinary), dentistry, and pharmacy.

(g) "Engineering" means a curriculum in engineering leading to at least a bachelor's degree in engineering.

(h) "Physics" means a curriculum leading to at least a bachelor's degree with a major in physics.

(i) "Chemistry" means a curriculum leading to at least a bachelor's degree with a major in chemistry.

(j) "Medicine" means a curriculum leading to at least a degree of doctor of medicine or of doctor of veterinary medicine or equivalent degree.

(k) "Dentistry" means a curriculum leading to at least a degree of doctor of dental surgery or equivalent degree.

(l) "Pharmacy" means a curriculum leading to at least a bachelor's degree in pharmacy.

(m) "Tuition and fees" means all charges to students which are required by the institution for participation in its educational program. It does not include subsistence.

(n) "Full-time student" means a man or woman student carrying at least an academic load which is normal for the institution in an approved accelerated program.

(o) "Loan" means the amount of Federal funds lent to a full-time student enrolled in an approved accelerated program.

(p) "Need of assistance" means the lack of resources sufficient to pay for tuition and fees and to provide school supplies and the necessities of subsistence such that unless a loan is made the student would not be able to participate in the accelerated program without engaging in remunerative employment.

§ 3.2 *General provisions of the Act.* The Act provides $5,000,000 for loans to assist students (in such numbers as the Chairman of the War Manpower Commission shall determine) participating in accelerated programs in degree-granting colleges and universities in engineering, physics, chemistry, medicine (including veterinary), dentistry, and pharmacy whose technical or professional education can be completed within two years under certain conditions prescribed in the Act and pursuant to regulations relative thereto to be issued by the Commissioner and approved by the Chairman.

§ 3.3 *Loan and collection agency.* The Act provides that loans and repayment shall be made through the colleges, universities, or public or college-connected agencies. The institution or the public or college-connected agency named by the institution is designated as the loan and collection agency for those students who are enrolled in its accelerated program. Such institution or agency shall have the responsibility of seeing that the funds made available to it are applied to the program in accordance with the determinations of the institution or agency hereunder, and shall, as directed by the Commissioner, remit any unexpended funds by a check in favor of the Treasurer of the United States.

§ 3.4 *Institutional plans.* Each institution participating in an accelerated program and desiring loans for any of its full-time students enrolled in its accelerated program shall submit to the Commissioner for approval a report of its plan of acceleration and its existing student loan plan setting forth its loan procedure and forms and such other information as the Commissioner may require. Funds shall not be made available to an institution or agency under the Act if it appears that the institution or agency proposes, in reliance upon the receipt of such funds, to curtail its regular program of loans to students. The institution shall designate an officer who shall serve as the official representative of the institution or agency in dealing with the Office of Education, and who shall have the responsibility for making reports.

§ 3.5 *Qualifications of borrowers.* (a) Loans shall be made only to full-time students enrolled in an approved accelerated program (1) who, in the judgment of the institution, can complete their technical and professional education within two years after the first loan; (2) who attain and continue to maintain standards of scholarship ordinarily accepted as satisfactory by the institution in which they are enrolled; (3) who are found by the institution or agency to be in need of assistance; and (4) who agree in writing, subject to their obligations to the armed forces of the United States, as follows: to participate, until otherwise directed by the Chairman, in the accelerated program, and to engage, for the duration of the wars in which the United States is now engaged, in such employment or service as may be assigned by officers or agencies designated by the Chairman.

(b) An institution or agency shall not prescribe as requirements for eligibility for a loan any conditions or standards other than the foregoing qualifications.

§ 3.6 *Discrimination.* There shall be no discrimination in loans to borrowers because of race, creed, sex, or color.

§ 3.7 *Amount of loans.* Total amount of loans to any borrower during any twelve-month period of the accelerated program shall not exceed $500 but subject to that limitation the loan should be sufficient in amount to enable the student to carry his college work to the end of the fiscal year or to complete the curriculum in which he is enrolled if that can be accomplished before the end of the fiscal year. Payments to borrowers, other than those for tuition and fees, shall not be made available to any student for more than one month in advance nor at a rate exceeding $25 for any one month of the accelerated program except that upon specific request by an institution, the Commissioner may approve a plan of operation (based on a rate not in excess of $25 per month) which will best fit the particular needs of the institution.

§ 3.8 *Conditions of loans.* The following general conditions shall govern all loans:

(a) *Purpose of loans.* Loans shall be available for payment of expenses necessary for participation in the accelerated program, and may not be used to fund or repay obligations of the student to the institution or agency incurred prior to his enrollment in the accelerated program, but in no event prior to July 1, 1942.

(b) *Period of loans.* Notes from borrowers shall provide that one-fourth of the principal, together with accrued interest, is due one year after discontinuance as a full-time student in an institution, one-fourth after two years, one-fourth after three years, and the remaining fourth after four years, with the option of prepayment of all or any part of the loan. The time of service of a borrower in the armed forces of the United States during the present emergency, within the terms of his agreement, shall be excluded in the computation of the times of maturity hereinabove mentioned.

(c) *Interest on loans.* Interest shall be computed only on the unpaid principal balance of the loan, and shall be at the simple rate of two and one-half per centum (2½%) per annum. Interest shall run at such rate from the date of payment to the borrower until repayment of the principal amount and accrued interest, and shall be due and payable with each installment of principal.

(d) *Cancellation of loans.* If any borrower before completing his course of study is ordered into military service during the present wars under the Selective Training and Service Act of 1940, as amended, the total unpaid principal amount of his loans and interest shall be cancelled. If any borrower suffers total and permanent disability or death the unpaid principal amount of his loans and interest thereon shall be cancelled. The institution or agency shall report to the Commissioner all students entitled to such cancellation.

(e) *Transfer of borrowers from one institution to another.* If a borrower transfers from one institution to another, the notes covering the loans granted shall be forwarded to the new institution with appropriate notice of the transfer to the Commissioner. The conditions of the loans and of the covering notes shall be unchanged by such a transfer.

(f) *Refunds to borrowers.* The amount of any refund to which a borrower may be entitled on account of tuition, fees, or otherwise, but not exceeding the unpaid amount of the loan and accrued interest, shall be credited by the institution or agency to the institution's loan fund under the Act. Such amounts shall be treated by the institution or agency as unexpended funds and shall not be charged to the borrower's obligation. Determination of availability of refunds to borrowers shall be in conformity with the regular practices and rules of the institution or agency governing refunds to students, providing such practices and rules are not found inequitable by the Commissioner.

§ 3.9 *Application for and availability of loans.* Each institution shall certify to the Commissioner the estimated number of students requiring loans, the number of such students in each curriculum, and the estimated total amount of loans required during the accelerated program, and such other information as the Commissioner may direct. Upon the basis of such estimates the Commissioner will make funds available to the institutions or agencies from time to time in such amounts as he may determine for loans to such number of students as the Chairman may direct. Loans from the funds made available will be distributed by the institution or agency among the students in the several curricula in such proportions as may be indicated by the Commissioner upon direction of the Chairman. Such proportions may be revised from time to time in accordance with determinations made by the Chairman.

§ 3.10 *Legal evidence of loans.* The institution or agency shall require the borrower to sign a note payable to the Treasurer of the United States for each loan. The principal of the several notes of a borrower may be consolidated into a single note at any time. The notes shall remain in the custody of the institution or agency until requested by the Commissioner.

§ 3.11 *Collection of loans.* The institution or agency shall have the responsibility for collection of loans and issuance of receipts for payments on account of principal and interest of the notes of borrowers in its possession. No guarantee of payment by the borrowers of either principal or interest shall be required of the institution or agency. The institution or agency, as directed by the Commissioner, shall file with him a report of all collections made. Such collections shall be remitted promptly in such manner as will hereafter be prescribed. Checks, money orders, etc., should be drawn in favor of the Treasurer of the United States. The institution or agency shall not engage the services of any outside commercial agency or invoke any legal process for the collection of any borrower's note without the prior approval of the Commissioner.

§ 3.12 *Reports, records, and audits.* The institution or agency shall maintain in a form satisfactory to the Commissioner and readily available for additional reports and for federal audits such records as the Commissioner may from time to time require.

Dated: August 10, 1942.

[SEAL] J. W. STUDEBAKER,
U. S. Commissioner of Education.

Approved: August 18, 1942.

PAUL V. MCNUTT,
Administrator, Federal Security Agency; Chairman, War Manpower Commission.

[F. R. Doc. 42-8290; Filed, August 25, 1942; 11:28 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 6, Supplement 2 (a)]

PART 305—WAR RISK INSURANCE

SUBPART E—AMENDMENTS TO RULES

AUTOMATIC COVERAGE ON IMPORT CARGOES

Order amending General Order 6, Supplement 2.

Section 305.64, *Goods insured by shipper,* is hereby amended to read as follows:

§ 305.64 *Goods insured by shipper.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement # III", is hereby promulgated:

In consideration of the payment of premium as hereinafter provided, this policy is extended to cover goods otherwise coming within the scope of this policy but shipped by the Assured and for his account and risk, or shipped by the Assured and sold by him prior to shipment on terms requiring him to provide War Risk Insurance to the port of discharge. The Assured agrees to file separately upon the Standard Forms provided for in Supplement No. 1 of General Order No. 6, Provisional and Closing Reports of all shipments to be insured, such report to be filed subject to all of the rules and conditions as set forth in said General Order. In the event of loss claims shall be filed by the Assured unless otherwise permitted by the War Shipping Administration for good cause shown. In the event that with the consent of the War Shipping Administration claim is filed by the purchaser said purchaser shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss of the claimant, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of Section 35 (a) of the Criminal Code. All other terms and conditions remaining unchanged.

Section 305.67, *Exports to territories and possessions of the United States; exclusive endorsement,* is amended to read as follows:

§ 305.67 *Exports to territories and possessions of the United States; exclusive endorsement.* The following Standard Optional Endorsement, hereinafter to be designated "Warshipopencargo Policy—Standard Optional Endorsement #VI", is hereby promulgated:

Nothwithstanding anything to the contrary contained in §§ 305.59 and 305.60 of this policy, it is understood and agreed that this policy covers only shipments from the Continental United States (excluding Alaska) to the territories and possessions of the United States, including the Canal Zone and Alaska. The Assured warrants that with respect to such shipments, all the terms and conditions of this policy as originally written will apply, and that full provisional and closing reports, supported by affidavits as and if required will be filed with respect to shipments covered under the terms of this endorsement. All other terms and conditions remaining unchanged.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

AUGUST 20, 1942.

[F. R. Doc. 42-8323; Filed, August 25, 1942; 12:07 p.m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-148]

STINEMAN COAL & COKE CO.

ORDER REINSTATING REGISTRATION AS A DISTRIBUTOR

In the matter of Stineman Coal & Coke Co., Registered Distributor, Registration No. 8745, Respondent.

The registration of the above-named respondent as a distributor having been suspended for a period of thirty (30) days from July 23, 1942, by an order of the Acting Director entered in the above-entitled matter on said date; and

Said order having been duly served on said respondent on July 29, 1942; and

An affidavit dated August 14, 1942, having been duly filed with the Bituminous Coal Division on August 18, 1942, by said respondent, pursuant to § 304.15 of the Rules and Regulations for the Registration of Distributors, (the "Distributors' Rules"), and to said Order dated July 23, 1942; and

It appearing that said affidavit complies with the provisions of said § 304.15 of the Distributors' Rules, and said Order dated July 23, 1942;

Now, therefore, it is ordered, That the registration of said Stineman Coal & Coke Co., as a distributor be, and the same hereby is, reinstated as of August 23, 1942, at 12:01 a. m.

Dated: August 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8300; Filed, August 25, 1942; 11:25 a. m.]

DEPARTMENT OF LABOR

Division of Public Contracts

EMPLOYMENT OF HANDICAPPED PERSONS AND HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

This matter is before me pursuant to section 4 of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On June 17, 1942, the Administrator of the Division of Public Contracts of the Department of Labor issued a Notice of Opportunity to Show Cause (7 F.R. 4677) on or before July 6, 1942, why I should not issue regulations (1) applying the regulations issued by the Administrator of the Wage and Hour Division concerning the employment of handicapped workers either by commercial establishments or as handicapped clients in sheltered workshops to employees engaged in work on any Government contract awarded subject to a present or future prevailing minimum wage determination issued under section 1 (b) of the Walsh-

Healey Public Contracts Act, and (2) giving effect to any certificate issued by the Administrator of the Wage and Hour Division pursuant to such regulations, as authorization for the employment of handicapped workers under the Walsh-Healey Public Contracts Act in accordance with the terms of such certificate, and (3) providing that the Administrator of the Wage and Hour Division may issue certificates under the Walsh-Healey Public Contracts Act for handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under both Acts, at appropriate rates of compensation and in accordance with the procedure prescribed by the Wage and Hour Division regulations.

This notice was predicated on the advisability of co-ordinating the administration of the Fair Labor Standards Act and the Walsh-Healey Public Contracts Act.

The notice was sent to all interested parties and was duly published in the FEDERAL REGISTER. No objections or protests to the proposed action have been received.

Upon due consideration of all the facts and circumstances, I hereby issue the following orders, dated this day, (1) adding § 201.1102 [1] [Article 1102] to the existing regulations under the Walsh-Healey Public Contracts Act, and (2) amending the existing prevailing minimum wage determinations to provide that handicapped or superannuated workers may be employed at subminimum rates only in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act.

Dated: August 12, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-8307; Filed, August 25, 1942; 11:16 a. m.]

Wage and Hour Division.

[Administrative Order No. 153]

APPOINTMENT OF AUTHORIZED REPRESENTATIVES

Appointing Louise McGuire, Isabel Ferguson, and Nathan Rubinstein as authorized representatives to grant or deny applications for, and to cancel Special Certificates for the employment of apprentices, handicapped workers and learners.

By virtue of, and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, Department of Labor, hereby designate and appoint Louise McGuire, Isabel Ferguson, and Nathan Rubinstein as my authorized representatives, with full power and authority to grant or deny applications for special certificates for the employment of apprentices, handicapped workers and learners, and to sign, issue and cancel special certificates authorizing the employment of apprentices, handicapped workers and learners pursuant to the provisions of Section 14 of the Fair Labor Standards Act of 1938 and Regulations, Title 29—Labor, Chapter V—Wage and Hour Division, Parts 521, 522 and 524.

Signed at New York, New York this 22d day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8283; Filed, August 25, 1942; 9:50 a. m.]

[Administrative Order No. 154]

CANDY AND RELATED PRODUCTS MANUFACTURING INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 47

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor,

Do hereby accept the resignation of Mr. Carl E. Gill from Industry Committee No. 47 for the Candy and Related Products Manufacturing Industry and do appoint in his stead as representative of the employers on such Committee Mr. H. Russell Burbank of Brooklyn, New York.

Signed at New York, New York this 22d day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8284; Filed, August 25, 1942; 9:50 a. m.]

TOILET GOODS ASSOCIATION, INC., ET AL.

NOTICE OF DENIAL OF APPLICATIONS

Notice of denial of applications by Toilet Goods Association, Inc. and sundry other parties to employ learners in the Drug, Medicine and Toilet Preparations Industry, at wages lower than the minimum wage applicable.

Whereas applications were received from the Toilet Goods Association, Inc. and sundry other parties to employ learners in the Drug, Medicine and Toilet Preparations Industry at wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938, and

Whereas pursuant to Part 522, § 522.4, Title 29, Chapter V, Code of Federal Regulations, a public hearing was held on October 27, 1941, before Alex G. Nordholm, duly authorized as presiding officer to conduct said hearing, to take testimony for the purpose of determining:

(a) What, if any, occupation or occupations in the Drug, Medicine, and Toilet Preparations Industry require a learning period, and if any occupation is found to require a learning period;

(b) The factors which may have a bearing upon curtailment of opportunities for employment within the Drug, Medicine and Toilet Preparations Industry; and

(c) Under what limitations as to wages, time, number, proportion, and length of service special certificates may be issued for the employment of learners in the Drug, Medicine, and Toilet Preparations Industry; and

Whereas after due consideration of the facts presented at said hearing, the presiding officer has found and determined that the industry has shown no need for authority to employ learners at subminimum rates in order to prevent curtailment of opportunities for employment in the industry, and

Whereas the presiding officer also found that the entire record pointed to a denial of the applications,

Now, therefore, notice is hereby given that there is no need for the issuance of regulations providing for the employment of learners at wage rates less than the applicable minimum in the Drug, Medicine and Toilet Preparations Industry, and that special learner certificates will not be issued to employers in this industry.

As used in this notice, the term "Drug, Medicine and Toilet Preparations Industry" is defined as follows:

The manufacture or packaging of any one or more of the following products:

(1) Drugs or medicinal preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of disease in, or to effect the structure or any function of, the body of man or other animals, or

(2) Dentifrices, cosmetics, perfume, or other preparations designed or intended for external application to the person for the purpose of cleansing, improving the appearance of, or refreshing the person,

(3) *Provided*, That this definition shall not include the manufacture or packaging of shaving cream, shampoo, essential (volatile) oils, glycerine, and soap, or the milling or packaging without further processing of crude botanical drugs.

Signed at New York, New York this 22d day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8287; Filed, August 25, 1942; 9:48 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under Revised Price Schedule 84 [1]—Radio Receiver and Phonograph Parts]

GOAT METAL STAMPINGS, INC.

APPROVAL OF MAXIMUM PRICES

On June 25, 1942, Goat Metal Stampings, Inc., 314 Dean Street, Brooklyn, New York, filed, in accordance with § 1336.103 (b), a request for approval of maximum prices for the new parts listed below, pursuant to § 1336.101 (d) of Revised Price Schedule No. 84.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Goat Metal Stampings, Inc. is authorized to sell, offer to sell, or deliver the following new parts at prices, exclusive of federal excise tax, f. o. b. seller's point of shipment, no higher than those specified below, subject to discounts, allowances, and terms no less favorable to the purchaser than those customarily granted by it:

$2.00/M For part No. G-180	Cup (Nickel).
$0.77/M plus $3.00/S. U. for part No. G-453-AL	Cut Nickel.
$10.21/M for part No. G-831-E	Plate (Karbomet FE).
$34.33/M for part No. G-915	Cup (Moly).
$3.02/M for part No. G-921-B	Shield (C. R. S.).
$1.91/M for part No. G-928-C	Cup (Karbomet FE).
$1.34/M for part No. G-1079-J	Shield (C. R. S.).
$12.48/M for part No. G-1211-L-2	Shield (Nickel & N. Pl. S.).
$5.07/M for part No. G-1248-E-2	Plate (Carb. Steel).
$3.72/M for part No. G-1251-D	Plate (C. R. S.).
$13.94/M for part No. G-1395-E	Cup (C. R. S.).
$0.17/M for part No. G-1314-E	Clip (Coppered S. Wire).
$0.12/M for part No. G-1314-F	Clip (C. R. S.).
$3.70/M for part No. G-1420	Cut Nickel.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1336.109 of Revised Price Schedule No. 8 shall apply to terms used herein.

(d) This Order No. 1 shall become effective on the 25th day of August 1942.

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8269; Filed, August 24, 1942; 4:50 p. m.]

[Order 2 Under Revised Price Schedule 84 [1]—Radio Receiver and Phonograph Parts]

STEWART-WARNER CORPORATION

APPROVAL OF MAXIMUM PRICES

On June 22, 1942, Stewart-Warner Corporation, Chicago, Illinois, filed, in accordance with §1336.103 (b), a request for approval of maximum prices for the new parts listed below, pursuant to §1336.101 (d) of Revised Price Schedule No. 84.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Stewart-Warner Corporation is authorized to sell, offer to sell, or deliver the following new parts at prices, exclusive of federal excise tax, f. o. b. seller's point of shipment, no higher than those specified below, subject to discounts, allowances, and terms no less favorable to the purchaser than those customarily granted by it:

$0.53 500273	Dial assembly.
$0.15 G-500847	Tuning shaft assembly.
$0.01 500261	Support.
$0.01 500561	Screw.
$7.00 501210	Tuning arm (Phono-pick up).
$1.75 G-29161-A	Spindle.
$1.75 501474	Output transformer.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in §1336.109 of Revised Price Schedule No. 84 shall apply to terms used herein.

(d) This Order No. 2 shall become effective on the 25th day of August 1942.

Issued this 24th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8270; Filed, August 24, 1942; 4:50 p. m.]

[Order 2 Under Revised Price Schedule 83 [1]—Radio Receivers and Phonographs]

WESTINGHOUSE ELECTRIC INTERNATIONAL COMPANY

APPROVAL OF MAXIMUM PRICES

On July 3, 1942, Westinghouse Electric International Co., 40 Wall Street, New York City, filed applications pursuant to Revised Price Schedule No. 83, § 1336.53 (b), for approval of maximum prices for the new model radios listed below.

Due consideration has been given to the applications and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Westinghouse Electric International Co. is authorized to sell, offer to sell, or deliver the new model radios listed below at prices no higher than those specified, exclusive of federal excise tax, f. o. b. seller's point of shipment, subject to discounts, allowances, and terms no less favorable than those customarily granted by it:

Model No. M-115	$10.70
Model No. M-116	25.30

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1336.60 of Revised Price Schedule No. 83 shall apply to terms used herein.

(d) This Order No. 2 shall become effective on the 25th day of August 1942.

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8268; Filed, August 24, 1942; 4:51 p. m.]

[Order 1 Under Revised Price Schedule 12 [1]—Brass Mill Scrap]

JOHNS-MANVILLE CORPORATION

EXCEPTION GRANTED

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.19 (e) (2) of Revised Price Schedule No. 12—Brass Mill Scrap, it is ordered:

(a) Johns-Manville Corporation may buy and receive from the American Brass Company, and the American Brass Company may sell and deliver to Johns-Manville Corporation at a price not higher than 15¼¢ per pound, delivered Waukegan, Illinois, specially prepared brass mill scrap: *Provided*, That Johns-Manville Corporation has been authorized by the War Production Board to make each such purchase.

(b) As used in this Order No. 1, "specially prepared brass mill scrap" shall mean brass chips, analyzing 58% to 63% copper, 34% to 39% zinc, 2% to 3% lead, free of all metallic iron and other material magnetic in character except that such iron or magnetic material may be present in amounts not greater than 0.2% of the net weight of the material if it is in the form of fine dust and not sizable particles.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective August 25, 1942.

Issued this 24th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8267; Filed, August 24, 1942; 4:53 p. m.]

[Order 9 Under Maximum Price Regulation 148 [2]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-5]

FAIRGROUNDS STOCK YARDS

PETITION FOR ADJUSTMENT GRANTED

On June 2, 1942, the Fairgrounds Stock Yards, Columbia, South Carolina, filed a petition for amendment redocketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in

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[1] *Supra.*

[1] 7 F.R. 1362, 1836, 2000, 2132, 3169, 2303, 2512, 2543, 3821.

[1] 7 F.R. 1362, 1836, 2000, 2132, 2169, 2303, 2512, 2513, 3821.

[1] 7 F.R. 1360, 1836, 2000, 2132, 2302, 2820, 3125.

[1] 7 F.R. 1234, 1836, 2132, 3520, 5515.

[2] 7 F.R. 3821, 4342.

support of this Order No. 9 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, it is hereby ordered:

(a) The Fairgrounds Stock Yards may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, such kinds of wholesale pork cuts at such prices from the Fairgrounds Stock Yards.

(b)

	Cents per pound
Hams	28
Rib sides	17
Shoulders	20
Loins	29½

(c) The permission granted to the Fairgrounds Stock Yards in this Order No. 9 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1, to March 31, inclusive, of any such year, the maximum price at which the Fairgrounds Stock Yards may sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from the Fairgrounds Stock Yards each pork cut specified shall be a price 1¾¢ lower than the maximum price provided for such pork cut in paragraph (b).

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

[1] 7 F.R. 971.

This Order No. 9 shall become effective August 25, 1942.

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8271; Filed, August 24, 1942; 4:53 p.m.]

[Order 10 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-43]

LYKES BROTHERS, INC.

PETITION FOR ADJUSTMENT GRANTED

On July 28, 1942, Lykes Brothers, Inc., P. O. Box 2879, Tampa, Florida, filed a petition for amendment redocketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 10 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Lykes Brothers, Inc. may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, such kinds of wholesale pork cuts at such prices from Lykes Brothers, Inc.

(b)

	Cents per pound
Regular hams fresh or frozen	27½
Regular hams smoked	29
Skinned hams fresh or frozen	28½
Skinned hams smoked	32
Skinned hams boiled	50
Skinned hams baked	53
Skinned shoulders fresh or frozen	26½
Skinned shoulders smoked	27½
Butts, bone in, fresh or frozen	29½
Butts, bone in smoked	30½
Loins 6/8, fresh or frozen	29½
Loins 6/8, smoked	32
Loins 8/12, fresh or frozen	29½
Loins 8/12, smoked	32
Loins 12/16, fresh or frozen	29
Loins 12/16, smoked	32
Spare ribs fresh or frozen	20½
Feet fresh or frozen	8
Trimmings regular	21
Picnics smoked, 6/7, short shanks	25½
Picnics smoked, boneless	30
Boneless skinned hams, smoked	40
Rough rib bacon, smoked rib and loin in	25
Rib bellies smoked, 6/10 average	22
Hocks smoked	19

(c) The permission granted to Lykes Brothers, Inc. in this Order No. 10 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1, to March 31, inclusive, of any such year, the maximum price at which Lykes Brothers, Inc. may sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from Lykes Brothers, Inc. each pork cut specified shall be a price 1¾¢ lower than the maximum price provided for such pork cut in paragraph (b).

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.82 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 10 shall become effective August 25, 1942.

Issued this 24th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8272; Filed, August 24, 1942; 4:56 p. m.]

[1] 7 F.R. 3821, 4342.
[2] 7 F.R. 971.

AUG 25 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 169

Washington, Thursday, August 27, 1942

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[Second Supplement to General Order No. C-24[1]]

PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

AMENDED REGULATIONS GOVERNING DEPARTMENTAL ORGANIZATION AND AUTHORITY

AUGUST 15, 1942.

Pursuant to the authority conferred by sections 161 and 360 of the Revised Statutes, as amended (5 U.S.C. 22, 311); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); section 1 of Reorganization Plan No. V (5 F.R. 2223) and all other authority conferred by law, the following changes are hereby prescribed in Title 8, Chapter I, Part 90 of the Code of Federal Regulations:

Section 90.1 is amended to read as follows:

§ 90.1 *Commissioner of Immigration and Naturalization; powers.* Under the general direction of the Attorney General, the Commissioner of Immigration and Naturalization (hereinafter called the Commissioner) shall supervise and direct the administration of the Immigration and Naturalization Service and, subject to the limitation of other provisions of this part, shall have authority to exercise all powers of the Attorney General relating to the administration of that Service and the administration of the immigration, nationality, alien registration, and related laws.

* * * * *

The references in §§ 90.14, 90.16, 90.17, and 90.49 to "Special Assistant in Charge" are amended to read "Commissioner".

(Sec. 327, 54 Stat. 1150, 8 U.S.C. 727; sec. 23, 39 Stat. 892, 8 U.S.C. 102; sec. 24, 43 Stat. 166, 8 U.S.C. 222; sec. 1, Reorg. Plan No. V, 5 F.R. 2132, 2223; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458; secs. 161, 360, R.S., 5 U.S.C. 22, 311)

FRANCIS BIDDLE,
Attorney General.

Approval recommended:

EARL G. HARRISON,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 42-8324; Filed, August 25, 1942; 2:57 p. m.]

[1] 5 F.R. 3502; 6 F.R. 6752.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IX—Transport

PART 93—TRANSPORTATION OF INDIVIDUALS

RESTRICTION ON TRANSPORTATION OF DEPENDENTS AND MOVEMENT OF HOUSEHOLD GOODS

Section 93.8[1] (a) (1) is hereby amended to read as follows:

§ 93.8 *Restriction on transportation of dependents and movement of household goods during the present war*—(a) *Regulations governing.* * * *

(1) All military personnel and civilian employees of the War Department who, prior to September 1, 1942, are on duty at a place designated by competent authority and who are thereafter assigned or transferred from their post, camp, or station or location are authorized to move their dependents and household goods at Government expense to such location in the United States as may be designated by the military person or civilian employee concerned. Once dependents and household goods have been moved at Government expense on or after September 1, 1942, neither dependents nor household goods will again be moved at Government expense.

A movement of dependents or household goods which is commenced under proper orders prior to September 1, 1942, but not completed by that date, or a movement begun on or after September 1, 1942, under the control of proper local

(Continued on next page)

[1] 7 F.R. 6668.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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Army authorities, provided such authorities are notified prior to that date that dependents or household goods are ready and waiting movement under proper orders, will not be construed to prevent one additional movement of dependents and household goods at Government expense on or after September 1, 1942, as herein authorized. (R.S. 161; 5 U.S.C. 22, and Act of June 5, 1942, Public Law 580, 77th Congress) [Cir. 261, W. D., August 4, 1942, as amended by Cir. 279, W. D., August 21, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–8336; Filed, August 26, 1942; 9:24 a. m.]

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation No. 1]

PART 105—ESTABLISHMENT OF MILITARY AREAS

SOUTHERN DEFENSE COMMAND, MILITARY AREA NO. 1

Headquarters Southern Defense Command, San Antonio, Texas

MAY 30, 1942.

To: The People within Alabama, Arkansas, that part of Florida west of the Apalachicola River, Louisiana, Mississippi, New Mexico, Oklahoma, Tennessee, and Texas.

Whereas by virtue of orders issued by the War Department on March 17, 1941, as amended by orders issued by the War Department on December 20, 1941, on March 18, 1942, on March 31, 1942 and on April 19, 1942, that portion of the continental United States included in the States of Alabama, Arkansas, that part of Florida west of the Apalachicola River, Louisiana, Mississippi, New Mexico, Oklahoma, Tennessee, and Texas has been established as the Southern Defense Command under my command; and

Whereas by Executive Order 9066, dated February 19, 1942,[1] the President of the United States authorized and directed the Secretary of War and the Military Commanders whom he may from time to time designate, whenever he or any such designated commander deems such action necessary or desirable to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, with authority over such military areas as in such Executive Order prescribed; and

Whereas the Secretary of War on April 22, 1942, designated the undersigned as Military Commander to carry out the duties and responsibilities imposed by said Executive Order for that portion of the United States embraced in the Southern Defense Command; and

Whereas the Southern Defense Command embraces eight States and part of another State, inhabited by millions of loyal citizens of the United States, and thousands of persons not yet citizens of the United States, but equally loyal; and

Whereas the economic life of this large portion of the population of our country, dwelling within the Southern Defense Command, should be disturbed as little as may be consistent with requirements of adequate national defense and internal security; and

Whereas the Southern Defense Command embraces portions of the Gulf Coast and southern land frontier of the United States and by its geographical location is particularly subject to attack, and, in connection therewith, is subject to espionage and acts of sabotage, thereby requiring the adoption of military measures necessary to establish safeguards against such enemy operations:

Now therefore, I, Walter Krueger, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Southern Defense Command, charged with the defense of the Gulf Coast and land frontier within my Command, do hereby declare and proclaim that:

§ 105.1 *Military Area No. 1, Southern Defense Command.* (a) The present situation requires as a matter of military necessity the establishment in the territory embraced in the Southern Defense Command within continental United States, of military areas and for that purpose, I do hereby prescribe the portions of the several States hereinafter designated and as the same are shown on the map attached hereto and marked Annex No. 1,[2] to be military areas.

(1) Florida Military Area No. 1 embraces all territory west of Apalachicola River within the following counties in the State of Florida, to wit: Bay, Escambia, Franklin (that portion west of Apalachicola River), Gulf, Okaloosa, Santa Rosa and Walton.

(2) Alabama Military Area No. 1 embraces all territory within the following counties in the State of Alabama to wit: Baldwin and Mobile.

(3) Mississippi Military Area No. 1 embraces all territory within the following counties in the State of Mississippi to wit: Hancock, Harrison and Jackson.

(4) Louisiana Military Area No. 1 embraces all territory within the following parishes in the State of Louisiana, to wit: Ascension, Assumption, Calcasieu, Cameron, East Baton Rouge, Iberia, Iberville, Jefferson, Lafayette, La Fourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Mary, St. Martin, St. Tammany, Tangipahoa, Terrebonne, Vermilion and West Baton Rouge.

(5) Texas Military Area No. 1 embraces all territory within the following counties in the State of Texas, to wit: Aransas, Brazoria, Brewster, Calhoun, Cameron, Chambers, Culberson, Dimmit, El Paso, Galveston, Harris, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jefferson, Kleberg, Kenedy, Kinney, Liberty, Matagorda, Maverick, Nueces, Orange, Pecos, Presidio, Refugio, San Patricio, Starr, Terrell, Val Verde, Victoria, Webb, Willacy and Zapata.

(6) New Mexico Military Area No. 1 embraces all territory within the following counties in the State of New Mexico, to wit: Dona Ana, Grant, Hidalgo and Luna.

(b) The functional subdivisions of the Southern Defense Command for purposes of enforcement of regulations and orders issued from this Headquarters are the existing Corps Areas, namely, the Eighth Corps Area, with Headquarters at Fort Sam Houston, Texas, and the Fourth Corps Area, with Headquarters at Atlanta, Georgia. The Commanders of said Corps Areas are charged with the responsibility of the enforcement of the restrictions and orders pertaining to their respective Corps Areas.

(c) The protection of American commerce and that of the United Nations from damage or destruction by enemy attack, involves the effective control of artificial lighting along the Southern boundaries of the Southern Defense Command and for a reasonable distance inland therefrom. Corps Area commanders are designated as the authorities to promulgate the necessary restrictions and orders for control, prescribed by the Comanding General, Southern Defense Command.

(d) Wilful violation of such restrictions or orders by an alien enemy, or repeated careless violations, even if not wilful, are cause for expulsion, internment or prosecution; similar violations by persons other than alien enemies are cause for expulsion or prosecution.

(e) Nothing contained herein shall be construed as limiting or modifying the duty and responsibility of the Department of Justice under the proclamations of the President of December 7th and 8th, 1941, insofar as the enforcement of rules and regulations for the conduct and control of alien enemies is concerned, or otherwise.

(f) The Corps Areas in the Southern Defense Command, each within its respective sphere of activities, and such federal, State, municipal and local agencies as the Commanding General, Southern Defense Command, with the consent of such agencies, may from time to time deem advisable specifically to designate, are hereby designated as the agencies to enforce the provisions of this proclamation and such subsequent proclamations, announcements, restrictions and orders as he may issue; and these agencies, under the coordination of the Commanding General, Southern Defense Command, shall have jurisdiction to conduct the investigations necessary in their respective enforcement thereof.

(g) It is requested that State and municipal police, and other civilians within the Military Areas established by this proclamation, assist the agencies charged with enforcing these restrictions by reporting to them the names and addresses of all persons believed to have violated these restrictions, and such other information as may be called for by these agencies.

(h) Copies of this proclamation and all subsequent proclamations, announcements, restrictions and orders issued hereunder will be displayed in suitable public places throughout the military areas in the Southern Defense Command. It shall be the duty of every person found within such military areas to familiarize himself with the terms of every proclamation, announcement, restriction, or order issued by this Headquarters.

[SEAL] WALTER KRUEGER,
Lieutenant General,
Commanding.

Confirmed:
J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–8335; Filed, August 26, 1942; 9:24 a. m.]

[1] 7 F.R. 1407.

[2] Filed as part of original document.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4348]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CUTTER LABORATORIES

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (b) *Advertising falsely or misleadingly—Competitors and their products—Competitors' products:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.48 (b) *Disparaging competitors and their products—Goods—Qualities or properties.* In connection with offer, etc., of respondent's vaccine preparation designated "Blacklegol" or "Blackleg Bacterin Aluminum Hydroxide Adsorbed", or any other similar product, (1) representing in any manner, either directly or by implication, that respondent's preparation Blacklegol is 100 percent efficient or 100 percent effective in giving immunity to the disease of blackleg; (2) using statements or representations which unfairly disparage vaccines sold and distributed by respondent's competitors or which represent, either directly or by implication, that the efficiency or effectiveness of blackleg concentrated bacterin or blackleg cultural aggressin is equal to only 50 percent of that of respondent's preparation Blacklegol in providing immunity to the disease of blackleg; (3) using any specific percentage to designate the immunizing value of respondent's preparation Blacklegol or its comparative immunizing value with other preparations unless such percentage is based upon controlled experiments sufficient to definitely establish the percentage value claimed; and (4) using the terms "100 percent efficient" or "50 percent efficient," or any other percentage or comparative percentage, in describing manufacturing procedure or production wastes, in such a way as to imply that such percentages apply to immunizing effectiveness; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Cutter Laboratories, Docket 4348, August 14, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, report of the trial examiners upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Cutter Laboratories, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of its vaccine preparation now designated "Blacklegol" or "Blackleg Bacterin

Aluminum Hydroxide Adsorbed" or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing in any manner, either directly or by implication, that respondent's preparation Blacklegol is 100 percent efficient or 100 percent effective in giving immunity to the disease of blackleg;

(2) The use of statements or representations which unfairly disparage vaccines sold and distributed by respondent's competitors or which represent, either directly or by implication, that the efficiency or effectiveness of blackleg concentrated bacterin or blackleg cultural aggressin is equal to only 50 percent of that of respondent's preparation Blacklegol in providing immunity to the disease of blackleg;

(3) The use of any specific percentage to designate the immunizing value of respondent's preparation Blacklegol or its comparative immunizing value with other preparations unless such percentage is based upon controlled experiments sufficient to definitely establish the percentage value claimed;

(4) The use of the terms "100 percent efficient" or "'50 percent efficient," or any other percentage or comparative percentage, in describing manufacturing procedure or production wastes, in such a way as to imply that such percentages apply to immunizing effectiveness.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8352; Filed, August 26, 1942; 11:45 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1577]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3613	Angert, Walter E	Walter E. Angert	16	E	Saint Benedict, Pa.	NYC	44	(†)	(†)	E	(†)	(†)
3575	Armagost & Cugini (Charles B. Armagost).	A. & C	37	B	Hooversville, Pa	B&O	100	(†)	(†)	E	(†)	(†)
2080	Bathgate, George L	Bathgate	29	E	Johnstown, Pa	J&SC	48	(†)	(†)	F	(†)	(†)
3633	Christy Coal Co., H. J. (H. J. Christy).	Reesedale (s)	10	B	Reesedale, Pa	P&S	119	(†)	(†)	H	(†)	(†)
3638	Christy Coal Co., H. J. (H. J. Christy).	Reesedale (d)	10	B	Reesedale, Pa	P&S	119	(†)	(†)	H	(†)	(†)
3269	Drifting Coal Co. (Elizabeth V. Kelley).	Drifting #2	8	B	Winburne, Pa	NYC	44	(†)	(†)	H	(†)	(†)
1305	DuBois Mosbannon Coal Co. (J. M. Bloom).	Wildcat	6	D	Du Bois, Pa	B&O	113	E	(†)	E	E	(†)
3697	Elder Brothers (Ralph Elder).	Elder Brothers #2	4	B	Reidsburg, Pa	NYC	30	(†)	(†)	G	(†)	(†)
3615	Fuller, George	Fuller	12	E	Hooverhurst, Pa	NYC	44	(†)	(†)	G	(†)	(†)
3694	Gulbranson, Inc., W. O.	Imperial #5	13	A	Houtzdale, Pa	PRR	45	H	H	H	H	H
3693	Gulbranson, Inc., W. O.	Imperial #6	13	D	Houtzdale, Pa	PRR	45	D	D	D	D	D
3695	Gulbranson, Inc., W. O.	Imperial #7	13	C[1]	Houtzdale, Pa	PRR	45	E	E	E	E	E
3696	King Coal Company	Mauk #2	5	B	Sprankle Mills, Pa.	P&S	119	E	E	E	E	E
2475	Montgomery, Melvin	Montgomery	6	E	Lane's Mills, Pa.[1]	B&O	113	F	(†)	*	F	(†)
711	Montgomery, Melvin	Montgomery #2	6	E	Lane's Mills, Pa.[1]	B&O	113	F	(†)	*	F	(†)
3692	Producers Economy Coal, Inc.	Gonzales	9	C[1]	Karthaus, Pa	NYC	44	(†)	(†)	E	E	(†)
3612	Wilkinson, James A	Wilkinson	18	C[1]	Dean, Pa	PRR	52	(†)	(†)	E	(†)	(†)

[1] Denotes new shipping point Shipping point at Coal Glen, Pa., shall no longer be applicable.
*Indicates prices previously established for this Size Group.
†Indicates no classification or prices effective for this Size Group.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
Altman, H. W	3210	H. W. Altman	12	Indiana	E	(†)	(†)	215	(†)	(†)
Angert, Walter E	3613	Walter E. Angert	16	Cambria	E	(†)	(†)	225	(†)	(†)
Armagost & Cugini (Charles B. Armagost).	3575	A. & C	37	Somerset	B	(†)	(†)	225	(†)	(†)
Christy Coal Co., H. J. (H. J. Christy).	3633	Reesedale (s)	10	Armstrong	B	235	215	215	195	185
Christy Coal Co., H. J. (H. J. Christy).	3638	Reesedale (d)	10	Armstrong	B	235	215	215	195	185
DuBois Mosbannon Coal Co. (J. M. Bloom).	1305	Wildcat	6	Clearfield	D	250	(†)	(*)	215	(†)
Elder Brothers (Ralph Elder)	3697	Elder Brothers #2	4	Clarion	B	240	215	215	200	190
Fike, Lloyd & Allen (Allen Fike).	3691	Fike	41	Somerset	E	(†)	(†)	220	(†)	(†)
Fuller, George	3615	Fuller	12	Indiana	E	(†)	(†)	215	(†)	(†)
Gulbranson, Inc., W. O	3694	Imperial #5	13	Clearfield	A	235	210	210	200	190
Gulbranson, Inc., W. O	3693	Imperial #6	13	Clearfield	D	255	230	230	220	210
Gulbranson, Inc., W. O	3695	Imperial #7	13	Clearfield	C'	250	225	225	215	205
King Coal Company	3696	Mauk #2	5	Jefferson	B	250	225	225	215	205
Myers, Paul M. & Kenneth E. (Paul M. Meyers).	3602	Meyers	41	Somerset	Mahoning	(†)	(†)	210	(†)	(†)
Montgomery, Melvin	2475	Montgomery	6	Jefferson	E	245	(†)	(*)	210	(†)
Montgomery, Melvin	711	Montgomery #2	6	Jefferson	E	245	(†)	(*)	210	(†)
Producers Economy Coal, Inc.	3692	Gonzales	9	Clearfield	C'	(†)	(†)	225	(†)	(†)
Wilkinson, James A	3612	Wilkinson	18	Cambria	C'	(†)	(†)	225	(†)	(†)
Zelanko Brothers (John Calvin Zelanko).	3629	Zelanko	39	Bedford	Barnett	(†)	(†)	240	(†)	(†)

*Indicates prices previously established for this Size Group.
†Indicates no prices or classification effective for this Size Group.

[F. R. Doc. 42-8296; Filed, August 25, 1942; 11:26 a. m.]

[Docket No. A-1542]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R-II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: August 14, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2324	Barnett, Walter A. (Mining and Construction Company).	Barney #3 (S)	Pittsburgh	9	Trees Mills, Pa.	P.R.R.	74	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	D	E	E
2600	Barnett, Walter A. (Mining and Construction Company).	Warner (S)	Pittsburgh	9	Hall, Pa.	Union	76	(*)	(*)	G	H	H	H	H	H	H	H	H	(†)	(†)	D	E	E
516	Brown Brothers	Brown Bros. (d)	Redstone	9	Sommers, Pa.	P&LE	73	G	J	H	H	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)
2468	Harman, William S. (Harman Coal Co.).	Totten #1	Sewickley	3	Darent, Pa.	P.R.R.	114	(†)	(†)	E	E	E	H	H	H	C	C	C	(†)	(†)	(†)	(†)	(†)
2469	Harman, William S. (Harman Coal Co.).	Totten #2	Pittsburgh	3	Darent, Pa.	P.R.R.	36	(*)	(*)	(*)	(*)	C	D	H	H	C	C	C	(†)	(†)	(†)	(†)	(†)
2460	Ruth Fuel Company (John H. Ruth).	Jackson (S)	Pittsburgh	3	Dickerson Run, Pa.	P&LE	72	D	D	D	D	D	H	H	H	C	C	C	(†)	(†)	(†)	(†)	(†)
2455	S. & U. Coal Co. (Stanley Skeloski).	West Newton (d)	Pittsburgh	9	Smock, Pa.	P&LE	10	G	G	G	G	G	H	H	H	C	C	C	(†)	(†)	(†)	(†)	(†)
2040	Snyder, George B. (George B. Snyder Coal Co.).	Snyder #2	Pittsburgh	6	Fort Palmer, Pa.	Lig. Val.	31	G	G	G	G	G	H	H	E	C	C	C	(†)	(†)	(†)	(†)	(†)
1727	Stanislav, John	Ferry (d)	Pittsburgh	6	Fort Palmer, Pa.	P.R.R.	115	(†)	(†)	(†)	(†)	F	H	H	E	F	F	F	(†)	(†)	(†)	(†)	(†)
2453	Thornbottom Coal & Coke Company (Thomas P. Ruane).	Thornbottom (S)	Pittsburgh	3	Bitner Colliery, Pa.	P.R.R. & B&O.	10	G	G	G	G	G	G	G	G	G	G	G	(†)	(†)	E	E	E
2	Thomajko, Edward	Adamsburg (W) (d)	Redstone	9	Edna, Pa.	Lig. Val.	115	(†)	(†)	(†)	F	F	F	F	E	F	F	F	(†)	(†)	E	E	E
2300	Zurick, Joseph	Zurick (d)	Pittsburgh	6	Fort Palmer, Pa.		10	G	G	G	G	G	H	H	E	G	G	G	(†)	(†)	E	E	E

† Indicates no classification or prices effective for this size group.
* Indicates classifications and prices previously established for this size group.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 2151; Group No. 2: 516; Group No. 6: 2453, 2460, 2469; Group No. 8: 2468; Group No. 14: 1727, 2049, 2300.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4" (1)	Lump 4" (2)	Lump 3" (3)	Lump 2" (4)	Egg 2" x 4" (5)	Stove 1" x 4" (6)	Pea ¾" x 1¼" (7)	Run of mine (8)	2" N/S (9)	1¼" slack (10)	¾" slack (11)
BEAVER COUNTY														
Seymour Coal Co.	2467	Seymour #2	M. Kitt	300	290	280	275	250	245	225	225	185	175	165
BUTLER COUNTY														
Pennsylvania Refining Co.	2471	Chas. P. Sherwin	U. Free	325	305	285	265	260	245	245	230	190	180	170
FAYETTE COUNTY														
Harman, William S. (Harman Coal Co.).	2468	Totten #1	Sewickley	265	255	245	235	215	205	205	205	190	185	170
Harman, William S. (Harman Coal Co.).	2469	Totten #2	Pittsburgh	300	290	280	260	240	230	225	230	210	200	175
Minor, Walter	2455	Friendship	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Ruth Fuel Company (John H. Ruth).	2460	Jackson (Strip)	Pittsburgh	280	270	260	245	225	210	210	210	200	195	175
Thornbottom Coal & Coke Company (Thomas P. Ruane).	2453	Thornbottom (S)	Pittsburgh	280	270	260	245	225	210	210	210	200	195	175
WASHINGTON COUNTY														
Malinchak, John	2459	Midget	Redstone	275	265	255	230	220	205	195	205	180	170	160
WESTMORELAND COUNTY														
Tomajko, Edward	2	Adamsburg (W) (d)	Redstone	(†)	(†)	(†)	235	230	220	200	205	185	175	(†)
Shultz & Kantoric (H. Merle Shultz).	2480	S. & K. #2	Redstone	265	255	245	230	225	215	195	200	180	170	160

†Indicates no classifications and prices effective for these size groups.

[F. R. Doc. 42–8297; Filed, August 25, 1942; 11:26 a. m.]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

[Docket Nos. A–1564 and A–1575]

ORDER GRANTING RELIEF

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2 and for a change in shipping point for Mine Index No. 2448.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and for a change in shipping point for Mine Index No. 2448; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated.

It is further ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point appearing in the aforesaid Supplement R–I for Mine Index No. 2448 shall be effective in place of the shipping point heretofore established for this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule No. 1 for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Sub-district No.	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9
2476	Bowie Coal Co. (R. R. Bowie)	McFarland (Strip)	Brookville	1	26	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC
196	Holman, James E	Stone (Deep)	Kit	1	21	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC
591	Kolen Coal Company	Hawes (Strip)	U. Free	8	40	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC
2478	Menoher, Ford	Menoher #2 (d)	Pittsburgh	6	10	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC
2306	Stanislav, Steve & Joseph T. Turchek (Steve Stanislav).	St. Clair Second Hill (d)	Pittsburgh	6	20	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC
2473	Straub, E. A	Foster (Deep)	Brookville	1	38	GFEDE	GFEDE	GFEDE	GFEDE	GFEDE	FEDE	GFEDE	GFEDE	GFEDE
2475	Wynn Coal & Coke Co. (Martin W. Ruane)	Weltner Strip (S)	Pittsburgh	3	40	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC
2448	Helen N. Mining Co. (Max Nobel)	Helen N. (S)	U. Freeport	3	30	GFEDCC	GFEDCC	GFEDCC	GFEDCC	GFEDCC	FEDCC	GFEDCC	GFEDCC	GFEDCC

†Indicator no classification or prices effective for these size groups.
‖ Denotes new shipping point. Shipping Point at Gans, Pa., on the Baltimore & Ohio Railroad in Freight Origin Group No. 80 shall no longer be applicable.

§ 322.9 *Special prices* (c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown: Group No. 6: 2475; Group No. 7: 2448; Group No. 9: 591; Group No. 12: 936; Group No. 14: 2478, 2306; Group No. 15: 2476, 2473.

TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index and name	Mine index No.	Mine	Seam	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Lucidi, G. (Clairton Building & Construction Co.)	2464	Lucidi	Pittsburgh	300	290	280	255	230	230	220	240	200	190	180
BUTLER COUNTY														
Straub, E. A	2473	Foster (D)	Brookville	325	305	285	265	260	245	245	230	190	180	170
FAYETTE COUNTY														
Newill, Stanley J	2477	Newill (S)	Pittsburgh	310	300	290	270	250	240	235	240	210	200	185
Simpson, Barnes & McClean (B. F. Simpson).	2472	Big Three	Pittsburgh	290	280	270	250	230	220	216	220	205	200	175
Wynn Coal & Coke Co. (Martin W. Ruane).	2475	Weltner Strip (S)	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
MERCER-VENANGO COUNTY														
Bowie Coal Co. (R. R. Bowie)	2476	McFarland (S)	Brookville	325	310	290	275	270	255	255	240	185	175	160
WASHINGTON COUNTY														
Shianta, John M. (Shianta Mine).	2403	Shianta #2 Deep	Pittsburgh	310	300	290	260	250	235	225	245	210	200	175
WESTMORELAND COUNTY														
Harris, J. Richard	2479	Harris	Pittsburgh	280	270	260	245	230	220	215	235	195	185	175
Menoher, Ford	2478	Menoher #2 (D)	Pittsburgh	270	260	250	240	230	225	220	215	190	180	170

[F. R. Doc. 42–8298; Filed, August 25, 1942; 11:26 a. m.]

[Docket No. A–941]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Memorandum opinion and order modifying, and approving and adopting as modified, the proposed findings of fact and conclusions of law and recommendation of the examiner and granting relief in the matter of the petition of District Board 11 for the establishment of minimum prices for raw or washed coals which are crushed, pulverized, or reduced by any method down to the size dimensions prescribed for Size Groups 13–16, inclusive.

This proceeding was instituted upon a petition, as amended, filed with the Bituminous Coal Division on June 27, 1941, by District Board 11, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of minimum prices in District 11 for lump, double screened, mine run, modified mine run and mine run resultant coals, either raw or mechanically cleaned, that have been crushed, pulverized, or reduced by any method down to the size dimensions prescribed for Size Groups 13–16, inclusive, or for coals rescreened from such crushed sizes into nut and stoker coals (Size Groups 9, 10, 11 and 12) and resultant carbon (Size Group 15);

Petitions of intervention were filed by District Boards, 1, 4, 6, 7 and 10; Central State Collieries, Incorporated, et al.,[1] Chicago, Wilmington and Franklin Coal Company, et al,[2] Southwestern Illinois Coal Corporation, Sahara Coal Company, code members in District 10; Ayrshire Patoka Collieries Corporation, Snow Hill Coal Corporation and Walter Bledsoe and Co., code members in District 11.

Pursuant to Orders of the Director and after due notice to all interested persons, a hearing in this matter was held on November 17 and 18, 1941, before Charles O. Fowler, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C., at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by petitioner, District Boards 4, 6, 7, 8, and 10, Central State Collieries, Inc., et al., Southern Illinois interveners, Snow Hill Coal Corporation and Walter Bledsoe and Co., Sahara Coal Company, Southwestern Illinois Coal Corporation, and Bituminous Coal Consumers' Counsel.

Briefs were filed by the petitioner, Southern Illinois interveners, District Board 4 and Bituminous Coal Consumers' Counsel.

The Examiner on May 1, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law and upon the basis thereof recommended that the relief in this matter be granted.

Thereafter, opportunity was afforded to all parties to file exceptions thereto. On June 22, 1942, petitioner and District Board 4 filed Exceptions to the Examiner's Report.

1. *Nature of the proceeding.* This proceeding has been brought by District Board 11 for the purpose of establishing minimum prices for the "crushed coals" produced in District 11 by the secondary crushing of either washed or unwashed coarse sizes of coal down to the screening sizes.[3] In view of the increasing demand for the stoker and screening sizes of coal, which demand is proportionately greater than the demand for domestic sizes, it is necessary at many mines to crush some sizes of coal in order to keep the mines running. The schedules of effective minimum prices for District 11 do not contain any specific prices or provisions for such crushed coals, and, as a result, there has been considerable confusion among the producers in District 11 resulting from alleged ambiguities in the price schedules as to whether the selling of crushed coal at the minimum prices established for raw screenings was authorized.

Thus, the problem involved in this proceeding is to determine the relative market value of the crushed coals in District 11 in light of the various standards imposed by the Bituminous Coal Act of 1937 as amended. In view of the analytical qualities and uses of crushed coal as revealed by the record, this is essentially a problem of evaluating the relative market value of the screenings made from crushed coal as against natural raw

[1] Little John Coal Company, Midland Electric Coal Corporation, Northern Illinois Coal Corporation, Osage Coal Company, Truax-Traer Coal Company, the United Electric Coal Companies, Wilmington Coal Mines, Inc., Alpha Coal Company.

[2] Old Ben Coal Corporation, Bell and Zoller Coal and Mining Company, Franklin County Coal Corporation, Peabody Coal Company, Wasson Coal Company (hereinafter referred to as the "Southern Illinois interveners").

[3] As used herein, "crushed coal" refers to any lump or double screened coals, or mine run, modified mine run and mine resultants, either raw or mechanically screened, which are crushed, pulverized or reduced, by any method, down to the size dimensions prescribed by Size Groups 13, 14, 15, 16, or coal that is rescreened from such crushed sizes into nut and stoker coals (Size Groups 9–12) and resultant carbon (Size Group 15). However, the crushed coal must be the result of secondary crushing as opposed to "primary crushing"—the latter being that crushing of coal that takes place prior to the sizing, preparation and cleaning of the coal itself in the tipple.

screenings and washed screenings.[4] All evidence is to the effect that the screenings made from crushed coals have a greater value than natural raw screenings from the same mine. However, the issue that must be determined is the extent of the increased value of the crushed coal screenings.

2. *The Examiner's report.* Upon the basis of the facts presented to him, the Examiner proposed certain minimum prices for the various ways in which crushed coal may be sold in the form of unmixed crushings, or when mixed with raw or mechanically cleaned natural screenings, and embodied his proposed prices in Supplement R attached to his Report.

Using evidence as to analytical qualities, size consist and marketability, the Examiner recommended, in the case of screening sizes made from crushed coals, either raw or mechanically cleaned, which are loaded directly into railroad cars and are not mixed with other screenings, a minimum price 15 cents per ton over the prices for Size Group 14 coals for standard mines and 30 cents per ton for substandard mines,[5] finding that such crushed coal should not be priced the same as washed screenings because of uncontroverted testimony as to the superior size consist and marketability of washed screenings.

As to crushed coal made from raw or mechanically cleaned coals from standard mines, which is mixed with the run of mine coal or mixed with the total concurrent production of raw screenings, the Examiner found evidence that the improvement in quality of the raw screenings due to the mixing in of some crushed coal was so small as to fall within the tolerances of quality and preparation found to exist at any good mine from day to day and from car to car, and accordingly, recommended that the prices should be those presently applicable for Size Groups 13–14–15–16, depending upon the size of the crushed coal screenings. The same recommendation was made as to crushed coal made from raw coal from substandard mines which is mixed with the total concurrent production of raw screenings. However, as to crushed coal made from mechanically cleaned coal from substandard mines which is returned to the flow of coal to the raw classification screenings or mixed with the total concurrent production of raw screenings, the Examiner recommended a minimum price 10 cents per ton higher than the prices for Size Groups 13–14–15–16 as the case might be, finding that at certain substandard mines, because of the construction of the tipples, it would be possible to divert coal from the wash boxes and produce raw screenings to which crushed mechanically cleaned coal could be added in such substantial amounts as to materially increase the value of the resulting mixture.

In the case of crushed coal made from mechanically cleaned coal from both standard and substandard mines which is mixed with the total concurrent production of mechanically cleaned screenings of the size dimensions prescribed for Size Groups 23–24–25, the Examiner recommended that the minimum prices should be those for Size Groups 23–24–25, as the case might be, since the mixture of the crushed coal with the washed screenings reduces the quality of the coal so little that it falls within the same reasonable tolerance of variation that would exist at the mine in the washed screenings without any mixture of crushed coal.

As to crushed coal made from raw or mechanically cleaned coal, which is rescreened in the size dimensions prescribed for nut and stoker coals (Size Groups 9-10-11-12), the Examiner proposed to add 10 cents per ton to the prices for Size Groups 9-10-11-12, for standard mines and 15 cents per ton for substandard mines. Lastly, as to the resulting carbon (Size Group 15) made from rescreening crushed coal, the Examiner recommended a 10-cent per ton increase in prices over the prices for Size Group 15 for the standard mines, and such amounts for the substandard mines as would place them on a parity with the crushed rescreened carbon from the standard mines.

3. *Exceptions to the Examiner's report.* (a) District Board 11 stated that in general the Report of the Examiner fairly found the facts and reached a conclusion that was just and equitable but took exception to the following statement in Supplement R attached to the Report:

> All orders, acknowledgments, and invoices shall contain complete description of all sizes before being crushed, pulverized or otherwise reduced and description of size or sizes resulting from such reduction.

District Board 11 contends that such a proposed instruction is both unnecessary and impractical; unnecessary because § 318.6 (a) and § 318.12 (a) 2 in the Marketing Rules and Regulations make ample provision for any such requirement; and impractical because it is impossible for an order or contract to contain a complete description of all sizes before being crushed, for no one knows at the time of accepting an order or entering into a contract, whether the crushed coal will be made from lump, egg, nut or mine run, or a combination of two or more such sizes. At most, District Board 11 suggests, the instruction should read as follows:

> Invoices for coals of the sizes and preparations described in Items 1, 4 and 6 of this supplement shall describe the coal by reference to the Item Number of this supplement.

(b) District Board 4's exceptions are, in summary, as follows:

(1) The relief granted should be limited to sales upon spot orders and should not be applicable to sales upon contracts, for the reason that the crushing of coal is an emergency measure and a producer should not be allowed to deliberately contract in advance to produce such crushed coal.

(2) The proviso in Items Nos. 2, 3, and 4 of Supplement R to the effect that the allotment of crushed coal in a mixture should not exceed 50 percent of the aggregate, should also apply in Item 5.

(3) The minimum prices recommended for resulting carbon produced by rescreening crushed coal should be 10 cents per ton higher than those recommended by the Examiner. Such increase, it is said, is justified by the B. t. u. content of the resulting carbon. Furthermore the argument that the excess of fines in the crushed carbon sizes lowers their value is said to be an unsound one for the reason that the carbon sizes are mainly used in pulverized installations where the excess of fines means less grinding costs and hence is advantageous.

4. *Discussion and conclusions.* (a) District Board 11's objection to having all orders, acknowledgments, and invoices contain a complete description of all sizes before being crushed would seem well taken. This recommendation of the Examiner will not, therefore, be followed. The deletion of that requirement is not intended, of course, to excuse compliance with the Marketing Rules and Regulations and Orders of the Division. Thus, invoices should describe the method of preparation of the crushed coal involved by reference to the appropriate item number in Supplement R attached hereto, and should also set forth the exact size shipped.

(b) (1) District Board 4's desire to limit the relief recommended by the Examiner solely to sales of crushed coal upon spot orders appears to be premised on its belief that the crushing of coal is a privilege rather than a right and is to be engaged in only as an emergency measure. I cannot agree with such a belief for it would tend unduly to restrict the operation of District 11 mines. Although it is true that the crushing of coal is often an emergency measure, it is at other times, by reason of market conditions, a necessary operation that must be engaged in if a mine is to keep running and producing coal on a relatively stable basis. Furthermore, as to District Board 4's fears that competition will be adversely affected "if contracts may be deliberately made to sell such crushed coal, which admittedly is of a superior quality," it is to be pointed out that the prices recommended by the Examiner are designed to fairly evaluate the superior qualities of crushed coal in any market in which it may be sold, whether such sales are made on the basis of spot orders or by contract.

(2) Items 2, 3, and 4 in Supplement R attached to the Examiner's Report contain the proviso that in no case shall the allotment of crushed coal in the mixture described in the item exceed 50 percent of the aggregate. Since crushed coal is admittedly superior to natural raw screenings, the purpose of such a proviso is to prevent a mixture for which the raw screenings price or the raw screenings price plus 10 cents would be improper. However, in Item 5, relating to crushed coal made from mechanically cleaned coal from standard and substandard mines, which is mixed with the total concurrent production of mechanically cleaned screenings of the size dimensions prescribed for Size Groups 23–24–25, it is recommended that the washed screenings prices of Size Groups 23–24–25, as the case may be, be applied. Since the washed screenings price is the highest price that could be reasonably applied to sales of crushed coal, it follows that there is no reason to impose a percentage restriction on the mixture described in Item 5.

(3) With respect to the prices for carbon (Size Group 15) resulting from the rescreening of crushed coals, I am of the opinion that the prices recommended by the Examiner should be increased 5 cents per ton. While the record contains no specific analyses of crushed coal rescreened into resultant carbon or of the actual raw carbon screenings, it is possible to compare the qualities of crushed coal and raw screenings in the 1½" x 0 and 1¼" x 0 sizes. Such a comparison for a number of representative standard mines in the Fifth Vein shows that on an average the crushed coal has about 1 percent less moisture, 2.45 percent less ash, and approximately 480 more B. t. u.'s per pound than the natural raw screenings. About the same differences are shown for other standard mines in the Third, Fourth, and Seventh Veins, although for mines like the Talleydale Mine of the Snow Hill Corporation and the Glendora 28 Mine of the Glendora Coal Company the differences are much greater. As the quality of the crushed coal is generally the same regardless of the size and as the value of the raw carbon size is certainly no greater than that of the 1½" x 0 and the 1¼" x 0 raw screenings, the difference thus set forth must at least exist as between the carbon sizes of crushed coal and raw screenings. Such a difference, in the case of crushed coal in Item 1 loaded directly into railroad cars, gave rise to the Examiner's recommendation that the price of crushed coal should be increased 15 cents per ton over the Size Group 14 prices for standard mines. The record indicates that District Board 11 was aware of the fact that crushed rescreened carbon is analytically better than the carbon produced in the run of mine coals but contended that the crushed product would have a greater percentage of fines under 10 mesh to offset its superior analytical qualities. However, since the crushed carbon sizes are principally used in pulverized installations where the excess of fines is not disadvantageous, I am of the opinion that a like increase in price should be made here as was made in Item 1. Accordingly I find that the minimum price for crushed rescreened carbon from the standard mines should be 15 cents per ton higher than raw carbon prices and for the substandard mines should be increased by such amounts as will place them on a parity with the crushed rescreened carbon from the standard mines.

On the basis of the entire record, I find and conclude that the findings of fact and conclusions of law made by the Examiner are supported by the evidence and should be adopted, except in so far as they concern the requirements for filing information as to the sizes crushed and as to the price for crushed coal rescreened into resultant carbon. As to these two matters, I find that the exceptions taken by District Board 4 and 11 have merit to the extent noted above.

Now, therefore, it is ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner, as modified herein, be, and they hereby are, approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof, the Price Instructions and Exceptions in § 331.1 (*Price instructions and exceptions*) in the Schedule of Effective Minimum Prices for District 11 for All Shipments Except Truck be, and they hereby are, amended in accordance with Supplement R hereto attached and made a part hereof.

It is further ordered, That the prayers for relief contained in the petition filed herein are granted to the extent set forth above and in all other respects denied.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

§ 331.1 *Price instructions and exceptions*—Supplement R.

All invoices shall contain description of size or sizes resulting from such reduction, and shall describe the method of preparation of such crushed coal by reference to the appropriate Item Number of this Price Instruction and Exception.

Whenever lump or double-screened coals, or mine run, modified mine run, and mine run resultants, either raw or mechanically cleaned, are secondarily crushed,[a] pulverized, or reduced, by any method, down to the size, dimensions prescribed for Size Groups 13–14–15–16, (hereinafter referred to as "crushed coal") the minimum prices for the various preparations of such crushed coals shall be as follows:

Item No.	Type of preparation	Price group No.	Minimum prices
1	Crushed coal, made from raw or mechanically cleaned coal, loaded direct into railroad cars without being subjected to any subsequent screening or preparation process, or without being mixed with screenings made from the screening of mine run coal.	5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20.	15 cents per ton over prices for Size Group No. 14, except that for Size Group 13 coals the amount shall be 25 cents, instead of 15 cents, over prices for Size Group 14.
		18, 2, 3, 4, 7, 18, 19....	30 cents per ton over prices for Size Group No. 14, except that for Size Group 13 coals the amount shall be 40 cents, instead of 30 cents, over prices for Size Group 14.
2	Crushed coal, made from raw or mechanically cleaned coal, which is returned to the flow of coal to the raw coal classification screens, or is mixed with the total concurrent production of raw screenings of the size dimensions prescribed for Size Groups 13, 14, 15, 16: *Provided, however,* That in no case shall the allotment of crushed coal in a mixture exceed 50% of the aggregate.	5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20.	Prices for Size Groups 13, 14, 15, 16, as the case may be.
3	Crushed coal, made from raw coal, which is returned to the flow of coal to the raw coal classification screens, or is mixed with the total concurrent production of raw screenings of the size dimensions prescribed for Size Groups 13, 14, 15, 16: *Provided, however,* That in no case shall the allotment of crushed coal in a mixture exceed 50% of the aggregate.	18, 2, 3, 4, 7, 18, 19.....	Prices for Size Groups 13, 14, 15, 16, as the case may be.
4	Crushed coal, made from mechanically cleaned coal, which is returned to the flow of coal to the raw coal classification screens, or is mixed with the total concurrent production of raw screenings of the size dimensions prescribed for Size Groups 13, 14, 15, 16: *Provided, however,* That in no case shall the allotment of crushed coal in a mixture exceed 50% of the aggregate.	18, 2, 3, 4, 7, 18, 19.....	10 cents per ton higher than the prices for Size Groups 13, 14, 15, 16, as the case may be.
5	Crushed coal, made from mechanically cleaned coal, which is returned to the flow of coal to the mechanically cleaned coal classification screens, or is mixed with the total concurrent production of mechanically cleaned screenings of the size dimensions prescribed for Size Groups 23, 24, 25.	5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20.	Prices for Size Groups 23, 24, 25, as the case may be.
		18, 2, 3, 4, 7, 18, 19.....	

[4] In the Schedule of Effective Minimum Prices for District No. 11, raw screenings (Size Group 14) and washed screenings (Size Group 24) are each a base size used in the coordination of the prices for the various size groups. For standard Fifth Vein mines there is a differential of 25 cents per ton between Size Groups 14 and Size Group 24 coals.

[5] The mines in Price Groups 1, 2, 3, 4, 7, 18, and 19 ("substandard" mines), produce raw screenings which due to impurities are priced 15 cents per ton less than the raw screenings from mines in the same seam in Price Groups 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, and 20 ("standard" mines). However, in the domestic sizes, the coals of the substandard and standard mines, with few exceptions, are similar in quality, and, as a result, crushed coal from substandard and standard mines, being produced from the crushing of the domestic sizes, is similar in quality. Hence, in order to place the price of crushed coal from substandard mines on a parity with the price of crushed coal from standard mines, it is necessary to add 15 cents more in the case of substandard mines.

[a] Secondary crushing, as herein used, refers to any crushing of coal other than "primary crushing," and primary crushing is defined as that crushing of coal that takes place prior to any sizing, preparation or cleaning of the coal itself in the tipple.

[b] Includes Chinook Mine of Ayrshire Patoka Collieries Corporation, Mine Index No. 121.

Item No.	Type of preparation	Price group No.	Minimum prices
			Nut and stoker coals
6	Crushed coal, made from raw or mechanically cleaned coal, which is rescreened into the size dimensions prescribed for nut and stoker coals (Size Groups 9, 10, 11, 12) and resultant carbon (Size Group 15).	1, 2, 3, 4, 13, 14	15 cents per ton over the prices for Size Groups 9, 10, 11, 12, as the case may be.
		5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20.	10 cents per ton over the prices for Size Groups 9, 10, 11, 12, as the case may be.
			Carbon
		1[b], 2, 3, 4, 7, 18, 19	30 cents per ton over the prices for Size Group 15.
		14	25 cents per ton over the prices for Size Group 15.
		13, 15, 16, 17	20 cents per ton over the prices for Size Group 15.
		5, 6, 8, 9, 10, 11, 12, 20	15 cents per ton over the prices for Size Group 15.

[b] See note on page 6763.

[F. R. Doc. 42-8299; Filed, August 25, 1942; 11:27 a. m.]

[Docket No. A-792]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

WEST VIRGINIA COAL AND TRANSPORTATION CO.—NORTHERN STATES POWER CO.

Memorandum opinion and order concerning exceptions, approving and adopting the proposed findings of fact, proposed conclusions of law, and recommendations of the examiner as modified, and granting relief in the matter of the petition of West Virginia Coal and Transportation Company, a code member of District No. 8 for preliminary, or temporary, and permanent order for establishment of free alongside prices for coal produced in District No. 8 by code members and shipped in river barges to the Northern States Power Company, St. Paul and Minneapolis, Minnesota.

This proceeding was instituted upon petition filed with the Bituminous Coal Division by West Virginia Coal and Transportation Company (the "Petitioner"), a code member in District No. 8 in behalf of the Northern States Power Company (the "Power Company"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, seeking an Order permitting certain District No. 8 coals in Size Group Nos. 20, 21 and 22 to be sold at f. o. b. mine prices for free alongside delivery to the Power Company for consumption at its plants located at Minneapolis and St. Paul, Minnesota.

Petitions of intervention were filed by District Boards 2, 7, 10 and 11, and a notice of appearance filed by the Consumers' Counsel.

Pursuant to appropriate Orders therefor, hearings were duly held before Floyd McGown, a duly designated Examiner of the Division, at Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.

Because of the location of its plants away from river's edge, the Power Company has been entitled to only "ex-river" prices for coals from District 8. Petitioner sought relief under the "future developments" clause of the "Special Cases" provisions, § 328.13 (iii) (a) of the Special River Price Instruction and Exceptions in the District 8 schedule.

Following the first hearing, at which the report of the Examiner was waived, Director Gray under date of October 8, 1941, found as facts that the improvement of the channel of the Mississippi River constituted a "future development" within the contemplation of the above "Special Cases" provision, but that there was a failure to prove that the Power Company would have purchased District 8 coals moving by river at such prices and under such conditions that they would not be competitive with coal of comparable quality moving by ex-lake dock, or would have regularly purchased them at a saving over available prices of comparable coal moving ex-lake dock. The Director considered as inconclusive the testimony regarding the river transportation charges which are a large element in the delivered price computations, and was dissatisfied with the testimony regarding the opinion of an official of the Power Company upon certain ultimate facts, which he did not consider a substitute for factual testimony upon which the Director might base his own conclusion. For these reasons he denied relief.

Following the granting of Petitioner's request therefor, and the issuance of an appropriate Order, the hearing was reopened and on February 24, further testimony was received for the purpose of establishing (1) the transportation charges for shipping to the Power Company coals produced in District 8, and (2) the prospect that these coals would be purchased from Petitioner by the Power Company. On May 14, 1942, the Examiner filed his report, in which he proposed a finding that $3.45 was a reasonable charge for river transportation, and that the use of this figure with other available data on handling costs resulted in an apparent saving of at least .08 cents per million B. t. u. in comparison with the ex-lake dock coals of District 7 used by the Power Company, and that the coals "are and would be competitive." He recommended a finding that while there was clearly no assurance that the Power Company would buy District 8 coals, their purchase depending upon acceptability after tests, a case had been proven requiring relief under the Special Cases provision.

The intervenors, District Boards 7 and 11, have filed exceptions to the Examiner's report, for the proper disposition of which it is necessary briefly to consider the origin and purpose of the controversial "Special Cases" provisions. As shown by the findings in General Docket No. 15, elaborate studies of distribution showed that delivered prices of coals shipped via river often reflected the saving of that cheaper form of transportation. In some places, particularly river destinations and plants, purchases for river delivery were at prices lower than by all rail or other transportation, and river coal dominated the market, so that an inference was drawn that river deliveries were not competitive with other deliveries. In other places, particularly inland destinations, although both river and all-rail coal moved in, the great predominance of coal shipped by rail or ex-lake dock had been so reduced in price as actively to compete with that shipped by river; moreover, in some instances not all the river saving had been passed along to the purchaser. In the former case the same level of mine prices was provided for river or free alongside delivery as for rail delivery, thus preserving the river coal's dominance without depriving the rail coals of established outlets. In the latter cases, in order to preserve existing fair competitive opportunities as required by the Act, prices for river and other delivery were equalized by the rules as they had been before by economic forces, with resulting price coordination for all coals. There immediately appeared instances where individual consumers, although located inland, because of location, trade connections or other factors had customarily enjoyed savings not available to others. In such instances as were proved, the consumer was permitted to purchase at prices for free alongside delivery by river so that he could continue to benefit and so that the producers who had enjoyed his patronage apparently free from other than river competition might continue to enjoy it. For those in the same position who had not legally established their rights, machinery was provided in the "Special Cases" provision whereby they might make the same showing and thus preserve existing relationships. And because the Act was not intended to freeze all commerce in coal in its present mold, but within the standards thereof to allow normal development, and to include the benefits from the river improvements constantly being made at public expense, the second paragraph § 328.13 (iii) (a) of the "Special Cases" provision was inserted in order to provide at all times for application to any pertinent future development and to any consumer or retail dealer as nearly as possible the same standards for consideration of river coals as were applied in General Docket No. 15.[1]

[1] These provisions are set out in the Examiner's report and in the District 8 price schedule, and are not here reported.

Considering the requirements of the "Special Cases" provisions as applied to future developments, in the light of their origin and purpose, it appears that the following three general questions are presented:

(1) Is the consumer or retail dealer in question one which in the absence of established minimum f. o. b. mine prices and by virtue of some future development, (a) would have customarily purchased coal moving by river at such prices and under such conditions that the coal moving by river would not be competitive with coal of comparable[2] quality moving by rail, truck or ex-lake dock, or (b) would have regularly purchased coal moving by river at a savings over available prices of comparable coal moving by rail, truck or ex-lake dock?

(2) Are the coals for which relief is sought such as would move via river to the consumer or retail dealer in question?

(3) Assuming (1) and (2) are shown, shall use of minimum f. o. b. mine prices for free alongside delivery be subject to any conditions necessary to accomplish the objectives of the Act and maintain the prescribed minimum prices?

The "future development" here is proved beyond question and can be dismissed without discussion. Both the Director based on the earlier hearing and the Examiner later found that the improvement in the Mississippi River making possible the movement of barges northward from the Ohio River constitutes a "future development," and this was not challenged.

The Power Company is the type of customer which because of great bargaining power generally receives the savings from river transportation regardless of the treatment of other consumers. It finally established its right to use river prices for shipment from District 10 in 1940, purchases heavily from Illinois producers in barge lots, and has gone so far as to enlarge its river coal handling facilities in St. Paul. Although these factors in themselves might be sufficient to establish this customer's status under the "Special Cases" provision, the Examiner has further determined from study of the delivered values of the coals from Districts 7, 8 and 10 which are actually involved, that at river prices petitioner's coals will deliver to the Power Company for at least .08 cents per million B. t. u. less than comparable District 7 coals. This relationship he characterizes as "competitive," although he considers upon the whole record that it constitutes a saving which would have made this a prospective coal, to a customer eligible to purchase it at prices for free alongside delivery.

Petitioner's witness, a resident of St. Paul, testified that petitioner was organized for the purpose of mining coal and distributing it by river to the Twin Cities. Petitioner began operating in the spring of 1940 and by fall had sold 18,000 tons of 2" and 1½" screenings in the Twin Cities market. Petitioner leases barges and tow boats with their crews upon a long term basis and operates them to transport coal both from its own mines and from the mines of other producers in District 8. Petitioner's total cost of operation, including chartering of the barges and tugs and insurance, is $5.10 per ton round trip. In addition to transporting coal, petitioner has a contract to haul 15,000 tons of scrap iron from Minnesota to the Pittsburgh area at $2.25. There was evidence that notwithstanding certain competitive disadvantages, petitioner would be able to make return hauls of additional scrap tonnage. There also appears to be a demand for river transportation of other bulk commodities from Minnesota. On the basis of the return haul at $2.25 per ton plus the proposed transportation charge of $3.25 per ton for coal to Minneapolis, petitioner asserts that it would make 40 cents profit per round trip. Petitioner's witness testified that even if the coal were transported for $3.00 per ton the coal could be transported at a profit.[3] Petitioner's witness testified that the proposed transportation charge of $3.25 per ton from all points on the Kanawha River to the Twin Cities is a fair and reasonable one and, with a return load, is compensatory. He stated that with a full tow and with a return load petitioner could contract at such a price with numerous private carriers to perform the same service.

In this instance transportation by private or contract carrier appears to be more economical than similar transportation by common carrier. I know of no reason why the more economical method of transportation may not be used. The proposed rate of $3.25 appears to be a reasonable one and should be employed in computing the free alongside price. Basing computations on this price rather than on the higher common carrier rate used by the Examiner results in a delivered price of $5.08 per ton. On the basis of the average of 12,250 B. t. u. and handling charges of 28 cents per ton, both of which figures were employed by the Examiner, I find that petitioner's coal would deliver at the Power Company's plants for 20.73 cents per million B. t. u. or a theoretical saving of 0.9 cent per million B. t. u. over District 7 coals moving ex-lake dock. Under such circumstances the delivered price of $5.08 for these screenings cannot be considered "competitive" with the $5.525 delivered ex-lake dock price or the $6.80 all rail price for identical coals, within the meaning of the "Special Case" provisions of the Price Schedule. Moreover, although the Examiner considered the evidence with respect to the ex-river transportation charges to the larger St. Paul plant to be indefinite and vague, I find that due to recent construction of its dock and to the fact that petitioner performs its own unloading, the actual charges are considerably less than those employed in these calculations and made applicable to the Minneapolis plant. Such reduction in costs would represent a further saving to the Power Company.

District 8 coals are such as would move via river to the Power Company.[4] In the first hearing, testimony showed that the Power Company made preliminary analyses and burning tests to determine the coals suitable for use in its plant, then computed the B. t. u. valuation of suitable coals and purchased the coals showing the lowest cost, other factors being the same. The Power Company had tested a sample of petitioner's coal and had found it satisfactory at a proper price; it had also found satisfactory District 8 coals off the Duluth docks. Witness believed that in 1940 nearly ⅓ of its coal was taken via river from southern Illinois, and had a verbal understanding with officials of the Power Company that at a price of $5.08 (which I find proper) the Power Company would purchase his coal in competition with these Illinois coals which do not store as well. He did not sell coal to the Power Company in the past because shipping facilities were limited by river conditions.

At the second hearing it appeared that Illinois coal is less desirable than District 8 high volatile coal with respect to deterioration, freezing, and spontaneous combustion in storage. Consumption of coal has been increasing rapidly due to power demands of war industries; the St. Paul plant has been enlarged, and an 18-inch natural gas pipe line installed in order to insure constant fuel supply. A letter from the Power Company states that if sale at prices for free alongside delivery is allowed, use of various coals produced in District 8 will be considered, after test. The witness repeated the facts that the Power Company buys some District 8 coals shipped from Duluth, and that preliminary test of one car of petitioner's District 8 coal had shown it to be satisfactory.

In view of the above testimony, the widely varying characteristics of District 8 screenings and their reputation as steam coals, it appears too clear for doubt that in the absence of effective minimum prices the Power Company would have purchased some of them and probably those of petitioner.[5] The exceptions taken to the finding to that general effect should be overruled.

District Board 7 excepted to the Examiner's use of effective minimum prices as a factor in reaching the conclusion that petitioner's coals (and others of District 8) would deliver at a lower B. t. u. cost than District 7 coals. District Board 7 contends that it was error to

[2] "Comparable" as here used means, for example, suited to and susceptible of comparison for the purpose intended by the purchaser.

[3] There was evidence that in April 1942 in a commercial transaction petitioner charged $3.30 per ton for a total of 5,000 tons of coal produced by another operator and shipped from Huntington, West Virginia, to Minnesota.

[4] Failure to produce as a witness the Power Company's Manager of Supplies and Testing was explained, although it must be conceded that direct testimony of such person is much more valuable than the large amounts of hearsay with which it is frequently replaced.

[5] District 8 coals have already been priced for free alongside delivery, with proper equalization among themselves according to mine location.

base any conclusion, in part, upon the minimum prices, since the "future development" clause of the special cases provisions substantially provides that determinations thereunder are to be made "in the absence of established minimum f. o. b. mine prices." This contention is unsound. The character of consumer to whom relief shall be granted is one "who, in the absence of established minimum f. o. b. mine prices and by virtue of some future development, would have customarily purchased," etc., and this is established. It so happens in this case that the evidence shows that the established prices were about the same as open competition prices for the Minneapolis-St. Paul area. But, in any case, the future development and availability of supply of river coal took place after the effective date of minimum prices, in which situation those are the only "available prices" to be considered. The exception is not valid.

With respect to the transportation costs used by the Examiner in making his computations, District Board 7 excepts to the alleged failure to include cost of an originating truck movement from petitioner's mines to the common tipple at the river. This cost is absorbed in the minimum f. o. b. mine price established for petitioner's coals at the common tipple, which price was used by the examiner. The exception should be denied.

Exception is taken to the finding of the Examiner that free alongside prices should extend to coals of all producers in District 8, and to the proposed conclusion resulting therefrom. The evidence substantiates this finding as to all coals in Size Groups Nos. 20, 21, and 22, which are covered by the petition. Notice of and Order for Hearing, and testimony. Since there is no testimony regarding other than these screenings sizes, relief should be limited to them. To this extent the exception should be granted.

District Board 7 excepts to the consideration of quality and price relationships in the absence of a showing of analytical qualities of the various coals, and to an alleged failure to consider other than B. t. u. values of the comparable coals. Sufficient analytical data was furnished in view of the fact that acceptability by only one customer was involved and it had approved petitioner's coal and was purchasing others of District 8. The savings upon the B. t. u. basis as I have calculated them are so great as to make allowance for any probable differences of efficiency in combustion.

Exception is taken to the Examiner's conclusion that the establishment of f. a. s. prices for District 8 producers will not give the latter a competitive advantage over District No. 10 producers, but will establish the coordination that existed prior to the granting of f. a. s. prices to the Power Company from District No. 10 sources. I do not adopt this finding because, in my opinion, it is not necessary to the result and is not clearly established by the facts. The facts do, however, tend to show that the river coal from these two districts will be competitive at the Power Company if relief is granted, but not otherwise.

Exception is taken to the conclusion of the Examiner that District 8 coals moving by river would not be competitive with coal of comparable quality moving by rail, truck or ex-lake dock, and would have been purchased at a savings, when the Examiner had found these coals "competitive with District 7 coals ex-lake dock." Exceptants appear to conclude that such competition requires denial of relief.[6] I do not believe this is so. It is sufficient to establish one of the alternative conditions in order to justify the granting of relief. Although in General Docket No. 15 the conclusion of non-competition was sometimes drawn from the fact of large movements at a saving, I find that the conclusion here should be limited to a statement that the Power Company would have regularly purchased coal moving by river at a savings over comparable coals moving otherwise within the meaning of the "Special Cases" provision.

After a consideration of the record in this proceeding, I find that substantial evidence supports the Proposed Findings of Fact, and the Proposed Conclusions of Law of the Examiner except as herein noted and that the exceptions of District Boards 7 and 11 other than as herein noted, are not well taken and should be denied. I further find that the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner herein, except as otherwise noted, should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

In reaching a conclusion contrary to that reached by Director Gray in his findings of October 8, 1941, I have not departed from any policy announced by him; the changed conclusion is founded entirely upon evidence introduced at the reopened hearing both by way of supplement to and explanation of the evidence earlier introduced. The figures before the Director where such as not to prompt the conclusion that District 8 coal shipped by river would be purchased at a savings over comparable quality coal moving by rail or ex-lake dock; but the figures made available at the reopened hearing show otherwise. In the earlier hearing petitioners failed to demonstrate a need for the establishment of f. a. s. prices for District 8 coals for sale to the Power Company; at the reopened hearing further evidence was introduced showing the Power Company's interest in petitioners' coal if it were authorized to be sold on an f. a. s. basis. This is not to say that there is an assurance that the Power Company will buy such coal. I do not believe that Director Gray in his October 8 findings meant to indicate that the establishment of f. a. s. prices is dependent upon a showing that there is a guaranteed market for coal. Like the Examiner, I believe that it is sufficient in satisfaction of the "would have customarily purchased river borne coals" requirement of the "Special Cases" provision if it can be demonstrated that a customer eligible to accept f. a. s. deliveries (within the meaning of the "Special Cases" provision) has expressed an interest in particular coal and the producer is so located as to be able to ship such coal by river.

It is, therefore, ordered, That the exceptions of District Board 7 and District Board 11 to the Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations of the Examiner, be, and the same hereby are sustained to extent herein noted, and in all other respects denied.

It is further ordered, That the Proposed Findings of Fact and the Proposed Conclusions of Law, as herein modified, be and the same are hereby adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof the Schedule of Effective Minimum Prices for District No. 8, for All Shipments Except Truck, be and the same hereby is amended by adding to § 328.13 (a) (1) (iii) (b) (*Special prices—Prices for river (free alongside deliveries) and ex-river shipments—Special river price instructions and exceptions—Special cases*) the following:

The Northern States Power Company (for consumption at its Riverside Station Plant at Minneapolis, Minnesota, and its High Bridge Station Plant at St. Paul, Minnesota, limited to coals in Size Groups Nos. 20, 21, and 22.)

Dated August 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8342; Filed, August 26, 1942; 11:30 a. m.]

[Docket No. A-1590]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

HUSKY MINE

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for Change in the rail shipping point for the Husky Mine (Mine Index No. 109) in District No. 23.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting a change in the rail shipping point for the Husky Coal Mining Company's Husky Mine (Mine Index No. 109) located in Subdistrict "G" of District No. 23; and

It appearing that the coals of the Husky Mine have heretofore originated for rail shipment upon the Northern Pacific Railroad at Kanasket, Washington, in Freight Origin Group 11, whereas petitioner now requests that the rail shipping point for the Husky Mine be changed to Ravensdale, Washington, and that the coals of such mine be permitted to originate for rail shipment upon the Northern Pacific Railroad at Ravensdale, Washington, in Freight Origin Group 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, in § 343.4 (*Code member price index*) the rail shipping point of the Husky Coal Mining Company's Husky Mine (Mine Index No. 109) in Subdistrict "G" of District No. 23 is changed from Kanasket, Washington, on the Northern Pacific Railroad in Freight Origin Group 11 to Ravensdale, Washington, on the Northern Pacific Railroad, in Freight Origin Group 11.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: August 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8343; Filed, August 26, 1942; 11:31 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment No. 75, 2d ed.]

PART 622—CLASSIFICATION

CLASS IV—F: MORALLY UNFIT

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.61[1] to read as follows:

§ 622.61 *Class IV-F: Morally unfit.* In Class IV-F shall be placed every registrant who is found to be morally unfit. Unless the disqualification is waived by the Director of Selective Service, or the Secretary of War, or the Secretary of the Navy, a registrant shall be found to be morally unfit who:

(a) Has been discharged from the Army, Navy, Marine Corps, or Coast Guard with a form of discharge certificate other than honorable.

(b) Has been convicted of any of the following heinous crimes: Treason, murder, rape, kidnapping, arson, sodomy, pandering, any crime involving sex perversion, or any crime involving illegal dealing in narcotics or other habit-forming drugs.

(c) Has been convicted on two or more occasions of any offense (other than a conviction for an offense committed in violation of the Selective Training and Service Act of 1940, as amended, or the regulations prescribed or orders issued pursuant thereto) for which he could have been punished by death or confinement for a term exceeding 1 year in a penitentiary or prison.

(d) Is a chronic offender with pronounced criminal tendencies.

(e) Is being retained in the custody of any court of criminal jurisdiction or other civil authority. In the event such court or other civil authority releases such registrant from custody, upon final adjudication or otherwise, such registrant may be reclassified. A registrant shall be considered to have been released from custody by an order terminating such custody if and when the registrant is inducted or suspending such custody for the period of military service of the registrant, if inducted, either with or without credit for such period.

If a registrant is otherwise qualified for service and would be placed in Class I-A, except for the fact that he is being retained in the custody of a court of criminal jurisdiction or other civil authority, the local board shall place him in Class I-A and shall request the court or other civil authority to grant an order terminating such custody in order that the registrant may be inducted. In all such cases the registrant shall not be classified in Class IV-F unless and until the local board's request for an order terminating civil custody of the registrant is refused.

When the court or other civil authority grants an order terminating civil custody of the registrant, the local board must be furnished with at least one certified copy of such order. At the time the registrant is ordered to report for induction, the local board shall mail the certified copy of the order to the induction station commander with a letter of explanation so that the commander will have full knowledge of the situation before the induction date.

(f) Is found, irrespective of the foregoing provisions, to be morally unfit for military service.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register. (54 Stat. 885; 50 U.S.C. 301-318, inclusive; E.O. 8545, 5 F.R. 3779)

LEWIS B. HERSHEY,
Director.

AUGUST 25, 1942.

[F. R. Doc. 42-8354; Filed, August 26, 1942; 11:45 a. m.]

[Order No. 52]

POWELLSVILLE PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Powellsville Project to be work of national importance, to be known as Civilian Public Service Camp No. 52. Said camp, located at Powellsville, Wicomico County, Maryland, will be the base of operations for soil conservation work in the State of Maryland, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 52 will consist of the provision of labor for rehabilitation work on existing drainage systems thereby increasing the production of food crops; also for the maintenance of a fire fighting unit for the protection of a forest area, and shall be under the technical direction of the Soil Conservation Service of the Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

AUGUST 25, 1942.

[F. R. Doc. 42-8353; Filed, August 26, 1942; 11:46 a. m.]

[No. 112]

APPLICATION FOR IMMEDIATE CLASSIFICATION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and

[6] It is regretted that the Examiner failed to elaborate on or explain the apparent confusion arising from this conclusion that in the absence of minimum prices the Power Company would have purchased District 8 coals moving by river at such prices and under such conditions that such coal moving by river would not be competitive with coal of comparable quality moving otherwise when he found that District 8 river shipped coals and District 7 rail or ex-lake dock coals would be competitive at the Power Company's plant.

[1] 6 F.R. 6610.

the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 191, entitled "Application for Immediate Classification," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 1, 1942.

[F. R. Doc. 42-8355; Filed, August 26, 1942; 11:46 a. m.]

[No. 113]

EMPLOYMENT REGISTRATION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 327, entitled "Employment Registration," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 31, 1942.

[F. R. Doc. 42-8356; Filed, August 26, 1942; 11:46 a. m.]

[No. 114]

REPORT OF DISCHARGE OR SEPARATION FROM ACTIVE SERVICE

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Discontinuance of DSS Form 173, entitled "Report of Discharge or Separation From Active Service," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing discontinuance shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 25, 1942.

[F. R. Doc. 42-8357; Filed, August 26, 1942; 11:45 a. m.]

[1] Filed as part of the original document.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1072—SOLE LEATHER

[Supplementary Order M-80-b]

MANUFACTURERS BENDS

§ 1072.3 *Supplementary Order M-80-b.* Pursuant to paragraph (b) (1) of Order M-80 as amended to August 5, 1942,[1] which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during the period from September 1, 1942, to September 30, 1942, inclusive, at least 15% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. Of this portion set aside not less than 70% nor more than 75% shall consist of bends of eight iron and up, and the quality of said portion set aside shall be proportionately equal, as nearly as can be, to that of the manufacturers bends not so set aside.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8347; Filed, August 26, 1942; 11:42 a. m.]

PART 1074—VITAMIN A

[General Limitation Order L-40, as Amended August 26, 1942]

Section 1074.1 *General Limitation Order L-40*[2] is hereby amended to read as follows:

§ 1074.1 *General Limitation Order L-40*—(a) *Definitions.* For the purposes of this order:

(1) "Vitamin A" shall include Vitamin A and its "pro-vitamins" such as carotenes and cryptoxanthin derived from plant, animal, fish or marine animal sources.

(2) "Fish liver oils" shall mean oils containing Vitamin A derived, extracted, or processed from livers of the cod, shark, halibut, or other fish.

(3) "Feed" shall mean natural or artificial feedstuffs or rations or other substances intended for poultry, cattle, furbearing or other animals, as a complete ration, or as a component of, or in reinforcement of, other diets.

(b) *General restrictions.* (1) Except as provided in paragraph (b) (2) of this order, no person shall, on or after April 10, 1942, manufacture any preparation represented to contain more than 5,000 U. S. P. XI units of Vitamin A in the largest daily dosage recommended by the manufacturer or seller for adult use.

(2) The restrictions of paragraph (b) (1) of this order shall not apply to the manufacture of preparations represented to contain 25,000 or more U. S. P. XI units of Vitamin A in the smallest daily dosage recommended by the manufacturer or seller for adult use; and the restrictions of paragraph (b) (1) of this order shall not apply to the manufacture of preparations recognized in the U. S. P. or N. F.

(3) Except as provided in paragraph (b) (4) of this order, no person shall manufacture or prepare feeds, which, in the form recommended by the manufacturer or seller to be consumed, contain more than 2,000 U. S. P. XI units of Vitamin A supplied by fish liver oils or other fish oils per pound of total ration; except that for all turkey feeds and poultry breeding feeds the limitation shall be 3,000 U. S. P. XI units of Vitamin A supplied by fish liver oils or other fish oils per pound of total ration.

(4) The restrictions of paragraph (b) (3) of this order shall not apply to stocks of fish liver oils or other fish oils, which, on February 10, 1942, were in the hands of, or in transit to, or blended and held in stock for the account of, persons who have purchased such oil for use by them as one of the ingredients of their manufactured feeds; nor shall the restrictions of paragraph (b) (3) of this order apply to any person who mixes or prepares feeds which are consumed by his own poultry or animals.

(c) *Applicability of General Preference Order M-71, as amended.* All sales, purchases, and deliveries of fish liver oils and other fish oils shall continue to be subject to the provisions and restrictions of General Preference Order M-71, as amended from time to time.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in his community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram setting forth the pertinent facts and the reasons why he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to, "War Production Board, Health Supplies Branch, Washington, D. C. Ref.: L-40" (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8351; Filed August 26, 1942; 11:41 a. m.]

[1] 7 F.R. 6076.
[2] 7 F.R. 926, 2765.

PART 1173—RUBBER YARN AND ELASTIC THREAD

[Conservation Order M-124 as Amended August 26, 1942]

Section 1173.1 *Conservation Order M-124* is hereby amended to read as follows:

§ 1173.1 *Conservation Order M-124*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Restrictions on use and delivery.* No person shall knit, weave or otherwise process or use, sell, deliver, purchase, order or accept any rubber yarn, latex yarn or elastic thread except:

(1) To be incorporated into products required to be delivered under actual orders or contracts with:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, and the Office of Scientific Research and Development;

(ii) Any agency of the United States Government for delivery to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided, however,* That such yarn or thread shall be used only to the minimum extent necessary to comply with the specifications of the prime contract involved and that any rubber yarn, latex yarn, or elastic thread in the inventory or under the control of any person now or hereafter holding such order or contract not consumed in the performance thereof shall be reported immediately to the War Production Board.

(2) For sale and delivery by or to the Defense Supplies Corporation or its representatives.

(3) Any rubber yarn, latex yarn or elastic thread in a retail merchant's stock as such.

(c) *Reports.* Each person, other than the Defense Supplies Corporation or its representatives, shall report immediately to the War Production Board the total poundage, manufacturer's style number, core size and kind of covering of each item of rubber yarn, latex yarn, or elastic thread in his inventory or under his control, except such yarn or thread which on March 29, 1942, was in a retail merchant's stock as such.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons why he considers himself entitled to relief. The Director General for Operations may thereupon take such action as is deemed appropriate.

(e) *Communications.* All reports required to be filed under, and all communications concerning, this order shall be addressed to; War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M-124.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Effective date.* This order shall take effect immediately except that paragraph (b) shall take effect September 9, 1942, as to rubber yarn, latex yarn or elastic thread for industrial inhalators, respirators, hose masks, gas masks, goggles and shoes, and surgical stockings, artificial limbs and surgical elastic bandage for joints. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8346; Filed, August 26, 1942; 11:41 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Interpretation 1 of Supplementary General Limitation Order L-97-a-1]

The following official interpretation is hereby issued with respect to *Supplementary General Limitation Order L-97-a-1*[1] (§ 1188.3):

A railroad which produces or repairs railroad equipment shall be deemed to be engaged in the same business as a producer of railroad cars within the meaning of paragraph (c) (2) (iii) of Priorities Regulation No. 13 which permits a special sale "by a producer to another producer engaged in the same business as the seller, but only if an order of the Director applicable generally to persons engaged in such business expressly permits such a sale." Accordingly, sales to such a railroad are permitted to the extent and upon the conditions specified in Supplementary General Limitation Order No. L-97-a-1 as amended. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8349; Filed, August 26, 1942; 11:41 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[Amendment 6 to General Inventory Order M-161]

SILICATE OF SODA

Section 1255.1 *General Inventory Order M-161*[2] is hereby further amended by adding to the materials listed on Schedule A attached to said order the following:

Silicate of soda.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8350; Filed, August 26, 1942; 11:42 a. m.]

PART 1279—ELASTIC FABRICS, KNITTED, WOVEN OR BRAIDED

[Conservation Order M-174 as Amended August 26, 1942]

Section 1279.1 *Conservation Order M-174* is hereby amended to read as follows:

§ 1279.1 *Conservation Order M-174*—(a) *Definition of elastic fabric.* For the

[1] 7 F.R. 3152, 3574, 4031, 4205.
[2] 7 F.R. 4174, 4778, 4779, 5663, 5985, 6208.

purposes of this order, "elastic fabric" shall mean any fabric knitted, woven or braided containing bare rubber core or covered rubber thread, six inches in width or less of any quality or in any condition whatsoever.

(b) *Restrictions on use and delivery.* Notwithstanding the provisions of any other conservation or limitation order, no person shall process, cut, change the form of, attach, sew on, sell, deliver, purchase or accept any elastic fabric except to fill actual orders or contracts with

(1) The Defense Supplies Corporation or its representatives;

(2) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development;

(3) Any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act): *Provided, however,* That the Director General for Operations may specifically authorize the processing and delivery of elastic fabric for such other products and purposes as in his judgment may be necessary to promote the national defense and public interest.

(c) *Submission of samples.* Each person, except the Governments, departments and agencies described in paragraph (b), possessing any elastic fabric shall immediately submit to the Allocations and Appeals Section of the Textile, Clothing and Leather Branch, War Production Board, Washington, D. C., Reference M–174, a sample not less than three feet long of each construction, width and color of elastic fabric in his inventory or under his control together with a statement showing the cost price, total quantity, and the portion thereof required to fill actual orders or contracts with said Governments, departments and agencies, of each such construction, width and color of elastic fabric.

(d) *General exceptions.* The provisions of paragraphs (b) and (c) shall not apply to

(1) Any elastic fabrics which, on or before the opening of business on June 20, 1942, were already packaged in the customary retail packaging of such fabrics, where such packaging differs in both put-up and amount of fabric from the packaging of the same fabric for distribution to processors, manufacturers, or any persons other than retail distributors or persons selling to retail distributors;

(2) Any elastic fabric heretofore specifically released, after application or appeal, by the Director General for Operations or his predecessor.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal by letter to the War Production Board, setting forth the pertinent facts and reasons why he considers himself entitled to relief, provided he complies with paragraph (c) of the order if subject thereto. The War Production Board may thereupon take such action as is deemed appropriate.

(f) *Reports.* Each person participating in any transaction involving elastic fabric shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(g) *Communications.* All reports required to be filed under, and all communications concerning, this order shall be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M–174.

(h) *Records.* Each person participating in any transaction involving elastic fabric shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production, sales and transactions of such material.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(k) *Violations.* Any person who wilfully violates any provision of the order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Effective date.* This order shall take effect immediately except that paragraph (b) shall take effect September 9, 1942 as to elastic fabric for industrial inhalators, respirators, hose masks, gas masks, goggles and shoes, and surgical stockings, artificial limbs and surgical elastic bandage for joints. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8345; Filed, August 26, 1942; 11:41 a. m.]

PART 3054—CATTLE TAIL HAIR

[General Conservation Order M–210]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cattle tail hairs for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3054.1 *General Conservation Order M–210*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order "cattle tail hair" means the hair clipped or otherwise removed from the tails or switches of cattle, including calves and oxen, whether imported or domestic, new or reclaimed, of original color or dyed, washed or unwashed, and includes all such hair mixed in combination with other hair or fiber in any percentage which is not physically incorporated into any product, but does not include used hair unless and until it has been reclaimed.

(c) *Restrictions on sales and use.* Except as provided in paragraph (d) below, no person shall, after the effective date of this order, sell or deliver, or purchase or accept delivery of, or process or use, any cattle tail hair.

(d) *Exceptions to restrictions.* The restrictions imposed by paragraph (c) above shall not apply to:

(1) The processing or use of cattle tail hair in the manufacture of products to be delivered under orders placed by, or contracts held by any person with, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(2) Sales and deliveries of cattle tail hair to be physically incorporated into products to be delivered under orders placed by, or contracts held by any person with, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, *provided,* however, that no person shall make any such sale or delivery of any cattle tail hair unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of section 35 (A) of the United States Criminal Code (18 U. S. C. A. 80) that the cattle tail hair to be delivered on the annexed purchase order will be physically incorporated into products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, or will be resold for such purpose.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cattle tail hair conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, reference M–210, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of Priorities assistance.

(g) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: M–210.

(h) *Effective date.* This order shall take effect on September 2, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8348; Filed, August 26, 1942; 11:42 a. m.]

Chapter XI—Office of Price Administration

PART 1336—RADIO, X-RAY, AND COMMUNICATION APPARATUS

[Correction to Amendment 2 to Revised Price Schedule 84 [1]]

RADIO RECEIVER AND PHONOGRAPH PARTS

In § 1336.101 (d) the words "the period from October 1 to October 15, 1942," are corrected to read "the period from October 1 to October 15, 1941."

§ 1336.110a *Effective dates of amendments.* * * *

(d) Correction (§ 1336.101 (d)) to Amendment No. 2 to Revised Price Schedule No. 84 shall become effective August 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8314; Filed, August 25, 1942; 12:02 p. m.]

[1] 7 F.R. 1362, 1836, 2000, 2132, 2169, 2303, 2512, 2543, 3821.

PART 1337—RAYON

[Amendment 3 to Revised Price Schedule 23, as Amended]

RAYON GREY GOODS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1337.11 is amended as set forth below:

§ 1337.11 *Definitions.* (a) * * *

(3) "Rayon grey goods" means a fabric manufactured from chemically produced fibers made from cellulose or with a cellulose base, woven but not printed, dyed or finished, and

(i) Shall include any fabric which shall be constructed in any one of the following manners:

(*a*) Any fabric so constructed that 80 per cent or more of its ends by count in the warp shall consist of rayon;

(*b*) Any fabric so constructed that 80 per cent or more of its picks by count in the filling shall consist of rayon;

(*c*) Any fabric constructed with a plied yarn in the warp and the filling where one of the threads in the ply used in the warp and the filling is rayon yarn, even though the total weight content of the rayon is less than 50 per cent of the total weight of the fabric; and

(*d*) Any fabric so constructed that 50 per cent or more of its total weight content is composed of rayon except for fabrics containing 25 per cent or more of wool that are woven on a woolen loom.

(ii) And shall not include the following:

(*a*) Any woven decorative fabric which is customarily used for furniture coverings, draperies, furniture or automobile slip-covers or bedspreads and for which maximum prices are established by Maximum Price Regulation No. 39 [1]—Woven Decorative Fabrics.

* * * * *

§ 1337.12a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1337.11 (a) (3)) to Revised Price Schedule No. 23, as amended, shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8315; Filed, August 25, 1942; 12:04 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5243, 5512.

PART 1389—APPAREL

[Amendment 1 to Maximum Price Regulation 178 [1]]

WOMEN'S FUR GARMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1389.152, paragraph (a) is amended and new paragraph (c) is added, in § 1389.153, the text and paragraphs (a) and (c) are amended and new paragraphs (d) and (e) are added, § 1389.154 is amended, in § 1389.158, paragraph (b) is amended, in § 1389.159, the headnote is amended and a new paragraph (c) is added, in § 1389.160, in paragraph (a), a new subparagraph (5) is added and in paragraph (c), the caption is amended, § 1389.161 is amended, in § 1389.165, in paragraph (a), in subparagraph (2), subdivision (i) is amended and a new subdivision (vii) is added, subparagraphs (9) and (10) are amended, and new subparagraphs (10a) and (15) are added, a new § 1389.166a is added, as set forth below:

§ 1389.152 *Maximum prices for sales of women's fur garments by wholesalers and retailers.* (a) The maximum prices for the sale of any women's fur garment by wholesalers or retailers, except as provided in paragraphs (b) and (c) of this section, shall be the sum of:

(1) The cost to the seller of the garment being priced, and

(2) The seller's initial percentage markup over cost on the same classification of garment of the same kind of skin, (i) *by sellers at wholesale,* during the months of June, July and August, 1941, inclusive; (ii) *by sellers at retail,* during the months of July to December 1941, inclusive: *Provided,* That in no event shall the maximum price be higher than the highest price charged by the seller for the same category of women's fur garment delivered during the period mentioned in (i) or (ii) of this paragraph, if the seller made such delivery; or if he made no such delivery, then the highest initial offering price at which he offered for sale, the same category of women's fur garment during the aforementioned period.

* * * * * *

(c) Any wholesaler or retailer who had unconditionally purchased any women's fur garments on or before July 10, 1942, may sell, deliver and offer for sale such women's fur garments at a maximum price determined, by adding the cost to the seller of the garment being priced, to the seller's initial percentage markup over cost on that classification

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5277.

of garment and kind of skin, on which he has established the lowest initial percentage markup under paragraph (a) hereof: *Provided*, That only those garments unconditionally purchased on or before July 10, 1942, may be sold, delivered and offered for sale at maximum prices established pursuant to this paragraph: *Provided further*, That before offering any such women's fur garments for sale, he shall file under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration, a statement setting forth the following:

(1) The name and address of the seller,

(2) The number and description of such women's fur garments, and the name of the supplier of each garment,

(3) Date of purchase of each garment,

(4) Cost to the seller of each garment,

(5) A description of the classification of each garment and the kind of skin on which the seller had the lowest initial percentage markup over cost during the base period, amount of such markup, and

(6) The selling price of each garment.

§ 1389.153 *Maximum prices for sales of women's fur garments by a manufacturer.* Except as provided in paragraph (b) of this section, the maximum price for the sale of any women's fur garment by a manufacturer shall be:

(a) *On sales to wholesalers and retailers.* The sum of:

(1) The direct cost of the garment to the manufacturer, and

(2) The same percentage margin over direct cost received by the manufacturer upon the sale of the same classification of women's fur garment of the same kind of skin, which was delivered to wholesalers and retailers in June, July and August, 1942: *Provided*, That in no event shall the maximum price be higher than the highest price charged by the seller for the same category of women's fur garment delivered during the months of June, July and August, 1941, to wholesalers and retailers:

• • • • • •

(c) *On sales at retail by manufacturers*, the maximum selling prices established pursuant to paragraph (a) or (b) of this section may be increased by an amount not exceeding 20%.

(d) *On sales at retail by manufacturing retailers*, the sum of the direct cost to the seller of the garment being priced and the same percentage margin over direct cost received by the seller upon the sale of the same classification of women's fur garments of the same kind of skin, which was delivered in the months of July to December 1941, inclusive: *Provided*, That in no event shall the maximum price be higher than the highest price charged by the seller for the same category of women's fur garment delivered during the months of July to December 1941, inclusive.

(e) Upon the sale of a woman's fur coat, where a muslin pattern is required and is made especially for the purchaser and at his request, a manufacturer may add an amount not exceeding $15 to the maximum price established pursuant to paragraph (a), (c) or (d) of this section.

§ 1389.154 *Maximum prices for women's fur garments which cannot be priced under §§ 1389.152 and 1389.153.* The seller's maximum price for women's fur garments which cannot be priced under § 1389.152 or § 1389.153 shall be a maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 178. Such price shall be a price determined by the seller after specific authorization from the Office of Price Administration, as follows:

(a) A retailer or a manufacturing retailer, who did not sell women's fur garments prior to January 1, 1942, or who has since January 1, 1942, but prior to July 10, 1942, substantially expanded his establishment selling at retail, shall file in duplicate an application under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration, setting forth the following:

(1) A description of each garment for which a maximum price is sought, and its cost to the seller;

(2) The name and address of one of his most closely competitive sellers of the same class;

(3) For each garment, the maximum price established by such competitor for the same garment or the similar garment most nearly like it of the same category; and

(4) Such other information as the Office of Price Administration may deem necessary.

If such authorization be given, it will be accompanied by instructions as to the method of determining the maximum price. Within ten days after such price has been determined, the seller shall report such price to the Office of Price Administration upon a form duly filled out under oath or affirmation which will be furnished to him. The price so reported shall be subject to adjustment by the Office of Price Administration.

(b) All other sellers who seek an authorization to determine their maximum prices under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., an application setting forth:

(1) A description in detail of the commodity for which the maximum price is sought;

(2) A statement of the reasons why they cannot price this garment under § 1389.152 or § 1389.153; and

(3) Such other information as the Office of Price Administration may deem necessary.

If such authorization be given, it will be accompanied by instructions as to the method of determining the maximum price. Within ten days after such price has been determined, the seller shall report such price to the Office of Price Administration upon a form duly filled out and filed under oath or affirmation, which will be furnished him. The price so reported shall be subject to adjustment by the Office of Price Administration.

• • • • • •

§ 1389.158 *Applicability of the General Maximum Price Regulation.* • • •

(b) The provisions of § 1499.4 *Supplemental Regulations*, § 1499.5 *Transfers of business or stock in trade*, § 1499.15 *Registration*, § 1499.16 *Licensing*, and § 1499.18 *Applications for adjustment*, § 1499.4a *Determination of maximum prices by sellers at retail operating more than one retail establishment*, of the General Maximum Price Regulation[1] and any amendments to any of the foregoing shall apply to all sales for which maximum prices are established by this Maximum Price Regulation No. 178 and to all persons making such sales. References in § 1499.18 of the General Maximum Price Regulation[1] to §§ 1499.2 and 1499.3 thereof, for the purposes of this Maximum Price Regulation No. 178 shall be deemed to refer to §§ 1389.152, 1389.153, and 1389.154.

• • • • • •

§ 1389.159 *Invoices, sales slips, and receipts; notification and disclosure to retailers.* • • •

(c) Every person delivering a woman's fur garment to any purchaser for sale at retail shall within ten days of the first delivery to said purchaser after August 26, 1942, supply such purchaser with the text of §§ 1389.152, 1389.154, 1389.156, 1389.157, 1389.159 (a), 1389.160 (c), 1389.165 (a) (1), (2), (3), (4), (5), (8), (9), (11), (14), and 1389.167: *Provided*, That if such first delivery is made prior to August 26, 1942, the text of such section may be supplied within ten days after August 26, 1942.

• • • • • •

§ 1389.160 *Records.* • • • • •

(a) *As to manufacturers.* • • •

(5) Every manufacturer shall prepare on or before September 15, 1942, on the basis of all available information and records, and keep for the inspection of the Office of Price Administration a statement showing:

(i) Each category of each classification of women's fur garment (in the detail prescribed by § 1389.165 (a) (3)) delivered during the months of June, July and August, 1941, and the highest price received for each such category;

(ii) Each classification of women's fur garment and each kind of skin delivered by the seller during June, July and August 1941, and the percentage margin, as defined in § 1389.165 (a) (13), received by the seller for each classification of women's fur garment and each kind of skin.

• • • • • •

(c) *As to retailers and manufacturing retailers.* • • •

§ 1389.161 *Reports.* There shall be submitted to the Office of Price Administration such reports as it may from time to time require.

[1] *Supra* note 1.

§ 1389.165 *Definitions.* (a) • • •

(2) • • •

(i) Jackets and capes under 32 inches in length.

• • • • • •

(vii) Women's fur hats of which the entire external part is completely made of furs.

• • • • • •

(9) "Initial percentage markup" shall be determined by the following procedure:

(i) From the total of all the selling prices at which each separate purchase of each classification of garment of each kind of skin was first offered for sale during the applicable base period, there shall be subtracted:

(ii) The total of the cost to the seller of those garments, and

(iii) The remainder thus obtained shall be divided by the total of the cost to the seller as determined in (ii) of this paragraph;

(10) "Manufacturer" shall include any person who fabricates a woman's fur garment from skins owned by him, except a manufacturing retailer;

(10a) "Manufacturing retailer" shall include any manufacturer who customarily sells more than 75% of his output at retail and maintains an establishment selling at retail;

• • • • • •

(15) "Seller" means a seller of women's fur garments. For the purposes of this section where a seller during his last selling season made sales through separate departments or separate units, each separate department and each separate unit or place of business shall be deemed to be a separate seller.

• • • • • •

§ 1389.166a *Effective dates of amendments.* (a) Amendment No. 1, (§ 1389.152 (a) and (c), § 1389.153 (a), (c), (d) and (e), § 1389.154, § 1389.158 (b), § 1389.159 (c), § 1389.160 (a) (5) and (c), § 1389.161, § 1389.165 (a) (2) (i), (vii), (a) (9), (10), (10a), (15)) to Maximum Price Regulation No. 178 shall become effective August 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8316; Filed, August 25, 1942; 12:01 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[Amendment 4 to Revised Rationing Order 4[1]]

NEW AND USED TYPEWRITERS

Amended: §§ 1398.101, 1398.104 (a) and (c), 1398.110 (g).

Added: §§ 1398.102 (a) (8), 1398.104 (a) (1), (a) (2), (a) (3), and (b) (1), 1398.110 (j).

§ 1398.101 *Restrictions of sales and deliveries of typewriters.* On and after August 29, 1942, regardless of any contract of sale, contract to sell, agreement, lease or other obligation, no person shall sell or deliver a typewriter, or offer to sell or deliver a typewriter, and no person shall buy or receive a typewriter, or offer to buy or receive a typewriter, except in accordance with the provisions of §§ 1398.102, 1398.103, 1398.104 and 1398.105. No manufacturer, wholesaler, or dealer shall divert to his use any typewriter from his stock carried for resale or rental, except in accordance with the provisions for receipt, purchase, or rental of typewriters in §§1398.103, 1398.104 and 1398.105.

Provided, however, That nothing in this section shall be deemed to prohibit or regulate the sale or delivery of any typewriter manufactured prior to January 1, 1915; or of any of the following makes of typewriters: Blickensderfer, Oliver, Barlock, Pittsburgh Visible, Fox, Harris, Rex, Demountable, Emerson, Fay Sholes, Hammond, Sholes Visible, Victor, Wellington, Barr-Morse; or of any model of "stripped" portable typewriter on which the seller's retail selling price, exclusive of Federal excise tax, is $40.00 or less, and which lacks any one or more of the following features: four rows of keys, upper and lower case type, two-color ribbon device, variable line spacer, right and left hand margin stops, and back spacer.

§ 1398.102 *Persons eligible to receive typewriters without application*—(a) *New typewriters.* • • •

(8) The Procurement Division of the Treasury Department for the agencies of the federal government within the applicable quota assigned: *Provided*, That purchases for government agencies other than the Army, Navy, or Maritime Commission shall require the prior approval of the Director of Industry Operations of the War Production Board pursuant to application made to the Bureau of Governmental Requirements of the War Production Board. Any person who sells or delivers a typewriter in exchange for a purchase order issued by the Procurement Division of the Treasury Department shall retain a copy of such order in accordance with § 1398.107.

• • • • • •

§ 1398.104 *Rental of typewriters*—(a) *Limitations on rentals.* On and after August 29, 1942, the following typewriters shall not be rented, leased, or loaned: new non-portable typewriters; new portable typewriters, except "stripped" portables released for unrestricted sale pursuant to § 1398.101; and used non-portable typewriters manufactured after January 1, 1935. No person shall rent, lease, or lend any other typewriter to another person, or renew a rental, lease, or loan of any typewriter to another person, except as provided in subparagraphs (1), (2), and (3) of this paragraph. *Provided*, That any person who is eligible to buy or receive a typewriter without application pursuant to § 1398.102, or any person, in exchange for an Authorization issued pursuant to § 1398.102 or certificate issued pursuant to §§ 1398.103 and 1398.105 for the purchase of a typewriter, may buy, receive, or lease such typewriter, whenever manufactured, under any form of agreement, including, but not limited to, a lease with option to purchase or rental credit provision.

(1) *Rental of typewriters regardless of eligibility to buy.* Any person may rent, lease, or borrow from any other person any used non-portable typewriter manufactured prior to January 1, 1935, or any used portable typewriter.

(2) *Lease, rental, and loan periods.* A lease, rental, or loan under this section may be made for a period not to exceed three months, and may be renewed only at the expiration of each rental period for an additional period not to exceed three months.

(3) *Terms and provisions of leases, rentals and loans.* No rental fee shall be charged or accepted in advance for a period exceeding three months. No rental, lease, or loan made under the provisions of subparagraph (1) of this section shall contain an option to purchase or any provision to credit rentals, deposits, or other sums paid toward the purchase price of the rented typewriter. This provision shall not be construed to prevent parties to a typewriter rental agreement, upon the purchase of the rented typewriter pursuant to § 1398.102, or in exchange for a Certificate issued pursuant to § 1398.103 (a) or (b), or after the typewriter has been released for unrestricted sale by the Office of Price Administration, from crediting previously paid rentals toward the purchase price of the typewriter.

(b) • • •

(1) *Recapture of used non-portable typewriters manufactured since January 1, 1935.* On or before September 15, 1942, all rentals, leases, bailments for use, licenses, hirings, or loans of non-portable typewriters manufactured after January 1, 1935 shall be canceled or revoked by the lessors, bailors, licensors, or lenders, as the case may be, and the typewriters recaptured or repossessed. On or before September 15, 1942, all persons in possession of such typewriters shall return, deliver, or surrender such typewriters to their lessors, bailors, licensors, or lenders, as the case may be. Any dealer, wholesaler or manufacturer, or other person who fails to secure the repossession or return of any such typewriter shall, not later than September 22, 1942, give notice thereof in writing, addressed to State Director, Office of Price Administration, specifying the name and address of the lessee, bailee, licensee, or borrower; the date of original delivery of the typewriter to him; the model, make, and serial number of the typewriter; and the efforts made to secure the return of the typewriter.

Provided, That any person, in exchange for an Authorization issued by the War Production Board pursuant to § 1398.102 or a certificate issued by a Local Board pursuant to §§ 1398.103 (a) and 1398.105, may retain upon rental the number of non-portable typewriters manufactured after January 1, 1935, specified in such authorization or certificate; and any wholesaler, dealer, or manufacturer may retain as lessee any non-portable typewriter manufactured after January 1, 1935 which he holds on lease or rental.

[1] 7 F.R. 2317, 2792, 4179, 5188.

(c) *Rental-credit provisions and options to purchase.* Any rental-credit provision (or other provision for crediting rentals paid toward the purchase price of a rented typewriter) or option to purchase contained in an agreement for the rental of a typewriter made prior to March 6, 1942, which rental-credit provision or option was not prior to March 6, 1942, invoked or exercised in writing by the lessee, shall be enforceable only upon presentation of an Authorization or Certification issued pursuant to § 1398.102, or §§ 1398.103 and 1398.105.

* * * * * * *

§ 1398.110 *Definitions.* When used in the Revised Rationing Order No. 4, the term:

* * * * * * *

(g) "Typewriter", unless expressly otherwise stated, includes non-portable typewriters (including noiseless and electric types), and portable typewriters. The term shall not include continuous forms handling machines having carbon paper handling devices constructed as an integral part of the machine; shorthand writing machines; telegraphically controlled typewriters; Braille typewriters; toy typewriters; linotype machines or monotype machines.

* * * * * * *

(j) "Board", "Local Board", or "Local Rationing Board" means a War Price and Rationing Board.

* * * * * * *

§ 1398.112 *Effective dates of amendments.* * * *

(d) Amendment No. 4, (§§ 1398.101, 1398.102 (a) (8), 1398.104 (a), (a) (1), (a) (2), (a) (3), (b) (1), (c), 1398.110 (g), (j)) to Revised Rationing Order No. 4 shall become effective August 29, 1942.

(Pub. Law 421, 77th Cong. WPB Directive No. 1, Supplementary Directive No. 1D, and Conversion Order No. L–54–a, 7 F.R. 562, 7 F.R. 1792, 7 F.R. 2130.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8317; Filed, August 25, 1942; 12:04 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 2 to Maximum Price Regulation 39 [1]]

WOVEN DECORATIVE FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A table of contents is added following the preamble, in § 1400.155, paragraph (b) is amended, in § 1400.160, a new paragraph (c) is added, and in § 1400.161, paragraph (a) (4) is amended and a new paragraph (a) (9) is added as set forth below:

Sec.
1400.151 Prohibition against dealing in woven decorative fabrics at prices above the maximum.
1400.152 Less than the maximum prices.
1400.153 Adjustable pricing.
1400.154 Export sales.
1400.155 Exempt sales.
1400.156 Limitation of new constructions sold, transferred or delivered by manufacturers.
1400.157 Reports and records.
1400.158 Evasion.
1400.159 Enforcement.
1400.160 Petitions for amendment and adjustment.
1400.161 Definitions.
1400.162 Effective date.
1400.163 Appendix A: Maximum prices for sales by manufacturers.
1400.164 Appendix B: Maximum prices for sales by persons other than manufacturers.

AUTHORITY: §§ 1400.151 to 1400.164 issued under Pub. Law 421, 77th Cong.

* * * * * * *

§ 1400.155 *Exempt sales.* * * *

(b) Sales and deliveries of printed woven decorative fabrics when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941 and March 31, 1942 was in fabrics selling at a price of less than 35 cents per yard.

* * * * * * *

§ 1400.160 *Petitions for amendment and adjustment.* * * *

(c) A manufacturer who is prepared to show that:

(1) He has maintained prior to July 13, 1942 a cut length sales department separate from his manufacturing business, and

(2) That his maximum prices for sales of woven decorative fabrics by this department as determined in accordance with § 1400.163 subject the department to substantial hardship, may file a petition for the adjustment of his maximum prices for sales by such department. Such a petition shall be filed in accordance with Procedural Regulation No. 1 [2] and shall contain, in addition to the evidence required above, a statement of the reasons why the petitioner believes that the granting of relief in his case will not defeat or impair the purposes of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 39.

§ 1400.161 *Definitions.* * * *

(4) "Woven decorative fabrics" means any finished textile fabric (i) woven on a loom (ii) composed of such fibers as cotton, silk, wool, mohair, synthetic fibers or any mixtures of the foregoing fibers, and (iii) customarily used for furniture coverings, draperies, furniture or automobile slip covers or bedspreads: *Provided*, That the term shall not include bedspread fabrics for which maximum prices are established by Maximum Price Regulation No. 118.[3]

* * * * * * *

(9) "Cut length sales department" means a department or branch operated by a woven decorative fabric manufacturer, the principal business of which consists of selling woven decorative fabrics in cut lengths of specified yardage to interior decorators.

§ 1400.162a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1400.155, §§ 1400.160 and 1400.161) to Maximum Price Regulation No. 39 shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8318; Filed, August 25, 1942; 12:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 9 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

STORAGE OF PEANUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (9) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * * * *

(9) *Warehouse services incident to storage of peanuts performed for the United States Government or any agency thereof.* Maximum prices for the storage and warehousing of peanuts and for services incident thereto shall continue to be determined under the provisions of the General Maximum Price Regulation, except that the maximum prices for the following services, when performed for the United States Government or any agency thereof, shall be as follows:

	Cents per ton
Loading in warehouses	75
Loading out of warehouses	75

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5243, 5512.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

[3] 7 F.R. 705, 3038, 3211, 3822, 3576, 3624, 3905, 4405, 5224, 5405, 5445, 5567, 5836, 6005.

(b) Effective dates. * * *

(10) Amendment No. 9 (§ 1499.73 (a) (9)) to Supplementary Regulation No. 14 shall become effective August 31, 1942. (Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8319; Filed, August 25, 1942; 12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 10 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

FINE GRANULATED SUGAR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (10) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * * *

(10) *Sugar.* (i) The maximum price for fine granulated sugar sold at retail in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Delaware, shall be the higher of the following:

(*a*) The seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation;

(*b*) 6½¢ per pound, except that where such maximum price, when applied to the sale of a particular quantity, results in a total selling price involving a fraction of a cent, such selling price may be adjusted to the next highest cent.

(b) *Effective dates.* * * *

(11) Amendment No. 10 (§ 1499.73 (a) (10)) to Supplementary Regulation No. 14 shall become effective August 31, 1942. (Pub. Law 421, 77th Cong.)

Issued this 25th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8320; Filed, August 25, 1942; 12:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

PART 1499—COMMODITIES AND SERVICES

[Order 30 Under § 1499.18 (b) of the General Maximum Price Regulation]

SUPERIOR PRODUCTS CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.330 *Adjustment of maximum prices for Sue Pree' Nail Polish manufactured by Superior Products Company—* (a) *Manufacturer.* On and after August 26, 1942, Superior Products Company, Dallas, Texas, may charge for a bottle containing 11/32 of an ounce of Sue Pree' Nail Polish the prices charged by it during March 1942 for the original size containing 16/32 of an ounce of the Sue Pree' Nail Polish, namely $.56 per dozen bottles.

For a period of three months after it commences to sell its reduced size of Sue Pree' Nail Polish, Superior Products Company shall mark each case with a notice or shall enclose in each case a notice as follows: "Sale of reduced size of this product at maximum prices established for any seller for original size is authorized by Office of Price Administration Order No. 30 under § 1499.18 (b) of the General Maximum Price Regulation, issued August 25, 1942."

(b) *Wholesalers and retailers.* On and after August 26, 1942 any wholesaler or retailer may charge for Superior Products Company's reduced size of Sue Pree' Nail Polish (1) the maximum prices established for such seller for Superior Products Company's original size of Sue Pree' Nail Polish or (2) if no maximum prices have been established for such seller for Superior Products Company's original size of Sue Pree' Nail Polish, the maximum prices established for such seller under section 2 of the General Maximum Price Regulation for Superior Products Company's reduced size of Sue Pree' Nail Polish.

(c) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March 1942, on the sale by Superior Products Company of Sue Pree' Nail Polish shall apply to the maximum price set forth in paragraph (a).

(d) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 30 (§ 1499.330) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 30 (§ 1499.330) shall become effective August 26, 1942. (Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8321; Filed, August 25, 1942; 12:05 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment 25 to Revised Tire Rationing Regulations] [1]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Section 1315.405 (b) is amended to read as follows:

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.405 *Eligibility classification. List A.* * * *

(b) A vehicle, required because of the absence of other practicable means of transportation, and used exclusively by:

(1) A regularly practicing minister of any religious faith who serves a congregation and who uses the vehicle exclusively to meet the religious needs of the locality which he regularly serves; or

(2) A religious practitioner, other than a minister, who is duly authorized by an organized religious faith to render services of a religious nature to its members and who uses the vehicle exclusively for rendering such religious services to its members in the locality which he regularly serves.

§ 1315.1199a *Effective dates of amendments.* * * *

(y) Amendment No. 25 (§ 1315.405) to Revised Tire Rationing Regulations shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong. 2nd Sess., Jan. 30, 1942, O.P.M. Supp. Order No. M–15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8326; Filed, August 25, 1942; 4:28 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 14 to Rationing Order 2A [2]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

Paragraph (b) in § 1360.372 is amended to read as set forth below:

Persons Eligible to Acquire New Passenger Automobiles by Transfer With Certificates

§ 1360.372 *Eligibility classification.* * * *

(b) (1) Regularly practicing ministers of any religious faith who serve a congregation and who require transportation to meet the religious needs of the local-

[1] 7 F.R. 1027, 1089, 2106, 2167, 2541, 2633.

[2] 7 F.R. 1542, 1647, 1756, 2103, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049.

ity which they regularly serve if the automobile will be used exclusively for that purpose; or

(2) Religious practitioners, other than ministers, who are duly authorized by an organized religious faith to render services of a religious nature to members of such faith, and who require transportation to render such religious services to members of such faith in the locality which they regularly serve if the automobile will be used exclusively for that purpose.

* * * * *

Effective Dates

§ 1360.442 *Effective dates of amendment.* * * *

(n) Amendment No. 14 (§ 1360.372) to Rationing Order No. 2A shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8329; Filed, August 25, 1942; 4:28 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 7 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

Paragraph (g) of § 1394.506 is hereby amended; and a new paragraph (g) is added to § 1394.1902; as set forth below:

Supplemental Rations

§ 1394.506 *Preferred mileage.* * * *

(g) By a regularly practicing minister of any religious faith who serves a congregation, for meeting the religious needs of the locality which he regularly serves; or by a religious practitioner, other than a minister who is duly authorized by an organized religious faith to render services of a religious nature to members of such faith, for rendering such religious services to members of such faith in the locality which he regularly serves.

* * * * *

Effective Date

§ 1394.1902 *Effective dates of amendments.* * * *

(h) Amendment No. 7 (§ 1394.506 (g)) to Ration Order No. 5A shall become effective August 31, 1942. (Pub., No. 671, 76th Cong., 3d Sess., as amended by Pub., No. 89, 77th Cong., 1st Sess., and by Pub., No. 507, 77th Cong., 2d Sess., Pub., No. 421, 77th Cong., 2d Sess., W.P.B. Directive No. 1, Supp. Directive No. 1 H, 7 F.R. 562, 3478, 3877, 5216)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8330; Filed, August 25, 1942; 4:27 p. m.]

[1] 7 F.R. 5225, 5362, 5426, 5606, 5566, 5666, 5674, 6276.

PART 1499—COMMODITIES AND SERVICES

[Amendment 14 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

STORAGE AND WAREHOUSING OF COTTON

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (14) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(14) *Storage and warehousing of cotton and services incident thereto—(i) Maximum prices.* Except as provided in subdivision (ii) below, maximum prices for storage and handling in and out of warehouse of cotton received after the date of this amendment shall be either:

(*a*) Maximum prices computed under section 2 of the General Maximum Price Regulation, or

(*b*) (*1*) for handling of cotton in and out of warehouse, 35¢ per bale;

(*2*) for storage: cotton stored in warehouses operating compress facilities, 17½¢ per bale per month, or fraction thereof, for the first six months of storage and 15¢ per bale per month, or fraction thereof, thereafter; cotton stored in warehouses not operating compress facilities, 20¢ per bale per month, or fraction thereof, for the first six months of storage and 17½¢ per bale per month, or fraction thereof, thereafter.

(ii) The maximum prices set forth in subdivision (i) (*b*) above, shall not apply, and section 2 of the General Maximum Price Regulation shall apply, to the handling in and out of warehouse and storage of cotton owned by the United States Government or any agency thereof.

(iii) Every person engaged in the storage and warehousing of cotton other than United States Government owned cotton, must elect to observe as his maximum prices for storage and handling in and out of the warehouse either maximum prices determined in accordance with subdivision (i) (*a*) above or the maximum prices set forth in subdivision (i) (*b*) above, and must advise the appropriate field office of the Office of Price Administration of such election on the form set forth in Appendix A, attached hereto and made a part hereof, within a period of 30 days from the date of this order.

(b) Effective dates * * * (15) Amendment No. 14 (§ 1499.73 (a) (14)) to Supplementary Regulation No. 14 shall become effective August 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

Appendix "A"

Office of Price Administration
----------(City)
----------(State)

Pursuant to the provisions of Amendment 14 to Supplementary Regulation 14 to the General Maximum Price Regulation, I hereby elect:

( ) (1) to observe as maxima for the handling in and out of warehouse and storage of cotton, prices named in paragraph (i) (b) of such amendment;

( ) (2) to observe as maxima for the handling in and out of warehouse and storage of cotton, maximum prices as determined under the provisions of Section 2 of the General Maximum Price Regulation. These prices are as follows:

For handling in and out of warehouse:

For Storage:

(Signed)

[F. R. Doc. 42-8331; Filed, August 25, 1942; 4:27 p. m.]

Chapter XVII—Office of Civilian Defense

PART 1902—INSIGNIA

[Regulations No. 2; Amendment 3 to Supplementary Order 2]

SPECIFICATIONS FOR AND MANNER OF WEAR AND USE OF OFFICIAL ARTICLES

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and by Executive Order No. 9088 dated March 6, 1942, and pursuant to § 1902.2 of this chapter (section 2 of Office of Civilian Defense Regulations No. 2), the Director of Civilian Defense hereby amends §§ 1902.51 to 1902.57 of this chapter (Supplementary Order No. 2 to Office of Civilian Defense Regulations No. 2) by adding §§ 1902.54 (e) and 1902.54 (f), which designate additional official articles for the United States Citizens Service Corps, by changing § 1902.57 to § 1902.59, and by adding new § 1902.57 and § 1902.58, which designate official articles for the Forest Fire Fighters Service and the Civilian Evacuation Service, as follows:

AUTHORITY: § 1902.2 of Chapter XVII under E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2687.

§ 1902.54 (e) *Collar and cap emblems for uniforms* (Service Corps). The prescribed insigne may be used as embroidered or woven emblems, 1¼ inches in diameter.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4736, 5027, 5192, 5276, 5365, 5445, 5484, 5565.

§ 1902.54 (f) *Identification cards* (Service Corps). The prescribed insigne may be used on identification cards.

§ 1902.57 *Official articles for the Forest Fire Fighters Service.* The following articles are prescribed as official articles for wear and use by members of the Forest Fire Fighters Service in accordance with all rules, regulations, orders or instructions issued by the Director:

(a) *Arm bands and brassards.* The prescribed insigne may be used on arm bands and brassards. Arm bands and brassards shall be 10 to 18 inches long, and 4 inches wide. The width may be 4½ inches when necessary to accommodate appropriate lettering where such lettering is permitted. The prescribed insigne shall be 3½ inches in diameter and shall be placed in the center of the arm band or brassard.

(b) *Sleeve insigne for uniforms.* The prescribed insigne may be used as a sleeve insigne, embroidered or woven with stitched or rolled edges. The sleeve insigne shall be 2¼ inches in diameter. The sleeve insigne shall be worn on the left sleeve, 1 inch below the shoulder seam.

(c) *Collar and cap emblems for uniforms.* The prescribed insigne may be used as embroidered or woven emblems, 1¼ inches in diameter.

(d) *Lapel pins or buttons.* The prescribed insigne may be used on lapel pins or buttons ½ inch in diameter.

(e) *Automobile stickers and plates.* The prescribed insigne may be included on automobile stickers and plates. Automobile stickers and plates shall be in a circular shape, from 4 to 12 inches in diameter, or in a rectangular shape no larger than 6 inches by 12 inches. Automobile stickers and plates may be placed on any truck, automobile or other vehicle, and may be used only subject to compliance with appropriate State and local laws, ordinances, or regulations applicable to windshield or vehicle stickers.

(f) *Identification cards.* The prescribed insigne may be used on identification cards.

(g) *Certificates of membership.* The prescribed insigne may be used on certificates of membership.

§ 1902.58 *Official articles for the Civilian Evacuation Service.* The following articles are prescribed as official articles for wear and use by members of the Civilian Evacuation Service in accordance with all rules, regulations, orders or instructions issued by the Director.

(a) *Sleeve insigne for uniforms.* The prescribed insigne may be used as a sleeve insigne, embroidered or woven with stitched or rolled edges. The sleeve insigne shall be 2¼ inches in diameter. The sleeve insigne shall be worn on the left sleeve, 1 inch below the shoulder seam.

(b) *Collar and cap emblems for uniforms.* The prescribed insigne may be used as embroidered or woven emblems, 1¼ inches in diameter.

(c) *Lapel pins or buttons.* The prescribed insigne may be used on lapel pins or buttons ½ inch in diameter.

(d) *Badges.* The prescribed insigne, three inches in diameter, may be used on plastic badges, on non-critical substitute therefor. Such badges should be worn on the upper left side of the garment.

(e) *Automobile stickers and plates.* The prescribed insigne may be included on automobile stickers and plates. Automobile stickers and plates shall be in a circular shape, from 4 to 12 inches in diameter, or in a rectangular shape no larger than 6 inches by 12 inches. Automobile stickers and plates may be placed on any truck, automobile or other vehicle, and may be used only subject to compliance with appropriate State and local laws, ordinances, or regulations applicable to windshield or vehicle stickers.

(f) *Identification cards.* The prescribed insigne may be used on identification cards.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 25, 1942.

[F. R. Doc. 42-8327; Filed, August 25, 1942; 4:05 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

TRENT RIVER, N. C.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.354 [1] of Bridge Regulations are extended to include all drawbridges across Trent River above the Atlantic Coast Line Railroad bridge at Pollocksville, North Carolina, the title and regulations being amended as follows:

§ 203.354 *Trent River, N. C.; Atlantic Coast Line Railroad Company bridge at Pollocksville, N. C., and all drawbridges upstream thereof.* (a) The owners of, or agencies controlling, the bridges will not be required to keep draw tenders in constant attendance at the above-named bridges.

(b) Whenever a vessel, unable to pass under the closed bridges, desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representatives of, or agencies controlling, the bridges.

(c) Upon receipt of such notice, the authorized representative of, or agency controlling, the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owners of, or agencies controlling, the bridges shall keep conspicuously posted on both the upstream and downstream sides of the bridges, in such manner that it can easily be read at any time, a copy of these regulations together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) The operating machinery of the draws shall be maintained in a serviceable condition, and the draws opened and closed frequently enough to make certain that the machinery is in proper order for satisfactory operation. (Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs., Aug. 17, 1942 (CE 6371 (No. Carolina-Trent R.-Pollocksville)-SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8332; Filed, August 26, 1942; 9:24 a. m.]

[1] 7 F.R. 1089.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

EVIDENCE REQUIRED IN ESTABLISHING PROOF OF BIRTH, RELATIONSHIP, MARRIAGE, DEATH AND DEPENDENCY

Revision of §§ 5.2518 and 5.2582.

§ 5.2518 *Unexplained absence for seven years.* In the event evidence as provided in § 2.1055 cannot be furnished, if satisfactory evidence is produced establishing the fact of the continued and unexplained absence of any individual from his home and family for a period of seven years, and that after diligent search no evidence of his existence after date of disappearance has been found or otherwise received, the death of such absentee as of the date of the expiration of such period may be considered as sufficiently proved. No State law providing for presumption of death shall be applicable to claims for benefits under laws administered by the Veterans' Administration: *Provided*, That, except in a suit brought pursuant to the provisions of section 19 of the World War Veterans Act, 1924, as amended, or section 617 of the National Service Life Insurance Act of 1940, as amended, the finding of death made by the Administrator of Veterans Affairs shall be final and conclusive. (See Public No. 591, 77th Congress (Act of June 5, 1942); also Act of March 13, 1896.)

A determination of whether the evidence furnished is satisfactory will be made by those officials specifically authorized by the Administrator of Veterans Affairs in the same manner as is provided in § 2.1055 (g) for a finding of fact of death. (August 31, 1942) (Public No. 591, 77th Congress)

EFFECTIVE DATES OF INCREASE OF DEATH PENSION OR COMPENSATION

§ 5.2582 *Public No. 2 and sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, or Publics No. 242, and No. 359, 77th Congress.* The effective date of an award of increased pension or compensation payable under Public No. 2,

73d Congress, sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, Public No. 242, 77th Congress, or Public No. 359, 77th Congress, shall be fixed in accordance with the facts found, except that:

* * * * *

(f) Awards of service-connected benefits for periods beginning on or after September 1, 1941, to widows or parents of veterans of the World War, Spanish-American War, Philippine Insurrection or Boxer Rebellion, or of veterans whose death resulted from service as comprehended by paragraph I (c) of § 35.012.

(1) On and after September 1, 1941, the rates provided by section 5, Public No. 198, 76th Congress, are payable to the widows and parents of veterans of the World War, the Spanish-American War, Philippine Insurrection and Boxer Rebellion and of veterans whose deaths resulted from service as comprehended by paragraph I (c) of § 35.012, subject to the provisions of subparagraphs (2), (3), and (4) of this paragraph.

(2) During the period beginning September 1, 1941, and ending July 31, 1942, the rates payable under section 5, Public No. 198, shall not be payable while the combined monthly rates of compensation or pension and of yearly renewable term, automatic insurance or National Service Life Insurance payable, equal or exceed the rates prescribed in § 5.2624.

(3) If during the period beginning September 1, 1941, and ending July 31, 1942, the combined monthly rates of compensation or pension payable under the laws in effect prior to August 16, 1937, and insurance do not equal or exceed the rates prescribed in section 5 of Public No. 198, 76th Congress, the amount of compensation or pension payable during such period while the insurance is payable shall be that which equals the difference between the amount of the monthly instalment of insurance and the rate of compensation or pension otherwise payable under section 5, Public No. 198, 76th Congress, subject to the increase at the full rate prescribed therein from the date following the ending date of the insurance award, or August 1, 1942, whichever is the earlier.

(4) On and after August 1, 1942 in no event shall monthly payments of yearly renewable term or automatic, or National Service Life Insurance serve to reduce the amounts of compensation or pension otherwise payable under existing compensation or pension laws. (Public No. 667, 77th Congress)

(g) Awards of service-connected benefits for periods beginning on or after December 19, 1941 to widows, children, or parents of veterans whose death resulted from service since March 4, 1861, as comprehended by paragraph I (c) of [illegible] as amended by the Act of December 19, 1941 (Public No. [illegible] Congress).

comprehended by paragraph I (c) of § 35.012 as amended by Public No. 359, 77th Congress (Act of December 19, 1941) subject to the provisions of subparagraphs (2) and (3) of this paragraph and § 5.2582 (f) (4).

(2) During the period beginning December 19, 1941 and ending July 31, 1942, the rates payable under section 5, Public No. 198, 76th Congress, as amended, shall not be payable while the combined monthly rates of compensation or pension and of yearly renewable term, or automatic insurance, or National Service Life Insurance payable, equal or exceed the rates prescribed in § 5.2624.

(3) If during the period beginning December 19, 1941, and ending July 31, 1942, the combined monthly rates of compensation or pension and insurance do not equal or exceed the rates prescribed in section 5 of Public No. 198, 76th Congress, as amended, the amount of compensation or pension payable during such period while the insurance is payable shall be that which equals the difference between the amount of the monthly instalment of insurance and the rate of compensation or pension otherwise payable under section 5, Public No. 198, 76th Congress, as amended, subject to the increase at the full rate prescribed therein from the date following the ending date of the insurance award, or August 1, 1942, whichever is the earlier. In no event, however, will the rates payable be less than those authorized by paragraph I of § 35.011. (August 31, 1942) (Public No. 359, 77th Congress)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 42-8292; Filed, August 25, 1942; 11:36 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

PART 136—"A" MARINE INVESTIGATION BOARD RULES

TEMPORARY WARTIME RULES GOVERNING INVESTIGATIONS OF ACCIDENTS AND CASUALTIES

By virtue of the authority vested in me by section 4450, R.S., as amended (46 U.S.C. 239), Executive Order No. 8976, dated December 12, 1941 (7 F.R. 9741), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), Parts 136 and 137 are suspended during such period of time as Executive Order No. 9083, dated February 28, 1942, remains in effect, and the following temporary war time rules and regulations are prescribed, effective September 15, 1942:

Marine Casualty or Accident Temporary War Time Rules and Regulations to Govern Investigations and Other Proceedings Under R.S. 4450, as Amended

Sec.
136.104 Preliminary investigations.
136.105 Board investigations.
136.106 Suspension or revocation proceedings.
136.107 Appeal.
136.108 Witnesses and witness fees.
136.109 Records confidential.
136.110 Evidence of criminal liability.

AUTHORITY: §§ 136.101 to 136.110, inclusive, issued under R.S. 4450, as amended, sec. 4 (a), (j), 49 Stat. 1381, 50 Stat. 544; 46 U.S.C. 239 (a), (j); Executive Order No. 8976, dated December 12, 1941 (7 F.R. 9741), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609).

§ 136.101 *Scope of rules.* (a) The following rules and regulations shall, during such period of time as Executive Order No. 9083, dated February 28, 1942, remains in effect, govern the conduct of investigations and other proceedings relating to: (1) marine casualties and accidents other than casualties and accidents resulting from enemy action, and (2) acts in violation of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–453, 460–463, 464, 467, 470–481, 482, or 489–498 of title 46 of the United States Code or of any of the regulations issued thereunder, and acts of incompetency or misconduct committed by any licensed officer or holder of a certificate of service, whether or not such acts are committed in connection with any marine casualty or accident.

(b) Investigations and other proceedings relating to marine casualties and accidents resulting from enemy action shall be governed by special procedures prescribed by the Commandant.

§ 136.102 *Definitions.* When used in this part:

(1) The term "marine casualty or accident" shall mean any casualty or accident involving any vessel if such casualty or accident occurs within the navigable waters of the United States, its territories or possessions, and any casualty or accident involving an American vessel, or a vessel owned by any person domiciled in the United States, wherever such casualty or accident may occur.

(2) The term "party in interest" shall mean any person whom the board or officer or employee of the Coast Guard in charge of an investigation or other proceeding shall find to have a direct interest in the subject matter thereof and shall include the owner, charterer, or agent of such owner or charterer, of any vessel involved therein, licensed or certificated personnel, officers or employees of the Government and any other person whose conduct is under investigation or whose interests may be affected thereby.

(3) The term "Commandant" shall mean the officer in charge of all activities of the United States Coast Guard.

(4) The term "Coast Guard District" shall mean the geographical area [illegible] a District Coast Guard Officer has jurisdiction for the purpose of administering the provisions of [illegible]

§ 136.103 *Notice of casualty and voyage records.* (a) Whenever a marine casualty or accident occurs, the master, owner, charterer, or agent of the vessel or vessels involved shall, as soon as possible give notice thereof to the nearest local or district office of the United States Coast Guard or to Coast Guard Headquarters, Washington, D. C. Notices received in local or district offices shall be transmitted to Headquarters immediately. Such notice shall name the vessel involved and the owner or agent thereof, and shall state the nature and cause of the casualty or accident, the locality in which it occurred, and the extent and nature of injuries to persons and damage to property resulting therefrom. Such notice shall be in addition to any other notice required to be given by law or regulation. Any officer or employee of the United States or any other person having material knowledge or information concerning a marine casualty or accident shall immediately bring such information to the attention of the United States Coast Guard. Communications in regard to casualties shall be handled with caution in order that information with respect thereto may not fall into the hands of the enemy.

(b) The owner, charterer, agent, master or other licensed officer of any vessel involved in a marine casualty or accident shall retain the voyage records of the vessel, including both rough and smooth deck and engine room logs, bell books, navigation charts, navigators' work books, compass deviation cards, gyro compass records, stowage plans, records of draft, aids to mariners, radiograms sent and received, and the radio log, and crews' and passengers' lists, which upon request shall be produced for inspection of any duly authorized officer or employee of the United States Coast Guard.

§ 136.104 *Preliminary investigations.* (a) As soon as possible after receiving notice of a marine casualty, other than a casualty resulting from enemy action, the Merchant Marine Inspector in Charge in whose jurisdiction the casualty occurs, or in cases involving casualties occurring on the high seas, to whose jurisdiction the personnel of the vessel or vessels involved first return shall cause a preliminary investigation of such casualty to be made.

(b) The Merchant Marine Inspector in Charge and any other officers and employees who may be authorized by him to conduct such investigations shall have the power to administer oaths, summon witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents and other records.

(c) At the conclusion of the investigation, the Merchant Marine Inspector in Charge shall submit to Headquarters, through the District Coast Guard Officer, a full and complete report of all the facts and circumstances relating to the [illegible] 399, 400, 402–416, 435–440, 451–452, 460–463, 464, 467, 470–481, 482, or 489–498 of

(d) Whenever, in any case not involving a marine casualty or accident, a complaint is made against a licensed officer or holder of a certificate of service or efficiency charging him with any act of incompetency or misconduct while acting under the authority of his license or certificate, or with any act in violation of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–453, 460–463, 464, 467, 470–481, 482, or 489–498 of title 46 of the United States Code or of any regulations issued thereunder, the Merchant Marine Inspector in Charge to whom such complaint is made or referred shall make such investigation of such complaint as he may deem necessary to determine whether there is a reasonable basis for such charge.

§ 136.105 *Board investigations.* (a) If as a result of preliminary investigation of any casualty, it appears to the Commandant that the conduct of a further investigation thereof would tend to promote safety at sea and would not be inimical to the public interest, the Commandant will designate an appropriate board to conduct such investigation forthwith. Any board so designated shall have power to administer oaths, summon witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents and other records.

(b) Reasonable notice of the time and place of the board investigation shall be given to any person whose conduct is under investigation and any other party in interest, and all parties in interest shall be allowed to be represented by counsel, to cross-examine witnesses and to call witnesses in their own behalf. A complete record of the proceedings of a board investigation shall be kept and at the conclusion thereof the board shall make a report containing recommendations and findings to the Commandant.

(c) If the Commandant is of the opinion that the public interest would be served thereby, he may make public a statement of the probable cause or causes of the casualty.

§ 136.106 *Suspension or revocation proceedings.* (a) Suspension and revocation proceedings shall be instituted by the Merchant Marine Inspector in Charge in any case in which it appears to him, as a result of any investigation made hereunder, or otherwise, that there are reasonable grounds to believe that a licensed officer or holder of a certificate of service is incompetent, or has been guilty of misbehavior, negligence, or unskillfulness or has endangered life or has wilfully violated any of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–452, 460–463, 464, 467, 470–481, 482, or 489–498 of

Marine Inspector in Charge shall prepare charges and specifications against such person and refer such charges and specifications to one of the district hearing officers.

(b) The district hearing officers shall be officers or employees designated by the Commandment to act in such capacity: *Provided*, That the inspector who conducted the investigation may act as hearing officer in any case in which the person charged voluntarily consents thereto in writing.

(c) The hearing officer shall fix the time and place of hearing and shall make all arrangements for the conduct thereof. He shall cause to be served upon the accused either by personal service or registered mail at a time sufficiently in advance of the time set for the hearing to give the accused a reasonable opportunity to prepare his defense, a notice of the time and place of hearing and a copy of the charges and specifications. The notice shall advise the accused that he may waive hearing and reply to the charge in writing if he so desires. Where personal service is made upon the accused, the officer or employee making service shall exhibit the original of the notice to the accused, read it to the accused if he cannot read, and give him a copy thereof and of the charges and specification, and shall make return, under oath, in accordance with the form on the notice. When service is made by registered mail a return receipt shall be requested.

(d) The hearing officer shall open the hearing at the time and place specified in the notice, shall administer all necessary oaths, shall cause a complete record of the proceedings to be kept, and shall regulate and conduct the hearing in such a manner as to bring out all the relevant and material facts, and insure the accused a fair and impartial trial on the charges made against him. When an affidavit or other *ex parte* testimony is admitted in evidence the record shall show why the person whose testimony is so reduced to writing did not appear in person. The accused shall have the right to appear in person, or by counsel, and shall be permitted to call, examine and cross-examine witnesses and to introduce relevant documentary evidence into the record.

(e) The hearing officer shall have power to issue summons requiring the attendance of witnesses or the production of records and other documents.

(f) In any case in which the accused, after having been duly served with notice of a hearing fails to appear, a notation to that effect shall be made in the record. If the accused elects to waive hearing and replies to the charges by letter, such letter shall be made a part of the record.

(g) At the conclusion of the hearing the hearing officer shall consider the [illegible] decision containing his findings and conclusions as to the [illegible]

73d Congress, sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, Public No. 242, 77th Congress, or Public No. 359, 77th Congress, shall be fixed in accordance with the facts found, except that:

* * * * *

(f) Awards of service-connected benefits for periods beginning on or after September 1, 1941, to widows or parents of veterans of the World War, Spanish-American War, Philippine Insurrection or Boxer Rebellion, or of veterans whose death resulted from service as comprehended by paragraph I (c) of § 35.012.

(1) On and after September 1, 1941, the rates provided by section 5, Public No. 198, 76th Congress, are payable to the widows and parents of veterans of the World War, the Spanish-American War, Philippine Insurrection and Boxer Rebellion and of veterans whose deaths resulted from service as comprehended by paragraph I (c) of § 35.012, subject to the provisions of subparagraphs (2), (3), and (4) of this paragraph.

(2) During the period beginning September 1, 1941, and ending July 31, 1942, the rates payable under section 5, Public No. 198, shall not be payable while the combined monthly rates of compensation or pension and of yearly renewable term, automatic insurance or National Service Life Insurance payable, equal or exceed the rates prescribed in § 5.2624.

(3) If during the period beginning September 1, 1941, and ending July 31, 1942, the combined monthly rates of compensation or pension payable under the laws in effect prior to August 16, 1937, and insurance do not equal or exceed the rates prescribed in section 5 of Public No. 198, 76th Congress, the amount of compensation or pension payable during such period while the insurance is payable shall be that which equals the difference between the amount of the monthly instalment of insurance and the rate of compensation or pension otherwise payable under section 5, Public No. 198, 76th Congress, subject to the increase at the full rate prescribed therein from the date following the ending date of the insurance award, or August 1, 1942, whichever is the earlier.

(4) On and after August 1, 1942 in no event shall monthly payments of yearly renewable term or automatic, or National Service Life Insurance serve to reduce the amounts of compensation or pension otherwise payable under existing compensation or pension laws. (Public No. 667, 77th Congress)

(g) Awards of service-connected benefits for periods beginning on or after December 19, 1941, to widows, children, or parents of veterans whose death resulted from service since March 4, 1861, as comprehended by paragraph I (c) of § 35.012 as amended by the Act of December 19, 1941 (Public No. 359, 77th Congress).

(1) On and after December 19, 1941, the rates provided by section 5, Public No. 198, 76th Congress, as amended, are payable to the widows, children, and parents of veterans whose death resulted from service since March 4, 1861, as comprehended by paragraph I (c) of § 35.012 as amended by Public No. 359, 77th Congress (Act of December 19, 1941) subject to the provisions of subparagraphs (2) and (3) of this paragraph and § 5.2582 (f) (4).

(2) During the period beginning December 19, 1941 and ending July 31, 1942, the rates payable under section 5, Public No. 198, 76th Congress, as amended, shall not be payable while the combined monthly rates of compensation or pension and of yearly renewable term, or automatic insurance, or National Service Life Insurance payable, equal or exceed the rates prescribed in § 5.2624.

(3) If during the period beginning December 19, 1941, and ending July 31, 1942, the combined monthly rates of compensation or pension and insurance do not equal or exceed the rates prescribed in section 5 of Public No. 198, 76th Congress, as amended, the amount of compensation or pension payable during such period while the insurance is payable shall be that which equals the difference between the amount of the monthly instalment of insurance and the rate of compensation or pension otherwise payable under section 5, Public No. 198, 76th Congress, as amended, subject to the increase at the full rate prescribed therein from the date following the ending date of the insurance award, or August 1, 1942, whichever is the earlier. In no event, however, will the rates payable be less than those authorized by paragraph I of § 35.011. (August 31, 1942) (Public No. 359, 77th Congress)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 42-8292; Filed, August 25, 1942; 11:36 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

PART 136—"A" MARINE INVESTIGATION BOARD RULES

TEMPORARY WARTIME RULES GOVERNING INVESTIGATIONS OF ACCIDENTS AND CASUALTIES

By virtue of the authority vested in me by section 4450, R.S., as amended (46 U.S.C. 239), Executive Order No. 8976, dated December 12, 1941 (7 F.R. 6441), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), Parts 136 and 137 are suspended during such period of time as Executive Order No. 9083, dated February 28, 1942, remains in effect, and the following temporary war time rules and regulations are prescribed, effective September 15, 1942:

Marine Casualty or Accident: Temporary War Time Rules and Regulations to Govern Investigations and Other Proceedings Under R.S. 4450, as Amended (46 U.S.C. 239)

Sec.
136.101 Scope of rules.
136.102 Definitions.
136.103 Notice of casualty and voyage records.
136.104 Preliminary investigations.
136.105 Board investigations.
136.106 Suspension or revocation proceedings.
136.107 Appeal.
136.108 Witnesses and witness fees.
136.109 Records confidential.
136.110 Evidence of criminal liability.

AUTHORITY: §§ 136.101 to 136.110, inclusive, issued under R.S. 4450, as amended, sec. 4 (a), (j), 49 Stat. 1381, 50 Stat. 544; 46 U.S.C. 239 (a), (j); Executive Order No. 8976, dated December 12, 1941 (7 F.R. 6441), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609).

§ 136.101 *Scope of rules.* (a) The following rules and regulations shall, during such period of time as Executive Order No. 9083, dated February 28, 1942, remains in effect, govern the conduct of investigations and other proceedings relating to: (1) marine casualties and accidents other than casualties and accidents resulting from enemy action, and (2) acts in violation of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–453, 460–463, 464, 467, 470–481, 482, or 489–498 of title 46 of the United States Code or of any of the regulations issued thereunder, and acts of incompetency or misconduct committed by any licensed officer or holder of a certificate of service, whether or not such acts are committed in connection with any marine casualty or accident.

(b) Investigations and other proceedings relating to marine casualties and accidents resulting from enemy action shall be governed by special procedures prescribed by the Commandant.

§ 136.102 *Definitions.* When used in this part:

(1) The term "marine casualty or accident" shall mean any casualty or accident involving any vessel if such casualty or accident occurs within the navigable waters of the United States, its territories or possessions, and any casualty or accident involving an American vessel, or a vessel owned by any person domiciled in the United States, wherever such casualty or accident may occur.

(2) The term "party in interest" shall mean any person whom the board or officer or employee of the Coast Guard in charge of an investigation or other proceeding shall find to have a direct interest in the subject matter thereof and shall include the owner, charterer, or agent of such owner or charterer, of any vessel involved therein, licensed or certificated personnel, officers or employees of the Government and any other person whose conduct is under investigation or whose interests may be affected thereby.

(3) The term "Commandant" shall mean the officer in charge of all activities of the United States Coast Guard.

(4) The term "Coast Guard District" shall mean the geographical area over which a District Coast Guard Officer has jurisdiction for the purpose of administering the activities and functions of the Coast Guard.

(5) The term "District Coast Guard Officer" shall mean the officer in charge of a Coast Guard District.

§ 136.103 *Notice of casualty and voyage records.* (a) Whenever a marine casualty or accident occurs, the master, owner, charterer, or agent of the vessel or vessels involved shall, as soon as possible give notice thereof to the nearest local or district office of the United States Coast Guard or to Coast Guard Headquarters, Washington, D. C. Notices received in local or district offices shall be transmitted to Headquarters immediately. Such notice shall name the vessel involved and the owner or agent thereof, and shall state the nature and cause of the casualty or accident, the locality in which it occurred, and the extent and nature of injuries to persons and damage to property resulting therefrom. Such notice shall be in addition to any other notice required to be given by law or regulation. Any officer or employee of the United States or any other person having material knowledge or information concerning a marine casualty or accident shall immediately bring such information to the attention of the United States Coast Guard. Communications in regard to casualties shall be handled with caution in order that information with respect thereto may not fall into the hands of the enemy.

(b) The owner, charterer, agent, master or other licensed officer of any vessel involved in a marine casualty or accident shall retain the voyage records of the vessel, including both rough and smooth deck and engine room logs, bell books, navigation charts, navigators' work books, compass deviation cards, gyro compass records, stowage plans, records of draft, aids to mariners, radiograms sent and received, and the radio log, and crews' and passengers' lists, which upon request shall be produced for inspection of any duly authorized officer or employee of the United States Coast Guard.

§ 136.104 *Preliminary investigations.* (a) As soon as possible after receiving notice of a marine casualty, other than a casualty resulting from enemy action, the Merchant Marine Inspector in Charge in whose jurisdiction the casualty occurs, or in cases involving casualties occurring on the high seas, to whose jurisdiction the personnel of the vessel or vessels involved first return shall cause a preliminary investigation of such casualty to be made.

(b) The Merchant Marine Inspector in Charge and any other officers and employees who may be authorized by him to conduct such investigations shall have the power to administer oaths, summon witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents and other records.

(c) At the conclusion of the investigation, the Merchant Marine Inspector in Charge shall submit to Headquarters, through the District Coast Guard Officer, a full and complete report of all the facts and circumstances relating to the casualty or accident together with such recommendations for subsequent action as he deems proper.

(d) Whenever, in any case not involving a marine casualty or accident, a complaint is made against a licensed officer or holder of a certificate of service or efficiency charging him with any act of incompetency or misconduct while acting under the authority of his license or certificate, or with any act in violation of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–453, 460–463, 464, 467, 470–481, 482, or 489–498 of title 46 of the United States Code or of any regulations issued thereunder, the Merchant Marine Inspector in Charge to whom such complaint is made or referred shall make such investigation of such complaint as he may deem necessary to determine whether there is a reasonable basis for such charge.

§ 136.105 *Board investigations.* (a) If as a result of preliminary investigation of any casualty, it appears to the Commandant that the conduct of a further investigation thereof would tend to promote safety at sea and would not be inimical to the public interest, the Commandant will designate an appropriate board to conduct such investigation forthwith. Any board so designated shall have power to administer oaths, summon witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents and other records.

(b) Reasonable notice of the time and place of the board investigation shall be given to any person whose conduct is under investigation and any other party in interest, and all parties in interest shall be allowed to be represented by counsel, to cross-examine witnesses and to call witnesses in their own behalf. A complete record of the proceedings of a board investigation shall be kept and at the conclusion thereof the board shall make a report containing recommendations and findings to the Commandant.

(c) If the Commandant is of the opinion that the public interest would be served thereby, he may make public a statement of the probable cause or causes of the casualty.

§ 136.106 *Suspension or revocation proceedings.* (a) Suspension and revocation proceedings shall be instituted by the Merchant Marine Inspector in Charge in any case in which it appears to him, as a result of any investigation made hereunder, or otherwise, that there are reasonable grounds to believe that a licensed officer or holder of a certificate of service is incompetent, or has been guilty of misbehavior, negligence, or unskillfulness or has endangered life or has wilfully violated any of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–452, 460–463, 464, 467, 470–481, 482, or 489–498 of title 46 of the United States Code or any of the regulations issued thereunder. To institute such proceedings the Merchant Marine Inspector in Charge shall prepare charges and specifications against such person and refer such charges and specifications to one of the district hearing officers.

(b) The district hearing officers shall be officers or employees designated by the Commandment to act in such capacity: *Provided*, That the inspector who conducted the investigation may act as hearing officer in any case in which the person charged voluntarily consents thereto in writing.

(c) The hearing officer shall fix the time and place of hearing and shall make all arrangements for the conduct thereof. He shall cause to be served upon the accused either by personal service or registered mail at a time sufficiently in advance of the time set for the hearing to give the accused a reasonable opportunity to prepare his defense, a notice of the time and place of hearing and a copy of the charges and specifications. The notice shall advise the accused that he may waive hearing and reply to the charge in writing if he so desires. Where personal service is made upon the accused, the officer or employee making service shall exhibit the original of the notice to the accused, read it to the accused if he cannot read, and give him a copy thereof and of the charges and specification, and shall make return, under oath, in accordance with the form on the notice. When service is made by registered mail a return receipt shall be requested.

(d) The hearing officer shall open the hearing at the time and place specified in the notice, shall administer all necessary oaths, shall cause a complete record of the proceedings to be kept, and shall regulate and conduct the hearing in such a manner as to bring out all the relevant and material facts, and insure the accused a fair and impartial trial on the charges made against him. When an affidavit or other *ex parte* testimony is admitted in evidence the record shall show why the person whose testimony is so reduced to writing did not appear in person. The accused shall have the right to appear in person, or by counsel, and shall be permitted to call, examine and cross-examine witnesses and to introduce relevant documentary evidence into the record.

(e) The hearing officer shall have power to issue summons requiring the attendance of witnesses or the production of records and other documents.

(f) In any case in which the accused, after having been duly served with notice of a hearing fails to appear, a notation to that effect shall be made in the record. If the accused elects to waive hearing and replies to the charges by letter, such letter shall be made a part of the record.

(g) At the conclusion of the hearing, the hearing officer shall consider the record and shall prepare an appropriate decision containing his findings and conclusions as to the guilt or innocence of the accused, and in the event that he finds the accused guilty shall issue and cause to be served upon the accused an

appropriate order of suspension or revocation. Such order shall, in the absence of an appeal as hereinafter authorized, be effective 30 days after service upon the accused.

§ 136.107 *Appeal.* (a) Any person whose license or certificate of service or efficiency is revoked or suspended may, within 30 days after being notified of the decision of the hearing officer take an appeal to the District Coast Guard Officer of the district in which the hearing was held. The appeal shall take effect when received at the office of the proper District Coast Guard Officer.

Every appeal shall be typewritten and shall set forth as briefly as possible the name of the accused, the nature of the charge, the name of the hearing officer who made the decision, the substance of the decision appealed from and a separate statement of each ground for such appeal. The appeal shall be verified by the appellant or his counsel.

(b) The District Coast Guard Officer on appeal may affirm, reverse, or modify the decision of the hearing officer or remand the case for further hearing. The District Coast Guard Officer will not consider evidence which is not a part of the record of the hearing and will not consider any ground of appeal which is not specified by the accused. The decision of the District Coast Guard Officer on appeal will be in writing and will contain his findings.

§ 136.108 *Witnesses and witness fees.* (a) No officer, seaman, or other employee of any public vessel controlled by the Army or Navy (not including the Coast Guard) of the United States, or its allies, shall be summoned or otherwise required to appear as a witness in connection with any investigation or other proceeding without the consent of the Department or Government concerned.

(b) Any attempt to coerce or induce any witness to testify falsely in connection with a shipping casualty, or to induce any witness to leave the jurisdiction of the United States, is punishable by a fine of $5,000.00 or imprisonment for one year, or both such fine and imprisonment.

(c) Witnesses summoned to attend any investigation or other proceeding conducted hereunder shall upon application be paid the same fees as are paid to witnesses who appear before the district courts of the United States, and witnesses whose depositions are taken and persons who take depositions shall upon application be paid the same fees as are paid for like services in the District Courts of the United States.

§ 136.109 *Records confidential.* (a) All reports of investigations and records of proceedings and all information relating thereto, shall be treated as confidential and shall not be open to public inspection or otherwise disclosed except as may be authorized by the Commandant.

(b) No officer or employee of the Coast Guard shall, without the prior approval of the Commandant, give any testimony with respect to any investigation or other proceeding in any suit, action, or other proceeding except proceedings instituted by a duly authorized public officer under the laws and regulations relating to navigation.

§ 136.110 *Evidence of criminal liability.* If as a result of any investigation or other proceeding conducted hereunder, evidence of criminal liability on the part of any licensed officer or holder of a certificate of service or any other person is found, such evidence shall be referred to the Department of Justice.

R. R. WAESCHE,
Commandant.

AUGUST 26, 1942.

[F. R. Doc. 42-8344; Filed, August 26, 1942; 11:38 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

WISCONSIN

FIVE-ACRE TRACT CLASSIFICATION NO. 22

ORDER REGARDING LEASING

AUGUST 18, 1942.

On August 6, 1942, the vacant public lands in the following-described areas in Wisconsin were classified and opened by the Secretary of the Interior under the five-acre act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), for leasing as home, camp, cabin, recreational, health, and convalescent sites, but not as business sites:

WISCONSIN No. 2

FOURTH PRINCIPAL MERIDIAN

T. 37 N., R. 8 E., sec. 33, lots 8, 11, and 14; lots 1, 6, 7, 14, 15, 16, 17, 18, and 19 of Unity Point Subdivision in lots 9 and 13 of the section, as shown on the official supplemental plat of survey of section 33, accepted June 19, 1928, and filed January 25, 1929.

Lot 13 of the Unity Point Subdivision, containing 0.45 acre, in lot 13 of the section, as shown on the above-mentioned plat, also was classified and opened for leasing under the act but only for community use and development upon proper application.

Lots 1, 6, 7, 14, 15, 16, 17, 18, and 19 of Unity Point Subdivision in lots 9 and 13 of section will be leased in units according to the supplemental plat of survey referred to above, ranging in area from 0.17 to 0.61 acre.

Lots 8 and 11 of the section, containing 8.71 and 29.92 acres, respectively, will be leased in units of not more than about one-third to two-thirds of an acre, each with approximately 100-foot lake frontage.

Lot 14 of the section, containing 5.49 acres, will be leased as a single unit at the present time. An application under the act has been filed for this tract.

On the lands to be leased for individual use, the lessee will be required to construct a substantial dwelling not less than $300 in value.

The lands involved are in the central part of Oneida County, approximately five miles northwest of the town of Rhinelander, Wisconsin, from which they are accessible via a United States highway and a county road, the latter crossing part of the lands. The lots described above in the subdivided portions of Unity Point in lots 9 and 13 of the section border part on Flanner Lake and part on Velvet Lake. Lot 8 of the section borders on Flanner Lake, and lot 11 part on that lake and part on Dumb Bell Lake.

The portions of the lands described not covered by any application under the five-acre act are subject to application for lease under that act, based on the above-mentioned classification, by any qualified persons, in accordance with the regulations issued pursuant to the act, which are contained in Circular 1470a. Applications under the act should be on the prescribed form. Copies of the circular and application form may be obtained by addressing the Commissioner, General Land Office, Washington, D. C., where all applications must be filed.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 42-8333; Filed, August 26, 1942; 9:25 a. m.]

[Public Land Order 32]

ALASKA

WITHDRAWING PUBLIC LANDS IN AID OF DEFINITE LOCATION AND CONSTRUCTION OF THE TRANS-CANADIAN ALASKAN RAILWAY

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146[1] of April 24, 1942, it is ordered as follows:

The public lands in the following-described area are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining laws, in aid of definite location and construction of the Trans-Canadian Alaskan Railway:

TANANA VALLEY AREA, ALASKA; KOBE TO RICHARDSON HIGHWAY

A strip of land 10 miles wide, 5 miles on each side of the center line shown on the map dated July 2, 1942, No. 1924965, on file in the General Land Office, described as follows:

Beginning at Kobe, on the Alaska Railroad, thence east approximately 66 miles to the 147th meridian of longitude; thence S. 70° E., approximately 40 miles to the Richardson Highway.

The area described, including both public and non-public lands, aggregates approximately 680,000 acres.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 18, 1942.

[F. R. Doc. 42-8334; Filed, August 26, 1942; 9:26 a. m.]

[1] 7 F.R. 3067.

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

ARKANSAS—OKLAHOMA—OREGON

DESIGNATION OF COUNTIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VI—ARKANSAS

Van Buren County: Locality I—Consisting of the townships of Culpepper, Choctaw, Bradley, Barnett, Cargile, Cadron, Sulphur Springs, Red River, Union, Griggs, Craig, Liberty, and Davis; $1,334.

Locality II—Consisting of the townships of Archey Valley, Wheeler, Grove, White Oak, Hartsugg, Washington, Linn Creek, Holly, Cleveland, and Mountain; $820.

REGION VIII—OKLAHOMA

Atoka County: Locality I—Consisting of Bentley township; $914.

Locality II—Consisting of Caney township and Caney town; $1,355.

Locality III—Consisting of Farris township; $1,022.

Locality IV—Consisting of Lewis township and Atoka city; $1,728.

Locality V—Consisting of Stringtown township and Stringtown town; $1,795.

Locality VI—Consisting of Wilson township; $1,900.

REGION XI—OREGON

Coos County: Locality I—Consisting of the precincts of Coos River, Fairview, Cunningham, Fat Elk, Gravelford, Lee, Coquille North, Coquille Southwest #1, Coquille Southeast #1, Riverton, Coquille Southeast #2, Parkersburg, Norway, Catching Creek, Myrtle Point North, Myrtle Point South, Broadbent, Catching Slough, and Arago; $8,410.

Locality II—Consisting of the precincts of Dora, South Powers, Bridge, and North Powers; $3,752.

Locality III—Consisting of the precincts of Lakeside, Templeton, North Slough, North Bayside, Allegany, Marshfield Southwest, Empire, North Bend West, North Bend Central #1, North Bend Central #2, North Bend South, Pony Slough, North Bend North, Eastside North, Eastside South, Marshfield North #1, Marshfield North #2, Marshfield Central #'s 1 and 2, Marshfield South, Marshfield Southeast, South Slough, Englewood, Bunker Hill, Ten Mile, Sumner, Coos City, Coaledo, Beaver Hill, Bullards, West Bandon, East Bandon, Millington Two Mile, Marshfield South #3, and Four Mile; $5,340.

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: August 24, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42-8340; Filed, August 26, 1942; 11:23 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-71]

INVESTIGATION OF ACCIDENT OCCURRING IN MARYLAND

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States registry NC30286 and NC35893 which occurred near Rockville, Maryland on August 22, 1942.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on the 28th day, of August 1942, at 9:30 A. M. (EWT) in the Rockville Court House, Rockville, Maryland.

Dated at Washington, D. C., August 25, 1942.

[SEAL] W. K. ANDREWS, Jr.,
Presiding Officer.

[F. R. Doc. 42-8341; Filed, August 26, 1942; 11:24 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6245]

AIRFAN RADIO CORP., LTD.

ORDER DENYING PETITIONS, ETC.

In re application of Airfan Radio Corporation, Ltd. (KFSD), San Diego, California, for modification of construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of August 1942;

The Commission, having under consideration (1) the petition of the above-described applicant to reconsider and grant without hearing its application for modification of construction permit (Docket No. 6245), and (2) the petition filed pursuant to the Commission's Memorandum Opinion of April 27, 1942, and being fully informed in the premises;

It is ordered, That the petitions be, and the same are hereby, denied;

It is further ordered, That the notice of issues heretofore released on the application in Docket No. 6245 be, and it is hereby, amended to read as follows:

1. To determine whether the operation of Station KFSD as proposed would be consistent with the Standards of Good Engineering Practice, particularly with respect to the transmitter location and population residing within the blanket area (250 mv/m contour).

2. To determine what precautionary measures, if any, would be necessary to avoid causing objectionable interference to the services of other broadcast stations due to external cross-modulation, particularly in view of the distances between Station KFSD and Stations KFMB and KGB.

3. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice.

4. To determine the cost of completing the construction authorized in the construction permit No. B5-P-2259 and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

5. To determine when the construction heretofore authorized in construction permit No. B5-P-2259 was actually commenced.

6. To determine what materials and equipment the applicant has on hand or available for the construction heretofore authorized in construction permit No. B5-P-2259, and the additional equipment and materials, if any, necessary for the completion thereof.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

8. To determine whether in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-8337, Filed, August 26, 1942; 10:38 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 3 Under Revised Price Schedule 83[1]—Radio Receivers and Phonographs]

THE MAGNAVOX COMPANY, INC.

PRICES FOR NEW MODEL RADIOS

On June 30, 1942, The Magnavox Company, Inc., Fort Wayne, Indiana, filed applications pursuant to Revised Price Schedule No. 83, § 1336.53 (b), for approval of maximum prices for new model radios designated in the applications as Models Nos. 5K and A3M.

Due consideration has been given to the applications and an opinion issued simultaneously herewith has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) The Magnavox Company, Inc. may sell, offer to sell, or deliver the following

[1] 7 F.R. 619, 756, 1360, 1836, 2000, 2132, 2302, 3125, 3820.

new model radios at prices no higher than those specified below, exclusive of federal excise tax, f.o.b. seller's point of shipment, subject to discounts, allowances, and terms no less favorable than those customarily granted by it:

$73.83 for Model No. 5K
$38.36 for Model No. A3M

(b) The requests in the applications for approval of maximum prices higher than those established by this Order No. 3 are hereby denied.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1336.60 of Revised Price Schedule No. 83 shall apply to the terms used herein.

(e) This Order No. 3 shall become effective this 26th day of August 1942.

Issued this 25th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8322; Filed, August 25, 1942; 12:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1309]

MID-WESTERN OIL COMPANY 5¢ PAR VALUE COMMON STOCK

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of August, A. D. 1942.

The Los Angeles Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5¢ Par Value Common Stock of Mid-Western Oil Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Tuesday, September 29, 1942, at the office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8326; Filed, August 25, 1942; 3:51 p. m.]

[File No. 70-583]

THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT COMPANY AND WISCONSIN ELECTRIC POWER COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of August, A. D., 1942.

The Milwaukee Electric Railway & Transport Company, a nonutility subsidiary of Wisconsin Electric Power Company, a public utility subsidiary of The North American Company, a registered holding company, and Wisconsin Electric Power Company having filed a joint application and declaration and an amendment thereto pursuant to Section 10 and Rules U-42 and U-43 promulgated under section 12 of the Public Utility Holding Company Act of 1935, regarding the partial liquidation of The Milwaukee Electric Railway & Transport Company's capital obligations by (a) the cash purchase, at par, of 5,000 shares of its common stock, par value $100 per share, from Wisconsin Electric Power Company, and (b) the redemption, at principal amount, of $250,000 principal amount of its First Mortgage 4% Bonds; Wisconsin Electric Power Company being the owner of all of the outstanding securities of The Milwaukee Electric Railway & Transport Company; such securities consisting of $9,200,000 principal amount of 4% bonds which are pledged under Wisconsin Electric Power Company's mortgage, dated October 28, 1938, and $24,300,000 of common stock which is a free asset; and

The application and declaration having been filed on July 24, 1942, and notice of said filing having been duly given in the form and in the manner prescribed by Rule U-23 promulgated under the Act, and an amendment to said application and declaration having been filed on August 5, 1942, and the Commission not having received a request for a hearing with respect to the application and declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application under section 10 of said Act that no adverse findings are necessary under sections 10 (b), 10 (c) (1) and 10 (f) and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the application, as amended, and to permit the declaration, as amended, to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, That the aforesaid application, as amended, be and the same hereby is granted and that the aforesaid declaration, as amended, be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8325; Filed, August 25, 1942; 3:51 p. m.]

[File No. 59-12]

ELECTRIC BOND AND SHARE CO., ET AL.

NOTICE OF FILING OF PETITION FOR EXTENSION OF TIME AND ORDER FOR HEARING

In the Matter of Electric Bond and Share Company, American Power & Light Company, Pacific Power & Light Company, Electric Power & Light Corporation, Utah Power & Light Company, National Power & Light Company, and Ebasco Services Incorporated, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of August, A. D. 1942.

The Commission having heretofore, on August 23, 1941, entered its order herein, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, requiring (a) that the existence of National Power & Light Company be terminated and that said Company be dissolved and (b) that National Power & Light Company and Electric Bond and Share Company proceed with due diligence to submit to the Commission a plan or plans for the prompt dissolution of National Power & Light Company, pursuant to section 11 (b) (2) of the Act;

Notice is hereby given that National Power & Light Company, on August 5, 1942, filed a petition herein requesting the Commission to enter an order under section 11 (c) of the Act extending for one year the time for compliance with said order of dissolution dated August 23, 1941.

All interested parties are referred to said petition which is on file in the office of the Commission for full details thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said petition;

It is ordered, That a hearing on said petition be held on September 15, 1942, at 10:00 A. M. in the forenoon of that day at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk. All persons desiring to be heard or otherwise wishing to participate in the proceedings, should notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII, on or before September 10, 1942. At said hearing attention will be particularly directed to the questions whether National Power & Light Company has exercised due diligence in its efforts to comply with the Commission's order of August 23, 1941, and whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to National Power & Light Company and to Electric Bond and Share Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8339; Filed, August 26, 1942; 10:46 a. m.]

[File No. 70-585]

EASTERN LAND CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of August, A. D. 1942.

Eastern Land Corporation, a wholly-owned subsidiary of Associated Electric Company, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 promulgated thereunder, regarding the declaration and payment of a dividend of $36,000 out of capital or unearned surplus to Associated Electric Company; and

Such declaration having been filed on July 30, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration pursuant to Rule U-46 to become effective, and finding that the requirements of section 12 (c) are satisfied;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8338; Filed, August 26, 1942; 10:46 a. m.]

Reference

AUG 31 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 170

Washington, Friday, August 28, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

FEE FOR RELEASE OF PERSONAL LIABILITY

Title 6, Code of Federal Regulations, is amended by adding the following new section:

§ 24.11 *Fee for release of personal liability.* A fee of $8.00 is charged in connection with applications for release of personal liability for the payment of a Federal land bank loan, a Land Bank Commissioner loan, or joint Federal land bank and Land Bank Commissioner loans, if an appraisal is made. (Sec. 13 "Ninth", 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U. S. C. 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) [Res. Bd. Dir., July 20, 1942]

The Federal Land Bank of Louisville acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] By E. RICE, *President.*

[F. R. Doc. 42-8371; Filed, August 27, 1942; 10:19 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 135—GENERAL LICENSES ISSUED UNDER SECURITIES REGULATIONS OF THE GOVERNOR OF HAWAII

[General License No. HS-3]

EXEMPTION FROM DEPOSIT REQUIREMENT

AUGUST 15, 1942.

§ 135.3 *General License No. HS-3.* (a) Certificates of the following types are hereby exempted from the requirement of deposit in a securities custody account pursuant to § 133.2 (b)[1] of the Regulations Relating to Securities, as amended:

(1) Installment share certificates and optional payment share certificates issued by building and loan and savings and loan associations; and

(2) Savings share account certificates issued by federal savings and loan associations.

(b) This general license shall not be deemed to exempt from the requirement of deposit any fully paid or matured share certificate issued by a building and loan or savings and loan association.

J. B. POINDEXTER, *Governor of Hawaii.*

[F. R. Doc. 42-8360; Filed, August 26, 1942; 4:21 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 115]

NOTICE TO RECRUITING SERVICES

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 190, entitled "Notice to Recruiting Services," effective immediately upon the filing hereof with the Division of the Federal Register.[2]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

AUGUST 13, 1942.

[F. R. Doc. 42-8384; Filed, August 27, 1942; 11:24 a. m.]

[1] 7 F.R. 5808, 6463.

[2] Filed as part of the original document.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

The [illegible] restrictions on the republication of [illegible] appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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[No. 116]

PERMIT OF LOCAL BOARD FOR REGISTRANT TO DEPART FROM THE UNITED STATES

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 351 "Permit of Local Board for Registrant to Depart from the United States," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of original DSS Form 351 on hand will be used until exhausted.

The foregoing revision shall become, effective immediately upon the filing hereof with the Division of the Federal Register, a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 22, 1942.

[F. R. Doc. 42–8385; Filed, August 27, 1942; 11:24 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Revocation of Supplementary Limitation Order L–26–b]

Section 1029.3 *Supplementary Limitation Order L–26–b*[2] is hereby revoked, the subject matter thereof now being covered by Priorities Regulation 13 (§ 944.34). This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Order L–26–b. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8372; Filed, August 27, 1942; 11:11 a. m.]

PART 1096—WOOD PULP

[Correction to Amendment 2 to General Preference Order M–93]

Typographical errors have been discovered in Amendment No. 2 of § 1096.1 (e) (2) of *General Preference Order M–93*, as amended,[3] and the following corrections to that section should be made so that the section will read:

(2) *Intra-company deliveries.* The prohibitions and restrictions contained in this order shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single business enterprise to another branch, division, or section of the same or any other business enterprise under common ownership or control; and each such affiliate, subsidiary, branch, division or section shall for the purposes of this order be deemed a separate person. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8375; Filed, August 27, 1942; 11:12 a. m.]

PART 1158—INDUSTRIAL MACHINERY

[Amendment 3 to General Limitation Order L–83, as Amended]

Paragraph (a) (6) (iii) of § 1158.1 *General Limitation Order L–83*, as amended[1] is amended by inserting after the words "a Preference Rating Certificate PD–1 or PD–1A," the words "a Preference Rating Certificate in the PD–25 or PD–408 series". (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8373; Filed, August 27, 1942; 11:11 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Amendment 1 to General Limitation Order L–123]

Section 1226.1 *General Limitation Order L–123*,[2] is hereby amended in the following respects:

1. Paragraph (a) (6) is amended to read as follows:

(6) "Approved orders" means:

(i) Any order for general industrial equipment bearing a preference rating of A–1–c or higher.

(ii) Any order for general industrial equipment for the Army, the Navy, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, and the Office of Scientific Research and Development.

(iii) Any order for general industrial equipment which the Director General for Operations authorizes for delivery pursuant to paragraph (b) (2) hereof.

2. Paragraph (b) is amended to read as follows:

(b) *Restrictions on acceptance of orders for, and production and distribution of general industrial equipment*—(1) *General restrictions.* (i) No person shall accept any order for general industrial equipment or commence production of any general industrial equipment in fulfillment of any order, whether accepted or not; unless such order is an approved order.

(ii) No person shall deliver, and no person shall accept delivery of, any general industrial equipment, except pursuant to an approved order; provided, however, that the provisions of this paragraph (b) (1) shall not prohibit the production and delivery, prior to October 1, 1942, of General Industrial Equipment in fulfillment of an order accepted prior to August 27, 1942 and bearing a preference rating of A–9 or higher; and provided, further, that nothing in this order shall prevent shipment of general industrial equipment from any manufacturer to any distributor to fill approved orders actually received by such distributor or to replace general industrial equipment delivered by such distributor to fill an approved order nor shall this order limit the right of a manufacturer legally to extend any preference rating certificate to secure material for the production of approved orders for general industrial equipment.

(2) *Authorization for orders on books.* Manufacturers or distributors may apply for authorization to commence production of, or to deliver, orders now on their books which are not Approved Orders, by filing with the War Production Board, a list in triplicate, plainly marked Ref: L-123, of all such orders, together with the name of the purchaser or lessee, the date of the order, the number of pieces of equipment or machinery, the rating assigned, the Preference Rating Certificate number, if any (or blanket preference rating order and serial number), a description of the machinery, the value of the machinery, the specified delivery date, the extent of completion of the order, and the expected use to which the machinery will be put. The Director General for Operations may thereupon authorize the production or delivery of any such orders, or the assignment of preference ratings thereto.

3. Items 7, 8, 9, and 14 of List A are amended to read as follows:

List A

• • • • •

7. Industrial pumps, mechanically operated, including centrifugal, power, reciprocating, turbine, deep well turbine, rotary, cam, screw, gear, valve and jet types; but not including pumps for farm use as defined in General Limitation Order L–26, measuring and dispensing pumps, vertical submerged reciprocating or turbine type pumps used in oil wells for petroleum production, or boiler feed pumps used in the operation of steam generating boilers above 100 pounds pressure, which are to be used for any purpose. Notwithstanding any other provision of this order, a pump shall be deemed to be "new", and therefore included within the provisions of the order, until such pump has been sold by a manufacturer or distributor to a person acquiring it for use, regardless of whether such pump may have theretofore been leased to any person or persons temporarily by such manufacturer or distributor.

8. Electric motors, one horsepower and over; except motors for farm use covered by General Limitation Order L–26.

9. Industrial hand trucks, other than highway; except two wheel hand trucks with a retail sales price not in excess of $10.

• • • • •

14. Electric controls, manual and magnetic, including safety switches, for motors one horsepower and over; except electric controls for farm use covered by General Limitation Order L–26. (P.D. Reg. 1, as amended, 6. F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8374; Filed, August 27, 1942; 11:12 a. m.]

PART 1283—PATTERNS FOR GARMENTS MADE OF WOOL, SILK, RAYON, COTTON, LINEN AND OTHER MATERIALS

[General Limitation Order L–153]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1283.1 *General Limitation Order L–153*—(a) *Definitions.* (1) "Pattern" means the design for making a garment from any fabric, cut or outlined in the actual measurements to which such garment is to conform.

(2) "Master pattern" means the original pattern from which patterns for sale are made.

(b) *Restrictions on making master patterns.* No person shall, after September 1, 1942, make any master pattern the measurements of which, exclusive of seams, exceed the maximum measurements prescribed by General Limitation Order L–85,[1] L–116[2] or L–118,[3] as such applicable order may be amended as of the date of making such master pattern, for the manufacture from cloth other than wool cloth of finished garments of the same type as the garment to be made from such pattern.

(c) *Restrictions on sales and deliveries of patterns.* No manufacturer of patterns shall, after February 1, 1943, sell, deliver, or distribute any pattern the measurements of which, exclusive of seams, exceed by more than 5 per cent the maximum measurements prescribed by General Limitation Order L–85, L–116 or L–118, as such applicable order may be amended as of the date of such sale or delivery, for the manufacture from cloth other than wool cloth of finished garments of the same type as the garment to be made from such pattern.

(d) *Communications to the War Production Board.* All communications concerning this order, or any reports which may be required to be filed hereunder, shall, unless otherwise directed, be in writing and be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Reference L–153.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board by letter or telegraph, Reference Order L–153, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8376; Filed, August 27, 1942; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[Amendment 3 to Revised Price Schedule 60[1]]

DIRECT-CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraphs (a) and (d) of § 1334.52 are amended, a new paragraph (e) is added to § 1334.52, and a new § 1334.58a is added, as set forth below:

§ 1334.52 *Maximum prices for sales of direct-consumption sugars at wholesale*

[1] Filed as part of the original document.
[2] 7 F.R. 3661.
[3] 7 F.R. 1978, 2237, 2789, 5022, 6467.
[1] 7 F.R. 3715, 4037, 4881.
[2] 7 F.R. 3932, 4477.
[1] 7 F.R. 5297.
[2] 7 F.R. 3475, 4851.
[3] 7 F.R. 3885.
*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 1320, 1836, 2132, 2510, 5664.

by persons other than primary distributors. On and after March 31, 1942, regardless of any contract, agreement, lease, or other obligation no person shall sell or deliver direct-consumption sugars at wholesale, and no person shall buy or receive direct-consumption sugars at wholesale in the course of trade or business at prices higher than the maximum prices established by this section. These maximum prices are gross prices and include prevailing commissions, discounts, and all other charges.

(a) The basic maximum price shall be the highest price at which the seller sold such sugars of similar grade, package, and amount to a similar purchaser during either the period October 6, 1941, to October 11, 1941, inclusive, or the period December 1, 1941, to December 6, 1941, inclusive. The seller may select either period at his option. However, once having selected a period, the seller must use the period selected for all purposes of this section. The maximum price for sugars acquired subsequently at a higher net purchase cost shall be determined by adding to the basic maximum price the amount, if any, by which the said higher net purchase cost exceeds the net purchase cost of the sugars upon which the basic maximum price was based: *Provided*, That the seller has first sold his entire inventory of lower cost sugars, and: *Provided further*, That in calculating said maximum prices, the amount by which any net purchase cost exceeds the maximum prices established by § 1334.51 shall not be included. In determining the maximum price for a particular grade or package the seller shall employ the differential for such grade or package which he used during the period selected by him. If he made no sale of such grade or package during the period selected by him he shall employ the differential for such grade or package in accordance with the applicable differential for grades and packages published or in effect during such period of the primary distributor from whom the seller purchased such sugar.

* * * * *

(d) The seller's maximum price for direct-consumption sugars sold at wholesale which cannot be priced under paragraph (a) of this section shall be a maximum price in line with the level of maximum prices established thereunder. Such maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (1) the location of the seller; (2) the territory in which he sells or will sell and the prevailing prices at wholesale therein; (3) a detailed description of the sugars to be sold; and (4) the terms of sale. If such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report the price to the Office of Price Administration in Washington, D. C., upon a form, duly filled out and signed under oath or affirmation, which will be furnished him. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(e) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established by this section for any seller at wholesale in any case in which the seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of direct-consumption sugars; and

(2) That establishing for him a maximum price, bearing normal relation to the maximum prices established for competitive sellers of direct-consumption sugars, will not cause or threaten to cause an increase in the level of retail prices for direct-consumption sugars.

Applications for adjustment under this paragraph (e) shall be filed in accordance with Procedural Regulation No. 1.[1]

§ 1334.58a *Applications for adjustment.* Any person seeking relief, for which no provision is made in this Revised Price Schedule No. 60, from a maximum price established under this schedule may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1[1] and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Revised Price Schedule No. 60 to eliminate the danger of inflation.

§ 1334.60a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1334.52 (a), (d) and (e), and § 1334.58a) to Revised Price Schedule No. 60 shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8366; Filed, August 26, 1942; 4:49 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[Maximum Price Regulation 209]

SALES BY CANNERS OF CALIFORNIA SARDINES

In the judgment of the Price Administrator the prices of California sardines have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of California sardines prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 209 is hereby issued.

Sec.
1364.201 Prohibition against dealing in California sardines at prices above the maximum.
1364.202 Conditional agreement.
1364.203 Sales for export.
1364.204 Less than maximum prices.
1364.205 Evasion.
1364.206 Records and reports.
1364.207 Enforcement.
1364.208 Petitions for amendment.
1364.209 Applicability of General Maximum Price Regulation.
1364.210 Definitions.
1364.211 Effective date.
1364.212 Appendix A: Maximum canners' prices for California sardines.

AUTHORITY: §§ 1364.201 to 1364.212, inclusive issued under Pub. Law 421, 77th Cong.

§ 1364.201 *Prohibition against dealing in California sardines at prices above the maximum.* On and after August 31, 1942, regardless of any contract, agreement or other obligation, no canner, or agent or other person acting on behalf, or under the control of such canner shall sell or deliver any California sardines, and no person in the course of trade or business shall buy or receive from a canner any California sardines at prices higher than those set forth in Appendix A hereof, incorporated herein as § 1364.212; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of California sardines to a purchaser if, prior to August 31, 1942, such California sardines have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.202 *Conditional agreement.* No canner of California sardines shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices

[1] 7 F.R. 971, 3663.

[*] Copies may be obtained from the Office of Price Administration.

provided by § 1364.212, in the event that this Maximum Price Regulation No. 209 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.203 *Sales for export.* The maximum price at which a person may export California sardines shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1364.204 *Less than maximum prices.* Lower prices than those set forth in § 1364.212 may be charged, demanded, paid, or offered.

§ 1364.205 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 209 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to California sardines, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping, or packaging of California sardines.

§ 1364.206 *Records and reports.* (a) Every person subject to this regulation making a purchase or sale of California sardines in the course of trade or business, or otherwise dealing therein, after August 31, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of California sardines.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.207 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 209 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 209 or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.208 *Petitions for amendment.* Persons seeking modification of any provision of this Maximum Price Regulation No. 209 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1364.209 *Applicability of General Maximum Price Regulation.*[2] The provisions of this Maximum Price Regulation No. 209 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1364.210 *Definitions.* (a) When used in this Maximum Price Regulation No. 209 the term:

(1) "Person" includes an individual corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Canner" means a person who preserves California sardines by processing and hermetically sealing in metal containers.

(3) "California sardine" means canned Pacific pilchards (Sardina caerulea) of the sizes customarily packed and marketed under the trade designations, sardines or pilchards, regardless of the location of the cannery.

(4) "Price per case" means, as to No. 1 ovals and No. 1 talls, the price for a lot of forty-eight cans packed for shipment in the usual domestic fiber container; as to 8 oz., the price for a lot of ninety-six cans packed for shipment in the usual domestic fiber container; and, as to 5 oz., the price for a lot of one hundred cans packed for shipment in the usual domestic fiber container.

(5) "No. 1 oval" means No. 1 oval drawn cans (607 x 406 x 105).

(6) "No. 1 tall" means No. 1 citrus cans (300 x 407) or No. 1 food cans (300 x 409).

(7) "8 oz." means 8 Z short cans (211 x 300).

(8) "5 oz." means 6 Z cans (202 x 309).

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.211 *Effective date.* This Maximum Price Regulation No. 209 (§§ 1364.201 to 1364.212, inclusive) shall become effective August 31, 1942.

§ 1364.212 *Appendix A: Maximum canners' prices for California sardines.* (a) The prices set forth below are maximum prices per case for California sardines, f. o. b. locality of cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials to purchasers of different classes.

Description		Maximum price per case
Container size and type	Style of pack.	
No. 1 ovals standard pack.	Tomato sauce, mustard.	$4.62
No. 1 ovals standard pack.	Natural	4.52
No. 1 talls standard pack.	Tomato sauce, mustard.	3.95
No. 1 tall: standard pack.	Natural	3.60
8 oz. standard pack	Tomato sauce	5.25
8 oz. standard pack	Natural	5.00
5 oz. standard pack	Tomato sauce	4.65
5 oz. standard pack	Natural	4.40

(b) For container sizes or types and styles of pack not listed in paragraph (a), the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by a sworn statement showing costs and usual differentials.

(c) To the maximum prices per case specified in paragraph (a) or determined pursuant to paragraph (b) there may be added, as compensation for special packaging costs for California sardines packed in wooden export cases the sum of twelve cents per case and for California sardines packed in waterproof solid fiber satisfying government specifications the sum of nine cents per case.

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8363; Filed, August 26, 1942; 4:52 p. m.]

PART 1372—SEASONAL COMMODITIES

[Maximum Price Regulation 210]

FALL AND WINTER SEASONAL COMMODITIES

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for the sale at retail and wholesale of certain commodities which, because of their seasonal nature, were not generally sold at retail or wholesale in March 1942.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable, and in conformity with the general level of prices established by the General Maximum Price Regulation.[1] A statement of the considerations involved in the issuance of this regulation

[1] 7 F.R. 5059.

[2] 7 F.R. 3155, 3158.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4730, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 210 is hereby issued.

Sec.

1372.101 Applicability of this Maximum Price Regulation No. 210.
1372.102 Maximum prices for fall and winter seasonal commodities.
1372.103 Maximum prices where the rules of § 1372.102 cannot be applied.
1372.104 Adjustment of maximum prices for different classes of purchasers.
1372.105 Records.
1372.106 Relation between Maximum Price Regulation No. 210 and the General Maximum Price Regulation.
1372.107 Less than maximum prices.
1372.108 Evasion.
1372.109 Enforcement.
1372.110 Definitions.
1372.111 Effective date.
1372.112 Appendix A: List of fall and winter seasonal commodities.

AUTHORITY: §§ 1372.101 to 1372.112, inclusive, issued under Public Law 421, 77th Cong.

§ 1372.101 *Applicability of this Maximum Price Regulation No. 210—(a) What commodities must be priced under this regulation.* This regulation applies only to the particular commodities listed in Appendix A (§ 1372.112) of this regulation. These commodities are called "fall and winter seasonal commodities."

(b) *To what types of sellers this regulation applies.* This regulation applies only to sellers at retail and at wholesale.

(c) *Purpose of this regulation.* This regulation estebilishes maximum prices for the particular fall and winter seasonal commodities which are listed in Appendix A (§ 1372.112). On and after August 31, 1942, the date this regulation takes effect, regardless of any contract or other obligation, no person is permitted to sell or deliver at retail or wholesale any of the listed commodities at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any of these commodities in the course of trade or business at a price higher than that maximum price.

§ 1372.102 *Maximum prices for fall and winter seasonal commodities—(a) How a seller calculates his maximum prices under this regulation.* The seller is required to calculate each maximum price as follows:

(1) The seller should first find both his "average cost" and his "current cost" for the commodity he is pricing. The meaning of these terms is explained in paragraph (b) of this section.

(2) The seller will then find the maximum price by adding to the *lower* of these two cost figures the mark-up which he took during the last six months of 1941. This mark-up, called the "initial percentage mark-up," is explained in paragraph (b) of this section.

*Copies may be obtained from the Office of Price Administration.

(b) *Meaning of terms—(1) How a seller calculates his "average cost" for the commodity which he is pricing.* (i) The seller should first find from his invoices or other records and information the quantities of the commodity delivered to him between January 1, 1942 and August 26, 1942, and the total of the costs of all the lots delivered (that is, the total price of all the lots less all discounts except for cash). The seller should then find his "average cost" for the commodity by dividing the total of these costs by the total number of articles in all the lots.

(ii) In his calculation, the seller should include only deliveries of the commodity for sale by him during the 1942–1943 fall and winter season. If he received no such deliveries, he may disregard "average cost" in calculating his maximum price.

(2) *How a seller calculates his "current cost" for the commodity which he is pricing.* A seller should use for "current cost" a figure which is the same as the price asked for the commodity by a supplier from whom the seller has customarily bought fall and winter seasonal commodities in substantial quantities. For this calculation, the seller should use his supplier's price on May 11, 1942 (less all usual discounts to him except for cash). If the supplier did not offer the commodity for sale until a later date, the price on that date should be used. If, however, none of the seller's customary suppliers has offered the commodity for sale since May 11th, then the seller should use as his "current cost" the price asked by a supplier from whom the seller's competitors have been buying in substantial quantities.

(3) *How a seller calculates his "initial percentage mark-up."* Three different rules are given for this calculation. Every seller is required to use Rule 1 if he has or can obtain invoices or other records and information showing the purchases and sales of the same commodity as the one being priced which he made during the last six months of 1941. If the seller dealt in the same commodity during that period but does not have the information needed for Rule 1, he should use Rule 2. If the seller did not deal in the same commodity during that period, he should use Rule 3.

Rule 1. Calculation of "initial percentage mark-up" by commodity. The seller should first find the total of the costs (that is, the total price less all discounts except for cash) for all the lots of the same commodity as the one being priced which he bought to sell during the last six months of 1941. The seller should then find for all these lots the total of the prices (all discounts disregarded) at which he first offered articles from each lot during the same period. The seller should next subtract the total costs from the total of these first offering prices. The difference, which is his total dollar mark-up, should be divided by the total costs to get the "initial percentage mark-up."

The following example shows how the "initial percentage mark-up" should be calculated for a commodity under Rule 1:

Lots purchased for sale during last 6 months of 1941	Cost per article on each lot	Total costs	Prices at which articles from each lot were first offered for sale during last 6 months of 1941	Total first offering prices
1. 120 articles	$1.00	$120	$1.50	$180
2. 60 articles	1.05	63	1.50	90
3. 240 articles	1.20	288	1.75	420
4. 360 articles	1.25	450	1.75	630
Total		921		1,320

$1,320 (total of first offering prices) minus $921 (total of costs) leaves $399 (total dollar mark-up). $399 divided by $921 results in an "initial percentage mark-up" over cost of 43.3%.

Rule 2. Calculation of "initial percentage mark-up" by department or business establishment. Some sellers, who in the last six months of 1942 have offered for sale the same commodity as the one being priced, will not have and cannot obtain the invoices or other records and information required by Rule 1 and must therefore use this Rule 2. For each commodity being priced under this Rule 2, the seller should use as his "initial percentage mark-up" the *average* of the "initial percentage mark-ups" which he took during the same period on all commodities sold in the department in which he sells the commodity being priced. If the seller does not sell his merchandise in departments, he should use his store or establishment average instead of a department average. The seller should base the average which he is calculating on his available records and information as to the purchasing, pricing, and selling practices which he followed, especially in the sale of fall and winter seasonal commodities, during the last six months of 1941. The seller should thus consider the total of the costs of the commodities bought by him, the total of the prices received for the commodities sold, and the extent to which the prices received may have been lower than the prices at which he first offered the commodities for sale.

Rule 3. Calculation of "initial percentage mark-up" where the same commodity was not sold in the last six months of 1941. In this case the seller should use the "initial percentage mark-up" of the similar commodity most nearly like the one he is pricing. He should calculate this mark-up for the similar commodity by using Rule 1 above, if he has or can obtain the invoices or other records and information needed. If not, or if the seller did not sell any similar commodity in the last six months of 1941, he should follow Rule 2 above.

§ 1372.103 *Maximum prices where the rules of § 1372.102 cannot be applied.* A seller will be unable to use any of the rules provided in the preceding section for the calculation of his maximum prices if he was not engaged in selling fall and winter seasonal commodities during the last six months of 1941. In this case the seller's maximum price is required to be the same as the maximum price set under this regulation by the most closely competitive seller of the same class (a) for the same commodity, or, (b) if no such maximum price has been set for that commodity, then for the similar commodity most nearly like it.

§ 1372.104 *Adjustment of maximum price for different classes of purchasers.* In case the seller had a practice during the last six months of 1941 of giving to different classes of purchasers allowances, discounts or other price differentials, he is required to continue that practice and his maximum price calculated for any commodity must be reduced by the seller to reflect such allowances, discounts and price differentials. No seller shall change his customary allowances, discounts and price differentials if the change results in a higher net price.

§ 1372.105 *Records.* To aid in the enforcement of this regulation every seller is required to keep certain records for inspection by the Office of Price Administration. These records are described in the three paragraphs which follow:

(a) *Records of purchases and sales on which the seller's calculation of maximum prices was based.* The seller must preserve all existing records showing (1) the cost of the fall and winter seasonal commodities which the seller bought for sale during the last six months of 1941 and (2) the prices at which the seller offered those commodities for sale.

(b) *Records of calculations made by the seller in setting each maximum price.* The seller must prepare and preserve (in a form which will permit filing on demand with the Office of Price Administration) records showing, as accurately as possible, the basis on which the seller set each maximum price. These records should include the "average cost", the "current cost", the "initial percentage mark-up", and the purchasing, offering, and selling prices wherever required in any step in the seller's calculation of a maximum price. Articles or lots of a commodity for which records are kept should be fully identified by the supplier's name, address, and style or lot number.

(c) *Customary records of prices charged.* The seller must continue to keep records of the same kind as he has customarily kept showing the prices actually charged by him for the fall and winter seasonal commodities which he sells after the effective date of this regulation.

§ 1372.106 *Relation between Maximum Price Regulation No. 210 and the General Maximum Price Regulation.* (a) Maximum prices previously set under the General Maximum Price Regulation will not apply to fall or winter seasonal commodities listed in Appendix A which are sold or delivered on or after August 31, 1942. All such fall and winter commodities must be priced under this regulation and not under the General Maximum Price Regulation. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and the seller must comply with them:

(1) Determination of maximum prices by sellers at retail operating more than one retail establishment (§ 1499.4a).

(2) Transfers of business or stock in trade (§ 1499.5).

(3) Sales for export (§ 1499.6).

(4) Maximum prices of cost-of-living commodities; statement, marking or posting (§ 1499.13).

(5) Sales slips and receipts (§ 1499.14).

(6) Applications for adjustment (§ 1499.18).

(7) Petitions for amendment (§ 1499.19).

(b) The tax provisions of § 1499.7 of the General Maximum Price regulation shall apply to every person selling at wholesale or retail any commodity covered by this Maximum Price Regulation No. 210. However, the March, 1942, period used in the General Maximum Price Regulation does not apply to this regulation. Therefore, the words "during the last six months of 1941" shall be substituted for the words "during March, 1942" in § 1499.7, and the words "after December 31, 1941," shall be substituted for the words "after March 31, 1941" in § 1499.7.

(c) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling at wholesale or retail any commodity covered by this Maximum Price Regulation No. 210.

§ 1372.107 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 210, may be charged, demanded, paid or offered.

§ 1372.108 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 210 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any fall and winter seasonal commodity, alone or in conjunction with any other commodity or by way of commission, service, transportation, or any other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1372.109 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 210 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942.

§ 1372.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 210, the term "fall and winter seasonal commodity" means only the commodities designated as such in Appendix A (§ 1372.112).

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation [3] shall apply to other terms used herein.

§ 1372.111 *Effective date.* This Maximum Price Regulation No. 210 (§§ 1372.101 to 1372.112, inclusive) shall become effective August 31, 1942.

§ 1372.112 *Appendix A—List of fall and winter seasonal commodities.* Any commodity which falls within any of the following classifications is designated as a fall and winter seasonal commodity.

NOTE: The commodities listed below are not intended to include any article subject to (a) any Maximum Price Regulation or Price Schedule, other than the General Maximum Price Regulation, in effect on August 31, 1942 or issued at any time thereafter, or (b) any commodity exempted from the General Maximum Price Regulation [3] by any supplementary regulation thereto, in effect on August 31, 1942 or issued at any time thereafter, unless otherwise provided in any such price regulation.

(a) *The following designated types of coats, jackets, vests, pants, shirts, etc.* (1) Lined coats, jackets and vests (men's and boys' only—all sizes, except men's and boys' tailored garments covered by Maximum Price Regulation No. 177 [4]).

(2) Mackinaws, swagger and finger-tip coats (men's and boys' only—all sizes, except men's and boys' tailored garments covered by Maximum Price Regulation No. 177 [4]).

(3) Shirts made of wool, part wool, cotton flannel or suede (men's and boys' only—all sizes).

(4) Heavyweight jackets, loafer coats and pants made of kersey, melton, plaids and fleeces (men's and boys' only—all sizes, except men's and boys' tailored garments covered by Maximum Price Regulation No. 177 [4]).

(5) Jackets made of leather and leather combination (men's and boys'—all sizes).

(6) Leather coats and jackets when bodies and sleeves are made entirely of leather (women's and girls' only—all sizes).

(7) Corduroy coats, suits, jackets, vests and pants (men's and boys' only—all sizes, except infants' sizes).

(8) Hunting clothing, including coats, vests, pants and hats (men's and boys' only—all sizes).

(9) Smoking jackets.

(10) Ski and skating outerwear clothing (male and female—all sizes except infants' and children's snowsuits and ski pants up to and including size 14, and infants' and children's leggings and legging sets up to and including size 10).

(b) *The following designated types of sweaters.* Heavy winter type of sweaters, made of wool and part wool, as follows:

(1) Men's, 18 pounds and over per dozen, size 34 and up (weight calculated on size 42).

[3] *Supra* Note 1.
[4] 7 F.R. 5182, 5475.

(2) Boys' 15 pounds and over per dozen, sizes 20 to 36, inclusive (weight calculated on size 36).

(3) Women's pullovers, 12 pounds and over per dozen, sizes 32 to 40 inclusive (weight calculated on size 36).

(4) Girls' pullovers, 9 pounds and over per dozen, sizes 24 to 36, inclusive (weight calculated on size 34).

(5) Women's sweater coats, 15 pounds and over per dozen, sizes 36 to 46 inclusive (weight calculated on size 42).

(c) *The following designated types of hosiery.* Hosiery made of wool or part wool (female only—all sizes except infants' sizes) but not including anklets.

(d) *The following designated types of gloves.* (1) Husking gloves and husking mittens.

(2) Lined work gloves.

(3) Gloves and mittens made of fur, wool, part wool, brushed rayon or leather, but not including female unlined leather gloves or unlined leather work gloves.

(e) *The following designated types of footwear.* (1) Football, soccer, rugby and bowling shoes; roller skating, hockey and ice-skating shoes and combination shoes and skates, but not including separate skates except as otherwise provided herein.

(2) Boots and shoes especially designated for hunting, fishing, skiing, snowshoeing and mountain climbing.

(3) Snowboots—specially designed hi-cut boots six inches or more in height constructed with a cuff designed to be turned down over the quarter.

(4) Shoes made wholly or substantially of felt for winter use.

(5) Shoes lined with shearling, felt, flannel or other similar material.

(6) Boot socks made of leather or felt.

(7) Slippers designed solely for indoor wear but not including slippers of casual or loafer type or evening dress slippers.

(f) *The following designated types of robes, gowns, nightwear, etc.:* (1) Gowns, pajamas and bed jackets made of brushed rayon (female only—all sizes, except infants' sizes).

(2) Robes, housecoats, bed jackets and vesties, made of quilt, suede or corduroy (female only—all sizes, except infants' sizes).

(3) Winter nightwear made of flannel or flannelette, including pajamas, gowns and nightshirts (male and female—all sizes, except infants' sizes).

(4) Robes made of wool or part wool (male and female—all sizes except infants' sizes).

(g) *The following designated miscellaneous articles.* (1) Mufflers and scarves, made of wool or part-wool.

(2) Shoulderettes and knee warmers.

(3) Ear muffs.

(4) Parka hoods.

(5) Men's spats.

(6) Leather helmets but not including athletic helmets, except as herein provided.

(7) Holiday costumes for fall and winter holidays.

(8) Fur fabrics sold as piece goods.

(h) *The following designated types of appliances, toys and miscellaneous articles.* (1) Snow shovels, snow pushers and sidewalk scrapers.

(2) Storm doors and storm sashes.

(3) Portable or fixed room heaters, commonly used in the home.

(4) Stove and furnace pipes and elbows.

(5) Radiator shields.

(6) Coal hods and fire shovels.

(7) Air moisteners.

(8) Andirons and fireplace equipment.

(9) Plow handles.

(10) Beet knives, grape picking knives and cane and corn knives.

(11) Cold pack canners.

(12) Cross cut saw handles.

(13) Shotgun shells.

(14) Gun cases.

(15) Skis, ski-poles and ski-bindings.

(16) Snowshoes and toboggans.

(17) Ice skates and ice hockey skates and sticks.

(18) Bird calls, game carriers and decoys.

(19) Toys and games, but not including Easter novelties or the summer seasonal toys covered by Maximum Price Regulation No. 142.

(20) Footballs.

(21) Football helmets, shoulder pads, hip pads, knee pads and related sundries.

(22) Basketballs.

(23) Basketball knee pads, goals and related sundries.

(24) Soccer balls and soccer ball goals.

(25) Hallowe'en novelties.

(26) Christmas tree ornaments, tree lights and tree holders.

(27) Carving sets and manicure gift sets.

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8361; Filed, August 26, 1942; 4:48 p. m.]

PART 1389—APPAREL

[Amendment 1 to Maximum Price Regulation 177[1]]

MEN'S AND BOYS' TAILORED CLOTHING

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1389.115 (b) and 1389.116 (c) are amended by eliminating the date "September 1, 1942" wherever it appears, and substituting the date "October 10, 1942," and by adding at the end of each section the *Provisos* set forth below. Other amendments and additions are made as follows:

Amended: §§ 1389.102 (a) (1) (iii), (iv), and (vii); 1389.119 (a) (8), (12), (13), and (14).

Added: §§ 1389.102 (a) (1) (xi); 1389.119 (a) (16).

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5182, 5475.

§ 1389.102 *Categories of men's and boys' tailored clothing*—(a) *Classifications of garments.* • • •

(1) • • •

(iii) Suits with long pants or breeches, including uniforms.

(iv) Separate coats, including sport coats, sack coats and blouses made in the manner commonly used for coats;

• • • • • •

(vii) Long pants and breeches;

• • • • • •

(xi) Ceremonial and religious vestments not included in foregoing types.

• • • • • •

§ 1389.115 *Records of sellers of ready-made garments otherwise than at retail, and of all manufacturers.* • • •

(b) • • • *Provided,* That this paragraph (b) shall not apply to persons whose total sales of men's and boys' tailored clothing during the year ended June 30, 1942, did not exceed one hundred thousand dollars, nor to the ceremonial and religious vestments referred to in § 1389.102 (a) (1) (xi) as amended.

§ 1389.116 *Records of sellers of "tailored to the trade," and "made to measure" garments.* • • •

(c) • • • *Provided,* That this paragraph (c) shall not apply to persons whose total sales of men's and boys' tailored clothing during the year ended June 30, 1942, did not exceed one hundred thousand dollars, nor to the ceremonial and religious vestments referred to in § 1389.102 (a) (xi) as amended. • • •

§ 1389.119 *Definitions*—(a) • • •

(8) "Overcoat" means any coat commonly known as an overcoat, topcoat, reversible (of which the outer shell is made of part or all wool fabric), fingertip, cape or detachable lined coat, made of a fabric weighing more than twenty-two ounces per lineal yard computed on a fifty-four inch width basis:

• • • • • •

(12) "Tailored clothing" means clothing of the types listed in § 1389.102 (a) (1), which is cut, made and trimmed in the manner generally used for business and dress clothing; "tailored clothing" excludes:

(i) Work clothing,

(ii) Rainwear,

(iii) Furnishings or haberdashery,

(iv) Clothing made of the following principal materials when they contain only cotton fiber: corduroys, denims, coverts, jeans, drills, cottonades, whipcords, moleskins, poplins, and twills.

(13) "Topcoat" means any coat commonly known as an overcoat, topcoat, reversible (of which the outer shell is made of a part or all wool fabric), fingertip, cape or detachable lined coat, made of a fabric weighing not more than twenty-two ounces per lineal yard, computed on a fifty-four inch width basis;

(14) "Tropical weight" means made of:

(i) A fabric which weighs not more than eleven ounces per lineal yard computed on a fifty-four inch width basis, or

(ii) Any summer washable fabric of any weight;

• • • • • •

(16) "Tailored to the trade" and "made to measure" clothing means all tailored clothing manufactured to individual measurements, including clothing manufactured by merchant tailors or custom tailors. • • •

§ 1389.120a *Effective dates of corrections and amendments.* • • •

(b) Amendment No. 1 (§§ 1389.102 (a) (1) (iii), (iv), (vii) and (xi); 1389.115 (b); 1389.116 (c); 1389.119 (a) (8), (12), (13), (14) and (16)) shall become effective on August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8362; Filed, August 26, 1942; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 6 to Revised Supplementary Regulation 4 to General Maximum Price Regulation]

EXCEPTIONS FOR CERTAIN COMMODITIES AND CERTAIN TRANSACTIONS

CANNED CHICKEN AND TURKEY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (20) is added to § 1499.29 (a) to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(20) Sales or deliveries of canned boned chicken and canned boned turkey to the United States or to any agency thereof.

(d) *Effective dates of amendments.* • • •

(7) Amendment No. 6 (§ 1499.29 (a) (20)) to Revised Supplementary Regulation No. 4 shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8365; Filed, August 26, 1942; 4:51 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 31 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3-1214]

DEMING AND GOULD COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.331 *Adjustment of maximum prices for sales of canned Alaska salmon by Deming and Gould Company.* (a) Deming and Gould Company, of South Bellingham, Washington, may sell and deliver to government purchasing agencies, and government purchasing agencies may buy and receive from Deming and Gould Company, Alaska salmon canned by Pacific American Fisheries, Inc., at prices not higher than these set forth below:

(1) Red salmon, cases of 48 1-lb. talls @ $14.40 per case, f. o. b. South Bellingham.

(2) Pink salmon, cases of 48 1-lb. talls @ $7.70 per case, f. o. b. South Bellingham.

(3) Chum salmon, cases of 48 1-lb. talls @ $7.30 per case, f. o. b. South Bellingham.

(b) All prayers of the application, which relate to sales of government purchasing agencies, not granted herein are denied.

(c) This Order No. 31 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 31 (§ 1499.331) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 31 (§ 1499.331) shall become effective August 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8364; Filed, August 26, 1942; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 8 to Revised Supplementary Regulation 4[1] to General Maximum Price Regulation[2]]

DEHYDRATED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (22) is added to § 1499.29 (a) to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(22) Sales or deliveries of dehydrated vegetables to the armed forces or any other purchasing agency of the United States.

(d) *Effective dates of amendments.* • • •

(9) Amendment No. 8 (§ 1499.29 (a) (22)) to Revised Supplementary Regulation No. 4 shall become effective on September 2, 1942. (Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8394; Filed, August 27, 1942; 12:02 p. m.]

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

PART 1499—COMMODITIES AND SERVICES

[Amendment 11 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

COTTONSEED HULLS IN TEXAS AND OKLAHOMA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (11) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(11) *Certain sales of cottonseed hulls in Texas and Oklahoma.* Until October 1, 1942 the maximum price, f. o. b. mill, for sales of cottonseed hulls to feeders in Texas and Oklahoma by mills located therein which have exhausted their supply from the 1941 crop shall be computed as follows:

(i) For cottonseed hulls purchased from an unaffiliated mill producing the same, cost of the cottonseed hulls delivered to the mill plus $1.00 per ton.

(ii) For cottonseed hulls purchased from an affiliated mill the cost of the cottonseed hulls delivered to the mill.

In no event shall the maximum price to the feeder determined pursuant to this amendment, exceed $12.00 per ton, *Provided,* That nothing in this Amendment shall prevent a seller of cottonseed hulls

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369.

from selling at his maximum price as determined under the General Maximum Price Regulation prior to this amendment.

(b) *Effective dates of amendments.* • • •

(12) Amendment No. 11 (§ 1499.73) to Supplementary Regulation No. 14 shall become effective September 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8395; Filed, August 27, 1942; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Amendment 23 to General Maximum Price Regulation]

MAXIMUM PRICES FOR COMMODITIES AND SERVICES; GENERAL PROVISIONS

Section 1499.2, as amended by amendment No. 23,[1] asterisks were erroneously omitted whereas they should appear immediately following the text of the amendment to indicate the provisions following the text which remain as part of § 1499.2 unaffected by the amendment, as set forth below:

§ 1499.2 *Maximum prices for commodities and services: General provisions.* • • •

Highest Price Charged During March 1942

• • • • • •

No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchasers of the same class to pay during March 1942 on deliveries or supplies of the same or similar types of commodities or services.

• • • • • •

§ 1499.23a *Effective dates of amendments.* • • •

(x) Correction (99.2) to Amendment No. 23 to General Maximum Price Regulation shall become effective August 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8393; Filed, August 27, 1942; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[Order 25 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-952]

GORTON-PEW FISHERIES COMPANY, LTD.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.375 *Adjustment of maximum prices for salt codfish produced by Gorton-Pew Fisheries Company, Ltd.* (a) Gorton-Pew Fisheries Company, Ltd., of 327 Main Street, Gloucester, Massachusetts, may sell and deliver, and any person may buy and receive from Gorton-Pew Fisheries Company, Ltd., salt codfish at prices not higher than those set forth below:

(1) 1 lb. cartons @ $.24, f. o. b. packing plant

(2) 1 lb. wood boxes @ $.28, f. o. b. packing plant

(3) Regular strips @ $.24 per pound, f. o. b. packing plant

(4) Large strips @ $.25 per pound, f. o. b. packing plant

(b) Any person selling at wholesale or retail salt codfish produced by Gorton-Pew Fisheries Company, Ltd., may sell and deliver, and any person may buy and receive from wholesale or retail distributors salt codfish so produced at prices not higher than the sum resulting from adding to the maximum prices heretofore chargeable by the seller the amounts set forth below:

(1) For 1 lb. cartons, 3½¢

(2) For 1 lb. wood boxes, 5¢

(3) For regular strips, 5¢ per pound

(4) For large strips, 5¢ per pound

(c) Any maximum retail price computed hereunder to a fraction of a cent, shall be adjusted to the nearest lower cent if such fraction is less than one-half cent and shall be adjusted to the nearest higher cent if such fraction is one-half cent or more.

(d) The permission granted to sellers of salt codfish in paragraphs (a) and (b) of this Order No. 25 is subject to the following conditions: (1) that Gorton-Pew Fisheries Company, Ltd. shall affix to or enclose in every case or carton of salt codfish sold by it for a period of three months after August 31, 1942, a printed statement clearly setting forth the amount of the increase allowed by this Order No. 25, per pound of salt codfish and also explaining the additions which sellers at wholesale or retail may make to their existing maximum prices for salt codfish produced by Gorton-Pew Fisheries Company, Ltd.; (2) that any seller at wholesale or retail who, in March 1942, sold or delivered salt codfish, produced by a processor other than Gorton-Pew Fisheries Company, Ltd., which had been sold or delivered by the processor at prices as high as or higher than the prices set forth in paragraph (a), of this Order No. 25, shall in no event charge more for salt codfish produced by Gorton-Pew Fisheries Company, Ltd. than the seller's maximum prices for salt codfish produced by other processors, as determined under paragraph (a) of section 2 of the General Maximum Price Regulation or as adjusted under paragraphs (a) or (b) of section 18 of said regulation.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 25 (§ 1499.375) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 25 (§ 1499.375) shall become effective August 28, 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8396; Filed, August 27, 1942; 12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 26 Under § 1499.18 (c) of the General Maximum Price Regulation[1]—Docket GF3-633]

MISSOURI, FLOWER AND FEATHER CO.—L. B. PRICE MERCANTILE CO.

On June 17, 1942, Missouri Flower and Feather Company, 1708 Delmar Boulevard, St. Louis, Missouri filed a Petition for Amendment of the General Maximum Price Regulation (Docket No. GF3-633) requesting specific adjustment of the maximum prices established for its curtains #506 and #528. Petitioner seeks this adjustment solely with respect to its sale to the L. B. Price Mercantile Company of 50,000 pairs of curtains #506 on order #6320 and 25,000 pairs of curtains #628 on order #6321. The adjustment is requested on the grounds that the established maximum prices for the above listed curtains cause petitioner substantial hardship. By a supplementary petition, the petitioner has requested if relief cannot appropriately be granted under other provisions of the regulation, that its petition be given consideration as an application for adjustment under § 1499.18 (c). Due consideration has been given to the petition, and an opinion in support of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

§ 1499.376 *Adjustment of maximum prices for certain curtains manufactured by Missouri Flower and Feather Company*—(a) *Adjustments.* On and after August 28, 1942, Missouri Flower and Feather Company may charge $1.22 per pair, subject to all discounts given in March 1942, for the following curtains when delivered to L. B. Price Mercantile Company pursuant to the following orders:

Quantity	Style No.	Order No.
50,000 pairs	506	6320
25,000 pairs	528	6321

(b) All prayers of the application not granted herein are denied.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6615.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

(c) This Order No. 26 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 26 (§ 1499.376) is hereby incorporated as a section of Supplemental Regulation No. 14 which contains modifications of maximum prices established by section 1499.

(e) This Order No. 26 (§ 1499.376) shall become effective August 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8397; Filed, August 27, 1942; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 27 Under § 1499.18 (c) of the General Maximum Price Regulation]

BLAIR MILLING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.377 *Adjustment of maximum prices for pancake flour and buckwheat pancake flour sold by Blair Milling Company.* (a) Blair Milling Company of Atchison, Kansas may sell and deliver and any person may buy and receive from Blair Milling Company, the following commodities at prices not higher than those set forth below:

Price zone	Carload quantity maximum delivered price per case of 24-20 ounce packages	
	Pancake flour	Buckwheat pancake flour
Kansas, Nebraska, Iowa, and Missouri	$1.27	$1.40
Minnesota, Wisconsin, and the northern peninsula of Michigan	1.29	1.42
Arkansas, Louisiana, Oklahoma, Texas (except El Paso), Colorado, Wyoming, South Dakota, and all states east of the Mississippi River not mentioned above except Florida	1.33	1.46
El Paso, Texas, New Mexico, Arizona, Utah, Idaho, Montana, North Dakota, and Florida	1.41	1.54

This maximum price for carload quantities may be increased for sales in cases of 12-20 ounce packages and for sales in pool cars, mixed cars, or less-than-carload quantities by the differential in cents applied or which would have been applied by Blair Milling Company for such sales during March, 1942.

(b) The adjustment granted to Blair Milling Company in paragraph (a) is subject to the following conditions:

(1) Maximum prices so determined shall be subject to the discounts, allowances, and terms no less favorable than those given during March, 1942.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 27 (§ 1499.377) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 27 (§ 1499.377) shall become effective August 28, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8398; Filed, August 27, 1942; 12:01 p. m.]

Chapter XVII—Office of Civilian Defense

PART 1902—INSIGNIA

[Regulations No. 2]

Sec.
1902.1 Prescribed insignia.
1902.2 Official articles.
1902.3 Licenses to manufacture and sell.
1902.4 Sale and distribution.
1902.5 Wear and use of official articles.
1902.6 Wear and use of arm bands or brassards.
1902.7 Prohibitions on use of insignia.
1902.8 Violations.

By virtue of the authority vested in me by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and Executive Order No. 9088, dated March 6, 1942, and pursuant to the Act of June 29, 1932, as amended by the Act of May 22, 1939 and Section 2 of the Act of January 27, 1942, and in accordance with Articles 12 and 13 of Executive Order No. 9088, dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations and orders as he may deem necessary or desirable relating to the wearing of official insignia and to carry out the purposes of the aforementioned Act of January 27, 1942, §§ 1902.1 to 1902.8, inclusive, of this chapter[1] (Sections 1 to 8, inclusive, of Office of Civilian Defense Regulations No. 2) are hereby amended, to become effective immediately, to read as follows:

AUTHORITY: 42 Stat. 1286, as amended by 45 Stat. 437, and Pub. Law 415, 77th Congress, and under E.O. 8757, 9088, 9134; 6 F.R. 2517, 7 F.R. 1775, 2887.

§ 1902.1 *Prescribed insignia*—(a) *Basic insigne.* The prescribed basic insigne of the Office of Civilian Defense shall be a design, in the form of an applique emblem granted by Letters Patent No. D-129797 of October 7, 1941, and shall consist of the letters "CD" in red centered in a white equilateral triangle, embossed on a circular field of blue.

(b) *Insignia of Administrative Staff.* The prescribed insignia for the Administrative Staff shall consist of the basic insigne of the Office of Civilian Defense, which, when used by persons employed or appointed in any capacity in the Washington office and regional offices of the Office of Civilian Defense, may be superimposed on the letters "US" (in the form of an applique emblem granted by Letters Patent No. D-129812 of October 7, 1941), and when used by members of State Defense Councils or Local Defense Councils, or committees thereof, including the local Civilian Defense Volunteer Office, or persons who are employed or appointed by such councils or committees as staff members or employees, may be used together with the name, or abbreviation of the name, of the particular State or community.

(c) *Insignia of Defense Corps, Service Corps, Civil Air Patrol, Forest Fire Fighters Service, Evacuation Service, and Auxiliary Group.* The prescribed insignia for units of the United States Citizens Defense Corps (hereinafter referred to as "Defense Corps"), the United States Citizens Service Corps (hereinafter referred to as "Service Corps"), the Civil Air Patrol, the Forest Fire Fighters Service, the Civilian Evacuation Service (hereinafter referred to as "Evacuation Service"), and the Civilian Defense Auxiliary Group (hereinafter referred to as "Auxiliary Group"), shall consist of a white equilateral triangle embossed on a circular field of blue similar to the basic insigne of the Office of Civilian Defense, but with an identifying device (in red or blue, as hereinafter indicated), described below for the respective units, substituted in lieu of the letters "CD" appearing in the basic insigne. The identifying devices for the prescribed insignia of the present units of the Defense Corps, the Service Corps, the Civil Air Patrol, the Forest Fire Fighters Service, the Evacuation Service, and the Auxiliary Group, and the Letters Patent covering such insignia, are as follows:

UNITED STATES CITIZENS DEFENSE CORPS

Unit	Letters patent	Identifying device (red, except Staff unit)
Staff	D-132589	Blue five-pointed star centered above letters "CDC" in red.
Bomb Reconnaissance Agent	D-129799	Diving bomber.
Air Raid Wardens	D-129801	Seven diagonal stripes, alternately red and white.
Auxiliary Police	D-129803	Shield in the form of an inverted triangle with sides slightly curved outward.
Auxiliary Firemen	D-129802	Cross pattée.
Fire Watchers	D-129807	Flame.
Demolition and Clearance	D-129804	Pick, handle upward.
Road Repair	D-129805	Shovel, spade downward.
Rescue	D-129800	Ladder.
Decontamination Clearance	D-129810	Chemical retort.
Medical	D-129811	Caduceus.
Nurses' Aides	D-129798	Red cross.
Drivers	D-129808	Steering wheel.
Messengers	D-129806	Lightning flash.
Emergency Food and Housing	D-129809	Cup, handle to right.
Utility Repair	D-132588	Pliers, jaws closed, handles downward.
Instructors (instructors who have graduated from a War Department Civilian Protection School may wear Instructors insigne placed above a silver ribbon on which are the letters "WDCPS")	D-132590	Inverted equilateral triangle, centered above which is falling bomb, to the left of which is a chemical retort, and to the right of which is a flame.
Chaplains	Pending	Christian: Latin cross. Jewish: Six-pointed star centered above Tables of the Law in silhouette.

[1] 7 F.R. 3242, 6606.

UNITED STATES CITIZENS SERVICE CORPS

Unit	Letters Patent	Identifying Device (red)
Basic Insigne	Patent pending	Large block V with a C half the size and to the left of the V, and a D half the size and to the right of the V.

CIVIL AIR PATROL

Basic Insigne	D-132352.	Propeller.
Pilot Wings	D-132353.	Propeller, with a silver eagle, wings outstretched, gripping the upper periphery of the basic circle.
Observer Wings	D-132354.	Propeller, with a silver spread eagle wing extending to right of basic circle.

FOREST FIRE FIGHTERS SERVICE

Basic Insigne	Patent pending.	Pine Tree.

CIVILIAN EVACUATION SERVICE

Unit	Letters patent	Identifying device
Basic Insigne	Patent pending.	Large block E in white on red disc.

CIVILIAN DEFENSE AUXILIARY GROUP

Unit	Letters patent	Identifying device (blue)
Basic Insigne	D-129797.	Letters "CD".

(d) *Modification of prescribed insignia.* Prescribed insignia may not be altered or modified in any manner, and no additional words or devices may be superimposed on prescribed insignia, except the letters "US" on the basic insigne of the Civil Air Patrol within the segment of the circle below the triangle. However, the name of a State or community or the designation of the occupation or profession of the wearer may be placed on official articles in addition to the prescribed insigne.

(e) *Additional insignia.* The Director of the Office of Civilian Defense (hereinafter referred to as the "Director") may from time to time prescribe, by order, other designs as insignia for additional units of the Defense Corps, or for any other group established or designated by order of the Director.

(f) *"CD".* The use of the letters "CD" alone, and not in connection with prescribed insignia of the Office of Civilian Defense or any branch or unit thereof, is restricted to arm bands for registered trainees for the Defense Corps.

§ 1902.2 *Official articles.* Any prescribed insignia may be embodied in arm bands, brassards, buttons, pins, automobile plates, decalcomania, certificates of membership, and other articles of identification (hereinafter referred to as "official articles") which shall be worn or used only by persons specified in § 1902.5 of this chapter (section 5 of Office of Civilian Defense Regulations No. 2) and which shall constitute the official identification of such persons. Official articles shall conform to the specifications established by order or instruction of the Director, and may be worn or used only in the manner specified by order or instruction of the Director.

§ 1902.3 *Licenses to manufacture and sell.* The Director may enter into license agreements authorizing the manufacture, sale, and distribution of official articles. Official articles (except certificates of membership and identification cards) shall not be manufactured, sold, or distributed except pursuant to and in accordance with the terms of such license agreement unless otherwise permitted by the Director. Each licensee shall comply with all the terms and conditions prescribed in the license agreement. Official articles shall not be sold or distributed by licensed manufacturers until production samples have been approved by the Director. The licensee or any other person or corporation shall not sell any official articles at a price in excess of the price set forth in the license agreement pursuant to which such articles were manufactured, and shall not sell or distribute official articles except as prescribed in such license agreement and in accordance with rules, regulations, orders, and instructions of the Director.

§ 1902.4 *Sale and distribution.* Official articles embodying the prescribed insignia of the Defense Corps, the Service Corps, the Evacuation Service, the Auxiliary Group, or any other group designated by order of the Director, shall not be sold or distributed by a manufacturer unless such sale or distribution is approved by the appropriate Regional Director of the Office of Civilian Defense, or by the State Defense Council of the State of sale or distribution in the event that the appropriate Regional Director of the Office of Civilian Defense has delegated such power of approval to the State Defense Council, or otherwise in accordance with orders of the Director: *Provided, however,* That the foregoing shall not apply to official articles embodying Nurses' Aides insigne, which shall not be sold or distributed by a manufacturer except to or with the approval of the American Red Cross. Official articles for wear or use by enrolled members of the Civil Air Patrol shall not be sold or distributed by a manufacturer unless such sale or distribution is approved by the National Commander or a Wing (State) Commander of the Civil Air Patrol, or otherwise in accordance with orders of the Director. Official articles for wear or use by enrolled members of the Forest Fire Fighters Service shall not be sold or distributed by a manufacturer unless such sale or distribution is approved by the National Coordinator or a State Coordinator of the Forest Fire Fighters Service, or otherwise in accordance with orders of the Director. Records shall be kept by the approving authority of all approved sales or distributions and shall be held available for examination by the Office of Civilian Defense.

§ 1902.5 *Wear and use of official articles.* (a) It shall be unlawful for any person to wear or use any official article except:

(1) Persons who are employed or appointed in any capacity in the Washington office or any regional office of the Office of Civilian Defense, which persons are authorized to wear and use the United States insigne of the Administrative Staff.

(2) Members of any State Defense Council or Local Defense Council or committees thereof, including the Civilian Defense Volunteer Office, or persons who are employed or appointed by such Councils or committees as staff members or employees, which persons are authorized to wear or use the State insigne of the Administrative Staff.

(3) Persons who are members, after having successfully completed prescribed courses of training or instruction, or meeting any other requirements prescribed at any time by rules, regulations, orders, or instructions of the Director, of the Defense Corps, the Service Corps, the Civil Air Patrol, the Forest Fire Fighters Service, the Evacuation Service, the Auxiliary Group, or any other group designated by rules, regulations, or orders of the Director: *Provided, however,* That the organized personnel certified by the American Red Cross to a Commander of the Defense Corps for emergency feeding, housing, and clothing services, if such personnel is satisfactory to the Commander and is placed under his command in an emergency, may be authorized by the Commander to wear and use official articles embodying the prescribed insigne of the Emergency Food and Housing Unit of the Defense Corps, notwithstanding the fact that such persons are not members of the Defense Corps.

(4) Persons who have been duly enrolled for a course of training or instruction, approved by the Office of Civilian Defense in the Defense Corps, the Service Corps, the Civil Air Patrol, or any other group designated by rules, regulations, or orders of the Director: *Provided, however,* That the right of any such persons to wear or use any official article, with or without any prescribed additional designation to indicate the training status of such persons, and the conditions upon which such official articles may be so worn or used, shall have been specifically authorized by rules, regulations, orders, or instructions of the Director. Trainees for the Nurses' Aides Unit of the Defense Corps may wear the prescribed insigne on uniform sleeves while engaged in practice work in hospitals.

(b) The right of any such authorized person to wear or use any official article shall exist only so long as he shall comply with all rules, regulations, orders, and instructions made at any time by the Director with respect to the use or wearing of prescribed insignia, and the eligibility, training, qualifications, or duties of such persons, and such right shall be subject at all times to the terms and conditions of any such rules, regulations, orders, or instructions.

(c) Any person so authorized to wear or use official articles may wear or use only articles bearing the insigne prescribed by the Director for the particular office or council of which such person is an official, member, or worker, or for the group or unit of which such person is a member or trainee.

§ 1902.6 *Wear and use of arm bands or brassards.* The wear and use of arm bands or brassards embodying prescribed insignia, shall constitute a substitute for a uniform, and shall be restricted to members of, or trainees (subject to the limitations of § 1902.5 (a) (4) of this chapter (section 5 (a) (4) of Office of Civilian Defense Regulations No. 2)) for, the Defense Corps (except the Instructors unit), the Civil Air Patrol, the Forest Fire Fighters Service, the Auxiliary Group or any other group designated by order of the Director, as well as persons certified by the American Red Cross and authorized as provided in § 1902.5 (a) (3) of this chapter (section 5 (a) (3) of Office of Civilian Defense Regulations No. 2), while actively engaged in the performance of duties or while in transit to or from their places of duty.

§ 1902.7 *Prohibitions on use of insignia.* (a) The Director may prohibit or restrict, in his discretion, the manufacture, sale, distribution, wearing, or use of articles embodying the prescribed insignia, or the reproduction or imitation of any prescribed insignia, or the photographing, printing, or in any other manner making or executing any engraving, printing, or impression in the likeness of any prescribed insignia.

(b) Accurate reproduction of prescribed insignia for advertising, display, or any other commercial purposes, other than in connection with official articles, is authorized, subject to paragraph (a) of this section, except where such reproduction, in the opinion of the Director, would tend to bring discredit on the Office of Civilian Defense, any State Defense Council or any Local Defense Council, or to mislead, confuse, misrepresent or defraud.

(c) The reproduction of prescribed insignia in connection wtih any publication or article used for political purposes is prohibited.

§ 1902.8 *Violations.* Any person found guilty of violating the above-prescribed regulations respecting the manufacture, sale, distribution, wear, and use of prescribed insignia, shall, upon conviction, be subject to the penalties provided in section 2 of the Act of January 27, 1942, and section 2 of the Act of June 29, 1932, as amended on May 22, 1939.

JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 26, 1942.

[F. R. Doc. 42-8359; Filed, August 26, 1942; 3:33 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

CONSTRUCTION, MAINTENANCE AND OPERATION OF WATER CONSERVATION AND UTILIZATION PROJECTS

DELEGATION OF AUTHORITY

In connection with the authority presently vested in, or hereafter conferred upon, the Farm Security Administration incident to the construction, maintenance, and operation of water conservation and utilization projects established under the authority of the Act of August 11, 1939 (53 Stat. 1418), as amended by the Act of October 14, 1940 (54 Stat. 1119), or of the Interior Department Appropriation Act, 1940, item "Bureau of Reclamation," sub-item "Water Conservation and Utility Projects" (53 Stat. 685, 719), or of acts amendatory thereof or supplementary thereto, the Administrator of the Farm Security Administration is hereby authorized, on behalf of the United States of America and with respect to project lands and property, to participate in negotiations, to sign petitions, to vote in elections, and to take other action for the organization, operation, or dissolution of irrigation districts, or similar types of organizations, insofar as he shall deem necessary or expedient for the successful prosecution of such projects. Any part, or all, of the authority hereby vested in the Administrator may be subdelegated to such employee, or employees, of the Farm Security Administration as the Administrator may, from time to time, designate.

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-8366; Filed, August 27, 1942; 11:44 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 27, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Israel Farbman, 1027 Callowhill St., Philadelphia, Pennsylvania; Coats; 5 percent (T); August 27, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Calef Brothers & Co., Page Mill, Bonney St., New Bedford, Massachusetts; House dresses; 5 learners (T); August 27, 1943.

Carbondale Children's Dress Co., 7th Ave. & Mill St., Carbondale, Pennsylvania; Children's dresses; 10 percent (T); August 27, 1943.

Cherni Mfg. Co., 911 Broadway, Kansas City, Missouri; Ladies sportswear; 7 learners (T); August 27, 1943.

H. L. Hutchinson, Inc., 35 Mechanic St., Freehold, New Jersey; Pajamas; 10 learners (T); August 27, 1943. (This certificate replaces the one bearing the expiration date of April 20, 1943).

Laffoon Mfg. Co., 3347 Gillham Road, Kansas City, Missouri; Brassieres; 5 learners (T); August 27, 1943.

The Mildred Dress Co., Inc., 33 South Main St., Carbondale, Pennsylvania; Ladies rayon and cotton dresses; 7 learners (T); August 27, 1943.

Model Sportwear Co., 212 "E" St., Pen Argyl, Pennsylvania; Ladies & gents sportswear; 10 learners (T); August 27, 1943.

Picayune Shirt Factory, Inc., Goodyear Boulevard, Picayune, Mississippi; Government shirts; work shirts; 10 percent (T); August 27, 1943.

Rose-Del Dress Co., Inc., South Broad St., Westfield, Massachusetts; Women's and misses' dresses; 8 learners (T); August 27, 1943.

Singer Leather Clothing Co., 129 N. 12th St., Philadelphia, Pennsylvania; Overalls; 5 learners (T); August 27, 1943.

Levi Strauss & Co., 19 South Market St., San Jose, California; Overalls; 25 learners (E); February 27, 1943.

Taylored Slacks of Hollywood, 843 So. Los Angeles St., Los Angeles, California; Women's slacks; 5 learners (T); August 27, 1943.

Universal Coat Co., 104 Essex St., Haverhill, Massachusetts; Woolen mackinaws; 10 learners (T); August 27, 1943.

Artificial Flowers and Feathers

B. Ascher, 28 West 38 St., New York, New York; Artificial flowers and feathers; 2 learners (T); October 6, 1942. (This certificate effective August 25, 1942).

Gloves

Albany Knitting Co., Inc., 371 South Pearl St., Albany, New York; Knit wool gloves; 4 learners (T); August 27, 1943.

Saranac Glove Co., 42 Saranac St., Littleton, New Hampshire; Leather dress and work gloves; 5 learners (T); August 27, 1943. (This certificate replaces the one bearing the expiration date of October 27, 1942).

Knitted Wear

Iris Knitting Corp., Hanover St., Pottstown, Pennsylvania; Knitted underwear; 5 learners (T); August 27, 1943.

Textile

Lonsdale Co. (Berkeley Mill), Ashton, Rhode Island; Aeroplane and balloon cloth; 3 percent (T); August 27, 1943.

Signed at New York, N. Y., this 25th day of August 1942.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8367; Filed, August 27, 1942; 10:01 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Amendment 1 to Special Order O.D.T. No. B-11]

CHICAGO AND PEORIA -ST. LOUIS, MO.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Illinois Greyhound Lines, Inc., Cleveland, Ohio, The Santa Fe Trail Transportation Co., Wichita, Kansas, and Black Hawk Motor Transit Company, Peoria, Illinois,

It is hereby ordered, That, the effective date of Special Order O.D.T. No. B-11[1] be and it is hereby suspended until September 1, 1942.

Issued at Washington, D. C., this 26th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8358; Filed, August 26, 1942; 2:54 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Correction of Order 8 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-4]

BRIMSTONE COAL COMPANY

For the reasons set forth in an opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered* that paragraph (b) (2) of Order No. 8 under Maximum Price Regulation No. 120 is corrected to read as set forth below:

(b) (2) On shipments via Great Lakes for all uses except railroad fuel, vessel and bunker fuel in Size Groups 2, 6, 8 and 20 from its Brimstone Mine (Mine Index No. 67), Brimstone Coal Company may charge prices not to exceed $2.90, $2.70, $2.75 and $2.35 per ton f. o. b. the mine, respectively.

* * * * * * *

(g) This correction of Order No. 8 shall be effective as of June 3, 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8387; Filed, August 27, 1942; 12:00 m.]

[Order 31 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-202]

FLOYD ANDERSON

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Floyd Anderson, R. F. D. #5, Shelbyville, Illinois, may sell and deliver, and any person may buy and receive the kinds and grades of bituminous coal set forth in paragraph (b) below at a price not in excess of that stated therein;

(b) Coals in Size Group 1, produced at the Floyd Anderson No. 2 Mine (Mine Index No. 1553), District No. 10, of Floyd Anderson, for shipment by truck or wagon may be sold at a price not to exceed $4.20 per net ton f. o. b. the mine;

(c) This Order No. 31 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(f) This Order No. 31 shall become effective August 28, 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8388; Filed, August 27, 1942; 12:00 m.]

[Order 32 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-105]

MULLENS SMOKELESS COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Mullens Smokeless Coal Company, Mullens, West Virginia, may sell and deliver, and any person may buy and receive the kinds and grades of bituminous coal set forth in paragraph (b) below, at prices not in excess of those stated therein;

(b) Maximum prices for coal produced at the Mullens Mine (Mine Index No. 210), District No. 7, in Size Groups 1, 8 and 9, for shipment via all methods of transportation other than truck or wagon and for all uses other than for railroad fuel, shall be $3.20, $2.75 and $2.75 per net ton, respectively;

(c) This Order No. 32 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in §1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(f) This Order No. 32 shall become effective August 28, 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8389; Filed, August 27, 1942; 12:00 m.]

[1] 7 F.R. 6093.
[2] 7 F.R. 3168, 3432, 3447, 3901, 4336, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.
[3] 7 F.R. 971, 3663.

[Order 33 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-113]

COALVILLE COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Coalville Coal Company, R. F. D. #2, Streator, Illinois, may sell and deliver, and any person may buy and receive the kinds and grades of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) Maximum prices for coal produced at Mine No. 4 (Mine Index No. 1534), District No. 10, of the Coalville Coal Company in Size Groups 2, 6, and 7, for shipment by truck or wagon, shall be $4.50, $3.95 and $3.50 per net ton, respectively.

(c) This Order No. 33 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 33 shall become effective August 28, 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8390; Filed, August 27, 1942; 12:01 p. m.]

[Order 11 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket No. 3148-45]

McCRANIE BROTHERS, INC.

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 7, 1942, McCranie Brothers, Inc., Waycross, Georgia, filed a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) McCranie Brothers, Inc., may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from McCranie Brothers, Inc.

(b)	*Cents per pound*
Skinned pork hams	29
Skinned cured hams	32
Skinned pork shoulders	26
Skinned cured pork shoulders	28½
Pork loins	29½
Smoked bacon	21
Dry salt cured sides	18½

(c) The permission granted to the McCranie Brothers, Inc., in this Order No. 11 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the McCranie Brothers, Inc., may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from McCranie Brothers, Inc., each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 11 shall become effective August 28, 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-8391; Filed, August 27, 1942; 12:02 p. m.]

[Order 14 Under Revised Price Schedule 64[1]—Domestic Cooking and Heating Stoves]

WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICES

On January 9, 1942, Westinghouse Electric & Manufacturing Company, Mansfield, Ohio, filed an application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for six new models of electric ranges, designated in the application as Models RL-664, BL-64, ML-64, KL-64, AL-64, and FLN-64.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] *it is hereby ordered:*

(a) Westinghouse Electric & Manufacturing Company, may sell, offer to sell or deliver the following new models of electric ranges at prices, f.o.b. Mansfield, Ohio, no higher than those specified below:

Model No.:	
RL-664	$136.37
BL-64	110.88
ML-64	99.77
KL-64	72.64
AL-64	61.38
FLN-64	73.75

subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum prices of similar electric range models, offered for sale by the Company, as determined by Revised Price Schedule No. 64.

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 14 shall become effective on the 28th day of August 1942.

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8392; Filed, August 27, 1942; 12:02 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-587]

POTOMAC ELECTRIC POWER COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 26th day of August, A. D. 1942.

Potomac Electric Power Company, a public utility company and a direct subsidiary of Washington Railway and Electric Company, a registered holding company, and an indirect subsidiary of The North American Company, a registered holding company, having filed an application and an amendment thereto with the Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder in regard to the issue and sale of $5,000,000 principal amount of First Mortgage Bonds, 3¼% Series due 1977, due August 1, 1977 said bonds to be issued as a series of the First Mortgage Bonds under the Mortgage and Deed of Trust dated July 1, 1936 between Potomac Electric Power Company and The Riggs National Bank of Washington, D. C. as Trustee, as amended by an indenture supplemental thereto dated December 10, 1939 and as supplemented by an indenture supplemental thereto dated July 1, 1942 conveying additional property to the Trustee and now proposed to be further supplemented by an indenture supplemental thereto, to be dated August 1, 1942; and

[1] 7 F.R. 3168, 3432, 3447, 3901, 4336, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.
[2] 7 F.R. 971, 3663.
[3] 7 F.R. 3821, 4342.

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404.
[2] 7 F.R. 971, 3663.

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The applicant having stated that, pursuant to Rule U-50 of the General Rules and Regulations of the Commission under the Act, it will publicly invite proposals for the purchase of the said bonds and that said bonds will be sold to the highest bidder therefor; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, That said application, as amended, be and it is hereby granted forthwith subject to the terms and conditions prescribed in Rule U-24, except in regard to the sale price and spread and distribution thereof, as to which matters the Commission reserves jurisdiction to enter further findings and a further order upon the filing of the amendment required by Rule U-50 (c); provided, however, and on condition, that Potomac Electric Power Company shall notify the Commission thirty days before it declares any cash dividend on its common stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8370; Filed, August 27, 1942; 10:19 a. m.]

[File Nos. 31-174, 46-203]

GENERAL ELECTRIC CO., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of August, A. D. 1942.

In the matter of General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation.

General Electric Company and Electrical Securities Corporation having filed a joint and several application for an order amending, or extending the effectiveness of, the order of this Commission pursuant to section 10 of the Public Utility Holding Company Act of 1935, dated August 18, 1941, which authorized General Electric Company through G. E. Employees Securities Corporation and Electrical Securities Corporation to acquire 40,000 shares of the common stock of Community Power and Light Company on the condition that such applicants sell or otherwise dispose of a sufficient number of the 40,000 shares of said Common Stock in order that at the close of business on August 31, 1942 said applicants did not directly or indirectly own, control or hold with power to vote 5% or more of the outstanding voting securities of Community Power and Light Company, by providing that said Electrical Securities Corporation and G. E. Employees Securities Corporation shall not be required to reduce their holdings of such Common Stock of Community Power and Light Company, or any successor company, below 5% of the outstanding voting securities until August 31, 1943: and

General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation having filed a joint and several application for an order extending the period of effectiveness of an order of this Commission pursuant to section 3 (a) (3) of the Act, dated August 18, 1941, exempting said applicants from the provisions of the Public Utility Holding Company Act of 1935 which would require them to register under said Act, from August 31, 1942 to at least August 31, 1943.

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules and Regulations thereunder be held on September 4, 1942 at 10 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such applicants and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any such person desiring to be heard or to be admitted as a party to such proceeding shall file notice to that effect with the Commission on or before the date of the hearing.

It is further ordered, That the period of effectiveness of the Commission's order dated August 18, 1941 with respect to General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation be and hereby is, in all respects, extended until further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8369; Filed, August 27, 1942; 10:19 a. m.]

[File No. 70-590]

NORTHERN INDIANA PUBLIC SERVICE CO., ET AL.

NOTICE OF FILING

In the matter of Northern Indiana Public Service Company, Chicago, South Shore and South Bend Railroad, and Utilities Building Incorporated.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of August, A. D. 1942.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than September 11, 1942, at 5:30 p.m., E.W.T., request the Commission in writing that a hearing be held in such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania. At any time thereafter such application-declaration as filed or as amended may become effective or may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized below:

Utilities Building Incorporated, an indirect subsidiary of Midland Utilities Company, a registered holding company in reorganization under section 77B of the Bankruptcy Act proposes to sell its real property, all situated in the City of South Bend, Indiana, and consisting of two lots, characterized as Lots #72 and #73, each of which has been improved by the erection of buildings thereon, and all other assets, except cash, to two associate companies, Northern Indiana Public Service Company and Chicago, South Shore and South Bend Railroad, on the basis hereinafter set forth.

It is proposed that Chicago, South Shore and South Bend Railroad, a direct subsidiary of Midland Utilities Company, acquire "the east 86 feet of Lot #72 together with the building and improvements thereon" for a cash consideration of $75,000.

By the terms of the application-declaration the balance of Utilities Building Incorporated's real property (consisting of the remaining portion of Lot #72 and Lot #73, upon which latter named lot a three story brick building is located, said building now being used as an office building by Northern Indiana Public Service Company) and all other assets, except cash, are to be sold to Northern Indiana Public Service Company, a direct operating utility subsidiary of Midland Utilities Company. The proposed consideration to be given by Northern Indiana Public Service Company is the reduction by $135,000 of indebtedness of Utilities Building Incorporated presently held by Northern Indiana Public Service Company.

Upon the consummation of the foregoing steps, Utilities Building Incorporated proposes to apply its cash, the sole remaining asset, on its liabilities and dissolve.

The application-declaration has designated sections 9 (a), 10 and 12 (f) of the Act and Rule U-43 promulgated thereunder as applicable to said transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8368; Filed, August 27, 1942; 10:20 a. m.]

AUG 31 1942

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 7 NUMBER 171

Washington, Saturday, August 29, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Administration

Subchapter A—Commodity Standards and Standard Container Regulations

PART 26—GRAIN STANDARDS

AMENDMENT OF WORDING

By virtue of the authority vested in the Secretary of Agriculture by the United States Grain Standards Act (39 Stat. 482, as amended; 7 U.S.C. 1940 ed. 71-87), the following amendments to Title 7, Chapter I, Part 26, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Part 26, as amended and supplemented by 5 F.R. 2883 and 6 F.R. 417, 2675), are promulgated:

Section 26.2 (i) is amended to read:

(i) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

In §§ 26.2 (p), 26.48, and 26.76, the words "Grain and Seed Division" are stricken and the words "Grain, Feed and Seed Branch" substituted therefor.

In §§ 26.2 (j), 26.2 (p), and 26.87, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever they appear in Part 26, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, *Acting Secretary of Agriculture.*

[F. R. Doc. 42-8456; Filed, August 28, 1942; 11:56 a. m.]

PART 27—COTTON CLASSIFICATION UNDER THE UNITED STATES COTTON FUTURES ACT

AMENDMENT OF WORDING

By virtue of the authority vested in the Secretary of Agriculture by the United States Cotton Futures Act (39 Stat. 476, as amended; 26 U.S.C. 1940 ed. 1920-1935, 3082) and the Act of April 7, 1941 (55 Stat. 131), the following amendments to Title 7, Chapter 1, Part 27, Code of Federal Regulations (7 CFR, 1938 Supp., and 1939 Supp., Chapter 1, Part 27, as amended and supplemented by 5 F.R. 1103 and 6 F.R. 3935, 4412), are promulgated:

Section 27.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 27, the words "Chief of Service", the words "Chief of the Service", and the words "Chief of the Agricultural Marketing Service" are stricken, and the word "Administrator" is substituted therefor.

Wherever, in Part 27, the word "Service" is used to mean the Agricultural Marketing Service, it is stricken, and the words "Agricultural Marketing Administration" are substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, *Acting Secretary of Agriculture.*

[F. R. Doc. 42-8455; Filed, August 28, 1942; 11:56 a. m.]

PART 28—COTTON STANDARDS

AMENDMENT OF WORDING

By virtue of the authority vested in the Secretary of Agriculture by the

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The applicant having stated that, pursuant to Rule U-50 of the General Rules and Regulations of the Commission under the Act, it will publicly invite proposals for the purchase of the said bonds and that said bonds will be sold to the highest bidder therefor; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, That said application, as amended, be and it is hereby granted forthwith subject to the terms and conditions prescribed in Rule U-24, except in regard to the sale price and spread and distribution thereof, as to which matters the Commission reserves jurisdiction to enter further findings and a further order upon the filing of the amendment required by Rule U-50 (c); provided, however, and on condition, that Potomac Electric Power Company shall notify the Commission thirty days before it declares any cash dividend on its common stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8370; Filed, August 27, 1942; 10:19 a. m.]

[File Nos. 31-174, 46-203]

GENERAL ELECTRIC CO., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of August, A. D. 1942.

General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation having filed a joint and several application for an order extending the period of effectiveness of an order of this Commission pursuant to section 3 (a) (3) of the Act, dated August 18, 1941, exempting said applicants from the provisions of the Public Utility Holding Company Act of 1935 which would require them to register under said Act, from August 31, 1942 to at least August 31, 1943.

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules and Regulations thereunder be held on September 4, 1942 at 10 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such applicants and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any such person desiring to be heard or to be admitted as a party to such proceeding shall file notice to that effect with the Commission on or before September 11, 1942, at 5:30 p.m., E.W.T., request the Commission in writing that a hearing be held in such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania. At any time thereafter such application-declaration as filed or as amended may become effective or may be granted as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized below:

Utilities Building Incorporated, an indirect subsidiary of Midland Utilities Company, a registered holding company in reorganization under section 77B of the Bankruptcy Act proposes to sell its real property, all situated in the City of South Bend, Indiana, and consisting of two lots, characterized as Lots #72 and #73, each of which has been improved by the erection of buildings thereon, and all other assets, except cash, to two associate companies, Northern Indiana Public Service Company and Chicago, South Shore and South Bend Railroad, on the basis hereinafter set forth.

It is proposed that Chicago, South Shore and South Bend Railroad, a direct subsidiary of Midland Utilities Company, acquire "the east 86 feet of Lot #72 together with the building and improve-

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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United States Cotton Standards Act (42 Stat. 1517, as amended; 7 U.S.C. 1940 ed. 51–65), the following amendments to Title 7, Chapter 1, Part 28, Code of Federal Regulations (7 CFR, 1938 Supp., and 1939 Supp., Chapter 1, Part 28, as amended and supplemented by 5 F.R. 1105), are promulgated:

Section 28.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 28, the words "Chief of Service", the words "Chief of the Service", and the words "Chief of the Agricultural Marketing Service" are stricken, and the word "Administrator" is substituted therefor.

Wherever, in Part 28, the word "Service" is used to mean Agricultural Marketing Service, it is stricken, and the words "Agricultural Marketing Administration" are substituted therefor.

The first sentence in § 28.914 is amended to read:

§ 28.914 *Time limitation.* Application shall be filed with an authorized representative of the Agricultural Marketing Administration or mailed to such representative within a period of time to be announced by that Administration for the receipt of applications for services during the year to which such application relates. * * *

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8454; Filed, August 28, 1942; 11:56 a. m.]

PART 29—TOBACCO INSPECTION

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by The Tobacco Inspection Act (49 Stat 731; 7 U.S.C. 1940 ed. 511–511q), the following amendments to Title 7, Chapter I, Part 29, Code of Federal Regulations (7 CFR, 1938 Supp., and 1939 Supp., Chapter I, Part 29, as amended and supplemented by 5 F.R. 272), are promulgated:

Section 29.2 (e) is amended to read:

(e) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of the Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 29, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever they appear in Part 29, the words "Chief of Service" are stricken and the word "Administrator" is substituted therefor.

Wherever, in Part 29, the word "Service" is used to mean the Agricultural Marketing Service, it is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8452; Filed, August 28, 1942; 11:56 a. m.]

PART 31—WOOL STANDARDS

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (Sec. 19, 39 Stat. 489, 45 Stat. 593, 55 Stat. 408; 7 U.S.C. 1940 ed. 257, 415a–415d), the following amendments to Title 7, Chapter I, Part 31, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Part 31), are promulgated:

In §§ 31.51(b), 31.52(d), 31.151(b), 31.153, and 31.154, the words "Chief of the Agricultural Marketing Service" are stricken and the words "Administrator of the Agricultural Marketing Administration" substituted therefor.

In § 31.51 (b), the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8453; Filed, August 28, 1942; 11:56 a. m.]

PART 33—EXPORT APPLES AND PEARS

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Export Apple and Pear Act (48 Stat. 123; 7 U.S.C. 1940 ed. 581–589), the following amendments to Title 7, Chapter I, Part 33, Code of Federal Regulations (7 CFR, 1938 Supp., and 1939 Supp., Chapter I, Part 33), are promulgated:

Section 33.2 is amended to read:

§ 33.2 *Administrator.* The Administrator of the Agricultural Marketing Administration shall perform for and under the supervision of the Secretary such duties as the Secretary may require in enforcing the provisions of the Act and of this part.

In §§ 33.6 and 33.7, the words "Chief of Service" are stricken and the word "Administrator" is substituted therefor.

In § 33.9, the words "Chief of Agricultural Marketing Service" are stricken and the words "Administrator of Agricultural Marketing Administration" substituted therefor.

In § 33.11, the words "Chief of the Agricultural Marketing Service" are stricken and the words "Administrator of the Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8451; Filed, August 28, 1942; 11:56 a. m.]

PART 34—TOBACCO SEED AND PLANT EXPORTATION ACT

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Tobacco Seed and Plant Exportation Act (54 Stat. 231; 7 U.S.C. 1940 ed. 516, 517), the following amendments to Title 7, Chapter I, Part 34, Code of Federal Regulations, as published in the FEDERAL REGISTER on July 23, 1941 (6 F.R. 3621), are promulgated:

In § 34.1, the words *"Chief of Service.* The Chief of the Agricultural Marketing Service" are stricken and the words *"Administrator.* The Administrator of the Agricultural Marketing Administration" substituted therefor.

In § 34.2, the words "Chief or Acting Chief of the Agricultural Marketing Service" are stricken and the words "Administrator of the Agricultural Marketing Administration" substituted therefor.

In § 34.10, the words "Tobacco Division, Agricultural Marketing Service" are stricken and the words "Tobacco Branch, Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8450; Filed, August 28, 1942; 11:55 a. m.]

PART 41—STANDARD CONTAINERS

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Standard Container Act of 1928 (45 Stat. 685; 15 U.S.C. 1940 ed. 257-257i), the following amendments to Title 7, Chapter I, Part 41, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Part 41), are promulgated:

Section 41.12(c) is amended to read:

(c) *Administrator.* The Administrator of the Agricultural Marketing Administration of the United States Department of Agriculture or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in §§ 41.13 to 41.17, inclusive, the words "Chief of Service" are stricken and the word "Administrator" is substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8446; Filed, August 28, 1942; 11:55 a. m.]

Subchapter B—Marketing of Perishable Agricultural Produce

PART 48—REGULATIONS UNDER THE PRODUCE AGENCY ACT

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Produce Agency Act (44 Stat. 1355; 7 U.S.C. 1940 ed. 491–497), the following amendments to Title 7, Chapter I, Part 48, Code of Federal Regulations, as published in the FEDERAL REGISTER on July 17, 1941 (6 F.R. 3510), are promulgated:

Section 48.2 (d) is amended to read:

(d) *Administrator.* The Administrator of the Agricultural Marketing Administration of the United States Department of Agriculture or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in §§ 48.3, 48.7, and 48.8, the words "Chief of Service" are stricken and the word "Administrator" is substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8447; Filed, August 28, 1942; 11:55 a. m.]

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 406; 7 U.S.C. 414, 499a), the following amendments to Title 7, Chapter I, Subchapter C, Part 51, Code of Federal Regulations, as published in the FEDERAL REGISTER on December 31, 1941 (6 F.R. 6817), are promulgated:

Section 51.2 (c) is amended to read:

(c) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 51, the words "Chief of Service" are stricken and the word "Administrator" is substituted therefor.

Wherever they appear in Part 51, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

In § 51.21, the words "Surplus Marketing Administration" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

In § 51.43 (a), the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8448; Filed, August 28, 1942; 11:55 a. m.]

PART 52—CANNED FRUITS AND VEGETABLES (GRADING AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 52, Code of Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter C, Part 52, as amended by 6 F.R. 5164), are promulgated:

Wherever they appear in Part 52, the words "Chief of the Agricultural Marketing Service" are stricken and the words "Administrator of the Agricultural Marketing Administration" substituted therefor.

Wherever they appear in Part 52, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

In § 52.4(a), the words "Farm Products Inspection Service" are stricken and the words "Processed Foods Standardization and Inspection Division" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8449; Filed, August 28, 1942; 11:55 a. m.]

PART 53—MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 53, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Subchapter C, Part 53), are promulgated:

Section 53.2 (c) is amended to read:

(c) *Administration.* The Agricultural Marketing Administration of the Department of Agriculture.

Insert a new paragraph after § 53.2 (c) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 53, the words "Chief of Service" and "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever it appears in Part 53, the word "Service" meaning Agricultural Marketing Service is stricken, and the word "Administration" substituted therefor.

Section 53.32 is amended to read:

§ 53.32 *Who may be licensed as graders.* Persons showing proper qualifications may be licensed by the Secretary as official graders of products which may be graded under the Act. All such licenses shall be countersigned by the Chief, Livestock Branch, by the specialist in charge of grading in that Branch, or by the supervising grader under whose direction the licensee is to grade.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL.
Acting Secretary of Agriculture.

[F. R. Doc. 42-8445; Filed, August 28, 1942; 11:54 a. m.]

PART 55—SAMPLING, GRADING, GRADE LABELING, AND SUPERVISION OF PACKAGING OF BUTTER, CHEESE, EGGS, POULTRY, AND DRESSED DOMESTIC RABBITS

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 55, Code of Federal Regulations, as published in the FEDERAL REGISTER on July 23, 1941 (6 F.R. 3622), and as amended by 6 F.R. 5027 and 7 F.R. 1123, are promulgated:

Section 55.2 (c) is amended to read:

(c) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

In §§ 55.32 and 55.33, the words "Officer in Charge of the Dairy and Poultry Division" are stricken and the words "Chief of the Dairy and Poultry Branch" substituted therefor; likewise in these sections, the word "division" is stricken and the word "branch" substituted therefor.

Wherever they appear in Part 55, the words "Chief of Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 55, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 55, the word "Service" is stricken, and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8444; Filed, August 28, 1942; 11:54 a. m.]

PART 56—DRESSED POULTRY AND DRESSED DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF (INSPECTION AND CERTIFICATION FOR CONDITION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Part 56, Code of Federal Regulations (7 CFR and 1938 Supp., 1939 Supp., Chapter I, Subchapter C, Part 56, as amended by 6 F.R. 2601), are promulgated:

Section 56.2 (c) is amended to read:

(c) *Administration.* The Agricultural Marketing Administration of the United States Department of Agriculture.

Add a new paragraph after § 56.2 (c) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 56, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever they appear in Part 56, the words "Chief of Service" are stricken and the word "Administrator" substituted therefor.

Wherever it appears in Part 56, the word "Service" is stricken and the word "Administration" substituted therefor.

In § 56.48 the words "specialist in charge of the Division of Dairy and Poultry Products" are stricken, and the words "Chief of the Dairy and Poultry Branch" substituted therefor.

In § 56.48 the word "Division" is stricken, and the word "Branch" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8443; Filed, August 28, 1942; 11:54 a. m.]

PART 57—HAY AND STRAW (INSPECTION AND CERTIFICATION FOR CLASS AND CONDITION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 57, Code of Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter C, Part 57), are promulgated:

Add a new paragraph after § 57.2 (c) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 57, the words "Chief of the Service" are stricken, and the word "Administrator" substituted therefor.

Wherever they appear in Part 57, the words "Agricultural Marketing Service" are stricken, and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 57, the word "Service" is stricken, and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8442; Filed, August 28, 1942; 11:53 a. m.]

PART 58—BEANS AND PEAS (INSPECTION AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chaper I, Subchapter C, Part 58, Code of Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter C, Part 58, as amended by 6 F.R. 367), are promulgated:

Add a new paragraph after § 58.2 (d) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 58, the words "Chief of Service" and "Chief of the Service" are stricken, and the word "Administrator" substituted therefor.

Wherever it appears in Part 58, the word "Service" is stricken, and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8441; Filed, August 28, 1942; 11:53 a. m.]

PART 59—SEEDS (INSPECTION AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 59, Code of Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter C, Part 59), are promulgated:

Add a new paragraph after § 59.2 (d) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 59, the words "Chief of the Service," "Chief of Service," and "Chief of the Agricultural Marketing Service" are stricken, and the word "Administrator" substituted therefor.

Wherever they appear in Part 59, the words "Agricultural Marketing Service" are stricken, and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 59, the word "Service," when intended to mean Agricultural Marketing Service is stricken, and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8440; Filed, August 28, 1942; 11:53 a. m.]

PART 60—RICE (INSPECTION AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 60, Code of Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter C, Part 60), are promulgated:

Section 60.2 (c) is amended to read:

(c) *Administration.* The Agricultural Marketing Administration of the Department of Agriculture.

Insert a new paragraph after § 60.2 (c) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 60, the words "Chief of the Service" are stricken, and the word "Administrator" substituted therefor.

Wherever it appears in Part 60, the word "Service," intended to mean Agricultural Marketing Service, is stricken, and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8439; Filed, August 28, 1942; 11:53 a. m.]

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING, AND CERTIFICATION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, subchapter C, Part 61, Code Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter C, Part 61), are promulgated:

Section 61.2 (h) is amended to read:

(h) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 61, the words "Chief of Agricultural Marketing Service," "Chief of Service," and "Chief of the Service" are stricken, and the word "Administrator" substituted therefor.

Wherever it appears in Part 61, the word "Service" is stricken and the word "Administration" substituted therefor.

Wherever they appear in Part 61, the words "Agricultural Marketing Service" are stricken, and the words "Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8438; Filed, August 28, 1942; 11:53 a. m.]

PART 62—COUNTRY-RUN FORAGE SEEDS FOR DOCKAGE (INSPECTION)

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by law (55 Stat. 408; 7 U.S.C. 414), the following amendments to Title 7, Chapter I, Subchapter C, Part 62, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter C, Part 62) are promulgated:

Insert a new paragraph after § 62.2 (c) to read:

(1) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully dele-

gated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 62, the words "Agricultural Marketing Service" are stricken, and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 62, the word "Service," intended to mean Agricultural Marketing Service, is stricken, and the word "Administration" substituted therefor.

Wherever they appear in Part 62, the words "Chief of the Service" are stricken, and the word "Administrator" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8425; Filed, August 28, 1942; 11:52 a. m.]

Subchapter D—Warehouse Regulations

PART 101—COTTON WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 101, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 101), are promulgated:

Section 101.2 (d) is amended to read:

(d) *Administrator.* The Administrator of the Agricultural Marketing Administration of the Department of Agriculture, or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Section 101.2 (e) is amended to read:

(e) *Designated representative.* The Administrator of the Agricultural Marketing Administration.

Wherever they appear in Part 101, the words "Chief of the Service" are stricken, and the word "Administrator" substituted therefor.

Wherever they appear in Part 101, the words "Agricultural Marketing Service" are stricken, and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 101, the word "Service" is stricken, and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8426; Filed, August 28, 1942; 11:52 a. m.]

PART 102—GRAIN WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 102, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 102, as amended by 8 F.R. 3511) are promulgated:

Section 102.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 102, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 102, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 102, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8427; Filed, August 28, 1942; 11:52 a. m.]

PART 103—TOBACCO WAREHOUSE

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 103, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 103) are promulgated:

Section 103.2 (g) is amended to read:

(g) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 103, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 103, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 103, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8428; Filed, August 28, 1942; 11:52 a. m.]

PART 104—WOOL WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 104, Code of Federal Regulations (7 CFR, 1940 Supp., Chapter I, Subchapter D, Part 104), are promulgated:

Section 104.2 (e) is amended to read:

(e) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 104, the words "Chief of the Service" and "Chief of the Agricultural Marketing Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 104, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 104, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8429; Filed, August 28, 1942; 11:52 a. m.]

PART 105—BROOMCORN WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 105, Code of Federal Regulations (7 CFR, 1940 Supp., Chapter I, Subchapter D, Part 105) are promulgated:

Section 105.2 (d) is amended to read:

(d) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Section 105.2 (e) is amended to read:

(e) *Designated representative.* The Administrator of the Agricultural Marketing Administration.

Wherever they appear in Part 105, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 105, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 105, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8430; Filed, August 28, 1942; 11:51 a. m.]

PART 106—DRY BEANS WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 106, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 106) are promulgated:

Section 106.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 106, the words "Chief of the Service" and "Chief of the Agricultural Marketing Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 106, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 106, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8431; Filed, August 28, 1942; 11:51 a. m.]

PART 107—NUTS WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 107, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 107) are promulgated:

Section 107.2 (e) is amended to read:

(e) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 107, the words "Chief of the Service" and "Chief" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 107, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 107, the word "Service" intended to mean Agricultural Marketing Service, is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8432; Filed, August 28, 1942; 11:51 a. m.]

PART 108—SIRUP WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 108, Code of Federal Regulations (7 CFR, 1939 Supp., Chapter I, Subchapter D, Part 108) are promulgated:

Section 108.2 (e) is amended to read:

(e) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority act in his stead.

Section 108.2 (f) is amended to read:

(f) *Designated representative.* The Administrator.

Wherever they appear in Part 108, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 108, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 108, the word "Service" intended to mean Agricultural Marketing Service, is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8433; Filed, August 28, 1942; 11:51 a. m.]

PART 109—DRIED FRUIT WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 109, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 109) are promulgated:

Section 109.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 109, the words "Chief of the Service," "Chief of the Agricultural Marketing Service" and "Chief" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 109, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 109, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8434; Filed, August 28, 1942; 11:51 a. m.]

PART 110—CANNED FOOD WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273),

the following amendments to Title 7, Chapter I, Subchapter D, Part 110, Code of Federal Regulations, as published in the FEDERAL REGISTER on February 4, 1941 (6 F.R. 729) are promulgated:

Section 110.2 (e) is amended to read:

(e) *Designated representative.* The Administrator of the Agricultural Marketing Administration.

Section 110.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 110, the words "Chief" and "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 110, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 110, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8435; Filed, August 28, 1942; 11:50 a. m.]

PART 111—COTTONSEED WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 111, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 111) are promulgated:

Section 111.2 (d) is amended to read:

(d) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 111, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 111, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 111, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8436; Filed, August 28, 1942; 11:50 a. m.]

PART 112—COLD-PACK FRUIT WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 112, Code of Federal Regulations (7 CFR, 1940 Supp., Chapter I, Subchapter D, Part 112) are promulgated:

Section 112.2 (e) is amended to read:

(e) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Section 112.2 (f) is amended to read:

(f) *Designated representative.* The Administrator of the Agricultural Marketing Administration.

Wherever they appear in Part 112, the words "Chief of the Service" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 112, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 112, the word "Service," intended to mean Agricultural Marketing Service, is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8437; Filed, August 28, 1942; 11:50 a. m.]

PART 113— SEEDS WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, as amended (39 Stat. 486-491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 113, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 113) are promulgated:

Section 113.2 (e) is amended to read:

(e) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 113, the words "Chief of the Service" and "Chief" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 113, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 113, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8422; Filed, August 28, 1942; 11:49 a. m.]

PART 114—CHERRIES IN SULPHUR DIOXIDE BRINE WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendments to Title 7, Chapter I, Subchapter D, Part 114, Code of Federal Regulations (7 CFR, 1938 Supp., 1939 Supp., Chapter I, Subchapter D, Part 114) are promulgated:

Section 114.2 (e) is amended to read:

(e) *Designated representative.* The Administrator of the Agricultural Marketing Administration.

Section 114.2 (f) is amended to read:

(f) *Administrator.* The Administrator of the Agricultural Marketing Administration or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

Wherever they appear in Part 114, the words "Chief of the Service" and "Chief" are stricken and the word "Administrator" substituted therefor.

Wherever they appear in Part 114, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever it appears in Part 114, the word "Service" is stricken and the word "Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8461; Filed, August 28, 1942; 11:49 a. m.]

PART 151—FIELD WAREHOUSES

AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, as amended (39 Stat. 486–491; 41 Stat. 266; 42 Stat. 1282; 46 Stat. 1463; 7 U.S.C. 241–273), the following amendment to Title 7, Chapter I, Subchapter D, Part 151, Code of Federal Regulations (7 CFR, Chapter I, Subchapter D, Part 151) is promulgated:

Wherever it appears in Part 151, the word "Bureau" is stricken, and the words "Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8423; Filed, August 28, 1942; 11:49 a. m.]

PART 160—REGULATIONS FOR THE ENFORCEMENT OF THE NAVAL STORES ACT

AMENDMENT OF WORDING

By virtue of the authority vested in the Secretary of Agriculture by The Naval Stores Act (42 Stat. 1435; 7 U.S.C. 1940 ed. 91–99), the following amendments to Title 7, Chapter I, Part 160, Code of Federal Regulations, as published in the FEDERAL REGISTER on April 24, 1941 (6 F.R. 2099), are promulgated:

In § 160.1, the words "The Chief of the Agricultural Marketing Service" are stricken and the words "The Administrator of the Agricultural Marketing Administration" substituted therefor.

Section 160.2 (d) is amended to read as follows:

(d) "Administrator." The Administrator of the Agricultural Marketing Administration of the Department or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

In §§ 160.48 and 160.62, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Wherever they appear in Part 160, the words "Chief of Service" are stricken and the word "Administrator" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8424; Filed, August 28, 1942; 11:49 a. m.]

No. 171——2

Chapter VII—Agricultural Adjustment Agency

[Tobacco 603 (Flue-cured)—Supplement 1 Part II]

PART 727—FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1942–43

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of this Supplement 1 to Part II of the Marketing Quota Regulations, Flue-cured Tobacco—1942–43 Marketing Year (Tobacco 603 Flue-cured, as issued by the Secretary of Agriculture on November 12, 1941), which regulations and supplement 1 thereto shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act.

Section 727.428 of Tobacco 603 Flue-cured, Part II, Marketing Quota Regulations, Flue-cured Tobacco, 1942–43 Marketing Year, is amended by adding at the end thereof the following paragraph:

(d) By payment to the county office by certified check, cashier's check, or money order drawn payable to the Treasurer of the United States of an amount equal to 10 cents per pound times the estimated actual production of the excess acreage of tobacco harvested from the farm. Any additional amount of penalty due after the actual yield for the farm has been determined shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty from the county office. This paragraph d shall apply only in the event that the acreage harvested in excess of the allotment does not exceed the larger of two-tenths acre or 10 percent of the farm acreage allotment.

(54 Stat. 393; 7 U.S.C. 1940 ed. 1314 (c))

Done at Washington D. C. this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8420; Filed, August 28, 1942; 11:47 a. m.]

Chapter IX—Agricultural Marketing Administration

PART 963—HOPS GROWN IN THE STATES OF OREGON, CALIFORNIA, WASHINGTON, AND IDAHO AND THE PRODUCTS PRODUCED FROM SUCH HOPS

Order regulating (1) the handling of hops grown in the States of Oregon, California, Washington, and Idaho and (2) the handling of hop products produced from such hops.

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963.1 Findings.
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963.21 Right of Secretary.
963.22 Liability of Control Board Members.
963.23 Effect of termination or amendment.

AUTHORITY: §§ 963.1 to 963.23, inclusive, issued under 48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246, 52 Stat. 215, 53 Stat. 784, Public Law No. 445, 77th Congress; 7 U.S.C. 1940 ed., 601 *et seq.*

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities, including hops and the products thereof, as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

The Assistant to the Secretary, having reason to believe that the execution of the marketing agreement and the issuance of an order would tend to effectuate the declared policy of the act with respect to the establishment and maintenance of such orderly marketing conditions for (1) hops grown in the States of Oregon, California, Washington, and Idaho and (2) the products from such hops as would establish prices to the producers of such hops and the hop products produced from such hops at a level that would give such hops and hop products a purchasing power, with respect to articles that the producers thereof buy, equivalent to the purchasing power of such hops and hop products during the base period, August 1909 to July 1914, gave notice on May 11, 1942, of a public hearing to be held in Yakima, Washington, on May 28, 1942, in Salem, Oregon, on June 1, 1942, and in Santa Rosa, California, on June 5, 1942, on a proposed marketing agreement and a proposed order regulating such handling of such hops and the products thereof as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects such commerce;

and the aforesaid hearing was held in Yakima, Washington, on May 28 and 29, 1942, in Salem, Oregon, on June 1 and 2, 1942, and in Santa Rosa, California, on June 5 and 6, 1942.

On the basis of the evidence introduced at the aforesaid hearing and the record thereof, it is hereby found that:

§ 963.1 *Findings.* (a) The terms and provisions of this order prescribe, so far as practicable, such different terms, applicable to different production areas, as are necessary in order to give due recognition to the difference in production and marketing of such hops and the products therof;

(b) This order is limited in its application to the smallest original production area that is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to any subdivision of said production area specified herein would not effectively carry out the declared policy of the act;

(c) At the time of the hearing, the prices received by the producers of hops grown in the States of Oregon, California, Washington, and Idaho were at a level that gave such hops a purchasing power, with respect to articles that the producers thereof buy, appreciably below the purchasing power of such hops during the aforesaid base period;

(d) The regulation of the shipments of hops and hop products by proration, as provided in this order, will tend to establish and maintain a more stable market for said hops, and will tend to restore prices to producers of said hops to a level that will have a purchasing power, with respect to articles that producers buy, equivalent to the purchasing power of said hops in the aforesaid base period;

(e) The method of regulating shipments of hops and hop products, respectively, as provided in this order, is fair and equitable;

(f) The method of apportioning the salable quantity among producers, as provided in this order, is fair and equitable;

(g) The basis stated in this order for the contribution of handlers toward the expenses of the administrative agencies, established by this order, is fair and equitable;

(h) This order and all of the terms and provisions of this order will tend to effectuate the declared policy of the act with respect to hops produced in said production area, specified in this order, and the hop products by establishing and maintaining such orderly marketing conditions for said hops and the products thereof as will tend to establish prices to the producers of such hops at a level that will give such hops and hop products a purchasing power, with respect to articles that the producers thereof buy, equivalent to the purchasing power of such hops in the base period, August 1909 to July 1914, and by protecting the interest of the consumer by (1) approaching the level of prices, which it is declared in the act to be the policy of Congress to establish, by a gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demands in domestic and foreign markets, and (2) by authorizing no action which has for its purpose the maintenance of prices to producers of such hops above the level which it is declared in the act to be the policy of Congress to establish.

It is further found that:

(i) The marketing agreement, drafted subsequent to, and upon the basis of the evidence adduced at, the aforesaid hearing, regulating (1) the handling of hops grown in the States of Oregon, California, Washington, and Idaho, and (2) the handling of hop products produced from such hops, tentatively approved by the Secretary on August 5, 1942, was signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the commodity or product thereof covered by this order) who, during the marketing season, August 1, 1941, to July 31, 1942, both dates inclusive, handled not less than fifty (50) percent of the volume of such commodity or product thereof covered by this order;

(j) This order regulates the handling of such hops and hop products in the same manner as the aforesaid marketing agreement, and it is made applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement;

(k) The issuance of this order is approved or favored by at least two-thirds (⅔) of the producers who participated in the referendum, conducted by the Secretary, and who, during the representative period determined by the Secretary, were engaged, within the production area specified herein, in the production for market of the commodity specified herein; and

(l) The issuance of this order is approved or favored by producers who participated in the referendum, conducted by the Secretary, and who, during the representative period determined by the Secretary, produced for market, within the production area specified herein, at least two-thirds (⅔) of the volume of such commodity produced for market, within the production area specified herein.

It is therefore ordered, That,

§ 963.2 *Order relative to handling.* Such handling of hops grown in the States of Oregon, California, Washington, and Idaho and hop products produced from such hops as is in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce, shall, from and after the time hereinafter specified, be in conformity to and in compliance with the terms and conditions of this order.

§ 963.3 *Definitions.* As used herein, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to perform the duties of the Secretary under the act.

(b) "Act" means Public Act No. 10, 73d Congress, approved on May 12, 1933 (48 Stat. 31), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), approved on June 3, 1937, as amended as of the effective date hereof.

(c) "Area" means and includes the States of Oregon, California, Washington, and Idaho.

(d) "Person" means an individual, partnership, corporation, association, legal representative, or any other business unit.

(e) "Hops" means the pistillate cones, either in green or dried state, of the vine *Humulus lupulus* or *Humulus americanus* grown in the area.

(f) "Hop product" means any substance (1) derived wholly or in part from hops and (2) capable of use for any purpose for which hops may be used, including, but not being limited to, any form of lupulin, lupulin sweepings, hop oil, or hop extract.

(g) "Grower" is synonymous with "producer" and means any person engaged in growing hops for market.

(h) "Dealer" means any person, other than a grower or brewer, who handles hops or hop products.

(i) "Grower-dealer" means any grower, other than a brewer, who handles for his or its own account any hops, other than those of his or its own production: *Provided,* That handling transactions pursuant to § 963.11 (b) hereof shall not be within this definition.

(j) "Brewer" means any person who uses hops or any hop product in manufacturing any malt beverage.

(k) "To handle" means (1) to market, sell, ship, or transport to or for market (except as a common carrier of hops or hop products owned by another person) hops or any hop product in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce, or (2) to purchase, take consignment of, accept delivery of in connection with a purchase or sale (except as a common carrier of hops or hop products owned by another person), or otherwise acquire, within the area, hops or any hop product, from a grower or any other person, in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce.

(l) "Handler" means any person who, as or through a principal, agent, broker, representative, or otherwise, handles hops or any hop product.

(m) "Control Board" means the Control Board provided for in § 963.4 hereof.

(n) "Growers Allocation Committee" means the Growers Allocation Committee provided for in § 963.5 hereof.

(o) "Advisory Committee" means a committee established pursuant to § 963.6 hereof.

(p) "Managing Agent" means the Managing Agent selected pursuant to § 963.4 (g) (8) hereof.

(q) "Order No. 28"[1] means the order regulating the handling of hops grown in the States of Oregon, California, and Washington, issued by the Secretary on August 11, 1938, and effective on and after August 15, 1938.

(r) "Order No. 49"[2] means the order regulating the handling of hops grown in the States of Oregon, California, and Washington, issued by the Secretary on August 1, 1940, and effective on and after August 5, 1940.

(s) "Marketing season" means the period of time beginning on August 1 of each year and ending on July 31 of the following year, both dates inclusive.

§ 963.4 *Control Board—(a) Establishment and designation of Control Board.* A Control Board, consisting of sixteen members, is hereby established to administer the terms and provisions hereof. The original members and their respective alternates shall be as follows:

Grower Members

(1) W. H. Anderson, Eugene, Oregon, as member, and his alternate is Romeo Gouley, Brooks, Oregon, to represent the growers of hops in, and residents of, the State of Oregon;

(2) William Krebs, Jefferson, Oregon, as member, and his alternate is D. P. MacCarthy, Independence, Oregon, to represent the growers of hops in, and residents of, the State of Oregon;

(3) Warran Brown, Ukiah, California, as member, and his alternate is L. M. Hildreth, Ukiah, California, to represent the growers of hops in, and residents of, the State of California.

(4) P. M. Rooney, Sacramento, California, as member, and his alternate is George Beitzel, Elk Grove, California, to represent the growers of hops in, and residents of, the State of California;

(5) Amos Brulotte, Grandview, Washington, as member, and his alternate is A. J. Toupin, Moxee City, Washington, to represent the growers of hops in, and residents of, the States of Washington and Idaho;

(6) J. D. McKelheer, Yakima, Washington, as member, and his alternate is W. H. Hill, Route 5, Yakima, Washington, to represent the growers of hops in, and residents of, the States of Washington and Idaho;

(7) Dean H. Walker, Independence, Oregon, as member, and his alternate is John D. Minto, Salem, Oregon, to represent the growers of hops in, and residents of, the area;

(8) E. H. Peterson, Santa Rosa, California, as member, and his alternate is I. D. Wood, Santa Rosa, California, to represent the growers of hops in, and residents of, the area;

Grower-Dealer Members

(9) Ralph Williams, Jr., Portland, Oregon, as member, and his alternate is James R. Linn, Salem, Oregon, to represent the grower-dealers having principal offices in the area;

(10) John I. Haas, Metropolitan Bank Building, Washington, D. C., as member and his alternate is L. E. Kreider, Yakima, Washington, to represent grower-dealers having principal offices outside of the area;

Brewer Members

(11) Irving J. Solomon, Chicago, Illinois, as member, and his alternate is Peter G. Schmidt, Olympia, Washington, to represent the brewers;

(12) Harris Perlstein, Chicago, Illinois, as member, and his alternate is William Bruckmann, Cincinnati, Ohio, to represent the brewers;

(13) Karl F. Schuster, San Francisco, California, as member, and his alternate in Alvin C. Gluek, Minneapolis, Minnesota, to represent the brewers;

(14) G. L. Becker, Ogden, Utah, as member, and his alternate is Charles J. Lick, Los Angeles, California, to represent the brewers;

Dealer Members

(15) Ludwig S. Lyon, 535 Fifth Avenue, New York City, New York, as member, and his alternate is Franz Bing, 150 Nassau Street, New York City, New York, to represent the dealers;

(16) Robert Oppenheim, 33 Water Street, New York City, New York, as member, and his alternate is Al Seidenberg, 493 Nostrand Avenue, Brooklyn, New York, to represent the dealers.

Each of the aforesaid members and his respective alternate shall serve for a term ending on March 1, 1944, and in the event that the respective person's successor has not been selected and has not qualified by March 1, 1944, such person shall serve until his successor has been selected and has qualified.

(b) *Nomination and selection of succeeding members.* (1) The members and alternates of the Control Board to succeed those selected for the aforesaid term ending on March 1, 1944, shall be selected in accordance with the provisions of this section, and shall serve thereafter for a term ending at the time of the termination hereof. Eight members of the Control Board shall represent growers of hops. Two members of the Control Board shall represent grower-dealers. Two members of the Control Board shall represent dealers. Four members of the Control Board shall represent brewers. The grower representatives on the Control Board, selected subsequent to the initial members, shall be growers of hops who are not grower-dealers; and two of the grower members of the board shall be growers of hops in and residents of the State of Oregon, and two grower members of the board shall be growers of hops in and residents of the State of California, and two of the grower members of the board shall be growers of hops in and residents of the States of Washington or Idaho, and two of the grower members of the board shall be growers of hops in and residents of any of the States in the area. One of the grower-dealer members on the Control Board shall be a grower-dealer having his or its principal office in the area; and the other grower-dealer member of the board shall be a grower-dealer having his or its principal office outside of the area. Each of the four brewer members on the Control Board shall be a brewer. Each of the two dealer members on the Control Board shall be a dealer in hops. An officer, agent, or employee of a business unit which is not an individual person but which constitutes a grower, grower-dealer, dealer, or brewer shall be eligible for membership or alternate membership on the Control Board in the respective classification to which such business unit belongs pursuant to the provisions hereof.

(2) Each of the State Advisory Committees, established pursuant to § 963.6 hereof, shall designate, and submit to the Secretary the names of, two qualified persons as grower members, and two qualified persons as their alternates, from the State or States represented by the respective committee; and the Secretary shall select, from among such nominees or from among other qualified persons, six grower members and their respective alternates. The six grower members thus selected by the Secretary shall designate and submit to the Secretary the names of, two qualified persons to serve as additional grower members of the Control Board, and two qualified persons to serve as their alternates; and the Secretary shall select, from among such nominees or from among other qualified persons, two grower members of the Control Board and their respective alternates.

(3) The grower-dealers whose principal offices, respectively, are within the area shall nominate to the Secretary, by means of an election in which all and only such grower-dealers shall be entitled to participate, one qualified person as the grower-dealer member in the area, and one qualified person as his alternate. The Secretary shall select such grower-dealer member of the Control Board and his alternate from among such nominees or from among other qualified persons.

(4) The grower-dealers, whose principal offices, respectively, are outside the area, and all dealers shall nominate to the Secretary, by means of an election in which all and only such grower-dealers and all dealers shall be entitled to participate, one qualified person as the grower-dealer member outside the area, and one qualified person as his alternate, and two qualified persons as the dealer members, and two qualified persons as their alternates. The Secretary shall select such grower-dealer member of the Control Board and his alternate, and such dealer members of the Control Board and their alternates, from among such nominees or from among other qualified persons.

(5) The brewers shall nominate to the Secretary, by means of an election in which all and only brewers shall be entitled to participate, four qualified persons as the brewer members, and four qualified persons as their alternates. The Secretary shall select such brewer members of the Control Board and their

[1] 3 F.R. 1979.
[2] 5 F.R. 2729.

alternates from among such nominees or from among other qualified persons.

(6) Each election for the purpose of nominating members or alternates of the Control Board to succeed those whose terms of office expire on March 1, 1944, shall be held on or before February 15, 1944, and shall be conducted and supervised by the Control Board. Regulations prescribing the method or methods for, and the rules governing, the election of nominees as hereinbefore provided, and which shall assure to all persons eligible to take part in such elections reasonable opportunity to select candidates and to vote for nominees, shall be adopted by the Control Board and submitted to the Secretary on or before December 1, 1943; and such regulations as shall be approved by the Secretary shall govern each such election.

(7) In the event any of the groups entitled hereunder to submit nominees to the Secretary shall fail to do so within twenty days after the time hereinbefore specified, the Secretary may select each such member or alternate without waiting for a nominee or nominees to be elected.

(8) Each person selected as a member or alternate of the Control Board, including those designated herein as the original members and alternates, shall promptly qualify by filing with the Secretary a written acceptance of the appointment. The failure of an appointee to qualify within twenty days after the appointment of such person shall be cause for the Secretary to appoint another person in his stead.

(c) *Alternates.* (1) There shall be an alternate for each member of the Control Board. Each alternate shall be of the same qualifications, be nominated and selected in the same manner, and hold office for the same term, as the member for whom he is alternate. An alternate for a member of the Control Board shall, in the event of that member's absence, act in the place and stead of that member; and, in the event of such member's removal, resignation, disqualification, or death, the alternate for such member shall act in the place and stead of said member until a successor for the unexpired term of said member has been selected.

(2) In the event any member of the Control Board and his alternate are both unable or fail to attend a meeting of the Control Board, any alternate for any other member nominated by the same group that nominated the absent member may be designated by the absent member to serve in the place and stead of the absent member and his alternate; and in the event such other alternate cannot attend, or there is no such other alternate, then the absent member, or in the event of his disability or a vacancy, his alternate, may designate, subject to the approval of the Secretary, a temporary substitute to attend such meeting with the power to act in the place and stead of that member, or pending such designation the Secretary may designate such temporary substitute.

(d) *Vacancies.* To fill any vacancy which occurs prior to March 1, 1944, occasioned by the failure of any person, selected as a member of the Control Board or as an alternate member thereof, to qualify, or the death, removal, resignation, or disqualification of any qualified member or alternate member of the Control Board, a successor for his unexpired term of office shall be nominated and selected in the manner herein specified for the nomination and selection of successors to the initial members and alternate members of the Control Board representing the same industry group as was represented by the respective member or alternate member thus to be succeeded. In the event such nomination for such vacancy is not made within twenty days after the beginning of the vacancy, the Secretary may select a person to fill such vacancy without waiting for the nomination to be made.

(e) *Compensation.* The members of the Control Board, and their respective alternates, shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their respective duties.

(f) *Powers.* The Control Board shall have the following powers:

(1) To administer, as herein specifically provided, the terms and provisions hereof;

(2) To make administrative rules and regulations to effectuate the terms and provisions hereof;

(3) To receive, investigate, and report to the Secretary complaints of violations hereof; and

(4) To recommend to the Secretary amendments hereto.

(g) *Duties.* The duties of the Control Board shall be as follows:

(1) To act as intermediary between the Secretary and any grower or handler;

(2) To keep minutes, books, and records which will clearly reflect all of its acts and transactions, and which shall be subject at any time to examination by the Secretary or his designated representative;

(3) To provide, subject to approval by the Secretary, for the making of scientific and other studies, to conduct research, and to assemble data, on the growing, handling, shipping, and marketing conditions relative to hops and hop products;

(4) To furnish to the Secretary at his request such information as may be available to the Control Board;

(5) To perform such duties as may be assigned to it from time to time by the Secretary in connection with the administration of Section 32 of the Act to Amend the Agricultural Adjustment Act, and for other purposes, Public Act No. 320, 74th Congress, approved August 24, 1935, as amended;

(6) To submit to the Secretary from time to time a budget of expenses, including but not being limited to the expenses of the Growers Allocation Committee and of the Advisory Committees; and to report from time to time to the Secretary expenditures made by the Control Board;

(7) To cause the books of the Control Board to be audited by one or more competent accountants at least once each fiscal year and at such other times as the Control Board may deem necessary, or as the Secretary may request, and to file with the Secretary a copy of each audit report made;

(8) To employ a Managing Agent who, during his employment as such, shall not be a grower, dealer, grower-dealer, or brewer, nor in the employment thereof, and who shall serve as the secretary of the Control Board and the secretary of the Growers Allocation Committee, and shall have such other duties as are specified for him herein or by the Control Board; and to employ or retain such other employees, agents, and representatives as the Control Board may deem necessary; and to determine the salaries and define the duties of such Managing Agent, employees, agents and representatives;

(9) To give to the Secretary, or his designated representative, the same notice of meetings of the Control Board as is given to the members of the Control Board; and

(10) To defend (i) all legal proceedings against any member or alternate member (individually or as a member or alternate), officer, representative, employee, or agent of the Control Board arising out of any act or commission done or made in good faith pursuant to the provisions hereof, or (ii) any legal proceeding to enjoin or compel action by the Control Board, or the members thereof, under the provisions hereof.

(h) *Procedure.* (1) The Control Board shall adopt rules and regulations governing its procedure and the performance of its duties and powers hereunder, and shall select a chairman and such other officers as it may deem advisable.

(2) The Control Board shall not exercise any of its powers or duties hereunder while there are more than six vacancies in its membership, not inclusive of alternates. A quorum shall consist of eleven members, or alternate members or substitutes then serving in the place and stead of any members, in attendance at the meeting, and all decisions of the Control Board shall be made by not less than nine affirmative votes.

(3) The Control Board may provide for voting by mail or other means of communication upon due notice to all members; any member voting other than by mail or in person at an assembled meeting shall promptly thereafter confirm in writing his vote so cast.

(i) *Funds and other property.* (1) All funds received by the Control Board pursuant hereto shall be used solely for the purposes specified herein, and the Secretary may require the Control Board and its members to account for all receipts and disbursements.

(2) Whenever any person ceases to be a member or alternate member of the Control Board, such person shall account for all receipts and disbursements hereunder and deliver all property, funds, books, and records (in his possession) of the Control Board, to his successor in office or to such person as the Secretary may designate and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or in such designated person the right to all of the property, funds or claims vested in such member.

(3) The Control Board, with the approval of the Secretary, may maintain in its own name, or in the names of its members, legal action against any handler for the collection of that handler's pro rata share of expenses which may be due hereunder.

§ 963.5 *Growers Allocation Committee*—(a) *Members.* The grower members and the grower-dealer members of the Control Board shall constitute the "Growers Allocation Committee". Said committee shall have such duties and powers as are expressly specified herein for that committee and such other duties and powers as may be incident thereto. The Growers Allocation Committee may incur only such expenses as from time to time are authorized by the Control Board.

(b) *Procedure.* The Growers Allocation Committee shall select one of its members as its chairman and such other officer as it may deem advisable. It shall keep proper records of all its proceedings, and shall adopt regulations governing its procedure. It may provide for voting by mail or other means of communication upon due notice to all members. Any member voting other than by mail or in person at an assembled meeting shall promptly thereafter confirm in writing his vote so cast.

(c) *Alternates.* The alternate of each grower member or grower-dealer member of the Control Board shall have the same right to serve in lieu of a member of the Growers Allocation Committee as such alternate has to serve in lieu of a member of the Control Board.

§ 963.6 *Growers Advisory Committees*—(a) *Membership.* (1) A Growers Advisory Committee of twelve members is hereby established for each of the States of Oregon and California, and of thirteen members for the combined States of Washington and Idaho. Each of said committees shall consist of members who shall be growers or grower-dealers, or officers or employees of growers or grower-dealers, engaged in growing hops in and shall be residents of the State or States for which the respective committee is established; one of the members of the Advisory Committee for the States of Washington and Idaho shall be a grower, or an officer or employee thereof, engaged in growing hops in and a resident of the State of Idaho.

(2) The initial members of said Growers Advisory Committees shall be as follows:

(i) Oregon Advisory Committee:

Name and Address

C. H. Eismann, Rt. 2, Grants Pass, Oreg.; L. S. Christofferson, Box 366, Eugene, Oreg.; William Krebs, Jefferson, Oreg.; D. P. MacCarthy, Independence, Oreg.; W. L. Fry, Silverton, Oreg.; Romeo Gouley, Route 1, Brooks, Oreg.; P. H. Hughes, Dallas, Oreg.; Drexel White, Route 2, Woodburn, Oreg.; Louie Schwabauer, Hubbard, Oreg.; Ray Kerr, St. Paul, Oreg.; Ferd Hartwick, Banks, Oreg.; Hobart M. Mitchell, 269 SE Morrison St., Portland, Oreg.

(ii) California Advisory Committee:

Name and Address

Mrs. Bertha Poe, 5725 "J" St., Sacramento, Calif.; George Beitzel, Rt. 2, Box 2198, Elk Grove, Calif.; P. M. Rooney, 1332 43rd Street, Sacramento, Calif.; Fred L. King, 2664 6th Avenue, Sacramento, Calif.; E. H. Peterson, 921 Wright Street, Santa Rosa, Calif.; I. D. Wood, 280 Brittain Lane, Santa Rosa, Calif.; E. S. Ballard, Rt. 1, Box 356, Healdsburg, Calif.; Thom. J. Grace, 2nd and Wilson Street, Santa Rosa, Calif.; L. M. Hildreth, Ukiah, Calif.; Warren Brown, Ukiah, Calif.; Alex R. Thomas, Ukiah, Calif.; C. H. Smith, Redwood Valley, Calif.

(iii) Washington-Idaho Advisory Committee:

Name and Address

Paul Patnode, Moxee City, Wash.; A. J. Toupin, Moxee City, Wash.; J. D. McKelheer, Rt. 1, Yakima, Wash.; Amos Brulotte, Rt. 2, Grandview, Wash.; Joe Faucher, Rt. 1, Wapato, Wash.; Clinton Merrill, Harrah, Wash.; Roger W. Batt, Wilder, Idaho; Art Hanses, Rt. 5, Yakima, Wash.; Guy Anderson, Rt. 6, Yakima, Wash.; K. P. Bates, Rt. 5, Yakima, Wash.; Ben Gonter, Rt. 2, Box 269, Puyallup, Wash.; W. H. Coplan, Orting, Wash.; C. W. Van Roy, National Bank of Washington, Tacoma, Wash.

Each of the initial members shall serve for a term ending on February 1, 1944, and in the event that the respective person's successor has not been selected by February 1, 1944, such person shall serve until his successor has been selected.

(3) The successors to the initial members of each Advisory Committee shall be selected on or before February 1, 1944, and shall serve thereafter so long as the provisions hereof are effective. Such selection shall be at an election held, under the supervision of the Managing Agent or his designated representative, by the growers and grower-dealers in each district; and in such election each grower and each grower-dealer residing or producing hops in that district shall have opportunity to participate. No delay in the selection of any member shall invalidate such selection. Said elections shall be conducted by districts, as follows:

(i) The Advisory Committee for the State of Oregon shall delimit that State fairly and equitably into twelve election districts. Growers and grower-dealers who reside or produce hops in any such district shall be entitled to vote for and select for that district one member of the Advisory Committee.

(ii) The Advisory Committee for the State of California shall delimit that State fairly and equitably into three election districts. Growers and grower-dealers who reside or produce hops in any such district shall be entitled to vote for and select for that district four members of the Advisory Committee.

(iii) The Advisory Committee for the States of Washington and Idaho shall delimit those States and equitably into four election districts, one of which districts shall include all of the State of Idaho and a portion of the State of Washington. Growers and grower-dealers who reside or produce hops in the district which includes the State of Idaho shall be entitled to vote for and select for that district four members of the Advisory Committee, at least one of whom shall be a grower of hops in the State of Idaho; and growers and grower-dealers who reside or produce hops in any of the other districts shall be entitled to vote for and select for that district three members of the Advisory Committee.

(4) At any such election each grower or grower-dealer present shall, on behalf of himself, his agents, partners, affiliates, subsidiaries, and representatives, cast only one vote for each nominee for membership on the aforesaid Advisory Committee. No grower or grower-dealer shall vote in more than one district in any one State. There shall be no voting by proxy. The Control Board shall prescribe and submit to the Secretary rules and regulations governing elections of Advisory Committee members, which shall become effective if not disapproved by the Secretary within twenty days after having been submitted to him.

(5) Each member of an Advisory Committee may designate in writing addressed to the Managing Agent a grower or grower-dealer to act as his alternate at any meeting of the Advisory Committee at which that member is not present; and such alternate must be a resident of the State, and a resident of or grower of hops in the district thereof, represented by the member.

(6) Any vacancy in the membership of an Advisory Committee shall be filled, for the balance of the term of the member whose place is vacant, by a grower or grower-dealer, residing or growing hops in the same district as that represented by the former member, selected by majority vote of the remaining members of that committee.

(7) The members of each Advisory Committee may be reimbursed by the Control Board for all travel and other expenses necessarily incurred in the performance of their duties.

(b) *Functions.* (1) Each Advisory Committee shall promptly nominate to the Secretary a successor to any grower from that State whose term on the Control Board as a member or alternate shall expire or whose place on the Control Board for any reason may become vacant. Grower members of an Advisory Committee, as well as other growers, shall be eligible for nomination by that Advisory Committee to serve on the Control Board.

(2) Each Advisory Committee shall select from its membership a chairman and such other officers as the respective committee may deem advisable, and shall keep proper records of all of its proceedings. It shall hold meetings upon the call of four members, or upon the call of its chairman, or the Control Board, or the Managing Agent. Each Advisory Committee shall serve the Control Board in an advisory capacity con-

cerning the administration hereof in the State or States for which such committee is established, and in general shall perform such functions as the Control Board may, from time to time, specify. Each Advisory Committee may incur only such expenses as are authorized by the Control Board.

§ 963.7 *Limitation of total quantity to be handled*—(a) *Salable quantity of 1942 crop.* In order to effectuate the declared policy of the act, and in consideration of the estimated consumptive demand for hops and hop products, the estimated carryover of hops and hop products, and the estimated quantity of hops which will be produced during the year 1942, the total quantity of hops (expressed in pounds of hops, net dry weight), produced during the year 1942, which, during the effective period hereof, all handlers may handle, in the form of hops or in the form of any hop product, in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof, hereby is limited to 41,000,000 pounds: *Provided*, That nothing contained in this paragraph shall prevent the handling of hops or any hop product pursuant to the provisions of § 963.8 (b) (3) or § 963.8 (d) hereof. The aforesaid quantity of 41,000,000 pounds shall be known, and is referred to hereinafter, as the "salable quantity" of the 1942 crop of hops.

(b) *Recommendation by Control Board for 1943 and 1944.* The total quantity of hops (expressed in pounds of hops, net dry weight) produced during each of the years 1943 and 1944 which, during the effective period hereof, all handlers may handle, in the form of hops or in the form of any hop product, in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof, shall be determined and limited in the manner and to the extent hereinafter provided. As early in the respective year as the Control Board shall find to be feasible, the Control Board shall estimate the total quantity of hops which will be produced during that respective year, and shall ascertain or estimate the total carryover, within the United States, of hops and hop products, produced in or outside the area prior to that year and which, if produced within the area, are eligible for handling pursuant to the terms hereof, and shall estimate the total consumptive demand for hops produced during that respective year. In estimating such consumptive demand, there shall be included the quantity of such hops estimated to be used as hops and the quantity of such hops estimated to be used in the form of hop products. Thereafter, and based upon its aforesaid estimates and findings, the Control Board shall make and transmit to the Secretary its recommendation of the maximum quantity of hops (expressed in pounds of hops, net dry weight), produced during that respective year which should, during the effective period hereof, in order to effectuate the declared policy of the act, be handled in the form of hops or in the form of any hop product, in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or effect interstate or foreign commerce in hops or any product thereof, and, with such recommendation, shall transmit to the Secretary its estimates and findings on which its recommendation is based.

(c) *Determination of salable quantity of 1943 and 1944 crops.* For the purpose of obtaining additional information pertinent to a determination of the maximum quantity of hops (expressed in pounds of hops, net dry weight) produced during each of the years 1943 and 1944 which, during the effective period hereof, should be handled, in the form of hops or in the form of any hop product, the Secretary each year may hold a meeting or meetings, within the area, after such notice as the Secretary shall deem proper. On the basis of the aforesaid estimates, data, and recommendations of the Control Board submitted pursuant to § 963.7 (b) hereof, and such other pertinent information as the Secretary may have, the Secretary shall determine, fix, and announce such maximum quantity of hops produced during that respective year which, during the effective period hereof, may be handled in the form of hops or in the form of any hop product, in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof, as the Secretary may find to be proper in order to effectuate the declared policy of the act: *Provided*, That nothing contained in this paragraph shall prevent the handling of hops pursuant to the provisions of § 963.8 (b) (3) or § 963.8 (d) hereof. Such maximum quantity of hops which shall be fixed by the Secretary as aforesaid shall be known, and is referred to hereinafter, as the "salable quantity" of that respective year's crop of hops. The quantity of hops produced prior to the year 1942, and of hop products (expressed in pounds of hops, net dry weight) derived from such hops which may be handled, during the effective period hereof, is hereby limited as hereinafter provided.

(d) *Increase of salable quantity.* The Secretary may at any time increase the salable quantity for any year, but the Secretary may not decrease said salable quantity.

§ 963.8 *Apportionment of salable quantity among producers*—(a) *Determination of quantity available for market.* (1) As the basis for apportioning equitably among growers the salable quantity of each year's crop, the Growers Allocation Committee each year, as soon after the beginning of the harvest of that year's crop of hops as the committee shall find to be feasible, shall determine, or cause to be determined under its supervision, the total quantity of hops (expressed in pounds of hops, net dry weight) available for market or estimated will become available for market by each grower from his production of hops during that year: *Provided*, That such determination shall include the quantity, if any, of such hops found to have been converted into hop products except that insofar as lupulin sweepings are concerned there shall be included, in the computation, only the pounds of lupulin found to be in such quantity of lupulin sweepings, and, insofar as unharvested hops are concerned, shall include (expressed in pounds of hops, net dry weight) only hops of that respective year's crop grown to maturity and remaining unharvested on the living vines. The Growers Allocation Committee shall adopt and submit to the Secretary reasonable regulations governing the method of making determinations of production pursuant to this paragraph; and such regulations may provide, among other things, that there shall be included in the determination of the quantity of hops grown to maturity and remaining unharvested on the living vines only such hops as are found to be on vines which remain strung or trained and from which hops have not been picked, and which have not been removed from the wires or poles. In the event any grower does not permit the Growers Allocation Committee, or its representatives, access to any hops grown by that grower, or to any product thereof, or shall fail or refuse to make available to said committee, or its representatives, information relative to such hops or hop products which the Growers Allocation Committee finds to be desirable in order properly to make such determination in accordance with the provisions hereof, the Growers Allocation Committee shall determine or cause to be determined, in such manner as said committee shall find to be feasible and proper under the circumstances, the respective grower's production, as aforesaid. After completing its determination of production by each individual grower, the Growers Allocation Committee shall, by means of addition, compute the production by all growers.

(2) The investigation and determination pursuant to § 963.8 (a) (1) hereof for each member or alternate member of the Growers Allocation Committee shall not be made by any member or alternate member of such committee, but such investigation and determination shall be made, and reported in writing to the Secretary and to the Growers Allocation Committee, by such person or persons as the Managing Agent shall designate for that purpose. Any protest by a member or alternate member of the Growers Allocation Committee concerning such determination, by the person or persons thus appointed by the Managing Agent, shall be made directly to, and be determined by, the Secretary.

(3) The Growers Allocation Committee shall cause to be mailed to each grower notice of the determination, pursuant to § 963.8 (a) (1) hereof, of the respective grower's production for the respective year, and, also, the computation of the total quantity determined pursuant to § 963.8 (a) (1) hereof, produced by all growers during that year. The committee shall also publicly announce said total quantity.

(4) The Growers Allocation Committee shall prescribe regulations, subject to modification and approval by the Secretary, which provide a reasonable means whereby any grower who may be dissatisfied with the determination, pursuant to §963.8 (a) (1) hereof, of his production may protest to that committee, or its representative concerning that determination. In the event of such protest the determination of that quantity as to that grower shall be reconsidered by the Growers Allocation Committee and revised to any such extent as the committee shall find to be proper. Such regulations shall further provide a reasonable means whereby such grower may appeal to the Secretary from the final decision of the Growers Allocation Committee on his protest. The decision of the Secretary on such appeal shall be conclusive.

(5) Upon expiration of such time for protest as may be specified pursuant to § 963.8 (a) (4) hereof, and after completion of action by that committee upon all protests, the Growers Allocation Committee shall report to the Secretary all findings, determinations, and computations made by or for that committee pursuant to § 963.8 (a) hereof, together with the data on which the same were based. On the basis of such findings, determinations, computations, data, and other pertinent information which the Secretary may have, the Secretary shall determine and notify the Growers Allocation Committee of the total quantity of hops (expressed in pounds of hops, net dry weight) available for market or estimated will become available for market by each grower from his production of hops during that year: *Provided*, That such determination shall include the quantity, if any, of such hops found to have been converted into hop products except that insofar as lupulin sweepings are concerned there shall be included, in the computation, only the pounds of lupulin found to be in such quantity of lupulin sweepings, and, insofar as unharvested hops are concerned, shall include (expressed in pounds of hops, net dry weight) only hops of that respective year's crop grown to maturity and remaining unharvested on the living vines. The Secretary, after having determined each grower's production, as aforesaid, shall, by means of addition, determine the production by all growers; and such production by all growers is hereinafter referred to as the "aggregate production" for that respective year. Immediately upon receipt of notice thereof from the Secretary, the Growers Allocation Committee shall publicly announce the aforesaid determination by the Secretary of the aggregate production during that respective year.

(b) *Allocation among growers.* (1) The "salable percentage" of the aggregate production, determined pursuant to § 963.8 (a) (5) hereof, shall be computed by dividing the salable quantity of that year's crop, determined in or pursuant to § 963.7 hereof, by the aforesaid aggregate production. Each grower's allotment of the salable quantity of that year's crop shall be that same salable percentage applied to that grower's production as determined pursuant to § 963.8 (a) (5) hereof: *Provided, however*, That in any year in which the salable percentage, determined pursuant to this section, exceeds ninety-eight percent, each grower's allotment shall be the total quantity, produced by such grower, determined pursuant to § 963.8 (a) (5) hereof: *Provided further*, That in the event the Growers Allocation Committee shall find and determine, after completion of the harvest of any year's crop, that the total quantity of hops produced, harvested, and dried during that year by all growers (not including hops theretofore destroyed by fire or otherwise) is less than the total salable quantity theretofore fixed for that year's crop pursuant hereto, then the Growers Allocation Committee shall report to the Secretary said determination; and if the Secretary finds that (i) such determination is correct, and (ii) to permit allocation on the basis hereinafter specified will be equitable and fair to all growers and will tend to effectuate the declared policy of the act, the Secretary shall issue an order to the effect that each grower's salable allotment of that year's crop shall be the quantity of hops determined by the Growers Allocation Committee to have been produced, harvested, and dried by that grower during that year, and such salable allotment shall supersede any allotment previously determined and issued to that grower for that year's crop. Each allotment determined hereunder shall be expressed in pounds, net dry weight, of hops and shall be known as the respective grower's "salable allotment" of that respective year's crop.

(2) The Growers Allocation Committee shall mail to each grower notice of his salable allotment computed by that committee as herein provided. A list of the salable allotments of all growers for each year's crop shall be compiled and maintained by the Growers Allocation Committee at its office in each of the States of Oregon, California, and Washington, where the same shall be available during all reasonable hours for inspection by any interested person.

(3) The Control Board shall each year issue or cause to be issued, prior to the issuance of final allotments applicable to that year's crop, to any grower who may apply therefor to the Managing Agent, a preliminary allotment representing such proportion of that grower's total production of hops during that year as the Managing Agent shall determine will be not in excess of eighty percent (or such higher percentage as the Control Board, with the approval of the Secretary, may specify for the computation of preliminary allotments) of that grower's probable salable allotment for that year's crop. Such preliminary allotments shall be issued pursuant and subject to uniform regulations prescribed by the Control Board, subject to approval by the Secretary. After issuance to a grower of such a preliminary allotment, the hops covered thereby, and any hop product derived from such hops, shall be eligible for certification, marking, and handling, as though the final salable allotment had been issued, and subject to the same terms, conditions, and regulations as are applicable to such certification, marking, and handling of hops and hop products under a final salable allotment.

(c) *Joint allotments.* (1) In the event that more than one grower shall participate jointly in the production of hops, whether as landlord and tenant, as partners, or otherwise, and said growers report that fact to the Managing Agent on forms which shall be prescribed and supplied for that purpose by the Growers Allocation Committee, then a single salable allotment covering such joint production shall accrue to said joint growers. In the event that thereafter the interests of those growers in the crop produced or being produced are segregated, the Managing Agent, upon written application signed by all of said interested growers, shall segregate and distribute said single salable allotment among said growers in accordance with their respective segregated interests in the crop covered thereby as shown by their aforesaid application.

(2) Upon application of any bona fide incorporated cooperative association of growers which engages to market hops or hop products included within the salable allotments of its members, the individual salable allotments of such of the members of that association as join in such application, covering a specific year's crop, shall be pooled and thereafter hops produced by those members (who joined in that application) of that association during that year, and hop products derived from such hops, may be certified and handled by that association, within the aggregate total of all the allotments thus pooled, without regard to the limits of the individual allotments of those members. Any application for such pooling shall be made in writing signed by the duly authorized officers of such association and by each of the growers whose allotment is to be pooled. Such application shall be filed with the Managing Agent prior to determination of the initial salable allotments covering that year's crop.

(d) *Revision of allotments.* (1) In the event the Growers Allocation Committee shall find, at any time, that no determination, pursuant to § 963.8 (a) (5), has been made as to a particular grower entitled thereto pursuant to the provisions hereof, or that a previous determination as to a particular grower was substantially in error, the committee shall make such determination for that grower with regard to the respective grower's production during that respective year, and such determination by the committee shall be in accordance with the specifications and requirements set forth in § 963.8 (a) (1) hereof; and thereupon the committee shall submit such determination, and the findings, computations, data, and other pertinent information which the committee may have with regard to such grower's production, to the Secretary, and the committee shall notify the grower with regard to such determination by the com-

mit to the Secretary its recommendation of the maximum quantity of hops (expressed in pounds of hops, net dry weight), produced during that respective year which should, during the effec-

vision, the total quantity of hops (expressed in pounds of hops, net dry weight) available for market or estimated will become available for market by each grower from his production of hops dur-

pursuant to § 963.8 (a) (1) hereof, produced by all growers during that year. The committee shall also publicly announce said total quantity.

mittee. The grower may protest such determination, and appeal to the Secretary from the committee's decision on such protest; and such protest and appeal shall be in accordance with the provisions of § 963.8 (a) (4) hereof. The Secretary shall determine, and notify the Growers Allocation Committee of, the total quantity of hops (expressed in pounds of hops, net dry weight) available for market or estimated will become available for market by each grower from his production of hops during that year: *Provided*, That such determination shall include the quantity, if any, of such hops found to have been converted into hop products except that insofar as lupulin sweepings are concerned there shall be included, in the computation, only the pounds of lupulin found to be in such quantity of lupulin sweepings, and, insofar as unharvested hops are concerned, shall include (expressed in pounds of hops, net dry weight) only hops of that respective year's crop grown to maturity and remaining unharvested on the living vines.

(2) The Growers Allocation Committee shall adopt rules and regulations, subject to approval by the Secretary, whereby any grower who may be dissatisfied with the determination by said committee, acting pursuant to § 963.8 (b) (1) hereof, and the Secretary's order issued pursuant thereto, with regard to the quantity of hops produced, harvested, and dried by such grower from his crop of hops during that year, may protest to the Growers Allocation Committee with regard to such determination; and thereupon the Growers Allocation Committee shall reconsider its former determination of the quantity of hops produced, harvested, and dried by such grower, and the Growers Allocation Committee shall revise such determination to such extent as said committee may find to be necessary in order to state correctly the quantity of hops produced, harvested, and dried by such grower from his production during that year, and shall inform the respective grower of the decision of the Growers Allocation Committee with respect to such protest. The aforesaid rules and regulations shall also provide a reasonable means whereby any grower, dissatisfied with the decision of the Growers Allocation Committee on a protest filed by the respective grower, may appeal to the Secretary; and the decision of the Secretary on such appeal shall be conclusive. Such grower shall be entitled to a salable allotment for the amount stated in the decision by the Growers Allocation Committee, if such grower does not appeal therefrom; and in the event of an appeal, the grower shall be entitled to an allotment for the amount stated in the decision by the Secretary.

(3) In the event the Growers Allocation Committee or the Managing Agent shall find, at any time, that the salable allotment previously issued to a grower was incorrectly computed or is erroneous by reason of mathematical or clerical error, the Growers Allocation Committee or the Managing Agent shall correct and revise said allotment to the extent found to be proper, and shall notify the respective grower and the Secretary of such correction.

(4) Whenever there is mailed to a grower the notice of correction, by the committee or the Managing Agent, of the determination of production available for market by, or the salable allotment of, that grower, as hereinbefore provided in this paragraph regarding the revision of allotments, any previously issued salable allotment of that grower for the respective crop shall automatically be suspended to the extent that it may exceed allotment as thus corrected, and to the extent that hops or hop products shall not already have been certificated and handled under the previous allotment. Any corrected salable allotment issued pursuant to this paragraph regarding the revision of allotments shall supersede any salable allotment previously issued to the respective grower with regard to the crop of hops produced during that year.

§ 963.9 *Allotments for handlers.* The alloted quantity of hops of each year's crop which any handler may handle, in the form of hops or in the form of any hop product, is hereby fixed for that handler as the quantity which is apportioned to each respective grower of hops under § 963.8 hereof, and certificated under § 963.10 hereof, as that grower's salable allotment of that year's crop, and is limited as herein provided.

§ 963.10 *Certification of hops and hop products.* (a) Each grower for whom a salable allotment is determined and issued pursuant hereto shall be entitled, upon application to the Control Board or its representative, to have a quantity of hops of the crop to which that allotment relates, produced by that grower, or acquired by that grower pursuant to § 963.11 (b) hereof, and a quantity of hop products derived from those hops, certificated, to the extent of that salable allotment, as being covered by and within the limits of such allotment. Such certification shall consist of the marking or tagging of each bale or other container of such hops or hop products by an authorized representative of the Control Board pursuant to applicable regulations of the Board.

(b) The Control Board shall promulgate, with the approval of the Secretary, regulations which shall prescribe means and methods of marking or tagging each bale or other container of hops, the grower of which (or the grower who has acquired such hops pursuant to the provisions of § 963.11 (b)), shall make application to the Control Board for certification of such hops and hop products as being covered by and within that grower's salable allotment. Such regulations shall also prescribe means and methods of marking or tagging each container of any hop product if the Control Board or its duly authorized representative finds such hop product or hop products to have been derived from hops which had been certificated as aforesaid, or which had been duly certificated pursuant to the provisions of Order No. 28 or Order No. 49, or derived from hops which were entitled to be certificated as within the applicable salable allotment of the grower of those hops, or derived from hops certificated pursuant to § 963.10 (c) hereof. Such regulations may provide for the issuance and delivery of a "handling certificate" to each grower and handler for whom hops or hop products are duly certificated pursuant to this section, which certificate shall be in the nature of a certificate by an authorized representative of the Control Board that pursuant to the provisions hereof a specified quantity of hops or hop products has been duly certificated, for the grower and the handler named in said certificate, as being eligible for handling pursuant to the terms hereof.

(c) Any person who owns or is in possession of any hops grown in the State of Idaho prior to the year 1942, or any hop product produced from hops grown in the area, defined in § 963.3 hereof, prior to the effective date hereof, shall be entitled upon application to the Control Board, or its representatives, to have all of said hops and hop products, respectively, certificated by an authorized representative of the Control Board: *Provided*, That application for such certification shall be made and delivered to the Control Board within thirty days after the effective date hereof, or within such other time as the Control Board, with the approval of the Secretary, may specify. Such certification shall be by means of marking or tagging each bale or container of such hops or hop products in such manner as shall be prescribed by regulations of the Control Board approved by the Secretary. No assessment shall be payable in connection with such certification.

(d) The Control Board shall maintain a correct and complete record of all hops and hop products certificated, and of all handling certificates issued, pursuant to this section. The Control Board shall also maintain a correct and complete record of the salable allotment of each grower and the unused balance thereof under the provisions hereof, and under the provisions of Order No. 28 and Order No. 49, respectively.

(e) Certification of any hop product produced subsequent to the effective date hereof shall be charged against the applicable salable allotment of the grower of the hops from which the hop product was processed, and against the allotment of the handler of such hop product, unless it shall be found and determined by the Control Board's representative that (1) such hops had previously been certificated as provided in this § 963.10, or (2) if such hops produced prior to the year 1942, such hops had been duly certificated or were entitled to be certificated under Order No. 28 or Order No. 49. Such charge or deduction shall be at such uniform conversion ratio or ratios between hops and the respective hop products (expressed in pounds of hops, net dry weight) as the Control Board shall determine, subject to approval by the Secretary; and such conversion ratio or ratios thus approved by the Secretary shall be promptly announced by the Control Board, or its representatives, so as to bring such conversion ratio or ratios to the attention of the interested persons. Any hop product produced subsequent to the effective date hereof shall be certificated only in the event such is within the respective grower's salable allotment and such hop product is derived from hops duly certificated pursuant hereto, or entitled to be certificated pursuant hereto or certificated pursuant to Order No. 28 or Order No. 49, respectively, or entitled to be certificated thereunder.

(f) The Control Board may promulgate, with the approval of the Secretary, regulations which prescribe means and methods of marking or tagging every bale or other container of hops or any hop product not as yet certificated pursuant to this section, and may require reports from time to time as to the disposition or location of such uncertificated hops or hop products.

§ 963.11 *Limitation of handling to certificated hops or hop products.* (a) No person, as principal, agent, broker, legal representative, or otherwise, shall handle any hops or hop products unless: (1) prior to such handling, if the hops were produced in 1942 or a subsequent year, there shall have been duly issued pursuant hereto a salable allotment or preliminary allotment, as herein provided, applicable to all such hops handled and applicable to the hops, if produced in 1942 or a subsequent year, from which the particular hop product handled was derived; (2) prior to such handling such hops, if produced in the State of Idaho prior to the year 1942, shall have been duly certificated pursuant to § 963.10 hereof; (3) prior to such handling such hop product, if produced prior to the effective date hereof, shall have been duly certificated pursuant to § 963.10 hereof; (4) such hops, if produced prior to the year 1942 in the States of Oregon, California, or Washington, are covered by an allotment certificate or certificates duly issued pursuant to Order No. 28 or Order No. 49; (5) each bale or other container of said hops or hop products shall have been duly marked or tagged in such manner as the Control Board may, by regulations duly adopted by the Control Board and approved by the Secretary, have prescribed for the purpose of identifying such hops or hop products as being covered by a duly issued salable allotment or as being properly certificated, but such hops, if produced prior to the year 1942, shall have been duly marked or tagged in such manner as prescribed by regulations made effective pursuant to Order No. 28 and Order No. 49, respectively; and (6) the respective handler shall have complied with the regulations, effective pursuant hereto, relative to the salable allotment and the regulations, effective pursuant hereto, relative to such handler's allotment covering such hops or hop products, and the identification and marking thereof.

(b) In the event hops produced in 1942, or any subsequent year, whether harvested or unharvested, in the control of the respective grower thereof, are destroyed, or are so damaged or deteriorated as in the judgment of the grower to be unmarketable, or if because of quality or type such hops are unsatisfactory to the grower, the grower thereof may, if the lupulin has not been removed from such hops, replace such hops, within the limits of his salable allotment for that respective year, by acquiring uncertificated hops of that year's crop from the growers thereof: *Provided*, That such purchasing grower shall first submit a written statement to the Managing Agent setting forth the year of production, location, and the quantity of hops which such grower desires so to replace (and, if the hops to be replaced have been destroyed, the time, place, and cause of such destruction, together with proof of such destruction satisfactory to the Managing Agent), and the name and address of each grower from whom he proposes to acquire uncertificated hops for that purpose, and makes proper arrangements with the Managing Agent whereby the unmarketable or unsatisfactory hops which are thus to be replaced will be effectively diverted from or disposed of out of the normal channels of trade, and such disposal or diversion shall be in such manner as may be prescribed by uniform regulations of the Control Board approved by the Secretary: *Provided*, That such hops shall not be diverted or disposed of into hop products, as defined in § 963.3 hereof. Any grower duly acquiring uncertificated hops in accordance with the foregoing shall be entitled to have such hops, and hop products derived therefrom, certificated; and such hops or hop products so certificated may be handled under and within the limit of that grower's own salable allotment which was applicable to the hops thus duly replaced. The Managing Agent shall prepare, and from time to time shall revise, a list of the names and addresses of growers known to have uncertificated hops for sale pursuant to the provisions of this paragraph; and a list of the names and addresses of growers who report to the Managing Agent that they desire to purchase or acquire uncertificated hops pursuant to this paragraph. The Managing Agent shall make such lists available at each office of the Control Board in Oregon, California, and Washington to any grower of hops.

§ 963.12 *Expenses and assessments*—(a) *Expenses.* The Control Board is authorized to incur such expenses as the Secretary finds, from time to time, may be necessary in order to enable the Control Board, the Growers Allocation Committee, and the Advisory Committees, to perform their functions in accordance with the provisions hereof. The funds to cover such expenses shall be acquired by the levying of assessments upon handlers as provided in this section.

(b) *Assessments.* (1) Each handler shall pay to the Control Board the assessment provided hereinafter with respect to all hops and hop products which are handled or to be handled by that handler as the first handler thereof, except (i) such hops or hop products as are duly certificated pursuant to § 963.10 (c) hereof, and (ii) such hop products as have been derived from duly certificated hops with respect to which such assessment previously had been paid: *Provided, however*, That any grower who markets or transports to market within the State of production hops produced by that grower, or any hop product produced by that grower from hops produced by that grower, shall not be deemed to be the first handler thereof insofar only as payment of assessments pursuant to the provisions of this paragraph may be concerned. Said assessment shall be paid to the Control Board prior to or at the time of such handling, or at such subsequent time as the Control Board may specify.

(2) Beginning with the effective date hereof, the aforesaid assessment shall be at the rate of one-fourth of one cent per pound, net dry weight, of hops handled, and said rate shall continue in effect until changed by the Control Board with the approval of the Secretary; and the assessment rate on any hop product shall be based upon the assessment rate for hops, and shall be computed at such conversion ratio or ratios between hops and the respective hop product as determined pursuant to § 963.10 (e) hereof: *Provided, however*, That the Secretary shall not approve any assessment rate for hops exceeding two-fifths of one cent per pound unless he shall have held, prior thereto and subsequent to such notice as he may deem proper, a meeting or meetings within the production area covered hereby for the specific purpose of obtaining information with respect to such assessment rate. The Secretary shall reduce the assessment rate if the Secretary finds that the assessment rate when thus reduced will provide an amount of money sufficient to enable the Control Board and other committees properly to perform their respective functions hereunder. Any change in the assessment rate shall not apply retroactively. A grower who pursuant to § 963.11 (b) hereof acquires uncertificated hops from the grower thereof shall not, by reason of such acquisition, or the marketing or transportation of said hops within the State of production, be deemed to be the first handler of those hops within the provisions of this paragraph. In the event any grower who handles hops or any hop product is not covered by this section as the first handler thereof, then the person who handles any of such hops or any hop product next following such handling thereof by said grower shall constitute the first handler thereof within the provisions of this section.

(c) *Liquidation of net assets.* Upon the termination hereof the net assets of the Control Board shall be liquidated and disbursed pursuant to § 963.17 hereof.

(d) *Funds to be used to pay expenses.* From the funds acquired pursuant to this section, the Control Board shall pay the salaries of the employees, agents, and representatives thereof; and, also, pay the expenses necessarily incurred in the performance of the functions or duties or exercise of the powers of the Control Board, Growers Allocation Committee, and Advisory Committee, respectively.

§ 963.13 *Compliance.* Each handler shall comply strictly with all provisions hereof and all regulations duly effective hereunder. No handler shall handle any hops or any hop product in violation of any of the provisions hereof or in violation of any regulation effective pursuant hereto.

§ 963.14 *Reports, books, and records*—(a) *Books and records.* Each handler and each subsidiary or affiliate thereof shall keep adequate books and records which will clearly show the details of its handling of hops and hop products.

(b) *Reports to Managing Agent.* To enable the Control Board, the Growers

revise said allotment to the extent found to be proper, and shall notify the respective grower and the Secretary of such correction.

from hops certificated pursuant to § 963.10 (c) hereof. Such regulations may provide for the issuance and delivery of

spective grower's salable allotment and such hop product is derived from hops duly certificated pursuant hereto, or en-

growers thereof: *Provided*, That such purchasing grower shall first submit a written statement to the Managing Agent

cerned. Said assessment shall be paid to the Control Board prior to or at the

(b) *Reports to Managing Agent.* To enable the Control Board, the Growers

Allocation Committee, and each Advisory Committee to perform its functions hereunder, each handler shall furnish to the Managing Agent complete information, in such form and at such time and substantiated in such manner as may be prescribed by the Control Board, relating to (1) the volume of hops and hop products handled by the respective handler; (2) the names and addresses of the growers and other persons from whom hops or hop products were acquired; (3) quantities of hops grown by that handler; and (4) the total quantity of hops and hop products owned by the respective handler. Such information furnished to the Managing Agent shall be confidential and shall not be disclosed to any person (including members of the Control Board as well as other persons) except to the Secretary at his request, or to such person as the Secretary may specify: *Provided*, That the Managing Agent may compile such information in such form as will not reveal the identity of individual informants and may make such compilations available to the Control Board, Growers Allocation Committee, any Advisory Committee, or to the public. The Managing Agent shall not disclose any information acquired under this section, except as herein expressly authorized.

§ 963.15 *Amendments*—(a) *Proposal.* Amendment hereof may, from time to time, be proposed by the Control Board or by the Secretary.

§ 963.16 *Agents.* The Secretary may, by a designation in writing, name any person, including but not being limited to any officer or employee of the Government or any Bureau or Division in the Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

§ 963.17 *Effective time and termination*—(a) *Effective time.* The provisions hereof, or of any amendment hereto, shall become effective at such time as the Secretary may declare, and shall continue in force unless terminated in one of the ways hereinafter specified, so long as the provisions of the act authorizing the same are in effect.

(b) *Termination.* (1) The Secretary may, at any time, terminate the provisions hereof whenever he finds that the provisions hereof obstruct or do not tend to effectuate the declared policy of the act; and such notice of the termination shall be given as the Secretary deems proper.

(2) The Secretary shall terminate the provisions hereof whenever he finds that such termination is favored by the majority of the growers of hops who, during such representative period as may be determined by the Secretary, have been engaged in the production of hops within the area for market: *Provided*, That such majority have, during such period, produced for market more than fifty percent of the total volume of hops produced for market in said area during such period. Such termination shall become and be effective on and after the first day of July subsequent to the announcement thereof by the Secretary.

(3) The provisions hereof shall terminate in any event whenever the provisions of the act authorizing them cease to be in effect.

(c) *Proceedings after termination.* Upon the termination of the provisions hereof, the members of the Control Board then functioning shall continue as trustees (for the purpose of liquidating the affairs of said Control Board) of all funds and property then in the possession or under the control of the Control Board, including but not being limited to claims for any funds unpaid or property not delivered at the time of such termination; but the procedural rules governing the activities of said trustees, including but not being limited to the determination as to whether action may be taken by only a majority vote of the trustees, shall be prescribed by the Secretary. Said trustees shall continue in such capacity until discharged by the Secretary, and from time to time shall account for all receipts and disbursements, and deliver all funds and property on hand, together with all books and records of the Control Board and the trustees, to such person as the Secretary may direct, and shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person the right to all of the funds or claims vested in the Control Board or the trustees pursuant hereto. Any funds collected for expenses pursuant to § 963.12 hereof and held by such trustees or such person over and above amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the trustees or such other person, in the performance of their duties hereunder, shall, as soon as practicable after the termination of the provisions hereof, be disbursed among the handlers pro rata in proportion to their contributions pursuant hereto. Any person to whom funds, property, or claims have been delivered by the Control Board or its members, upon direction of the Secretary as herein provided, shall be subject to the same obligations and duties with respect to said funds, property, or claims as are hereinabove imposed upon the members of said Board or upon said trustees.

§ 963.18 *Duration of immunities.* The benefits, privileges, and immunities conferred by virtue hereof shall cease upon termination hereof except with respect to acts done under and during the existence hereof; and the benefits, privileges, and immunities conferred hereby shall cease upon the termination hereof except with respect to acts done under and during the existence hereof.

§ 963.19 *Separability.* If any provision hereof is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder hereof or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 963.20 *Derogation.* Nothing contained herein is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 963.21 *Right of the Secretary.* Each member of the Control Board, Growers Allocation Committee, and Growers Advisory Committee, including successors and alternates, and any agent, representative, or employee appointed or employed by the Control Board, shall be subject to removal or suspension by the Secretary at any time. Each regulation, decision, determination, or other act of the Control Board, Growers Allocation Committee, or any Growers Advisory Committee, shall be subject to the continuing right of the Secretary to disapprove of the same at any time, and, upon such disapproval, shall be deemed null and void except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 963.22 *Liability of Control Board members.* No member of the Control Board, Growers Allocation Committee, or any Advisory Committee, nor any agent, representative, employee, or legal counsel thereof, shall be held liable individually in any way whatsoever to any other person for errors in judgment, mistakes, or other acts either of commission or omission as such member, employee, representative, or legal counsel, except for acts of dishonesty. The liability of the parties hereun 'er is several and not joint, and no party shall be liable for the default of any other party.

§ 963.23 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination hereof or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen prior thereto, or (b) release or extinguish any violation hereof or of any regulation issued hereunder, or (c) affect or impair any right or remedy of the United States, or of the Secretary, or of any other person with respect to any such violation.

Issued at Washington, D. C., this 28th day of August 1942, to be effective on and after 12:01 a. m., P. w. t., September 1, 1942. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8419; Filed, August 28, 1942; 11:47 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Agricultural Marketing Administration

PART 201—STOCKYARD REGULATIONS

AMENDMENT OF WORDING

By virtue of the authority vested in the Secretary of Agriculture by the Packers and Stockyards Act, 1921 (42 Stat. 159, as amended; 7 U.S.C. 1940 ed. 181-229), the following amendments to Title 9, Chapter II, Part 201, Code of Federal Regulations (9 CFR and 1939 Supp. §§ 201.1-201.23) are promulgated:

Wherever they appear in Part 201, the words "Chief of the Agricultural Marketing Service" are stricken and the words "Administrator of the Agricultural Marketing Administration substituted therefor.

Wherever they appear in Part 201, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C., this 27th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8421; Filed, August 28, 1942; 11:49 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets Nos. A-1553 and A-1554; A-1555 and A-1574]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of Springfield Coal Corporation, Springfield No. 5 Mine, Mine Index No. 153, for approval of agreement to purchase the entire production of the Hurd Mine, Mine Index No. 2928, of John P. Hurd, and the entire production of the Flick Mine, Mine Index No. 743, of Carl W. Flick, code members in District No. 1, for changes in freight origin group numbers and shipping points for the coals of Mine Index Nos. 2928, 743, and 153, for rail shipments, and for permission to mix the coals of these mines and in the matter of the petitions of Peale, Peacock, and Kerr, Inc., for approval of agreement in respect to the purchase of 250 net tons of coal per day produced at Kriswal No. 1 Mine, Mine Index No. 656, of Kriswal Mining Company for delivery to the buyer's Victor No. 18 Mine, Mine Index No. 526, and for approval of agreement to purchase 300 net tons of coal per day produced at the same mine for delivery to the buyer's Victory No. 19 Mine, Mine Index No. 590, for change in freight origin group numbers and shipping points for the coals of Mine Index Nos. 656, 526 and 590; and for permission to mix the coals of these mines.

Original petitions having been duly filed with this Division by the above-named parties, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the approval of agreements attached thereto and requesting temporary and permanent relief to load and mix the coals produced by Mine Index Nos. 2928 and 743 with the coals of Mine Index No. 153 and permission to load and mix the coals of Mine Index No. 656 with the coals of Mine Index Nos. 526 and 590; and

It appearing that the above-entitled matters raise similar and related issues; it further appearing that the proposed agreements attached to the original petitions do not comply with the Marketing Rules and Regulations promulgated by the Division; it appearing, however, that a reasonable showing of necessity has been made for granting temporary relief in the manner hereinafter set forth; no petitions of intervention having been filed with this Division in the above-entitled matters; and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is therefore ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof, and commencing forthwith the Freight Origin Group numbers and shipping points appearing in the aforesaid Supplement R for the mines mentioned therein are effective in place of the Freight Origin Group numbers and shipping points heretofore established for these mines and the mixing of the coals of Mine Index Nos. 743 and 2928 with the coals of Mine Index No. 153 and the coals of Mine Index No. 656 with the coals of Mine Index Nos. 526 and 590 is hereby approved.

It is further ordered, That nothing in this Order shall be construed as approval of the contracts attached to the original petitions inasmuch as the said contracts do not comply with the Marketing Rules and Regulations promulgated by the Division.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless otherwise ordered.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in this Supplement R is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
743	Flick, Carl W.	Flick	18	C'	La Jose, Pa.[1] (Wilson Run).	PRR.	50	E	E	E	E	E
2928	Hurd, John Porter	Hurd	18	C'	La Jose, Pa.[1] (Wilson Run).	PRR.	50	E	E	E	E	E
153	Springfield Coal Corporation.	Springfield #5.	18	C'	La Jose, Pa.[1] (Wilson Run).	PRR.	50	E	E	E	E	E
*656	Kriswal Mining Company (Frank Kristinson).	Kriswal	7	D	Curwensville, Pa.[2]	PRR.	51	F	F	F	F	F
					Rowles, Pa.[3]	NYC.						
526	Peale, Peacock & Kerr, Inc.	Victor #18.	7	D	Curwensville, Pa.[2]	PRR.	45	F	F	F	F	F
*656	Kriswal Mining Company (Frank Kristinson).	Kriswal	7	D	Rowles, Pa.[3]	NYC.	51	F	F	F	F	F
					Curwensville, Pa.[2]	PRR.						
590	Peale, Peacock & Kerr, Inc.	Victor #19.	7	D	Rowles, Pa.[3]	NYC.	44	F	F	F	F	F

[1] When coals from Mines with Index Nos. 153, 743, and 2928 are loaded into the same car, at La Jose, Pa. (Wilson Run), the minimum price applicable to the mixture shall be the price of the coal in the mixture which has the highest price classification (Classification "E" in Size Groups 1 to 5 inclusive).

[2] When the coals from Mines with Index Nos. 656 and 526 are loaded into the same car, at Curwensville, Pa., the minimum price applicable to the mixture shall be the price of the coal in the mixture which has the highest price classification (Classification "F" in Size Groups 1 to 5 inclusive).

[3] When the coals from Mines with Index Nos. 656 and 590 are loaded into the same car, at Rowles, Pa., the minimum price applicable to the mixture shall be the price of the coal in the mixture which has the highest price classification (Classification "F" in Size Groups 1 to 5 inclusive).

*Freight Origin Group No. 62 is no longer applicable for Mine Index No. 656.

[F. R. Doc. 42-8381; Filed, August 27, 1942; 11:22 a. m.]

[Docket No. A-1561]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for rail and truck shipments and for changes in shipping points for the coals of certain mines in District No. 3 for rail shipments.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and for changes in Freight Origin Group Numbers and shipping points for the coals of certain mines in District No. 3 for rail shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R–II, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R–III, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith the shipping points appearing in the aforesaid Supplement R–I for the mines mentioned therein are effective in place of the shipping points heretofore established for these mines.

No relief is granted herein for the coals of the Shriver Mine, Mine Index No. 990 of Paul Crumrine for the reason that the coals of this mine were priced in Docket No. A–1535.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
964	Booths Creek Coal Co. (Melvin Decker)	No. 1	Pittsburgh	Chiefton, W. Va.	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
410	Case, Pierce O	Case	No. 2 Gas	Tioga, W. Va.	SC&M	11	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1355	Johnson Coal Co., (Delvera K. Johnson)	Johnson #3 (Strip)	Pittsburgh	Simpson, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
636	Kimmims, J. D. (Kimmims Coal Co.)	Viropa	Pittsburgh	Bingamon Jct. W. Va.[1]	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
937	Long, Walter	Delphi	Pittsburgh	Bingamon Jct. W. Va.[1]	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1225	Westfall, Carl G	Perkins	Pittsburgh	Gassaway, W. Va.	B&O	32	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1366	Yoland Coal Co	Yoland #4 (Strip)	Pittsburgh	Everson, W. Va.	B&O	61	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective for this size group.
[1] Denotes new shipping point. Shipping point at Chiefton, W. Va. on the Western Maryland Railroad shall no longer be applicable.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–II. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule: Group No. 1, 964, 1225, 1355, 1366, 636; Group No. 5, 410.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*—Supplement R–III. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule: Group No. 1, 964, 1225, 1365, 1366, 636; Group No. 5, 410.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Seam	County	Size groups: Lump over 2", egg over 2", nutcoal	Lump 2", egg 2", but-tonsize but over 1¼"	Lump 1¼" and under, but-tonsize and egg	All nut and pea, 2" and under	Run of mine, resultant over 2"	1¼" and 2" slack	¾" slack
					1	2	3	4	5	6	7
Baker, J. H	411	Baker #3	Coalburg	Nicholas	253	248	248	223	223	213	193
Case, Pierce O	410	Case	No. 2 Gas	Nicholas	253	248	248	223	223	213	193
Grant, W. J	409	Burnside #3	Pittsburgh	Lewis	223	218	218	193	193	178	168
Johnson Coal Co. (Delvera K. Johnson)	1355	Johnson #3 (Strip)	Pittsburgh	Taylor	223	218	218	193	193	178	168
Yoland Coal Co	1366	Yoland #4 (Strip)	Pittsburgh	Harrison	223	218	218	193	193	178	168

[F. R. Doc. 42–8382; Filed, August 27, 1942; 11:22 a. m.]

[Docket No. A-1581]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R–II, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R–III, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
412	George-Annese Coal Co	Barbour #1 (S)	Pittsburgh	Berrylburg, W. Va.	B&O	31	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1135	Moore, Eli	Moore	Pittsburgh	Rayberi Siding, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1371	Petrolo & Ripko Coal Co	Johns	Pittsburgh	Maidsville, W. Va.	Mon	52	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1370	Scritchfield, D. L	Scritchfield #1	Pittsburgh	Everson, W. Va.	B&O	61	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
1047	Stark, H. R	Stark	Pittsburgh	Mt. Clare, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
413	Virginia & Pittsburgh Coal & Coke Co	Kingmont Jr. #2	Pittsburgh	Kingmont, W. Va.	B&O	50	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
990	Crumrine, Paul	Shriver	Redstone	Fishing Camp, W. Va.[1]	B&O	31	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective in this size group.
[1] Denotes new shipping point. Shipping point at Buckhannon, W. Va., on the Baltimore and Ohio Railroad shall no longer be applicable.
*Indicates coal in this size group previously classified.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements, except via lakes*—Supplement R–II. For railroad fuel prices, add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule: Group No. 1, 412, 413, 1047, 1135, 1370, 1371 (a);[1] Group No. 2, 990.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*—Supplement R–III. For railroad fuel prices, add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule: Group No. 1, 412, 413, 1047, 1135, 1370, 1371 (a);[1] Group No. 2, 990.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code number index	Mine Index No.	Mine	Seam	County	Size groups: Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size but over 1¼"	Lump 1¼" and under, egg 1¼" and under, bottom size	All nut and peas, 2" and under	Run of mine, resultant over 2"	1¼" and 2" slack	¾" slack
					1	2	3	4	5	6	7
George-Anness Coal Co	412	Barbour #1 (s)	Pittsburgh	Barbour	223	218	218	193	193	178	168
Petrolo & Ripko Coal Co	1371	Johns	Pittsburgh	Monongalia	223	218	218	193	193	178	168
Scritchfield, D. L	1370	Scritchfield #1	Pittsburgh	Harrison	223	218	218	193	193	178	168
Virginia & Pittsburgh Coal & Coke Co.	413	Kingmont Jr. #2	Pittsburgh	Harrison	223	218	218	193	193	178	168

[F. R. Doc. 42–8376; Filed, August 27, 1942; 11:24 a. m.]

[Docket No. A–967 Part II]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary and conditionally final relief in Docket No. A–967 Part II in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of Mine Index Nos. 798 and 5075 in District No. 8.

On August 7, 1941, 6 F.R. 4022, a Memorandum Opinion and Order severing Docket No. A–967 Part II from Docket No. A–967, and granting temporary relief and establishing temporary price classifications and minimum prices for the coals of Mine Index Nos. 798 and 5075 of Consumers Mining Corporation for all shipments except truck, was issued. Conditionally final relief was not granted therein, pending the establishment of permanent relief in Docket No. A–355.

On October 16, 1941, 6 F.R. 5330, an order was issued establishing permanent relief in Docket No. A–355.

It appears that in order to relate the coals of Mine Index Nos. 798 and 5075 with other coals in the Red Ash Seam in District No. 8 in accordance with the said Order dated October 16, 1941, in Docket No. A–355, and in accordance with the Order of August 7, 1941, the following price classifications should be established for the coals of Mine Index Nos. 798 and 5075 for All Shipments Except Truck: "C" in Size Groups 1 and 2, "D" in Size Groups 3 and 4, "A" in Size Groups 5, 6, and 7, and "H" in Size Groups 8, 9, and 10.

It is therefore ordered, That the relief granted by the Order dated August 7, 1941, in this matter be terminated.

It is further ordered, That commencing fifteen days from the date hereof, § 328.21 (*Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 8 For All Shipments Except Truck is supplemented to include price classifications and minimum prices shown in Supplement R, annexed hereto and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

§ 328.21 *Alphabetical list of code members*—Supplement R

NOTE: The material contained in this Supplement R is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

[Alphabetical list of code members having *railway* loading facilities, showing price classifications by size groups fo all uses except as separately shown]

Mine Index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
5075	Consumers Mining Corporation.	Red Ash No. 1.	9	Red Ash.	Red Ash, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H
798	Consumers Mining Corporation.	Red Ash No. 2.	9	Red Ash.	Red Ash, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H

[F. R. Doc. 42–8377; Filed, August 27, 1942; 11:24 a. m.]

[Docket No. A–1571]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 15, 1942.

[SEAL] E. BOYKIN HARTLEY, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
584	C. & C. Coal Company	Nugym	Crockett	6	Nugym, Ky	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	A	A	B	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	A	A	B	C
103	Ethel Chilton Mines, Inc	Ethel No. 1	Chilton	5	Ethel, W. Va	C&O	150	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	C	C	C	E	E	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	C	C	C	E
5662	Harlan-Wallins Coal Corporation.	Kellioka	Kellioka	2	Marne No. 2, Ky	L&N	80	Q	Q	L	K	H	F	D	D	E	K	N	(†)	(†)	(†)	(†)	(†)	P	M	L	G	E	D	D	N	K	N	(†)	(†)	(†)	(†)
199	McCalla, A. L., Special Receiver for Chilton Block Coal Co.	Ethel No. 2	Chilton	5	Ethel, W. Va	C&O	150	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(*)	(*)	(*)	(*)	E	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(†)	(*)	(*)	(*)	E

*Indicates previously classified these size groups.
(†) Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine Index No.	Seam	Base sizes: Lump over 2", egg over 2", 3" x 6"	Lump 2" and under, egg 2" x 6"	Lump ¾" and under	Egg 2" x 3", 3" x 6"	Stove 2" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 2—HARLAN—HARLAN COUNTY, KY.											
Harlan-Wallins Coal Corporation.	Kellioka	5662	Kellioka	245	225	215	215	200	205	155	150

[F. R. Doc. 42–8379; Filed, August 27, 1942; 11:23 a. m.]

[Docket No. A–1569]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applica-

tions to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted as to the coals of the Wolf Hills Coal Company (Mine Index No. 530) for Truck Shipments for the reason set forth in an order severing that portion of Docket No. A–1569 which relates to them and designating such portion as Docket No. A–1569, Part II and scheduling a hearing therein.

Dated: August 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine Index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
[1] 935	Brown, Owen	Brown	9	50	Providence	L&N–IC.
[1] 661	Burden, Harrison	Shutt & Mac	9	30	Browder [3]	L&N.
[1] 674	Burden & Woods (Harrison Burden).	Whittinghill	9	30	Drakesboro [4]	L&N.
[1] 659	Hardin & Gray (Chester Hardin).	Hardin	9	40	Owensboro	L&N–IC.
[1] 698	Parks, Orval	Vick	9	10	Beaver Dam	IC.
[1] 305	Parrish & Harris	Beulah	9	50	Providence [5]	L&N–IC.
[1] 1029	Tapp, John	Tapp	11	30	Nebo	L&N.
[1] 546	Watson & Laffoon (Ruby Watson).	Cat Hill	9	10	Madisonville [6]	IC.
[1] 1028	Wilson, C. C.	Wilson No. 2	9	10	Madisonville	IC.
[2] 1023	Shearn Coal Co.	Belcano #2	6	30	Beltco	L&N.

[1] The f. o. b. mine prices for coal shipped by Mine Index Nos. 935, 661, 674, 659, 698, 305, 1029, 546, 1028 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Price Schedule No. 1 for District No. 9, for All Shipments Except Truck.

[2] The f. o. b. mine prices for coal shipped by Mine Index No. 1023 to any market area in any size group and for any use including Railroad Locomotive Fuel are the same as the prices shown for Dawson Daylight Coal Company, Dawson Daylight No. 6 mine, Mine Index No. 19, in Price Schedule No. 1 for District No. 9, for All Shipments Except Truck.

[3] Shipping Point Drakesboro, Ky., Freight Origin Group 30, is no longer applicable.
[4] Shipping Point Browder, Ky., Freight Origin Group 30, is no longer applicable.
[5] Shipping Point Earlington, Ky., Freight Origin Group 30, is no longer applicable.
[6] Shipping Point Charleston, Ky., and Madisonville, Ky., Freight Origin Group 10, is no longer applicable.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	26, 27	28, 29
HOPKINS COUNTY																
Knight, Cliff	1031	Buck Run	#9	205	195	185	175	170	160	160	150	140	110	50	120	115
Tapp, John	1029	Tapp	#11	205	195	185	175	170	160	160	150	140	110	50	120	115
Wilson, C. C.	1028	Wilson #2	#9	205	195	185	175	170	160	160	150	140	110	50	120	115
MUHLENBERG COUNTY																
Shearn Coal Company	1023	Belcano #2	#6	230	220	210	200	195	185	185	180	175	160	100	170	165
OHIO COUNTY																
Daugherty, Ames	1027	Ames	#11	205	195	185	175	170	160	160	150	140	110	50	120	115

[F. R. Doc. 42–8383; Filed, August 27, 1942; 11:22 a. m.]

[Docket No. A–1584]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the Gloria Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Gloria Mine (Mine Index No. 171) of code member Nick Luciani & Sons for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 338.2 (*Code member price index*) is amended by adding thereto Supplement T–I, and § 338.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

No price classifications or minimum prices were proposed by petitioner for the coals of the Gloria Mine in Size Groups Nos. 14 and 15. However, the Order issued in Docket No. A–1530 on July 28, 1942, 7 F.R. 6143, established price classifications and minimum prices for the coals, in those size groups, produced from all other mines presently operating in Subdistrict 3 of District No. 18. For the purpose of uniformity, it is deemed advisable to establish classifications and prices for the coals of the Gloria Mine which will correspond with those in effect for the coals produced from other mines in Subdistrict 3 of District No. 18. Accordingly, price classifications and minimum prices for the coals of the Gloria Mine in Size Groups Nos. 14 and 15 have been included in the attached schedule marked Supplement T–I.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18, and supplements thereto.

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 18:

§ 338.2 *Code member price index*—Supplement T–I

Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County and State	Sub-district price group	Prices Rail	Prices Truck
Nick Luciani & Sons	Gloria	171	Sandoval, N. Mex.	3		§338.21

FOR TRUCK SHIPMENTS

§ 338.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Insert the following code member name, mine name, county, and minimum prices under Sub-District No. 3:

Code member	Mine name	County	Size group 2	8	9	11	13	14	15
Nick Luciani & Sons	Gloria	Sandoval	365	300	200	150	100	350	325

[F. R. Doc. 42–8380; Filed, August 27, 1942; 11:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 117]

LIST OF DEFECTS

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the "Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 220, entitled "List of Defects," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 220, the use of the original DSS Form 220 will be discontinued and all unused copies thereof will be destroyed.

[1] Filed as part of the original document.

The foregoing revision and discontinuance shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

AUGUST 15, 1942.

[F. R. Doc. 42–8418; Filed, August 28, 1942; 11:31 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXX]

PART 801—GENERAL REGULATIONS

CHANGE OF EFFECTIVE DATES

The effective dates of Amendments Nos. XXV, XXVI and XXVIII[1] to the Export Control Regulations are hereby changed to September 5, 1942.

[1] 7 F.R. 6671.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 958—REPAIRS, MAINTENANCE AND OPERATING SUPPLIES

[Amendment 3 to Preference Rating Order Number P–100 as Amended]

Section 958.2 paragraph (b) (5) of *Preference Rating Order P–100*[1] is hereby amended to read as follows:

• • • • •

(5) Subject to subparagraph (6), "operating supplies" means any material which is essential to the operation of the producer's business and which is consumed in the course of such business, including, but not limited to, lubricants, catalysts, and small perishable tools: *Provided*, it shall not include:

(i) Any material which is physically incorporated, in whole or in part, into any material which the producer manufactures, distributes, sells, stores, or transports, excepting material used by a producer to repair or maintain agricultural machinery or the property of another producer, or

(ii) Any material that is to be used as fuel, or

(iii) Any material to be used as packaging supplies, shipping supplies or containers. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8417; Filed, August 28, 1942; 11:41 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Supplementary Limitation Order L–1–h]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of heavy

[1] 7 F.R. 925, 1009, 1626, 1794, 2236, 2866.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

Dated: August 27, 1942.

[F. R. Doc. 42–8410; Filed, August 28, 1942; 10:53 a. m.]

motor trucks for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 976.18 *Supplementary Limitation Order L–1–h*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of heavy trucks (including off-the-highway motor vehicles when produced under this order) without regard to purchase orders or contracts placed with them for other materials on ratings lower than AA–4.

(b) *Definitions.* For the purposes of this order:

(1) "Heavy truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 16,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor, including off-the-highway motor vehicles.

(2) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(3) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of heavy trucks and off-the-highway motor vehicles.

(4) "G. V. W. group" means gross vehicle weight classification, as authorized by the producer.

(c) *Production of 4,000 heavy trucks authorized.* Irrespective of the terms of Supplementary General Limitation Order L–1–E, issued April 11, 1942,[1] and in order to replace four thousand (4,000) heavy trucks heretofore or hereafter withdrawn for use by the Army, Navy and Lend-Lease Administration since June 1, 1942, from stocks intended for rationing to civilians under General Conservation Order M–100,[2] the Producers named below are hereby authorized to produce during the period from August 1, 1942, to December 31, 1942, an aggregate of four thousand (4,000) heavy trucks according to the following schedules:

Producer	G. V. W. groups (by thousand pounds)	Number of units
Autocar Co., Ardmore, Pa.	16 to but not including 20	60
	20 to but not including 25	115
	25 to but not including 30	75
	35 to but not including 40	25
	40 to but not including 45	25
	50 to but not including 60	25
		325
Brockway Motor Co., Inc., Cortland, N. Y.	16 to but not including 20	80
		80
Dart Truck Co., Kansas City, Mo.	16 to but not including 20	11
	20 to but not including 25	12
	25 to but not including 30	8
	40 to but not including 45	2
	60 to but not including 70	11
	70 to but not including 100	1
		45
Duplex Truck Co., Lansing, Mich.	16 to but not including 20	1
	25 to but not including 30	3
		4
Euclid Road Machinery Co., Cleveland, Ohio	50 to but not including 70	80
	70 to but not including 100	50
		130
Four Wheel Drive Auto Co., Clintonville, Wis.	16 to but not including 20	60
	20 to but not including 25	25
	25 to but not including 30	14
	40 to but not including 45	6
		105
Hendrickson Motor Truck Co., Chicago, Ill.	20 to but not including 25	2
	25 to but not including 30	1
	30 to but not including 35	6
		9
International Harvester Co., Chicago, Ill.	16 to but not including 20	727
	20 to but not including 25	350
		1,077
Kenworth Motor Truck Corp., Seattle, Wash.	35 to but not including 40	10
	40 to but not including 45	10
	50 to but not including 60	10
		30
Mack Manufacturing Corp., Long Island City, N. Y.	25 to but not including 30	90
	30 to but not including 35	200
		290
Peterbilt Motors Co., Oakland, Calif.	35 to but not including 40	6
	40 to but not including 45	10
	50 to but not including 60	4
		20
Reo Motors, Inc., Lansing, Mich.	20 to but not including 25	17
	25 to but not including 30	7
	30 to but not including 35	16
		40
Sterling Motor Truck Co., Milwaukee, Wis.	16 to but not including 20	3
	20 to but not including 25	7
	35 to but not including 40	12
	40 to but not including 45	7
	45 to but not including 50	2
		31
Walter Motor Truck Co., Ridgewood, N. Y.	20 to but not including 25	90
	30 to but not including 35	50
	40 to but not including 45	60
	60 to but not including 70	50
		250
The White Motor Co., Cleveland, Ohio	16 to but not including 20	776
	20 to but not including 25	591
	25 to but not including 30	77
	30 to but not including 35	120
		1,564
		4,000

[1] 7 F.R. 2782, 5705.
[2] 7 F.R. 1632, 4030, 5705.

(d) Commencing September 1, 1942, producers shall report to the Automotive Branch, War Production Board, on the first day of each month the number of units produced in the preceding thirty (30) days on Form PD–571.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who wilfully violates any provisions of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reason such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as is deemed appropriate.

(j) *Communications.* All communications concerning this order shall be addressed to, War Production Board, Automotive Branch, Washington, D. C., Ref: Order L–1–h. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8415; Filed, August 28, 1942; 11:41 a. m.]

PART 1239—OFFICERS' MILITARY INSIGNIA

[Supplementary Limitation Order L–131–a]

§ 1239.2 *Supplementary Limitation Order L–131–a*—(a) *Authorizations to transfer officers' military insignia.* Pursuant to paragraph (b) (2) (iii) of Limitation Order L–131,[1] all those persons to whom certificates of authority for the sale of officers' military insignia of the United States Army have been granted, or may hereafter be granted by the Adjutant General pursuant to Army Regulation No. 600–90, are hereby specified as outlets to which officers' military insignia of the United States Army may be transferred under paragraph (b) (2) (iii) of Limitation Order L–131, and outlets which may transfer such officers' military insignia to personnel of the United States Army, pursuant to paragraph (b) (2) (vii) of Limitation Order L–131.

(b) *Duration of authorizations.* The authorizations specified in paragraph (a) of this order shall remain in effect with respect to any person only so long as his certificate of authority granted by the Adjutant General remains in effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8416; Filed, August 28, 1942; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 27]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

PARSONS DEFENSE-RENTAL AREA

Section 1388.1751 (a) (2) of Maximum Rent Regulation No. 27 is hereby amended to read as follows:

§ 1388.1751 *Scope of regulation.* (a) • • •

(2) That portion of the Parsons Defense-Rental Area consisting of the Counties of Labette and Montgomery, in the State of Kansas.

• • • • • •

§ 1388.1764a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.1751 (a) (2)) to Maximum Rent Regulation No. 27 shall become effective September 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8401; Filed, August 27, 1942; 5:02 p. m.]

[1] 7 F.R. 5556.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 31A]

HOTELS AND ROOMING HOUSES

PARSONS DEFENSE-RENTAL AREA

Sections 1388.1951 (a) (2)[1] and 1388.1964a of Maximum Rent Regulation No. 31A are hereby amended to read as follows:

§ 1388.1951 *Scope of regulation.* (a) • • •

(2) That portion of the Parsons Defense-Rental Area consisting of the Counties of Labette and Montgomery, in the State of Kansas.

• • • • • •

§ 1388.1964a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.1951 (a) (2)) to Maximum Rent Regulation No. 31A shall become effective August 8, 1942.

(b) Amendment No. 2 (§ 1388.1951 (a) (2)) to Maximum Rent Regulation No. 31A shall become effective September 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8402; Filed, August 27, 1942; 5:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 45]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

SIDNEY, NEBRASKA DEFENSE-RENTAL AREA

Section 1388.8051 (a) of Maximum Rent Regulation No. 45 is hereby amended by adding subparagraph (39) to read as follows:

§ 1388.8051 *Scope of regulation.* (a) • • •

(39) The Sidney, Nebraska Defense-Rental Area, consisting of the County of Cheyenne, in the State of Nebraska.

§ 1388.8064a *Effective dates of amendments.* (a) Amendment No. 1 (§1388.8051 (a)) to Maximum Rent Regulation No. 45 shall become effective September 1 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8400; Filed, August 27, 1942; 5:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 46A]

HOTELS AND ROOMING HOUSES

SIDNEY, NEBRASKA DEFENSE-RENTAL AREA

Section 1388.9001(a) of Maximum Rent Regulation No. 46A is hereby

[1] 7 F.R. 4923.

amended by adding subparagraph (39) to read as follows:

§ 1388.9001 *Scope of regulation.* (a) * * *

(39) The Sidney, Nebraska Defense-Rental Area, consisting of the County of Cheyenne, in the State of Nebraska.

§ 1388.9014a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.9001(a)) to Maximum Rent Regulation No. 46A shall become effective September 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8399; Filed, August 27, 1942; 5:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 9 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

Paragraph (a) of § 1407.86 is amended as set forth below:

Institutional and Industrial Users

§ 1407.86 *Allotments.* (a) A registering unit which uses sugar for any of the purposes not enumerated in § 1407.241, Schedule A of Rationing Order No. 3, and which has established a sugar base by registration on OPA Form No. R-310, is eligible for an amount of sugar for each of such purposes which is known as an allotment. The amount of an allotment for each period for which application is made shall be the applicable percentage specified in § 1407.242, Schedule B of Rationing Order No. 3, of the sugar base, except that in the case of an establishment principally engaged in the care of persons who are acutely ill and temporarily living and receiving medical or surgical care therein, the amount of the allotment for meals or food services for each period commencing on or after September 1, 1942, shall be 65 per cent of the sugar base for such purpose.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (Paragraph (a) of § 1407.86) shall become effective September 2, 1942.

(Pub. Law 421, 77th Cong., W. P. B., Dir. No. 1 and Supp. Dir. 1E)

Issued this 27th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8405; Filed, August 27, 1942; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 211]

COTTON GINNING SERVICES

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 211 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for cotton ginning services. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be effected by this Maximum Price Regulation No. 211.

In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 211 are, and will be, generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 211 is hereby issued.

Sec.

1499.551 Prohibition against dealing in cotton ginning services above the maximum prices.
1499.552 Maximum prices for cotton ginning services.
1499.553 Prohibition against using more than one pricing method set forth in § 1499.552 (a).
1499.554 Less than maximum prices.
1499.555 Transfer of business or stock in trade.
1499.556 Adjustable pricing.
1499.557 Applicability of other regulations.
1499.558 Reports to be submitted by ginners to the appropriate Regional Office of the Office of Price Administration, D. C.
1499.559 Prohibition against doing business after September 19, 1942, unless a report has been filed with the appropriate Regional Office of the Office of Price Administration.
1499.560 Posting of maximum prices in each ginning establishment.
1499.561 Evasion.
1499.562 Licensing.
1499.563 Enforcement.
1499.564 Petitions for adjustment and amendment.
1499.565 Definitions.
1499.566 Effective date.
1499.567 Appendix A: Procedure for the adjustment of maximum prices under § 1499.564 (a).
1499.568 Appendix B: Procedure for the filing of an application for a maximum price under § 1499.552 (b).
1499.569 Appendix C: Reques. for review by Washington Office of the Office of Price Administration.
1499.570 Appendix D: Regional Offices and States included in each region.

AUTHORITY: §§ 1499.551 to 1499.570, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1499.551 *Prohibition against dealing in cotton ginning services above the maximum prices.* On and after August 29, 1942, regardless of any contract or obligation:

(a) No person shall sell or supply any cotton ginning services at a price higher than the maximum prices permitted by Maximum Price Regulation No. 211;

(b) No person in the course of trade or business shall buy or receive any cotton ginning services at a price higher than the maximum prices permitted by Maximum Price Regulation No. 211;

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1499.552 *Maximum prices for cotton ginning services.*—(a) *Maximum prices for cotton ginning services which are the same as or substantially similar to those sold by the ginner during the base period.* The maximum price for cotton ginning services which are the same as or substantially similar to the cotton ginning services sold or supplied by the ginner during the base period shall be:

(1) 105 per cent of the highest dollars-and-cents price [2] charged by the ginner for selling or supplying such services to a purchaser of the same general class during the base period; [3] or

(2) 25 cents per hundred weight of seed cotton for ginning picked cotton, 27½ cents per hundred weight of seed cotton for ginning bollies or snapped cotton, and $1.50 for bagging and ties, for which prices the ginner shall render such other cotton ginning services (or services substantially similar thereto) as he sold or supplied to purchasers of the same general class during the base period; or

(3) In the event that a ginner is unable to determine his maximum price for ginning in accordance with subparagraph (2), 65 cents per hundred weight of lint cotton, gross weight bale, for ginning picked cotton, 71½ cents per hundred weight of lint cotton, gross weight bale, for ginning bollies or snapped cotton, and $1.50 for bagging and ties, for which prices the ginner shall render such other cotton ginning services (or services substantially similar thereto) as he sold or supplied to purchasers of the same general class during the base period.

(b) *Maximum prices for cotton ginning services which are not the same as or substantially similar to those sold by the ginner during the base period.* The maximum price for cotton ginning services which are not the same as or substantially similar to the cotton ginning services sold or supplied by the ginner during the base period shall be the price issued by the Office of Price Administration upon application by the ginner. This application shall be filed by the ginner with the appropriate Regional Office of the Office of Price Administration in accordance with Appendix B, incorporated herein as § 1499.568, and shall set forth:

(1) The kinds and the quality of cotton ginning services supplied by the applicant during the base period;

(2) The highest charges he made during the base period for such services in a single transaction;

(3) The cotton ginning services which the applicant now wishes to sell or supply, with a complete description of the manner in which such services differ from the cotton ginning services sold or supplied by the ginner during the base period;

(4) If the applicant is discontinuing any cotton ginning services supplied during the base period, the charge he made for such services, or, if he made no charge, the highest charges received therefor during the base period by his most closely competitive ginners;

(5) If the applicant is adding any cotton ginning services which he did not supply during the base period, the highest charge received for such services by his most closely competitive ginners during the base period;

(6) The maximum prices established under this Maximum Price Regulation No. 211 for such cotton ginning services for his most closely competitive ginners; and

(7) A detailed analysis of the cost to him of the cotton ginning services which the applicant desires to add or discontinue.

§ 1499.553 *Prohibition against using more than one pricing method set forth in § 1499.552 (a).* No ginner whose maximum price is established by paragraph (a) of § 1499.552 shall employ more than one of the three pricing methods set forth therein.

§ 1499.554 *Less than maximum prices.* Prices lower than the maximum prices established by this Maximum Price Regulation No. 211 may be charged, demanded, paid or offered.

§ 1499.555 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a ginner are sold or otherwise transferred on or after the effective date of this Maximum Price Regulation No. 211, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1499.556 *Adjustable pricing.* No ginner shall enter into an agreement permitting the adjustment of prices to prices which may be higher than the maximum prices established herein in the event that this Maximum Price Regulation No. 211 is amended or upon any other contingency: *Provided*, That in an appropriate situation when a petition for amendment or adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to the ginner to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1499.557 *Applicability of other regulations.* This Maximum Price Regulation No. 211 shall apply and Maximum Price Regulation No. 165, as amended [4] the General Maximum Price Regulation,* Revised Price Schedule No. 49 [6] and Maximum Price Regulation No. 118 [7] issued by the Office of Price Administration shall not apply to cotton ginning services for which maximum prices are established by this regulation.

§ 1499.558 *Reports to be submitted by ginners to the appropriate Regional Office of the Office of Price Administration.* On or before September 19, 1942, each ginner shall submit to the appropriate Regional Office of the Office of Price Administration, with respect to each of his ginning stablishments a report containing (a) his name, (b) his address, (c) the pricing method he employed in determining his maximum price for cotton ginning services in accordance with § 1499.552 (a), (d) the highest price he charged during the base period for ginning cotton, (e) the highest price he charged during the base period for bagging and ties, (f) the highest price he charged during the base period for any other cotton ginning services, (g) his maximum price, if determined by one of the three pricing methods set forth in § 1499.552 (a), and (h) such other information as the Office of Price Administration may from time to time require.

§ 1499.559 *Prohibition against doing business after September 1942, unless a report has been filed with the appropriate Regional Office of the Office of Price Administration.* On and after September 19, 1942, no ginner shall supply any cotton ginning services unless he has filed a report for each of his cotton ginning establishments with the appropriate Regional Office of the Office of Price Administration in accordance with § 1499.558.

§ 1499.560 *Posting of maximum prices in each ginning establishment.* On and after August 29, 1942, each ginner shall keep posted in each of his ginning establishments in a manner plainly visible to and understandable by the purchasing public:

(a) His maximum prices for cotton ginning services, and

(b) His actual selling prices for cotton ginning services.

§ 1499.561 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 211 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to cotton ginning services alone or in conjunction with any other commodity or services, or by way of commission, service transportation or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or by the selling or supplying by a ginner at a price established by one of the pricing methods set forth in paragraph (a) of § 1499.552 of cotton ginning services which are not the same as or substantially similar to cotton ginning services sold or supplied by a ginner to a purchaser of the same general class during the base period.

§ 1499.562 *Licensing.*—(a) *License required.* A license as a condition of selling is hereby required of every ginner subject to this regulation now or hereafter selling or supplying cotton ginning services for which maximum prices are established by this regulation.

(b) *License granted.* Every ginner subject to this regulation, now or hereafter selling or supplying cotton ginning services for which maximum prices are established by this regulation, is hereby granted a license as a condition of selling or supplying any such services. The provisions of this Maximum Price Regulation No. 211 shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on August 29, 1942, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that said regulation or any amendment or supplement thereto remains in force.

(c) *Licensing sections of the General Maximum Price Regulation [8] and Maximum Price Regulation No. 165, as amended,* superseded.* This section supersedes the provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation and § 1499.111 of Maximum Price Regulation No. 165 insofar as said sections may be applicable to ginners selling or supplying cotton ginning services.

§ 1499.563 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 211 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1499.564 *Petitions for adjustment and amendment.* (a) Any ginner who finds that the maximum price for cotton ginning services established for him under the provisions of § 1499.552 (a) is abnormally low in relation to the maximum prices for the same or substantially similar services rendered by competitive ginners, and that this abnormality sub-

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[1] 7 F.R. 2936, 3242, 3783, 4545, 4618, 5193, 5361, 6084.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3563.

[2] This pricing method shall not be used by a ginner who charged for cotton ginning services during the base period exclusively on a toll basis.

[3] In using this pricing method a ginner shall determine his ceiling from a single base-period transaction. He shall not, for example, select the highest price he charged for ginning in one transaction and the highest price he charged for bagging and ties in another transaction.

Under this pricing method a ginner who, during the base period, had different charges for bollies or snapped cotton as contrasted to picked cotton should compute a separate maximum price for each such kind of cotton.

[4] 7 F.R. 6428.

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4329, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5474, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

[6] 7 F.R. 1300, 1836, 2132, 2540, 2682, 3330, 3473, 3893, 4342, 5176.

[7] 7 F.R. 3036, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005.

[8] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4329, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5474, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

jects him to substantial hardship, may file a petition for adjustment of that maximum price in accordance with Appendix A, incorporated herein as §1499.567.

(b) Persons seeking modifications of this Maximum Price Regulation No. 211, or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[9] issued by the Office of Price Administration.

§ 1499.565 *Definitions.* (a) When used in this Maximum Price Regulation No. 211 the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing:

(2) "Ginner" means any person who owns or operates a ginning establishment in which cotton ginning services are performed for a consideration.

(3) "Ginning" means the process of separating lint cotton from cotton seed.

(4) "Cotton ginning services" means the sale or supplying by a ginner of (i) ginning, bagging and ties and (ii) such services performed incident thereto as baling, wrapping, tying, weighing, stenciling, cleaning, drying, hull extracting, storing and hauling.

(5) "Base period" means the period between August 1 and October 31, 1941, inclusive.

(6) "Substantially similar" refers to cotton ginning services which, as compared with the cotton ginning services sold or supplied during the base period to a purchaser of the same general class, (i) consist of services equivalent in number and kind, (ii) produce lint cotton of a quality equivalent to that produced by the ginner during the base period and (iii) would during the base period have been supplied for the same or approximately the same price.

(7) "Ginning establishment" means a plant in which ginning is performed.

(8) "Bagging" means the fabric commonly used as the outer covering for a bale of lint cotton, composed of jute, cotton, sugar-bag cloth or other material or fiber.

(9) "Ties" means the metal strips with which a bale of lint cotton is commonly bound.

(10) "General class" as used in the phrase "purchaser of the same general class" means a class of purchasers which was charged during the base period prices different from those charged other classes of purchasers because of (i) differences in the kind or quality of cotton ginning services rendered, (ii) differences in geographic location of the purchasers, or (iii) other reasons. Thus, for example, growers for whom during the base period the ginner hauled cotton to the ginning establishment for no added charge constitute a different general class of purchasers from growers who paid an added charge to the ginner for hauling during the base period.

(11) "Appropriate Regional Office" means the Regional Office of the Office of Price Administration for the region in which the particular cotton ginning establishment is located.[11]

(12) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1499.566 *Effective date.* This Maximum Price Regulation No. 211 (§§ 1499.551 to 1499.570 inclusive) shall become effective August 29, 1942.

§ 1499.567 *Appendix A: Procedure for the adjustment of maximum prices under § 1499.564* (a)—(a) *Rule 1: Right to file petition.* A petition for adjustment may be filed by any ginner subject to the provisions of Maximum Price Regulation No. 211 who requests an adjustment of his maximum price in accordance with paragraph (a) of § 1499.564.

(b) *Rule 2: Form of petition.* Each petition shall contain, upon the first page thereof, the title of Maximum Price Regulation No. 211 and the section under which the petition is filed. An original and four copies of the petition and all accompanying briefs and documents shall be filed. Each copy shall be printed, typewritten, mimeographed or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented.

(c) *Rule 3: Contents of petition.* Every petition filed in accordance with paragraph (a) of § 1499.564 and this § 1499.567 shall set forth the following:

(1) The name and post-office address of the petitioner and a description of his business;

(2) The name and post-office address of the person filing the petition on behalf of the petitioner and the name and post-office address of the person to whom all communications from the Office of Price Administration relating to the petition shall be sent;

(3) A clear and concise statement of the reasons why the petitioner seeks an adjusted maximum price;

(4) A clear and concise statement of all facts in support thereof; and

(5) A statement of the adjusted price requested by the petitioner.

(d) *Rule 4: Application must be verified.* A petition for adjustment shall be signed by the petitioner and shall contain a statement, signed and sworn to by the petitioner, that the statements made in the application are known by him to be true and correct. Unless otherwise prohibited by law, every employee of the Office of Price Administration who is authorized to administer oaths shall, without charge, administer the oath required by this rule.

(e) *Rule 5: Place for filing petitions and number of copies.* An original and four copies of a petition for adjustment shall be filed with the appropriate Regional Office of the Office of Price Administration. A list of the Regional Offices with an enumeration of the states included in each region is set forth in Appendix D, incorporated herein as § 1499.570.

(f) *Rule 6: Investigation of petition by Regional Administrator.* On receipt of a petition for adjustment, the Regional Administrator or the appropriate State or District Office, acting under the direction of the Regional Administrator, shall make such investigation of the facts involving the petition, hold such conferences and require the filing of such additional information and affidavits as may be necessary to the proper disposition of the petition.

(g) *Rule 7: Action by Regional Office.* After due consideration the Regional Administrator may grant, or deny, in whole or in part, any petition for adjustment which is properly pending before him. The decision of the Regional Administrator shall be accompanied by a statement of the reasons for his action. In cases of unusual difficulty or importance the Regional Administrator shall refer the petition for decision to the Administrator in Washington, D. C.

(h) *Rule 8: Review by Administrator.* Any petitioner whose petition for adjustment has been denied in whole or in part by the Regional Office may, within fifteen days after the date on which such order of denial was mailed to him, file with the Regional Office a request for review by the Administrator of the order of denial. Requests for review shall be filed, in duplicate, in the manner set forth in Appendix C, incorporated herein as § 1499.569.

(i) *Rule 9: Action by Administrator.* After due consideration, the Administrator shall grant, or deny, in whole or in part, any petition for adjustment which is properly pending before him. The decision of the Administrator shall be accompanied by a statement of the reasons for his action.

(j) *Rule 10: Protest of denial of petition.* Any petitioner whose petition for adjustment is denied in whole or in part by the Administrator, may within sixty days after the issuance of the Administrator's order finally denying such petition, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1.[12]

§ 1499.568 *Appendix B: Procedure for the filing of an application for a maximum price under § 1499.552* (b)— (a) *Rule 1: Right to file application.* An application for a maximum price may be filed by a ginner subject to the provisions of Maximum Price Regulation No. 211 who requests a maximum price in accordance with paragraph (b) of § 1499.552 for cotton ginning services which are not the same as or substantially similar to the services he sold or supplied in the base period.

(b) *Rule 2: Contents of application.* Every application filed in accordance with paragraph (b) of § 1499.552 and this § 1499.568 shall set forth the following:

(1) The name and post-office address of the applicant and a description of his business;

(2) The name and post-office address of the person filing the application on behalf of the applicant and the name and post-office address of the person to whom all communications from the Office of Price Administration shall be sent;

(3) The maximum price which the applicant seeks; and

(4) A clear and concise statement of all facts, including those required in paragraph (b) of § 1499.552, in support thereof.

(c) *Rule 3: Other procedural requirements.* An application for a maximum price filed in accordance with paragraph (b) of § 1499.552 and this §1499.568 shall be subject in all other respects to the provisions of paragraphs (c) to (j), inclusive, of § 1499.567.

§ 1499.569 *Appendix C: Form for request for review of order of Regional Office concerning a petition for adjustment or application for a maximum price.*

[This request shall be filed in duplicate with the appropriate Regional Office of the Office of Price Administration]

----------, a petitioner for adjustment of his maximum price for cotton ginning services or an applicant for a maximum price pursuant to §§ 1499.552 (b) or 1499.564 (a) of Maximum Price Regulation No. 211, Cotton Ginning Services, hereby requests the Office of Price Administration, Washington, D. C., to review the order of denial of such a petition for adjustment (Docket No. ------) in whole or in part, or order granting a maximum price entered by the ---------- Regional Office and mailed to the petitioner or applicant on ----------, 194--.

The petitioner's or applicant's objections to such order are as follows: (Petitioner or applicant should state briefly and concisely, and separately number his objections.)

§ 1499.570 *Appendix D: A list of the Regional Offices of the Office of Price Administration and the States included in each region.*

Regional offices:

Region I: Boston Regional Office, 17 Court St.
Region II: New York Regional Office, 350 Fifth Ave.
Region III: Cleveland Regional Office, 363 Union Commerce Building.
Region IV: Atlanta Regional Office, Candler Building, Peachtree St.
Region V: Dallas Regional Office, Fidelity Union Building.
Region VI: Chicago Regional Office, 2301 Civic Opera Building, 20 North Wacker Dr.
Region VII: Denver Regional Office, 334 U. S. National Bank Building.
Region VIII: San Francisco Regional Office, 1335 Market St.
Region IX: Territorial Office of Price Administration, Washington, D. C.

States covered

Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.
New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.
Ohio, Michigan, Indiana, Kentucky, and West Virginia.
Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, and Virginia.
Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.
Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.
Colorado, New Mexico, Utah, Idaho, Montana, and Wyoming.
California, Nevada, Arizona, Oregon, and Washington.

Territories covered

Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8404; Filed, August 27, 1942; 5:03 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 1 to Maximum Price Regulation 207[1]]

FROZEN FRUITS, BERRIES AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1341.206a, and a new § 134.215 are added as set forth below.

§ 1341.206a *Information to purchasers from packers.* (a) Any packer selling any frozen fruits, berries or vegetables packed after the 1941 pack to any wholesaler, retailer or other purchaser, shall, before or at the time of delivery, disclose in writing to his purchaser, for each such kind, grade, brand and container size included in the sale, (1) the packer's weighted 60-day average price, as defined in paragraph (b) (1) of § 1341.202, adjusted to reflect the storage prescribed in paragraph (a) (1) therein, designated as the "base price", (2) the packer's maximum price, as computed under the provisions of this Regulation, designated as the "maximum price", and (3) the amount of the difference between such "base price" and such "maximum price", designated as the "permitted increase". Such statement may also contain similar information for any other brand, kind, flavor and container type and size of frozen fruits, berries and vegetables covered by this Regulation.

(b) When any packer has established a maximum price for any kind, grade and container size by using the maximum price of his competitor, as provided in paragraph (c) of § 1341.202, his base price shall be deemed to be the same as the base price of such competitor.

(c) When any packer makes application to determine a maximum price after specific authorization by the Office of Price Administration, as provided in paragraph (d) of § 1341.202, such authorization will be accompanied by instructions as to the method for determining the price to be deemed the base price.

§ 1341.215 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1341.206a and 1341.215) to Maximum Price Regulation No. 207 shall become effective on August 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8460; Filed, August 28, 1942; 11:57 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 212]

FROZEN FRUITS, BERRIES AND VEGETABLES AT WHOLESALE AND RETAIL

In the judgment of the Price Administrator, the determination of maximum prices for the packers of frozen fruits, berries and vegetables under Maximum Price Regulation No. 207 will result in maximum prices which will not be generally fair and equitable to wholesalers and retailers as applied to the 1942 pack and which will seriously impair the distribution of such commodities. This Maximum Price Regulation No. 212 is issued by the Price Administrator in order to establish maximum prices in sales at wholesale and retail which are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The Price Administrator has ascertained and given due consideration to the prices of frozen fruits, berries and vegetables prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as is practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which frozen fruits, berries and vegetables are manufactured, prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for each such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each

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[9] *Supra* Note 5.
[9] *Supra* Note 4.
[10] *Supra* Note 1.

[11] A list of the Regional Offices with an enumeration of the states included in each region is set forth in Appendix D, incorporated herein as § 1499.570.

[12] *Supra* Note 1.

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 6599.

such commodity on December 15, 1941; or (4) the average prices for each such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 212 is hereby issued.

AUTHORITY: §§ 1341.251 to 1341.268 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.251 *Prohibition against dealing in frozen fruits, berries and vegetables above maximum prices.* On and after August 28, 1942, regardless of any contract or other obligation,

(a) No wholesaler or retailer shall sell or deliver any frozen fruits, berries or vegetables at a price higher than the maximum price established pursuant to the provisions of this Maximum Price Regulation No. 212.

(b) No person in the course of trade or business shall buy or receive any frozen fruits, berries or vegetables from a wholesaler or retailer at a price higher than the maximum price established pursuant to the provisions of this Maximum Price Regulation No. 212; and

(c) No wholesaler or retailer or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.252 *Wholesaler's maximum prices for frozen fruits, berries and vegetables.* (a) The wholesaler's maximum price per dozen for each kind, grade, brand and container size of frozen fruits, berries and vegetables, shall be:

(1) His maximum price per dozen for such kind, grade, brand and container size determined in conformity with the provisions of the General Maximum Price Regulation,[1] except that in the case of sales to institutional purchasers the month of October 1941 shall be substituted as a base for the month of March 1942 in computing the maximum price in conformity with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation; plus

(2) The amount reported by his supplier as the permitted increase per dozen for such kind, grade, brand and container size, pursuant to the provisions of § 1341.206a of Maximum Price Regulation No. 207.

(b) No wholesaler shall so determine his maximum price for any brand and container size of any kind and grade of such frozen fruits, berries and vegetables until he has purchased or contracted to purchase from the 1942 pack a quantity which equals or exceeds 10 per centum of his total purchases of such kind and grade from the 1941 pack. If at the time of computing his maximum price for any kind, grade, brand and container size of such frozen fruits, berries or vegetables, the wholesaler has purchased or contracted to purchase the same kind, grade and container size from two or more packers, he shall use as the amount to be added pursuant to paragraph (a) (2) of this section the amount reported as the permitted increase by the packer from whom the largest amount of such kind, grade, brand and container size was purchased.

§ 1341.253 *Retailer's maximum prices for frozen fruits, berries and vegetables.* (a) The retailer's maximum price per package for each kind, grade, brand and container size of frozen fruits, berries or vegetables, shall be:

(1) His maximum price per package for such kind, grade, brand and container size determined in conformity with the provisions of the General Maximum Price Regulation; plus

(2) The amount reported by his supplier as the permitted increase per package for such kind, grade, brand and container size, pursuant to the provisions of § 1341.254 of this Maximum Price Regulation No. 212.

(b) The retailer's maximum price for each kind, grade, brand and container size of such frozen fruits, berries and vegetables shall be so determined after receipt by him of his first delivery of such kind, grade, brand and container size after August 28, 1942.

§ 1341.254 *Information to purchasers from wholesalers.* Every wholesaler, before or at the time of his first delivery to any purchaser for resale of any frozen fruits, berries and vegetables covered by this Maximum Price Regulation No. 212 after the wholesaler's maximum price therefor has been established under § 1341.252, shall supply to such purchaser a written statement identifying each such item included in the sale, and shall clearly indicate for each such item the increase which the purchaser is entitled to add to his maximum price under the General Maximum Price Regulation in computing the purchaser's maximum price under § 1341.253 of this regulation. In every such statement the information prescribed by this paragraph shall be preceded by the following announcement:

Your new ceiling price under the frozen fruits and vegetables regulation (MPR No. 212) for each item listed below is your March ceiling price *plus* the permitted increase shown per package.

Although no form for presenting the prescribed information which follows such announcement is established by this regulation, an example of an approved form which may be helpful to many wholesalers is set forth below.

Item			Permitted increase per package (cents)
Kind	Brand	Container size (ounces)	
Asparagus cuts	Eagle	12	2
Asparagus spears	Eagle	12	2
Strawberries	Famous	16	1
Lima Beans	Star, etc.	40	5

Such statement may also contain similar information for any other items covered by this regulation even though they are not included in the sale. The amount of the retailer's permitted increase in each case shall be determined by the wholesaler by dividing by twelve the amount of the wholesaler's permitted increase per dozen, as reported to the wholesaler by the wholesaler's supplier and otherwise determined under § 1341.252 hereof. When making such division, the wholesaler shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent.

§ 1341.255 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 212 may be charged, demanded, paid or offered.

§ 1341.256 *Customary allowances or discounts.* No wholesaler or retailer shall change his customary allowances or discounts unless such change results in the same or a lower price.

§ 1341.257 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a wholesaler or retailer are sold or otherwise transferred on or after August 28, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1341.258 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 212 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to frozen fruits, berries or vegetables, alone or in conjunction with any other commodity or by way of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.259 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 212, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.260 *Records and reports.* (a) Every person who makes sales of frozen fruits, berries or vegetables at wholesale or retail on or after August 28, 1942, shall (1) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by §§ 1341.252 and 1341.253, and (2) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for frozen fruits, berries and vegetables sold on and after August 28, 1942, and (3) preserve for the same period all existing records showing as precisely as possible, the basis upon which he determined his maximum prices for each kind, grade, brand and container size of frozen fruits, berries and vegetables, and (4) preserve for the same period a true copy of each statement filed with the Office of Price Administration pursuant to the provisions of paragraph (b).

(b) Within 30 days after establishing his maximum price per dozen under this Maximum Price Regulation No. 212 for any kind, grade, brand and container size of frozen fruits, berries and vegetables, each wholesaler shall prepare a statement in writing showing (1) his maximum price, as determined under paragraph (a) (1) of § 1341.252, designated as the "base price", (2) his maximum price, as determined under § 1341.252, designated as the "maximum price", and (3) the difference between the "base price" and the "maximum price", designated as the "permitted increase", and shall file such statement with the nearest Regional, State, District, or Field Office of the Office of Price Administration. Such statement may also contain similar information for any other kind, grade, brand and container size of frozen fruits, berries and vegetables.

§ 1341.261 *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at wholesale or retail any frozen fruits, berries or vegetables covered by this Maximum Price Regulation No. 212. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1341.262 *Petitions for amendment.* Any person seeking a modification of this Maximum Price Regulation No. 212 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1341.263 *Applications for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 212 for any seller at retail in any case in which such seller shows:

(1) That such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Temporary Procedural Regulation No. 2.[3]

(b) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 212 for any seller at wholesale in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1.

(c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 212 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 212 to eliminate the danger of inflation.

§ 1341.264 *Applicability.* The provisions of this Maximum Price Regulation No. 212 shall be applicable to the United States and the District of Columbia.

§ 1341.265 *Applicability of the General Maximum Price Regulation.* (a) The provisions of the General Maximum Price Regulation No. 212 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of frozen fruits, berries and vegetables at wholesale and retail for which maximum prices are established by this Maximum Price Regulation No. 212, except as provided in § 1341.261 hereof and hereinafter in paragraph (b).

(b) The provisions of the General Maximum Price Regulation shall apply to all sales and deliveries of any kind, grade, brand and container size of frozen fruits, berries and vegetables of the 1941 pack, or any earlier pack, until the wholesaler or retailer has established a maximum price for such kind, grade, brand and container size under the provisions of this Maximum Price Regulation No. 212.

§ 1341.266 *Export sales.* The maximum prices at which a person may export frozen fruits, berries and vegetables shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1341.267 *Definitions.* (a) When used in this Maximum Price Regulation No. 212 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of person, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means a person who freezes and packs, either as a quick freezer or as a cold packer, any of the products defined herein as frozen fruits, berries and vegetables.

(3) "Frozen fruits, berries and vegetables" means any fruits, berries or vegetables which have been frozen and packed.

(4) "Institutional purchaser" shall mean any hotel, restaurant, club, hospital, sanitarium, asylum, charitable home, school, recreational camp, or other similar institution, and the armed forces of the United States, but not including service post exchanges.

(5) "1941 pack" of any frozen fruits, berries or vegetables shall be that pack the major portion of which was frozen and packed during the calendar year 1941.

(6) "Sale at retail" or "selling at retail", or words of similar import, means a sale or selling to an ultimate consumer other than an industrial, institutional or commercial user.

(7) "Sale at wholesale" or "selling at wholesale", or words of similar import, means a sale by a person who receives delivery of any frozen fruits, berries and vegetables for resale other than at retail.

(8) "Kind", when referring to any frozen fruits, berries or vegetables, also refers to the style of the pack of such frozen fruits, berries or vegetables.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.268 *Effective date.* This Maximum Price Regulation No. 212 (§§ 1341.251 to 1341.268, inclusive) shall become effective August 28, 1942.

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8459; Filed, August 28, 1942; 11:57 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 3522, 3664.

[4] 7 F.R. 5059.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 12, Supp. 5]

PART 306—GENERAL AGENTS AND AGENTS

TERMS OF COMPENSATION PAYABLE TO AGENTS FOR COLLIERS

Sec.

306.36 Vessels included.
306.37 Effective period.
306.38 Agents defined.
306.39 Sub-agents defined.
306.40 Compensation of agents in continental United States ports.

Sec.
306.41 Compensation of sub-agents in continental United States ports.
306.42 Brokerage.

AUTHORITY: §§ 306.36 to 306.42, inclusive, issued under E.O. 9054, 7 F.R. 837.

§ 306.36 *Vessels included.* This Part IV of General Order No. 12 is applicable to services rendered in connection with operations of vessels engaged in the coastwise transportation of coal under the standard form of Service Agreement (TCA).

The provisions of this Part IV and the compensation herein provided for Agents and Sub-Agents shall apply only while the vesse' is engaged in the coastwise transportation of coal including ballast or loaded legs of voyages. When the vessel is engaged in other trades, the compensation shall be as provided for services rendered by Agents in conducting the business of vessels in such trade. If any provisions of this Part IV, General Order No. 12, are in conflict with the provisions of Part I, General Order No. 12, the provisions of this Part IV shall be controlling.

§ 306.37 *Effective period.* This Part IV shall become effective at the earliest dates permissible under said Service Agreements.

§ 306.38 *Agents defined.* All persons, firms or corporations designated as "Agent" under a standard form of Service Agreement (TCA) shall be entitled to the compensation of Agent under this Part IV, for services rendered in connection with vessels engaged in the coastwise transportation of coal.

§ 306.39 *Sub-agents defined.* A "Sub-agent" is one who is appointed by an agent to perform any of the functions of the Agent pursuant to the standard form of Service Agreement (TCA).

§ 306.40 *Compensation of agents in continental United States ports.* As compensation for each vessel allocated to an Agent to conduct the business of the vessel for the War shipping Administration, such agent shall be paid at the rate of $400. per month. (Out of this compensation the Agent must pay, among other things, all of the Agent's outgoing communication costs.)

§ 306.41 *Compensation of sub-agents in continental United States ports.* As compensation for services rendered by a Sub-Agent for the account of the United States, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day; provided, no fee shall be paid for the time during which the vessel is laid up for repairs.

§ 306.42 *Brokerage.* No brokerage will be paid except with the prior approval of the Administrator and application for such brokerage will not be considered unless brokerage was formerly paid in such trade.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

AUGUST 27, 1942.

[F. R. Doc. 42-8458; Filed August 28, 1942; 11:59 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1597]

DISTRICT BOARD 8

ORDER GRANTING TEMPORARY RELIEF IN PART AND REQUIRING FILING OF SUPPLEMENTAL DATA

In the matter of the petition of District Board No. 8 for the establishment of temporary price classifications for all coals in District No. 8 otherwise unclassified in size groups 24 to 27, inclusive.

District Board No. 8, on August 15, 1942, filed with this Division an original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the issuance of temporary and permanent orders permitting the sale, the offer for sale, and delivery of all coals produced by code members in District No. 8 not otherwise classified in Size Groups 24 to 27, inclusive, at not less than the minimum prices represented by the Classification "A" in such size groups. In substance, the petitioner contends that the demand for retort gas, water gas, and by-product coals (Size Groups 24 to 27, inclusive) produced by code members in District No. 8 is, because of the exigencies of the war, substantially in excess of the supply of such coals which have heretofore been classified and priced, and that the prohibition against shipment of unpriced coals, imposed by the Order of the Director in General Docket No. 19, is depriving war industries of their requirements. Petitioner alleges that it presently has no information concerning such unpriced coals, except that it does know the seam designation and the whereabouts of the mining properties in the case of certain of the mines producing such coals. Petitioner admits that proposal of classifications and minimum prices in accordance with the standards of the Coal Act will require examination by the Classification and Price Committee of District Board No. 8 of the various factors affecting classifications under the Act, but urges that in view of the immediate need for by-product coals, their sale be permitted, such as requested, despite the failure of the Board to submit sufficient information upon which proper classifications under the Act may be based.

On August 19, 1942, petitioner filed a Memorandum in Support of Temporary Relief, stating in part that the Board had, since the filing of the petition herein, been advised of particular instances where the situation complained of in the petition is seriously impeding the production of products from the carbonization of coal which are vitally needed for the manufacture of steel for war purposes. It referred particularly to the great need for by-product coals by Hamilton By-Product Coke Ovens, Ltd., at Hamilton, Ontario. In this connection, it listed the specific mines (all located in the Hazard No. 4 Seam) from which Hamilton had sought, but been unable, to purchase unpriced by-product coals. In addition, petitioner specified several other particular mines, whose coals in Size Groups 24 to 27, inclusive, are presently unpriced, and which presently are being called upon to supply such coals.

The Bituminous Coal Act of 1937 provides that classification and minimum prices be established for coals produced by code members in accordance with specified standards. Compliance with such standards is not only important to assure proper execution by the Division of its statutory functions, but is essential to maintain a sound price structure for bituminous coals. It is, therefore, unfortunate the District Board No. 8, petitioner in this proceeding, has not submitted specific and detailed information concerning the factors which should be considered in establishing classifications and minimum prices for the coals of the District No. 8 mines presently unpriced in Size Groups 24 to 27. District boards should in the future anticipate increases in demands for coals produced by mines in their districts and, in conformance with the standards of the Act, should propose classifications and minimum prices for such coals supported by detailed information in time to permit consideration of such data by the Division. However, since such demands have apparently not been anticipated in this case and since immediate shipment of by-product coals from District No. 8 mines is essential to the prosecution of the war, the Acting Director is of the opinion that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth.

Temporary relief is, however, restricted to the mines named by petitioner in its Memorandum in Support of Temporary Relief. However, no temporary relief is granted herein for the coals of the Sunfire Mine (Mine Index No. 454) of the Kentucky Sun Coal Company, the Allock Mine (Mine Index No. 10) of the Carrs Fork Coal Company, and the Midland Mine (Mine Index No. 330) of the Old King Coal Company since classifications and minimum prices for the coals of those mines in Size Groups 24 to 27, inclusive, have been established in an Order Granting Temporary and Conditionally Final Relief, issued in Docket No. A-1583. Nor is temporary relief granted for the coals of the Nugym Mine (Mine Index No. 584) of the C. & C. Coal Company, the Ethel No. 1 Mine (Mine Index No. 103) of the Ethel Chilton Mine, Inc., and the Ethel No. 2 Mine (Mine Index No. 199) of the Chilton Block Coal Company since classifications and minimum prices for the coals of those mines in Size Groups 24 to 27, inclusive, have heretofore been established in an Order Granting Temporary Relief and Conditionally Final Relief, issued in Docket No. A-1571.

Accordingly, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 8, For All Shipments Except Truck, is supplemented to include the price classifications and minimum prices appearing in Supplement R annexed hereto and made a part hereof.[1]

It is further ordered, That on or before sixty (60) days from the date of this order, petitioner shall file with this Division a Supplemental affidavit setting forth specific information concerning the coals for which temporary classifications and minimum prices are herein granted and making proposals for the establishment of permanent classifications and minimum prices for such coals in strict conformance with the provisions of section 4, Part II, of the Coal Act, and orders and regulations of the Division.

It is further ordered, That the relief granted herein may be terminated, modified, revised, or withdrawn and is subject in all respects to further order of the Division.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8411; Filed, August 28, 1942; 11:08 a. m.]

[1] Not filed as part of the original document.

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 72-A 6]

TOLEDO, OHIO, MARKETING AREA

HEARING ON MILK HANDLING

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Waldorf Hotel, Toledo, Ohio, beginning at 10:00 a. m., c. w. t., September 3, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are as follows:

A. Proposed by the Northwestern Co-operative Sales Association, Inc.:

1. Delete § 930.5 (a) (1) and substitute therefor the following:

(1) Class I milk price—To the price determined pursuant to subparagraph (4) of this paragraph, add 95 cents: *Provided,* That such price shall not go below $3.25 per hundredweight.

2. Review the Class II price under § 930.5 (a) (2).

3. Delete § 930.5 (a) (3) and substitute therefor the following:

(3) *Class III milk price.* The Class III price shall be the highest of the prices determined pursuant to subparagraph (4) of this paragraph.

4. Delete § 930.5 (a) (4) and substitute therefor the following:

(4) *Basic formula price.* The basic formula price per hundredweight to be used in determining the class prices pursuant to this paragraph shall be the highest of the prices computed pursuant to the following formulas:

(i) Determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following plants: Van Camp Milk Company, Wauseon, Ohio; Pet Milk Company, Deta, Ohio; Defiance Milk Products Company, Defiance, Ohio; Pet Milk Company, Hudson, Michigan.

(ii) Multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and add 20 percent: *Provided,* That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the Class III price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

(iii) (*a*) Multiply the average wholesale price per pound of 92-score butter at Chicago for said delivery period as reported by the United States Department of Agriculture by six (6).

(*b*) Add 2.4 times the average weekly prevailing price per pound of "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided,* That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this paragraph.

(*c*) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value."

(*d*) To the combined butter and cheese value add 30 percent thereof.

(*e*) Multiply the sum computed in (*d*) above by 3.5.

5. Add at the end of § 930.7(c) the following:

5½ cents if the average butter price used in § 930.5(a) is more than 45 cents but not more than 50 cents.

6 cents if the average price used in § 930.5(a) is more than 50 cents but not more than 55 cents.

6½ cents if the average butter price used in § 930.5 (a) is more than 55 cents.

B. Proposed by the Toledo Milk Distributors Association:

1. Under § 930.4 (b) reclassify chocolate milk and milk drinks from Class I to Class III milk.

2. Delete § 930.5 (b) and substitute therefor the following:

(b) *Price of Class I milk disposed of outside the marketing area.* The price to be paid by a handler for milk received from producers and disposed of as Class I milk outside the marketing area shall be the price for Class I milk (other than relief milk) determined pursuant to paragraph (a) (1) of this section less 46 cents.

3. Under § 930.5 (a) (4) use prices for the month preceding the delivery period.

4. In § 930.4 (b) (3) replace the period with a comma and then add "and milk and cream purchased as an emergency supply."

C. Proposed by Driggs Dairy Farms, Inc.:

Reconsider § 930.1 (a) (9) and all references to emergency milk in other sections of the order.

D. Proposed by Dairy and Poultry Branch, Agricultural Marketing Admin-

istration, United States Department of Agriculture:

Add a new section, as follows:

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing and of Order No. 30, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

Dated August 27, 1942.

[F. R. Doc. 42-8457; Filed, August 28, 1942; 11:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6401]

WESTERN UNION TELEGRAPH CO.

ORDER POSTPONING HEARING, ETC.

In the matter of changes in directory of station listings and increased rates of The Western Union Telegraph Company for service to and from various points in the United States and Canada.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 25th day of August, 1942;

It appearing that there have been filed with the Commission Supplements Nos. 64, 66, and 67 to The Western Union Telegraph Company Tariff F. C. C. No. 217, effective August 31, 1942, and September 1 and 8, 1942, respectively, changing said company's directory of station listings at the various points set forth in the attached list, marked Exhibit "A",[2] and made a part hereof, and providing for the discontinuance of certain public telegraph offices and for an increase in the rates and charges applicable to the receipt, transmission, and delivery of telegraph messages to and from such points;

It further appearing that said Supplements Nos. 64, 66, and 67 to The Western Union Telegraph Company Tariff F. C. C. No. 217, make increases in rates and charges and state regulations and practices effecting such increases in rates and charges for the receipt, transmission and delivery of telegraph messages in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective dates of said tariff supplements, insofar as they relate to increases in rates, should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplements Nos. 64, 66, and 67 to The Western Union Telegraph Company Tariff F. C. C. No. 217, insofar as they relate to changes in such company's directory of station listing at the various named points set forth in Exhibit "A";

It is further ordered, That the operation of said tariff supplements, insofar as they provide for an increase in rates and charges for the receipt, transmission and delivery of interstate or foreign telegraph messages to and from the points set forth in Exhibit "A", be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such points, insofar as they provide for an increase in such rates and charges, be deferred for a period of three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in the rates, charges, regulations and practices herein suspended or in the rates or charges sought to be increased or in the regulations and practices relating thereto unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of The Western Union Telegraph Company for and in connection with service to and from the points named in Supplements 64, 66, and 67 to The Western Union Telegraph Company Tariff F. C. C. No. 217;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Western Union Telegraph Company and all other carriers participating in service provided under the tariff provisions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected or received by each of them by reason of any increase in charges affected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That the Western Union Telegraph Company and each participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing January 10, 1943, showing the amounts charged, collected or received and accounted for as aforesaid, during the previous calendar month;

It is further ordered, That a copy of this order shall be filed in the office of the Federal Communications Commission with said tariff supplements herein suspended in part; that copies hereof be served upon the carrier parties to such supplements and tariffs; and that said carrier parties be, and they are hereby, each made a party respondent to this proceeding;

It is further ordered, That the hearing in this proceeding be, and the same is hereby, postponed to 10:00 a. m. on the 23rd day of September, 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-8414; Filed, August 28, 1942; 11:03 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-408, G-410]

OHIO FUEL GAS CO. AND PANHANDLE EASTERN PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS FOR AND FIXING DATE OF HEARING

In the matter of The Ohio Fuel Gas Company and in the matter of Panhandle Eastern Pipe Line Company.

Upon consideration of the application filed August 24, 1942, by The Ohio Fuel Gas Company in Docket No. G-408 for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act as amended for the construction and operation of a connection between its facilities and those of Panhandle Eastern Pipe Line Company in Lucas County, Ohio; and

Upon consideration of the application filed August 21, 1942, by Panhandle Eastern Pipe Line Company in Docket No. G-410 for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act as amended for the construction and operation of a connection between its facilities and those of The Ohio Fuel Gas Company in Lucas County, Ohio; and

It appearing to the Commission that:

(a) The connection of facilities proposed in the aforesaid applications was requested by a letter of J. A. Krug, Chief, Power Branch, War Production Board, addressed July 24, 1942, jointly to The Ohio Fuel Gas Company and Panhandle Eastern Pipe Line Company, as essential in order to assure adequate supplies of natural gas to the war industries in the regions served by The Ohio Fuel Gas Company;

(b) The proceedings in the aforesaid matters involve similar facts, issues and requests for substantially the same authorization, and may be considered more effectively and expeditiously if consolidated for the purpose of hearing;

The Commission *Orders,* That: (a) The proceedings in the matters of The Ohio Fuel Gas Company (Docket No. G-408) and Panhandle Eastern Pipe Line Company (Docket No. G-410) be and they are hereby consolidated for the purpose of hearing thereon;

(b) A public hearing on the aforesaid matters be held, commencing at 9.45 A. M. (EWT) September 4, 1942, in the Hearing Room of the Commission at 1800 Pennsylvania Avenue NW., in the City of Washington, D. C.;

(c) Interested State Commissions may participate in the said hearings, pursuant to the Commission's Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8408; Filed August 28, 1942; 9:40 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656)

[2] Filed with the Division of the Federal Register.

FEDERAL TRADE COMMISSION.

[Docket No. 4821]

SOUTHGATE BROKERAGE COMPANY, INC.

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Southgate Brokerage Company, Inc., is a corporation organized and existing under the laws of the State of Virginia with its principal office and place of business located at 249 West Taswell Street, Norfolk, Virginia. The respondent also operates four branch offices and warehouses located at Winston-Salem, Charlotte, Wilmington, and Greensboro, North Carolina. The respondent is engaged in the purchase, sale, and distribution of food products, canned goods and miscellaneous merchandise.

PAR. 2. Respondent is now and for many years last past, has been engaged in business, principally, as a jobber, buying in its own name for resale various food products, canned goods and miscellaneous merchandise and reselling such products. To a minor extent, respondent acts as a broker of food products, canned goods and miscellaneous merchandise.

PAR. 3. Respondent, in the course and conduct of its said business as a jobber, purchases a substantial portion of its requirements of food products, canned goods, and miscellaneous merchandise from sellers located in states other than the states in which the respondent is located. Pursuant to said purchases and instructions such commodities are caused to be shipped and transported by the respective sellers thereof across state lines to the respondent or to respondent's customers.

PAR. 4. Respondent, since June 19, 1936, in connection with the purchase of its requirements of food products, canned goods, and miscellaneous merchandise, in interstate commerce, in its own behalf and for its own account, for resale, from numerous sellers located in states other than the states where the respondent is located, has been and is now receiving and accepting from numerous sellers of said food products, canned goods, and miscellaneous merchandise, brokerage fees or allowances and discounts in lieu of brokerage in substantial amounts.

The respondent receives such brokerage fees, discounts and allowances in lieu thereof in many ways, including the following four ways:

(1) By purchasing food products, canned goods and miscellaneous merchandise from sellers at prices lower than the same sellers sell such commodities and commodities of like grade and quality to other purchasers.

(2) By obtaining such commodities at prices that are lower than the prices at which such commodities and commodities of like grade and quality are sold by such sellers to other purchasers and which correspond to an amount which reflects all or a part of the brokerage fees currently being paid by such sellers to brokers for selling in behalf of such sellers of such commodities.

(3) By making deductions in lieu of brokerage from the invoices of certain sellers when paying such invoices.

(4) By receiving from certain sellers monthly rebate checks representing the customary brokerage fees of such sellers.

PAR. 5. A representative but by no means a complete list of sellers who since June 19, 1936 have sold and delivered food products, canned goods, and miscellaneous merchandise to respondent for its own account, and who have allowed, granted, and paid, directly or indirectly, as hereinabove set out, or otherwise, brokerage fees or allowances or discounts in lieu thereof on respondent's purchases fo: its own account from said sellers is as follows:

C. H. Musselman & Company, Biglerville, Pennsylvania.
Connell Brothers Company, Ltd., Monterey, California.
Eastern Shore Canning Company, Inc., Machipongo, Virginia.
E. H. Hamlin Company, Seattle Washington.
Fruitvale Canning Company, Inc., Oakland, California.
The Larsen Company, Green Bay, Wisconsin.
Morgan Packing Company, Austin, Indiana.
Pomona Products Company, Griffin, Georgia.
Rosenberg Brothers & Company, San Francisco, California.
Whitney & Company, Seattle, Washington.
Windsor Products Company, Bridgeton, New Jersey.

PAR. 6. The receipt and acceptance by the respondent of brokerage fees or allowances and discounts in lieu of brokerage by respondent as set forth above is in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, The Federal Trade Commission on this 25th day of August, A. D. 1942, issues its complaint against said respondent.

Notice

Notice is hereby given you, Southgate Brokerage Company, Inc., a corporation, respondent herein, that the 2nd day of October, A. D. 1942, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and

its official seal to be hereto affixed, at Washington, D. C., this 25th day of August, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-8413; Filed, August 28, 1942; 11:21 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Ex Parte No. MC-35]

EXEMPTION OF CASUAL, OCCASIONAL OR RECIPROCAL TRANSPORTATION OF PASSENGERS BY MOTOR VEHICLE

ORDER EXTENDING EFFECTIVE DATE

In the matter of request of the Court for postponement of the effective date of the order in the above-entitled matter.

Upon consideration of the request of the Court that the effective date of the order in the above-entitled matter be extended, and good cause appearing:

It is ordered, That the order entered in said matter on March 21, 1942, [§ 210.1 of the Code of Federal Regulations] as subsequently modified to become effective September 1, 1942, be, and it is hereby, further modified so as to become effective on October 1, 1942.

Dated at Washington, D. C., this 26th day of August, A. D. 1942.

By the Commission, Commissioner Lee.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-8409; Filed, August 28, 1942; 10:44 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order 24]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following Order is prescribed:

(a) Each Regional Administrator within his region is hereby authorized to exercise the functions, duties, powers, authority and discretion conferred upon the Price Administrator for the purpose of (1) issuing orders of adjustment of the maximum prices of cotton ginning services under §§ 1499.564 (b) and 1499.567 and (2) acting by the issuance of orders or otherwise upon applications for the determination of maximum prices under §§ 1499.552 (b) and 1499.567 of Maximum Price Regulation No. 211.

(b) Any order issued or other action taken by any Regional Administrator pursuant to this delegation of authority shall have the same force and effect as if issued or taken by the Price Administrator.

Issued and effective this 26th day of August 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-8403; Filed, August 27, 1942; 5:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-246]

AMERICAN PUBLIC WELFARE TRUST

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of August, A. D., 1942.

American Public Welfare Trust, a registered management investment company, has filed an application for an order under and pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 exempting from the provisions of section 17 (a) of said Act the following proposed transactions: (1) The sale by Halifax Power & Pulp Company, Ltd., an affiliated person of the applicant, to applicant of $38,000 face amount of Hygienic Products Corporation's 5% First Mortgage Sinking Fund Collateral Trust Bonds, due 1963, at a price of $38,000 and accrued interest; (2) The purchase by Halifax Power & Pulp Company, Ltd. from applicant of $38,000 face amount of Hygienic Products Corporation's 5% First Mortgage Sinking Fund Collateral Trust Bonds, due 1963, and $38,000 face amount of Participating Certificates based on one year 5% income note of Halifax Power & Pulp Company, Ltd. at a price of $41,800 and accrued interest; and (3) The purchase by A. P. W. Paper Company, Inc., another affiliated person of applicant, from applicant of $38,000 face amount of Hygienic Products Corporation's 5% First Mortgage Sinking Fund Collateral Trust Bonds, due 1963, in consideration of the transfer to applicant of 4,008 shares of Class A stock of A. P. W. Properties, Inc. together with $21,968 in cash.

It is ordered, That a hearing on the aforesaid application be held on the 4th day of September, 1942 at 10:00 o'clock in the forenoon of that day in the hearing room of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise the interested parties where such hearing will be held.

It is further ordered, That William W. Swift or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given other person or persons whose participation in such proceedings may be in to the above named applicant and to any the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8407; Filed, August 28, 1942; 9:40 a. m.]

[Filed No. 70-579]

TRI-CITY UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 27th day of August A. D., 1942.

Associated Electric Company, a registered holding company, and Tri-City Utilities Company, a wholly-owned subsidiary thereof, having filed a declaration and application pursuant to the Public Utility Holding Company Act of 1935 with respect to the reduction by Tri-City Utilities Company of its capital stock from time to time through the purchase and retirement of its common stock at its par value, to the extent of funds which become available to Tri-City Utilities Company from the sale of properties or other assets; and

The Commission on August 11, 1942, having ordered that a hearing on such matter be held on September 1, 1942, at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania; and

The Tennessee Railroad and Public Utilities Commission and certain other interested parties having requested that such hearing be postponed; and it appearing appropriate to the Commission that said request be granted;

It is ordered, That the hearing in this matter, previously scheduled for September 1, 1942, be, and hereby is, postponed to September 16, 1942, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8406; Filed, August 28, 1942; 9:40 a. m.]

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U. S. GOVERNMENT PRINTING OFFICE: 1943

VOL 7

SEPT

1942

FEDERAL REGISTER

VOLUME 7 NUMBER 172

Washington, Tuesday, September 1, 1942

The President

PROCLAMATION 2567

NATIONAL DEFENSE PIPE LINE—PROJECT FIVE PIPE LINE CORPORATION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, the Act of Congress entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941 (Public Law 197, 77th Congress), vests in the President certain powers relating to the construction, extension, completion, operation and maintenance of interstate pipe lines related to national defense:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by said Act do hereby find and proclaim: That

(1) For national defense purposes it is necessary that there be constructed and completed a pipe-line system for the transportation and distribution of petroleum products moving in interstate commerce originating in the vicinity of El Dorado, Arkansas, and extending in a northeasterly direction to a point near Helena, Arkansas, the route for which is generally indicated on a map which is on file in the Office of Petroleum Coordinator for War, detailed survey maps of which shall be on record in said Office, with terminal facilities for loading at barge loading docks on the Mississippi River, and with carloading racks on one or both sides of the Mississippi River;

(2) That Project Five Pipe Line Corporation, a private corporation organized under the laws of the State of Delaware, has commenced the work necessary for the construction of said pipe line and facilities, and represents that it is prepared to complete said pipe line and facilities; and

(3) For the purposes of construction, completion, operation and maintenance of said pipeline system it is necessary that said Project Five Pipe Line Corporation have the right, as provided in the aforesaid Act, by the exercise of the right of eminent domain, to acquire along the route, and at, and between the points above identified, and such portions thereof as may be along or across or under any railroad, public highway, road, street, or alley, and any public stream (a) easements and rights of way not in excess of one hundred feet in width, for the construction, completion, operation, maintenance and removal of the pipe lines, including right of access thereto over adjoining lands, and (b) parcels of land or any interest therein not in excess of one hundred acres in each separate parcel, for location of its storage tanks, pumping stations, delivery and receiving facilities, and other facilities in connection therewith; and said right to exercise the right of eminent domain is hereby granted to said Project Five Pipe Line Corporation, provided that such right of eminent domain be exercised by Project Five Pipe Line Corporation for the aforesaid purposes prior to June 30, 1943, and provided further that said pipe line and facilities herein identified shall be constructed, completed, operated and maintained subject to such terms and conditions as the President may hereafter from time to time prescribe as necessary for national defense purposes;

(4) For national defense purposes I do deem it advisable to do so, and do hereby relieve the person or persons operating said pipe line pursuant to request for action of the Petroleum Coordinator for War addressed to Gulf Refining Company, Socony-Vacuum Oil Company, Incorporated, The Texas Company, Lion Oil Refining Company, and Premier Oil Refining Company of Texas for the period of time ending April 1, 1948, in the doing of any act or thing or the omission to do any act or thing, from any and all duty or liability under those provisions of (i) an Act approved February 4, 1887

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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(24 Stat. 379–387, Chapter 105), "An Act to regulate commerce", known as the "Interstate Commerce Act", as amended, and of (ii) an Act approved February 19, 1903 (32 Stat. 847–849, Chapter 708), "An Act to further regulate commerce with foreign nations and among the States", known as the "Elkins Act", as amended, which now appear in the United States Code under Title 49, Transportation, and read as follows:

(a) U.S.C., Title 49, section 2:

"If any common carrier subject to the provisions of this chapter shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered or to be rendered, in the transportation of passengers or property, subject to the provisions of this chapter, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is prohibited and declared to be unlawful."

(b) U.S.C., Title 49, section 3 (1):

"It shall be unlawful for any common carrier subject to the provisions of this chapter to make, give, or cause any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, region, district, territory, or any particular description of traffic, in any respect whatsoever; or to subject any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, region, district, territory, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

(c) U.S.C., Title 49, section 6 (7):

"• • • nor shall any carrier charge or demand or collect or receive a greater or less or different compensation for such transportation of passengers or property, or for any service in connection therewith, between the points named in such tariffs than the rates, fares, and charges which are specified in the tariff filed and in effect at the time; nor shall any carrier refund or remit in any manner or by any device any portion of the rates, fares, and charges so specified, nor extend to any shipper or person any privileges or facilities in the transportation of passengers or property, except such as are specified in such tariffs."

(d) U.S.C., Title 49, section 41 (1):

"• • • it shall be unlawful for any person, persons, or corporation to offer, grant, or give, or to solicit, accept, or receive any rebate, concession, or discrimination in respect to the transportation of any property in interstate or foreign commerce by any common carrier subject to said chapter whereby any such property shall by any device whatever be transported at a less rate than that named in the tariffs published and filed by such carrier, as is required by said chapter, or whereby any other advantage is given or discrimination is practiced. Every person or corporation, whether carrier or shipper, who shall, knowingly, offer, grant, or give, or solicit, accept, or receive any such rebates, concession, or discrimination shall be deemed guilty of a misdemeanor • • •"

(e) U.S.C., Title 49, section 43:

"Whenever the Interstate Commerce Commission shall have reasonable ground for belief that any common carrier • • • is committing any discriminations forbidden by law, a petition may be presented alleging such facts to the district court of the United States sitting in equity having jurisdiction; • • • whereupon it shall be the duty of the court summarily to inquire into the circumstances • • • and upon being satisfied of the truth of the allegations of said petition said court shall • • • direct and require a discontinuance of such discrimination • • •"

in so far as such relief may be necessary to remove any bar which may be created by those statutory provisions to the payment out of funds, if any remain after payment of the expenses of operation and maintenance of said pipe line, derived from transportation or other common carrier services, furnished at rates established pursuant to the provisions of the Interstate Commerce Act, as amended and supplemented, of (1) indebtedness of Project Five Pipe Line Corporation, incurred for acquiring, financing and constructing said pipe line; (2) liquidating dividends to stockholders at any time; and (3) annual dividends to stockholders not exceeding seven per centum (7%) of the valuation for rate making purposes, of such common carrier's property owned and used for common carrier purposes, made under the authority of the Interstate Commerce Commission; and further to remove any bar which may be created by those statutory provisions to the acceptance by Project Five Pipe Line Corporation from its stockholders of petroleum products for shipment, in such amounts that the use, by agreement of the stockholders, of the capacity of the pipe line available to them as shippers over a common carrier pipe line and not used in the performance of its common carrier obligations to other shippers, will be in amounts proportionate to the stock ownership as it may exist from time to time, of such stockholders desiring to utilize the capacity of the pipe line or any part thereof, provided that this authorization shall not permit the rejection in disregard of the common carrier obligations of Project Five Pipe Line Corporation, of any petroleum products offered for shipment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28th day of August in the year of our Lord nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42–8489; Filed, August 29, 1942; 11:07 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR FARMS IN THE TERRITORY OF HAWAII FOR THE 1942 CROP

Pursuant to the provisions of subsections (a) and (b) of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.36e *Proportionate shares for farms in the Territory of Hawaii for the 1942 crop*—(a) *Proportionate share for any farm.* The proportionate share for any farm in the Territory of Hawaii for the 1942 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1942.

(b) *Adherent planter protection.* The provisions of this determination shall be subject to the following conditions: (1) that no changes in the planter-plantation sugarcane production relationship shall have been made, and (2) that no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Agency and the Director of the Division of Special Programs of the Agricultural Adjustment Agency, acting either jointly or severally. (Section 302, 50 Stat. 910; 7 U.S.C. 1940 ed 1131).

Done at Washington, D. C. this 29th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42–8531; Filed, August 31, 1942; 11:09 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGE

Chapter II—Securities and Exchange Commission

PART 210—REGULATION S–X UNDER SECURITIES ACT, SECURITIES EXCHANGE ACT AND INVESTMENT COMPANY ACT

AMENDMENT OF REGULATION

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 7 and 19 (a) thereof; the Securities Exchange Act of 1934, particularly sections 12, 13, 15 (d), and 23 (a) thereof; and the Investment Company Act of 1940, particularly sections 8, 30, and 38 (a), thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the said Acts, hereby amends paragraph (c) of Rule 1–01 of Regulation S–X to read as follows:

(c) Supplemental or periodic reports under section 13 of the Securities Exchange Act of 1934 filed on Form 10–K, 11–K, 13–K, 14–K, or 24–K;

Effective August 28, 1942.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–8481; Filed, August 29, 1942; 10:36 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORMS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 24–K and the Instruction Book therefor as follows:

I. Item 11 of Form 24–K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. All matter appearing in the Instruction Book under the caption "Item 11. Instructions as to financial statements", down to and including the schedule entitled "Schedule IX. Income from dividends", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

ITEM 11. *Financial statements.* The following instructions specify the balance

sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S–X governs the certification, form and content of such balance sheets and profit and loss statements and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1–02 of Regulation S–X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *Registrant.* There shall be filed for the registrant a balance sheet as of the close of the fiscal year and a profit and loss statement for the fiscal year.

2. *Subsidiaries.* (a) Subject to Article 4 of Regulation S–X, there shall be filed for each majority-owned subsidiary of the registrant which is a bank or bank holding company a balance sheet as of the close of the registrant's fiscal year and a profit and loss statement for the fiscal year.

(b) Subject to Article 4 of Regulation S–X, there shall be filed for each other majority-owned subsidiary of the registrant a balance sheet as of the close of the fiscal year of the registrant or the subsidiary and a profit and loss statement for the fiscal year. If the fiscal year of any such subsidiary ends within 105 days before the date of filing the report, or ends after the date of filing, and the subsidiary's financial statements are filed on the basis of its own fiscal year, they may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, considered in the aggregate, would not constitute a significant subsidiary.

3. *Certification.* Except as provided in Rule 9–05 of Regulation S–X, the statements required by the preceding instructions shall be certified.

Effective August 28, 1942.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–8487; Filed, August 29, 1942; 10:36 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 14–K and the Instruction Book therefor as follows:

I. Item 12 of Form 14–K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. The instructions to Item 12 in the Instruction Book are amended to read as follows:

Item 12. *Financial statements.* 1. The following financial statements shall be filed as a part of the report.

(a) A certified statement of the assets and liabilities of the committee as of the close of the period of report.

(b) A certified statement of the cash receipts and disbursements of the committee for the period of report and also for the period from the date of its inception to the close of the period of report.

2. Regulation S–X, which contains rules governing the form and content of financial statements, shall be applicable to the statements specified above.

3. The financial statements shall be bound and filed as a separate part of the annual report.

III. The Instruction Book is further amended by deleting therefrom the forms for statements of assets and liabilities and statements of cash receipts and disbursements which are set forth at the end of the Instruction Book following the instructions as to exhibits.

Effective August 28, 1942.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–8486; Filed, August 29, 1942; 10:37 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 13–K and the Instruction Book therefor as follows:

I. Item 14 of Form 13–K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. All matter appearing in the Instruction Book under the caption "Item 14. Instructions as to financial statements", down to and including the schedule entitled "Schedule XI. Profit and loss on sale or maturity of investments", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

Item 14. *Financial statements.* The following instructions specify the balance sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S–X governs the form and content of such balance sheets and profit and loss statements and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1–02 of Regulation S–X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *Registrant.* There shall be filed for the registrant a balance sheet as of the close of the fiscal year and a profit and loss statement for the fiscal year.

2. *Subsidiaries.* (a) Subject to Rule 4–03 of Regulation S–X as qualified by Rule 4–09 thereof, there shall be filed for each majority-owned subsidiary of the registrant a balance sheet as of the close of the sibsidiary's fiscal year and a profit and loss statement for its fiscal year, prepared in accordance with the appropriate article of regulation S–X.

(b) If the fiscal year of any such subsidiary ends within 105 days before the date of filing the annual report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, considered in the aggregate, would not constitute a significant subsidiary.

3. *Fifty-percent-owned persons.* If the registrant owns directly or indirectly approximately fifty percent of the voting power of any person approximately fifty percent of the voting power of which is owned directly or indirectly by another single interest, there shall be filed for each such person the financial statements which would be required if it were a majority-owned subsidiary of the registrant. The statements filed for each such person shall identify the other single interest. No statements need be filed, however, for any such person which, if it were a subsidiary, would not be a significant subsidiary.

4. *Certification.* None of the statements required by the preceding instructions need be certified.

Effective August 28, 1942.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–8485; Filed, August 29, 1942; 10:37 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 11–K and the Instruction Book therefor as follows:

I. Item 9 of Form 11–K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. All matter appearing in the Instruction Book under the caption "Item 9. Instructions as to financial statements", down to and including the schedule entitled "Schedule XI. Income from Dividends", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

Item 9. *Financial statements.* The following instructions specify the balance sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S–X governs the certification, form and content of such balance sheets and profit and loss statements, including the basis of consolidation, and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1–02 of Regulation S–X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *The registrant.* (a) There shall be filed for the registrant a certified balance sheet as of the close of the fiscal year and a certified profit and loss statement for the fiscal year.

(b) In lieu of the profit and loss statement required by paragraph (a), there may be filed a certified consolidated profit and loss statement of the registrant and one or more of its totally-held subsidiaries if all of the following conditions exist:

(1) The registrant is primarily an operating company;

(2) Each of the subsidiaries included is, in practical effect, an operating division of the registrant; and

(3) There is filed, in addition to the balance sheet of the registrant required by paragraph (a), a certified consolidated balance sheet of the registrant and the included subsidiaries only.

2. *The registrant and its subsidiaries consolidated.* Subject to article 4 of Regulation S–X, there shall be filed for the registrant and its subsidiaries a certified consolidated balance sheet as of the close of the fiscal year of the registrant and a certified consolidated profit and loss statement for the fiscal year of the registrant.

3. *Subsidiaries not consolidated.* (a) Subject to Rule 4–03 of Regulation S–X regarding group statements, there shall be filed for each majority-owned subsidiary of the registrant not consolidated a certified balance sheet as of the close of the subsidiary's fiscal year and a certified profit and loss statement for its fiscal year.

(b) If the fiscal year of any such subsidiary ends within 105 days before the date of filing the annual report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, considered in the aggregate, would not constitute a significant subsidiary.

Effective August 28, 1942.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42–8484; Filed, August 29, 1942; 10:38 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 10–K and the instruction book therefor as follows:

I. Item 8 of Form 10–K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

"(The financial statements and schedules are to be set forth at this point in the annual report)"

II. All matter appearing in the Instruction Book under the caption "Item 8. Instructions as to financial statements", down to and including the schedule entitled "Schedule XI. Income from dividends", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

ITEM 8. *Financial statements.* The following instructions specify the balance sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S–X governs the certification, form and content of such balance sheets and profit and loss statements, including the basis of consolidation, and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1–02 of Regulation S–X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *The registrant.* (a) There shall be filed for the registrant a certified balance sheet as of the close of the fiscal year and a certified profit and loss statement for the fiscal year.

(b) In lieu of the profit and loss statement required by paragraph (a), there may be filed a certified consolidated profit and loss statement of the registrant and one or more of its totally-held subsidiaries if all of the following conditions exist:

(1) The registrant is primarily an operating company;

(2) Each of the subsidiaries included is, in practical effect, an operating division of the registrant; and

(3) There is filed, in addition to the balance sheet of the registrant required by paragraph (a), a certified consolidated balance sheet of the registrant and the included subsidiaries only.

2. *The registrant and its subsidiaries consolidated.* Subject to article 4 of Regulation S–X, there shall be filed for the registrant and its subsidiaries a certified consolidated balance sheet as of the close of the fiscal year of the registrant and a certified consolidated profit and loss statement for the fiscal year of the registrant.

3. *Subsidiaries not consolidated.* (a) Subject to Rule 4–03 of Regulation S–X regarding group statements, there shall be filed for each majority-owned subsidiary of the registrant not consolidated a certified balance sheet as of the close of the subsidiary's fiscal year and a certified profit and loss statement for its fiscal year.

(b) If the fiscal year of any such subsidiary ends within 105 days before the date of filing the annual report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, consid-

ered in the aggregate, would not constitute a significant subsidiary.

4. *Uncertified statements of Canadian carriers.* (a) The financial statements of the registrant and its subsidiaries required by the preceding instructions need not be certified if the following conditions exist:

(1) The registrant is organized under the laws of the Dominion of Canada and the principal properties of the registrant and its subsidiaries are operated in the business of a common carrier by rail.

(2) The registrant is a majority-owned subsidiary of a company making annual reports to the Interstate Commerce Commission under section 20 of the Interstate Commerce Act, as amended.

(3) The registrant is required by the laws of the Dominion of Canada to make annual returns to the Board of Railway Commissioners for Canada and the Dominion Bureau of Statistics, which returns are required by such laws to contain approximately the same amount of information in similar detail as required to be set forth in annual reports made by common carriers by rail to the Interstate Commerce Commission under Section 20 of the Interstate Commerce Act, as amended.

(b) If the registrant files uncertified financial statements pursuant to this instruction, it shall include as an exhibit to its annual report a copy of its annual return to the Board of Railway Commissioners for Canada and the Dominion Bureau of Statistics for the fiscal year covered by the annual report.

Effective August 28, 1942.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8483; Filed, August 29, 1942; 10:38 a. m.]

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO RULE UNDER THE ACT RELATING TO RESCISSION OF CERTAIN FORM AND INSTRUCTION BOOK THEREFOR

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby takes the following action:

(a) Form 15–K and the Instruction Book therefor are rescinded.

(b) Section 240.13A–2 [Rule X-13A–2] is amended by deleting therefrom the paragraph relating to Form 15–K.

Effective August 28, 1942.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8482; Filed, August 29, 1942; 10:36 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 99]

PART 57—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT

AMENDMENTS

AUGUST 26, 1942.

Order amending the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, with approved forms, effective July 11, 1938".

The Commission, pursuant to authority vested in it by the Natural Gas Act, particularly sections 7 (as amended February 7, 1942) and 16 thereof, and finding such action necessary and appropriate for carrying out the provisions of said Act, hereby adopts, promulgates and prescribes the following amendments to the "Provisional Rules of Practice and Regulations under the Natural Gas Act, Effective July 11, 1938", as heretofore prescribed and amended:

Part 57 be and it is hereby amended by adding §§ 57.5 to 57.9, inclusive, as follows:

Applications Under Section 7 of the Natural Gas Act as Amended for Certificates of Public Convenience and Necessity for Construction, Extension, Acquisition, Operation, etc. (Non-"Grandfather" Clause Certificates)[1]

AUTHORITY: §§ 57.5 to 57.9, inclusive, issued under 52 Stat. 833; Pub. Law. 444, 77th Cong.; 15 U.S.C. 717–717 w.

§ 57.5 *Contents of application.* Applications for certificates of public convenience and necessity for construction, extension, acquisition, operation, etc., under section 7 of the Natural Gas Act as amended, other than under the "grandfather" clause of section 7 (c), shall set forth in the order indicated the following, incorporating any data already on file with the Commission by reference:

(a) The exact legal name of the applicant; if the applicant is a corporation, the state or territory under the laws of which the applicant was organized, the location of applicant's principal place of business, the names of all states where applicant is authorized to do business; and a concise but comprehensive description of the existing business, operations and properties of the applicant, with particular reference to the transportation and sale of natural gas.

(b) The name, title and post office address of the person to whom correspondence or communications in regard to the application are to be addressed. Unless advised to the contrary, the Commission will serve all notices, orders, and other papers, service of which is required, upon the person so named.

(c) A brief but accurate description of the project or facilities for which a certificate is sought and the dates on which it is intended to begin and complete construction or acquisition.

(d) A statement setting forth the service proposed to be rendered by applicant, showing communities, proposed to be served presently and within the next five years, with the population of each, main line industrial customers, sales or interchange with other natural-gas companies, and any other service. In describing such other service, furnish:

(1) The name of any other gas company rendering service within any county (or other local territorial unit of similar size where not within a county) in which any community or customer to be served by applicant is located, together with a general statement of pertinent facts as to the extent and nature of such existing service, specifying whether such other gas company is serving natural, artificial or mixed gas.

(2) A detailed statement of pertinent facts as to existing service by such gas company, including a showing as to (i) the adequacy of the present service and plant, and available supplies of gas, (ii) the public need for further service, and (iii) the potential market which could be served economically through the proposed extension of facilities.

(e) A description of the facilities proposed to be constructed, acquired, or operated, giving, in so far as such information may be pertinent, the size, capacity, length and location of gathering lines, transmission lines and laterals; the extent of distribution systems; the location, rated horsepower and capacity of all compressor stations; the location and description of other important property units; a description of the proposed manner or method of operating said proposed facilities, including proposed operating pressures, the capacity of the proposed facilities, estimates of maximum and minimum day demands, and any other pertinent facts showing that such facilities will be capable of performing adequately the services which applicant purposes to render. In connection herewith the applicant shall furnish:

(1) A sketch map delineating the size and location of applicant's proposed pipe lines, the communities to be served, the points of connection with existing facilities and the location of any gas fields representing a new source of supply to be utilized in connection with the proposed facilities;

[1] During the war emergency, any applicant filing an application with the War Production Board incidental to an application for a certificate of public convenience and necessity to the Federal Power Commission, should, wherever it is possible to do so, at the same time file its application with the Commission in order to facilitate action by the Commission. In view of the emergency involved, the Commission, in such certificate hearings, will expect all parties, including interveners, to exercise due diligence to move the proceeding forward as rapidly as possible. Where such emergency is involved, the Commission reserves the right to proceed with maximum speed and with minimum notice to parties and interveners.

(2) A statement setting forth all contracts for the construction, purchase or lease of the proposed facilities and giving the affiliation, if any, between applicant and any other party to said contracts.

(f) A statement of the gas reserves which are to supply the market which is proposed to be served, and an estimate of their expected life in years.

(g) A statement setting forth all facts bearing upon economic feasibility, including:

(1) The estimated total overall capital cost of the proposed extension or acquisition, including all expenditures involved in the construction or acquisition of the proposed facilities, proposed costs of financing, franchises, working capital, and other incidental costs, with a brief statement of applicant's proposed plan of financing.

(2) A detailed statement of the extent to which such plan is supported by firm or contingent commitments from all financial sources, including commitments from banks, trust companies, insurance companies, investment bankers, steel companies, pipe line supply companies, or other sources.

(3) A statement showing estimates of (i) total revenues expected from the proposed new facilities to be constructed, acquired or operated, (ii) total fixed charges, (iii) total operating expenses.

(4) A general statement covering the rates proposed to be charged by applicant for each kind of natural gas service proposed to be rendered, and the expected sales, revenues, average revenue per M.c.f. and average revenue per therm, to be derived therefrom.

(h) A general description of the proposed method of supervising the operation of the proposed project, including reference to any relevant service or management contracts, existing or contemplated.

(i) During war or other emergency, a detailed statement of pertinent facts showing the relation, if any, of the proposed facilities and service to such emergency.

(j) A statement of any other facts and circumstances upon which applicant relies to establish that present or future public convenience and necessity require the new construction, acquisition or operation of such facilities.

Wherever volumes of gas are mentioned in an application filed under this section or an exhibit later filed under § 57.6, such volumes shall be computed upon a uniform pressure base and such pressure base shall be clearly set forth therein.

§ 57.6 *Exhibits.* The applicant may be required by the Commission to file, at any time during its consideration of such application, in addition to the application and as part thereof, any or all of the following exhibits. The following exhibits are designed to amplify paragraphs (a) through (l) of § 57.5:

Exhibit A: If applicant is a corporation, a certified copy or photostat of its articles of incorporation and bylaws.

Exhibit A–1: If applicant is a corporation, certified copies or photostats of any and all evidences of domestication in or authorization to do business in any state or states other than the state of incorporation involved in the application.

Exhibit A–2: List of names and business addresses of all officers and directors of applicant.

Exhibit A–3: If applicant is an individual, or group of individuals, satisfactory proof of citizenship of such individual or individuals.

Exhibit A–4: If the applicant or any officer or directly thereof directly or indirectly owns, controls or holds with power to vote 10 per centum or more of the outstanding voting securities of any other person or company engaged in the production, transportation, or sale of natural gas, a detailed statement showing the financial and corporate relationship existing between the applicant or any officer or director thereof and all such other persons or companies, including the percentage of voting power represented by such ownership of such securities. If any person or company directly or indirectly owns, controls, or holds with power to vote, 10 per centum or more of the outstanding voting securities of the applicant, a statement of the financial and corporate relationship existing between the applicant and all such other persons or companies.

Exhibit B: A certified copy or a photostat of the resolution of board of directors or other similar legal authority authorizing the filing of the application.

Exhibit C: A map showing applicant's proposed facilities for the transportation and sale of natural gas, together with the facilities or pipe line systems of other gas companies operating in the general territory of the proposed facilities. This map should be of sufficient scale and in sufficient detail to show the geographical location of the properties, and should show:

(a) the location of applicant's proposed pipe lines and the diameters thereof,

(b) the communities to be served at wholesale or at retail, indicating those served at wholesale by a small square and those at retail by a small circle,

(c) the points of connection with the facilities or pipe lines of other companies,

(d) the location of gas fields which are to be the source of supply for the proposed facilities.

Applicant may also be required to furnish the Commission with alignment (right-of-way) maps in support of the application.

Applicant, if granted a certificate hereunder, is ordered and required to keep on hand in its offices subsidiary alignment and field maps properly marked and maintained showing all the facts required in connection with Exhibit C immediately preceding, and to be prepared to furnish information relative thereto or copies thereof at any time to the Commission.

Exhibit D: A forecast of the business proposed to be obtained in the market proposed to be served, including estimates of the numbers of domestic, commercial, and industrial customers expected to be obtained during each of the first five years of operation, their estimated annual requirements of natural gas, and estimated peak-day demand requirements by character of delivery for each of the first five years.

Exhibit D–1: Copies of any market surveys or studies prepared by or for the applicant. Points of delivery from main transmission lines indicated in such market surveys should be referenced to the general map required as Exhibit C above.

Exhibit D–2: Photostatic or certified copies of all contracts held by the applicant for the sale of natural gas from the proposed facilities.

Exhibit D–3: If applicant intends to engage in the distribution of natural gas from any of the proposed facilities, a statement outlining such distribution plans, including rates to be charged.

Exhibit D–4: Photostatic or certified copies of all franchises held by applicant in connection with the proposed project. Certified copies of any orders of any state or municipal agency in connection with applicant's proposed operations.

Exhibit E: A statement of specifications, prices, estimates, and any other information relating to the cost of construction or acquisition of all the proposed facilities. The estimated cost of construction should be stated separately by operating units, showing pipe lines by sizes, river crossings, compressor stations, and other accessory equipment, with the costs of material separate from the costs of labor.

Exhibit E–1: A statement of depreciation and depletion rates proposed to be established, and the basis therefor, by primary plant accounts prescribed by this Commission in its Uniform System of Accounts for Natural Gas Companies.

Exhibit E–2: Photostatic or certified copies of any and all contracts for the construction, purchase or lease of the proposed facilities, with a statement describing the affiliation of applicant with any other party to said contracts.

Exhibit F: An estimate of the natural gas reserves in the fields from which applicant proposes to secure natural gas to supply the proposed project. This report should show:

(1) Gas reserves (M. c. f.) by fields and producing horizons, classified as operated or unoperated and as owned or controlled,

(2) The methods used in estimating the volumetric gas reserves,

(3) Annual withdrawals of gas (M. c. f.) from each gas reserve for each of the most recent three years,

(4) Average initial and current rock pressures by fields and producing horizons,

(5) The B. t. u. content of the natural gas reserves,

(6) Open flow capacities of producing wells owned or controlled by the applicant, by fields, and the deliverability of these wells under safe operating conditions or conservation limitations, and

(7) The number and location of wells presently owned or controlled by applicant, with a statement of any proposed drilling program which may be planned.

Exhibit F–1: A map of each field from which natural gas is to be procured to supply the proposed project showing clearly all leaseholds, mineral interests, pipe lines, and wells owned, operated or contracted for by the applicant.

Exhibit F–2: Photostatic copies of all contracts or agreements which provide for the purchase of any of the natural gas supply for the proposed project.

Exhibit G: A balance sheet and income statement of applicant, as of the most recent date available.

Exhibit G–1: Full and complete description of applicant's proposed plan of financing, with photostatic or certified copies of all contracts relating thereto.

Exhibit G–2: Photostatic or certified copies of any and all firm or contingent commitments covering the financing proposed by applicant. There should be included copies of mortgages, deeds of trust, indentures, agreements to advance supplies (steel pipe, compressor engines, etc.) or labor in return for applicant's securities, underwriting contracts, or documents of a similar nature.

Exhibit G–3: Full and complete statement of the rates to be charged for service from the proposed facilities. This should be supplemented, if possible, by copies of samples of rate schedules applicant proposes to use.

Exhibit G–4: For the first full year's operation of the proposed new facilities a detailed

statement showing for each point of delivery and by classes of service—

(1) Rate or rate schedule applicable.
(2) Estimated deliveries in M. c. f.
(3) Estimated deliveries in therms.
(4) Estimated revenue.
(5) Average revenue per M. c. f.
(6) Average revenue per therm.

Exhibit G–5: Statement of and comparison with rates charged by other gas companies serving the markets and territory involved.

Exhibit G–6: Estimates by years, for the first five years, of expected operating revenues and operating expenses in connection with the proposed project. In preparing this exhibit, it is desirable to follow as closely as possible the accounting procedure and forms set forth in the Uniform System of Accounts for Natural Gas Companies prescribed by this Commission.

Exhibit H: Photostatic or certified copies of service or management contracts of applicant.

Exhibit I: In case of war or emergency applications where applicant must also file a project or preference rating application with the War Production Board, a copy of such application and any order issued thereon.

Other Exhibits: The applicant may submit as many additional exhibits as may be deemed essential for consideration of the application. Such exhibits may be identified as Exhibit L, M, etc., if supplementary, or may be given subnumbers such as Exhibit C–4, K–1, etc., if in amplification.

§ 57.7 *Form of filing.* An application under § 57.5 except as otherwise provided, shall be executed, filed and served in compliance with §§ 50.31 to 50.40 and in addition the original of the application shall be verified under oath by a person having knowledge of the matters therein set forth.

§ 57.8 *Other information.* Any applicant under § 57.5 may be required to furnish such additional information as the Commission may deem pertinent.

Applications for Temporary Certificates for Construction, Extension, Acquisition, Operation, etc., Under Section 7 (c) of the Natural Gas Act as amended

§ 57.9 *Applications.* In cases of emergency, to assure maintenance of adequate service or to serve particular customers, application may be made to the Federal Power Commission, by letter or telegram, for a temporary certificate under section 7 (c) of the Natural Gas Act as amended, stating clearly and specifically the exact character of the emergency situation, the proposed method of meeting it, and the facts warranting the issuance of a temporary certificate; *Provided*, That, with respect to all emergencies which may continue for more than 30 days, within 10 days after such application for a temporary certificate, the applicant shall file an application for a permanent certificate pursuant to § 57.5.

The amendments to the "Provisional Rules of Practice and Regulations under the Natural Gas Act" adopted, promulgated and prescribed by this order shall become effective September 15, 1942; and the Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42–8530; Filed, August 31, 1942; 10:04 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50711]

PART 6—INVOICES, ENTRY AND ASSESSMENT OF DUTIES

PART 23—CUSTOMS BONDS

TEMPORARY INSTRUCTIONS AS TO BONDS FOR CERTIFIED INVOICES

Article 299 (b), Customs Regulations of 1937, amended so as to remove therefrom certain exemptions from certified invoice requirements, and temporary instructions promulgated concerning bonds given for the production of certified invoices and the cancellation of such bonds.

The following special instructions and amendments to the Customs Regulations of 1937 respecting certified invoices are deemed essential to the more effective prosecution of the war, and any exceptional provisions thereof are made necessary by reasons connected with the war.

Section 6.16 [Article 299 of the Customs Regulations of 1937, as amended] is hereby further amended as follows:

Section 6.16 (b) (11) (i) [paragraph (b) (11) (a)] is amended to read as follows:

(b) * * *

(11) (i) The following articles imported from countries contiguous to continental United States, when unconditionally free of duty or subject only to a specific rate of duty not depending on value:

Forest products, except red cedar shingles and chicle.
Standard newsprint paper.
Pulpwood and woodpulp.
Live domestic animals.

Agricultural products, crude or unmanufactured, except bananas, coca leaves, coffee, raw cotton, dairy products other than milk and cream, guayule, henequen, hides, opium, seeds imported subject to the provisions of the Federal Seed Act (See T.D. 50071) or for seeding (planting) purposes, sisal, skins of all kinds, tea, tobacco, and wool of all kinds, including wool on the skin. Importers shall be required by collectors of customs to furnish satisfactory evidence that seeds are not imported for planting purposes, when such claim is made the basis for exemption from the necessity of producing a certified invoice. When such evidence is not furnished at the time of entry and a bond is given for the production of a certified invoice, the required evidence may be accepted in satisfaction of the bond obligation if produced within the period prescribed in section 484 (b), Tariff Act of 1930. (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1484.)

Section 6.16 (b) (11) (iii) [paragraph (b) (11) (c)] is amended by deleting the definition of "minerals." (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1484.)

Section 6.16 (b) [paragraph (b)] is further amended by adding at the end thereof a new item numbered (20), reading as follows:

(20) Fertilizer and fertilizer materials, newsreel films, fish, mother-of-pearl shells, and newspapers, when unconditionally free of duty or subject only to a specific rate of duty not depending on value. (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1484.)

§ 23.20a *Bonds for production of certified invoices; temporary instructions.* Until six months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941, collectors of customs shall observe the following instructions respecting bonds for the production of certified invoices, unless such instructions are sooner amended, revoked, or superseded:

(a) Collectors of customs shall be guided by the provisions of the general customs regulations currently in effect in determining the amounts of bonds for the production of certified invoices. However, as the requirement of certified invoices in accordance with § 6.16 [article 299 of the Customs Regulations of 1937, as amended] will not only furnish information for customs purposes but will also aid in the enforcement of import controls, such as those relating to General Imports Order M–63, as amended,[1] of the War Production Board, and the Proclaimed List of Blocked Nationals, and will assist the Department of State in compiling certain statistical data it urgently needs, collectors of customs shall consider these factors in fixing the amounts of bonds pursuant to the authority contained in the second sentence of § 23.4 (a) (8) [article 1254 (a) (8) of the Customs Regulations of 1937]. The Bureau is of the opinion that such amount should in no case be less than $5,000 or an amount equal to the value of *the merchandise, as set forth in the entry*, whichever is lower. These factors shall also be considered in administering the provisions of § 23.20 (a) [article 1270 (a) of the Customs Regulations of 1937] and no case in which liquidated damages have been incurred for failure to produce a certified invoice shall be settled by a collector under that regulation if the merchandise involved is subject to General Imports Order M–63, as amended.

[1] 7 F.R. 4199, 4404, 4878, 5638, 6521, 6737.

(b) Upon the breach of any bond given for the production of a certified invoice covering merchandise subject to General Imports Order M–63, as amended, liquidated damages in the full amount of the bond shall be demanded, and no remission or mitigation thereof will be granted unless the importer shall produce within one month after the expiration of the bond period satisfactory evidence that the importation of the merchandise was not in violation of General Imports Order M–63, as amended, and that the failure to satisfy the conditions of the bond was not due to negligence or lack of good faith on the part of any party to the transaction. (Secs. 484, 623, 46 Stat. 722, 759, secs. 12, 30, 52 Stat. 1083, 1089; 19 U.S.C. 1484, 1623.)

The provisions hereof shall become effective on the thirtieth day after the date of publication in the FEDERAL REGISTER.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: August 27, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42–8523; Filed, August 31, 1942; 9:35 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

SUPPLEMENT I

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision III of August 10, 1942 (7 F.R. 5970), is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.
H. MORGENTHAU, Jr.,
Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director,
Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

AUGUST 28, 1942.

GENERAL NOTES: (1) The Proclaimed List is divided into two parts: parts I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions: If the title includes a full personal name, that is, a given name or initial and the surname, the title is listed under the *surname*. Personal-name prefixes such as *de, la, von*, etc., are considered as part of the surname and the the basis for listing. The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cía.; Comp.
Compañía Anónima; C. A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

(4) The symbols following additions to the List made with each supplement will appear in subsequent issues, including revisions, and serve to identify the issue of the List in which action to add or amend the name was taken. Thus, the symbol "III–1" means that the name was first added in Revision III, Supplement 1.

PART I—LISTINGS IN AMERICAN REPUBLICS

ADDITIONS

Argentina

Almagro[2] (tug owned by Delfino y Cía., Sociedad en Comandita Exclusividad de los Aceros "Boehler").— III–1.

Altschul, Mauricio Walter.—Bartolomé Mitre 367, Buenos Aires. III–1.

Ambrosini y Cía., F.—Cangallo 315, Buenos Aires. III–1.

Atleta[3] (tug owned by "La Porteña" Empresa de Remolcadores).— III–1.

Barral, Andrés.—Pasaje Judio 2070, Piñeyro, Avellaneda. III–1.

Bein, Georg.—Leandro N. Alem 168, Buenos Aires. III–1.

Bonacossa, Segundo.—Santa María 641, Buenos Aires. III–1.

Cantiello, Alfredo.—Bolivar 643, Buenos Aires. III–1.

Casa Pavese.—Cangallo 315, Buenos Aires. III–1.

Casa Petromax.—Perú 139, Buenos Aires. III–1.

Ciclope[3] (tug owned by "La Porteña" Empresa de Remolcadores).— III–1.

Cine Germania.——El Dorado, Gobernación de Misiones. III–1.

Cine Sociedad Italiana.—Resistencia, Gobernatión de Chaco. III–1.

Cine Villa Allende.—Villa Allende, Provincia de Córdoba. III–1.

Comodoro Rivadavia[3] (steamship owned by "Argentina" Nueva Compañía General de Navegación S. A.).— III–1.

Comunetti Hermanos.—Balcarce 851, Rosario. III–1.

de Con, Elías.—Santiago del Estero 949, Buenos Aires. III–1.

Droguería y Farmacia "Internacional".—Rivadavia 70–74, Córdoba. III–1.

"El Censor".—Bahía Blanca. III–1.

Gigante[4] (tug owned by "La Porteña" Empresa de Remolcadores).— III–1.

Goliat[5] (tug and salvage steamer owned by "La Porteña" Empresa de Remolcadores).— III–1.

Hercules[4] (tug owned by "La Porteña" Empresa de Remolcadores).— III–1.

Hilanderia Platense S.A.—Avenida Presidente Roque Sáenz Peña 680. Buenos Aires. III–1.

Hillekamps, C. H. (Dr.).—Aristobulo del Valle 556, Martínez, F. C. C. A., B.A. III–1.

Imprenta Mercur.—Paseo Colón 389. Buenos Aires. III–1.

Imprenta Optimus.—Bolívar 643, Buenos Aires. III–1.

Industrial Téxtil Algodonera Argentina, S. A.—Moreno 1423, Buenos Aires. III–1.

"ITALAR" Sociedad Anónima Industrial Téxtil Algodonera Argentina.—Moreno 1423, Buenos Aires. III–1.

Kemmler, Carlos.—Villas Iris, F. C. S. III–1.

Kerndt, Otto.—Bolívar 144, Buenos Aires. III–1.

Kobilinsky, Mauricio. — Avenida de Mayo 1370, Buenos Aires. III–1.

Koelble, Andrés.—Avenida Presidente Roque Sáenz Peña 788, Buenos Aires. III–1.

Koelble y Avery.—Avenida Presidente Roque Sáenz Peña 788, Buenos Aires. III–1.

Krommes, Hertha Niebuhr de.—Malabia 1754, Buenos Aires. III–1.

Krommes, Roberto.—Malabia 1754, Buenos Aires. III–1.

"La Flexible" S. de R. L.—Malabia 1754, Buenos Aires. III–1.

"La Varesina".—Balcarce 851, Rosario. III–1.

Lechner, Walter.—Piedras 881, Buenos Aires. III–1.

Leporace, Julio.—Soler 288, Bahía Blanca. III–1.

Madryn[6] (steamship owned by "Argentina" Nueva Compañía General de Navegación S. A.).— III–1.

Marra y Cía., Mario.—Santa Fe 3170, Buenos Aires. III–1.

Mazzoni, Guido.—José P. Varela 5451, Buenos Aires. III–1.

Moro e Hijos (Argentina) Comercial, Industrial y Financiera S. A., Tomás.—Avenida Alvear 4476, Buenos Aires. III–1.

Neuberger, Roberto.—Venezuela 632, Buenos Aires. III–1.

Palombelli, Juan.—Supacha 644, Buenos Aires. III–1.

Riecke, Juan.—Paseo Colón, 389, Buenos Aires. III–1.

Rocco, Domingo.—Avenida de Mayo 1035, Buenos Aires. III–1.

Samson[7] (salvage steamer owned by

[2] Tug which previously appeared in footnote to Delfino y Cía., Sociedad en Comandita Exclusividad de los Aceros "Boehler".

[3] Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

[4] Steamship which previously appeared in footnote to "Argentina" Nueva Compañía General de Navegación S. A.

[5] Tug and salvage steamer which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

[6] Steamship which previously appeared in footnote to "Argentina" Nueva Compañía General de Navegación S. A.

[7] Salvage steamer which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

"La Porteña" Empresa de Remolcadores).— III–1.

San Martín[a] (tug owned by Delfino y Cía., Sociedad en Comandita Exclusividad de los Aceros "Boehler").— III–1.

Shore y Hermano, L.—Rivadavia 70–74, Córdoba. III–1.

Teatro Asociación Patriótica Italiana.—Blandenguez 225, Bahía Blanca. F. C. S. III–1.

Teatro El Dorado.—El Dorado, Gobernación de Misiones. III–1.

Teatro Marconi.—Rivadavia 2330, Buenos Aires. III–1.

Titan[a] (tug owned by "La Porteña" Empresa de Remolcadores.)— III–1.

Von Seidlitz, Eitel Fritz.—Florida 439, Buenos Aires. III–1.

Von Seidlitz, Wilhelm.—Florida 439, Buenos Aires. III–1.

Von Simons, Walter.—Avenida de Mayo 833, Buenos Aires. III–1.

Bolivia

Oizumi, Roberto K.—La Paz. III–1.

Rauthmann, Otto.—Cochabamba. III–1.

Brazil

Aral, Toyozo.—Bandeirantes, Paraná. III–1.

Assurances Générales, Compagnie d'.—Rua Buenos Aires 70, Rio de Janeiro, and all branches in Brazil. III–1.

Bast, Jorge.—Rua Capote Valente 116, São Paulo. III–1.

Breithaupt, João.—Rua General Câmara 242, Santos, São Paulo. III–1.

Casa Ramada.—Taquaratinga, São Paulo. III–1.

Chá Ribeira.—Registro, São Paulo; Rua Galvão Bueno 351, São Paulo; Rua Braz Cubas 378, Santos; and all branches in Brazil. III–1.

Cintra, Eulalio Ulhoa (Dr.).—Rua Martinico Prado 417. III–1.

Colonização Tres Rios, Ltda.—Praça João Mendes 154, Sala 27, São Paulo. III–1.

Coöperativa Mixta Agrícola de Presidente Prudente.—Presidente Prudente, São Paulo. III–1.

Dannemann, Eduardo (Dr.).—Rua do Ouvidor 75, Rio de Janeiro. III–1.

Diedrichsen, Ernesto.—Rua Libero Badaró 137, São Paulo. III–1.

Empreza Commercial Bandeirante Ltda.—Rua Dr. Falção Filho 56, São Paulo. III–1.

Energia Eléctrica Hamburgueza Ltda.—Nôvo Hamburgo, Rio Grande do Sul. III–1.

Fábrica de Maquinas "Helo" S. A.—Rua Turiassú 1687 (Caixa Postal 3399), São Paulo. III–1.

Fazenda Barra Mansa.—Avanhandava, São Paulo. III–1.

Galeria Carioca de Modas S. A.—Rua do Ouvidor 158, Rio de Janeiro. III–1.

Goto, Riyti.—Bastos, São Paulo. III–1.

Hamaoka, Kasuto.—Rua Carlos Garcia 103, São Paulo. III–1.

Hercules Waste Co.—Caixa Postal 1795, Rio de Janeiro. III–1.

Hirth, Georg.—Rua do Ouvidor 86, e Rua Riachuélo 81–87, Rio de Janeiro. III–1.

Internacional de Capitalização, Cia.—Rua 1° de Março 6, Rio de Janeiro, and all branches in Brazil. III–1.

Internacional de Seguros, Cia.—Rua da Alfândega 48, Rio de Janeiro, and all branches in Brazil. III–1.

Kamada, R.—Taquaratinga, São Paulo. III–1.

Koboyashi, Kohei.—Santo Anastacio (Piquerobi), São Paulo. III–1.

Kume, Taneaka.—Paraguassú, São Paulo. III–1.

Kuroiwa, Hidechiki.—Paraguassú, São Paulo. III–1.

Kwakura, Zinozuki.—Ourinhos, São Paulo. III–1.

Laubisch, Carlos.—Rua do Ouvidor 86, e Rua Riachuélo 81–87, Rio de Janeiro. III–1.

Lehr, Robert.—Rua Fernando Mendes 25, 8°, e Rua Alvaro Alvim 24, 5°, Rio de Janeiro. III–1.

Lombardi, Angelina.—Rua José Antonio Coelho 439, São Paulo. III–1.

Mannheimer Versicherungs-Gesellschaft.—Rua da Alfândega 48, Rio de Janeiro, and all branches in Brazil. III–1.

Marubayashi, Shigueta.—Paraguassú, São Paulo. III–1.

Marx, Fritz.—Rua José Maria Lisboa 1008, São Paulo. III–1.

Matsubara, Koshi.—Ourinhos, São Paulo. III–1.

Myamoto, Hirosi.—Cornelio Procopio, Paraná. III–1.

Nord-Deutsche Versicherungs Gesellschaft.—Avenida Rio Branco 79–81, Rio de Janeiro, and all branches in Brazil. III–1.

Okamoto, Torazo.—Registro, São Paulo; Rua Galvão Bueno 351, São Paulo; Rua Braz Cubas 378, Santos; and all branches in Brazil. III–1.

Okano, Tsumematsu.—Bandeirantes, Paraná. III–1.

Onishi e Cia.—Presidente Prudente, São Paulo. III–1.

Productos Agrícola Ltda.—Rua Libero Badaró 641, São Paulo; and Rua Mayrink Veiga 28, Rio de Janeiro. III–1.

Seguros Aachen & Munich, Cia.—Avenida Rio Branco 47, Rio de Janeiro, and all branches in Brazil. III–1.

Seguros Albingia, Cia.—Avenida Rio Branco 47, Rio de Janeiro, and all branches in Brazil. III–1.

Seguros El Fenix Sudamericano, Cia.—Rua da Alfândega 48, Rio de Janeiro, and all branches in Brazil. III–1.

Seguros Gerais "National" S. A., Cia.—Avenida Rio Branco 47, Rio de Janeiro. III–1.

Seguros L'Union, Cia.—Rua Uruguayana 87, Rio de Janeiro, and all branches in Brazil. III–1.

Seguros La Fonciere Incendie, Cia.—Avenida Rio Branco 128, Rio de Janeiro, and all branches in Brazil. III–1.

Suzuki, Rinkuro.—Ourinhos, São Paulo. III–1.

Taruma, Soiti.—Londrina, Paraná. III–1.

Toshio Saito, Antonio.—Sta. Cruz do Rio Pardo, São Paulo. III–1.

Uehara, Ushi.—Paraguassú, São Paulo. III–1.

Ueno, Yonezo.—Ourinhos, São Paulo. III–1.

Yonedo, H.—Sta. Cruz do Rio Pardo, São Paulo. III–1.

Chile

Agencia Sanzolini.——Bandera 575, Segundo Piso, oficina 5, Santiago. III–1.

Arzic, Nicolás.—Hotel Cervantes, Punta Arenas. III–1.

Aubel Sangmeister, Maquinaria y Mercería, Arnoldo.—Urmeneta 529 (Casilla 24), Puerto Montt. III–1.

Bazar Japonés.—B. O'Higgins 2370, Santiago. III–1.

Boric, Tomislov.—Talca 1143, Punta Arenas. III–1.

Bornoldt, Max.—Constitución 664, Chillán. III–1.

Bostelmann, Juan.—Prat 834, Valparaiso. III–1.

Bueckner, Hans.—Bustos 2640, Santiago. III–1.

Busch D., Hans.—Casilla 27-D y Trizaro s/n, Temuco. III–1.

Café "Olimpia".—Casilla 123, Puerto Montt. III–1.

Colombo Bagnara, Aldo.—Avenida Brasil 2296, Valparaiso. III–1.

Colombo Bagnara, Hugo.—Avenida Brasil 2296, Valparaiso. III–1.

Colombo Caro, Enrique.—Avenida Brasil 2296, Valparaiso. III–1.

Condor.'—Santiago. III–1.

Da Forno Baldovino, Osvaldo.—Picarte 343, Valdivia. III–1.

Da Forno Baldovino, Sebastián.—Picarte 343, Valdivia. III–1.

Da Forno, Ltda., S. y O.—Picarte 343, Valdivia; and General Lagos 1701, Valdivia. III–1.

Denger, Helmut.—Casilla 168–D, Santiago. III–1.

Ebel B., Ignacio.—Varas 870 (Casilla 160), Puerto Montt. III–1.

Ebel B., José.—Varas 870 (Casilla 160), Puerto Montt. III–1.

Ebel B., Luis.—Varas 870 (Casilla 160), Puerto Montt. III–1.

Ebel Hermanos, Ltda.—Varas 870 (Casilla 160), Puerto Montt. III–1.

El Jote Grande.—Varas 529 (Casilla 314), Puerto Montt. III–1.

"Emporio El Japón".—M. Montt esquina V. Mackenna, Temuco. III–1.

Estancia Rio Zamora.— III–1.

Farmacia Hoppe y Laboratorio "Etos".—Avenida Francia 698 (Casilla 1020), Valparaiso. III–1.

Firmani y Cia., Ezio.—Ahumada 376, 21 de Mayo 825–865, y 21 de Mayo 801, Santiago. III–1.

Fischer Herene, Juan.—La Unión. III–1.

Fonck Sieveking, Oscar.—Nueva York 80, oficina 57, Santiago. III–1.

Fonck y Cia.—Avenida Brasil 1753, Valparaiso. III–1.

Franz y Cia., Ltda.—Calle Del Salvador esquina San Francisco, Puerto Varas. III–1.

[a] Tug which previously appeared in footnote to Delfino y Cía., Sociedad en Comandita Exclusividad de los Aceros "Boehler".

[a] Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

[1] Magazine published by Talleres Gráficos del Diario Alemán.

Froech Ebner, Miguel.—Bandera 443, Santiago. III–1.

Fundición Garajales.—Grajales 2548, Santiago. III–1.

Gill Hermanos.—Bandera 643 (Casilla 3820), Santiago. III–1.

Grob, Arturo.—La Unión. III–1.

Gross y Cia., Ltda.—Catedral 1151, Santiago. III–1.

Hammersley, Antonio.—Ahumada 215 y Constanza 618, Santiago. III–1.

Hammersley, Victor.—Esmeralda 1118, Valparaiso; and Callao 146, Viña del Mar. III–1.

Hammersley Hnos.—Esmeralda 1118, Valparaiso; and Ahumada 215, Santiago. III–1.

Heck Munzenmeyer, Gustavo A.—Varas 529 (Casilla 314), Puerto Montt. III–1.

Holtz y Cia., Ltda., Carlos.—Valparaiso. III–1.

Hoppe B., Arnoldo.—Avenida Francia 698 (Casilla 1020), Valparaiso. III–1.

Imprenta El Rayo.—O'Higgins 509, Osorno. III–1.

Islah (La Reforma).—Bellavista 263, Santiago. III–1.

Jahn Radmann, Rodolfo. — Blanco 1041, Valparaiso. III–1.

Jahn y Cia., R.—Blanco 1041, Valparaiso. III–1.

Kahl, Alfredo.—Calle San Francisco, Puerto Varas. III–1.

Kähni B., Enrique.—Ahumada 285, Santiago. III–1.

Kehl y Cía.—Constitución 664, Chillán. III–1.

Kitzing, Ricardo.—Coronel Dávila 103 (Casilla 2649), Santiago. III–1.

Kohnenkamp, Merino y Cía., Ltda.—Ahumada 346, Santiago. III–1.

Korff Hahn, Francisco. — Estación Llanquihue. III–1.

Kroeger M., Alberto. — Valparaiso. III–1.

la Reforma (Islah).—Bellavista 263, Santiago. III–1.

Lindemann Aust, Relojería y Joyería, Jorge.—Varas 634 (Casilla 174), Puerto Montt. III–1.

Litografía Marinetti, S.A.—Santa María 0298, Santiago. III–1.

Loch P., Sibylla.—Grajales 2548, Santiago. III–1.

Loguerio Padulo, Miguel.—Puerto Varas. III–1.

López, Félix A.—Esmeralda 968, Valparaiso. III–1.

Luck, Guillermo (Willy).—Quilpué. III–1.

Manfé Gaggero, Juan.—Avenida Pedro Montt 2555, Valparaiso. III–1.

Manns, Fernando Luis.—San José de Mariquina. III–1.

Martínez, Carlos Alberto.—Huérfanos 1112, Departamento 20, Santiago. III–1.

Meyer, Heriberto.—Avenida Manuel Montt 1660 (Casilla 13006), Santiago. III–1.

Minte, Roberto.—Puerto Varas. III–1.

Molinera de Villerica, Cía.—Villarica. III–1.

Mugalsky, Otto.—Errázuriz 928, Punta Arenas. III–1.

Mulach, Pablo.—21 de Mayo 1155, Punta Arenas. III–1.

Optica López.—Esmeralda 968, Valparaiso. III–1.

Pinochet V., Augusto.—Blanco 889 (oficina 3), Valparaiso. III–1.

"Propaganda Fonck".—Nueva York 80, oficina 57, Santiago. III–1.

Purrucker, Otto.—Augustinas 1111, Santiago. III–1.

Remmele Schmidt, Germán.—Calle Ramírez s/n, Osorno. III–1.

Remmele y Koepfer, Ltda.—Calle Ramírez s/n, Osorno. III–1.

Reyes Baez, Carlos.—Cochrane 557, Valparaiso. III–1.

Richter, Curt.—Frutillar. III–1.

Rossi Porta, Carlos.—Edificio Estación Puerto, oficina 86, Valparaiso. III–1.

Sabaj Zurob, Jorge.—Bellavista 263, Santiago. III–1.

Salón de Ostras.—Varas 529 (Casilla 314), Puerto Montt. III–1.

Sanzolini Pallottini, Oreste.—Bandera 575, Segundo Piso, oficina 5, Santiago. III–1.

"Sastrería Alemán".—Calle Ramírez s/n, Osorno. III–1.

Schiesewitz Reichel, Pablo.—Casilla 123, Puerto Montt. III–1.

Schmidt, Joseph A.—Calle Talca, Punta Arenas. III–1.

Schmoll, Federico.—La Unión. III–1

Schroeder, Francisco.—Estación Llanquihue. III–1.

Schwerer Kick, Jorge.—Pedro Valdivia 1376, Concepción. III–1.

Sederías Timmermann, Ltda.—Avenida Tocornal 3247, Santiago. III–1.

Sievert Meyer, Hans.—Avenida O'Higgins 1385 (Casilla 9591), Santiago. III–1.

Steuckrath, Franz.—La Unión. III–1.

Steuckrath y Grob.—Calle Comercio esquina Esmeralda, La Unión. III–1.

Stolzenbach, Bernardo.—Picarte 476, Valdivia; and Collico. III–1.

Stolzenbach, Otto.—Picarte 476, Valdivia; and Collico. III–1.

Stolzenbach Hermanos.—Picarte 476, Valdivia; and Collico. III–1.

Taucher, Max.—Martínez de Rosas 3770, Santiago. III–1.

Taucher y Cía., Ltda.—Santos Dumont 936, Santiago. III–1.

Tilmanns Cerereu, Reinaldo.—Recova 640 (Casilla 12), Vallenar. III–1.

Tredinick Ponce, Enrique.—Blanco 1041, Valparaiso. III–1.

Ulriksen, Ivar.—Sargento Aldea s/n, Chillán. III–1.

Valle Hermanos y Cía., Ltda.—Avenida Matta 524, Santiago. III–1.

Vergara, E.—Santo Domingo 1216, Santiago. III–1.

Vergara y Cía., E.—Santo Domingo 1216, Santiago. III–1.

Vyhmeister Binder, Felix.—Puerto Varas. III–1.

Weber, Carlos.—Villarica. III–1.

Wevar M., Miguel.—O'Higgins 509, Osorno. III–1.

Witt, K.—Estancia "Cameron", Tierra del Fuego. III–1.

Wittmann M., Guillermo. — Pasaje Matte 81, Santiago. III–1.

Zampetti, Conrado.—Paulino Alfonso 378 (Casilla 1872), Santiago. III–1.

Zeller B., Guillermo (Willy).—Esmeralda 1068, y Avenida Alemania 5508, Valparaiso. III–1.

Colombia

Borné y Cía., S. A., A.—Cali. III–1.

Brauer, Klemens.—Cali. III–1.

Garage del Comercio.—Comercio, Ribón, Barranquilla. III–1.

Hohmann, C. E.—Calle 22 No. 4–20, Cali. III–1.

Marent, Otto Francisco.—Calle 8 entre Bulevard Norte y Avenida E., Barranquilla. III–1.

Monti, Ferrugio.—Comercio, Ribón, Barranquilla. III–1.

Monti, Nullo.—Comercio, Ribón, Barranquilla. III–1.

Pelaez, Gonzalo.—Medellín. III–1.

Poensgen, Oskar.—Cali. III–1.

Sanders, Helmuth.—Medellín. III–1.

Schwabe, Albrecht.—Hotel Royal (Apartado Aéreo 8), Barranquilla. III–1.

Schwartau, Juan.—Armero, Tolima. III–1.

Segre, Gabriel (Dr.).—Calle 12 No. 4–88 (Apartado Nacional 1157), Bogotá. III–1.

Seni, Ivo.—Calle del Cuartel 100, Cartagena. III–1.

Taller Universal.—Calle 22 No. 4–20, Cali. III–1.

Vogel, Max.—Edificio Sadi, Calle 12 No. 10–74, Bogotá. III–1.

Costa Rica

Lohrengel, Ernest.—Tres Ríos. III–1.

Pastelería del Correo.—San José. III–1.

Tradt, Dora (Victoria).—San José. III–1.

Cuba

Eisner, Srecko W.—Habana. III–1.

Kubli, Hans Erich.—III–1.

Sulmanis, Morduchs.—Hotel Plaza, Habana. III–1.

Ecuador

Sánchez Z., Miguel A.—Guayaquil. III–1.

El Salvador

Koessler, Willi.—Arce 37, San Salvador. III–1.

Oertel, Elia Lainez de.—Delgado 23, San Salvador. III–1.

Oertel, Erich.—Delgado 23, San Salvador. III–1.

Oertel y Cía., Sociedad Colectiva.—Delgado 23, San Salvador. III–1.

Honduras

Acorda, Raymond.—San Pedro Sula. III–1.

McNab, Winfield.—Roatan. III–1.

Panama

Goldstein, Erwin.—Calle 10 No. 2.003, Colón. III–1.

La Favorita.—Calle 10 No. 2.003, Colón. III–1.

Paraguay

Dohmen, Federico.—Presidente E. Ayala esquina Méjico, Asunción. III–1.

Exportadora e Importadora del Paraguay S. A., Cia.—Presidente E. Ayala esquina Méjico, Asunción. III–1.

Kraus, Talleres Nacionales H.—Presidente Franco esquina 15 de Agosto, Asunción. III–1.

Peru

Fábrica de Aguas Gaseosas "La Perricholi".—Virrey Toledo 152, Lima. III–1.
Goda, Kumakichi.—Huacho. III–1.
Kajilla, Jorge.—Huacho. III–1.
Kato, Carlos M.—Lima. III–1.
Kato Uchida & Co., Ltda., C. M.—Hualgayoc 296, Lima. III–1.
Kato y Cia., S. A.—Avenida Los Incas 599, Lima. III–1.
Lau, Julio.—Gamarra 519, Trujillo. III–1.
Masaichi Tanaka, Francisco.—Virrey Toledo 152, Lima. III–1.
Ollanta [1] (auxiliary motor vessel owned by Wert Leemhuis.—III–1.
Panadería "La Higiénica".—Huacho. III–1.
Sano, Misao.—Morona 381, Lima. III–1.
Sano, Takeo.—A. Marquez 1756, Lima. III–1.
Sano Hermanos. — La Merced 620, Lima. III–1.
Stromsdorfer, Georg.—Casilla 665, Lima. III–1.
Takano, Manuel. — Mendoeita 139, Lima. III–1.

Uruguay

Dellepiane, Guido A.—Dr. Luis P. Lenguas 1551, Montevideo. III–1.
Dellepiane, Luis.—Tala 2258 (bis), Montevideo. III–1.
Ehemann, Willy W.—Mateo Vidal 3242, Montevideo. III–1.
Farmacia "Del Inca".—Yi 1214, Montevideo. III–1.
Gabriel, Eugenio.—Uruguay 910, Montevideo. III–1.
Goldstein, Willy.—Montevideo. III–1.
Gsaller, José.—Tuyuti 2797, Montevideo. III–1.
Hollweck, Federico.—Asamblea 4598, Montevideo. III–1.
Reinbacher, Rodolfo.—Constituyente 1663, piso 3, Apto. 6, Montevideo. III–1.
Schicke, Hermann.—Juan P. Laguna 3444, Montevideo. III–1.
South American Trading Company.—Cerrito 558, Montevideo, and all branches in Uruguay. III–1.
Vitale Manfredi, Félix.—Camino Ariel 4760, Montevideo. III–1.
Von Pieverling, Pablo F. G.—Puerto del Sauce, Departamento de Colonia. III–1.

Venezuela

Adler, Ernst.—Apartado 1941. Caracas. III–1.
Agencia Meteor.—Apartado 1406, Caracas. III–1.
Gottlieb, Gerhard.—Edificio Washington 42, Caracas. III–1.
Gottlieb, Helmuth.—Apartado 1492, Caracas. III–1.
Hacienda "El Negrito".—San Casimiro. III–1.
Mata, Ramón.—Puerto Cabello. III–1.
Matthies, Roland.—Caracas. III–1.
Paúl H., Otto (Dr.).—Avenida del Trabajo, El Paraiso, Caracas. III–1.
Pohrt, Federico (Dr.).—El Paraíso, Caracas. III–1.
Preuss, Rudolf.—Hacienda El Negrito, San Casimiro. III–1.
Waldeck, Paul.—Caracas. III–1.
Winberg, Federico.—Caracas. III–1.
Zittlosen, Hans (Jr.).—Maracaibo. III–1.
Zittlosen, Hans (Sr.).—Maracaibo. III–1.
Zumfelde, Herman.—Caracas. III–1.

[1] Auxiliary motor vessel which previously appeared in footnote to Wert Leemhuis.

AMENDMENTS

Argentina

For Banque Française et Italienne pour l'Amérique du Sud S. A.—Buenos Aires, and all branches in Argentina, *substitute* Banco Frances e Italiano para la America del Sud S. A.—Buenos Aires, and all branches in Argentina.
For "Continental" Compañía Transatlántica de Caoutchouc S. A.—Lavalle 1681, Buenos Aires, *substitute* "Continental" Compañía Transatlántica de Caoutchouc S. A.—25 de Mayo 145, Buenos Aires.
Relative to Moreira, Juan Carlos.—Cangallo 559, Buenos Aires, *see* footnote 1.

Chile

For Boletín Relámpago. — Valdivia, *substitute* Radio Relámpago.—Valdivia.

Colombia

For Bauer, Carlos.—Carrera 4, Calles 13 y 14, Cali, *substitute* Brauer, Carlos.—Carrera 4, Calles 13 y 14, Cali.
For Hungenbach, Francisco.—Medellín, *substitute* Hugenbach, Francisco.—Medellín.
Relative to Núñez B., Emilio.—Apartado Nacional 648, Barranquilla, *see* footnote 2.

Mexico

For Arvide, Manuel.—Avenida Independencia 91, Veracruz, *substitute* Arvide, Manuel.—

Peru

For Furukawa, K.—Huacho, *substitute* Furuzawa, Carlos.—Huacho.
For Koike, Juan S.—Junín 642, Trujillo, *substitute* Koide, Juan Saburo.—Junín 642, Trujillo.

Uruguay

For Buch y Basso.—Mercedes 950, Montevideo; *substitute* Buch y Basso.—Paysandú 935, Montevideo.
For Delfino y Espinosa, Eduardo.—Piedras 439 y Durazno 1818, Montevideo, *substitute* Delfino y Espinosa, Eduardo.—25 de Mayo 477 y Durazno 1818, Montevideo.
For Nantillo Alfonso.—Rincón 472 y José Ellauri 1034 (Casilla 108), Montevideo, *substitute* Nantillo, Alfonso.—Cerrito 558 y Ellauri 1034 (Casilla 108), Montevideo.

[1] Not to be confused with Carlos Moreira, Isabel La Católica 110–116, Buenos Aires.
[2] Not to be confused with Emigdio Núñez Valle, or his firm E. Núñez V. y Cía., Barranquilla.

DELETIONS

Argentina

Buenos Aires (steamship previously appearing in footnote to "Argentina" Nueva Compañía General de Navegación S. A.).—

Bolivia

Barron y Rauthmann.—Cochabamba.
Fábrica de Alcoholes Tunari.—Cochabamba.
Fábrica Nacional de Alcoholes.—La Paz.
Ferretería y Barraca Nacional.—Bolivar esquina Buenos Aires (Casilla 102), Oruro; and Potosí.
Günther Sucrs. Inc., Ernesto.—Sorata.
Tapia, Joaquín.—Mercado esquina Socabaya, La Paz.

Brazil

Administradora Industrial, S. A.—Rua Guaycurús, São Paulo.
Fábrica Fiel, Ltda.—Rua Guaycurús 225, São Paulo.
Fiação e Tecelagem São Leopoldo Ltda.—São Paulo.
Isolectra, Ltda.—Rua Julio Colaco 59, São Paulo.
Wanderley e Cia., Ltda., Tercio.—Rua do Comercio 508–518, Maceió Alagôas.

Chile

de Flores, Francisco P.—Prat 871 (Casilla 1425), Valparaiso.
Echeverría, Renard y Cía., Ltd.—Santiago.
Industrial del Aysen, Soc.—Arturo Prat 871 (Casilla 1425), Valparaiso.
Pichaida, Georg.—Bandera 575 (Casilla 1303), Santiago.

Colombia

Cardinali, Vicente.—Barranquilla.
Fadul y Cía., Miguel.—Calle de la Soledad 125, Cartagena.
Importadora Santander, Ltda.—Cúcuta.
Pérez U., Laureano.—Medellín.

Ecuador

Bar "Piedra".—Tulcán.

Guatemala

Central American Plantations Corporation.—3a Avenida Sur 3, Guatemala, Guatemala, and all branches in Guatemala.
Finca "Concepción-Candelaria".—La Reforma, San Marcos.
Finca "El Pensamiento-Palmira".—Colomba, Quezaltenango.
Finca "El Porvenir".—San Pablo, San Marcos.
Finca "Morelia-Santa Sofía".—Yepocapa, Chimaltenango.
Finca "San Andrés Osuna".—Escuintla, Escuintla.
Finca "San Augustín".—Patulul, Suchitepequez.
Finca "San Francisco Miramar".—Colomba, Quezaltenango.
Finca "San Luis".—Malacatán, San Marcos.
Hacienda "Chocolá".—San Pablo Jocopilas, Suchitepequez.
Hacienda "El Reposo".—Génova, Quezaltenango.
Ingenio "Palo Gordo".—San Antonio Suchitepequez, Suchitepequez.

Mexico

Abastecedora de Cal de Apasco, S. A.—Ferrocarriles Nacionales 155, México, D. F.
Berentsen, Lambertus.—Palma 308 (Apartado 1009), México, D. F.
Calera de Apasco S. A., Cía.—Ferrocarriles Nacionales 155, México, D. F.
Calidra, S. A.—Ferrocarriles Nacionales 155, México, D. F.
Farmacia Arvide.—Avenida Independencia 91, Veracruz.
Riefkohl, Alejandro.—Ferrocarriles Nacionales 155, México, D. F.
Riefkohl, Luis.—Ferrocarriles Nacionales 155, México, D. F.

Panama

Hess, Aurora Meléndez de.—Bolivar 4062, Colón.

Peru

Fleischmann, Mayo y Cía.—Pasaje Olaya 162, Lima.
Negociación Gerbolini, S. A.—Paseo República 299 (Casilla 68), Lima.
Stein Abrill, Alfonso.—Mercaderes 136, Arequipa.

Venezuela

Banco Alemán Antioqueño.—Caracas, and all branches in Venezuela.
Carrizales y Cía., Luis R.—Apartado 1093, Caracas.

PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS

ADDITIONS

Iran

Daneshvar, Abdul Rassoul.—Ave. Boozarjomehri, Seray Omid, Tehran. III–1.
Touba, Feredj.—Jahan Ara St. 6, Isfahan, and all branches in Iran. III–1.

Morocco

Spanish Morocco

Agricola del Lukust Cia.—Larache. III–1.
Alwin, Georg.—Ave. Las Palmeras, "Chalo Latorre", Tetuan. III–1.
Amselem, Mesod.—Larache. III–1.
Ayuso, Sanchez Aranda y Cia. Ltda.—Ave. Reyes 6, Melilla, and at Tetuan. III–1.
Benaim Hatchuel, Alfonso.—Tetuan. III–1.
Carranza, Jose Leon.—Larache. III–1.
Carranza, Ramon.—Larache. III–1.
Carranza & Bernhardt, S. A.—Tetuan. III–1.
Colombo, Ettore.—Tetuan. III–1.
Diaz Olalla, Enrique.—Larache. III–1.
Gomendio, Jose.—Larache. III–1.
"Hisma" Ltda.—Tetuan. III–1.
Hispano-Marroqui de Transportes, Soc. Ltda.—Tetuan. III–1.
Industrias del Cuero S. A.—Tetuan. III–1.
Kraemer, Eugen.—Melilla. III–1.
"La Tecnica".—Calle General Prim 12, Tetuan. III–1.
Lukus Cia., Agricola del.—Larache. III–1.
Lupo, Andrea.—Larache. III–1.
Mawick Schieff, Francisco.—Calle Cardinal Cisneros 9, Tetuan. III–1.
Mawick, Lupo & Co. Ltd. (Unitas Ltd.).—Calle Cardinal Cisneros 9, Tetuan. III–1.
Minera Mauretania S. A., Cia.—Tetuan. III–1.
Paege Sandau, Fred.—Apartado 98, Tetuan. III–1.
Renschhausen, A. & Co.—Tetuan and Larache. III–1.
Rödelheimer, H.—Kaa-el-Hafa, Tetuan. III–1.
Rudt, E. "La Tecnica".—Calle General Prim 12, Tetuan. III–1.
Schultz y Cia., Soc. Ltda., Wilhelm.—Calle Falange de Marruccos 19, Tetuan. III–1.
Stettler, Hans.—Tetuan. III–1.
Wilmer, H. & O. (Sucrs. to H. Toennies).—Calle O'Donnell 12, Tetuan. III–1.

Tangier International Zone

Abecassis, Nissim.—Bvd. Pasteur 36, Tangier. III–1.
Accarias, Paul.—Calle de Belgica 3, Tangier. III–1.
Agence Industrielle Marocaine.—Bvd. Pasteur 82, Tangier. III–1.
Agricola del Lukus Cia.—Tangier. III–1.
Alling, Franz.—Riff Hotel, Tangier. III–1.
Ayuso, Sanchez Aranda y Cia., Ltda.—Bvd. Pasteur 2, Tangier. III–1.
Banca di Tangeri.—Calle America del Sur 5, Tangier. III–1.
Banque Commercial du Maroc S. A.—Tangier. III–1.
Barrada, Abdelkader ben Omar.—Wad Ahardan 84, Tangier. III–1.
Bata, Calzados S. A.—Rue de Fez 68, Tangier. III–1.
Bendelac, Salomon.—Calle Esperanza Orellana 51, Tangier. III–1.
Benhaim, S. M.—Azancot Bldg., Grand Socco, Tangier. III–1.
Boland, Georges.—Calle Sidi Amar 42, Tangier. III–1.
Botbol, A. J.—La Mascota, Calle Siaguins 11, Tangier. III–1.
Brahim, Hassan Hadj.—Rue Moses Pariente 28, Tangier. III–1.
Cabanita, Antonio Coelho.—Hotel Becerra, Tangier. III–1.
Carranza, Jose Leon (owner of S. T. "Turquesa").—Tangier. III–1.
Carranza, Ramon (owner of S. T. "Blanca de C", "Paco", "Punta Alcazar", 'Punta Azamor", "Punta Paloma", "Punta Sabinal", "Ramon de Carranza", and "Reina Victoria").—Tangier. III–1.
Cirrito, Giuseppe.—Rue de Fez 29, Tangier. III–1.
Cominex S. A.—Rue du Dr. Fumey 46, Tangier. III–1.
Comptoir Commercial Marocain.—Rue Tannerie 7, Tangier. III–1.
Corrocheano, Armando.—Bvd. Pasteur 35, Tangier. III–1.
Dalamal, H. & Sons (H. Dalamal).—Calla Cristianos 6, Tangier. III–1.
Delmar, Jaime.—Bvd. Pasteur 31B, Tangier. III–1.
Depeche Marocaine.—Rue Goya 13, Tangier. III–1.
Di Dio S. T. I. E.—Rue Velazquez 16, Tangier. III–1.
El Comercio de Marruecos.—Calle Cristianos 6, Tangier. III–1.
Erola, Francisco.—Calle Nueva 11–15, Tangier. III–1.
Flavia, La Maison.—Bvd. Pasteur 36, Tangier. III–1.
Furlan, Louis.—Rue d'Italie (Entrada Fondak del Trigo), Tangier. III–1.
Gomendio, Jose.—Tangier. III–1.
Grange, Bernard de la.—Rue Rembrandt 4, Tangier. III–1.
Grebler, Albert.—Bvd. Antee 11, Tangier. III–1.
Guessus, Abdelghani.—Wad Ahardan 84, Tangier. III–1.
Hafner, Ernesto.—Rue Delacroix 13, Tangier. III–1.
Haggenmacher, Paul.—Rue Tannerie 7, Tangier. III–1.
Hollander, Emanuel.—Rue Goya 43, Tangier. III–1.
Jangl, Josef ("Jas" Export & Import).—Immeuble Moya, Rue du Dr. Fumey, Tangier. III–1.
"Jas" Export & Import–Josef Jangl.—Immeuble Moya, Rue du Dr. Fumey, Tangier. III–1.
Jimenez Beltran, Diego.—Tangier. III–1.
Kabadj, Sidel Hassan.—Calle Comercio 47, Tangier. III–1.
L. U. C. I. A.-L'Union Commerciale Indochinoise & Africaine.—Rue Rembrandt 4, Tangier. III–1.
La Mercantil Ultramarina.—Rue du Statut 79, Tangier. III–1.
Lemoigne, Emile.—Rue Rembrandt, Immeuble Chene, Tangier. III–1.
Likatscheff, Elena.—Calle Buonni 24, Tangier. III–1.
Losbichler, Ludwig.—Apartado 54, Tangier. III–1.
Lukus Cia., Agricola del.—Tangier. III–1.
L'Union Commerciale Indochinoise & Africaine (L. U. C. I. A.).—Rue Rembrandt 4, Tangier. III–1.
Mairati, Nino.—Italian School, Tangier. III–1.
Maman, David.—Rue du Statut 43, Tangier. III–1.
Maman, Judah A.—Rue du Statut 43, Tangier. III–1.
Marco, Rodolfo.—Cassas Mellado 21, Tangier. III–1.
Martin, Paul V.—Hotel Lutetia, Tangier. III–1.
Mas, Pierre.—Rue Goya 13, Tangier. III–1.
Masi, Guiolia, Miguel.—Hotel Lutetia, Tangier. III–1.
Mencarelli Santirelli, Amadeo.—Hotel Minzah, Tangier. III–1.
Munoz Massa, Juan J.—Rue Semmarin 26, Tangier. III–1.
Oesch, Ernst.—Tangier. III–1.
Oswald, R.—Hotel Lutetia, Tangier. III–1.
Paganetto, Antonio.—Hotel Lutetia, Tangier. III–1.
Pelissa, Jacques.—Marshan, Tangier. III–1.
Perez, Jacques M.—Hotel Lutetia, Tangier. III–1.
Petri, Ditta Achille.—Ave. d'Espagne 24, Tangier. III–1.

Pinto, Aaron M.—Rue Raphael 5, Tangier. III–1.
Prata, U. M. da Costa.—Tangier. III–1.
Renschhausen, A. & Co.—Tangier. III–1.
Rolny, S. A. Marocaine des Vetements.—Rue du Statut 69, Tangier. III–1.
S. T. I. E. (Di Dio).—Rue Velazquez 16, Tangier. III–1.
Schnitzer, Rudolfo.—Riff Hotel, Tangier. III–1.
Sciuto, Humberto.—Bvd. Pasteur 36, Tangier. III–1.
Société Générale d'Entreprise et de Commerce.—Rue Wagner 1, Tangier. III–1.
Tanger S. A.—Calle Rusia 10, Tangier. III–1.
Union Co-operative Marocaine.—Rue de la Plage 88, Tangier. III–1.

Portugal and Possessions

Portugal

Aguiar, Adriano Lopes de.—Rua Tomaz Ribeiro 32, Lisbon. III–1.
Beck, Op der, Werner.—Hotel das Duas Nacoes, Lisbon. III–1.
Benarroya, Henrique.—Hotel Metropole, Lisbon. III–1.
Bianca, Edoardo Giuseppe.—Rua das Pedras Negras 3, Lisbon, and at Matozinhos, Oporto. III–1.
Braz & Bras Irmaos, Ltda.—Silves. III–1.
Castro, Augusto de.—Ave. da Liberdade 144, Lisbon. III–1.
Centro Cafeeiro Ltda.—Rua Ivens 10–10A, Lisbon. III–1.
Continental Metalurgica Ltda., Soc. ("Socomet").—Rua das Pedras Negras 3, Lisbon. III–1.
Efel–Empresa Fabril e Exportadora Ltda.—Rua Herois de Franca 315, Matozinhos, Oporto, and all branches in Portugal. III–1.
Einhart, Hubert.—Rua dos Douradores 83, Lisbon. III–1.
Einhart Ltda.—Rua dos Douradores 83, Lisbon. III–1.
Empresa Fabril e Exportadora Ltda. (Efel).—Rua Herois de Franca 315, Matozinhos, Oporto, and all branches in Portugal. III–1.
Franco, Matilde Helena Queiroz.—Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. III–1.
Garrochinho & Cia. Ltda., Bernardo.—Estrada do Cemiterio, Silves. III–1.
Geral Comercial Ltda.—Rua Ivens 56, Lisbon. III–1.
Geral Mercantil do Atlantico Ltda., Cia.—Rua das Pedras Negras 3, Lisbon. III–1.
Gomes de Sa, Henrique Alberto.—Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. III–1.
Guerreiro, Bernardo.—Santiago do Cacem. III–1.
Guimaraes, Joaquim de Oliveira.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III–1.
Guimaraes & Franco Ltda., Oliveira.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III–1.
Guimaraes, Furtado & Co., Ltda.—Praca D. Filipa de Lencastre 14, Oporto, III–1.
Hartmann, Henri.—Pensao Colonial, Rossio 59, Lisbon. III–1.
Induca-Industria e Comercio Ltda.—Rua Ivens 56, Lisbon. III–1.
Industria e Comercio Ltda. (Induca).—Rua Ivens 56, Lisbon. III–1.
Leopardi, Corrado.—Rua das Pedras Negras 3, Lisbon. III–1.
Lima, Manoel Lobo d'Avila.—Rua da Vitoria 53, and Ave. Joao Crisostomo 13, Lisbon. III–1.
Loewenthal, Fritz.—Travessa Larga 11, and Rua Barros Queiros 39, Lisbon. III–1.
Mazzoni, Giacomo.—Travessa das Andrezas 90, Oporto. III–1.
Metallum, Ltda.—Rua das Pedras Negras 3, Lisbon. III–1.
Oliveira Guimaraes & Franco Ltda.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III–1.
Parreira, Joaquim Varandas.—Travessa de Carvalho 15, Lisbon. III–1.
Perlo, Alessandro.—Hotel Americano, Lisbon. III–1.
Peter, Martin.—Rua da Prata 54, and Ave. da Republica 87, Lisbon. III–1.
Products Exchange Co.—Travessa Larga 11, and Rua Barros Queiroz 39, Lisbon. III–1.
Reis, Antonio da Cunha.—Rua dos Douradores 83, Lisbon. III–1.
Rizzetti, Italo.—Rua Victor Cordon 14, Lisbon. III–1.
Sa, Henrique de (Henrique Alberto Gomes de Sa).—Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. III–1.
Salinas, Jose Maria.—Rua dos Fanqueiros 250, Lisbon. III–1.
Salsicharia Favorita Ltda. Soc.—Rua do Ouro 283, Lisbon. III–1.
Santos, Eladio dos.—Rua Bernardo Lima 27, Lisbon. III–1.
Schick, Alfredo.—Calcado do Lavro 22, and Rua Braam Camp 10, Lisbon. III–1.
Schunck, Karl.—Rua de S. Juliao 72, Lisbon. III–1.
Seixas & Co. Ltda., Fernando Coimbra.—Praca D. Filipa de Lencastre 14, and Rua de Fabrica 67, Oporto. III–1.
"Socomet"—Soc. Continental Metalurgica Ltda.—Rua das Pedras Negras 3, Lisbon. III–1.
Terol Miralles, Antonio.—Rua dos Fanqueiros 250, Lisbon. III–1.
Vaz Ribeiro, Figueiredo & Co. Ltda.—Praca D. Filipa de Lencastre 14, Oporto. III–1.

Angola

Fazenda Coporolo.—Ganda, Benguela. III–1.
Hey, Eibe Dittmar.—Fazenda, Coporolo, Ganda, Benguela. III–1.

Spain

Bastian, Dr. Walter.—Serrano 135, Madrid. III–1.
Beck, Op der, Werner.—Calle Ibiza 28, Madrid. III–1.
Becker Wolf, Juan.—Provenza 379–381, Barcelona. III–1.
Benavent y Marx, Soc. Ltda.—Valencia 277, Barcelona. III–1.
Bleckmann y Cia. Ltda.—Plaza Cataluna 9, Barcelona, and Rodriguez Arias 3, Bilbao. III–1.
Conservas Sacco S. A.—Coya, Vigo. III–1.
Construcciones Agricolas Soc. Anon. de (S. A. C. A.).—Gago 5, Seville. III–1.
Diana Gil, Luis.—Calle Maestro Chapi 16, Carcagente, Valencia. III–1.
Ferrari, Vicente.—Calle Balmes 32, Barcelona. III–1.
Gaggero, Attilio.—M. Rios, Bueu, Pontevedra. III–1.
Gandolfo, Pietro.—Castelar 2, Vigo. III–1.
Giordani, Gustavo.—Provenza 243, Barcelona. III–1.
Hafner, Ernesto.—Ave. Gen. Franco 7, Malaga. III–1.
Klaebisch, Alfredo.—Via Layetana 149–151, and Ave. del Generalisimo 520, Barcelona. III–1.
Kopp, Luis.—Aragon 266, Barcelona. III–1.
Mittrach, Walter.—Ave. Gen. Franco 368, Barcelona. III–1.
Muller Bergh, Alfredo.—Calle Aguirre 12, Bilbao. III–1.
Paganini, Antonio.—El Forte, Cangas de Morrazo, Pontevedra. III–1.
Paganini, Guido.—Ed. Sanchon, Policarpo Sanz, Vigo. III–1.
Pastor Fernandez, Eusebio.—Coya, Vigo. III–1.
Perez Munoz, Joaquin.—Puerto del Mar 24, Malaga. III–1.
Polonioli, Giovanni.—Ave. Jose Antonio 63, Madrid. III–1.
Reinicke, Heinrich Volkmer.—Espartero 25, and Las Arenas, Bilbao. III–1.
S. A. C. A.-Soc. Anon. de Construcciones Agricolas.—Gago 5, Seville. III–1.
Samstag, Ernesto.—Calle Balmes 336, Barcelona. III–1.
Schilling, Ricardo.—Galileo 28, Madrid. III–1.
Simo Climent, Gonzalo.—Carreteria 54, Malaga. III–1.
Simo Perez, Manuel.—Carreteria 54, Malaga. III–1.
Soderi, Remo.—Calle Travesera 51, Barcelona. III–1.
Terol Miralles, Antonio.—Alicante. III–1.
"Transocean".—Serrano 135, Madrid. III–1.
Wirth Svalina, Roberto.—Antonio Maura 8, Madrid. III–1.

Sweden

Berania, Rederi A/B.—Stureplan 19, Stockholm. III–1.
Jacobsson, David Sturet Albert.—Stureplan 19, Stockholm. III–1.
Jacobsson, Mrs. Karin Matilda.—Stureplan 19, Stockholm. III–1.
Malmo Skeppsfargfabrik A/B.—Norra Vallgatan 70, Malmo. III–1.
Sodra Vaxelkontoret.—Hornsgatan 78, Stockholm. III–1.
Sydsvenska Farg & Ferniss Fabriken A/B.—Karl Krooksgatan 86, Halsingborg. III–1.
Unic A/B.—Birger Jarlsgatan 5, Stockholm. III–1.
Wennberg, Eric T. G. E.—Hornsgatan 78, Stockholm. III–1.
Widlund, Baltzar.—Hornsgatan 78, Stockholm. III–1.

Switzerland

"Aria" Automobil-Reifen-Import A. G.—Limmatstr. 214, Zürich. III–1.
Baeumlin, Jakob.—Oberergraben 32, St. Gallen. III–1.
Baeumlin & Cie., Ernst.—Oberergraben 32, St. Gallen. III–1.
Bianca Freres (Bianca Gebrueder).—Hafnerstr. 10, Zürich. III–1.
Biscuits Pernot, S. A.—Rue do Mole 2, Geneva. III–1.
Christoff, Sava.—Stockerstr. 54, Zürich. III–1.
Crastis Verwaltungs A. G., Soc.—Bahnhofstr., Zürich. III–1.
Fornaciarini, Enea.—Via Soldini 25, Chiasso. III–1.
Giussani, Luigi.—Via Soldini 25, Chiasso. III–1.
Giussani & Fornaciarini.—Via Soldini 25, Chiasso. III–1.
Guhag A. G. (Gummihandels A. G.).—Roveredo, Grisons. III–1.
Hoffmann, G. (Frankfurt-am-Main, Filiale Basel).—Aeschengraben 13, Basel. III–1.
"Illy-Cafe".—Hohlstr. 86, Zürich. III–1.
Lindt, Otto.—Bahnhofstr. 74, Zürich. III–1.
Martenson, Colonel Bertel.—Arveyes, Villars-Sur-Ollon, Vaud. III–1.
Miglietti, Remo.—Rue de la Terrassiere 9, Geneva. III–1.
Scheyer, F. J. M.—Leonhardstr. 1, Zürich. III–1.
Schlaraffiawerk A. G.—Gueterstr, 133, Basel. III–1.
Technica AG.—Schutzengass 32, Grenchen. III–1.
Voser, Josef.—Riedmattstr. 4, Zürich. III–1.

Turkey

Alliotti, Enrico.—Izmir. III–1.
Danon & Co., David.—Istanbul. III–1.
Uc Halka Turk Ltd., Sirketi.—Ankara. III–1.
Visentini, P.—Minar Kemalettin Cad. 3, Izmir. III–1.

AMENDMENTS

Iraq

Relative to Abdeni, Ernest, *for* Baghdad, *substitute* 2–33 Khan Astarabadi, Rewaq St, Baghdad.
Relative to Abdeni, Gabriel, *for* Baghdad, *substitute* 2–33 Khan Astarabadi, Rewaq St, Baghdad.
Relative to Abdeni, G. G. & Co. Ltd., *for* Baghdad, *substitute* 2–33 Khan Astarabadi, Rewaq St, Baghdad.

Portugal and Possessions

Portugal

Relative to Cappanari, Silvio, *for* Lisbon, *substitute* and Ave. da Liberdade 164, Lisbon.
Relative to Polonia, Adao Pacheco, *add* Owner of Trawlers "Carlos Alberto", "Gaivina", "Goncalo Zarco", and "Sa Da Bandeira".
For Sousa, Pedro Jesus de, *substitute* Sousa, Pedro Joao de *and add* Owner of "Guadiana 4°", S. T. "Maria 3°", S. T. "Maria 5°" and M. T. "Maria Manuela".

Mozambique

Relative to Toennies, Gustav, *for* Lourenço Marques, *substitute* Mozambique.

Spain

For De Filipo, C., *substitute* Filipo, C. de.
For Del Manzono Parody, Antonio, *substitute* Del Manzano y Parody, Antonio.
Relative to Industria y Comercio del Automobil Ltda., *for* and at Vigo, *substitute* and all branches in Spain.

Switzerland

For "Cipa" D'Importation de Produits Alimentaires Cie et Agricoles S. A., *substitute* "Cipa" Compagnie D'Importation de Produits Alimentaires.
For D'Importation de Produits Alimentaires Cie. et Agricoles "Cipa" S. A., *substitute* Compagnie D'Importation de Produits Alimentaires "Cipa".
For Hangartner, W., *substitute* Hangartner, Willy (Verkaufsbureau Pronto).
Relative to Merk & Co., Max, *for* Stampfenbachstrasse 70, *substitute* Linteschergasse 13.

DELETIONS

Portugal and Possessions

Portugal

Albuquerque, Oscar de.—Travessa Nova de S. Domingos 9, Lisbon, and Queluz Sintra.
Borges, B. J. Ltda.—Rua Maury 5, Caixa Postal 330, Lisbon.
Cabrita, A. J.—Rua do Amparo 25, and Ave. Manuel de Maia 26, Lisbon, and at Albufeira, Algarve.
Cabrita, Joaquim Vinhas.—Rua do Amparo 25, Lisbon, and at Albufeira, Algarve.
Cerqueira, Francisco Jose.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon.
Cerqueira Jnr., Francisco Jose.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon.
Chocolates Camarana Ltda., Soc. de.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon.
Lazaro, Bonifacio.—Rua da Saude, Setubal.
Leitao & Lilienthal Ltda.—Praca dos Restauradores 13, Lisbon.
Lewandowsky, Georg.—Caixa Postal 360, Lisbon.
Moreno, Edelmiro.—Rua San Juliao 48, and Hotel Suisso Atlantico, Rua da Gloria 3, Lisbon.
Nogueiro, Ermando Borges.—Rua de S. Damaso 51, Guimaraes.
Scheyer, Paul.—Rua Passos Manuel 174–178, Oporto.
Suhl, Henry.—Lisbon.

Angola

Fazenda Belo Horizonte Ltda.—Dembos.

Maderia

Maderia Embroidery Co. Ltd.—Rua do Conselheiro 39, Caixa Postal 52, Funchal.

Spain and Possessions

Fernando Po and Spanish Guinea

Kells.—Calatrava, Kogo.

Switzerland

Arpic, S.A. Etablissements.—Rue St. Leger 6, Geneva.
Etablissements Arpic, S. A.—Rue St. Leger 6, Geneva.
Kuhner, Heinrich.—Basel.

Turkey

Aciman ve Ortaklari, Molz.—Istanbul.
Cuhaci, Mirza Ali.—Tahtakale, Menase Han 45, Istanbul.
Inkisaf Ticarte, Anadolu Sirketi Ldt.—Yenigun 1329 ncu S, Izmir, and all branches in Turkey.
Kastoryano, Marko.—Istanbul.
Ojalvo, Jacques.—Cicekpazar, Ostratyadi Hans 3, Istanbul.
Societie pour le Developpement de Commerce en Orient Ltd.—Yenigun 1329 ncu S, Izmir, and all branches in Turkey.
"Sodor".—Yenigun 1329 ncu S, Izmir, and all branches in Turkey.

[F. R. Doc. 42-8490; Filed, August 29, 1942; 10:42 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1548]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R–I, § 333.7 (*Special prices—*(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is

amended by adding hereto Supplement R–II, § 333.7 (*Special prices*—(b) *Prices for shipment by railroad, applicable only for blacksmithing use for all destinations in market areas as listed*) is amended by adding thereto Supplement R–III, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R–IV, § 333.24 (*General prices*) is amended by adding thereto Supplement R–V, § 333.25 (*Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R–VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr (Carr Coal Company) or as to the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell (Tennessee Valley Coal Company) for the reasons set forth in an order severing that portion of Docket No. A–1548 which relates to them and designating such portion as Docket No. A–1548 Part II and scheduling a hearing therein.

No provision is made herein for shipment by river for the Nunley Mine (Mine Index No. 1597) of H. Y. Nunley, Phillips Mine (Mine Index No. 1606) of J. T. Phillips and Alexander No. 2 Mine (Mine Index No. 1631) of C. B. Alexander, which are truck mines in Tennessee, for the reason that no request for f. a. s. prices for them has been made. Free alongside prices will only be made applicable to these mines when proposed or requested in a proper 4 II (d) petition.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

DISTRICT No. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 *General prices*—Supplement R–I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine Index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	BLOUNT COUNTY, ALA.				
1561	Cannon & Hampton (Dewey Cannon)	Cannon [1]	1	Black Creek	31
215	Costlow, G. F.	Costlow Drift [2]	1	Jagger	31
	JEFFERSON COUNTY, ALA.				
1635	Wright, G. E.	Wright #2 [3]	1	Blue Creek	31
	TUSCALOOSA COUNTY, ALA.				
538	McBride, E. E.	McBride Coal Co. [4]	1	Carter	42
	WALKER COUNTY, ALA.				
984	Bonner, Cleo	Bonner & Wideman [5]	1	Black Creek	110
569	Bonner, M. J.	Bonner [5]	1	Black Creek	110
994	Keeton & Keeton	Keeton [5]	1	Black Creek	110
1642	Drummond, H. E.	Drummond #3 [5]	1	Black Creek	80

[1] Shipping Point: Warrior, Ala. Railroad: L&N. This mine shall have in Size Group 13 on each respective price table a price which is 10¢ less than that respectively listed in Size Group 12 for Mine Index No. 76 (Moss & McCormack Coal Company, Carbon mine, Price Schedule No. 1).

[2] Shipping Point: Inland, Ala. Railroad: L&N. This mine shall have in Size Groups 13, 22, and 23, on each respective price table, prices which are 10¢ less than those respectively listed in Size Groups 12, 17, and 18, for Mine Index No. 33 (Galloway Coal Company, Holly Grove mine, Price Schedule No. 1).

[3] Shipping Point: Weller, Ala. Railroad: L&N. This mine shall have in Size Group 13 on each respective price table a price which is 10¢ less than that respectively listed in Size Group 12 for Mine Index No. 68 (Porter Coal Co., Porter mine, Price Schedule No. 1, but was succeeded by Adams, Rowe & Norman, Inc.).

[4] Shipping Point: Coaling, Ala.; Railroad: So. Ry. This mine shall have in Size Group 13 on each respective price table, the same price as is listed thereon in that size group for Mine Index No. 9 (Black Diamond Coal Mining Co., Blocton #9 mine, Price Schedule No. 1): and in Size Groups 19, 22, and 23, on each such table, this mine shall have price which are respectively the same as those listed in Size Groups 15, 17, and 18, for Mine Index No. 17 (Southern Coal & Coke Company, Boothton mine, Price Schedule No. 1).

[5] Shipping Point: Nauvoo, Ala.; Railroad: So. Ry. These mines shall have in Size Groups 1, 2, 4, 6, 13, 17, and 18, on each respective price table, the same prices as are listed in these respective size groups for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1): these mines shall have in Size Groups 7, 22, and 23, on each such table, prices which are 10¢ less than those respectively listed in Size Groups 6, 17, and 18, for said Mine Index No. 14: and these mines shall have in Size Group 12 on each such table, a price which is 10¢ higher than that provided herein for Size Group 13.

[6] Shipping Point: Rosemary, Ala. Railroad: SL-SF. This mine shall have in Size Groups 1, 4, 6, 18, and 26, on each respective price table, the same prices as are listed in these respective size groups for Mine Index No. 22 (DeBardeleben Coal Corporation, Empire mine, Price Schedule No. 1): and this mine shall have in Size Groups 7 and 23, on each such table, prices which are 10¢ less than those respectively listed in Size Groups 6 and 18 for said Mine Index No. 22. This mine shall have in Size Group 12 on each respective price table, a price which is 20¢ higher than that listed in Size Group 13 for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1): and this mine shall have in Size Group 13 on each such table, a price which is 10¢ higher than that listed in this size group for said Mine Index No. 14.

§ 333.7 *Special prices* (a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R–II. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply.

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads; for mines in Subdistrict No. 1. For all sizes customarily furnished railroads for locomotive fuel]

Mine Index Nos.	Central of Georgia [1]	Seaboard Air Line Railway [1]	St. Louis & San Francisco R. R. for consignment west of the Mississippi River	St. Louis & San Francisco R. R. for consignment east of the Mississippi River	All other railroads not specifically shown
215, 538, 569, 984, 994, 1642	220	220	200	220	220

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to commercial establishments whose purchases of coal are directly made by the controlling system.

§ 333.24 *General prices*—Supplement R–V

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine Index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	HAMILTON COUNTY, TENN.				
1505	Luttlur & Johnson (Marvin Johnson)	Luttlur & Johnson [1]	3	Soddy #12	20
	MARION COUNTY, TENN.				
1535	Henderson, A. L.	Floyd Tract, Pocket [1]	3	Sewanee	140
1624	Morgan & Caldwell (John L. Morgan)	Morgan & Caldwell #1 [2]	3	Sewanee	140
	DADE COUNTY, GEORGIA				
1564	Manis, Sam	Morris #1 [3]	3	Etna	190

[1] Shipping Point: Ruthburn, Tenn.; Railroad: CNO&TP. This mine shall have in each size group, on each respective price table, the same price as is listed for Mine Index No. 112, a price which is 10¢ less than that listed thereon for Mine Index No. 76 (Tennessee Products Corporation, Nelson mine, Price Schedule No. 1). In the price table for Market Area No. 112, this mine shall have in each size group, a price which is 5¢ higher than that listed thereon for said Mine Index No. 95.

[2] Shipping Point: Palmer, Tenn. Railroad: NC&StL. This mine shall have in each size group on each respective price table, the same respective price as is listed for Mine Index No. 95 (Tennessee Consolidated Coal Company, Palmer mine, Price Schedule No. 1).

[3] Shipping Point: Tracy City, Tenn. Railroad: NC&StL. This mine shall have in each size group on each respective price table, the same respective price as is listed for Mine Index No. 93 (Tennessee Consolidated Coal Company, Palmer mine, Price Schedule No. 1).

[1] Shipping Point: Ruthburn, Tenn.; Railroad: CNO&TP. This mine shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 20, 21, 22, 23, 24, 25, and 26, on each respective price table, the same price as is listed for Mine Index No. 112 (Tennessee Products Corporation, Nelson mine, Price Schedule No. 1); and in Size Groups 10, 11, 12, and 14, on each such table, respectively, a price which is 10¢ higher than that listed for Mine Index No. 95; and this mine shall have in Size Group 13 on each such table, a price which is 5¢ higher than that respectively listed in these size groups for said Mine Index No. 95. In the price table for Market Area No. 112, this mine shall have respectively, a price which is 5¢ higher than is listed in these size groups for said Mine Index No. 95.

[2] Shipping Point: Palmer, Tenn. Railroad: NC&StL. This mine shall have in each size group on each respective price table, the same respective price as is listed for Mine Index No. 95 (Tennessee Consolidated Coal Company, Palmer mine, Price Schedule No. 1).

[3] Shipping Point: Tracy City, Tenn. Railroad: NC&StL. This mine shall have in each size group on each respective price table, the same respective price as is listed for Mine Index No. 93 (Tennessee Consolidated Coal Company, Palmer mine, Price Schedule No. 1).

§ 333.7 *Special prices*—(b) *Prices for shipment by railroad, applicable only for blacksmithing use for all destinations in market areas listed*—Supplement R–III

[Prices f. o. b. mines for shipment by railroad, applicable only for blacksmithing use; for all destinations in market areas as listed, subject to price instructions and exceptions]

Mine Index No.	Subdistrict No.	Market areas in which prices apply	Price
1492	1	[111, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 139, 140, 141, 142, 143, 145, 146, 147, 148, 150, 151, 152, 153, 154, 155, 156, 157, 212] All market areas not listed above. For shipment to all railroads in all areas	425 350 425

SUB-DISTRICT NO. 1

§ 333.7 *Special prices*—(c) *Prices for shipment by railroads applicable to all coal sold for steamship vessel fuel*—Supplement R–IV

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel, subject to price instructions and exceptions]

Mine Index Nos.	Size groups and prices applicable for steamship vessel fuel				Mine Index Nos.	Size groups and prices applicable for steamship vessel fuel			
	Mine group	14, 15, 16, 17, 18	12	13	23	Mine group	14, 15, 16, 17, 18	12	13	23
569, 984, 994	Black Creek	285	285	275	538, 1369, 1523, 1584, 1583	Cahaba, Carbon Hill; Big Seam	270 245		270	
1642	Black Creek									

§ 333.25 *Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R–VI

[Prices f. o. b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses; for mines in subdistrict No. 3.

Mine Index No.	Size	Price
1524, 1535, 1564	(For all sizes except screenings [1] Screenings with top size not more than 2"	225
	(For all sizes except screenings [1] Screenings with top size not more than 2"	215 220 215
1505		

FOR TRUCK SHIPMENTS

§ 333.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine Index No.	Subdistrict	Seam	Lump: over 2"; egg: top size over 6"	Egg: top size 6" and under	Lump: 2" and under	Nut: top size 3" and under, bottom size ½"		Chestnut: top size 3" and under, bottom size ½" and under		Chestnut: top size 1¼" and under, bottom size ¾" and under		Run of mine modified R/M	Resultants: 3" and under		Screenings: 1¼"		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	24–26
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	
ALABAMA																			
BLOUNT COUNTY																			
Parker, George C.	Parker #2	1632	2	Berry Mountain	365	365	340	335	315	315	290	300	275	275	275	265	265	250	275
JEFFERSON COUNTY																			
Bryant & Bryant (C. H. Bryant)	Bryant #2	1601	2	Harkness	365	365	340	335	315	315	290	300	275	275	260	190	250	175	275
Wright, G. E.	Wright #2	1635	2	Blue Creek	290	290	------	310	------	300	------	------	------	------	265	------	250	------	------
MARION COUNTY																			
Gann & Gann (Claud Gann)	Gann #1	1607	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #2	1608	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #3	1609	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #4	1610	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #5	1611	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #6	1612	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #7	1613	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #8	1614	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #9	1615	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #10	1616	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #11	1617	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Gann & Gann (Claud Gann)	Gann #12	1618	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
SHELBY COUNTY																			
Norton, R. L.	Norton	1626	2	Upper Nunnally	280	280	275	295	275	------	------	270	250	230	235	200	230	180	230
WALKER COUNTY																			
Cobb, A. E.	Tucker #21	1596	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Drummond, H. E.	Drummond #3	1642	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290
Hall, James R.	Tucker #12	1619	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290

FOR TRUCK SHIPMENTS

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Code member index	Mine	Mine Index No.	Subdistrict	Seam	Lump: Over 2"; egg: top size over 5"	Egg: top size 6" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ½" and under	Stoker: top size ¾" and under, bottom size ¾" and under	Straight and modified M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ⅜" and under	Industrial coal*
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
HAMILTON COUNTY, TENN.																			
Alexander, C. B.	Alexander #2	1631	4	Soddy #10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
MARION COUNTY, TENN.																			
Nunley, H. Y.	Nunley	1597	4	Battle Creek	340	340	330	260	250	245	235	235	235	205	205	195	175	140	285
Phillips, J. T.	Phillips	1606	4	Sewanee	315	315	305	260	250	245	235	235	235	205	205	205	200	165	260

*For sizes included see Size Group Table, page No. 25.

[F. R. Doc. 42–8412; Filed, August 28, 1942; 11:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S–88]

JOSEPH POLLAK CORP.

Joseph Pollak Corporation of Boston, Massachusetts, is a manufacturer of automotive replacement parts and other items. The Company made an application under the Production Requirements Plan on Form PD–25A for the second quarter of 1942. On this application it represented that shipments having a dollar value of approximately $77,000 had been made on an A–2 preference rating during the first quarter of 1942 and that shipments having a dollar value of approximately $19,000 had been made on an A–10 preference rating during the same quarter. Almost all of these shipments were in fact made on unrated orders and, therefore, the Company's certification that such shipments had been made on orders bearing preference ratings of A–2 and A–10 constituted a wilful misrepresentation to the War Production Board in violation of Preference Rating Order P–90 and Priorities Regulation No. 1.

Based on the Company's application, a PD–25A certificate was issued to it entitling it to apply certain preference ratings specified therein to deliveries of certain quantities of steel sheets, cold rolled sheets and strips, and bronze sheets. The Company, however, applied such preference ratings to deliveries of much larger amounts of these materials and also applied a preference rating of A–1–a to the delivery of 8800 pounds of monel sheets although its PD–25A certificate did not permit it to extend any rating for such sheets. These extensions of preference ratings to obtain material in excess of the amounts authorized on Form PD–25A and to obtain other material which had not been authorized on a PD–25A certificate constituted wilful violations of Preference Rating Order P–90.

These violations of Priorities Regulation No. 1 and Preference Rating Order P–90 have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board.

In view of the foregoing facts, *it is hereby ordered:*

§ 1010.88 *Suspension Order S–88.* (a) Joseph Pollak Corporation, its successors and assigns, shall not accept delivery of, process, or fabricate any automotive replacement parts or any steel, copper, bronze, brass or monel sheets except as specifically authorized by the Director General for Operations.

(b) Joseph Pollak Corporation, its successors and assigns, shall not deliver any automotive replacement parts or any steel, copper, bronze, brass or monel sheets or products made therefrom except as specifically authorized by the Director General for Operations.

(c) Deliveries of material to Joseph Pollak Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries to Joseph Pollak Corporation by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board except as specifically authorized by the Director General for Operations.

(d) No allocation shall be made to Joseph Pollak Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board except as specifically authorized by the Director General for Operations.

(e) Nothing contained in this order shall be deemed to relieve Joseph Pollak Corporation from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect August 30, 1942, and shall expire on February 28, 1943, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8462; Filed, August 28, 1942; 1:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–93]

GOLD SEAL ELECTRIC SUPPLY CO.

Gold Seal Electric Supply Company is a Pennsylvania corporation with its principal place of business at 35 North Seventh Street, Philadelphia, Pennsylvania. The company is engaged in the sale of electrical supplies and fixtures and is a warehouse as defined in General Preference Order M–9–a.[1]

The Gold Seal Electric Supply Company violated General Preference Order M–9–a, as amended February 6, 1942, and May 7, 1942,[1] by making deliveries of substantial amounts of copper wire and cable on unrated orders and on rated orders which failed to bear the required preference ratings.

These violations of General Preference Order M–9–a have impeded and hampered the war effort of the United States by diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.93 *Suspension Order S–93.* (a) Deliveries of material to Gold Seal Electric Supply Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating orders, general preference orders, or any other orders or regulations of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Gold Seal Electric Supply Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Gold Seal Electric Supply Company, from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect August 29, 1942, and shall expire November 29, 1942, at which time the restrictions contained in this order shall be of no further effect. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8463; Filed, August 28, 1942; 1:57 p. m.]

[1] 7 F.R. 5980.

PART 1174—LAUNDRY EQUIPMENT, DRY CLEANING EQUIPMENT AND TAILORS' PRESSING MACHINERY

[Amendment 1 of General Limitation Order L–91, as Amended June 22, 1942]

Section 1174.1 *General Limitation Order L–91*,[1] as amended June 22, 1942, is hereby amended in the following respects:

1. Section 1174.1 (a) (3) is amended to read as follows:

(a) (3) "Distributor" means any person distributing, selling, or dealing in commercial laundry or dry cleaning machinery, or tailors' pressing machinery (whether new or second-hand) to the extent that he is engaged in such sales, dealing, or distribution, other than sales and distribution outlets controlled by a manufacturer.

2. Section 1174.1 (a) (4) is amended to read as follows:

(a) (4) "Commercial laundry machinery," "commercial dry cleaning machinery," and "tailors' pressing machinery," unless otherwise specified, include machinery of the kinds listed, from time to time, in List A attached to § 1174.1. New machinery of such kinds is machinery which has not previously been used or purchased for use. Second-hand machinery of such kinds is machinery which has previously been used or purchased for use, including rebuilt or reconditioned machinery. "Tailors' pressing machinery" shall include pressing machinery used by custom tailors or by pressing establishments, but shall not include pressing machines used in the mass production of garments or other textiles. "Commercial laundry machinery" and "commercial dry cleaning machinery" shall include machinery used in all types of laundering and cleaning establishments, such as, but not limited to, rug cleaning establishments and fur cleaning establishments, but shall not include electric hand irons, electrically heated steam irons or water spray irons, which are subject to the limitations of General Limitation Order L–65.[2]

3. Section 1174.1 (b) is amended to read as follows:

(b) *Restrictions on delivery.* Regardless of the terms of any contract of sale or purchase or other commitment, or of any preference rating certificate, no manufacturer, distributor, or other person shall accept an order for, or sell, lease, deliver, or otherwise transfer, and no person shall purchase, lease, receive delivery of, or otherwise acquire, either for use or for export, any new commercial laundry or dry cleaning machinery, or tailors' pressing machinery of any value, or any of such kinds of second-hand machinery having a value in excess of $100.00, except as follows:

(1) To fill orders for the Army or Navy of the United States, the Army or Navy of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, or Yugoslavia; for the Maritime Commission or War Shipping Administration; or to fill orders to equip a vessel constructed for the Navy, Maritime Commission, War Shipping Administration or Lend-Lease Administration, or a cantonment or other Army or Navy base constructed for the use and operation of the Army or Navy of the United States; or to fill orders for a bag loading or other ordnance plant where the hazard is such that the above-mentioned machinery has been specified as necessary by the Army or Navy; or

(2) Upon express authorization of the Director General for Operations upon Form PD–418.

Nothing in this paragraph shall be construed to prohibit the delivery of machinery from one manufacturer or distributor to another manufacturer or distributor to fill an order, or part of an order, for machinery for use or for export if the filling of the order has been authorized on Form PD–418, or if the order was placed pursuant to the provisions of paragraph (b) (1) of this order.

4. Section 1174.1 (e) is amended to read as follows:

(e) *Non-applicability to rebuilding, reconditioning, repair or maintenance of existing equipment.* The prohibitions of paragraph (b), paragraph (d) (1) and paragraph (d) (2) hereof shall not be construed to restrict the manufacture, acquisition, sale, or delivery, in any manner, of parts to be used to rebuild, recondition, repair or maintain existing machinery, or machinery delivered under the terms of this order. The above provision for parts for rebuilding, reconditioning, repair or maintenance includes replacement parts to be used for such purposes.

5. Section 1174.1 (1) (3) is amended to read as follows:

(1) (3) On or before May 7, 1942, for the month of April, and on or before the seventh day of each month thereafter, for the preceding month, each manufacturer or distributor of commercial laundry or dry cleaning machinery, or tailors' pressing machinery shall file a monthly report on Form PD–419.

6. List A attached to § 1174.1 is amended by the insertion of the item "stills, vacuum" between "sterilizer, general" and "stretchers, trouser," by amending the item "extractor baskets" to read "extractor baskets (no-trux)," by amending "washers, metal" to read "washers, metal type," by amending "washers, metal cylinders" to read "washers, metal cylinder type," by amending "washers, wood" to read "washers, wood type," by amending "washers, wood cylinders" to read "washers, wood cylinder type," and by amending "washers, wood shells" to read "washers, wood shell type."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 FR. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON
Director General for Operations

[F. R. Doc. 42–8464; Filed, August 28, 1942; 4:13 p. m.]

[1] 7 F.R. 4650, 5748.
[2] 7 F.R. 2465, 2732.

PART 983—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS

[Revocation of Supplementary Limitation Order L–4–b]

Section 983.4 *Supplementary Limitation Order L–4–b*, issued April 25, 1942, is hereby revoked, the subject matter of said order now being covered by § 3034.1 Limitation Order L–180. This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Supplementary Limitation Order L–4–B. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8501; Filed, August 29, 1942; 11:37 a. m.]

PART 1227—AROMATIC PETROLEUM SOLVENTS

[General Preference Order M–150, as Amended August 29, 1942]

Section 1227.1 *General Preference Order No. M–150*[1] is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aromatic petroleum solvents for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1227.1 *General Preference Order M–150*—(a) *Definitions.* For the purposes of this order:

(1) "Aromatic petroleum solvents" means solvents or naphthas of petroleum origin, other than benzol and toluol, containing more than 30% by volume of aromatic hydrocarbons as determined by the analytical procedure described as "Proximate Analysis of Hydrocarbon Thinners" published in the Scientific Section Circular No. 568 of the National Paint, Varnish and Lacquer Association, November, 1938, pages 381–388, and having A. S. T. M. 50% distillation point lower than 330° F. Such term also includes all grades of xylol regardless of whether derived from petroleum, coal-tar or other sources.

(2) "Producer" means any person engaged in the production of aromatic petroleum solvents and includes any person who has such materials produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases or has purchased aromatic petroleum solvents for resale, excluding, however, any person who sells aromatic petroleum solvents only in containers of capacities of sixty (60) gallons or less.

(b) *Restrictions on use and delivery of aromatic petroleum solvents.* (1) During the period commencing August 29, 1942, the effective date of this amendment, and ending September 30, 1942, no person, subject to the provisions of paragraphs (c) and (d) hereof, shall sell or deliver any aromatic petroleum solvent except to fill orders to which preference ratings of A–2 or higher have been assigned or extended.

(2) On and after October 1, 1942, no producer or distributor shall, subject to the provisions of paragraphs (c) and (d) hereof, deliver, and no person, subject to the provisions of said paragraphs (c) and (d) shall accept delivery of or use any aromatic petroleum solvent except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (f) hereof.

(3) Each person accepting delivery of any aromatic petroleum solvent pursuant to specific authorization of the Director General for Operations shall use such aromatic petroleum solvent only for the purposes specified in such authorization.

(4) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations, with respect to the use or delivery by such person of any aromatic petroleum solvent.

(c) *Small order exemptions.* The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the authorization provided for in paragraph (b) (2) hereof shall not be required with respect to, the following:

(1) Use by any person of sixty (60) gallons or less of aromatic petroleum solvents in any one month;

(2) Delivery by any supplier of sixty (60) gallons or less of aromatic petroleum solvents to any one person in any one month, and the acceptance thereof by any such person, subject to the following conditions:

(i) Each supplier desiring to make small order deliveries of any aromatic petroleum solvent pursuant to this paragraph (c) (2), shall apply for authorization to make small order deliveries pursuant to paragraph (f) (2) (ii) hereof, and the aggregate amount of small order deliveries made by any supplier during any month shall not exceed the amount of deliveries which he is specifically authorized to make.

(ii) Each person seeking delivery of sixty (60) gallons or less of aromatic petroleum solvents shall file with his supplier at the time of placing his order therefor a certificate to the effect that, if the delivery covered by such order is made, the deliveree will not have received during the current month in excess of an aggregate of sixty (60) gallons of aromatic petroleum solvents: *Provided, however*, that such certificate shall not be required with respect to deliveries of five (5) gallons or less of any aromatic petroleum solvent.

(d) *Special exemption.* The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the specific authorization provided for in paragraph (b) (2) hereof, shall not be required with respect to, delivery to, or acceptance of delivery or use by, any person of any intermediate fraction for the manufacture of any aromatic petroleum solvents.

(e) *Production of aromatic petroleum solvents.* Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of any aromatic petroleum solvent.

(f) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each person seeking authorization to use or accept delivery of any aromatic petroleum solvent pursuant to paragraph (b) (2) hereof shall apply therefor on Form PD–600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 10th day of the month preceding the month for which such authorization is requested and shall file with his supplier one copy of such form on or before the 10th day of such month if the supplier is a producer or on or before the 5th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "aromatic petroleum solvents" and order number "M–150, as amended August 29, 1942" and specify gallons as the unit of measure and in addition to specifying the delivery destination indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify trade name and number or letter except in the case of xylol, in which case specify "xylol" and the degree range or other common commercial identification.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "Resale subject to further authorization." In the case of a consumer, specify:

Paint.	Lacquer thinner.
Varnish.	Synthetic enamel reducer.
Enamel.	General solvents.
Synthetic enamel.	Dye stuffs.
Lacquer.	Intermediates.
Flameproof composition.	Other organic chemicals.
Natural rubber solution.	Other.
Synthetic rubber solution.	

[1] 7 F.R. 3887, 5352.

If "general solvents," "other organic chemicals" or "other" is specified, describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

U. S. Army specification number.	Balloon cloth coating.
U. S. Navy specification number.	Textile finishing.
U. S. Army-Navy aircraft specification number.	Canvas treating.
U. S. Maritime Commission specification number.	Leather coating.
Other U. S. Government Agency specification number.	Artificial leather manufacture.
	Food container lining.
	Shoe manufacture.
	Other.

If "other" is specified, describe briefly.

(2) Each producer and each distributor seeking authorization to deliver any aromatic petroleum solvent shall apply therefor on Form PD–601. Such applicant shall file with the War Production Board, the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein subject to the following specific instructions:

(i) *Heading.* Specify "aromatic petroleum solvents" and order number "M–150, as amended August 29, 1942" and specify gallons as the unit of measure, and in addition to specifying the plant or warehouse address indicate the address to which communications should be directed. A separate form must be filed for each grade of solvent.

(ii) *Column 1.* If authorization to fill small orders under paragraph (c) (2) (i) is requested, insert "aggregate small order deliveries" in Column 1 after completing the list of customers and specify in Column 4 the aggregate amount requested to be authorized.

(iii) *Columns 3 and 8.* Specify trade name and number or letter except in the case of xylol, in which case specify "xylol" and the degree range or other common commercial identification.

(g) *Notification of customers.* Producers and distributors of aromatic petroleum solvents shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(h) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of aromatic petroleum solvents, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to; War Production Board, Chemicals Branch, Washington, D. C. Ref: M–150. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8497; Filed, August 29, 1942; 11:36 a. m.]

PART 1238—MEN'S AND BOYS' APPAREL FOR MASCULINE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

[General Limitation Order L–130]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1238.1 *General Limitation Order L–130*—(a) *Definitions.* For the purpose of this order:

(1) "Boys'" means sizes 2, 4, 6, 8, 10, 12, 14, 16, 18 and 20.

(2) "Men's" means sizes small, medium, large and extra large.

(3) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(4) "Masculine lounging wear" means men's and boys' robes, bathrobes and beachcoats.

(5) "Put into process" means the first cutting of cloth in the manufacture of any lounging wear for sale, resale, or on commission, including but not being limited to, cutting by the following: manufacturers to the trade, tailors, and home dressmakers.

(6) Measurements—Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of robes, bathrobes and beachcoats for all sizes and ranges are to be made from nape of neck to bottom of finished garment. No garment shall exceed its maximum length at any point in its circumference.

(7) "Sweep" means maximum circumference of the garment.

(8) Unless otherwise expressly defined, all trade terms shall have their usual trade meaning.

(b) *Provisions with respect to finished garments, manufacture and sale of articles of masculine lounging wear.* Except as provided in paragraph (c), no person shall put into process or cause to be put into process by others for his account any cloth for the manufacture of, or sell, or deliver any masculine lounging wear:

(1) Of wool cloth, unless made by a manufacturer from fabrics owned by him or in his possession on the effective date of this order.

(2) With another garment at a unit price.

(3) With more than one pocket.

(4) With a cuff.

(5) Exceeding measurements of the following tables:

Maximum Measurements for Men's and Boys' Robes and Beachcoats

SCHEDULE A

	Men's sizes			
	Small	Medium	Large	Extra large
Length	47	49	51	53
Sweep	57	61	65	69
Hem	1	1	1	1

	Boys' sizes								
	2	4	6	8	10	12	14	16	18	20
Length	26	28	30½	35	38	42	43	45	47	48
Sweep	38	40	41	44	47	50	52	54	56	58
Hem	1	1	1	1	1	1	1	1	1	1

(c) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear:

(1) When manufactured or sold for use as:

(i) Infants' and toddlers' size ranges 1 to 3;

(ii) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, requires measurements exceeding maximum measurements of schedule A, paragraph (b) (5) for proportionate length or sweep; provided, however, that the prohibitions of paragraphs (b) (1), (2), (3) and (4) shall nevertheless apply to such lounging wear;

(iii) Historical costumes for theatrical productions; provided, however, that no masculine lounging wear manufactured or sold pursuant to this subparagraph shall be used for any purposes other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order.

(2) When manufactured for or sold to the Army of the United States, the United States Navy or the United States Maritime Commission.

(3) When manufactured in foreign countries and imported and received in customs in the United States prior to October 1, 1942.

(d) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cloth conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference: L–130, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(e) *Certificate.* No person who has heretofore or shall hereafter put into process or cause to be put into process by others for his account any masculine lounging wear, shall hereafter sell such lounging wear without furnishing to his purchaser, other than an ultimate consumer, a certification, and no such purchaser shall accept delivery of such lounging wear without a certification signed by an individual duly authorized to sign for such person, in substantially the following form:

> The undersigned hereby certifies to his purchaser and the War Production Board that the masculine lounging wear covered by his invoice No. dated has been manufactured or sold in accordance with the curtailments and exceptions of General Limitation Order No. L–130.

(f) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificate required under paragraph (e) shall be retained by the vendee for a period of one year after receipt.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8500; Filed, August 29, 1942; 11:36 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Amendment 2 to Limitation Order L–144]

§ 1261.1 *Limitation Order L–144*[1] is hereby amended by adding the following sentence to paragraph (a):

The term does not include reagent chemicals which are defined as any chemical prepared and packed for reagent use in laboratories. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8499; Filed, August 29, 1942; 11:36 a. m.]

PART 3034—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS, MEDIUM AND HEAVY TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L–180]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3034.1 *Limitation Order L–180*—(a) *Certain orders hereby superseded.* This order, Limitation Order L–180, supersedes Supplementary Limitation Order L–4–b,[2] issued April 25, 1942, and Limitation Order L–35, issued January 22, 1942, as amended.[3]

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of automotive replacement storage batteries without regard to purchase orders or contracts placed with them for other materials on ratings lower than A–2.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery, designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck tractor, truck trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive

[1] 7 F.R. 4452.
[2] 7 F.R. 3075.
[3] 7 F.R. 470, 1732, 5115.

storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment, or held for the account of the owner thereof in any other name, manner, or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after the effective date of this order, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20 hour rate 80° F.
Group	*Group*	
I	1M	80
I	1H	90
I		100
IS		90
IS	2L	100
(E-116) (11E-125)	2ME	110
IIH F (Ford)		100
(II-115)	(2M-105) (2H-116)	110
IIS	3L	110
III	3M (3H-133)	120
(Special 12 Volt)		45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below, no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Minimum	Maximum		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
				For batteries with double insulation					
Size A	155	165	6	16	16¾	7¾	7¾	9¼	11
Size B	195	230	6	19¾	20½	7¾	7¾	9¼	11
Size C	235	245	6	22¼	23½	7¾	7¾	9¼	11
Size D	385	395	6	21½	22	10¾	10¾	12	12½
Size E	95	105	12	17½	18	7½	8	9¼	11
Size F	95	105	12	19¾	21½	7¾	7¾	9¼	11
Size G	115	125	12	20¾	21½	8½	9	9¼	11
Size H	135	145	12	20¾	21½	9	10	9¼	11
Size I	155	165	12	20¾	21½	10¾	11¾	9¼	11
				For batteries with single insulation					
Size J	195	205	6	16	16¾	6¾	7½	9	10¾
Size K	335	345	6	25	25½	7¾	7¾	9¼	11¾
Size L	140	155	12	20¾	21½	8½	9	9¼	11
Size M	150	170	12	20¾	21½	9	10	9¼	11
Size N	180	205	12	20¾	21½	10¾	11¾	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand at the effective date of this order, provided:

(i) No additional material is required;

(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) During the period commencing July 1, 1942, and ending September 30, 1942, no producer of replacement batteries shall manufacture more than forty-five (45%) percent of the number of such batteries sold by him during the base period July 1, 1941, to December 31, 1941.

(2) During the period commencing July 1, 1942, and ending December 31, 1942, no producer of replacement batteries shall manufacture more than ninety (90%) percent of the number of such batteries sold by him during the base period July 1, 1941, to December 31, 1941.

(g) *Restrictions on inventories of producers of automotive replacement batteries.* (1) On and after October 1, 1942, no producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraph (c) (8) and (9) above, in excess of the number of batteries sold by him during the sixty (60) day period in 1941 corresponding to the sixty (60) day period following the date of the inventory.

(h) *General restrictions*—(1) *Certificate of compliance required.* No distributor shall order and no distributor or producer shall deliver replacement batteries to a distributor unless each order (or written confirmation thereof, if such order is placed by telephone or telegraph) is accompanied by a certificate in the following form:

Certificate of Compliance with Order L–180

The quantity of replacement batteries on the attached purchase order does not exceed the quantity which I am entitled to order under the provisions of Limitation Order L–180, with the terms of which I am familiar.

(Signed) _____
Firm, partnership or corporation
By _____
Title of individual
_____
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the seller as part of his records.

(2) *Return of used batteries.* On and after the effective date of this order, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (2) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(3) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will within thirty (30) days after receiving the replacement battery here ordered, dispose of through scrap channels, a used automotive battery of similar size for each replacement battery delivered to me.

(Signed) _____
Vehicle owner or operator
(Address) _____

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(i) *General restrictions on inventories.* (1) No distributor shall accept delivery of any replacement batteries and/or rebuilt batteries, which in combination with his existing inventory will aggregate more than a sixty (60) day supply. In any month, a sixty (60) day supply means the aggregate number of replacement batteries and rebuilt batteries sold during the corresponding month in 1941 plus the number sold in the next succeeding month in 1941.

(2) No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels.

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act)

(k) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(o) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, Automotive Branch, Ref: L–180, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Branch, Washington, D. C., Ref: L–180.

(q) *Effective date.* This order shall take effect immediately. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E. O. 9040, 7 F.R. 527; E. O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8498; Filed, August 29, 1942; 11:36 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Amendment 1 to General Limitation Order L–144]

Paragraph (b) (1) of § 1261.1 *General Limitation Order L–144*[1] is amended by inserting after the word "except" a colon and the designation "(i)", and adding the following at the end of said paragraph:

• • • or,

(ii) pursuant to a purchase order or contract from the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland,

[1] 7 F.R. 4452.

Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8522; Filed, August 29, 1942; 12:46 p. m.]

PART 3062—CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

[Conservation Order M-216]

§ 3062.1 *Conservation Order M-216*—(a) *Findings of fact with respect to reserve vehicles.* Approximately 393,000 new passenger automobiles and 130,000 new commercial motor vehicles are in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies throughout the United States. These vehicles, hereinafter referred to as "reserve vehicles," are now held for ultimate use in the prosecution of the War through rationing procedures, established as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942. In view of the discontinuance of production, the stock of reserve vehicles herein referred to constitutes the total available supply of such vehicles in the United States. They are urgently needed for war purposes and for the maintenance of the industrial economy of the nation. The maintenance of these vehicles in prime mechanical condition is indispensable to their full utilization for the war purposes for which they are being reserved. These reserve vehicles can be maintained in prime mechanical condition provided conservation operations are performed upon them as set out in the Standards for Maintenance of New Automotive Vehicles, incorporated herein as Schedule 1.

(b) *Statement of policy with respect to requisitioning reserve vehicles.* The standards for maintenance of new automotive vehicles set out as Schedule 1 to this order and made part thereof, are hereby adopted for the maintenance of reserve vehicles in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies. It is declared to be the policy of the War Production Board to require that all reserve vehicles be maintained in accordance with the said standards for maintenance. In order to effectuate this policy and to render all reserve vehicles available for war purposes and for the maintenance of the essential industrial economy, it is further declared to be the policy of the War Production Board to exercise its powers of requisition under existing law, and to seize reserve vehicles in the possession of producers, distributors, dealers, sales agencies and finance agencies, whenever it is found by the War Production Board or any federal agency acting in its behalf, that the mechanical condition of such vehicles has been impaired, or is threatened with impairment, due to failure on the part of the person in possession or control to comply with the Standards for Maintenance.

(c) *Reports on reserve vehicles required.* Every person in possession of reserve vehicles shall file with the Automotive Branch, War Production Board, Washington, D. C., Ref: Order M-216, a report of the condition of such vehicles on Form PD-641. The initial report shall be as of October 1, 1942, and shall be filed not later than October 10, 1942. Subsequent reports shall be filed thereafter at intervals of six months.

(d) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following vehicles which have not been sold or otherwise disposed of under the rationing procedures of the War Production Board or the Office of Price Administration referred to in paragraph (a) above, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies throughout the United States:

(i) Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

(ii) Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Producer" means any person who manufactures, or has in the past manufactured, any reserve vehicles and now or hereafter has any such reserve vehicles in his possession or under his control.

(3) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(4) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(5) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(6) "Finance agency" means any person regularly engaged in the business of financing or making loans, on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or any claim against any such reserve vehicle as security for a loan or other financing arrangement.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(e) *Records.* All records required to be kept and reports required to be made under this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required by this order and all communications concerning this order shall be addressed to: War Production Board, Automotive Branch, Washington, D. C. Ref: Order M-216.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[Schedule I to Conservation Order M-216 Issued August 29, 1942]

STANDARDS FOR MAINTENANCE OF NEW AUTOMOTIVE VEHICLES

The following Standards for Maintenance are established for the preservation and care of new passenger automobiles and new commercial motor vehicles while in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, and finance agencies. These vehicles, as defined below, are termed for convenience "reserve vehicles." While set up primarily for the servicing of reserve vehicles, the Standards for Maintenance are equally appropriate for the preservation of similar vehicles whenever the same are to be kept in storage.

Vehicles to Which Standards Are Applicable

The reserve vehicles to which these Standards for Maintenance apply are those new passenger automobiles and new commercial motor vehicles held subject to rationing under orders of the War Production Board and the Office of Price Administration, as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942, while in storage, in the possession of or under the control of producers, distributors, dealers, sales agencies or finance agencies. They are defined as follows:

1. *Any 1942 Model Passenger Automobile,* built upon a standard or lengthened passenger car chassis having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station-wagons.

2. *Any New Commercial Motor Vehicle,* including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types:

Trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

Standards for Maintenance—New Passenger Automobiles and Commercial Motor Vehicles

(These Standards for Maintenance correspond with those of the Revised Price Schedule #85 issued by the Office of Price Administration.)

General Instructions

1. All reserve vehicles must be stored indoors. Select a clean, dry building suitable for the storage of new passenger automobiles and commercial vehicles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

2. Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

3. The operations specified under the heading "Maintenance Operations" are of two categories: "Initial" operations, which if not already performed, are to be performed, and "Repeat" operations, which must be performed at intervals of six months, or when necessary, as indicated below.

No.	When to be done	Item	Maintenance operations
#*1	Initial and whenever necessary.	Vehicle	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust.
*2	Initial	Windshield wiper	Remove blades; store in glove compartment.
*3	Initial and every six months.	Upholstery and floor coverings.	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats and carpets.
	Initial		(b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all car windows and windshields with paper, using masking tape. (3) Cover the car with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
	Initial		(c) Place floor mats in their normal position on floor, not rolled up.
*4	Initial and whenever necessary.	Chrome plated surfaces.	Thoroughly wash and clean all Chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface of the Chrome.
†	Initial	Convertible tops	With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.
*6	Initial	Engine	(a) Drain engine oil and refill crank case with at least ½ charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1,000 R. P. M. Leave this oil in engine.
*7	Initial	Fuel system and carburetor.	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed.
*8	Initial	Spark plugs	Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
*9	Initial	Valve compartment (overhead valve engines).	Remove cover. Spray rust-preventive compound or S. A. E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
*10	Initial	Seal engine	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crank case breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oiled or waxed paper, gathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine. NOTE.—Since no provision has been made for turning the engine over at regular intervals, it is absolutely essential that the recommended procedure for conserving the engine be followed carefully.
*11	Initial	Battery removal	(a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease.

NOTE: (1) All Maintenance Operations and storage requirements are applicable to new passenger automobiles. (2) Symbol (*) indicates Maintenance Operations applicable to new commercial motor vehicles except trailers, third axles and dollies. (3) Symbol (#) indicates Maintenance Operations applicable to trailers, third axles and dollies.

No.	When to be done	Item	Maintenance operations
*11	Initial	Battery removal	(b) If dealer has portable battery charging equipment, he may elect to leave battery in car. In either case battery must be maintained as per Item 12 below.
*12	Initial and as specified under "Maintenance operations."	Battery maintenance	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.280 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature.
*13	Initial	Cooling system	Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system dry. NOTE: If coolant contains anti-freeze and rust-inhibiting solution, it may be left in the cooling system.
*14	Initial	Brakes	Leave all brakes in released position.
*15	Initial	Clutch	Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.
*16	Initial and as specified under maintenance operations.	Tires	Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between ½ and ⅔ operating pressure so that vehicles can be pushed or towed out quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure.
*17	Initial and, if necessary, every six months where applicable.	Hood latches, hinges, brake connections.	Lubricate with light oil all hood latches, hinges, and brake connections.
*18	Initial where applicable	Doors and windows	(a) Close all doors and windows tightly. (b) Close all vent-panes. (c) Leave cowl ventilator open (if screened).

NOTE.—Materials called for in the performance of these Maintenance Operations such as oils, wax and rust-inhibitor, should be of a grade recommended by the vehicle manufacturer.

[F. R. Doc. 42-8521; Filed, August 29, 1942; 12:46 p. m.]

PART 933—COPPER

[Amendment 6 to Conservation Order M-9-c as Amended May 7, 1942]

ORDER CURTAILING THE USE OF COPPER IN CERTAIN ITEMS

Section 933.4 *Conservation Order M-9-c*[1] is hereby amended in the following respects:

By amending the "Military Exemption List" to be and read as follows:

Military Exemption List of Copper Conservation Order M-9-c as amended May 7, 1942.

Air conditioning equipment (except for comfort use).

Bakery equipment (parts necessary for conducting electricity or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this List.

Bells (for use on board ship).

Binoculars.

Boxes, cans, jars and other containers (for radio and communication equipment and for powder charges).

Carbonated beverage dispensing units for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).

Conduits and pipe (for radio and electrical communication equipment).

Chronometer and watch cases.

Dishwashing machines.

Fans (parts necessary for conducting electricity, only).

Field ranges and ski stoves.

Floats for liquid level control (for use in aircraft and on board ship).

Furniture hardware (for use within magnetic circle on board ship).

Hoists, for handling powder, projectiles and explosives (for use on board ship).

Hot water heaters, tanks and coils for hospital, laundry and bakery projects.

Insect screens and screening.

Kitchen utensils, devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts).

Ladders and stairs, for use in gasoline stowage spaces on board ship (treads, only).

Lanterns, gasoline (generators, valves and controls, only).

Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this List.

Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this List.

Lights, lamps and accessories (for use in aircraft and on board ship).

Locks and latches (for use on board ship).

Name, identification and medal plates of a gauge of .03125 inch or less (for use in aircraft and on board ship).

Paint (for ship bottoms and flying boat hull bottoms).

Photographic equipment and supplies.

Pins for hinges (for use on board ship).

Prescription scales (health supplies).

Reflectors (for use on board ship, in aircraft searchlights and recognition lights and in hospital operating room lights and therapeutic lights).

Safety lamps, flame (for use on board ship and for use in other places where there is danger of explosion).

Shells and caps for electric sockets (for use in aircraft and on board ship).

Soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).

Telescopes.

Unions and union fittings (for use on board ship).

Valve handles (for use within magnetic circle on board ship).

Valves (for use on board ship).

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8544; Filed, August 31, 1942; 11:56 a. m.]

[1] 7 F.R. 3424, 3660, 3745, 5344, 5902, 6162.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 to Priorities Regulation 12]

The following official Interpretation is issued with respect to Priorities Regulation No. 12 (§ 944.33)[1]:

Paragraph (d) (2) (i) of Priorities Regulation No. 12 as amended, which permits a PRP unit to rate or rerate its purchase orders, in accordance with a pattern of ratings which it determines in the manner set forth in that paragraph, specifically excludes from the definition of purchase order materials for plant improvement, expansion and construction. Accordingly, even though a PRP unit has calculated a new rating pattern pursuant to Priorities Regulation No. 12, and intends to apply it to purchase orders for materials which it will manufacture, it is not permitted to apply the new pattern to purchase orders for materials for the improvement, expansion, or construction of its own plant. In order to obtain higher ratings for such materials, it must obtain a new or amended Preference Rating Certificate or Order, or a rerating Direction on Form PD-4X.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8545; Filed, August 31, 1942; 11:57 a. m.]

[1] 7 F.R. 4833, 6256, 6465.

PART 950—CUTTING TOOLS

[Revocation of Supplementary Order E-2-a]

Section 950.2 *Supplementary Order E-2-a*,[1] as amended, is hereby revoked, the subject matter of said order now being covered by § 950.3 General Preference Order No. E-2-b. This action shall not be construed to affect in any way any liabilities accrued or incurred under said Order No. E-2-a. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8546; Filed, August 31, 1942; 11:57 a. m.]

PART 950—CUTTING TOOLS

[General Preference Order E-2-b]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cutting tools for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 950.3 *General Preference Order E-2-b*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, engaged in the production of cutting tools.

(2) "Cutting tools" means the following types of carbon or alloy steel tools designed for cutting metals, whether of standard or special design and including those having inserted or brazed edges made with cemented carbide or hard-alloy tips:

Cut thread taps.
Ground thread taps.
Threading dies.
Straight shank drills (including long set drills).
Taper shank drills.
Combined drills and countersinks.
Ship plate countersinks.
Counterbores (all types).
Hand reamers and taper pin reamers.
Inserted blade reamers and blades.
Bridge and car reamers.
All other machine reamers.
Circular saws.
Form cutters (including gear cutters and thread hobs).
Hobs-ground and unground.
Other gear tooth generating cutters and tools.
Gear finishing tools.
Inserted tooth milling cutters and blades.
All other milling cutters.
Form tools—Flat and circular.
Rotary files.
Chasers.
Round broaches.
Flat broaches.
Spline broaches.
All tool bits except those produced by producers of steel.
Cut off blades.
Router bits.
Solid boring bars and boring tools.
Inserted boring bars and boring tools.
Machine knives.
Shear knives.

(3) "Special cutting tool" means any cutting tool of a type or size not listed in a producer's catalogue as of June 1, 1942.

(4) "Total monthly production" means the total dollar value of each type of cutting tool, including both special and standard tools of that type, to be scheduled for production in any given month by a producer. In calculating total monthly production any producer using cutting tools of his own manufacture in his production of cutting tools or machine tools, or using cutting tools of his own manufacture for original tooling on machine tools being produced by him, shall exclude the value of such cutting tools to be scheduled for production in such month.

(5) "Special cutting tools required for original tooling" means those special cutting tools required as a part of the tooling for a new or rebuilt machine tool, or for a machine tool which is being adapted to an operation different from that in which it was previously employed, in order to make such machine tool usable in production for the purposes intended and may in no event exceed three sets of special cutting tools of the same type and size.

(6) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Scheduling of total monthly production.* Commencing with the month of October, 1942, and every month thereafter each producer shall schedule his total monthly production as follows:

(1) 10 per cent of his total monthly production of each type of cutting tool specified in paragraph (a) (2) shall be scheduled for delivery against purchase orders for that type of special cutting tool required for original tooling, subject to the following provisions:

(i) No purchase order shall be scheduled pursuant to paragraph (b) (1) unless it has been received 45 or more days prior to the 1st day of the month in which it is being scheduled for delivery and unless it bears the following endorsement:

All cutting tools specified on this purchase order are special cutting tools required for use by the undersigned for original tooling, or for resale for such use. Their delivery will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a ninety-day supply, except as permitted in paragraph (d) (3) of General Preference Order No. E-2-b with the terms of which the undersigned is familiar.

Name and Address of Purchaser
By ----------
Authorized Signature

(ii) The sequence of deliveries on purchase orders bearing the above endorsement, within the percentage limitation on orders which may be filled in any given month pursuant to such endorsement, shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable priorities regulations.

(iii) Purchasers of special cutting tools who have placed their purchase orders prior to September 15, 1942, and who are entitled to obtain their special cutting tools pursuant to paragraph (b) (1) may apply the endorsement herein specified to their existing purchase orders by mailing a letter on or before September 15, 1942, to the producer stating the date and number of the purchaser's order and setting forth the required endorsement.

(iv) Any portion of the percentage set forth in paragraph (b) (1) which has not been taken up by purchase orders properly endorsed hereunder shall be scheduled for delivery against other purchase orders in accordance with paragraph (b) (2) hereof.

(2) Ninety percent of his total monthly production of each type of cutting tool specified in paragraph (a) (2), together with any portion of the percentage stated in paragraph (b) (1) which has not been taken up by purchase orders properly endorsed thereunder, shall be scheduled for delivery against other purchase orders received by such producer subject to the following provisions:

(i) No purchase order shall be scheduled pursuant to paragraph (b) (2) unless such purchase order bears either the endorsement specified in subparagraph (b) (2) (ii) hereof, or the following endorsement:

The delivery of the cutting tools specified in this purchase order will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a 90-day supply, except as permitted in paragraph (d) (3) of General Preference Order No. E-2-b, with the terms of which the undersigned is familiar.

Name and Address of Purchaser
By ----------
Authorized Signature

(ii) Purchase orders for special cutting tools required by any prime or subcontractor of the Army, Navy, Maritime Commission, or War Shipping Administration as a result of a change in design or other alteration in the specifications of the product being produced by such prime contractor or subcontractor shall be given preference over all other purchase orders scheduled pursuant to paragraph (b) (2). No such purchase order shall be given such preference unless it has been received 15 or more days prior to the 1st day of the month in which such purchase order is being scheduled for delivery and unless it bears the following endorsement:

All cutting tools specified on this order are special cutting tools required by the undersigned as a result of change in design or other alteration in the specifications of the product being produced by a prime or subcontractor of the Army, Navy or Maritime Commission. Their delivery will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a 90-day supply, except as permitted in paragraph (d) (3) of

[1] 6 F.R. 4524, 6143; 7 F.R. 1592.

General Preference Order No. E-2-b, with the terms of which the undersigned is familiar.

Name and Address of Purchaser

By _____
Authorized Signature

(iii) Except as otherwise provided in paragraph (b) (2), the sequence of deliveries of purchase orders scheduled pursuant to paragraph (b) (2), within the percentage limitation on orders which may be filled pursuant thereto, shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable priorities regulations.

(iv) Purchasers of cutting tools who have placed their purchase orders prior to September 15, 1942, and who are entitled to obtain such cutting tools pursuant to paragraph (b) (2) may apply to their existing purchase orders the endorsement herein specified for such purchase orders by mailing a letter on or before September 15, 1942, to the producer stating the date and number of the purchaser's order and setting forth the required endorsement.

(c) *Effect of endorsement.* Any endorsement made pursuant to this order shall constitute a representation to the seller and to the War Production Board of the truth of the facts therein set forth, upon which the seller shall be entitled to rely unless he knows or has reason to believe the same to be false.

(d) *Restriction on sales and purchases of cutting tools.* (1) Except as provided in (d) (1) (i) and (ii) below, no person shall sell or deliver, nor shall any person buy or accept delivery of, any cutting tools except pursuant to a preference rating of A-9 or higher, or except pursuant to specific permission of the Director General for Operations.

(i) Purchase orders for special cutting tools carrying a rating of A-10 received prior to the date of this order may be completed and delivered.

(ii) Cutting tools produced from steel other than high speed steel as defined in General Preference Order N-14, as amended, which cutting tools do not have inserted or brazed edges with cemented carbide or hard-alloy tips, may be purchased, sold and delivered pursuant to a rating of A-10 or higher.

(2) No person shall sell or deliver, nor shall any person buy or accept delivery of any cutting tools, unless the purchase order for such cutting tools has endorsed thereon the endorsement specified for such purchase order in this order.

(3) No person shall buy or accept delivery of any cutting tools, the delivery of which will at any time effect an increase in the purchaser's inventory thereof beyond a 90-day supply: *Provided, however,* That deliveries of cutting tools, pursuant to the following designated types of purchase orders, shall be permitted to effect such an increase:

(i) Purchase orders for a quantity which is the producer's minimum practicable manufacturing quantity.

(ii) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Purchase orders placed by the Army, Navy or Maritime Commission for cutting tools required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes or to supply such bases or supply depots outside the continental United States.

(iv) Any other purchase order specifically excepted from this restriction by the Director General for Operations.

(4) In no event shall any person sell or deliver to the same purchaser, nor shall any person buy or accept delivery from one or more sellers of, more than three sets of special cutting tools of the same type and size pursuant to paragraph (b) (2) (ii) hereof, by reason of any single change in design or other alteration in the specifications of the product being produced by a prime or subcontractor of the Army, Navy or Maritime Commission.

(e) *Continuance of present schedules.* Present schedules of production and delivery of cutting tools as established by Priorities Regulation No. 1 and other applicable regulations shall be continued until October 1, 1942 subject to the restrictions on sales and deliveries thereof contained in paragraph (d) (1) hereof. Thereafter production and delivery shall be scheduled in accordance with this order: *Provided, however,* That present schedules on purchase orders placed by the Procurement Division of the United States Treasury for shipment to the U. S. S. R. shall be maintained notwithstanding priorities regulations or any other provision of this order if the delivery schedules for such order have been established by a specific letter to the producer from the Director General for Operations or his predecessor, the Director of Industry Operations.

(f) *Allocation of cutting tool capacity in emergencies.* Notwithstanding the provisions of this order, the Director General for Operations may allocate to any purchaser, or may order any cutting tools scheduled for production and delivery at a specific time for a specific purchaser. No person other than the Director General for Operations may give any directions concerning sequence of production or deliveries of cutting tools.

(g) *Supplementary Order E-2-a superseded.* This order supersedes Supplementary Order E-2-a issued on August 28, 1941 and all amendments thereto.

(h) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations by addressing a letter to the War Production Board, Washington, D. C., Ref: E-2-b, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all comunications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref: E-2-b.

(l) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8547; Filed, August 31, 1942; 11:57 a. m.]

PART 1047—PETROLEUM MATERIAL CONSERVATION

[Supplementary Order M-68-5]

OIL WELLS IN ILLINOIS, INDIANA, KENTUCKY

General Exception authorized by paragraph (c) (10) of Conservation Order M-68,[1] as amended.

Whereas immediate production of large quantities of oil in the State of Illinois and portions of the States of Indiana and Kentucky is necessary for the continued effective operation of industries engaged in vital war production and for essential civilian uses;

Now, therefore, it is hereby ordered that:

§ 1047.10 *Supplementary Order M-68-5*—(a) *Definitions.* The definitions of Conservation Order M-68, as amended from time to time, shall apply in this order.

[1] 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 3806, 4760.

(b) *Oil wells drilled in the State of Illinois and portions of the States of Indiana and Kentucky.* The provisions of paragraph (b of Conservation Order M-68, as amended, shall not apply to any case where material is to be used by an operator to drill, complete or provide additions to any oil well to any sand formation or sand reservoir in the State of Illinois, in the Counties of Clay, Daviess, Dubois, Gibson, Greene, Knox, Martin, Perry, Pike, Posey, Spencer, Sullivan, Vanderburgh, Vigo or Warrick in the State of Indiana, or in the Counties of Breckinridge, Butler, Christian, Daviess, Grayson, Hancock, Henderson, Hopkins, Ohio, Logan, McLean, Muhlenberg, Todd, Union or Webster in the State of Kentucky: *Provided,* that no well shall be "spudded" by such operator unless:

(1) As to any oil well which is drilled to a depth of not more than 2,500 feet;

(i) Such well is drilled on a drilling unit of not less than 10 surface acres,

(ii) The proposed drilling unit upon which such well is located consists entirely of acreage which is not attributable to any well other than such well, (The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells.)

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of drilling operations at the designated drilling location of such well,

(iv) Such well is drilled at least 466 feet from any drilling or producible well,

(v) Such well is drilled at least 330 feet from any lease line, property line, or subdivision line which separates unconsolidated property interests, and

(vi) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance.

(2) As to any oil well which is drilled to a depth of more than 2,500 feet.

(i) Such well is drilled on a drilling unit of not less than 20 surface acres,

(ii) The proposed drilling unit upon which such well is located consists entirely of acreage which is not attributable to any well other than such well, (The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells. No portion of a drilling unit shall fall within 330 feet of an existing well.)

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of drilling operations at the designated drilling location of such well.

(iv) Such well is drilled at least 900 feet from any drilling or producible well,

(v) Such well is drilled at least 330 feet from any lease line, property line or subdivision line which separates unconsolidated property interests, and

(vi) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance.

(c) *Information statement.* Upon the completion of any well pursuant to this supplementary order, the operator shall file with the District Director, Office of Petroleum Coordinator, Suite 1336, 120 South LaSalle Street, Chicago, Illinois, a statement containing the following information: the field in which such well is located, a plat showing the specific location of such well, the depth of such well, the sand to which such well is drilled, the initial production of such well, and the date of the completion of such well.

(d) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until January 1, 1943. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8549; Filed, August 31, 1942; 11:57 a. m.]

PART 1213—SAFETY EQUIPMENT

[Amendment 3 to General Limitation Order L-114]

GENERAL EXCEPTIONS

Paragraph (c) of § 1213.1 *General Limitation Order L-114*[1] is amended to read:

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A-10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to, or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of Continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8548; Filed, August 31, 1942; 11:56 a. m.]

[1] 7 F.R. 3669, 4273, 4537.

PART 3013—SOLUBLE NITROCELLULOSE

[Amendment 1 to General Preference Order M-196]

Section 3013.1 *General Preference Order M-196*[1] is hereby amended in the following respects:

(a) The last sentence of paragraph (a) (1) is hereby amended to read:

The term includes smokeless powder scrap and dissolved film scrap, but does not include undissolved film scrap nor nitrocellulose suitable for dynamite manufacture.

(b) Paragraph (d) is amended to read:

(d) *Directions with respect to deliveries of undissolved film scrap.* The Director General for Operations may from time to time issue directions with respect to the delivery, acceptance of delivery, use or storage of undissolved film scrap by any person. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8550; Filed August 31, 1942; 11:56 a. m.]

[1] 7 F.R. 6148

(b) *Oil wells drilled in the State of Illinois and portions of the States of Indiana and Kentucky.* The provisions of paragraph (b of Conservation Order M–68, as amended, shall not apply to any case where material is to be used by an operator to drill, complete or provide additions to any oil well to any sand formation or sand reservoir in the State of Illinois, in the Counties of Clay, Daviess, Dubois, Gibson, Greene, Knox, Martin, Perry, Pike, Posey, Spencer, Sullivan, Vanderburgh, Vigo or Warrick in the State of Indiana, or in the Counties of Breckinridge, Butler, Christian, Daviess, Grayson, Hancock, Henderson, Hopkins, Ohio, Logan, McLean, Muhlenberg, Todd, Union or Webster in the State of Kentucky: *Provided,* that no well shall be "spudded" by such operator unless:

(1) As to any oil well which is drilled to a depth of not more than 2,500 feet;

(i) Such well is drilled on a drilling unit of not less than 10 surface acres,

(ii) The proposed drilling unit upon which such well is located consists entirely of acreage which is not attributable to any well other than such well, (The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells.)

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of drilling operations at the designated drilling location of such well,

(iv) Such well is drilled at least 466 feet from any drilling or producible well,

(v) Such well is drilled at least 330 feet from any lease line, property line, or subdivision line which separates unconsolidated property interests, and

(vi) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance.

(2) As to any oil well which is drilled to a depth of more than 2,500 feet.

(i) Such well is drilled on a drilling unit of not less than 20 surface acres,

(ii) The proposed drilling unit upon which such well is located consists entirely of acreage which is not attributable to any well other than such well, (The

(v) Such well is drilled at least 330 feet from any lease line, property line or subdivision line which separates unconsolidated property interests, and

(vi) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance.

(c) *Information statement.* Upon the completion of any well pursuant to this supplementary order, the operator shall file with the District Director, Office of Petroleum Coordinator, Suite 1336, 120 South LaSalle Street, Chicago, Illinois, a statement containing the following information: the field in which such well is located, a plat showing the specific location of such well, the depth of such well, the sand to which such well is drilled, the initial production of such well, and the date of the completion of such well.

(d) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until January 1, 1943. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8549; Filed, August 31, 1942; 11:57 a. m.]

PART 1213—SAFETY EQUIPMENT

[Amendment 3 to General Limitation Order L–114]

GENERAL EXCEPTIONS

Paragraph (c) of § 1213.1 *General Limitation Order L–114*[1] is amended to read:

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A–10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of Continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8548; Filed, August 31, 1942; 11:56 a. m.]

PART 3013—SOLUBLE NITROCELLULOSE

[Amendment 1 to General Preference Order M–196]

Section 3013.1 *General Preference Order M–196*[1] is hereby amended in the following respects:

(a) The last sentence of paragraph (a) (1) is hereby amended to read:

The term includes smokeless powder scrap and dissolved film scrap, but does not include undissolved film scrap nor nitrocellulose suitable for dynamite manufacture.

(b) Paragraph (d) is amended to read:

(d) *Directions with respect to deliveries of undissolved film scrap.* The Director General for Operations may from time to time issue directions with respect to the delivery, acceptance of delivery,

PART 3058—USED CONSTRUCTION EQUIPMENT

[Limitation Order L–196]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber and other materials used in the production of construction equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3058.1 *Limitation Order L–196*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Inapplicability of this order.* This order shall not apply to the Army, Navy, Maritime Commission or to any person or agency who has acquired used construction equipment for export outside the continental limits of the United States.

(c) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, except those excluded by paragraph (b) hereof.

(2) "Construction equipment" means any of those products listed in Schedule A attached hereto and made a part of this order.

(3) "Used" when applied to construction equipment, means any construction equipment which has been delivered to an ultimate consumer.

(d) *Registration of used construction equipment.* Any person who owns construction equipment shall within thirty (30) days after the date of issuance of this order register such equipment by completing, signing, and returning by mail WPB Form 1159 to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(e) *Registration of change of status of used construction equipment.* Within one week after any used construction equipment (1) is moved from the project on which it is being used; (2) becomes idle after completing its work on that project even if not moved from the project; (3) not being on a project is put into use on a project; or (4) has had its ownership changed, any person owning such equipment shall register such change of status by completing, signing and returning by mail WPB Form 1333 or such other form as may be in the future specified by the Director General for Operations to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning the movement of used construction equipment from projects.

(g) *Audit and inspection.* All records required to be kept by this order, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board Regional Office in the region in which the equipment is located setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as he deems appropriate by the amendment of this order or otherwise.

(j) *Communications.* All communications concerning this order shall be addressed to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which the equipment is located. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O.9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE "A"

Buckets, clamshell.
Buckets, concrete.
Buckets, dragline.
Buckets, orange peel.
Buckets, scraper (bottomless) for dragline operation.
Buckets, shovel.
Cranes, crawler mounted power.
Cranes, tractor mounted power.
Cranes, rubber tire mounted power.
Discs, road.
Ditchers, blade.
Ditchers, ladder.
Ditchers, wheel.
Dragline, *see* cranes.
Draglines, slack line.
Draglines, walking.
Dredges & dredge equipment.
[1] Drilling machines, earth & rock blast hole drills.
[1] Drilling machines, earth & rock core drills.
[1] Drilling machines, earth & rock jack hammers.
[1] Drilling machines, earth & rock rock drills.
Earth boring machines.
Excavators, *see* Power shovels.
Graders, blade or pull type earth moving.
Graders, elevating earth moving.
Graders, self-propelled earth moving.
Graders, under-truck earth moving.
Hammers, pile.
Rollers, road, tamping.
Rollers, road, tandem.
Rollers, road, three wheeled.
Scrapers, carrying or hauling, both drawn and self-propelled.
Shovels, crawler mounted power.
Shovels, rubber tire mounted power.
Shovels, tractor mounted power.
Batching plants, contractors.
Bins, construction material.
Conveyors, construction material belt.
Crushers, construction material asphalt.
Crushers, construction material cone.
Crushers, construction material gyratory.
Crushers, construction material jaw.
Crushing plants, other than stationary, construction.
Distributors, bituminous.
Finishers, bituminous.
Hoists, contractors (other than tractor mounted).
Loaders, portable bucket type (other than coal).
Mixers, bituminous.
Mixers, concrete agitator & truck.
Mixers, concrete construction.
Mixers, paving.
Plants, asphalt.
Pumps, concrete.
Screening plants, construction material (other than stationary).
Washing & screening plants, portable.
Winches, contractors.
Track-laying tractors.
Angledozers.
Bulldozers.
Tractor operated control units.
Internal combustion engines—Diesel and gasoline unattached.

[F. R. Doc. 42–8551; Filed, August 31, 1942; 11:56 a. m.]

[1] Except when owned by mines operating under a serial number assigned by P–56.

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 3 to Ration Order 5B [1]]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A new paragraph (b) is added to §1394.2601; a new paragraph (d) is added to §1394.2851; a new paragraph (c) is added to §1394.2913; paragraph (c) of §1394.3052 is redesignated paragraph (b); and a new paragraph (c) is added to §1394.3052, as set forth below:

Gallonage Value of Coupons

§1394.2601 *Value of coupons.* • • •

(b) Notwithstanding the provisions of paragraph (a) of this section each gasoline ration coupon of the class herewith designated shall have the following value in gallons of gasoline during the period from 8:00 a. m. on August 28, 1942 to 8:00 a. m. on September 14, 1942:

Class:	
A	None
B	2
C	1
D	½
E	1½
R	5
S–1	1½
S–2	1½

Restriction on Transfers

§1394.2851 *Restriction on transfer to consumers.* • • •

(d) No dealer shall transfer gasoline to a consumer between the hours of 8:00 a. m. and 12:00 noon on August 28, 1942.

Replenishment and Audit

§ 1394.2913 *Exchange of coupons for certificates.* • • •

(c) Every dealer and intermediate distributor, on or before the hour of 11:00 a. m. August 28, 1942, shall surrender to his local War Price and Rationing Board all coupons of each class or classes held by such dealer or intermediate distributor for exchange certificates having an equal gallonage value, computed in accordance with § 1394.2601 (a).

Effective Date

§ 1394.3052 *Effective date of amendments.* • • •

(c) Amendment No. 3 to Ration Order No. 5B (§§ 1394.2601 (b), 1394.2851 (d) and 1394.2913 (c)) shall become effective at 8:00 a. m. Augus', 28, 1942.

(Pub. No. 617, 76th Cong., 3rd sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2nd sess., Pub. No. 421, 77th Cong., 2nd sess., W.P.B. Directive No. 1, Supp. Dir. No. 1–J, 7 F.R. 562)

Issued this 28th day of August 1942.

NELSON EDDY,
Acting Director For Puerto Rico.

[F. R. Doc. 42–8470; Filed, August 28, 1942; 5:14 p. m.]

[1] 7 F.R. 5607, 6389, 6390.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 8]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

Pursuant to the authority vested in me by Directive No. 1 of the War Production Board, issued January 24, 1942, and by Supplementary Directive No. 1 J, issued July 1, 1942. *It is hereby ordered that:*

AUTHORITY: §§ 1394.3501 to 1394.4401, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Supp. Directive No. 1 J, 7 F.R. 562, 5043.

Definitions

§ 1394.3501 *Definitions.* (a) When used in Ration Order No. 8:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(2) "Bulk coupon" means any gasoline ration coupon on the face of which word "bulk" has been printed by authority of the Office of Price Administration.

(3) "Bulk transfer" means any transfer of gasoline other than into the fuel tank of a licensed motor vehicle.

(4) "Bus" means any motor vehicle, other than a station wagon or suburban carryall, built or re-built primarily for the purpose of carrying passengers, licensed by a municipality of the Virgin Islands to carry passengers for hire, and having a rated seating capacity of eight or more persons.

(5) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material or compound other than gasoline. The term includes dealers and distributors to the extent that they use gasoline or acquire gasoline for use rather than for transfer.

(6) "Dealer" means any person who operates a service station, filling station, garage, store, pump, or other place of business at which gasoline is regularly transferred directly to consumers.

(7) "Director" means the Director of the Office of Price Administration for the Virgin Islands.

(8) "Distributor" means any person who imports gasoline into the Virgin Islands.

(9) "Evidence" means a token which, under the provisions of Ration Order No. 8, represents a right to receive a transfer of gasoline.

(10) "Fleet" when the term is used in connection with a motor vehicle of any type, means that the vehicle is one of three or more vehicles of such type, owned or leased by and operated by the same person and used principally in connection with the same occupation or related occupations.

(11) "Gasoline" means any liquid fuel, used for the propulsion of motor vehicles, aircraft, or boats by means of internal combustion engines, except liquid fuel with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzene, benzol, and naphtha.

(12) "Inboard motorboat" means any self-propelled water craft the motive power for which is furnished by a gasoline-operated internal combustion engine other than an outboard motor.

(13) "Inventory coupons" means a one-gallon or 100-gallon coupon issued by a Board to represent unfilled storage capacity of a dealer or distributor, or for such other purpose as may be provided in Ration Order No. 8.

(14) "Motorcycle" means any motor vehicle designed for operation on three wheels or less, but does not include tractors.

(15) "Motor vehicle" means and rubber-borne, self-propelled conveyance the motive power for which is furnished by a gasoline-operated internal combustion engine.

(16) "Motor vehicle dealer" means any person regularly engaged in the business of selling or re-selling motor vehicles and includes persons engaged in selling repossessed motor vehicles.

(17) "Motor vehicle rental agency" means any person engaged in the business of leasing motor vehicles to others, and "boat rental agency" means any person engaged in the business of leasing inboard motorboats or outboard motorboats to others.

(18) "Non-highway use" means any use of gasoline other than for the propulsion of a licensed motor vehicle or of a motor vehicle held by a motor vehicle dealer for sale or resale or of a motor vehicle operated on dealer license plates.

(19) "Occupation" means business, gainful work, or any work regularly performed by a person which contributes to the war effort or to the public welfare, and includes the pursuit of a regular and recognized course of study.

(20) "Occupational mileage" means mileage driven by a person in carrying on his occupation or to and from a place where such occupation is carried on by him.

(21) "Passenger automobile" means any motor vehicle other than a motorcycle built primarily for the purpose of transporting passengers and having a rated seating capacity of seven or less; and also includes stationwagons and suburban carryalls, irrespective of seating capacity.

(22) "Ration book" means any gasoline coupon book issued pursuant to Ration Order No. 8.

(23) "Licensed", as applied to a motor vehicle, means that such motor vehicle is duly licensed for operation on public roads or highways by the appropriate agency of the Federal Government of the United States, a municipal government of the Virgin Islands, the government of a State of the United States, or any territorial or foreign government.

(24) "Taxicab" means a passenger automobile which is licensed by a municipality of the Virgin Islands as an automobile for hire and which is actually

engaged in the regular occupation of carrying passengers for hire.

(25) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply, or furnish and includes the acquisition of title by will, inheritance, foreclosure or legal process; it also includes the use by any dealer or distributor, of any gasoline held for transfer; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of a shipment, shall not be deemed to be a transfer to or by such a carrier.

(26) "Transfer", as applied to a place of business, means any change from one person to another of the right of occupation of the premises and the right to possession and disposal of any gasoline stocks on hand, whether or not the transferor continued on the premises in another capacity. The term shall include, but not by way of limitation, a sale, lease, change in tenancy, inheritance, devise, eviction, foreclosure, or occupation of an executor, administrator, receiver, or trustee in bankruptcy, but not a mortgage or other security transfer unaccompanied by a change in the right to present possession.

(27) "Truck" means any motor vehicle, other than a motorcycle, built or re-built primarily for the purpose of transporting or hauling property or equipment.

(28) "Vehicle available for public rental" means any registered motor vehicle leased from or held for rental by a motor vehicle agency, but does not include a taxicab.

(29) "Virgin Islands" means all the Virgin Islands of the United States of America and includes, but is not limited to, the Islands of St. Thomas, St. John, and St. Croix.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall denote the feminine and neuter.

Scope of Ration Order No. 8

§ 1394.3551 *Territorial limitations.* Ration Order No. 8 shall apply to the Virgin Islands.

§ 1394.3552 *Scope of restrictions.* (a) Nothing in Ration Order No. 8 shall be construed to limit the quantity of gasoline which may be acquired by the Army, Navy, Marine Corps, Coast Guard, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, and Office of Scientific Research and Development.

Administration and Personnel

§ 1394.3601 *Administration.* (a) Ration Order No. 8 shall be administered by the Office of Price Administration through the War Price and Rationing Boards and such Administrative personnel in the Virgin Islands as the Office of Price Administration may designate.

(b) No person participating in the administration of Ration Order No. 8 shall act officially in connection with any matter arising thereunder as to which he has any interest by reason of business connection or relationship by blood or marriage.

§ 1394.3602 *Jurisdiction of Boards.* (a) For the purpose of Ration Order No. 8, a Board shall have jurisdiction over the issuance of all rations for vehicles or equipment customarily kept, garaged, stationed or located in the area which the Board is designated to serve.

§ 1394.3603 *Action on applications.* (a) The Board shall render its decision on an application for a ration within five (5) days after the date of such application. In any case of apparent emergency, such decision shall be made within forty-eight (48) hours, if possible. The Board shall promptly notify the applicant of its decision.

§ 1394.3604 *Records of application.* (a) Each Board shall maintain a file of all applications for rations submitted to it. A rationing officer may act as executive secretary of a Board and maintain custody of its records.

Basic Rations

§ 1394.3651 *Persons entitled to basic rations.* (a) The owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle may obtain during the period from September 1, 1942 to March 15, 1943, a basic ration for use with such vehicle, except that no basic ration shall be issued for use with a passenger automobile or motorcycle which is:

(1) A taxicab or vehicle available for public rental;

(2) Specially built or re-built as an ambulance or hearse; or used as a hospital car;

(3) Held by a motor vehicle dealer for sale or resale.

§ 1394.3662 *Basic ration books.* (a) Class A coupon books shall be issued as basic rations for passenger automobiles and motorcycles. Each basic ration book shall contain forty-eight (48) coupons, when issued for a passenger automobile, and twenty-four (24) coupons, when issued for a motorcycle. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below:

Coupons numbered:	Valid Period
1	September 16, 1942, to September 30, 1942, inclusive.
2	October 1, 1942, to October 15, 1942, inclusive.
3	October 16, 1942, to October 31, 1942, inclusive.
4	November 1, 1942, to November 15, 1942, inclusive.
5	November 16, 1942, to November 30, 1942, inclusive.
6	December 1, 1942, to December 15, 1942, inclusive.
7	December 16, 1942, to December 31, 1942, inclusive.
8	January 1, 1943, to January 15, 1943, inclusive.
9	January 16, 1943, to January 31, 1943, inclusive.
10	February 1, 1943, to February 15, 1943, inclusive.
11	February 16, 1943, to February 28, 1943, inclusive.
12	March 1, 1943, to March 15, 1943, inclusive.

§ 1394.3653 *Application for an issuance of basic ration books.* (a) During the period from September 1, 1942 to March 15, 1943, application for a basic ration book shall be made at the Board having jurisdiction, on Form OPA VIR–1, by the owner or the person entitled to the use of the vehicle or by the authorized agent of either. A separate application shall be made for each passenger automobile or motorcycle for which a basic ration is sought.

(b) Pursuant to such application a basic ration book shall be issued by the Board. The Board shall remove twenty-four (24) coupons from every Class A book issued as a basic ration for a motorcycle, and shall also remove all expired coupons from any Class A book issued subsequent to October 1, 1942 as a basic ration for a passenger automobile or motorcycle.

(c) Not more than one basic ration may be issued for a vehicle, except as provided in § 1394.4102.

Supplemental Rations

§ 1394.3701 *Supplemental ration books.* (a) Class A or B coupon books may be issued by a Board as supplemental rations to an owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle for which a basic ration may be issued pursuant to § 1394.3651 (a). Sufficient books shall be issued to provide for occupational mileage driven in such vehicle by the owner or the person entitled to the use of the vehicle, to the extent that such mileage is allowed by the Board pursuant to § 1394.3703.

(b) The ration period for which each Class A or B book shall be issued shall be six (6) months in length and shall commence on September 16, 1942. The ration period shall be noted on the cover of each book by the Board and shall authorize the transfer of gasoline to a consumer only during such period.

(c) Class A and B books issued as supplemental rations shall contain numbered coupons which shall be valid during the same period as the corresponding numbered coupons of Class A books issued as basic rations, as set forth in § 1394.3652 (a).

§ 1394.3702 *Application for supplemental ration.* (a) Application for a supplemental ration for each vehicle shall be made separately to a Board on or after September 1, 1942, on Form OPA VIR–2, by the owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle. Application on behalf of an individual may not be made by an agent. In the event that two or more passenger automobiles for which supplemental rations are desired are owned by persons living in the same household and related to each other by blood, marriage, or adoption, all applications for supplemental rations for such vehicle shall, except for good cause shown, be submitted at the same time.

(b) An applicant shall establish his average monthly occupational mileage required for each of the following purposes during the ration period for which such ration is valid:

(1) Driving between home and a fixed place of work in connection with the principal occupation of the applicant or principal user of the vehicle;

(2) Driving in the course of such principal occupation;

(3) Driving to and from or in the course of any other occupation or occupations for which the vehicle is used.

(c) Where two or more vehicles are used in a ride-sharing arrangement of the type described in § 1394.3703 (a), a separate application for a supplemental ration shall be made for each such vehicle, but all such applications must, except for good cause shown, be submitted at the same time. Each such application shall include only the mileage driven in the vehicle for which it is made.

§ 1394.3703 *Allowance of mileage and number of gallons.*—(a) No occupational mileage shall be allowed by a Board for any purpose specified in § 1394.3702 (b), unless the applicant establishes that the transportation is needed for such purpose and that, in connection with the use of the vehicle for that purpose, either:

(1) That a *bona fide* ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose of going to and from or carrying on their occupation: *Provided,* That each such person must certify to his participation in the rid-sharing arrangement by signing the application, or

(2) That no such ride-sharing arrangement can reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which and the purpose for which it is used.

(i) An applicant may establish that four or more persons cannot regularly be carried in the vehicle for which application is made by showing the limited capacity of the vehicle, the absence of a fixed place of work, the necessity of traveling at unusual or irregular hours, the necessity of traveling over routes not feasible for other persons who might be carried, or such other reasons as the Board may find sufficient.

(ii) In the event application is made for a supplemental ration in order to permit the use of the vehicle for which application is made in the pursuit of an occupation other than a gainful occupation, and four or more persons are not regularly carried in such vehicle in connection with their occupations, the application must be certified, as indicated thereon, by a responsible official of the organization for or under the direction of which the work is performed.

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow a monthly mileage for any of the purposes listed in § 1394.3702 (b) for which the applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. The Board shall then compute the number of gallons to be allowed monthly by dividing the monthly mileage allowed by the average actual number of miles obtained per gallon in the vehicle for which application for the Supplemental ration is made: *Provided,* That the Board may not allow more than twelve (12) gallons per month in the case of a passenger car, or six (6) gallons, in the case of a motorcycle, for occupational mileage unless the number of gallons in excess of such 12 or 6 gallons is to be used for preferred mileage as defined in § 1394.3705. The total number of gallons allowed any applicant for occupational mileage shall not exceed thirty-six (36) gallons per month for a passenger car, or eighteen (18) gallons per month for a motorcycle.

§ 1394.3704 *Issuance of supplemental rations.* (a) Supplemental rations shall be issued for the number of gallons allowed by the Board in accordance with § 1394.3703, for the unexpired portion of the ration period for which the ration book issued is valid.

(b) The Board shall issue, in the event that the number of gallons allowed by the Board is eight (8) gallons per month or less for a passenger automobile or motorcycle, sufficient coupons in one Class A book in addition to the Class A book issued as a basic ration, to provide the number of gallons allowed by the Board as occupational mileage for the six-month ration period. In the event that the number of gallons allowed by the Board exceeds eight (8) gallons per month, the Board shall issue sufficient coupons in one Class B and/or Class A books to provide the number of gallons allowed by the Board.

§ 1394.3705 *Preferred mileage.* The mileage given, in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

(a) By a duly elected or appointed agent, officer, representative, or employee of a Federal, Insurlar, Municipal or foreign government or government agency for performing the official business or carrying out an official function of such government or government agency in a passenger automobile or motorcycle owned or leased either by such government or government agency or by the agent or employee.

(1) For the purpose of this paragraph:

(i) Daily or periodic travel between home and lodgings and a fixed place of work shall not be deemed performance of official business or carrying out an official function:

(ii) Travel by duly elected members of a municipal council between their places of residence and the place where the council convenes, for the sole purpose of attending the council sessions, or committee meetings of the council, shall be deemed the carrying out of an official function.

(b) By public school teachers or officials for the performance of official duties which require travel from school to school.

(c) By a licensed physician, surgeon, osteopath, chiropractor, or veterinarian, or by a midwife or nurse, for making necessary professional calls or rendering necessary professional services.

(d) By a regularly practicing minister of any religious faith who actually serves a congregation, or by any religious practitioner qualified to minister to the religious needs of the members of a congregation, for giving religious comfort, assistance, advice or instruction.

(e) By a farmer, for transporting farm products and necessary farm supplies between farm and market, shipping point or point of delivery, or between one farm establishment and another.

(f) By members of the armed forces of the United States for transportation to, from or between places at which their duties are performed, and between their residences and places at which their duties are performed.

(g) By a worker (including an executive, technician, or office worker, but not including salesmen) or by an employer, employer's representative or representatives of a labor organization in travel to, from, within, or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

(1) Naval, military or hospital establishments or facilities;

(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants or establishments engaged in the war production or distribution of heat, light, power, petroleum products, gas, steam or water; or of irrigation, drainage, flood-control or sanitation systems; or of telephone, telegraph, radio, or other communications systems; or newspapers.

(h) By engineers, architects, technicians, supervisors, repair and maintenance men or other workers (but not including salesmen) to enable them to render services or to transport materials and equipment necessary for construction, repair, installation, or maintenance work (other than the repair or maintenance of portable household appliances) which is essential to the war effort or the civilian economy; or for rendering indispensable services of a specialized nature to agricultural, extractive or industrial establishments. "Services of a specialized nature" shall include services related to the natural breeding of livestock; crop or livestock inspection in connection with the marketing or processing thereof; inspection in connection with the improvement of farm sanitation; protection of crops, livestock or farms from blights, diseases or pests; and soil conservation.

(i) In a motorcycle, for delivery or messenger service.

Service Rations

§ 1394.3751 *Service rations.* (a) The owner or the person entitled to the use of a licensed motor vehicle which is found by the Board to be in one or more of the

classes listed below may obtain a service ration providing the number of gallons necessary for the mileage allowed by the Board for the purpose or purposes specified for each class.

(1) A taxicab or vehicle available for public rental: *Provided*, That a lessee of a vehicle available for public rental may not obtain a service ration for such vehicle unless his use of the vehicle is for a purpose specified in this section.

(2) A bus which is part of a regular system for the transportation of persons.

(3) A truck used as a carrier of persons or property in connection with a regular business or occupation, or owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency, and used exclusively for the official business of such government or government agency.

(4) A motor vehicle specially built or re-built as an ambulance or hearse used for the transportation of invalids, injured, sick, or deceased persons, or a hospital car used solely and exclusively for the transportation of physicians, nurses, or other hospital employees in connection with rendering medical treatment or performing other duties for the hospital.

§ 1394.3752 *Service ration for owners of leased vehicles.* (a) No owner of a motor vehicle which is in the possession of another person under a lease or rental agreement may obtain a service ration for such vehicle more than five days prior to the expiration date of such lease or rental agreement.

§ 1394.3753 *Service ration books.* (a) Class C books, containing coupons which shall be valid at any time during the ration period, shall be issued as service rations.

(b) The ration period for service rations shall be three months in length and shall commence September 16, 1942, and each three months period thereafter.

§ 1394.3754 *Application for service ration.* (a) Application for a service ration may be made to a Board by the owner or the person entitled to the use of the vehicle, or the agent of either of them, on and after September 1, 1942, on Form OPA VIR–3. One application form may be used for all vehicles for which the applicant seeks a service ration.

§ 1394.3755 *Issuance of service rationing.* (a) Service rations shall be issued to eligible applicants in the manner indicated below:

(1) Taxicabs: One and not more than one Class C coupon book, containing 96 coupons, which shall be valid for the three-month ration period: *Provided*, That the Board may issue more than one Class C coupon book to a taxicab pursuant to the provisions of § 1394.3756 (a).

(2) Buses: Sufficient coupons in Class C coupon books or bulk coupons, if bulk coupons are requested, to provide the number of gallons necessary for the minimum mileage required for the three-month ration period for the operation of the bus on the routes and schedules normally followed by the bus.

(3) Trucks: Sufficient coupons in one or more Class C books to provide the number of gallons allowed by the Board for the monthly mileage required for the three-month ration period. The Board shall allow only a number of gallons absolutely required by the truck for the carrying of persons and property in the course of a business or occupation: *Provided*, That the Board may not allow a monthly number of gallons for trucks in excess of 32 gallons a month, except for essential trucking as provided for in § 1394.3756 (b).

(4) Ambulances, hearses, and hospital cars: Sufficient coupons in Class C coupon books to provide the number of gallons allowed for the minimum mileage required by the ambulance or hearse for the three-month ration period to transport invalids, injured, sick, or deceased persons, or for the hospital car to transport physicians, nurses, or hospital employees in connection with rendering medical treatment or performing other duties for the hospital.

§ 1394.3756 *Issuance of essential service rations to taxicabs and trucks.* (a) On or after October 1, 1942, a Board, in its discretion, may issue one or more additional Class C books for any taxicab which carries persons to or from, or in the course of, an occupation for which preferred mileage is allowed pursuant to § 1394.3705: *Provided*, That such additional Class C books shall be issued for a taxicab only to provide the mileage travelled in the transportation of such essential occupational workers.

(b) On or after October 1, 1942, a Board, in its discretion, may issue one or more additional Class C books for any truck the principal use of which is made in one or more of the following essential services:

(1) To maintain fire-fighting services;

(2) To maintain necessary public police services, or to enforce laws relating specifically to the protection of public health or property;

(3) To maintain garbage and night soil disposal, and other sanitation services;

(4) To carry mail;

(5) To transport ice, water, milk, and fuel;

(6) To transport farm products, including sugar, vegetables, fruits, and other food crops, to processing plants, storage houses, or wholesale or retail establishments, but not from retail establishments to consumers;

(7) To transport food and food supplies to wholesale or retail establishments, but not from retail establishments to consumers;

(8) To transport medicines or medical equipment;

(9) To transport waste and scrap material;

(10) To maintain the essential services of public utilities system;

(11) To transport material and equipment for strictly essential farm, highway, industrial, or government construction, maintenance, or repair.

The Board shall issue such additional coupon books only if a request therefor on the original application is signed by the applicant on or after October 1, 1942.

(c) The Board shall issue sufficient coupons to provide the number of gallons allowed for the minimum mileage required by the taxicab or truck, solely in the carrying of persons to, from or in the course of their occupations for which preferred mileage is allowable, or solely in the performance of an essential truck service or services, for the entire ration period for which the initial service ration was issued.

§ 1394.3757 *Computation of gallons.* (a) The Board shall compute the number of gallons necessary for the mileage allowed pursuant to this section by dividing the mileage allowed by the average actual number of miles obtained per gallon by the vehicle when it is efficiently operated.

Special Rations

§ 1394.3801 *Application for special rations.* (a) The owner or person entitled to the use of a motor vehicle, or of a motor boat or outboard motor, who finds that transportation in such a vehicle, or boat, is necessary for one or more of the purposes specified in paragraph (b) of this section, and who finds that a ration issued for such vehicle or boat is not sufficient to permit its necessary use for such purpose, may apply to a board for a special ration. Application for a special ration on behalf of an individual may not be made by an agent. A special ration may be issued for any period not exceeding six months from the date of application.

(b) Special rations may be issued in order to permit acquisition of gasoline for use in a motor vehicle, motorboat, or outboard motor for one or more of the following purposes:

(1) To obtain necessary medical attention or therapeutic treatment or to procure strictly necessary food and supplies;

(2) To operate a motor vehicle or motorboat held by a motor vehicle or boat dealer for sale or resale, solely for the purpose of demonstrating such vehicle or boat to prospective purchasers or for delivery after sale, or to test the motor for such vehicle, or to remove a purchased or repossessed motor vehicle or motorboat, or a vehicle or boat seized pursuant to judicial process or by a government authority, to a place of storage: *Provided*, That no ration in excess of four (4) gallons per month per vehicle or boat shall be granted for any such purpose.

(3) To remove a vehicle or boat in connection with a *bona fide* change in a place of residence.

(c) Application shall be made on Form OPA VIR–5 and the applicant shall state, in addition to such other information as may be required:

(1) The purpose for which a special ration is sought and the period during which such ration will be needed;

(2) The type and number of ration books already issued for the vehicle, boat, or outboard motor, for which the application is made;

(3) The facts supporting the claim that transportation is necessary for the purpose;

(4) The number of miles of driving or, in the case of a boat or outboard motor, the amount of gasoline claimed to be essential to the accomplishment of the purpose or purposes stated during the period for which the special ration is needed.

§ 1394.3802 *Form and issuance of special rations.* (a) The Board may grant a special ration only if it finds:

(1) That such special ration is needed by the applicant for the purpose claimed.

(2) That any ration previously issued for such vehicle, boat, or outboard motor is not reasonably adequate or cannot be used for such purposes:

(3) That transportation is necessary to the accomplishment of such purpose;

(b) If the Board grants the application, it shall determine the quantity of gasoline which is essential to the applicant for the period for which such ration is sought for the purpose or purposes stated and shall issue a coupon book or books of any appropriate class containing sufficient coupons to allow the applicant the quantity of gasoline determined by it to be essential. It shall mark "Special" any book which it so issues. The Board shall remove from the book and immediately destroy any coupons in excess of the number issued.

Non-Highway Rations

§ 1394.3851 *Non-highway rations.* (a) Any person who requires gasoline for a non-highway purpose may obtain a Class R Coupon book as a non-highway ration authorizing the transfer of the amount of gasoline required for such purpose during the six-month period for which such books shall be valid: *Provided, however*, That in lieu of a Class R coupon book a Board may issue a Class C coupon book as a non-highway ration for a three month period, with the words "Non-Highway" printed plainly on the outside cover of such book. Each non-highway ration book issued with respect to a motorboat or outboard motor for non-occupational use shall be so designated by the Board on the inside cover.

(b) The ration periods for Class R coupon books issued as non-highway rations shall be six months in length and shall commence on September 15, 1942, March 15, 1943 and each six month period thereafter.

§ 1394.3852 *Application for non-highway ration.* (a) Applications for non-highway rations may be made to the Boards, on or after September 1, 1942, on Form OPA VIR–4. Application may be made by an agent.

§ 1394.3853 *Issuance of non-highway rations.* (a) The Board shall determine the amount of gasoline required for the six-month ration period and shall issue to the applicant, subject to the provisions of paragraph (b) of this section, sufficient coupons in one or more Class R coupon books to provide the number of gallons determined by the Board to be needed for the six-month ration period. The Board shall remove from the book and immediately destroy any coupons in excess of the number allotted and shall note the ration period on the cover of each book issued.

(b) If application is made for a non-highway ration for use with a motorboat or outboard motor operated wholly or in part for a non-occupational purpose, the Board shall not allow for the non-occupational purpose an amount of gasoline in excess of the number of gallons determined by the following formulae:

(1) In the case of an inboard motorboat, the number of gallons times the manufacturer's rated horsepower of the motor or motors, but in any more than 144 gallons for the six-month ration period.

(2) In the case of an outboard motor, the number of gallons equal to five times the manufacturer's rated horsepower of such motor, but not in excess of 24 gallons for the six-month ration period.

(c) Except as provided in § 1394.4103 (a), no more than one non-occupational ration may be issued for an inboard motorboat or an outboard motor during any six-month ration period.

Army, Navy, and Certain Other Agencies

§ 1394.3901 *Issuance of ration books by Office of Price Administration.* (a) Coupon books of all types designated in Ration Order No. 8 may be issued by the Director of the Office of Price Administration for the Virgin Islands, in his discretion, to the Army, Navy, Marine Corps, Coast Guard and the law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents, or employees in the performance of official duties which depend upon secrecy.

(b) Any agency enumerated in paragraph (a) of this section which requires coupon books for use by such officers, agents, or employees shall make application therefor to the Director of the Office of Price Administration for the Virgin Islands and shall state the number and type of books required and the use for which such books are intended.

§ 1394.3902 *Acknowledgment of delivery and allotment authorization.* (a) The Army, Navy, Marine Corps, Coast Guard, and Maritime Commission of the United States may obtain gasoline in exchange for a duly executed acknowledgment of delivery on Form OPA R–544. Such form shall bear the signature of an authorized officer, agent, or employee of any such agencies and shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

(b) The Army, Navy, Marine Corps, and Coast Guard of the United States, may obtain gasoline, and any person authorized by one of such agencies may obtain gasoline needed for the performance of services for such agency, in exchange for an allotment authorization executed by an authorized officer thereof. Such allotment authorization shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

§ 1394.3903 *Use of gasoline obtained by Army and other exempt agencies.* (a) Gasoline obtained pursuant to § 1394.3902 may be used without restriction by the agency for which the acknowledgement of delivery form or allotment authorization is issued.

(b) Gasoline obtained pursuant to § 1394.3902 may not be used in a vehicle, boat, or motor not owned, leased, or operated by the agency issuing such acknowledgement of delivery form or allotment authorization unless the person obtaining such gasoline surrenders, to the officer executing such form or to the person transferring such gasoline, valid ration coupons having a gallonage value equal to the amount of gasoline transferred or authorized to be transferred by the Acknowledgement or Allotment Authorization. Coupons so surrendered shall be destroyed by the agency receiving them.

(c) For the purpose of this section the term "Army" shall include Post Exchanges operated by the Army of the United States, and the term "Navy" shall include Naval stores operated by the United States Navy.

Gallon Value of Coupons

§ 1394.3951 *Value of coupons.* (a) Each gasoline ration coupon of the class hereinafter designated shall have the following value in gallons of gasoline:

	Gallons
Class A	1
Class B	4
Class C	1
Class R	4

(b) The value of each coupon in gallons of gasoline may be changed and established from time to time by order or direction of the Office of Price Administration.

General Provisions With Respect to Issuance of Gasoline Rations

§ 1394.4001 *Application forms.* Every applicant for a ration shall fill out and execute the appropriate application form for the class of ration applied for and shall furnish the information required by such form.

§ 1394.4002 *Appearances before boards.* (a) The Board may require any applicant for a ration to appear before it for examination and to produce such witnesses or evidence, or supply such information in addition to that contained in the application form, as it may deem material.

§ 1394.4003 *Presentation of license receipt or other certificate.* (a) No gasoline ration, other than a ration issued pursuant to § 1394.3802, shall be issued for any motor vehicle unless the applicant for a ration presents to the Board a receipt for the payment of a motor vehicle license fee, issued by a municipality of the Virgin Islands, or a registration card or registration certificate of a state of the United States or of any foreign or territorial government, authorizing, or signifying the payment of a fee on, the operation of such vehicle during all or part of the period for which such ration is to be issued.

§ 1394.4004 *Notation on license receipt or other certificate.* (a) At the time of issuing a gasoline ration for a licensed motor vehicle for which a license receipt or other certificate must be presented, the person issuing such ration shall make a clear notation in ink, indelible pencil, or by typewriter, on the front of the license receipt or other certificate presented by the applicant, showing the date of issuance, the class of ration and the serial number of the ration book issued.

§ 1394.4005 *Notation on ration books and applications.* (a) At the time of issuance of any ration book for a licensed motor vehicle, the person issuing such book shall, unless a fleet identification is used as provided in paragraph (b) of this section, make a clear notation on the cover thereof, in ink, indelible pencil, or by typewriter, of the license number of the vehicle for which it is issued and of the name and address of the licensed owner of such vehicle. The Board shall also make a notation on the cover of such book, other than a basic book, and on the application therefor, of the date on which it becomes valid and of its expiration date.

(b) An applicant for a gasoline ration for fleet vehicles may request the Board to note on the ration books issued the name or other identification of the fleet, in lieu of the license number of a particular vehicle. The Board may grant such request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation. Any book on which a fleet identification is noted may be used, interchangeably, for all vehicles in the fleet bearing such identification.

(c) At the time of issuance of a nonhighway ration book, the Board shall make a clear notation on such book in ink, indelible pencil, or by typewriter, of the name and address of the applicant and of the period during which such book shall be valid. Such period shall also be noted on the application.

§ 1394.4006 *Change in motor vehicle license number.* (a) The holder of a ration book issued for a licensed motor vehicle, other than a ration book bearing a fleet identification, shall upon any change in the license number of such vehicle, submit such ration book, together with the license certificate or registration card evidencing the new number, to a Board within five (5) days after such change for the purpose of having the notation thereon changed to correspond to the new license number. The person authorized to make the change for the board to which such book is presented shall obliterate the license number appearing thereon; note thereon, in ink, indelible pencil, or by typewriter, the new license number issued for such vehicle, and countersign or initial the change made on the book. Notation on the new license receipt or registration card shall also be made, as prescribed in § 1394.4004.

§ 1394.4007 *Removal of coupons.* The Board shall remove from every ration book, and shall immediately destroy all coupons in excess of the number to be issued under the provisions of Ration Order No. 8.

§ 1394.4008 *Authorization of bulk purchase.* (a) Any person who establishes to the satisfaction of a Board that he wishes, pursuant to a regular business practice, to purchase gasoline in bulk, may, when applying for a gasoline ration, request the Board to issue such ration in the form of bulk coupons, or partly in bulk coupons and partly in books. Such person may also request the Board to make a notation on any coupon books issued to him indicating that coupons in such books may be used for a bulk transfer of gasoline.

(b) If the applicant establishes the facts required by paragraph (a) hereof, the Board shall issue bulk coupons to the extent of the number of gallons allowed by it for which bulk coupons are requested: *Provided*, That the Board shall first determine the type, number and expiration date of the coupons books to which the applicant is entitled; it shall then issue bulk coupons, to the extent requested by the applicant, having a gallon value equal to the value in units of the coupons in the coupon books to which the applicant is entitled and in lieu of which such bulk coupons are issued. Such bulk coupons shall expire on, and may not be used for the transfer of gasoline to a consumer after, the date on which such coupon books would require.

§ 1394.4009 *Loss of destroyed coupon or books.* (a) In the event of the accidental loss, destruction or mutilation of any coupon books or bulk coupons, the holder thereof may apply for replacement thereof to the Board having jurisdiction.

(b) Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The class, date and place of issuance, and expiration date of such book of coupons;

(3) A description of the motor vehicle boat, equipment, or use for which the book or coupons were issued;

(4) A statement of the number and type of unused coupons so lost, destroyed, or mutilated;

(5) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the Board is satisfied that such book or coupons have been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it may issue, in its discretion, a duplicate book or duplicate bulk coupons of the same class and in the same quantity as those sought to be replaced. It shall clearly note on the cover of any duplicate book issued that same expiration date that appeared on the original book.

(d) No person receiving a duplicate book or coupons under paragraph (c) hereof shall use, attempt to use, or permit the use of the original book or coupons, but shall surrender such original book or coupons, if damaged or mutilated, to the Board at the time of issuance of the duplicate book or coupons. In the event that a lost book or lost coupons are found after duplicates have been issued, such original book or coupons shall be surrendered to the Board forthwith.

§ 1394.4010 *Signature on book.* (a) No coupon book shall be valid until the person to whom such book is issued has signed the certification provided for therein.

§ 1394.4011 *Alteration on book.* (a) Any alteration on the face or cover of any coupon book, unless made and countersigned by a person authorized to do so under Ration Order No. 8, shall render such book, and the coupons therein, invalid.

Renewal of Rations and Issuance of Further Rations

§ 1394.4051 *Renewal of rations.* (a) At any time within ten (10) days prior to the expiration of any ration, or at any time thereafter, application for a further ration may be made. Such application shall be made in the same manner as the original application, except as provided in paragraph (b) of this section.

(b) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount, and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a further ration other than a basic ration may be made by executing the renewal certificate on such original application. The applicant shall, in such case, note on such renewal certificate any change in the nature or amount used since the date of the original application.

(c) When issuing a further ration prior to the expiration date of a current ration of the same class, the Board shall note on the application and on the front cover of the coupon book representing such further ration the date on which such further ration shall become valid. Such date shall be the day following the expiration date of the current ration.

(d) Except as provided in §§ 1394.3756, and 1394.4052, no further ration of any class may be issued for use prior to, or may be used prior to, the expiration of the current ration of such class.

§ 1394.4052 *Issuance of further ration for use prior to expiration date of current ration.* (a) Any person who finds that, due to a change in occupation or in the location of place of business or residence, or other change in circumstances, or due to seasonal variation in the amount of occupational mileage needed, or miscalculations of needs, a ration of any class other than a basic ration issued to him fails to meet his requirements, may apply for a further ration of such class for use prior to the expiration date of his current ration. Such application shall be made in the same manner as the application for the current ration.

(b) The applicant shall append to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than ten (10) days from the date of the application;

(2) The reason or reasons why a further ration will be needed for use prior to the expiration date of the current ration.

(c) If the Board determines that, for one or more reasons specified in paragraph (a) of this Section, more mileage is needed or, in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may grant a further ration by issuing sufficient further coupons in one or more coupon books, to permit transfer of gasoline in the amount of the further ration allowed.

(d) All of the provisions of Ration Order No. 8 applicable to the issuance of an original ration shall apply to the issuance of a further ration.

Expiration and Revocation of Ration

§ 1394.4101 *Surrender of expired coupons.* (a) No coupon book issued in the Virgin Islands shall be valid for the transfer of gasoline to a consumer in the Virgin Islands after the expiration thereof, or to any consumer at any time outside the Virgin Islands.

(b) The person to whom a ration has been issued shall, within five (5) days after the expiration thereof, surrender to the issuing Board all expired coupon books and all unused coupons representing such ration.

§ 1394.4102 *Expiration of ration.* (a) Every ration shall expire at midnight on the last day of the ration period for which it is issued.

(b) Upon cessation of use or *bona fide* transfer of ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation or change, be surrendered to the issuing Board by the person to whom such ration was issued. The transferee of such vehicle, boat or equipment may apply for a gasoline ration in accordance with the applicable provisions of Ration Order No. 8.

(c) Upon cessation of use of a ration, other than a basic ration, for a purpose for which such ration may be obtained, such ration shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation, be surrendered to the issuing Board by the person to whom such ration was issued.

§ 1394.4103 *Denial of gasoline ration.* (a) No person whose name has been recorded by a Board, in accordance with the provisions of § 1394.4104 (c) for refusal to surrender a gasoline ration book upon direction of the Board, or for failure or refusal, without good cause shown, to appear before such Board for examination shall be entitled to obtain a ration of any type under Ration Order No. 8 while his name remains thus recorded.

§ 1394.4104 *Review by Local Boards of application for gasoline rations.* (a) Any Board may review an application for a gasoline ration of any class, made in the area over which it has jurisdiction, or referred to it by another board, in order to determine whether the holder of the ration was entitled to receive it. The Board may also require the holder of a supplemental, service, non-highway, or special ration to appear before it for examination in order to determine whether such ration is being used in accordance with the provisions of Ration order No. 8. The Board shall give the holder written notice of the time and place fixed for such appearance. The notice shall be deemed sufficient if mailed to the address shown on the application at least five (5) days prior to such time. The Board may designate one or more of its members to perform the functions of prescribed in this section.

(b) If the Board finds that the ration holder was not entitled to receive the ration issued, or, if it finds that a ration issued is being used for a purpose other than one for which such ration may be obtained, it shall revoke such ration and shall direct that any coupons or coupon books issued therefor be surrendered to it. If it finds that the holder is entitled to a ration of a different class or quantity than that issued, it may issue such ration as it finds the holder entitled to receive pursuant to the provisions of Ration Order No. 8 in place of the ration revoked.

(c) The Board shall record the name of any ration holder who refuses to comply with a direction of the Board pursuant to paragraph (b) of this section or who fails or refuses to appear for examination in accordance with a notice sent by the Board pursuant to paragraph (a) of this section: *Provided*, That if a person whose name has been recorded for failure or refusal to appear for examination shows good cause to the Board for such failure or refusal his name shall be stricken from such record, upon compliance with the Board's direction with respect to the disposition of his ration. The Board shall notify the Director of the Office of Price Administration for the Virgin Islands immediately after so recording any name and immediately after striking any name from the record. Any person whose name remains recorded shall be prohibited from securing any ration under the provisions of Ration Order No. 8.

Restrictions on Use of Rations and Gasoline

§ 1394.4151 *Restrictions as to purposes.* (a) No person to whom a special ration has been issued may use or permit the use of such ration for any purpose other than the one for which it was issued. No person to whom a supplemental, service, or non-highway ration has been issued may use or permit the use of such ration for a purpose other than that for which such ration may be obtained.

§ 1394.4152 *Rations not transferable.* (a) No ration may be transferred or assigned. A ration may, however, subject to the provisions of § 1394.4154 be used by anyone entitled to use the vehicle, boat or equipment for which it was issued, if such use is for a purpose for which such ration may be obtained and so long as there is no change in ownership of such vehicle, boat or equipment.

§ 1394.4153 *Change of occupation.* (a) The holder of a supplemental ration based on preferred mileage, as defined in § 1394.3705, shall report to the issuing Board any change in the principal occupation for the pursuit of which such ration was issued. Such report shall be transmitted to the Board within five (5) days after such change and shall describe fully the nature of the new occupation, the exact type of work performed, the business or industry in which such work is performed, and the purpose, if any, for which the motor vehicle will be used in such new occupation. If, on the basis of such report, the Board finds that such motor vehicle will no longer be used for a preferred purpose listed in § 1394.3705, it shall notify such holder, in writing, that his right to such ration is to be reexamined. Such notice shall be mailed to such holder at the address shown on his application (or at the address shown on his report), and shall require him to file a new application for a ration within ten (10) days after the mailing date shown on such notice. If no new application is filed within such time, the Board shall revoke such ration and shall recall all coupon books based on preferred mileage issued in connection therewith. If a new application is filed, and if the Board determines that the motor vehicle will be used for a preferred purpose listed in § 1394.3705, it shall take no further action. If the Board finds that the vehicle will no longer be used for a preferred purpose, listed in § 1394.3705, it shall revoke the ration and recall the coupons or coupon book originally issued and shall issue, in lieu thereof, such ration, if any, as it determines that the holder is entitled to receive on the basis of his new application.

§ 1394.4154 *Use of rations issued for vehicles or boats available for public rental.* (a) A motor vehicle rental

agency may permit a lessee to use a Service ration issued to such agency for a vehicle leased by him, during the period of a *bona fide* lease for one week or less. In the case of any lease other than a *bona fide* lease for one week or less, the lessee may not use or be permitted to use the Service ration issued to such agency for such vehicle, but shall apply for a ration on his own behalf, pursuant to the provisions of paragraph (b) of this section.

(b) A lessee of a vehicle available for public rental who leases such vehicle for a period of more than one week shall be deemed to be a person entitled to the use of such vehicle, within the meaning of § 1394.3702. Such lessee may apply for a ration for use of such vehicle on his own behalf, and his right to such ration shall be determined solely by the nature and extent of his use of the vehicle. Application by such lessee for a ration shall be made on Form OPA VIR–5. Upon termination of the lease, any ration issued to such lessee shall expire and all coupons or coupon books issued to him shall be returned by him to the issuing Board.

(c) A boat rental agency may permit a lessee to use a non-highway ration issued for an inboard motorboat or outboard motor leased to him, only during the period of a *bona fide* lease for one week or less. A lessee of such boat or motor who leases it for a period of more than one week may apply for a non-highway ration on his own behalf.

Restriction on Transfer of Gasoline

§ 1394.4201 *Restriction on transfer to consumers.* (a) On and after September 16, 1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer or distributor shall transfer or offer to transfer gasoline to any consumer, and no consumer shall accept transfer of such gasoline.

(b) On or after September 16, 1942, a dealer or distributor may transfer gasoline to a consumer in the Virgin Islands, and such consumer may accept such transfer of gasoline, only in exchange for valid coupons or other evidences issued in the Virgin Islands.

(c) No gasoline may be exported, or transferred to any person for export or for use or consumption in any country or island other than the Virgin Islands of the United States, unless a written purchase order for such export or transfer is approved by the Director of the Office of Price Administration for the Virgin Islands. The Director shall signify his approval of the export by signing or initialing such purchase order.

(d) Whenever in the opinion of the Director of the Office of Price Administration for the Virgin Islands the supply of motor fuel on the Islands available for civilian use becomes so limited, or threatens to become so limited that it appears to him that such essential functions as fire protection, ambulance and medical service, night soil removal and sanitation services may not be able to be continued because of lack of motor fuel, he may issue an emergency order that all transfers of motor fuel under both basic and supplemental rations shall cease, and such emergency order may provide that all existing supplies of motor fuel shall be held exclusively for the use of such of the essential public services as he may designate: *Provided*, That when such an emergency order is issued, no dealer or other person may transfer any gasoline in exchange for any coupons of any type, but shall transfer gasoline only to the essential service or services designated upon presentation to him of a written authorization from the Director of the Office of Price Administration, which authorization shall set forth the service to receive the transfer and the amount to be transferred: *Provided further*, That the heads of the governmental departments responsible for such essential services may obtain an authorization from the Director of the Office of Price Administration for supplies of motor fuel to carry on such essential services upon application and furnishing proof that such supplies are needed for the purposes set forth.

§ 1394.4202 *Transfer to consumers in exchange for coupons.* (a) A transfer of gasoline may be made in exchange for coupons contained in Class A, B, and C books, under the following conditions:

(1) At the time of transfer, the transferor shall require presentation of the coupon book and must therefrom detach coupons having an aggregate gallon value equal to the amount of gasoline transferred: *Provided*, That if the transferee is able to accept only a portion of the amount of gasoline represented by the gallon value of a coupon, the transferor shall nevertheless detach an entire coupon. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book presented: *Provided*, That if such book bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for coupons in such book: *Provided further*, That bulk transfer may also be made of an amount of gasoline, not in excess of a minimum quantity necessary to enable a vehicle stranded for lack of fuel to reach a source of supply. In such case the transferor shall detach the coupon or coupons necessary and shall retain the ration book presented until the vehicle is brought to the place of transfer for identification.

(3) Transfer may be made only during the period of validity of the coupon in exchange for which the transfer is to be made.

(b) Bulk transfer may be made in exchange for coupons contained in a Class R book, under the following conditions:

(1) At the time of transfer, the transferor must require presentation of the coupon book and must detach therefrom coupons having an aggregate gallonage value equal to the number of gallons of gasoline transferred. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) No transfer in exchange for coupons in a Class R book may be made into the fuel tank of, or knowingly made for use in, a licensed motor vehicle or a motor vehicle held by a motor vehicle dealer for sale or resale.

(c) Transfer may be made in exchange for bulk coupons. The transferor shall require surrender, at or before time of transfer, of bulk coupons having a value in gallons equal to the number of gallons of gasoline transferred: *Provided*, That in the case of any delivery made in the absence of the transferor or his agent, or in the absence of the transferee or his agent, coupons need not be surrendered simultaneously with delivery, but must be forwarded by the transferee to the transferor within forty-eight (48) hours after delivery.

§ 1394.4203 *Emergency transfer.* (a) Transfer may be made in exchange for an emergency receipt on Form OPA R–555, which may be obtained from any dealer.

(b) Any person requiring gasoline in order to meet any emergency involving serious threat to life, health, or valuable property, may obtain such gasoline by signing an emergency receipt in triplicate and stating thereon the emergency purpose for which such gasoline is required and the reason why he is unable to present coupons in exchange for such gasoline. If such gasoline is required for use in a licensed motor vehicle, he shall also state the license number of the vehicle in which such gasoline is to be used.

(c) Any dealer or distributor who has transferred gasoline in exchange for an emergency receipt, shall transmit such emergency receipt, in triplicate, to the Board having jurisdiction over the area in which his place of business is located. The Board, if it is satisfied that the transferor made a transfer, in good faith, of the amount of gasoline specified in such emergency receipt, shall issue to him, in exchange therefor, inventory coupons equal in gallonage value to the amount of gasoline so transferred. The Board shall retain one copy of such receipt in its own files, shall transmit the second copy to the Board having jurisdiction over the area in which the transferee resides, as stated on the receipt, and shall send the third copy to the Director of the Office of Price Administration for the Virgin Islands.

§ 1394.4204 *Transfer of vehicle, boat or equipment.* (a) Nothing in Ration Order No. 8 shall be deemed to forbid the transfer of gasoline actually in the fuel supply tank of a vehicle, boat or equipment, in conjunction with a *bona fide* transfer of such vehicle, boat, or equipment itself; or the consumption by the transferee in such vehicle, boat, or equipment of gasoline actually in the fuel supply tank thereof at the time of transfer.

§ 1394.4205 *Transfer of consumer establishments.* (a) Nothing in Ration Order No. 8 shall be deemed to forbid the transfer of gasoline actually in a storage tank or another container maintained by a consumer as part of an enterprise or establishment, in conjunction with a *bona fide* transfer of such enterprise or establishment itself, or a transfer of gasoline by legal process or operation of law.

(b) Any person to whom a transfer of the character described in paragraph (a) is made shall forthwith report such transfer and the amount of gasoline involved to the Board having jurisdiction over the area in which such gasoline is located. Such person, if not a dealer or distributor, may either:

(1) Transfer all or any part of such gasoline in exchange for coupons or other evidences having a value equal to the number of gallons of gasoline so transferred: *Provided*, That such coupons or other evidences shall forthwith be surrendered by him to the Board for cancellation; or

(2) Consume such gasoline to the extent of any gasoline ration issued to him: *Provided*, That he may consume such gallons of gasoline only for the purpose for which such ration may be issued and shall surrender to the Board, for cancellation, coupons equal in value to the amount of gasoline consumed or to be consumed.

§ 1394.4206 *Transfer from fuel tank to fuel tank of vehicles and boats forbidden.* (a) No gasoline contained in the fuel tank of any licensed motor vehicle, inboard motorboat, outboard motor, or non-highway equipment shall be transferred therefrom to the fuel tank of any licensed motor vehicle, or of any inboard motorboat or outboard motor.

§ 1394.4207 *Discrimination by dealers and distributors.* (a) On and after September 1, 1942, no dealer or distributor shall discriminate in the transfer of gasoline among any consumers lawfully entitled to acquire gasoline under the provisions of Ration Order No. 8 by selling only to favored customers or classes of consumers, or only to regular customers, and refusing to sell to others who are entitled to acquire gasoline under the provisions of Ration Order No. 8. Nothing in this section, however, shall be construed to prohibit a dealer or distributor from adopting restrictions which apply to all consumers or from holding reserve stocks for delivery to persons presenting acknowledgment of delivery or allotment authorization duly executed by an authorized officer of the armed forces of the United States.

§ 1394.4208 *Display of stickers.* (a) No person may use a Class A, B, or C ration issued for a registered motor vehicle unless a sticker identifying the class of ration issued, in such form as may be prescribed by the Office of Price Administration, is affixed to and conspicuously displayed on such vehicle. Such sticker shall be displayed on such vehicle at all times. A person to whom any ration in addition to Class A ration has been issued shall display only the sticker identifying such additional ration.

§ 1394.4209 *Restriction on use of gasoline in vehicle without ration.* (a) On and after September 16, 1942, no gasoline may be used in the Virgin Islands in a motor vehicle licensed in the Virgin Islands unless a sticker, indicating that a gasoline ration has been issued, is displayed on such vehicle in accordance with § 1394.4208.

Records and Audit

§ 1394.4251 *Registration of inventory and capacity.* (a) No dealer having a place of business in the Virgin Islands shall make or receive any transfer of gasoline between the hours of 4 p. m. on September 15, 1942, and 8 a. m. on September 16, 1942. During such hours every dealer shall take an actual physical inventory of his total gasoline supplies on hand and shall register, on Form OPA R–545, in duplicate, with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(1) His total inventory of gasoline on hand as of the close of business on September 15, 1942.

(2) His total gasoline storage capacity.

(3) His name, firm name, business address, and type of business.

(4) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by a dealer for each place of business in Virgin Islands where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located.

§ 1394.4252 *What constitutes gasoline on hand.* (a) The registrant shall register all gasoline on hand, whether in storage tanks, tank trucks, tank ships, tank barges, or in drums or vessels alongside a dock or at anchor, also all gasoline in drums or other containers, except gasoline in the fuel tank of a motor vehicle. The registrant shall not register gasoline in transit which did not arrive at his place of business prior to the close of business on September 15, 1942. Gasoline shipped to a dealer on or prior to September 15, 1942, but received by him at any time after September 15, 1942, shall be deemed to be gasoline transferred to him after September 15, 1942, and shall require an exchange therefor of coupons or other evidences.

§ 1394.4253 *What constitutes storage capacity.* (a) The registrant shall register the total capacity of all immobile gasoline storage facilities, but not the capacity of tanks, trucks, tank wagons, drums, or other movable containers: *Provided*, That a registrant who maintains no stationary gasoline storage tanks shall register the total capacity of all his delivery facilities.

§ 1394.4254 *Issuance of registration certificates.* (a) The Board, on determining that the information and certification submitted by the registrant are in good order, shall by authorized signature approve the same, file the duplicate, and return the original to the registrant, who shall retain it as a certificate of registration at the place of business to which it applies and shall present it as an identification at the time of transacting business with any Board.

§ 1394.4255 *Issuance of inventory coupons.* (a) The Board shall at the time of its approval of any registration certificate, issue to the registrant inventory coupons in the amount of the difference between the total gasoline storage capacity for each place of business and the total inventory of gasoline on hand as certified by the registrant. A one-hundred gallon inventory coupon may at any time subsequent to registration be exchanged at any Board in the Virgin Islands by a dealer for an equivalent amount of one gallon inventory coupons.

§ 1394.4256 *Restriction on use of inventory coupons.* (a) Every dealer shall retain all inventory coupons issued to him at the place of business for which they were issued, and shall exchange his inventory coupons only when a delivery to him exceeds the number of consumer coupons or other evidences available for exchange: *Provided, however*, That one-gallon inventory coupons may be used at any time to make the difference between the number of gallons in any delivery and the nearest number of gallons which can be represented by the use of consumer coupons or other evidences

§ 1394.4257 *Restriction on transfers.* (a) Except as provided in § 1394.4258 no dealer shall transfer or offer to transfer to, or shall receive a transfer of gasoline from, any other dealer except in exchange for a quantity of coupons or other evidences, at or before the time of the actual delivery of the gasoline, equal in gallonage value to the amount of the gasoline so transferred.

§ 1394.4258 *Night deliveries; third party deliveries.* (a) When a distributor elects to make delivery of gasoline during the hours when the dealer is not open for business, the dealer shall, where the exact amount of the delivery is known in advance, mail or deliver in advance to the distributor coupons or other evidences in an equal gallonage value, or may, at the discretion of the distributor, within twenty-four (24) hours of delivery forward to the distributor an amount of coupons or other evidences equal in gallonage value to the number of gallons so delivered.

§ 1394.4259 *Preservation of coupons, coupon sheets.* (a) Each dealer and distributor shall affix the coupons received by him directly from consumers to a coupon sheet (Form OPA R–542) in the manner directed thereon. Separate coupon sheets shall be maintained for coupons of each separate type; only coupons of one class shall be attached to any one sheet.

§ 1394.4260 *Preservation of acknowledgements.* (a) Each dealer and distributor shall attach the acknowledge-

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ments and allotment authorizations delivered to him by authorized purchasers to a summary of coupons and acknowledgments (Form OPA VIR–806) on which he shall enter for each such Acknowledgement and allotment authorization in order the date of purchase, name of purchaser, and number of gallons sold.

§ 1394.4261 *Summary of coupons.* Each dealer and distributor shall, prior to every delivery by him of coupons or other evidence, except exchange certificates, prepare in duplicate on Form OPA VIR–806 a summary of coupons and acknowledgements in the manner directed thereon, certifying the number of each type of coupon and the number of evidences to be delivered. The original of this summary shall be delivered by him attached to his coupons and other evidences. The copy shall be retained by him at his place of business for a period of not less than one year. Dealers and distributors shall forward such summaries to their vendors.

§ 1394.4262 *Invalidity of Class A and B coupons after expiration of bi-monthly period.* (a) No dealer shall accept any coupon the period of validity of which has expired and no such coupon shall be an evidence of any gallonage value, except on coupon sheets to which it has been attached prior to the expiration of its period of validity.

§ 1394.4263 *Certification of shortage.* (a) Dealers shall be permitted from time to time to apply on Form OPA R–549 for compensation for losses of gasoline through evaporation, handling, accident, or other extraordinary circumstances, and account for unavoidable loss of coupons. The certification of shortage shall be submitted to the Board having jurisdiction of the area in which each dealer or distributor has the place of business to which the shortage is to be attributed, and shall show the nature and quantity of such shortage with a full explanation therefor. If, on consideration, of the certification of such other facts as it may require of the applicant, the Board is satisfied that the applicant has established the fact and reasonableness of such shortage, the Board shall file certification and issue to the applicant a quantity of inventory coupons equal to the amount of the proven loss: *Provided,* That the Board shall not issue, as compensation for a shortage resulting from shrinkage or evaporation, certificates having a gallon value in excess of 1% of the number of gallons delivered each month.

§ 1394.4264 *Exports by distributors.* (a) Every distributor shall, on or before the 5th day of each month, commencing with the month of October, 1942, submit to the Director of the Office of Price Administration for the Virgin Islands a written report for the previous calendar month showing:

(1) The amount of gasoline on hand at the close of business on the last day of the month preceding the month for which the report is made;

(2) The amount of gasoline imported into the Virgin Islands during the month for which the report is made;

(3) The amount of gasoline exported from the Virgin Islands during the month for which the report is made;

(4) The amount of gasoline transferred to and received from other distributors during the month for which the report is made;

(5) The amount of gasoline on hand at the close of business on the last day of the month for which the report is made;

(6) The amount of gasoline transferred to the armed forces of the United States during the month for which the report is made;

(7) The amount of gasoline transferred to dealers or consumers during the month for which the report is made;

Every distributor shall attach to such report all evidences received in exchange for gasoline so transferred by it during the month for which the report is made. The distributor shall include in its report a reconciliation of any difference between the total amount of gasoline reported so transferred and the total amount of gasoline represented by the evidences attached to the report.

§ 1394.4265 *Reports by collector of customs.* (a) As soon after the first of each month as is practicable, commencing with the month of October, 1942, the United States Collector of Customs from the Virgin Islands shall be requested to send to the Director of the Office of Price Administration for the Virgin Islands a written report for the previous calendar month containing the following information:

(1) The total amount of gasoline imported into the Virgin Islands during the previous month, and the amount imported by each distributor.

(2) The total amount of gasoline and the amounts of each distributor exported from the Virgin Islands during the previous month.

(3) The total gasoline inventory of the distributors, and the inventory of each distributor, at the close of business on the last day of the month for which the report is made.

§ 1394.4266 *Explanation by distributor.* (a) The Director of the Office of Price Administration for the Virgin Islands may, at any time, request any distributor to explain a discrepancy existing between the figures supplied in its monthly report and the number of evidences turned in by it to the Office of Price Administration for the Virgin Islands and the monthly report made by the Collector of Customs. Any failure or refusal to explain such discrepancies shall constitute prima facie evidence that such distributor has transferred gasoline without accepting evidences therefor.

§ 1394.4267 *Registration of new or reopened place of business.* (a) Any dealer who opens or reopens a place of business not previously registered by such dealer, shall, prior to receipt or transfer of any gasoline, register such place of business in the manner, provided in § 1394.4251, and shall be issued inventory coupons equal in gallon value to the total capacity of his unfilled gasoline storage facilities as of the time of registration.

§ 1394.4268 *Cessation of business.* (a) Any dealer who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located the original certificate of registration of such place of business and a quantity of coupons or other evidences equal in gallon value to the total capacity of the gasoline storage facilities of such place of business.

§ 1394.4269 *Sale of place of business.* (a) Any person acquiring from a dealer a place of business already registered in accordance with the provisions of § 1394.4251 shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in §§ 1394.4251 to 1394.4256, inclusive: except that he shall be issued inventory coupons equal in gallon value to the total capacity of the entire gasoline storage facilities of such place of business. He shall ther deliver to the transferor of such place of business a quantity of inventory coupons equal in gallon value to the total amount of gasoline on hand as of the time of transfer. The tranferor shall deliver, to the Board having jurisdiction of the area in which the place of business transferred by him is located, the certificate of registration of such place of business, together with a quantity of coupons or other evidences equal in gallon value to the total capacity of the entire gasoline storage facilities of such place of business.

§ 1394.4270 *Change of storage capacity.* (a) Any dealer in any manner altering the total capacity of the gasoline storage facilities of a place of business shall deliver for cancellation to the Board having jurisdiction of the area in which such place of business is located, his original certificate of registration, and shall obtain a new certificate of registration in the manner provided by §§ 1394.4251 to 1394.4256, inclusive. The Board shall attach to its copy of the new certificate the original and copy of the cancelled certificate. Where the capacity of the gasoline storage facilities is decreased, the dealer shall furnish to the Board a quantity of coupons or other evidences equal in gallon value to the amount of the decrease. Where the capacity of his gasoline storage facilities is increased, the Board shall issue to the dealer in the manner described in § 1394.4253 a quantity of inventory coupons equal in gallon value to the amount of the increase.

§ 1394.4271 *Inspection of records and facilities.* (a) All records, reports, forms, account of other documents by Ration Order No. 8 to be prepared and kept by any person, and the gasoline facilities of any person, shall be subject to the inspection of the Office of Price Administration and its employees or by such persons as the Office of Price Administration may designate for the purpose of making inspections. Such inspections may be made at the place of business of any such person during regular hours, or, in the case of matters prepared on forms of the Office of Price Administration, at any time and place designated by the Office of Price Administration.

Adjustments and Appeal

§ 1394.4301 *Appeals from decisions of Boards.* (a) An applicant may appeal to the Director of the Office of Price Administration for the Virgin Islands from an adverse decision of a Board by filing with the Board a sworn statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than ten (10) days after receipt of notice of the decision. Within three (3) days after receipt of the statement, the Board shall send the statement to the Director together with its entire record on the application.

(b) The Director may request the applicant to appear before him or to furnish such additional information as he may deem pertinent. The Director shall render his decision on the appeal within five (5) days after receipt of the statement and record, and, in case of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the applicant and the Board, in writing, of his decision. In the event that a decision of a Board is reversed or modified by the Director, the record shall be remanded to the Board for action consistent with his decision.

Enforcement

§ 1394.4351 *Criminal prosecution.* (a) Any person who knowingly falsifies an application or any other record or certificate made pursuant to or required by the terms of Ration Order No. 8, or who otherwise knowingly furnishes false information to a Board, or any other agent, employee or officer of the Office of Price Administration, or who conspires with another person to perform any of the foregoing acts, may upon conviction be fined not more than $10,000.00 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who willfully performs any act prohibited, or willfully fails to perform any act required, by any provisions of Ration Order No. 8 may, upon conviction, be fined not more than $10,000.00, and imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by all applicable statutes.

§ 1394.4352 *Suspension orders.* (a) Any person who violates Ration Order No. 8 may by administrative suspension order, be prohibited from receiving any deliveries of, or selling or otherwise disposing of, any gasoline or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Director of the Office of Price Administration for the Virgin Islands is necessary or appropriate in the public interest and to promote the security of the Virgin Islands.

Effective Date

§ 1394.4401 *Effective date.* Ration Order No. 8 (§§ 1394.3501 to 1394.4401) shall become effective August 28, 1942. (Pub. No. 671, 76th Cong., 3rd Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2nd Sess., Pub. No. 421, 77th Cong., 2nd Sess., W.P.B. Directive No. 1, Supp. Dir. No. 1 J, 7 F.R. 562, 5043)

Issued this 28th day of August 1942.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 42–8471; Filed, August 28, 1942; 5:14 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 10]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

Pursuant to the authority vested in the Office of Price Administration by Directive No. 1 of the War Production Board issued January 24, 1942, and by Supplementary Directive No. 1 J of the War Production Board issued July 1, 1942.

It is hereby ordered, That:

AUTHORITY: §§ 1407.601 to 1407.900, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., by Pub. Law 507, 77th Cong., and by Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1 J, 7 F.R. 562, 5043.

Definitions

§ 1407.601 *Definitions.* (a) When used in Ration Order No. 10:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration, and when the context so indicates, the term "The Board" means the Board with which a person is registered pursuant to Ration Order No. 10.

(2) "Book" means War Ration Book One issued in the Virgin Islands.

(3) "Certificate" means a purchase certificate issued by authority of the Office of Price Administration as evidence of a ration.

(4) "Consumer" means any person who receives a rationed commodity for the personal use of himself or members of his family.

(5) "Commercial institution" means a restaurant, hotel, public dining room, or other similar eating place, that serves meals solely as a commercial operation, but not including a boarding house.

(6) "Director" means the Director of the Office of Price Administration for the Virgin Islands.

(7) "Distributor" includes primary distributors, intermediate distributors and retailers subject to Ration Order No. 10.

(8) "Establishment" means a business or operation subject to Ration Order No. 10 conducted at or from a particular location.

(9) "Family" means a group of two or more individuals consisting of all persons customarily living and eating together in the same household, and any other persons regularly eating a majority of their meals in the household.

(10) "Importer" means a person who imports a rationed commodity into the Virgin Islands.

(11) "Industrial establishment" means an establishment in which a rationed commodity is received for use in the production, manufacture, or processing of any product for transfer, except as a part of the operation of a commercial or non-commercial institution.

(12) "Industrial use" means the use of a rationed commodity in the production, manufacture, or processing of any product, except as a part of the operation of a commercial or non-commercial institution.

(13) "Industrial user" means a person who obtains rationed commodities for industrial use at an industrial establishment.

(14) "Institutional use" means the use of a rationed commodity in the preparation for service or the service of meals in a commercial or non-commercial institution.

(15) "Institutional user" means a person who obtains a rationed commodity for institutional use.

(16) "Intermediate distributor" means a person who obtains a rationed commodity from a primary distributor for transfer principally to persons other than consumers.

(17) "Non-commercial institution" means an establishment serving meals as a part of or supplementary to the operation of a prison, hospital, sanitarium, asylum or other similar institution.

(18) "Person" includes an individual, partnership, corporation, association, government, government agency, or any other organized group or enterprise.

(19) "Primary distributor" means any person who manufactures or produces a rationed commodity for transfer, or the agent of any such person, or any person who delivers a rationed commodity to the Virgin Islands for transfer, or any person who takes such delivery for transfer, or the agent of any person who makes or takes such delivery. The term "agent" shall be deemed to include a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by agents, brokers, factors, or commission merchants.

(20) "Ration" means a right to acquire and use a specified quantity of a rationed commodity, or an evidence of such right, as the context requires.

(21) "Ration period" means the space of time designated in Ration Order No. 10 during which a ration is valid.

(22) "Rationed commodity" means any commodity designated in Ration Order No. 10, or any amendments or supplements thereto, as being subject to the provisions of Ration Order No. 10.

(23) "Retailer" means a person who obtains a rationed commodity for resale or re-transfer principally to consumers.

(24) "Sale at retail" means a sale or transfer to a person for use as consumer.

(25) "Sale at wholesale" means a sale or transfer to a person other than a consumer.

(26) "Stamp" means a War Ration Stamp originally contained in a War Ration Book and designated by the Office of Price Administration as an authorization to accept transfer of a specified quantity of a particular rationed commodity.

(27) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply or furnish, and includes the acquisition of title by will, inheritance, foreclosure, or legal process; it also includes the use by primary distributor, intermediate distributor, or retailer of any rationed commodity held for transfer; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of a shipment shall not be deemed to be a transfer to or by such carrier.

(28) "Weight value" means the quantity of a particular rationed commodity authorized to be transferred by a certificate or stamp.

(b) When the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall denote the feminine and neuter.

Scope of Ration Order No. 10

§ 1407.621 *Territorial limitations.* (a) Ration Order No. 10 shall apply to the Virgin Islands of the United States.

§ 1407.622 *Scope of restriction.* (a) Nothing in Ration Order No. 10 shall be construed to limit the quantity of any rationed commodity which may be acquired by the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, and the Office of Scientific Research and Development, of the United States.

§ 1407.623 *Commodities subject to Ration Order No. 10.* (a) The following commodities are subject to Ration Order No. 10:

(1) Wheat flour.

Administration and Personnel

§ 1407.641 *Personnel.* (a) Ration Order No. 10 shall be administered by the Office of Price Administration through its local war price and rationing boards in the Virgin Islands and such other administrative personnel as it may designate. Any administrative function of a Board may be performed in its behalf by a rationing officer appointed for such Board by the Director.

(b) The persons referred to in paragraph (a) hereof may be assisted during a registration period by the Superintendents of Education of the Virgin Islands and by teachers and other persons appointed by authority of the Director to act as registrars. The persons mentioned in this paragraph shall serve without compensation and shall be under the supervision of the persons who appointed them.

(c) No person participating in the administration of Ration Order No. 10 shall act officially in connection with any matter arising hereunder as to which he has any interest, by reason of business connection or relationship by blood or marriage. If a majority of the members of a Board should be disqualified to act on any matter, it shall be referred to another Board for decision.

§ 1407.642 *Jurisdiction of Boards.* (a) For the purpose of Ration Order No. 10 a Board shall have jurisdiction over:

(1) The issuance of War Ration Books and Certificates to consumers registered with it: *Provided*, That during a registration period such War Ration Books may be issued by registrars.

(2) The issuance of rations for an establishment located in the area which such Board is designated to serve: *Provided*, That such rations may be issued by a Board upon which jurisdiction over such establishment has been conferred by specific instructions of the Director.

(b) A Board with which a person is registered for a particular purpose shall continue to have jurisdiction over such person until and unless his registration file is transferred to another Board entitled to have jurisdiction in accordance with § 1407.643. Upon the transfer of a registration file in accordance with § 1407.643 such person shall thereafter be deemed to be registered with and under the jurisdiction of the Board to which such file is transferred.

§ 1407.643 *Transfer of registration files.* (a) If a consumer does not reside in the area assigned to the Board with which he is registered, he may apply to the Board having jurisdiction over the area in which he resides for the transfer to it of his registration file. Such application may be made by an agent or any person authorized to register for him. The Board with which such application is filed, after ascertaining that the consumer is residing within the area assigned to it, shall notify the Board with which such consumer is registered. The latter Board shall thereupon transfer the registration file to the Board to which the application was made.

§ 1407.644 *Records confidential.* (a) All records of the Office of Price Administration and of a Board relating to any registration, application, or petition of any person under Ration Order No. 10 shall be confidential and shall be subject to disclosure, inspection, removal, or other disposition only as provided herein or as the Office of Price Administration may from time to time authorize. The records shall at all reasonable times be available for inspection by duly authorized employees or representatives of the Board with which such records are filed or of the Office of Price Administration, the Department of Justice, and Treasury Department, of the United States, or by the person on whose behalf the particular record was filed or his representative.

(b) A record under the custody of a Board may be removed in connection with a transfer of a registration file pursuant to § 1407.743, or in connection with an appeal pursuant to § 1407.802; or may be removed for use in any criminal or civil action either with the prior approval of the person on whose behalf the record was filed and of the Director or with the prior approval of the Director and pursuant to a subpoena duly issued by a court of competent jurisdiction. A copy of such record, certified to be a true copy by the chairman or a clerk of the Board having custody thereof shall be substituted for the original and the original returned to the person from whose custody it was removed as soon as practicable in all such cases.

(c) A record may be posted at the office of each Board stating the name and address of all persons registered with the Board to whom rations have been issued and the type of ration issued.

Restrictions on Transfers and Use of Rationed Commodities

§ 1407.661 *Restrictions on transfers for use.* (a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order No. 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, except as otherwise provided in Ration Order No. 10, no person other than a person who has registered as a distributor pursuant to Ration Order No. 10, shall transfer or offer to transfer a rationed commodity to any person for use as a consumer, or as an institutional or industrial user: *Provided*, That this section shall not apply to transfers by a farmer or producer of rationed commodities grown or produced by him if the total value of all products sold by him is less than $75 per month; nor shall it apply to transfers by the American Red Cross or by a Government agency, nor by any person as a part of a service of a meal.

§ 1407.662 *Transfers to consumers.* (a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order No. 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a distributor or other person may transfer a rationed commodity to a consumer, and a consumer may accept such transfer of a rationed commodity, only under the following conditions:

(1) At the time of transfer the transferor shall require presentation of a valid War Ration Book or Certificate issued to the transferee or a person on whose behalf he is acting and shall detach from such War Ration Book Stamps designated for the particular commodity and for the period in which the transfer is made, or shall require surrender of a valid certificate, having a weight value equal to the quantity of the rationed commodity transferred.

(b) No transfer of a rationed commodity shall be made to consumers in, or residing in, the Island of St. Croix or the Island of St. John during the period from August 26 to August 30, 1942, inclusive.

§ 1407.663 *Transfers to institution and industrial users.* (a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order No. 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a distributor or other person may transfer a rationed commodity to an institutional or industrial user for use, and a person may receive a transfer of a rationed commodity for such a purpose, only under the following conditions:

(1) The transferee shall surrender to the transferor, at or before the time of transfer, a valid purchase certificate having a weight value equal to the quantity of the rationed commodity transferred, issued to him for such commodity pursuant to Ration Order No. 10.

§ 1407.664 *Restriction on use.* (a) Rationed commodities may be used only if a ration therefor has been obtained pursuant to Ration Order No. 10 and shall be used only for the purpose for which the ration was issued.

§ 1407.665 *Transfers to dealers, Army, Navy, and certain other persons and agencies.* (a) Notwithstanding any provision of Ration Order No. 10 to the contrary, any person may transfer rationed commodities to the Army, Navy, Marine Corps, or Coast Guard, of the United States, or any other agency named in § 1407.622 or to any person authorized to transfer such commodity; *Provided, however*, That the transferor shall obtain from the duly authorized representative of such service or agency a certificate or receipt of such delivery with the amount, date, and purpose for which the commodity is to be used set forth thereon.

§ 1407.666 *Transfers for supplies of vessel.* (a) Notwithstanding any provision of Ration Order No. 10 to the contrary, any person authorized to transfer rationed commodities may transfer a rationed commodity to an ocean-going vessel engaged in foreign or interstate commerce upon the surrender of a certificate issued by an authorized representative of the Director for an amount of such commodity required as necessary supplies for such vessel for the time required to reach its immediate destination.

§ 1407.667 *Valid period of stamps and certificates.* (a) Each stamp authorizes transfer of the particular commodity or commodities for which it has been designated to a consumer only during the ration period assigned to that stamp in § 1407.687.

(b) Each certificate authorizes transfer of the particular commodity designated therein only during the period of thirty days from the date thereof.

§ 1407.668 *Export.* (a) On and after August 26, 1942, notwithstanding any contract, agreement, or commitment, regardless of when made, no rationed commodity may be exported, nor transferred to a person for export, from the Virgin Islands, except that such commodity may be so exported or transferred for export on written approval of the Director or his authorized representative.

§ 1407.669 *Emergencies.* (a) In the event of a public disaster or similar emergency, the Director may authorize a transfer of a rationed commodity to be made without the surrender of certificates or stamps, or may issue certificates, in an amount deemed necessary under the circumstances to alleviate hardship or suffering and promote the public welfare.

Consumers—Registration and Rations

§ 1407.681 *Eligibility for rations.* (a) Except as is otherwise provided in Ration Order No. 10, every consumer over the age of two years shall be entitled to a War Ration Book as evidence of a right to acquire rationed commodities upon proper registration and application.

(b) No person shall be eligible for a War Ration Book while he is:

(1) Confined indefinitely, or for a fixed period of time in excess of 15 days, in a public or private institution such as a jail, asylum or hospital.

(2) A member of the armed forces of the United States receiving his meals regularly in organized messes or receiving rations in kind.

(3 Receiving all his meals at commercial or non-commercial institutions.

(4) Residing outside the Virgin Islands for a period in excess of 30 days.

§ 1407.682 *Registration and application.* (a) Registration and application for rations shall be made for eligible consumers at a registration site designated for the area in which the consumer resides at the time of registration, during a period designated by the Director, or may be made at any other time at the office of the Board having jurisdiction over the area in which such consumer resides.

(b) Registration and application for rations for all members of a family, including those temporarily absent, shall be made by an adult member, or the oldest member, of the family.

(c) An eligible consumer not a member of a family shall register and apply for rations for himself.

(d) In the event that an eligible consumer not a member of a family is unable to register or if there is no qualified person able to register for the family, registration and application for rations may be made by an agent.

(e) No consumer shall be registered more than once.

(f) Applications received by a registrar shall be filed at the office of the Board for the area in which the application was made.

§ 1407.683 *Information required.* (a) At the time of initial registration and application for rations the registrant shall furnish the following information with respect to the person or persons for whom rations are applied for:

(1) The name and age of each person for whom rations are desired.

(2) The address of the place of residence of the person for whom rations are applied for.

(3) The amount of wheat flour on hand and the number of eligible consumers in the household on the date of registration.

(4) Any additional pertinent information required by the Director.

§ 1407.684 *Certifications.* (a) At the time of the initial registration and application and any subsequent application for a ration the registrant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the applicant and by any person on whose behalf such application is made.

§ 1407.685 *Issuance of ration.* (a) Upon proper registration and application each eligible consumer shall be issued a War Ration Book.

(b) War Ration Books issued during a registration period shall be completed and issued by a registrar. War Ration Books issued at a time other than during a registration period shall be completed and issued by a member, or an authorized employee, of the Board, or by authority of the Director.

(c) At the time of issuance of a War Ration Book, stamps for ration periods which have expired shall be detached. In addition, stamps shall be detached having a weight value equal to the amount of wheat flour, or the pro-rata share of the supply of wheat flour of the family, on hand on the date of registration; *Provided*, that no book shall be issued if more stamps would be required to be removed than the stamps to which a weight value for wheat flour has been assigned in § 1407.687. In such a case the book shall be issued at such time as stamps, to which a weight value for wheat flour has been so assigned, may be detached having a weight value equal to such amount.

(d) A book issued prior to the effective date of Ration Order No. 10, by authority of the Director, to or for a consumer eligible under the terms of Ration Order No. 10 may be used in the same manner and shall have the same effect as a book issued pursuant to Ration Order No. 10. The use of a War Ration Book issued prior to the effective date of Ration Order No. 10 shall constitute a representation to the Office of Price Administration that any statements or representation made in connection with the application therefor are true, and that the consumer is a person who is eligible to a book under the provisions of Ration Order No. 10.

(e) In the event that a consumer should require an amount of any rationed commodity in addition to that to which he would otherwise be entitled, for dietary reasons, the Board may issue a certificate for such additional amount on satisfactory proof of such fact.

§ 1407.686 *Surrender of War Ration Books.* (a) Within ten days after the death of a consumer the person having possession of the War Ration Book of the decedent shall surrender it to the Board for cancellation.

(b) If a consumer departs from the Virgin Islands for a period in excess of 30 days, or otherwise becomes ineligible for rations, he or his representative shall surrender his War Bation Book to the Board.

§ 1407.687 *Designation of consumer ration periods, and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
No. 1.—July 27 to Aug. 9, 1942.	Book 1 stamp 1.	2 pounds wheat flour.
No. 2.—Aug. 10 to Aug. 16, 1942.	Book 1 stamp 2.	2 pounds wheat flour.
No. 3.—Aug. 17 to Aug. 23, 1942.	Book 1 stamp 3.	2 pounds wheat flour.
No. 4.—Aug. 24 to Aug. 30, 1942.	Book 1 stamp 4.	2 pounds wheat flour.
No. 5.—Aug. 31 to Sept. 6, 1942.	Book 1 stamp 5.	2 pounds wheat flour.
No. 6.—Sept. 7 to Sept. 13, 1942.	Book 1 stamp 6.	2 pounds wheat flour.
No. 7.—Sept. 14 to Sept. 20, 1942.	Book 1 stamp 7.	2 pounds wheat flour.
No. 8.—Sept. 21 to Sept. 27, 1942.	Book 1 stamp 8.	2 pounds wheat flour

Commercial and Non-Commercial Institution Registration and Issuance of Rations

§ 1407.701 *Registration.* (a) Each commercial and non-commercial institution for which rations are desired shall be registered on August 31, 1942 at the Office of Price Administration in which the establishment is located, or may be registered thereafter at the discretion of the Director.

(b) Registration for each such institution shall be made by the owner or manager of the institution.

(c) At the time of the initial registration the registrant shall state the name and address of the establishment registered, the name and address of the owner thereof, the number of meals served during the last full week preceding registration, the quantity of each rationed commodity on hand on August 30, 1942, the type of institution operated, the purposes for which the commodity is used, and any additional information required by the Board.

§ 1407.702 *Application for rations.* (a) At the time of the initial registration, and for each ration period thereafter, if rations are desired, application for rations shall be made on a form to be provided by the Office of Price Administration. Such application shall be presented to the Board and shall be signed by a person authorized to register the institution or by an authorized agent.

(b) Application for rations made at the time of registration shall be for the period from the date of registration to the end of the succeeding month.

(c) Subsequent applications for rations shall be made for a period of one calendar month and may be made at any time during, or within five days preceding, the ration period.

(d) At the time of making each application subsequent to the first application the applicant shall report the number of meals served during the last full week preceding such application.

(e) At the time of making the first application for a ration of a commodity made subject to Ration Order No. 10 by an amendment thereto the applicant shall report the quantity of such commodity on hand on the effective date of such amendment.

§ 1407.703 *Basic ration.* (a) The basic ration for each rationed commodity, for one month, to be allowed a commercial or non-commercial institution shall be the amount arrived at by dividing the number of meals served per week, as reported pursuant to § 1407.701 (c) or § 1407.702 (d), by 25 and multiplying the result by the allowance per person for the particular rationed commodity, as specified in § 1407.704.

(b) The basic ration for a ration period longer or shorter than one month shall be the basic monthly ration, adjusted in accordance with the length of the ration period.

§ 1407.704 *Designation of amount of rationed commodities allowed per person served by institutional user.* (a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be as follows:

Rationed commodity	Allowance per person
Wheat flour	8 pounds per month.

§ 1407.705 *Excess inventory.* (a) Each registered commercial and non-commercial institution shall be entitled to retain as an inventory of a rationed commodity an amount equal to the amount of the basic ration for one month, computed as of the date of the first application for rations of such commodity. Any amount of such commodity on hand, as reported pursuant to § 1407.701 (c) or § 1407.702 (e) in excess of such allowable inventory shall be deducted from the amount of the basic ration to which it would otherwise be entitled for the first and any subsequent ration periods.

§ 1407.706 *Issuance of certificate.* (a) At the time of each application a purchase certificate shall be issued for the basic ration for each rationed commodity for the ration period as adjusted in accordance with § 1407.705.

§ 1407.707 *New business.* (a) A person desiring to obtain rationed commodities for institutional use in connection with the operation of a new establishment may register and apply for rations for such purpose. The application shall be made to the Director of the Office of Price Administration, and shall be in a form approved by the Director. The applicant shall state the name and address of the establishment, the name and address of the owner thereof, the type of establishment operated, the purpose for which each rationed commodity is to be used, the amount on hand at the time of registration, the number of meals which it is estimated will be served per week, and any additional information required by the Board.

(b) On proper registration and application the Board shall allow a temporary ration for a period determined by the Board, which shall be adjusted thereafter in accordance with the actual number of meals served per week in such period.

§ 1407.708 *Certification.* (a) At the time of making any registration, report, or petition, the registrant or applicant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the person making it and by any person in whose behalf it is made.

Industrial Use Registration and Ration

§ 1407.721 *Registration.* (a) Each person desiring to obtain rationed commodities for industrial use at an establishment owned or operated by him shall register such establishment on August 26, 1942, at the Office of Price Administration. Registration of such establishment may be made after such date in the discretion of the Director.

(b) Registration shall be made on a form to be provided by the Office of Price Administration, by the owner or manager of the establishment.

(c) At the time of the initial registration the registrant shall state the name and address of the establishment registered, the name and address of the owner thereof, the type of establishment operated, the purpose for which each rationed commodity is to be used, the amount on hand at the time of registration, the number of meals which it is estimated will be served per week, and any additional information required by the Board.

(b) On proper registration and application the Board shall allow a temporary ration for a period determined by the Board, which shall be adjusted thereafter in accordance with the actual number of meals served per week in such period.

§ 1407.708 *Certification.* (a) At the time of making any registration, report, or petition, the registrant or applicant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the person making it and by any person in whose behalf it is made.

*Industrial Use,

tinued in substantially the same manner as prior to the transfer, shall be entitled to rations to the same extent as prior to the transfer, regardless of whether there is a change in location or a merger or consolidation of two or more such establishments.

§ 1407.782 *Liquidation of establishments.* (a) In the event of the liquidation or cessation of operation, other than a change in location, of an establishment of an institutional or industrial user, rationed commodities on hand may be transferred but only to persons authorized to accept transfer of such commodity for re-transfer.

(b) The owner, or the person having charge of the disposition of the assets of an establishment being liquidated shall report the facts to the Office of Price Administration and shall surrender all stamps and purchase certificates on hand, to the Office of Price Administration at the time of the completion of such liquidation.

§ 1407.783 *Judicial seizures.* (a) No War Ration Book, certificate, nor other evidence of a ration may be seized by execution, levy, attachment or other judicial process, nor acquired through devise, bequest, or inheritance, other than as provided in § 1407.781.

(b) No provision of Ration Order No. 10 shall be construed to prevent the seizure of a rationed commodity pursuant to judicial process or order issued by a court of competent jurisdiction, or pursuant to any right given by law or contract in connection with the foreclosure of a lien, mortgage, or other security interest or a repossession of property sold under a conditional sales agreement. Rationed commodities so acquired may not be used but may be transferred to any person upon the receipt of valid stamps or certificates having a weight value equal to the amount of such commodity transferred, or may be transferred to a dealer without obtaining stamps or certificates therefor. Stamps or certificates so received shall be surrendered to the Board with which the consumer or establishment is registered.

(c) Upon proper application, the Director of the Office of Price Administration in his discretion, may issue a new purchase certificate to permit a person from whom a rationed commodity is seized in a manner indicated in paragraph (b) of this section to acquire rationed commodities in an amount equal to the quantity so seized.

§ 1407.784 *Lost, destroyed, mutilated, or stolen War Ration Books and certificates.* (a) If a War Ration Book or certificate is lost, stolen, destroyed, or mutilated, the person entitled thereto or his authorized agent may apply to the Office of Price Administration in writing for a replacement thereof. The Director, in a proper case, shall grant the application if he is satisfied that such War Ration Book or certificate was lost, stolen, destroyed, or mutilated. Before issuing a replacement War Ration Book, the Director shall remove all stamps designated for periods which have expired, and all stamps corresponding to those which were removed from the War Ration Book to be replaced.

(b) If a book which has been replaced is found, it shall be immediately surrendered to the Office of Price Administration.

§ 1407.785 *Lost, destroyed, stolen or damaged commodities.* (a) The owner or manager of an establishment registered with a Board pursuant to Ration Order No. 10 whose supply of any rationed commodity, or any substantial part thereof, is lost, destroyed, stolen, spoiled, or damaged may apply to the Office of Price Administration for permission to accept transfer of an amount of such commodity equal to the amount so lost, destroyed, stolen or damaged. The Director, in a proper case, shall grant the application and shall issue a certificate for the amount of the rationed commodity so lost, destroyed, or stolen, or for the amount thereof damaged which cannot be used for the purposes for which the ration was allowed.

(b) A rationed commodity which is damaged may be transferred only pursuant to the provision of Ration Order No. 10 applicable to transfer of rationed commodities or pursuant to paragraph (c) or (d) of this section.

(c) A rationed commodity which is damaged so as to be unfit for reclamation or for human consumption may be transferred to any person, with the prior approval of the Office of Price Administration, without receiving stamps or certificates therefor and regardless of the fact that the transferor has not registered as a Distributor.

(d) A rationed commodity which is damaged but is fit for human consumption or for reclamation may be transferred to any insurer, salvager, or to an institutional or industrial user without obtaining stamps or certificates therefor: *Provided*, That, if the transferor is registered with the Office of Price Administration, the prior approval of the Director shall be obtained: *And provided further*, That, if the transferee is an institution or industrial user, the reclamable portion thereof, as determined by the Director, shall be deducted from subsequent rations of the establishment receiving the transfer.

(e) Transfers of damaged or reclaimed rationed commodities may be made by an insurer or salvager to a primary distributor, intermediate distributor, or retailer, without obtaining stamps or certificates therefor, or to any institutional or industrial user on approval of the Office of Price Administration. The amount so received shall be deducted from subsequent rations, if any, to which the transferee otherwise would be entitled.

§ 1407.786 *Exchanges.* (a) Any person may exchange a rationed commodity of one type for an equal quantity of the same commodity of a different type, providing the exchange is made substantially simultaneously.

§ 1407.787 *Enforcement agencies.* (a) Any investigatory or enforcement agency of the Federal or Insular Government which requires war ration books for the performance of its functions shall be entitled to receive war ration books issued in blank on application to the Director. Such books may be filled out by an authorized officer of such agency and may be used for the purpose of securing transfer of rationed commodities. Any rationed commodity received therewith may be transferred to any public institution or to a Distributor.

§ 1407.788 *Correction of errors.* (a) Any error, omission, or mistake made by a person on any registration or application form or any document filed with the Office of Price Administration, may be corrected by such person to conform with the facts on approval of the Board or the Director.

(b) Any error, omission, or mistake made by a Board or the Director on any document may be corrected to conform to the facts at any time.

§ 1407.789 *Unlawful use or possession.* (a) No person shall at any time use or have in his possession or under his control any war ration book or purchase certificate unless such war ration book or purchase certificate was obtained pursuant to Ration Order No. 10.

(b) Evidence of the possession of any war ration book or purchase certificate not issued to or duly endorsed to the holder, or of the possession by a person as a consumer of an amount of any rationed commodity in excess of the amount declared to be on hand at the time of registration, shall be *prima facie* evidence of a violation of Ration Order No. 10.

Appeals

§ 1407.801 *Appeal to Board.* (a) Any person aggrieved by a decision or action of a registrar may appeal to the Board by petition in such form as may be approved by the Board or the Director. Such appeal shall be taken within five days from the date of the decision or action appealed from. The Board shall consider the matter *de novo* and make such decision thereon as is consistent with the provisions of Ration Order No. 10.

§ 1407.802 *Appeal to director.* (a) Any person aggrieved by a decision or action of a Board may appeal therefrom to the Director by filing a notice of appeal with the Board, specifying the decision or action appealed from and the grounds for appeal. Such notice of appeal shall be filed within ten days from the date of the decision or action appealed from.

(b) Within one day after an appeal is filed with it, the Board shall forward it to the Director, together with the registration file of the appellant and any additional documents and information which the Board deems to be material: *Provided*, That if the Board deems it proper, on the basis of a reconsideration of such matter, it may reverse or modify its previous action or decision in lieu of submitting the appeal to the Director.

§ 1407.803 *Extension of time for appeal.* (a) The Board or the Director may extend the time for taking an appeal.

§ 1407.804 *Action on appeal.* (a) The Director shall promptly consider any appeal submitted to him and shall decide such appeal within five days from the time it is submitted to him, or is resubmitted to him by the Board after securing additional information in accordance with paragraph (b) of this section.

(b) In the event the information submitted with an appeal is deemed by the Director to be insufficient to decide such appeal, the Director may require the appellant to furnish additional information in writing or to appear personally, or he may resubmit the entire matter to the Board for the purpose of securing the additional information required.

(c) In the event an appeal is resubmitted to a Board in accordance with paragraph (b) of this section the Board shall promptly secure the information required and for such purpose may require the appellant to submit such information in writing or to appear before it personally. Any additional information so secured shall be in writing signed by the person submitting such information or in the form of a summary of testimony certified to be a true summary by a member of the Board. The appellant shall be permitted to inspect all documents submitted to the Board or the Director and to submit additional evidence.

(d) Upon securing additional information pursuant to paragraph (c) of this section, the Board shall reconsider the matter, and, if it deems the action or decision appealed from to be inconsistent with Ration Order No. 10, may reverse or modify such action or decision; otherwise, it shall return the entire matter promptly to the Director.

(e) The Director shall make a finding of facts on the basis of the evidence and information submitted to him and shall make such decision upon the appeal as is consistent with Ration Order No. 10 and shall return the entire matter to the Board for action, consistent therewith. A copy of the decision shall be sent to the appellant and to the Board.

§ 1407.805 *Finality of findings.* (a) All findings made by a Board or by the Director shall be final, except as may otherwise be provided in Ration Order No. 10.

Enforcement

§ 1407.821 *Penalties.* (a) Any person who violates any provisions of Ration Order No. 10 or who, by any act or omission, knowingly falsifies a record which he is required to keep or any report which he is required to file with a Board or the Director by the terms of Ration Order No. 10, or who otherwise furnishes false information to a Board or the Director or to the Office of Price Administration or conspires with another person to perform any of the foregoing acts, shall be subject to the penalties, prosecution, or other action provided for in section 35 (a) of the Criminal Code (title 18, U.S.C., Sec. 80), section 301 of the Second War Powers Act, 1942, (Pub., No. 507, 77th Cong., approved March 27, 1942) and other applicable statutes or appropriate action taken thereunder.

(b) In addition to the foregoing penalties the Office of Price Administration may prohibit the sale, transfer, or other disposition of products to any retailer, wholesaler, or other supplier of any retailer, directly or indirectly, who acts in violation of Ration Order No. 10.

Effective Dates

§ 1407.841 *Effective date of Ration Order No. 10.* (a) Ration Order No. 10 (§§ 1407.601 to 1407.841, inclusive) shall become effective August 26, 1942.

Issued this 28th day of August 1942.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 42-8472; Filed, August 28, 1942; 5:14 p. m.]

PART 1410—WOOL

[Correction to Amendment 2 to Maximum Price Regulation 163[1]]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this correction has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (c), subparagraph (2) of paragraph (f) and paragraph (g) of § 1410.103 should read as set forth below:

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers.* * * *

(c) *Sales by secondary jobbers.* * * *

(iv) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, .53.

In cases of sales and deliveries covered by subdivisions (ii), (iii) and (iv) where a secondary jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer's net invoice prices of all the styles in the range does not exceed $0.25 per yard, the manufacturer's net invoice price per yard for all the styles may be determined by taking the average of the manufacturer's net invoice prices per yard of all the styles in the range.

* * * * * *

(f) *Customary discounts, trade practices and transportation costs.* * * *

(2) Every person making sales of woolen or worsted apparel fabrics subject to this § 1410.103 shall determine his maximum prices to the closest 2½ cents per yard.

* * * * * *

(g) *Invoice requirements.* (1) On and after June 22, 1942, every person making sales of woolen or worsted apparel fabrics subject to paragraphs (a), (b) or (c) of this § 1410.103, except sales to retail stores, custom or merchant tailors, and special order departments of manufacturers of apparel, shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (i) the manufacturer's net invoice price, (ii) the freight charges paid, and (iii) the division factor used; or (iv) in the case of mill ends, close outs, seconds and irregular pieces, the manufacturer's maximum price therefor determined in accordance with this Maximum Price Regulation No. 163.

* * * * * *

§ 1410.117 *Effective dates of amendments.* * * *

(e) This correction to Amendment No. 2 (§§ 1410.103, 1410.115 (a), (3), (7), (8), (9) and (10)) to Maximum Price Regulation No. 163 shall become effective as of July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8466; Filed, August 28, 1942; 5:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 12 to Supplementary Regulation No. 14[1] of General Maximum Price Regulation[2]]

SEMIFABRICATED ARTICLES CONTAINING NEWLY-MINED DOMESTIC SILVER

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (12) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * *

(12) *Semifabricated articles containing newly-mined domestic silver*—(i) *Maximum prices.* On and after September 3, 1942, the seller's maximum price for any semifabricated article containing newly-mined domestic silver shall be the maximum price for the same article containing silver other than newly-mined domestic silver, as determined in accordance with § 1499.2 of the General

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872.

[1] 7 F.R. 5486, 5709, 6018, 5911, 6271

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

Maximum Price Regulation, *plus* 36.125 cents per fine troy ounce of newly-mined domestic silver contained: *Provided, however,* That the seller's maximum price for any such article shall be the price so determined under § 1499.2 of the General Maximum Price Regulation for the same article containing silver other than newly-mined domestic silver, exclusive of any added amount, if the seller fails to comply with the conditions set forth herein, including the provisions herein contained as to records, reports, and certificates.

(ii) *Definitions.* For the purposes of this § 1499.73 (a) (12), and as used in the forms set forth in Appendix A § 1499.73 (a) (12) (v):

(*a*) The term "newly-mined domestic silver" shall mean silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof. Silver purchased by any seller of semifabricated articles shall be deemed *prima facie* to be newly-mined domestic silver if purchases of such silver are reported to the Office of Price Administration in accordance with the provisions of § 1499.73 (a) (12), and if evidence that the silver so purchased is newly-mined domestic silver is submitted to the Director of the Mint as provided herein: *Provided,* That if, within one year from the receipt of such evidence, the Director of the Mint notifies the Administrator that the United States coinage mints are not satisfied that such silver, or any portion thereof, has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof, then the aggregate amount of newly-mined domestic silver reported as purchased by such seller shall be reduced accordingly.

(*b*) The term "semifabricated article" refers to newly-mined domestic silver which has been melted, smelted or refined, and further processed, or combined with other materials, by alloying, machining, rolling, drawing, turning, blanking, slitting, cutting, spinning, remelting, recasting, or other similar process, or by being subjected to special refining processes, and which is in such state or condition that its value depends primarily upon the metallic silver content and not upon its form. The term includes, but is not restricted, to, silver alloys, grain, shot, powder, wire, sheet, blanks, circles, solders, brazing alloys, sintered products, silver-clad metals, silver inlays, and bar silver in weights or degrees of fineness different from the weight and fineness of standard commercial bars; it excludes, but without limitation, standard commercial bar silver and any article, other than those specifically referred to herein, which is suitable for ultimate use without further processing or combination with other materials.

(*c*) The terms "standard commercial bars" and "standard commercial bar silver" mean silver bullion in the form of bars weighing approximately 1000 ounces, .999 fine.

(*d*) A semifabricated article shall be deemed to contain newly-mined domestic silver if this fact is certified to the buyer by the seller and if the aggregate fine silver content of all semifabricated articles delivered by the seller at prices higher than the maximum prices established by § 1499.2 of the General Maximum Price Regulation for the same articles containing silver other than newly-mined domestic silver at no time exceeds the aggregate quantity of fine newly-mined domestic silver (including the fine silver content of semifabricated articles) purchased by the seller and reported to the Office of Price Administration in accordance with the provisions of this § 1499.73 (a) (12).

(*e*) Semifabricated articles containing newly-mined domestic silver shall be deemed to have been "delivered" if they have been delivered to the buyer or loaded on any carrier, including a carrier owned or controlled by the seller, for shipment to the buyer: *Provided,* That if any such articles are delivered, and are rejected or returned by the buyer, the aggregate of the fine silver content of the semifabricated articles containing newly-mined domestic silver reported as delivered by the seller may be adjusted upon application supported by evidence satisfactory to the Administrator.

(iii) *Reports.* (*a*) On or before September 20, 1942, the seller of any semifabricated article containing newly-mined domestic silver shall file in the Office of the Secretary of the Office of Price Administration, Washington, D. C., a statement on Form OPA:SR14:1 of the newly-mined domestic silver which he had on hand as of September 3, 1942.

(*b*) On or before the twentieth day of each calendar month, beginning October 20, 1942, the seller of any semifabricated article containing newly-mined domestic silver shall file in the Office of the Secretary of the Office of Price Administration, Washington, D. C., a report containing:

(*1*) On Form OPA:SR14:2, a statement of the newly-mined domestic silver purchased by such seller during the preceding calendar month:

(*2*) On Form OPA:SR14:3, a certificate signed by the person from whom such silver was purchased, stating that such silver is newly-mined domestic silver and that evidence supporting this statement has been forwarded to the Director of the Mint for verification and cancellation;

(*3*) On Form OPA:SR14:4, a statement of the semifabricated articles containing newly-mined domestic silver purchased by such seller during the preceding calendar month, if any; and

(*4*) On Form OPA:SR14:5, a statement of all deliveries of semifabricated articles containing newly-mined domestic silver made during the preceding calendar month:

Provided, That the first reports filed by the seller on Forms OPA:SR14:2, OPA:SR14:3, OPA:SR14:4, and OPA:SR14:5 shall cover the period from September 3, 1942, to September 30, 1942.

(*c*) The seller of any semifabricated articles containing newly-mined domestic silver, upon purchasing newly-mined domestic silver, shall cause the person from whom such silver is purchased to submit directly to the Director of the Mint, Treasury Department, Washington, D. C., evidence for the purpose of establishing that the silver so purchased is newly-mined domestic silver. Such evidence shall include miners' affidavits on Treasury Department Forms TSA–2 or TSA–2A, executed pursuant to § 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939; and the seller of any semifabricated articles containing newly-mined domestic silver shall authorize and direct the Director of the Mint to cancel such affidavits.

(iv) *Records and certificates.* Every sale of semifabricated articles containing newly-mined domestic silver shall be invoiced by the seller. The original invoice shall be delivered to the buyer, who shall preserve every such invoice for inspection by the Office of Price Administration for a period of not less than two years, and the seller shall preserve a copy of every such invoice for the same period. Each such invoice shall contain:

(*a*) The names and addresses of the buyer and seller;

(*b*) A full description of the articles sold;

(*c*) A statement of the silver content, in fine troy ounces, of the articles sold;

(*d*) A statement of the price charged; and

(*e*) The following certificate by the seller:

I (We) hereby certify that the articles listed in this invoice are semifabricated articles containing newly-mined domestic silver, as defined in § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, issued by the Office of Price Administration.

(v) *Appendix A: Forms.*

[The following forms may be duplicated]

(a) *Form OPA:SR14:1.* Inventory of Newly-Mined Domestic Silver as of September 3, 1942.

1. Name and address of person for whom this report is made:

---

2. Purchases of Newly-Mined Domestic Silver from July 2, 1939, to ----------, 1942:

Description, including fineness and gross weight	Quantity in fine troy ounces	Date of purchase	Price paid	Name and address of person from whom purchased
Total quantity in fine troy ounces.				

3. Deliveries of newly-mined domestic silver and articles containing newly-mined domestic silver from July 2, 1939, to ----------, 1942:

Quantity	Description of item	Silver content (in fine troy ounces)	Date of delivery	Name and address of person to whom delivered
Total silver content in fine troy ounces				

4. Newly-mined domestic silver on hand ----------, 1942 (total purchases listed in Item 2, minus total deliveries listed in Item 3):

(Quantity in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of newly-mined domestic silver purchased by me (us) and of all deliveries of newly-mined domestic silver, and articles containing newly-mined domestic silver, made by me (us) during the period covered by this report.

I (We) further certify that all of the silver purchased by me (us) as listed in Item 2, above, is covered by miners' affidavits on Treasury Department Forms TSA–2 and/or TSA 2A, executed pursuant to section 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939, as follows:

Affidavit No.	Executed by	Date of execution	Quantity of silver covered by affidavit (in fine troy ounces)
Total quantity covered by miners' affidavits (in fine troy ounces)----------			

I (We) further certify that the affidavits listed above have been forwarded to the Director of the Mint, Washington, D. C., for verification and cancellation, and I (we) hereby authorize and direct the Director of the Mint to cancel such affidavits.

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

[NOTARIAL SEAL] (Signed) ----------

By ----------
Authorized signature

Subscribed and sworn to before me this ------ day of ----------, 19-----.

Signature of officer administering oath

My commission expires ----------, 19-----.

(*b*) *Form OPA:SR14:2.* Monthly Report of Purchases of Newly-Mined Domestic Silver.

1. Name and address of purchaser: ----------

---

2. Period covered by this report: ----------

3. Newly-mined domestic silver purchased during the period covered by this report:

Description, including fineness and gross weight	Quantity in fine troy ounces	Date of purchase	Price paid	Name and address of person from whom purchased
Total quantity in fine troy ounces.				

4. Cumulative total of newly-mined domestic silver purchased (total previously reported, plus total reported in Item 3):

_____
(Quantity in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of newly-mined domestic silver purchased by me (us).

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____
By _____
Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____.
[NOTARIAL SEAL]

_____
Signature of officer administering oath

My commission expires _____, 19____.

(c) *Form OPA:SR14:3.* Certificate of Person from whom Newly-Mined Domestic Silver was Purchased.

I (We) hereby certify that during the month of _____, 19____ I (we) made the following sales of newly-mined domestic silver to:

_____
Name of purchaser
_____
Address of purchaser

Description, including gross quantity	Quantity in fine troy ounces	Date of sale	Price charged
Total quantity in fine troy ounces			

I (We) further certify that all of the silver so sold is covered by miners' affidavits on Treasury Department Forms TSA–2 and/or TSA–2A, executed pursuant to § 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939, as follows:

Affidavit No.	Executed by	Date of execution	Quantity of silver covered by affidavit (in fine troy ounces)
Total quantity covered by miners' affidavits (in fine troy ounces)			

I (We) further certify that the affidavits listed above have been forwarded directly by me (us) to the Director of the Mint, Treasury Department, Washington, D. C., for verification and cancellation, and I (we) hereby authorize and direct the Director of the Mint to cancel such affidavits.

This statement is furnished to the purchaser of the silver herein described at his request, and pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of enabling the said purchaser to take advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____
_____
Address
By _____
Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____.
[NOTARIAL SEAL]

_____
Signature of officer administering oath

My commission expires _____, 19____.

(d) *Form OPA:SR14:4.* Monthly Report of Purchases of Semifabricated Articles Containing Newly-Mined Domestic Silver.

1. Name and address of purchaser: _____
_____
_____
2. Period covered by this report: _____
3. Semifabricated articles containing newly-mined domestic silver purchased during the period covered by this report:

Description, including gross weight	Fine silver content, in troy ounces	Date of purchase	Price paid	Name and address of person from whom purchased
Total silver content (in fine troy ounces).				

4. Cumulative total of semifabricated articles containing newly-mined domestic silver purchased (total previously reported, plus total reported in Item 3):

_____
(Silver content in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of semifabricated articles containing newly-mined domestic silver purchased by me (us), and that the person(s) from whom such articles were purchased has (have) furnished me (us) with original invoices certifying that the articles so purchased contain newly-mined domestic silver.

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____
Purchaser
By _____
Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____.
[NOTARIAL SEAL]

_____
Signature of officer administering oath

My commission expires _____, 19____.

(c) *Form OPA:SR14:5.* Monthly Report of Deliveries of Semifabricated Articles Containing Newly-Mined Domestic Silver.

1. Name and address of seller: _____
_____
_____
2. Period covered by this report: _____
3. Summary of deliveries of newly-mined domestic silver and of semifabricated articles containing newly-mined domestic silver made during the period covered by this report:

Quantity	Description of item	Silver content (in fine troy ounces)
Total silver content (in fine troy ounces)		

4. Cumulative total of newly-mined domestic silver and of semifabricated articles containing newly-mined domestic silver delivered (total previously reported, plus total reported in Item 3):

_____
(Silver content in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of all deliveries of newly-mined domestic silver and of semifabricated articles containing newly-mined domestic silver made by me (us); that the deliveries herein summarized are more particularly described in my (our) invoices covering each such delivery, copies of which have been preserved for inspection by the Office of Price Administration; and that I (we) have made no deliveries of any semifabricated articles containing silver, other than the deliveries summarized herein and those previously reported, at prices higher than the maximum prices established by § 1499.2 of the General Maximum Price Regulation for the same articles containing silver other than newly-mined domestic silver.

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantge of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____
By _____
Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____.
[NOTARIAL SEAL]

_____
Signature of officer administering oath

My commission expires _____, 19____.

(b) Effective dates. * * *

(13) Amendment No. 12 to Supplementary Regulation No. 14 (§ 1499.73 (a) (12)) shall become effective September 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8467; Filed, August 28, 1942; 5:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 13 to Supplementary Regulation 14[1] of General Maximum Price Regulation[2]]

SOFT DRINKS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (13) is added to paragraph (a) of § 1499.73 as set forth below:

§1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * *

(13) *Soft drinks*—(i) *Maximum prices for bottlers and wholesalers of soft drinks to sellers at retail.* (a) A bottler whose maximum price to a retailer for a soft drink as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation (herein called the unadjusted maximum price) is less than the maximum adjusted price set forth in the schedule of this subdivision (i) may add to his unadjusted maximum price the amount of the "permitted increase" set forth in such schedule: *Provided*, That prices so increased shall in no event exceed the maximum adjusted price set forth in this schedule.

(b) A wholesaler whose supplier has adjusted his maximum price under the provisions of this subparagraph may adjust his own maximum price as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation by adding thereto the amount of the "permitted increase" set forth in the schedule of this subparagraph: *Provided*, That the price so increased shall in no event exceed the maximum adjusted price set forth in such schedule.

(c) Schedule of permitted increase of maximum adjusted price for bottlers and wholesalers of soft drinks to retailers.

Size	Unit of sale	Permitted increase	Maximum adjusted price
6–23 ounce bottles, inclusive	Case of 24	5 cents per case	$0.80
24–32 ounce bottles, inclusive	Case of 12	10 cents per case	1.00
33–64 ounce bottles, inclusive	Case of 6	10 cents per case	.90
¼ barrels	¼ barrels	25 cents per ¼ barrel	2.25
½ barrels	½ barrels	50 cents per ½ barrel	4.00
Siphons	Case of 6 siphons	15 cents per case	.60
Bottled water	6–1½ gallon containers	5 cents per 6–1½ gallon containers	.60
Bottled water	6–1 gallon containers	10 cents per 6–1 gallon containers	.90
Bottled water	5 gallon container	10 cents per 5 gallon container	.60

(ii) *Maximum prices for bottlers to wholesalers of soft drinks.* The bottler's maximum price to a wholesaler for a soft drink shall be the maximum price determined under the schedule in subdivision (i) of this subparagraph less the amount expressed in dollars and cents by which the bottler's average selling price to retailers during July 1941 exceeded the bottler's average selling price to wholesalers during the same period.

(iii) *Maximum prices for retailers of soft drinks.* A seller of a soft drink at retail whose supplier has adjusted his maximum price under the provisions of this subparagraph may adjust his own maximum price as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation by adding thereto the amount in dollars and cents by which his supplier's maximum price has been increased: *Provided*, That in the case of soft drinks sold in containers of 6–23 oz. inclusive the maximum price at retail, as adjusted hereunder, shall not exceed five cents per bottle.

(a) In figuring his adjusted maximum price under the provisions of this subparagraph, a seller of a soft drink at retail shall take the amount of the increase in price per case which has been reported to him by his supplier and divide it by the number of bottles in the case to get the per bottle increase. For single bottle sales he shall add the per bottle increase to his unadjusted maximum price for a single bottle sale. For quantity sales he shall first multiply the per bottle increase by the number of bottles sold, and add this latter figure to his unadjusted maximum price for a sale in that quantity. If after doing this, in the case either of single bottle or quantity sales, he gets a fractional cent price, he shall adjust the price to the next lower cent, if the fraction is less than half a cent, or to the next higher cent, if the fraction is one-half a cent or greater.

(b) Table showing maximum prices which may be charged by a retailer when price to retailer has been increased by bottler or wholesaler.

Size	Type of sale	Maximum price
6–23 ounce bottles, inclusive	Single bottles	March ceiling price plus increase but in no event more than five cents per bottle.
6–23 ounce bottles, inclusive	Handy pack cartons or units of six bottles.	March ceiling price plus increase but in no event more than five cents per bottle.
24–32 ounce bottles, inclusive	Single bottles or quantity sales	March ceiling price plus increase.
33–64 ounce bottles, inclusive	Single bottles or quantity sales	March ceiling price plus increase.
¼ or ½ barrels	Sold per glass for consumption on premises.	March ceiling price.
Siphons	Single siphons or quantity sales	March ceiling price plus increase.
Bottled water	Single bottles or quantity sales	March ceiling price plus increase.

(iv) *Definitions.* (a) "Soft drinks" means flavored or unflavored non-alcoholic beverages and waters in bottles or other closed containers, whether carbonated or not, but excluding milk drinks and drinks consisting of fruit juices, vegetable juices, and combinations thereof, where at least 85 percent by weight of such drinks is pure fruit juices, vegetable juices, or a mixture thereof.

(v) *Notification to retailers.* (a) On or before the first delivery after the effective date of the price increase every bottler and wholesaler who increases his maximum price or prices for soft drinks under the provisions of this subparagraph, (*1*) shall prepare and supply to each retailer to whom he sells or contracts to sell such soft drinks, a statement written or printed by any method showing the soft drink and size thereof on which a price increase has been made, the permitted increase which may be made by the retailer per case and the permitted increase which may be made by the retailer per bottle on such sizes of such drinks, and (*2*) shall file a copy of each such statement or, if the same statement is supplied to any class of purchasers, one copy of such statement within 30 days thereof with the Office of Price Administration, Washington, D. C.

(b) The statement to be supplied by the bottler or wholesaler to the retailer under subdivision (a) of this subparagraph (13) shall contain the following information:

Item: (description of item including bottle size). Permitted increase per case of bottles ¢. You may add cent(s) per bottle to your March ceiling price. However, the retail price shall not exceed five cents per bottle for 6 to 23 ounce bottles inclusive.

On single bottle sales add the per bottle increase to your March ceiling price.

On quantity sales multiply the per bottle increase by number of bottles sold and add this amount to your March ceiling price charged for sales of the same quantity.

If in either case above, the total is a fractional cent price, adjust to next lower cent if fraction is less than half cent or to the next higher cent if fraction is one-half cent or more.

(Bottler or Wholesaler Firm Name)

(Address)

(vi) *Applicability.* The provisions of this subparagraph shall be applicable to the United States and the District of Columbia.

(b) Effective dates. * * *

(14) Amendment No. 13 (§ 1499.73 (a) (13)) to Supplementary Regulation No. 14 shall become effective September 3, 1942.[3] (Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8468; Filed, August 28, 1942; 5:12 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709.

[2] 7 F.R. 3153, 3330, 3668, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784.

mined domestic silver. (a) Specific authorization is hereby given to any seller of standard commercial bars of newly mined domestic silver to determine the maximum price for any such silver sold by him, and for which the maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, as follows: The seller's maximum price for standard commercial bars of newly mined domestic silver shall be 71.111 cents per fine troy ounce delivered to that one of the following points to which the transportation charges from the point of shipment are lowest: New York, Philadelphia, Denver, or San Francisco; or, if delivery is made to the buyer at any other point, the seller's maximum delivered price shall be 71.111 cents per fine troy ounce, *plus* actual transportation charges from the point of shipment to the destination, and *minus* the transportation charges from the point of shipment to New York, Philadelphia, Denver, or San Francisco, whichever are lowest.

(b) (1) "Standard commercial bars" means silver bullion in the form of bars weighing approximately 1,000 ounces, .999 fine.

(2) "Newly-mined domestic silver" means silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof. Standard commercial bars will be deemed *prima facie* to be composed of newly-mined domestic silver if this fact is certified to the buyer and if evidence to establish the origin of the silver sold is forwarded by the seller at the time of sale to the Director of the Mint, Washington, D. C.: *Provided*, That if within one year from the receipt of such evidence the Director of the Mint notifies the Price Administrator and the seller that he is not satisfied that the silver so sold or any portion thereof has been mined subsequently to July 1, 1939, from natural deposits in the United States or a place subject to the jurisdiction thereof, the contract price shall accordingly be revised downward to the maximum price for silver other than newly-mined domestic silver, and the seller shall refund any excess which may have been paid.

(3) "Point of shipment" means the point at which standard commercial bar silver is first loaded on a conveyance for shipment directly to the buyer.

(c) On or before the 20th day of each month, beginning September 20, 1942, the seller shall report all sales of standard commercial bars of newly-mined domestic silver made during the preceding calendar month to the Office of Price Administration, Washington, D. C.

(d) This Order No. 62 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 62 shall become effective September 3, 1942. (Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8469; Filed, August 28, 1942; 5:13 p. m.]

PART 1306—IRON AND STEEL

[Amendment 7 to Revised Price Schedule 49[1]]

RESALE OF IRON OR STEEL PRODUCTS

MISCELLANEOUS AMENDMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Federal Register.*

A new proviso is added to § 1306.154 (b); in § 1306.157, paragraph (c) is amended, paragraph (m) is amended and a new paragraph (s) is added; in § 1306.159, new provisos are added to paragraphs (f), (i) (4), (k) (2), paragraph (k) (7) is superseded by Maximum Price Regulation No. 204,[2] paragraphs (i) (7), (n) (6) and (p) are added, and paragraphs (g) (1) (i), (h) (1), (2), (l) (6) are amended; to read as set forth below:

§ 1306.154 *Records and reports.* * * *

(b) * * * *Provided*, That every seller of pipe and tubular products shall file with the Office of Price Administration, in duplicate, on or before September 15, 1942, his cutting and threading charges, circulated to his salesmen or to his customers and in effect on April 16, 1941, or customarily quoted and charged as of that date.

§ 1306.157 *Definitions.* * * *

(c) * * * *Provided*, That the term shall not include pig iron. Any iron and steel products as defined above subject to the operations of pickling, cutting by machine or flame, cutting and threading of pipe, shall be considered a part of this definition of iron or steel products. This definition includes primes, seconds, wasters and all other off-grade products including used products. The term "iron or steel products" includes concrete reinforcing bars, and structural steel shapes, but not the fabrication thereof, except as is stated in § 1306.159 (o).

* * * * *

(m) "Mixed carload" means a carload containing not less than three product items of steel in substantial quantities and of different type, such as strip, plates, sheets or bars, etc., or a carload of one or more product classifications containing not less than 10 items of different sizes and/or gauge, each item to be of a specific and known quality, length and cross sec-

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342.

[2] 7 F.R. 6479.

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation[1]—Order 62]

STANDARD COMMERCIAL BARS OF NEWLY MINED DOMESTIC SILVER

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and section 3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.276 *Authorization to sellers of standard commercial bars of newly*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6218.

tion, and no item of which shall be more than 8,000 pounds. (On those products as are customarily designated by gauge numbers, cross-section shall mean a specific and known width and gauge.) Maximum prices for mixed carloads are set forth in § 1306.159 (k) (2), except that maximum prices for mixed carloads of merchant wire products and of pipe and tubular products are set forth in § 1306.159 (k) (3) and (k) (4).

* * * * *

(s) "The operations commonly known as the warehousing of iron or steel products" means the resale of iron or steel products by a person who customarily carries on the purchase for resale of iron or steel products, and who operates a steel warehouse for that purpose (not a public warehouse), which warehouse is such person's place of business and is equipped with facilities for the receiving, shipping, storing, sorting, and performing of other services peculiar to the iron or steel products sold, such as cutting and shearing or burning of iron or steel products.

§ 1306.159 *Appendix A: Domestic and export maximum prices for iron and steel products.* * * *

(f) *Maximum delivered prices for dislocated tonnage.* * * * *Provided*, That the maximum delivered prices for dislocated tonnage established above shall not apply to shipments of pipe and tubular goods, and that on all shipments of standard pipe, seamless pipe, water well casing, large O. D. pipe, line pipe and wrought iron pipe originating from jobbers' stocks in the States of Washington, Idaho, Montana, Oregon, Wyoming, California, Nevada, Utah, Colorado, Arizona, New Mexico, and Texas (El Paso and Pecos only) and shipped to points within the above-mentioned States or to points west of the 103rd meridian within the States of North Dakota, South Dakota, Nebraska, and Texas, any freight actually paid in excess of the sum of 30¢ per 100 lbs. may be charged, notwithstanding that freight equalization of more than this amount may be required by the provisions of § 1306.159 (i) (1) and (2), establishing maximum delivered prices at such points of delivery.

* * * * *

(g) *Maximum delivered prices on the Pacific Coast and for Gulf Ports: special filing provisions.* (1) Maximum delivered prices on the Pacific Coast shall be as provided in Revised Price Schedule No. 49. *Provided*, That: (i) on the following steel products whether sold as standard specification carbon steel, or steel products of that grade known in the trade as Mayari R, Corten etc., or steel products of Abrasive Resisting, Armco, and Toncan quality, and on no others, the following sums may be added to the maximum delivered prices as otherwise established in Price Schedule No. 49:

	Cents per 100 pounds
Plates, universal and sheared, and floor plates	75
Hot rolled sheets	65
Cold rolled sheets	65
Hot rolled bars and small shapes (concrete reinforcing bars are not included in this classification)	20
Galvanized, galvannealed and enameling sheets	45
Hot rolled strip	25
Structural shapes	45
Hard red sheets	90
Billets	70

(h) *Maximum delivered prices for specific wire products.* (1) Notwithstanding the provisions of any other section of Price Schedule No. 49, the maximum delivered price for shipment from warehouse stock of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire, in the city or free delivery area in which the seller is located, shall be the aggregate of:

(i) Mill straight carload price (after deducting the regular jobber allowance of 15¢ per cwt.).

(ii) Carload freight from the governing mill basing point to warehouse, or carload freight from the emergency basing point where use of the latter is permissible under Revised Price Schedule No. 6,[1] not to exceed, however, the actual freight paid. (Where the emergency basing point is used as a basis for computation, records of such sales and of the manner of computing price shall be kept available for inspection for a period of one year.)

[Subdivision (ii) as amended March 31, 1942, effective March 31, 1942; 7 F.R. 2540.]

(iii) One of the following: for standard wire nails, 50¢ per cwt.; for annealed smooth wire, 60¢ per cwt.; for galvanized smooth wire, 66¢ per cwt.

(2) The maximum delivered price for shipment from warehouse stock of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire sold from the city or free delivery area in which the seller is located to any other place shall be the price (as computed above) in the city or free delivery area in which the seller is located and less-than-carload freight from such city.

(i) *Maximum delivered prices for pipe and tubular products.* Maximum delivered prices for the following types of iron and steel pipe and tubular products shall be the seller's prices in effect as of April 16, 1941: *Provided*, That they do not exceed the maximum delivered prices established below, as modified by deductions, discounts, and other terms customarily granted by the seller as of April 16, 1941. Standard published mill extras in effect as of April 16, 1941, shall be used in computation of maximum delivered prices. *Provided further*, That extras for cutting and threading operations where performed by mill shall not exceed the standard published mill extras, in effect April 16, 1941, for such operations; and that where cutting and threading operations are performed by the seller, the extras for such operations shall not exceed the amount charged or which would have been charged by the seller on April 16, 1941, and which seller has filed with the Office of Price Administration.

* * * * *

(4) * * * *Provided further*, That for boiler and other pressure tubes in the following sizes and gauges only:

1"–2¼" OD, 11 gauge and heavier.
2½"–3" OD, 10 gauge and heavier.
3¼"–3½" OD, 9 gauge and heavier.
4"–4½" OD, 8 gauge and heavier.
5"–5½" OD, 7 gauge and heavier.
6" OD, 5 gauge and heavier.
6¼"–6½" OD, 9/32" and heavier.

on shipments from warehouse stock, the maximum delivered price shall be the lowest price resulting from that combination of mill carload Basing Point prices and less-than-carload freight from Basing Point to destination of customer, plus mark-up on such total as shown for each quantity bracket as established herein:

	For quantity (percent)
30,000 to 39,999 ± or ft	35
20,000 to 29,999 ± or ft	40
10,000 to 19,999 ± or ft	50
5,000 to 9,999 ± or ft	55
2,000 to 4,999 ± or ft	65
Under 2,000 ± or ft	80

* * * * *

(6) Revised Price Schedule No. 49 does not establish a maximum price for sales by retailers, such as mail order houses and retail hardware stores, in quantities not greater than 5 standard lengths of pipe larger than 3½", or than 15 standard lengths of pipe 3½" or smaller.

(7) In the event that a recognized tubular goods jobber purchases oil country tubular goods or line pipe from an oil company or pipe line company at a price determined under Maximum Price Regulation No. 204 and resells such tubular goods or pipe directly to another oil company or pipe line company, and that the Office of Petroleum Coordinator has granted prior approval to the transaction, the maximum price that the jobber may charge or receive for the tubular goods or pipe is the price which the jobber actually paid for the material plus 3% of such price.

* * * * *

(k) * * *

(2) Notwithstanding the provisions of any other section of Revised Price Schedule No. 49 which relate to carload shipments, shipments of mixed carloads as defined in § 1306.157 (m) out of warehouse stock shall be sold at a price not in excess of the maximum delivered price for a 500 pound quantity minus a discount of not less than $7.00 per net ton: *Provided*, That if the applicable price for the quantity of any item shipped, as established by any provision of this schedule, is lower than the price as calculated above (500 pound quantity bracket price minus a discount of not less than $7.00 per net ton) such lower price shall be the maximum price for such item: *Provided further*, That prices established by this subparagraph for alloy steels (including Stainless Steel) and cold finished carbon bars need not in any instance be below mill prices as established by Revised Price Schedule No. 6 for the same quantity of the same item: *Provided further*, That if a mixed carload contains any product items which were not customarily sold on a quantity plan on April 16, 1941, there shall be deducted from the out-of-stock less-than-carload price established by this Schedule for such product a discount of not less than $3.00 per net ton.

Invoices covering any mixed carload shipment as herein defined must list each item in the shipment. Carload freight rather than less-than-carload freight shall be used in computing maximum prices applicable to a mixed carload.

* * * * *

(7) This section is hereby repealed and is superseded by the provisions of Maximum Price Regulation No. 204.

(n) * * *

(6) The provisions of this paragraph (n) shall supersede the provisions of Maximum Price Regulation No. 204.

* * * * *

(p) Maximum delivered prices for less-than-carload quantity sales of any alloy steels whose specifications as presently described were not used in production by mills on April 16, 1941, such as National Emergency Specifications and American Iron and Steel Institute Specifications of alloy grades (but not including carbon steel or tool steel grades) are hereby established:

(1) For the purposes only of this section and paragraphs of this Revised Price Schedule No. 49, and for no other purpose, basing point cities for hot rolled alloy steel shall be: Bethlehem, Pennsylvania; Buffalo, New York; Canton, Ohio; Chicago, Illinois; Massilon, Ohio; and Pittsburgh, Pennsylvania. Basing point cities for cold finished alloy steel shall be: Buffalo, New York; Chicago, Illinois; Cleveland, Ohio; Gary, Indiana; and Pittsburgh, Pennsylvania.

(2) Base prices per 100 pounds for delivery of alloy steels within the free delivery area of basing point cities shall be the aggregate (adjusted upward or downward to the nearest $0.05) of:

(i) Mill alloy base price, as established by Revised Price Schedule No. 6, at any basing point city (hot rolled or cold finished, whichever is applicable).

(ii) Mill analysis extras, as established by Revised Price Schedule No. 6, (open hearth or electric furnace, whichever is applicable).

(iii) A mark-up of 66⅔% of the aggregate of (i) and (ii) herein above.

(3) Base prices per 100 pounds for delivery at any destination other than the free delivery area of basing point cities shall be that combination of base prices established for basing point cities in subparagraph (2) of this paragraph plus less-than-carload freight rates in effect at time of shipment from governing basing point city to destination which results in the lowest delivered price.

(4) Quantity extras shall be determined by combining the weight of one or more orders placed in one day, shipped at one time or at Seller's convenience, to one destination.

(i) Item quantity extra, to be determined by quantity of one size, grade and finish, shall be as follows:

1,000 to 39,999 pounds—base.
500 to 999 pounds plus $0.50 per 100 pounds.
300 to 499 pounds plus $0.75 per 100 pounds.
Less than 300 pounds plus $1.25 per 100 pounds.

(ii) An order extra of $3.00 per 100 pounds may be charged on alloy orders which total less than 300 pounds. If the order extra is applicable and charged, the item quantity extra for less than 300 pounds in (i) above may not also be charged. Hot rolled alloys and cold finished alloys need not be combined to determine total weight.

(5) A charge of $2.50 per 100 pounds may be made when the operation of heat treatment (quenching and drawing) or double treatment (both annealing and normalizing or spheroidized annealing) are performed. A charge of $1.00 per 100 pounds may be made when either the operation of annealing or normalizing only is performed. No charge may be made for machine straightening. Size extras may be added but shall not exceed mill size extras as established by Revised Price Schedule No. 6. Other quality extras may be added but shall not exceed mill extras as established by Revised Price Schedule No. 6 or actual cost, whichever is lower.

(6) Other customary and general discounts, terms and privileges, in effect as of April 16, 1941, shall be continued without diminution or extra charge.

§ 1306.158a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1306.154 (b), 1306.157 (c), (m), (s), 1306.159 (f), (g) (1) (i), (h) (1), (2), (i) (4), (6), (7), (k) (2), (7), (n) (6) and (p)) to Revised Price Schedule No. 49 shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8503; Filed, August 29, 1942; 12:44 p. m.]

[1] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780.

[1] 7 F.R. 3404, 3489, 5516, 6482.

PART 1309—COPPER

[Amendment 2 to Revised Price Schedule 20, as Amended [1]]

COPPER SCRAP AND COPPER ALLOY SCRAP

BRIQUETTED COPPER SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1309.71 paragraph (i) (4) (ii) is amended and in § 1309.70a a new paragraph (c) is added to read as set forth below:

§ 1309.71 *Appendix A: Maximum prices.* * * *

(i) *Exceptions.* * * *

(4) *Briquetted copper scrap sold or delivered to a brass and bronze ingot manufacturer.* * * *

(ii) In the calendar month directly preceding the month in which the petition is filed with the Office of Price Administration the petitioner was unable to purchase the amount of No. 1 and No. 2 copper scrap allocated to him by the War Production Board pursuant to Copper Supplementary Order M–9–b, as amended, or, if able to purchase such scrap, was unable to briquette a sufficient amount of it to permit efficient operation of his melting equipment. In this connection petitioner must state:

(*a*) Amount of No. 1 and No. 2 copper scrap so allocated to him for such calendar month.

(*b*) Amount of No. 1 and No. 2 copper scrap purchased by him in such calendar month.

(*c*) Reasons for his inability to briquette sufficient copper scrap to permit efficient operation of his melting equipment.

§ 1309.70a *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§ 1309.71 (i) (4) (ii)) to Revised Price Schedule No. 20, as amended, shall become effective as of August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8506; Filed, August 29, 1942; 12:43 p. m.]

PART 1337—RAYON

[Amendment 1 to Maximum Price Regulation 167 [1]]

RAYON YARN AND STAPLE FIBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1337.36 is amended, in § 1337.42, that part of paragraph (b) which precedes subparagraph (1) is amended, and a new § 1337.41a is added, all as set forth below:

§ 1337.36 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 167 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rayon yarn and staple fiber, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge or discount, premiums or other privilege, or by credit charges, or by tying

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4662.

agreement, trading or trade understanding, or otherwise.

* * * * * *

§ 1337.42 *Appendix A: Maximum prices for rayon yarn and staple fiber.* * * *

(b) *Maximum prices for rayon yarn and staple fiber sold by producers.* The following are prices per pound at destination, except that on shipments to points west of the Mississippi River, only the actual cost of transportation to the Mississippi River shall be allowed. The seller shall have the right to designate the carrier. When shipment is via common or contract carrier, the seller must prepay the cost of transportation or make allowance therefor at the lowest published rate. When shipment is via vehicle owned, leased or operated by the buyer, the seller shall make allowance for transportation at the lowest published carload or truckload rates, irrespective of quantity shipped. The terms are net 30 days and no additional charges shall be made for any extension of credit, except that a charge of not more than 6% per annum may be made on past due accounts.

§ 1337.41a *Effective date of amendments.* (a) Amendment No. 1 (§§ 1337.36, 1337.42 (b), 1337.41a) to Maximum Price Regulation No. 167 shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8507; Filed, August 29, 1942; 12:43 p. m.]

PART 1340—FUEL

[Amendment 9 to Maximum Price Regulation 137 [1]]

PETROLEUM PRODUCTS SOLD AT RETAIL

PENNSYLVANIA GRADE MOTOR OIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (e) which reads as set forth below is added to § 1340.91.

§ 1390.91 *Appendix A—Maximum prices for petroleum products sold at retail establishments.* * * *

(e) *Pennsylvania grade motor oils in the Pacific Coast Area.* (1) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by The Pennzoil Company are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(2) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S.A.E. grades of Pennsylvania grade motor oils marketed by Hyvis Oils, Inc., of California are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(3) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S.A.E. grades of Pennsylvania grade motor oils marketed by Kern Oil Company, Limited are increased to 30 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

§ 1349.93a *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§ 1340.91 (e)) shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8518; Filed, August 29, 1942; 12:48 p. m.]

PART 1340—FUEL

[Amendment 20 to Maximum Price Regulation 120 [1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.*

Subdivision (i) of § 1340.210 (a) (4) is revoked and a new undesignated proviso is added thereto to read as set forth below:

§ 1340.210 *Maximum price instructions.* (a) * * *

(4) * * *: *Provided,* That where deliveries are made in river transportation facilities owned or subject to the control of the producer or distributor, or a subsidiary or affiliate of the producer or distributor, via the Kanawha and/or Ohio Rivers and from mines or preparation plants located in District No. 8, there may be added to the applicable maximum price established herein a sum not in excess of the average charge made by the producer or distributor concerned, or by his subsidiary or affiliate during October 1941 for the same transportation service, or, in the case of a service which was not supplied in October 1941, the offering price therefor in October 1941.

§ 1340.211a *Effective dates of amendments.* * * *

(u) Amendment No. 20 (§ 1340.210 (a) (4)) to Maximum Price Regulation No. 120 shall become effective as of May 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8517; Filed, August 29, 1942; 12:48 p. m.]

PART 1358—TOBACCOS

[Temporary Maximum Price Regulation 21]

FLUE-CURED TOBACCO

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, to issue a temporary regulation, establishing as the maximum prices for flue-cured tobacco (U. S. Types 11, 12, and 13) the prices prevailing with respect thereto within the five days prior to the issuance of this regulation.

The maximum prices established herein are not below prices which will reflect to producers of flue-cured tobacco (U. S. Types 11, 12, and 13) a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 13, 1941 or (4) the average price for such commodity during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Temporary Maximum Price Regulation No. 21 is hereby issued.

Sec.

1358.51 Prohibition against purchasing flue-cured tobacco at prices above the maximum prices.
1358.52 Maximum prices for flue-cured tobacco.
1358.53 Exempt transactions.
1358.54 Evasion.
1358.55 Conditional agreements.
1358.56 Records and reports.
1358.57 Enforcement.
1358.58 Petitions for amendment.
1358.59 Definitions.
1358.60 Standard of interpretation.
1358.61 Revocation or replacement of regulation.
1358.62 Effective period.

AUTHORITY: §§1358.51 to 1358.62, inclusive issued under Pub. Law 421, 77th Congress.

§ 1358.51 *Prohibition against purchasing flue-cured tobacco at prices above the maximum prices.* From August 31, 1942, to October 29, 1942, inclusive, regardless of any contract, agreement, or other obligation, no person shall buy or receive any flue-cured tobacco on the loose-leaf markets at a price higher than the maximum price permitted by § 1358.52; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1358.52 *Maximum prices for flue-cured tobacco.* (a) During each of the periods from August 31, 1942, to September 29, 1942, inclusive, and from September 30, 1942, to October 29, 1942, inclusive, the weighted average price per pound paid by any person for flue-cured tobacco shall not exceed the weighted average price per pound paid by such person for flue-cured tobacco during the period from August 24, 1942, to August 28, 1942, inclusive.

(b) If any person did not purchase any flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive, during each of the periods from August 31, 1942, to September 29, 1942, inclusive, and from September 30, 1942, to October 29, 1942, inclusive, the weighted average price per pound paid by such person for flue-cured tobacco shall not exceed the average market price per pound of flue-cured tobacco during the period from August 24, 1942, to August 28, 1942, inclusive as published by the United States Department of Agriculture.

§ 1358.53 *Exempt transactions.* This Temporary Maximum Price Regulation No. 21 shall not apply to the following transactions:

(a) Purchases of flue-cured tobacco for the account of the Commodity Credit Corporation.

(b) Purchases of flue-cured tobacco by any person for resale in substantially the same form on the loose-leaf markets.

§ 1358.54 *Evasion.* The price limitations set forth in this Temporary Maximum Price Regulation No. 21 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to flue-cured tobacco alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding or otherwise.

§ 1358.55 *Conditional agreements.* No person shall enter into an agreement permitting the adjustment of the prices for flue-cured tobacco to prices which may be higher than the maximum prices provided by § 1358.52, in the event that this Temporary Maximum Price Regulation No. 21 is amended or is determined by a court to be invalid or upon any other contingency: *Provided,* That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1358.56 *Records and reports.* (a) On or before September 8, 1942, each person subject to this Temporary Maximum Price Regulation No. 21 shall file with the Office of Price Administration in Washington, D. C., a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during the period from August 24, 1942, to August 28, 1942, inclusive, and the total purchase price paid therefor.

(b) Each person subject to this Temporary Maximum Price Regulation No. 21 shall preserve for examination by the Office of Price Administration all his existing records relating to the quantities of flue-cured tobacco purchased by him during the period from August 24, 1942, to August 28, 1942, inclusive, and the purchase prices paid therefor.

(c) Each person subject to this Temporary Maximum Price Regulation No. 21 shall make and preserve for examination by the Office of Price Administration records of the same kind as he has customarily made, relating to the quantities of flue-cured tobacco purchased during the period from August 31, 1942, to October 29, 1942, inclusive, and the purchase prices paid therefor.

(d) Within five days after the expiration of each of the periods for which provision is made in § 1358.52, each person subject to this Temporary Maximum Price Regulation No. 21 shall file with the Office of Price Administration in Washington, D. C., a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during such periods, and the total purchase price paid therefor.

(e) Each person subject to this Temporary Maximum Price Regulation No. 21 shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a), (b), (c), and (d) of this section as the Office of Price Administration may from time to time require.

§ 1358.57 *Enforcement.* (a) Persons violating any provisions of this Temporary Maximum Price Regulation No. 21 are subject to the criminal penalties and civil enforcement actions provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 21 or of any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1358.58 *Petitions for amendment.* Persons seeking modification of any provision of this Temporary Maximum Price Regulation No. 21 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1358.59 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 21, the term:

(1) "Person" means individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agencies of any of the foregoing:

(2) "Flue-cured tobacco" means U. S. Types 11, 12, and 13 as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(3) "Weighted average price" means the total purchase price paid for all flue-cured tobacco purchased in any particular period divided by the total number of pounds of flue-cured tobacco purchased during such period.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20[2] of the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1358.60 *Standard of interpretation.* Every provision of this Temporary Maximum Price Regulation No. 21 is to be understood and will be interpreted consistently with the provisions of the regulation as a whole, and, unless the context otherwise requires, with the corresponding and related provisions of the General Maximum Price Regulation and in such a maner as to effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1358.61 *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 21 may be revoked or replaced by a permanent Maximum Price Regulation or order issued under the Emergency Price Control Act of 1942.

§ 1358.62 *Effective period.* This Temporary Maximum Price Regulation No. 21 (§§ 1358.51 to 1358.62, inclusive) shall become effective on August 31, 1942, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight October 29, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8504; Filed, August 29, 1942; 12:44 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 4 to Revised Price Schedule 85 [1]]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment has been prepared and filed with the Division of the Federal Register.*

Sections 1360.51 (c) and 1360.52 (e) are amended, and a new § 1360.62, *Appendix*

* Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 3165, 3749, 4273, 4780, 4853, 5363.

* Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835.

[1] 7 F.R. 971.

* Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 1364, 1675, 1836, 2132, 2134, 6048.
[2] 7 F. R. 3156.

B: Standards for maintenance of new passenger automobiles is added, as set forth below:

§ 1360.51 *Maximum wholesale prices for new passenger automobiles.* * * *

(c) To the maximum price may be added an amount equal to 1% of the list price of the automobile, or $15, whichever is lower, for each calendar month or greater part thereof, after January 31, 1942, which elapses prior to the sale of the automobile by the manufacturer, distributor, or exporter: *Provided*, That the automobile shall, on and after September 30, 1942, receive while in storage all the maintenance operations set forth in Appendix B, as therein required: *Provided further*, That no amount whatsoever under this paragraph (c) shall be added to the maximum wholesale price unless:

(1) The automobile sold shall, on and after September 30, 1942, have received while in storage all the maintenance operations set forth in Appendix B, as therein required; and

(2) The seller, at the time of sale, shall certify in writing to the purchaser and to the Office of Price Administration that the automobile sold has, on and after September 30, 1942, received while in storage all the maintenance operations set forth in Appendix B, as therein required, in the form provided in § 1360.51 (c) (2). The certification to the Office of Price Administration shall be filed together with the report of sale required by Rationing Order 2A, New Passenger Automobiles Rationing Regulations, issued by the Office of Price Administration, with the War Price and Rationing Board designated in such rationing regulation to receive such report of sale.

* * * * * *

§ 1390.62 *Appendix B: Standards for maintenance of new passenger automobiles*—(a) *General instructions.* (1) All new passenger automobiles must be stored indoors. Select a clean, dry building suitable for the storage of such automobiles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

(2) Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

(3) The operations specified under the heading "Maintenance Operations" are of two categories: "Initial" operations, which if not already performed, are to be performed, and "Repeat" operations, which must be performed at intervals of six months, or when necessary as indicated below.

(b)

No.	When to be done	Item	Maintenance operation
1	Initial and whenever necessary.	Vehicle	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust.
2	Initial	Windshield wiper	Remove blades; store in glove compartment.
3	Initial and every 6 months.	Upholstery and floor coverings.	(a) Clean and moth-proof all upholstery, including seat cushions, seat books, side walls, headlinings, floor mats, and carpets. (b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all vehicle windows and windshields with paper, using masking tape. (3) Cover the vehicle with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
	Initial		(c) Place floor mats in their normal position on floor, not rolled up.
4	Initial and whenever necessary.	Chrome plated surfaces	Thoroughly wash and clean all Chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface of the Chrome.
5	Initial	Convertible tops	With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.
6	Initial	Engine	(a) Drain engine oil and refill crank case with at least ½ charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1000, R. P. M. Leave this oil in engine.
7	Initial	Fuel system and carburetor.	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed.
8	Initial	Spark plugs	Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
9	Initial	Valve compartment (overhead valve engines).	Remove cover. Spray rust-preventive compound or S.A.E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
10	Initial	Seal engine	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crankcase breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oiled or waxed paper, rathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine. NOTE—Since no provision has been made for turning the engine over at regular intervals, it is absolutely essential that the recommended procedure for conserving the engine be followed carefully.
11	Initial	Battery removal	(a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease. (b) If dealer has portable battery charging equipment, he may elect to leave battery in vehicle. In either case battery must be maintained as per item 12 below.
12	Initial and as specified under "Maintenance operations."	Battery maintenance	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.280 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature.
13	Initial	Cooling system	Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system dry. NOTE.—If coolant contains anti-freeze and rust-inhibiting solution, it may be left in the cooling system.
14	Initial	Brakes	Leave all brakes in released position.
15	Initial	Clutch	Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.

The undersigned hereby certifies that the ---------- automobile bearing motor number ---------- and/or serial number ---------- has, on and after September 30, 1942, received while in storage all the maintenance operations set forth in Appendix B of Revised Price Schedule No. 85—New Passenger Autcmobiles, issued by the Office of Price Administration, as required therein.

Dated:

The certification to the Office of Price Administration shall be filed together with the report of sale required by Rationing Order 2A, New Passenger Automobile Rationing Regulations, issued by the Office of Price Administration, with the War Price and Rationing Board designated in such rationing regulation to receive such report of sale.

§ 1390.52 *Maximum retail price for new passenger automobiles.* * * *

(c) An amount equal to 1% of the list price of the automobile, or $15, whichever is lower, for each calendar month or greater part thereof, after January 31, 1942, which elapses prior to the sale of the automobile to the purchaser: *Provided*, That the automobile shall, on and after September 30, 1942, receive while in storage all the maintenance operations set forth in Appendix B as therein required: *Provided further*, That no allowance whatsoever under this paragraph (c) shall be included in the maximum retail price unless:

(1) The automobile sold shall, on and after September 30, 1942, have received while in storage all the maintenance operations set forth in Appendix B as therein required; and

(2) The seller, at the time of sale, shall certify in writing to the purchaser and to the Office of Price Administration that

No.	When to be done	Item	Maintenance operation
16	Initial and as specified under Maintenance operations.	Tires	Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between ½ and ⅔ operating pressure so that vehicles can be pushed or towed out quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure.
17	Initial and if necessary, every six months where applicable.	Hood latches, hinges, brake connections.	Lubricate with light oil all hood latches, hinges, and brake connections.
18	Initial where applicable.	Doors and windows	(a) Close all doors and windows tightly. (b) Close all venti-panes. (c) Leave cowl ventilator open (if screened).

NOTE.—Materials called for in the performance of these maintenance operations such as oils, wax and rust-inhibitor, should be of a grade recommended by the vehicle manufacturer.

§ 1360.60a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1360.51 (c), 1360.52 (e) and 1360.62) shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8520; Filed, August 29, 1942; 12:46 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 7 to Maximum Price Regulation 136[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

PETROMETER CORPORATION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (5) is added to § 1390.25 (c) and new paragraph (g) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *.

(5) *Petrometer Corporation.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any mechanical instrument or part manufactured by Petrometer Corporation, Long Island City, New York, shall be determined pursuant to the provisions of § 1390.5, except that the date October 27, 1941 shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5.

§ 1390.31a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1390.25 (c) (5)) to Maximum Price Regulation No. 136, as amended, shall become effective September 4, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8519; Filed, August 29, 1942; 12:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5909, 6426, 6682.

PART 1499—COMMODITIES AND SERVICES

[Order 32 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-80-P]

STRAUB BREWERY

For the reasons set forth in an opinion * issued simultaneously herewith it is ordered:

§ 1499.332 *Adjustment of maximum prices for fermented malt beverages manufactured by Joseph A. Straub and Carl J. Straub, a partnership doing business under the name of Straub Brewery.* (a) Straub Brewery, St. Mary's, Pennsylvania, may sell and deliver and any person may buy and receive from Straub Brewery fermented malt beverages manufactured by it at prices not higher than those set forth below:

	To wholesalers	*To retailers*	*To private individuals*
Draught beer per barrel	$14.00	$15.50	$17.00
Case of 24 pint bottles	1.38	1.60	1.80
Case of 12 returnable qts	1.85	2.05	2.15

(b) Wholesalers may sell and deliver and any person may buy and receive from wholesalers fermented malt beverages manufactured by Straub Brewery at prices not higher than those set forth below.

The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

50 cents per barrel.
3 cents per case of 24 pint bottles.
5 cents per case of 12 non-returnable quarts.

Provided, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustments permitted hereunder over his March price increases.

(c) Retailers may sell and deliver and any person may buy and receive from retailers, fermented malt beverages manufactured by Straub Brewery at prices not higher than those set forth below:

The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation or 15 cents per pint and 30 cents per quart, whichever is higher.

(d) The adjustments granted to Straub Brewery and wholesalers and retailers in paragraphs (a) and (b) and (c) respectively are subject to the following conditions:

(1) The adjustments permitted under paragraphs (a), (b), and (c) shall only be made in the counties of Bedford, Blair, Cameron, Clearfield, Potter, and all counties west thereof in the State of Pennsylvania.

(2) Straub Brewery shall forthwith by circular or other appropriate means notify all wholesalers and retailers purchasing its fermented malt beverages from it of the provisions of paragraph (b) and (c) hereof.

(3) Wholesalers selling fermented malt beverages manufactured by Straub Brewery shall forthwith by circular or other appropriate means notify all of their customers of the provisions of paragraph (c).

(e) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 32 (§ 1499.332) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 32 (§ 1499.332) shall become effective August 31, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8508; Filed, August 29, 1942; 12:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 33 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-962]

GOENNER & CO.

For the reasons set forth in an opinion* issued simultaneously herewith, *it is ordered:*

§ 1499.333 *Adjustment of maximum prices for fermented malt beverages manufactured by Goenner & Company.*

(a) Goenner & Company of Third Avenue and Power Street, Johnstown, Pennsylvania, wholesalers and retailers, may sell and deliver and any person may buy and receive from Goenner & Company, wholesalers and retailers fermented malt beverages manufactured by Goenner & Company at prices not higher than those set forth below:

(1) *Goenner & Company:* The maximum prices established under § 1499.2 of the General Maximum Price Regulation plus 5 cents per case of 24 twelve ounce bottles.

(2) *Wholesalers:* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus 5 cents per case of 24 twelve ounce bottles: *Provided*, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustment permitted hereunder over his March price increase.

(3) *Retailers:* The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation or, in the case of twelve ounce bottles, 15 cents per bottle, whichever is higher.

(b) The adjustment granted to Goenner & Company, wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted in paragraph (a) shall only be made in the Counties of Cambria and Somerset, State of Pennsylvania.

(2) Goenner & Company shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling it products of the adjustments permitted in paragraph (a).

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 33 (§ 1499.333) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 33 (§ 1499.333) shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8505; Filed, August 29, 1942; 12:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 28 Under § 1499.18 (c) of the General Maximum Price Regulation]

FONES BROTHERS HARDWARE CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, *it is hereby ordered that:*

§ 1499.378 *Adjustment of maximum prices for sales of farm water systems by Fones Brothers Hardware Company of Little Rock, Arkansas.* (a) Fones Brothers Hardware Company of Little Rock, Arkansas, is hereby authorized to sell and offer, agree, solicit and attempt to sell the farm water systems listed below at the list prices listed below, f. o. b. factory, subject to 25% discount to dealers:

No. 25–RE Jacket water systems	$118.50
No. 33–RE Jacket water systems	129.00
No. 50–RE Jacket water systems	141.50
No. 25–LA Jacket water systems	122.30
No. 33–RA Jacket water systems	132.80
No. 50–RA Jacket water systems	145.30

(b) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 28 (§ 1499.378) shall become effective August 31, 1942.

*Copies may be obtained from the Office of Price Administration.

(e) This Order No. 28 (§ 1499.378) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(Pub. Law No. 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8509; Filed, August 29, 1942; 12:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 29 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-621]

BAKELITE CORPORATION

For the reasons set forth in an opinion* issued simultaneously herewith, *it is ordered:*

§ 1499.379 *Adjustment of maximum prices for "Bakelite" Phenol Resin Composition XK-14504 produced by Bakelite Corporation.* (a) Bakelite Corporation of New York City may sell and deliver from its plant at Bloomfield, New Jersey, and any person may buy and receive from Bakelite Corporation that phenolic type resin produced from the materials listed in the petition bearing Docket No. GF3-621 heretofore filed with the Office of Price Administration by Bakelite Corporation at prices no higher than those set forth below:

(1) *Maximum prices.*

Quantity:	Price per pound f. o. b. point of production
30,000 pounds or more	$0.33
15,000 to 30,000 pounds	.335
5,000 to 15,000 pounds	.34
Single drum to 5,000 pounds	.345
Less than single drum	.385

(2) *Containers.* No additional charge may be made for containers, but a reasonable container deposit may be required, providing such deposit is refunded upon the return of containers in good condition within a reasonable time; transportation costs with respect to the return of empty containers to Bakelite Corporation's plant in Bloomfield, New Jersey, may be borne by buyer.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 29 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 29 (§ 1499.379) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 29 (§ 1499.379) shall become effective September 1, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8543; Filed, August 31, 1942; 11:49 a. m.]

Chapter XVII—Office of Civilian Defense

[Regulations No. 3, Amendment No. 3]

PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9088 dated March 6, 1942, and pursuant to the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088 dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, §§ 1903.1 to 1903.16, inclusive, of this chapter (sections 1 to 16, inclusive, of Office of Civilian Defense Regulations No. 3) are hereby amended, effective September 1, 1942, to read as follows:

Sec.

1903.1 Statutory and executive authority.
1903.2 Definitions.
1903.3 Units.
1903.4 Insignia.
1903.5 Eligibility.
1903.6 Registration for training.
1903.7 Training.
1903.8 Method of appointment.
1903.9 Oath.
1903.10 Certificate of membership.
1903.11 Enrollment.
1903.12 Duties.
1903.13 Termination or suspension of membership in United States Citizens Defense Corps.
1903.14 Status and compensation of members.
1903.15 Loaned equipment.
1903.16 Organization and command of Local Defense Corps.

AUTHORITY: §§ 1903.1 to 1903.16, inclusive, issued under Pub. Law 415, 77th Congress; E.O. 8757, 6 F.R. 2517, E.O. 9088, 7 F.R. 1775, E.O. 9134, 7 F.R. 2687.

§ 1903.1 *Statutory and Executive authority.* (a) The Act approved January 27, 1942 (Public Law 415, 77th Cong.), provides in section 2 thereof:

It shall be unlawful for any person to wear any insignia, arm band, or other distinctive article prescribed by the Director of Civilian Defense except in accordance with the regulations promulgated under the authority of Section 1 hereof.

The regulations referred to have been promulgated in Executive Order No. 9088, dated March 6, 1942, which provide, in Article 12 thereof:

The Director of Civilian Defense may prescribe insignia, arm bands, and other distinctive articles which may be worn by persons engaged in civilian defense activities and may establish rules and regulations for the wearing thereof.

Pursuant to Executive Order No. 9088, the Director of Civilian Defense has issued §§ 1902.1 to 1902.9, inclusive, of this chapter (§§ 1 to 9, inclusive, Office of Civilian Defense Regulations No. 2), governing insignia which regulations provide that it shall be unlawful for any person to use or wear certain official articles embodying prescribed insignia except certain designated groups, including the United States Citizens Defense Corps.

(b) The Act approved January 27, 1942 (Public Law 415, 77th Cong.), authorizes, in section 1 thereof, the Director of Civilian Defense, under such regulations as the President may prescribe, to provide to certain localities, by loans, supplies and equipment for the adequate protection of persons and property from bombing attacks, sabotage, or other war hazards. Executive Order No. 9088, dated March 6, 1942, sets forth the regulations prescribed by the President pursuant to said section 1, and Article 13 thereof authorizes the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the Act approved January 27, 1942.

Pursuant to Executive Order No. 9088, the Director has issued §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), governing loans of equipment and supplies to civil authorities, which chapter provides, in § 1901.7 thereof, that the property shall be distributed by the borrowing communities in such manner as the Commander of the local United States Citizens Defense Corps shall deem advisable in order to comply with the requirements of law.

Provided, however, That such distribution shall at all times be subject to and in accordance with such rules, regulations, orders, and instructions as the Director of Civilian Defense may make with respect thereto.

Sections 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1) also provide that each borrowing community shall execute an agreement with the Director of Civilian Defense, on OCD Form No. 501, which agreement includes a covenant on behalf of the borrowing community as follows:

That all rules, regulations, and orders heretofore or hereafter issued by the Director of Civilian Defense with respect to said supplies and equipment are a part of this agreement between the community and the Director of Civilian Defense, and that the community will comply with all rules, regulations and orders issued by the Director of Civilian Defense with respect to the aforesaid supplies and equipment as well as with respect to procedure and practices affecting the use of such supplies or equipment for civilian defense in the community.

The Director of Civilian Defense, for the purpose of attaining maximum efficiency in the use and preservation of supplies and equipment of, or under the control of, the Office of Civilian Defense, which are loaned to communities pursuant to Executive Order No. 9088 and §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), has ordered, subject to rules, regulations, and orders to be issued by him, that, subject to certain exceptions, including members of the local fire departments and police departments, the distribution of such supplies and equipment by borrowing communities shall be confined to members of and trainees for the United States Citizens Defense Corps, in accordance with instructions of the Commander of the local United States Citizens Defense Corps, and loaned supplies and equipment shall be used only by such members and trainees.

(c) Sections 1903.1 to 1903.16, inclusive, of this chapter (Office of Civilian Defense Regulations No. 3), herein set forth, are issued, pursuant to Executive Order No. 9088, to prescribe the eligibility, training, method of appointment, character of oath, and duties of persons who, as members of or trainees for the United States Citizens Defense Corps, are exclusively, except as provided in § 1903.4 (h) of this chapter (Office of Civilian Defense Regulations No. 3), entitled to wear or use official articles embodying prescribed insignia of the United States Citizens Defense Corps, in accordance with the provisions of §§ 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2), and are entitled to receive, wear, or use supplies and equipment loaned to communities, in accordance with §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1).

§ 1903.2 *Definitions.* (a) *Director* means the Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereto.

(b) *Defense Corps* means the United States Citizens Defense Corps established, within the Office of Civilian Defense, by Administrative Order of the Director, and consists of units composed of enrolled members in the protective services engaged in civilian defense, or in services related thereto.

(c) *Protective services engaged in civilian defense* means the services engaged in taking precautionary measures against air raids or other forms of attack and minimizing losses to persons and property resulting therefrom, which protective services shall include those specified in § 1903.3 (a) of this chapter (Office of Civilian Defense Regulations No. 3), now established and such additional protective services as shall hereafter be established as units of the Defense Corps by order of the Director.

(d) *Member* means a person eligible for membership in the Defense Corps, who has registered for training, has satisfactorily completed prescribed and approved courses of training or instruction, has been appointed to membership, has taken the prescribed oath, and has been enrolled as a member of the Defense Corps by the Local Defense Council, all in accordance with this chapter (Office of Civilian Defense Regulations No. 3), and whose membership has not be suspended or terminated as provided in this chapter.

(e) *Trainee* means a person eligible for membership in the Defense Corps who has registered for training in accordance with this chapter (Office of Civilian Defense Regulations No. 3), and who is engaged in taking prescribed and approved courses of training, or instruction prior to becoming appointed and enrolled as a member.

(f) *Prescribed insignia* means insignia prescribed by the Director, by regulation or order, for any unit of the Defense Corps or for any rank of members, whether or not Letters Patent with respect to such insignia have been applied for, granted, or denied.

(g) *Official articles* mean arm bands, brassards, buttons, pins, automobile plates, decalcomania, Certificates of Membership, and other articles of identification embodying prescribed insignia, which official articles may be worn or used, except as provided in § 1903.4 (h) of this chapter (Office of Civilian Defense Regulations No. 3), only by members or, subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), by trainees, and shall constitute the official identification of persons wearing or using such official articles.

(h) *Loaned equipment* means equipment and supplies (other than medical equipment and supplies) belonging to, or under the control of, the Office of Civilian Defense and loaned by the Director to communities pursuant to Executive Order No. 9088, dated March 6, 1942, and §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1) governing loans of equipment and supplies to civil authorities.

(i) *State* means any State, territory, or possession of the United States and the District of Columbia.

(j) *Community* means any municipality, town or village, or any other political subdivision of any State or any area designated by the Director as a community for purposes of this chapter (Office of Civilian Defense Regulations No. 3).

(k) *Local Defense Council* means the body duly appointed by the duly authorized appointive authority to be responsible for civilian defense in a community.

§ 1903.3 *Units.* (a) The Defense Corps consists of units composed of enrolled members in (1) the protective services engaged in civilian defense now established and hereinafter specified; (2) additional protective services engaged in civilian defense, from time to time established as units of the Defense Corps by order of the Director; and (3) related services now established or hereafter established by order of the Director, including Chaplains. The protective services engaged in civilian defense now established are as follows:

Staff.
Air Raid Wardens.
Auxiliary Police.
Auxiliary Firemen.
Fire Watchers.
Demolition and Clearance.
Road Repair.
Rescue.
Decontamination.
Medical.
Nurses' Aides.
Drivers.
Emergency Food and Housing.
Messengers.
Utility Repair.
Instructors.

(b) The number of members in each unit of the protective services engaged in civilian defense in any community shall

not exceed such number as may be prescribed from time to time by order of the Director in the event that he deems such maximum limitation to be desirable.

§ 1903.4 *Insignia.* (a) The insignia of the units of the Defense Corps shall be designs related to the basic insigne of the Office of Civilian Defense, which basic insigne is a design, in the form of an applique emblem granted by Letters Patent No. D–129797 of October 7, 1941, consisting of the letters "CD" in red, centered in a white equilateral triangle embossed on a circular field of blue. Insignia have been prescribed by order of the Director for the units of the Defense Corps designated in § 1903.3 (a) of this chapter (Office of Civilian Defense Regulations No. 3), consisting of a white equilateral triangle embossed on a circular field of blue similar to the basic insigne of the Office of Civilian Defense, but with an identifying device, described below for the respective units, substituted in lieu of the letters "CD" appearing in the basic insigne. The identifying devices for the prescribed insignia of the present units of the Defense Corps, and the Letters Patent covering such insignia, are as follows:

Unit	Letters patent	Identifying device (red, except staff unit)
Staff	D–132589	Blue five-pointed star centered above letters "CDC" in red.
Bomb Reconnaissance Agent	D–129799	Diving bomber.
Air Raid Wardens	D–129801	Seven diagonal stripes, alternately red and white.
Auxiliary Police	D–129803	Shield in the form of an inverted triangle, with sides slightly curved outward.
Auxiliary Firemen	D–129802	Cross Pattée.
Fire Watchers	D–129807	Flame.
Demolition and Clearance	D–129804	Pick, handle upward.
Road Repair	D–129805	Shovel, spade downward.
Rescue	D–129800	Ladder.
Decontamination	D–129810	Chemical retort.
Medical	D–129811	Caduceus.
Nurses' Aides	D–129798	Red cross.
Drivers	D–129808	Steering wheel.
Messengers	D–129806	Lightning flash.
Emergency Food and Housing	D–129809	Cup, handle to right.
Utility Repair	D–132588	Pliers, jaws closed, handles downward.
Instructors (Instructors who have graduated from a War Department Civilian Protection School may wear Instructors insigne placed above a silver ribbon on which are the letters "WDCPS.")	D–132600	Inverted equilateral triangle centered above which is a falling bomb, to the left of which is a chemical retort and to the right of which is a flame.
Chaplains	Patent pending	Christian: Latin cross. Jewish: Six-pointed star centered above Tables of the Law in silhouette.

(b) The Director may from time to time prescribe, by regulations or orders, other designs as insignia for additional units of the Defense Corps.

(c) Prescribed insignia of the Defense Corps may be embodied in official articles which any member or, subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), any trainee is authorized to use or wear so long as he complies with all rules, regulations, orders, and instructions made at any time by the Director, including those with respect to the use or wearing of prescribed insignia and with respect to the eligibility, training, or duties of members. Such right to wear or use official articles shall be subject at all times to the terms and conditions of any such rules, regulations, orders, or instructions.

(d) Any member or trainee authorized to wear or use official articles may wear or use only official articles bearing the insignia prescribed by the Director for the particular unit of the Defense Corps of which such person is a member or trainee.

(e) Arm bands or brassards embodying prescribed insignia shall constitute a substitute for a uniform. The wear or use of arm bands or brassards embodying prescribed insignia of the Defense Corps is restricted to members of or trainees, subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), for the Defense Corps (except the Instructors Unit) and to persons authorized pursuant to paragraph (h) of this section, while actively engaged in the performance of duties or while in transit to or from their places of duty.

(f) It shall be unlawful for any person to use or wear any prescribed insignia except in accordance with rules, regulations, orders, and instructions issued by the Director. The Director may prohibit or restrict, in his discretion, the wearing or use of any articles embodying prescribed insignia.

(g) Prescribed insignia may not be altered or modified in any manner, and no additional words or devices may be superimposed on prescribed insignia. However, the name of a State or community or the designation of the occupation or profession of the wearer may be placed on official articles in addition to the prescribed insigne.

(h) Such organized personnel as is certified by the American Red Cross to the Commander for emergency feeding, housing and clothing services, if such personnel is satisfactory to the Commander and is placed under his command in an emergency, may be authorized by the Commander to use and wear official articles embodying the prescribed insigne of the Emergency Food and Housing Unit, notwithstanding the fact that such persons are not members of the Defense Corps.

§ 1903.5 *Eligibility.* (a) All citizens of the United States, without distinction as to race, color, sex, or religion, shall be eligible for membership in the Defense Corps.

(b) All aliens residing in the United States, its territories or possessions, who are not of enemy nationality, and without distinction as to race, color, sex, or religion, shall be eligible for membership in the Defense Corps: *Provided, however,* That, subject to further order of the Director, any alien not of enemy nationality may be declared ineligible for membership by the Local Defense Council of the community where such alien resides, and any alien of enemy nationality may be declared eligible for membership by the State Defense Council, acting upon the favorable recommendation of the Local Defense Council of the community where such alien resides. The decision of such Local Defense Council as to an alien not of enemy nationality, and of such State Defense Council as to an alien of enemy nationality, shall be final and shall be based upon its determination as to whether a declaration of eligibility or ineligibility would best serve the interests of the United States after considering all facts bearing on the loyalty of any such alien to the United States; such decision shall be reached after such hearings as the Defense Council shall deem proper before a Board of Inquiry designated by the Defense Council or established by it to make findings of fact and recommendations to the Defense Council. The term "alien of enemy nationality", as used in this paragraph (b), means a citizen of Germany, Italy, or Japan, or such other country as shall be designated by order of the Director.

(c) Membership in any other organization of any character shall not be a condition to eligibility for membership in the Defense Corps, and no person shall become a member, or eligible for membership, solely by virtue of membership in any other organization.

(d) No person may become a member of the Defense Corps who advocates or has advocated the overthrow of the constitutional form of government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States.

(e) No fees of any kind shall be required to be paid as a condition to enrollment or continued membership in the Defense Corps.

(f) Any State or community may impose further restrictions (not predicated upon race, color, sex or religion) upon eligibility, but no community shall, contrary to this chapter (Office of Civilian Defense Regulations No. 3) or subsequent rules, regulations, or orders issued by the Director, admit any person to membership in the Defense Corps.

§ 1903.6 *Registration for training.* Each person eligible for membership in the Defense Corps shall register for training, furnishing such information and data as shall be specified in the registration card (including registrant's full name, age, nationality, and residence and business addresses and telephone numbers), which card shall be in such form as shall be prescribed by order of the Director. Such registration card shall be filed with the Local Defense Council, and held by it available for inspection by the Office of Civilian Defense.

§ 1903.7 *Training.* (a) Before becoming a member of the Defense Corps, a registrant for training shall complete, in a manner satisfactory to the Commander of his local Defense Corps, and not below such standards as may be prescribed by order of the Director, courses of training or instruction prescribed and approved by order of the Director for the particular unit of the Defense Corps. Enrolled members shall take such additional courses of training and instruction and shall participate in such air raid drills and group or field training as shall be prescribed by order of the Director or such Commander.

(b) The minimum number of hours of training or instruction required to be satisfactorily completed (prior or subsequent to the effective date of this chapter) before a person may become a member of the Defense Corps (except in individual cases where the Commander of the local Defense Corps, or the Chief of Service, shall certify that the registrant has in a less number of hours satisfactorily completed required courses of training or instruction), and the subjects in which such training or instruction shall be completed for the respective units, are as follows:

Unit	First aid	Fire defense	Gas defense	General
Staff	10	3	2	5
Air Raid Wardens	10	3	5	5
Auxiliary Police	10	3	5	5
Auxiliary Firemen	10	10	2	5
Fire Watchers	0	3	2	5
Demolition and Clearance	0	3	2	5
Road Repair	0	3	2	5
Rescue	20	10	5	5
Decontamination	10	0	5	5
Medical:				
Doctors	[1] 0	0	[4] 0	0
Registered Nurses	10	0	[4] 0	0
Attendants (such as stretcher teams and orderlies)	20	0	[4] 0	0
Nurses' Aides	[2] 0	0	[4] 0	0
Drivers [3]	10	0	5	5
Messengers	10	3	2	5
Emergency Food and Housing	0	0	2	5
Utility Repair [4]	0	0	2	5
Chaplains	0	0	0	0
Instructors	Must attend Instructors Training Schools as prescribed by the Office of Civilian Defense.			

[1] Formal first-aid training not required, but review course of 10 hours desirable.

[2] Basic 80 hours special American Red Cross Training given in connection with hospitals designated as training centers. Within one year after enrollment 20 hours first-aid training and 150 hours hospital practice are required.

[3] Also the following courses: Night driving and convoy driving, 5 hours; blackout driving, 3 hours; map reading, 2 hours; minor roadside repairs, 5 hours; test and review, 3 hours.

[4] Applicants for Utility Repair Units who are employed to do repair work for publicly or privately owned water, gas, electric, or other utilities, or communication companies, may omit all training and instruction courses, but fire defense and gas defense training is recommended.

[4] After enrollment, training and instruction in gas defense (2 hours) is recommended.

(c) Trainees for membership in the Defense Corps may be authorized by order of the Director or the Commander, in the event of an air raid or other disaster or emergency, to perform the duties of members of the Defense Corps during such period as shall be specified in such order. The effect of any such order shall be, whether or not stated herein, to dispense with the requirements, during the period specified therein, of completion of courses of training or instruction, oath, Certificate of Membership, and enrollment. Trainees appointed as members, pursuant to such order, in the manner prescribed in § 1903.8 of this chapter (Office of Civilian Defense Regulations No. 3), and engaged in performing duties of members, or in transit to or from their places of duty, shall be members of the Defense Corps during the period specified in such order, and as such shall be entitled to wear or use official articles (but not to receive a Certificate of Membership), to receive, use, and wear loaned equipment, and to all other rights and privileges of members. Prior to any such order, trainees may, subject to § 1903.4 (e) of this chapter (Office of Civilian Defense Regulations No. 3), wear arm bands bearing only the letters "CD." Trainees for the Nurses' Aides Unit may wear the prescribed insigne on uniform sleeves while engaged in practice work in hospitals.

(d) Trainees for membership in the Defense Corps may use or wear loaned equipment, other than official articles, while engaged in training or instruction, to the extent deemed necessary and proper by the person conducting the course of training or instruction, or as otherwise ordered by the Director.

§ 1903.8 *Method of appointment.* Eligible persons who have registered for training in the Defense Corps and have satisfactorily completed prescribed and approved courses of training or instruction may be appointed to the various units of the Defense Corps on the basis of ability to perform prescribed duties, by the legally authorized appointive authority of any State or community, subject to any further rules, regulations, or orders issued by the Director as to the manner of appointment of such persons.

§ 1903.9 *Oath.* (a) Each appointee to membership in the Defense Corps shall, prior to being enrolled as a member of the Defense Corps, take an oath, orally, before any person approved by the Commander of the local Defense Corps, or in writing, which oath shall be substantially as follows:

I, ----------, solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will well and faithfully discharge my duties as a member of the United States Citizens Defense Corps; and that I do not advocate, and have not advocated, the overthrow of our constitutional form of government in the United States by force or violence.

Such oath may include allegiance to the particular State and such other matter as shall not be inconsistent with the foregoing.

(b) If such oath is in writing and signed, it shall be filed with the Local Defense Council. If such oath is taken orally, there shall be filed with the Local Defense Council an affidavit of the Commander of the local Defense Corps, or the Chief of Service of the service in which the member is enrolled, or of the person administering the oath, specifying the name of the person taking the oath, the date on which the oath was taken, and the form of the oath so taken. Such oaths, written or oral, may be taken before or after the effective date of this chapter (Office of Civilian Defense Regulations No. 3).

§ 1903.10 *Certificate of membership.* Each eligible registrant for training in the Defense Corps, upon satisfactorily completing prescribed and approved courses of training or instruction, being duly appointed to membership and taking the prescribed oath, may be furnished by the Local Defense Council with a Certificate of Membership, in form prescribed by order of the Director and signed by such person or persons as shall be authorized by the Local Defense Council, certifying that such registrant has satisfactorily completed the required courses of training or instruction and demonstrated the necessary knowledge and ability to carry out his duties, and is a member of the Defense Corps entitled to use or wear the prescribed insigne of the particular unit of the Defense Corps for which he is appointed and trained.

§ 1903.11 *Enrollment.* Each person entitled to a Certificate of Membership shall be enrolled by the Local Defense Council as a member of the Defense Corps, in the unit specified in such Certificate. Local Defense Councils shall furnish the Office of Civilian Defense, from time to time upon request, information regarding enrolled members, including the number in the various units of the Defense Corps.

§ 1903.12 *Duties.* (a) The duties of each member of the Defense Corps shall be as prescribed by regulations of the Director, and as additionally prescribed, to the extent permitted by law and not inconsistent with the duties prescribed by the Director, by the Governor or the State Defense Council of his State, or by the chief executive officer or other designated authority or the Local Defense Council of his community. Specific duties shall be prescribed by the Commander of the local Defense Corps or by the Chief of Service.

(b) The general duties of the members of the Defense Corps shall include the following:

(1) *Staff.* Commanding or directing the units of the local Defense Corps in the protective services engaged in civilian defense; assisting the Commander, including technical, administrative and clerical assistance.

(2) *Air raid wardens.* Observing lights showing during a blackout and warning occupants of buildings; calling

attention of law enforcement authorities to failures to comply with blackout rules and regulations, and requesting their cooperation in obtaining such compliance; directing persons in the streets to shelter; reporting to the Control Center any fallen bombs or fires; assisting in fighting incendiary bombs; detecting and reporting to the Control Center the presence of gas; administering elementary first aid; assisting victims in damaged buildings; training residents for emergencies and becoming acquainted with physical features and residents of assigned territory.

(3) *Auxiliary police.* Enforcing emergency restrictions on lighting and prohibitions on trespassing; guarding of docks, buildings, bridges, and factories; performing traffic duty to facilitate movements of essential vehicles; preventing looting of partially demolished buildings, shops, and homes; assisting air raid protection services before, during, and after a raid; and generally assisting the regular police force.

(4) *Auxiliary firemen.* Assisting regular fire-fighting forces, including laying hose relays and operating small pumpers; rescuing persons from burning buildings.

(5) *Fire watchers.* Standing guard on posts in doorways, on roofs, and at other vantage points in order to spot, reach, and extinguish fallen bombs.

(6) *Demolition and clearance unit.* Removing rubble and debris from streets after air raids; destroying partially demolished or unsafe walls and buildings; filling bomb craters in streets; assisting the local public works department.

(7) *Road repair unit.* Repairing roads after air raids to restore normal flow of traffic as rapidly as possible, including smoothing road surfaces, repaving with available material, restoring road markings, filling holes and applying top dressing; assisting street departments and public works departments following rough clearance by Demolition and Clearance Units.

(8) *Rescue unit.* Rescuing persons trapped in debris; shutting off broken gas, electric, and water lines; shoring up, tunneling, and minor demolition work; rendering emergency first aid; assisting local public works, fire, and other municipal departments.

(9) *Decontamination unit.* Effecting chemical neutralization or removal of gases contaminating streets, walls, and buildings; assisting health departments in connection with decontamination work.

(10) *Medical unit.* Proceeding to scene of air raids or other disasters and occupying casualty stations; establishing advance first aid posts so as to render emergency care to the injured; manning stations for decontamination of persons; assisting hospitals and health departments.

(11) *Nurses' aides unit.* Assisting nurses in wards and out-patient clinics of hospitals; serving in emergency medical field units in casualty stations and first aid posts.

(12) *Drivers' unit.* Driving vehicles to assist other units of the Defense Corps.

(13) *Messengers unit.* Performing messenger service for air raid warden posts, control and message centers, hospitals, casualty stations and first aid posts, fire stations and police stations, and other units of the Defense Corps.

(14) *Emergency food and housing unit.* Providing food and shelter for persons whose homes have been destroyed or damaged by air raid or other disaster; assisting local welfare departments.

(15) *Utility repair unit.* Repairing water, gas, electric, telephone, telegraph, steam, sewer, and other utility services damaged by air raid or other disaster.

(16) *Instructors.* Giving courses of training and instruction to units of the Defense Corps as prescribed from time to time by orders or instructions of the Director.

(17) *Chaplains.* Administering to the religious and spiritual needs of persons suffering from the effects of air raids or other disaster.

§ 1903.13 *Termination or suspension of membership in United States Citizens Defense Corps.* (a) Any member of or trainee for the Defense Corps who:

(1) Fails or refuses to comply with all applicable rules, regulations, and orders made or issued by his State or community or any agency thereof;

(2) Fails or refuses faithfully to perform his duties;

(3) Fails or refuses to comply with §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), as to the protection, maintenance, use, or return of loaned equipment.

(4) Was not at the date of enrollment, or would not be at any subsequent date, eligible for membership in the Defense Corps or was not trained, appointed, sworn, or enrolled as a member or trainee in accordance with this chapter, or any subsequent rules, regulations, or orders of the Director; or

(5) Has not adequate knowledge, ability, or other qualification properly to perform his duties;

may have his membership or training status suspended or terminated by order of his Local Defense Council or of the Director, after notice to such person and to the official or body which appointed such person, which notice shall specify all charges against such person and after an opportunity for such person to be heard in his defense.

(b) Unless and until such order is vacated by order of the removing authority for good cause shown, it shall be unlawful for any person whose membership or training status in the Defense Corps has been so suspended or terminated to use or wear any official article or to receive use, or wear any loaned equipment, and such person shall be deprived of all other rights and privileges as a member or trainee: *Provided, however,* That such suspension or termination shall not affect the status under State or local law of any person appointed by a State or community appointive authority to perform such duties as may be required by such State or local law. Nothing in this chapter shall be construed to interfere with or usurp any of the rights or duties of any local district, municipal, county, or State official.

(c) Hearings in any proceeding ordered by a Local Defense Council or the Director for suspension or termination of membership or training status shall be held at such time and place, and before such examiner, and in accordance with such procedure as shall be prescribed by the order of the Local Defense Council or the Director, as the case may be.

§ 1903.14 *Status and compensation of members.* Members shall not be deemed appointees or employees of the Office of Civilian Defense, or of the United States or any agency thereof, nor entitled to any payment from the Office of Civilian Defense, or the United States or any agency thereof, for services rendered as members. Payment for such services by the States or communities shall be dependent upon the laws thereof.

§ 1903.15 *Loaned equipment.* (a) Loaned equipment received by communities from the Office of Civilian Defense pursuant to §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), shall, unless otherwise ordered by the Director or authorized by said chapter, be distributed by such communities, directly or indirectly, only to members of, or (subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3)), trainees for, the Defense Corps or to members of local police departments or fire departments, all in accordance with instructions of the Commander of the local Defense Corps.

(b) All loaned equipment received by any community, including fire-fighting pumping units, shall, unless otherwise ordered by the Director or authorized by §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), be used only by members of, or (subject to § 1903.7 (d) of this chapter (Office of Civilian Defense Regulations No. 3)), trainees for, the Defense Corps or by members of local police departments or fire departments.

(c) Unless otherwise ordered by the Director or authorized by §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), any community which distributes any such loaned equipment to any person not a member of or trainee for the Defense Corps or a member of the local police department or fire department, or not in accordance with the instructions of the Commander of the local Defense Corps, or which permits any person not a member of or to the extent provided in § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3, a trainee for the Defense Corps or a member of the local police department or fire department to use or wear any loaned equipment, or which fails promptly to recall any loaned equipment from any person whose membership or training status has been suspended or terminated, shall be deemed to have violated its Agreement (OCD Form No. 501) with the Director pursuant to which such equipment was loaned; and in such event the Director may proceed to recall all or any part of the equipment and supplies of any character loaned to such community.

§ 1903.16 *Organization and command of Local Defense Corps.* (a) The Defense Corps in each community shall consist of a Staff Unit and such other units, established pursuant to § 1903.3 of this chapter (Office of Civilian Defense Regulations No. 3), as shall be deemed necessary for the community in the opinion of the Commander.

(b) The Commander of each local Defense Corps shall be designated or appointed in accordance with the provisions of State and local law. He shall have complete authority during an air raid, blackout or other emergency, as well as during periods of air raid drills, practice blackouts or otherwise in connection with training, to command and direct the Defense Corps and to coordinate and direct, to the extent permitted by local law, the local Fire and Police Departments and other municipal services. He shall have responsibility and authority for the organization, training, and operation of the Defense Corps.

(c) The units of the Defense Corps may be organized into services as hereinafter specified, each of which shall be under the direction and command of a Chief of Service as indicated, to-wit:

Service	Units	Chief
(1) Fire Service	Auxiliary Firemen Rescue.	Chief of Emergency Fire Service (ordinarily Chief of local Fire Department).
(2) Police Service	Auxiliary Police	Chief of Emergency Police Service (ordinarily Chief of local Police Department).
(3) Air Raid Wardens Service	Air Raid Wardens Fire Watchers.	Chief Air Raid Warden.
(4) Emergency Medical Service	Emergency Food and Housing. Medical. Nurses' Aides.	Chief of Emergency Medical Service.
(5) Emergency Public Works Service.	Demolition and Clearance Road Repair. Decontamination.	Chief of the Emergency Public Works Service.
(6) Emergency Utilities Service	Utility Repair	Chief of the Emergency Utilities Service.
(7) Staff	Staff Drivers. Messengers.	Commander.

(d) The Staff Unit shall include the Commander and the Chiefs of the respective Services, and in addition may include the following:

(1) Executive Officer, who shall be responsible for plans and training and who shall be second in command after the Commander. He may be assisted by Incident Officers and a Chief of Training.

(2) Controller, who shall be responsible for the establishment, maintenance, protection, and operation of the control center and who shall be next in command after the Executive Officer. He may be assisted by a Plotting Officer, Chart Writer, Communications Officer, Panel Clerk, Records Clerk, Radio Aide, and other necessary personnel, including telephone operators, messengers, radio operators, police guards, and office personnel.

(3) Personnel Officer, who shall be responsible for the personnel and enrollment records of all members of the Defense Corps, as well as all records with respect to casualties and evacuation.

(4) Property Officer, who shall be accountable for all property issued to members of the Defense Corps.

(5) Transportation Officer, who shall be responsible for local transportation facilities.

(6) Billeting Officer, who shall be responsible for emergency housing facilities.

(7) Bomb Reconnaissance Agents, who shall investigate reports of unexploded bombs, determine their category, and report thereon.

(8) Senior Gas Officer (ordinarily from the local Health Department), who shall supply technical direction on identification of chemical agents in food, milk, water, and air, and shall determine action to be taken by other services and agencies before, during, and after gas attacks. He may be assisted by specialists such as Gas Detection Officers and Laundry Officers.

(9) Chief Technical Intelligence Officer, who shall be in charge of obtaining information as to the effect upon civilians and property of enemy attack. He may be assisted by Technical Intelligence Aides, who shall act as squad leaders, Medical Intelligence Officers, and Structural Intelligence Officers.

(10) Water Works Officer (representing local water works organization), who shall supply technical assistance with respect to water supply problems to the Commander and the Chiefs of Emergency Utilities Service and Emergency Fire Service.

(11) Health Officer, who shall advise the Commander regarding emergency measures for disease prevention. He may be assisted by his deputies, division chiefs, and sanitary inspectors.

The functions and duties of any of the above-mentioned members of the Staff Unit may be combined in one person by order of the Commander.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 28, 1942.

[F. R. Doc. 42-8465; Filed, August 28, 1942; 4:01 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III—Grazing Service

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS

UTAH GRAZING DISTRICT NO. 7

MODIFICATION

Under and pursuant to the provisions of the act of June 26, 1934 (48 Stat. 1269), as amended, Departmental order of May 7, 1935, establishing Utah Grazing District No. 7, is hereby revoked as far as it affects the following described lands, such revocation to be effective upon the withdrawal of the lands for use in connection with national defense purposes:[1]

UTAH

SALT LAKE MERIDIAN

T. 16 S., R. 14 E., S. L. M.
Sec. 1 All.
Sec. 3 Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, SE¼, NE¼SW¼;
Sec. 4 Lots 1, 2, 7, 10, NW¼SE¼, SE¼SE¼;
Sec. 8 NW¼NE¼, S½NE¼, E½NW¼, S½;
Sec. 9 NE¼NE¼, SE¼SE¼, NW¼SW¼;
Sec. 10 N½, SE¼, E½SW¼, SW¼SW¼;
Sec. 11 All.
Sec. 12 All.
Sec. 13 All.
Sec. 14 All.
Sec. 15 N½, N½SE¼, SE¼SE¼;
Sec. 17 NW¼NE¼, N½NW¼;
Sec. 22 NE¼;
Sec. 23 N½;
Sec. 24 N½.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 20, 1942.

[F. R. Doc. 42-8527; Filed, August 31, 1942; 10:01 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order O.D.T. 18-1]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, SUSPENSIONS AND PERMITS

SUBPART C—MAXIMUM LOADING OF FREIGHT CARS

LOADING OF WATER-BORNE FREIGHT IN TRANSIT

By virtue of the authority vested in me by Executive Order No. 8989, issued De-

[1] Affects tabulation in § 502.1e.

cember 18, 1941, and in order to avoid difficulties arising, or which may arise, from the loading of freight in transit by water and thence by rail in compliance with the provisions of paragraph (a) of § 500.21 of Subpart C, Part 500, Chapter II, Title 49, Code of Federal Regulations (General Order O.D.T. No. 18)[1]; to facilitate and expedite the transportation of such freight and to prevent congestion of traffic, the attainment of which purposes is essential to the prosecution of the war:

It is hereby ordered, That:

Sec.
520.475 Forwarding of cars loaded to less than required capacity with water-borne freight in transit.
520.476 Effective date.

AUTHORITY: §§ 520.475 and 520.476 issued under E.O. 8989, 6 F.R. 6725.

§ 520.475 *Forwarding of cars loaded to less than required capacity with water-borne freight in transit.* Until otherwise ordered by the Office of Defense Transportation, the provisions of paragraph (a) of § 500.21 of Subpart C, Part 500, Chapter II, Title 49, of the Code of Federal Regulations (General Order O.D.T. No. 18) are hereby suspended as to any freight car containing a shipment, or portion thereof, loaded in such car by a common carrier by water immediately subsequent to a movement of such shipment by water, when (a) such loading is a part, or in furtherance, of a continuous movement of such shipment by water and thence by rail, or by rail, thence by water, and thence by rail, and (b) either the total quantity of such shipment is less than the quantity necessary to load such car to required capacity, as defined in such subpart, or the freight loaded in such car is a portion of such a shipment, the remainder of which is loaded in one or more other freight cars to such required capacity: *Provided*, That nothing herein shall be deemed or construed to suspend the application of the provisions of said paragraph (a) insofar as such provisions are applicable to the acceptance for forwarding or the forwarding of a car containing freight loaded therein as a part, or in furtherance, of a continuous movement by water on the high seas and thence by rail.

§ 520.476 *Effective date.* This suspension order shall become effective on the 15th day of September, 1942, and shall remain in full force and effect until the further order of the Office of Defense Transportation.

Issued at Washington, D. C. this 29th days of August, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

AUGUST 29, 1942.

[F. R. Doc. 42-8496; Filed, August 29, 1942; 11:18 a. m.]

[1] 7 F.R. 6496.

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART L—TAXICABS AND TAXI SERVICE

[General Order O. D. T. 20]

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and by Executive Order No. 9214, dated August 5, 1942, and in order to conserve and providently utilize vital transportation equipment, material and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

Sec.
501.80 Definitions.
501.81 Certain operations prohibited.
501.82 Operating regulations.
501.83 Loading requirements.
501.84 Special and general permits.
501.85 Records and reports.
501.86 Exemptions.
501.87 Effective date.

AUTHORITY: §§ 501.80 to 501.87, inclusive, issued under E.O. 8989, 6 F.R. 6725, E.O. 9156, 7 F.R. 3349, and E.O. 9214, 7 F.R. 6097.

§ 501.80 *Definitions.* As used in this subpart: (a) The term "person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, other than a municipality or other governmental subdivision, and includes any trustee, receiver, assignee, or personal representative.

(b) The term "taxicab" means any rubber-tired vehicle (1) propelled or drawn by mechanical power; (2) having a seating capacity of less than ten passengers; (3) used in the call and demand transportation of passengers for compensation to or from points chosen or designated by the passengers; and (4) not operated on a fixed schedule, between fixed termini, or over specific routes.

(c) The term "taxi service" means the transportation of passengers by taxicab.

§ 501.81 *Certain operations prohibited.* No person shall:

(a) Engage in taxi service unless, on the effective date of this subpart, (1) there was in force with respect to such person a license, permit, or other grant of authority issued by a municipality or other governmental subdivision, authorizing such person to engage in such taxi service; or (2) such person was engaged in bona fide taxi service in a community where no such license, permit, or other grant of authority was required;

(b) Have in operation in taxi service in any municipality or other governmental subdivision a greater number of taxicabs than such person had in operation in taxi service in such municipality or governmental subdivision on the effective date of this subpart.

§ 501.82 *Operating regulations.* No person shall drive or operate a taxicab:

(a) For any purpose, including social or recreational purposes, personal to the driver or operator;

(b) At a rate of speed which is, (1) in excess of the speed limits duly prescribed by competent public authority, or (2) in excess of forty (40) miles per hour, whichever rate of speed is the lesser;

(c) For the purpose of making commercial deliveries of property;

(d) More than ten (10) miles beyond the corporate limits of the municipality in which the trip originated;

(e) For the purpose of securing passengers while cruising;

(f) On any trip that exceeds twenty-five (25) miles from point of origin to point of destination;

(g) Without distinctly marking every such taxicab to indicate that it is a taxicab.

§ 501.83 *Loading requirements.* No person shall drive or operate a taxicab in any municipality or other governmental subdivision who does not participate in any group riding plan for taxicabs which is lawfully in effect within such municipality or other governmental subdivision and in which it is practicable for him to participate.

§ 501.84 *Special and general permits.* The provisions of this subpart shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue public hardships.

§ 501.85 *Records and reports.* Every person engaged in taxi service shall keep a daily record of the number of miles and hours each taxicab used in such service is operated, the number of passengers carried, and the gallons of fuel transferred to its fuel tank, and shall keep such other records and make such reports as may be required by the Office of Defense Transportation. Such records shall be available for inspection by authorized representatives of the Office of Defense Transportation at all times.

§ 501.86 *Exemptions.* The provisions of this subpart do not apply:

(a) To a person transporting by automobile passengers to and from burials or interments;

(b) To the transportation of passengers between their homes and their places of work by a person driving an automobile between his or her home and place of work;

(c) To the transportation of passengers incidental to emergencies arising from an accident, sickness, death, public calamity, or military necessity: *Provided, however*, That with respect to all such transportation the person driving or operating the taxicab shall within forty-eight (48) hours make a report in writing to the Office of Defense Transportation explaining in full the emergency necessitating the transportation.

§ 501.87 *Effective date.* This subpart shall become effective September 1, 1942.

Issued at Washington, D. C., this 29th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

AUGUST 29, 1942.

[F. R. Doc. 42-8524; Filed, August 31, 1942; 9:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[No. 43]

APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	*Date application filed*
Kelley's Creek Colliery Co., Western Reserve Bldg., Cleveland, Ohio	Aug. 10, 1942.
The Monongahela & Ohio Coal Co., 524 Rockefeller Bldg., Cleveland, Ohio	Aug. 20, 1942.
Ralston Fox Smith, Fox Smith Coal Sales, 330 Chester Twelfth Bldg., Cleveland, Ohio	Aug. 15, 1942.

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before September 28, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street, NW., Washington, D. C.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8536; Filed, August 31, 1942; 11:33 a. m.]

[Docket No. C-13]

COLORADO FUEL AND IRON CORP.

ORDER POSTPONING HEARING AND REDESIGNATING PLACE OF HEARING

In the matter of the application of Colorado Fuel & Iron Corporation for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

The original petitioner having moved that the hearing in the above-entitled matter, heretofore scheduled for September 9, 1942, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C., be removed to Denver, Colorado, and having shown good cause why such motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of September 9, 1942, until a date and at a hearing room of the Bituminous Coal Division in Denver, Colorado, to be designated by further order.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8534; Filed, August 31, 1942; 11:33 a. m.]

[Docket No. D-23]

NEW ENGLAND COAL AND COKE CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of New England Coal and Coke Company for permission to receive sales agents' commissions and distributors' discounts on coal sold to Eastern Gas and Fuel Associates.

The New England Coal and Coke Company, a corporation organized under the laws of Massachusetts with its principal offices in Boston, Massachusetts, acting as a sales agent for certain code member producers, and being registered with the Division as a Distributor, Registration No. 6823, filed its petition on September 24, 1940, and its amended petition on August 12, 1942, praying:

1. That the Division re-determine that the ownership or control of the applicant by Eastern Gas and Fuel Associates is bona fide, that Applicant was not established to secure indirect price reductions and that such ownership or control is not within the prohibition of paragraphs 11 and 12 of section 4, Part II (1) of the Bituminous Coal Act of 1937, and

2. For such other and further relief as may be just and equitable.

It is, therefore, ordered, That a hearing on such matter be held on October 1, 1942, at 10 a. m. in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 15th Street, N. W., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to such petitioner and to any other person who may have an interest in such proceeding. Any person desiring to be heard at such hearing shall file a notice to that effect with the Bituminous Coal Division on or before September 24, 1942, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Dated: August 27, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8535; Filed, August 31, 1942; 11:34 a. m.]

[Docket No. C-17]

PUBLIC SERVICE CO. OF INDIANA

ORDER POSTPONING HEARING

In the matter of the application of Public Service Company of Indiana, Inc., for exemption pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937.

A hearing in the above-entitled matter having been heretofore scheduled for August 31, 1942, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C., and it appearing appropriate that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of August 31, 1942, until 10 o'clock in the forenoon of October 6, 1942, that Examiner Charles S. Mitchell preside at said hearing on October 6, 1942, vice Examiner Charles O. Fowler, and that in all other respects the original Notice of and Order for Hearing shall remain in full force and effect.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8533; Filed, August 31, 1942; 11:33 a. m.]

General Land Office.

[Public Land Order 33]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-

described areas, together with the mineral deposits owned by the United States in the patented lands within such areas, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, are reserved for the use of the Department of the Interior in connection with the prosecution of the war:

SALT LAKE MERIDIAN

T. 16 S., R. 14 E.,
Sec. 1, All;
Sec. 3, Lots, 1, 2, 3, 4, 7, 8, 9, 10, 11, SE¼, NE¼SW¼;
Sec. 4, Lots 1, 2, 7, 10, NW¼SE¼, SE¼SE¼;
Sec. 8, NW¼NE¼, S½NE¼, E½NW¼, S½;
Sec. 9, NE¼NE¼, SE¼SE¼, NW¼SW¼;
Sec. 10, N½, SE¼, E½SW¼, SW¼SW¼;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, N½, N½SE¼, SE¼SE¼;
Sec. 17, NW¼NE¼, N½NW¼;
Sec. 22, NE¼;
Sec. 23, N½;
Sec. 24, N½.

The areas described, including both public and non-public land, aggregate 6645.63 acres.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 20, 1942.

[F. R. Doc. 42-8526; Filed, August 31, 1942; 10:01 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 725]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 10, 1942.

I hereby amend:

(a) Administrative Order No. 683, dated March 2, 1942, by changing the project designation appearing therein as "Tennessee 2001K1 Meigs" to read "Tennesseee 2001H1 Meigs."

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-8491; Filed, August 29, 1942; 10:59 a. m.]

[Administrative Order No. 726]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 10, 1942.

I hereby amend:

(a) Administrative Order No. 249, dated May 16, 1938, by rescinding the allocation of $13,000 therein made for "Arkansas 8014A2 Pope" (designation changed to read "Arkansas 8014A2 A. P. & L." in conformity with Amendment to General Order No. 84, dated August 1, 1939).

(b) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of $10,000 therein made for "Georgia 2042S1 Toombs."

(c) Administrative Order No. 544, dated December 6, 1940, by rescinding the allocation of $2,000 therein made for "Georgia 1686W5 Seminole."

(d) Administrative Order No. 657, dated January 10, 1942, by rescinding the allocation of $370,000 therein made for "Indiana 2001G1 Greene."

(e) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of $2,000 therein made for "Kansas 2026S2 Coffey."

(f) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of $3,000 therein made for "Michigan 2005S2 Lenawee."

(g) Administrative Order No. 620, dated September 23, 1941, by rescinding the allocation of $25,000 therein made for "Michigan 2026S4 Ingham."

(h) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of $5,000 therein made for "Minnesota 2003S2 Meeker."

(i) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of $12,000 therein made for "Missouri 2035S2 Adair."

(j) Administrative Order No. 718, dated June 19, 1942, by rescinding the allocation of $5,000 therein made for "Missouri 2038S2 Reynolds."

(k) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of $5,000 therein made for "Missouri 2043S2 Laclede."

(l) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of $12,000 therein made for "North Carolina 2039S2 Union."

(m) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of $15,000 therein made for "Oklahoma 2025S2 Rogers."

(n) Administrative Order No. 625, dated October 7, 1941, by rescinding the allocation of $15,000 therein made for "Tennessee 2028A2 Paris Public."

(o) Administrative Order No. 636, dated November 10, 1941, by rescinding the allocation of $164,000 therein made for "Tennessee 2039A1 Lincoln."

(p) Administrative Order No. 620, dated September 23, 1941, by rescinding the allocation of $10,000 therein made for "Texas 2089S2 Houston."

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-8492; Filed, August 29, 1942; 10:59 a. m.]

[Administrative Order No. 727]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 7, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Georgia 3-R9037D3 Douglas	$34,000
Georgia 3-R9086C1 Seminole	58,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-8493; Filed, August 29, 1942; 10:59 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

TOBACCO INDUSTRY MINIMUM WAGE

NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of the determination of the prevailing minimum wage in the Tobacco Industry.

Whereas, the Secretary of Labor on April 17, 1939, pursuant to the provisions of section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), otherwise known as the Walsh-Healey Public Contracts Act, determined the prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to said Act, for the manufacture or supply of the products of the Tobacco Industry, to be 32½ cents an hour or $13 for a week of 40 hours, arrived at either upon a time or piece work basis; and

Whereas, on August 12, 1942, the Secretary of Labor amended that determination to provide that handicapped or superannuated workers may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938, and that such handicapped or superannuated workers may not be employed at subminimum rates under any other conditions, with respect to all contracts, subject to the Walsh-Healey Public Contracts Act, bids for which are solicited or negotiations commenced by the contracting agency on or after September 15, 1942; and

Whereas the minimum wage required to be paid by manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on August 10, 1942, pursuant to the Wage Order of the Administrator of the Wage and Hour Division for the Tobacco Industry; and

Whereas it appears that substantially all employees subject to the Tobacco Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that the Wage Order of the Administrator will, therefore, have the effect of establishing 40 cents an hour as the prevailing minimum wage in the Tobacco Industry; and

Whereas it appears desirable, for the purpose of co-ordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act, to amend the Tobacco Wage Determination of the Secretary to provide that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division (Reg. Title 29, chapter V, Part 522),

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before Sept. 19, 1942 why the Tobacco Wage Determination of the Secretary should not be amended by:

(1) Increasing the prevailing minimum wage from 32½ cents an hour to 40 cents an hour, and

(2) Providing that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Division of Public Contracts, Department of Labor, Washington, D. C., and should be filed with the Administrator not later than September 19, 1942.

Dated: August 29, 1942.

WM. R. MCCOMB,
Assistant Administrator.

[F. R. Doc. 42-8532; Filed, August 31, 1942; 11:16 a. m.]

Wage and Hour Division.

[Administrative Order No. 155]

CONVERTED PAPER PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 48

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, Department of Labor,

Do hereby accept the resignation of Mr. Thomas L. Norton from Industry Committee No. 48 for the Converted Paper Products Industry and do appoint in his stead, as representative for the public on such Committee, Mr. Carroll R. Daugherty, of New York, New York.

Signed at New York, New York this 28th day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8528; Filed, August 31, 1942; 10:27 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 31, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Ashland Shirt & Pajama Co., Inc., Front St., Ashland, Pennsylvania; Men's shirts; 10 percent (T); August 31, 1943.

Biberman Brothers, Inc., Haas Avenue, Sunbury, Pennsylvania; Day time dresses; 10 percent (T); August 31, 1943.

Capitol Sportwear Mfg. Co., 319 North Main St., Mishawaka, Indiana; Raincoats and jackets; 25 learners (E); February 28, 1943.

Isreal Engel, 1 Engel St., Glen Lyon, Pennsylvania; Corsets & allied garments; 10 learners (T); August 31, 1943.

Fulton Mfg. Co., Fulton, Mississippi; Work & sport shirts; 10 learners (T); August 31, 1943.

Marion L. Gaunt, Main St., Mullica Hill, New Jersey; Ladies pajamas, gowns, slacks and shorts; 3 learners (T); August 31, 1943.

Goodman Brothers, Inc., 6 Whippany Street, Morristown, New Jersey; Ladies slips; 3 learners (T); August 31, 1943.

Herzog & Kramer, Inc., 60 Manhattan Avenue, Jersey City, New Jersey; Bath robes; 9 learners (T); August 31, 1943.

Hillman Garment, Inc., 201 North Water St., Milwaukee, Wisconsin; Ladies sportswear, blouses, skirts, jackets, slack suits, sport dresses, etc.; 5 learners (T); August 31, 1943.

K. & K. Dress Co., 130 West Main St., Penns Grove, New Jersey; Dresses; 10 learners (T); August 31. 1943.

Landis-Park Clothing Co., 513 Montrose St., Vineland, New Jersey; Men's sack coats; 10 learners (T); August 31, 1943.

B. M. Lauritsen & Co., Inc., 515 W. Houston St., San Antonio, Texas; Infants' & children's outerwear; 10 learners (T); August 31, 1943.

Lee's Dresses, Inc., 905 Broadway, Kansas City, Missouri; Ladies dresses; 6 learners (T); August 31, 1943.

H. D. Lee Mercantile Co., 600 East State St., Trenton, New Jersey; Work clothing; 10 percent (T); August 31, 1943.

Levi-Ottenheimer Co., 1409 East Monument St., Baltimore, Maryland; Misses' playwear, girls' gymnasium and camp apparel; 7 learners (T); August 31, 1943.

Liberty Naval Uniform Co., 5 Chelsea St., Charlestown, Massachusetts; White sailor uniforms; 5 learners (T); August 31, 1943.

Model Shirt Co., 549 River St., Troy, New York; Boys' dress and sport shirts; 10 learners (T); August 31, 1943.

R & P Wash Suit Co., Inc., 123 Whitehead Ave., South River, New Jersey; Boys' wash suits, ladies' sportwear; 10 percent (T); August 31, 1943.

S. & W. Dress Co., 15 South Chestnut St., Beacon, New York; Ladies dresses; 7 learners (T); August 31, 1943.

Saul Mfg. Co., 127 South Market St., Chicago, Illinois; Blouses and sportswear; 5 learners (T); August 31, 1943.

Shawnee Garment Mfg. Co., 115½ N. Bell St., Shawnee, Oklahoma; Overalls, pants and coats; 10 learners (T); August 31, 1943. (This certificate replaces the one bearing the expiration date of May 25, 1943.)

Sigal Sportswear Co., 55 Reid St., South River, New Jersey; Dresses; 5 learners (T); August 31, 1943.

Cigar

John H. Swisher & Son, Inc., 16th St., E., Jacksonville, Florida; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 30, 1943.

Glove

Andre S. David, Inc., 1219 Yonkers Ave., Yonkers, New York; Leather dress gloves; 1 learner (T); August 31, 1943.

Gloversville Knitting Co., 49-51 Beaver St., Gloversville, New York; Knit wool gloves; 5 percent (T); August 31, 1943.

Wings Knitting Co., 827 East Locust St., Milwaukee, Wisconsin; Knit wool gloves; 5 percent (T); August 31, 1943.

Hosiery

Charleston Hosiery Processing Co., Charleston, Tennessee; Seamless hosiery; 5 learners (T); August 31, 1943.

Juniper Hosiery Mills, Juniper & Cherry Sts., Philadelphia, Pennsylvania; Cut and sewed hosiery; 5 learners (T); August 31, 1943.

Liberty Hosiery Mills, Inc., Liberty, North Carolina; Full-fashioned hosiery; 5 percent (T); August 31, 1943.

Lynne Hosiery Mills, Inc., North South St., Mount Airy, North Carolina; Seamless hosiery; 5 learners (T); August 31, 1943.

Marvin Carr Silk Mill, 109 South Corcoran St., Durham, North Carolina; Full-fashioned hosiery; 5 percent (T); August 31, 1943.

Sweetwater Hosiery Mills, 818 North Main St., Sweetwater, Tennessee; Seamless hosiery; 5 percent (T); August 31, 1943.

Unity Knitting Co., Union, South Carolina; Full-fashioned hosiery; 3 learners (T); August 31, 1943.

Knitted Wear

Kickaway Garments, Inc., 529 South Franklin St., Chicago, Illinois; Knitted underwear; 5 learners (T); August 31, 1943.

Westwood Knitting Mill, Inc., 425 East Pico Boulevard, Los Angeles, California; Knitted outerwear; 3 learners (T); August 31, 1943.

Textile

Bloomsburg Mills, Inc., Sixth & West Sts., Bloomsburg, Pennsylvania; Rayon, acetate and nylon; 3 percent (T); August 31, 1943.

Consolidated Textile Co., Lynchburg, Virginia; Cotton sheeting and print cloth; 3 percent (T); August 31, 1943.

Kendall Mills, Thrift Plant, Paw Creek, North Carolina; Cotton yarn and cotton cloth; 3 percent (T); August 31, 1943.

W. C. Thairlwall & Co., Inc., 15 Tudor St., Cambridge, Massachusetts; Silk and nylon throwing; 5 learners (T); August 31, 1943.

Signed at New York, N. Y., this 29th day of August 1942.

MERLE D. VINCENT,
Authorized Representative, of the Administrator.

[F. R. Doc. 42-8529; Filed, August 31, 1942; 10:27 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5800].

OLCOTT FALLS COMPANY AND BELLOWS FALLS HYDRO-ELECTRIC COMPANY

NOTICE OF APPLICATION

AUGUST 27, 1942.

Notice is hereby given that on August 26, 1942, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Olcott Falls Company, a corporation organized under the laws of the State of New Hampshire and doing business in the States of Vermont and New Hampshire, with its principal office at Lebanon, New Hampshire, and Bellows Falls Hydro-Electric Corporation, a corporation claiming to be organized under the laws of the States of Vermont and New Hampshire, and doing business in said States, with its principal office at Bellows Falls, Vermont, seeking an order authorizing the sale by Olcott Falls Company to Bellows Falls Hydro-Electric Corporation of all of the former's operating facilities consisting of a concrete multiple arch dam, a canal, two adjoining brick power houses containing five horizontal water wheel generator units, with an aggregate capacity of about 5,000 KV., miscellaneous hydraulic equipment, transformers adjacent to the power houses for stepping up the voltage from 600 volts to 13 KV. and 33 KV., a double circuit 13 KV. line about 200 feet long, a double circuit 33 KV. line about 750 feet long, and land and water rights, all of which are used for the generation, transmission and sale of electricity, for a consideration stated in the application to be $200,000; all as more fully appears on the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 15th day of September 1942, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8488; Filed, August 29, 1942; 10:36 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[SPECIAL ORDER O. D. T. B-16]

SIOUX CITY—ODEBOLT, IOWA

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Interstate Transit Lines, Omaha, Nebraska, and Algona Bus Lines, Fort Dodge, Iowa, (hereinafter called "carriers"), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. If and when Algona Bus Line has been duly authorized by appropriate regulatory authorities to engage in the transportation of passengers as a common carrier by motor vehicle between Sioux City and Fort Dodge, Iowa over U. S. highways 20 and 71, and State highways 59, 35, and 4,

(a) Interstate Transit Lines shall suspend service over its route between Sioux City, Iowa, and the junction of Iowa State highways Nos. 35 and 4 west of Odebolt, Iowa, and forthwith shall file with the Interstate Commerce Commission and the Iowa State Commerce Commission a notice describing the operations to be suspended in compliance herewith; and

(b) Algona Bus Line shall operate a through service of two round trips daily between Sioux City and Fort Dodge, Iowa, one of which shall be operated over the route described in subparagraph (a) hereof, connecting with its present route at the junction of U. S. highways Nos. 71 and 20.

2. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with the Iowa State Commerce Commission in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs, or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to said Commissions for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 15, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 29th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8494; Filed, August 29, 1942; 11:18 a. m.]

[Special Order O.D.T. B-17]

READING—ALLENTOWN, PA.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Allentown & Reading Transit Co., Reading, Pennsylvania and Reading Transporation Co., Philadelphia, Pennsylvania, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Allentown & Reading Transit Co. and Reading Transportation Co. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Reading and Allentown, Pennsylvania, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Allentown and Reading Transit Co. shall operate a through service of not to exceed seven round trips daily between Reading and Allentown, Pennsylvania and Reading Transportation Co. shall operate a through service of not to exceed four round trips daily between such points.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements, to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 3, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8495; Filed, August 29, 1942; 11:18 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order No. 18, as amended]

AUTHORIZATION OF DIRECTOR FOR PUERTO RICO

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Administrative Order No. 18 is amended to read as follows:

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 [1] and by War Production Board Directive No. 1–J,[2] the following order is prescribed:

(a) The Director of the Office of Price Administration for Puerto Rico is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in Puerto Rico.

(b) Any order issued by the Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8473; Filed, August 28, 1942; 5:13 p. m.]

[Administrative Order No. 19, as Amended]

AUTHORIZATION OF DIRECTOR FOR THE VIRGIN ISLANDS

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Administrative Order No. 19 is amended to read as follows:

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 [1] and by War Production Board Directive No. 1–J,[2] the following order is prescribed:

(a) The Director of the Office of Price Administration for the Virgin Islands is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in the Virgin Islands.

(b) Any order issued by the Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8474; Filed, August 28, 1942; 5:13 p. m.]

[1] 7 F.R. 2719.
[2] 7 F.R. 5043.

[Order 2 Under Revised Price Schedule 88 [1]—Petroleum and Petroleum Products—Docket #3088-23]

THE PENNZOIL COMPANY

ADJUSTMENT OF MAXIMUM PRICES

On April 4, 1942, The Pennzoil Company, 942 South Hope Street, Los Angeles, California, filed a petition for adjustment of the maximum prices established for it by Revised Price Schedule No. 88. At the time such petition was filed, this schedule contained no provision pursuant to which an adjustment to maximum prices could be effected. Such a provision has now been incorporated therein as § 1340.156 (c) by Amendment No. 23 thereto, effective July 29, 1942. The facts set forth in such petition justify treatment thereof as an application for adjustment filed pursuant to § 1340.156 (c) (2) of the schedule, and it is, therefore, being so treated.

An opinion in support of this Order No. 2 is being issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] *it is hereby ordered*, That:

(a) The Pennzoil Company may sell and deliver, agree, offer, solicit, and attempt to sell and deliver, to retail dealers, such Pennsylvania grade lubricating oils as are set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) (1) Maximum prices exclusive of taxes for the sale of all Pennzoil Motor Oil of all S. A. E. grades to retail dealers in such motor oil f. o. b. branch plants at Los Angeles, San Francisco, Stockton, Sacramento, Oakland, Fresno, Bakersfield and San Diego, California, shall be as follows:

	Per gallon
In bulk or in 15, 30 or 50 iron gallon barrels	$0.765
In 5 quart and 5 gallon cans (cased)	.865
In one quart cans (cased)	.88
In 15 or 30 gallon sealed containers	.88

(2) Maximum prices for the sale of all Pennzoil Motor Oils of all S. A. E. grades to retail dealers in such motor oils f. o. b. all branch plants at Portland, Oregon and Seattle, Washington, shall be one cent per gallon in excess of the maximum prices specified in (1) above.

(3) The maximum prices for Pennzoil Motor Oil specified in (1) and (2) above for such oil in 15, 30 or 50 gallon iron barrels are prices for the oil alone, such iron barrels are to be billed separately.

(4) There shall be deducted from maximum prices specified in (1) and (2)

[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4957.
[2] 7 F.R. 971.

above, a discount of 5 cents a gallon for single deliveries of 30 gallons or more and all other quantity discounts which petitioner had in effect on October 1, 1941.

(c) Petitioner shall forthwith notify all retail dealers in its motor oils that any such dealer may increase his maximum price for such motor oil under Maximum Price Regulation No. 137 to 35¢ a quart in any case where the maximum price under said regulation is below that amount and within 10 days after such notice has been given petitioner, shall file with the Office of Price Administration at its principal office in Washington, D. C. an affidavit setting forth the names and Post Office addresses of all such dealers and the fact that all such dealers have been so notified.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions setting forth the § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used herein.

(f) This Order No. 2 shall become effective September 4, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8516; Filed, August 29, 1942; 12:45 p. m.]

[Order 1 Under Revised Price Schedule 88 [1]—Petroleum and Petroleum Products—Docket 1088-4-P]

HYVIS OILS, INC. OF CALIFORNIA

ADJUSTMENT OF MAXIMUM PRICES

On April 1, 1942 Hyvis Oils, Inc., of California, 424 Commercial Street, Los Angeles, California, filed a protest against the provisions of Revised Price Schedule No. 88. The facts, however, justify treatment of the protest not only as such but also as an application for adjustment filed pursuant to § 1340.156 (c) (2) of this schedule, and it is therefore being so treated in accordance with § 1300.33 of Procedural Regulation No. 1 [2]. An opinion in support of this Order No. 1 is being issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:

(a) Hyvis Oils, Inc. of California may sell and deliver, agree, offer, solicit and attempt to sell and deliver, to retail dealers, such Pennsylvania grade lubricating oils as are set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) (1) Maximum prices exclusive of taxes for the sale of all Hyvis Motor Oils of all S.A.E. grades of Pennsylvania grade to retail dealers in such motor oils f. o. b. all bulk plants of Hyvis Oils, Inc. of California shall be as follows:

	Per gallon
In bulk	$0.765
In one-quart cans	.88
In five-quart cans	.865

(2) There shall be deducted from such maximum prices the quantity discounts which protestant had in effect on October 1, 1941.

(c) Protestant shall forthwith notify all retail dealers in its motor oils that any such dealer may increase his maximum price for such motor oils under Maximum Price Regulation No. 137 to 35¢ a quart in any case in which his maximum price under said regulation is below that amount and within 10 days after such notice has been given, protestant shall file with the Office of Price Administration at its principal office in Washington, D. C., an affidavit setting forth the names and post office addresses of all such dealers and the fact that all such dealers have been so notified.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used herein.

(f) This Order No. 1 shall become effective September 4, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8510; Filed, August 29, 1942; 12:45 p. m.]

[Order 36 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered from Mine or Preparation Plant—Docket 3120-196]

DEER CREEK COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, [2] *it is ordered:*

(a) Steve Bennis, doing business as the Deer Creek Coal Company, may sell and deliver, and any person may buy and receive the kinds and grades of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein;

(b) Coals in Size Groups 3, 10, 11 and 12, produced at the Deer Creek Mine, Mine Index No. 749, located in Logan County, Illinois, District No. 10, may be sold at prices not to exceed $3.25, $2.45, $2.45, and $2.45 per net ton, respectively, for shipment by truck or wagon;

(c) This Order No. 36 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 36 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8512; Filed, August 29, 1942; 12:44 p. m.]

[Order 1 Under Maximum Price Regulation 154 [1] as Amended—Ice—Docket 3154-2]

BOWEN ICE COMPANY

ORDER GRANTING ADJUSTMENT

Adjustment of the maximum prices for ice manufactured by The Bowen Ice Company. For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

(a) The Bowen Ice Company, 11 Ives Street, Providence, Rhode Island, may sell and deliver to other ice manufacturers and other ice manufacturers may buy and receive from The Bowen Ice Company ice at prices not higher than $2.50 per ton.

(b) The adjustment granted to The Bowen Ice Company in paragraph (a) is subject to the condition that it shall forthwith notify other ice manufacturers purchasing ice from it that the Office of Price Administration has by this order authorized adjustment of its maximum prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8511; Filed, August 29, 1942; 12:44 p. m.]

[Order 3 Under Revised Price Schedule 88 [2]—Petroleum and Petroleum Products—Docket 1088-9-P]

KERN OIL COMPANY, LTD.

ADJUSTMENT OF MAXIMUM PRICES

On April 9, 1942, Kern Oil Company, Limited, 354 South Spring Street, Los Angeles, California, filed a protest against the provisions of Revised Price Schedule No. 88. The facts, however, justify treatment of the protest not only as such but also as an application for adjustment filed pursuant to § 1340.156 (c) (2) of this schedule, and it is therefore, being so treated in accordance with § 1300.33 of Procedural Regulation No. 1. [2] An opinion in support of this Order No. 3 is being issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered that:

(a) Kern Oil Company, Limited, may sell and deliver, agree, offer, solicit and attempt to sell and deliver, to retail dealers, such Pennsylvania grade lubricating oils as are set forth in paragraph (b) below at prices not in excess of those stated therein

(b) (1) The maximum price including taxes for the sale of all Kern Penn Motor Oil to retail dealers in such motor oils f. o. b. Protestant's plant in carload quantities shall be $0.66 per gallon.

(2) Maximum prices including taxes for the sale of St. Helens Penn Motor Oil to retail dealers in such motor oil deliveries to the retail establishment shall be as follows:

	Per gallon
In bulk	$0.63
In one and five-quart cans	.77

(3) There shall be deducted from such maximum prices the quantity discounts which Protestant had in effect on October 1, 1941.

(c) Protestant shall forthwith notify all retail dealers in its motor oils that any such dealer may increase his maximum price for such motor oils under Maximum Price Regulation No. 137 to 30¢ a quart in any case in which his maximum price under said regulation is below th t amount and within 10 days after such notice has been given, protestant shall file with the Office of Price Administration at its principal office in Washington, D. C., an affidavit setting forth the names and post office addresses of all such dealers and the fact that all such dealers have been so notified.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used herein.

(f) This Order No. 3 shall become effective September 4, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8513; Filed, August 29, 1942; 12:47 p. m.]

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[1] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3695, 3963, 4483, 4653, 4854, 4957.

[2] 7 F.R. 971.

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 5139, 5276, 5944.

[2] 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

[2] 7 F.R. 971.

[Order 35 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-68]

FRENCH COAL COMPANY

ORDER DENYING ADJUSTMENT OR EXCEPTION

On May 8, 1942, French Coal Company, R. F. D. #5, Streator, Illinois, filed a protest against Maximum Price Regulation No. 120, which on June 8, 1942 was withdrawn and refiled as a petition for adjustment or exception pursuant to § 1340.207 (a) of the regulation. Due consideration has been given to the petition, and an opinion in support of this Order No. 35 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the Procedural Regulation No. 1, [2] issued by the Office of Price Administration, it is hereby ordered that said petition be, and it hereby is, denied.

This Order No. 35 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8515; Filed, August 29, 1942; 12:49 p. m.]

[Order 34 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered from Mine or Preparation Plant—Docket 3120-44]

WEYANOKE COAL AND COKE COMPANY

ORDER DENYING ADJUSTMENT OR EXCEPTION

On May 21, 1942, Weyanoke Coal and Coke Company, Arista, West Virginia, filed a petition for adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition, and an opinion in support of this Order No. 34 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, [2] issued by the Office of Price Administration, it is hereby ordered that said petition be, and it hereby is, denied.

This Order No. 34 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8514; Filed, August 29, 1942; 12:49 p. m.]

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[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.

[2] 7 F.R. 971, 3663.

[Order 2 Under Revised Price Schedule 20, as Amended [1]—Copper Scrap and Copper Alloy Scrap]

NIAGARA FALLS SMELTING AND REFINING CORPORATION

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap, it is hereby ordered:

(a) Niagara Falls Smelting and Refining Corporation may pay and any person may charge Niagara Falls Smelting and Refining Corporation the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper, or No. 2 Copper Wire and Mixed Heavy Copper in briquettes, provided for in § 1309.71 (f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 2 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective as of August 22, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8502; Filed, August 29, 1942; 12:43 p. m.]

[Order 15 of Revised Price Schedule 64 [2]—Domestic Cooking and Heating Stoves]

THE HUENEFELD COMPANY

APPROVAL OF MAXIMUM PRICES OF NEW MODELS

On July 7, 1942, The Huenefeld Company, Cincinnati, Ohio, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for two new models of oil-burning cooking appliances, designated in said application as Model No.

[1] 7 F.R. 3404, 3489, 5516, 6482.

[2] 7 F.R. 1329, 1836, 2000, 2132, 4404.

VB38JS Oil Cook Stove, and Model No. VB85 Oil Range. Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered:*

(a) The Huenefeld Company, Cincinnati, Ohio, may sell, offer to sell, deliver or transfer Model No. VB38JS Oil Cook Stove at a maximum price to dealers of $13.80 f. o. b. factory, and Model No. VB85 at a maximum price to dealers of $21.97, f. o. b. factory, subject to discounts and allowances no less favorable than those in effect as to Model No. B38JS Oil Cook Stove, and Model B85 Oil Range, respectively, under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 15 shall become effective on the 1st day of September 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8539; Filed, August 31, 1942; 11:49 a. m.]

[Order 4 Under Revised Price Schedule 83 [1]—Radio Receivers and Phonographs]

WATERS CONLEY COMPANY

AUTHORIZATION OF MAXIMUM PRICE FOR NEW MODEL RADIO

On June 1, 1942, Waters Conley Company, Rochester, Minnesota, filed an application, pursuant to Revised Price Schedule No. 83, § 1336.53 (b), for approval of a maximum price for a new model radio designated in the application as Model No. 452K.

Due consideration has been given to the application and an opinion issued simultaneously herewith has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered:*

(a) Waters Conley Company is authorized to sell, offer to sell, or deliver Model No. 452K at a price no higher than $21.65, exclusive of federal excise tax, f. o. b. seller's point of shipment, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

(b) The request in the application for approval of a maximum price higher than that established by this Order No. 4 is hereby denied.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1336.60 of Revised Price Schedule No. 83 shall apply to the terms used herein.

(e) This Order No. 4 shall become effective this 1st day of September 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8540; Filed, August 31, 1942; 11:49 a. m.]

[Order 12 Under Maximum Price Regulation 148 [1]—Dressed Hogs and Wholesale Pork Cuts—Docket No. 3148-18]

T. & T. PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On June 27, 1942, T. & T. Packing Company, Macon, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 12 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) T. & T. Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from T. & T. Packing Company.

(b)

	Cents per pound
Pork loins	29½
Regular pork shoulders	24½
Smoked skinned hams	32
Boiled hams	48¾

(c) The permission granted to the T. & T. Packing Company, in this Order No. 12 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the T. & T. Packing Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from T. & T. Packing Company each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 12 shall become effective September 1, 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8541; Filed, August 31, 1942; 11:49 a. m.]

[Order 13 Under Maximum Price Regulation 148 [1]—Dressed Hogs and Wholesale Pork Cuts—Docket No. 3148-22]

WORTH PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 7, 1942, Worth Packing Company, Sylvester, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 13 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the office of Price Administration, it is hereby ordered:

(a) Worth Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from Worth Packing Company.

(b)

	Cents per pound
Pork Loins	29½
Hams	32
Skinned Pork Shoulders	26½
Regular Pork Shoulders	24½

(c) The permission granted to the Worth Packing Company in this Order No. 13 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Worth Packing Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from Worth Packing Company each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 13 shall become effective September 1, 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8542; Filed, August 31, 1942; 11:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 69-18]

BUFFALO, NIAGARA AND EASTERN POWER CORPORATION

NOTICE OF TERMINATION OF EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 28th day of August 1942.

The Commission, having this day issued a Notice and Order for Hearing (File No. 59-52), pursuant to section 11 (b) (2) and other sections of the Public Utility Holding Company Act of 1935, with respect to Niagara Hudson Power Corporation and its subsidiary companies, including Buffalo, Niagara and Eastern Power Corporation, as subsidiaries of The United Corporation, a registered holding company; Buffalo, Niagara and Eastern Power Corporation having on file with this Commission a statement on Form U-3A-2 in which Buffalo, Niagara and Eastern Power Corporation claims on behalf of itself as a holding company and on behalf of its subsidiary companies as such, exemption from the provisions of said Act, pursuant to Rule U-2 of the Commission's Rules and Regulations under said Act; and it appearing to the Commission upon the basis of such statement on Form U-3A-2 and on the basis of other information in the files of the Commission regarding Buffalo, Niagara and Eastern Power Corporation and its subsidiaries, including the facts alleged in said Notice and Order for Hearing, that a substantial question exists as to whether the continued exemption of Buffalo, Niagara and Eastern Power Corporation and its subsidiary companies as such from any provision or provisions of said Act may be detrimental to the public interest or the interest of investors or consumers;

Notice is therefore given pursuant to Rule U-6 and Rule U-2, under said Act that such substantial question does exist and that, in accordance with the provisions of said Rule U-6 and Rule U-2, any exemption which may presently be available to Buffalo, Niagara and Eastern Power Corporation and its subsidiary companies as such by reason of the provisions of Rule U-2, shall terminate within thirty days of this notice as provided in said Rule U-6, without prejudice, however, to the right of Buffalo, Niagara and Eastern Power Corporation as a holding company to file any appropriate application for an order granting it any exemption pursuant to the provisions of any applicable section of the Act, and without prejudice to any temporary exemption provided in any provision of the Act by reason of the filing of any such application in good faith. Such notice is directed to be given by the mailing of this notice to such company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8480; Filed, August 29, 1942; 10:40 a. m.]

[File Nos. 59-19, 54-34]

GENERAL GAS & ELECTRIC CORPORATION

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of August, A. D. 1942.

The Commission having heretofore issued its Notice of and Order for Hearing, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directed to General Gas & Electric Corporation, a registered holding company, which order, among other things, directed respondent to show cause why its corporate structure should not be simplified and its voting power equitably distributed among its security holders; and

In answer to the above described Order, General Gas & Electric Corporation having filed a plan of recapitalization, pursuant to section 11 (e) of the Act, which plan, among other things, proposes a reclassification of the present Prior Preferred Stock, Cumulative Preferred Stock, and Class A Common Stock of General Gas & Electric Corporation (a more detailed description of such plan having been set forth in the order of the Commission setting the date for a public hearing thereon, entered on March 7, 1941); and

The Commission, by order dated March 7, 1941, having consolidated the section 11 (b) (2) proceedings and the section 11 (e) proceedings; public hearings having from time to time been held on these consolidated matters and the hearings now being in recess subject to call; and

It appearing appropriate to the Commission that the hearings in this matter be reconvened for the purpose of affording an opportunity to the parties and any interested persons to complete the presentation of evidence in this matter and to present their views as to the appropriate disposition of these proceedings; and it further appearing to the Commission that the examiner heretofore designated to preside in the proceedings is not available and will be unable to officiate;

Wherefore it is ordered, That the hearing in the above entitled matter be reconvened on the 17th day of September 1942, at 10 o'clock in the forenoon of that day, in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day the hearing room clerk in room 318 will inform the parties as to the exact room in which said reconvened hearing shall be held;

It is further ordered, That Edward C. Johnson, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the reconvened hearing aforesaid by mailing a copy of this order by registered mail to General Gas & Electric Corporation not less than 10 days prior to the date of the reconvened hearing; and that notice of this order and of said reconvened hearing is hereby given to all security holders of General Gas & Electric Corporation, the subsidiaries of said company, the parents of said company, and to all other persons including Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, Trustee of Associated Gas and Electric Company, all States, municipalities, and political subdivisions of states within which are located any of the utility assets of General Gas & Electric Corporation holding company system or under the laws of which any of the said companies are incorporated, all State commissions, State securities commissions, and all agencies, authorities or instrumentalities of one or more States, municipalities, or other political subdivisions having jurisdiction over General Gas & Electric Corporation; that such notice shall be given by a general release of the Commission, distributed to the press, and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by these proceedings, many of which have heretofore been specifically raised in previous orders, attention will be directed at the reconvened hearing to a consideration of the following matter and question:

Whether the Commission should immediately issue an order directing General Gas & Electric Corporation to proceed forthwith to effect its dissolution.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8479; Filed, August 29, 1942; 10:40 a. m.]

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[1] 7 F.R. 619, 756, 1360, 1636, 2000, 2132, 2302, 3125, 3620.

[2] 7 F.R. 3821, 4342.
[3] 7 F.R. 971.

[File No. 37-4]

MIDLAND UNITED COMPANY, TRUSTEE, ET AL.

NOTICE OF FILING OF AMENDMENTS AND ORDER SETTING HEARING

In the matter of Midland United Company, trustee, Midland Stock Transfer Company, Northern Indiana Public Service Company, Chicago, South Shore and South Bend Railroad and Indiana Service Corporation.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of August, A. D. 1942.

The Commission having on July 31, 1936, found that Midland Stock Transfer Company, a wholly owned subsidiary of Midland United Company, a registered holding company in reorganization under section 77B of the Bankruptcy Act, had satisfied the requirements of section 13 (b) of the Public Utility Holding Company Act of 1935 and the requirements of Rule U-13-22 (a) promulgated thereunder, and having entered an order to the effect that said Midland Stock Transfer Company may perform as a subsidiary service company the functions of stock transfer, dividend disbursing, mailing and related services for associate companies; and

Two amendments having now been filed in said matter setting forth certain proposed changes in the ownership of Midland Stock Transfer Company together with certain changes in the operations of said company and the conduct of its business including, among other things:

1. The sale by Midland United Company of the entire outstanding common capital stock of Midland Stock Transfer Company represented by 1,000 shares with an aggregate stated value of $5,000, to three of its subsidiary companies for a total cash consideration of $3,450, plus an amount equal to 6% interest on $5,000 from December 31, 1941, to date of the consummation of the sale. It is proposed that this stock be purchased by Northern Indiana Public Service Company, Indiana Service Corporation, and Chicago, South Shore and South Bend Railroad in the respective amounts of 815, 100 and 85 shares;

2. In addition to rendering services for the three owner companies, it is proposed that services be rendered on behalf of Midland United Company, Midland Utilities Company, also a registered holding company in reorganization, and Indiana Hydro-Electric Power Company, a subsidiary of Midland United Company, the properties of which are presently leased to and operated by Northern Indiana Public Service Company, a subsidiary of Midland Utilities Company. No charges for such services are to be borne by Midland United Company and Midland Utilities Company. It is proposed that stockholders of the latter two companies will be assessed $1 for each new certificate issued by Midland Stock Transfer Company. Of this amount, 75 cents is to be retained by Midland Stock Transfer Company as transfer agent and the remainder paid to the registrar. The amendments do not disclose the name of the proposed registrar nor the basis for such allocation. Indiana Hydro-Electric Power Company will receive services on the same basis as the owner companies;

3. The amendments indicate that Public Service Company of Indiana, Inc., and West Ohio Gas Company, which have heretofore received services from Midland Stock Transfer Company, have or will cancel their contracts with the service company. The effects of such change on the future operations and conduct of the business of Midland Stock Transfer Company are not fully set forth in the amendments.

It appearing to the Commisison that it is appropriate in the public interest and to meet the requirements of the Act and Rules and Regulations promulgated thereunder, particularly Rule U-88, that a public hearing should be held with respect to the above described amendments;

It is therefore ordered, That a hearing on such matter under the applicable provisions of the Act and the rules of the Commission thereunder be held on September 11, 1942, at 10 o'clock a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to where such hearing will be held.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said amendments to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether because of the proposed changes, including the cancellation of service contracts by certain associate companies, Midland Stock Transfer Company's proposed organization and conduct of business, including ownership, revenues, cost, and the sharing thereof by the serviced companies, will meet the standards of section 13 of the Act and the Rules and Regulations promulgated thereunder;

2. Whether under all the circumstances there is reasonable justification for the continuance of Midland Stock Transfer Company as a service company;

3. Whether the proposed ownership of the stock of Midland Stock Transfer Company is fair and equitable;

4. Whether the proposed consideration to be paid Midland United Company for the common stock of Midland Stock Transfer Company is fair and reasonable;

5. What terms and conditions, if any, should be imposed by the Commission in the public interest or for the protection of investors or consumers.

6. Generally, whether the transactions proposed in the amendments comply with the requirements and standards of the Act and Rules and Regulations promulgated thereunder and are in the interest of investors, consumers and the public.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8478; Filed, August 29, 1942; 10:40 a. m.]

[File No. 69-22]

NIAGARA HUDSON POWER CORPORATION

NOTICE OF TERMINATION OF EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 28th day of August 1942.

The Commission, having this day issued a Notice and Order for Hearing (File No. 59-52), pursuant to section 11 (b) (2) and other sections of the Public Utility Holding Company Act of 1935, with respect to Niagara Hudson Power Corporation and its subsidiary companies, as subsidiaries of The United Corporation, a registered holding company; Niagara Hudson Power Corporation having on file with this Commission a statement on Form U-3A-2 in which Niagara Hudson Power Corporation claims on behalf of itself as a holding company and on behalf of its subsidiary companies as such, exemption from the provisions of said Act, pursuant to Rule U-2 of the Commission's Rules and Regulations under said Act; and it appearing to the Commission upon the basis of such statement on Form U-3A-2 and on the basis of other information in the files of The Commission regarding Niagara Hudson Power Corporation and its subsidiaries, including the facts alleged in said Notice and Order for Hearing, that a substantial question exists as to whether the continued exemption of Niagara Hudson Power Corporation and its subsidiary companies as such from any provision or provisions of said Act may be detrimental to the public interest or the interest of investors or consumers;

Notice is therefore given pursuant to Rule U-6 and Rule U-2, under said Act that such substantial question does exist and that, in accordance with the provisions of said Rule U-6 and Rule U-2, any exemption which presently may be available to Niagara Hudson Power Corporation and its subsidiary companies as such by reason of the provisions of Rule U-2, shall terminate within thirty days of this notice as provided in said Rule U-6, without prejudice, however, to the right of Niagara Hudson Power Corporation as a holding company to file any appropriate application for an order granting it any exemption pursuant to the provisions of any applicable section of the Act, and without prejudice to any temporary exemption provided in any provision of the Act by reason of the filing of any such application in good faith. Such notice is directed to be given by the mailing of this notice to such company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8476; Filed, August 29, 1942; 10:39 a. m.]

[File No. 59-52]

NIAGARA HUDSON POWER CORP., ET AL.

NOTICE OF AND ORDER FOR HEARING

In the matter of Niagara Hudson Power Corporation and its subsidiary companies, respondents.

At a regular session of the Securities and Exchange Commision, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of August 1942.

The Commission having data in its files and records relating to Niagara Hudson Power Corporation and its subsidiary companies establishing, or tending to establish, the following:

I

1. Niagara Hudson Power Corporation, organized in 1937 under the laws of the State of New York, is a subsidiary of The United Corporation, a registered holding company, by virtue of The United Corporation's ownership of 23.18% of its outstanding voting securities; The United Gas Improvement Company, a registered holding company and a subsidiary of The United Corporation, owns 8.57% of Niagara Hudson Power Corporation's outstanding voting securities; Niagara Hudson Power Corporation is also a holding company, as defined in section 2 (a) (7) of the Public Utility Holding Company Act of 1935; it has claimed exemption as a holding company pursuant to Rule U-2 under the Act, but is being notified by the Commission, as provided in Rule U-6, of the termination, within 30 days, of such exemption without prejudice to the filing of any appropriate application for exemption by order or to obtaining any appropriate temporary exemption until the Commission has acted on such application.

2. Niagara Hudson Power Corporation and its subsidiaries (which are a part of The United Corporation holding company system), the percentage of voting control held in the system, the state of organization, and the nature of the business of each subsidiary are depicted in the following tabulation (with appropriate indentation to indicate the relationship of the various companies):

Name of company	State of organization	Nature of business
The United Corporation	Delaware	Holding Company.
(23.18%) Niagara Hudson Power Corporation*	New York	Holding Company.
(99.9%) Buffalo Niagara & Eastern Power Corporation	New York	Holding Company.
(100%) Buffalo Niagara Electric Corporation	New York	Electric Utility.
(100%) Lockport & Newfane Power & Water Supply Co.	New York	Electric Utility.
(100%) Niagara Falls Power Co	New York	Holding Company—Electric Utility.
(100%) Canadian Niagara Power Co., Ltd	Ontario, Canada	Electric Utility.
(100%) Gorge View Park, Inc	New York	Real Estate.
(100%) Niagara Junction Railway Co	New York	Terminal Switching Railroad.
(100%) Niagara, Lockport & Ontario Power Co	New York	Electric Utility.
(100%) Hydraulic Race Co	New York	Real Estate & Water Rights.
(100%) Lower Niagara River Power & Water Supply Co.[1]	New York	Real Estate.
(100%) Central New York Power Corporation[2]	New York	Holding Company—Elec. & Gas Utility.
(100%) Kanata Realty Co., Inc	New York	Real Estate.
(54.0%) Hammond Light & Power Co., Inc	New York	Electric Utility.
(34.0%) Canton Electric Light & Power Co.[3]	New York	Electric & Gas Utility.
(90.97%) New York Power and Light Corporation	New York	Controls Operations of a Dam.
(21.5%) The Indian River Company	New York	Electric & Ga. Utility.
(29.72%) Central Hudson Gas & Electric Corporation[3]	New York	Coke & Gas Mfg. Company.
(100%) Hudson Valley Fuel Corporation	New York	Owns Water Rights & Hydro-Elec. Plant.
(100%) Union Bag & Paper Power Corporation[4]	New York	Real Estate.
(100%) Frontier Corporation	New York	Electric Utility.
(100%) St. Lawrence Power Co., Ltd.[5]	Ontario, Canada	Real Estate and Owns Hydro-Elec. Plants.
(100%) Northern Development Corporation	New York	Owns and Leases Water Rights.
(100%) Oswego Canal Co	New York	Owns and Operates a Hydro-Elec. Plant.
(33.3%) Moreau Manufacturing Corporation	New York	Electric Utility.
(100%) Old Forge Electric Corporation[6]	New York	

*Percentages given are percent of total voting securities.

[1] Inactive.

[2] Central New York Power Corporation is a holding company as defined in section 2 (a) (7) of the Act, but claims an exemption as a holding company pursuant to Rule U-2 of the Rules and Regulations under the Act and is not a registered holding company.

[3] Canton Electric Light and Power Co. and Central Hudson Gas and Electric Corporation are exempt from any obligation, duty or liability imposed on them as a subsidiary company by reason of the pendency of applications under section 2 (a) (8) of the Act to be declared not to be subsidiary companies.

[4] Owns 11.5% of voting securities of The Indian River Company.

[5] St. Lawrence Power Co., Ltd., is exempt rom the duties, liabilities and obligations imposed by the Act upon subsidiaries by virtue of a pending application pursuant to section 3 (b) to be declared not to be a subsidiary.

[6] 6,300 shares of common stock (entire issue) held by Niagara Hudson Power Corporation, pledged with power to vote pursuant to a loan evidenced by a non-interest bearing note of A. A. Low, organizer of Old Forge Electric Corporation, dated September 30, 1935.

3. Niagara Hudson Power Corporation and its subsidiaries conduct their principal operations in three divisions: i. e., Buffalo, Niagara and Eastern Power Corporation, an intermediate holding company, and its subsidiaries operate in the western portion of the State of New York in and around the Niagara Falls area; Central New York Power Corporation, a direct subsidiary of Niagara Hudson Power Corporation, and its subsidiaries operate in the central portion of the State of New York, including the cities of Syracuse, Utica, Rome and Watertown; New York Power and Light Corporation, a direct subsidiary of Niagara Hudson Power Corporation, and its subsidiary operate in the eastern portion of the State of New York, including the cities of Albany, Schenectady, Troy and Amsterdam.

4. The corporate and consolidated capitalization, including surplus, of Niagara Hudson Power Corporation, as of December 31, 1941, was as follows:

	Shares outstanding	Amount	Percent
CORPORATE			
Notes payable to banks		$3,281,250	1.87
1st preferred stock, cumulative 5%, $100 par (voting)	378,875	37,887,500	21.63
2d preferred stock, cumulative 5%, $100 par, series "A" (voting)	90,281	9,028,100	5.15
2d preferred stock, cumulative 5%, $100 par, series "B" (voting)	15,649	1,564,900	.89
Common stock, $10 par	9,581,008	95,810,085	54.69
Paid-in-surplus		24,650,024	14.07
Earned surplus		2,978,061	1.70
Total		175,199,920	100.00
CONSOLIDATED			
Funded debt of subsidiaries		240,314,826	43.10
Preferred stock of subsidiaries		126,664,049	22.72
Notes payable to banks (holding company)		3,281,250	.59
1st preferred stock of holding company		37,887,500	6.79
2d preferred stock (series "A") of holding company		9,028,100	1.62
2d preferred stock (series "B") of holding company		1,564,900	.28
Common stock and surplus		138,823,619	24.90
Total		557,564,244	100.00

5. Each share of common and preferred stock of Niagara Hudson Power Corporation has the right to one vote per share at all meetings of the stockholders. Neither class of preferred stock has cumulative voting rights. No additional voting power is conferred upon either class of preferred stock by reason of dividend accumulations. As of December 31, 1941 there were no arrearages in preferred dividends.

6. Th first preferred shares have preference over the second preferred shares with respect to dividends and in liquidation. Each class of preferred stock has a voluntary and involuntary liquidating value of $100 per share, plus accrued dividends. Each class of preferred stock is callable, as a whole or in part, at any time upon 30 days' notice at $107.50 per share.

7. The common stock, par value of $10 per share, representing 54.69% of the capitalization of Niagara Hudson Power Corporation, has 9,581,008 votes; the first preferred stock and the second preferred stock, Series "A" and "B", having a par value of $100 per share, representing 27.67% of such capitalization, have 484,805 votes, or approximately one-twentieth of the voting power of the common stock.

8. As of December 31, 1941, Niagara Hudson Power Corporation's investments were carried at $174,424,596 and comprised principally its ownership of the common stocks of the companies named in paragraph 2 above, substantial blocks of preferred stocks of three of its subsidiaries, open account advances to subsidiaries, and other investments as described in the summary below and in following paragraphs:

	Amount	Percent
Bonds of subsidiaries, $11,000 face amount.	$14,465	-------
Advances to subsidiaries	31,360,582	17.9
Interest and advances to non-consolidated subsidiaries.	767,535	.4
Preferred stocks of subsidiaries	9,983,216	5.7
Common stocks of subsidiaries	116,142,487	66.8
Common stocks of other companies	15,123,718	8.7
Miscellaneous investments	1,030,493	.6
Total	174,424,596	100.0

9. The advances to subsidiaries are on open account, payable on demand, bear 6% interest, and at December 31, 1941 were in aggregate amounts as follows:

Direct Subsidiaries

Buffalo, Niagara and Eastern Power Corporation	$1,843,305
Central New York Power Corporation	3,000,000
Northern Development Corporation	2,700,000
New York Power and Light Corporation	20,550,000
Hudson Valley Fuel Corporation	2,950,000
Indirect subsidiaries	
Kanata Realty Company, Inc.	$317,277
Total	31,360,582

The amount due from New York Power and Light Corporation is the aggregate of advances made over a number of years. The debt of that company, including the advances, is equal to approximately 74.0% of its net property per books and to 72.0% of its capitalization, including surplus (see paragraph 42). New York Power and Light Corporation and Niagara Hudson Power Corporation have filed declarations and applications with this Commission regarding the sale to and the acquisition by Niagara Hudson Power Corporation for cash of 192,105 shares of common stock, enough to liquidate the indebtedness. (File Nos. 32–168; 46–181)

10. The preferred stock investments of Niagara Hudson Power Corporation at December 31, 1941, were as follows:

Issuer	Number of shares	Par or stated value
Buffalo, Niagara & Eastern Power Corp.	12,545⅛ 6.4% 2d pfd.	$313,631
Central New York Power Corporation.	41,515 7/20 5% preferred.	4,151,585
New York Power & Light Corporation.	36,019 7% preferred.	3,601,900
New York Power & Light Corporation.	19,181 $6 preferred.	1,918,100
		9,983,216

11. The $15,123,718 invested by Niagara Hudson in common stocks of other companies includes $9,702,225 in shares of Consolidated Edison Company of New York, Inc. and $4,978,893 in shares of Central Hudson Gas & Electric Corporation. Substantial percentages of the capitalization of each of these companies are represented by bonds and preferred stocks held by the public.

12. As at December 31, 1941, subsidiaries of Niagara Hudson Power Corporation had debt obligations and preferred stocks outstanding aggregating $408,713,673, of which $366,978,875 were held by the public, $41,360,263 were held by Niagara Hudson, and $374,535 were owned by other system companies. Thus, Niagara Hudson's investment in common stocks of subsidiary companies, amounting to $116,142,487, or 66.8% of its total portfolio, is junior to $366,978,875 of publicly held debt and preferred stocks of subsidiaries; and $14,681,118, or about 8.5% of its portfolio, is made up of investments in common stocks of companies which have substantial percentages of bonds and preferred stocks outstanding. As of the same date, the aggregate carrying value of Niagara Hudson's total investments in debt and preferred stocks, including the advances to New York Power and Light Corporation, amounted to $42,127,898, as compared with its outstanding first and second preferred stocks of an aggregate par value of $48,480,500.

13. As of December 31, 1941, there were loans and advances at 6% between direct subsidiaries of Niagara Hudson, as follows:

Central New York Power Corporation to Kanata Realty Company, Inc.	$680,107
Frontier Corporation to Northern Development Corporation	83,000
The Oswego Canal Company to Northern Development Corporation	20,000
St. Lawrence Power Company, Ltd. to Northern Development Corporation	275,000
	1,258,107

In addition thereto, there are 6% advances aggregating $6,830,359 between direct and indirect subsidiaries of Buffalo, Niagara and Eastern Power Corporation, an intermediate holding company, more fully described hereinafter in paragraph 23.

14. The income of Niagara Hudson Power Corporation for the past three years ending December 31, 1941, was derived from the following sources:

	1939	1940	1941
From subsidiary companies:			
Dividends on preferred stocks	$594,866	$594,866.00	$594,866.00
Dividends on common stocks	2,007,375	2,309,999.60	926,708.80
Interest on bonds	8,937	855.98	350.00
Interest on advances	1,928,540	2,069,143.23	2,054,293.77
	4,539,719	4,965,864.81	3,576,378.57
Other dividends and interest	821,047	821,808.90	734,572.56
Total income	5,360,766	5,787,673.71	4,310,951.13

II

15. Buffalo, Niagara and Eastern Power Corporation, a New York corporation and a direct subsidiary of Niagara Hudson Power Corporation, is a holding company as defined in section 2 (a) (7) of the Public Utility Holding Company Act of 1935; it has claimed exemption as a holding company pursuant to Rules U-2 under the Act, but is being notified by the Commission, as provided in Rule U-6, of the termination, within 30 days, of such exemption without prejudice to the filing of any appropriate application for exception by order or to obtaining any appropriate temporary exemption until the Commission has acted on such application.

16. The corporate and consolidated capitalization, including surplus, of Buffalo, Niagara and Eastern Power Corporation, as of December 31, 1941, was as follows:

	Shares outstanding	Amount	Percent
CORPORATE			
Advances from Niagara Hudson		$1,843,305	1.9
$5 1st Pref. Stock, no par, Cum	350,000	35,000,000	34.6
$1.60 2nd Pref. Stock, $25 par. Cum	2,096,725	52,418,125	51.7
Class "A" Stock (no par)	501,493	501,493	.5
Common Stock (no par)	2,020,126	2,020,125	2.0
Capital Surplus		7,315,353	7.3
Earned Surplus		2,209,348	2.0
Total corporate		101,307,749	100.0
CONSOLIDATED			
Funded Debt of Subsidiaries		102,185,500	46.22
Advances from Niagara Hudson		1,843,305	.83
$5 1st Pref. Stock of Holding Company		35,000,000	15.83
$1.60 2nd Pref. Stock of Holding Company		52,418,125	23.71
Common Stock, Class "A" and Surplus		29,653,868	13.41
Total consolidated		221,100,798	100.00

17. The $5 First Preferred Stock and the $1.60 Second Preferred Stock have no normal voting rights. In the event of four quarterly dividend defaults upon the $5 First Preferred Stock, said shares are entitled to vote share for share with the common stock until the defaults have been cured. The Second Preferred is not given any voting power in event of default or otherwise. Such stock represents 51.7% of total capitalization. The Class "A" stock has no normal vote but has preference over the common as to dividends of $1 per share per annum. In the event of failure to pay dividends of $1 in any calendar year, the Class "A" stock votes share for share with the common until $1 per share has been paid in a subsequent calendar year. Dividends on the Class "A" stock, which represents .5% of the capitalization, have not been paid since December 31, 1937. Thus, at present, 19.9% of the voting power rests with this stock as a class.

18. In either voluntary or involuntary liquidation, the $5 First Preferred Stock and the $1.60 Second Preferred Stock are entitled to $100 per share and $25 per share, respectively. The First Preferred Stock and the Second Preferred Stock are callable, as a whole or in part, at any time at $105 per share and $26.25 per share, respectively.

19. As of December 31, 1941, outstanding debt of subsidiaries of Buffalo, Niagara and Eastern Power Corporation totaled $109,015,859, of which $102,185,500 was held by the public, $3,749,017 was held by associated companies, and $3,081,342 was held by Buffalo, Niagara and Eastern Power Corporation. The amounts held by associated companies and Buffalo, Niagara and Eastern Power Corporation consisted of open account indebtedness.

20. As of the same date, December 31, 1941, the investment account of Buffalo, Niagara and Eastern Power Corporation was stated at $101,271,171, as follows:

Common stocks of subsidiaries	98,152,109
Open account advances to subsidiaries	3,081,342
Other investments	37,720
Total	101,271,171

21. At the same date (December 31, 1941), Buffalo, Niagara and Eastern Power Corporation had issued and outstanding First Preferred and Second Preferred Stocks having aggregate value in the capital account of $87,418,125 as compared with its ownership of $3,081,342 of senior securities of subsidiaries, $37,720 of miscellaneous investments, and common stocks of subsidiaries having carrying value of $98,152,109.

22. The common stocks of subsidiaries owned and carried by Buffalo, Niagara and Eastern Power Corporation at $98,152,109 were junior to the $109,015,859 of debt issued and outstanding against the subsidiaries, of which, as stated, $102,185,500 was held by the public.

23. Debt of the subsidiaries of Buffalo, Niagara and Eastern Power Corporation, held within the system as of December 31, 1941, all bearing interest at 6%, is shown in the following table:

	Buffalo, Niagara Electric Corporation	Niagara, Lockport & Ontario Power Co.	Lockport & Newfane Power and Water Supply Co.	Gorge View Park, Inc.	Total
Advanced by:					
Niagara Falls Power Company	$1,965,000	$500,000	-------	$26,672	$2,491,672
Canadian Niagara Power Co., Ltd.	-------	1,207,345	-------	-------	1,207,345
Niagara Junction Railway Company	50,000	-------	-------	-------	50,000
Total Inter-Subsidiary Debt	2,015,000	1,707,345	-------	26,672	3,749,017
Buffalo, Niagara and Eastern Power Corp.	1,996,342	800,000	$285,000	-------	3,081,342
Total Intra-System Debt	4,011,342	2,507,345	285,000	26,672	6,830,359

24. The income of Buffalo, Niagara and Eastern Power Corporation for the three years ending December 31, 1941, was derived from the following sources:

	1939	1940	1941
From subsidiary companies:			
Interest on advances	$151,376	$179,700.00	$179,700.00
Dividends on common stocks	5,772,520	5,329,959.80	5,383,175.80
	5,923,896	5,509,659.80	5,562,875.80

III

25. Niagara Falls Power Company, a New York corporation and a direct subsidiary of Buffalo, Niagara and Eastern Power Corporation, is both a holding company and an electric utility company, as defined in sections 2 (a) (7) and 2 (a) (3) of the Public Utility Holding Company Act of 1935; it claims an exemption as a holding company pursuant to Rule U-2 of the Rules and Regulations under the Act and is not a registered holding company. Niagara Falls Power Company has one subsidiary company which is a public utility company, as defined in the Act; namely, Canadian Niagara Power Company, Ltd., which operates in the Province of Ontario, Dominion of Canada; it has two non-utility subsidiaries, Gorge View Park, Inc., and Niagara Junction Railway Company.

26. As of December 31, 1941, Niagara Falls Power Company owned all of the outstanding common stock of its three subsidiaries. It had open account debt, at 6% interest, due from associate companies in the aggregate amount of $2,491,672. Its subsidiaries, Canadian Niagara Power Company, Ltd. and Niagara Junction Railway Company, have an open account indebtedness due from associate companies in the aggregate amount of $1,257,345.

27. As of December 31, 1941, the corporate and consolidated capitalization, including surplus, of Niagara Falls Power Company was as follows:

	Shares	Amount	Percent
CORPORATE			
Bonds	-------	$29,493,000	43.3
Common stock (no par)	742,241	35,575,565	56.7
Earned surplus	-------	3,039,041	
Total capitalization	-------	68,107,606	100.0
CONSOLIDATED			
Bonds	-------	29,493,000	36.4
Common stock (no par)	742,241	35,575,565	63.6
Capital surplus	-------	5,535,602	
Earned surplus	-------	10,462,312	
Total capitalization	-------	81,066,479	100.0

28. The income of Niagara Falls Power Company for the year ending December

31, 1941 was derived from the following sources:

	Amount	Percent
Operating income	$2,773,442	72.0
Dividends from subsidiaries	920,000	23.8
Other income, including interest	162,651	4.2
Total	3,856,093	100.0

29. On June 29, 1942, the Federal Power Commission ordered Niagara Falls Power Company to remove from the book cost of its property, in service as of March 2, 1921, totaling $44,453,868, the sum of $15,537,943, and to charge said amount to its earned surplus account, reserving for future consideration additional items of property cost per books aggregating $3,985,500.

30. At December 31, 1941, gross utility plant of Niagara Falls Power Company amounted to $65,715,880, and the reserve for depreciation aggregated $10,228,973. Non-depreciable property is estimated at $6,580,248. At the same date, the outstanding funded debt of Niagara Falls Power Company represented approximately 53.0% of net fixed capital. If it should be finally determined that $15,537,943 must be removed from fixed property, as ordered by the Federal Power Commission, the ratio of funded debt to the company's net fixed property would approximate 74%.

31. Niagara Falls Power Company owns all the outstanding 300,000 shares of the common stock of Canadian Niagara Power Company, Ltd., said shares constituting all the latter's capital stock and have a book value, including surplus, of $17,458,131. Said stock is reported to have cost $2,817,672. At present, it is carried on the books of Niagara Falls Power Company at $4,796,000 and is pledged by that company as part of the collateral securing its own First and Refunding 3½% Mortgage Bonds.

32. Canadian Niagara Power Company, Ltd. operates in the Dominion of Canada. It is engaged in the business of generating hydro-electric energy by means of the use of the waters of the Niagara River, and the transmission and sale of such energy principally to associate companies, subsidiaries of Niagara Hudson Power Corporation operating in the State of New York, and to the Hydro-Electric Power Commission of Ontario, Dominion of Canada. It also sells electric energy for light, heat and power purposes directly to consumers in villages and townships in the Province of Ontario, Canada. As of December 31, 1941, capitalization and surplus of Canadian Niagara Falls Power Company, Ltd. was as follows:

Common stock, no par, 300,000 Shares	$15,000,000
Earned surplus	2,458,131
Total	17,458,131

33. The fixed capital of Canadian Niagara Power Company, Ltd. at December 31, 1941 totaled $17,481,474, including appreciation of $6,250,000, recorded pursuant to resolution of the boards of directors.

IV

34. Northern Development Corporation, a New York corporation and a direct subsidiary of Niagara Hudson Power Corporation, owns undeveloped water power sites and nine hydro-electric generating plants, the latter being leased to Central New York Power Corporation, also a direct subsidiary of Niagara Hudson Power Corporation.

35. At December 31, 1941, the capitalization and surplus of Northern Development Corporation was as follows:

	Amount	Percent
Open account advances at 6%	$3,078,000	11.3
Common stock, no par, 157,000 shares	15,750,000	57.7
Capital surplus	8,200,000	31.0
Earned surplus	254,362	
Total	27,282,362	100.0

36. The fixed capital of Northern Development, at December 31, 1941, was reported to be $29,969,299. The reserve for depreciation was reported to be $2,508,069. Included in such fixed capital is a total appreciation of $6,958,540 as a result of revaluations entered on the books of predecessor companies pursuant to resolutions of the board of directors.

37. The common stock of Northern Development Corporation, as of December 31, 1941, had a book value, including the $6,958,540 item of appreciation referred to above, of $11,532,362. It was all owned by Niagara Hudson Power Corporation and was carried upon the books of that company at $24,085,463. The following table shows to whom the open accounts advances are payable:

Niagara Hudson Power Corporation	$2,700,000
Oswego Canal Company	20,000
St. Lawrence Power Co., Ltd.	275,000
Frontier Corporation	83,000
Total	3,078,000

38. The operating revenue of Northern Development Corporation for the year ending December 31, 1941 was reported to be $1,113,556, all of which was received as income from the sale of power through lease arrangements with Central New York Power Corporation in respect of nine hydro-electric generating plants.

V

39. The capitalization, including surplus, of New York Power and Light Corporation, a direct subsidiary of Niagara Hudson Power Corporation, at December 31, 1941, was as follows:

	Amount	Percent
Bonds	$66,382,000	53.2
Liability on reservoir	2,875,212	2.4
Advances on open account from Niagara Hudson Power Corporation	20,550,000	16.4
	90,007,212	72.0
7% preferred stock, 144,639 shares, $100 par (voting)	14,463,900	11.4
$6 preferred stock, 96,088 shares, no par (non-voting)	9,608,800	7.7
Common stock (1,057,895 shares)	8,937,107	7.1
Surplus	2,322,782	1.8
Total	125,339,801	100.0

40. The 7% Preferred Stock of New York Power and Light Corporation (25% of which is owned by Niagara Hudson Power Corporation) has no increased voting power in the event of dividend defaults but at all times votes share for share with the common stock. It represents 11.4% of the capitalization and has 12% of the voting power.

The $6 Preferred Stock (20% of which is owned by Niagara Hudson Power Corporation) represents 7.7% of the capitalization and has no vote under any circumstances.

The common stock, all of which is owned by Niagara Hudson Power Corporation, represents, together with the surplus, 8.9% of the capitalization and has 88% of the voting power at all times.

41. The 7% Cumulative Preferred Stock and the $6 Cumulative Preferred Stock have voluntary and involuntary liquidating values of $100 per share. The 7% Preferred Stock and $6 Preferred Stock are callable, in whole or in part, at any time upon 30 days' notice at $115 per share, and $105 per share, respectively.

42. As of December 31, 1941, the total fixed capital of New York Power and Light Corporation amounted to $137,337,424, including an estimated $28,000,000 of non-depreciable property. The reserve for depreciation aggregated $15,392,565. At the same date, the total debt of New York Power and Light Corporation represented approximately 74% of its net property per books.

It appearing to the Commission, in the light of the foregoing, that it is appropriate in the public interest and in the interest of investors and consumers to institute proceedings with respect to Niagara Hudson Power Corporation and its subsidiaries listed in paragraph 2 above and, more particularly, Niagara Hudson Power Corporation, Buffalo, Niagara and Eastern Power Corporation, Niagara Falls Power Company, Canadian Niagara Power Company, Ltd., Central New York Power Corporation, Northern Development Corporation and New York Power and Light Corporation, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, in order to determine whether certain orders should be entered pursuant to the provisions of said Sections, all as set forth more fully below;

It is ordered, That Niagara Hudson Power Corporation and its subsidiary companies named in paragraph 2 above file with the Secretary of the Commission, on or before the 15th day of September, 1942, answers to the allegations of paragraphs 1 to 42 inclusive hereof in the form prescribed by Rule U-25 of the Rules and Regulations under said Act.

It is further ordered, That, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Act, a hearing be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 in the forenoon of the 1st day of October, 1942 to determine:

A. Whether the allegations in Paragraphs 1 to 42, inclusive, are true and accurate;

B. Whether voting power is fairly and equitably distributed among the security holders of Niagara Hudson Power Corporation; and, if not, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

C. Whether the corporate structure or continued existence of Niagara Hudson Power Corporation unduly or unnecessarily complicates the structure of the holding company system of which it is a part, or unfairly or inequitably distributes voting power among security holders of such holding company system;

D. Whether the existing corporate structure of Niagara Hudson is such as not to justify more than a single class of stock;

E. Whether it is necessary that an order be issued requiring action to be taken by Niagara Hudson Power Corporation so that Niagara Hudson shall cease to be a holding company with respect to each subsidiary company thereof which, itself, has a subsidiary company which is a holding company;

F. Whether voting power is fairly and equitably distributed among the security holders of Buffalo, Niagara and Eastern Power Corporation; and, if not, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

G. Whether the corporate structure or continued existence of Buffalo, Niagara and Eastern Power Corporation unduly or unnecessarily complicates the structure of the holding company system of which it is a part, or unfairly or inequitably distributes voting power among security holders of such holding company system;

H. Whether the existing corporate structure of Buffalo, Niagara and Eastern Power Corporation is such as not to justify more than a single class of stock;

I. Whether it is necessary that an order be issued requiring action to be taken by Buffalo, Niagara and Eastern Power Corporation so that there shall cease to be in the Niagara Hudson Power Corporation holding company system a holding company which has a subsidiary holding company which, itself, has a subsidiary which is a holding company;

J. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, to require Buffalo, Niagara and Eastern Power Corporation to restate its investment, surplus, capital or other accounts pursuant to section 15 (f) of the Act and the Rules and Regulations thereunder, so as to reflect, among other things, adjustments, credits or charges, or other entries which may be required to be made by its subsidiaries, including Niagara Falls Power Company and Canadian Niagara Power Company, Ltd.;

K. Whether it is necessary or appropriate to enter any order forthwith or otherwise, pursuant to section 12 (c) of the Act, prohibiting or restricting the payment of dividends on the outstanding $5 First Preferred Stock, no par, and/or the $1.60 Second Preferred Stock, $25 par, of Buffalo, Niagara and Eastern Power Corporation in order to protect the financial integrity of Buffalo, Niagara and Eastern Power Corporation or any of the companies in the holding company system of which it is a part or to prevent the payment of dividends out of capital or unearned surplus, or to prevent circumvention of the provisions of the Act, or any Rule, Regulation or Order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

L. Whether, for the purpose of fairly and equitably distributing voting powers among the security holders of Niagara Falls Power Company, pursuant to the provisions of section 11 (b) (2) of the Act, it is necessary or appropriate to require that said corporation shall revise and simplify its capital structure;

M. Whether it is necessary or appropriate in the public interest, or for the protection of investors or consumers, to require Niagara Falls Power Company to restate its fixed capital, investments, surplus, capital and/or other accounts, pursuant to section 15 (f) of the Act and Rules and Regulations thereunder, so as to segregate, dispose of, and eliminate write-ups and intangibles in said accounts, set up adequate reserves for retirement and depreciation of fixed capital, and make other appropriate adjustments in conformance with the provisions of the Act;

N. Whether it is necessary or appropriate to enter an order or orders, pursuant to sections 12 (c) and 12 (f) of the Act, prohibiting or restricting the declaration or payment of dividends on the outstanding common stock of Niagara Falls Power Company and/or the receipt thereof by Buffalo, Niagara and Eastern Power Corporation, in order to protect the financial integrity or to safeguard the working capital of Niagara Falls Power Company or any company in the same holding company system, or to prevent the payment of dividends out of capital or unearned surplus or to prevent circumvention of the provisions of the Act or any Rules, Regulations or Order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

O. Whether it is necessary or appropriate to enter an order or orders, pursuant to sections 12 (c), 12 (f) and 15 (f) of the Act requiring Buffalo, Niagara and Eastern Power Corporation and/or Niagara Falls Power Company to take steps with respect to the payment by, or the receipt from, Canadian Niagara Power Company, Ltd. of dividends on its outstanding common stock, and also with respect to the latter company's fixed capital, surplus, capital or other accounts, in order to protect the financial integrity or working capital of Canadian Niagara Power Company, Ltd. or the companies in the holding company system of which it is a part, or to prevent the payment and receipt of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of the Act or any Rule, Regulation or order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

P. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require Northern Development Corporation to restate its fixed capital, surplus, capital or other accounts, pursuant to section 15 (f) of the Act and the Rules and Regulations thereunder, so as to segregate, dispose of and eliminate write-ups in the fixed capital or other accounts;

Q. Whether it is necessary or appropriate to enter an order pursuant to sections 12 (c) and/or 12 (f) of the Act prohibiting or restricting the declaration and payment of dividends on the outstanding common stock of Northern Development Corporation and/or the receipt thereof by Niagara Hudson Power Corporation, in order to protect the financial integrity or working capital of Northern Development Corporation or any company in the same holding company system, or to prevent the payment of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of the Act or any Rule, Regulation or Order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

R. Whether, for the purpose of fairly and equitably distributing voting power among the security holders of New York Power and Light Corporation, pursuant to the provisions of section 11 (b) (2) of the Act, it is necessary or appropriate to require New York Power and Light Corporation to revise and simplify its capital structure and take other steps to fairly and equitably redistribute voting power among its security holders;

S. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, or to protect the financial integrity of the companies in the Niagara Hudson holding company system or to safeguard the working capital of New York Power and Light Corporation, or to prevent circumvention of the provisions of the Act or any Rule or Regulation thereunder, or otherwise, to enter an order pursuant to sections 12 (c) and/or 12 (f) of the Act prohibiting or restricting the payment and/or the receipt of principal or interest on the $20,500,000 open account advances owing by New York Power and Light Corporation to Niagara Hudson Power Corporation;

T. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, or to prevent the circumvention of the provisions of the Act, or to protect the financial integrity or to safeguard the working capital of New York Power and Light Corporation, or to cause New York Power and Light Corporation to conform with the requirements of section 11 (b) (2) of the Act, or otherwise, to enter an order requiring that the $20,500,000 of open account indebtedness owing by it to Niagara Hudson Power Corporation shall be converted into common stock of New York

Power and Light Corporation, or otherwise subordinated to its publicly-held securities;

U. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, or to prevent the circumvention of the Act or any Rules, Regulations or Orders thereunder, or to protect the financial integrity or to safeguard the working capital of the companies in the Niagara Hudson holding company system, or to eliminate corporate complexities in the structure of such holding company system, or to cause the companies in such holding company system to conform with the requirements of section 11 (b) (2) of the Act, or otherwise, to enter an order prohibiting or restricting the payment and/or receipt of principal and interest on the inter-company loans and advances existing within the holding company system of Niagara Hudson as set forth in paragraph 9, 13 and 23 above, or to enter an order requiring that such inter-company loans and advances be converted into common stock of the individual debtor companies, or to require that the inter-company advances owing by Buffalo, Niagara and Eastern Power Corporation and Central New York Power Corporation be subordinated to their publicly-held securities.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions hereinbefore set forth or which may arise in these proceedings, or to consolidate these proceedings or any portion thereof with any proceedings which may be instituted subsequently under section 11 (b) (1), section 13, or other provisions of said Act with respect to Niagara Hudson Power Corporation and its subsidiary companies, and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That notice of said hearing is hereby given to Niagara Hudson Power Corporation and its subsidiaries listed in Paragraph 2 above, and particularly to Buffalo, Niagara and Eastern Power Corporation, Niagara Falls Power Company, Canadian Niagara Power Company, Ltd., Central New York Power Corporation, Northern Development Corporation, and New York Power and Light Corporation, to their respective security holders, all States, municipalities and political subdivisions of States within which are located any of the physical assets of said companies, or under the laws of which any of said companies are incorporated, all State Commissions, State Securities Commissions and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over such companies or over any of the businesses, affairs, or operations of any of them; that the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this Order by registered mail to such companies, The United Corporation, The United Gas Improvement Company, the Federal Power Commission, and Public Service Commission of the State of New York, not less than fifteen days prior to the date hereinbefore fixed as the date for filing of answers; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not less than fifteen days prior to the date hereinbefore fixed as the date of hearing; and

It is further ordered, That any person proposing to intervene or to be heard in these proceedings shall file with the Secretary of the Commission on or before the 25th day of September 1942 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That, upon the convening of the hearing above ordered, the Respondents shall show cause why the Commission shall not forthwith enter an Order prohibiting the declaration or payment of further dividends on the preferred and common stocks of Buffalo, Niagara and Eastern Power Corporation and also on the common stocks of Niagara Falls Power Company, as violative of section 12 (c) of the Public Utility Holding Company Act of 1935 and Rules thereunder; such Order to be effective until termination of the proceedings herein ordered and final determination of the issues stated above.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8477; Filed, August 29, 1942; 10:40 a. m.]

[File No. 70-591]

SOUTH CAROLINA ELECTRIC AND GAS CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

In the matter of South Carolina Electric & Gas Company, Lexington Water Power Company and General Gas & Electric Corporation.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 27th day of August, A. D. 1942.

Notice is hereby given that applications-declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by South Carolina Electric & Gas Company and Lexington Water Power Company, subsidiaries of General Gas & Electric Corporation, and by General Gas & Electric Corporation, a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

South Carolina Electric & Gas Company proposes to consolidate or merge with Lexington Water Power Company.

The consolidated company is to assume all the outstanding bonds and debentures, notes and accounts payable as well as all other liabilities of any kind whatsoever of both of the companies.

The consolidated company proposes to issue 70,000 shares of common stock with a par value of $100 per share; 146,266 shares of 5% preferred stock, with a par value of $50 per share; and proposes to authorize the issuance of 3,734 shares of 6% preferred stock, with a par value of $50 per share, to be issued in satisfaction of the conversion privilege of the public holders of $186,700 principal amount of 5½% Convertible Sinking Fund debentures, due January 1, 1953, in the event that such debenture holders elect to convert.

It is proposed that the consolidated company issue for each outstanding share of $6 prior preferred stock of South Carolina Electric & Gas Company two shares of 5% preferred stock of the consolidated company. In the event any holder of the $6 prior preferred stock of South Carolina Electric & Gas Company objects to the consolidation or merger and thereby becomes entitled to the agreed or appraised value of stock under the appraisal section of the South Carolina Statute, then each share of the $6 prior preferred stock is to have a value of $105, plus accumulated unpaid dividends, if any, to the effective date of the agreement, General Gas & Electric Corporation, holder of 24,371 shares of the total of 25,000 shares of the $6 prior preferred stock, has agreed to take the new stock and proposes to assent to the consolidation or merger.

It is also proposed that the consolidated company issue for each share of 7% preferred stock of South Carolina Electric & Gas Company two shares of 5% preferred stock of the consolidated company. To the holders of 588 shares of 7% preferred stock, being all the holders other than General Gas & Electric Corporation which holds 12,517 shares, it is proposed that in addition there be paid in cash the accumulated and unpaid dividends on the 7% preferred stock to the date from which dividends shall accumulate upon the shares of 5% preferred stock of South Carolina Electric & Gas Company. There is also a provision to the effect that if any holder of the 7% preferred stock objects to the consolidation or merger and becomes entitled thereby to the agreed or appraised value of his stock under the appraisal statute section of South Carolina Statute, then each share of 7% preferred stock of South Carolina Electric & Gas Company has a value of $110 and accumulated and unpaid dividends, if any, to the effective date of the agreement. General Gas & Electric Corporation has agreed to take the new stock.

No securities are to be issued for the common stock of Lexington Water Power Company. This stock is to be surrendered by General Gas & Electric Corporation for cancellation.

General Gas & Electric Corporation proposes to deliver to the consolidated company for cancellation at the effective date of the consolidation the following bonds and debentures:

$400 principal amount of Broad River Power Company (now South Carolina Electric & Gas Company) First and Refunding Mortgage 5% Gold Bonds, Series A, due September 1, 1954;

$612,700 principal amount Lexington Water Power Company First Mortgage 6% Gold Bonds, series due January 1, 1968;

$2,311,900 principal amount Lexington Water Power Company 5½% Convertible Sinking Fund Gold Debentures, due January 1, 1953.

General Gas & Electric Corporation proposes to retain $391,000 principal amount of South Carolina Electric & Gas Company 5% First and Refunding Mortgage Bonds due 1954 and $650,000 principal amount of Lexington Water Power Company 5% Mortgage Bonds due 1968.

The consolidated company will issue to General Gas & Electric Corporation 50,000 shares of 5% preferred stock and cash equal to the accrued interest on the surrendered bonds and debentures to the date on which dividends shall accumulate on the shares of the 5% preferred stock.

It is also proposed to issue to General Gas & Electric Corporation on the effective date of the agreement 100 shares of common stock with a par value of $100 each of the consolidated company in consideration of the payment of $1,735,000. The consolidated company will pay to General Gas & Electric Corporation the following amounts due, as of June 30, 1942, on open accounts and notes, to the holding company:

Due from South Carolina Co.:	
Open accounts	$1,175,026.60
6% Demand Note	14,750.00
Due from Lexington:	
Open accounts	471,577.19
5% Demand Note	64,729.59
Total	1,726,083.38

General Gas & Electric Corporation proposes to donate to the consolidated company on the effective date of the agreement $240,000 in cash.

Applicants-declarants state that the proposed consolidation and recapitalization program is related to the pending proceedings involving General Gas & Electric Corporation under section 11 (b) (2) and section 11 (e) of the Act. It is asserted that it appears feasible to develop a plan for the direct distribution of the assets of General Gas & Electric Corporation to its security holders and that the most effective way of satisfying the claims of the public holders of General Gas & Electric Corporation prior and preferred stocks is to make an exchange offer to them of preferred stock in operating subsidiaries of General Gas & Electric Corporation. The proposed plan of consolidation and recapitalization of South Carolina Electric & Gas Company and Lexington Water Power Company provides, it is maintained, for the issuance of such preferred stock in the amount required. Applicants-declarants assert that the program is, therefore, a first step in an over-all program for the distribution of the assets of General Gas & Electric Corporation and will aid in solving one of its major problems.

The applicants-declarants do not indicate the applicable sections of the Public Utility Holding Company Act of 1935 and the rules thereunder under which the filing has been made.

It appearing that it is appropriate and in the public interest and in the interests of investors and consumers that a hearing be held with respect to the filing made and that said declarations shall not become effective, said applications shall not be granted, and no other relief sought shall be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on such matters be held on September 23, 1942, at 10 o'clock, a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That without limiting the scope of the issues presented by the filing, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions are necessary and appropriate to effectuate the provisions of Section 11 (b);

2. Whether the plan or program proposed by applicants-declarants is fair and equitable to the persons affected by it;

3. Whether the retention of debt securities of the consolidated company by General Gas & Electric Corporation is consonant with the applicable standards of the Act;

4. Whether, in general, the various transactions composing the program comply with the applicable standards of the Act and the rules and regulations promulgated thereunder;

5. Whether terms or conditions are necessary to be imposed upon the various transactions which are the subjects of the filing to insure compliance with the requirements of the Act or any rules, regulations or orders promulgated thereunder.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearings aforesaid by mailing a copy of this order by registered mail to South Carolina Electric & Gas Company, Lexington Water Power Company and General Gas & Electric Corporation and that notice of the entry of this order for said hearing is hereby given to all holders of securities of South Carolina Electric & Gas Company, Lexington Water Power Company, and General Gas & Electric Corporation, to the Public Service Commission of the State of South Carolina, and to all other state commissions or other agencies, authorities or instrumentalities, municipalities or other political subdivisions having jurisdiction over said South Carolina Electric & Gas Company, Lexington Water Power Company and General Gas & Electric Corporation, or any one of them and to all other persons such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8475; Filed, August 29, 1942; 10:38 a. m.]

[File No. 70-577]

ILLINOIS IOWA POWER COMPANY

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of August A. D., 1942.

An application or declaration having been filed by Illinois Iowa Power Company pursuant to the Public Utility Holding Company Act of 1935 in regard to the acquisition by said company of preferred stock of Kewanee Public Service Company; and

The Commission having on August 12, 1942 issued its notice of and order for hearing in said matter and said order having set a date for hearing thereon on September 2, 1942; and

It appearing to the Commission that it is necessary to postpone the date of said hearing;

It is ordered, That the hearing in this matter be, and it hereby is, postponed to September 23, 1942, at 10 a. m., E. W. T., said hearing to be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk in Room 318.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8525; Filed, August 31, 1942; 10:01 a. m.]

Reference

Reference

SEP 3 1942

THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES

1934

VOLUME 7 NUMBER 173

Washington, Wednesday, September 2, 1942

The President

EXECUTIVE ORDER 9234

ESTABLISHING TEN WILDLIFE MANAGEMENT AREAS

NEW YORK

WHEREAS certain hereinafter-listed tracts of land in the State of New York, together with the improvements thereon, have been, or are in process of being, acquired by the United States in connection with the New York Land Project, LA-NY-4, Site 2, and New York Wildlife Project, LA-NY-5, Sites 1, 4, 5, 6, 7, 8, 9, 11, and 12, under authority of Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525); and

WHEREAS by Executive Order No. 7908[1], of June 9, 1938, all the right, title, and interest of the United States in such lands as were acquired, or are in process of acquisition, under Title II of the said National Industrial Recovery Act and the said Emergency Relief Appropriation Act of 1935 was transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the said Bankhead-Jones Farm Tenant Act and the related provisions of Title IV thereof; and immediately upon acquisition of legal title to those lands now in process of acquisition under the said acts, the said Executive order, under the terms thereof, will become applicable to all the additional right, title, and interest thereby acquired by the United States; and

WHEREAS the Secretary of Agriculture has recommended that jurisdiction over such lands be transferred to the Department of the Interior and that such lands be reserved as a refuge and breeding ground for native birds and other wildlife, under the conditions hereinafter stated:

[1] 3 F.R. 1389.

NOW, THEREFORE, by virtue of the authority vested in me by section 32, Title III of the said Bankhead-Jones Farm Tenant Act, and as President of the United States, it is ordered that, subject to valid existing rights, jurisdiction over the 47,207.55 acres, more or less, of lands, consisting of the tracts identified by number within the following-listed sites, together with the improvements thereon, acquired or in process of acquisition by the United States, be, and it is hereby, transferred to the Department of the Interior, together with such equipment in use in connection with such lands as may be designated by the Secretary of Agriculture, and the said lands are hereby reserved as a refuge and breeding ground for native birds and other wildlife and for research relating to wildlife and associated forest resources, under such conditions of use and administration as will best carry out the purposes of the land-conservation and land-utilization program for which such lands have been, or are being, acquired: *Provided, however,* (1) that such lands shall remain available to the State of New York for use and management by its Conservation Department, under the custody of the Fish and Wildlife Service of the Department of the Interior, so long as there remains in force and effect a lease or cooperative agreement between the United States of America and the State of New York providing for such use and management; and (2) that the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete their acquisition:

NEW YORK LAND PROJECT LA-NY-4

Site 2, Schuyler and Tompkins Counties

Tract No.	Tract No.	Tract No.	Tract No.
1	13	21	30
2	14	22	31
3	16	23	32
4	17	25	36
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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Bicycles (L–52, Am. 2)	6934
Cotton linters, etc. (M–12, Am. 1)	6932
Cyanamid (M–165, Am. 1)	6934
Lighting fixtures, fluorescent (L–78, Am. 3)	6934
Molasses (M–54, Am. 3)	6933
Rayon yarn (M–37–c, Am. 2)	6933
Replacement parts for automobiles, etc., material entering production (L–158, Am. 2)	6934
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Silver (M–199):	
Amendment 1	6935
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WAR SHIPPING ADMINISTRATION: General orders and supplements, amendments	6940

NEW YORK LAND PROJECT LA–NY–4—Con.

Site 2, Schuyler and Tompkins Counties—Continued

Tract No.	Tract No.	Tract No.	Tract No.
41	55	70	107
43	56	71	1509
44	57	72	1513
45	58	73	1519
46	60	74	1522
47	61	76	1523
48	62	79	1534
49	64	79a	1538
50	65	80	1539
50a	66	81	1541
51	67	84	1543
52	68	97	
54	69	106	

The reservation of Site 2 shall be known as the Cayuta Wildlife Management Area.

NEW YORK WILDLIFE PROJECT LA–NY–5

Site 1, Chautauqua County

Tract No.	Tract No.	Tract No.	Tract No.
46	54	68a	1805
48	56	1802	1841
49	67	1803	1861
50	68	1804	

The reservation of Site 1 shall be known as the Canadaway Wildlife Management Area.

Site 4, Allegany County

Tract No.	Tract No.	Tract No.	Tract No.
29a	48	66a	1810
34a	51	67	1811
34c	60	68a	1813
34d	63	69	1817
35	64	78	1843
44	65	78a	1844
46	66	79a	1854
47			

The reservation of Site 4 shall be known as the Marshall Wildlife Management Area.

Site 5, Allegany and Livingston Counties

Tract No.	Tract No.	Tract No.	Tract No.
24	45	56a	1828
26a	46	56b	1840
30	48	59	1845
31	53	62	1851
35	53a	1824	1857
37	55	1825	
44	56	1827	

The reservation of Site 5 shall be known as the Nunda Wildlife Management Area.

Site 6, Ontario and Yates Counties

Tract No.	Tract No.	Tract. No.	Tract No.
2, b, c	5b	35	60
3	8	35a	64
3a	19	43	1839
4	29	44	1842
5	30	45	
5a	34	51	

The reservation of Site 6 shall be known as the Naples Wildlife Management Area.

Site 7, Oswego County

Tract No.	Tract No.	Tract No.	Tract No.
1	16	38	1831
2	16a	39	1832
2a	17	40	1834
3	21	41	1835
4	21a	41a	1836
4b	22	47	1837
5	22a	51	1838
6	23	52	1846
6a	27	52a	1848
6b	28	53	1849
7	29	56	1852
7a	30	60a	1853
7b	31	65	1855
8	33	69	1856
10	34	1826	1858
12	35	1830	1860
13	36		

The reservation of Site 7 shall be known as the Albion Wildlife Management Area.

Site 8, Jefferson and Oswego Counties

Tract No.	Tract No.	Tract No.	Tract No.
1	29	43	59
1a	29a	43a	60
1b	30	46	61
7a	33	47	64
8	34	50	67
12a	35	55	1847
17	38	55a	1859
20	39a	56	
26	42	57	

The reservation of Site 8 shall be known as the Boylston Wildlife Management Area.

Site 9, Madison County

Tract No.	Tract No.	Tract No.	Tract No.
10	28	63a	1808
11	29	65	1809
12	30	66	1812
21	35	69	1815
23a	40	72	1821
25	41	1806	1822
26	63	1807	1823
27			

The reservation of Site 9 shall be known as the Tinselor Wildlife Management Area.

Site 11, Delaware County

Tract No.	Tract No.	Tract No.	Tract No.
1	9a	9–1	9w
2	9b	9m	9x
3	9c	9n	10
4	9d	9o	11
5	9e	9p	12
6	9f	9q	13
6a	9g	9r	14
6b	9h	9s	15
7	9i	9t	1800
8	9j	9u	1801
9	9k	9v	

The reservation of Site 11 shall be known as the Walton Wildlife Management Area.

Site 12, Albany County

Tract No.	Tract No.	Tract No.	Tract No.
6	23	38	52
9	24	39	53
11	25	41	1814
12	26	43	1816
14	32	44	1819
17	34	47	1820
20	35	48	1829
21	37	49a	1850
22			

The reservation of Site 12 shall be known as the Berne Wildlife Management Area.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 31, 1942

[F. R. Doc. 42–8556; Filed, August 31, 1942; 3:15 p. m.]

EXECUTIVE ORDER 9227

AMENDMENT OF EXECUTIVE ORDER NO. 4314 OF SEPTEMBER 25, 1925, ESTABLISHING RULES GOVERNING THE NAVIGATION OF THE PANAMA CANAL AND ADJACENT WATERS

Correction

The first sentence of Rule 98 appearing on page 6630 of the issue of Saturday, August 22, 1942, should read as follows:

"Rule 98. *Penalty for injuring or obstructing canal.* As provided by section 821 of title 5 of the Canal Zone Code, any person who by any means or in any way injures or obstructs or attempts to injure or obstruct any part of the Panama Canal or the locks thereof or the approaches thereto, shall be punished by imprisonment in the penitentiary for not more than twenty years, or by a fine of not more than $10,000, or by both."

Regulations

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

[Amendment 14]

DESIGNATION OF CERTAIN CONTROL AIRPORTS

AUGUST 29, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 601.3[1] so as to include in the proper alphabetical order the designation of the following airports as control airports:

City:	*Name of airport*
Cochise, Ariz.	Cochise Airport.
Elko, Nev.	Elko Airport.
Pocatello, Idaho	Pocatello Airport.
Reno, Nev.	United Airport.
Rock Springs, Wyo.	Rock Springs Airport.

This amendment shall become effective 0001 E. S. T., September 1, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42–8568; Filed, September 1, 1942; 9:54 a. m.]

[1] 6 F.R. 6822; 7 F.R. 2865, 3466, 4196.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3558]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

W. B. SAUNDERS COMPANY, ET AL.

§ 3.27 (b) *Combining or conspiring—To eliminate competition—In conspirators' goods:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of medical books, and on the part of respondent corporations (constituting, respectively, largest distributors of such books in New York and vicinity, in the Middle West, and in the South and Southwest), entering into, continuing, or carrying out, or directing, instigating, or cooperating in any mutual understanding, agreement, combination, or conspiracy to fix, establish, or maintain the prices of medical books, or to determine, establish, or control the territory in which any of said respondents offers for sale or sells medical books, and pursuant thereto, (1) refraining from offering for sale or selling medical books in any place, locality, or territory; and (2) fixing, establishing, or maintaining any price, discount, or other terms of sale for any medical book or books to any purchaser or class or group of purchasers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, W. B. Saunders Company, et al., Docket 3558, August 26, 1942]

In the Matter of W. B. Saunders Company; J. B. Lippincott Company; C. V. Mosby Company; Van Antwerp Lea and Christian Febiger, Copartners Doing Business Under the Firm Name and Style of Lea & Febiger; T. H. McKenna, Inc.; Chicago Medical Book Company; J. A. Majors & Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence with respect to respondent J. B. Lippincott Company taken before an examiner of the Commission theretofore duly designated by it and briefs filed by said respondent and by counsel for the Commission, and upon certain stipulations as to the facts entered into between W. T. Kelley, Chief Counsel for the Commission, and respondents other than J. B. Lippincott Company which provide, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon said respondents findings as to the facts and conclusion based thereon and an order disposing of the proceeding; and the Commission having made its findings as to the facts and its conclusion that certain of respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Chicago Medical Book Company, a corporation, T. H. McKenna, Inc., a corporation, and J. A. Majors & Company, a corporation, their officers, agents, and employees, or any two or more of said respondents, with or without the cooperation of others not parties hereto, in connection with the offering for sale, sale, and distribution of medical books in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, or carrying out, or directing, instigating, or cooperating in any mutual understanding, agreement, combination, or conspiracy to fix, establish, or maintain the prices of medical books, or to determine, establish, or control the territory in which any of said respondents offers for sale or sells medical books, and from doing any of the following acts or things pursuant thereto:

1. Refraining from offering for sale or selling medical books in any place, locality, or territory.

2. Fixing, establishing, or maintaining any price, discount, or other terms of sale for any medical book or books to any purchaser or class or group of purchasers.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That with respect to respondents W. B. Saunders Company, a corporation, J. B. Lippincott Company, a corporation, C. V. Mosby Company, a corporation, and Van Antwerp Lea and Christian Febiger, copartners trading under the firm name and style of Lea & Febiger, this proceeding be, and the same hereby is closed without prejudice to the right of the Commission, should future facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42–8553; Filed, August 31, 1942; 1:54 p. m.]

[Docket No. 4631]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PRINCESS YARN COMPANY

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) using the word "Cashmere", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to

designate, describe, or refer to any product which is not composed entirely of hair of the Cashmere goat; (2) using the word "Angora", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat; (3) using the word "Shetland", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool of Shetland sheep raised on the Shetland Islands or the contiguous mainland of Scotland; and (4) using the word "Tweed", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool; prohibited, subject to the respective provisions, however, as respects aforesaid prohibitions, that (1) in the case of a product composed in part of hair of the Cashmere goat and in part of other fibers or materials, word "Cashmere" may be used as descriptive of the cashmere fiber content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; that (2) in the case of a product composed in part of hair of the Angora goat and in part of other fibers or materials, word "Angora" may be used as descriptive of the Angora content, subject to the qualification hereinbefore set forth; that (3) in the case of a product composed in part of wool of Shetland sheep and in part of other fibers or materials, word "Shetland" may be used as descriptive of the Shetland wool content, subject to the aforesaid qualification; and that (4) in the case of a product composed in part of wool and in part of other fibers and materials, word "Tweed" may be used as descriptive of the wool content, subject to the aforesaid qualification; and subject to further proviso that no provision of order in question shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Princess Yarn Company, Docket 4631, August 25, 1942]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Foreign, in general:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general:* § 3.96 (a) *Using misleading name—Goods—Composition:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign, in general.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) using the word "Scotch", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product not imported from Scotland or made of materials imported from Scotland; and (2) using the word "Saxony", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product not imported from the Province of Saxony or made of materials imported from the Province of Saxony; prohibited, subject, however, to provision as respects former prohibition, that in the case of a product composed in part of wool imported from Scotland and in part of other fibers or materials, word "Scotch" may be used as descriptive of the content imported from Scotland if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; and subject to provision as respects latter prohibition, that in the case of a product composed in part of wool imported from Saxony and in part of other fibers or materials, word "Saxony" may be used as descriptive of the content imported from the Province of Saxony, subject to aforesaid qualification; and subject to the further proviso that no provision of order in question shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Princess Yarn Company, Docket 4631, August 25, 1942].

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, using the word "Silk", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of silk, the product of the cocoon of the silkworm; prohibited, subject to the provision, however, that in the case of material composed in part of silk, the product of the cocoon of the silkworm and in part of other fibers or materials, word "Silk" may be used as descriptive of the content which is silk, the product of the cocoon of the silkworm, if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; and subject to the further proviso that no provision of order in question shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Princess Yarn Company, Docket 4631, August 25, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.66 (g) *Misbranding or mislabeling—Producer status of dealer or seller:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) advertising, offering for sale, or selling, products composed in whole or in part of rayon without clearly disclosing such rayon content; and (2) representing or implying by the use of the word "Factory", or in any manner whatsoever, that respondents own, control, or operate a factory in which the yarns they offer for sale or sell are made, or representing or implying in any manner that yarns or other products not manufactured by respondents are manufactured by them; prohibited, subject to provision, however, as respects said first prohibition, that when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed; and subject to further proviso that no provision of order in question shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulation promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Princess Yarn Company, Docket 4631, August 25, 1942]

In the Matter of Abraham Welkin and Minnie Welkin, His Wife, Individually and Trading as Princess Yarn Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended and supplemental complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief filed by counsel for the Commission, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Abraham Welkin and Minnie Welkin, individually and trading as Princess Yarn Company, or under any other name, jointly or severally, their representatives, agents, or employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of knitting yarns in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Cashmere", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Cashmere goat: *Provided, however*, That in the case of a product composed in part of hair of the Cashmere goat and in part of other fibers or materials, such word may be used as descriptive of the cashmere fiber content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

2. Using the word "Angora," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat: *Provided, however*, That in the case of a product composed in part of hair of the Angora goat and in part of other fibers or materials, such word may be used as descriptive of the angora fiber content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

3. Using the word "Shetland," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool of Shetland sheep raised on the Shetland Islands or the contiguous mainland of Scotland: *Provided, however*, That in the case of a product composed in part of wool of Shetland sheep and in part of other fibers or materials, such word may be used as descriptive of the Shetland wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

4. Using the word "Tweed", or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool: *Provided, however*, That in the case of a product composed in part of wool and in part of other fibers or materials, such word may be used as descriptive of the wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

5. Using the word "Scotch," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product not imported from Scotland or made of materials imported from Scotland: *Provided, however*, That in the case of a product composed in part of wool imported from Scotland and in part of other fibers or materials, such word may be used as descriptive of the content imported from Scotland if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

6. Using the word "Saxony," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product not imported from the Province of Saxony or made of materials imported from the Province of Saxony: *Provided, however*, That in the case of a product composed in part of wool imported from Saxony and in part of other fibers or materials, such word may be used as descriptive of the content imported from the Province of Saxony if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

7. Using the word "Silk," or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of silk, the product of the cocoon of the silkworm: *Provided, however*, That in the case of material composed in part of silk, the product of the cocoon of the silkworm and in part of other fibers or materials, such word may be used as descriptive of the content which is silk, the product of the cocoon of the silkworm, if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

8. Advertising, offering for sale, or selling, products composed in whole or in part of rayon without clearly disclosing such rayon content; and when products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed;

9. Representing or implying by the use of the word "Factory," or in any manner whatsoever, that respondents own, control, or operate a factory in which the yarns they offer for sale or sell are made, or representing or implying in any manner that yarns or other products not manufactured by respondents are manufactured by them.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That no provision of this order to cease and desist shall be construed as relieving respondents in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-8552; Filed August 31, 1942; 1:54 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1444]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of District Board No. 15 for establishment of price classifications and minimum prices for all shipments except truck for the coals of certain mines in Production Group No. 9 of District No. 15.

A petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 and Orders Nos. 303 and 305, having been filed with the Bituminous Coal Division by District Board 15 requesting temporary and permanent relief by amending the District 15 minimum price schedule for all shipments except truck as follows:

1. By establishing the price classification "A" for all shipments except truck for the coals of ten mines in Production Group 9 of District 15 in Size Groups 1 to 4, 6, 8 to 10, and 14;

2. By establishing minimum prices 80 cents per ton lower in Size Groups 1 to 3, inclusive, than the truck prices for the mines in Production Group 9 having "A" grade coals; 50 cents per ton lower in Size Group 4; 20 cents per ton lower in Size Group 6; and the same in Size Groups 8 to 10, and 14, for shipment to Market Areas 154 to 157, inclusive, in Arkansas;

3. By establishing minimum prices 50 cents per ton higher than said truck prices in Size Groups 1 to 4, and 9, and 40 cents per ton higher in Size Groups 6, 8, 10, and 14, for the mines in Production Group 9 having "A" grade coals, for shipments to Market Area 212 in Oklahoma and Market Areas 226 and 227;

4. By establishing minimum prices 50 cents per ton higher than said truck prices in Size Groups 1 to 4, 6, 8, and 9, and 40 cents per ton higher in Size Groups 10 and 14 for the mines in Production Group 9 having "A" grade coals, for shipments to Market Area 212 in Texas and Market Areas 228 and 229;

5. By permitting the aforementioned minimum prices to be adjusted to effect an equal delivered price with Production Group 8 coals, but not to exceed a reduction of 60 cents per ton from the schedule prices;

6. By prohibiting said Production Group 9 from establishing the base at any destination in Market Area 212 in Oklahoma and Market Areas 226 and 227;

7. By establishing a minimum price of $2.10 per ton f. o. b. the mine for the coals of the mines in Production Group 9 having "A" grade coals, for railroad locomotive fuel use;

By Order of May 15, 1942, 7 F.R. 3794, temporary relief having been granted by establishing the requested price classifications and minimum prices for said mines;

Pursuant to orders of the Acting Director and after one continuance at the request of petitioner, a hearing having been held in this matter on July 7, 1942, before Examiner Joseph D. Dermody at a hearing room of the Division in Washington, D. C., at which all interested persons were afforded an opportunity to be present and in which they were permitted to participate fully;

The parties having waived the preparation and filing of a report by the Examiner, and the record thereupon having been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law, and having rendered an Opinion, which are filed herewith;

Now, therefore, it is ordered, That § 335.5 (*Alphabetical list of code members*), § 335.7 (*General prices; domestic, commercial and industrial coal schedule*) and § 335.8 (*Special prices*—(b) *Railroad locomotive fuel*) in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck be and it hereby is amended, effective 15 days from the date of this Order, as follows:

1. By terminating all temporary relief previously granted in this proceeding;

2. By establishing in § 335.5 the price classifications for the ten Production Group 9 mines as set forth in Supplement R–I annexed hereto and made a part hereof;

3. By establishing in § 335.7 minimum prices for the coals of the mines in Production Group 9 having "A" grade coals, by appending thereto a note reading as follows and as appearing in Supplement R–II annexed hereto and made a part hereof:

Production Group 9 "A" grade coals shall deliver at prices not less than those at which Production Group 8 "A" grade coals deliver.

4. By establishing in § 335.8 (b) the railroad locomotive fuel prices, for the coals of the mines in Production Group 9 having "A" grade coals, as set forth in Supplement R–III annexed hereto and made a part hereof.

It is further ordered, That the prayers for relief contained in the petition filed herein be and they hereby are granted to the extent set forth above and denied in all other respects.

Dated: August 22, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 15

NOTE: The material in these supplements is to be read in the light of the classifications, prices, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.5 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine Index No.	Mine name	Prod. group No.	Shipping point	Railroad	Frt. origin group No.	Price classification by size group 1	2	3	4	6	8	9	10	14
Cleland, Arch (Cleland Coal Company)	538	Cleland	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Dawley Coal Co. (J. W. Samuel)	577	Dawley	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
E. and C. Coal Co.	601	E. & C.	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Glasco & Miller	649	Glasco & Miller	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Jones Coal Company, Inc., Tom	1611	Tom Jones # 3	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Mitcham, E. M. (Green Briar Coal Company) [1]	1605	Green Briar Coal	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Peters Coal Company (Matt Peters)	1458	No. 1	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Phillips Coal Company (M. F. Jones)	891	Phillips	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
S. H. & S. Coal Company (William Sandmann)	1538	S. H. & S. Coal Co.	9	Coalgate, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A
Wells Coal Company	1048	Wells	9	Lehigh, Okla.	O. C. A. A.	107	A	A	A	A	A	A	A	A	A

"A" is Market Area list price as listed in Price Schedule No. 1.

[1] Change in code membership. Previously classified as Jones Coal Company, Inc., Tom.

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Supplement R–II. Section 335.7 in the Schedule of Effective Minimum Prices for District No. 15 for all Shipments Except Truck shall be amended by appending thereto a note reading as follows: Production Group 9 "A" grade coals *shall* deliver at prices not less than those at which Production Group 8 "A" grade coals deliver.

§ 335.8 *Special prices*—(b) *Railroad locomotive fuel*—Supplement R–III. Railroad locomotive fuel schedule—Part 3. Minimum prices f. o. b. mines in cents per ton of 2000 lbs.

PRODUCTION GROUP No. 9

Railroad locomotive fuel	210

[F. R. Doc. 42–8537; Filed, August 31, 1942; 11:35 a. m.]

[Docket No. A–1533]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT No. 15

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15 for all shipments except truck and for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for this District and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Prod. group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Elmira Coal Company	48	Elmira	4	Elmira, Missouri	CRI&P-CMStP&P	168	(*) A	(*) A	(*) A	(*) A	(*) C	(*) C	(*) C	(*) C	---- A	(*) C	(*) A	(*) A	▲ ----	(*) A	(*) A
Pioneer Coal Company, The	1621	Pioneer #3	2	Walker, Missouri	MKT	152															

"A" is Market Area list price as listed in Minimum Price Schedule.

*Previously classified for these size groups. No changes requested.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member	Mine Index No.	Mine name	Prod. group No.	County	3" Lump 1	¾" Up 2	10" x 1¾" 3	10" x 1¼" 4	3" x 2" 5	3" x 1¾" 6	2" x 1¾" 7	1¾" x 1" 8	Mine run 9	3" x 0 10	1¼" x ⅞" 11	1¼" x ¼ (R) 12	1¼" x 0 (W) 13	1¼" x 0 (R) 14	¼" x 0 15
Elmira Coal Company.	48	Elmira	4	Ray, Missouri	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	...	(*)	(*)	(*)	205	(*)	(*)
Pioneer Coal Company, The.	1621	Pioneer No. 3.	2	Vernon, Missouri.	250	250	250	250	225	210	195	190	210	185	185	170	...	150	35

*Previously priced for these size groups. No changes requested.

[F. R. Doc. 42–8538; Filed, August 31, 1942; 11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXI]

PART 804—INDIVIDUAL LICENSES

COAL TAR COLORS, DYES, STAINS, AND COLOR LAKES

Section 804.7 [1] *Special provisions concerning applications to export certain commodities* is amended by adding the following new paragraph: • • •

(m) *Coal tar colors, dyes, stains, and color lakes.* All applications for licenses to export coal tar colors, dyes, stains and color lakes must be prepared in accordance with the following requirements:

(1) The color index number must be stated, or, if there is no color index number, the basic organic raw material included in the dye must be specified.

(2) The compounds must be classified according to the following table, stating the quantity of each class:

(i) Acetate.
(ii) Acid.
(iii) Azoic.
(iv) Basic.
(v) Direct.
(vi) Oil and spirit soluble.
(vii) Mordant and chrome.
(viii) Sulphur.

[1] 7 F. R. 5081, 6256.

(ix) Vat—Anthraquinone, Indigo, other vats.

(x) Organic pigments.

This amendment shall become effective September 15, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951).

F. R. KERR,
Colonel, Infantry
Chief, Export Control Branch,
Office of Exports.

Dated: August 27, 1942.

[F. R. Doc. 42-8570; Filed, September 1, 1942; 10:09 a. m.]

[Amendment No. XXXII]

PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS

Paragraph (d) *Where to file* of § 808.6[1] *Application procedure* is hereby amended to read as follows:

§ 808.6 *Application procedure.* • • •

(d) *Where to file.* (1) The application shall be filed with the Export Control Branch, Washington, D. C., except as provided in Subparagraph (2) hereof.

(2) Applications for freight space for shipments which originate in Canada and which are to be transshipped from a United States port, or for shipments which originated in Canada and which are in the United States awaiting transshipment, shall be filed with the Canadian Shipping Priorities Committee, West Block, Ottawa, Canada, on the form prescribed by said Committee.

Subparagraph (2) of paragraph (e) *preparation of application* of § 808.6 *Application procedure* is hereby amended to read as follows:

(e) *Preparation of application.* • • •

(2) Where the applicant desires to ship a number of items destined to one or more ultimate consumers or purchasers from one or more licensees (or one or more exporters in the case of merchandise moving under general license), and the shipment is made by a single consignor to a single consignee, one consolidated application for freight space must be filed if the weight of the shipment exceeds 2240 pounds, except as provided below:

(i) If the proposed shipment includes materials in excess of 2240 pounds carrying an A and/or B shipping rating, and also includes materials in excess of 2240 pounds carrying a C and/or D shipping rating, separate applications may be filed for the material carrying the A and/or B rating and the material carrying the C and/or D rating; or

(ii) If the proposed shipment includes material in excess of 2240 pounds moving under individual license or licenses, and also includes materials in excess of 2240 pounds moving under general license or licenses, separate applications may be filed for the material moving under individual license and the material moving under general license.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch
Office of Exports.

Dated: August 28, 1942.

[F. R. Doc. 42-8571; Filed, September 1, 1942; 10:09 a. m.]

[1] 7 F.R. 5267.

Chapter IX—War Production Board

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 16 to Supplementary Order M-15-b-1]

Section 940.5 *Supplementary Order M-15-b-1*[1] is amended as follows:

1. By changing paragraph (b) (3) thereof to read as follows:

(3) Rubberized fabrics for protective clothing (other than footwear and gloves) ---------- List 3

2. By substituting the attached revised List 3 for List 3 now attached to such order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 3

[Revised effective September 1, 1942]

Specifications for the manufacture of rubberized fabrics for protective clothing (other than footwear and gloves). (1) Except as provided in paragraph (8) hereof, no person shall use any rubber, latex, reclaimed or scrap rubber in the manufacture of rubberized fabrics for protective clothing, except footwear, gloves and industrial occupational protective clothing consisting of pants, coats, jackets, hats, aprons, firemen's and policemen's clothing, parkas, ponchos, and rain suits.

(2) Except as provided in paragraph (8) hereof, the specifications set forth in this revised List 3 shall apply to all purchase orders including war orders and orders placed by any department or agency of the United States Government.

(3) No crude rubber or latex shall be used in compounds for rubberizing the fabrics for these products.

(4) Single coated fabrics shall contain not more than 12 ounces of compounds per square yard.

(5) Double coated fabrics shall contain not more than 19 ounces of compounds per square yard.

(6) Double texture fabrics shall contain not more than 10 ounces of compounds per square yard.

(7) Crude rubber may be used in the manufacture of cements and/or tapes necessary for seaming in the manufacture of these products.

(8) The restrictions and specifications imposed by this revised List 3 shall not apply to:

(i) Rubber life saving suits designed for use by seamen.

(ii) Aviation waders, self-inflating life preservers, dual tube belts and ponchos when required to fill war orders.

(iii) Commercial diving equipment.

(iv) Raincoats and parkas scheduled for delivery to or for the account of the United States Navy at any time prior to October 1, 1942, under the delivery schedules of purchase orders in existence on August 1, 1942.

[F. R. Doc. 42-8577; Filed September 1, 1942; 11:14 a. m.]

[1] 7 F.R. 967, 2344, 2346, 2449, 2595, 2782, 3389, 4448, 5019, 5296, 5592, 5603, 5748, 5984, 6071, 6211, 6465, 6676.

PART 942—COTTON LINTERS AND HULL FIBRE

[Amendment 1 to General Preference Order M-12, as Amended July 22, 1942]

Section 942.1 *General Preference Order M-12*, as amended July 22, 1942[1] is hereby amended in the following respects:

1. By striking paragraph (b) of said section and inserting in lieu thereof the following:

(b) *Restrictions on delivery and use.* (1) On and after August 1, 1942, no person shall deliver hull fibre to any person other than producers of chemical cotton pulp and no person, other than such producers, shall accept delivery of or use hull fibre, subject to the exemption provided for in paragraph (b) (5) hereof and to the provisions covering special permits set forth in paragraph (e) hereof.

(2) On and after September 1, 1942, the effective date of this amendment, no person shall deliver cotton linters to any person other than Commodity Credit Corporation and no person, other than Commodity Credit Corporation, shall accept delivery of cotton linters, subject to the provisions covering deliveries by Commodity Credit Corporation provided for in paragraph (b) (3) hereof, the exemption provided for in paragraph (b) (5) hereof and the provisions covering special permits set forth in paragraph (e) hereof.

(3) Commodity Credit Corporation shall deliver cotton linters only to such persons, in such amounts and from such sources as may from time to time be designated by the Director General for Operations, and such persons shall have the right to accept any delivery made pursuant to this paragraph (b) (3).

(4) Producers of chemical cotton pulp shall use cotton linters and hull fibre only in the manufacture of chemical cotton pulp.

(5) The restrictions provided for in paragraphs (b) (1) and (b) (2) hereof, shall not apply to delivery, acceptance of delivery or use of cotton linters or hull fibre acquired or produced prior to August 1, 1942: *Provided, however,* That any such delivery, acceptance of delivery or use shall be subject to all restrictions with respect thereto imposed under General Preference Order No. M-12, as in effect prior to July 22, 1942.

2. By striking paragraph (c) of said section and inserting in lieu thereof the following:

(c) *Compulsory acceptance of orders.* (1) Each producer and each importer of cotton linters shall, to the extent of his production or importation, fill all orders of Commodity Credit Corporation for cotton linters without regard to preference ratings, at not to exceed regularly established prices and terms of sale or payment.

(2) Each producer and each importer of hull fibre shall, to the extent of his production or importation, fill all orders of producers of chemical cotton pulp for hull fibre, in the order in which received and without regard to preference ratings, at not to exceed regularly established prices and terms of sale or payment. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E. O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8576; Filed, September 1, 1942; 11:14 a. m.]

[1] 7 F.R. 1719, 3660.

PART 980—RAYON YARN

[Amendment 2 to Supplementary Order M-37-c]

Section 980.4 *Supplementary Order M-37-c*[1] is hereby amended in the following respects:

1. Paragraph (c) is amended to read as follows:

(c) *Directions with respect to export orders.* (1) On and after April 1, 1942, each producer of viscose, acetate or cuprammonium rayon yarn shall, notwithstanding any preference rating which may be served upon him, each day set aside, to the extent that he possesses active spindles capable of producing fine rayon yarn, an amount of such yarn equal to the production of 4% of the total number of his active spindles producing viscose, acetate and cuprammonium rayon yarn, respectively. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule.

(2) Export yarn shall be disposed of to or for the account of foreign manufacturers on orders placed with the producers for the fulfillment of which export licenses have been secured. Such orders shall show the foreign manufacturer's basic quarterly eligibility for the quarter in which the export yarn is to be exported, the amount thereof to be covered by the particular order, and the amounts thereof covered by orders theretofore booked by any rayon producer.

(3) Each producer shall open his books for the booking of orders for export yarn for any calendar quarter not less than 45 days prior to the commencement of such calendar quarter. Each producer shall continue to book orders for any export yarn not covered by orders already placed, and the export licenses for the fulfillment of which have not been denied, until the close of the calendar quarter.

(4) No producer shall sell or deliver any export yarn to or for the account of any foreign manufacturer in excess of the equivalent of the basic quarterly eligibility shown on such foreign manufacturer's order, less the amounts thereof covered by orders theretofore booked by any rayon producer, as shown thereon.

(5) All export yarn set aside from the production of any one month during any calendar quarterly period, pursuant to the provisions of this order, and which has not been delivered or booked during said month, shall be held for delivery or booking until the end of the said calendar quarterly period, and, if not then booked or delivered, shall, notwithstanding the provisions of General Exports Order M-148, be immediately available for sale to any person otherwise eligible to purchase such yarn.

(6) A foreign manufacturer may place orders for export yarn either directly or through an agent, but no foreign manufacturer shall resell any export yarn in yarn form, unless specifically authorized by the Director General for Operations.

2. Paragraph (d) (5) is amended to read as follows:

(5) In making sales or deliveries of any rayon yarn, no person shall make discriminatory cuts in amounts or quantities between former customers and new customers or between new customers, who meet such person's regularly established prices and terms, and, except as provided in paragraph (d) (1) (ii) (c) no person shall discriminate between such former customers, new customers, and his own consumption of such rayon yarn in any capacity: *Provided, however,* That sales or deliveries of reserved domestic yarn to domestic manufacturers for the manufacture of hosiery pursuant to paragraph (d) (1) (ii) (c) which are not in excess of quantities necessary to permit of economical operation by the manufacturer, taking into account the size of the manufacturer's plant and the equipment therein, shall in no case be considered as resulting in discriminatory acts to others. In determining the regular eligibility for rayon yarn other than reserved domestic yarn and export yarn, of customers of any producer (i. e., the amount of the residual supply, after providing for reserved domestic yarn and export yarn, which the producer will sell to such customer) in accordance with whatever method consistent with this subparagraph is adopted by the producer, amounts of reserved domestic yarn or export yarn to which any customer may be entitled shall not be considered in computing such regular eligibility nor shall such regular eligibility be diminished by the amounts of such reserved domestic yarn or export yarn.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8578; Filed, September 1, 1942; 11:15 a. m.]

[1] 7 F.R. 2384, 3479, 3882.

PART 1031—MOLASSES

[Amendment 3 to General Preference Order M-54, as Amended March 27, 1942]

1. Section 1031.1 *General Preference Order M-54*, as amended March 27, 1942[1] is hereby amended in the following particulars:

(1) By striking paragraph (a) (18) of said section and inserting the following in lieu thereof:

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(2) By striking the words "calendar year" wherever the same occur in paragraph (c) of said section and inserting in lieu thereof the words "fiscal year".

(3) By adding one new paragraph to said section, designated paragraph (o).

(o) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8579; Filed, September 1, 1942; 11:15 a. m.]

[1] 7 F.R. 2384, 3479, 3882.

PART 1104—BICYCLES

[Amendment 2 to General Limitation Order L–52]

WESTFIELD MANUFACTURING CO. AND HUFFMAN MANUFACTURING CO.

Section 1104.1 *General Limitation Order L–52*[1] is hereby amended in the following particulars:

Paragraph (b) (8) is hereby amended by striking out the word "On" at the beginning of the subparagraph and inserting therefor the words, "Except as provided in paragraph (b) (9) of this order, on".

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraph:

(9) Notwithstanding the provisions of paragraph (b) (8) of this order, but subject to the restrictions stated below, the following bicycle manufacturers may manufacture, during the month of September 1942, and during each calendar month thereafter until otherwise provided by the Director General for Operations, the following number of bicycles:

Name of manufacturer:	*Number of bicycles*
Westfield Manufacturing Co. Westfield, Mass.	6,000
Huffman Manufacturing Co., Dayton, Ohio	4,000

Provided, That,

(i) If at any time during any given month it is necessary to manufacture military type bicycles on direct order of and for direct delivery to the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the armed forces of any country including those in the Western Hemisphere pursuant to the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and the manufacture of such military type bicycles at that time would result in the quota of bicycles specified above being exceeded, such quota may be exceeded in any given month to the extent necessary to manufacture such military bicycles, provided that no civilian type bicycles are manufactured thereafter during such month.

(ii) No trade name or trade-mark shall be placed upon any bicycle manufactured after August 31, 1942, pursuant to this subparagraph (b) (9). However, the Westfield Manufacturing Company may place the letter "W" next to the serial number of each bicycle it manufactures, and the Huffman Manufacturing Company may place the letter "H" next to the serial number of each bicycle it manufactures.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8572; Filed, September 1, 1942; 11:14 a. m.]

[1] 7 F.R. 1980, 5509.

PART 1153—FLUORESCENT LIGHTING FIXTURES

[Amendment 3 to Limitation Order L–78]

Section 1153.1 *General Limitation Order L–78*[1], as amended April 23, 1942, and June 13, 1942 is hereby further amended by striking out the last sentence of Amendment No. 2 issued on June 13, 1942 and substituting the following:

Limitation Order L–78 as amended shall continue in effect through the first day of October 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8573; Filed, September 1, 1942; 11:14 a. m.]

PART 1265—CYANAMID

[Amendment 1 to General Preference Order M–165]

Section 1265.1 *General Preference Order M–165*[1] is hereby amended by striking the period at the end of paragraph (a) (1) of said section and inserting at that point the following:

* * * and such term also includes the following derivatives of cyanamid: cyanides, melamine, guanidine and dicyandiamide.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8582; Filed, September 1, 1942; 11:15 a. m.]

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Amendment 2 to Limitation Order L–158]

Section 1297.1 *Limitation Order L–158*,[1] is further amended in the following particulars:

1. Paragraph (b) (1) *Protection of production schedules* is hereby amended to read as follows:

(b) (1) *Protection of production schedules.* Producers of replacement parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA–2X.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8574; Filed, September 1, 1942; 11:14 a. m.]

PART 3019—TOILETRIES AND COSMETICS

[Interpretation 1 of General Limitation Order L–171 and Schedules 1 and 2]

The following official interpretation is hereby issued by the Director General for Operations with respect to §§ *3019.1, 3019.2 and 3019.3 General Limitation Order L–171*[1] *and Schedules 1 and 2 to General Limitation Order L–171:*

(a) The word "product", as used in Order L–171 and Schedules 1 and 2 thereto, refers to classes of toiletries and cosmetics, such as those named in Lists 1, 2 and 3, attached to Schedule 1, rather than to the individual items coming within such classes. For example, even though a person has three different types or brands of "cleansing cream" in his line, the product is "cleansing cream", and the three different types or brands are merely varieties of the single product. Thus, in determining permitted production of cleansing cream under Schedule 1, the total production of all three types or brands of cleansing cream during 1941 determines the person's production quota for this product.

Similarly, "tooth cleanser" is the single product, regardless of whether or not a person produces a powder, a paste and a liquid tooth cleanser, and regardless of whether or not one variety comes within List 1 and the other two come within List 2 because of the ingredients contained therein.

Under this interpretation of the word "product," a person may from time to time make changes in the varieties of the product in his line, so long as his production and sales of the product remain within the limitations prescribed by Schedule 1.

The same interpretation of the word "product", of course, applies with regard to the provisions of Schedule 2.

(b) The following calculating proccdures should be used in determining quotas under paragraph (b) (1) of Schedule 1:

(1) In determining the total amount of production of a certain toiletry or cosmetic product, as to quantity (bulk), which is permitted under the provisions of paragraph (b) (1) of Schedule 1, a person is required to add together the quantity of this product that he produced under his name or brand and the quantity that he caused to be produced under his name or brand during 1941, and then apply the appropriate percentage

[1] 7 F.R. 5510, 5511.

figure set forth in paragraph (b) (1). This calculation will give the permitted production, as to quantity, of this particular product. This production may be obtained either through the person producing the product himself, or through his causing it to be produced, or both, regardless of how it was obtained in 1941.

In determining the permitted production of the product, as to number of marketable units, the same calculating procedure should be used.

(2) In determining the total amount of a certain toiletry or cosmetic product, as to quantity (bulk), that a person may sell under the provisions of paragraph (b) (1) of Schedule 1, the person is required to take the quantity that he sold under his name or brand during 1941 and then apply the appropriate percentage figure set forth in paragraph (b) (1). This calculation will give the permitted sales, as to quantity, of this particular product.

In determining the total number of marketable units of the product that may be sold, the same calculating procedure should be used.

All provisions of paragraph (b) (1) of Schedule 1 relating to "sales" refer to "gross sales" rather than "net sales."

(c) Some questions have arisen with regard to the determination of the quota under Schedule 1 for a product which includes one or more varieties coming within List 1 and one or more varieties coming within List 2. Any variety of the product coming within List 1 may be produced and sold without limitation. The quota for all varieties (in total) of the product coming within List 2 is determined by taking the entire production and sales of the product (including all varieties thereof) in 1941 and applying the percentages specified for List 2.

(d) Sizes, such as sample sizes and tester sizes, which are not offered for sale nor sold in any manner by the person under whose name or brand they are produced or caused to be produced, are not to be regarded as consumer sizes, or professional or service sizes, under the provisions of Schedule 2.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8575; Filed, September 1, 1942; 11:14 a. m.]

PART 3022—SILVER

[Amendment 1 to Conservation Order M–199]

Section 3022.1 *Conservation Order M–199*[1] is hereby amended as follows:

(a) By adding the following sentence to paragraph (a) (1):

The term does not include alloyed gold produced in accordance with U. S. Commerce Standards CS 51–35 and CS 67–38.

(b) By adding the following sentence at the end of paragraph (a) (7):

The term does not include sand-bobbing, buffing, or polishing an assembled article.

(c) By adding the following subparagraphs to paragraph (a):

(10) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manufacturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(11) The term "receive" shall not be deemed to include a receipt of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the receipt under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8580; Filed, September 1, 1942; 11:15 a. m.]

PART 3022—SILVER

[Interpretation 1 of Conservation Order M–199]

The following official interpretation of § 3022.1, of *Conservation Order M–199*,[1] is hereby issued by the Director General for Operations:

Conservation Order M–199 imposes certain limitations upon the amount of foreign silver which a manufacturer may put into process for restricted uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented as to whether the processing of this reformed scrap must be considered as coming within the meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a restricted use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of Order M–199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a restricted use of a given amount of silver. It shall not be deemed to cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the processing for a restricted use of reformed scrap which was produced in a manufacturing operation which is not restricted under the order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8581; Filed, September 1, 1942; 11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[Amendment 8 to Revised Price Schedule 49[1]]

RESALE OF IRON AND STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1306.157 is amended to read as hereinafter set forth and a new paragraph (q) is added to § 1306.159.

§1306.157 *Definitions.* * * *

(c) "Iron or steel product" includes all iron or steel ingots, all semi-finished iron or steel products, all finished hot rolled or cold rolled iron or steel products, and all iron or steel products further finished (by galvanizing, enameling, plating, coating, drawing, extruding, or otherwise) in a manner commonly performed at steel works or rolling mills, and shall include all products listed in the table of Capacity and Production for Sale contained in the Annual Statistical Report of the American Iron and Steel Institute for 1939, pages 42–43: *Provided*, That

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 3330, 3893, 4342, 5176, 6385.

[1] 7 F.R. 5865, and *infra*.

[1] 7 F.R. 5865.

the term shall not include pig iron. Any iron and steel products as defined above subject to the operations of pickling, cutting by machine or flame, bending and threading of pipe, shall be considered a part of this definition of iron or steel products. This definition includes primes, seconds, wasters and all other off-grade products including used products. The term "iron or steel products" includes concrete reinforcing bars, and structural steel shapes, but not the fabrication thereof except as Price Schedule No. 49 is otherwise amended. The term "iron or steel products" also includes cut nails allocated and sold to distributors under directive order, dated July 23, 1942, issued by the Director of Industry Operations, War Production Board.

§ 1306.159 *Appendix A: Domestic and export maximum prices for iron and steel products.* • • •

(q) The maximum prices for sellers of cut nails specifically allocated and sold to distributors under directive order, dated July 23, 1942, issued by the Director of Industry Operations, War Production Board, shall be as follows:

(1) On sales by those distributors specifically allocated such cut nails, delivered cost from mill plus 50¢ per keg.

(2) On sales by persons who have purchased cut nails from such distributors, delivered cost plus 75¢ per keg.

(3) On sales by any other seller, a price approved by the Office of Price Administration after application by the seller.

(4) The prices set forth in (1), (2) and (3) above shall be f. o. b. seller's warehouse, except that no delivery charge shall be made for deliveries within the seller's customary free delivery area.

§ 1306.158a *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§§ 1306.157 (c) and 1306.159 (q)) to Revised Price Schedule No. 49 shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8560; Filed, August 31, 1942; 4:25 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 1 to Maximum Price Regulation 200 [1]]

RUBBER HEELS, RUBBER HEELS ATTACHED AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (e) (2) in § 1315.1420 is amended and a new § 1315.1419a is added, as set forth below:

§ 1315.1420 *Appendix A—Maximum prices for rubber heels, rubber heels attached and attaching rubber heels.* • • •

(e) • • •

(2) The seller may add to the maximum prices stated in Table I-A for sales to shoe repairmen the same proportion of transportation costs incurred in the delivery of rubber heels, that the seller required purchasers of the same class to pay during March 1942 on deliveries of rubber heels.

• • • • •

§ 1315.1419a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.1420 (e) (2); 1315.1419a) to Maximum Price Regulation No. 200 shall become effective September 1, 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8562; Filed, August 31, 1942; 4:27 p. m.]

PART 1361—FARM EQUIPMENT

[Amendment 1 to Maximum Price Regulation 133 [1]]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of Federal Register.*

Paragraph (c) of § 1361.3 is amended and new § 1361.10a is added as set forth below:

§ 1361.3 *Maximum prices.* • • •

(c) *New complete equipment and parts without suggested retail prices.* The maximum price applicable to the sale at retail of any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price shall be the net price in effect on April 1, 1942, (including all extra charges, but not including any sales, use or gross receipts tax), or, if there was no such price in effect for the item on April 1, 1942, shall be the net cost of the item to the dealer, plus a percentage markup equal to the percentage markup on the most nearly comparable equipment or part for which the manufacturer has issued a current suggested retail price, except that the maximum price applicable to the sale of any binder twine by any dealer shall be determined by applying to the net invoice cost of such twine, not to exceed the maximum price, a percentage markup equal to the average percentage markup over net invoice cost realized by the same dealer on the sale of binder twine during the 1941 selling season.

§ 1361.10a *Effective dates of amendments.* Amendment No. 1 (§§ 1361.3 (c) and 1361.10a) to Maximum Price Regulation No. 133 shall become effective September 5, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8563; Filed, August 31, 1942; 4:26 p. m.]

PART 1387—SILVER

[Amendment 1 to Maximum Price Regulation 198 [1]]

IMPORTS OF SILVER BULLION

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1387.1 paragraph (a) is amended and a new paragraph (d) is added, and a new § 1387.9a is added, as set forth below:

§ 1387.1 *Maximum prices at which silver bullion may be imported.* (a) On and after August 31, 1942, regardless of any contract, agreement, lease or other obligation, except as provided in paragraph (d) of this section, no person in the course of trade or business shall import, or agree, offer, solicit or attempt to import:

(1) Silver bullion in the form of standard commercial bars at a price higher than 45 cents per troy ounce, f. o. b. New York City or San Francisco; or, if such silver bullion is delivered to the importer at a point other than New York City or San Francisco, at a price higher than 45 cents per troy ounce, *plus* the transportation charges from the point of shipment to the point of destination, *minus* the transportation charges from the point of shipment to New York City or to San Francisco, whichever are lower.

(2) Silver bullion in any form other than standard commercial bars, or of a quality, grade, or degree of fineness different from that of standard commercial bars, at a price higher than that determined by the Administrator.

• • • • •

(d) Until September 30, 1942, notwithstanding any of the foregoing provisions of this section, any person may receive and pay for silver bullion pursuant to any contract entered into prior to August 10, 1942, at prices in excess of the maximum prices established by this regulation: *Provided*, That every such contract shall be reported to the Office of Price Administration on or before September 30, 1942. Every such report shall contain:

(1) The names and addresses of the importer, of the seller, and of any agent, broker or other intermediary acting for either party to the transaction;

(2) A description of the silver bullion covered by such contract, including the quantity involved;

(3) The date of the contract;

(4) The contract price, including delivery terms;

(5) The quantity delivered under the contract, the delivery dates, and the date on which settlement was made.

• • • • •

§ 1387.9a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1387.1 and 1387.9a) to Maximum Price Regulation No. 198 shall become effective August 31, 1942.

Pub. Law 421, 77th Cong.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8565; Filed, August 31, 1942; 4:28 p.m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 4 to Maximum Rent Regulation 22A]

HOTELS AND ROOMING HOUSES

PUGET SOUND DEFENSE-RENTAL AREA

The first sentence of § 1388.1557 (a) of Maximum Rent Regulation No. 22A [1] is hereby amended to read as follows:

§ 1388.1557 *Registration.* (a) On or before August 31, 1942 (or, as to rooms within the Puget Sound Defense-Rental Area, on or before September 21, 1942), every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

• • • • •

§ 1388.1564a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1388.1557 (a)) to Maximum Rent Regulation No. 22A shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8561; Filed, August 31, 1942; 4:28 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 11 to Maximum Price Regulation 136, as Amended [2]]

MACHINES AND PARTS AND MACHINERY SERVICES

DEFENSE PLANT CORPORATION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (9) is added to § 1390.25 (c) and new paragraph (k) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* • • •

(c) *Amendments.* • • •

(9) *Defense Plant Corporation.* The provisions of this Maximum Price Regulation No. 136, as amended, shall not apply to the sale by any distiller to the Defense Plant Corporation of any still or fractionating column, or part thereof, installed or held as spare operating equipment.

§ 1390.31a *Effective dates of amendments.* • • •

(k) Amendment No. 11 (§ 1390.25 (c) (9)) to Maximum Price Regulation No. 136, as amended, shall become effective August 28, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8558; Filed, August 31, 1942; 4:25 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 13 to Maximum Price Regulation 136, [1] as Amended]

MACHINES AND PARTS, AND MACHINERY SERVICES

ELECTRIC STORAGE BATTERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1390.31 is amended as set forth below:

§ 1390.31 *Effective date.* This Maximum Price Regulation No. 136, as amended,* (§§ 1390.1 to 1390.34 inclusive) shall become effective July 22, 1942, except that this Maximum Price Regulation No. 136, as amended, shall not apply to sales or deliveries of electric storage batteries until October 1, 1942.

§ 1390.31a *Effective dates of amendments.* • • •

(m) Amendment No. 13 (§ 1390.31) to Maximum Price Regulation No. 136, as amended, shall become effective September 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8559; Filed, August 31, 1942; 4:25 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 10 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

Two new sections §§ 1407.86a and 1407.244 are added as set forth below:

Institutional and Industrial Users

• • • • • •

§ 1407.86a *Increases in allotments based on increases in population.* (a) A registering unit which in 1941 delivered, to a county designated in § 1407.244, Schedule D, of Rationing Order No. 3, products with respect to which it has a sugar base for industrial use, shall be entitled to have the allotment on that sugar base increased by the percentage shown for such county in schedule D, multiplied by the percentage which the amount of sugar it used in such products, delivered in 1941 to such county, represents of the total amount of sugar it used in such products delivered in 1941. Deliveries, as used in this section, refer to final deliveries, directly or by independent carrier, but do not include deliveries to the Army or Navy of the United States or to persons specified in § 1407.183 (b). The registering unit shall include as its 1941 deliveries to a designated county: (1) deliveries of such products in 1941 by the registering unit to all places in such county not listed in paragraph (b), and (2) deliveries of such products in 1941, with or without further processing, by persons referred to in paragraph (b) from places listed in paragraph (b), wherever located, to all places in such county not so listed.

(b) The places referred to in paragraph (a) are as follows:

(1) An industrial user establishment or warehouse included within the registering unit, or

(2) A plant or warehouse of the owner of the registering unit, or

(3) A plant or warehouse of a person having an exclusive contract to process and distribute, or distribute without processing, in more than one county, products of the registering unit, or

(4) A plant or warehouse of a person owning more than 50 per cent of the stock of the owner of the registering unit, or a plant or warehouse of a corporation or other organization more than 50 per cent of the stock of which is owned by such person or by the owner of the registering unit.

(c) The allotments to be increased by this section shall be the allotments for industrial use provided by § 1407.86 (a) and (c) of Rationing Order No. 3. A registering unit shall be entitled to such increase for each period commencing on or after September 1, 1942.

(d) Application for the increase in allotment provided by this section shall be made for each period at the times

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[1] 7 F.R. 6259.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3185.

[1] 7 F.R. 6083.

[1] 7 F.R. 4787, 4901, 5645, 5812, 5912, 6221.

[2] 7 F.R. 5047, 5362, 5665, 5909, 6426, 6682.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682.

[2] See amendment 11, *supra*.

[1] 7 F.R. 2966, 3242, 3703, 4545, 4618, 5193, 5361, 6084.

and under the conditions specified in § 1407.86 (b) of Rationing Order No. 3, except that application for the full increase in allotment for the period commencing September 1, 1942 may be made at any time before November 6, 1942. The first application for such increase in allotment shall be made on OPA Form No. R–315 (Special Purpose Application). It shall state facts showing that the registering unit is entitled to the increase applied for and shall include such other information as the Office of Price Administration may require. Subsequent applications for such increase shall be made in the manner specified for applications for the allotment provided by § 1407.86 (a) of Rationing Order No. 3. A registering unit which applies for the increase in allotment provided by this section shall preserve for not less than two years the journals, ledgers, and other records and reports which it used in determining such increase. They shall be kept in the office of the registering unit and shall be made available for inspection by the Office of Price Administration and the Board.

Effective Date

§ 1407.222 *Effective dates of amendments* • • •

(j) Amendment No. 10 (§§ 1407.86a and 1407.244) shall become effective September 5, 1942.

SCHEDULES

§ 1407.244 *Schedule D: Counties which have had a substantial increase in population and the percentage for each such county.*

State	County	Percentage
Alabama	Barbour	15
	Calhoun	10
	Chilton	40
	Dale	10
	De Kalb	15
	Jefferson	10
	Lauderdale	10
	Madison	10
	Mobile	30
	Montgomery	20
	Shelby	10
	Sumter	15
	Talladega	30
Arizona	Coconino	20
	Greenlee	30
	Yuma	30
Arkansas	Baxter	10
	Desha	10
	Jefferson	15
	Miller	15
	Pulaski	10
	Sebastian	20
	White	30
California	Contra Costa	30
	Inyo	20
	San Diego	30
	San Luis Obispo	20
	San Mateo	10
	Santa Barbara	10
	Shasta	10
	Solano	50
	Yuba	80
Colorado	El Paso	30
Connecticut	Hartford	10
Delaware	Sussex	10
District of Columbia	District of Columbia	15
Florida	Bay	20
	Clay	30
	Duval	20
	Escambia	10
	Gulf	10
	Highlands	15
	Leon	10
	Monroe	20
	Okaloosa	10
	Bradford	70
Georgia	Berrien	30
	Bibb	10
	Camden	10
	Chatham	10
	Chattooga	10
	Dougherty	15
	Liberty	50
	Muscogee	15
	Richmond	10
	Stephens	10
Idaho	Bonneville	30
	Clark	10
	Elmore	20
	Valley	10
Illinois	Champaign	10
	Du Page	10
	Hardin	10
	Madison	10
	Saint Clair	10
	Winnebago	10
Indiana	Bartholomew	10
	Clark	20
	Floyd	10
	Johnson	60
	La Porte	10
	Marian	10
	Porter	10
	Scott	10
	Starke	20
Iowa	Des Moines	20
Kansas	Sedgwick	20
	Johnson	10
	Labette	15
Kentucky	Jefferson	10
	Union	70
Louisiana	Beauregard	10
	Calcasieu	10
	East Baton Rouge	20
	Jefferson	10
	La Salle	20
	Rapides	20
	Saint Mary	10
	Vernon	30
Maine	Piscataquis	50
	York	10
Maryland	Baltimore	20
	Charles	10
	Harford	15
	Howard	10
	Montgomery	20
	Prince Georges	20
Massachusetts	Barnstable	10
Michigan	Macomb	20
	Missaukee	10
	Oakland	10
	Wayne	10
Minnesota	None	
Mississippi	Forrest	30
	Jackson	30
	Lowndes	10
	Hinds	10
Missouri	Boone	10
	Newton	60
	Phelps	20
	Pulaski	30
	St. Charles	10
	St. Louis	10
Montana	Treasure	20
Nebraska	Deuel	30
Nevada	Clark	110
	Lander	10
	Mineral	90
	Nye	10
New Hampshire	Rockingham	10
New Jersey	Gloucester	10
	Middlesex	10
New Mexico	Bernalillo	20
	Chaves	15
	Eddy	10
	Hildalgo	30
	Otero	10
New York	Tompkins	10
North Carolina	Cumberland	10
	New Hanover	30
	Hyde	10
North Carolina	Onslow	50
	Orange	10
North Dakota	Mercer	10
Ohio	Greene	10
	Hamilton	10
	Montgomery	10
	Portage	10
Oklahoma	Comanche	10
	Mayes	20
	Muskogee	40
	Tulsa	10
Oregon	Benton	20
	Linn	40
	Umatilla	10
Pennsylvania	Cambria	10
	Delaware	10
Rhode Island	Kent	10
South Carolina	Charleston	20
	Dorchester	10
	Richland	20
South Dakota	None	
Tennessee	Blount	15
	Hamilton	10
	Jefferson	15
	Loudon	10
	Montgomery	30
	Polk	10
	Coffee	20
Texas	Bastrop	70
	Bell	30
	Bowie	40
	Brazoria	50
	Brazos	10
	Brown	30
	Cochran	20
	Dallas	10
	El Paso	10
	Galveston	10
	Hall	15
	Hockley	30
	Jefferson	10
	Kleberg	20
	Lubbock	10
	Marion	15
	Matagorda	10
	Midland	20
	Moore	30
	Nueces	30
	Oldham	15
	Orange	70
	Palo Pinto	15
	Taylor	15
	Terry	30
	Zapata	10
	Jackson	10
	Hansford	10
	Tarrant	10
Utah	Davis	15
	Salt Lake	10
	Tooele	10
	Weber	20
Vermont	Addison	10
Virginia	Arlington	30
	Henry	10
	King George	10
	Montgomery	60
	Norfolk	20
	Nottoway	90
	Princess Anne	20
	Pulaski	20
	Tazewell	10
	Warwick	60
	York	10
	Fairfax	20
Washington	Clark	20
	Franklin	10
	King	10
	Kitsap	70
	Mason	15
West Virginia	Gilmer	10
	Monongalia	10
Wisconsin	None	
Wyoming	None	

(Pub. Law 421, 77th Cong. 2d Sess., WPB Dir. No. 1 and Supp. Dir. No. 1E.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8564; Filed, August 31, 1942; 4:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 24 to General Maximum Price Regulation [1]]

MAIL ORDER ESTABLISHMENTS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1499.13 new subparagraphs (1) and (2) are added to paragraph (a), as set forth below:

§ 1499.13 *Maximum prices of cost-of-living commodities: statement, marking, or posting.* (a) • • •

(1) Every mail order establishment selling commodities at retail shall in place of the above requirements post its maximum prices for cost-of-living commodities in one of the following manners in catalogs or flyers published after the effective date of this amendment:

(i) State the maximum price for each cost-of-living commodity listed in each catalog or flyer issued by it at the place in the catalog or flyer where such commodity is listed. The maximum price shall be stated substantially as follows: "Ceiling price $_____;" or "Our ceiling $_____;" or,

(ii) Print on the front cover, or on the page immediately following, of all catalogs or flyers hereafter issued, substantially the following statement: "All the prices in the present catalog are our ceiling prices with the exception of" (here shall follow a list of the commodities offered for sale below the ceiling prices, and the ceiling prices of such commodities, or the purchaser may be referred to another page in the catalog or flyer on which such a list appears).

(2) Any mail order establishment may apply to the Office of Price Administration for permission to deviate from the requirements in subparagraph (1). The application shall state why such requirements are inequitable or inappropriate as applied to the applicant's business, and shall show that the requested method of posting is substantially in line with the requirements of posting for mail order establishments set forth in subparagraph (1).

§ 1499.23 (a) *Effective dates of amendments.* • • •

(y) Amendment No. 24 (§ 1499.13 (a) (1)) to General Maximum Price Regulation shall become effective September 5, 1942.

(Pub. Law 421, 77th Cong.).

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8567; Filed, August 31, 1942; 4:27 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5365, 5445, 5484, 5665, 5775, 5783, 5784, 6007, 6058, 6082, 6216, 6616, 6795

PART 1499—COMMODITIES AND SERVICES

[Amendment 15 to Supplementary Regulation 14 [1] of the General Maximum Price Regulation [2]]

SALES OF SILVER BULLION PRODUCED FROM IMPORTED ORES AND ORE CONCENTRATES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (15) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(15) *Sales of silver bullion produced from imported ores and ore concentrates.* —(i) *Maximum prices for sales by refiners.* On and after August 31, 1942, the maximum price at which any refiner may sell or deliver silver bullion which he has produced from imported ores or ore concentrates shall be the maximum price for such silver bullion established by § 1499.2 of the General Maximum Price Regulation *plus* 9.625 cents per troy ounce 0.999 fine.

(ii) *Records and certification.* On and after August 31, 1942, every sale of silver bullion produced from imported ores or ore concentrates shall be invoiced by the refiner. The original invoice shall be delivered to the buyer, who shall preserve every such invoice for inspection by the Office of Price Administration for a period of not less than two years, and the seller shall preserve a copy of every such invoice for the same period. Each such invoice shall contain:

(*a*) the names and addresses of the refiner and the buyer; (*b*) a description of the silver bullion sold, including the quantity and the degree of fineness; (*c*) a statement of the price charged; and (*d*) the following certificate by the refiner:

I (We) hereby certify that the silver bullion covered by this invoice is silver which I (We) have produced from imported ores or ore concentrates, and that the prices charged therefor are not in excess of the maximum prices established by the said § 1499.73 (a) (15).

(iii) *Reports.* On or before the twentieth day of each month, beginning October 20, 1942, every refiner shall file with the Office of Price Administration, Washington, D. C., a report of all silver bullion sold by him during the preceding calendar month: *Provided*, That the first report so filed shall cover the period from August 31, 1942, to September 30, 1942, inclusive. Each such report shall set forth: (*a*) the names and addresses of the persons to whom the refiner sold silver bullion during the period covered by the report; (*b*) the total quantity, by kind or grade, of silver bullion sold to each buyer during the period covered by the report; and (*c*) the price charged.

(iv) *Definitions.* For the purposes of this § 1499.73 (a) (15), the term:

(*a*) "Silver bullion" means silver which has been melted, smelted or refined, and which is in such state or condition that its value depends primarily upon the silver content and not upon its form.

(*b*) "Imported" ores or ore concentrates means ores or ore concentrates which have been brought into the United States, its Territories or possessions, or the District of Columbia, from any place outside the United States, its Territories and possessions, and the District of Columbia.

(*c*) "Refiner" includes any person regularly engaged in the business of melting, smelting or refining ores or ore concentrates and any person who has ores or ore concentrates melted, smelted or refined for his account by another person under a toll or conversion agreement. For the purposes of this § 1499.73 (a) (15) the latter person shall be considered as having "produced" the silver bullion.

(b) *Effective dates.* • • •

(16) Amendment No. 15 to Supplementary Regulation No. 14 (§ 1499.73 (a) (15)), shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8566; Filed, August 31, 1942; 4:27 p. m.]

[1] 7 F.R. 5486, 5709, 5911, 6018, 6271, 6369, 6477, 6473, 6774, 6775, 6776.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

DORSEYS (COLLEGE) CREEK, MD.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.315 of Bridge Regulations are amended, both as to title and regulations, as follows:

§ 203.315 *Dorseys (College) Creek, Md.; bridges of the Maryland State Roads Commission (highway) and the Baltimore and Annapolis Railroad Company (railroad) at Annapolis, Md.* (a) The owners of, or agencies controlling, the bridges will not be required to keep draw

tenders in constant attendance at the above-named bridges.

(b) Whenever a vessel, unable to pass under a closed bridge desires to pass through the draw, at least 5 hours' advance notice to that effect shall be given to the owner's or controlling agency's authorized representative at Annapolis, Maryland.

(c) Upon receipt of such notice, the authorized representative, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owners of, or agencies controlling, the bridges shall keep conspicuously posted on both the upstream and downstream sides of the bridges, in such manner that it can easily be read at any time, a copy of these regulations, together with notice stating exactly how the representatives specified in paragraph (b) may be reached.

(e) The operating machinery of the draws shall be maintained in a serviceable condition, and the draws opened and closed at least once each month to make certain that the machinery is in proper order for satisfactory operation. (Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs. August 24, 1942 (CE 6374 (College Creek, Md.)—SPEON)]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42-8557; Filed, August 31, 1942; 3:29 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III—Grazing Service

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS

MODIFICATION OF NEW MEXICO GRAZING DISTRICTS NOS. 1 AND 7

Under and pursuant to the authority vested in me by the provisions of the act of June 28, 1934 (48 Stat. 1269, 43 U. S. Code, sec. 315, *et seq.*), as amended, commonly known as the Taylor Grazing Act, the following-described lands, now embraced within New Mexico Grazing District No. 1, are hereby excluded from Grazing District No. 1, and added to New Mexico Grazing District No. 7:*

NEW MEXICO

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 N., R. 3 W.,
Secs. 4 to 9,
Secs. 16 to 21, and
Secs. 28 to 30, inclusive;
T. 19 N., R. 3 W.,
Sec. 7,
Secs. 18 to 21, and
Secs. 28 to 33, inclusive;
T. 17 N., R. 4 W.,
Secs. 1 to 11 and
Secs. 17 to 20, inclusive, and
Secs. 29 and 30;
Tps. 18 and 19 N., R. 4 W., all;
T. 20 N., R. 4 W.,
Secs. 4 to 9, inclusive;
Sec. 10, S½NE¼, NW¼, S½;
Secs. 15 to 22 and
Secs. 27 to 34, inclusive;
T. 17 N., R. 5 W.,
Secs. 1 to 31, inclusive;
T. 21 N., R. 5 W.,
Secs. 1 to 9, inclusive;
Sec. 10, N½;
Sec. 11, N½;
Sec. 12, N½;
Secs. 16 to 21 and
Secs. 28 to 33, inclusive.

*Affects tabulations in § 502.1e.

It is further ordered that the departmental Navajo-Indian withdrawal of July 8, 1931, be revoked as far as it affects the above-described lands and also the following-described lands within the boundaries of New Mexico Grazing District No. 1 and not excluded therefrom by this order:

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 N., R. 3 W.,
Secs. 1 to 3,
Secs. 10 to 15,
Secs. 22 to 27, and
Secs. 31 to 36, inclusive;
T. 19 N., R. 3 W.,
Secs. 1 to 6, inclusive;
Secs. 8 to 17,
Secs. 22 to 27, and
Secs. 34 to 36, inclusive;
T. 17 N., R. 4 W.,
Secs. 12 to 16,
Secs. 21 to 28, and
Secs. 31 to 36, inclusive;
T. 20 N., R. 4 W.,
Secs. 1 to 3, inclusive;
Sec. 10, N½NE¼;
Secs. 11 to 14,
Secs. 23 to 26, and
Secs. 35 and 36;
T. 21 N., R. 4 W., all;
T. 17 N., R. 5 W.,
Secs. 32 to 36, inclusive;
T. 21 N., R. 5 W.,
Sec. 10, S½;
Sec. 11, S½;
Sec. 12, S½;
Secs. 13 to 15,
Secs. 22 to 27, and
Secs. 34 to 36, inclusive.

The Rules for the Administration of New Mexico Grazing District No. 7, as amended, shall be effective as to the above-described lands hereby added to said New Mexico Grazing District No. 7, and the Federal Range Code, as revised, shall be effective as to the above-described lands not excluded from said New Mexico Grazing District No. 1, from and after the date of publication of this order in the FEDERAL REGISTER.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 19, 1942.

[F. R. Doc. 42-8569; Filed, September 1, 1942; 9:54 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

GENERAL ORDERS AND SUPPLEMENTS

Corrections

In the recodification of General Orders and Supplements published in the FEDERAL REGISTER of August 19th, 1942, beginning at page 6537, the following corrections should be made:

Page 6537, column 1, index of General Orders: General Order No. 6 should read "§§ 305.1 to 305.42, inclusive."

General Order No. 11, Supplement 1-B should read "Amendment to § 302.56".

Page 6546, column 1, line 8, the date should read "June 19th, 1942".

Page 6546, column 2, § 302.50 *Uniform time charter for requisitioned and other dry cargo vessels*, strike out the following paragraph:

"(c) The uniform terms and conditions designated Part II applicable to all dry cargo vessels time chartered by the War Shipping Administration, which shall be incorporated by reference in and need not be attached to Part I of the Charter, shall be as follows:"

Page 6551, column 3, General Order No. 11, Supp. 1-B reading: "Amendment to § 302.55 (Warshipoiltime)" should read "Amendment to § 302.56" and should follow immediately after General Order 11, Supp. 1-A, at the bottom of column 1, Page 6555.

By order of the War Shipping Administrator.

[SEAL] A. J. WILLIAMS,
Assistant Secretary.

AUGUST 31, 1942.

[F. R. Doc. 42-8555; Filed, August 31, 1942; 2:30 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1503]

DISTRICT BOARD NO. 8

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change of price classifications and minimum prices for all shipments except truck for the coals of Martin 8-H Mine, Mine Index No. 321 of Utilities Eikhorn Coal Company, District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 13, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 6, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 8 requesting that the Price Classification of "L," in Size Groups 18-21, for all shipments except truck, now established for the coals of Martin H. Mine, Mine Index No. 321 of Utilities Elkhorn Coal Company, be changed to a classification of "H."

Dated: August 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8583; Filed, September 1, 1942; 11:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under Revised Price Schedule 84—Radio Receiver and Phonograph Parts]

GOAT METAL STAMPINGS, INC.

APPROVAL OF MAXIMUM PRICES

Correction

In the first column on page 6751 of the issue for Wednesday, August 26, 1942, the figure "8" in the fourth line of the paragraph designated "(c)" should read "84."

FEDERAL TRADE COMMISSION.

[Docket No. 4823]

FRAERING BROKERAGE COMPANY, INC.

COMPLAINT AND NOTICE OF HEARING

In the matter of Fraering Brokerage Company, Inc., a corporation.

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Fraering Brokerage Company, Inc., is a corporation organized and existing under the laws of the State of Louisiana, with its principal office and place of business located at 423 South Front Street, New Orleans, Louisiana. Respondent was organized, as stated in its corporate charter, for the purpose of buying and selling merchandise for its own account, as well as to buy and sell merchandise on a brokerage or commission basis for the accounts of others. Respondent operates two branch offices and warehouses, one of which is located at Alexandria, Louisiana, and the other at Jackson, Mississippi.

PAR. 2. Respondent is now and for many years last past has been engaged in business, principally as a jobber, buying in its own name for resale various canned foods, dried fruit, canned fish and other miscellaneous merchandise, and reselling such products. To a minor extent respondent acts as a broker of canned foods, dried fruits, canned fish and other miscellaneous merchandise.

PAR. 3. Respondent in the course and conduct of its said business as a jobber purchases a substantial portion of its requirements of canned foods, dried fruits, canned fish and other miscellaneous merchandise from sellers located in states other than the states in which respondent is located. Pursuant to respondent's purchase orders and instructions such commodities are caused to be shipped and transported by the respective sellers thereof across state lines to the respondent or to respondent's customers.

PAR. 4. Respondent since June 19, 1936, in connection with the purchase of its requirements of canned foods, dried fruits, canned fish and other miscellaneous merchandise in interstate commerce in its own behalf and for its own account for resale from numerous sellers located in states other than the state where respondent is located, has been and is now receiving and accepting from numerous sellers of said canned foods, dried fruits, canned fish and other miscellaneous merchandise, brokerage fees or allowances and discounts, in lieu of brokerage in substantial amounts.

The respondent receives such brokerage fees, discounts and allowances in lieu thereof in many ways, including the following four specified ways, and others:

1. By purchasing canned foods, dried fruits, canned fish and other miscellaneous merchandise from sellers at prices lower than the same sellers sell such commodities and commodities of like grade and quality to other purchasers;

2. By various methods obtaining such commodities at prices that are lower than the prices at which such commodities and commodities of like grade and quality are sold by such sellers to other purchasers, by an amount which reflects all, or a part, of the brokerage fees currently being paid by such sellers to brokers for the selling of such commodities in behalf of such sellers;

3. By making deductions in lieu of brokerage from the invoices of certain sellers when paying such invoices;

4. By receiving from certain sellers monthly rebate checks representing the customary brokerage fees of such sellers.

PAR. 5. A representative but incomplete list of sellers who since June 19, 1936, have sold and delivered canned foods, dried fruits, canned fish and other miscellaneous merchandise to respondent for its own account, and who have allowed, granted, and paid, directly or indirectly, as hereinabove set out, or otherwise, brokerage fees or allowances or discounts in lieu thereof on respondent's purchases for its own account from said sellers is as follows:

C. C. Lang & Son, Inc., Baltimore, Maryland;
Richmond-Chase Company, San Jose, California;
The Hills Brothers Co., New York City;
Taormina Corporation, Donna, Texas;
Bonner Packing Company, Fresno, California;
C. H. Musselman Company, Biglerville, Pennsylvania;
Dillon Candy Company, Inc., Jacksonville, Florida.

PAR. 6. The receipt and acceptance by the respondent of brokerage fees or allowances and discounts in lieu of brokerage by respondent as set forth above is in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 26th day of August, A. D., 1942, issues its complaint against said respondent.

Notice

Notice is hereby given you, Fraering Brokerage Company, Inc., respondent herein, that the 2nd day of October, A. D., 1942, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days

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from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 26th day of August, A. D., 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-8554; Filed, August 31, 1942; 1:54 p. m.]

OFFICE OF THE ALIEN PROPERTY CUSTODIAN.

[Vesting Order 47]

VESTING OF CERTAIN PATENTS

Corrections

A portion of the table appearing in the first column of page 5733 of the issue for Tuesday, July 28, 1942, is incorrect. Beginning with No. 2,145,836 and following through No. 2,417,372, the patent numbers, dates, names of inventors, and titles should be replaced by the following:

2,144,836	1/24/39	H. L. Dietrich	Arrangement for Duplex Operation.
2,145,286	1/31/39	W. Beuermann	Direction Finder.
2,145,288	1/31/39	O. Bohm et al	Method of and Means for Influencing the Field of Sound.
2,145,318	1/31/39	W. Schenk et al	Loudspeaker Arragement.
2,145,676	1/31/39	E. Zepler	Multiwave Range Receiver.
2,146,526	2/ 7/39	W. Buschbeck	Frequency Measurement Means.
2,146,769	2/14/39	O. Schriever et al	Separately Controlled Relaxation Oscillator.
2,146,994	2/14/39	F. Schroter et al	Television Screen.
2,147,229	2/14/39	R. Andrieu	Oscillation Prodneing System.
2,147,372	2/14/39	M. Knoll	Cathode Ray Tube.

CIVIL AERONAUTICS BOARD.

[Amendment 26-1, Civil Air Regulations]

PART 26—AIR-TRAFFIC CONTROL TOWER OPERATOR CERTIFICATES

CONTROL-TOWER OPERATORS

OPERATION DURING PHYSICAL DEFICIENCY

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 28th day of August, 1942.

Acting pursuant to sections 205 (a), 601 and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective August 28, 1942, Part 26 of the Civil Air Regulations is amended as follows:

By adding a new § 26.600 to read as follows:

§ 26.600 *Operation during physical deficiency.* A certificated air-traffic control-tower operator shall not serve as such during the period of any known physical deficiency which would render him unable to meet the physical requirements prescribed for the original issuance of his certificate: *Provided*, That if the deficiency is of a temporary nature, he may perform any duties not affected thereby when there is present and on duty another certificated and properly qualified air-traffic control-tower operator.

By the Civil Aeronautics Board.

[SEAL] F. A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 42-8627; Filed, September 2, 1942; 11:35 a. m.]

Interagency

SEP 5 1942

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — OF THE UNITED STATES — 1934

FEDERAL REGISTER

VOLUME 7 NUMBER 174

Washington, Thursday, September 3, 1942

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 26-1, Civil Air Regulations]

PART 26—AIR-TRAFFIC CONTROL TOWER OPERATOR CERTIFICATES

CONTROL-TOWER OPERATORS

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By the Civil Aeronautics Board.

[SEAL] F. A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 42-8627; Filed, September 2, 1942; 11:35 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[General Docket No. 21, A-1423, A-1360 and A-1299]

PARTS 321 TO 340 INCLUSIVE, 342 AND 343—MINIMUM PRICE SCHEDULE, DISTRICTS NOS. 1 TO 20 INCLUSIVE, 22 AND 23

REVISION OF PRICES

Order in the matter of determining the extent of change, if any, in excess of 2 cents per net ton in the weighted average of the total costs of any of the minimum price areas; and of revising the effective minimum prices as may be required by reason of any such change in costs; in the matter of the petition of District Boards in Minimum Price Areas 1, 2, and 3 for a preliminary or temporary, and permanent order for change in minimum prices for coals produced in said areas; in the matter of the petition of Bituminous Coal Producers Board for District 14, for establishment of special or temporary minimum prices based on costs determined in the first phase of Docket 21; and in the matter of the petition of the Bituminous Coal Producers Board for District No. 16, for temporary relief pending final decision in Docket 21, under section 4 II (a) and (d) of the Bituminous Coal Act of 1937.

This proceeding having been instituted by the Bituminous Coal Division of the United States Department of the Interior ("Division"), pursuant to the Bituminous Coal Act of 1937, as amended, (the "Act") for the purpose of (1) determining for the various minimum price areas the extent of change, if any, in excess of two cents per net ton in the weighted average of the total costs of producing bituminous coal as heretofore determined by the Director in General Docket No. 15, and (2) making such revision in the effective minimum prices as may be made necessary as a result of any changes in cost thus de-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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termined; the Order of the Director dated May 2, 1941, 6 F.R. 2326, in this matter, having provided that the hearing should be conducted in two phases: the first, concerning the extent of change, if any, in the weighted average of the total costs; and, the second, concerning such revision in the effective minimum prices as may be necessary;

The first phase of this proceeding having been concluded on April 13, 1942, when the Secretary of the Interior issued his Order and Opinion, 7 F.R. 2873, wherein he affirmed the determinations of the undersigned with respect to certain questions of law and policy which he consented to review;

Pursuant to an Order of the undersigned, dated April 17, 1942, and after due notice to all interested persons, a hearing on the second phase of this matter having opened on May 5, 1942, before Floyd McGown, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C.; all interested persons having been afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; appearances having been entered in behalf of District Boards 1–11, 13–17, and District Board 20, the United Mine Workers of America, the Bituminous Coal Consumers' Counsel, the National Coal Association, the State of New York, Associated Industries of New York State, Inc., the Association of American Railroads, the National Association of Hothouse Vegetable Growers of America, the Ohio Hothouse Cooperative Association, the Cleveland Vegetable Growers Cooperative Association, the Toledo Hothouse Growers Cooperative Association, the Ashtabula Growers Association, and the Marion County Greenhouse Association;

Following the hearing on the second phase of this proceeding, the Examiner having submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations under the date of July 27, 1942; the parties having been given until August 18, 1942, to file exceptions to the Examiner's Report, briefs in support thereof, and requests for oral argument; and 15 parties having filed exceptions to the Examiner's Report and briefs in support thereof;

The undersigned having heard oral argument in the second phase of this matter on August 20, 1942, at a hearing room of the Division in Washington, D. C.; oral argument having been presented on behalf of District Boards 1-4, 7–12, 15–17, Associated Industries of New York State, Inc., the Association of American Railroads, and the Bituminous Coal Consumers' Counsel;

The undersigned having considered the entire record in this matter and having, on the basis thereof, made and entered his Findings of Fact, Conclusions of Law, and Opinion in this matter:

Now, therefore, it is ordered, That effective October 1, 1942, at 12:01 a. m., the schedules of effective minimum prices for all districts for all shipments of coal be, and they hereby are, revised as follows:

1. § 321.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington) 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad fuel, other than for central stations and that shipped via the Great Lakes as cargo coal, and coal sold as bunker fuel and vessel fuel are increased 20 cents per ton.

2. § 321.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

3. § 322.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and, 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington) 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad fuel, other than that shipped via the Great Lakes as cargo coal, and coal sold as bunker fuel and vessel fuel are increased 20 cents per ton.

4. § 322.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

5. § 323.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad fuel, other than that shipped via the Great Lakes as cargo coal, and coal sold as bunker fuel and vessel fuel are increased 20 cents per ton.

6. § 323.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

7. § 324.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad fuel, other than that shipped via the Great Lakes as cargo coal, and coal sold as vessel fuel are increased 20 cents per ton.

8. § 324.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

9. § 325.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad fuel, other than that shipped via the Great Lakes as cargo coal, and coal sold as vessel fuel are increased 20 cents per ton.

10. § 325.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

11. § 326.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad fuel are increased 20 cents per ton.

12. § 326.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

13. § 327.1 (*Low volatile and high volatile coals, price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the

following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for all railroad locomotive fuel and all other low volatile on-line railroad fuel (except that shipped via the Great Lakes as cargo), bunker fuel, and vessel fuel are increased 20 cents per ton.

14. § 327.31 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

15. § 328.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for all railroad locomotive fuel and low volatile on-line railroad fuel (except that shipped via the Great Lakes as cargo) steamship bunker fuel, and vessel fuel are increased 20 cents per ton.

16. § 328.31 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 20 cents per ton.

17. § 329.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel be not increased.

18. § 329.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 5 cents per ton.

19. § 330.8 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton, Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213, and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel be not increased.

20. § 330.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by 5 cents per ton.

21. § 331.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instructions:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel be not increased.

22. § 331.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instructions:

On and after October 1, 1942, the prices established herein are increased 5 cents per ton.

23. § 332.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel be not increased.

24. § 332.21 (*Price instructions and exceptions*—(a) *Price instructions*) be and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 5 cents per ton.

25. § 333.1 (*Price instructions and exceptions*—(a) *Price instructions*) and § 333.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and they are hereby amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel and railroad powerhouse fuel produced in Subdistrict 1 and all railroad fuel produced in Subdistrict 3, and coal sold as steamship vessel fuel are increased 30 cents per ton.

26. § 333.3 (*Price instructions and exceptions*—(a) *Price instructions*) and § 333.41 (*Price instructions and exceptions*—(a) *Price instructions*) be, and they are hereby amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 30 cents per ton.

27. § 334.1 *Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 35 cents per ton; Market Areas 22–31, 103, and 114, 35 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 30 cents per ton; Market Areas 42–46, 40 cents per ton; Market Areas 70, 72, 74, and 204–212, 35 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 45 cents per ton; Market Areas 104, 115, 116, and 151–157, 35 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 55 cents per ton; Market Areas 200–202, 40 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 30 cents per ton; Market Areas 213 and 214, 40 cents per ton; Market Areas 217–232, 236, and 244–246, 40 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 50 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel are increased 40 cents per ton.

28. § 334.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 30 cents per ton.

29. § 335.1 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 104, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–41, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 5 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel are increased 5 cents per ton.

30. § 335.21 (*Price instructions and exceptions*—(a) *Price instructions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein are increased 10 cents per ton.

31. § 336.1 (*Price instructions and exceptions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein for shipments other than by truck or wagon are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73 and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel are increased 15 cents per ton. The prices established herein for shipments by truck or wagon are increased 15 cents per ton.

32. § 337.1 (*Price instructions and exceptions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein for shipments other than by truck or wagon are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however*, That the prices for railroad locomotive fuel are increased 15 cents per ton. The prices established herein for shipments by truck or wagon are increased 15 cents per ton.

33. § 338.1 (*Price instructions and exceptions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein for shipments other than by truck or wagon are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237

(Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however,* That the prices for engine coal for railroad and railroad locomotive use in all sizes between 8" maximum top size and ½" minimum bottom size are increased 15 cents per ton. The prices established herein for shipments by truck or wagon are increased 15 cents per ton.

34. § 339.1 (*Price instructions and exceptions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein for shipments other than by truck or wagon are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240 and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however,* That the prices for railroad locomotive fuel produced in all subdistricts and all coal produced by the Union Pacific Coal Company from Subdistricts No. 2 and No. 3 of District 19 when sold to the Union Pacific Railroad Company are increased 5 cents per ton. Prices established herein for shipments by truck or wagon are increased 5 cents per ton.

35. § 340.1 (*Price instructions and exceptions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein for shipments other than by truck or wagon are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74 and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however,* That the prices for railroad locomotive fuel are increased 5 cents per ton. Prices established herein for shipments by truck or wagon are increased 5 cents per ton.

36. § 342.1 (*Price instructions and exceptions*) be, and it hereby is, amended by the addition of the following price instruction:

On and after October 1, 1942, the prices established herein for shipments other than by truck or wagon are increased by the following amounts for shipments into the designated market areas: Market Areas 1–21, 20 cents per ton; Market Areas 22–31, 103, and 114, 10 cents per ton; Market Areas 32–41, 47–50, 52–69, 71, 73, and 75–78, 5 cents per ton; Market Areas 42–46, 15 cents per ton; Market Areas 70, 72, 74, and 204–212, 10 cents per ton; Market Areas 100–102, 105–112, 118, 125–129, 131, 133–137, and 139–141, 20 cents per ton; Market Areas 104, 115, 116, and 151–157, 10 cents per ton; Market Areas 113, 117, 120–124, 130, 132, 138, 142–148, and 150, 30 cents per ton; Market Areas 200–202, 15 cents per ton; Market Areas 203, 215, 216, 234, 237 (Idaho), 240, and 241, 5 cents per ton; Market Areas 213 and 214, 15 cents per ton; Market Areas 217–232, 236, and 244–246, 15 cents per ton; and Market Areas 237 (Washington), 238, 239, 242, 243, and 247–254, 25 cents per ton: *Provided, however,* That the prices for railroad locomotive fuel are increased 30 cents per ton. Prices established herein for shipments by truck or wagon are increased 25 cents per ton.

It is further ordered, That the proceedings designated Dockets Nos. A–1360, A–1299 and A–1423 be and they hereby are severed from General Docket No. 21 and, as severed, they are dismissed.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–8592; Filed, September 1, 1942; 2:31 p. m.]

[Docket No. A–1586]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of the Leckie No. 6 mine (Mine Index No. 317) in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Leckie No. 6 Mine (Mine Index No. 317) in Subdistrict 1, District No. 7;

It appearing that the minimum prices proposed by petitioner for the coals of the Leckie No. 6 Mine (Mine Index No. 317) in Size Groups 1, 5, and 6 for truck shipments are higher than the minimum prices heretofore established and currently in effect for comparable coals for truck shipment in the same size groups produced from the mines of other code members in Subdistrict 1; and

It further appearing that petitioner has not shown any facts to warrant the establishment of prices in said size groups higher than existing prices for similar size groups produced from the mines of other code members in Subdistrict 1; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief and the establishment of price classifications and minimum prices similar to those established for comparable coals in similar size groups in the manner more particularly set forth herein; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 327.11 *Low volatile coals: Alphabetical list of code members* is amended by adding thereto Supplement R, and § 327.34 *General prices in cents per net ton for shipment into any market area* is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated August 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
317	Leckie Smokeless Coal Co.	Leckie #6	1	Poca. 6..	Anjean, W.Va.	C&O–NYC..	17	B	A	A	A	A	B	B	B	B	(†)

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine index No.	Subdistrict No.	County	Seam	All lump 3" or larger; all egg and stove	All nut or pea 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Leckie Smokeless Coal Co.	Leckie #6..	317	1	Greenbrier..	Poca. 6.....	290	250	280	215	190	165

[F. R. Doc. 42–8584; Filed, September 1, 1942; 1:28 p. m.]

[Docket No. A–1583]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

No relief is granted for the McKinley Mine of Perry F. Gorman and the Wartburg Mine of Glen Mary Mining Company, as these producers have not submitted proper acceptances and for that reason are not code members.

No relief is granted for the Omar No. 15 Mine of the West Virginia Coal and Coke Corporation (Mine Index No. 5556) as rail classifications for this mine were established in Docket No. A–1451, Part II.

Petitioner requests that Oakdale, Tennessee, on the Southern Railway Company, be designated as the shipping point for the Clark & Melhorn Mine (Mine Index No. 5580) of W. A. and V. C. Clark and Lee Melhorn with Freight Origin Group No. 40. The Division records indicate that W. A. and V. C. Clark and Lee Melhorn will actually load coal at Camp Austin, Tennessee, on The Cincinnati, New Orleans and Texas Pacific Railway Company. The correct freight origin group number for the shipping point at Camp Austin is No. 41.

In Docket No. A–550, 6 F.R. 988, a price classification for Size Group 27, for rail shipment, was established for the Betsy Layne Coal Mine, Mine Index No. 3270, of the Betsy Layne Coal Corporation. It is now deemed advisable that Price Classification C be established for this mine in the same size group for Great Lakes cargo shipment.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 20, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27
5652	Anderson, R. J.	Anderson Coal Co.	Widow Kennedy.	7	Allen, Va.	CC&O	10	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	(†)	C
906	Barren Fork Fuel Co., c/o O. L. Gooden.	Barren Fork	No. 3	6	Whitley, Ky.[1]	CNO&TP	171	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1672	Bertha Jellico Coal Co	Bertha No. 2	Jellico	6	Bertha, Ky.[1]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
657	Bertha Jellico Coal Co	Bertha No. 3	Jellico	6	Bertha, Ky.[1]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1646	Bertha Jellico Coal Co	Bertha No. 4	Jellico	6	Bertha, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
3084	Bertha Jellico Coal Co	Bertha No. 5	Jellico	6	Bertha, Ky.[1]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5666	Bertha Jellico Coal Co	Bertha No. 6	Jellico	6	Bertha, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5667	Bertha Jellico Coal Co	Bertha No. 7	Jellico	6	Bertha, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5668	Bertha Jellico Coal Co	Bertha No. 8	Jellico	6	Bertha, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5669	Bertha Jellico Coal Co	Bertha No. 9	Jellico	6	Bertha, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
3270	Betsy Layne Coal Corporation.	Betsy Layne Coal Corp.	Elkhorn No. 1	1	Betsy Layne, Ky.	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
10	Carrs Fork Coal Company, Inc.	Allock	Hazard No. 4	3	Allock, Ky.	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	C	C	C	C	C	C
5580	Clark, W. A. & V. C. & Lee Melhorn (W. A. Clark).	Clark & Melhorn	Nelson	6	Camp Austin, Tenn.	CNO&TP	[2] 41	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)
5560	Cline, Quintin & Silbert Cline (Quintin Cline).	Mounts	Big Eagle	8	West Gilbert, W. Va.	C&O	150	K	K	E	D	E	C	E	A	A	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5655	Cutshin Coal Co. c/o E. J. Davis.	Cutshin No. 16	Hazard No. 4	6	Combs, Ky.	L&N	100	K	K	J	H	G	E	G	D	D	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5198	Earls, Nicewonder & Rasnick (H. T. Earls).	Earls, Nicewonder & Rasnick.	Tiller	7	Doran, Va.	N& W	20	M	M	K	J	F	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5647	Elliott, Bob	Oramay Blue Gem No. 2.	Blue Gem	6	Myrick, Ky.	A&J	110	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5312	Fredericks, Bill	Fredericks Blue Gem.	Blue Gem	6	Jellico, Tenn.	L&N and Sou.	113	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5472	Greene, A. M	Wilton Jellico No. 38.	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2620	Hatfield, Lewis	Hatfield	Blue Gem	6	Mountain Asb, Ky.	L&N	111	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
3614	Horne, Robie	Horne	No. 1	1	East Point, Ky.	C&O	61	D	D	E	E	E	C	C	B	A	G	L	(†)	(†)	(†)	(†)	(†)	C
5678	Keesee, F. P.	Elkhorn No. 3	Elkhorn No. 3	1	Pikeville, Ky.	C&O	61	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	(†)	C
434	Kentucky Sun Coal Co	Sunfire	Hazard No. 4	3	Sunfire, Ky.	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5633	Lee-Scott Coal Co. (J. D. Bledsoe).	Lee-Scott Coal Co.	No. 3 (Jackrock).	7	Mancess, Va.	L&N and Sou.	201	M	M	K	J	G	E	G	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
707	Linkous, E. B	E. B. Linkous	Upper Banner	7	Fremont, Va.	CC&O	10	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	(†)	(†)	C
5489	McReynolds, A. M	McReynolds	Widow Kennedy.	7	Swords Creek, Va.	N&W	20	K	K	E	E	E	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
330	Old King Mining Co	Old King[3]	Hazard No. 7	3	Tribbey, Ky.	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	C	C	C	C	C
631	Porter, Henry (Porter Elkhorn Coal Co.).	Porter No. 3	Elkhorn No. 1	1	Salisbury, Ky.[4]	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
3612	Ratliff, Dick	Turner Branch	No. 1	1	East Point, Ky.	C&O	61	D	D	E	E	E	C	C	B	A	G	L	(†)	(†)	(†)	(†)	(†)	C
3712	Simpson, George M. (Simpson Coal Co.).	Simpson Coal Co.	Cedar Grove	4	Marmet, W. Va.	C&O	123	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	C	C	C	B	B
2397	Varney & Rose (C. B. Varney).	Varney & Rose	Pond Creek	8	Williamson, W. Va.	N&W	130	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)
5670	West Virginia Coal & Coke Corporation.	Stirrat No. 15	Island Creek	5	Stirrat, W. Va.	C&O	150	M	M	L	K	G	E	G	D	D	E	(†)	D	C	C	C	B	M
5654	Young, Walter	Sally Gap No. 2	Blue Gem	6	Yaden, Ky.	L&N	111	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)	(†)	A

Price classifications by size group Nos. For Great Lakes cargo only

Mine index No.	1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	24	25	26	27
5652	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
906	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
1672	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
657	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
1646	O	M	J	F	D	D	E	M	G	(†)	(†)	(†)	(†)	(†)	C
3084	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5666	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)	C
5667	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)	C
5668	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)	C
5669	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)	C
3270	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	C
10	(*)	(*)	(*)	(*)	(*)	(*)	C	C	C	C	(*)	(*)	(*)	(*)	C
5580	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)
5560	K	K	E	D	E	C	E	A	A	E	(†)	(†)	(†)	(†)	(†)
5655	K	K	J	H	G	E	G	D	D	K	(†)	(†)	(†)	(†)	(†)
5198	M	M	K	J	F	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)
5647	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)
5312	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)
5472	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)
2620	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)
3614	D	D	E	E	E	C	C	B	A	G	L	(†)	(†)	(†)	C
5678	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	C
434	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	C	(*)	(*)	(*)	(*)	C
5633	M	M	K	J	G	E	G	C	D	K	(†)	(†)	(†)	(†)	(†)
707	M	M	K	J	G	E	E	C	D	G	(†)	(†)	(†)	(†)	C
5489	K	K	E	E	E	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)
330	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	C	C	C	C	C	C
631	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
3612	D	D	E	E	E	C	C	B	A	G	L	(†)	(†)	(†)	C
3712	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	C	C	B	(*)	(*)	B
2397	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(*)
5670	M	M	L	K	G	E	G	D	D	E	(†)	D	C	C	B
5654	A	A	A	A	A	A	C	A	A	K	(†)	(†)	(†)	(†)	(†)

[1] Denotes new shipping point. Shipping Point at Flat Rock, Ky., shall no longer be applicable.
[2] Denotes new shipping point. Shipping point at Grays, Ky., shall no longer be applicable.
[3] Freight Origin Group No. 41 shall take the same adjustments into Market Areas 1 to 104, inclusive, as Freight Origin Group No. 40; and in Market Areas 200 to 243, inclusive, shall take the same as Freight Origin Group No. 40; and in Market Areas 105 to 157, inclusive, shall take the same adjustments as Freight Origin Group No. 70. Tidewater via Charleston, S. C., shall take the same adjustments as Freight Origin Group No. 70.
[4] Denotes new shipping point. Shipping point at Drift, Ky., shall no longer be applicable.
[5] Denotes change in shipping point from Williamson, Ky., shown in Docket A-1517.
[6] Indicates change in mine name from "Midland."
*Indicates previously classified for these size groups.
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index and name	Mine	Mine index No.	Seam	Base sizes: Lump over 2"; egg 4" x 6"	Lump 2" and under; egg 3" x 6"	Lump ¾" and under	Egg 2" x 4"; egg 2" x 3"	Stove 3" and under; nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
GREENUP COUNTY, KY.											
Spears & Yates (J. B. Spears)	Boyd	5612	No. 5	265	245	210	220	205	200	150	145
PIKE COUNTY, KY.											
Keesee, F. P.		5678	Elkhorn No. 3	275	255	220	230	215	210	170	165
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Bobish, Nick	Bobish	5638	"C"	300	280	235	250	225	225	180	175
SUBDISTRICT NO. 4—KANAWHA											
KANAWHA COUNTY, W. VA.											
Wiseman, John W.	Henson No. 2	5613	No. 2 Gas	265	245	230	230	205	220	165	160
SUBDISTRICT NO. 5—LOGAN											
LOGAN COUNTY, W. VA.											
West Virginia Coal & Coke Corporation.	Stirrat No. 15	5670	Island Creek	265	245	220	215	205	210	160	175
West Virginia Coal & Coke Corporation.	Omar No. 15[1]	5556	Upper Island Creek.	(†)	(†)	(*)	(†)	(†)	(*)	165	160
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
KNOX COUNTY, KY.											
Bertha Jellico Coal Co	Bertha No. 6	5666	Jellico	255	235	225	225	205	215	155	150
Bertha Jellico Coal Co	Bertha No. 7	5667	Jellico	255	235	225	225	205	215	155	150
Bertha Jellico Coal Co	Bertha No. 8	5668	Jellico	255	235	225	225	205	215	155	150
Bertha Jellico Coal Co	Bertha No. 9	5669	Jellico	255	235	225	225	205	215	155	150
Elliott, Bob	Oramay Blue Gem No. 2.	5647	Blue Gem	335	315	235	260	225	225	145	140
Harkleroad, Robert H.	Harkleroad	5675	Blue Gem	335	315	235	260	225	225	145	140

*Indicates previously classified for these size groups.
†Indicates no classification effective for these size groups.
[1] Indicates change in mine name from "No. 15."

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index and name	Mine	Mine index No.	Seam	Base sizes: Lump over 2"; egg 4" x 6"	Lump 2" and under; egg 3" x 6"	Lump ¾" and under	Egg 2" x 4"; egg 2" x 3"	Stove 3" and under; nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Con.											
LESLIE COUNTY, KY.											
Cutshin Coal Co., c/o E. J. Davis.	Cutshin No. 16	5655	Hazard No. 4	275	255	220	225	205	210	155	160
WHITLEY COUNTY, KY.											
Greene, A. M.	Wilton-Jellico No. 38.	5472	Jellico	255	235	225	225	205	215	155	150
Young, Walter	Sally Gap No. 2	5654	Blue Gem	335	315	235	260	225	225	145	140
MORGAN COUNTY, TENN.											
Clark, W. A. & V. C. & Lee Melhorn (W. A. Clark).	Clark & Melhorn	5580	Nelson	255	235	225	230	205	215	145	140
PUTNAM COUNTY, TENN.											
Meadow Creek Coal Co	Solon	432	Bon Air No. 2	250	230	205	210	185	195	135	130
ROANE COUNTY, TENN.											
Thompson, Bob, Capt.	Thompson No. 2	5677	Sewanee	255	235	225	230	205	215	145	140
SUBDISTRICT NO. 7—VIRGINIA											
DICKINSON COUNTY, VA.											
Anderson, R. J.	Anderson Coal Co	5652	Widow Kennedy	265	245	220	220	215	210	155	160
LEE COUNTY, VA.											
Lee-Scott Coal Co. (J. D. Bledsoe).	Less-Scott Coal Co	5633	No. 3 (Jackrock)	265	245	215	220	205	205	155	150
SUBDISTRICT NO. 8—WILLIAMSON											
MINGO COUNTY, W. VA.											
Cline, Quintin & Silbert Cline (Quintin Cline).	Mounts	5660	Big Eagle	275	255	235	245	215	225	180	175

[F. R. Doc. 42-8586; Filed, September 1, 1942; 1:28 p. m.]

Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Subdist.	Freight origin group	Price group	Shipping point	Railroad
1342	New Hillside Coal Co., Inc.	New Hillside	VII	L8	81	9	Siefert	C&EI
1803	Shade, A. F.	Shade	V	HO	20	11	Boonville	Sou.

[1] Mine Index No. 1342 shall be included in Price Group 9 and shall take the same f. o. b. mine prices as other mines in Price Group 9 in Minimum Price Schedule, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 81 of the Linton-Sullivan Subdistrict having the same freight rate. Mine Index No. 1342 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 Minimum Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index No. 1342.

[2] Mine Index No. 803 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Group 11 in Minimum Price Schedule, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 20 of the Hoonville Subdistrict having the same freight rate. Mine Index No. 803 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 Minimum Price Schedule, District No. 11, For All Shipments Except Truck as are shown for Mine Index Nos. 85, 87, 88 and 773.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos.																											
				1	2	3	4	5	6, 7	8	9	10, 11, 12	13	14	15	16	17	18, 19, 20	21	22	23	24	25	26	27	28, 29	30	31	32, 33	34
SULLIVAN COUNTY																															
New Hillside Coal Co., Inc	1342	New Hillside	VII	260	245	240	230	225	220	180	185	175	170	150	140	85	55	185	180	185	175	175	165	135	160	130	110	105	155	115	155

[F. R. Doc. 42-8587; Filed, September 1, 1942; 1:28 p. m.]

[Dockets Nos. A-1598 and A-1599]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11; and

It appearing that the above-entitled matters raise similar and related issues; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in

[Docket No. A-1485]

PART 342—MINIMUM PRICE SCHEDULE, DISTRICT NO. 22

ORDER CONTINUING RELIEF, ETC.

Order continuing temporary relief, terminating conditionally final relief and notice of and order for hearing in the matter of the petition of District Board No. 22 for the establishment of price classifications and minimum prices for certain mines in District No. 22.

An original petition was filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classification and minimum prices for run of mine coals produced in Subdistricts 1 and 2 in District No. 22 for shipment by rail into all market areas.

An Order Granting Temporary Relief and Conditionally Providing for Final Relief was issued on June 29, 1942, 7 F.R. 4876, temporarily establishing the price classifications and minimum prices requested in the original petition for the run of mine coals produced in Subdistricts 1 and 2 in District No. 22 and conditionally providing that such price classifications and minimum prices should become final sixty (60) days from the date of the Order unless it should otherwise be ordered.

On August 13, 1942, the Bituminous Coal Consumers' Counsel filed an Intervention, Answer and Application for Termination or Modification of Temporary Relief in this matter praying (1) that the temporary relief in this proceeding be terminated, or modified, so that the minimum prices will be based on the costs as determined in General Docket 15 rather than on the cost determinations in General Docket 21, and (2) that the order conditionally granting final relief be rescinded until after a public hearing, or else modified so that the applicable minimum prices will be based on General Docket 15 cost determinations rather than General Docket 21 cost findings.

As stated in the Order Granting Temporary Relief and Conditionally Providing for Final Relief issued in this matter on June 29, 1942, it appeared that a reasonable showing of necessity had been made for the granting of temporary relief in the manner provided for therein. It does not appear that the continuation of the temporary relief granted in the above-mentioned Order of June 29, 1942, pending a hearing upon the issues raised by the original petition, will prejudice anyone.

However, in view of the question raised by the Bituminous Coal Consumers' Counsel, with respect to the propriety of permanently establishing the minimum prices requested by petitioner for the run of mine coals produced and shipped by rail from Subdistricts 1 and 2 of District No. 22, it appears that no permanent price classifications or minimum prices should be established for such coals without a hearing. Accordingly, it is deemed advisable that the final relief conditionally provided for in the Order issued in this matter on June 29, 1942, should be terminated pending final determination of the issues raised by the original petition herein.

Now, therefore, it is ordered, That the temporary relief granted herein by the Order Granting Temporary and Conditionally Final Relief, dated June 29, 1942, 7 F.R. 4876, be and it hereby is continued pending further order in this matter.

It is further ordered, That the final relief conditionally provided for in the Order Granting Temporary Relief and Conditionally Providing for Final Relief dated June 29, 1942, 7 F.R. 4876, herein, be, and it hereby is, terminated.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 1, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 26, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of District Board No. 22 for the establishment, both temporary and permanent, of the following price classifications and minimum prices in cents per net ton for the run of mine coals produced from mines in Subdistricts 1 and 2 in District No. 22 for shipment by rail into all market areas:

Size group 15

Subdistrict 1—Roundup	240
Subdistrict 2—Red Lodge	225

Dated: August 29, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-8585; Filed, September 1, 1942; 1:27 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 135—GENERAL LICENSES ISSUED UNDER SECURITIES REGULATIONS OF THE GOVERNOR OF HAWAII

[General License No. HS-4]

AUGUST 26, 1942

§ 135.4 *General License No. HS-4.* (a) A general license is hereby granted authorizing:

(1) The delivery of any stock certificate to the issuing corporation or its transfer agent, in the Territory of Hawaii, for immediate cancellation and the issuance of a new certificate in connection with the transfer thereof: *Provided*, That before the close of business of the day following its issuance such new certificate shall be perforated with the official symbol "H" by or at the direction of the issuing corporation or its transfer agent and delivered to a domestic bank, the Treasurer of the Territory of Hawaii, or such other person as may be authorized to hold securities in the Territory of Hawaii, for deposit in a securities custody account pursuant to the Regulations Relating to Securities, as amended; and

(2) The delivery of any bond or note to the issuer thereof or to the trustee for the holders of such bonds or notes, in the Territory of Hawaii, for the purpose of:

(i) Redemption; or

(ii) Change of name of registrant or conversion to a registered bond: *Provided*, That before the close of business of the day following the change of name of registrant or conversion, the bond shall be delivered to a domestic bank, the Treasurer of the Territory of Hawaii, or such other person as may be authorized to hold securities in the Territory of Hawaii, pursuant to the regulations relating to securities, as amended. If a new bond is issued it shall be perforated with the official symbol "H" promptly upon its issuance and prior to delivery.

(b) All stock transfer agents in the Territory of Hawaii (including corporations acting as their own transfer agents) are hereby authorized to obtain and use machines for perforating any stock certificates which they may issue with the official symbol "H": *Provided*, That such machines make perforations similar in size and form to those made by machines heretofore furnished to domestic banks.

(c) All securities dealers doing business in the Territory of Hawaii are hereby authorized to receive securities and to hold them for not more than five business days in connection with bona fide transactions in the normal course of business: *Provided*, That all securities so held shall be deposited at the close of business each day, and in any event, upon the sounding of any air raid alarm, in the securities vault of a domestic bank.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 42-8629; Filed September 2, 1942; 11:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 633—DELIVERY AND INDUCTION

[Amendment No. 76, 2d Ed.]

CLASSIFICATION AFTER MAN IS INDUCTED OR IS FOUND NOT ACCEPTABLE

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 633.13 [1] to read as follows:

§ 633.13 *Classification after man is inducted or is found not acceptable.*
* * *

(b) Upon receiving notice from the induction station that a selected man has not been accepted, the local board shall reopen his classification and classify him in Class IV-F unless, pursuant to instructions from the Director of Selective Service, he is retained in Class I-A or Class I-A-O and forwarded to another component of the armed forces.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 1, 1942

[F. R. Doc. 42-8628; Filed, September 2, 1942; 11:44 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 3076—NOBLE FIR LOGS

[General Preference Order M-228]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Noble fir logs for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[1] 6 F.R. 6849; 7 F.R. 202, 654, 2092.

§ 3076.1 *General Preference Order M-228*—(a) *Definitions.* For the purposes of this order:

(1) "Noble fir logs" means logs of the botanical species of *Abies nobilis* (including cants and flitches of such logs), which are produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, or in Alaska.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Logger" means any person who produces Noble fir logs.

(b) *Restrictions on delivery.* (1) On and after September 11, 1942, no person shall make delivery of Noble fir logs, and no person shall accept delivery of, or consume or process noble fir logs, except as authorized by the Director General for Operations. This restriction shall apply to all stocks of Noble fir logs held within the continental limits of the United States (including Alaska) as of the date of issuance of this order, whether in private or in government hands; but shall not apply to cants and flitches held by manufacturers of aircraft for aircraft use. The Director General for Operations may from time to time allocate the supply of Noble fir logs or any part sawed therefrom, and specifically direct the manner and quantities in which deliveries to particular persons shal be made or withheld. He may also direct or prohibit particular uses of Noble fir logs, or any part sawed therefrom. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular contracts or purchase orders. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential civilian requirements.

(2) Notwithstanding the foregoing restrictions, Noble fir logs in transit on September 11, 1942, may be delivered to their immediate destination.

(c) *Applications and reports.* (1) Unless otherwise ordered by the Director General for Operations no person shall be entitled to receive an allocation of Noble fir logs after October 1, 1942 unless, not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the Western Log and Lumber Administrator of the War Production Board an application on Form PD-651, which may be obtained from such administrator after September 10, 1942.

(2) Any person, other than a logger or aircraft manufacturer, who on September 11, 1942, has in his possession or under his control Noble fir logs in excess of 100,000 feet, log scale, shall file with the Western Log and Lumber Administrator of the War Production Board, not later than the tenth day after such date, an inventory report on Form PD-650, which may be obtained from such administrator after September 10, 1942.

(3) Failure by a person to file an application pursuant to paragraph (c) (1) of this order may be construed as notice to the Director General for Operations that such person does not desire an allocation of Noble fir logs for the next succeeding month.

(4) All persons engaged in scaling Noble fir logs shall, when requested so to do, promptly forward to the Western Log and Lumber Administrator of the War Production Board, a copy of each scaling certificate issued by such person.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the Priorities Regulations of the War Production Board, as amended from time to time.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Noble fir logs conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, by letter or other written communication, in duplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Western Log and Lumber Administrator, War Production Board, Portland, Oregon, Ref: M-228.

(g) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, the Director General for Operations may prohibit such person from making or obtaining further deliveries of or from processing or using material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8611; Filed, September 1, 1942; 5:12 p. m.]

PART 3077—WESTERN HEMLOCK AIRCRAFT LOGS

[General Preference Order M-229]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Western hemlock aircraft logs for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3077.1 *General Preference Order M-229*—(a) *Definitions.* For the purposes of this order:

(1) "Western hemlock aircraft logs" means logs of the botanical species of Tsuga martensiana or Tsuga heterophylla (including cants and flitches of such logs), which are produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, or in Alaska, and which meet the following specifications:

(i) Are from stands of timber of approximately 1200 feet or higher elevation and are medium to light in weight;

(ii) Are not less than 26 inches top diameter and not less than 12 feet long;

(iii) Are of straight grain so that the majority of the clear lumber can be produced with a slope of grain not greater than 1 in 15;

(iv) Are free of deep bark seams or other serious defects within the clear portion of the log;

(v) Have reasonably uniform annual rings, not fewer than eight to the inch within the clear portion of the log; and

(vi) Are of a character which will produce at least 50% No. 2 Clear and Better, or B and Better Clear lumber.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Logger" means any person who produces Western hemlock aircraft logs.

(b) *Restrictions on delivery.* (1) On and after September 11, 1942, no person shall make delivery of Western hemlock aircraft logs, and no person shall accept delivery of, or consume or process Western hemlock aircraft logs, except as authorized by the Director General for Operations. This restriction shall apply to all stocks of Western hemlock aircraft logs held within the continental limits of the United States (including Alaska) as of the date of issuance of this order, whether in private or in government hands; but shall not apply to cants and flitches held by manufacturers of aircraft for aircraft use. The Director General for Operations may from time to time allocate the supply of Western hemlock aircraft logs or any part sawed therefrom, and specifically direct the manner and quantities in which deliveries to particular persons shall be made or withheld. He may also direct or prohibit particular uses of Western hemlock aircraft logs, or any part sawed therefrom. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular contracts or purchase orders. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential civilian requirements.

(2) Notwithstanding the foregoing restrictions, Western hemlock aircraft logs in transit on September 11, 1942, may be delivered to their immediate destination.

(c) *Applications and reports.* (1) Unless otherwise ordered by the Director General for Operations, no person shall be entitled to receive an allocation of Western hemlock aircraft logs after October 1, 1942, unless, not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the Western Log and Lumber Administrator of the War Production Board an application on Form PD-653, which may be obtained from such Administrator after September 10, 1942.

(2) Any person, other than a logger or aircraft manufacturer, who, on September 11, 1942, has in his possession or under his control Western hemlock aircraft logs in excess of 100,000 feet, log scale, shall file with the Western Log and Lumber Administrator of the War Production Board, not later than the 10th day after such date, an inventory report on Form PD-652, which may be obtained from such Administrator after September 10, 1942.

(3) Failure by a person to file an application pursuant to paragraph (c) (1) of this order may be construed as notice to the Director General for Operations that such person does not desire an allocation of Western hemlock aircraft logs for the next succeeding month.

(4) All persons engaged in scaling Western hemlock logs, shall, when requested to do so, promptly forward to the Western Log and Lumber Administrator of the War Production Board, a copy of each scaling certificate issued by such person.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the Priorities Regulations of the War Production Board, as amended from time to time.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Western hemlock aircraft logs conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, by letter or other written communication, in duplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Western Log and Lumber Administrator, War Production Board, Portland, Oregon, Ref: M-229.

(g) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, the Director General for Operations may prohibit such persons from making or obtaining further deliveries of or from processing or using material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8612; Filed, September 1, 1942; 5:12 p. m.]

PART 962—IRON AND STEEL

[Interpretation 1 of M-21, as Amended]

SALVAGED OR USED MATERIALS

The terms "steel" and "iron products" as defined in General Preference Order M-21, as amended [1] (§ 962.1), do not include salvaged or used materials. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8621; Filed, September 2, 1942; 11:11 a. m.]

PART 1054—LEAD AND TIN SCRAP

[Supplementary Order M-72-a]

TINNED AND DETINNED SCRAP

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account, and for

[1] 6 F.R. 4005, 4730, 5994, 6144; 7 F.R. 2952, 3150, 3881.

export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1054.2 *Supplementary Order M–72–a*—(a) *Additional definitions.* (1) "Tinned scrap" means scrap consisting of tin plate, whether clippings, used tin cans, or in any other form.

(2) "Detinned scrap" means tin scrap which has been treated by a chemical or electro-chemical detinning process so that it contains not more than 3/10 of one percent of tin by weight.

(3) "Tin plate clippings" means tinned scrap consisting of new or reclaimed tin plate, generated in the manufacture of cans, closures, or other articles.

(b) *Restrictions on tinned scrap.* Except with specific permission of the Director General for Operations:

(1) *Iron and steel producers.* No person shall deliver tinned scrap to a producer of steel or iron products (as defined in Order M–21, as amended[1]), and no such producer shall accept delivery of tinned scrap from any person.

(2) *Tin plate clippings.* No person shall deliver or accept delivery of tin plate clippings except where delivery is made to a broker or dealer or a detinning plant. Subject to the restrictions of Order M–21–e,[2] and other applicable orders, the provisions of this paragraph (b) (2) do not prohibit a manufacturer from using himself, in further manufacturing operations, tin plate clippings generated in the course of his operations.

(3) *Tinned scrap.* No person shall deliver or accept delivery of tinned scrap except where delivery is made to or for the account of a broker or dealer for sale or resale by him in the form received, a municipal department or agency, a shredding or detinning plant or a plant engaged in the precipitation of copper.

The restrictions of this paragraph (b) (3) shall not apply to deliveries of used tin cans to or for the account of any person for reuse by him in packing any product; nor shall any of the provisions of this paragraph (b) (3) apply to crown or screw caps or similar closures for tin cans or other containers.

(4) *Used tin cans.* In appropriate cases, general permission to acquire used tin cans will be granted, upon such terms and conditions as the Director General for Operations may impose, to persons other than those permitted to accept delivery under paragraph (b) (3) of this order, who should make application for such permission by letter addressed to the War Production Board, Washington, D. C., Reference: M–72–a. If the applicant for such permission is a manufacturer of crown caps or is engaged in the business of bottling beverages, he shall execute and file with his letter of application a certificate substantially in the form of Exhibit 1 annexed to this order.

[1] 6 F.R. 4005, 4730, 5994, 6144; 7 F.R. 2992, 3150, 3881.

[2] 7 F.R. 5345.

(c) *Restrictions on sales of detinned scrap.* Except with specific permission of the Director General for Operations, no person producing detinned scrap at a detinning plant located in any of the counties listed in Schedule A hereto shall deliver detinned scrap produced at such plant except to a plant engaged in the precipitation of copper. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A

California

Alameda.	San Diego.
Contra Costa.	San Francisco.
Fresno.	San Joaquin.
Imperial.	San Mateo.
Kern.	Santa Barbara.
Los Angeles.	Santa Clara.
Marin.	Santa Cruz.
Merced.	Solano.
Monterey.	Sonoma.
Orange.	Stanislaus.
Riverside.	Ventura.
Sacramento.	Yolo.
San Bernardino.	Yuba.

Kansas

Atchison.	Johnson.
Brown.	Leavenworth.
Doniphan.	Miami.
Douglas.	Osage.
Franklin.	Shawnee.
Jefferson.	Wyandotte.

Missouri

Buchanan.	Johnson.
Caldwell.	Lafayette.
Carroll.	Livingston.
Cass.	Pettis.
Clay.	Platte.
Clinton.	Ray.
Henry.	Saline.
Jackson.	

Texas

Anderson.	Hill.
Austin.	Hood.
Basque.	Hopkins.
Brazoria.	Hunt.
Brazos.	Jack.
Burleson.	Jasper.
Chambers.	Jefferson.
Cherokee.	Johnson.
Collin.	Kaufman.
Colorado.	Lamar.
Cooke.	Liberty.
Dallas.	Limestone.
Delta.	Madison.
Denton.	McLennan.
Ellis.	Matagorda.
Erath.	Montague.
Falls.	Montgomery.
Fannin.	Navarro.
Fayette.	Orange.
Fort Bend.	Palopinto.
Freestone.	Parker.
Galveston.	Polk.
Grayson.	Rains.
Grimes.	San Jacinto.
Hardin.	Smith.
Harris.	Somervell.
Henderson.	Tarrant.

Texas—Continued

Trinity.	Washington.
Tyler.	Wharton.
Van Zandt.	Wise.
Walker.	Wood.
Waller.	

EXHIBIT 1—CERTIFICATE OF MANUFACTURER OF CROWN CAPS OR BOTTLER UNDER PARAGRAPH (b) (4) OF SUPPLEMENTARY ORDER M–72–a

NOTE.—This form may be reproduced for use by an applicant for permission to acquire used tin cans under the provisions of paragraph (b) (4) of the foregoing Supplementary Order M–72–a.

The undersigned hereby certifies to the War Production Board that in the event that the undersigned is granted permission to acquire used tin cans pursuant to the accompanying letter of application therefore, the following terms and conditions with respect to the handling and disposition of such cans by the undersigned, and all other terms and conditions which may be imposed by the War Production Board will be strictly complied with:

1. *No. 10 and Larger Cans.* The bodies of such cans may be used for the manufacture of crown caps provided that: in the preparation of the cans before use for the manufacture of crown caps the cans shall be cleaned; both ends shall be removed and delivered to shredding or detinning plants; the side seams and end rings shall also be removed and may be delivered to shredding plants, but must not be delivered to detinning plants; all residual scrap remaining after the manufacture of crown caps from the bodies of the cans shall be delivered to shredding or detinning plants; with the result that at least 50% by weight of the detinnable scrap represented by all such used cans when acquired will be finally received by shredding or detinning plants.

2. *All Other Cans.* All cans other than those of the size of No. 10 or larger are to be delivered to shredding or detinning plants. Such cans as are to be delivered to detinning plants are to be cleaned, both ends are to be removed and the bodies flattened.

(Name of Company)

(Name of Authorized Official)

(Date)

(Title of Authorized Official)

[F. R. Doc. 42–8630; Filed, September 2, 1942; 11:48 a. m.]

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Supplementary Order M–81–b]

REVOCATION

§ 1068.3 *Supplementary Order M–81–b.*[1] Supplementary Order M–81–b is hereby revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8622; Filed, September 2, 1942; 11:11 a. m.]

[1] 7 F.R. 5661.

PART 1071 — INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Required Specifications Schedule III to Limitation Order L–126]

COIL OR TUBE ASSEMBLIES FOR REFRIGERATION CONDENSERS OR COOLERS

§ 1071.5 *Schedule III to Limitation Order L–126*[1]—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles any coil or tube assemblies for refrigeration condensers or coolers.

(2) A "coil or tube assembly for condensers" means an assembly used in "refrigerating and air conditioning equipment" as defined in paragraph (a) (1) of Limitation Order No. L–126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is removed from the vaporized refrigerant.

(3) A "coil or tube assembly for coolers" means an assembly used in "refrigerating and air conditioning equipment" as defined in paragraph (a) (1) of Limitation Order No. L–126 consisting of any arrangement of pipes, tubing, pressure vessels or plates by means of which heat is absorbed by either a volatile refrigerant or a non-volatile medium such as water.

(4) "Protective coating" means a surface coating applied to any or all parts of a "coil or tube assembly for condensers or coolers" for the purpose of retarding or preventing corrosion.

(5) "Integral fin tubing" means finned tubing, the fins and tubes of which are formed from the same piece of metal by extrusion or by any machine operation.

(6) "Metallic fin bond" means a tie between tubing and fins obtained through the use of a metallic base substance usually applied with heat. The fin surface of integral fin tubing shall be considered as having a metallic fin bond.

(7) "Mechanical fin bond" means a tie obtained between tubing and fins by physical contact and without the use of a metallic base substance.

(8) "Fin height" means the distance from the outside of a pipe or tube to the nearest outside edge of the fin.

(9) "Return bend" means a semi-circular section of tubing or pipe used to join parallel runs of tubing or pipe.

(10) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Required specifications.* Pursuant to Limitation Order No. L–126, the following required specifications are hereby established for coil or tube assemblies for condensers or coolers:

(1) In the manufacture of any coil or tube assembly for air-cooled or evaporatively cooled condensers, any coil or tube assembly for water or brine coolers, or of any cooler coil or tube assembly for air-cooling, no producer shall, except for use aboard ship, (i) use any non-ferrous metals, except for soldering or brazing materials or for protective coatings;

(ii) Use any seamless steel tubing, except (*a*) to form integral fin tubing, or (*b*) that which has been made into return bends but only if the radius thereof is less than 1½ times the outside diameter of such tubing and the straight extensions thereof are not longer than 2 times the outside diameter of such tubing; or

(iii) Use any steel tubing (other than integral fin tubing) of wall thickness greater than the following:

Outside diameter of tubing	*Wall thickness (inches) Maximum*
(*a*) Up to and including ⅜"-------	0.028"
(*b*) Over ⅜" up to and including ½"-	.035"
(*c*) Over ½" up to and including ¾"-	.049"
(*d*) Over ¾" up to and including 1"-	.065"
(*e*) Over 1" up to and including 1¼"-	.083"
(*f*) Over 1¼" up to and including 2"-	.095"
(*g*) Over 2" up to and including 2½"-	.120"

(2) In the manufacture of any coil or tube assembly for air-cooled condensers no producer shall (i) except for use aboard ship, use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller;

(ii) Except for use aboard ship, use a metallic protective coating (other than paint) where a mechanical fin bond is employed;

(iii) Use a protective coating containing more than 7% tin where a metallic fin bond is employed;

(3) In the manufacture of any coil or tube assembly for water-cooled condensers, no producer shall, except for use aboard ship (i) use more than 7 lbs. of non-ferrous metals per condensing unit nominal h. p. for all self-contained refrigeration condensing units;

(ii) Use more non-ferrous metals per ton of refrigeration, for other than self-contained condensing unit condenser assemblies, than the following:

7 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures above 30° F.

8 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures from 0° to 30° F., inclusive.

9 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures below 0° F.

"Ton of refrigeration", as here used, means the removal of heat, at the low side, at the rate of 12,000 B. T. U. per hour. Total tons to be based on the design operating load of the low side connected to the condensing unit or units with which the condenser is used.

(4) In the manufacture of any coil or tube assembly for evaporatively cooled condensers, no producer shall (i) use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller; or

(ii) Use a combination protective coating and metallic fin bond containing more than 7% tin.

(5) In the manufacture of any cooler coil or tube assembly for air-cooling, no producer shall, except for use aboard ship in connection with food storage (i) use a metallic protective coating containing more than 7% tin: *Provided, however,* That when the coil is used in food storage and the air passing over the coil is in direct contact with the food, the foregoing shall not prohibit a hot-dipped galvanized coating or a coating containing not more than 35% tin; or

(ii) Use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b), shall not prohibit:

(i) The production, fabrication, delivery, acceptance, or installation of coil or tube assemblies, the plans of which have already been drawn and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, or Lend-Lease countries, or

(ii) The use in the production or fabrication of, or the delivery, acceptance, or installation of any of the following materials in a producer's possession or control or in transit to a producer on the effective date of this Schedule III:

(*a*) Steel tubing.

(*b*) Coil or tube assemblies which on said date were in finished form or the parts for which had on said date been cast, machined or otherwise processed in such manner that the manufacture of such assemblies in conformance with this Schedule III would be impractical. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8623; Filed, September 2, 1942; 11:11 a. m.]

[1] 7 F.R. 5081, 5082, 5083, 6163.

PART 1075—CONSTRUCTION

[Conservation Order L–41 as Amended September 2, 1942]

Conservation Order L–41[1] as heretofore amended is hereby amended to read as follows:

§ 1075.1 *Conservation Order L–41*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Construction" means the erection, construction, remodeling or rehabilitation of any building, structure or project, or additions thereto or extensions or alterations thereof, but not including maintenance or repair as defined in paragraphs (a) (10) and (11) below.

(3) "Residential construction" means any construction where the principal designed function of the building, structure or project is or will be to provide living space or accommodations.

(4) "Multiple residential construction" means any residential construction where the principal designed function of the building, structure or project is or will be to provide living space or accommodations for more than five families, or which is divided or to be divided into more than five suites.

(5) "Agricultural construction" means any construction, other than residential construction, where the principal designed function of the building, structure or project is or will be the production of agricultural products including, but not limited to, those produced by farmers, planters, ranchmen, dairymen, poultrymen, or nut or fruit growers.

(6) "Industrial construction" means any construction where the principal designed function of the building, structure or project is or will be the manufacture, processing or assembling of goods or materials.

(7) "Other restricted construction" means any construction, other than residential, multiple residential, agricultural, or industrial construction, including, but not limited to, commercial, highway, roadway, sub-surface, and utilities construction, whether publicly or privately financed.

(8) "Begin construction" means to initiate construction by physically incorporating into any construction material which is an integral part of the construction.

(9) "Cost" is meant to include the total cost of labor and material, including equipment, architects', engineers' and contractors' fees, insurance charges and financing costs.

(10) "Maintenance" means the upkeep of a building, structure or project in sound working condition.

(11) "Repair" means the restoration without change of design, of any portion of a building, structure or project to sound working condition, when such portion has been rendered unsafe or unfit for service by wear and tear or other similar causes, but not including the reconstruction or restoration of construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy.

(b) *Prohibited construction.* No person shall begin construction or order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to begin construction, unless the construction is within one of the following classes:

(1) The construction is to be the property of the Army or Navy of the United States, the United States Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, or the Office of Scientific Research and Development.

(2) The construction consists of any building, structure or project which is used directly in the discovery, development or depletion of mineral deposits.

(3) The construction is of a type subject to the provisions of any order in the M–68 series (Part 1047) relating to the production and distribution of petroleum. Any such construction is permitted only to the extent authorized by the applicable order in the M–68 series.

(4) The construction is of telephone facilities or equipment, other than buildings, and is authorized or permitted under the terms of Conservation Order L–50[2] § 1095.1).

(5) The construction is of facilities, other than buildings, to be owned by a producer as defined in Preference Rating Order P–46[3] (§ 978.1) pertaining to utilities and is to be used directly in providing one or more of the services set forth in paragraph (a) (1) of said order.

(6) Agricultural construction of irrigation pipe lines or drainage tile drains in which no materials except earth or other unprocessed material and clay or non-reinforced concrete tile or pipe, not more than 12 inches in internal diameter, are incorporated.

(7) The construction can be completed with materials which are either on hand or can be obtained without making application for priorities assistance and upon completion will not require the incorporation of any materials, on site or off site, to supply electric, gas, water, steam, telephone or sewage disposal service, and

(i) The construction is residential (but not multiple residential) or is specifically listed on Schedule B, attached hereto, and the estimated cost is less than $200, or

(ii) The construction is multiple residential, agricultural, or other restricted construction, is not specifically listed on Schedule B, and the estimated cost is less than $1,000, or

(iii) The construction is industrial, is not specifically listed on Schedule B, and the estimated cost is less than $5,000, or

(iv) The construction is to reconstruct or restore residential (but not multiple residential) construction damaged or destroyed after December 31, 1941, by fire, flood, tornado, earthquake, act of God or the public enemy.

(8) (i) The construction is to reconstruct or restore agricultural construction damaged or destroyed after September 7, 1942, by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is determined by the United States Department of Agriculture, in accordance with such administrative procedures as may be from time to time prescribed, to be essential to the agricultural program, provided, that within two weeks of such determination Form PD-200 is filed in accordance with the provisions of paragraph (f) of this section.

(ii) The construction is to reconstruct or restore industrial or other restricted construction damaged or destroyed after September 7, 1942, by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is necessary for the prosecution of the war or the protection of public health or safety; provided that within five days of the damage or destruction notice thereof is given by telegraph to the War Production Board setting forth (i) the cause of the damage or destruction, (ii) the function of the building, structure or project which has been damaged or destroyed, (iii) the type of construction, (iv) why immediate reconstruction or restoration is necessary, and (v) the estimated cost of reconstruction; and provided further, that within two weeks of the giving of such telegraphic notice, Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

Nothing contained in this subparagraph (8) shall be interpreted as a commitment that priorities assistance will be accorded to any particular construction authorized by the provisions of this subparagraph and the Director General for Operations may at any time either order said construction to cease or require any modification thereof that seems to him to be proper.

(9) The construction has been or is hereafter authorized by the Director of Priorities of the Office of Production Management or by the Director of Industry Operations or the Director General for Operations of the War Production Board by the issuance of:

(i) One of the preference rating orders or certificates listed on Schedule A attached hereto, as that schedule may be amended from time to time, according priorities assistance to the construction; or

(ii) An order specifically authorizing the construction, *Provided, however,* That the exceptions set forth in paragraphs (b) (7) (i), (b) (7) (ii), and (b) (7) (iii) shall not be construed to authorize separate or successive construction operations the aggregate cost of which over any continuous twelve-month period exceeds the amount specified in the applicable paragraph for the particular building, structure or project; not including in said aggregate cost the cost of any construction thereon during said period authorized under the provisions of paragraph (b) (9).

(c) *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered, material or construction plant which he knows, or has reason to believe, will be used in violation of the terms of this order.

(d) *Further construction limitations.* Nothing in this order shall be construed to authorize the use or delivery of any material, or the application or extension of any preference rating, in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, Office of Production Management, or by the Director General for Operations.

(e) *Orders or certificates not constituting authorization.* The assignment of a preference rating by a PD–1, PD–1A, or other certificate, or by any order other than those listed in Schedule A, shall not constitute authorization to begin construction.

(f) *Applications for authority to begin construction.* (1) If the applicant requires priorities assistance for the proposed construction, an application shall be made for the appropriate preference rating order or certificate listed on Schedule A on the form referred to therein.

(2) Where the applicant does not require priorities assistance, application for the specific authorization to begin construction referred to in paragraph (b) (9) (ii) hereof may be made by filing Forms PD–200 and PD–200A, or such other forms as may hereafter be prescribed, together with a statement showing (1) that no priorities assistance is requested, (2) whether any previous application for authorization has been denied, and, if so, the reasons therefor, and (3) the total value of all construction on the particular building, structure or project in the preceding twelve-month period. Such forms or statements are to be filed with the field office of the Federal Housing Administration having jurisdiction over the location of the site, or in such other place as may be prescribed.

(3) In applying either for priority assistance or for authorization to begin construction, the applicant should also submit additional information as to the necessity for the proposed construction, any exceptional hardships which the restrictions of this order impose upon him, the effect on employment conditions if the application is denied, and any other pertinent facts.

(g) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(h) *Communications.* Applications, communications and reports under this order shall, unless otherwise directed, be addressed to, War Production Board, Washington, D. C. Ref: L–41.

Those relating to residential construction shall in addition be conspicuously marked "Res.", those relating to multiple residential construction "M. R.", those relating to agricultural construction, "Agr.", those relating to industrial construction, "Ind.", and those relating to other restricted construction, "O. R."

This amendment shall become effective September 7, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

Schedule A

The following preference rating orders and certificates are listed pursuant to paragraph (b) (9) (i) of the above order. A general description of the type of construction covered by each, the appropriate application form and where such form should be filed, are given solely for purposes of identification.

Preference rating order	Type of construction	Application forms	Where filed
P–14–a, P–14–b	Shipyards and shipways	No form	Maritime Commission, Washington, D. C.
P–19, P–19–a	Buildings, structures and projects important to the war effort and essential civilian needs, other than housing.	No further application accepted under P–19 and P–19–a. Apply for P–19–h or P–19–i.	
P–19–d, P–19–g	Publicly financed housing	Application is made only by the federal agency principally interested in the construction.	
P–19–e	Public roads	Application is made by or through the Public Roads Administration of PWA.	
P–19–h, P–19–i	Buildings, structures and projects important to the war effort and essential to civilian needs other than war housing.	Forms PD–200 and PD–200A.	With the field office of FHA having jurisdiction over the location of the site, or in such other place as may be prescribed.
P–41	Construction of air transport facilities.	See order	
P–55, P–55 amended	Privately financed war housing.	Form PD–105	With the field office of FHA having jurisdiction over location of the site.
P–98	Construction related to petroleum enterprises as defined and limited therein.	See orders in M–68 series	
P–110	Remodeling of housing in defense areas.	Form PD–406	With field office of FHA having jurisdiction over the location of the site.
Certificates PD–3, PD–3A.	Principally buildings, structures and projects owned or to be owned by the Army, Navy or certain other governmental agencies.	Form PD–3A	With the contracting or procurement official having jurisdiction over the contract.

Schedule B

The following buildings, structures or projects are listed pursuant to paragraph (b) (7) (i) of the above order.

The building, structure or project has as its principal designed function:

(1) Public or private amusement, entertainment or recreation, with the exception of playgrounds for children.

(2) Occupancy by not more than five establishments selling or dispensing goods, merchandise, food or drink, or providing services.

(3) Use as a club, lodge, fraternity or sorority house, association, auditorium or assembly hall.

[F. R. Doc. 42–8624; Filed, September 2, 1942; 11:11 a. m.]

[1] 7 F.R. 2730, 3712, 3774, 4326, 5651.

[2] 7 F.R. 3029, 4202, 4272.

[3] 7 F.R. 2348, 4699, 5272, 5903.

PART 1149—IMPORTED EGYPTIAN COTTON

[Conservation Order M-117 as Amended September 2, 1942.]

Section 1149.1 *Conservation Order M-117*[1] is hereby amended to read as follows:

§ 1149.1 *Conservation Order M-117*—(a) *Definitions.* For the purposes of this order: (1) "Reserved Egyptian cotton" means raw cotton in unopened bales (including bales opened only for sampling or testing) of the following specifications:

Variety, Giza 7, Grade: "Good to fully good" and better. Staple: Nothing below "good" staple.
Variety, Sudan.
Variety, Sakha 4.
Variety, Sakellaridis.
Variety, Malak1 (Giza 26).
Variety, Karnak (Giza 29).
All 5 varieties with grade—"fully good" and better and staple—nothing below "good" staple.

in accordance with the recognized Egyptian standards of gradings: *Provided, however,* That with respect to Egyptian cotton heretofore imported into the United States, the term "Reserved Egyptian cotton" shall include any Giza 7 cotton grading "good to fully good" and better and having a staple length of nothing below 1 5/16" staple, and any of the other five above-mentioned varieties grading "fully good" and better and having a staple length of nothing below 1 1/16" staple.

(2) "Stitching thread" means finished cotton thread used for stitching, including home sewing, in which reserved Egyptian cotton has heretofore been customarily used and shall also include any cotton yarns, single or plied and having a thread twist, in which such cotton has heretofore been customarily used, sold to another person to be manufactured solely into finished stitching thread, but shall not include crochet, embroidery or other fancy threads in which reserved Egyptian cotton may have heretofore been used.

(3) "Import" means to transport in any manner into the continental United States from any foreign country, and for purposes of this order, Egyptian cotton shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(4) "Dealer" means any person regularly engaged in the business of purchasing raw cotton for resale, and shall include exporters, importers, agents or brokers, whether or not they hold title to the cotton.

(b) *Restrictions on sales, deliveries and uses.* No person shall, except as provided in paragraph (c) below, or as specifically authorized by the Director General for Operations, sell or deliver, or accept delivery of, or process, or use, any reserved Egyptian cotton.

(c) *General exceptions.* The prohibitions and restrictions of paragraph (b) above shall not apply to: (1) Sales and deliveries to dealers.

[1] 7 F.R. 2539, 5640.

(2) Sales and deliveries to the Board of Economic Warfare, the Commodity Credit Corporation, or any corporation organized under the authority of Section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing;

(3) Sales and deliveries, and the processing or use of reserved Egyptian cotton for physical incorporation into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(4) Sales and deliveries, and the processing or use of reserved Egyptian cotton for the manufacture of stitching thread subject, however, to the limitations of paragraph (d) below;

(5) The processing or use by any person within 45 days after September 2, 1942, of reserved Egyptian cotton to the extent necessary to fill orders on hand specifying delivery within such period, and sales or deliveries to any person of amounts necessary, in addition to amounts on hand, to fill such orders within such time, and the processing or use thereof in filling such orders;

Provided, however, That all sales and deliveries exempted from the prohibitions and restrictions of paragraph (b) above by subparagraphs (3), (4) and (5) of this paragraph (c) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser or by a person authorized to sign in his behalf in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of Section 35 (A) of the United States Criminal Code (18 U.S.C. 80) that the reserved Egyptian cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M-117 as amended, for such cotton and for no other purposes; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purposes by said order.

Name of purchaser
By ---
(Authorized person)

Title
Date ---

(d) *Restrictions on the manufacture of stitching thread.* (1) No person shall, during the period from July 1, 1942, to and including December 31, 1942, or if his books are so kept, and he so elects, during the period from July 1, 1942, to and including January 2, 1943, use more reserved Egyptian cotton in the manufacture of stitching thread for physical incorporation into products to be delivered on non-defense orders than 37½% of the amount of such cotton used by such person for the manufacture of stitching thread in the year 1941.

(2) No person manufacturing stitching thread shall sell or deliver any stitching thread made from reserved Egyptian cotton which such person does not wish to be charged against the quota for non-defense uses established by subparagraph (1) of this paragraph (d), and in no event in excess of such quota, unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of Section 35 (A) of the United States Criminal Code (18 U.S.C. 80) that the stitching thread to be delivered on the annexed purchase order is to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, or resold for such incorporation.

Name of Purchaser
By ---
Authorized Person

Title
Date ---

and no person purchasing or accepting delivery of any stitching thread, to the order for which such a certificate was annexed, shall sell or deliver such stitching thread except upon receipt by him of such a certificate.

(e) *Grading.* The Director General for Operations may require that any lot of Egyptian cotton held in the United States be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board which may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton sample whereof has been so submitted, is or is not reserved Egyptian cotton. If upon the examination of any Egyptian cotton by representatives of the United States Customs Service, any doubt or dispute arises as to whether such cotton is reserved Egyptian cotton, samples thereof shall be referred for classification for the purposes of this order only to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of reserved Egyptian cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-117, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Each person who, on July 27, 1942, holds or owns any reserved Egyptian cotton shall cause an inventory to be taken as of such date showing to the extent such information is known to him, the number of bales of each variety, staple length and grade of such cotton on hand and, to the extent known to each such person, the name of the owner or owners thereof and the address of each owner. All holders of such cotton shall execute and file with the War Production Board on form PD-597 a report of the amount of such cotton held or owned on the said date. Owners and holders of such cotton must be prepared to furnish or cause the original importer to furnish the War Production Board upon request with import documents relating thereto, including the customs invoices on which such cotton was entered into the United States and the grade or grades established for the purpose of levying customs duties thereon. In addition, all holders and users of such cotton must be prepared to execute and file with the War Production Board such monthly or quarterly reports on forms that may be prescribed for the purpose and in the detail that may be required by the War Production Board showing stocks on hand, additions to stocks, withdrawals from stocks, consumption by uses and such other reports or questionnaires as may be required by the War Production Board from time to time.

(h) *Records.* All owners and processors of reserved Egyptian cotton affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales, and copies of all invoices of both purchases and sales relating to such cotton.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: M-117.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8625; Filed, September 2, 1942; 11:12 a. m.]

PART 3018—AMERICAN EXTRA STAPLE COTTON

[Conservation Order M-197 as Amended September 2, 1942]

Section 3018.1 *Conservation Order M-197*[1] is hereby amended to read as follows:

§ 3018.1 *Conservation Order M-197*—(a) *Definitions.* For the purposes of this order:

(1) "Reserved American extra staple cotton" means any raw cotton in unopened bales (including bales opened only for the purposes of sampling or testing) of the following specifications, grown within the Western Hemisphere,

SXP Variety, grading No. 2 or higher and with staple of 1 7/16" or longer.
Pima Variety (including both United States and Peruvian), grading No. 2 or higher and with staple of 1½" or longer.
Sea Island Variety, grading No. 2½ or higher and with staple of 1½" or longer.

in accordance with the official grading standards of the United States.

(2) "Stitching thread" means finished cotton thread used for stitching including home sewing in which reserved American extra staple cotton or reserved Egyptian cotton as defined in Conservation Order No. M-117 has heretofore been customarily used and shall also include any cotton yarns, single or plied and having a thread twist, in which such cotton has heretofore been customarily used, sold to another person to be manufactured solely into finished stitching thread, but shall not include crochet, embroidery or other fancy threads in which reserved American extra staple cotton or reserved Egyptian cotton may have heretofore been used.

(3) "Import" means to transport in any manner into the continental United States from any foreign country, and for purposes of this order, American extra staple cotton shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(4) "Dealer" means any person regularly engaged in the business of purchasing raw cotton for resale, and shall include exporters, importers, agents or brokers, whether or not they hold title to the cotton.

(b) *Restrictions on sales, deliveries and uses.* No person shall, except as provided in paragraph (c) below, or as specifically authorized by the Director General for Operations, sell or deliver, or accept delivery of, or process, or use, any reserved American extra staple cotton.

(c) *General exceptions.* The prohibitions and restrictions of paragraph (b) above shall not apply to:

(1) Sales and deliveries to dealers.

(2) Sales and deliveries to the Board of Economic Warfare, the Commodity Credit Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

[1] 7 F.R. 5644.

(3) Sales and deliveries, and the processing or use of reserved American extra staple cotton for physical incorporation into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(4) Sales and deliveries, and the processing or use of reserved American extra staple cotton for the manufacture of stitching thread subject, however, to the limitations of paragraph (d) below.

(5) The processing or use by any person within 45 days after September 2, 1942 of reserved American extra staple cotton to the extent necessary to fill orders on hand specifying delivery within such period, and sales or deliveries to any person of amounts necessary, in addition to amounts on hand, to fill such orders within such time, and the processing or use thereof in filling such orders.

Provided, however, That all sales and deliveries exempted from the prohibitions and restrictions of paragraph (b) above by subparagraphs (3), (4) and (5) of this paragraph (c) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser or by a person authorized to sign in his behalf in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of Section 35(A) of the United States Criminal Code (18USC80) that the reserved American extra staple cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M-197, as amended, for such cotton and for no other purposes; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purposes by said order.

Name of purchaser
By ---
(Authorized person)

Date Title

(d) *Restrictions on the manufacture of stitching thread.* (1) No person shall during the period from July 1, 1942, to and including December 31, 1942, or, if his books are so kept, and he so elects, during the period from July 1, 1942, to and including January 2, 1943, use more reserved American extra staple cotton in the manufacture of stitching thread for physical incorporation into products to be delivered on nondefense orders than:

(i) 37½% of the total amount of reserved American extra staple cotton and reserved Egyptian cotton (as defined in Conservation Order M-117, sec. 1149.1) used by such person for the manufacture of stitching thread in the year 1941, minus

(ii) The actual amount of reserved Egyptian cotton used or scheduled to be used by such person in the second half of 1942 for the manufacture of stitching thread for nondefense uses pursuant to the limitations described in Conservation Order M-117.

(2) No person manufacturing stitching thread shall sell or deliver any stitching thread made from reserved American extra staple cotton which such person does not wish to be charged against the quota for nondefense uses established by subparagraph (1) of this paragraph (d), and in no event in excess of such quota, unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of Section 35 (A) of the United States Criminal Code (18USC80) that the stitching thread to be delivered on the annexed purchase order is to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, or resold for such incorporation.

Name of purchaser

By ---
Authorized person

Title

Date ---

and no person purchasing or accepting delivery of any stitching thread, to the order for which such a certificate was annexed, shall sell or deliver such stitching thread except upon receipt by him of such a certificate.

(e) *Grading.* The Director General for Operations may require that any lot of American extra staple cotton held in the United States be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board which may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton sample whereof has been so submitted, is or is not reserved American extra staple cotton. If upon the examination of any American extra staple cotton by representatives of the United States Customs Service, any doubt or dispute arises as to whether such cotton is reserved American extra staple cotton, samples thereof shall be referred for classification for the purposes of this order only to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of reserved American extra staple cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, by letter or telegram, Reference M–197, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Each person who, on July 27, 1942, holds or owns any reserved American extra staple cotton shall cause an inventory to be taken as of such date showing, to the extent such information is known to him, the number of bales of each variety, staple length and grade of such cotton on hand, and, to the extent known to each such person, the name of the owner or owners thereof and the address of each owner. All holders of such cotton shall execute and file with the War Production Board on Form PD–597 a report of the amount of such cotton held or owned on the said date. Owners and holders of such cotton must be prepared to furnish or cause the original importer to furnish the War Production Board, upon request, with import documents relating thereto, including the customs invoices on which such cotton was entered into the United States and the grade or grades established for the purpose of levying customs duties thereon. In addition, all holders and users of such cotton must be prepared to execute and file with the War Production Board such monthly or quarterly reports on forms that may be prescribed for the purpose and in the detail that may be required by the War Production Board showing stocks on hand, additions to stocks, withdrawals from stocks, consumption by uses and such other reports or questionnaires as may be required by the War Production Board from time to time.

(h) *Records.* All owners and processors of reserved American extra staple cotton affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales and copies of all invoices of both purchases and sales relating to such cotton.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C.—Reference: M–197.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8626; Filed, September 2, 1942; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Regulation 2]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR RETAIL SELLERS OF COMMODITIES OR SELLERS OF SERVICES

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Public, No. 421, 77th Cong., 2d Sess., Jan. 30, 1942), the following rules of procedure are hereby prescribed for the adjustment of certain maximum retail prices of commodities and services established by any maximum price regulation and of all maximum prices of services established by Maximum Price Regulation No. 165 as amended (Services):

Sec.
1300.121 Right to apply for adjustment.
1300.122 Place of filing.
1300.123 Authorized office.
1300.124 Form of application.
1300.125 Application must be verified.
1300.126 Joint applications.
1300.127 Investigation of application.
1300.128 Action by the authorized office on applications for adjustment.
1300.129 Requests for review.
1300.130 Action on review by Director of the Retail Trade and Services Division.
1300.131 Protest of denial of application.
1300.132 Treatment of application and petitions filed pursuant to other procedural regulations.
1300.133 Amendment of this regulation.
1300.134 Definitions.
1300.135 Effective date.
1300.136 Appendix A: Form OPA–2PR–1.

AUTHORITY: §§ 1300.121 to 1300.135, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1300.121 *Right to apply for adjustment.* Any person selling at retail commodities or services subject to any provision of a maximum price regulation, or any person selling any services subject to Maximum Price Regulation No. 165 as amended,[1] (Services) who seeks adjustment of a maximum price under an adjustment provision of any maximum price regulation shall make such application pursuant to the provisions of this Procedural Regulation No. 2.

§ 1300.122 *Place of filing.* All applications for adjustment shall be filed with a Regional, State or District office of the Office of Price Administration without regard to whether such office is authorized to consider such application. If the office with which the application is filed is not so authorized, it shall forward such application to the authorized office, and shall notify the applicant by mail of such forwarding.

[1] 7 F.R. 4734, 5028, 6428.

§ 1300.123 *Authorized office.* The authorized office shall be the office of the Office of Price Administration which has been authorized to handle such an application for adjustment pursuant to a proper delegation of authority.

§ 1300.124 *Form of application.* Applications for adjustment shall be filed upon such forms as the Price Administrator shall from time to time prescribe. The number of copies required to be filed shall be stated on the face of the form. If no form is designated for applications for a particular type of adjustment the applicant shall submit a clear and concise statement of the facts which he feels entitles him to an adjustment under the provisions of the particular maximum price regulation, including the names and addresses of each establishment for which he seeks an adjustment and a statement of the specific adjustment or other relief which he seeks. Applications in cases for which no form has been designated shall be filed in duplicate.

§ 1300.125 *Applications must be verified.* An application for adjustment shall be signed by the applicant and shall contain a statement, signed and sworn to by the applicant, that the statements made in the application and attached thereto are true and correct to the best of his knowledge, information and belief. Unless otherwise prohibited by law, every employee of the Office of Price Administration who is authorized to administer oaths shall, without charge, administer the oath required by this section.

§ 1300.126 *Joint applications.* Two or more persons may file a joint application for adjustment where the basis or bases of the application are common to all persons joining in it. A joint application shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. A joint application shall be verified in accordance with § 1300.125 hereof by each applicant. Whenever the authorized office deems it to be necessary or appropriate for the determination of individual questions raised by joint applications, it may treat such joint applications as several, and, in any event, may require the filing of materials relevant to each person joining in it.

§ 1300.127 *Investigation of application.* Upon receipt of an application for adjustment, the authorized office or any office designated by the authorized office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary reports as may be necessary to the proper disposition of the application.

§ 1300.128 *Action by the authorized office on applications for adjustment.* Within a reasonable time after receiving an application, the authorized office shall by order either (a) grant or deny such application in whole or in part; (b) provide the applicant an opportunity to present further evidence; or (c) forward the official application file for advise either to the Regional Office for the region in which the authorized office is located, or if the authorized office is itself a Regional Office, to the Director of the Retail Trade and Services Division, Office of Price Administration, Washington, D. C. The decision of the authorized office granting or denying the application in whole or in part shall be accompanied by a statement of the reasons for such action. A copy of each order and opinion shall be forwarded to the applicant.

§ 1300.129 *Request for review.* Any applicant whose application for adjustment has been denied in whole or in part by a State or District Office may, within fifteen days after the date on which such order of denial was mailed to him, file with such office a request for review by the Regional Office of the order of denial. Any applicant whose application for adjustment has been denied in whole or in part by a Regional Office either on an original application or on a request for review may, within fifteen days after the date on which such order of denial was mailed to him, file with such Regional Office a request for review by the Director of the Retail Trade and Services Division of the order of denial. Requests for review shall be filed on form OPA–2PR–1, set out in Appendix A, incorporated as § 1300.136 of this Procedural Regulation No. 2. Such form may be obtained from any Regional, State or District Office or local War Price and Rationing Board or may be copied by the applicant from Appendix A.

§ 1300.130 *Action on review by Director of the Retail Trade and Services Division or by Regional Office.* After due consideration, the Director of the Retail Trade and Services Division or the Regional Office, as the case may be, shall by order grant or deny in whole or in part any application for adjustment which is properly before him on request for review of action by an authorized office. The order shall be accompanied by a statement of the reasons for his action. A copy of the order and opinion shall be forwarded to the applicant.

§ 1300.131 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in part by the Director of the Retail Trade and Services Division either on an original application or a request for review, may, within thirty days after the issuance of the director's order finally denying such application in whole or in part, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1.[2]

§ 1300.132 *Treatment of application and petitions filed pursuant to other procedural regulations.* Every petition for amendment or petition for adjustment or exception filed by a seller at retail pursuant to Procedural Regulation No. 1,[3] and every application for adjustment filed pursuant to Temporary Procedural Regulation No. 2,[4] or Temporary Procedural Regulation No. 5,[5] may be treated as an application for adjustment filed pursuant to this Procedural Regulation No. 2 without redocketing and shall be disposed of in accordance with the form and substance of this Procedural Regulation No. 2 to the extent practicable. The fact that an application is filed pursuant to a specified provision of a maximum price regulation shall not prevent its consideration under any other provisions for relief, provided that the substantive facts set forth establish grounds for relief under any other provision.

§ 1300.133 *Amendment of this regulation.* Any provision of this Procedural Regulation No. 2 may be amended or rescinded by the Administrator at any time. Such amendment or rescission shall be published in the FEDERAL REGISTER and shall take effect from the date of its publication, unless otherwise specified.

§ 1300.134 *Definitions.* As used in this Procedural Regulation No. 2 the terms:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(b) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(c) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

§ 1300.135 *Effective date.* This Procedural Regulation No. 2 shall become effective September 1, 1942.

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

§ 1300.136 *Appendix A: Form OPA–2PR–1.*

[To be filed with authorized office which denied your application]

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Form OPA–2PR–1

Request for Review of the Order Denying Application for Adjustment

---, an applicant for adjustment of a maximum price established for a commodity or service selling at retail or for a service subject to Maximum Price Regulation No. 165, as amended, (Services) pursuant to Procedural Regulation

[1] 7 F.R. 971, 3663.
[2] *Supra* note 2.
[3] 7 F.R. 3522, 3664, 6002.
[4] 7 F.R. 4730, 5987, 6534.

No. 2 of the Office of Price Administration, hereby requests a review of the order of denial of such application for adjustment entered by the_____ Office and mailed to the applicant on_____, 194__, pursuant to § 1300.129 of Procedural Regulation No. 2.

Name of commodity or service for which adjustment was required_____

The applicant's objections to such order of denials are as follows:

_____

(Applicant should state briefly and concisely and separately number his objections)

_____

_____

_____

_____

_____

_____

Applicant

By_____

Title

_____

Date

[F. R. Doc. 42-8598; Filed, September 1, 1942; 4:34 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 15 to Rationing Order 2A [1]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

In § 1360.310 a new paragraph (k) is added; § 1360.335 (a), and paragraph (d) of § 1360.362 are amended to read as set forth below; new paragraph (d) is added to § 1360.361; and in § 1360.371 the text preceding paragraph (a) is amended to read as set forth below, and a new paragraph (c) is added:

Definitions

§ 1360.310 *Definitions.* • • •

(k) "Family" means a grandparent, parent, brother, sister, spouse, child, or grandchild, whether or not residing in the same household with applicant; or any other person related by blood, marriage, or legal adoption, if regularly residing in the same household with applicant.

• • • • • •

Restriction of Transfers

§ 1360.335 *Sale or transfer of new passenger automobiles by certain persons serving in the armed forces.* (a) Notwithstanding any other provision of Rationing Order No. 2 or 2A, as amended, any person who is serving with, or who has taken his oath of service for, any branch of the armed forces of the United States, or any person who is a member of any branch of the armed forces of the United States and who has been called for duty, may, upon compliance with the provisions of paragraphs (b) and (c) of this section, sell or transfer to any person any new passenger automobile owned by him for personal use: *Provided*, That, if the person desiring to transfer the automobile acquired it after August 17, 1942 while on duty with the armed forces of the United States the transfer permitted in paragraph (a) of this section may be made only to a member of that person's family.

Transfers Without Certificates

§ 1360.361 *Persons eligible to acquire for use.* • • •

(d) Persons, other than trustees or receivers, acquiring all or substantially all of the assets of a business or institution when one or more new passenger automobiles constitute part of such assets, and when such new passenger automobiles are registered in the name of the transferor, or in the name of such business or institution, and have been used principally in connection with the operation of such business or institution, and will continue to be used in the same manner by the transferee.

§ 1360.362 *Persons eligible to acquire only for purposes of transfer.* • • •

(d) Persons duly authorized by law to engage in the insurance business by exercise of the right of subrogation or in consequence of the payment of a claim: *Provided, however*, That a transfer pursuant to this subsection may be rescinded by the insurer and the insured and the automobile may be redelivered to the insured if, after the loss of such automobile, the latter has not acquired, or has not been authorized to acquire, a new passenger automobile.

§ 1360.371 *Proof of need.* Subject to the quota provisions of these regulations, an applicant described in § 1360.372 may obtain a certificate if he needs an automobile for the efficient performance of services specified in § 1360.372 and if he does not already have the use of an automobile or has not since January 1, 1942 transferred an automobile which is adequate for this purpose.

• • • • • •

(c) An applicant who on or since January 1, 1942 owned an automobile which he has since transferred, must establish that the automobile was inadequate for his purposes, as described in paragraph (b) of this section unless other circumstances justified its transfer.

Effective Dates

§ 1360.442. *Effective dates of amendments.* • • •

(o) Amendment No. 15 (§§ 1360.310, 1360.335, 1360.361, 1360.362, 1360.371) to Rationing Order No. 2A shall become effective September 3, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 695, 1493)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8602; Filed, September 1, 1942; 4:37 p. m.]

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 8 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

SELECT-O-PHONE CO.

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

New subparagraph (6) is added to paragraph (c) of § 1390.25, and new paragraph (h) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* • • •

(c) *Amendments.* • • •

(6) *Select-O-Phone Company, a division of Screw Machine Products Company, Inc.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any of the private automatic telephones and parts therefor, manufactured and sold by the Select-O-Phone Company, a division of Screw Machine Products Company, Inc., 1012 Eddy Street, Providence, Rhode Island, for which the Select-O-Phone Company had a published or confidential list price in effect on October 1, 1941, shall be the price contained in the January 15, 1942, price lists issued by said Select-O-Phone Company.

§ 1390.31a *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§ 1390.25 (c) (6)) to Maximum Price Regulation No. 136, as amended, shall become effective September 2, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8601; Filed, September 1, 1942; 4:35 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 9 to Maximum Price Regulation 136[1] as amended]

MACHINES AND PARTS AND MACHINERY SERVICES

FILTRATION ENGINEERS, INC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (9) is added to § 1390.25(c) and new paragraph (i) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* • • •

*Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

[1] 7 F.R. 5047 5362, 5665, 5908.

(c) *Amendments.* • • •

(9) *Filtration Engineers, Incorporated.* Notwithstanding the provisions of § 1390.7, the maximum price applicable to the sale by Filtration Engineers, Incorporated of any filter or part for which it had no published or confidential list price in effect on October 1, 1941, shall be determined in accordance with the provisions of § 1390.7, except that the price-determining method in effect on October 1, 1941, shall be modified in that manufacturing or factory overhead shall be calculated as 150% of direct labor cost (instead of 100%).

§ 1390.31a *Effective dates of amendments.* • • •

(i) Amendment No. 9 (§ 1390.25 (c) (9)) to Maximum Price Regulation No. 136, as amended, shall become effective September 2, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8600; Filed, September 1, 1942; 4:35 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 10 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

INTERNATIONAL TELEPHONE AND RADIO MFG. CORP.

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

New subparagraph (8) is added to paragraph (c) of § 1390.25 and new paragraph (j) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* • • •

(c) *Amendments.* • • •

(8) *International Telephone and Radio Manufacturing Corporation.* Notwithstanding the provisions of §§ 1390.5 and 1390.6 the maximum price applicable to the sale of any selenium rectifier stacks and parts manufactured and sold by the International Telephone and Radio Manufacturing Corporation, East Newark, New Jersey, for which said Corporation had a published or confidential list price in effect on October 1, 1941, shall be the price determined in accordance with the following method: Material costs as of October 1, 1941, plus labor rates in effect on March 31, 1942, plus factory overhead of 100% of direct labor costs at such rates, plus administrative, commercial and developmental expense of 15% of sales, plus a markup of 10% of the aggregate of the aforesaid factors. The discounts which the said corporation may use shall be the discounts filed by it with the Office of Price Administration on or before July 14, 1942. A report of its new list prices computed in accordance with the aforesaid method, shall be filed by the Corporation, pursuant to § 1390.13.

§ 1390.31a *Effective dates of amendments.* • • •

(j) Amendment No. 10 (§ 1390.25 (c) (8)) to Maximum Price Regulation No. 136, as amended, shall become effective September 2, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8599; Filed, September 1, 1942; 4:36 p. m.]

*Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Revised Supplementary Regulation 11 [1] to General Maximum Price Regulation [2]]

EXCEPTIONS FOR CERTAIN SERVICES

STEVEDORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In paragraph (a) of § 1499.46, subparagraph (1) is revoked and subparagraph (2) is redesignated (1); a new subparagraph (101) is added to paragraph (b); and a new subparagraph (2) is added to paragraph (d), as set forth below:

(b) • • •

(101) Stevedoring, and car loading and unloading, when performed under a contract for any war procurement agency.

(d) *Effective date.* • • •

(2) Amendment No. 1 (§ 1499.46 (a) (b) (d)) to Revised Supplementary Regulation No. 11 shall become effective this 1st day of September 1942.

(Pub. Law 421, 77th Cong.)

Issued and effective this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8603; Filed, September 1, 1942; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 18 to Supplementary Regulation 14 [2] of the General Maximum Price Regulation [2]]

TRANSPORTATION OF PROPERTY IN TANK TRUCKS BY CERTAIN CARRIERS

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (18) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(18) *Transportation of property in tank trucks by carriers other than common carriers within the exemption conferred by section 302 (c) of the Emergency Price Control Act of 1942.* (i) The maximum price for transportation of property in tank trucks by any carrier other than a common carrier shall be either (*a*) the maximum price established for such service by § 1499.2 of the General Maximum Price Regulation or (*b*) a price agreed upon between the carrier and the shipper involved and reported to the Office of Price Administration by such carrier within ten (10) days of the agreement or the effective date of this amendment, whichever is later.

(ii) Maximum prices established pursuant to subdivision (i) (*b*) above shall be subject to adjustment by the Office of Price Administration at any time: *Provided*, That a maximum price so adjusted by the Office of Price Administration shall thereafter be subject to increase by the carrier only after specific authorization by the Office of Price Administration.

(iii) The report required in subdivision (i) (*b*) shall be mailed to the Office of Price Administration, Transportation Division, Washington, D. C. Such report shall be headed "Rate Report pursuant to Amendment No. 18 to Supplementary Regulation No. 14", shall be in duplicate, shall be signed under oath or affirmation, and shall contain the following information:

(*a*) Name and address of carrier, indicating whether an individual, partnership, or corporation.

(*b*) If a corporation, state and date of incorporation.

(*c*) Brief description of business indicating operating authority and permit numbers.

(*d*) Names and addresses of customers to be served.

(*e*) Commodity carried, points of origin and destination and distances over actual route of movement, and maximum price agreed upon.

(*f*) The price to which the carrier would have been limited under the General Maximum Price Regulation, except for subdivision (i).

(*g*) Description of any special service involved, such as split pick-ups and deliveries.

(*h*) Probable volume of movement under each price.

(*i*) Probable frequency of movement under each price.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6426.

[2] 7 F.R. 3153, 3330, 3660, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

[2] 7 F.R. 5466.

(*j*) Common carrier rates for the same or similar deliveries, with reference to tariff authorities for such rates.

(*k*) Statement of facts in justification of price agreed upon, specifically indicating all relevant cost factors.

Such report shall also be accompanied by a statement, addressed to the Office of Price Administration and signed by the purchaser of the service, that any increase in the cost of the transportation service resulting from the reported price shall in no way be reflected in an increase in the price of the commodity being transported, and that such increase in the cost of transportation will not be used as the basis for a petition of amendment, adjustment or exception with respect to any price regulation issued by the Office of Price Administration.

(b) *Effective dates.* * * *

(19) Amendment No. 18 (§ 1499.73 (a) (18)) to Supplementary Regulation No. 14 shall become effective September 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8604; Filed, September 1, 1942; 4:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Maximum Price Regulation 165 as Amended [1]]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1499.114 (a) and (b) the words "Temporary Procedural Regulation No. 5 issued June 23, 1942, by the Office of Price Administration" are amended to read "Procedural Regulation No. 2"; in paragraph (c) the words "Procedural Regulation No. 1" are amended to read "Procedural Regulation No. 2"; a new § 1499.121a is added, as set forth below:

§ 1499.121a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1499.114 (a) (b) (c), 1499.121a) to Maximum Price Regulation No. 165 as amended shall become effective September 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8608; Filed, September 1, 1942; 4:38 p. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4734, 5028, 5567, 6428.

PART 1499—COMMODITIES AND SERVICES

[Order 34 Under § 1499.18 (b) of the General Maximum Price Regulation [1]—Docket 6F3-1706]

COLORADO BEDDING CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered:

§ 1499.334 *Adjustment of maximum prices for sales of bedding by Colorado Mattress Company.* (a) Colorado Mattress Company is hereby authorized to sell and deliver, and any person may buy and receive from Colorado Mattress Company at prices not higher than those set forth below:

ALL COTTON MATTRESSES

Sizes 4–6, 3–6, 3–3

Pilot, Roll Edge, Art Cover	45#	$6.50
Cotton Special, 4-Row, Self Border	50#	7.50

SEMI-FELTED COTTON MATTRESSES

Sizes 4–6, 3–6, 3–3

Texo, Roll Edge, Drill Cover	45#	$6.95
Perfection, 4-Row, Sateen Border, Drill Cover	55#	8.50
Home Comfort, 4-Row, Sateen Border, Sateen Cover	55#	9.50

ALL FELTED COTTON MATTRESSES

Sizes 4–6, 3–6, 3–3

Flexo, Roll Edge, Art cover	45#	$7.95
Nap-On, 4-Row Sateen Border, Drill Cover	50#	9.95
Daisy, 4-Row Border, Sateen Cover	50#	10.95
Dreamland, 4-Row Border, Sateen Cover	50#	12.00
Snow-Flake, Tufted, 4-Row, Sateen or Damask Cover	50#	21.00
Snow-Flake, Tuftless, Sateen or Damask Cover	50#	21.00

INNER-SPRING MATTRESSES & BOX SPRINGS

Sizes 4–6, 3–6, 3–3

Ritz, Tape Roll Edge, Button Tuft, Drill or ACB Cover	$10.75
Sleepwell, Tape Smooth Edge	12.75
Companion Box Spring, Sateen, Damask, or ACA Covers	12.75
Hotel Majestic, Inner-Roll Mattresses	13.75
Companion Box Spring, ACA Cover, or Brown Stripe	13.75
Minerva, Inner-Roll, Quilted Border	14.50
Companion Box Spring, Sateen, Damask or ACA Covers	14.50

DUOFOLD & DAVENO

3–11 x 5–11

Cotton Slab	$3.95
Felted Cotton Slab	5.00
Felted Cotton, 2" Box	5.75
Staple Felt Cotton, 2" Box	8.50
Cotton, R. E., Art Cover, 32#	5.85
Flexo, All Felt, R. E., 32#	7.50
No. 1 Felt, R. E., Sateen 32#	9.00

DAY BED PADS

Cretonne Covers

Cotton Slab with Valance	$5.40
Cotton Mattress, R. E., with Valance	6.50
Felt Mattress, R. E. with Valance	7.65

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5445, 5484, 5565.

PADS FOR STEEL COUCHES

Cotton, No Hinge	$4.95
Cotton, with Hinge	5.20
Felted Cotton, No Hinge	6.00
(With Valance, add 50¢)	

CRIB PUFFS WITH 2 INCH BOX

	18 x 36	22 x 42	26 x 48	28 x 52	33 x 66
Cotton, Art or Juvenile Tick	$1.35	$1.65	$2.00	$2.35	$3.00
Felted Cotton, Art or Juvenile Tick	1.70	2.15	2.50	2.85	4.05
No. 1 Cotton Felt, Sateen Cover	2.20	2.70	3.30	3.85	5.45
Staple Cotton Felt, Sateen Cover	3.00	3.85	4.35	5.45	6.60

CRIB MATTRESSES, 3½ INCH BOX, ROLL EDGE

Cotton, Art or Juvenile Tick	$2.00	$2.30	$2.75	$3.25	$3.60
Felted Cotton, Art or Juvenile Tick	2.30	2.70	3.05	3.85	4.60
Staple Cotton, Sateen Cover	3.85	4.80	5.45	6.55	8.50

SPRING-FILLED CRIB MATTRESSES, TAPE ROLL EDGE

	27 x 51	33 x 66
Slumber, Roll Edge, Juvenile Cover, Button Tuft	$5.50	$6.50
Minerva, Sateen, or Water Repellent Covers, No Tuft	6.90	7.90
Diana, Sateen, or Water Repellent Covers, No Tuft	9.20	10.50

PUFFS WITH 2 INCH BOX

	4/6	3/3 or 3/6	3/0	2/6
Cotton Puff	$4.65	$4.20	$3.60	$3.00
Felted Cotton Puff, Drill Cover	6.75	6.05	4.70	4.10
No. 1 Felted Cotton Puff, Sateen or ACA	7.95	7.15	6.35	6.00
Staple Felt Cotton, Sateen, ACA or Damask	11.00	10.00	8.25	7.50

PADS (NO BOXING)

Cotton Slab	$4.40	$3.85	$3.10	$2.80
Felted Cotton	6.00	5.25	4.15	3.85

SPRING-FILLED MATTRESSES

Sicepona, Spring-filled Roll Edge, Art Cover, Ventilators, Button Tuft, $8.75.

Wearwell, Spring-filled, Tape Roll Edge, Drill Art and Stripe covers; Ventilators, Handles, Button Tuft, $9.75.

Dependable, Spring-filled, Tape Smooth Edge, Woven Fancy Stripe and ACA Covers; Ventilators, Button Tuft, Metal Handholds, $10.75.

Commander, Spring-filled, Tape Smooth Edge, Quilted Border, Cord Handholds, Ventilators, Button Tuft; Damask, or Heavy Fancy Stripes in latest shades and designs, $11.75.

COTTON MATTRESSES

Leader, Cotton Linters, Roll Edge, Art Cover, 45 lbs., $5.50.

Semi-Felt, Plated with Microtized Cotton Felt with loose cotton center, 4-row Sateen Border, Handholds, Fancy Drill cover, 55 lbs., $6.50.

Felt-Special Microtized, All Cotton Felt, Roll Edge, Art cover, 45 lbs., $6.95.

Texas, Microtized, All Cotton Felt, 4-row Sateen Border, Handholds, Fancy Art Cover, 55 lbs., $8.50.

SHODDY MATTRESSES

Junior, Roll Edge, Art cover, 45 lbs., $4.50.

Victor, 4-row, Sateen Border, Art cover, Handholds, 50 lbs., $5.00.

Reliable, 4-row, Sateen Border, Plated with Microtized cotton Felt, Fancy Art cover, 55 lbs., $5.75.

Cotton Daveno Mattress, R. E., $4.10.

Cotton Duofold Pad, $3.40.

Cotton Couch Pad, No Hinge, $3.95.

Cotton Couch Pad, Hinged, $4.24.

Cotton Day Bed Mattress R. E., with valance, $4.95.

Cotton Day Bed Slab with valance, $4.40.

Shoddy Daveno Mattress R. E., $3.60.

Shoddy Duofold Pad, $3.00.

Shoddy Couch Pad, No Hinge, $3.25.

Shoddy Couch Pad, Hinged, $3.50.

Shoddy Day Bed Mattress R. E. with valance, $4.35.

Shoddy Day Bed Slab with valance, $3.65.

PUFFS WITH 2" BOX

	4–6 and 4–0	3–3 and 3–6	3–0	2–6
Cotton Linters	$4.00	$3.60	$3.00	$2.65
Felted Cotton (Microtized)	5.00	4.50	3.85	3.25
Shoddy	3.50	3.20	2.70	2.40

No boxing—deduct 15¢ from above prices.

Subject to the Colorado Mattress Company's customary allowances, discounts, or other price differentials from its regular quoted price list in effect during March, 1942.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 34 may be revoked or amended by the Administrator at any time.

(d) This Order No. 34 (§ 1499.334) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 34 (§ 1499.334) shall become effective September 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8605; Filed, September 1, 1942; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 35 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3-30]

STANTON BREWERY, INC.

For the reasons set forth in an opinion* issued simultaneously herewith it is ordered:

§ 1499.335 *Adjustment of maximum prices for fermented malt beverages manufactured by The Stanton Brewery Inc.* (a) The Stanton Brewery Inc., 1431 Fifth Avenue, Troy, New York may sell and deliver and Champlain Valley Fruit Company may buy and receive from The Stanton Brewery Inc., fermented malt beverages manufactured by The Stanton Brewery Inc., at prices not higher than those set forth below:

$1.09 per case of 24 twelve ounce bottles.
$1.27 per case of 24 pint bottles.
$1.27 per case of 12 quart bottles.
$1.27 per case of 6 half gallons.
$2.93 per ¼ barrel.
$5.80 per ½ barrel.

The maximum prices listed above are f. o. b. brewery platform, Troy, New York and apply to the contents of the containers only.

(b) Champlain Valley Fruit Company may sell and deliver and retailers doing business in the State of Vermont may buy and receive from Champlain Valley Fruit Company, fermented malt beverages manufactured by The Stanton Brewery Inc., at prices not higher than those set forth below:

$1.75 per case of 24 twelve ounce bottles.
$2.05 per case of 24 pint bottles.
$2.05 per case of 12 quart bottles.
$2.05 per case of 6 one-half gallon bottles.
$4.78 per quarter barrel.
$9.50 per one-half barrel.

(c) Retailers doing business in the State of Vermont may sell and deliver and any person may buy and receive from retailers doing business in the State of Vermont fermented malt beverages manufactured by The Stanton Brewery Inc., at prices not higher than those set forth below:

12 oz. bottles	10¢ per bottle.
pint bottles	13¢ per bottle or 2 bottles for 25¢.
quart bottles	25¢ per bottle.
½ gallon bottles	50¢ per bottle.

or the maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation, whichever is higher.

(d) The adjustments granted to The Stanton Brewery Inc., and Champlain Valley Fruit Company in paragraphs (a) and (b) respectively are subject to the condition that The Stanton Brewery Inc., or Champlain Valley Fruit Company shall forthwith by circular or other appropriate means, notify all retailers doing business in the State of Vermont who sell fermented malt beverages manufactured by the Stanton Brewery Inc., of the maximum prices for such fermented malt beverages established for such retailers by the Office of Price Administration by paragraph (c) of this Order No. 35.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 35 (§ 1499.335) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 35 (§ 1499.335) shall become effective September 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8606; Filed, September 1, 1942; 4:37 p. m.]

* Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 30 Under § 1499.18 (c) of the General Maximum Price Regulation — Docket GF3-838]

SHAMROCK TOWING COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.380 *Adjustment of maximum price of Shamrock Towing Company, Inc., for transportation of refuse for the City of New York.* (a) Shamrock Towing Company, Inc., Pier 93, Foot of West 53d Street, New York, New York, may sell and deliver and the City of New York may buy and receive from Shamrock Towing Company, Inc., under a contract for towing services for which bids were received, publicly opened, and read in the Department of Sanitation of the City of New York on June 23, 1942, transportation services in the towing of refuse material in scows or barges owned by the City of New York between certain points in the City of New York and points in the Harbor and Port of New York, and return of the empty scows and barges, all as directed by the New York City Department of Sanitation at a price not higher than $146,689 for the period from July 1, 1942 through June 30, 1943.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 30 (§ 1499.380) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 30 (§ 1499.380) shall become effective September 2, 1942.

(Pub. Law No. 421, 77th Congress)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8607; Filed, September 1, 1942; 4:36 p. m.]

PART 1300—PROCEDURE

[Amendment 2 to Procedural Regulation 1 [1]]

PROCEDURE FOR THE ISSUANCE, PROTEST, AND AMENDMENT OF MAXIMUM PRICE REGULATIONS

A new sentence is added to § 1300.37 as set forth below and a new § 1300.59 is added.

[1] 7 F.R. 971, 3663.

§ 1300.37 *Action by the Administrator on petition.* • • •

Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment the Administrator may consolidate such petitions.

§ 1300.59 *Joint protests and petitions.* Two or more persons may file a joint protest or petition for amendment. Joint protests and petitions shall be filed and determined in accordance with the rules governing the filing and determination of protests and petitions filed by one person. A joint protest shall be verified in accordance with Rule 14 (g) by each protestant. A joint protest or petition may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests or petitions, he may treat such joint protests or petitions as several, and, in any event, he may require the filing of materials relevant to the individual position of each person joining in it.

§ 1300.58 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1300.37 and 1300.59) to Procedural Regulation No. 1 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8638; Filed, September 2, 1942; 12:01 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[Amendment 1 to Maximum Price Regulation 186[1]]

WESTERN WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* In § 1377.114 (a), Table 1—Shook, the delivered prices of cannery trays in Group 8, apple, artichoke and rhubarb items in Group 5, and of trays 2' x 3'—Over 24", bottoms, in all groups, is amended; in § 1377.114 (b), Notes, item No. 1 is amended and item No. 3 is revoked; in § 1377.114 (c) Table 3, the note is amended and the list "extra charges on covers" is amended; in § 1377.114 (f) Table 6, item (6) is amended; and two new §§ 1377.113a and 1377.115 are added as set forth below.

§ 1377.114 *Appendix A: Maximum prices for western wooden agricultural containers.* (a) • • •

TABLE 1—SHOOK

• • • • •	
Cannery: Trays, 1 piece bottom.	Price in Group 8, $63.00.
• • • • •	
Deciduous: • • •	
Apple, artichoke and rhubarb.	Price in Group 5, $45.25.
• • • • •	
Trays: • • •	
2' x 3'—over 24" bottoms:	
Add, bottoms only.	Price in basic price column and in all group columns—$10.00.

(b) • • •

NOTES

1. The maximum price for any of the Northwest items set forth in Table 2 which are produced anywhere within the "Northwest region", but where delivery takes place outside the State of Washington, shall be the price set forth in Table 2 plus transportation charges to the point of delivery calculated from Spokane, Washington; the maximum price of any item produced in the "Northwest region" but not listed in Table 2 shall be determined in accordance with Table 1.

(c) • • •

TABLE 3—COVERS

• • • • •	
NOTE: No additional price for slight variation in length of covers, no lower price for narrower cleats or slats. Delivered price groups based on zones in Table 1. Basing points Klamath Falls, Oregon, or Weed, California, whichever is lower. Maximum for shipment beyond group 19 is basic price plus freight.	

EXTRA CHARGES ON COVERS

	Add
Staining cleats:	
For black, any cover	$0.20 per C covers.
For red any cover	0.10 per C covers.
For vegetable & celery covers, except black	0.10 per C covers.
For all other covers and other colors	0.05 per C covers.
When cleats are ½" or heavier add to above	0.05 per C covers.
Additions for heavier cleats:	
When cleats are ¼" on items 29 to 41 inclusive add	0.05 per C covers.
When cleats are 5/16" on items 29 to 41 inclusive add	0.15 per C covers.
Printing:	
For covers with slats 3½" wide or less:	
When 1 slat printed in one color	0.125 per C covers.
Printing—Continued.	
For covers with slats 3½" wide or less—Continued.	
When 1 slat printed in two colors	$0.20 per C covers.
When 2 or more slats printed in one or two colors	0.125 per C slats.
For covers with slats 3⅝" to 8" wide:	
When 1 or 2 slats printed in one or two colors	0.25 per C covers.
When 3 or more slats printed in one or two colors	0.125 per C slats.
When stock is thinner than ⅛", add to above	0.10 per C covers.

(f) • • •

TABLE 6—WAREHOUSING AND DELIVERY CHARGES

• • • • •	
(6) For delivering framed stock: Add $4.00 per thousand feet, or actual cost, whichever is lower, for all items l. c. l.	

§ 1377.115 *Method of calculating footage.* Where the maximum prices in this Maximum Price Regulation No. 186 are stated to be per thousand feet of shook, footage shall be determined according to the method set forth in "Tariff No. 1, Official Box and Crate Specifications of the Pacific Division of the National Wooden Box Association", as revised.

§ 1377.113a *Effective dates of amendments.* (a) Amendment No. 1, (§§ 1377.114 (a), (b), (c) and (f), 1377.113a and 1377.115) to Maximum Price Regulation No. 186 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8637; Filed, September 2, 1942; 12:00 m.]

PART 1365—HOUSEHOLD FURNITURE

[Maximum Price Regulation 213]

COIL AND FLAT BEDSPRINGS WITH NON-STEEL FRAMES

The purpose of this Maximum Price Regulation No. 213 is to set specific maximum prices for coil and flat bedsprings with non-steel frames at all levels. The Price Administrator has ascertained and given due consideration to the prices and the trade practices prevailing in the industry between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 213 is hereby issued.

AUTHORITY: §§ 1365.51 to 1365.75, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1365.51 *Prohibition against dealing in coil or flat bedsprings with non-steel frames above maximum prices.* On and after September 7, 1942, regardless of any contract or any other obligations, no person shall sell or deliver any coil or flat bedspring with a non-steel frame and no person in the course of trade or business shall buy or receive any such bedspring at prices higher than the maximum prices set forth in this Maximum Price Regulation No. 213, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this Section shall not be applicable to sales or deliveries of such a bedspring to purchasers, if prior to September 7, 1942, such a bedspring has been received by a carrier, other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1365.52 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 213 may be charged, demanded, paid or offered.

§ 1365.53 *F. O. B. factory maximum prices for the sale of coil bedsprings with wood frames by manufacturers.* (a) The F. O. B. factory, L. C. L. maximum price for the sale by a manufacturer of a coil bedspring with a wood frame shall be the price listed in this paragraph below:

Class	Description	Maximum price f.o.b. factory, l.c.l.[1]
A	Single deck coil, crimp wire tie, bedspring with wood frame	$5.45
B	Single deck coil, helical tie, bedspring with wood frame	6.00
C	Semidouble deck coil, helical tie, bedspring with wood frame	7.00
D	Double deck coil, bedspring with wood frame	7.30

[1] F. O. B. factory L. C. L. maximum prices in the Far West Zone shall be determined by adding $.30 per bedspring to Class A and B coil bedsprings and $.40 per bedspring to Class C and D coil bedsprings.

(b) To determine the F. O. B. factory carload maximum price of the class of coil bedspring with a wood frame listed in paragraph (a) hereof,

(1) A manufacturer who in March 1942 quoted both on an F. O. B. factory L. C. L. and an F. O. B. factory carload basis, shall deduct from the maximum price of such bedspring set forth in paragraph (a) hereof, an amount equal to the difference between the manufacturer's F. O. B. factory L. C. L. and F. O. B. factory carload prices in effect during March 1942 for a bedspring in the nearest price bracket under the same conditions of sale.

(2) A manufacturer who in March 1942 did not quote on an F. O. B. factory L. C. L. basis, but did quote on an F. O. B. factory carload basis shall file an application in writing with the Office of Price Administration, Washington, D. C., for instructions and authorization to determine such a carload price.

(c) An F. O. B. factory maximum price established by paragraphs (a), or (b) hereof shall be subject to trade discounts, allowances, and differentials which reflect the same differentials the manufacturer made during March 1942 from his F. O. B. factory price (L. C. L. or carload respectively) of the most comparable bedspring with a steel frame for different types of purchasers or for purchases of different quantities of bedsprings.

§ 1365.54 *Delivered and warehouse maximum prices for manufacturers and jobbers.* (a) If a manufacturer customarily made free delivery of a bedspring to certain delivery points during March 1942 at a F. O. B. factory price, then such F. O. B. factory price established by this Maximum Price Regulation No. 213 for the most comparable bedspring with a wood frame shall include free delivery to the same delivery points.

(b) To determine a delivered or warehouse maximum price of a class of coil bedspring with a wood frame which is listed in § 1365.43 of this Maximum Price Regulation No. 213, a manufacturer or person selling at wholesale shall add,

(1) To the F. O. B. factory L. C. L. maximum price established in paragraph (a) of § 1365.53 of this Maximum Price Regulation No. 213, the dollar amount by which such seller's delivered or warehouse price exceeded the manufacturer's F. O. B. factory L. C. L. price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sales; or

(2) To the F. O. B. factory carload maximum price determined in accordance with § 1365.53 (b) of this Maximum Price Regulation No. 213, the dollar amount by which the seller's delivered or warehouse price exceeded the manufacturer's F. O. B. factory carload price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sale.

§ 1365.55 *Manufacturers' and jobbers' terms.* (a) No manufacturer or person selling at wholesale a class of coil bedspring with a wood frame listed in § 1365.53 (a) hereof may reduce his cash discounts below those which he had in effect during March 1942 for a bedspring in the most comparable price bracket.

§ 1365.56 *Additions to maximum prices.* There may be added to the maximum prices of the classes of coil bedsprings with wood frames determined by §§ 1365.53 and 1365.54 of this Maximum Price Regulation No. 213, $1.05 for a full platform top, $.60 for a partial platform top and $.15 per pair for stabilizers.

§ 1365.57 *Specifications of classes of coil bedsprings with wood frames.* (a) Class "A," single deck coil, crimp wire tie, bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Number and Type of Coils—80, 81, 88, or 90, single deck.

Gauge and Kind of Coil Wire—Minimum: #12 high carbon steel spring wire.

Top Assembly—Crimp wire.

Gauge and Kind of Border Wire—Minimum: #3 low carbon steel wire.

Frame—To be adequately braced and composed of the following members:

Side Rails—1⅜" x 1¾" Maple, Oak, Ash or wood of equivalent strength and serviceability.

Cross Members—9 for 81 coil bedspring, 10 for 80 or 90 coil bedspring and 11 for 88 coil bedspring; ⅜" x 1¼" Maple, Oak, Ash, or wood of equivalent strength and serviceability, assembled with side rails by mortise and tenon or by notched and lap joint connection.

Frame Finish—Baked enamel with sealer undercoat; or a finish of equivalent quality.

Weight of wire (not including hardware and accessories)—Minimum: 20 lbs.

(b) Class "B" single deck coil, helical tie, bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Number and Type of Coils—80, 81, 88, or 90, single deck.

Gauge and Kind of Coil Wire—Minimum: #12 high carbon steel spring wire.

Top Assembly—Cross Helical

Gauge and Kind of Helical Wire—Minimum: #17 high carbon steel spring wire.

Gauge and Kind of Border Wire—Minimum: #0 low carbon steel wire.

Frame—To be adequately braced and composed of the following members:

Side Rails—13/16" x 1¾" Maple, Oak, Ash, or wood of equivalent strength and serviceability.

Cross Members—9 for 81 coil bedspring, 10 for 80 or 90 coil bedspring and 11 for 88 coil bedspring; 13/16" x 1¼" Maple, Oak, Ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection.

Frame Finish—Baked enamel with sealer undercoat; or a finish of equivalent quality.

Weight of Wire (not including hardware and accessories)—Minimum: 24 lbs.

(c) Class "C", semi-double deck coil, bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Number and Type of Coils—88 or 90, semi-double deck (excepting border coils).

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5776.

[1] 7 F.R. 9713, 663.

Gauge and Kind of Coil Wire—Minimum: #12 high carbon steel spring wire.

Top Assembly—Cross Helical.

Gauge and Kind of Helical Wire—Minimum: #17 high carbon steel spring wire.

Gauge and Kind of Border Wire—Minimum: #0 low carbon wire.

Center Wire Tie—Round wire through all semi-double deck coils.

Frame—To be adequately braced and composed of the following members:

Side Rails—13/16" x 1¾" Maple, Oak, Ash or wood of equivalent strength and serviceability.

Cross Members—10 for 90 coil bedspring and 11 for 88 coil bedspring; 13/16" x 1¼" Maple, Oak, Ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection.

Frame Finish—Raked enamel with sealer undercoat; or a finish of equivalent quality.

Weight of Wire (not including hardware and accessories)—Minimum: 27 lbs.

(d) Class "D", double deck coil bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Number and Type of Coils—88 or 90, close wound center double deck coils (excepting border coils).

Gauge and Kind of Coil Wire—Minimum: #12 high carbon steel spring wire.

Top Assembly—Cross helical.

Gauge & Kind of Helical Wire—#17 high carbon steel spring wire.

Gauge & Kind of Border Wire—#0 low carbon steel wire.

Center Wire Tie—Round or flat wire running two ways through all double deck coils.

Frame—To be adequately braced and composed of the following members:

Side Rails—[illegible]" x 1¾" Maple, Oak, Ash or wood of equivalent strength and serviceability.

Cross Members—10 for 90 coil bedspring and 11 for 88 coil bedspring; [illegible]" x 1¼" Maple, Oak, Ash or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection.

Frame Finish—Baked enamel with sealer undercoat; or a finish of equivalent quality.

Weight of Wire (not including hardware and accessories)—Minimum: 29 lbs.

(e) "Full platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to cover the entire coil area (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	*Length bands*
80 Coil Bedspring	8	6
81 Coil Bedspring	7	7
88 Coil Bedspring	9	6
90 Coil Bedspring	8	7

(f) "Partial platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to extend full length of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Length bands
80 Coil Bedspring	6
81 Coil Bedspring	7
88 Coil Bedspring	6
90 Coil Bedspring	7

or platform top to extend full width of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands
80 Coil Bedspring	8
81 Coil Bedspring	7
88 Coil Bedspring	9
90 Coil Bedspring	8

or Platform top to cover one third of the coil area of the spring and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	*Short length bands*
80 Coil Bedspring	4	6
81 Coil Bedspring	3	7
88 Coil Bedspring	5	6
90 Coil Bedspring	4	7

(g) The specifications set forth in paragraphs (a), (b), (c), (d), (e) and (f) hereof are for the full size 4'-6" bedspring. Other widths are to conform to above specifications except for the number of coils, weight of wire, and number of steel bands in a platform top which may vary in the same proportion as such specifications of the manufacturer's most comparable bedspring with a steel frame of any other width customarily varied from the specifications of the 4'-6" size during the most recent period of production provided such specifications conform to orders of the War Production Board.

(h) "Stabilizer" means a device fastened to and connecting the border frame to the base frame in a manner adequately to prevent sway.

(i) "Hardware and accessories" means any metal appurtenance attached to or used in the assembly of the bedspring, such as nails, screws, platform tops, stabilizers, etc., but does not include wire which is part of the bedspring proper.

§ 1365.58 *Permitted variations of specifications.* (a) Wood frames differing in specifications from those set forth in paragraphs (a), (b), (c) and (d) of § 1365.57 of this Maximum Price Regulation No. 213 may be substituted for those listed in such paragraphs: *Provided*, That they are equal in strength and serviceability and are specifically approved in writing by the Office of Price Administration prior to first offering the bedspring for sale.

(b) If a manufacturer is able to manufacture a bedspring fulfilling all of the specifications of a Class A, B, C, or D bedspring, as set out in § 1365.57 of this Maximum Price Regulation No. 213, except for the gauge of wire, then in case the prescribed wire is unavailable, the manufacturer may manufacture such bedspring with a different gauge of wire as long as the prescribed wire is unavailable: *Provided*, That the substitute wire does not cost less, does not lessen the serviceability of such bedspring and the following requirements of this paragraph have been fulfilled. Immediately upon the substitution of such wire, the manufacturer shall file, with the Office of Price Administration, Washington, D. C., a statement setting forth (1) the specifications of the bedspring in which the substitution is necessary, (2) the reasons for the necessity of such substitution, (3) the gauge and amount of wire substituted, (4) explanation of why such substitution does not decrease the serviceability of such bedspring, and (5) the approximate number of bedsprings proposed to be made with such substitute wire. After such statement has been mailed to the Office of Price Administration, the manufacturer may sell the number of such bedspring set forth in said statement, subject to price adjustment which may be ordered by the Office of Price Administration at any time. If the manufacturer finds that he will exceed the number indicated, he shall file a supplementary statement setting forth the additional number to be so manufactured, and may sell such additional number subject to price adjustment which may be ordered by the Office of Price Administration.

§ 1365.59 *Maximum prices for sales at retail.* (a) The maximum cash prices for a sale at retail of the following classes of coil bedsprings with wood frames shall be the prices listed in the paragraph below:

Class and description:	*Maximum cash[a] price at retail*
A. Single deck coil, crimp wire tie, bedspring with wood frame	$9.50
B. Single deck coil, helical tie, bedspring with wood frame	10.50
C. Semi-double deck coil, helical tie, bedspring with wood frame	12.50
D. Double deck coil, bedspring with wood frame	13.00

(b) Carrying charges and credit terms for sales at retail of the classes of coil bedsprings listed in paragraph (a) hereof shall be no less favorable to the purchaser than those which such seller had in effect during March 1942 for the most comparable bedsprings to the extent that such terms are not in conflict with any law, regulation or order of the United States Government or agency thereof.

§ 1365.60 *Additions to basic maximum retail prices.* There may be added to the basic maximum cash prices of the classes of coil bedsprings with wood frames set forth in paragraph (a) of § 1365.59 of this Maximum Price Regulation No. 213, $1.75 for a full platform top, $1.00 for a partial platform top and $.25 per pair for stabilizers.

§ 1365.61 *Maximum prices for the sale of coil and flat bedsprings with non-steel frames other than those established in §§ 1365.53 and 1365.54.* (a) The maximum price for a coil or flat bedspring with a non-steel frame other than one manufactured in accordance with the specifications set forth in § 1365.57 or which cannot be priced under §§ 1365.53 and 1365.54 of this Maximum Price Regulation No. 213 shall be a price in line with those established by this Maximum Price Regulation No. 213, specifically authorized by the Office of Price Administration.

[a] There may be added for sales at retail in the Far West Zone a maximum of $.50 to Class A and B bedsprings and $.70 to Class C and D bedsprings.

(b) Prior to first offering such bedspring for sale, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report applying for specific authorization of the maximum price. The report shall contain a description in detail of the article (including the manufacturing process), a statement of the facts which make it necessary to price the article under this Section and the proposed maximum F. O. B. factory, delivered and warehouse prices with a detailed explanation of their computation. The manufacturer shall also propose maximum prices for persons selling at wholesale and persons selling at retail in line with the differentials established in this Maximum Price Regulation No. 213 for the classes of coil bedspring with wood frames listed in § 1365.53 (a) hereof. On the basis of this application, the Office of Price Administration may authorize by order maximum prices for sales by the manufacturer, for sales at wholesale, and sales at retail of such bedspring. After receipt of the authorization, the manufacturer may sell the bedspring if, by a communication in writing at the time of, or prior to his first invoice to a person purchasing for the purpose of resale, he informs each purchaser of the provisions of the authorization which establishes the maximum prices of such bedspring, and if such manufacturer complies with the requirements of § 1365.62 of this Maximum Price Regulation No. 213.

§ 1365.62. *Retail price label.* Before the delivery of any coil or flat bedspring with a non-steel frame, the manufacturer must attach securely to such bedspring so that it is clearly visible a durable tag containing in easily readable lettering the statement in the following form:

The Office of Price Administration has established a Retail Ceiling Price of $_____ for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

§ 1365.63 *Evasion.* The provisions of this Maximum Price Regulation No. 213 shall not be evaded either by direct or indirect methods in connection with the manufacturing or sale of a coil or flat bedspring with a non-steel frame or in connection with an offer, solicitation, agreement, or sale of any such bedspring, or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or trade understanding, or by any other means.

§ 1365.64 *Records.* (a) Every manufacturer and person selling at wholesale a coil or flat bedspring with a non-steel frame after September 7, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each sale of such bedspring, name and address of the buyer, name, number or other designation, and the price received for each such bedspring, quantity sold, and discounts and allowances of any nature given.

(b) Every person selling at retail a bedspring for which, upon sale by that person, maximum prices are established by this Maximum Price Regulation No. 213 shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for such bedsprings as he sold after the effective date of this Maximum Price Regulation No. 213.

§ 1365.65 *Reports.* On or before September 7, 1942, every manufacturer and person selling at wholesale offering to sell a coil or flat bedspring with a non-steel frame shall file with the Office of Price Administration in Washington, D. C., a statement giving specifications and the F. O. B. factory and delivered maximum price of such article, showing all allowances, discounts, charges and other differentials in effect at the time of filing of such statement. Such statement shall be kept up to date by such person filing on the 10th day of any month thereafter, a similar statement of any additional coil or flat bedspring with a non-steel frame which was first manufactured and offered for sale during the preceding calendar month.

§ 1365.66 *Sales slips and receipts.* (a) Any seller of bedsprings who has customarily given a purchaser a flat or coil bedsprings with steel frames a sales slip, receipt, or similar evidence of purchase shall continue to do so to purchasers of flat or coil bedsprings with non-steel frames. Upon request from a purchaser any seller of a flat or coil bedspring with a non-steel frame, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of such bedspring sold, and the price received for it.

§ 1365.67 *Penalties.* Persons violating any provisions of this Regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, and proceedings for the suspension of licenses.

§ 1365.68 *Application for adjustment.* (a) The Office of Price Administration may by order adjust the maximum price established under this Maximum Price Regulation No. 213 for any seller who shows: (1) that due to the circumstances of his case the maximum prices established by this Maximum Price Regulation No. 213 cause a substantial hardship to him and (2) that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 213 to eliminate danger of inflation.

(b) Applications for adjustment under this section shall be filed in accordance with the provisions of the appropriate Procedural Regulation No. 1[4] or No. 2.[5]

§ 1365.69 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 213 may file a petition for amendment in accordance with provisions of the appropriate Procedural Regulation No. 1 or No. 2, issued by the Office of Price Administration.

§ 1365.70 *Licensing—applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 213 selling at wholesale or retail any bedspring covered by this Maximum Price Regulation No. 213. When used in this Section, the terms "selling at wholesale", "selling at retail" and "seller" have the definitions given to them by §§ 1499.20 (p), 1499.20 (o) and 1499.20 (s) respectively of the General Maximum Price Regulation.

§ 1365.71 *Definitions.* (a) When used in this Maximum Price Regulation No. 213 the term:

(1) "Manufacturing" means the process of fabricating, or assembling a coil or flat bedspring with a non-steel frame.

(2) "Manufacturer" means a person operating a business which fabricates or assembles a flat or coil bedspring with a non-steel frame.

(3) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political sub-divisions, and any agency of any of the foregoing.

(4) "Records" includes books of accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(5) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer.

(6) "Sale at wholesale" or "selling at wholesale" means a sale by a person who receives delivery of a coil or flat bedspring with a non-steel frame and resells it, without substantially changing its form, to any person other than the ultimate consumer.

(7) "Far West Zone" means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jefferson, Davis, Presidio, Brewster, Terrell, Pecos, Reeves.

(8) "F. O. B. factory L. C. L." means the manufacturer's list or other regularly quoted price for a bedspring sold in less than carload lots for delivery

[4] 7 F.R. 663, 9713.

[5] 7 F.R. 3522, 3664.

F. O. B. his factory or local area surrounding his factory.

(9) "F. O. B. factory carload" means the manufacturer's list or other regularly quoted price for a bedspring sold in carload lots for delivery F. O. B. his factory or local area surrounding his factory.

(10) Coil or flat bedspring with nonsteel frame as used in this order means an unupholstered bedspring in which materials other than steel are used in the supporting frame.

(11) "Most comparable bedspring" is a bedspring, the specifications of which, except for the supporting frame, are most nearly the same as those set forth in § 1365.57 hereof for the bedspring being compared.

§ 1365.72 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 213 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1365.73 *Export sales.* The maximum price at which a person may export flat or coil bedsprings with wood frames shall be determined in accordance with the provisions of the Maximum Export Price Regulation [2] issued by the Office of Price Administration.

§ 1365.74 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 213 shall be applicable to the forty-eight states and the District of Columbia.

§ 1365.75 *Effective date.* This Maximum Price Regulation No. 213 (§§ 1365.51 to 1365.75, inclusive) shall become effective September 7, 1942.

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8636; Filed, September 2, 1942; 12:02 p. m.]

PART 1389—APPAREL

[Amendment 2 to Maximum Price Regulation 177 [1]]

MEN'S AND BOYS' TAILORED CLOTHING

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of § 1389.104 (a) (2) is redesignated § 1389.104 (a) (3). Sections 1389.102 (b); 1389.103 (a) (3) (i) and (b) (3) (i); 1389.104 (a) (1), (a) (2) and (b) (1); 1389.115 (b); 1389.116 (c); 1389.119 (a) (9) are amended as set forth below:

§ 1389.102 *Categories of men's and boys' tailored clothing.* • • •

(b) *Same and similar garments.* (1) One garment shall be considered similar to another garment if the first is in the same classification as the second, has the same use, is made with equivalent workmanship, and contains materials and trimmings which are of the same type and quality, and would ordinarily sell at substantially the same price; differences merely in color or design shall be disregarded.

(2) A garment which is the same as, or similar to, a garment dealt in during the applicable base period, except for simplification in compliance with War Production Board Conservation Order No. M-73-A of March 2, 1942 (§ 1055.2), shall be considered the same as, or similar to such base period garment, except that a one-pant suit shall be considered the same as, or similar to, a two-pant suit.

§ 1389.103 *Maximum prices for sales at retail of ready-made garments.* (a) • • •

(3) • • •

(i) Selecting from the same classification and nearest price range that garment, priced under paragraph (a) (1) of this section, of which the seller delivered the largest number of units during March 1942; • • •

(b) • • •

(3) • • •

(i) Selecting from the same classification and nearest price range that garment, priced under paragraph (b) (1) of this section of which the seller delivered the largest number of units during September, October, and November 1941; • • •

§ 1389.104 *Maximum prices for sales of ready-made garments otherwise than at retail.* (a) • • •

(1) In those cases in which the same or similar garments were booked during July, August, September, October or November 1941, and in which subparagraph (2) does not apply:

The price at which the largest number of units of the same and similar garments were booked during such months, plus the amount indicated in Appendix A (§ 1389.121);

(2) In those cases in which the same or similar garments were booked during July, August, September, October or November 1941, and in which more than 60 percent of the garments so booked were delivered before December 1, 1941.

The price at which the largest number of units of the same and similar garments so booked were delivered during such months, plus nine percent of that portion of such price which does not exceed thirty dollars in the case of suits, twenty dollars in the case of separate coats and ten dollars in the case of separate pants and vests, and by five percent of that portion of such price which exceeds such limits. To this figure shall be added the amount indicated in Appendix A (§ 1389.121); • • •

(b) • • •

(1) In those cases in which the seller delivered the same or similar garments during July, August, September, October, and November 1941:

The price at which the seller during such months delivered the largest number of units of the same and similar garments, plus the amount indicated in Appendix B (§ 1389.122);

• • • • •

§ 1389.115 *Records of sellers of ready-made garments otherwise than at retail, and of all manufacturers.* • • •

(b) *Statements to be filed.* (1) On or before October 10, 1942, every person who sells men's and boys' ready-made tailored clothing otherwise than at retail, and every person who retails men's and boys' ready-made tailored clothing of which he is the manufacturer, shall file a statement with the Office of Price Administration, Washington, D. C., on a form to be prescribed. The statement shall contain such information relating to garments sold during the applicable base period, and to garments sold on and after July 11, 1942, as the form requires.

(2) On or before the tenth day of the month of November 1942, and of each succeeding month, every person who sells men's and boys' ready-made tailored clothing shall file a supplemental statement. This statement shall be subject to the same requirements as the original statement, but shall relate only to garments sold, delivered or offered for sale during the preceding calendar month, and not previously reported. When there is nothing new to report, no supplemental statement need be filed.

(3) The requirements of subparagraphs (1) and (2) are subject to the following exceptions:

(i) No statement need be filed by any person whose total sales of all men's and boys' tailored clothing during the year ended June 30, 1942, did not exceed one hundred thousand dollars.

(ii) No statement need be filed with respect to ceremonial and religious vestments other than suits, coats, pants and vests.

§ 1389.116 *Records of sellers of "tailored to the trade" and "made to measure" garments.* • • •

(c) *Statements to be filed by manufacturers.* (1) On or before October 10, 1942, every manufacturer of men's and boys' "tailored to the trade" and "made to measure" clothing shall file a statement with the Office of Price Administration, Washington, D. C., on a form to be prescribed. The statement shall contain such information relating to garments sold during the applicable base period, and to garments sold on and after July 11, 1942, as the form requires.

(2) On or before the 10th day of November 1942, and of each succeeding month, every manufacturer of men's and boys' "tailored to the trade" and "made to measure" clothing shall file a supplemental statement. This statement shall be subject to the same requirements as the original statement, but shall relate only to garments sold, delivered or offered for sale during the preceding calendar month, and not previously reported. When there is nothing new to report, no supplemental statement need be filed.

(3) The requirements of subparagraphs (1) and (2) are subject to the following exceptions:

(i) No statement need be filed by any person whose total sales of all men's and boys' tailored clothing during the year ended June 30, 1942, did not exceed one hundred thousand dollars.

(ii) No statement need be filed with respect to ceremonial and religious vestments other than suits, coats, pants and vests.

§ 1389.119 *Definitions.* (a) • • •

(9) A "price" at which any person booked, delivered or offered any garments during any base period shall be the net price at which such garment was booked, delivered or offered to purchasers of the same class; but if a garment was not booked or delivered to any purchaser of a particular class, the price at which it was actually booked or delivered to purchasers of another class, adjusted to reflect the seller's customary differentials between the two classes of purchasers, shall be taken as the price at at which it was booked or delivered to purchasers of such particular class.

• • • • •

§ 1389.120a *Effective dates of corrections and amendments.* • • •

(c) Amendment No. 2 (§§ 1389.102 (b); 1389.103 (a) (3) (i) and (b) (3) (i); 1389.104 (a) (1), (a) (2), (a) (3) and (b) (1); 1389.115 (b); 1389.116 (c); 1389.119 (a) (9)) to Maximum Price Regulation No. 177 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8639; Filed, September 2, 1942; 12:02 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 14 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

COUNTIES OF THE STATE OF MICHIGAN

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph 10 is added to § 1390.25 (c) and new paragraph (n) is added to § 1390.31a as set forth below:

§ 1350.25 *Petitions for amendment or adjustment.* • • •

(c) *Amendments.* • • •

(10) *Counties of the State of Michigan.* Notwithstanding the provisions of §§ 1390.5 and 1390.12, the maximum price applicable to the rental of any machine or part to the State of Michigan by the Board of County Road Commissioners of any County of the State of Michigan shall be the price agreed upon between the State of Michigan and its Counties

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682.

(i) No statement need be filed by any person whose total sales of all men's and boys' tailored clothing during the year ended June 30, 1942, did not exceed one hundred thousand dollars.

(ii) No statement need be filed with respect to ceremonial and religious vestments other than suits, coats, pants and vests.

§ 1389.119 *Definitions.* (a) • • •

(9) A "price" at which any person booked, delivered or offered any garments during any base period shall be the net price at which such garment was booked, delivered or offered to purchasers of the same class; but if a garment was not booked or delivered to any purchaser of a particular class, the price at which it was actually booked or delivered to purchasers of another class, adjusted to reflect the seller's customary differentials between the two classes of purchasers, shall be taken as the price at at which it was booked or delivered to purchasers of such particular class.

• • • • •

§ 1389.120a *Effective dates of corrections and amendments.* • • •

(c) Amendment No. 2 (§§ 1389.102 (b); 1389.103 (a) (3) (i) and (b) (3) (i); 1389.104 (a) (1), (a) (2), (a) (3) and (b) (1); 1389.115 (b); 1389.116 (c); 1389.119 (a) (9)) to Maximum Price Regulation No. 177 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8639; Filed, September 2, 1942; 12:02 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 12 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

RADIO TRANSMITTING APPARATUS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The item "radio transmitting and receiving apparatus" in paragraph (c) of § 1390.33 is amended and new paragraph (i) is added to § 1390.31a as set forth below:

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942, date is applicable.* • • •

(c) *Miscellaneous:* • • •

Radio transmitting and receiving apparatus and parts (whether or not referred to in § 1390.32, Appendix A), including electronic devices for sound recording, sound and direction detection, communication, controlling, and measuring, electronic tubes, vacuum and gas filled, and similar light-sensitive devices, for applications other than sun lamps, light sources, and domestic radio receivers (see Revised Price Schedules No. 83—Radio Receivers and Phonographs [2] and No. 84—Radio Receiver and Phonograph Parts.[3])

• • • • •

§ 1390.31a *Effective dates of amendments.* • • •

(i) Amendment No. 12 (§ 1390.33(c)) to Maximum Price Regulation No. 136, as amended, shall become effective September 8, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8635; Filed, September 2, 1942; 12:00 m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682.

[2] 7 F.R. 1360, 1836, 2000, 2182, 2302, 3125, 3820.

[3] 7 F.R. 1362, 1836, 2000, 2132, 2169, 2303, 2512, 2543, 3821.

PART 1410—WOOL

[Amendment 4 to Maximum Price Regulation 163 [1]]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraphs (a), (c) and (d) and subparagraph (1) of paragraph (f) of §1410.102 and subparagraphs (3) and (5) of paragraph (a) of § 1410.115 are amended, paragraphs (h) and (i) and subparagraph (3) of paragraph (f) of § 1410.102, subparagraphs (11) and (12) of paragraph (a) of §§ 1410.115 and 1410.119 are added, and read as set forth below. Subparagraphs (4) and (6) of paragraph (a) of § 1410.115 are hereby revoked.

§ 1410.102 *Maximum prices for woolen and worsted apparel fabrics sold by the manufacturer—*(a) *Fabrics sold by the manufacturer during the applicable base period.* (1) Except as provided in paragraph (b) of this § 1410.102, the maximum price for a woolen or worsted apparel fabric which was sold by the manufacturer during the applicable base period shall be the manufacturer's standard opening price for such fabric in such period plus the applicable percentage of such standard opening price set forth below:

(i) *Classification No. 1.* The applicable base period for all stock-dyed woolen or worsted apparel fabrics sold for the spring season only or for both the spring and fall seasons, shall be the selling period for the spring season of 1942, and the applicable percentage shall be 12½%.

(ii) *Classification No. 2.* The applicable base period for all piece-dyed woolen or worsted apparel fabrics sold for the spring season only or for both the spring and fall seasons, shall be the selling period for the spring season of 1942, and the applicable percentage shall be 10%.

(iii) *Classification No. 3.* The applicable base pericd for all stock-dyed woolen or worsted apparel fabrics sold only for the fall season shall be the selling period for the fall season of 1941, and the applicable percentage shall be 22½%.

(iv) *Classification No. 4.* The applicable base period for all piece-dyed woolen or worsted apparel fabrics, other than the types enumerated in subparagraph (v) of this paragraph, sold only for the fall season shall be the selling period for the fall season of 1941, and the applicable percentage shall be 20%.

(v) *Classification No. 5.* The applicable base period for manipulated piece-dyed ski or snow cloth (all wool, cotton warp or cotton filling) and piece-dyed cotton warp or cotton filling meltons shall be the selling period for the fall season of 1941 and the applicable percentage shall be 30%: *Provided,* That in no

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872.

case shall the maximum price for such fabrics exceed $1.50 per yard.

(2) For the purposes of this paragraph (a), the "standard opening price" for a fabric shall be determined as follows: The gross selling prices at which sales of the fabric were made during the applicable base period shall be converted to "standard prices" by deducting from the gross selling prices the amount of all term discounts in excess of 1% offered by the manufacturer. The "standard opening price" shall be the "standard price," determined in accordance with the preceding sentence, at which the largest quantity of the fabric was sold by the manufacturer during the applicable base period.

* * * * *

(c) *Comparable fabrics.* (1) Except as provided in paragraph (i) of this § 1410.102, the maximum price for a woolen or worsted apparel fabric comparable to a fabric sold by the manufacturer during the applicable base period shall be the maximum price for such fabric determined in accordance with paragraph (a) of this § 1410.102, increased or decreased by the difference in the cost of raw materials used therein: *Provided*, That raw material costs for both the comparable fabric and the fabric to which it is compared shall be calculated at the highest cost which the manufacturer would have incurred for such raw material if purchased from his customary source of supply for delivery during March 1942.

(2) One fabric shall be deemed "comparable" to another fabric if the first has the same weave as the second, contains substantially the same total number of ends and picks per finished inch, substantially the same yarn sizes, weight per yard, width and finish, and belongs to the same classification,[2] but is manufactured from different blends of raw material: *Provided*, That one fabric shall not be deemed "comparable" to another fabric if the first differs from the second in respect to any one or more of the following elements of construction in excess of the amount of variance allowed:

Elements of construction:	*Amount of variance allowed, percent*
The sum of ends and picks per finished inch	10
Weight per finished yard	10
Yarn sizes	10
Finished width	4

(d) *New woolen or worsted apparel fabrics.* (1) The maximum price for a woolen or worsted apparel fabric for which a maximum price cannot be determined pursuant to paragraph (a), (b), (c) or (i) of this § 1410.102, shall be computed by multiplying the sum of (i) the cost of the raw materials used in the fabric and (ii) the manufacturing cost thereof, by the 1941 ratio of the manufacturer's weighted average selling price to his weighted average manufacturing cost of all woolen and worsted apparel fabrics.

(2) For the purposes of this paragraph (d):

(i) The cost of raw materials and the manufacturing cost shall not exceed such costs, determined in accordance with the customary accounting practice of the manufacturer, which the manufacturer would have incurred if the raw materials had been purchased from his customary source of supply for delivery during March 1942 and the fabric manufactured during such month;

(ii) The weighted average selling price shall be determined by dividing the total amount received during 1941 from the sale of all woolen and worsted apparel fabrics by the total number of yards thereof sold during 1941;

(iii) The weighted average manufacturing cost shall be determined by dividing the total manufacturing costs, including the cost of raw materials, of all woolen and worsted apparel fabrics manufactured during 1941 by the number of yards thereof so manufactured.

* * * * *

(f) *Customary discounts, trade practices, and transportation costs.* (1) Every manufacturer of woolen or worsted apparel fabrics shall continue his customary terms of sale, allowances, discounts and other price differentials to different purchasers and different classes of purchasers: *Provided*, That in no case need the terms of sale be more favorable to the purchaser than a discount of 1% for payment within ten days of the date of invoice, the gross amount payable within sixty days of such date.

* * * * *

(3) Every manufacturer of woolen or worsted apparel fabrics making sales subject to this § 1410.102, shall determine his maximum prices to the closest 2½¢ per yard.

* * * * *

(h) *Decorations.* In any case where a manufacturer adds decorations to a fabric the maximum price for which is determined pursuant to paragraphs (a), (c), (d) or (i) of this § 1410.102, the maximum price for such fabric shall be increased or decreased by the difference between the actual cost of the decorations added and the cost of the yarn replaced: *Provided*, That in computing the maximum price for a comparable, new or similar fabric pursuant to paragraphs (c), (d) or (i) of this § 1410.102, respectively, the cost of the decorations added to such fabric shall not be included in the cost of the raw materials used therein: *Provided further*, That in the case of sales of woolen or worsted apparel fabrics to which decorations have been added, the invoice or similar document required by paragraph (g) of this § 1410.102 shall also set forth a statement of the amount by which the maximum price for the fabric was increased or decreased by the addition of the decorations.

(i) *Similar fabrics.* (1) The maximum price for a woolen or worsted apparel fabric similar to a fabric sold by the manufacturer during the applicable base period shall be the maximum price for such fabric determined in accordance with paragraph (a) of this § 1410.102, increased or decreased by (i) the difference in the cost of the raw materials used therein and (ii) by the difference in the manufacturing cost thereof: *Provided*, That the raw material and manufacturing costs for both the fabric priced under this paragraph (i) and the fabric to which it is similar shall be calculated at the highest costs which the manufacturer would have incurred if the raw material had been purchased from his customary source of supply for delivery during March 1942, and the fabrics manufactured during such month: *Provided further*, That in any case in which the maximum price for a fabric which was not sold by the manufacturer during a base period can be determined pursuant to either this paragraph (i) or paragraph (c) of this § 1410.102, the maximum price therefor shall be determined in accordance with that paragraph which results in the lower maximum price.

(2) One fabric shall be deemed "similar" to another fabric if the first is used for the same purpose as, and is regarded as a satisfactory substitute for, the second, affords fairly equivalent serviceability, has approximately the same "handle," finish and appearance, and belongs to the same classification:[2] *Provided*, That one fabric in which the blend contains other than woolen fibers shall not be deemed "similar" to a fabric in which the blend is made entirely of woolen fibers: *Provided further*, That one fabric shall not be deemed "similar" to another fabric if the first differs from the second in respect to any one or more of the following elements of construction in excess of the amount of variance allowed:

Elements of construction:	*Amount of variance allowed, percent*
Ends per finished inch	17½
Picks per finished inch	17½
Weight per finished yard	12
Yarn sizes	17½
Finished width	4
Cost of raw materials used in the blend	20

§ 1410.115 *Definitions.* (a) When used in this Maximum Price Regulation No. 163, the term: * * *

(3) "Woolen or worsted apparel fabrics" means domestic, men's, women's, children's and infants' suitings, dress goods, topcoatings, overcoatings, cloakings, ski or snow cloths, mackinaws, bathrobe fabrics, necktie fabrics, shirtings and meltons, containing 25% or more of woolen fiber by weight and woven on looms; the term is applicable only to such fabrics for civilian use and does not include pile fabrics.

* * * * *

[2] As set forth in § 1410.102 (a).

(5) "New woolen or worsted apparel fabric" means a woolen or worsted apparel fabric not sold by the seller during the applicable base period and neither comparable nor similar to any such fabric.

* * * * *

(11) "Pile fabric" means a three dimensional fabric composed of backing warp, filling, and pile warp woven at right angles to the backing warp and filling.

(12) "Decorations" means silk, rayon, worsted or cotton threads added to a fabric to enhance its style value.

§ 1410.119 *Maximum prices for woolen or worsted apparel fabrics which cannot be priced under § 1410.102 or § 1410.103.* The maximum price for a woolen or worsted apparel fabric sold by a person who cannot determine the maximum price therefor under § 1410.102 or § 1410.103 shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provision of this § 1410.119, shall file with the Office of Price Administration in Washington, D. C. an application setting forth (a) a description in detail of the fabric for which a maximum price is sought, and (b) a statement of the reasons why such fabric cannot be priced under § 1410.102 or § 1410.103 of this Maximum Price Regulation No. 163. If such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report the price to the Office of Price Administration in Washington, D. C. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

§ 1410.117 *Effective dates of amendments.* * * *

(f) Amendment No. 4 (§§ 1410.102 (a), (c), (d), (f), (h) and (i), 1410.115 (a) (3), (5), (11) and (12) and 1410.119) to Maximum Price Regulation No. 163 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8634; Filed, September 2, 1942; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 36 Under § 1499.18 (b) of The General Maximum Price Regulation—Docket No. GF3-1259]

GOLDEN COOKIE COMPANY

For the reasons set forth in an opinion[*] issued simultaneously herewith, *it is ordered:*

§ 1499.336 *Adjustment of maximum prices for cookies sold by Rudolph R. Ellingson doing business as Golden Cookie Company, Watertown, Massachusetts.* (a) Rudolph R. Ellingson doing business as Golden Cookie Company may sell and deliver and any person may buy and receive from Rudolph R. Ellingson, doing business as Golden Cookie Company, the following commodities at prices not higher than the following:

Cookies packed 7½ ounce in cellophane boat packages, eighty cents ($.80) per dozen packages to wholesalers and eighty-six cents ($.86) per dozen packages to Supermarkets. All prices are f.o.b. factory.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 36 may be revoked or amended by the Price Administrator at any time.

(d) Incorporation of Order No. 36 in Supplementary Regulation No. 14. This Order No. 36 (§ 1499.336) is hereby incorporated as a part of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 36 (§ 1499.336) shall become effective September 3, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8633; Filed, September 2, 1942; 12:02 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICE

LIFEBOAT INSTALLATIONS

REQUIREMENTS FOR ALL COMPULSORY LIFEBOAT RADIO INSTALLATIONS

The Commission on August 27, 1942, effective immediately, adopted the following new §§ 8.201 to 8.210, inclusive, to be substituted for the now existant §§ 8.201 to 8.210, inclusive.

§ 8.201 *Inspection and maintenance of lifeboat radio installation.* (a) The lifeboat radio installation shall be inspected and tested[1] by a qualified representative of the licensee within twenty-four hours prior to departure to sea from each port (except not necessarily more than once each week) and at least once each year with the lifeboat afloat in a harbor or port of the United States. The results of the inspections and tests shall be made known to the master of the vessel and shall be entered in the ship's radio station log or recorded in the ship's log if the ship is not provided with a radio telegraph station. The records of all inspections and tests shall be made available to duly authorized representatives of the Commission upon request. The annual inspection afloat shall include an actual test of the transmitter (and receiver when required) connected to the regular lifeboat antenna erected to determine that each is in effective operating condition. When testing with the lifeboat not afloat, the transmitter may be connected to an artificial antenna, in lieu of the regular lifeboat antenna, having electrical characteristics approximately equal to those of the regular lifeboat antenna. To avoid interference, any transmission tests using an actual antenna shall be conducted[1] under the same procedure and regulations as prescribed for testing a ship's regular radio-station transmitting equipment; when using an actual antenna, an automatic device for transmitting the international distress signal or any other emergency signal shall not be operated nor shall any transmitting tests be made during an international silent period. In addition to the foregoing requirements, the lifeboat radio installation shall be made available for inspection by duly authorized representatives of the Commission and for demonstration of satisfactory performance to these representatives at any reasonable time and at such intervals as within the discretion of the Commission will insure compliance with applicable regulations.

(b) When the vessel is under way, provision shall be made for adequate charging of the storage batteries and the routine inspection of all batteries used to supply the power to lifeboat radio installations. Except for portable lifeboat radio installations not required to be located in lifeboats at all times, the charging and routine inspection of such batteries shall not require their removal from the lifeboats in which they are installed. The necessary charging equipment shall be arranged so as not to interfere with the launching of the lifeboats, and for this purpose shall be easily and quickly removable. Inspection of the batteries shall be made at least once every seven days by a qualified representative of the licensee and a statement in regard to the condition and specific gravity in the case of a lead-acid battery, or voltage under normal load in the case of Edison batteries (or dry batteries when such batteries are permitted) shall be reported to the master and entered in the ship's radio station log or recorded in the ship's log if the ship is not provided with a radiotelegraph station. Any storage battery provided as a power supply or as a spare power supply shall be kept fully charged at all times.

[1] Subject to such limitations as may be imposed by United States Naval Authority or by foreign governments at foreign ports. It is necessary that each lifeboat transmitter be licensed by the Commission to insure compliance with the Rules and Regulations of the Commission, during the required tests with an actual antenna. Operation of a lifeboat transmitter is ordinarily authorized by the regular ship station license when it has been described in the application for such license and the authorization has been approved by the Commission.

[*] Copies may be obtained from the Office of Price Administration.

§ 8.202 *Demonstration of the power supply for lifeboat installations.* The shipowner, operating company, or station licensee, if directed by the Commission or its authorized representative, shall prove by demonstration as may be deemed necessary, that a storage battery used for a required lifeboat radio installation is capable of energizing this installation for the required period of time as stipulated in § 8.120.

§ 8.203 *Radio installation requirements.* (a) For new radio installations completed after January 1, 1940, in motor lifeboats of oceangoing passenger vessels, and for new lifeboat radio installations (other than in motor lifeboats of oceangoing passenger vessels) completed after January 1, 1943, on vessels provided with a licensed radiotelegraph station, the charging circuit for the lifeboat radio storage battery or batteries when used as a source of power, shall be routed through the main radiotelegraph operating room of the vessel. A device which, during charge of the lifeboat radio battery or batteries, gives a continuous indication of the polarity and the rate of such charge, shall be connected in this charging circuit and shall be located in the main radiotelegraph operating room for purposes of frequent observation. This provision, however, shall not apply as a requirement with respect to storage batteries used to supply power for portable lifeboat radio installations.

(b) The use of metal masts and stays, unless broken by insulators, or of any structure at electrical ground potential at the masthead(s) is not permitted: *Provided, however,* That this limitation shall not prohibit the use of a metal mast or masts used as the antenna. Provision shall be made for the expeditious erection of the antenna system under adverse weather and sea conditions.

REQUIREMENTS FOR RADIO INSTALLATIONS IN MOTOR LIFEBOATS OF PASSENGER VESSELS

§ 8.204 *Lifeboat radio station.* The radio installation on motor lifeboats of vessels navigated in the open sea, designated in accordance with section 355 of the Communications Act of 1934, as amended, as requiring a radio installation shall consist of an efficient installation, for emergency use, in good operating condition which shall comply with the following requirements:

(a) Frequency of operation of transmitter: 500 kilocycles.

(b) Type of emission of transmitter: A–2.

(c) Frequency tolerance of transmitter: 0.5 per cent.

(d) Power of transmitter: Not less than 75 watts plate input power to the oscillator or amplifier supplying power to the antenna when such oscillator or amplifier is effectively coupled to an antenna equivalent to that described in the following paragraph (e).

(e) Antenna: A single wire inverted L type not less than 20 feet above the waterline with a horizontal section of the maximum practicable length.

(f) Receiver: Electron tube type. Continuous frequency range of at least 350 to 550 kilocycles and capable of reception of types A–1, A–2, and B emissions.

(g) The type of power supply shall be—

For the transmitter: A storage battery.
For the receiver: Dry cell battery and/or storage battery.

The necessary power for the transmitter and receiver, at voltages other than the battery voltages, may be obtained by the use of a dynamotor or other suitable device approved by the Commission.

(h) The lifeboat radio transmitter shall be fitted with a radio frequency ammeter of suitable range and scale, connected so as to indicate the current in the antenna circuit.

§ 8.205 *Availability and use of lifeboat radio power.* The power supply of a lifeboat radio installation shall be capable at all times of operating the entire lifeboat radio installation for a period of at least 6 continuous hours in accordance with § 8.115 (d). With the exception of the electric starte of the lifeboat motor the storage battery or batteries may also be used to operate equipment other than radio: *Provided,* The additional use of the battery or batteries will not affect, adversely, the ability of the installation to fulfill the foregoing six-hour radio-operating requirement. All individual circuits connected to the transmitter storage battery shall be independently and properly fused.

§ 8.206 *Details of lifeboat radio installation.* The components and assembly of the entire installation shall insure, primarily, the utmost dependable operation, and the design shall be such that heavy vibration and physical shocks to which a lifeboat is subject will cause no damage. All components shall be housed and treated so as to withstand saline dampness for extended periods without damage and to minimize the adverse effect of prolonged exposure to salt water or salt spray. Storage batteries shall be mounted in cabinets that will provide protection from salt water spray, and also allow proper ventilation, subject to approval of the U. S. Coast Guard. Provision shall be made to protect the operator from the elements when the lifeboat is afloat in a heavy sea. Antenna lead-in insulators shall be of a type approved by the Commission. Auxiliary equipment and spare parts prescribed for motor lifeboat radio stations by § 8.235 shall be retained within the radio-equipped lifeboat at all times while the vessel is in active service.

§ 8.207 *Lifeboat radio instructions.* Instructions shall be plainly marked on the apparatus in sufficient detail which will inform inexperienced or uninstructed personnel how to place the radio equipment in operation and how to transmit appropriate signals for a sufficient period of time to enable vessels or land stations, within communication range and equipped with radio direction finders, to determine the position of the lifeboat.

REQUIREMENTS FOR PORTABLE RADIO INSTALLATIONS FOR USE IN LIFEBOATS

§ 8.208 *Portable libeboat radio installation—general.* Portable radio installations required aboard oceangoing vessels for emergency use in lifeboats shall include the following components:

(a) An efficient and reliable transmitter in good operating condition, an emergency power supply, an artificial antenna capacitor, an antenna wire and insulator assembly; and a grounding conductor, all enclosed in a single portable watertight container; and such auxiliary equipment and spare parts as are prescribed in § 8.235.

(b) At least one mast[2] and one complete antenna wire and insulator assembly for each lifeboat: *Provided,* That not more than four such masts and assemblies[3] need be provided on board any vessel.

§ 8.209 *Technical requirements for portable lifeboat radio transmitter and associated equipment.* (a) The component described in § 8.208 (a) shall comply with the following requirements:

(1) It shall be of sufficient buoyancy to float in sea water and shall be sufficiently rugged in construction to withstand physical shocks and rough handling. This component shall be deemed to comply with this requirement if, after being dropped into sea water from a height of at least 12 feet, it can be immediately operated without any repair or adjustment (other than normal antenna circuit tuning) and without any perceptible departure from its normal performance. The container shall be deemed watertight if it can be submerged in sea water for at least two hours without leaking.

(2) Frequency of operation of transmitter: 500 kilocycles.

(3) Frequency tolerance of transmitter: 0.5 per cent.

(4) The transmitter radio frequency control circuit(s) shall be pretuned to 500 kilocycles and shall be of such design and construction that the operating frequency is maintained within 0.5 per cent of 500 kilocycles under varying antenna circuit characteristics and conditions of adjustment. The frequency control circuit adjustment shall not be readily available to the person using the transmitter.

(5) Type of emission of transmitter: A–2 (amplitude modulation) or B.

(6) Modulation: The frequency of modulation shall be not less than 450 nor greater than 1250 cycles per second and the percentage of modulation shall be at least 70 per cent.

(7) Power output of transmitter: Not less than 5 watts, A–2 or B emission, into an artificial antenna having an effective capacitance of 100 micromicrofarads and an effective resistance of 10 ohms at 500 kilocycles. In addition, the power output of the transmitter when installed in any lifeboat for which it is intended, using the required mast(s) and antenna wire-insulator assembly shall be such that the product of the antenna current in amperes and the maximum height in meters of the antenna above the water is not less than 5.

(8) The emergency power supply shall be a storage battery, adequately protected against spilling of electrolyte, or a manually operated electric generator, or both; capable of efficiently energizing the transmitter at the specified output power of 5 watts. When the transmitter is developing the prescribed output power not more than 250 watts mechanical power (0.335 horsepower) shall be required at the crank handle(s) or propelling lever(s) at any temperature of the generator and associated driving mechanism between zero and 75° Fahrenheit. Under these conditions the speed of rotation of the crank handle(s) shall not exceed 60 revolutions per minute or the cycles of operation of the propelling lever(s) shall not exceed 60 per minute. When a manually operated electric generator is used automatic means of voltage regulation shall be provided to protect the transmitter against damage due to excessive generator potentials.

(9) Provision shall be made for keying the transmitter manually and by automatic means so as to transmit the international distress signal "SOS" in groups of three consecutive "SOS" signals with these groups interspersed at frequent intervals by a dash not exceeding four seconds in length (for direction finding purposes). The speed of automatic transmission of the international distress signal shall be at a rate not in excess of 16 words per minute. Not more than one manual switch shall be provided to place the transmitter in operation for telegraphy. If a storage battery is employed as a source of power, this switch shall be self-releasing (such as a push button) to prevent inadvertent operation and the duration of any cycle of automatic operation shall not exceed three minutes.

(10) The transmitter shall be equipped with a reliable visual indicator (such as a neon tube) to indicate when the antenna circuit is tuned to resonance at the operating frequency. Failure of this indicator shall not have any effect upon the actual operation of the transmitter.

(11) A reliable 100 micromicrofarad artificial antenna capacitor of the "transmitting" type (for purpose of routine tests) shall be provided with the transmitter at all times.

(12) A length of not less than 40 feet of extra-flexible stranded copper wire, having a cross section of not less than 10,000 circular mils, the antenna insulators necessary for effective insulation of the antenna, and a grounding conductor consisting of not less than 20 feet of low resistance stranded copper wire or braid weighted at one end, for immersion in the sea or attachment to a prepared ground terminal on the lifeboat shall be provided. This material shall be stowed in the watertight container at all times while the vessel is at sea.

(13) Panel control(s) (not more than two) shall be provided for adjustment of the antenna circuit so as to obtain electrical resonance with any antenna capacitance between the limits of 60 and 250 micromicrofarads at 500 kilocycles.

(14) The required portable watertight container shall be fitted with durable handles or grips. The handles or grips shall be so arranged and the distribution of weight in the container shall be such as to provide for convenient carrying of the container by either one or two persons. Not less than 40 feet of 15-thread manila or sisal rope, or the equivalent thereof shall be securely attached to the container at all times while the vessel is at sea.

(15) The radio transmitter in its portable water-tight container together with the emergency power supply, artificial antenna capacitor, antenna wire, insulators, and conductor for making the ground connection shall weigh not more than 65 pounds.

(16) If a storage battery is used for the emergency power supply, the capacity of such battery shall be sufficient to operate the transmitter while automatically keyed at not less than the required output power for a continuous period of at least one and one-half hours.

(17) If a storage battery is used as a power supply, a notice in large letters shall be permanently placed on an outer surface of the required water-tight container designating the position of the container for stowing to prevent leakage of the battery electrolyte.

(18) Suitable printed instructions (which have been approved by the Commission) for the installation and operation of the equipment (including the manual transmission of the distress signal and the auto alarm signal) by unskilled personnel shall be permanently and conspicuously attached to the transmitter or its container. These instructions shall be durable and water-proof and shall include sketches or diagrams showing a method of properly installing an antenna on the lifeboats concerned. An instruction manual covering maintenance of the transmitter and power supply shall be supplied with the installation.

(19) Each portable lifeboat radio transmitter shall be equipped with a durable nameplate showing at least the following:

(i) The type or model number.

(ii) The name of the manufacturer.

(iii) Rated power into the artificial antenna specified in § 8.209 (a) (7).

(iv) The month and year of manufacture.

(b) Specific requirements for mast(s) and antenna - wire - antenna - insulator assemblies.

(1) The mast(s) required by § 8.208 (b) shall be capable of supporting the radio antenna at not less than 26 feet at the highest point above the water line.[4]

(2) Each antenna-wire and insulator assembly required by § 8.208 (b) shall consist of a length of at least 40 feet of extra-flexible stranded copper wire having a cross-section area of not less than 10,000 circular mils together with attached antenna insulators necessary for effective insulation of the antenna, means for fastening to the antenna supports, and provision for making an electrical connection to the transmitter.

(3) The masts and the antenna wire and insulator assemblies required by § 8.208 (b) shall be securely stowed in the lifeboats in which they are to be used, at all times while the vessel is outside a harbor or port.

(4) Each metal-hulled lifeboat for which an antenna mast is required shall be permanently fitted with one or more ground terminals at an accessible position or positions for use in electrically grounding the portable radio installation. The ground terminal shall make good electrical connection with the sea water and for the purpose of making such connection shall be welded or securely bolted to the bare metal of the hull of the lifeboat. The ground terminal shall be resistant to corrosion due to sea water. The entire installation shall be so designed and constructed that no tools are necessary to place it in operation for routine tests or for emergency use.

REQUIREMENTS FOR RADIO INSTALLATIONS PROVIDED IN LIEU OF PORTABLE INSTALLATIONS FOR USE IN LIFEBOATS

§ 8.210 (a) *Technical requirements.* Radio installations required in lieu of a portable radio installation for emergency use in lifeboats of oceangoing vessels (other than radio installations covered by § 8.204 of these Rules), shall consist of an efficient and reliable emergency transmitter in good operating condition, an emergency power supply, an artificial antenna capacitor, a complete antenna wire and insulator assembly and ground system, at least one antenna mast,[5] and such auxiliary equipment and spare parts as are prescribed in § 8.235, and shall comply with the following requirements:

(1) Frequency of operation: 500 kilocycles.

(2) Frequency tolerance: 0.5 per cent.

(3) The transmitter radio frequency control circuits shall be pretuned to 500 kilocycles, and shall be of such design and construction that the operating frequency is maintained within 0.5 per cent

[2] This mast may be a mast which is normally supplied in the lifeboat for purposes other than the support of a radio antenna, provided it has the required height or can be extended to the required height.

[3] In addition to the antenna wire and insulator assembly enclosed with the transmitter.

[4] A suitable topmast may be used as an extension to a sailing mast for compliance with this requirement if provision is made for its attachment to the sailing mast.

[5] This mast may be a mast which is normally supplied in the lifeboat for purposes other than the support of a radio antenna, provided it has the required height or can be extended to the required height.

of 500 kilocycles under varying antenna circuit characteristics and conditions of adjustment.

(4) Type of emission of transmitter: A–2 (amplitude modulation) or B.

(5) Modulation: For type A–2 and type B emission the frequency of modulation shall be not less than 450 nor greater than 1250 cycles per second and the percentage of modulation shall be at least 70 per cent.

(6) Power output of transmitter: Not less than 5 watts, type A–2 or type B emission into an artificial antenna having an effective capacitance of 100 micromicrofarads and an effective resistance of 10 ohms at 500 kilocycles.

(7) The emergency power supply shall be a storage battery properly ventilated and adequately protected against salt water spray, or a manually operated electric generator; or both, capable of efficiently energizing the transmitter at the required output power and emission. When the transmitter is developing the required output power, not more than 250 watts (0.335 horsepower) shall be required at the crank handle(s) or propelling lever(s) at any temperature of the generator and associated driving mechanism between zero and 75 degrees Fahrenheit. Under these conditions the speed of rotation of the crank handle(s) shall not exceed 60 revolutions per minute or the cycles of operation of the propelling lever(s) shall not exceed 60 per minute. When a manually operated generator is used, automatic means of voltage regulation shall be provided to protect the transmitter against damage due to excessive generator potentials.

The emergency power supply, whether a storage battery or a manually operated electric generator or both, shall be considered as part of the required lifeboat radio installation and shall be installed and retained in the lifeboat together with the required radio transmitter. When a storage battery is used for the emergency power supply, the capacity of the battery shall be sufficient at all times to operate the transmitter (while automatically keyed as provided in paragraph (8) at not less than the required output power for a continuous period of at least 6 hours.

(8) Provisions shall be made for keying the transmitter manually and in addition, means shall be provided for automatic keying so as to transmit the international distress signal "SOS" in groups of three consecutive "SOS" signals with these groups interspersed at frequent intervals by a dash not exceeding four seconds in length (for direction finding purposes). The speed of automatic transmission of the international distress signal shall be at a rate not in excess of 16 words per minute.

Not more than one manual switch shall be provided to place the transmitter in operation for A–2 emission except that when A–3 emission is provided, an additional manual switch may be employed to select either A–2 or A–3 emission. If a storage battery is employed as a source of power, this switch shall be self-releasing (such as a push button) to prevent inadvertent operation, and the duration of any cycle of automatic operation shall not exceed three minutes.

(9) The transmitter shall be equipped with a reliable visual indicator (such as a neon tube) to indicate when the antenna circuit is tuned to resonance at the operating frequency. Failure of this indicator shall not have any effect upon the actual operation of the transmitter.

(10) A reliable 100 micromicrofarad artificial antenna capacitor of the "transmitting" type (for purpose of routine tests) shall be provided with the transmitter at all times.

(11) An antenna wire and insulator assembly consisting of not less than 40 feet of flexible stranded copper wire, having a cross-section of not less than 10,000 circular mils and the number of antenna insulators necessary for efficient insulation of the antenna shall be provided. Also, there shall be provided a grounding conductor consisting of not less than 20 feet of low resistance stranded copper wire or braid, weighted at one end, for immersion in the sea; or in lieu thereof, the transmitter shall be electrically grounded, by means of a low resistance conductor, to a permanently installed ground on the lifeboat. A permanently installed ground for this purpose shall make good electrical connection with the sea water and shall be resistant to corrosion. The required antenna and insulator assembly and the required grounding conductor shall be securely stowed in the lifeboat with the radio transmitter at all times while the vessel is at sea.

(12) Suitable printed instructions (which have been approved by the Commission) for the erection of the antenna and the operation of the equipment (including the manual transmission of the distress signal and the international auto-alarm signal and proper use of the microphone if A–3 emission is provided) by unskilled personnel shall be permanently and conspicuously attached to the transmitter or its container. These instructions shall be durable and waterproof and shall include sketches or diagrams showing a method of properly erecting an antenna system on the lifeboat concerned. An instruction manual covering maintenance of the transmitter and power supply shall be provided with the installation.

(13) Each lifeboat radio transmitter shall be equipped with a durable nameplate showing at least the following:

(i) The type or model number.

(ii) The name of the manufacturer.

(iii) Rated power into the artificial antenna specified in § 8.210 (a) (6).

(iv) The month and year of manufacture.

(14) Two masts shall be provided in each lifeboat compulsorily fitted with a radio installation which shall be capable of supporting a radio antenna of the inverted "L" type at not less than 18 feet above the waterline with a horizontal section of the maximum practicable length, or in lieu thereof, one mast shall be provided capable of supporting a suitable antenna at not less than 26 feet at the highest point above the waterline.

(15) All components of the lifeboat radio installation shall be sufficiently rugged in construction and so fitted in the lifeboat as to withstand the physical shocks and vibration to which a lifeboat is subject. All components shall be housed and treated so as to withstand saline dampness for extended periods without damage and to minimize the adverse effect of prolonged exposure to salt spray and to salt water such as may be encountered by an occasional flooding of the lifeboat.

(16) The maximum weight of the complete lifeboat radio installation (not including antenna and ground system) shall not exceed 140 pounds, and the space occupied by the installation shall be the minimum amount required to properly enclose the necessary components in a suitable container or containers.

(17) Tuning control(s) (not more than two, one of which shall be accessible from the exterior of the transmitter container) shall be provided for adjustment of the antenna circuit so as to obtain electrical resonance with the antenna intended for use in the particular lifeboat when this antenna is erected to any height within the range of height provided by the antenna support(s), provided that the minimum height for this purpose shall not be less than 14 feet above the waterline.

(18) The design and construction of the entire installation shall be such that no tools are necessary to place it in operation for routine tests and for use in an actual emergency.

(b) *Departure from requirements.* The requirements in § 8.210 (a) (6) relating to power output, §§ 8.210 (a) (8) and 8.210 (a) (14) relating to height of masts, may be waived by the Commission with respect to a radio installation for which authorization is requested prior to January 1, 1943 only if satisfactory evidence is presented to the Commission that the construction of such radio installation was completed prior to August 27, 1942 or satisfactory evidence is presented to the Commission that prior to August 27, 1942 construction of such installation was commenced by the manufacturer and the materials used in such construction were allocated by the War Production Board. With respect to any such installation, provision shall be made for a transmitter power output of not less than 3 watts, for supporting a radio antenna of the inverted "L" type at not less than 16 feet above the waterline where the inverted "L" type of antenna is used, and for manual keying of the transmitter. Any other departure from the requirements of §§ 8.204 to 8.210 (a) inclusive, will be considered by the Commission only upon a satisfactory showing that such departure will not reduce the required efficiency, reliability, and effectiveness of the installation.

The Commission also amended § 8.235 (e) as follows:

§ 8.235 *Additional spare parts in general.*[1] * * *

(e) *Radio-equipped motor lifeboats of passenger vessels navigated in the open sea (spare parts).* (1) At least 35 feet of insulated wire suitable for use as antenna wire.

(2) Two antenna insulators.

(3) One artificial antenna capacitor.

(4) Two tubes for radiotelegraph transmitters, except when transmitter employs a single transmitting tube, in which case one tube is required.

(5) One complete set of tubes for the radiotelegraph receiver.

(6) One panel electric light bulb, if used.

(7) Renewable fuse-cartridges of each type used in connection with the units of the lifeboat radio installation in the amount of at least one-half the number of each size and type in actual use. For each renewable fuse-cartridge in actual use, there shall be available six spare fuse links of appropriate capacity. For each nonrenewable fuse in use, there shall be available six spare fuses of the same type and of appropriate capacity. If fuse wire is used, sufficient wire shall be provided to permit six complete fuse replacements.

The following new paragraphs (f) and (g) to § 8.235 were adopted:

(f) *Portable radio installations for use in lifeboats (spare parts).* (1) Where a storage battery is used as the emergency power supply of one or more portable installations one spare battery of the type used and interchangeable therewith: *Provided, however,* That only one such spare battery need be supplied on board any one vessel.

(2) One spare electron tube of each type used for radiotelegraph transmission, including neon or any other type of tube employed as a resonance indicator.

(g) *Radio installations provided in lieu of portable installations for use in lifeboats.* (1) One electron tube of each type used for radiotelegraph transmission including neon or any other type of tube or lamp employed as a resonance indicator.

(2) Six fuses of each type used of the same rating and interchangeable therewith. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42–8619; Filed, September 2, 1942; 10:42 a. m.]

[1] 5 F.R. 747.

Notices

DEPARTMENT OF JUSTICE.

Office of the Attorney General.

PLAN AND AGREEMENT EXECUTED BY CERTAIN OIL COMPANIES

Certain details of the Plan and Agreement referred to in Certificate No. 11, of the Chairman, War Production Board, dated August 31, 1942.

Pursuant to section 12 of Public Law No. 603, approved June 11, 1942, I do hereby make public the following paragraph of the Plan and Agreement referred to in the above certificate: [1]

(3) *Additional parties.* Any person or corporation who in the first six months of 1942 was engaged in the business of refining crude oil in District Three or transporting either crude oil from District Three to be refined in District One, or petroleum products from the said District Three for distribution in District One shall have the privilege to become a party hereto, for sixty days from the date there is published in the Federal Register, Certificate of the Chairman of the War Production Board pursuant to Section 12 of an Act approved June 11, 1942, Public Law 603, 77th Congress, as required herein, and become a subscriber for the stock of Project Five Pipe Line Corporation on such fair and equitable basis with respect to duties and liabilities thereby assumed as may be agreed between such person or corporation and parties hereto. In event of failure to agree as here provided, the basis for participation of such additional parties shall be determined by arbitration as provided in paragraph eight hereof.

A copy of the Plan and Agreement has been filed with the Division of the Federal Register for public inspection. Any person or corporation eligible for participation under the above quoted paragraph may obtain a copy of the Plan and Agreement upon application to the Petroleum Coordinator for War.

FRANCIS BIDDLE, *Attorney General.*

AUGUST 31, 1942.

[F. R. Doc. 42–8631; Filed, September 2, 1942; 12:07 p. m.]

[1] See War Production Board, *infra.*

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

JOSEPH BARNA ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Joseph Barna, Chicago Fuel & Ice Co. (A. H. Rosen), J. M. Henry, The Moores-Coney Corporation, Rafael Rios, Phillip Revard (West Virginia Coal Sales Co.).

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, it is so ordered.

Dated: August 29, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

Exhibit A

Registration No.	Name	Address
0444	Joseph Barna	2085 Valentine Ave., New York, N. Y.
1560	Chicago Fuel & Ice Co., (A. H. Rosen).	722 Palace Bldg., Minneapolis, Minn.
4227	J. M. Henry	713 5th Ave., Juniata, Altoona, Pa.
6567	The Moores-Coney Corporation.	Southeast corner 3d and Walnut Sts., Cincinnati, Ohio.
7727	Rafael Rios	1107 Gloucester St., Brunswick, Ga.
1608	Phillip Revard, (West Virginia Coal Sales Co.).	505 Howland Ave., Toledo, Ohio.

[F. R. Doc. 42–8588; Filed, September 1, 1942; 1:27 p. m.]

[Docket No. A–1551]

DISTRICT BOARD NO. 7

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 7 for a change in price classifications in minimum prices in Size Group 7 for all shipments except truck and Size Group 4, for truck shipments, for the coals of Hunter No. 2 Mine, Mine Index No. 84, of Fire Creek Fuel Company.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 6, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Sections in room 502 will advise as to the room where such hearing will be held.

It is further ordered; That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is

sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 25, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 7 requesting that the price classification of "C" in Size Group 7, now established for the coals of Hunter No. 2 Mine, Mine Index No. 84, be changed to "B" for all shipments except truck and that the minimum price of $2.05 in Size Group 4 be changed to $2.15 for truck shipments for the coals of the said mine.

Dated: August 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8589; Filed, September 1, 1942; 1:27 p. m.]

[Docket No. A-1572]

ONTARIO GAS COAL CORP. OF VA.

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Ontario Gas Coal Corporation of Virginia for the establishment of price classifications and minimum prices for the coals of its Tidewater No. 2 Mine, Mine Index No. 316, in District No. 7.

The petition, and amended petition, pursuant to the Bituminous Coal Act of 1937, were duly filed with this Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals of its Tidewater No. 1, Mine, Mine Index No. 289, in District No. 7.

It appears from the records of the Division that Mine Index No. 289 is a deep mine and that the mine for which the petitioner proposes price classifications and minimum prices is a strip operation and therefore must be identified as Tidewater No. 2 Mine, Mine Index No. 316.

The petition alleges that the coals of the said mine, although produced in the same vicinity and seam as the coals of the Robious Mine, Mine Index No. 703, District No. 7, are analytically superior to the coals of that mine. The petition proposes a minimum price of 280 cents per net ton for the coals of the said Mine Index No. 316 in Size Group 8 for rail shipment from Midlothian, Virginia, only to within the switching limits of Richmond, Virginia, in Market Area 100, and minimum prices of 425, 410, 420, 325, 300, and 280 cents per net ton in Size Groups 1 to 6, inclusive, respectively, for truck shipments.

The amended petition proposes minimum prices of $5.25, $4.25 and $4.00 in Size Groups 1, 7 and 8, respectively, and in Size Group 8 a price of $3.80 per ton f. o. b. railroad cars at Midlothian, Virginia, for shipment only to within the switching limits of Richmond, Virginia, in Market Area 100 for all shipments except truck, and minimum prices of $5.25, $5.10, $5.20, $4.25, $4.00 and $3.80 in Size Groups 1 to 6, inclusive, respectively, for truck shipments.

The proposed minimum prices for the coals of the said mine for truck shipments are substantially higher than those heretofore established for other mines in District No. 7 for truck shipments. Moreover, the proposed minimum prices for the coals of the said mine in Size Group 8 for rail shipment and in all other sizes for truck shipment differ substantially from the customary minimum price relationships for other coals for such shipments. Accordingly, it appears that the necessity for the proposed price classifications and minimum prices should be clearly shown at a hearing.

It appears, however, that a reasonable showing of necessity has been made for the granting of temporary relief, that no petitions of intervention have been filed with the Division in the above-entitled matter, opposing the granting of temporary relief, and that the granting of temporary relief is necessary in order to effectuate the purposes of the Act. It further appears, however, that, pending a hearing, the minimum prices hereinafter established for truck shipments should not be higher than the highest minimum prices heretofore established for coals produced in District No. 7, and that the minimum prices for rail shipments should be proper.

It is, therefore, ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules and regulations of the Division be held on October 1, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing is to be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and a recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 25, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto which may be raised by amendment to the petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Ontario Gas Coal Corporation of Virginia for the establishment of price classifications and minimum prices for the coals of its Tidewater No. 2 Mine, Mine Index No. 316, in District No. 7; and more particularly for the establishment for the coals of the said mine of a minimum price of 280 cents per net ton in Size Group 8, for rail shipment from Midlothian, Virginia, only to within the switching limits of Richmond, Virginia, in Market Area 100, and minimum prices of 425, 410, 420, 325, 300, and 280 cents per net ton in Size Groups 1 to 6, inclusive, respectively, for truck shipments.

It is further ordered, That pending final disposition of the above-entitled matter, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 7 for All Shipments Except Truck is supplemented to include a provision that the Mine Index No. 316 coals of Size Group 8 shall have a minimum price of $1.86 per net ton f. o. b. railroad cars at Midlothian, Virginia, applicable only on shipments for delivery to within the switching limits of Richmond, Virginia, in Market Area 100, and the Schedule of Effective Minimum Prices for District No. 7 for Truck Shipments is supplemented to include for the coals of Mine Index No. 316 prices of 315, 250, 280, 215, 186, and 181 cents per net ton in Size Groups 1 to 6, inclusive, respectively.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: August 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8590; Filed, September 1, 1942; 1:27 p. m.]

[General Docket No. 21]

REVIEW OF PRICE DETERMINATIONS

ORDER FOR PROCEDURE

In the matter of determining the extent of change, if any, in excess of 2 cents per net ton in the weighted average of the total costs of any of the minimum price areas; and of revising the effective minimum prices as may be required by reason of any such change in costs.

By Findings of Fact, Conclusions of Law and Opinion and an accompanying order in this matter all dated August 28, 1942, the Acting Director determined effective minimum prices for all shipments of bituminous coal produced in each minimum price area, for shipments by all methods of transportation into various groups of market areas.

In that Opinion it was stated that:

A procedure is being devised whereby parties may request the Secretary of the Interior to review my determinations herein on specified questions of law and policy of general application, and may present briefs to him on such questions. Parties will be permitted to accompany their requests for review and briefs with a request that the Secretary stay the effective date of my order herein. An appropriate order will issue setting forth this procedure.

Now therefore it is ordered, as follows:

1. Parties to this proceeding who desire to do so may file with the Secretary of the Interior requests that he review specific questions of law and policy of general application that pertain to the determinations embodied in the order of the Acting Director herein, dated August 28, 1942. Such requests for review and briefs in support of the matters sought to be reviewed must be filed by September 10, 1942. Interested parties may file with such requests and briefs, applications for a stay of the effective date of the Order of the Acting Director, herein, dated August 28, 1942. Such applications shall set forth fully whether it is sought to stay said order in whole or in part and the reasons on the basis of which it is urged that a stay be granted.

2. Since any review herein is not a matter of right and is purely a matter within the discretion of the Secretary of the Interior, such requests should indicate each specific determination of law and policy of which review is sought, together with a brief statement of the considerations which are believed to warrant reviewing such determination.

3. Since the Secretary will at the same time and in the same order and opinion, announce the determinations of law and policy which he decides to review and review such designated determinations, briefs filed by interested parties should be addressed to all of the matters concerning which they seek a review.

4. Any requests, statements or briefs filed pursuant to this order shall be filed with the Secretary of the Interior, Washington, D. C. Ten copies of all such documents shall be filed.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

Approved: August 28, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-8591; Filed, September 1, 1942; 2:31 p. m.]

[Docket No. B-211]

C. H. AMSLER AND C. W. AMSLER

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND CEASE AND DESIST ORDER

In the matter of C. H. Amsler and C. W. Amsler, individually and as copartners, doing business as C. H. and C. W. Amsler, Partnership, code member.

This proceeding having been instituted upon a complaint filed on February 10, 1942, with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by the Bituminous Coal Producers Board for District No. 1 against C. H. Amsler and C. W. Amsler, co-partners, doing business as C. H. and C. W. Amsler, a partnership code member alleging that code member had wilfully violated the Bituminous Coal Act of 1937, or the rules and regulations promulgated thereunder and praying that the Division either cancel and revoke the code membership, or, in its discretion, direct the code member to cease and desist from violation of the Bituminous Coal Act of 1937 and the rules and regulations thereunder;

Pursuant to an order of the Acting Director dated February 21, 1942, a hearing having been held on March 27, 1942 before Joseph A. Huston, a duly designated Examiner of the Division at a hearing room thereof in Altoona, Pennsylvania, at which time all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise participate fully in the hearing; District Board No. 1 and C. H. and C. W. Amsler having appeared at the hearing;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated July 29, 1942, in which he found that code member wilfully violated the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipment, particularly Price Instruction No. 6 thereto by:

(1) Selling and delivering between the dates of June 23, and August 5, 1941, both dates inclusive, 62.895 tons of run of mine coal (Size Group No. 3) at $2.30 per net ton f. o. b. Oil City, Pennsylvania, when the effective minimum price established therefore was $2.20 per net ton f. o. b. the mine; and

(2) Selling and delivering between the dates of July 11 and July 15, 1941, both dates inclusive, approximately 12 tons of run of mine coal (Size Group No. 3) at $3.00 per net ton f. o. b. Smethport, Pennsylvania, when the effective minimum price therefor was $2.30 per net ton f. o. b. the mine; and

(3) Selling and delivering between August 11 and August 15, 1941, both dates inclusive, approximately 19 tons of run of mine coal (Size Group 3) at $2.30 per net ton f. o. b. Oil City, Pennsylvania, when the effective minimum price established therefor was $2.15 per ton f. o. b. the mine;

The Examiner having found that in each of these transactions the code member failed to add the actual cost of transporting the coal from its mine to the point of delivery as required by Price Instruction No. 6, and having recommended that the code member be ordered to cease and desist from violating the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments or from otherwise violating the provisions of the Act, the Code and the rules and regulations promulgated thereunder;

An opportunity having been afforded to all parties to file exceptions and supporting briefs to the said Examiner's Report and no such exceptions or supporting briefs having been filed;

The undersigned having considered the record of this proceeding and having determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law;

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law be, and the same hereby are approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the code member, C. H. Amsler and C. W. Amsler, individually and as partners, their representatives, agents, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act for or in their behalf, cease and desist from selling coal below the applicable minimum price therefor, plus the actual cost of transportation and from otherwise violating the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, and any provisions of the Bituminous Coal Act of 1937.

It is further ordered, That the Division may, upon the failure of code member herein to comply with this order, apply to the Circuit Court of Appeals of the United States within any circuit wherein the code member resides or carries on business for the enforcement

hereof or take such further action as may be appropriate in the premises.

Dated: September 1, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-8620; Filed, September 2, 1942 11:29 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 157]

CONVERTED PAPER PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 48

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor,

Do hereby accept the resignation of Mr. Earl Taylor from Industry Committee No. 48 for the Converted Paper Products Industry and do appoint in his stead as representative of the employees on such Committee, Mr. Henry Segal, of Philadelphia, Pennsylvania.

Signed at New York, New York this 1st day of September 1942.

WILLIAM B. GROGAN, *Acting Administrator.*

[F. R. Doc. 42-8613; Filed, September 2, 1942; 9:37 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6398]

HERALD PUBLISHING CO. (WALB)

NOTICE OF HEARING

In re application of Herald Publishing Company (WALB); dated June 29, 1942, for renewal of license; class of service, broadcast; class of station, broadcast; location, Albany, Georgia; operating assignment specified; frequency, 1590 kc. power, 1 kw (DA-night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of the Herald Publishing Company, Dockets Nos. 6399, and 6400, for the following reasons:

1. To determine the qualifications of the licensee, its officers, directors and stockholders, with respect to continued operations of station WALB.

2. To determine whether the licensee, its officers, directors or stockholders have at any time made false or misleading statements to the Commission.

3. To obtain full information concerning the establishment, financing, ownership, control, and management of station WALB.

4. To determine whether the licensee, its officers, directors and stockholders, have permitted any unlicensed person to use or operate station WALB in violation of section 301 of the Communications Act of 1934, as amended.

5. To determine whether rights under any construction permit for Station WALB have been assigned or otherwise transferred to any person without the approval of the Commission in violation of section 319 (b) of the Communications Act of 1934, as amended.

6. To determine whether the license of Station WALB or any of the rights therein granted have been transferred, assigned or in any manner disposed of without the prior written consent of the Commission in violation of section 310 (b) of the Communications Act of 1934, as amended.

7. To determine whether, in view of the foregoing and in view of the proceedings upon application No. B3-AL-346 (Docket No. 6400), public interest, convenience or necessity would be served by a grant of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Herald Publishing Company, Radio Station WALB, 138 Pine Avenue, Albany, Georgia.

Dated at Washington, D. C., August 31, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8614; Filed, September 2, 1942; 10:42 a. m.]

[Docket No. 6399]

HERALD PUBLISHING CO. (WALB)

NOTICE OF HEARING

In re application of Herald Publishing Company, (WALB), dated October 29, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Albany, Georgia; operating assignment specified. Frequency, 1550 kc, power, 1 kw (DA-night), hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of the Herald Publishing Company, Docket Nos. 6398, and 6400 for the following reasons:

1. To determine whether this application seeks an authorization involving the use of any materials to construct or change the transmitting facilities of station WALB and whether the granting of this application would be consistent with the policy announced in the Commission's Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing and in view of the proceedings upon Applications Nos. B3-R-1134 and B3-AL-346 (Docket Nos. 6398 and 6400), public interest, convenience or necessity would be served by a grant of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102, of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Herald Publishing Company, Radio Station WALB, 138 Pine Avenue, Albany, Georgia.

Dated at Washington, D. C., August 31, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8615; Filed, September 2, 1942; 10:43 a. m.]

[Docket No. 6400]

HERALD PUBLISHING CO. (WALB)

NOTICE OF HEARING

In re application of Herald Publishing Company (WALB), dated June 27, 1942, for voluntary assignment of license; class of service, broadcast; class of station, broadcast; location, Albany, Georgia; operating assignment specified: Frequency, 1590 kc; power, 1 kw (DA-night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for a consolidated hearing with the applications of the Herald Publishing Company, Dockets Nos. 6398 and 6399, for the following reasons:

1. To determine the qualifications of Albany Herald Broadcasting Company, the proposed assignee, and of its officers, directors and stockholders, with respect to the proposed operation of Station WALB.

2. To obtain full information concerning the formation, financing, ownership, control, management and activities of Albany Herald Broadcasting Company and of its relationships with the licensee, Herald Publishing Company, and Station WALB.

3. To determine whether Albany Herald Broadcasting Company has heretofore used or operated Station WALB without a license therefor in violation of section 301 of the Communications Act of 1934, as amended.

4. To determine whether, in view of the foregoing and in view of the proceedings upon Application No. B3-R-1134 (Docket No. 6398), public interest, convenience or necessity would be served by a grant of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Herald Publishing Company, Radio Station WALB, 138 Pine Avenue, Albany, Georgia.

Dated at Washington, D. C., August 31, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8616; Filed, September 2, 1942; 10:43 a. m.]

[Docket No. 6403]

BREMER BROADCASTING CORP. (WAAT)

NOTICE OF HEARING

In re Application of Bremer Broadcasting Corporation (WAAT), dated October 31, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Jersey City, New Jersey; operating assignment specified: frequency, 970 kc; power, 5 kw (DA-night); hours of operation, unlimited.

You are hereby notified that the Commission on August 11, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Bremer Broadcasting Corporation, Radio Station WAAT, 50 Journal Square, Jersey City, New Jersey.

Dated at Washington, D. C., August 31, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8617; Filed, September 2, 1942; 10:43 a. m.]

[Docket No. 6404]

JOHN W. CHOATE, ET AL.

NOTICE OF HEARING

In re application of John W. Choate, Leonore V. Choate, E. P. Nicholson, Jr. & John Wallbrecht, (a partnership) (New), dated April 28, 1942; for construction permit; class of service, broadcast; class of station, broadcast; location, Middlesboro, Kentucky; operating assignment specified: frequency, 1230 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission on August 11, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: John W. Choate, Leonore V. Choate, E. P. Nicholson, Jr., and John Wallbrecht, (a Partnership), Middlesboro, Kentucky.

Dated at Washington, D. C., August 31, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8618; Filed, September 2, 1942; 10:44 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-257, G-242]

EL PASO NATURAL GAS CO., ET AL.

ORDER POSTPONING AND TRANSFERRING PLACE OF HEARING

SEPTEMBER 1, 1942.

In the matter of El Paso Natural Gas Company, Western Gas Company, El Paso Gas Transportation Corporation, The State of Arizona, Complainant, v. Western Gas Company and El Paso Natural Gas Company, Defendants.

The Commission, upon reconsideration of its order of August 15, 1942, denying the motion of El Paso Natural Gas Company, Western Gas Company, and El Paso Gas Transportation Corporation, Respondents and Defendants in the above-entitled matters, filed August 12, 1942, requesting a postponement of the hearing in such matters for a period of one hundred and twenty days from September 9, 1942, and transfer of the place of the said hearing from Washington, D. C., *finds* that:

Good cause exists for the postponement of such hearing for a period of three weeks, and for the transfer of the place of the hearing from Washington, D. C., to Phoenix, Arizona;

Wherefore, the Commission *orders*, That:

(a) The hearing in the above-entitled matters be and the same is hereby postponed until September 30, 1942, at 9:45 a. m. in Room 212, U. S. Court House at Phoenix, Arizona;

(b) The application filed August 27, 1942, by Defendants and Respondents requesting a rehearing of their motion filed August 12, 1942, be and the same is hereby dismissed.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-8642; Filed, September 2, 1942; 12:09 p. m.]

[Docket Nos. IT-5696, IT-5697 and IT-5698]

ALUMINUM CO. OF AMERICA AND CAROLINA ALUMINUM CO.

ORDER POSTPONING DATE OF ORAL ARGUMENT

SEPTEMBER 1, 1942.

In the matters of Aluminum Company of America and Carolina Aluminum Company.

For good cause, the Commission *orders*, That: Oral argument before the Commission *en banc*, heretofore set for Sep-

tember 8, 1942, be and it is hereby postponed to September 18, 1942, at 10 a. m. (EWT) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8641; Filed, September 2, 1942; 12:09 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order 25]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following Order is prescribed:

(a) Each Regional Administrator is hereby authorized to exercise within his region the functions, duties, powers and authority conferred upon the Price Administrator, for the purpose of acting upon such applications for adjustment, issuing such orders adjusting maximum prices and making such determinations of or affecting maximum prices as are set forth herein, except where such action affects selling units located in more than one region.

(1) Applications for adjustment of maximum prices pursuant to § 1499.18 (a) of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or pursuant to § 1499.114 of Maximum Price Regulation No. 165, as amended, (Services), or pursuant to §§ 1393.8 (a) and 1393.8 (b) of Maximum Price Regulation No. 154, as amended, (Ice).

(2) Orders of adjustment of the maximum prices reported by sellers pursuant to § 1499.3 (a) of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or § 1499.4b of the General Maximum Price Regulation, or §§ 1499.102 (c) or 1499.102 (d) or 1499.103 (d) of Maximum Price Regulation No. 165, as amended, (Services).

(3) Determinations of maximum prices pursuant to § 1499.3 (c) of the General Maximum Price Regulation or § 1389.154 (a) of Maximum Price Regulation No. 178, as amended, (Women's Fur Garments).

(b) Each Regional Administrator may, by issuing an "Order of Delegation under Administrative Order No. 25," delegate in whole or in part to a State Director or District Manager within his region the functions, duties, powers and authority conferred upon the Regional Administrator for the purpose of acting upon such applications for adjustment, issuing such orders adjusting maximum prices and making such determinations of or affecting maximum prices as are set forth herein. Within ten days after the issuance of such an order of delegation, a copy thereof shall be sent by the Regional Administrator to the Executive Officer for Price, Washington, D. C.

(1) Applications for adjustment of maximum prices pursuant to § 1499.18 (a) of the General Maximum Price Regulation or of any identical provisions of any maximum price regulation, or pursuant to § 1499.114 of Maximum Price Regulation No. 165, as amended, (Services), or pursuant to §§ 1393.8 (a) and 1393.8 (b) of Maximum Price Regulation No. 154, as amended, (Ice).

(2) Orders of adjustment of the maximum prices reported by sellers pursuant to § 1499.3 (a) of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or § 1499.4b of the General Maximum Price Regulation, or §§ 1499.102 (c) or 1499.102 (d) or 1499.103 (d) of Maximum Price Regulation No. 165, as amended, (Services).

(3) Determinations of maximum prices pursuant to § 1389.154 (a) of Maximum Price Regulation No. 178, as amended, (Women's Fur Garments).

(c) Any order issued or other action taken by any duly authorized officer pursuant to this delegation of authority shall have the same force and effect as if issued or taken by the Price Administrator.

Issued and effective this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8609; Filed, September 1, 1942; 4:38 p. m.]

[Order 15 Under Supplementary Regulation No. 1[1] of the General Maximum Price Regulation]

CHEMICAL SERVICE COMPANY

DISAPPROVAL OF REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company applied for registration and approval of the Office of Price Administration in order that its sales and deliveries might be excepted from the provisions of the General Maximum Price Regulation pursuant to § 1499.26 (b) (1) of Supplementary Regulation No. 1.

Chemical Service Company, 235 Fourth Avenue, New York, N. Y.

Due consideration has been given to the application for registration and approval of Chemical Service Company and it has been found that said company does not meet the requirements of § 1499.26 (b) (1) of Supplementary Regulation No. 1. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 *it is hereby ordered:*

(a) That the said application for registration and approval of Chemical Service Company, 235 Fourth Avenue, New York, N. Y., be, and the same is, denied and disapproved.

(b) This Order No. 15 shall become effective September 2, 1942.

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8610; Filed, September 1, 1942; 4:36 p. m.]

[1] 7 F.R. 3158, 3486, 3892, 4183, 4419, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-676]

CLEVELAND STOCK EXCHANGE—JONES & LAUGHLIN STEEL CORP.

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

In the matter of application of the Cleveland Stock Exchange to extend unlisted trading privileges to Jones & Laughlin Steel Corporation common stock, no par value.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of August, A. D. 1942.

The Cleveland Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Thursday, October 8, 1942, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed revelant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8593; Filed, September 1, 1942; 3:34 p. m.]

[File No. 1-1798]

HELVETIA OIL COMPANY

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

In the matter of Helvetia Oil Company $1 par value common stock.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of August, A. D. 1942.

The Boston Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $1 Par Value Common Stock of Helvetia Oil Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Tuesday, September 29, 1942, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Frank Kopelman, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8595; Filed, September 1, 1942; 3:34 p. m.]

[File No. 70-588]

THE NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of August, A.D. 1942.

The North American Company, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 particularly section 12 (b) thereof and Rule U-43 thereunder regarding a proposed distribution on or about October 1, 1942 in payment of a dividend on its common stock of not more than 155,000 shares of the capital stock of The Detroit Edison Company; and

Said declaration having been filed on the 13th day of August, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice or otherwise and not having ordered a hearing thereon; and The North American Company having requested that said declaration as filed become effective forthwith; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective pursuant to said section 12 (b) and said Rule U-43, and being satisfied that the effective date of said declaration should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, That the aforesaid declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8594; Filed, September 1, 1942; 3:35 p. m.]

[File No. 59-12]

AMERICAN POWER & LIGHT CO.

ORDER REQUIRING DISSOLUTION

In the matter of Electric Bond and Share Company, American Power & Light Company, Pacific Power & Light Company, Electric Power & Light Corporation, Utah Power & Light Company, National Power & Light Company, and Ebasco Services, Incorporated, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22nd day of August, A. D. 1942.

The Commission having on May 9, 1940 issued its Notice of and Order for Hearing instituting this proceeding pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 and having issued supplementary orders dated June 7, 1940, and June 17, 1940; and

After hearings had been held in the above matter, the Commission having issued its order dated August 23, 1941, requiring the dissolution of Respondent National Power & Light Company and reserving jurisdiction as to the issues in the proceeding with respect to the other Respondents; and

Further hearings have been held in the above matter, and Counsel for the Respondents and for the Public Utilities Division having stipulated that the record may be closed with respect to Respondent American Power & Light Company, and that the Commission may proceed to enter its findings, opinion, and order with respect to the aforesaid Respondent; and

Counsel for the Respondent having waived any right to a trial examiner's report or to submit proposed findings of fact, oral argument or briefs with respect to the issues herein as respects the aforesaid Respondent; and

The Commission having examined the record herein and having considered all motions and objections urged by the Respondents and having this day made and filed its findings and opinion thereon, finding inter alia that the action hereinafter directed to be taken is necessary to ensure that the corporate structure and continued existence of Respondent American Power & Light Company shall not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of the holding-company system of Electric Bond and Share Company;

It is ordered, That the motion filed by Counsel for Respondents to dismiss the Commission's notice of and order for hearing dated May 9, 1940 and supplementary order dated June 7, 1940, and to dismiss the within proceeding, be, and the same hereby is, denied as to Respondent American Power & Light Company; and that the motion filed by Respondents to strike various exhibits introduced in evidence by Counsel for the Public Utilities Division be, and the same hereby is denied as to Respondent American Power & Light Company; and that the exceptions noted by Respondents to rulings of the trial examiner during the course of the hearings be, and the same hereby are, overruled as to Respondent American Power & Light Company; and

It is further ordered, That the motion of Respondents to consolidate with the within proceeding a certain "Application for approval of Plan Under section 11 (e) of the Public Utility Holding Company Act of 1935" heretofore filed with this Commission by American Power & Light Company be, and the same hereby is denied; and

It is further ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, That the existence of American Power & Light Company shall be terminated and that said company shall be dissolved;

It is further ordered, That Respondent American Power & Light Company and Respondent Electric Bond and Share Company shall proceed with due diligence to submit to this Commission a plan or plans for the effectuation of this order, and shall take such other and further steps as may be necessary or appropriate to effectuate this order; and

It is further ordered, That jurisdiction be, and the same hereby is, reserved to enter such further orders as may be necessary or appropriate for the purpose of ensuring that the provisions of this order are carried out in a manner consistent with the public interest and the provi-

sions of the Act; and that jurisdiction be, and the same hereby is, reserved with respect to all issues in the within proceeding not resolved by the provisions of this order above set forth.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8597; Filed, September 1, 1942; 3:34 p. m.]

[File No. 59-12]

ELECTRIC POWER & LIGHT CORP.

ORDER REQUIRING DISSOLUTION

In the matter of Electric Bond and Share Company, American Power & Light Company, Pacific Power & Light Company, Electric Power & Light Corporation, Utah Power & Light Company, National Power & Light Company, Ebasco Services Incorporated, Respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 22nd day of August A. D., 1942.

The Commission having on May 9, 1940, issued its Notice of and Order for Hearing instituting this proceeding pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 and having issued supplementary orders dated June 7, 1940, and June 17, 1940; and

After hearings had been held in the above matter, the Commission having issued its order dated August 23, 1941, requiring the dissolution of Respondent National Power & Light Company and reserving jurisdiction as to the issues in the proceeding with respect to the other Respondents; and

Further hearings have been held in the above matter, and Counsel for the Respondents and for the Public Utilities Division having stipulated that the record may be closed with respect to Respondent Electric Power & Light Corporation, and that the Commission may proceed to enter its findings, opinion, and order with respect to the aforesaid Respondent; and

Counsel for the Respondent having waived any right to a trial examiner's report or to submit proposed findings of fact, oral argument or briefs with respect to the issues herein as respects the aforesaid Respondent; and

The Commission having examined the record herein and having considered all motions and objections urged by the Respondents and having this day made and filed its findings and opinion thereon, finding inter alia that the action hereinafter directed to be taken is necessary to ensure that the corporate structure and continued existence of Respondent Electric Power & Light Corporation shall not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of the holding company system of Electric Bond and Share Company:

It is ordered, That the motion filed by Counsel for Respondents to dismiss the Commission's notice of and order for hearing dated May 9, 1940 and supplementary order dated June 7, 1940, and to dismiss the within proceeding, be, and the same hereby is, denied as to Respondent Electric Power & Light Corporation; and that the motion filed by Respondents to strike various exhibits introduced in evidence by Counsel for the Public Utilities Division, be, and the same hereby is denied as to Respondent Electric Power & Light Corporation; and that the exceptions noted by Respondents to rulings of the trial examiner during the course of the hearings be, and the same hereby are, overruled as to Respondent Electric Power & Light Corporation; and

It is further ordered, That the motion of Respondents to consolidate with the within proceeding a certain "Application for approval of Plan Under section 11 (e) of the Public Utility Holding Company Act of 1935" heretofore filed with this Commission by Electric Power & Light Corporation be, and the same hereby is denied; and

It is further ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, That the existence of Electric Power & Light Corporation shall be terminated and that said company shall be dissolved;

It is further ordered, That Respondent Electric Power & Light Corporation and Respondent Electric Bond and Share Company shall proceed with due diligence to submit to this Commission a plan or plans for the effectuation of this order, and shall take such other and further steps as may be necessary or appropriate to effectuate this order; and

It is further ordered, That jurisdiction be, and the same hereby is, reserved to enter such further orders as may be necessary or appropriate for the purpose of ensuring that the provisions of this order are carried out in a manner consistent with the public interest and the provisions of the Act; and that jurisdiction be, and the same hereby is, reserved with respect to all issues in the within proceeding not resolved by the provisions of this order above set forth.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8596; Filed, September 1, 1942; 3:34 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 11]

PLAN AND AGREEMENT EXECUTED BY CERTAIN OIL COMPANIES

THE ATTORNEY GENERAL:

Pursuant to the provisions of section 12 of Public Law 603, approved June 11, 1942, I enclose Plan and Agreement, dated July 4, 1942,[1] executed by Gulf Refining Company, Socony-Vacuum Oil Company, Incorporated, The Texas Company, Lion Oil Refining Company, and Premier Oil Refining Company of Texas.

The Plan and Agreement provides for the acquisition, financing, construction, completion, operation and maintenance of a ten-inch common carrier products pipeline, originating in the vicinity of El Dorado, Arkansas, and extending in a northeasterly direction approximately one hundred and fifty miles to a point on the Mississippi River near Helena, Arkansas.

The activities provided for in such Plan and Agreement have been undertaken by the affected persons, pursuant to the direction of the Petroleum Coordinator for War, issued under date of August 13, 1942, addressed to the above-named five signatory parties to the Plan and Agreement, and to Mr. W. Alton Jones, Chairman of the Temporary Joint Pipeline Managing Subcommittee, 122 East 42nd Street, New York, New York.

I hereby approve said Plan and Agreement for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval herein expressed, is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

AUGUST 31, 1942.

[F.R. Doc. 42-8632; Filed, September 2, 1942; 12:07 p. m.]

[1] Filed as part of the original document. See also Department of Justice, Office of the Attorney General, *supra*.

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FEDERAL REGISTER

VOLUME 7 NUMBER 175

Washington, Friday, September 4, 1942

The President

EXECUTIVE ORDER 9235

PROVIDING FOR THE EFFECTIVE UTILIZATION OF SUPPLIES AND EQUIPMENT BY GOVERNMENT AGENCIES

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941 (Public Law 354—77th Cong.), by Title II of the Budget and Accounting Act, 1921 (42 Stat. 20), and as President of the United States, and for the purpose of providing such general direction and control over the use of supplies and equipment in the Executive branch of the Government as will insure the most economical and effective utilization thereof, it is hereby ordered as follows:

1. As used in this order:

(a) *Government agency* means any executive department, independent establishment, agency, commission, board, bureau, division, administration, service, or office of the Executive branch of the Federal Government, including any independent regulatory commission or board and any Government-owned or Government-controlled corporation.

(b) *Supplies and equipment* means any and all supplies, equipment, machines, commodities, accessories, parts, assemblies, or products of any kind in the possession of any Government agency, whether new or used, in use or in storage: *Provided*, that supplies and equipment which the Director of the Bureau of the Budget determines to be within the following categories shall not be subject to this order: (1) tactical supplies and equipment of the War Department, the Navy Department, or the United States Maritime Commission, (2) food and clothing, (3) construction materials acquired for the maintenance or construction of housing, electric power works or facilities, roads, reservoirs, or other physical improvements, (4) supplies and equipment acquired by any Government agency for transfer or export to any foreign government, and (5) supplies and equipment acquired from foreign or domestic sources for stock piling in connection with the war.

2. The Director of the Bureau of the Budget, acting through such assistants as he may designate, shall:

(a) Survey supplies and equipment in possession of Government agencies and the utilization thereof. For this purpose he may require the Government agencies to submit reports and estimates in such form and at such times as he may find necessary: *Provided*, that in making such surveys he shall utilize, subject to the approval of the Secretary of the Treasury, the services and facilities of the Procurement Division of the Treasury Department:

(b) Develop and promulgate such qualitative and quantitative standards with respect to supplies and equipment used by Government agencies as he may deem necessary to effectuate the purposes of this order;

(c) Require, when, in his opinion, such action is necessary or expedient, the transfer from one Government agency to another, for permanent or temporary use, of such supplies and equipment as he may determine to be surplus to the needs of one agency and essential to the needs of another agency;

(d) Consult with and seek the advice of the War Production Board in connection with the administration of paragraphs (a), (b), and (c) above;

(e) Issue such regulations and directives as may be necessary to effectuate this order.

3. The Procurement Division of the Treasury Department shall undertake such warehousing, rehabilitation, and physical distribution of supplies and equipment for Government agencies, and, in connection therewith, shall take over such Government warehouses, appurtenant facilities, and personnel used or employed by other Government agencies in the performance of these functions, together with such funds heretofore or hereafter provided therefor, as the Director of the Bureau of the Budget may approve.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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4. This order shall become effective October 16, 1942, and shall continue in force and effect so long as Title I of the First War Powers Act, 1941, remains in force.

5. This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 31, 1942.

[F. R. Doc. 42–8645; Filed, September 2, 1942; 2:19 p. m.]

EXECUTIVE ORDER 9236

TRANSFER OF THE SURVEY SHIP PATHFINDER TO THE NAVY DEPARTMENT AND TRANSFER OF CERTAIN PERSONNEL AMONG THE COAST AND GEODETIC SURVEY AND THE WAR AND NAVY DEPARTMENTS

By virtue of the authority vested in me by section 16 of the act of May 22, 1917, 40 Stat. 87 (U. S. C., title 33, sec. 855), and as President of the United States, and in view of the existing national emergency, it is hereby ordered as follows:

1. The survey ship PATHFINDER shall be transferred, upon completion of construction, from the Coast and Geodetic Survey to the service and jurisdiction of the Navy Department.

2. The following-named commissioned officers are hereby transferred from the Coast and Geodetic Survey to the service and jurisdiction of the War Department:

Lieut. Comdr. Glendon E. Boothe
Lieut. Comdr. Earle A. Deily
Lieut. Ector B. Latham
Lieut. Harry F. Garber.
Lieut. Dorland H. Konichek

3. The above-named officers shall, while under the jurisdiction of the War Department, serve under their commissions in the Coast and Geodetic Survey, and while so serving shall constitute a part of the active military forces of the United States and shall be under direct orders of the War Department and subject to the laws, regulations, and orders for the government of the Army so far as they may be applicable.

4. The above-named vessel and officers shall be returned to the Coast and Geodetic Survey when the present national emergency ceases to exist.

5. The following-named officers, transferred from the Coast and Geodetic Survey to the Navy Department by Executive Order No. 9187 of June 30, 1942,[1] are hereby returned to the service and jurisdiction of the Coast and Geodetic Survey:

Captain Paul C. Whitney
Captain Frederick B. T. Siems
Lieut. Comdr. Edgar H. Bernstein

6. Lieutenant Edwin C. Baum, who was transferred by Executive Order No. 9113 of March 28, 1942,[2] to the service and jurisdiction of the Navy Department, is hereby returned to the service and jurisdiction of the Coast and Geodetic Survey.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 3, 1942.

[F. R. Doc. 42–8717; Filed, September 3, 1942; 11:51 a. m.]

[1] 7 F.R. 5035.
[2] 7 F.R. 2495.

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

VIRGIN ISLANDS; SUGARCANE FARMING PRACTICES, 1942

Determination of farming practices to be carried out in connection with the production of sugarcane of the 1942 crop year in the Virgin Islands, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.55 *Farming practices to be carried out in connection with the production of sugarcane of the 1942 crop year.* The farming practices actually carried out in connection with the production of sugarcane of the 1942 crop year on farms in the Virgin Islands shall be deemed to meet the requirements of section 301 (e) of the Sugar Act of 1937, as amended. (Section 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131)

Done at Washington, D. C., this 2nd day of September, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42–8669; Filed, September 3, 1942; 11:07 a. m.]

PART 802—SUGAR DETERMINATIONS

VIRGIN ISLANDS; SUGAR CANE FARMING PRACTICES, 1943

Determination of farming practices to be carried out in connection with the production of sugarcane of the 1943 crop year in the Virgin Islands, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.55a *Farming practices to be carried out in connection with the production of sugarcane of the 1943 crop year.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in the Virgin Islands if soil-conserving food crops for human consumption are grown during the period August 1, 1942, to January 31, 1943, on the type of land and in the manner set forth below:

(a) The land to be used for the production of the crops in question shall be land suitable for the production of sugarcane, and the acreage so used shall be equal to not less than 7% of the land on the farm on which sugarcane is growing at July 31, 1942 (but in no event less than one-tenth of an acre): *Provided, however,* That (1) not less than 80% of such acreage shall be planted to the types of leguminous food crops required under § 702.301 (e) (1) of the 1942 Agricultural Conservation Program Bulletin for the Insular Region and the balance planted to any other food crops therein specified, (2) the plants or vines of such food crops shall not be removed from the land on which grown, and (3) where row crops are to be grown on land of more than 6% average slope, the planting and cultivating shall be carried out along lines deviating not more than 2% from contour lines.

(b) The land devoted to the crops in question shall be suitably prepared by plowing or disking, adequately seeded, and cultivated in a workmanlike manner to assure a good stand at the time of maturity. (Section 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131)

Done at Washington, D. C., this 2d day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42–8668; Filed, September 3, 1942; 11:07 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter II—Aircraft

PART 21—USE OF ARMY AIRCRAFT

PASSENGERS IN ARMY AIRCRAFT

Sections 21.3[1] and 21.4[2] are hereby amended to read as follows:

§ 21.3 *Passengers in aircraft; authorization.* (a) Commanding officers of Army Air Forces stations or higher authority in the chain of command are authorized to permit personnel of the following categories to ride as passengers in Army aircraft under their control in the following circumstances:

(1) On flights which may extend beyond the local flying area.

(i) Military personnel of the Army of the United States, Navy, Marine Corps, Coast Guard, and personnel of the Army Specialist Corps and the Women's Army Auxiliary Corps.

(ii) Military and civilian personnel of foreign nations in cases involving war activities, including projects carried out under the Lend-Lease Act (55 Stat. 31).

(iii) Employees of government contractors and technical agencies acting as technical advisers to military authorities in cases involving war activities and where other means of appropriate transportation are not available.

(iv) Civilians whose flight in Army aircraft will facilitate the execution of Army Air Forces activities.

(v) Students, foreign or otherwise, undergoing instruction with or under supervision of the Army Air Forces, when such flights are a part of the authorized course of instruction.

(vi) Red Cross personnel when serving with the armed forces of the United States in the field both within and without the territorial jurisdiction of the United States.

(vii) Any person, in case of an emergency involving catastrophe or possible loss of life, when other means of transportation is not available. Full and complete report will be submitted by station commanders to the Commanding General, Army Air Forces, immediately upon completion of such flights.

(2) On flights which will not extend beyond the local flying area:

(i) Wives, mothers, and children of military personnel of the United States who hold aeronautical ratings and who are required in the performance of their duties to participate in regular and frequent flights. Such children must be 10 years of age or over and have the permission of a parent. These flights must not exceed two in number for any person during any calendar year.

(ii) Civilians participating in flight tests prescribed by the Army Air Forces.

(3) On flights within the continental limits of the United States and its territorial possessions upon application to and approval of the Commanding General, Army Air Forces:

(i) The Vice President or President pro tempore of the Senate, the Speaker of the House of Representatives, members of the Cabinet, Government officials, and civilian employees of the War Department and other governmental agencies in cases involving war activities.

(ii) Members of the Senate and House Military or Naval Affairs Committees, members of the Senate and House Subcommittees on Military or Naval Appropriations, the chairman of the Senate or House Committee on Appropriations and members of their Subcommittees on Deficiency Appropriations, on flights on official business in connection with the War Department.

(iii) Representatives of the pictorial and news disseminating agencies on flights which will benefit the War Department.

(4) All expenses incident to transporting the personnel of other departments or agencies, except committees of Congress, will be charged to the department or agency concerned. The transfer of funds will be arranged by the Commanding General, Army Air Forces.

(b) The commanding general of any theater, or any department, base command, defense command, or task force outside the continental limits of the United States may authorize any person to ride as a passenger in Army aircraft under his control when, in the opinion of such commanding general, this action is necessary or desirable in the Government interest. This authority may be delegated by commanders mentioned above to subordinate commanders. All persons so authorized except those in the Federal military or naval service will be required to sign the release specified in § 21.4 (b).

(c) The following passengers may be carried in Army aircraft under the conditions set out below:

(1) The High Commissioner to the Philippine Commonwealth, within the territorial limits of the Philippine De-

[1] 6 F.R. 5482, 6102; 7 F.R. 376, 2720, 4318.
[2] 7 F.R. 376.

partment, upon request to and approval of the Commanding General, Philippine Department.

(2) United States ambassadors and ministers, or in their absence, chargés d'affaires, within the territorial limits of the country to which each is accredited. The ambassador or minister may designate a member of his staff to fly as a passenger with the military attaché in the conduct of urgent Government business, as his representative, when the ambassador or minister is unable to conduct this business personally, upon request to and approval of the military attaché concerned.

(3) Army Air Forces members of the United States military missions in Latin America are authorized to carry as passengers, on local flights within the jurisdiction of the mission, distinguished nationals of the country in which they are stationed, on the approval of the United States ambassador or minister, and at the discretion of the chief of the mission, members of the armed forces of the country in which they are stationed and students who are under their instruction. (R. S. 161; 5 U. S. C. 22) [Par. 1, AR 95–90, July 24, 1942]

§ 21.4 *Release from claim for injury or death.* (a) Civilians specified in § 21.3 (a) (1) (ii) (iii) and (iv) and persons specified in § 21.3 (a) (2), (3) (iii), (b), and (c) (3) will be required to sign the release form specified in (b) below, unless under the provisions of these regulations they are exempted from signing the form. Persons specified in § 21.3 (a) (1) (vii) will, when practicable, be required to sign the release form specified in paragraph (b) of this section, unless under the provisions of these regulations they are exempted from signing the form.

(b) The release required by paragraph (a) of this section will be prepared locally in the following form:

RELEASE

_____
(Place)

_____
(Date)

Know all men by these presents: Whereas I, _____ am about to
(Full name)
take a flight or flights as a passenger in certain Army aircraft on _____;
(Date or Dates)
and whereas I am doing so entirely upon my own initiative, risk, and responsibility; now, therefore, in consideration of the permission extended to me by the United States through its officers and agents to take said flight or flights, I do hereby, for myself, my heirs, executors, and administrators, remise, release, and forever discharge the Government of the United States and all of its officers and agents, acting officially or otherwise, from any and all claims, demands, actions or causes of action, on account of my death or on account of any injury to me which may occur by reasons of the said flight or flights.

The term "flight or flights" as used herein is understood and agreed to include the preparation for, continuation, and completion of flight or flights whether or not one or more than one aircraft is used throughout the entire flight or flights, as well as all ground and flight operations incident thereto. It is further understood and agreed that this release, among other things, extends to and includes negligence, faulty pilotage, and structural failure of the aircraft thereof.

The execution hereof does not operate to waive any statutory right conferred by act of Congress.

_____
(Witness)

_____
(Witness)

_____
(Witness)

_____
(Name of person to be notified in emergency)

_____
(Address of person to be notified in emergency)

(c) Signed release card will be retained in the permanent files of station or organization from which the flight originated. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 95–90, July 24, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–8648; Filed, September 2, 1942; 2:33 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 102]

PART 402—LOAN SERVICE DIVISION

INSURANCE LOSSES

Amending Part 402, Chapter IV, Title 24 of the Code of Federal Regulations. Sections 402.25–20 to and including 402.25–33 are amended to read as follows:

§ 402.25–20 *Definition of terms "loss" and "amount of loss."* The terms "loss" and "amount of loss" as used in this chapter for the purpose of establishing procedure or otherwise, shall be deemed to mean the amount paid by the insurance company or companies for the damage.

§ 402.25–21 *Proofs of loss.* The Regional Manager, the Assistant Regional Manager in Charge of Loan Service, or a duly appointed deputy, is authorized to sign proofs of loss for the Corporation to insurance companies when home owners will not, or through legal incapacity, cannot execute such proofs of loss; and to execute for the Corporation such other forms as may be required in connection with proofs of loss.

§ 402.25–22 *Emergency loss cases.* It is the obligation of the home owner and a condition of his insurance contract that he take such immediate steps as may be required to protect the property temporarily from further damage from any cause whatsoever after a loss, regardless of the estimated amount of such loss. It is customary practice of the insurance agents or company adjusters to assist the home owner in providing this protection.

In unusual cases, when emergency repairs are necessary and the home owner cannot arrange adequate protection for the property immediately, the Regional Manager, upon request, may give telegraphic or telephonic approval to effect the necessary emergency repairs.

§ 402.25–23 *Loss adjustments—home owner cases.* Representatives of the Corporation shall not confer or negotiate with insurance adjusters or insurance company representatives relative to the adjustment or settlement of losses on home owner properties unless directed to do so by the Regional Manager in cases where negotiations or conferences are necessary for emergency action or to expedite the settlement of cases in controversy. In any case where it is necessary for a representative of the Corporation to participate in adjustments, it is to be definitely understood that the Corporation will in no way waive any right it may have against the insurer.

Private adjusters. When home owners employ adjusters or attorneys to represent them in the adjustments of losses with the insurance company or companies, it must be understood that the fees or charges of such representatives are ordinarily not to be paid from loss proceeds. However, in unusual cases where the loss proceeds exceed all costs in connection with the restoration of the property to a condition satisfactory to the Corporation, such payments may be made in accordance with the provisions of § 402.22 (a) and sections thereunder.

§ 402.25–24 *Losses of $100 or less—home owner cases.* In cases where the total amount of the loss is $100 or less, the Corporation will not require notice of the loss, and restoration may be arranged for and carried out by the home owner who may receive the insurance loss draft direct from the insurance carrier. Exceptions are made in those cases wherein the insurer denies liability to the home owner or notice of foreclosure proceedings has been given to the insurance carrier.

Cases where the total amount of the loss is $100 or less and the Corporation is made the payee or one of the payees in the insurance loss draft, such draft should be referred to the Insurance Clerk who may transmit the draft to the Regional Treasurer for endorsement without recourse and transmittal to the home owners, in accordance with the provisions of § 402.25 (b).

§ 402.25–25 *Losses over $100—home owner cases.* All loss drafts where the total amount of the loss is over $100 shall be transmitted immediately to the Insurance Section. The Insurance Clerk shall ascertain from the insurance records whether or not the draft or drafts cover the entire adjustment and transmit such draft or drafts to the Regional Treasurer, indicating whether the same represents full or partial loss settlement. If, however, the Insurance Clerk finds that the records of the Accounting Division show that the indebtedness of the former home owner has been paid to the Corporation in full, he shall return the loss draft or drafts to the insurance agent or company without endorsement, accompanied by a statement that the indebtedness to the Corporation has been satisfied.

When the loss draft or drafts do not cover the entire adjustment, an appropriate entry shall be made in Block I, Form 115, and all further drafts covering the same adjustment shall be treated in like manner. Upon receipt of the full adjustment, the Insurance Clerk shall complete Block I, Form 115, and forward the form to the Control Supervisor.

Control Supervisor. The Control Supervisor shall review the manner in which the account has been maintained, the extent to which the loan balance has been reduced, the amount of the loss set forth in Block I, Form 115, as compared with the insurable value of the security property, the present status of the account, the Reconditioning Supervisor's reports and recommendation, where required, and complete Block II, Form 115, indicating his recommendation as to one of the following:

(a) That the loss draft or drafts be endorsed without recourse by the Regional Treasurer and forwarded to the home owner with Form 115–D.

(b) That the loss draft or drafts be deposited for credit to the Suspended Credits Account and disbursed upon vouchers prepared by the Loan Service Division.

(c) That the loss draft or drafts be deposited for credit to the Suspended Credits Account and used for the restoration of the property under the supervision of the Reconditioning Section in accordance with the provisions of Part 405 of this Chapter.

(d) That the proceeds of the loss draft or drafts be applied to the loan account.

Recommendations (a) and (b) shall not be made in any case where the amount of the loss is in excess of $300.

After the Control Supervisor has entered his recommendation, Form 115 shall be referred to the Regional Manager who shall indicate his decision in Block III. When the form is returned to the Control Supervisor, he shall transmit one copy of the form to the Regional Treasurer as direction to him of the disposition to be made of all the loss drafts listed in the form. The Control Supervisor shall indicate the closing of the case in Block V.

§ 402.25–26 *Disbursement of loss proceeds by Control Supervisor.* In cases where the Regional Manager authorizes the loss draft or drafts to be deposited for credit to the Suspended Credits Account and disbursed upon vouchers prepared by the Loan Service Division, the loss draft or drafts shall be forwarded by the Regional Treasurer to the home owner for endorsement with Form 115–E. When endorsed and returned, the loss draft or drafts shall be forwarded to the Regional Treasurer to be deposited for credit to the Suspended Credits Account.

Upon the receipt by the Corporation of Form 115–E properly completed by the home owner, disbursement may be made direct to the home owner for the items set forth in such form: *Provided,* That where the home owner lists a creditor whose bill is in excess of $100 disbursement shall be made direct to such creditor: *And provided further,* That where the Control Supervisor considers from his experience with the account that it would not be advisable to make disbursement direct to the home owner, disbursement may be made direct to the creditors listed on Form 115–E.

Lien waivers. Where disbursement is made direct to the home owner or to a creditor listed on Form 115–E, whose bill is $100 or less, lien releases or waivers need not be required by the Corporation. Where disbursement is made direct to a creditor listed in Form 115–E whose bill is in excess of $100, such an appropriate lien release or waiver or other form as may be approved by the Regional Counsel should be procured.

Disbursement procedure. The Control Supervisor shall prepare the necessary voucher or vouchers. Vouchers drawn payable to the home owner need not be forwarded to the home owner for execution of the payee's certificate, but in lieu of such certificate a copy of Form 115–E properly executed by the home owner shall be attached to the voucher. Where lien releases or waivers, or other forms are required, these shall be forwarded with the voucher to the payee for execution and return to the Control Supervisor. When disbursement is completed the lien releases or waivers, where required, shall be forwarded to the Regional Treasurer for filing in the loan file. Form 115–E may also be filed in the loan file.

In the event there should be a balance left over from the loss proceeds after disbursement has been made for restoration, such residue shall be handled in accordance with § 402.22 (a) and sections thereunder.

An inspection report of the property may be obtained when it is deemed necessary by the Control Supervisor.

§ 402.25–27 *Restoration referred to Reconditioning Section — home owner cases over $300.* In cases where the amount of the loss is in excess of $300 and the Regional Manager authorizes the loss proceeds to be used in the restoration of the security property, the Control Supervisor shall so advise the home owner and the case shall be referred to the Reconditioning Supervisor, together with one copy of Form 115.

When the Reconditioning Section has completed its handling of the case, it shall fill in that portion of Block V indicating what expenditures have been made and return Form 115 to the Control Supervisor. In the event there should be a balance left over from the loss proceeds after disbursement has been made for restoration, then such residue shall be handled in accordance with § 402.22 (a) and sections thereunder.

§ 402.25–30 *Subrogation agreements.* Where an insurance company claims non-liability to the home owner and also claims subrogation under its contract to the extent of the payment made to the Corporation as mortgagee, vendor, or trustee, the Regional Manager shall forward to the General Manager a full report of the facts, with an accompanying report on the legal aspects of the case prepared by the Regional Counsel. The General Manager, with the advice of the General Counsel, shall determine the disposition of the case and instruct the Regional Manager accordingly; but no separate subrogation agreement shall be executed on behalf of the Corporation unless required by the specific terms of the insurance contract or unless the General Counsel advises that under the particular circumstances, a special subrogation agreement would be advisable. Where payment of the loss is made by the insurance company subject to its claim of subrogation, the Regional Manager shall so notify the home owner and any other parties liable for the indebtedness, as well as the Supervising Auditor and the Regional Accountant and any other interested Department or Division of the Corporation.

§ 402.25–32 *Reinstatement after loss.* Reinstatement of insurance is required as follows:

(a) In cases where the loss is partially or entirely covered by direct policies, the home owner shall be requested to furnish reinstatement of that part of the loss covered by direct policies if such part of the loss is in excess of $200 and the remaining insurance in force is not sufficient to fulfill the requirements of the Corporation.

(b) In cases where the loss is partially or entirely covered by certificates, the insurer under contract will reinstate insurance for that part of the loss covered by certificates up to the amount of the certificates, without order from the Corporation.

Where the home owner has a Tax and Insurance Account and part of the loss is covered by direct policies, and reinstatement is not made of this part because the amount involved is $200 or less, the Regional Manager, if necessary, may issue a new Form 198 to reflect the change in the amount of insurance required.

Cancellation of reinstatement endorsements. In any case where insurance is reinstated by the insurer under contract without order from the Corporation, if it is found that the circumstances are such that the reinstatement of insurance should not have been made, the reinstatement endorsement should be returned to the insurer under contract for cancellation. Insurance so reinstated should not be in excess of the Corporation's requirements.

(Effective Sept. 1, 1942.)

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42–8644; Filed, September 2, 1942; 1:11 p. m.]

[Bulletin 103]

PART 405—RECONDITIONING

INSURANCE LOSS RESTORATION

Amending Part 405, Chapter IV, Title 24 of the Code of Federal Regulations. Sections 405.01–50 to 405.01–57, inclusive, are amended to read as follows:

§ 405.01–50 *Inspection and reports—home owner cases over $300.* Where the amount or the estimated amount of the loss as shown on Form 115, or Form 115 marked "Preliminary" is in excess of $300, the Control Supervisor will refer the case to the Reconditioning Supervisor who, unless he has satisfactory information otherwise available, shall assign the case to a salaried inspector, if available, or to a fee inspector. The inspector shall make a complete and detailed list of necessary repairs to effect restoration on Form R–4D, estimate the cost thereof, obtain a statement as to the home owner's wishes concerning restoration, and return the form to the Reconditioning Supervisor. A copy of Form R–4D may be given to the home owner for adjustment purposes if he so requests, provided that the home owner is informed by the inspector that the furnishing of such copy in no way commits the Corporation to apply the loss proceeds to the restoration of the security property.

§ 405.01–51 *Restoration commenced by home owner prior to inspection.* If the inspection reveals that restoration by the home owner has been commenced without the prior knowledge of the Corporation, Form R–4D shall be prepared in the same manner as though the repairs had not been started and shall include a report of the scope and amount of work which the home owner contemplates and which is specified in any contract then under way. If the work to be done by the home owner appears sufficient to satisfactorily restore the security property, this fact shall be included on Form R–4D.

§ 405.01–52 *Restoration fully completed by home owner prior to inspection.* Where the inspection reveals that restoration has been fully completed without the prior knowledge of the Corporation, the inspector shall prepare Form R–4D, indicating thereon the cost necessary to effect proper restoration, the scope and amount of work which is specified on the contract between the home owner and contractor and in addition prepare and obtain the proper Form R–17A–B–C and the necessary receipts, releases, or waivers as required by the Legal Department. The inspector shall clearly inform the home owner and the contractor that the obtainment by the Corporation of the proper Form R–17A–B–C and the receipts, releases, and waivers required by the Legal Department is not to be understood as in any way committing the Corporation to apply the loss proceeds to the restoration of the security property. The inspector shall certify on Form R–4D whether the total cost of restoration incurred by the home owner is commensurate with the amount of reconditioning which was performed in restoring the security property and whether the restoration has been satisfactorily completed.

§ 405.01–54 *Application of loss proceeds to restoration.* Upon the receipt of a copy of Form 115 containing the Regional Manager's authorization for the application of the loss proceeds to the restoration of the security property, the Reconditioning Supervisor shall, where restoration has not previously been undertaken or completed by the home owner, approve the award of the contract and conduct of the work, within the amount of insurance funds available, to a contractor of the home owner's choice, acceptable to the Corporation, and otherwise handle the case in accordance with reconditioning procedure. Upon completion of the work and execution of Form R–17C by the home owner, such form together with receipts, releases, and waivers as required by the Legal Department and the inspector's final report and acceptance of the work shall be sent to the Reconditioning Section for preparation of vouchers and other final papers. When the Reconditioning Section has completed the handling of the case, the Reconditioning Supervisor shall indicate in Block V of the Copy of Form 115, the expenditures which have been made and return such copy of Form 115 to the Control Supervisor.

Modification procedure. Modifications of this procedure may be permitted by the Regional Manager when home owners desire to undertake restoration themselves with contractors and contracts of their own choice, provided the Reconditioning Section reviews and approves the specifications and contracts presented by the home owner and provided that such deviation from procedure does not jeopardize the interests of the Corporation.

Intermediate and final inspection. When the home owner utilizes the facilities of the Reconditioning Section, the Reconditioning Supervisor shall make the customary final inspection assignment to a Reconditioning Inspector, providing also for as many intermediate inspections as may be appropriate to the size and scope of the restoration contract.

Partial or complete restoration by home owner prior to Regional Manager's authorization. In cases where there has been partial or complete restoration of the security property by the home owner prior to the authorization by the Regional Manager for the application of the loss proceeds to the restoration of the security property, the Reconditioning Supervisor shall make such additional inspection assignments as he may deem necessary to protect the Corporation's interests and upon the receipt of proper Forms R–17A–B–C executed by the home owner and contractor, such lien waivers or releases as required by the Legal Department, where such forms and waivers or releases have not previously been received, the Reconditioning Supervisor shall cause to be prepared appropriate vouchers and other final papers. Upon completion of the case the Reconditioning Supervisor shall indicate in Block V of the copy of Form 115 the expenditures that have been made and return such copy of Form 115 to the Control Supervisor.

§ 405.01–55 *Supplementing loss proceeds—escrow account.* If the restoration contract is in an amount in excess of the insurance funds available, the home owner will be required to place an amount equal to the difference between the amount of the restoration contract and the insurance funds available in escrow for disbursement, according to approved procedure.

Advances. An advance may be made to the home owner to supplement insurance loss proceeds for the restoration of the security property; such advances shall be made in accordance with § 405.02 and sections thereunder.

(Effective September 1, 1942.)

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42–8643; Filed, September 2, 1942; 1:11 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

PART 252—ARRANGEMENT WITH STATES, TERRITORIES OR OTHER AGENCIES FOR RELIEF OF DISTRESS AND SOCIAL WELFARE OF INDIANS

WELFARE SERVICES

Sec.
252.1 Commissioner to negotiate contracts.
252.2 Contracts, by whom executed.
252.3 State or other contracting agency furnish plan of operation.
252.4 Standards of service.
252.5 Personnel.
252.6 Financial statement.
252.7 Cooperative services.
252.8 Use of government property and facilities.

AUTHORITY: §§ 252.1 to 252.8, inclusive, issued under sec. 3, 48 Stat. 596, 49 Stat. 1458; 25 U.S.C. 454.

§ 252.1 *Commissioner to negotiate contracts.* The Commissioner of Indian Affairs may negotiate with State, territory, county or other welfare agencies for such agencies to provide welfare services, as contemplated by the Act of June 4, 1936 (49 Stat. 1458), for Indians residing within the particular State.

§ 252.2 *Contracts, by whom executed.* All contracts executed for the purposes of § 252.1 of this part shall be signed on behalf of the United States by the Commissioner of Indian Affairs. The proper officer of the State, territory, county or welfare agency shall execute the contract on its behalf. Evidence of the authority of such officer must accompany the contract. All contracts must be executed in quintuplicate. (They shall become effective only after approval by the Secretary of the Interior.)

§ 252.3 *State or other contracting agency furnish plan of operation.* A plan executed by the proper State or other agency entering into the contract shall accompany each instrument. This plan shall describe the services and assistance to be rendered under the terms of the contract. It shall include a budget showing the plan of expenditure of the funds to be turned over to the State or other agency. Upon the approval of the contract, no deviation from the plan shall be made unless approved in advance by the Commissioner of Indian Affairs.

§ 252.4 *Standards of service.* Standard of aid, care, and service rendered to the Indians under the contract shall not be less than those standards maintained by the State for other clients requiring similar aid, care and services.

§ 252.5 *Personnel.* The personnel employed for public welfare services to Indians under the contract shall be subject to the State merit system and to the approval of the Commissioner of Indian Affairs and the welfare authorities of the State, unless otherwise provided in the contract.

§ 252.6 *Financial statement.* Thirty days after the close of each fiscal year, the State or other agency to which funds have been furnished pursuant to the contract shall submit to the Commissioner of Indian Affairs a detailed financial statement showing all expenditures made pursuant to the contract. An explanation shall be contained of any deviation from the plan originally submitted by the agency. The records of the contractor shall be available for inspection by representatives of the Indian Service.

§ 252.7 *Cooperative services.* The Indian Service will maintain cooperative services through its superintendents and other personnel to further the purposes of the contract. When mutually agreed to in the contract, the Indian Service may maintain on its payroll one or more representatives whose duties shall be described in the contract and the salary and expenses of any such person or persons shall constitute part of the funds to be furnished to the State or other contracting agency.

§ 252.8 *Use of Government property and facilities.* The contract shall specify the terms upon which property, other facilities and equipment of the Government may be used by the State or other agency. All contracts which provide for the use of Government automobiles shall require that the particular State or other agency shall be responsible for the return of the equipment in as good condition as when received, excepting usual wear and tear and depreciation and such agency shall be responsible for all damage or injury done to property or persons and shall carry sufficient insurance to cover same and expressly relieve the Government of any and all liability for any such personal injury or property damages committed while such automobile is in the possession of the contracting agency.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 6, 1942.

[F. R. Doc. 42–8649; Filed, September 2, 1942; 2:33 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VII—Defense Supplies Corporation

[Regulation No. 1]

PART 701—PETROLEUM COMPENSATORY ADJUSTMENTS

WARTIME INCREASES IN COSTS OF SUPPLYING PETROLEUM AND PETROLEUM PRODUCTS FOR USE IN EASTERN UNITED STATES

Sec.
701.1 Definitions.
701.2 Persons eligible to apply for petroleum compensatory adjustments.
701.3 Filing application for compensation.
701.4 Inspection and payment of claims.
701.5 Extra transportation and compensable product costs.
701.6 Effective date.

AUTHORITY: §§ 701.1 to 701.6 inclusive, issued under sec. 5d of the Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; 6 F.R. 2972.

§ 701.1 *Definitions.* When used in this regulation, the following terms shall have the following meanings:

(a) "District One" means the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

(b) "District Two" means the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Wisconsin.

(c) "District Three" means the States of Alabama, Arkansas, Louisiana, Mississippi, New Mexico, and Texas.

(d) "Crude" means crude petroleum.

(e) "Compensable products" means all grades of gasoline, kerosene (including range oil and stove oil), distillate fuel oils (including gas oils) and residual fuel oils.

(f) "Aviation gasoline" means aviation gasoline of 91 octane, A. S. T. M. or higher and all hydrocarbon components thereof.

(g) "Import" means to move on or after August 1, 1942, crude or compensable products from any point outside District One to any point in District One.

(h) "Normal method of transportation" means the use of ocean going tankers, either alone or in conjunction with other facilities which would have been used in normal times and in the absence of a tanker shortage in moving crude or compensable products from a point of origin outside of District One to any refinery, terminal, bulk plant or other place in District One.

(i) "Substitute method of transportation" means the use of tankers, lake steamers, tank cars, barges, pipe lines, trucks, or other facilities, or a combination of any such facilities, in lieu of a normal method of transportation in moving crude or compensable products from a point of origin outside District One to any refinery, terminal, bulk plant or other place in District One, which in normal times and in the absence of a tanker shortage would have been supplied by a normal method of transportation.

(j) "Normal origin," in the case of both crude and compensable products shall be deemed to be aboard tanker at the U. S. Texas Gulf Coast.

(k) "Actual origin," except in the case of purchased crude or of purchased compensable products, means the well producing the crude imported into District One by the substitute method of transportation, or the refinery (which term shall include natural gasoline plants) manufacturing the compensable products imported into District One by the substitute method of transportation and, in the case of the purchase of crude or of compensable products, means the point at which such crude or compensable products are delivered to buyer under the sale. For the purpose of this definition the acquisition of crude or compensable products under an exchange shall not be deemed a purchase.

(l) "Claim" means a claim for extra transportation and compensable product costs computed in accordance with §701.5.

(m) "Ceiling price" or "ceiling rate" means the maximum price or maximum rate prescribed by the Office of Price Administration or in effect under any regulation, schedule or order issued by the Office of Price Administration.

(n) "Person" means an individual, corporation, partnership, association, or legal successor or representative of any of the foregoing, but shall not include the United States or any of its political subdivisions or any Agency thereof, or any other Government or any of its political subdivisions or any Agency thereof.

§ 701.2 *Persons eligible to apply for petroleum compensatory adjustments.* A person who produces, manufactures, acquires or purchases crude or compensable products in Districts Two or Three and imports the same, by substitute method of transportation, for manufacture or sale within District One, may file an application for a petroleum compensatory adjustment on account of any claim for extra costs covered by this regulation. In addition to the above, any person who, during the twelve months' period ending June 30, 1941, regularly imported compensable products for his own consumption within District One and who imports, by substitute method of transportation, compensable products from Districts Two or Three for his own consumption in Dis-

trict One shall likewise be eligible to file an application for a petroleum compensatory adjustment under this regulation.

§ 701.3 *Filing application for compensation*—(a) *Place of filing.* Applications for petroleum compensatory adjustments shall be filed with Defense Supplies Corporation, 33 Liberty Street, New York, New York, or such other place as may later be designated.

(b) *Time of filing.* Extra transportation costs and extra compensable product costs incurred during any calendar month shall be accumulated until the end of the month and applications for petroleum compensatory adjustments on account of such costs shall be filed on or before the last day of the second calendar month following the month in which such costs were incurred.

(c) *Form of application.* All applications for petroleum compensatory adjustments shall be filed in quadruplicate on forms approved by Defense Supplies Corporation, and all information and supporting documents therein provided for shall be supplied, except that information required need not be restated after such information has once been included in a previous application filed pursuant to this regulation, provided reference is made to such previous application. A separate application shall be filed for claims accruing during each calendar month.

§ 701.4 *Inspection and payment of claims*—(a) *Advance.* As soon as an application is submitted it shall be determined by Defense Supplies Corporation whether it comes within the provisions of this regulation, and whether it appears to have been correctly and accurately prepared. If after such preliminary examination the application or any part thereof is accepted by Defense Supplies Corporation subject to final verification, then Defense Supplies Corporation will advance to the applicant 75% of that part of the claim so accepted.

(b) *Final payment of claims.* Upon receipt of any application it will be referred to accountants who will make such examinations and audits of any books, records and other supporting data as may be necessary to ascertain the facts or as may be required by Defense Supplies Corporation. Upon verification of the claims contained in any application and approval by Defense Supplies Corporation, the corporation will pay to the applicant the amount of the verified claim less any advance previously made thereon. If the verified claim does not equal or exceed the amount of any advance made thereon, the applicant shall, upon demand, return to Defense Supplies Corporation the amount of the deficiency, and no further advances or payments shall be made to such applicant until such deficiency has been returned.

(c) *Petitions for reconsideration or interpretation.* (1) Should any claim be rejected in whole or in part or should any applicant desire an interpretation of this regulation then the applicant may request the Defense Supplies Corporation to reconsider its action or to issue an interpretation. If the request is in connection with a rejected claim, it must be filed within thirty (30) days after such claim is rejected. Such request shall be addressed to Defense Supplies Corporation, 33 Liberty Street, New York, New York, or such other place as may later be designated and shall state clearly and concisely the question involved and the applicant's views thereon.

(2) Upon the announcement of any decision or interpretation issued hereunder any applicant may within thirty (30) days apply to Defense Supplies Corporation for the right to modify or revise any claims theretofore filed which are affected by such decision or interpretation and which accrued within the period of ninety (90) days immediately preceding the first of the month following date when the decision or interpretation was announced. If Defense Supplies Corporation finds justification for reopening the claim it shall so notify the applicant and the latter may thereupon submit a new application for a petroleum compensatory adjustment which shall be processed in the same manner as though submitted within the required time.

§ 701.5 *Extra transportation and compensable product costs*—(a) *Amount of compensatory adjustment.* (1) Extra transportation and compensable product costs shall be computed on the basis of the crude or compensable products actually moved by the substitute method of transportation. The amount of the claim in case crude or aviation gasoline is imported shall be equal to the excess of (i) the cost of transporting crude or aviation gasoline from the actual origin to the destination in District One by the substitute method of transportation, over (ii) the cost of transporting similar crude or aviation gasoline from the normal origin to the same destination in District One by the facilities which would have been used under the normal method of transportation plus in the case of crude but not in the case of aviation gasoline, the normal weighted average cost of the pipe line movement (including gathering charges) of crude from the various fields normally supplying the Gulf Coast area to the tanker, which average rate will be determined and hereafter announced by Defense Supplies Corporation. The amount of the claim in case compensable products other than aviation gasoline are imported shall be equal to the excess of (*a*) the value of such compensable products at the actual origin plus the cost of transporting such compensable products from the actual origin to the destination in District One by the substitute method of transportation, over (*b*) the value of similar compensable products at the normal origin plus the cost of transporting similar compensable products from the normal origin to the same destination in District One by the facilities which would have been used under the normal method of transportation.

(2) Any person submitting an application for petroleum compensatory adjustments who is not a participant in the plan for the equitable sharing of revenues and extra transportation expenses adopted and approved March 12, 1942 under Recommendation No. 12, as amended, signed by the Deputy Petroleum Coordinator for War on March 12, 1942 (Title 32—National Defense, Chapter XIII—Office of Petroleum Coordinator for National Defense), shall account for all revenue computed in accordance with the terms of the plan as though such applicant became a participant on August 1, 1942.[1] The revenue to be accounted for by a consumer submitting an application for a petroleum compensatory adjustment shall be computed on the basis of the volume of petroleum products imported into District One in lieu of the actual sales made in District One as provided in said plan. The amount of any such revenue shall be deducted from the amount of any claims for which an application is filed hereunder.

(b) *Method of determining value of compensable products other than aviation gasoline*—(1) *Value at the actual origin.* (i) If purchased by the applicant the value of compensable products at the actual origin shall be the price paid therefor.

(ii) If acquired by the applicant under an exchange the value of compensable products shall be the supplier's prevailing wholesale price[2] in effect at the point of actual origin for such product on date of acquisition.

(iii) If manufactured by the applicant the value of compensable products shall be the applicant's prevailing wholesale price[2] in effect at point of actual origin for such product on date of shipment. *Provided,* That the value at the actual origin shall not exceed the lower of the prices determined as follows:

(*a*) If the actual origin is in District Three, the value of similar compensable products at the normal origin as determined under the provisions of paragraph (b) (2) of this section.

(*b*) The applicable ceiling price for such compensable products in effect on date of shipment.

(c) The prevailing market price. The applicant shall obtain from the seller and such other sources as are available to him such evidence as he is able to obtain as to the prevailing market price and shall submit such evidence with his application.

(2) *Value at the normal origin.* (i) The value of compensable products at the normal origin shall be as follows:

Product:	*Value (cents per gallon)*
Motor gasoline:	
80 octane (1939 research method) 60–62 gravity, maximum 400 end point:	6.000
72–74 octane ASTM, leaded	5.750
68–70 octane ASTM, unleaded	5.750
65–67 octane ASTM, unleaded	5.250
60–64 octane ASTM, unleaded	5.000
Kerosene, 41–43 waterwhite	3.875
Range oil and stove oil	3.875
No. 1 fuel oil	3.875
No. 2 fuel oil	3.750
No. 3 fuel oil	3.750
No. 4 fuel oil	3.750
Gas oils:	
Diesel index, 52 and below	4.125
Diesel index, 53–57	4.250
Diesel index, 58 and above	4.375
	(Per barrel)
No. 5 fuel oil	$1.05
Navy special fuel oil	1.05
No. 6 fuel oil	.85
Bunker C. fuel oil	.85

(ii) In the case of any compensable product, other than those specified above in this paragraph, applicant shall procure and submit with his application a statement from the Office of Price Administration as to the price which will be considered as the value of the compensable products at the normal origin.

(c) *Method of determining extra transportation costs.* (1) Transportation costs, under both the normal and substitute methods of transportation, shall be computed on the basis of the crude or compensable products actually moved by the substitute method of transportation, and shall be computed to the first actual delivery point in District One which is common to both methods. Except as hereinafter provided only costs computed or incurred in respect of the use of the following facilities may be included in an application for compensatory adjustments for extra transportation costs. The costs for the use of any facilities shall be computed on the bases prescribed below:

Facilities used:	*Rate or cost to be used in computation*
Pipe line (Gathering or trunk line).	Rate prescribed by or on file with an authorized regulatory body for the movement and material involved, or in the absence of such a rate, then the actual cost of the movement.
Tanker	The maximum voyage charter rate for the material and voyage involved as prescribed by the United States Maritime Commission or the War Shipping Administration.
Tank cars	Freight paid.
Facilities used—Con.	*Rate or cost to be used in computation*
Barges	Rates prescribed by or on file with an authorized regulatory body for the voyage and material involved, or in the absence of such a rate, then the actual cost of the movement: *Provided,* That such rate or cost shall not exceed any applicable ceiling rate.
Lake steamers	Rates prescribed by or on file with an authorized regulatory body for the voyage and material involved, or in the absence of such a rate, then the actual cost of the movement: *Provided,* That such rate or cost shall not exceed any applicable ceiling rate.
Trucks and other transportation facilities.	Actual cost of the movement, provided, that such cost shall not exceed any applicable ceiling rate.

If, upon the written request of the Office of Defense Transportation or the Office of Petroleum Coordinator for War specifically directing that in-transit-storage be used in connection with a substitute method of transportation for the purpose of increasing the efficient use of available transportation facilities, a person shall incur in-transit-storage charges which would not have been incurred under a normal method of transportation then the actual cost thereof may be included in an application for compensatory adjustments for extra transportation costs. Loading and unloading costs, terminaling charges, tank car rentals, tank car mileage earnings and storage charges, except in-transit-storage charges referred to above, which may be related to any movement shall be excluded from all computations.

(2) When products are acquired in District One under an exchange, the claim shall be presented in such form as to show all facts concerning the exchange. Thereafter proper method for determining compensation will be prescribed and the prescribed method will be used in determining all future claims in connection with further exchanges under the same arrangement.

§ 701.6 *Effective date.* This Petroleum Compensatory Adjustment Regulation No. 1 shall become effective as of August 1, 1942.

Issued this 31st day of August 1942.

DEFENSE SUPPLIES CORPORATION,
By H. A. MULLIGAN,
President.

[F. R. Doc. 42–8650; Filed, September 2, 1942; 4:18 p. m.]

[1] Any person who is not participating in the plan for the equitable sharing of revenues and extra transportation expenses referred to above but who desires to obtain benefit of such plan for the period September 4, 1941 to July 31, 1942, or for the period March 20, 1942 to July 31, 1942 may become a participant in such plan. If any such person is not eligible for participation under the present plan it is understood that an amendment is now under consideration which will permit such participation. A proper accounting for all revenues may thereupon be made under the terms of the plan and claims for all extra transportation expenses accruing prior to August 1, 1942 may be filed under the terms of such plan.

[2] "Wholesale price" as used above means the lowest price at the actual origin for sales to resellers by the same method of shipment as that involved under the substitute method of transportation.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

PART 962—IRON AND STEEL

[Revocation of Supplementary Order M–21–f]

Section 962.7 *Supplementary Order M–21–f*[1] is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8674; Filed, September 3, 1942; 11:21 a. m.]

PART 1033—NATURAL RESINS

[Amendment 1 to Conservation Order M–56, as Amended June 5, 1942]

Paragraph (b) (2) of § 1033.1 *Conservation Order M–56 as amended June 5, 1942*[2] is hereby amended to read as follows:

(2) Road marking paint may be formulated to contain one pound or less of Batu gum, or two pounds or less of Congo Copal gum, or both, per gallon of paint.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8673; Filed, September 3, 1942; 11:21 a. m.]

PART 1035—GLYCERINE

[Amendment 1 to General Preference Order M–58]

Paragraph (d) of § 1035.1 *General Preference Order M–58*[3] is hereby amended to read as follows:

(d) *Applications and reports.* (1) Each person who seeks delivery in any calendar month of 10,000 lbs, of glycerine or less (but more than 50 lbs. in the aggregate) shall, prior to the 15th day of the month preceding the month in which delivery is sought, submit to his supplier one copy of Form PD–362, with Table II left blank, and shall submit to the War Production Board, one copy of said Form PD–362, completely filled in.

(2) Each person who seeks delivery (from all sources) in any calendar month of more than 10,000 lbs. of glyc-

[1] 7 F.R. 1062, 3926.
[2] 7 F.R. 4292.
[3] 7 F.R. 2462.

erine shall, prior to the 15th day of the month preceding the month in which delivery is sought, submit to the War Production Board three copies of said Form PD–362, completely filled in, and shall submit to his supplier one copy of said Form PD–362 with Table II left blank.

(3) Each producer, refiner or distributor who proposes to make delivery in any calendar month to any person seeking delivery in such month (from all sources) of more than 10,000 lbs. of glycerine shall, on or before the 20th day of the month preceding the month in which delivery is sought, file with the War Production Board three copies of Form PD–363, scheduling deliveries to be made during such succeeding month to any such person.

(4) Each producer, refiner or distributor shall, on or before the 15th day of each month, file with the War Production Board Form PD–363A (a single copy) showing among other things his supply of glycerine for the current month and the estimated supply for the succeeding month.

(5) Each person who in any one of the six months ending March 31, 1942, used, consumed or resold more than 50 lbs. of glycerine shall, on or before September 15, 1942, file with the War Production Board Form PD–361 (a single copy).

(6) All refiners, producers and distributors and persons ordering or receiving glycerine from any one or more of them, and such other persons as may be directed by the Director General for Operations shall make such other or further reports and furnish such information, at such times, in such form and with respect to such matters as the Director General for Operations may from time to time prescribe.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8672; Filed, September 3, 1942; 11:21 a. m.]

PART 1047—PETROLEUM MATERIAL CONSERVATION

[Supplementary Order M–68–6]

HUGOTON FIELD

Whereas, the prosecution of the war requires the immediate use in emergency activities of vast quantities of steel, nonferrous metals, rubber and other critical materials, and it is imperative to an effective prosecution of the war that the production of petroleum be conducted under circumstances and conditions which will assure a maximum recovery of petroleum and associated hydrocarbons and which will not involve a wasteful and inefficient use of the limited quantities of critical materials; and

Whereas, conservation of materials by means of the restrictions hereinafter ordered in the use of such material in the production of petroleum is necessary in order to maintain the production of petroleum for war uses and essential civilian services and to assure a minimum expenditure of scarce equipment; *Now, therefore, it is hereby ordered*, That:

§ 1047.11 *Supplementary Order M–68–6*—(a) *Definitions.* The definitions of Conservation Order M–68,[1] as amended from time to time, shall apply in this order.

(b) *Wells drilled in portions of the States of Kansas and Oklahoma.* The provisions of paragraph (c) (8) of Conservation Order M–68, as amended, shall not apply to any case where material is to be used by any person to drill, complete, or provide additions to any well in any discovered or undiscovered natural gas field in the counties of Kearney, Finney, Grant, Haskell, Morton, Stevens or Seward in the State of Kansas, or in Texas County in the State of Oklahoma.

(c) *Violations or false statements.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to any department or agency of the United States in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8671; Filed, September 3, 1942; 11:22 a. m.]

PART 1168—PASSENGER CARRIERS

[Amendment 1 to General Limitation Order L–101]

Paragraph (b) (3) of § 1168.1 *General Limitation Order L–101*[2] is hereby amended to read as follows:

(3) "Passenger carrier" means a complete motor or electrical coach for passenger transportation, having a seating capacity of not less than eleven persons, or the body therefor, and includes integral buses, bus bodies for adult or school passenger use, sedan automobiles converted to sedan buses, trolley buses, and electric railway cars. Such definition shall not include a complete commercial motor vehicle chassis upon which a bus body is to be mounted.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8677; Filed, September 3, 1942; 11:21 a. m.]

PART 1214—INCENDIARY UNITS

[Amendment 1 to General Limitation Order L–115]

Section 1214.1 *General Limitation Order L–115*[1] is hereby amended in the following respect:

Paragraph (b) thereof is amended by substituting for the words "United States Army or the United States Navy" the following words: "Chemical Warfare Service, United States Army."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F. R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8676; Filed, September 3, 1942; 11:21 a. m.]

PART 3024—MEN'S WORK CLOTHING

[Amendment 1 to General Limitation Order L–181]

Section 3024.1 *General Limitation Order L–181*[1] is hereby amended as follows:

(1) Paragraph (c) (2) is amended to read as follows:

Pockets or waistbands made from drills, twills or jeans, heavier than 39 inch 4.00 yard, except irregulars, seconds or cuts under 40 yards in length and except as provided in paragraph (b) (3).

(2) Paragraph (d) (3) (iv) is amended to read as follows:

Blanket lining heavier than 16 ounce 54 to 56 inch width of cotton or of cotton and reused wool.

(3) Paragraph (d) (4) (ii) is amended to read as follows:

More than four front buttons, one breast pocket button, three fly buttons and one button on each cuff.

(4) Paragraph (d) (4) (iii) is amended to read as follows:

More than 17 bartacks exclusive of those needed on belt loops.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 FR. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September, 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8675; Filed, September 3, 1942; 11:21 a. m.]

PART 3065—SILICA GEL

[General Preference Order M–219]

§ 3065.1 *General Preference Order M–219*—(a) *Definitions.* For the purposes of this order:

(1) "Silica gel" means any partially dehydrated form of colloidal silicon dioxide, excluding, however, silica gel manufactured specifically for catalytic purposes.

(2) "Producer" means any person engaged in the production of silica gel and includes any person who has such material produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases silica gel for resale.

(4) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, merchant and naval ships, tanks and vehicles) and any parts, assemblies, and material to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(b) *Restrictions on use and delivery.* (1) On and after October 1, 1942, no person shall deliver, or accept delivery of, any silica gel except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (c) hereof.

(2) Each person accepting delivery of any silica gel pursuant to specific authorization of the Director General for Operations shall use the same only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations, with respect to the use or delivery of any silica gel.

(c) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each person seeking authorization to accept delivery of any silica gel pursuant to paragraph (b) (1) hereof shall apply therefor on Form PD–600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which authorization for acceptance of delivery is requested and shall file with his supplier one copy of such form on or before the 15th day of such month if the supplier is a producer or on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "silica gel" and order number "M–219" and specify pounds as the unit of measure and in addition to giving the delivery destination, indicate the address to which communications should be sent.

(ii) *Columns 1, 11 and 19.* Specify "fines" or mesh size.

(iii) *Column 3.* Specify "silica gel".

(iv) *Column 4.* In the case of a distributor, specify "resale subject to further authorization." In the case of a consumer, specify:

Packaging implements of war.
Dehumidification of air space in ships.
Dehydration of foods.
Preparation of pharmaceuticals.
Generation of oxygen.
Deleading of gasoline.
Gas mask manufacture.
Preparation of blood plasma.
Refrigeration.
Air conditioning.
Other.

If "other" is specified, describe briefly.

(2) Each producer and distributor seeking authorization to deliver any silica gel shall apply therefor on Form PD–601. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which authorization to deliver is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "silica gel" and order number "M–219" and specify pounds as the unit of measure and in addition to giving the plant or warehouse address, indicate the address to which communications should be sent.

(ii) *Columns 3 and 8.* Specify "fines" or mesh size.

(d) *Notification of customers.* Producers and distributors of silica gel shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(e) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of silica gel, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M–219.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8670; Filed, September 3, 1942; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supplementary Order 15]

FORM FOR CERTAIN APPLICATIONS FOR ADJUSTMENT OF MAXIMUM RETAIL PRICES OF COMMODITIES

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered*, That:

§ 1305.19 *Form for certain applications for adjustment of maximum retail prices of commodities.* (a) The following form is hereby prescribed for applications for the adjustment of maximum retail prices of commodities pursuant to § 1499.18 (a) of the General Maximum Price Regulation and every identical provision of any other price regulation: Form OPA–2PR–2.[1]

(b) This Supplementary Order No. 15 shall become effective September 15, 1942. (Pub. Law. 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8653; Filed, September 2, 1942; 5:11 p. m.]

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[1] 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 1089, 3806, 4760.

[2] 7 F.R. 3806.

[1] 7 F.R. 3429.

[1] 7 F.R. 6208.

[1] Filed with the Division of the Federal Register together with this supplementary order No. 15. Copies are obtainable from any Regional, State or District Office of the Office of Price Administration, and from any Local War Price and Rationing Board.

PART 1305—ADMINISTRATION

[Supplementary Order 16]

FORM FOR CERTAIN APPLICATIONS FOR ADJUSTMENT OF MAXIMUM PRICES OF SERVICES

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

§ 1305.20 *Form for applications for adjustment of certain maximum prices of services.* (a) The following form is hereby prescribed for applications for the adjustment of maximum prices of services pursuant to §§ 1499.114 (a) and 1499.114 (b) of Maximum Price Regulation No. 165 and the identical provisions of any other maximum price regulation and pursuant to § 1499.18 (a) of the General Maximum Price Regulation: Form OPA–2PR–3.[1]

(b) This Supplementary Order No. 16 shall become effective September 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 1st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8654; Filed, September 2, 1942; 5:10 p. m.]

PART 1382—HARDWOOD LUMBER

[Amendment 5 to Maximum Price Regulation 146[2]]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1382.12 (d) seven new subparagraphs ((20), (21), (22), (23), (24), (25), (26)) are added, and item 9 is added to subparagraph (2), items 6 through 9 are added to subparagraph (3), items 4 and 5 are added to subparagraph (6), items 79 through 83 are added to subparagraph (10), item 5 is added to subparagraph (11), item 3 is added to subparagraph (12), item 2 is added to subparagraph (13), and item 7 is added to subparagraph (14) as set forth below:

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.*

* * *

(d) * * *

(2) Cherry River Boom & Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
9	No. 1 Common & Selects	White Oak	1	10 and wider		$49.00

(3) Moore Keppel & Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
6	FAS Step Plank	Plain Red Oak	1¼			$110.00
7	Sound and Better Sill Stock	Plain White Oak	2	6		70.00
7	Sound and Better Sill Stock	Plain White Oak	2	8		75.00
7	Sound and Better Sill Stock	Plain White Oak	2	10		80.00
7	Sound and Better Sill Stock	Plain White Oak	2	12		80.00
7	Sound and Better Sill Stock	Plain White Oak	2	4		24.00
8	Blocking	Mixed Hardwoods	2, 3, 4			35.00
9	No. 2 Common and Better S. W.	Beech	1½			

(6) Morrison, Gross & Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
4	FAS All White Sap End Dried	Hard Maple	1¼	6 and wider	Average 9	$133.00
5	FAS Step Plank	Red Oak	1¼	10½ to 15		100.00

[1] Filed with the Division of the Federal Register together with this Supplementary Order No. 16. Copies are obtainable from any Regional, State or District Office of the Office of Price Administration, and from any Local War Price and Rationing Board.

[2] 7 F.R. 3776, 4179, 4852, 5520, 6053.

* Copies may be obtained from the Office of Price Administration.

(10) The Meadow River Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
79	FAS	Hard Maple	1	3 to 4, and 6½ to 7.	6 to 7, and 12 to 13.	$107.00
80	FAS	Hard Maple	2	10 to 12		140.00
81	FAS	Plain White Oak	2	4 and 6	8	140.00
82	FAS—WIND	Plain White Oak	1	4	7' 8" to 8'	71.00
83	FAS One Face	Plain Red Oak	1	10		80.00

(11) Birch Valley Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
5	No. 1 Common and Selects	Poplar	1	18 and wider		$73.00

(12) Inter-Mountain Coal & Lumber Company, Incorporated.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
3	FAS Step Plank	Red Oak	1¼	11 to 15		$100.00

(13) McCracken and McCall, Incorporated.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
2	FAS	Poplar	1	12 and 13		$100.00

(14) Stearns Coal and Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Prices
7	No. 3 Common—75% Sound (Box Grade)	White Oak and Red Oak	1			$20.00

(20) Mountain Fork Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Sound Square Edge Free of Heart	Plain White Oak	2	12		$52.00

(21) Williams-Brownell Planing Mill Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS White Face	Hard Maple	1¼			$123.00
2	No. 1 Common and Selects White Face	Hard Maple	1¼			86.00

(25) The Atlas Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS WHND	White Oak	2	10 and wider		$93.50
2	FAS	Red Oak	1¼	10 to 15		100.00
3	"Box", 50% Sound Cuttings	Red Oak	1			20.00
4	"Box", 50% Sound Cuttings	White Oak	1			20.00
5	No. 1 Common and Selects—Yellow Stock.	Poplar	1	6 and wider	8 and longer	65.00
6	Core Grade	Poplar	1			34.00
7	FAS	Hard Maple	1¼	12 to 14	16	150.00
7	FAS	Hard Maple	1¼	12 to 14	12 and 14	145.00
8	FAS	Hard Maple	2	12 to 14	16	160.00
8	FAS	Hard Maple	2	12 to 14	12 and 16	155.00
9	No. 1 Common & Selects, 90% and Better White One Face.	Hard Maple	1			80.00
9	No. 1 Common & Selects, 90% and Better White One Face.	Hard Maple	1¼			86.00
9	No. 1 Common & Selects, 90% and Better White One Face.	Hard Maple	2			96.00
10	Selects, 90% White One Face and Better.	Hard Maple	2			102.00
11	FAS, 90% White One Face and Better.	Hard Maple	1			110.00
11	FAS, 90% White One Face and Better.	Hard Maple	1¼			120.00
11	FAS, 90% White One Face and Better.	Hard Maple	2			130.00

(26) J. M. English Sons Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS Step Plank	Red Oak	1¼	11 to 15		$100.00

(22) Wood Mosaic Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS Step Plank	Red Oak	1¼	11 to 15		$105.00
2	Common and Better Vehicle	White Oak and Red Oak.	2			57.00
3	No. 1 Common	Hickory	1¼		8	32.00
4	No. 2 Common	Hickory	1¼		8	22.00
5	FAS Sill Stock	Red Oak	2	8		105.00
6	FAS Sill Stock	White Oak	2	8		136.00

(23) Kenova Sawmill Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common and Better WHND and No. 1 Common Special Grade.	Oak	1	10		$48.00
2	No. 2 Common and Sound	Poplar	1		14 and 16	37.00

(24) Kitchen Lumber Company.

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Panel and No. 1 Wide	Poplar	1	18 and wider	8 to 16	$100.00
2	No. 1 Common and Select Bung	Poplar	1			57.00
3	No. 2A Common Bung	Poplar	1			47.00

§ 1382.12a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1382.12 (d) (2), (3), (6), (10), (11), (12), (13), (14), (20), (21), (22), (23), (24), (25), (26)) to Maximum Price Regulation No. 146 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8655; Filed, September 2, 1942; 5:08 p. m.]

PART 1399—CONSTRUCTION, OIL FIELD, MINING AND RELATED MACHINERY

[Amendment 2 to Maximum Price Regulation 134 [1]]

CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT RENTAL PRICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New paragraph (a) is added to § 1399.7 and new paragraph (b) is added to § 1399.9a as set forth below:

§ 1399.7 *Petitions for amendment*—(a) *Counties of the State of Michigan.* Notwithstanding the provisions of § 1399.10, the maximum rental price for any construction or road maintenance equipment leased or furnished to the State of Michigan by the Board of County Road Commissioners of any County of the State of Michigan shall be the rental price agreed upon between the State of Michigan and its Counties on July 21, 1942, as set forth in the rate sheets filed with the Office of Price Administration on August 17, 1942.

§ 1399.9a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1399.7 (a)) to Maximum Price Regulation No. 134 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8656; Filed, September 2, 1942; 5:08 p. m.]

PART 1412—SOLVENTS

[Amendment 1 to Maximum Price Regulation 36 [2]]

ACETONE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1412.51 (a) is amended by substituting the words "October 3, 1942" for the words "September 3, 1942" and § 1412.65 is amended as set forth below:

§ 1412.65 *Effective dates of amendments.* (a) Maximum Price Regulation No. 36 (§§ 1412.51 to 1412.66, inclusive) shall become effective October 3, 1942; *Provided,* That Revised Price Schedule No. 36 [3] shall remain in effect until this Maximum Price Regulation No. 36 becomes effective on October 3, 1942.

(b) Amendment No. 1 (§§ 1412.51 (a) and 1412.65) shall become effective September 3, 1942. (Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8657; Filed, September 2, 1942; 5:10 p. m.]

PART 1412—SOLVENTS

[Amendment 1 to Maximum Price Regulation 37 [4]]

BUTYL ALCOHOL AND ESTERS THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1412.101 (a) is amended by substituting the words "October 3, 1942" for the words "September 3, 1942" and § 1412.115 is amended as set forth below:

§ 1412.115 *Effective dates of amendments.* (a) Maximum Price Regulation No. 37 (§ 1412.101 to 1412.116, inclusive) shall become effective October 3, 1942: *Provided,* That Revised Price Schedule No. 37 [5] shall remain in effect until this Maximum Price Regulation No. 37 becomes effective on October 3, 1942.

(b) Amendment No. 1 (§§ 1412.101 (a) and 1412.115) shall become effective September 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8658; Filed, September 2, 1942; 5:10 p. m.]

PART 1412—SOLVENTS

[Amendment 1 to Maximum Price Regulation 36 [2]]

ACETONE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1412.51 (a) is amended by substituting the words "October 3, 1942" for the words "September 3, 1942" and § 1412.65 is amended as set forth below:

§ 1412.65 *Effective dates of amendments.* (a) Maximum Price Regulation No. 36 (§§ 1412.51 to 1412.66, inclusive) shall become effective October 3, 1942; *Provided,* That Revised Price Schedule No. 36 [3] shall remain in effect until this Maximum Price Regulation No. 36 becomes effective on October 3, 1942.

(b) Amendment No. 1 (§§ 1412.51 (a) and 1412.65) shall become effective September 3, 1942. (Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8659; Filed, September 2, 1942; 5:10 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[Maximum Price Regulation 214]

HIGH ALLOY CASTINGS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of high alloy castings. Such action is required as the General Maximum Price Regulation [1] does not provide a satisfactory method for the pricing of high alloy castings and the Price Administrator has ascertained and given due consideration to the prices of high alloy castings prevailing between October 1 and October 15, 1941 and has determined that those prices are generally more fair and equitable than the prices established by the General Maximum Price Regulation, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 214, is hereby issued.

AUTHORITY: §§ 1421.1 to 1421.19 inclusive issued under Pub. Law 421, 77th Cong.

§ 1421.1 *Maximum prices for high alloy castings.* (a) On and after September 7, 1942, regardless of any contract, agreement, lease or other obligation, no producer shall sell or deliver high alloy castings and no person shall buy or receive high alloy castings from a producer in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1421.15 and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of high alloy castings by a producer to a purchaser if prior to September 7, 1942, such high alloy castings had been received by a carrier, other than a carrier owned or controlled by the producer for shipment to such purchaser.

(b) If upon the purchase of any high alloy casting the purchaser shall receive from the seller or supplier a written affirmation that to the best of his knowledge, information and belief the price charged does not exceed the maximum price established by this Maximum Price Regulation No. 214, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section.

§ 1421.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1421.15) may be charged, demanded, or offered.

§ 1421.3 *Conditional agreements and adjustable prices.* No producer shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1421.1, in the event that this Maximum Price Regulation No. 214 is amended or is determined by a court to be invalid or upon any other contingency: *Provided,* That where a petition for amendment or for adjustment or for

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3203, 3411, 3447.

[2] 7 F.R. 6655.

[3] 7 F.R. 1276, 1836, 2000, 2132, 6385.

[4] 7 F.R. 6657.

[5] 7 F.R. 1277, 1836, 2000, 2132, 6385.

[1] 7 F.R. 3153, 3330, 3666, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6007, 6058, 6081, 6216.

[2] 7 F.R. 971, 3663.

exception has been made pursuant to § 1421.8 a producer may make sales, deliveries or offers of sale at prices adjustable in accordance with the disposition of the petition for amendment or for adjustment or exception.

§ 1421.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 214 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to high alloy castings alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise; without limiting the foregoing the price limitations set forth in this Maximum Price Regulation No. 214 shall not be evaded by improper classification, unnecessary pattern changes, improper application of extras, exchange of patterns or division of orders to obtain more favorable quantity differentials.

§ 1421.5 *Records and reports.* (a) Every person making purchases from a producer and every producer making sales of high alloy castings in the course of trade or business on and after September 7, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, either the shipping point or delivered price paid or received, and transportation charges or allowances, if any.

(b) Every producer of high alloy castings shall preserve and keep for inspection by the Office of Price Administration all of its records in regard to sales of high alloy castings made between July 15, 1941 and October 15, 1941, inclusive.

(c) Every producer shall preserve and keep for inspection by the Office of Price Administration all of its records in regard to its labor rates for each class of laborers and its material costs and machine hour rates prevailing and in effect at each of its foundries and machine shops, between October 1 and October 15, 1941 together with its records in regard to the methods used for figuring or estimating burden or overhead, delivery charges or allowances, and selling and administrative expense customarily used between October 1 and October 15, 1941.

(d) Persons affected by this Maximum Price Regulation No. 214 shall submit such reports to the Office of Price Administration as it may, from time to time require.

§ 1421.6 *Filing.* (a) Each producer shall file with the Iron and Steel Branch, Office of Price Administration, Washington, D. C., on or before September 25, 1942: (1) its published price lists and schedules, tentative or subject to change or otherwise, for high alloy castings and for extras or machining thereon insofar as such lists and schedules were distributed and outstanding with one or more of such producer's customers between July 15, 1941 and October 15, 1941, inclusive, and (2) a statement of its established practice between July 15, 1941 and October 15, 1941 of making allowances or discounts to any purchasers or classes thereof. If a producer had no such lists or schedules, or had no established practice of making allowances or discounts, he shall file a statement to that effect.

(b) Each producer, who had in effect between July 15, 1941 and October 15, 1941, inclusive, established and customary quantity or alloy or carbon content price differentials for any or all high alloy castings produced and sold by him, shall file with the Iron and Steel Branch, Office of Price Administration, Washington, D. C., on or before September 25, 1942, a statement listing or describing such quantity or alloy or carbon content price differentials and the types of high alloy castings to which such differentials applied. If a producer had no such quantity or alloy or carbon content price differentials, he shall file a statement to that effect.

(c) Each producer, who customarily let out machining work on high alloy castings to independent machine shops between October 1 and October 15, 1941, shall file with the Iron and Steel Branch, Office of Price Administration, Washington, D. C., on or before September 25, 1942 a statement of his customary method, in effect between October 1 and October 15, 1941, of computing charges for the machining of high alloy castings in cases where the machining has been let out to an independent machine shop. If a producer did not customarily let out machining work to independent machine shops between October 1 and October 15, 1941, he shall file a statement to that effect.

§ 1421.7 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 214 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 214 or any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1421.8 *Petitions for amendment, adjustment and exception.* (a) Any producer who has entered into or proposes to enter into a contract for the sale of high alloy castings, who believes that the maximum price for such high alloy casting as established by this Maximum Price Regulation No. 214 impedes or threatens to impede the production of high alloy castings which are essential to the war program and which are or will be the subject of a contract for production essential to the war program may petition for, and the Price Administrator may grant, adjustment of the maximum price. The petition for adjustment pursuant to this paragraph shall be made on Form No. 314:1 set out in Appendix D, incorporated herein as § 1421.18, or on a copy of said Form made by petitioner, and separate forms shall be used for each high alloy casting of different design or specification. Petitions for such adjustment must be filed in accordance with Procedural Regulation No. 1 [3] issued by the Office of Price Administration. After a petition has been filed and pending the issuance of an order granting or denying the petition, the petitioner may enter into or offer to enter into contracts and may make deliveries at the price requested in the petition. If the order issued denies the petition in whole or in part, the contract price shall be revised downward to the maximum price ordered; and if any payment has been made at the requested price, the petitioner shall refund the excess.

(b) The Price Administrator may grant an exception permitting a producer to make charges for machining of high alloy castings performed by such producer sufficient in amount to permit such producer to recover: (1) his cost of labor directly expended on and applicable to the machining of high alloy castings; (2) his cost of material directly expended on and applicable to the machining of high alloy castings; and (3) other costs necessary to bring the machining of high alloy castings to a state of physical completion in the machine shop. An exception under this paragraph may be granted only in cases where the producer shows to the satisfaction of the Price Administrator that such costs were customarily being recovered by him between October 1 and October 15, 1941 or that the percentage of such costs currently being recovered at the time of the petition hereunder is less than that customarily recovered by him between October 1 and October 15, 1941 to such a degree as to work a substantial hardship. Petitions for such exceptions must be filed in accordance with Procedural Regulation No. 1 [3] issued by the Office of Price Administration.

(c) The Price Administrator may grant an exception permitting a producer to charge more than the maximum price set forth in this Maximum Price Regulation No. 214 in cases where the producer shows that he must otherwise absorb abnormally high transportation costs resulting from the emergency demands of war. In all such cases the petitioner shall submit a description of the shipment or shipments, the reasons why the shipment or shipments bear abnormally high transportation costs, the price or proposed price, the transportation costs and the

[3] *Supra*, note 2.

[4] *Supra*, note 2.

relation of such shipment or shipments to the war effort. Petitions for such exceptions must be filed in accordance with Procedural Regulation No. 1 [4] issued by the Office of Price Administration.

(d) Persons seeking any modification of this Maximum Price Regulation No. 214 or an adjustment or exception not provided for therein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

§ 1421.9 *Federal and state taxes.* There may be added to the maximum price established by this Maximum Price Regulation No. 214 the amount of tax levied by any Federal excise tax statute or any state or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of state or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this section shall in no event exceed that paid by the purchaser, consumer, or user.

§ 1421.10 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 214 supersede the provisions of the General Maximum Price Regulation [5] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1421.11 *Sales for export.* The maximum price at which a producer may export high alloy castings shall be determined in accordance with the provisions of the Maximum Export Regulation [6] issued by the Office of Price Administration.

§1421.12 *Invoicing.* The producer's invoices shall separately state the price for each of the following items: (a) rough casting; (b) machining, if any; (c) each extra, if any; and (d) transportation charges or allowances: *Provided*, That where any high alloy casting, which is a patented or trade marked product was or would have been customarily invoiced between October 1 and October 15, 1941 on a per piece basis by any such producer, or where any agency of the government requires invoicing of any high alloy casting on a per piece basis, such castings may be invoiced on a per piece basis and separate statements as hereinabove provided are not required.

§ 1421.13 *Definitions.* (a) When used in this Maximum Price Regulation No. 214 the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means any person engaged in the production of high alloy castings.

(3) "High alloy casting" means any heat-resistant casting or corrosion-resistant casting, rough or machined, which has a ferrous and/or nickel base and which contains more than 8% alloy, and also means any chrome iron casting, abrasion-resistant rough or machined, which has a ferrous base and which contains more than 8% alloy. This definition does not include wear-resistant castings containing 10% or more manganese and commonly known as "Hadfield manganese" steel castings.

(4) "Heat-resistant castings" means any nickel-chrome or chrome-nickel, (carbon 1% or under) high alloy casting, which normally operates at a metal temperature of 900° Fahrenheit or higher, except castings used up to 1200° Fahrenheit operated under conditions of high pressure and corrosion.

(5) "Corrosion-resistant casting" means any nickel-chrome or chrome-nickel, (carbon 1% or under) high alloy casting, which normally operates in contact with corrosive agents at temperatures less than 900° Fahrenheit, including castings used up to 1200° Fahrenheit under conditions of high pressure and corrosion.

(6) "Rough casting" means a high alloy casting with respect to which the foundry processes have been completed but on which no machining, necessary construction welding, or assembling by welding, or other work of attachment has been performed.

(7) "Sold or offered for sale" means (i) entering into a contract of sale, or (ii), if no contract of sale is entered into, an offer of sale made in writing, or (iii), if neither a contract of sale is entered into or an offer of sale made, a published price list or schedule distributed to a particular customer or group of customers and whether or not the prices contained therein are tentative or subject to change without notice.

(8) "Base period" means the period July 15, 1941 to October 15, 1941, inclusive.

(9) "Machining" means any finishing operation performed on the rough casting prior to delivery to the purchaser and also means any welding, treating, testing, inspecting, adjusting, repairing and rebuilding performed on the rough casting prior to delivery to the purchaser.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1421.14 *Effective date.* This Maximum Price Regulation No. 214 (§§ 1421.1 to 1421.19 inclusive) shall become effective September 7, 1942.

§ 1421.15 *Appendix A*—(a) *Maximum delivered prices for high alloy castings of designs sold or offered for sale during the base period.* The maximum delivered price for a producer for a high alloy casting of the same, or substantially the same, design as a high alloy casting sold or offered for sale [7] during the base period by such producer shall be an amount not in excess of a price computed as follows:

(1) *Rough casting:* The maximum price for the rough casting shall be the highest price at which such producer sold or offered for sale an identical quantity of such casting as a rough casting during the base period: *Provided*, That (i) in case of a quantity other than an identical quantity said maximum price shall be determined by adjusting for such established, customary and applicable quantity price differential as was in effect for such producer during the base period, or, if such producer had no such quantity price differential during the base period, by adjusting for a quantity price differential determined by multiplying said highest price by the percentage difference between the prices for the applicable quantities set forth in the applicable base schedule in Appendix B (§ 1421.16); [8] (ii) in case of a casting of the same, or substantially the same, de-

[5] *Supra*, note 2.

[6] *Supra*, note 1.

[7] 7 F.R. 5059.

[7] The expression "sold or offered for sale" is defined in § 1421.13 (a) (7) and should be carefully noted and applied wherever the expression is used.

[8] *Example:* Assume the highest price in the base period was established by a sale of 8 25-lb. heat-resistant castings, 67% (65%–69% tolerance) nickel and 17% (15%–19% tolerance) chromium analysis, at $1.00 per lb. An order is received after the effective date of this Maximum Price Regulation No. 214 for 20 castings of the same design and analysis. The base schedule price for 8 is 61¢ per lb. The base schedule price for 20 is 54¢ per lb. The maximum price for the rough castings on the new order of 20 castings is $1.00 x .54/.61 or 88.5¢ per lb.

sign but where different alloy or carbon content is specified said maximum price shall be determined by adjusting for such established, customary and applicable alloy or carbon content price differential as was in effect for such producer during the base period, or if such producer had no such alloy or carbon content price differential during the base period, by adjusting for the difference in alloy or carbon content specification by adding to or subtracting from said highest price such of the price differentials set forth in § 1421.16 (a) (3) and § 1421.16 (b)[9] as are applicable.

(2) *Extras:* There may be added to the maximum price of the rough casting an amount for extras, other than machining, not in excess of the amount customarily charged by such producer on similar sales during the base period, but only where such extras are furnished and have not already been included in the maximum price for the rough casting.

(3) *Machining:* There may be added to the maximum price of the rough casting, where the rough casting is machined before delivery to the purchaser, an amount not in excess of the applicable amount determined pursuant to paragraph (b) of Appendix C (§ 1421.17).

(4) *Discounts and credit terms:* (i) Where any commission or functional or other discount was or would have been customarily allowed by such producer during the base period to any manufacturer, jobber, dealer, or other distributor or to specific classes or purchasers, such as the automotive producers, the amount of such commission or functional or other discount shall be deducted from the above maximum price (if not already deducted in the computation thereof); (ii) There shall be deducted one half of one percent before adjustment for transportation allowances and charges, for payment within 10 days from receipt of the invoice by the purchaser.

(5) *Transportation allowances and charges:* Such allowances for transportation as were customarily made on similar sales by such producer during the base period shall be computed at rates in effect at the time of shipment and shall be continued. Such charges for transportation as were made on similar sales by such producer during the base period shall be computed at rates in effect at the time of shipment and may be added to the maximum price for the rough casting.

(6) *Limitation:* In no event shall the maximum delivered price determined pursuant to subparagraphs (1) to (5), inclusive, of this paragraph exceed the highest price at which a high alloy casting of the same or substantially the same design and alloy and carbon content was sold or offered for sale to the same purchaser during the base period in an identical quantity, or in case of other than an identical quantity a price computed on such highest price as a base and adjusted for the quantity price differential as in subparagraph (1) (i).

(7) *Per piece basis:* Where such high alloy casting was customarily, during the base period, sold and invoiced by a producer on a per piece basis the maximum price shall not exceed the highest price at which such producer sold or offered for sale an identical quantity of such casting during the base period: *Provided*, That (i) in the case of a quantity other than an identical quantity said maximum price shall be adjusted for the quantity price differential as in subparagraph (1) (i); (ii) in case of a casting of the same design, but of different alloy or carbon content specification said maximum price shall be adjusted for the alloy or carbon content price differential as in subparagraph (1) (ii); (iii) there may be added, where machining on such casting is let out to independent machine shops, an amount not in excess of the difference between the net cost to the producer of such machining and the net cost to the producer of the machining on the casting of the same, or substantially the same, design sold at the highest price during the base period; (iv) adjustment shall be made for discounts and credit terms as provided in subparagraph (4); (v) adjustment shall be made for the transportation allowances and charges in subparagraph (5); and (vi) the limitation set forth in subparagraph (6) shall apply.

(b) *Maximum delivered prices for heat-resistant castings and corrosion-resistant castings of designs produced by the industry since 1937 and for which a maximum price is not established by paragraph* (a). The maximum delivered price for a heat-resistant casting or corrosion-resistant casting of a design produced and sold commercially by the industry since 1937 and prior to the effective date of this Maximum Price Regulation No. 214, and for which no maximum price for a producer is established by paragraph (a) of this section, shall be an amount not in excess of a price computed as follows: (1) the applicable base price for the rough casting in accordance with the base schedule and quantity and alloy and carbon content differentials set forth in Appendix B (§ 1421.16); (2) where the rough casting is machined before delivery to the purchaser, there may be added an amount therefor not in excess of the applicable amount determined pursuant to paragraph (b) of Appendix C (§ 1421.17); (3) there may be added such of the extras set forth in paragraph (a) of Appendix C (§ 1421.17) as are applicable; (4) there shall be deducted one half of one percent for payment within 10 days from receipt of the invoice by the purchaser; and (5) adjustment shall be made for freight as follows: (i) on shipments of 100 pounds or more the lowest applicable railroad charge at rates in effect at the time of shipment for an identical quantity of high alloy castings shall be allowed; (ii) on shipments of less than 100 pounds the lowest applicable railroad charges at rates in effect at the time of shipment for an identical quantity of high alloy castings may be added; and (iii) where the purchaser specifies means of transportation costing in excess of the lowest applicable rail charges at rates in effect at the time of shipment, the difference may be added.

[9] *Example:* Assume the highest price in the base period was established by a sale of 8 25-lb. heat-resistant castings, 67% (65%–69% tolerance) (nickel and 17% (15%–19% tolerance) chromium analysis, at $1.00 per lb. An order is received after the effective date of this Maximum Price Regulation No. 214 for another 8 castings of the same design, but of an analysis of 35% (34%–36% tolerance) nickel and 15% (13%–17% tolerance) chromium. This is 31% less nickel and 2% less chromium than the base period sale. The applicable per lb. differential (§ 1421.16 (b)) is 5¢ for nickel and 2¢ for chromium for each 1% difference in content. The maximum price for the rough castings on the new order is 84.1¢ per lb. ascertained as follows:

31 x .5¢ = 15.5¢ deduction for nickel
2 x .2¢ = .4¢ deduction for chromium

15.9¢ per lb. total deduction
$1.00 – 15.9¢ = 84.1¢ per lb.

This paragraph does not apply to chrome iron abrasion-resistant castings.

(c) *Maximum delivered prices for high alloy castings other than those in paragraphs* (a) *and* (b). The maximum delivered price for any high alloy casting for which a maximum price is not established by paragraphs (a) and (b) of this section shall be the price for any producer which is established as follows: A producer who proposes to sell or offer to sell such casting shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., a cost estimate and proposed selling price for such casting on and pursuant to Form No. 314 : 2 (set out in Appendix E, incorporated herein as § 1421.19) which proposed selling price shall be approved as filed, or approved subject to such adjustments, conditions and limitations as the Office of Price Administration may in its discretion provide, or shall be disapproved within seven days from the time it is received by said Iron and Steel Branch, and in the event the Office of Price Administration does not send out in writing its approval or disapproval within seven days as above, the proposed price as filed shall be deemed approved for the proposed sale with respect to which it was stated on Form No. 314 : 2 to be filed: *Provided*, That (1) in filling out the items on Form No. 314 : 2 the cost factors and profit margin used shall be those in effect and prevailing between October 1 and October 15, 1941 for the producer filing said Form No. 314 : 2; and (2) where a price for a casting has been approved pursuant to this paragraph for a producer, such producer may submit for approval a quantity price differential for such casting and if approved, such prices shall constitute the maximum prices at which such producer may sell such castings, except that maximum prices so established shall be subject to adjustment by the Office of Price Administration. Form No. 314 : 2 may be obtained from the Iron and Steel Branch, Office of Price Administration, Washington, D. C., or may be copied from Appendix E (§ 1421.19).

§ 1421.16 *Appendix B — Base price schedules for heat-resistant and corrosion-resistant castings.* (a) The following are the base price schedules for corrosion-resistant castings of a basic analysis of chromium, 18% to 20%, nickel, 8% to 10%, and carbon, .16% to .30%:

(1) For castings weighing less than 1 lb. each:

Number of pieces per pound	Number of castings per pattern						
	1 to 4	5 to 9	10 to 24	25 to 99	100 to 249	250 to 499	500 and over
	Each	*Each*	*Each*	*Each*	*Each*	*Each*	*Each*
2 or less	$1.12	$1.12	$1.12	$1.04	$0.88	$0.71	$0.71
3 and 4	1.12	1.12	1.12	.99	.82	.67	.66
5 through 8	1.12	1.12	1.12	.93	.77	.60	.60
9 through 16	1.12	1.12	1.12	.88	.71	.55	.55
16 and over	1.12	1.12	1.12	.82	.66	.49	.49

(2) For castings weighing 1 lb. or more each:

Weight each	Number of castings per pattern						
	1 to 4	5 to 9	10 to 24	25 to 99	100 to 249	250 to 499	500 and over
	Per pound	*Per pound*	*Per pound*	*Per pound*	*Per pound*	*Per pound*	*Per pound*
1 to 3 pounds	$1.12	$1.12	$1.12	$1.06	$0.95	$0.84	$0.73
3 to 5 pounds	1.06	1.06	1.06	.95	.84	.73	.62
5 to 10 pounds	.95	.90	.84	.79	.73	.68	.62
10 to 15 pounds	.84	.80	.75	.71	.67	.62	.58
15 to 25 pounds	.79	.74	.70	.66	.61	.57	.52
25 to 50 pounds	.73	.69	.64	.60	.57	.52	.49
50 to 100 pounds	.68	.63	.59	.56	.52	.49	.49
100 to 200 pounds	.62	.59	.56	.52	.49	.49	.49
200 to 300 pounds	.60	.57	.53	.50	.49	.49	.49
300 to 500 pounds	.59	.56	.52	.50	.49	.49	.49
500 to 1,000 pounds	.58	.55	.52	.50	.49	.49	.49
1,000 and over	.57	.55	.52	.50	.49	.49	.49

(3) For alloy or carbon content differences from the midpoint of the basic analysis add to or subtract from the applicable base price in the schedules in subparagraphs (1) and (2), using the midpoints of the basic analysis and the analysis specified in the contract of sale to determine the extent of such differences, the following price differentials: [10]

(i) *Nickel-chromium:*

Nickel, 0.8¢ per lb. for each 1% difference.
Chromium, 0.6¢ per lb. for each 1% difference.

Provided, That on chrome-nickel alloys where the chromium content is in excess of 8% and the nickel content is less than 3% and no other alloying elements are present, no deductions need be made from the base price in the schedules in subparagraphs (1) and (2) above on account of nickel difference from the basic analysis.

(ii) *Other alloys:*

Selenium, 0.40% maximum add 2¢ per lb. to base schedule.

Titanium, 0.25% to 1.00% add 10¢ per lb. to base schedule.

Molybdenum, 2.00% maximum add 3¢ per lb. to base schedule.

Molybdenum, 2.01% to 4.50% add 5¢ per lb. to base schedule.

Columbium, 10% X carbon add 5¢ per lb. to base schedule.

(iii) *Carbon:*

Up to 0.10% maximum add 5¢ per lb. to base schedule.

From 0.10% to .16% add 2½¢ per lb. to base schedule.

From 0.16% to .30% use base schedule.

From 0.30% to 1.00% subtract 2¢ per lb. from base schedule.

[10] Example:

Alloy designation	Chromium	Nickel	Carbon	Molybdenum	Columbium
	Percent	*Percent*	*Percent*	*Percent*	*Percent*
GG-7MC	20–22	10–12	0.07	3.0	10 x C = 0.70

	Cents
Chromium, add	1.2
Nickel, add	1.6
Carbon, add	5.0
Molybdenum, add	5.0
Columbium, add	5.0
Add to base price	17.8

(b) The following is the base price schedule for heat-resistant castings of a basic analysis of chromium 23% to 27%, nickel 10% to 13% and carbon, 1% or under.

Weight each	Number of castings per pattern						
	1 to 4	5 to 9	10 to 24	25 to 99	100 to 249	250 to 499	500 and over
	Per pound	*Per pound*	*Per pound*	*Per pound*	*Per pound*	*Per pound*	*Per pound*
Less than 1 pound	$1.10	$1.10	$1.10	$0.99	$0.88	$0.77	$0.72
1 to 5 pounds	.88	.88	.88	.77	.72	.66	.64
5 to 20 pounds	.77	.66	.64	.63	.61	.58	.56
20 to 50 pounds	.64	.61	.54	.53	.52	.51	.50
50 to 100 pounds	.57	.53	.52	.51	.51	.50	.48
100 to 250 pounds	.53	.52	.50	.48	.48	.47	.47
250 to 500 pounds	.51	.51	.48	.47	.46	.46	.46
500 pounds and over	.50	.48	.47	.45	.45	.45	.45

For alloy content differences from the midpoint of the basic analysis add to or subtract from the applicable base price in this schedule, using the midpoints of the basic analysis and the analysis specified in the contract of sale to determine the extent of such differences, the following price differentials: [11]

Nickel-chromium:

Nickel, 0.5¢ per lb. for each 1% difference.

Chromium, 0.2¢ per lb. for each 1% difference.

Other alloys:

Selenium, 0.40% maximum add 2¢ per lb. to base schedule.

Titanium, 0.25% to 1.00% add 10¢ per lb. to base schedule.

Molybdenum, 2.00% maximum add 3¢ per lb. to base schedule.

Molybdenum, 2.01% to 4.50% add 5¢ per lb. to base schedule.

Columbium, 10 x carbon add 5¢ per lb. to base schedule.

§ 1421.17 *Appendix C: Extras and machining*—(a) *Extras.* The following are the extras which may be added, where applicable and furnished by the producer, to the maximum prices referred to in paragraph (b) of § 1421.15:

(1) Specification extras: On orders of $200.00 or less that require test specimens in accordance with buyer's specifications, the following extras may be charged.

A. Each tensile test specimen machined and/or tested	$5.00
B. Each bend test specimen machined and/or tested	5.00
C. Each salt spray test specimen	4.00
D. Each weld effect test specimen welded and/or tested	4.00
E. Each electrolytic etch test specimen	5.00
F. Each nitric acid corrosion test specimen	5.00
G. Atmospheric Temperature Charpy Impact Test Specimen	5.00
H. Sub-atmospheric Temperature Charpy Impact Test Specimen	5.00

[11] Example:

Alloy designation	Chromium	Nickel
	Percent	*Percent*
RS	8–12	29–32

	Cents
Chromium, deduct	3.0
Nickel, add	9.8
Add to base price	6.8

When a combination of the above tests is required the extras indicated shall be added together.

(2) Special specification extras: An extra charge of 5¢ per pound may be added to the pound price for castings that are subject to United States Navy specification 46–S–27 A.

(3) Wall thickness extras. If one or more sections of pump parts carburising boxes centrifugally cast tubes, roller rails and furnace parts is less than $1\frac{1}{32}$" thick the following prices per casting (but not per section) may be added to the base price:

	Cents
Less than $\frac{5}{32}$"	add 12
$\frac{5}{32}$" up to but not including $\frac{7}{32}$"	add 9
$\frac{7}{32}$" up to but not including $\frac{9}{32}$"	add 6
$\frac{9}{32}$" up to but not including $1\frac{1}{32}$"	add 3

(4) Pressure test: When pressure tests are required and made by the producer there may be added:

Weight per casting

1– 5 lbs	Add 12¢ per lb.
5–10 lbs	Add 8¢ per lb.
10–50 lbs	Add 5¢ per lb.
50–250 lbs	Add 3¢ per lb.
Over 250 lbs	Add 2¢ per lb.

(b) *Machining.* The following are the maximum charges for machining where furnished and applicable: (1) Where performed by the producer, by application of such producer's established machine hour rate in effect between October 1 and October 15, 1941, or, if such producer had no such work between October 1 and October 15, 1941 determined by the cost factors and profit margins then in effect for such producer. If such producer did not customarily perform machining between October 1 and October 15, 1941 his maximum charge shall be a charge determined after specific authorization from the Office of Price Administration; a producer who seeks an authorization to determine such maximum charge shall file with the Iron and Steel Branch, Office of Price Administration, Washington, D. C., an application setting forth (i) a description of the proposed machining of high alloy casting to be performed by such producer, and (ii) a detailed statement of such producer's actual costs, if any, and estimated costs for machining of high alloy castings. If such authorization is given, it will be accompanied by instructions as to the method for determining such maximum charges.

(2) Where the machining is let out by such producers, the net cost to such producer for the machining together with such additional charge, if any, as was in effect for such producer between October 1 and October 15, 1941 on machining let out to independent machine shops.

§ 1421.18 *Appendix D.* The following is Form No. 314:1 referred to in § 1421.8 (a):

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Form OPA 314:1 [1]

Petition for adjustment of maximum prices for high alloy castings under § 1421.8 (a) of Maximum Price Regulation No. 214.

The petitioner, _____
(insert name and address)

hereby petitions the Price Administrator, under § 1421.8 (a) of Maximum Price Regulation No. 214 and Procedural Regulation No. 1 for adjustment of the maximum price established for the particular high alloy casting described below.

The following facts are furnished to the OPA in support of this petition:

I. *Description of casting*

a. Classification or type _____
b. Where used _____
c. Chemical analysis specified in contract of sale _____
d. Pattern No. _____
e. Kind of pattern _____
f. Size flask _____
g. No. patterns in flask _____
h. No. cores _____
i. Method of molding _____
j. Heads, gates, recovered scrap (estimate in lbs. for each casting) _____
k. Defectives (estimate per cent) _____
l. Yield from charge (estimate) _____
m. Shipping weight each (estimate) _____

II. *Description of contract.* [2] Answer (a) and either (b) or (c).

(a) Serial number or other identification of contract, giving name and address of purchaser or prospective purchaser:

(1) Identification of Contract _____
(2) Name of Purchaser _____
(3) Address of Purchaser _____
_____
(Street) (City) (State)

(b) If price adjustment is sought with respect to deliveries under existing contracts submit:

(1) Date of Contract _____
(2) Estimated date of completion _____
(3) Total quantity of castings contracted for _____ (lbs.)
(4) Total quantity of castings remaining to be delivered or supplied _____ (lbs.)

(c) If price adjustment is sought for a proposed contract, submit:

(1) Final delivery date to be stipulated by proposed contract _____
(2) Estimated date at which deliveries will begin _____
(3) Total quantity of castings to be contracted for _____ (lbs.)
(4) Value of contract (proposed price per casting times quantity) _____ $

III. *Importance of the contract in petitioner's operations.* The term "sales" means sales as usually computed by petitioner.

(a) Total of petitioner's sales of high alloy castings for last six calendar months prior to the date of this petition $_____

(b) Estimated sales for next six months of particular high alloy castings with respect to which this petition is made, assuming the price adjustment requested is granted $_____

(c) Total of petitioner's sales of all products for last six calendar months prior to the date of this petition $_____

IV. *Costs of producing particular casting.* The following instructions should be followed in furnishing the information required in Columns 1 and 11 below. The furnishing of the information required in Column 1 is optional.

(a) Give actual cost data if available. If no actual cost data are available, give estimates as to current costs. Indicate, however, by encircling the appropriate figures where estimates are being employed.

(b) Net metal cost. In computing "net metal cost," use costs shown on your books. Report "net metal cost" as the difference between gross metal charged and recovered scrap. "Conversion Cost" will include labor, fuel, power, electrodes, supplies, furnace repairs, and other overhead items applicable to the melting department.

(c) Direct labor. State cost of direct or production labor following the classifications in your own records; and for each classification, use actual wages of men employed on the job, or if not practicable, base cost on departmental or shop average wage rates for each classification.

(d) Other foundry costs. If the practice of your foundry is to allocate shop overhead to departments, report overhead by departments. If, however, "General Shop Overhead" is not broken down by departments, report only as "General Shop Overhead." If shop overhead by departments is used as well as "General Shop Overhead" not directly applicable to departments, report both by departments and also by "General Shop Overhead."

(e) Costs shall be given on either a per piece or per 100 pound basis. Indicate whichever basis is used.

Details of cost	Column I: Oct. 1 to Oct. 15 1941	Column II: Current date
Furnace Dept.:		
Net Metal Cost		
Conversion Cost		
Total Metal Cost		
Molding Dept.:		
Direct Labor		
Overhead		
Core Dept.:		
Direct Labor		
Overhead		
Cleaning Dept.:		
Direct Labor		
Overhead		
Heat treating		
Pattern expense		
Extras (Explain)		

[1] One original and four copies of this form shall be filed with the Secretary of the Office of Price Administration, Washington, D. C., in accordance with § 1300.39 of Procedural Regulation No. 1. The provision of that section with respect to the contents of a petition may be disregarded except insofar as required by this form.

[2] The term "contract" includes purchase orders, letters of intent or other arrangements not yet completed.

Details of cost	Column 1: Oct. 1 to Oct. 15 1941	Column II: Current date
Genl. shop overhead		
Total shop cost		
Selling and administration expense		
Other costs (Specify)		
Total cost		
Machining cost		
Profit margin		
Freight		
Selling price (Requested)		

V. Submit any other facts relevant to this request for a price adjustment, including a statement of the established maximum price for the particular casting at the time this petition was filed and the computation by which said maximum price was ascertained.

VI. State whether the petitioner has entered into, or will enter into a contract or will make deliveries, at the requested price pending final action by the Office of Price Administration. Yes ( ). No ( ).

VII. Submit the following:

A. Balance Sheets as of the close of:

1. 1936 through 1941 (fiscal or calendar years).
2. Most recent accounting period.

B. Income Statements for:

1. 1936 through 1941 (fiscal or calendar years).
2. Most recent accounting period.

C. Sales:

1. Of all products in 1941.
2. Of high alloy castings in 1941.

Instructions. (1) Income statements must show: (a) net sales (b) cost of products sold, stating separately total direct material costs, and total other manufacturing costs (c) general and administrative expenses, segregating compensation to officers and directors, and (d) net profits before income and excess profits taxes. All charges to operations representing accumulations of reserves must be shown in detail on the statements.

(2) The petitioner need not file with the petition any required financial data which were previously submitted on Form A—annual Financial Report—or Form B—Interim Financial Report—or any other questionnaire issued by the Office of Price Administration.

_____
Applicant

By _____

_____
Title

AFFIDAVIT

State of _____

County of _____, ss:

The undersigned _____, being first duly sworn according to law on oath deposes and says: that he is the person whose name appears subscribed to the above petition for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
Signature

Subscribed and sworn to before me this _____ day of _____ A. D. 194__

_____
Officer Administering Oath

§ 1421.19 *Appendix E.* The following is Form No. 314:2 referred to in § 1421.15 (c):

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

IRON AND STEEL BRANCH

Form No. 314:2

Cost Estimate Sheet for High Alloy Castings Based Upon Cost Factors and Profit Margin in Effect October 1–15, 1941

Name of foundry _____
Customer _____
Desc. of casting _____ Where used _____
Pattern No. ____ Chemical Analysis _____
No. patterns in flask _____ No. of cores _____
Kind of patterns _____ Size flask _____
Method of molding _____
Heads, gates, recovered scrap (each casting) _____ lbs.
Defectives _____ % of total castings.
Pieces ordered ___ Est. shipping wt. each ___
Yield from charge _____

Details of cost	Good castings: Per piece	Good castings: Per 100 lbs.[3]
Furnace Dept.:[1]		
Net metal cost		
Conversion cost		
Total metal cost		
Molding Dept.:		
Direct labor		
Overhead [2]		
Core Dept.:		
Direct labor		
Overhead [2]		
Cleaning Dept.:		
Direct labor		
Overhead [2]		
Heat treating		
Pattern expense		
Extras (explain)		
General shop overhead: [2]		
Total shop cost		
Selling and adm. expense		
Other costs (specify)		
Total cost		
Machining cost		
Profit margin		
Freight		
Selling price (proposed)		

[1] Report "Net Metal Cost" as the difference between gross metal charged and recovered scrap. "Conversion Cost" will include labor, fuel, power, electrodes, supplies, furnace repairs, and other overhead items applicable to melting department.

[2] If the practice of your foundry is to allocate shop overhead to departments, report overhead by departments. If, however, "General Shop Overhead" is not broken down by departments, report only as "General Shop Overhead." If shop overhead by departments is used as well as "General Shop Overhead" not directly applicable to departments and also by "General Shop Overhead."

[3] Either method is satisfactory.

Remarks: _____

_____
Name of Applicant

By _____ _____
Officer Signing Title

State of _____

County of _____ ss:

_____, being duly sworn, deposes and says: That he is the person whose name appears subscribed to this Form No. ____; and that he has read the same and

to the best of his knowledge and belief the facts contained therein are true and correct.

Signature

Subscribed and sworn to before me this ---------- day of ----------, A. D. 194--.

Officer Administering Oath

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8659; Filed, September 2, 1942; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 3, as Amended, Under § 1499.18 (c) of the General Maximum Price Regulation]

GEORGE ORAVETZ AND SON, INC.

A statement of the considerations involved in the issuance of this Order No. 3, as amended, under § 1499.18 (c) of the General Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.353 is amended to read as set forth below:

§ 1499.353 *Adjustment of maximum prices for charcoal sold by George Oravetz and Son, Inc.* (a) George Oravetz and Son, Inc., Auburn, Washington, may sell and deliver, and any person may buy and receive from George Oravetz and Son, Inc., the following commodities at prices not higher than those set forth below:

(1) Alder wood ground charcoal, $44 per ton carload lots, $63.00 per ton less than carload lots;

(2) Alder wood lump charcoal, $45.00 per ton carload lots, $52.00 per ton less than carload lots;

(3) Fir wood ground charcoal, $43.00 per ton carload lots, $46.00 per ton less than carload lots;

(4) Fir wood lump charcoal, $40.00 per ton carload lots, $46.50 per ton less than carload lots.

The above maximum prices are f. o. b. plant, bags returnable.

(b) All discounts, allowances and practices with regard to charges for transportation and other trade practices in effect with respect to the above listed commodities during March 1942 by the seller shall remain in effect under this order.

(c) George Oravetz and Son, Inc., shall mail or cause to be mailed to all persons who purchase from it for resale the commodities set forth in paragraph (a) of § 1499.353 at the prices established pursuant to this Order No. 3 (§ 1499.353), a notice reading as follows:

The Office of Price Administration, by Order No. 3 (§ 1499.353) effective September 2, 1942, pursuant to section 18 (c) of the General Maximum Price Regulation, has permitted George Oravetz and Son, Inc., to raise its maximum prices for sales to you from the following prices:

	Carload	Less than carload
Alder wood ground	$36	$55.00
Alder wood lump	35	42.00
Fir wood ground	39	42.00
Fir wood lump	36	42.50

to the prices set forth below:

	Carload	Less than carload
Alder wood ground	$44	$63.00
Alder wood lump	45	52.00
Fir wood ground	43	46.00
Fir wood lump	40	46.50

Such prices are subject to all discounts, allowances and trade practices in effect during March 1942 with respect to sales of the above commodities by that Company.

Order No. 3 (§ 1499.353) does not permit you to raise your maximum prices, as established under the General Maximum Price Regulation, for sales of charcoal. However, if the price charged by George Oravetz and Son, Inc., for sales of charcoal to you, pursuant to such Order imposes a substantial hardship upon you, you may communicate with the nearest District, State or Regional Office of the Office of Price Administration, setting forth any facts relating to such hardship as you may believe pertinent.

(d) This Order No. 3 may be amended or revoked by the Price Administrator at any time.

(e) This Order No. 3 (§ 1499.353) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) Order No. 3, as amended, under § 1499.18 (c) of the General Maximum Price Regulation shall become effective September 2, 1942. (Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8661; Filed, September 2, 1942; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 1 Under § 1499.114 (c)[1] of Maximum Price Regulation 165, as Amended—Services]

COUNTY TRUCK RENTALS IN STATE OF MICHIGAN

For the reasons set forth in an opinion* issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.114 (c) of Maximum Price Regulation No. 165—*Services*, it is hereby ordered that:

§ 1499.501 *Adjustment of maximum prices for rentals of trucks by counties of the State of Michigan:*

(a) The Board of County Road Commissioners of any county of the State of Michigan is hereby authorized to charge the State of Michigan for the rental of trucks at the rates agreed upon by the State of Michigan and its counties on July 21, 1942, and filed with the Office of Price Administration August 17, 1942.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 (§ 1499.501) shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 2d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8660; Filed, September 2, 1942; 5:08 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 2 to Maximum Price Regulation 161[1]]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1381.155 is amended, and a new paragraph (c) is added to § 1381.155; § 1381.157 is amended by changing the heading, numbering the first paragraph (a), and adding a new paragraph (b); § 1381.158, paragraph (a) (10) is amended, and new subparagraphs (13) and (14) are added; § 1381.160, paragraph (a), subparagraph (1), headings (iii) and (iv) are amended, and new headings (vii) and (viii) are added; paragraphs (b) and (c) of § 1381.160 are amended, and a new paragraph (e) is added; and a new § 1381.159a (b) is added; as set forth below.

§ 1381.155 *Records and reports.*

* * *

(b) On and after September 9, 1942, a scale and grade statement must accompany every sale of West Coast logs subject to this Regulation, of a quantity of 20,000 feet or more. The statement must be prepared by the person who scaled and graded the logs, and must certify that the requirements of this Maximum Price Regulation No. 161 have been complied with in the scaling and grading of the logs. A copy of this certified statement shall be furnished by the seller to the buyer, unless the statement was prepared solely by the buyer, in which case the buyer shall furnish a copy of such statement to the seller. In either case a copy of every such scale and grade statement shall be filed by the seller (or by the buyer, if the grade and scale statement was prepared solely by him) with the state office of the Office of Price Administration at Seattle, Washington or Portland, Oregon within ten days of the date of the scaling or grading.

(c) Such persons designated in paragraphs (a) and (b) of this section shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require or permit.

§ 1381.157 *Petitions for amendment and adjustment.* (a) Persons seeking any modification of this Maximum Price Regulation No. 161 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

(b) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of West Coast logs which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 161, in accordance with Procedural Regulation No. 6,[2] issued by the Office of Price Administration.

§ 1381.158 *Definitions.* (a) When used in this Maximum Price Regulation No. 161, the term: * * *

(10) The grades of Douglas fir, western red cedar, western hemlock, western white fir, noble fir, and Sitka spruce logs specified in Appendix A, § 1381.160, shall mean such grades as understood in the particular district on August 1, 1941; except the following two aircraft grades:

(i) "Aircraft grade western hemlock log" means a log which is selected from a suitable for peeling, No. 1, or No. 2 grade of western hemlock log and which:

(*a*) Is of high elevation timber (approximately 1200 ft. or higher), medium to light in weight;

(*b*) Is not less than 26 inches top diameter and not less than 12 feet long;

(*c*) Is of straight grain so that the majority of the clear lumber can be produced with a slope of grain not greater than 1 in 15;

(*d*) Is free of deep bark seams or other serious defects within the clear portion of the log;

(*e*) Has reasonably uniform annual rings, not fewer than 8 to the inch within the clear portion of the log.

(*f*) Is of a character which will produce at least 50 per cent No. 2 clear and better, or B and better clear lumber.

(ii) "Aircraft grade noble fir log" means a log which is selected from a suitable for peeling, No. 1, or No. 2 grade of noble fir log and which:

(*a*) Is not less than 26 inches top diameter and not less than 16 feet long;

(*b*) Is straight-grained so that the majority of the clear lumber can be produced with a slope of grain not greater than 1 in 15;

(*c*) If defects for which a scale deduction is made, are present, such defects are permitted provided the size and location thereof will not prevent the log from producing 50 per cent No. 2 clear and better or B and better lumber;

(*d*) Has reasonably uniform annual rings, not fewer than 8 to the inch and within the clear portion of the log; and

(*e*) Is free of deep bark seams or other serious defects within the clear portion of the log.

* * * * *

(13) "Delivered" includes:

(i) Logs boomed and rafted and prepared for towing when such logs are delivered to any towable waters;

(ii) Dumping in the mill-pond at the buyer's manufacturing plant where rafting is not required;

(iii) Loading on the railroad car or on any other transportation facility.

(14) "Log scale" means the merchantable lumber content of a log calculated according to the Revised Scribner Decimal C Log Rule or the Spaulding Log Rule: *Provided*, That when waste or defect is found in any log, a deduction in scale shall be made by the scaler which, in his judgment, will adequately and sufficiently eliminate the waste. If no waste or defect is found, such log shall be scaled at its full diameter inside the bark, and full length with necessary trim.

All deductions shall be made in inches in diameter, and feet in length. All original scale records shall show gross and net measurements in diameter and length, and designate the type of defect by appropriate symbols: *Provided*, That such original scale-record requirements shall not apply to

Douglas fir: Pee wee sawmill logs;

Western red cedar logs;

Western white fir: No. 2, No. 3, and camp run (ungraded) logs;

Noble fir: No. 2, No. 3, and camp run (ungraded) logs;

Western hemlock: No. 2, No. 3, and camp run (ungraded) logs;

Sitka spruce: No. 3 and camp run (ungraded) logs.

§ 1381.160 *Appendix A: Maximum delivered prices for West Coast logs*—(a) * * *

(1) * * *

(iii) WESTERN HEMLOCK

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district
Aircraft grade	$35.00	$35.00	$35.00
Suitable for peeling	27.00	27.00	27.00
No. 1	23.00	23.00	23.00
No. 2	20.00	19.00	19.00
No. 3	17.00	16.00	16.00
Camp Run (ungraded)	19.00	18.00	18.00

(iv) WESTERN WHITE FIR

Suitable for peeling	$27.00	$26.00	$26.00
No. 1	23.00	22.00	22.00
No. 2	20.00	19.00	19.00
No. 3	17.00	16.00	16.00
Camp Run (ungraded)	19.00	18.00	18.00

* * * * *

(vii) NOBLE FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district
Aircraft grade	$45.00	$45.00	$45.00
Suitable for peeling	35.00	35.00	35.00
No. 1	23.00	23.00	23.00
No. 2	20.00	19.00	19.00
No. 3	17.00	16.00	16.00
Camp Run (ungraded)	19.00	18.00	18.00

(viii) DOUGLAS FIR SPECIAL LOGS

Specially selected for ship spars, booms, and masts of lengths 56 ft. to 70 ft., inclusive (the addition for long lengths up to 70 ft. in subparagraph (2) of this section does not apply to these logs)	$40.00	$40.00	$40.00

* * * * *

(b) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any other point than the waters named or the buyer's manufacturing plant shall be determined as follows: from the prices in paragraph (a) of this section, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the waters of the particular district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided*, That regardless of the result of such computation, the prices shall in no event exceed the prices set forth in paragraph (a) of this section applicable to deliveries into the waters of Puget Sound, Willapa Bay and Grays Harbor, and the Columbia River.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428.

[1] 7 F.R. 4426, 5360.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 5067, 5664.

(c) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any point in the Willamette Valley district shall be determined as follows:

From the prices set forth in paragraph (a) of this section for delivery in the Columbia River district, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the Columbia River district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided*, That regardless of the result of such computation, the prices for the Willamette Valley district shall in no event exceed the prices set forth in paragraph (a) of this section for delivery in the Columbia River district. *And provided*, That if such computation results in a maximum price which is $3.50 or more below the Columbia River district price the maximum price shall be a price $3.50 below the Columbia River district price.

* * * * *

(e) The following additions may be made by any seller to the maximum price of any West Coast logs produced by any company whose entire logging operation is operated the following number of hours per week in actual production:

Hours of operation:	Addition per M ft. l. s.
48 to 53 hrs.	$1.00
54 to 59 hrs.	1.50
60 hrs. or more	2.00

This addition is subject to all of the following conditions and provisions:

(1) Any person intending to claim the overtime addition must first file a certified statement with the Office of Price Administration, Washington, D. C., that the company regularly maintains the required number of hours in all its logging operations. If the certificate is approved, the company's name and permissible addition will be published in the Federal Register; and thereafter, such addition may be made to the maximum price of all logs produced by such company, until the status of the company as an overtime company is terminated by a similar publication in the Federal Register.

(2) Not later than the 5th of October, 1942, and the 5th of every month thereafter in which the overtime addition is claimed, the company must file a certified statement with the Office of Price Administration, Washington, D. C., containing the following:

(i) A statement that the required hours prevailed during the preceding month;

(ii) The company's production figures for the month;

(iii) The amount of logs sold during the month on which the overtime addition was claimed.

(3) The requirement relating to weekly hours of production will be considered satisfied if at the end of each monthly reporting period set forth in subparagraph (2) above the average weekly hours are equal to or above the required number of hours; that is, if the total number of hours for the period divided by the number of weeks or fractions thereof in the period results in a figure equal to or above the required number of weekly hours.

(4) The overtime addition must be shown as a separate charge on all invoices, and labeled "Overtime Addition." The invoice must further show the name and address of the company producing the logs. Copies of such invoices shall be preserved by the company and shall, if required, be submitted to the Office of Price Administration.

(5) The overtime addition is not limited to logs produced after the publication of the company's name as an overtime company, but may be added to the maximum price of any logs sold or delivered after the effective date of the amendment, whether such logs were already in inventory or not.

(6) Only the hours devoted to actual log production may be counted for purposes of this section. Actual log production does not include such operations as maintenance and repair work, road building, and similar operations incidental to logging.

(7) The company's name will be published as an overtime company only if every camp and logging side operated by that company is maintaining the required number of hours. Upon petition, however, the Office of Price Administration may by order make special provision for a company which shows that it is in good faith attempting to conduct all its operations on a regular overtime basis, but due to special circumstances one or more of its camps or sides is unable to maintain the overtime basis.

(8) Upon petition, the Office of Price Administration may by order grant exceptions from the strict requirements of this paragraph (e) where a company which has previously had its name published as an overtime company, and which is in good faith attempting to operate on a regular overtime basis, finds that in a particular month it is impossible to meet the requirements of this paragraph (e) due to weather conditions or other circumstances beyond its control. A petition in such case must show not that his regular overtime operation would have been inconvenient or costly by peacetime standards, but that it was impossible in the light of the standards of operation demanded by wartime conditions and in the light of the critical lumber requirements of the military services.

§ 1381.159a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1381.155, 1381.157, 1381.158, 1381.159a, and 1381.160) shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3 day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8720; Filed, September 3, 1942; 11:53 a. m.]

PART 1389—APPAREL

[Amendment 2 to Maximum Price Regulation 153 as Amended [1]]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1389.8, in paragraph (b), subparagraph (2) is amended; in § 1389.11, a new paragraph (c) is added, as set forth below:

§ 1389.8 *Records.* * * *

(b) * * *

(2) Prepare, on or before September 15, 1942, on the basis of all available information and records, and thereafter keep and make available for examination by, and upon demand file with the Office of Price Administration a statement showing:

(i) The cost price lines and the corresponding selling prices at which he delivered women's, girls' and children's outerwear garments in each category during his last selling season;

(ii) The selling prices at which he delivered the largest number of units for each cost price line of garments in each category during his last selling season;

* * * * *

§ 1389.11 *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§§ 1389.8 (b) (2) and 1389.11 (c)) to Maximum Price Regulation No. 153, as amended, shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8728; Filed, September 3, 1942; 11:58 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 15 to Maximum Price Regulation 136, as Amended [2]]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1390.33 is amended by the addition of a new item; in § 1390.34 the item "hand tools" is amended; and new paragraph (o) is added to § 1390.31a, as set forth below:

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942 date is applicable.* * * *

(c) *Miscellaneous:* * * *

Hand-operated tools, especially designed for manufacture, repair, or maintenance of aircraft, military vehicles or other predominantly military equipment.

§ 1390.34 *Appendix C: Illustrative list of products not covered by Maximum Price Regulation No. 136.* * * *

Hand tools, except those specially designed for manufacture, repair, and maintenance of aircraft, military vehicles or other predominantly military equipment.

§ 1390.31a *Effective dates of amendments.* * * *

(o) Amendment No. 15 (§§ 1390.33 (c) and 1390.34) to Maximum Price Regulation No. 136, as amended, shall become effective September 9, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8727; Filed, September 3, 1942; 11:56 a. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4381, 5869.

[2] 7 F.R. 5047, 5362, 5665, 6682, 6899, 6937, 6964, 6973.

PART 1499—COMMODITIES AND SERVICES

[Amendment 24 to Supplementary Regulation 1 [1] to General Maximum Price Regulation [2]]

CERTAIN OBSOLETE ELECTROTYPE PLATES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (32) is added to § 1499.26 (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * * * *

(32) Electrotype plates which are obsolete by reason of the time limitations of War Production Board Order M-99 or which may become obsolete within the definition of War Production Board Order M-99, and backing metal, composed of approximately 94% lead, 3% tin and 3% antimony obtained from these electrotype plates, sold by purchasers of the electrotype plates to the National Lead Company, acting as agent for the Metals Reserve Company.

* * * * * * *

(c) Effective dates. * * *

(25) Amendment No. 24 (§ 1499.26 (a) (32)) to Supplementary Regulation No. 1 shall become effective September 9, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8730; Filed, September 3, 1942; 11:55 a. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 4183, 3892, 4410, 4428, 4487, 4428, 4487, 4488, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5775, 5784, 5783, 6058, 6081.

PART 1499—COMMODITIES AND SERVICES

[Amendment 16 to Supplementary Regulation 14 [1] of the General Maximum Price Regulation [2]]

HOLIDAY CANDY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (16) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * * *

(16) *Holiday candy.* * * *

(i) *Sales by manufacturers.* (*a*) The manufacturer's maximum price for holiday candy to each class of purchasers shall be his cost of ingredients, packaging material, and direct labor, computed at March replacement prices, plus an average dollar and cents margin, as herein defined, obtained by the manufacturer between April 1, 1941 and March 31, 1942 on sales of holiday candy of the same or the most nearly similar kind, sold to a purchaser of the same class.

(*b*) In those cases in which the manufacturer did not deal in the same or similar kind of holiday candy between April 1, 1941 and March 31, 1942, the maximum price to each class of purchasers shall be the maximum price of the most closely competitive manufacturer of the same class for the same or the most nearly similar kind of holiday candy sold to a purchaser of the same class.

(ii) *Filing.* Before making any sales of holiday candy, each manufacturer shall file with the Office of Price Administration in Washington, D. C. (*a*) a list of his maximum prices for each class of purchasers; (*b*) a detailed description of the candy for identification; (*c*) a full explanation of the manner in which his maximum prices were determined in accordance with (*a*) or (*b*) of subdivision (i). If maximum prices have been determined under subdivision (*a*), actual figures, breaking down all component costs, i.e. ingredients, packaging material, and direct labor, shall be submitted in affidavit form.

(iii) *Definitions.* (a) For the purpose of this subparagraph (16), "holiday candy" is any candy which is manufactured and marketed specifically for such holidays or festivals as the following: St. Valentine's Day, Washington's Birthday, St. Patrick's Day, Easter, Mother's Day, Fourth of July, Halloween, Thanksgiving, and Christmas, and the form, color, or style of which definitely identifies it with the particular holiday or festival to the extent that such candies cannot readily be sold after the special occasion for which they were made.

(b) The manufacturer's cost of ingredients and packaging material "computed at March replacement prices" shall be prices no higher than the highest prices charged to a purchaser of the same class by the manufacturer's usual suppliers during March 1942 for such ingredients or packaging material, or, if no charge was made for such ingredients or packaging material by the manufacturer's usual suppliers, then "March replacement prices" shall be prices no higher than the highest prices charged during March to a purchaser of the same class by a seller of the same class as the manufacturer's usual suppliers. Direct labor "computed at March replacement prices" shall be calculated at the rate of remuneration paid by the manufacturer to his employees engaged directly in the manufacture of the same or the most nearly similar kind of candy during March 1942.

(c) "Average dollar and cents margin" of the manufacturer shall be determined by computing, for the period from April 1, 1941, to March 31, 1942, the difference between his average selling price and the average cost of ingredients, packaging material and direct labor used in the manufacture of holiday candy. "Average selling prices" and "average cost" as used in this definition shall be an average weighted by the volume of units sold or purchased.

(d) All other terms used in this subparagraph (16) shall have the meaning given them by the General Maximum Price Regulation.

(iv) *Adjustment of maximum prices.* Any price determined pursuant to this subparagraph (16) shall be subject to adjustment at any time by the Office of Price Administration.

(v) *Applicability.* The provisions of this subparagraph (16) shall be applicable to the 48 states of the United States and the District of Columbia.

(*b*) *Effective dates.* * * *

(17) Amendment No. (16) (§ 1499.73 (a) (16)) to Supplementary Regulation

[1] F.R. 5486, 5709.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

No. 14 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8732; Filed, September 3, 1942; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 17 to Supplementary Regulation 14[1] of the General Maximum Price Regulation[2]]

CHOCOLATE COVERED CHERRIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (17) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(17) *Chocolate covered cherries.* * * *

(i) *Sales by manufacturers.* (a) The manufacturer's maximum price for chocolate covered cherries to each class of purchasers shall be his cost of ingredients, packaging material and direct labor, computed at March replacement prices, plus an average dollar and cents margin, as herein defined, obtained by the manufacturer between April 1, 1941 and March 31, 1942 on sales of chocolate covered cherries of the same or the most nearly similar kind, sold to a purchaser of the same class: *Provided*, That in the case of fresh cherries, the manufacturer shall use for purposes of calculating his cost, the actual cost to him of such ingredient.

(b) In those cases in which the manufacturer did not deal in the same or similar kind of chocolate covered cherries between April 1, 1941 and March 31, 1942, the maximum price to each class of purchasers shall be the maximum price of the most closely competitive manufacturer of the same class for the same or the most nearly similar kind of chocolate covered cherries sold to a purchaser of the same class.

(ii) *Filing.* Before making any sales of chocolate covered cherries, each manufacturer shall file with the Office of Price Administration in Washington, D. C. a list of his maximum prices for such chocolate covered cherries to each class of purchasers, together with a full explanation of the manner in which these prices were computed as prescribed in (a) or (b) of subdivision (i). If maximum prices have been determined under subdivision (a), actual figures, breaking down all component costs, i. e. ingredients, packaging material and direct labor, shall be submitted in affidavit form.

(iii) *Definitions.* (a) The manufacturer's cost of ingredients and packaging material "computed at March replacement prices" shall be prices no higher than the highest prices charged to a purchaser of the same class by the manufacturer's usual suppliers during March 1942 for such ingredients and packaging material, or, if no charge was made for such ingredients or packaging material by the manufacturer's usual suppliers, then "March replacement prices" shall be prices no higher than the highest prices charged to a purchaser of the same class by a seller of the same class as the manufacturer's usual suppliers. Direct labor "computed at March replacement prices" shall be calculated at the rate of remuneration paid by the manufacturer to his employees engaged directly in the manufacture of the same or the most nearly similar kind of candy during March 1942.

(b) "Average dollar and cents margin" of the manufacturer shall be determined by computing for the period from April 1, 1941 to March 31, 1942, the difference between his average selling price and the average cost of ingredients, packaging material and direct labor used in the manufacture of chocolate covered cherries. "Average selling price" and "average cost" as used in this definition shall be an average weighted by the volume of units sold or purchased.

(c) All other terms used in this subparagraph (17) shall have the meaning given them by the General Maximum Price Regulation.

(iv) *Adjustment of maximum prices.* Any price determined pursuant to this subparagraph (17) shall be subject to adjustment at any time by the Office of Price Administration.

(v) *Applicability.* The provisions of this subparagraph (17) shall be applicable to the 48 states of the United States and the District of Columbia.

(b) Effective dates * * *

(18) Amendment No. (17) (§ 1499.73 (a) (17)) to Supplementary Regulation No. 14 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8731; Filed, September 3, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation[2]—Order 63]

FOOD CONCENTRATES INC.—HILLS BROTHERS CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.277 *Approval of maximum price for sale of molasses powder manufactured from blended molasses by Food Concentrates, Inc., to The Hills Brothers Company.* (a) On and after August 3, 1942, Food Concentrates, Inc., 1 Federal Street, Boston, Massachusetts, may sell and deliver to the Hills Brothers Company, 110 Washington Street, New York, N. Y., the molasses powder manufactured by it from blended molasses described in its application of July 31, 1942 at a price no higher than ten and one-quarter (10¼) cents per pound f. o. b. railroad cars Rahway, New Jersey.

(b) This Order No. 63 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 63 (§ 1499.277) shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8729; Filed, September 3, 1942; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 32 under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF 3-480]

HARRY A. BLADES, TRUCKMAN

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.382 *Adjustment of maximum prices for contract carrier services sold by Harry A. Blades, Truckman.* (a) Harry A. Blades, Truckman, may sell and deliver, and any person may buy and receive from Harry A. Blades, Truckman, contract carrier services at prices no higher than those described and set forth in the following schedules of minimum rates issued by Harry A. Blades, whichever is applicable:

Interstate Commerce Commission MF ICC No. 15, together with Supplement 1 thereto; New York Pubic Service Commission PSC NY MT No. 3; Pennsylvania Public Utilities Commission PA PUC No. 3; Pennsylvania Public Utilities Commission PA PUC No. 4.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 32 (§ 1499.382) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 32 (§ 1499.382) shall become effective September 4, 1942. (Pub. Law No. 421, 77th Congress.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8721; Filed, September 3, 1942; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 31 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-1440]

CAMPBELL SOUP COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.381 *Adjustment of maximum prices for animal tankage consisting of fat-bearing and oil-bearing waste materials sold by The Campbell Soup Company:*

(a) The Campbell Soup Company, of Camden, New Jersey, may sell and deliver, and any person may buy and receive from the Campbell Soup Company the following commodities at prices not higher than those set forth below:

(1) Animal tankage, consisting of fat-bearing and oil-bearing waste materials, f. o. b. Camden, New Jersey, $14.00 per ton.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 31 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 31 (§ 1499.381) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 31 (§ 1499.381) shall become effective September 4, 1942. (Pub. Law No 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8719; Filed, September 3, 1942; 11:53 a. m.]

Chapter XV—Board of War Communications

[Order No. 18]

PART 1714—INTERNATIONAL RADIOTELEPHONE COMMUNICATIONS

TERMINATION OF CERTAIN SERVICES

Whereas, The Board of War Communications has determined to postpone the effective date of § 1714.2 of its Order No. 17, dated August 13, 1942,[1] for a period of one month;

Now, therefore, By virtue of the authority vested in the Board by Executive Order No. 8964[2] dated December 10, 1941, the Board's Order No. 17, dated August 13, 1942, is hereby amended to read as follows:

It is hereby ordered as follows:

§ 1714.1 *Termination of Certain International Radiotelephone Communications.* (a) From and after the date hereof, no non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere except England, unless such call is made in the interest of the United States or the United Nations and unless an agency of the United States Government sponsors such call and obtains prior approval therefor from the Office of Censorship: *Provided, however*, That this provision shall not apply to American press calls or radio broadcast programs, or to such other press calls and radio programs as may be specifically approved by the Office of Censorship.

(b) No calls of any nature, over the radiotelephone circuits under the jurisdiction of the United States, no matter where such calls may originate, unless sponsored and approved as provided in paragraph (a), shall be permitted to, from, or on behalf of, the following thirteen countries: Egypt, Finland, France, Iceland, Iran, Ireland, Latvia, Lithuania, Portugal, Spain, Sweden, Switzerland, and Turkey.

(c) Personal calls other than those prohibited in the foregoing paragraphs may be completed between two points in the Western Hemisphere.

§ 1714.2 *Closure of non-governmental point-to-point circuits between the United States and Australia.* All non-governmental point-to-point radiotelephone service between the United States and Australia be, and it is hereby, designated for termination and, effective midnight September 30, 1942, is terminated, except as to the transmission of duly authorized radiobroadcast programs.

Subject to such further order as the Board may deem appropriate.

Nothing herein shall apply to existing regulations governing the use of cable, telegraph or radiotelegraph communications.

(E.O. 8964, 6 F.R. 6367)

BOARD OF WAR COMMUNICATIONS.
DAWSON OLMSTEAD,
Acting Chairman, Major General, Chief Signal Officer of the Army.

Attest: August 27, 1942.

HERBERT E. GASTON,
Secretary

[F. R. Doc. 42-8716; Filed, September 3, 1942; 11:52 a. m.]

Chapter XVII—Office of Civilian Defense

[Regulations No. 2, Amendment 4 to Supplementary Order 2]

PART 1902—INSIGNIA

SPECIFICATIONS FOR AND MANNER OF WEAR AND USE OF OFFICIAL ARTICLES

AUTOMOBILE STICKERS AND PLATES

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and by Executive Order No. 9088 dated March 6, 1942, and pursuant to § 1902.2 of this chapter (section 2 of Office of Civilian Defense Regulations No. 2), the Director of Civilian Defense hereby amends § 1902.54 of this chapter (section 4 of Supplementary Order No. 2 to Office of Civilian Defense Regulations No. 2) by adding paragraph (g), which designates additional official articles for the United States Citizens Service Corps, as follows:

§ 1902.54 *Official articles for the United States Citizens Service Corps.*[1]

* * *

(g) *Automobile stickers and plates.* The prescribed insigne may be included on automobile stickers and plates. Automobile stickers and plates shall be in a circular shape, from 4 inches to 1 inches in diameter, or in a rectangular shape no larger than 6 inches by 12 inches. Automobile stickers and plates may be placed on any truck, automobile or other vehicle and may be used only subject to compliance with appropriate state and local laws, ordinances or regulations applicable to windshield or vehicle stickers and plates. (E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

SEPTEMBER 2, 1942.

[F. R. Doc. 42-8652; Filed, September 2, 1942; 4:47 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

EXCEPTION TO WALSH-HEALY PUBLIC CONTRACTS ACT

PURCHASE OF CERTAIN EXPORT COMMODITIES

ORDER GRANTING EXCEPTIONS

In the matter of an exception from the provisions of section 1 (a) of the Walsh-Healy Public Contracts Act to permit the purchase of certain export commodities.

Whereas, the Secretary of the Treasury has made a written finding that the inclusion in contracts between the United States and foreign governments or the representatives thereof and with the custodians of or the holders of the title documents to materials, the exportation of which has been prohibited or curtailed pursuant to the Act of July 2, 1940, 54 Stat. 714 (U.S.C. 1940 ed. Title 50, Appendix, sec. 701) of the representation and stipulation that the contractor is the manufacturer of or a regular dealer in the materials, supplies, articles or equipment to be manufactured or used in the performance of the contract, which is re-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4783, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

[1] 7 F.R. 6660.

[2] 6 F.R. 6367.

[1] 7 F.R. 4275, 6776.

quired by section 1 (a) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, U. S. Code, Title 41, Sup. III, 35) will seriously impair the conduct of Government business; and

Whereas, the Secretary of the Treasury has requested that an exception be granted under section 6 of the Walsh-Healey Public Contracts Act permitting the award of such contracts without the inclusion of such representation and stipulation; and

Whereas, it appears from the findings of the Secretary of the Treasury that the materials to be supplied under such contracts have been manufactured in the United States, were purchased for export to a foreign country, but have not been exported because of existing conditions in the foreign country of export which have been brought about by the war or because of the action taken pursuant to the aforesaid Act of July 2, 1940, and that in most cases the parties to the contract with the United States cannot make the representation and stipulation required by section 1 (a) of the Walsh-Healey Public Contracts Act; and

Whereas, I find that justice and the public interest will be served by granting the request of the Secretary of the Treasury;

Now, therefore, I do hereby grant an exception from this date, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act, from the requirement of section 1 (a) of the Act that there shall be included in any contract subject to the Act the representation and stipulation that the contractor is the manufacturer or a regular dealer in the materials, supplies, articles or equipment to be manufactured or used in the performance of the contract, with respect to any contract with a foreign government or its representative for the purchase of materials which have been purchased for export to a foreign country but which have not been exported because of existing conditions due to the war in the foreign country of export and with respect to any contract with the custodians of or the holders of title documents to materials purchased for export but which have not been exported because their exportation has been prohibited or curtailed pursuant to the aforesaid Act of July 2, 1940, and I do specifically except Contract No. DA-TPS-10600, awarded to the Netherlands Purchasing Commission June 6, 1942, from the necessity of including such representation and stipulation.

Dated: September 2, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-8685; Filed, September 3, 1942; 11:34 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 8, Supp. 5]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

EXCEPTION OF VESSELS FROM APPLICATION OF CERTAIN RATES

Basis for the determination of Time Charter Hire under Charter Parties tendered by the War Shipping Administration to owners of American Flag vessels engaged in the coastwise transportation of coal and chartered or requisitioned for use pursuant to the Provisions of Section 902 of the Merchant Marine Act, 1936, as amended.

Sec.
302.63 Exception of certain vessels from application of rates under subparagraph (i) of § 302.12.
302.64 Basic rates.
302.65 Deadweight determination.
302.66 Excluded vessels.
302.67 Basic terms and conditions.

AUTHORITY: §§ 302.63 to 302.67, inclusive, issued under E.O. 9054, 7 F.R. 837.

§ 302.63 *Exception of certain vessels from application of rates under sub-paragraph (i) of § 302.12.*[1] Pursuant to sub-paragraph (i) of § 302.12 dated June 15, 1942, I hereby except from the application of the said order colliers and vessels engaged in the coastwise transportation of coal. If at the direction of the War Shipping Administration any such vessels are placed in another trade, the said vessels shall be subject to the terms of General Order No. 8 (Revised) so long as they continue in such other trade.

§ 302.64 *Basic rates.* Effective as of the date of delivery of the vessel to the War Shipping Administration under requisition, the charter rates on all vessels engaged in the coastwise transportation of coal, except excluded vessels referred to in section 4 hereof, shall be as follows:

(a)

	Per DWT per month
8,000 DWT and up	$3.85
7,000 to 7,999	4.10
6,000 to 6,999	4.40
5,000 to 5,999	4.75
4,000 to 4,999	5.15

Provided, That no vessel shall receive more aggregate charter hire (including adjustments) than a vessel of the same kind of the lowest tonnage in the next higher class can receive at the rate (with corresponding adjustments) shown for its class.

[1] 7 F.R. 4592, 6543.

(b) *Adjustments for speed.* Vessels with a speed in excess of 10½ knots, as determined pursuant to §§ 302.44 to 302.46, inclusive, shall receive an additional sum of 10¢ per dwt per month for each knot or major fraction (including one-half) thereof over 10½ knots. Speed added to the vessel at the cost of the United States shall be ignored for the purpose of this determination; subject to this, a certificate of speed, as computed in accordance with §§ 302.44 to 302.46, given by the American Bureau of Shipping in satisfactory form shall constitute proof of the vessel's speed.

(c) *Adjustments for arming and degaussing.* Time lost in partially or entirely arming, degaussing, or demagnetizing any vessel at any time prior to delivery to the Government and not previously compensated for by the Government shall be compensated for under the charter tendered pursuant to this order. Such compensation shall be computed on the basis of the applicable time charter rate established by this order and shall constitute additional charter hire earned upon delivery and acceptance of the vessel under any charter tendered hereunder. Time lost shall be determined in accordance with regulations hereinafter determined by the Administrator.

(d) *Adjustments for War Risk insurance and bonuses.* War risk insurance on vessels and crew war risk bonuses as well as marine insurance occasioned by trading beyond the Institute Warranties shall be for the account of the charterer in accordance with the provisions of standard form of time charter agreement designated WARSHIPTIME Form No. 101, § 302.50.

(e) *Adjustments for motorships.* Vessels with Diesel engine propulsion shall receive an additional sum of 35¢ per dwt per month.

(f) *Adjustments for age of vessels not built under construction—Differential subsidy agreements.* Vessels constructed in the United States subsequent to 1928 shall receive an additional sum per dwt per month computed in accordance with the following schedule:

Year of construction:	*Additional premium per DWT per month*
1929	$0.05
1930	.10
1931	.15
1932	.20
1933	.25
1934	.30
1935	.35
1936	.40
1937	.45
1938	.50
1939	.55
1940	.60
1941 and subsequent years	[1] .65

[1] Minimum.

The date of delivery by the shipbuilder shall constitute the date of construction hereunder. Upon application, consideration will be given to the allowance of a greater adjustment under this subsection for vessels delivered in 1941 and thereafter.

(g) *Adjustment for vessels not classed.* The rates of time charter hire on vessels not classed A-1 American Bureau or equivalent shall be $.25 per deadweight ton per month less in each instance than the appropriate rate applicable to a comparable vessel which is so classed.

§ 302.65 *Deadweight determination.* Deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930. Deadweight shall be calculated exclusive of weight added by installation of refrigerated cargo capacity, arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other installation or equipment required by the Administrator, the United States Maritime Commission, the Army, or the Navy. Certificate of deadweight, in satisfactory form, by American Bureau of Shipping shall constitute sufficient proof of deadweight capacity.

§ 302.66 *Excluded vessels.* This order shall not apply to colliers of less than 8 knots of speed, determined in accordance with §§ 302.44 to 302.46 inclusive, or to colliers which are otherwise specifically excluded from this supplement from time to time by the Administrator. Charter rates for such excluded vessels shall be established by supplements hereto or by other appropriate action on the part of the Administrator and such rates shall become effective as of the time fixed by the Administrator in each case.

§ 302.67 *Basic terms and conditions.* The rates and adjustments herein prescribed are based upon the standard form of time charter agreement approved by the War Shipping Administrator and designated WARSHIPTIME Form No. 101, § 302.50. Such additions and modifications shall be made in Part I of the said charter agreement as may be necessary to make it conform with the terms of this supplement and to provide for special conditions affecting vessels engaged in the coastwise transportation of coal.

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

SEPTEMBER 1, 1942.

[F. R. Doc. 42-8666; Filed, September 3, 1942; 10:18 a. m.]

[General Order 9, Supp. 3]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

EXCEPTIONS FROM CERTAIN INSURANCE VALUATIONS

§ 302.68 *Exceptions of certain vessels from insurance valuations under sub-paragraph (i) of § 302.28.*[1] Pursuant to sub-paragraph (i) of Section 302.28, dated May 14, 1942, there shall be excepted from the application of the said order colliers and vessels engaged in the coastwise transportation of coal. The insurance valuations for such excluded vessels shall be determined individually by the Administrator upon consideration of all relevant facts. (E.O. 4054, 7 F.R. 837)

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

SEPTEMBER 1, 1942.

[F. R. Doc. 42-8667; Filed, September 3, 1942; 10: 18 a. m.]

[1] 7 F.R. 3679, 6545.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1562]

District Board No. 17

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 17 for revision of the effective minimum prices for coals produced and shipped by rail from mines in Subdistricts Nos. 11, 12, 15 and 16 in District No. 17 to destinations in Market Area 203.

The original petition in the above-entitled matter, filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests that the Schedule of Effective Minimum Prices for District No. 17 For All Shipments be amended to permit producers in Subdistricts 11, 12, 15 and 16 of District No. 17 to absorb, with certain limitations, the difference in freight rate over the freight rate from Subdistrict No. 4—Oak Hills on rail shipments of coal to destinations in Market Area 203.

The Schedule of Effective Minimum Prices for District No. 17 for all shipments presently provides that, with certain limitations, the minimum f. o. b. mine prices for coals produced in the above-numbered subdistricts and shipped by rail to Market Areas 200 through 202 and 204 through 207, as well as to several other market areas, shall be reduced by the exact amount of the difference in freight rate over the freight rate from Subdistrict No. 4—Oak Hills.

Petitioner alleges that in proposing the minimum price schedule for District No. 17 coals, provisions for freight rate absorptions for the coals of Subdistricts Nos. 11, 12, 15 and 16 for rail shipments to Market Area No. 203 were inadvertently omitted; that such omission must be remedied in order to accord to the coals of these subdistricts the same privileges for shipment by rail to Market Area 203, as are now provided for shipments to Market Areas 200 through 202; and that the relief requested by petitioner is necessary in order to maintain a proper relationship between District 17 coals, to preserve the coordinated minimum prices and the fair competitive opportunities of those coals in conformance with the standards of section 4 II (a) and (b) of the Bituminous Coal Act of 1937.

The original petition in this matter does not contain facts sufficient to warrant the granting of the permanent relief requested by petitioner without a hearing.

It does appear, however, that a reasonable showing of necessity has been made for the granting of temporary relief and that, pending final disposition of the original petition herein, the minimum prices for coals produced and shipped by rail from mines in Subdistricts Nos. 11, 12, 15 and 16 in District No. 17 to destinations in Market Area 203 should be reduced in the manner, and to the extent, hereinafter set forth.

Now, therefore, it is ordered, That a hearing in Docket No. A-1562 under the applicable provisions of said Act and the rules and regulations of the Division be held on October 5, 1942, in the forenoon of that day at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer or officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to continue said hearing from time to time and to prepare and submit proposed findings of fact and proposed conclusions of law and a recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Act, set forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 30, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary

corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of the District Board No. 17 for revision of the effective minimum prices for coals produced, and shipped by rail, from mines in Subdistricts Nos. 11, 12, 15 and 16 in District No. 17 to destinations in Market Area 203, as follows:

(1) The effective minimum prices for coals in Size Group Nos. 1 through 9, produced and shipped by rail from mines in Subdistricts Nos. 11, 15 and 16 in District No. 17 to destinations in Market Area 203 shall be reduced by the exact amount of the difference in freight rate over the freight rate from Subdistrict No. 4—Oak Hills: *Provided, however,* That in no case shall such reductions exceed $1.00 per net ton.

(2) The effective minimum prices for coals in Size Group Nos. 1 through 13 produced and shipped by rail from mines in Subdistrict No. 12 in District No. 17 to destinations in Market Area 203 shall be reduced by the exact amount of the difference in freight rate over the freight rate from Subdistrict No. 4—Oak Hills: *Provided, however,* That in no case shall such reductions exceed $1.25 per net ton for coals in Size Groups Nos. 1 through 9, and shall not exceed 50 cents per net ton for coals in Size Groups Nos. 10 through 13.

It is ordered, That, pending final disposition of this matter, temporary relief is granted as follows: (1) Commencing forthwith the effective minimum prices for coals in Size Groups Nos. 1 through 9, produced and shipped by rail from mines in Subdistrict Nos. 11, 15 and 16, in District No. 17 to destinations in Market Area 203, shall be reduced by the exact amount of the difference in freight rate over the freight rate from Subdistrict No. 4—Oak Hills: *Provided, however,* That in no case shall such reductions exceed $1.00 per net ton;

(2) Commencing forthwith the effective minimum prices for coals, in Size Group Nos. 1 through 13, produced and shipped by rail from mines in Subdistrict No. 12 in District No. 17 to destinations in Market Area 203, shall be reduced by the exact amount of the difference in freight rate over the freight rate from Subdistrict No. 4—Oak Hills: *Provided, however,* That in no case shall such reductions exceed $1.25 per net ton for coals in Size Groups Nos. 1 through 9, and shall not exceed 50 cents per net ton for coals in Size Groups Nos. 10 through 13.

Notice is hereby given that applications to stay, terminate or modify the temporary relief granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: September 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8678; Filed, September 3, 1942; 11:29 a. m.]

[Docket No. B-24]

ALBUQUERQUE AND CERRILLOS COAL CO.

ORDER ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER AND CEASE AND DESIST ORDER

In the matter of Albuquerque and Cerrillos Coal Company, code member.

A complaint, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division on June 30, 1941, by Bituminous Coal Producers Board for District No. 18, alleging that Albuquerque and Cerrillos Coal Company, a code member in District No. 18, has wilfully violated the provisions of the Bituminous Coal Code or the rules and regulations thereunder, and praying that the Division either cancel or revoke code member's code membership, or in its discretion direct code member to cease and desist from violation of the Code and the rules and regulations thereunder;

A hearing having been held before Scott A. Dahlquist, a duly designated examiner of the Division, at a hearing room thereof at Albuquerque, New Mexico, on December 5, 1941;

The examiner having made and entered his report, proposed findings of fact, proposed conclusions of law and recommendation in the matter, dated July 13, 1942, finding that the entry of 1¼" x ⅜" as the dimensional size of pea coal on the sales tickets and spot orders was the result of a clerical error and that code member did not violate section 4 II (e) by selling this size coal below the effective minimum price therefor, and finding that code member did wilfully violate Rule 1 (F) of section VII of the Marketing Rules and Regulations by selling a substantial tonnage of coal during the period, November 14, 1940, to February 20, 1941, and accepting scrip in full payment thereof and recommending that an order be entered directing code member and those acting in its behalf to cease and desist from violating Rule 1 (F) of section VII of the Marketing Rules and Regulations;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs, and no exceptions or supporting briefs having been filed, the undersigned having determined after consideration of the record that the proposed findings of fact and proposed conclusions of law of the examiner should be approved and adopted as the findings of fact and conclusions of law of the undersigned;

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the examiner be and the same hereby are approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That code member, Albuquerque and Cerrillos Coal Company, its representatives, agents, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act in its behalf or interest, cease and desist, and they are hereby permanently enjoined and restrained from selling or offering to sell coal and accepting in payment thereof scrip and from otherwise violating the Marketing Rules and Regulations, the Bituminous Coal Act of 1937 and the Bituminous Coal Code.

It is further ordered, That code member be notified that if code member fails or refuses to comply with this order, the Division may forthwith apply to the Circuit Court of Appeals of the United States for the circuit wherein code member does business or take any other appropriate action for the enforcement or this order.

Dated: September 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8681; Filed, September 3, 1942; 11:29 a. m.]

[Docket No. 821-FD]

BELLEVILLE FUELS, INC.

MEMORANDUM OPINION AND ORDER GRANTING PERMISSION TO AMEND CONTRACTS

In the matter of the application of Belleville Fuels, Incorporated, for provisional approval as a marketing agency.

Belleville Fuels, Incorporated, which was given provisional approval as a "marketing agency" by an order dated January 9, 1940, pursuant to section 12 of the Bituminous Coal Act of 1937, has filed a petition for leave to amend its producer and sub-agency contracts, in order to permit payment of commissions to the sub-agent where contracts for the sale of coal are made directly by the selling agent, to read as follows:

PRODUCER CONTRACT

Ninth:

(b) Where the Producer appoints a Sub-Agent for the sale of its coal, the commission shall be One Cent (1¢) per ton to the Selling Agent and ------ percent (------%) to the Sub-Agent: *Provided,* That where Selling Agent shall, with the consent of the Sub-Agent, enter into direct contracts with consumers, commissions shall be paid to the Sub-Agent as herein set forth.

SUB-AGENCY CONTRACT

SECTION 6.

(a) Where Sub-Agent, or the Selling Agent, with consent of the Sub-Agent, sells the coal directly, the commission shall be ------ percent (------%) to the Sub-Agent.

After consideration of applicant's request to amend its producers' and sub-agents' contracts, to which there has been no opposition, I am of the opinion that this request should be granted.

Now, therefore, it is ordered, That applicant be, and it is hereby, granted permission to amend clause Ninth (b) of its producer contracts and section 6 (a) of its sub-agency contracts to read as set forth above.

Dated September 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8679; Filed, September 3, 1942; 11:29 a. m.]

[Docket No. B-9]

CLAUDE GALBRAITH AND SON COAL CO.

ORDER ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER AND REVOKING CODE MEMBERSHIP

In the matter of Claude Galbraith & Son Coal Company, a partnership, Code Member.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on August 29, 1941, by District Board 11. The complaint alleged that code member wilfully violated the Bituminous Coal Code, or the rules and regulations thereunder, and prayed that the Division either cancel or revoke its code membership, or, in its discretion, direct code member to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing was held in this matter on December 18, 1941, before Joseph D. Dermody, a duly designated Examiner of the Division, at a hearing room thereof, at Terre Haute, Indiana. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, or otherwise be heard. District Board 11 and the code member appeared at the hearing.

The examiner made and entered his report, proposed findings of fact, proposed conclusions of law and recommendation in this matter, dated August 1, 1942, finding that code member wilfully violated section 4 II (e) of the Act, by selling during the period from October 1, 1940, to May 31, 1941, both dates inclusive, at prices which were below the effective minimum price established therefor, approximately 731.18 tons of 2" lump coal and approximately 2,019.99 tons of 2" screenings, produced at code member's Galbraith & Son Mine, Mine Index No. 217, located in Posey Township, Clay County, Indiana, and by executing an agreement for the sale of coal for a period longer than thirty days.

The examiner recommended that an order be entered cancelling and revoking the code membership of said Claude Galbraith & Son Coal Company, a partnership, and providing that prior to reinstatement into code membership there shall be paid by said Claude Galbraith & Son Coal Company to the United States a tax in the sum of $1,690.87, in accordance with the provisions of section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting briefs to said examiner's report and such exceptions or supporting briefs have not been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the examiner should be approved and adopted as his findings of fact and conclusions of law.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the examiner be, and the same are hereby approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof, the code membership of Claude Galbraith & Son Coal Company, operating the Galbraith & Son Mine, Mine Index No. 217, be, and it hereby is, cancelled and revoked.

It is further ordered, That prior to the reinstatement of said Claude Galbraith & Son Coal Company into membership in the Code, it shall pay to the United States a tax, as provided in section 5 (c) of the Act, in the amount of $1,690.87.

Dated: September 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8680; Filed, September 3, 1942; 11:29 a. m.]

[Docket No. B-239]

THOS. SNEED COAL COMPANY

NOTICE OF FILING OF APPLICATION FOR DISPOSITION OF COMPLIANCE PROCEEDING WITHOUT FORMAL HEARING.

In the matter of Thos. Sneed, Bill White, Terrence O'Donnell and Arkell Sneed, individually and as co-partners, doing business under the name and style of Thos Sneed Coal Company, code member.

Notice is hereby given that an application, dated August 11, 1942, for the disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the "Division") on August 13, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Bituminous Coal Division by Thos. Sneed, Bill White, Terrence O'Donnell and Arkell Sneed, individually and as co-partners, doing business under the name and style of Thos. Sneed Coal Company, the above-named Code Member (the "Code Member").

In said application, the Code Member:

1. Admits that, during the period June 15, 1941 to and including October 27, 1941, it sold 106.22 tons of 1" screening (Size Group No. 14) to John B. Brown at a price of 35 cents per net ton f. o. b. the mine whereas the effective minimum code price for said coal was $1.10 per net ton;

2. Admits that, during the period October 1, 1940, to December 31, 1940, both dates inclusive, it failed to maintain proper records and file with the Division reports of all coal sold and shipped by truck or wagon as required by order No. 296, dated September 23, 1940, and order No. 297, dated October 22, 1940;

3. Admits that it failed to comply with order No. 307 during the period January 1, 1941, to March 31, 1941, both dates inclusive, and order No. 312 during the period April 1, 1941, to October 27, 1941, both dates inclusive, in that it failed to maintain proper records of all coal sold to be shipped by truck or wagon within the time and in the manner prescribed by said orders;

4. States that to the best of its knowledge and belief it has not committed any other violations of the Act, the Code or regulations thereunder, either before or after the admitted violations referred to hereinabove;

5. Consents, upon the basis of the above-mentioned admitted violations, to the entry of an order directing it to cease and desist from further violations of the Act, the Code and regulations thereunder; and

6. Agrees that the Division may impose a tax upon the basis of the above admitted violations in the amount of forty-five dollars and fifty-seven cents ($45.57) and that it will pay said tax to the United States Government within ten (10) days after the Code Member has been served with a copy of the order of the Division revoking its Code Membership.

All interested parties desiring to do so may, within fifteen (15) days from the date of this notice, file with the Division recommendations or requests for informal conferences in respect to such application.

Dated: September 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8682; Filed, September 3, 1942; 11:30 a. m.]

Bureau of Reclamation.

CENTRAL VALLEY PROJECT, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

AUGUST 13, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat. 388).

CENTRAL VALLEY PROJECT, CALIFORNIA
Mount Diablo Meridian

Township 33 North, Range 4 West:
Section 8, S½NW¼, N½SW¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: August 26, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

AUGUST 28, 1942.

[F. R. Doc. 42-8665; Filed, September 3, 1942; 10:05 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

Prevailing Minimum Wage in Rainwear Industry

Notice of opportunity to show cause

Whereas, the prevailing minimum wage determination for Men's Raincoat Industry, issued by the Secretary of Labor on July 28, 1937, pursuant to the provisions of section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Sup. III 35), as amended September 18, 1939, March 6, 1941, and August 12, 1942, provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of that Act, for the manufacture or supply of men's raincoats, including vulcanized and rubberized raincoats and raincoats made from material known under the registered trade-mark of "Cravenette" or from fabric chemically or otherwise treated so as to render it water-resistant, of oiled waterproof cotton outer garments, and of all other types of rainwear, shall be 40 cents an hour or $16 per week of 40 hours, arrived at either upon a time or piece work basis, and that there shall be a tolerance of not to exceed 10 percent of the workers in any one establishment for workers who are in fact learners, provided that such learners are paid not less than 25 cents per hour, or $10 per week of 40 hours, and not less than the piece rates paid to other workers in the same establishment, and that handicapped workers may be employed at subminimum rates in accordance with the regulations of the Administrator of the Wage and Hour Division, issued under the Fair Labor Standards Act of 1938; and

Whereas, it is deemed advisable to change the description of the industry in the title of this determination from the "Men's Raincoat Industry" to the "Rainwear Industry," and to provide that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division issued under the Fair Labor Standards Act.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before September 22, 1942 why the prevailing minimum wage determination for the Men's Raincoat Industry should not be amended in accordance with the preceding paragraph.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Division of Public Contracts, Department of Labor, Washington, D. C., and should be filed with the Administrator not later than September 22, 1942.

Dated: September 2, 1942.

Wm. R. McComb,
Assistant Administrator.

[F. R. Doc. 42-8683; Filed, September 3, 1942; 11:34 a. m.]

Employment of Female Minors in Spinning and Weaving of Cotton Textiles

Notice of opportunity to show cause

In the matter of an exception from the provisions of section 1 of the Walsh-Healey Public Contracts Act to permit the employment of female minors under 18 years of age in the spinning and weaving of cotton textiles.

Whereas, the Secretary of War on August 24, 1942, found that the application, during the present war, of that portion of section 1 (d) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Sup. III 35), otherwise known as the Walsh-Healey Public Contracts Act, which prohibits the employment of female persons of 16 and 17 years of age in the spinning and weaving of cotton textiles, is seriously impairing and will increasingly impair the conduct of Government business, and that justice and the public interest will be served through the removal of this prohibition.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before September 10, 1942, why the Secretary of Labor should not grant, pursuant to the terms of section 6 of the Walsh-Healey Public Contracts Act, an exception from the application of section 1 (d) of the Act to permit the employment of female persons under eighteen (18) but not under sixteen (16) years of age by contractors in the spinning and weaving of cotton textiles.

All objections, protests, or any statements in opposition to or in support of the proposed exception should be filed with the Assistant Administrator, Division of Public Contracts, Department of Labor, Washington, D. C., not later than September 12, 1942.

Dated this 2d day of September 1942.

Wm. R. McComb,
Assistant Administrator.

[F. R. Doc. 42-8684; Filed, September 3, 1942; 11:34 a. m.]

Wage and Hour Division.

Learner Employment Certificates

Notice of issuance

Notice of issuance of Special Certificates for the employment of learners.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the Federal Register as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single pants, shirts and allied garments, women's apparel, sportswear, rainwear, robes, and leather and sheep-lined garments divisions of the apparel industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of amended order for the employment of learners in the cigar manufacturing industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 1, 1942. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

Name and Address of Firm, Industry, Product, Number of Learners and Expiration Date

Apparel

Bodner Neckwear Co., 1023 Filbert St., Philadelphia, Pennsylvania; Manufacturing men's & boys' neckties; 5 learners (T); September 3, 1943.

Marx Clothing Co., 100 Mulberry St., Mt. Carmel, Illinois; Men's woolen suits; 5 percent (T); September 3, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Berne Mfg. Co., 260 West Main St., Berne, Indiana; Work clothes, boys' play and school togs; 10 percent (T); September 3, 1943.

Booneville Mfg. Co., Booneville, Mississippi; Work and army shirts; 20 learners (T); September 3, 1943.

Brown Garment Mfg. Co., Forrest City, Arkansas; Men's & boys' cotton pants; 30 learners (E); March 3, 1943.

Delaware Mfg. Co., Inc., 9th & Walnut Sts., Wilmington, Delaware; Infants' dresses and suits; 10 percent (T); September 3, 1943.

Edward Hyman Co., 1830 South Hill St., Los Angeles, California; Washable

uniforms, work clothes; 10 percent (T); September 3, 1943.

Hoosier Factories, Inc., Michigan St., Michigan City, Indiana; Trousers; 10 percent (T); September 3, 1943.

Kathleen-Louise Dress Mfg. Co., North 1801 Division St., Spokane, Washington; Cotton housedresses, spun rayon crepe housedresses, smocks, blouses; 7 learners (T); September 3, 1943.

J. H. Rudolph & Co., 812–818 East Locust St., DeKalb, Illinois; Skirts, slacks, army trousers; 30 learners (E); March 3, 1943.

Sperli-Simmons Uniform Co., 715 Stuart St., Houston, Texas; Nurses uniforms, doctors, surgeons and dentists coats; 4 learners (T); September 3, 1943.

Glove

Independent Glove Co., 2035 Charleston St., Chicago, Illinois; Work gloves; 3 learners (T); September 3, 1943.

J. Wiesselman & Co., Inc., 599 Broadway, New York, New York; Knit fabric, work, and knit wool gloves; 5 percent (T); September 3, 1943.

Hosiery

Cooper Wells & Co., 2nd Ave. & 2nd St., Decatur, Alabama; Full-fashioned hosiery; 5 percent (T); September 3, 1943.

Hillsboro Hosiery Mills, Inc., Hillsboro, New Hampshire; Seamless hosiery; 5 percent (T); September 3, 1943.

Wytheville Knitting Mills, Inc., Wytheville, Virginia; Full-fashioned hosiery; 5 percent (T); September 3, 1943.

Cigar

L. Bollaci, 55 Washington Ave., Carteret, New Jersey; Cigars; 5 learners (T); Cigar machine operators and cigar packers to have learning period of 320 hours and stripping machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; March 2, 1943.

Jose Escalante & Co., 1018 Poeyfarre St., New Orleans, Louisiana; 16 learners (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; March 2, 1943.

Signed at New York, N. Y., this 1st day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42–8651; Filed, September 2, 1942; 4:58 p. m.]

[Administrative Order 158]

PRINTING AND PUBLISHING AND ALLIED GRAPHIC ARTS INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE NO. 49

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the Printing and Publishing and Allied Graphic Arts Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public: Alexander Meiklejohn, Chairman, Berkeley, California; Harold E. Fey, Chicago, Illinois; Aurelius Morgner, Minneapolis, Minnesota; Carroll R. Daugherty, New York, New York; Tipton R. Snavely, Charlottesville, Virginia; C. R. F. Smith, Baton Rouge, Louisiana; T. A. Distler, Lancaster, Pennsylvania; Reverend John F. Cronin, Baltimore, Maryland; Fred S. Siebert, Chicago, Illinois.

For the employees: Robert Bruck, Chicago, Illinois; C. V. Ernest, Baltimore, Maryland; John B. Haggerty, Washington, D. C.; Edward J. Volz, New York, New York; Leo J. Buckley, New York, New York; Conrad Woelfel, New York, New York; W. A. Copeland, Memphis, Tennessee; Aaron Schneider, New York, New York; George E. Mitchell, San Francisco, California.

For the employers: George E. Loder, New York, New York; Joseph Siegel, New York, New York; George N. Dale, Chicago, Illinois; Julian Wolfner, Detroit, Michigan; Arthur Knol, Chicago, Illinois; Bernard E. Esters, Houlton, Maine; C. T. Dean, Dallas, Texas; T. J. Buttikofer, New York, New York; William Simpson, Louisville, Kentucky.

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "printing and publishing and allied graphic arts industry" means:

The impressing, stamping, or transferring on paper or other materials, of any mark, character, or delineation, through the use of ink, color, or graphic art processes, as well as any preparatory or finishing operations related thereto.

a. It includes, but without limitation, the printing and publishing of newspapers, books, periodicals, maps, music, and all other products or services of typesetters and advertising typographers, electrotypers and stereotypers, photo-engravers, steel and copper plate engravers, commercial printers, lithographers, gravure printers, letter shops, decalcomania manufacturers, private printing plants of concerns engaged primarily in other business, book and pamphlet binders, trade binderies, and news syndicates.

b. The printing of printed forms, blank books, stationery, tablets, calendars, announcement cards, greeting cards, and the like is included within this definition only when performed in "job printing establishments" (as this term is used in the wage order for the Converted Paper Products Industry).

Provided, however, That this definition shall not include the manufacture of products which are covered by a wage order heretofore issued by the Administrator of the Wage and Hour Division, business service establishments not engaged in printing or publishing operations, nor the production of motion pictures, blueprints or photographs, except photographs made in establishments engaged in the production of the articles or services covered by this definition.

3. The definition of the printing and publishing and allied graphic arts industry covers all occupations in the industry which are necessary to the production of the products or services specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet at 10:00 A. M. on September 28, 1942 in the College Room of the Hotel Astor, New York City, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York this 2d day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42–8662; Filed, September 3, 1942; 9:25 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. DI–166]

GEORGIA POWER COMPANY

ORDER CHANGING DATE OF HEARING

SEPTEMBER 2, 1942.

It appearing that the Commission on July 7, 1942, upon its own motion, directed that the above-entitled proceeding come on for hearing on September 14, 1942, at 9:45 a. m. (E. W. T.) in the Federal Building, Atlanta, Georgia;

The Commission, upon its own motion and for good cause shown, *orders*, That: the hearing in this proceeding be held beginning on September 21, 1942, at 9:45 a. m. (E. W. T.) in the Federal Building, Atlanta, Georgia.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42–8663; Filed, September 3, 1942; 10:00 a. m.]

[Docket No. G–412]

UNITED FUEL GAS COMPANY

ORDER FIXING DATE OF HEARING AND SUSPENDING RATE SCHEDULE

SEPTEMBER 1, 1942.

It appearing to the Commission that: (a) United Fuel Gas Company has on

file a rate schedule and supplements thereto designated in the files of the Commission as United Fuel Gas Company Rate Schedule FPC No. 3 and Supplements Nos. 1 and 2 and Supplement No. 2 to Supplement No. 2 to said rate schedule, providing for the sale of natural gas to Louisville Gas & Electric Company for resale for ultimate public consumption for domestic, commercial, industrial or other use;

(b) On July 15, 1942, United Fuel Gas Company submitted to the Commission for filing, a rate schedule dated June 30, 1942, designated as United Fuel Gas Company Rate Schedule FPC No. 22, providing for increased rates or charges for such sales of natural gas to Louisville Gas & Electric Company, and requested that the increased rates be allowed to take effect as of July 1, 1942;

(c) Since this rate schedule FPC No. 22, dated June 30, 1942, was not accompanied by the information required by the Provisional Rules of Practice and Regulations under the Natural Gas Act to be filed with proposed increased rates, United Fuel Gas Company was advised of this omission by letter of July 21, 1942; on August 3, 1942, United's response was received stating that compliance with the rules would require an amount of work out of all proportion with the business involved; without waiving compliance with the Provisional Rules of Practice and Regulations, this rate schedule was accepted for filing on August 3, 1942;

(d) Unless suspended by order of the Commission, United Fuel Gas Company Rate Schedule FPC No. 22 will become effective as of September 2, 1942, pursuant to the provisions of the Natural Gas Act and the Provisional Rules of Practice and Regulations thereunder;

(e) In purported justification of the proposed increased rates or charges, United Fuel Gas Company did not submit the detailed information required by the Provisional Rules of Practice and Regulations but in lieu thereof stated that the new rate schedule was an arm's-length transaction between adverse parties; that it would equalize the rate to Louisville Gas & Electric Company with a rate charged another customer receiving natural gas at the same point of delivery; that, because the new rate schedule would result in a reduction in the volume of sales, United's load factor would be lower than under the present rate schedule, and that the purchaser may call upon United for unlimited amounts of additional gas;

(f) The schedule of increased rates or charges contained in United Fuel Gas Company Rate Schedule FPC No. 22 may result in excessive rates or charges to Louisville Gas & Electric Company or place an undue burden upon ultimate consumers of natural gas; and the proposed increased rates or charges have not been shown to be justified;

The Commission finds that:

It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates or charges and that said proposed increased rates or charges be suspended pending such hearing and the decision thereon;

The Commission, upon its own motion, *orders*, That: (a) A public hearing be held on November 9, 1942, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the lawfulness of the rates or charges, subject to the jurisdiction of the Commission, contained in United Fuel Gas Company Rate Schedule FPC No. 22 for the sale of natural gas to Louisville Gas & Electric Company for resale for ultimate public consumption for domestic, commercial, industrial, or any other use;

(b) Pending such hearing and decision thereon, the schedule of increased rates or charges contained in United Fuel Gas Company Rate Schedule FPC No. 22, except insofar as it may provide for the sale of natural gas for resale for industrial use only, be and it hereby is suspended until February 2, 1943, or until such time thereafter as said schedule shall be made effective in the manner prescribed by the Natural Gas Act;

(c) During the period of suspension, the rates or charges collected and received by United Fuel Gas Company from Louisville Gas & Electric Company, as provided in United Fuel Gas Company Rate Schedule FPC No. 3, and Supplements Nos. 1 and 2 and Supplement No. 2 to Supplement No. 2 to that rate schedule, except insofar as they may be for the sale of natural gas for resale for industrial use only, shall remain and continue in full force and effect;

(d) At the hearing, the burden of proof to show that the proposed increased rates or charges are just and reasonable shall be upon the United Fuel Gas Company;

(e) Interested State commissions may participate in said hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8664; Filed, September 3, 1942; 10:00 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-39]

CANNED FRUIT COCKTAIL

NOTICE OF HEARING

In the matter of an amended definition and standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail.

Notice is hereby given that the Administrator of the Federal Security Agency, pursuant to the application of Canners' League of California, on behalf of its members constituting a substantial portion of the industry, stating reasonable grounds therefor, and in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act, secs. 401 and 701, 21 U.S.C. secs. 341 and 371 (Supp. V, 1939), will hold a public hearing commencing at 10 o'clock in the morning of October 5, 1942, in Room 3106, South Building, Independence Avenue, between 12th and 14th Streets SW., Washington, D. C., for the purpose of receiving evidence upon the basis of which regulations may be promulgated amending the definition and standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail.[1] Proposals, which are for the purpose of giving notice of the subject matter to be considered and giving direction to the hearing, are set forth below. Interested persons are notified that the hearing is a fact-finding proceeding, after which it will be determined in accordance with the Act whether an amended definition and standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail should be established and what the provisions of any such amended definition and standard of identity should be. It is not to be inferred from the fact that proposals are made that they represent the views of the Federal Security Agency or that evidence will be adduced by the Agency to support each such proposal.

The suggested amendments are subject to adoption, rejection, amendment, or modification, in whole or in part, as the evidence of record at the hearing may require. All interested persons are invited to attend the hearing either in person or by representative and to offer evidence relevant and material to the subject matter of this notice.

Michael F. Markel is hereby designated as Presiding Officer to conduct the hearing in the place of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

The hearing will be conducted in accordance with the rules of practice provided for such hearings as published in 21 Code of Federal Regulations, §§ 2.701-2.715 (Supp. 1939).

In lieu of personal appearance, interested persons may proffer affidavits by delivering them to the Presiding Officer at Room 2242 South Building, Independence Avenue, between 12th and 14th Streets SW., Washington, D. C., not later than 10 o'clock in the morning of the day of the opening of the hearing. Such affidavits must be submitted in quintuplicate and, if relevant and material, may be received and made a part of the record at the hearing, but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements in the affidavits. Every interested person will be permitted to examine the affidavits proffered and to file with the Presiding Officer during the hearing affidavits counter to relevant and material statements of fact and opinion in such original affidavits.

Suggested amendments. The suggested amendments of the petitioners for the hearing are, in substance, that the regulation establishing a definition and standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, § 27.040, be amended so as to provide for the addition of light sirup and light fruit juice sirup as optional ingredients thereof by amending such section in the following particulars:

(1) To amend the list of optional packing media contained in subsection (c) by adding thereto the two optional packing media light sirup and light fruit juice sirup and by so re-enumerating other optional packing media in the list as to make the list read as follows:

(1) Water;
(2) Fruit juice;
(3) Light sirup;
(4) Heavy sirup;
(5) Extra heavy sirup;
(6) Light fruit juice sirup;
(7) Heavy fruit juice sirup; and
(8) Extra heavy fruit juice sirup.

(2) To revise that portion of subsection (c) following the aforesaid list of optional packing media so as to provide that the density of light sirup and light fruit juice sirup shall be 14° or more but less than 18°, as measured on the Brix hydrometer fifteen days or more after the fruit cocktail is canned, and to conform the designations of optional packing media therein to the numbers thereof in the preceding list as proposed to be revised in (1) above, so as to make such portion read as follows:

Each of packing media (3), (4), and (5) is prepared with water as its liquid ingredient, and each of packing media (6), (7), and (8) is prepared with fruit juice as its liquid ingredient. Except as provided in paragraph (d) (6), each of packing media (3) to (8), inclusive, is prepared with any one of the following saccharine ingredients: sugar; or any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; or any combination of sugar and corn sirup in which the weight of the solids of the corn sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup in which the weight of the solids of the dextrose used multiplied by 2, added to the weight of the solids of the corn sirup used multiplied by 3, is not more than the weight of the solids of the sugar used. The respective densities of packing media (3) to (8), inclusive, as measured on the Brix hydrometer fifteen days or more after the fruit cocktail is canned, are within the range prescribed for each in the following list:

Number of packing medium:	*Brix measurement*
(3) and (6)	14° or more but less than 18°.
(4) and (7)	18° or more but less than 22°.
(5) and (8)	22° or more but not more than 35°.

(3) To amend paragraph (d) (6) so as to make said paragraph read as follows:

(6) When the optional packing medium is prepared with fruit juice and invert sugar sirup or corn sirup other than dried corn sirup, it shall be considered to be light sirup, heavy sirup, or extra heavy sirup, as the case may be, and not light fruit juice sirup, heavy fruit juice sirup, or extra heavy fruit juice sirup.

(4) To amend paragraph (d) (7) so as to make said paragraph read as follows:

(7) The term "light sirup", "heavy sirup", or "extra heavy sirup" includes a sirup which conforms in all other respects to the provisions of this section, in the preparation of which there is used the liquid drained from any fruit ingredient previously canned in a packing medium consisting wholly of the liquid and saccharine ingredients of a light sirup, heavy sirup, or extra heavy sirup.

(5) To amend paragraph (d) (8) so as to make said paragraph read as follows:

(8) Except as provided in subparagraph (6) of this paragraph, the term "light fruit juice sirup", "heavy fruit juice sirup", or "extra heavy fruit juice sirup" includes a sirup which conforms in all other respects to the provisions of this section, in the preparation of which there is used the liquid drained from any fruit ingredient previously canned in a packing medium consisting wholly of the liquid and saccharine ingredients of light fruit juice sirup, heavy fruit juice sirup, or extra heavy fruit juice sirup.

(6) To amend paragraph (e) (1) by striking the figure (6) and substituting therefor the figure (8).

[SEAL] WATSON B. MILLER,
Acting Administrator.

SEPTEMBER 2, 1942.

[F. R. Doc. 42-8715; Filed, September 3, 1942; 11:50 a. m.]

[1] 7 F.R. 5542.

[1] 7 F.R. 6421.

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under Maximum Price Regulation 202[1]—Brass and Bronze Alloy Ingot—Docket 3202-1]

SUMET CORPORATION

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

On August 25, 1942, Sumet Corporation, 1545 Fillmore Avenue, Buffalo, New York, hereinafter called the Petitioner, filed a petition for amendment of the provisions of Maximum Price Regulation No. 202—Brass and Bronze Alloy Ingot. For the reasons set forth in the opinion which has been issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.153 of Maximum Price Regulation No. 202, it is ordered:

(a) The petitioner may sell, offer to sell, deliver or transfer brass or bronze alloy ingot identified by it as Sumet SM-8 and Sumet SM-12 at the maximum price of 23.00¢ per pound f. o. b. Buffalo, New York subject to an agreement with the purchasers of such ingot to adjust prices upon deliveries made during the pendency of its petition in accordance with the disposition thereof.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time and, in any event, is to be effective only to the date upon which said petition is finally disposed of by the Price Administrator.

(c) This Order No. 1 shall become effective as of August 25, 1942.

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8718; Filed, September 3, 1942; 11:53 a. m.]

[Order 37 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant Docket 3120-241]

C. H. MEAD COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1[2], it is ordered:

(a) The C. H. Mead Coal Company, Beckley, West Virginia, may sell and deliver, and any person may buy and receive the bituminous coal described in paragraph (b) below for shipment by rail and the bituminous coal described in paragraph (c) below for shipment by lake, at prices not in excess of the respective prices stated therein;

(b) Coals in Size Groups 1, 3, 4 and 9, produced by the C. H. Mead Coal Company at its Mine (Mine Index No. 117), located in Subdistrict 5 of District 7, may be sold at prices not to exceed $3.10, $3.25, $2.90, and $2.65 per net ton, respectively, for shipment by rail;

(c) Coals in Size Group 9, produced by the C. H. Mead Coal Company at its mine (Mine Index No. 117), located in Subdistrict 5 of District 7, may be sold at a price not to exceed $2.65 per net ton for shipment by lake;

(d) This Order No. 37 may be revoked or amended by the Administrator at any time;

(e) All prayers of the petition not granted herein are denied;

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(g) This Order No. 37 shall become effective September 4, 1942.

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8733; Filed, September 3, 1942; 11:57 a. m.]

[1] 7 F.R. 8168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.

[2] 7 F.R. 971, 3663.

[Order 16 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148–70]

JOEL E. HARRELL AND SON

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 10, 1942, Joel E. Harrell and Son, Suffolk, Virginia, duly filed a petition and protest which was docketed as a protest and at Petitioner's request was subsequently stricken as a protest and redocketed as a petition for adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 16 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Joel E. Harrell and Son, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from Joel E. Harrell and Son.

(b)

	Cents per pound
Smoked cottage butts	41½
Dry salt cured fat backs	13½
Pork loins, double short cut	34
Regular pork loins	30
Picnics	25
Green regular hams	29
Spare ribs	21
Boston butts	29

(c) The permission granted to Joel E. Harrell and Son, in this Order No. 16 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which Joel E. Harrell and Son may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from Joel E. Harrell and Son, each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 16 shall become effective September 4, 1942.

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8722; Filed, September 3, 1942; 11:54 a. m.]

[Order 14 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148–71]

P. D. GWALTNEY, JR., AND COMPANY, INCORPORATED

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 10, 1942, P. D. Gwaltney, Jr., and Company, Incorporated, Smithfield, Virginia, filed a petition and protest which was docketed as a protest and at Petitioner's request was subsequently stricken as a protest and redocketed as a petition for adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 14 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) P. D. Gwaltney, Jr., and Company, Incorporated, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from P. D. Gwaltney, Jr., and Company, Incorporated.

(b)

	Cents per pound
Regular pork trimmings	23
Smoked cottage butts	41½
Dry salt cured bellies	21
Dry salt cured fat backs	13½
Pork loins, double short cut	34
Regular pork loins	30
Spare ribs	21
Skinned pork shoulders	27
Boston butts	29

(c) The permission granted to the P. D. Gwaltney, Jr., and Company, Incorporated, in this Order No. 14 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 14 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which P. D. Gwaltney, Jr., and Company, Incorporated, may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from P. D. Gwaltney, Jr., and Company, Incorporated, each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 14 shall become effective September 4, 1942.

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8723; Filed, September 3, 1942; 11:56 a. m.]

[Order 15 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148–72]

SMITHFIELD PACKING COMPANY, INCORPORATED

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 10, 1942, Smithfield Packing Company, Incorporated, Smithfield, Virginia, duly filed a petition and protest which was docketed as a protest and at Petitioner's request was subsequently stricken as a protest and redocketed as a petition for adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Smithfield Packing Company, Incorporated, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from Smithfield Packing Company, Incorporated.

(b)

	Cents per pound
Regular pork trimmings	23
Smoked cottage butts	41½
Dry salt cured bellies	21
Dry salt cured fat backs	13½
Pork loins, double short cut	34
Regular pork loins	30
Picnics	25
Green skinned hams	28½
Green regular hams	29
Spare ribs	21
Skinned pork shoulders	27
Boston butts	29

(c) The permission granted to the Smithfield Packing Company, Incorporated, in this Order No. 15 is subject to the following condition; that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Smithfield Packing Company, Incorporated, may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from Smithfield Packing Company, Incorporated, each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 15 shall become effective September 4, 1942.

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8724; Filed, September 3, 1942 11:56 a. m.]

[Order 1 Under Maximum Price Regulation 188—Manufacturers' Maximum Price for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket GF3–137]

FINNAREN & HALEY, INC.

DENIAL OF PETITION FOR ADJUSTMENT

For the reasons set forth in an opinion accompanying this order, a copy of which has been filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered that the Petition for Adjustment of Finnaren & Haley, Inc., 60th & Thompson Streets, Philadelphia, Pennsylvania, be, and it hereby is, denied.

(a) This Order No. 1 shall be effective this 4th day of September 1942.

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8725; Filed, September 3, 1942; 11:57 a. m.]

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[1] 7 F.R. 3821, 4342.

[2] 7 F.R. 971, 3663.

[Order 38 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120–75]

LAMAR COLLIERY COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, and Procedural Regulation No. 1,[2] *it is ordered:*

(a) The Lamar Colliery Company, Lamar, West Virginia, may sell and deliver, and any person may buy and receive the bituminous coal described in paragraph (b) at prices not in excess of the respective prices stated therein for shipment by rail and for shipment by lake.

(b) Coals produced by the Lamar Colliery Company at its Lamar Mine (Mine Index No. 97), in District No. 7, may be sold for shipment by rail, and for shipment by lake, at prices not to exceed $3.35 per net ton in Size Groups 1 and 2, $3.50 in Size Group 3, $3.00 in Size Groups 4, 5 and 7, $2.75 in Size Group 8, $2.70 in Size Group 9, and $2.65 in Size Group 10, f. o. b. the mine.

(c) This Order No. 38 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 38 shall become effective September 4, 1942.

Issued this 3d day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8726; Filed, September 3, 1942; 11:58 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–54, 70–559, 59–50]

NORTHERN STATES POWER CO., ET AL.

ORDER TRANSFERRING HEARINGS TO ST. PAUL, MINNESOTA AND SETTING DATE THEREOF

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of August, A. D., 1942.

In the matter of Northern States Power Company (Delaware), File No. 54–54; Northern States Power Company (Minnesota), File No. 70–559; Northern States Power Company (Delaware), and each of its subsidiaries, File No. 59–50; (Public Utility Holding Company Act of 1935).

Hearings having been held in the styled and numbered proceeding relating to Northern States Power Company (Delaware) and the subsidiaries thereof under sections 6, 7, 11 (b) (2), 11 (e), 12, 15 (f) and 20 (a) on July 8th to 10th, inclusive, and on July 13th and 14th, and on August 17th to 20th, inclusive, and on August 24th to August 26th, inclusive, 1942, at the offices of this Commission in Philadelphia, Pennsylvania; and

The Commission deeming it advisable that a hearing be held in the City of St. Paul, Minnesota near where the main offices of Northern States Power Company (Minnesota) are located and in or near which many of the stockholders of Northern States Power Company (Delaware) reside in order that such stockholders and other interested persons may be afforded an opportunity to examine witnesses and be heard on the proposed plan and all matters relevant to these proceedings;

It is hereby ordered, That the hearings on (a) the proposed plan for the liquidation and dissolution of Northern States Power Company (Delaware) filed pursuant to section 11 (e), (b) the applications and declarations (or both) filed by the Northern States Power Company (Minnesota) pursuant to sections 6, 7, and 12 and the applicable rules promulgated thereunder with respect to the proposed transactions which are necessary and incidental to the carrying out of said plan, and (c) the proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) heretofore instituted against the Northern States Power Company (Delaware) and each of its subsidiaries, be transferred to the city of St. Paul, Minnesota for the purpose designated in the preceding paragraph hereof, and that a hearing be held on such matters on the 14th day of September, 1942 at 10:00 A. M., at Room 317 of the uptown United States Post Office Building (sometimes referred to as the Federal Building) in the city of St. Paul, Minnesota.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at said hearing. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice; and

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order, by registered mail, to

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[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.

[2] 7 F.R. 971, 3663.

SEP 10 1942

each of the respondents herein and to the Standard Gas and Electric Company; and that notice of said hearing is hereby given to all security holders of Northern States Power Company (Delaware), to all states, municipalities, or political subdivisions of states or foreign countries in which are located any of the utility assets of the holding-company system of the Northern States Power Company (Delaware) or under the laws of which any of said subsidiary companies are incorporated, to all state commissions, state securities commissions and all agencies, authorities or instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Northern States Power Company (Delaware) or any subsidiaries thereof or over any of the business affairs of any of them, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 8646; Filed, September 2, 1942; 2:33 p. m.]

[File No. 70-587]

POTOMAC ELECTRIC POWER COMPANY

ORDER GRANTING APPLICATION, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of September, A. D. 1942.

The Commission having heretofore, on August 26, 1942, made findings and entered an order herein granting an exemption from the provisions of section 6 (a) of the Public Utility Holding Company Act of 1935 pursuant to section 6 (b) of said Act for the issuance and sale of $5,000,000 principal amount of First Mortgage Bonds, 3¼% series due 1977, due August 1, 1977 by Potomac Electric Power Company, except that no findings were made in regard to the price to said company, spread and distribution thereof, and the Commission having reserved jurisdiction in said order in regard thereto; and

An amendment to said application having been filed as provided in Rule U-50 (c), specifying the proposals which had been received for the purchase of said bonds pursuant to the invitation of competitive bids therefor, and stating that Potomac Electric Power Company had received nine proposal and had accepted a bid from a group of underwriters headed by Kuhn, Loeb & Co. of 112.2679% of the principal amount thereof, plus accrued interest thereon from August 1, 1942 to the date of delivery of and payment for the bonds which are to be resold to the public at 113% of the principal amount thereof plus accrued interest from August 1, 1942 to the date of delivery, representing a spread to the underwriters of 0.7321%; and

The Commission having examined the record and finding no basis for imposing terms and conditions with respect to the price, spread and distribution thereof, at which such bonds are to be issued and sold;

It is ordered, That said application, as amended, be and it is hereby granted forthwith in regard to the price to the issuer, the spread and the distribution thereof applicable to such bonds subject, however, to the terms and conditions prescribed in Rule U-24 and to the terms and conditions contained in our order of August 26, 1942 except that relating to compliance with Rule U-50 (c).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8647; Filed, September 2, 1942; 2:33 p. m.]

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FEDERAL REGISTER

VOLUME 7 NUMBER 176

Washington, Saturday, September 5, 1942

The President

EXECUTIVE ORDER 9237

AUTHORIZING THE APPOINTMENT OF CERTAIN EMPLOYEES IN THE POSTAL SERVICE WITHOUT REGARD TO THE CIVIL SERVICE RULES

By virtue of the authority vested in me by paragraph Eight, subdivision SECOND, section 2 of the Civil Service Act (22 Stat. 403, 404), it is hereby ordered that temporary clerks, carriers, and laborers required for part-time or intermittent work in the Postal Service in connection with the holiday or seasonal business from November 15, 1942, to January 15, 1943, may be appointed without compliance with the requirements of the Civil Service Rules.

This order is recommended by the Postmaster General.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 3, 1942.

[F. R. Doc. 42-8754; Filed, September 4, 1942; 10:17 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

PART 320—THE MEXICAN BORDER REGULATIONS

INSPECTION OF VEHICLES

Introductory Note

Authority to inspect and apply safeguards to railway cars, vehicles, and various materials entering this country from Mexico has been granted by Congress on an annual basis since 1917 and regulations covering these activities have likewise been in force since that date. With the enactment of the Mexican Border Act, approved January 31, 1942, it has become necessary to revise the existing regulations so as to bring them under the authority of the new act, and into accord with its terms. The revision thus accomplished follows closely in scope and procedure the previous regulations, care being taken to avoid encroachment on the field covered by the Plant Quarantine Act.

Order of the Secretary of Agriculture

By virtue of the authority vested in the Secretary of Agriculture by the act, approved January 31, 1942, entitled, "To provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico" (Public Law 426, 77th Congress), I, Grover B. Hill, Acting Secretary of Agriculture, do prescribe and promulgate the following regulations to be in force and effect on September 8, 1942.

Sec.
320.1 Administration.
320.2 Regulated vehicles, articles and materials.
320.3 Definitions.
320.4 Inspection.
320.5 Railway cars.
320.6 Vehicles, articles, and materials other than railway cars and unregulated boats.
320.7 Responsibility for opening and cleaning.
320.8 Responsibility for disinfection.
320.9 Fees for disinfection in government-owned facilities.

AUTHORITY: §§ 320.1 to 320.9, inclusive, issued under the act approved January 31, 1942, entitled "To provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico," (Public Law 426, 77th Congress).

§ 320.1 *Administration.* The Chief of the Bureau of Entomology and Plant Quarantine is charge with the administration of the provisions of this Act and the regulations in this part concurrently with the Plant Quarantine Act and the quarantines and orders issued thereunder.

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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§ 320.2 *Regulated vehicles, articles, and materials.*[1] To carry out the purpose of the aforesaid Act to prevent the introduction of insect pests and plant diseases these regulations shall apply to railway cars, boats crossing the Rio Grande, aircraft, drawn or self-propelled vehicles (such as wagons, carts, trucks, automobiles), freight, baggage, containers, and articles or materials which may be contaminated with insect pests or plant diseases. These regulations, however, shall not apply to railway cars, other vehicles, and other materials originating in and moving directly from the Northern Territory of Baja California, Mexico.

§ 320.3 *Definitions.* For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) "Inspector" means an inspector of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture.

(b) "Owner or agent" includes both the singular and the plural and denotes the person, agent, firm, company, or official, having responsible custody of railway cars, vehicles, or other materials subject to these regulations.

(c) "Disinfection" includes any treatment or process designed to destroy insect pests or plant disease organisms.

(d) "Railway cars" includes all types of cars commonly employed in the transportation of freight, such as box, flat, tank, refrigerator, gondola, stock, etc.

(e) "Cleaning" means the removal, to the satisfaction of the inspector, of matter, other than the cargo and articles being moved, which may carry insect pests or plant diseases from railway cars, other vehicles, freight, express, baggage, and other materials.

(f) "Other vehicles" includes means of conveyance other than railway cars, such as aircraft, boats, automobiles, trailers, trucks, wagons, and carts, etc.

(g) "Other materials" includes all commodities, articles, and materials which may be the means of introducing insect pests or plant diseases into the United States.

§ 320.4 *Inspection.* As a condition of entry into the United States from Mexico all articles and materials under these regulations (§ 320.2) shall be subject to examination by an inspector for the purpose of determining whether they may enter the United States without risk of introducing insect pests and plant diseases.

§ 320.5 *Railway cars.* When the inspector has determined by examination that railway cars may enter the United States without risk of introducing insect pests and plant diseases into the United States, he shall, insofar as these regulations may govern, permit their entry. If the examination discloses that any car is contaminated and would involve risk of introducing insect pests or plant diseases into the United States, he shall prescribe, as condition of entry, cleaning, transfer of cargo, or disinfection, or all three. When cleaning alone has been prescribed and done to the satisfaction of the inspector he shall permit the entry of the cleaned cars, insofar as these regulations may govern entry. When disinfection is prescribed the entry of the cars shall be conditioned on their being fumigated, under the supervision of the inspector, either in a government-owned fumigation house or otherwise in a place and by methods prescribed by the inspector. Immediately upon entry of railway cars for fumigation they shall be moved by the owner or agent having charge of same directly to the government-owned fumigation plant or "spotted" at an approved place and before placing the cars in the fumigation chambers or "spotting" them for fumigating the railroad company servicing the cars shall cause the car doors to be opened and subsequent to fumigation it shall be the responsibility of the railroad company to remove the cars from the fumigation plant or place where they have been "spotted" and to close the car doors when the occasion requires. When the prescribed fumigation has been accomplished in manner required by the Chief of the Bureau of Entomology and Plant Quarantine, the inspector shall permit entry into the United States insofar as these regulations may govern. The inspector may authorize temporary entry of railway cars under conditions to be prescribed by him for unloading or loading in railroad yards at the port of entry or for in-transit movement from and to Mexico.

[1] The entry of certain plants and plant products is regulated or prohibited by quarantines and regulations promulgated under the Plant Quarantine Act as amended.

§ 320.6 *Vehicles, articles, and materials, other than railway cars and unregulated boats.* When the inspector has determined by examination that vehicles, other than railway cars and unregulated boats, or any of the various articles and materials covered by these regulations may enter the United States without risk of introducing insect pests or plant diseases, he shall permit their entry insofar as these regulations may govern. If the examination by the inspector discloses such regulated vehicles, articles, or materials are contaminated and would involve risk of introducing insect pests or plant diseases into the United States, he shall prescribe, as a condition of entry, cleaning, transfer of cargo, or disinfection, or any or all of these. The cleaning, transfer of cargo and disinfection shall be carried out under his supervision and to his satisfaction and until it has been so accomplished, entry into the United States shall be refused.

§ 320.7 *Responsibility for opening and cleaning.* The owner or agent in charge of railway cars, other vehicles, and freight, express, baggage, articles, or other materials shall open these for inspection as required by the inspector and provide reasonable access to every part thereof, and when cleaning is prescribed by the inspector as a condition of entry, shall so open, and clean, and do any and all things reasonably pertaining thereto as required by the inspector. All costs incident to entry, opening, and cleaning, except for the services of the inspector, shall be paid by the owner or agent in charge.

§ 320.8 *Responsibility for disinfection.* When disinfection involves fumigation the inspector will apply the fumigant whether in the houses erected for the purpose or in the cars themselves. If, in the judgment of the inspector, fumigation will not provide adequate safegards against the introduction of insect pests and plant diseases, he may prescribe another type of disinfection which shall be applied by the owner or agent under the supervision of the inspector. Costs incident to such disinfection, other than the services of the inspector, shall be borne by the owner or his agent, or paid for as prescribed elsewhere in these regulations.

§ 320.9 *Fees for disinfection in government-owned facilities.* Prior to entry of railway cars or other vehicles requiring fumigation in government-owned facilities as a condition of entry, the owner or agent in charge shall buy fumigation coupons from the inspector in charge at the port of entry. The price fixed for these coupons shall represent as nearly as may be, the average cost of materials, facilities, and special labor used by the Bureau of Entomology and Plant Quarantine in performing such fumigation. On the basis of the average cost for such fumigation over a period of years the inspector in charge shall, until further notice, collect a fee of $4.00 for each coupon sold. Payments for coupons, if practicable, shall be in the form of postal money orders, or bank drafts or certified checks drawn on United States banks, drawn to the credit of the Treasurer of the United States. Payments in United States currency will be accepted if tendered. All fees so collected by the inspector shall be promptly turned into the Treasury of the United States as miscellaneous receipts in accordance with the practices approved by the Secretary of Agriculture.

These regulations shall supersede the Rules and Regulations Prohibiting the Movement of Cotton and Cottonseed from Mexico into the United States and Governing the Entry into the United States of Railway Cars and Other Vehicles, Freight, Express, Baggage, or Other Materials from Mexico at Border Points, effective July 1, 1917, as amended January 29, 1920 (7 CFR §§ 320.1 to 320.6; 39 Stat. 1164) and may be referred to as "The Mexican Border Regulations."

Done at the City of Washington this 3d day of September 1942.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42–8783; Filed, September 4, 1942; 11:14 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[General Order C–1, Supplement 14]

PART 110—PRIMARY INSPECTION AND DETENTION

DESIGNATION OF PORT HUENEME, CALIFORNIA, AND PHILADELPHIA, PENNSYLVANIA, AS PORTS OF ENTRY FOR ALIENS

AUGUST 31, 1942.

Pursuant to the authority contained in section 23 of the Act of February 5, 1917 (39 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458) and § 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753), Port Hueneme, California, and Philadelphia, Pennsylvania, are hereby designated as ports of entry for aliens entering the United States.

Section 110.1, Title 8, Chapter I, Code of Federal Regulations (Rule 3, Subd. A, Par. 1 of the Immigration Rules and Regulations of January 1, 1930, Edition of December 31, 1936) is amended by inserting Port Hueneme, California, between Los Angeles, California, and San Diego, California, in the list of ports of entry for aliens in District No. 20.

The said § 110.1 is further amended by deleting Gloucester City, N. J., now shown as a port of entry in District No. 4 of the Immigration and Naturalization Service, and substituting in lieu thereof the following:

Philadelphia, Pa. (The port of Philadelphia includes, among others, the port facilities at Trenton, Camden, Gloucester City, Paulsboro, Gibbstown, and Deepwater Point, N. J.; Chester and Marcus Hook, Pa., and Wilmington, Del.)

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 42–8736; Filed, September 3, 1942; 1:25 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3262]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MORETRENCH CORPORATION

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (b) *Advertising falsely or misleadingly—Competitors and their products—Competitors' products:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.48 (b) *Disparaging competitors and their products—Goods—Performance.* In con-

nection with offer, etc., in interstate commerce or in the District of Columbia, of wellpoints and wellpoint systems, (1) misrepresenting the amount of unobstructed water-passing screen area of a competitive wellpoint, either directly or by comparison with its own wellpoint; (2) representing that wellpoints manufactured by its competitors have only a limited use as jetting points, or back waste the jetting water, or are otherwise inefficient or difficult to jet because equipped with only one valve; (3) representing that one of its wellpoints is equal or superior to five of any other well points; (4) representing that its wellpoints never clog up; and (5) representing that contractors all over the world testify that operating costs of its wellpoint system are always 50 percent or any other constant percentage lower than operating costs of competitive wellpoint systems; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45i) [Modified cease and desist order, Moretrench Corporation, Docket 3262, August 25, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th of August, A. D. 1942.

This proceeding coming on for further hearing before the Federal Trade Commission and it appearing that on February 6, 1939 the Commission made its findings as to the facts herein and concluded therefrom that the respondent had violated certain provisions of the Federal Trade Commission Act and thereupon issued and caused to be served on the respondent its order requiring respondent to cease and desist from such violations; and it further appearing that on April 6, 1939, the respondent filed with the United States Circuit Court of Appeals for the Second Circuit its petition to review and set aside said order to cease and desist, and that on May 4, 1942, the United States Circuit Court of Appeals for the Second Circuit rendered its opinion and on May 21, 1942 issued its decree modifying the aforesaid order of the Commission in certain particulars and affirming said order as so modified:

Now therefore, pursuant to the provisions of subsection (l) of section 5 of the Federal Trade Commission Act, the Commission issues this, its modified order to cease and desist in conformity with said decree:

It is ordered, That the respondent, Moretrench Corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of wellpoints and wellpoint systems in interstate commerce or in the District of Columbia, do forthwith cease and desist from:

1. Misrepresenting the amount of unobstructed water-passing screen area of a competitive wellpoint, either directly or by comparison with its own wellpoint;

2. Representing that wellpoints manufactured by its competitors have only a limited use as jetting points, or back waste the jetting water, or are otherwise inefficient or difficult to jet because equipped with only one valve;

3. Representing that one of its wellpoints is equal or superior to five of any other wellpoints;

4. Representing that its wellpoints never clog up;

5. Representing that contractors all over the world testify that operating costs of its wellpoint system are always 50 percent or any other constant percentage lower than operating costs of competitive wellpoint systems.

It is further ordered, That the respondent shall, within thirty (30) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8778; Filed, September 4, 1942; 11:00 a. m.]

[Docket No. 4731]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GIROUX COMPANY, INC.

§ 3.66 (k) *Misbranding or mislabeling—Source or origin—Maker:* § 3.87 (c) *Simulating competitor or his or other's product—Name, containers or dress of competitor's or other's product.* In connection with offer, etc., of "Worcestershire Sauce", whether sold under that name or any other name, and among other things, as in order specified, using wrappers, containers, or labels which simulate the wrappers, containers, or labels used by Lea & Perrins, Inc., in marketing its Worcestershire Sauce, or otherwise representing that respondent's product is Worcestershire Sauce manufactured and distributed by Lea & Perrins, Inc.; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Giroux Company, Inc., Docket 4731, September 1, 1942]

§ 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported:* § 3.96 (a) *Using misleading name—Goods—Place—Domestic product as imported.* In connection with offer, etc., of "Worcestershire Sauce", whether sold under that name or any other name, and among other things, as in order specified, using the words "English Pride" and "Old English Brand", or any other words which indicate English origin, to designate, describe, or refer to Worcestershire Sauce which is not made in England; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Giroux Company, Inc., Docket 4731, September 1, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts entered into by the respondent herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Giroux Company, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of Worcestershire Sauce, whether sold under that name or any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using wrappers, containers, or labels which simulate the wrappers, containers, or labels used by Lea & Perrins, Inc., in marketing its Worcestershire Sauce, or otherwise representing that respondent's product is Worcestershire Sauce manufactured and distributed by Lea & Perrins, Inc.

2. Using the words "English Pride" and "Old English Brand", or any other words which indicate English origin, to designate, describe, or refer to Worcestershire Sauce which is not made in England.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8779; Filed, September 4, 1942; 11:00 a. m.]

[Docket No. 3709]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

TEETERBABE COMPANY OF COLORADO

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of electric irons, electric toasters, cameras, electric fans, hot plates, electric mixers, and children's chairs and jumper seats, or any other merchandise, (1) supplying, etc., agents, distributors, or members of the public, with pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondent's merchandise or any merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (2) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Teeterbabe Company of Colorado, Docket 3709, August 31, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of August, A. D. 1942.

In the Matter of Kersh A. Smith, Individually and Trading as Teeterbabe Company of Colorado

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Kersh A. Smith, individually and trading as Teeterbabe Company of Colorado, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of electric irons, electric toasters, cameras, electric fans, hot plates, electric mixers, and children's chairs and jumper seats, or any other merchandise, do forthwith cease and desist from:

1. Supplying to or placing in the hands of agents, distributors, or members of the public, pull cards or other devices which are to be used, or may be used, in the sale or distribution of respondent's merchandise or any merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8777; Filed, September 4, 1942; 10:59 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5168]

PART 173—DISPOSITION OF SUBSTANCES USED IN THE MANUFACTURE OF DISTILLED SPIRITS

DEFINITION OF SUBSTANCE

Pursuant to section 2811 of the Internal Revenue Code (U.S.C., title 26, sec. 2811), Article I (c) of Regulations 17 (§ 173.1 (c), title 26, Code of Federal Regulations) is amended to read as follows:

§ 173.1 *Definitions.* • • •

(c) "Substance" shall mean and include, but not by way of limitation, any of the following which are used in the manufacture of distilled spirits: Any grade or type of sugar, syrup or molasses derived from sugar cane, sugar beets, corn, sorghum or any other source; starch; potatoes; grain, or corn meal, corn chops, cracked corn, rye chops, middlings, shorts, bran, or any other grain derivative; malt, malt sugar, or malt syrup; oak chips, charred or not charred; yeast; cider; honey; fruits; grapes; berries; fruit, grape or berry juices or concentrates; wine; caramel; burnt sugar; gin flavor; Chinese bean cake or Chinese wine cake; urea, ammonium phosphate, ammonium carbonate, ammonium sulphate, or any other yeast food; or any other fermentable material of the character used in the manufacture of distilled spirits, or any chemical or other material suitable for promoting or accelerating fermentation; or any combination of such materials or chemicals.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: September 2, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-8742; Filed, September 3, 1942; 3:36 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 118]

REGISTRANT'S AFFIDAVIT, FAMILY STATUS AND DEPENDENTS

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 41, entitled "Registrant's Affidavit, Family Status and Dependents," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 1, 1942.

[F. R. Doc. 42-8734; Filed, September 3, 1942; 1:05 p. m.]

[1] Filed as part of the original document.

[No. 119]

TRANSMITTAL SHEET FOR SAMPLE OF DSS FORMS 311

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 312-A, entitled "Transmittal Sheet for Sample of DSS Forms 311," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

AUGUST 20, 1942.

[F. R. Doc. 42-8735; Filed, September 3, 1942; 1:05 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXIII]

PART 804—INDIVIDUAL LICENSES

CERTIFICATES OF NECESSITY

Section 804.8 (b) is amended in the following particulars:

1. The first paragraph is amended to read as follows:

§ 804.8 *Certificates of necessity.*[1] • • •

(b) Applications for licenses to export to the countries listed in paragraph (a) of this section commodities which have been allocated for export will not be considered unless accompanied by a certificate of necessity or unless (1) there appears on the license application a statement setting forth reasons why a certificate of necessity was not secured, sufficient to justify the waiving of this requirement or (2) the application is in connection with a project or a mine, oil or smelting serial case;

2. The list of commodities that have been placed under allocations, set out immediately following the first paragraph, is amended to include the following:

Commodity	*Department of Commerce Schedule B No.*
Rubber and Rubber Manufactures----	2001F, 2011, 2012.05, 2012.98, 2014, 2016, 2017, 2031, 2032, 2034, 2036, 2037, 2038, 2039, 2040, 2042, 2043, 2045, 2046, 2047, 2048, 2049, 2053, 2054, 2058, 2059, 2060, 2062, 2063, 2064, 2066, 2067, 2069.05, 2069.98, 2084, 2085, 2086, 2087, 2088, 2093, 2094, 2095.1, 2095.2, 2098, 2099.3, 2099.9.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order

[1] 7 F.R. 5010, 5591, 5937, 6418.

No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Colonel, Infantry, Chief, Export Control Branch, Office of Exports.

AUGUST 27, 1942.

[F. R. Doc. 42-8783; Filed, September 4, 1942; 11:24 a. m.]

Chapter IX—War Production Board

PART 1010—SUSPENSION ORDERS

[Suspension Order S-76]

PRODUCTION FOUNDRY COMPANY

Production Foundry Company of Oakland, California, is an unincorporated aluminum foundry owned and operated by Leon Cameto. Between February 1 and April 23, 1942, the company made deliveries of approximately 11,929 pounds of aluminum to various customers although such shipments had been specifically disapproved on the PD-26a Form filed by the company. The shipment of 9577 pounds of this amount was due to a justifiable misunderstanding on the part of the company but shipment of the remaining 2753 pounds was made in wilful violation of Supplementary Orders M-1-a[1] and M-1-f.[2] Between February 1 and April 23, 1942, the company also made deliveries of approximately 26,700 pounds of aluminum which had not been listed for approval on Form PD-26a and which had not been authorized for shipment by the Director of Industry Operations. Such shipments were made in wilful violation of Supplementary Orders M-1-a and M-1-f.

These violations of Supplementary Orders M-1-a and M-1-f have impeded and hampered the war effort of the United States by diverting aluminum to uses unauthorized by the War Production Board. In view of the foregoing: *It is hereby ordered*, That:

§ 1010.76 *Suspension Order S-76.* (a) Leon Cameto, individually or doing business as Production Foundry Company, his successors and assigns, shall accept no deliveries from any source of primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except as specifically authorized by the Director General for Operations.

(b) Beginning 15 days after the effective date of this order, Leon Cameto, individually or doing business as Production Foundry Company, his successors and assigns, shall not melt, process, fabricate, or in any way use any primary aluminum, secondary aluminum, aluminum scrap, or alloys of which aluminum constitutes the major part, except as specifically authorized by the Director General for Operations.

(c) Deliveries of material to Leon Cameto, individually or doing business as Production Foundry Company, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Leon Cameto, individually or doing business as Production Foundry Company, by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(d) No allocation shall be made to Leon Cameto, individually or doing business as Production Foundry Company, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(e) Nothing contained in this order shall be deemed to relieve Leon Cameto, individually or doing business as Production Foundry Company, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect September 8, 1942, and shall expire on December 8, 1942, at which time the restrictions contained in this order shall be of no further effect.

(P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8737; Filed, September 3, 1942; 2:26 p. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Amendment 5 to General Conservation Order M-126 as Amended July 13, 1942]

Section 1176.1 *General Conservation Order M-126*[1] is hereby amended in the following respects:

(1) By amending the items on List A which read:

"Cans or containers for anti-freeze under 5 gal. size:
Artist supplies.
Bouilion cubes.
Candy.
Caviar.
Chalk.
Coffee.
Gloves.
Incense.
Lawn seed.
Nuts.
Pencils.
Pet food.
Phonograph needles.
Playing cards.
Razor blades.
Sponges.
Staples.
Tennis balls.
Tobacco products.
Toilet water.
Yarn."

to be and read as follows:

"Cans or containers for:
Anti-freeze (under 5 gal. size), artist supplies, coffee, and tobacco products; except that closures for glass containers for such items may be processed until October 1, 1942, but only from distressed stocks of black plate already lithographed on or before September 3, 1942.
Bouillon cubes.
Candy.
Caviar.
Chalk.
Gloves.
Incense.
Lawn seed.
Nuts.
Pencils.
Pet food.
Phonograph needles.
Playing cards.
Razor blades.
Sponges.
Staples.
Tennis balls.
Toilet water.
Yarn."

(2) By amending the item on List A which reads:

"Door closers—except fire prevention as required by Underwriters Code."

to be and read as follows:

"Door closers—except for hospitals, public toilet doors, exterior doors on public buildings, and where required to meet fire regulations 1."

(3) By amending the item on List A which reads:

"Electric water coolers—except on PD-1a or PD-3a certificates."

to be and read as follows:

"Electric drinking water coolers—except for use in war plants."

(4) By amending the item on List A which reads:

"Fireplace equipment—except dampers."

to be and read as follows:

"Fireplace equipment, including but not limited to, grates, clean out doors and ash dumps—except dampers."

(5) By amending the item on List A which reads:

"Gutters, spouting, conductor pipe and fittings for single family dwellings."

to be and read as follows:

"Gutters, spouting, conductor pipe and fittings for single family dwellings."[1]

(6) By deleting the item on List A which reads:

"Loose leaf binding wire, rings, posts and metal parts."

(7) By amending the item on List A which reads:

"Milk bottle cases."

to be and read as follows:

"Milk bottle cases—except that a total of 4½ lbs. of iron and steel per case (including joining and essential hardware) may be used."

(8) By amending the item on List A which reads:

"Novelties and souvenirs of all kinds."

to be and read as follows:

"Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruit, flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942 or was sold to the manufacturer of the artificial leaves, fruit, flowers or feather ornaments as scrap."

(9) By deleting the item on List A which reads:

"Posts for fencing—except on A-2 or higher."

(10) By amending the item on List A which reads:

"Sink metal drainboards, both integral and removable."

to be and read as follows:

"Sink drainboards, both integral and removable."

(11) By amending the item on List A which reads:

"Sporting and athletic goods."

to be and read as follows:

"Sporting and athletic goods—except that fully fabricated skates, cleats, and similar items may be attached to athletic shoes without restriction."

(12) By amending the item on List A which reads:

"Stamped bakery equipment."

to be and read as follows:

"Stamped bakery equipment—except pie plates for commercial or institutional use."

(13) By deleting the item on List A which reads:

"Stamps (except for marking metal)."

(14) By amending the exception under the item Tags: Key; name, price; identification on List A which reads:

"(c) Metal tags required by federal or state law for livestock and poultry."

to be and read as follows:

"Metal tags required for identification of livestock and poultry and products made therefrom."

(15) By amending the exceptions under the item "Tanks (strapping excluded)" on List A which read:

"Storage, water[1]—except:
(c) Boilers, hot water and storage.
(d) Pneumatic pressure tanks under 31 gallons."

to be and read as follows:

"Storage, water[1]—except:
(c) Range boilers and hot water storage.
(d) Pneumatic pressure tanks 82 gallon size and 31 gallon or smaller size."

(16) By amending the item on List A which reads:

"Wagon bodies, frames, and wheels, all metal[1]—except for construction"

to be and read as follows:

"Wagon bodies and frames[1]—except for construction."

(17) By amending the item in Supplementary List A which reads:

"Cabinets for diathermy, sinuscidal and galvanic apparatus."

to be and read as follows:

"Cabinets for diathermy, sinuscidal and galvanic apparatus."

(18) By deleting the item on Supplementary List A which reads:

"Cross ties and other timber anti-checking devices."

(19) By amending the following items which appear under the heading Hospital equipment on Supplementary List A:

(a) By amending the item which reads:

"Bassinets."

to be and read as follows:

"Bassinets, except for frame and basket."

(b) By deleting the item which reads:

"Bed cradles."

(c) By amending the item which reads:

"Linen Hampers."

to be and read as follows:

"Linen hampers, except for frames."

(d) By deleting the item which reads:

"Solution and irrigator stands, except for use in operating rooms."

(e) By amending the item which reads:

"Supply and treatment cabinets."

to be and read as follows:

"Supply and treatment cabinets, except for operating rooms."

(20) By deleting the item on Supplementary List A which reads:

"Fences, railings and barriers (except livestock and poultry enclosures for essential industrial use)."

(21) By amending the item on Supplementary List A which reads:

"Railings, barriers, and fences, (except livestock and poultry enclosures) and essential industrial use."

to be and read as follows:

"Railings, barriers and fences, except for livestock and poultry enclosures and essential industrial uses."

(22) By amending the item on Supplementary List A which reads:

"Railroad rail joints over 24" in length."[1]

to be and read as follows:

"Railroad rail joint angle bars over 24" in length, except for replacement on used rails."[1]

(23) By adding the following item and applicable governing date to Supplementary List A to be and read as follows:

"Fireplace dampers_____ September 3, 1942."

(24) By adding the following item and applicable governing date to Supplementary List A to be and read as follows:

"Partitions_____ September 3, 1942."

(25) By adding the following item and applicable governing date to Supplementary List A to be and read as follows:

"Playground equipment_____ September 3, 1942."

(26) By deleting the item on List C which reads:

"Loose leaf binding wire, rings, posts, and metal parts."

(27) By deleting the item on List C which reads:

"Posts for fencing."

(28) By amending the item on List C which reads:

"Sink, metal drainboards, both integral and removable—for use on board ship and where required for sterilization."

to be and read as follows:

"Sink drainboards, both integral and removable—for use on board ship and where required for sterilization."

(29) By deleting the item on List C which reads:

"Stamps."

(30) By adding the following item to List C to be and read as follows:

[1] 6 F.R. 1599, 2521; 7 F.R. 27, 655.
[2] 7 F.R. 1104, 6519.

[1] 7 F.R. 5353 5358 5462, 5510, 5902, 6047.

"Electric drinking water coolers—for use on board ship, in hospitals and in tropical climates."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8739; Filed, September 3, 1942; 2:26 p. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Amendment 6 to General Conservation Order M-126 as Amended July 13, 1942]

List C of General Conservation Order M-126[1] (§ 1176.1) is hereby amended in the following respects:

(1) By amending the item on List C which reads:

"Access panels—for use on board ship and where climatic or safety conditions make necessary."

to be and read as follows:

"Access panels—for use on board ship, on military vehicles and where climatic or safety conditions make necessary."

(2) By amending the item on List C which reads:

"Air conditioning systems—for hospital operating rooms and industrial plants (excluding offices), for use on board ship, for use outside continental limits of the United States, for use in fortifications, for handling and storage of explosives, for storage and handling of instruments critical to temperature, and in gas proofing installations."

to be and read as follows:

"Air conditioning systems—for hospital operating rooms and industrial plants (excluding offices), for use on board ship, for use outside continental limits of the United States, for use in fortifications, for handling and storage of explosives, for storage and handling of instruments critical to temperature or humidity, for use in gas proofing installations, and for use in mobile surgical vehicles and laboratory vehicles."

(3) By amending the item on List C which reads:

"Door handles—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary."

to be and read as follows:

"Door handles—for fire prevention, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary."

(4) By amending the item on List C which reads:

"Floor and ceiling plates for piping, for use on board ship, and where climatic or safety conditions make necessary."

[1] *Supra.*

to be and read as follows:

"Floor and ceiling plates for piping, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary."

(5) By amending the item on List C which reads: "Lockers—for office equipment as limited by Limitation Order L-13-a, for use on board ship, for use outside continental limits of United States and in ordnance plants."

to be and read as follows:

"Lockers—for office equipment as limited by Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of United States and in ordnance plants."

(6) By adding the following items to List C to be and read as follows:

"Accessories, soda fountain—for use on board ship."
"Automobile heaters—where specified for military vehicles."
"Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units."
"Barber shop supplies."
"Beds—for use on board ship; beds containing not more than 5 pounds of iron or steel, excluding springs."
"Bed spring frames—for use on board ship and for maintenance and repair."
"Brushes, wire bristles only."
"Buttons."
"Canopies and supports—for use on board ship, military repair units, hospital installations, and military construction units."
"Casket handles."
"Ceilings—for use on board ship, but only where necessary."
"Cigarette lighters—for use outside continental limits of United States, for sale by Post Exchanges at ports of embarkation, and for sale by Ships Service Stores on board ship."
"Clothing trim."
"Counter tops—for use on board ship."
"Drapery and curtain fasteners and rings—for use on board ship."
"Dust covers and enclosures—when specified for military vehicles."
"Fences, chain link, weighing not more than 2 pounds per lineal foot and not more than .33 pounds per square foot."
"Flag staffs and flag masts—for use on board ship, and on military vehicles."
"Floor polishing machines—maintenance and repair only."
"Furniture—for use on board ship."
"Galley and mess equipment of stainless steel, but only—
Clad stainless steel for steam tables and warming pans.
Single clad stainless steel on inside of steam jacketed kettles.
Clad stainless steel bottoms and solid stainless steel sides for pressure cookers.
Non-nickel bearing stainless steel clad doors and other parts coming in direct contact with food in cold storage spaces on board ship.
Non-nickel bearing stainless steel linings for coffee urns.
Stainless steel single clad sinks and dresser tops for use on board ship.
Non-nickel bearing stainless steel liners for portable water coolers.
Non-nickel bearing stainless steel for tanks and hoods of dish washing machines.
Metal sponges from non-nickel bearing stainless steel wire.
Compartment mess trays, but only from existing finished stocks of stainless steel or new stainless steel, only if the processing is past the melting stage on September 3, 1942."
"Gâmes."
"Garage hoists and car lifts."
"Hand seals for documents."
"Harness and saddlery fittings."
"Hat frames, wire and gimps."
"Hat-making machinery, but only—
Blocking machines with complete sets of blocks.
Sets of dies for cutting parts."
"Hospital equipment—
Arm immersion stands.
Bed trays.
Bedside panel screen frames—for use in operating rooms, and outside continental limits of United States.
Bowl stands—for use in operating rooms and on board ship.
Cabinets—X-Ray film filing.
Cabinets for diathermy, sinusoidal and galvanic apparatus.
Chart holders.
Commodes—for hospital use outside continental limits of United States.
Dish trucks—frames and wheel tires only.
Dressing stand frames.
Examining tables, non-adjustable—for use on board ship and in Field Hospitals.
Instrument cabinets.
Instrument tables.
Nurses' work tables.
Overbed and swing overbed tables—functional parts only.
Stands and racks for colonic irrigation apparatus.
Sterilizer stands.
Supply and treatment cabinets.
Utensil racks."
"Ice box exteriors—for use on board ship, mobile type refrigerators, and for use where climatic conditions make necessary."
"Ice cube trays."
"Keys for opening cans."
"Laundry trays—for use on board ship."
"Lavatories—for use on board ship and outside continental limits of United States."
"Mail boxes—for use on board ship."
"Pads, inking and stamping."
"Partitions—for use in hospitals and on board ship."
"Phonograph motors, hand wound."
"Pencils, automatic, functional parts only, except for resale."
"Pitchers."
"Railings—for use on board ship."
"Screen frames."
"Shirt and stocking dryers of cast iron only."
"Sink aprons and legs—for use on board ship."
"Sink drainboards, both integral and removable—for use on board ship and where required for sterilization."
"Siphon chargers for life jacket inflation."
"Swivel chairs—for use on board ship."
"Tile, steel back—for ladder treads, step plates and use on board ship."
"Tool cases—for mobile equipment."
"Tool handles, where specified."
"Truck and trailer units and bodies, where specifically designed for military purposes."
"Urinals—for use on board ship, and outside continental limits of United States."
"Waste baskets—for hospital use only."
"Water troughs, frame and support only."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8738; Filed, September 3, 1942; 2:26 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Interpretation 1 of Schedule III to Limitation Order L-120]

A question has arisen as to whether the term "special name watermark", as used in item (vi) of various captions in the Appendix to § 1223.4 (Schedule III to Limitation Order L-120[1]), includes merchant marks.

The term "special name watermark", as used in item (vi) of various of the captions in the Appendix to § 1223.4 (Schedule III to Limitation Order L-120), is hereby officially interpreted to include merchant marks. However, the provisions applying to special name watermarks do not prevent the manufacture of fine writing papers for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such marks are applied to papers of standard grade, color and substance weight, in a standard size or sizes, and in the quantities provided for a special name watermark under the appropriate caption.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8782; Filed, September 4, 1942; 11:09 a. m.]

[1] 7 F.R. 5124, 5216, 6074.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supplementary Order 14]

LICENSING SELLERS OF MEAT AND MEAT PRODUCTS

A statement of the reasons for this Supplementary Order No. 14 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority of the Emergency Price Control Act of 1942, including section 205 (f) (1) thereof, it is hereby ordered:

§ 1305.18 *Provisions licensing sellers of meat and meat products*—(a) *License required.* Effective September 8, 1942, a license as a condition of selling is hereby required of every seller now or hereafter selling any meat, meat product or service for which maximum prices are established by Price Regulations Nos. 148, 156, 169 or Temporary Maximum Price Regulation No. 20,[1] as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 14.

(b) *License granted.* Every seller now or hereafter selling any meat, meat products or services for which maximum prices are established by Price Regulations Nos. 148, 156, 169 or Temporary Maximum Price Regulation No. 20, as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 14, is hereby granted a license as a condition of selling such meat, meat products, or services. The provisions of every price regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall become effective September 8, 1942, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided in the Act, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement remains in effect.

(c) *Exclusions.* This order shall not apply to sales at retail.

(d) *Licensing section of General Maximum Price Regulation superseded.* This Supplementary Order No. 14 supersedes the provisions of § 1499.16 of the General Maximum Price Regulation insofar as said § 1499.16 may be applicable to sales for which a license is required by this order: *Provided*, That, the licensing provisions of the General Maximum Price Regulation shall continue to apply to sales at retail.

(e) *Registration of licensees.* Every seller hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

(f) *License not transferable.* The license hereby granted is not transferable.

(g) *Suspension of license.* Licensees violating any of the provisions of this order or of the license hereby granted, or violating any of the provisions of the price regulations specified in paragraph (b) hereof, or violating the provisions of any applicable regulation, order or requirement under section 202 (b) of the Act, are subject to the license suspension proceedings provided in the Act: *Provided, however*, That no proceedings for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(h) *Definitions.* When used in this Supplementary Order No. 14, the term:

(1) "Seller" means any individual, corporation, partnership, car route, packer's branch house, or any other organized group of persons or legal successor or representative of any of the foregoing who sells, slaughters for another, supplies, disposes, barters, exchanges, transfers or delivers, or contracts or offers to do any of the foregoing. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller, except that all places of business owned or controlled by the same person, and selling in the same market area shall be regarded as a single seller. Each shipping point from which a car route or car routes originate shall be deemed a separate seller.

(2) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, branch house, purchaser for resale, car route or commercial user, shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, by a person regularly and generally engaged in selling at retail, made on usual retail terms, shall be regarded as a sale at retail.

(3) "Market area" means any municipality or group of municipalities each of which has a common boundary with another: *Provided*, That such market area shall in no event extend in any direction farther than 50 miles from the seller's shipping point.

(4) "Act" means the Emergency Price Control Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3821, 4230, 4342, 4653, 4798, 5222, 5426, 5780, 5868.

(5) "Price regulation" means a schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(i) Effective date of Supplementary Order No. 14. This Supplementary Order No. 14 (§ 1305.18) shall become effective September 8, 1942. (Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8747; Filed, September 3, 1942; 4:57 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 26 to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

In § 1315.801, paragraph (f) (2) (ii) is amended to read as set forth below:

Transfers and Deliveries of New Tires and Tubes, Retreaded or Recapped Tires and Camelback

§ 1315.801 *Permitted and prohibited transfers of new tires and tubes.* • • •

(f) *Other transfers.* • • •

(2) *By wholesaler or manufacturer without changing ownership or control: new tires and tubes kept on any premises by manufacturer.* • • •

(ii) Any person who manufactures tires and tubes and who complies with the following conditions may, without certificate, transfer new tires or tubes or recapped or retreaded tires to, or keep them upon any premises, provided that no change in ownership or control of such tires or tubes is thereby effected:

(*a*) Except as provided hereinafter, the manufacturer shall not transfer to, or keep such tires and tubes upon any premises, whether or not such tires or tubes were previously kept at such premises, unless he has been authorized in writing to do so by the Office of Price Administration, Washington, D. C. Application for such authorization shall be made in writing by the manufacturer and shall state for each of such premises the location thereof and the name and address of the person who owns or controls them. For each of such authorized premises, except where the authorized premises are regional branches, the manufacturer shall appoint a specified individual as his agent to be responsible for the stock of tires and tubes and shall submit with his application for authorization the name and address of the agent, a verified copy of his agreement with the agent and a statement that he will be fully responsible for acts of the agent and any person acting for him. The manufacturer shall not designate any other individual as his agent except upon authorization in writing from the Office of Price Administration, Washington, D. C. The Office of Price Administration may in its discretion deny, modify or revoke any authorization at any time. The number of premises authorized for each manufacturer shall not exceed 50.

(*b*) The manufacturer shall also submit with his first application for authorization, a statement setting forth the total number of consignments then kept by him upon premises used in performing the functions of a distributor or retailer in the United States or any of its territories or possessions together with the names and addresses of the consignees.

(*c*) A manufacturer may not keep more than 500 such tires and 500 such tubes at any time on any authorized premises unless the Office of Price Administration authorizes him in writing to keep a greater stock, or unless the authorized premises are regional branches of the manufacturer. A regional branch means any premises wholly controlled by the manufacturer at which the usual functions of the manufacturer's business, apart from production, are performed, provided that such premises are not used in performing the functions of a distributor or retailer.

(*d*) The tires or tubes shall be kept segregated from any others owned, possessed or controlled by a person other than the manufacturer and shall be kept readily identifiable upon inspection by signs, labels or similar means. The manufacturer shall at all times have access to the portion of the premises on which the tires and tubes are so segregated.

(*e*) Except in the case of transfer without certificate expressly permitted by other provisions of these regulations, or transfer by a manufacturer from one of his authorized premises to another, no tires or tubes shall be transferred from any authorized premises unless the manufacturer or his duly designated agent shall have first received in exchange therefor and in accordance with the requirements of these regulations a nontransferable certificate for the purchase of new tires or tubes, OPA Form No. R-2, a nontransferable certificate for the purchase of retreaded or recapped tires, OPA Form No. R-8, a nontransferable emergency certificate, OPA Form No. R-20, a nontransferable receipt, OPA Form No. R-12, or Part B of any such certificate or receipt.

(*f*) Records of inventory and of all transfers to and from any authorized premises shall be kept by the manufacturer at such premises and at his principal place of business. The manufacturer shall make monthly reports thereof to the Office of Price Administration commencing with the month of September 1942. Such reports shall be filed not later than the 20th day of the calendar month following the period covered by the report.

For each of such authorized premises, except regional branches the monthly reports shall include an inventory based upon a physical count showing the total number of tires and tubes at the beginning and end of the preceding monthly period on each of such premises and the total number of transfers to and from such stocks during said monthly period and shall list, by serial number if there is one, the certificates or receipts or Parts B thereof upon which the transfers were made, and the number, by size and type, of tires or tubes represented by each such certificate or receipt.

For authorized premises that are regional branches of the manufacturer, the report shall include an inventory based upon book records showing the total number of tires and tubes at the beginning and end of the preceding monthly period on each of such premises (except that the monthly reports that shall be filed on the 20th day of January, April, July and October shall include an inventory based upon a physical count rather than upon book records) and the total number of tires and tubes transferred to and from such stocks during said monthly period. The number of tires and tubes included in the inventory and the transfers to and from such stocks during said monthly period shall be listed by totals of passenger tires (including motorcycle tires), passenger tubes (including motorcycle tubes), truck tires, truck tubes, tractor tires (including implement tires and tires not otherwise specified) and tractor tubes (including implement tubes and tubes not otherwise specified). The size, grade or ply of such tires or tubes need not be stated.

(*g*) The provisions of paragraph (f) (2) (ii) of this section shall apply only to tires and tubes located at any authorized premises and not to tires or tubes located at the place of manufacture or in a public warehouse. In the case of segregated stocks "authorized premises" means only that portion of the premises upon which the segregated stock is located.

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§ 1315.1199a *Effective dates of amendment.* • • •

(z) Amendment No. 26 (§ 1315.801) to Revised Tire Rationing Regulations shall become effective September 8, 1942.

(Pt.). Law 421, 77th Cong., O.P.M. Supp. Order No. M-15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792, 7 F.R. 562, 925).

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8746; Filed, September 3, 1942; 4:56 p. m.]

PART 1349—ELECTRICAL GENERATION, TRANSMISSION CONVERSION AND DISTRIBUTION APPARATUS

[Amendment 2 to Revised Price Schedule 82[1]]

WIRE, CABLE AND CABLE ACCESSORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been

[1] 7 F.R. 1027, 1089, 2106, 2107, 2541, 2633, 2945, 2948, 3235, 3237, 3551, 3830, 4176, 4336, 4493, 4543, 4544, 4617, 4856, 5023, 5274, 5276, 5566, 5605, 5867, 6385, 6423, 6775.

[1] 7 F.R. 1358, 1836, 2133.

filed with the Division of the Federal Register.*

Section 1349.1 is amended; in § 1349.4 the phrase "not less than ten days" set forth in paragraphs (e) and (f) is amended to read "not less than thirty days" and paragraph (g) is amended; § 1349.5 is redesignated § 1349.11 and paragraph (a) thereof is amended; § 1349.6 is redesignated § 1349.10; § 1349.7 is redesignated § 1349.12 and subdivision (iii) of subparagraph (18) thereof is revoked; § 1349.8 is redesignated § 1349.13 and paragraph (a) thereof is amended and paragraph (i) is revoked; § 1349.9 is redesignated § 1349.15; § 1349.9a is redesignated § 1349.16; § 1349.10 is redesignated § 1349.17, the words "§ 1349.7" in paragraph (a) thereof are amended to read "§ 1349.12," and the headnote and paragraph (c) thereof are amended; § 1349.11 is redesignated § 1349.18, the last paragraph is designated (c) and the headnote and paragraph (b) are amended; § 1349.12 is redesignated § 1349.19 and the headnote and text are amended; and seven new sections §§ 1349.5, 1349.6, 1349.7, 1349.8, 1349.9, 1349.14 and 1349.20 are added; as set forth below:

§ 1349.1 *Maximum prices for wire, cable and cable accessories.* (a) On and after January 29, 1942, regardless of any contract, lease or any other obligation, no manufacturer shall sell or deliver any wire, cable or cable accessories and no person in the course of trade or business shall buy or receive from any manufacturer any wire, cable or cable accessories at a price higher than the maximum price set forth in Appendices A, B and C hereof, incorporated herein as §§ 1349.17 to 1349.19 inclusive.

(b) On an after July 22, 1942, regardless of any contract, lease or other obligation, no seller other than the manufacturer shall sell or deliver any wire, cable or cable accessories and no person in the course of trade or business shall buy or receive from any seller other than the manufacturer any wire, cable or cable accessories at a price higher than the maximum price set forth in Appendix D hereof, incorporated herein as § 1349.20.

(c) On and after January 29, 1942, regardless of the terms of any contract or other commitment, no person shall make, and no person shall pay, a charge for rolling bars into rods or drawing wire therefrom in excess of the net charge made for similar operations on October 15, 1941, or on the latest date prior thereto on which such operation was performed.

(d) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in paragraphs (a), (b) and (c) of this section.

(e) (1) The prohibition contained in this Revised Price Schedule No. 82 against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not be construed to apply to (i) any war procurement agency of the United States or any contracting or paying finance officer thereof and (ii) the government of any country the defense of which the President of the United States deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or to any agency of any such government. Any such war procurement agency or contracting or paying finance officer thereof and any such government or any agency thereof shall be relieved of any and every liability, civil or criminal, imposed by such regulation or by the Emergency Price Control Act of 1942.

(2) "War procurement agency", as used in this paragraph includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department; and the following subsidiaries of the Reconstruction Finance Corporation, Rubber Reserve Corporation, Metals Reserve Corporation and Defense Supplies Corporation, or any agency of any of the foregoing.

(f) Notwithstanding the provisions of paragraphs (a) (b) and (c) of this section, if, upon the purchase of any wire, cable or cable accessories the purchaser shall receive from the seller a written affirmation that to the best of his knowledge, information, and belief the price charged does not exceed the maximum price established by this Revised Price Schedule No. 82 and if in such case the purchaser shall have no knowledge of the maximum price, and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section.

• • • • • •

§ 1349.4 *Records and reports.* • • •

(g) If the maximum prices for wire, cable or cable accessories are to be determined in accordance with the provisions of Appendix C hereof, incorporated herein as § 1349.19, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the specifications of such wire, cable or cable accessories, the proposed price, price and cost estimate sheets, the proposed billing date, a statement that no standard estimating procedure is applicable and the reasons therefor, and a statement, where applicable, of differentials in the cost of material used in substitution for materials no longer available, all certified by an authorized agent having knowledge of the facts. Such information shall be submitted by mail postmarked not less than thirty days before the proposed date of billing of such wire, cable or cable accessories.

• • • • • •

§ 1349.5 *Federal and state taxes.* (a) Any tax levied by any statute of the United States or statute or ordinance of any state or subdivision thereof which the manufacturer on October 15, 1941 added to the price paid by the purchaser shall not be included in the maximum price but may be collected by the manufacturer in addition to the maximum price if such tax is stated separately from the purchase price.

(b) Any tax upon the sale or delivery of wire, cable or cable accessories and any compensating use tax upon wire, cable or cable accessories levied by any statute of the United States, or statute or ordinance of any state or subdivision thereof and becoming effective on or after October 15, 1941, may also be collected by the manufacturer making such taxable sale or delivery in addition to the maximum price if such tax is stated separately from the purchase price, unless the manufacturer had increased his price on or before October 15, 1941, to reflect such new or increased tax.

(c) Any separately stated tax paid by a purchaser for resale upon the purchase of wire, cable or cable accessories may be collected by such purchaser in addition to the maximum price upon the resale of such wire, cable or cable accessories unless the purchaser's price in effect on October 15, 1941, reflected the amount of such tax.

§ 1349.6 *Developmental contracts and subcontracts.* (a) This revised Price Schedule No. 82 shall not apply to any sale or delivery of wire, cable or cable accessories, or to the service of rolling bars into rods or drawing wire therefrom, pursuant to a contract or subcontract certified in writing to the Office of Price Administration by the United States or any agency thereof as being developmental: *Provided*, That a report is filed pursuant to paragraph (b). For the purposes of this section, a contract is deemed to be "developmental" during the period required for the selection of a product by the purchaser or for the accumulation of sufficient production experience by the manufacturer to permit a fair estimate of the manufacturing costs, or both. After the Office of Price Administration shall have determined, upon consultation with the appropriate government agency, that the period necessary for development has expired, and has in writing so notified such agency and the manufacturer, this Revised Price Schedule No. 82 shall apply to all subsequent sales and deliveries of such wire, cable or cable accessories, or service of rolling bars into rods or drawing wire therefrom.

(b) Within ten days after entering into any such developmental contract or subcontract the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing a description of the product or products to be manufactured, or service to be performed in rolling bars into rods or drawing wire therefrom, a summary of the terms of the contract or subcontract including all pricing provisions, a short statement of the production plan of which this contract is a part, and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on July 22, 1942 such report shall be filed prior to October 1, 1942.

§ 1349.7 *Secret contracts.* This Revised Price Schedule No. 82 shall not apply to any sale or delivery of wire, cable or cable accessories, or to the service of rolling bars into rods or drawing wire

*Copies may be obtained from the Office of Price Administration.

therefrom, pursuant to a contract or subcontract which is deemed to be a "secret" contract and is so certified to the Office of Price Administration by the United States or any agency thereof. Such certification shall set forth the date of the "secret" contract and its number or other designation. After the Office of Price Administration shall have received notice from the United States or the certifying agency that the contract is no longer deemed to be secret, this Revised Price Schedule No. 82 shall apply to all subsequent sales and deliveries of such wire, cable and cable accessories, or to the service of rolling bars into rods or drawing wire therefrom.

§ 1349.8 *Emergency purchases.* This Revised Price Schedule No. 82 shall not apply to any sale or delivery pursuant to any emergency purchase by the United States or any agency thereof for immediate delivery of any wire, cable or cable accessories, or to the immediate performance of any service of rolling bars into rods or drawing wire therefrom: *Provided*, That if the total price exceeds $500, a report is filed pursuant to paragraph (b).

(b) Within ten days after making any such emergency purchase in the amount of more than $500, at a price which is known or suspected by the purchaser to be in excess of the maximum price, any person making such purchase on behalf of the United States or any agency thereof shall file a report with the Office of Price Administration, Washington, D. C., certifying that such purchase was made in a situation in which it was imperative to secure wire, cable, or cable accessories or the service of rolling bars into rods or drawing wire therefrom, immediately and in which it was impossible to secure, or unfair to require, immediate delivery or performance at the applicable maximum price and setting forth (1) the name and address of the seller or supplier; (2) date of purchase; (3) date of delivery or performance; (4) description of the wire, cable or cable accessories purchased, or rolling or drawing service performed; (5) quantity purchased; (6) price at which purchased; and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

§ 1349.9 *Privileges accorded to certain foreign governments.* The privileges accorded to the United States or any agency thereof by § 1349.6 (developmental contracts and subcontracts), § 1349.7 (secret contracts) and § 1349.8 (emergency purchases) shall apply to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or to any agency of any such government.

* * * * *

§ 1349.11 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 82 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act.

* * * * *

§ 1349.13 *Definitions.* When used in this Revised Price Schedule No. 82, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing. * * *

§ 1349.14 *Exclusions.* This Revised Price Schedule No. 82 shall not apply to any sale or delivery at retail or wire, cable or cable accessories except any sale or delivery of wire, cable accessories by the manufacturer thereof. "Sale at retail" means any sale to an ultimate user other than an industrial, commercial or governmental user, or any sale at a retail price to a purchaser of a class to whom sales were regularly made at retail prices prior to October 15, 1941.

* * * * *

§ 1349.17 *Appendix A: Manufacturers—maximum prices for wire, cable and cable accessories listed in price sheets.* * * *

(c) For wire, cable or cable accessories developed subsequent to October 15, 1941, or sold on or before October 15, 1941 without listing in price sheets, new price sheets may be issued containing prices the manufacturer thereof would have charged on October 15, 1941, if said prices had been calculated upon labor and material costs existing on such date and by the use of a standard estimating procedure or formula in effect on or before October 15, 1941 or submitted to and approved by the Office of Price Administration. Maximum prices for such wire, cable or cable accessories shall be the prices reported pursuant to § 1349.4 (e): *Provided*, That the Office of Price Administration either approves such prices in writing or fails to disapprove them within thirty days after receipt of the report. The Office of Price Administration may disapprove such prices in writing within such thirty-day period and upon such disapproval the manufacturer shall recompute the proposed prices in accordance with the requirements of this paragraph and report the same to the Office of Price Administration pursuant to § 1349.4 (e). During the thirty-day period following the receipt of the report of the proposed prices, as originally reported or as recomputed, but not after such proposed prices shall have been disapproved by the Office of Price Administration, the manufacturer may quote, contract, sell or deliver at the proposed prices, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report, and, if required by the Office of Price Administration, refunds shall be made. If the proposed prices are disapproved by the Office of Price Administration, the manufacturer shall not quote, contract, sell or deliver any such wire, cable or cable accessories until proposed prices therefor have been recomputed and reported as herein required. Nothing herein contained shall be construed to prohibit amendment of this Revised Price Schedule No. 82 in any respect at any time.

§ 1349.18 *Appendix B: Manufacturers—maximum prices for wire, cable and cable accessories priced in accordance with standard estimating procedures.* For all wire, cable and cable accessories not covered by Appendix A, incorporated herein as § 1349.17: * * *

(b) for which a standard estimating procedure was not in effect on or before October 15, 1941, but for which a standard estimating procedure has been reported to the Office of Price Administration, pursuant to § 1349.4 (f), maximum prices shall be the net prices calculated by the use of such estimating procedure: *Provided*, That the Office of Price Administration either approves such estimating procedure in writing or fails to disapprove it within thirty days after the receipt of the report. The Office of Price Administration may disapprove such estimating procedure in writing within such thirty day period and upon such disapproval the manufacturer shall revise the proposed estimating procedure in accordance with the requirements of this paragraph and report the same to the Office of Price Administration pursuant to § 1349.4 (f). During the thirty day period following the receipt of the proposed estimating procedure, as originally reported or as revised, but not after such proposed estimating procedure shall have been disapproved by the Office of Price Administration, the manufacturer may quote, contract, sell or deliver at the prices computed in accordance with the proposed estimating procedure but final settlement shall be made in accordance with the action of the Office of Price Administration on such report, and, if required by the Office of Price Administration, refunds shall be made. If the proposed estimating procedure is disapproved by the Office of Price Administration, the manufacturer shall not quote, contract, sell or deliver any such wire, cable or cable accessories until the proposed estimating procedure for computing prices therefor has been revised and reported as required herein. Nothing herein contained shall be construed to prohibit amendment of this Revised Price Schedule No. 82 in any respect at any time.

§ 1349.19 *Appendix C: Manufacturers—maximum prices for wire, cable and cable accessories not covered by § 1349.17 or § 1349.18, Appendices A or B.* For all wire, cable and cable accessories not covered by Appendices A or B, incorporated herein as §§ 1349.17 and 1349.18, maximum prices shall be the prices the manufacturer thereof would have charged on October 15, 1941, employing experience acquired by him subsequent to such date in manufacturing the same or similar products, and adjusted to reflect differentials in the cost of materials used in substitution for materials no longer available and reported pursuant to § 1349.4 (g): *Provided*, That the Office of Price Administration either approves such prices in writing or fails to disapprove them within thirty days after receipt of the report. The office of Price Administration may disapprove such prices in writing within such thirty day period and upon such disapproval, the manufacturer shall recompute the proposed prices in accordance with the requirements of this paragraph and report the same to the Office of Price Administration pursuant to § 1349.4 (g). During the thirty day period following the receipt of the report of the proposed prices, as originally reported or as recomputed, but not after such proposed prices shall have been disapproved by the Office of Price Administration, the manufacturer may quote, contract, sell or deliver at the proposed prices, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report, and, if required by the Office of Price Administration, refunds shall be made. If the proposed prices are disapproved by the Office of Price Administration, the manufacturer shall not quote, contract, sell or deliver any such wire, cable or cable accessories until proposed prices therefor have been recomputed and reported as herein required. Nothing herein contained shall be construed to prohibit amendment of this Revised Price Schedule No. 82 in any respect at any time.

§ 1349.20 *Appendix D: Sellers other than the manufacturer—maximum prices for wire, cable and cable accessories—*(a) *Wire, cable and cable accessories listed in price sheets.* For any type of wire, cable or cable accessories, the price of which can be determined by prices listed or methods of computation provided in such seller's price sheets in effect on October 15, 1941:

(1) *Price:* The maximum price to any purchaser of such wire, cable, or cable accessory shall be the net price such seller would have received on that date from a purchaser of the same class, except that (i), for solid copper Weatherproof Wire, the seller may add to such net price the sum of 2.375¢ per pound and (ii), for any such wire, cable or cable accessory containing lead, the seller may add to such net price an amount equal to the number of pounds of lead contained on such wire, cable or cable accessory, multiplied by $.00325.

(2) *Reports.* On or before October 1, 1942, every such seller shall file with the Office of Price Administration, Washington, D. C., all his price and discount sheets in effect on October 15, 1941, corrected where necessary, to reflect the differentials provided in paragraph (a) (1) of this section for solid copper weatherproof wire and lead-covered wire, cable and cable accessories. Any such seller who on October 15, 1941 sold or delivered wire, cable or cable accessories at prices based upon price sheets published by any other person subject to this Revised Price Schedule No. 82 need not file such other person's price sheets but shall file instead a statement identifying the particular price sheets and prices based thereon which he used on that date, a list of the prices of any wire, cable or cable accessory not sold at prices based upon such other person's price sheets and any discount sheets issued by such seller in effect on that date.

(b) *Thirty-day price adjustment period.* Notwithstanding the provisions of paragraph (a) of this section, for any wire, cable or cable accessory the price of which, determined from prices listed or methods of computation provided on such seller's price sheets in effect on November 15, 1941, was higher than such seller's price in effect on October 15, 1941 because of an increase of price to him on such wire, cable or cable accessory made between September 15, 1941 and October 15, 1941 inclusive, and for which a report is filed pursuant to subparagraph (2) hereof:

(1) *Prices.* The maximum price for such wire, cable or cable accessory shall be the lower of:

(i) The price in effect on October 15, 1941 plus an amount not exceeding in percentage the amount of the increase in price to him, or

(ii) The price in effect on November 15, except that, for solid copper, weatherproof wire the seller may add to the lower of such prices the sum of 2.375¢ per pound and for any such wire, cable or cable accessory containing lead the seller may add to the lower of such prices an amount equal to the number of pounds of lead contained on such wire, cable or cable accessory multiplied by $.00325.

(2) *Reports.* In the circumstances set forth above in paragraph (b), a report shall be filed with the Office of Price Administration, Washington, D. C., not later than October 1, 1942, containing a description of the wire, cable or cable accessory in question, the seller's price in effect on November 15, 1941, and the date such price became effective, the seller's price in effect on October 15, 1941, and the date such price became effective, the price to such seller in effect on September 15, 1941, the price to such seller in effect on October 15, 1941 and the date such price became effective, and the maximum price determined pursuant to this paragraph.

(c) *Wire, cable and cable accessories not listed in price sheets.* For any wire, cable or cable accessory not covered by paragraph (a) hereof, the maximum price to any purchaser shall be the net price determined by applying to the seller's net invoiced cost, not exceeding the maximum price, of such wire, cable or cable accessory the average percentage margin over net invoiced cost realized on or about October 15, 1941 for the same wire, cable or cable accessory sold by such seller on or about October 15, 1941 to a purchaser of the same class, or if none was sold on or about that date, for all wire, cable or cable accessories of the same class sold on or about that date.

(d) *New lines.* For any wire, cable or cable accessory not covered by paragraphs (a) or (c) hereof:

(1) *Price.* The maximum price shall be the price reported pursuant to subparagraph (2) of this paragraph (d): *Provided*, That the Office of Price Administration either approve such price in writing or fails to disapprove it within thirty days after receipt of the report. The Office of Price Administration may disapprove such price in writing within such thirty day period and upon such disapproval such seller shall recompute the proposed price, and report the same to the Office of Price Administration, in accordance with the requirements of this paragraph (d). During the thirty day period following the receipt of the report of the proposed price, as originally reported or as recomputed, but not after such proposed price shall have been disapproved by the Office of Price Administration, such seller may quote, contract, sell or deliver at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report, and, if required by the Office of Price Administration, refunds shall be made. If the proposed price is disapproved by the Office of Price Administration, such seller shall not quote, contract, sell or deliver any such wire, cable or cable accessories until the proposed price therefor has been recomputed and reported as herein required. Nothing herein contained shall be construed to prohibit amendment of this Revised Price Schedule No. 82 in any respect at any time.

(2) *Reports.* The seller of such wire, cable or cable accessory shall file with the Office of Price Administration, Washington, D. C., a report containing the proposed price, the proposed billing date, the net invoiced cost of such wire, cable or cable accessory, the date of purchase, a statement of the basis on which such proposed price was determined, and an explanation of the reasons why paragraphs (a) and (c) of this section were inapplicable. If such seller desires such price to become the maximum price applicable to all subsequent sales and deliveries of any such wire, cable or cable accessories, a statement that the report is also being filed pursuant to paragraph (e) of this section should be included.

(e) *New list prices.* (1) Any seller other than the manufacturer who desires or is required in writing by the Office of Price Administration to establish a new list price for any wire, cable or cable accessory shall file a report pursuant to subparagraph (2) hereof, containing a proposed price determined under paragraph (c) or (d) of this section, and such price shall thereafter be the maximum price: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Such price may be disapproved only on the ground that it was not computed in accordance with the applicable provision of this Revised Price Schedule No. 82 or because the Office of Price Administration finds that a computation at a later date may result in a lower maximum price.

(2) Under the circumstances set forth in subparagraph (1), a report shall be

filed with the Office of Price Administration, Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted and the discounts applicable to each such class, all relevant data used in determining such price, and evidence that such price was determined in accordance with the applicable provisions of this Revised Price Schedule No. 82.

(f) *Records.* Every such seller of wire, cable or cable accessories making any sale after July 22, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer, (3) the price on the date of sale, (4) the net price received, and (5) the quantity and description of the wire, cable or cable accessories sold.

§ 1349.16 *Effective date of amendments.* * * *

(b) Amendment No. 2 (§§ 1349.1; 1349.4 (e), (f), (g); 1349.5; 1349.6; 1349.7; 1349.8; 1349.9; 1349.10; 1349.11 (a); 1349.12; 1349.13 (a); 1349.14; 1349.15; 1349.16 (a), (b); 1349.17 (a), (c); 1349.18 (b); 1349.19; 1349.20) to Revised Price Schedule No. 82 shall become effective as of July 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8745; Filed, September 3, 1942; 4:56 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3 to Maximum Rent Regulation 32A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.2007 (a) of Maximum Rent Regulation No. 32A[1] shall be amended to read as follows:

§ 1388.2007 *Registration.* (a) On or before August 31, 1942 (or as to rooms within the San Francisco Bay Defense-Rental Area, on or before September 15, 1942), every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

* * * * * *

§ 1388.2014a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.2007 (a)) to Maximum Rent Regulation No. 32A shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 3d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8744; Filed, September 3, 1942; 4:57 p. m.]

[1] 7 F.R. 4926, 5645, 5813, 5912, 6222.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—ANCHORAGE REGULATIONS FOR THE CONTROL OF VESSELS IN THE TERRITORIAL WATERS OF THE UNITED STATES

SPECIAL AUTHORIZATION FOR LICENSES

Pursuant to the authority contained in section 1, Title II of the Espionage Act, approved June 15, 1917, 40 Stat. 220 (U.S.C., title 50, sec. 191), as amended by the Act of November 15, 1941 (Pub. Law 292, 77th Cong.), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the Regulations relating to the control of vessels in the territorial waters of the United States (5 F.R. 2442), issued by the Secretary of the Treasury and approved by the President on June 27, 1940, as amended, are further amended as follows:

Paragraph (a) of § 6.6, *Special authorization for licenses* etc., is amended by adding the following:

§ 6.6 *Special authorization for licenses.* * * *

(a) * * *

(3) Where the presence of a vessel outside of local waters will, because of specialized equipment or other reason, aid the Naval or military defenses of the nation: *Provided*, That no such license will be issued unless the Commandant of the Naval District requests that licenses of this kind be issued: *Provided further*, That no license shall be granted to any vessel having an enemy alien on board, either in the capacity of master, operator, person in charge, member of the crew, or passenger.

FRANK KNOX.
Secretary of the Navy.

Approved: August 31, 1942.

FRANKLIN D ROOSEVELT
The White House

[F. R. Doc. 42-8749; Filed, September 4, 1942; 9:52 a. m.]

PART 9—GENERAL LICENSES FOR MOVEMENT OF VESSELS WITHIN, OR DEPARTURE FROM, TERRITORIAL WATERS

REVOCATION OF GENERAL LICENSE NO. 2

By virtue of the authority vested in me by § 6.6 (d) of this chapter (6 F.R. 5222), and in accordance with the provisions of § 9.2 (1) (6 F.R. 5342; 7 F.R. 3213), I hereby find that the continuance in force of General License No. 2 (§ 9.4 *General License No. 2*) (7 F.R. 4343), as hereinafter defined, would be inimical to the interests of national defense and of the safety and protection of vessels and the territorial waters, and therefore said General License No. 2 (§ 9.4 *General License No. 2*) is revoked.

R. R. WAESCHE,
Commandant.

Approved: August 31, 1942.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 42-8750; Filed, September 4, 1942; 9:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PART 85—REGULATIONS APPLYING TO SHIPMENTS MADE BY WAY OF COMMON OR CONTRACT CARRIERS BY PUBLIC HIGHWAY

EXPLOSIVES IN FULL TRAILERS

In the matter of regulations for transportation of explosives and other dangerous articles.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of August, A. D. 1942.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and section 204 (a) (2) of Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles applying to shipments made by way of common or contract carriers engaged in interstate or foreign commerce by public highway;

It further appearing, that by applications of Pacific Inland Tariff Bureau, Inc., and American Trucking Associations, Inc., we are asked to amend section 824, paragraphs (b) (3) and (b) (4), of the aforesaid regulations so as to permit loading and transporting of military or naval explosives in motor combination units of truck and full trailer, in addition to the types of vehicles in which such commodities may now be transported; said permission to be granted because of the present emergency and until further order of the Commission, and to apply to transportation performed to, from, or on behalf of the United States Government or the United Nations;

It further appearing, that said applications are supported by requests received from the armed services that the aforesaid regulations be revised so as to permit the transportation described in the applications;

It further appearing, that pursuant to our notice interested parties of record conferred at the office of the Commission in Washington on August 20, 1942, and reached an agreement upon the matter of transportation and the form in which amendment of the aforesaid regulations should meet the terms of the applications and the desire of interested parties;

It further appearing, that section 824, paragraphs (b) (3) and (b) (4), of the aforesaid regulations now provide for loading and transporting of explosives on any truck or any semitrailer attached to a tractor, to which no form of trailer may be attached when so loaded, and specifically that no explosives may be loaded into or transported on any full trailer;

And it further appearing, that the said applications having been considered and found to be in accord with the best-known practicable means for securing safety in the transportation of explosives by public highway:

It is ordered, That the regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Amending section 824, paragraphs (b) (3) and (b) (4), order November 8, 1941, as follows (*explosives in full trailers*):

Add: *Provided, however*, That because of the present emergency and until further order of the Commission, loading and transporting of military or naval explosives is permitted in motor combination units of truck and full trailer, in addition to the types of vehicles in which such commodities may now be transported, when said transportation is performed to, from, or on behalf of the United States Government or the United Nations.

(Sec. 233, Transportation of Explosives Act, and sec. 204 (a) (2) of Part II, Interstate Commerce Act; 41 Stat. 1445, 49 Stat. 545, and 52 Stat. 1237; 18 U.S.C. 383, and 49 U.S.C. 304 (a) (2))

It is further ordered, That the aforesaid regulations as further amended herein shall be and remain in full force and effect on and after the date of approval hereof, and shall be observed until further order of the Commission;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-8788; Filed, September 4, 1942; 11:09 a. m.]

Chapter II—Office of Defense Transportation

[General Permit O.D.T. No. 6-B[1]]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART B—LOCAL DELIVERY CARRIERS

DELIVERIES OF LIQUIDS IN BULK

In accordance with the provisions of paragraph (e) of § 501.36 of General Order O.D.T. No. 6,[2] as amended,[3] Chapter II of this Title, Part 501, Subpart E, *It is hereby authorized*, That:

§ 521.2008 *Deliveries of liquids in bulk.* Any vehicle, the primary carrying capacity of which is occupied by a mounted tank or tanks designed to carry bulk liquids, when operated by a local carrier in the transportation and delivery of liquids in bulk, is hereby exempted from the provisions of General Order O.D.T. No. 6, as amended. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 6, 7 F.R. 3008, 3532, and 4184)

This general permit shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 3d day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8740; Filed, September 3, 1942; 2:27 p. m.]

[1] 7 F.R. 4186, 4933, 5463, 5915.
[2] 7 F.R. 3008.
[3] 7 F.R. 3532, 4184.

[Amendment 1 to General Order O. D. T. 18]

PART 500—CONSERVATION OF RAIL EQUIPMENT

Subpart C—Maximum Loading of Freight Cars

FILING RATE PUBLICATIONS, ETC.

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, § 500.31 of Subpart C, Part 500, Chapter II of this Title (General Order O.D.T. No. 18[1]), is hereby amended by adding to the headnote and by changing the second and third paragraphs thereof as follows:

§ 500.31 *Filing rate publications, rates not to be increased; effective date.* Paragraph (1) of § 500.27 and § 500.31 hereof shall become effective upon the date of issuance of this subpart and shall remain in full force and effect until further order of this Office.

All other sections and provisions of this subpart shall become effective on the 15th day of October, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C., this 3d day of September 1942. (E.O. 8989, 9156; 6 F.R. 6725; 7 F.R. 3349)

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8743; Filed, September 3, 1942; 4:30 p. m.]

[1] 7 F.R. 6496.

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

W. J. CROSKILL, LICENSEE

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

To: W. J. Croskill, Licensee above named, 16th Avenue South and 160th Street South, Seattle, Washington.

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact:

1. On August 4, 1942, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and regulations thereunder of which you were accused, was mailed to you at the above named, your last known address, giving you notice to file an answer within 15 days if you wished to be heard on the charges against you.

2. More than 15 days have elapsed since the giving of said notice, and you have failed to file an answer to said charges.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations thereunder (7 F.R. 5901).

It is hereby ordered, That Purchaser's License No. 314,224, heretofore issued to you under the Federal Explosives Act (55 Stat. 863), be and it is hereby revoked; and

It is further ordered, That you shall immediately surrender said license and all certified or photostatic copies thereof, if any, by delivering or by mailing the same to the Director of the Bureau of Mines, Interior Department, Washington, D. C.

This order is effective on and after its date, except that you will be allowed not to exceed 10 days thereafter within which to sell or otherwise dispose of explosives or ingredients thereof now on hand to persons licensed under the Federal Explosives Act and in accordance with the provisions of the act and regulations thereunder. This exception does not authorize you to use or test explosives or ingredients thereof on hand, nor does it authorize you to manufacture or to purchase or otherwise acquire explosives or ingredients thereof.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Dated: September 2, 1942.

R. R. SAYERS,
Director.

[F. R. Doc. 42-8753; Filed, September 4, 1942; 9:57 a. m.]

General Land Office.

[Public Land Order 34]

ALASKA

WITHDRAWING PUBLIC LANDS FOR THE USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of authority contained in the act of March 12, 1914, c. 37, 38 Stat. 305, 307 (U.S.C., title 48, sec. 303), and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

The following-described public land is hereby withdrawn from sale or other disposal and reserved, subject to valid existing rights, and to the rights, if any, of the public to the area in the alley mentioned in the description, for the use of the War Department for military purposes:

Block 20, including the 20-foot alley therein, in Anchorage Town Site, as shown on the plat of survey approved September 10,

1915, by the Commissioner of the General Land Office.

Executive Order No. 1919½ of April 21, 1914, reserving certain lands for townsite purposes, is hereby modified to the extent necessary to permit the use of the above-described land as herein provided.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 25, 1942.

[F. R. Doc. 42-8752; Filed, September 4, 1942; 9:57 a. m.]

[Public Land Order 35]

IDAHO, UTAH AND WYOMING

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, all deposits of vanadium and all public lands containing such deposits owned by the United States in Bannock, Bear Lake, Bingham, Bonneville and Caribou Counties, Idaho, Rich County, Utah, and Lincoln, Sublette and Teton Counties, Wyoming, are hereby withdrawn from all forms of appropriation under the public land laws of the United States, including the mining laws, and from leasing under the provisions of the mineral leasing laws relating to phosphate deposits, and are reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war.

The total area withdrawn, including both public and non-public lands, aggregates approximately 332,300 acres.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 27, 1942.

[F. R. Doc. 42-8751; Filed, September 4, 1942; 9:57 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 1-A 9]

CALIFORNIA, OREGON, AND WASHINGTON WALNUTS

NOTICE OF HEARING

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR §§ 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Comstock Room, Palace Hotel, San Francisco, California, at 9:30 a. m., P. w. t., September 11, 1942, with respect to proposed amendments to the marketing agreement, as amended, and order, as amended, regulating the handling of walnuts grown in California, Oregon, and Washington. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of said marketing agreement, as amended, and order, as amended, which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are as follows:

(1) Delete the period at the end of the first sentence in section 2, article III (§ 901.4 (b)) of the aforesaid order, as amended, and insert in lieu thereof a semicolon and the following:

• • • and the salable percentage for the crop year September 1, 1942 to August 31, 1943, shall be sixty-five (65) percent.

(2) Delete the period at the end of the next to the last sentence in section 2, article III (§ 901.4 (b)) of the aforesaid order, as amended, and insert in lieu thereof a semicolon and the following:

• • • and thirty-five (35) percent, being the difference between the salable percentage for the crop year ending August 31, 1943, and one hundred (100) percent shall be the "surplus percentage" for said crop year.

(3) Delete all of the provisions contained in "Exhibit A" of the aforesaid order, as amended, and insert in lieu thereof the following as "Exhibit A" to said order, as amended:

EXHIBIT A—PACK SPECIFICATIONS FOR MERCHANTABLE WALNUTS

California Packs

No. 1 Grade or No. 1 Soft Shell. Walnuts produced from seedling trees or walnuts not properly classified in any of the following varietal packs, and in which not over 12 percent by count pass through a round opening $^{73}/_{64}$ inches in diameter.

Large Budded. Walnuts produced from trees of the Placentia Perfection or closely similar varieties, and in which not over 12 percent by count pass through a round opening $^{70}/_{64}$ inches in diameter.

Medium Budded. Walnuts produced from trees of the Placentia Perfection or closely similar varieties, and all of which pass through a round opening $^{70}/_{64}$ inches in diameter and in which not over 12 percent by count can pass through a round opening $^{74}/_{64}$ inches in diameter.

Large Concords. Walnuts of the Concord variety and of the same size specifications as given for Large Budded.

Medium Concords. Walnuts of the Concord variety and of the same size specifications as given for Medium Budded.

Large Eurekas. Walnuts of the Eureka variety and of the same size specifications as given for Large Budded.

Medium Eurekas. Walnuts of the Eureka variety and of the same size specifications as given for Medium Budded.

Large Franquettes. Walnuts of the Franquette variety and of the same size specifications as given for Large Budded.

Medium Franquettes. Walnuta of the Franquette variety and of the same size specifications as given for Medium Budded.

Large Mayettes. Walnuts of the Mayette variety and of the same size specifications as given for Large Budded.

Medium Mayettes. Walnuts of the Mayette variety and of the same size specifications as given for Medium Budded.

Large Paynes. Walnuts of the Payne variety and of the same size specifications as given for Large Budded.

Medium Paynes. Walnuts of the Payne variety and of the same size specifications as given for Medium Budded.

Baby Grade. Walnuts of any of the above-mentioned varieties may be packed under the designation of Baby Grade of that variety provided all such walnuts pass through a round opening 75/64 inches in diameter and not over 12 percent by count pass through a round opening 60/64 inch in diameter. Baby size walnuts of the Eureka, Franquette, or Payne varieties when packed as such shall be designated as "Long Type Baby Walnuts": *Provided, however,* That it shall not be obligatory on any packer to pack separately the Baby size of the different varieties.

No pack of any of the above-mentioned varities except the No. 1 Grade and Baby Grades, shall contain in excess of 10 percent by count of walnuts of a dissimilar variety.

All of the walnuts contained in the foregoing packs shall be graded for size and culled for removal of external defects.

Oregon and Washington Packs

Oregon and Washington walnuts may be packed in any of the pack specifications above-described for California walnuts, and in addition thereto, the following pack specifications which apply only to walnuts grown in Oregon or Washington.

Large Soft Shells. Walnuts produced from seedling trees or walnuts not properly classified in any of the varietal packs, and in which not over 12 percent by count pass through a round opening $^{78}/_{64}$ inches in diameter.

Medium Soft Shells. The same as Large Soft Shells except that all pass through a round opening $^{78}/_{64}$ inches in diameter and not over 12 percent by count pass through a round opening $^{74}/_{64}$ inches in diameter.

Baby Soft Shells. The same as Large and Medium Soft Shells except that all pass through a round opening $^{74}/_{64}$ inches in diameter and not over 12 percent by count pass through a round opening $^{66}/_{64}$ inch in diameter.

Baby Franquettes. Walnuts of the Franquette variety (subject to 10% tolerance for dissimilar varieties) and of the same size specifications as Baby Soft Shells.

Baby Mayettes. Walnuts of the Mayette variety (subject to 10% tolerance for dissimilar varieties) and of the same size specifications as Baby Soft Shells and Baby Franquettes.

All of the walnuts contained in the foregoing packs shall be graded for size and culled for removal of external defects.

(4) Provide that nothing contained in the foregoing amendments to the marketing agreement, as amended, and the order, as amended, shall be deemed to affect, waive, or terminate any right, duty, obligation, or liability which has arisen, or which prior to the effective date hereof, may arise in connection with, by virtue of, or pursuant to any provision of the aforesaid marketing agreement, as amended, and order, as amended, or affect, release, or extinguish any violation of the provisions of said marketing agreement, as amended, and order, as amended, or of any regulation issued pursuant thereto, or affect or impair any right or remedy of the Secretary of Agriculture of the United States or any other person with respect to any such violation.

Copies of this notice of hearing and of the aforesaid order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

Dated: September 3, 1942.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-8784; Filed, September 4, 1942; 11:14 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

HANDKERCHIEF MANUFACTURING INDUSTRY

NOTICE OF HEARING

Notice of hearing to be held October 7, 1942 on the minimum wage recommendations of Industry Committee No. 46 for the Handkerchief Manufacturing Industry and the prohibition, restriction, or regulation of home work in the industry.

Whereas the Acting Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on July 23, 1942, by Administrative Order No. 149, appointed Industry Committee No. 46 for the Handkerchief Manufacturing Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 46, on August 14, 1942, recommended a minimum wage rate for the Handkerchief Manufacturing Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on August 15, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 46 if he finds that the recommendation is made in accordance with the law and is supported by the evidence adduced at the hearing before him and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 46 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Handkerchief Manufacturing Industry (defined in Administrative Order No. 149) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Handkerchief Manufacturing Industry as set forth in Administrative Order No. 149, issued July 23, 1942, is as follows:

The manufacture of men's, women's and children's handkerchiefs, plain or ornamented, from any materials.

The definition of the Handkerchief Manufacturing Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition, and *Provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 46 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, 219 Old Post Office Building, Fourth and Smithfield Streets.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 201 North Calvert Street.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street NE.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1908 Comer Building, 2nd Avenue and 21st Street.

New Orleans, Louisiana, 916 Union Building.

Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.

Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue.

Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.

Detroit, Michigan, David Scott Building, 1150 Griswold Street.

Chicago, Illinois, 1200 Merchandise Mart, 222 W. North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title & Trust Building, 10th & Walnut Streets.

St. Louis, Missouri, 100 Old Federal Building.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, Room 500, Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building.

Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, 1st Floor.

New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on October 7, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 1610, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following questions:

1. Whether the recommendation of Industry Committee No. 46 should be approved or disapproved.

2. In the event an order is issued approving the recommendation, what, if any, prohibition, restriction, or regulation of home work in this industry is necessary to carry out the purpose of such order, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rate established therein.

V. Any interested persons supporting or opposing the recommendation of Industry Committee No. 46 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person; *Provided,* That not later than September 30, 1942 such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 46.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 46 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C. and New York, New York.

VII. Copies of the following documents relating to the Handkerchief Manufacturing Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Report on the Handkerchiefs Branch of the Apparel Industry*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, June, 1939.

Report entitled, *Economic Factors Bearing on the Revision of the Minimum Wage Rate in the Handkerchief Manufacturing Industry*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, August, 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate:

1. The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form, the copies will be received in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 2d day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-8748; Filed, September 4, 1942; 9:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6420]

ALL AMERICA CABLES AND RADIO, INC.

ORDER SETTING HEARING, ETC.

In the matter of All America Cables and Radio, Inc. Increased rates from Brazil and Honduras to points in the United States.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 1st day of September, 1942:

It appearing that All America Cables and Radio, Inc. has filed with the Commission a tariff schedule, to become effective September 8, 1942, stating increased charges for and in connection with telegraph messages from Brazil to Key West, Florida, and for and in connection with British Government telegraph messages from Honduras to the District of Columbia; said tariff schedules being designated as follows: All America Cables and Radio, Inc., F. C. C. No. 2, 7th Revised page 54, 6th Revised page 72.

It further appearing that said tariff schedules state increased charges for the receipt, transmission and delivery of telegraph communications in foreign commerce; that the rights of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said schedules, insofar as they relate to increased charges for and in connection with telegraph messages from Brazil to Key West, Florida, and British Government Telegraph messages from Honduras to the District of Columbia, should be postponed pending hearing and decision on the lawfulness of such increased charges;

It is ordered, That the Commission, upon its own motion, without further pleading, enter upon a hearing concerning the lawfulness of charges contained in 7th Revised page 54 and 6th Revised page 72 of All America Cables and Radio, Inc., Tariff F.C.C. No. 2, insofar as they relate to telegraph messages from Brazil to Key West, Florida, and to British Government telegraph messages from Honduras to the District of Columbia;

It is further ordered, That the operation of said schedules, contained in said tariff, insofar as they provide for increased charges for and in connection with telegraph messages from Brazil to Key West, Florida, and British Government telegraph messages from Honduras to the District of Columbia, be suspended; that the use of the charges therein stated as applicable to such messages be deferred until three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges sought to be altered, unless authorized by special permission of the Commission.

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of All America Cables and Radio, Inc. for and in connection with telegraph service between Brazil and the United States and between Honduras and the United States;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, All America Cables and Radio, Inc. and all other carriers subject to the Commission's jurisdiction participating in the service provided under the tariff provisions herein suspended, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected, or received by reason of any increase in charges effected thereby; and that each such carrier shall specify in such accounts by whom and in whose behalf such amounts are paid;

It is further ordered, That All America Cables and Radio, Inc., and each such participating carrier subject to the Commission's jurisdiction shall file with this Commission a report, under oath, on or before the 10th day of each calendar month commencing January 10, 1943, showing the amounts charged, collected, or received and accounted for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; that copies hereof be served upon the carriers parties to such schedules; and that said carriers parties be, and they are hereby, each made a party respondent to this proceeding;

It is further ordered, That this proceeding be, and the same is hereby assigned for hearing on the 25th day of September, 1942, at the offices of the Federal Communications Commission, in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-8785; Filed, September 4, 1942; 11:40 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4624]

AMERICAN SCHOOL OF COMMERCE, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, September 16, 1942, at ten o'clock in the forenoon of that day (Central Standard Time), in the Court Room, Third Floor, West, County Court House, Omaha, Nebraska.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8780; Filed, September 4, 1942; 10:59 a. m.]

THOMAS J. CASEY

[Docket No. 4586]

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 14, 1942, at ten o'clock in the forenoon of that day (Central Standard Time), in the Hotel Nicollet, Minneapolis, Minnesota.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8781; Filed, September 4, 1942; 10:59 a. m.]

INTERSTATE COMMERCE COMMISSION.

HAZARDS INVOLVED IN ACCIDENTS OF MOTOR VEHICLES WITH EXPLOSIVE LADINGS

NOTICE TO MOTOR CARRIERS

AUGUST 28, 1942.

Recently there has come to the attention of the Commission for appropriate action an accident involving a tractor-semitrailer combination transporting dangerous explosives. This accident involved a collision which started a fire on the tractor which later resulted in a fire and explosion of the contents of the semitrailer. Six persons were killed and 40 injured, more than five seriously, as a result of the explosion which followed the fire. All buildings within a radius of 600 feet were razed, burned, or heavily damaged and numerous motor vehicles were severely damaged by concussion. Property damage estimated at several hundreds of thousands of dollars was caused in the vicinity and at a distance of several miles.

The deaths directly or indirectly attributable to the explosion occurred because persons failed to evacuate nearby buildings, were congregated too close, or were attempting to pass the vehicle which was on fire. Had sufficient forewarning been given to these persons and to others, most, if not all, of the lives could have been saved, and the property damage could have been saved, and the property damage could have been materially reduced.

The apparent reason such forewarning was not given was that neither the drivers of the vehicles nor the police officers present were aware of or sufficiently impressed with, the gravity of the hazard, which eventuated as described.

Every carrier engaged in the transportation of explosives should take especial care in the instruction of his drivers in the regulations of this Commission applying to the transportation of explosives by motor vehicle as required by said regulations; and each driver should be impressed with the likelihood of the explosion of the contents in the event of fire and with the gravity of the hazard of such an explosion.

In the event of collision involving the carrier's vehicle and another vehicle or with a fixed object, carriers' drivers should be fully informed as to the hazard of moving any entangled vehicle until the explosives contents together with any fragments, have been removed to a distance at least 200 feet from the scene of the accident and the same distance, if feasible, from any habitation, in accordance with the provisions of section 828 (a) (1) of Part 7—Regulations Applying to Shipments Made by Way of Common and Contract Carriers by Public Highway.

In the event of fire or of collision or both, drivers should be instructed by the carriers to inform all persons in the vicinity of the accident of the probable hazard and, as soon as opportunity affords, police officers should be sought out and impressed with the gravity of the hazard and warned of the imperative need for: (1) the warning of persons in the vicinity; (2) the prevention of the congregation of vehicles or persons; (3) the prevention of the movement of traffic past, near or toward the burning or entangled vehicle, at least in its vicinity, and more particularly in the event of fire.

Similar information should be given to fire departments so that they may have proper facts upon which to base a judgment as to whether to abandon the vehicle or whether to attempt to extinguish the fire, and to use the proper method in the latter event. In many instances fire may be extinguished by the use of sand or dirt.

Section 828 (a) (1) of "Part 7—Regulations Applying to Shipments Made by Way of Common and Contract Carriers by Public Highway" requires the removal of the explosives contents from vehicles which have been entangled. Whether or not it is feasible to attempt to remove the explosives contents from a vehicle, a portion of which is on fire, is a matter upon which advice cannot be offered, as the relative hazards involved in removing the contents in the event of fire as compared to the possible hazard of the detonation of the contents cannot be predetermined. The most imperative duty of those in charge of the situation in such a case is, as has been set forth, to warn others of the probable result in the event explosion occurs, which eventuality, as was exemplified in the case to which attention is herein directed, is very likely.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-8787; Filed, September 4, 1942; 11:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 60]

2,355 SHARES OF THE CAPITAL STOCK OF SOUTH TEXAS COMPRESS COMPANY

Under the authority of the Trading with the enemy Act, as amended,[1] and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

2,355 shares of $100 par value common capital stock of South Texas Compress Company, a Texas corporation, the names and last known addresses of the owners of which, and the number of shares owned by them, respectively, are as follows:

Names	Last known addresses	Number of shares
H. Nanri	Osaka, Japan	1,105
S. Tagawa	Osaka, Japan	1,050
K. Sasaoka	(Alien detention camp)	200
Total		2,355

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8686; Filed, September 3, 1942; 11:41 a. m.]

[1] 7 F.R. 5205.

[Vesting Order No. 62]

740 SHARES OF THE CAPITAL STOCK OF S. HATA SHOTEN, LIMITED

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

740 shares of $100 par value common capital stock of S. Hata Shoten, Limited, an Hawaiian corporation, the names and last known addresses of the owners of which, and the number of shares owned by them, respectively, are as follows:

Names	Last known addresses	Number of shares
Tamotsu Hata	Osaka, Japan	630
Sadanosuke Hata	Hiroshima, Japan	100
Mass Hata	Hiroshima, Japan	10
Total		740

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8687; Filed, September 3, 1942; 11:41 a. m.]

[Vesting Order No. 63]

988 SHARES OF THE CAPITAL STOCK OF ORANGE PETROLEUM CORPORATION AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

988 shares of no par value capital stock of Orange Petroleum Corporation, a Delaware corporation, the numbers of the certificates representing which, the number of shares represented by such certificates, and the names and last known addresses of the registered owners of which, are, respectively, as follows:

Certificate numbers	Number of shares	Names and addresses
16	532	James Lee Kauffman, 70 Pine Street, New York, New York, as trustee for Kawasaki Dockyard Company, Ltd., Kobe, Japan and/or the latter's successor Kawasaki Heavy Industries, Ltd., Osaka, Japan;
24	456	M. Itani, Kobe, Japan, as trustee for Kawasaki Dockyard Company, Ltd., Kobe, Japan and/or the latter's successor Kawasaki Heavy Industries, Ltd., Osaka, Japan;
Total	988	

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Kawasaki Dockyard Company, Ltd. and/or its successor Kawasaki Heavy Industries, Ltd. in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of them by said Orange Petroleum Corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Japan), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in sub-paragraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order; and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8688; Filed, September 3, 1942; 11:41 a. m.]

[Vesting Order No. 64]

ALL OF THE CAPITAL STOCK OF ASANO & COMPANY OF NEW YORK, INC.

Under the authorty of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Asano & Company of New York, Inc., a New York corporation, consisting of 500 shares of $100 par value common capital stock, the names of the registered owners of which, and the number of shares owned by them, respectively, are as follows:

Names:	Number of shares
F. L. MacWatty	200
F. G. Ruggles	150
R. L. Zeigler	150
Total	500

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determinations of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8689; Filed, September 3, 1942; 11:42 a. m.]

[Vesting Order No. 65]

ALL OF THE CAPITAL STOCK OF HEIDELBERG PRINTING MACHINERY CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of Heidelberg Printing Machinery Corporation, a New York corporation, consisting of 500 shares of $100 par value common stock owned by Schnellpressen Fabrik, A. G., Heidelberg, Germany.

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Schnellpressen Fabrik, A. G., in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Heidelberg Printing Machinery Corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in sub-paragraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8755; Filed, September 4, 1942; 10:51 a. m.]

[Vesting Order No. 69]

ALL OF THE CAPITAL STOCK OF SHINYEI CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Shinyei Corporation, a New York corporation, consisting of 500 shares of $100 par value common capital stock, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
Katshushi Katsuyama	Kobe, Japan	300
Chuzo Kosuge	Kobe, Japan	100
Takeshi Tashiro	Kobe, Japan	100
Total		500

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 42–8690; Filed, September 3, 1942; 11:42 a. m.]

[Vesting Order No. 71]

ASSETS OF HINODE PETROLEUM COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Hinode Petroleum Company, Ltd., a Japanese corporation, Kobe, Japan, or its American branch located at Los Angeles, California,

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8691; Filed, September 3, 1942; 11:42 a. m.]

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return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8756; Filed, September 4, 1942; 10:51 a. m.]

[Vesting Order No. 73]

100 SHARES OF THE CAPITAL STOCK OF METRO STAMP CO. LTD., AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All right, title and interest of Vittorio LoBianco, whose last known address was represented to the undersigned as being Italy, in and to 100 shares of no par value common capital stock of Metro Stamp Co., Ltd., a New York corporation, which shares are registered in the name of, and held under a voting trust agreement by, Leo Walton, as attorney and trustee, 150 William Street, New York, New York,

is property of, and represents an interest in a business enterprise within the United States which is, a national of a designated enemy country (Italy); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Vittorio LoBianco in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by said Metro Stamp Co., Ltd., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Italy), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in sub-paragraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8757; Filed, September 4, 1942; 10:51 a. m.]

[Vesting Order No. 74]

1,523 SHARES OF THE CAPITAL STOCK OF THE AMERICAN PLATINUM WORKS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, finding that the property described as follows:

1,523 shares of $100 par value common capital stock of The American Platinum Works, a New Jersey corporation, owned by W. C. Heraeus, G. m. b. H., Hanau, Germany,

is property of, and represents an interest in a business enterprise within the United States which is, a national of a designated enemy country (Germany), and

determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, assserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8757; Filed, September 4, 1942; 10:51 a. m.]

[Vesting Order No. 75]

ASSETS OF S. ISHIMITSU COMPANY

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Sueo Ishimitsu, Kobe, Japan in and to S. Ishimitsu Company, the name under which he maintains offices and does business in Los Angeles and San Francisco, California, and all property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said Sueo Ishimitsu or S. Ishimitsu Company,

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Japan), and determining that to the extent that either or both of such nationals are persons not

within a designated enemy country, such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan), or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8692; Filed, September 3, 1942; 11:43 a. m.]

[Vesting Order No. 76]

6,800 SHARES OF THE CAPITAL STOCK OF JAPAN COTTON COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

6,800 shares of the common capital stock of Japan Cotton Company, a Texas corporation, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
T. Katayama	Osaka, Japan	500
S. Matsui	Osaka, Japan	500
U. Miyagi	Osaka, Japan	500
Y. Nishijima	Osaka, Japan	300
T. Hishida	Osaka, Japan	200
T. Shibata	Osaka, Japan	200
K. Nagayama	Osaka, Japan	100
M. Yamakawa	Osaka, Japan	2,000
S. Tsukaguchi	Osaka, Japan	2,000
T. Ozawa	Japan (by repatriation)	300
M. Yamamoto	Japan (by repatriation)	200
Total		6,800

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8693; Filed, September 3, 1942; 11:43 a. m.]

[Vesting Order No. 77]

ASSETS OF KAWASAKI KISEN KAISHA, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Kawasaki Kisen Kaisha, Ltd., a Japanese corporation, Kobe, Japan, or any and all of its three American branches located at: 8–10 Bridge Street, New York, New York; 311 California Street, San Francisco, California, and 1225 Exchange Building, Seattle, Washington,

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8694; Filed, September 3, 1942; 11:43 a. m.]

[Vesting Order No. 78]

ASSETS OF ASANO BUSSAN COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Asano Bussan Company, Ltd., a Japanese corporation, Tokyo, Japan, or any and all of its three American branches located at: 165 Broadway, New York, New York, 587 Chamber of Commerce Building, Los Angeles, California, and 2203 Exchange Building, Seattle, Washington,

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8695; Filed, September 3, 1942; 11:43 a. m.]

[Vesting Order No. 79]

ASSETS OF MORIMURA BROS., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Morimura Bros., Inc., a Japanese corporation, Tokio, Japan, or its American branch located at 53 West 23rd Street, New York, New York,

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8696; Filed, September 3, 1942; 11:43 a. m.]

[Vesting Order No. 80]

ASSETS OF KAWASAKI KISEN KABUSHIKI KAISHA

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Kawasaki Kisen Kabushiki Kaisha, a Japanese corporation, Kobe, Japan, or its American branch located at San Francisco, California,

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8697; Filed, September 3, 1942; 11:44 a. m.]

[Vesting Order No. 81]

ASSETS OF IWAI & COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Iwai & Company, Ltd., a Japanese corporation, Osaka, Japan, or its American branch located at 233 Broadway, New York, New York.

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8698; Filed, September 3, 1942; 11:45 a. m.]

[Vesting Order Number 82]

ALL CAPITAL STOCK OF TOYO MACHINE CO., INC., AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of Toyo Machine Co., Inc., a New York corporation, consisting of 100 shares of no par value common stock registered in the name of Toyo Machine Co., Osaka, Japan.

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Toyo Machine Co., Osaka, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Toyo Machine Co., Inc., a New York corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Japan), and determining that the property described in this subparagraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in sub-paragraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8699; Filed, September 3, 1942; 11:45 a. m.]

[Vesting Order No. 83]

ALL OF THE CAPITAL STOCK OF S. SUZUKI & CO. OF NEW YORK, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of S. Suzuki & Co. of New York, Ltd., a New York corporation, consisting of 1,000 shares of $100 par value common stock owned by S. Suzuki & Co., Ltd., a Japanese corporation, Tokyo, Japan,

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Japan), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8700; Filed, September 3, 1942; 11:46 a. m.]

[Vesting Order No. 84]

2,500 SHARES OF THE CAPITAL STOCK OF ATLANTIC ASSETS CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

2,500 shares of no par value capital stock of Atlantic Assets Corporation, a Delaware corporation, owned by the persons whose names, last known addresses and number and class of shares owned by them, respectively, are as follows:

Names	Last known addresses	Class A preferred stock	Class B common stock
Mrs. Claere Hugo Stinnes.	Schlossstrasse 54, Muelheim-Ruhr, Germany.	750	750
Hanns H. Stinnes.	Uhlenhorstweg 10a, Muelheim-Ruhr, Germany.	250	250
Mrs. A. Fischer...	Kriegsbergstrasse 15, Stuttgart, Germany.	250	250
Totals.....	.....	1,250	1,250

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8758; Filed, September 4, 1942; 10:51 a. m.]

[Vesting Order No. 87]

7,405 SHARES OF THE CAPITAL STOCK OF GOSHO COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

7,405 shares of $100 par value common capital stock of Gosho Company, Inc., a Texas corporation, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
Ichitaro Abe.....	Osaka, Japan....	600
Iwao Asahi.....	Osaka, Japan....	400
Shigetoshi Kida.....	Osaka, Japan....	100
Yohei Kitagawa.....	Osaka, Japan....	500
Rinosuke Murata.....	Osaka, Japan....	600
Hichirobei Nose.....	Osaka, Japan....	1,000
Chozo Nishikawa.....	Osaka, Japan....	5
Tsuguo Nambu.....	Osaka, Japan....	25
Takeshiro Nishikawa.....	Osaka, Japan....	50
Masaru Nakao.....	Osaka, Japan....	600
Toshiharu Takeuchi.....	Osaka, Japan....	500
Genichiro Wakabayashi.....	Osaka, Japan....	25
Kunio Yamada.....	Osaka, Japan....	875
Motojiro Yoshida.....	Osaka, Japan....	600
Kyujiro Akashi.....	(Alien detention camp.)	575
Kenjiro Emura.....	(Alien detention camp.)	50
Ryoso Sasaki.....	(Alien detention camp.)	500
Shinnosuke Iwai.....	Japan (by repatriation).	400
Total.....	.....	7,405

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used hercin

shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 31, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8701; Filed, September 3, 1942; 11:46 a. m.]

[Vesting Order No. 88]

66⅔ SHARES OF THE CAPITAL STOCK OF AFRICAN-ASIATIC TRADING CO., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

66⅔ shares of the common capital stock of African-Asiatic Trading Co., Inc., a New York corporation, owned by H. N. Capelluto whose last known address was represented to the undersigned as being Kobe, Japan,

is property of, and represents an interest in a business enterprise within the United States which is, a national of a designated enemy country (Japan); and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 31, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8702; Filed, September 3, 1942; 11:46 a. m.]

GEORGE EHRET BREWERY, INC., AND GEORGE EHRET PROPERTIES, INC.

[Vesting Order No. 90]

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

2,370 shares of no par value common capital stock of George Ehret Brewery, Inc., a New York corporation, and

60 shares of no par value common capital stock of George Ehret Properties, Inc., a New York corporation,

all of which shares in both of said corporations are registered in the name of Carl Stangen whose last known address was represented to the undersigned as being in Germany,

is property of a national, and represents interests in business enterprises within the United States which are nationals, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8759; Filed, September 4, 1942; 10:52 a. m.]

[Vesting Order No. 91]

998 SHARES OF THE CAPITAL STOCK OF KATAKURA CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

998 shares of $100 par value common capital stock of Katakura Corporation, a New York corporation, which is a business enterprise within the United States, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
Katakura and Company, Ltd., a Japanese corporation	Tokyo, Japan	991
Buhichi Komura	Japan	1
Masuo Kobayashi	Japan	1
Yasuto Ariga	Japan	1
Senzo Usui	Japan	1
Eiki Yano	Japan	1
Takeshi Baba	Japan	1
Masumi Hanaoka	(Alien detention camp.)	1
Total		998

is property of nationals, and represents control of said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian.

This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8703; Filed, September 3, 1942; 11:46 a. m.]

[Vesting Order No. 92]

ALL OF THE CAPITAL STOCK OF MOGI, MOMONOI & CO., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of Mogi, Momonoi & Co., Inc., a New York corporation, which is a business enterprise within the United States, consisting of 1,870 shares of $100 par value common stock, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
H. Hirano	Yokohama, Japan	35
H. Ichikawa	Nagoya, Japan	66
K. Ionye	Yokohama, Japan	25
I. Kikuchi	Tokio, Japan	70
S. Kuchi	Yokohama, Japan	125
Kintaro Mogi	Yokohama, Japan	264
Kohei Mogi	Yokohama, Japan	35
S. Mogi	Yokohama, Japan	200
T. Momonoi	Yokohama, Japan	523
Y. Momonoi	Yokohama, Japan	10
K. Ohata	Yokohama, Japan	45
Montaro Sakurai	Nagoya, Japan	45
Mitsuji Sakurai	Nagoya, Japan	80
R. Soyejiwa	Yokohama, Japan	30
Y. Takahashi	Yokohama, Japan	45
Y. Wakamiya	Tokio, Japan	125
K. Yamamoto	Yokohama, Japan	22
S. Yanase	Nagoya, Japan	125
Total		1,870

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of T. Momonoi and Y. Wakamiya, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of them by said Mogi, Momonoi & Co., Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Japan), and determining that the property described in this subparagraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8704; Filed, September 3, 1942; 11:46 a. m.]

[Vesting Order No. 95]

ALL OF THE CAPITAL STOCK OF RONDAK CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Rondak Corporation, a Delaware corporation, consisting of 70 shares of $100 par value common stock, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses	Number of shares
Erich Muller, Josefstr. 4, Dresden A-20, Germany	10
Otto von Muller, Weissagk, Post Wendisch, Drehna, Germany	10
Horst Muller, Gustavheim, Dresden, Payretz, Germany	10
Fritz Muller Seidenberg, Ober Lausitz, Germany	10
Cacilie Duderstaedt, Dresdnerstr. 43, Chemnitz, Germany	10
Elisabeth Wiede, Gellerstr. 4, Dresden, Germany	10
Annemarie Christoffers, Angelikastrasse 1, Dresden, N. 6, Germany	5
Elisabeth Sievert, Maidstag. 4, Soran, N. L., Germany	5
Total	70

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian

to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8760; Filed, September 4, 1942; 10:52 a. m.]

[Vesting Order No. 96]

728 SHARES OF THE CAPITAL STOCK OF TSUTAKAWA & CO.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

728 shares of $100 par value common capital stock of Tsutakawa & Co., a Washington corporation, which is a business enterprise within the United States, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
S. Tsutakawa	Kobe, Japan	718
George J. Tsutakawa	(Alien detention camp)	10
Total		728

is property of nationals, and represents control of said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 6, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8705; Filed, September 3, 1942; 11:47 a. m.]

[Vesting Order No. 98]

INTEREST OF ROHM & HAAS, A. G. IN A CERTAIN CONTRACT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Rohm & Haas, A. G., Darmstadt, Germany, in and to that certain contract by and between said Rohm & Haas, A. G. and Rohm & Haas Company, a Delaware corporation, executed under date of November 24, 1934 by said Rohm & Haas Company, and under date of January 30, 1935 by said Rohm & Haas, A. G., and amended under date of July 5, 1939, and all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said Rohm & Haas, A. G., by virtue of the aforesaid contract,

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property is itself an interest held therein by, a national of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8761; Filed, September 4, 1942; 10:52 a. m.]

[Vesting Order No. 100]

ALL OF THE CAPITAL STOCK OF BODEE REALTY CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Bodee Realty Corporation, a New Jersey corporation, which is a business enterprise, consisting of 100 shares of no par value common stock, the names of the owners of which, and the number of shares owned by them respectively, are as follows:

Names:	Number of shares
Willy Bolle	50
Emil Detzel	50
Total	100

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 7, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8762; Filed, September 4, 1942; 10:58 a. m.]

[Vesting Order No. 101]

ALL OF THE CAPITAL STOCK OF BOLLE AND DETZEL, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Bolle and Detzel, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 200 shares of $100 par value common stock, the names of the owners of which, and the number of shares owned by them respectively, are as follows:

Names:	Number of shares
Willy Bolle	100
Emil Detzel	100
Total	200

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 7, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8763; Filed, September 4, 1942; 10:52 a. m.]

[Vesting Order No. 103]

VESTING 2,690 SHARES OF THE CAPITAL STOCK OF BANCO DI NAPOLI TRUST COMPANY OF CHICAGO

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

2,690 shares of the common capital stock of Banco di Napoli Trust Company of Chicago, an Illinois corporation, registered in the name of Banco di Napoli, Direzione Generale, Naples, Italy,

is property of, and represents control of a business enterprise within the United States which is, a national of a designated enemy country (Italy), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order of Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 11, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8764; Filed, September 4, 1942; 10:52 a. m.]

[Vesting Order No. 104]

12,152 SHARES OF THE CAPITAL STOCK OF CENTRAL AMERICAN PLANTATIONS CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

(i) 9,824 shares of $100 par value common capital stock of Central American Plantations Corporation, a Delaware corporation, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are set forth in Exhibit A attached hereto and made a part hereof, and

(ii) all of the property hereinafter described in subparagraphs (b) and (c).

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Germany); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and to the extent that any or all of the holders of any or all of the shares to which reference is made in sub-paragraphs (a), (b) and (c) hereof are persons not within a designated enemy country, such holders

are persons controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country;

(b) That the property described as follows:

2,088 additional shares of similar stock of the aforesaid Central American Plantations Corporation, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are set forth in Exhibit B attached hereto and made a part hereof,

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a foreign country (Guatemala); and

(c) That the property described as follows:

240 additional shares of similar stock of the aforesaid Central American Plantations Corporation registered in the name of Geo. Ehni & Co., whose last known address was represented to the undersigned as being Pelikanstrasse 2, Zurich, Switzerland,

is property of, and represents an interest in a business enterprise within the United States which is, a national of a foreign country (Switzerland);

and having determined, and certified to the Secretary of the Treasury, that it is necessary in the national interest to vest the property hereinbefore described in sub-paragraphs (b) and (c), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all the property hereinbefore described in sub-paragraphs (a), (b) and (c), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

9,824 shares of the capital stock of Central American Plantations Corporation, the names and last known addresses of the registered owners of which, and the number of shares owned by them, respectively, are as follows:

Names and last known addresses	*Number of shares*
"Albingia" Versicherungs, A. G., c/o Guaranty Trust Co. of New York, Custody Collection Division, 140 Broadway, New York, New York	236
Dr. Max Andereya, Schaeferkamps, Allee 30, Hamburg, Germany	14
Hattie Bareiss, WWE, Stuttgart, Germany	50
Mrs. Hattie Bareiss, c/o Direktion Der Diskonto, Gesellschaft, Stuttgart, Germany	10
C. F. Berendt, Suedseehaus, Lange Muhren 9, Hamburg, Germany	10
E. Arturo Berndt, Frombergstrasse, Bautzen, Germany	4
Juan Bittkau, c/o Bremen Amerika Bank, Wachstr, Bremen, Germany	15
Essener Creditanstalt, Essen, Germany	2
Senora Maria Josefina de Kaltwasser, Wilhelmstr 7, Muenchen, Germany	1
Deutsche Bank, Kaiserlautern, Germany	24
Deutsche Bank und Disconto Gesellschaft, Filiale Stuttgart, Friedrichstrasse, Stuttgart, Germany	168
Eberhard de Voss, An Der Alster 52, IV, Hamburg, Germany	25
Dr. Th. Engelbrecht, Obendeich Bei Glueckstadt, I Holst., Germany	8
Dr. Paul Fechner, Hamburgerstrasse 99, Hamburg, Germany	25
Dr. Carl Feldberg, c/o Dresdner Bank, Hamburg, Germany	3
Eric Findel, Blankenese, Hamburg, Germany	30
Dr. H. Gottschalck, Ness 1, Hamburg, Germany	24
Fritz Graue, c/o Rektor Theodor Graue, Kloppstockstrasse, 28, Wesermuende G., Germany	10
Guillermo Gruetter, c/o Emil Gruetter, Burgdorf Hannover, Germany	1
Hagen & Co., Berlin W. S. 8, Charlotten Str. 58, Germany	14
Hermann & Hauswedell, Monkedamm 5, Hamburg 11, Germany	138
Heinrich Hoflich, Sandthorquai 17, Hamburg 8, Germany	20
Fritz Jungaberle, Pforzheim, Germany	50
Adolf Junge, Kellinghusen, Germany	12
Mrs. Marie Kort Nee Suhr, Ebstorf, Germany	30
Dr. Walter Lessing, Ostallee 1, Oberlahnstein, Germany	36
Ella Levy, Brahmsallee 23, Hamburg, Germany	24
"Likomba" Kamerun Bananen Gesellschaft, A. G., Hamburg, Germany	87
Bismarck Linie G. m. b. H., Grosse Elbstrasse 10, Altona, Germany	61
Willy H. Loubier, Mannheim F7, 20, Germany	3
Friedrich Wilhelm Joseph Mayerhoffer, c/o Dr. F. Mayerhoffer, Dammthorstrasse 27, Hamburg 36, Germany	36
H. J. Merck & Co., Hamburg, Germany	111
Bertha Meyer, Bahrenfelder Kirchenweg 65, Altona Bahrenfeld, Germany	120
Mrs. Anna Muller, c/o Dr. H. Gottschalck, Ness 1, Hamburg, Germany	4
Walter Muller, c/o J. F. Muller & Sohn, A. G., Steinstrasse, 10 Hamburg, Germany	60
Fritz Mumme, Baldamus Str. 6, Dresden A 46, Germany	78
Munds & Fester, Trostbrugke 1, Hamburg 11, Germany	138
W. Nordwald, Gr. Elbstrasse 10, Altona, Germany	21
Juan Ohms, Thelott Strasse 6, Augsburg, Germany	2
Bernard Randebrock, Naumburg A. S., Germany	20
Prof. Dr. Tom Ringel, Agnesstrasse 33, Hamburg 39, Germany	110
Mrs. Gertrud Schlottmann, c/o Dr. H. Gottschalck, Ness 1, Hamburg, Germany	23
J. Schulenburg, Gr. Elbstrasse 10, Altona, Germany	21
Dr. G. Sekler, Koenigstrasse 19 A, Stuttgart, Germany	50
Mrs. Wally Stumpf, c/o Filiale Dresden Der Direktion Der, Disconto Gesellschaft, Dresden, Germany	5
Joseph Susskind, Groeningerstrasse 5, Hamburg, Germany	4
Gustav Tonndorf, 14 Schlump, Hamburg, Germany	5
Mrs. Esther von Frankenberg, c/o Dr. Hans Nolte, Boersenbruecke 2 A, Hamburg, Germany	57
Freifrau Mechthilde von Mentzingen, Risstissen, Wuerttemberg, Germany	50
Frau Margarete Weygand, Generalswitwe, Wilhelmstrasse 54, Gartenhaus, Wiesbaden, Germany	48
Ernst Wittler, c/o Landeskredit Bank, Sachsen Anhalt, Eisleben Lutherstadt, Germany	2
Frau Elisabeth Zitelmann, Geb. von Conta, Coblenzerstrasse 89, Bonn, Germany	29
Tucker & Co., nominee for J. Henry Schroder Banking Corporation, 46 William Street, New York, New York, holding for the benefit of Schroder, Gebruder & Co., the latter's address being, Brodschrangen 35, Hamburg 11, Germany	109
Tucker & Co., nominee for J. Henry Schroder Banking Corporation, 46 William Street, New York, New York, held by The National City Bank of New York, New York, New York, for the benefit of Exportkreditbank, A. G., the latter's address being, Berlin, Germany	276
Hurley & Co., nominee for Th National City Bank of New York, New York, New York, holding for the benefit of Vereinsbank in Hamburg, the latter's address being, Hamburg, Germany	45
Schmidt & Co., nominee for Guaranty Trust Company, New York, New York, holding for the benefit of Bankgeschaft Beiger and Co., the latter's address being Behrenstrasse 33, Berlin W 8, Germany	8
Schmidt & Co., nominee for Guaranty Trust Company, New York, New York, holding for the benefit of Exportkreditbank, A. G., the latter's address being, Berlin, Germany	50

Names and last known addresses	*Number of shares*
E. Arthur Carter and L. D. Pickering & Co., nominees for Bank of The Manhattan Company, New York, New York, holding for the benefit of Exportkreditbank, A. G., the latter's address being, Berlin, Germany	370
E. Arthur Carter and L. D. Pickering & Co., nominees for Bank of The Manhattan Company, New York, New York, holding for Brinckman Wirtz & Co., the latter's address being, Hamburg, Germany	4,768
E. Arthur Carter and L. D. Pickering & Co., nominees for Bank of The Manhattan Company, New York, New York, holding for the benefit of Nottebohn & Co., the latter's address being, Hamburg, Germany	1,733
Lee & Co., nominee for Chase National Bank, New York, New York, holding for the benefit of Commerz Bank, the latter's address being, Berlin, Germany	4
Lee & Co., nominee for Chase National Bank, New York, New York, holding for the benefit of Exportkreditbank, A. G., the latter's address being, Berlin, Germany	6
Atlantic Assets Corporation, 420 Lexington Avenue, New York, New York, holding for the benefit of Prof. Hans Heinrich Schlubach, the latter's address being, Gabriel Riesser, Strasse 7, Hamburg, Germany	331
Total	9,824

EXHIBIT B

2,088 shares of the capital stock of Central American Plantations Corporation, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known add-esses	*Number of shares*
P. Doescher, Livingston, Guatemala	34
Ad. Giesemann & Co., La Reforma, Finca El Baluarte, Guatemala	205
J Francisco Hastedt, Guatemala City, Guatemala	64
Herman Hermanos, under the terms of the will of Enrique Herman, Esmeraldo, Guatemala	255
Herman Hermanos, Esmeralda, Colomba, Guatemala	1,043
Johannsen & Co., Quezaltenango, Guatemala	3
M. Knoetzsch, Nottebohm Hnos., Guatemala City, Guatemala	2
Curt Mueller, 7 Avenida Sur Noll, Guatemala City, Guatemala	8
Roberto Muenchmeyer, Finca 'Dolores' Mazatenango, Guatemala	4
Nottebohm Hnos., Guatemala City, Guatemala	201
Sapper & Co., Ltda., Coban, Guatemala	14
D. E. Sapper, Guatemala City, Guatemala	6
Fr. Schleehauf, Coban, Guatemala	17
Kurt Wulff, 10A Calle Ote. No. 9, Guatemala City, Guatemala	4
E. Arthur Carter and L. D. Pickering & Co., nominees for Bank of The Manhattan Company, New York, New York, holding for the benefit of Nottebohn Hnos. the latter's address being Guatemala City, Guatemala	128
Total	2,088

[F. R. Doc. 42–8767; Filed, September 4, 1942; 10:53 a. m.]

[Vesting Order No. 105]

ASSETS OF MITSUI AND COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Mitsui and Company, Ltd., a Japanese corporation, Tokyo, Japan, or any or all of its American branches located at: 350 Fifth Avenue, New York, New York; 465 California Street, San Francisco, California; and Exchange Building, Seattle, Washington; which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO. T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8706; Filed, September 3, 1942; 11:47 a. m.]

[Vesting Order No. 106]

ALL OF THE CAPITAL STOCK OF K. MIKIMOTO, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of K. Mikimoto, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 1,000 shares of no par value common stock, the names of the owners of which (the last known addresses of all of whom were represented to the undersigned as being in Japan) and the number of shares owned by them respectively, are as follows:

Names:	*Number of shares*
Kokichi Mikimoto	700
Kakichi Ikeda	80
Toranosuke Kato	60
Tetsuya Suzuki	30
Juzo Seo	50
Masaru Kuki	25
Shinkichi Nishikawa	25
Shintaro Wada	30
Total	1,000

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

[Vesting Order No. 107]

ASSETS OF THE CHUGOKU ELECTRIC POWER COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, The Chugoku Electric Power Company, Inc., a Japanese corporation, Hiroshima, Japan, or any or all of its American branches located at: 350 Fifth Avenue, New York, New York; 465 California Street, San Francisco, California; and Exchange Building, Seattle, Washington; which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO. T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8707; Filed, September 3, 1942; 11:47 a. m.]

[Vesting Order No. 108]

ASSETS OF THE KOBE ELECTRIC RAILWAY COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, The Kobe Electric Railway Company, Ltd., a Japanese corporation, Kobe, Japan, or any or all of its American branches located at: 350 Fifth Avenue, New York, New York; 465 California Street, San Francisco, California; and Exchange Building, Seattle, Washington; which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO. T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8708; Filed, September 3, 1942; 11:47 a. m.]

[Vesting Order No. 109]

ASSETS OF THE OSAKA ELECTRIC LIGHT COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, The Osaka Electric Light Company, Ltd., a Japanese corporation, Osaka, Japan, or any or all of its American branches located at: 350 Fifth Avenue, New York, New York; 465 California Street, San Francisco, California; and Exchange Building, Seattle, Washington; which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO. T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8709; Filed, September 3, 1942; 11:47 a. m.]

[Vesting Order No. 110]

ASSETS OF THE TOKYO ELECTRIC LIGHT COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, The Tokyo Electric Light Company, Inc., a Japanese corporation, Tokyo, Japan, or any or all of its American branches located at: 350 Fifth Avenue, New York, New York; 465 California Street, San Francisco, California; and Exchange Building, Seattle, Washington; which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO. T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8710; Filed, September 3, 1942; 11:47 a. m.]

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8707; Filed, September 3, 1942; 11:47 a. m.]

[Vesting Order No. 109]

INTEREST OF J. D. RIEDEL-E. DE HAEN, A. G. IN A CERTAIN CONTRACT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of J. D. Riedel-E. de Haen, A. G., Berlin, Germany, in and to that certain license agreement executed under date of December 4, 1935, and amended under date of March 6, 1941, by and between said J. D. Riedel-E. de Haen, A. G. and Riedel-de Haen, Inc., a New York corporation, and all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said J. D. Riedel-E. de Haen, A. G. by virtue of the aforesaid license agreement,

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property is itself an interest held therein by, a national of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8768; Filed, September 4, 1942; 10:53 a. m.]

[Vesting Order No. 110]

ALL OF THE CAPITAL STOCK OF RIEDEL-DE HAEN, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9035, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Riedel-de Haen, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 450 shares of $100 par value common stock, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses	*Number of shares*
J. D. Riedel-E. de Haen, A. G., Berlin, Germany	448
Franz E. Loes, New York, New York	1
Berthold H. Hahnebach, Montclair, New Jersey	1
Total	450

is property of, and represents control of said business enterprise which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8769; Filed, September 4, 1942; 10:53 a. m.]

[Vesting Order No. 111]

INTERESTS OF PARTNERS IN PETTINGELL MACHINE COMPANY

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest as copartners in and to Pettingell Machine Company, a Massachusetts partnership, which maintains an office and does business in Amesbury, Massachusetts, and which is a business enterprise within the United States, of Heni Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, and each of them, the last known address of each of whom was represented to the undersigned as being in Kessa, Hungary,

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Hungary), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Hungary) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8770; Filed, September 4, 1942; 10:53 a. m.]

[Vesting Order No. 113]

ALL OF THE CAPITAL STOCK OF AKAWO AND COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Akawo and Company, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 1,108 shares of $100 par value common capital stock, the names and last known addresses of the registered owners of which and the numbers of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
Akawo and Company, Ltd.	Kobe, Japan	210
Archibald C. Wirtz, held for the benefit of the aforesaid Akawo and Company, Ltd., Kobe, Japan.	Tuckahoe, New York	538
Thomas F. Wade, held for the benefit of the aforesaid Akawo and Company, Ltd., Kobe, Japan.	Maspeth, New York	180
Harriet F. Bloomberg, held for the benefit of the aforesaid Akawo and Company, Ltd., Kobe, Japan.	New York, New York	180
Total		1,108

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that

thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8771; Filed, September 4, 1942; 10:53 a. m.]

[Vesting Order No. 114]

ALL RIGHT, TITLE, INTEREST AND CLAIM OF DIDIER-WERKE, A. G.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Didier-Werke, A. G., Berlin, Germany, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by the aforesaid Refractories Improvement Company, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany), and determining that the property described in this subparagraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order; and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8708; Filed, September 3, 1942; 11:48 a. m.]

[Vesting Order No. 120]

50% OF THE CAPITAL STOCK OF REFRACTORIES IMPROVEMENT COMPANY AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

1,750 shares of no par value common capital stock of Refractories Improvement Company, a Delaware corporation, which is a business enterprise within the United States, registered in the name of Allen P. Green, Mexico, Missouri, as voting trustee for Didier-Werke, A. G., Berlin, Germany,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Didier-Werke, A. G., Berlin, Germany, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by the aforesaid Refractories Improvement Company, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany), and determining that the property described in this subparagraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order; and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8771; Filed, September 4, 1942; 10:54 a. m.]

[Vesting Order No. 122]

50% OF THE CAPITAL STOCK OF YOKOHAMA NURSERY COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

125 shares of $100 par value capital stock of Yokohama Nursery Company, Ltd., a New York corporation, which is a business enterprise within the United States, which shares are owned by S. Suzuki, whose last known address was represented to the undersigned as being in Japan,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Japan), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8709; Filed, September 3, 1942; 11:48 a. m.]

[Vesting Order No. 123]

94% OF THE CAPITAL STOCK OF B. WESTERMANN CO., INC., AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

940 shares of $100 par value common capital stock of B. Westermann Co., Inc., a New York corporation, which is a business enterprise within the United States, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses	*Number of shares*
August Scherl, G. m. b. H., Berlin Germany	599
Fides Treuhand, Gesellschaft, A. G. Bremen, Germany	41
Cautio Treuhand, G. m. b. H., Berlin, Germany	20
Ernest Eisele, holding for the account of the aforesaid Cautio Treuhand, G. m. b. H., 97 Fort Place, Staten Island, New York	280
Total	940

is property of nationals, and represents control of said business enterprise which is a ntional, of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of August Scherl, G. m. b. H. and the Berlin branch of B. Westermann Co., Inc., a New York corporation, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of them by said B. Westermann Co., Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is property which is in the process of administration by a person (namely, a trustee in bankruptcy) acting under judicial supervision (namely, that of the United States District Court, Southern District, New York) and which is payable or deliverable to, or claimed by, nationals of a designated enemy country (Germany); and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8772; Filed, September 4, 1942; 10:54 a. m.]

[Vesting Order No. 124]

97.619% OF THE CAPITAL STOCK OF WILLIAMSON COTTON CO.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

1,025 shares of $100 par value common capital stock of Williamson Cotton Co., a Texas corporation, which is a business enterprise within the United States, all of which shares are registered in the name of R. W. Williamson, whose last known address was represented to the undersigned as being in Dallas, Texas, 1,000 of which shares are held by said Williamson for the benefit of Bischoff & Co., Bremen, Germany, and/or Hans Kippenberg, who is interned at Fort Sam Houston, Texas, and 25 of which shares are held by said Williamson for the benefit of the aforesaid Kippenberg.

is property of nationals, and represents control of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8773; Filed September 4, 1942; 10:54 a. m.]

[Vesting Order No. 125]

ALL OF THE CAPITAL STOCK OF AMERICAN ASKANIA CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of American Askania Corporation, a Texas corporation, which is a business enterprise within the United States, consisting of 100 shares of $100 par value common stock, the names and last known addresses of the owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses	*Number of shares*
Max Roux, Potsdam, Germany, holding for the benefit of himself and/or Askania-Werke, A. G., Berlin Germany	97
Gerhard Stubbe, who is interned at Fort Sam Houston, Texas, holding for the benefit of the aforesaid Max Roux and/or Askania-Werke, A. G.	2
Albert J. DeLange, Houston, Texas, holding for the benefit of the aforesaid Max Roux and/or Askania-Werke, A. G.	1
Total	100

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8766; Filed September 4, 1942; 10:55 a. m.]

[Vesting Order No. 126]

ASSETS OF HAMBURG AMERICAN LINE—NORTH GERMAN LLOYD

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held (by John Schroeder, Managing Director, or his successor, Alfred Engelke, Treasurer, or his successor, and/or any and all others) on behalf of or on account of or owing to Hamburg-Amerikanische Packetfahrt, A. G. (Hamburg-American Line), Hamburg, Germany, and Norddeutscher Lloyd (North German Lloyd), Bremen, Germany, or either of them, or any or all of the American branches operated by such German corporations jointly under the name of Hamburg American Line—North German Lloyd.

is property of nationals, and represents an interest in a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country, such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8774; Filed September 4, 1942; 10:55 a. m.]

[Vesting Order No. 127]

ASSETS OF JAPAN TEA BUYING AGENCY

Under the authority of the Trading with the enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Kenzo Ikeda, whose last known address was represented to the undersigned as being in Shizuoka, Japan, in and to Japan Tea Buying Agency, the name under which he maintains offices and does business in New York, New York, which is a business enterprise within the United States, and all property of any nature whatsoever owned or controlled by, payable or deliverable to, or held (by Title Guarantee & Trust Company, New York, New York, and/or any or all others) on behalf of or on account of or owing to, said Kenzo Ikeda or Japan Tea Buying Agency,

is property of, and represents ownership of said business enterprise which is, a national of a designated enemy country (Japan), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian, a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8710; Filed, September 3, 1942; 11:48 a. m.]

[Vesting Order No. 130]

28.716% OF THE CAPITAL STOCK OF RESINOUS PRODUCTS & CHEMICAL COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

5,640 shares of $100 par value common capital stock of Resinous Products & Chemical Company, Inc., a corporation, which is a business enterprise within the United States, which shares are registered in the name of Chemie Holding, A. G., whose last known address was represented to the undersigned as being in Luxembourg and which are held for the benefit of the persons whose names and last known addresses, and the number of shares held for whom, are, respectively, as follows:

Names and last known addresses	*Number of shares*
Chemische Fabriken, Dr. Kurt Albert, G. m. b. H., Wiesbaden-Biebrich, Germany	4,933⅓
Dr. August Amann, Wiesbaden, Germany	400
Dr. Ewald Fonrobert, Wiesbaden, Germany	306⅔
Total	5,640

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8775; Filed, September 4, 1942; 10:55 a. m.]

[Vesting Order No. 131]

37.602% OF THE CAPITAL STOCK OF ROHM & HAAS COMPANY

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

18,801 shares of $100 par value common capital stock of Rohm & Haas Company, a Delaware corporation, which is a business enterprise within the United States, which shares are registered in the name of Otto Haas, Villanova, Pennsylvania, as trustee for Dr. Otto Rohm and the latter's children,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise

within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8776; Filed, September 4, 1942; 10:55 a. m.]

[Vesting Order No. 133]

ASSETS OF MITSUBISHI SHOJI KAISHA, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Mitsubishi Shoji Kaisha, Ltd., a Japanese corporation, Tokyo, Japan, or any or all of its three American branches located at: 120 Broadway, New York, New York; 417 Montgomery Street, San Francisco, California; and 1703 Exchange Building, Seattle, Washington; which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of such designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8711; Filed, September 3, 1942; 11:49 a. m.]

[Vesting Order No. 134]

ASSETS OF YAMACHO & COMPANY, LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, Yamacho & Company, Ltd., a Japanese corporation, Kobe, Japan, or its American branch located at Seattle, Washington, which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States require that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8712; Filed, September 3, 1942; 11:49 a. m.]

[Vesting Order No. 135]

ASSETS OF YAMASHITA LINES (YAMASHITA KISEN KABUSHIKI KAISHA)

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Yamashita Lines (Yamashita Kisen Kabushiki Kaisha), a Japanese corporation, Kobe, Japan, or its American branch located at New York, New York, which corporation is a business enterprise within the United States,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Cus-

tcdian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8713; Filed, September 3, 1942; 11:49 a. m.]

[Vesting Order No. 136]

ALL OF THE CAPITAL STOCK OF YAMASHITA SHIPPING COMPANY, AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of Yamashita Shipping Company, an Oregon corporation, which is a business enterprise within the United States, consisting of 1,000 shares of $50 par value common stock, the names and last known addresses of the owners of which and the number of shares owned by them respectively, are as follows:

Names	Last known addresses	Number of shares
Kawasaki Kisen Kabushiki Kaisha.	Kobe, Japan	490
Yamashita Kisen Kabushiki Kaisha.	Kobe, Japan	474
K. Yamashita	Tokyo, Japan	5
J. Nishimura	Japan (by repatriation).	25
George D. LaRoche	Portland, Oregon	5
W. T. Morgan	Portland, Oregon	1
Total		1,000

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Kawasaki Kisen Kabushiki Kaisha, a Japanese corporation, Kobe, Japan, and Yamashita Kisen Kabushiki Kaisha, a Japanese corporation, Kobe, Japan, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of them by said Yamashita Shipping Company, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Japan), and determining that the property described in this subparagraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8714; Filed, September 3, 1942; 11:49 a. m.]

[Vesting Order No. 138]

ALL OF THE CAPITAL STOCK OF CARL ZEISS, INC., AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigating, finding:

(a) That the property described as follows:

All of the capital stock of Carl Zeiss, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 1,000 shares of common stock, the names and last known addresses of the registered owners of which, the number of shares owned by them, and the numbers of the certificates representing which shares, are, respectively, as follows:

Names and last known addresses	Number of shares	Certificate numbers
Carl Zeiss, Jena, Germany	997	1
Karl A. Bauer, New York, New York, holding for the benefit of Carl Zeiss, Jena, Germany	1	2
Paul Henrichs, Jena, Germany	1	4
A. Longworth Love, Jr., New York, New York, holding for the benefit of Carl Zeiss, Jena, Germany	1	3
Total	1,000	.....

is property of nationals, and represents ownership of said business which is a national, of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Carl Zeiss, Jena, Germany, and Zeiss Ikon, Dresden, Germany, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of the n by said Carl Zeiss, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of such designated enemy country, and having made all determinations, and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date

hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8765; Filed, September 4, 1942; 10:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-595]

STANLEY CLARKE, TRUSTEE OF ASSOCIATED GAS AND ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of September, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Stanley Clarke, Trustee of Associated Gas and Electric Company; and

Notice is further given that any interested person may, not later than September 9, 1942, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such requests should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Trustee has presently outstanding Trustee's Certificates in the principal amount of $125,000, which mature on September 13, 1942. On or before the maturity date, $50,000 principal amount of the certificates will be retired. In order to avoid a default in the payment of the balance of the principal amount of the certificates, the Trustee proposes to enter into an agreement with the holders of the certificates extending the maturity dates of $75,000 principal amount of the certificates to September 13, 1943.

The Trustee has requested the Commission to issue its order permitting the declaration to become effective, or granting the application, not later than September 11, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8741; Filed, September 3, 1942; 3:15 p. m.]

Reference

SEP 10 1942

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 177

Washington, Wednesday, September 9, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Administration

Subchapter A—Commodity Standards and Standard Container Regulations

PART 26—GRAIN STANDARDS

AMENDMENT FIXING FEES AND CHARGES IN AN APPEAL OR A DISPUTE

By virtue of the authority vested in the Secretary of Agriculture by the United States Grain Standards Act (39 Stat. 482, as amended: 7 U.S.C. 1940 ed. 71-87), the following amendment to Title 7, Chapter I, Part 26, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Part 26, as amended and supplemented by 5 F.R. 2883 and 6 F.R. 417, 2675), is promulgated effective October 1, 1942.

Section 26.74 is amended to read:

§ 26.74 *Fees and charges.* The fee in an appeal or a dispute shall be fixed as follows:

(a) For bulk or sacked grain in carload lots, $2.00 per car;

(b) For bulk or sacked grain in a wagon or truck or in a lot of 75 sacks or less, $1.00 per wagon, truck, or lot;

(c) For a submitted sample or package of grain, $1.00 per sample or package;

(d) For all lots of grain other than those referred to in (a), (b), and (c) of this section, $1.00 per one thousand bushels or fraction thereof, with a minimum fee of $2.00.

Charges may be made for telegrams, express, parcel post, registry fees, travel expenses, and other items paid or incurred by the Department on account of an appeal or a dispute and for oral hearings, as will reimburse the Department; all such additional items to be determined by the Administrator. Unless otherwise stated in the findings in any appeal, the fee as prescribed by this regulation and no further charges, shall be deemed to be fixed and assessed.

Done at Washington, D. C., this 7th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8869; Filed, September 8, 1942; 11:42 a. m.]

Subchapter C—Regulation Under the Farm Products Inspection Act

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION AND CERTIFICATION)

AMENDMENT CHANGING BASIS FOR CHARGES

By virtue of authority vested in the Secretary of Agriculture by law (50 Stat. 730, sec. 12, 7 U.S.C., 499n), the following amendment, to become effective 30 days after the date of approval, to Title 7, Chapter I, Subchapter C, Part 51, Code of Federal Regulations, as published in the FEDERAL REGISTER on December 31, 1941 (6 F.R. 6817) is promulgated:

Section 51.36 is amended to read:

§ 51.36 *Basis for charges.* The fee for each lot of products inspected by a salaried inspector acting exclusively for the Department of Agriculture, except for peanuts, pecans, and other nuts, and except under the provisions of § 51.19, shall be on the following basis: For an inspection covering quality and/or condition, $4 when the quantity involved is more than ½ a carload of the customary size for such products in the area from which shipped but not more than a full carload, and $2.50 when the quantity involved is not more than ½ of such a carload, but the maximum fee for any carload not exceeding the customary size shall be $7.50. For each lot of peanuts, pecans, or other nuts inspected, except under § 51.19 the fee shall be $5 when the quantity involved is not more than a full carload, provided that different grades and varieties of peanuts shall be considered separate lots. When the lot involved is in excess of a carload the quantity shall be calculated in terms of carloads and fractions thereof of the customary size for such carloads and the carload rates aforesaid applied provided that said fractions shall be calculated in terms of fourths or next higher

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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fourths. When inspections are made on which formal certificates are not issued, as provided in § 51.19, or when the products inspected cannot readily be calculated in terms of carlots, or when the services rendered are such that a charge on the carload basis would be inadequate or inequitable, charges for inspection may be based on the time consumed by the inspector in connection with such inspections, computed at the rate of not to exceed $2 per hour, or the charges may be based upon the number of pounds or number of containers in the lot inspected, provided such charges are in substantial conformity with the hourly or carload rate.

Section 51.44 is hereby revoked. This revocation shall not affect the rights of any person who filed a declaration of intention pursuant to the regulation prior to January 16, 1942, and a refund may be made to any such person in compliance with the regulation.

Done at Washington, D. C. this 7th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8870; Filed, September 8, 1942; 11:42 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IV—Military Education

PART 45—AVIATION INSTRUCTION AT NON-FEDERAL ESTABLISHMENTS

AMENDMENT OF REGULATIONS

Sections 45.1 to 45.10, inclusive, issued under authority contained in 53 Stat. 556; 10 U.S.C. 298a, 298b, are hereby amended to read as follows. These regulations are also contained in AR 350-3500, July 29, 1942, the particular paragraphs being shown in brackets at end of sections.

Sec.
45.1 Specific application of these regulations.
45.2 Duties of the Commanding General, Army Air Forces.
45.3 Selection of institutions.
45.4 Responsibilities of institutions.
45.5 Agreements with institutions for instruction.
45.6 Military organization.
45.7 Duties of Army Air Forces supervisor.
45.8 Termination of status as student.
45.9 Property.
45.10 Loan of Government property.

AUTHORITY: §§ 45.1 to 45.10, inclusive, issued under 53 Stat. 556; 10 U.S.C. 298a, 298b.

§ 45.1 *Specific application of these regulations.* These regulations apply specifically to aviation instruction given military personnel in regularly established civil flying schools and in civil technical schools. Training at other educational institutions, industrial plants, or places under the authority of the act of April 3, 1939, as amended will be as prescribed by the Commanding General, Army Air Forces, and approved by the Secretary of War. [Par. 2]

§ 45.2 *Duties of the Commanding General, Army Air Forces.* The Commanding General, Army Air Forces, is responsible for coordination of instruction. He will exercise supervision over all military personnel at institutions. He will determine the numbers of officers and enlisted men required for administrative and supervisory duties and the numbers of students that are to be trained, and will recommend the detail or relief of such personnel to the War Department. He is charged with the issuance of necessary instructions not provided for in these regulations. [Par. 3]

§ 45.3 *Selection of institutions.* The selection of an institution to give instruction to military students will be made by the Commanding General, Army Air Forces. (a) The primary requirement for selection will be the suitability of an institution to accomplish satisfactorily the training projected by the Army Air Forces. Except for publicly aided vocational schools, a prerequisite to the selection of a civil school is the holding of a rating or letter of recognition from the Department of Commerce, Civil Aeronautics Administration, covering pertinent courses and subjects where the Administration takes cognizance of such instruction.

(b) The following factors when applicable will have special importance: (1) Geographical location as it influences the cost of Government transportation or other expense, and the functioning of the system of supply and repair of Government property.

(2) Capacity for instruction of military personnel insofar as it warrants the maintenance of the requisite governmental supervisory and administrative establishment thereat.

(3) Ability to maintain output of trained military personnel at a uniform rate.

(4) Ability to conduct the desired training without undue hazard to personnel or property.

(5) Conditions affecting health and safety of military personnel, and the preservation and maintenance of Government property.

(6) Availability of suitable housing and messing facilities adjacent to place of instruction.

(7) Adequacy of instructional facilities and methods, and quality of instruction.

(8) Adequacy of facilities for maintenance and preservation of Government property.

(9) Provisions for maintaining the governmental supervisory and administrative establishment. [Par. 4]

§ 45.4 *Responsibilities of institutions.* In addition to functions provided for elsewhere in these regulations, institutions will be required to agree to the following prior to the assignment of military personnel thereat for instruction:

(a) To provide adequate and satisfactory housing and messing facilities or make arrangements therefor at a reasonable cost to personnel concerned, for all military students assigned for instruction.

(b) To provide adequate and satisfactory office and other space required by Government administrative personnel in the performance of their assigned duties.

(c) To comply with regulations prescribed by proper civil authorities to insure safety and with such supplementary instructions issued by the Commanding General, Army Air Forces, or his representatives, in regard thereto and not in conflict therewith as may be deemed necessary in the premises.

(d) To save the Government harmless from liability for any injury or damage to persons and property, except Government personnel.

(e) To keep in the office of the school registrar and available to the Commanding General, Army Air Forces, or his representatives, complete records pertaining to the training and progress of each military student. Records should be kept as prescribed by the Commanding General, Army Air Forces.

(f) To give representatives of the Government access to books of account and records at such time as it may be necessary for the Government to determine actual cost of instruction.

(g) To open to inspection by Government representatives, at any time, all facilities employed for the training of military personnel. [Par. 5]

§ 45.5 *Agreements with institutions for instruction.* Services of schools will be procured by a contract in writing which will embody the terms and conditions governing the furnishing of the instruction contemplated herein. The cost of tuition for courses of instruction as authorized in these regulations will be established by negotiation. [Par. 6]

§ 45.6 *Military organization*—(a) *Organization*—(1) *Army Air Forces training detachments.* A military detachment will ordinarily be formed at institutions operating under the provisions of these regulations. All administrative and supervisory personnel (commissioned and enlisted), will be assigned to this detachment and all students will be attached. Detachments so organized will be appropriately designated by the Commanding General, Army Air Forces. The senior Air Corps officer on duty with each detachment will be designated the Army Air Forces supervisor, and will command the detachment unless otherwise provided in Army Regulations.

(2) *Districts.* For the purpose of properly supervising the training being conducted at schools in accordance with these regulations and properly coordinating activities of training and supply, the Commanding General, Army Air Forces, is authorized to divide the schools conducting military training into districts and to appoint a district supervisor in charge of each district. The duties and responsibilities of district supervisors will be as directed by the Commanding General, Army Air Forces.

(b) *Exemption from command.* Detachments formed under the provisions of these regulations will be exempt from service command. Services of Supply, supervision and control except for disciplinary matters and routine supply. [Par. 7]

§ 45.7 *Duties of Army Air Forces supervisor.* (a) The Army Air Forces supervisor will be an intermediary in all relations between the War Department and the institution at which he is assigned in matters pertaining to the instruction of military students thereat.

(b) In addition to his duties as commander of his detachment and such other duties as may be assigned by proper authority he will—

(1) Determine the continued adequacy and suitability of contractors' facilities and methods as they apply to the instruction of military students.

(2) Maintain contact with progress of military students and pass upon the eligibility of any student to receive a certificate of graduation.

(3) Determine the proficiency of students in their assignments at any time during the course of instruction.

(4) Be responsible for the discipline of military students at all times.

(5) Suspend the instruction of any military student when such action is necessary.

(6) Insure that no officer or enlisted man is conducting or pursuing any course of instruction at the school without proper authority of the War Department.

(7) Render reports prescribed by the Commanding General, Army Air Forces, and by pertinent Army Regulations. A special report will be submitted in writing covering any serious breach of contract or agreement on the part of any school or school representative, concerning which adequate corrective action has not been taken within a reasonable length of time. [Par. 8]

§ 45.8 *Termination of status as student.* An academic board composed of officers will be appointed as directed by the Commanding General, Army Air Forces, at each institution which has been designated to give aviation instruction to military personnel. This board will consider all cases that are referred to it by the Army Air Forces supervisor which involve the fitness of a student to continue instruction for any reason whatsoever and will make appropriate recommendations relating to the disqualification, discharge, or reinstatement of any student. The academic board will comply with such instructions as may be issued from time to time by the Commanding General, Army Air Forces. [Par. 9]

§ 45.9 *Property.* All Government-owned property required at institutions, regardless of the purpose for which intended, will be consigned to the commanding officer of the local Army Air Forces training detachment. Property transactions between the Army Air Forces supervisor and a school will be governed by § 45.10 (c) (2) (i). An accountable officer will be designated by the Commanding General, Army Air Forces, who will account for all Government property located at each institution. The Commanding General, Army Air Forces, will furnish each service command commander concerned with the name or designation of the accountable officer. [Par. 10]

§ 45.10 *Loan of Government Property*—(a) *General.* Property subject to loan will comprise any Government-owned property mentioned and described in sec. 4, 53 Stat. 556; 10 U.S.C. 298b. All loans of Government property will be made subject to return upon call of the Government, and without obligations upon the part of the Government to repair or replace the same in whole or in part unless otherwise specifically provided for by agreement in writing with the institution concerned.

(b) *Accredited aviation schools defined.* The term "accredited aviation schools" is defined as those flying schools or aviation mechanics schools that have been selected by the Commanding General, Army Air Forces, in accordance with § 45.3.

(c) *Eligibility for loans.* (1) The institution must be an accredited school within the definition of paragraph (b) of this section and under contractual obligations with the Government for the training of personnel of the Military Establishment pursuant to sec. 2, 53 Stat. 556; 10 U.S.C 298a.

(2) The detail of military personnel as students at institutions will not create any obligation on the part of the Government to provide property for the instruction of military students except as set forth in formal agreements that may be entered into by the Government with the institution concerned.

(d) *Administrative provisions.* (1) Loans of Government property, except serviceable aircraft, necessary for proper instruction at accredited aviation schools will be made at the discretion of the Commanding General, Army Air Forces. The quantity and nature of the property and the conditions under which loans will be made will be as determined by the Commanding General, Army Air Forces.

(2) Administrative details not inconsistent with these regulations respecting the loan of Government property and the maintenance thereof, including the extent to which an institution will be held responsible for replacement, repair, and overhaul, will be matters for determination by the Comanding General, Army Air Forces.

(c) *Procedure*—(1) *Requisitions.* Requests for the issue of Government property will be submitted by the institution to the Army Air Forces supervisor. When authorized, the issue to the institution will be made by the Army Air Forces supervisor, or if not on hand, will be obtained by him on requisition.

(2) *Loans.* (i) Government property will be loaned to institutions by the Army Air Forces supervisor on memorandum receipt. Credit memorandum receipt will be furnished the institution by the Army Air Forces supervisor for property returned to the War Department.

(ii) The responsible head or corresponding executive of the institution will designate in writing a representative who will sign all property papers for the school in the name of the institution.

(iii) Reports concerning the quantity and condition of Government property in its possession will be rendered by the institution as required by the Commanding General, Army Air Forces.

(iv) The institution will make settlement for property held on memorandum receipt as required by the Army Air Forces supervisor.

(3) *Accounting.* Property will be accounted for as prescribed in § 45.9.

(f) *Transportation.* (1) Property authorized to be loaned under the provisions of § 45.10 (a) will be delivered to an institution through the Army Air Forces supervisor by air, rail, or motor transportation as the interests of the Government may require, at the expense of the Government, except for drayage as provided for in paragraph (b) of this section. The return of such property as requires rail or motor transportation, including property in the possession of the Army Air Forces supervisor, will be accomplished by the institution making delivery f. o. b. cars or motor truck city of the institution concerned, properly packed, boxed, crated, and prepared for domestic shipment to such destination as may be determined by the Government. The return of airplanes in condition for flight will be accomplished by the institution, set up, serviced, and made ready for flight at the flying field of the institution concerned.

(2) All drayage of Government property to and from air or mail terminal, city of institution concerned, will be furnished by and at the expense of the institution.

(3) The cost of transportation chargeable to the Government will be paid from funds allocated to the Commanding General, Army Air Forces.

(g) *Lost, damaged, or destroyed property.* (1) Government property which becomes unserviceable through fair wear and tear incident to the proper and authorized use thereof will occasion no liability to the institution. Such property may be returned to the Government for replacement or credit or should be repaired by the institution in accordance with the written agreement that is entered into with the Government for the instruction of military personnel.

(2) Government property lost, destroyed, or damaged by fire, theft, tornado, aircraft accident, or other similar causes, without fault or neglect on the part of the institution, its servants, or employees, will occasion no liability to the institution. To determine whether such loss, destruction, or damage was without fault or neglect on the part of the institution, its servants, or employees, a survey will be made as provided in AR 35–6640.[1] The surveying officer will be appointed in accordance with instructions issued by the Commanding General, Army Air Forces. Reports of survey for property in the possession of an institution will be prepared by the Army Air Forces supervisor.

(3) All other loss, damage, or deterioration of Government property for which an institution is responsible will be made good by the institution. The Chief of Finance will take the necessary action to secure reimbursement to the United States for such loss, destruction, damage, or deterioration.

(4) The Army Air Forces supervisor will report to the authorities of the institution in writing any facts, circumstances, or conditions which he believes to be prejudicial to the proper protection of Government property against loss through fire, floods, theft, tornado, accident, or other similar causes. In the event that proper corrective action is not taken by the institution as the result of such communication, report thereof will be made to the Commanding General, Army Air Forces. Access to all such reports will be afforded to surveying officers appointed under the provision of paragraph (b) of this section.

(5) The relief of institutions from liability in connection with property referred to above will in no way render inoperative any written agreement made by them with the Government for repairs and maintenance.

(h) *Maintenance and repair.* (1) The institution will keep and maintain property loaned to it in good repair and in the same condition as when received by it, usual wear, tear, and usage excepted, unless otherwise specifically provided for in written agreement made with the institution for the instruction of military personnel.

(2) Authorized Government representatives will have free access to all Government property loaned to an institution for the purpose of ascertaining the condition of such property and the manner in which it is being safeguarded, stored, maintained, and repaired.

(3) The Commanding General, Army Air Forces, may prescribe regulations that will facilitate proper inspection and maintenance of loaned Government property, when such regulations are consistent with the contractual obligations of the institution.

(i) *Care and safekeeping.* (1) None of the property owned by the Government and furnished to an institution under these regulations will be removed by the institution from the continental limits of the United States. Such property will not be utilized by the contractor for any other purpose than the instruction of military personnel or the performance of formal contracts pertaining to such instruction except where specifically authorized by the Commanding General, Army Air Forces.

(2) Proper storage facilities will be furnished by the institution for all Government property in its possession and in the possession of the Army Air Forces supervisor. The place and manner of storage will provide satisfactorily for the care and safekeeping of Government property and will be such as to prevent undue and avoidable deterioration.

(3) Government parts, accessories, and supplies will in no case be stored or mingled with the articles of a like nature that belong to an institution. The manner of storage will permit ready identification of the property that is loaned by the Government and facilitate its inventory when such action is required. [Pars. 11 to 19]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8848; Filed, September 7, 1942; 10:28 a. m.]

[1] Administrative regulations of the War Department relative to survey of lost, destroyed, or unserviceable property.

Chapter V—Military Reservations and National Cemeteries

PART 54—EXCHANGES

CONTRACTS FOR TEMPORARY BUILDINGS

Section 54.11 (f) and (g) is hereby amended to read as follows:

§ 54.11 *Contracts.*

* * * * *

(f) Contracts for the erection of temporary exchange buildings will contain a statement that the proposed construction is an exchange transaction and that the exchange alone is responsible for the debt, and not the Government.

(g) When applicable, contracts for the erection of temporary buildings will contain a statement that immediately upon completion of the building, title thereto passes to the exchange. See paragraph (f) of this section. (R. S. 161; 5 U. S. C. 22) [Par. 33*f* and *g*, AR 210–65, July 1, 1941, as amended by C 1, August 22, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8805; Filed, September 4, 1942; 3:56 p. m.]

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

MISCELLANEOUS AMENDMENTS

Sections 73.206, 73.209, 73.211 and 73.215 (b) (2) and (c), issued under authority contained in 55 Stat. 728; 10 U. S. C. Sup. 484, are hereby amended to read as follows: These regulations are also contained in AR 605–10, December 10, 1941, as amended by C1, dated August 11, 1942, the particular paragraphs being shown in brackets at end of sections.

§ 73.206 *Grades in which appointed.* Appointments may be made in any grade for which the appointee is qualified and eligible, subject to the following limitations:

(a) Appointments in the following categories will be limited to the grades indicated for each:

(1) Appointments in the Medical Corps, Dental Corps, Veterinary Corps, Sanitary Corps, and the Chaplains' Corps, first lieutenant to colonel, both inclusive.

(2) Appointments in the Medical Administrative Corps, second lieutenant to colonel, both inclusive.

(3) Appointments for assignment to The Judge Advocate General's Department, captain to colonel, both inclusive.

(4) Appointments for assignment to the Military Intelligence Department, second lieutenant to lieutenant colonel, both inclusive.

(b) Graduates of officer candidate schools will be initially appointed as second lieutenants only. [Par. 8]

§ 73.209 *Appointments, how made.* Appointments will be without reference to an arm or service, except that, in the case of appointment as a chaplain or for service with the Medical Department, the service for which appointed will be stated in the notice of appointment. [Par. 11]

§ 73.211 *Assignment.* (a) When an officer appointed in the Army of the United States, other than a chaplain or an officer of the Medical Department, is ordered to active duty, the orders placing him on active duty will designate, where appropriate, the arm or service to which he is assigned.

(b) An officer appointed in the Army of the United States and assigned to a branch immaterial position not allotted to a particular arm or service will be designated as Army of the United States without reference to arm or service.

(c) Persons appointed from civilian status without previous military experience will not be assigned to duty with units of the field forces unless they have completed not less than 6 months' active military service as a commissioned officer subsequent to appointment, and have satisfactorily completed an appropriate course of instruction at a special service school of the arm or service to which they are assigned, except in the following cases:

(1) Persons assigned to units and installations of the Army Air Forces.

(2) Persons assigned to positions on the special staff of divisions or higher echelons.

(3) Persons appointed in the Medical Department or for duty as a chaplain.

(4) Persons appointed and assigned to affiliated units and who may be ordered to field duty with their units when the units reach satisfactory training level for service in the field.

(5) Persons assigned to units organized for Services of Supply installations and activities not organically assigned to tactical units of the field forces and whose duties are primarily technical in nature.

(d) Officers appointed in the Army of the United States will be subject to the administrative jurisdiction and control governing Reserve officers on similar assignments and will be vested with the same right to exercise command in accordance with existing regulations as is vested in officers of the Army who are permanently commissioned. [Par. 13]

§ 73.215 *Methods of separation.*

* * * * *

(b) *Discharge and dismissal.* * * *

(2) (i) Any officer initially appointed in the Army of the United States from civil life, who during the first 12 months of his current active service fails to complete satisfactorily any course of instruction he is required to undergo or exhibits habits or traits of character undesirable in an officer, may be relieved from active duty and his appointment terminated upon the recommendation of the division or corresponding commander concerned, or any higher commander. Recommendations for termination of appointment in such cases will be forwarded to The Adjutant General, with a report of the circumstances in each case.

(ii) All other officers of the Army of the United States, including those appointed from civil life, with more than 12 months' current active service, who are deemed unfit for any reason will be processed in accordance with the provisions of AR 605–230.[1]

[1] Administrative regulations of the War Department relative to reclassification of commissioned officers.

(3) Except in case of dismissal pursuant to sentence of a general court martial, an officer on active duty will be returned to his home and relieved from active duty prior to the effective date of termination of commission [Par. 25].

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8806; Filed, September 4, 1942; 3:56 p. m.]

PART 76—CARE AND DISPOSITION OF INSANE

MISCELLANEOUS AMENDMENTS

Sections 76.1 and 76.2 are hereby amended to read as follows:

§ 76.1 *Transfer to care of nearest known relative.* Insane persons requiring institutional care will be transferred to the custody of the nearest known relative upon their request; provided, the relative produces satisfactory evidence that proper care for the insane person concerned will be provided. This evidence will consist of affidavits from those concerned declaring that they are willing and have the necessary financial means to provide adequate care and treatment. The relative receiving an insane person will be required to receipt for the articles of clothing and baggage belonging to the patient. The patient's money and other valuables will be turned over to the person authorized by law to receive them in the insane person's behalf, upon presentation of proper evidence of such authorization. (R. S. 161; 5 U.S.C. 22) [Par. 7, AR 600-500, August 7, 1942]

§ 76.2 *Applicants for enlistment or selectees.* Applicants for enlistment or selectees discovered to be insane after arrival at a military station, and before the completion of their enlistment or induction, will be disposed of as follows:

(a) Those whose liberation will be unattended by danger to themselves or others will be rejected and disposed of under the regulations governing the disposal of other rejected applicants or selectees.

(b) Those whose insanity is of a type that would probably make their liberation dangerous to themselves or others will be delivered to relatives or to the civil authorities designated by law to apply for the commitment of insane persons residing in the place where they applied for enlistment or at place of induction. The station commander will provide the necessary escort for such delivery, and issue the necessary travel orders, transportation, and subsistence (in kind or by commutation, as may be most suitable). If they refuse to accept the insane person, report will be made to The Adjutant General.

(c) The effects of the patient will be inventoried, and his money and valuables will be secured for disposition as indicated below; his other personal effects will be sent with him as baggage to his destination. The relative or the local committing authorities, as the case may be, will be advised that the patient's money and valuables are subject to the orders of the person legally authorized to receive the same in the insane man's behalf upon presentation of proof of such authority. (R.S. 161; 5 U.S.C. 22) [Par. 9*a*, *b*, AR 600-500, August 7, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8804; Filed September 4, 1942; 3:56 p. m.]

Chapter IX—Transport

PART 93—TRANSPORTATION OF INDIVIDUALS

DEPENDENTS

Section 93.1 (d) (3) and (4) is hereby amended to read as follows:

§ 93.1 *Dependents.*

* * * * *

(d) *Between what places furnished.* Transportation may be furnished:

* * * * *

(3) From the old station to any point, when for public reasons the dependents are not permitted by the War Department to proceed to the new station in an oversea department, upon deposit with the issuing transportation officer of the excess cost over and above that from the old station to the appropriate port of embarkation en route to the new station.

(4) From any point to the new station in an oversea department, when for public reasons the dependents were not permitted under the orders directing the change of station to proceed to the new station, but have subsequently been authorized by the War Department to proceed to the new station, upon deposit with the issuing transportation officer of the amount by which the cost to the Government of transportation previously furnished under (3) above plus the cost of that to be furnished under this authorization exceeds the cost from the old station to the appropriate port of embarkation en route to the new station.

(R. S. 161; 5 U. S. C. 22) [Par. 7*e*, AR 30-920, Oct. 4, 1935, as amended by C3, Aug. 22, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8860; Filed, September 7, 1942; 11:37 a. m.]

PART 93—TRANSPORTATION OF INDIVIDUALS

MISCELLANEOUS AMENDMENTS

Sections 93.15 (b) (4), 93.16 (b), and 93.17 (a) are hereby amended to read as follows:

§ 93.15 *When and to whom sleeping-car and similar accomodations furnished; allowances.*

* * * * *

(b) *Tourist accomodations.*

* * * * *

(4) *Alternative allowances; reservations.* The alternative allowances (upper and lower berths; tourist or standard accommodations) provided for in subparagraphs (1), (2), and (3) of this section contemplate the furnishing of the most economical accommodations available on the train (and connecting trains en route) which the persons enumerated are required to use so as to carry out their orders. The higher cost berths and/or accommodations will be utilized only for such distance that those of lower cost are not available. The transportation officer furnishing the transportation will endeavor, through the carrier's agent, to reserve, so far as practicable, the required accommodations for the entire journey, except that the Chief of Transportation will arrange for accommodations in the case of movements which are routed by him under existing regulations, except that under AR 615-500 (now MR 1-7)[1] transportation officers at induction stations arrange for any accommodations authorized herein, in connection with routings prescribed by the Chief of Transportation. See § 93.20., (R.S. 161; 5 U.S.C. 22) [Par. 2*b*, AR 30-925, Oct. 8, 1935, as amended by C 2, August 22, 1942]

§ 93.16 *Physically disabled persons.*

* * * * *

(b) Whenever a physically disabled person may be expected to be noisy, ill-mannered, unpresentable, or otherwise objectionable to the public, or is in such physical condition as to require exclusive accommodations, the responsible medical officer will furnish the transportation officer issuing the transportation request with a certificate, in duplicate, stating that the condition of the person requires exclusive accommodations. Attendants will be provided at all times for such physically disabled persons. Accommodations will be furnished for such physically disabled persons and their attendants in compartments or drawing rooms in parlor cars or sleeping cars where the total number of persons (physically disabled persons and attendants) in one movement is 49 or less. The responsible medical officer will determine in each case of such movements the number of attendants required, the class of accommodations required (that is, compartments or drawing rooms), and the total number of persons (physically disabled persons and attendants), not less than two, to occupy each compartment or drawing room. A statement of this determination will be included by the medical officer in the above-mentioned certificate furnished the transportation officer, who will enter on the top right corner of the original certificate the serial number of the transportation request and forward such original certificate immediately to the disbursing officer designated to pay the carrier's bill. (R.S. 161; 5 U.S.C.) [Par. 3*b*, AR 30-925, Oct. 8, 1935, as amended by C 2, August 22, 1942]

* * * * *

[1] Administrative regulations of the War Department relative to reception of selective service men.

§ 93.17 *Insane.* (a) Whenever transportation is required for any person who is insane, or who is undergoing observation for insanity or mental disorders, the responsible medical officer will furnish transportation officer issuing the transportation request with a certificate, in duplicate, as to such mental condition of the person. Attendants will be provided at all times for such mental cases. Accommodations will be furnished for such mental cases and their attendants in compartments or drawing rooms in parlor cars or sleeping cars where the total number of persons (mental cases and attendants) in one movement is 49 or less. The responsible medical officer will determine in each case of such movements the number of attendants required, the class of accommodations required (that is, compartment or drawing rooms), and the total number of persons (mental cases and attendants), not less than two, to occupy each compartment or drawing room. A statement of this determination will be included by the medical officer in the above-mentioned certificate furnished the transportation officer who will enter on the top right hand corner of the original certificate the serial number of the transportation request and forward such original certificate immediately to the disbursing officer designated to pay the carrier's bill. (R.S. 161, 5 U.S.C. 22) [par. 4*a*, AR 30-925, Oct. 8, 1935, as amended by C 2, Aug. 22, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8859; Filed, September 7, 1942; 11:37 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4536]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CAPITOL PAINT & VARNISH WORKS, INC.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition.* In connection with offer, etc., in commerce, of respondent's paints, (1) using the words "Pure Lead—Pure Zinc—Pure Oil", or other words of like import, to designate, describe, or refer to any paint not exclusively composed of lead, zinc, and oil, except for the addition of the usual and customary quantities of tinting material, thinner, and drier; (2) representing, directly or by implication, that any paint contains any material or ingredient which it does not actually contain; and (3) representing, directly or by implication, that any paint contains materials or ingredients in quantities or proportions different from the actual quantities or proportions of such materials or ingredients in such paint; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Capitol Paint & Varnish Works, Inc., Docket 4536, August 31, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Capitol Paint & Varnish Works, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of its paints in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Pure Lead—Pure Zinc—Pure Oil," or other words of like import, to designate, describe, or refer to any paint not exclusively composed of lead, zinc, and oil, except for the addition of the usual and customary quantities of tinting material, thinner, and drier;

2. Representing, directly or by implication, that any paint contains any material or ingredient which it does not actually contain;

3. Representing, directly or by implication, that any paint contains materials or ingredients in quantities or proportions different from the actual quantities or proportions of such materials or ingredients in such paint.

It is further ordered, That the respondent shall, within sixty days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8814; Filed, September 5, 1942; 11:11 a. m.]

[Docket No. 4207]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BIGELOW-SANFORD CARPET COMPANY, INC.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Source or origin—Place—Domestic product as imported:* § 3.96 (a) *Using misleading name—Goods—Nature:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Domestic product as imported.* In connection with offer, etc., in commerce, of rugs or carpets, and among other things, as in order set forth, using the words "Persiamar" or "Kashamar," or any other word or name indicative of the Orient, to mark, designate, describe, or refer to rugs not made in the Orient and which do not possess all the essential characteristics and structure of the type of Oriental rug which they purport to be; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Bigelow-Sanford Carpet Company, Inc., Docket 4207, September 4, 1942]

§ 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.66 (c 20) *Misbranding or mislabeling—Manufacture:* § 3.66 (d) *Misbranding or mislabeling—Nature.* In connection with offer, etc., in commerce, of rugs or carpets, and among other things, as in order set forth, (1) using the words "true copies," "perfect copies," "reproductions," or any other words of similar import, to designate or describe rugs which are not replicas or duplicates of original Oriental rugs in every respect; (2) representing in any manner that the rugs manufactured and sold by it are true copies of museum Oriental rugs, or that they are reproductions of Oriental rugs; and (3) furnishing dealers buying its rugs with advertising copy intended to be inserted by such dealers in newspapers and other publications of general circulation, which contain one or more of the following statements with reference to respondent's rugs: "True copies of Sarouks, Kirmans, and Persians"; "Perfect copies of collectors' Orientals"; "Oriental rugs reproduced by those clever Bigelow weavers"; "True copies of museum Orientals"; "Amazing reproductions from the original Orientals"; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Bigelow-Sanford Carpet Company, Inc., Docket 4207, September 4, 1942]

In the Matter of Bigelow-Sanford Carpet Company, Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of September, A. D. 1942.

The Federal Trade Commission having further considered the order to cease and desist heretofore issued in the above-entitled cause on the 26th day of May, A. D. 1942,[1] and it appearing to the Commission that paragraph (2) of said order to cease and desist was indefinite and incomplete and that public interest required that said cause be reopened for

[1] 7 F.R. 4017.

the purpose of correcting said paragraph by the issuance of a modified order to cease and desist; and the Commission having heretofore entered its order upon the respondent to show cause within ten (10) days from date of service of said order, why a modified order to cease and desist should not be issued by the Commission amending said paragraph (2) of the order issued May 26, 1942, and ten days having elapsed since date of service of said order to show cause and no objections having been filed by the respondent; and the Commission having considered the record and being now fully advised in the premises:

It is ordered, That the respondent, Bigelow-Sanford Carpet Company, Inc., a corporation, its officers, directors, representatives, agents, and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of rugs or carpets in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the words "Persiamar" or "Kashamar," or any other word or name indicative of the Orient, to mark, designate, describe, or refer to rugs not made in the Orient and which do not possess all the essential characteristics and structure of the type of Oriental rug which they purport to be;

(2) The use of the words "true copies," "perfect copies," "reproductions," or any other words of similar import, to designate or describe rugs which are not replicas or duplicates of original Oriental rugs in every respect;

(3) Representing in any manner that the rugs manufactured and sold by it are true copies of museum Oriental rugs, or that they are reproductions of Oriental rugs;

(4) Furnishing dealers buying its rugs with advertising copy intended to be inserted by such dealers in newspapers and other publications of general circulation, which contain one or more of the following statements with reference to respondent's rugs: "True copies of Sarouks, Kirmans and Persians"; "Perfect copies of collectors' Orientals"; "Oriental rugs reproduced by those clever Bigelow weavers"; "True copies of museum Orientals"; "Amazing reproductions from the original Orientals."

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8858; Filed, September 7, 1942; 11:25 a. m.]

[Docket No. 4543]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MERIT HEALTH APPLIANCE CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondents' "Merit Short Wave Diathermy", or other similar device, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said device, which advertisements represent, directly or through inference, (1) that respondents' device is safe or harmless; or (2) that respondents' device constitutes a competent or effective treatment for, or will alleviate pain resulting from, rheumatism, arthritis, neuritis, bursitis, lumbago, sciatica, neuralgia, sinus trouble, female disorders, or any other ailment or disorder of the human body, unless such advertisement is specifically limited to those cases in which the condition is chronic rather than acute, and in which there is an absence of acute inflammation; or which advertisements fail to reveal clearly and conspicuously that respondents' device is not safe for use unless and until a competent medical authority has determined, as a result of diagnosis, that the use of diathermy is indicated, and has prescribed the frequency and rate of application of the treatments, and the user has been adequately instructed by a trained technician in the use of such device; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Merit Health Appliance Co., Docket 4543, August 31, 1942]

In the Matter of George S. Mogilner and James Walker, Individuals, Trading as Merit Health Appliance Co.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of August, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence, and briefs in support of and in opposition to the complaint (oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, George S. Mogilner and James Walker, individually and trading as Merit Health Appliance Co., or trading under any other name, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondents' device designated "Merit Short Wave Diathermy", or any other device of substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "Commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication,

(a) That respondents' device is safe or harmless;

(b) That respondents' device constitutes a competent or effective treatment for, or will alleviate pain resulting from, rheumatism, arthritis, neuritis, bursitis, lumbago, sciatica, neuralgia, sinus trouble, female disorders, or any other ailment or disorder of the human body unless such advertisement is specifically limited to those cases in which the condition is chronic rather than acute, and in which there is an absence of acute inflammation.

2. Dissemination or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to reveal clearly and conspicuously that respondents' device is not safe for use unless and until a competent medical authority has determined, as a result of diagnosis, that the use of diathermy is indicated, and has prescribed the frequency and rate of application of the treatments, and the user has been adequately instructed by a trained technician in the use of such device.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' device, which advertisement contains any representation prohibited in paragraph 1 hereof or which fails to contain the warning set forth in paragraph 2 hereof.

It is further ordered, That the respondents shall, within ten (10) days after service upon them of this order, file with the Commission an interim report in writing stating whether they intend to comply with this order, and, if so, the manner and form in which they intend to comply; and that within sixty (60) days after the service upon them of this order, the respondents shall file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-8886; Filed, September 8, 1942; 11:48 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—RULES AND REGULATIONS, SECURITIES ACT OF 1933

AMENDMENT TO REGULATION EXEMPTING CERTAIN ISSUES OF SECURITIES FROM REGISTRATION

Amendment to regulation under the act exempting from registration certain issues of securities whose aggregate offering price to the public does not exceed $100,000.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 3 (b) and 19 (a) thereof, and finding such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said Act, hereby takes the following action:

I. Section 230.221 [Rule 221] is amended by adding at the end of the rule the following new paragraph (i):

§ 230.221 *Securities excluded from exemption.* • • •

(i) Securities as to which a registration statement has been in effect in connection with the offering made under this regulation, before (1) the expiration of one year from the date of the last sale made pursuant to the registration statement by the issuer or other person on behalf of or for the benefit of whom the securities were registered or by any underwriter and (2) the effective date of an amendment to the registration statement removing from a registered status all the securities remaining unsold by the issuer or other person on behalf of or for the benefit of whom they were registered or by any underwriter.

II. Paragraph (b) of § 230.222 [Rule 222] is amended to read as follows:

§ 230.222 *Letter of notification.* An original and two copies of each letter of notification shall be filed, at least 24 hours prior to any public offering of securities under the regulation, with the regional office of the Commission for the region in which the issuer's principal place of business is located. Form 3-3b-1 may be used in supplying the information required to be set forth in the letter of notification.

Effective September 4, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8798; Filed, September 4, 1942; 2:22 p. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin No. 11]

PART 203—OPERATION

PURCHASE OF ASSETS

SEPTEMBER 4, 1942.

No hearing having been requested in accordance with the provisions of paragraph (d) of § 201.2 of the Rules and Regulations for the Federal Savings and Loan System after opportunity therefor was allowed in accordance with paragraph (b) thereof, paragraph (b) of § 203.13 of the Rules and Regulations for the Federal Savings and Loan System is amended, effective September 5, 1942 to read as follows:

§ 203.13 *Brokerage business and purchase and sale of loans.* • • •

(b) *Purchase of assets.* Federal associations shall primarily engage in lending their funds, but may incidentally purchase loans of a type which they are permitted to make: *Provided*, That no Federal association may purchase any mortgage from an affiliated institution or from an officer, director or employee of the association, or of a type that it is not authorized to make originally, without the prior approval of the Federal Home Loan Bank Administration. No Federal association may purchase an office building, or any part thereof, or land upon which to erect an office building, from an affiliated institution, from an officer, director or employee of the association, or from a corporation or association in which any officer, director or employee is a stockholder or is an officer, director or employee, or from a partnership in which any officer, director or employee is a partner, without the prior approval of the Federal Home Loan Bank Administration. (Sec. 5(a) 48 Stat. 132; 12 U.S.C. 1464(a); E.O. 9070, 7 F.R. 1529)

JAMES TWOHY,
Governor.

HAROLD LEE,
General Counsel,

ORMOND E. LOOMIS,
Executive assistant to the Commissioner.

[F. R. Doc. 42-8825; Filed September 5, 1942; 11:36 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter G—Enrollment and Reallotment of Indians

PART 51—ENROLLMENT OF MENOMINEE INDIANS, WISCONSIN

MISCELLANEOUS AMENDMENTS

The following sections of Part 51 are amended to read as follows:

§ 51.2 *Tribal roll.* The names of all persons entitled on June 15, 1934, to tribal rights with the Menominee Indian Tribe, pursuant to the terms and conditions of the act of June 15, 1934 (48 Stat. 965), as amended July 14, 1939 (53 Stat. 1003), shall be placed automatically on the official certified roll approved by the Secretary of the Interior on December 27, 1935, as modified June 30, 1941, pursuant to section 2 of the said act of July 14, 1939, requiring the placing thereon after the name of each Indian the degree of Menominee Indian blood possessed by such Indian, as determined by the Secretary of the Interior.

§ 51.3 *Names added to roll.* The Superintendent is responsible for the placing immediately on the official certified roll the names of all persons automatically enrolled under provisions of § 51.4 of this part and from time to time the names of all other persons who qualify for membership under §§ 51.5 to 51.20, inclusive, of this part.

§ 51.4 *Automatic enrollment of children.* Irrespective of the derivation of their Menominee blood, there shall be placed automatically on the official certified roll, upon the filing of proper birth certificates with the Superintendent, (a) names of unenrolled living Menominee Indian children named therein, born prior to June 15, 1934 of an enrolled parent or parents residing on the Menominee Reservation at the time of the births of such children and (b) the names of children born on or subsequent to June 15, 1934, who possess one-fourth or more Menominee Indian blood who were born of parents residing at the time of the births of such children upon the Menominee Reservation at least one of whom is an enrolled member of the Menominee Tribe.

§ 51.5 *Application for enrollment.* Any unenrolled person not entitled to automatic enrollment under § 51.4 of this part, may at any time apply to the Secretary of the Interior through the Superintendent of the Menominee Indian Reservation, to have his name placed on the official certified roll.

§ 51.13 *Back annuities.* Except in all cases of children whose names are automatically placed on the official certified roll as provided in § 51.4 of this part, persons whose names are placed on the official certified roll subsequent to June 15, 1934, shall share only in payments made after their names are placed on such roll. Children whose names are

automatically placed on the official certified roll shall participate in any tribal payments between the time of their births and enrollment.

§ 51.14 *Enrollees only to participate in payments.*—Subject to the exception contained in § 51.13 of this part, only persons whose names actually appear on the official certified roll at the time of a payment can participate therein; applications for back annuities by or for those persons subsequently enrolled cannot be considered.

51.19 *Decedents names stricken from official certified roll.* As the official certified roll is not final, the names of deceased enrollees shall be stricken therefrom as deaths occur.

(Sec. 1, 48 Stat. 965; sec. 1, 53 Stat. 1003.)

OSCAR L. CHAPMAN,
Assistant Secretary.

AUGUST 8, 1942.

[F. R. Doc. 42-8813; Filed, September 5, 1942; 10:07 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order No. 341]

PART 308—REPORTS AND RECORDS

METHODS OF FILING ANALYSES, ETC.

Order revoking and cancelling orders Nos. 234, 235, 288, and 333 as amended, and the Director's Statement No. 5, dated October 5, 1940, and revising the methods of filing analyses and the requirements thereof.

It appearing that in order to carry out and administer the provisions of the Bituminous Coal Act of 1937, it is necessary that copies of certain analyses and other information, herein described, be supplied to the Bituminous Coal Division;

Pursuant to the provisions of section 4 II (a) and 10 (a) of the Bituminous Coal Act of 1937,

It is ordered, That:

Orders Nos. 234[1], 235[2], 288[3], 333, as amended,[4] and the Director's Statement No. 5, dated October 5, 1940, be, and the same are hereby revoked and the following new section is added to Part 308:

§ 308.29 *Methods of filing analyses and the requirements thereof.* (a) All code members, sales agents, or distributors required to file reports of any coal analyses pursuant to § 318.8 of the Marketing Rules and Regulations, shall file not later than fifteen (15) days from the date of this Order one copy of any such analysis with the district board for the district in which the producing mine is located and two copies with the appropriate statistical bureau for such district: *Provided, however,* That this rule shall not be construed to require retroactively the filing of additional copies of analyses heretofore filed pursuant to § 318.8 of the Marketing Rules or Orders No. 234 (§§ 309.10–309.16), 235 (§§ 306.30–306.38), 288 (§ 309.13), and 333, as amended.

(b) For the purpose of securing information relating to the qualities and characteristics of coals of code members the several district boards are hereby authorized to request from code members by questionnaire, or by other means, information concerning the physical characteristics and characteristics of performance of the coals of code members, and said district boards are hereby authorized to provide facilities for sampling and analyzing such coals, and to enter into contracts for the performance of such work by competent and disinterested private individuals, or recognized companies generally engaged in the business of sampling and analyzing coal.

(c) If, in the judgment of the appropriate district board, an analysis filed by a code member is not representative of the coal produced by that code member, said district board may, in its discretion, cause a proper sample or samples to be taken after final tipple preparation of the coal for shipment to market, in accordance with the standard methods developed by the United States Bureau of Mines in Technical Paper No. 133 as revised, and approved by the American Society for Testing Materials; upon completion of such analysis the district board shall file in duplicate with the statistical bureau copies of the analyses obtained together with a statement indicating the manner in which the sample was taken and the analysis made; and the reasonable expenses of providing and operating such facilities or of having such analysis work performed shall be paid from the general funds of the appropriate district board and such expenditures shall be subject to the general supervision and approval of the Bituminous Coal Division.

(d) Every code member shall make a report in writing, one copy to the appropriate district board and two copies to the appropriate statistical bureau, setting forth all pertinent facts relating to any changes in ownership or operation of bituminous coal mines in which he has, acquires, or surrenders any interest, including, but not limited to the following:

(1) The purchase, lease, or other acquisition of any mine or interest therein, regardless of whether or not the mine is currently producing coal.

(2) The mortgage, sale, transfer, or other disposition of any mine or interest therein, regardless of whether or not the mine is currently producing coal.

(3) Any change in the proprietary or business organization of the code member, such as incorporation, reorganization, or dissolution of a mining corporation, formation or dissolution of a mining copartnership, or change of name of code member or any mines owned or operated by code member.

(4) Any change in mining or operational methods, such as the opening of new mines or new mine adits, the substitution of machine-loading for hand-loading or deep mining for strip mining.

(5) Changes in the methods of coal preparation, such as the installation of tipples, washing or other cleaning facilities, screening and crushing facilities.

(6) All substantial changes in sizes, analytical properties, or other characteristics of coals produced by the code member.

(7) Any changes in the method of shipping or transporting coals produced at the mine. Such changes in ownership or operation of bituminous coal mines shall be reported within 10 days of their occurrence: *Provided, however,* That the requirements of this rule may be fulfilled by filing a report of prospective or contemplated changes in ownership or operation: *And further provided,* That in the event that such prospective or contemplated changes are not put into effect, this fact shall be reported in the same manner as above set forth.

(e) If the code member produces or contemplates producing coal from a mine for which no price classification and minimum prices have been proposed or established, the code member shall file one copy of a report indicating such fact with the appropriate district board and two copies with the appropriate statistical bureau: *Provided, however,* That this rule shall in no way be construed to permit the sale of any coal for which minimum prices have not been established.

(f) From and after the date of this Order analyses filed with the appropriate statistical bureau and district board, in accordance with the provisions of § 318.8 of the Marketing Rules and Regulations, and this Order, may be considered by said district board and the Bituminous Coal Division in determining the proper classifications and prices of the coal produced by the code member for whose coals the analysis was made and filed; and said analysis shall be subject to inspection by any interested person at the office of the statistical bureau and the Division during office hours. (Sec. 2 (a) 50 Stat. 72, 15 U.S.C. 829 (a), sec. 4 II (a), 50 Stat. 77, 15 U.S.C. 833 (a), sec. 4 II (h), 50 Stat. 81, 15 U.S.C. 833 (h), and sec. 10 (a), 50 Stat. 88, 15 U.S.C. 840 (a))

Dated: September 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8875; Filed, September 8, 1942; 11:46 a. m.]

[1] 3 F.R. 696.
[2] 3 F.R. 696.
[3] 4 F.R. 2882.
[4] 6 F.R. 4900, 5289.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 989—DOMESTIC MECHANICAL REFRIGERATORS

[Amendment 2 to Supplementary General Limitation Order L–5–d]

Section 989.5 *Supplementary General Limitation Order L–5–d*[1] is hereby amended in the following respects:

Paragraph (a) is hereby amended by adding the following new subparagraphs at the end thereof:

(8) "Affiliated distributor" means any distributor which is owned or controlled by a manufacturer or under common ownership or control with a manufacturer. A person shall be deemed to be owned or controlled by another person when more than 50% of its voting capital stock is directly or indirectly owned by such other person.

(9) "Independent distributor" means any distributor other than an affiliated distributor.

Paragraph (b) is hereby amended to read as follows:

(b) *Restrictions on transfers of new domestic mechanical refrigerators.* No person shall transfer or accept transfer of any new domestic mechanical refrigerator except as permitted under the provisions of this paragraph (b). Whenever any manufacturer or distributor is authorized to transfer new domestic mechanical refrigerators under subparagraph (3) of this paragraph (b) or under paragraph (c) (2) (iii), such transfers shall be made as far as is practicable through his normal distributive outlets on a basis proportionate to his distribution of new domestic mechanical refrigerators to them, respectively, during the year 1941, regardless of any previous commitments or contracts.

(1) Any new domestic mechanical refrigerator may be transferred pursuant to a certificate of transfer under the provisions of paragraph (c) or pursuant to other specific authorization of the Director General for Operations.

(2) Any new domestic mechanical refrigerator may be transferred in fulfillment of any contract or purchase order for delivery of any such refrigerator to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Panama Canal.

(3) Any new electric or gas (but not kerosene) domestic mechanical refrigerator, which, at 10 A. M. Eastern War Time, February 14, 1942, was in the inventory of a dealer, independent distributor or any other person not a manufacturer or affiliated distributor, may be transferred by any person to any other person without limit as to the number of transfers which may be made of any such refrigerator, provided that any transfer of a new domestic mechanical refrigerator to an ultimate consumer under the provisions of this subparagraph (3) may be made only if such transferee certifies in writing (which shall constitute a representation to the transferor and to the War Production Board) substantially as follows:

The domestic mechanical refrigerator being transferred is for my personal use (or for the use of my family, or my tenants). I have no other domestic mechanical or ice refrigerator at my disposal (or, I have disposed of any domestic mechanical or ice refrigerator which has been at my disposal since February 14, 1942 to a dealer or consumer).

Any new electric or gas domestic mechanical refrigerator which at 10 A. M. Eastern War Time, February 14, 1942 had been bought and fully paid for and was in the hands of the seller at that time, shall be deemed to have been in the inventory of the purchaser at 10 A. M. Eastern War Time, February 14, 1942.

(4) Any new kerosene domestic mechanical refrigerator which at 10 A. M. Eastern War Time, February 14, 1942, had been bought and fully paid for by an ultimate consumer, and was in the hands of the seller at that time may be delivered to the purchaser.

(5) Any person may distrain or levy by execution, attachment or similar form of judicial process, on any new domestic mechanical refrigerators, or repossess them on default, but may not transfer them thereafter except pursuant to the provisions of subparagraphs (1) and (2) of this paragraph (b) unless the refrigerators come within the provisions of subparagraph (3) of this paragraph (b).

(6) Any manufacturer may sell any new domestic mechanical refrigerator to Defense Supplies Corporation or any other corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended, and any such corporation may resell any such refrigerators to the manufacturer from whom they were purchased.

Paragraph (c) (2) is hereby amended to read as follows:

(2) A certificate of transfer on Form PD–430 may be issued in order to permit the transfer of new domestic mechanical refrigerators:

(i) From one warehouse or place of storage to another warehouse or other place of storage, whether or not it involves any change in the ownership or title of such refrigerators;

(ii) From any person to any other person when the transfer does not come within the provisions of subparagraph (1) of this paragraph (c); or

(iii) From any manufacturer or affiliated distributor to any person, without limit as to the number of transfers which may be made of any such refrigerators, provided that (a) the words "unlimited transfer" appear on such certificate; and (b) any transfer to an ultimate consumer made under the provisions of this subdivision (iii) of this paragraph (c) (2) may be made only if such transferee certifies in writing in the form mentioned in paragraph (b) (3) of this order.

Whenever such certificates for "unlimited transfer" are issued by the Director General for Operations he shall take into consideration the number, price range, size and type of new domestic mechanical refrigerators in the stocks of manufacturers and affiliated distributors on February 14, 1942 and thereafter.

Paragraph (g) is hereby amended to read as follows:

(g) *Reports.* (1) Each manufacturer shall file with the War Production Board, on or before the next business day after any shipment to or from his stock of refrigerators a report of all such shipments on Form PD–431.

(2) Each person (other than a manufacturer) holding any new domestic mechanical refrigerator which he cannot transfer under the terms of paragraphs (b) (3) or (c) (2) (iii) shall file with the War Production Board, on or before the next business day after any shipment to or from his stock of refrigerators a report of all such shipments on Form PD–431.

(3) All persons affected by this order shall file with the War Production Board such other reports and questionnaires as the Director General for Operations shall, from time to time prescribe.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8815; Filed, September 5, 1942; 11:14 a. m.]

[1] 7 F.R. 3927, 4480, 4848.

PART 1075—CONSTRUCTION

[Interpretation 1 of Conservation Order L–41 as Amended September 2, 1942]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 1075.1, *Conservation Order L–41.*[1]

(a) Paragraph (a) of Conservation Order No. L–41, as amended, places in different classes the construction of various buildings, structures or projects, and paragraph (b) (7) provides the limits within which the several classes of construction may be begun without authorization. Any building or structure shall be classified in accordance with such provisions unless it constitutes a part of a "project" as defined below, in which event the classification of the project shall control.

(b) The word "project" as used in paragraphs (a) (3), (a) (4), (a) (5), (a) (6), and (a) (7) in defining the classes of construction and as used elsewhere in the order, means all separate buildings, structures, or units of construction situated in close proximity to each other and integrated to serve a single general use; it does not mean a particular construction operation or job.

Generally speaking whether separate buildings, structures or units of construc-

[1] 7 F.R. 6958.

tion together constitute a project depends upon the exact engineering, functional, and other phases of the particular construction involved. The fact that one or more buildings, structures, or units of a single project come within a class or classes of construction different from the class within which the project falls is of no consequence, inasmuch as the class within which the entire project falls will be determined by its predominant designed use in accordance with paragraph (b) of Interpretation No. 1 of Conservation Order L–41 issued June 6, 1942. However, a separate building, structure, or unit of construction situated in close proximity to a project, whether of the same or different classification, is not part of said project, unless it is integrated to serve the same general use as said project.

In no case shall a single building or structure be subdivided into more than one project for the purpose of this Order.

(c) "Total cost of labor" as used in paragraph (a) (9) means (1) actual money outlay for labor employed in the construction; and (2) estimated value of all labor performed in the construction not entailing actual money outlay, excluding only the labor of an owner or tenant and members of the owner's or tenant's immediate family residing with him, on a building, structure or project owned or leased by him.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8824; Filed, September 5, 1942; 11:17 a. m.]

PART 1090—AGAVE FIBER

[Amendment 2 to General Preference Order M–84 as Amended August 5, 1942]

Section 1090.1 *General Preference Order M–84*[1] is hereby amended as follows:

(1) Paragraph (a) (2) is amended to read as follows:

(2) "Agave cordage" means cables and ropes 3/16" in diameter and larger, and twines used for fishing nets, in which agave fiber either alone or in combination with other material is used.

(2) Paragraph (c) (1) (i) is amended to read as follows:

(i) *Wrapping twine.* Processors may use agave fiber for the manufacture of wrapping twine in an amount in any month not in excess of the percentage, for such month, of his average monthly sales for the calendar year 1941 described below.

Year 1942:	Percent
February	100
March	70
April	65
May	65
June	57½
July	50
August	40
September	20
October, and each month thereafter	0

Provided, however, That no person shall put into process after April 13, 1942, any Java agave sisalana for the manufacture of wrapping twine, or after August 5, 1942, any Java agave cantala for this purpose.

(3) Paragraph (d) (3) is amended to read as follows:

(3) No importer shall sell or deliver in any month agave cordage in excess of his average monthly sales of Manila and agave cordage in the calendar years 1939–1941, or wrapping twine, imported or domestic, in excess of the following percentages of his average monthly sales thereof during the calendar year 1941:

	Percent
July	65
August	40
September, and each month thereafter	20

Provided, however, That no importer shall, after September 30, 1942, import, purchase for import, offer to import, offer to purchase for import, contract or otherwise arrange to import any wrapping twine unless specifically authorized by the Director General for Operations. Authorizations will only be granted, in the absence of extraordinary circumstances, where it can clearly be demonstrated that such wrapping twine was processed only from tow, waste or fiber under 20" in length.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8817; Filed, September 5, 1942; 11:14 a. m.]

PART 1208—NAPHTHENIC ACID AND NAPHTHENATES

[General Preference Order M–142, as Amended September 5, 1942]

Section 1208.1 *General Preference Order M–142* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of naphthenic acid and naphthenates for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1208.1 *General Preference Order M–142*[1]—(a) *Definitions* For the purposes of this order:

(1) "Naphthenic acid" means the acids existing naturally in certain crude petroleums and distillates therefrom and known as monobasic carboxylic acids of the general formula RCOOH, where R is a naphthene (cyclic hydrocarbon) radical and the acid values of which are 180 or higher on an oil free basis, such acids being normally obtained by extraction from certain petroleum distillates by means of caustic soda. The term includes crude and refined sodium naphthenate intended for the manufacture of other naphthenates.

(2) "Naphthenate" means any salt of naphthenic acid other than crude and refined sodium naphthenate intended for the manufacture of other naphthenates. The term includes, but is not limited to, potassium naphthenate, calcium naphthenate, copper naphthenate, zinc naphthenate, aluminum naphthenate, lead naphthenate, cobalt naphthenate, manganese naphthenate, triethanolamine naphthenate and also sodium naphthenate other than sodium naphthenate intended for the manufacture of other naphthenates. The term also includes any mixture containing more than 5% by weight (dry basis) of naphthenic acid combined as a naphthenate.

(3) "Producer" means any person engaged in the production of naphthenic acid or naphthenates and includes any person who has any naphthenic acid or naphthenate produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases any naphthenic acid or naphthenate for resale.

(b) *Restrictions on use and delivery of naphthenic acid and naphthenates.* (1) During the period commencing September 5, 1942, the date of issuance of this amendment, and ending September 30, 1942, no person shall, subject to the provisions of paragraphs (c) and (d) hereof, sell, deliver or use any naphthenic acid or naphthenate except in accordance with the provisions of General Preference Order No. M–142 as in effect prior to this amendment.

(2) On and after October 1, 1942, no person shall, subject to the provisions of paragraphs (c) and (d) hereof, use or deliver any naphthenic acid or naphthenate except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (e) hereof, and no person shall accept delivery of any naphthenic acid or naphthenate which he knows or has reason to believe is in violation of this order.

(3) Each person accepting delivery of any naphthenic acid or naphthenate pursuant to specific authorization of the Director General for Operations shall use the same only for the purposes specifically authorized.

(4) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations, with respect to the use or delivery by any such person of any naphthenic acid or naphthenate.

[1] 7 F.R. 6144, 6599.

[1] 7 F.R. 3368, 4173.

(c) *Small order exemptions.* The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the specific authorization provided for in paragraph (b) (2) hereof shall not be required with respect to, the following:

(1) Use by any person of not to exceed fifty (50) pounds of any naphthenic acid or naphthenate in any one month.

(2) Delivery by any supplier of not to exceed fifty (50) pounds of any naphthenic acid or naphthenate to any one person in any one month, and the acceptance thereof by any such person, subject to the following conditions:

(i) Each supplier desiring to make small order deliveries of any naphthenic acid or naphthenate pursuant to this paragraph (c) (2) shall apply for authorization to make small order deliveries pursuant to paragraph (e) hereof, and the aggregate amount of small order deliveries made by any supplier during any month shall not exceed the amount of such deliveries which he is specifically authorized to make.

(ii) Each person seeking delivery of fifty (50) pounds or less of any naphthenate shall file with his supplier at the time of placing his order therefor a certificate to the effect that if the delivery covered by such order is made, the deliverees will not have received during the current month in excess of an aggregate of fifty (50) pounds of naphthenates: *Provided, however,* That such certificate shall not be required with respect to deliveries of ten (10) pounds or less of any naphthenate.

(d) *Special exemptions.* The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the specific authorization provided for in paragraph (b) (2) hereof shall not be required with respect to the following:

(1) Delivery, acceptance of delivery or use by any person of any finished lubricant containing less than 20% of naphthenates.

(2) Use by any person in his own manufacturing operations of naphthenates owned by him on May 4, 1942.

(e) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

A. *Naphthenic Acid*

(1) Each person seeking authorization to use or accept delivery of any naphthenic acid pursuant to paragraph (b) (2) hereof shall apply therefor on Form PD–600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested and shall file with his supplier one copy of such form on or before the 15th day of such month if the supplier is a producer or on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "naphthenic acid" and Order No. "M–142, as amended September 5, 1942" and specify pounds as the unit of measure, and in addition to specifying the delivery destination indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify crude, processed, rectified or refined, by acid value on an oil free basis and by maximum unsaponifiable content.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "resale pursuant to further authorization." In the case of a consumer, specify:

Lead naphthenate.
Cobalt naphthenate.
Manganese naphthenate.
Iron naphthenate.
Zinc naphthenate.
Copper naphthenate.
Aluminum naphthenate.
Sodium naphthenate.
Rubber compounding composition.
Crude oil demulsifier.
Pigments.
Mineral concentrates.
Other.

If "other" is specified describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

Drier.
Dispersing agent.
Fungicide.
E. P. lubricant.
Grease.
Cutting oils and compounds.
Rubber compounding.
Demulsification of crude oil.
Bodying agent.
Potash chemical manufacture.
Production of metallic magnesium.
Other.

If "other" is specified, describe briefly.

(2) Each producer and distributor seeking authorization to deliver any naphthenic acid pursuant to paragraph (b) (2) hereof shall apply therefor on Form PD–601. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "naphthenic acid" and Order No. "M–142, as amended September 5, 1942" and specify pounds as the unit of measure, and in addition to specifying the plant or warehouse address indicate the address to which communications should be directed.

(ii) *Column 1.* If authorization to make small order deliveries under paragraph (c) (2) (i) hereof is requested, insert "aggregate small order deliveries" in Column 1 after completing the list of customers and specify in Column 4 the aggregate amount of each grade shown in Column 3 requested to be authorized.

(iii) *Columns 3 and 8.* Specify crude, processed, rectified, or refined, by acid value on an oil free basis and by maximum unsaponifiable content.

B. *Naphthenates*

(3) Each person seeking authorization to use or accept delivery of any naphthenate pursuant to paragraph (b) (2) hereof shall apply therefor on Form PD–600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 10th day of the month preceding the month for which such authorization is requested and shall file with his supplier one copy of such form on or before the 10th day of such month if the supplier is a producer or on or before the 5th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) Heading. Specify "naphthenates" and Order No. "M–142, as amended September 5, 1942" and specify pounds as the unit of measure and in addition to specifying the delivery destination indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify naphthenate by chemical name and the percentage by weight of metal content.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "Resale Pursuant to Further Authorization." In the case of a consumer, specify:

Paint.
Varnish.
Enamel.
Synthetic enamel.
Lacquer.
Printing ink.
Sandbag fabrics.
Camouflage fabrics.
E. P. lubricants.
Grease.
Cutting oils and compounds.
Grinding oils and compounds.
Lumber.
Fish nets.
Natural rubber.
Synthetic rubber.
Other.

If "other" is specified, describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

Sandbag manufacture.
Camouflage material manufacture.
Commercial fishing.
Automotive transmission lubricants.
Industrial greases.
Machine tool operation.
Rubber product manufacture.
U. S. Army specification number.
U. S. Navy specification number.
Army-Navy aircraft specification number.
Other U. S. Government agency specification number.
Other.

If "other" is specified, describe briefly.

(4) Each producer and distributor seeking authorization to deliver any naphthenic acid pursuant to paragraph (b) (2) hereof shall apply therefor on Form PD–601. Such applicant shall file with the War Production Board the orig-

inal and two copies of such form on or before the 15th day of the month, preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "naphthenates" and Order No. "M–142, as amended September 5, 1942" and specify pounds as the unit of measure and in addition to specifying the plant or warehouse address indicate the address to which communications should be directed.

(ii) *Column 1.* If authorization to make small order deliveries under paragraph (c) (2) (i) hereof is requested, insert "aggregate small order deliveries" in Column 1 after completing the list of customers and specify in Column 4 the aggregate amount of each naphthenate shown in Column 3 requested to be authorized.

(iii) *Columns 3 and 8.* Specify naphthenate by chemical name and the percentage by weight of metal content.

(f) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of naphthenic acid and naphthenates, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M–142.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8818; Filed, September 5, 1942; 11:14 a. m.]

PART 3029—PORTABLE ELECTRIC FANS

[General Limitation Order L–176]

The fulfillment of requirements of the defense of the United States has created a shortage in the supply of critical materials used in the manufacture of portable electric fans for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3029.1 *General Limitation Order L–176*—(a) *Definitions.* For the purposes of this order: (1) "Portable fan" means any portable domestic or commercial device, powered by a fractional horsepower electric motor which circulates or blows air by a rotary means, including, but not limited to, any fan commonly known as a desk and bracket fan, any portable air circulator and any portable window ventilating fan. "Portable fan" does not include any industrial fan or blower, ceiling fan, attic fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) "Victory model fan" means any portable fan manufactured or assembled in accordance with Emergency Alternate Federal Specification No. E–W–F–101a, issued March 9, 1942.

(3) "Manufacturer" means any person who manufactures or assembles any portable fan.

(4) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal, by weight, equals or exceeds 40% of the total weight of the alloy, including alloy metal produced from scrap.

(b) *General restrictions on manufacture.* No manufacturer shall manufacture or assemble any new portable fan, except that: (1) He may manufacture or assemble any Victory model fan in fulfillment of any purchase order placed prior to August 1, 1942, by the Procurement Division of the Treasury Department of the United States.

(2) He may manufacture or assemble any portable fan in accordance with Specifications Nos. 17–F6E or 17–F9C, issued by the Navy Department, or Specification No. 17MC–5, issued by the United States Maritime Commission, in fulfillment of any purchase order, contract or subcontract for portable fans for use on combat or other maritime vessels placed by or for the account of the United States Navy, the United States Maritime Commission or the War Shipping Administration or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) He may manufacture or assemble any portable fan in accordance with any specific relief granted prior to September 5, 1942, by the Director of Industry Operations or the Director General for Operations pursuant to paragraph (h) (2) of General Conservation Order M–9–c as amended May 7, 1942.[1]

(c) *Restrictions on delivery.* No manufacturer shall sell, lease, trade, deliver, ship or transfer any new portable fan, except pursuant to specific authorization of the Director General for Operations on Form PD–556. Applications for such authorizations must be filed on Form PD–556 in accordance with the instructions thereon. Any manufacturer filing such an application must list thereon his inventory of fans of the type covered by the application on the date thereof.

(d) *Repair parts.* No manufacturer shall manufacture or assemble repair and replacement parts for any portable fan containing any copper or copper base alloys: *Provided, however,* That any person repairing a used portable fan on or off the premises of its owner, may use up to two pounds of copper and copper base alloy to repair said fan when and to the extent that the use of less scarce material is impracticable.

(e) *Applicability of other orders.* In so far as any other order hertofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations shall limit the use of any material in the manufacture of portable fans to a greater extent than the restrictions imposed by this order, the provisions of such other order shall govern unless otherwise specified therein: *Provided, however,* That a manufacturer may complete the production of Victory Model Fans permitted under paragraph (b) (1) notwithstanding the provisions of General Conservation Order No. M–9–c.

(f) *Inventory restrictions.* No manufacturer of portable fans shall accumulate, for use in the manufacture of such fans, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of portable fans in the quantities permitted by this order.

(g) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board, on or before the fifteenth day after the date of issuance of this order, a report of all the portable fans in his inventory by model on the date of issuance of this order, together with such other reports and questionnaires as said Board shall from time to time require.

(j) *Appeal.* Any appeal from the provisions of this order must be made on Form PD–500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board as amended from time to time.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Communications.* All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Washington, D. C., Ref.: L–176. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8816; Filed, September 5, 1942; 11:14 a. m.]

[1] 7 F.R. 3424, 3660, 3745, 4205, 4480, 4535, 5344, 5902, 6162, 6866.

PART 3059—PHTHALIC ANHYDRIDE

[General Preference Order M–214]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phthalic anhydride for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3059.1 *General Preference Order M–214*—(a) *Definitions.* For purposes of this order:

(1) "Phthalic anhydride" means the anhydride of phthalic acid in any form and from whatever source derived.

(2) "Supplier" means any producer or distributor of phthalic anhydride.

(3) "Producer" means any person who produces phthalic anhydride.

(4) "Distributor" means any purchaser of phthalic anhydride from a producer for purpose of resale without further processing.

(b) *Restrictions on use and delivery of phthalic anhydride.* (1) On and after October 1, 1942, no supplier shall use or deliver phthalic anhydride, and no person shall accept delivery of phthalic anhydride from a supplier, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d), or as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of phthalic anhydride shall use such phthalic anhydride for the purpose authorized, except as otherwise specifically directed.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use or delivery of phthalic anhydride by such person, notwithstanding the provisions of paragraph (c) hereof, or special directions to any producer with respect to the kinds of phthalic anhydride which he may or must manufacture.

(c) *Small order exemption.* (1) Any person may accept delivery of, and any supplier may use 700 pounds or less of phthalic anhydride in the aggregate during any one calendar month without specific authorization under this order: *Provided,* That such person (or supplier) has not been specifically authorized to use or accept delivery of any quantity of phthalic anhydride during such month.

(2) No delivery of 50 pounds or more of phthalic anhydride shall be made or accepted pursuant to this paragraph unless and until the person accepting delivery shall certify in writing to the person making delivery that such delivery is accepted within the terms of paragraph (c) (1).

(3) Any supplier may deliver phthalic anhydride without specific authorization to any person entitled to accept delivery pursuant to this paragraph, provided that:

(i) No producer shall deliver an aggregate amount of phthalic anhydride in any one calendar month pursuant to this paragraph in excess of 2% of the amount of phthalic anhydride which he is specifically authorized to deliver during such month; and

(ii) No supplier shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any supplier may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of phthalic anhydride, and each supplier seeking to use (or accept delivery of) phthalic anhydride during any calendar month, shall file application on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on Form PD–600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–214.

(iii) In the heading, under name of chemical, specify phthalic anhydride; under War Production Board order, specify M–214; under name of company, specify name and mailing address; under unit of measure, specify pounds; and specify the month and year for which authorization for use or acceptance of delivery is sought.

(iv) In Columns (1), (11) and (19) specify the particular quality or physical form ordered, such as, pure, technical, off-color, flake, powdered, etc.

(v) In Columns (3), (20) and (22), specify primary product in terms of the following:

Esters (identify).
Resins.
Dyes and intermediates.
Pharmaceuticals.
Miscellaneous.
Export (as phthalic anhydride).
Resale (as phthalic anhydride).
Inventory.

Suppliers as defined in this order shall add after "resale" the words "upon authorization on Form PD–601, or pursuant to paragraph (c)".

(vi) Column (4) shall be left blank except as follows:

Opposite miscellaneous show the groupings, as far as possible, of the more important miscellaneous primary products.

Opposite inventory, specify the amount considered necessary, if any, to bring the applicant's inventory to a safe working minimum; the ratings called for by Columns 5, 6, 7, and 8 need not be filled in opposite inventory in Column 3.

(2) Each supplier seeking authorization to make delivery of phthalic anhydride during any calendar month shall file application on or before the 22nd day of the month preceding the month for which authorization is requested. Such application shall be made on Form PD–601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–214.

(iii) Suppliers who have filed application on Form PD–600, specifying themselves as their suppliers, shall list their own names as customers on Form PD–601, and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical specify phthalic anhydride; under War Production Board order, specify M–214; under name of company, state name and mailing address; under unit of measure specify pounds; and state the month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form PD–600. Any objection to such grade should be noted in Column 7, in which any other pertinent comments should be noted.

(vi) The supplier may, if he wishes, leave Column 5 blank.

(vii) No statement need be made with respect to deliveries which may be made during the next month pursuant to paragraph (c) of this order.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing forms PD–600 and 601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing contained in this order shall be construed to limit the restrictions imposed by any other order of the War Production Board.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M–214.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8819; Filed, September 5, 1942, 11:15 a. m.]

PART 3060—GLYCOLS

[General Preference Order M–215]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of glycols for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3060.1 *General Preference Order M–215*—(a) *Definitions.* For the purpose of this order:

(1) "Glycols" means ethylene glycol, propylene glycol, diethylene glycol, triethylene glycol and physical mixtures of such glycols.

(2) "Supplier" means any producer or distributor of glycols.

(3) "Producer" means any person who produces glycols.

(4) "Distributor" means any purchaser of glycols from a producer for purpose of resale without further processing or admixing.

(5) "Anti-freeze or motor coolant preparation" means any such preparation which is complete and ready for use without the addition of any further ingredients other than water, and which does not consist of glycols alone.

(b) *Restrictions on use and delivery of glycols.* (1) On and after October 1, 1942, no supplier shall use or deliver glycols, and no person shall accept delivery of glycols from a supplier, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (e) hereof, or as provided in paragraphs (c) or (d) hereof.

(2) Each person specifically authorized to accept delivery of glycols shall use such glycols only for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use or delivery of glycols by such person, or special directions to any producer with respect to the kinds of glycols which he may or must manufacture. Such directions may supersede the provisions of paragraphs (c) or (d) hereof.

(c) *Small order exemption for industrial and experimental uses.* (1) Any person may accept delivery of, and any supplier may use 55 gallons or less of each of any two kinds of glycols during any one calendar month without specific authorization under this order, provided such glycols are not of the same kinds which have been specifically allocated to such person or supplier during such month, and provided that such glycols are not used or received by such person or supplier for automotive anti-freeze or motor coolant use or for the manufacture of any automotive anti-freeze or motor coolant preparation.

(2) No delivery of more than 5 gallons of glycols shall be made or accepted pursuant to this paragraph unless and until the person accepting delivery shall certify in writing to the person making delivery that such delivery is accepted within the terms of this paragraph.

(3) Any supplier may deliver glycols without specific authorization to any person entitled to accept delivery pursuant to this paragraph, provided that:

(i) No producer shall deliver an aggregate amount of any one kind of glycol in any one calendar month pursuant to this paragraph in excess of 1% of the amount of such glycol which he is specifically authorized to deliver during such month; and

(ii) No supplier shall make deliveries pursuant to this paragraph if such deliveries would prevent completion of any deliveries which have been specifically authorized for the current month; and

(iii) Any supplier may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Anti-freeze deliveries.* The restrictions of this order shall govern the use of glycols by any supplier in the manufacture of anti-freeze or motor coolant preparations, provided that:

(1) Any supplier may deliver completed anti-freeze or motor coolant preparations containing glycols without specific authorization under this order; and

(2) Nothing contained in this order shall be construed to permit the manufacture of anti-freeze in violation of § 1100.1 *General Limitation Order L–51.*[1]

(e) *Applications and reports.* (1) Each person seeking authorization to accept delivery of glycols, and each supplier seeking to use (or accept delivery of) glycols during any calendar month, shall file application on or before the 16th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on Form PD–600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) For each kind of glycol requested a set of five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–215.

(iii) In the heading, under name of chemical specify the particular glycol requested (for example, "ethylene glycol"). Physical mixtures of glycols shall be referred to as "mixed glycols" and an approximate analysis given. Under WPB order specify M–215. Under name of company state name and mailing address. Under unit of measure specify pounds.

(iv) Columns 1 and 3 shall be left blank.

(v) In Column 2, specify requested quantity for each of the separate uses listed in Column 4.

(vi) In Column 4, specify product use according to the following classifications:

Anti-freeze (specify military or civilian).
Dynamite.
Cellophane plasticizer.
Rayon yarn processing.
Brake and hydraulic fluids.
Tobacco humectant.
General textile—describe; (example: coupling agent, soluble oil, dye solvent, softener, etc.).
Chemical manufacturing (identify product).
Cutting oils.
General plasticizer—describe (examples: cork, adhesives, coatings, etc.).
De-icer fluid.
Radio condenser fluid.
Air or gas dehydration.
Molding sand binder.
Drugs.
Cosmetics.
Foods and flavors.
Coolant (specify military or industrial).
Miscellaneous (describe briefly).
Export (as glycol).
Inventory.

(vii) Columns 11, 19, 20, 21, 22 and 23 shall be left blank.

(2) Each supplier seeking authorization to make delivery of glycols during any calendar month shall file application on or before the 23rd day of the month preceding the month for which authorization is requested. Such application shall be made on Form PD–601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Suppliers shall prepare one set of forms for each glycol scheduled. Producers shall file for producing points only and shall include wholly owned warehouse stocks as part of their total stocks. Distributors shall file separately for each distributing point. Four copies of each set shall be prepared and three certified copies shall be forwarded to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–215.

(iii) Suppliers who have filed application to use glycols on Form PD–600, specifying themselves as their suppliers, shall list their own names as customers on Form PD–601, and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under the name of chemical specify the particular glycol being scheduled (for example, "ethylene glycol"). Physical mixtures of glycols shall be referred to as "mixed glycols" and an approximate analysis given. Under WPB order specify M–215, under name of company state name and mailing address, and under unit of measure specify pounds.

(v) Columns 3 and 8 shall be left blank.

(vi) The supplier may, if he wishes, leave Column 5 blank.

(vii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

[1] F.R. 3573, 5662.

(f) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M–215.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8820; Filed, September 5, 1942; 11:15 a. m.]

PART 3068—THEOBROMINE AND CAFFEINE

[Conservation Order M–222]

The fulfillment of requirements for the defense of the United States has created a shortage in the supplies of theobromine and caffeine for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3068.1 *General Conservation Order M–222*—(a) *Definitions.* For the purposes of this order:

(1) "Theobromine" means 3:7-dimethylxanthine, whether synthetic or natural, in crude or refined form. The term shall include any compound of theobromine including, but not limited to, theobromine sodium-acetate and theobromine with sodium salicylate, but shall not include standard dosage forms (tablets, capsules, ampules, solutions, etc.).

(2) "Caffeine" means 1:3:7-trimethylxanthine, whether synthetic or natural, in crude or refined form. The term shall include any compound of caffeine including, but not limited to, caffeine citrated, caffeine with sodium benzoate and caffeine with sodium salicylate, but shall not include standard dosage forms (tablets, capsules, ampules, solutions, etc.).

(3) "Producer" means any person engaged in the production or refining of theobromine or caffeine, as defined above, and includes any person who imports theobromine or caffeine or has theobromine or caffeine produced or refined for him pursuant to toll agreement.

(4) "Retailer" means any person who purchases theobromine or caffeine solely for the purpose of resale directly to the ultimate consumer for medicinal use.

(5) "Wholesaler" means any person who purchases theobromine or caffeine solely for the purpose of resale directly to retailers without further processing and without changing the form thereof.

(6) "Distributor" means any person (other than a wholesaler or retailer) who purchases theobromine or caffeine from a producer solely for the purpose of resale without further processing and without changing the form thereof.

(b) *Restrictions on use and delivery of theobromine and caffeine.* (1) On and after October 1, 1942, no producer shall use any theobromine or caffeine other than stocks in his hands on said date, no producer or distributor shall deliver any theobromine or caffeine, and no person (other than a wholesaler or retailer) shall accept delivery of any theobromine or caffeine except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) of this order or except as provided in paragraph (c) of this order.

(2) Each person who shall accept delivery of theobromine or caffeine pursuant to specific authorization of the Director General for Operations shall use such theobromine or caffeine in accordance with the representations made by him in his application for such authorization.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use and delivery of theobromine or caffeine by such person.

(c) *Exception.* Specific authorization pursuant to paragraph (b) (1) of this order shall not be required with respect to the delivery to any person or the acceptance of delivery or use by any person of two pounds or less of theobromine and two pounds or less of caffeine during any one calendar month. Such use or delivery may be made without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization, as required by paragraph (b) (1) of this order, to accept delivery of and use theobromine or caffeine during any calendar month shall place his purchase order with his supplier on or before the twelfth day of the month preceding the month for which authorization to accept delivery is requested, and shall file two copies of Form PD–600 with the War Production Board on or before such date. (Copies of this form may be obtained at the local offices of the War Production Board.) He shall also send one copy of such form to his supplier along with his purchase order.

Any producer seeking authorization to use theobromine or caffeine during any calendar month shall file two copies of Form PD–600 with the War Production Board on or before such date. Any persons, including producers, filing Form PD–600 as required by this paragraph (d) (1) shall prepare such form in the manner prescribed therein, subject to the following instructions:

(i) *Heading:* Specify either "theobromine" or "caffeine" in heading, using separate set of forms for each. Specify WPB Order No. "M–222". As unit of measure, specify "pounds". A separate set of forms must be filed for each supplier with whom a purchase order is placed.

(ii) *Column 1, grade:* Specify the quality, for example: crude; refined; caffeine USP; caffeine alkaloid anhydrous; caffeine citrated USP; caffeine with sodium benzoate USP; theobromine sodium-acetate USP; etc.

(iii) *Column 3, primary product:* Specify the exact product or products to be produced in which the theobromine or caffeine will be used or incorporated. (Distributors should disregard this column as well as Columns 20 and 22.)

(iv) *Column 4, product use:* Specify "medicinal", "beverage", or any other use. (Distributors should specify "resale".)

(2) Each producer and each distributor seeking authorization, as required by paragraph (b)(1) of this order, to make deliveries of theobromine or caffeine shall file with the War Production Board on or before September 20, 1942, and on or before the 20th day of each month thereafter three copies of Form PD–601 (copies of this form may be obtained at the local offices of the War Production Board) prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading:* Specify either "theobromine" or "caffeine" in heading, using separate set of forms for each. Specify WPB Order No. "M–222". As unit of measure, specify "pounds". A separate set of forms must be filed for each plant or warehouse. Check whether producer or distributor.

(ii) *Columns 3 and 8, grade:* Specify the quality, for example: crude; refined; caffeine USP; caffeine alkaloid anhydrous; caffeine citrated USP; caffeine with sodium benzoate USP; theobromine sodium-acetate USP; etc.

(3) The Director General for Operations may issue additional instructions from time to time concerning the preparation and filing of Forms PD–600 and PD–601.

(4) All persons affected by this order shall file such other reports as may be required from time to time by the War Production Board.

(e) *Production of theobromine and caffeine.* Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of theobromine and caffeine.

(f) *Restrictions on methylation of theobromine.* (1) Unless otherwise authorized or directed by the Director General for Operations, no producer shall hereafter methylate theobromine to caffeine except (i) to fill purchase orders for caffeine which he has been specifically authorized to fill pursuant to paragraph (b) (1) of this order, and/or (ii) to maintain a practicable minimum working inventory of caffeine.

(2) No producer shall, during any calendar month, methylate any theobromine to caffeine unless and until provision has been made by such producer to make all deliveries of theobromine which have been directed by the Director General for Operations to be made by him during such month.

(g) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from the obligation of complying with the terms of this order.

(h) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(i) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of theobromine or caffeine shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications to War Production Board.* All reports and applications required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Health Supplies Branch, Washington, D. C., Ref: M–222.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8821; Filed, September 5, 1942; 11:15 a. m.]

PART 3070—FURFURAL

[General Preference Order M–224]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of furfural for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3070.1 *General Preference Order M–224*—(a) *Definitions.* For the purpose of this order:

(1) "Furfural" means monomeric furfuryl aldehyde from whatever source derived.

(2) "Producer" means any person who produces furfural.

(3) "Distributor" means any purchaser of furfural from a producer for purpose of resale without further processing.

(b) *Restrictions on use and delivery of furfural.* (1) On and after October 1, 1942, no producer or distributor shall use or deliver furfural, and no person shall accept delivery of furfural from a producer or distributor, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d), or as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of furfural shall use such furfural for the purpose authorized, except as otherwise specifically directed.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use or delivery of furfural by such person, notwithstanding the provisions of paragraph (c).

(c) *Small order exemption.* (1) Any person may accept delivery of, and any producer or distributor may use, 55 gallons or less of furfural in the aggregate during any one calendar month without specific authorization: *Provided,* That such person has not been specifically authorized to use or accept delivery of any quantity of furfural during such month.

(2) No delivery of 5 gallons or more of furfural shall be made or accepted pursuant to this paragraph unless and until the person accepting delivery shall certify in writing to the person making delivery that such delivery is accepted within the terms of paragraph (c) (1).

(3) Any producer or distributor may deliver furfural without specific authorization to any person entitled to accept delivery pursuant to this paragraph, provided that:

(i) No producer shall deliver an aggregate amount of furfural in any one calendar month pursuant to this paragraph in excess of 2% of the amount of furfural which he is specifically authorized to deliver during such month; and

(ii) No producer or distributor shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any producer or distributor may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of furfural, and each producer or distributor seeking to use or accept delivery of furfural during any calendar month, shall file application on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on Form PD–600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Branch, Washington, D. C., Ref : M–224.

(iii) In the heading, under name of chemical, specify furfural; under War Production Board order, specify M–224; under name of company, specify name and mailing address; under unit of measure, specify pounds; and specify the month and year for which authorization for use or acceptance of delivery is sought.

(iv) Columns 1 and 11 shall be left blank.

(v) In Column 3 specify primary product in terms of the following:

Gas purification.	Miscellaneous.
Resins.	Export (as furfural).
Petroleum refining.	Resale (as furfural).
Rosin refining.	Inventory.
Abrasive wheel binder.	
Hydrogenation.	

(vi) In Column 4:

Identify gas purified.
State end-use of resins, insofar as practicable, such as, general molding, oil filter binder, etc.
Opposite petroleum or rosin refining in Column 3, leave Column 4 blank.
State name of product produced by hydrogenation.

Opposite miscellaneous show the groupings, as far as possible, of the more important miscellaneous primary products.

Opposite inventory, specify the amount considered necessary, if any, to bring the applicant's inventory to a safe working minimum; the ratings called for by Columns 5, 6, 7, and 8 need not be filled in opposite inventory in Column 3. Furfural allocated for inventory shall not be used or consumed without further authorization.

(vii) Tables III and IV shall be left blank.

(2) Each producer or distributor seeking authorization to make delivery of furfural during any calendar month shall file application on or before the 22nd day of the month preceding the month for which authorization is requested. Such application shall be made on Form PD–601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Branch, Washington, D. C., Ref:M–224.

(iii) Producers or distributors who have filed application on Form PD–600, specifying themselves as their suppliers, shall list their own names as customers on Form PD–601, and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify furfural; under War Production Board order, specify M–224; under name of company, state name and mailing address; under unit of measure specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) Columns 3 and 8 shall be left blank.

(vi) Column 5 may, at discretion, be left blank.

(vii) No statement need be made with respect to small order deliveries which may be made during the next month pursuant to paragraph (c) of this order.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing forms PD–600 and PD–601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible, of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other order of the War Production Board.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–224.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8822; Filed, September 5, 1942; 11:15 a. m.]

PART 3074—DICHLORETHYL ETHER

[General Preference Order M–226]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dichlorethyl ether for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3074.1 *General Preference Order M–226*—(a) *Definitions.* For the purposes of this order: (1) "Dichlorethyl ether" means a chlorinated ether having a specific gravity of 1.219 to 1.224 at 20° C. and having a boiling point range of 170° to 180° C. at 760 m.

(2) "Producer" means any person engaged in the production of dichlorethyl ether and includes any person who has such material produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases dichlorethyl ether for purposes of resale.

(b) *Restrictions on use and delivery.* (1) On and after October 1, 1942 no producer or distributor shall use, and no person shall deliver, dichlorethyl ether except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) hereof, and no person shall accept any delivery of such material which he knows or has reason to believe is made in violation of this order.

(2) Each person accepting delivery of dichlorethyl ether pursuant to specific authorization of the Director General for Operations shall use such material only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the use or delivery of dichlorethyl ether.

(c) *Directions with respect to production and inventories.* (1) Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of dichlorethyl ether.

(2) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the establishment of inventories of dichlorethyl ether.

(d) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each producer or distributor seeking authorization to use, and each person seeking authorization to accept delivery of, any dichlorethyl ether pursuant to paragraph (b) (1) hereof, shall apply therefor on Form PD–600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested and shall file with his supplier one copy of such form on or before the 15th day of such month if the supplier is a producer or on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "dichlorethyl ether" and order number "M–226" and specify pounds as the unit of measure and in addition to specifying the delivery destination, indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify crude or refined.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "Resale pursuant to further authorization". In the case of a consumer, specify "dichlorethyl ether."

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify purification of butadiene, stock-piling, treatment of lubricating oil, manufacture of insecticides or other. If "other" is specified, describe briefly.

(2) Each producer and distributor seeking authorization to deliver dichlorethyl ether pursuant to paragraph (b) (1) hereof, shall apply therefor on Form PD–601. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "dichlorethyl ether" and order number "M–226" and specify pounds as the unit of measure and in addition to specifying the plant or warehouse address, indicate the address to which communications should be directed.

(ii) *Columns 3 and 8.* Specify crude or refined.

(e) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(f) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of dichlorethyl ether, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemical Branch, Washington, D. C. Ref.: M–226.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8823; Filed, September 5, 1942; 11:16 a. m.]

PART 950—CUTTING TOOLS

[Amendment 1 to General Preference Order E–2–b]

Section 950.3 *General Preference Order E–2–b*[1] is hereby amended as follows:

(1) The endorsement specified in subparagraph (2) (ii) of paragraph (b) is hereby amended to read as follows:

All cutting tools specified on this order are special cutting tools required by the undersigned as a result of change in design or other alteration in the specifications of the product being produced by a prime or subcontractor of the Army, Navy, Maritime Commission, or War Shipping Administration. Their delivery will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a 90-day supply, except as permitted in paragraph (d) (3) of General Preference Order No. E–2–b, with the terms of which the undersigned is familiar.

Name and address of purchaser

By---
Authorized signature

(2) Subparagraph (4) of paragraph (d) is hereby amended to read as follows:

(4) In no event shall any person sell or deliver to the same purchaser, nor shall any person buy or accept delivery from one or more sellers of, more than three sets of special cutting tools of the same type and size pursuant to paragraph (b) (2) (iii) hereof, by reason of any single change in design or other alteration in the specifications of the product being produced by a prime or subcontractor of the Army, Navy, Maritime Commission, or War Shipping Administration.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8852; Filed, September 7, 1942; 11:10 a. m.]

PART 1024—PIGS' AND HOGS' BRISTLES

[Amendment 3 to General Preference Order M–51]

Section 1024.1 *General Preference Order M–51*[1] is hereby amended as follows:

(1) Paragraph (b) (1) is amended to read as follows:

(i) "Bristles" shall mean pigs' or hogs' bristles of the lengths of two inches and longer, whether new or reclaimed and whether imported or not.

(2) Paragraph (h) is amended to read as follows:

(h) *Conservation of bristles.* No person shall use any bristles in the manufacture of any product unless such person shall use in the manufacture of such product a bristle mixture containing not less than 45% of material other than pigs' or hogs' bristles of any length whatever: *Provided, however,* That nothing in this paragraph shall apply to any product purchased by or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration manufactured in accordance with specifications expressly required to be observed by the purchase order of the particular department or agency concerned, or to any product manufactured in accordance with applicable State, County or Municipal health regulations or orders in effect September 7, 1942.

[1] 7 F.R. 6867.

[1] 6 F.R. 6425; 7 F.R. 750, 4326.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F. R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8855; Filed, September 7, 1942; 11:10 a. m.]

PART 1095—COMMUNICATIONS

[General Conservation Order L-50, as Amended September 7, 1942]

TO LIMIT THE USE OF SCARCE AND CRITICAL MATERIALS BY THE WIRE TELEPHONE INDUSTRY

General Conservation Order L-50[1] (§ 1095.1) is hereby amended to read as follows:

§ 1095.1 *General Conservation Order L-50*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, and any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service (and such telegraph and teletypewriter service as may also be conducted by him) within, to, or from the United States, its territories or possessions.

(2) "Exchange line plant" means all that portion of an operator's local wire or cable distribution system which extends from the central office main frame, exclusive of poles, crossarms, insulators and non-metallic conduit and exclusive of drop and block wires as defined in the Federal Communications Commission's Uniform System of Accounts, Class A and B Telephone Companies, § 31.233 (a).

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the upkeep of an operator's property and equipment in sound working condition.

(ii) "Repair" means the restoration, without thereby increasing existing facilities, of an operator's property and equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction of parts, or similar cause.

(b) *General.* All operators shall:

(1) Conserve scarce and critical materials by the employment of all practical methods such as: the use of such types of equipment and facilities as will reduce the use of such materials to a practical minimum and meet necessary service requirements, the substitution of less scarce materials, when such substitution can be made without serious loss of efficiency, the reuse of existing telephone equipment and facilities.

(2) Discontinue the further installation of residence extensions, jacks and plugs therefor, and the employment of additional main lines or stations on party lines in substitution thereof.

(3) Discontinue the placing of open copper wire in exchange line plant.

(c) *Restrictions on replacements.* All operators shall:

(1) limit the replacement of all equipment and facilities to the essential requirements of maintenance, repair or protection of existing service, except where necessary to provide:

(i) A permanent installation in lieu of one temporarily made to meet an exigency.

(ii) A substitution of facilities necessitated either by decreased service demands or by a regrading in service in accordance with paragraph (d) (1) (ii).

(d) *Reservations and regrading.* All operators shall:

(1) To the extent necessary to meet the known or fairly anticipated demands for service of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii):

(i) Make a reservation of facilities, either by agreement with interim subscribers or by such other method as will assure their immediate recovery, for the service requirements of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii)

(ii) Employ party line service and make available such additional facilities as may be necessary by regrading existing service whenever current installations of central office equipment and the requirements of affected business subscribers will permit.

(e) *Limitations on additions.* All operators shall:

(1) Limit additions of exchange central office equipment and exchange line plant to such as are essential to the maintenance or protection of existing service, except that, when no additional facilities may be recovered or made available by the methods described in paragraph (d) above, additions may be made to the extent necessary:

(i) To meet the known or fairly anticipated demands for service essential to persons engaged in direct defense or charged with responsibility for public health, welfare or security including, but not limited to, those in the service categories shown in Schedule A attached; where their employment in direct defense or their responsibilities for public health, welfare, or security require such service for the proper discharge of such duties.

(ii) To provide for the installation of public pay stations to meet essential public demands.

(iii) To provide minor cable or line rearrangements or extensions required in existing exchange line plant, in order to make available for use additional facilities not otherwise usable, except that in no single instance shall more than 100 pounds of copper or 50 pounds of steel wire be used therefor, nor shall any operator so divide a single job or project as to qualify it hereunder.

(f) *Engineering and planning.* All operators shall:

(1) Engineer all replacements and additions to exchange plant so as to limit the margins for expected growth of service requirements of the kind described in paragraphs (e) (1) (i) and (e) (1) (ii), to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years.

(2) Engineer all replacements or additions to toll plant so as to limit the margins for expected growth of service requirements to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years; provided, however, that this requirement shall not require the limitation of the margins of such growth to a period less than one year, and provided, further, that conductors in cables designed or suitable for use with carrier current systems may be provided (but not equipped) in such numbers that, when fully utilized by present or immediate contemplated carrier current system technique, they will provide for margins for expected growth of one-half the normal provision for such growth, even though such provision exceeds a three-year period.

(g) *Non-applicability to certain replacements and additions.* The terms of paragraphs (c), (e), and (f) shall not prohibit replacements and/or additions which may be authorized hereafter by the Director General for Operations of the War Production Board by the issuance of (1) A preference rating certificate pursuant to an application for priorities assistance on Form PD-1A or PD-200; or (2) An order specifically authorizing such replacement and/or addition.

(h) *Reports.* Each operator who utilizes copper under the provisions of paragraph (e) (1) (iii) shall make monthly reports of such usage to the War Production Board on Form PD-536.

(i) *Exemption of armed services.* The restrictions of this order shall not apply to replacements or additions for the official use of the armed services of the United States.

(j) *Appeals.* Any person affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(k) *Violations.* Any person who wilfully violates any provision of the order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any depart-

[1] 7 F.R. 3029, 4202, 4272.

ment or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Communications Branch, Washington, D. C. Ref.: L–50.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A

GENERAL CATEGORIES OF TELEPHONE SERVICE RELATED TO DIRECT DEFENSE, PUBLIC HEALTH, WELFARE OR SECURITY

1. Official Army, Navy, Marine Corps, Coast Guard, civilian defense services.

2. Official Federal, State, County and Municipal Government services.

3. Official agencies of Foreign Governments.

4. (a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanitoria; physicians, surgeons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacturers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations, the American Red Cross and similar agencies.

(b) Common carriers, pipeline companies, all types of public utilities.

(c) Press associations, newspapers, radio broadcasting stations.

(d) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fund-raising offices; United Service Organizations and other similar organizations; religious establishments and their officiating clergy; Christian Science Practitioners; public and private schools; and food processing, food distribution (wholesale and retail) and food storage organizations.

5. Business concerns furnishing material, equipment or facilities under prime or subcontracts to the armed services of the United States (and their suppliers); persons rendering special services in connection with construction of "defense projects" as defined under the provisions of Preference Rating Order P-19, such as contractors, engineers, architects, etc.; and labor unions having bona fide collective bargaining agreements with business concerns identified in this Category 5.

6. The business or management offices of new housing developments.

7. Temporary residence extensions from main-line telephones when essential in cases of serious illness.

[F. R. Doc. 42–8853; Filed, September 7, 1942; 11:10 a. m.]

PART 1166—FEMININE APPAREL FOR OUTER WEAR AND CERTAIN OTHER GARMENTS

[Interpretation 1 to General Limitation Order L–85 as Amended July 10, 1942]

The following official interpretation is hereby issued with respect to § 1166.1 *General Limitation Order L–85*, as amended July 10, 1942,[1] paragraph (d) (8):

Feminine apparel made for employees of Government contractors must conform to the restrictions of the order.

The order contains an exception in favor of feminine apparel "manufactured for or sold to the Army or Navy of the United States" and other Government departments or agencies.

This exception does not include feminine apparel manufactured or sold for use by employees of privately-owned plants operating under Government contract, even where the contract provides that the Government may thereafter acquire title to the apparel.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of September 1942.

AMORY HOUGHTON.
Director General for Operations.

[F. R. Doc 42–8854; Filed, September 7, 1942; 11:10 a. m.]

PART 3066—SHEEP INTESTINES

[General Conservation Order M–220]

§ 3066.1 *General Conservation Order M–220*—(a) *Definitions.* For the purposes of this order:

(1) "Sheep intestine" means any and all parts (other than the cecum) of the entire intestine of a sheep (ovis aries) which are suitable for the manufacture of surgical gut; but the term shall not include the intestine of any sheep slaughtered at any place west of the Continental Divide of the Rocky Mountains.

(2) "Surgical gut" means sterile gut prepared from the longitudinally split segment of sub-mucous connective tissue of the intestines of healthy sheep (ovis aries), meeting U.S.P. standards for diameter and tensile strength.

(3) "Slaughterer" means any person who slaughtered over 100,000 sheep during the 365 day period immediately prior to the date of issuance of this order.

[1] 7 F.R. 5297.

(b) *Restrictions on the use, sale and delivery of sheep intestines.* (1) No slaughterer shall use or process any sheep intestines for purposes other than the manufacture of surgical gut nor sell or deliver any sheep intestines which he knows or has reason to believe will be used or processed for purposes other than the manufacture of surgical gut, until he has filled all purchase orders and contracts in his hands for sheep intestines which are to be processed or prepared for use in the manufacture of surgical gut.

(2) Any person desiring to purchase or accept delivery of sheep intestines from a slaughterer for the purpose of processing or preparing such sheep intestines for use in the manufacture of surgical gut shall make a certification on his purchase order or contract, signed by himself or a duly authorized official, in substantially the following form:

The undersigned hereby certifies that the sheep intestines ordered by this purchase order (or purchased under this contract) will be processed or prepared solely for use in the manufacture of surgical gut. This certification is made in accordance with the terms of Order M–220 with which the undersigned is familiar.

Name _____
By _____
Address _____
Date _____

Such certification shall constitute a representation to the War Production Board and the slaughterer of the facts stated therein. The slaughterer shall be entitled to rely on such representation until he knows or has reason to believe it to be false.

(c) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of sheep intestines shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, and deliveries, and shall also preserve all purchase orders and contracts affected by the terms of this order.

(e) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the War Production Board.

(f) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Health Supplies Branch, Washington, D. C. Ref: M–220. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8856; Filed, September 7, 1942; 11:10 a. m.]

PART 3071—OVERHEAD TRAVELING CRANES

[General Preference Order M–225]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of overhead traveling cranes for defense, for private account and for export; orderly scheduling of production and delivery of overhead traveling cranes is necessary in order that maximum productive efficiency and capacity can be maintained; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3071.1 *General Preference Order M–225*—(a) *Production and delivery of overhead traveling cranes.* (1) Each producer of overhead traveling cranes shall schedule its production and make deliveries of overhead traveling cranes in accordance with such specific directions as may be issued from time to time by the Director General for Operations.

(2) The production and delivery schedules established by any specific direction which may be issued from time to time pursuant to paragraph (a) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders and may be altered only upon specific directions of the Director General for Operations.

(3) If it becomes impossible for any producer to maintain production and delivery of overhead traveling cranes in accordance with any such schedule, he shall immediately notify the Director General for Operations, and, unless otherwise directed by the Director General for Operations, he shall continue to produce and deliver overhead traveling cranes in the order set forth in such schedule and shall postpone production and delivery of any such overhead traveling cranes only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(b) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(c) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: Crane Section, Tools Division, War Production Board, Washington, D. C., Ref: M–225.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8857; Filed, September 7, 1942; 11:11 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 5 of General Imports Order M–63, as Amended June 2, 1942]

Section 1042.1 *General Imports Order M–63*, as amended June 2, 1942,[1] is hereby amended by making the following changes in List I, List II, and List III:

[1] 7 F.R. 4199, 4404, 4878, 5638, 6521, 6737.

Change	Material	Commerce import class number
Add to list I	Hemp (Cannabis Satiba type only) unmanufactured:	
	Hackled, including "line of hemp".	[1]N.S.C.
	Not hackled	[1]N.S.C.
	Tow	[1]N.S.C.
Move from list I to list II.	Silver:	
	Ores, concentrates, and base bullion, valuable chiefly for silver content.	6819.5
	Bullion, refined	6819.6
	Coin, foreign	6819.8
	Sweepings and scrap, including silver sulphides.	6819.9
	Semiprocessed items, valuable chiefly for silver content.	[1]N.S.C.
	Compounds, mixtures, and salts, valuable chiefly for silver content.	[1]N.S.C.
Add to list II	Cohune nut oil	[1]N.S.C.
Add to list III	Nutgalls or gall nuts	2310.0
	Fabrics, woven of Agave fiber.	[1]N.S.C.
	Hides and skins, raw: Deer, buck, or doe.	0293.1

[1] N. S. C.=No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

This amendment shall take effect on September 11, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8867; Filed, September 8, 1942; 11:10 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M–63–a as Amended September 8, 1942]

Section 1042.2 *Supplemental General Imports Order M–63–a*, as amended July 15, 1942)[1] is hereby further amended to read as follows:

§ 1042.2 *Supplemental General Imports Order M–63–a.* Until further order of the Director General for Operations, the provisions of General Imports Order M–63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador.

[1] 7 F.R. 5461.

This order shall take effect on September 11, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8866; Filed, September 8, 1942; 11:10 a. m.]

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Interpretation 1 of Order M-81 as Amended June 27, 1942]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1068.1 *Conservation Order M-81* as amended June 27, 1942.[1]

Paragraph (c) (1) states, with reference to quotas, that "The calendar year basis shall obtain, except for products for which a seasonal base period is specified."

This provision means that a canner packing a product for which a seasonal base period is specified, may, until further order by the Director General for Operations, use during the 1942-1943 packing season, the tinplate quota based upon his 1940-1941 pack. The quota for the 1942-1943 packing season is separate from and in addition to the quota used during the 1941-1942 packing season. "Seasonal base period" as used in Order M-81, as amended June 27, 1942, means a twelve months' period beginning in one calendar year and ending in the next.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8865; Filed, September 8, 1942; 11:09 a. m.]

PART 1095—COMMUNICATIONS

[Amendment 1 to Preference Rating Order P-129 as Amended July 28, 1942]

MAINTENANCE, REPAIR, AND OPERATING SUPPLIES

Section 1095.2 *Preference Rating Order P-129*[2] is hereby amended in the following particulars:

Paragraph (a) (1) (i) is amended to read as follows:

(i) Wire communication (except wire telephone communication).

[1] 7 F.R. 4836, 5272, 6148.
[2] 7 F.R. 5809.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8862; Filed, September 8, 1942; 11:09 a. m.]

PART 1095—COMMUNICATIONS

[Preference Rating Order P-130, As Amended September 8, 1942]

MAINTENANCE, REPAIR, OPERATING SUPPLIES AND OPERATING CONSTRUCTION

Preference Rating Order P-130[1] (§ 1095.3) is hereby amended to read as follows:

§ 1095.3 *Preference Rating Order P-130*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States and any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service (and such telegraph and teletypewriter service as may also be conducted by him), within, to, or from the United States, its territories or possessions.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the upkeep of an operator's property and equipment in sound working condition.

(ii) "Repair" means the restoration, without thereby increasing existing facilities, of an operator's property and equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction of parts, or similar cause.

(4) "Operating supplies" means any material which is essential to and consumed in the operation of communication services by an operator but does not include any material which is physically incorporated in whole or in part in the property or equipment of the operator.

(5) Material for maintenance, repair or operating supplies for the purpose of this order shall not include material used for:

(i) The improvement of an operator's property or equipment through the replacement of material which is still usable in the existing property or equipment with material of a better kind, quality, or design;

(ii) Additions to or expansion of the operator's existing property or equipment.

(6) "Operating construction" means the use of materials by an operator for such construction of exchange and toll plant (including such telegraph and teletypewriter service as may be conducted by an operator) as is permitted under the provisions of General Conservation Order L-50 as amended from time to time.[1]

(7) "Operator's inventory of material" shall include all items of new and/or salvaged material and supplies on hand, whether held for current use or for sale as junk, until physically incorporated into plant by way of maintenance, repair, operating construction or otherwise, and without regard to whether or not such items of material are carried in the operator's accounting records under "Material and Supplies Account" exclusive nevertheless of:

(i) Any equipment of a superseded type reserved by an operator for reuse, as a practical measure of conservation to meet probable future operating contingencies;

(ii) Any material identified for use in projects which have been specifically authorized by the War Production Board upon application of an operator;

(iii) Any operating supplies which are in the process of being consumed by an operator.

(b) *Assignment of preference rating.* (1) Subject to the terms of this order, the following preference ratings are hereby assigned to operators:

(i) A-1-a for deliveries to an operator of material required by him for maintenance, repair, operating supplies, or operating construction.

(ii) For deliveries to an operator of material required by him for the construction of facilities necessary to serve defense projects bearing a rating of A-1-c or better, the same rating as is assigned to such defense project; except that where such project is assigned two or more ratings and both or all of these are A-1-c or better, such deliveries to an operator are assigned the lowest rating which is assigned to such defense project.

(2) *Application and extension of ratings.* The ratings assigned by paragraph (b) (1) above shall be applied and extended in accordance with Priorities Regulations Numbers 1 and 3, as amended from time to time.

(c) *Restrictions on use of rating.* (1) In addition to the limitation in paragraph (c) (3) below, the preference ratings hereby assigned shall not be applied by an operator:

(i) To obtain deliveries of materials containing copper, iron, steel, or nickel where such metals could be eliminated from said materials by the substitution of less scarce metals without serious loss of efficiency in the use of said materials.

(ii) To obtain material for operating construction as defined in paragraph

[1] 7 F.R. 5810.

(a) (6) for exchange plant where the cost of such material in any single case exceeds $2,500, or, to obtain PBX switchboards required to serve subscribers other than those set forth in paragraphs (e) (1) (i) and (e) (1) (ii) of General Conservation Order L-50.

(iii) To obtain material for operating construction as defined in subparagraph (a) (6) for toll plant where the cost of such material in any single case exceeds $500.

(2) An operator by applying or extending any preference ratings hereby assigned thereby represents to the seller and to the War Production Board that the material thus to be acquired will be used in conformity with all provisions of General Conservation Order L-50, as amended from time to time, and in addition that the acquisition of such material will not violate the provisions of paragraph (e) (1) hereof, or that such acquisition and/or use has been specifically authorized by the Director General for Operations.

(3) No operator shall subdivide a single order, job, or project to qualify the same under the terms of this order.

(d) *Reports.* Each operator affected by this order shall file such reports and questionnaires with the War Production Board as may from time to time be required by the Director General for Operations.

(e) *Restrictions on deliveries, inventory, and use.* (1) On and after October 15, 1942, except as provided in paragraph (e) (3) below, no operator who has applied the rating assigned hereby shall at any time accept deliveries of material (whether or not rated pursuant to this order) to be used for any purpose:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940.

(ii) Where the receipt thereof shall increase the dollar value of the operator's inventory of material to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940.

(2) Except as provided in paragraph (e) (3) below, no operator who has applied the rating assigned hereby shall, during any calendar quarterly period, use material for maintenance, repair, operating supplies, and operating construction the aggregate dollar value of which shall exceed 110% of the aggregate dollar value of such material used during the corresponding quarter of 1940, or at the operator's option 27½% of the aggregate dollar value of such material used during the calendar year 1940.

(3) (i) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942, did not exceed $10,000, shall be exempt from the provisions of subparagraph (1) above.

[2] 7 F.R. 3029, 4202, 4272.

(ii) Any operator whose use of materials for the year 1942 does not exceed $10,000, shall be exempt from the provisions of subparagraph (2) above.

(iii) Material delivered pursuant to paragraph (b) (1) (ii), shall be exempt from the provisions of subparagraphs (1) and (2) above.

(iv) From time to time, the Director General for Operations may determine that certain operators are exempt in whole or in part from the restrictions contained in subparagraphs (1) and (2) above.

(f) *Sales of material from excess stock.* Any operator may sell to any other operator materials from the seller's excess stocks or inventories, provided that a preference rating of A-1-c or higher assigned by this order, or any preference rating certificate, order, or other direction issued by the Director General for Operations is applied or extended to the operator selling such materials; and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Communications Branch, Washington, D. C., Ref.: P-130.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8861; Filed, September 8, 1942; 11:09 a. m.]

PART 1095—COMMUNICATIONS

[General Conservation Order L-148]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain types of wire communication equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1095.4 *General Conservation Order L-148*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing wire communication equipment, parts or attachments thereto, of the kinds listed in Schedule A, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Distributor" means any person other than a manufacturer regularly engaged in the business of leasing or selling wire communication equipment, parts or attachments thereto, to dealers.

(4) "Dealer" means any person (other than one engaged in rendering wire or radio communication service), regularly engaged in the business of offering wire communication equipment, parts or attachments thereto for sale or lease at retail to the consumer.

(5) "Wire communication equipment" shall include, but not by way of limitation, new and used wire telephone and telegraph communication equipment, parts and attachments thereto (including wire intercommunicating systems) of the kinds listed in Schedule A, to the extent used in the communications industry.

(b) *General restrictions.* On and after the fifteenth day following the date of issue of this order, regardless of the terms of any contract of sale, purchase, rental or other commitment, no manufacturer, distributor or dealer shall accept any purchase, rental or other order for wire communication equipment, parts or attachments thereto including, but not limited to, those included in Schedule A which is attached and made a part of this order, except a purchase, rental or other order bearing a preference rating of A-7 or higher; and no manufacturer, distributor, or dealer shall sell, lend, lease, rent, deliver, or otherwise transfer any such wire communication equipment, parts or attachments thereto nor shall any person receive or accept deliveries of any such equipment, parts or attachments thereto except to fill a purchase, rental or other order bearing a preference rating of A-7 or higher. *Provided, however,* that this paragraph shall not prohibit the transfer or delivery of wire communication equipment to a manufacturer for repair or storage or the return of said equipment to the owner thereof after repair has been effected or storage terminated.

(c) *Existing contracts.* Fulfillments of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for default under any contract

or order which shall result directly or indirectly from compliance with the terms of this order.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Communications Branch, Washington, D. C., Ref.: L-148.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director General for Operations, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority contract, and may be deprived of priorities assistance.

(h) *Reports.* All persons affected by this order shall execute and file such reports as the Director General for Operations shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A

General categories of wire communication equipment, parts or attachments thereto, to the extent used in the communications industry, limited by General Conservation Order L-148.

1. Switchboards and switching systems including local telephone, central office, toll telephone, PBX telephone and telegraph.
2. Telephones including transmitters, receivers, dials, subscriber sets.
3. Relays, condensers, repeaters, coils, filters and carrier systems.
4. Testing apparatus.
5. Wire and strand.
6. Cable.
7. Cable terminals.
8. Pole line hardware.
9. Plugs, jacks, cords, keys.
10. Wire intercommunicating systems.
11. Varioplex, multiplex, facsimile and telautograph equipment.
12. Teletypewriters, printing telegraph machines, tape perforating apparatus and accessories.
13. Appliances used for manual telegraph.
14. Time clocks, time switches, call boxes, signaling and selector equipment used for telephone and telegraph systems and/or used for wire protective alarm systems.
15. Motors, generators, storage batteries, rectifiers, transformers, power panels and associated equipment used for telephone and telegraph communication.

[F. R. Doc. 42-8868; Filed, September 8, 1942; 11:10 a. m.]

PART 1097—SHEARLINGS AND OTHER WOOL SKINS

[Amendment 1 to General Conservation Order M-94 as Amended July 30, 1942]

Section 1097.1 *General Conservation Order M-94* as amended July 30, 1941[1] is hereby amended in the following respects:

Paragraphs (a) (1) and (a) (2) are amended to read as follows:

(1) "Shearling" shall mean the skin of a sheep or lamb that has been shorn, domestic or foreign, a so-called California lamb skin or other native lamb skin, whether raw, semi-processed, or finished, of 46's grade or higher, having a wool growth of 2" or less, or originally of a wool length in excess of 2" which has been clipped after flaying by any person so as to leave a wool growth of ¼" or more thereon.

(2) "Wool skin" shall mean the raw skin of a sheep or lamb bearing wool.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8864; Filed, September 8, 1942; 11:09 a. m.]

[1] 7 F.R. 5903.

PART 3083—DOUGLAS FIR LOGS

[General Preference Order M-234]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Douglas fir logs for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3083.1 *General Preference Order M-234*—(a) *Definitions.* For the purposes of this order:

(1) "Douglas fir logs" means logs of the botanical species of *Pseudotsuga taxifolia* (including cants and flitches of such logs), which are produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(b) *Allocations.* The Director General for Operations may allocate specific quantities of Douglas fir logs, or any part sawed therefrom, to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of Douglas fir logs, or any part sawed therefrom, or the production by any person of particular lumber items from Douglas fir logs. Allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference rating assigned to particular contracts or purchase orders. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential civilian requirements.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the Priorities Regulations of the War Production Board, as amended from time to time.

(d) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Douglas fir logs conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, by letter or other written communication, in duplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Western Log and Lumber Administrator, War Production Board, Portland, Oregon, Ref.: M-234.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, the Director General for Operations may prohibit such person from making or obtaining further deliveries of or from processing or using material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8863; Filed, September 8, 1942; 11:09 a. m.]

Chapter XI—Office of Price Administration

PART 1419—EXPLOSIVES

[Amendment 1 to Maximum Price Regulation 191[1]]

COTTON LINTERS AND HULL FIBERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1419.12, and a new § 1419.13, are added as set forth below:

§ 1419.13 *Sales by the United States or any agency thereof.* Nothing in this Maximum Price Regulation No. 191, or in the General Maximum Price Regulation [2], shall apply to sales of cotton linters or hull fibers by the United States or any agency thereof.

§ 1419.12 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1419.12 and 1419.13) to Maximum Price Regulation No. 191 shall become effective September 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8808; Filed, September 4, 1942; 4:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 25 to General Maximum Price Regulation [2]]

ADDITIONAL METHOD FOR DETERMINING CEILING PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.3 is amended to read as set forth below.

§ 1499.3 *Maximum prices for commodities and services which cannot be priced under § 1499.2.* The seller's maximum price for a commodity or service which cannot be priced under § 1499.2 of this General Maximum Price Regulation shall be a maximum price in line with the level of maximum prices established by this General Maximum Price Regulation. Such price shall be determined by the seller in accordance with the following procedures:

(a) In the case of a "sale at wholesale or retail" of a commodity, the seller (1) shall select from the same general classification and price range as the commodity being priced under this section, the comparable commodity for which a maximum price is established under section 2 of this Regulation and of which the seller delivered the largest number of units during March 1942; (2) shall divide his maximum price for that commodity by his "replacement cost" of that commodity; and (3) shall multiply the percentage so obtained by the cost to him of the commodity being priced under this paragraph. The resulting figure shall be the maximum price of the commodity being priced. Within ten days after determining such maximum price under this paragraph, the seller shall report such price to the "appropriate field office of the Office of Price Administration" upon a form, duly filled out, copied from the form contained in Appendix A of this Regulation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(b) In the case of a sale other than at wholesale or retail of a commodity, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (1) a description in detail of the commodity for which a maximum price is sought; and (2) a statement of the facts which differentiate such commodity from other commodities delivered during March 1942 by such seller and by other competitive sellers of the same class. Such authorization will be given in the form of an order prescribing a method of determining the maximum price for the applicant or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(c) In the case of a sale at wholesale or retail of a commodity which cannot be priced under paragraph (a) of this section, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration or any duly authorized officer thereof. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the regional office of the Office of Price Administration for the region in which his principal place of business is located an application setting forth (1) a description of the commodity or commodities for which a maximum price is sought; (2) a statement of the reasons why such commodity or commodities cannot be priced under § 1499.2 or § 1499.3 (a) of this General Maximum Price Regulation; and (3) any other facts which the seller wishes to submit in support of the application. The seller shall also submit such additional pertinent information as the regional office may require. Such authorization will be given in the form of an order prescribing a method of determining the maximum price.

(d) In the case of a sale of a commodity the price for which includes the supply of a service of substantial value and which cannot be priced under paragraph (a) of this section, or in the case of a sale of a service, the maximum price shall be a price determined by the seller by applying the first applicable pricing method of the pricing methods stated in § 1499.102 of Maximum Price Regulation No. 165, as amended.

§ 1499.23a *Effective dates of amendments.* * * *

(z) Amendment No. 25 (§ 1499.3) to General Maximum Price Regulation shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8809; Filed, September 4, 1942; 4:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 33 Under § 1499.18 (c) of the General Maximum Price Regulation]

PLANTER MANUFACTURING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.383 *Approval of maximum prices for sales by Planters Manufacturing Company, Inc. of collapsible plywood tobacco hogsheads.* (a) On and after September 5, 1942, Planters Manufacturing Company, Inc., a corporation having its principal place of business at Portsmouth, Virginia, may sell and deliver and offer, agree, solicit, and attempt to sell and deliver collapsible plywood tobacco hogsheads, and any person may buy from Planters Manufacturing Company, Inc. such hogsheads manufactured by it at a price no higher than as hereinafter set forth:

$7.72 each, f.o.b. factory for collapsible plywood tobacco hogsheads—46" diameter head by 54" length stave.

(b) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 33 (§ 1499.383) is hereby incorporated as a section of Supplementary Regulation 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 33 (§ 1499.383) shall become effective on September 5, 1942. (Pub. Law 421, 77th Cong.)

Issued this 4th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8807; Filed, September 4, 1942; 4:59 p. m.]

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 6000, 6150.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6082, 6216, 6616, 6795, 6939.

PART 1381—SOFTWOOD LUMBER

[Amendment 1 to Maximum Price Regulation 19[1]]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1381.212 (e) a list of qualified producers is added to the following subparagraph (1), as set forth below.

§ 1381.212 *Maximum prices for Southern pine lumber where shipment originates at a mill.* * * *

(e) (1) * * *

The following producers have qualified as producers of "special soft texture finish":

Caddo River Lumber Company, R. A. Long Building, Kansas City, Missouri.

Crossett Lumber Company, Crossett, Arkansas.

Frost Lumber Industries, Inc., Shreveport, Louisiana.

Dierks Lumber & Coal Company, Dierks Building, Kansas City, Missouri.

Vredenburgh Saw Mill Company, Vredenburgh, Alabama.

McKnight Lumber Company, R. A. Long Building, Kansas City, Missouri.

Bradley Lumber Company, Warren, Arkansas.

Fordyce Lumber Company, Fordyce, Arkansas.

Southern Lumber Company, Warren, Arkansas.

Allison Lumber Company, Bellamy, Alabama.

Conasauga River Lumber Company, Conasauga, Tennessee.

§ 1381.211a *Effective dates of amendments.* * * *

(b) Amendment No. 1 (§ 1381.212 (e) (1)) to Maximum Price Regulation No. 19 shall become effective September 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8831; Filed, September 7, 1942; 9:18 a. m.]

PART 1425—LUMBER DISTRIBUTION

[Maximum Price Regulation 215]

DISTRIBUTION YARD SALES OF SOFTWOOD

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for distribution yard sales of softwood lumber which differ in some respects from the maximum prices established by the General Maximum Price Regulation.[2] The Price Administrator has ascertained and given due consideration to the prices at which such sales were made between October 1–15, 1941. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 215 is hereby issued.

AUTHORITY: §§ 1425.1 to 1425.14, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1425.1 *Definition of distribution yard sale.* (a) "Distribution yard sale" for purposes of this Maximum Price Regulation No. 215 means a sale of 5,000 feet or more of softwood lumber to the following persons: *Provided*, That such sale is made out of the seller's stock of such lumber at a point where he regularly maintains such stock:

(1) To the United States or any agency thereof or to contractors and subcontractors who will use such lumber to fulfill a contract with the United States or any agency thereof;

(2) To State Governments, including the District of Columbia, or any of their political subdivisions, or any agency of any of the foregoing, but not to contractors and subcontractors who will use such lumber to fulfill a contract with the foregoing;

(3) To an industrial user for use in the fabrication, packaging, or shipping of its products;

(4) To a railroad, but not to contractors and subcontractors who will use such lumber to fulfill a contract with a railroad;

(5) To a shipbuilder, dock builder, dam builder, or a bridge builder, or to contractors and subcontractors who will use such lumber to fulfill a contract with the foregoing;

(6) To other distribution yards, wholesale or retail.

(b) The term "distribution yard sale" of any particular kind of softwood lumber shall be construed to include any sale of the type described in paragraph (a) of this section which does not "originate at a mill, rather than at a distribution yard", as that phrase, and the terms therein included, are defined in the specific Maximum Price Regulations dealing with direct mill sales of that kind of lumber.

(c) For the purpose of paragraph (a) of this section, the size of the sale shall be determined by the size of the order, and the size of the order shall be determined by the over-all quantity involved in a single transaction. In determining the size of a sale subject to this Maximum Price Regulation No. 215, shingles shall be converted in the ratio of 10,000 shingles to 1,000 feet of lumber, and lath shall be converted in the ratio of 6,000 laths to 1,000 feet of lumber.

§ 1425.2 *Maximum prices for distribution yard sales of softwood lumber.* (a) On and after September 10, 1942, regardless of any contract or other obligation, no person shall make a distribution yard sale of softwood lumber for domestic or export use, and no person shall buy or receive in the course of trade or business softwood lumber out of a distribution yard at prices higher than the maximum prices set forth in Appendix A, § 1425.14, where the sale satisfies all of the tests of a distribution yard sale.

(b) No person shall offer, agree, solicit, or attempt to do any of the foregoing.

(c) The provisions of this Maximum Price Regulation No. 215 shall not be applicable to distribution yard sales or deliveries of softwood lumber to a purchaser if prior to September 10, 1942, such lumber had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1425.3 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1425.14, may be charged, demanded, paid, or offered.

§ 1425.4 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 215 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation, except as provided in § 1425.14 (d).

§ 1425.5 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 215 shall enter into an agreement permitting the adjustment of the price of a distribution yard sale to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided*, That if a petition for amendment has been duly filed and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1425.6 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 215 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to a distribution yard sale, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Making charges for delivery which exceed the actual cost to the seller of such delivery except as otherwise provided in Appendix A, § 1425.14;

(2) Falsely or wrongly grading or invoicing lumber;

(3) Grading as a special grade lumber which can be graded as a standard grade;

(4) Selling as specified lengths a shipment of lumber which is substantially equivalent to standard or random lengths;

(5) Breaking up an order which would normally be a single order into a series of smaller orders or combining a number of single orders into one large order in order to evade the maximum price limitations set forth in this Maximum Price Regulation No. 215.

(6) Refusing to sell except on a delivered basis;

(7) Quoting delivered prices on the basis of estimated weights higher than those permitted by Appendix A, § 1425.14.

§ 1425.8 *Records and reports.* (a) On and after September 10, 1942, every person who, during any calendar month, offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys or receives a total of 34,000 pounds or more of softwood lumber out of a distribution yard subject to this Maximum Price Regulation No. 215, in the course of trade or business, shall keep for inspection by the Office of Price Administration for a period of not less than 2 years a complete and accurate record of every such offer, agreement, purchase, sale, or delivery, showing the date thereof, the name and address of the buyer and the seller, the price paid and received, and the quantity, size, grade, specifications, and condition of seasoning of such lumber in each such sale or purchase.

(b) Every person making sales subject to this Maximum Price Regulation No. 215, who buys or receives a total of 100,000 feet or more of softwood lumber during the 60 day period following the effective date of this Regulation shall, on or before December 1, 1942, file with the Lumber Branch of the Office of Price Administration a statement under oath of the following facts for all receipts of each species of softwood lumber purchased:

(1) Date of purchase;

(2) Kind purchased (grade, size, whether rough or dressed and how dressed, whether green or dry and how dried);

(3) Quantity of each purchase;

(4) From whom purchased;

(5) Shipping point;

(6) Destination;

(7) Transportation charges paid (give applicable weight and rate and state whether such charges were prepaid or collect);

(8) Prices paid (whether f. o. b. mill or delivered); and

(9) Discounts received (cash and trade discounts and amounts thereof).

(c) Such persons shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1425.9 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 215 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and procedure for revocation of license provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 215 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) No War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 215 or the Emergency Price Control Act of 1942.

§ 1425.10 *Petitions for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of softwood lumber which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum price established by this Maximum Price Regulation No. 215 in accordance with Procedural Regulation No. 6[4], issued by the Office of Price Administration.

(b) *Special relief.* Any person seeking special relief for which no provision is made in paragraph (a) of this section, from a maximum price established under this Maximum Price Regulation No. 215, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, issued by this Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 215 to eliminate the danger of inflation.

(c) *General amendments and adjustments.* Persons seeking any general modification of this Maximum Price Regulation No. 215 or any general adjustment or exception not provided for therein may file petitions for amendment in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1425.11 *Export sales.* The maximum price at which a person may export softwood lumber sold out of a distribution yard subject to this Maximum Price Regulation No. 215, shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[4] issued by the Office of Price Administration.

§ 1425.12 *Definitions.* (a) This Maximum Price Regulation No. 215 and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Softwood lumber" means any lumber or shingles subject to Maximum Price Regulations 19, 26, 94, and 164.

(3) "Applicable basing points" means the points of origin to be used, based on rates set forth in the tariffs of railroad carriers, in determining incoming transportation charges.

(4) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1425.13 *Effective date.* Maximum Price Regulation No. 215 (§§ 1425.1 to 1425.14, inclusive) shall become effective September 10, 1942.

§ 1425.14 *Appendix A: Maximum prices for distribution yard sales of softwood lumber.* (a) The maximum price at which a distribution yard sale subject to this Maximum Price Regulation No. 215 of each species, grade, and size of softwood lumber may be made shall be a price not higher than the sum of the following where the shipment originates at such yard:

(1) F. O. B. mill maximum price of such lumber as established by any applicable price regulation of the Office of Price

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5427, 5869.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5585, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

[3] 7 F.R. 971, 3663.

[4] 7 F.R. 5059.

[4] 7 F.R. 5087, 5664.

Administration except the General Maximum Price Regulation.

(2) Inbound transportation charges to the distribution yard to be calculated on the basis set forth in paragraph (i) of this § 1425.14.

(3) (i) $5.00 per thousand feet for lumber.

(ii) $0.30 per square for shingles.

(iii) $0.60 per hundred pieces for lath.

(4) 10 percent of the total of the applicable items set forth in subparagraphs (1), (2), and (3) above.

The maximum prices set forth above shall include loading by and at the expense of the seller on the railroad car, motor vehicle, or other transportation medium, but does not include transportation to the buyer.

(b) If a distribution yard sale subject to this Maximum Price Regulation No. 215 is made on a delivered basis at the request of the buyer, a delivered price in excess of the maximum price at the distribution yard as set forth in paragraph (a) hereof may be charged consisting of such maximum prices plus actual transportation costs to the extent that such costs are paid by the seller, if a carrier other than the seller's own transportation facilities are used, or actual cost of delivery if the seller's own transportation facilities are used: *Provided*, That all transportation charges to the purchaser for such delivery are separately set forth on the invoice, bill of sale, or other billing. In computing such actual transportation costs, the parties may adopt the practice of charging a sum equivalent to the one-quarter of a dollar per thousand feet nearest such actual transportation costs. In addition, the parties may adopt estimated average weights where provided for by any applicable price regulation.

(c) An addition to the maximum prices established by paragraphs (a) and (b) of this § 1425.14 may be charged for workings as follows, when the working is performed by the distribution yard itself:

	4/4, 5/4, 6/4	2"	3" and 4"	5 x 5 to 8 x 8	6 x 10 and larger
S1S, S2S, S3S, S4S, D & M, Shiplap, Grooved, Beveled Sleepers	$3.00	$2.50	$2.50	$3.00	$4.00
Drop Siding & Ceiling	3.50	3.00	3.00	6.00	6.00
Outsauged & Special patterns	3.50	3.00			
Cross-cutting	7.50	7.50	7.50	7.50	7.50
Ripping	1.00	1.00	1.00	2.00	2.00
Resawing	1.50	1.50	1.50		
	2.00	2.00	2.00	2.00	3.00

Working charges for quantities less than 2,000 feet to be charged as for 2,000 feet.

(d) Additions for workings, specifications, services, or other extras not expressly provided for herein shall be subject to the General Maximum Price Regulation.

(e) The maximum prices herein established shall not be increased by any charges for the extension of credit, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased by the seller on August 1, 1941. The cash and credit periods recognized by the seller on August 1, 1941, shall not be reduced.

(f) No person shall pay, and no person shall charge or receive a commission for purchasing softwood lumber out of a distribution yard, if such a purchase and sale is subject to this Maximum Price Regulation No. 215, if the amount of the commission plus the purchase price is higher than the maximum price permitted by this Maximum Price Regulation No. 215.

(g) The maximum price for sales on combination grades shall be the maximum price established in this § 1425.14 for the lowest grade named in the combination.

(h) A gross price above the maximum price established in this § 1425.14 shall not be quoted, even if accompanied by a discount, the effect of which is to bring the net price below such maximum price.

(i) In adding inbound transportation charges as provided in paragraph (a) (2) of this § 1425.14, each seller shall calculate incoming transportation charges on the basis of carload railroad rates applicable to each species of softwood lumber as follows:

Applicable Basing Points by Species

To points in the State of—	Douglas fir, hemlock and other West Coast lumber covered by MPR 26	Idaho pine MPR 94	Ponderosa pine, sugar pine, and other lumber covered by MPR 94	Western red cedar shingles MPR 164	Southern pine MPR 19
Alabama	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Montgomery, Ala.
Arizona	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Arkansas	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
California	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Colorado	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Connecticut	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Delaware	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Goldsboro, N. C.
District of Columbia	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Goldsboro, N. C.
Florida	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Orlando, Fla.
Georgia	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Idaho	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Illinois	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Hattiesburg, Miss.
Indiana	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Hattiesburg, Miss.
Iowa	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Kansas	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Kentucky	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Hattiesburg, Miss.
Louisiana	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Maine	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Maryland	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Goldsboro, N. C.
Massachusetts	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Michigan	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Hattiesburg, Miss.
Minnesota	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Mississippi	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Hattiesburg, Miss.
Missouri	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Montana	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Nebraska	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Nevada	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
New Hampshire	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
New Jersey	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
New Mexico	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
New York	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
North Carolina	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Goldsboro, N. C
North Dakota	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Ohio	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Oklahoma	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La
Oregon	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La
Pennsylvania	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Rhode Island	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
South Carolina	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Sumter, S. C.
South Dakota	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La
Tennessee	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Texas	Portland, Oreg.	Spokane, Wash.	Susanville, Calif.	Seattle, Wash.	Alexandria, La.
Utah	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.
Vermont	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Macon, Ga.
Virginia	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Goldsboro, N. C.
Washington	Seattle, Wash.	Spokane, Wash.	See footnote 5	Seattle, Wash.	Alexandria, La.
West Virginia	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Goldsboro, N. C.
Wisconsin	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Hattiesburg, Miss.
Wyoming	Portland, Oreg.	Spokane, Wash.	Klamath Falls, Oreg.	Seattle, Wash.	Alexandria, La.

[1] Use Spokane, Wash., as applicable basing point for ponderosa pine. Use Klamath Falls, Oreg., as applicable basing point for sugar pine.

(j) In the use of inbound transportation charges as provided in paragraph (i) of this § 1425.14, the parties may adopt the practice of charging a sum equivalent to the one-quarter of a dollar per thousand feet nearest such transportation charges.

In addition, the parties may adopt estimated average weights where provided for by any applicable price regulation.

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8832; Filed, September 7, 1942; 9:18 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Maximum Price Regulation 216]

RAILROAD TIES

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for railroad ties which differ in some respects from the maximum prices established by the General Maximum Price Regulation.[1] The Price Administrator has ascertained and given due consideration to the prices of railroad ties prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum price established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 216 is hereby issued.

AUTHORITY: §§ 1426.1 to 1426.14, inclusive issued under Pub. Law 421, 77th Cong.

§ 1426.1 *Prohibition against dealing in railroad ties above maximum prices.* On and after the effective date of this regulation, regardless of any contract or other obligation:

(a) No person in the course of trade or business shall buy or receive railroad ties at a price higher than the maximum price permitted by this regulation.

(b) No person shall sell or deliver railroad ties at a price higher than the maximum price permitted by this regulation: *Provided*, That if upon the sale of any railroad tie, the seller shall receive from the purchaser a written affirmation that to the best of his knowledge, information, and belief the prices to be paid do not exceed the maximum price established by this Maximum Price Regulation No. 216, and if in such case the seller shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the seller shall be deemed to have complied with this section.

(c) No person shall sell, agree, offer, solicit, or attempt to do any of the acts set forth in paragraphs (a) and (b) of this section.

§ 1426.2 *Maximum prices for railroad ties*—(a) *For a railroad purchasing railroad ties*, the maximum price for each species and size of untreated or treated railroad tie at each delivery point shall be the highest price at which each railroad received delivery (for its own use) of each species and size of railroad tie at the same delivery point during the first quarter of 1942.

(b) *For the United States or any agency thereof or to contractors or subcontractors who will use such railroad ties to fulfill a contract with the United States or any agency thereof*, the maximum price for untreated railroad ties shall be 110 percent of the maximum price established or permitted by this Maximum Price Regulation No. 216 for the railroad on whose line such railroad ties were produced:

(1) For the "same" species and size of untreated railroad tie at each delivery point of such railroad; or

(2) If no such maximum price is established or permitted for the "same" species and size of untreated railroad tie, for the "most similar" species and size of untreated railroad tie at each delivery point of such railroad, adjusted for the customary differential between the two species and sizes.

(c) *For all other persons purchasing railroad ties*, the maximum price for untreated railroad ties shall be the maximum price established or permitted by this Maximum Price Regulation No. 216 for the railroad on whose line such railroad ties were produced:

(1) For the "same" species and size of untreated railroad tie at each delivery point of such railroad; or

(2) If no such maximum price is established or permitted for the "same" species and size of untreated railroad tie, for the "most similar" species and size of untreated railroad tie at each delivery point of such railroad, adjusted for the customary differential between the two species and sizes.

(d) Additions to the maximum prices established by paragraphs (b) and (c) of this section may be charged and paid:

(1) For preservative treatment, at prices not higher than those permitted by any applicable maximum price regulation of the Office of Price Administration.

(2) For actual transportation charges from the loading-out point on the railroad on whose line the railroad ties were produced to the ultimate destination specified by the buyer.

§ 1426.3 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1426.4 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 216 shall be construed to prohibit the making of a contract to sell and purchase railroad ties at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment or an application for adjustment or exception has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition or application in accordance with the disposition of the petition or application.

§ 1426.5 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 216 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, purchase, delivery or receipt of, or relating to the sale or purchase of railroad ties, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or trade understanding, or otherwise.

§ 1426.6 *Records and reports.* (a) On and after September 5, 1942:

(1) Every person who, during any calendar month, offers or agrees to buy, buys, or receives railroad ties in the course of trade or business shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of every such offer, purchase, or receipt, showing the date thereof, the name and address of the seller, and the price paid for, and the quantity of, each species and size of railroad tie at each delivery point.

(2) Every person who, during any calendar month, offers or agrees to sell, sells, or delivers 5,000 railroads ties or more or 150,000 feet board measure or more of railroad ties shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of every such offer, agreement, sale, or delivery, showing the date thereof, the name and address of the buyer, and the price received for, and the quantity of, each species and size of railroad tie at each delivery point.

(b) On or before October 1, 1942, every person who purchased railroad ties in the course of trade or business during the period January 1, 1942, to March 31, 1942, shall submit to the Office of Price Administration in Washington, D. C., a report setting forth the highest price paid for, and the quantity purchased of,

[1] Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

[3] 7 F.R. 971, 3663.

each size and species of railroad tie at each delivery point.

(c) Such persons designated in paragraphs (a) and (b) of this section shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records and reports required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require or permit.

§ 1426.7 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 216 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 216, or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

(c) No War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 216 or the Emergency Price Control Act of 1942.

§ 1426.8 *Applications for adjustment—*(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under such contract, who believes that the maximum price impedes or threatens to impede production of railroad ties which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 216, in accordance with Procedural Regulation No. 6,[3] issued by this Office of Price Administration.

(b) *Special filing by buyers.* Any railroad which purchased or offered to purchase railroad ties at prices higher than those established by paragraph (a) of § 1426.2 subsequent to March 31, 1942, and prior to May 11, 1942, and submits evidence of such purchase or offer to purchase,[4] and any person other than a railroad who purchased railroad ties at prices higher than those established by paragraph (c) of § 1426.2 between January 1 and March 31, 1942, may apply for adjustment of such maximum prices in accordance with the provisions of Appendix A, § 1426.14. After such an application for adjustment as herein provided for has been filed, and pending the issuance of an order granting or denying the application, in whole or in part, any railroad may enter into or offer to enter into contracts to purchase and may purchase railroad ties at a price not exceeding the maximum price paid by it for each species and size of railroad tie at each delivery point during the period subsequent to March 31, 1942, and prior to May 11, 1942; and any person other than a railroad may enter into or offer to enter into contracts to purchase and may purchase railroad ties at a price not exceeding the maximum price paid by him for each species and size of railroad tie at each delivery point during the period January 1 to March 31, 1942, inclusive, and any seller may sell or offer or agree to sell at such prices: *Provided,* That such an application for adjustment is filed with the Lumber Branch, Office of Price Administration in Washington, D. C., within 30 days after this regulation shall take effect. If the order denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the seller may be required to refund the excess.

(c) *General filing by buyers.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum prices established under this Maximum Price Regulation No. 216 for any buyer of railroad ties, other than persons designated in paragraph (a) of this § 1426.8, in any case in which the buyer submits the information requested by Appendix A, § 1426.14.

§ 1426.9 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 216, or any adjustment or exception not provided for therein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1426.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 216, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, or any agency of the foregoing;

(2) "Railroad tie" means a timber produced at any point in the United States other than in those parts of Oregon and Washington west of the crest of the Cascade Mountain range,[5] of any species other than redwood (species Sequoia sempervirens), and includes cross ties and switch ties, whether untreated or preservatively treated;

(3) "Cross tie" means a railroad tie of varying specified size, whether sawn or hewn, which is suitable for use in supporting the rails of a railroad track;

(4) "Switch tie" means a railroad tie of varying specified size, whether sawn or hewn, which is suitable for use in supporting a switch in a railroad track;

(5) "Size", sometimes referred to as "grade", of any roalroad tie means the dimensions of a railroad tie as specified by the buyer;

(6) "Delivery point" means any railroad siding, railroad junction point, or river landing at which cross ties are customarily accepted;

(7) "Price" means the price at the delivery point and includes loading by and at the expnse of the seller on the railroad car, motor vehicle, or other transportation medium;

(8) "First quarter of 1942" means the period January 1 to March 31, 1942, inclusive.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1426.11 *Applicability of General Maximum Price Regulation.* This regulation shall apply and the General Maximum Price Regulation shall not apply to purchases and sales of railroad ties for which maximum prices are established herein.

§ 1426.12 *Export sales.* The maximum price at which a person may export railroad ties subject to this Maximum Price Regulation No. 216 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[6] issued by the Office of Price Administration.

§ 1426.13 *Effective date.* This Maximum Price Regulation No. 216 (§§ 1426.1 to 1426.14, inclusive) shall become effective September 5, 1942.

§ 1426.14 *Appendix A: Filing and content of applications for adjustment provided for in paragraphs* (b) *and* (c) *of § 1426.8.* An original copy under oath, and two copies of an application for adjustment provided for in paragraphs (b) and (c) of § 1426.8 shall be filed with the Lumber Branch, Office of Price Administration, Washington, D. C., and shall be accompanied by a statement under oath showing:

(1) Name and address of applicant;

(2) Highest price paid by applicant for each species and size of railroad tie at each delivery point during March 1941, October 1941, the first quarter of 1942, and the period April 1 to May 11, 1942;

(3) Maximum price requested at each delivery point for each species and size of railroad tie;

(4) Delineation of producing territory involved in this application, together with a list of the principal delivery points in such territory and the percentage of 1941 purchases obtained from these points;

(5) Names of competitive buyers at the principal delivery points specified in (4) above[7];

(6) The highest price paid by competitive buyers for the same species and size of railroad tie at the principal delivery points specified in (4) above during

[3] 7 F.R. 5087, 5664.

[4] To accompany the information requested in Appendix A, § 1426.14.

[5] See Maximum Price Regulation No. 26—Douglas Fir and Other West Coast Lumber.

[6] 7 F.R. 5059.

[7] Applicable only to purchases of untreated railroad ties at a delivery point within a producing territory.

March 1941, October 1941, the first quarter of 1942, and the period April 1 to May 11, 1942;

(7) (a) If applicant is a railroad, annual purchases of railroad ties during the calendar years 1939, 1940, 1941, and during the first quarter of 1942;

(b) If applicant is not a railroad, purchases of railroad ties during the calendar year 1941, and during the first quarter of 1942;

(8) (a) If applicant is a railroad, approximate requirements of railroad ties for the balance of the calendar year 1942 and for 1943 in the territory described under (4) above;

(b) If applicant is not a railroad, unfilled orders for the balance of the calendar year 1942 and for 1943 to be filled by purchases from the territory described under (4) above;

(9) Total inventories of all species and sizes of railroad ties on hand at all points at the time of filing of this application;

(10) Has any application or petition been filed in the past with the Office of Price Administration for an adjustment or amendment by applicant at the delivery points covered by this application? If so, give date of filing and application number;

(11) Facts relating to the hardship to which the established maximum price subjects applicant, together with a statement of the reasons why applicant believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 216, to eliminate the danger of inflation.

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8829; Filed, September 5, 1942; 1:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 64 Under § 1499.3 (b) of General Maximum Price Regulation[1]]

SELLERS OF USED TIN CANS

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, *it is hereby ordered:*

§ 1499.278 *Authorization to sellers of used tin cans.* (a) Specific authorization is hereby given to any person who sells or contracts to sell used tin cans of size No. 10 or larger on or after the effective date of this Order No. 64 to persons authorized or licensed under subparagraph (b) (4) of Supplementary Order No. M-72-a, issued by the Director General for Operations, War Production Board, to sell such tin cans at a price of not more than $6 per gross ton, f. o. b. seller's point of delivery to purchaser or seller's shipping point.

(b) This Order No. 64 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 64 (§ 1499.278) shall become effective September 5, 1942. (Pub. Law 421, 77th Cong.)

Issued this 5th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8828; Filed, September 5, 1942; 12:59 p. m.]

[1] 7 F.R. 3153, 3300, 3666, 3990, 3991, 4339, 4669, 4788, 5027, 5276, 5192, 5365, 5445, 5565, 5684, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

PART 1499—COMMODITIES AND SERVICES

[Order 37 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-166]

KENTUCKY MACARONI CO.

For the reasons set forth in an opinion * issued simultaneously herewith, it is ordered:

§ 1499.337 *Adjustment of maximum prices for macaroni sold by Kentucky Macaroni Company, Louisville, Ky.* (a) Kentucky Macaroni Company may buy and deliver to Jewel Tea Company, and Jewel Tea Company may buy and receive from the Kentucky Macaroni Company the following commodities at prices not higher than the following:

$1.95 per case of 24 packages of 2: ounce macaroni.
$2.45 per case of 30 packages of 21 ounce spaghetti.
$2.00 per case of 24 packages of 12 ounce noodles.
Prices are delivered prices.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 37 may be revoked or amended by the Price Administrator at any time.

(d) Incorporation of Order No. 37 in Supplementary Regulation No. 14. This Order No. 37 (§ 1499.337) is hereby incorporated as a part of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 37 (§ 1499.337) shall become effective September 8, 1942. (Pub. Law 421, 77th Cong.)

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8830; Filed, September 5, 1942; 9:17 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 38 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF1-655-P]

WELCOME PRODUCTS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.338 *Adjustment of maximum price for brick ice cream sold to the Seattle School Board, Seattle, Washington by Welcome Products, Inc. of Seattle, Washington.* (a) Welcome Products, Inc., of Seattle, Washington, may sell and deliver to the Seattle School Board, Seattle, Washington, and the Seattle School Board may buy and receive from Welcome Products, Inc. brick ice cream at a price not higher than 88 cents per gallon.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 38 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 38 (§ 1499.338) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 38 (§ 1499.338) shall become effective September 5, 1942. (Pub. Law 421, 77th Cong.)

Issued this 5th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8827; Filed, September 5, 1942; 12:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 2 Under § 1499.114 (b) of Maximum Price Regulation 165 as Amended—Services—Docket GF3-274]

T. F. QUINN AND CO., INC.

For the reasons set forth in an opinion * issued simultaneously herewith it is ordered:

§ 1499.702 *Adjustment of maximum prices for car unloading services sold by T. F. Quinn and Company, Incorporated.* (a) The application for adjustment of maximum prices for car unloading services sold by T. F. Quinn and Company, Incorporated, is hereby granted to the extent set forth below:

The maximum prices for car unloading services to be charged by T. F. Quinn and Company, Incorporated, shall be as follows:

Dry cars (including 25¢ per hour for vacation pay and 65¢ per hour for overtime)	$10.85
Wet cars (including 25¢ per hour for vacation pay and 65¢ per hour for overtime)	12.65
Cars with less than 35% of original load	5.75
Hourly work rate	1.22½
Waiting time per hour	1.50

(b) Except as herein above granted the application for adjustment filed by T. F. Quinn and Company, Incorporated, and assigned Docket No. GF3-274 is denied.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 2 (§ 1499.702) shall become effective 1st day of September 1942. (Pub. Law 421, 77th Cong.)

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8826; Filed, September 5, 1942; 12:59 p. m.]

[1] Copies may be obtained from the Office of Price Administration.

PART 1358—TOBACCOS

[Temporary Maximum Price Regulation 21]

FLUE-CURED TOBACCO

Correction

In the second paragraph of the preamble to Temporary Maximum Price Regulation 21, appearing on page 6896 of the issue of September 1, 1942, the date "December 13, 1941" should read "December 15, 1941".

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 4 to Revised Price Schedule 85]

NEW PASSENGER AUTOMOBILES

Correction

In paragraph (a) of the maintenance operation opposite "3" in the table appearing on page 6898 of the issue for Tuesday, September 1, 1942, "seat books" should read "seat backs".

PART 1389—APPAREL

[Amendment 2 to Maximum Price Regulation 177]

MEN'S AND BOYS' TAILORED CLOTHING

Correction

In § 1389.102 (b) (2), appearing on page 6972 of the issue for Thursday, September 3, 1942, the last clause should read as follows: "except that a one-pant suit shall not be considered the same as, or similar to, a two-pant suit".

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 8]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

Corrections

In § 1394.3501 (a) (15), appearing on page 6871 of the issue for Tuesday, September 1, 1942, "and" should read "any". Section 1394.3662 should be numbered "1394.3652". In the proviso in § 1394.3703 (a) (1) "rid" should read "ride". The last clause of § 1394.3853 (b) (1) should read "but in any event not more than 144 gallons for the six-month ration period". In the last line of § 1394.4104 (a) the word "of" should be stricken. In the sixth line of § 1394.4351 "furnishes" should read "furnished".

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Subchapter B—Regulations Affecting Maritime Carriers

[General Order No. 56]

PART 221—DOCUMENTATION, TRANSFER OR CHARTER OF VESSELS

CHARTER OF VESSELS TO ALIENS

§ 221.10 *Approving charters of vessels to aliens.* The United States Maritime Commission, pursuant to authority contained in the Merchant Marine Act, 1936, particularly section 204 (b) thereof, and sections 9 and 37 of the Shipping Act, 1916, as amended, hereby approves the charter of any vessel documented under the laws of the United States and of any vessel owned by a citizen of the United States to a person not a citizen of the United States without application therefor and further action by the Commission, provided that:

(a) The vessel so chartered is under charter to the War Shipping Administration;

(b) The employment of the vessel under the charter has been approved by the War Shipping Administration;

(c) The charter period shall not exceed four months; and

(d) A duly certified copy f the charter as executed shall be filed with the Director of Operations and Traffic of the United States Maritime Commission as soon as practicable but not in any event later than thirty days after the beginning of the charter.

The Commission reserves the right to modify or revoke this order at any time, but such modification or revocation shall not affect charters theretofore approved by the War Shipping Administration.

This order shall be effective immediately.

By order of the United States Maritime Commission.

[SEAL] W. C. PEET, Jr.,
Secretary.

AUGUST 18, 1942.

[F. R. Doc. 42-8840; Filed, September 5, 1942; 11:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

ORDER MODIFYING CLASSIFICATION OF INCOME, ETC.

An order of the Interstate Commerce Commission modifying the Classification of Income, Profit and Loss and General Balance Sheet Accounts for Steam Roads, dated September 1, 1942, effective January 1, 1943, was filed with the Division of the Federal Register, September 7, 1942 at 10:58 a. m., F.R. Doc. No. 42-8849. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 14—ELECTRIC RAILWAYS: UNIFORM SYSTEM OF ACCOUNTS

ORDER MODIFYING UNIFORM SYSTEM OF ACCOUNTS

An order of the Interstate Commerce Commission modifying the Uniform System of Accounts for Electric Railways, dated August 31, 1942, effective September 1, 1942, was filed with the Division of the Federal Register, September 7, 1942, at 10:58 a. m., F. R. Doc. No. 42-8850. Requests for copies should be addressed to the Interstate Commerce Commission.

Chapter II—Office of Defense Transportation

[General Order O.D.T. 21]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART M—CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and in order to conserve and providently utilize vital transportation equipment, material, and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

Sec.
501.90 Definitions.
501.91 Certificate of war necessity required.
501.92 Application for certificate.
501.93 Issuance of certificate of war necessity.
501.94 Certificate of war necessity not transferable.
501.95 Contents and conditions of certificate.
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501.101 Control of vehicles.
501.102 Exemptions.
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501.104 Effective date.

AUTHORITY: §§ 501.90 to 501.104, inclusive, issued under E.O. 8989, 6 F.R. 6725, and E.O. 9156, 7 F.R. 3349.

§ 501.90 *Definitions.* As used in this subpart:

(a) The term "commercial motor vehicle" means (1) (i) a straight truck, (ii) a combination truck-tractor and semi-trailer, (iii) a full trailer, (iv) any combination thereof, or (v) any other rubber-tired vehicle, excluding a motorcycle, propelled or drawn by mechanical power and built (or rebuilt) primarily for the purpose of transporting property, and (2) any bus, taxicab, jitney, or other rubber-tired vehicle, propelled or drawn by mechanical power, used in the transportation of persons upon the highways, or available for public rental, including ambulances and hearses, but not including a private passenger automobile.

(b) The term "person" means an individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, and includes the United States or any agency, territory, or possession thereof, a State or any agency or political subdivision thereof, or any trustee, receiver, assignee, or personal representative.

(c) The term "property" means anything, except persons, capable of being transported by motor truck.

(d) The term "fleet" means three or more commercial motor vehicles owned or operated by one person.

(e) The term "private passenger automobile" means any motor vehicle built primarily for the purpose of transporting

persons and having a rated seating capacity of seven (7) or less; and includes station wagons and suburban carryalls, irrespective of seating capacity, which are not used in the transportation of persons or property for compensation.

§ 501.91 *Certificate of war necessity required.* On and after November 15, 1942, no person shall operate any commercial motor vehicle within the continental limits of the United States unless there is in force with respect to such commercial motor vehicle a certificate of war necessity issued by the Office of Defense Transportation governing such operation.

§ 501.92 *Application for certificate.* Application for a certificate of war necessity shall be made in writing to the field office of the Office of Defense Transportation for the area in which the home office or principal place of business of applicant is located, unless the applicant is directed to make application to some other office of the Office of Defense Transportation. Any such application shall be made on forms provided by the Office of Defense Transportation, and shall contain such information as the Office of Defense Transportation shall require.

§ 501.93 *Issuance of certificate of war necessity.* (a) A certificate of war necessity will be issued by the Office of Defense Transportation to any qualified applicant therefor, certifying, with respect to the operations covered by the application, limitations of mileage or of motor fuel or requirements as to loads, or any one or more of such limitations or requirements, in order that such operations (1) shall be confined to those which are necessary to the war effort or to the maintenance of essential civilian economy, (2) shall be so conducted as to assure maximum utilization in such service of the commercial motor vehicle or vehicles of the applicant, and (3) shall conserve and providently utilize rubber or rubber substitutes and other critical materials used in the manufacture, maintenance, and operation of such vehicles.

(b) In all original and subsequent certifications the Office of Defense Transportation will be guided by the provisions of its outstanding orders or public statements of policy relating to the operations under consideration, and all such outstanding orders and statements of policy will remain in full force and effect unless and until they are formally amended, superseded, or revoked.

(c) Such certificate, when issued in respect of a single commercial motor vehicle, shall at all times be carried on such vehicle. When such certificate is issued in respect of a fleet of commercial motor vehicles, a fleet unit certificate shall at all times be carried on each commercial motor vehicle covered by such fleet certificate.

§ 501.94 *Certificate of war necessity not transferable.* No certificate of war necessity shall be transferable. In the event of the sale or other transfer of a commercial motor vehicle, or a substantial change in the character of its use or the condition under which it is used, the purchaser or transferee or owner thereof shall forthwith make application to the Office of Defense Transportation for a new certificate, upon the issuance of which the previously issued Certificate of War Necessity appertaining to such vehicle shall be surrendered for cancellation.

§ 501.95 *Contents and conditions of certificate.* Any certificate of war necessity issued under this subpart shall specify:

(a) The name and address of the person to whom issued;

(b) The vehicle or vehicles covered thereby;

(c) The purposes for which and the conditions under which such vehicle or vehicles may be operated;

(d) Such other terms or conditions as the Office of Defense Transportation may from time to time specify.

§ 501.96 *Motor fuel and commercial motor vehicle parts, tires, or tubes.* On and after November 15, 1942, no person shall:

(a) Transfer any motor fuel to, or transfer, mount, or install any part, tire, or tube, in or upon any commercial motor vehicle, unless the operator thereof, at the time of such transfer or installation, shall present to such person for inspection a valid Certificate of War Necessity pertaining to such vehicle, issued by the Office of Defense Transportation.

(b) Transfer or deliver any motor fuel for the use of, or transfer, mount, install, or deliver any part, tire, or tube for the use of, any commercial motor vehicle, unless the operator of such commercial motor vehicle shall at the time thereof sign a written receipt, in duplicate, for such motor fuel, part, tire, or tube, and endorse on each copy of such receipt the number of the Certificate of War Necessity pertaining to the commercial motor vehicle or vehicles in or upon which such motor fuel, part, tire, or tube is to be used. In the event such transfer, delivery, or installation is for the use of a fleet of commercial motor vehicles, the number of the Certificate of War Necessity pertaining to such fleet shall be endorsed on each such written receipt. The original receipt shall be retained by the person making the transfer, delivery, or installation, and the copy shall be retained by the person operating the commercial motor vehicle. Such receipts shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

(c) The provisions of this section shall not apply to transfers or installations made pursuant to a coupon, certificate, or other instrument, authorized or issued by a rationing agency of the United States, or to the sale, transfer, or delivery of motor fuel, parts, tires, or tubes, to any person for the purpose of resale.

§ 501.97 *Inspection of tires.* On and after November 15, 1942, no person shall operate any commercial motor vehicle, unless within the sixty (60) days immediately preceding such operation, or, in the event such motor vehicle has been operated more than five thousand (5,000) miles during such period, unless within the five thousand (5,000) miles last operated by such vehicle, all tires mounted upon the wheels thereof or carried for use on such vehicle have been inspected by an inspection agency designated by the Office of Price Administration, and unless such inspection agency has certified that such person has made all reasonable and necessary adjustments, repairs, retreading, recapping, replacement of parts or tires, and realignment of wheels, found by such inspection agency to be necessary to conserve and providently utilize such tires, unless such operator is unable, under then existing rationing regulations, to make such repairs, retreading, recapping, or replacement of parts or tires.

§ 501.98 *Records and reports.* Any person operating a commercial motor vehicle in respect of which a certificate of war necessity has been issued, shall prepare and permanently maintain in the manner and form prescribed by the Office of Defense Transportation records of all operations conducted by such vehicle. A weekly record of such operations shall be maintained in accordance with the form provided on the reverse side of such certificate of war necessity, and shall be carried at all times in such vehicle. Such person shall keep such other records and make such reports as may be required and in the manner and form prescribed by the Office of Defense Transportation. All such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.99 *Enforcement officers authorized to report violations.* Any enforcement officer of any State or political subdivision thereof, who, on or after November 15, 1942, finds any commercial motor vehicle being operated which at such time does not have in such vehicle, available for inspection and examination, a valid certificate of war necessity issued under this subpart, or which is in any other way being operated in violation of any order of the Office of Defense Transportation, or any term or condition of a certificate of war necessity governing its operation, is authorized to make a report thereof to the Office of Defense Transportation, stating the name of the person operating such vehicle, the owner or lessee thereof, and such other information as the Office of Defense Transportation may specify. Such reports may be made on forms prescribed by the Office of Defense Transportation.

time Commission, pursuant to authority to the Interstate Commerce Commission. primarily for the purpose of transporting

§ 501.100 *Suspension or revocation of certificate.* Any certificate of war necessity issued under this subpart shall be effective from the date specified therein and shall remain in effect according to its terms until amended, modified, recalled, suspended, cancelled, or revoked in whole or in part by the Director of Defense Transportation for good cause.

§ 501.101 *Control of vehicles.* (a) Whenever the Office of Defense Transportation shall deem it to be advisable, any person having possession or control of any commercial motor vehicle shall, notwithstanding any contract, lease, or other commitment, express or implied, with respect to the use or operation of such commercial motor vehicle, cause such vehicle (1) to be operated in such manner, for such purpose, and between such points, as the Office of Defense Transportation shall from time to time direct, and (2) to be leased or rented by any such person to such person or persons, except by a person engaged in transporting property in a commercial motor vehicle for compensation to a person not engaged in such transportation, as the Office of Defense Transportation shall from time to time direct. Unless the interested parties agree upon the amount of compensation payable for the use of any such vehicle, so directed to be leased or rented, the amount of such compensation shall be such amount as may be determined by the Office of Defense Transportation to be just and equitable, subject to any applicable maximum price established by any competent governmental authority.

(b) The provisions of this section shall not be so construed or applied as to require any person operating a commercial motor vehicle to perform any transportation service, the performance of which by it is not authorized or sanctioned by law.

§ 501.102 *Exemptions.* The provisions of this subpart shall not apply to or include the following:

(a) A commercial motor vehicle operated by or under the direction of the military or naval forces of the United States or State military forces organized pursuant to section 61 of the National Defense Act, as amended;

(b) A commercial motor vehicle operated by a dealer exclusively for the purpose of selling such vehicle;

(c) A motor vehicle having a capacity of not to exceed seven (7) passengers operated by a person between his or her home and place of work and used in transporting other persons between their homes and their places of work, if such motor vehicle is not used for any other purpose for compensation.

§ 501.103 *Communications.* Communications concerning this subpart should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., or to the field office of the Office of Defense Transportation designated for the area in which the home office or principal place of business of the correspondent is located. Such communications should refer to General Order O.D.T. 21.

§ 501.104 *Effective date.* Except as otherwise provided herein, this subpart shall become effective November 15, 1942, and shall remain in full force and effect until further order of the Office of Defense Transportation.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8891; Filed, September 8, 1942; 12:00 m.]

[Exception Order O.D.T. 7-2]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS AND PERMITS

SUBPART B—TANK CARS

Pursuant to the authority conferred by General Order O.D.T. No. 7, as amended,[1] Title 49, Chapter II, Subpart B,

It is hereby ordered, That:

§ 520.402 *Certain shipments excepted.* The provisions of § 500.11, General Order O.D.T. No. 7, shall be suspended, and general or special permits shall not be required, in respect of the shipment, forwarding, or transportation:

(a) In tank cars, of a shell capacity of not less than 7,000 gallons, of crude petroleum or petroleum products into the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia from any shipping point in any other State;

(b) In tank cars, of crude petroleum or petroleum products into the States of Washington or Oregon from any shipping point in any other State;

(c) In tank cars, of any commodity billed to a destination over two hundred (200) miles from shipping point, such distance being measured by the shortest available published rail tariff route, whether billed or transported over such route or otherwise.

§ 520.403 *Revocation.* Exception Order O.D.T. No. 7-1, as amended,[2] this Title and Chapter, Part 520, Subpart B, is hereby revoked effective upon the date this exception order becomes effective.

§ 520.404 *Effective date.* This exception order shall become effective on the 10th day of October 1942, and shall remain in full force and effect until the further order of the Office of Defense Transportation. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 7, as amended, 7 F.R. 3332, 7 F.R. 3531)

Issued at Washington, D. C., this 5th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8892; Filed, September 8, 1942; 12:00 m.]

[General Permit O.D.T. No. 3 Revised—5]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS AND PERMITS

SUBPART B—COMMON CARRIERS OF PROPERTY

SMALL AND SPECIALLY DESIGNED TRUCKS

In accordance with the provisions of General Order O.D.T. No. 3 Revised,[1] Title 49, Chapter II, Part 501, Subart B, § 501.8,

It is hereby authorized, That:

§ 521.504 *Small and specially designed trucks.* Any common carrier operating a motor truck (a) which can be utilized only for the transportation of that type of property for which it is specially designed, and not for the transportation of property generally; or, (b) where the primary carrying capacity is occupied by built-in loading racks, trays, or crates designed for the loading of specific property; or, (c) where the rated load-carrying ability, as defined in the provisions of paragraph (f) of § 501.4 of General Order O.D.T. No. 3 Revised, as amended, does not exceed twelve thousand pounds, is hereby relieved, in respect of trucks so engaged, from compliance with the provisions of subparagraph (2) of paragraph (a) of § 501.6 of General Order O.D.T. No. 3 Revised, as amended. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 3 Revised, 7 F.R. 5445, 7 F.R. 6689)

This General Permit shall become effective September 8, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc 42-8893; Filed September 8, 1942; 11:59 a. m.]

[General Permit O.D.T. No. 17-14]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS AND PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

SMALL AND SPECIALLY DESIGNED TRUCKS

In accordance with the provisions of General Order O.D.T. No. 17,[2] Title 49, Chapter II, Part 501, Subpart K, § 501.71.

It is hereby authorized, That:

§ 521.2890 *Small and specially designed trucks.* Any motor carrier operating a truck (a) which can be utilized only for the transportation of that type of property for which it is specially designed, and not for the transportation of property generally; or (b) where the primary carrying capacity is occupied by built-in loading racks, trays, or crates designed for the loading of specific property; or, (c) where the rated load-carrying ability, as defined in the provisions of paragraph (g) of § 501.65 of General Order O.D.T. No. 17, does not exceed twelve thousand pounds, is hereby relieved, in respect of trucks so engaged, from compliance with the provisions of subparagraph (2) of paragraph (a) of § 501.69 of General Order O.D.T. No. 17. (E.O. 8989, 6 F.R. 6725; E.O. 9156, 7 F.R. 3349; Gen. Order O.D.T. No. 17, 7 F.R. 5678)

This General Permit shall become effective September 8, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8894; Filed, September 8, 1942; 12:00 m.]

[1] 7 F.R. 3332, 3531.
[2] 7 F.R. 3332, 3786.

[1] 7 F.R. 5445; 7 F.R. 6689.
[2] 7 F.R. 5678.

Notices

DEPARTMENT OF JUSTICE.

Office of the Attorney General.

[Order No. 3725]

JUDICIAL DISTRICTS FOR PRIZE PROCEEDINGS

Under the authority conferred upon the Attorney General by section 2 of the Act of August 18, 1942, (Public No. 704, 77th Congress) I hereby select, for the convenience of the United States, the following judicial districts wherein shall be brought proceedings under the jurisdiction conferred by said Act:

(a) As to prizes captured on the Atlantic or Arctic Oceans or the connecting waters of either, the Southern District of New York

(b) As to prizes captured on the Pacific or Indian Oceans or the connecting waters of either, the Northern District of California.

This order shall be published in the FEDERAL REGISTER.

Dated: AUGUST 26, 1942.

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 42-8797; Filed, September 4, 1942; 2:20 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-308]

COAL HILL MINING CO., INC.

NOTICE OF AND ORDER FOR HEARING

In the matter of Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675.

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937, (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

A. Whether or not Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675 (hereafter sometimes referred to as the "distributor"), whose address is Dubois, Pennsylvania, has violated any provision of the Act, the Code and orders and regulations of the Division, including the Marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors and the Distributor's Agreement (the "agreement") dated June 11, 1940, and filed by Coal Hill Mining Co., Inc., pursuant to an Order of the National Bituminous Coal Commission dated March 24, 1939, entered in General Docket No. 12, which was adopted and ratified as an Order of the Division on July 1, 1939, and more particularly whether or not subsequent to September 30, 1940, said Registered Distributor:

1. During the period October 2, 1940, to September 2, 1941, both dates inclusive, acting as a registered distributor, purchased from the code members, approximately 5095.10 net tons of various sizes of coal produced by said code members at their respective mines, and in reselling said coal for rail shipment to various purchasers, prepaid the freight in the total amount of $13,168.82 thereon and physically handled said coal, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Amount freight prepaid
Pennsylvania Coal & Coke Corporation	371	Oct. 2, 1940 to Sept. 2, 1941	2,534.95	$6,388.07
Stineman Coal & Coke Company	630	Oct. 16, 1940 to Nov. 24, 1941	1,025.40	2,688.84
The Pursglove Coal Mining Co.	120	Oct. 21, 1940 to Nov. 6, 1940	150.20	411.55
Arrow Coal Corporation	18	Dec. 19, 1940	240.10	605.05
Reitz Coal Company	420	Oct. 9, 1940 to July 9, 1941	364.65	1,073.15
W. J. Rainey, Inc.	3	Oct. 14, 1940	39.35	91.89
Seger Bros. Coal Co., Inc.	202	Oct. 12, 1940	28.95	72.95
DuShan Coal Mining Co.	140	Nov. 16, 1940	34.25	86.31
Abbie E. Lansberry & Son	2337	Aug. 20, 1941	160.30	415.40
Goshen Valley Coal Co.	130	June 23, 1941 to June 26, 1941	106.50	280.10
E. B. Peterson	102	Jan. 7, 1941	235.35	614.26
Heckler, B. F. (The "B" Quality Coal Co.)	57	June 23, 1941 to Nov. 19, 1941	175.10	441.25

and accepted and retained Distributor's discounts from the effective minimum prices of said coal, resulting in violations of Rule 1 (J) of section VII, Rules 3 and 6, respectively, of section XIII of the Marketing Rules and Regulations, section 4, Part II (i) 3 and 6, respectively, of the Act, Part II (i) 3 and 6, respectively, of the Code, and paragraphs (c), (d), and (e) of the Agreement;

2. During the period October 2, 1940 to September 2, 1941, both dates inclusive, acting as a registered distributor, purchased from said Pennsylvania Coal & Coke Corporation, a code member located in District 1, approximately 2101.50 net tons of 3/4" x 0 slack coal (Size Group 5), produced by said code member at its said Pennsylvania No. 3 Mine, Mine Index No. 371, located in Subdistrict 30 of District 1, which tonnage is a portion of that set forth in paragraph 1 hereof, and resold said coal to the Philadelphia Dairy Products Co., Philadelphia, Pennsylvania, at prices ranging from $4.84 to $5.14 per net ton f. o. b. destination, which prices were less than the minimum therefor of $2.15 f. o. b. the mine established by the Division in the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, plus the actual transporation, handling or incidental charges incurred in delivering said coal from the transportation facilities at said mine to the point from which all such charges were assumed and directly paid by such purchaser, as required by Price Instruction 9, as amended, of said schedule, resulting in violations by said Distributor of sections 4 II (e) and (g) of the Act, Part II (e) and (g) of the Code, and paragraphs (b) and (e) of its Agreement;

3. On or about July 17 and 18, 1941, acting as registered distributor, purchased from Waddell Fuel Company, a code member located in District 3, approximately 104.55 net tons of mine run coal produced by said code member at its Delmar No. 1 Mine, Mine Index No. 48, located in said district, and accepted and retained discounts thereon of 17 cents per net ton from the effective minimum f. o. b. mine price established therefor by the Division, which discounts were in excess of the maximum allowable discounts prescribed by the Division by Order of the Director entered in General Docket No. 12 dated June 19, 1940, resulting in violations by said Distributor of paragraph (a) of its Agreement;

Code member producer	Mine index No.	Dates of shipment	Tonnage	Size
Fred Barlar	1042	Oct. 15, 1940 to Jan. 30, 1941	640.07	2" N & S
Harlan Spencer	638	Oct. 14, 1940 to Nov. 11, 1940	229.73	2" N & S
Hamilton Coal Co	707	Jan. 20, 1941 to Feb. 22, 1941	16.00	2" N & S (Mine Run

for which coal minimum prices, temporary or final, had not been established by the Division, so that its participation in the aforesaid transactions which were in violation of the Order of the Director entered in General Docket No. 19, dated October 9, 1940, resulted in violations by said Distributor of paragraph (e) of its Agreement;

7. During the period October 5, 1940 to September 23, 1941, both dates inclusive, acting as sales agent for the code member producers indicated below, pursuant to sales agency contracts, entered into between said Distributor and the said code members, respectively, and filed with the Division, sold coal produced by said code members at their respective mines located in District No. 1 and accepted and retained sales agency commissions on said coal in excess of those stipulated in said sales agency contracts, although certified copies of agreements modifying the stipulated commissions as set forth in said sales agency contracts were not filed with the Division, as required by Rule 4 (B) of section II of the Marketing Rules and Regulations, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Sales agency commission accepted	Stipulated sales agency commission
Ed. E. Carlson	605	Oct. 26, 1940, to Sept. 23, 1941	733.73	$301.23	$197.66
Fred Barlar	1042	Nov. 8, 1940, to Sept. 23, 1941	434.28	180.95	117.35
Harlan Spencer	638	Oct. 5, 1940, to Sept. 23, 1941	384.87	164.07	112.50
Hamilton Coal Co	707	Jan. 30, 1941, to Sept. 23, 1941	106.73	51.40	29.16
Nick Ferrari	2503	Nov. 5, 1940, to Sept. 23, 1941	437.92	180.99	116.29
Royal Quemahoning Coal Co	445	Jan. 10, 1941, to Jan. 29, 1941	43.33	18.25	9.03
Culbertson Coal Co	1480	Nov. 9, 1940, to Dec. 31, 1940	7,295.94	1,445.50	----

resulting in participation by said Distributor in wilful violations by said code members, as principals in said transactions, of Rule 9 (a) of section II of the Marketing Rules and Regulations, and in violations by said Distributor of paragraph (e) of its Agreement;

8. During the period March 10, 1941 to March 25, 1941, both dates inclusive, acting as sales agent pursuant to sales agency contracts entered into between said Distributor and the Hamler Coal Mining Company, and the Superior Cherry Run Coal Company, respectively,

(a) Sold approximately 189.55 net tons of run of mine coal produced by the Hamler Coal Mining Company, a code member producer, at its Hamler Mine, Mine Index No. 194, in District No. 1, for rail shipment to Abbotts Dairies, Coudersport, Pennsylvania, at $4.43 per net ton f. o. b. said destination, and

(b) Sold on or about December 16 and 17, 1940, approximately 89.70 net tons of run of mine coal and 1" x 2" coal produced by the Superior Cherry Run Coal Company at its Cherry Run Mine, Mine Index No. 90, in District No. 1, for rail shipment to Abbotts Dairies, Coudersport, Pennsylvania, at $4.43 per net ton f. o. b. said destination,

which prices were less than the minimum prices of $2.15 f. o. b. the said Hamler Mine and of $2.15 f. o. b. the said Cherry Run Mine for the aforesaid mine run coal and 1" x 2" coal, respectively, plus the actual transportation, handling or incidental charges for delivering said coal from the transportation facilities at said mines to the point from which all such charges were assumed and directly paid by the said purchaser, as required by Price Instruction 9 of the said schedule, as amended, so that its participation in the aforesaid transactions, which were in violation of section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, resulted in violation by said Distributor of paragraphs (b) and (e) of its Agreement.

9. During the period October 9, 1940 to December 31, 1940, both dates inclusive, acting as sales agent, pursuant to a sales agency contract entered into between said Distributor and Culbertson Coal Co., a code member producer, and filed with the Division, sold for rail shipment to various purchasers approximately 4,670.94 net tons of 2" nut and slack coal, produced by said Culbertson Coal Co. at its Harvey No. 1 Mine, Mine Index No. 1480, located in District 1, at $2.00 per net ton f. o. b. said mine, whereas minimum prices, temporary or final, had not been established by the Division for rail shipment of said coal, so that its participation in the aforesaid transactions, which were in violation of Order of the Division entered in General Docket No. 19 dated October 9, 1940, resulted in violation by said Distributor of paragraph (e) of its Agreement;

10. During the period October 5, 1940, to January 30, 1941, both dates inclusive, acting as sales agent for the code members indicated below, sold coal produced by said code members at their respective mines, located in District No. 1, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Size group No.	Sales price f. o. b. mine
Ed. E. Carlson	605	Oct. 5, 1940 to Jan. 30, 1941	755.65	4	$2.15
Harlan Spencer	638	Nov. 26, 1940 to Jan. 31, 1941	179.75	4	2.15

whereas no minimum prices were established for Size Group No. 4 coal produced at the aforesaid mines, so that, as required by Price Instruction No. 5 of the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, such coal should have been sold at the effective minimum price of $2.25 per net ton established for Size Group No. 3 coal produced at said mines, and its participation in the aforesaid transactions, which were in violation of section 4, Part II (e) of the Act and Part II (e) of the Code, and Rule 2 of section XII of the Marketing Rules and Regulations, resulted in violation by said Distributor of paragraphs (b) and (e) of its Agreement;

B. Whether or not the registration of said Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675, should be revoked or suspended, or other appropriate order should be issued.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether or not the aforementioned Coal Hill Mining Co., Inc., has committed violations in the respects heretofore described and whether or not the registration of said Distributor should be revoked or suspended, or other appropriate order should be issued, be held on September 30, 1942, at a hearing room of the Bituminous Coal Division at Room 118, Colonial Hotel, Altoona, Pennsylvania, at 10 a. m.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Coal Hill Mining Co., Inc., and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of the aforementioned Coal Hill Mining Co., Inc., with reference to the matters hereinbefore described must be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division within twenty (20) days after date of service hereof on said Coal Hill Mining Co., Inc., and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Coal Hill Mining Co., Inc., of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division, for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8796; Filed, September 4, 1942; 12:21 p. m.]

[Docket No. A-1604]

DISTRICT BOARD 3—RAY MCDONALD

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 3 for a change in the price classifications and minimum prices established for all shipments except truck for the coals of the McDonald No. 1 Mine, Mine Index No. 677, of Ray McDonald.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 7, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 2, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to petition filed with the Division by District Board No. 3, requesting the following changes and additions to the price classifications and minimum prices of the coals of the McDonald Mine, Mine Index No. 677, of McDonald Coal Company, a code member in District No. 3: A change in the price classifications from "F" to "DE" in Size Groups 1 to 6, inclusive; a change from "F" to "DF" in Size Groups 7 to 10, inclusive; and an additional classification of "B" in Size Groups 11 to 16, inclusive.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 3 for

4. During the period October 5, 1940 to September 23, 1941, both dates inclusive, acting as sales agent for the code member producers indicated below, pursuant to sales agency contracts entered into between said Distributor and the said code members, respectively, and filed with the Division, sold coal produced by said code members at their respective mines located in District No. 1, to various purchasers for rail shipment, prepaying the freight thereon in the total amount of $15,816.28, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Amount freight prepaid
Barnes & Tucker Co	203	Sept. 10, 1941	42.7	$123.40
Kristianson & Johnson Coal Co., Inc	192, 255, 260	Nov. 19, 1940, to May 19, 1941	661.93	1,740.93
Duran Coal Co	654	Dec. 9, 1940, to Mar. 19, 1941	356.8	924.34
Ed. E. Carlson	605	Oct. 5, 1940, to Sept. 23, 1941	790.45	2,039.79
Fred Barlar	1042	Nov. 3, 1940, to Sept. 23, 1941	580.03	1,427.10
Harlan Spencer	638	Oct. 5, 1940, to Sept. 23, 1941	230.67	1,504.67
Hamilton Coal Co	707	Jan. 30, 1941, to Sept. 23, 1941	141.37	364.34
Nick Ferrari	2503	Nov. 5, 1940 to Sept. 23, 1941	550.53	1,434.75
Royal Quemahoning Coal Co	445	Sept. 8, 1941	43.33	118.78
Hamler Coal Mining Co	194	Jan. 29, 1941 to June 24, 1941	412.40	961.51
Robert O'Harah	2572	April 11, 1941 to April 29, 1941	108.60	254.03
James A. White Coal Co	651	April 17, 1941 to May 2, 1941	100.00	254.03
Superior Cherry Run Coal Co	90	Dec. 16, 1940 to Mar. 25, 1941	1,899.55	4,520.89
Culbertson Coal Co	1480	Nov. 22, 1940 to Dec. 26, 1940	89.25	244.54

resulting in violations by said Distributor of section VII, Rules 3 and 6, respectively, of section XIII of the Marketing Rules and Regulations, section 4, Part II (i) 3 and 6, respectively, of the Act, and Part II (i) 3 and 6, respectively, of the Code, and paragraphs (c) and (e) of its Agreement;

5. During the period January 11, 1941 to May 19, 1941, both dates inclusive, acting as sales agent for the code members indicated below, pursuant to sales agency agreements entered into between said Distributor and said code members, respectively, subsequent to August 8, 1940, sold coal produced by said code members at their respective mines located in District No. 1, to various purchasers for rail shipment and accepted and retained sales agency commissions, as provided by said sales agency agreements, which commissions were in excess of the maximum allowable discounts prescribed by the Division in the Order of the Director entered in General Docket No. 12, dated June 19, 1940, although said code members had not filed with the Division applications pursuant to the Order entered in General Docket No. 20, dated December 5, 1940, for permission to pay such commissions and had not been granted such permission by the Division, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Total commission taken	Maximum allowable discount
Kristianson & Johnson Coal Co., Inc.	192, 259, 260	Jan. 17, 1941 to May 19, 1941	537.70	$157.93	$64.53
Duran Coal Co	654	Jan. 11, 1941 to Mar. 19, 1941	1,333.60	445.60	160.05
Apalachin Coal Co	13	Feb. 4, 1941 to May 19, 1941	960.00	272.06	116.34
James A. White Coal Co	651	April 17, 1941 to May 19, 1941	960.00	55.01	23.28
Robert O'Harah	2572	Apr. 11, 1941 to Apr. 29, 1941	194.00		

resulting in participation by said Distributor in wilful violations by said code members, as principals in said transactions, of Rule 13 of section II of the Marketing Rules and Regulations and violations by said Distributor of paragraph (e) of its Agreement;

6. During the period October 15, 1940, to February 22, 1941, both dates inclusive, acting as sales agent for the code member producers indicated below, sold coal produced by said code members at their respective mines located in District No. 1 to various purchasers for rail shipment as follows:

All Shipments Except Truck, is supplemented to include the price classifications and minimum prices in the schedule marked "Temporary Supplement R" annexed hereto and made a part hereof.[1]

Notice is hereby given that applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8789; Filed, September 4, 1942; 12:19 p. m.]

[Docket No. B-250]

CLAUDE B. BRATCHER

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND REVOKING CODE MEMBERSHIP

In the matter of Claude B. Bratcher, code member.

This proceeding was instituted upon a complaint duly filed with the Bituminous Coal Division on April 23, 1942, by District Board 9. The complaint alleged that code member wilfully violated the Bituminous Coal Code, or the rules and regulations thereunder, and prayed that the Division either cancel and revoke Claude B. Bratcher's code membership, or, in its discretion, direct Bratcher to cease and desist from violations of the Code and the rules and regulations thereunder.

A hearing in this matter was held on June 18, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof at Owensboro, Kentucky. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. Neither District Board 9 nor code member appeared at the hearing.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated August 6, 1942, finding that code member wilfully violated section 4 II (e) of the Act by selling during the period from August 1, 1941, to September 3, 1941, 216 tons of lump coal below the effective minimum price therefor, and that he also violated paragraph 8 of section 4 II (i) of the Act and Rule 8 of section XII and Rule 2 of section XII of the Marketing Rules and Regulations, by misrepresenting the sizes and designations of his coal.

The Examiner recommended that an order be entered cancelling and revoking the code membership of said Claude B. Bratcher, and providing that prior to reinstatement into code membership, said Bratcher shall pay to the United States a tax in the sum of $147.42 in accordance with the provisions of section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting briefs to said Examiner's Report and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof the code membership of Claude B. Bratcher, who operates the Claude B. Bratcher Mine, Mine Index No. 407, located in Ohio County, Kentucky, District No. 9, be, and it hereby is cancelled and revoked.

It is further ordered, That prior to the reinstatement of said Claude B. Bratcher, he shall pay to the United States a tax, as provided in section 5 (c) of the Act, in the amount of $147.42.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8790; Filed, September 4, 1942; 12:19 p. m.]

[Docket No. B-220]

GIBBS BROTHERS

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER AND REVOKING CODE MEMBERSHIP

In the matter of Arthur Gibbs and Wilson Gibbs, individuals and as co-partners, doing business under the name and style of Gibbs Brothers, code member.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on February 12, 1942, by District Board 11. The complaint alleged that code member wilfully violated the Bituminous Coal Code, or the rules and regulations thereunder, and prayed that the Division either cancel or revoke its code membership, or, in its discretion, direct code member to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing was held in this matter on April 22, 1942, before Joseph B. Dermody, a duly designated Examiner of the Division at a hearing room thereof, at Vincennes, Indiana. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, or otherwise be heard. District Board 11 appeared at the hearing but the code member did not.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated August 3, 1942, finding that code member wilfully violated section 4 II (e) of the Act and the Schedule of Effective Minimum Prices for District 11 for Truck Shipments, by selling during the period from October 1, 1940 to August 31, 1941, approximately 111 tons of 1" x 0 screenings, produced at its Gibbs Mine, Mine Index No. 414, located in Center Township, Martin County, Indiana, at the price of 60 cents per ton f. o. b. the mine, whereas, the effective minimum price for said coal was $1.55 per ton f. o. b. the mine. The Examiner also found that code member violated the appropriate orders of the Division by failing and neglecting during the period from October 1, 1940 to August 31, 1941, to keep proper records pertaining to the production and sale of 1" x 0 screenings produced at its mine.

The Examiner recommended that an order be entered cancelling and revoking the code membership of said Arthur Gibbs and Wilson Gibbs, individuals and as co-partners, doing business under the name and style of Gibbs Brothers, and providing that prior to reinstatement into membership in the Code it shall pay to the United States a tax in the sum of $67.10, in accordance with the provisions of section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting briefs to said Examiner's Report and such exceptions or supporting briefs have not been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be, and the same are hereby approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof, the code membership of Arthur Gibbs and Wilson Gibbs, individuals and as co-partners, doing business under the name and style of Gibbs Brothers operating the Gibbs Mine, Mine Index No. 414, be, and it hereby is, cancelled and revoked.

It is further ordered, That prior to the reinstatement of said Arthur Gibbs and Wilson Gibbs, individuals or as co-partners, doing business under the name and style of Gibbs Brothers, into membership in the Code, there shall be paid to the United States a tax, as provided in section 5 (c) of the Act, in the amount of $67.10.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8794; Filed, September 4, 1942; 12:20 p. m.]

[1] Not filed as part of the original document.

[Docket No. B-257]

C. V. OKES

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND DISMISSING COMPLAINT

In the matter of C. V. Okes, code member.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on April 30, 1942, by District Board 7. The complaint alleged that code member wilfully violated the Bituminous Coal Code, or the rules and regulations thereunder, and prayed that the Division either cancel or revoke the code membership of C. V. Okes, or, in its discretion, direct Okes to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing in this matter was held on June 30, 1942, before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Bluefield, West Virginia. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, or otherwise be heard. District Board 7 did not appear at the hearing. Code member appeared by counsel.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated August 8, 1942, finding that code member violated Rule 1 (F) of section VII of the Marketing Rules and Regulations by selling coal produced at code member's mine and receiving payment for same in other than United States currency or funds equivalent thereto. The Examiner found that there was a fatal variance between the proof and the allegations in the complaint, and recommended that the complaint against this code member be dismissed without prejudice to any further action by the Division.

An opportunity was afforded to all parties to file exceptions and supporting briefs to said Examiner's Report, and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the proceedings instituted against said C. V. Okes, a code member, operating the Blue Jay No. 6 Mine, Mine Index No. 639, located in Raleigh County, West Virginia, be and it hereby is dismissed, without prejudice.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8793; Filed, September 4, 1942; 12:20 p. m.]

[Docket No. B-153]

JOHN WEBB

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND CEASE AND DESIST ORDER

In the matter of John Webb, code member.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on January 6, 1942, by District Board 8. The complaint alleged that code member wilfully violated the Bituminous Coal Code, or the rules and regulations thereunder, and prayed that the Division either cancel or revoke his code membership, or, in its discretion, direct code member to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing in this matter was held on February 21, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof, at Catlettsburg, Kentucky. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board 8 and code member appeared.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated August 3, 1942, finding that code member wilfully violated section 4 II (e) of the Act, by selling during the period from March 31, 1941 to July 18, 1941, to Deer Creek Coal Company, Olive Hill, Kentucky, approximately 552.32 tons of high volatile, Size Group 6, mine run coal produced at his Webb Mine, Mine Index No. 2872, located in Lawrence County, Kentucky, at a price of $1.50 f. o. b. the mine, whereas, the effective minimum price for this particular coal was $2.00 per ton f. o. b. the mine.

The Examiner recommended that an order be entered directing said John Webb to cease and desist from selling coal at prices below the established minima or from otherwise violating the Act, the Code, the Schedule of Effective Minimum Prices for Truck Shipments, or the Marketing Rules and Regulations.

An opportunity was afforded to all parties to file exceptions to said Examiner's report and such exceptions or supporting briefs have not been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be, and the same are hereby approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That code member, John Webb, his representatives, agents, servants, employees, attorneys, heirs, administrators, successors or assigns, cease and desist, and they are hereby permanently enjoined and restrained from selling or offering to sell coal below the effective minimum prices established therefor, or from otherwise violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District 8, For Truck Shipments, the Marketing Rules and Regulations and all appropriate orders of the Division.

It is further ordered, That the Division may, upon failure of code member herein to comply with this order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit wherein the code member resides or carries on business for the enforcement hereof or take any other appropriate action.

Dated: September 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8795; Filed, September 4, 1942; 12:20 p. m.]

[Docket No. B-206]

FRANCIS WEIDERKEHR

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW, AND RECOMMENDATION OF THE EXAMINER, AND REVOKING AND CANCELLING CODE MEMBERSHIP

In the matter of Francis Weiderkehr, also known as Francis Wiederkehr, code member, defendant.

This proceeding having been instituted upon a complaint filed with the Bituminous Coal Division on February 1, 1942, by District Board No. 11, alleging that Francis Weiderkehr, an individual doing business under the name of Francis Wiederkehr, a code member, had wilfully violated the Bituminous Coal Code or the rules and regulations thereunder, and prayed that the Division either cancel or revoke Francis Weiderkehr's code membership, or in its discretion, direct the code member to cease and desist from violations of the Code and rules and regulations thereunder;

A hearing in this matter having been held on April 22, 1942, before Joseph D. Dermody, a duly designated Examiner of the Division, at a hearing room thereof in Vincennes, Indiana;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation in this matter, dated August 1, 1942, recommending that an order be entered by the Acting Director cancelling and revoking the code membership of Francis Weiderkehr:

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs and no such exceptions nor supporting briefs having been filed;

The undersigned having considered this matter and having determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as the findings of fact and conclusions of law of the undersigned;

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be

and they hereby are adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the code membership of Francis Weiderkehr, code member, doing business as Francis Wiederkehr, be, and it is hereby, cancelled and revoked, effective fifteen (15) days from the date of this order.

It is further ordered, That prior to the reinstatement of the code membership of Francis Weiderkehr said Francis Weiderkehr shall pay to the United States a tax in the sum of $413.40 in accordance with section 5 (c) of the Act.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8792; Filed, September 4, 1942; 12:20 p. m.]

[Docket No. 1221-FD]

WALTER WOODROW

DETERMINATION OF INTERIM EXEMPTION

In the matter of the application of Walter Woodrow for exemption, pursuant to section 4-A of the Bituminous Coal Act of 1937.

Pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937, Walter Woodrow (applicant) on February 12, 1940, filed an application for a determination of the status of the coal produced at a mine operated by him in Cascade County, Montana, approximately nine miles south of the town of Simms, Montana. The application alleges among other matters, that applicant commenced the production of coal from this mine in December 1938, and that 381 tons of run of mine were produced during the year 1939, all of which was sold for consumption in the state of Montana.

An order of the Director, dated October 17, 1939, 4 F.R. 4301, in General Docket No. 17, provided, among other matters, that

> All applications seeking exemption pursuant to the provisions of the second paragraph of section 4-A should be filed within the following periods of time:
>
> 1. If the commerce covered by the application exists upon the effective date of this rule, not more than 30 days after such date.
>
> Any application which is filed after the periods herein specified will be presumed not to have been filed in good faith.

On May 11, 1942, applicant requested a determination that he is entitled to the interim exemption provided in the second paragraph of section 4-A of the Act on the ground that the said application had been filed in good faith. With this request, applicant submitted an affidavit stating that he was not aware of the Order in General Docket No. 17, but that he filed the aforesaid application for exemption forthwith upon receipt of notice of the Order, dated June 27, 1938, 3 F.R. 1565, issued by the National Bituminous Coal Commission (predecessor of the Bituminous Coal Division), in Docket No. 153-FD. The affidavit further recites that on September 1, 1941, applicant disposed of the mine involved herein, and since that time has not been engaged in the business of producing coal.

The said Order in Docket No. 153-FD provided, among other matters:

> That on and after the first day of August 1938, all coal sold, delivered or offered for sale in transactions in intrastate commerce in such coal in all localities within the state of Montana, should be subject to the provisions of section 4-A of the Bituminous Coal Act of 1937 • • •
>
> That any producer of bituminous coal in intrastate commerce within the state of Montana, who may believe that he or it particular transactions in intrastate commerce in bituminous coal should be exempted • • • from the provisions of section 4-A of said Bituminous Coal Act of 1937, may file application at any time hereafter for exemption pursuant to the second paragraph of section 4-A of said Act, and be entitled to a hearing for appropriate orders thereon.

It appears that the recitals contained in the affidavit rebut the presumption of bad faith established by the order of the Director, dated October 17, 1939, in General Docket No. 17.

Now, therefore, it is determined that in accordance with the provisions of the second paragraph of section 4-A of the Bituminous Coal Act of 1937, Walter Woodrow has been exempt during the period beginning with the third day following the filing of the said application and ending September 1, 1941, from any obligation, duty or liability imposed by section 4 of the Act, with respect to the commerce covered by the said application.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8791; Filed, September 4, 1942; 12:19 p. m.]

[Docket No. A-1580]

DISTRICT BOARD NO. 8

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 8 for a change in territorial boundary between District 3 and District 8 in Nicholas County, West Virginia.

The original petitioner, District Board No. 8, having moved that the hearing in the above-entitled matter be postponed until a date subsequent to September 22, 1942, and having shown good cause why its motion should be granted, and there having been no opposition thereto:

Now therefore, it is ordered, That the hearing in the above-entitled matter be postponed from September 22, 1942, to 10 o'clock in the forenoon of October 14, 1942, at the place heretofore designated and before an officer to be designated to preside at such hearing.

Dated: September 5, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8881; Filed, September 8, 1942; 11:45 a. m.]

[Docket No. A-1557]

DISTRICT BOARD NO. 8

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 8 for a change of price classifications and minimum prices for rail and truck shipment for the coals of certain mines in District No. 8 and to remove all of Leslie County, Kentucky, from Subdistrict No. 6, Southern Appalachian, and add it to Subdistrict No. 3 Hazard, in District No. 8.

The original petitioner, District Board No. 8, having moved that the hearing in the above-entitled matter be postponed until a date subsequent to September 9, 1942, and having shown good cause why its motion should be granted, and there having been no opposition thereto:

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from September 9, 1942, to 10 o'clock in the forenoon of October 14, 1942, at the place heretofore designated and before an officer to be designated to preside at such hearing.

Dated: September 5, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8882; Filed, September 8, 1942; 11:46 a. m.]

[Docket No. A-1294]

DISTRICT NO. 23

MEMORANDUM OPINION AND ORDER ADOPTING THE PROPOSED FINDINGS OF FACT AND PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER AND ORDER DENYING RELIEF

In the matter of establishment of a moisture allowance on truck shipments from mines in District No. 23, when coal is washed or wet-screened, in Size Groups 12 through 18 and 21 through 25. Prayer for temporary and permanent relief under section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on January 31, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 23, proposing the adoption by the Division of a price exception applicable to the sale of coal for truck shipments, permitting code members of District No. 23 to make an allowance of 3 per cent for moisture on sales of coal for truck shipments for Size Group 12 through 18 and 21 through 25.

Pursuant to appropriate orders, a hearing in this matter was held on April 7, 1942, before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Salt Lake City, Utah. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. District Boards Nos. 19, 20 and 23, and the United States Fuel Company appeared at the hearing. The Bituminous Coal Consumers' Counsel filed a notice of appearance but did not appear at the hearing. He filed a brief with the Examiner and subsequent to the issuance of the Examiner's Report, filed exceptions thereto. District Board No. 23 also filed exceptions to the Examiner's Report.

The Examiner made and entered his report, proposed findings of fact, proposed conclusions of law and recommendation in this matter under date of July 13, 1942. He found that upon the basis of the record, the petitioner failed to adduce sufficient evidence to justify the relief requested and recommended that the relief requested by the petitioner be denied.

Both in his brief before the Examiner and in his exceptions to the Examiner's Report, the Bituminous Coal Consumers' Counsel urges that the relief requested by the petitioner be allowed. His reasons are: First, it is improper and discriminatory for the Division practically to force code members to sell coal, part of which is water or moisture, and second, it violates provisions of municipal ordinances governing under-weighing and adulteration of merchandise.

The position taken by District Board No. 23 is similar to that of the Bituminous Coal Consumers' Counsel. District Board No. 23 particularly stresses the point that the refusal to grant the relief requested by the petitioner will force code members to violate municipal ordinances against underweighing and adulteration of merchandise. It also makes the joint thought that upon recession of the coal market the code members, who presently make the 3 per cent allowance for moisture without violating the minimum prices, since coal prices are now above the minimum established by the Division, will then be violating the minimum price schedules.

The record in this matter does not warrant the undersigned granting a 3 per cent moisture allowance for washed or wet-screened coal of all sizes below 2 inches. There is evidence in the record showing that coal, when prepared for truck shipments, is weighed at the mine after being wet-screened or watered; at such time it contains a certain percentage of water depending on the size of coal and the type of washing equipment. It is not clear, however, from the evidence submitted as to exactly what percentage of moisture or water is contained in each of the Size Groups 12 through 18 and 21 through 25. It is a well-known fact that the smaller the size of coal, the more moisture it will hold. To group all the various sizes of coal, for which relief is requested by the petitioner, into one class and allow 3 per cent for water or moisture is not justified by evidence in the record. To grant the relief requested by the petitioner and leave the matter of the exact amount of moisture allowance to the code members might, under strained conditions, give rise to unjustified and unfair price allowances and thus violate the minimum price provisions of the Act.

The undersigned has carefully considered all the evidence in this record and has given full consideration to the contentions made by the Bituminous Coal Consumers' Counsel and by District Board No. 23. He has determined, however, that the proposed findings of fact and proposed conclusions of law of the Examiner are amply supported by the record and that they should be approved and adopted.

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner be, and the same hereby are approved and adopted as the findings of fact and conclusions of law of the undersigned;

It is further ordered, That the exception to the Examiner's Report filed herein by the Bituminous Coal Consumers' Counsel be, and the same is hereby overruled; and,

It is further ordered, That the relief requested by District Board No. 23 for the adoption of a price exception permitting code members to make a 3 per cent allowance on wet-screened and watered coal be, and it hereby is denied.

Dated: September 5, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8879; Filed, September 8, 1942; 11:46 a. m.]

[Docket No. A-1496]

DISTRICT BOARD NO. 19

ORDER CORRECTING TYPOGRAPHICAL ERRORS IN THE PRINTED COPIES OF THE ORDER OF JUNE 24, 1942

In the matter of the petition of District Board No. 19 for the establishment of price classifications and minimum prices for certain mines in District No. 19.

An order granting temporary relief and conditionally providing for final relief was issued in the above-entitled matter on June 24, 1942. Although the original order was correct, the printed copies thereof incorrectly show the minimum prices for coals of the Pat Burnell (Burnell Coal) Gebo No. 1 Mine (Mine Index No. 238) in Subdistrict 5 of District No. 19 in Size Groups 1 and 2, for shipment via rail to Market Areas 209 and 211 as 445 cents. The correct minimum prices as shown in the original order are 455 cents.

Accordingly, all copies of the above-mentioned order should be corrected by the insertion of minimum prices of 455 cents, in lieu of the minimum prices of 445 cents for the coals of the Pat Burnell (Burnell Coal) Gebo No. 1 Mine (Mine Index No. 238) in Subdistrict 5 of District No. 19, in Size Groups 1 and 2, for shipment via rail to Market Areas 209 and 211.

And it is so ordered.

Dated: September 5, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8883; Filed, September 8, 1942; 11:47 a. m.]

[Docket No. B-110]

FRANCIS E. BURK AND SONS AND HOWARD WILLIAMS

ORDER GRANTING APPLICATION FOR THE RESTORATION OF CODE MEMBERSHIP

In the matter of William Burk, Charles Burk, and Howard Williams, individually and as copartners, doing business under the name and style of Francis E. Burk & Sons and Howard Williams, defendants.

A complaint dated October 13, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on October 16, 1941, by Bituminous Coal Producers Board for District No. 1, complainant, with the Bituminous Coal Division (the "Division") alleging that William Burk, Charles Burk and Howard Williams, individually and as copartners, doing business under the name and style of Francis E. Burk & Sons and Howard Williams, wilfully violated the Bituminous Coal Code (the "Code"), or rules and regulations thereunder; and

An order entitled "In the Matter of Francis E. Burk & Sons and Howard Williams, Individually and as Copartners Doing Business Under the Name and Style of Francis E. Burk & Sons and Howard Williams," having been issued herein on June 25, 1942, revoking and canceling the code membership of the above-named defendants and ordering that prior to any reinstatement of membership in the Code there shall be paid to the United States, a tax of six hundred and sixty dollars and twenty cents ($660.20) as provided by section 5 (c) of the Act, and said order having been served on the above-named defendants on June 30, 1942; and

An application, dated August 22, 1942, for restoration of membership in the Code, to become effective as of the date of the payment of said tax, having been filed by said defendants with the Division on August 24, 1942; and

It appearing from said application that the above-named defendants paid to the Collector of Internal Revenue at Pittsburgh, Pennsylvania, on August 6, 1942, said tax of six hundred and sixty dollars and twenty cents ($660.20), pursuant to said order issued June 25, 1942, and section 5 (c) of the Act, as a condition precedent to the restoration of said membership in the Code;

Now, therefore, it is ordered, That said Application be, and the same hereby is, granted; and

It is further ordered, That the Code membership of William Burk, Charles Burk, and Howard Williams, individually and as copartners, doing business under the name and style of Francis E. Burk & Sons and Howard Williams be and the same hereby is restored as of August 6, 1942, at 12:01 a. m.

Dated: September 5, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8884; Filed, September 8, 1942; 11:47 a. m.]

[Docket No. B-232]

THE BURNS MINE

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER, AND CEASE AND DESIST ORDER

In the matter of Robert Burns and Irvin R. Burns, individually and as copartners, doing business under the name and style of the Burns Mine (Burns Mine, Robert Burns, Manager, Irvin R. Burns), code member.

This proceeding having been instituted upon a complaint filed with the Bituminous Coal Division on March 9, 1942, by District Board No. 22, alleging that copartners Robert Burns and Irvin R. Burns, individually and as copartners, doing business under the name and style of Burns Mine, a code member in District 22, had wilfully violated the Bituminous Coal Code or the rules and regulations thereunder, and praying that the Division either cancel or revoke the code membership of the code member, or, in its discretion, direct the code member to cease and desist from violations of the Code and rules and regulations thereunder;

A hearing in this matter having been held on June 30, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Billings, Montana;

The Examiner having made and entered his report, proposed findings of fact, proposed conclusions of law, and recommendation in this matter, dated August 6, 1942, in which he recommended that an order be entered by the Acting Director requiring code member to cease and desist from selling coal below the effective minimum prices and from falsely billing or invoicing his coal, and from otherwise violating the Act, the Code, or the Marketing Rules and Regulations;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs, and no such exceptions nor supporting briefs having been filed;

The undersigned having considered this matter and having determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as the findings of fact and conclusions of law of the undersigned;

Now, therefore, it is ordered, That the proposed findings of fact and proposed and supporting briefs, and no such conclusions of law of the Examiner be, and they hereby are, adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That code members Robert Burns and Irvin R. Burns, doing business as the Burns Mine, their representatives, agents, servants, employees, attorneys, successors, or assignees, and all persons acting or claiming to act in their behalf or interest, cease and desist, and they are hereby permanently enjoined and restrained, from selling or offering to sell coal below the prescribed minimum prices therefor, and from violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District No. 22 for All Shipments, the Marketing Rules and Regulations and all appropriate orders of the Division.

It is further ordered, That the Division may, upon failure of the code members herein to comply with this Order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit where they carry on business for the enforcement thereof or take any other appropriate action.

Dated: September 5, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8880; Filed, September 8, 1942; 11:46 a. m.]

[Docket No. B-277]

MARKET STREET COAL COMPANY

ORDER DENYING MOTIONS TO DISMISS PROCEEDING AND TO STAY HEARING

In the matter of J. H. Cox and R. L. Stulce, individually and as partners doing business under the name and style of Market Street Coal Company, code member.

The complaint, dated June 9, 1942, herein having been duly filed on June 15, 1942, with the Bituminous Coal Division by Bituminous Coal Producers Board for District No. 13, complainant, and a hearing thereon having been scheduled for July 29, 1942, at 10 a. m. at a hearing room of the Division at the Chancery Court Room, Court House, Chattanooga, Tennessee, by order dated June 25, 1942, which was subsequently postponed by order dated July 22, 1942, to a place and date thereafter to be designated by appropriate order; and

The above-named code member having filed with the Division on July 13, 1942, its answer herein dated July 9, 1942, in which it moved for the dismissal of the complaint and a stay of the hearing for the duration of the present war; and

The undersigned having considered said motions; and

It appearing that said motions do not state grounds warranting the dismissal of the aforesaid complaint and stay of the hearing herein;

Now, therefore, it is ordered, That the motions of the code member for dismissal of the aforesaid complaint and stay of hearing herein be and they hereby are denied.

Dated: September 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8877; Filed, September 8, 1942; 11:45 a. m.]

[Docket No. 1714-FD]

THOMAS REDDING

ORDER POSTPONING HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of Thomas Redding, code member.

The above-entitled matter having been heretofore scheduled for hearing on September 10, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania, pursuant to notice of and order for hearing entered in the above-entitled matter on July 24, 1942; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the said hearing in the above-entitled matter be and the same hereby is postponed from September 10, 1942, at 10 a. m. to September 29, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 118, Colonial Hotel, Altoona, Pennsylvania.

It is further ordered, That Charles S. Mitchell shall preside at said hearing vice W. A. Cuff; and

It is further ordered, That the said notice of and order for hearing entered herein on July 24, 1942 shall, in all other respects, remain in full force and effect.

Dated: September 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8878; Filed, September 8, 1942; 11:45 a. m.]

[Docket No. B-242]

ROWELL AND ROWELL

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND CEASE AND DESIST ORDER

In the matter of Fred Rowell and Audebee Rowell, also known as Audibee Rowell, and individually and as copartners, doing business under the name and style of Rowell and Rowell, code member.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on April 15, 1942, by District Board 13. The complaint alleged that code member wilfully violated the Bituminous Coal Code, or the rules and regulations thereunder, and prayed that the Division either cancel and revoke this code membership or, in its discretion, direct code member to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing in this matter was held on June 17, 1942, before Travis Williams, a duly designated Examiner of the Division at a hearing room thereof at Birmingham, Alabama. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. District Board 13 appeared at the hearing. Code member appeared without counsel.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations in this matter, dated August 8, 1942, finding that code member wilfully violated the order of the Director in General Docket No. 19, dated October 9, 1940, by selling during the month of July 1941, approximately 26 tons of 1½" x 0 coal and 13 tons of lump coal without first having obtained classifications and prices therefore, and that code member violated Order No. 288, dated December 8, 1939, by failing to inform the Division of changes made in the operation of its mine. The Examiner recommended that an order be entered directing code member to cease and desist from violations of said orders of the Division, and from otherwise violating the Act, the Code, and the rules and regulations thereunder.

An opportunity was afforded to all parties to file exceptions and supporting briefs to the said Examiner's report and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That Fred Rowell and Audebee Rowell also known as Audibee Rowell, individually and as copartners, doing business under the name and style of Rowell and Rowell, code members, operating the Fred Rowell Mine, located in Marion County, Alabama, their representatives, agents, servants, employees, attorneys, heirs, administrators, successors, or assigns cease and desist, and they are hereby permanently enjoined and restrained from selling or offering to sell, unpriced coal and from violating Order No. 288 of the Division, or from otherwise violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for Truck Shipments, the Marketing Rules and Regulations and all appropriate orders of the Division.

It is further ordered, That the Division may upon failure of code members herewith to comply with the order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit wherein code members reside or carry on business for the enforcement thereof, or take any other appropriate action.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8876; Filed, September 8, 1942; 11:45 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[License No. 50]

DETROIT, MICHIGAN, SALES AREA

ORDER TERMINATING THE LICENSE FOR MILK

The license for milk—Detroit, Michigan, sales area, issued by the Secretary of Agriculture on March 31, 1934, pursuant to the powers vested in him by the terms and provisions of Public Act No. 10, 73d Congress, May 12, 1935 (which license was suspended by the Secretary of Agriculture on December 22, 1937), is hereby terminated, effective as of the date of the execution hereof.

Done at Washington, D. C., this 7th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 42-8885; Filed, September 8, 1942; 11:42 a. m.]

CIVIL SERVICE COMMISSION.

CONDITION OF APPORTIONMENT AT CLOSE OF BUSINESS MONDAY, AUGUST 31, 1942

Important. The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are, local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from States which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS		
1. Virgin Islands	21	0
2. Puerto Rico	1,577	58
3. Hawaii	357	25
4. Alaska	61	13
5. California	5,828	1,750
6. Michigan	4,435	1,750
7. Louisiana	1,994	822
8. Arizona	421	213
9. Texas	5,412	2,926
10. Kentucky	2,401	1,334
11. Georgia	2,636	1,494
12. Alabama	2,390	1,309
13. Ohio	5,828	3,511
14. South Carolina	1,603	1,004
15. Mississippi	1,843	1,181
16. Arkansas	1,645	1,114
17. Nevada	93	67
18. Indiana	2,892	2,086
19. New Jersey	3,510	2,566
20. North Carolina	3,013	2,240
21. Oregon	919	706
22. Illinois	6,663	5,246
23. Washington	1,465	1,169
24. Tennessee	2,460	1,986
25. New Mexico	449	365
26. Connecticut	1,442	1,196
27. Wisconsin	2,647	2,201
28. Idaho	443	376
29. Florida	1,601	1,372
30. Delaware	225	199
31. Rhode Island	602	565
32. Missouri	3,193	3,139
QUOTA FILLED		
33. Vermont	303	303

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656)

State	Number of positions to which entitled	Number of positions occupied
IN EXCESS		
34. Utah	464	472
35. Pennsylvania	8,353	8,678
36. Massachusetts	3,642	3,860
37. New Hampshire	415	448
38. West Virginia	1,605	1,743
39. Maine	715	787
40. Oklahoma	1,971	2,406
41. Iowa	2,142	2,701
42. Colorado	948	1,223
43. Montana	472	617
44. Minnesota	2,356	3,093
45. Wyoming	212	295
46. New York	11,373	15,560
47. North Dakota	542	792
48. Kansas	1,520	2,239
49. Virginia	2,259	3,302
50. South Dakota	543	994
51. Nebraska	1,110	2,210
52. Maryland	1,537	4,367
53. District of Columbia	559	12,386
Gains		8,080
Losses		2,094
Total appointments		113,110

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under Sec. 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 23,259.

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director, and Chief Examiner.

[F. R. Doc. 42-8841; Filed, September 7, 1942; 9:34 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-411]

UNITED GAS PIPE LINE COMPANY

ORDER FIXING DATE FOR HEARING

SEPTEMBER 4, 1942.

It appearing to the Commission that:

(a) On August 24, 1942, the United Gas Pipe Line Company filed an application for authority to construct and operate a pipe line extension to its existing pipe line system so as to connect with a source of gas supply in the La Fourche Crossing Field in southern Louisiana, as described fully in exhibits attached to the application;[1]

(b) Applicant states that the above-described additional facilities are necessary to meet increased demands for natural gas due to the war effort;

The Commission *orders* that:

A public hearing in this proceeding be held on September 14, 1942, at 9:45 a. m. (E. W. T.), in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8812; Filed, September 5, 1942; 10:06 a. m.]

[1] Not filed as part of the original document.

NATIONAL HOUSING AGENCY.

Federal Public Housing Authority.

DEVELOPMENT OF WAR HOUSING

DELEGATION OF CONTRACTING POWERS

SEPTEMBER 4, 1942.

Pursuant to the authority vested in me by section 12 of Executive Order 9070,[1] the following powers, functions, and duties are hereby delegated to directors of FPHA regional and metropolitan area offices, persons acting as such directors and to such other persons as may be designated by the Commissioner as contracting officers, to be exercised with respect to such projects as are assigned to such regional or metropolitan area offices respectively, and in accordance with the policies and procedures heretofore or hereafter established:

1. To act as contracting officer with respect to all matters pertaining to the development of such projects undertaken pursuant to the provisions of of the Lanham Act (Public No. 849, 76th Congress), or the provisions of Public Nos. 9, 73, and 353, 77th Congress, or the provisions of Public No. 671, 76th Congress (as such laws respectively are now or hereafter amended), except that until further notice the acceptance of options to purchase land or the execution of leases for sites shall be referred to the Central Office for acceptance or execution.

2. To select or approve sites for such projects.

3. To grant revocable licenses, permits, and easements, and to execute appropriate instruments therefor, to facilitate the provision of adequate utility services to such projects.

4. To dedicate, and to execute appropriate deeds of conveyances or other instruments therefor, land for streets, alleys, walks, or other means of egress and ingress to such projects.

5. To effectuate, wherever possible, the annexation of project property by political subdivisions if necessary to facilitate the extension of adequate public facilities or services, including utilities, to such property.

Persons exercising the above powers, functions, and duties shall act on behalf of the Commissioner and shall execute contracts in their own names for the Commissioner.

HERBERT EMMERICH,
Commissioner.

[F. R. Doc. 42-8810; Filed, September 5, 1942; 10:06 a. m.]

CONTRACTORS' APPEALS

AUTHORIZATION OF HENRY G. CHAPMAN TO ACT AS REPRESENTATIVE OF COMMISSIONER

SEPTEMBER 4, 1942.

Pursuant to the authority vested in me by section 12 of Executive Order 9070,[1] Mr. Henry G. Chapman is hereby designated as my duly authorized representative to hear, consider and decide all appeals arising out of contracts made by or for the Federal Public Housing Authority in connection with the development of projects where contract provisions state that:

> All disputes concerning questions of fact arising under this contract shall be decided by the contracting officer subject to appeal by the contractor within 30 days to the head of the department concerned or his duly authorized representative, whose decision shall be final and conclusive upon the parties thereto.

The operating staffs in the central, regional and field offices when requested shall furnish Mr. Chapman information necessary in the consideration and final determination of such appeals.

HERBERT EMMERICH,
Commissioner.

[F. R. Doc. 42-8811; Filed, September 5, 1942; 10:06 a. m.]

[1] 7 F.R. 1529.

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order O. D. T. B-18]

WILLIAMSPORT, PA.—NEW YORK, N. Y.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Order directing coordinated operation of passenger carriers by motor vehicle between Williamsport, Pennsylvania, and New York, New York.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Edwards Motor Transit Co., Williamsport, Pennsylvania, Jersey Central Transportation Co., New York, New York, and Reading Transportation Company, Philadelphia, Pennsylvania, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

(1) Edwards Motor Transit Co., Jersey Central Transportation Co. and Reading Transportation Company (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Williamsport, Pennsylvania, and New York, New York, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

(2) On the routes served by the carriers between Williamsport, Pennsylvania, and New York, New York, Edwards Motor Transit Co. shall operate a through service of not to exceed four round trips daily, and Jersey Central Transportation Co. and Reading Transportation Company shall operate a joint through service of not to exceed one round trip daily.

(3) The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to said Commission, and each such regulatory body for special permission for such tariffs or supplements, to become effective on one day's notice.

This order shall become effective September 15, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8887; Filed, September 8, 1942; 12:01 p. m.]

[Special Order O. D. T. B-19]

ST. LOUIS, MO.—CERTAIN POINTS IN SOUTHERN ILLINOIS

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Order directing coordinated operation of passenger carriers by motor vehicle between St. Louis, Missouri, and certain points in Southern Illinois.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Gulf Transport Company, Mobile, Alabama, and Belleville-St. Louis Coach Co., Belleville, Illinois, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

(1) Gulf Transport Company and Belleville-St. Louis Coach Co. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between St. Louis, Missouri, and Cutler, Percy and Chester, Illinois, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

(2) Belleville-St. Louis Coach Co. shall suspend service over its route between Chester, Illinois, and the junction of Illinois Highways Nos. 150 and 43 at Steeleville Y and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory body a notice describing the operations to be suspended in compliance herewith.

(3) Belleville-St. Louis Coach Co. shall operate a through service of not to exceed two round trips daily between St. Louis, Missouri and Cutler, Illinois, and, in addition thereto, not to exceed one round trip daily between St. Louis, Missouri and Sparta, Illinois.

(4) Gulf Transport Company shall operate a through service of not to exceed two round trips daily between St. Louis, Missouri and Murphysboro, Illinois, one of which, subject to obtaining prior approval of the appropriate regulatory authority or authorities, shall be routed over the route described in paragraph 2. In addition thereto, it shall operate a through service of not to exceed two round trips daily between St. Louis, Missouri and Chester, Illinois.

(5) The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with the Illinois Commerce Commission in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commissions for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective October 1, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8888; Filed, September 8, 1942; 12:01 p. m.]

[Special Order O.D.T. B-20]

EL PASO, TEXAS—DEMING, N. MEX.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Order directing coordinated operation of passenger carriers by motor vehicle between El Paso, Texas, and Deming, New Mexico.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Pacific Greyhound Lines, San Francisco, California, and Parrish Stage Lines, Silver City, New Mexico, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

(1) Pacific Greyhound Lines and Parrish Stage Lines, (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between El Paso, Texas, and Deming, New Mexico, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections:

(b) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies, and in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

(2) Between El Paso, Texas, and Deming, New Mexico, Pacific Greyhound Lines shall operate a through service of not to exceed five round trips daily and Parrish Stage Lines shall operate a through service of not to exceed two round trips daily.

(3) The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements, to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 15, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8889; Filed, September 8, 1942; 12:01 p. m.]

[Special Order O. D. T. B-21]

CHICAGO, ILL.—COLUMBUS, OHIO

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Order directing coordinated operation of passenger carriers by motor vehicle between Chicago, Illinois, and Columbus, Ohio.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Empire Trails, Inc., Chicago, Illinois, Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, and Great Lakes Greyhound Lines, Inc. of Indiana, Detroit, Michigan, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

(1) Empire Trails, Inc., Pennsylvania Greyhound Lines, Inc. and Great Lakes Greyhound Lines, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Chicago, Illinois, and Columbus, Ohio, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this Order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

(2) On the routes served by the carriers between Chicago, Illinois, and Columbus, Ohio, Empire Trails, Inc. shall operate a through service of not to exceed one round trip daily, and Pennsylvania Greyhound Lines, Inc. and Great Lakes Greyhound Lines, Inc. shall operate a joint through service of not to exceed three round trips daily.

(3) The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of the order; and forthwith shall apply to said Commission, and each such regulatory body for special permission for such tariffs or supplements, to become effective on one day's notice.

This order shall become effective September 15, 1942, and shall remain in full force and effect until further order of this office.

Issued at Washington, D. C., this 8th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8890; Filed September 8, 1942; 12:02 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 39 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-108]

DUNEDIN COAL COMPANY, INCORPORATED

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Dunedin Coal Company, Incorporated, Staunton, Virginia, may sell and deliver, and any person may buy and receive the sizes of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein;

(b) Coals produced at Dunedin Mine (Mine Index No. 59), District No. 7, by Dunedin Coal Company, Incorporated, in Size Groups 7, 8, 9 and 10 may be sold at prices not to exceed $3.25, $3.00, $3.00 and $2.75 per net ton, respectively, f. o. b. the mine for all shipments except by truck or wagon;

(c) This Order No. 39 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms herein;

(f) This Order No. 39 shall become effective September 8, 1942.

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8835; Filed, September 7, 1942; 9:19 a. m.]

[Order 40 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-118]

EUREKA COAL COMPANY

ORDER GRANTING ADJUSTMENT

On June 24, 1942, the Eureka Coal Company, Grafton, West Virginia, filed a petition for adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an Opinion in support of this Order No. 40 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Administrator by the Emergency Price Control Act of 1942 and in accordance with the Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Eureka Coal Company may sell and deliver, and agree, solicit and attempt to sell and deliver, for shipment by rail, the bituminous coal described in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such bituminous coal, so shipped, at such prices from the Eureka Coal Company.

(b) Coals in Size Group 6 produced by the Eureka Coal Company at its Starford No. 1 Mine (Mine Index No. 184), located in Preston County, West Virginia, District No. 3, may be sold at prices not to exceed $2.45 per net ton f. o. b. the mine, for shipment by rail;

Provided, That on and after the date of the petition, June 24, 1942, petitioner may enter into agreements to adjust prices, in accordance with the disposition of the petition, on deliveries of such coals in Size Group 6 made subsequent to June 24, 1942.

(c) This Order No. 40 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 40 shall become effective September 8, 1942.

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8836; Filed, September 7, 1942; 9:19 a. m.]

[Order 13 Under Maximum Price Regulation 122 [3]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket 3122-92]

COOK AND BROWN LIME COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Cook and Brown Lime Company, Oshkosh, Wisconsin, may sell and deliver to the Oshkosh Wisconsin Plant of Wisconsin Public Service Corporation, and Wisconsin Public Service Corporation may buy and receive the kind and size of solid fuel set forth in paragraph (b) below at a price not in excess of that stated therein;

(b) The maximum price for the sale of dock run egg size bituminous coal by Cook and Brown Lime Company shall be the maximum price determined in accordance with § 1340.261 (c) of Maximum Price Regulation No. 122, plus not more than 28 cents per net ton; *Provided,* That in the event of a decrease, or decreases, in the delivered costs to Wisconsin Public Service Corporation of such bituminous coal below $5.98 per net ton f. o. b. barge of Cook and Brown Lime Company at Green Bay, Wisconsin, then the maximum price set forth in this paragraph shall be reduced accordingly for applications to sales of such bituminous coal purchased by it at such decreased prices;

(c) This Order No. 13 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein;

(e) This Order No. 13 shall become effective September 8, 1942.

Issued this 5th day September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8837; Filed September 7, 1942; 9:19 a. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524.
[2] 7 F.R. 971, 3663.
[3] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.

[Order 14 Under Maximum Price Regulation 122 [1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Dockets 3122-164, -166, -167, -169 and -170]

NEWARK COAL CO., ET AL.

ORDER GRANTING ADJUSTMENT

Order granting adjustment to Newark Coal Company; Samuel Truppo, doing business as Vailsburg Ice and Coal Company; Joseph Crescenzi, doing business as C & I Coal Company, and S. Smith Coal and Oil Company.

On July 30, 1942, the Division of Central Purchase of the City of Newark, New Jersey, filed a petition (Docket No. 3122-164) requesting an adjustment of the maximum prices established by Maximum Price Regulation No. 122 for sales of solid fuel by Newark Coal Company, of Newark, Vailsburg Ice and Coal Company, of South Orange, S. Smith Coal and Oil Company, of Newark, and C & I Coal Company, of Newark, to permit said companies to deliver certain coals pursuant to contracts awarded by the Board of City Commissioners of the City of Newark at prices specified in such contracts. Subsequently, on July 31, 1942, Newark Coal Company filed a petition (Docket No. 3122-166) for such relief in its own behalf as to the contracts in which it is interested. Samuel Truppo, doing business as Vailsburg Ice and Coal Company, and Joseph Crescenzi, doing business as C & I Coal Company, filed similar petitions on August 1, 1942 (Docket Nos. 3122-167 and -168, respectively). S. Smith Coal and Oil Company filed such a petition (Docket No. 3122-170) on August 3, 1942.

Due consideration has been given to said petitions and an opinion in support of this Order No. 14 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) Newark Coal Company; Samuel Truppo, doing business as Vailsburg Ice and Coal Company; Joseph Crescenzi, doing business as C & I Coal Company; and S. Smith Coal and Oil Company may sell and deliver, and the City of Newark, New Jersey, may buy and receive the kinds of anthracite coal set forth in the subparagraph of paragraph (b) below applicable to each company, at prices not in excess of those stated therein pursuant to contracts awarded by the Board of City Commissioners of Newark New Jersey;

(b) (1) *Newark Coal Company.* Buckwheat #1 coal may be sold at prices not to exceed $7.16 per net ton for truck delivery within the city limits of Newark. Stove coal may be sold at prices not to exceed $10.64 per net ton for truck delivery within the city limits of Newark. Nut coal may be sold at prices not to exceed $10.64 per net ton for truck delivery within the city limits of Newark;

(2) *Samuel Truppo, doing business as Vailsburg Ice and Coal Company.* Buckwheat #1 coal may be sold at prices not to exceed $7.20 per net ton for truck delivery at Ivy Hill Power Plant.

(3) *Joseph Crescenzi, doing business as C & I Coal Company.* Buckwheat #2 coal may be sold at prices not to exceed $6.18 per net ton for truck delivery within the city limits of Newark;

(4) *S. Smith Coal and Oil Company.* Buckwheat #2 coal may be sold at prices not to exceed $5.87 per net ton for truck delivery at City Hospital. Pea coal may be sold at prices not to exceed $8.27 per net ton for truck delivery within the city limits of Newark. Egg coal may be sold at prices not to exceed $9.97 per net ton for truck delivery within the city limits of Newark;

(c) This Order No. 14 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to the terms used herein;

(f) This Order No. 14 shall become effective September 8, 1942.

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8838; Filed, September 7, 1942; 9:19 a. m.]

[Order 1 Under Maximum Price Regulation 193 [1]—Domestic Distilled Spirits]

FRANKFORT DISTILLERIES, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales of Four Roses 86° proof and Paul Jones 86° proof, blends of straight whiskey by Frankfort Distilleries, Inc. in the State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 *it is ordered:*

(a) On and after September 8, 1942 the maximum prices in the State of New York for the sale by Frankfort Distilleries Incorporated, having its principal place of business in Louisville, Kentucky, of Four Roses 86° proof and Paul Jones 86° proof blends of straight whiskey, shall be those hereinafter set forth:

(1) Four Roses 86° proof blend of straight whiskey (delivered N. Y. State points):

Per case of 24 pints	$27.67
Per case of 12 fifths	21.71
Per case of 12 quarts	27.17

(2) Paul Jones 86° proof blend of straight whiskey (F. O. B. Baltimore, Md.):

Per case of 24 pints	$20.34
Per case of 12 fifths	16.10
Per case of 12 quarts	19.84

(b) The discounts allowable for time of payment of the maximum prices prescribed in paragraph (a) shall be one percent for payment within ten (10) days from date of shipment.

(c) Frankfort Distilleries, Inc., shall mail or cause to be mailed to all purchasers from said company of Four Roses 86° proof and Paul Jones 86° proof, blends of straight whiskey for which maximum prices are established in this order, written notice of the method to determine the maximum prices for such products together with an explanation of the method to determine maximum prices for sales at retail of such products in the state of New York.

(d) All suppliers of such products to sellers at retail in the state of New York shall mail or cause to be mailed to all such sellers an explanation of the method to be used to determine maximum prices for sales at retail of such distilled spirits as set forth in this paragraph. To determine the maximum prices, sellers at wholesale and at retail shall deduct the amounts given below in this paragraph for the corresponding brands and sizes from the maximum prices determined in accordance with § 1420.13 Appendix A of Maximum Price Regulation No. 193, Domestic Distilled Spirits, for Four Roses 90° proof and Paul Jones 90° proof blends of straight whiskey.

(1) For Four Roses 86° proof deduct from the maximum prices established under Maximum Price Regulation No. 193 for Four Roses 90° proof:

	Per case (cents)	*Per bottle (cents)*
Case of 24 pints	49	2 1/24
Case of 12 fifths	39	3 1/4
Case of 12 quarts	49	4 1/12

(2) For Paul Jones 86° proof deduct from the maximum prices established under Maximum Price Regulation No. 193 for Paul Jones 90° proof:

	Per case (cents)	*Per bottle (cents)*
Case of 24 pints	19	19/24
Case of 12 fifths	15	1 1/4
Case of 12 quarts	19	1 9/12

If the result is a fractional cent price and the fraction of a cent is less than one-half of a cent, the price shall be lowered to the next lower cent. If the fraction is one-half of a cent or larger, the retailer is permitted to increase his maximum price to the next higher cent.

(e) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 1 shall become effective as of September 8, 1942 (Pub. Law 421, 77th Cong.)

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8834; Filed, September 7, 1942; 9:17 a. m.]

[Order No. 1 Under Maximum Price Regulation 204 [1]—Idle or Frozen Materials Sold Under Priorities Regulation No. 13 [2]]

ROYAL SWEDISH MINT

EXCEPTION GRANTED

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emer-

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567.
[2] 7 F.R. 971, 3663.

No. 177——7

[1] 7 F.R. 6006.

[1] 7 F.R. 6479.
[2] 7 F.R. 5167, 5604.

gency Price Control Act of 1942 and § 1499.510 of Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13, *it is hereby ordered:*

(a) The Royal Swedish Mint, a Swedish Government agency, may sell and deliver and Handy & Harman, 82 Fulton Street, New York, New York, may buy and receive approximately 500,000 ounces of silver in 1,000 ounce bars 0.999 fine at 36.85¢ per troy ounce f. o. b. New York.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective on September 8, 1942.

Issued this 5th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8833; Filed, September 7, 1942; 9:17 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-568]

EDISON SAULT ELECTRIC COMPANY

MEMORANDUM OPINION AND ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of September A. D. 1942.

Edison Sault Electric Company, a subsidiary company of American States Utilities Corporation, a registered holding company, has filed applications and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 of the rules and regulations promulgated thereunder, for an exemption from the provisions of section 6 (a) of the Act of the issue and private sale to certain insurance companies of $990,000 principal amount of first mortgage bonds, 3¾%, due 1972, at 104 or an aggregate consideration of $1,029,600, and 3% notes in the total principal amount of $100,000, and for an exemption from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 of the proposed issue and sale of the bonds. The company has requested that its application for exemption from Rule U-50 be acted upon prior to its applications for exemption from section 6 (a).

After appropriate public notice, a hearing was held upon the applications. We have examined the record and make the following findings with respect to the application for exemption from Rule U-50.

Subsection (a) (4) of Rule U-50 expressly exempts from the competitive bidding requirements of the rule issuances and sales in which the total proceeds to be received by the issuer will not exceed $1,000,000. The subject issuance and sale would, therefore, require no action on our part in this respect were it not for the fact that the premium to be received brings the total proceeds $29,600 above the mentioned limit.

Under the circumstances we find that compliance with paragraphs (b) and (c) of Rule U-50 is not appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption, if such is granted, of the issuance and sale of the bonds from the provisions of section 6 (a), or to aid us in determining any other terms and conditions which it may be appropriate to impose in the public interest or for the protection of investors or consumers in connection with any such latter exemption.

It is therefore ordered, That said issue and sale be and the same hereby are exempted from the provisions of Rule U-50.

It is further ordered, That jurisdiction be and hereby is reserved for consideration of all matters in these proceedings not hereby determined.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8803; Filed, September 4, 1942; 2:28 p. m.]

[File No. 70-584]

NORTH BOSTON LIGHTING PROPERTIES, ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August, 1942.

In the matter of North Boston Lighting Properties, New England Power Association, Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company and Suburban Gas and Electric Company.

North Boston Lighting Properties, five of its subsidiary companies, namely, Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company and Suburban Gas and Electric Company, and New England Power Association, a registered holding company and a parent company of North Boston Lighting Properties have filed applications and declarations and amendments thereto pursuant to sections 7 and 10 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-44 thereunder with respect to the borrowing by North Boston Lighting Properties of $13,000,000 from the following banks in the following amounts: The First National Bank of Boston—$6,000,000, The Chase National Bank of the City of New York—$4,500,000, Chemical Bank and Trust Company—$1,250,000 and Guaranty Trust Company of New York—$1,250,000, said borrowings to be evidenced by a single promissory note to each bank, each note bearing interest at the rate of 2½ per cent per annum payable semi-annually and maturing October 1, 1947 and to be secured under a joint bank credit letter agreement by the pledge of all common stocks of subsidiary utility companies held by North Boston Lighting Properties and by the notes of subsidiary utility companies proposed to be issued herein. The proceeds of the proposed borrowings, together with other funds, will be used to retire presently outstanding secured notes of North Boston Lighting Properties in the principal amount of $13,000,000 bearing interest at the rate of 3½ per cent per annum. With respect to Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Salem Gas Light Company and Suburban Gas and Electric Company the applications and declarations relate to the issue by such companies to North Boston Lighting Properties of unsecured notes in the following amounts, respectively, $700,000, $320,000, $1,089,375, $485,000 and $785,000, said notes to mature in ten months, to bear interest at the rate of 3 per cent per annum and to be issued in substitution for certain presently outstanding notes and advances owing by such companies to North Boston Lighting Properties.

A public hearing having been held after appropriate notice, the Commission having considered the record, and having filed its Findings and Opinion herein.

It is ordered, That said applications, as amended, be, and they hereby are, granted forthwith and that said declarations, as amended, be, and they hereby are, permitted to become effective forthwith, subject, however, to the terms and conditions set forth in Rule U-24 and to the additional condition that without further order of this Commission North Boston Lighting Properties shall not, so long as any portion of the proposed $13,000,000 secured notes remain outstanding, cause or permit Beverly Gas and Electric Company, Eastern Massachusetts Electric Company, Gloucester Electric Company, Haverhill Electric Company, Malden Electric Company, Malden and Melrose Gas Light Company, Salem Electric Lighting Company, Salem Gas Light Company and Suburban Gas and Electric Company, or any of them, to declare any dividends except upon fifteen (15) days prior written notice to this Commission of the proposed amount of dividends to be declared by the respective companies.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8801; Filed, September 4, 1942; 2:28 p. m.]

[File No. 59-54]

KEWANEE PUBLIC SERVICE CO.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of September A. D. 1942.

In the matter of Kewanee Public Service Company, respondent.

The Commission having examined the corporate structure of Kewanee Public Service Company, a public utility company, the distribution of voting power among the security holders of such company, and the method of said company in keeping its accounts and records, and it appearing to the Commission on the basis of such examinations that there are reasonable grounds for believing;

(1) That Kewanee Public Service Company, a public utility company, has outstanding First Mortgage Bonds due July 1, 1949 in the principal amount of $883,300; an overdue note held by North American Light & Power Company in the principal amount of $210,000 and bearing interest at 5½%; 7,000 shares of 7% preferred stock, par value $50 per share in the aggregate amount of $350,000 on which there were arrears of $32.66⅔ per share in the aggregate amount of $228,667 as of April 30, 1942 and 10,000 shares of common stock without par value but with a stated value in the aggregate amount of $500,000.

(2) That all of the common stock of Kewanee Public Service Company is owned by Illinois Traction Company, a registered holding company and a subsidiary of North American Light & Power Company, also a registered holding company and in turn a subsidiary of The North American Company.

(3) That Illinois Traction Company is the owner of 1,496 shares of the 7% preferred stock above mentioned and that the remaining 5,504 shares of said preferred stock are publicly held.

(4) That the assets and physical properties of Kewanee Public Service Company as of April 30, 1942 were carried on the books of said company at a stated net value of $1,873,097; that the said net carrying value of $1,873,097 includes not less than $710,000 of intangibles and plant not used or useful.

(5) That the past due note held by North American Light & Power Company was executed in 1935 and received by it in consideration of the cancellation of an open account indebtedness; that said note was originally in the amount of $360,000 but as of December 31, 1941 had been reduced to $210,000; that in the years 1928, 1929 and 1930 while dividends were purportedly declared and paid on the common stock of Kewanee aggregating $170,000 the open account indebtedness increased by $430,369.

(6) That for the years 1932–1941 inclusive, the net income, earned surplus, dividends, amounts due affiliates, and depreciation accruals were reported to be as follows:

Year	Net income per books	Earned surplus, end of year	Preferred stock dividends	Due affiliates end of year		Depreciation accruals
				Open account	Note	
1932	$17,564	$17,000	$24,500	$534,488		$45,031
1933	(45,168)	[1] (105,305)		470,000		67,678
1934	(30,819)	(104,813)		415,000		74,750
1935	(14,365)	(105,132)			$360,000	79,034
1936	(6,300)	(122,537)			360,000	74,025
1937	15,511	(106,625)			335,000	84,186
1938	12,253	(88,372)			310,000	75,796
1939	9,313	(69,010)			260,000	84,855
1940	4,996	(67,334)			210,000	87,945
1941	2,863	(64,044)			210,000	87,606

[1] Includes $86,152 loss on street railway properties.

As may be seen by the above table the common stock of Kewanee Public Service Company has had no equity in the earnings of the company and no dividends have been paid on the preferred stock for the past nine years.

(7) That all the voting power of Kewanee Public Service Company is vested in the common stock of said company and that the assets and earnings of said company are insufficient to provide any equity for said common stock, as is indicated by the following table:

Total net assets per books [1]		$1,873,097
Plant not used or useful (not less than)		290,000
Balance		1,583,097
Bonded indebtedness	$883,300	
Past due note payable to NALPCO	210,000	
Total preferred and arrears	578,667	1,671,967
Balance applicable to common		(88,870)

[1] Includes not less than $420,000 of intangibles.

(8) That the corporate structure of Kewanee unfairly and inequitably distributes voting power among the security holders thereof.

(9) That the books of account of Kewanee Public Service Company do not properly reflect or disclose the assets, properties or financial condition of the Kewanee Public Service Company.

It, therefore, appearing to the Commission on the basis of its examinations as aforesaid that proceedings should be instituted and hearings held under sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of said Act with respect to Kewanee Public Service Company to determine what steps, if any, are necessary and should be required to be taken by said company in order to comply with the said provisions of said Act;

It is ordered, That Kewanee Public Service Company is hereby made respondent in these proceedings and that said respondent shall file with the Secretary of the Commission on or before September 19, 1942 an answer in the form prescribed in Rule U-25 to the allegations of paragraphs numbered 1–9 inclusive thereof;

It is further ordered, That a hearing be held on the proceedings herein instituted on the 23d day of September, 1942 at 10 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318;

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to Kewanee Public Service Company, Illinois Iowa Power Company, Illinois Traction Company and North American Light & Power Company not less than 15 days prior to the date hereinbefore fixed as the date for said hearing; and that notice of said hearing is hereby given to all security holders of said companies, to all consumers of said Respondent, to the State of Illinois and to all municipalities and political subdivisions of the State of Illinois within which are located any of the utility assets of Respondent, and to the Illinois Commerce Commission, that such notice be given by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication of this order in the FEDERAL REGISTER not later than 15 days prior to the date hereinbefore fixed as the date of the hearing;

It is further ordered, That any persons desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission on or before the 19th day of September, 1942, a written statement relative thereto; that any person proposing to intervene shall file with the Secretary of the Commission on or before the 19th day of September, 1942 his application therefor as provided by Rule XVII of the Rules of Practice of the Commission;

It is further ordered, That without limiting the scope of the issues presented by the proceedings hereby instituted that evidence having particular bearing on the following matters will be adduced:

(1) Whether the allegations in paragraphs 1 to 9 inclusive hereof are true and accurate;

(2) What steps, if any, are necessary and should be required to be taken by Kewanee Public Service Company to insure a fair and equitable distribution of voting power among its security holders;

(3) Whether recapitalization of Kewanee Public Service Company is necessary in order to distribute voting power fairly and equitably among its security holders, and if so what form such recapitalization should take;

(4) What treatment should be accorded the past due note owned by North American Light & Power Company and preferred stock owned by Illinois Traction Company in any such recapitalization;

(5) What steps, if any, are necessary and should be required to be taken by Kewanee Public Service Company to insure that the books, records and accounts of Kewanee Public Service Company accurately and truly reflect the financial condition, property and assets of Kewanee Public Service Company;

(6) What adjustments and charges should be required on the balance sheet of Kewanee Public Service Company;

It is further ordered, That jurisdiction be and it is hereby reserved to separate, either for hearing in whole or in part or for disposition in whole or in part any of the issues or questions which may arise in this proceeding and to take such other action which may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8802; Filed, September 4, 1942; 2:28 p. m.]

[File No. 70-596]

THE PUEBLO GAS AND FUEL COMPANY AND CITIES SERVICE POWER & LIGHT COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of September A. D. 1942.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission by The Pueblo Gas and Fuel Company and Cities Service Power & Light Company pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 6, 7, 9, 10, and 12 thereof. All interested persons are referred to said declarations or applications which are on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized as follows:

The Pueblo Gas and Fuel Company (hereinafter referred to as "Pueblo") has outstanding 3,000 shares of common stock of the par value of $100 per share out of an authorized issue of 10,000 shares; and 4,023 shares of preferred stock of the par value of $100 per share. All of such outstanding common and preferred stock is owned by Fred Witsell, president of Pueblo. There are also outstanding under an indenture of Pueblo to Manufacturers Trust Company (successor trustee) dated September 1, 1922, $637,600 principal amount of the company's Series A 5% First Mortgage Sinking Fund Gold Bonds which mature on September 1, 1942. Of these outstanding bonds $290,080 principal amount thereof are publicly owned; $315,520 principal amount thereof are owned by Cities Service Power & Light Company (hereinafter referred to as "Power & Light") and $32,000 principal amount are owned by Cities Service Company. Pueblo is also indebted to Power & Light in the amount of $1,227,408.15, of which $1,227,000 is represented by a non-interest bearing note and $408.15 is represented by open account indebtedness.

The companies propose to effect the following transactions:

1. Power & Light proposes to purchase all outstanding shares of common and preferred stocks of Pueblo for a total consideration of $1,000.

2. Pueblo proposes to issue to Power & Light, and Power & Light proposes to acquire 3,155.2 shares of the common stock of Pueblo with a par value of $315,520 in full satisfaction and discharge of an equal principal amount of Pueblo's First Mortgage Sinking Fund Gold Bonds due September 1, 1942 now owned by Power & Light.

3. Pueblo proposes to extend the maturity date of the balance of its outstanding First Mortgage Bonds in the principal amount of $322,080 from September 1, 1942 to September 1, 1952, such extended bonds to continue to bear interest at 5% per annum, to be redeemable at 100% of the principal amount thereof, plus accrued interest, and to be further secured by the terms of an indenture supplemental to the indenture dated September 1, 1922.

4. Power & Light proposes to donate to Pueblo, and Pueblo proposes to acquire: (a) 2,655.2 shares of the common stock of Pueblo in the aggregate par value of $265 520; (b) 4,023 shares of Pueblo's preferred stock in the aggregate par value of $402,300; and (c) the $1,227,408.15 principal amount of indebtedness of Pueblo due Power & Light.

Pueblo proposes to retire and cancel all of such securities and credit the amount thereof to capital surplus.

5. Pueblo proposes to provide for additional property reserves in the amount of $210 510 80 by a charge to surplus, and further proposes to write-off against surplus certain intangible property in the amount of $48,676.10, which amounts, together with the existing surplus (deficit) of $1,186.041.25 as at June 30, 1942, will be charged to the capital surplus created through the donation of securities by Power & Light; to charge retirement reserve with the estimated cost of its manufacturing gas facilities no longer used or useful in the approximate amount of $200,000.

All of the foregoing transactions are to become effective, when, as and if the holders of 90% of the First Mortgage Bonds of Pueblo, owned by others than Power & Light, shall have duly extended the maturity of their bonds to September 1, 1952 in accordance with the supplemental indenture.

Additional information concerning the proposed transaction is to be filed by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said applications shall not be granted nor said declarations become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on September 24, 1942, at 10 A. M.. E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said date by the hearing room clerk in Room 318. At such hearing, cause shall be shown why such declarations or applications (or both) shall become effective or shall be granted.

Notice is hereby given to the above named declarants or applicants and to all interested persons, said notice to be given to said declarants or applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declarations and applications (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the issues and sales by Pueblo of its common stock and first mortgage bonds are reasonably adapted to the security structure and earning power of Pueblo, and whether the terms and conditions of such issues and sales are detrimental to the public interest or the interest of investors or consumers.

2. Whether the acquisition of Pueblo's securities by Power & Light (a) will tend toward interlocking relations or the concentration of control of public utility companies, of a kind or to an extent detrimental to the public interest or the interest of investors or consumers; (b) will unduly complicate the capital structure of the holding company system or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of the holding company system; (c) is detrimental to the carrying out of the provisions of section 11 of the Act; and (d) will tend toward the economical and efficient development of an integrated public utility system.

3. Facts and circumstances concerning the acquisition and ownership by Cities Service Company of $32,000 principal amount of first mortgage bonds of Pueblo, and whether, in view of such facts as determined, any particular action should be taken with respect to the interest of Cities Service Company represented by such securities, including the subordination thereof, in whole or in part, to the claims of other security holders.

4. Whether, in the public interest or in the interest of investors or consumers, it is necessary or appropriate to impose any terms or conditions in any order which might be entered approving said transactions.

5. Whether all action proposed to be taken complies with the requirements of the Act and Rules, Regulations or Orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8800; Filed, September 4, 1942; 2:28 p. m.]

[File No. 59-53]

CITIES SERVICE CO., ET AL.

NOTICE AND ORDER INSTITUTING PROCEEDINGS AND SETTING DATE FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August A. D. 1942.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents.

I

The Commission having data in its files and records relating to Cities Service Company and Cities Service Power & Light Company and the latter's subsidiary companies establishing, or tending to establish, the following:

1. Cities Service Company, a corporation organized under the laws of the State of Delaware, is a registered holding company under the Public Utility Holding Company Act of 1935.

2. Cities Service Power & Light Company ("Power & Light"), a corporation organized under the laws of the State of Delaware, is a registered holding company under said Act and is a subsidiary of Cities Service Company.

3. Federal Light & Traction Company is a holding company subsidiary of Cities Service Power & Light Company, and Central Arkansas Public Service Corporation is in turn a holding company subsidiary of Federal Light & Traction Company. Both Federal Light & Traction Company and Central Arkansas Public Service Corporation are registered holding companies under the Act. Public Service Company of Colorado is a holding company (although not a registered holding company) subsidiary of Cities Service Power & Light Company.

4. The following table shows the capitalization and surplus as at December 31, 1941 of Cities Service Power & Light Company and the division of ownership of the outstanding securities as between Cities Service Company and public investors:

Data Showing Ownership of Securities of Cities Service Power & Light Company at Dec. 31, 1941

	Total principal amount par or stated value (1)	Held by—			
		Cities Service Company		Public	
		Amount	Percent of total	Amount	Percent of total
Capitalization:					
Long term debt:					
5½% gold debentures, due 1949	$15, 766, 900	$1, 914, 000	12. 14	$13, 852, 900	87. 86
5½% gold debentures, due 1952	34, 218, 000	2, 289, 000	6. 69	31, 929, 000	93. 31
	49, 984, 900	4, 203, 000	8. 41	45, 781, 900	91. 59
Preferred Stock (no par value):					
$7.00 Cumulative, 56,346 shares	6, 634, 600	3, 371, 100	50. 83	2, 263, 500	40. 17
$6.00 Cumulative, 71,577 shares	7, 157, 700	3, 879, 100	54. 19	3, 278, 600	45. 81
$5.00 Cumulative, 50,000 shares	5, 000, 000	4, 935, 200	98. 70	64, 800	1. 30
	[1] 17, 792, 300	12, 185, 400	68. 49	5, 606, 900	31. 51
Common Stock—$100 par value, 600,000 shares	60, 000, 000	[2] 60, 000, 000	[2] 100. 00		
Total securities	127, 777, 200	76, 388, 400	59. 78	51, 388, 800	40. 22
Surplus:					
Capital surplus	14, 797				
Earned surplus	[1] 6, 442, 947				
	[1] 6, 457, 744				
Total capitalization	134, 234, 944				
Voting rights at Dec. 31, 1941			100. 00		

[1] Preferred stocks are shown at their involuntary liquidating values which exceeded stated values by $709,294. This excess has been eliminated from earned surplus account.

[2] The book cost of the above common stock as shown on the books of the parent company amounted to $8,001,938. Cities Service Company is the beneficial owner of all such shares although 48,750 shares are nominally held by Consolidated Cities Light Power & Traction Company, a subsidiary.

The three series of preferred stock of Power & Light outstanding rank equally as to all rights and privileges except as to dividend rates Such preferred stocks have no voting rights except upon dividends thereon being in arrears 12 months, in which event, the preferred stock voting as a class may elect one less than a majority of the Board of Directors. In the absence of such arrears, voting rights are vested solely in the common stock.

II

ORGANIZATION OF CITIES SERVICE POWER & LIGHT COMPANY

5. Power & Light was incorporated on November 3, 1924 Pursuant to an agreement dated January 2, 1925, Power & Light acquired as of June 30, 1924, from Cities Service Company, securities and accounts of certain utility companies, the book cost of which to Cities Service Company was $42 909.502 of which $34,567,830 was applicable to the securities. In consideration for the transfer of such securities and accounts, Power & Light issued and delivered to Cities Service Company and assumed securities as follows:

Description	*Amount*
20-year 6% gold bonds	$20, 000, 000
First preferred stock 7%	10, 000: 000
Second preferred stock 7%	5, 000, 000
Common stock	64, 999, 000
Cash	1, 000
Indebtedness assumed	6, 465. 889
Total	$106, 465, 889

The excess of the book cost to Power & Light over book cost to Cities amounted to $58 556,387.[1] The securities thus acquired from Cities Service Company presently comprise substantially the major assets of Power & Light. The securities issued therefor represented the total issued and outstanding securities of Power & Light at such date.

6. The bonds and first preferred stock so received by Cities Service Company, together with additional bonds for which the second preferred stock so received was exchanged par for par, were offered to the public through underwriters. Cities Service Company still owns all of the common stock of Power & Light which it acquired upon the organization of that company with the exception of $5,000,000 par value which was "donated" to Power & Light in September 1935. The investment of Cities Service Company in such common stock is carried on its books at $8,001,938. This investment affords control of the Power & Light system, with total consolidated assets of $426,727,463 as at December 31, 1941.

III

ACQUISITION OF PREFERRED STOCKS

7. Between June 15, 1932 and December 27, 1939 Power & Light paid no dividends on its preferred stocks Between such dates Cities acquired outstanding preferred stock of Power & Light through market purchases at the costs as shown in the following table:

Year acquired	Shares purchased	Total cost	Average price
June 1, to Dec. 31:			
1932	1, 886	$36, 714	$19. 47
1933	2, 531	32, 082	12. 68
1934	1, 500	23, 844	15. 90
1935	2, 055	32, 054	15. 60
1936	2, 517	160, 948	63. 94
1937	4, 425	302, 171	68. 29
1938	11, 452	639. 522	55. 84
1939	425	26, 668	62. 75
Gross purchases	26, 791	1, 254, 003	46. 81
Less transfer to power and light [1]	2, 310	36, 687	15. 88
Net purchases by cities	24. 481	1, 217, 316	49. 72

[1] Accumulated and transferred by Cities Service Securities Company in 1937 to following affiliates:

Company	Shares	Cost	Average price
Cities Service Company	1, 245	$19, 211	$15. 43
Cities Service Power & Light Co	2, 310	36, 687	15. 88
Total	3, 555	55. 898	15. 72

While arrears were accumulating on Power & Light preferred stock, Cities acquired 24,481 shares of such stock at an aggregate cost of $1,217,316 of which 11,452 shares were acquired during the year 1938 at an average cost of $55.84 per share. Between December 27, 1939 (when Power & Light began paying its accumulated dividend arrears) and De-

[1] As reduced by the "donation" by Cities of $5,000,000 par value of Power & Light's common stock (See paragraph 6 hereof.)

cember 31, 1942, Cities received dividends on the shares so purchased in the amount of $1,514,942 which was $297,626 more than the total cost of such shares to Cities.

8. During the period when Power & Light was accumulating preferred dividend arrears and when Cities Service Company was increasing its investment in preferred shares of Power & Light, the latter issued notes payable to Cities Service Company and to Cities Service Securities Company (a wholly owned subsidiary of Cities Service Company). Principal and interest were paid in full on these notes prior to the resumption of dividend payments on the preferred stock.

9. Dividends were resumed on December 27, 1939 and between such date and May 8, 1941 all accumulated arrearages were paid. Accumulated arrearages for a period of approximately seven and one-half years were paid within a period of approximately sixteen and one-half months, during which time current dividends were also paid. During the three years 1939 to 1941, Cities received dividends in the aggregate amount of $6,856,712 on the Power & Light preferred stock held by it, including the shares acquired as shown in paragraph 7 above. Immediately following payment of all accumulated dividend arrearages on its preferred stocks, Power & Light resumed payment of dividends on its common stock, all held by Cities, and paid dividends thereon during the balance of the year 1941 in the aggregate amount of $1,650,000.

IV

INCOME FROM POWER & LIGHT TO CITIES

10. Net income per books and preferred dividend payments by Power & Light since 1925 and distribution as between Cities and the public have been as follows:

Year ended Dec. 31—	Net income (per books)	Preferred dividends paid	
		To Cities Service Co.	To public
1925	$5,694,252	$852,321	$51,846
1926	8,332,232		700,000
1927	4,727,390	28,874	908,459
1928	5,216,426	215,565	904,727
1929	7,991,441	447,355	672,622
1930	6,962,910	474,780	645,211
1931	4,730,872	505,993	614,101
1932	2,340,016	[1] 234,896	[1] 231,892
1933	1,871,066		
1934	1,671,620		
1935	2,672,286		
1936	4,257,792		
1937	4,171,785		
1938	3,439,176		
1939	3,946,946	[1] 1,430,966	754,430
1940	4,932,182	3,577,415	1,874,885
1941	2,948,218	1,848,331	982,425
Total	72,906,610	9,616,456	8,310,308

[1] Includes dividends paid June 15 to shareholders of record on June 1, when dividends were discontinued.

11. Common dividends paid by Power & Light since 1925 have been as follows:

Year Ended Dec. 31—	Net Income Per Books after Preferred Dividend Payments [1]	Common Dividends Paid to Cities Service Co.
1925	$4,790,085	$3,653,333
1926	4,632,232	2,708,333
1927	3,790,057	2,600,000
1928	4,096,174	5,200,000
1929	6,871,464	5,200,000
1930	5,842,919	5,200,000
1931	3,610,858	5,200,000
1932	1,873,358	2,166,667
1933	1,871,066	
1934	1,671,620	
1935	2,672,286	
1936	4,257,792	
1937	4,171,785	
1938	3,439,176	
1939	1,761,560	
1940	[2] 520,118	
1941	147,462	1,650,000
Total	[2] 54,979,756	33,608,333

[1] No preferred dividends paid between June 15, 1932 and Dec. 27, 1939.
[1] Indicates red figure.
[2] Includes undistributed earnings of subsidiaries for the years prior to Jan. 1, 1938, which in certain years were computed after depreciation charges in amounts less than those actually made by subsidiaries.

12. Prior to 1938, it was the policy of Power & Light to reflect on its books its equity in the surplus of subsidiary companies and to include as income its proportion of the net earnings of such subsidiaries. If net income were computed on the basis of dividends actually received from subsidiaries, Power & Light paid dividends in certain years when no surplus was available therefor.

13. During the period from June 30, 1924 to December 31, 1927, Power & Light included as income its proportion of subsidiary companies' earnings before the deduction therefrom of accruals for depreciation or retirements, and deducted from its income an amount for such accruals as stipulated by its bond indenture, which amount was substantially less than the depreciation or retirement provisions charged to income by subsidiaries. As a result of this accounting policy, Power & Light paid dividends when no surplus would have been available therefor under accepted accounting practices.

14. Cities Service Company has also received engineering and management fees from Power & Light and subsidiaries which were not based on the cost of rendering such services but were determined by arbitrary percentages of construction costs and gross revenues, respectively.

15. Net income of Power & Light amounted to $2,948,219 in 1941. Dividends paid during 1941, including $1,650,000 on the common stock, totaled $4,450,756. As of December 31, 1940, current assets of Power & Light exceeded current liabilities by $519,581. As of December 31, 1941, current liabilities exceeded currents assets by $162,320. Subsequent to December 31, 1941, and the payment of $1,650,000 of common stock dividends to Cities, Power & Light borrowed $650,000 on a 2% short term bank loan.

16. The following table shows the changes in the corporate capitalization and surplus of Power & Light between November 7, 1924 and December 31, 1941 (per books) and reflects an increase in the ratio of long term debt, and a decrease in the ratio of common stock and surplus, to the total capitalization and surplus:

	Nov. 7, 1924		Dec. 31, 1941	
	Amount	Percent	Amount	Percent
Funded debt	$20,000,000	20.0	$49,984,900	37.2
Preferred stock	15,000,000	15.0	[1] 17,083,006	(2.7
Common stock	65,000,000	65.0	60,000,000	44.7
Surplus			7,167,038	5.4
Total	100,000,000	100.0	134,234,944	100.0

[1] Compared with the above stated value, the preferred shares have preference upon involuntary liquidation of $17,792,300.

17. The following table shows the changes in the consolidated capitalization and surplus of Power & Light and its subsidiary companies between June 30, 1924 and December 31, 1941 (per books), and reflects an increase in the ratio of long term debt and a decrease in the ratio of the common stock and surplus to the total consolidated capitalization and surplus:

	June 30, 1924		December 31, 1941	
	Amount	Percent	Amount	Percent
Long term debt	$146,190,404	56.1	$217,238,083	59.7
Subsidiary preferred stocks	31,588,679	12.1	51,496,285	14.1
Minority interest in subsidiary common stocks and related surplus	2,693,907	1.0	4,692,986	1.3
Preferred stock	15,000,000	5.8	17,083,006	4.7
Common stock	65,000,000	25.0	60,000,000	16.5
Surplus			14,030,992	3.9
Total	260,472,990	100.0	364,552,052	100.0

[1] See footnote to preceding table.

18. As of December 31, 1941, the structure of the holding company system of Power & Light and its subsidiary companies reflected the following ratios on a consolidated basis.

Ratio	Percentage
Debt to total capitalization and surplus	59.5
Debt and preferred stock to total capitalization and surplus	78.3
Debt to net fixed assets and investments	63.3
Debt and preferred stock to net fixed assets and investments	83.2
Debt to net fixed property	65.5
Debt and preferred stock to net fixed property	86.2

The capitalization tables in paragraphs 16 and 17 and the foregoing computations are based on the books of the companies and do not exclude intangibles or items of inflation herein described.

19. Appendix (1) attached hereto and made a part hereof shows the securities of subsidiary companies held by Power & Light as of December 31, 1941. Such securities (excluding those of Citizens Gas Fuel Company) are carried on Power & Light's books at $38,480,794 in excess of the principal amount, par or stated value thereof, on the books of the subsidiary companies. Appendix (2) shows securities of other companies held by Power & Light at such date.

Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company and The Empire District Electric Company, among others, are all operating public utility companies and are direct subsidiaries of Cities Service Power & Light.

V

FACTS CONCERNING CERTAIN SUBSIDIARIES

Public Service Company of Colorado

20. The following table shows the capitalization and surplus as at December 31, 1941 per books (but adjusted to show preferred stocks at involuntary liquidating values) of Public Service Company of Colorado (hereinafter sometimes referred to as "Colorado") and the division of ownership of the outstanding securities as between Cities Service Power & Light Company and public investors.

Data Showing Ownership of Securities of Public Service Company of Colorado at Dec. 31, 1941

	Total principal amount, par or stated value [1]	Held by—			
		Cities Service Power & Light Co.		Public	
		Amount	Percent of total	Amount	Percent of total
Capitalization:					
Long Term Debt:					
First Mortgage Bonds, 3½% Series, due Dec. 1, 1964	$40,000,000			$40,000,000	100.00
4% Sinking Fund Debentures, due Dec. 1, 1949	10,900,000			10,900,000	100.00
	50,900,000			50,900,000	100.00
Preferred Stock ($100-par value):					
7% Cumulative first preferred, 58,727 shares	[1] 6,459,970	$3,435,850	53.19	3,024,120	46.81
6% Cumulative first preferred, 39,957 shares	3,995,700	764,400	19.13	3,231,300	80.87
5% Cumulative first preferred, 3,750 shares	375,000	135,600	36.16	239,400	63.84
	10,830,670	4,335,850	40.03	6,494,820	59.97
Common Stock—$100 par value, 229,900 shares	22,990,000	22,990,000	100.00		
Total securities	84,720,670	27,325,850	32.25	57,394,820	67.75
Earned surplus	[1] 1,686,403				
Total capitalization	86,407,073				
Voting rights at Dec. 31, 1941			100.00		

[1] The above preferred stock is shown at the involuntary liquidating value ($110 per share) which exceeded par value ($100 per share) by $587,270. This excess has been eliminated from the above earned surplus account. The other classes of preferred issues reflect involuntary liquidating values which are equal to the par values.
[1] Earned Surplus per books amounted to $2,273,673 of which $2,182,954 is restricted under the Trust Indenture as to payment of Common Dividends.

21. Power & Light exercises 100% voting control over Colorado by reason of ownership of all of its common stock. The preferred stock is entitled to one vote per share when dividends are in arrears for a period of twelve months. In such contingency, the common stock would still represent more than 66% of the voting control.

22. The changes in the capitalization and surplus of Colorado and subsidiaries between June 30, 1925 and December 31, 1941 (reflecting an increase in the ratio of long term debt, and a decrease in the ratio of common stock and surplus, to total capitalization and surplus) are shown by the following table:

	June 30, 1925		Dec. 31, 1941	
	Amount	Percent	Amount	Percent
Long term debt	$37,433,500	55.78	$50,900,000	58.75
Preferred stock	7,077,834	10.55	10,243,400	11.82
Common stock	20,500,000	30.54	22,990,000	26.54
Earned surplus	2,099,154	3.13	[1] 2,502,862	2.89
Total	67,110,488	100.00	86,636,262	100.00

[1] Includes $2,182,954 restricted under trust indentures.

23. Common stock dividends paid to Power & Light and earnings available therefor for the years 1930 to 1941, inclusive, by Colorado, and the annual depreciation charged to income and the depreciation allowed or claimed for Federal income tax purposes for the years 1933 to 1940, inclusive, were as follows:

Year	Balance after preferred dividends paid	Common stock dividends paid	Balance
1930	$2,482,736	$1,248,000	$1,234,736
1931	2,658,421	5,824,000	[1] 3,165,579
1932	1,966,668	2,704,000	[1] 737,332
1933	1,454,453	1,664,000	[1] 209,547
1934	1,596,140	1,664,000	[1] 67,860
1935	1,984,908	1,664,000	320,908
1936	2,512,824	1,924,000	588,824
1937	2,628,300	2,288,000	340,300
1938	2,504,258	2,617,333	[1] 113,075
1939	2,838,567	1,877,480	961,107
1940	3,474,066	2,896,740	577,326
1941	2,310,520	1,620,795	689,725
Total	28,411,911	27,992,348	419,563

Common dividends paid—98.5% of earnings available.
[1] Indicates red figures.

Year	Depreciation allowed or claimed for income tax purposes	Depreciation charges to income	Difference
1933	$1,548,162	$828,000	$720,162
1934	1,480,702	828,000	652,702
1935	1,497,589	828,000	669,589
1936	1,648,084	828,000	820,084
1937	1,824,627	988,000	836,627
1938	1,824,755	1,288,000	536,755
1939	1,824,787	1,420,000	404,787
1940	1,829,968	1,432,000	397,968
Total	13,478,674	8,440,000	5,038,674

If earnings for the years 1933 to 1940 inclusive are adjusted to reflect depreciation on the same basis as allowed or claimed for Federal income tax purposes, common dividends paid during such period would have exceeded earnings available therefor by $2,640,661.

24. In recording the cost of certain properties in its fixed property and investment accounts, Colorado included items of intrasystem appreciation as appear in the following table:

	Cost to Public Service of Colorado	Cost to First System Company	Excess
UTILITY PLANT ACQUISITIONS			
By merger of the following companies in October 1923:			
The Denver Gas & Electric Light Co.	$12,500,000	$8,321,899	$4,178,101
The Western Light & Power Co.	1,995,589	519,523	1,476,066
Purchase of Valmont Steam Electric generating station—(cost of construction per Lakeside Construction Co. $4,484,671) by Public Service of Colorado	10,125,000	4,484,672	5,640,328
Merger of Public Service Company of Colorado (Co. No. 1), together with merger of Denver Gas & Electric Co. and The Western Light & Power Co. into Public Service Company of Colorado (Co. No. 2). Company No. 2 paid $2,666,609 more than the book value of Public Service Co. of Colorado No. 1	2,666,609		2,666,609
Total acquisition per merger of October 1923	27,287,198	13,326,094	13,961,104
Merger of Colorado Power Co., September 1924	9,181,240	3,194,188	5,987,052
Miscellaneous companies acquired in 1926	2,785,000	2,190,243	594,757
Acquisition of Colorado-Wyoming Gas Co. in 1931	2,675,000	1,645,494	1,029,506
Total utility plant acquisitions	41,928,438	20,356,019	21,572,419
ADDITIONS TO INVESTMENT ACCOUNT			
Purchase of 15 percent common stock of Colorado Interstate Gas Co., from Cities Service Co.	1,875,000	23,000	1,852,000
Total utility plant and investment acquisitions	43,803,438	20,379,019	23,424,419

25. The ratios of long-term debt, and long-term debt and preferred stock of Colorado to its net utility plant per books, and adjusted to eliminate items of inflation, are shown in Appendix (3). As of December 31, 1941 long-term debt and preferred stock amounted to 104.56% of net utility plant as adjusted.

26. The common stock and surplus of Colorado, per books, and adjusted to eliminate items of inflation is shown in Appendix (4). The common stock and surplus, as adjusted, amounts to $2,068,443 as compared to $25,492,862, per books.

The Ohio Public Service Company

27. The following table shows the capitalization and surplus as at December 31, 1941 of The Ohio Public Service Company (hereinafter sometimes referred to as "Ohio") and the division of ownership of the outstanding securities as between Cities Service Power & Light Company and public investors:

Data Showing Ownership of Securities of The Ohio Public Service Company as of Dec. 31, 1941

	Total principal amount par or stated value	Held by— Cities Service Power & Light Co. Amount	Cities Service Power & Light Co. Percent of total	Public Amount	Public Percent of total
CAPITALIZATION					
Long Term Debt:					
First Mortgage Bonds, 4% Series, due 8/1/62	$28,900,000			$28,900,000	100.00
Serial notes, 3½%, 3¾% and 4%, due serially 1942 to 1947, inclusive	960,000			960,000	100.00
Promissory Notes, 2⅞ unsecured due serially 1942 to 1948	1,739,000			1,739,000	100.00
	[1] 31,599,000			31,599,000	100.00
Preferred Stock, First Preferred ($100 par value):					
7% Cumulative, Series A, 62,648 shs.	6,264,800	49,500	.79	6,215,000	99.21
6% Cumulative, 58,002 shs.	5,800,200	77,300	1.33	5,722,900	98.67
5½% Cumulative, 16,000 shs.	1,600,000			1,600,000	100.00
5% Cumulative, 17,047 shs.	1,704,700	81,200	4.76	1,623,500	95.24
	[2] 15,369,700	208,300	1.36	15,161,400	98.64
Common Stock, $100 par value, 61,390 shs.	6,139,000	6,139,000	100.00		
Total securities	53,107,700	6,347,300	11.95	46,760,400	88.05
Earned surplus	[3] 1,783,077				
Total capitalization	54,890,777				
Voting Rights at Dec. 31, 1941			100.00		

[1] Excludes $7,000,000 being advanced by the Reconstruction Finance Corporation in 1942.
[2] Involuntary liquidating value is equal to par value for each class of the above preferred issues.
[3] Earned Surplus is restricted as to payment of cash dividends on common shares under the order of the Public Utilities Commission of Ohio in connection with the issue of the 2⅝% unsecured notes due serially over a period to January 1948. Such restriction amounts to $1,624,325 at Dec. 31, 1941.

28. Power & Light exercises 100% voting control over Ohio by reason of ownership of all its common stock. The preferred stock is entitled as a class to 50% of entire voting power when dividends are in arrears for a period of twelve months.

29. The changes in the capitalization and surplus of Ohio and subsidiary company between December 31, 1924 and December 31, 1941, reflecting an increase in the ratio of long-term debt and preferred stock, and a decrease in the ratio of common stock and surplus, to total capitalization and surplus, are shown by the following table:

	December 31, 1924 Amount	%	December 31, 1941 Amount	%
Long term debt	[1] $29,385,391	60.71	[2] $31,599,000	57.57
Preferred stock	10,159,900	20.99	15,369,700	28.00
Common stock	7,689,000	15.89	6,139,000	11.18
Earned surplus	826,668	1.71	[3] 1,783,077	3.25
"Contingent surplus"	340,841	.70		
Total	48,401,000	100.00	54,890,777	100.00

[1] Includes accounts payable to affiliated companies of $35,971.
[2] Excludes $7,000,000 being advanced by the Reconstruction Finance Corporation for construction of generating plant.
[3] Earned surplus is restricted as to payment of cash dividends on common shares under the order of the Public Utilities Commission of Ohio in connection with the issue of the 2⅝% unsecured notes due serially over a period to January 1948. Such restriction amounts to $1,624,325 at December 31, 1941.

30. Common stock dividends paid to Power & Light and earnings available therefor for the years 1930 to 1941, inclusive, by Ohio, and the annual depreciation charged to income and the depreciation allowed or claimed for Federal income tax purposes for the years 1933 to 1940, inclusive, were as follows:

Year	Balance after preferred dividends paid	Common stock dividends paid	Balance
1930	$2,480,895	$1,227,800	$1,253,095
1931	1,640,197	1,227,800	412,397
1932	1,126,981	1,227,800	[1] 100,819
1933	1,013,623	1,841,700	[1] 828,077
1934	949,772	1,227,800	[1] 278,028
1935	1,102,410	1,227,800	[1] 125,390
1936	1,425,351	1,043,630	381,721
1937	2,006,863	1,534,750	472,113
1938	1,432,662	1,289,189	143,472
1939	2,008,276	1,872,395	135,881
1940	1,740,462	1,657,530	82,932
1941	1,310,775	966,893	343,882
Total	18,238,267	16,345,088	1,893,179

[1] Indicates red figures.
Common dividends paid—89.6% of earnings available.

Year	Depreciation allowed or claimed for income tax purposes	Depreciation charges to income	Difference
1933	$952,150	$480,000	$472,150
1934	900,000	540,000	360,000
1935	900,000	540,000	360,000
1936	1,100,000	540,000	560,000
1937	840,000	840,000	
1938	1,300,000	840,000	460,000
1939	1,300,000	840,000	460,000
1940	1,200,000	960,000	240,000
Total	8,492,150	5,580,000	2,912,150

If earnings for the years 1933 to 1940, inclusive, are adjusted to reflect depreciation on the same basis as allowed or claimed for Federal income tax purposes, common dividends paid during such period would have exceeded earnings available therefor by $2,927,526, and without such adjustment exceeded earnings available therefor by $15,376.

31. In recording the cost of certain properties in its fixed property and investment accounts, Ohio included items of intra-system appreciation as appears in the following table:

Companies or assets acquired	Value of property recorded in books of Ohio	Cost of properties to First System Company	Excess
Ashland Gas & Electric Light Co. and Richland Public Service Co.	$7,275,900	$3,992,467	$3,283,433
Alliance Gas & Power Co., Lorain County Electric Co., Massillon Electric & Gas Co., Trumbull Public Service Co., Utilities Construction Co.	14,095,457	12,976,910	1,118,547
Sandusky Gas & Electric Co., Port Clinton Electric Light & Power Co., Northwestern Ohio Railway & Power Co., Central Ohio Gas Co.	17,003,758	9,527,590	7,476,160
Less: Inflation applicable to Central Ohio Gas Co. Properties eliminated through sale of the gas properties to Ohio Fuel Gas Co. in 1926 and 1928			[1] 6,961,259
Net excess			4,916,881

[1] Indicates red figure.

32. The ratios of long-term debt and long-term debt and preferred stock of Ohio to its net utility plant per books, and adjusted to eliminate items of inflation, are shown in Appendix (3). As of December 31, 1941 long-term debt and preferred stock amounted to 105.93% of net utility plant as adjusted.

33. The common stock and surplus of Ohio, per books, and adjusted to eliminate items of inflation, is shown in Appendix (4). The common stock and surplus, as adjusted, amounts to $3,005,196 as compared to $7,922,077, per books.

The Toledo Edison Company

34. The following table shows the capitalization and surplus as at December 31, 1941 of The Toledo Edison Company (sometimes hereinafter referred to as "Toledo") and the division of ownership of the outstanding securities as between Power & Light and public investors:

Data Showing Ownership of Securities of The Toledo Edison Company at Dec. 31, 1941

	Total principal amount par or stated value	Held by— Cities Service Power & Light Co. Amount	Cities Service Power & Light Co. Percent of total	Public Amount	Public Percent of total
Capitalization:					
Long Term Debt:					
First Mortgage bonds, 3½% Series, due July 1968	$30,000,000			$30,000,000	100.00
First Mortgage bonds, 3¼% Series, due April 1970	3,000,000			3,000,000	100.00
3¼% Sinking Fund Debentures, due April 1960	6,707,000			6,707,000	100.00
	39,707,000			39,707,000	100.00
Preferred Stock ($100-par value):					
7% Cumulative, 45,563 shares	4,556,300	$9,000	.20	4,547,300	99.80
6% Cumulative, 46,837 shares	4,683,700	100		4,683,600	100.00
5% Cumulative, 68,964 shares	6,896,400	4,200	.06	6,892,200	99.94
	[1] 16,136,400	13,300	.08	16,123,100	99.92
Common Stock, no par value, 1,387,500 shares	13,875,000	13,659,000	98.44	216,000	1.56
Total securities	69,718,400	13,672,300	19.61	56,046,100	80.39
Earned surplus	[2] 3,487,304				
Total capitalization	73,205,704				
Voting rights at December 31, 1941			98.44		1.56

[1] Involuntary liquidating value is equal to par value for each of the above preferred issues.
[2] Earned surplus is restricted as to the payment of cash dividends on common stock by an order of the Securities and Exchange Commission. Such restriction amounted to $3,364,830 at December 31 1941.

35. Power & Light exercises 98.44% voting control over Toledo by reason of its ownership of the same percentage of that company's common stock. The preferred stock has no vote in any event.

36. The changes in the capitalization and surplus of Toledo between December 31, 1924, and December 31, 1941, reflecting an increase in the ratio of long term debt and a decrease in the ratio of common stock and surplus to total capitalization and surplus are shown as follows:

	Dec. 31, 1924 Amount	Percent	Dec. 31, 1941 Amount	Percent
Long-term debt	$19,565,400	41.76	$39,707,000	54.24
Preferred shares	7,537,200	16.09	16,136,400	22.04
Common shares	13,875,000	29.62	13,875,000	18.95
Earned surplus	5,868,443	12.53	[1] 3,487,304	4.77
Total	46,846,043	100.0	73,205,704	100.00

[1] Earned surplus is restricted as to the payment of cash dividends on common stock by an order of the Securities and Exchange Commission. Such restriction amounted to $3,364,830 at Dec. 31, 1941.

37. Common stock dividends paid to Power & Light [1] and earnings available therefor for the years 1930 to 1941 inclusive by Toledo, and the annual depreciation charged to income and the depreciation allowed or claimed for Federal income tax purposes for the year 1933 to 1940 inclusive were as follows:

Year	Balance after preferred dividends paid	Common stock dividends paid	Balance
1930	$2,845,475	$1,110,000	$1,735,475
1931	2,557,373	1,110,000	1,447,373
1932	1,501,776	8,673,379	[1] 7,171,603
1933	1,124,138	1,110,000	14,138
1934	1,197,928	1,110,000	87,928
1935	1,180,479	2,566,875	[1] 1,386,396
1936	906,766	1,387,500	[1] 480,734
1937	1,219,866	1,387,500	[1] 167,634
1938	1,353,911	1,318,125	35,786
1939	1,823,104	1,803,750	19,354
1940	1,604,060	971,250	632,810
1941	1,254,106	888,000	366,106
Total	18,568,982	23,436,379	[1] 4,867,397

Common dividends paid—126.2% of earnings available.
[1] Indicates red figures.
[1] Prior to 1941 common stock dividends were paid to Toledo Light and Power Company, a wholly owned subsidiary of Power & Light.

Year	Depreciation allowed or claimed for income tax purposes	Depreciation charges to income	Difference
1933	$1,053,198	$720,000	$333,198
1934	1,000,000	720,000	280,000
1935	1,000,000	720,000	280,000
1936	1,033,000	753,000	280,000
1937	1,300,000	756,000	544,000
1938	833,935	833,935	
1939	1,400,000	943,706	456,294
1940	1,400,000	979,603	420,397
Total	9,020,133	6,426,244	2,593,889

If earnings for the years 1933 to 1940, inclusive, are adjusted to reflect depreciation on the same basis as allowed or claimed for Federal income tax purposes,

Data Showing Ownership of Securities of The Empire District Electric Company at Dec. 31, 1941

	Total principal amount par or stated value	Held by— Cities Service Power & Light Co. Amount	Cities Service Power & Light Co. Percent of total	Public Amount	Public Percent of total
Capitalization:					
Long Term Debt:					
First Mortgage and Refunding Bonds, 4½% Series, due March 1, 1962	$11,604,000	$1,559,100	13.44	$10,044,900	86.56
Ozark Power and Water Company—First Mortgage Sinking Fund 5% Gold Bonds, due March 1, 1962	1,560,200	----------	----------	1,560,200	100.00
Town of Pierce City, Oklahoma, 6% Electric Light Bonds, due serially to June 1, 1945	4,000	----------	----------	4,000	100.00
	13,168,200	1,559,100	11.85	11,609,100	88.15
Preferred Stock, ($100-par value) 6% Cumulative, 73,820 shares	[1] 7,382,000	4,080,200	----------	3,301,800	----------
Preferred Stock Dividend Arrears	[2] 2,325,330	1,282,263	----------	1,040,067	----------
Total Preferred Stock and Dividend Arrears	9,707,330	5,362,463	55.27	4,341,867	44.73
Common Stock, $100-par value, 10,429 shares	1,942,900	1,942,900	100.00	----------	----------
Total Securities	24,818,430	8,867,463	35.74	15,940,967	64.26
Earned Surplus	[3] 1,324,304	----------	----------	----------	----------
Total Capitalization	24,776,094	----------	----------	----------	----------
Voting rights at Dec. 31, 1941	----------	----------	100.00	----------	----------

[1] Involuntary liquidating value is equal to par value.
[2] After deduction of $2,325,330 representing accrued dividends on preferred stock equal to $31.50 per share.
[3] Indicates red figure.

42. Power & Light exercises 100% voting control over Empire District by reason of its ownership of the same percentage of that company's common stock. The preferred stock carries no voting rights in any event.

38. In recording the cost of certain properties in its fixed property and investment accounts, Toledo included items of intra-system appreciation as appears in the following table:

Companies acquired	Cost to Toledo Edison Co.	Cost of properties to First System Company	Excess
The Acme Power Company	$7,084,054	$4,852,152	[1] $2,831,902
The Peninsular Electric Co.	} 3,743,018	2,753,110	989,908
The Swanton Light & Power Co.			
The Highgate Light & Power Co.			
Total	----------	----------	3,821,810

[1] Represents excess of appraised value of railway properties, exchanged for electric properties of an affiliate, over construction cost of the electric properties.

The property accounts of Toledo also reflect (1) excess of value assigned to property acquired upon organization in 1901 over book value as shown on books of predecessor in the amount of $8,209,628; (2) inflation of $399,274 resulting from an appraisal recorded on the books of Defiance Gas & Electric Company in 1919; and (3) inflation of $147,621 in the property account of The Lake Shore Power Company whose properties were subsequently acquired by Toledo. These transactions occured prior to affiliation of Cities Service with the particular companies involved.

39. The ratios of long term debt and long term debt and preferred stock of Toledo to its net utility plant per books, and adjusted to eliminate items of inflation are shown in Appendix (3). As of December 31, 1941 long term debt and preferred stock amounted to 87.25% of net utility plant as adjusted.

40. The common stock and surplus of Toledo, per books, and adjusted to eliminate items of inflation is shown in Appendix (4). The common stock and surplus, as adjusted, amounts to $13,540,494 as compared to $17,362,304 per books.

The Empire District Electric Company

41. The following table shows the capitalization and surplus as at December 31, 1941 of The Empire District Electric Company (hereinafter sometimes referred to as "Empire District") and the division of ownership of the outstanding securities as between Cities Service Power & Light Company and public investors:

43. The changes in the capitalization and surplus of Empire District between December 31, 1924 and December 31, 1941 resulting in a increase in the ratio of long term debt and a decrease in the ratio of common stock and surplus to total capitalization and surplus are shown in the following table:

	Dec. 31, 1924 [1] Amount	Dec. 31, 1924 [1] Percent	Dec. 31, 1941 Amount	Dec. 31, 1941 Percent
Long-term debt	[2] $6,473,159	48.14	$13,158,200	53.11
Preferred stock	8,000,000	22.31	7,382,000	29.79
Dividend arrears on preferred stock	----------	----------	2,325,330	9.39
Common stock	8,000,000	22.31	1,942,900	7.84

[1] Capitalization as of Dec. 31, 1924 is on a consolidated basis.
[2] Includes $729,159 of notes and accounts payable to affiliated companies.

	Dec. 31, 1924 [1] Amount	Dec. 31, 1924 [1] Percent	Dec. 31, 1941 Amount	Dec. 31, 1941 Percent
Earned surplus, after deducting arrears on preferred stock	$974,160	7.24	[2] [3] $32,336	.13
Total	13,447,319	100.00	24,776,094	100.00

[2] After deduction of $2,325,330 representing dividend arrears on preferred stock ($31.50 per share).
[3] Indicates red figures.

44. The net income, preferred dividend requirements and payments, common dividend payments and preferred dividend arrearages of Empire District for the years 1930 to 1941, inclusive, and the depreciation charged to income and the depreciation allowed or claimed for Federal income tax purposes for the years 1930 to 1940, inclusive, were as follows:

Year	Net income	Preferred dividend requirements	Preferred dividends paid	Common dividends paid	Preferred dividend arrears cumulated to date	Balance after dividends paid
1930	$465,852	$442,920	$442,920	$540,000	----------	[1] $517,068
1931	147,548	442,920	442,920	----------	----------	[1] 295,372
1932	90,984	442,920	221,460	----------	$221,460	[1] 130,476
1933 [1]	191,627	442,920	----------	----------	553,650	191,627
1934 [1]	299,842	442,920	----------	----------	996,570	299,842
1935 [1]	400,507	442,920	----------	----------	1,439,490	400,507
1936 [1]	199,179	442,920	----------	----------	1,882,410	199,179
1937 [1]	386,657	442,920	----------	----------	2,325,330	386,657
1938 [1]	491,015	442,920	221,460	----------	2,546,790	269,555
1939	490,169	442,920	442,920	----------	2,436,060	47,249
1940	497,849	442,920	442,920	----------	2,436,060	54,929
1941	537,611	442,920	553,650	----------	2,325,330	[1] 16,039
Total	4,198,840	5,315,040	2,768,250	540,000	----------	890,590

[1] Years ending Sept. 30.
Total dividends paid—78.8 percent of earnings available.
Preferred dividends paid—62.3 percent of earnings available for years 1931 to 1941, inclusive.
[1] Indicates red figures.

Year	Depreciation allowed or claimed for income tax purposes	Depreciation charges to income	Difference
1930	$567,374	$480,000	$87,374
1931	631,654	300,000	331,654
1932	636,128	180,000	456,128
1933	640,116	180,000	460,116
1934	630,193	180,000	450,193
1935	600,000	192,000	408,000
1936	650,000	525,000	125,000
1937	648,870	525,000	123,870
1938	636,946	507,883	129,063
1939	614,805	500,400	114,405
1940	$671,401	$508,800	$162,601
Total	6,936,487	4,088,083	2,848,404

45. In recording the cost of certain assets in its fixed property and investment accounts Empire District included items of intra-system appreciation as appear in

	Value placed in Empire's Plant Account	Cost of properties to First System Company	Excess
1909—Acquisition of three small utilities	$8,067,627	$2,110,152	$5,957,475
1925—Acquisition of Ozark Power & Water Company	4,705,511	2,878,511	1,827,000
1929—Acquisition of Taney Light & Water Company	66,510	48,856	17,654
1929—Acquisition of Electric Utilities Company	727,902	613,834	114,068
Total	13,567,550	5,651,353	7,916,197

46. The Report to Stockholders of Empire District for the year 1941 contained the following:

The Federal Power Commission has made a report indicating a reduction in the plant accounts of $324,938.26 by charges to surplus of $190,059.16 and to other balance sheet accounts of $134,879.10, and has issued an order requiring the Company to show cause for not effecting this adjustment and also to submit a plan for the disposition of balances (established in the Commission's report) in the following accounts:

Electric Plant acquisition adjustments	$1,015,853.55
Electric Plant adjustments	6,624,099.31

The Company does not agree with the Commission's findings, and pending final settlement of the matter, the effect on the accounts is indeterminate.

47. The ratios of long term debt, and long term debt and preferred stock and arrears thereon of Empire District to its net utility plant per books, and adjusted to eliminate items of inflation, are shown in Appendix (3). As of December 31, 1941 long term debt and preferred stock and dividend arrears thereon amounted to 137.38% of net utility plant adjusted.

48. The common stock and surplus of Empire District, per books, and adjusted to eliminate items of inflation, is shown in Appendix (4). The common stock and surplus, as adjusted, amounts to a deficit of $5,038,473 as compared to $4,235,894 per books.

49. Appendix (5) attached hereto and made a part hereof shows Power & Light's income from all sources and the amount thereof received from Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company and Empire District Electric Company for the three calendar years 1939 to 1941, inclusive. During such period the aggregate income from these four subsidiaries constituted approximately 70% of Power & Light's income from all sources.

VI

It appearing to the Commission in the light of the foregoing that it is appropriate in the public interest and the interest of investors to institute proceedings against Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company and Empire District Electric Company, pursuant to sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Public Utility Holding Company Act of 1935 in order to determine whether certain orders should be entered pursuant to the provisions of said sections, all as set forth more fully below:

It is ordered, That such companies named immediately above file with the Secretary of the Commission on or before the 22nd day of September 1942, answers to the allegations of paragraphs 1 to 49, inclusive, hereof in the form prescribed by Rule U-25 of the Rules pursuant to said Act.

It is further ordered, That pursuant to sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Public Utility Holding Company Act of 1935, a hearing be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania at 10: 00 o'clock in the forenoon of the 6th day of October, 1942 to determine:

a. Whether the allegations in paragraphs 1 to 49, inclusive, are true and accurate;

b. Whether the corporate structure or continued existence of Cities Service Power & Light Company unduly or unnecessarily complicates the structure of the holding company system of Cities Service Company and/or Cities Service Power & Light Company; and if so, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

c. Whether the structure of the holding company system of Cities Service Company is unduly or unnecessarily complicated by reason of the ownership by Cities Service Company of debt securities and preferred stocks of Cities Service Power & Light Company in addition to common stock of such company;

d. Whether voting power is fairly and equitably distributed among the security holders of Cities Service Power & Light Company; and if not, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

e. Whether voting power is fairly and equitably distributed among the security holders of Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and/or The Empire District Electric Company; and if not, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

f. What action shall be required to be taken so that Cities Service Company or Cities Service Power & Light Company shall cease to be a holding company with respect to each subsidiary company thereof which itself has a subsidiary company which is a holding company;

g. Whether it is necessary or appropriate to enter any order pursuant to sections 12 (c) and 12 (f) of the Act prohibiting or restricting the payment of principal or interest on the debentures of Cities Service Power & Light Company held by Cities Service Company or prohibiting or restricting the payment of dividends on the preferred stock and/or common stock of Cities Service Power & Light Company held by Cities Service Company in order to protect the financial integrity of Cities Service Power & Light Company or any of its subsidiary companies or to prevent the payment of dividends out of capital or unearned surplus or to prevent circumvention of the provisions of the Act or any rule, regulation or order thereunder or otherwise in the pulic interest or for the protection of investors;

h. Whether the payments of common dividends by Cities Service Power & Light Company since May 8, 1941, have been in accordance with the applicable requirements and standards of the Act and Rules and Regulations thereunder and whether it is necessary or appropriate to require any action to be taken in the light of such payments;

i. Whether it is necessary or appropriate to enter any order pursuant to sections 12 (c) and 12 (f) of the Act prohibiting or restricting the payment of principal or interest of debt securities or prohibiting or restricting the payment of dividends on preferred stock or common stock of Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company and/or The Empire District Electric Company, held by Cities Service Power & Light Company in order to protect the financial integrity or safeguard the working capital of such companies or any of them or to prevent the payment of dividends out of capital or unearned surplus or to prevent circumvention of the provisions of the Act or any Rule, Regulation or order thereunder or otherwise in the public interest or for the protection of investors.

j. Whether it is necessary or appropriate in the public interest or for the protection of investors to require Cities Service Power & Light Company, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company and/or The Empire District Electric Company to restate their respective plant investment, surplus, capital or other accounts pursuant to section 15 (f) of the Act and the Rules and Regulations thereunder so as to segregate, dispose of and eliminate write-ups and intangibles in the plant and investment accounts, set up adequate reserves for retirements and depreciation of plant and property, and make other adjustments in conformance with the standards of the Act and Rules and Regulations thereunder.

It is further ordered, That upon convening of the hearing above ordered, the respondents, Cities Service Company and Cities Service Power & Light Company, shall show cause why the Commission shall not forthwith enter an order prohibiting the declaration or payment of further dividends on the common stock of Cities Service Power & Light Company as violative of section 12 (c) of the Public Utility Holding Company Act of 1935 and rules thereunder; such order to be effective until termination of the proceeding herein ordered and final determination of the issues stated above.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That notice of said hearing is hereby given to Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company and The Empire District Electric Company, to their respective security holders, all States, muncipalities and political subdivisions of States within which are located any of the physical assets of said companies, or under the laws of which any of said companies are incorporated, all State Commissions, State Securities Commissions and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over such companies or over any of the businesses, affairs, or operations of any of them; that the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to such companies not less than fifteen days prior to the date hereinbefore fixed as the date for filing of answers; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the Federal Register not less than fifteen days prior to the date hereinbefore fixed as the date of hearing; and

It is further ordered, That any person proposing to intervene or to be heard in these proceedings shall file with the Secretary of the Commission on or before the 22nd day of September, 1942 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

APPENDIX (1)

Cities Service Power & Light Company

Ownership of Securities of Subsidiary Companies as of Dec. 31, 1941

Name of company and type of security owned	Shares or principal amount outstanding	Shares or principal amount owned
The Alliance Public Service Company Common Stock	25,590.5	25,590.5
First mortgage 5%, 20-year sinking fund bond, due 1957	$438,530	$310,535
Benton County Utilities Corporation Common Stock	300	300
7% cumulative preferred, par value $100	75	75
6% demand income notes payable	$398,121	[illegible]
Citizens Gas Fuel Company Common Stock	38,600	[illegible]

Ownership of Securities of Subsidiary Companies as of Dec. 31, 1941—Con.

Name of company and type of security owned	Shares or principal amount outstanding	Shares or principal amount owned
City Light & Traction Company Common Stock	10,000	10,000
First mortgage 5% sinking fund gold bond, due 1952	$1,395,000	$9,000
6% demand notes payable	$1,257,588	$1,257,588
The Community Traction Company 8% cumulative preferred, par value $10	146,526	145,895
First mortgage 6% gold bond, due 1946	$5,859,000	$5,859,000
6% notes payable	$733,355	$733,350
The Danbury and Bethel Gas & Electric Light Co., common stock	24,000	24,000
7% cumulative preferred, par value $25	16,000	175
6% notes payable	$379,000	$379,000
The Doniphan County Light & Power Co., common stock	100	100
6% demand notes payable	$4,000	$4,000
Durham Public Service Company common stock	7,000	7,000
6% cumulative preferred, par value $100	3,000	1,868
Refunding mortgage gold bond series A 7%, due 1949	$1,250,000	$97,500
Refunding mortgage gold bond series B 5%, due 1956	$476,000	$476,100
East Tennessee Light & Power Company common stock	66,682	66,682
$6 cumulative dividend, no par, voting preferred	17,745	8,380
The Empire District Electric Company common stock	19,429	19,429
6% cumulative preferred, par value $100	73,820	40,802
First mortgage and refunding gold bond 5% series, due 1952	$11,604,000	$1,559,100
Federal Light & Traction Company common stock	524,903	339,639
$6 cumulative preferred, no par value	44,374	1,470
The Knoxville Gas Company common stock	3,000	3,000
6% cumulative preferred, par value $100	1,000	355
6% demand income notes payable	$1,168,000	$1,168,000
The Lake Shore Coach Company common stock	50	50
Lawrence County Water, Light & Cold Storage Company common stock	2,500	2,500
6% cumulative preferred, par value $100	1,000	1,000
First refunding mortgage 5% (now 6%) 30 year gold bond, due 1939	$60,000	$60,000
6% demand notes payable	$417,884	$417,884
The Ohio Public Service Company common stock	61,390	61,390
7% cumulative first preferred series A, par value $100	62,648	498
6% series cumulative first preferred, par value $100	58,002	773
6% series cumulative first preferred, par value $100	17,047	812
Public Service Company of Colorado common stock	229,900	229,900
7% cumulative first preferred, par value $100	58,727	31,235
6% cumulative first preferred, par value $100	39,957	7,644
5% cumulative first preferred, par value $100	3,750	1,356

Ownership of Securities of Subsidiary Companies as of Dec. 31, 1941—Con.

Name of company and type of security owned	Shares or principal amount outstanding	Shares or principal amount owned
St. Joseph Railway, Light, Heat & Power Co. common stock	35,000	35,000
5% cumulative preferred, par value $100	18,600	5,544
Serial income notes 4½%, due serially to 1948	$1,535,000	$1,535,000
Spokane Gas & Fuel Company common stock	10,000	10,000
6% cumulative preferred, par value $100	3,000	2,958
First and refunding mortgage 5%, 35-year sinking fund gold bond, due 1944	$1,018,700	$474,600
Demand note payable	$349,000	$349,000
6% demand income note	$93,615	$93,615
Stark Transit, Inc. common stock	1,300	1,300
The Toledo Edison Company common stock	1,387,500	1,365,900
7% cumulative preferred, par value $100	45,563	90
6% cumulative preferred, par value $100	46,837	1
5% cumulative preferred, par value $100	68,964	42

APPENDIX (2)

Cities Service Power & Light Company

Ownership of Securities of Other Companies as of Dec. 31, 1941

Name of company and type of security owned	Shares or principal amount outstanding	Shares or principal amount owned
Fremont Gas Company, first mortgage 6%, 40-year gold bond, due 1956	$176,500	$176,500
The Gas Service Company [1] 6% demand notes payable	$4,700,000	$4,700,000
Kansas City Gas Company [1] 6% cumulative first preferred, par value $100	42,170	8,382.20
6% noncumulative second preferred, par value $100	16,000	128.32
New Brunswick Power Company - 7% cumulative redeemable second preferred stock, par value $100	3,500	3,413
Pueblo Gas & Fuel Company first mortgage 5% bond, series A, due 1942	$637,600	$315,520
The Wyandotte County Gas Company [1] 6% cumulative first preferred stock, par value $100	3,000	2,000

[1] Subsidiaries of Cities Service Company.
[2] Subsidiary of Federal Light & Traction Company.

APPENDIX (3)

Ratios of Debt and Preferred Stocks, to Net Utility Plant, Per Books and as Adjusted of Certain Subsidiaries of Cities Service Power & Light Company as of Dec. 31, 1941

Per books	Public Service of Colorado and subsidiaries	Ohio Public Service Co. and subsidiary	Toledo Edison Company	Empire District Electric Co.
Gross Utility Plant	$91,788,026	$53,421,390	$75,702,343	$26,639,105
Less depreciation reserve	11,027,733	4,166,121	7,877,482	2,981,592
Less contributions in aid of construction	708,568			64,202
Net utility plant	80,051,725	49,255,269	67,824,861	23,593,311
Long-term debt	50,900,000	31,599,000	39,707,000	13,158,200
Preferred stock outstanding	10,243,400	15,369,700	16,136,400	7,382,000
Dividend arrears on preferred stock				2,325,330
	61,143,400	46,968,700	55,843,400	22,865,530
Percent depreciation reserve of gross utility plant	12.01	7.80	10.41	11.19
Percent long-term debt of net utility plant	63.58	64.15	58.54	55.77
Percent long-term debt, preferred stock and dividend arrears of net utility plant	76.38	95.36	82.33	96.92
LESS INFLATIONARY ITEMS				
Gross utility plant	91,788,026	53,421,390	75,702,343	26,639,105
Less inflationary items [1]	21,572,419	4,916,881	3,821,810	6,949,037
Gross utility plant, less inflationary items	70,215,607	48,504,509	71,880,533	19,690,068
Less depreciation reserve	11,027,733	4,166,121	7,877,482	2,981,592
Less contributions in aid of construction	708,568			64,202
Net utility plant as adjusted	58,479,308	44,338,388	64,003,051	16,644,274
Percent long-term debt of net utility plant as adjusted	87.04	71.27	62.04	79.06
Percent long-term debt, outstanding preferred stock and dividend arrears, of net utility plant as adjusted	104.56	105.93	87.25	137.38

[1] Represents excess of purchase cost over cost to Cities Service Company, except as to Empire District Electric Company, which represents amount of inflation ($6,624,099) and other plant deductions ($324,938) as determined by the Federal Power Commission.

APPENDIX (4)

Excess of Common Stock Equity Per Books Over Common Stock Equity as Adjusted, of Certain Subsidiaries of Cities Service Power & Light Company, as of Dec. 31, 1941

	Public Service of Colorado and subsidiaries	Ohio Public Service Co. and subsidiary	Toledo Edison Company	Empire District Electric Co.
Utility plant—per books	$91, 788, 026	$53, 421, 390	$75, 702, 343	$26, 639, 105
Less depreciation reserve	11, 027, 733	4, 166, 121	7, 877, 482	2, 981, 592
Less contributions in aid of construction	708, 568			64, 202
Net utility plant	80, 051, 725	49, 255, 269	67, 824, 861	23, 593, 311
Less plant inflation	21, 572, 419	4, 916, 881	3, 821, 810	6, 949, 037
Balance	58, 479, 306	44, 338, 388	64, 003, 051	16, 644, 274
Add other assets less other liabilities (except long-term debt)	[1] 4, 732, 537	5, 635, 508	5, 380, 843	1, 182, 783
Balance	63, 211, 843	49, 973, 896	69, 383, 894	17, 827, 057
Less long-term debt outstanding	50, 900, 000	31, 599, 000	39, 707, 000	13, 158, 200
Net assets less plant inflations	12, 311, 843	18, 374, 896	29, 676, 894	4, 668, 857
Less preferred stock outstanding (including dividend arrears, if any)	10, 243, 400	15, 300, 700	16, 136, 400	9, 707, 330
Common stock equity as adjusted	2, 068, 443	3, 005, 196	13, 540, 494	[2] 5, 038, 473
Common stock equity per books	25, 492, 862	7, 922, 077	17, 362, 304	4, 235, 894
Excess of common stock equity per books over common stock equity as adjusted	23, 424, 419	4, 916, 881	3, 821, 810	9, 274, 367
Preferred dividend arrears				2, 325, 330
Included in other assets are amounts for unamortized debt discount and expense, and/or discount and expense on capital stock of	3, 829, 980	3, 954, 649	4, 267, 694	586, 492

[1] An inflation of $1,852,000 included in the investment account has been deducted from other assets.
[2] Indicates red figure.

APPENDIX (5)

Cities Service Power and Light Company

Data Showing the Principal Sources of Income for the Calendar Years 1939 to 1941, Inclusive

Year ended—	Nature of income	Principal sources of income: Public Service of Colorado	The Toledo Edison Co.	The Empire District Electric Co.	The Ohio Public Service Co.	Total income from 4 subsidiaries	Total income received from all sources	Percent of total income received from 4 subsidiaries
Dec. 31, 1939	Common dividends	$1, 877, 480	$632, 794		$1, 872, 395	$4, 382, 669	$5, 076, 485	86.33
	Preferred dividends	271, 288	399, 552	$244, 812	12, 184	927, 836	1, 049, 839	88.38
	Interest	174, 196	180, 950	92, 455		447, 601	1, 401, 404	31.94
	Total	2, 322, 964	[1] 1, 213, 296	337, 267	1, 884, 579	5, 758, 106	7, 527, 728	76.49
Dec. 31, 1940	Common dividends	2, 896, 740			1, 657, 530	4, 554, 270	6, 244, 295	72.93
	Preferred dividends	271, 288	401, 430	244, 812	12, 184	929, 714	1, 272, 436	73.07
	Interest		127, 367	92, 437		219, 804	[1] 1, 060, 147	20.73
	Total	3, 168, 028	[1] 528, 797	337, 249	1, 669, 714	5, 703, 788	8, 576, 878	66.50
Dec. 31, 1941	Common dividends	1, 620, 795	873, 625		966, 868	3, 461, 413	4, 890, 000	70.78
	Preferred dividends	271, 288	846	306, 015	12, 184	590, 333	784, 729	75.23
	Interest			92, 437		92, 437	737, 527	12.53
	Total	1, 892, 083	874, 471	398, 452	979, 077	4, 144, 083	6, 412, 256	64.63
Total for years 1939 to 1941, inclusive.	Common dividends	6, 395, 015	1, 506, 419		4, 496, 818	12, 398, 252	16, 210, 780	76.48
	Preferred dividends	813, 864	801, 828	795, 639	36, 552	2, 447, 883	3, 107, 004	78.79
	Interest	174, 196	308, 317	277, 329		759, 842	3, 199, 078	23.75
	Total	7, 383, 075	2, 616, 564	1, 072, 968	4, 533, 370	15, 605, 977	22, 516, 862	69.31

[1] Prior to Dec. 31, 1940, Toledo Edison Company was a subsidiary of Toledo Light & Power Co. which in turn was a wholly owned subsidiary of Cities Service Power & Light Co. On Dec. 31, 1940, Cities Service Power & Light Co. acquired all of its assets and Toledo Light & Power Co. was dissolved. The above income for the years 1939 and 1940 reported as received from Toledo Edison Company represents amounts received from Toledo Light & Power Co. and not from Toledo Edison. However, Toledo Edison's payments to Toledo Light & Power for the years 1939 and 1940 exceeded the amounts paid by Toledo Light & Power Co. to Cities Service Power & Light Co.

[F. R. Doc. 42-8799; Filed, September 4, 1942; 2:25 p. m.]

[File No. 54-58]

ELECTRIC BOND AND SHARE COMPANY

NOTICE OF FILING OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of September, A. D. 1942.

Notice is hereby given that Electric Bond and Share Company, a registered holding company under the Public Utility Holding Company Act of 1935, has filed an application designating section 11 (e) of the Act as applicable thereto for approval of a plan to enable it to comply with the provisions of section 11 (b) of the Act.

All interested parties are referred to said document, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which is summarized as follows:

Said application states that Electric Bond and Share Company is the owner of 846,985 shares of the common stock of American Gas and Electric Company, a registered holding company under the Act and a subsidiary of Electric Bond and Share Company, and that the applicant now has outstanding 1,059,325 shares of $6 Preferred Stock and 269,600 shares of $5 Preferred Stock. The application also states that Electric Bond and Share Company now proposes to divest itself of its interest in American Gas and Electric Company and to use additional cash in retirement of its outstanding preferred stocks.

It is stated in the plan submitted with said application that Electric Bond and Share Company proposes to offer, for each share of its preferred stocks, common stock of American Gas and Electric Company plus cash from its treasury or from the sale of bonds in its portfolio. The plan, as filed, does not set forth the basis of such exchange offer, instead, the applicant states that the terms thereof will be submitted by amendment and will be predicated upon the market value of the common stock of American Gas and Electric Company and of the preferred stocks of Electric Bond and Share Company and upon other applicable considerations at the time such amendment to the plan is filed. The plan, as submitted, contemplates that the exchange offer will be open for a specified period (not presently stated), and that such offer will provide that if the number of shares of common stock of American Gas and Electric Company owned by Electric Bond and Share Company (846,985 shares) is not sufficient to take up all shares of its preferred stocks offered for exchange, Electric Bond and Share Company will apply its holdings of such common stock and cash to the acquisition upon such basis (to be furnished by amendment, as aforesaid) of a substantially pro rata portion of the shares of those preferred stockholders who desire to take advantage of such exchange offer. The applicant also states that in order to avoid the acquisition of fractional shares of its preferred stocks, the plan will provide that all shares of preferred stocks offered for exchange are to be subject to acquisition in whole or in any full share part.

Upon receipt of the proposed amendments to said plan in respect of the basis of such exchange offer and other material data, public notice of the contents thereof will be given and a hearing upon said plan, as supplemented and amended, will be ordered.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8842; Filed, September 7, 1942; 10:26 a. m.]

[File No. 70-593, 70-594]

BELLOWS FALLS HYDRO-ELECTRIC CORP. AND OLCOTT FALLS CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of September 1942.

In the matter of Bellows Falls Hydro-Electric Corporation, File No. 70-593, and Olcott Falls Company, File No. 70-594.

Notice is hereby given that applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Olcott Falls Company, a subsidiary company of Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, As Trustee under a Trust Agreement dated January 31, 1939, a registered holding company, and by Bellows Falls Hydro-Electric Corporation, a subsidiary of New England Power Association, a registered holding company. All interested persons are referred to said applications, which are on file in the office of this Commission, for a statement of transactions therein proposed which are summarized as follows:

Olcott Falls Company proposes to sell and Bellows Falls Hydro-Electric Corporation proposes to purchase all of the physical properties and franchises of Olcott Falls Company which include the so-called Wilder Power Development at Hartford, Vermont and Lebanon, New Hampshire, on the Connecticut River consisting of certain facilities for the production and transmission of electric energy. The purchase price is to be $200,000 which is payable in cash. In connection with the proposed purchase, Bellows Falls Hydro-Electric Corporation will assume all the obligations of Olcott Falls Company under and in connection with a contract of October 1, 1937 for the supply of power to Granite State Electric Company and to Bellows Falls Hydro-Electric Corporation, such assumption to be on terms creating a novation with Granite State Electric Company and Bellows Falls Hydro-Electric Corporation remaining as the only parties to said contract.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said applications shall not be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules and Regulations of the Commission thereunder be held on September 24, 1942, at 10:00 o'clock A.M., E.W.T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such applications shall be granted.

Notice is hereby given of said hearing to the above named applicants and to all interested parties, said notice to be given to said applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8843; Filed, September 7, 1942; 10:26 a. m.]

[File No. 70-597]

AMERICAN UTILITIES SERVICE CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of September, 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Utilities Service Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than September 22, 1942 at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such requests should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized below:

American proposes to acquire prior to December 31, 1942 a principal amount of not exceeding $250,000 of its Collateral Trust 6% Bonds, Series A through Continental Illinois Bank and Trust Company, Indenture Trustee, which will invite tenders pursuant to the indenture. $178,000 of the funds to be used for such redemption will be obtained by American from the pending sale of its investment in Lexington Water Company. The remaining funds will be taken from the release moneys held by the Trustee.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8844; Filed, September 7, 1942; 10:26 a. m.]

[File No. 59-52]

NIAGARA HUDSON POWER CORPORATION AND ITS SUBSIDIARY COMPANIES, RESPONDENTS

ORDER EXTENDING TIME FOR FILING OF ANSWERS AND DATE FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of September, 1942.

The Commission having, on the 28th day of August, 1942, issued its Notice of and Order for Hearing, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, in respect of the above-entitled matter; and

Such Order having provided that the Respondents, Niagara Hudson Power Corporation and its subsidiaries, and, more particularly, Niagara Hudson Power Corporation, Buffalo, Niagara and Eastern Power Corporation, Niagara Falls Power Company, Canadian Niagara Power Company, Ltd., Central New York Power Corporation, Northern Development Corporation, and New York Power and Light Corporation, should file with the Secretary of the Commission, on or before September 15, 1942, answers to the allegations contained in said Notice and Order, and having further provided that a hearing should be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at ten o'clock in the forenoon of October 1, 1942; and

The Commission having, on the 3rd day of September, 1942, received a request of the Respondents, by letter, that the time within which answers should be filed by the Respondents be extended

to October 1, 1942, and that the date for hearing be extended to October 15, 1942; and

The Commission having considered such request for extension and finding that the same is not unreasonable and that the granting of such request would not be detrimental to the public interest or the interests of investors or consumers;

It is ordered, That the time within which answers shall be filed by the Respondents herein be and hereby is extended to October 1, 1942.

It is further ordered, That the hearing shall be held in this matter on October 15, 1942, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at ten o'clock in the forenoon of that day.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8845; Filed, September 7, 1942; 10:27 a. m.]

[File No. 59-6]

THE UNITED GAS IMPROVEMENT COMPANY AND ITS SUBSIDIARY COMPANIES, RESPONDENTS

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3rd day of September 1942.

The Commission, on April 9, 1941, in connection with the above-entitled proceedings, having issued its order directing the Respondents to show cause at a reconvened hearing to be held on April 15, 1941 why the Commission should not forthwith issue an order, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, requiring, among other things, the divestment by The United Gas Improvement Company of its direct or indirect interests in Public Service Corporation of New Jersey or the properties owned or operated thereby; and

The Commission, at hearings held on April 15, 1941 and postponed to April 29, 1941, having heard, among other things, various statements and contentions concerning the status of Public Service Corporation of New Jersey in the above-entitled proceedings and with respect to the retention by The United Gas Improvement Company of its interest in such corporation, and, on April 29, 1941, having reserved, among other things, for later determination the procedure to be followed with respect thereto; and

It appearing to the Commission that it is appropriate and in the public interest and the interests of investors and consumers that the hearing in this matter be reconvened for the purpose of affording an opportunity to Respondents and any interested persons to present any relevant evidence, contentions and supporting arguments as to the question of the retention by The United Gas Improvement Company of its direct or indirect ownership, control or holdings of securities of Public Service Corporation of New Jersey;

Now therefore it is ordered, That the hearing in the above-entitled proceedings be reconvened on September 22, 1942, at 10 o'clock in the forenoon of that day, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day, the hearing-room clerk in Room 318 will inform the parties as to the exact room in which said hearing will be held. At such hearing, an opportunity will be afforded all interested parties or persons to present any relevant evidence, contentions or supporting arguments as to the matter in issue.

It is further ordered, That the Secretary of the Commission shall serve notice of the reconvened hearing aforesaid by mailing a copy of this order by registered mail to the agents for service duly designated by The United Gas Improvement Company and its subsidiaries, Respondents, and to Public Service Corporation of New Jersey, not less than ten days prior to the date of the reconvened hearing; and that notice of this order and of said reconvened hearing is hereby given to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors and consumers; that such notice shall be given by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and that such notice shall be given to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That any person proposing to intervene or to be heard in this proceeding shall file with the Secretary of the Commission, on or before September 21, 1942, his request or application therefor as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by this proceeding, some of which have heretofore been raised in previous hearings, attention will be directed at the reconvened hearing to a consideration of the following matter and question: Whether the Commission should immediately enter an order, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing The United Gas Improvement Company to sever its relationship with Public Service Corporation of New Jersey by disposing of its direct or indirect ownership, control or holdings of securities issued by Public Service Corporation of New Jersey.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8846; Filed, September 7, 1942; 10:27 a. m.]

[File No. 70-283]

AMERICAN UTILITIES CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of September 1942.

In the Matter of American Utilities Service Corporation, Louisiana Public Service Corporation, and Wisconsin Southern Gas Company.

The Commission having permitted to become effective by order dated April 18, 1941, the applications or declarations filed by American Utilities Service Corporation (American), Louisiana Public Service Corporation (Louisiana) and Wisconsin Southern Gas Company (Wisconsin) pursuant to the Public Utility Holding Company Act of 1935 with respect to the issue by Louisiana of 750 shares of its common stock and the acquisition thereof by American for $30,000, the issue by Wisconsin of 500 shares of its common stock and the acquisition thereof by American for $50,000, the acquistion by American of 250 shares of the common stock of Independence Water Works Company for $332,900 and the acquisition by American of 2,000 shares of the common stock of the Suburban Water Company of Allegheny County, Pennsylvania for $100,000 (all of the companies whose stocks were to be so acquired being subsidiaries of American), and the pledge of all such shares by American with Continental Illinois National Bank and Trust Company of Chicago, as Trustee under the indenture securing its Collateral Trust 6% Bonds, Series A; and

All of said transactions other than the issue and acquisition of the Wisconsin stock having been carried out within 60 days after said order of April 18, 1941 as provided by Rule U-9 of the Commission's Rules under the Act then in effect; but American and Wisconsin not having carried out their transactions within such 60 day period because Wisconsin did not during that period have an active need for the proceeds to be received from such proposed sale of stock; and

American and Wisconsin having filed with this Commission a request for an extension of 60 days from the date hereof of the time within which their said transactions may be consummated, stating that Wisconsin now wishes to carry out such sale so as to have the proceeds available for additions and betterments to its properties as provided in their original applications or declarations and that American now has available funds to purchase such stocks and that it is now contemplated that said transactions will be consummated within a short time; and it appearing appropriate that such request be granted;

It is ordered that the time within which said transactions may be consummated under the Commission's order of April 18, 1941 is hereby extended for 60 days from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8847; Filed, September 7, 1942; 10:27 a. m.]

UNITED STATES MARITIME COMMISSION.

[General Order No. 54 Revised]

DELEGATION OF AUTHORITY TO GUARANTEE LOANS

Whereas, the Commission, pursuant to the provisions of section 1 of Executive Order 9112, dated March 26, 1942, is authorized, without regard to the provisions of law relating to the making, performance, amendment or modification of contracts, (a) to enter into contracts with any Federal Reserve Bank, the Reconstruction Finance Corporation or with any other financing institution guaranteeing such Reserve Bank, Reconstruction Finance Corporation or other financing institution against loss of principal or interest in connection with loans which may be made for the purpose of financing any contractor, subcontractor or others engaged in any business or operation which is deemed by the Commission to be necessary, appropriate or convenient for the prosecution of the war, and to pay out funds in accordance with the terms of any such contract so entered into, and (b) to enter into contracts to make, or to participate with any Federal Reserve Bank, the Reconstruction Finance Corporation, or other financing institution in making loans, discounts or advances, or commitments in connection therewith, for the purpose of financing any contractor, subcontractor or others engaged in any business or operation which is deemed by the Commission to be necessary, appropriate or convenient for the prosecution of the war, and to pay out funds in accordance with the terms of any such contract so entered into;

Whereas pursuant to section 2 of said Executive Order, it is provided that the authority conferred by section 1 thereof may be exercised by the Commission or may also be exercised in its discretion and by its direction through any officer or officers of the Commission, and that in the discretion and by the direction of the Commission, power may be conferred upon any such officer or officers to make further delegations of such powers within the Commission; and

Whereas, in order to facilitate the exercise of the Commission's powers pursuant to Executive Order 9112, it is necessary that the Commission delegate its authority thereunder to appropriate officers of the Commission for the performance and functions of the activities authorized by said Executive Order.

(1) Authority is hereby delegated to the Director and the Assistant Directors of Finance to exercise on behalf of the Commission the powers conferred by Executive Order 9112 and to make such further and other delegations of the said authority to other officers and employees of the Commission as they shall deem necessary and proper with respect to guarantees not in excess of one hundred thousand dollars ($100,000.00) for any one loan: *Provided*, That the approval of the Commission shall be first had and obtained as to (a) guarantees of loans in excess of two hundred and fifty thousand dollars ($250,000.00); (b) guarantees of more than ninety percentum (90%) of the amount of any loan; and (c) purchase orders and all other contracts of whatsoever type providing for an advance payment by the Commission.

(2) All acts performed by the Director of Finance or Assistant Directors of Finance in accordance with the intent and purpose of said Executive Order 9112 are hereby ratified and approved.

By Order of the United States Maritime Commission.

[SEAL] W. C. PEET, JR., *Secretary.*

AUGUST 25, 1942.

[F. R. Doc. 42-8839; Filed September 5, 1942; 11:50 a. m.]

WAR MANPOWER COMMISSION.

EMPLOYMENT STABILIZATION IN NON-FERROUS METALS AND LUMBERING ACTIVITIES

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9139[1] establishing the War Manpower Commission, and having found, after consultation with members of management and labor in the affected industries, and after consultation with affected Federal departments and agencies, that immediate effectuation of the War Manpower Commission's policy to prevent pirating of war workers, issued July 16, 1942,[2] is necessary to alleviate serious labor shortages which imperil the nation's war production program, I do hereby give notice that:

I. The plan set forth in paragraph IV hereof, designed to prevent unnecessary migration of workers, and formulated pursuant to and in accordance with the War Manpower Commission's policy to prevent pirating of war workers and approved procedures in implementation thereof, is hereby approved, and shall constitute an approved plan for all purposes of the said policy.

II. The following areas, activities, and occupations constitute, respectively, critical labor areas, essential war production activities, and critical occupations, for all purposes of the War Manpower Commission's policy to prevent pirating of war workers and of the approved plan set forth in paragraph IV hereof.

(a) The area comprising the States of Arizona, Colorado, Idaho, Montana, Utah, Wyoming, California, Nevada, Oregon, Washington, New Mexico, and Texas, constitutes a "critical labor area."

(b) All non-ferrous metal mining, milling, smelting and refining, and all logging and lumbering industries and activities carried on within such critical labor area constitute "essential war production activities."

(c) All production and maintenance occupations in the industries and activities designated as "essential war production activities" in paragraph (b) above, constitute "critical occupations."

III. The aforementioned policy and approved plan shall become operative on and after September 7, 1942, and shall remain operative until publication by the Chairman of the War Manpower Commission of appropriate notice to the contrary.

IV. Plan to prevent unnecessary migration of certain war workers.

(a) After the effective date of this plan, no worker engaged in an essential war production activity shall seek employment, whether essential or non-essential to war production, without first obtaining from a designated representative of the United States Employment Service a certificate of separation.

(b) No employer in the critical labor area, whether conducting activities essential or non-essential to war production, shall employ any workers who, after the effective date of this plan, had been engaged in a critical occupation in an essential war production activity within the designated critical labor area except upon presentation of a certificate of separation issued by the United States Employment Service.

(c) Each employer conducting an essential war production activity in the designated critical labor area shall, when work is available, refrain from separating any worker, except in cases of gross misconduct, without the approval of a designated representative of the United States Employment Service. Such approval shall be granted only when continued employment of the worker in his present job will no longer contribute to the war production program.

(d) Any worker applying for employment with an employer engaged in an essential war production activity in the designated critical labor area who feels that he is being denied employment for some reason other than his lack of qualification and physical fitness for performing the job for which he is an applicant, may request a designated representative of the United States Employment Service to intercede in his behalf. The representative of the United States Employment Service will investigate the facts, and if he concludes that the worker is being refused employment on grounds other than lack of qualification or physical fitness for performing the job, he shall endeavor to persuade the employer to reconsider his decision and employ the worker. If an adjustment satisfactory to the worker is not achieved, the case shall be referred to the Area War Manpower Committee for appropriate action.

(e) Any worker engaged in a critical occupation in an essential war production activity within a critical labor area will upon request, be given a certificate of separation by the United States Employment Service if the circumstances are such that his separation is in the best interests of the war effort, as well as the individual concerned, or if a refusal to grant such separation certificate would result in hardship and injustice to the individual.

[1] 7 F.R. 2919.
[2] 7 F.R. 5500.

SEP 12 1942

The following circumstances are illustrative of what may be considered good ground for separation:

(1) When the worker is competent to perform higher skilled work than his current employer is able or willing to provide.

(2) When the worker is employed for a substantial period at less than full time.

(3) When the distance between the worker's residence and the place of employment is unreasonably great, considering restrictions on the use of gasoline and tires and the load on transportation facilities.

(4) When the worker has compelling personal reasons for wishing to change.

(5) When the worker is employed at wages or under working conditions substantially less favorable than those prevailing in the community for the kind of work on which he is employed.

(f) Any worker or employer, or group of workers or employers, dissatisfied with any act or failure to act pursuant to this plan shall be given a fair opportunity to present his or their case to the Area War Manpower Committee. Such committee shall make recommendations concerning such cases as well as other matters pertinent to the carrying out of this plan in its area to the War Manpower Area Director for appropriate action. The Chairman of the War Manpower Commission shall prescribe rules, regulations and procedures for the carrying out of the responsibilities of area committees under this policy, including procedures for the review of the recommendations of the area committees, by regional manpower committees and by the National Management-Labor Policy Committee. Upon request of the employers, the employee, or the union, the representative of the United States Employment Service shall present to such committee his reasons for having granted a certificate of separation.

(g) Nothing contained in this plan shall be construed to restrict any employee from seeking advice, aid or representation from the union of which the employee is a member at any step of the operation of the plan or the union to intervene in behalf of the employee.

(h) Nothing contained in this plan shall change, modify or restrict any collective agreement existing between the bargaining agency of the employees and their employers.

(i) At the call of the Chairman of the War Manpower Commission, but within three months after the effective date of this plan, a conference of representatives of management and labor shall be called for the purpose of considering the plan in the light of the experience thus gained. Such modifications or alterations as may be required to meet the problem of war production in the essential activities designated and to avoid injustices and hardships to employers and employees shall be recommended at that time.

V. All persons are hereby enjoined and directed to observe strictly all provisions of the War Manpower Commission's policy to prevent pirating of war workers, all provisions of the approved plan set forth in paragraph IV hereof, and all provisions of regulations and procedures issued by the War Manpower Commission in implementation of such policy and plan.

All departments and agencies of the Federal Government are hereby directed to take all steps which may be necessary or appropriate to effectuate these provisions and to insure their observance.

PAUL V. MCNUTT,
Chairman.

SEPTEMBER 7, 1942.

[F. R. Doc. 42-8851; Filed, September 7, 1942, 11:02 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[Oilseed Order No. 1]

PART 250—CONTROL OF VEGETABLE OIL SEEDS AND PRODUCTS THEREFROM

EXCESS PEANUTS

Whereas it appears that the fulfillment of the needs of the United States for vegetable oils requires the crushing of a maximum quantity of peanuts of the 1942 crop and it is necessary in the public interest and to promote the war effort of the United States to assure the crushing of all excess peanuts of the 1942 crop:

Now, therefore, pursuant to the authority vested in the Commodity Credit Corporation by Directive No. 7 of the War Production Board, issued August 15, 1942, *it is hereby ordered*, That:

Sec.
250.1 Use of excess peanuts.
250.2 Records; reports; communications.
250.3 Penalties.
250.4 Definitions.
250.5 Effective date.

AUTHORITY: §§ 250.1 to 250.5 inclusive issued under WPB Directive No. 7, 32 C.F.R. § 903.12, 7 F.R. 6518.

§ 250.1 *Use of excess peanuts.* No person shall, without the approval of the Commodity Credit Corporation, sell, contract for the sale of, or deliver excess peanuts of the 1942 crop for any purpose other than crushing and no person shall, without the approval of the Commodity Credit Corporation, purchase, contract for the purchase of, accept delivery of, or use any such excess peanuts for any purpose other than crushing.

§ 250.2 *Records; reports; communications.* (a) Every person subject to this order shall keep and preserve for not less than two years accurate and complete records concerning all sales, purchases, contracts for the sale or purchase, deliveries, and uses of excess peanuts. All such records shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Commodity Credit Corporation.

(b) Every person subject to this order shall execute and file with the Commodity Credit Corporation such reports and questionnaires as the Corporation may from time to time request.

(c) All reports required to be filed hereunder and all communications concerning this order shall be addressed to: Commodity Credit Corporation, South Agriculture Building, Washington, D. C.

§ 250.3 *Penalties.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Commodity Credit Corporation in connection with this order may be prohibited from processing (including shelling), selling, transferring, or otherwise disposing of peanuts of any kind, and, in addition, may be punished by fine and imprisonment.

§ 250.4 *Definitions.* (a) "Excess peanuts" as used herein means excess peanuts as defined in the Agricultural Adjustment Act of 1938, as amended, and the regulations issued pursuant thereto.

(b) "Crushing" as used herein means the act of pressing, expelling, or extracting oil from peanuts.

(c) "Person" means any individual, partnership, business trust, association or corporation or any organized group of persons, whether incorporated or not.

§ 250.5 *Effective date.* This order shall become effective on and after September 10, 1942, and, subject to the provisions of Directive No. 7 of the War Production Board, shall continue in effect until revoked by the Commodity Credit Corporation.

Issued this 9th day of September 1942.

[SEAL] J. B. HUTSON,
President.

[F. R. Doc. 42-8929; Filed, September 9, 1942; 11:53 a. m.]

SEP 12 1942

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 178

Washington, Thursday, September 10, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

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Issued this 9th day of September 1942.

[SEAL] J. B. HUTSON,
President.

[F. R. Doc. 42-8929; Filed, September 9, 1942; 11:53 a. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 499—Supplement 6]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED

TREATMENT OF PLANTS

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48–6, Chapter III, Title 7, Code of Federal Regulations [regulation 6 of the rules and regulations supplemental to Notice of Quarantine No. 48 on account of the Japanese beetle], paragraph (1) of § 301.48b [circular B. E. P. Q. 499, issued June 9, 1939] is hereby amended effective September 5, 1942, by the addition of the following subparagraph:

§ 301.48b *Administrative instructions to inspectors on the treatment of nursery products, fruits, vegetables, and soil, for the Japanese beetle.*

* * * * *

TREATMENT OF SOIL ABOUT THE ROOTS OF PLANTS

* * * * *

(l) *Treatment of plants after digging.*

* * * * *

(6) *Ethylene dichloride emulsion dip*—(i) *Materials.*

Potassium hydroxide: C. P.
Alcohol: 190 proof ethyl alcohol.
Oleic acid: crystal white olein.
Ethylene dichloride: commercial.

(ii) *Formula.*

	Pounds
Potassium hydroxide[1]	2.5
Alcohol[2]	14.0
Water	6.0
Oleic acid	17.5
Ethylene dichloride	60.0
	100.0

[1] An amount of commercial caustic potash containing an equivalent weight of potassium hydroxide may be substituted for the C. P. grade.

[2] Completely denatured alcohol (190 proof) may be substituted for the ethyl alcohol (190 proof).

(iii) *Preparation of dip.* Mix the several ingredients in the order given in the formula. Dissolve the potassium hydroxide in the alcohol and water, add the oleic acid, and stir intermittently for about 10 minutes. Compensate for evaporation loss by the addition of alcohol and water in the ratio given in the formula. Add the ethylene dichloride and stir.

The emulsible ethylene dichloride shall have a specific gravity of about 1.070 at 25° C. (77° F.) and contain 60 percent by weight of ethylene dichloride. It shall be a clear solution that may be readily diluted with water to form a uniform, stable, milklike emulsion. The product should be kept in gastight containers in a cool place at a temperature above 4.5° C. (40° F.). At lower temperatures it will separate into layers, in which case it must be warmed to room temperature and stirred to restore it to its original and usable condition.

(iv) *Caution.* Ethylene dichloride is an inflammable volatile solvent. It, the emulsible ethylene dichloride, and the ethylene dichloride emulsion should be kept away from fire, heat, and open flame. They should be used with adequate ventilation and prolonged breathing of the vapor should be avoided.

(v) *Season.* The treatment must be applied between October 1 and June 1.

(vi) *Temperature.* The temperature of both the dip and the plant balls at the time of dipping shall not be lower than 45° F. nor higher than 75°. At no time thereafter, during the holding period, shall the temperature of the treated plant balls be lower than 40° nor higher than 80°.

(vii) *Dosage.* Use at the rate of 1 gallon of the emulsible ethylene dichloride in 100 gallons of water. (For convenience in making small quantities use 40 cubic centimeters in 1 gallon of water.) To prepare the emulsible ethylene dichloride as a dip, add small quantities of water successively, stirring continually until a uniform, creamlike emulsion is formed. Dilute this emulsion with the remainder of the water, stir a few minutes to insure a uniform suspension, and pour into a trough or tank. This dip must be prepared immediately before using.

(viii) *Preparation of plants.* Plants with root masses or balls up to 10 inches in diameter at the narrowest dimension may be treated, either bare, wrapped, or in unglazed clay spots. If wrapped, the wrapping material must be of such a nature as not to prevent the proper penetration of the emulsion into the root mass. The plant balls shall be moist but not wet.

(ix) *Application.* The size of the trough or tank (wood or metal) used for the dipping vat, and the quantity of the emulsion shall be sufficient to provide a complete coverage of all the plant balls. The plant balls or pots must be immersed for a period of 10 seconds in the dip. They may be treated either singly or in groups with the balls spaced approximately ¼ inch apart in a wire basket or perforated tray, and arranged so as to permit of rapid penetration of the emulsion into all of the balls. In any case the plant balls or tray shall rest on the bottom of the tank. A sufficient quantity of freshly prepared, diluted emulsion shall be added to the dip so that the plant balls are completely covered during the immersion period. To reduce the hazard of plant injury, not more than the lower ½ inch of the plant stems should be immersed during the treatment. The contents of the trough shall be discarded and the trough rinsed out 4 hours after charging and/or when the dirt and debris exceed 2 inches in depth. The trough shall be located during plant treatments in a covered and well ventilated place. On removal of balled plants from the dip they may be allowed to drain into the tank for 1 or 2 minutes and then must be placed in a compact group either on a bench with a tight bottom and side walls as high as the plant balls, or on a tight floor of a greenhouse, packing shed or other enclosed area, and surrounded by wooden side walls as high as the plant balls. If they are placed on a dirt floor it must be wet and packed hard before using. In the case of potted plants any excess emulsion should be poured from the pot immediately after removing from the dipping vat. All plants must remain undisturbed for the prescribed 48 hours during which time excessive ventilation should be avoided. A light spray of water applied to the tops of the plants during this period may be beneficial.

(x) *Period of treatment.* Ten-second immersion in the dip followed by a 48-hour holding period.

(xi) *Varieties of plants.* The list of plants which have been successfully treated in experimental work include 18 varieties of azaleas, 60 kinds of greenhouse plants, 48 kinds of perennials, and 28 kinds of trees and shrubs. The list is subject to expansion and will be furnished on request. (7 CFR, § 301.48; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington, this 4th day of September 1942.

[SEAL] P. N. ANNAND, *Chief.*

[F. R. Doc. 42–8920; Filed, September 9, 1942; 11:08 a. m.]

[B. E. P. Q. 524]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE MODIFIED

FRUIT AND VEGETABLE SHIPMENTS

Administrative instructions modifying the restrictions of the Japanese Beetle Quarantine by advancing the date of termination of restrictions on fruit and vegetable shipments under § 301.48 of the Japanese Beetle Quarantine to September 9 for the year 1942.

It has been determined that the active period of the Japanese beetle in its relation to fruits and vegetables has already ceased for the present season and that it is therefore safe to permit the unrestricted movement of fruits and vegetables from the regulated areas. Therefore, pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the fourth proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 48 on account of the Japanese beetle], it is ordered that the restrictions on the interstate movement of fruits and vegetables imposed by § 301.48–5 of Notice of Quarantine No. 48, revised effective March 24, 1942, be removed effective on and after September 9, 1942. This order advances the termination of the restrictions as to fruits and vegetables provided for in § 301.48–5 from October 16 to September 9, 1942, and applies to this season only. (7 C.F.R., § 301.48; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington, this 5th day of September 1942.

[SEAL] P. N. ANNAND, *Chief.*

[F. R. Doc. 42–8919; Filed, September 9, 1942; 11:08 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets Nos. A–1594 and A–1596]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2 and for a change in shipping points for Mine Index Nos. 2322 and 1561.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and for a change in shipping points for Mine Index Nos. 2322 and 1561; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I and R–III, § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplement R–II and R–IV, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping points appearing in the aforesaid Supplement R–III for Mine Index Nos. 2322 and 1561 shall be effective in place of the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 31, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1285	C. & I. Coal Co.	Isabelle (d)	Pittsburgh	5	Superior Colliery #2, Pa.	PRR	94	G	G	G	G	H	H	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2517	Davis, David O. & Son (David O. Davis).	Jacks Run (s)	Pittsburgh	4	Greensburg, Pa.	PRR	70	F	D	D	D	D	D	D	D	D	B	B	B	B	C	C	C
1297	Demangone, D. C.	Demangone (d)	Pittsburgh	5	Superior Colliery #2, Pa.	PRR	94	G	G	G	G	H	H	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1311	Grippo Coal Company	Grippo (d)	Kittanning	1	Oneida, Pa.	B&LE	26	G	G	G	G	H	H	G	G	G	C	C	C	C	C	C	C
2535	Gurik & Sons, John	Gurik #2 (d)	Pittsburgh	5	Superior Colliery #2, Pa.	PRR	26	G	G	G	G	H	H	G	G	G	C	C	C	C	C	C	C
360	Hall, C. M.	Hall #2 (s)	Pittsburgh	9	Renton, Pa.	Unity	32	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	D	D	D	D	E	E	E
525	K. S. & C. Coal Co. (Ralph Keeney).	Lincoln #1 (d)	Pittsburgh	9	Wylie, Pa.	Union	82	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	D	D	D	D	E	E	E
2512	North Union Coal Company	North Union #3 (d)	Sewickley	3	Fenwick, Pa.	B&O	114	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
2513	North Union Coal Company	North Union #4 (s)	Sewickley	3	Darrel, Pa.	PRR	7	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
2400	Old LaBelle Mine (John G. Hoffstot, Jr.).	Old LaBelle (d)	Pittsburgh	3	LaBelle, Pa.	Monon.	30	E	E	D	D	E	E	E	F	(†)	B	B	(†)	(†)	E	E	E
2540	Parisi & Colen Coal Co. (William Paris).	Par-Col (d)	U. Freeport	8	Culmerville, Pa.	B&LE	41	E	E	D	D	D	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1326	Seanor Coal Company	Seanor (d)	Pittsburgh	9	Slickville, Pa.	PRR	90	G	G	E	E	G	F	E	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2494	V.-G. Corporation	V.-G Strip #1 (s)	Pittsburgh	2	Saltsburg, Pa.	PRR	90	G	G	E	E	G	F	E	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2495	Worthington Lime & Coal Co.	Worthington (d)	Brook. "A"	1	Worthington, Pa.	B&O	15	G	G	E	E	G	F	E	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates classifications previously established for this size group.
‡Indicates no classifications effective for these size groups.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown: Group 7, 2490; Group 8, 2512, 2513; Group 9, 2510; Group 13, 2517; Group 15, 2495; Group 18, 1285, 1297, 2336; Group 20, 1326, 2494.

§ 322.7 *Alphabetical list of code members*—Supplement R–III

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10
2322	C. & S. Coal & Clay Co.	Cunningham #3 (s)	Kittanning	1	Zelienople, Pa.	B&O	23	J	J	H	H	H	H	J	J	(†)	(†)
1561	Tomasi, George P. (Tomasi Coal Co.)	Tomasi	Pittsburgh	5	Superior Colliery No. 2, Pa.	PRR	91	G	G	G	G	H	H	G	G	(†)	(†)

†Indicates no classifications or prices effective for this size group.

NOTE: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown in previous schedules are hereby deleted.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–IV. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown: Group 2, 2322; Group 18, 1561.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Seam	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¾"	Run of mine	2" N/S	1¼" stock	¾" stock
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Fleck Bros. Coal Co.	2514	Fleck #2	Pittsburgh	295	285	275	250	225	225	220	220	195	185	180
Granger, John (Granger Coal Co.).	2515	Granger #2	Pittsburgh	310	300	290	265	235	235	225	245	205	195	185
Paris & Colen Coal Co. (William Paris).	2510	Par-Col (d)	U. Freeport	285	275	265	240	220	220	220	220	190	180	170
Travis, R. E.	2516	Willock #1	Pittsburgh	310	300	290	265	235	235	225	245	205	195	185
ARMSTRONG COUNTY														
V.-G. Corporation	2494	V-G Strip #1 (s)	Pittsburgh	275	265	255	235	225	220	215	215	195	185	175
Worthington Lime & Coal Co.	2495	Worthing (d)	Brook. "A"	315	300	290	280	270	260	240	230	200	190	180
BUTLER COUNTY														
McMurdy, B. F.	2521	Jennie Green	Kittanning	325	305	285	265	260	245	245	230	190	180	170
FAYETTE COUNTY														
Blaho Coal Company (Thomas Blaho, Sr.).	2493	Blaho (s)	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Blaney & Conway (Joseph E. Blaney).	2508	Blaney & Conway.	Sewickley	265	255	245	235	215	205	205	205	190	185	170
North Union Coal Company.	2512	North Union #3 (d).	Sewickley	265	255	245	235	215	205	205	205	190	185	170
North Union Coal Company.	2513	North Union #4 (s).	Sewickley	265	255	245	235	215	205	205	205	190	185	170
Old LaBelle Mine (John G. Hoffstot, Jr.).	2400	Old LaBelle (d)	Pittsburgh	300	290	280	260	240	230	225	230	210	200	175
WESTMORELAND COUNTY														
Bridge, P. R.	2509	Bridge	Pittsburgh	280	270	260	250	230	220	220	215	195	185	175
Davis, David O. & Son (David O. Davis).	2517	Jacks Run (s)	Pittsburgh	290	280	270	260	240	230	230	225	205	195	175
Kennedy, James H.	2511	Finley	Redstone	280	270	260	245	240	230	210	215	195	185	175

[F. R. Doc. 42–8874; Filed, September 8, 1942; 11:45 a. m.]

[Docket No. A–1601]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of Rex Henderson, a code member in District No. 3, for assignment of an additional shipping point for the Henderson Mine, Mine Index No. 287.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of an additional shipping point for the Henderson Mine, Mine Index No. 287, a mine in District No. 3.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, in § 323.6 (*Alphabetical list of code members*), the shipping points and price classifications set forth in the Schedule marked Supplement R annexed hereto and made a part hereof, shall be applicable to the Henderson Mine (Mine Index No. 287) of Rex Henderson in District No. 3.

Petitioner requests the establishment of Freight Origin Group No. 50. Freight Origin Group No. 57 will take the same necessary and permissible adjustments as Freight Origin Group No. 50.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 29, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
287	Henderson, Rex	Henderson	Pittsburgh	(Everson, W. Va. (Kingmont, W. Va.[2]	B&O B&O	[1]57	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B

[1] Freight Origin Group No. 57 will take the same necessary and permissible adjustments as Freight Origin Group No. 50.
[2] Indicates additional shipping point.

[F. R. Doc. 42-8873; Filed, September 8, 1942; 11:44 a. m.]

[Docket No. A-1600]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coal of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–II, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

[SEAL] DAN H. WHEELER,
Acting Director.

Dated: August 29, 1942.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
2006	Derrick, F. A	Derrick	Sewanee, Tenn.	6	Crab Orchard, Tenn.	T. C	72	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)	P	O	M	H	F	F	M	Q	O	(†)	(†)	(†)	(†)	(†)
5685	Greene, A. M	Wilton-Jellico #53	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5646	Greene, A. M	Wilton-Jellico #54	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5672	Greene, A. M	Wilton-Jellico #55	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5673	Greene, A. M	Wilton-Jellico #56	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
2123	Hughes, Calvin (Dickenson Coal Company).	Dickenson Coal Co. No. 1.	Clintwood	7	Fremont, Va.[1]	C&O	10	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(*)
3809	Lester & Vance (G. W. Vance).	Lester & Vance	Widow Kennedy	7	Raven, Va.	N&W	20	K	K	E	E	E	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	K	K	E	C	B	B	E	M	K	(†)	(†)	(†)	(†)	(†)
5492	Ratliff, Grover	Ratliff	Hazard #4	3	Combs, Ky.	L&N	100	K	K	J	H	G	E	G	D	D	K	(†)	(†)	(†)	(†)	(†)	(†)	K	K	J	F	D	D	G	L	K	(†)	(†)	(†)	(†)	(†)
5674	Riverton Coal Company [2]	Riverton #1	Winifrede	4	Crown Hill, W. Va.	C&O	[1]123	G	G	G	F	G	E	G	B	D	H	(†)	(†)	A	A	A	(†)	G	G	G	E	E	E	G	J	H	(†)	A	A	A	(†)

[1] Denotes new shipping point. Shipping Point at Allen, Virginia, shall no longer be applicable.
[2] Mine Index No. 5674 (Riverton #4 mine) in F. O. G. No. 123 shall add not less than 30 cents per net ton, when floating equipment is loaded on the Kanawha River for "Free Alongside Deliveries," to the prices listed in § 328.13 (a)(2) in Minimum Price Schedule.
†Indicates no classification effective for these size groups.
*Indicates previously classified these size groups.

§ 328.21 *Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
5260	Webb & Webb (Roy Webb)	Webb & Webb	9	Red Ash	Raven, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H

of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of its New Black Diamond Coal Co. mine (Mine Index No. 1190) in District No. 10 for rail shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purpose of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 *(Price groups)* is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

[SEAL] DAN H. WHEELER,
Acting Director.

Dated: August 31, 1942.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this Supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R.

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
5	Gentry, Ed. (New Black Diamond Coal Co.)	Black Diamond # 4	1190	1 135	Marion, Ill.	MP

[1] The f. o. b. mine prices for Mine Index No. 1190, shall be the same as the prices provided for the mines in Price Group 5 and Freight Origin Group 135 in Minimum Price Schedule for District No. 10 for All Shipments Except Truck and shall be subject to the same adjustments in f. o. b. mine prices for differences in freight rates as are applicable to the prices provided for other mines in Freight Origin Group 135 having the same freight rate, and all provisions applicable to shipments for railroad locomotive fuel in Mine Index No. 1190 shall be: Mine Run—$2.15, Screenings—$1.90.

[2] Freight Origin Group 142, is no longer applicable.

NOTE: Relief granted in Docket A-1079 is herewith terminated.

[F. R. Doc. 42-8871; Filed, September 8, 1942; 11:44 a. m.]

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine Index No.	Seam	Base sizes: Lump over 2" x 6", 6SE 4"	Lump 2" and under, 6SE 3" x 6"	Lump ¾" and under	Egg 2" x 4", 6SE 2" x 3"	Stove 3" and under, but 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 3—HAZARD PERRY COUNTY, KY.											
Ratliff, Grover	Ratliff	5402	Hazard No. 4	275	255	230	225	205	210	155	150
SUBDISTRICT NO. 4—KANAWHA KANAWHA COUNTY, W. VA.											
Riverton Coal Company	Riverton #4	5674	Winifrede	290	270	220	235	205	210	165	160
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN KNOX COUNTY, KY.											
Greene, A. M.	Wilton-Jellico #53	5665	Jellico	255	235	225	225	205	215	155	150
Greene, A. M.	Wilton-Jellico #54	5666	Jellico	255	235	225	225	205	215	155	150
Greene, A. M.	Wilton-Jellico #55	5672	Jellico	255	235	225	225	205	215	155	150
Greene, A. M.	Wilton-Jellico #56	5673	Jellico	255	235	225	225	205	215	155	150
WHITLEY COUNTY, KY.											
Monhalien, Edward	Monhalien	5658	Blue Gem	335	315	235	300	225	225	145	140
CUMBERLAND COUNTY, TENN.											
Ruffner & Hall (John Ruffner)	Ruffner & Hall	5379	Sewanee	260	290	205	310	185	195	135	130

[F. R. Doc. 42-8872; Filed, September 8, 1942; 11:44 a. m.]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

[Docket No. A-1591]

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of the New Black Diamond Coal Co. for the establishment of price classifications and minimum prices for the coals of its new Black Diamond Coal Co. Mine in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 120]

NOTICE TO APPEAR BEFORE LOCAL BOARD

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 60, entitled "Notice to Appear Before Local Board," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The original supply of forms will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JULY 1, 1942.

[F. R. Doc. 42-8898; Filed, September 8, 1942; 2:36 p. m.]

[Order No. 53]

GORHAM PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Gorham Project to be work of national importance, to be known as Civilian Public Service Camp No. 53. Said camp, located at Gorham, Coos County, New Hampshire, will be the base of operations for forestry work in the State of New Hampshire, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 53 will consist of fire presuppression, fire suppression, construction of telephone lines, construction of lookout houses, water systems and other administrative improvements, including some campground facilities, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 5, 1942.

[F. R. Doc. 42-8897; Filed, September 8, 1942; 2:36 p. m.]

[1] Form filed as part of the original document.

[Order No. 54]

WARNER PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Warner Project to be work of national importance, to be known as Civilian Public Service Camp No. 54. Said camp, located at Warner, Merrimack County, New Hampshire, will be the base of operations for forestry work in the State of New Hampshire, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 54 will consist of fire presuppression, fire suppression, completion of a recreational road and parking area project, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 5, 1942.

[F. R. Doc. 42-8896; Filed, September 8, 1942; 2:36 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 962—IRON AND STEEL

[Interpretation 1 of Supplementary Order M-21-d[1]]

CORROSION AND HEAT RESISTANT CHROME STEEL

Paragraph (a) (2) of the order (§ 962.5) provides that its prohibitions shall not apply to fully fabricated articles. For the purposes of this order, formed molding is considered to be a fully fabricated article.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8922; Filed, September 9, 1942; 11:13 a. m.]

PART 965—IRON AND STEEL SCRAP

[Revocation of Supplementary Order M-24-a]

Section 965.2 *Supplementary Order M-24-a*[2] is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8923; Filed, September 9, 1942; 11:13 a. m.]

PART 977—MANILA FIBER AND MANILA CORDAGE

[Amendment 1 to General Preference Order M-36, as Amended July 4, 1942]

Section 977.1 *General Preference Order M-36*, as amended July 4, 1942,[3] is amended in the following respects:

1. The words "or Metals Reserve Company" are inserted after the words "Defense Supplies Corporation" wherever they appear in the order except in paragraph (c).

2. Paragraph (e) (1) is amended to read as follows:

(e) *Restrictions on sales and deliveries of Manila cordage.* (1) (i) No cordage processor shall sell or deliver more Manila cordage during the period from March 2, 1942, to January 1, 1943, than an amount thereof equal to five times his basic monthly poundage, and, in each month thereafter, no cordage processor shall sell or deliver more Ma-

[1] 6 F.R. 6775; 7 F.R. 2383.
[2] 7 F.R. 2271, 5020.
[3] 7 F.R. 5116.

nila cordage than 41½ per cent of his basic monthly poundage: *Provided, however,* That any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods of processing most nearly appoximating the respective calendar periods mentioned in this paragraph.

(ii) There is excepted from the provisions of paragraph (e) (1) (i) any manila cordage manufactured on defense order pursuant to paragraph (e) (3) (i) of Amendment No. 3 issued February 20, 1942, and in the possession of a cordage processor and ready for delivery on March 2, 1942, *Provided,* failure to make such delivery prior to March 2, 1942, did not result from circumstances under the control of such cordage processor.

3. Paragraph (e) (2) is amended to read as follows:

(2) In addition to the limitations in the paragraphs (e) (1) and (e) (3) no cordage processor or dealer shall sell or deliver any Manila cordage and no person shall purchase or accept delivery of any Manila cordage except to fill the following:

(i) Orders for Manila cordage for delivery to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission, its Agents, and the War Shipping Administration, its Operating or General Agents, or for physical incorporation in other products to be delivered to or for the account of the Army of the United States, the United States Navy, the United States Maritime Commission, its Agents, and the War Shipping Administration, its operating or general agents. Every such purchase order for physical incorporation into products to be delivered to or for the account of the foregoing named agencies shall be accompanied by a certificate in substantially the following form:

> The undersigned hereby represents to his vendor and to the War Production Board that the Manila cordage covered by the annexed purchase order is for physical incorporation into the products to be delivered to ---------- (here insert name of one of the foregoing named agencies) pursuant to contract No. ----------.
>
> ----------
> Name of purchaser
>
> Date ----------
>
> By ----------
> Authorized person

(ii) Purchase orders for the following categories and uses:

(a) Purse lines for use in commercial fishing;

(b) Lines not less than 4½" in circumference used exclusively in towage and by ocean-going vessels engaged in the carriage of cargo and passengers as common carriers;

(c) Manila drilling cables for use in drilling oil wells, gas wells, and mines;

(d) Manila torpedo lines for use in handling explosives;

(e) Manila shot lines.

(iii) Purchase orders for manila cordage.

(a) Carrying a preference rating of A–1–j or higher, evidenced by a preference rating certificate, or

(b) For use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage or in fishing for commercial fish markets or canneries, for use in hoisting for the loading or discharge of cargo of such vessels, and for uses of shipbuilding.

Provided, however, That the Manila fiber for the manufacture of cordage covered by the purchase order of the type specified in this paragraph (e) (2) (iii) (a) shall have been put into process by a cordage processor on or before September 14, 1942; *And provided further,* That Manila fiber for the manufacture of cordage covered by purchase orders of the categories specified in paragraph (e) (2) (iii) (b) shall have been put into process by a cordage processor on or before July 4, 1942.

(iv) Orders placed by Defense Supplies or Metals Reserve Company: *Provided, however,* That no cordage processor or dealer shall deliver any Manila cordage upon any order placed with him pursuant to paragraph (c) (2) (ii) or (e) (2) (iii) (b), unless and until such processor or dealer shall have first received from the person placing such order a certificate signed on behalf of such person by a duly authorized individual in substantially the following form:

> The undersigned hereby represents that the Manila cordage covered by this order will be used by the undersigned only for the uses specified in paragraph (e) (2) of General Preference Order M–36 as amended July 4, 1942, with the terms of which the undersigned is familiar.

4. Paragraph (g) (1) (v) is repealed.

5. Paragraph (m) is amended to read as follows:

(m) *Effective date.* This amendment shall take effect on July 4, 1942, except that paragraph (e) (2) (i) shall not take effect until September 14, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8921; Filed, September 9, 1942; 11:13 a. m.]

PART 1084—CANNED FOODS

[Supplementary Order M–86–c]

SALMON

§ 1084.4 *Supplementary Order M–86–c.* Pursuant to Order M–86,[1] which this order supplements, it is hereby ordered that each canner shall set aside and hold until further notice, for the requirements of government agencies, his entire pack of salmon, packed by him at any time from March 1, 1942, to February 28, 1943, or such part thereof as remains in his possession on the effective date of this order, notwithstanding any previous notice of release and notwithstanding the time when any canner may have given notice pursuant to paragraph (c) of Order M–86–b.[2] Except as superseded by this order, the provisions of said Orders M–86 and M–86–b shall remain in effect with respect to such salmon.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8927; Filed, September 9, 1942; 11:14 a. m.]

PART 1244—INSTRUMENTS, VALVES, AND REGULATORS USED IN INDUSTRIAL PROCESSES

[Conservation Order L–134, as Amended September 9, 1942]

CHROMIUM & NICKEL

Section 1244.1 *Conservation Order L–134*[1] is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chromium and nickel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1244.1 *Conservation Order L–134.*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Manufacturer" means any person manufacturing any industrial instrument, instrument end, instrument connection, control valve, safety valve, or regulator as defined below, to the extent he is engaged in such manufacture; and includes sales and distribution outlets controlled by such manufacturer.

(3) "Dealer" means any person primarily engaged in the business of selling or distributing industrial instruments, control valves, regulators, or safety valves, whether at wholesale, retail, or otherwise, but does not include sales and distribution outlets controlled by a manufacturer.

(4) "Industrial instrument" means any type of indicating, recording or measuring, or controlling instrument ordinarily used in industrial processes and containing an instrument connection listed in paragraph (5) below, or an instrument end listed in paragraph (6) below; except "laboratory equipment" as defined in Order L–144.

(5) "Instrument connection" means any of the following, to the extent used with or in an industrial instrument, if fabricated in whole or in part from nickel, chromium, or any alloy thereof: capillary tubing having an internal diameter of .025" or less; protective armor tubing; tubes or springs (pressure measuring systems); diaphragms or bellows (pressure measuring systems except differential measuring systems) and extension lead wire.

(6) "Instrument end" means any of the following to the extent used with or in an industrial instrument, if fabricated in whole or in part from nickel, chromium, or any alloy thereof; sockets, wells, protecting tubes, sheaths and target tubes; liquid level floats, float rods, float cages and flanges, expansion and immersion tubes; venturi tubes; cleanout valve trim and liner for use with venturi tubes; flow nozzles; orifice plates; orifice meters accessories; thermocouples and thermocouple wire; temperature bulbs (fluid filled tube system type); bushings and revolving or coupling nuts; safety shutters and switches for radiation pyrometers; contact rods for flame control; straightening vanes; studs for differential pressure chambers; conductivity cells for measuring conductivity of fluids; pitot tubes; and flexible and rigid extension stems for temperature bulbs.

(7) "Control valve" means any glove or butterfly type valve, the inner portion of which is automatically positioned by pneumatic, hydraulic, or electric motive power, containing any of the parts listed in paragraphs (d) (1), (2), (3) and (5), provided such parts are fabricated in whole or in part from nickel or chromium, or any alloy thereof. The term shall not include any type of gate valve or slide valve.

(8) "Regulator" means any self-operated or integral pilot operated type valve used to control temperature, pressure above 25 p. s. i., pressure where inlet pressure is above 25 p. s. i. flow or liquid level, and containing any of the parts listed in paragraphs (d) (1), (2), (3), and (5), provided such parts are fabricated in whole or in part from nickel or chromium, or any alloy thereof.

(9) "Safety valve" means any self-operated valve designed to relieve pressure at a predetermined set point in excess of 25 p. s. i. gage, and containing any of the parts listed in paragraph (d) (1), (3), (4) and (5), provided such parts are fabricated in whole or in part from nickel or chromium or any alloy thereof.

(b) *General restrictions.* (1) On and after the date of issuance of this order, as amended, no manufacturer shall knowingly put in process any chromium, nickel, or alloy thereof, in the production of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator or safety valve, except for use under such operating conditions, if any, as may be specified in paragraphs (c) or (d): *Provided, however,* That the provisions of this subparagraph shall not apply to such items sold to another manufacturer or dealer for resale, or to items sold for use in a foreign country (except Canada).

(2) On and after the date of issuance of this order, as amended, no manufacturer or dealer shall knowingly deliver, and no person shall accept delivery of, any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator, or safety valve, except for use under such operating conditions, if any, as may be specified in paragraph (c) or (d): *Provided, however,* That the provisions of this subparagraph shall not apply to deliveries by a manufacturer to another manufacturer or dealer for resale, or to deliveries of any item to be used in a foreign country (except Canada).

(3) On and after the date of issuance of this order, as amended, no manufacturer shall put in process any chromium, nickel, or alloy thereof for the production of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator or safety valve except in accordance with the specifications enumerated in paragraph (c) or (d).

(4) On and after the date of issuance of this order, as amended, no manufacturer or dealer shall accept an order for, or deliver, and no person shall accept delivery of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator or safety valve, except pursuant to a preference rating of A–1–c or better: *Provided, however,* That the limitations and restrictions of this paragraph (b) (4) shall not apply to:

(i) Any order accepted by a manufacturer or dealer prior to September 9, 1942, and bearing a preference rating of A–10 or better, or

(ii) Any order for maintenance and repair purposes, bearing a preference rating of A–8 or better, or

(iii) Any order by and for the use of the Army, Navy, Maritime Commission, War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development.

(5) No person shall accept delivery of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator or safety valve, for use, unless based upon experience records he expects to install the item which is being delivered, and all similar items on hand, within the next 90 days.

(6) *Certification to be furnished.* (i) Each person (other than a manufacturer or dealer acquiring the item for resale or any person purchasing the item for use in a foreign country, except Canada) receiving delivery of an instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator or safety valve, shall certify to the manufacturer or dealer from whom he receives such delivery, as a condition to receiving delivery, the following on the purchase order, or in a separate letter:

> The undersigned hereby certifies that ----------
> (here fill in items ordered)
> will be used under the operating conditions permitted for such items under the terms of Conservation Order L–134. The operating conditions under which the items will be used are:
>
> ----------
> Here fill in operating conditions, if any (by reference to paragraph of order) for which items will be used.
>
> ---------- Company
>
> By ----------

Provided, however, That such certification shall be required only where a limitation on the use of the item in question is prescribed in an operating condition specified in paragraph (c) or (d), except where otherwise provided in paragraph (c) or (d).

(ii) No person shall make a delivery under this paragraph (b) who has reason to believe that the person accepting delivery has furnished a false certification; and no person shall falsely furnish the certification specified above. The certification specified above shall constitute a representation to the Director General for Operations, War Production Board, of the facts certified therein.

(7) Nothing in this order shall be construed to place any restriction upon any instrument, valve or regulator, or part thereof, unless such instrument, valve, regulator or part thereof contains nickel, chromium, or any alloy thereof (not including plating); or upon any instrument, valve, regulator or part thereof which was manufactured prior to the date of this order, as originally issued.

(8) The provisions of this order shall not apply to any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, regulator or safety valve to be incorporated in, or used exclusively on board a vessel of the Army or Navy of the United States.

(c) *Operating conditions and specifications for instrument ends, instrument connections, and industrial instruments containing instrument ends or connections.* Pursuant to the provisions of paragraph (b) hereof, the production and delivery of the following instrument ends, instrument connections, and industrial instruments containing instrument ends or instrument connections shall be governed by the following operating conditions and specifications:

(1) *Capillary tubing having an internal diameter of .025" or less*—(i) *Operating conditions.* Capillary tubing having an internal diameter of .025" or less shall be delivered for use only under the operating conditions specified in List A paragraph 1; capillary tubing for use with a mercury filled thermal system may be delivered for use under any operating condition.

(ii) *Specifications.* Capillary tubing having an internal diameter of .025" or less shall be manufactured from a metal whose nickel and chromium alloy con-

[1] 7 F.R. 1998.

[2] 7 F.R. 3933.

[1] 7 F.R. 3928.

tent does not exceed that of Type 347 metal and shall be manufactured in the following four sizes only: .06" x .007"; .06" x .011"; .06 x .017"; .06" x .025".

(2) *Protective armor tubing*—(i) *Operating conditions.* Protective armor tubing shall be delivered for use only under the operating conditions specified in List A, paragraph 1.

(ii) *Specifications.* Protective armor tubing shall be manufactured in lengths not in excess of 6" at either the instrument or bulb.

(3) *Tubes and springs (Pressure measuring systems)*—(i) *Operating conditions.* Tubes or springs for pressure measuring systems may be delivered for any use, but certification of operating conditions shall be required where delivery is for the use described in List A, paragraphs 1 or 2.

(ii) *Specifications.* The total nickel and chromium alloy content of such tubes or springs shall not exceed 6% chromium (with no nickel): *Provided, however,* That for use under the operating conditions described in List A, paragraphs 1 or 2, the total nickel and chromium alloy content shall not exceed 32%.

(4) *Diaphragms or bellows. (Pressure measuring systems except differential measuring systems)—Operating conditions.* Diaphragms or bellows for pressure measuring systems (except differential measuring systems) shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2.

(5) *Sockets, wells, protecting tubes, sheaths and target tubes.* The operating temperatures specified below shall be deemed part of the operating conditions for purposes of certification:

(i) *Operating temperature up to 1,400° F.—(a) Operating conditions.* When used under operating temperatures up to 1,400° F., sockets, wells, protecting tubes, sheaths and target tubes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 (a) to 1 (k) inclusive, paragraph 2, or paragraph 3 (b) or 3 (c), or on aircraft.

(b) *Specifications.* The total nickel and chromium alloy content of sockets, wells, protecting tubes, sheaths and target tubes shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That for use under operating conditions specified in List A, paragraph 1 (f) or 1 (k) the total nickel and chromium alloy content shall not exceed 80%, and maximum nickel and chromium content of not over 65% and 30%, respectively.

(ii) *Operating temperatures from 1,401° F. to 1,900° F.—Specifications.* The total nickel and chromium alloy content of sockets, wells, protecting tubes, sheaths and target tubes, used under operating temperatures from 1,401° F. to 1,900° F. shall not exceed 52%, and the nickel and chromium contents shall not exceed 35% and 28%, respectively: *Provided, however,* That for use under the operating conditions specified in List A, paragraphs 1 (f) or 1 (k) the total nickel and chromium alloy content shall not exceed 80%, and maximum nickel and chromium content of not over 65% and 30%, respectively.

(iii) *Operating temperatures of 1,901° F. and above—(a) Operating conditions.* When used under operating temperatures of 1,901° F. and above, sockets, wells, protecting tubes and sheaths shall only be delivered for use under the operating conditions specified in List A, paragraphs 1 (f) or 1 (k). Target tubes may be delivered for use under any conditions.

(b) *Specifications.* Sockets, wells, protecting tubes, sheaths and target tubes employed under the operating conditions specified in (a) above shall contain a maximum total nickel and chromium alloy content not to exceed 80%, and maximum nickel and chromium content of not over 65% and 30%, respectively.

(6) *Temperature bulbs (fluid filled tube system type)*—(i) *Operating conditions.* When used without sockets or protecting tubes, temperature bulbs (fluid filled tube system type) may be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, 3 (b) or 3 (c).

(ii) *Specifications.* The total nickel and chromium alloy content of temperature bulbs (fluid filled tube system type) shall not exceed 30%, or 20% of either nickel or chromium. No nickel, chromium, or alloy thereof, shall be used in temperature bulbs (except for mercury filled systems) when such bulbs are used in a socket or in protecting tubes. When used with a mercury filled system in a socket, temperature bulbs shall be manufactured from S. A. E. 4140 or alternate steels of no greater chromium alloy content and containing no more than 0.60% nickel.

(7) *Bushings and revolving or coupling nuts—Operating conditions.* Bushings and revolving or coupling nuts shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2.

(8) *Flexible and rigid extension stems for temperature bulbs*—(i) *Operating conditions.* When used with temperature bulbs without separable sockets or protecting tubes, flexible or rigid extension stems shall be delivered for use only under the operating conditions specified in List A, paragraph 1, 2, 3 (b) or 3 (c).

(ii) *Specifications.* The total nickel and chromium alloy content of such stems shall not exceed 30%, or 20% of either nickel or chromium.

(9) *Contact rods for flame control—Specifications.* The alloy content of contact rods for flame control, including contiguous brackets or clamps, shall not exceed 80% nickel and 20% chromium.

(10) *Thermocouples.* The operating temperatures specified below shall be deemed part of the operating conditions for purposes of certification.

(i) *Operating temperatures up to 800° F.—Specifications.* Where used in temperature ranges up to and including 800° F., the thermocouple wire alloy content shall not exceed 46% nickel, and the size of the wire shall not exceed #14 B and S gage.

(ii) *Operating temperatures from 801° F. to 1,400° F.—Specifications.* Where used in temperature ranges between 801° F. and 1,400° F., inclusive, the thermocouple wire alloy content shall not exceed 46% nickel, and the size of the wire shall not exceed #8 B and S gage, or as an alternate, the thermocouple wire alloy content shall not exceed 95% nickel or 20% chromium in either wire, and the size of the wire shall not exceed #14 B and S gage.

(iii) *Operating temperatures from 1,401° F. to 2,050° F.—Specifications.* Where used in temperature ranges between 1,401° F. and 2,050° F., inclusive, the thermocouple wire chromium alloy content shall not exceed 20% chromium in either wire, and the size of the wire shall not exceed #8 B and S gage.

(iv) *Operating temperatures of 2,051° F. and above—(a) Operating conditions.* When used in temperature ranges of 2,051° F. and above, thermocouple wire shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 (f) or 1 (k).

(b) *Specifications.* The size of the wire shall be limited to No. 2 B and S gage or smaller when used under the operating conditions in List A, paragraph 1 (f), and shall be limited to No. 8 B and S gage or smaller when used under the operating conditions of List A, paragraph 1 (k).

(v) *Special provisions for replacement.* Except with respect to size of extension lead wire when used with potentiometer type pyrometers, the limitations of subparagraphs (i), (ii), (iii) and (iv) shall not apply to replacements if the extension lead wire or parts required to recalibrate existing instruments are not available in the user's plant.

(11) *Extension lead wire*—(i) *Specifications.* Two conductor extension lead wires shall not exceed 46% nickel content and shall be manufactured in sizes not larger than #16 B and S gages; except that extension lead wire used with millivoltmeter type pyrometers shall be limited in size to #14 B and S gage. When used with KA2S thermocouples, which measure surface tube temperatures, the nickel and chromium alloy content shall not exceed 95% nickel and 20% chromium in either wire, and no wire shall be longer than necessary: *Provided, however,* That there shall be no limitation on the size of wire used on aircraft.

(12) *Safety shutters and switches for radiation pyrometers — Specifications.* The nickel or chromium alloy content of safety shutters for radiation pyrometers shall not exceed 20% each; except that this restriction does not apply to the nickel or chromium alloy content of switches for radiation pyrometers.

(13) *Liquid level float cages and flanges*—(i) *Operating conditions.* Liquid level float cages and flanges shall be delivered for use only under the operating conditions specified in List A, paragraphs 2 (a) and 3 (b).

(ii) *Specifications.* The total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the operating conditions of List A, paragraph 2 (a), the nickel and chromium alloy content shall not exceed that of the contiguous metal.

(14) *Liquid level floats and float rods*—(i) *Operating conditions.* Liquid level floats and float rods shall be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, or 3 (b).

(ii) *Specifications.* The total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the operating conditions of List A, paragraph 2 (a), the nickel or chromium alloy content shall not exceed that of the contiguous metal.

(15) *Liquid level expansion and immersion tubes—Operating conditions.* Liquid level expansion and immersion tubes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2 or at temperatures of 400° F. and above.

(16) *Flow nozzles—Operating conditions.* Flow nozzles shall be delivered for use only in the presence of a flowing medium with a temperature in excess of 900° F.

(17) *Pitot tubes—Specifications.* No. nickel, chromium or alloy thereof shall be used in the manufacture of pitot tubes, except when used on aircraft.

(18) *Orifice plates—Operating conditions.* Orifice plates shall be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, 3 (b) or 3 (c).

(19) *Orifice meter accessories—Specifications.* No nickel, chromium or alloy thereof shall be used in the manufacture of settling chambers, separating chambers or condensers.

(20) *Straightening vanes*—(i) *Operating conditions.* Straightening vanes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 3 (c) and their delivery shall be further limited to use in pipes having an internal diameter of 10 inches or less.

(ii) *Specifications.* The total nickel and chromium alloy contents shall not exceed 30%, or 20% of either nickel or chromium.

(21) *Cleanout valve trim and liners for use with Venturi tubes—Operating conditions.* Cleanout valve trim and liners for Venturi tubes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, 3 (b) or 3 (c).

(22) *Venturi tubes — Specifications.* No nickel, chromium or alloy thereof shall be used in the manufacture of Venturi tubes.

(23) *Studs for differential pressure chambers—Specifications.* Studs for differential pressure chambers shall be manufactured from S. A. E. 4140 or alternate steels of no greater chromium alloy content and containing no more than 0.60% nickel.

(24) *Conductivity cells for measuring conductivity of fluids—Operating conditions.* Conductivity cells for measuring conductivity of fluids shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2.

(d) *Operating conditions and specifications for safety valves, control valves, and regulators.* Pursuant to the provisions of paragraph (b) hereof, the production and delivery of the following safety valves, control valves and regulators shall be governed by the following operating conditions and specifications:

(1) *Bodies, bonnets and blind flanges*—(i) *Operating conditions.* Bodies, bonnets and blind flanges shall be delivered for use only under the operating conditions specified in List A, paragraph 2 (a) and 3 (b).

(ii) *Specifications.* When used under operating conditions of List A, paragraph 3 (b) the total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the operating conditions of List A, paragraph 2 (a), the nickel and chromium alloy content shall not exceed that of the contiguous metal.

(2) *Inner valves and seat rings (exclusive of safety valves)*—(i) *Operating conditions.* Inner valves and seat rings (exclusive of safety valves) shall be delivered for use only under an operating pressure drop of 50 p. s. i. or more, or under the operating conditions specified in List A, paragraphs 1 or 2.

(ii) *Specifications.* When used under operating conditions of a pressure drop of 50 p. s. i. or more, the flow cutting surface shall be made of carbon steel, faced, where practicable, with a chromium or nickel alloy not in excess of $\frac{3}{32}$" finished thickness. When used under the operating conditions specified in List A, paragraphs 1 or 2, the total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the conditions of List A paragraph 2 (a) the nickel and chromium alloy content shall not exceed that of the contiguous metal.

(3) *Studs for valve bodies and flanges*—(i) *Operating conditions.* Studs for valve bodies and flanges may be used under any operating conditions; but certification shall be required for use under the operating conditions of List A, paragraph 3 (b) or 3 (d).

(ii) *Specifications.* Studs for valve bodies and flanges shall be manufactured from S. A. E. 4140 or alternate steels of no greater chromium alloy content and containing no more than 0.60% nickel: *Provided, however,* That where used under the operating conditions specified in List A, paragraphs 3 (b) or 3 (d) the total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium.

(4) *Safety valve nozzles, discs and trim—Operating conditions.* Safety valve nozzles, discs, adjusting rings, and guides shall be delivered for use only under the operating conditions specified in List A, paragraph 1 or 3 (d).

(5) *Stems, bushings and guiding surfaces for control valves, safety valves, and regulators—Specifications.* The total nickel and chromium alloy content of stems, bushings, and guiding surfaces for control valves, safety valves and regulators shall not exceed 30%, or 20% of either nickel or chromium.

(e) *Ninety-day exemption of Army, Navy, and Maritime Commission.* The provisions of this order shall not apply to deliveries to and for the use of the Army, Navy, or Maritime Commission until 90 days after the date of original issuance of this order. As used in this paragraph, the terms "Army," "Navy," and "Maritime Commission" shall not include any privately operated plant or shipyard, financed or controlled by any of these organizations, or operated on a cost-plus-fixed-fee basis.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Branch, Washington, D. C., Ref: L-134.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Records and reports.* All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for industrial instruments.

All persons affected by this order shall execute and file with the Director General for Operations, War Production Board, such reports and questionnaires as said Director General for Operations shall from time to time request. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST A

PARAGRAPH 1. When exposed to:
(a) Nitric acid (dilute or concentrated).
(b) Coke oven gas.
(c) Blast furnace gas.
(d) Sulphurous gases.
(e) Steam above 200 p. s. i. or 400° F.
(f) Molten metal baths.

(g) Sulphuric or hydrochloric acids.
(h) Sour gas and vapors, and liquids contaminated with sour gas and vapors.
(i) Hydrofluoric acid.
(j) Salt brine in crude petroleum.
(k) Salt baths containing nitrates, chlorides, cyanides, or fluorides.

PAR. 2. (a) When contiguous metal coming in contact with the processed medium at the point of measurement or control is also a nickel or chromium alloy.

(b) When contiguous surfaces coming in contact with the processed medium at the point of measurement or control are nonmetallic but no protection other than that containing nickel or chromium will withstand the corrosive medium.

(c) In the production of synthetic rubber, when an explosive hazard due to chemical reaction cannot otherwise be avoided, or where acetic acid has a corrosive effect on seating, guiding, and measuring surfaces.

(d) When no other material can be substituted without contaminating the material being processed.

PAR. 3. When the fluid to which the part is to be subject is under:

(a) Static pressure of 250 pounds per square inch or more;
(b) Temperature of 750° F. and above, or minus 20° F. and below;
(c) Normal pipe velocity of 5,000 ft. per minute or more for gases or vapors; or 300 ft. per minute or more for liquids;
(d) Temperature of minus 250° F. to minus 20° F. inclusive, and from 400° F. to 1,250° F. inclusive, and 400 p. s. i. to 2,500 p. s. i. inclusive.

[F. R. Doc. 42-8924; Filed, September 9, 1942; 11:13 a. m.]

PART 1249—DRUM EXTERIOR COATING

[Conservation Order M-158, as Amended September 9, 1942]

Section 1249.1 *Conservation Order M-158*[1] is hereby amended to read as follows:

(a) *Definitions.* For the purpose of this order:

(1) "Drum" means any 29 gauge or heavier sheet steel cylindrical or bilged shipping container with or without bails, including kits and pails, which has a capacity of two gallons or more and is provided with a fixed or removable head or cover.

(2) "Class A coating" means any protective coating, lacquer, varnish or enamel, clear white, pigmented or colored, which contains any or all of the following materials: tung, oiticica, perilla or dehydrated castor oils; alkyd, phenolic, vinyl, urea or melamine resins; or cellulose esters or ethers.

(b) *Restrictions on drum exterior coatings.* On and after June 20, 1942, no person shall apply a Class A coating to the exterior surface of any drum, whether used, completed or in process of manufacture except:

(1) Where the drum is required for offshore or export shipment by such person, or where the person coating the drum is furnished with a written statement by the person on whose order the drum is coated that the drum is required for offshore or export shipment, provided that the exception contained in this subparagraph (b) (1) shall not apply to Class A coatings containing tung or oiticica oil; or

(2) Where a Class A coating is required to be applied to the drum by any contract or subcontract for the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration; or

(3) Where such Class A coating shall have been manufactured on or before June 5, 1942; or

(4) Where such Class A coating is wash-up salvage; or

(5) Where such Class A coating shall have been determined by the Director General for Operations to be overrun, off-color or other type of scrap coating.

(c) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations or false statements.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of material under priority control or from processing or using such material and may be deprived of priorities assistance.

(3) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of drum coatings conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations by addressing a letter to the War Production Board, Chemicals Branch, Washington, D. C. Ref.: M-158, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref.: M-158. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8928; Filed, September 9, 1942; 11:14 a. m.]

[1] 7 F.R. 4159, 4846.

PART 3075—COPPER CHEMICALS

[General Preference Order M-227]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper chemicals, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3075.1 *General Preference Order M-227.*—(a) *Definitions.* For the purposes of this order:

(1) "Copper chemicals" means copper sulfate, copper carbonate, copper chloride, copper oxide, copper nitrate and copper cyanide. Such term includes copper chemicals in both cupric and cuprous form.

(2) "Producer" means any person engaged in the production of any copper chemical and includes any person who has such material produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases any copper chemical for purpose of resale without change in form.

(b) *Restrictions on delivery and use of copper chemicals.* (1) On and after October 1, 1942 no producer or distributor, subject to the exemptions provided for in paragraph (c) hereof, shall make delivery of any copper chemical except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) hereof, and no person shall accept delivery of any copper chemical which he has reason to believe is made in violation of this order.

(2) Each person accepting delivery of any copper chemical pursuant to authorization of the Director General for Operations shall use the same only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the delivery or use of any copper chemical.

(c) *Small order exemptions.* The specific authorization provided for in paragraph (b) (1) hereof, shall not be required with respect to the delivery by any producer or distributor to any one person in any one month of four hundred and fifty (450) pounds or less of copper sulfate or of twenty-five (25) pounds or less of copper carbonate, copper chloride, copper oxide, copper nitrate or copper cyanide, respectively, subject to the following conditions:

(1) Each supplier desiring to make small order deliveries of any copper chemical pursuant to this paragraph (c) shall apply for authorization to make small order deliveries pursuant to paragraph (d) (2) (ii) hereof and the aggregate amount of small order deliveries made by any supplier during any month shall not exceed the amount of such deliveries which he is specifically authorized to make during such month.

(2) Each person seeking authorization to accept a small order delivery of any copper chemical shall file with his supplier at the time of placing his order therefor, a certificate to the effect that after the delivery covered by such order is made, the deliveree will not have received during the current month in excess of the amount of the particular copper chemical covered by the exemption provided for in this paragraph (c).

(d) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each person seeking authorization to accept delivery of any copper chemical pursuant to paragraph (b) (1) hereof shall apply therefor on Form PD-600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested and shall file with his supplier one copy of such form on or before the 15th day of such month if the supplier is a producer or on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "copper chemicals" and order number "M-227", and specify pounds as the unit of measure, and in addition to specifying the delivery destination, indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify copper sulfate, copper carbonate, copper chloride, copper oxide, copper nitrate or copper cyanide and the percentage, by weight, of copper content.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "Resale pursuant to further authorization". In the case of a consumer, specify:

Preservative.	Dehydrating agent.
Insecticide.	Desulfurant.
Fungicide.	Deodorant.
Pigment.	Bacteriacide.
Antidote.	Purifier.
Mildew proofing agent.	Coloring agent.
Catalyst.	Electroplating solution.
Mordant disinfectant.	Other chemicals.
	Other.

If "Other chemicals" or "other" is specified, describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

U. S. Army specification number.
U. S. Navy specification number.
U. S. Army-Navy Aircraft specification number.
U. S. Maritime Commission specification number.
Other (identify) U. S. Government agency specification number.
Agriculture.
Synthetic rubber.
Petroleum.
Printing ink.
Electric batteries.
Textiles.
Lumber.
Paint.
Electroplating.
Wood pulp.
Pharmaceuticals.
Varnish.
Pyrotechnics.
Ceramics.
Glazes.
Porcelain enamel.
Paper.
Glass.
Other.

If "Other" is specified, describe briefly. If "Electroplating" is specified, describe briefly the parts to be electroplated and the equipment in which they will be used.

(2) Each producer and each distributor seeking authorization to deliver any copper chemical pursuant to paragraph (b) (1) hereof, shall apply therefor on Form PD-601. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "copper chemicals" and order number "M-227", and specify pounds as the unit of measure, and in addition to specifying the plant or warehouse address, indicate the address to which communications should be directed.

(ii) *Column 1.* List customers alphabetically with respect to each grade. If authorization to fill small orders under paragraph (c) (1) is requested, insert "Aggregate small order deliveries" in Column 1 after completing the list of customers with respect to each grade and specify in column 4 the aggregate amount of small order deliveries requested to be authorized for the particular grade.

(iii) *Columns 3 and 8.* Specify copper sulfate, copper carbonate, copper chloride, copper oxide, copper nitrate, or copper cyanide and the percentatge, by weight, of copper content.

(e) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(f) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of copper chemicals, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-227. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8925; Filed, September 9, 1942; 11:14 a. m.]

PART 3079—PHOSPHORUS

[General Preference Order M-230]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phosphorus, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3079.1 *General Preference Order M-230.*—(a) *Definitions.* For the purposes of this order:

(1) "Phosphorus" means the chemical element of that name in both yellow and white form excluding however, red phosphorus and other allotropic forms of phosphorus.

(2) "Producer" means any person engaged in the production of phosphorus and includes any person who has phosphorus produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased, or purchases, phosphorus for resale.

(b) *Restrictions on use and delivery of phosphorus.* (1) On and after October 1, 1942, no person shall, subject to the exemption provided for in paragraph (c) hereof, deliver or use any phosphorus without the specific authorization of the Director General for Operations upon application pursuant to paragraph (e) hereof, and no person shall accept delivery of any phosphorus which he knows or has reason to believe is made in violation of this order.

(2) Each person accepting delivery of phosphorus pursuant to specific authorization of the Director General for Operations shall use the same only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Direc-

tor General for Operations with respect to the use or delivery of phosphorus.

(c) *Small order exemption.* The specific authorization provided for in paragraph (b) (1) hereof, shall not be required with respect to the following:

(1) Use by any person of 1,000 pounds or less of phosphorus during any one month.

(2) Delivery by any person of 1,000 pounds or less of phosphorus to any one person during any one month, and the acceptance of delivery thereof by such person, subject to the following conditions:

(i) Each person desiring to make small order deliveries of phosphorus pursuant to this paragraph (c) (2) shall apply for authorization to make small order deliveries pursuant to paragraph (e) (2) (ii) hereof, and the aggregate amount of small order deliveries made by any such person during any month shall not exceed the amount of such deliveries which he is specifically authorized to make: *Provided, however,* That authorization to make small order deliveries pursuant to this paragraph (c) (2) (i) shall not be required with respect to small order deliveries by any one person where the aggregate amount of such deliveries during any month does not exceed 1,000 pounds of phosphorus.

(ii) Each person seeking delivery of 1,000 pounds or less of phosphorus during any month shall file with his supplier at the time of placing his order therefor, a certificate to the effect that if the delivery covered by such order is made, the deliveree will not have received during the current month in excess of an aggregate of 1,000 pounds of phosphorus.

(d) *Production and establishment of inventories.* (1) Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of phosphorus.

(2) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the establishment of inventories of phosphorus.

(3) Each person producing any primary product specifically named in paragraph (e) (1) (iii) hereof, regardless of whether produced directly from phosphorus or from any other material, shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of any such primary product and with respect to the establishment of inventories thereof.

(e) *Applications and reports.* In addition to such other reports as may be required from time to time by the Director General for Operations:

(1) Each person seeking authorization to use or accept delivery of phosphorus shall apply therefor on Form PD-600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested and shall file one copy of such form with his supplier on or before the 15th day of such month if the supplier is a producer or on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "phosphorus" and order number "M-230", and specify pounds as the unit of measure, and in addition to specifying the delivery destination indicate the address to which communications should be directed..

(ii) *Columns 1, 11 and 19.* Specify "P", the chemical symbol for phosphorus.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "Resale pursuant to further authorization". In the case of a consumer specify:

Red phosphorus.
Phosphoric anhydride.
Phosphorus trichloride.
Phosphorus pentachloride.
Phosphorus oxychloride.
Phosphorus sesquisulphide.
Phosphorus pentasulphide.
Phosphoric acid.
Mono ammonium phosphate.
Di ammonium phosphate.
Phosphor copper.
Mono calcium phosphate.
Di calcium phosphate.
Tri calcium phosphate.
Mono sodium phosphate.
Di sodium phosphate.
Tri sodium phosphate.
Tetra sodium pyrophosphate.
Sodium metaphosphate.
Sodium acid pyrophosphate.
Sodium tetraphosphate.
Other.

If "other" is specified, describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

Lend-Lease.
Phosphate plasticizers.
Bomber plastics.
Mining flotation agents.
Bearing metals.
Rustproofing.
Petroleum catalysts.
Petroleum additives.
Sulfa drugs.
Conditioners (identify).
Dyestuffs.
Matches.
Activated carbon.
Household soaps.
Industrial soaps.
Food sanitation.
Pharmaceuticals (other than sulfa drugs & vitamins).
Yeast.
Oil well drilling.
U. S. Army specification number.
U. S. Navy specification number.
U. S. Army-Navy Aircraft specification number.
U. S. Maritime Commission specification number.
Chemical Warfare Service specification number.
Other (identify) U. S. Government agency specification number.
Boiler water treatment.
Vitamins.
Textiles.
Household detergents.
Industrial detergents.
Fireproofing.
Acid leavening agents.
Sugar refining.
Gelatin.
Beverages.
Other.

If "other" is specified, describe briefly.

(2) Each producer and distributor seeking authorization to deliver phosphorus pursuant to paragraph (b) (1) hereof, shall apply therefor on Form PD-601. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "phosphorus" and order number "M-230" and specify pounds as the unit of measure, and in addition to specifying the plant or warehouse address indicate the address to which communications should be directed.

(ii) *Column 1.* If authorization to make small order deliveries under paragraph (c) (2) (i) hereof is requested, insert "aggregate small order deliveries" in Column 1 after completing the list of customers requiring in excess of 1,000 pounds of phosphorus and specify in Column 4 the aggregate amount of small order deliveries requested to be authorized.

(iii) *Columns 3 and 8.* Specify "phosphorus".

(f) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of phosphorus, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M-230. (P.D. Reg. 1, as amended, 6 F.R. 6880; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8926; Filed, September 9, 1942; 11:13 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Amendment 2 to Procedural Regulation 3]

PROTESTS AND AMENDMENTS OF MAXIMUM RENT REGULATIONS AND ADJUSTMENTS UNDER SUCH REGULATIONS

Section 1300.245 of Procedural Regulation No. 3 [1] is hereby amended to read as follows:

§ 1300.245 *Former employee not to be representative.* No former officer or employee of the Office of Price Administration shall, within two years after the termination of his employment, be permitted to act as agent, attorney, or representative of any person in connection with any protest, petition for amendment, petition for adjustment, or other proceeding before the Office of Price Administration: *Provided, however,* That this provision shall not apply to a person who performs services for the Office of Price Administration without pay.

§ 1300.247a *Effective dates of amendments.* * * *

(b) Amendment No. 2 to Procedural Regulation No. 3 (§ 1300.245) shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8903; Filed, September 8, 1942; 4:08 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 16 to Rationing Order 2A [2]]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

Sections 1360.341 and 1360.344 are hereby amended to read as set forth below:

§ 1360.341 *Establishment of quotas.* (a) The Office of Price Administration will from time to time set quotas and reserve quotas stating the maximum number of new passenger automobiles for the transfer of which certificates may be issued, which quotas may be altered or revoked as the occasion may demand. No Board shall issue a quota certificate for the transfer of a new passenger automobile in excess of its quota.

(b) The Office of Price Administration will withhold a portion of each quota as a national reserve to be administered by it for the making of such adjustments as it may deem necessary, as provided in § 1360.344 and will withhold a further portion of each quota as a regional reserve to be administered by the Regional Administrator of the Office of Price Administration of each region, for the making of such adjustments as he may deem necessary, as provided in § 1360.344. The Office of Price Administration will also withhold a portion of each quota as a state reserve to be administered by the State Director of such state for the purpose of making necessary adjustment of quotas for the local War Price and Rationing Boards within the state, as provided in § 1360.342.

§ 1360.344 *Adjustment of state and regional quotas by the Office of Price Administration.* (a) A Regional Administrator of the Office of Price Administration may draw upon the regional reserve provided for in § 1360.341 to adjust the quotas within the different states of his region, as he may determine. Each State Director may apply for an allotment from the regional reserve held by the Regional Administrator of the Office of Price Administration of his region to augment the state reserve held under his control. Each such application shall be accompanied by a statement setting forth in full the facts giving rise to such application.

(b) The Office of Price Administration may draw upon the national reserve provided for in paragraph (b) of § 1360.341 to adjust the quotas within the different regions, as it may determine. Each Regional Administrator may apply for an allotment from the national reserve held by the Office of Price Administration to augment the regional reserve held under his control. Each such application shall be accompanied by a statement setting forth in full the facts giving rise to such application.

Effective Dates

§ 1360.442 *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1360.341, 1360.344) to Rationing Order No. 2A shall become effective September 10, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 8th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8902; Filed, September 8, 1942; 4:08 p. m.]

PART 1382—HARDWOOD LUMBER

[Correction to Maximum Price Regulation 97 [1]]

SOUTHERN HARDWOOD LUMBER

In paragraph (b) of § 1382.113 and paragraph (b) of § 1382.114 the date, "July 27, 1942," is corrected to read "August 27, 1942."

§ 1382.111a *Effective dates of amendments.* (a) Correction (§§ 1382.113 and 1382.114) to Maximum Price Regulation No. 97 shall become effective September 8, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8901; Filed, September 8, 1942; 4:08 p. m.]

PART 1426—WOOD PRESERVING AND PRIMARY FOREST PRODUCTS

[Maximum Price Regulation No. 218]

CENTRAL APPALACHIAN WOODEN MINE MATERIALS

In the judgment of the Price Administrator, the maximum prices for certain mine posts, wedges, blocking and other wooden mine materials as established by the General Maximum Price Regulation should be put under specific dollars and cents maximum price regulation. In issuing the regulation, the Price Administrator has ascertained and given due weight to the prices prevailing between October 1 and October 15, 1941, and has made the adjustments which appear to be necessary and proper when viewed in the light of the Emergency Price Control Act of 1942. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 218 is hereby issued.

Sec.
1426.51 Maximum prices for Central Appalachian wooden mine materials.
1426.52 Less than maximum prices.
1426.53 Adjustable pricing.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3936, 3991, 6081.
[2] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343.
[1] 7 F.R. 5667.
[2] 7 F.R. 971, 3663, 6967.
[3] 7 F.R. 971, 3663, 6967.

Sec.
1426.54 Evasion.
1426.55 Licensing.
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1426.57 Enforcement.
1426.58 Petitions for amendment.
1426.59 Definitions.
1426.60 Applicability of General Maximum Price Regulation.
1426.61 Effective date.
1426.62 Appendix A: Maximum prices for Central Appalachian wooden mine materials delivered to the mine.

AUTHORITY: §§ 1426.51 to 1426.62, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1426.51 *Maximum prices for Central Appalachian wooden mine materials.* On and after September 8, 1942:

(a) Regardless of any contract or other obligation no person shall sell or deliver any Central Appalachian wooden mine materials and no person shall buy or receive in the course of trade or business any Central Appalachian wooden mine materials at prices higher than the maximum prices set forth in Appendix A, § 1426.62 hereof.

(b) No person shall offer, agree, solicit or attempt to do any of the foregoing.

(c) The provisions of this Maximum Price Regulation No. 218 shall not be applicable to sales or deliveries of Central Appalachian wooden mine materials to a purchaser, if prior to September 8, 1942, such mine materials had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1426.52 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1426.62, may be charged, demanded, paid or offered.

§ 1426.53 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 218 shall be construed to prohibit the making of a contract to sell wooden mine materials at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment or for adjustment or exception has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1426.54 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 218 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Central Appalachian wooden mine materials, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

§ 1426.55 *Licensing.* The provisions of Supplementary Order No. 18 (§ 1305.22) licensing persons selling lumber, lumber products or building materials, are applicable to every person (except mills, manufacturers or producers) making sales of Central Appalachian wooden mine materials for which maximum prices are established by this regulation. The term "mills", "manufacturers" and "producers" when used in this section shall have the meaning given to them by Supplementary Order No. 18.

§ 1426.56 *Records and reports.* (a) On and after September 8, 1942, every person who, during any calendar month, offers or agrees to sell, sells or delivers, or offers or agrees to buy, buys or receives a total of one thousand dollars worth, or more of Central Appalachian wooden mine materials in the course of trade or business, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every offer, agreement, purchase, sale or delivery of Central Appalachian wooden mine materials showing the date thereof, the name and address of the buyer and the seller, the price paid or received, an exact description of the material and the quantity thereof.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1426.57 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 218 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 218 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1426.58 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 218, or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1426.59 *Definitions.* (a) This Maximum Price Regulation No. 218 and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States, or any government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Central Appalachian wooden mine materials" means any materials used in mines and named in Appendix A, § 1426.62 hereof, which is delivered to the mine and produced in any of the following counties of Pennsylvania: Greene, Fayette, Somerset, Washington, Westmoreland, Butler, Clearfield, Beaver, Lawrence, Mercer, Venango, Forest, Elk, Cameron, Jefferson, Centre, Cambria, Indiana, Bedford, Huntington, Fulton, Blair, Clarion, Armstrong, and Allegheny; or produced in either of the following counties of Maryland: Garrett and Allegany; or produced in any of the following counties of West Virginia: Mineral, Preston, Grant, Randolph, Upshur, Wetzel, Hampshire, Hardy, Tucker, Barbour, Monongalia, Taylor, Marion, and Marshal.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1426.60 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 218 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established for this regulation.

§ 1426.61 *Effective date.* Maximum Price Regulation No. 218 (§§ 1426.51 to 1426.62, inclusive) shall become effective September 8, 1942.

§ 1426.62 *Appendix A: Maximum prices for Central Appalachian wooden mine materials delivered to the mine.* (a) The maximum prices for Central Appalachian wooden mine materials delivered to the mine shall be as follows:

TABLE 1—STANDARD PIT POSTS

	Each
5 ft.	$0.155
5½ ft.	.17
6 ft.	.20
6½ ft.	.21
7 ft.	.235
7 ft. 6 inches	.26
8 ft.	.28
9 ft.	.35

TABLE 2—ROUND PIT POSTS

	Each
7 ft.—4" top diameter	$0.26
7 ft.—4½" top diameter	.31
7 ft.—5" top diameter	.38
7 ft. 6 inches—5" top diameter	.41
7 ft. 6 inches—6" top diameter	.53
8 ft.—4" top diameter	.32
8 ft.—4½" top diameter	.37
8 ft.—5" top diameter	.44
8 ft.—5½" top diameter	.47
8 ft.—6" top diameter	.575
9 ft.—4½" top diameter	.43
9 ft.—5" top diameter	.47
9 ft.—5½" top diameter	.56
9½ ft.—5" top diameter	.54
10 ft.—4" top diameter	.44
10 ft.—4½" top diameter	.50
10 ft.—5" top diameter	.595
10 ft.—6" top diameter	.71
11 ft.—5" top diameter	.625
11 ft.—6" top diameter	.75
11 ft. 6 inches—5" top diameter	.655
11 ft. 6 inches—6" top diameter	.81
12 ft.—5" top diameter	.685
12 ft.—6" top diameter	.84
14 ft.—5" top diameter	.935
14 ft.—6" top diameter	1.10
15 ft.—5" top diameter	1.02
15 ft.—6" top diameter	1.12
16 ft.—6" top diameter	1.56

[1] *Supra*, Note 1.

TABLE 3—MIXED OAK AND HARDWOODS—MINE TIES

	Per M
3" x 5"—5 ft.	$32.50
3" x 5"—5½ ft.	31.50
3" x 5"—6 ft.	32.50
4" x 5"—5½ ft.	32.00
4" x 5"—6 ft.	33.00
4" x 6"—5 ft.	32.50
4" x 6"—5½ ft.	33.50
4" x 6"—6 ft.	34.00
5" x 6"—5 ft.	32.50
5" x 6"—5½ ft.	32.00
5" x 6"—6 ft.	32.50
5" x 7"—5½ ft.	33.50
5" x 7"—6 ft.	34.50
7" x 7"—6½ ft.	35.00
7" x 7"—7 ft.	35.00
6" x 8"—6 ft.	36.00
6" x 8"—6½ ft.	36.00
7" x 9"—7 ft.	41.00

NOTE: For all mixed oak, add $4.50 per thousand feet.

TABLE 4—MIXED OAK AND HARDWOOD CROSS BARS

	Per M
3" x 8"—10' to 14'	$36.00
3" x 8"—16'	38.50
4" x 5"—10' to 14'	36.00
4" x 5"—16'	38.50
4" x 6"—10' to 14'	37.00
4" x 6"—16'	38.50
5" x 6"—10' to 14'	36.00
5" x 6"—16'	38.50
6" x 6"—10' to 14'	37.00
6" x 6"—16'	41.00
6" x 8"—10' to 14'	37.00
6" x 8"—16'	41.00

NOTE: For all mixed oak, add $5.50.

TABLE 5—MIXED OAK AND HARDWOOD MINE WEDGES

	Each
½" x 1" x 5"—13"	$0.02
¾" x 1" x 5"—12"	.02
¾" x 1¼" x 5"—12"	.0225
¼" x 3" x 5"—18"	.0475
¼" x 2" x 5"—12"	.03

TABLE 6—MIXED OAK AND HARDWOOD MINE POST CAPS

	Each
2" x 5"—16"	$0.035
2" x 5"—18"	.0375
3" x 5"—16"	.055
3" x 5"—18"	.0575
	Per M
3" x 4"—18"	36.00

TABLE 7—MIXED OAK AND HARDWOOD MINE CRIBBING BLOCKS

	Per M
4" x 5"—2½'	$32.50
5" x 6"—2½'	34.50

TABLE 8—MIXED OAK AND HARDWOOD MINE SWITCH TIES—UNTREATED

	Per M
6" x 7"—6' to 14'	$37.00
5" x 7"—16'	41.00

(b) The maximum prices herein established shall not be increased by any charges for the extension of credit and shall be decreased for prompt payment to the same extent that the sale price would have been decreased by the seller on April 1, 1942. The cash and credit periods recognized by the seller on April 1, 1942 shall not be reduced.

(c) All invoices of sales of mine materials subject to this regulation must show the complete description of the materials and the quantity thereof.

(d) No person shall pay and no person shall charge or receive a commission for purchasing Central Appalachian wooden mine materials which is based on the amount or value of such materials purchased, if the amount of the commission plus the purchase price is higher than the maximum price permitted by this Maximum Price Regulation No. 218.

(e) A gross price above the maximum price herein established shall not be quoted even if accompanied by a discount, the effect of which is to bring the net price below such maximum price.

Issued this 8th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8900; Filed, September 8, 1942; 4:08 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 20]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

BASIS FOR VALUATION FOR WAR RISK INSURANCE PURPOSES

Adopting and amending General Order No. 53[1] of the United States Maritime Commission (§§ 243.1 to 243.5, incl.), prescribing basis for valuation of United States flag vessels and of foreign-flag vessels owned by a national of the United States, for war risk insurance purposes.

The War Shipping Administration, to whom there has been transferred by Executive Order of the President dated February 7, 1942, the insurance functions of the United States Maritime Commission under the Merchant Marine Act, 1936, as amended, and related Acts, hereby amends from its inception General Order No. 53 (§§ 243.1 to 243.5, incl.) of the United States Maritime Commission.

1. By striking out subparagraph (1) of § 243.2 (b) *Excess valuation* of said General Order No. 53, and substituting therefor the following:

§ 302.70 *Basis of valuation of United States-flag vessels and foreign-flag vessels owned by a national of the United States, for war risk insurance purposes.* * * *

(b) * * *

(1) Payments of total or constructive total loss will be put in escrow; except with respect to vessels the proceeds of whose loss are required by the United States Maritime Commission to be placed in the owner's capital reserve fund established under the provisions of Title VI of the Merchant Marine Act, 1936, as amended, in which cases payments will be made into said fund subject to suitable agreements for the utilization of said payments and the return to the Commission of the equivalent of payments not utilized for new construction, all in a manner similar to the requirements of this General Order applicable to other vessels subject to the provisions hereof relating to "excess valuation".

Funds in escrow may be used for replacement of the vessel by new construction approved by the Commission, if such new construction is completed within three years after peace between the United States and the nations with which it is now at war is proclaimed. In the event that such funds are not so used within such prescribed period, they will be paid to the Commission, after deduction of insurance premiums paid with respect to "excess valuation" on the vessel involved, which shall be returned to the owner of the vessel.

The escrow shall be in the form of an escrow agreement with a depositary satisfactory to the Commission, to which the Commission and the Assured shall be parties, containing such provisions consistent with the provisions of this General Order as the Commission may determine to be necessary or advisable, and in the event that the owner elects to put the entire net proceeds of loss, as said term is defined in section 511 of the Merchant Marine Act, 1936, as amended, and regulations issued thereunder, in a Construction Reserve Fund, as provided in said section 511 and said regulations, the agreement shall contain additional provisions necessary or appropriate in the opinion of the Commission in order to permit payments by the Escrow Agent to the depositary of said Construction Reserve Fund instead of to the owner.

By adding as a final paragraph to said General Order No. 53 (§§ 243.1 to 243.5, incl.) the following:

§ 302.74 *Effective date; definitions.* * * *

Wherever in this General Order the term "Commission" is used (except with respect to the first reference thereto in the first paragraph of subparagraph (1) of § 243.2 (b)) the word "Commission" shall be understood to include the War Shipping Administration as successor to the functions and duties of the Commission under the aforementioned Executive Order of the President.

The War Shipping Administration hereby adopts said General Order No. 53 (§§ 243.1 to 243.5, incl.) of the United States Maritime Commission, as herein amended, as a General Order of the War Shipping Administration, with respect to all cases to which it has been made applicable by specific action of the United States Maritime Commission or the War Shipping Administration, or to which it may hereafter be made applicable by specific action of the War Shipping Administration. (E.O. 9054, 7 F.R. 837)

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

SEPTEMBER 7, 1942.

[F. R. Doc. 42-8899; Filed, September 8, 1942; 1:03 p. m.]

[1] General Order No. 53 appears at 7 F.R. 823, now renumbered for the purposes of the War Shipping Administration §§ 302.69 to 302.74, inclusive.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-314]

LINDSAY H. PUTMAN

NOTICE OF AND ORDER FOR HEARING

A complaint dated August 17, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on August 20, 1942, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Lindsay H. Putman, Hooversville, Pennsylvania (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 19, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 118, Colonial Hotel, Altoona, Pennsylvania.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the code member in the Code and the code member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the code member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the code member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Lindsay H. Putman, Hooversville, Pennsylvania, code member, whose code membership became effective as of June 21, 1937, and who operates the Fallen Timber Mine, Mine Index No. 1914, in Subdistrict No. 37, District No. 1, Somerset County, Pennsylvania, (1) wilfully violated section 4, Part II (e) of the Act and Part II (e) of the Code, by selling and delivering subsequent to September 30, 1940, below the effective minimum prices established therefor, as set forth in the Schedule of Effective Minimum Prices for District No. 1 For Truck Shipments, coal produced at the aforesaid mine, including (a) sales during the period November 27, 1940, to February 22, 1941, both dates inclusive, of approximately 15 net tons of slack coal, to L. Carano, Hooversville, Pennsylvania, at $1.50 per net ton f. o. b. said mine; and (b) sales and deliveries during the period October 11, 1940, to May 19, 1941, both dates inclusive, of approximately 140 net tons of slack coal, to the Hooversville Schools, Hooversville, Pennsylvania, at the delivered price of $2.15 per net ton, whereas all of said coal, pursuant to Price Instruction No. 4 as set forth in said schedule was classified as Size Group 3 and priced at $2.20 per net ton f. o. b. said mine in said Schedule, which transactions constituted sales and deliveries of coal at prices less than the minimum established therefor by the Division, thereby resulting in violations of section 4, Part II (e) of the Act and Part II (e) of the Code;

(2) That said code member wilfully violated section 4, Part II (e) and (g) of the Act and Part II (e) and (g) of the Code by selling and delivering subsequent to September 30, 1940, below the effective minimum price established therefor as set forth in said Schedule, coal produced at the aforesaid mine, including sales and deliveries during the period from January 19 to May 24, 1941, both dates inclusive, of approximately 18 net tons of slack coal to various purchasers at Hooversville, Pennsylvania, at $2.25 per net ton delivered, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction 4, as set forth in said Schedule was $2.20 per net ton, to which there should have been added the transportation charges, handling charges or incidental charges from the transportation facilities at the mine to said purchasers at Hooversville, Pennsylvania, as required by Price Instruction No. 6 as amended, and contained in Supplement No. 1 to said Schedule, resulting in violations of section 4, Part II (e) and (g) of the Act and Part II (e) and (g) of the Code; and

(3) That said code member failed and refused to file with the Statistical Bureau of the Division for District No. 1, for each month from and including January 1, 1941, to date, within 5 days after the end of each of said months, a report of all sales made during each of said months of coal produced at said Fallen Timber Mine, Mine Index No. 1914, and shipped from said mine by truck or wagon to various purchasers and copies of truck tickets, sales slips, invoices and listings of said sales as required by section III (b) of Order of the Division No. 307 issued December 11, 1940, resulting in violations of Order of the Division No. 308 issued January 14, 1941 pursuant to said Order No. 307, and provisions of the Act and Code, pursuant to which said orders were issued.

Dated: September 8, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8915; Filed, September 9, 1942; 11:03 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of amended order for the employment of learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective September 7, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM; INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Besco Shirt Co., Inc., 600 Fulton St., Elizabeth, New Jersey; Shirts and jackets for the U. S. Government; 35 learners (T); September 7, 1943.

Eastern Isles Importing Co., Inc., Union and Mechanic Sts., Clinton, Massachusetts; Underwear, nightwear, negligees of woven fabrics; 10 percent (T); September 7, 1943.

Fairfield Mfg. Co., 1 Franklin St., New Haven, Connecticut; Men's dress shirts, sport shirts; 10 percent (T); September 7, 1943.

Falcon Waist Co., Inc., 621 River St., Troy, New York; Ladies blouses; 10 percent (T); September 7, 1943.

Gem Undergarment Co., Inc., Slatedale, Pennsylvania; Ladies underwear; 25 learners (E); March 7, 1943.

A. C. Meyers & Co., 811 Cherry St., Philadelphia, Pennsylvania; Ladies neckwear and scarfs; 3 learners (T); September 7, 1943.

Osgood & Sons, Inc., Warsaw, Illinois; Wash dresses; 10 percent (T); September 7, 1943.

Panara Brothers, Camden St., Rockland, Maine; Bathrobes; 10 percent (T); September 7, 1943.

Reliance Mfg. Co., East Tipton St., Seymour, Indiana; Shirts; 10 percent (T); September 7, 1943.

Shawnee Garment Mfg. Co., 115½ N. Bell St., Shawnee, Oklahoma; Overalls, pants, coats; 10 learners (E); January 7, 1943.

Silton Bros., 1128 Washington St., St. Louis, Missouri; Leather jackets, sportswear; 3 learners (T); September 7, 1943.

U. S. Garment Co., 1121 Post St., Seattle, Washington; Ladies slack suits, skirts, jackets and raincoats, house coats, maternity dresses and army jackets; 10 percent (T); September 7, 1943.

Weil-Kalter Mfg. Co., 4th & Cherry Sts., Troy, Missouri; Woven underwear; 10 percent (T); September 7, 1943.

Weil-Kalter Mfg. Co., 4th & Cherry Sts., Troy, Missouri; Woven underwear; 15 learners (E); March 7, 1943.

Cigar

General Cigar Co., Inc., 5th & Hickory Sts., Mt. Carmel, Pennsylvania; Cigars; 10 percent (T); Hand cigar makers to have learning period of 960 hours at 75 percent of the applicable minimum wage; September 6, 1943.

General Cigar Co., Inc., 205 Court St., Evansville, Indiana; Cigars; 10 percent (T); Hand cigar makers to have learning period of 960 hours and machine strippers to have learning period of 160 hours at 75 percent of the applicable minimum wage; September 6, 1943.

Metropolitan Cigar Corp., 107 Sycamore St., Evansville, Indiana; Cigars; 10 percent (T); Hand cigar rollers to have learning period of 960 hours and machine bunchmakers to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 6, 1943.

Glove

Gloversville Knitting Co., 49-51 Beaver St., Gloversville, New York; Knit wool gloves; 25 learners (E); March 7, 1943.

Hosiery

Collegedale Hosiery Mill, Collegedale, Tennessee; Full-fashioned hosiery; 20 learners (E); June 16, 1943.

Garon's Knitting Mills, 101 N. 30th Ave. W., Duluth, Minnesota; Seamless hosiery; 3 learners (T); September 7, 1943.

Norris Hosiery Mill, Bell Buckle, Tennessee; Seamless hosiery; 5 learners (T); September 7, 1943. (This certificate replaces the one bearing the expiration date of January 12, 1943).

Knitted Wear

Girard Knitting Mills, 3225 N. Amber St., Philadelphia, Pennsylvania; Knitted outerwear; 5 learners (T); September 7, 1943.

Telephone

Paullina Telephone Exchange, Company, Paullina, Iowa; To employ learners at its Paullina Exchange, located at Paullina, Iowa, as commercial switchboard operators (T); September 7, 1943.

Textile

Bergen Mfg. Co., Inc., 1620 Manhattan Ave., Union City, New Jersey; Manufacture decorative linens consisting of show towels, bridge sets, pillow cases and dresser scarfs; 3 learners (T); September 7, 1943.

Best Silk Mfg. Co., Inc., 10 West Mulberry Ave., Pleasantville, New Jersey; Narrow fabrics; 3 learners (T); September 7, 1943.

Clover Spinning Mills, Inc., N. Main St., Clover, South Carolina; Combed and carded yarns; 3 percent (T); September 7, 1943.

Dixie Mercerizing Co., Chattanooga, Tennessee; Cotton yarn; 3 percent (T); September 7, 1943.

Opp Cotton Mills, Opp, Alabama; Cotton yarns, cotton cloth; 9 learners (T); September 7, 1943.

Pelzer Mills, Pelzer, South Carolina; Bandage cloths, adhesive backing, uniform cloth, sheetings, grey cloth; 38 learners (T); September 7, 1943.

Statesville Cotton Mills, Statesville, North Carolina; Colored carded cotton yarns, woven jacquard velours; 3 percent (T); September 7, 1943.

Signed at New York, N. Y., this 5th day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8895; Filed, September 8, 1942; 1:37 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 102]

VESTING ALL OF THE CAPITAL STOCK OF ROENTGEN SUPPLIES, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Roentgen Supplies, Inc., a New York corporation, consisting of 30 shares, the numbers of the certificates representing which, the number of shares represented by such certificates, and the names of the registered owners of which, are, respectively, as follows:

Certificate numbers	Number of shares	Names of registered owners
1	1	Carl Scheu.
2	1	Julius Koeniger.
4	1	Florence Koeniger.
5	16	Carl Scheu.
6	11	Julius Koeniger.

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or are cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national

interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 11, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8914; Filed, September 9, 1942; 10:11 a. m.]

[Vesting Order No. 107]

ALL OF THE CAPITAL STOCK OF E. LEITZ, INC. (1916)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of E. Leitz, Inc., a corporation organized under the laws of the State of New York on April 22, 1916, which is a business enterprise within the United States, consisting of 1,834 shares of $100 par value stock owned by the persons whose names, last known addresses and number and class of shares owned by them, respectively, are as follows:

Names	Last known addresses	Preferred stock	Class A common stock	Class B common stock	Class C common stock
Dr. Ernst Leitz	Wetzlar, Germany	524	----	262	262
E. Leitz, G. m. b. H.	Wetzlar, Germany	393	393	----	----
Total	----	917	393	262	262

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8913; Filed, September 9, 1942; 10:11 a. m.]

[Vesting Order No. 108]

ALL OF THE CAPITAL STOCK OF E. LEITZ, INC. (1941), AND CERTAIN INDEBTEDNESS OWING BY IT

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of E. Leitz, Inc., a corporation organized under the laws of the State of New York on March 29, 1941 (herein called the "1941 Corporation"), which is a business enterprise within the United States, consisting of 1,800 shares of $100 par value stock owned by the persons whose names, last known addresses and number and class of shares owned by them, respectively, are as follows:

Names	Last known addresses	Common stock	6 per cent cumulative preferred stock
Alfred Boch	New York, New York	25	----
H. W. Zieler	New York, New York	25	----
E. Leitz, Inc., a corporation organized under the laws of the State of New York on April 22, 1916 (herein called the "1916 Corporation"), which is the predecessor of the 1941 Corporation, holding for the benefit of Dr. Ernst Leitz and E. Leitz, G. m. b. H., both of Wetzlar, Germany.	New York, New York	----	1,750
Total	----	50	1,750

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the 1916 Corporation, Dr. Ernst Leitz, and E. Leitz, G. m. b. H., or any of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or any of them by the 1941 Corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly but not limited to all outstanding 20 year serial debentures issued by the 1941 Corporation.

is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8912; Filed, September 9, 1942; 10:11 a. m.]

[Vesting Order No. 114]

1,990 SHARES OF THE CAPITAL STOCK OF AMERICAN VOITH CONTACT COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

1,990 shares of $100 par value common capital stock of American Voith Contact Company, Inc., a New York corporation, which is a business enterprise within the United States, which shares are registered in the name of Christian F. Benz, whose last known address was represented to the undersigned as being in Tuckahoe, New York, and who holds such shares for the benefit of the persons whose names and last known addresses, and the number of shares held for whom, are, respectively, as follows:

Names and last known addresses	Number of shares
Walther, Voith Heidenheim, Germany	690
Hanns Voith Heidenheim, Germany	650
Hermann Voith, Heidenheim, Germany	650
Total	1,990

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8911; Filed, September 9, 1942; 10:12 a. m.]

[Vesting Order No. 115]

ALL OF THE CAPITAL STOCK OF J. M. VOITH COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of J. M. Voith Company, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 200 shares of no par value common stock which shares are registered in the name of Christian F. Benz, whose last known address was represented to the undersigned as being in Tuckahoe, New York, and who holds such shares for the benefit of the J. M. Voith partnership and/or Walther Voith, Hanns Voith and Hermann Voith, copartners in such partnership, the last known address of which partnership and all of which co-partners was represented to the undersigned as being in Heidenheim, Germany.

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8910; Filed, September 9, 1942; 10:12 a. m.]

[Vesting Order No. 116]

ALL OF THE CAPITAL STOCK OF VOITH-SCHNEIDER PROPELLER COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Voith-Schneider Propeller Company, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 80 shares of no par value common stock which shares are registered in the names of Christian F. Benz, whose last known address was represented to the undersigned as being in Tuckahoe, New York, and who holds such shares for the benefit of the J. M. Voith partnership and/or Walther Voith, Hanns Voith and Hermann Voith, co-partners in such partnership, the last known address of which partnership and all of which co-partners was represented to the undersigned as being in Heidenheim, Germany.

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national

interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–8909; Filed, September 9, 1942; 10:12 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 16 to Revised Price Schedule 64 [1]—Domestic Cooking and Heating Stoves]

HENRY WATERMAN & BRO. CORP.

ORDER APPROVING MAXIMUM PRICES

Approval of maximum prices of new models of Henry Waterman & Bro. Corp., New York, New York.

On the 24th day of June 1942, Henry Waterman & Bro. Corp. filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices to a new model of gas range designated at Model No. 20V5. Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered:*

(a) Henry Waterman & Bro. Corp., New York, New York, may sell, offer to sell, deliver or transfer Model No. 20V5 at a maximum price to real estate owners and builders of $31.28 and at a maximum price to dealers of $30.58 subject to discounts and allowances no less favorable than those in effect as to Model 1620 under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 16 shall become effective on the 9th day of September, 1942.

Issued this 8th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8905; Filed, September 8, 1942; 4:10 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404.

[Order 17 Under Maximum Price Regulation 148 [1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148–75]

CAROLINA PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On June 1, 1942, the Carolina Packing Company, Orangeburg, South Carolina filed a petition for amendment redocketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration was given to the petition and on June 26, 1942, Order No. 1 under Price Regulation No. 148 was issued granting relief as to some of the items requested and denying it as to others. Simultaneously with the issuance of Order No. 1 an opinion in support of it was issued and filed with the Division of the Federal Register. On August 25, the Carolina Packing Company requested that such petition receive further consideration. In compliance with this request, its petition has been redocketed as Docket No. 3148–75.

Such petition has been duly reconsidered, and an opinion in support of this Order No. 17 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Carolina Packing Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, such kinds of wholesale pork cuts at such prices from the Carolina Packing Company.

(b)

	Cents per pound
Dry salt clear plates	12½
Boiled hams	49½
Dry salt jowls	13
Dry Salt bellies	18
Dry salt fat backs	14
Smoked shankless picnics	29
Boned rolled and tied hams	43¼

(c) The permission granted to the Carolina Packing Company in this Order No. 17 is subject to the following condition: that the prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1, to March 31, inclusive, of any such year, the maximum price at which the Carolina Packing Company may sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from the Carolina Packing Company, each wholesale pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of this petition not granted by Order No. 1 or not granted herein are denied.

(e) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 17 shall become effective September 9, 1942.

Issued this 8th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8904; Filed, September 8, 1942; 4:09 p. m.]

[1] 7 F.R. 3821, 4342.
[2] 7 F.R. 971.

[Order 41 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120–100]

WILLIAM PATVAROS

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an Opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) William Patvaros, Sheridan, Sheridan County, Wyoming, doing business as Storm King Coal Company, may sell and deliver, and any person may buy and receive the sizes of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein;

(b) Coals produced at the Storm King Mine (Mine Index No. 16), District No. 19, located in Sheridan County, Wyoming, in Size Groups 1, 4, 8, 10, 12 and 15 may be sold at prices not to exceed $3.10,

$2.90, $2.75, $2.75, $2.50 and $2.00 per net ton, respectively, f. o. b. the mine for shipment by truck or wagon;

(c) This Order No. 41 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.-208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(f) This Order No. 41 shall become effective September 9, 1942.

Issued this 8th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8906; Filed, September 8, 1942; 4:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-598]

GENERAL ELECTRIC COMPANY AND ELECTRICAL SECURITIES CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of September, 1942.

Notice is hereby given that a joint application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Electric Company and by Electrical Securities Corporation. All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

General Electric Company, through its wholly-owned subsidiaries, Electrical Securities Corporation and G. E. Employees Securities Corporation, proposes to exercise its right to subscribe for shares of common stock, par value $1 per share, of Southwestern Public Service Company at a price not less than $4.50 nor more than $6.00 per share at the rate of 2 shares of common stock of Southwestern Public Service Company for each 5 shares of common stock of Community Power & Light Company in connection with a merger of Community Power & Light Company and of General Public Utilities, Inc., into Southwestern Public Service Company.

The Commission having on August 25, 1942, issued its notice of and order for hearing providing for a hearing to be held on September 4, 1942, at 10:00 a. m., with respect to joint and several applications filed by General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation relating to the request of said applicants for an extension of the Commission's order of August 18, 1941 which authorized such applicants to acquire 40,000 shares of the common stock of Community Power & Light Company on the condition that they sell or otherwise dispose of a sufficient number of the 40,000 shares of said common stock in order that at the close of business on August 31, 1942, said applicants did not directly or indirectly own, control or hold with power to vote 5% or more of the outstanding voting securities of Community Power & Light Company and which exempted said applicants from the provisions of the Public Utility Holding Company Act of 1935 which would require them to register under said Act; and said hearing having been adjourned on the record until September 10, 1942, at 10 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

It further appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to the proposed acquisition of common stock of Southwestern Public Service Company by the applicants herein, that said matters be considered together and in connection with the matters raised in the notice of and order for hearing of this Commission dated August 25, 1942, and that said application shall not become effective except pursuant to further order of this Commission;

It is ordered, That the scope of the hearing to be held on September 10, 1942, at 10 a. m., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is enlarged for the purpose of considering the application with respect to the acquisition of the common stock of Southwestern Public Service Company under the applicable provisions of said Act and the Rules and Regulations thereunder. On such date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8908; Filed, September 9, 1942; 9:53 a. m.]

[File No. 70-589]

MIDLAND UNITED COMPANY, TRUSTEE

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of September, A. D., 1942.

The Trustee of Midland United Company, a registered holding company, having filed a declaration pursuant to section 12 of the Public Utility Holding Company Act of 1935, and certain rules promulgated thereunder, regarding a capital contribution to Indiana Railroad, its wholly owned nonutility subsidiary, in the aggregate amount of $7,093,910.08 (plus interest, accrued to date of the capital contribution on the Demand Promissory Notes of Indiana Railroad payable to Midland United Company, estimated at $11,287.22) in the following form and amounts:

Open Account Indebtedness of Indiana Railroad to Midland United Company	$6,223,600.31
Fourteen Demand Promissory Notes of Indiana Railroad issued to Midland United Company during 1932 (aggregate face amount)	302,132.13
Two Demand Promissory Notes of Indiana Railroad payable to Public Service Company of Indiana and endorsed for transfer to Midland United Company (aggregate face amount)	176,932.10
Reduction in principal amount of Demand Promissory Note of Indiana Railroad payable to Midland United Company, issued December 31, 1931, presently in the face amount of $1,111,245.54 (amount of reduction)	391,245.54
Total	$7,093,910.08

The declaration having been filed on August 13, 1942, a notice of said filing having been duly given in the form and in the manner prescribed by Rule U-23, promulgated under the Act, and an amendment to said declaration having been filed on August 19, 1942, and the Commission not having received a request for a hearing with respect to the declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; the above named party having requested that the effective date of said declaration be accelerated;

The Commission finding with respect to said proposed capital contribution that the requirements of section 12 (b) of the Act and Rule U-45, are complied with; and being satisfied that the effective date of such declaration, as amended, should be advanced;

It is hereby ordered, Pursuant to said Rule U-23, and the applicable provisions of said Act, and subject to the terms and conditions prescribed by Rule U-24, that the aforesaid declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8907; Filed, September 9, 1942; 9:53 a. m.]

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[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5827, 5835, 6169, 6218, 5607.

[2] 7 F.R. 971, 3663.

FEDERAL REGISTER

VOLUME 7 NUMBER 179

Washington, Friday, September 11, 1942

The President

EXECUTIVE ORDER 9239

AMENDING SUBDIVISION XI OF SCHEDULE A AND REVOKING PARAGRAPH 2 OF SUBDIVISION III OF SCHEDULE B OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by paragraph Eighth, subdivision SECOND, section 2 of the Civil Service Act (22 Stat. 404), it is ordered as follows:

1. Subdivision XI, Schedule A of the Civil Service Rules is hereby amended by adding thereto the following paragraph:

"15. Bureau of the Census: Special agents employed in collecting cotton statistics."

2. Paragraph 2, Subdivision III of Schedule B of the Civil Service Rules is hereby revoked.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 8, 1942.

[F. R. Doc. 42-8933; Filed, September 9, 1942; 1:57 p. m.]

EXECUTIVE ORDER 9240

REGULATIONS RELATING TO OVERTIME WAGE COMPENSATION

WHEREAS many labor organizations have already adopted the patriotic policy of waiving double time wage compensation or other premium pay for work on Saturday, Sunday and holidays, as such, for the duration of the war; and

WHEREAS it is desirable and necessary in the prosecution of the war, and to insure uniformity and fair treatment for those labor organizations, employers, and employees who are conforming to such wage policies that this principle be universally adopted:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the statutes, as President of the United States and as Commander in Chief of the Army and Navy, it is hereby ordered:

I. That the following principles and regulations shall apply for the duration of the war to the payment of premium and overtime wage compensation on all work relating to the prosecution of the war:

A. No premium wage or extra compensation shall be paid to any employee in the United States, its territories or possessions, for work on Saturday or Sunday except where such work is performed by the employee on the sixth or seventh day worked in his regularly scheduled workweek and as hereinafter provided.

(1) Where because of emergency conditions an employee is required to work for seven consecutive days in any regularly scheduled workweek a premium wage of double time compensation shall be paid for work on the seventh day.

(2) Where required by the provisions of law or employment contracts, not more than time and one-half wage compensation shall be paid for work in excess of eight hours in any day or forty hours in any workweek or for work performed on the sixth day worked in any regularly scheduled workweek.

B. No premium wage or extra compensation shall be paid for work on customary holidays except that time and one-half wage compensation shall be paid for work performed on any of the following holidays only:

New Year's Day
Fourth of July
Labor Day
Thanksgiving Day
Christmas Day

and either Memorial Day or one other such holiday of greater local importance.

II. All Federal departments and agencies shall conform the provisions in all existing and future contracts negotiated, executed, or supervised by them to the policies of this order. All such departments and agencies shall immediately open negotiations to alter provisions in

(Continued on next page)

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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existing contracts to conform them to the requirements of this order.

III. Nothing in this order shall be construed as requiring a modification of the principle that every employee should have at least one day of rest in every seven days. The continuous operation of plants and machines in prosecuting the war does not require that employees should work seven consecutive days.

IV. Nothing herein shall be construed as superseding or in conflict with the provisions of the statutes prescribing the compensation, hours of work and other conditions of employment of employees of the United States.

V. All Federal departments and agencies affected by this order shall refer to the Secretary of Labor for determination questions of interpretation and application arising hereunder.

VI. The provisions of this order shall become effective October 1, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 9, 1942.

[F. R. Doc. 42–8949; Filed, September 10, 1942; 10:54 a. m.]

Regulations

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Marketing Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

STATESBORO LIVESTOCK COMMISSION CO.

NOTICE UNDER PACKERS AND STOCKYARDS ACT[1]

SEPTEMBER 9, 1942.

To F. C. Parker and F. C. Parker, Jr., doing business as Statesboro Livestock Commission Company, Statesboro, Georgia.

Whereas the Statesboro Livestock Commission Company was posted on November 15, 1941, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it apears that the Statesboro Livestock Commission Company is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Statesboro Livestock Commission Company no longer comes within the foregoing definition and the provisions of Title III of said Act.

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42–8952; Filed, September 10, 1942; 11:03 a. m.]

[1] Modifies list posted stockyards 9 CFR 204.1.

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

PLATTE VALLEY SALES COMPANY, NORTH PLATTE, NEBRASKA

NOTICE UNDER PACKERS AND STOCKYARDS ACT[1]

SEPTEMBER 8, 1942.

Whereas the Platte Valley Sales Company was posted on February 20, 1941, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it now appears that the Platte Valley Sales Company is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Platte Valley Sales Company no longer comes within the foregoing definition and the provisions of Title III of said Act.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42–8951; Filed, September 10, 1942; 11:03 a. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

PLATTE VALLEY SALES COMPANY, NORTH PLATTE, NEBRASKA

NOTICE UNDER PACKERS AND STOCKYARDS ACT[1]

SEPTEMBER 9, 1942.

Whereas in accordance with the provisions of section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. § 202 (b)), the Secretary of Agriculture posted the stockyard known as the North Platte Auction Company, North Platte, Nebraska, as being subject to the provisions of said Act; and

Whereas it appears that said stockyard is now known as the Platte Valley Sales Company, and is being operated by the Platte Valley Sales Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is the Platte Valley Sales Company, North Platte, Nebraska.

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42–8950; Filed, September 10, 1942; 11:03 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 106]

PART 401—GENERAL

SERVICING ACROSS STATE LINES

Amending Part 401, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 401.09 is added, reading as follows:

§ 401.09 *Servicing across state lines.* (a) Where a field employee of the Corporation has been assigned to an official

Section 401.09 is added, reading as follows:

§ 401.09 *Servicing across state lines.* (a) Where a field employee of the Corporation has been assigned to an official station other than at a Regional Office, the activities of such employee shall ordinarily be limited to the business of the Corporation within the state where his official station is located. Where the business of the Corporation may be more economically and efficiently conducted by permitting employees so stationed to perform incidental service or duties in an adjoining state or region, the crossing of state lines is authorized as follows:

(1) Such an employee may perform incidental duties or service in an adjoining state or region in connection with a property owned or securing indebtedness to the Corporation located within the state where he has his official station, when authorized generally or specially by the Regional Manager.

(2) Such an employee may perform such incidental duties or service in an adjoining state within the region in connection with a property owned or securing indebtedness to the Corporation located in such adjoining state, when authorized generally or specially by the General Manager. (Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U. S. C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

Effective September 15, 1942.

J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-8948; Filed, September 10, 1942; 10:30 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1602]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I and R–II and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3667	Bradley & Pollack (James Bradley)	Stationary	43	Big Vein	Barton, Md	C&P	66	(†)	(†)	D	(†)	(†)
1705	Brashear, William	Nelson	43	Bak	Morrison, Md	C&P	66	(†)	(†)	H	(†)	(†)
1140	Brashear, William	William Brashear	43	Bak	Morrison, Md	C&P	66	(†)	(†)	H	(†)	(†)
3709	Heckler, B. F. (The "B" Quality Coal Co.)	"B" Quality #6	33	B	Windber, Pa	PRR	49	(†)	(†)	A	(†)	(†)
3704	King Coal Company	King #1 Strip (S)	20	E	Jamesville, Pa	PRR	45	(†)	(†)	F	(†)	(†)
3635	Kniseley Coal Company (Harvey Kniseley)	Kniseley #2	5	E	Knoxdale, Pa	P&S	119	(†)	(†)	G	(†)	(†)
685	Matthews, John H	Matthews #1	7	D	Grampian, Pa	PRR	45	(†)	(†)	(*)	F	F
3204	Matthews, John H	Matthews #2	7	E	Grampian, Pa	PRR	45	(†)	(†)	(*)	F	F
2886	Matthews, John H	Matthews #3	7	D	Grampian, Pa	PRR	45	(†)	(†)	(*)	F	F
2362	Matthews, John H	Matthews #4	7	D	Grampian, Pa	PRR	45	(†)	(†)	(*)	F	F
3627	Matthews, John H	Matthews #5 (D)	7	D	Grampian, Pa	PRR	45	(†)	(†)	(*)	F	F
3636	Matthews, John H	Matthews #5 (S)	7	D	Grampian, Pa	PRR	45	(†)	(†)	(*)	F	F
3705	Maurer, F. R	Carnwath #6 (S)	13	D	Carnwath, Pa	NYC	44	(†)	(†)	D	D	D
3706	Maurer, F. R	Carnwath #7 (S)	13	E	Carnwath, Pa	NYC	44	(†)	(†)	F	F	F
3616	May, C. M	C. M. May Coal Co	40	C'	Casselman, Pa	B&O	100	(†)	(†)	H	(†)	(†)
1954	Rigby & Shaffer Coal Company	Rigby & Shaffer	20	C'	Johnstown, Pa	J&SC	48	(†)	(†)	E	(†)	(†)
3600	Rigby & Shaffer Coal Company	Rigby & Shaffer #2	29	E	Johnstown, Pa	J&SC	48	(†)	(†)	F	F	F

†Indicates no classification effective for these size groups.
*Indicates classifications and prices previously established for these size groups.

FEDERAL REGISTER, Friday, September 11, 1942

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R–II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
573	Lansberry & Son, Abbie E.	Lansberry #3	8	C'	Gray, Pa.	NYC	44	F	F	F	F	F
2336	Lansberry & Son, Abbie E.	Lansberry #5	8	B	Gray, Pa.	NYC	44	F	F	F	F	F
2337	Lansberry & Son, Abbie E.	Lansberry #7	8	C	Gray, Pa.	NYC	44	F	F	F	F	F
876	Snyder Brothers (Hillis Snyder)	Trimpey	37	D	Beechdale, Pa.	B&O	100	(†)	(†)	B	(†)	(†)

†Indicates no classification effective for these size groups.

NOTE: The above prices are applicable *only* via the respective Freight Origin Groups, Shipping Points, and railroads shown for the respective mines. Shipping Points previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index name	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal, double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified R/M	2" and under, slack	¾" and under, slack
						1	2	3	4	5
Bradley & Pollack (James Bradley).	3667	Stationary	43	Allegany	Big Vein	(†)	(†)	230	(†)	(†)
Erich, E. J. (Erich Mining Co.).	3666	Cyclone Mine (S)	2	McKean	Clermont	(†)	(†)	210	(†)	(†)
Heckler, B. F. (The "B" Quality Coal Co.).	3709	"B" Quality #6	33	Somerset	B	(†)	(†)	245	(†)	(†)
King Coal Company	3704	King #1 Strip (S)	20	Clearfield	E	(†)	(†)	220	(†)	(†)
Kniseley Coal Company (Harvey Kniseley).	3635	Kniseley #2	5	Jefferson	E	(†)	(†)	215	(†)	(†)
Lomison, L. O.	3657	Mudy Run	9	Clinton	A	(†)	(†)	230	(†)	(†)
Matthews, John H.	685	Matthews #1	7	Clearfield	D	(†)	(†)	(*)	210	200
Matthews, John H.	3204	Matthews #2	7	Clearfield	E	(†)	(†)	(*)	210	200
Matthews, John H.	2886	Matthews #3	7	Clearfield	D	(†)	(†)	(*)	210	200
Matthews, John H.	2362	Matthews #4	7	Clearfield	D	(†)	(†)	(*)	210	200
Matthews, John H.	3627	Matthews #5 (D)	7	Clearfield	D	(†)	(†)	(*)	210	200
Matthews, John H.	3636	Matthews #5 (S)	7	Clearfield	D	(†)	(†)	(*)	210	200
Maurer, F. R.	3705	Carnwath #6 (S)	13	Clearfield	D	(†)	(†)	230	220	210
Maurer, F. R.	3706	Carnwath #7 (S)	13	Clearfield	E	(†)	(†)	230	210	200
May, C. M.	3616	C. M. May Coal Co.	40	Somerset	C'	(†)	(†)	210		
Poltis, John	3708	John Poltis #2	9	Centre	B	(†)	(†)	215	(†)	(†)
Raybould, Elizabeth (Mrs.) (Raybould Coal Company).	3710	Raybould #2	7	Clearfield	D	(†)	(†)	220	(†)	(†)
Raybould, Elizabeth (Mrs.) (Raybould Coal Company).	3711	Raybould #3	7	Clearfield	E	(†)	(†)	220	(†)	(†)
Romney Coal Co. (George H. Williams).	3707	Robert	44	Grant	E	(†)	(†)	225	(†)	(†)
Sawyer, Leroy	3658	Sawyer	18	Clearfield	D	(†)	(†)	220	(†)	(†)
Scitticait, Oscar	3688	Oscar #1	39	Bedford	Speer	(†)	(†)	240	(†)	(†)
Zelanko Brothers (M. A. Zelanko)	3571	Raven Run	39	Bedford	Speer	(†)	(†)	240	(†)	(†)

†Indicates no classification effective for these size groups.
*Indicates classifications and prices previously established for these size groups.

[F. R. Doc. 42–8916; Filed, September 9, 1942; 11:03 a. m.]

§ 321.24 *General prices*—Supplement T—Continued

[Docket Nos. A–1605 and A–1610]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER OF CONSOLIDATION, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

Original petitions, pursuant to section 4 II (d) of the Bituminous Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I and R–IV, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R–II, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R–III, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 3, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1374	Aylor, George	Snider #1	Redstone	Weston, W. Va.	B&O	31	F	F	F	F	F	H	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
422	Boggess, H. C.	Lucas (s)	Pittsburgh	Bingamon Jct., W. Va.	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1373	Cain, M. H. & Company (M. H. Cain)	Mt. Tabor (s)	Pittsburgh	Philippi, W. Va.	B&O	31	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
429	Calder Coal Sales Company, The	Calder #1 (s)	Bak	Kingwood, W. Va.	WVN	71	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)
1378	Clark Coal Co. (John A. Clark, Jr.)	Junior #7	Pittsburgh	Chiefton, W. Va.	WM	65	D	D	D	D	D	D	D	D	D	D	B	B	B	B	B	B
415	Floyd, C. D.	Martin #1 (s)	Pittsburgh	Philippi, W. Va.	B&O	31	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
423	Getty Coal Company	Eagle #3 (s)	Pittsburgh	Hepzibah, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
904	Hinkle Bros.	Arnold	Redstone	Buckhannon, W. Va.	B&O	31	F	F	F	F	F	H	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
424	Laurel Run Coal Company	Winchester #3	Pittsburgh	Bingamon Jct., W. Va.	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
416	Nicholas Coal Company (Nicholas Raschella).	Nicholas #1	M. V. Freeport	Tunnelton, W. Va.	WVN	71	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
417	Nicholas Coal Company (Nicholas Raschella).	Nicholas #2	M. V. Freeport	Tunnelton, W. Va.	WVN	71	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
1375	Prunty, E. W.	Prunty	Pittsburgh	Kingmont, W. Va.	B&O	50	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
425	Stevens & Son, O. W. (O. W. Stevens)	Shinn	Pittsburgh	Everson, W. Va.	B&O	61	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
428	Three Fork Coal Company	Cassity #1	Sewell	Cassity, W. Va.	M. F. (B&O)	34	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
426	Vincent, G. J. (Mt. Clare Fuel Company).	Ronay #1	Pittsburgh	Byron, W. Va.	B&O	60	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)
427	Vincent, G. J. (Mt. Clare Fuel Company).	Ronay #2 (s)	Pittsburgh	Byron, W. Va.	B&O	60	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications effective for these size groups.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–II. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule: Group No. 1, 415, 422, 423, 424, 425, 426, 427, 1373, 1375, 1378; Group No. 2, 904, 1374; Group No. 3, 416, 417; Group No. 5, 428; Group No. 6, 429.

§ 323.8 *Special prices*—(c) *Railroad fuel for movement via all lakes—all ports*—Supplement R–III. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule: Group No. 1, 415, 422, 423, 424, 425, 426, 427, 1373, 1375, 1378; Group No. 2, 904, 1374; Group No. 3, 416 417; Group No. 5, 428; Group No. 6, 429.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–IV

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
77	Brown Fuel Company	Henshaw	Pittsburgh	Henshaw Mine, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
356	Dudley, G. L., Jr	White Rose (s)	Pittsburgh	Viropa, W. Va	B&O	61	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
164	Laurel Run Coal Company	Winchester	Pittsburgh	Bingamon Jct., W. Va.	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1344	Snider, John A	Greathouse #1 (s)	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1357	Snider, John A	Greathouse #2 (s)	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for these size groups.

NOTE: The above prices are applicable *only* via the respective Freight Origin Groups, Shipping Points, and railroads shown for the respective mines. Shipping Points previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index name	Mine Index No.	Mine	Seam	County	Size groups 1	2	3	4	5	6	7
					Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size over 1¼"	Lump under 1¼" and egg 1¼" and under, bottom size	All cut and pea 2" and under	Run of mine, result-ant 2" and pea 2" and under	1¼", 2" and 2" slack	¾" slack
Aylor, George	1374	Snider #1	Redstone	Lewis	223	218	218	193	183	178	168
Boggess, H. C	422	Lucas (s)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Cain, M. H. & Company (M. H. Cain).	1373	Mt. Tabor (s)	Pittsburgh	Barbour	223	218	218	193	193	178	168
Calder Coal Sales Company, The.	429	Calder #1 (s)	Bak	Preston	235	235	235	210	210	200	190
Clark Coal Co. (John A. Clark, Jr.).	1378	Junior #7	Pittsburgh	Marion	223	218	218	193	193	178	168
Daugherty, O. F	414	Daugherty	Pittsburgh	Harrison	223	218	218	193	193	178	168
Floyd, C. D	415	Martin #1 (s)	Pittsburgh	Barbour	223	218	218	193	193	178	168
Getty Coal Company	423	Eagle #3 (s)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Hall & Stack (Harold Stack).	419	Ora Hall	Pittsburgh	Braxton	223	218	218	193	193	178	168
Laurel Run Coal Company.	424	Winchester #3	Pittsburgh	Harrison	223	218	218	193	193	178	168
Nicholas Coal Company (Nicholas Raschella).	416	Nicholas #1	M. V. Freeport.	Preston	225	225	225	200	200	190	180
Nicholas Coal Company (Nicholas Raschella).	417	Nicholas #2	M. V. Freeport.	Preston	225	225	225	200	200	190	180
Prunty, E. W	1375	Prunty	Pittsburgh	Marion	223	218	218	193	193	178	168
Shiflett, Kenzie B	418	Kenzie Shiflett	Sewell	Randolph	253	248	248	223	223	213	193
Smith, John A	420	Beech	Pittsburgh	Braxton	223	218	218	193	193	178	168
Stevens & Sons, O. W. (O. W. Stevens).	425	Shinn	Pittsburgh	Harrison	223	218	218	193	193	178	168
Three Fork Coal Company.	428	Cassity #4	Sewell	Randolph	253	248	248	223	223	213	193
Vincent, G. J. (Mt. Clare Fuel Company).	426	Ronay #1	Pittsburgh	Harrison	223	218	218	193	193	178	168
Vincent, G. J. (Mt. Clare Fuel Company).	427	Ronay #2(s)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Wilmouth, Roy	1377	Wilmouth	Redstone	Upshur	223	218	218	193	193	178	168

[F. R. Doc. 42–8918; Filed, September 9, 1942; 11:03 a. m.]

[Docket No. A–1527]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 14; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

Petitioner proposes a price classification and minimum prices for the coals of the Arnold Coal Company, Arnold Mine, in Size Group 20 for both rail and truck shipment, designating that mine as Mine Index No. 493. The records of the Division indicate that the correct mine index number for the Arnold Mine of the Arnold Coal Company is Mine Index No. 150. Accordingly, the Arnold Mine is identified as Mine Index No. 150 in the attached schedules marked Supplement R and Supplement T.

The original petition requests the establishment of certain price classifications and minimum prices for the coals of the No. 3 Mine of C. H. Harper & Sons in Production Group 8 in District No. 14. The records of the Division disclose, however, that the coals of that mine were previously classified and priced in Supplement No. 2 to Price Schedule No. 1 for District No. 14 For All Shipments Except Truck and in Supplement No. 2 to Price Schedule No. 1 for District No. 14 For Truck Shipments, under the name of the Elder Mine, Mine Index No. 194, of the Elder Coal Company (Lee Elder). The price classifications and minimum prices proposed by petitioner for the coals of the No. 3 Mine of C. H. Harper & Sons do not correspond in Size Groups 4, 6, 7, and 8 with those heretofore established for Mine Index No. 194 under the name of the Elder Mine. From the data contained in the original petition, it does not appear that petitioner was aware that the coals of the No. 3 Mine of C. H. Harper & Sons had been previously classified and priced for all shipments ex-

cept truck and for truck shipments. Further, no showing is made that petitioner seeks a revision in the price classifications and minimum prices in effect for the coals of Mine Index No. 194 in Size Groups 4, 6, 7, and 8, and no sufficient reason is advanced why such revisions should be made. Accordingly, no relief is granted herein for the coals of the No. 3 Mine, Mine Index No. 194, of C. H. Harper & Sons.

Petitioner proposes price classifications and minimum prices, for both rail and truck shipments, for the coals of the No. 7 Mine, Mine Index No. 134, of D. A. Henderson (Henderson Coal Company) produced by the machine cut method of mining. It appears that price classifications and minimum prices for the coals of Mine Index No. 134, produced by the machine cut method of mining, were originally established pursuant to General Docket No. 15. However, by the Order issued in Docket Nos. A–137, A–208 and A–251 such price classifications and minimum prices were deleted from the schedule and the coals of this mine were reclassified and priced on the basis of the solid shot method of mining. It now appears that the method of producing coal from Mine Index No. 134 is again to be changed and that, in compliance with Order No. 288, Henderson has advised the Division that the coals of that mine will henceforth be produced by the machine cut method of operation. Accordingly, the price classifications and minimum prices set forth in the attached schedules marked Supplement R and Supplement T apply only to the coals of Mine Index No. 134 when such coals are produced by the machine cut method of operation. Further, it appears that price classifications and minimum prices heretofore in effect for the coals of that mine, produced by the solid shot method of operation, should be eliminated from the minimum price schedules. Petitioner proposes no price classification and minimum price for the coals of Mine Index No. 134 of Henderson in Size Group 12. However, since price classifications and minimum prices for the coals in Size Group 12, produced from other mines presently operating in Production Group 7 in District No. 14, were permanently established by the Order issued in Docket Nos. A–137, A–208 and A–251 on March 28, 1942, 7 F.R. 2703, it is deemed advisable to make the same price classification and minimum prices applicable to the coals of Mine Index No. 134 in that size group. For this reason a price classification and minimum price for the coals of Mine Index No. 134 in Size Group 12 have been set forth in the attached schedules marked Supplement R and Supplement T.

The original petition requests the establishment of a price classification for the coals of the Myrtle R. Mine, Mine Index No. 446, of Myrtle Reginato, in Size Group 20. However, neither the original petition nor the records of this Division indicate that Reginato has shipped, or proposes to ship coals produced from the Myrtle R. Mine, by rail. In addition, the petition fails to set forth data showing the rail shipping point for this mine, the railroad upon which its coal would originate for rail shipment and other pertinent information necessary to the establishment of a price classification for rail shipments. Therefore, in the absence of such necessary information, no price classification is established for the coals of the Myrtle R. Mine, Mine Index No. 446, in Size Group 20, for shipment by rail.

For the No. 2 Mine of the Stewart Smokeless Coal Company, Mine Index No. 104, in Production Group 2, District No. 14, petitioner proposes price classifications and minimum prices in Size Groups 6, 7 and 8 which do not correspond with those in effect for comparable and analogous coals in the same size groups produced from other mines in Production Group 2 in District No. 14; petitioner's proposal is a classification of "L" for all shipments except truck, and a minimum price of $4.00 for truck shipments. Other mines in Production Group 2 producing similar coals, have an effective classification of "K" for Size Groups 6, 7 and 8 for all shipments except truck, and a minimum price of $4.05 per ton for truck shipments. Accordingly, since the original petition herein does not contain facts sufficient to warrant the differentiation in price classifications and minimum prices requested by petitioner, it is deemed advisable to temporarily establish a price classification of "K" for all shipments except truck and a minimum price of $4.05 per ton for truck shipments in the attached schedules marked Supplement R and Supplement T for the coals of Mine Index No. 104 in Size Groups 6, 7 and 8.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: August 31, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

| | | |

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	RR	Freight origin group No.	Price classification by size group																		
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Arnold Coal Co. (Harold Arnold).	150	Arnold	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
Carter, Booker (Booker Coal Company).	477	Booker	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
Coleman, S. N. (Coleman Coal Co.).	306	Coleman	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
Dawes Brothers Coal Co	164	Dawes Brothers No. 1	9	Howe, Okla	CRI&P-KCS	17			(*)									(*)	(*)	B				(*)		
Freeman & Co. (Elsie Freeman).	532	Freeman	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
Harriman, J. W	169	Harriman	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
Henderson, D. A. (Henderson Coal Company).	134	No. 7	7	Bokoshe, Okla	FTS&VB	12				E		F	F	F	F	G	F	L	D	B	B	B	A	K		
Johnson-Simpson Coal Co. (Archie Johnson).[1]	437	J & S	1	Spadra, Ark	MP	33																				
Ratliff & Pyburn Coal Co. (M. L. Ratliff).	301	Ratliff	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
Smith & Sargent (James H. Smith).	334	No. 1	4	Charleston, Ark	MP	14			(*)									(*)		(*)				(*)		A
South Town Coal Co. (Floyd Hallmark).	605	No. 2	1	Russellville, Ark	MP	33	A	A											C	A	A	A		A		
Stewart Smokeless Coal Company.	104	No. 2	2	Alix, Ark	MP	14			(*)	(*)		K	K	K				(*)		(*)	(*)	(*)		(*)		
Werner, Louis (Werner Coal Company).	600	Werner	2	Alix, Ark	MP	14			E											E				Q	A	

*Previously classified for these size groups.
[1] Correction in Production Group Number.

The above classifications are subject to the order granting temporary relief in Docket A-1360.

FOR TRUCK SHIPMENTS

§ 334.24 *General prices for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Subdistrict No.	County	Prices and size group numbers																			
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Arnold Coal Co. (Harold Arnold)	150	Arnold	4	Franklin, Ark			〃									〃		〃				〃		500
Carter, Booker (Booker Coal Company)	477	Booker	4	Franklin, Ark			〃									〃		〃				〃		500
Coleman, S. N. (Coleman Coal Co.)	306	Coleman	4	Franklin, Ark			〃									〃		〃				〃		500
Freeman & Co. (Elsie Freeman)	532	Freeman	4	Franklin, Ark			〃									〃		〃				〃		500
Harriman, J. W	169	Harriman	4	Franklin, Ark			〃									〃		〃				〃		
Henderson, D. A. (Henderson Coal Company)	134	No. 7	7	LeFlore, Okla				435		435	435	435	410	370	355	300	200	135	115	105	185	340		
Johnson-Simpson Coal Co. (Archie Johnson) [1]	437	J & S	1	Johnson, Ark																				500
Ratliff & Pyburn Coal Co. (M. L. Ratliff)	301	Ratliff	4	Franklin, Ark			〃									〃		〃				〃		500
Reginato, Myrtle (Myrtle R. Coal Co.)	446	Myrtle R	4	Franklin, Ark			〃									〃		〃				〃		500
Smith & Sargent (James H. Smith)	334	No. 1	4	Franklin, Ark			〃									〃	250	200	200	200		〃		
South Town Coal Co. (Floyd Hallmark)	605	No. 2	1	Pope, Ark	450	425	〃	(*)		405	405	405				〃		〃	(*)	(*)				
Stewart Smokeless Coal Company	101	No. 2	2	Franklin, Ark			〃	(*)		405	405	405				〃		〃				〃		
Werner, Louis (Werner Coal Company)	600	Werner	2	Johnson, Ark			355											135				270	165	

*Previously priced for these size groups.
[1] Correction in Production Group Number.

The above prices are subject to the order granting temporary relief in Docket A-1360.

[F. R. Doc. 42-8917; Filed, September 9, 1942; 11:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

PART 622—REGISTRATION

[Amendment No. 1]

TERMINATION OF REGISTRATION CERTIFICATES

By authority vested in me by the Selective Training and Service Act of 1940, as amended (54 Stat. 885; 50 U.S.C., Supp. II, 308), and Executive Order No. 8545, 5 F.R. 3779, and pursuant to the Selective Service Regulations, Section 622.71 is hereby amended to read as follows:

1. Amend § 622.71 to read as follows:

§ 622.71 *Termination of registration certificates under certain circumstances.* Whenever the Director of Selective Service finds that a local board, or a member thereof, or a group of local boards, or a group of members thereof, is supporting or opposing the war effort of any person, group or interest, he shall immediately terminate the right to consider any classification of any registrant of such local board or boards.

2. The foregoing amendment of the Selective Service Regulations shall be effective immediately. A copy thereof will be filed with the Division of the Register.

SEPTEMBER 9, 1942.

[F. R. Doc. 42-8918; Filed, September 9, 1942; 11:03 a. m.]

I, Lewis B. Hershey, Director of Selective Service, by virtue of the provisions of section 5 (a) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to the Executive Order of the President No. 8675 dated January 11, 1941, hereby designate the Director of the Civilian Public Service camp, located at Glacier National Park, Montana, as the place for the registration of national defense conscientious objectors assigned to Civilian Public Service camps.

The work of registration shall be performed by the Director of the camp in lieu of the local boards and the military service of registrants assigned to Civilian Public Service camps shall be Class IV-E.

The Director of the camp shall perform the duties of a local board and both combatant and noncombatant military service of registrants assigned to Civilian Public Service camps shall be Class IV-E. The Director of the camp in lieu of the local boards shall perform the duties of a local board and noncombatant military service of registrants assigned to Civilian Public Service camps shall be Class IV-E.

The work of registration shall be performed by the Director of the camp in lieu of the local boards and the military service of registrants assigned to Civilian Public Service camps shall be Class IV-E.

No. 178——2

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 622—CLASSIFICATION

[Amendment No. 77, 2d Ed.]

TERMINATION OF DEFERMENT UNDER CERTAIN CIRCUMSTANCES

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 622.71 to read as follows:

§ 622.71 *Termination of deferment under certain circumstances.* Whenever the Director of Selective Service advises a local board that a deferred registrant or a group of deferred registrants is not supporting or is adversely affecting the war effort or the national health, safety, or interest, the local board shall immediately terminate the deferment of and consider anew the classification of such registrant or registrants.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 9, 1942.

[F. R. Doc. 42–8934; Filed, September 9, 1942; 3:35 p. m.]

[Order No. 55]

BELTON PROJECT

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Belton Project to be work of national importance, to be known as Civilian Public Service Camp No. 55. Said camp, located at Belton, Flathead County, Montana, will be the base of operations for park and forestry work in Glacier National Park, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 55 will consist of the construction, improvement and maintenance of park, parkway and recreational facilities, including roads, trails, utilities and park structures, and the restoration, conservation and protection of natural resources by reforestation, erosion control, fire suppression and presuppression, and shall be under the technical direction of the National Park Service of the Department of the Interior insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 7, 1942.

[F. R. Doc. 42-8935; Filed, September 9, 1942; 3:35 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXIV]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, ETC.

Subparagraph (1) of paragraph (a) of § 802.13, *Ship and plane stores, supplies and equipment,*[1] is hereby amended to read as follows:

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) * * *

(1) When exportation is made on freight or passenger vessels operating under the control of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802. 2(a), or on foreign vessels owned by or chartered to the United States Maritime Commission or the War Shipping Administration, these general licenses authorize the exportation of bunker fuel, ordinary ship stores, sea stores, and supplies for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled, and also of equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951).

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

AUGUST 28, 1942.

[F. R. Doc. 42–8957; Filed September 10, 1942; 11:09 a. m.]

[Amendment No. XXXV]

PART 802—GENERAL LICENSES

RE-EXPORTATION OF MACHINERY OR PARTS

Section 801.15 *Re-exportation of machinery, equipment or parts*[1] is hereby amended to read as follows:

§ 802.15 *Re-exportation of machinery, equipment or parts.* A general license is hereby issued permitting re-exportation to Mexico of:

(a) Machinery or parts of machinery, owned and operated in Mexico, and shipped into the United States for repair purposes;

(b) Replacement parts which are added to such machinery while in the United States; and

(c) Rebuilt parts which are substituted or exchanged for parts of machinery, owned and operated in Mexico, and shipped into the United States for repair purposes.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951).

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

SEPTEMBER 2, 1942.

[F. R. Doc. 42–8956; Filed, September 10, 1942; 11:09 a. m.]

[Amendment No. XXXVI]

PART 802—GENERAL LICENSES

INTRANSIT LICENSES

Section 802.9 *General intransit licenses*[2] is hereby amended in the following particulars:

1. Subparagraph (1) of paragraph (b) is amended by adding to the table set forth at the end thereof the following:

	Gen. lic. designations
From British Empire to Unoccupied China	GIT–A/UC

2. Paragraph (d) is amended to read as follows:

(d) Intransit shipments of commodities hereafter listed in this paragraph require individual export licenses ex-

[1] 7 F.R. 5007, 5745, 6256.

[1] 7 F.R. 5081.

[2] 7 F.R. 5004, 5509, 5745.

The above prices are subject to the order granting temporary relief in Docket A-1360.
[F. R. Doc. 42–8917; Filed, September 9, 1942; 11:03 a. m.]

Commodity—Continued	Department of Commerce Schedule B or F No.
Homatropine	8127.93, 8180.03
Horse mane and tail hair	3693.5
Hyoscine (Scopolamine)	8127.96, 8180.19
Hyoscyamus (Henbane)	8124.13, 8127.94, 8180.18
Istle or tampico fiber	3405–F
Jewel bearings	5990.98
Jute, fiber, yarn, cordage, twine and empty bags	3224, 3211, 3499.20, 3220.05
Kapok, fiber	3403–F
Kyanite and sillimanite	5960.98
Lead	6645.35, 6507
Leather, sole and belting, except offal	0324, 0330
Lenses for precision instruments	9147, 9149.99
Magnesium metal	6636, 6601.05
Manila fibers, hep and cordage	3414, 3499.30
Mercury metal (Virgin, redistilled, or old)	6635
Mesothorium	8398.91
Mica	5510, 5513–F
Molybdenum, metal, salts and compounds	6649.45, 6636, 6691.05
Muru nuts and kernels	1379
Neat's foot oil	0803
Nickel metal, salts and compounds	6545.09, 6545.01
Nutgall	2209.98
Nux vomica	2209.15
Oiticica oil	2249.05
Optical glass, except ophthalmic	5280.05
Ouricury (uricury) oil, kernels and nuts	1379, 2249.98
Palm oil, kernels, nuts, and kernel oil	2249.25, 1449.03, 2220.20
Peanut (ground nut) oil	2249.03, 1431
Perilla seed & oil	2220.20, 2249.05
Plasmochin	8135.98
Platinum group metals, salts and compounds	6920, 6922.05, 6922.09
Pyrethrum	2209.19
Pyallium seeds	2208–F
Quartz crystals	5120–F, 5960.01, 5960.02, 5960.03, 5960.06, 5960.08
Quinine	6127.5
Radium	8397.75, 8135.15
Rapeseed & rapeseed oil	2220.20, 2249.05, 1449.04
Rennet	0099
Resins, natural	2180, 2185, 2125, 2189.05, 2189.95
Rubber, rubber seed and seed oil	2011 to 2099.98, inclusive
Rutile	2220.98, 2249.98, 6645.70
Seed lac	2189.05
Sesame seed	2234
Shark oil and shark-liver oil	8119.05
Shearlings, sheep	0250.98
Shellac	2185, 2189.05
Sisal	3419.09, 3401–F, 3499.09
Silk	3702–F, 3710, 3711, 3720.98, 3720.01, 3730.05, 3798.01
Sitka spruce	4019.05
Sodium nitrate	8509.19
Sperm oil, crude & refined	0809.05
Spices (include pepper, nutmeg, cloves, cassia, etc.)	1526, 1533, 1535, 1539, 1542, 1545, 1549
Strontium, metal, salts and compounds	8397.81, 8397.82, 8397.83, 8397.84, 8397.85, 8397.86, 8397.87

except when proceeding under General Import Licenses GIT–A/A or GIT–Y/Z, as set forth in paragraph (b) of this section, or when proceeding under bond from Mexico through the United States to another part of Mexico:

Commodity	Department of Commerce Schedule B or F No.
Aircraft parts, equipment and accessories other than those listed in the President's Proclamation of April 9, 1942	2209.27
Aconite	8135.98
Agar	6290, 6294, 6300, 6301, 6302, 6305, 6296
Aluminum	8365.17
Ammonium nitrate	6600–F, 6649.01, 6645.01
Antimony	5451.05
Asbestos	8135.01 to 8135.10 inclusive
Atropine	1379
Babassu nuts and kernels	0051, 0052
Beef and mutton tallow—includes oleo stock	0857
Beef and mutton tallow (inedible) includes oleo stock	2209.01
Belladonna	6649.05, 6645.05, 8396.20
Beryllium, metal, salts and compounds	0999.98
Bristles	8135.11
Caffein	6649.15, 6645.15
Cadmium	1379, 1449.98
Cashew nuts, kernels, nut oil and nut shell oil	2249.01, 2220.01
Castor beans and oil	6620–F, 6649.18, 6645.18
Cerium, metal, salts and compounds	6645.20, 6649.20
Chromium, metal, salts and compounds	2209.03, 2207–F
Cinchona bark or other bark from which quinine may be extracted	6649.25, 6645.25
Cobalt, metal, salts and compounds	1420, 2230
Coconut oil	8119.05
Cod-liver oil	0819
Cod oil	1379
Cohune nuts and kernels	1645.30, 6649.30
Columbium metals, salts and compounds	2220.30
Copra	6401, 6412, 6413
Copper, metal	4309
Cork	5419, 5409.90, 6294, 6645.98
Corundum	3004
Cotton linters, munitions or chemical grades only (grades 3–6 according to Department of Agriculture Classification)	2231, 1425
Cottonseed oil, crude & refined	5960.10, 5960.15
Cryolite	2209.05
Cube (timbo or barbasco) root	2209.07
Derris root and tuba or tube root	5409.10, 5991–F, 7485.12, 5990.05
Diamonds, industrial, include tools incorporating industrial diamonds	2209.09
Digitalis seeds and compounds	2209.98
Ergot	6213.03
Ferromanganese	3399.01
Flax	2220.03
Flaxseed (linseed)	6178.90
Gauges, precision	8314
Glycerine, crude and refined	5472.01, 5472.03, 5472.98
Graphite or plumbago, crystalline flake, crystalline lump, chip, or dust, except of Mexican origin	2220.20
Hemp and Hempseed	0201, 0206, 0207, 0230, 0250.03, 0250.05, 0250.10, 0250.98
Hides and skins	

Commodity—Continued	Department of Commerce Schedule B or F No.
Strychnine	8135.17
Sunflower seeds and oil (edible and denatured)	2220.20, 2249.98
Tannic acid	8303.98
Tantalum, metal, salts and compounds	6645.60, 6649.60
Tea	1521
Teakwood	4005–F, 4195–F
Technical Data	
Theobromine	8135.18
Theophylline	8135.19
Titanium, metal, salts and compounds	6649.70, 6645.70
Tin, metal, salts and compounds	6565.01, 6565.02, 6565.03, 6565.07, 6565.08
Toluol	8011
Tools incorporating industrial diamonds	6178.91, 5409.05, 7455.03, 6155.05, 6156.05
Tucun nuts and kernels	1379
Tung oil	2249.10
Tungsten, metal, salts and compounds	6645.80, 6639
Uranium	6645.85, 6649.85
Vanadium, metal, salts and compounds	6649.90, 6637
Wool, unmfgd. and semi-mfgd	3511–F, 3523–F, 3529–F, 3626, 3628, 3633, 3609, 3622, 3649–F, 3623–F
Wool grease	0858.05, 0858.98
Whale oil	0809.05
Zinc, metal	6570, 6571
Zirconium, metal, salts and compounds	6645.95, 6649.95

This amendment shall become effective September 15, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

SEPTEMBER 3, 1942.

[F. R. Doc. 42–8955; Filed, September 10, 1942; 11:09 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 905—SPECIFICATIONS

[Directive 8]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS

Pursuant to the authority vested in me by Executive Orders No. 9024 of January 16, 1942,[1] No. 9040 of January 24, 1942[2] and No. 9125 of April 7, 1942,[3] and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work," dated April 1, 1942, as revised June 29, 1942, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction.

§ 905.1 *National emergency specifications for the design, fabrication and erection of structural steel for buildings—Adoption of specifications.* (a) National emergency specifications for the design, fabrication and erection of structural steel for buildings issued by the War Production Board September 10, 1942, shall apply to and shall govern the designing, fabrication and erection of structural steel for all buildings which are constructed by, or the construction of which is financed by, or the construction of which must be approved by any of such departments or agencies, the contracts for which are placed after a date sixty days after the issuance of this directive. Such departments or agencies, however, are empowered to put this directive into immediate effect wherever possible.

(b) With respect to any such contracts already placed by any of said departments or agencies or entered into prior to a date sixty days after the issuance of this directive, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in any substantial delay in the war effort.

(c) The agency undertaking or approving the construction shall obtain from the person in responsible charge of the design of each such building a certificate to the effect that said specifications have been complied with, and that the building has been designed to secure the greatest savings of steel practical through continuity in design and through welded fabrication. In cases where Forms PD–200 and PD–200A must be filed with the War Production Board in order to obtain authorization to begin construction of such building, such certificate shall be filed with said forms.

(d) Authority to depart from the provisions of this directive may, upon specific request, be granted by the Director General for Operations of the War Production Board, or by such person or persons as he may designate for this purpose.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

D. M. NELSON,
Chairman.

[F. R. Doc. 42–8969; Filed, September 10, 1942; 11:58 a. m.]

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–95]

HERBERT S. KOHLBUSH

Herbert S. Kohlbush is the lessee and operator of an oil well known as Kohlbush No. 10 at Huntington Beach, California. Subsequent to December 23, 1941, and at a time when he was fully aware of the restrictions contained in Conservation Order M–68,[1] Kohlbush used material in the drilling of this oil well although such well does not conform to a uniform well-spacing pattern of not more than one single well to each 40 surface acres and was "spudded" subsequent to December 23, 1941. Kohlbush's use of material in the drilling of this well constituted a wilful violation of Conservation Order M–68 which has impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.95 *Suspension Order S–95.* (a) Herbert S. Kohlbush, his successors and assigns, shall not produce any oil from the well known as Kohlbush No. 10, located at Huntington Beach, California, for a total of 60 days during the 90-day period immediately succeeding the effective date of this order.

(b) Beginning 90 days after the effective date of this order, Herbert S. Kohlbush, his successors and assigns, shall not operate the well known as Kohlbush No. 10, located at Huntington Beach, California, except in accordance with conditions prescribed by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Herbert S. Kohlbush from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect September 14, 1942, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

[1] 7 F.R. 329.
[2] 7 F.R. 527.
[3] 7 F.R. 2719.

[1] 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 1089, 3806, 4760.

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8932; Filed, September 9, 1942; 1:26 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-96]

CHESTER F. DOLLEY

Chester F. Dolley is the lessee and operator of an oil well known as Girten Well No. 1, located at Torrance, California. Subsequent to December 23, 1941, and at a time when he was fully aware of the restrictions contained in Conservation Order M-68,[1] Dolley used material in the drilling of this oil well although such well does not conform to a uniform well-spacing pattern of not more than one single well to each 40 surface acres and was "spudded" subsequent to December 23, 1941. Dolley's use of material in the drilling of this well constituted a wilful violation of Conservation Order M-68 which has impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.96 *Suspension Order S-96.* (a) Chester F. Dolley, his successors and assigns, shall not produce any oil from the well known as Girten Well No. 1, located at Torrance, California, for a total of 60 days during the 90-day period immediately succeeding the effective date of this order.

(b) Beginning 90 days after the effective date of this order, Chester F. Dolley, his successors and assigns, shall not operate the well known as Girten Well No. 1, located at Torrance, California, except in accordance with conditions prescribed by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Chester F. Dolley from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect September 14, 1942, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8931; Filed, Septmeber 9, 1942; 1:26 p. m.]

[1] 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 1089, 3806, 4760.

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[Amendment 2 to General Preference Order E-1-b]

DISTRIBUTION AMONG SERVICE PURCHASERS

General Preference Order E-1-b (§ 977.2)[1] is hereby further amended by changing paragraphs (e) (1), (e) (5), and (h) (1) thereof so as to read as follows:

§ 997.2 *General Preference Order E-1-b.* • • •

(e) *Distribution of 75 per cent of production among Service purchasers.* (1) Service purchasers are hereby subdivided into seven groups consisting of the following, and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, and their respective prime contractors and subcontractors.

• • • • • •

(5) If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships (Navy) group equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from the Bureau of Ordnance (Navy) group for the balance of the Bureau of Ships (Navy) group quota of that size and type for delivery during that month. Similarly, if the producer does not have orders on hand from the Bureau of Ordnance (Navy) group equal to its quota, he shall schedule purchase orders received from the Bureau of Ships (Navy) group for the balance of the Bureau of Ordnance (Navy) group's quota.

If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships group plus the Bureau of Ordnance group equal to their combined quotas of a size of a given type of tool for that month, or if he does not have on hand on such date rated purchase orders from any other single group of Service purchasers equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from members of other groups of Service purchasers for that size and type for delivery during that month. Where members of two or more other groups have placed purchase orders aggregating more than such unordered balance of the combined quotas of the Bureau of Ships and Bureau of Ordnance, or of any other single group's quota, the producer must first schedule the purchase orders of those purchasers who are members of the group having the greatest ratio of:

(i) Unfilled purchase orders, specifying required delivery dates in said month of delivery and in preceding months, but not scheduled for delivery in said months to;

(ii) The number of tools to which said group is entitled under its quota,

until that ratio has been reduced to or below the ratio of another group or groups, after which the producer shall schedule the purchase orders of members of the group or groups which then have the greatest ratio, and shall continue to schedule in this manner until the unordered balance has been entirely distributed. Where several groups have the same ratio, and there are not sufficient undistributed tools to schedule one for each group, preference shall be given to the groups having the lower percentage quotas.

(h) *Necessity for preference ratings.* (1) Except in the case of purchase orders of foreign purchasers, no purchase order for any machine tool shall be given priority standing in production schedules, or shall be sold or delivered, unless a preference rating of A-10 or higher has been assigned thereto by a Preference Rating Certificate PD-1A, by a Preference Rating Certificate PD-3A, by a preference rating certificate in the PD-408 series, or by Preference Rating Order No. P-19-h. Delivery of the preference rating certificate itself to the producer is not required, but each purchase order must contain the proper endorsement thereon prescribed by Priorities Regulation No. 3, as amended from time to time. In addition, there must be included in this endorsement or set forth on the purchase order in a separaate endorsement:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the tool;

(iii) A statement as to whether the purchaser is a "Service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of Service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, and the name of the prime contractors;

(v) In the case of foreign purchasers, the foreign country for which the tool is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the tool is to be used.

If the endorsement on any purchase order of a Service purchaser received after the effective date of this order does not specify the urgency standing of such purchaser, and the name of such purchaser does not appear with an urgency standing on the list, hereinafter described, then such purchase order shall be treated as one without any urgency standing.

The foregoing amendment of paragraphs (e) (1) and (e) (5) shall not affect deliveries of machine tools which have been scheduled for the months of September and October 1942, pursuant to General Preference Order No. E-1-b, as originally issued, but shall affect deliveries in November 1942 and subsequent months.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8938; Filed, September 9, 1942; 4:41 p. m.]

[1] 7 F.R. 3231, 3660, 4615, 5903, 6212, 6383.

PART 1171—ELEVATORS

[Amendment 2 to General Conservation Order L-89]

Paragraph (d) of § 1171.1 *General Conservation Order L-89*[1] is amended to read as follows:

(d) *Restrictions on use of materials.* No non-ferrous metals, or stainless or alloy steel may be used in the construction of the car enclosure, hoistway doors, car or landing thresholds, face plates of operating or signal fixtures, or for other than functional parts of the lighting fixtures. No cork or cork products, except cork tile, and no rubber tile (reclaimed or otherwise) may be installed on the platform, or as a wainscot in the elevator car.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8968; Filed, September 10, 1942; 11:54 a. m.]

PART 3063—FOOTWEAR

[Conservation Order M-217]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3063.1 *Conservation Order M-217—*(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

[1] 7 F.R. 5272, 5940.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) After October 31, 1942, no person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of size 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes.

(v) Woven leather vamps or quarters.

(vi) Quarter collars, except on unlined shoes and padded sole house slippers with cloth uppers.

(vii) Leather bows, except those made out of pieces of scrap too small in area to obtain therefrom a vamp or quarter.

(viii) Outside taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one piece uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension heel seats, except in stitchdown and prewelt shoes.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197[1]) for any decorative or any non-functional purpose.

(2) After September 10, 1942, no person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge-- .045 minimum, 50 carbon steel.
21 gauge-- .032 minimum, 50 carbon steel.
19 gauge-- .040 minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) After October 31, 1942, no person shall manufacture, or put into process any leather or fabric for the manufacture of, leather boots of any kind except blucher high cut laced boots or cowboy utility boots.

(4) After September 12, 1942, no person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dying fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles.

(5) After October 15, 1942, no person shall use in the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however,* That nothing herein contained shall prevent any person from using any leather finished prior to October 16, 1942, or fabric dyed prior to September 13, 1942, if he furnishes the Director General for Operations with a certificate reading as follows:

We have used in the manufacture of footwear (*description of leather or fabric and quantity used*).

This leather (or fabric) was finished (or dyed) prior to October 16, 1942 (or September 13, 1942).

(d) *Restriction on styling.* After September 10, 1942, no person shall manufacture or put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940, and September 10, 1942, except footwear made with dies and lasts on order prior to September 10, 1942: *Provided, however,* That changes of design and construction are authorized to the extent necessary to remove tips, foxings, quarter collars, bows, excessively broad welting, metal nail heads, decorative metal, straps, buckles, pockets, decorative stitching, overlay tips, overlay foxings, steel shanks, full breasted heels, additional colors or excessively broad seam laps in order to conform to paragraph (c) above or to modify sole construction as required by said paragraph.

The Director General for Operations may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

[1] F.R. 5644, 6961.

(e) *Exceptions to paragraphs* (c) *and* (d) *above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or soundproofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(f) *Restrictions on tanning of upper leather and on dyeing fabrics for footwear.* (1) After October 15, 1942, no person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black.
White.
Turftan, Army russet, and town brown, as appearing on the fall 1942 color card of the Textile Color Card Association of the United States, Inc.
Bluejacket blue, as appearing on the spring 1942 color card of the Textile Color Card Association of the United States, Inc.

(2) After September 12, 1942, no person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers, or the tanning or finishing of leather for formal evening slippers in gold or silver.

(g) *General exceptions.* The prohibitions and restrictions of this order shall not apply to footwear to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the War Shipping Administration; or to, or for the account of, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or on any contract or purchase order placed by any agency of the United States Government for footwear to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear, the leather or fabric for which was put into process on or after October 31, 1942, unless such footwear is manufactured in conformity with this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between former customers who meet such person's regularly established prices, terms and credit requirements, or between former customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of shoe manufacturing material conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, by letter or telegram, Reference M-217, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(k) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-217.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8967; Filed, September 10, 1942; 11:54 a. m.]

PART 3085—IMPORTED LONG STAPLE RAW COTTON

[General Conservation Order M-236]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of imported long staple raw cotton for use in the manufacture of fabrics and thread and other items for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3085.1 *General Conservation Order M-236*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definition.* For the purposes of this order "imported long staple raw cotton" means any imported raw cotton with staple length of from 1 1/8" to 1 21/32", inclusive, whether imported before or after the effective date of this order.

(c) *Restrictions on entry and withdrawal of imported long staple raw cotton.* No person shall, after September 19, 1942, enter through the United States Bureau of Customs for consumption, or withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse), any imported long staple raw cotton unless and until the entry or withdrawal shall have been authorized by the Director General for Operations on Form PD-644, notwithstanding any preference rating certificate or other authorization held by the person desiring to import the said imported long staple raw cotton. A copy of the authorization on Form PD-644 must be filed with the entry or withdrawal and no imported long staple raw cotton shall be entered or withdrawn in excess of the amount authorized in the approval of the application.

(d) *Applications for authorization for entry and withdrawal from customs.* All applications for authorizations for the entry for consumption or for the withdrawal from the bonded custody of the United States Bureau of Customs for consumption shall be made in triplicate on Form PD-644. They should be signed by the manufacturing concern desiring to use the imported long staple raw cotton. Applications may be filed by the manufacturing concern or by any person designated on the application as authorized to arrange for the entry or withdrawal of the imported long staple raw cotton on behalf of the manufacturing concern.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of imported long staple raw cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-236, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall, unless otherwise directed, be in writing and be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M-236.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8966; Filed, September 10, 1942; 11:54 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 1 to Maximum Price Regulation 149 [1]]

MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (e) is added to § 1315.21 and a new § 1315.33a is added, as set forth below.

§ 1315.21 *Maximum manufacturers' prices for mechanical rubber goods.* * * *

(e) (1) Anything in this § 1315.21 to the contrary notwithstanding, any manufacturer of covered rubber thread may contract with the Defense Supplies Corporation that if his maximum price for covered rubber thread is changed to an adjusted maximum price pursuant to the provisions of subparagraph (2) of this paragraph, his selling price for covered rubber thread will be changed to such adjusted maximum price.

(2) Any manufacturer of covered rubber thread who believes that the maximum price for covered rubber thread established by this Maximum Price Regulation No. 149 impedes or threatens to impede the flow of that commodity to Defense Supplies Corporation may within thirty days after he contracts to sell covered rubber thread to the Defense Supplies Corporation petition for an adjustment of the maximum price established for that sale by this Maximum Price Regulation No. 149. Such petition shall be filed in the form and manner, and shall be acted upon, as set forth in §§ 1300.402 to 1300.404 inclusive, §§ 1300.407 and 1300.412 of Procedural Regulation No. 6 [2] issued by the Office of Price Administration, except that the manufacturer shall file actual costs of production of the covered rubber thread in question, or, if actual cost data are not available, an estimate of the costs of producing the covered rubber thread in question may be filed.

§ 1315.33a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.21 (e); 1315.33a) to Maximum Price Regulation No. 149 shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8945; Filed, September 9, 1942; 4:58 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3998.
[2] 7 F.R. 5087.

PART 1341—CANNED AND PRESERVED FOODS

[Correction to Maximum Price Regulation 212 [1]]

FROZEN FRUITS, BERRIES, AND VEGETABLES AT WHOLESALE AND RETAIL

Section 1341.253 (a) (2) is corrected by striking out the word "dozen" and substituting the word "package."

§ 1341.269 *Effective dates of amendments.* (a) Correction (§ 1341.253 (a) (2) to Maximum Price Regulation No. 212 shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8943; Filed, September 9, 1942; 4:56 p. m.]

PART 1372—SEASONAL COMMODITIES

[Amendment 2 to Maximum Price Regulation 210 [2]]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1372.101 (c), and that portion of § 1372.106 (a) preceding subparagraph (1), are amended to read as set forth below:

§ 1372.101 *Applicability of this Maximum Price Regulation No. 210.* * * *

(c) *Purpose of this regulation.* This regulation establishes maximum prices for the particular fall and winter seasonal commodities which are listed in Appendix A (§ 1372.112). On and after August 31, 1942, regardless of any contract or other obligation, no person is permitted to sell any of the listed commodities, at wholesale or at retail, at a price higher than the maximum price permitted by this regulation. However, this regulation permits any person who determined the maximum price of a listed commodity under the General Maximum Price Regulation and offered it for sale at that price before August 31, to sell it prior to September 16, 1942, either at that price or at a price determined under this regulation. No person is permitted to buy or receive any of these commodities in the course of trade or business at prices higher than the maximum price.

* * * * *

§ 1372.106 *Relation between Maximum Price Regulation No. 210 and the General Maximum Price Regulation.* (a) Maximum prices which were determined before August 31, 1942, will not apply to fall and winter seasonal commodities listed in Appendix A when sold or deliv-

[1] 7 F.R. 6831.
[2] 7 F.R. 6789.

ered at wholesale or at retail on or after September 16, 1942. Prior to September 16, any person who determined the maximum price for any listed commodity under the General Maximum Price Regulation, and offered it for sale at that price before August 31, 1942, may sell it either at that price or at a price determined under this regulation.

The following sections of the General Maximum Price Regulation are made a part of this regulation, and the seller must comply with them:

* * * * *

§ 1372.111a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§1372.101 (c) and 1372.106 (a)) is effective as of August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8944; Filed, September 9, 1942; 4:58 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Amendment 4 to Revised Price Schedule 102 [1]]

HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1380.51 and 1380.55 are hereby amended to read as follows, and four new paragraphs (f) (g) (h) and (i) are added to § 1380.58.

§ 1380.51 *Maximum prices for household mechanical refrigerators.* On and after September 9, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no manufacturer shall sell, offer to sell, deliver, or transfer any model of household mechanical refrigerator at a price higher than the maximum price, which is the base price plus such additions thereto as are specified in paragraph (d) below.

(a) *Base price of manufacturer's brand household mechanical refrigerators.* (1) In the case of all manufacturers who have had price lists on 1942 models approved by the Office of Price Administration, the base price, exclusive of federal excise tax, for any model of household mechanical refrigerator sold under the manufacturer's brand during the two-month period ended February 2, 1942, shall be the net price quoted to the same general class of purchasers for such model in the manufacturer's price list in effect on February 2, 1942.

(2) In the case of all other manufacturers, the base price, exclusive of federal excise tax, for any model manufactured for sale under the manufacturer's brand during the two-month period ended February 2, 1942, shall be the net price quoted to the same general class of purchaser for the most comparable model in the most recent 1941 price list, until a new price list has been approved by the Office of Price Administration.

(b) *Base price of private brand household mechanical refrigerator.* The base price, exclusive of federal excise tax, for any model of household mechanical refrigerator sold under a brand other than the manufacturer's brand during the two-month period ended February 2, 1942, shall be the highest price, exclusive of federal excise tax, specified for such model in a contract with a purchaser of the same general class in effect on February 2, 1942.

(c) *Base price of new models.* The base price for any 1942 model not manufactured or offered for sale before February 2, 1942, and for any other model not offered for sale by the manufacturer in the two-month period ended February 2, 1942, shall be the price approved in writing by the Office of Price Administration after the submission to it of a report in accordance with § 1380.54 (c), and no sale, offer to sell, delivery or transfer of such model shall be made until such approval shall have been given.

(d) *Additions which may be made to the base price in determining the maximum price.* The maximum price for the sale by a manufacturer of any model of household mechanical refrigerator shall not exceed the sum of the following items:

(1) The base price as set forth in paragraphs (a), (b) or (c) of this section, less any amount charged on account of cooperative advertising.

(2) (i) If the sale is to a wholesale consumer or to a distributor or dealer purchasing the refrigerator for resale to a wholesale consumer, an amount equal to 1% of the manufacturer's price f. o. b. the manufacturer's plant for each month or fraction thereof that elapsed between February 14, 1942, or the date on which the refrigerator was ready for delivery by the manufacturer, whichever is later, and September 13, 1942.

(ii) If the sale is to a distributor or to a dealer purchasing the refrigerator for eventual resale to an ultimate consumer, an amount equal to four-fifths of the amount which may be charged under subparagraph 2 (i) of this § 1380.51 (d).

(iii) If the sale is to an ultimate consumer, no amount may be added under this subparagraph (2) of § 1380.51 (d).

(iv) The amount which may be added for any portion of the inventory held by the manufacturer for the period between February 14, 1942, and September 13, 1942, may, at the option of the manufacturer, be calculated as follows: The total number of days that all refrigerators involved in the calculation have been ready for delivery up to September 13, 1942, shall be divided by the total number of refrigerators involved in the calculation. The resulting average of days during which the refrigerators involved have been ready for delivery up to September 13, 1942, may be assessed at the rate specified in subparagraphs 2 (i) and 2 (ii) of this § 1380.51 (d) for each month or fraction thereof against each refrigerator.

(3) The federal excise tax, unless the manufacturer is not obliged to pay the tax.

(4) The amount paid or to be paid by the manufacturer (i) on account of transportation of the refrigerator from manufacturer's point of shipment to destination, except any amount already included in the base price on that account, (ii) on account of uncrating, installation, and inspection of the refrigerator, (iii) on account of the one-year service contract, if that service is requested by the purchaser, but the amount to be added on such account shall in no event exceed $4.50.

(5) If the number of refrigerators to be delivered by the manufacturer to the purchaser requires a less than carload shipment, an amount equal to 2% of the base price of the refrigerator.

(6) If the refrigerator is sold to an agency of the United States which does not require the warranty customarily afforded by the manufacturer, the maximum price shall be reduced by the amount charged for the warranty by the manufacturer on February 2, 1942.

* * * * *

§ 1380.55 *Records and information to buyers.* (a) Every manufacturer making sales of household mechanical refrigerators on or after February 9, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale showing the date of billing, the name and address of the buyer, the name, number or other designation and the price received for each household mechanical refrigerator, the quantity of each household mechanical refrigerator sold, and discounts and allowance of any nature given.

(b) Every manufacturer who makes a charge to a dealer upon the sale of a household mechanical refrigerator on account of the amount which may be added pursuant to the provisions of § 1380.51 (d) (2) (ii) shall separately indicate the amount so charged on the invoice or bill of sale, together with a statement in the following form, and showing the proper amount in the blank:

The warehousing charge shown on this invoice ($_____) is added to the price charged with the permission of the Office of Price Administration contained in § 1380.51 (d) (2) (ii) of Revised Price Schedule 102. This amount represents your proportionate share of the increased warehousing costs which have been accrued because of the War Production Board action freezing new refrigerator stocks. We have already absorbed our proportion of the extra warehousing costs. Maximum Price Regulation No. 110 which establishes your ceiling for the retail sale of this refrigerator does not allow you to add this increased cost to the ceiling price.

* * * * *

§ 1380.58 *Definitions.* When used in Price Schedule No. 102, the terms:

* * * * *

(f) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own home.

(g) "Wholesale consumer" means a person who purchases for use, rather than resale, but who is not an "ultimate consumer", as defined in paragraph (f) of this § 1380.58.

(h) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale.

(i) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers, or any division, department or branch of a manufacturer, which, prior to February 14, 1942, was thus engaged.

* * * * *

§ 1380.60 *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1380.51, 1380.55, 1380.58 (f) (g) (h) (i)) to Revised Price Schedule No. 102 shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8941; Filed, September 9, 1942; 4:57 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Amendment 4 to Maximum Price Regulation 110 [1]]

RESALE OF NEW HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

The text of § 1380.106, subparagraphs (3) and (4) in § 1380.109 (a) and the text of paragraphs (a) and (b) in § 1380.110, are amended to read as set forth below, and two new subparagraphs (13) and (14) are added in § 1380.109:

§ 1380.106 *Information to be furnished buyers.* (a) Every dealer shall post in a conspicuous place on the premises where refrigerators are offered for sale a legible notice setting forth the make, model number and maximum price under Maximum Price Regulation No. 110 of every model of refrigerator offered for sale on such premises.

(b) Any person subject to the provisions of this section may mark or post maximum prices for commodities for which maximum prices are established by this regulation, either in accordance with the provisions of this section or with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.

(c) Every distributor who makes a charge to a dealer upon the sale of a household mechanical refrigerator on account of the amount which may be added pursuant to the provisions of § 1380.110 (b) (2) (iii) shall separately indicate the amount so charged on the invoice or bill of sale, together with a statement in the following form, and showing the proper amount in the blank:

The warehousing charge shown on this invoice ($_____) is added to the base price charged, with the permission of the Office of Price Administration contained in § 1380.110 (b) (2) (iii) of Maximum Price Regulation No. 110. This amount represents your proportionate share of the increased warehousing costs which have accrued because of the War Production Board action freezing new refrigerator stocks. We have already absorbed our proportion of extra warehousing costs. Maximum Price Regulation No. 110, which established your ceiling price for the retail sale of this refrigerator, does not allow you to add this increased cost to the ceiling price.

* * * * *

§ 1380.109 *Definitions.* (a) * * *

(3) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale.

(4) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers, or any division, department or branch of a manufacturer, which, prior to February, 14, 1942, was thus engaged.

* * * * *

(13) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own home.

(14) "Wholesale consumer" means a person who purchases for use, rather than resale, but who is not an "ultimate consumer", as defined in subparagraph (13) of this § 1380.109 (a).

§ 1380.110 *Appendix A: Maximum prices for the resale of household mechanical refrigerators* — (a) *Maximum prices for sales by dealers*—(1) *Models having recommended list prices.* The maximum cash price for the sale by dealers of the following models shall be the prices listed in this subparagraph. Prices on all models include delivery, installation, servicing, and a five-year warranty by the seller. Except as otherwise indicated with respect to certain 1941 models, all prices include the Federal excise tax, but do not include State or local taxes imposed at the point of sale. The limits of the numbered zones are those established by the manufacturer as of February 2, 1942.

(2) *Other models.* The maximum cash price, exclusive of state or local sales taxes, for the sale by dealers of any model not set forth in subparagraph (1) but offered for sale by the dealer on February 2, 1942, shall be the highest net price in effect, by the dealer's price list or other regular quotation, to consumers on February 2, 1942.

(b) *Maximum prices for sales by distributors to dealers and to other persons.* The maximum price for the sale by a distributor of any model or household mechanical refrigerator shall not exceed the sum of the following amounts:

(1) The base price, which (i) in the case of sales to dealers, shall be the net price which will yield the distributor the same percentage of the total dollar margin between the manufacturer's price to him, and the dealer's resale price to consumers, as he received during the period October 1, 1941, to October 15, 1941, for the sale of the same or the most comparable model to the same general class of dealer, or (ii) in the case of sales to other persons shall be the highest net price in effect to the same general class of purchaser during the two month period ending February 2, 1942. In the case of a sale to a purchaser who does not fall within any class for whom a price was in effect during the two-month period ending February 2, 1942, the base price shall be the manufacturer's price to the distributor, together with the cost of transportation from the manufacturer to the distributor, plus a mark-up of 20% of such price.

(2) (i) If the sale is to a wholesale consumer or to a dealer for resale to a wholesale consumer, an amount equal to 1% of the manufacturer's price to the distributor, f. o. b. the manufacturer's plant, for each month or fraction thereof that elapsed between February 14, 1942, or the date on which the refrigerator was ready for delivery by the manufacturer, whichever is later, and September 13, 1942.

(ii) If the sale is to an ultimate consumer, no amount may be added under this subparagraph (2) of § 1380.110 (b).

(iii) If the sale is to a dealer for resale to an ultimate consumer:

(*a*) And the refrigerator was acquired by the distributor prior to the effective date of this amendment, an amount equal to three-quarters of the amount which may be added under paragraph (b) (2) (i) of this § 1380.110.

(*b*) And the refrigerator was acquired by the distributor subsequent to the effective date of this amendment, an amount equal to three-fifths of the amount which may be added under paragraph (b) (2) (i) of this § 1380.110.

(3) The Federal excise tax.

§ 1380.112 *Effective dates of amendments* * * *

(d) Amendment No. 4 (§§ 1380.106, 1380.109 (a) (3), (a) (4), (a) (13), (a) (14) and 1380.110 (a), 1380.110 (b)) to Maximum Price Regulation No. 110 shall become effective the 9th day of September, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8940; Filed, September 9, 1942; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 9 to Revised Supplementary Regulation 4 to General Maximum Price Regulation [1]]

AGRICULTURAL LIMING MATERIALS

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1401, 1836, 2132, 2794, 3125, 4310.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2311, 2543, 2761, 4107.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5684, 5783, 6007, 6058, 6081, 6216.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 1499.29, new paragraphs (e) and (f) are added, as set forth below:

§1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* * * *

(e) (1) Any person who has entered into or proposes to enter into a contract with Agricultural Adjustment Agency for the sale of agricultural liming materials and whose maximum price established by the General Maximum Price Regulation is below the general level of prices prevailing during March, 1942 for agricultural liming materials, and who is unable, without substantial hardship, as a result, to enter into a contract with Agricultural Adjustment Agency unless appropriate relief is granted may file an application for adjustment of his maximum prices in the manner hereinafter provided.

(2) After an application has been filed and until such time as an order is issued denying the application, the applicant may enter into, or offer to enter into contracts with Agricultural Adjustment Agency and may make deliveries and perform services at the prices requested in the application. If an order is issued denying the application in whole or in part, the contract price shall be revised downward in accordance with the terms of the order. In the event that an order is issued within 30 days after the receipt of an application by the Office of Price Administration it may direct the applicant to make appropriate refund to Agricultural Adjustment Agency. An order issued more than 30 days after the receipt of an application by the Office of Price Administration shall have no retroactive effect and shall be applicable only to sales, deliveries or services made or rendered after the issuance thereof.

(3) In no event shall a person pursuant to the permission granted by this section sell or offer to sell agricultural liming materials or services pertaining to the delivery and transportation of agricultural liming materials, at a price which shall exceed the sum of the following:

(i) Seller's cost of producing such agricultural liming materials or rendering such services at the time of the submission of his application for adjustment, plus.

(ii) Seller's dollar and cents margin over the cost of producing the same materials or the cost of rendering the same services at the date of seller's last offer of such materials accepted by Agricultural Adjustment Agency or in the event that Agricultural Adjustment Agency did not accept such offer made by the seller, then at the date of seller's last offer of such materials to Agricultural Adjustment Agency.

(4) The application shall be made on Form OPA 4SR:1 set out in Appendix A. A copy of such form may be obtained from any field office of the Office of Price Administration or any office of Agricultural Adjustment Agency at which bids are submitted pertaining to agricultural liming materials, or may be copied by the applicant from Appendix A. The applicant must declare that his maximum price established by the General Maximum Price Regulation is below the general level of prices prevailing during March 1942 for agricultural liming materials and that he will be unable to enter into a contract with the Agricultural Adjustment Agency, without substantial hardship, unless appropriate relief is granted.

(5) An original and two copies of the application shall be filed with the local Office of Agricultural Adjustment Agency to which applicant's bid for the sale, delivery or transportation of agricultural liming materials has been submitted. Agricultural Adjustment Agency shall within ten days after contracting for the sale, delivery or transportation of agricultural liming materials at a price for which approval of the Office of Price Administration has been sought by an application for adjustment, transmit an original and one copy of such application to the Office of Price Administration in Washington, D. C., together with a report certifying that the contract was made under circumstances which would have made it unfair or impossible to secure the materials or services at applicable maximum prices and that the contract was necessary in order to prevent undue impairment of the program of the Agency. The report shall also set forth:

(i) The name and address of the seller.

(ii) The date and term of the contract.

(iii) Description of the materials or services contracted for, including the quantity or extent thereof.

(iv) The price at which an award was made.

(v) A brief statement of any facts or circumstances corroborating seller's claim that his maximum price under the General Maximum Price Regulation is below the general level of prices prevailing in March 1942, and that the hardship resulting to him prevents his bidding or entering into a contract with Agricultural Adjustment Agency.

(vi) If a higher bid by another seller will have to be accepted by the Agency in the event the application is denied, the price contained in such higher bid.

(6) Any applicant whose application for adjustment is denied in whole or in part by the Administrator may, within sixty days after the issuance of the Administrators order finally denying such application, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1.[2]

(7) Any person who is requested by Agricultural Adjustment Agency to contract or offer to contract for the sale of agricultural liming materials on a different basis than that upon which his maximum price for such sale has been established by the General Maximum Price Regulation, may adjust his maximum price in accordance with the value of the commodity or services which is added or withdrawn (*e. g.*, selling "f. o. b. plant" rather than "delivered to the farm", "delivered in bulk" rather than "delivered in bags", and "spread on the farm" rather than "delivered to the farm").

(8) As used in this paragraph (e), the term:

(i) "Agricultural liming materials" means the various grades and kinds of materials containing calcium and magnesium compounds, which are effectively used in neutralizing soil acidity.

(ii) "Agricultural Adjustment Agency" means Agricultural Adjustment Agency of the United States Department of Agriculture, or any successor thereof.

(iii) "Contract" means any contract, award, purchase order, open market purchase or other agreement between a seller of agricultural liming materials and Agricultural Adjustment Agency or the Division of Purchase, Sales and Traffic of the United States Department of Agriculture acting on behalf of Agricultural Adjustment Agency.

(f) *Appendix A: Application for Adjustment.*

UNITED STATES OF AMERICA

Form OPA-4SR:1

Application for Adjustment of Maximum Price Chargeable to Agricultural Adjustment Agency for Agricultural Liming Materials, Pursuant to Amendment No. 9 to Revised Supplementary Regulation No. 4 to the General Maximum Price Regulation

----------, hereby
(Applicant)

makes application to the Office of Price Administration for adjustment of the maximum price established for the applicant by the General Maximum Price Regulation to the extent that such maximum price is applicable to the sale of agricultural liming materials to Agricultural Adjustment Agency.

The following facts are furnished to the Office of Price Administration in support of this application:

(1) Name and address of the applicant (producer or authorized agent):

---

(2) Location of the plant (a separate application must be filed for each plant and each proposed contract):

---

(3) Description of material which is subject of this application for adjustment:
Kind: ----------
Analysis: ---------- % Carbonates or ---------- % Oxides.
Fineness: ---------- % through 10-mesh sieve.
---------- % through 100-mesh sieve.
Moisture Content: ---------- %.

(4) Quantity of material involved in this application: -------- tons.

(5) Total deliveries (whether f. o. b. plant, loaded on cars, loaded on trucks, or delivered at farm) of agricultural liming materials by applicant during the 12 months immediately preceding the month in which his bid is being submitted ---------- tons. Total value ----------.

(6) Tonnage of such deliveries sold (a) to Agricultural Adjustment Agency---------- (b) to other purchasers ----------, during the 12 months immediately preceding the month in which his bid is being submitted.

*Copies may be obtained from Office of Price Administration.

[2] 7 F.R. 971, 3663.

(7) Applicant's maximum price applicable to transaction proposed in this application:

(a) Price per ton f. o. b. plant or stock pile:

Loaded	Maximum price during March 1942					
	To A. A. A.		To other customers (exclusive of retailers)		Requested new price to A. A. A.	
	Bulk	Bagged	Bulk	Bagged	Bulk	Bagged
On cars						
On trucks						

(b) Price per ton delivered to farmyards bulk, bagged, or spread on land:

Destination, township and/or county and State	Maximum price during March 1942						Requested new price to A. A. A.		
	To A. A. A.			To other customers (exclusive of retailers)					
	Bulk	Bagged	Spread	Bulk	Bagged	Spread	Bulk	Bagged	Spread

NOTE.—Additional townships and counties should be listed on an attached sheet.

(8) Give date of seller's contract with Agricultural Adjustment Agency or, in the absence of a previous contract, the date of seller's last offer of liming material to Agricultural Adjustment Agency_____.

(9) If any of the requested price increase in 7 (b) represents an increase in the cost of transportation or spreading, or both, supply the information requested in the following table:

(Under each of the three sections (I, II, III) of the following table report the information in the "A" columns giving the charge for such services for the date indicated for last contract (Paragraph 8). Under the "B" columns give the charge included in the requested new price to A. A. A. for such services, at the date of this application or October 1, 1942, whichever date is earlier.

Destination, township and/or county & State	I. Rail freight, plant to siding, per ton		II. Trucking charge per ton				III. Spreading charge, per ton	
			Siding to farm		Plant to farm			
	A	B	A	B	A	B	A	B

NOTE.—Additional townships and counties should be listed on an attached sheet.

No. 179——2

(10) Cost per ton of producing kind of materials specified in item 3 for which price adjustment is requested, to be reported in the following manner: (If your application is submitted after Oct. 1, 1942 state your costs in Column 2 as of that date)

(1)	Costs at date of application or Oct. 1, 1942, whichever is earlier (2)	Costs at date reported at item 8 above (3)
1. Materials		
2. Labor (in actual production)		
3. Other costs of production (Specify in Schedule and attach to this application)		
4. Total costs of production		
5. Delivery cost		
6. Other expenses (Specify in Schedule and attach to this application)		
7. Total costs		

NOTE: Income and excess-profit taxes are not to be included in the above. If actual cost data is not available, estimates may be employed but all estimated figures should be encircled.

(11) Applicant's margin of profit per ton on the date reported in answer to Item 8 above (delivery costs or any other expenses not chargeable to the cost of production should be deducted in computing applicant's margin of profit) _____.

(12) Submit the following, if available:

(a) Balance sheet as of the close of the most recent 12-month accounting period.

(b) Profit and loss statement for the most recent 12-month accounting period. Net profit or loss shown must be before income and excess profits taxes.

(If any of the above information is not available, submit any data pertaining to applicant's profit or loss from the production of agricultural liming materials which is available.)

(c) The applicant need not file with this application any required financial data which were previously submitted on Form A—Annual Financial Report—or Form B—Interim Financial Report—issued by the Office of Price Administration.

(13) Submit on sheets attached to this application any additional facts bearing upon this application for price adjustment and a statement as to applicant's inability to offer agricultural liming materials to Agricultural Adjustment Agency at his established maximum price.

_____
Applicant

By _____

Title _____

AFFIDAVIT

State of _____

County of _____ ss:

The undersigned, _____, being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows of his own knowledge that the facts contained therein are true and correct.

(Signature) _____

Subscribed and sworn to before me this ____ day of _____ A. D. 19__

_____
Officer Administering Oath

(d) *Effective dates of amendments.*

* * *

(10) Amendment No. 9 (§§ 1499.29 (e) and (f)) to Revised Supplementary Regulation No. 4 shall become effective September 12, 1942.

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8939; Filed, September 9, 1942; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 43 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3–632]

CHARLES GAUSS CO.—DETROIT BOARD OF EDUCATION

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.343 *Adjustment of maximum prices for bar candy sold by Charles Gauss Company to Detroit Board of Education.* (a) The Charles Gauss Company of Detroit, Michigan, is hereby authorized to sell and deliver to the Detroit Board of Education the following commodities at prices not higher than those set forth below:

(i) Boxes of the following bar candy: Baby Ruth, Hershey—plain, Hershey—almond, Nestle—plain, Nestle—almond, Clark Bar, Heath, Oh Henry, Pecan Rolls, Sky Bar, Necco Wafers (1¢), Tootsie Rolls (1¢), Planter's Jumbo Block, Planter's Peanut Bags, Milky Way, Tango, Butterfinger, Powerhouse, Mounds, Bit O'Honey, Tootsie Roll, Queen Anne, Queen Hi, Brazil Rolls, Nestle Puff, Nestle Semi-sweet, Nestle—plain (1¢), Hershey—plain (1¢), Hershey Mild & Mellow, Hershey Mild & Mellow (1¢), Hershey Assorted (1¢), Hershey Crackle (1¢), Nestle Crunch, Hershey Nougat Almond (1¢), Necco Peppermint Packs, Black Walnut Fudge, Triangle Fudge, Necco Chase Peppermint, Necco Chase Wintergreen, Necco Luncheon, Boston Wafers, Ju-C-Bits, Reed's Rolls, Life Saver, Necco Wafers, at 73¢ per box, less 2% for prompt payment.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 43 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 43 (§ 1499.343) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 43 (§ 1499.343) shall become effective September 9, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8942; Filed, September 9, 1942; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 26 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-633]

MISSOURI FLOWER AND FEATHER CO.—L. B. PRICE MERCANTILE CO.

Correction

The figure "#628" in the thirteenth line of the document beginning in the third column of page 6794 of the issue for Friday, August 28, 1942, should read "#528."

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS, FOR PAPER AND PAPER PRODUCTS

[Amendment 2 to Maximum Price Regulation 140 [1]]

SANITARY NAPKINS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (a) (7) is added to § 1347.159, as set forth below:

§ 1347.159 *Definitions.* (a) When used in this Maximum Price Regulation No. 140, the term:

* * * * *

(7) "Delivered" with respect to manufactures means delivery to the purchaser where the carrier makes store-door delivery and to the city of destination where this service is not performed by the carrier; with respect to wholesalers, delivered means delivery within the limits of the free delivery zone recognized by the wholesaler during March 1942; and with respect to retailers, delivered means that the goods are received by the customer, except that on mail order sales, postage, when incurred, may be added to these maximum prices.

§ 1347.160a *Effective dates of amendment.* * * *

(b) Amendment No. 2 (§ 1347.159 (a) (7)) to Maximum Price Regulation No. 140 shall become effective the 16th day of September 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8961; Filed, September 10, 1942; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.3 (b) of the General Maximum Price Regulation [2]—Order 65]

SETTLE LUMBER COMPANY

The Settle Lumber Company of Hyattsville, Maryland, has made application under § 1499.3 (b) of the General Maximum Price Regulation [2] for specific authorization to determine the maximum prices for a commodity and services in conection therewith which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

§ 1499.279 *Approval of maximum prices for mixed oak and white oak railroad cross ties delivered and distributed along the railroad right-of-way.* (a) The Settle Lumber Company, Hyattsville, Maryland, may sell and the McGraw Construction Company, Mechanicsville, Maryland, may buy mixed oak and white oak railroad cross ties, delivered and distributed along the right-of-way of the railroad line now being constructed by the McGraw Construction Company from Brandywine, Maryland, to Cedar Point, Maryland, at prices not in excess of the folowing:

Mixed oak cross ties

Size:	Maximum Prices
5	$1.87
4	1.77
3	1.62

White oak cross ties

Size:	Maximum prices
5	$2.02
4	1.92
3	1.77

(b) This Order No. 65 may be revoked or amended at any time.

(c) This Order No. 65 (§ 1499.279) shall become effective September 11, 1942. (Pub. Law 421, 77th Cong.)

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8962; Filed, September 10, 1942; 11:42 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 251—LAND USES

SPECIAL USE PERMITS, ETC.

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), the act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), and the acts hereinafter cited, Regulations L-1 to L-11, inclusive, of the rules and regulations governing the occupancy, use, protection, and administration of the national forests, which constitute §§ 251.1 to 251.11, inclusive, Part 251, Chapter II, Title 36, Code of Federal Regulations, are revoked, and the following regulations are made and published in lieu thereof:

Sec.
251.1 Special use permits; general conditions.
251.2 Free special use permits.
251.3 Charge for special use permits.
251.4 Prospecting and mining permits.
251.5 Permits for roads and trails.
251.6 Exchange of use of privately-owned lands for use of national forest lands.
251.7 Home and industry sites in Alaska.
251.8 Permit for community improvements.
251.9 Management of municipal watersheds.

AUTHORITY: §§ 251.1 to 251.9 incl. (with the exceptions noted in the text) issued under sec. 1, 30 Stat. 35, 33 Stat. 628; 16 U.S.C. 551, 472.

§ 251.1 *Special use permits; general conditions* (Reg. U-10). All uses of national forest lands, improvements, and resources, including the uses authorized by the act of March 4, 1915 (38 Stat. 1101; 16 U.S.C. 497), and excepting those provided for in the regulations governing the disposal of timber and the grazing of livestock or specifically authorized by acts of Congress, shall be designated "special uses," and shall be authorized by "Special Use Permits."

The temporary use or occupancy of national forest lands by individuals for camping, picnicking, hiking, fishing, hunting, riding, and similar purposes, may be allowed without a special use permit; provided, permits may be required for such uses when in the judgment of the Chief of the Forest Service the public interest or the protection of the national forest requires the issuance of permits.

Special use permits shall be issued by the Chief of the Forest Service or, upon authorization from him, by the regional forester, forest supervisor, or forest ranger, except as herein provided, and shall be in such form and contain such terms, stipulations, conditions and agreements as may be required by the regulations of the Secretary of Agriculture and the instructions of the Chief of the Forest Service.

Special use permittees shall comply with all State and Federal laws and all regulations of the Secretary of Agriculture relating to the national forests and shall conduct themselves in an orderly manner.

A special use permit may be terminated with the consent of the permittee, or because of nonpayment of fees, by the officer by whom it was issued or his successor, but may be revoked or cancelled only by the Secretary of Agriculture or by an officer of the Forest Service superior in rank to the one by whom it was issued, except that a term permit may be revoked only for breach of its terms or violation of law or regulation. Appeals from action relating to special use permits may be made as provided in § 211.2 (Reg. A-10) of this chapter.

A special use permit may be transferred with the approval of the issuing forest officer, his successor or superior.

Special use permits authorizing the operation of public service enterprises, such as hotels and resorts, shall require that the permittee charge reasonable rates and furnish such services as may be necessary in the public interest.

Special use permits for the excavation of antiquities under the act of June 8,

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3410, 5563.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

1906 (34 Stat. 225; 16 U.S.C. 432), and leases of land under the act of February 28, 1899 (30 Stat. 908; 16 U.S.C. 495), shall be granted only by the Secretary of Agriculture.

Rights-of-way for electric power transmission, telephone, and telegraph lines granted under the act of March 4, 1911 (36 Stat. 1253; 16 U.S.C. 523), shall be subject to the condition that the grantee execute such stipulations as may be required by the regional forester for the protection of the national forests, pay such charges, furnish such facilities, and permit such reasonable use of its poles and lines for official purposes as may be required by the regional forester.

Nothing herein shall be construed to prohibit the temporary occupancy of national forest lands without permit for the protection of life or property in emergencies, provided a special use permit for such use be obtained at the earliest opportunity.

§ 251.2 *Free special use permits* (Reg. U-11). The Chief of the Forest Service may authorize the issuance of special use permits without charge when the use is (1) by a governmental agency, (2) of a public or semi-public nature, (3) for noncommercial purposes, (4) in connection with an authorized utilization of national forest resources, (5) of benefit to the Government in the administration of the national forests, or for similar purposes compatible with the public interest, and when authorized and directed so to be issued by acts of Congress.

§ 251.3 *Charge for special use permits* (Reg. U-12). Special use permits, except as provided in § 251.2 (Reg. U-11) of this chapter, or specifically authorized by the Secretary of Agriculture, shall require the payment of a fee or charge commensurate with the value of the use authorized by the permit, the amount of which shall be prescribed by the Chief of the Forest Service.

Special use permits involving government-owned buildings or improvements and facilities which require caretakers' services, or the furnishing of special services such as water, electric lights, and clean-up, may require the payment of an additional fee or charge to cover the costs of such services.

§ 251.4 *Prospecting and mining permits* (Reg. U-13). Specitl use permits pursuant to the act of March 4, 1917 (39 Stat. 1150; 16 U.S.C. 520), for the prospecting and mining of mineral resources, except oil and gas, on land acquired under the act of March 1, 1911 (36 Stat. 961; 16 U.S.C. 513 ff), or the act of June 7, 1924 (43 Stat. 653; 16 U.S.C. 569), or the act of March 3, 1925 (43 Stat. 1215; 16 U.S.C. 516), may be issued to citizens of the United States, or corporations organized and existing under the laws of the United States or any State thereof: *Provided*, That the use of the land for prospecting and mining shall not be incompatible with the purposes for which the lands are being administered.

Prospecting and mining permits shall not exceed 20 years' duration and shall provide for an annual rental payable in advance of not less than 25¢ per acre and a royalty of not less than 2% of the value of the minerals after having been brought to the surface of the ground: *Provided*, That after production begins the annual advance rentals shall be credited on the royalty payments for the year and similarly for each year thereafter. The permit shall also require annual advance deposits, in addition to the advance rental payments, in an amount to be determined by the issuing forest officer, against which royalty payments may be charged as they become due.

Prospecting may, in the discretion of the forest supervisor, be carried on without permit where no structures are to be erected and no substantial excavation or disturbances of the surface will be made. However, no exclusive rights may be acquired without a special use permit.

§ 251.5 *Permits for roads and trails* (Reg. U-14). Rights-of-way over national forest land for State or county highways or roads which are a part of an approved system of public roads shall be 132 feet in width in the case of Federal Aid and State highways and 66 feet in width in the case of county and community roads or other roads of a secondary character. The center line of the highway or road shall be the center line of the right-of-way except where otherwise provided by the permit. Rights-of-way in excess of 132 feet in width may be authorized only with the specific approval of the regional forester. National forest lands on which a highway or road right-of-way is located shall continue to be administered by the Forest Service but their use for highway or road purposes shall be dominant, and no use or occupancy thereof for other purposes shall be authorized unless concurred in by the appropriate State or county official, except that in the event agreement cannot be reached regarding such other use or occupancy as is essential to the proper use and management of national forests, the matter shall be submitted to the Secretary of Agriculture for decision. Direction and caution signs shall be erected and maintained by the State or county highway department. Information signs shall be approved by the Forest Service prior to erection.

Approval by the Secretary of Agriculture of a forest highway construction program shall constitute authorization for the occupancy of national forest lands for the highways included in such construction program, but where a special use permit for a project included within a forest highway program is desired by a State or county to meet legal or fiscal requirements, or for the execution of road contracts, a permit shall be issued by the regional forester and shall contain such stipulations as may be necessary to protect national forest interests.

Special use permits from the regional forester shall be required for a highway or road which is not a part of a forest highway approved by the Secretary of Agriculture. Application for a permit to construct such a highway or road shall be filed with the forest supervisor and shall be accompanied by a plat showing the location of the proposed highway or road. The forest supervisor will determine the effect of the proposed highway or road upon the national forest, and the changes in location or other features that may be necessary to safeguard the national forests, and he shall transmit the plat and his report to the regional forester for approval or rejection.

Trails may be constructed without permit upon consent and under the supervision of a forest officer, except that in the national forests in Alaska such consent and supervision will not be required.

No toll shall be charged for the use of roads or trails over national forest lands, and they shall be open to free public use unless otherwise authorized by the Chief of the Forest Service. Roads built at private expense may be temporarily closed to public use by order of the regional forester if their unrestricted use endangers public safety and property or interferes with the primary purpose for which they were built.

Roads across national forest lands which are not parts of State or county highway systems and which are constructed and maintained wholly at the expense of the Federal Government and its private cooperators may be designated by the regional forester as "special service" roads, and public use of such roads may be prohibited or regulated by the regional forester when necessary to the public interest.

§ 251.6 *Exchange of use of privately-owned lands for use of national forest lands.* (Reg. U–15). Owners or lessees of privately-owned lands within or adjacent to national forests, upon waiving their rights to the exclusive use of the land and allowing it to remain open to livestock authorized to graze on national forest lands, or to other recognized public uses, may be granted a special use permit without charge, authorizing the enclosure and use of a specific area of national forest land of which the public service value is not in excess of that of the privately-owned land, when such exchange will be advantageous to the administration of the national forests.

An application for a permit authoring the enclosure of national forest lands shall be accompanied by a certificate of title showing the ownership and description of the privately-owned land, and if such application is by a lessee, by a copy of the lease also. The application shall describe the national forest land it is desired to occupy.

§ 251.7 *Home and industry sites in Alaska* (Reg. U–16). A special use permittee who has constructed upon national forest lands within the Territory of Alaska permanent and substantial improvements for purposes of trade, manufacture, or other productive industry, in connection with which there are reasonable prospects for the establishment of a permanent industry, or who has occupied the land (not exceeding 5 acres) as a homestead or headquarters, in a habitable house, not less than 5 months each year for 3 years, may apply to the Secretary of Agriculture for the elimination from the national forest of

the land so occupied in order that it may be entered by the applicant under the provisions of section 10 of the act of May 14, 1898, as amended (48 U.S.C. 461–462). Upon determination, after investigation, that permanent and substantial improvements designed for trade, manufacture, or other productive industry exceeding in value the estimated value of the lands for national forest purposes have been lawfully constructed with reasonable prospects of establishing a permanent industry, or that the land has been so occupied as a homestead or headquarters, the Secretary of Agriculture will recommend the elimination of the land, not exceeding a total of 80 acres for an industry site or 5 acres for a homestead, from the national forest.

§ 251.8 *Permit for community improvements* (Reg. U-17). Special use permittees who occupy national forest lands for summer homes or other residential purposes not connected with timber sales, grazing permits, or water power developments, and who have organized an association which has been recognized under the provisions of § 211.1 (Reg. A-9) of this chapter, may be issued permits authorizing the construction and maintenance of improvements or facilities which contribute to their common welfare. Such permits shall be issued by the regional forester and may require that the total costs of the construction and maintenance of the improvements and facilities shall be paid by the association and that all persons authorized to occupy the area for summer homes or residential purposes and who share in the benefits from the improvements or facilities shall pay to the association their pro rata share of such costs.

Special use permits for the use of improvements and facilities constructed by the Government in the development of a group residential site may be issued to associations of permittees on the condition that they be operated and maintained by the association and the costs of operation and maintenance prorated among the persons who share in the benefits from the improvements and facilities, as provided in the above paragraph.

§ 251.9 *Management of municipal watersheds* (Reg. U-18). When necessary for the protection of water supplies of towns, cities, or irrigation districts the Chief of the Forest Service will enter into formal agreements with the properly authorized officials of the town, city, irrigation district, or private corporation, or with the owners of privately owned lands within the watershed to restrict the use of the national forest lands from which the water supplies are derived. The kinds of uses to be restricted, the nature and extent of the restrictions, the special protective measures which may be necessary or desirable, the assistance to be given the Forest Service in the enforcement thereof by the town, city, district, private corporation, or owner of land and the payments, if any, which shall be made to compensate the United States for losses of revenue resulting from the restrictions will all be clearly and specifically defined in the agreement.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 9th day of September 1942.

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 42-8953; Filed, September 10, 1942; 11:03 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order No. 8, Supp. 5]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

Correction

Paragraph one; § 302.64 (7 F.R., Page 7014, Sept. 4, 1942) should read as follows:

§ 302.64 *Basic rates.* Effective as of the date of delivery of the vessel to the War Shipping Administration under requisition, the charter rates on all vessels engaged in the coastwise transportation of coal, except excluded vessels referred to in § 302.66 hereof, shall be as follows:

* * * * *

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

[F. R. Doc. 42-8937; Filed, September 9, 1942; 3:54 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PRACTICAL REPORTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of August, 1942.

In the matters of annual reports from steam railway companies and the corresponding section of the Code of Federal Regulations, the Commission orders:

That the Commission's order dated December 18th, 1941, (7 F.R. 226) be modified as follows:

1. By the cancelation of that portion of paragraph (f) (2) preceding subparagraph (i) thereof and the substitution of the following therefor:

§ 120.11a *Supplement to form prescribed for large and medium steam roads.* * * *

(f) * * *

(2) All intercompany items within the consolidated group, except (a) transactions between noncontrolled lessor companies and (b) investments of such companies in securities of other companies included in the consolidated group, over which the respondent has no control, shall be eliminated from the net assets and liabilities as stated on the books of account. The amounts of such eliminations shall be entered in the eliminations column on Schedule A, and the net totals after eliminations entered in the column provided therefor on that schedule. Differences arising from such eliminations shall be variously disposed of as follows:

2. By the cancelation of Schedules A, B, C, D, E, and F and the substitution of the attached schedules A, B, C, D, E, and F therefor which are hereby approved and made a part of this order.[1]

3. By the cancelation of the phrase in the explanatory note reading as follows:

and Schedule F, Detail of Interest of Stockholders of Respondent and of Minority Stockholders of Subsidiaries in the Voting Capital Stock and in the Total Surplus of Subsidiary Companies

and the substitution of the following therefor:

and Schedule F, Detail [1] of Interest of Stockholders of Respondent and of Stockholders of Subsidiaries Other than Respondent in the Voting Capital Stock and in the Total Surplus of Subsidiary Companies.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-8959; Filed, September 10, 1942; 11:34 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service; Bureau of the Public Debt.

[1942 Dept. Circ. 691]

0.65 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES C–1943

SEPTEMBER 10, 1942.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated 0.65 percent Treasury Certificates of Indebtedness of Series C–1943. The amount of the offering is $1,500,000,000, or thereabouts.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated September 21, 1942, and will bear interest from that date at the rate of 0.65 percent per annum, payable on an annual basis at the maturity of the certificates. They will mature May 1, 1943, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

[1] Filed as part of the original document.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with one interest coupon attached will be issued in denominations of $1,000, $5,000, $10,000 and $100,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 5 percent of the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $25,000 will be allotted in full. The basis of the allotment on all other subscriptions will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made or completed on or before September 21, 1942, or on later allotment. In every case where payment is not so completed, the payment with application up to 5 percent of the amount of certificates applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depositary will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-8964; Filed, September 10, 1942; 11:52 a. m.]

[1942 Dept. Circ. 694]

1¼ PERCENT TREASURY NOTES OF SERIES C–1945

SEPTEMBER 10, 1942.

I. OFFERING OF NOTES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for notes of the United States, designated 1¼ percent Treasury Notes of Series C–1945. The amount of the offering is $1,500,000,000, or thereabouts.

II. DESCRIPTION OF NOTES

1. The notes will be dated September 25, 1942, and will bear interest from that date at the rate of 1¼ percent per annum, payable on a semiannual basis on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege.

5. Bearer notes with interest coupons attached will be issued in denominations of $100, $500, $1,000, $5,000, $10,000, and $100,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 5 percent of the amount of notes applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $25,000 will be allotted in full. The basis of the allotment on all other sbscriptions will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made or completed on or before September 25, 1942, or on later allotment. In every case where payment is not so completed, the payment with application up to 5 percent of the amount of notes applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depositary will be permitted to make payment by credit for notes allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, pre-

scribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 42-8965; Filed, September 10, 1942; 11:52 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 30]

FLORIDA

WITHDRAWING PUBLIC LANDS IN CERTAIN AREAS FOR USE OF THE NAVY DEPARTMENT FOR NAVAL PURPOSES

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942,[1] *it is ordered as follows:*

All public lands within the following-described areas are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Navy Department in connection with the construction of magazines and runways for the Naval Air Station at Key West, Florida:

TALLAHASSEE MERIDIAN

PARCEL "A"

Beginning at the southeast corner of the area in the vicinity of Key West, Florida, reserved for use of the Navy Department by Executive Order No. 4060, dated August 11, 1924; the approximate geographic position is in latitude 24°34'06" N., and longitude 81°46'57" W., as shown on Coast and Geodetic Survey Chart No. 584.

From said initial point, by metes and bounds,

East, 3,800 feet;
N. 63°30' E., 4,482 feet;
North, 10,000 feet;
West, 7,811 feet;
South, 12,000 feet, along the east boundary of the area reserved by Executive Order No. 4060, August 11, 1924, to the place of beginning.

The tract as described contains an area of 2,060 acres, located in what would be, if public land surveys were extended thereover, all or parts of secs. 20, 21, 22, 27, 28, 29, 32, 33, and 34, T. 67 S., R. 25 E.

PARCEL "B"

Beginning at a point on the south boundary of the area in the vicinity of Key West, Florida, reserved for use of the Navy Department by Executive Order No. 4060, dated August 11, 1924; the approximate geographic position is in latitude 24°34'06" N., and longitude 81°47'51" W., as shown on Coast and Geodetic Survey Chart No. 584.

From said initial point, by metes and bounds,

South, 500 feet;
East, 1,000 feet;
North, 500 feet to the south boundary of the area reserved by Executive Order No. 4060;
West, 1,000 feet, along the south boundary of the area reserved by Executive Order No. 4060 to the place of beginning.

The tract as described contains an area of 11.47 acres, located in what would be, if public land surveys were extended thereover, sec. 31, T. 67 S., R. 25 E.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects any lands in the above-described areas.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 14, 1942.

[1] 7 F.R. 3067.

[F. R. Doc. 42-8947; Filed, September 10, 1942; 9:45 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 10, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Goldi Neckwear Mfg. Co., 1111 Commerce St., Dallas, Texas; Neckties; 5 learners (T); September 10, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Burnley Shirt Corp., 502 22nd Ave., Meridian, Mississippi; Cotton dress shirts; 10 percent (T); September 10, 1943.

Chock-Horowitz Co., Hay St. & Ridge Ave., York, Pennsylvania; Pajamas & navy middies; 10 percent (T); September 10, 1943.

D & D Shirt Co., 1801 Newport Ave., Northampton, Pennsylvania; Men's shirts; 10 percent (T); September 10, 1943.

Holbrook Corp., 34 Meadow St., New Britain, Connecticut; Men's shirts, (sport, regular & army officers'); 10 percent (T); September 10, 1943.

The Snow & Baker Co., Whitefield, New Hampshire; Overalls, dungarees, jumpers; 6 learners (T); September 10, 1943.

Southland Mfg. Co., Mobile & Grady Sts., Montgomery, Alabama; Cotton work shirts, flannel shirts; 10 percent (T); September 10, 1943.

Whitehouse Mfg. Co., 322 East Colfax Ave., South Bend, Indiana; Washable service apparel; 10 percent (T); September 10, 1943.

Glove

Northern Glove & Mitten Co., 1514 Morrow St., Green Bay, Wisconsin; Work gloves; 5 learners (T); September 10, 1943.

Wells Lamont Smith Corp., Edina, Missouri; Work gloves; 50 learners (E); March 10, 1943.

Signed at New York, N. Y., this 8th day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8930; Filed, September 9, 1942; 1:31 p. m.]

BOARD OF ECONOMIC WARFARE.

[License Denial 1]

SIGMUND SCHLESINGER AND PRIMUS CO.

ORDER DENYING LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations adopted under section 6 of the Act of July 2, 1940, as amended, the Chief of the Trade Intelligence Division of the Export Control Branch, Office of Exports, has charged Sigmund Schlesinger and The Primus Company with certain violations of Proclamation 2497[1] authorizing a proclaimed list of certain blocked nationals and controlling certain exports issued in part under the authority of said section. The respondents have filed a written answer to the charges above set forth.

The Compliance Commissioner, duly designated under § 807.1[2] of the aforesaid regulations, has reviewed the record and filed his findings of fact and recommendations in the matter. The following facts have been found:

Sigmund Schlesinger is the sole owner of The Primus Company, an unincorporated business engaged in buying, selling, importing and exporting umbrella handles, umbrella silks, canes and accessories at 35 West 33rd Street, New York City. The Primus Company made five shipments of goods to customers of Werner Gurcke y Cia., a partnership located at Apartado 219, San Jose, Costa Rica, subsequent to December 3, 1941, on which date the latter firm had been placed on the aforesaid Proclaimed List of Certain Blocked Nationals. As part of these transactions, Sigmund Schlesinger and The Primus Company paid commissions amounting to $253.20 to Starr Pait Bruce, wife and partner of Werner Gurcke. Payment of these commissions was made with knowledge that Starr Pait Bruce was a partner of Werner Gurcke.

The Compliance Commissioner has found that these exportations, and the payment of commissions in connection therewith, were exportations indirectly to or on behalf of a blocked national and as such constituted violations of section 3 of the aforesaid Proclamation 2497.

Upon consideration of the record, findings of fact, and all recommendations in the matter, *It is hereby ordered*, That:

(1) All export licenses heretofore issued to Sigmund Schlesinger or The Primus Company for exportations as yet not consummated are hereby revoked, and

(2) Until February 9, 1943, Sigmund Schlesinger and The Primus Company and any person acting on behalf of either of them are denied the privilege of obtaining individual export licenses and the use of any general or unlimited export licenses for any exportations whatsoever from the United States.

The respondents may appeal in writing to the Assistant Director in charge of the Office of Exports provided the appeal is taken within ten days after receipt of this order. (Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Chief, Export Control Branch, Office of Exports.

SEPTEMBER 9, 1942.

[1] 6 F.R. 3555.
[2] 7 F.R. 5018.

[F. R. Doc. 42-8958; Filed, September 10, 1942; 11:07 a. m.]

NATIONAL HOUSING AGENCY.

Federal Public Housing Authority.

EVIDENCES OF INDEBTEDNESS OF PUBLIC HOUSING AGENCIES

AUTHORIZATION OF S. J. ELSON AND CARLETON F. SHARPE TO EXECUTE DOCUMENTS

SEPTEMBER 9, 1942.

Pursuant to the authority vested in me by section 12 of Executive Order 9070,[1] S. J. Elson, Director of Finance and Accounts Division, and Carleton F. Sharpe, Director of Region V, are severally authorized to execute, as agent of the Federal Public Housing Authority, affidavits of chattel mortgage and any other certificates, affidavits or documents necessary or desirable in connection with the recordation of any evidences of indebtedness issued by public housing agencies created under the laws of the State of Ohio and held by the Federal Public Housing Authority.

HERBERT EMMERICH,
Commissioner.

[1] 7 F.R. 1529.

[F. R. Doc. 42-8946; Filed, September 10, 1942; 9:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 42 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-94]

WHITWELL COAL CORPORATION

ORDER GRANTING ADJUSTMENT

On June 15, 1942 Whitwell Coal Corporation, with offices at Tracy City, Tennessee, filed a petition for adjustment or exception pursuant to § 1340.207 of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an Opinion in support of this Order No. 42 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered*, That:

(a) The Whitwell Coal Corporation may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver for shipment by rail the bituminous coal described in paragraph (b), at a price not in excess of that stated therein. Any person may buy and receive, and agree, offer, solicit and attempt to buy and receive such bituminous coal, so shipped, at such price from the Whitwell Coal Corporation.

(b) Size Group 7 coal produced by the Whitwell Coal Corporation at its Whitco Mine,[4] Mine Index No. 98, located in Subdistrict No. 3 of District No. 13, may be sold at a price not to exceed $2.80 per net ton, for shipment by rail, f. o. b. the mine.

(c) This Order No. 42 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 42 shall become effective on September 11, 1942.

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[1] 7 F.R. 971, 3663.
[2] 7 F.R. 1529.
[3] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524.
[4] The records of the Bituminous Coal Division indicate that the name of Mine Index No. 98 is the "Daus" Mine, whereas petitioner refers to it as the Whitco Mine.

[F. R. Doc. 42-8960; Filed September 10, 1942; 11:42 a. m.]

[Order 14 Under Maximum Price Regulation 148—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-71]

P. D. GWALTNEY, JR., AND CO., INC.

ORDER GRANTING PETITION FOR ADJUSTMENT

Correction

The maximum price regulation mentioned in paragraph (c) in the middle column of page 7022 of the issue for Friday, September 4, 1942, should read "148" instead of "14."

WAR SHIPPING ADMINISTRATION.

NOTICE OF DEPOSITS ON ACCOUNT OF JUST COMPENSATION FOR REQUISITIONED FINNISH VESSELS

Notice is hereby given that pursuant to section 1 of the Act approved June 6, 1941 (Pub. Law 101, 77th Cong.), authorizing the acquisition by the United States of foreign vessels and the making of just compensation therefor, the United States Maritime Commission, on September 5, 1942, deposited with the

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scribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-8965; Filed, September 10, 1942; 11:52 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 30]

FLORIDA

WITHDRAWING PUBLIC LANDS IN CERTAIN AREAS FOR USE OF THE NAVY DEPARTMENT FOR NAVAL PURPOSES

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942,[1] *it is ordered as follows:*

All public lands within the following-described areas are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Navy Department in connection with the construction of magazines and runways for the Naval Air Station at Key West, Florida:

TALLAHASSEE MERIDIAN

PARCEL "A"

Beginning at the southeast corner of the area in the vicinity of Key West, Florida, reserved for use of the Navy Department by Executive Order No. 4060, dated August 11, 1924; the approximate geographic position is in latitude 24°34'06" N., and longitude 81°46'57" W., as shown on Coast and Geodetic Survey Chart No. 584.

From said initial point, by metes and bounds,

East, 3,800 feet;
N. 63°30' E., 4,482 feet;
North, 10,000 feet;
West, 7,811 feet;
South, 12,000 feet, along the east boundary of the area reserved by Executive Order No. 4060, August 11, 1924, to the place of beginning.

The tract as described contains an area of 2,040 acres, located in what would be, if public land surveys were extended thereover, sec. 31, T. 67 S., R. 25 E.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects any lands in the above-described areas.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 14, 1942.

[F. R. Doc. 42-8947; Filed, September 10, 1942; 9:45 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20,

order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 10, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Goidl Neckwear Mfg. Co., 1111 Commerce St., Dallas, Texas; Neckties; 5 learners (T); September 10, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Burnley Shirt Corp., 502 22nd Ave., Meridian, Mississippi; Cotton dress shirts; 10 percent (T); September 10, 1943.

Chock-Horowitz Co., Hay St. & Ridge Ave., York, Pennsylvania; Pajamas & navy middies; 10 percent (T); September 10, 1943.

D & D Shirt Co., 1801 Newport Ave., Northampton, Pennsylvania; Men's shirts; 10 percent (T); September 10, 1943.

Holbrook Corp., 34 Meadow St., New Britain, Connecticut; Men's shirts, (sport, regular & army officers'); 10 percent (T); September 10, 1943.

The Snow & Baker Co., Whitefield, New Hampshire; Overalls, dungarees, jumpers; 6 learners (T); September 10, 1943.

Southland Mfg. Co., Mobile & Grady Sts., Montgomery, Alabama; Cotton work shirts, flannel shirts; 10 percent (T); September 10, 1943.

Whitehouse Mfg. Co., 322 East Colfax Ave., South Bend, Indiana; Washable service apparel; 10 percent (T); September 10, 1943.

Glove

Northern Glove & Mitten Co., 1514 Morrow St., Green Bay, Wisconsin; Work

Treasurer of the United States payments on account of just compensation for the respective Finnish vessels listed below, in the amounts set forth opposite the name of each vessel, the final determination of such compensation in each case not yet having been made:

Name of vessel	*Amount of deposit*
Olivia	$20,000
Yamassee Ex Siamaa	15,000
Granville Ex Wipunen	15,000
Bushranger Ex Marisa Thorden	15,000
Arclight Ex Kuurtanes	$15,000
Chenango Ex Kurikka	15,000
Tambour Ex Fidra	15,000
Puchero Ex Delaware	15,000
Thunderer Ex Amazon Ex Mathilda Thorsen	15,000
Trojan Ex Advance	15,000
Pompoon Ex Atlas II	7,000
Rosemont Ex Aurora	15,000
Desert Light Ex Pandia	15,000
Nimba Ex Asta	14,000
Scapa Flow Ex Anja	15,000
Potomac Ex Aagot	20,000

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the vessels subsisting at the time they were requisitioned.

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

SEPTEMBER 8, 1942.

[F. R. Doc. 42-8936; Filed, September 9, 1942; 3:54 p. m.]

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Archives

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 180

Washington, Saturday, September 12, 1942

The President

EXECUTIVE ORDER 9241

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER No. 9001 OF DECEMBER 27, 1941, TO THE OFFICE OF STRATEGIC SERVICES, UNITED STATES JOINT CHIEFS OF STAFF

By virtue of the authority vested in me by the act of Congress entitled "An Act to expedite the prosecution of the war effort", approved December 18, 1941, and as President of the United States, and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001 of December 27, 1941,[1] to the Office of Strategic Services, United States Joint Chiefs of Staff, with respect to all contracts made or to be made by it relating to the prosecution of the war; and subject to the limitations and regulations contained in such Executive order, I hereby authorize the Director of the Office of Strategic Services, and such officers and employees as he may designate, to perform and exercise as to that office all the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the United States Maritime Commission by such Executive order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 1, 1942.

[F. R. Doc. 42-9004; Filed, September 11, 1942; 12:07 p. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 57—SERVICE CLUBS, HOSTESSES, AND LIBRARIANS[2]

SERVICE UNIFORM

Sections 57.21 to 57.33 inclusive, prescribing service uniform for hostesses and librarians, are hereby added as follows:

Sec.
57.21 Service uniforms for hostesses and librarians; general.
57.22 Adopted standards of cloths.
57.23 Adopted shade of leather.
57.24 Buttons.
57.25 Coat.
57.26 Footgear.
57.27 Gloves.
57.28 Headgear; chapeau, service.
57.29 Muffler.
57.30 Shirtwaist, service.
57.31 Skirt, service.
57.32 Sweater, wool.
57.33 Insignia.

AUTHORITY: §§ 57.21 to 57.33, inclusive, issued under R.S. 161; 5 U.S.C. 22.

SOURCE: The regulations contained in §§ 57.21 to 57.33 inclusive, are also contained in AR 600-36, July 7, 1942, the particular paragraph being shown in brackets at end of sections.

§ 57.21 *Service uniform for hostesses and librarians; general.* (a) Samples of the adopted shades and standard cloths for uniforms will be maintained on display in the Office of The Quartermaster General. Samples of the several articles of the prescribed uniform and other clothing of the Army Hostess and Librarian Service, as approved by the Secretary of War, will be maintained on display in the office of The Quartermaster General, and in such other offices as he may prescribe. Specifications for the several articles of uniform and other clothing, as approved by the Secretary of War, are published by The Quartermaster General. Descriptions of certain such articles are published in these regulations.

(b) Prescribed articles of service uniforms or other clothing, except such articles specified as of "commercial pattern", will conform in quality, design, and color to the corresponding approved samples and published specifications.

(c) Whenever changes in design or material of uniforms are made, all numbers of the Army Hostess and Librarian Service are authorized to wear out existing clothing. Uniforms procured or manufactured after promulgation of changes will be of the new type.

(d) The Army Hostess and Librarian Service will include all hostesses and

(Continued on next page)

[1] 6 F.R. 6787.
[2] 7 F.R. 5805.

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Treasurer of the United States payments on account of just compensation for the respective Finnish vessels listed below, in the amounts set forth opposite the name of each vessel, the final determination of such compensation in each case not yet having been made:

Name of vessel	*Amount of deposit*
Olivia	$20,000
Yamassee Ex Siamaa	15,000
Granville Ex Wipunen	15,000
Bushranger Ex Marisa Thorden	15,000
Arclight Ex Kuurtanes	$15,000
Chenango Ex Kurikka	15,000
Tambour Ex Fidra	15,000
Puchero Ex Delaware	15,000
Thunderer Ex Amazon Ex Mathilda Thorsen	15,000
Trojan Ex Advance	15,000
Pompoon Ex Atlas II	7,000
Rosemont Ex Aurora	15,000
Desert Light Ex Pandia	15,000
Nimba Ex Asta	14,000
Scapa Flow Ex Anja	15,000
Potomac Ex Aagot	20,000

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the vessels subsisting at the time they were requisitioned.

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

SEPTEMBER 8, 1942.

[F. R. Doc. 42-8936; Filed, September 9, 1942; 3:54 p. m.]

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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librarians on duty with the United States Army who are paid from WEMA funds. [Par. 1]

§ 57.22 *Adopted standards of cloths.* The standards of cloths for uniforms for members of the Army Hostess and Librarian Service are as follows:

(a) *Coat, chapeau, and skirt.* Worsted gabardine, light blue.

(b) *Shirt waist.* Poplin or broadcloth, white.

(c) *Overcoat.* Fleece-faced overcoating, light blue. [Par. 2]

§ 57.23 *Adopted shade of leather.* The adopted shade of all leather in clothing and articles of equipment as listed herein, except as noted, will be black or dark blue. [Par. 3]

§ 57.24 *Buttons*—(a) *Coat.* Four-hole plastic or other suitable composition. Two-tone dark blue commercial button, 34 ligne.

(b) *Overcoat.* Four-hole plastic or other suitable composition. Two-tone dark blue commercial button, 45 ligne. [Par. 4]

§ 57.25 *Coat*—(a) *Service*—(1) *Material.* Of adopted standard (§ 57.22 (a)).

(2) *General description*—(i) *General.* A single-breasted coat, lining, if desired, to be same color as coat. To be slightly fitted at the waist, but toned down the front with five regulation coat buttons equally spaced so that the coat may be closed and buttoned to the collar.

(ii) *Collar.* The collar to extend approximately ¾ inches horizontally from the notch of the lapel.

(iii) *Pockets.* There will be four outside pockets, two upper and two lower, placed so that the upper lines are horizontal. The pockets will be slightly rounded at the lower corners. The pockets will be of suitable size according to the size of the coat, approximately of the following dimensions:

(*a*) *Upper pockets.* Depth 4¾ inches; width at top 4½ inches, at bottom 4¾ inches.

(*b*) *Lower pockets.* Depth 7 inches; width at top 5¾ inches, at bottom 6¾ inches.

(b) *Overcoat, long*—(1) *Material.* Of adopted standard (§ 57.22 (c)).

(2) *General description*—(i) *General.* A single-breasted woman's type overcoat with buttoned-in lining of the same color. Buttoned down the front with four large regulation overcoat buttons; the three lower buttons approximately 4¼ inches apart, the top button for use in closing the coat to the neck. Back to be an inverted box-pleat, closed at the waist and at the top; to have backstraps let into the side seams at the waistline, fastened together with two large regulation overcoat buttons and buttonholes.

(ii) *Pockets.* Two outside slash pockets, one on each side, with vertical openings. [Par. 5]

§ 57.26 *Footgear*—(a) *Shoes.* Commercial pattern, black or dark blue, oxford type.

(b) *Overshoes.* Black, commercial pattern. [Par. 6]

§ 57.27 *Gloves.* Commercial pattern, black or dark clue to correspond with color of shoes worn. [Par. 7]

§ 57.28 *Headgear; chapeau, service*—(a) *Material.* Of adopted standard (§ 57.22 (a)).

(b) *General description.* Standard adopted design with shoulder sleeve insignia as indicated in § 57.33 (b). [Par. 8]

§ 57.29 *Muffler, wool.* Blue, commercial adopted pattern. [Par. 9]

§57.30 *Shirtwaist, service*—(a) *Material.* Of adopted standard (§ 57.22(b)).

(b) *General description.* Of commercial adopted pattern. [Par. 10]

§ 57.31 *Skirt, service*—(a) *Material.* Of adopted standard (§ 57.22 (a)).

(b) *General description.* Of adopted pattern, eight-gore. [Par. 11]

§ 57.32 *Sweater, wool.* Blue, coat style, commercial adopted pattern. [Par. 12]

§ 57.33 *Insignia*—(a) *Identification, brooch type.* Of silver color metal of adopted design, engraved with name of hostess or librarian. Pin stem to be 2.1875 inches long, hinge to be the flat joint type, catch to be the ball-shaped safety type, the hinge and catch to be soldered to insignia with silver solder.

(b) *Shoulder sleeve.* On a light blue semidisk approximately 1⅝-inch radius, a fan 1½ inches of nine pieces of varying lengths, radiating from an open center of 7/16-inch diameter; each piece of a different color, clockwise from 9 to 3 as follows: Maroon, red, orange, green, white, dark blue, yellow, buff, and crimson. [Par. 13 and 14]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-8998; Filed, September 11, 1942; 11:29 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[Regulation 3, Appendix]

Subchapter C—Miscellaneous Excise Taxes

PART 182—INDUSTRIAL ALCOHOL; APPENDIX

COMPLETELY DENATURED ALCOHOL FORMULAE

FORMULA NO. 12

To every 100 gallons of ethyl alcohol of not less than 160° proof add: 4.0 gallons of ST–115 or a compound similar thereto, 1.0 gallon of Dehydrol–0 or a compound similar thereto, 0.5 gallon of acetaldol (hydroxy-butyraldehyde) or 1.5 gallons of methyl isobutyl ketone, 1.0 gallon of kerosene.

FORMULA NO. 13

To every 100 gallons of ethyl alcohol of not less than 160° proof add: 4.0 gallons of ST–115 or a compound similar thereto, 1.5 gallons of methyl isobutyl ketone, 0.25 gallon of acetaldol (hydroxybutyraldehyde), 1.0 gallon of kerosene.

FORMULA NO. 14

To every 100 gallons of ethyl alcohol of not less than 160° proof add: 3.0 gallons of Dehydrol–0 or a compound similar thereto, 1.75 gallons of methyl isobutyl ketone, 1.5 gallons of kerosene.

THE SPECIFICATIONS FOR DENATURANTS IN COMPLETELY DENATURED ALCOHOL

Acetaldol

Acetaldol. 90 per cent to 100 per cent.

Specific gravity. 1.098 to 1.105 at 20° C.

Purity. It shall titrate not less than 90 per cent or more than 110 per cent by the following method:

Dissolve 15 grams of the acetaldol in distilled water and dilute to 1 liter in a volumetric flask. Transfer 5 ml. of this solution to a 250 ml. glass-stoppered flask containing 25 ml. distilled water. Add 25 ml. of a freshly prepared 1 per cent sodium bisulphite solution. Prepare a blank omitting the acetaldol solution. Place flasks in a dark place away from excessive heat or cold and allow to stand six hours. Remove and titrate free bisulphite with tenth-normal iodine solution using starch indicator.

$$\frac{(\text{ml. Blank} - \text{ml. test}) \times 200 \times 0.44}{\text{weight of sample}} = \text{per cent acetaldol.}$$

On account of the presence of acetaldehyde, titrations in excess of 100 per cent will sometimes be obtained.

Dehydrol–0

This product shall consist principally of a mixture of higher aliphatic branched chain primary and secondary compounds of characteristic odor and taste.

Specific gravity (15.56°/15.56° C.). 0.810 to 0.840.

Solubility in 95 per cent ethyl alcohol. The product shall be completely miscible with 95 per cent ethyl alcohol.

Solubility in water. It shall show a solubility of not more than 25 per cent when mixed with 10 volumes of water at a temperature of 80±5° F.

Procedure. This test may be conveniently performed in a glass-stoppered Cassia flask (No. 5522, page 399, A. H. Thomas Co., Philadelphia, Pa., 1931 catalog). Pipette exactly 10 cc. of sample into the flask and add 100 cc. of distilled water. Hold the stopper firmly in place and invert the flask. Shake vigorously for 30 seconds and allow to stand 2 minutes. Tap the sides of the bulb to remove adhered oil drops and read the volume of the oil layer. Repeat the shaking procedure until constant readings are obtained. The oil volume shall be not less than 7.5 cc.

Hydroxylamine hydrochloride values. The initial (readily reactive) value shall be not less than 20. The second (difficulty reactive) value shall be not less than 8.

Determination of hydroxylamine hydrochloride values. The hydroxylamine hydrochloride values measure (1) the readily reactive and the (2) difficultly reactive carbonyl compound contents. Both classes of carbonyl compounds are determined in this specification by the rate of reaction of the denaturant with hydroxylamine hydrochloride in 80 per cent ethyl alcohol. Hydrochloric acid formed in the reaction is titrated after 10 minutes and after 1 hour and 10 minutes using thymol blue indicator. The first class of carbonyl compounds reacts in 10 minutes. Subsequent hydrochloric acid formation is due principally to difficultly reactive carbonyl action on the reagent.

Procedure. To carry out the test add 100 cc. of 0.5 N hydroxylamine hydrochloride reagent to an 8 oz. narrow mouth bottle. Titrate with aqueous 0.5 N–NaOH to a pure yellow color. Immediately add 10 cc. of sample with stirring. Allow to stand exactly 10 minutes at 80±5° F. and titrate to the yellow end point with aqueous 0.5 N–NaOH. This shall require not less than 20 cc. of the sodium hydroxide. Allow to stand 1 hour at 80±5° F. and again titrate to the yellow end point. Not less than 8 cc. of the sodium hydroxide shall be required in the second titration.

The hydroxylamine hydrochloride reagent is prepared by adding 10 cc. of 0.1 per cent thymol blue in 95 per cent ethyl alcohol to 1,000 cc. of 0.5 N–hydroxylamine hydrochloride in 80 per cent ethyl alcohol. Acidify with aqueous 0.5 N–HCl to obtain the stock solution which should be distinct brown to red in color.

The 0.5 N–hydroxylamine hydrochloride is prepared by dissolving 35 g. of hydroxylamine hydrochloride in 160 cc. of water and diluting to 1,000 cc. with 95 per cent ethyl alcohol.

The thymol blue solution is prepared by grinding 1 g. of completely alcohol soluble thymol blue powder in a mortar with 95 per cent ethyl alcohol. The mixture is washed into a 1,000 cc. volumetric flask with 95 per cent ethyl alcohol, finally diluting to 1,000 cc. with 95 per cent ethyl alcohol.

Kerosene

The product shall have an odor which is characteristic of kerosene.

Distillation range. Initial boiling point of not less than 340° F.

End point not more than 570° F. minimum.

Flash point. 115° F. minimum.

Methyl Isobutyl Ketone

Acidity. Not more than 0.02 per cent as acetic acid.

Specific gravity. 0.799 to 0.804 at 20°/20° C.

Color. Water-white.

Boiling range (760 mm.). None should come over below 111° C. or none above 117° C. when distilled by the A. S. T. M. method D268–33.

ST–115

A product, free from wood alcohol, containing a definite proportion of the pyroligneous bodies produced by the destructive distillation of wood.

Color. This shall not be darker than that produced by a freshly prepared solution of 2.0 cc. of 0.100 N. iodine diluted to 1,000 cc. with distilled water.

Specific gravity 15.56°/15.56° C. 0.7800 to 0.8200.

Boiling range. One hundred cubic centimeters, slowly heated in a flask under conditions described below, must give a distillate that does not boil at a temperature less than 48.0° C. and not less than 80.0 cc. shall distill at a temperature not exceeding 110.0° C.

Measure 100.0 cc. of the sample into a round bottom, short neck, glass flask of 180–200 cc. capacity and place the flask on an asbestos plate having a circular opening 30 mm. in diameter. Use a fractionating tube in the neck of the flask which is 12 mm. in diameter and 170 mm. long, with a bulb located 1.0 cm. below the side tube and connect the fractionating tube to a Liebig condenser having a water jacket not less than 400 mm. long. Place a standardized distillation thermometer in the upper opening of the fractionating tube and adjust the thermometer so that its mercury bulb comes in the center of the bulb in the fractionating tube. Conduct the distillation in such a manner that 3.0 cc. of distillate pass over in one minute. Collect the distillate in a 100 cc. graduated cylinder. Allow 1.0° C. for every variation of 30 mm. in pressure in case the barometer should vary from 760 mm. during the distillation.

Miscibility with water. It must give an opalescent solution with no separation of oil at room temperature (20.0° C.) when 90.0 cc. of distilled water are added to 10.0 cc. of denatured alcohol (100.0 parts of 95 per cent ethyl alcohol and 5.0 parts of the sample).

Ketones. It must contain not less than 10 per cent nor more than 15.0 per cent by volume of ketones calculated as acetone when tested by the following method (Messinger):

Measure 5.0 cc. of the sample in a precision pipette, dilute to about 400 cc. in a precision volumetric flask, shake well to

insure complete solubility, complete the dilution to 500 cc. and mix thoroughly. After measuring 5.0 cc. of the diluted sample from a precision pipette into a 250 cc. glass-stoppered Erlenmeyer flask containing 25 cc. of cold distilled water, add exactly 10.0 cc. of a 2.0 normal sodium hydroxide solution. Then add 20.0 cc. of a 0.100 N. iodine solution, thoroughly shake the contents of the flask, stopper and allow the mixture to stand in an ice box for at least five minutes. When the 5-minute period is up, add exactly 10.5 cc. of a 2.0 N. sulphuric acid solution. Then add 0.100 N. sodium thiosulfate solution with shaking until the color becomes a pale lemon-yellow color and add a few drops of starch indicator solution. Continue the addition of the 0.100 N. sodium thiosulfate solution until the color disappears and add a few drops in excess. The color is just barely brought back with 0.100 N. iodine solution and then made to disappear again with 0.100 N. sodium thiosulfate solution.

Ketones as acetone by volume=(cc. 0.100 N. iodine added—cc. 0.100 N. sodium thiosulfate added) ×2.41.

Esters. It must contain not less than 0.80 per cent nor more than 2.50 per cent by volume of esters calculated as ethyl acetate and determined as follows:

Measure exactly 5.0 cc. of the sample with a precision pipette into a 500 cc. Erlenmeyer flask containing 20.0 cc. of 0.100 N. sodium hydroxide solution and 150 cc. of distilled water. Connect the Erlenmeyer flask to a condenser and reflux the mixture for one hour. Cool the flask after digestion, add about 10 drops of phenolphthalein indicator solution and titrate with 0.100 N. hydrochloric acid.

Esters as ethyl acetate by volume=(cc. NaOH×Normality of NaOH—cc. HCl ×Normality of HCl)×1.97.

Bromine number. It must contain a sufficient quantity of unsaturated pyroligneous bodies so that 100.0 cc. shall show a bromine number of not less than 7.50 when determined in the following manner:

Prepare a standard bromate-bromide solution by dissolving 12.406 grams of potassium bromide and 3.481 grams of potassium bromate (dried for two hours at 105° C.) in 1,000 cc. of distilled water. One gram of bromine in this solution has the equivalent of 125.12 cc. of 0.100 N. sodium thiosulfate solution, giving each cc. of 0.100 N. sodium thiosulfate solution a bromine value of 0.007992. To a 250 cc. glass-stoppered Erlenmeyer flask containing about 50 cc. of distilled water, add from a precision pipette exactly 25.0 cc. of the standard solution containing 0.25 gram of bromine. Add 1.0 cc. of the sample from a 1.0 cc. precision burette. Acidify the contents of the flask with 10.0 cc. of 1:4 sulfuric acid solution, shake vigorously for one-half minute and allow the mixture to stand exactly five minutes at room temperature (20.0° C.). Finally, add 10 cc. of 15.0 per cent potassium iodide solution and titrate with 0.100 N. sodium thiosulfate solution until the red color formed by the liberated iodine has changed to a lemon-yellow color. Then add some freshly prepared starch solution and titrate to the first disappearance of the blue color.

Calculation. The bromine number or grams of bromine absorbed by 100.0 cc. of the sample is obtained by subtracting the number of the cc. of 0.100 N. sodium thiosulfate solution used in the titration from 31.28. This figure is multiplied by 0.007992, giving grams of bromine per 1.00 cc. of the sample and then by 100.

Example. One cubic centimeter of the sample requires a titration of 23.00 cc. of 0.100 N. sodium thiosulfate solution to neutralize the excess iodine. Subtracting this from 31.28, the thiosulfate equivalent of the 0.25 gram of bromine in 25.0 cc. of the standard bromate-bromide solution used, gives 8.28, the thiosulfate equivalent of the bromine absorbed by the unsaturated pyroligneous bodies in 1.0 cc. of the sample. Multiplication by 0.007992 equals 0.06617 gram of bromine. Finally, 0.06617 multiplied by 100 equals 6.62, the bromine number.

Methanol content. It shall not produce a blue coloration when the denatured alcohol (100.0 parts of 95 per cent ethyl alcohol and 5.0 parts of the sample) is tested by the Georgia-Morales method in the following manner:

Prepare the following solutions for conducting the Georgia-Morales test:

1. *Potassium permanganate.* Dissolve 3.0 grams of potassium permanganate in a mixture of 15 cc. of 85 per cent phosphoric acid and 100 cc. of distilled water.

2. *Oxalic acid.* Dissolve 5.0 grams of oxalic acid in 100 cc. of 1:1 sulfuric acid in distilled water.

3. *Rosaniline hydrochloride.* Dissolve 0.40 grams of Kahlbaum's rosaniline hydrochloride in 240 cc. of hot, distilled water, cool, add 4.0 grams of anhydrous sodium sulfite dissolved in 40 cc. of distilled water and 4.0 cc. of concentrated hydrochloric acid. Dilute this mixture to 400 cc., store in a glass-stoppered, amber bottle, and allow it to stand at least 10 hours before using. Keep the solution stored in an ice box or at a temperature not exceeding 15.0° C.

Procedure. To 5.0 cc. of distilled water in a test tube, add exactly 0.25 cc. of the denatured alcohol (100.0 parts of 95 per cent ethyl alcohol and 5.0 parts of the sample) from a 1.0 cc. precision burette. To this solution add 2.0 cc. of the potassium permanganate solution and allow the mixture to stand for 10 minutes with occasional shaking of the test tube. Then destroy the excess potassium permanganate by the addition of 2.0 cc. of the oxalic acid solution. As soon as the solution is decolorized, add 5.0 cc. of the rosaniline hydrochloride solution and allow to stand for 10 minutes with occasional shaking of the test tube. A blue coloration should not be produced in the solution at the end of the 10-minute period.

Physical characteristics. The sample shall have the same odor, color, and taste as the standard sample of ST–115 supplied by the Alcohol Tax Unit, Bureau of Internal Revenue. In addition to the above chemical and physical constants, any material submitted as ST–115 or a substitute therefor shall have the same denaturing properties as the standard ST–115 supplied by the Alcohol Tax Unit, Bureau of Internal Revenue.

SPECIFICATIONS FOR DENATURANTS IN SPECIALLY DENATURED ALCOHOL

Animal Oil (Dipple's Oil)

Color. The color shall be a deep brown.

Boiling point. When 100 cc. of the animal oil are subjected to distillation in the same manner as prescribed for the determination of the boiling point of wood alcohol, not more than 5 cc. should distill over below 90° C.

Pyrrol reaction. 2.5 cc. of a 1 per cent solution of the animal oil in 90 per cent alcohol are diluted to 100 cc. with 95 per cent alcohol. A splinter of pine wood, previously moistened with concentrated hydrochloric acid, is dipped into 10 cc. of this solution containing 0.025 per cent of animal oil. After a few minutes the splinter should show a distinct red coloration.

Reaction with mercuric chloride. Five cc. of the 1 per cent solution of the animal oil in 90 per cent alcohol, when treated with 5 cc. of a 2 per cent solution of mercuric chloride in alcohol, should give an immediate turbidity followed by the separation of a flocculent precipitate after several minutes standing. Five cc. of the 0.025 per cent solution of animal oil, when treated with 5 cc. of the 2 per cent solution of mercuric chloride, should show a faint turbidity after several minutes.

Benzol

Solubility in water. When 10 cc. of benzol are shaken with an equal volume of water in a glass-stoppered cylinder, graduated into tenths of a cubic centimeter and allowed to stand 5 minutes to separate, the upper layer of liquid must measure not less than 9.5 cc.

Boiling point. When 100 cc. of benzol are subjected to distillation in the same manner as described for that of wood alcohol, not more than 1 cc. should go over at 77° C., and not less than 95 cc. at 85° C.

Brucine and Brucine Sulphate

Qualitative identification. A 10 per cent solution of barium chloride added to a solution of brucine sulphate produces a white precipitate insoluble in hydrochloric acid.

Nitric Acid—Stannous chloride tests. Concentrated nitric acid dissolves brucine and its salts to produce a blood-red colored solution. Add a few drops of freshly prepared dilute stannous chloride solution to the reddish solution produced by the nitric acid. An intense violet color will appear (distinction from morphine).

Purity. When dried to constant weight at 110° C. the brucine sulphate should lose not more than 12 per cent of its original weight. The brucine sulphate shall be free from strychnine when tested by the following method: Dissolve 0.3 gram of brucine sulphate in 15 cc. of 3 per cent sulphuric acid solution (warm if necessary). Cool solution and add 3 cc. of a cooled mixture of equal volumes of nitric acid (specific gravity 1.42) and distilled water. After rotating the liquid a few times set aside for exactly 10 minutes, shaking gently three times during the interval. The temperature of the solution should be kept below 25° C. during this operation. The resulting red solution should be transferred immediately to a separatory funnel containing 25 cc. of an aqueous solution of 10 per cent sodium hydroxide. The contents of the separatory funnel should be cooled to below 25° C. The solution in the separatory funnel must be alkaline. Extract with three successive portions of chloroform of 20 cc., 10 cc., and 10 cc., respectively. Draw off the chloroform through a wetted cotton filter into a white porcelain evaporating dish. Evaporate the combined chloroform extractions to dryness on the water bath, being careful to avoid decrepitation. To the residue add a small crystal of potassium bichromate and approximately 1 cc. of concentrated sulphuric acid. If strychnine is present, the characteristic violet color will appear.

NOTE. If the brucine contains as much as 0.05 per cent strychnine, a clear, distinctive violet color, characteristic of strychnine, will be obtained.

Chloroform (Crude)

Specific gravity 25°/25° C. Not less than 1.400.

Diethylphthalate

Specifications for diethylphthalate. Diethylphthalate is colorless, practically without odor, and is miscible with alcohol. Boiling range 290° C.–297° C. The ester content should be not less than 99 per cent as determined by the usual saponification method.

Ethyl Acetate

Color. Water-white.

Specific gravity 20°/20° C. Not less than 0.885.

Acidity. Not more than 0.015 per cent as acetic acid.

Water solubility. Not more than 16 per cent.

Saponification value. Not less than 85 per cent as ethyl acetate.

Distillation range. Below 70° C.—None. Below 72° C.—Not more than 10 per cent. Above 80° C.—None.

Ethylamines

Shall be a mixture of monoethylamines and diethylamines.

Specific gravity. Shall not be less than 0.704 at 4°/4° C.

Boiling range. When distilled by the Engler method with the mercury bulb of the thermometer immersed in the liquid, the boiling range shall be from 19 to 57.5° C.

Alkalinity. One cc. measured at 4° C. shall require not more than 28.7 cc. nor less than 19 cc. of 0.5 normal hydrochloric acid for neutralization.

Ethyl Ether

Specific gravity 15.56°/15.56° C. Not more than 0.728.

Ethyl Propionate

Saponification number. Not less than 474 by method given in U. S. P. XI, p. 445. Saponification value.

Boiling range. At 760 mm. by A. S. T. M. method D268–33. Not more than 10 per cent at 78.0° C. Not more than 50 per cent at 88.0° C. Not less than 90 per cent at 99.5° C.

Specific gravity. Not less than 0.88 at 20°/20° C.

Fumes (Condensed)

Condensed fumes recovered in the process of the manufacture of fulminate of mercury, containing not less than 4 grams per 100 cc. of mixed aldehydes calculated as acetaldehyde.

Gasoline

Volatility and distillation range. When 5 per cent of the sample has been distilled into a graduated receiver, the thermometer shall not read more than 65° C. (149° F.) nor less than 50° C. (122° F.). When 50 per cent has been recovered in the receiver, the thermometer shall not read more than 95° C. (203° F.).

Methyl Alcohol

Commercially pure methyl alcohol having a specific gravity at 15.56°/15.56° C. of not more than 0.810.

Methyl Isobutyl Ketone

Specific gravity 20°/20° C. 0.799 to 0.804.

Color. Water-white.

Acidity. Not more than 0.02 per cent as acetic acid.

Boiling range (760 mm.). None should come over below 111° C. or none above 117° C. when distilled by the A. S. T. M. method D268–33.

Methyl Propyl Ketone

Purity. Consists of at least 97 per cent of ketones.

Specific gravity 20°/20° C. 0.807 to 0.811.

Color. Water-white.

Water. Miscible without turbidity with 19 volumes of 60° Be. gasoline at 20° C.

Acidity (free acid as acetic acid). Less than 0.003 per cent.

Distillation range (according to A. S. T. M. specifications D268–33). More than 90 per cent distills over between 100° and 103° C.

Nonvolatile matter. Less than .005 per cent.

Nicotine Solution

The denaturing solution must conform to the following analytical requirements:

Determination of nicotine. It must contain not less than 1.88 per cent of nicotine when tested by the following process: 20 cc. of the solution are measured into a 500 cc. Kjeldahl flask provided with a suitable bulb tube, 10 cc. of N/10 alkali added, the liquid made up to 50 cc. and distilled in a current of steam until the distillate is no longer alkaline (about 500 cc.). The distillate is then titrated with N/10 H_2SO_4, using rosolic acid or methyl red as an indicator. Not less than 25.2 cc. should be required for the neutralization.

To determine the intensity of color. Of the denaturing solutions, 1 cc. is diluted with 100 cc. of water and 50 cc. of this solution are compared in a 50 cc. Nessler tube with 50 cc. of a solution containing 5 grams of $CuSO_4$, 5 H_2O, C. P., in 100 cc. of water.

Caution. It has been found that the above modified denaturing material when kept in closely-stoppered containers loses its color, but when agitated in the presence of air the color returns. Therefore, officers, before adding this material to the alcohol to be denatured, should see that the vessel containing the same is thoroughly agitated in the presence of air.

Normal Butyl Alcohol

Color. Colorless.

Acidity. To be less than 0.03 per cent determined as acetic acid.

Dryness. One volume to mix without clouding with 19 volumes of pure coal tar benzine.

Specific gravity 20° C/20° C. 0.810 to 0.815.

Pyridine Bases

Reaction with cadmium chloride. 10 cc. of a solution of 1 cc. of pyridine bases in 100 cc. of water are treated with 5 cc. of a 5 per cent water solution of anhydrous fused cadmium chloride, and the mixture vigorously shaken. Within 10 minutes an abundant crystalline separation should take place.

Behavior with Nessler's reagent. With 5 cc. of Nessler's reagent, 10 cc. of the same solution of pyridine bases must give a white precipitate.

Boiling point. When 100 cc. are subjected to the determination of the boiling point in the same manner as prescribed for wood alcohol, at least 50 cc. must distill at or below 140° C. and at least 90 cc. at or below 160° C.

Miscibility with water. The same requirements must be met as are imposed upon wood alcohol.

Water content. When 20 cc. of pyridine bases are shaken with 20 cc. of a solution of caustic soda with a specific gravity 1.40 at 15.56°/15.56° C. and the mixture allowed to stand for some time, at least 18.5 cc. of the pyridine bases must separate from the solution.

Alkalinity. One cc. of pyridine bases dissolved in 10 cc. of water are titrated with normal sulphuric acid until a drop of the mixture placed upon Congo paper shows a distinct blue border which soon disappears. It must require not less than 9.5 cc. of the acid solution to produce the reaction.

The Congo paper is prepared by treating filter paper with a solution of 1 gram of Congo red in 1 liter of water, and drying it.

Sucrose Octa Acetate

Sucrose octa acetate is an organic acetylation product commercially available as cream-colored, nonhydroscopic powder, having an intensely bitter taste.

Melting point. It shall have a melting point of not less than 78.0° C. or not more than 84.0° C.

Reduction with copper salts. It shall give a red precipitate when tested with Benedict's solution in the following manner:

Add 1.0 gram of the sample to 100.0 cc. of distilled water in 500.0 cc. Erlenmeyer flask, and to this mixture add 1.5 cc. of concentrated hydrochloric acid solution. Transfer to a reflux condenser, allow the mixture to come to a boil, and boil for 10 minutes to insure complete hydrolysis of the sample. Measure out 10.0 cc. of the resulting solution, add 10.0 cc. of Benedict's solution and heat in boiling water for 10 minutes. A red precipitate indicates the presence of sucrose octa acetate.

Benedict's solution. Dissolve 17.3 grams of copper sulphate ($CuSO_4.5H_2O$), 173.0 grams of sodium citrate, and 100.0 grams of anhydrous sodium carbonate in distilled water and dilute to 1,000 cc. with distilled water.

Free acid as acetic acid. The free acid as acetic acid shall not be greater than 0.15 per cent by weight when tested in the following manner:

Dissolve a 1.0 gram sample in 50.0 cc. of neutral alcohol, and titrate with N/10 sodium hydroxide solution using phenolphthalein as an indicator.

Per cent acid as acetic acid=

$$\frac{\text{cc. NaOH used} \times \text{normality} \times 6.00}{\text{Weight of sample}}$$

Sucrose octa acetate content. It shall contain not less than 98.00 per cent sucrose octa acetate by weight when tested according to the following method:

Weigh a 1.50 gram sample, and transfer to a 500.0 cc. Erlenmeyer flask containing 100.0 cc. of neutral ethyl alcohol and exactly 50.0 cc. of N/2 sodium hydroxide solution. Attach the Erlenmeyer flask to a reflux condenser, reflux the material for one hour, cool and titrate the excess sodium hydroxide with N/2 sulfuric acid solution using phenolphthalein as an indicator.

Per cent sucrose octa acetate

$$= \frac{(\text{cc. NaOH used} \times \text{normality} - \text{cc. } H_2SO_4 \text{ used} \times \text{normality}) \times 8.478}{\text{Weight of sample}}$$

Insoluble matter. It shall contain not more than 0.30 per cent insoluble matter.

Sulphuric acid

Specific gravity 15.56°/15.56° C. Not less than 1.84.

Tertiary Butyl Alcohol

Specific gravity 25°/25° C. 0.780 to 0.786.

Color. Water-white.

Water. Miscible without turbidity with 19 volumes of 60° Be. gasoline at 20° C.

Acidity (free acid as acetic acid). Less than 0.003 per cent.

Distillation range. When 100 cc. are distilled according to the A. S. T. M. method D268–33, none should come over below 78° C. and none above 85° C. More than 95 per cent should distill over between 81° C. and 83° C.

Residual odor. None.

Nonvolatile matter. Less than 0.005 per cent.

Freezing point (first needle). Above 20° C.

Identification test. Place 5 drops of a solution containing one-tenth of 1 per cent of tertiary butyl alcohol in ethyl alcohol in a test tube containing 2 cc. of Denige's reagent. The mixture is then heated just to boiling and then removed from the flame. A yellow precipitate should be produced.

Vinegar

Not less than 9 per cent of acetic acid.

Wood Alcohol

The wood alcohol submitted must be a partially purified distillate from crude wood alcohol obtained only by the destructive distillation of wood. It may be a blend of those distillation fractions commonly known as the methyl acetone, methyl alcohol, and allyl fractions. This blend shall consist in its entirety of all or portions of each of the fractions.

A mere physical mixture of the essential chemical constituents will not be approved nor will the addition of water subsequent to distillation in order to make the specific gravity conform to the specifications. It is the intent of these specifications that the chemical findings outlined below shall be due only to those impurities or ingredients naturally formed in the course of the destructive distillation of wood and that the extent of the presence of such impurities or ingredients be due entirely to their natural occurrence in the fractions mentioned above.

Every shipment of approved wood alcohol must be accompanied by a sworn statement in duplicate from the manufacturer thereof, giving the name and address of the refinery in the United States where produced, the amount of denaturant shipped and certifying that it is a partially purified distillate from crude wood alcohol produced in accordance with the letter and intent of the first paragraph of these specfiications.

These certificates should be sent to the storekeeper-gauger in charge at the denaturing plant which is receiving the approved wood alcohol. One copy of the certificate of origin should be held by the storekeeper-gauger in charge and filed for future reference. The other copy should accompany the sample taken from the shipment that is sent to the authorized chemist for examination and approval. The authorized chemist, upon completing his examination, shall make his report as required by the regulations and forward the certificate of origin to the supervisor of the district in which the denaturing plant is located, where it should be filed for future reference. The authorized chemist must note on the forms used for making the chemical reports of approved wood alcohol that the certificate of origin has been furnished with the sample examined.

Where producers of wood alcohol sell the approved grade to dealers, duplicate certificates of origin should be furnished and dealers in turn should furnish certified copies in duplicate to each denaturing plant purchasing approved wood alcohol from them. These certified copies of the original certificate of origin then will be handled in the manner described above. Approved wood alcohol which has been examined and approved when transferred from one denaturing plant to another denaturing plant should be accompanied by a certified copy of the certificate of origin of the lot transferred. This denaturant must conform to the following analytical requirements:

1. *Color.* This shall not be darker than that produced by a freshly prepared solution of 2 cc. of N/10 iodine diluted to 1,000 cc. with distilled water.

2. *Specific gravity.* It must have a specific gravity of not less than 0.81984 at 60° F. (15.56° C.), or not more than 94° of Tralles scale. The material analyzed shall be maintained at the indicated temperature sufficiently long to render it uniform. Readings may be made by the use of the pycnometer, specific gravity balance or standardized steins indicating specific gravity or degrees Tralles. Conversion of specific gravity to Tralles may be made by use of table 3 of the 1924 edition of the Standard Density and Volumetric Tables, Bureau of Standards Circular No. 19.

3. *Boiling point.* One hundred cc. slowly heated in a flask under conditions as described below must give a distillate of not less than 90 cc. at a temperature not exceeding 75° C. at the normal pressure of the barometer (760 mm.). One hundred cc. of wood spirit are run into a short-necked copper flask of about 180–200 cc. capacity and the flask placed on an asbestos plate having a circular opening of 30 mm. diameter. In the neck of this flask is fitted a fractionating tube 12 mm. wide and 170 mm. long, with a bulb just 1 cm. below the side tube, which is connected with a Liebig condenser having a water jacket not less than 400 mm. long. In the upper opening of the fractionating tube is placed a standardized thermometer, so adjusted that the mercury bulb comes in the center of the bulb. The distillation is conducted in such a manner that 5 cc. pass over in one minute. The distillate is run into a graduated cylinder, and when the temperature of 75° C. has been reached at the normal barometric pressure of 760 mm. at least 90 cc. shall have been collected.

Should the barometer vary from 760 mm. during distillation, 1° C. shall be allowed for every variation of 30 mm. For example, at 770 mm. 90 cc. should have distilled at 75.3° C., and at 750 mm. 90 cc. should have distilled at 74.7° C.

4. *Miscibility with water.* When mixed with twice its volume of water it must not show a distinct separation of an oily layer. Observation shall be made three minutes after mixing at a temperature of 25° to 30° C.

5. *Acetone content.* It must contain not more than 20 nor less than 10 grams per 100 cc. of acetone and other substances estimated as acetone when tested by the following method (Messinger):

One cc. of a mixture of 10 cc. wood alcohol with 90 cc. of water is treated with 10 cc. of double normal soda solution. Then 50 cc. of N/10 iodine solution are added while shaking, and the mixture made acid with dilute sulphuric acid three minutes after the addition of the iodine. The excess of iodine is titrated back with N/10 sodium thiosulphate solution, using a few drops of starch solution for an indicator. From 10.3 to 20.7 cc. of N/10 iodine solution should be used by the spirit.

The solution should be kept at a temperature between 15° C. and 20° C.

Calculation: X=grams of acetone in 100 cc. of spirits.
Y=number of cc. of N/10 iodine solution required.
N=volume of spirit taken for titration.

Then $X = \frac{Y(0.096672)}{N}$.

Optional method for acetone: Take 10 cc. of wood alcohol, dilute to 500 cc. with water in a 500 cc. graduated glass-stoppered flask; mix thoroughly. Take 5 cc. of this mixture, using a standardized pipette (proceed as usual).

It is recommended that whichever method is used the authorized chemist carry a blank test made up of a solution of pure acetone in methyl alcohol in the proportion of about 16 grams of acetone made up to 100 cc., and when each determination is made a blank be run; then add to the amount of acetone found in the sample under examination the difference between the known value of the blank and the titrated blank.

6. *Esters.* It shall contain not less than 3 nor more than 10 grams of esters per 100 cc. of spirit calculated as methyl acetate and determined as follows:

Ten cc. of wood alcohol are diluted to 500 cc. with water in 500 cc. graduated glass-stoppered flask; thoroughly mix; 100 cc. of this mixture is run into a flask, and 50 cc. deci-normal sodium hydrate, free from carbonates, is added and the flask connected with a reflux condenser and boiled for one hour. Instead of digesting at boiling temperature the flasks may be allowed to stand overnight at room temperature and then heated on a steam bath for 30 minutes with an ordinary tube condenser. The liquid after digestion is cooled and titrated with normal sulphuric acid, using phenolphthalein as an indicator.

Methyl acetate=grams per 100 cc. of spirit=

$$\frac{0.0074 \times \text{cc. of N/10 soda required} \times 100}{\text{2 cc. spirit taken}}$$

7. *Bromine absorption.* It must contain such a quantity of pyroligneous bodies that not more than 21 cc. nor less than 14 cc. shall be required to decolorize a standard solution containing 0.5 gram of bromine. These pyroligneous bodies shall be derived from the fractions referred to in the first paragraph of these specifications.

The standard bromine solution is made by dissolving 12.406 grams of potassium bromide and 3.481 grams of potassium bromate (which is of tested purity and has been dried for two hours at 105° C.) in a liter of water. Fifty cc. of the standard solution containing 0.5 gram of bromine are placed in a glass-stoppered flask having a capacity of about 200 cc. This is acidified by the addition of 10 cc. of diluted sulphuric acid (1 to 4) and the whole shaken and allowed to stand a few minutes. The wood alcohol is then allowed to flow slowly into the mixture, drop by drop, rate of flow not to exceed 5 cc. per minute from a burette until the color is entirely discharged. The temperature of the mixture should be 20° C.

8. In addition to the above requirements the wood alcohol must be of such a character as to impart its characteristic odor and taste to the ethyl alcohol with which it is mixed, thereby giving an unmistakable warning as to its presence.

SPECIFICATIONS FOR DENATURANTS USED IN ETHYL ACETATE

Calol Ethatate

A petroleum product free from water and all suspended materials having a specific gravity of not less than 0.830 at 60° F.

Sulphur content not less than 4.5 per cent as determined by the Bomb method.

Shall contain no hydrogen sulphide, carbon bisulphide, or added elementary sulphur.

The percentage of sulphur in the fraction distilling between the 20 per cent and the 70 per cent A. S. T. M. fractional distillation points shall not be less than 80 per cent of the percentage sulphur in the original sample.

Distillation range (A. S. T. M. method D86). (a) When 30 per cent has been recovered in the receiver the thermometer shall not read higher than 347° F. (175° C.).

(b) When 50 per cent has been recovered in the receiver the thermometer shall not read higher than 383° F. (195° C.).

(c) When 90 per cent has been recovered in the receiver the thermometer shall not read higher than 473° F. (245° C.).

Solubility in 95 per cent ethyl alcohol. When 10 cc. of the liquid is mixed with an equal volume of 95 per cent ethyl alcohol both at 25° C. and allowed to stand at 25° C. until separation is complete the alcohol layer will measure not less than 12 cc.

Methyl Isobutyl Ketone

Supra.

Wood Alcohol

Supra.

SPECIALLY DENATURED ALCOHOL FORMULAE

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
1. Five gallons approved wood alcohol	Solvent in lacquers, varnishes, etc.:
	011. Cellulose compound lacquers, etc.
	012. Synthetic resin varnishes.
	013. Shellac varnish.
	014. Natural resin varnish.
	016. Other surface coating materials.
	Solvent in manufacturing plastics:
	021. Cellulose plastics.
	022. Plastics containing no cellulose compounds.
	Solvent in manufacturing other cellulose and resinous materials:
	031. Photographic film and emulsions.
	032. Transparent sheeting not photographic.
	033. Explosives.
	034. Cellulose intermediates.
	035. Soldering flux
	036. Adhesives and binders.
	Solvents and thinners:
	041. Proprietary solvents.
	042. Other solvents and thinners.
	Solvent in manufacturing:
	051. Polishes.
	052. Inks.
	053. Stains.
	Solvent in manufacturing toilet soaps, etc.:
	141. Shampoos.
	142. Toilet soaps and bath salts.
	Solvent for manufacturing external pharmaceuticals:
	210. External pharmaceuticals not U. S. P. or N. F.
	Solvent for chemical manufacturing and purification:
	311. Cellulose dehydration.
	312. Sodium hydrosulphite dehydration.
	315. Other dehydration.
	Extraction, precipitation, crystallization:
	320. Petroleum products.
	331. Pectin.
	332. Other food products.
	341. Crude drugs.
	342. Glandular products and digestive ferments.
	343. Vitamins and related products.
	344. Medicinal chemicals including alkaloids.
	349. Miscellaneous drugs, including tablet manufacture.
	351. Dyes and intermediates.
	352. Perfume materials and fixatives.
	353. Photographic developers.
	358. Other chemical products.
	359. Miscellaneous products.
	Vehicle for chemical reaction in manufacturing:
	361. Dyes and intermediates.
	362. Drug products.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
1. Five gallons approved wood alcohol—Continued..	Vehicle for chemical reaction in manufacturing—Con. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 420. Embalming products. 430. Sterilizing and preserving solutions. 440. Industrial soaps. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. 481. Photo-engraving solutions. 482. Miscellaneous dye solutions. 485. Miscellaneous solutions. Raw material in manufacturing chemicals: 521. Ethyl acetate. 522. Ethyl chloride. 523. Other ethyl esters. 540. Dyes and intermediates. 551. Acetaldehyde. 552. Other aldehydes. 561. Ethyl ether (sulphuric ether). 562. Other ethers. 571. Ethylene dibromide. 572. Ethylene gas. 573. Xanthates. 574. Fulminate of mercury. 579. Other chemicals. Fuel purposes: 611. Automobile gasoline blends. 612. Airplane fuel. 629. Proprietary heating fuels. 630. Other fuel purposes. Fluid purposes: 710. Scientific instruments. 720. Brake fluid. 730. Cutting oils. 740. Refrigerator uses. 750. Other fluid uses. 760. Proprietary anti-freeze. Other uses: 810. Laboratory and experimental purposes.
2-A. Two gallons of approved wood alcohol and 2 gallons of benzol.	Solvent in lacquers, varnishes, etc.: 011. Cellulose compound lacquers, etc. 012. Synthetic resin varnishes. 013. Shellac varnish. 014. Natural resin varnish. 016. Other surface coating materials. Solvent in plastics and cleaning solutions: 021. Cellulose plastics. 022. Plastics containing no cellulose compounds. 450. Cleaning preparations and purposes.
2-B. One-half gallon benzol. (This formula must be used in a closed and continuous process unless it is shown that it is not practicable to do so.)	Solvent in manufacturing plastics: 021. Cellulose plastics. 022. Plastics containing no cellulose compounds. Solvent in manufacturing other cellulose and resinous materials: 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 033. Explosives. Solvent for chemical manufacturing and purification: 311. Cellulose dehydration. 312. Sodium hydrosulphite dehydration. 315. Other dehydration. Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
2-B. One-half gallon benzol. (This formula must be used in a closed and continuous process unless it is shown that it is not practicable to do so.)—Con.	Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for: 450. Cleaning purposes. Raw material in manufacturing chemicals: 521. Ethyl acetate. 522. Ethyl chloride. 523. Other ethyl esters. 540. Dyes and intermediates. 551. Acetaldehyde. 552. Other aldehydes. 561. Ethyl ether (sulphuric ether). 562. Other ethers. 571. Ethylene dibromide. 572. Ethylene gas. 573. Xanthates. 574. Fulminate of mercury. 579. Other chemicals.
3-A. Five gallons of commercially pure methyl alcohol.	Solvent in lacquers, varnishes, etc.: 011. Cellulose compound lacquers, etc. 012. Synthetic resin varnishes. 014. Natural resin varnish. 016. Other surface coating materials. Solvent in manufacturing plastics: 021. Cellulose plastics. 022. Plastics containing no cellulose compounds. Solvent in manufacturing other cellulose and resinous materials: 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 033. Explosives. 034. Cellulose intermediates. 035. Soldering flux. 036. Adhesives and binders. Solvent in manufacturing: 051. Polishes. 052. Inks. 053. Stains. Solvent in manufacturing toilet soaps, etc.: 141. Shampoos. 142. Toilet soaps and bath salts. Solvent for chemical manufacturing and purification: Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products. Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 420. Embalming products. 430. Sterilizing and preserving solutions. 440. Industrial soaps. 450. Cleaning preparations and purposes. 470. Incense. 481. Photo-engraving solutions. 482. Miscellaneous dye solutions. 485. Miscellaneous solutions.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
3-A. Five gallons of commercially pure methyl alcohol—Continued.	Raw material in manufacturing chemicals: 521. Ethyl acetate. 522. Ethyl chloride. 523. Other ethyl esters. 540. Dyes and intermediates. 571. Ethylene dibromide. 572. Ethylene gas. 573. Xanthates. 574. Fulminate of mercury. 579. Other chemicals. Fluid purposes: 710. Scientific instruments. 720. Brake fluid. 730. Cutting oils. 740. Refrigerator uses. 750. Other fluid uses. Other uses: 810. Laboratory and experimental purposes.
3-B. One gallon of pine tar (pix liquida U. S. P.)	Solvent in the manufacture of toilet preparations and disinfectants: 111. Hair and scalp preparations. 141. Shampoos. 142. Toilet soaps and bath salts. 410. Disinfectants, insecticides, etc. Solvent in the manufacture of: 460. Tobacco sprays and flavors.
4. One gallon of the following solution: 5 gallons of an aqueous solution containing 40 per cent nicotine; 3.6 ounces of methylene blue; water to make 100 gallons.	
6-A. Fifteen gallons of condensed fumes recovered in the process of manufacture.	Raw material in manufacturing: 574. Fulminate of mercury.
6-B. One-half gallon of pyridine bases	Raw material in manufacturing chemicals: 521. Ethyl acetate. 522. Ethyl chloride. 523. Other ethyl esters. 579. Other chemicals.
12-A. Five gallons of benzol	Solvent in manufacturing plastics: 021. Cellulose plastics. 022. Plastics containing no cellulose compounds. Solvent for chemical manufacturing and purification: 311. Cellulose dehydration. 312. Sodium hydrosulphite dehydration. 315. Other dehydration. Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products. Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for manufacturing: 430. Sterilizing and preserving solutions. 450. Cleaning preparations and purposes. Raw material in manufacturing chemicals: 521. Ethyl acetate. 523. Other ethyl esters. 540. Dyes and intermediates. 579. Other chemicals.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
13-A. Ten gallons of ethyl ether	Solvent in manufacturing: 011. Cellulose compound lacquers, etc. 021. Cellulose plastics. 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 033. Explosives. 034. Cellulose intermediates. 036. Adhesives and binders. 052. Inks. Solvent for manufacturing external pharmaceuticals, U. S. P. or N. F.: 241. Collodion. Solvent for chemical manufacturing and purification: Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products. Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for manufacturing miscellaneous products: 450. Cleaning solutions and purposes. 481. Photo-engraving solutions. 482. Miscellaneous dye solutions. 485. Miscellaneous solutions. Raw material in manufacturing chemicals: 523. Other ethl esters. 551. Acetaldehyde. 552. Other aldehydes. 561. Ethyl ether (sulphuric ether). 562. Other ethers. 579. Other chemicals. Fluid purposes: 750. Miscellaneous fluid uses.
17. Five-hundredths (0.05) gallon (6.4 fluid ounces) of animal oil (Dippie's oil).	Solvent for chemical manufacturing and purification: Extraction, precipitation, crystallization: 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. Raw material in manufacturing chemicals: 523. Ethyl esters. 572. Ethylene gas. 579. Other chemicals.
18. One hundred gallons of vinegar containing not less than 9 per cent of acetic acid.	Raw material in manufacturing chemicals: 511. Vinegar. 512. Acetic acid. 521. Ethyl acetate.
19. One hundred gallons of ethyl ether	Solvent in manufacturing cellulose products: 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 034. Cellulose intermediates. Solvent for manufacturing external pharmaceuticals, U. S. P. or N. F.: 241. Collodion.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
20. Five gallons crude chloroform	Raw material in manufacturing: 579. Chloroform. Solvent in manufacturing: 036. Adhesives and binders. 410. Disinfectants, insecticides, etc. 420. Embalming products. 430. Sterilizing and preserving solutions. Solvent in lacquers, varnishes, candy glazes, etc.: 011. Cellulose compound lacquers, etc. 012. Synthetic resin varnishes. 013. Shellac varnish. 014. Natural resin varnish. 015. Candy glazes. 016. Other surface coating materials. Solvent in manufacturing plastics: 021. Cellulose plastics. 022. Plastics containing no cellulose compounds. Solvent in manufacturing other cellulose and resinous materials: 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 034. Cellulose intermediates. 035. Soldering flux. 036. Adhesives and binders. Solvents and thinners: 042. Industrial solvents and thinners (other than proprietary solvents). Solvent in manufacturing: 051. Polishes. 052. Inks. 053. Stains. Solvent in manufacturing toilet preparations and toilet soaps: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent for manufacturing external pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. Solvent for chemical manufacturing and purification: Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products. Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 420. Embalming products. 430. Sterilizing and preserving solutions. 440. Industrial soaps. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. 481. Photo-engraving solutions. 482. Miscellaneous dye solutions. 485. Miscellaneous solutions. Fluid purposes: 750. Miscellaneous fluid uses.
22. Ten gallons of a formaldehyde solution containing 37 per cent formaldehyde.	Solvent in manufacturing: 113. Face and hand lotions. 210. External pharmaceuticals not U. S. P. or N. F.
23-A. Ten gallons acetone, U. S. P.	Solvent in manufacturing: 111. Hair and scalp preparations. 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses.
23-B. Nine pounds oil bitter almonds, U. S. P., 1 pound salicylic acid, U. S. P.	Raw material in manufacturing chemicals: 521. Ethyl acetate. 522. Ethyl chloride. 523. Other ethyl esters. 551. Acetaldehyde. 552. Other aldehydes. 561. Ethyl ether (sulphuric ether). 562. Other ethers. Solvent in manufacturing external pharmaceuticals: 230. Tinctures of iodine: Tincture of iodine, U. S. P. Mild tincture of iodine, U. S. P. Stronger tincture of iodine, N. F. Tincture of iodine, 3½ per cent.
23-C. Three pounds of salicylic acid, U. S. P., 1 pound resorcin, U. S. P., 1 gallon oil of bergamot or oil of bay, N. F. VI.	Solvent in manufacturing: 111. Hair and scalp preparations. 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses.
23-D. 3.5 gallons of methyl propyl ketone and 0.5 gallon of methyl isobutyl ketone. *Standard formula for rubbing alcohol compounds using S. D. A. 23-G:* S. D. A. No. 23-G ..... 98.1 fl. oz. Sucrose octa acetate ..... 0.5 oz. av. Water q. s. ..... 1 gallon All rubbing alcohol compounds or preparations coming under the general classification of rubbing alcohols must be manufactured with specially denatured alcohol Formulae 23-G or 23-H and they must contain 70 per cent absolute ethyl alcohol by volume or as near 70 per cent as is practicable to be obtained by the ordinary commercial methods used for compounding alcoholic preparations. In order that the finished products shall contain 70 per cent absolute ethyl alcohol by volume, the manufacturer should use the quantities of specially denatured alcohol in each gallon of the finished products as set forth in the standard formulae for rubbing alcohol compounds. All rubbing alcohol compounds must also contain the quantity of sucrose octa acetate set forth in the standard formulae. The manufacturer of rubbing alcohol compounds may also add to the formula such other odorous constituents or medicaments as is desired provided they are shown in the formula submitted for approval and that the finished product contains 70 per cent absolute alcohol by volume.	
23-E. Nine pounds oil bitter almonds, U. S. P., 1 pound salicylic acid, U. S. P.	
23-F. Three pounds of salicylic acid, U. S. P., 1 pound resorcin, U. S. P., 1 gallon oil of bergamot or oil of bay, N. F. VI.	
23-G. 3.5 gallons of methyl propyl ketone and 0.5 gallon of methyl isobutyl ketone. *Standard formula for rubbing alcohol compounds using S. D. A. 23-G:* S. D. A. No. 23-G ..... 98.1 fl. oz. Sucrose octa acetate ..... 0.5 oz. av. Water q. s. ..... 1 gallon	
23-H. Eight gallons of acetone U. S. P. and 1.5 gallons of methyl isobutyl ketone. *Standard formula for rubbing alcohol compounds using S. D. A. 23-H.* S. D. A. No. 23-H ..... 103.3 fl. oz. Sucrose octa acetate ..... 0.5 oz. av. Water q. s. ..... 1 gallon All rubbing alcohol compounds or preparations coming under the general classification of rubbing alcohols must be manufactured with specially denatured alcohol Formulae 23-G or 23-H and they must contain 70 per cent absolute ethyl alcohol by volume or as near 70 per cent as is practicable to be obtained by the ordinary commercial methods used for compounding alcoholic preparations. In order that the finished products shall contain 70 per cent absolute ethyl alcohol by volume, the manufacturer should use the quantities of specially denatured alcohol in each gallon of the finished products as set forth in the standard formulae for rubbing alcohol compounds. All rubbing alcohol compounds must also contain the quantity of sucrose octa acetate set forth in the standard formulae. The manufacturer of rubbing alcohol compounds may also add to the formula such other odorous constituents or medicaments as is desired provided they are shown in the formula submitted for approval and that the finished product contains 70 per cent absolute alcohol by volume.	
24. Twenty-nine gallons of sulphuric acid	
25. Twenty pounds of iodine, U. S. P., and 15 pounds of potassium or sodium iodide, U. S. P. *Formula for tincture of iodine, U. S. P.* (using S. D. A. Formula No. 25): Iodine ..... 6.50 oz. av. Potassium iodide ..... 4.50 oz. av. Distilled water ..... 6.40 fl. oz. S. D. A. Formula No. 25 q. s. ..... 128.00 fl. oz. *Formula for mild tincture iodine, U. S. P.* (using S. D. A. Formula No. 25): Iodine ..... 1 oz. av. 11 gr. Sodium iodide ..... 1 oz. av. 372 gr. Water ..... 65 fl. oz. 134 minims. S. D. A. Formula No. 25 q. s. ..... 128.00 fl. oz. NOTE.—In preparing the above official preparations the quantities of iodine and potassium or sodium iodide referred to as separate items in the formulae are exclusive of the denaturants in the specially denatured alcohol, and are the quantities that must be added in order that the finished products may comply with the official U. S. P. preparations.	

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
20. Five gallons crude chloroform	Raw material in manufacturing: 579. Chloroform. Solvent in manufacturing: 036. Adhesives and binders. 410. Disinfectants, insecticides, etc. 420. Embalming products. 430. Sterilizing and preserving solutions. Solvent in lacquers, varnishes, candy glazes, etc.: 011. Cellulose compound lacquers, etc. 012. Synthetic resin varnishes. 013. Shellac varnish. 014. Natural resin varnish. 015. Candy glazes. 016. Other surface coating materials. Solvent in manufacturing plastics: 021. Cellulose plastics. 022. Plastics containing no cellulose compounds. Solvent in manufacturing other cellulose and resinous materials: 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 034. Cellulose intermediates. 035. Soldering flux. 036. Adhesives and binders. Solvents and thinners: 042. Industrial solvents and thinners (other than proprietary solvents). Solvent in manufacturing: 051. Polishes. 052. Inks. 053. Stains. Solvent in manufacturing toilet preparations and toilet soaps: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent for manufacturing external pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. Solvent for chemical manufacturing and purification: Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals, including alkaloids. 349. Miscellaneous drugs, including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products. Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent for manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 420. Embalming products. 430. Sterilizing and preserving solutions. 440. Industrial soaps. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. 481. Photo-engraving solutions. 482. Miscellaneous dye solutions. 485. Miscellaneous solutions. Fluid purposes: 750. Miscellaneous fluid uses.
22. Ten gallons of a formaldehyde solution containing 37 per cent formaldehyde.	Solvent in manufacturing: 113. Face and hand lotions. 210. External pharmaceuticals not U. S. P. or N. F.
23-A. Ten gallons acetone, U. S. P.	Solvent in manufacturing: 111. Hair and scalp preparations. 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses.
23-B. Nine pounds oil bitter almonds, U. S. P., 1 pound salicylic acid, U. S. P.	Raw material in manufacturing chemicals: 521. Ethyl acetate. 522. Ethyl chloride. 523. Other ethyl esters. 551. Acetaldehyde. 552. Other aldehydes. 561. Ethyl ether (sulphuric ether). 562. Other ethers. Solvent in manufacturing external pharmaceuticals: 230. Tinctures of iodine: Tincture of iodine, U. S. P. Mild tincture of iodine, U. S. P. Stronger tincture of iodine, N. F. Tincture of iodine, 3½ per cent.
23-C. Three pounds of salicylic acid, U. S. P., 1 pound resorcin, U. S. P., 1 gallon oil of bergamot or oil of bay, N. F. VI.	Solvent in manufacturing: 111. Hair and scalp preparations. 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses. Solvent in manufacturing: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 210. External pharmaceuticals not U. S. P. or N. F. 220. Rubbing alcohol compounds. 410. Disinfectants, insecticides, etc. 450. Cleaning preparations and purposes. 470. Theater sprays and incense. Fluid purposes: 750. Miscellaneous fluid uses.
23-D. 3.5 gallons of methyl propyl ketone and 0.5 gallon of methyl isobutyl ketone. *Standard formula for rubbing alcohol compounds using S. D. A. 23-G:* S. D. A. No. 23-G ..... 98.1 fl. oz. Sucrose octa acetate ..... 0.5 oz. av. Water q. s. ..... 1 gallon All rubbing alcohol compounds or preparations coming under the general classification of rubbing alcohols must be manufactured with specially denatured alcohol Formulae 23-G or 23-H and they must contain 70 per cent absolute ethyl alcohol by volume or as near 70 per cent as is practicable to be obtained by the ordinary commercial methods used for compounding alcoholic preparations. In order that the finished products shall contain 70 per cent absolute ethyl alcohol by volume, the manufacturer should use the quantities of specially denatured alcohol in each gallon of the finished products as set forth in the standard formulae for rubbing alcohol compounds. All rubbing alcohol compounds must also contain the quantity of sucrose octa acetate set forth in the standard formulae. The manufacturer of rubbing alcohol compounds may also add to the formula such other odorous constituents or medicaments as is desired provided they are shown in the formula submitted for approval and that the finished product contains 70 per cent absolute alcohol by volume.	
23-E. Nine pounds oil bitter almonds, U. S. P., 1 pound salicylic acid, U. S. P.	
23-F. Three pounds of salicylic acid, U. S. P., 1 pound resorcin, U. S. P., 1 gallon oil of bergamot or oil of bay, N. F. VI.	
23-G. 3.5 gallons of methyl propyl ketone and 0.5 gallon of methyl isobutyl ketone. *Standard formula for rubbing alcohol compounds using S. D. A. 23-G:* S. D. A. No. 23-G ..... 98.1 fl. oz. Sucrose octa acetate ..... 0.5 oz. av. Water q. s. ..... 1 gallon	
23-H. Eight gallons of acetone U. S. P. and 1.5 gallons of methyl isobutyl ketone. *Standard formula for rubbing alcohol compounds using S. D. A. 23-H.* S. D. A. No. 23-H ..... 103.3 fl. oz. Sucrose octa acetate ..... 0.5 oz. av. Water q. s. ..... 1 gallon All rubbing alcohol compounds or preparations coming under the general classification of rubbing alcohols must be manufactured with specially denatured alcohol Formulae 23-G or 23-H and they must contain 70 per cent absolute ethyl alcohol by volume or as near 70 per cent as is practicable to be obtained by the ordinary commercial methods used for compounding alcoholic preparations. In order that the finished products shall contain 70 per cent absolute ethyl alcohol by volume, the manufacturer should use the quantities of specially denatured alcohol in each gallon of the finished products as set forth in the standard formulae for rubbing alcohol compounds. All rubbing alcohol compounds must also contain the quantity of sucrose octa acetate set forth in the standard formulae. The manufacturer of rubbing alcohol compounds may also add to the formula such other odorous constituents or medicaments as is desired provided they are shown in the formula submitted for approval and that the finished product contains 70 per cent absolute alcohol by volume.	
24. Twenty-nine gallons of sulphuric acid	
25. Twenty pounds of iodine, U. S. P., and 15 pounds of potassium or sodium iodide, U. S. P. *Formula for tincture of iodine, U. S. P.* (using S. D. A. Formula No. 25): Iodine ..... 6.50 oz. av. Potassium iodide ..... 4.50 oz. av. Distilled water ..... 6.40 fl. oz. S. D. A. Formula No. 25 q. s. ..... 128.00 fl. oz. *Formula for mild tincture iodine, U. S. P.* (using S. D. A. Formula No. 25): Iodine ..... 1 oz. av. 11 gr. Sodium iodide ..... 1 oz. av. 372 gr. Water ..... 65 fl. oz. 134 minims. S. D. A. Formula No. 25 q. s. ..... 128.00 fl. oz. NOTE.—In preparing the above official preparations the quantities of iodine and potassium or sodium iodide referred to as separate items in the formulae are exclusive of the denaturants in the specially denatured alcohol, and are the quantities that must be added in order that the finished products may comply with the official U. S. P. preparations.	

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
25-A. A solution composed of 20 pounds of iodine U. S. P., 15 pounds of potassium or sodium iodide, U. S. P., 15 pounds of water. *Formula for tincture iodine, U. S. P.* (using S. D. A. Formula No. 25-A). Iodine ..... 6.50 oz. av. Potassium iodide ..... 4.50 oz. av. Distilled water ..... 4.40 fl. oz. S. D. A. Formula No. 25-A q. s. ..... 128.00 fl. oz. *Formula for mild tincture iodine, U. S. P.*: Iodine ..... 1 oz. av. 11 grains Sodium iodide ..... 1 oz. av. 372 grains Water ..... 64 fl. oz. S. D. A. Formula No. 25-A q. s. ..... 128.00 fl. oz. NOTE.—In preparing the official preparation, the quantities of iodine and potassium or sodium iodide referred to as separate items in the formula are exclusive of the denaturants in the specially denatured alcohol, and are the quantities that must be added in order that the finished product may comply with the official U. S. P. preparation.	Solvent in manufacturing external pharmaceuticals: 230. Tinctures of iodine: Tincture of iodine, U. S. P. Mild tincture of iodine, U. S. P. Stronger tincture of iodine, N. F. Tincture of iodine, 3½ per cent.
27. One gallon of oil of rosemary, U. S. P., and 30 pounds of camphor, U. S. P. *Formula for camphor and soap liniment, U. S. P. XI.* (using S. D. A. Formula No. 27): Soap, dried and granulated, or powdered ..... 8 oz. av. 5 gr. Camphor, in small pieces ..... 2 oz. av. 280 gr. Oil of rosemary ..... 185 minims. S. D. A. Formula No. 27 ..... 93.75 oz. Water, a sufficient quantity to make ..... 128.00 fl. oz. NOTE.—In preparing the above official preparation the quantities of soap, camphor, and oil of rosemary referred to as separate items in the formula are exclusive of the denaturants in the specially denatured alcohol and are the quantities that must be added in order that the finished product may comply with the official U. S. P. preparation.	Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 243. Liniments, U. S. P. or N. F. 410. Disinfectants, insecticides, etc.
27-A. Thirty-five pounds of camphor U. S. P., and 1 gallon of oil of cloves, U. S. P.	Solvent in manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing: 113. Face and hand lotions. 141. Shampoos. 210. External pharmaceuticals not U. S. P. or N. F. 243. Liniments, U. S. P. or N. F. 410. Disinfectants, insecticides, etc.
27-B. One gallon oil lavender flowers U. S. P., or oil of cedar leaf U. S. P., and 100 pounds of soft soap, U. S. P. *Formula for liniment of soft soap, U. S. P.* (using S. D. A. Formula No. 27-B): Soft soap ..... 81 oz. av. 240 gr. Oil lavender or oil of cedar leaf ..... 2 fl. oz. 66 minims. S. D. A. Formula No. 27-B ..... a sufficient quantity to make 128.00 fl. oz. NOTE.—The quantities of ingredients referred to as separate items in the formula for liniment of soft soap are exclusive of the denaturants in the specially denatured alcohol and are necessary additions in order that the finished product may comply with the official formula.	
28. Ten gallons of approved benzol	Solvent in manufacturing: 012. Synthetic resin varnishes. 022. Plastics containing no cellulose compounds. Fuel purposes: 611. Automobile gasoline blends. 612. Airplane fuel.
28-A. One gallon of gasoline	Fuel purposes: 611. Automobile gasoline blends. 612. Airplane fuel.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
29. One gallon of 100 per cent acetaldehyde or 5 gallons of an alcoholic solution of acetaldehyde containing not less than 20 per cent acetaldehyde, or 1 gallon of GC-78, or 5 gallons of ethyl propionate, or 5 gallons of ethylamines, or 5 parts by weight if solid, or volume if liquid, of any chemical produced from ethyl alcohol. This formula is restricted to processes where the alcohol loses its identity as alcohol by being converted into other chemicals. Where it is desired to use any chemical produced from ethyl alcohol other than those mentioned as the denaturant for Formula No. 29, the use of such chemical shall be subject to approval by the Commissioner.	Raw material in manufacturing chemicals: 511. Vinegar. 512. Acetic acid. 521. Ethyl acetate. 523. Ethyl esters. 540. Ethylamines. 551. Acetaldehyde. 552. Other aldehydes. 562. Ethers. 579. Other chemicals. 580. Synthetic rubber.
30. Ten gallons of pure methyl alcohol	Solvent in lacquers, varnishes, etc.: 011. Cellulose componnd lacquers, etc. 012. Synthetic resin varnishes. 013. Shellac varnish. 014. Spirit varnish. 016. Other surface coating materials. 021. Cellulose plastics. Solvent in manufacturing other cellulose and resinous materials: 031. Photographic film and emulsions. 032. Transparent sheeting not photographic. 035. Soldering flux. 036. Adhesives and binders. Solvent in manufacturing: 051. Polishes. 052. Inks. 053. Stains. Solvent for chemical manufacturing and purification: Extraction, precipitation, crystallization: 320. Petroleum products. 331. Pectin. 332. Other food products. 341. Crude drugs. 342. Glandular products and digestive ferments. 343. Vitamins and related products. 344. Medicinal chemicals including alkaloids. 349. Miscellaneous drugs including tablet manufacture. 351. Dyes and intermediates. 352. Perfume materials and fixatives. 353. Photographic developers. 358. Other chemical products. 359. Miscellaneous products. Vehicle for chemical reaction in manufacturing: 361. Dyes and intermediates. 362. Drug products. 363. Photographic developers. 368. Other chemical products. 369. Miscellaneous products. Solvent in manufacturing miscellaneous products: 420. Embalming products. 430. Sterilizing and preserving solutions. 440. Industrial soaps. 450. Cleaning preparations and purposes. 481. Photo-engraving solutions. 482. Miscellaneous dye solutions. 485. Miscellaneous solutions. Raw material in manufacturing: 579. Chemicals. Fluid purposes: 750. Miscellaneous fluid uses. Other uses: 810. Laboratory and experimental purposes. Solvent in manufacturing: 113. Face and hand lotions. 131. Tooth paste and tooth powder. 141. Shampoos. 142. Toilet soaps and bath salts. 410. Disinfectants, insecticides, etc.
31-A. One hundred pounds of glycerin, U. S. P., and 20 pounds of hard soap, good toilet grade, containing not in excess of 5 per cent of moisture.	

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add:	
32. Five gallons of ethyl ether	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 131. Tooth paste and tooth powder. 132. Mouth washes. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. 244. Antiseptic solutions, N. F. Solvent for manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 420. Embalming products. 470. Theater sprays and incense.
To every 100 gallons of ethyl alcohol add: 33. Thirty pounds of methyl violet	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 131. Tooth paste and tooth powder. 132. Mouth washes. 141. Shampoos. 142. Toilet soaps and bath salts.
33. Thirty-five gallons of ethyl acetate	Solvent in manufacturing: 523. Ethyl esters.
35-A. Five gallons of ethyl acetate	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. Solvent in manufacturing: 470. Theater sprays and incense.
To every 100 gallons of ethyl alcohol add: 35-B. A total of 10 pounds of a mixture of two or more of the U. S. P. oils and substances listed below: Camphor. Chlorothymol. Benzaldehyde. Eucalyptol. Cassia oil. Menthol crystals. Oil of bay. Oil of bergamot. Oil of bitter almonds. Oil of cassia or cinnamon. Oil of cedar leaf. Oil of citronella. Oil of cloves or eugenol. Oil of eucalyptus. Oil of lavender. Oil of peppermint (volatile). Oil of pepermint. Oil of pine or pine needles. Oil of rosemary. Oil of sassafras. Oil of spearmint. Oil of thyme. Oil of turpentine. Oil of wintergreen or methyl salicylate. Phenol. Phenyl salicylate. Salol, 1 pound, effectively not less than 1.096 and not more than 1.110 at 16° C. Thymol. Anyone desiring to use the above formula must specify in the application which and how many of the above substances are required. Anyone desiring to use 10 pounds of only one of the above denaturants must request the privilege from the Department setting out the denaturant and the reasons for the particular request so that a ruling may be made. Upon application the substitution of other essential oils or substances for those listed above will be given consideration provided they are efficient denaturants and it is conclusively shown that none of the denaturants listed above is satisfactory for the manufacture of any particular product.	Solvent in manufacturing toilet preparations: 131. Tooth paste and tooth powder. 132. Mouth washes. Solvent in manufacturing: 132. Mouth washes.
38-C. One hundred and sixty ounces menthol, U. S. P., 1.25 gallons solution of formaldehyde containing 37 per cent formaldehyde.	Solvent in manufacturing: 132. Mouth washes.
38-D. Forty ounces of menthol, U. S. P. and 2.5 gallons of formaldehyde solution containing 37 per cent formaldehyde.	Solvent in manufacturing: 132. Mouth washes.
38-E. Five gallons of fluid extract ipecac, U. S. P. or 40 pounds of ipecac, U. S. P.	Solvent in manufacturing toilet preparations 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 131. Tooth paste and tooth powder. 132. Mouth washes. 141. Shampoos. 142. Toilet soaps and bath salts.
38-A. Two pounds of sodium salicylate or salicylic acid, U. S. P., and 1.25 gallons N. F. fluid extract of quassia and ⅛ gallon of denaturing grade tertiary butyl alcohol.	Solvent in manufacturing toilet preparations 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 410. Disinfectants, insecticides, etc. 470. Theater sprays and incense.
38-B. Two and one-half gallons of diethylphthalate and ⅛ gallon of denaturing grade tertiary butyl alcohol.	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 430. Sterilizing and preserving solutions. 470. Theater sprays and incense. Raw material in manufacturing: 523. Ethyl esters.
38-C. One gallon of diethylphthalate The diethylphthalate used shall be of the same quality as that specified for use in specially denatured alcohol Formula No. 39-B. This formula may be used only in the manufacture of high-grade perfumes, toilet waters, and toilet preparations containing not less than 2 per cent by weight of essential oils, or their equivalent in perfume materials. The Department will permit the use of this formula only by manufacturers who are properly equipped by reasons of experience and manufacturing facilities to effectively control their manufacturing operations in accordance with the limitations governing the use of this formula.	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. Solvent in manufacturing: 470. Theater sprays and incense.
38-D. Fifty ounces quinine sulphate, U. S. P., or quinine bisulphate, U. S. P., or 200 ounces avoirdupois sodium salicylate, U. S. P., and 1 gallon oil of bay, N. F.	Solvent in manufacturing toilet preparations 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. Solvent in manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F.
40. 3 ounces of the alkaloid brucine or brucine sulphate and ⅛ gallon of denaturing grade tertiary butyl alcohol.	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 470. Theater sprays and incense.
40-A. Five pounds of sucrose octa acetate and ¼ gallon of denaturing grade tertiary butyl alcohol.	Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 470. Theater sprays and incense. Solvent in manufacturing: 430. Sterilizing and preserving solutions.
42. Eighty grams potassium iodide U. S. P., and 109 grams red mercuric iodide, U. S. P.; or 95 grams sodium ethyl mercuric thiosalicylate, C. P., or 76 grams of any one of the following chemicals: phenyl mercuric nitrate, C. P., phenyl mercuric chloride, C. P., phenyl mercuric benzoate, C. P.	Solvent in manufacturing: 430. Sterilizing and preserving solutions. Solvent in manufacturing: 015. Candy glazes. Special formula: 220. An antiseptic sterilizing, and bathing alcohol for use by visiting nurse associations, public nursing associations, clinics and dispensaries exclusively.
44. Ten gallons of normal butyl alcohol	Solvent for manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F.
45. Three hundred pounds of white or orange shellac, arsenic, and rosin free.	
46. Twenty-five fluid ounces phenol, U. S. P., and 4 fluid ounces oil of wintergreen or methyl salicylate, U. S. P. This formula will be authorized only for use by institutions and organizations which are of a semi-public character and engaged in charitable work.	
47. Seven gallons fluid extract of arnica flowers, N. F., fourth edition.	
48. Ten pounds of any of the following: Methyl salicylate, U. S. P. Oil of wintergreen, U. S. P. Oil of cassia, U. S. P., or Oil of peppermint, U. S. P. and 5 gallons of a water solution of 60 ounces of zinc chloride, U. S. P. The oil should first be dissolved in the alcohol, and to this should be added the 5 gallons of zinc chloride solution.	Solvent in manufacturing: 133. Tooth paste and tooth powder. 132. Mouth washes. 210. External pharmaceuticals not U. S. P. or N. F.
38-A. Five ounces emetine hydrochloride, U. S. P., 9 ounces emetine hydrochloride, U. S. P., and 16 pounds benzoic acid, U. S. P.	Solvent in manufacturing: 132. Mouth washes.

SPECIALLY DENATURED ALCOHOL FORMULAE—Continued

Formula No. and composition	Authorized uses
To every 100 gallons of ethyl alcohol add: 20. Nine pounds of sodium salicylate or salicylic acid, U. S. P., and 1.25 gallons N. F. fluid extract of quassia and ⅛ gallon of denaturing grade tertiary butyl alcohol—Con.	Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 410. Disinfectants, insecticides, etc. 470. Theater sprays and incense. Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 410. Disinfectants, insecticides, etc. 470. Theater sprays and incense. Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing miscellaneous products: 410. Disinfectants, insecticides, etc. 430. Sterilizing and preserving solutions. 470. Theater sprays and incense. Raw material in manufacturing: 523. Ethyl esters. Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. Solvent in manufacturing: 470. Theater sprays and incense.
39-A. 60 ounces of any one of the following U. S. P. alkaloids or salts: Quinine, quinine bisulphate, quinine hydrochloride, cinchonidine or cinchonidine sulphate, and ⅛ gallon of denaturing grade tertiary butyl alcohol.	
39-B. Two and one-half gallons of diethylphthalate and ⅛ gallon of denaturing grade tertiary butyl alcohol.	
39-C. One gallon of diethylphthalate The diethylphthalate used shall be of the same quality as that specified for use in specially denatured alcohol Formula No. 39-B. This formula may be used only in the manufacture of high-grade perfumes, toilet waters, and toilet preparations containing not less than 2 per cent by weight of essential oils, or their equivalent in perfume materials. The Department will permit the use of this formula only by manufacturers who are properly equipped by reasons of experience and manufacturing facilities to effectively control their manufacturing operations in accordance with the limitations governing the use of this formula.	
39-D. Fifty ounces quinine sulphate, U. S. P., or quinine bisulphate, U. S. P., or 200 ounces avoirdupois sodium salicylate, U. S. P., and 1 gallon oil of bay, N. F.	Solvent in manufacturing toilet preparations 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. Solvent in manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F. Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 470. Theater sprays and incense. Solvent in manufacturing toilet preparations: 111. Hair and scalp preparations. 112. Bay rum. 113. Face and hand lotions. 114. Body deodorants and deodorant creams. 121. Perfumes and perfume tinctures. 122. Toilet waters. 141. Shampoos. 142. Toilet soaps and bath salts. Solvent in manufacturing: 210. External pharmaceuticals not U. S. P. or N. F. 470. Theater sprays and incense. Solvent in manufacturing: 430. Sterilizing and preserving solutions. Solvent in manufacturing: 015. Candy glazes. Special formula: 220. An antiseptic sterilizing, and bathing alcohol for use by visiting nurse associations, public nursing associations, clinics and dispensaries exclusively. Solvent for manufacturing pharmaceuticals: 210. External pharmaceuticals not U. S. P. or N. F.
40. 3 ounces of the alkaloid brucine or brucine sulphate and ⅛ gallon of denaturing grade tertiary butyl alcohol.	
40-A. Five pounds of sucrose octa acetate and ¼ gallon of denaturing grade tertiary butyl alcohol.	
42. Eighty grams potassium iodide U. S. P., and 109 grams red mercuric iodide, U. S. P.; or 95 grams sodium ethyl mercuric thiosalicylate, C. P., or 76 grams of any one of the following chemicals: phenyl mercuric nitrate, C. P., phenyl mercuric chloride, C. P., phenyl mercuric benzoate, C. P.	
44. Ten gallons of normal butyl alcohol	
45. Three hundred pounds of white or orange shellac, arsenic, and rosin free.	
46. Twenty-five fluid ounces phenol, U. S. P., and 4 fluid ounces oil of wintergreen or methyl salicylate, U. S. P. This formula will be authorized only for use by institutions and organizations which are of a semi-public character and engaged in charitable work.	
47. Seven gallons fluid extract of arnica flowers, N. F., fourth edition.	

The number before each item under authorized uses for specially denatured alcohol are the code numbers that should be used in reporting the use of specially denatured alcohol in Part 2 of Form 1482.

INSTRUCTIONS CONCERNING THE SUBMISSION OF FORMULAE AND SAMPLES FOR APPROVAL

1. Formula for each preparation must be submitted separately on Form 1479–A, in quadruplicate.

2. The formula must be complete showing the exact quantities and kinds of ingredients, and the volume of the finished product should total 1 gallon or multiple thereof.

3. Consult list of authorized uses of specially denatured alcohol before making application for the formula you desire to use, because the formula selected must be authorized for the product you intend to manufacture.

4. No more alcohol should be specified in the formula than that required for extraction, solution, and preservation.

5. Where the specially denatured alcohol is to be used in the manufacture of chemicals, dyes, vinegar, ether, etc., either as a vehicle or as a raw material, Forms 1479–A should be accompanied by duplicate blue prints or duplicate drawings of the equipment used, including specially denatured alcohol storeroom, pipe lines, valves, and the recovery system, if any. Description of process should be given under "Formula" on Form 1479–A, in quadruplicate, or on separate sheets of paper attached to each copy of Form 1479–A.

6. All information required by Form 1479–A should be filled in, and the signature of the manufacturer or authorized agent must appear on the line provided for that purpose. Consult sections 182.149 and 182.861 of Regulations No. 3 for instructions with respect to the labels required to be attached to Form 1479–A.

7. A letter of transmittal covering all aspects of the application should accompany Form 1479–A.

8. Duplicate 8-ounce samples of the preparations and duplicate 1-ounce samples of the perfume oils used therein should be furnished with the formula on Form 1479–A, except 2-ounce samples of perfumes containing more than 6 ounces of perfume oils per gallon will be sufficient.

9. Samples of products containing no alcohol, such as extracts, purified synthetics, chemicals, etc., should be of sufficient quantity for examination as to their bona fide character.

10. Samples should be properly identified as to name of product, name and address of manufacturer, bear commercial labels and correspond to information stated on lines 1 to 4 of Form 1479–A accompanying samples.

DENATURANTS AUTHORIZED FOR COMPLETELY AND SPECIALLY DENATURED ALCOHOL

Acetaldehyde	S. D. 29
Acetone	S. D. 23–A; 23–H
Acetaldol	C. D. 12; 13
Almond oil (bitter)	S. D. 23–E; 38–B
Ammonia water	S. D. 36
Animal oil	S. D. 17
Arnica flowers, fluid extract of	S. D. 47
Bay oil	S. D. 23–F; 38–B; 39–D
Benzaldehyde	S. D. 38–B
Benzoic acid	S. D. 38–A
Benzol	S. D. 2–A; 2–B; 12–A; 28
Bergamot oil	S. D. 23–F; 38–B
Brucine	S. D. 40
Brucine sulphate	S. D. 40
Butyl alcohol (normal)	S. D. 44
Camphor	S. D. 27; 27–A; 37–A; 38–B
Cassia oil	S. D. 38; 38–B
Cedar leaf oil	S. D. 27–B; 38–B
Chloroform (crude)	S. D. 20
Chlorthymol	S. D. 38–B
Cinnamon oil	S. D. 38–B

DENATURANTS AUTHORIZED FOR COMPLETELY AND SPECIALLY DENATURED ALCOHOL—con.

Citronella oil—S. D. 38–B
Cinchonidine—S. D. 39–A
Cinchonidine sulphate—S. D. 39–A
Cloves oil—S. D. 27–A; 38; 38–B
Condensed fumes—S. D. 6–A
Dehydrol–O—C. D. 12; 14
Diethylphthalate—S. D. 39–B; 39–C
Ethyl acetate—S. D. 35; 35–A
Ethylamines—S. D. 29
Ethyl ether—S. D. 13–A; 19; 32
Ethyl propionate—S. D. 29
Emetine hydrochloride—S. D. 38–A
Eugenol—S. D. 38–B
Eucalyptol—S. D. 37; 38–B
Eucalyptus oil—S. D. 38–B
Formaldehyde—S. D. 22; 38–C; 38–D
Gasoline—S. D. 28–A
Glycerine—S. D. 31–A
Guaiacol—S. D. 38–B
Iodine—S. D. 25; 25–A
Ipecac—S. D. 38–B
Ipecac (fluid extract of)—S. D. 38–E
Kerosene—C. D. 12; 13; 14
Lavender oil—S. D. 27–B; 38–B
Menthol—S. D. 37; 37–A; 38–A; 38–B; 38–C; 38–D
Mercuric iodide—S. D. 42
Methylene blue—S. D. 4
Methyl alcohol—S. D. 3–A; 30
Methyl isobutyl ketone—C. D. 12; 13; 14; S. D. 23–G; 23–H
Methyl propyl ketone—S. D. 23–G
Methyl salicylate—S. D. 38; 38–B; 46
Methyl violet—S. D. 33
Mustard, volatile oil of—S. D. 38–B
Nicotine—S. D. 4
Peppermint oil—S. D. 38; 38–B
Phenol—S. D. 38–B; 46
Phenols—S. D. 38–B
Phenyl salicylate—S. D. 38–B
Phenyl mercuric nitrate C. P—S. D. 42
Phenyl mercuric chloride C. P—S. D. 42
Phenyl mercuric benzoate C. P—S. D. 42
Pine oil—S. D. 38–B
Pine needle oil—S. D. 38–B
Potassium iodide—S. D. 25; 25–A; 42
Pine tar—S. D. 3–B
Pyridine bases—S. D. 6–B
Quassia (fluid extract, N. F.)—S. D. 39
Quinine—S. D. 39–A
Quinine bisulphate—S. D. 39–A; 39–D
Quinine hydrochloride—S. D. 39–A
Quinine sulphate—S. D. 39–D
Resorcin—S. D. 23–F
Rosemary oil—S. D. 27; 38–B
Safrol—S. D. 38–B
Salicylic acid—S. D. 23–E; 23–F; 39
Sassafras oil—S. D. 38–B
Shellac (refined)—S. D. 45
Sodium ethyl mercuric thiosalicylate—S. D. 42
Sodium iodide—S. D. 25; 25–A
Sodium salicylate—S. D. 39; 39–D
Soaps—S. D. 27–B; 31–A
Spearmint oil—S. D. 38–B
ST–115—C. D. 12; 13
Sucrose octa acetate—S. D. 40–A
Sulphuric acid—S. D. 24
Tertiary butyl alcohol—S. D. 39; 39–A; 39–B; 40; 40–A
Thyme oil—S. D. 38–B
Thymol—S. D. 37; 38–B
Turpentine oil—S. D. 38–B
Vinegar—S. D. 18
Wintergreen oil—S. D. 38; 38–B; 46
Wood alcohol—S. D. 1; 2–A
Zinc chloride—S. D. 38

SPECIFIC GRAVITY AND WEIGHT OF ONE GALLON OF SPECIALLY DENATURED ALCOHOL

The following table, giving specific gravities and weights per gallon of the specially denatured alcohols, was prepared by the United States Bureau of Standards:

WEIGHT OF 1 GALLON WATER AT 15.6° C. 8.32823 POUNDS IN AIR

Specific formula	Weight of 1 gallon at 15.6° C.	Specific gravity at 15.6° C./15.6° C. in vacuum
	Pounds	
1	6.785	0.8149
2–A	6.805	.8173
2–B	6.795	.8161
3–A	6.781	.8144
3–B	6.810	.8179
4	6.823	.8195
6–B	6.801	.8169
12–A	6.820	.8192
13–A	6.740	.8095
17	6.795	.8161
18	7.802	.9369
19	6.468	.7769
20	7.062	.8481
22	7.037	.8451
23–A	6.788	.8153
23–E	6.840	.8215
23–F	6.808	.8177
23–G	6.794	.8160
23–H	6.785	.8149
24	9.137	1.097
25	7.080	.8502
25[1]	7.083	.8506
25–A	7.119	.8550
25–A[1]	7.117	.8548
27	6.846	.8222
27–A	6.867	.8247
27–B	7.027	.8439
28	6.843	.8219
28–A	6.786	.8150
28–A*	6.605	.7933
29	6.822	.8194
30	6.785	.8149
31–A	7.167	.8608
32	6.769	.8130
33	6.893	.8279
35	6.956	.8355
35–A	6.821	.8193
36	6.837	.8211
37	6.794	.8160
37–A	6.814	.8184
38	6.970	.8371
38–A	6.853	.8231
38–B	6.904	.8172
38–C	6.832	.8206
38–D	6.863	.8242
38–E	6.924	.8316
39	6.867	.8247
39–A	6.810	.8179
39–B	6.857	.8236
39–C	6.824	.8196
39–D	6.819	.8190
40	6.795	.8161
40–A	6.815	.8185
42	6.797	.8164
44	6.790	.8155
45	7.545	.9061
46	6.805	.8173
47	6.882	.8265

*With absolute alcohol as a base.
[1] Sodium iodide.

Specific gravity, as used in this table, is "true specific gravity"; that is, all weighings are corrected for the buoyancy of the air. It is necessary, therefore, to change these values to "apparent specific gravity" before they can be multiplied by the weight of a gallon of water to give the weight of a gallon of alcohol at 60° F. in air.

The magnitude of the correction to specific gravity is as follows:

True specific gravity at 60°/60° F.	Correction	Apparent specific gravity at 60°/60° F.
0.70	−0.00085	0.69965
0.80	−.00028	.79977
0.90	−.00012	.89988

The necessary change of specific gravity basis has been made in the calculation of this table, and the only reason for calling attention to it is to point out the reason why the tabulated weights per gallon, as given in the table, are not obtained by a simple multiplication of the specific gravity at 60° F. by the weight of a gallon of water at 60° F. in air.

This Appendix supersedes Appendix to Regulations No. 3, approved December 29, 1938, and amendments thereto.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: September 9, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42–8963; Filed, September 10, 1942; 11:56 a. m.]

TITLE 29—LABOR

Chapter IV—Children's Bureau

[Order No. 4]

PART 422—OCCUPATIONS PARTICULARLY HAZARDOUS FOR THE EMPLOYMENT OF MINORS BETWEEN 16 AND 18 YEARS OF AGE OR DETRIMENTAL TO THEIR HEALTH OR WELL-BEING

SAW FILING

By virtue of and pursuant to the authority conferred by section 3 (l) of the Fair Labor Standards Act of 1938; an amendment to Hazardous-Occupations Order No. 4 having been proposed for final adoption by the Chief of the Children's Bureau; opportunity having been given to all interested parties to file objections thereto within twenty days from the date of publication of said proposed order in the FEDERAL REGISTER and, within ten days thereafter, to file a memorandum or brief in support of such objections; all objections having been carefully considered and no memorandum or brief in support of any objections having been filed; and no objection having disclosed just cause for revision of said proposed order,

Now, therefore, it is ordered, That § 422.4 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to include the following paragraph, to be designated as paragraph (e):

§ 422.4 *Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill or cooperage-stock mill.*[1] • • •

(e) Notwithstanding the provisions of paragraph (a) hereof, during the continuance of the present war and for six months after the termination thereof this order shall not apply to saw filing, except in connection with logging operations; packing shingles, straightening, marking, tallying, or pulling lumber from the dry chain, the drop sorter, or the green chain (other than the pulling of lumber larger than 1 inch by 6 inches in size from the green chain); unstacking from the dry kiln; clean-up in the lumber yard; or the handling or shipping of dry lumber or of lumber products in yards or sheds of sawmills, lath mills, shingle mills, or cooperage-stock mills excepting the operation of cranes, lumber carriers, and other power-driven equipment, and the occupation of crane hooker.

This amendment shall become effective upon publication in the FEDERAL REGISTER and shall remain in force during the continuance of the present war and for six months after the termination thereof, or until amended or repealed by order hereafter made and published by the Chief of the Children's Bureau, whichever is earlier.

KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 42–8991; Filed, September 11, 1942; 11:07 a. m.]

[1] 6 F.R. 3148.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

[Docket No. A–1566]

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 12; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 332.2 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 332.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The prices established herein for the coals of the Hartley Coal Co. Mine (Mine Index No. 827) of Hartley Coal Co. (John Kenworthy), as shown in Supplement T, annexed hereto, are higher than those prayed for by the petitioner in Size Groups 8 and 9 by 5 cents. The increase was effected in order to relate these coals properly to analogous and comparable coals produced in the same Price Group, No. 11, since no showing was made by petitioner why the lower prices it sought in these size groups should be established.

No relief is granted herein as to the coals of the Zeck Mine (Mine Index No. 73) of the Zeck and Garrington Coal Co., such coals having been heretofore classified for rail shipment in General Docket No. 15, 5 F.R. 2961.

September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

§ 322.2 *Alphabetical list of code members*—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups for delivery by railroad]

Mine index No.	Code member	Mine	Mine origin group	Originating railroad	Mine origin group No.
824	Green Ridge Fuel Co. (W. J. Sullivan).	Green Ridge Fuel Co.[1]	Albia	M&STL and CB&Q	52
826	Johnson Bros. Coal Co. (Ernest Johnson).	Johnson Bros. Coal Co[1]	Lovilia	CB&Q	40
830	M. C. Coal Co. (W. L. McGee).	M. C. Coal Co.[1]	Lovilia	CB&Q	40

[1] Indicates mines shipping via public sidings and ramps for railway delivery.

TRUCK SHIPMENTS

§ 322.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Price group No.	County	Chunk	Standard lump	Egg 8 x 2", 6 x 2"	Small egg 4 x 2", 3 x 1¼"	Mine run	Nut 2 x 1¼", 1¼ x ¾"	Dom. stoker 1¼", 1 x ⅝"	Screenings 2", 1¼ x 0	Ind. stoker Cr. 2", 1¼", 1¼" x 0	⅝" x 0
					1	2	3	4	5	6	7	8	9	10
Big A Coal Co. (Walter Pettyjohn).	825	Big A Coal Co	18	Marion	300	290	280	270	270	270	270	160	220	100
Green Ridge Fuel Co. (W. J. Sullivan).	824	Green Ridge Fuel Co.	11–A	Monroe	300	290	280	270	270	270	270	180	240	100
Hartley Coal Co. (John Kenworthy).	827	Hartley Coal Co	11	Wapello	300	290	280	270	270	270	270	185	245	100
Johnson Bros. Coal Co. (Ernest Johnson).	826	Johnson Bros. Coal Co.	18	Marion	300	290	280	270	270	270	270	160	220	100
M. C. Coal Co. (W. L. McGee).	830	M. C. Coal Co	14	Monroe	290	280	270	260	270	270	270	160	220	100
Van Cleve, E. M.	829	Van Cleve #2	19	Marion	310	300	290	280	270	270	270	170	230	100

[F. R. Doc. 42–8954; Filed, September 10, 1942; 11:16 a. m.]

[Docket No. A–1563]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of a price exception for the resultant sludge coal produced by Mine Index No. 23.

An original petition pursuant to the provisions of section 4 II (d) of the Bituminous Coal Act has been filed with this Division by the above-named party, requesting the establishment of a price exception for the resultant sludge coal which passes through dewatering screens with openings not larger than ½ mm. for Mine Index No. 23 of Lumaghi Coal Company for rail and truck shipments.

Petitioner represents that this sludge product has accumulated over a period of years and continues to accumulate at the rate of 75 to 100 tons per operating day until now there is a pile estimated to contain about 70,000 tons. By

Order dated October 10, 1941 in Docket No. A-825, 6 F.R. 5253, the Division granted permission to the Peabody Coal Company to sell sludge produced at its Majestic Mine, as well as other mines of Peabody and one of Franklin County Coal Company at the established price for Size Group No. 16. Petitioner sets forth the following analysis of the resultant product produced at the Lumaghi Coal Company's Mine, Mine Index No. 23 as compared with the analyses of the resultant coal which was involved in Docket No. A-825.

	Cantine No. 2 ½ mm. sludge		Majestic 28 Mesh x 0 sludge	
	As received	Dry	As received	Dry
Moisture	15.81		22.11	
Ash	13.99	16.62	12.83	16.47
Volatile	33.34	39.60	26.41	
Fixed Carbon	36.86	43.78	38.65	
B. t. u.	9623	11430	8989	11540
Sulphur	3.34	3.97	1.4	1.80

It appears, therefore, that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That temporary relief in the above-entitled matter is granted as follows: Commencing forthwith § 330.8 (*Price instructions and exceptions*— (b) *Price exceptions*) and § 330.21 (*Price instructions and exceptions*—(b) *Price exceptions*) be and they are hereby amended to include the following price exceptions:

At Mine Index No. 23 the resultant coal which passes through dewatering screens with openings not larger than ½ mm., or the equivalent thereof, after the production of washed coal in other sizes, may be sold at a price not less than 50 cents per net ton: *Provided, however*, That this price shall not apply to said resultant product if it has mechanically or thermally dried; and *Further provided*, That there shall be filed with District Board No. 10 and the Bituminous Coal Division at Washington, D. C., within 10 days after any such sale a complete description of such sale as is required by the Marketing Rules and Regulations of the Division, Order No. 313, and any other order of the Division. The filing required herein shall be in addition to that required for filing with the field office.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered and that jurisdiction be and it hereby is reserved by the Acting Director subsequently to modify or revoke the price exception herein established.

Dated: September 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8994; Filed, September 11, 1942; 11:13 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATION OF AUTHORITY

[Supplementary Directive 1-L]

RATIONING IN THE PANAMA CANAL ZONE

§ 903.14 *Supplementary Directive 1-L—Further delegation of authority with respect to rationing in the Panama Canal Zone.* (a) In order to permit the efficient rationing of all material in the Panama Canal Zone, the authority delegated to the Office of Price Administration by Directive No. 1 (§ 903.1)[1] is hereby extended to include the exercise of control over the sale, distribution and use of all materials in the Panama Canal Zone, except the acquisition or use thereof by or for the account of any of the person or agencies designated in subparagraph (1) of paragraph (a) of said Directive No. 1. The exercise of such authority shall be subject to the terms and conditions specified in said Directive No. 1 and to the conditions hereinafter specified in this Supplementary Directive, and, in the case of exports, shall also be subject to the provisions of section 6 of the Act of July 2, 1940 (54 Stat. 714) and in the case of exports, shall also be subject to the provisions of section 6 of the Act of July 2, 1940 (54 Stat. 714) and the pertinent regulations issued thereunder.

(b) As used in this supplementary directive, the term "materials" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(c) Neither this supplementary directive, nor any action taken hereunder by the Office of Price Administration, shall relieve any person from complying with the provisions of any order or regulation of the Director General for Operations applicable to the Panama Canal Zone.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, Apr. 7, 1942, 7 F.R. 2719; Sec. 2 (a), Pub. No. 671, 76th Cong., 3d sess., as amended by Pub. No. 89, 77th Cong., 1st sess. and by Pub. No. 507, 77th Cong., 2d sess.; W.P.B. Directive No. 1, Jan. 24, 1942, 7 F.R. 562; W.P.B. Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended Mar. 14, 1942, 7 F.R. 2126)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8978; Filed, September 10, 1942; 4:33 p. m.]

[1] 7 F.R. 562.

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-88]

JOSEPH POLLAK CORPORATION

Paragraphs (a), (b) and (c) of § 1010.88 *Suspension Order S-88*, issued August 28, 1942[1] are hereby amended to read as follows:

(a) Joseph Pollak Corporation, its successors and assigns, shall not accept delivery of, process, or fabricate any automotive replacement parts or any steel, copper, bronze, brass or monel sheets except as specifically authorized in writing by the Regional Compliance Chief of the Boston Regional Office, War Production Board.

(b) Joseph Pollak Corporation, its successors and assigns, shall not deliver any automotive replacement parts or any steel, copper, bronze, brass or monel sheets or products made therefrom except as specifically authorized in writing by the Regional Compliance Chief of the Boston Regional Office, War Production Board.

(c) Deliveries of material to Joseph Pollak Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries to Joseph Pollak Corporation, by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board except as specifically authorized in writing by the Regional Compliance Chief of the Boston Regional Office, War Production Board.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8982; Filed, September 10, 1942; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-90]

MAX ZEIGLER & BROTHERS, INC.

Max Zeigler & Brothers, Inc., a corporation, of Muncie, Indiana, is engaged in the business of buying, selling and otherwise dealing in ferrous and non-ferrous scrap. The company violated Supplementary Order M-9-b as amended December 31, 1941,[2] by accepting delivery of 3,726 pounds of copper scrap on March 18, 1942, although during the preceding sixty days it had not sold or otherwise disposed of scrap to an amount at least equal in weight to the scrap inventory of the company on the date of acceptance of delivery of such scrap, excluding the amount of such delivery. The company further violated Supplementary Order M-9-b as amended March 31, 1942,[3] in accepting delivery of 3,480 pounds of copper scrap on April 23, 1942, although during the sixty days preceding April 23, 1942, it had not sold or otherwise disposed of scrap to an amount at least equal in weight to the scrap inventory of the company on the date of acceptance of such delivery of scrap, excluding the amount of such delivery.

These violations of Supplementary Order M-9-b have hindered the war effort of the United States by impeding the flow of scarce materials. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.90 *Suspension Order S-90.* (a) Max Zeigler & Brothers, Inc., Muncie, Indiana, its successors and assigns, shall not buy or accept delivery of any copper scrap as defined in Supplementary Order M-9-b, or any amendments thereof, except in connection with its present wrecking operations at the Cohoes Rolling Mill, Cohoes, New York, at the Whittaker Fireproofing Company, Chicago Heights, Illinois, Muncie, Indiana, and it shall dispose of any copper scrap acquired in connection with such operations without physically moving the copper scrap so acquired to its yards or warehouses.

(b) Nothing contained in this order shall be deemed to relieve Max Zeigler & Brothers, Inc. from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations, or of the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 14, 1942, and shall expire on March 14, 1943, subject to earlier termination by the Director General for Operations upon submission of proper proof to said Director General for Operations that the company has disposed of its entire inventory of copper scrap, in accordance with the provisions of Supplementary Order M-9-b, as amended.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8980; Filed, September 10, 1942; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-98]

LAWRENCE WOODWORKING COMPANY

Lawrence Woodworking Company is a corporation with a plant at Lawrence, Massachusetts. Paul R. Goldman is its sole stockholder and president. In December 1941, the company obtained a contract from the United States Navy for 30,000 ammunition boxes which contract carried an A-1-a preference rating. A PD-3 certificate was issued to the company in connection with the contract and the rating applied to delivery of the necessary steel.

On April 9, 1942, after it had received the steel required for the Navy contract, the company placed another order with its supplier for 34,368 sheets of 16-gauge steel and 1,914 sheets of 22-gauge steel. The company, by its president, Paul R. Goldman, applied the A-1-a rating which it had received in connection with the Navy contract to this order, representing in the prescribed certification that the steel covered by this order was necessary to complete that contract. This steel was not needed for that purpose and was not ordered for that purpose, and Goldman knew that the certification which he executed was false. The application of an A-1-a preference rating to an order which was not entitled to such rating constituted a wilful violation of Priorities Regulation No. 1 and Priorities Regulation No. 3 which has hampered and impeded the war effort of the United States. In view of the foregoing, *it is hereby ordered*, That:

§ 1010.98 *Suspension Order S-98.* (a) Deliveries of material, directly or indirectly, to Lawrence Woodworking Company or Paul R. Goldman, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Lawrence Woodworking Company or Paul R. Goldman, by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Lawrence Woodworking Company or Paul R. Goldman, their successors and assigns, directly or indirectly, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Lawrence Woodworking Company or Paul R. Goldman from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 12, 1942, and shall expire on January 12, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8981; Filed, September 10, 1942; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-100]

FLORIDA PIPE AND SUPPLY CO.

The Florida Pipe and Supply Company is a Florida corporation with its principal place of business at 821-829 North Myrtle Avenue, Jacksonville, Florida. It is a jobber of heating and plumbing supplies, and is a warehouse as defined in General Preference Order M-9-a.[1]

During the period from May 11 to May 30, 1942, the company made deliveries of 3,080 feet of copper tubing to fill orders carrying preference ratings lower than A-1-k, notwithstanding the fact that the company had actual knowledge of the prohibition placed upon such deliveries by General Preference Order M-9-a, as amended May 7, 1942. These deliveries constituted a wilful violation of General Preference Order M-9-a, as amended May 7, 1942.

These violations of General Preference Order M-9-a have impeded and hampered the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.100 *Suspension Order S-100.* (a) Deliveries of material to Florida Pipe and Supply Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Florida Pipe and Supply Company, its successors and assigns of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Florida Pipe and Supply Company, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect September 14, 1942, and shall expire De-

[1] 7 F.R. 2534.

[2] 7 F.R. 6857.

[3] 7 F.R. 68.

[1] 6 F.R. 3889; 7 F.R. 68, 162, 809, 1105, 1566, 3424, 5043, 5980.

cember 14, 1942, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8979; Filed, September 10, 1942; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-101]

MERIT OIL COMPANY

Merit Oil Company of Boston, Massachusetts, operates three bulk plants from which it supplies motor fuel to service stations owned by it and to certain other service stations. Its supplier of motor fuel established a quota under Limitation Order L-70 [1] for each of its bulk plants, but the company, although it was a supplier, did not establish any quotas for the service stations which it supplied. It divided the motor fuel delivered by its supplier among these stations without regard to their proper quotas and was thus able to keep its stations supplied with all the gasoline which they needed. This resulted in over-deliveries in May, 1942, to eleven of the service stations which it supplies. The largest over-deliveries in volume were to the company's service station located at Fall-River, Massachusetts, and the largest excess in percentage of overage was in deliveries to the company's service station located at Woonsocket, Rhode Island.

The over-deliveries of motor fuel to these service stations constituted a wilful violation of Limitation Order L-70 which has hampered and impeded the war effort of the United States. In view of the foregoing facts, *it is hereby ordered*, That:

§ 1010.101 *Suspension Order S-101.* (a) Merit Oil Company, its successors and assigns, shall not sell or deliver to any person any motor fuel as defined in Limitation Order L-70 at the service stations owned by it located in Fall River, Massachusetts, and Woonsocket, Rhode Island.

(b) Nothing contained in this order shall be deemed to relieve Merit Oil Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 13, 1942, and shall expire on November 13, 1942, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8989; Filed, September 11, 1942; 10:22 a. m.]

[1] 7 F.R. 5552, 6419.

PART 3049—SOFTWOOD LUMBER

[Amendment 1 to Conservation Order M-208]

Section 3049.1 *Conservation Order M-208* [1] is amended in the following respects:

1. Paragraph (5) of List A is amended to read as follows:

(5) Replacement in inventory of an equal number of board feet of substantially similar items of softwood lumber delivered after September 1, 1942 for uses specified in List A, subject to the provisions of paragraph (e) (2) of this order.

2. Paragraph (5) of List B and paragraph (5) of List C are revoked.

3. Paragraph (b) is amended by adding at the end thereof a new paragraph (4) as follows:

(4) Preference ratings extended after September 11, 1942, pursuant to paragraph (c) (1) (ii) of Priorities Regulation No. 3, for replacement in inventory of softwood lumber delivered on Class 1 orders, may be so extended only to an equal number of board feet of substantially similar items thereof delivered on Class 1 orders subsequent to September 1, 1942. Preference ratings assigned by paragraph (5) of List A of this order may be applied or extended only for the replacement in inventory of an equal number of board feet of substantially similar items delivered subsequent to September 1, 1942, for the uses specified in said List A. Preference ratings shall not be applied or extended for the replacement in inventory of softwood lumber delivered for the uses specified in List B or C of this order.

Preference ratings applied or extended prior to September 11, 1942, to orders for softwood lumber for replacement in inventory, to which ratings may not be applied under this subparagraph (4), are hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-9003; Filed, September 11, 1942; 11:40 a. m.]

[1] 7 F.R. 6637.

Chapter XI—Office of Price Administration

PART 1382—HARDWOOD LUMBER

[Amendment 1 to Maximum Price Regulation 155 [1]]

CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (d) is added to § 1382.65 as set forth below:

§ 1382.65 *Appendix E: Maximum prices for South Central hardwood lumber in "recurring special" grades or items.* * * *

(d) Maximum prices for "recurring special" grades or items of South Central hardwood lumber produced by particular mills determined pursuant to paragraph (b) (2) of this section.

The maximum f. o. b. mill price for 1,000 feet of South Central hardwood lumber in a rough air dried condition shipped from mills in the South Central area of the following particular producers and in the following "recurring special" grades or items shall be as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4108, 4231.

(1) BOND BROTHERS

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Hogshead lumber (50% to 75% sound).	Mixed hardwoods	1			$18.00
2	Crating (sound)	Mixed hardwoods	1			16.00
3	No. 3A Common & No. 3B Common.	Red oak and white oak	1	6 and wider		19.00
3	No. 3A Common & No. 3B Common (75% sound).	Red oak and white oak	1			17.00

(2) WHITSON LUMBER COMPANY

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS	Red oak	1	8 and 10	12 to 16	$71.00
2	Step stock	Red oak	1¼	11 to 15		105.00
3	Sill stock	Red oak	2	8		75.00
4	Stool stock	Red oak	2	10		125.00

(3) TENNESSEE LUMBER COMPANY

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS—bung	Poplar	1			$68.00
2	No. 1 Common—bung	Poplar	1			58.00
3	No. 2A Common—bung	Poplar	1			48.00
4	No. 2B Common—bung	Poplar	1			38.00

(4) WOOD-MOSAIC COMPANY

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Sound plank	White oak and red oak	2			$30.00
2	No. 1 common quartered strips.	White oak	1	1½ to 3¼		25.00
3	FAS	Red oak	1		18 to 22	75.00
4	FAS	Red oak	2		18 to 22	100.00
5	FAS	White oak	1		18 to 22	110.00
6	FAS—quartered	White oak	1	10 and wider		125.00

§ 1382.60a *Effective dates of amendments.* * * *

(b) Amendment No. 1 (§§ 1382.65 (d) (1), (2), (3), (4)) to Maximum Price Regulation No. 155 shall become effective September 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8985; Filed, September 10, 1942; 5:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 21 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

SEMI-VITREOUS CHINA AND POTTERY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (21) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided: * * *

(21) *Semi-vitreous china and pottery.* * * *

(i) *Maximum prices for sale of semi-vitreous china and pottery by jobbers.* The maximum price for the sale by a jobber of any article of semi-vitreous china and pottery, on which the difference between the jobber's maximum price under § 1499.2 of the General Maximum Price Regulation and the manufacturer's maximum price to the jobber under Maximum Price Regulation No. 116 is lower than the difference received by the jobber during the period October 1 to 15, 1941, on sales of the same or similar articles, shall be 102½% of the jobber's maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(ii) *Notification of purchasers.* Every jobber who increases the price of semi-vitreous china and pottery, pursuant to the authority herein granted, shall furnish each purchaser, on the first sale to such purchaser at the increased price, with a copy of the following notice:

This price increase of 2½% has been authorized by the Office of Price Administration. It represents the proportionate share of the increase in manufacturer's price granted by Maximum Price Regulation No. 116 which you are required to absorb. We are absorbing our share. You are, therefore, not permitted to raise your present ceiling prices.

(b) *Effective dates.* * * *

(22) Amendment No. 21 (§ 1499.73 (a) (21)) to Supplementary Regulation No. 14 shall become effective September 10, 1942. (Pub. Law 421, 77th Cong.)

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8987; Filed, September 10, 1942; 5:14 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6754, 6775, 6776, 6793, 6892.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365.

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[Amendment 3 to Maximum Price Regulation 116 [1]]

CHINA AND POTTERY

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new § 1362.59a is added as set forth below:

§ 1362.59a *Applications for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 116 for any seller in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar articles; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar articles, will not cause or threaten to cause an increase in the level of retail prices. Applications for adjustment under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 1.[2]

(b) Any person seeking relief, for which no provision is made in the foregoing paragraph (a) of this section, from a maximum price established under this Maximum Price Regulation No. 116 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case, and in all like cases, will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 116 to eliminate the danger of inflation.

§ 1362.63 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1362.59a) to Maximum Price Regulation No. 116 shall become effective September 10th, 1942.

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8986; Filed, September 10, 1942; 5:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3036, 3858.

[2] 7 F.R. 971.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 6, Supp. 3]

PART 305—INSURANCE

WAR RISK INSURANCE—AUTOMATIC COVERAGE ON IMPORT CARGOES AND ON CARGOES EXPORTED TO THE TERRITORIES AND POSSESSIONS OF THE UNITED STATES

Pursuant to the authority contained in the Merchant Marine Act of 1936, as amended, the following additional rules and regulations for the underwriting of cargo war risk insurance under Warshipopencargo Policy form, are hereby promulgated:

§ 305.72 *Basis of valuation under Warshipopencargo Policy Form.*

Paragraph (a) of Supplement #1 of General Order No. 6 (§ 305.50) together with subparagraphs (1) and (2) thereof are hereby deleted and the following provisions substituted therefor:

(a) Applications for open policies must be filed in accordance with the form attached hereto, such filing to be made to an Underwriting Agent of the War Shipping Administration. All applications for open policies must specify the basis of valuation to be incorporated therein. Any basis of valuation may be so specified by the Assured which defines the value on the basis of facts which were existent prior to shipment and which are readily ascertainable by either party subsequent to safe arrival or loss.

For example, valuations such as invoice cost plus ------%, market value at ---------- on date of shipment plus ------%, or $------ per -------- (unit) shall be deemed compliance with the foregoing.

§ 305.73 *Warshipopencargo Form Part I: Limitation of amount collectible in event of loss.* Effective as to shipments:

(a) Under ocean Bills of Lading dated on or after September 15, 1942, or

(b) If ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

(c) If no ocean Bills of Lading or equivalent documents are issued or the same are undated, laden on overseas vessel on and after said date.

the following clause is deleted from Part I of the Warshipopencargo Form: (§ 305.59)

In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss to the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code.

and the following provision shall be substituted therefor:

(a) In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed fair market value at place and approximate time of attachment of risk, plus marine insurance and transportation costs incurred with respect to the insured voyage, plus war risk insurance premiums payable hereunder. With respect to goods, the fair market value of which at place and approximate time of attachment of risk cannot be readily or satisfactorily determined by established or recognized market quotations, but the goods have been sold to or purchased by the Assured in a bona fide sale between independent parties within the thirty day period prior to attachment of risk, the sale or purchase price shall be deemed prima facie evidence of such fair market value.

(b) In cases where it is impossible to determine the fair market value at place and approximate time of attachment of risk as aforesaid, such affidavit shall be to the effect that the amount claimed does not exceed fair market value at port of arrival on date of attachment of risk.

(c) The affidavit required pursuant to the foregoing paragraphs (a) and (b) shall be subject to the provisions of section 35 (a) of the Criminal Code.

(d) In the event that in the judgment of the War Shipping Administration the foregoing provision as to affidavit works an inequity with respect to any commodity by reason of any subsidy payable by the Government of the United States or any Department, Agency, or Corporate instrumentality thereof, consideration will be given to an appropriate modification of said provision by endorsement of the policy.

§ 305.74 *Warshipopencargo Policy Standard Optional Endorsement No. 1.* Warshipopencargo Policy Standard Optional Endorsement No. 1 embodied in Article 1 of supplement #2 to General Order No. 6 (§ 305.62) is hereby withdrawn, and the following Optional Endorsement, hereinafter to be designated Warshipopencargo Policy Standard Optional Endorsement No. 1 (Amended) is to be substituted therefor:

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4c of Part II of this policy is deleted.

It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. In the event that prior to the termination of this insurance said goods are forwarded to substituted destination as aforesaid this policy shall continue to cover, subject to its terms to such substituted destination without further additional premium. This insurance shall also continue in force as aforesaid if the merchandise insured hereunder subsequent to attachment of this insurance is discharged at the port of loading but only provided that at the time of such discharge title to and interest in the goods is vested in a citizen of the United States, a domestic corporation or partnership or the Assured in whose name this policy is issued, and such insurance at port of loading shall terminate if at any time during the continuance of such insurance as aforesaid title to and interest in the goods shall no longer be vested in a citizen of the United States, a domestic corporation or partnership, or the Assured in whose name this policy is issued.

All other terms and conditions remaining unchanged.

Effective as of the date of this General Order the foregoing endorsement shall be deemed to have been automatically substituted for Standard Optional Endorsement No. 1 where the latter has been hitherto attached to any policy.

§ 305.75 *Geographical scope of policy.* The following Standard Optional Endorsement hereinafter to be referred to as Warshipopencargo Policy Standard Optional Endorsement No. VIII is hereby promulgated:

Notwithstanding anything to the contrary contained in Part I (Section 305.59) of Part II (Section 305.60) of this Policy, or any endorsement attached thereto of prior date to this endorsement, it is understood and agreed that this policy covers such of the following classes of shipments as are indicated by the insertion of the word "yes" in the blank indicated opposite to such class of shipments:

( ) 1. Imports to the Continental United States excluding Alaska.

( ) 2. Exports from the Continental United States excluding Alaska to the territories and possessions of the United States, including the Canal Zone and Alaska.

( ) 3. Shipments between ports in the Continental United States excluding Alaska.

( ) 4. Shipments between ports in any one territory or possession of the United States, including the Canal Zone and Alaska.

( ) 5. Shipments to the territories and possessions of the United States including the Canal Zone and Alaska (excepting shipments from the Continental United States excluding Alaska).

Notwithstanding the foregoing this policy shall not cover any specific classes of shipments that may be specifically excluded from coverage hereunder by special agreement incorporated herein by endorsement.

The Assured warrants that with respect to such shipments all the terms and conditions of this policy will apply, and that full provisional and closing reports supported by affidavits, as and if required, will be filed with respect to shipments covered under the terms of this endorsement.

All other terms and conditions remaining unchanged.

Where the open policy application filed by the Assured includes certain but not all classes of shipments as listed above the Underwriting Agent will insert the word "no" in the appropriate blank.

§ 305.76 *Goods insured for account of third party.* The following Standard Optional Endorsement hereinafter to be designated Warshipopencargo Policy Standard Optional Endorsement No. IV (amended) is hereby promulgated, and shall be deemed to be automatically substituted for Standard Optional Endorsement No. IV (§ 305.65) where the latter has hitherto been attached to any policy.

It is understood and agreed that this policy is to cover with respect to all shipments otherwise coming within the scope of this policy but

a.* Shipped to or consigned to the Assured, or

b.* Shipped by the Assured

and for the account and risk of --------, hereinafter referred to as the principal. The Assured warrants that he is a duly authorized agent of said principal for the purposes of the insured transaction. The Assured warrants that provisional and closing reports as provided for by the terms of this policy and by the terms of General Order No. 6 of the War Shipping Administration and supplements thereto will be filed by him with respect to all shipments insured hereunder, and subject to all the conditions and regulations of the War Shipping Administration relating to such reports. In the event of loss, any sums payable under the terms of this policy shall be paid to the order of said principal.

The agent shall be required to file the affidavit called for by Part I of this policy in event of loss, but if the principal is domiciled in the United States of America, or any possession or territory thereof including the Canal Zone, or maintains regular office or place of business therein, said principal shall be required to file a similar affidavit. In the event of loss the amount collectible hereunder shall in no event exceed the amount which could have been collectible by the Assured named herein, in the event the goods had been insured for his own account.

All other terms and conditions remaining unchanged.

§ 305.77 *Goods insured by shipper.* The following Standard Optional Endorsement, hereinafter to be designated Warshipopencargo Policy Standard Optional Endorsement No. III (Revised)

*If either (a) or (b) is inapplicable, same will be deleted.

is hereby promulgated; and shall be deemed to be automatically substituted for Standard Optional Endorsement No. III (§ 305.64) where the latter has hitherto been attached to any policy.

In consideration of the payment of premium as hereinafter provided, this policy is extended to cover goods otherwise coming within the scope of this policy but sold by the Assured prior to shipment on terms requiring him to provide War Risk insurance to the port of discharge. The Assured agrees to file separately upon the Standard Forms provided for in Supplement #1 of General Order No. 6 Provisional and Closing Reports of all such shipments to be insured, such report to be filed subject to all of the rules and conditions as set forth in said General Order. In the event of loss claims shall be filed by the Assured unless otherwise permitted by the War Shipping Administration for good cause shown. In the event of loss claims shall be filed by the Assured unless otherwise permitted by the War Shipping Administration for good cause shown. In the event that with the consent of the War Shipping Administration claim is filed by the purchaser, said purchaser shall be required to file an affidavit in accordance with the provisions of the policy. Such affidavit shall be subject to the provisions of Section 35 (a) of the Criminal Code.

All other terms and conditions remaining unchanged.

§ 305.78 Warshipopencargo Policies may be issued to citizens of the United States, resident aliens, domestic partnerships or domestic corporation; policies may also be issued to foreign corporations having an office or place of business within the United States, with respect to shipments by, to, or for the account of, said office within the United States. Where a policy is issued to an agent for account of a principal the foregoing requirement shall apply only to the agent and not the principal.

All policies hitherto issued by Underwriting Agents to persons other than the foregoing must be cancelled effective not later than October 1.

§ 305.79 Notwithstanding the provisions of Article 9 of Supplement #2 of General Order No. 6 (§ 305.70), Warshipopencargo Policy form may be endorsed to cover goods imported into the United States with the intention of re-exporting the same for account of the U. S. Army to bases outside of the United States. All shipments covered under the terms of such endorsement must be reported on separate bordereaux form and must pay premium at special rates to be named by the War Shipping Administration, for the voyage involved, rather than at the customary import rate. The following endorsement hereafter designated Standard Optional Endorsement No. IX is hereby promulgated for use by Underwriting Agents in this connection:

Notwithstanding the provisions of Article 9 of Supplement #2 of General Order No. 6 (§ 305.70) of the War Shipping Administration, dated August 10, 1942, it is understood and agreed that with respect to shipments

a. Under ocean bills of lading dated on or after ----------, or

b. If ocean bills of lading not issued under equivalent shipping documents issued on or after said date, or

c. If no ocean bills of lading or equivalent documents are issued, or if the same are undated, laden on over-seas vessel on and after said date,

which would be covered under the terms of this policy but for said article 9, but which are excluded therefrom by reason of the fact that at the time of attachment of risk or subsequent thereto, the goods are intended for reexport to United States Army foreign bases, such shipment shall nonetheless be covered subject to all the terms of this policy. It is especially agreed, however, that the Assured will file special provisional and closing reports with respect to all such shipments, ad shall pay premiums thereon at such special rates as may be named with respect to the same by the War Shipping Administration.

§ 305.80 *Shipments of high priority cargoes intended for reexport to Canada.* Nothwithstanding the provisions of Article 9 of Supplement #2 of General Order No. 6 (§ 305.70), the War Shipping Administration is prepared under certain circumstances to provide War Risk Insurance on high priority cargoes imported into United States ports but intended for reexport to Canada. Persons wishing to insure such shipments in this manner must apply to Underwriting Agents of the War Shipping Administration, on Standard Form of Open Policy Application, setting forth the circumstances surrounding the application. Underwriting Agents will submit all such applications to the War Shipping Administration for approval prior to issuance of policies. All such insurances must be reported by the Assured on separate provisional and closing reports and premiums payable thereon shall be computed at special rates named by the War Shipping Administration, at levels deemed by it to be compensatory. In connection with such insurances, the following Standard Optional Endorsements are hereby promulgated:

Standard Optional Endorsement No. X

Nothwithstanding the terms of Warshipopencargo Policy Part I (§ 305.59) and Part II (§ 305.60) as amended by Article #9 of Supplement #2 to General Order No. 6 (§ 305.70, of the War Shipping Administration, this policy covers only shipments to United States ports, of ----------, which would be covered under the terms of this policy but for said Article #9, of Supplement #2 of General Order No. 6 of the War Shipping Administration, but which are thereby excluded from coverage hereunder by reason of the fact that at the time of shipment they are intended for re-export to Canada.

All other terms and conditions remaining unchanged.

Standard Optional Endorsement No. XI

Effective as to shipments

a. Under Ocean Bills of Lading dated on and after ----------, or

b. If Ocean Bills of Lading not issued, under equivalent shipping documents dated on and after *said date*, or

c. If no Ocean Bills of Lading or equivalent documents are issued, or if the same are undated, laden on over-seas vessel on and after said date,

this policy is extended to cover shipments to United States ports of ----------, which at any time during the currency of this insurance are destined for re-export from the United States to Canada, and which accordingly, in the absence of this endorsement would be excluded from the protection of this policy by the provisions of Article 9 of Supplement #2 of General Order No. 6 of the War Shipping Administration. The Assured warrants that all such shipments will be reported to the War Shipping Administration on separate provisional and closing monthly bordereaux from other shipments covered by this policy.

All other terms and conditions remaining unchanged.

§ 305.81 *Amendment to standard form of surety bond.* The standard form of surety bond incorporated in General Order No. 6, Supplement #1 (§ 305.61), is hereby amended, effective with respect to all bonds tendered on or after September 15, 1942, by striking out in paragraph 1 thereof the words "values of import shipments covered under the policy" and substituting therefor the words "values of all shipments covered under the policy."

§ 305.82 *Amendment to standard form of Part I of Warshipopencargo policy.* Effective 48 hours from the date hereof the second paragraph of Part I (§ 305.59) of Warshipopencargo Policy Form is amended to read as follows:

In consideration of a collateral deposit fund or surety bond to be established in accordance with Clause 13 of Part II of this policy, and of premiums computed and paid as provided in Clause 12, Part II of this policy, War Shipping Administration by this policy of insurance hereby insures -------- ---------- against War Risks as specified in Part II with respect to all imports to the Continental United States, excluding Alaska (except as to such imports as may be specifically excluded from this policy by special agreement noted hereon by endorsement) shipped or consigned to or by the Assured and for his account and risk or shipped or consigned to or by other parties for the account and at the risk of the Assured:

a. Under ocean Bills of Lading dated on or after ----------, or

b. If ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date.

For the purpose of this insurance, goods insured hereunder shall be valued at -------- ----------.

§ 305.83 *Definition of territories and possessions.* Wherever reference is made to the territories and possessions of the United States in this General Order, any supplement thereto, or any policy of insurance issued pursuant to the provisions thereof, said territories and possessions shall be deemed to include only Alaska, Hawaiian Islands, Puerto Rico, Virgin Islands and the Canal Zone.

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, Jr.,
Secretary.

SEPTEMBER 9, 1942.

[F. R. Doc. 42-8972; Filed, September 10, 1942; 2:37 p. m.]

[General Order 8 (Revised); Supp. 6]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

DETERMINATION OF SAILING DATES

Prescribing basis for the determination of time charter hire under charter parties tendered by the War Shipping Administration to owner of American-flag vessels chartered or requisitioned for use pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended.

§ 302.75 *Determination of sailing dates.* Section 2 (a) of General Order No. 8 (Revised) (§ 302.13 [1]) reads in part:

The sailing date shall be the date when the vessel commences to load outbound from a United States Continental port, excluding Alaska.

The determination of sailing dates on or after May 16, 1942, shall be as follows:

The "sailing date" shall be 12:01 AM of the first day on or after May 16, 1942, on which the vessel loads any outbound cargo from any United States Continental port, excluding Alaska, regardless of whether or not outbound cargo has been previously laden.

Section 2 (a) of General Order No. 8 (Revised) (§ 302.13) shall be construed accordingly.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 10, 1942.

[F. R. Doc. 42–8990; Filed, September 11, 1942; 10:30 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O. D. T. No. 22]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART N—TAXICABS AND TAXI SERVICE IN NEW YORK CITY

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and in order to conserve and providently utilize vital transportation equipment, material and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

Sec.
501.110 Definitions.
501.111 Reduction in units required.
501.112 Reduction in operations required.
501.113 Additional shifts prohibited.
501.114 Operating regulations.
501.115 Special and general permits.
501.116 Applicability of General Order O. D. T. No. 20.
501.117 Exemptions.
501.118 Communications.
501.119 Effective date.

[1] 7 F.R. 6543.

AUTHORITY: §§ 501.110 to 501.119, inclusive, issued under E.O. 8989, 6 F.R. 6725, and E.O. 9156, 7 F.R. 3349.

§ 501.110 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, association, or other type of legal entity, including any trustee, receiver, assignee, or personal representative.

(b) The term "taxicab" means any rubber-tired vehicle propelled or drawn by mechanical power which is licensed to transport passengers for compensation as a taxicab by the Hack Bureau of the Police Department of the City of New York, New York.

(c) The term "fleet operator" means any person owning or operating three or more taxicabs.

(d) The term "individual operator" means any person owning or operating less than three taxicabs.

(e) The term "shift" means any one period of time in twenty-four (24) consecutive hours during which a taxicab is driven by the same person.

§ 501.111 *Reduction in units required.* On or before 10 days after the date of the issuance of this subpart, each fleet operator shall discontinue operation of 33⅓ percent of the total number of taxicabs such fleet operator was entitled to operate, under license from the Hack Bureau of the Police Department of the City of New York, New York, on the date of the issuance of this subpart; and, on or before such date, each fleet operator shall surrender to the Hack Bureau of the Police Department of the City of New York, New York, to be held by such Hack Bureau during the effective period of this subpart, all licenses held by such operator in excess of the number of taxicabs herein authorized to be operated.

§ 501.112 *Reduction in operations required.* No individual operator shall drive, operate, or cause to be operated in New York, New York, any taxicab on more than six days in any calendar week.

§ 501.113 *Additional shifts prohibited.* No individual operator shall drive, operate, or cause to be operated in New York, New York, any taxicab for more than the number of shifts such taxicab was regularly operated at the time of the issuance of this subpart.

§ 501.114 *Operating regulations.* Notwithstanding the provisions of § 501.82 of this part (General Order O. D. T. No. 20 [1]), no person shall:

(a) Drive or operate a taxicab from New York, New York, to any point or points outside of the State of New York;

(b) Drive or operate a taxicab to any point or points more than five miles beyond the corporate limits of New York, New York.

§ 501.115 *Special and general permits.* The provisions of this subpart shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue public hardships.

§ 501.116 *Applicability of General Order O. D. T. No. 20.* Except insofar as the provisions of this subpart are inconsistent therewith, the provisions of §§ 501.80 to 501.87, inclusive, of this part (General Order O. D. T. No. 20) shall be applicable to persons operating taxicabs in New York, New York.

§ 501.117 *Exemptions.* The provisions of this subpart do not apply to the transportation of passengers incidental to emergencies arising from an accident, sickness, death, public calamity, or military necessity: *Provided*, That with respect to any such transportation the person driving or operating the taxicab shall, within forty-eight (48) hours thereafter, make a report in writing to the Office of Defense Transportation explaining in full the emergency necessitating the transportation.

§ 501.118 *Communications.* Communications concerning this subpart should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "General Order O. D. T. No. 22".

§ 501.119 *Effective date.* This subpart shall become effective on September 20, 1942.

Issued at Washington, D. C. this 10th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[1] 7 F.R. 6906.

[F. R. Doc. 42–8971; Filed, September 10, 1942; 1:03 p. m.]

Notices

WAR DEPARTMENT.

[Bulletin No. 38]

FORT BRAGG, N. C.

LIMITATION OF PROSTITUTION NEAR ARMY ESTABLISHMENTS

Pursuant to the act of Congress approved July 11, 1941 (Pub. Law 163, 77th Cong.) (Bul. 23, W.D., 1941), the Secretary of War has determined that it is needful to the efficiency, health, and welfare of the Army to restrain and prevent commission of the offenses defined by said Act, in an area within a reasonable distance of Fort Bragg, North Carolina, and hereby designates and describes said area as follows: That area that lies within the following counties of the State of North Carolina—Bladen, Cumberland, Harnett, Hoke, Johnston, Lee, Moore, Richmond, Robeson, Sampson, Scotland, and Wake.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

F. R. Doc. 42–8973; Filed, September 10, 1942; 4:01 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

PORTLAND COAL & SUPPLY CO., ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of C. B. Goodwin (Portland Coal & Supply Co.), Hanna Coal Sales Company, Kentucky-Cumberland Coal Co., a corporation; Maulbetsch-Pinson Coal Co., W. T. McGee (Shadyside Fuel Company), and The Tiger Coal Company.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, it is so ordered.

Dated: September 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

EXHIBIT A

Registration Number, Name, and Address

8597 C. B. Goodwin (Portland Coal & Supply Co.), 407 N. Meridian St., Portland, Indiana.
8961 Hanna Coal Sales Company, 1300 Leader Building, Cleveland, Ohio.
5034 Kentucky-Cumberland Coal Co., a corporation. Knoxville, Tennessee.
6061 Maulbetsch-Pinson Coal Co., 13th & Beech Streets, Kenova, W. Va.
8233 W. T. McGee (Shadyside Fuel Company), 713 Second Nat'l Bk. Bldg., Uniontown, Pa.
9025 The Tiger Coal Company, 303 Atlas Building, Columbus, Ohio.

[F. R. Doc. 42–8996; Filed, September 11, 1942; 11:13 a. m.]

[Docket Nos. B-292, B-309]

RIDGWAY COAL CO., ET AL.

ORDER POSTPONING HEARINGS

In the matter of John H. Ridgway, doing business under the name and style of Ridgway Coal Company, Code Member, Docket No. B–292.

In the matter of Wm. Howells and T. A. Howells, individually and as co-partners doing business under the name and style of Wm. Howells and T. A. Howells, Code Member, Docket No. B–309.

The above entitled matters having been heretofore scheduled for hearing on September 22, 1942, at 10 o'clock A. M., at a hearing room of the Bituminous Coal Division at the Post Office Building, Canton, Ohio; and,

The Acting Director deeming it advisable that said hearings be postponed;

Now, therefore, it is ordered, That the hearings in the above entitled matters be, and they hereby are, postponed from September 22, 1942, to September 28, 1942, at 10 o'clock A. M. at the Post Office Building, Canton, Ohio.

It is further ordered, That Edward J. Hayes or any other officer of the Division duly designated for that purpose shall preside at said hearings vice W. A. Cuff.

Dated: September 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–8995; Filed, September 11, 1942; 11:14 a. m.]

[Docket No. B-232]

THE BURNS MINE

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER, AND CEASE AND DESIST ORDER

Correction

The third line in the seventh paragraph of the document in the first column of page 7110 of the issue for Wednesday, September 9, 1942, should be deleted.

FEDERAL POWER COMMISSION.

[Docket Nos. G–149, G–132]

INTERSTATE NATURAL GAS CO., INC. AND LOUISIANA PUBLIC SERVICE COMMISSION

ORDER GRANTING ORAL ARGUMENT

SEPTEMBER 9, 1942.

In the Matter of Interstate Natural Gas Company, Incorporated; Louisiana Public Service Commission, Complainant, v. Interstate Natural Gas Company, Incorporated, Defendant.

Upon application of Interstate Natural Gas Company, Incorporated, filed August 21, 1942, requesting that it be granted permission to present oral argument before the Commission, *en banc;*

The Commission *orders* that: Oral argument on the issues raised at the hearing herein be had before the Commission, *en banc* on October 14, 1942, at 9:45 a. m., in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42–8988; Filed, September 11, 1942; 9:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 118]

REAL PROPERTY IN BALDWIN, NEW YORK, OWNED BY CHARLES J. KOEPPEL

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095,[1] as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Charles J. Koeppel and Elsie Koeppel, his wife, and each of them, both of whom have been interned at St. George, Bermuda, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situated at Baldwin, in the County of Nassau, State of New York, being designated on a certain map entitled "Amended Map of Lakewood Park at Baldwin, Nassau County, N. Y. property of Carrollton Realty Co. Inc. surveyed December 1903 by F. W. Conklin, C. E., subdivided August 1904 Robert Kurz, C. E. Jamaica, N. Y." and filed in the Office of the Clerk of the County of Nassau on May 2, 1905 as map No. 42 as and by Lots Nos. 8, 9, 10, 11, 12, 13 and 14, and more particularly bounded and described according to said map as follows:

Beginning at a point on the northerly side of Brooklyn Avenue distant 275 feet easterly from the corner formed by the intersection of the northerly side of Brooklyn Avenue with the easterly side of Grove Street; running thence northerly parallel with Grove Street 150 feet to the center line of the block between Brooklyn Avenue and New York Avenue; thence easterly along said center line of the block parallel with Brooklyn Avenue 175 feet; thence southerly parallel with Grove Street 150 feet to the northerly side of Brooklyn Avenue; thence westerly along the northerly side of Brooklyn Avenue 175 feet to the point of beginning,

is property within the United States owned by nationals of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[1] E.O. as amended appears at 7 F.R. 5205.

[F. R. Doc. 42–9000; Filed, September 11, 1942; 11:34 a. m.]

[Vesting Order No. 119]

REAL PROPERTY IN NEW YORK CITY OWNED BY WILLIAM DANNHAEUSER AND HELEN ANNETTE STREIT DANNHAEUSER

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of William Dannhaeuser and Helen Annette Streit Dannhaeuser, his wife, and each of them, the last known address for both of whom was represented to the undersigned as being in Hassfurt am Mein, Germany, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situated at 111-59 178th Place, St. Albans, Long Island, in the Borough of Queens, City of New York, County of Queens, State of New York, and particularly described as follows:

Beginning at a point on the easterly side of 178th Place, distant 80 feet northerly from the corner formed by the intersection of the easterly side of 178th Place with the northerly side of 112th Avenue, as the said Street and Avenue are shown on the Final Map of the City of New York; running thence easterly parallel with 112th Avenue, 100 feet; thence northerly parallel with 178th Place, 40 feet; thence westerly parallel with 112th Avenue, 100 feet to the easterly side of 178th Place, and thence southerly along the easterly side of 178th Place, 40 feet to the point or place of beginning,

is property within the United States owned by nationals of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held; used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu therof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August, 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-8999; Filed, September 11, 1942; 11:34 a. m.]

[Vesting Order No. 121]

REAL PROPERTY IN RICHMOND, CALIFORNIA, OWNED BY M. MIYAOI

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of M. Miyaoi, whose last known address was represented to the undersigned as being in Japan, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situated in the City of Richmond, County of Contra Costa, State of California, and particularly described as follows:

Lot 4 in Block 17 as delineated upon that certain map entitled "Map of J. C. OWENS ADDITION to the City of Richmond", being a portion of Lot 26, of the final partition of the San Pablo Rancho, Contra Costa County, California; filed February 6, 1912 in Map Book 6, page 138 in the office of the County Recorder of the County of Contra Costa, State of California.

is property within the United States owned by a national of a designated enemy country (Japan), and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing herein contained shall be deemed to constitute an assertion or admission that the real property hereinbefore described was ever owned or held in violation of the laws of the State of California.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 25, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9001; Filed, September 11, 1942; 11:34 a. m.]

[Vesting Order No. 137]

REAL PROPERTY IN WASHINGTON, D. C. OWNED BY JOSEPH SCHOEBEL AND ELSE SCHOEBEL

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All right, title, interest, and estate, both legal and equitable, of Joseph Schoebel and Else Schoebel, his wife, ad each of them the last known address of both of whom was represented to the undersigned as being in Wichadtl, Sudetenland, Germany, in and to:

(i) That certain real property, together with all fixtures, improvements, and appurtenances thereto, situated in the City of Washington, District of Columbia, and particularly described as follows:

Lots numbered 2 and 3 in Block numbered 2, "Colorado Heights," as per plat recorded in the Office of the Surveyor for the District of Columbia in Liber County 16 at Folio 20; said Block numbered 2 now known for purposes of assessment and taxation as square numbered 1887; subject to building restriction line shown on said plat, and

(ii) Fire insurance policy number 18734 of Continental Insurance Company of the City of New York,

is property within the United States owned by nationals of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Joseph Schoebel and Else Schoebel, his wife, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of them by Columbia National Bank, Washington, D. C., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly the checking account at the aforesaid Columbia National Bank, Washington, D. C., which is carried in the name of S. C. Cissel, Agent,

is property within the United States owned or controlled by nationals of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-9002; Filed, September 11, 1942; 11:34 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order O. D. T. No. 3 Revised-1]

AERO MAYFLOWER TRANSIT COMPANY, ET AL.

MOTOR VEHICLE SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with this Office by Aero Mayflower Transit Company, Indianapolis, Indiana; Greyvan Lines, Inc., Chicago, Illinois; United Van Lines, Inc., St. Louis, Missouri; and North American Van Lines, Cleveland, Ohio, as governed by § 501.9 of General Order O. D. T. No. 3, Revised,[1] and good cause appearing therefor; *It is hereby ordered*, That:

(1) Aero Mayflower Transit Company, Greyvan Lines, Inc., United Van Lines, Inc., and North American Van Lines, (hereinafter called "carriers"), respectively, in the transportation of household goods, as common carriers by motor vehicle, shall establish an office at Chicago, Illinois, to facilitate the movement of household goods shipments in the following manner:

(a) Register with the office shipments which any of the carriers may be unable to transport by reason of the restrictions contained in General Order O. D. T. No. 3, Revised;

(b) Register with the office all empty equipment, and partially loaded equipment, for which the carrier has no shipments available:

(c) The office shall advise the individual carriers as to the shipments registered and the empty equipment, or the unloaded space therein, which is available: *Provided, however*, That nothing herein contained shall be construed to authorize the manager of the office, or any of the employees thereof, to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) Prepare, maintain, and keep open for inspection by representatives of this office such records as may be hereinafter prescribed by this office;

(e) The cost of maintaining the office shall be equally divided among the carriers for the first month's operations and divided on the basis of the volume of business exchanged between the carriers for the succeeding months.

(2) Carriers shall exchange shipments registered at the office under the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into a contract of carriage and such contracting carrier shall assume all legal liability with respect to loss or damage to such shipments and shall assume the responsibility of making settlement of any and all such claims and shall protect such shipper as provided for in the rules and regulations promulgated by the Interstate Commerce Commission pursuant to the provisions of Section 215 of the Interstate Commerce Act;

(b) The division of revenues derived from transportation performed pursuant hereto shall be that agreed upon by the carriers party thereto. In the event such carriers are unable to agree, then the division of revenues shall be determined by the Office of Defense Transportation.

(c) Storage in transit and accessorial service charges, other than packing and unpacking, shall be charged pursuant to the performing carrier's tariff and shall be retained by such performing carrier.

(3) Carriers shall not exchange shipments with each other except as provided herein, *Provided, always*, That the duties and obligations of the originating carrier to the shipper shall remain unchanged.

(4) Any common carrier by motor vehicle duly authorized to engage in the transportation of household goods shall be entitled to participate in the plan of action and arrangements contemplated by this Supplementary Order O. D. T. No. 3-1 if, upon application filed with this Office, a copy of which application shall be served upon each member carrier to this plan, the Director of the Office of Defense Transportation shall have determined that the facilities of such common carrier are suitable for participation in such plan and arrangements.

(5) Each carrier named herein shall file a copy of this Supplementary Order with the Interstate Commerce Commission and with each appropriate State regulatory body.

This Order shall become effective on the 10th day of September, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 10th day of September, 1942.

C. D. YOUNG,
Acting Director of Defense Transportation.

[F. R. Doc. 42-8970; Filed, September 10, 1942; 1:03 p. m.]

[1] 7 F.R. 5445, 5448, 6689.

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under Maximum Price Regulation 12 [2]—Brass Mill Scrap]

WALLACE CHINA COMPANY

ORDER GRANTING ADJUSTMENT

For reasons set forth in an opinion filed simultaneously herewith and pursuant to the authority vested in the Price Administor by the Emergency Price Control Act of 1942, *it is ordered:*

(a) The Wallace China Co., of Huntington Park, California, may sell china and pottery at prices no higher than the prices appearing in the price list issued January 15, 1942, and on file with the Office of Price Administration, subject to all discounts and allowances in effect on January 15, 1942.

(b) This Order No. 1 under Maximum Price Regulation No. 116 shall become effective September 10, 1942.

Issued this 10th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8984; Filed, September 10, 1942; 5:14 p. m.]

[Order 2 Under Revised Price Schedule 12 [1]—Brass Mill Scrap]

DEFENSE PLANT CORPORATION—FORD, BACON AND DAVIS, INC.

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and un-

[1] 7 F.R. 3036, 3858.
[2] 7 F.R. 1234, 1836, 2132, 3520, 6515.

der the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.19 (e) (2) of Revised Price Schedule No. 12—Brass Mill Scrap, *it is ordered:*

(a) Defense Plant Corporation and its agent, Ford, Bacon and Davis, Incorporated, may buy and receive and American Metal Company, Ltd., may sell and deliver to Defense Plant Corporation or its agent, Ford, Bacon and Davis, Incorporated, at a price not higher than 11⅞¢ per pound, f. o. b. point of shipment, especially prepared brass mill scrap: *Provided*, That Defense Plant Corporation or its agent, Ford, Bacon and Davis, Incorporated, has been authorized by the War Production Board to make each such purchase.

(b) As used in this Order No. 2 "specially prepared brass mill scrap" shall mean pure copper shavings and turnings from electrolytic wire bars free from any contamination whatsoever.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective September 11, 1942.

Issued this 10th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8983; Filed, September 10, 1942; 5:13 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-54, 70-577]

KEWANEE PUBLIC SERVICE COMPANY AND ILLINOIS IOWA POWER COMPANY

ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of September, A. D. 1942.

The Commission having entered an order on September 3, 1942 instituting proceedings entitled "In the Matter of Kewanee Public Service Company, Respondent" (File No. 59-54) pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 and setting the date for hearing on September 23, 1942; and

Illinois Iowa Power Company having filed an application or declaration (or both) on July 15, 1942 (File No. 70-577) in regard to the acquisition by said company of publicly held 7% preferred stock of Kewanee Public Service Company pursuant to sections 9 (a), 10 and 11 of the Public Utility Holding Company Act of 1935 and the Commission having set the said matter for hearing for September 2, 1942 and having postponed said hearing to September 23, 1942; and

It appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That the said proceeding entitled "In the Matter of Kewanee Public Service Company" (File No. 59-54), and the said proceeding entitled "In the Matter of Illinois Iowa Power Company" (File No. 70-577), be and the same hereby are consolidated; and that jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, the matters herein consolidated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8974; Filed, September 10, 1942; 4:00 p. m.]

[File No. 70-592]

NATIONAL GAS & ELECTRIC CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of September, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party or parties; and

Notice is further given that any interested person may, not later than September 18, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

National Gas & Electric Corporation, a registered holding company, proposes to reclassify its authorized capital stock by changing its presently outstanding no par common stock having a stated value of $3,705,904.08 to the same number of shares of $5 par value common stock having an aggregate par value of $2,241,762.73. The proposed reclassification is to be effected by the adoption of amendments to the Certificate of Incorporation, as amended, of National Gas & Electric Corporation. In connection with the proposed reclassification National Gas & Electric Corporation proposes the restatement of certain accounts to be effective as at March 31, 1942 and for the purpose of (a) creating a capital surplus in the amount by which its stated capital is reduced; (b) eliminating certain so-called assets now carried on its books; (c) writing-down its investments in two subsidiary companies; and (d) creating two reserves, namely, a reserve for investments in certain subsidiary companies and a reserve for possible unbilled expense charges incurred prior to March 31, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8975; Filed, September 10, 1942; 4:00 p. m.]

FREAR AND CO., INC.

ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of September, A. D. 1942.

In the Matter of Frear and Company, Incorporated, Woodward Building, Washington, D. C.

The Commission having instiuted proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Frear and Company, Incorporated as a broker and dealer should be suspended or revoked; a hearing having been held after appropriate notice, and the Commission having found that registrant has willfully violated sections 5 (a) and 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934 and Rule X-15C1-2 of the general rules and regulations thereunder, and that it is in the public interest to revoke the registration of Frear and Company, Incorporated as a broker and dealer, as more fully set forth in the Findings and Opinion of the Commission herein, this day issued;

It is ordered, On the basis of the said Findings and Opinion, and pursuant to section 15 (b) of the Securities Exchange Act of 1934, That the registration of the said Frear and Company, Incorporated as a broker and dealer be, and the same hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8976; Filed, September 10, 1942; 4:00 p. m.]

[File Nos. 31-501, 31-500]

CONSOLIDATED CITIES LIGHT, POWER & TRACTION CO., ET AL.

NOTICE OF AND ORDER FOR CONSOLIDATED HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of September, A. D. 1942.

In the Matters of Consolidated Cities Light, Power & Traction Company, Dominion Natural Gas Company, Limited, United Fuel Investments, Limited, Hamilton By Product Coke Ovens, Limited, United Gas and Fuel Company of Hamilton, Limited, The Wentworth Gas Company, Limited, the United Suburban Gas Company, Limited.

Applications pursuant to sections 3 (a) (5) and 3 (b) of the Public Utility Holding Company Act of 1935 have been filed by Consolidated Cities Light, Power & Traction Company ("Consolidated"), Dominion Natural Gas Company, Limited ("Dominion"), and on behalf of their subsidiary companies hereinafter named, for orders of exemption from various provisions of the Act as hereinafter described:

Consolidated Cities Light, Power & Traction Company, a corporation organized and existing under the laws of the State of Delaware, is a subsidiary of Cities Service Company, a registered holding company. Consolidated has filed an application pursuant to section 3 (b) of the Act (File No. 31-501) for an exemption from all provisions of the Act which would be applicable to it as a subsidiary company of Cities Service Company.

Consolidated has been heretofore exempted by the Commission, pursuant to section 3 (a) (5) of the Act, from those provisions thereof which would require it to register as a holding company by reason of its ownership of securities of Dominion Natural Gas Company, Limited. The latter company, and each of its subsidiary companies, were organized under the laws of Canada or a province thereof. The following table describes the businesses of the subsidiaries, and indicates their relationship to Dominion and other companies in the system by appropriate indentations:

Dominion Natural Gas Company, Limited	Holding company; operating company.
United Fuel Investments, Limited	Holding company.
Hamilton By Product Coke Ovens, Limited	In Canada, the carbonization of coal and sale of the resultant coke and by-products.
United Suburban Gas Company, Limited	Gas utility company in Ontario.
United Gas and Fuel Company of Hamilton, Limited	Gas utility company in Hamilton, Ontario; holding company.
The Wentworth Gas Company, Limited	Natural gas utility company in Ontario.

The application filed by Dominion on behalf of itself and its subsidiaries (File No. 31-500) requests:

(1) Pursuant to section 3 (a) (5), exemptions from those provisions of the Act which would require Dominion, United Fuel Investments, Limited, and United Gas and Fuel Company of Hamilton, Limited to register as holding companies.

(2) Pursuant to section 3 (b), exemptions from all provisions of the Act which would be applicable to Dominion and each of its subsidiary companies as subsidiary companies of Cities Service Company.

It appearing to the Commission that it is appropriate and in the public interest and for the protection of investors that a hearing be held with respect to such applications; and

It further appearing to the Commission that the applications are related and involve common questions of law and fact; that evidence offered in respect to each of said applications may have a bearing on the others; and that substantial savings in time, effort and expense will result if the hearings on these applications are consolidated so they may be heard as one matter, and so that evidence adduced in each matter may stand as evidence in the other for all purposes:

It is ordered, That hearings on said applications be held on September 30, 1942 at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearings will be held.

It is further ordered, That the hearings on said applications be, and they hereby are, consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning such proceeding or proceedings, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record in the other matters.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the consolidated hearing in such matters. The officer designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18(c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to said applicants and to any other person whose participation in such proceeding may be in the public interest or in the interest of investors. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 25, 1942.

It is further ordered, That, without limiting the scope of the issues presented by said applications, particular attention will be directed at such hearing to the following matters and questions:

1. Whether any of the applicants hereto receives a material part of its income, directly or indirectly, from sources within the United States.

2. Whether there is any provision or provisions of said Act which, in the public interest or for the protection of investors, it is not necessary to apply to applicants.

3. Whether it is necessary or appropriate in the public interest or for the protection of investors to impose terms and conditions in respect of any exemptions which might be granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8977; Filed, September 10, 1942; 4:01 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 12]

PROPOSED COOPERATIVE VENTURE FOR PRODUCTION OF AVIATION GASOLINE

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose a memorandum of the Petroleum Coordinator for War describing the general character of a proposed cooperative venture of eight companies for the production and sale of aviation gasoline to Defense Supplies Corporation, a subsidiary of Reconstruction Finance Corporation. These eight companies will operate through the medium of Associated Refineries, Inc., a Delaware corporation duly organized by them for the purpose of leasing and operating a projected defense plant to be owned by Defense Plant Corporation, another subsidiary of Reconstruction Finance Corporation.

For the purposes of section 12 of Public Law No. 603, 77th Congress, I hereby approve the general character of such plan as described in the enclosed Memorandum, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person within the scope of such Memorandum is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 4, 1942.

[F. R. Doc. 42-8997; Filed, September 11, 1942; 11:32 a. m.]

SEP 16 1942

SEP 16 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 181

Washington, Tuesday, September 15, 1942

The President

EXECUTIVE ORDER 9242

AUTHORIZING THE PROCUREMENT DIVISION TO USE OPTICAL GLASS ACQUIRED PURSUANT TO THE ACT OF JUNE 7, 1939

WHEREAS the Procurement Division of the Treasury Department has acquired by purchase stocks of optical glass suitable for the manufacture of binoculars pursuant to the provisions of the act of June 7, 1939 (53 Stat. 811); and

WHEREAS the Chairman of the War Production Board has reported to me that a shortage of optical glass for use in binoculars is imminent; and

WHEREAS the United States is now at war:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by section 4 of the said act of June 7, 1939, it is ordered as follows:

The Procurement Division of the Treasury Department is hereby authorized and directed to make use of such optical glass suitable for the manufacture of binoculars by sale or other disposition for war production purposes to such buyers or users and in such amounts as may be requested from time to time by the Chairman of the War Production Board.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 11, 1942.

[F. R. Doc. 42-9030; Filed, September 12, 1942; 10:05 a. m.]

EXECUTIVE ORDER 9243

PROVIDING FOR THE TRANSFER AND RELEASE OF FEDERAL PERSONNEL

By virtue of the authority vested in me by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes of the United States (U.S.C., title 5, sec. 531), it is hereby ordered:

1. Effective on and after the fifteenth day following the date of this order, transfers of employees between departments, agencies, and independent establishments of the civilian executive branch of the Federal Government, the release of such employees to private enterprise, and the establishment, granting, and conditioning of reemployment rights in the event of such transfers and releases, shall be governed by policies and directives issued by the Chairman of the War Manpower Commission in conformity with Executive Order No. 9139 of April 18, 1942.[1]

2. In conformity with the policies of the Chairman of the War Manpower Commission, the Director of the Bureau of the Budget shall from time to time establish priority classifications of the several executive departments and agencies or parts or activities thereof, based upon the relative importance to the war program of the functions performed.

3. Executive Order No. 8973 of December 12, 1941,[2] and Executive Order No. 9067 of February 20, 1942,[3] are hereby revoked, effective on the fifteenth day following the date of this order; provided that nothing contained in this order shall be construed to affect reemployment rights theretofore acquired by any employee under Executive Orders Nos. 8973 and 9067.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 12, 1942.

[F. R. Doc. 42-9092; Filed, September 14, 1942; 12:38 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[1942 C.C.C. Cotton Form 1: Instructions]

PART 232—1942 COTTON LOANS

INSTRUCTIONS CONCERNING LOANS ON 1942 COTTON

Pursuant to the 1942 Cotton Loan Program of the Commodity Credit Corpora-

(Continued on next page)

[1] 7 F.R. 2919.
[2] 6 F.R. 6420.
[3] 7 F.R. 1407.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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tion, loans will be made available to producers. Such loans may be obtained either directly from Commodity Credit Corporation or from lending agencies. These instructions state the requirements with reference to such loans.

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- 232.4 Classification of cotton.
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AUTHORITY: §§ 232.1 to 232.15, inclusive, are issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203; 7 U.S.C., 1940 ed., Supp. I, 1330), as amended by the Act of December 26, 1941 (55 Stat. 860).

§ 232.1 *Definitions.* As used in these instructions, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Producer.* A producer shall be any person producing cotton in 1942 in the capacity of landowner, landlord, tenant, or sharecropper. Person, as used herein, means an individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, the landlord, tenants, and sharecroppers may each obtain a loan on his separate share, or two or more such producers may obtain a loan jointly on their shares of such cotton. Share tenants and sharecroppers may not obtain a loan on cotton in which a landlord has an interest: *Provided,* That a tenant and his landlord may obtain a joint loan on cotton in which they both have an interest. In any case where a landlord, cash tenant, or standing-rent tenant obtains a loan on cotton in which a share tenant or sharecropper has an interest, the 1942 cotton producer's note and loan agreement (1942 C.C.C. Cotton Form A) requires that he have the legal right to do so and that the share tenant or sharecropper be paid his pro rata share of the proceeds.

(b) *Cooperator.* A cooperator, with respect to any farm on which cotton is produced in 1942, shall be a producer who is entitled to obtain a loan at the full loan rate on eligible cotton produced on such farm in 1942. A producer will be entitled to a loan at the full loan rate on eligible cotton produced by or for him in 1942 on a farm for which a cotton acreage allotment or permitted acreage is determined under the 1942 agricultural conservation program, provided that the following requirements are met:

(1) The 1942 acreage of cotton on the farm does not exceed the cotton acreage allotment or the permitted acreage of cotton determined for the farm. For the purpose of determining eligibility for loans under the 1942 cotton loan program, the acreage of cotton on the farm shall not be considered as being in excess of the cotton acreage allotment for the farm unless the producer knowingly planted cotton in excess of the allotment. The producer will not be considered to have knowingly overplanted the allotment for the farm if the planted acreage of cotton on the farm does not exceed the allotment by more than the larger of 3 acres or 3 percent of the allotment.

(2) The sum of the 1942 acreages of cotton, wheat, corn (in the commercial corn-producing area), and tobacco on the farm does not exceed the sum of the following:

(i) The permitted acreage of cotton or the larger of 103 percent of the cotton acreage allotment or such allotment plus 3 acres.

(ii) The permitted acreage of corn or the larger of 103 percent of the corn acreage allotment or such allotment plus 3 acres. (This subdivision (ii) will be applicable only in the commercial corn-producing area.)

(iii) The permitted acreage of wheat or the larger of 103 percent of the wheat acreage allotment or such allotment plus 3 acres.

(iv) The tobacco acreage allotment or permitted acreage of tobacco.

(3) His aggregate share of the 1942 acreage of cotton on all farms in the county in which he has an interest does not exceed his aggregate share of the permitted acreages of cotton for such farms or the larger of 103 percent of the cotton acreage allotments for such farms or such allotments plus 3 acres for each of such farms.

(4) His aggregate share of the 1942 acreages of cotton on all farms in the State in which he has an interest is not found by the State committee to be such that it substantially offsets the performance under the 1942 agricultural conservation program on the farm or farms from which his share of the cotton would otherwise be eligible for a loan at the full loan rate.

(5) Payment of the penalty on any amount of cotton produced in excess of the cotton marketing quota for the farm has been secured, as provided under the 1942 regulations for marketing quotas for cotton.

(c) *Noncooperator.* A noncooperator, with respect to any farm on which cotton is produced in 1942, shall be a producer who is entitled only to obtain a loan at 60 per centum of the full loan rate on eligible cotton produced on such farm in 1942. If the 1942 acreage of cotton on a farm exceeds the permitted acreage determined for the farm under the 1942 agricultural conservation program, or if the cotton acreage allotment for the farm is knowingly overplanted, a producer will be entitled to a loan at 60 per centum of the full loan rate on that portion of his share of the eligible cotton produced by or for him on the farm in 1942 which is in excess of his share of the normal or actual production, whichever is greater, of the cotton acreage allotment or permitted acreage determined for the farm.

(d) *Eligible cotton.* Eligible cotton shall be cotton produced in 1942 by or for a producer, provided that the cotton meets the following requirements:

(1) Such cotton must be of a grade and staple specified in § 232.3 of these instructions.

(2) Such cotton must be represented by warehouse receipts issued by an approved warehouse in the form prescribed in § 232.8 of these instructions.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must be free and clear of all liens and encumbrances, except those in favor of the warehouse in which the cotton is stored, as specified in the warehouseman's certificate and storage agreement in 1942 C.C.C. Cotton Form A.

(5) Such cotton must be tendered for a loan by a person who has the legal right to pledge it as security for a loan.

(6) The beneficial interest in the cotton must be, and must always have been, in the person tendering such cotton for a loan, or in such person and any share tenant or sharecropper having an interest in the cotton or its proceeds in case such person is a landlord, cash tenant, or standing-rent tenant and is placing under loan cotton in which both he and a share tenant or sharecropper have an interest.

(7) Such cotton must not have been received in payment of standing or fixed rent.

(8) The persons having an interest in the cotton must either all be entitled to a loan on the cotton at the full loan rate or all be entitled to a loan on the cotton at 60 per centum of the full loan rate.

(e) *Certificate of indemnity.* Cotton covered by a certificate of indemnity (Form FCI–274, issued by Federal Crop Insurance Corporation) will also be eligible for direct loans by Commodity Credit Corporation, in accordance with special instructions to be issued by Commodity Credit Corporation.

(f) *Lending agency* Any bank, corporation, partnership, association, or person making a loan to a producer, pursuant to a 1942 producer's note and loan agreement (1942 C.C.C. Cotton Form A) in accordance with these instructions.

(g) *Eligible paper.* A 1942 cotton producer's note and loan agreement (1942

C.C.C. Cotton Form A), duly executed subsequent to July 31, 1942, and prior to May 1, 1943. State documentary revenue stamps should be affixed thereto where required by law. (A 1942 cotton producer's note and loan agreement (1942 C.C.C. Cotton Form A) executed by an administrator, executor, or trustee will be acceptable only where valid in law and must be submitted for a direct loan in accordance with § 232.11 of these instructions, unless accompanied by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the regional office of Commodity Credit Corporation, New Orleans, La.)

§ 232.2 *Forms.* The following documents must be delivered in connection with every loan:

(a) 1942 cotton producer's note and loan agreement (1942 C.C.C. Cotton Form A).

(b) Warehouse receipts complying with the provisions of § 232.8 hereof.

(c) Producer's letter of transmittal (1942 C.C.C. Cotton Form B) or lending agency's letter of transmittal (1942 C.C.C. Cotton Form C).

§ 232.3 *Amount.* The base loan rate applicable at each approved warehouse will be shown on the "Schedule of Approved Warehouses" issued by Commodity Credit Corporation and available at the office of the county agricultural conservation committee. Premiums and discounts applicable to each grade and staple length are shown in the table in § 232.5. Loans will not be made on grades or staple lengths of cotton not shown in such table. Loans to "cooperators" will be made at the full loan rate, which shall be the rates shown in the "Schedule of Approved Warehouses" adjusted for the appropriate premium or discount for each grade and staple. Loans to "noncooperators" will be made on the basis of 60 percent of such rates on that portion of their shares of the eligible cotton produced by or for them on a farm in 1942 which is in excess of their shares of the normal or actual production, whichever is greater, of the cotton acreage allotment or permitted acreage. All loans will be made on the net weight of the lint cotton.

§ 232.4 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the United States Department of Agriculture. Warehousemen should forward samples to the Board of Cotton Examiners serving the district in which the warehouse is located, and a list showing the class of the cotton will be returned by said board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in the loan agreement. No separate charge is to be made to producers for this service as it is included in the warehouseman's storage agreement. Either Form 1 Classification Memorandum of the United States Department of Agriculture or a Form A–2 Classification Memorandum of the United States Department of Agriculture, issued to the Farm Security Administration, will be accepted as evidence of the class of cotton.

A charge of 15 cents per bale will be made for classing the cotton. The Boards of Cotton Examiners will make collections for classing charges from the warehousemen at the end of each month. A certified check, cashier's check, or postal money order payable to Commodity Credit Corporation must be sent to the Board of Cotton Examiners by the warehouseman in payment of these charges. The warehouseman should collect this charge from the producer.

§ 232.5 *Preparation of documents.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses and also from persons approved by the county agricultural conservation committees in the cotton-producing areas to assist producers in preparing and executing the loan forms. Persons approved by such committees for such purpose must execute the clerk's certificate in 1942 C.C.C. Cotton Form A. Such persons are permitted to collect a fee from producers not to exceed the amount approved by Commodity Credit Corporation for rendering this service. These fees are shown in the following schedule:

Number of bales on the note:	*Maximum fee allowed*
1–6	25 cents
7–8	30 cents
9–10	35 cents
11–20	35 cents plus 2 cents for each bale over 10
21 and over	55 cents plus 1 cent for each bale over 20

PREMIUMS AND DISCOUNTS APPLICABLE TO ALL GROWTHS OF AMERICAN UPLAND COTTON EXCEPT IRRIGATED COTTON OF STAPLE LENGTHS OF LESS THAN 1⅛ INCHES—1942 COTTON LOAN (BASIS M/M MIDDLING)

	Length of staple (inches)										
	1 5/16	⅞	29/32	15/16	31/32	1	1 1/32	1 1/16	1 3/32	1 1/8
WHITE AND EXTRA WHITE	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*
Good Middling	35 off	25 on	35 on	45 on	55 on	65 on	80 on	990 on	1110 on	1250 on.
Strict Middling	60 off	10 on	20 on	30 on	40 on	53 on	70 on	960 on	1070 on	1210 on.
Middling	80 off	20 off	10 off	Even	10 on	30 on	50 on	790 on	903 on	1085 on.
Strict Low Middling	140 off	80 off	70 off	60 off	30 off	10 on	20 on	480 on	555 on	665 on.
Low Middling	245 off	175 off	170 off	165 off	160 off	155 off	140 off	345 on	415 on	515 on.
Strict Good Ordinary	335 off	265 off	260 off	255 off	250 off	245 off	245 off	245 off	245 off	245 off.
Good Ordinary	395 off	330 off	325 off	315 off	315 off	310 off	305 off	305 off	305 off	305 off.
SPOTTED										
Good Middling	90 off	35 off	25 off	10 off	5 off	5 on	20 on	810 on	990 on	710 on.
Strict Middling	105 off	50 off	35 off	25 off	15 off	10 off	5 off	600 on	660 on	600 on.
Middling	160 off	100 off	90 off	80 off	70 off	60 off	40 off	310 on	375 on	470 on.
Strict Low Middling	270 off	205 off	195 off	185 off	180 off	175 off	170 off	Even	15 on	35 on.
Low Middling	340 off	275 off	270 off	260 off	260 off	260 off	260 off	250 off	250 off	280 off.
TINGED										
Good Middling	175 off	120 off	110 off	100 off	95 off	85 off	85 off	215 on	265 on	370 on.
Strict Middling	195 off	140 off	130 off	120 off	115 off	110 off	110 off	200 on	250 on	335 on.
Middling	275 off	215 off	210 off	205 off	205 off	205 off	205 off	65 on	115 off	280 off.
Strict Low Middling	350 off	285 off	280 off	275 off	275 off	275 off	275 off	270 off	280 off	300 off.
Low Middling	410 off	345 off	340 off	335 off	335 off	335 off	335 off	310 off	300 off	300 off.
YELLOW STAINED										
Good Middling	300 off	235 off	230 off	225 off	220 off	220 off	220 off	170 off	145 off	145 off.
Strict Middling	315 off	260 off	245 off	235 off	235 off	235 off	235 off	180 off	155 off	155 off.
Middling	370 off	305 off	300 off	300 off	295 off	295 off	295 off	260 off	260 off	260 off.
GRAY										
Good Middling	155 off	85 off	80 off	70 off	65 off	55 off	55 off	250 on	300 on	445 on.
Strict Middling	170 off	105 off	100 off	85 off	80 off	70 off	70 off	230 on	280 on	415 on.
Middling	245 off	180 off	175 off	160 off	155 off	150 off	150 off	20 on	30 on	65 on.

PREMIUMS AND DISCOUNTS APPLICABLE TO ALL GROWTHS OF AMERICAN UPLAND IRRIGATED COTTON (BASIS 15/16 MIDDLING)

	Length of staple (inches)									
	13/32	7/8	29/32	15/16	1	1 1/32	1 1/16	1 1/8	1 3/16	1 1/4
WHITE AND EXTRA WHITE	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*
Good Middling	80 on	110 on	225 on	695 on	845 on	990 on	1110 on	1170 on	1210 on	1250 on.
Strict Middling	70 on	100 on	185 on	625 on	775 on	920 on	1040 on	1100 on	1140 on	1180 on.
Middling	35 on	60 on	135 on	475 on	650 on	790 on	905 on	965 on	1005 on	1085 on.
Strict Low Middling	30 off	10 off	40 on	295 on	380 on	480 on	555 on	615 on	665 on.	
Low Middling	140 off	145 off	10 off	15 on	35 on.	55 on.	75 on.			
Strict Good Ordinary	245 off	245 off	245 off	245 off	245 off	245 off	245 off			
Good Ordinary	310 off	305 off	305 off	305 off	305 off	305 off	305 off			
SPOTTED										
Good Middling	15 on	30 on	70 on	205 on	410 on	520 on	590 on	710 on.		
Strict Middling	Even	15 on	55 on	270 on	345 on	440 on	515 on	570 on.		
Middling	110 off	45 off	170 off	50 off	25 off	Even	15 on	35 on.		
Strict Low Middling	190 off	165 off	100 off	250 off	250 off	250 off	250 off	250 off.		
Low Middling	290 off	290 off	260 off							
TINGED										
Good Middling	80 off	75 off	10 off	105 on	170 on	215 on	265 on	370 on.		
Strict Middling	105 off	100 off	20 off	90 on	155 on	200 on	250 on	355 on.		
Middling	200 off	200 off	195 off	90 off	65 off	40 off	30 off	15 off.		
Strict Low Middling	275 off	270 off	290 off	230 off	230 off	230 off	230 off	200 off.		
Low Middling	335 off	330 off	325 off	310 off	300 off	300 off	300 off	300 off.		
YELLOW STAINED										
Good Middling	220 off	215 off	195 off	170 off	170 off	145 off	145 off	145 off.		
Strict Middling	235 off	235 off	205 off	180 off	180 off	155 off	155 off	155 off.		
Middling	295 off	295 off	275 off	260 off	260 off	200 off	200 off	200 off.		
GRAY										
Good Middling	45 off	35 off	40 on	200 on	220 on	300 on	300 on	445 on.		
Strict Middling	60 off	60 off	25 on	100 on	100 on	240 on	240 on	415 on.		
Middling	145 off	140 off	65 off	5 on	20 on	30 on	45 on	65 on.		

All blanks must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and no documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation. Only the original copy of 1942 C.C.C. Cotton Form A is to be signed, the copy marked "duplicate" is to be retained by the producer.

The schedule of warehouse receipts must represent cotton of only one grade and staple length.

§ 232.6 *Determination of coöperators or noncoöperators.* As evidence that the producer is a cooperator, Commodity Credit Corporation will accept the clerk's certificate in 1942 C.C.C. Cotton Form A. If the producer does not exhibit the white marketing card(s) on Form Cotton 611 and make the representations to the clerk as required in section 2 of the clerk's certificate, the applicable certificate of the county agricultural conservation committee in 1942 C.C.C. Cotton Form A must be completed. The certificate of the county agricultural conservation committee must be completed on any 1942 C.C.C. Cotton Form A tendered to Commodity Credit Corporation for a direct loan pursuant to § 232.11 hereof.

§ 232.7 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to 1942 C.C.C. Cotton Form A only if issued by warehousemen approved by Commodity Credit Corporation. Warehousemen desiring to be approved should communicate with the regional office of the Commodity Credit Corporation, New Orleans, La. When warehouses are approved, notification will be given either by letter or published lists. All cotton pledged as security for any one loan must be in the same warehouse.

The warehouseman is required, as provided in the warehouseman's certificate and storage agreement in 1942 C.C.C. Cotton Form A, to draw representative samples from the bales and to deliver or forward such samples to a Board of Cotton Examiners for classing, except where either Form 1 or Form A–2 Classification Memorandum of the United States Department of Agriculture is used.

Since the loan will be made on net weight, it will be necessary for the warehouseman to determine the amount of tare on each bale and show the tare in the schedule of pledged cotton in 1942 C.C.C. Cotton Form A. Instructions will be issued to the warehousemen for their guidance in determining tare.

§ 232.8 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse dated on or prior to the date of the producer's note and properly assigned by an endorsement in blank so as to vest title in the holders or issued to bearer will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1942, which by their terms will expire prior to August 1, 1943, must bear an endorsement of the warehouse extending the terms of the warehouse receipt for a period of 1 year from August 1, 1942. Block warehouse receipts will not be accepted.

§ 232.9 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the warehouseman's certificate and storage agreement contained in 1942 C.C.C. Cotton Form A. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note.

§ 232.10 *Liens.* Eligible cotton must be free and clear of all liens except in favor of the warehouse in which the cotton is stored, as specified in the warehouseman's certificate and storage agreement in 1942 C.C.C. Cotton Form A. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not warehousemen), must be listed in the space provided therefor in 1942 C.C.C. Cotton Form A, and the lienholders so listed must execute the lienholders' waiver in such form. If the borrower is a tenant or sharecropper, the landlord must sign the lien waiver whether or not he claims a lien, unless the producer's note is signed jointly by the landlord and the tenant or sharecropper. A misrepresentation as to prior liens, or otherwise, will render the producer personally liable under the terms of the loan agreement and subject him to criminal prosecution under the provisions of section 35 (A) of the Criminal Code of the United States (18 U.S.C. 80 (1940 ed.)). The lienholders' waiver in 1942 C.C.C. Cotton Form A must be signed personally by all lienholders listed or by their agents, or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments, in which case the duly executed authority need not be attached. A 1942 C.C.C. Cotton Form A will not be acceptable unless all prior lienholders are listed therein and have executed the lienholders' waiver.

§ 232.11 *Direct loans.* It is contemplated that producers will ordinarily obtain loans from a local bank or other lending agency which, in turn, may sell the paper evidencing such loans to Commodity Credit Corporation. Arrangements, however, have been made for making direct loans to producers prior to May 1, 1943. In such cases, the note must be made payable to Commodity Credit Corporation and must be tendered to Commodity Credit Corporation, Masonic Temple Building, New Orleans, La., on a producer's letter of transmittal (1942 C.C.C. Cotton Form B) in duplicate, postmarked not later than April 30, 1943, if tendered by mail. Upon delivery of all necessary documents, properly executed, and upon approval, payment will be made in accordance with the directions of the producer contained in said 1942 C.C.C. Cotton Form B, which permits the producer, if he so desires, to designate persons other than himself to receive all or part of the proceeds of the loan.

Direct loans will be made on certificates of indemnity (Form FCI–274, issued by the Federal Crop Insurance Corporation). Instructions with reference to the requirements of Commodity Credit Corporation in making such loans will be issued by Commodity Credit Corporation as a supplement to these instructions and will be made available through the county agricultural conservation committees.

§ 232.12 *Time and manner of tendering loans for purchase and pooling.* Loans made by a lending agency which has executed and delivered a lending agency agreement (1942 C.C.C. Cotton Form D) to the Regional Office of Commodity Credit Corporation, New Orleans, La., prior to the making of the loan will be eligible for purchase or pooling by Commodity Credit Corporation. 1942 C.C.C. Forms D are obtainable only from the Regional Office of Commodity Credit Corporation, New Orleans, La. Under the terms of this agreement, lending agencies which are parties thereto are required to tender to Commodity Credit Corporation, Masonic Temple Building, New Orleans, La., on Lending Agency's Letter of Transmittal (1942 C.C.C. Cotton Form C), executed in triplicate, all notes on 1942 C.C.C. Cotton Form A, with collateral attached, representing loans made by the lending agency within 15 days of the dates of the notes. Forty notes shall be submitted on each Lending Agency's Letter of Transmittal, except when fewer notes are listed thereon in order that the loans may be tendered within 15 days of the dates of their execution. The Lending Agency's Letter of Transmittal shall state whether the lending agency desires the Corporation to purchase the notes or to place them in a pool operated by it. Upon receipt by Commodity Credit Corporation, the loan papers will be examined, and if found correct, will be approved and purchased, or will be transmitted to the Federal Reserve bank serving the district in which the cotton is stored and placed in a pool, as directed by the lending agency. In the event that the notes are pooled, a certificate of interest will be issued to any approved lending agency designated by the lending agency tendering the eligible paper representing the interest in the pool acquired as the result of the deposit therein of the notes shown on the letter of transmittal. All requests for the release of cotton pledged as security for notes on 1942 C.C.C. Cotton Form A will be handled by the Federal Reserve bank serving the district in which the loan originated.

§ 232.13 *Lending agency.* The lending agency shall endorse the notes of producers as provided in the note, 1942 C.C.C. Cotton Form A. Care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents except the authorized clerk's fee, in case the lending agency has executed the clerk's certificate.

§ 232.14 *Federal Reserve Banks.* The location of the Federal Reserve banks referred to herein and the district served by each are shown below:

Location of Federal Reserve Bank and	District Served
Atlanta, Ga.	Georgia, Florida, Virginia, North Carolina, South Carolina.
Birmingham, Ala.	Alabama.
Dallas, Tex.	Texas, New Mexico.
Little Rock, Ark.	All of Arkansas except the counties assigned to Memphis.
Los Angeles, Calif.	California, Arizona.
Memphis, Tenn.	Illinois, Missouri, Tennessee; the following counties in Arkansas: Clay, Craighead, Crittenden, Cross, Greene, Lawrence, Lee, Mississippi, Phillips, Poinsett, Randolph, and St. Francis; and the following counties in Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, DeSoto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, Yalobusha.
New Orleans, La.	Louisiana and counties in Mississippi not assigned to Memphis.
Oklahoma City, Okla.	Oklahoma.

§ 232.15 *Repayments.* No partial releases of the cotton securing a note will be permitted. If a producer desires to obtain the return of the note and the release of the collateral, he should notify Commodity Credit Corporation, care of the Federal Reserve bank or branch thereof serving the district in which the cotton is stored, as stated in § 232.14 hereof. The notes and warehouse receipts will then be forwarded to an approved bank for release only to said producer upon payment of the amount of the loan, the accrued interest and proper charges. Do not send requests for the return of notes and the release of collateral to the Regional Office of Commodity Credit Corporation, New Orleans, Louisiana, as this causes delay in making the release. If the producer desires to sell his equity in the loan cotton, he must complete the Producer's Equity Transfer on his copy of 1942 Commodity Credit Corporation Cotton Form A. Upon the request of the producer or upon receipt of the request contained in the Producer's Equity Transfer on the producer's copy of 1942 Commodity Credit Corporation Cotton Form A, the note and warehouse receipts will be forwarded to any approved bank designated by the person requesting the release of the cotton with directions to release such note and warehouse receipts upon payment of the amount of the loan, the accrued interest, and proper charges. In all such cases, the bank will be instructed to return the notes and warehouse receipts to the Federal Reserve bank if payment is not effected within 15 days. All charges and expenses of the bank to which the notes and warehouse receipts are sent shall be paid by the person requesting the release of the cotton. In the event that release of the cotton is requested by the submission of the Producer's Equity Transfer, the witness to the producer's signature to such form must be a person approved for such purpose by a county agricultural conservation committee in the cotton-producing area.

Dated: July 10, 1942.

J. B. HUTSON,
President.

[F. R. Doc. 42–8993; Filed, September 11, 1942; 11:06 a. m.]

[Supp. 1 to 1942 C.C.C. Cotton Form 1: Instructions]

PART 232—1942 COTTON LOANS

PURCHASE OR POOLING OF 1942 COTTON PRODUCERS' NOTES

Rules and procedure relating to the purchase or pooling by Commodity Credit Corporation of 1942 cotton producers' notes pursuant to a lending agency agreement.

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203; 7 U.S.C., 1940 ed., Supp. I, 1330), as amended by the Act of December 26, 1941 (55 Stat. 860), Commodity Credit Corporation has authorized the making of loans upon the security of cotton in accordance with the regulations in this part (1942 C.C.C. Cotton Form 1—Instructions). Such regulations are supplemented as follows:

Section 232.12 *Time and manner of tendering loans for purchase and pooling*[1] is supplemented by adding at the end thereof the following new section:

§ 232.12a *Rules and procedure relating to the purchase or pooling by Commodity Credit Corporation of 1942 cotton producers' notes pursuant to a lending agency agreement.* (a) 1942 cotton producers' notes (1942 C.C.C. Cotton Form A) (hereinafter called "notes") will be eligible for purchase or for pooling only when tendered by the lending agency which is the payee of the notes tendered and which, prior to the making of the loans on such notes, has executed a lending agency agreement (1942 C.C.C. Cotton Form D) and delivered such agreement to the regional office of Commodity Credit Corporation, Masonic Temple Building, New Orleans, Louisiana.

(b) All notes, together with the warehouse receipts representing the cotton securing such notes, must be tendered to Commodity Credit Corporation, Regional Office, Masonic Temple Building, New Orleans, Louisiana, within 15 days after the respective dates of such notes. Notes must be tendered on 1942 C.C.C. Cotton Form C. (lending agency's letter of transmittal), which shall state whether the lending agency desires Commodity Credit Corporation to purchase the notes or to place them in a pool. All of the notes tendered on any one 1942 C.C.C. Cotton Form C must be secured by cotton stored in the same Federal Reserve District. Four copies of the 1942 C.C.C. Cotton Form C must accompany the notes, and not more than 40 notes may be covered by any one transmittal letter.

(c) Notes, when properly tendered, will be examined by the New Orleans Office of the Commodity Credit Corporation. Notes not found to be acceptable will be returned. Notes returned will be accepted if retendered in acceptable form. One copy of 1942 C.C.C. Cotton Form C, on which any notes not accepted will be indicated, will be returned to the lending agency and will constitute a receipt for the accepted notes. Notes accepted by the New Orleans Office of Commodity Credit Corporation will be forwarded by it to the Federal Reserve Bank for the district in which the cotton is stored.

(d) If the notes accepted by the New Orleans Office of Commodity Credit Corporation and forwarded to the Federal Reserve Bank were tendered for purchase, the Federal Reserve Bank, acting for Commodity Credit Corporation, will make payment therefor. The purchase price will be the face amounts of the notes, plus accrued interest at the rate of 1½ percent per annum from the respective dates of the notes to the date of their purchase.

(e) If the notes accepted by the New Orleans Office of Commodity Credit Corporation and forwarded to the Federal Reserve Bank were tendered for pooling, the Federal Reserve Bank, acting for Commodity Credit Corporation, will issue to the lending agency named as payee in the notes, or to any other approved lending agency designated by the payee in the 1942 C.C.C. Cotton Form C on which the notes were tendered, a certificate of interest (1942 C.C.C. Cotton Form H) in a face amount equal to the face amounts of the notes deposited, evidencing the deposit of such notes in the pool pursuant to the lending agency agreement.

(f) A separate pool will be created for each Federal Reserve District in which pooled cotton is stored, and each of the notes tendered by all lending agencies for pooling and accepted by Commodity Credit Corporation will be placed in the pool for the district in which the cotton securing such note is stored. The Federal Reserve Bank for each district in which a pool is created will act as custodian of the pool in its district.

(g) The value of a certificate of interest, at any time, shall be its face amount less the total amount of payments made upon it. At the time of its issuance, a payment upon the certificate will be made to the holder in such amount as may be necessary to make the original value of the certificate an integral multiple of $100. At the time of its issuance, there will also be paid to the holder interest upon the total face amounts of the notes with respect to which the certificate is issued at the rate of 1½ percent per annum from the respective dates of the notes to the date of the issuance of the certificate.

(h) A certificate of interest shall bear interest on the value thereof at the rate of 1½ percent per annum, payable at the time and in the manner provided in paragraph (i) hereof.

(i) The total amount on hand as of the close of business on the last day of each month which was obtained through the collection of the principal amounts of notes comprising the pool will be paid during the 10-day period following the end of the month (hereinafter called the "distribution period") upon certificates of interest outstanding as of the close of business on the last day of the month: *Provided*, That such payments will not be made if Commodity Credit Corporation determines that such action is impracticable because of the insufficiency of the total amount available for payments. Payments upon certificates will be made upon the basis of the ratio of the value of each certificate to the value of all certificates upon which payments will be made: *Provided*, That the amount which would otherwise be paid upon any certificate may be increased or decreased so as to make such payment an integral multiple of $100: *And, provided further*, That the amount of any such payment shall in no event exceed the value of the certificate. Interest will be paid on each such payment at the rate of 1½ percent per annum from the date of the certificate upon which the payment is paid to the date of such payment.

(j) A certificate of interest shall be retired when the total amount of payments made upon the certificate equals the face amount thereof.

(k) A certificate of interest may be purchased from the holder thereof, at any time, by Commodity Credit Corporation by paying the holder the value thereof, plus interest thereon at the rate of 1½ percent per annum from the date of the certificate to the date of purchase, and will be purchased by Commodity Credit Corporation at such amount upon demand by the holder thereof. Commodity Credit Corporation may also purchase notes from the pool at any time by paying the face amount of such notes, plus charges and interest.

(l) A certificate of interest may be transferred, subject to the following conditions: Transfers may be made only to a lending agency which has executed a lending agency agreement (1942 C.C.C. Cotton Form D). Only two transfers may be made. Transfers may be made only on 1942 C.C.C. Cotton Form I (assignment of certificate of interest) and will be effective only upon the receipt and acceptance of such form by Commodity Credit Corporation. A 1942 C.C.C. Cotton Form I (assignment of certificate of interest) received during a distribution period will not be effective until the end of such period and payments upon the certificate during such distribution period will be made to the transferor rather than the transferee.

(m) The Federal Reserve Bank by which a certificate of interest is issued will act as custodian of the certificate for the holder until such certificate is retired or purchased by Commodity Credit Corporation, and such bank will enter on the certificate all payments made thereon.

(n) If any amount remains in the pool after all certificates issued with respect to the pool have been retired, such amount shall revert to Commodity Credit Corporation.

(o) If, upon final liquidation of the pool, the proceeds thereof are not sufficient to retire all outstanding certificates, the Corporation will pay to the holders of such certificates the value thereof, plus interest thereon at the rate of 1½ percent from the respective dates of such certificates to the date of retirement.

Dated: August 10, 1942.

J. B. HUTSON,
President.

[F. R. Doc. 42-8992; Filed, September 11, 1942; 11:06 a. m.]

[1] *Supra.*

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 204—RESERVES OF MEMBER BANKS

RESERVES REQUIRED TO BE MAINTAINED BY MEMBER BANKS WITH FEDERAL RESERVE BANKS

On September 11, 1942, the Board of Governors of the Federal Reserve System amended § 204.5 [Supplement to Regulation D][1] effective as to each member bank at the opening of business on September 14, 1942, to read as follows:

§ 204.5 *Supplement: Reserves required to be maintained by member banks with Federal Reserve Banks.* Pursuant to the provisions of section 19 of the Federal Reserve Act and § 204.2 (a) of this Part, the Board of Governors of the Federal Reserve System hereby prescribes the following reserve balances which each member bank of the Federal Reserve System is required to maintain on deposit with the Federal Reserve Bank of its district:

6 per cent of its time deposits plus—

14 per cent of its net demand deposits if not in a reserve or central reserve city;

20 per cent of its net demand deposits if in a reserve city, except as to any bank located in an outlying district of a reserve city or in territory added to such city by the extension of the city's corporate limits, which, by the affirmative vote of five members of the Board of Governors of the Federal Reserve System, is permitted to maintain 14 per cent reserves against its net demand deposits;

22 per cent of its net demand deposits if located in a central reserve city, except as to any bank located in an outlying district of a central reserve city or in territory added to such city by the extension of the city's corporate limits, which, by the affirmative vote of five members of the Board of Governors of the Federal Reserve System, is permitted to maintain 14 per cent or 20 per cent reserves against its net demand deposits.

Section 204.5 of this part which was previously issued is hereby revoked and superseded. [Sec. 11 (c), (e), (i), 38 Stat. 262, sec. 10, 40 Stat. 239, sec. 4, 40 Stat. 970, sec. 207, 49 Stat. 706, sec. 324, 49 Stat. 714, Public No. 656, 77th Congress; 12 U.S.C. 248 (c), (e), (i), 462, 466, 12 U.S.C., Sup. 462b, 461, 462a1, 465]

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-9091; Filed, September 14, 1942; 12:04 p. m.]

[1] 7 F.R. 6594.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5169]

PART 113—DOCUMENTARY STAMP TAXES

SALE OR PURCHASE OF STOCK TRANSFER STAMPS

Part 113, Title 26, Code of Federal Regulations, 1941 Sup. [Regulations 71 (1941 Edition)] are amended by striking out § 113.144 thereof. (Sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C., 1940 ed., 3791))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: September 10, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9028; Filed, September 11, 1942; 3:26 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 78, 2d, Ed.]

PART 622—CLASSIFICATION

NEUTRAL ALIENS REQUESTING RELIEF FROM TRAINING AND SERVICE, ETC.

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U. S. C., Sup. 301–318, inclusive; E. O. No. 8545, 5 F. R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend paragraphs (a) and (c) of § 622.43[1] to read as follows:

§ 622.43 Class IV–C: *Neutral aliens requesting relief from training and service and aliens not acceptable to the armed forces.* (a) Any registrant (whether a national of the United States or an alien) who, because of his nationality or ancestry, is within a class of persons not acceptable to the land or naval forces for training and service or to the Director of Selective Service for work of national importance under civilian direction shall be placed in Class IV–C. The Director of Selective Service will advise local boards which classes of registrants are not acceptable.

* * * * * *

(c) The classification of an alien registrant who is now or hereafter classified in Class I–A, Class I–A–O, or Class IV–E shall be changed to Class IV–C if, under the procedure prescribed by §§ 623.71 to 623.77, inclusive, the land or naval forces refuse to accept him for training and service or the Director of Selective Service refuses to accept him for work of national importance.

* * * * * *

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 12, 1942.

[F. R. Doc. 42-9075; Filed, September 14, 1942; 11:26 a. m.]

[No. 121]

CLASSIFICATION RECORD C

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 100A, entitled "Classification Record C," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The original supply of forms will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 15, 1942.

[F. R. Doc. 42-9077; Filed, September 14, 1942; 11:26 a. m.]

[No. 122]

REPORT OF SEPARATION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 167, entitled "Report of Separation," effective im-

[1] Filed as part of the original document.

[1] 6 F.R. 6610, 6766; 7 F.R. 2087.

mediately upon the filing hereof with the Division of the Federal Register.[1] The supply of DSS Forms 167 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 1, 1942.

[F. R. Doc. 42-9078; Filed, September 14, 1942; 11:26 a. m.]

[No. 123]

CORRESPONDENCE POSTAL CARD

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 352, entitled "Correspondence Postal Card," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of the original DSS Forms 352 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 13, 1942.

[F. R. Doc. 42-9079; Filed, September 14, 1942; 11:27 a. m.]

[Amendment 80, 2d Ed.]

PART 611—DUTY AND RESPONSIBILITY TO REGISTER

MISCELLANEOUS AMENDMENTS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend paragraph (a) and delete paragraph (b) of § 611.13[2] so that the section will read as follows:

§ 611.13 *When a nondeclarant alien is not residing in the United States.* (a) A male alien who is now in or hereafter enters the United States who has not declared his intention to become a citizen of the United States is not "a male person residing in the United States" within the meaning of section 2 or section 3 of the Selective Training and Service Act of 1940, as amended; provided he has in his personal possession an official document issued pursuant to authorization of or described by the Director of Selective Service which identifies him as a person not required to present himself for and submit to registration and provided:

(1) He is a diplomatic representative, a technical attache of a foreign embassy or legation, a consul general, a consul, a vice consul, or a consular agent of a foreign country; or

(2) He is an employee of a foreign embassy, legation, or consulate and a national of the country employing him who has been notified to the Department of State; or

(3) He is an official or an employee of a foreign government and a national of the country employing him, who has been notified to the Department of State: *Provided*, That at the time he is notified to the Department of State, a proper representative of his government advises and the Department of State agrees that he is in fact not residing in the United States; or

(4) He is a dependent male child of any person described in subparagraph (1), (2), or (3) of this paragraph; or

(5) He is a member and in the active service of the armed forces of a cobelligerent or a neutral country; or

(6) He has entered or hereafter enters the United States in a manner prescribed by its laws and does not remain in the United States after May 16, 1942, or for more than 3 months following the date of his entry, whichever is the later; or

(7) He has, within the time prescribed and in the manner provided in § 611.21, filed with the local board with which he is registered, or if he is not registered, with the local board having jurisdiction over the area in which he is located, an Alien's Application for Determination of Residence (Form 302) together with an Alien's Personal History and Statement (Form 304) and such application is either pending or has resulted in the issuance by the local board of an Alien's Certificate of Nonresidence (Form 303) which has not expired; or

(8) He is an individual designated by the Director of Selective Service as not required to present himself for and submit to registration; or

(9) He is within a group of individuals described by the Director of Selective Service as not required to present themselves for and submit to registration.

2. Amend § 611.29[2] to read as follows:

§ 611.29 *Authority of Director of Selective Service to cancel registration of or issue identifying documents to certain nondeclarant aliens.* (a) Whenever the Director of Selective Service is satisfied that the registration of a nondeclarant alien should be canceled, he may direct the local board to cancel the registration of such nondeclarant alien. When the Director of Selective Service directs a local board to cancel the registration of a nondeclarant alien, the local board shall mark across the face of the Registration Card (Form 1) "Canceled—Request of Director" and shall file in the records of the local board such canceled Registration Card (Form 1).

(b) Notwithstanding any other provisions of these regulations, whenever the Director of Selective Service is satisfied that a nondeclarant alien is not "a male person residing in the United States" within the meaning of section 2 or section 3 of the Selective Training and Service Act of 1940, as amended, he may issue or authorize the issuance of an Alien's Certificate of Nonresidence (Form 303) to such nondeclarant alien.

(c) Notwithstanding any other provisions of these regulations, whenever the Director of Selective Service is satisfied that a nondeclarant alien should not be required to register, he may issue or authorize the issuance of an official document to such nondeclarant alien stating that such nondeclarant alien is not required to register.

3. Amend paragraph (a) of § 611.36[3] to read as follows:

§ 611.36 *Surrender of certificate before leaving the United States.* (a) Every alien to whom an Alien's Certificate of Nonresidence (Form 303) has been issued shall surrender such certificate to an official of the Immigration and Naturalization Service of the Department of Justice at the place of departure before he leaves the United States. No male person who is within the age group of persons required by the first or any subsequent proclamation of the President to present themselves for and submit to registration and who has been in the United States for a period of more than 3 months shall leave or be permitted to leave the United States until he surrenders his Alien's Certificate of Nonresidence (Form 303), showing an expiration date on or subsequent to the date of his departure, or exhibits a Registration Certificate (Form 2), unless he is in one of the categories specifically set forth in subparagraphs (1), (2), (3), (4), (5), (8), or (9) of § 611.13.

* * * * *

4. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 12, 1942.

[F. R. Doc. 42-9076; Filed, September 14, 1942; 11:28 a. m.]

[Amendment 79, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

MISCELLANEOUS AMENDMENTS

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 623.71[4] to read as follows:

§ 623.71 *Steps to be taken by registrant and local board.* (a) The Director of Selective Service will advise local boards that the acceptability of certain citizens or subjects of certain countries must be determined before they are forwarded for induction into the land or naval forces. Whenever any such person is classified in either Class I-A or Class I-A-O, the local board shall mail him an Alien's Personal History and Statement (Form 304) without waiting to determine whether he requests a personal appearance or takes an appeal.

* * * * *

2. Amend paragraph (a) of § 623.76[5] to read as follows:

§ 623.76 *Alien's status while history and statement being considered.* (a) When the Director of Selective Service, under the provisions of § 623.71, advises the local board that the acceptability of certain alien registrants must be determined before such registrants are forwarded for induction, no such registrant shall be ordered to report for induction unless and until the proper component of the armed forces, by endorsement upon such registrant's Alien's Personal History and Statement (Form 304), states that he "is, if otherwise qualified," acceptable to the armed forces.

* * * * *

3. Amend the regulations by adding a new section to be known as § 623.77 to read as follows:

§ 623.77 *Disposition of D. S. S. Form 304 for conscientious objectors.* The Director of Selective Service will advise local boards that the acceptability of certain citizens or subjects of certain countries must be determined before they are assigned to work of national importance. Whenever any such person is classified in Class IV-E, the procedure prescribed in §§ 623.71 to 623.76, inclusive, shall be followed except that the State Director of Selective Service, at the time he forwards such registrant's Conscientious Objector Report (Form 48), shall also forward the Alien's Personal History and Statement (Form 304) to the Director of Selective Service for endorsement as to acceptability.

4. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 12, 1942.

[F. R. Doc. 42-9074; Filed, September 14, 1942; 11:26 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXVII]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

In the column headed "Gen. Lic. Group," the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Dept. of Comm. No.	Gen. Lic. group
Beverages: Sirups and flavors for beverages (include concentrated sirups)	1766	O
Clay and clay products:		
Cement, high-temperature or refractory, n. e. s. (include plastic brick cement)	5375.98	O
Sanitary fixtures and fittings, and parts, n. e. s.	5334	O
Iron and steel mfrs.—Misc.: Iron and steel manufactures, other (include bottle openers, hand bottle cappers, sheet steel ware, steel stampings, n. e. s., manufactures of stainless and alloy steel)	6209.98	C
Miscellaneous:		
Notions, cheap novelties and specialties	9840	O
Soda-fountain equipment and bar supplies	9846	O
Nonmetallic minerals: Nonmetallic mineral products except precious n. e. s. (include crushed stone, sand, gravel, crushed slate, slick, chalk and chalk manufactures)	5060.98	C
Soap and toilet preparations: Perfumery and toilet water	8766	O
Synthetic textiles:		
Remnants and mill ends	3849.9	C
Ribbons (include woven labels)	3858.1	C
Thread and yarn for sewing, embroidering, hand-knitting, and crocheting (include chenille and boucle)	3842	O
Upholstery and drapery fabrics wider than 42", woven (except pile)	3849.2	O
Textile products:		
Absorbent cotton, gauze, and sterilized bandages (include cellucotton bandages)	3860	C
Floor coverings, felt base	3903	C
Wood manufactures: Douglas fir plywood	4299	O

This amendment shall become effective September 17, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Chief, Export Control Branch, Office of Exports.

SEPTEMBER 10, 1942.

[F. R. Doc. 42-9062; Filed, September 14, 1942; 10:07 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Limitation Order L-103 as amended September 12, 1942]

Section 1198.1 *Limitation Order L-103*[1] is hereby amended to read as follows:

§ 1198.1 *Limitation Order L-103*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Class container" means any glass bottle, jar, or tumbler which is intended for packing, packaging, or putting up products of any kind, but does not include any closure as defined in subparagraph (3) of this paragraph (b).

(3) "Closure" for a glass container means the sealing or covering device including, but not limited to, a crown or cap affixed or to be affixed to a glass container in order to retain the contents within the container.

(4) "Finish" of a glass container means the configuration of the neck or opening which serves to engage specific parts of the closure in order to affix it to the glass container.

(5) "Design" of a glass container means the particular shape, form, figure, size, capacity, or contour of the body of such container (other than the finish) which influences the use, desirability, advertising, or trade acceptance of the product contained.

(6) A "design in existence" shall mean and shall be limited to a design for which any mold (sample or otherwise) has been cast by any party and is actually in existence. The fact that a design is "in existence" for one size or capacity container shall not mean that it is "in existence" for containers of any other size or capacity, whether or not said other size or capacity containers shall have similar shapes, forms, figures, or contours.

(c) *Issuance of schedules of simplification of lines.* The Director General for Operations may from time to time issue schedules establishing simplified practices with respect to designs, weights, sizes, or types of glass containers and closures. When any such schedule describes a finish by reference either to an over-all measurement in millimeters or to the letters "G. C. A." followed by a numeral or numerals, such description shall mean a specification issued by the Glass Container Association of America and in effect on May 11, 1942. From and after the date of issuance of any such schedule no such containers or closures shall be produced, formed, stamped, drawn, blown, or molded except those that conform to the issued schedule, nor shall any such containers or closures be used contrary to the provisions of such schedule.

(1) Any specification (whether or not relating to a finish) indicated by such a schedule shall mean a specification issued by the Glass Container Association of America, and in effect on May 11, 1942, including the tolerances recognized by that Association in respect to such specification.

(d) *Exhibits.* Exhibits 1 to 28 attached to this order shall have no application except as they are established as standard glass containers by the provisions of any schedule issued pursuant to paragraph (c) hereof.

(e) *Freezing of all glass container designs to designs existing on May 11, 1942.* No person shall manufacture a glass container of a design not in existence on May 11, 1942, except upon one of the following conditions:

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[1] Filed as part of the original document.
[2] 7 F.R. 855.
[3] 7 F.R. 2086.
[4] 7 F.R. 2088, 6517.
[5] 7 F.R. 2084.
[1] 7 F.R. 4952, 6418, 6671, 6672, 6825.
[2] 7 F.R. 2089.
[1] 7 F.R. 3514.

(1) When a schedule or exhibit thereof issued by the Director General for Operations or the Director of Industry Operations specifically authorizes the use of a design,

(2) When no suitable glass container exists for packing a product not previously packed in glass,

(3) When it is necessary to design a special glass container in order that it can be used on an existing filling and packing line previously used for containers made from other materials, or

(4) When a minor change in an existing permitted container design will result in a glass container that is lighter in weight in proportion to its capacity, or in a glass container that can be made faster or more efficiently, or of better quality, except that such change shall not be permitted unless the former design is then abandoned.

(5) Any new design permitted by subparagraphs (2), (3), or (4) of this paragraph (e) must be submitted to the War Production Board, Ref: L–103, for approval before adoption by a manufacturer of glass containers.

(6) In appropriate cases, permission to manufacture, by hand blowing, glass containers of a design not in existence on May 11, 1942, and not covered by any of the exceptions set forth in subparagraphs (1) through (5) of this paragraph (e), will be granted upon application for such permission by letter addressed to the War Production Board, Washington, D. C., Ref: L–103.

(f) *Allowance of normal operating tolerances.* Nothing in this order or any schedules which may be issued pursuant to paragraph (c) hereof shall (i) restrict any normal operating practices for improving mold for forming glass containers, when being prepared for use on a machine for forming glass containers, such as adjusting the weight, capacity, or other specification of the mold within the recognized tolerances for such glass containers issued by the Glass Container Association of America; (ii) prevent the normal interchange of finishes or similar parts which may be made optional on a particular body design by reason of a schedule issued pursuant to paragraph (c) above; (iii) prohibit the usual differences in a glass-container design when manufactured on glass-container machinery of different types; or (iv) prevent the alteration of weight to the extent made necessary through interchangeable finish designs when such interchange requires the use of a finish which, through its construction, normally requires a different weight of glass.

(g) *Exceptions.* (1) Nothing in this order shall prohibit the manufacture of a glass container of a design not in existence on or before May 11, 1942, provided that any variations from a design then in existence have been effected by alterations of molds in existence on or before May 11, 1942, and without the necessity for casting new molds, and provided further that such glass container shall not conflict with the specifications established by any schedule of this order.

(2) Whenever a schedule prohibits the replacement of existing molds, such prohibition shall extend to the body mold only and shall not be deemed to prohibit the use of new neck rings nor new blank molds or other equipment which are necessary for use with a body mold.

(3) Nothing in this order or any schedule hereof shall affect the manufacture, sale or delivery of glass containers or closures of any design intended to be shipped outside the forty-eight states of the United States of America and the District of Columbia, provided that said glass containers are made from molds in existence on or before May 11, 1942. On and after the 30th day of September, 1942, any container intended for such shipment, of a design otherwise prohibited hereby or by any schedule hereof shall be identified by means of three raised dots spaced not more than ¼ inch, center to center, in the form of an equilateral triangle placed on the bottom plate of the container.

(h) *Miscellaneous provisions.*—(1) *Appeal.* Any person affected by this order who considers that compliance therewith or with any schedule issued pursuant thereto would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of glass conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense work to defense work, may appeal to the Office of the War Production Board, Ref: L–103, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to Office of War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Branch, Washington, D. C. Ref: L–103. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT 1 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice



EXHIBIT 2 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

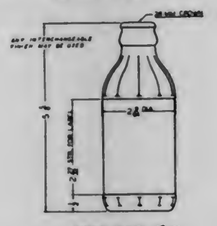


EXHIBIT 3 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

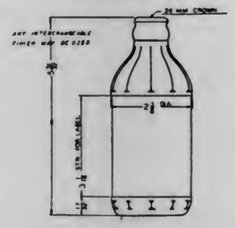


EXHIBIT 4 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

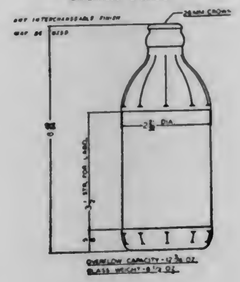


EXHIBIT 5 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

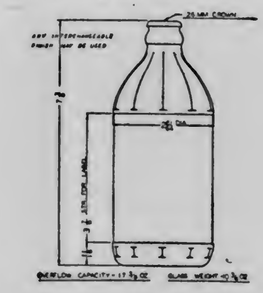


EXHIBIT 6 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

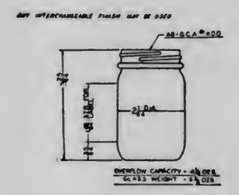


EXHIBIT 7 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

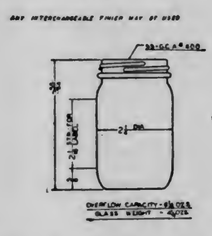


EXHIBIT 8 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

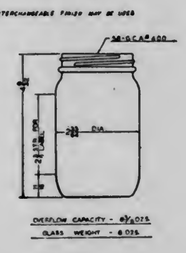


EXHIBIT 9 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

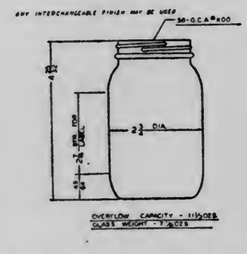


EXHIBIT 10 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

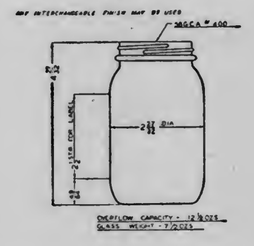


EXHIBIT 11 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

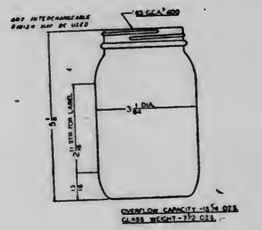


EXHIBIT 12 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

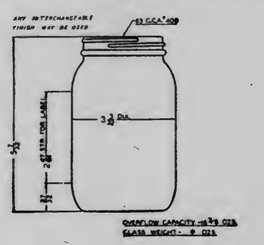


EXHIBIT 13 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

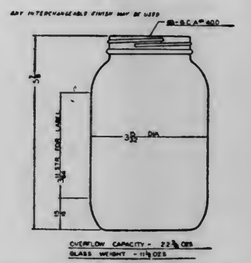


EXHIBIT 14 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

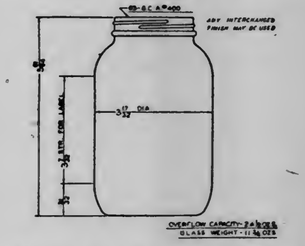


EXHIBIT 15 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

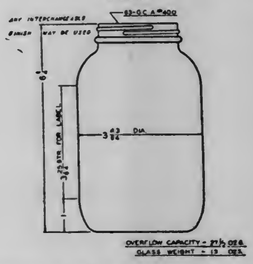


EXHIBIT 16 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

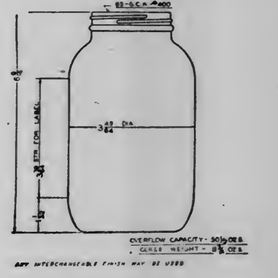


EXHIBIT 17 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

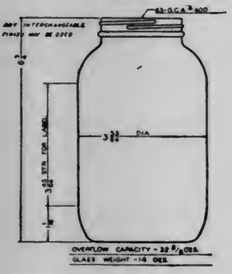


EXHIBIT 18 OF LIMITATION ORDER L–103

Standard Glass Container—Wide Mouth Food

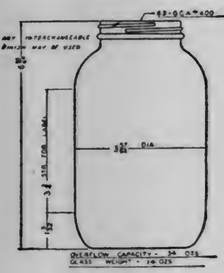


EXHIBIT 19 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

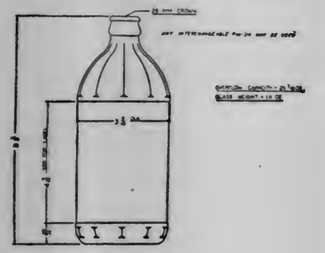


EXHIBIT 20 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

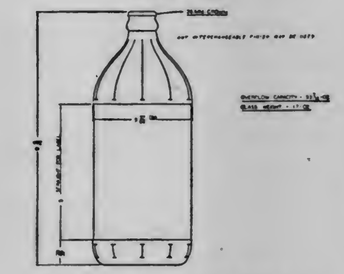


EXHIBIT 21 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice

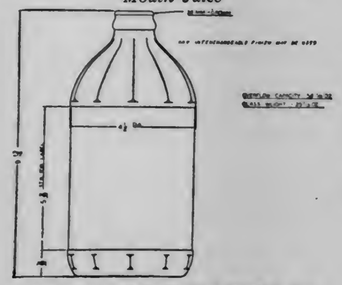


EXHIBIT 22 OF LIMITATION ORDER L–103

Standard Glass Container—Large Size Pails

STYLE	CAPACITY U. FLOW	WEIGHT	HT	B	C	D
5 LB	5#0Z	24 OZ	8 3/32	4 3/16	11 1/16	6 1/4
10 LB	10 OZ	38 OZ	10 5/16	4 13/16	11 1/2	6 7/8
NO 10	10 OZ	33 OZ	10	5 1/16	10 1/2	6 1/2
1/2 GAL	64 OZ	29 OZ	8 7/8	5 3/16	10	6 1/4
GALLON	130 OZ	49 OZ	10 5/8	6 3/8	13 1/2	8 1/4

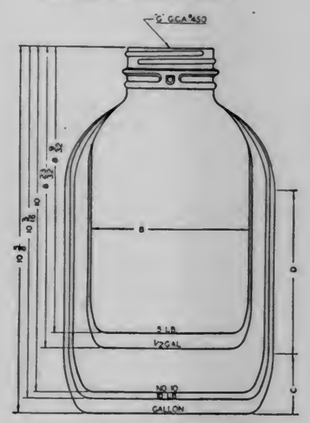


EXHIBIT 23 OF LIMITATION ORDER L–103

Standard Glass Container—Large Size Jars

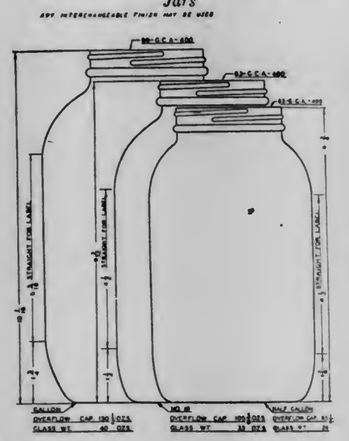


EXHIBIT 24 OF LIMITATION ORDER L–103

Standard Glass Container—Large Size Jugs

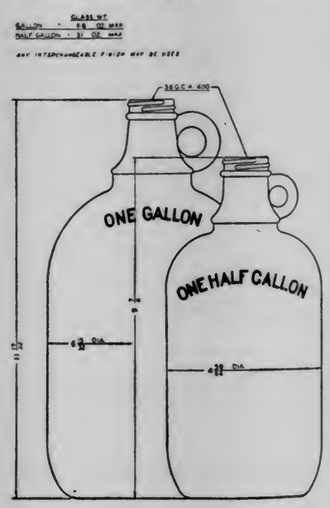


EXHIBIT 25 OF LIMITATION ORDER L–103

Standard Glass Container—70 MM Finish Quarts

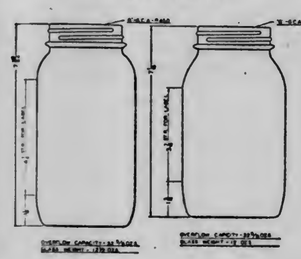


EXHIBIT 26 OF LIMITATION ORDER L–103

Standard Glass Container—Fruit and Vegetable Juices

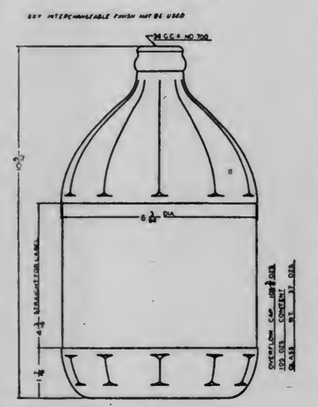


EXHIBIT 27 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice, 48½ oz. cap., 21 oz. wt.

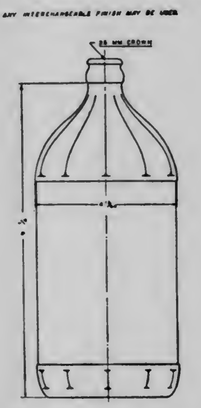
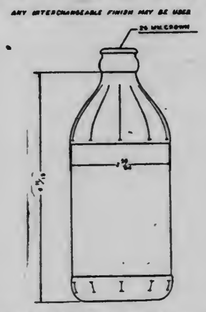


EXHIBIT 28 OF LIMITATION ORDER L–103

Standard Glass Container—Narrow Mouth Juice, 16⅞ oz. cap., 9¾ oz. wt.



[F. R. Doc. 42–9041; Filed, September 12, 1942; 11:38 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule A to Limitation Order L–103, as amended September 12, 1942]

DISTILLED SPIRITS

Section 1198.2 *Schedule A to Limitation Order L–103* is hereby amended to read as follows:

§ 1198.2 *Schedule A to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Distilled spirits" means whiskey, gin, brandy, and rum.

(2) A "standard glass container for distilled spirits" means a glass container described in Exhibits A–1–a, A–2–a, A–3–a, A–4–a, A–5, or A–6 of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Simplified practice.* (1) Until further order of the Director General for Operations, the manufacture of glass containers for distilled spirits is limited to the following capacities: 1 quart (32 fluid ounces); ⅘ quart (25.6 fluid ounces); 1 pint (16 fluid ounces), and ½ pint (8 fluid ounces) and the manufacture of glass containers for all other liquors (such as cordials, cocktails, and specialities) is limited to capacities of ½ pint (8 fluid ounces) or more.

(2) (i) Prior to September 1, 1942, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(*a*) If of quart capacity, not more than 22 oz. avoir.;

(*b*) If of ⅘ quart capacity, not more than 20½ oz. avoir.;

(*c*) If of pint capacity, not more than 15 oz. avoir.;

(*d*) If of half-pint capacity, not more than 10 oz. avoir.

(ii) On and after September 1, 1942, and prior to January 1, 1943, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(*a*) If of quart capacity, not more than 20½ oz. avoir.;

(*b*) If of ⅘ quart capacity, not more than 19 oz. avoir.;

(*c*) If of pint capacity, not more than 13½ oz. avoir.;

(*d*) If of half-pint capacity, not more than 8½ oz. avoir.

(3) (i) No mold for a glass container for distilled spirits may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a "standard glass container for distilled spirits."

(ii) On and after January 1, 1943, only standard glass containers for distilled spirits may be produced.

(4) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

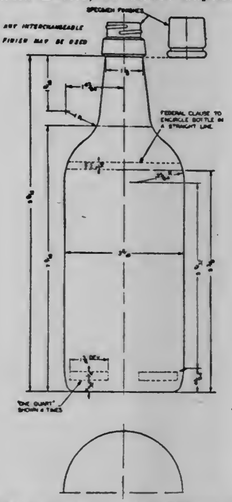
(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for distilled spirits shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT A–1–a OF SCHEDULE A, LIMITATION ORDER L–103

Standard Glass Container—Distilled Spirits Bottle, 32 ounce capacity

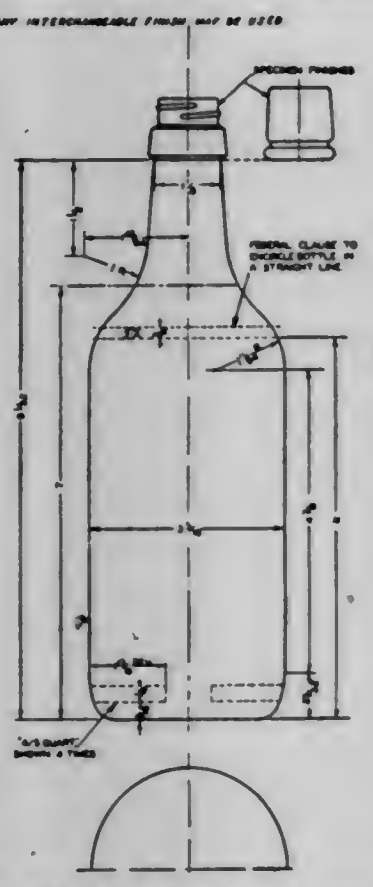


Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottles must be round—19 oz. wt.

EXHIBIT A–2–a OF SCHEDULE A, LIMITATION ORDER L–103

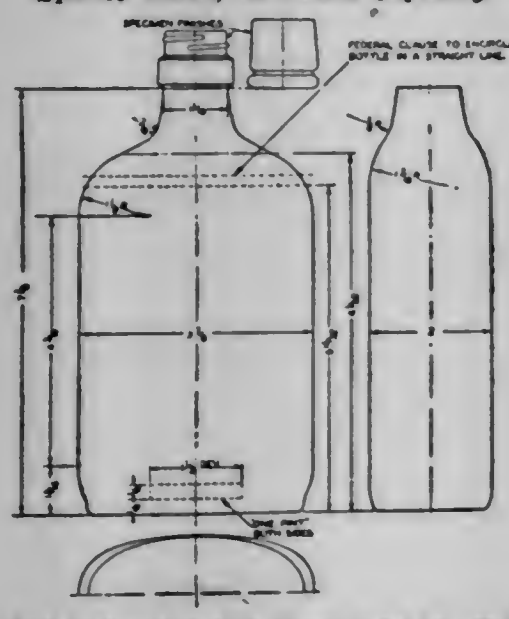
Standard Glass Container—Distilled Spirits Bottle 25.6 ounce capacity



Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottles must be round—17 oz. wt.

EXHIBIT A–3–a OF SCHEDULE A, LIMITATION ORDER L–103

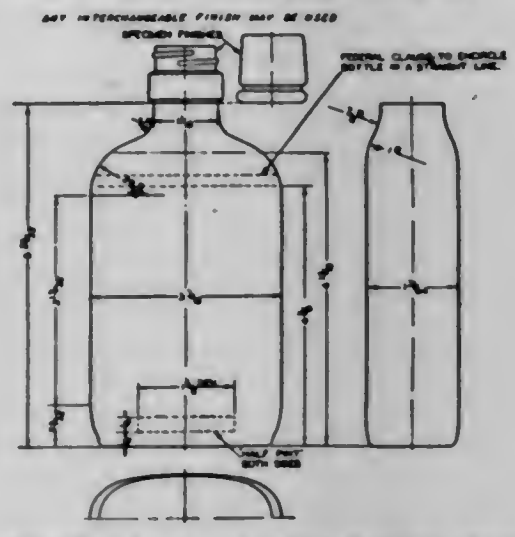
Standard Glass Container—Distilled Spirits Flask, 16-ounce capacity



Any interchangeable finish may be used.
Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottle wt. 13½ oz.

EXHIBIT A–4–a OF SCHEDULE A, LIMITATION ORDER L–103

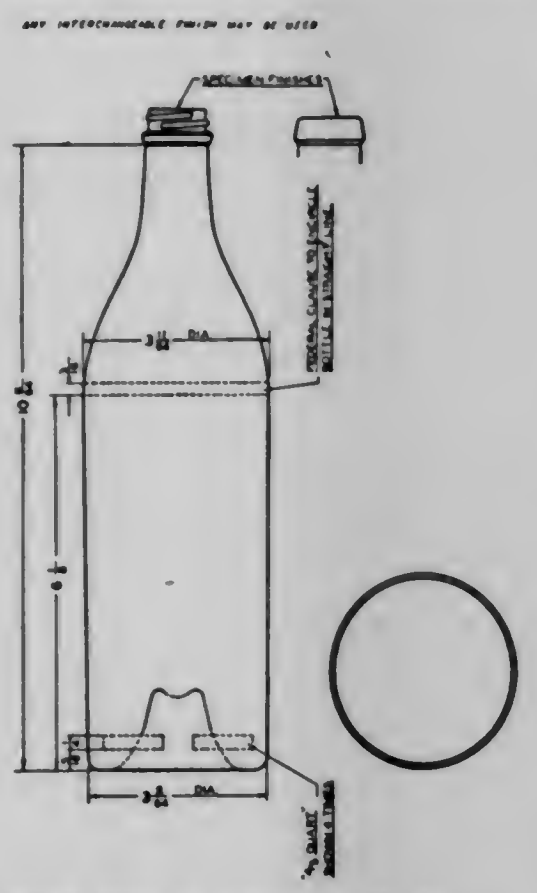
Standard Class Container — Distilled Spirits Flask, 8 ounce capacity



Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottle wt. 8½ oz.

EXHIBIT A–5 OF SCHEDULE A, LIMITATION ORDER L–103

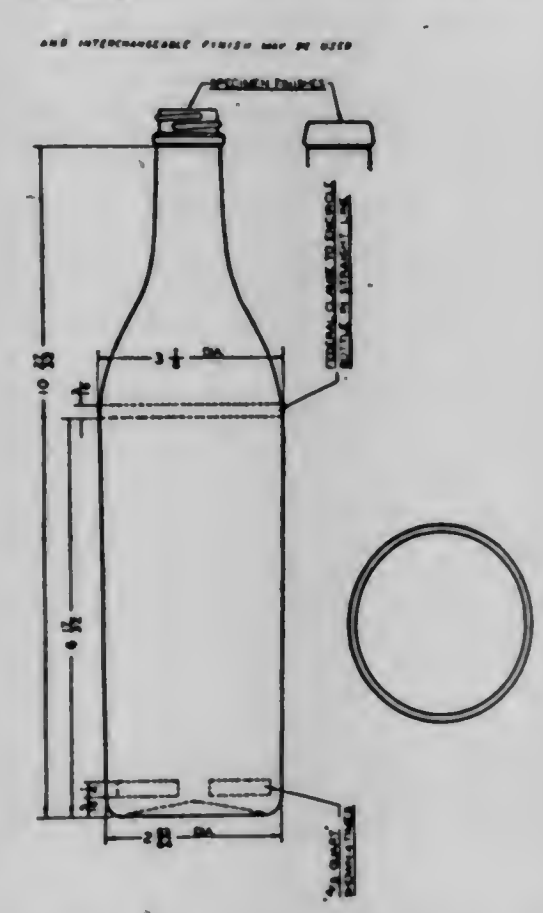
Standard Glass Container — Distilled Spirits Bottle, 25.6 ounce capacity—Rum



Bottle must be round—18 oz. wt.
Bottles shall be plain and without decoration except for cap. lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A–6 OF SCHEDULE A, LIMITATION ORDER L–103

Standard Glass Container—Distilled Spirits Bottle, 25.6 ounce capacity—Brandy



Bottles must be round—18½ oz. wt.
Bottles shall be plain and without decoration except for cap, lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

[F. R. Doc. 42–9037; Filed, September 12, 1942; 11:40 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule B to Limitation Order L–103, as as Amended September 12, 1942]

MALT BEVERAGES

Section 1198.3 *Schedule B to Limitation Order L–103* is hereby amended to read as follows:

§ 1198.3 *Schedule B to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(2) A "Standard glass container for malt beverages" means a glass container described in Exhibits B–1, B–2, B–3–a, B–4, B–5–a, B–6 to B–9 inclusive, B–10–a,

and B–11, inclusive, of this schedule, which possesses the finish prescribed for the respective container in the said Exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Simplified practice.* (1) Until further order of the Director General for Operations, the manufacture of glass containers for malt beverages is limited to the following capacities: 12 fluid ounces; 1 quart (32 fluid ounces); and one-half gallon (64 fluid ounces).

(2) No glass container for malt beverages shall be manufactured which has a glass weight heavier than the following:

(i) If of one-half gallon capacity, not more than 39 oz. avoir.;

(ii) If of quart capacity, not more than 30 oz. avoir.;

(iii) If of 12 fluid ounce capacity, and (*a*) in the so-called "steinie" shape, not more than 10½ oz. avoir.; (*b*) in the so-called "export", "ale", or "select" shapes, not more than 12 oz. avoir.

(3) (i) No mold for a glass container for malt beverages may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a standard glass container for malt beverages.

(ii) On and after January 1, 1943, only standard glass containers for malt beverages may be produced.

(4) No provision of this schedule shall be construed to restrict the sale, delivery, or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule the lettering on standard glass containers for malt beverages shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

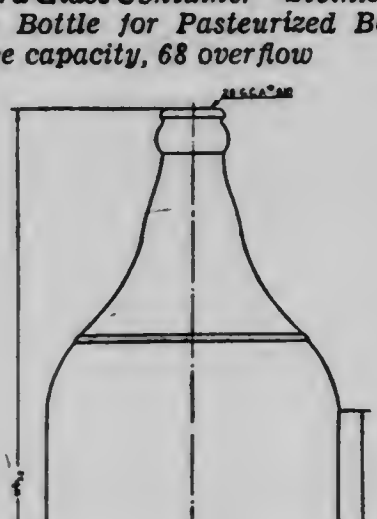
Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

No. 181——3

EXHIBIT B–1 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Steinie Shape Beer Bottle for Unpasteurized Beer 64 ounce capacity, 66½ overflow



Bottles must be round—34 oz. wt.

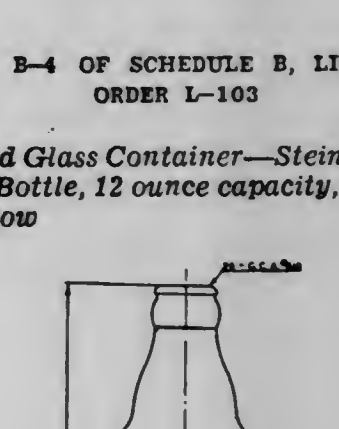
EXHIBIT B-2 OF SCHEDULE B, LIMITATION ORDER L-103

Standard Glass Container—Steinie Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

Bottles must be round—39 oz. wt.

EXHIBIT B–3–a OF SCHEDULE B, LIMITATION ORDER L–103

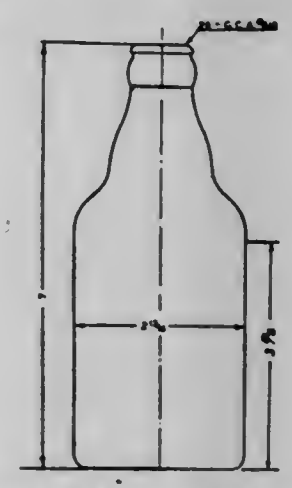
Standard Glass Container—Steinie Shape Beer Bottle, 32 ounce capacity, 33¾ overflow



Any interchangeable finish may be used.
Optional weights 20 and 24 oz.—adjust diameter to make capacity.
Bottles must be round.

EXHIBIT B–4 OF SCHEDULE B, LIMITATION ORDER L–103

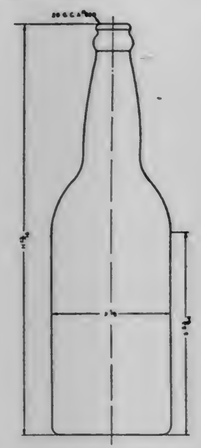
Standard Glass Container—Steinie Shape Beer Bottle, 12 ounce capacity, 12 23/32 overflow



Bottles must be round—9¾ oz. wt.

EXHIBIT B–5–A OF SCHEDULE B, LIMITATION ORDER L–103

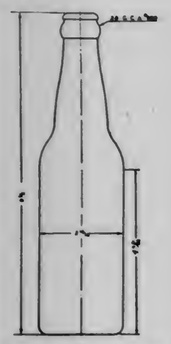
Standard Glass Container—Export Shape Beer Bottle, 32 ounce capacity, 33¼ overflow



Bottles must be round—28 oz. wt.
Any interchangeable finish may be used.

EXHIBIT B–6 OF SCHEDULE B, LIMITATION ORDER L–103

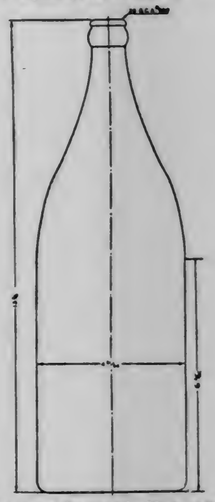
Standard Glass Container—Export Shape Beer Bottle, 12 ounce capacity, 12$\frac{23}{32}$ overflow



Bottles must be round—12 oz. wt.

EXHIBIT B–7 OF SCHEDULE B, LIMITATION ORDER L–103

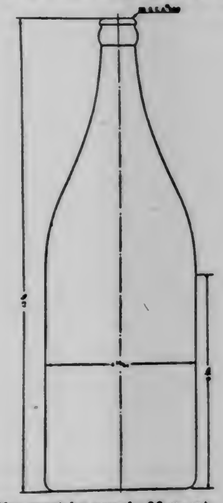
Standard Glass Container—Select Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow



Bottles must be round—39 oz. wt.

EXHIBIT B–8 OF SCHEDULE B, LIMITATION ORDER L–103

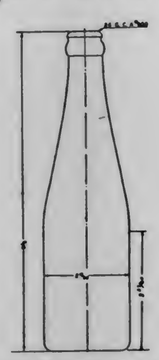
Standard Glass Container—Select Shape Beer Bottle for Unpasteurized Beer, 64 ounce capacity, 66½ overflow



Bottles must be round—66 oz. wt.

EXHIBIT B–9 OF SCHEDULE B, LIMITATION ORDER L–103

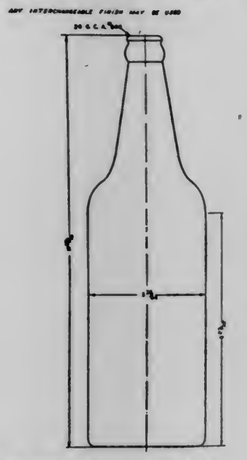
Standard Glass Container—Select Shape Beer Bottle, 12 ounce capacity, 12$\frac{23}{32}$ overflow



Bottles must be round—12 oz. wt.

EXHIBIT B–10–A OF SCHEDULE B, LIMITATION ORDER L–103

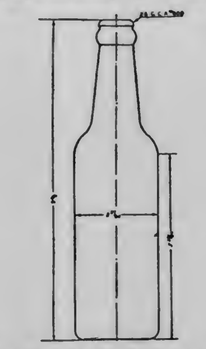
Standard Glass Container—Ale Bottle, 32 ounce capacity, 33¼ overflow



Bottles must be round—28 oz. wt.

EXHIBIT B–11 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Ale Bottle, 12 ounce capacity, 12$\frac{23}{32}$ overflow



Bottles must be round—12 oz. wt.

[F. R. Doc. 42–9038; Filed, September 12, 1942; 11:41 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule C to Limitation Order L–103]

GLASS CONTAINERS FOR PRESERVES AND JELLY

§ 1198.4 *Schedule C to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule.

(1) "Preserves and jelly," means the following:

(i) The product made from fruits, berries, fruit and berry juices and sugar by evaporation according to standards of identity established by the Food and Drug Administration;

(ii) The food products commonly known as preserves, conserves, jams, jellies, marmalades, fruit butters and imitations although same may deviate from the Food and Drug Administration standards;

(iii) The term shall not include aspic or meat jellies.

(2) "Standard glass container for preserves and jelly" means any of the following:

(i) A tumbler with a finish not larger than 68 mm. and with an overflow capacity of 9.4 fluid oz.

(ii) A tumbler with a finish not larger than 73 mm. and with an overflow capacity of 12½ fluid oz.

(iii) A glass container described in Exhibits 9, 14, 18, 22, and 23 of Limitation Order L–103, which possesses the finish prescribed for the respective container in the said Exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Restrictions on use.* With the exceptions set forth in paragraph (c) of this schedule, on and after September 12, 1942:

(1) No person shall use a glass container other than a standard glass container as herein defined for the packaging of preserves and jelly for sale.

(2) No person shall use the standard glass container described in subparagraph (a) (2) (i) of this schedule for the packing for sale of any commodity herein described as "preserves and jelly," except jelly.

(3) No person shall use the standard glass container having a capacity of one quart and described in Exhibit 18 of Limitation Order L–103 for the packaging for sale of any commodity herein defined as preserves and jelly, except fruit butter.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use for the packaging of preserves and jelly of any non-standard glass containers which were

(i) Completely manufactured on or before the 12th day of September, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule, and were completely manufactured prior to January 1, 1943, from a mold actually in existence prior to the date of issuance of this schedule.

Provided, however, That no person shall use for the packaging of preserves and jelly for sale any glass container purchased or delivered on or after September 12, 1942, which has a capacity differing from those established for standard glass containers by this schedule, unless and until he shall have received from his seller a certificate or certificates covering all such containers so used, manually signed by such seller, or by an individual authorized to sign for such seller, in the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that those containers covered by the annexed purchase order which have capacities differing from those established for standard glass containers in Schedule C to Limitation Order L–103 were completely manufactured on or before September 12, 1942.

And no person shall use for the packaging of preserves and jelly for sale any non-standard glass container purchased or delivered after January 1, 1943, unless said certificate, in addition to the foregoing, shall state:

And those non-standard containers covered by the annexed purchase order having the same capacities as those established for standard glass containers in Schedule C to Limitation Order L–103 were completely manufactured on or before January 1, 1943, from a mold actually in existence prior to the date of issuance of the aforesaid schedule.

And provided further, That no person shall be entitled to rely on any such certificate if he knows or has reason to believe it to be false.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers larger than one gallon capacity, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall be deemed to prevent or restrict the use for the packaging of preserves and jelly of any non-standard glass containers by a person who packed less than 1000 pounds of preserves and jelly for sale during the twelve months' period beginning September 1, 1941, and ending August 30, 1942.

(4) Except as specifically permitted by the exhibits referred to in paragraph (a) (2) (iii) of this schedule, lettering on standard glass containers for preserves and jelly shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* On and after the date of issuance of this schedule, no molds may be manufactured for a preserves or jelly jar or finish which does not conform to the specifications of a standard glass container for preserves and jelly, nor may any mold for a glass container for preserves or jelly be replaced—whether because of wear or for any other reason—except by a mold which conforms to the said specifications.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–9040; Filed, September 12, 1942; 11:42 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule D to Limitation Order L–103]

GLASS CONTAINERS FOR WINES

§ 1198.5 *Schedule D to Limitation Order L–103*—(a) *Definition.* For the purposes of this schedule:

(1) "Wine" means the product of the normal alcoholic fermentation of the juice of grapes, fruits, or other agricultural products, with or without added brandy or other spirits, and shall include,

but shall not be limited to, sparkling and carbonated wine, vermouth, flavored wines, cider, perry, sake, in each instance only if containing not less than 7 per centum and not more than 24 per centum alcohol by volume.

(2) A "standard glass container for wines" means a glass container described in Exhibits D–1, D–2, D–3, D–4, D–5, D–6, D–7, D–8, and D–9, of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after October 1, 1942, no person shall use a glass container of other than the following capacities for the packaging of wines for sale.

(i) One gallon.
(ii) One-half gallon.
(iii) 26 fluid ounce champagne.
(iv) 13 fluid ounce champagne.
(v) 1 quart, flat bottom.
(vi) 4/5 quart, push-up bottom.
(vii) 4/5 quart, flat bottom.
(viii) 4/5 pint, flat bottom.
(ix) 1 pint, flat bottom.

(2) With the exceptions set forth in paragraph (c) of this schedule, on and after January 1, 1943, no person shall use a glass container other than a standard glass container as herein defined for the packaging of wines for sale.

(c) *Exemptions.* (1) Nothing in this schedule shall prevent the use for the packaging of wines of any non-standard glass containers which were:

(i) Completely manufactured on or before the first day of October, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule and which were completely manufactured prior to January 1, 1943, from a mold actually in existence prior to the date of issuance of this schedule.

Provided, however, That no person shall use for the packaging of wines for sale any glass container purchased or delivered on or after October 1, 1942, which has a capacity differing from those established for standard glass containers by this schedule, unless and until he shall have received from his seller a certificate or certificates covering all such containers so used, manually signed by such seller, or by an individual authorized to sign for such seller, in the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that those containers covered by the annexed purchase order which have capacities differing from those established for standard glass containers in Schedule D to Limitation Order L–103 were completely manufactured on or before October 1, 1942.

And no person shall use for the packaging of wines for sale any non-standard glass container purchased or delivered after January 1, 1943, unless said certificate, in addition to the foregoing, shall state:

And those non-standard containers covered by the annexed purchase order having the same capacities as those established for standard glass containers in Schedule D to Limitation Order L–103 were completely manufactured on or before January 1, 1943, from a mold actually in existence prior to the date of issuance of the aforesaid schedule.

And provided further, That no person shall be entitled to rely on any such certificate if he knows or has reason to believe it to be false.

(2) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for wines shall be limited to manufacturers' identification, (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

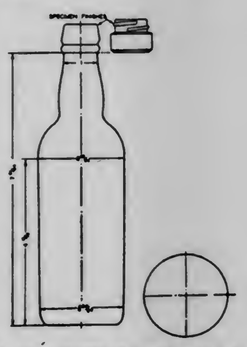
(d) *Manufacture.* (1) On and after the date of issuance of this schedule, no molds may be manufactured for a wine bottle or finish which does not conform to the specifications of a standard glass container for wines, nor may any mold for a glass container for wines be replaced, whether because of wear or for any other reason, except by a mold which conforms to said specifications. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

EXHIBIT D–1 OF SCHEDULE D, LIMITATION ORDER L–103

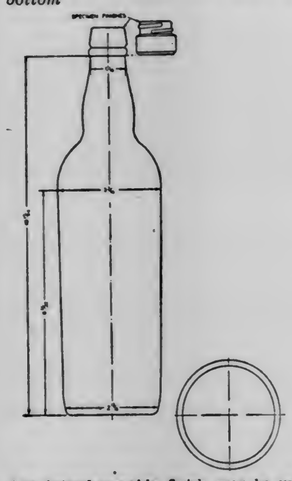
Standard Glass Container—Wine Bottle, 12.8 ounce capacity, bulb neck, flat bottom



Any interchangeable finish may be used. Bottles must be round; 11 oz. max wt.

EXHIBIT D–2 OF SCHEDULE D, LIMITATION ORDER L–103

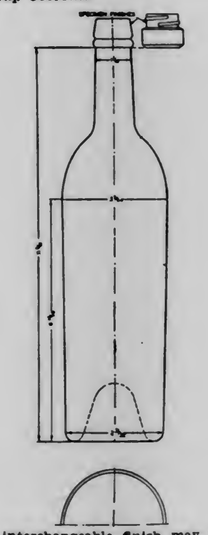
Standard Glass Container—Wine Bottle, 25.6 ounce capacity, bulb neck, flat bottom



Any interchangeable finish may be used. Bottles must be round; 19 oz. max. wt.

EXHIBIT D–3 OF SCHEDULE D, LIMITATION ORDER L–103

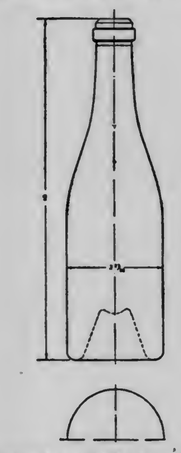
Standard Glass Container—Wine Bottle, 25.6 ounce capacity, straight neck pushup bottom.



Any interchangeable finish may be used. Bottles must be round, 21 oz. max. wt.

EXHIBIT D–4 OF SCHEDULE D, LIMITATION ORDER L–103

Standard Glass Container—Champagne Bottle, 13 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

EXHIBIT D–5 OF SCHEDULE D, LIMITATION ORDER L–103

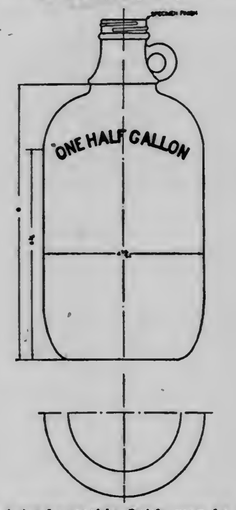
Standard Glass Container—Champagne Bottle, 26 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 37 oz. max. wt.

EXHIBIT D–6 OF SCHEDULE D, LIMITATION ORDER L–103

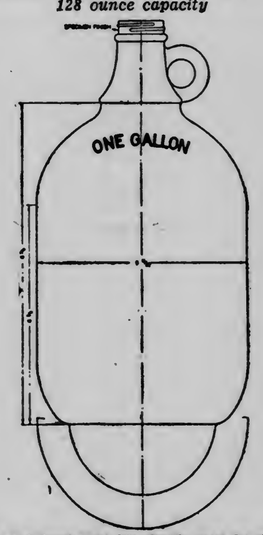
Standard Glass Container—Wine Bottle, 64 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 31 oz. max. wt.

EXHIBIT D–7 OF SCHEDULE D, LIMITAION ORDER L–103

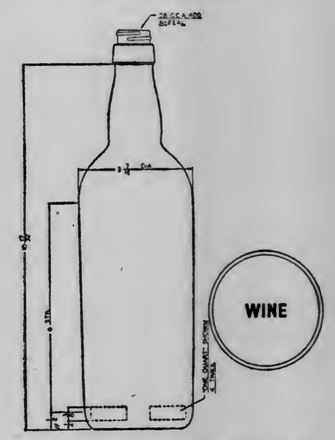
Standard Glass Container—Wine Bottle, 128 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 46 oz. max. wt.

EXHIBIT D–8 OF SCHEDULE D, LIMITATION ORDER L–103

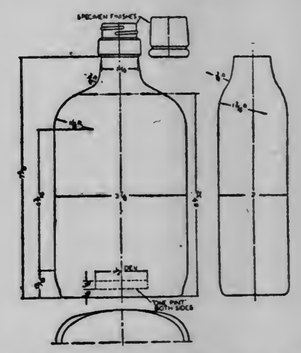
Standard Glass Container—Wine Bottle, 32 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 20 oz. wt. Bottles shall be plain and without decoration except for capacity lettering, wine lettering, and glass maker's identification. No label spotting design features allowed.

EXHIBIT D–9 OF SCHEDULE D, LIMITATION ORDER L–103

Standard Glass Container—Wine Bottle, 16 ounce capacity



Any interchangeable finish may be used. Bottles shall be plain and without decoration except for capacity designation. Bottle wt. 13 oz.

[F. R. Doc. 42–9039; Filed, September 12, 1942; 11:42 a. m.]

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1-M]

FURTHER DELEGATION OF AUTHORITY WITH RESPECT TO THE RATIONING CONTROL OF MEAT

§ 903.15 *Supplementary Directive 1-M.* (a) In order to permit the effective rationing of meat, the authority delegated to the Office of Price Administration by Directive No. 1 (§ 903.1) is hereby extended to include the exercise of control over the sale, transfer, delivery or other disposition of meat by or to any person and over the use of meat by any person. The authority delegated hereby shall include the power to impose restrictions on use by, or delivery, transfer, sale, or other disposition by or to persons other than ultimate consumers, whether or not such restrictions are also made applicable to ultimate consumers.

(b) The authority of the Office of Price Administration under this Supplementary Directive shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of meat to, or acquisition or use of meat by any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) Except as herein expressly provided, the exercise of the powers of the Office of Price Administration under this supplementary directive shall be subject to the terms and conditions of said Directive No. 1; and also to the power of the Chairman of the Foods Requirements Committee (after consultation with the Committee and subject to the direction of the Chairman of the War Production Board) to determine the over all allocations of the available supply of meat among (1) domestic civilian food use, (2) the Army (including suitable reserves), (3) the Navy (including suitable reserves), (4) foreign uses by countries, (5) other governmental food uses, and, (6) general purpose stockpiles.

Whenever the Chairman of the Foods Requirements Committee is of the opinion that any order, regulation, or directive of the Office of Price Administration issued pursuant to this Directive interferes with the procurement of meat for the armed services or lend-lease, he may so notify the Chairman or Vice-Chairman of the War Production Board, and such order, regulation or directive of the Office of Price Administration shall be revoked, or modified, or shall be permitted to stand, as the Chairman or Vice-Chairman of the War Production Board may direct.

(d) As used in this supplementary directive the t rm "meat" means:

(1) The dressed carcasses of cattle, calves, sheep, lambs and swine and any processed or unprocessed edible part thereof,

(2) Sausage, scrapple, souse, and other similar products,

(3) Trimmings and offal,

regardless of how prepared or packaged, but excluding oils, lards and rendering fats, and by-products not used for human consumption.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-9036; Filed, September 12, 1942; 11:44 a. m.]

Subchapter B—Director General for Operations

PART 978—UTILITIES—MAINTENANCE, REPAIR AND SUPPLIES

[Amendment 4 to Preference Rating Order P-46 as Amended March 26, 1942]

Paragraph (b) (1) (iii) of Preference Rating Order P-46 (§ 978.1)[1] is hereby amended to read as follows:

(iii) Subject to the provisions of paragraph (e) (2), deliveries, to a producer, of material required by him for the construction of transmission, switching and distribution facilities necessary to serve projects bearing a rating of A-5 or better, or to serve equipment the delivery of which is rated A-5 or better, are assigned the same rating as is assigned to such project or to the delivery of such equipment; except that where such project or such equipment is assigned two or more ratings and both or all of these are A-5 or better, deliveries to a producer of items containing either copper or iron, or steel are assigned the highest rating as is assigned by the project or equipment rating order to deliveries of items containing the like metal, and in the case of all other items such deliveries to a producer are assigned the lowest rating which is assigned to such project or equipment.

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-9034; Filed, September 12, 1942; 11:33 a. m.]

PART 3080—CHEMICAL FERTILIZERS

[Conservation Order M-231]

CHEMICAL NITROGEN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chemical nitrogen for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3080.1 *Conservation Order M-231.* (a) *Definitions.* For the purposes of this order:

(1) "Chemical fertilizer" means any material used as a plant food containing one or more of the following: nitrogen, phosphorus or potassium, excluding, however, animal manures and animal, fish and plant residues, unless mixed with a chemical fertilizer.

(2) "Grade" means the minimum guaranteed plant food content of any fertilizer expressed in percentages of its principal plant food components; namely, nitrogen, available phosphoric acid and water-soluble potash. In expressing grades the percentage of nitrogen content is stated first, the percentage of available phosphoric acid is stated second, and the percentage of water-soluble potash is stated third. For example, 2-12-6 means a fertilizer containing 2 percent nitrogen, 12 percent phosphoric acid and 6 percent potash; 0-14-7 means a fertilizer containing no nitrogen, 14 percent phosphoric acid and 7 percent potash.

(3) "Superphosphate" means any plant food product which is obtained by mixing rock phosphate with either or both sulfuric acid and phosphoric acid.

(4) "Potash" means any compound of potassium containing, or capable of releasing in the soil, any water-soluble compound of potassium including, but not limited to, muriate of potash, sulfate of potash or manure salts.

(5) "Organic nitrogen" means nitrogen derived from any plant or animal organism containing nitrogen, including, but not limited to, animal, fish and other tankages, castor pumace, tobacco stems, cotton seed meal, peanut meal, soy bean meal, sewage sludge, cocoa shell meal, peat and humus.

(6) "Chemical nitrogen" means any nitrogen, other than organic nitrogen, including, but not limited to, ammonium sulfate, sodium nitrate, calcium cyanamid, urea and nitrogen-bearing solutions.

(7) "Fertilizer manufacturer" means any person who manufactures or mixes chemical fertilizer.

(8) "Dealer" means any person, other than a fertilizer manufacturer, who purchases or has purchased chemical fertilizer for resale.

(9) "Agent" means any person, other than a fertilizer manufacturer, who receives or has received chemical fertilizer on a consignment basis for resale.

(b) *Restrictions on use and delivery of fertilizer.* (1) On and after September 12, 1942, the effective date of this order, no fertilizer manufacturer, dealer or agent, shall, subject to the exemptions provided for in paragraph (c) hereof, deliver, and no person, including fertilizer manufacturers, dealers and agents, shall use on crops, in any of the states listed in Schedule A attached hereto, any grade of chemical fertilizer other than the grades designated on such schedule as applicable to the respective states listed thereon, and where a particular grade is designated on such schedule as available only for a particular crop, such grade shall be sold or used only for the production of such crop.

(2) In addition to the restrictions provided for in paragraph (b) (1) hereof, but subject to the exemptions provided for in paragraph (c) hereof, on and after September 12, 1942, the effective date of this order:

(i) No fertilizer manufacturer, dealer or agent shall deliver any chemical fertilizer containing chemical nitrogen for use in 1942 on grain sown in the fall of 1942 to be harvested for grain, and no person, including fertilizer manufacturers, dealers and agents, shall use any chemical fertilizer containing chemical nitrogen for such purpose.

(ii) No fertilizer manufacturer, dealer or agent shall deliver any chemical fertilizer containing chemical nitrogen for use on lawns, golf courses, parks, cemeteries, roadsides or noncommercial plantings of trees, shrubs or flowers, and no person, including fertilizer manufacturers, dealers and agents, shall use any chemical fertilizer containing chemical nitrogen for any of such purposes. The restriction provided for in this paragraph (b) (2) (ii) shall apply to the use by any landscape gardener or nurseryman of any chemical fertilizer containing chemical nitrogen, on trees, shrubs or flowers planted on the premises of his customers.

(iii) No fertilizer manufacturer, dealer or agent shall deliver any chemical fertilizer containing chemical nitrogen in packages of less than one hundred (100) pounds: *Provided, however,* That any fertilizer manufacturer, dealer or agent holding stocks of chemical fertilizer containing chemical nitrogen in bags of not less than eighty (80) pounds on the effective date of this order, or having stocks of fertilizer bags of not less than eighty (80) pounds capacity on the effective date of this order, shall have the right to deliver chemical fertilizer containing chemical nitrogen in packages of not less than eighty (80) pounds until such time as his existing stock of chemical fertilizer in bags of not less than eighty (80) pounds, and of fertilizer bags of not less than eighty (80) pounds capacity, is exhausted.

(iv) No fertilizer manufacturer, dealer or agent shall, prior to November 15, 1942, deliver any chemical fertilizer containing chemical nitrogen except for use during 1942.

(v) No fertilizer manufacturer shall deliver to any consumer any superphosphate which carries less than 18% available phosphoric acid except as specifically designated on Schedule A hereof.

(3) No person shall accept delivery of any chemical fertilizer which he knows or has reason to believe is made in violation of this order.

(c) *Exemptions.* (1) The restrictions provided for in paragraph (b) (1) hereof, shall not apply to:

(i) Deliveries by dealers or agents of stocks of unapproved grades of chemical fertilizer in their hands on the effective date of this order or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (i) or to the use by any person of any chemical fertilizer on hand on the effective date of this order.

(ii) Deliveries by any person of any chemical fertilizer to a fertilizer manufacturer for use in the manufacture of chemical fertilizer.

(iii) Deliveries of any chemical fertilizer containing nitrogen where the entire nitrogen content thereof consists of organic nitrogen, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (iii).

(2) The restrictions provided for in paragraphs (b) (1) and (b) (2) hereof, shall not apply to:

(i) Deliveries of chemical fertilizer for experimental purposes to educational institutions or publicly owned agricultural institutions, or to the use of chemical fertilizer by such institutions for such purposes.

(ii) Deliveries by dealers or agents of any chemical fertilizer in their hands, and packaged in packages containing less than eighty (80) pounds, on the effective date of this order, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (ii).

(iii) Deliveries by fertilizer manufacturers, dealers or agents of any chemical fertilizer in pressed tablet form, in their hands on the effective date of this order, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (iii).

(iv) Deliveries by fertilizer manufacturers, dealers or agents of any chemical fertilizer prepared exclusively for use in hydroponics, in their hands on the effective date of this order, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (iv).

(d) *Restriction on the use of organic nitrogen.* On and after September 12, 1942, the effective date of this order, no person shall deliver any mixed fertilizer, the nitrogen content of which consists entirely of organic nitrogen, unless the nitrogen content thereof is at least three percent (3%) and the total nitrogen, available phosphoric acid and water-soluble potash content thereof, is at least fourteen percent (14%): *Provided, however,* That the restriction provided for in this paragraph (d) shall not apply to deliveries by any person of any mixed fertilizer on hand on the effective date of this order.

(e) *Exemption from intra-company delivery restriction of Priorities Regulation No. 1.* The restrictions on intra-company deliveries provided for in Priorities Regulation No. 1 (§ 944.12) shall not apply to intra-company deliveries of any material entering into and forming a part of any chemical fertilizer.

(f) *State regulations.* Nothing contained in this order shall be construed as permitting the delivery or use of any grade of chemical fertilizer in any state where the use or delivery of such grade in such state is specifically prohibited by such state.

(g) *Notification of customers.* Manufacturers, dealers and agents shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M-231.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A

ALABAMA

0-14-10	4-12-4	4-10-7
4-10-4		

All grades listed below under the heading, "Grades applicable to all states."

ARKANSAS

0-14-7	3-12-12	4-10-7
0-20-20	3-9-18	4-8-12
3-12-6	4-12-4	

All grades listed below under the heading, "Grades applicable to all states."

CONNECTICUT

0-14-14	3-12-15	[1] 5-3-5
0-9-27	4-12-4	5-20-10
0-20-20	4-10-10	[1] 6-3-6
3-12-6	4-16-20	6-15-15

All grades listed below under the heading, "Grades applicable to all states."

DELAWARE

0-14-7	2-12-12	4-16-8
0-12-12	3-12-6	4-16-20
0-16-8	3-9-15	4-24-12
0-14-14	3-18-9	5-10-5
0-20-20	3-12-15	7-21-7
0-24-12	4-12-4	10-0-10
2-8-10	4-8-12	10-6-4
2-12-6	4-12-8	

All grades listed below under the heading, "Grades applicable to all states."

FLORIDA

0-16-0 plus Mn	3-6-10	4-10-7
0-14-5	3-8-8	4-12-6
0-8-12	4-4-8	5-7-5
0-10-10	4-5-7	5-5-8
0-14-10	4-7-5	5-6-10
0-12-16	4-8-4	5-8-8
0-8-24	4-9-3	6-4-8
2-8-6	4-6-8	6-6-6
2-10-4	4-8-6	8-0-8
2-8-10	4-8-8	8-0-12
3-8-5	4-12-4	12-0-10

All grades listed below under the heading, "Grades applicable to all states."

[1] For tobacco only.

[1] 7 F.R. 2348, 4699, 5272, 5903.

GEORGIA

0–14–10	3–12–6	4–8–8
2–12–6	[2] 4–2–10	4–12–4
3–8–5	4–8–4	10–0–10
3–9–6	[2] 4–9–3	
3–9–9	4–8–6	

All grades listed below under the heading, "Grades applicable to all states."

ILLINOIS

0–14–7	0–20–20	3–18–9
0–12–12	0–12–36	4–10–6
0–16–8	2–12–6	4–12–4
0–14–14	2–16–8	4–24–12
0–20–10	3–12–12	10–6–4
0–9–27	3–9–18	

All grades listed below under the heading, "Grades applicable to all states."

INDIANA

0–14–7	0–12–24	3–9–18
0–12–12	0–20–20	3–18–9
0–16–8	0–12–36	4–10–6
0–14–14	2–12–6	4–12–4
0–10–20	2–8–16	4–24–12
0–20–10	2–16–8	10–6–4
0–9–27	3–12–12	

All grades listed below under the heading, "Grades applicable to all states."

IOWA

0–14–7	0–20–20	4–10–6
0–12–12	0–12–36	4–12–4
0–16–8	2–12–6	4–16–4
0–14–14	3–12–12	4–24–12
0–20–10	3–9–18	10–6–4
0–9–27	3–18–9	

All grades listed below under the heading, "Grades applicable to all states."

KENTUCKY

0–14–7	2–12–6	4–8–8
0–12–12	3–9–6	4–10–6
0–16–8	3–12–3	4–12–4
0–14–14	3–12–12	4–12–8
0–20–10	3–9–18	4–16–4
0–20–20	3–18–9	5–10–10

All grades listed below under the heading, "Grades applicable to all states."

LOUISIANA

0–14–7	3–12–9	4–8–12
0–14–14	3–12–12	9–9–0
3–15–0	4–12–4	
3–12–6	4–10–7	

All grades listed below under the heading, "Grades applicable to all states."

MAINE

0–14–14	4–12–4	5–20–10
0–20–20	4–8–12	6–9–15
3–12–6	4–10–10	6–12–18
3–12–15	4–16–20	6–15–15

All grades listed below under the heading, "Grades applicable to all states."

MARYLAND

0–14– 7	3–12– 6	4–16–20
0–12–12	3– 9–15	4–24–12
0–16– 8	3–12–15	5–10– 5
0–14–14	3–18– 9	[2] 6– 6– 8
0–24–12	4–12– 4	7–21– 7
0–20–20	4– 8–12	10– 0–10
2– 8–10	4–12– 8	10– 6– 4
2–12– 6	4–16– 4	
2–12–12	4–16– 8	

All grades listed below under the heading, "Grades applicable to all states."

[2] For shade tobacco only.
[3] For tobacco plant beds only.

MASSACHUSETTS

0–14–14	3–12–15	[1] 5– 3– 5
0– 9–27	4–12– 4	5–20–10
0–20–20	4–10–10	[1] 6– 3– 6
3–12– 6	4–16–20	6–15–15

All grades listed below under the heading, "Grades applicable to all states."

MICHIGAN

0–14– 7	0–12–24	3– 9–18
0–12–12	0–20–20	3–18– 9
0–16– 8	0–12–36	4–10– 6
0–14–14	2–12– 6	4–12– 4
0–10–20	2– 8–16	4–16– 4
0–20–10	2–16– 8	4–24–12
0– 9–27	3–12–12	10– 6– 4

All grades listed below under the heading, "Grades applicable to all states."

MINNESOTA

0–14– 7	0–12–24	3–18– 9
0–12–12	0–20–20	4–10– 6
0–16– 8	0–12–36	4–12– 4
0–14–14	2–12– 6	4–24–12
0–10–20	2–16– 8	10– [illegible]– 4
0–20–10	3–12–12	
0– 9–27	3– 9–18	

All grades listed below under the heading, "Grades applicable to all states."

MISSISSIPPI

0–14–7	4–8–4	4–8–8

All grades listed below under the heading, "Grades applicable to all states."

MISSOURI

0–14–7	0–12–24	4–10–6
0–12–12	0–20–20	4–12–4
0–16–8	2–12–6	4–16–4
0–14–14	3–12–12	4–24–12
0–10–20	3–9–18	10–6–4
0–20–10	3–18–9	

All grades listed below under the heading, "Grades applicable to all states."

NEW HAMPSHIRE

0–14–14	3–12–15	[1] 5–3–5
0–9–27	4–12–4	5–20–10
0–20–20	4–10–10	[1] 6–3–6
3–12–6	4–16–20	6–15–15

All grades listed below under the heading, "Grades applicable to all states."

NEW JERSEY

0–14–7	2–8–10	4–8–12
0–12–12	2–12–6	4–10–10
0–16–8	3–12–6	4–12–8
0–14–14	3–12–15	4–16–8
0–24–12	3–18–9	
0–20–20	4–12–4	

All grades listed below under the heading, "Grades applicable to all states."

NEW YORK

0–14–7	0–20–20	4–8–12
0–12–12	3–12–6	4–10–10
0–16–8	3–12–15	4–16–4
0–14–14	4–10–5	4–16–8
0–24–12	4–12–4	

All grades listed below under the heading, "Grades applicable to all states."

[1] For tobacco only.

NORTH CAROLINA

0–10–10 (basic)	3–9–6	4–8–8
0–14–7	3–9–9	4–10–6
2–8–10 (basic)	3–12–6	4–12–4
2–10–6	4–8–4	4–12–8
2–12–6	[2] 4–9–3	5–5–20
3–8–5	4–8–6	10–0–10

All grades listed below under the heading, "Grades applicable to all states."

OHIO

0–14–7	0–12–24	4–8–8
0–12–12	0–20–20	4–10–6
0–16–8	0–12–36	4–12–4
0–14–14	2–12–6	4–16–4
0–10–20	3–12–12	4–24–12
0–20–10	3–9–18	5–10–10
0–9–27	3–18–9	10–6–4

All grades listed below under the heading, "Grades applicable to all states."

OKLAHOMA

0–14–7	3–12–9	4–12–4
3–12–6	4–10–7	

All grades listed below under the heading, "Grades applicable to all states."

PENNSYLVANIA

0–14–7	3–12–6	4–8–16
0–12–12	3–12–15	4–12–12
0–16–8	3–18–9	4–16–8
0–14–14	4–10–5	4–16–20
0–24–12	4–12–4	4–24–12
0–20–20	4–8–12	7–21–7
2–8–10	4–10–10	10–6–4
2–12–6	4–16–4	

All grades listed below under the heading, "Grades applicable to all states."

RHODE ISLAND

0–9–27	3–12–15	5–20–10
0–14–14	4–12–4	6–15–15
0–20–20	4–10–10	
3–12–6	4–16–20	

All grades listed below under the heading, "Grades applicable to all states."

SOUTH CAROLINA

0–14–7	3–9–9	4–8–8
0–12–12	3–12–6	4–12–4
2–12–6	[2] 4–9–3	4–12–8
3–8–5	4–8–4	
3–9–6	4–8–6	

All grades listed below under the heading, "Grades applicable to all states."

TENNESSEE

0–14–7	2–12–6	4–8–8
0–12–12	3–9–6	4–12–4
2–8–10	4–10–4	[4] 5–10–5

All grades listed below under the heading, "Grades applicable to all states."

TEXAS

0–14–7	4–12–4	10–10–0
3–15–0	4–10–7	10–20–0
3–12–6	4–8–12	

All grades listed below under the heading, "Grades applicable to all states."

VERMONT

0–14–14	4–12–4	5–20–10
0–20–20	4–10–10	[1] 6–3–6
3–12–6	4–16–20	6–15–15
3–12–15	[1] 5–3–5	

All grades listed below under the heading, "Grades applicable to all states."

[4] For vegetables only.

VIRGINIA

0–14–7	3–8–5	4–12–4
0–12–12	3–9–6	4–8–12
0–16–8	3–12–6	4–12–8
0–14–14	3–9–15	4–16–4
0–24–12	3–12–15	4–16–8
0–20–20	3–18–9	5–10–5
2–8–10	4–8–4	10–0–10
2–12–6	[2] 4–9–3	10–6–4
2–12–12	4–8–6	

All grades listed below under the heading, "Grades applicable to all states."

WEST VIRGINIA

0–14–7	2–12–6	4–12–8
0–16–8	3–18–9	10–6–4
0–24–12	4–12–4	

All grades listed below under the heading, "Grades applicable to all states."

WISCONSIN

0–14–7	0–20–20	4–10–6
0–12–12	0–12–36	4–12–4
0–16–8	2–12–6	4–24–12
0–14–14	3–12–12	10–6–4
0–20–10	3–9–18	
0–9–27	3–18–9	

All grades listed below under the heading, "Grades applicable to all states."

GRADES APPLICABLE TO ALL STATES

Nitrate of soda	16–0–0
Nitrate of soda-potash	14–0–14
Sulphate of ammonia	20 (or higher)–0–0
Cyanamid	20 (or higher)–0–0
Ammonium phosphate	11–48–0 16–20–0
Superphosphate	0–18 (or higher)–0
Muriate of potash	0–0–50 (or higher)
Sulphate of potash	0–0–48 (or higher)
Manure salts	0–0–22 (or higher)
Sulphate of potash-magnesia	0–0–18 (or higher)
Basic slag	Any grade
Ground phosphate rock	Any grade
Colloidal phosphate	Any grade
Cotton hull ash	Any grade
Wood ash	Any grade

[F. R. Doc. 42–9035; Filed, September 12, 1942; 11:33 a. m.]

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Amendment 3 to Conservation Order M–81, as Amended June 27, 1942]

Section 1068.1 *Conservation Order M–81*,[1] as amended June 27, 1942, is hereby amended as follows:

Vegetables in Table II is hereby amended by the addition of the following Item 15:

Olives, ripe only. No. 2½ cans. For 1942–43 packing season, 25 percent of 1940–41 pack of ripe olives. Not to exceed 50 percent of permitted pack may be in cans smaller than No. 10.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–9064; Filed, September 14, 1942; 10:29 a. m.]

[1] 7 F.R. 4836, 5272, 6148, 7090.

PART 1070—MUSICAL INSTRUMENTS

[Amendment 1 to Supplementary Limitation Order L–37–a]

Section 1070.2 *Supplementary Limitation Order L-37-a*[1] is hereby amended in the following particular:

Paragraph (d) (1) is hereby amended by striking therefrom the words, "for delivery"

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–9065, Filed, September 14, 1942; 10:29 a. m.]

PART 3061—STEEL SHIPPING DRUMS

[Limitation Order L–197]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel shipping drums, and of certain metals and materials used in the production of such drums, for defense, for private account and for exports; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3061.1 *Limitation Order L–197*—(a) *Definitions.* For the purposes of this order,

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Drum" means any single walled, cylindrical or bilged container with a capacity of 110 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. The term shall not be deemed to refer to cans or high and low pressure gas steel cylinders, or to any container not susceptible of commercial use in the transportation and storage of commodities.

(3) "Sale" shall mean any transfer of title of a drum or drums, with or without consideration, and shall include the transfer of possession of any such drum or drums, pursuant to a lease or rental arrangement.

(4) "Purchase" shall mean the receipt of any transfer described in subparagraph (3) of this paragraph (a).

(b) *Restrictions on use.* (1) No person shall use any drum, new or used, for packing any product which he had not packed in drums prior to the date of issuance of this order.

(2) On and after 60 days after the date of issuance of this order, no person shall pack any of the following products in a drum or drums, new or used:

Acid succinic.
Alcohol, specially denatured (except the following formulas: #13A, #19, #20, #32, and #42).
Aluminum sulphate.
Ammonium bicarbonate.
Ammonium chloride.
Amyl acetate.
Amyl alcohol (from whatever source derived).
Amyl phthalate.
Arsenic acid, solid.
Arsenic trioxide.
Arsenical mixtures.
Asphalt (having maximum penetration of 95 at 75° F. (ASTM).
Asphalt roof coatings or roof cements.
Balsam copiaba.
Bath salts.
Borax.
Bordeaux mixture.
Boric acid.
Bottle washing compounds.
Butanol.
Butyl acetate.
Butyl oxalate.
Butyl phthalate.
Calcimine.
Calcium arsenate.
Calcium carbonate.
Calcium chloride.
Calcium hydroxide.
Calcium oxide.
Casein paints, dry.
Caulking compounds.
Cements, dry, Portland, shoe nonflammable, waterproofing, tar base.
Cement paint, dry.
Charcoal.
Chloride of lime.
Citric acid.
Cleaning compounds, dry.
Colors, inorganic, dry.
Colors, organic, dry.
Compounds, solid and semi-solid, with a melting point of 65° F, or above, used in cooking, including mixtures of lard and hydrogenated oils, but not limited to these mixtures.
Copper oxide.
Copper sulphate, basic.
Copper sulphate, monohydrated.
Dairy products.
Di ammonium phosphate.
Di calcium phosphate.
Di sodium phosphate.
Dyestuffs, dry.
Ethyl acetate.
Ethyl carbonate—all grades.
Ethyl oxalate.
Ethyl phthalate.
Fatty acids.
Flour.
Food products, cold pack and frozen.
Fruits—brine.
Fruits and peels, glace.
Gelatine.
Glue.
Greases, animal and vegetable.
Greases, petroleum, solid and semi-solid (Greases with ASTM penetration of 300 and less).
Hexamethylenetetramine.
Hydrogenated oils with melting point of 65° F, or above, including but not limited to shortening.
Indigo paste.
Jelly, jam and preserves.
Kraut.
Lanolin and wool grease.
Lard.
Laundry alkalies.
Lead arsenate.
Lime.
Lime sulphur, dry.
Linseed oil meal.
Lithopone.
Magnesium oxide.
Marmalade.
Meats.
Metal degreasing alkalies.
Modified sodas.
Molasses.
Mono ammonium phosphate.
Mono calcium phosphate.
Mono sodium phosphate.

[1] 7 F.R. 4036.

Moulding powder, except those for dielectric or insulating purposes.
Oil, crude.
Oils, steam cylinder, both compounded and uncompounded.
Olives.
Paints, dry powder, including but not limited to those bound with glue, soya protein, casein and cement.
Paints, paste, water type (the vehicle of this type of product shall contain at least 5% water).
Paradichlorobenzene.
Paraffin wax.
Paste cutting compounds.
Paste drawing compounds.
Paste grinding compounds.
Paste rust proofing compounds.
Paste, wall paper.
Patching plaster.
Pectin.
Petrolatum.
Pickles.
Pine tar, solid.
Pitch, roofing.
Potassium bicarbonate.
Potassium carbonate.
Potassium chlorate.
Putty.
Resins, solid, rough-crushed and broken synthetic.
Scouring cakes and powder.
Shellac.
Silicate of soda, dry, ortho silicate, metal silicate, sesqui, or mixtures thereof.
Soap and detergents, dry.
Soda ash.
Sodium acid pyro phosphate.
Sodium arsenate.
Sodium bicarbonate.
Sodium chlorate.
Sodium chloride.
Sodium hexameta phosphate.
Sodium hydrosulphite.
Sodium metaborate.
Sodium nitrate.
Sodium sesquicarbonate.
Sodium tetra pyro phosphate.
Starches and adhesives, dry.
Sweeping compounds.
Syrup, mixed and unmixed (except chemical syrups and corn syrup).
Tallow.
Tar.
Tri calcium phosphate.
Tri sodium phosphate.
Vegetables—brine.
Vinegar.
Wax.
Wood fillers.
Zeolite.
Zinc hydrosulfite.

(c) *Restrictions on sale, delivery and use.* (1) No person shall manufacture or complete the manufacture of any drum which shall not have the letter X plainly and legibly embossed on the bottom plate thereof.

(2) No person shall sell any drum, new or used, or deliver such drum pursuant to a sale thereof (regardless of when the manufacture thereof was completed) unless said drum shall be plainly and legibly marked on the bottom plate with a letter X.

(3) No person shall remove, cover or conceal the markings referred to in subparagraphs (1) and (2) of this paragraph (c) unless same is necessary in the course of renovating, cleaning, painting or processing drums so marked, in which event the marking shall, within 48 hours, be replaced in as nearly as possible the original manner by the person effecting such renovation, cleaning, painting or processing.

(4) No person shall pack any of the following products in a drum or drums, new or used, which was manufactured, purchased, or delivered on or after the 14th day of September 1942.

Asphalt, liquid.
Boiler feed water treatment material, liquid.
Corn syrup.
Disinfectants, liquid.
Dry lead oxide.
Flammable shoe cements.
Floor sealers.
Floor wax.
Formaldehyde.
Fuse powder, black sporting powder, "A" blasting powder, and all other potassium nitrate black powder.
Inorganic salts, aqueous solutions.
Insecticides, liquid, including fly spray.
Lead oxides in paste.
Leather finishes, blackings, dressing, adhesives.
Lime sulphur solution.
Livestock dip and spray.
Oils, animal, fish, marine animal, vegetable, (except for fish livers and vitamin oils derived from fish or fish livers).
Paints, oil and oleoresinous type, including but not limited to white lead in oil, colors in oil, and oil stain.
Paris green.
Pine tar, liquid.
Printing inks (except aniline or spirit inks and roto-gravure inks).
Pyrethrum concentrate.
Rotenone.
Rust preventative with a flash point of less than 100° F.
Silicate of soda, liquid.
Shock absorber fluid.
Soaps and detergents, liquid.
Soaps, metallic.
Sodium lactate.
Starches and adhesives, liquid.
Turpentine.
Varnish and varnish stains, except liquid water-soluble phenolic resins.
Vat dyes, paste.
Wood preservatives.

(5) Notwithstanding the provisions of paragraph (c) (4), any person who owns a drum on the date of issuance of this order, whether such drum is then in his possession or is thereafter returned to him by another person, may use such drum for packing any of the materials listed in said subparagraph, so long as he retains ownership of the drums; but the provisions of said subparagraph shall become applicable as soon as he sells such drum.

(6) Nothing in this paragraph (c) shall prevent the purchase of ends or other parts or accessories for drums; nor shall the affixing of such ends or other parts to such drums prohibit their use in accordance with subparagraph (5) of this paragraph (c).

(d) *General exceptions.* (1) Nothing in this order shall apply to the use of drums for storage purposes by any person having less than 5 drums in use for all purposes.

(2) The restrictions on use specified in paragraphs (b) (1) and (2) and (c) (4) of this order shall not apply to drums which are used for the sale and delivery of commodities to the Army or Navy of the United States, the Maritime Commission, The Panama Canal, the War Shipping Administration, or such other governmental agencies as the Director General for Operations may designate.

(e) *Relationship to General Preference Order M-45.*[1] The provisions of this order shall govern to the extent that they may be inconsistent with any provisions of General Preference Order M-45 as amended.

(f) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years after the effective date of this order accurate and complete records concerning inventories, production and sales.

(3) *Audit and inspections.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that compliance therewith would disrupt or impair any program of conversion from non-defense to defense work, or that compliance therewith would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of materials conserved, may apply for relief to the War Production Board by letter or other written communication, setting forth the pertinent facts and the reason or reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he may deem appropriate.

(6) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Branch, Washington, D. C. Ref: L-197.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-9063; Filed, September 14, 1942; 10:29 a. m.]

[1] 6 F.R. 5850; 7 F.R. 149, 3882.

Chapter XI—Office of Price Administration

PART 1301—MACHINE TOOLS

[Amendment 16 to Revised Price Schedule 67[1]]

NEW MACHINE TOOLS

CINCINNATI PLANER CO.

A statement of the considerations involved in the issuance of this amendment has been prepared and filed with the Division of the Federal Register.* New subparagraph (14) is added to § 1301.51 (a) and new subparagraph (9) is added to § 1301.54 (e) as set forth below:

§ 1301.51 *Maximum prices for new machine tools and extras.* (a) * * *

(14) *The Cincinnati Planer Co., Cincinnati, Ohio.* Notwithstanding any other provision of this paragraph (a), regardless of the terms of any existing contract of sale or other commitment, the maximum price at which The Cincinnati Planer Co. may sell, offer to sell, deliver or transfer, and the maximum price at which any person may buy, offer to buy, or accept delivery from The Cincinnati Planer Co. of:

(i) Any of the fifty-five (55) Standard 10' Cincinnati Hypro Boring Mills (with two swivel heads on the rail, 10' diameter tables, complete, and permanently wired) manufactured or to be manufactured by The Medart Company of St. Louis, Missouri, as subcontractor, shall be $37,164, each;

(ii) Any of the forty (40) side heads for Standard 10' Cincinnati Hypro Boring Mills manufactured or to be manufactured by The Medart Company of St. Louis, Missouri, as subcontractor, shall be $5,373, each;

(iii) Any of forty-four (44) Standard 54" Cincinnati Hypro Boring Mills (with two swivel heads on the rail, complete, and permanently wired) manufactured or to be manufactured by Harris-Seybold-Potter Company of Cleveland, Ohio, as subcontractor, shall be $19,799.50, each;

(iv) Any of the forty (40) side heads for Standard 54" Cincinnati Hypro Boring Mills manufactured or to be manufactured by Harris-Seybold-Potter Company of Cleveland, Ohio, as subcontractor, shall be $4,030, each;

(v) Any of the twenty-five (25) turret heads for Standard 54" Cincinnati Hypro Boring Mills manufactured or to be manufactured by Harris-Seybold-Potter Company of Cleveland, Ohio, as subcontractor, shall be $996.50, each.

§ 1301.54 *Records and reports.* * * *

(e) * * *

(9) The Cincinnati Planer Co. of Cincinnati, Ohio, shall file with the Office of Price Administration on September 15, 1942, or within five days after the serial number of the machine and the name of the purchaser of the accessory equipment therefor shall have become available:

(i) The serial number of each of the fifty-five (55) Standard 10' Cincinnati Hypro Boring Mills manufactured by The Medart Company of St. Louis, Missouri;

(ii) The name of the purchaser of the forty (40) side heads for Standard 10' Cincinnati Hypro Boring Mills manufactured by The Medart Company of St. Louis, Missouri;

(iii) The serial number of each of the forty-four (44) Standard 54" Cincinnati Hypro Boring Mills manufactured by Harris-Seybold-Potter Company of Cleveland, Ohio;

(iv) The name of the purchaser of each of the forty (40) side heads for Standard 54" Cincinnati Hypro Boring Mills manufactured or to be manufactured by Harris-Seybold-Potter Company of Cleveland, Ohio; and

(v) The name of the purchaser of each of the twenty-five (25) turret heads for Standard 54" Cincinnati Hypro Boring Mills manufactured by Harris-Seybold-Potter Company of Cleveland, Ohio;

the maximum prices of all of which are increased pursuant to § 1301.51 (a) (14).

§ 1301.59a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1301.51 (a) (14), 1301.54 (e) (9)) to Revised Price Schedule No. 67 shall become effective September 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9008; Filed, September 11, 1942; 12:22 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1337, 1836, 2000, 2105, 2472, 2473, 2539, 2680, 2996, 3445, 3820, 4176, 5513, 5987.

PART 1305—ADMINISTRATION

[Supplementary Order 17]

LICENSING SELLERS OF IRON AND STEEL PRODUCTS

A statement of the reasons for this Supplementary Order No. 17 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including § 205 (f) (1), thereof, it is hereby ordered:

§ 1305.21 *Provision licensing certain persons selling iron and steel products—*(a) *License required.* Effective September 17, 1942, a license as a condition of selling is hereby required of every person now or hereafter subject to Price Regulations Nos. 46,[1] 49,[2] 159,[3] or to any other price regulation of the Office of Price Administration, as now or hereafter issued, amended or supplemented making applicable by reference the provisions of this order, now or hereafter selling any iron or steel product for which maximum prices are established by any such price regulation.

(b) *License granted.* Every person now or hereafter subject to Price Regulations Nos. 46, 49, 159 or to any other price regulation of the Office of Price Administration as now or hereafter issued, amended or supplemented making applicable by reference the provisions of this order, now or hereafter selling any iron or steel products for which maximum prices are established by any such price regulation, is hereby granted a license as a condition of selling such iron or steel products. The provisions of every price regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall be effective September 17, 1942, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that such regulation, or any applicable part, amendment or supplement remains in effect.

(c) *Licensing section of General Maximum Price Regulation superseded.* This order supersedes the provisions of § 1499.16 of the General Maximum Price Regulation insofar as said § 1499.16 may be applicable to sales for which a license is required by this order.

(d) *Registration of licensees.* Every person hereby licensed to sell iron and steel products may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter prescribe.

(e) *License not transferable.* The license hereby granted is not transferable.

(f) *Suspension of license.* Licensees violating any of the provisions of this order or of the license hereby granted, or violating any of the provisions of the price regulations specified in paragraph (b) hereof, or violating the provisions of any applicable regulation, order or requirement under section 202 (b) of the Act, are subject to the license suspension proceedings provided in the Act: *Provided, however,* That no proceedings for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(g) *Definitions.* When used in Supplementary Order No. 17, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Price regulation" means a schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

[1] 7 F.R. 1295, 1836, 2132, 2508, 3446.
[2] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176.
[3] 7 F.R. 4339, 4428, 5710.

(3) "Act" means the Emergency Price Control Act of 1942.

(h) *Effective date of Supplementary Order No. 17.* This Supplementary Order No. 17 (§ 1305.21) shall become effective September 17, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9009; Filed, September 11, 1942; 12:22 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 18]

LICENSING PERSONS SELLING LUMBER, LUMBER PRODUCTS OR BUILDING MATERIALS

A statement of the reasons for this Supplementary Order No. 18 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including section 205 (f) (1) thereof, it is hereby ordered:

§ 1305.22 *Provisions licensing persons selling lumber, lumber products and building materials*—(a) *License required.* A license as a condition of selling is hereby required of every person, except mills, manufacturers or producers, now or hereafter making sales (1) of any lumber or lumber products, the sales of which are subject to Price Regulations Nos. 13, 19, 26, 94, 97, 146, 155, 164, 215, or 216,[1] as amended or supplemented, or (2) of any building material, the sales of which are subject to Price Regulations Nos. 40, 96, or 100,[2] as amended or supplemented, or (3) of any lumber, lumber products, or building material, the sales of which are subject to any other price regulations now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this order.

(b) *License granted.* Every person, except mills, manufacturers or producers, now or hereafter making sales (1) of any lumber or lumber products, the sales of which are subject to Price Regulations Nos. 13, 19, 26, 94, 97, 146, 155, 164, 215, or 216, as amended or supplemented, or (2) of any building material, the sales of which are subject to Price Regulations Nos. 40, 96, or 100, as amended or supplemented, or (3) of any lumber, lumber products, or building material, the sales of which are subject to any other price regulation, now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this order, is hereby granted a license as a condition of making such sales. The provisions of every price regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall be effective September 17, 1942, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided in the Act, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement remains in effect.

(c) *Licensing section of General Maximum Price Regulation superseded.* This order supersedes the provisions of § 1499.16 of the General Maximum Price Regulations insofar as said § 1499.16 may be applicable to sales for which a license is required by this order.

(d) *Registration of licensees.* Every person hereby licensed shall register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe, on forms which will be made available by the Office of Price Administration.

(e) *License not transferable.* The license hereby granted is not transferable.

(f) *Suspension of license.* Licensees violating any of the provisions of this order or of the license hereby granted or violating any of the provisions of the price regulations specified in paragraph (b) hereof or violating the provisions of any applicable regulation, order or requirement under section 202 (b) of the Act, are subject to the license suspension proceedings provided for in the Act: *Provided, however,* That no proceeding for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(g) *Definitions.* When used in this Supplementary Order No. 18, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Mill", "manufacturer", or "producer" shall have the meaning and definition, when applied to a particular type of lumber, lumber product, or building material, which is given it by the price regulation fixing a maximum price for such lumber, lumber product, or building material. Where no meaning or definition is given in such a regulation, the term "mill", "manufacturer", or "producer" shall mean a person the major portion of whose business consists of making or producing lumber, lumber products or building materials.

(3) "Act" means the Emergency Price Control Act of 1942.

(4) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(h) *Effective date of Supplementary Order No. 18.* This Supplementary Order No. 18 (§ 1305.22) shall become effective September 17, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9010; Filed, September 11, 1942; 12:26 p. m.]

PART 1306—IRON AND STEEL

[Amendment 7 to Revised Price Schedule 6[1]]

IRON AND STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1306.10 (f) is amended to read as set forth below:

§ 1306.10 *Appendix A: Domestic and export ceiling prices for sales by producers of iron and steel products.* * * *

(f) (1) The maximum delivered prices for flat rolled iron or steel products which either have been rejected from the original order for which they were rolled or contain imperfections customarily distinguishing secondary or off-grade iron or steel products from products of prime quality, shall be as set forth hereinafter in this paragraph (f): *Provided,* That a product which has been rejected from the original order for which it was rolled may be applied at the full applicable prime price against a different prime order if such product fulfills in every respect the quality and other requirements in the original specifications for such different order, and if such product may be used by the purchaser without resorting to additional processing not usually performed in order to adapt the material to his requirements.

(i) "Seconds arising" shall not be sold at a price in excess of the applicable prices filed therefor in accordance with paragraph (b) of § 1306.5 of this Revised Price Schedule No. 6.

(ii) "Rejects" shall not be sold at a price in excess of the aggregate of 85% of the applicable basing point base price at the basing point nearest freightwise to the point of shipment plus 85% of such of the following extras established by this Revised Price Schedule No. 6 as may be applicable: (*a*) in the case of hot rolled sheets and cold rolled sheets, the standard extra for 32" x 96" sheet in the gauge specified, and, in the case of hot rolled pickled sheets, the pickling extra; (*b*) in the case of hot rolled strip, cold rolled strip .26 carbon and higher, commodity cold rolled strip and cold rolled spring steel, the standard extra for gauge and size and, in the case of hot rolled pickled strip, the pickling extra; (*c*) in the case of cold rolled strip under .26 carbon, the standard extra for gauge and size in cut lengths, for either hard or soft temper; (*d*) in the case of plates, the standard extra for thickness, for wide widths, for pickling or sandblasting and for quality (provided such quality is actually furnished and was not the reason for the original rejection and is specified by the customer); and (*e*) in the case of galvanized sheets, galvannealed sheets, long terne sheets, and all other products with separate gauge extra and size extras, the extra for gauge. "Rejects", for the purpose of this subparagraph are flat-rolled iron or steel products which are of a designated specific size and gauge and which contain minor imperfections such as minor surface defects, lack of flatness, camber, off or fluctuating gauge or temper, and similar imperfections, but which may be utilized without requiring unusual processing in order to remove or minimize injurious defects.

(iii) "Wasters" shall not be sold at a price in excess of the aggregate of 75% of the applicable basing point base price at the basing point nearest freight-wise to the point of shipment plus 75% of such of the extras set forth in (ii) of this subparagraph as are applicable. "Wasters", for the purposes of this subparagraph, are flat-rolled iron or steel products which are of a designated specific gauge but are unassorted to size, and which are otherwise of the same quality as "rejects."

(iv) "Waste wasters" shall not be sold at a price in excess of the aggregate of 65% of the applicable basing point base price at the basing point nearest freightwise to the point of shipment plus 65% of such of the extras set forth in (ii) of this subparagraph as are applicable: *Provided,* That in computing the maximum unit price for any lot of "waste wasters" containing a range of gauges, the maximum price for the gauge within the range carrying the lowest gauge extra shall be the price used in determining the maximum price for the entire lot: *Provided further,* That the maximum prices for plates which are "waste wasters" shall be those set forth in (iii) of this subparagraph. "Waste wasters", for the purposes of this subparagraph, are flat-rolled iron or steel products which are unassorted to both size and gauge and also include flat-rolled iron or steel products which, in addition to the imperfections listed in (ii) of this subparagraph, also contain imperfections appreciably limiting the utility of the product, such as blisters, laminations, perforations, dirty surfaces, bad edges, wrinkles, or other mars, and which require further processing by the purchaser, such as shearing, pickling, or scrubbing, in order to remove or minimize such injurious defects.

(v) The maximum prices which may be charged for tin plate "waste waste" shall be $2.80 per hundred pounds, and for manufacturer's terne plate "waste waste" shall be $2.25 per hundred pounds.

(vi) To the maximum prices established in (ii), (iii), (iv), and (v) above may be added the actual cost of transportation from the immediate point of shipment to the point of delivery.

(2) The maximum delivered prices for "semi-finished rejects" shall be not in excess of the aggregate of 85% of the applicable basing point base price at the basing point nearest freightwise to the point of shipment for an identical quantity of the iron and steel products of a rerolling grade plus such extra for cross-sectional area as may be applicable and plus the actual cost of transportation from the immediate point of shipment to the point of delivery. "Semi-finished rejects" for the purposes of this subparagraph, are partly finished iron or steel products, such as blooms, billets, tube rounds and slabs, which have been rejected because of poor surface condition, lack of internal soundness, or other defects which render the steel unsuitable for sale or use by the mill as a prime product.

(3) The maximum delivered price for any secondary or off-grade iron or steel product for which a maximum price is not established in subparagraphs (1) and (2) above shall be an amount not in excess of the maximum delivered prices established by this Revised Price Schedule No. 6 for an identical quantity of the same iron and steel of prime quality.

§ 1306.9a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1306.10 (f)), as amended to Revised Price Schedule No. 6 shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9011; Filed, September 11, 1942; 12:26 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment 27 to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Sections 1315.401 (b), 1315.405 (e) and 1315.803 (b) are amended to read as follows, and § 1315.504 (a) (1) is revoked:

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.401 *Permitted and prohibited transfers and deliveries to consumers.* * * *

(b) *Transfers of new tires or tubes to consumers.* * * *

(2) *Transfers by wholesalers.* * * *

(ii) Any wholesaler may lease new tires or tubes in exchange for a certificate authorizing such transfer issued by a Board to any person regularly engaged in the business of transporting passengers by bus, taxicab or jitney.

(3) *Transfers by manufacturers.* * * *

(ii) Any manufacturer may lease new tires or tubes in exchange for a certificate authorizing such transfer issued by a Board to any person regularly engaged in the business of transporting passengers by bus, taxicab or jitney.

§ 1315.405 *Eligibility classification: List A.* * * *

(e) A vehicle operated exclusively for one or more of the following purposes:

* * * * * * *

(5) Transportation of persons by taxicab or jitney under license issued by the appropriate governmental authority, provided the applicant presents to the Board his signed statement that he has complied with all applicable orders of the Office of Defense Transportation.

No tire or tube obtained on a certificate issued under this subparagraph (5) shall be used upon any taxicab or jitney unless it:

(i) Carries as many persons as is legally and practicably possible on each trip;

(ii) Is permanently and conspicuously marked as a taxicab or jitney;

(iii) Does not "cruise" for the purpose of seeking fares;

(iv) Is not used for sightseeing purposes; and

(v) Is not used for the purpose of making commercial deliveries of property.

Transfers and Deliveries of New Tires and Tubes, Retreaded or Recapped Tires, and Camelback

§ 1315.803 *Permitted and prohibited deliveries of camelback.* * * *

(b) *Restriction on consumption* * * *

(3) On and after February 19, 1942, no person shall consume or use truck-

*Copies may be obtained from the Office of Price Administration.

[1] 13 Douglas fir plywood.
19 Southern pine lumber.
26 Douglas fir and other west coast lumber.
94 Western pine lumber.
97 Southern hardwood lumber.
146 Appalachian hardwood lumber.
155 Central hardwood lumber.
164 Red cedar shingles.
215 Railroad ties.
216 Distribution yard sales of softwood.

[2] 40 Builders' hardware & insect screen cloth.
96 Domestic fuel oil storage tanks.
100 Cast iron soil pipe & fittings.

[1] 7 F.R. 1215, 1836, 2132, 2153, 2997, 2299, 3115, 3941, 4780.

[1] 7 F.R. 1027, 1089, 2106, 2167, 2541, 2683.

type camelback, as defined by specifications established from time to time by the War Production Board, in recapping or retreading passenger-type tires to be mounted on passenger automobiles, unless the vehicle is a taxicab or jitney eligible under § 1315.405 (e) (5). No person shall use passenger-type camelback in recapping or retreading a tire to be mounted on a truck or bus.

§ 1315.1199a *Effective dates of amendments.* • • •

(aa) Amendment No. 27 (§§ 1315.401, 1315.405, 1315.504, 1315.803) to Revised Tire Rationing Regulations shall become effective September 16, 1942

(Pub. Law 421, 77th Cong., 2d Sess., Jan. 30, 1942, OPM Supp. Order No. M-15c, WPB Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9012; Filed, September 11, 1942; 12:26 p. m.]

PART 1340—FUEL

[Amendment 31 to Revised Price Schedule 88 [1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: § 1340.159 (b) (3).

Added: § 1340.157, paragraphs (t) and (u); § 1340.159 (b), subparagraph (7).

§ 1340.157 *Definitions.* • • •

(t) "Seller of the same class" means a seller (1) performing the same function, (2) of similar type, (3) dealing in the same type of commodity, and (4) selling to the same class of purchaser.

(u) "A seller's most closely competitive seller of the same class" shall be a seller of the same class who: (1) is selling the same commodity, (2) is closely competitive in the sale of such commodity and (3) is located nearest to the seller.

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(b) *Petroleum products.* • • •

(3) Where the maximum price for any petroleum product at a given shipping or delivery point cannot be determined under subparagraphs (1) or (2) above, a seller may sell such product at the maximum price of his most closely competitive seller of the same class as determined under subparagraphs (1) or (2) above.

• • • • •

(7) In the event that a seller is unable to determine a maximum price at a given shipping or delivery point for the sale of any petroleum product under paragraph (b) or (c) of this § 1340.159 which is not exempted from §§1340.151 and 1340.159 of this Revised Price Schedule No. 88, by § 1340.160 of said schedule, then the seller shall set a tentative maximum price for such product at the particular shipping or delivery point. This subparagraph shall be applicable even though a seller may have heretofore either determined his maximum price in some other manner or reported a price under § 1340.154 (c). The seller shall within 15 days after setting a tentative maximum price, file with the Office of Price Administration a written request for approval of such tentative maximum price. In connection with such request, the seller shall file with the Office of Price Administration at its principal Office in Washington, D. C. a statement setting forth:

(i) Such tentative price;

(ii) An explanation as to why it is impossible for the seller to establish a selling price under paragraph (b) or (c) of this § 1340.159;

(iii) Whenever applicable, that the price set by him is in line with the level of maximum prices for the three most closely competitive sellers of the same class and his own maximum prices for the same product at three other points nearest the point for which the tentative price was set;

(iv) Whenever subdivision (iii) is not applicable, an explanation supplemented by specifications, as to how the particular product differs from the two products having the most nearly similar specifications for which maximum prices are established by paragraph (b) or (c) of this § 1340.159 and the maximum prices of such products; and an explanation as to the seller's method of ascertaining the cost to him of the particular product and how that differs from the cost to him of the two products having the most nearly similar specifications.

Such tentative price shall be the seller's maximum price at the particular shipping or delivery point for the particular product unless it is disapproved in writing by the Office of Price Administration within thirty days from the date it is filed as above provided or a substitute price is set by the Office of Price Administration. If a substitute price is set, then such price shall be the maximum price.

§ 1340.158a *Effective dates of amendments.* • • •

(ee) Amendment No. 31 (§§ 1340.157 (t) and (u), 1340.159 (b) (3) and (7)) to Revised Price Schedule No. 88 shall become effective September 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued and effective this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9015; Filed, September 11, 1942; 12:25 p. m.]

PART 1375—EXPORT PRICES

[Amendment 1 to Revised Maximum Export Price Regulation [1]]

MISCELLANEOUS AMENDMENTS

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) (2) of § 1375.1, paragraph (a) of § 1375.2, §§ 1375.4, and 1375.5 are amended, and a new § 1375.12 is added, all as set forth below:

§ 1375.1 *Maximum export price.* • • •

(a) • • •

(2) The maximum domestic price, at the point from which the commodity is to be shipped for export, which would be applicable to a sale of the commodity by the exporter to a domestic purchaser similar to the purchaser outside the continental United States, plus the additions thereto authorized by § 1375.2 (b) less the deductions provided by § 1375.3 (a). In the event that a maximum domestic price for such a sale of the commodity by the exporter is not determinable, a price in line with the maximum undelivered price which would be applicable to such a sale by the domestic jobber or wholesaler located nearest the point from which the commodity is to be shipped for export may be substituted as the basic price and the additions authorized by § 1375.2 (b) and the deductions provided by § 1375.3 (a) made thereto: *Provided*, That on an export sale of the goods defined in § 1375.5 (a), a premium not in excess of that specified therein may be added.

• • • • •

§ 1375.2 *Additions to cost or domestic price.* (a) An amount (stated either as a percentage or a flat amount, depending upon the customary practice in the trade) not in excess of the average premium charged in the export trade for the particular services or functions performed during either the period July 1-December 31, 1940, or March 1-April 15, 1942, whichever average premium is the lower, may be added by the exporter to his cost of acquisition, maximum domestic price or other basic price, as provided in § 1375.1 of this Maximum Export Price Regulation. In determining the applicable premium, due recognition shall be given to existing differentials in the export premiums charged by different types of exporters, differences in premium resulting from variations in the size or value of exports or from variations in the volume of business done by various exporters, as well as to differentials in premium between exports to the territories and possessions of the United States, Canada, and the various foreign nations: *Provided*, That no premium may be included in a maximum export price computed under § 1375.1 (a) (2) unless otherwise provided for therein, or under § 1375.1 (c): *Provided further*, That the applicable average export premium shall not be increased by reason of the fact that more than one exporter participates in the process of exportation.

• • • • •

§ 1375.4 *Promulgation of specific maximum export premiums.* The Office of Price Administration may, from time to time promulgate figures which shall reflect the average premium charged in the export trade for particular services or functions performed during either the period July 1-December 31, 1940 or March 1-April 15, 1942, whichever average premium is lower. Where the periods July 1-December 31, 1940 or March 1-April 15, 1942 are determined by the Price Administrator to be inappropriate base periods, or where the trade or industry finds great difficulty in discovering an appropriate premium in the base periods the Office of Price Administration may publish a specific export premium for the trade or industry. In case of such promulgation, and pursuant to and subject to the terms of the promulgation, the premium therein stated shall become the maximum premium to be charged in the export trade unless the alternative of the average export premium of the trade is specifically allowed by the Administrator. Such promulgation or promulgations, shall be in the form of amendments to this Maximum Export Price Regulation, and shall be inserted as subparagraphs of § 1375.5.

§ 1375.5 *Specific maximum export premiums*—(a) *Textiles.* The maximum export premium to be charged on an export sale of textiles, whether woven or knitted, containing 75 per cent or more by weight of cotton or artificial fiber or a mixture of cotton and artificial fiber, including but not limited to finished piece goods and grey goods regardless of width, and articles which are transformed from piece goods into finished articles simply by cutting and/or hemming and/or overedging (but not including wearing apparel), and yarn, thread, twine and rope of cotton or artificial fiber, shall be either:

(1) An amount as defined in § 1375.2 (a), which may be added to the basic price as defined in § 1375.1 (a) (1) or § 1375.1 (b); or

(2) An amount not in excess of 7 per cent of the domestic maximum price which is applicable to a sale by the exporter to a domestic purchaser similar to the purchaser located outside the Continental United States, which may be added to the basic price as defined in § 1375.1 (a) (2) or § 1375.1 (b).

• • • • •

§ 1375.12 *Effective date of amendments.* (a) Amendment No. 1 (§§ 1375.1 (a) (2), 1375.2 (a), 1375.4, 1375.5, 1375.12), shall become effective September 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9029; Filed, September 11, 1942; 4:32 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[Amendment 1 to Maximum Price Regulation 176 [1]]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1384.1, 1384.12 (a), and 1384.13 (e) are amended and a new § 1384.11a is added as set forth below. Paragraph (b) of § 1384.12 is revoked.

§ 1384.1 *Maximum prices for rotary cut Southern hardwood box lumber*—(a) *Application of Maximum Price Regulation No. 176.* (1) The provisions of Maximum Price Regulation No. 176 shall apply to the following sales or deliveries of rotary cut Southern hardwood box lumber:

(i) All sales or deliveries of rotary cut Southern hardwood box lumber, either in prime sizes or cut to box-part finished sizes, where such rotary cut lumber is shipped from an operation which after October 1, 1941, sold any prime sizes of rotary cut Southern hardwood box lumber.

(ii) All sales or deliveries of rotary cut Southern hardwood box lumber, either in prime sizes or cut to box-part finished sizes, where such rotary cut lumber is shipped from an operation which after October 1, 1941, priced and sold any portion of its rotary cut Southern hardwood box lumber on the basis of board foot or surface foot measure.

(2) Notwithstanding subdivision (1) above, the provisions of Maximum Price Regulation No. 176 shall not apply to the following sales or deliveries of rotary cut Southern hardwood box lumber:

(i) Sales or deliveries of rotary cut Southern hardwood box lumber where shipment is from an operation which after October 1, 1941, did not sell any prime sizes of such rotary cut lumber or which after October 1, 1941, did not price and sell any such rotary cut box lumber on the basis of board foot or surface foot measure.

(ii) Sales or deliveries of rotary cut Southern hardwood box lumber which have been unitized into box parts by stitching or nailing.

(iii) Sales or deliveries of rotary cut Southern hardwood box lumber which is included with sawed lumber in complete (full) box shook package units, each of which is ready to be assembled.

(iv) Shipments pursuant to an order of less than 5,000 board feet of rotary cut Southern hardwood box lumber;

(v) Sales or deliveries of rotary cut Southern hardwood box lumber to a purchaser if prior to July 6, 1942, such lumber had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

(b) *Prohibition against sales of rotary cut Southern hardwood box lumber at higher than maximum prices.* On and after July 11, 1942, regardless of any contract or agreement, no person shall sell or deliver any rotary cut Southern hardwood box lumber and no person shall buy or receive in the course of business any rotary cut Southern hardwood box lumber at prices higher than the maximum prices established in this Maximum Price Regulation No. 176; and no person subject to this Maximum Price Regulation No. 176 shall agree, offer, solicit, or attempt to do any of the foregoing.

• • • • •

§ 1384.12 *Appendix A: Maximum prices for rotary cut Southern hardwood box lumber.* (a) The maximum f. o. b. mill price for 1,000 board feet of rotary cut Southern hardwood box lumber which is not cut into box-part finished sizes by means of a saw or comparable cutting device shall be as follows:

Thickness (inches)	Length	
	Less than 62 inches	62 inches or over
4/4	$51.00	$53.55
5/4	51.00	53.55
6/4	50.00	52.50
8/4	50.00	52.50
10/4	49.00	51.45
12/4	49.00	51.45

For cottonwood, add $3.00 per 1,000 board feet.

• • • • • •

§ 1384.13 *Appendix B: Grading rules for rotary cut Southern hardwood box lumber.* • • •

(e) (1) Only those cutdowns and cutbacks that actually accumulate in working out defects in the logs and rounding the logs used in filling a particular order may be shipped against that order. Such cutdowns and cutbacks shall have the table and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation is issued simultaneously herewith and has been filed with the Divisame maximum price as prime size stock in the same length and thickness as the cutdowns and cutbacks.

(2) Standard cutdowns in widths shall run in multiples of 2", the narrowest width to be 4".

(3) Standard cutbacks in lengths shall be 54"—48"—42"—36"—32" and 27".

• • • • • •

§ 1384.11a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1384.1, 1384.12 (a) and (b), 1384.13 (e), and 1384.11a) of Maximum Price Regulation No. 176 shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9013; Filed, September 11, 1942; 12:23 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857.

[1] 7 F.R. 5059.

[1] 7 F.R. 5180.

WALNUT GUNSTOCK BLANKS

In the judgment of the Price Administrator it is necessary and proper to establish in a separate regulation the maximum price for the sale of walnut gunstock blanks which, because of the special nature of the industry, cannot satisfactorily be priced on the basis of deliveries made in March 1942. The maximum prices established by this regulation are in the judgment of the Price Administrator generally fair and equision of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 217 is hereby issued.

AUTHORITY: §§ 1384.101 to 1384.112, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1384.101 *Maximum prices for walnut gunstock blanks.* (a) On and after September 17, 1942, regardless of any contract or other obligation, no person shall sell or deliver any walnut gunstock blanks, and no person shall buy or receive in the course of trade or business any walnut gunstock blanks at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1384.112; and no person subject to this Maximum Price Regulation No. 217 shall agree, offer, solicit or attempt to do any of the foregoing.

(b) The provisions of this Maximum Price Regulation No. 217 shall not be applicable to sales or deliveries of walnut gunstock blanks to a purchaser, if prior to September 17, 1942, such blanks had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser: *Provided*, That the maximum prices established in this Maximum Price Regulation No. 217 shall be applicable to walnut gunstock blanks delivered to the purchaser after May 11, 1942 on an open billing basis.

(c) The maximum prices established in this Maximum Price Regulation No. 217 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on March 31, 1942.

§ 1384.102 *Less than maximum prices.* Lower prices than those established in this Maximum Price Regulation No. 217 may be charged, demanded, paid or offered.

§ 1384.103 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 217 shall be construed to prohibit the making of a contract to sell walnut gunstock blanks at a price not to exceed the maximum price at the time of delivery

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

been filed which requires extended consideration, the Price Administrator may, upon application, grant permision to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1384.104 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 217 shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to walnut gunstock blanks, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

§ 1384.105 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 217 making sales or deliveries or purchases of walnut gunstock blanks, after September 17, 1942, shall keep for inspection by the Office of Price Administration, for a period of not less than two years, a complete and accurate record of each such sale, delivery or purchase of walnut gunstock blanks, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and types purchased or sold, the date of delivery, and the price paid or received.

(b) Every manufacturer of walnut gunstock blanks who sells or delivers walnut blanks for wooden gun parts, other than stocks, shall file with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of entering into the contract for sale of such parts, a report stating the specifications for such blanks, the quantity sold, and the price received.

(c) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as the Price Administrator may from time to time require or permit.

§ 1384.106 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 217 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942: *Provided*, That no War Procurement Agency, nor any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 217 or the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 217 o: any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest District, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

or subcontracts. Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of walnut gunstock blanks which are essential to the war program and which are or will be the subject of such contract or subcontract, may file an application for adjustment of maximum prices established by this Maximum Price Regulation No. 217 in accordance with Procedural Regulation No. 6,[2] issued by the Office of Price Administration.

(b) *Special relief.* Any person seeking special relief for which no provision is made in the foregoing paragraph (a) of this section, from a maximum price established under this Maximum Price Regulation No. 217, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 217 to eliminate the danger of inflation.

(c) *General amendments and exceptions.* Persons seeking any general modification of this Maximum Price Regulation No. 217 or any exception not provided for therein may file petitions for amendment or exception in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1384.108 *Definitions.* (a) When used in this Maximum Price Regulation No. 217, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Walnut gunstock blanks" means gunstock blanks made of walnut lumber, either green, air dried or kiln dried, and conforming to the types listed in Appendix A, § 1384.112.

(3) "War procurement agency" includes the War Department, the Department of the Navy, the United States

[2] 7 F.R. 5087.

agency of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, shall apply to other terms used herein.

§ 1384.109 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 217 supersede the provisions of the General Maximum Price Regulation [1] with respect to sales and deliveries of walnut gunstock blanks for which maximum prices are established by this Regulation.

§ 1384.110 *Export sales.* The maximum price at which a person may export walnut gunstock blanks shall be determined in accordance with the methods provided in the Maximum Export Regulation [2] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the continental United States and a purchaser outside thereof in which the commodity sold is transported from the continental United States to a point outside thereof and includes any sale of a commodity outside the continental United States, by an agent of the exporter or by a corporation owned or controlled by the exporter, within a period of two years after the date of shipment of the commodity from the continental United States.

§ 1384.111 *Effective date.* This Maximum Price Regulation No. 217 (§§ 1384.101 to 1384.112, inclusive) shall become effective September 17, 1942.

§ 1384.112 *Appendix A: Maximum prices for walnut gunstock blanks.* The maximum f. o. b. mill price for walnut gunstock blanks, manufactured in accordance with United States Government quality specifications, shall be as follows:

Designation	Condition	
	Kiln Dried [1]	Green [2]
Springfield (U. S. Rifle, Cal. .30, M 1903 A3)	$2.18	$1.92
Enfield (U. S. Rifle, Cal. .30, M 1917)	2.18	1.92
Garand (U. S. Rifle, Cal. .30, M 1)	1.37	1.21
Mark IV (per set of butt, hand guard and fore end)	1.33¼	1.17
Johnson (Johnson Model R)	1.32	1.16
Reising (H-R Reising Sub-Machine Gun)	1.32	1.16
Carbine (Carbine Cal. .30 M 1)	.80	.70
Thompson (Sub-Machine Gun, Cal. .45, M 1928 A 1 and M 1)	.38	.33

[1] To an average moisture content of not more than 8 percent.

[2] Includes any blanks not kiln dried to an average moisture content of 8 percent or less.

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9014; Filed, September 11, 1942; 12:24 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

[2] 7 F.R. 5059.

DESIGNATION OF 260 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Item (260) listed in the table in § 1388.1201 [1] of Designation and Rent Declaration No. 25 is amended to read as follows:

§ 1388.1201 *Designation.* * * *

Name of defense-rental area [1]	In States or States of	Defense-rental area consists of
* *	*	* *
(260) Richmond-Vallejo.	California.	Counties of Contra Costa, Napa, and Solano.

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

This Amendment No. 5 (§ 1388.120 shall become effective September 11th 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9016; Filed, September 11, 1942; 12:21 p. m.]

PART 1388—DEFENSE RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 39]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The title, preamble and § 1388.5051 (a) of Maximum Rent Regulation No. 39 [2] are hereby amended to read as follows:

Maximum Rent Regulation No. 39 for Housing Accommodations Other Than Hotels and Rooming Houses in the Richmond-Vallejo Defense-Rental Area

In the judgment of the Administrator, rents for housing accommodations within the San Francisco Bay Defense-Rental Area and other defense-rental areas and a portion of a defense-rental area set out in Maximum Rent Regulation Nos. 28 and 32A (§§ 1388.1801 to 1388.1814 and §§ 1388.2001 to 1388.2014, inclusive) were not reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, within sixty days after the issuance of the said designation and rent declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 28 and 32A for housing accommodations within each such defense-rental area and the said portion of a defense-rental area, judgment, that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within that portion of the San Francisco Bay Defense-Rental Area consisting of the three Counties of Contra Costa, Napa, and Solano, inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the said three counties on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for housing accommodations within the said three counties inconsistent with the purposes of the Act is on or about January 1, 1941. The Administrator is accordingly issuing an amendment to the said designation and rent declaration issued on April 28, 1942, to strike out the said three counties from the San Francisco Bay Defense-Rental Area and to designate the said three counties as the Richmond-Vallejo Defense-Rental Area. The Administrator is also issuing amendments to Maximum Rent Regulations Nos. 28 and 32A to strike out the said three counties from the description of the San Francisco Bay Defense-Rental Area set out in these maximum rent regulations. The Administrator is issuing this maximum rent regulation for housing accommodations within the said Richmond-Vallejo Defense-Rental Area in the place of the maximum rent regulation effective for such housing accommodations since July 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for housing accommodations within the said Richmond-Vallejo Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this maximum rent regulation is hereby issued.

§ 1388.5051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 39 applies to all housing accommodations within the Richmond-Vallejo Defense-Rental Area, as designated in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Contra Costa, Napa, and Solano, in the State of California), except as provided in paragraph (b) of this section.

* * * * *

§ 1388.5064a *Effective dates of amendments.* (a) Amendment No. 1 to Maxi-

[1] 7 F.R. 3195, 3892, 4179, 5812, 6889.

[2] 7 F.R. 5813, 5912.

mum Rent Regulation No. 39 shall become effective September 11th 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9022; Filed, September 11, 1942; 12:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 40A]

HOTELS AND ROOMING HOUSES

The title, preamble and § 1388.6001 (a) of Maximum Rent Regulation No. 40A[1] are hereby amended to read as follows:

Maximum Rent Regulation No. 40A For Hotels and Rooming Houses in the Richmond - Vallejo Defense - Rental Area

In the judgment of the Administrator, rents for housing accommodations within the San Francisco Bay Defense-Rental Area and other defense-rental areas and a portion of a defense-rental area set out in Maximum Rent Regulations Nos. 28 and 32A (§§ 1388.1801 to 1388.1814 and §§ 1388.2001 to 1388.2014 inclusive) were not reduced and stabilized by state or local regulation, or otherwise, in accordance with the recommendations set forth in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, within sixty days after the issuance of the said designation and rent declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 28 and 32A for housing accommodations within each such defense-rental area and the said portion of a defense-rental area, effective July 1, 1942. Since the issuance of these maximum rent regulations, the Administrator has found, and it is his judgment, that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within that portion of the San Francisco Bay Defense-Rental Area consisting of the three Counties of Contra Costa, Napa, and Solano, inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the said three counties on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for housing accommodations within the said three counties inconsistent with the purposes of the Act is on or about January 1, 1941. The Administrator is accordingly issuing an amendment to the said designation and rent declaration issued on April 28, 1942, to strike out the said three counties from the San Francisco Bay Defense-Rental Area and to designate the said three counties as the Richmond-Vallejo Defense-Rental Area. The Administrator is also issuing amendments to Maximum Rent Regulations Nos. 28 and 32A to strike out the said three counties from the description of the San Francisco Bay Defense-Rental Area set out in these maximum rent regulations. The Administrator is issuing this maximum rent regulation for housing accommodations within the said Richmond-Vallejo Defense-Rental Area in the place of the maximum rent regulation effective for such housing accommodations since July 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for rooms in hotels and rooming houses within the said Richmond-Vallejo Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this maximum rent regulation is hereby issued.

§ 1388.6001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 40A applies to all rooms in hotels and rooming houses within the Richmond-Vallejo Defense-Rental Area, as designated in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Contra Costa, Napa, and Solano, in the State of California), except as provided in paragraph (b) of this section.

* * * * *

§ 1388.6014a *Effective dates of amendments.* (a) Amendment No. 1 to Maximum Rent Regulation No. 40A shall become effective September 11th, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9023; Filed September 11, 1942; 12:20 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 16 to Maximum Price Regulation 136, as Amended[1]]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1390.33, paragraph (c) is amended by the addition of a new item; in § 1390.34, the items "automotive electric motors and generators", "automotive gasoline engines", "automotive parts and subassemblies (except batteries) manufactured prior to 1942 or authorized by the War Production Board to be manufactured in 1942, when such parts and subassemblies are sold for use in private or commercial motor vehicles of 1942 or earlier models", and "automotive pumps" are revoked; and a new paragraph (p) is added to § 1390.31a, as set forth below:

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942 date is applicable.* * * *

(c) *Miscellaneous.* Automotive parts, subassemblies, and accessories originally designed for use in private or commercial motor vehicles, when such items are sold by the manufacturer thereof. The foregoing does not include storage batteries, or any parts, subassemblies, or accessories specially designed for use in vehicles used primarily for military purposes. The term "accessories" includes extra, special, and optional equipment designed for use on or with motor vehicles, but does not include service or maintenance accessories, such as antifreeze, body polish, polish cloths, tools, etc.

§ 1390.31a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1390.33 (c) and 1390.34) to Maximum Price Regulation No. 136, as amended, shall become effective September 29, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9017; Filed, September 11, 1942; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 34 Under § 1499.18 (c) of General Maximum Price Regulation]

STEWART BROS. PAINT COMPANY—ELECTRIC FURNACE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.384 *Adjustment of the maximum price for sale of black insulating varnish # 668 to The Electric Furnace Company of Salem, Ohio.* (a) The maximum price for black insulating varnish # 668 manufactured by the Stewart Bros. Paint Company, of Alliance, Ohio, on sales by said Company to The Electric Furnace Company, of Salem, Ohio, shall be $2.50 per gallon delivered in 5 gallon containers.

(b) All discounts, trade and freight practices upon the sale by The Stewart Bros. Paint Company of black insulating varnish referred to in paragraph (a) during March 1942 shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 34 (§ 1499.384) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 34 (§ 1499.384) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 34 (§ 1499.384) shall become effective September 12th, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9021; Filed, September 11, 1942; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 39 Under § 1499.18 (b) of the General Maximum Price Regulation]

MCKESSON & ROBBINS INC.—POTTS DRUG DIVISION OF WICHITA, KANSAS

For the reasons set forth in an opinion issued simultaneously herewith,* it is ordered:

§ 1499.339 *Adjustment of maximum prices for Evening in Paris Cologne sold by McKesson & Robbins, Inc., Potts Drug Division, of Wichita, Kansas.* (a) The McKesson & Robbins Inc., Potts Drug Division, of Wichita, Kansas, may sell and deliver, and any purchaser may buy and receive from such concern, the following three sizes of Evening in Paris Cologne at the following prices:

#75-EC1 Evening in Paris Cologne 1 ounce	$4.20 per dozen
#75-EC2 Evening in Paris Cologne 2 ounces	6.30 per dozen
#75-EC Evening in Paris Cologne 3½ ounces	10.50 per dozen

(b) All discounts, trade and freight practices, upon the sale by this company of the three products referred to in paragraph (a), during March, 1942, shall apply to the maximum prices set forth in paragraph (a).

(c) McKesson & Robbins, Inc., Potts Drug Division, of Wichita, Kansas, shall mail or cause to be mailed, to all persons who purchase from it for sale at retail the three products referred to in paragraph (a) at prices established pursuant to this Order No. 39 (§ 1499.339) a notice reading as follows:

The Office of Price Administration, by Order No. 39 (§ 1499.339) effective September 12, 1942, pursuant to section 18 (b) of the General Maximum Price Regulation, has permitted the McKesson & Robbins Inc., Potts Drug Division, of Wichita, Kansas, to raise its maximum price for sales to you of three sizes of Evening in Paris Cologne to the following:

#75-EC1 Evening in Paris Cologne 1 ounce	$4.20 per dozen
#75-EC2 Evening in Paris Cologne 2 ounces	6.30 per dozen
#75-EC Evening in Paris Cologne 3½ ounces	10.50 per dozen

These sales shall be subject to all discounts, allowances and trade practices in effect during March, 1942, with respect to sales of the three products mentioned above, by McKesson & Robbins Inc., Potts Drug Division, of Wichita, Kansas.

The permission contained in Order No. 39 (§ 1499.339) was granted by the Office of Price Administration upon the assumption that no hardship would be imposed upon you if you were required to pay as much as the prices set forth above.

Order No. 39 (§ 1499.339) *does not permit you to raise your maximum prices, as established under the General Maximum Price Regulation, for sales of the three sizes of Evening in Paris Cologne mentioned above.* However, if the price charged by the McKesson & Robbins Inc., Potts Drug Division, of Wichita, Kansas, for sales of the three sizes of Evening in Paris Cologne to you, pursuant to such order, imposes a substantial hardship upon you, you may petition the nearest District, State, Field, or Regional Office of the Office of Price Administration for an adjustment pursuant to § 1499.18 (a) of the General Maximum Price Regulation and Temporary Procedural Regulation No. 2 of the Office of Price Administration.

(d) This Order No. 39 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 39 (§ 1499.339) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 39 (§ 1499.339) shall become effective September 12, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9018; Filed, September 11, 1942; 12:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 40 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-121]

CONSOLIDATED GARMENT MFG. CO.—S. S. KRESGE CO. AND J. C. PENNEY CO.

For the reasons set forth in the opinion issued simultaneously herewith,* it is ordered:

§ 1499.340 *Adjustment of maximum prices for ladies' cotton slips manufactured by Consolidated Garment Manufacturing Company for S. S. Kresge Company and J. C. Penney Company.* (a) Consolidated Garment Manufacturing Company, of Galion, Ohio, may sell and deliver, and S. S. Kresge Company and J. C. Penney Company may buy and receive from Consolidated Garment Manufacturing Company, the following commodities at prices not higher than those set forth below:

Style No. 105 cotton slips, at $4.25 per dozen for regular sizes.

(b) The adjustment granted to Consolidated Garment Company in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by Consolidated Garment Manufacturing Company to S. S. Kresge Company and J. C. Penney Company.

(2) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942 shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 40 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 40 (§ 1499.340) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 40 (§ 1499.340) shall become effective September 12, 1942. (Pub. Law 421, 77th Cong.)

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9019; Filed, September 11, 1942; 12:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 41 Under § 1499.18 (b) of General Maximum Price Regulation; Docket GF3-1886]

ANNETTE RUGS

For the reasons set forth in an opinion issued simultaneously herewith *it is hereby ordered:*

§ 1499.341 *Adjustment of maximum prices for sales of novelty floor coverings sold by Mrs. A. O. Fullerton.* (a) Mrs. A. O. Fullerton, doing business as Annette Rugs, is hereby authorized to sell, and deliver, and any person may buy and receive from Mrs. A. O. Fullerton, doing business as Annette Rugs, at prices not higher than those set forth below:

(1) 20 x 32 Annette braided oval cotton rugs, $0.81 F. O. B. mill net cash.

(2) 22 x 40 Annette braided oval cotton rugs, $1.11 F. O. B. mill, net cash.

Subject to terms no less favorable than those which she had in effect during March, 1942.

(b) All prayers of the application not granted herein are denied.

(c) This order may be revoked or amended by the Administrator at any time.

(d) This Order No. 41 (§ 1499.341) is hereby incorporated as a Section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 41 (§ 1499.341) shall become effective September 12th, 1942. (Pub. Law. 421, 77th Cong.)

Issued this 11th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9020; Filed, September 11, 1942; 12:19 p. m.]

PART 1309—COPPER

[Correction to Maximum Price Regulation 202[1]]

BRASS AND BRONZE ALLOY INGOT

A statement of the considerations involved in the issuance of this correction has been issued simultaneously herewith

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[1] 7 F.R. 5817, 5912.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5665, 5909, 6426, 6682, 6899, 6937, 6964, 6973, 7010.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6421.

and has been filed with the Division of the Federal Register.*

In § 1309.165 (b) the following corrections are made and a new § 1309.164a is added:

In § 1309.165 (b) in Table II the minimum permissible tin content for ingot identification number 210 appearing as "9.75" is corrected to appear as "9.00" and in Table III the maximum price for ingot identification number 298 appearing as "15.25" is corrected to appear as "14.75".

§ 1309.164a *Effective dates of amendments.* (a) Correction (§§ 1309.165 (b) and 1309.164a) to Maximum Price Regulation No. 202 shall become effective September 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9059; Filed, September 12, 1942; 12:48 p. m.]

PART 1316—COTTON TEXTILES

[Amendment 6 to Revised Price Schedule 35 [1]]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Table IV of § 1316.61 (b) (4) is amended by adding thereto the item set forth below and § 1316.61 (c) (5) is amended by adding thereto the item set forth below:

§ 1316.61 *Appendix A: Maximum prices for cotton goods.* * * *

(b) * * *

(4) *Maximum price tables.* * * *

TABLE IV—*Denims (Prices Are for All Shades and Colors)*

Type of cloth and yards per pound or ounces per yard	Spot cotton price—cents per pound
	20.37
Denims: * * *	*Cents per yard* * * *
Sanforized: * * *	
11 oz.	30.625

(c) * * *

(5) * * *

* * * * *

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1270, 1836, 2132, 2738, 2795, 3060, 3164, 3447, 3900, 5640.

	Premium Allowable (cents per yard)
Water-repellent denim made for use in products to meet—	
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by the producer of the cloth or by an affiliated concern	[1] 1.25
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by a job processor: *Provided*, That where the water-repellent process is applied by a job processor the seller shall deliver to the purchaser a certificate stating that the water-repellent process was applied by a job processor and setting forth the name and address of such job processor	[1] 1.75

[1] These premiums are predicated upon information from the Quartermaster Corps that the specifications will require that the water-repellent finish meet the following minimum requirements:

	Spray Rating
Initially	80
After 10 days exposure to weather in accordance with Federal Specification CCC-T-191a, as amended, Section XIII, Par. 3	70

In the event that the required spray rating is subsequently lowered, the Office of Price Administration will appropriately revise the premiums and such revised premiums will be made applicable to all contracts and deliveries made pursuant to the lower requirements.

§ 1316.60a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§§ 1316.61 (b) (4), Table IV, (c) (5)) to this Revised Price Schedule No. 35 shall become effective September 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9047; Filed, September 12, 1942; 12:44 p. m.]

PART 1347—PAPER AND PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Amendment 3 to Revised Price Schedule 47 [1]]

OLD RAGS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1437.104 (a) is hereby revoked.

[1] 7 F.R. 1297, 1836, 2000, 2132, 2475, 3775.

§ 1347.109a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1347.104(a)) to Revised Price Schedule No. 47 shall become effective September 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9053; Filed, September 12, 1942; 12:47 p. m.]

PART 1372—SEASONAL COMMODITIES

[Amendment 2 to Maximum Price Regulation 144 [1]]

RETAIL PRICES OF AGRICULTURAL INSECTICIDES AND FUNGICIDES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In paragraph (a) of § 1372.52 the title of subparagraph (1) is amended, subparagraph (2) is amended, subparagraph (3) is redesignated (1) (iv), and a new subparagraph (3) is added;

Paragraph (b) of § 1372.52 is amended; the title of § 1372.53 (a) is amended; paragraph (b) of § 1372.56 is revoked; § 1372.59 is amended; in § 1372.61 (a), subparagraphs (1) and (12) are amended and new subparagraphs (22) and (23) are added; all as set forth below:

§ 1372.52 (a) * * *

(1) *Sales by persons selling only at retail.* * * *

(2) *Sales by wholesalers and manufacturers other than those selling only at retail.* (i) The seller of a commodity being priced herein shall add to the maximum price, charged to dealers, established for him by the General Maximum Price Regulation or any other Maximum Price Regulation hereafter issued, the difference between the price most frequently charged by him to ultimate consumers of the same class during the calendar month in the twelve month period ending March 31, 1942 in which he delivered the largest amount of such commodity to ultimate consumers, and the price most frequently charged by him to dealers during the same calendar month for the same commodity.

(ii) If the seller made no deliveries of the commodity being priced during such twelve month period he shall determine such difference for the commodity most nearly like the commodity being priced, and proceed to determine his maximum price therefor as above provided.

[1] 7 F.R. 3720, 5665.

(3) *Month of largest deliveries.* In the event that a seller cannot determine which was his month of largest deliveries for the particular commodity being priced during the twelve month period ending March 31, 1942, he may then use the month of largest deliveries of agricultural insecticides and fungicides as a whole, and may use such month as his month of largest deliveries in calculating his maximum price under this Regulation.

(b) Where the seller concerned cannot establish his maximum price under paragraph (a) of this section, the seller's established maximum price for the commodity being priced shall be the same as the maximum price of his most closely competitive seller, for the same commodity and class of purchaser, or in the absence thereof, such competitor's established maximum price to purchasers of the same class for a similar commodity.

§ 1372.53 * * *

(a) *Sales by persons selling only at retail other than manufacturers.* * * *

* * * * *

§ 1372.59 *Established maximum prices.* A maximum price established under the terms of Maximum Price Regulation No. 144 or of this amendment shall remain the maximum price unless changed by operation of this amendment, regulation, order, or further amendment. Changes in the maximum price to dealers or wholesalers for the commodity sold shall correspondingly change the manufacturer's maximum price at retail, the replacement cost and the dealer's or wholesaler's maximum price at retail, as the case may be, but such change in the dealer's or wholesaler's maximum price shall only be applicable to the commodity purchased by the dealer or wholesaler, as the case may be, at changed replacement cost, unless such regulation, order, or further amendment shall provide otherwise.

* * * * *

§ 1372.61 *Definitions and explanations.* (a) This regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows: * * *

(1) "Agricultural insecticides and fungicides" are defined to be all dusts, spray materials, fumigants, poison baits, and like commodities used for the purpose of controlling insects on or in relation to all plants, trees, seeds, bulbs, crops, poultry, and farm animals; all such commodities used for the purpose of controlling fungous diseases of all plants, trees, seeds, bulbs, and crops; and nutritional sprays. All attractants, spreading and wetting agents, adhesives and diluents and commodities of like character are defined to be "agricultural insecticides and fungicides" except those which are also generally sold at retail for other purposes. Nothing in this regulation shall apply to household insecticides prices for which are established by Maximum Price Regulation No. 142;[1] Seasonal Commodities, as amended.

* * * * *

[1] 7 F.R. 3553, 3720.

(12) "Replacement cost" means the maximum price under the General Maximum Price Regulation, and any regulation hereafter issued by the Office of Price Administration, charged, or which may be charged to a dealer for the commodity sold and delivered at such dealer's place of business. A separate replacement cost shall be calculated for each quantity, size of package, and for each brand or each commodity sold. A maximum selling price may not be established by calculating replacement cost in terms of quantities of purchase smaller than normal quantities of purchase and shall be calculated in the customary manner of doing business, with regular allowances, discounts, or other price differentials. Increases in transportation cost subsequent to May 11, 1942, shall not be deemed to increase the replacement cost as herein defined.

* * * * *

(22) "Wholesaler" for the purpose of this regulation, means a person other than a manufacturer who sells all or a part of the commodity being priced to a dealer.

(23) "Dealer" is a person other than a manufacturer or a wholesaler who sells at retail the commodity being priced.

§ 1372.63 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1372.52 (a) (b), 1372.53 (a), 1372.56, 1372.59, 1372.61 (a)) to Maximum Price Regulation No. 144 shall become effective September 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9048; Filed, September 12, 1942; 12:45 p. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[Amendment 2 to Maximum Price Regulation 125 [1]]

NONFERROUS FOUNDRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Three new paragraphs (g), (h) and (i) are added to § 1395.2, and a new § 1395.10 (a) is added, as set forth below:

§ 1395.2 *Exceptions.* * * *

(g) Permission is hereby granted to the Art in Bronze Co., Inc., Cleveland, Ohio, to sell to the Koppers Company, Bartlett Hayward Division, Baltimore, Maryland, certain manganese bronze castings in the amounts called for under Order 92001-100 of the Koppers Company, Bartlett Hayward Division, at the following prices:

Manganese Bronze Castings	*Price, cents per pound*
Patterns B-198300, B-198302, B-198350 and C-95638	30.8
Patterns A-224010, B-198384 and B-198442	33
Patterns B-198351, B-198355, B-198376, B-198383, B-198403, B-198412 and C-95654	34.1
Pattern A-223997	35.2
Patterns B-198332A, B-198332B, B-198337A, B-198337B, B-198346, C-95626, D-50418, D-50424 and D-50430	36.3

(h) Permission is hereby granted to Carroll A. Wells, doing business as the Carroll A. Wells Foundry, Laconia, New Hampshire, to sell to the following purchasers certain castings at the price stated:

Purchaser	Casting	Price
C. S. B. Sprinkler Company Boston, Mass.	C. S. B. Frame and Lever.	43¢ per pound.
Esty Sprinkler Company Laconia, N. H.	Esty Frames	37¢ per pound.

(i) Permission is hereby granted to William H. Daniel, doing business as the Enterprise Brass Foundry, Girard and Aramingo Avenues, Philadelphia, Pennsylvania, to sell nonferrous castings at a price of 10% above the prices charged by the foundry between October 1 and 15, 1941.

§ 1395.10a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1395.2 (g), (h) and (i) and § 1395.10a) shall become effective September 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9049; Filed, September 12, 1942; 12:45 p. m.]

PART 1499—SERVICES

[Maximum Price Regulation 165 as Amended—Services—Supplementary Service Regulation 1]

WAR PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 1 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Supplementary Service Regulation No. 1 is hereby issued.

§ 1499.651 *Supplementary Service Regulation No. 1—War Procurement Agencies*—(a) *Maximum prices in renewal of service contracts entered into by War Procurement Agencies*—(1) *Laundry contracts.* Any War Procurement Agency may renew any laundry service contract with any person, entered into prior to March 1, 1942, and expiring April 1, 1942, or thereafter, at

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3202, 3990.

a price no higher than the price established by the expiring contract, plus a sum equal to that price multiplied by the percentage increase in the cost of living between the date upon which the expiring contract became effective and March 1942. This percentage is set forth in footnote 2 to § 1499.103 of Maximum Price Regulation No. 165 as amended. For contracts entered into before the earliest date on the chart the percentage increase between March 1, 1941, and February 28, 1942, shall be taken in arriving at the maximum price.

(b) *Definitions.* (1) Unless the context otherwise requires, the definitions set forth in § 1499.116 of Maximum Price Regulation No. 165 as amended, shall apply to the terms used herein.

(c) This Supplementary Service Regulation No. 1 (§ 1499.651) shall become effective September 12, 1942. (Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9058; Filed, September 12, 1942; 12:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 25 to Supplementary Regulation 1[1] to the General Maximum Price Regulation[2]]

EXCLUDING CERTAIN SALES AND DELIVERIES OF BOTANICAL DRUGS BY DOMESTIC PICKERS, GROWERS, DIGGERS AND GATHERERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.26 is amended by adding a new subparagraph (7) to paragraph (b), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales, and deliveries.* * * *

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries: * * *

(7) Sales or deliveries of botanical drugs by the pickers, growers, diggers or gatherers of such botanical drugs in any of the forty-eight states and the District of Columbia.

* * * * *

(e) *Effective dates.* * * *

(26) This Amendment No. 25 (§ 1499.26 (b) (7)) to Supplementary Regulation No. 1 shall become effective September 18, 1942. (Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9056; Filed, September 12, 1942; 12:49 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6087, 6216.

PART 1499—COMMODITIES AND SERVICES

[Amendment 19 to Supplementary Regulation 14[1] to General Maximum Price Regulation]

NEW COMMERCIAL MOTOR VEHICLES; MAXIMUM PRICES AND MAINTENANCE STANDARDS

A statement of considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (19) is added to § 1499.73 (a) and a new subparagraph (20) is added to § 1499.73 (b), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(19) *New commercial motor vehicles*—(i) *Maximum prices.* To the maximum price of any new commercial motor vehicle, determined in accordance with the provisions of § 1499.2 of the General Maximum Price Regulation, there may be added for each calendar month or greater part thereof after February 28, 1942 which elapses prior to the sale of such new commercial motor vehicle the lower of the following two amounts (*a*) 1% of the list price of such new commercial motor vehicle and of the list price of any extra, special or optional equipment built into or installed on such vehicle, or if there is no such list price, 1% of the price at which such new commercial motor vehicle or extra, special or optional equipment was last contracted to be sold between January 1, 1942 and March 20, 1942, or (*b*) $25: *Provided,* That such new commercial motor vehicle shall, on and after September 30, 1942, receive while in storage all the maintenance operations set forth in subdivision (ii), as therein required: *And provided further,* That no amount whatsoever under this subdivision (i) shall be added to such maximum price unless:

(1) Such new commercial motor vehicle shall, on and after September 30, 1942, have continuously received all the service operations for its maintenance set forth in subdivision (ii), and

(2) The seller, at the time of sale, shall certify in writing to the purchaser and to the Office of Price Administration, Washington, D. C. that such new commercial motor vehicle has, on and after September 30, 1942, continuously received all the service operations for its maintenance set forth in subdivision (ii), in the following form:

The undersigned hereby certifies that the ---------- vehicle bearing motor number ---------- and/or serial number ---------- has, on and after September 30, 1942, continuously received all the service operations for its maintenance set forth in Amendment No. 19 to Supplementary Regulation No. 14, issued by the Office of Price Administration.

Dated: ----------

(ii) *Standards for maintenance of new commercial vehicles*—(*a*) *General instructions.* (1) All vehicles must be stored indoors. Select a clean, dry building suitable for the storage of such vehicles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

(2) Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

(3) The operations specified under the heading "Maintenance Operations" are of two categories: "Initial" operation, which if not already performed, are to be performed, and "Repeat" operations, which must be performed at intervals of six months, or when necessary, as indicated below.

(4) Symbol (*) indicates maintenance operations applicable to new commercial motor vehicles except trailers, third axles, and dollies. Symbol (≠) indicates maintenance operations applicable to trailers, third axles, and dollies.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473.

(*b*) *Table of maintenance operations.*

No.	When to be done	Item	Maintenance operations
(*) 1 (≠)	Initial and whenever necessary.	Vehicle	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust.
(*) 2	Initial	Windshield wiper	Remove blades; store in glove compartment.
(*) 3	Initial and every six months.	Upholstery	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats and carpets.
	Initial		(b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all car windows and wind shields with paper, using masking tape. (3) Cover vehicle with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
	Initial		(c) Place floor mats in their normal position on floor, not rolled up.
(*) 4	Initial and Whenever Necessary.	Chrome Plated Surfaces.	Thoroughly wash and clean all Chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface on the Chrome.
5	Initial	Convertible Tops	With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.

Table of maintenance operations—Continued

No.	When to be done	Item	Maintenance operations
(*) 6	Initial	Engine	(a) Drain engine oil and refill crank case with at least ½ charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1,000 R. P. M. Leave this oil in engine.
(*) 7	Initial	Fuel System and Carburetor.	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed.
(*) 8	Initial	Spark Plugs	Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
(*) 9	Initial	Valve Compartment (Overhead Valve engines).	Remove cover. Spray rust-preventive compound or S. A. E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
(*) 10	Initial	Seal Engine	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crank case breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oil or waxed paper, gathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine. NOTE: Since no provision has been made for turning the engine over at regular intervals, it is absolutely essential that the recommended procedure for conserving the engine be followed carefully.
(*) 11	Initial	Battery Removal	(a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease. (b) If dealer has portable battery charging equipment, he may elect to leave battery in car. In either case battery must be maintained as per Item 12 below.
(*) 12	Initial and as specified under "Maintenance Operations."	Battery Maintenance	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.280 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature.
(*) 13	Initial	Cooling System	Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system drain. NOTE: If coolant contains antifreeze and rust-inhibiting solution, it may be left in the cooling system.
(*) 14 (≠)	Initial	Brakes	Leave all brakes in released position.
(*) 15	Initial	Clutch	Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.
(*) 16 (≠)	Initial and as specified under Maintenance Operations.	Tires	Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between ½ and ¾ operating pressure so that vehicles can be pushed or towed out quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure.
(*) 17 (≠)	Initial and, if necessary, every six months where applicable.	Hood Latches, Hinges, Brake Connections.	Lubricate with light oil all hood latches, hinges, and brake connections.
(*) 18 (≠)	Initial where applicable.	Doors and Windows	(a) Close all doors and windows tightly. (b) Close all venti-panes. (c) Leave cowl ventilator open (if screened).

NOTE: Materials called for in the performance of these Maintenance Operations such as oils, wax and rust-inhibitor, should be of a grade recommended by the vehicle manufacturer.

(iii) *Definitions:* When used in this subparagraph (19):

(*a*) The term "new commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequent to July 31, 1941, was designed to be propelled or drawn by mechanical power, was designed for use on or off the highways for transportation of property or persons, and has not been transferred to any person other than a sales agency for the purpose of resale. The term includes vehicles of the following types: trucks, truck-chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, carry-all suburbans, sedan deliveries, utility sedans, coupes [illegible]ted with pickup boxes and cab pickup [illegible]out does not include taxicab and integral type buses.

(*b*) The term "list price" means the suggested retail price in effect on March 31, 1942, established by each manufacturer without any charge added thereto on account of transportation, Federal Excise Tax, or handling and delivery.

(*c*) The term "sales agency" means any distributor, exporter, or retail dealer of new commercial motor vehicles.

* * * * *

(*b*) *Effective date.* * * *

(20) Amendment No. 19 (§ 1499.73 (a) (19)) to Supplementary Regulation No. 14 shall become effective September 30, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 12th day of September 1942

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9050; Filed, September 12, 1942; 12:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation—Amendment 1 to Order 54]

PROCTER AND GAMBLE DISTRIBUTING CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Order No. 54 under § 1499.3 (b) of the General Maximum Price Regulation is hereby amended as follows:

Subparagraph (c) of § 1499.268 is hereby deleted from such Order No. 54.

A new subparagraph (g) is added to § 1499.268 as follows:

§ 1499.268 *Approval of maximum prices for P & G White Laundry Soap and OK Laundry Soap for sale by Procter and Gamble Distributing Company.* * * *

(g) This amendent to Order No. 54 shall become effective as of June 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9052; Filed, September 12, 1942; 12:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 66 Under § 1499.3 (b) of the General Maximum Price Regulation[1]]

A. M. TODD COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith,* *it is ordered:*

§ 1499.280 *Authorization for A. M. Todd Company, Incorporated, to determine a maximum price for concentrated oil of peppermint.* (a) On and after September 14, 1942, the maximum price at which A. M. Todd Company, Incorporated, a corporation having its principal place of business in Kalamazoo, Michigan (hereinafter referred to as "the manufacturer") may sell and deliver and offer, agree, solicit, and attempt to sell and deliver, concentrated oil of peppermint, and at which any person may buy concentrated oil of peppermint from the manufacturer shall be determined in accordance with the following formula:

(1) Determine the unit direct cost for the concentrated oil of peppermint, such unit direct cost to consist of the following actual net costs to the manufacturer: raw materials and direct labor. The amount of each constituent item of this unit direct cost shall not, however, exceed the highest replacement cost of this manufacturer for each item during March, 1942, nor the maximum price established for any article by any maximum price regulation issued by this

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

Office, and the highest rate paid by the manufacturer during March 1942, for similar labor.

(2) Add to the unit direct cost as determined above, an amount not exceeding the percentage mark-up which the manufacturer in March 1942 added to the unit direct cost of that quality of oil of peppermint, of which the manufacturer sold the largest quantity in that month.

(b) All discounts, trade practices, practices relating to charges and deposits for containers, and practices relating to the payment of shipping charges in effect in March 1942 on the sale by the manufacturer of that quality of peppermint oil of which the manufacturer sold the largest quantity during that month shall apply to the maximum price as determined by the formula set forth in paragraph (a).

(c) When used in this Order No. 66 the term "concentrated oil of peppermint" shall mean that quality of peppermint oil from which at least 25 per cent of the terpenes and non-menthol elements has been removed by redistillation, under vacuum, of natural oil of peppermint.

(d) Within ten days after a maximum price has been determined in accordance with this order, the manufacturer shall report that price to the Office of Price Administration, stating that the price was determined in accordance with the formula set forth in paragraph (a) and setting forth in detail the calculations made in determining that price. This report shall be filed under oath or affirmation and shall be filed in triplicate.

(e) On or before December 15, 1942, the manufacturer shall furnish the Office of Price Administration with a sworn statement of its sales of concentrated oil of peppermint during the period from September 1, 1942, to December 1, 1942, showing the date of each sale, the name and address of the buyer, the price received, and the quantity sold. Thereafter the manufacturer shall submit such reports of its sales of concentrated oil of peppermint as the Office of Price Administration may, from time to time, require.

(f) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(g) This Order No. 66 may be revoked or amended by the Office of Price Administration at any time.

(h) This Order No. 66 (§ 1499.280) shall become effective September 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9051; Filed, September 12, 1942; 12:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 42 Under § 1499.18 (b) of the General Maximum Price Regulation]

SOAPS AND SOAP PRODUCTS

Applicants	*Docket Numbers*
Minneapolis Allied Grocers, Inc., Minneapolis, Minnesota	GF3-1161
Snowden-Mize Drug Company, Inc., Atchison, Kansas	GF3-461
Lehigh Wholesale Grocery Company, Allentown, Pennsylvania	GF3-715
P. A. Menard, New Orleans, Louisiana	GF3-1088
Faulkner and Company, Little Rock, Arkansas	GF3-902 GF3-939 GF3-1085 GF3-1086 GF3-1087
H. T. Lange Company, Eau Claire, Wisconsin	GF3-722 GF3-724
Massey-Hite Company, Inc., Conway, South Carolina	GF3-1272
Central Wholesale Grocery Company, Des Moines, Iowa	GF3-625
Roundy, Peckham and Dexter Company, Milwaukee, Wisconsin	GF3-706
West Coast Grocery Company, Tacoma, Washington	GF3-477

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* it is ordered that the maximum prices of certain soap products sold by the above captioned companies hereinafter called the applicants, shall be their respective prices for such products as set forth below:

§ 1499.342 *Adjustment of maximum prices for applicants on listed soap products sold at wholesale.* (a) The applicants may sell and deliver, and any person may buy and receive from the applicants the commodities listed below at prices no higher than the respective prices therefor indicated below.

Companies	Commodities	Prices
(1) H. T. Lange Company, Eau Claire, Wisconsin, GF3-722, GF3-724.	Honey Suckle Toilet Soap per case of 144 cakes, delivered in city limits of Eau Claire, Wisconsin.	$8.70
	Honey Suckle Toilet Soap per case of 144 cakes, delivered outside city limits of Eau Claire, Wisconsin.	8.75
	Large Swan Soap per case of 100 cakes, delivered in city limits of Eau Claire, Wisconsin.	9.04
	Large Swan Soap per case of 100 cakes, delivered outside city limits of Eau Claire, Wisconsin.	9.09
(2) Central Wholesale Grocery Company, Des Moines, Iowa, GF3-625.	Lux Toilet Soap, delivered per case of 100 cakes.	6.06
	Lifebuoy Soap, delivered per case of 100 cakes.	6.06
(3) Roundy, Peckham and Dexter Company, Milwaukee, Wisconsin, GF3-706.	Lux Toilet Soap, delivered per case of 100 cakes.	$6.06
	Lifebuoy Soap, delivered per case of 100 cakes.	6.06
	Swan Soap, Regular, delivered per case of 100 cakes.	5.40
	Swan Soap, Large, delivered per case of 100 cakes.	9.04
	Rinso, Large, delivered per case of 24 packages.	4.95
(4) Lehigh Wholesale Grocery Company, Allentown, Pa., GF3-715.	Ivory Soap, Medium, delivered per case of 100 cakes.	5.40
	Duz, Giant, delivered per case of 8 packages.	4.66
	Selox, delivered per case of 24 packages.	2.99
(5) Snowden-Mize Drug Company, Atchison, Kansas, GF3-461.	Swan Soap, Medium, delivered per case of 100 cakes.	5.40
	Swan Soap, Large, delivered per case of 100 cakes.	9.04
(6) Minneapolis Allied Grocers, Inc., Minneapolis, Minnesota, GF3-1161.	Sweetheart Toilet Soap, delivered per case of 100 bars.	6.23
	Woodbury Soap, delivered per case of 72 cakes.	5.20
	Cashmere Bouquet, delivered per case of 36 cakes.	2.55
	Palm Olive Soap, delivered per case of 50 cakes, 5½ oz. each cake.	4.33
	Lifebuoy Soap, delivered per case of 100 cakes.	6.06
	Large Swan Soap, delivered per case of 100 cakes.	9.04
	Regular Swan Soap, delivered per case of 100 cakes.	5.40
	Lux Toilet Soap, delivered per case of 100 cakes.	6.06
	Rinso, delivered per case of 24 large packages.	4.94
	Rinso, delivered per case of 60 small packages.	4.94
	Ivory Soap, delivered per case of 100 cakes, 10 oz. each cake.	9.00
	Ivory Soap, delivered per case of 100 cakes, 6 oz. each cake.	5.39
	Camay Soap, delivered per case of 144 cakes.	8.71
	Kirk's Castile Soap, delivered per case of 100 cakes.	4.07
	Oxydol, delivered per case of 60 small packages.	4.94
	O. K. Soap, delivered per case of 60 giant cakes.	2.63
	Clean Quick Soap Chips, delivered per case of 8 packages, 5¢.	3.04
	Palmolive Soap, delivered per case of 144 cakes.	8.71
	Palmolive Bath, delivered per case of 50 cakes.	4.35
	Palmolive Beads, delivered per case of 60 packages.	2.75
	Super Suds, delivered per case of 60 or 24 packages.	4.95
	Super Suds, delivered per case of 8 packages.	4.66
	Octagon Soap, Large, delivered per case of 100 cakes.	4.16
	Octagon Toilet, delivered per case of 72 cakes.	2.97
	Octagon Flakes, delivered per case of 48 packages.	3.96
	Octagon Flakes, delivered per case of 24 packages.	4.95
	Octagon Granulated, delivered per case of 48 packages.	3.96
(7) P. A. Menard, New Orleans, Louisiana, GF3-1088.	Octagon Granulated, delivered per case of 24 packages.	$4.95
	Octagon Cleanser, delivered per case of 48 cans.	1.80
	Klek, delivered per case of 48 packages.	4.21
	Klek, delivered per case of 24 packages.	4.31
	Kitchen Klenzer, delivered per case.	1.93
	Peet's White Laundry Soap, delivered per case of 80 cakes.	2.65
	Peet's White Laundry Soap, delivered per case of 60 cakes.	2.65
	Crystal White Toilet Soap, delivered per case of 100 cakes.	3.91
	Palmolive Toilet Soap, delivered per case of 144 cakes.	8.71
	Palmolive Toilet Soap, delivered per case of 72 cakes.	4.41
	Palmolive Soap, bath size, delivered per case of 100 cakes.	8.64
	Peet's Granulated Soap, Large, delivered per case of 24 cakes.	5.69
	Peet's Granulated Soap, Giant, delivered per case of 12 cakes.	5.69
	Crystal White Soap Giant, delivered per case of 80 cakes.	3.29
	Crystal White Soap Regular, delivered per case of 100 cakes.	3.52
	Crystal White Chips, delivered per case of 8 packages.	3.09
	Crystal White Toilet Soap, delivered per case of 50 cakes.	1.93
	Lifebuoy Soap, delivered per case of 100 cakes.	6.11
	Lux Toilet Soap, delivered per case of 100 cakes.	6.11
	Lux, delivered per case of 20 packages.	4.16
(8) Faulkner and Company, Little Rock, Arkansas, GF3-902, GF3-939, GF3-1085, GF3-1086, GF3-1087.	Octagon Granulated, delivered per case of 24 packages.	$4.95
	Octagon Cleanser, delivered per case of 48 cans.	1.80
	Klek, delivered per case of 48 packages.	4.21
	Klek, delivered per case of 24 packages.	4.31
	Kitchen Klenzer, delivered per case.	1.93
	Peet's White Laundry Soap, delivered per case of 80 cakes.	2.65
	Peet's White Laundry Soap, delivered per case of 60 cakes.	2.65
	Crystal White Toilet Soap, delivered per case of 100 cakes.	3.91
(9) West Coast Grocery Company, Tacoma, Washington, GF3-477.	Palmolive Toilet Soap, delivered per case of 144 cakes.	8.71
	Palmolive Toilet Soap, delivered per case of 72 cakes.	4.41
	Palmolive Soap, bath size, delivered per case of 100 cakes.	8.64
	Peet's Granulated Soap, Large, delivered per case of 24 cakes.	5.69
	Peet's Granulated Soap, Giant, delivered per case of 12 cakes.	5.69
	Crystal White Soap Giant, delivered per case of 80 cakes.	3.29
	Crystal White Soap Regular, delivered per case of 100 cakes.	3.52
	Crystal White Chips, delivered per case of 8 packages.	3.09
	Crystal White Toilet Soap, delivered per case of 50 cakes.	1.93
	Lifebuoy Soap, delivered per case of 100 cakes.	6.11
	Lux Toilet Soap, delivered per case of 100 cakes.	6.11
	Lux, delivered per case of 20 packages.	4.16
(10) Massey-Hite Company, Inc., Conway, South Carolina, GF3-1272.	Octagon Granulated, delivered per case of 24 packages.	$4.95
	Octagon Cleanser, delivered per case of 48 cans.	1.80
	Klek, delivered per case of 48 packages.	4.21
	Klek, delivered per case of 24 packages.	4.31
	Kitchen Klenzer, delivered per case.	1.93
	Peet's White Laundry Soap, delivered per case of 80 cakes.	2.65
	Peet's White Laundry Soap, delivered per case of 60 cakes.	2.65
	Crystal White Toilet Soap, delivered per case of 100 cakes.	3.91
	Palmolive Toilet Soap, delivered per case of 144 cakes.	8.71
	Palmolive Toilet Soap, delivered per case of 72 cakes.	4.41
	Palmolive Soap, bath size, delivered per case of 100 cakes.	8.64
	Peet's Granulated Soap, Large, delivered per case of 24 cakes.	5.69
	Peet's Granulated Soap, Giant, delivered per case of 12 cakes.	5.69
	Crystal White Soap Giant, delivered per case of 80 cakes.	3.29
	Crystal White Soap Regular, delivered per case of 100 cakes.	3.52
	Crystal White Chips, delivered per case of 8 packages.	3.09
	Crystal White Toilet Soap, delivered per case of 50 cakes.	1.93
	Lifebuoy Soap, delivered per case of 100 cakes.	6.11
	Lux Toilet Soap, delivered per case of 100 cakes.	6.11
	Lux, delivered per case of 20 packages.	4.16

*Copies may be obtained from the Office of Price Administration.

(b) All discounts, allowances and trade practices in effect with respect to the above listed commodities during March 1942 by the respective sellers of such commodities shall remain in effect under this Order.

(c) All applicants shall mail or cause to be mailed to all persons who purchase from such applicant any of the commodities listed above for sale at retail at the appropriate prices established pursuant to this Order No. 42 (§ 1499.342) a notice reading as follows:

The Office of Price Administration, by Order No. 42 (§ 1499.342) effective August 1942, pursuant to section 18 (b) of the General Maximum Price Regulation, has permitted [insert applicant's name] to raise its maximum price for sales to you of [insert name of product] subject to all discounts, allowances and trade practices in effect during March 1942 with respect to sales of [insert name of product] by it.

The permission contained in Order No. 42 (§ 1499.342) was granted by the Office of Price Administration upon the basis of a showing that the maximum prices for sales of [insert name of product] established by the General Maximum Price Regulation are such that no hardship would be imposed upon retailers generally if they were required to pay the price as set forth above.

Order No. 42 (§ 1499.342) *does not permit you or any other retailer to raise maximum prices, as established under the General Maximum Price Regulation, for sales of these commodities.* However, if you are in a position different from that of retailers generally, so that the price charged you by us pursuant to such order imposes a substantial hardship upon you, and if your maximum prices for sales of these commodities are abnormally low in relation to the maximum prices established for sales of such commoditi by other competitive sellers at retail, you may communicate with the nearest District, State, Field, or Regional Office of the Office of Price Administration setting forth the facts of your situation.

(d) All prayers of the applicants not granted herein are denied.

(e) This Order No. 42 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 42 (§ 1499.342) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 42 (§ 1499.342) shall become effective September 18, 1942.

(Public Law No. 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9055; Filed, September 12, 1942; 12:48 p. m.]

PART 1499—COMMODITIES AI D SERVICES

[Order 44 Under § 1499.18 (b) of General Maximum Price Regulation; Docket GF1-236-P]

THE SANITARY DISTRICT OF CHICAGO AND H. J. BAKER & BRO.

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.344 *Adjustment of maximum price for sale of Nitroganic (sludge) by The Sanitary District of Chicago and H. J. Baker & Bro.* (a) The maximum price for the sale by the Sanitary District of Chicago, a municipal corporation organized under the laws of the State of Illinois, 910 Michigan Avenue, Chicago, Illinois and Henry V. B. Smith and Harold S. McCormick, copartners doing business under the firm name and style of H. J. Baker & Bro., 271 Madison Avenue, New York, N. Y., for Nitroganic, a heat-dried, activated sludge shall be $2.90 per unit of ammonia plus 40¢ per unit of phosphoric acid.

(b) All prayers of the Petition not granted hereby are denied.

(c) This Order No. 44 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.9 (a) of the General Maximum Price Regulation shall apply to terms used herein.

(e) This Order No. 44 (§ 1499.344) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 44 (§ 1499.344) shall become effective September 14, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9057; Filed, September 12, 1942; 12:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 35 Under § 1499.18 (c) of General Maximum Price Regulation; Docket 3126-4]

WESTERN FELDSPAR MILLING COMPANY

For reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.385 *Adjustment of maximum prices for feldspar sold by Western Feldspar Milling Company.* (a) On sales and deliveries made on and after July 30, 1942, Western Feldspar Milling Company, 1333 Maple Street, Denver, Colorado, may sell and deliver, and any person may buy and receive from Western Feldspar Milling Company, feldspar at a price not higher than that set forth below:

Grade	*f. o. b. car, Denver, Colorado*
Glass makers feldspar	$7.00 per ton.
140 mesh pottery spar	8.50 per ton.
140 mesh enamel spar	8.50 per ton.
200 mesh pottery spar	8.50 per ton.
200 mesh enamel spar	8.50 per ton.
80 mesh spar sold locally	10.50 per ton.

(b) All discounts, allowances and trade practices in effect with respect to the above-listed commodity during March 1942 by the seller shall remain in effect under this order.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 35 (§1499.385) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 35 (§1499.385) shall become effective September 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9054; Filed, September 12, 1942; 12:47 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[Amendment 1 to Maximum Price Regulation 196[1]]

TURNED OR SHAPED WOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1384.56 is amended and a new § 1384.70 is added as set forth below:

§ 1384.56 *Maximum prices; sales by the manufacturer of turned or shaped wood products which cannot be priced under § 1384.54 or § 1384.55.* * * *

(a) *Prices.* The maximum price for each sale of such turned or shaped wood product shall be the price determined by the seller and reported pursuant to paragraph (b) of this section: *Provided,* That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty day period, such manufacturer may contract, sell or deliver at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made: *Provided, further,* That if the manufacturer is unable to determine the maximum price for a turned or shaped wood product pursuant to the provisions of § 1384.54 or § 1384.55, the manufacturer may at his option adopt as the maximum price the highest price charged for such product delivered by him to a purchaser of the same class during March 1942 or, if no such delivery was made, the highest price at which he offered such product for March 1942 delivery to a purchaser of the same class as the person purchasing under this Maximum Price Regulation No. 196. In determining classes of purchasers, the manufacturer must utilize the standards set forth in paragraph (k) of § 1499.20 of the General Maximum Price Regulation.[2] Where a manufacturer computes the maximum price for a turned or shaped wood product pursuant to this provision, the manufacturer need not file the report required in paragraph (b) of this section.

§ 1384.70 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1384.56 and 1384.70) to Maximum Price Regulation No. 196 shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9089; Filed, September 14, 1942; 11:59 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6078.

[2] 7 F.R. 3153, 3330, 3660, 3990, 3991, 4339, 4487, 4659, 4758, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5784, 5785, 6007, 6058, 6081, 6216.

PART 1499—COMMODITIES AND SERVICES

[Order 2 Under § 1499.20 of the General Maximum Price Regulation—Docket GF3-1491]

SWIFT & COMPANY OF CHICAGO, ILLINOIS

For the reasons set forth in an opinion issued simultaneously herewith,[1] *it is ordered:*

§ 1499.402 *Denial of application for adjustment of maximum price of "second cut" or "back end" sheep or lamb intestines sold for use in the manufacture of surgical sutures by Swift & Company of Chicago Illinois.* (a) The application of Swift & Company, Chicago, Illinois, filed August 21, 1942, and assigned Docket No. GF3-1491, requesting an adjustment of the maximum price on uncleaned "second cut" or "back end" sheep intestines sold for the purpose of use in the manufacture of surgical sutures is denied.

(b) This Order No. 2 (§ 1499.402) shall become effective September 12, 1942. (Pub. Law 421, 77th Cong.)

Issued this 14th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9088; Filed, September, 14, 1942; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 45 Under § 1499.18 (b) of the General Maximum Price Regulation]

UNION SALT COMPANY

For reasons set forth in an opinion issued simultaneously herewith,[1] *it is ordered:*

§ 1499.345 *Adjustment of maximum prices for Union Salt Company.* (a) Union Salt Company of Cleveland, Ohio, may sell and deliver and the person designated in the appropriate subparagraph of this paragraph (a) may buy and receive from Union Salt Company the following commodity at prices not higher than those set forth below:

(1) No. 1 Vacuum Granulated Salt to Mount Olive Pickling Company, Mount Olive, North Carolina at $6.40 per ton net to seller.

(2) No. 1 Vacuum Granulated Salt to William Tilliaferro, Fustle, Virginia at $5.60 per ton net to seller.

(3) No. 1 Vacuum Granulated Salt to The Orringer Pickle Company, New Bern, North Carolina at $6.60 per ton net to seller.

(b) All discounts, allowances and trade practices in effect with respect to the above-listed commodity during March 1942 by the seller shall remain in effect under this order.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 45 may be amended by the Price Administrator at any time.

(e) This Order No. 45 (§ 1499.345) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 45 (§ 1499.345) terminates December 31, 1942, unless previously revoked.

(g) This Order No. 45 (§ 1499.345) shall become effective September 19, 1942. (Pub. Law 421, 77th Cong.)

Issued this 14th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9090; Filed, September 14, 1942; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order 1 Under § 1499.114 (c) of Maximum Price Regulation 165, as Amended —Services]

Section 1499.501 is hereby corrected to read § 1499.701. (Public Law 421, 77th Cong.)

Issued this 14th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9090; Filed, September 14, 1942; 11:59 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress) and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401), as amended, are hereby further amended as follows:

Section 7.10 is amended by adding a new paragraph reading as follows:

§ 7.10 *Anchorage regulations for certain ports of the United States.* * * *

(f) *Waters connecting Lake Huron and Lake Erie; St. Claire River, Lake St. Claire, the Detroit River.*

The area. The following waters connecting Lake Huron and Lake Erie are hereby designated as a restricted area:

(1) All ship channels connecting Lake Huron and Lake Erie between latitude 43°05'00" North in Lake Huron and latitude 41°56'00" North in Lake Erie, including the St. Claire River, Lake St. Claire, the Detroit River.

The regulations. (1) No vessel of any kind shall move in the restricted area for purposes of fishing unless a special permit is obtained from the Captain of the Port.

(2) No boat under 100 feet in overall length used for recreational purposes shall be permitted to operate in the restricted area during the hours between sunset and sunrise unless a special permit is obtained from the Captain of the Port.

The following new section is inserted:

§ 7.94 *Coosa and Tallapoosa Rivers, Alabama*—(a) *The area.* The following waters of the Coosa and Tallapoosa Rivers, Alabama, are hereby designated as restricted areas:

(1) All waters of the Coosa and Tallapoosa Rivers within 2500 feet above and 1250 feet below each of the following river structures operated by the Alabama Power Company:

Lay Dam	Coosa River.
Mitchell Dam	Do.
Jordan Dam	Do.
Martin Dam	Tallapoosa River.
Tallassee Dam	Do.
Thurlow Dam	Do.

(b) *The regulations.* (1) These regulations shall be enforced by the Captain of the Port of Mobile, Alabama, with the cooperation of such officers and employees of the Alabama Power Company stationed at the aforementioned river structures as he may designate to assist him.

(2) No vessel of any kind except vessels operated by the United States shall enter, navigate, anchor, or moor within the restricted areas without first obtaining permission to do so from the Captain of the Port of Mobile, Alabama or persons duly designated by him.

(3) The aforesaid restricted areas will be designated by signs, buoys, and other markings placed or posted in conspicuous and appropriate places.

RALPH A. BARD,
Acting Secretary of the Navy.

Approved: September 9, 1942.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 42-9042; Filed, September 12, 1942; 11:26 a. m.]

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SANTEE AND CONGAREE RIVERS, S. C.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894, 28 Stat. 362; 33 U. S. C. 499, § 203.370 (c) of the rules and regulations prescribed to govern the operation of the drawbridges crossing the Santee and Congaree Rivers, South Carolina, is amended by inserting an exception as follows:

§ 203.370 *Santee and Congaree Rivers, S. C.; bridge.*

* * * * * *

(c) The draws of the bridges shall be opened as soon as practicable after the receipt of notice as specified in paragraph (a) of this section and in any event not later than 24 hours after receipt thereof.

Exception. Whenever a vessel desires to pass through the draw of any of the following bridges, at least 30 days' notice to that effect shall be given the authorized representatives of, or agency controlling, such bridge:

Seaboard Air Line Railway Co., near Jamestown, S. C.;

Atlantic Coast Line Railroad Co., near St. Stephens, S. C.;

South Carolina State Highway Department, near Lanes, S. C.

(28 Stat. 362; 33 U.S.C. 499) [Regs. Sept. 3, 1942, (CE 6374 (Santee R., S. C.)—SPEON)]

* * * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9060; Filed, September 14, 1942; 11:38 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter IV—National Youth Administration

[Administrative Order No. 20]

PART 404—REGIONAL ADMINISTRATIVE AND PROJECT SUPERVISORY EMPLOYEES

SALARY SCHEDULES, ETC.

By virtue of and pursuant to the authority vested in the National Youth Administrator by the National Youth Administration Appropriation Act, 1943, approved July 2, 1942, the following rules and regulations are prescribed relating to the employment, hours of work and earnings of regional administrative and project supervisory employees within the several Regional Youth Administrations of the National Youth Administration:

Sec.
404.1 Definitions.
404.2 Salary schedule for administrative and project supervisory employees on an annual salary basis.
404.3 Salary schedule for project supervisory employees on a monthly salary basis.
404.4 Salary schedule for project supervisory employees on a per diem salary basis.
404.5 Regional Youth Administrator's subsistence orders.
404.6 Disability or death compensation and benefits.
404.7 Assignment of wages.
404.8 Employment affidavit and oath of allegiance.
404.9 Administration of oaths and affidavits.
404.10 Illegal activities.
404.11 Effective date.

AUTHORITY: §§ 404.1 to 404.11, inclusive, issued under Pub. Law 647, 77th Cong.

§ 404.1 *Definitions*—(a) *War production training program.* The term "war production training program," as used herein, shall mean the program of war production training projects financed in whole or in part from funds appropriated by paragraph 1 of the National Youth Administration Appropriation Act, 1943, approved July 2, 1942.

(b) *War production training project* The term "war production training project," as used herein, shall mean a unit or units of work training and service activities incident thereto.

(c) *Student work program.* The term "student work program," as used herein, shall mean the program of work activities, approved by the National Youth Administration and financed from funds appropriated to the National Youth Administration under paragraph 2 of the National Youth Administration Appropriation Act, 1943, providing for the part-time employment of needy students who are in regular attendance at schools, colleges and universities, in order to enable such students to continue properly their education.

(d) *Project supervisory employees.* The term "project supervisory employees," as used herein, shall mean persons other than youth employees, as defined in Administrative Order No. 19, who are assigned duties on war production training projects and paid by means of pay roll payments from funds authorized for the operation of such projects. Such employees shall be paid upon an annual, monthly or per diem salary basis for performance of specified services in connection with war production training projects.

(1) Project supervisory employees paid on a full-time annual salary basis are project supervisory employees who are scheduled to work not less than 44 hours per week and who shall be compensated for their services on an annual salary basis in accordance with the EO grade scale prescribed in § 404.2 of this order. Such employees shall be subject to established National Youth Administration leave regulations.

(2) Project supervisory employees paid on a monthly salary basis are project supervisory employees who are scheduled to work for periods of not less than 100 hours per pay roll month and not more than 180 hours per pay roll month, and who are required to be available for service within these limits in accordance with established work schedules. Employees on a monthly salary basis shall be compensated in accordance with the salary schedule prescribed in § 404.3 of this order. For project supervisory employees who are compensated for their services upon a monthly salary basis, deductions for voluntary absence from duty shall be made in the amount of one-thirtieth of the monthly salary for each day of voluntary absence. However, no deductions shall be made for any day or days upon which the employee is not scheduled to work. The minimum deduction for voluntary absence from duty during any fraction of a day shall be one-twentieth the deduction made for scheduled to work. The minimum deductions for voluntary absence during various portions of a day shall be made in multiples of one-twentieth. Such employees are not subject to established National Youth Administration leave regulations.

(3) Project supervisory employees paid on a per diem basis are project supervisory employees who are required to work not less than 6 hours per day, not more than 100 hours per month, and whose work schedule is intermittent in nature. Such employees shall be compensated for their actual days, or fractions of days, of service in accordance with the salary schedule prescribed in § 404.4 of this order. Such employees are not subject to established National Youth Administration leave regulations.

(e) *Regional administrative employees.* The term "regional administrative employees," as used herein, shall mean compensated or uncompensated employees, who, if compensated, occupy positions paid by means of pay roll payments from administrative funds appropriated for the National Youth Administration, and who, if uncompensated, are not those employees defined in Administrative Order No. 18 as official NYA representatives at participating institutions. Compensated regional administrative employees shall be paid upon an annual, part-time annual or per diem salary basis for specified services in connection with the operation of regional offices.

(1) Regional administrative employees paid on a full-time annual salary basis are administrative employees who are regularly required to work not less than 44 hours per week, who are full-time regional administrative employees, and who are compensated for their services on an annual salary basis in accordance with the EO grade scale prescribed in § 404.2 of this order. Such employees shall be subject to established National Youth Administration leave regulations.

(2) Regional administrative employees paid on a part-time annual salary basis are administrative employees who are appointed specifically for designated services of less than 44 hours per week or 190 hours per month, but not less than 100 hours per month, and who are compensated on an annual salary basis in accordance with the appropriate EO grade and annual salary rate applicable to a corresponding full-time position as prescribed in § 404.2 of this order. Such employees are not subject to established National Youth Administration leave regulations.

(3) Regional administrative employees paid on a per diem basis are administrative employees who are required to work for periods of less than 100 hours per pay roll month and whose work schedule is intermittent in nature. Such employees shall be compensated for their actual days, or fractions of days, of service in accordance with the appropriate EO grade and annual salary rate applicable to a corresponding full-time position as prescribed in § 404.2 of this order. Such employees are not subject to established National Youth Administration leave regulations.

(f) *Regional youth administrator.* The term "regional youth administrator," as used herein, shall mean the officer appointed by the National Youth Administration to administer the war production training and student work programs of the National Youth Administration within a region comprising one or more states.

§ 404.2 *Salary schedule for administrative and project supervisory employees on an annual salary basis.*—(a) *General.* The National Youth Administrator hereby prescribes that administrative and project supervisory employees who work not less than 44 hours per week, part-time annual salaried administrative employees, and per diem employees paid from administrative funds, shall be compensated in accordance with the EO grade scale hereinafter provided. At the discretion of the regional youth administrator, administrative and project supervisory employees compensated prior to the effective date of these regulations on an annual-salaried basis at an annual salary rate that falls between the established salary steps of the EO grade scale may be continued at such salary rates on and after the effective date of this order, or may be raised to the next higher salary step within an EO grade in order to conform to the EO grade steps herein established.

(b) *EO grades.* The following EO grade scale is established as an annual salaried basis for compensation of employees designated in paragraph (a) above:

EO grades	Minimum rates	Intermediate rates		Maximum rates	Salary steps
1	$660	$720	780	$840	$60
2	900	960	1,020	1,080	60
3	1,080	1,140	1,200	1,260	60
4	1,260	1,320	1,380	1,440	60
5	1,440	1,500	1,560	1,620	60
6	1,620	1,680	1,740	1,800	60
7	1,820	1,880	1,940	2,000	60
8	2,000	2,100	2,200	2,300	100
9	2,300	2,400	2,500	2,600	100
10	2,600	2,700	2,800	2,900	100
11	2,900	3,000	3,100	3,200	100
12	3,300	3,400	3,500	3,600	100
13	3,600	3,800		4,000	200
14	4,100	4,300		4,500	200
15	4,600	4,800	5,000	5,200	200
16	5,400	5,600	5,800	6,000	200
17	6,050	6,300	6,550	6,800	250
18	7,250	7,500	7,750	8,000	250
19	8,000			8,000	

(c) *Appointments.* All employees shall be appointed at the minimum rate of the grade established for the position except when exempted by the Regional Youth Administrator, or his designated representative. The Regional Youth Administrator and his designated representative are hereby authorized to grant such exemptions.

(d) *Promotions.* When any employee is promoted to any position of higher grade, the employee's rate of pay shall be changed to the minimum of the higher grade.

§ 404.3 *Salary schedule for project supervisory employees on a monthly salary basis.* The National Youth Administrator hereby prescribes that project supervisory employees paid from project funds on a monthly salary basis shall be compensated in accordance with the following salary schedule:

Payment symbol	Monthly rate	Payment symbol	Monthly rate
MS 1	$30.00	MS 49	$270.00
MS 2	35.00	MS 50	275.00
MS 3	40.00	MS 51	280.00
MS 4	45.00	MS 52	285.00
MS 5	50.00	MS 53	290.00
MS 6	55.00	MS 54	295.00
MS 7	60.00	MS 55	300.00
MS 8	65.00	MS 56	305.00
MS 9	70.00	MS 57	310.00
MS 10	75.00	MS 58	315.00
MS 11	80.00	MS 59	320.00
MS 12	85.00	MS 60	325.00
MS 13	90.00	MS 61	330.00
MS 14	95.00	MS 62	335.00
MS 15	100.00	MS 63	340.00
MS 16	105.00	MS 64	345.00
MS 17	110.00	MS 65	350.00
MS 18	115.00	MS 66	355.00
MS 19	120.00	MS 67	360.00
MS 20	125.00	MS 68	365.00
MS 21	130.00	MS 69	370.00
MS 22	135.00	MS 70	375.00
MS 23	140.00	MS 71	380.00
MS 24	145.00	MS 72	385.00
MS 25	150.00	MS 73	390.00
MS 26	155.00	MS 74	395.00
MS 27	160.00	MS 75	400.00
MS 28	165.00	MS 76	405.00
MS 29	170.00	MS 77	410.00
MS 30	175.00	MS 78	415.00
MS 31	180.00	MS 79	420.00
MS 32	185.00	MS 80	425.00
MS 33	190.00	MS 81	430.00
MS 34	195.00	MS 82	435.00
MS 35	200.00	MS 83	440.00
MS 36	205.00	MS 84	445.00
MS 37	210.00	MS 85	450.00
MS 38	215.00	MS 86	455.00
MS 39	220.00	MS 87	460.00
MS 40	225.00	MS 88	465.00
MS 41	230.00	MS 89	470.00
MS 42	235.00	MS 90	475.00
MS 43	240.00	MS 91	480.00
MS 44	245.00	MS 92	485.00
MS 45	250.00	MS 93	490.00
MS 46	255.00	MS 94	495.00
MS 47	260.00	MS 95	500.00
MS 48	265.00		

§ 404.4 *Salary schedule for project supervisory employees on a per diem salary basis.* The National Youth Administrator hereby prescribes that project supervisory employees paid from project funds on a per diem salary basis shall be compensated in accordance with the following salary schedule:

Payment symbol	Per diem rate	Payment symbol	Per diem rate
PD 1	$1.00	PD 32	$8.75
PD 2	1.25	PD 33	9.00
PD 3	1.50	PD 34	9.25
PD 4	1.75	PD 35	9.50
PD 5	2.00	PD 36	9.75
PD 6	2.25	PD 37	10.00
PD 7	2.50	PD 38	10.25
PD 8	2.75	PD 39	10.50
PD 9	3.00	PD 40	10.75
PD 10	3.25	PD 41	11.00
PD 11	3.50	PD 42	11.25
PD 12	3.75	PD 43	11.50
PD 13	4.00	PD 44	11.75
PD 14	4.25	PD 45	12.00
PD 15	4.50	PD 46	12.25
PD 16	4.75	PD 47	12.50
PD 17	5.00	PD 48	12.75
PD 18	5.25	PD 49	13.00
PD 19	5.50	PD 50	13.25
PD 20	5.75	PD 51	13.50
PD 21	6.00	PD 52	13.75
PD 22	6.25	PD 53	14.00
PD 23	6.50	PD 54	14.25
PD 24	6.75	PD 55	14.50
PD 25	7.00	PD 56	14.75
PD 26	7.25	PD 57	15.00
PD 27	7.50	PD 58	15.25
PD 28	7.75	PD 59	15.50
PD 29	8.00	PD 60	15.75
PD 30	8.25	PD 61	16.00
PD 31	8.50	PD 62	16.25
PD 63	$16.50	PD 79	$20.50
PD 64	16.75	PD 80	20.75
PD 65	17.00	PD 81	21.00
PD 66	17.25	PD 82	21.25
PD 67	17.50	PD 83	21.50
PD 68	17.75	PD 84	21.75
PD 69	18.00	PD 85	22.00
PD 70	18.25	PD 86	22.25
PD 71	18.50	PD 87	22.50
PD 72	18.75	PD 88	22.75
PD 73	19.00	PD 89	23.00
PD 74	19.25	PD 90	23.25
PD 75	19.50	PD 91	23.50
PD 76	19.75	PD 92	23.75
PD 77	20.00	PD 93	24.00
PD 78	20.25		

§ 404.5 *Regional youth administrator's subsistence orders.* Regional youth administrators are authorized and directed to issue subsistence schedules which establish, on a project-by-project basis, pay roll subsistence deductions which shall be made against salaries and wages of project supervisory employees who are provided board, lodging, and other sundry items of subsistence furnished by project facilities or by contracts for subsistence. Such scheduled deductions shall be made a condition of employment and shall be deducted from gross salaries established in accordance with §§ 404.2, 404.3, and 404.4 of this order.

§ 404.6 *Disability or death compensation and benefits.* The provisions of the United States Employees' Compensation Act of September 7, 1916, as amended, (39 Stat. 742) relating to disability or death compensation and benefits shall apply to regional administrative employees of the National Youth Administration.

The provisions of the Act of February 15, 1934, (48 Stat. 351) as amended, relating to disability or death compensation and benefits, shall apply to project supervisory employees of the National Youth Administration.

§ 404.7 *Assignment of wages.* Wages paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

§ 404.8 *Employment affidavit and oath of allegiance.* Each regional administrative or project supervisory employee, whether compensated or uncompensated for his services, shall be required to execute the following employment affidavit and oath of allegiance prior to his entrance on duty:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God. I further depose and say that I am a citizen of the United States (or of the Commonwealth of the Philippines) and that I do not advocate, nor am I a member of any political party or organization that advocates, the overthrow of the Government of the United States by force or violence.

§ 404.9 *Administration of oaths and affidavits.* The National Youth Administrator hereby delegates to the several regional youth administrators the authority to designate an employee or employees within the Regional Youth Administration to administer the employment affidavit and oath of allegiance required by § 404.8 above, and such affidavits and other sworn statements as are required in connection with claims for injury compensation. No fee shall be charged for oaths or affidavits administered by designated employees of the National Youth Administration.

§ 404.10 *Illegal activities.* Violations of the provisions of the Criminal Code of the United States shall be reported to the National Youth Administrator for appropriate action. No person shall be eligible for further employment with the National Youth Administration if he knowingly and with intent to defraud the United States:

(a) Makes any false statement in connection with any application for any project;

(b) Diverts, attempts to divert, or assists in diverting, for the benefit of any person not entitled thereto, any funds, services or real or personal property of the National Youth Administration;

(c) Deprives, attempts to deprive, or assists in depriving any person of any of the benefits to which he may be entitled under the appropriation by means of fraud, force, threat, intimidation, boycott, or discrimination on account of race, religion, political affiliation, or membership in a labor organization.

§ 404.11 *Effective date.* These rules and regulations shall become effective at the beginning of pay roll periods on and after September 16, 1942, and shall supersede that part of § 402.1 of Administrative Order No. 17,[1] dated July 10, 1942, which repromulgated § 402.9 of Administrative Order No. 15,[2] dated September 27, 1941, as amended by Administrative Order No. 16,[3] dated February 12, 1942.

[SEAL] AUBREY WILLIAMS,
National Youth Administrator.

Approved: September 9, 1942.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 42-9070; Filed, September 14, 1942; 11:13 a. m.]

[1] 7 F.R. 5718.
[2] 6 F.R. 4975.
[3] 7 F.R. 1045.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 12, Supp. 6]

PART 306—GENERAL AGENTS AND AGENTS

TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON DRY CARGO VESSELS

Amending § 306.6,[1] paragraph (b) by adding the following sentence:

* * * The "payable tons" of EC–2 (Liberty type) vessels, for the purpose of calculating compensation heretofore or hereafter earned under this order only, shall be deemed to be (500,000 cu. ft.÷40 =12,500+10,800 dwt.=23,300÷2) 11,650 payable tons. (E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 11, 1942.

[F. R. Doc. 42-9024; Filed, September 11, 1942; 1:07 p. m.]

[1] 7 F.R. 6584.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order No. 106]

PART 31—UNIFORM SYSTEM OF ACCOUNTS CLASS A AND B TELEPHONE COMPANIES

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

ADOPTION OF TELEPHONE ACCOUNTING BULLETIN

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of September, 1942:

The Commission having under consideration the matter of Uniform Systems of Accounts prescribed for telephone companies and desiring to promote uniformity of interpretation of the provisions of such systems:

It is ordered, That the attached Telephone Accounting Bulletin No. 1[1] be, and it is hereby, approved and adopted as the Commission's interpretations of the Uniform Systems of Accounts for Class A, Class B, and Class C telephone companies; that a copy thereof duly authenticated by the Secretary of the Commission be filed in its archives, and a second copy thereof, authenticated in like manner, in the office of the Accounting, Statistical, and Tariff Department; and that each of said copies so authenticated and filed be deemed an original record thereof; and

It is further ordered, That a copy of the said Telephone Accounting Bulletin

[1] Filed as part of the original document.

No. 1 be served upon each and every telephone carrier having average annual operating revenues exceeding $25,000, subject to the provisions of the Communications Act of 1934, and upon each and every receiver or operating trustee of any such carrier.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-9032; Filed, September 12, 1942; 10:55 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order No. 85]

PART 95—CAR SERVICE

LENGTH OF TRAINS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of September, A. D. 1942.

The Commission having under consideration operating rules, regulations, and State laws limiting the length of railroad freight and passenger trains, the Commission is of the opinion that, due to the existing state of war, an emergency exists requiring immediate action within the meaning of section 1, paragraphs (10) to (17), inclusive, of the Interstate Commerce Act.

It appearing that certain rules, regulations practices, and laws are now in effect and are being enforced in certain states limiting the length of railroad freight trains to not more than one-half mile and limiting the number of freight cars in a railroad freight train to 70 cars, and limiting the number of cars in a railroad passenger train to 14 or 16, and that compliance by railroads subject to the Interstate Commerce Act with such rules, regulations, practices, and laws, during the present emergency, may result in congestion of tracks and terminals, wasteful use of locomotives, and interference with the free flow of traffic necessary in the present emergency; and that railroad freight trains exceeding one-half mile in length, or exceeding 70 cars in length, and railroad passenger trains exceeding 14 or 16 cars in length may be operated in accordance with safety standards now applicable, during the present emergency, in and through such states, and that such operation will facilitate the free flow of traffic necessary during the present emergency;

Therefore, it is ordered, That:

Sec.
95.1 Length of trains.
95.2 Effective period; emergency character.

AUTHORITY: §§ 95.1 and 95.2, issued under 40 Stat. 101, 41 Stat. 476, 49 Stat. 545, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).

§ 95.1 *Length of trains.* From and after September 15, 1942, carriers by railroad subject to the Interstate Commerce Act shall operate their trains, when necessary for the prompt movement of freight and the clearing or avoidance of congestion by either freight or passenger trains, without regard to any rules, regulations, practices, or laws now in effect and being enforced in the various states limiting the length of freight trains to not more than one-half mile and limiting the number of cars in a railroad freight train to 70 cars, or limiting the number of cars in a railroad passenger train to 14 or 16.

§ 95.2 *Effective period; emergency character.* This order shall remain in effect during the war in which the United States is now engaged, unless sooner terminated by subsequent order of the Commission; and that this order, being based upon conditions of war emergency, shall not constitute a precedent for peace-time operations.

It is further ordered, That this order shall be served upon each common carrier by railroad subject to the Interstate Commerce Act and upon each State railroad commission, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register, The National Archives.

By the Commission, division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-9027; Filed, September 11, 1942; 3:13 p. m.]

Chapter II—Office of Defense Transportation

[Exception Order ODT 16-2]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS AND PERMITS

SUBPART F—FREIGHT SHIPMENTS VIA PORTS IN THE UNITED STATES

Pursuant to the authority conferred by General Order ODT 16,[1] Title 49, Chapter II, § 502.48 (a):

It is hereby ordered, That:

§ 522.651 *Consignments to British Aviation Supply Depot; consignments to Procurement Division, Treasury Department; petroleum.* The provisions of §§ 502.40 to 502.49, inclusive, of Part 502 (General Order ODT 16) are hereby suspended with respect to the acceptance for and transportation of the following export freight, overseas freight, and commercial freight:

(a) All property consigned to the British Aviation Supply Depot, Ember and Tioga Streets, Philadelphia, Pennsylvania;

(b) All property consigned to Procurement Division, Treasury Department, 781 East 133rd Street New York, New York;

(c) Petroleum, in bulk, and petroleum products, in bulk.

This Exception Order (§ 522.651) shall become effective on September 12, 1942, and shall remain in full force and effect until further order. (E.O. 8989, 6 F.R. 6725; Gen. Order ODT 16, 7 F.R. 5194)

Issued at Washington, D. C., this 12th day of September 1942.

V. V. BOATNER, *Director of Railway Transport.*

HENRY F. MCCARTHY, *Director of Traffic Movement.*

[F. R. Doc. 42-9033; Filed, September 12, 1942; 11:11 a. m.]

[1] 7 F.R. 5194.

Notices

TREASURY DEPARTMENT.

Fiscal Service; Bureau of the Public Debt.

[1942 Dept. Circ. 695]

TREASURY TAX SAVINGS NOTES

TAX SERIES A-1945

SEPTEMBER 12, 1942.

I. OFFERING OF NOTES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers for sale, to the people of the United States, at par and accrued interest, an issue of nontransferable notes of the United States, designated Treasury Notes of Tax Series A-1945, which notes, as hereinafter provided, will be receivable, at par and accrued interest, in payment of Federal income, estate, and gift taxes.

2. The notes will be placed on sale September 14, 1942, and the sale will continue until terminated by the Secretary of the Treasury.

3. The sale of Treasury Notes of Tax Series A-1944, pursuant to Treasury Department Circular No. 674,[1] dated December 15, 1941, will terminate at the close of business on September 12, 1942.

4. Any holder of a Treasury note, Tax Series A-1944, purchased and bearing a date of issue in September 1942, may surrender such note on or before October 31, 1942, to the agency which issued the note and receive in exchange therefor a Treasury note, Tax Series A-1945, of like face amount inscribed in the same name and bearing the same date of issue, together with a refund of the accrued interest included in the price paid for the surrendered note.

II. DESCRIPTION OF NOTES

1. *General.* The notes will be dated September 1, 1942; they will mature September 1, 1945, and may not be called by the Secretary of the Treasury for redemption before maturity. Subject to the limitations and conditions set forth in section IV of this circular, the notes will be receivable, at par and accrued interest, in payment of Federal income, estate, and gift taxes. If the notes are not presented in payment of taxes, they will be payable at maturity, or, at the owner's option and request, they will be

[1] 6 F.R. 6715.

redeemable before maturity, as provided in section V of this circular, but in either case payment will be made only at the price paid for the notes.

2. *Form inscription, dating.* The owner's name and address will be entered on each note at the time of its issue by an authorized issuing agent, and the date of issue will be shown by an imprint of the agent's dating stamp. The month in which payment is received and credited by a Federal Reserve Bank or Branch, or by the Treasurer of the United States, will determine the purchase price and issue date of each note. The notes may not be transferred, except, that if notes are held by a corporation owning more than 50 percent of the stock, with voting power, of another corporation, such notes may be transferred to the subsidiary upon request of the corporation and surrender of the notes to the agent that issued them. No hypothecation of the notes on any account will be recognized by the Treasury Department and they will not be accepted to secure deposits of public money.

3. *Denominations and interest.* The notes will be issued in denominations of $25, $50, $100, $500, $1,000, and $5,000, and interest thereon will accrue from September 1942, in the amount of 16 cents each month on each $100 principal amount of note. In no case, however, shall interest accrue beyond the month in which the note is presented in payment of taxes, or beyond its maturity. Exchanges of authorized denominations from higher to lower, but not from lower to higher, may be arranged at the office of the agent that issued the note.

4. *Purchase price and tax-payment value.* A table is appended to this circular showing the principal amount with accrued interest added, for notes of each denomination, for each month from September 1942 to September 1945, inclusive. The total shown for any denomination for any month while the notes remain on sale, is the purchase price, or cost, of the note during that month. Also, the total shown for any denomination for any month is the tax-payment value of the note if receivable during that month in paymant of taxes, subject to the provisions of Section IV of this circular.

5. *Taxation.* Income derived from the note shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

III. PURCHASE OF NOTES

1. *Applications and payment.* Applications will be received by the Federal Reserve Banks and Branches, and by the Treasurer of the United States, Washington, D. C. Banking institutions and security dealers generally may submit applications for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Every application must be accompanied by payment in full, at par and accrued interest from September 1942 to the month in which payment in immediately available funds is received by a Federal Reserve Bank or Branch, or the Treasurer of the United States. Any form of exchange, including personal checks, will be accepted subject to collection, and should be drawn to the order of the Federal Reserve Bank or of the Treasurer of the United States, as payee, as the case may be; War Savings Stamps will be accepted at their face value in lieu of cash. The date funds are made available on collection of exchange will govern the issue price and issue date of the notes. Any depositary, qualified pursuant to the provisions of Treasury Department Circular No. 92 (revised February 23, 1932, as supplemented) will be permitted to make payment by credit for notes applied for on behalf of itself or its customers up to any amount for which it shall be qualified in excess of existing deposits.

2. *Reservations.* The Secretary of the Treasury reserves the right to reject any application in whole or in part, and to refuse to issue or permit to be issued hereunder any notes in any case or in any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final. If an application is rejected, in whole or in part, any payment received therefor will be refunded. The Secretary of the Treasury, in his discretion, may designate agencies other than those herein provided for the sale of, or for the handling of applications for, Treasury notes to be issued hereunder.

3. *Delivery of notes.* Upon acceptance of full-paid applications, notes will be duly issued and, unless delivered in person, will be delivered within the continental United States, the territories and insular possessions of the United States, and the Canal Zone. No deliveries elsewhere will be made.

4. *Form of application.* In applying for notes under this circular, care should be exercised to specify that notes of Tax Series A–1945 are desired, and there must be furnished the name and address of the individual, corporation, or other entity in which the notes are to be issued; and if address for the delivery of the notes is different, appropriate instructions should be given. The name should be in the same form as that used in the Federal tax return of the purchaser, except that in the case of joint tax returns of individuals, the notes should be inscribed individually—the notes will not be issued in the names of two or more persons jointly. The application should be accompanied by remittance to cover the purchase price—that is, par—together with accrued interest from September 1942 to the month in which the application will be received and the remittance collected by an authorized issuing agent. The use of an official application form is desirable, but not necessary. Appropriate forms may be obtained on application to any Federal Reserve Bank or Branch, or the Treasurer of the United States, Washington, D. C.; banking institutions and security dealers generally will be supplied with forms for the use of their customers.

IV. PRESENTATION IN PAYMENT OF TAXES

1. During and after the second calendar month after the month of purchase (as shown by the issuing agent's dating stamp on each note), during such time, and under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, notes issued hereunder in the name of a taxpayer (individual, corporation, or other entity) may be presented and surrendered, to the extent hereinafter set forth, by such taxpayer, his agent, or his estate, to the Collector of Internal Revenue to whom the tax return is made, and will be receivable by the Collector at par and accrued interest from September 1942, to the month, inclusive (but no accrual beyond September 1945), in which presented in payment of any Federal income taxes (current and back personal and corporation taxes, and excess-profits taxes), or any Federal estate or gift taxes (current and back), assessed against the original purchaser or his estate. Nothwithstanding the provisions of Department Circular No. 667, as amended, and of Department Circular No. 674, the Collector will accept (a) not more than $5,000 principal amount of notes of Tax Series A–1945, or of Tax Series A–1943, or of Tax Series A–1944, or of any of them in combination, and (b) the amount of the accrued interest thereon, on account of any one taxpayer's liability for each class of taxes (income, estate or gift) for each taxable period: *Provided*, That this limitation shall apply separately to husband and wife on a joint return, and shall apply separately to an owner before death and to his estate for the balance of the same year. The notes must be forwarded to the Collector at the risk and expense of the owner, and, for the owner's protection, should be forwarded by registered mail, if not presented in person.

V. CASH REDEMPTION AT OR PRIOR TO MATURITY

1. *General.* Any Treasury Note of Tax Series A–1945, bearing a properly executed request for payment, will be redeemed for cash at the purchase price at or before maturity, without advance notice, following presentation to the agent that issued the note.

2. *Execution of request for payment.* The owner in whose name the note is inscribed must appear before one of the officers authorized by the Secretary of the Treasury to witness and certify requests for payment, establish his identity, and in the presence of such officer sign the request for payment appearing o the back of the note, adding the address to which check is to be mailed. After the request for payment has been so signed, the witnessing officers should complete and sign the certificate provided for his use.

3. *Officers authorized to witness and certify requests for payment.* All officers authorized to witness and certify re-

quests for payment of United States Savings Bonds, as set forth in Treasury Department Circular No. 530, Fifth Revision, are hereby authorized to witness and certify requests for cash redemption of Treasury notes issued under this circular. Such officers include, among others, United States postmasters, certain other post office officials, and the officers of all banks and trust companies incorporated in the United States or its organized territories, including officers at branches thereof.

4. *Presentation and surrender.* Notes bearing properly executed requests for payment must be presented and surrendered to the agent that issued the notes (as shown by the agent's dating stamp), at the expense and risk of the owner. For the owner's protection, notes should be forwarded by registered mail, if not presented in person.

5. *Disability or death.* In case of the disability or death of the owner, and the notes are not to be presented in payment of Federal income, estate or gift taxes due from him or from his estate, instructions should be obtained from the issuing agent before the request for payment is executed, or the notes presented.

6. *Partial redemption.* Partial cash redemption of notes corresponding to an authorized denomination, may be made in the same manner as for full cash redemption, appropriate changes being made in the request for payment. In case of partial redemption of a note, the remainder will be reissued in the same name and with the same date of issue as the note surrendered.

7. *Payment.* Payment of any note, either at maturity or on redemption before maturity, will be made only by the Federal Reserve Bank or Branch, or the Treasury Department, as the case may be, that issued the note, and will be made by check drawn to the order of the owner, and mailed to the address given in his request for payment. In any case, payment will be made at the purchase price of the note, that is, at par and accrued interest (if any) paid at the time of purchase.

VI. GENERAL PROVISIONS

1. Except as provided in this circular, the notes issued hereunder will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing bonds and notes of the United States.

2. Federal Reserve Banks and their Branches, as fiscal agents of the United States, are authorized to perform such services or acts as may be appropriate and necessary under the provisions of this circular, and under any instructions given by the Secretary of the Treasury.

3. The Secretary of the Treasury may at any time or from time to time supplement or amend the terms of this circular, or of any amendments or supplements thereto, and may at any time or from time to time prescribe amendatory rules and regulations governing the offering of the notes, information as to which will promptly be furnished to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

TREASURY NOTES—TAX SERIES A–1945

PURCHASE PRICE AND TAX-PAYMENT VALUE DURING SUCCESSIVE MONTHS

The table below shows the principal amount with accrued interest added, for notes of each denomination, for each month from September 1942 to September 1945, inclusive. The total shown for any denomination for any month while the notes remain on sale, is the purchase price, or cost of the note during that month. Also the total shown for any denomination for any month is the tax-payment value of the note if receivable during that month in payment of taxes.

	$25	$50	$100	$500	$1,000	$5,000
1942:						
September	$25.00	$50.00	$100.00	$500.00	$1,000.00	$5,000
October	25.04	50.08	100.16	500.80	1,001.60	5,008
November	25.08	50.16	100.32	501.60	1,003.20	5,016
December	25.12	50.24	100.48	502.40	1,004.80	5,024
1943:						
January	25.16	50.32	100.64	503.20	1,006.40	5,032
February	25.20	50.40	100.80	504.00	1,008.00	5,040
March	25.24	50.48	100.96	504.80	1,009.60	5,048
April	25.28	50.56	101.12	505.60	1,011.20	5,056
May	25.32	50.64	101.28	506.40	1,012.80	5,064
June	25.36	50.72	101.44	507.20	1,014.40	5,072
July	25.40	50.80	101.60	508.00	1,016.00	5,080
August	25.44	50.88	101.76	508.80	1,017.60	5,088
September	25.48	50.96	101.92	509.60	1,019.20	5,096
October	25.52	51.04	102.08	510.40	1,020.80	5,104
November	25.56	51.12	102.24	511.20	1,022.40	5,112
December	25.60	51.20	102.40	512.00	1,024.00	5,120
1944:						
January	25.64	51.28	102.56	512.80	1,025.60	5,128
February	25.68	51.36	102.72	513.60	1,027.20	5,136
March	25.72	51.44	102.88	514.40	1,028.80	5,144
April	25.76	51.52	103.04	515.20	1,030.40	5,152
May	25.80	51.60	103.20	516.00	1,032.00	5,160
June	25.84	51.68	103.36	516.80	1,033.60	5,168
July	25.88	51.76	103.52	517.60	1,035.20	5,176
August	25.92	51.84	103.68	518.40	1,036.80	5,184
September	25.96	51.92	103.84	519.20	1,038.40	5,192
October	26.00	52.00	104.00	520.00	1,040.00	5,200
November	26.04	52.08	104.16	520.80	1,041.60	5,208
December	26.08	52.16	104.32	521.60	1,043.20	5,216
1945:						
January	26.12	52.24	104.48	522.40	1,044.80	5,224
February	26.16	52.32	104.64	523.20	1,046.40	5,232
March	26.20	52.40	104.80	524.00	1,048.00	5,240
April	26.24	52.48	104.96	524.80	1,049.60	5,248
May	26.28	52.56	105.12	525.60	1,051.20	5,256
June	26.32	52.64	105.28	526.40	1,052.80	5,264
July	26.36	52.72	105.44	527.20	1,054.40	5,272
August	26.40	52.80	105.60	528.00	1,056.00	5,280
September	26.44	52.88	105.76	528.80	1,057.60	5,288

[F. R. Doc. 42-9084; Filed, September 14, 1942; 11:32 a. m.]

[1942 Dept. Cir. 696]

TREASURY TAX SAVINGS NOTES

TAX SERIES C

SEPTEMBER 12, 1942.

I. OFFERING OF NOTES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers for sale, to the people of the United States, at par, an issue of notes of the United States, designated Treasury Notes of Tax Series C, which notes, as hereinafter provided, will be receivable, at par and accrued interest, in payment of Federal income, estate, and gift taxes.

2. The notes will be placed on sale September 14, 1942, and the sale will continue until terminated by the Secretary of the Treasury.

3. The sale of Treasury Notes of Tax Series B–1944, pursuant to Treasury Department Circular No. 674,[1] dated December 15, 1941, will terminate at the close of business on September 12, 1942.

4. Any holder of Treasury notes, Tax Series B–1944, purchased and bearing a date of issue in September 1942, may surrender such notes on or before September 30, 1942, to the agency which issued the notes and receive in exchange therefor Treasury notes, Tax Series C–1945, of like face amount inscribed in the same name and issued as of the first day of September, 1942, together with a refund of the accrued interest included in the price paid for the surrendered notes: *Provided*, that where less than $1,000 of such Series B–1944 notes are so held, they may be surrendered with the cash difference to be exchanged for a $1,000 Series C–1945 note.

[1] 6 F.R. 6715.

II. DESCRIPTION OF NOTES

1. *General.* The notes of Tax Series C will, in each instance, be dated as of the first day of the month in which payment, at par, is received and credited by an agent authorized to issue the notes. They will mature 3 years from such date, and may not be called by the Secretary of the Treasury for redemption before maturity. All notes issued during any one calendar year shall constitute a separate series indicated by the letter "C", followed by the year of maturity. Subject to the provisions of section IV of this circular, the notes will be receivable, at par and accrued interest, in payment of Federal income, estate, and gift taxes. If not presented in payment of taxes, the notes will be payable at maturity, or, at the owner's option and request, they will be redeemable before maturity, subject to the provisions of Section V of this circular.

2. At the time of issue, the authorized issuing agent will inscribe on the face of each note the name and address of the owner, will enter the date as of which the note is issued, and will imprint his dating stamp (with current date). The notes will be issued in denominations of $1,000, $5,000, $10,000, $100,000, $500,000 and $1,000,000. Exchanges of authorized denominations from higher to lower, but not from lower to higher may be arranged at the office of the agent that issued the note.

3. The notes may not be transferred in ordinary course; they may be pledged as collateral for loans from banking institutions, but no other hypothecation will be recognized by the Treasury Department: *Provided*, If held by a corporation owning more than 50 percent of the stock, with voting power, of another corporation, the notes may be transferred to the subsidiary, upon request of the corporation and surrender of the notes to the agent that issued them: *And provided further*, If notes pledged as collateral for a loan are acquired because of the failure of a loan to be paid, the notes will be redeemed at par and accrued interest to the month in which acquired on surrender of the notes to the agent that issued them, accompanied by proof of the date of acquisition and by request of the peldgee under power of attorney given by the pledgor in whose name the notes are inscribed, and in any such cases the limitations on redemption before maturity provided in paragraph I (a) of section V of this circular shall not apply; the notes will not be transferred to the pledgee. The notes will not be acceptable to secure deposits of public money.

4. *Interest.* Interest on each $1,000 principal amount of notes of Tax Series C will accrue each month from the month of issue, on a graduated scale, as follows:

	Each month
First to sixth months, inclusive	$0.50
Seventh to twelfth months, inclusive	.80
Thirteenth to eighteenth months, inclusive	.90
Nineteenth to twenty-fourth months, inclusive	1.00
Twenty-fifth to thirty-sixth months, inclusive	1.10

5. The table appended to this circular shows for notes of each denomination, for each consecutive calendar month from month of issue to month of maturity, (a) the amount of interest accrual, (b) the principal amount of the note with accrued interest (cumulative) added, and (c) the approximate investment yields. In no case shall interest accrue beyond the month in which the note is presented in payment of taxes, or for redemption before maturity as provided in Section V of this circular, or beyond its maturity. Interest will be paid only with the principal amount.

6. *Taxation.* Income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

III. PURCHASE OF NOTES

1. *Applications and payment.* Applications will be received by the Federal Reserve Banks and Branches, and by the Treasurer of the United States, Washington, D. C. Banking institutions and security dealers generally may submit applications for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Every application must be accompanied by payment in full, at par. Any form of exchange, including personal checks, will be accepted subject to collection, and should be drawn to the order of the Federal Reserve Bank or of the Treasurer of the Unite States, as payee, as the case may be. The date funds are made available on collection of exchange will govern the issue date of the notes. Any depositary qualified pursuant to the provisions of Treasury Department Circular No. 92 (revised February 23, 1932, as supplemented) will be permitted to make payment by credit for notes applied for on behalf of itself or its customers up to any amount for which it shall be qualified in excess of existing deposits.

2. *Reservations.* The Secretary of the Treasury reserves the right to reject any application in whole or in part, and to refuse to issue or permit to be issued hereunder any notes in any case or in any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final. If an application is rejected, in whole or in part, any payment received therefor will be refunded. The Secretary of the Treasury, in his discretion, may designate agencies other than those herein provided for the sale of, or for the handling of applications for, Treasury notes to be issued hereunder.

3. *Delivery of notes.* Upon acceptance of full-paid applications, notes will be duly issued and, unless delivered in person, will be delivered within the Continental United States, the Territories and Insular Possessions of the United States, and the Canal Zone. No deliveries elsewhere will be made.

4. *Form of application.* In applying for notes under this circular, care should be exercised to specify that notes of Tax Series C are desired, and there must be furnished the name and address of the individual, corporation, or other entity in which the notes are to be issued; and if address for delivery of the notes is different, appropriate instructions should be given. The name should be in the same form as that used in the Federal tax return of the purchaser, except that in the case of joint tax returns of individuals, the notes should be inscribed individually—the notes will not be issued in the names of two or more persons jointly. The application should be accompanied by remittance to cover the purchase price—that is, par. The use of an official application form is desirable, but not necessary. Appropriate forms may be obtained on application to any Federal Reserve Bank or Branch, or the Treasurer of the United States, Washington, D. C.; banking institutions and security dealers generally will be supplied with forms for the use of their customers.

IV. PRESENTATION IN PAYMENT OF TAXES

1. During and after the second calendar month after the month of purchase (as shown by the issue date on each note), during such time, and under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, notes issued hereunder in the name of a taxpayer (individual, corporation, or other entity) may be presented and surrendered by such taxpayer, his agent, or his estate, to the Collector of Internal Revenue to whom the tax return is made, and will be receivable by the Collector at par and accrued interest from the month of issue to the month, inclusive (but no accrual beyond maturity), in which presented, in payment of any Federal income taxes (current and back personal and corporation taxes, and excess-profits taxes), or any Federal estate or gift taxes (current and back), assessed against the original purchaser or his estate. The notes must be forwarded to the Collector at the risk and expense of the owner, and, for the owner's protection, should be forwarded by registered mail, if not presented in person.

V. CASH REDEMPTION AT OR PRIOR TO MATURITY

1. *General.* (a) Any Treasury note of Tax Series C not presented in payment of taxes, will be paid at maturity, or, at the option and request of the owner, will be redeemed before maturity, but the notes may be redeemed before maturity only during and after the sixth calendar month after the month of issue (as shown on the face of each note), on 30 days' advance notice. The timely surrender of a note, bearing a properly executed request for payment, will be accepted as constituting the advance notice required hereunder.

(b) Payment at maturity or on redemption before maturity will be made at par and accrued interest to the month of payment, except, if a note is inscribed in the name of a bank that accepts demand deposits, payment at maturity or on redemption before maturity will be made only at the issue price, or par, of the note. However, if a note is acquired by any such bank through forfeiture of a loan, payment will be made at the redemption value for the month in which so acquired.

2. *Execution of request for payment.* The owner in whose name the note is inscribed must appear before one of the officers authorized by the Secretary of the Treasury to witness and certify requests for payment, establish his identity, and in the presence of such officer sign the request for payment appearing on the back of the note, adding the address to which check is to be mailed. After the request for payment has been so signed, the witnessing officer should complete and sign the certificate provided for his use.

3. *Officers authorized to witness and certify requests for payment.* All officers authorized to witness and certify requests for payment of United States Savings Bonds, as set forth in Treasury Department Circular No. 530, Fifth Revision, are hereby authorized to witness and certify requests for cash redemption of Treasury notes issued under this circular. Such officers include, among others, United States postmasters, certain other post office officials, and the officers of all banks and trust companies incorporated in the United States or its organized territories, including officers at branches thereof.

4. *Presentation and surrender.* Notes bearing properly executed requests for payment must be presented and surrendered to the agent that issued the notes (as shown by the agent's dating stamp), at the expense and risk of the owner. For the owner's protection, notes should be forwarded by registered mail, if not presented in person.

5. *Disability or death.* In case of the disability or death of the owner, and the notes are not to be presented in payment of Federal income, estate or gift taxes due from him or from his estate, instructions should be obtained from the issuing agent before the request for payment is executed, or the notes presented.

6. *Partial redemption.* Partial cash redemption of a note, corresponding to an authorized denomination, may be made in the same manner as for full cash redemption, appropriate changes being made in the request for payment. In case of partial redemption of a note, the remainder will be reissued in the same name and with the same date of issue as the note surrendered.

7. *Payment.* Payment of any note, either at maturity or on redemption before maturity, will be made only by the Federal Reserve Bank or Branch, or the Treasury Department, as the case may be, that issued the note, and will be made by check drawn to the order of the owner, and mailed to the address given in his request for payment.

VI. GENERAL PROVISIONS

1. Except as provided in this circular, the notes issued hereunder will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing bonds and notes of the United States.

2. Federal Reserve Banks and their Branches, as fiscal agents of the United States, are authorized to perform such services or acts as may be appropriate and necessary under the provisions of this circular, and under any instructions given by the Secretary of the Treasury.

3. The Secretary of the Treasury may at any time or from time to time supplement or amend the terms of this circular, or of any amendments or supplements thereto, and may at any time or from time to time prescribe amendatory rules and regulations governing the offering of the notes, information as to which will promptly be furnished to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

TREASURY NOTES—TAX SERIES C

TABLE OF TAX-PAYMENT OR REDEMPTION VALUES AND INVESTMENT YIELDS

The table below shows for each month from date of issue to date of maturity the amount of interest accrual; the principal amount with accrued interest added, for notes of each denomination; the approximate investment yield on the par amount from issue date to the beginning of each month following the month of issue; and the approximate investment yield on the current redemption value from the beginning of the month indicated to the month of maturity.

Par Value (issue price during month of issue)	$1,000	$5,000	$10,000	$100,000	$500,000	$1,000,000	Approximate investment yield on par amount from issue date to beginning of each monthly period thereafter	Approximate investment yield on current tax-payment or redemption values from beginning of each monthly period to maturity
Amount of interest accrual each month *after* month of issue	Tax-Payment or Redemption values during each monthly period *after* month of issue [1]							
							Percent	*Percent* [2] 1.07
Interest accrues at rate of $0.50 per month per $1,000 par amount:								
First month	$1,000.50	$5,002.50	$10,006.00	$100,050.00	$500,250.00	$1,000,500.00	0.60	1.08
Second month	1,001.00	5,005.00	10,010.00	100,100.00	500,500.00	1,001,000.00	.60	1.09
Third month	1,001.50	5,007.50	10,015.00	100,150.00	500,750.00	1,001,500.00	.60	1.11
Fourth month	1,002.00	5,010.00	10,020.00	100,200.00	501,000.00	1,002,000.00	.60	1.12
Fifth month	1,002.50	5,012.50	10,025.00	100,250.00	501,250.00	1,002,500.00	.60	1.14
Sixth month	1,003.00	5,015.00	10,030.00	100,300.00	501,500.00	1,003,000.00	.60	1.16
Interest accrues at rate of $0.80 per month per $1,000. par amount:								
Seventh month	1,003.90	5,019.00	10,038.00	100,380.00	501,900.00	1,003,800.00	.62	1.17
Eighth month	1,004.60	5,023.00	10,046.00	100,460.00	502,300.00	1,004,600.00	.69	1.17
Ninth month	1,005.40	5,027.00	10,054.00	100,540.00	502,700.00	1,005,400.00	.72	1.18
Tenth month	1,006.20	5,031.00	10,062.00	100,620.00	503,100.00	1,006,200.00	.74	1.19
Eleventh month	1,007.00	5,035.00	10,070.00	100,700.00	503,500.00	1,007,000.00	.76	1.20
Twelfth month	1,007.80	5,039.00	10,078.00	100,780.00	503,900.00	1,007,800.00	.78	1.21
Interest accrues at rate of $0.90 per month per $1,000, par amount								
Thirteenth month	1,008.70	5,043.50	10,087.00	100,870.00	504,350.00	1,008,700.00	.80	1.22
Fourteenth month	1,009.60	5,048.00	10,096.00	100,960.00	504,800.00	1,009,600.00	.82	1.22
Fifteenth month	1,010.50	5,052.50	10,105.00	101,050.00	505,250.00	1,010,500.00	.84	1.23
Sixteenth month	1,011.40	5,057.00	10,114.00	101,140.00	505,700.00	1,011,400.00	.85	1.24
Seventeenth month	1,012.50	5,061.50	10,123.00	101,230.00	506,150.00	1,012,300.00	.86	1.25
Eighteenth month	1,013.20	5,066.00	10,132.00	101,320.00	506,600.00	1,013,200.00	.88	1.26
Interest accrues at rate of $1.00 per month per $1,000. par amount:								
Nineteenth month	1,014.20	5,071.00	10,142.00	101,420.00	507,100.00	1,014,200.00	.89	1.26
Twentieth month	1,015.20	5,076.00	10,152.00	101,520.00	507,600.00	1,015,200.00	.91	1.26
Twenty-first month	1,016.20	5,081.00	10,162.00	101,620.00	508,100.00	1,016,200.00	.92	1.27
Twenty-second month	1,017.20	5,086.00	10,172.00	101,720.00	508,600.00	1,017,200.00	.93	1.28
Twenty-third month	1,018.20	5,091.00	10,182.00	101,820.00	509,100.00	1,018,200.00	.94	1.28
Twenty-fourth month	1,019.20	5,096.00	10,192.00	101,920.00	509,600.00	1,019,200.00	.95	1.29
Interest accrues at rate of $1.10 per month per $1,000, par amount								
Twenty-fifth month	1,020.30	5,101.50	10,203.00	102,030.00	510,150.00	1,020,300.00	.97	1.29
Twenty-sixth month	1,021.40	5,107.00	10,214.00	102,140.00	510,700.00	1,021,400.00	.98	1.29
Twenty-seventh month	1,022.50	5,112.50	10,225.00	102,250.00	511,250.00	1,022,500.00	.99	1.29
Twenty-eighth month	1,023.60	5,118.00	10,236.00	102,360.00	511,800.00	1,023,600.00	1.00	1.29
Twenty-ninth month	1,024.70	5,123.50	10,247.00	102,470.00	512,350.00	1,024,700.00	1.01	1.29
Thirtieth month	1,025.90	5,129.00	10,258.00	102,580.00	512,900.00	1,025,800.00	1.02	1.29
Thirty-first month	1,026.90	5,134.50	10,269.00	102,690.00	513,450.00	1,026,900.00	1.03	1.29
Thirty-second month	1,028.00	5,140.00	10,280.00	102,800.00	514,000.00	1,028,000.00	1.04	1.29
Thirty-third month	1,029.10	5,145.50	10,291.00	102,910.00	514,550.00	1,029,100.00	1.05	1.28
Thirty-fourth month	1,030.20	5,151.00	10,302.00	103,020.00	515,100.00	1,030,200.00	1.05	1.28
Thirty-fifth month	1,031.30	5,156.50	10,313.00	103,130.00	515,650.00	1,031,300.00	1.06	1.28
Thirty-sixth month (MATURITY)	1,032.40	5,162.00	10,324.00	103,240.00	516,200.00	1,032,400.00	1.07	

[1] Not acceptable in payment of taxes until during and after the second calendar month after the month of issue, and not redeemable for cash until during and after the sixth calendar month after the month of issue, on 30 days' advance notice.

[2] Approximate investment yield for entire period from issuance to maturity.

[F. R. Doc. 42-9083; Filed, September 14, 1942; 11:32 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1618]

DISTRICT BOARD 8—RED PARROT COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for changes in price classifications and minimum prices in Size Groups 1 to 7, inclusive, for all shipments except truck and for truck shipments, for the coals of Red Parrot No. 2 Mine (Mine Index No. 593), of Red Parrot Coal Company, a code member in District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 15, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 10, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 8 requesting the following changes in price classifications and minimum prices for all shipments except truck and for truck shipments, for the coals of the Red Parrot No. 2 Mine, (Mine Index No. 593) of Red Parrot Coal Company:

Rail:
Size Groups 1 to 4, from "O" to "G"
Size Groups 5 and 6, from "N" to "G"
Size Group 7, from "M" to "F"
Lake:
Size Groups 1 to 4, from "O" to "G"
Size Groups 5 and 6, from "N" to "G"
Size Group 7, from "J" to "E"
Truck:
Size Group 1, from "$2.55" to "$2.90"
Size Group 2, from "$2.35" to "$2.70"
Size Group 4, from "$2.05" to "$2.35"

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9072; Filed September 14, 1942; 11:09 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P. & S. Docket No. 1510]

ESSEX COUNTY COOP COMPANY

ORDER EXTENDING PERIOD OF SUSPENSION AND AMENDING ORDER OF INQUIRY AND NOTICE OF HEARING

Seymour Berkowitz and Elsie Landskroner, co-partners, trading and doing business as the Essex County Coop Company, Respondents.

This proceeding is instituted pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181 et seq.), subsequently referred to as the act, and the following allegations are made:

1. Seymour Berkowitz and Elsie Landskroner, hereinafter called the respondents, are copartners, doing business under the firm name of Essex County Coop Company.

2. The city of Newark, New Jersey, was designated as a city, market, or place by order of the Acting Secretary of Agriculture, dated October 29, 1935, effective December 12, 1935. New York, New York, and Jersey City, New Jersey, were each designated as a city, market, or place by order of the Acting Secretary of Agriculture, dated October 8, 1935, and effective November 25, 1935.

3. On January 9, 1942, the respondents were duly licensed to furnish services and facilities in connection with the marketing of live poultry in interstate and foreign commerce in the cities of Newark and Jersey City, both in the State of New Jersey, and in the city of New York, State of New York.

4. Subsequent to January 9, 1942, the respondents engaged, and are engaging, in the business of furnishing services and facilities, as stated above, which are more particularly described as the "rental of poultry coops" within the areas of the three cities named herein.

5. In accordance with the requirements of the act, the respondents filed and put into effect a schedule of rates and charges for their services and facilities designated as Tariff No. 1, which was to become effective on December 30, 1941, but the effective date of which was changed to January 9, 1942.

6. On August 5, 1942, the respondents filed with the Secretary a schedule of rates and charges designated as amendment No. 1 to Tariff No. 1, effective August 15, 1942, the effect of which is to increase the rates for the rental of coops from 55 cents to 58½ cents in the cities designated as set forth above.

7. By order of August 13, 1942, the Assistant Secretary of Agriculture directed that the operation and use of the tariff designated as Amendment No. 1 to Tariff No. 1 be suspended and its use deferred until the expiration of 30 days beyond the time when such tariff would otherwise go into effect. This order of suspension was issued for the reason that the rates set forth in the proposed tariff were believed to be unjustified and unreasonable. It now appears that a hearing cannot be concluded within the period of suspension named.

8. On or about April 1, 1942, and subsequent thereto, the respondents demanded, charged, and collected for their services and facilities a greater and a different compensation than the rates and charges specified in their schedule on file on April 1, 1942, and in effect on and after that date.

9. The respondents have failed to keep such accounts, records, and memoranda as fully and correctly disclose all of the transactions involved in their business.

It is concluded that a proceeding under the act should be had for the purpose of determining the reasonableness and lawfulness of Tariff No. 1 and of Amendment No. 1 to Tariff No. 1, and of all rates and charges of the respondents and of any and all rules and regulations or practices affecting such rates and charges, and whether any licensee's service is being, or has been, rendered by the respondents without making a lawful charge therefor, and

It is therefore ordered, That Amendment No. 1 to Tariff No. 1 be, and the same is, hereby suspended and its use deferred for a further period of 30 days beyond and including September 14, 1942.

It is further ordered, That a hearing concerning the allegations made herein shall be held before an examiner at a time and place, of which the respondents will have at least 10 days' notice. At such hearing the respondents and all other interested persons will have the right and opportunity to present such evidence with respect to the matters and things herein alleged as may be relevant and material.

It is further ordered, That any and all interested persons who may wish to appear in person to present evidence relative to the issues in this proceeding shall give notice thereof by filing a statement to that effect with the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., on or before September 25, 1942.

It is further ordered, That a copy hereof be served upon the respondents by registered mail.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 10th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-9026; Filed, September 11, 1942; 3:03 p. m.]

DEPARTMENT OF LABOR

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners

under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4208).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 14, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

F. P. Clothing, 181 Granite Street, Manchester, New Hampshire; Men's Topcoats, Overcoats, and sackcoats; 5 percent (T); September 14, 1943.

Levine Brothers, 1021 Grand Street, Hoboken, New Jersey; Men's Work Caps; 1 learner (T); September 14, 1943.

Stern Brothers, Inc., 146 Fletcher Street, Lowell, Massachusetts; Cloth Hats & Caps; 1 learner (T); September 14, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Division of the Apparel Industry

Barclay Shirt Company, 1010 Race Street, Philadelphia, Penn.; Men's Shirts; 5 learners (T); September 14, 1943.

Belin Garment Company, 245 North Water Street, Milwaukee, Wisconsin; Ladies' Cotton and Rayon Dresses and Suits; 5 learners (T), September 14, 1943.

Blue Ridge Overalls Company, Roanoke Street, Christiansburg, Virginia, Denim Overalls and Coats, Navy Trousers and Coats and Army Herringbone Trousers; 10 percent (T); September 14, 1943.

Boston Maid, 144 Moody Street, Waltham, Massachusetts; Women's Dresses; 10 percent (T); September 14, 1943.

J. M. Brick Uniform Company, 112 South Fifth Street, Minneapolis, Minnesota; Nurses' and Doctors' Uniforms; 5 learners (T); September 14, 1943.

Dorsa Dress Company, 24 No. Spanish Street, Cape Girardeau, Missouri, Women's Dresses; 50 learners (E); March 14, 1943.

Film Fashion Manufacturing Co., 1017 South Grand Ave., Los Angeles, California; Ladies' Sportswear; 10 learners (T); September 14, 1943.

Jaross Sportswear, 1017 South Grand Avenue, Los Angeles, California; Slack Suits, Skirts, Blouses; 8 learners (T); September 14, 1943.

Kurtzman Brothers, 4529 E. 49th Street, Los Angeles, California; Men's Suits, Wool Sports Coats and Trousers; 10 percent (T); September 14, 1943. (This Certificate replaces one issued to you bearing expiration date of November 20, 1942)

Lakewood Dress Corp., Magnolia Avenue, New Egypt, New Jersey; Ladies' Dresses; 3 learners (T); September 14, 1943.

Laurel Underwear Company, R. D. #2 Pottstown, Pennsylvania; Men's Rayon Underwear, Men's and Boys' and Juniors' Cotton Polos, Men's Jackets; 2 learners (T); September 14, 1943.

J. H. Levy and Son, 1212 West Sixth Street, Cleveland, Ohio; Overalls, Coveralls, Work Shirts; 10 learners (T); September 14, 1943.

Lillie Mae Blouse & Dress Co., 1304 Arch Street, Philadelphia, Pennsylvania; Ladies' Dresses; 30 learners (E); January 14, 1943.

The "Linda" Company, 1336 S. Westlake Avenue, Los Angeles, Calif.; Robes, Housecoats, Negligees; 4 learners (T); September 14, 1943.

R. Lowenbaum Mfg. Company, E. Broadway, Sparta, Illinois; Dresses, Mattress Covers; 25 learners (E); March 14, 1943.

E. Mendelson, 125 Broadway, Long Branch, New Jersey; Dresses and Sportswear; 3 learners (T); September 14, 1943.

Arthur Newman, 1024 Filbert Street, Philadelphia, Pennsylvania; Ladies' Lingerie; 5 learners (T); September 14, 1943.

Perfect Jacket Manufacturing Co., Inc., 2213 N. 11th Street, Philadelphia, Pennsylvania; One Piece Work Suits, Mattress Covers; 10 learners (T); September 14, 1943.

Picture Modes, Inc., 939 S. Broadway, Los Angeles, California; Children's Dresses; 3 learners (T); September 14, 1943.

Priscilla Dress Company, 105 Fifth Street, Elizabeth, New Jersey; Dresses; 5 learners (T); September 14, 1943.

Ray Garment Co., 1550 Milwaukee Avenue, Chicago, Illinois; House Coats, Slacks and Shirts; 5 learners (T); September 14, 1943.

Reliance Manufacturing Co., N. Washington Street, Columbus, Indiana; Cotton Pants and Shirts, Wool and Corduroy Jackets; 10 percent (T); September 14, 1943.

Reliance Manufacturing Company, Church Street, Columbia, Mississippi; Pajamas and Shirts; 10 percent (T); September 14, 1943.

Jack Tobin, Third and Somerset Streets, Philadelphia, Pennsylvania; Children's Cotton Dresses; 10 percent (T); September 14, 1943.

Venus Lingerie Company, Inc., 35 Benham Street, Bridgeport, Connecticut; Ladies' Slips; 10 percent (T); September 14, 1943.

Wind Gap Manufacturing Co., Wind Gap, Pennsylvania; Nightwear (woven and knitted); 5 learners (T); September 14, 1943.

Glove

Glen Wild Knitting Company, 24 North Main Street, Broadalbin, New York; Knit Wool Gloves; 10 learners (T); September 14, 1943.

The Spartan Glove Company, 440 Maryland Avenue, Dayton, Ohio; Work Gloves; 5 learners (T); September 14, 1943.

Hosiery

Elmo Hosiery Mill, 3804 Saint Elmo Avenue, Chattanooga, Tennessee; Seamless; 2 learners (T); September 14, 1943.

Knitted Wear

Chatham Knit-Wear Co., Inc., Main Street, Chatham, Virginia; Knitted Outerwear; 4 learners (T); September 14, 1943.

Hoosick Falls Undergarment Corp., Hoosick Street, Hoosick Falls, New York; Knitted Underwear; 5 percent (T); September 14, 1943.

I. Mathews and Brothers, 120 Sawyer Street, New Bedford, Massachusetts; Knitted Underwear; 5 learners (T); September 14, 1943.

Perkiomen Knitting Mills, 239 Jefferson Street, East Greenville, Pennsylvania; Knitted Underwear; 5 learners (T); September 14, 1943.

Cigar

Harry Blum's Natural Bloom, Inc., 19 Wall Street, Passaic, New Jersey; Cigars; 10 percent (T); Stripping Machine Operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 13, 1943.

Harry Blum's Natural Bloom, Inc., 19 Wall Street, Passaic, New Jersey; Cigars; 20 learners (E); Cigar Machine Operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; March 13, 1943.

Signed at New York, N. Y., this 12th day of September, 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-9082; Filed, September 14, 1942; 11:38 a. m.]

EMPLOYMENT OF LEARNERS IN THE TEXTILE INDUSTRY

CANCELLATION OF SPECIAL CERTIFICATES

Notice is hereby given that the special certificates for the employment of learners, namely (1) certificate dated June 21, 1940 authorizing the employment of no more than three learners at any one time, (2) certificate dated October 22, 1940 authorizing the employment of no more than three learners at any one time, and (3) certificate dated October 23, 1941 authorizing the employment of no more than two learners at any one time, issued to the Buffalo Woven Label Works, Incorporated of Buffalo, New York, have been ordered cancelled as of the first date of violation because of violations of their terms.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen-day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.151 of the regulations. If a petition is properly filed, the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York, this 10th day of September 1942.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 42-9081; Filed, September 14, 1942; 11:38 a. m.]

FEDERAL POWER COMMISSION.

SOUTH CAROLINA ELECTRIC & GAS COMPANY, AND LEXINGTON WATER POWER COMPANY

NOTICE OF APPLICATION

SEPTEMBER 11, 1942.

Notice is hereby given that on September 11, 1942, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by South Carolina Electric & Gas Company, and Lexington Water Power Company, corporations organized under the laws of the State of South Carolina, with their principal business offices at Columbia, South Carolina, seeking an order authorizing the merger and consolidation of the facilities of both companies including the transfer of license for Project No. 516, issued to Lexington Water Power Company to the surviving corporation, South Carolina Electric & Gas Company; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 30th day of September, 1942, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9085; Filed, September 14, 1942; 11:52 a. m.]

FEDERAL TRADE COMMISSION.

[DOCKET NO. 4812]

KAIDEN-KAZANJIAN STUDIOS, INC. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 21, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time), Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9031; Filed, September 12, 1942; 10:59 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-22]

MEMPHIS, TENN.—FLORENCE, ALA.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Memphis, Tennessee, and Florence, Alabama.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Dixie Greyhound Lines, Inc., Memphis, Tennessee, and Mo-Ark Coach Lines, Inc., Springfield, Missouri, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Dixie Greyhound Lines, Inc. and Mo-Ark Coach Lines, Inc., respectively, in the transportation of passengers on the routes served by them between Memphis, Tennessee, and Florence, Alabama, via Corinth, Mississippi, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies, and in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Between Corinth, Mississippi, and Florence, Alabama, Dixie Greyhound Lines, Inc. shall operate a through service of not to exceed one round trip daily and Mo-Ark Coach Lines, Inc. shall operate a through service of not to exceed two round trips daily. Such services shall be adjusted to eliminate duplication of times of departure of the respective carriers and provide a reasonable frequency of service throughout the day.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 21, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 12th day of September, 1942.

C. D. YOUNG,
Acting Director of Defense Transportation.

[F. R. Doc. 42-9066; Filed, September 14, 1942; 10:56 a. m.]

[Special Order ODT B-23]

KANE, PA.-ASHTABULA, OHIO—BUFFALO, N. Y.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Kane, Pennsylvania, Ashtabula, Ohio, and Buffalo, New York.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by West Ridge Transportation Company, Girard, Pennsylvania, Buffalo and Erie Coach Corporation, Fredonia, New York, and Central Greyhound Lines, Inc. of New York, Cleveland, Ohio, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. West Ridge Transportation Company, Buffalo and Erie Coach Corporation and Central Greyhound Lines, Inc. of New York (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Kane, Pennsylvania, and Ashtabula, Ohio, via Erie, Pennsylvania, and between Erie, Pennsylvania, and Buffalo, New York, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose, of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate Commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 21, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 12th day of September 1942.

C. D. YOUNG,
Acting Director of Defense Transportation.

[F. R. Doc. 42-9067; Filed, September 14, 1942; 10:56 a. m.]

[Special Order ODT B-24]

SPRINGFIELD, MASS.—BRATTLEBORO, VT.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Springfield, Massachusetts and Brattleboro, Vermont.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Boston & Maine Transportation Co., Boston, Massachusetts, and Vermont Transit Co., Inc., Burlington, Vermont, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Boston & Maine Transportation Co. shall suspend service over its route between Springfield, Massachusetts, and Brattleboro, Vermont, via Northfield, Massachusetts, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory bodies a notice describing the operations to be suspended in compliance herewith.

2. Vermont Transit Co., Inc. shall operate a through service of not to exceed four round trips daily between Springfield, Massachusetts, and Brattleboro, Vermont, one or more of which, subject to obtaining prior approval of the appropriate regulatory authority or authorities, shall be operated over the route described in paragraph 1 hereof.

3. Vermont Transit Co., Inc., shall honor all outstanding tickets issued by Boston & Maine Transportation Co. for transportation between points on the route described in paragraph 1.

4. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective October 5, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 12th day of September 1942.

C. D. YOUNG,
Acting Director of Defense Transportation.

[F. R. Doc. 42-9068; Filed, September 14, 1942; 10:57 a. m.]

[Special Order ODT B-25]

ASHLAND, KY.—HUNTINGTON, W. VA.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Ashland, Kentucky, and Huntington, West Virginia.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this Office by Southeastern Greyhound Lines, Lexington, Kentucky, and Atlantic Greyhound Corporation, Charleston, West Virginia, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Southeastern Greyhound Lines shall suspend service over its route between Ashland, Kentucky, and Huntington, West Virginia, via Catlettsburg, Kentucky, and forthwith shall file with the Interstate Commerce Commission and the appropriate State regulatory bodies a notice describing the operations to be suspended in compliance herewith.

2. Atlantic Greyhound Corporation shall operate a through service of not to exceed ten round trips daily over the route described in paragraph 1, and shall honor all outstanding tickets issued by Southeastern Greyhound Lines for transportation between points on such route.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 21, 1942, and shall remain in full force and effect until further order of this office.

Issued at Washington, D. C., this 12th day of September 1942.

C. D. YOUNG,
Acting Director of Defense Transportation.

[F. R. Doc. 42-9069; Filed, September 14, 1942; 10:57 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 18 Under Revised Price Schedule 6 [1]—Iron and Steel Products—Docket No. 3006-14]

TEXAS STEEL COMPANY

ORDER GRANTING EXCEPTION

On May 5, 1942, Texas Steel Company, Fort Worth, Texas, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given the petition and an opinion in support of this Order No. 18 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 [2], issued by the Office of Price Administration, *it is hereby ordered:*

(a) Texas Steel Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, alloy steel bars for delivery in the United States and outside of Texas and Oklahoma at prices not in excess of those stated in paragraph (b). Any person may buy and receive and agree, offer, solicit and attempt to buy and receive alloy steel bars at such prices from Texas Steel Company.

(b) The maximum price which may be charged by Texas Steel Company on sales of alloy steel bars for delivery in the United States outside of the states of Texas and Oklahoma shall be maximum Chicago basing point base price as otherwise established in Revised Price Schedule No. 6, f.o.b. Fort Worth, Texas.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 18 shall become effective September 12, 1942.

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9006; Filed, September 11, 1942; 12:19 p. m.]

[Order 43 Under Maximum Price Regulation 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-197]

MONARCH COAL MINING COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, [2] *it is ordered:*

(a) Monarch Coal Mining Company, Centralia, Washington, may sell and deliver, and any person may buy and receive, rail shipments of the bituminous coal described in paragraph (b) below at a price not in excess of that stated therein;

(b) Coal produced at the Monarch Mine (Mine Index No. 157), District No. 23, Lewis County, Washington, by the Monarch Coal Mining Company in Size Group 13 may be sold at a price not in excess of $2.95 per net ton f. o. b. the mine, for shipment by rail;

(c) This Order No. 43 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 43 shall become effective September 12, 1942.

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9007; Filed, September 11, 1942; 12:24 p. m.]

[Order 2 Under Maximum Price Regulation 204 [1]—Idle or Frozen Materials Sold Under Priorities Regulation 13 [2]]

NETHERLANDS SHIPPING & TRADING COMMITTEE

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1399.510 of Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13, *it is hereby ordered:*

(a) The Netherlands Shipping & Trading Committee, 25 Broadway, New York, New York, may sell and deliver to the United States Office of Education, an agency of the United States, and such agency may buy and receive approximately 500,000 pounds of sulcoated welding electrodes of various sizes at a price of $5.25 per hundredweight, f. o. b. New York, New York.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective on September 12, 1942.

Issued this 11th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9005; Filed, September 11, 1942; 12:20 p. m.]

[Administrative Order 26]

AUTHORIZATION OF GLEN E. EDGERTON

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 [3] and by War Production Board Directive No. 1–L the following order is prescribed

(a) Glen E. Edgerton, Rationing Administrator for the Panama Canal Zone, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of petroleum products in the Panama Canal Zone;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of Paul M. O'Leary, Deputy Administrator in Charge of Rationing for the Office of Price Administration.

(b) Any order issued by said Glen E. Edgerton pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

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[1] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780.
[2] 7 F.R. 971, 3663.
[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6326, 6472, 6524.
[2] 7 F.R. 971, 3663.
[1] 7 F.R. 6479.
[2] 7 F.R. 5167, 5604.
[3] 7 F.R. 2719.

Issued and effective this 12th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9046; Filed, September 12, 1942; 12:44 p. m.]

[Order 19 Under Revised Price Schedule 6—Iron and Steel Products—Docket 3006-21]

CONTINENTAL STEEL CORPORATION

ORDER GRANTING EXCEPTION

On July 4, 1942, Continental Steel Corporation of Kokomo, Indiana, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c). Due consideration has been given to the petition and an opinion in support of this Order No. 19 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *it is hereby ordered:*

(a) Continental Steel Corporation may sell rerolling grade steel billets to Acme Steel Company of Chicago, Illinois, on orders accepted by it in compliance with the provisions of General Preference Order M-21-B, for delivery to the Chicago switching area at prices not in excess of those stated in paragraph (b).

(b) The maximum price which may be charged by Continental Steel Corporation for rerolling grade steel billets in such Chicago switching area is $34 per gross ton plus applicable extras and actual freight from Kokomo, Indiana, to destination.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 19 shall become effective September 14, 1942.

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9061; Filed, September 12, 1942; 12:48 p. m.]

[Order 18 Under Maximum Price Regulation 148—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-61]

THE PROVISION COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On August 11, 1942 The Provision Company, Columbus, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 18 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Provision Company, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from The Provision Company.

(b) Smoked skinned hams all averages:

	Cents per pound
8/10	33
10/12	33
12/14	32
14/16	32
16/18	31¼
18/20	32¼
Economy 10/12 and 12/14 avgs. skinned hams in visking castings shank and aitch bone out	
Boneless hams in visking casings, castings, closely fatted 8/10, 10/12 and 12/14	
Smoked picnics shankless, 4/6	26¼
Smoked picnics shankless, 6/8	26
Smoked picnics shankless, 8/10	25½
Smoked bone in cooked hams, 10/12	38
Smoked bone in cooked hams, 12/14	37
Smoked bone in cooked hams, 14/16	36
Pork loins, fresh and frozen, 6/8	29
Pork loins, fresh and frozen, 8/10	29
Pork loins, fresh and frozen, 10/12	29
Pork loins, fresh and frozen, 12/14	28
Skinned shoulders, fresh and frozen, 6/8, 8/10, 10/12 and 12/14	26½
Boneless shoulder, pork butts—fresh and frozen, 1½/3¾ and 4/	32½
Boston butts, 4/6, 6/8, 8/10 and 3½/9	29½

(c) The permission granted to the Provision Company in this Order No. 18 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Provision Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from the Provision Company each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 18 shall become effective September 14, 1942.

Issued this 12th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9060; Filed, September 12, 1942; 12:49 p. m.]

[Order 2 Under Maximum Price Regulation 152[1]—Canned Vegetables]

SNIDER PACKING CORP.—BORDEN COMPANY

APPROVAL OF MAXIMUM PRICES

On June 9, 1942, the Snider Packing Corporation, filed an Application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the company in its application with respect to a fancy quality tomato juice of the 1942 pack, to be packed in 30 liquid ounce glass bottles, 12 bottles to the case, bottles to be furnished by the Borden Company, New York, New York and labelled "Borden's."

For the reasons set forth in the opinion accompanying this order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered*, That:

(a) The Snider Packing Corporation may sell, offer to sell, or deliver, and the Borden Company, New York, New York, may buy, offer to buy or receive, 30 liquid ounce glass bottles of 1942 pack fancy tomato juice at a price no higher than the maximum price of $1.20 per case of 12 bottles, delivered.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 shall apply to terms used herein.

(d) This Order No. 2 shall become effective on September 15, 1942.

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9086; Filed, September 14, 1942; 12:00 m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 37-43]

NEW ENGLAND GAS AND ELECTRIC ASSOCIATION AND NEGEA SERVICE CORPORATION

ORDER PERMITTING NEGEA SERVICE CORPORATION TO CONTINUE BUSINESS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of September, 1942.

[1] 7 F.R. 3895, 3963, 4453, 5138, 5363, 6219, 6266, 6472.

In the matter of New England Gas and Electric Association and Negea Service Corporation (formerly Congress Machine Accounting Corporation).

Negea Service Corporation, a subsidiary of New England Gas and Electric Association, a registered holding company, having filed a declaration and amendments thereto, pursuant to section 13 of the Public Utility Holding Company Act of 1935, with respect to its organization and conduct of business of a subsidiary service company; and

A public hearing having been held on said declaration after appropriate notice; the Commission having examined the record and having made and filed its findings herein;

It is ordered, That Negea Service Corporation, be and hereby is permitted to continue the conduct of its business in the manner set forth in said declaration, as amended, subject, however, to any rules of the Commission now or hereafter in effect having a general applicability to the activities of subsidiary service companies and subject, however, to the following conditions:

1. No change in the organization of the declarant, the type and character of the companies to be serviced, or the method of allocating costs to associate companies, and in the scope of services to be rendered, shall be made without first obtaining the approval of this Commission of such change.

2. The Commission reserves the right to require, after notice and opportunity for hearing, prospective adjustments, and, to the extent that it appears feasible and equitable, retroactive adjustments of such cost allocations, in the event that the operation of the declarant's cost-allocation method does not result in a fair and equitable allocation of its cost among the serviced associate companies.

3. This order is not to be construed as a ruling that the declarant may not be required to effect such other changes in its organization or operations as may become necessary in order to conform with the Act or the present or future rules, regulations or orders of the Commission. Jurisdiction is reserved to reconsider the servicing activities of the declarant at an appropriate future time, and, after notice and opportunity for hearing, by order to revoke, suspend, or modify the permission granted to the declarant to continue its operations and conduct of business.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9025; Filed, September 11, 1942; 2:56 p. m.]

No 181——8

[File No. 70-595]

ASSOCIATED GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

In the matter of Stanley Clarke, trustee of Associated Gas and Electric Company.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of September, 1942.

Stanley Clarke, Trustee of Associated Gas and Electric Company, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 6 (a) and 7 thereof, regarding the extension of Trustee's Certificates due September 13, 1942, in the principal amount of $75,000, to September 13, 1943;

Said declaration having been filed on August 27, 1942, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Trustee having requested that the Commission advance the effective date of said declaration, and the Commission finding that the requirements of section 7 are satisfied, and that it is appropriate that the declaration be permitted to become effective, and that the date should be advanced;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9045; Filed, September 12, 1942; 12:31 p. m.]

[File No. 70-579]

TRI-CITY UTILITIES COMPANY AND ASSOCIATED ELECTRIC COMPANY

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 11th day of September 1942.

Associated Electric Company, a registered holding company, and Tri-City Utilities Company, a wholly-owned subsidiary thereof, having filed a declaration and application pursuant to the Public Utility Holding Company Act of 1935 with respect to the reduction by Tri-City Utilities Company of its capital stock from time to time through the purchase and retirement of its common stock at its par value, to the extent of funds which become available to Tri-City Utilities Company from the sale of properties or other assets; and

The Commission having ordered that a hearing on such matter be held on September 1, 1942 at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania; and the Commission having postponed said hearing to September 16, 1942, at the request of the Tennessee Railroad and Public Utilities Commission and certain other interested parties; and

The Tennessee Railroad and Public Utilities Commission having requested that the hearing in this matter be further postponed; and it appearing appropriate to the Commission that the request be granted;

It is ordered, That the hearing in this matter, previously scheduled for September 16, 1942, be and hereby is postponed to October 1, 1942, at the same time and place, and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9044; Filed, September 12, 1942; 12:31 p. m.]

[File No. 70-556]

THE CALIFORNIA OREGON POWER COMPANY AND STANDARD GAS AND ELECTRIC COMPANY

ORDER AMENDING ORDER OF AUGUST 7, 1942

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of September, A. D. 1942.

The Commission having on August 7, 1942 issued its "Order granting application and declaration pursuant to sections 7 (e), 10, 12 (b), 12 (c), 12 (d) and 12 (f) and Rules U-24, U-43 and U-45" in the above entitled proceeding and it appearing necessary to correct an omission in the aforementioned "order" of the Commission (published as Holding Company Act Releas No. 3728);

SEP 17 1942

August 7, 1942 be and hereby is amended by adding after the words:

(3) that until further order of this Commission (a) no charges shall be made by said company to the balance remaining after giving effect to conditions (1) and (2) above in the capital and reduction surplus accounts other than to make such adjustments as • • •

the following words:

• • • are specified in the joint application and declaration, as amended, or as • • •

so that the said order reads in part:

• • • and (3) that until further order of this Commission (a) no charges shall be made by said company to the balance remaining after giving effect to conditions numbered (1) and (2) above in the capital and reduction surplus accounts other than to make such adjustments as are specified in the joint application and declaration, as amended, or as may be ordered by a regu-

the premises • • •

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9043; Filed, September 12, 1942; 12:31 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 13]

ORDNANCE DEPARTMENT INDUSTRY INTEGRATION COMMITTEES

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I submit herewith Ordnance Fiscal Circular No. 105, dated August 22, 1942, describing the program of the Ordnance Department for the formation and functioning of Ordnance Department industry integra-

of this program was approved by you on May 1, 1942, in a letter addressed to the General Counsel, War Production Board, and a large number of such committees have already been organized and are functioning.

I hereby approve this program for the purposes of section 12 of Public Law No. 603, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing or the omission to do any act or thing by any person, including committees and members thereof already functioning under this program as well as those hereafter established, in compliance with my approval of the program, is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

SEPTEMBER 7, 1942.

[F. R. Doc. 42-9071; Filed, September 14, 1942; 11:16 a. m.]

FEDERAL REGISTER

VOLUME 7 NUMBER 182

Washington, Wednesday, September 16, 1942

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Air Regulations

[Amendment 27-1 Civil Air Regulations]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

DISPATCHER AERONAUTICAL EXPERIENCE

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 5th day of September, 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective September 5, 1942, Part 27 of the Civil Air Regulations is amended as follows:

1. By amending paragraph (c) of § 27.15 to read as follows:

§ 27.15 *Aeronautical experience.* • • •

(c) Be a graduate of a controlled aircraft dispatcher course satisfactory to the Administrator and have served in connection with the dispatching of air carrier aircraft under the supervision of a certificated aircraft dispatcher in regular service for at least 90 days within the six months immediately preceding application, or

2. By adding a new paragraph (d) to § 27.15 to read as follows:

(d) Have been engaged for at least two of the preceding four years in (1) the technical supervision of aircraft dispatchers or air carrier dispatching systems, or (2) the determination of competency or qualifications of aircraft dispatchers.

3. By striking § 27.150.

4. By amending § 27.23 to read as follows:

§ 27.23 *Recent experience requirements.* The holder of an aircraft dispatcher certificate shall not exercise the privileges thereunder unless, within the preceding twelve calendar months he has either:

(a) For at least three months,

(1) Served as an aircraft dispatcher, or

(2) Served as first or second pilot in scheduled air carrier operation, or

(3) Been engaged in, (i) the technical supervision of aircraft dispatchers or air carrier dispatching systems, or (ii) the determination of competency or qualifications of aircraft dispatchers, or

(4) Served in any combination of the duties described in subparagraphs (1), (2), or (3); or

(b) Demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 42-9121; Filed, September 15, 1942; 11:30 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4006]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INDESTRO MANUFACTURING CORP.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition.* In connection with offer, etc., in commerce, of respondent's wrenches and other steel products, using the word "alloy" or any other word of similar import and meaning, either alone or in combination with any other word or words, in branding, advertising or otherwise describing, designating or referring to its wrenches or any other steel products which are made from carbon steel to which there has not been added alloy elements such as nickel, tungsten, molybdenum, vanadium, chromium, copper or any other alloying element, either singly or in combination, in quantities sufficient to affect the properties of the steel, and to give it specific properties not found in

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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plain carbon steel; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Indestro Manufacturing Corp., Docket 4006, September 10, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of the complaint, taken before duly appointed trial examiners of the Commission designated by it to serve in this proceeding, and brief filed in support of the complaint; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Indestro Manufacturing Corp., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of its wrenches and other steel products in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using the word "alloy" or any other word of similar import and meaning, either alone or in combination with any other word or words, in branding, advertising or otherwise describing, designating or referring to its wrenches or any other steel products which are made from carbon steel to which there has not been added alloy elements such as nickel, tungsten, molybdenum, vanadium, chromium, copper or any other alloying element, either singly or in combination, in quantities sufficient to affect the properties of the steel, and to give it specific properties not found in plain carbon steel.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9107; Filed September 15, 1942; 11:14 a. m.]

[Docket No. 4521]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PARAMOUNT YARN COMPANY

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) using the word "Angora" or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat; and (2) using the word "Shetland" or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed in part of hair of the Angora goat and in part of other fibers or materials, word "Angora" may be used as descriptive of the Angora fiber content, if there are used, in immediate connection or conjunction therewith, in letters of equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; and that (2) in the case of a product composed in part of wool of Shetland sheep and in part of other fibers or materials, word "Shetland" may be used as descriptive of the Shetland wool content, subject to the qualification above set forth; and subject to further proviso that no provision of order in question shall be construed as relieving respondent in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Paramount Yarn Company, Docket 4521, September 10, 1942]

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Retail or selling as wholesale, jobbing or discontinued:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition.* In connection with offer, etc., in commerce, of knitting yarns, and among other things, as in order set forth, (1) advertising, offering for sale, or selling products composed in whole or in part of rayon, without clearly disclosing such rayon content; and (2) representing that the respondent sells direct to the consumer at wholesale prices when in fact the prices so charged are substantially the same as retail prices charged by other distributors for products of like kind and quality, or when the prices so charged are substantially higher than the prices at which dealers and jobbers purchase said products from the respondent; prohibited, subject to provision, however, as respects said first prohibition, that when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed; and subject to further proviso, that no provision of order in question shall be construed as relieving respondent in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Paramount Yarn Company, Docket 4521, September 10, 1942]

In the Matter of Louis Glasser, Individually and Trading as Paramount Yarn Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of the complaint, taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief filed by counsel for the Commission; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, Louis Glasser, an individual trading as Paramount Yarn Company, or trading under any other name, his representatives, agents, or employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of knitted yarns in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the word "Angora" or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of hair of the Angora goat: *Provided, however*, That in the case of a product composed in part of the hair of an Angora goat and in part of other fibers or materials, such word may be used as descriptive of the Angora fiber content, if there are used, in immediate connection or conjunction therewith, in letters of equal size and conspicuousness, words truthfully describing such other constituent fibers or materials.

(2) Using the word "Shetland" or any simulation thereof, either alone or in connection or conjunction with any other word or words, to designate, describe, or refer to any product which is not composed entirely of wool of Shetland sheep raised on the Shetland Islands or the contiguous mainland or Scotland: *Provided, however*, That in the case of a product composed in part of wool of Shetland sheep and in part of other fibers or materials, such word may be used as descriptive of the Shetland wool content if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials;

(3) Advertising, offering for sale, or selling products composed in whole or in part of rayon, without clearly disclosing such rayon content, and when products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed;

(4) Representing that the respondent sells direct to the consumer at wholesale prices when in fact the prices so charged are substantially the same as retail prices charged by other distributors for products of like kind and quality, or when the prices so charged are substantially higher than the prices at which dealers and jobbers purchase said products from the respondent.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

It is further ordered, That no provision of this order to cease and desist shall be construed as relieving respondent in any respect of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9106; Filed, September 15, 1942; 11:14 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1512]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

M'DONALD MINING CO.

Findings of fact, conclusions of law, memorandum opinion and order of the acting director in the matter of the petition of Bituminous Coal Producers Board for District No. 2 for a change in minimum prices established for the coals of the Verner Mine (Mine Index No. 1888) of McDonald Mining Company.

This is a proceeding instituted upon an original petition filed by the Bituminous Coal Producers Board for District No. 2 on June 19, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition requests an order changing the minimum prices and price classifications for coals produced in District No. 2 at the Verner Mine (Mine Index No. 1888) of McDonald Mining Company, from the present price classifications of J, J, H, H, H, H, J, J, and J, Size Groups 1 through 9, inclusive, to price classifications of C, C, C, C, F, F, H, H, and H, in Size Groups 1 through 9, inclusive.

No petitions of intervention have been filed in this proceeding.

Pursuant to an Order of the Acting Director, and after due notice to interested persons a final hearing in this matter was held on August 12, 1942, before a duly designated Examiner in a hearing room of the Division, at Washington, D. C., at which interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. Only representatives of the petitioner filed an appearance. Mr. C. C. McGregor, president of the McDonald Mining Company, was present but did not testify. The preparation and filing of a report by the Examiner were waived and the matter was thereupon submitted to the Acting Director.

According to the testimony of Thomas H. Queer, Chairman of District Board No. 2 and Chairman of the Marketing and Classifications Committee, who was the only witness at the hearing, the Verner Mine (Mine Index No. 1888) had been inactive since 1924 until reopened on April 9, 1942. The price classifications for the mine were set forth in Docket No. A-1172 by Order of the Acting Director, dated December 18, 1941, 7 F.R. 99. They were the same as those established for the coals of the Langeloth Mine of the American Zinc and Chemical Company. As the Verner Mine was not yet in operation at the time the order was issued, there was no reliable information available as to what grade of coal would be produced. When production was started, the McDonald Mining Company asked District Board No. 2 to have observations made and satisfy itself as to the proper classifications for the coal. This was done, when the mine had been running a month, by investigations made by two experienced members of the Marketing and Classification Committee, whose primary function was to make such investigations. Comparisons were made by a firm of inspecting engineers, chemists, and metallurgists of New York, Pittsburgh, and Chicago, of the analytical properties of the coals of the Langeloth Mine of the American Zinc and Chemical Company, which was classified the same as the Verner Mine and also of the Montour No. 9 Mine of the Pittsburgh Coal Company, which classification District Board No. 2 proposed, except in Size Groups 1 and 2, to give to the Verner Mine.

The results of these investigations show that the coals of the Verner Mine were not like those of the Langeloth Mine. They were, except in Size Groups 1 and 2, comparable tc the Montour No. 9 Mine, which the new workings of the Verner Mine joins, and should, therefore, bear the same classifications except in Size Groups 1 and 2.

Upon the basis of the uncontroverted evidence, I find and conclude that the relief sought herein is reasonable and necessary and that the coals of the Verner Mine (Mine Index No. 1888) are comparable except in Size Groups 1 and 2 with those of Montour No. 9 Mine of the Pittsburgh Coal Company and should be similarly classified in Size Groups 3 through 9, inclusive. I also find that since Size Groups 1 and 2 of the Verner Mine (Mine Index No. 1888) are of a softer structure than the same sizes produced at the Montour No. 9 Mine and that they should, therefore, be given the lower classification of C. This will result in the price classification for Size Groups 1 through 9 of C, C, C, C, F, F, H, H, and H.

Now, therefore, it is ordered, That commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated September 3, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1888	McDonald Mining Company.	Verner.	Pittsburgh..	7	Bulger, Pa.	PRR	74	C	C	C	C	F	H	H	H	†	†	†	†	†	†	†	†

†Indicates no classification or prices effective for these size groups.

[F. R. Doc. 42-9073; Filed, September 14, 1942, 11:09 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Public Circular 4C]

PART 130—REGULATIONS RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, TRANSFERS OF CREDIT, PAYMENTS, AND THE EXPORT AND WITHDRAWAL OF COIN, BULLION AND CURRENCY: AND TO REPORTS OF FOREIGN PROPERTY INTERESTS IN THE UNITED STATES; [1] APPENDIX

INSTRUCTIONS FOR PREPARATION OF REPORTS ON FORM TFR-300, SERIES L

Instructions relating to reports to be filed on Form TFR-300, Series L, with respect to property subject to the jurisdiction of the United States in which certain persons had any interest of any nature whatsoever, direct or indirect.

Public circular under Executive Order No. 8389, April 10, 1940, as amended and regulations issued pursuant thereto.

SEPTEMBER 14, 1942.

SECTION I. *Introduction.* Series L of Form TFR-300 is to be used for certain kinds of reports supplementary or additional to the reports required on Series A through Series H of the Form, which Series were issued in 1941 pursuant to § 130.4 of the Regulations of April 10, 1940, as amended, under Executive Order No. 8389, as amended.

Section II of this Circular specifies the cases in which reports are to be filed on Series L and also gives general instructions concerning the reports. Section III consists of a classification of property, which must be followed strictly in reporting. Detailed instructions for filling out Series L are provided by Section IV, and Section V gives special instructions for persons previously reporting on Series C through Series H. A table of exchange rates appears in Section VI.

Before attempting to prepare a report, a person required to report on Series L should read completely Sections II, III, and IV of this Circular, and also Section V when it is pertinent.

Persons obliged to file a report on Series L are required in certain cases also to report on Series A through Series H, as appropriate, in accordance with Section II of this Circular. Series L is not to be used in any case as a substitute for a report required on Series A through Series H. Detailed instructions for the preparation of reports on Series A through Series H are given in Public Circular No. 4.

Copies of Executive Order No. 8389, as amended, the Regulations issued pursuant thereto, this Circular and Public Circular No. 4, and Series L and all other Series of Form TFR-300 may be obtained from any Federal Reserve Bank, the Governor of any territory or possession of the United States, or the Secretary of the Treasury, Washington, D. C.

SEC. II. *General Instructions*—(a) *Who must make report.* Report must be made on Series L of Form TFR-300 by:

(1) Nationals of foreign countries entering the United States at any time after October 31, 1941, except that report is not required from (a) a national entering the United States on a purely transitory visit, whether for business or pleasure, (b) a national resident in the United States, returning from a purely transitory visit outside the United States, (c) a person entitled to the benefits of General License No. 28, or of General License No. 80, (d) an officer or employee of a foreign government or a member of the immediate family of such a person, (e) a person who has filed a report under the next subdivision of this Instruction, or a substantially similar report, (f) a person whose property otherwise to be reported had a total value less than $1,000 on the date of his entry into the United States: *Provided*, That this exception shall not apply to the lease of a safe-deposit box, to patents, trade-marks, copyrights, and franchises, to interests in partnerships and profit-sharing agreements, nor to property the value of which cannot readily be determined: *And provided further*, That in arriving at the value of less than $1,000, no deduction shall be made for liens, offsets, or other deductions from gross value;

(2) Nationals of foreign countries acquiring residence in the United States after February 23, 1942, who apply to be licensed as generally licensed nationals under General License No. 42, except that report is not required if the applicant has rendered a report under the preceding subdivision of this Instruction within three months prior to the date of the application, but in such a case an appropriate explanation must be given in the application;

(3) Persons in the United States whose property is blocked by specific direction of the Treasury Department under Executive Order No. 8389, as amended, except that a report is not required from a person obliged to report on Form TFR-30, relating to internees;

(4) Persons in the United States having custody, control, or possession of property of other persons whose property is blocked by specific direction of the Treasury Department under Executive Order No. 8389, as amended;

(5) Persons in the United States having custody, control, or possession of property of other persons (a) whose names appeared in the Proclaimed List of Certain Blocked Nationals on September 1, 1942, or (b) whose names are added to the List thereafter;

(6) Such other persons or groups or classes of persons, and in such cases or kinds of cases, as the Treasury Department may provide by regulation, circular, ruling, license, specific direction, or other means.

(b) *Effective date for reporting property*—(1) *Nationals entering the United States after October 31, 1941.* A national of a foreign country entering the United States after October 31, 1941, and prior to September 1, 1942, must file a report of all property subject to the jurisdiction of the United States on the opening of business on September 1, 1942, in which property he had any interest of any nature whatsoever, direct or indirect. A national entering the United States on or after September 1, 1942, must report all property subject to the jurisdiction of the United States on the opening of business on the day on which he entered the United States, in which property he had any interest of any nature whatsoever, direct or indirect.

(2) *Applicants for license under General License No. 42.* A person applying to be licensed under General License No. 42 must report all property subject to the jurisdiction of the United States on the opening of business on the date of the application for license in which property he has any interest of any nature whatsoever, direct or indirect.

[1] Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941, Ex. Order 8832, July 26, 1941, Ex. Order 8963, Dec. 9, 1941, and Ex. Order 8998, Dec. 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.

(3) *Persons whose property is blocked under Treasury direction.* A person in the United States whose property is blocked by specific direction of the Treasury Department under Executive Order No. 8389, as amended, must report all property subject to the jurisdiction of the United States on the opening of business on the date of the letter or other communication from the Treasury Department, a Federal Reserve Bank, or the Governor of a territory or possession of the United States, informing him of the blocking, in which property he has any interest of any nature whatsoever, direct or indirect.

(4) *Persons holding property of other persons whose property is blocked under Treasury direction.* A person in the United States having custody, control, or possession of property subject to the jurisdiction of the United States in which another person whose property is blocked by specific direction of the Treasury Department under Executive Order No. 8389, as amended, has any interest of any nature whatsoever, direct or indirect, must report all of such property in his custody, control, or possession on the opening of business on the date specified for reporting in the letter or other communication from the Treasury Department, a Federal Reserve Bank, or the Governor of a territory or possession of the United States, notifying him of the blocking. A person having custody, control, or possession of such property who is not so notified of the blocking shall report the property held on the date he actually learns of the blocking. A report under the last sentence should include a detailed statement of the circumstances relating to the filing of the report.

(5) *Persons holding property of other persons whose names are listed in The Proclaimed List of Certain Blocked Nationals.* A person in the United States having custody, control, or possession of property subject to the jurisdiction of the United States in which another person whose name appeared in The Proclaimed List of Certain Blocked Nationals on September 1, 1942, had any interest of any nature whatsoever, direct or indirect, must report all of such property in his custody, control, or possession on the opening of business on that date. A person in the United States having custody, control or possession of property subject to the jurisdiction of the United States in which another person whose name is added to The Proclaimed List of Certain Blocked Nationals after September 1, 1942, has any interest of any nature whatsoever, direct or indirect, must report all of such property in his custody, control, or possession on the opening of business on the date on which the addition of the person's name to the List is promulgated.

(6) *Other persons, directed by Treasury Department to file reports.* Other persons, directed by the Treasury Department to file reports on Series L, shall report such property on such date as may be required by the Department.

(c) *Amount of property.* Reports on Series L required under this Circular shall be made without any exemption whatever with respect to the amount of property involved, except as provided in subdivision (1) of Instruction (a).

(d) *Reports on previous Series of Form TFR-300*—(1) *Basic requirement of reports*—(a) *Persons reporting their own property.* Except as provided in subdivision (3) and subdivision (4) of this Instruction, every person reporting his own property on Series L must also file a report on Series A or Series B, as appropriate, of Form TFR-300 with respect to all property subject to the jurisdiction of the United States on the opening of business on either June 1, 1940, or on June 14, 1941, or both, in which the person had any interest of any nature whatsoever, direct or indirect, even though such a report previously has not been required.

(b) *Persons reporting the property of other persons.* Except as provided in subdivision (3) and subdivision (4) of this Instruction, every person reporting the property of another person on Series L must also file a report or reports on the appropriate series of Series A through Series H of Form TFR-300 with respect to all property in the custody, control, or possession of the person reporting and subject to the jurisdiction of the United States on the opening of business, on either June 1, 1940, or June 14, 1941, or both, in which the person whose property is reported on Series L had any interest of any nature whatsoever, direct or indirect, even though such a report or reports previously have not been required.

(2) *Instructions for reporting on Series A through Series H.* Reports on Series A through Series H required under this Instruction shall be prepared in accordance with the instructions in Public Circular No. 4, except as said instructions are inconsistent with the provisions of this Instruction. Questions 8 through 16 in Part E of Series B may be disregarded. At the top of the first page of each report on Series A through Series H there shall be written the phrase required to be inserted in Part A of the corresponding report on Series L by Instruction 5 (c) in Section IV of this Circular.

(3) *Exemptions.* The reports on Series A through Series H required under this Instruction shall be made without any exemptions whatever, except that if the total value of any property of any national which any one person would otherwise be required to report was on both June 1, 1940, and June 14, 1941, less than $1,000, the property need not be reported: *Provided*, That this exemption shall not apply to the lease of a safe-deposit box, to patents, trade-marks, copyrights, and franchises, to interest in partnerships and profit-sharing agreements, nor to property the value of which cannot readily be determined: *And provided further*, That in arriving at the value of $1,000, no deduction shall be made for offsets, liens, or other deductions from gross value. If a person held property of a kind which must be reported without exemption by virtue of the first proviso in the preceding sentence, he must also report all other property held, regardless of the value of such other property.

(4) *Reports previously filed on Series A through Series H.* If a report or reports on Series A through Series H have previously been filed in a case where a report or reports are otherwise required by this Instruction, no report need be filed under this Instruction provided that the report or reports previously filed are substantially identical with those required under this Instruction. In this respect, only, a difference in entries under the nationality caption shall not be regarded as substantial, but if such a difference appears it should be fully explained in the report on Series L.

(5) *Reports previously required but not filed.* The provisions of this Circular in no way excuse the filing of any report on Series A through Series H of Form TFR-300 which would be required if this Circular had not been issued, but which is not required under this Circular.

(6) *Series I, Series J, and Series K.* Nothing in this Circular requires any report on Series I, Series J, or Series K of Form TFR-300, but the requirements for reports on these Series set forth by Public Circular No. 4, Public Circular No. 4A, and Public Circular No. 4B shall remain fully effective.

(e) *Definitions*—(1) *"Person," "foreign country," and "national."* The terms "person," "foreign country," and "national" are defined as follows in section 5 of Executive Order No. 8389, as amended:

C. The term "person" means an individual, partnership, association, corporation, or other organization.

D. The term "foreign country" shall include, but not by way of limitation,

(i) The state and the government thereof on the effective date of this Order as well as any political subdivision, agency, or instrumentality thereof or any territory, dependency, colony, protectorate, mandate, dominion, possession or place subject to the jurisdiction thereof,

(ii) Any other government (including any political subdivision, agency, or instrumentality thereof) to the extent and only to the extent that such government exercises or claims to exercise *de jure* or *de facto* sovereignty over the area which on such effective date constituted such foreign country, and

(iii) Any territory which on or since the effective date of this Order is controlled or occupied by the military, naval or police forces or other authority of such foreign country,

(iv) Any person to the extent that such person is, or has been, or to the extent that there is reasonable cause to believe that such person is, or has been, since such effective date, acting or purporting to act directly or indirectly for the benefit or on behalf of any of the foregoing.

Hong Kong shall be deemed to be a foreign country within the meaning of this subdivision.

E. The term "national" shall include,

(i) Any person who has been domiciled in, or a subject, citizen or resident of a foreign country at any time on or since the effective date of this Order,

(ii) Any partnership, association, corporation or other organization, organized under the laws of, or which on or since the effective date of this Order had or has had its principal

place of business in such foreign country, or which on or since such effective date was or has been controlled by, or a substantial part of the stock, shares, bonds, debentures, notes, drafts, or other securities or obligations of which, was or has been owned or controlled by, directly or indirectly, such foreign country and/or one or more nationals thereof as herein defined.

(iii) Any person to the extent that such person is, or has been, since such effective date, acting or purporting to act directly or indirectly for the benefit or on behalf of any national of such foreign country, and

(iv) Any other person who there is reasonable cause to believe is a "national" as herein defined.

In any case in which by virtue of the foregoing definition a person is a national of more than one foreign country, such person shall be deemed to be a national of each such foreign country. In any case in which the combined interests of two or more foreign countries designated in this Order and/or nationals thereof are sufficient in the aggregate to constitute, within the meaning of the foregoing, control or 25 per centum or more of the stock, shares, bonds, debentures, notes, drafts, or other securities or obligations of a partnership, association, corporation or other organization, but such control or a substantial part of such stock, shares, bonds, debentures, notes, drafts, or other securities or obligations is not held by any one such foreign country and/or national thereof, such partnership, association, corporation or other organization shall be deemed to be a national of each of such foreign countries. The Secretary of the Treasury shall have full power to determine that any person is or shall be deemed to be a "national" within the meaning of this definition, and the foreign country of which such person is or shall be deemed to be a national. Without limitation of the foregoing, the term "national" shall also include any other person who is determined by the Secretary of the Treasury to be, or to have been, since such effective date, acting or purporting to act directly or indirectly for the benefit or under the direction of a foreign country designated in this Order or national thereof, as herein defined.

(2) *"United States."* With respect to reports on Series L, the term "United States" means the United States and any place subject to the jurisdiction thereof except the Philippine Islands.

(3) *"Custody, control, or possession."* The term "custody, control, or possession of property" includes holding or holding title to property in any manner whatsoever, having authority over property as agent, attorney, trustee, or otherwise, owing a debt or other obligation, or having been informed or notified of or subjected to a claim, demand, action, suit, or proceeding, being party to a contract of any nature whatsoever, or having issued financial securities or being subject to any right or claim by way of ownership, control, or participation, in the nature of a proprietorship interest or otherwise.

(4) *"Persons whose property is blocked."* The term "person whose property is blocked" shall include a national who claimed to be licensed under General License No. 28, General License No. 42, General License No. 68, General License No. 73, or General License No. 80 but who is specifically ruled by the Treasury Department not to have been entitled to the privileges of the license involved.

(5) *"Purely transitory visit."* The term "purely transitory visit" shall not be deemed to include a visit to a country by a person who expects to remain there more than three months and who has no fixed abode elsewhere to which to return on the termination of the visit.

(f) *Separation of reports for different nationals.* A separate report shall be made with respect to each person whose property is to be reported on Series L. For example, if the person reporting owes debts to two nationals whose property is to be reported, he will make two separate reports, listing on each report all of his debts to the particular person for whom that report is made. If he owes one debt jointly to two persons whose property is to be reported, he will again make two separate reports, entering the whole debt on each. Any duplication in reporting the same property on several reports or duplication by reason of several persons reporting the same property shall not excuse anyone from rendering all reports required of him.

(g) *Time and place of filing report—*(1) *Place.* Reports on Series L, and reports on Series A through Series H required by Instruction D, must be executed and filed in *quadruplicate* with the Federal Reserve Bank of the district or the Governor of the territory or possession of the United States in which the person filing the report resides or has a principal place of business or principal office or agency, or if such person has no legal residence or place of business or principal office or agency in a Federal Reserve district or a territory or possession of the United States, then with the Federal Reserve Bank of New York or the Federal Reserve Bank of San Francisco. Persons reporting should retain a copy of each report filed by them.

(2) *Time.* (a) Reports by a national entering the United States after October 31, 1941, and prior to September 1, 1942, shall be filed on or before October 15, 1942. Reports by a national entering the United States on or after September 1, 1942, shall be filed on or before the thirtieth day succeeding the day on which the national entered the United States.

(b) Reports by an applicant for license under General License No. 42 shall be filed at the same time as the license application.

(c) Reports by a person whose property is blocked under Treasury direction shall be filed at such time as shall be required in the letter or other communication informing the person of the blocking.

(d) Reports by a person having custody, control, or possession of property of another person whose property is blocked by direction of the Treasury Department shall be filed at such time as shall be required in the letter or other communication notifying the person reporting of the blocking. A person who is not notified of the blocking shall file reports within fifteen days from the date on which he actually learns of the blocking.

(e) Reports by a person having custody, control, or possession of property of another person whose name appeared in The Proclaimed List of Certain Blocked Nationals on September 1, 1942, shall be filed on or before October 15, 1942. Reports with respect to property of a person whose name is added to the List after September 1, 1942, shall be filed within fifteen days from the date on which the addition of the person's name to the List is promulgated.

(f) Other persons directed by the Treasury Department to report shall file reports within such time as may be directed by the Department.

(h) *Penalties.* Section 5 (b) of the Act of October 6, 1917 (40 Stat. 415), as amended, applicable hereto, provides in part:

• • • Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction, be fined not more than $10,000, or, if a natural person, may be imprisoned for not more than ten years, or both; and any officer, director or agent, of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both.

(i) *Information regarding preparation of reports.* Anyone desiring information as to whether or not he is required to make a report on any series of Form TFR–300 may apply to any Federal Reserve Bank. Questions and answers relating to Public Circular No. 4 and Series A through Series H which were published after consultation with the Treasury Department may be relied upon in preparing Series L where not inconsistent with this Circular or Series L.

SEC. III. *Property classes.* Before preparing any report, read this section in detail. This Circular requires reports on Form TFR–300, Series L, of all property subject to the jurisdiction of the United States in which persons specified by Instruction B in Section II of the Circular had any interest on the effective dates provided by Instruction B. In this Section, property is classified for purposes of the reports. It is imperative that all property be entered under the correct type on Series L, which requires that the person reporting state whether or not he has reported the value of all property he is called upon to report therein.

The classification herein is identical with that provided in Section III of Public Circular No. 4.

Class A. *Bullion, currency, and deposits.* (1) Bullion, both gold and silver; (2) Currency and coin, United States and foreign; (3) Demand deposits payable in the United States in United States dollars or foreign currency, including any and all demand deposits or accounts maintained with any bank or broker, or others, in the national's own name or jointly with one or more other persons, or on which he has authority to draw, or maintained in some other name for the present or future benefit of the national, or in which the national has an interest, whether or not he has the right to draw thereon; (4) Other deposits payable in the United States in United States dollars or foreign currency, maintained with any bank, broker, or others, including savings accounts, compound interest accounts, accounts represented by certificates of deposit, postal savings accounts, and any and all other accounts, other than demand deposits, maintained in the national's own name or jointly with one or more other persons, or on which he has authority to draw, or maintained in some other name for the present or future benefit of the national, or in which the national has an interest, whether or not he has the right to draw thereon.

Class B. *Financial securities.* (5) United States Government obligations, including all United States bonds, registered or bearer, notes, bills, certificates of indebtedness, savings stamps, matured coupons, attached or detached, and every other such direct obligation of the United States Government, and all obligations evidenced by financial securities guaranteed as to principal or interest by the United States Government, but not obligations not so guaranteed as to principal or interest; (6) State, municipal, and other local government obligations, including bonds, registered or bearer, matured coupons, attached or detached, notes, certificates of indebtedness, and any other such obligations of any state, territory, district, or possession of the United States, and of any agency or instrumentality or subdivision thereof, and of all municipal corporations, including, without limitation, cities, towns, townships, counties, parishes, irrigation districts, school, water, drainage, and tax districts, special authorities, and any other similar obligations, and including certificates of deposit with respect to any of the foregoing; (7) Bonds of domestic corporations, including mortgage bonds, registered or bearer, and matured coupons, attached or detached, debentures, notes, income bonds, and any other evidences of funded debt, past due or to become due, and all receiver's or trustee's certificates and similar instruments, and any other obligation evidenced by an instrument, negotiable or otherwise, representing funded corporate debt, executed or issued by or in the name of any corporation organized under the laws of the United States or of any state, territory, district, or possesion thereof, including all such obligations of any agency or instrumentality of the United States not guaranteed as to principal or interest by the United States Government and including certificates of deposit with respect to any of the foregoing; (8) Common stocks of domestic corporations, of whatever class, voting or nonvoting, including debenture stock, participating stock, and any other type or kind of stock [other than prefered stock], interests in voting trusts, stock pools, and similar interests, and any trustee's certificates, by whatever name called, representing shares or beneficial interests in any business trust or other type of unincorporated business organization except a partnership; (9) Preferred stocks of domestic corporations, including all stock, voting or nonvoting, issued by any domestic corporation, to which any preference of any kind attaches, over any other issue of stock of that same corporation: (10) Foreign securities held in the United States, including mortgage and other bonds, registered or bearer, and matured coupons, attached or detached, debentures, notes, and any other evidences of funded debt, past due or to become due, negotiable or otherwise, executed or issued either within or without the United States by a foreign government or any subdivision, instrumentality, or agency thereof, whether or not incorporated, or by any corporation or other association or organization, business or otherwise, organized and existing under the laws of any country other than the United States, representing funded debt thereof, and all stock, common or preferred of all types or kinds, and any other instrument by whatever name called, representing shares or beneficial interests in any such corporation, organization, or association and including certificates of deposit with respect to any of the foregoing; (11) Warrants, scrip, rights, and options; other securities, warrants, scrip, rights, options, or other instruments evidencing the right to receive, purchase, or acquire any financial security or interest therein, absolutely or upon contingency, and all other contracts relating to the purchase or sale of financial securities, issued or unissued; and any other financial securities whatsoever or rights therein, commonly dealt in by bankers, brokers, and investment houses in the United States or elsewhere.

Class C. *Notes and drafts; debts to and claims by national.* (12) Checks, drafts, acceptances, and notes, including all checks, cashier's or official bank checks, sight drafts, time drafts, banker's acceptances, trade acceptances, promissory notes, and any and all other notes, drafts, or bills of exchange, and payment orders and remittances; (13) Letters of credit, including all similar instruments or agreements, wherein the obligation of any bank thereunder arises directly or indirectly at the request of, or for the account of, a national or extends to any national named in the letter of credit, or otherwise known, who has any rights, contingent or absolute, to receive any payments in any amount pursuant to the terms of the letter of credit or in reimbursement for any unused portion thereof; (14) Debts, claims, demands, and contracts, including book accounts, accounts receivable, judgments, awards; indebtedness and claims arising under contracts, policies of insurance, and surety and indemnity bonds; draw-backs, rebates, and refunds; and including all other debts, claims, and demands due or past due for the payment of money whether or not secured in any manner whatsoever [other than any represented by an instrument evidencing funded debt, or classified under some other type], due or claimed to be due to a national from any person or corporation residing or doing business in the United States or subject to the jurisdiction thereof, except where the debt was payable only on special demand and the place where due demand therefor could be made is not within the United States; and any and all contracts and rights under contracts, not otherwise classified, to which a national was a party or in which a national had any interest whatever, present or future, vested or contingent, executory or partly executed, liquidated or unliquidated, regardless of the nature of the contract or the nature and extent of the national's interest therein.

Class D. *Miscellaneous personal property; personal property liens.* (15) Warehouse receipts, bills of lading, and any and all other instruments, negotiable or otherwise, representing claims to or on personal property; (16) Options and futures in commodities, traded on any commodity exchange, including any interest in, or present or future claims to, any commodities or the proceeds of the sale of any commodities; (17) Goods and merchandise for business use, except jewelry, etc., including stocks of raw materials, agricultural products, goods in process, finished goods in stock or on consignment, goods on vessels or otherwise in transit, other than jewelry, precious stones, and precious metals; (18) Jewelry, precious stones, and precious metals, other than bullion, whether held for personal use, or as stock in trade, or for other commercial purposes; (19) Machinery, equipment, and livestock, for business use, all machinery or equipment on hand, stored, or in use, automobiles [business], trucks, automotive or otherwise, and other vehicles, office equipment and furnishings, and whatever else of like or similar type, customarily classified as machinery and equipment, vessels of any type and tonnage, charter parties, and all other interests represented by instrument or otherwise in the ownership, rights to possession, use, or control of any vessel [other than maritime or other liens thereon]; farm machinery and equipment, livestock; and all other tangible personal property used in the operation of any business or occupation, (20) Objects of art and furnishings for personal use, including all art objects, coin and stamp collections, household furniture and furnishings, automobiles [personal], and all other tangible personal property not used for commercial purposes; (21) Liens on and claims to personal property, not otherwise classified, including trust receipts, bills of sale, contracts for conditional sale or resale, lease-sale arrangements, repurchase agreements, chattel mortgages, pledges; maritime, cattle, timber, and crop liens; and all other instruments not otherwise classified evidencing any lien on, or claim to, personal property, and all other liens on or claims to personal property, not represented by any instrument by whatever name called, arising by agreement or by operation of law.

Class E. *Real property; mortgages; other rights to land.* (22) Lands and buildings for personal use, including only property used exclusively as a dwelling by the national and his family and not more than one other family; (23) Lands and buildings other than for personal use, including all property used as a dwelling other than that classified under type 22 preceding, all lands and the buildings, structures, and other improvements thereon used for commercial, manufacturing, merchantile, agricultural, and other business purposes, and interests

therein; ground rents, leaseholds, together with rents, accrued or to accrue, tax warrants, easements, mineral rights, oil rights, timber and other rights in or to land or the products thereof or a share therein, royalties, and any other rights in the lands of another; (24) Mortgages on real property; other rights to land, mortgage bonds, mortgage notes [other than corporate mortgage bonds or notes represented by financial securities], mortgage participation certificates, guaranteed or otherwise, deeds of trust, and any other bond, note, or other instrument secured by a lien on any real property or interest therein; contracts for the purchase and sale of real property, whether or not partially executed, options, and any and all other rights or interests in or liens, vested or contingent, upon real property or upon an interest in real property.

Class F. *Patents, trade-marks, and copyrights; franchises.* (25) Patents, trade-marks, copyrights, and inventions, including patents, trade-marks, registered or unregistered, copyrights, inventions, and secret processes, or any present, future, or contingent interest therein and agreements pertaining thereto; all rights incidental to the ownership of patents, trade-marks, or copyrights, including applications therefor and licenses, by definition or otherwise, immunities, and assignments, relating thereto, and any other contracts affecting or involving the foregoing such as, but not by way of limitation, the right to receive royalties, including any royalties due and unpaid, royalties paid in advance, reciprocal licensing arrangements and contracts by which any information in the nature of technical data, know-how, or otherwise, is transmitted or exchanged, or any right therein by which any license or privilege is granted or may be exercised, to examine the operations of any plant, factory, or other productive unit, to examine or supervise the books thereof, to inspect any finished product, or to have the right of visitation or any other such right incidental to or separate from the right to receive royalties or other compensation; (26) Franchises, concessions, licenses, and permits, by any of which any special right or privilege may be exercised affecting the commencement, continuation, or conduct of a business, or as an incident thereto.

Class G. *Estates and trusts.* (27) Interests in estates and trusts, each and every right or interest, present or future, absolute or contingent, in or to any of the property or estate of a deceased person, which may belong to the national or in which he has an interest, whether the same exists by reason of the provisions of a last will and testament or by operation of law in case of the intestacy of the deceased, and all other rights or interests, present or future, absolute, revocable, or contingent, belonging to the national or in which he has an interest, in or to any property or fund held or controlled by a trustee or other fiduciary by whatever name described.

Class H. *Partnership and profit-sharing agreements.* (28) Interests under partnership and profit-sharing agreements, all partnership agreements, general, special, limited, or other type, agreements for joint adventures; profit-pooling and profit-sharing agreements and any and all other rights to receive, or share in, profits of partnerships, business trusts, or other nonincorporated business organizations [not represented by a financial security], whether or not the rights granted under such agreement are security for a debt due, or as a manner or method of liquidating such debt or otherwise.

Class I. *Insurance policies; annuities.* (29) Surrender value of insurance policies; present value of annuities, of all types, including pensions and endowments and pension and endowment contracts, determined in accordance with standard actuarial practice.

Class J. *Other property.* (30) Other property, not classifiable under types 1 to 29, including any and all other property, real, personal, or mixed, tangible or intangible, or interest or interests therein, present, future, or contingent; debts due or to become due, claims, demands, actions, causes or things in action, or interest therein, not specified, mentioned, or referred to in any of the foregoing property classes designated "Class A" to "Class I," inclusive.

SEC. IV. *Detailed instructions for filling out form—1. Purpose of form.* Series L is to be used to report property of certain persons as required under this Circular. See particularly Instructions A and B in Section II.

2. *Instructions applicable to entire series—(a) Reading circular.* If you have not already read carefully Sections I, II, and III of this Circular, do so before reading this Section. Persons reporting property which previously should have been reported on Series C through Series H of Form TFR-300 and not on Series A or Series B should also read Section V before attempting to prepare a report.

(b) *Answers required.* Each question on the Series must be answered, and all the specific information called for must be given. When there is nothing to report under any question or if information is lacking, state "No," "None," or "Unknown," as the case may be, with an explanation if required, except that in Part C spaces not needed for reporting should be left blank. No person is excused from furnishing any information he reasonably should have.

(c) *Number of copies required.* File each report in *quadruplicate.* You should retain for yourself an additional copy of each report.

3. *Effective date of report.* Each person reporting shall enter in this space the effective date of the report as provided by Instruction B in Section II of this Circular. Great care should be taken that the proper date is entered. Do *not* enter the date on which the report is filled out or the date on which the affidavit to the report is subscribed and sworn.

4. *Nationality—(a) General.* Enter in this space the name of each country of which the person whose property is being reported is a national, as defined in Section 5E of Executive Order No. 8389, as amended. If the person is a national of any foreign country by reason of any fact other than that such person has been a subject or citizen of the country, the facts determining the person's nationality must be stated in question 5 of Part E. In answering question 5, state *all* the facts concerning the nationality of the person, including those relating to his status as a national of the country, if any, of which he has been a subject or citizen.

(b) *Proclaimed list.* If the person whose property is being reported is listed on The Proclaimed List of Certain Blocked Nationals, insert the words "Proclaimed List" under the nationality caption, in addition to the name of each foreign country of which the person is a national. Do not insert the name of any foreign country merely because the person is listed on The Proclaimed List of Certain Blocked Nationals.

5. *Part A. (a) Name.* If the national is an individual doing business under a trade name, give that name in addition to his actual name.

(b) *Citizenship.* If the national is not an individual, enter the name of the country, State, district, territory, or possession under the laws of which it is incorporated, or, if unincorporated, in which it has its principal place of business. When the national is a subject or citizen of more than one country, state the name of each country, including the United States when that is one of the countries.

(c) *Reason for report.*

(i) A national entering the United States after October 31, 1941, should enter in this space a statement in the following form: "National entering the United States on ----------, 1942," with the appropriate date.

(ii) An applicant for license under General License No. 42 should make a statement in the following form: "General License No. 42 Application report—application dated ----------, 1942," with the appropriate date.

(iii) A person whose property is blocked by specific direction of the Treasury Department should make a statement in the following form: "Filed pursuant to blocking letter from Federal Reserve Bank of ----------, dated ---------- 194--," with appropriate insertions. If notice of the blocking is received from a source other than a Federal Reserve Bank, the insertion should be modified accordingly.

(iv) A person holding property of another person, whose property is blocked by specific direction of the Treasury Department should make a statement in the following form: "Filed pursuant to blocking letter from the Federal Reserve Bank of ----------, dated ---------- 1942," with appropriate insertions. If notice is received from a source other than a Federal Reserve Bank, the statement should be modified accordingly. A person reporting without having received any notice should utilize this space for the explanation required under subdivision (4) of Instruction B in Section II of this Circular.

(v) A person holding property of another person whose name appeared on

The Proclaimed List of Certain Blocked Nationals on September 1, 1942, should enter "Proclaimed List—September 1, 1942." A person holding property of a person whose name is added to the List after September 1, 1942, should make a statement in the following form: "National's name added to Proclaimed List on ----------, 1942," with the appropriate date.

(vi) Other persons, reporting by direction of the Treasury Department, shall make such statement as may be required by the Department.

6. *Part B—(a) Person reporting his own property.* A person reporting his own property need not fill out this Part further than to enter his name in the Part.

(b) *Persons reporting property of others.* A person reporting the property of another should state in Part B, as indicated in the margin thereof: (i) his name; (ii) his address; (iii) his business; (iv) the state or country of which he is a citizen or under the laws of which it is incorporated or, if unincorporated, in which it has its principal place of business; (v) if the person reporting is a national as defined in Section 5E of Executive Order No. 8389, as amended, the name of each country of which he is a national; and (vi) his relationship to the national whose property is being reported, *e. g.*, as agent, nominee, trustee, custodian, banker, etc. The information may be given by any method producing a readily legible impression.

7. *Part C. Schedule I—(a) General.* This schedule requires the valuation of all the property of the person whose property is being reported within each property type contained in the classification set out in Section III of this Circular, which must be followed strictly. Property not falling under any of the other types of the classification must be reported under type 30, but no property shall be reported under type 30 if it constitutes property reportable under any other type.

(b) *Valuation.* Enter in the column for property holdings the total value of the items of each type of property held on the effective date of the report, at the market price at the close of business on the preceding day, or, if such price is not available, at the estimated value on the effective date. In estimating value, the last sale price or bid, if reasonably close to the effective date, may be used as a basis. Concerning the effective date, see Instruction 3 in this section.

All amounts reported should be given in dollars to the nearest dollar. Do not enter fractions of a dollar on the report. However, in determining the value of a property item consisting of more than one unit, fractions of a dollar in the unit value should not be disregarded. For example, if 10 shares of a particular stock are to be reported and the value of each share was $116⅜, so that the exact total value was $1,163.75, the amount entered on the report should be $1,164.

(c) *Value expressed in foreign currency.* Property, the value of which was expressed in a foreign currency, or which was to be paid or liquidated in a foreign currency, shall be valued at the dollar value if dollar market value existed for such property itself; if not, the foreign currency value thereof shall be converted into dollars, in accordance with the instructions relating to exchange rates given in Section VI of this Circular.

(d) *Property of indeterminable value.* In reporting property of indeterminable value, enter "indeterminable" under the appropriate property type in Schedule I and describe the property in Schedule III, as required by Instruction 9 below. When property of determinable value and property of indeterminable value are to be reported under one property type in Schedule I, the determinable amount should be entered under the property type without indication of the property having indeterminable value, but descriptions of the items should be given in Schedule III in accordance with Instruction 9.

(e) *Inventories.* If in the regular course of its business, a person engaged in business prepared an inventory of merchandise, and machinery and equipment, or either, within a year of the effective date of the report, and if the information required to be furnished in Schedule I is not available from other existing records of the national, such inventory prepared nearest to the effective date and the values indicated thereon may be used in filling out Schedule I, with appropriate notation of such use, including the date of the inventory.

(f) *Orders for goods.* Orders for goods and contracts for the sale of goods need not be reported, but report must be made of long-term merchandise contracts.

(g) *Goods in transit.* Goods in transit need be reported only by nationals reporting their own property, but goods in storage must be reported by any person having custody, control, or possession of the goods, including carriers holding goods in storage.

8. *Part C. Schedule II.* This Schedule requires a statement of the indebtedness of the national payable to persons in the United States, within each indebtedness type as classified and described in the Schedule. State under each type only the total amount of indebtedness of that type being reported. Nationals reporting for themselves should enter all their indebtedness of each type. Persons reporting concerning nationals should enter only the indebtedness owed by the national to them. All amounts should be given in dollars to the nearest dollar. Do not enter fractions of a dollar. Indebtedness payable in foreign currency should be converted into dollars in accordance with the instructions relating to exchange rates given in Section VI of this Circular.

9. *Part C. Schedule III—(a) Property items to be listed.* List in this Schedule, in the order in which the property types are given in Schedule I of this Part, each item of property, concerning which report is being made, having a value of $1,000 or more on the effective date of the report: *Provided,* That persons reporting by virtue of subdivision (3) or subdivision (4) of Instruction A in Section II of this Circular shall list all items of property, without exception as to value. Property items included in Class F, *i. e.*, patents, trade-marks, copyrights, and franchises, and in Class H, *i. e.*, partnership and profit-sharing agreements, shall be listed, even though valued at less than $1,000. However, no reference whatever should be made to any invention with respect to which a secrecy order has been issued by the Commissioner of Patents pursuant to the Act of October 6, 1917 (40 Stat. 394), as amended. Also, list all items of property, the value of which is not readily determinable. Except as provided in this paragraph, property items of a value less than $1,000 should not be listed in this Schedule, although the value of each must be included in the total value of property of the appropriate type in Schedule I.

(b) *Definition of property item.* A property item is any unit of property commonly bought, sold, assigned, released, or alienated, except that the total of wholly similar units of the same kind is regarded as one item, such as a number of certificates each for shares of stock of the same issue, or a number of bonds of the same issue, or several head of cattle. The total number of units of such property shall be stated, but in other respects the property may be treated entirely as one item. Several bank accounts with the same institution, or several debts payable by the same debtor, shall be itemized separately in this Schedule if the aggregate amount thereof exceeds $1,000, even though each individual item is less than $1,000.

(c) *Method of listing.* Enter in Column (a) the number of the property type in which the item is included. Enter in Column (b) a short description or identification of the property item. In case of property, such as a patent, commonly referred to by number or other similar designation, state briefly the object or nature of the property in addition to the number or other designation. With regard to property other than debts and claims, enter in Column (c) in addition to other appropriate information, the name and address of the person, if any, with whom the property was deposited or by whom it was held, and give the number or other designation of any safe deposit box or similar receptacle, if any, in which the property was kept. Respecting deposits, debts, etc., owed to the national, state the name and address of the debtor and disregard the location of the evidence of indebtedness. If the property was held by or owned by the person reporting, it will suffice to state "Person reporting" in place of the name and address. Enter in Column (d) the value of each property item on the effective date of the report, as determined in accordance with the provision for valuation in Instruction 7, above.

(d) *Continuation sheets.* Continuation sheets identical in form with Schedule III are provided for the use of persons reporting who find the space in Schedule III insufficient.

10. *Part D. Section I.* All the information called for in the questions under this Part must be given as of the effective

date of the report for each of the property items listed in Part C, Schedule III. In the answers, each item of property shall be designated by the number of its type and by its description, or a summary of the description, in Part C, Schedule III.

11. *Part D. Section II.* The questions in this Section must be answered by every person reporting on Series L. The purpose of the Section is to obtain definite information whether a report or reports on Series A through Series H of Form TFR–300, in accordance with Instruction D in Section II of this Circular, should be filed by the person reporting on Series L. Persons who answer the applicable part of question 1 in the affirmative and who answer question 2 (a) in the negative must file a report or reports on Series A through Series H unless the property comes within the exemption provided by subdivision (3) of Instruction D in Section II.

12. *Affidavit*—(a) *Necessity and manner of execution.* The report must be signed and sworn (affirmed) to before an officer authorized to administer oaths whose seal must be affixed. Reports will not be accepted unless properly executed. The affidavit need be attested only on the original of the report but the affidavits on copies must be fully conformed except as to the notarial seal.

(b) *Who shall execute.* Affidavits on behalf of partnerships shall be executed by a partner. Affidavits on behalf of any other organization shall be executed by the president, vice-president, secretary, or some other principal officer authorized to make the report on behalf of the organization.

SEC. V. *Special instructions to persons previously reporting on Series C through Series H.* Persons holding property which they should have reported on Series C through Series H of Form TFR–300, if the reporting dates for those series had extended to the date for reporting on Series L, should prepare Part C and Part D, Section I, of Series L as nearly as possible in the same manner as they would have reported on Series C through Series H. It is intended that the reports on Series L of property which previously would have been made on Series C through Series H shall be as closely comparable as possible in data and presentation to reports on those Series. See also Instruction I in Section II of this Circular. Persons who would have reported safe-deposit boxes on Series D should utilize Part E, questions 6, 7, and 8 of Series L, instead of Part C and Part D, Section I.

The provisions of this section in no way excuse the filing of reports on Series C through Series H which are required under this Circular or under Public Circular No. 4.

SEC. VI. *Table of exchange rates.* Where the value of property expressed in terms of foreign currency is required to be converted into dollars, the rates of exchange set forth below should be used. If no rate is given for a country, the latest rate next before the effective date of the report, as generally quoted by foreign exchange dealers or other recognized sources of information, shall be used. Such rate should be clearly stated in the report.

The exchange rates given in this table are for use only in preparing reports on Form TFR–300, Series L, and are not intended to be used or relied upon in any other connection or for any other purpose whatsoever. In making reports on Series A through Series H of Form TFR–300 in accordance with Instruction D in Section II of this Circular, the instructions and table of exchange rates set forth in Section XIII of Public Circular No. 4 should be employed.

Country	Monetary unit	U. S. cents per unit
Argentina	Peso	23.7
Australia	Pound	323.0
Belgium	Belga	17.0
Bolivia	Boliviano	2.1
Brazil	Milreis	4.9
British India	Rupee	30.0
Bulgaria	Lev	1.2
Canada	Dollar	91.0
Chile	Peso	3.2
China	Yuan	5.3
Colombia	Peso	57.0
Cuba	Peso	100.0
Denmark	Krone	19.3
Ecuador	Sucre	7.1
Egypt	Pound	403.0
Eire	Pound	403.0
Finland	Markka	2.0
France	Franc	2.3
French Indo China	Piaster	23.0
Germany	Reichsmark	40.0
Greece	Drachma	.7
Hong Kong	Dollar	25.0
Hungary	Pengo	19.8
Italy	Lira	5.3
Japan	Yen	23.4
Mexico	Peso	20.6
Netherlands	Guilder	53.0
Netherlands East Indies		
Netherlands West Indies		
New Zealand	Pound	323.0
Norway	Krone	23.0
Panama	Balboa	100.0
Peru	Sol	15.4
Philippine Islands	Peso	50.0
Poland	Zloty	19.0
Portugal	Escudo	4.0
Rumania	Leu	.5
Russia	Ruble	19.0
South Africa	Pound	398.0
Spain	Peseta	9.0
Straits Settlement	Dollar	47.0
Sweden	Krona	23.8
Switzerland	Franc	23.2
Turkey	Pound	75.0
United Kingdom	Pound	403.0
Uruguay	Peso	52.6
Venezuela	Bolivar	30.0
Yugoslavia	Dinar	2.0

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 42–9093; Filed, September 14, 1942; 3:38 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1–K]

FURTHER DELEGATION OF AUTHORITY TO THE OFFICE OF PRICE ADMINISTRATION WITH REFERENCE TO RATIONING OF FARM MACHINERY AND EQUIPMENT

§ 903.13 *Supplementary Directive 1–K.* (a) In order to permit the efficient rationing of farm machinery and equipment, the authority delegated to the Office of Price Administration in § 903.1 (Directive No. 1) is hereby extended to include the exercise of rationing control (including but not limited to the issuance of suspension orders against any person who has acted in violation of any regulation or order issued pursuant to this Supplementary Directive No. 1–K) over the use by any person, or the sale, transfer, or other disposition by any person to any other person, of farm machinery and equipment, except the persons specified in subparagraphs (1) and (2) of paragraph (a) of said Directive No. 1. The exercise of such authority shall be subject to the terms and conditions specified in Directive No. 1. The Office of Price Administration may delegate to such persons as it may designate, including the Secretary of Agriculture, the exercise of all functions, duties, powers, authority or discretion, conferred upon it with regard to the rationing of farm machinery and equipment.

(b) As used in this supplementary directive, the term "farm machinery and equipment" means agricultural machinery, mechanical equipment and implements used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including all attachments used in conjunction with farm machinery and equipment, irrigation and drainage equipment (excluding tile), horseshoes, horseshoe nails and harness hardware; but excluding repair parts, and also excluding all of the following: automobiles, trucks, tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government Agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware. (E. O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, April 7, 1942, 7 F.R. 2719; sec. 2 (a), Public No. 671, 76th Cong., 3d Sess., as amended by Public No. 89, 77th Cong., 1st Sess., and by Public No. 507, 77th Cong., 2d Sess., WPB Directive No. 1, Jan. 24, 1942, 7 F.R. 562; WPB Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended March 14, 1942, 7 F. R. 2126.)

Issued this 12th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–9099; Filed, September 14, 1942; 4:57 p. m.]

PART 977—MANILA FIBER AND MANILA CORDAGE

[Amendment 1 to General Preference Order M–36, as Amended July 4, 1942]

Correction

In subdivision (iv) in the middle column of page 7142 of the issue for Thursday, September 10, 1942, the reference in the sixth line should be to paragraph "(e)" instead of paragraph "(c)".

PART 903—DELEGATION OF AUTHORITY

[Supplementary Directive 1–L]

RATIONING IN THE PANAMA CANAL ZONE

Correction

Paragraph (a) of § 903.14 *Supplementary Directive 1–L—Further delegation of authority with respect to rationing in the Panama Canal Zone* appearing on page 7200 in the issue for Saturday, September 12, 1942, should read as follows:

§ 903.14 *Supplementary Directive 1–L—Further delegation of authority with respect to rationing in the Panama Canal Zone.* (a) In order to permit the efficient rationing of all material in the Panama Canal Zone, the authority delegated to the Office of Price Administration by Directive No. 1 (§ 903.1) is hereby extended to include the exercise of control over the sale, distribution and use of all materials in the Panama Canal Zone, except the acquisition or use thereof by or for the account of any of the persons or agencies designated in subparagraph (1) of paragraph (a) of said Directive No. 1. The exercise of such authority shall be subject to the terms and conditions specified in said Directive No. 1 and to the conditions hereinafter specified in this Supplementary Directive and, in the case of exports, shall also be subject to the provisions of section 6 of the Act of July 2, 1940 (54 Stat. 714) and the pertinent regulations issued thereunder.

PART 1134—TEA

[Amendment 3 to Order M–111 as Amended May 1, 1942]

Section 1134.1 *Conservation Order M–111*[1] is hereby amended in the following respects:

1. Paragraph (d) is amended by the addition of a new subparagraph numbered (d) (7) and reading as follows:

(7) Any packer who delivers a substantial portion of his quota of tea directly to consumers and/or to retailers may, by letter, submit to the War Production Board a plan to transfer the distribution of all or a part of that portion to wholesale receivers of the class described in paragraph (b) (4) of this order. Such a plan must contemplate a substantial conservation of automotive and related equipment and material, and, further, contain provision for equitable distribution of the transferred volume among such wholesale receivers and an equitable redistribution of that volume within the areas previously served directly by the packer. If such a plan is authorized by the Director General for Operations, the packer may deliver to wholesale receivers of the class described in paragraph (b) (4), and such wholesale receivers may accept without charge to their quotas, the volume of tea authorized for transfer, provided delivery of such tea is accompanied by a dated certification by the packer reading substantially as follows:

Pursuant to authorization issued to the undersigned by the War Production Board, you may accept the tea delivered hereunder without charge to your quota as a wholesale receiver.

Name of packer company_____

_____

By _____ Title _____

2. A new paragraph, numbered (e–1) and reading as follows, is inserted between paragraphs (e) and (f):

(e–1) *Restrictions relating to importers' and packers' inventories.* (1) Except as permitted by paragraph (e–1) (2) below or as specifically authorized by the Director General for Operations or for the purpose of filling orders under paragraph (d) (4) above, no person shall knowingly deliver tea to any importer or to any packer, and no importer and no packer shall accept delivery thereof, if his inventory of tea is, or will by virtue of such acceptance become, if he is an importer, in excess of one-twelfth of the total quantity of tea delivered by him in 1941 in original bulk import packages or, if he is a packer, in excess of one-fourth of the total quantity of tea accepted by him during 1941. For purposes of this order, an "importer" is any person, other than a government agency, engaged in the business of importing tea for resale in original bulk import packages, to the extent that he is so engaged. Any tea in the possession of an importer but set aside and held for the account of a packer shall be considered the packer's inventory.

(2) If a shipment of tea imported by or specifically for a packer arrives in the United States and, by virtue of paragraph (e–1) (1), such packer is not entitled to accept delivery of any or all of such tea but is unable to make an immediate bona fide sale to some unaffiliated person, who is entitled to accept delivery, of the excess portion of such shipment or an equivalent amount of tea from his existing inventory, such packer may take possession of such excess, pending the actions provided for below:

(i) Within 72 hours after the arrival of such tea in the United States, such packer shall offer, through established tea dealers and/or brokers, such excess, or an equivalent quantity of tea from his existing inventory, for bona fide sale to any unaffiliated person who is entitled to accept delivery;

(ii) At the same time, he shall forward a report, by letter or telegram, of such actions to the War Production Board, stating the steamer, the port of arrival, the excess quantity (by chests and chest weights), whether he intends to sell such tea or an equivalent amount from his existing inventory, a description (type, grade), the location of the tea offered for sale, and the brokers and/or dealers through whom the offer is being made.

(iii) In the event of sale, he shall forward a report, by letter or telegram, on such sale, within 24 hours thereafter, to the War Production Board, stating the name of the purchaser and the date of sale.

(iv) If, before any such offer for sale is accepted, the packer becomes entitled under paragraph (e–1) (1) above to accept delivery of a quantity of tea, the restrictions of paragraph (e–1) (2) may be considered removed as to the quantity he is so entitled to accept, provided he forwards notice thereof, by letter or telegram, to the War Production Board within 24 hours after he becomes entitled to accept delivery.

3. A new paragraph, numbered (p) and reading as follows, is added:

(p) Every importer, every packer, and every wholesale receiver shall immediately set aside, for the requirements of government agencies, his entire inventory of green tea which is not packed in containers of one-fourth of one pound or less or in tea bags or tea balls. Without regard to existing contracts, all tea set aside shall, unless and until released, be held for allocation to any government agency by the Director General for Operations. On or before September 25, 1942, every person required to set aside green tea shall report to the War Production Board, by letter, the types, quantities (by chests and chest weights), and locations of the tea required to be set aside.

(P.D. Reg. 1, as amended, 6 F.R. 6580; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of September 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–9120; Filed, September 15, 1942; 11:31 a. m.]

[1] 7 F.R. 4841, 6385.

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Maximum Price Regulation 220]

CERTAIN RUBBER COMMODITIES

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable, will effectuate the purposes of the Emergency Price Control Act of 1942 and are necessary to adjust the provisions of the General Maximum Price Regulation [1] to the particular circumstances of manufacturers of rubber commodities. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, Maximum Price Regulation No. 220 is hereby issued.

AUTHORITY: §§ 1315.1551 to 1315.1566, inclusive issued under Pub. Law 421, 77th Cong.

§ 1315.1551 *Applicability of the General Maximum Price Regulation.* The provisions of §§ 1499.1 to 1499.3, inclusive, and §§ 1499.21 to 1499.23, inclusive, of the General Maximum Price Regulation shall not apply to sales or deliveries of rubber commodities (as defined in paragraph (a) (4) of § 1315.1564) by the manufacturers thereof. All other sections of the General Maximum Price Regulation, together with existing and subsequent supplementary regulations (including Supplementary Regulation No. 4 to the General Maximum Price Regulation) and amendments to such sections, shall apply to sales and deliveries by such manufacturers, and are hereby incorporated by reference into this Maximum Price Regulation No. 220.

§ 1315.1552 *Prohibition against dealing in rubber commodities above maximum prices.* (a) On and after September 19, 1942, regardless of any contract or other obligation (except as provided in paragraph (d) of this section):

(1) No manufacturer shall sell or deliver any rubber commodity at a price higher than the maximum price permitted by this Maximum Price Regulation No. 220; and

(2) No person in the course of trade or business shall buy or receive any such commodity from a manufacturer at a price higher than the maximum price permitted by this Maximum Price Regulation No. 220; *Provided,* That in the case of commodities for which a maximum price has been established under §§ 1315.1556 or 1315.1557 of this Maximum Price Regulation No. 220, if the purchaser shall receive from the seller a written affirmation that the seller has calculated the maximum price for the commodity in accordance with § 1315.1556 or § 1315.1557 and has filed a report with the Office of Price Administration and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, and provided the price paid is not in excess of the maximum price as affirmed by the seller, the purchaser shall be deemed to have complied with this section.

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 220 or by the Emergency Price Control Act of 1942.

(c) On and after September 19, 1942, no manufacturer shall sell, offer to sell, deliver or transfer any rubber commodity for which a maximum price must be determined under § 1315.1558 until he has complied with the reporting and waiting provisions thereof.

(d) Nothing in this Maximum Price Regulation No. 220 shall prevent the fulfilment of contracts entered into before September 19, 1942, for the sale of rubber commodities at prices not exceeding the maximum prices established by the General Maximum Price Regulation prior to September 19, 1942.

§ 1315.1553 *Maximum prices for rubber commodities delivered or offered for delivery during March 1942.* The maximum price for a sale by a manufacturer of any rubber commodity which is the same as a commodity which was delivered or offered for delivery in March 1942, by the manufacturer, shall be the highest price charged by the manufacturer, during March 1942 (as defined in paragraph (a) (1) of § 1315.1564) for the commodity.

§ 1315.1554 *Maximum prices for rubber commodities not delivered or offered for delivery during March 1942.* The maximum prices for a sale by a manufacturer of any rubber commodity which is not the same as a commodity which was delivered or offered for delivery by the manufacturer during March 1942, shall be the price determined by the first one of the four methods set forth in §§ 1315.1555, 1315.1556, 1315.1557 and 1315.1558 which applies to the commodity.

§ 1315.1555 *First pricing method: Minor changes.* The maximum price of any commodity differing from a commodity delivered or offered for delivery by the manufacturer during March, 1942, only by reason of minor changes in material, design, or construction which do not reduce cost of materials or prevent its offering fairly equivalent serviceability shall be the maximum price of the commodity delivered or offered for delivery during that period.

§ 1315.1556. *Second pricing method: Changes necessitated by shortages of materials or parts*—(a) *Maximum prices.* The maximum price of any commodity which cannot be priced under § 1315.1555 and which differs from a commodity delivered or offered for delivery by the manufacturer during March, 1942, only because of changes necessitated by shortages of materials or parts, shall be the maximum price of the commodity delivered or offered for delivery during that month, adjusted by adding or subtracting the increase or decrease in direct costs resulting from the changes. The seller must determine the maximum price of a commodity priced under this section before he first offers it for sale. Once the seller has determined his maximum price for a particular commodity under this section, that price is his maximum thereafter.

In calculating the direct costs for both the commodity delivered or offered for delivery during March, 1942, and the changed commodity the manufacturer shall follow the method for computation of direct costs set forth in paragraph (a) (1) of § 1315.1557.

(b) *Report of maximum prices.* Within five days after a purchaser first agrees to buy a commodity for which a maximum price must be determined under this section, or at any time prior thereto, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him. The report shall contain a description of the commodity delivered or offered for delivery during March, 1942, and of the commodity being priced under this section, a detailed explanation of the changes made (including any innovation in manufacturing process) and the reasons therefor and details of the computation of direct costs and of the maximum price. The manufacturer may not accept payment for the commodity until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1315.1557 *Third pricing method: Other than minor changes or changes necessitated by shortages of materials or parts.* The maximum price of any commodity which cannot be priced under §§ 1315.1555 or 1315.1556 shall be the price derived by the use of the following formula: The maximum price shall be the sum total of direct costs and gross margin, determined as follows:

(a) *Maximum price for the first sale*—(1) *Computation of direct costs.* The direct costs of a commodity shall be the sum total of direct labor and direct materials costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the rubber commodity by the wage rates determined in accordance with subdivision (i) of this subparagraph (1). The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the rubber commodity by the materials prices determined in accordance with subdivision (ii) of this subparagraph (1).

(i) *Wage rates.* The wage rates applicable to any commodity shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the commodity. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(ii) *Materials prices.* The price of any materials used in the commodity being priced shall be the highest price charged during March, 1942, (as defined in paragraph (a) (1) of § 1315.1564) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (*a*) his March, 1942, supplier of the material, or (*b*) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exists; it shall be his potential supplier. For the purposes of this subdivision (ii) if the manufacturer shall receive a written affirmation from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the affirmation, and if, as of the time of his determination of the price of a commodity, the maximum price of which is established by this section, the manufacturer shall have no reason to believe that the selling price of the material is in excess of the maximum price established by the Office of Price Administration, the price as affirmed by the seller shall be deemed to be the maximum price established by the Office of Price Administration for that material.

(2) *Computation of gross margin.* The "gross margin", which means the difference, expressed in dollars and cents, between the net selling price and the total direct costs, shall include only items (such as factory overhead, depreciation, commercial expense, transportation and warehouse expense, and margin of profit) that would have been used by the manufacturer in calculating the selling price for the commodity in question to a purchaser of the same class during March, 1942. The bases and rates used in the calculation of the gross margin shall be selected from the following bases and rates as provided in subdivision (iv).

(i) The bases and predetermined rates the manufacturer used during March, 1942, for the calculation of indirect costs and profit margin for a commodity having the same use as the commodity being priced. (For example, two raincoats have the same use even if made of different materials and in different styles.)

(ii) The bases and predetermined rates the manufacturer used during March, 1942, for the calculation of indirect costs and profit margin for a commodity manufactured by the same processes as the commodity being priced. (For example, two fabrics which are coated with rubber by passing through a spreader are manufactured by the same process.)

(iii) The bases and predetermined rates the manufacturer used during March, 1942, for the calculation of indirect costs and profit margin for a commodity, the total direct costs of which are the nearest to the direct costs of the commodity being priced.

(iv) In order to determine the commodity to be used in establishing the bases and rates which the manufacturer must use in calculating the gross margin of the commodity being priced, the manufacturer shall apply subdivisions (i) through (iii) of this subparagraph as follows:

(*a*) If only one commodity meets the requirements of subdivision (i), that commodity shall be used.

(*b*) If two or more commodities meet the requirements of subdivision (i), the manufacturer shall test those commodities by subdivision (ii). If only one of those commodities meets the requirements of subdivision (ii), that commodity shall be used.

(*c*) If more than one of those commodities meet the requirements of subdivision (ii), the manufacturer shall use that one of those commodities which is shown by the application of subdivision (iii) to have total direct costs nearest to the direct costs of the commodity being priced.

(*d*) If two or more commodities meet the requirements of subdivision (i) but none of those commodities meets the requirements of subdivision (ii), the manufacturer shall use that one of those commodities which is shown by the application of subdivision (iii) to have total direct costs nearest to the direct costs of the commodity being priced.

(*e*) If no commodity meets the requirements of subdivision (i) and only one commodity meets the requirements of subdivision (ii), that commodity shall be used.

(*f*) If no commodity meets the requirements of subdivision (i) and two or more commodities meet the requirements of subdivision (ii), the manufacturer shall use that one of those commodities which is shown by the application of subdivision (iii) to have total direct costs nearest to the direct costs of the commodity being priced.

(*g*) If no commodity meets the requirements of subdivision (i) or (ii), the manufacturer shall use that commodity which is shown by the application of subdivision (iii) to have total direct costs nearest to the direct costs of the commodity being priced.

(v) When used in this subparagraph (2) "predetermined rates" means gross margin rates in effect on March 1, 1942, at the estimated volume of production for the month of March, 1942, and "indirect costs" means all costs other than direct costs.

(b) *Maximum price for the second or subsequent sale of a rubber commodity, which is not a standard list item.* If a manufacturer makes a second sale of a rubber commodity, the maximum price of which has been determined pursuant to the provisions of paragraph (a) of this section, the maximum price for the second sale of such commodity shall be determined in accordance with the provisions of paragraph (a) of this section, except that actual labor hours and actual quantity of materials used in the production of the first order of the commodity, adjusted for changes in technique and anticipated volume, shall be used in such determination. The maximum price determined for a second sale of a commodity under this paragraph shall be the maximum price for subsequent sales of that commodity.

(c) *Maximum price for standard list items.* If a rubber commodity, the maximum price of which has already been established by paragraph (a) of this section, is offered for sale as a standard list item, the maximum price shall be recomputed according to the provisions of paragraph (a) of this section, except that actual labor hours and actual quantity of materials used in the production of the first order of the commodity, adjusted for changes in technique and anticipated volume, shall be substituted for estimated labor hours and estimated quantity of materials used. This adjustment in the maximum price of the commodity shall be made within sixty days after the manufacturer begins the production of such commodity as a standard list item.

(d) *Reports of maximum prices.* Within five days after a purchaser first agrees to buy a commodity for which a maximum price must be determined under paragraph (a), (b), or (c) of this section, or at any time prior thereto, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him. The report shall contain a full description of the commodity being priced and of any innovation in manufacturing processes involved and a detailed explanation of the computation of the direct costs and the maximum

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5028, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093.

[2] 7 F.R. 971, 3663, 6967.

price. It shall also contain a description of the commodity which determines the bases and rates used in the calculation of the gross margin of the commodity being priced and the maximum price, direct costs and an explanation of the reasons for the selection of that commodity. The manufacturer may not accept payment for the commodity until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1315.1558 *Fourth pricing method; Specific authorization by the Office of Price Administration* — (a) *Maximum prices.* The maximum price for any commodity which cannot be priced under §§ 1315.1555, 1315.1556 or 1315.1557 shall be the price, in line with the level of maximum prices established by this Maximum Price Regulation No. 220, specifically authorized by the Office of Price Administration.

(b) *Reports of maximum prices.* Prior to first offering the commodity for sale, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report applying for specific authorization of a maximum price. The report shall contain a description in detail of the commodity (including the manufacturing process), a statement of the facts which make it necessary to price the commodity under this section, and the proposed maximum price with a detailed explanation of its computation. Upon receipt of the authorization, the manufacturer may offer the commodity for sale in accordance with the terms of the authorization.

§ 1315.1559 *Price differentials.* No manufacturer shall change the allowances, discounts, or other price differentials he had in effect during March, 1942, for those types of rubber commodities which he delivered or offered for delivery during that month, unless such change results in a lower price. Every manufacturer, in computing the maximum prices for sales to different classes of purchasers, of commodities the maximum prices of which are determined under §§ 1315.1555, 1315.1556 or 1315.1557, shall adjust the amount established as the maximum price for one general class of purchaser to reflect all allowances, discounts, and other price differentials which he had in effect during March, 1942, for the commodity used as a basis for determining the maximum price of the commodity being priced.

§ 1315.1560 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 220 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, a rubber commodity, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1561 *Application for adjustment, and petition for amendment*—(a) *Application for adjustment.* (1) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 220 in any case in which the seller shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(ii) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this subparagraph (1) shall be filed in accordance with Procedural Regulation No. 1.

(2) Any person seeking relief, for which no provision is made in the foregoing subparagraph (1) of this section, from a maximum price established under this Maximum Price Regulation No. 220 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 220 to eliminate the danger of inflation.

(b) *Petitions for amendment.* Any person seeking a modification of any provisions of this Maximum Price Regulation No. 220 (other than an adjustment provided by paragraph (a)) may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1315.1562 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 220 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 220 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1563 *Effect of other price regulations.* (a) This Maximum Price Regulation No. 220 shall not apply to any sale or delivery of rubber commodities for which a maximum price is in effect at the time of such sale or delivery under the provisions of any other price regulation issued, or which may be issued, by the Office of Price Administration. The General Maximum Price Regulation shall not apply to sales or deliveries of rubber commodities (as defined in paragraph (a) (4) of § 1315.1564), except as provided in § 1315.1551 and paragraph (d) o § 1315.1552.

(b) Specifically, but not exclusively, this Maximum Price Regulation No. 220 is not applicable to sales or deliveries of commodities, the maximum prices of which are established by Revised Price Schedule No. 56 [3]—Reclaimed Rubber; Revised Price Schedule No. 63 [4]—Retail Prices for New Rubber Tires and Tubes; Revised Price Schedule No. 66 [5]—Retreaded and Recapped Rubber Tires, the Retreading and Recapping of Rubber Tires, and Basic Tire Carcasses; Revised Price Schedule No. 87, as Amended [6]—Scrap Rubber; Maximum Price Regulation No. 107 [7]—Used Tires and Tubes; Maximum Price Regulation No. 119 [8]—Original Equipment Tires and Tubes; Maximum Price Regulation No. 131 [9]—Camelback; Maximum Price Regulation No. 132 [10]—Waterproof Rubber Footwear; Maximum Price Regulation No. 143 [11]—Wholesale Prices for New Rubber Tires and Tubes; Maximum Price Regulation No. 149 [12]—Mechanical Rubber Goods; Maximum Price Regulation No. 157 [13]—Sales and Fabrication of Textiles, Apparel and Related Items for Military Purposes; Maximum Price Regulation No. 188 [14]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel; and Maximum Price Regulation No. 200 [15]—Rubber Heels, Attached Rubber Heels and The Attaching of Rubber Heels.

§ 1315.1564. *Definitions.* (a) When used in this Maximum Price Regulation No. 220, the term:

(1) "Highest price charged during March, 1942", means:

(i) The highest price which the seller charged to a purchaser of the same class for delivery of the commodity during March, 1942,

(ii) If the seller made no such delivery during March, 1942, such seller's highest offering price to a purchaser of the same class for delivery during that month,

(iii) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(2) "Manufacturer" means any person engaged in the production of a rubber commodity.

(3) "Purchaser of the same class" and "class of purchaser" refer to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(4) "Rubber commodity" means reclaimed rubber and any commodity made in whole or in part of rubber (except airplane tires and tubes, heels, soles and drug sundries) the maximum price for which would be established by the General Maximum Price Regulation in the absence of this Maximum Price Regulation No. 220.

(5) "Rubber" means all forms and types of rubber, including synthetic, reclaimed and balata rubber.

(6) "Standard list item" means an article, the maximum price of which is listed in a schedule or price list of the manufacturer or which is offered for sale by the manufacturer at the same price to any member at a particular class of purchasers.

(7) "Synthetic rubber" means rubber of the butadiene-styrene copolymer, perbunan, neoprene, and butyl types and any other rubber-like substance which is capable of being vulcanized.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1565 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 220 shall be applicable to the forty-eight states and the District of Columbia, but not to the territories and possessions of the United States.

§ 1315.1566 *Effective date.* This Maximum Price Regulation No. 220 (§§ 1315.1551 to 1315.1566, inclusive) shall become effective September 19, 1942, for all sales and deliveries except sales and deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such government. For such sales and deliveries it shall become effective October 10, 1942.

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9097; Filed, September 14, 1942; 4:28 p. m.]

[3] 6 F.R. 6455, 7 F.R. 657, 1313, 1836, 2000, 2132.
[4] 7 F.R. 1323, 1836, 2132, 3036, 3719, 5708, 6048, 6215.
[5] 7 F.R. 1333, 1836, 1837, 2132.
[6] 7 F.R. 4781, 5177, 6002.
[7] 7 F.R. 1838, 1981, 2394, 3891, 5177.
[8] 7 F.R. 3509.
[9] 7 F.R. 3160.
[10] 7 F.R. 3161, 4294, 6743.
[11] 7 F.R. 3664, 5712.
[12] 7 F.R. 3889.
[13] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424.
[14] 7 F.R. 5872.
[15] 7 F.R. 6259, 6936.

PART 1381—SOFTWOOD LUMBER

[Amendment 6 to Maximum Price Regulation 26 [1]]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.62 (g) is amended to read as set forth below:

§ 1381.62 *Appendix A: Maximum prices for Douglas fir and other West Coast lumber where shipment originates at a mill.* * * *

(g) (1) The maximum price for grades and classes of lumber recognized by the West Coast Lumbermen's Association Standard Grading and Dressing rules dated April 1, 1942, and by the Export Grading Rules (commonly called N List) issued by the Pacific Lumber Inspection Bureau dated 1929, for which no maximum price is established in paragraphs (a) and (b) of this section, shall be a price computed in the following manner:

(i) For the select grades (D and better grades) the seller shall determine the difference in the price which he received for the item to be priced and the price which he received for 1 x 4 V. G. B and better R/L dry flooring during the first month prior to October 1, 1941, in which sales of both items were made, and after determining this difference, he shall add or deduct, as the case may be, this difference to or from the maximum price of the 1 x 4 V. G. B and better R/L dry flooring established in paragraph (a) of this section.

(ii) For grades other than select grades the seller shall determine the difference in the price which he received for the item to be priced and the price which he received for 2 x 4—16 No. 1 Dimension, S4S, dry, during the first month prior to October 1, 1941, in which sales of both items were made and shall add or deduct, as the case may be, this difference to or from the maximum price of 2 x 4—16 No. 1 Dimension, S4S, dry established in paragraph (a) of this section.

The tentative maximum price obtained by application of the appropriate method shall be submitted to the Lumber Branch of the Office of Price Administration in Washington, D. C., within 10 days of the use of such price together with certified copies of the invoices of the sales which were used to determine the maximum price. If within 30 days after receipt of the request for approval, the Office of Price Administration does not adjust or require further justification of such maximum price, the price shall be considered approved and shall thereafter be the maximum price for that seller. Pending such approval, the seller may deliver the lumber and receive payment therefor, subject to the condition that a refund will be made if the price is in excess of that finally approved by the Office of Price Administration.

(2) No addition may be made for workings, specifications, services, or extras not expressly provided for in § 1381.62: *Provided,* That the seller may apply to the Lumber Branch of the Office of Price Administration in Washington, D. C., for approval of additions for workings, specifications, services or other extras not provided for. In such application the seller shall describe in detail the workings, specifications, services or other extras not provided for together with a statement showing how the addition requested was determined and that the proposed addition was regularly made immediately prior to October 1, 1941, for the particular or similar working, specification, service or extra together with a certified copy of order or invoice of a representative sale on which such an addition or similar addition was made. Pending approval of such addition, the seller may quote and deliver at a price which is agreed by the parties to be subject to adjustment to the price approved by the Office of Price Administration, but the seller may not accept payment and the purchaser may not make payment until approval of such addition in writing has been received.

§ 1381.61a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1381.62 (g)) to Maximum Price Regulation No. 26 shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9095; Filed, September 14, 1942; 4:28 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4573, 4701, 5180, 5360, 6168, 6388, 6424.

PART 1381—SOFTWOOD LUMBER

NORTHEASTERN SOFTWOOD LUMBER

[Maximum Price Regulation 219]

In the judgment of the Price Administrator it is necessary and proper to establish specific maximum prices for the sale of Northeastern softwood lumber. The Price Administrator has ascertained and given due consideration to the prices of

these items and species prevailing between October 1 and October 15, 1941. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 219 is hereby issued.

AUTHORITY: §§ 1381.301 to 1381.317, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1381.301 *Maximum prices for Northeastern softwood lumber.* (a) On and after September 19, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Northeastern softwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Northeastern softwood lumber so shipped at prices higher than the maximum prices set forth in Appendices A, B, and C hereof, incorporated herein as §§ 1381.315, 1381.316, and 1381.317, respectively; and no person subject to this Maximum Price Regulation No. 219 shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) The maximum prices set forth in §§ 1381.315 and 1381.316 shall not be applicable to "direct-mill retail sales" as defined in subparagraph (9) of paragraph (a) of § 1381.308.

§ 1381.302 *Less than maximum prices.* Lower prices than those provided in this Maximum Price Regulation No. 219 may be charged, demanded, paid or offered.

§ 1381.303 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 219 shall enter into an agreement permitting the adjustment of the price of Northeastern softwood lumber to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663, 6967.

§ 1381.304 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 219 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Northeastern softwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lumber through a distribution yard, whether wholesale or retail;

(2) Making charges for delivery which exceed the actual cost to the seller of such delivery except as otherwise provided in § 1381.309;

(3) Falsely or wrongly grading or invoicing lumber;

(4) Grading as a special grade lumber which can be graded as a standard grade;

(5) Selling as specified lengths a shipment of lumber which is substantially equivalent to standard or random lengths, or reselling as specified lengths a shipment purchased by the seller as standard or random lengths;

(6) Refusing to sell except on a delivered or loaded basis;

(7) Quoting a delivered price on the basis of estimated weights which exceed the weights for the appropriate species set forth in §§ 1381.315 and 1381.316;

(8) Unreasonably refusing to ship an item of lumber except in a small quantity which entitles the seller to a premium.

(c) The maximum prices established in this Maximum Price Regulation No. 219 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the price would have been decreased on October 1, 1941.

§ 1381.305 *Records and reports.* (a) On and after September 19, 1942, every person who, during any calendar month, offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys or receives a total of 34,000 pounds or more of Northeastern softwood lumber in the course of trade or business, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every offer, agreement of sale, purchase, sale or delivery of Northeastern softwood lumber made by him, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity, size, grade, specifications and condition of seasoning of the lumber in each transaction.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1381.306 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 219 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 219 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest District, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) No war procurement agency, nor any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 219 or the Emergency Price Control Act of 1942.

§ 1381.307 *Petition for adjustment or amendment.* (a) Government contracts or subcontracts. Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of an item or items of Northeastern softwood lumber essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 219 in accordance with Procedural Regulation No. 6,[2] issued by the Office of Price Administration.

(b) Persons seeking any modification of this Maximum Price Regulation No. 219, or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1381.308 *Definitions.* (a) This Maximum Price Regulation No. 219 and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States, or any government, or any of its political subdivisions, or any agency of any of the foregoing.

[2] 7 F.R. 5087.

(2) "Northeastern softwood lumber", means the following softwood lumber produced in the States of Maine, New Hampshire, Vermont, Connecticut, Rhode Island and Massachusetts: Northeastern white pine (Pinus Strobus), Northeastern Norway pine (Pinus Resinosa), Northeastern hemlock (Tsuga Canadensis), Northeastern red spruce (Picea Rubens), Northeastern black spruce (Picea Mariana) and Northeastern white spruce (Picea Canadensis).

(3) "Round edge lumber" means Northeastern white pine lumber which is sawn or processed by sawing two sides without sawing or otherwise processing edges.

(4) "Square edge lumber" means Northeastern white pine lumber (Pinus Strobus) which is sawn or processed square on four sides.

(5) "Mill" means any establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 219 by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 percent of the volume of Northeastern softwood lumber or logs purchased or received by it or

(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (6) (ii) of this section: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Northeastern softwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.

(6) "Distribution yard" means an establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 219 by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 percent of the volume of Northeastern softwood lumber purchased or received by it; and

(ii) Which resembles the following described establishment more nearly than that described under the definition of "mill" in subparagraph (5) (ii) of this section: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.

(7) A shipment is deemed to "originate at a mill" when the lumber reaches the purchaser without having been stored as an integral part of the yard stock of a distribution yard as defined in subparagraph (6) of this section.

(8) A shipment is deemed to "originate at a distribution yard", whether wholesale or retail, when, and only when, the shipment is made out of a stock of lumber which was an integral part of the seller's distribution yard stock at the time the sale was made.

(9) "Direct-mill retail sale", for the purpose of determining whether the sale is exempt from the provisions of §§ 1381.315 and 1381.316 means a sale which satisfies all of the following tests:

(i) It must be a sale of not more than 2,000 feet of lumber;

(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates;

(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.

(10) Unless otherwise specified, grade terms used herein have the meanings set forth in "Standard Grading Rules for Northern White Pine and Norway Pine" (Northeastern Type), published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937.

(11) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the War Shipping Administration, the Office of Scientific Research and Development and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to terms used but not defined herein.

§ 1381.309 *Transportation charges.* (a) A delivered price in excess of the maximum f. o. b. mill prices set forth in the appropriate Appendix to this Maximum Price Regulation No. 219 may be charged, consisting of such maximum prices plus the transportation charges permitted by this section: *Provided*, That (1) the invoice shows the point of origin of the shipment, the destination, and the applicable railroad or truck rate, or, in place of such rate, where shipment is by motor vehicle owned or controlled by the seller, the amount added for transportation; and (2) the invoice is marked "direct mill shipment".

(b) Where shipment is exclusively by motor vehicle owned or controlled by the seller, the charge may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the railroad charge at the carload rate for the most nearly comparable haul. If the actual cost is less than such railroad charge, only the actual cost may be added to the maximum price.

(c) Where shipment is by common or contract carrier, the amount added for transportation may be no greater than the actual amount paid to the carrier, except as provided in paragraph (d) of this section: *Provided*, That where shipment is by both rail and truck (either owned or controlled by the seller or a common or contract carrier), the following shall govern:

(1) Where shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery, provided such cost is shown separately on the invoice.

(2) Where a truck haul precedes the rail shipment, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for such truck haul (except as otherwise provided in § 1381.315 for loading on trucks): *Provided, however*, That the seller may apply to the Lumber Branch of the Office of Price Administration for an exception if the seller can demonstrate that a separate and identifiable charge for the truck haul was customarily made by the seller during the year 1941.

(d) In computing transportation costs, the following practices are not to be deemed in violation of this Maximum Price Regulation No. 219:

(1) The computation of transportation costs on the basis of the applicable freight rate and the appropriate system of estimated weights set forth in the appendices to this Maximum Price Regulation No. 219: *Provided*, That in applying the estimated weights, the seller must use estimated weights which are appropriate for lumber in the condition (including moisture content and extent of processing) in which the lumber subject to this Maximum Price Regulation No. 219 is shipped; and

(2) The charging of a sum equivalent to the one-quarter of a dollar nearest to the transportation costs per 1,000 feet of lumber computed in accordance with subparagraph (1) of paragraph (d).

§ 1381.310 *Grades, workings, specifications, services or extras for which no specific price is established.* (a) No addition may be made for grades, workings, specifications, services, or extras not expressly provided for herein: *Provided*, That the seller may apply to the Lumber Branch of the Office of Price Administration in Washington, D. C. for approval of additions for grades, workings, specifications, services or extras not provided for. In such application the seller shall describe in detail the grades, workings, specifications, services or extras not provided for together with a statement showing how the addition requested was determined and whether or not the proposed addition was regularly made immediately prior to October 1, 1941 for the particular similar grade, working, speci-

fication, service or extra. Pending approval of such charges, the seller may quote and deliver at a price to be approved by the Office of Price Administration, but the seller may not accept payment and the purchaser may not make payment until such approval has been granted.

(b) Where Northeastern softwood lumber is sold on a combination grade for which no specific maximum price has been established in this Maximum Price Regulation No. 219, the maximum price shall be the maximum price of the lowest grade in this combination: *Provided, however*, That the seller may grade and ship the lumber on the standard grades included in such combination grades if he invoices the footage in each of the standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 219 for the respective standard grades.

§ 1381.311 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation [1] shall not apply to sales and deliveries of Northeastern softwood lumber subject to this Maximum Price Regulation No. 219 except as provided in § 1381.316.

§ 1381.312 *Licensing.* The provisions of Supplementary Order No. 18 (§ 1305.22) licensing persons selling lumber, lumber products or building materials, are applicable to every person (except mills, manufacturers or producers) making sales of Redwood lumber or millwork for which maximum prices are established by this Maximum Price Regulation No. 219.

§ 1381.313 *Export sales.* (a) The maximum price at which a person may export Northeastern softwood lumber shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[2] issued by the Office of Price Administration.

(b) On F. A. S. sales to Lend-Lease Administration, British Purchasing Commission, British Air Commission, and other government agencies or their contractors, an addition of $3.50 per M feet may be made for marking, bundling, assembling, switching, unloading, tallying, dock insurance and other services necessary to the proper dispatch of off-shore cargo of lumber.

§ 1381.314 *Effective date of Maximum Price Regulation No. 219.* Maximum Price Regulation No. 219 (§§ 1381.301 to 1381.317, inclusive) shall become effective September 19, 1942, as to sales and deliveries of Northeastern white pine lumber, but shall not apply if prior to September 19, 1942, such lumber was received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

§ 1381.315 *Appendix A: Maximum prices for Northeastern white pine lumber processed square edge where shipment originates at a mill.* (a) The maximum prices for Northeastern white pine lumber, processed square edge, f. o. b. mill, where shipment originates at the mill, shall be as follows per 1,000 feet board measure:

TABLE 1—4/4" ROUGH, DRY, RANDOM LENGTHS

	C Select and better	D Select and better	No. 1 and No. 2 Common	No. 3 Common	No. 4 Common	No. 5 Common
1" x 3"	$77.00	$67.00	$50.00	$38.50	$33.00	$29.00
1" x 4"	76.50	66.50	47.00	38.00	31.00	24.00
1" x 5"	77.50	67.50	47.50	37.00	32.00	24.00
1" x 6"	79.00	69.00	50.50	40.00	36.00	28.50
1" x 7"	79.00	69.00	50.50	40.00	36.00	28.50
1" x 8"	82.00	72.00	53.00	40.50	36.50	29.50
1" x 9"	82.00	72.00	53.00	40.50	36.50	29.50
1" x 10"	87.00	77.00	53.00	42.50	36.50	29.50
1" x 11"	87.00	77.00	53.00	42.50	36.50	29.50
1" x 12"	99.00	89.00	63.00	48.00	38.50	30.50
1" x 13" and wider	102.00	92.00	64.00	49.00	40.00	33.00
1" x 4" and wider	80.00	70.00	51.50	39.75	35.75	28.50
1" x 5" and wider	81.50	71.50	52.50	40.00	36.00	29.00
1" x 6" and wider	82.00	72.00	53.00	40.50	36.50	29.50

TABLE 2—ADDITIONS FOR THICKER THAN 4/4"

	C Select and better	D Select and better	No. 1 and No. 2 Common	No. 3 Common	No. 4 Common	No. 5 Common
5/4" to 8/4"	10.00	10.00	7.00	3.00	2.00	2.00
9/4" and thicker	15.00	15.00	8.00	3.00	3.00	3.00

LOG RUN

4/4" and thicker $37.00

RULES [1]

(1) Random lengths shall include all odd lengths from 6' to 16' (7', 9', 11', 13', 15').

(2) 1" x 4" and wider must average 7" to 8" in width.

(3) 1" x 5" and wider must average 8" to 9" in width.

(4) 1" x 6" and wider must average at least 9" in width.

DIFFERENTIALS

(1) For Green ..... Deduct $2.00 per 1,000 board feet.

(2) For specified lengths ..... Add $2.00 per 1,000 board feet.

(3) For bundling ..... Add $1.25 per 1,000 board feet.

(b) The following additions for milling Northeastern white pine lumber, processed square edge, where shipment originates at the mill, may be made:

TABLE 3—MILLING CHARGES, PER ITEM

Items	Per 1,000 board feet: Lots 5,000' or over	Per 1,000 board feet: Lots 1,000' to 4,999'	Net charge per item, under 1,000'
S1S	$3.00	$3.25	$3.25
S2S	3.00	3.25	3.25
S4S	4.00	4.25	4.25
S2S and match	4.00	4.25	4.25
S1S and clip to exact length	3.25	3.50	3.50
S2S and clip to exact length	3.25	3.50	3.50
S4S and clip to exact length	4.25	4.50	4.50
Clipping only to exact length	3.00	3.25	3.25

TABLE 3—MILLING CHARGES, PER ITEM—Continued

Items	Per 1,000 board feet: Lots 5,000' or over	Per 1,000 board feet: Lots 1,000' to 4,999'	Net charge per item, under 1,000'
Bead 1 side add to S4S	$1.00	$1.25	$1.25
Bead 2 sides add to S4S	1.50	1.75	1.75
S2S and resaw 1 cut	5.50	5.75	5.75
S4S and resaw 1 cut	6.50	6.75	6.75
S2S and resaw 2 cuts	6.50	6.75	6.75
S4S and resaw 2 cuts	7.50	7.75	7.75
Resaw rough—1 cut	4.00	4.25	4.25
Resaw rough—more than 1 cut, add per cut	2.25	2.50	2.50
Resaw 1 cut and S2S each piece	6.50	6.75	6.75
Resaw 1 cut and S4S each piece	8.25	8.50	8.50
Rip per cut	2.75	3.00	3.00
S4S and bevel resaw	6.50	6.75	6.75
Siding to pattern	8.50	8.75	8.75
Other patterns 4" or wider	8.50	8.75	8.75
Cross cutting—per cut	1.00	1.25	1.25
For dressing thicker than standard, for each 1/32" add to above charges	.50	.75	.75

(c) The following estimated weights for dry lumber (even though higher than actual weights) may be used in computing delivered prices under § 1381.309 (d) (1):

TABLE 4—ESTIMATED WEIGHTS PER THOUSAND FEET—DRY

	Pounds
Rough	2500
S1S, S2S	2000
S4S	1800

(1) Green lumber may be shipped only upon actual weights.

(2) The following definitions apply to this paragraph:

(i) "Dry" lumber is lumber which contains a moisture content not greater than 19% by weight.

(ii) "Green" lumber is lumber which contains a moisture content in excess of 19% by weight.

§ 1381.316 *Appendix B: Maximum prices for Northeastern white pine lumber processed round edge where shipment originates at a mill.* (a) The maximum prices for Northeastern white pine lumber, processed round edge f. o. b. mill where shipment originates at the mill, shall be as follows per 1000 feet board measure:

TABLE 1

Dry	On sticks	Loaded on trucks	Loaded on railroad cars
4/4" and thicker, log run	$25.00	$26.00	$27.00
Box slides	15.00	16.00	17.00

(1) The use of estimated weight of 3250 lbs. per thousand feet for freight charges for dry lumber is permissible.

(2) Green lumber may be shipped only upon actual weights.

(3) The following definitions apply to this paragraph:

(i) "Dry" lumber is lumber which contains a moisture content not in excess of 19% by weight.

(ii) "Green" lumber is lumber which contains a moisture content in excess of 19% by weight.

§ 1381.317 *Appendix C: Maximum prices for Northeastern Norway pine, Northeastern hemlock, Northeastern red spruce, Northeastern black spruce and Northeastern white spruce lumber.* Until such time as this Maximum Price Regulation No. 219 shall be appropriately amended specifically to apply to Northeastern Norway pine, Northeastern hemlock, Northeastern red spruce, Northeastern black spruce and Northeastern white spruce lumber, all sales of such lumber shall continue to be subject to the provisions of the General Maximum Price Regulation.

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9098; Filed, September 14, 1942; 4:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 11 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

A new § 1407.185 is added, as set forth below:

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.185 *Products containing sugar delivered to post exchanges.* (a) The Army Exchange Service of the United States War Department is authorized to issue certificates to replace sugar in products delivered to its post exchanges on or after July 15, 1942. Each certificate shall be issued in the name of, and shall authorize delivery of sugar to, a registering unit which used sugar in the production, manufacture or processing of the products thus delivered or of materials used therein. The weight value of certificates thus issued to a registering unit shall not exceed the amount of sugar used by such registering unit in such products or materials. (b) The total weight value of certificates issued pursuant to this section in any period specified by the Office of Price Administration shall not exceed the amount allocated for such purpose by the Office of Price Administration for such period.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§ 1407.185) shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Directive No. 1, and Supp. Directive No. 1E)

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9094; Filed, September 14, 1942; 4:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 20 to Supplementary Regulation 14 [1] to the General Maximum Price Regulation [2]]

SMITHFIELD AND VIRGINIA LONG-CURE HAMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (20) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(20) *Smithfield and Virginia long-cure hams.* (i) Sales by retailers of Smithfield and Virginia long-cure hams. (a) Any seller at retail of Smithfield and Virginia long-cure hams, as defined herein, may add to the maximum prices established for him for such commodities by § 1499.2 of the General Maximum Price Regulation the increases in the maximum prices of his supplier authorized by § 1364.22 (f) of Maximum Price Regulation No. 148: *Provided*, That no increase in retail prices shall exceed three cents per pound: And, *Provided further*, That no such increase shall result in a maximum price higher than sixty cents per pound.

(b) Whenever the increase taken by a supplier involves a fraction of a cent, the increase taken by the seller at retail may be adjusted to the next higher cent.

(ii) *Definitions.* (a) "Smithfield hams" shall mean hams which are cut from the carcasses of peanut-fed hogs, raised in the peanut belt of Virginia and North Carolina and which are cured, treated, marked and processed in the town of Smithfield, Virginia.

(b) "Virginia long-cure hams" shall mean hams which are cut from the carcasses of peanut-fed hogs, processed in the State of Virginia by the long-cure dry-salt method, and aged at least five months before released for wholesale sale.

(iii) *Notification by processors.* Every person who supplies a seller at retail with Smithfield or Virginia long-cure ham shall cause to be enclosed with the first shipment after the effective date of this amendment a printed statement clearly setting forth the amount of the authorized increase taken by the supplier and the extent to which such increase may be added to the maximum price of the seller at retail: *Provided*, That if the supplier has not taken the full permitted increase at the time of such shipment he shall enclose a similar statement with the first shipment made to each seller at retail after the supplier has taken any further authorized increases.

(b) Effective dates. * * *

(21) Amendment No. 20 (§ 1499.73 (a) (20)) to Supplementary Regulation No. 14 shall become effective September 19, 1942. (Pub. Law 421, 77th Cong.)

Issued this 14th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9096; Filed, September 14, 1942; 4:28 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1469]

DISTRICT BOARD NO. 18

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for certain mines in District No. 18.

A hearing in the above-entitled matter having been scheduled to be held on September 17, 1942, at a hearing room of the Bituminous Coal Division in Washington, D. C.; and

District Board No. 18 having moved that such hearing be postponed to October 8, 1942; and no opposition having been interposed in this matter; and good cause having been shown why such motion should be granted;

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6959, 7093.

[2] 7 F.R. 5059.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of September 17, 1942, until 10 o'clock in the forenoon of October 8, 1942.

The time for filing petitions of intervention in this matter is hereby extended until October 3, 1942.

In all other respects the Notice of and Order for Hearing entered in this matter on August 18, 1942, as amended by the Order entered herein on September 9, 1942, shall remain in full force and effect.

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9108; Filed, September 15, 1942; 11:20 a. m.]

[Docket Nos. A-1582, A-1604]

DISTRICT NO. 3 BITUMINOUS COAL PRODUCERS BOARD

ORDER POSTPONING HEARING, ADVANCING HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of the petitions of Bituminous Coal Producers Board for District No. 3 for preliminary and permanent relief regarding changes in classifications for rail shipments only for coals from mines of certain code members in District No. 3.

Hearings having been scheduled in Docket No. A-1582 for September 15, 1942, and in Docket No. A-1604 for October 7, 1942, upon the petitions of District Board No. 3; and

Petitioner having moved that the hearing in Docket No. A-1582 be continued to September 24, 1942, and that the hearing in Docket No. A-1604 be advanced to September 24, 1942, in order to permit Petitioner's counsel to keep prior engagements; and

It appearing that a reasonable showing of necessity has been made for the relief requested;

It is therefore ordered, That the hearing in Docket No. A-1582, now scheduled for September 15, 1942, be postponed to September 24, 1942, and that the hearing in Docket No. A-1604, now scheduled for October 7, 1942, be advanced to September 24, 1942.

It is further ordered, That Examiner Travis Williams be designated Examiner in Docket No. A-1582 vice Examiner Charles O. Fowler who was designated Examiner vice W. A. Cuff by Order dated September 9, 1942.

It is further ordered, That in all other respects the Notice of and Order for Hearing in Docket No. A-1582, dated August 13, 1942, and the Notice of and Order for Hearing in Docket No. A-1604, dated September 3, 1942, shall remain in full force and effect.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9109; Filed September 15, 1942; 11:20 a. m.]

[Docket No. A-1572]

ONTARIO GAS COAL CORP. OF VA.

ORDER ADVANCING DATE OF HEARING, REDESIGNATING EXAMINER AND AMENDING NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Ontario Gas Coal Corporation of Virginia for the establishment of price classifications and minimum prices for the coals of its Tidewater No. 2 Mine, Mine Index No. 316, in District No. 7.

The original petitioner, Ontario Gas Coal Corporation of Virginia, having moved that the hearing in the above-entitled matter be advanced from October 1, 1942, and having shown good cause why its motion should be granted, and there having been no opposition thereto;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be advanced from October 1, 1942, to 10 o'clock in the forenoon of September 18, 1942, at the place heretofore designated and that Examiner Charles S. Mitchell shall preside vice Examiner W. A. Cuff.

The matter concerned herewith is in regard to the petition of Ontario Gas Coal Corporation of Virginia for the establishment of price classifications and minimum prices for the coals of its Tidewater No. 2 Mine (Mine Index No. 316) in District No. 7; and more particularly for the establishment for the coals of the said mine of a minimum price of 280 cents per net ton in Size Group 8, for rail shipment from Midlothian, Virginia, only to within the switching limits of Richmond, Virginia, in Market Area 100, and minimum prices of 425, 410, 420, 325, 300, and 280 cents per net ton in Size Groups 1 to 6, inclusive, respectively, for truck shipments.

The matter concerned herewith also includes the request contained in an amended petition filed with the Division on August 20, 1940, that the minimum prices requested to be established in the original petition, as stated above, for the coals of said Tidewater No. 2 Mine (Mine Index No. 316) be increased $1.00 per ton on all sizes of coal shipped by truck; and that price classifications and the following minimum prices of $5.25, $4.25, and $4.00 per ton be established for the coals of said mine in Size Groups 1, 7, and 8, respectively, when shipped by rail into Market Area 100, and that a price of $3.80 per ton be established for Size Group 8 when shipped by rail to public utilities within the switching limits of Richmond, Virginia, in Market Area 100.

The Notice of and Order for Hearing and Order Granting Temporary Relief dated August 29, 1942, issued in the above-entitled matter, will remain in all other respects, in full force and effect.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9110; Filed, September 15, 1942; 11:20 a. m.]

[Docket No. D-22]

STAHMER COAL CO.—MADISON FUEL AND SUPPLY CO.

ORDER POSTPONING HEARING

In the matter of the application of Stahmer Coal Company for permission to receive sales agents' commissions and distributors' discounts on coal sold to Madison Fuel and Supply Company.

The above-entitled matter by Order dated August 8, 1942, having been scheduled for hearing on September 15, 1942, at a hearing room of the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.; and

Applicant having filed, on September 10, 1942, a motion to postpone said hearing for a period of 60 days, and having shown good cause therefor,

It is ordered, That the hearing in the above-entitled matter be postponed from 10:00 a. m. on September 15, 1942 to November 16, 1942, before the Examiner and at the place heretofore designated.

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9111; Filed, September 15, 1942; 11:20 a. m.]

[Docket No. C-19]

BETHLEHEM STEEL CO.—INDUSTRIAL COLLIERIES CORP.

ORDER POSTPONING HEARING

In the matter of the acceptances of the Bituminous Coal Code submitted by Bethlehem Steel Company and Industrial Collieries Corporation with respect to certain mines in Districts 1, 2, and 3.

Bethlehem Steel Company and Industrial Collieries Corporation have moved that the hearing in the above-entitled matter heretofore scheduled for September 15, 1942, at 10 o'clock in the forenoon of that date be postponed until October 8, 1942 and have shown good cause why said hearing should be postponed.

It appears, however, that October 20, 1942 will be a more convenient date upon which to hold said hearing than October 8, 1942.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from 10 o'clock in the forenoon of September 15, 1942 until 10 o'clock in the forenoon of October 20, 1942, and that in all other respects the original Notice of and Order for Hearing shall remain in full force and effect.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9112; Filed, September 15, 1942; 11:21 a. m.]

[Docket No. B-297]

YORK & PARK

NOTICE OF AND ORDER FOR HEARING

In the matter of Dewey C. York, Dude Park and I. T. York, individually and as co-partners doing business under the name and style of York & Park, code member.

A complaint dated July 1, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 7, 1942, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Dewey C. York, Dude Park and I. T. York, doing business under the name and style of York & Park, (the "Code Member"), of the Bituminous Coal (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 21, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 214, Post Office Building, Knoxville, Tennessee.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Dewey C. York, Dude Park, and I. T. York, individually and as co-partners, doing business under the name and style of York & Park, a Code Member of Georgia Avenue, Pineville, Kentucky, whose code membership became effective as of September 11, 1940, oprating the York Mine, Mine Index No. 2848, located in Bell County, Kentucky, District No. 8, has violated the Act, the Code, and rules and regulations thereunder by:

1. Selling during the period March 31, 1941 to May 1, 1941, both dates inclusive, to L. E. Weller of Pineville, Kentucky, approximately 150 tons of 2" slack coal produced at the above-named mine at a price of $1.40 per net ton f. o. b. railroad car at Pineville, Kentucky, whereas the effective minimum price for said coal was $1.65 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, resulting in violation of section 4 II (e) of the Act and Part II (e) of the Code; and

2. Selling during the period March 1, 1941 to May 1, 1941, both dates inclusive, to L. E. Weller of Pineville, Kentucky, approximately 150 tons of 2" slack coal produced at the above-named mine for shipment by rail, whereas prices, temporary or final, had not been established by the Division for said coal, for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9113; Filed, September 15, 1942; 11:21 a. m.]

[Docket No. B-318]

COSHOCTON COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of W. B. Shepherd, Eugene Brill and H. S. Gander, individually and as co-partners, doing business under the name and style of Coshocton Coal Company, code member.

A complaint dated August 25, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on August 29, 1942, by Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by W. B. Shepherd, Eugene Brill and H. S. Gander, individually and as co-partners, doing business under the name and style of Coshocton Coal Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 21, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Berwick Hotel, Cambridge, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist

from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that W. B. Shepherd, Eugene Brill and H. S. Gander, individually and as co-partners, doing business under the name and style of Coshocton Coal Company, whose address is Cambridge, Ohio, a code member, whose code membership became effective as of October 21, 1940, operating the Dickerson Mine, Mine Index No. 1465, located in Coshocton County, Ohio, in Subdistrict No. 4 of District No. 4, wilfully violated Section 4 II (a) of the Act and Part 4 II (a) of the Code and Orders Nos. 307 and 309, promulgated by the Division on December 11, 1940, and January 14, 1941, respectively, by failing and refusing to file with the Statistical Bureau for District No. 4 for each month from January 1941 to July, 1942, inclusive, within five (5) days from the end of each of said months, reports of all sales made during each of said months of coal produced at the above-named mine and shipped from said mine to various purchasers and copies of truck tickets, sales slips, invoices and listings of said sales as required by section III (b) of said Order No. 307.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9114; Filed, September 15, 1942; 11:21 a. m.]

[Docket No. B-299]

A. B. EWEN

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 3, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by A. B. Ewen (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint b held on October 28, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Cabell County Court House, Huntington, West Virginia,

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that A. B. Ewen, a Code Member of West Liberty, Kentucky, whose code membership became effective August 29, 1940, operating the Lick Branch Cannel Coal Mine, Mine Index No. 2863, located in Morgan County, Kentucky, District No. 8, violated the Act, the Code, and rules and regulations thereunder by selling during the period October 9, 1940 to April 12, 1941, both dates inclusive, to Francis M. A. Leach approximately 1,382.95 tons of cannel lump coals produced at the above-named mine for shipment by rail, whereas prices, temporary or final, had not been established by the Division for said coals for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9115; Filed, September 15, 1942; 11:22 a. m.]

[Docket No. B-298]

BOYD SLUSHER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 1, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8 complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Boyd Slusher (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 21, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 214, Post Office Building, Knoxville, Tennessee.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Boyd Slusher, a Code Member of Miracle, Kentucky, whose code membership became effective as of September 6, 1938, operating Mine Index No. 1553 located in Bell County, Kentucky, District No. 8, violated the Act, the Code, and the rules and regulations thereunder by:

1. Selling on or about April 17, 1941, to Isaac Slusher of Hulen, Kentucky, approximately 56.4 tons of 2" slack coal produced at the above-designated mine at a price of $1.25 per net ton, f. o. b. the mine, for truck shipment, whereas the effective minimum price for said coal was $1.70 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for Truck Shipment for District No. 8, resulting in violation of section 4 II (e) of the Act and Part II (e) of the Code; and

2. Selling on or about April 17, 1941, to Isaac Slusher of Hulen, Kentucky, approximately 56.4 tons of 2" slack coal produced at the above-designated mine for shipment by rail, whereas prices, temporary or final, had not been established by the Division for said coal for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940; and

3. Selling on or about April 19, 1941, to Isaac Slusher of Hulen, Kentucky, approximately 52.3 tons of 2" slack coal produced at the above-designated mine at a price of $1.25 per net ton f. o. b. the mine for truck shipment, whereas the effective minimum price for said coal was $1.70 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, resulting in violation of section 4 II (e) of the Act and Part II (e) of the Code; and

4. Selling on or about April 19, 1941, to Isaac Slusher of Hulen, Kentucky, approximately 52.3 tons of 2" slack coal produced at the above-designated mine for shipment by rail, whereas prices, temporary or final, had not been established by the Division for the sale of said coal for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9116; Filed, September 15, 1942; 11:22 a. m.]

[Docket No. B-295]

C. J. FANNON

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 1, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by C. J. Fannon (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 22, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 214, Post Office Building, Knoxville, Tennessee.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that C. J. Fannon, a Code Member of Barbourville, Kentucky, whose code membership became effective as of January 3, 1938, operating Mine Index No. 1648, located in Knox County, Kentucky, District No. 8, violated the Act, the Code, and the rules and regulations thereunder by:

1. Selling on or about April 13, 1941, to J. R. Ketchum of Barbourville, Kentucky, approximately 164.65 tons of 2" slack coal produced at the above-designated mine at a price of $1.00 per net ton f. o. b. the railroad car at the siding of the Louisville & Nashville Railroad Company at Barbourville, Kentucky, whereas the effective minimum price for said coal was $1.55 per net ton f. o. b. the mine, as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, resulting in violation of section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code; and

2. Selling on or about April 13, 1941, to J. R. Ketchum of Barbourville, Kentucky, approximately 164.65 tons of 2" slack coal produced at the above-designated mine for shipment by rail, whereas

from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that W. B. Shepherd, Eugene Brill and H. S. Gander, individually and as co-partners, doing business under the name and style of Coshocton Coal Company, whose address is Cambridge, Ohio, a code member, whose code membership became effective as of October 21, 1940, operating the Dickerson Mine, Mine Index No. 1465, located in Coshocton County, Ohio, in Subdistrict No. 4 of District No. 4, wilfully violated Section 4 II (a) of the Act and Part 4 II (a) of the Code and Orders Nos. 307 and 309, promulgated by the Division on December 11, 1940, and January 14, 1941, respectively, by failing and refusing to file with the Statistical Bureau for District No. 4 for each month from January 1941 to July, 1942, inclusive, within five (5) days from the end of each of said months, reports of all sales made during each of said months of coal produced at the above-named mine and shipped from said mine to various purchasers and copies of truck tickets, sales slips, invoices and listings of said sales

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or

whose code membership became effective August 29, 1940, operating the Lick Branch Cannel Coal Mine, Mine Index No. 2863, located in Morgan County, Kentucky, District No. 8, violated the Act, the Code, and rules and regulations thereunder by selling during the period October 9, 1940 to April 12, 1941, both dates inclusive, to Francis M. A. Leach approximately 1,382.95 tons of cannel lump coals produced at the above-named mine for shipment by rail, whereas prices, temporary or final, had not been established by the Division for said coals for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9115; Filed, September 15, 1942; 11:22 a. m.]

[Docket No. B-298]

BOYD SLUSHER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 1, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 3, 1942, by Bituminous Coal Producers Board for District No. 8 complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Boyd Slusher (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 21, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 214, Post Office Building, Knoxville, Tennessee.

prices, temporary or final, had not been established by the Division for said coals for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

[SEAL] DAN H. WHEELER,
Acting Director.

SEPTEMBER 14, 1942.

[F. R. Doc. 42-9117; Filed, September 15, 1942; 11:22 a. m.]

[Docket No. B-313]

W. A. EDIE & SON

NOTICE OF AND ORDER FOR HEARING

In the matter of W. A. Edie and Harold C. Edie, individually and as co-partners, doing business as W. A. Edie & Son, Code Member.

A complaint dated July 17, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 29, 1942, by Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by W. A. Edie and Harold C. Edie, doing business as W. A. Edie & Son, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 21, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Berwick Hotel, Cambridge, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given, that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given, that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified, that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given, that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging wilful violation by the above-named code member as follows: That the said W. A. Edie and Harold C. Edie, individually and as co-partners, doing business under the name and style of W. A. Edie & Son, a code member, whose address is R. F. D. No. 3, New Philadelphia, Ohio, whose code membership became effective as of April 5, 1939, and who operate the Edie Mine (Mine Index No. 1729), located near Goshen Township, Tuscarawas County, Ohio, in Subdistrict 4 of District No. 4,

By selling, subsequent to September 30, 1940, a substantial quantity of coal produced at the afore-mentioned Edie Mine, for truck shipment, to various purchasers, at various f. o. b. mine prices, below the applicable minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, as more particularly set forth in the tabulation below:

Dates of sale	Purchasers	Tonnages sold	Sizes (size groups)	Sales Price f. o. b. mine	Effective minimum price f. o. b. mine
1941					
Jan. 1 through Feb. 28	Bernard Smelgel, Cleveland, Ohio.	60	3/4" Slack (No. 8)	$1.25	$1.80
May 1 through Dec. 31	Robert Schaar, New Philadelphia, Ohio.	270	3/4" Slack (No. 8)	1.60	1.80
Feb. 1 through Nov. 30	Various Truckers	60	3/4" Lump (No. 5)	2.00	2.35
1942					
Jan. 1 through March 31	Smithberger, Massillon, Ohio.	115	3/4" Slack (No. 8)	1.50	1.80

Resulting in violation of section 4 II (e) of the Act and Part II (e) of the Code.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9118; Filed, September 15, 1942; 11:23 a. m.]

[Docket No. A-1391]

FIKE COAL CO. MINE

ORDER DISMISSING ORIGINAL PETITION

In the matter of the petition of Loe P. Fike, Code Member producer in District No. 1, for additional shipping point for Fike Coal Company Mine (Mine Index No. 606), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

On April 1, 1942, Loe P. Fike, a code member in District No. 1, filed an original petition with the Bituminous Coal Division requesting an additional shipping point for his Fike Coal Company Mine (Mine Index No. 606), which was assigned Docket No. A-1391.

This petition failed to comply with Part 301 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

By letter dated May 11, 1942, the petitioner was advised that his petition was not in proper form to be considered as a 4 II (d) petition and that no action would be taken regarding it until certain specified deficiencies were corrected.

No amended petition has been filed with the Division by petitioner and no communication has been received by the Division in response to the letter of May 11, 1942.

It therefore appears that a reasonable time for the filing of an amended petition has elapsed and that petitioner has no further interest in this proceeding.

Now, therefore, it is ordered, That the original petition in this matter be dismissed without prejudice to the right of the petitioner to file another petition with the Division in regard to the same matter pursuant to the Rules and Regulations of the Division established in connection with section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9119; Filed, September 15 1942; 11:23 a. m.]

General Land Office.

[Public Land Order 37]

WISCONSIN

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT, FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

FOURTH PRINCIPAL MERIDIAN

T. 19 N., R. 2 W., sec. 6, SW¼NE¼.

The area described contains 40 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects the above-described land.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior, when it is no longer needed for the purpose for which it is reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 7, 1942.

[F. R. Doc. 42-9103; Filed September 15, 1942; 10:11 a. m.]

[Public Land Order 38]

WITHDRAWING PUBLIC LANDS FOR USE OF THE NAVY DEPARTMENT FOR AVIATION PURPOSES

WASHINGTON

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to Section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U.S.C., title 43, sec. 416), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Navy Department for aviation purposes:

WILLAMETTE MERIDIAN

T. 10 N., R. 27 E., sec. 20, SE¼;
T. 9 N., R. 28 E., sec. 8, SW¼.

The areas described aggregate 320 acres.

The order of the Secretary of the Interior of December 22, 1905, withdrawing certain lands for reclamation purposes, is hereby modified to the extent necessary to permit the use of the above-described lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 8, 1942.

[F. R. Doc. 42-9102; Filed, September 15, 1942; 10:12 a. m.]

NEVADA

AIR-NAVIGATION SITE WITHDRAWAL NO. 188

AUGUST 24, 1942.

It is ordered, under and pursuant to the provisions of section 4 of the act of May 24, 1928, 45 Stat. 729, 49 U. S. C. 214, that the following-described public lands in Nevada be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws and reserved, subject to valid existing rights, for the use of the Civil Aeronautics Administration, Department of Commerce, as a radio range station site and for the construction of a graveled access road, the reservation to be known as Air-Navigation Site Withdrawal No. 188:

MOUNT DIABLO MERIDIAN

T. 18 N., R. 30 E., sec. 7, SW¼SE¼.

The area described contains 40 acres.

RIGHT OF WAY

A right of way 30 feet wide, the center line of which is described as follows:

Beginning at a point in the center line of the Churchill County road and on the west boundary of sec. 7, T. 18 N., R. 30 E., M. D. M., from which the quarter section corner of secs. 7 and 12 bears north approximately 35 feet.

From the initial point, East 72 ft. to a point, S. 54° E., 3,150 ft. to the west line of the radio range site, being on the east line of the SW¼ of sec. 7.

The area described contains approximately 2.21 acres.

The departmental orders of July 2 and August 26, 1902, withdrawing certain lands for reclamation purposes in connection with the Newlands (formerly Truckee-Carson) project, are hereby modified to the extent necessary to permit the use of the above-described lands as herein provided.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-9104; Filed, September 15, 1942; 10:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

CROSBY STEAM GAGE AND VALVE CO.

NOTICE OF GRANTING OF EXCEPTION

Notice of granting of exception pursuant to § 516.18 of the Record Keeping Regulations, Part 516.

Notice is hereby given that pursuant to § 516.18 of the Record Keeping Regulations, Part 516,[1] issued pursuant to the Fair Labor Standards Act of 1938, the Administrator of the Wage and Hour Division has granted to the Crosby Steam Gage and Valve Company of Massachusetts, relief from the necessity of preserving certain records as required by §§ 516.14 and 516.15 of the Record Keeping Regulations, provided that the records are preserved for at least six months, and that such records are then microfilmed and the microfilms preserved for the remainder of such periods as the original records are required to be preserved under §§ 516.14 and 516.15 of the Record Keeping Regulations.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 11th day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9122; Filed, September 15, 1942; 11:46 a. m.]

EMBROIDERIES INDUSTRY

NOTICE OF HEARING ON RECOMMENDATIONS OF INDUSTRY COMMITTEE

Notice of hearing on the minimum wage recommendations of Industry Committee No. 45 for the Embroideries Industry and the prohibition, restriction, or regulation of home work in the industry, to be held November 2, 1942.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on June 6, 1942, by Administrative Order No. 145, appointed Industry Committee No. 45 for the Embroideries Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 45, on June 30, 1942, recommended a minimum wage rate for the Embroideries Industry and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on June 30, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 45 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing before him, and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

[1] 6 F.R. 4694.

I. The recommendation of Industry Committee No. 45 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Embroideries Industry (as defined in Administrative Order No. 145) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Embroideries Industry as set forth in Administrative Order No. 145, issued June 6, 1942, is as follows:

The production of all kinds of hand and machine-made embroideries and ornamental stitchings, including, but not by way of limitation, tucking, shirring, smocking, hemstitching, hand rolling, fagoting, Bonnaz embroidery, appliqueing, crochet beading, hand drawing, machine drawing, rhinestone trimming, sequin trimming, spangle trimming, eyelets, passementerie, pleating, the application of rhinestones and nailheads, stamping and perforating of designs, Schiffli embroidery and laces, burnt-out laces and velvets, Swiss hand-machine embroidery, thread splitting, embroidery thread cutting, scallop cutting, lace cutting, lace making-up, making-up of embroidered yard goods, straight cutting of embroidery and cutting out of embroidery, embroidery trimmings, bindings (not made in textile establishments), pipings and emblems; *Provided, however,* That (1) the foregoing when produced or performed by a manufacturer of a garment, fabric or other article for use on such garment, fabric or other article, and (2) the manufacture of covered buttons and buckles, shall not be included.

The definition of the Embroideries Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 45 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts,
Old South Building,
294 Washington Street.

New York, New York,
341 Ninth Avenue.

Newark, New Jersey,
Essex Building,
31 Clinton Street.

Philadelphia, Pennsylvania,
1216 Widener Building,
Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania,
219 Old Post Office Building,
Fourth and Smithfield Streets.

Richmond, Virginia,
215 Richmond Trust Building,
627 East Main Street.

Baltimore, Maryland,
201 North Calvert Street.

Raleigh, North Carolina,
North Carolina Department of Labor,
Salisbury and Edenton Streets.

Columbia, South Carolina,
Federal Land Bank Building,
Hampton and Marion Streets.

Atlanta, Georgia,
Fifth Floor, Witt Building,
249 Peachtree Street, N. E.

Jacksonville, Florida,
456 New Post Office Building.

Birmingham, Alabama,
1908 Comer Building,
2nd Avenue and 21st Street.

New Orleans, Louisiana,
916 Union Building.

Jackson, Mississippi,
402 Deposit Guaranty Bank Building,
102 Lamar Street.

Nashville, Tennessee,
509 Medical Arts Building,
115 Seventh Avenue, N.

Cleveland, Ohio,
Main Post Office,
West 3rd and Prospect Avenue.

Cincinnati, Ohio,
1312 Traction Building,
5th and Walnut Streets.

Detroit, Michigan,
David Stott Building,
1150 Griswold Street.

Chicago, Illinois,
1200 Merchandise Mart,
222 W. North Bank Drive.

Minneapolis, Minnesota,
406 Pence Building,
730 Hennepin Avenue.

Kansas City, Missouri,
504 Title & Trust Building,
10th and Walnut Streets.

St. Louis, Missouri,
100 Old Federal Building.

Denver, Colorado,
300 Chamber of Commerce Building,
1726 Champa Street.

Dallas, Texas,
Rio Grande National Building,
1100 Main Street.

San Francisco, California,
Room 500, Humboldt Bank Building,
785 Market Street.

Los Angeles, California,
417 H. W. Hellman Building.

Seattle, Washington,
305 Post Office Building.
3rd Avenue and Union Street.

San Juan, Puerto Rico,
Post Office Box 112.

Washington, District of Columbia,
Department of Labor,
1st Floor.

New York, New York,
165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on November 2, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in the College Room of the Hotel Astor, New York, New York, for the purpose of taking evidence on the following questions:

(1) Whether the recommendation of Industry Committee No. 45 should be approved or disapproved.

(2) In the event an order is issued approving the recommendation, what, if any, prohibition, restriction, or regulation of home work in this industry is necessary to carry out the purpose of such order, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rate established therein.

V. Any interested person, supporting or opposing the recommendation of Industry Committee No. 45, may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided,* That not later than October 24, 1942, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

(1) The name and address of the person appearing.

(2) If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

(3) Whether such person proposes to appear for or against the recommendation of Industry Committee No. 45.

(4) The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 45 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following documents relating to the Embroideries Industry will be made available upon request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *The Embroideries Industry,* prepared by the Research and Statistics Branch, Wage and Hour Division, U. S. Department of Labor, dated August 1940.

Report entitled, *Some Recent Economic and Legislative Developments Bearing on the Establishment of a Minimum Wage Rate in the Embroideries Industry,* prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, dated June 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate:

(1) The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

(2) In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

(3) At the discretion of the Presiding Officer the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

(4) At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

(5) All evidence must be presented under oath or affirmation.

(6) Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

(7) Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form the copies will be received in evidence.

(8) Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the administrator of the subpoena. Such application shall be timely and shall identify exactly the witness and document and state fully the nature of the evidence proposed to be secured.

(9) Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

(10) The rules of evidence prevailing in the courts of law or equity shall not be controlling.

(11) The Presiding Officer may, at his discretion, permit any person appearing in the proceedings to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

(12) Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

(13) Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

(14) On the close of the hearing the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

(15) No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 11th day of September, 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9123; Filed, September 15, 1942; 11:46 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4819]

AMERICAN INDUSTRIAL RUBBER CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of American Industrial Rubber Company, a corporation, et al.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41).

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 28, 1942, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9105; Filed, September 15, 1942; 11:15 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SUPERIOR INVESTMENT CO.

FINDINGS AND ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September, A. D. 1942.

In the matter of Superior Investment Co., 9 South Kedzie Avenue, Chicago, Illinois.

1. Superior Investment Company, an Illinois Corporation hereinafter called registrant, is registered with this Commission as a broker and dealer under section 15 (b) of the Securities Exchange Act of 1934.

2. On June 25, 1942, we instituted proceedings under section 15 (b) of said Act to determine whether registrant's registration as a broker and dealer should be suspended or revoked. The order for proceedings stated that information had been reported to the Commission by its staff, which, if true, tended to show that registrant had wilfully violated the antifraud provisions of section 17 (a) of the Securities Act of 1933, and sections 8 (b), 15 (c) (1) and 17 (a) of the Securities Exchange Act of 1934, and the Commission's Rules X-15C1-2 (a) and (b) and X-17A-3 promulgated pursuant thereto. The information reported to the Commission was to the effect that:

a. During the period from about June 1, 1935 to date, registrant had been engaged in business as a broker and dealer and since February 29, 1940, or thereabout had transacted a business in securities through the medium of a member of a national securities exchange and otherwise.

b. On November 5, 1941, and prior thereto, registrant had no net capital employed in its business and at the same time, in the ordinary course of its business as a broker, owed substantial sums to various customers and banks.

c. During the period from approximately July 1, 1941 to approximately May 1, 1942, registrant, while engaged in effecting transactions of purchase and sale of securities for or with customers, failed to disclose to such customers that, in order to secure registration as a dealer in securities in the State of Illinois, it submitted to the Secretary of State of that state on or about July 1, 1941 a balance sheet as of May 31, 1941, purporting to reflect registrant's financial condition, which balance sheet was materially false and misleading.

d. During the period from approximately January 1, 1941 to approximately

December 20, 1941, registrant did not make or keep current certain books and records, including, among others:

(1) Blotters or other records of original entry containing itemized daily records of purchases and sales of securities and receipts and deliveries of securities;

(2) Ledgers or other records reflecting all assests and liabilities, income and expense and capital accounts;

(3) Ledger accounts or other records itemizing separately as to each cash and margin account of every customer all purchases, sales, receipts and deliveries of securities for such account and all other debits and credits to such account;

(4) A securities record or ledger reflecting separately for each security as of the clearance dates all "long" or "short" positions (including securities in safekeeping) carried by registrant for its account or for the account of its customers and showing the location of all securities long and the offsetting position to all securities short and in all cases the name or designation of the account in which each position is carried.

e. Registrant used the mails and the instruments of interstate commerce in affecting certain of the transactions described above.

3. On August 12, 1942, registrant submitted to the trial examiner an "answer and consent" to revocation, in which it acknowledges receipt and service of adequate notice of this proceeding and waives opportunity for hearing.

In said "answer and consent" registrant further admits and acknowledges, for the purpose of this proceeding, and for that purpose only, the existence of the facts set forth in the Commission's order for proceedings. Registrant also consents to the entry or an order, revoking its registration as an over-the-counter broker and dealer.

4. We find that the facts set forth in the order for proceedings, as noted above, are true and that registrant has wilfully violated section 17 (a) of the Securities Act of 1933 and sections 8 (b), 15 (c) (1) and 17 (a) of the Securities Exchange Act of 1934 and Rules X-15C1-2 (a) and (b) and X-17A-3 of the rules and regulations thereunder and that the public interest requires revocation of its registration.

Accordingly, it is ordered, pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of the Superior Investment Company be, and it hereby is, revoked.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9101; Filed, September 15, 1942; 10:11 a. m.]

WAR MANPOWER COMMISSION.

[Directive No. X]

DIRECTIVE WITH RESPECT TO TRANSFER AND RELEASE OF GOVERNMENT EMPLOYEES

To all departments and agencies of the executive branch of the Federal Government, concerning transfer and release of Federal employees.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9139 establishing the War Manpower Commission,[1] and by Executive Order No. 9243,[2] and having found, after consultation with the members of the War Manpower Commission, that the measures hereinafter set forth will facilitate the filling of the Federal Government's requirements for manpower in the civilian service, and promote the proper allocation and the effective mobilization and utilization of the Nation's manpower in the prosecution of the war, it is hereby directed:

I. Whenever the Civil Service Commission shall find that a civilian employee of any department or agency of the executive branch of the Federal Government can make a more effective contribution to the war effort in a position in some other such department or agency, the Commission, with or without the consent of the employee or of the department or agency in which he is employed or to which he is transferred, shall direct the transfer of such employee to such position.

II. Whenever the Civil Service Commission shall find that a civilian employee of any department or agency of the executive branch of the Federal Government is qualified to perform work in a critical war occupation (as defined in the Essential Activities and Essential Occupations Directive) and can make a more effective contribution to the war effort in an essential activity carried on by a private enterprise, the Commission, with the consent of the employee, but with or without the consent of the department or agency in which he is employed, shall, upon request of such private enterprise, authorize the release of such employee to such private enterprise for work in such critical war occupation in such essential activity. An employee whose release has been authorized pursuant to this paragraph shall be carried on a leave-without-pay basis from his Federal position for the period of such employment with a private enterprise, except that such leave-without-pay status shall not continue beyond six months after the end of the war.

III. The Civil Service Commission shall base its findings, pursuant to paragraphs I and II of this directive, upon:

(a) The extent to which the skills, abilities, training, and experience of the employee are required and will be utilized by the departments, agencies, activities or private enterprise concerned; and

(b) The relative importance to the war program of the government activities in which the employee has been employed and to which he will be transferred, as indicated by, among other considerations, priority classifications established by the Director of the Bureau of the Budget pursuant to Executive Order No. 9243; and

(c) The relative importance to the war program of the government activity in which the employee has been employed and of the private enterprise to which he will be transferred; as indicated by priority classifications established by the Director of the Bureau of the Budget pursuant to Executive Order No. 9243 and by such policies and directives as the Chairman of the War Manpower Commission may prescribe.

IV. Any employee of a department or agency of the executive branch of the Federal Government (other than an employee holding a temporary position) who has been transferred pursuant to paragraph I of this directive shall be entitled to thirty days' notice from the department or agency to which he has been transferred, prior to the termination of his services with such department or agency, unless such termination is for cause. Upon the termination, without prejudice, of the services of an employee (other than an employee transferred or released from a temporary position) in the position to which his transfer or release has been authorized or directed pursuant to paragraphs I or II of this directive (or in a position which, for the purposes of this directive, is substantially similar thereto) such employee shall be entitled to the reemployment benefits hereinbelow set forth, provided he makes application for reinstatement therein within forty days after the termination of his services with a department or agency of the Federal Government and, with respect to an employee released to a private enterprise, within forty days after the termination of his services with such an enterprise but in no event later than six months after the end of the war:

(a) Reinstatement, within thirty days of his application, in the same department or agency and to the maximum extent practicable, in the same locality, in his former position, or in a position of like seniority, status, and pay, in such manner, to the maximum extent consistent with law, that he does not lose any of the rights or benefits to which he would have been entitled had he not been transferred or released;

(b) If such a position, or if the agency or activity in which he was employed, is no longer in existence, and such person therefore cannot be reinstated, the placement of his name on the Reemployment List established pursuant to Executive Order No. 6924 of September 20, 1932, to be considered for certification to positions for which he is qualified elsewhere in the Government service. Certifications from such list shall be made by the Civil Service Commission prior to certifications from all other lists maintained by that Commission.

V. Any department or agency in which is employed an employee whose transfer or release is to be directed or authorized pursuant to this directive without the consent of such department or agency, shall be afforded, prior to such transfer or release, a fair opportunity to present to the Civil Service Commission evidence as to the extent to which such agency's or department's execution of its responsibilities will be jeopardized by the loss of such employee and as to the extent to which the employee's skills, abilities, training, and experience are being

[1] 7 F.R. 2919.
[2] 7 F.R. 7213.

and will be utilized in such department or agency.

VI. Any employee whose transfer is to be directed pursuant to this directive without the consent of such employee shall be afforded, prior to such transfer, a fair opportunity to present to the Civil Service Commission evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. No employee shall, without his consent, be transferred to a position at a lower salary than he received at the time such transfer is directed, nor shall any employee, without his consent be transferred to a position beyond reasonable commuting distance from his home unless the department or agency concerned shall reimburse the employee for the cost of transporting himself, his immediate family, and his household goods, in accordance with Government regulations.

VII. Whenever the filling of any positions by promotion from within for an indefinite period is being considered by any department or agency, employees who have been transferred or released pursuant to this directive and are entitled to reemployment in such department or agency under this directive shall be given the same consideration they would have received had they not been transferred or released, and such employees may be selected for such promotion. In the event of such selection, if such employee is not authorized to return to the position to which promotion was made, the position in question shall be filled only for the duration of such employee's reemployment rights under paragraph IV of this directive and such reemployment rights shall be applicable to the position to which promotion was made.

VIII. No request for the transfer or release of any civilian employee in any department or agency of the executive branch of the Federal Government shall be made by another such department or agency except through the Civil Service Commission, and no civilian employee of any such department or agency shall be released for transfer to another such department or agency except upon request of the Civil Service Commission. The Commission shall not request or authorize the transfer of any such employee who can make a more effective contribution to the war effort in the position in which he is currently employed or whose transfer would be contrary to the most effective methods of filling the Federal Government's requirements for manpower in the civilian service or would conflict with policies or directives of the War Manpower Commission.

IX. The Civil Service Commission is authorized and directed to adopt such measures and take such action as may be necessary or appropriate to carry out the provisions of this directive and to insure that the reemployment provisions set forth in paragraph IV of this directive are given full force and effect.

X. This Directive shall become effective on and after September 27, 1942.

XI. This Directive may be cited as the "Directive with Respect to the Transfer and Release of Government employees."

PAUL V. MCNUTT,
Chairman.

SEPTEMBER 14, 1942.

[F. R. Doc. 42-9100; Filed, September 14, 1942; 4:39 p. m.]

SEP 16 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 183

Washington, Thursday, September 17, 1942

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

PART 2—RATIONING OF FARM MACHINERY AND EQUIPMENT

[Temporary Rationing Order A]

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to the authority vested in the Secretary of Agriculture by Administrative Order No. 28 of the Office of Price Administration issued September 15, 1942, *it is hereby ordered*, That:

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2.1 Definitions.

ADMINISTRATION AND PERSONNEL

2.2 Personnel.
2.3 Duties.

COUNTY RATIONING COMMITTEE

2.4 Appointment and qualifications.
2.5 Functioning of alternate members.

EXEMPTIONS AND RESTRICTIONS

2.6 Exemptions.
2.7 Restriction of transfers.
2.8 Persons who have ordered new farm machinery and equipment prior to the effective date of these regulations.

PERSONS AUTHORIZED BY THE WAR PRODUCTION BOARD TO ACQUIRE NEW FARM MACHINERY AND EQUIPMENT

2.9 Military forces and certain Government agencies; exports.

TRANSFERS WITHOUT CERTIFICATION OR PURCHASE CERTIFICATES

2.10 Persons eligible to acquire only for purposes of resale.

PERSONS ELIGIBLE TO ACQUIRE NEW FARM MACHINERY AND EQUIPMENT BY TRANSFERS OF NEW FARM MACHINERY AND EQUIPMENT IN GROUP B

2.11 Acquisition of Group B new farm machinery and equipment.

PERSONS ELIGIBLE TO ACQUIRE NEW FARM MACHINERY AND EQUIPMENT IN GROUP A

2.12 Proof of necessity.

APPLICATIONS BY PERSONS FOR NEW FARM MACHINERY AND EQUIPMENT IN GROUP A

Sec.
2.13 Application for certificates to purchase new farm machinery and equipment in Group A.
2.14 Preparation of application.
2.15 Action by the county rationing committee on applications.
2.16 Basis for county rationing committee determination.
2.17 Notation of action.

CERTIFICATES FOR PURCHASE OF NEW FARM MACHINERY AND EQUIPMENT IN GROUP A

2.18 Notification.
2.19 Form of certificate.
2.20 Execution by issuing county rationing committee.
2.21 Action by purchaser.
2.22 Expiration of certificates of purchase.
2.23 Action by dealer.

APPEALS

2.24 Application for reconsideration by the county rationing committee.
2.25 Appeal to State board.
2.26 Action by the State board.
2.27 Review of State board action.

RECORDS

2.28 Records to be kept by the county rationing committee.
2.29 Records to be kept by dealers.

ENFORCEMENT

2.30 Unlawful use or possession.
2.31 Criminal prosecution.
2.32 Suspension orders.
2.33 Other methods of enforcement.
2.34 Publicity.
2.35 Complaints of violations.

SCOPE OF TEMPORARY RATIONING ORDER NO. A

2.36 Territorial limitation.

EFFECTIVE DATES

2.37 Effective dates of farm machinery and equipment rationing regulations.

AUTHORITY: §§ 2.1 to 2.37, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., War Production Board Directive 1, Supplemental Directive 1-K, 7 F.R. 562, 7280, Office

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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of Price Administration Administrative Order 28, *infra*.

DEFINITIONS

§ 2.1 *Definitions.* When used in Temporary Rationing Order No. A:

(a) "County rationing committee" means the committee established pursuant to § 2.4.

(b) "State board" means the State U.S.D.A. War Board.

(c) "Special War Board Assistant" means the Special War Board Assistant to the Secretary of Agriculture.

(d) "Application" means the application for a purchase certificate for new farm machinery and equipment in Group A.

(e) "Purchase certificate" means the certificate authorizing the purchase of new farm machinery and equipment in Group A.

(f) "Certification" means the statement signed by a farmer when purchasing new farm machinery and equipment listed in Group B.

(g) "Applicant" means a person who has filed an application with the county rationing committee.

(h) "Dealer" means any person engaged in the business of selling new farm machinery and equipment, as principal or agent.

(i) "Type of equipment" means the general class of equipment, such as tractors, combines, grain drills, etc.

(j) "Group A" shall include the following new farm machinery and equipment; combines, corn pickers, shredders, grain elevators, feed grinders, hay balers, pickup balers, tractors (including garden tractors), disc harrows, grain drills, manure spreaders, fertilizer spreaders, lime spreaders, milking machines, milk coolers, potato diggers, beet lifters, and beet loaders.

(k) "Group B" shall include all new farm machinery and equipment which is listed in Schedule I attached hereto and made a part hereof.

(l) "Person" means any individual, partnership, corporation, association, or other organized group of persons and includes the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(m) "Farmer" means any person engaged in farming operations, including, but not limited to, a landlord, tenant, or sharecropper.

(n) "Transfer" means sell, lease, trade, lend, give, deliver, ship, or physically transfer in any other way; it also includes the change of the designation of the registered owner, but does not include delivery to a carrier for shipment, or delivery by a carrier to a consignee. Use by a dealer of new farm machinery and equipment in his own farming operations shall be deemed a transfer.

(o) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including all attachments used in conjunction with farm machinery and equipment, irrigation and drainage equipment (excluding tile), horse shoes, horseshoe nails, harness hardware, and water well casing; but excluding repair parts and also excluding all the following: automobiles, trucks, track-laying type tractors, equipment ordered by the United States Department of Agriculture, or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oilwell casing and water pipe, nails (other than horseshoe nails), and sundry hardware.

(p) "New farm machinery and equipment" means farm machinery and equipment as defined in paragraph (o) hereof, not transferred for use.

ADMINISTRATION AND PERSONNEL

§ 2.2 *Personnel.* The farm machinery and equipment rationing program established in these regulations will be administered by the county rationing committees, the State boards, the Special War Board Assistant, and the Secretary of Agriculture.

§ 2.3 *Duties.* The county rationing committees, the State boards, and the Special War Board Assistant shall have the duties and responsibilities prescribed in these regulations and such further duties and responsibilities as the Secretary of Agriculture may assign.

COUNTY RATIONING COMMITTEE

§ 2.4 *Appointment and qualifications.* The county rationing committee shall consist of three regular members and two alternate members. One of the regular members shall be the chairman of the county agricultural conservation committee, who shall be chairman of the county rationing committee. The other two regular members and the two alternate members of the county rationing committee, who shall be farmers resident in the county, shall be appointed by the county U.S.D.A. war board, and none of such members shall be members of the county agricultural conservation committee. None of the members of the county rationing committee shall be dealers. If the chairman of the county agricultural conservation committee is a dealer, the county U.S.D.A. war board shall select, as a member and chairman of the county rationing committee, a regular or alternate member of the county agricultural conservation committee who is not a dealer.

§ 2.5 *Functioning of alternate members.* An alternate member of the county rationing committee shall serve in case of illness or other indisposition of a regular member. No member of a county rationing committee shall take part in any committee action on the application of himself, any member of his immediate family, or other near relative, or his landlord, tenant, or business associate. An alternate member of the committee, not so disqualified, shall serve in such cases only if the disinterested members of the committee do not agree on the action to be taken on the application.

EXEMPTIONS AND RESTRICTIONS

§ 2.6 *Exemptions.* The new farm machinery or equipment listed in Schedule II attached hereto and made a part hereof is exempt from the provisions of these regulations and the transfer of such new farm machinery and equipment is not restricted herein.

§ 2.7 *Restriction of transfers.* Regardless of the terms of any contract of sale or purchase, or other commitment, whenever made, no person shall transfer or accept a transfer of any new farm machinery and equipment, except as provided in these regulations.

(a) The word "transfer" is broadly defined by these regulations. For example, the term includes not only transfer by sale, lease, or trade of new farm machinery and equipment, but also by gift from one person to another. Placing new farm machinery and equipment in a garage or warehouse or letting a repairman take such farm machinery and equipment to his shop is not a transfer within the meaning of these regulations.

(b) There are certain specific exemptions from the broad definition of transfer: a delivery to a railroad or other carrier for shipment and delivery by such carrier to a consignee are not included. In this situation the transfer takes place between the consignor and the consignee.

(c) The term "transfer" does not include a technical transfer of title for security purposes without an accompanying transfer of use. Thus conditional sale contracts, bailments, leases, or chattel mortgages, for security purposes and without a transfer of use do not involve transfers.

§ 2.8 *Persons who have ordered new farm machinery and equipment prior to the effective date of these regulations.* Any person who has ordered new farm machinery and equipment included in Group A, prior to the effective date of this Temporary Rationing Order No. A, shall be entitled to receive a purchase certificate covering such machinery and equipment (without complying with the requirements of §§ 2.12 and 2.13), provided that such person submits to the county rationing committee evidence sufficient to satisfy the committee that such person ordered such new farm machinery and equipment prior to the effective date of this Temporary Rationing Order No. A. Any person who has ordered new farm machinery and equipment included in Group B, prior to the effective date of this Temporary Rationing Order No. A, may receive such machinery and equipment upon making the certification required by § 2.11 hereof. No transfer of new farm machinery and equipment made pursuant to this § 2.8 shall be valid unless delivery thereof is made to the purchaser before November 1, 1942.

PERSONS AUTHORIZED BY THE WAR PRODUCTION BOARD TO ACQUIRE NEW FARM MACHINERY AND EQUIPMENT

§ 2.9 *Military forces and certain Government agencies; exports.* The following persons are eligible to acquire new farm machinery and equipment without certification or purchase certificates:

(a) The Army, Navy, or Marine Corps of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, or the Office of Scientific Research and Developments.

(b) Any person who acquires new farm machinery and equipment for export to and consumption or use in any foreign country.

(c) The Department of Agriculture or any other Federal agency.

TRANSFERS WITHOUT CERTIFICATION OF PURCHASE CERTIFICATES

§ 2.10 *Persons eligible to acquire only for purposes of resale.* The following persons are eligible to acquire new farm machinery and equipment by transfer without certification or purchase certificates only for purposes of resale: dealers, distributors, or manufacturers, or their legal successors in interest (including but not limited to heirs, devisees, successors, assigns, trustees in bankruptcy, receivers, persons distraining, levying by execution, attachment, or similar forms of judicial process, or persons repossessing or taking by default).

PERSONS ELIGIBLE TO ACQUIRE NEW FARM MACHINERY AND EQUIPMENT BY TRANSFERS OF NEW FARM MACHINERY AND EQUIPMENT IN GROUP B

§ 2.11 *Acquisition of Group B new farm machinery and equipment.* Any farmer may acquire new farm machinery and equipment in Group B by certifying with the person from whom he purchases such new farm machinery and equipment that it is necessary to use such farm machinery and equipment during the remainder of the calendar year 1942. Such certification shall be in the form listed in Schedule III attached hereto, which form shall be filed with and retained by the dealer. No transfer on such a certification shall be valid if delivery is not made to the purchaser before November 1, 1942.

PERSONS ELIGIBLE TO ACQUIRE NEW FARM MACHINERY AND EQUIPMENT IN GROUP A

§ 2.12 *Proof of necessity.* (a) Only a farmer may obtain a purchase certificate for new farm machinery and equipment in Group A and only if he can establish all of the following facts:

(1) That the applicant's farm machinery and equipment, at the date of his application, are not adequate to handle his production, including increased or new production planned and needed as a contribution to the current agricultural need.

(2) That the applicant cannot meet his farm machinery and equipment needs by repairing his old machinery and equipment, by purchasing or renting used machinery and equipment, by custom work, by exchange of work or machinery and equipment, or by any other means;

(3) That the failure to approve the application would result in a substantial reduction in the production of crops or commodities essential in the war effort; and

(4) That the applicant, in his own farming operations, has such a need for the new farm machinery and equipment as to justify his acquisition of it and that it will be so used as to perform more than the average service for similar machinery and equipment in the community.

(b) The county rationing committee shall not issue a certificate under this section if one or more of the following conditions exist:

(1) The applicant is able to have repaired and made serviceable the machinery and equipment which he proposes to replace;

(2) The applicant refuses to turn in the machinery and equipment which he proposes to replace;

(3) The applicant has not named in his application a dealer from whom he can purchase the new farm machinery and equipment;

(4) The applicant wants to change from horsepower or mule-power to motor power and has not given a satisfactory reason for the change;

(5) The applicant wants to change from hand labor to machinery and has not given a satisfactory reason for the change; or

(6) The applicant refuses to agree to rent or let others use said new machinery and equipment on such terms and conditions as the county rationing committee may deem necessary to effect the purposes of these regulations.

APPLICATIONS BY PERSONS FOR NEW FARM MACHINERY AND EQUIPMENT IN GROUP A

§ 2.13 *Applications for certificates to purchase new farm machinery and equipment in Group A.* Any farmer who believes that he is entitled under these regulations to new farm machinery and equipment in Group A may file with the county rationing committee an application for a certificate to purchase such new farm machinery and equipment. Such application shall be filed on Form MR–1.

§ 2.14 *Preparation of application—*(a) *Forms.* Copies of Form MR–1 may be obtained from the county rationing committee or from any dealer who has acquired a supply from such committee.

(b) *Contents—*(1) *Name of applicant.* (i) An individual shall state in full his given name, middle name if any and surname. In all cases where an individual is doing business under a trade name, he shall state, in addition to his name, the trade name under which he is doing business; for example, John James Doe, doing business as the Doe Dairy Company. (ii) A partnership shall state the trade name regularly used by such partnership and the fact that it is a partnership; for example, Doe and Roe Dairy Company, a partnership. (iii) A corporation shall give its full name as it appears on its corporate charter and the State of incorporation; for example, Doe Dairy Company, an Ohio corporation. (iv) A State or any political subdivision thereof shall give its name; for example, State of Ohio or Village of Plainfield, Wisconsin. (v) A fiduciary shall state his own name, his official capacity, and the name of his principal; for example, John Doe, Trustee for Richard Roe.

(2) *Addresses and farm serial numbers.* (i) Any applicant shall state the

mailing address of his residence or principal place of business or office and the telephone number thereof, if any. (ii) Any applicant shall state the farm serial number (if any) then assigned to his farm under the Agricultural conservation program. (iii) If the new farm machinery and equipment applied for is to be operated on more than one farm, such farm serial numbers (if any) of all the farms upon which the new farm machinery and equipment is to be operated shall be listed.

(3) *Separate applications.* A separate application shall be filed for each type of new farm machinery and equipment.

(4) *Execution by applicant.* The applicant shall certify the facts stated in the application in the manner and form provided therefor. In executing the application (i) an individual shall sign his full name; (ii) a partnership shall set forth the full name of the partnership, followed by the legend "a partnership," following which a duly authorized member or agent of the partnership shall sign his name, giving his position; (iii) a corporation shall set forth the full name of the corporation as it appears on the charter, followed by the legend "a corporation," following which a duly authorized officer or agent of the corporation shall sign his name, giving his position, preceded by the word "by"; (iv) a State or political subdivision thereof shall set forth its name, followed by the signature of a duly authorized official or other representative, giving his position, preceded by the word "by"; and (v) a fiduciary shall sign his full name followed by his official capacity.

§ 2.15 *Action by the county rationing committee on applications.* Before granting an application for a certificate of purchase of new farm machinery and equipment in Group A, the county rationing committee shall satisfy itself that the applicant has properly executed his application, that all the facts stated in the application are true, and that the applicant has satisfied all the pertinent requirements and conditions specified by these regulations. If an application is for new farm machinery and equipment contained in Group B, the county rationing committee shall return such application to the applicant advising him that he may purchase such new farm machinery and equipment from a dealer by making a certification in accordance with § 2.11 hereof.

§ 2.16 *Basis for county rationing committee determination.* The county rationing committee shall at all times serve the objective sought by the new farm machinery and equipment rationing program and allocate new farm machinery and equipment only to uses essential to the war effort and then in the order that such uses are most vital. The determination of facts in each case shall be made by the county rationing committee upon the basis of the application and all other information which comes to its knowledge. In acting upon applications, it shall observe all pertinent provisions of these regulations as originally issued and subsequently amended. The county rationing committee may in its discretion request the applicant, or his authorized representative, to appear in person at a designated time and place to answer pertinent questions. If an applicant shall refuse to permit the county rationing committee or its authorized representative to make such inspection of his farm and farm machinery and equipment as it deems necessary, his application shall be denied forthwith.

§ 2.17 *Notation of action.* When the county rationing committee determines that an application shall be granted, at least two members thereof shall place their initials in the box after the word "Approved" on Form MR–1. When it determines that an application shall be denied, at least two members shall place their initials after the word "Disapproved" in the box on Form MR–1.

CERTIFICATES FOR PURCHASE OF NEW FARM MACHINERY AND EQUIPMENT IN GROUP A

§ 2.18 *Notification.* After acting upon an application, the county rationing committee shall notify the applicant of its decision. If the application is denied, the reasons therefor shall be set forth on Form MR–2. The original thereof shall be given or mailed to the applicant, and a copy shall be attached to the denied application, which shall be filed in alphabetical order in the office of the county rationing committee. In cases where the county rationing committee authorizes an applicant to purchase new farm machinery and equipment in Group A, it shall immediately issue to the applicant a non-transferable certificate for the purchase of such new farm machinery and equipment. The certificate shall be issued on Form MR–3.

§ 2.19 *Form of certificate.* The non-transferable certificate for the purchase of new farm machinery and equipment shall be prepared in triplicate. Such certificates shall be numbered serially and all numbers shall be accounted for and the serial number of the certificate placed upon the application. The original and one copy of the certificate shall be given or mailed to the applicant and the remaining copy shall be attached to the application.

§ 2.20 *Execution by issuing county rationing committee.* It shall be the responsibility of the county rationing committee, prior to the issuing of a purchase certificate, to insert on the original and each copy thereof the information designated thereon to be filled in by the county rationing committee. No certificate will be valid unless signed by at least one member of the county rationing committee.

§ 2.21 *Action by purchaser.* (a) Upon receiving the purchase certificate so executed, the applicant may purchase the new farm machinery and equipment specified therein, at a price not in excess of the maximum price established by the Office of Price Administration.

(b) The applicant shall at the time of purchase present to the dealer the original purchase certificate and copy thereof in the form in which they were given to him by the county rationing committee.

§ 2.22 *Expiration of certificates of purchase.* No purchase shall be made pursuant to such a purchase certificate after October 31, 1942, and such purchase certificate shall not be valid to the extent that the new farm machinery and equipment described therein is not delivered to the applicant before November 1, 1942. If delivery is not made before November 1, 1942, the dealer shall return to the purchaser any consideration already received by him for the machinery and equipment not delivered.

§ 2.23 *Action by dealer.* Immediately upon delivering new farm machinery and equipment pursuant to a purchase certificate and copy thereof surrendered to him, the dealer shall sign the certificate and copy thereof in the space provided and mail the copy to the issuing county rationing committee.

APPEALS

§ 2.24 *Application for reconsideration by the county rationing committee.* Any applicant whose application for new farm machinery and equipment has been denied by the county rationing committee may, within fifteen calendar days after written notice of such action is mailed or given to him, request such committee, in writing, to reconsider its action on his application. It shall mail or give to such person written notice of its decision within fifteen calendar days after receipt of such written request for reconsideration.

§ 2.25 *Appeal to State board.* (a) Any applicant for new farm machinery and equipment who has good reason to believe that the decision of the county rationing committee on his request for reconsideration is not in accordance with the provisions of these regulations may, within fifteen calendar days after written notice of such decision is mailed or given to him, file with the State board a written appeal from such action.

(b) The applicant shall include in such appeal a statement in writing, setting forth the specific reasons why he believes the action taken by the county rationing committee was not in accordance with these regulations, stating the portion or portions of these regulations upon which he relies, and stating in full the facts upon which his appeal is based.

§ 2.26 *Action by the State board.* (a) The State board may require the county rationing committee or the applicant to furnish pertinent information in addition to that furnished before the county rationing committee with respect to the appeal pending before such board. The State board may affirm the decision of the county rationing committee, or may reverse or modify such decision. The action of the State board shall in all respects be in accordance with the provisions of these regulations.

(b) The State board's decision shall be made as soon as is reasonably possible (in any event not later than thirty calendar days after its receipt of the appeal), shall be in writing, and shall be communicated immediately in writing to the applicant and to the county rationing committee. If the State board reverses or modifies the decision, it shall immediately mail a copy of its ruling to the Special War Board Assistant to the Secretary of Agriculture, Room 3095, South Building, Department of Agriculture, Washington, D. C.

§ 2.27 *Review of State board action.* If an applicant has good reason to believe that the ruling of the State board on his appeal is not in accordance with the provisions of these regulations, he may, within fifteen calendar days after notice of such ruling is mailed or given to him, file a written petition for review with the Special War Board Assistant to the Secretary of Agriculture at the address set forth in § 2.26 (b) hereof. Such written petition shall be dated and signed by the applicant, shall be under oath, and shall set forth the specific reasons why he believes the ruling of the State board is not in accordance with the provisions of these regulations and the portion or portions of these regulations upon which he relies. The Special War Board Assistant may require the furnishing of additional pertinent information by the applicant, the county rationing committee, or the State board. He may affirm the ruling of the State board or he may reverse or modify such ruling and remand the matter to the county rationing committee for action not inconsistent with his ruling. Such ruling shall be in writing and shall be communicated to the applicant, to the county rationing committee, and to the State board.

RECORDS

§ 2.28 *Records to be kept by the county rationing committee.* (a) All applications for new farm machinery and equipment, and papers relating thereto, received by the county rationing committee shall be systematically filed in its office. Records shall be kept by the committee of such pertinent and material data as may be necessary to carry out these regulations or as may be required by the Special War Board Assistant or the Secretary of Agriculture. Copies of purchase certificates received from dealers shall be attached to the respective applications.

(b) Lists containing the names and addresses of applicants who have been granted purchase certificates and the new farm machinery and equipment covered by each respective certificate shall be kept freely available for public inspection in the office of the county rationing committee and shall be made available for publication in local newspapers.

§ 2.29 *Records to be kept by dealers.* (a) Each dealer shall file with the State board on or before November 10, 1942, a list of all new farm machinery and equipment which he had in his possession at the close of business on October 31, 1942.

(b) Each dealer shall, upon delivery of the new farm machinery and equipment called for in a purchase certificate accepted by him, sign the original and copy thereof and mail such copy to the county rationing committee.

(c) Each dealer shall maintain a file containing the originals of all purchase certificates which have been accepted by him from applicants. However, on or before November 10, 1942, each dealer shall transmit to the issuing county rationing committee the originals and copies of all purchase certificates accepted by him with respect to which delivery of the new farm machinery and equipment desired thereon had not been completed before November 1, 1942.

(d) Each dealer shall keep all certifications accepted by him pursuant to § 2.11 hereof until called for by the county rationing committee.

(e) Each dealer shall make such reports and furnish such information as may be required from time to time by the Secretary of Agriculture, or other persons or agencies designated herein to assist in the administering of the regulations.

ENFORCEMENT

§ 2.30 *Unlawful use or possession.* It shall be unlawful for any person who has accepted a transfer of farm machinery and equipment in violation of Temporary Rationing Order No. A, or any amendment thereof, to use or have in his possession or under his control such farm machinery and equipment.

§ 2.31 *Criminal prosecution.* (a) Any person who knowingly falsifies an application, purchase certificate, certification, or any other record included within the terms of Temporary Rationing Order No. A, or any amendments thereof, or who otherwise knowingly furnishes false information with regard to any matter covered by these regulations to a county rationing committee or to any other agent, agency, employee, or officer of the Department of Agriculture, or who conspires with another person to commit any of the foregoing acts, may, upon conviction, be fined not more than $10,000 or be imprisoned for not more than ten years, or both, and shall in addition be subject to the penalties therefor under any and all applicable laws.

(b) Any person who wilfully commits any act prohibited, or who wilfully fails to perform any act required, by any provision of Temporary Rationing Order No. A, or any amendments thereof, may, upon conviction, be fined not more than $10,000 or be imprisoned for not more than one year, or both, and shall in addition be subject to the penalties therefor under any and all applicable laws.

§ 2.32 *Suspension orders.* (a) Any person who violates any provision of Temporary Rationing Order No. A, or any amendment thereof, may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any new farm machinery and equipment. Such suspension orders shall be issued by the Special War Board Assistant and shall be effective for such period as he deems necessary or appropriate in the public interest and to promote the security of the United States.

(b) The Special War Board Assistant may recommend to the Office of Price Administration or the War Production Board that any person who violates any provision of Temporary Rationing Order No. A, or any amendment thereof, be denied the right to receive, use, sell, or otherwise dispose of any other materials which now or in the future may be under allocation.

§ 2.33 *Other methods of enforcement.* The Special War Board Assistant may also take such other action for enforcement of the provisions of the regulations, or any amendment thereof, as may be necessary, including application to courts and to appropriate agencies of local, State, and Federal governments in order to invoke such powers as may be available and appropriate in connection therewith, including the power to requisition.

§ 2.34 *Publicity.* In the event of a refusal or failure to abide by any provision of these regulations, or any amendment thereof, or in the event of any evasion or attempt to evade any provisions of the regulations, or any amendment thereof, the Special War Board Assistant, in addition to the foregoing penalties, will make every effort to insure that complete information concerning the same is given to the public and to the appropriate officials of local, State, and Federal governments.

§ 2.35 *Complaints of violations.* Any person having knowledge of a violation of any provision of these regulations, or any amendment thereof, shall report the same to the county rationing committee, the State board, the Special War Board Assistant, or the Secretary of Agriculture. An official or employee of the office to which the report is made shall take such information as is given, securing the signature of the person so reporting, if possible, and transmit the report, together with such pertinent information as may be then available, to the Special War Board Assistant.

SCOPE OF TEMPORARY RATIONING ORDER NO. A

§ 2.36 *Territorial limitation.* Temporary Rationing Order No. A shall only apply within the limits of continental United States.

EFFECTIVE DATES

§ 2.37 *Effective dates of farm machinery and equipment rationing regulations.* The farm machinery and equipment rationing regulations (§§ 2.1 to 2.37, inclusive) shall become effective September 17, 1942.

Done at Washington, D. C., this 15th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

SCHEDULE I—FARM MACHINERY AND EQUIPMENT IN GROUP B

Group 1. Planting, seeding and fertilizing machinery:
- Div. 1. Corn planters.
  - Item 1. One horse, single row.
  - Item 2. Two row, horse drawn.
  - Item 3. Two row, tractor drawn or mounted.
  - Item 4. Three and four row, tractor drawn.

Group 1. Planting, seeding and fertilizing machinery—Continued.
Div. 2. Combination corn and cotton planters:
Item 1. One horse, single row.
Item 2. Two horse, single row.
Item 3. Two row, horse drawn.
Item 4. Two row, tractor drawn or mounted.
Item 5. Three and four row, horse or tractor drawn.
Div. 3. Potato planters:
Item 1. Horse or tractor drawn.
Div. 4. Transplanters:
Item 1. One and two row, horse or tractor drawn.
Div. 5. Listers with planting attachments:
Item 1. One row, horse or tractor drawn.
Item 2. Two row, horse or tractor drawn.
Div. 6. Beet drills:
Item 1. Horse or tractor drawn.
Div. 7. Garden planters:
Item 1. Hand.
Item 2. Horse or tractor drawn.
Div. 8. Broadcast seeders:
Item 1. Wheel, horse drawn.
Item 2. Endgate.
Item 3. Hand (wheelbarrow and other).
Div. 9. Other planting, seeding and fertilizing machinery:
Item 1. Other planting, seeding and fertilizing machinery not listed in in § 2.1 (j).

Group 2. Plows and listers:
Div. 1. Moldboard plows.
Item 1. Horse drawn, walking one horse.
Type 1. Steel bottom.
Type 2. Chilled bottom.
Item 2. Walking, two horse and larger.
Item 3. Sulky, one bottom.
Item 4. Gang, two bottom and larger.
Item 5. Tractor drawn or mounted.
Type 1. One bottom.
Type 2. Two bottom.
Type 3. Three bottom.
Type 4. Four bottom.
Type 5. Five bottom and larger.
Div. 2. Disc plows, horse drawn:
Item 1. Single disc and larger.
Div. 3. Disc plows, tractor drawn:
Item 1. Two disc.
Item 2. Three disc.
Item 3. Four disc.
Item 4. Five disc.
Item 5. Six disc and larger.
Div. 4. One way disc plows or tillers:
Item 1. One way disc plows or tillers.
Div. 5. Listers (middle busters' without planting attachment):
Item 1. One row, horse or tractor drawn.
Item 2. Two row, horse or tractor drawn.
Div. 6. Subsoil plows:
Item 1. Subsoil plows.
Div. 7. Plowstocks:
Item 1. Plowstocks.
Div. 8. Other plows and listers.

Group 3. Harrows, rollers, pulverizers and stalk cutters:
Div. 1. Harrows:
Item 1. Spike tooth sections, horse or tractor drawn.
Item 2. Spring tooth sections, horse or tractor drawn.
Div. 2. Smooth land rollers:
Item 1. Smooth land rollers.
Div. 3. Soil pulverizers and packers:
Item 1. Soil pulverizers and packers.
Div. 4. Stalk cutters:
Item 1. Stalk cutters.
Div. 5. Other harrows and rollers:
Item 1. Other harrows and rollers except that listed in § 2.1 (j).

Group 4. Cultivators and weeders:
Div. 1. Cultivators:
Item 1. Horse drawn:
Type 1. One horse (all types).
Type 2. One row, walking (two horse).
Type 3. One row, riding (two horse).
Type 4. Two row, riding.

Group 4. Cultivators and weeders—Con.
Div. 1. Cultivators—Continued.
Item 2. Tractor drawn or mounted.
Type 1. One row, tractor drawn or mounted.
Type 2. Two row, tractor drawn or mounted.
Type 3. Three and four row, tractor drawn or mounted.
Type 4. Five and six row, tractor drawn or mounted.
Item 3. Beet cultivators, horse or tractor drawn or mounted.
Item 4. Field cultivators, horse or tractor drawn.
Item 5. Garden cultivators (hand).
Div. 2. Rotary hoes, horse or tractor drawn:
Item 1. Rotary hoes, horse or tractor drawn.
Div. 3: Rod weeders, horse or tractor drawn:
Item 1. Rod weeders, horse or tractor drawn.
Div. 4. Other cultivators and weeders:
Item 1. Other cultivators and weeders.

Group 5. Harvesting machinery:
Div. 1. Grain binders:
Item 1. Grain binders.
Div. 2. Rice binders:
Item 1. Rice binders.
Div. 3. Corn binders:
Item 1. Corn binders (row binder) horse or tractor drawn.
Div. 4. Ensilage harvesters (corn, hay):
Item 1. Ensilage harvesters (corn, hay).
Div. 5. Pea and bean harvesters:
Item 1. Pea and bean harvesters.
Div. 6. Other harvesting machinery:
Item 1. Other harvesting machinery except that listed in § 2.1 (j).

Group 6. Haying machinery:
Div. 1. Mowers:
Item 1. Horse drawn.
Item 2. Tractor drawn.
Item 3. Tractor mounted.
Div. 2. Rakes:
Item 1. Rakes, sulky (dump).
Item 2. Rakes (side del.), including comb. side rakes and tedders.
Item 3. Sweep.
Div. 3. Hay loaders:
Item 1. Hay loaders.
Div. 4. Stackers:
Item 1. Stackers.
Div. 5. Other haying machinery:
Item 1. Other haying machinery except that listed in § 2.1 (j).

Group 7. Machines for preparing crops for market or use:
Div. 1. Grain threshers, incl. rice and alfalfa threshers:
Item 1. Threshers, width of cylinder under 28 inches.
Item 2. Threshers, width of cylinder 28 inches and over.
Div. 2. Pea and bean threshers:
Item 1. Pea and bean threshers.
Div. 3. Peanut pickers:
Item 1. Peanut pickers.
Div. 4. Ensilage cutters (silo fillers):
Item 1. Ensilage cutters (silo fillers).
Div. 5. Feed cutters (hand and power):
Item 1. Feed cutters (hand and power).
Div. 6. Corn shellers:
Item 1. Corn shellers (hand).
Item 2. Corn shellers (power).
Type 1. Spring (2, 4, 6, and 8 holes).
Type 2. Cylinder (150 bu. and under).
Type 3. Cylinder (over 150 bu.).
Div. 7. Hay presses:
Item 1. Horse.
Item 2. Engine or belt power.
Div. 8. Grain cleaners and graders. (Small grain only):
Item 1. Grain cleaners and graders (small grain only).
Div. 9. Potato sorters and graders:
Item 1. Potato sorters and graders.

Group 7. Machines for preparing crops for market or use—Continued.
Div. 10. Cane mills (farm size):
Item 1. Cane mills (farm size).
Div. 11. Syrup evaporators (cane):
Item 1. Syrup evaporators (cane).
Div. 12. Syrup evaporators (maple):
Item 1. Complete sets of pans, not including furnaces.
Item 2. Furnaces.
Div. 13. Cider mills and fruit presses:
Item 1. Cider mills and fruit presses.
Div. 14. Other machines for preparing crops for market or use.
Item 1. Other machines for preparing crops for market or use except that listed in § 2.1 (j).

Group 8. Engines:
Div. 1. Engines under 1 h. p.:
Item 1. Air cooled.
Div. 2. One or more but under 5 h. p.:
Item 1. Air cooled.
Item 2. Water cooled.
Div. 3. Five or more but under 10 h. p.:
Item 1. Water cooled.
Div. 4. Ten or more but under 20 h. p. water cooled.
Item 1. Water cooled.

Group 9. Farm wagons and trucks:
Div. 1. Wagons, farm without boxes.
Item 1. Wagons, farm without boxes.
Div. 2. Trucks, farm not motor trucks:
Item 1. Trucks, w/ steel tires.
Item 2. Trucks, w/ rubber tires.
Div. 3. Wagon and truck boxes, farm:
Item 1. Wagon and truck boxes, farm.
Div. 4. Trailers, farm, 2 wheel:
Item 1. Trailers, farm, 2 wheel.

Group 10. Miscellaneous farm machines and equipment:
Div. 1. Dairy machinery and equipment.
Item 1. Cream separators:
Type 1. Capacity 250 lb. per hr. or less.
Type 2. Capacity 251–500 lb. per hr.
Type 3. Capacity 501 lb. and over per hr.
Item 2. Butter-making equipment.
Div. 2. Other farm dairy equipment:
Item 1. Other farm dairy equipment except that listed in § 2.1 (j).

Group 11. Spraying outfits (complete):
Div. 1. Sprayers:
Item 1. Power sprayers (not including engine).
Item 2. Traction sprayers.
Item 3. Hand sprayers (with tank, barrel, knapsack etc.) capacity less than 6 gal.:
Type 1. Compressed air.
Type 2. Knapsack, self-contained.
Type 3. Trombone pump type.
Type 4. Bucket pump type, single cylinder.
Type 5. Bucket pump type, double cylinder.
Type 6. Atomizing single action.
Type 7. Atomizing continuous.
Item 4. Sprayers with tank, barrel, knapsack, etc., capacity 6 gallons or more w/ cpt equipment:
Type 1. Barrel pump w/ cpt equip.
Type 2. Sprayers, wheelbarrow w/ cpt equipment.
Div. 2. Spray pumps, power:
Item 1. Spray pumps, power.
Div. 3. Dusters:
Item 1. Dusters:
Type 1. Power.
Type 2. Traction.
Type 3. Dusters (hand).
Div. 4. Orchard heaters.

Group 12. Domestic water systems, pneumatic:
Div. 1. Deep well, all sizes:
Item 1. Deep well, reciprocal.
Item 2. Deep well, jet pumps.
Div. 2. Shallow well:
Item 1. Under 250 gal. per hour.
Item 2 250 to 499 gal. per hour.
Item 3. 500 gal. per hour and over.

Group 12. Domestic water systems, pneumatic—Continued.
Div. 3. Tanks:
Item 1. Tanks.
Div. 4. Pumps, water:
Item 1. Pitcher pumps.
Item 2. Hand pumps.
Item 3. Windmill pumps.
Div. 5. Power pumps, horizontal type:
Item 1. Up to and including 75 gal. per minute, 100 # pressure.
Div. 6. Cylinders, for sale separately:
Item 1. Cylinders, for sale separately.
Div. 7. Windmills:
Item 1. Pump jacks.
Item 2. Windmill heads.
Item 3. Windmill towers.

Group 13: Barn and barnyard equipment:
Div. 1. Feed and litter carriers, overhead (box and gearing):
Item 1. Feed and litter carriers.
Div. 2. Feed trucks:
Item 1. Feed trucks.
Div. 3. Hay carriers:
Item 1. Hay carriers.
Div. 4. Track for carriers (feed):
Item 1. Track for carriers (feed).
Div. 5. Hay works (harpoon, grapple, etc.):
Item 1. Hay forks (harpoon, grapple, etc.).
Div. 6. Stanchions:
Item 1. Stanchions.
Div. 7. Manger partitions and fittings:
Item 1. Manger partitions and fittings.
Div. 8. Stalls and fittings:
Item 1. Stalls and fittings.
Div. 9. Individual livestock drinking cups:
Item 1. Individual livestock drinking cups.
Div. 10. Outside livestock watering bowls:
Item 1. Outside livestock watering bowls
Div. 11. Hog troughs:
Item 1. Hog troughs.
Div. 12. Stock tanks:
Item 1. Stock tanks, steel.
Item 2. Stock tanks, wooden.
Div. 13. Stock feeders:
Item 1. Stock feeders.
Div. 14. Stock pens, steel:
Item 1. Stock pens, steel.
Div. 15. Feed cookers:
Item 1. Feed cookers.
Div. 16. Tank heaters (electric and others):
Item 1. Tank heaters (electric and others).
Div. 17. Barn door hangers and track:
Item 1. Barn door hangers and track.
Div. 18. Other equipment:
Item 1. Other barn and barnyard equipment.

Group 14. Poultry farm equipment:
Div. 1. Incubators:
Item 1. Lamp and Electrical (1,000 egg and smaller).
Item 2. Commercial (over 1,000 egg capacity).
Div. 2. Brooders:
Item 1. Floor:
Type 1. Oil.
Type 2. Coal or wood.
Type 3. Gas.
Type 4. Electric.
Item 2. Battery (heated):
Type 1. Three deck.
Type 2. Four deck,
Type 3. Five deck.
Div. 3. Poultry growing batteries:
Item 1. Poultry growing batteries.
Div. 4. Laying batteries:
Item 1. Laying batteries.
Div. 5. Poultry feeders:
Item 1. Poultry feeders.
Div. 6. Poultry waterers:
Item 1. Glass jar type, less than one gal.
Item 2. One gallon and up (metal).
Div. 7. Other equipment:
Item 1. Other equipment.

Group 15. Miscellaneous farm equipment:
Div. 1. Beekeepers' supplies:
Item 1. Beekeepers' supplies.
Div. 2. Portable corn cribs:
Item 1. Portable corn cribs.
Div. 3. Grain bins:
Item 1. Grain bins.
Div. 4. Gates, farm:
Item 1. Gates, farm.
Div. 5. Lighting plants elect., residence, etc.:
Item 1. Capacity 300 watts or less (battery type).
Item 2. Capacity over 300 watts to 10 kilowatts.
Div. 6. Silos:
Item 1. Silos.
Div. 7. Wheelbarrows:
Item 1. Wooden.
Item 2. Steel (tubular).
Div. 8. Wood-sawing machines (circular):
Item 1. Wood-sawing machines (circular).
Div. 9. Horse shoes, horse shoe nails:
Item 1. Horse shoes, horse shoe nails.
Div. 10. Electric fence controllers:
Item 1. Electric fence controllers.
Div. 11. Harness hardware:
Item 1. Harness hardware.
Div. 12. Power sheep shearing machines:

Group 16. Irrigation equipment:
Div. 1. Irrigation pumps:
Item 1. Turbine Pumps:
Type 1. Turbine Pumps 0 to 1200 GPM.
Type 2. Turbine Pumps 1200 GPM and up. Belt driven.
Item 2. Centrifugal Pumps.
Item 3. Hydraulic Rams.
Div. 2. Distribution equipment:
Item 1. Land leveling equipment. Ditchers. Corrugators and scrapers (excluding power ditchers, draglines and other self powered machines).
Item 2. Portable pipe and extensions, sprinklers, valves and gates.

Group 17. Attachments:
Div. 1. All attachments for all items in all Groups in this Schedule I.
Div. 2. All attachments for all items listed in § 2.1 (j).

EXEMPTIONS: All hand-operated machinery equipment and all machinery and equipment drawn or operated by one or two horses listed in this Schedule I are exempt from Temporary Rationing Order No. A by § 2.6 thereof and by Schedule II hereof unless such machinery and equipment is listed in § 2.1 (j).

SCHEDULE II—New Farm Machinery and Equipment Exempt from the Provisions of Temporary Rationing Order No. A by § 2.6 thereof

1. Hand Tools:
a. Hoes
b. Rakes
c. Forks
d. Scythes
e. Shovels

2. All hand operated and one and two horse drawn farm machinery and equipment not included in Group A in § 2.1 (j).

SCHEDULE III—FORM OF CERTIFICATION REQUIRED IN ORDER TO PURCHASE NEW FARM MACHINERY AND EQUIPMENT IN GROUP B AS PROVIDED IN SECTION 2.11 OF TEMPORARY RATIONING ORDER NO. A

To_____
Name of Dealer
_____
Address of Dealer

I hereby certify that the farm machinery and equipment described below is necessary to handle my production during the remainder of the calendar year 1942, including increased or new production planned and needed as a contribution to the current agricultural need: (Description of machinery and equipment)

_____
_____
_____

_____
Signature of Purchaser
_____
Address of Purchaser
_____
Date

[F. R. Doc. 42–9163; Filed, September 16, 1942; 12:35 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 4—RELATIONS WITH AGENCIES OF PUBLIC CONTACT

CANADIAN-BORN AMERICAN INDIANS; EXEMPTION FROM IMMIGRATION LAWS

Section 4.6 of Part 4, Title 10, Code of Federal Regulations, is hereby rescinded. (R.S. 161; 5 U.S.C. 22) [AR 170–10, August 10, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–9133; Filed, September 15, 1942; 2:44 p. m.]

PART 4—REGULATIONS WITH AGENCIES OF PUBLIC CONTACT

MAKING OF PHOTOGRAPHS, SKETCHES, ETC., OF MILITARY OR NAVAL SUBJECTS

Pursuant to the authority conferred upon the Secretary of War and the Secretary of the Navy by the Act of Congress approved June 25, 1942 (Public Law Number 627—77th Congress), "to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes", the following regulations are hereby prescribed:

(a) Sketches, photographs, photographic negatives, blueprints, plans, maps, models, copies or other representations, may be made of any area, place, property, or thing, described in the Act of Congress approved June 25, 1942, (Public Law Number 627—77th Congress), only upon the expressed permission of the Secretary or his authorized representative having jurisdiction of the subject matter. Such permission will be granted only if the interests of national defense will not be adversely affected thereby.

(b) The authorized representatives who may grant the necessary permission are:

War Department. Any Commanding General of a Defense Command, Theater of Operations, Department or Service Command, Director of War Department Bureau of Public Relations or any Commander of a post, camp or station.

Navy Department. Fleet Commanders or Commanders of any major subdivision thereof, Commanders of Sea Frontiers, District Commandants, the Director of the Office of Public Relations, Commanding Officers of Ships, Aircraft Squadrons, or Stations, or, an officer of the U. S. Marine Corps having a command equivalent to any of the foregoing. (Pub. Law, 627, 77th Cong.)

Issued and effective this 10th day of September 1942.

HENRY L. STIMSON,
Secretary of War.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 42-9152; Filed, September 16, 1942; 11:21 a. m.]

PART 8—COMPETITION WITH CIVILIAN BANDS

INSTRUCTIONS GOVERNING USE OF BANDS OR INDIVIDUAL MUSICIANS

Section 8.2 is hereby added as follows:

§ 8.2 *Instructions governing use of bands or individual musicians.* The following instructions pertaining to the use of bands or individual musicians which conform to sec. 35, Act June 3, 1916 (39 Stat. 188; 10 U.S.C. 609) quoted in § 8.1, will govern:

(a) Bands or individual musicians may be furnished on the following occasions:

(1) All military uses and occasions, that is, whenever and wherever a service band functions as part of the nation's military forces.

(2) All uses upon military and naval reservations, military and naval vessels, and other places or circumstances where a band is on duty with service forces.

(3) Official occasions attended by the superior officers of the Government and of the Army, Navy, and Marine Corps in their official capacities and in the performance of official duties, but such occasions do not include social occasions and entertainments, such as dinners, luncheons, etc., given by civilians or civic associations with such officers as guests.

(4) The occasions under subparagraphs (1) and (3) of this paragraph may include ceremonies in which music is an appropriate part. In such cases the music may be broadcast with the other features of the official program for the occasion.

(5) Broadcasts from a military reservation of concerts by Army bands and music furnished by an Army band as part of an entertainment program when such program conforms to subparagraph (2) above.

(6) Broadcasts off a military reservation of concerts by Army bands or any part thereof for purely recruiting drives when not a part of and not connected in any way with a commercial enterprise.

(7) Musical programs at any United States hospital for the entertainment of its inmates.

(8) Concerts in the Capitol grounds, Capitol building, and public parks of the City of Washington only.

(9) At free social and entertainment activities conducted *exclusively* for the benefit of enlisted men and their guests in service clubs and social centers maintained for the use of enlisted men in the vicinity of military reservations. Since it is contemplated that such service will not be furnished when it would interfere with the normal military duties of bandsmen, furnishing of musicians on such occasions is discretionary with the commanding officer having jurisdiction in the matter.

(10) For parades and ceremonies incident to national gatherings of officers of the Army of the United States, veterans and patriotic organizations. These occasions do not include dinners, dances, or luncheons.

(11) At public rallies and parades held exclusively for the sale of War Bonds and Stamps. If admission is charged the entire proceeds must be used for the purchase of stamps or bonds. The Commanding Officer having jurisdiction may determine the extent of participation with due consideration being given to interference with training. The cost of transporting the band for such activities may be charged against appropriated funds.

(12) At public rallies and parades to stimulate munitions production. This applies particularly to such celebrations held at manufacturing plants in connection with plant awards.

(13) The Army Relief, the Army Emergency Relief, and the National Red Cross, when the entire proceeds are donated to these agencies. Local charities and community chests are not included.

(b) Bands or individual musicians will not be furnished on the following occasions:

(1) For civic parades, ceremonies, expositions, etc., except as provided under paragraph (a) (11) and (12) above, regattas, contests, festivals, local baseball or football games, activities or celebrations, and the like.

(2) For the furtherance, directly or indirectly, of any public or private enterprise, functions by chambers of commerce, boards of trade and commercial clubs or associations.

(3) For any occasion that is partisan or sectarian in character or purpose.

(4) For civilian clubs, societies, civic or fraternal organizations.

(5) For so-called charitable purposes of a local, sectarian, or partisan character or any so-called charity that is not of a national character.

(6) For broadcasts off a military reservation, except as stated in paragraph (a) (6) of this section.

(7) Any occasion where there will in fact be competition with civilians. (Sec. 35, 39 Stat. 188; 10 U. S. C. 609) [Cir. 291, W. D., August 29, 1942.]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9146; Field September 16, 1942; 10:24 a. m.]

Chapter V—Military Reservations and National Cemeteries

PART 52—REGULATIONS AFFECTING MILITARY RESERVATIONS

STANDARD QUANTITIES OF HEAT, LIGHT AND ELECTRIC POWER

§ 52.12 *Welfare agencies.* [Rescinded.] (R.S. 161; 5 U.S.C. 22) [AR 30-1620, June 10, 1932, rescinded by C1, September 1, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9132; Filed, September 15, 1942; 2:44 p. m.]

Chapter VII—Personnel

PART 77—MEDICAL AND DENTAL ATTENDANCE

CIVILIAN HOSPITAL EMPLOYEES

Section 77.19 (e)[1] is hereby amended to read as follows:

§ 77.19 *Civilian hospital employees.* • • •

(e) *Rations.* Whenever it is found necessary or deemed desirable, civilian employees, irrespective of their rate of pay, may be either furnished meals at the hospital, or, by special authority of the Surgeon General in exceptional circumstances, furnished with a ration in kind: *Provided,* That deductions are taken from their pay for such subsistence or ration, or that reimbursement in cash is received. Civilian employees permitted or required to take meals regularly at the hospital will have appropriate deductions made from their gross compensation. Civilian employees permitted to take an occasional meal at the hospital will make reimbursement to the hospital fund in cash. The deductions for subsistence will be made according to the evaluation set forth in AR 35-3840. The cash value of subsistence furnished will be determined by the Surgeon General. Rations for those female technicians and other female employees who are invited by the chief nurse to participate in that portion of the hospital mess established for Army nurses, and assigned thereto by the commanding officer of the hospital, are commuted at the rate of 70 cents a day, payment thereof to be made by the local disbursing officer. (R.S. 161; 5 U.S.C. 22) [Par. 13 (e), AR 40-590, February 2, 1942, as amended by C 2 August 28, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9155; Filed, September 16, 1942; 11:19 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 87—ELECTRICITY, GAS, AND WATER

CHARGES FOR ELECTRICITY AND GAS

§ 87.1 *Charges for electricity and gas.*[2] [Rescinded.] (R.S. 161; 5 U.S.C. 22)

[1] 7 F.R. 2720.
[2] 6 F.R. 2500.

[AR 30-1635, June 6, 1923, rescinded by C 3 September 1, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9154; Filed, September 16, 1942; 11:19 a. m.]

Chapter IX—Transport

PART 91—GENERAL TRANSPORT REGULATIONS

RESCISSION OF CERTAIN SECTIONS

Sections 91.4, 91.5, 91.6 and 91.7, Part 91, Title 10, Code of Federal Regulations, are hereby rescinded. (R.S. 161; 5 U.S.C. 22) [AR 30-1195, July 5, 1933, rescinded by C 2, September 1, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9134; Filed, September 15, 1942; 2:44 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[General License No. HS-1, as Amended]

PART 135—GENERAL LICENSES ISSUED UNDER SECURITIES REGULATIONS OF THE GOVERNOR OF HAWAII

AUTHORIZATION TO CONTINUE ACCEPTANCE OF SECURITIES FOR DEPOSIT

AUGUST 31, 1942.

§ 135.1 *General License HS-1.*[1] A general license is hereby granted authorizing any domestic bank, the Treasurer of the Territory of Hawaii, or any other person authorized to accept securities for deposit in securities custody accounts, pursuant to the Regulations Relating to Securities, as amended, to continue to accept securities of the type referred to in § 133.2 (b) (1)[2] of the Regulations for deposit in securities custody accounts: *Provided,* That an affidavit in triplicate shall be obtained from any person presenting securities for deposit pursuant to this general license, stating in detail why such securities were not presented within the time limits fixed by the Regulations. Such affidavits shall be filed promptly with the Office of the Governor of Hawaii by persons receiving them.

This license shall expire at the close of business on September 30, 1942.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

Confirmed:

BERNARD BERNSTEIN,
Assistant General Counsel.

[F. R. Doc. 42-9137; Filed, September 15, 1942; 4:28 p. m.]

[1] 7 F.R. 6464.
[2] 7 F.R. 5808.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b]

§ 1041.2 *Preference Rating Order P-98-b.* For the purpose of facilitating the acquisition of material for the production, transportation, refining and marketing of petroleum, preference ratings are hereby assigned to deliveries of necessary material upon the terms hereinafter set forth:

(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Operator" means:

(i) Any person located in the United States, its territories or possessions, engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada engaged in the petroleum industry to whom and in whose name a copy of this order or of Preference Rating Order No. P-98, Extended and Amended,[1] is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Material" means any commodity, equipment, accessories, parts, assemblies, or products of any kind.

(6) "Petroleum industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing).

(b) *Scope of order.* (1) No operator may apply any preference rating assigned by this order to obtain delivery of material (i) unless such material is to be used for maintenance or repair purposes or as operating supplies; or (ii) unless such rating is applied to obtain delivery of material to be used in any operation directly incident to the discovery, development or depletion of petroleum pools.

(2) The Director General for Operations may from time to time issue supplementary orders or specific directions with respect to the application of preference ratings or the use of material obtained under this order.

(c) *Assignment of preference ratings.* (1) Subject to the terms of this order, a preference rating of A-2 or A-1-a is hereby assigned to deliveries of material to an operator for use in the petroleum industry.

(d) *Restrictions on the application of preference ratings by an operator.* (1) No operator may apply any preference rating assigned by this order to obtain delivery of material unless the material cannot otherwise be obtained on the date when such material is required, and no operator may apply the A-1-a preference rating assigned by this order in any case where the A-2 preference rating assigned by this order will enable such operator to secure the material on the date when such material is required.

(2) No operator may apply a rating assigned by this order to obtain material the use of which may be eliminated by substitution of less scarce material or by change of design without serious loss of efficiency.

(3) No operator may apply a rating assigned by this order to obtain material in excess of a 90 day supply thereof: *Provided,* That the Director General for Operations may determine and direct that any operator or class of operators is exempt, in whole or in part, from the restrictions contained in this paragraph.

(4) No operator as defined in paragraph (a) (2) (i) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited or in any way limited by any order or regulation issued by the War Production Board, other than material to be used in conformity with the provisions of such order or regulation.

(5) No operator as defined in paragraph (a) (2) (ii) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited, or in any way limited by any applicable order or equivalent authority issued by the Government of the Dominion of Canada, other than material to be used in conformity with the provisions of such order or equivalent authority.

(e) *Method of application of preference ratings.* In order to apply a preference rating assigned by this order:

(1) The operator must endorse on, or attach to, each contract or purchase order placed by him which includes such a preference rating, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27)[1] by an official duly authorized for such purpose:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the item shown on this purchase order and that such application or extension is in accordance with Priorities Regulation No. 3, as amended,

[1] 7 F.R. 6384.

[1] 7 F.R. 1062.

with the terms of which the undersigned is familiar.

(Name of purchaser) (Address)

By: (Signature and title of duly authorized official) (Date)

(2) And where an item to the delivery of which a preference rating of A–1–a is to be applied has a cost to the operator of $500 or more, the operator shall obtain the approval of the Director General for Operations before such rating is applied. In order to obtain such approval, the operator shall communicate to the Office of Petroleum Coordinator for War, Washington, D. C., Ref: P–98b the information set forth in paragraph (f); and

(3) Where an item to the delivery of which a preference rating of A–1–a is to be applied has a cost to the operator of less than $500, the operator as defined in paragraph (a) (2) (i) shall obtain the countersignature of the District Director in Charge of a District Office of the Office of Petroleum Coordinator on the purchase order or contract for such item before such rating is applied, and the operator as defined in paragraph (a) (2) (ii) shall obtain the countersignature of the Oil Controller, Dominion of Canada, on the purchase order or contract for such item before such rating is applied. In order to obtain such a countersignature, the operator shall communicate to the District Director or the Oil Controller the information set forth in paragraph (f); and

(4) Where an item to the delivery of which a preference rating of A–2 is to be applied has a cost to the operator of $500 or more, the operator as defined in paragraph (a) (2) (i) shall obtain the countersignature of the District Director in Charge of a District Office of the Office of Petroleum Coordinator on the purchase order or contract for such item before such rating is applied, and the operator as defined in paragraph (a) (2) (ii) shall obtain the countersignature of the Oil Controller, Dominion of Canada on the purchase order or contract for such item before such rating is applied. *Provided*, That in applying a preference rating assigned by this order, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item for the purpose of making it appear that the item costs less than $500.

(f) *Information.* Wherever required by this order the following information shall be submitted by an operator:

(1) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected (if applicable);

(2) The equipment to be repaired and its function in maintaining continuous operation (if applicable);

(3) Price, quantity, approximate weight and detailed description of material necessary to effectuate the repair or to initiate or maintain operations;

(4) A general description of the metals contained in the material applied for, and the full justification as to necessity for any material containing metals adjudged critical by the War Production Board, including copper, nickel, chromium, tin, zinc, aluminum and molybdenum;

(5) The supply of the necessary material which the operator has on hand; and

(6) The name and address of the supplier, or suppliers, from whom the material is to be obtained, and the earliest delivery dates assured on (i) and A–2 rating, and (ii) an A–1–a rating by such supplier, or suppliers, for delivery of the minimum necessary quantity of material.

(g) *Additional preference rating assistance.* (1) If the preference ratings assigned by this order will not enable an operator to obtain material on the date when such material is required, the operator may file a PD–1a application for an improvement of the ratings assigned by this order.

(2) If there has been an actual breakdown or a suspension of operations and if the preference ratings assigned by this order or the method specified in paragraph (e) for applying these ratings will not permit an operator to obtain material on the date when such material is required, the operator in order to obtain material for this emergency may communicate by letter or telegram with the Office of Petroleum Coordinator for War, Washington, D. C. Ref: P–98b, supplying the information set forth in paragraph (f).

(h) *Exception of operators from provisions of Preference Rating Orders Nos. P–43, P–46,*[2] *and P–100.*[3] No operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be entitled to apply the preference rating or ratings assigned by Preference Rating Orders Nos. P–43, P–46, or P–100, and no operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be subject to the provisions of Preference Rating Orders Nos. P–43, P–46, or P–100.

(i) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator, South Interior Building, Washington, D. C. Ref: P–98–b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref: P–98–b.

(j) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

[2] 7 F.R. 4699, 5272, 5903, 7234.

[3] 6 F.R. 6548; 7 F.R. 925, 1009, 1626, 1794, 2236, 2866, 6825.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(l) *Effective date.* This order shall continue in effect up to but not after January 1, 1943, unless sooner revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9136; Filed, September 15, 1942; 4:01 p. m.]

Subchapter B—Director General for Operations

PART 1115—FUEL OIL

[Amendment 3 to Limitation Order L–56, as Amended]

1. Section 1115.1 *Limitation Order L–56*,[1] as amended, paragraphs (b) (12) and (b) (13) are added and paragraph (c) is amended, to read as follows:

(b) *Definitions.* • • •

(12) "Area Four" means the area specified in Exhibit B hereof as the same may be amended from time to time.

(13) "Private dwelling" means any building or structure designed (or redesigned) for the occupancy of fewer than four (4) families, in which seventy percent (70%) or more of the total floor space is used for residential purposes.

(c) *Limitations on deliveries of fuel oil*—(1) *For use in the operation of coal spraying equipment.* No supplier shall deliver or cause to be delivered and no person shall accept delivery of fuel oil or any other petroleum product for use in the operation of coal spraying equipment at or in any place in the United States.

(2) Within Area Four, on and after September 16, 1942, no supplier shall deliver or cause to be delivered, and no person shall accept delivery of fuel oil, except in accordance with the provisions of paragraphs (c) (3), (c) (4), (c) (5), and (c) (6).

(3) *For use in heating equipment in private dwellings.* (i) Within Area Four during the period from September 16, 1942 to September 30, 1942, inclusive, a supplier may, subject to the provisions of subdivision (ii) of this subparagraph (3), deliver to or for use in a private dwelling only the amount of fuel oil necessary to fill to capacity the fuel storage tank or tanks of space and central heating and cooling equipment and of domestic and commercial water heating equipment used in such dwelling.

(ii) In the event that the capacity of such fuel storage tank or tanks exceeds two hundred and seventy-five (275) gallons, or in the event that no fuel storage tanks are maintained for such equipment, a supplier may, during the period specified in subdivision (i) of this subparagraph (3), deliver to or for use in such dwelling only the amount necessary to bring the total supply of fuel oil on hand for the operation of such equipment to two hundred and seventy-five (275) gallons.

(iii) After delivery to or for use in a private dwelling of the quantity of fuel oil permitted by subdivision (i) or (ii) of this subparagraph (3), no supplier shall deliver or cause to be delivered and no person shall accept delivery of fuel oil for the operation of such equipment in such dwelling, except as provided in paragraph (c) (5).

(4) *For use in heating equipment in premises other than private dwellings.* (i) Within Area Four, during the period from September 16, 1942 to September 30, 1942, inclusive, a supplier may, subject to the provisions of subdivision (ii) of this subparagraph (4), deliver to or for use in premises other than a private dwelling the amount of fuel oil necessary to fill to fifty percent (50%) of capacity the fuel storage tanks or tanks of space and central heating and cooling equipment and of domestic and commercial water heating equipment serving such premises.

(ii) In the event that no storage tanks are maintained for such equipment, a supplier may, during the period specified in subdivision (i) of this subparagraph (4), deliver to or for use in such premises only the amount necessary to bring the total supply of fuel oil on hand for the operation of such equipment to two hundred and seventy-five (275) gallons.

(iii) After delivery to or for use in premises other than a private dwelling of the quantity of fuel oil permitted by subdivision (i) or (ii) of this subparagraph (4), no supplier shall deliver or cause to be delivered and no person shall accept delivery of fuel oil for the operation of such equipment in such premises, except as provided in paragraph (c) (5).

(5) Within Area Four, on and after October 1, 1942, a supplier may deliver fuel oil for the operation of space and central heating and cooling equipment and domestic and commercial water heating equipment only if the person to whom or for whose account delivery is made agrees in writing to surrender to such supplier within fifteen (15) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, coupons representing the amount of fuel oil delivered. Within fifteen (15) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, any person accepting delivery of fuel oil pursuant to this paragraph shall surrender to such supplier coupons equal in gallonage value to the number of gallons of fuel oil so delivered. Any supplier who makes delivery pursuant to this paragraph shall keep a record of such delivery, showing the name and address of the premises to which delivery was made, the name and address of the purchaser, and the date and amount of the delivery. Within twenty (20) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, such supplier shall surrender to the regional office of the Office of Price Administration having jurisdiction over the area in which he does business, all coupons received by him representing deliveries made between October 1, 1942, and the effective date of such order; at the time of surrendering such coupon he shall also report to such office the name and address of each person who has failed to surrender coupons to him as required by this paragraph, the amount of fuel oil delivered to such person and the address of the premises to which such delivery was made.

(6) The provisions of subparagraphs (2), (3), (4) and (5) of this paragraph (c) shall not apply to, and shall not limit, the quantity of deliveries of fuel oil for use in the operation of equipment used in connection with agricultural or industrial processes, or research operations, requiring temperature control.

(7) *For use in the operation of additional facilities or converted facilities.* Within Areas One, Two and Three no supplier shall deliver or cause to be delivered and no person shall accept delivery of fuel oil for use in the operation of additional facilities or facilities converted from other fuel to fuel oil, except:

(i) Where, in the case of new construction, the additional facilities were specified in the construction contract and the foundation under the main part of the structure in which the additional facilities were to be installed was completed, in Areas One and Three prior to April 13, 1942, or in Area Two prior to June 15, 1942: *Provided*, That the replacement of wornout parts shall not be deemed to be the installation of additional facilities when the existing equipment is not adaptable to the use of other fuels;

(ii) Where, in the case of facilities converted from other fuel to fuel oil, such conversion has been completed in Areas One and Three prior to March 24, 1942, or in Area Two prior to June 1, 1942.

Provided, That deliveries of fuel oil may be made by any supplier to any person for the operation of equipment or facilities specified in this paragraph in any case where such person cannot use a fuel other than fuel oil, electricity, natural gas, or mixed natural and manufactured gas, either because any such substitute fuel is not available or because technical utilization factors prevent its use.

2. Section 1115.1 *Limitation Order L–56*, as amended, Exhibit B is hereby added, to read as follows:

EXHIBIT B

Area Four. The States of Connecticut Delaware, Florida (east of the Apalachicolo River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

(c) *Effective date.* This amendment shall take effect immediately upon issuance and shall remain in effect until revoked by the Director General for Operations.

Issued this 15th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9150; Filed, September 16, 1942; 10:29 a. m.]

[1] 7 F.R. 3547, 5350, 5902.

PART 1037—COCOANUT OIL, BABASSU OIL, PALM KERNEL OIL AND OTHER HIGH LAURIC ACID OILS

[Supplementary Order M–60–a]

§ 1037.2 *Supplementary Order M–60–a*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Inventory" of a person means the cocoanut, babassu and palm kernel oils and oil bearing materials owned by such person or by his affiliates or subsidiaries, excluding:

(i) Purchases for future delivery to him;

(ii) Oils and materials which are not in the United States; and

(iii) Oils and materials set aside pursuant to paragraph (d) of § 1037.1 (General Preference Order M–60).[1]

(2) "Cocoanut, babassu and palm kernel oils" means crude, refined, bleached, or deodorized cocoanut, babassu and palm kernel oils and the content of such oils in mixtures, blends, fatty acids and soap stocks of which such oils are a part, as well as the fatty acids of such oils in mixtures or blends of fatty acids and soap stocks.

(3) "Oil bearing materials" means copra and other seeds and nuts from which cocoanut, babassu and palm kernel oils are obtained.

(4) "Import" means physical discharge from a vessel at a continental United States port or arrival in the continental United States by rail or otherwise.

(b) *Withholdings of cocoanut, babassu, and palm kernel oils.* In addition to the amount of oils required to be set aside pursuant to paragraph (d) of § 1037.1 (General Preference Order M–60):

(1) Each person who at the close of business on the date of issuance hereof had an inventory of cocoanut, babassu and palm kernel oils, in the form of oil or contained in oil bearing materials, of 240,000 lbs. or more, by weight of oil, shall set aside and hold intact 25% of such inventory.

(2) In addition, each person who, after the date of issuance hereof, shall import cocoanut, babassu or palm kernel oils, in the form of oil or contained in oil bearing materials, shall set aside and hold intact 25% of such imports.

(3) No person shall use, put in process, sell or deliver all or any part of the inventory or imports required to be set aside and held intact pursuant to paragraphs (b) (1) and (b) (2) hereof, except on the express instructions of the Director General for Operations, or as provided in paragraphs (b) (4), (b) (5) and (b) (6) hereof.

(4) Notwithstanding the provisions of paragraphs (b (2) and (b) (3) hereof,

[1] 7 F.R. 2185, 2506, 3479.

any consignee of cocoanut, babassu and palm kernel oil and oil bearing materials imported into the United States after the date of issuance hereof, may deliver all of such oil or oil bearing materials to any person who contracted to purchase such oil prior to its importation. The person receiving such oil or oil-bearing materials shall reserve 25% thereof as provided in paragraph (b) (2).

(5) Nothing contained in paragraphs (b) (1), (b) (2) and (b) (3) hereof shall prevent any person from selling all or any part of his reserved oils to Commodity Credit Corporation.

(6) Oil required to be set aside shall be reserved, insofar as possible, in the form of crude whole oil; if the oil reserved cannot be set aside in the form of crude whole oil, it shall be set aside in the form of refined, bleached, or deodorized whole oil which has not been further processed by pressing or hydrogenation. Holders of oil bearing materials who do not have sufficient crude whole oil or refined oil as heretofore described shall crush (or have crushed) sufficient oil bearing materials to furnish the necessary reserve in the form of crude oil.

(c) *Relation to other order.* Nothing in this order shall be deemed to supersede any of the provisions of General Imports Order No. M-63, as amended.[1]

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref: M-60-a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9156; Filed, September 16, 1942; 11:16 a. m.]

[1] 7 F.R. 4199, 4404, 4878, 5638, 6521, 6737, 7059.

PART 1084—CANNED FOODS

[Amendment 1 to Conservation Order M-172]

IMPORTED CANNED BEEF

Paragraph (c) (5) of § 1084.10 *Conservation Order M-172*[1] is hereby amended to read as follows:

(5) If any imported canned beef set aside for the requirements of Government Agencies has not been purchased within 60 days after the mailing or filing of the report prescribed in paragraph (c) (4), the person who mailed or filed such report may notify the War Production Board in writing that if such imported canned beef is not purchased within 60 days he will no longer hold it set aside. If any of such imported canned beef is not purchased within 60 days after the mailing or filing of such notice, and if no further order is issued with respect to it, it shall be deemed released and shall be available for unrestricted sale and distribution.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9157; Filed, September 16, 1942; 11:16 a. m.]

PART 1091—CORUNDUM

[General Preference Order M-89 as Amended September 16, 1942]

Section 1091.1 *General Preference Order M-89*[1] is hereby amended to read as follows:

§ 1091.1 *General Preference Order M-89*—(a) *Definitions.* For the purposes of this order:

(1) "Corundum" means naturally occurring crystalline anhydrous aluminum oxide suitable for abrasive use and unbonded. "Corundum" includes ores of corundum, the abrasive grains made therefrom, and corundum superfine flours, ordinarily spoken of as optical emery. Natural emery, sapphire, and ruby are not included.

(2) "Supplier" means any person who imports corundum, who produces corundum grain or superfine flours, or who offers corundum for sale.

(3) "Consumer" means any person who uses or consumes corundum by incorporating it physically into a product or who uses or consumes corundum in the form of grain, powder, or flour in any grinding, polishing, or fabricating process other than grinding of spectacle lenses (ophthalmic).

(b) *Restrictions on delivery and use.* No supplier shall make delivery of corundum except as authorized by the Director General for Operations. The Director will from time to time allocate the supply of corundum and specifically direct the manner and quantities in which deliveries to or by particular persons or for particular uses shall be made or withheld. He may also direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of corundum in the hands of consumers. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular contracts or purchase orders. The Director may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill defense orders and essential civilian requirements.

(c) *Reports.* On or before the 10th day of each calendar month, each supplier of corundum ore or grain shall file with the War Production Board, in quadruplicate, Form PD-293. On or before the 28th day of each calendar month, each supplier of corundum superfine flours shall file with the War Production Board, in quadruplicate, Form PD-293A. On or before the 10th day of each calendar month, each consumer of corundum grain shall file with the War Production Board, in duplicate, Form PD-294. Each consumer desiring a delivery of corundum superfine flours shall file application therefor with the War Production Board, in duplicate, upon Form PD-294A.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington, D. C. Ref: M-89.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9158; Filed, September 16, 1942; 11:16 a. m.]

[1] 7 F.R. 4649.
[2] 7 F.R. 903.

PART 1191—COFFEE

[Amendment 4 to Conservation Order M-135]

Paragraph (dd) (1) of § 1191.1 *Conservation Order M-135*[1] is hereby amended to read as follows:

(1) Except as permitted in paragraph (dd) (2) below, no person shall knowingly deliver green coffee to any roaster, and no roaster shall accept delivery thereof, if such roaster's inventory of green and roasted coffee is, or will by virtue of such acceptance become, in excess of a three-months' supply (which, for the purposes of this order, shall be computed during any month by multiplying by three such roaster's quota for that month under paragraph (d) (1) above and increasing the resultant figure by 19% to allow for shrinkage).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9159; Filed, September 16, 1942; 11:16 a. m.]

PART 1259—METAL DOORS, METAL DOOR FRAMES AND METAL SHUTTERS

[Limitation Order L-142]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national war effort:

§ 1259.1 *General Limitation Order L-142*—(a) *Definitions.* For the purposes of this order:

(1) "Door" means a movable closure or barrier in an opening designed to be used as a means of passage or access in the side, floor, ceiling or partition of a building, shaft or tower.

(2) "Metal door" means any door which, exclusive of essential hardware, is made in whole or in part of metal.

(3) "Metal door frame" means any framework, jamb, buck or trim which, exclusive of essential hardware, is made in whole or in part of metal and is designed to be used for bounding a door opening or providing a means of support for a door.

(4) "Metal shutter" means a cover (other than a window or a window shutter) which, exclusive of essential hardware, is made in whole or in part of metal, and is designed to be used as a means of closure in or over an opening constructed in the side, floor, ceiling or partition of a building, shaft or tower for the admission of light and air.

(5) "Essential hardware" means hangers, tracks, screws, nails, rivets, bolts, wire, locks, knobs, handles and other types of metal items normally used in the manufacture, joining or installation of a wooden door, buck, trim, jamb or shutter.

(b) *Restrictions.* (1) Notwithstanding any contract or agreement, no person shall manufacture, fabricate or otherwise make a metal door, metal door frame or a metal shutter except:

(i) To be used in an airplane hangar when such metal door, metal door frame or metal shutter is designed and constructed for such use;

(ii) To be used for fire protection purposes pursuant to an order or contract bearing a preference rating and then only if constructed of ferrous metal which metal shall not exceed Number 24, U. S. standard gauge, provided that the total weight of metal in such metal door, metal door frame or metal shutter shall not exceed by more than ten (10) percent the minimum total weight of metal called for by the specifications of the National Board of Fire Underwriters for fire protection purposes in the construction and installation of the lightest weight metal door, metal door frame or metal shutter permitted by such requirements in the site within the building, shaft or tower of such door, door frame or shutter;

(iii) Pursuant to an order or contract received on or before the date of issuance of this order, provided that:

(a) The order or contract identified the building or building project in which such metal door, metal door frame or metal shutter will be installed, and

(b) The contract for the construction of such building or building project has been executed prior to the date of issuance of this order, and

(c) Such building or building project has been assigned a preference rating, regardless of whether or not such preference rating has been extended to the order or contract for the purchase of such metal door, metal door frame or metal shutter, and

(d) Such metal door, metal door frame or metal shutter is completed within forty-five (45) days after the date of issuance of this order;

(iv) To be used for repair and maintenance purposes when a preference rating of A-10 or better has been assigned to the order or contract calling for such metal door, metal door frame or metal shutter.

(c) *Applicability of other orders.* Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein, but nothing in this order shall supersede the directive for War Time Construction, dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War, and the Secretary of the Navy or the "List of Prohibited Items for Construction Work", dated June 29, 1942, issued by the Army and Navy Munitions Board, as amended from time to time.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(j) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L-142.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9160; Filed, September 16, 1942; 11:17 a. m.]

[1] 7 F.R. 3114, 3445, 4451, 4841.

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Amendment 5 to Maximum Price Regulation 169[1]]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Redesignated: § 1364.52 (e) as § 1364.52 (i); § 1364.52 (f) as § 1364.52 (l); § 1364.52 (g) as § 1364.52 (m); § 1364.52 (h) as § 1364.52 (f); § 1364.57 (b) as § 1364.52 (e); § 1364.53 (c) (2) as § 1364.53 (c) (2) (i); § 1364.57 (a) as § 1364.57.

Amended: § 1364.51; Introductory text of § 1364.52; redesignated § 1364.52 (e); redesignated § 1364.52 (i); § 1364.53 (a) (1); § 1364.53 (a) (2); redesignated § 1364.53 (c) (2) (i).

Added: § 1364.52 (g); § 1364.52 (h); § 1364.52 (j); § 1364.52 (k); § 1364.53 (c) (2) (ii); § 1364.53 (c) (2) (iii); § 1364.62 (a) (12); § 1364.67.

§ 1364.51 *Prohibition against selling beef or veal carcasses, wholesale cuts or slaughtering services at prices above the maximum.* On and after July 13, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any beef or veal carcass or wholesale cut, or sell any slaughtering service, and no person in the course of trade or business shall buy or receive any beef or veal carcass or wholesale cut or slaughtering service at a price higher than the maximum price permitted by § 1364.52. The provisions of this section shall not be applicable to sales or deliveries of beef or veal carcasses or wholesale cuts to a purchaser if, prior to July 13, 1942, such carcasses or wholesale cuts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.52 *Maximum prices for beef and veal carcasses and wholesale cuts.* Except as provided by paragraphs (d), (f), (g), (h), and (l) of this section, each seller's maximum prices for beef and veal carcasses and wholesale cuts which are shipped otherwise than via car route or by carload shall be computed as provided by paragraph (a) of this section; his maximum prices for such carcasses or cuts shipped via car route shall be computed as provided by paragraph (b) of this section; and his maximum prices for such carcasses or cuts shipped by carload shall be computed as provided by paragraph (c) of this section. Maximum prices for slaughtering services are limited by paragraph (e). Maximum prices for carcasses or cuts which cannot be determined under paragraphs (a), (b), or (c) shall be computed as provided in paragraph (i). Maximum prices for carcasses or cuts which cannot be determined under paragraph (a) or (i) shall be determined pursuant to paragraph (j). Maximum prices for carcasses or cuts which cannot be determined under paragraph (c) or (i) shall be computed pursuant to paragraph (k). Each seller shall report to the Office of Price Administration, his maximum prices as provided in paragraph (m).

* * * * *

(e) *Maximum prices for slaughtering services.* Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed carcass, or of the wholesale cuts derived therefrom, to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased the carcass or cuts from the slaughterer at the slaughterer's maximum prices therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses or cuts for resale in any form; nor until December 15, 1942, in cases where the cattle or calves slaughtered are certified to be club cattle or calves within the meaning of this Maximum Price Regulation No. 169 by the sworn certificate of the supervisor, club agent, agricultural county agent, or vocational agricultural project teacher, as the case may be, and where the carcasses derived therefrom have been graded and grade marked in accordance with the grade specifications and grade marking requirements contained in this Maximum Price Regulation No. 169 by an official grader of the United States Department of Agriculture. The original of such certificate shall be retained by the purchaser and a copy shall be retained by the official grader. If the slaughterer sold no carcass or cut of the relevant grade during the base period March 16 to March 28, 1942, his maximum prices, within the meaning of this paragraph, for a carcass or wholesale cuts of such grade shall be the maximum prices of the most nearly competitive seller who sold a carcass or wholesale cuts of such grade during the base period. To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves slaughtered.

(f) *Adjustment of maximum prices for products sold to certain governmental agencies to include certain special charges* * * *

(g) *Maximum prices for federally inspected products of choice grade.* The maximum price of each beef or veal carcass or wholesale cut which has been graded choice by an official grader of the United States Department of Agriculture and which bears the appropriate official grade mark and identification of such official grader at the time of sale or delivery shall be ¼ cent per pound higher than the maximum price computed for such grade of beef or veal carcass or wholesale cut pursuant to paragraphs (a), (b), (c), or (d) of this section, except that this paragraph shall not apply in any instance where a maximum price is derived under paragraph (i) from the most nearly competitive seller who has computed maximum prices in accordance with this paragraph.

(h) *Adjustment of maximum prices.* In the event that any maximum price computed pursuant to paragraphs (a), (b), or (c) of this section results in a price containing a fraction of a cent which fraction is indivisible exactly into eighths, the seller shall adjust such maximum price to the nearest eighth of a cent.

(i) *Maximum prices which cannot be priced under the foregoing paragraphs.* Except as provided in paragraph (l) of this section, if the maximum price for any grade of any beef or veal carcass or wholesale cut cannot be determined under paragraphs (a), (b), or (c) of this section, the maximum price for such carcass or cut shall be the maximum price of the most nearly competitive seller.

(j) *Maximum prices for products which cannot be priced under paragraphs* (a) *or* (i). If the maximum price for any beef or veal carcass or wholesale cut cannot be determined under paragraphs (a) or (i) of this section, the seller shall apply to the Office of Price Administration, Washington, D. C., for authorization to establish a maximum price, setting forth in such sworn application a detailed description of the grade, sex, and kind of carcass or wholesale cut for which a price is sought, including, where appropriate: a description of the manner and style of cutting and the nature and degree of processing; the maximum prices, if any, established for the sale by the seller of other grades of carcass or of the same wholesale cut; the manner in which the wholesale cut differs from the most similar wholesale cut for which a maximum price is established, and the maximum price for such cut; the costs of any of the operations which are added to or eliminated from the cutting or processing of the most similar wholesale cut; a statement of the reasons why the new manner of cutting or processing is being undertaken; a statement of the price requested, and the method by which the requested price was arrived at. Authorization to establish a maximum price for such carcass or wholesale cut will be accompanied by instructions as to the method for determining the maximum price. Within 10 days after such price has been determined, the seller shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(k) *Maximum prices for products which cannot be priced under paragraphs* (c) *or* (i). Except as provided in paragraph (l) of this section, if the maximum price for any grade of any beef or veal carcass or wholesale cut shipped by carload cannot be determined under paragraph (i) of this section, the maximum price, f. o. b. the seller's shipping point for each grade of each beef or veal carcass sold for carload delivery shall be determined by substracting ½ cent per pound from the seller's maximum price for such grade of carcass or wholesale cut as determined pursuant to paragraph (a) of this section, or as determined pursuant to paragraph (i) or (j) in lieu of paragraph (a) if such maximum price cannot be determined pursuant to paragraph (a).

(l) *Maximum prices for products sold for export.* * * *

(m) *Duty to report maximum prices and adhere to reported prices.* * * *

§ 1364.53 *Duty to maintain and identify grades.* * * *

(a) *Uniform grades.* (1) Beef carcasses and wholesale cuts derived from steers and heifers shall be graded into the following uniform grades: Choice, good, commercial, utility, and cutter and canner. Beef carcasses and wholesale cuts derived from cows shall be graded in the same manner, except that no such carcass or cut shall be graded choice. In determining the grade of each such carcass or cut, the seller shall use the "Specifications for Official United States Standards for Grades of Carcass Beef" set forth in Appendix A hereof, and incorporated herein as § 1364.64, except that the specifications therein for the two grades, cutter and canner, shall be combined and treated as a single grade, and the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade, choice, the carcasses and wholesale cuts of which shall be graded in the manner hereinafter provided in paragraph (c) (2).

(2) Veal and calf carcasses and wholesale cuts shall be graded into the following uniform grades: choice, good, commercial, utility and culls. In determining the grade of each such carcass or cut, the seller shall use the "Specifications for Official United States Standards for Grades of Veal and Calf Carcasses" set forth in Appendix B hereof, and incorporated herein as § 1364.65, except that the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade, choice, the carcasses and wholesale cuts of which shall be graded in the manner hereinafter provided in paragraph (c) (2).

* * * * * *

(c) * * *

(2) (i) The appropriate grade letter for each uniform grade shall be as follows:

Grade:	*Grade letter*
Choice	AA
Good	A
Commercial	B
Utility	C

The grade letter shall be at least ½ inch in height and width. Carcasses or cuts graded as canners and cutters, or culls, need not be stamped. In marking any beef or veal carcass determined by an official grader of the United States Department of Agriculture to conform to the specifications contained in this Maximum Price Regulation No. 169, such official grader may use the grade designations U. S. Choice or Choice, U. S. Good or Good, U. S. Commercial or Commercial, or U. S. Utility or Utility, whichever is appropriate, in lieu of the grade letters established in this subparagraph.

(ii) No person shall sell or break any beef or veal carcass of the grade choice, unless such carcass has been inspected and graded by an official grader or the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc."[2], as modified by the Office of Price Administration to the extent set forth in Appendix D hereof, and thus incorporated herein as § 1364.67, and unless a stamp has been placed upon such carcass by such official grader in the manner set forth in paragraph (c) (1) herein: *Provided*, That in any instance where any person is unable to procure the services of an official grader within 24 hours after such person has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) contained in § 1364.67 hereof, then the provisions of this subparagraph shall not apply for so long a period as the Agricultural Marketing Administration of the United States Department of Agriculture certifies in writing that it is unable to provide such person with the services of an official grader. During such period such beef or veal carcasses shall be graded in the manner provided by paragraph (c) (1).

(iii) Whenever any person having a financial interest in any beef or veal carcass which has been graded and grademarked by an official grader pursuant to subdivision (ii) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading and grade marking by making an application for appeal grading in the manner provided in Regulation No. 5 (Appeal Grading) contained in § 1364.67 hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

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§ 1364.57 *Evasion.* * * *

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§ 1364.62 *Definitions.* * * *

(a) * * *

(12) "Club cattle or calves" means any cattle or calves which have been bred, raised and fed, or fed only, by a member of a 4–H club under the supervision of the Extension Service of the United States, or by an individual participating in a vocational agricultural project under the supervision of a vocational agricultural teacher in any recognized Vocational Agricultural Department, and which have been certified in writing to conform to the provisions hereof by the supervisor, club agent, agricultural county agent or vocational agricultural project teacher under whose supervision such cattle or calves were bred, raised or fed.

§ 1364.63 *Effective date.* * * *

(e) Amendment No. 5 (Redesignated: § 1364.52 (e) as § 1364.52 (i), § 1364.52 (f) as § 1364.52 (l), § 1364.52 (g) as § 1364.52 (m), § 1364.52 (h) as § 1364.52 (f), § 1364.57 (b) as § 1364.52 (e), § 1364.53 (c) (2) as § 1364.53 (c) (2) (i), § 1364.57 (a) as § 1364.57; Amended: § 1364.51, § 1364.52 text preceding (a), redesignated § 1364.52 (e), redesignated § 1364.52 (i), redesignated § 1364.52 (l), § 1364.53 (a) (1), § 1364.53 (a) (2), redesignated § 1364.53 (c) (2) (i); Added: § 1364.52 (g), § 1364.52 (h), § 1364.52 (j), § 1364.52 (k), § 1364.53 (c) (2) (ii), § 1364.53 (c) (2) (iii), § 1364.62 (a) (12), § 1364.67, and § 1364.63 (e)) to Maximum Price Regulation No. 169 shall become effective September 18, 1942.

* * * * * *

§ 1364.67 *Appendix D: Rules and regulations of the Secretary of Agriculture governing the grading and certification of meats for class, quality (grade), and condition.*

REGULATION 1. DEFINITIONS

Section 1. Words in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

Section 2. For the purpose of these regulations, unless the context otherwise requires, the following terms shall be construed, respectively, to mean—

Par. 1. *Secretary.* Secretary or Acting Secretary of Agriculture of the United States.

Par. 2. *Bureau.* Bureau of Agricultural Economics of the United States Department of Agriculture.

Par. 3. *Official grader.* Employee of the Department of Agriculture or other person authorized by the Secretary to investigate and certify to shippers and other interested parties the class, quality, grade, and condition of products under the act.

Par. 4. *Office of grading.* The office of an official grader of products covered by these regulations.

Par. 5 *Grading certificate.* Certificate of the class, quality (grade), and condition of products issued by an official grader under the act.

Par. 6. *Interested party.* Anyone having a financial interest in the products involved, including the shipper, the receiver, or the carrier, or any authorized person in behalf of such party.

Par. 7. *Regulations.* Rules and regulations of the Secretary under the act.

Par. 8. *Class.* Class is a subdivision of a given commercial product based on essential physical characteristics that differentiate between major groups of the same kind or species, for instance, the classes in beef are: steer, heifer, cow, stag, and bull.

Par. 9. *Quality.* Quality in a product is a combination of its inherent properties which determines its relative degree of excellence.

Par. 10. *Condition.* Condition of a commercial product denotes those characteristics affecting its merchantability—with special

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4453, 5222, 5426, 5868.

[2] Service and Regulatory Announcements No. 98 (Revised), Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, Prepared Meats, Meat Food Products, and Meat By-Products for Class, Quality (Grade), and Condition, United States Department of Agriculture, Agricultural Marketing Administration, issued as Amended April 1937.

reference to state of preservation, cleanliness, soundness, wholesomeness, and fitness for human food.

Par. 11. *Grade.* Grade is the last important commercial subdivision of a product based on certain definite value and preference-determining factors, such as conformation, finish, and quality in meats.

Par. 12. *Products.* Includes carcasses and wholesale cuts.

REGULATION 4. GRADING SERVICE

Section 1. *Kind of service.* Examination, identification, and certification of products shall be made according to class, quality (grade), and condition.

Section 2. *Who may obtain service.* Application for grading may be made by any financially interested person or his authorized agent, including Federal, State, county, and municipal governments, and common carriers.

Section 3. *How to make application.* Application for grading shall be filed in the office of grading or with an official grader. It may be made in writing, orally, or by telegraph or telephone. If made orally, the official grader may require that it be confirmed in writing or by telegraph, stating the facts required by Section 4 of this regulation.

Section 4. *Form of application.* Each application for grading shall include the following information: (a) the date of application; (b) the description and location of the product to be graded; (c) the name and post office address of the applicant and of the person, if other than the applicant, making the application in his behalf; (d) the interest of the applicant (except an official of the Federal Government or a State) therein; (e) the name, post office address, and interest of all other known parties, except carriers, interested in the products involved; (f) the shipping point and destination of the product; (g) type of service desired; and (h) such other information as may be necessary for proper identification of the product or as may be required by the Chief of Bureau.

Section 5. *When application deemed filed.* An application for grading shall be deemed filed when delivered to the proper office of grading. Record showing date and time of filing shall be made in such office.

Section 6. *When application may be rejected.* Any application may be rejected by the official grader in charge of the office of grading in which it is filed for noncompliance with the act or any applicable regulation thereunder, failure to make product available for examination, abusive language or act of violence, or interference with grader while performing grading, and such official grader shall immediately notify the applicant of the reasons for such rejection.

Section 7. *Authority of agent.* Proof of the authority of any person applying for service in behalf of another may be required in the discretion of the official grader.

Section 8. *Accessibility of product.* The applicant shall cause the products for which service is requested to be made accessible for grading and to be so placed as to disclose class, quality, and condition.

Section 9. *Basis of service.* Examination, identification, and certification for class, grade, and condition shall be based upon the official or tentative standards of the Department of Agriculture as contained in this Maximum Price Regulation No. 169.

Section 10. *Order of grading.* Service shall be rendered in the order in which applications are received, except that precedence may be given to applications made by another branch of the Federal Government, a State, or a municipality, and appeal grading.

Section 11. *Financial interest of official grader.* No official grader shall grade any products in which he is directly or indirectly financially interested.

Section 12. *Investigation on motion of graders.* A grader may of his own motion and without the use of any force, when authorized by the Chief of the Bureau, investigate the class, quality (grade), and condition of any products at such points as are provided under regulation 3, and may issue and transmit to the shipper of such products and other parties interested therein certificates or copies thereof showing the results of such investigations.

Section 13. *Certificate, form of.* Certificates shall include the following information: (1) the number of the certificate; (2) name of designated market and place of grading; (3) date and time of grading; (4) names and addresses of applicant, party in possession, and shipper and buyer, if known; (5) exact number of carcasses, sides, quarters, cuts, and packages of products by classes and grades examined, if graded; (6) if previously examined, reference to previous certificate by number; (7) if rejected or not graded, reason for rejecting or not grading; (8) for purposes of identification, the weight of each class, grade, and lot; (9) the amount of fees and expenses; (10) name of official grader or graders; (11) additional facts necessary to fully describe condition, class, and grade, or as may be required by the Chief of Bureau.

Section 14. *Certificates, issuance.* The official grader shall sign and issue certificates covering lots of products personally graded by him unless through special arrangements approved by the Chief of Bureau this be not required, in which case complete records of the grading shall be furnished the Bureau; but in no case shall any grader sign a certificate covering any product not graded by him. Graders shall stamp, brand, tag, label, seal, or otherwise identify or supervise the stamping, branding, tagging, labeling, sealing, or otherwise identifying of each unit of product or package or container thereof with its class and quality (grade) as far as practicable, or the applicant may issue, when authorized by the Chief of the Bureau, certificates of quality of such forms as are approved by the Chief of the Bureau, the certificates of quality issued by the applicant to be used only by the applicant in such manner and for such purpose as is approved by the Chief of the Bureau.

Section 15. *Disposition of certificates.* The original certificate, and not to exceed two copies if requested, upon issuance shall be immediately delivered or mailed to the applicant or a person designated by him. One copy shall be filed in the office of the official grader and one copy forwarded to the Chief of Bureau. Copies will be furnished to other financially interested parties as outlined in regulation 7, section 1, paragraph 6.

Section 16. *Advance information.* Upon request of an applicant, all or any part of the contents of the certificate may be telegraphed, telephoned, or radioed to him, or to any person designated by him, at his expense.

REGULATION 5. APPEAL GRADING

Section 1. *When appeal may be taken.* An application for appeal grading may be made whenever any financially interested party is dissatisfied with the determination stated in the original certificate.

Section 2. *How to obtain.* Appeal grading may be obtained by the applicant or other person financially interested in the product by filing a request for such appeal grading (a) with the official in charge of the meat grading service at nearest designated market, or (b) with the grader who did the original grading, or (c) with the Chief of the Bureau. The application for appeal shall state the reasons therefor, and may be accompanied by a copy of any previous grading certificate or report, or any other information which the applicant shall have received regarding the product at the time of the original grading. Such application may be made in writing or orally, by telegraph, telephone, or otherwise. If made orally, the person receiving the application may require that it be confirmed in writing.

Section 3. *Record of filing time.* A record showing the date and time of filing such application shall be immediately made by the receiver thereof.

Section 4. *When appeal may be refused.* If it shall appear that the reasons stated in an application for appeal grading are frivolous or unsubstantial, or that the quality or condition of the products has undergone a material change since the original grading, or that the products cannot be made accessible for thorough grading, or that the identity has been lost, or that these regulations have not been complied with, the application may be denied.

Section 5. *When appeal may be withdrawn.* An application for appeal grading may be withdrawn by the applicant at any time before the appeal grading has been performed upon payment of any expenses incurred in connection therewith.

Section 6. *When second grading is not an appeal.* Gradings requested to determine factors of quality or condition which may have undergone material change since the original grading shall not be considered appeal gradings within the meaning of this regulation. Second grading, requested for the purpose of securing an up-to-date certificate and not involving any question as to the correctness of the original certificate covering the lot in question, shall not be considered appeal grading within the meaning of this regulation.

Section 7. *Order in which made.* Appeal gradings shall be performed as far as practicable at time requested by applicant and in the order in which applications are received. They shall take precedence over all other pending applications.

Section 8. *Who shall pass upon appeals.* Appeal grading shall be passed upon by official graders designated therefor by the Chief of Bureau, and such grading shall be conducted jointly by two official graders when practicable. No appeal grader shall pass upon an application involving the correctness of a certificate issued by him.

Section 9. *Appeal findings.* Immediately after an appeal grading has been made a certificate designated as "appeal grading certificate" shall be signed and issued referring specifically to the original certificate and stating the quality and condition of the product as shown by the appeal grading. In all other respects the provisions of regulation 4 shall apply to such appeal grading certificates except that if the applicant for appeal grading be not the original applicant, a copy of the appeal grading certificate shall be mailed to the original applicant.

Section 10. *Superseded certificates.* When a grading certificate shall have been superseded under these regulations by an appeal grading certificate such grading certificate shall become null and void and shall not thereafter represent the class, quality, or condition of the product described therein. If the original and all copies of the superseded certificate are not delivered to the person with whom the application for appeal grading is filed, the officer or officers issuing the appeal grading certificate shall forward notice of such issuance and of the cancelation of the original certificate to such persons as he considers necessary to prevent fraudulent use of the canceled certificate.

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REGULATION 7. FEES AND EXPENSES

Section 1. *Amount of, rates, etc.* * * *

Par. 1. *Basis for charges.* Fees and charges for grading services shall be based on the actual time required to render the services, including the time required for travel of the official grader in connection therewith, at the rate of $2.20 per hour for each official grader assigned unless otherwise provided by special agreement approved by the Chief of the Bureau: *Provided*, That no grading services shall be rendered for less than a minimum charge of $1: *Provided further*, That the Chief of the Bureau may, in lieu of the fixed charge of $2.20 per hour, fix other reasonable charges for the grading and certification of products at rates, in his judgment, will cover the costs of the services.

Par. 2. *Charges by graders employed or licensed by Department of Agriculture.* Charges for services by employees of the Department and by graders licensed by the Secretary shall be at rates established herein.

Par. 3. *Charges under cooperative agreement.* Charges for grading under cooperative agreements shall be those provided for by such agreements.

Par. 4. *For appeal grading.* Fees and charges for appeal grading shall be double those for original grading; except that appeal grading for Federal Government agencies shall be at actual cost; provided that when on appeal grading it is found that there was error in determination based upon the original grading equal to or exceeding 10 percent of the total weight of the products, no charge will be made unless special agreement with applicant is made in advance.

Par. 5. *For copies of grading certificates.* For not to exceed three copies of a certificate to any person financially interested in a product involved the fee shall be $1.

Section 2. *How fee shall be paid.* Fees and other charges shall be paid by the applicant in accordance with directions on the fee bill furnished him, and in advance if required by the official grader.

Section 3. *Disposition of fees.*

Par. 1. *By graders exclusively employed by the Department.* Fees for grading done by graders exclusively employed by the Department shall be remitted to the Bureau for deposit into the Treasury as Miscellaneous Receipts.

Par. 2. *By graders under cooperative agreements.* Fees for grading done by graders acting under cooperative agreements with a State or municipal organization, or other cooperating party, shall be disposed of in accordance with the terms of such agreements. Such portion of fees collected under cooperative agreements as may be due the United States shall be remitted to the Bureau for deposit into the Treasury.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9124; Filed, September 15, 1942; 12:06 p. m.]

No. 183——3

PART 1499—COMMODITIES AND SERVICES

[Amendment 26 to Supplementary Regulation 1[1] to General Maximum Price Regulation]

MALTED CORN AND DRY CORN MILLING PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.26 (a) (16) is amended to read as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * * *

(16) The following corn products except when packaged: malted corn and all dry corn milling products, including corn germ meal and corn germ cake.

* * * * * *

(e) *Effective dates.* * * *

(27) Amendment No. 26 (§ 1499.26 (a) (16)) to Supplementary Regulation No. 1 shall become effective September 21, 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9125; Filed, September 15, 1942; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 36 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-1522]

CERTAIN TERMINALS IN CALIFORNIA—LOADING AND UNLOADING SERVICES

For the reasons set forth in an opinion issued simultaneously herewith,* *It is ordered:*

§ 1499.386 *Adjustment of maximum charges for loading and unloading services rendered by the Encinal Terminals, Howard Terminal, Parr-Richmond Terminal Corporation, Golden Gate Terminals, State Terminal Company, Ltd., all in the State of California.* (a) Encinal Terminals, Howard Terminal, Parr-Richmond Terminal Corporation, Golden Gate Terminals, and State Terminal Company, Ltd., all in the State of California, may sell and perform, and any person may buy and receive from said Encinal Terminals, Howard Terminal, Parr-Richmond Terminal Corporation, Golden Gate Terminals, and State Terminal Company, Ltd., the following services at prices not higher than those provided for below:

LOADING AND UNLOADING OF CARS AND TRUCKS

Rates for loading and unloading cars and trucks, stated in cents per 2,000 pounds or in cents per other designated unit, including minimum rates and minimum charges, named in section V, Pages 28 to 41, Terminal Tariff No. 1, C.R.C. No. 1, Issued by H. C. Centalow, Agent, 1 Drum Street, San Francisco, California, increased as follows:

(A) 1. Rates specifically published as applying to a direct movement (a continuous operation between car or truck and vessel) are increased ten (10%) per cent;

2. Rates applicable between place of rest on terminal and car or truck are increased eleven (11%) per cent.

(B) In applying the percentages provided in section (A) hereof, extensions will be carried to the tenth of a cent only. In the resulting rate, fractions of less than five-tenths of a cent (0.5¢) will be dropped; fractions of five-tenths of a cent (0.5¢) or greater will be increased to the next whole cent.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 36 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 36 (§ 1499.386) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 36 (§ 1499.386) shall become effective September 16, 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9126; Filed, September 15, 1942; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 38 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF1-635P]

FARMERS FEED CO. OF N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.388 *Adjustment of maximum prices for sales of brewers' wet grains to Farmers Feed Company of New York.* (a) Farmers Feed Company of New York, 532 East 76 Street, New York City, may buy and receive and any person may sell and deliver to said company brewers' wet grains at prices not higher than those set forth below:

For deliveries from March 1 to September 30 inclusive $0.03 per bushel.

For deliveries from October 1 to February 28 inclusive $0.03½ per bushel.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 38 shall be revoked or amended by the Price Administrator at any time.

(d) This Order No. 38 (§ 1499.388) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 38 (§ 1499.388) shall become effective September 16th 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9127; Filed, September 15, 1942; 12:04 p. m.]

PART 1316—COTTON TEXTILES

[Amendment 7 to Revised Price Schedule 35 [1]]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1316.61 (c) (5) is amended by adding thereto the item set forth below:

§ 1316.61 *Appendix A: Maximum prices for cotton goods.* • • •

(c) • • •

(5) • • •

	Premium allowable (cents per yard)
• • • • •	
United States Army Specifications where such products require synthetic resin coated sheetings or print cloths	½
• • • • •	

§ 1316.60a *Effective dates of amendments.* • • •

(g) Amendment No. 7 (§ 1316.61 (c) (5)) to Revised Price Schedule No. 35 shall become effective September 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9138; Filed, September 15, 1942; 5:23 p. m.]

PART 1372—SEASONAL COMMODITIES

[Amendment 1 to Maximum Price Regulation 210 [2]]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1372.102 (b) (3) the phrase "last 6 months of 1942," in Rule 2, is amended to read "last 6 months of 1941." In § 1372.112 a new paragraph (i) is added, and a new § 1372.111a is added, as set forth below:

§ 1372.112 *Appendix A: List of fall and winter seasonal commodities.* Any commodity which falls within any of the following classifications is designated as a fall and winter seasonal commodity:

• • •

(i) The following designated types of knitted fall and winter underwear and sleeping garments:

(1) Men's heavy-weight cotton knitted underwear including union suits, 9 pounds and over per dozen (weight calculated on size 42) and shirts and drawers, 7 pounds and over per dozen (weight calculated on size 42 shirts).

(2) Men's and boys' wool and part wool winter-weight knitted underwear, including union suits, shirts and drawers.

(3) Men's and boys' winter-weight ribknitted shirts, shorts and drawers.

(4) Boys' heavy-weight cotton knitted union suits weighing 6 pounds and over per dozen (weight calculated on size 34).

(5) Women's heavy-weight knitted union suits, 6 pounds and over per dozen (weight calculated on size 38).

(6) Women's, misses' and children's heavy-weight knitted vests, pants and bloomers.

(7) Women's, misses' and children's winter-weight wool and part wool knitted underwear.

(8) Women's, misses' and children's winter-weight "snuggy" and "woolie" type knitted underwear.

(9) Children's heavy-weight knitted union suits, waist suits and combination suits, 5 pounds and over per dozen (weight calculated on size 12).

(10) Men's and women's and children's heavy-weight knitted sleeping garments, excluding brushed rayon sleeping garments..

(11) Infants' knitted heavy-weight undergarments.

(12) Fleece-lined knitted sweat shirts.

Meaning of winter-weight and heavy weight. "Winter-weight" and "heavy-weight" each means that type of knitted underwear garment or knitted sleeping garment which is regularly and customarily produced by manufacturers thereof for use during the fall and winter season, and of which type of garment the manufacturer delivered at least 85% of his 1941 production from June 1, 1941 to December 31, 1941.

§ 1372.111a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1372.102 (b) (3), 1372.112 (i) and 1372.111a) to Maximum Price Regulation No. 210 is effective as to § 1372.102 (b) (3) as of August 31, 1942, and shall become effective as to § 1372.112 (i) on September 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9139; Filed, September 15, 1942; 5:20 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1270, 1836, 2132, 2738, 2795, 3060, 3164, 3447, 3900, 6640.

[2] 7 F.R. 6789, 7173.

PART 1389—APPAREL

[Maximum Price Regulation 221]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

In the judgment of the Price Administrator it is necessary and proper to establish prices for fall and winter underwear which differ in some respect from the maximum prices established by the General Maximum Price Regulation.[1] The prices established by the following regulation, in the judgment of the Price Administrator, are fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the said Act, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, Maximum Price Regulation No. 221 is hereby issued.

Sec.

1389.301 Prohibition against dealing in fall and winter knitted underwear above maximum prices.
1389.302 Maximum prices for manufacturers of fall and winter knitted underwear.
1389.303 Maximum prices for fall and winter knitted underwear which cannot be priced under § 1389.302.
1389.304 Sales at less than maximum prices.
1389.305 Incorporation of provisions of General Maximum Price Regulation.
1389.306 Relation between Maximum Price Regulation No. 221 and other maximum price regulations.
1389.307 Statement and report required to be filed.
1389.308 Information to be supplied to purchaser.
1389.309 Disclosure of maximum prices.
1389.310 Evasion.
1389.311 Enforcement.
1389.312 Definitions incorporated by reference.
1389.313 Effective date.
1389.314 Appendix A: What is meant by fall and winter knitted underwear.

AUTHORITY: §§ 1389.301 to 1389.314, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1389.301 *Prohibition against dealing in fall and winter knitted underwear above maximum prices.* On and after September 15, 1942, regardless of any contract or other obligation:

(a) No manufacturer shall sell or deliver any garment of fall and winter knitted underwear (defined in § 1389.314) at a price higher than the maximum price established by this Maximum Price Regulation No. 221.

(b) No person in the course of trade or business shall buy or receive, from any manufacturer, any garment of fall and winter knitted underwear at a price higher than the maximum price established by this Maximum Price Regulation No. 221.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5665, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939.

[2] 7 F.R. 5486.

(c) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in paragraphs (a) and (b).

§ 1389.302 *Maximum prices for manufacturers of fall and winter knitted underwear—(a) How a manufacturer establishes his maximum price.* Subject to the provisions of paragraphs (b) and (c) of this section, a manufacturer's maximum price to purchasers of the same class for any garment of fall and winter knitted underwear shall be established as follows:

(1) The manufacturer's maximum price shall be the highest price at which the manufacturer sold by written order or contract the same garment of fall and winter knitted underwear after November 30, 1941 and before February 10, 1942; or

(2) If the manufacturer did not sell by written order or contract, after November 30, 1941 and before February 10, 1942, the same garment of fall and winter knitted underwear, the maximum price for such garment shall be the price at which the same garment was first offered in the manufacturer's written or printed price list for the fall and winter season of 1942 which was distributed generally to the customers or prospective customers of the manufacturer on or before February 10, 1942; or

(3) If the manufacturer cannot establish a maximum price for any garment of fall and winter knitted underwear under paragraphs (a) (1) or (2) of this section, then the manufacturer's maximum price shall be 105% of the price at which the same garment was offered in the manufacturer's written or printed price list for the fall and winter season of 1941 which was in effect on July 15, 1941 and which was distributed generally to customers or prospective customers of the manufacturer.

(b) *Discounts.* No manufacturer shall allow to any purchaser less than the discounts, allowances, and price differentials which the seller customarily allowed to such purchaser from July 15, 1941 to February 10, 1942. In the event that purchaser did not buy from the manufacturer from July 15, 1941 to February 10, 1942 the manufacturer shall allow to the purchaser no less than the discounts, allowances, and price differentials which the manufacturer customarily allowed to purchasers of the same class from July 15, 1941 to February 10, 1942.

(c) *Adjustment to nearest multiple of 2½ cents.* The maximum prices established by this Maximum Price Regulation No. 221 shall be adjusted to the nearest multiple of 2½ cents per dozen garments.

(d) *Meaning of terms.* For the purposes of this Maximum Price Regulation No. 221 the following definitions shall apply:

(1) *Same garments.* A garment is the same as another garment with which it is compared if both garments have all of the following common characteristics:

(i) They are of the same specific classification and size as provided by the United States Department of Commerce, Commercial Standard CS 33-32;

(ii) They have the same average finished weight for comparable size, within a tolerance of 3%;

(iii) They are knitted from the same kinds of yarn (for example, carded, combed, blended or processed staple fiber yarns), and with the same percentage of fibers (for example, cotton, wool or other fibers and mixtures thereof);

(iv) They have a substantially equal number of courses and needles per inch;

(v) They have construction and trimmings of substantially equal quality and serviceability;

(vi) They are constructed and finished with substantially equal standards of workmanship.

(2) *Manufacturer.* A manufacturer of any garment means a person who sells, delivers or offers for sale otherwise than at retail, that garment in a form substantially changed from the form in which he bought it.

§ 1389.303 *Maximum prices for fall and winter knitted underwear which cannot be priced under §1389.302.* The seller's maximum price for any garment of fall and winter knitted underwear which cannot be priced under § 1389.302 shall be a maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 221 which shall be determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this subparagraph shall file with the Office of Price Administration, Washington, D. C., an application under oath which shall contain the following:

(a) A description in detail of the garment for which a maximum price is sought;

(b) The maximum price of the manufacturer's most nearly comparable garment and a statement of the characteristics which differentiate such garment from the garment sought to be priced.

(c) The maximum price established by the most closely competitive seller of the same class for the garments most nearly comparable to that for which a maximum price is sought, and

(d) Such other information as may be required by the Office of Price Administration.

If such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price.

§ 1389.304 *Sales at less than maximum prices.* Lower prices than the maximum prices established under this Maximum Price Regulation No. 221 may be charged, demanded, paid or offered.

§ 1389.305 *Incorporation of provisions of the General Maximum Price Regulation.* § 1499.5 *Transfers of business or stock in trade,* § 1499.12 *Current records,* § 1499.14 *Sales slips and receipts,* § 1499.19 *Petitions for amendment of the General Maximum Price Regulation* and any amendments to any of the foregoing shall apply to all sales for which maximum prices are established by this Maximum Price Regulation No. 221, and to all persons making such sales.

§ 1389.306 *Relation of this regulation to other maximum price regulations—(a) General Maximum Price Regulation.* This Maximum Price Regulation No. 221 shall apply, and the General Maximum Price Regulation shall not apply, to sales by manufacturers of fall and winter knitted underwear.

(b) *Maximum Price Regulation No. 157.*[3] Maximum Price Regulation No. 157—Sales and fabrication of textiles, Apparel and Related Articles for Military Purposes—shall apply, and this Maximum Price Regulation shall not apply, to sales and deliveries for which maximum prices are established by Maximum Price Regulation No. 157.

(c) *Maximum Price Regulation No. 172.*[4] Maximum Price Regulation No. 172—Charges of Contractors in Apparel Industry—shall apply, and this Maximum Price Regulation No. 221 shall not apply to transactions for which maximum prices are established by Maximum Price Regulation No. 172.

(d) *Export sales.* The maximum price at which a person may export fall and winter knitted underwear shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [5] issued by the Office of Price Administration.

§ 1389.307 *Statement and report required to be filed.* Every manufacturer who sells or offers for sale any fall and winter knitted underwear shall file with the Office of Price Administration, Washington, D. C., on or before November 15, 1942 (a) A statement which shall contain the following:

(1) The maximum price established under this Maximum Price Regulation No. 221 for each garment of fall and winter included in this regulation and a description of each such garment;

(2) If the maximum price for any garment is established pursuant to § 1389.302 (a) (1) by a written order or contract entered into after November 30, and before February 10, 1942; (i) the date of the written order or contract, (ii) the name of the purchaser, (iii) the style number and price of the garment.

(3) If the maximum price for any garment is established pursuant to this Maximum Price Regulation No. 221 by a written or printed price list; (i) the price list upon which the maximum price is established, (ii) the dates upon which such price list was distributed and effective respectively, (iii) a detailed statement of the extent to which such price list was distributed to the customers or prospective customers of the manufacturer.

(b) A report on forms to be prescribed by the Office of Price Administration containing information with regard to selling prices, garment description, method of construction, yarn content, assembly, finish, distribution and costs relating to

[3] 7 F.R. 4273, 4541, 4618, 5180.

[4] 7 F.R. 4982.

[5] 7 F.R. 5059.

the foregoing in such detail as may be required.

§ 1389.308 *Information to be supplied to purchasers.* Every manufacturer of fall and winter knitted underwear shall by himself or through his agent or representative; on or before October 1, 1942,

(a) Notify each person who has bought from him for the fall and winter season of 1941 or 1942 any garment of fall and winter knitted underwear that the purchaser thereof is required to price that garment in accordance with the provisions of Maximum Price Regulation No. 210—Retail and Wholesale Prices for Fall and Winter Seasonal Commodities, as amended, and

(b) Supply such purchasers with the text of Amendment No. 1 to Maximum Price Regulation No. 210—Retail and Wholesale Prices for Fall and Winter Seasonal Commodities.

§ 1389.309 *Disclosure of maximum prices.* Every manufacturer selling or delivering any garment of fall and winter knitted underwear shall within ten days after receipt of a written request from any person to whom such garment shall have been sold, or delivered, disclose in writing to such person the maximum price established for such garment.

§1389.310 *Evasion.* The price limitation set forth in this Maximum Price Regulation No. 221 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any garment of fall and winter knitted underwear, alone or in conjunction with any other commodity or by way of commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1389.311 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 221 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1389.312 *Definitions incorporated by reference.* Unless the context otherwise requires or unless otherwise specifically provided herein the definitions set forth in section 202 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

§ 1389.313 *Effective date.* This maximum Price Regulation No. 221 (§§ 1389.301 to 1389.314, inclusive) shall become effective September 15, 1942.

§ 1389.314 *Appendix A: What is meant by fall and winter knitted underwear.*[*] For the purpose of this Maximum Price Regulation No. 221 any garment belonging to any of the following categories is designated and defined as fall and winter underwear and garments which do not belong to any of the following categories are not considered fall and winter knitted underwear:

(a) Men's heavy-weight cotton knitted underwear including union suits, 9 pounds and over per dozen (weight calculated on size 42) and shirts and drawers, 7 pounds and over per dozen (weight calculated on size 42 shirts.)

(b) Men's and boys' wool and part wool winter-weight knitted underwear, including union suits, shirts and drawers.

(c) Men's and boys' winter-weight rib-knitted shirts, shorts and drawers.

(d) Boys' heavy-weight cotton knitted union suits weighing 6 pounds and over per dozen (weight calculated on size 34).

(e) Women's heavy-weight knitted union suits, 6 pounds and over per dozen (weight calculated on size 38).

(f) Women's, misses' and children's heavy-weight knitted vests, pants and bloomers.

(g) Women's, misses' and children's winter-weight wool and part wool knitted underwear.

(h) Women's, misses' and children's winter-weight "snuggy" and "woolie" type knitted underwear.

(i) Children's heavy-weight knitted union suits, waist suits and combination suits, 5 pounds and over per dozen (weight calculated on size 12).

(j) Men's, women's and children's heavy-weight knitted sleeping garments, excluding brushed rayon sleeping garments.

(k) Infants' knitted heavy-weight undergarments.

(l) Fleece-lined knitted sweat shirts.

Meaning of winter-weight and heavy-weight. "Winter-weight" and "heavy-weight" each means that type of knitted underwear garment or knitted sleeping garment which is regularly and customarily produced by manufacturers thereof for use during the fall and winter season, and of which type of garment the manufacturer delivered at least 85% of his 1941 production from June 1, 1941 to December 31, 1941.

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9140; Filed, September 15, 1942; 5:20 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 17 to Maximum Price Regulation 136, as Amended [1]]

MACHINES AND PARTS AND MACHINERY SERVICES

GILFILLAN MACHINE WORKS, INC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[*]

New subparagraph (11) is added to § 1390.25 (c) and new paragraph (q) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* • • •

(c) *Amendments.* • • •

(11) *Gilfillan Machine Works, Inc.* Notwithstanding the provisions of § 1390.5, the maximum price applicable to the sale by Gilfillan Machine Works, Inc., of Ebenezer, New York, of its Type DS No. 816 House Service Gas Regulator, shall be $8.00; the maximum price applicable to the sale by said Company of any other machine or part for which a list price was in effect on October 1, 1941, shall be the maximum price determined in accordance with the provisions of § 1390.5, except that the 2% ten day cash discount may be eliminated.

§ 1390.31a *Effective dates of amendments.* • • •

(q) Amendment No. 17 (§ 1390.25 (c) (11)) to Maximum Price Regulation No. 136, as amended, shall become effective September 21, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9141; Filed, September 15, 1942; 5:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Zoning Order 1 Under Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

ORDER ESTABLISHING ZONES

Pursuant to § 1407.168 the following order is hereby issued:

§ 1407.281 *Establishment of zones—Authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established:

Zone 1 shall include the State of Rhode Island; Bristol, Plymouth and Barnstable Counties in the State of Massachusetts; and all points in the State of Massachusetts where the base rate is 9 cents or less.

Zone 2 shall include the State of Connecticut; all points in the State of New York where the base rate is 14 cents or less and all points in the State of New Jersey where the New York City base rate is 12 cents or less.

Zone 3 shall include the State of Delaware; that part of the State of New Jersey not included in Zone 2; and all points in the State of Pennsylvania where the base rate is 14 cents or less.

Zone 4 shall include the State of Maryland, except for Garrett and Allegany Counties; the District of Columbia; Berkeley and Jefferson Counties in the State of West Virginia; and all points in the State of Virginia where the base rate is 19 cents or less.

Zone 5 shall include all points in the States of South Carolina and Georgia where the base rate is 15 cents or less.

Zone 6 shall include the State of North Carolina; those parts of the States of South Carolina and Georgia not included in Zone 5; and that part of the State of Florida which lies east of the Apalachicola River.

Zone 7 shall include the States of Arkansas, Alabama, Louisiana and Mississippi; and that part of the State of Florida which lies west of the Apalachicola River.

Zone 8 shall include all points in the State of Texas where the base rate is 35 cents or less.

Zone 9 shall include all of the continental United States not included in Zones 1 to 8 inclusive.

(b) "Base rate", as used herein, refers to the lowest published refiners' base rate in effect on the date of issuance of this Order.

(c) Sugar may be delivered, shipped or transferred from Zone 9 to any point in Zones 1 or 8.

(d) Zoning Order No. 1 (§ 1407.281) shall become effective September 16, 1942.

(Pub. Law 421, 77th Cong., W. P. B. Dir. No. 1 and Supp. Dir. No. 12)

Issued this 15th day of September 1942.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 42-9144; Filed, September 15, 1942; 5:23 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 13 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

PRIMARY DISTRIBUTORS, PETITIONS FOR ADJUSTMENT, ETC.

Section 1407.123 is revoked, and new §§ 1407.123 and 1407.168 are added, as set forth below:

Primary Distributors

§ 1407.123 *Orders or commitments for future deliveries.* (a) No primary distributor shall deliver sugar pursuant to a contract, agreement or commitment, regardless of when made, providing for delivery more than three days after the making thereof, directly or to a carrier for delivery. No primary distributor shall deliver sugar to fill any order, regardless of when received, calling for delivery more than three days after the receipt thereof, directly or to a carrier for delivery.

(b) This section shall not apply to deliveries to the Army or Navy of the United States or to any of the persons or agencies listed in § 1407.183 (b) of Rationing Order No. 3.

Petitions for Adjustment; Appeals; New Business; Miscellaneous

§ 1407.168 *Deliveries, transfers or shipments outside a zone.* (a) The Director of the Food Rationing Division of the Office of Price Administration may, from time to time, issue orders establishing zones for the purposes of this section.

(b) Except as otherwise authorized by the Director, no person shall deliver, ship or transfer sugar from a zone to a point outside such zone, and no person shall accept such delivery, shipment or transfer.

(c) Paragraph (b) shall not apply to a delivery, shipment or transfer from a wholesale or retail establishment to a point within the established trading area of such establishment, if the person to whom delivery, shipment or transfer is made has customarily received sugar from a wholesaler or retailer.

(d) Unless otherwise specified by the Director, paragraph (b) shall not apply to raw sugar, turbinado sugar, plantation white sugar, high-washed sugar, Louisiana seconds sugar, invert sugar, liquid sugar, or soft sugar in bulk; or to confectioner's, brown, loaf, tablet, and other specialty sugars in one and two pound packages, except fine granulated sugar; or to sugar refined or processed outside the continental United States.

(e) Paragraph (b) shall not apply to deliveries, shipments or transfers by or to the Army or Navy of the United States or by or to any of the persons or agencies specified in § 1407.183 (b) of Rationing Order No. 3.

(f) Paragraph (b) shall not apply to deliveries, shipments or transfers of sugar by or to carriers for the purpose of making deliveries, shipments or transfers thereof exempted from paragraph (b) by paragraph (c), (d) or (e) or by the Director.

Effective Date

§ 1407.222 *Effective dates of amendments.* • • •

(m) Amendment No. 13 (§§ 1407.123 and 1407.168) shall become effective September 16, 1942.

(Pub. Law 421, 77th Cong., W. P. B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9143; Filed September 15, 1942; 5:24 p. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Amendment 1 to Maximum Price Regulation 13 [1]]

DOUGLAS FIR PLYWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Tables (1), (2), and (5) of paragraph (a) of § 1413.12 are amended, and a new § 1413.11a (a) is added as set forth below.

§ 1413.12 *Appendix A: Maximum prices for moisture resistant type Douglas fir plywood in grades and sizes listed in § 1276.1 (b) of Limitation Order L-150:* [2]

(a) • • •

(1) PLYSCORD

(Douglas fir plywood sheathing)

(i) *Maximum prices for plyscord in widths of 36" and 48" and in lengths of 96":*

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply, rough	$27.00	$28.10
3/8" 3 ply, rough	32.00	33.45
1/2" 3 or 5 ply at mill's option, rough	42.15	44.70
5/8" 3 or 5 ply at mill's option, rough	52.25	55.65

(ii) *Long standard lengths.* For panels in widths of 36" and 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

$5.25 per M Sq. Ft. for 9' lengths.
$8.00 per M Sq. Ft. for 10' lengths.
$13.25. per M Sq. Ft. for 11' lengths.
$16.00 per M Sq. Ft. for 12' lengths.

(2) PLYWALL

(Douglas fir plywood wallboard)

(i) *Maximum prices for plywall in widths of 48" and in lengths of 60", 72", 84", and 96":*

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4"	$30.00	$31.20
7/16" 3 ply S2S to 3/8"	40.50	42.90
5/8" 5 ply S2S to 1/2"	54.50	58.15
1/4" studding strips (per M lineal feet)	5.30	5.30

(ii) *Long standard lengths.* For panels in widths of 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

$5.25 per M Sq. Ft. for 9' lengths.
$8.00 per M Sq. Ft. for 10' lengths.
$13.25 per M Sq. Ft. for 11' lengths.
$16.00 per M Sq. Ft. for 12' lengths.

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[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5909, 6426, 6682, 6899, 6937, 6964, 6973, 7010, 7246.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084.

[1] 7 F.R. 5567.

[*] Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 4482.

(5) PLYPANEL—SOUND 1 SIDE

Maximum prices for Plypanel—Sound 1 Side in Widths of 24", 30", 36", and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
1/16" 3 ply S2S to 1/4" or 1/4"—3 ply S2S to 3/16":		
24" width	$33.15	$36.35
30" and 36" width	34.15	37.30
48" width	36.00	39.35
1/16" 3 ply S2S to 1/4":		
24" width	29.65	32.85
30" and 36" width	30.65	33.80
48" width	32.50	35.85
7/16" 3 ply S2S to 3/8":		
24" width	40.75	44.95
30" and 36" width	41.70	45.95
48" width	43.55	47.95
3/16" 5 ply S2S to 1/2":		
24" width	56.45	62.05
30" and 36" width	57.35	63.00
48" width	59.20	65.10
11/16" 5 ply S2S to 5/8":		
24" width	67.45	74.15
30" and 36" width	68.40	75.15
48" width	70.20	77.15
13/16" 5 ply S2S to 3/4":		
24" width	76.75	84.25
30" and 36" width	77.60	85.20
48" width	79.40	87.25

§ 1413.11a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1413.11a and 1413.12 (a) (1), (2), and (5)) to Maximum Price Regulation No. 13 shall become effective September 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9142; Filed, September 15, 1942; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 26 to General Maximum Price Regulation[1]]

APPLICATIONS FOR ADJUSTMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (a) and (c) of § 1499.18 are amended to read as set forth below:

§ 1499.18 *Applications for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this General Maximum Price Regulation for any seller at retail in any case in which such seller shows:

(1) That such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 2.[2]

* * * * *

(c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this General Maximum Price Regulation may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed by sellers at retail in accordance with Procedural Regulation No. 2, and by all other sellers in accordance with Procedural Regulation No. 1,[3] and in every case shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this General Maximum Price Regulation to eliminate the danger of inflation.

This section shall apply to all maximum price regulations which have incorporated § 1499.18 in their provisions.

§ 1499.23a *Effective dates of amendments.* * * *

(*aa*) Amendment No. 26 (§ 1499.18) to General Maximum Price Regulation shall become effective September 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9147; Filed, September 15, 1942; 5:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Maximum Price Regulation 211[1]]

COTTON GINNING SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1499.564 and paragraph (a) (4) of § 1499.565 are amended as set forth below:

§ 1499.564 *Petitions for adjustment and amendment.* (a) A petition for adjustment may be filed in accordance with Appendix A, incorporated herein as § 1499.567 by:

(1) Any ginner who can show that the maximum price for cotton ginning services established for him under the provisions of § 1499.552 (a) is abnormally low in relation to the maximum prices for the same or substantially similar services rendered by ginners in the same competitive area and that this abnormality subjects him to substantial hardship; and

(2) Any ginner who can show that the maximum prices for cotton ginning services established for him and substantially all of the ginners in the same competitive area under the provisions of § 1499.552 (a) are abnormally low in relation to the maximum prices for the same or substantially similar services rendered by substantially all of the ginners in the nearest competitive area and that this abnormality subjects him to substantial hardship.

* * * * *

§ 1499.565 *Definitions.* (a) When used in this Maximum Price Regulation No. 211 the term: * * *

(4) "Cotton ginning services" means the sale or supplying by a ginner of (i) ginning and bagging and ties and (ii) such services performed incident thereto as baling, wrapping, tying, weighing, stenciling, cleaning, drying, hull extracting and storing.

§ 1499.566a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1499.564 and 1499.565) to Maximum Price Regulation No. 211 shall become effective September 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9146; Filed, September 15, 1942; 5:22 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

POTOMAC RIVER

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918, 40 Stat. 892; 33 U.S.C. 3, the United States Naval Proving Ground, Dahlgren, Virginia, is hereby redefined and § 204.50 (b) containing regulations governing the use and navigation thereof is hereby amended to read as follows:

§ 204.50 *Potomac River.* * * *

(b) *United States Naval Proving Ground, Dahlgren, Va.*—(1) *The danger zones.* The firing range of the United States Naval Proving Ground at Dahlgren, Virginia, involves that portion of the Potomac River below the Maryland-Virginia bridge on U. S. Highway 301 as described herein. This range constitutes a danger area composed of two zones to be known as the Upper and Lower Danger Zones.

(i) *The Upper Danger Zone* in which firing is normally conducted daily except Sunday, is defined as follows, beginning at the intersection of the new Potomac River bridge with the Virginia shore; thence to Lower Cedar Point Light House; thence to white spar Buoy 1-A about 2,300 yards east southeast of lower Cedar Point beacon; thence to a line of white spar buoys known as line of fire buoys, No. 1 Buoy 1,500 yards southwest by west of Swan Point, No. 2 Buoy, 1,700 yards south of Potomac View, No. 3 Buoy, about 1,300 yards south by west of lower end of Cobb Island; thence on a line to nun Buoy No. 4-A abreast of Blakiston Island abandoned light house; thence southwesterly to Hollis Marsh along a line of white spar buoys off the Virginia shore as follows: White spar Buoy D, about 3,000 yards off Popes Creek; thence to white spar Buoy C, 3,500 yards off Church Point; thence to white spar Buoy B, 800 yards off Colonial Beach; thence to white spar Buoy A, 1,000 yards off Bluff Point; thence on a line to the seaplane hangar at the Proving Ground.

(ii) *The Lower Danger Zone* in which long range firing is normally conducted at infrequent intervals embraces the Naval Torpedo Range at Piney Point, Maryland, and subject to special additional restrictions in the vicinity of that activity, is defined as the entire portion of the lower Potomac River between a line from nun Buoy 4-A off Blakiston Island on a line to Hollis Marsh and a line from Point Lookout, Maryland, to Smith Point, Virginia.

(2) *The regulations.* (i) Firing normally takes place between the hours of 9:00 a. m. and 4 p. m. on all days except Saturday and Sunday. During the national emergency, firing will take place between the hours of 7:30 a. m. and 5:00 p. m. daily except Sunday with frequent night firing.

(ii) When firing is in progress, no fishing or oystering vessels will be permitted to operate within the danger zone affected, unless so authorized by the Naval Proving Ground's patrol boats. Oystering and fishing boats or other craft may cross the river in the danger zone only after they have reported to the patrol boats and received instructions as to when and where to cross. Deep draft vessels using dredged channels and propelled by mechanical power at a speed greater than five miles per hour, may proceed directly through the danger zones without restriction except when especially notified to the contrary.

(iii) These regulations shall be enforced by the Inspector of Ordnance in Charge at the United States Naval Proving Ground through such officers, enlisted men and employees of that Station as may be designated, including always the Commanding Officer of the range patrol, using all such Government vessels, planes, and other suitable equipment as may be necessary. These agencies shall fly or expose a square red flag in clearing a danger zone. (40 Stat. 892; 33 U.S.C. 3) [Regs. Sept. 7, 1942 (CE 7005 (Potomac River)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9135; Filed, September 15, 1942; 2:45 p. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 1—GENERAL REGULATIONS AFFECTING THE PUBLIC

MAKING OF PHOTOGRAPHS, SKETCHES, ETC., OF MILITARY OR NAVAL SUBJECTS

NOTE: The text of the regulations governing the making of photographs, sketches, etc., of military or naval subjects appears above under Title 10, Part 4.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3591)

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940, (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940, (5 F.R. 3748)

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530)

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829)

Knitted Wear Learner Regulations, October 10, 1940, (5 F.R. 3982)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941. (6 F.R. 2446)

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302)

Notice of amended order for the employment of learners in the cigar manufacturing industry, July 20, 1941, (6 F.R. 3758)

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 17, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Bristol Frocks, Franklin St., Bristol, Rhode Island; Cotton wash dresses; 10 learners (T); September 17, 1943.

Peter Butera, 283 Glenwood Avenue, Bloomfield, New Jersey; Dresses; 3 learners (T); September 17, 1943.

The Cornblum Pants Mfg. Co., 205 St. Clair Ave. W., Cleveland, Ohio; Trousers; 10 learners (T); September 17, 1943.

Glix Brand Co., Inc., Brown & Kellogg Sts., Pittsfield, Massachusetts; Ladies' pajamas, house coats and dresses; 10 percent (T); September 17, 1943.

Toby Lane, 1111 Washington St., St. Louis, Missouri; Junior dresses; 10 learners (T); September 17, 1943.

Los Angeles Sportswear Co., 834 So. Broadway, Los Angeles, California; Women's blouses, shirts, skirts and slacks; 5 learners (T); September 17, 1943.

Rice-Stix Factory #14, 666 School St., Hillsboro, Illinois; Women's dresses; 25 learners (E) March 17, 1943.

Superior Uniform Cap & Shirt Mfg. Co., 134 East Third St., Los Angeles, California; Uniform caps, uniform shirts; 5 learners (T); September 17, 1943.

Cigar

H. L. Neff & Co., Charles Alley, Red Lion, Pennsylvania; Cigars; 4 learners (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 14, 1943. (This certificate effective September 15, 1942).

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093.

[2] 7 F.R. 6428.

[3] 7 F.R. 6962.

[1] 7 F.R. 971, 3663, 6967.

Glove

Zenith Mfg. Co., 510 First Ave. N., Minneapolis, Minnesota; Mittens; 5 learners (T); September 17, 1943.

Textile

The Dellinger Spread Co., 1943 North Broad St., Rome, Georgia; Bedspreads; 5 percent (T); September 17, 1943.

Woodside Cotton Mills Co., Fountain Inn Plant, Fountain Inn, South Carolina; Cotton yarn; 3 percent (T); September 17, 1943.

Signed at New York, N. Y., this 15th day of September, 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-9153; Filed, September 16, 1942; 11:17 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6409]

WOKO, INCORPORATED

NOTICE OF OPPORTUNITY FOR HEARING

In re application of WOKO, Incorporated (WOKO), dated June 28, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Albany, New York; operating assignment specified: Frequency 640 kc; power, 5 kw (DA—day and night); hours of operation, unlimited.

You are hereby notified that the Commission on August 18, 1942, denied the petition of the applicant filed pursuant to the memorandum opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942.

2. To determine whether in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WOKO, Incorporated, Radio Station WOKO, Radio Center, 8 Elk Street, Albany, New York.

Dated at Washington, D. C., September 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9149; Filed, September 16, 1942; 10:26 a. m.]

[Docket No. 6421]

VOICE OF THE ORANGE EMPIRE, INC., LTD. (KVOE)

NOTICE OF OPPORTUNITY FOR HEARING

In re application of The Voice of The Orange Empire, Inc., Ltd. (KVOE); dated April 2, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Santa Ana, California; operating assignment specified: Frequency, 1480 kc; power, 1 kw; hours of operation, unlimited.

You are hereby notified that the Commission on September 1, 1942, denied the petition of the applicant filed pursuant to the memorandum opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942.

2. To determine whether in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: The Voice of The Orange Empire, Inc. Ltd., Radio Station K V O E, 307 North Broadway, Santa Ana, California.

Dated at Washington, D. C., September 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9151; Filed, September 16, 1942; 10:26 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under Revised Price Schedule 29[1]—By-Product Foundry and By-Product Blast Furnace Coke—Docket 3029-5]

FORD MOTOR COMPANY

ORDER GRANTING PETITION

On July 3, 1942 Ford Motor Company, 3000 Schaefer Road, Dearborn, Michigan, filed a petition for amendment, adjustment or exception under § 1345.6 of Revised Price Schedule No. 29. This petition has been treated as a petition for adjustment or exception. Due consideration has been given to the petition and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) Ford Motor Company may sell, offer to sell, deliver or transfer, by-product blast furnace coke produced at its oven plant, Detroit, Michigan, at a price not to exceed $7.35 per net ton f. o. b. oven plant. Any person may buy, offer to buy, or accept delivery of such by-product blast furnace coke from Ford Motor Company at the price herein established.

(b) The permission granted to Ford Motor Company in this Order No. 1 is subject to the condition that there be filed each month with the Office of Price Administration itemized and verified statement of coke production costs and profit and loss statement for the previous month; also balance sheet of the Ford Motor Company as of the last day of the previous month.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective September 16, 1942.

Issued this 15th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9129; Filed, September 15, 1942; 12:04 p. m.]

[Order 16 Under Maximum Price Regulation 122[1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket 3122-220]

PACIFIC COAST COAL COMPANY

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

For the reasons set forth in an opinion which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) On and after August 27, 1942, the Pacific Coast Coal Company may enter into agreements with its customers situated in Alaska who purchase coal for civilian consumption whereby petitioner may sell and such customers may purchase coal at the applicable maximum prices, subject to an agreement to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition thereof. Permission to enter into such agreements with such purchasers prior to August 27, 1942, is hereby denied.

(b) This Order No. 16 may be revoked or amended by the Price Administrator at any time and, in any event, is to be effective only to the date upon which said petition is finally determined by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to the terms used herein.

(d) This Order No. 16 shall become effective September 15, 1942.

Issued this 15th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9131; Filed, September 15, 1942; 12:04 p. m.]

[Order 2 Under Maximum Price Regulation 154 as Amended—Ice—Docket 3154-1]

EVERPURE ICE MFG. CO.

ORDER GRANTING PRICE ADJUSTMENT

Adjustment of the maximum prices for ice manufactured by the Everpure Ice Manufacturing Company, Inc. For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is ordered:*

(a) The Everpure Ice Manufacturing Company, Inc., 599 Andover Street, Lawrence, Massachusetts, may sell and deliver to ice dealers and ice dealers may buy and receive from the Everpure Ice Company, Inc., ice at prices not higher than 55 cents per block of 300 pounds or $3.67 per ton.

(b) The adjustment granted to the Everpure Ice Manufacturing Company, Inc. in paragraph (a) is subject to the condition that it shall forthwith notify the dealers purchasing ice from it that the Office of Price Administration has by this Order authorized adjustment of its maximum prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 2 shall become effective September 16, 1942.

Issued this 15th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9130; Filed, September 15, 1942; 12:04 p. m.]

[Order 2 Under Maximum Price Regulation 188—Manufacturers' Maximum Prices For Specified Building Materials and Consumers' Goods Other Than Apparel]

NEVADA-PACIFIC MINERAL COMPANY, INC.

ORDER GRANTING ADJUSTMENT

On June 13, 1942 the Nevada-Pacific Mineral Company, Inc. filed a protest against the provisions of the General Maximum Price Regulation in accordance with Procedural Regulation No. 1.

On August 1, 1942, "Jean Silica Sand", a product manufactured by the petitioner, became subject to Maximum Price Regulation No. 188. The Administrator, pursuant to Rule 33 of Procedural Regulation No. 1, has deemed it advisable to treat the said protest as a petition for an adjustment under Maximum Price Regulation No. 188.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered,* That:

(a) The Nevada-Pacific Minerals Company, Inc., 1199 Browning Boulevard, Los Angeles, California, may increase its maximum price for "Jean Silica Sand" from $3.00 per ton of 2,000 pounds to $3.50 per ton of 2,000 pounds f. o. b. cars at Sutor, Nevada.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective September 16, 1942.

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9128; Filed, September 15, 1942; 12:04 p. m.]

[Order 1 Under Maximum Price Regulation 169[1]—Beef and Veal Carcasses and Wholesale Cuts]

CERTAIN MEAT PACKING COMPANIES

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

In the matter of Nebraska Beef Company, Docket Nos. 3169-26, 3169-64; William Davies Company, Inc., Docket Nos. 3169-33, 3169-34; Frye and Company, Docket No. 3169-36; Wilson and Company, Inc., Docket No. 3169-37; Armour and Company of Illinois, Docket Nos. 3169-38, 3169-72; Guggenheim Packing Company, Docket No. 3169-39 (2); The Cudahy Packing Company, Docket Nos. 3169-42, 3169-56; Earl C. Gibbs, Inc., Docket No. 3169-44; J. H. Allison and Co., Docket Nos. 3169-46, 3169-67; Weil Packing Company, Docket No. 3169-47; Max Rothschild and Sons, Docket No. 3169-48; Morris Rifkin and Son, Docket No. 3169-49; Omaha Packing Company, Docket No. 3169-51; Drummond Packing Company, Docket No. 3169-52; Maurer Packing Company, Docket No. 3169-54; David Levi and Company, Docket Nos. 3169-55, 3169-73, Lincoln Meat Company, Docket No. 3169-57; Armour and Company of Delaware, Docket No. 3169-58; Dugdale Packing Company, Docket No. 3169-59; Meyer Kornblum Packing Company, Docket No. 3169-60; The George Kaiser Packing Company, Docket No. 3169-65; Abraham Brothers Packing Company, Docket No. 3169-69; The E. Kahn's Sons Company, Docket No. 3169-71; Reynolds Packing Company, Docket No. 3169-82; Fred Oppenheimer, Docket No. GF3-1380; Neuhoff, Incorporated, Docket No. GF3-1557, applicants.

On or before August 27, 1942, Nebraska Beef Company, 36th and I Streets, Omaha, Nebraska; William Davies Company, Inc., 4101 South Union Avenue, Chicago, Illinois; Frye and Company, 2203 Airport Way, P. O. Box 3367, Seattle, Washington; Wilson and Company, Inc., 4100 South Ashland Avenue, Chicago, Illinois; Armour and Company of Illinois, 3306 East Cataldo Avenue, Spokane, Washington; Guggenheim Packing Company, 1337 West 37th Street, Chicago, Illinois; The Cudahy Packing Company, 221 North La Salle Street, Chicago, Illinois; Earl C. Gibbs, Inc., 3378 West 65th Street, Cleveland, Ohio; J. H. Allison and Company, Middle Street, Chattanooga, Tennessee; Weil Packing Company, 1700 Oakley Street, Evansville, Indiana; Max Rothschild and Sons, 224 North Peoria Street, Chicago, Illinois; Morris Rifkin and Son, South St. Paul, Minnesota; Omaha Packing Company, Omaha, Nebraska; Drummond Packing Company, Eau Claire, Wisconsin; Maurer Packing Company, 100 Meyers Avenue, Kansas City, Kansas; David Levi and Company, 3900 Emerald Avenue, Chicago, Illinois; Lincoln Meat Company, 3800 South Halsted Street, Chicago, Illinois; Armour and Company of Delaware, Union Stock Yards, Chicago, Illinois; Dugdale Packing Company, 11th and Bell Streets, St. Joseph, Missouri; Meyer Kornblum Packing Company, Kansas City, Kansas; The George Kaiser Packing Company, 81 North First Street, Kansas City, Kansas; Abraham Brothers Packing Company, 1460 Warford Avenue, Memphis, Tennessee; The E. Kahn's Sons Company, 3241 Spring Grove Avenue, Cincinnati, Ohio; Reynolds Packing Company, Fifth Street, Union City, Tennessee; Fred Oppenheimer, 939 Fulton Street, Chicago, Illinois, and Neuhoff, Incorporated, Salem, Virginia, filed separate Applications for Adjustment of Maximum Prices established under Maximum Price Regulation No. 169, Beef and Veal Carcasses and Wholesale Cuts, in accordance with the provisions therefor contained in Procedural Regulation No. 6. The Price Administrator deems it appropriate that the several Applications for Adjustment be dis-

[1] 7 F.R. 1258, 1836, 2132, 2760, 6385.
[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 4653, 5024, 5567, 5835.
[2] 7 F.R. 971, 3663.

[1] 7 F.R. 4653, 4798, 5222, 5426, 5868.

posed of together. Due consideration has been given to the Applications for Adjustment and to each of them and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 6, issued by the office of Price Administration, it is ordered: that (a) the foregoing Applications for Adjustment and each of them be, and they hereby are, denied in whole;

(b) That each Applicant who has received payment for any beef or veal carcass or wholesale cut at the price requested in its application shall refund to the purchaser the difference between such requested price and the maximum price established for the sale of such beef or veal carcass or wholesale cut by Maximum Price Regulation No. 169;

(c) That each Applicant who has slaughtered cattle or calves as a service for the purchaser thereof shall remit to such purchaser an amount sufficient to make the cost of the dressed carcass, or of the wholesale cuts derived therefrom, less than the costs which would be incurred by the purchaser if he purchased such carcass or cuts from the Applicant at the Applicant's maximum prices therefor.

(d) This Order No. 1 shall become effective September 15, 1942.

Issued this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9145; Filed, September 15, 1942; 5:22 p. m.]

[Administrative Order 28]

RATIONING OF FARM MACHINERY AND EQUIPMENT

AUTHORIZATION OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Office of Price Administration and the Administrator by Executive Order No. 9125 [1] and by War Production Board Directive No. 1 [2] as extended by Supplementary Directive No. 1K, the following order is prescribed:

(a) The Secretary of Agriculture is hereby authorized and directed to exexercise the functions, duties, powers, authority and discretion, including but not limited to the power of subpoena, and the power to issue suspension orders, conferred upon the Office of Price Administration and the Administrator for the purpose of securing the efficient rationing of farm machinery and equipment within the limits of the continental United States.

(b) Any order issued by the Secretary of Agriculture pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) As used herein, the term "farm machinery and equipment" shall have the meaning given it in paragraph (b) of War Production Board Supplementary Directive No. 1K.[3]

Issued and effective this 15th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9162; Filed, September 16, 1942; 12:34 p. m.]

[1] 7 F.R. 2719.
[2] 7 F.R. 562.
[3] 7 F.R. 7280.

Reference
SEP 21 1942

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 184

Washington, Friday, September 18, 1942

The President

EXECUTIVE ORDER 9244

AMENDING EXECUTIVE ORDER NO. 9054 ENTITLED "ESTABLISHING A WAR SHIPPING ADMINISTRATION IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES"

By virtue of the authority vested in me by the Constitution and statutes of the United States, including the First War Powers Act, 1941, approved December 18, 1941, and the Second War Powers Act, 1942, approved March 27, 1942, as President of the United States and Commander in Chief of the Army and Navy, and in order to assure the most effective utilization of the shipping of the United States for the successful prosecution of the war, Executive Order No. 9054 of February 7, 1942,[1] is hereby amended as follows:

1. Section 2 of said Executive Order is hereby amended by adding thereto the following paragraphs:

"(h) Exercise the power, authority and discretion conferred upon the President by Section 902 (e) of the Merchant Marine Act of 1936, as amended.

"(i) With respect to all matters for which the Administrator may be responsible under terms of the Order, exercise in like manner as the United States Maritime Commission, all of the functions, powers and duties with respect to contracts and payments, and the audit of books and records, conferred upon the Commission by Executive Order No. 9001, December 27, 1941,[2] and Executive Order No. 9127, April 10, 1942,[3] and Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public Law 528, 77th Congress).

"(j) Exercise in like manner as the United States Maritime Commission all the functions, powers, authority and discretion with regard to the acquisition (including requisition) and disposition of property conferred upon the United States Maritime Commission by the Executive Orders No. 8942,[4] No. 9138,[5] and No. 9129,[6] dated November 19, 1941, April 17, 1942, and April 13, 1942, respectively.

"(k) Exercise in like manner as the United States Maritime Commission all the functions, powers, duties, authority and discretion conferred on the Commission by the Suits in Admiralty Act approved March 9, 1920 (41 Stat. 525, Chapter 95)."

2. Section 2 of said Executive Order is hereby further amended by modifying Paragraph (c) thereof to read as follows:

"(c) Provide insurance and re-insurance pursuant to the Merchant Marine Act, 1920, as amended, Merchant Marine Act, 1936, as amended, and the Act of June 6, 1941 (Public Law 101, 77th Congress)."

3. Section 3 of said Executive Order is hereby amended to read as follows:

"3. The functions, duties and powers conferred by law upon the United States Maritime Commission with respect to the operation, purchase, charter, insurance, repair, maintenance, and requisition of vessels and facilities required for the operation thereof and the issuance of warrants with respect thereto under the Merchant Marine Act, 1936, as amended, the Act of June 6, 1941 (Public Law 101, 77th Congress), the Act of July 14, 1941 (Public Law 173, 77th Congress), the Act of May 2, 1941 (Public Law 46, 77th Congress), the Act of October 16, 1941 (Public Law 274, 77th Congress), as amended, First Supplemental National Defense Appropriation Act, 1942 (Public Law 247, 77th Congress), the First War Powers Act, 1941, the Act of February 6, 1941 (Public Law 5, 77th Congress), Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public Law 528, 77th Congress), Executive Or-

(Continued on next page)

[1] 7 F.R. 837.
[2] 6 F.R. 6787.
[3] 7 F.R. 2753.
[4] 6 F.R. 5909.
[5] 7 F.R. 2919.
[6] 7 F.R. 2810.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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der No. 8771, dated June 6, 1941,[1] as amended, Executive Order No. 9001, dated December 27, 1941,[2] Executive Order No. 9127, dated April 10, 1942,[3] and under any other provisions of law, including Executive Orders, are hereby transferred to the Administrator; and such part of the existing personnel of the United States Maritime Commission, together with such records and public property as the Administrator may deem necessary to the full exercise of his functions and duties prescribed by this Order are hereby assigned to the War Shipping Administration."

4. Section 5 of said Executive Order is hereby amended to read as follows:

"5. For the purpose of carrying out the provisions of this Order, the Administrator is authorized to utilize the services of available and appropriate personnel of the United States Maritime Commission, the War and Navy Departments, and other government departments and agencies which are engaged in activities related to the operation of shipping. The Administrator may require, and other government departments and agencies are directed to make available to the Administrator, such information, reports and statistics regarding shipping requirements as the Administrator may deem necessary to enable him properly to determine and administer the allocation of vessels and space thereon, except in regard to vessels of the Army and Navy excluded in Section 2 and those engaged on special secret military missions."

5. Any provisions of pertinent Executive Orders conflicting with this Order are hereby superseded.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
Sept. 16, 1942.

[F. R. Doc. 42–9201; Filed, September 17, 1942; 10:52 a. m.]

[1] 6 F.R. 2759.
[2] 6 F.R. 6787.
[3] 7 F.R. 2753.

EXECUTIVE ORDER 9245

TRANSFERRING TO THE SECRETARY OF THE INTERIOR THE FUNCTIONS OF THE UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

By virtue of the authority vested in me by the Constitution and statutes of the United States, particularly the First War Powers Act, 1941 (Public Law 354—77th Congress), it is hereby ordered that the functions, powers, and duties of the United States High Commissioner to the Philippine Islands, together with the personnel, records, property, and funds of the office of the High Commissioner, be, and they are hereby, transferred to the Secretary of the Interior.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 16, 1942.

[F. R. Doc. 42–9200; Filed, September 17, 1942; 10:52 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[Tobacco 603 (Burley) Part II]

PART 724—MARKETING QUOTA REGULATIONS, BURLEY TOBACCO, 1942–43 MARKETING YEAR

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724.424 Instructions and forms.
724.425 Tobacco subject to marketing quotas.

FARM MARKETING QUOTAS

724.426 Amount of farm marketing quota.
724.427 Issuance of marketing card.
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724.454 Length of time records and reports to be kept.
724.455 Information confidential.

AUTHORITY: §§ 724.423 to 724.455, inclusive, are issued under 52 Stat. 47, 48, 65, 66, 202; 53 Stat. 1261, 1262; 54 Stat. 393, 728; 55 Stat. 88; 7 U. S. C. 1940 ed. 1301 et seq.

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of Part II of the Marketing Quota Regulations, Burley Tobacco—1942–43 Marketing Year (Tobacco 603 Burley, as issued by the Secretary of Agriculture on November 12, 1941), which regulations shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act.

GENERAL

§ 724.423 *Definitions.* (a) As used in these regulations and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(1) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(2) "Committee" means a committee within a county or community established under the Soil Conservation and Domestic Allotment Act. "County Committee", "Local Committee", or "Community Committee" shall have corresponding meanings in the connection in which they are used.

(3) "County office" means the office of the County Agricultural Conservation Association Committee or local committees or employees of such committee according to the sense in which such term is used.

(4) "Dealer" means a person who engages to whatever extent, in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(5) "Farm" means any tract or tracts of land which are considered as a farm under the provisions of the 1942 Agricultural Conservation Program.

(6) "Field Assistant" means an employee of the Agricultural Adjustment Agency, United States Department of Agriculture, whose duties involve primarily the preparation and handling of auction warehouse and dealer records and reports as they relate to tobacco marketing quotas.

(7) "Floor sweepings" means all tobacco which is dropped on the warehouse floor in the course of the warehouse operations and is picked up by the warehouseman. Any tobacco accumulated in the course of the grading of tobacco for farmers shall not be included as floor sweepings.

(8) "Market" means the first disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos. "Marketing" and "Marketed" shall have corresponding meanings to the term "market."

(9) "Marketing Quota Section" means the Marketing Quota Section, East Central Division, Agricultural Adjustment Agency, United States Department of Agriculture.

(10) "Nonwarehouse sale" means any marketing of tobacco other than a warehouse sale.

(11) "Operator" means the person who is in charge of the supervision and the conduct of the farming operations on the entire farm.

(12) "Person" means an individual, partnership, association, corporation, estate, trust, or any agency of a State or of the Federal Government. The term "person" shall include two or more persons having a joint or common interest.

(13) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight. The weight of redried or prized tobacco shall be increased so as to correspond with the original weight of such tobacco prior to redrying.

(14) "Producer" means a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds of the marketing, under the provisions of his agreement relating to the production of tobacco.

(15) "Resale" means the disposition by sale, barter, or exchange of tobacco which has been marketed previously.

(16) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(17) "Secretary of Agriculture" means the Secretary or Acting Secretary of Agriculture of the United States.

(18) "State committee or State office" means the group of persons comprising the State Agricultural Conservation Committee appointed by the Secretary of Agriculture to assist within any State in the administration of the Soil Conservation and Domestic Allotment Act or the office of such persons.

(19) "Suspended sale" means any marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the particular sale day on which such marketing occurred.

(20) "Tobacco" means Burley tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as type 31. Any tobacco that has the same characteristics and corresponding qualities, colors and lengths as Burley tobacco shall be considered Burley regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

(21) "Tobacco available for marketing" means all tobacco produced on a farm in the calendar year 1942 (and any tobacco produced on the farm prior to the calendar year 1942 and carried over to the 1942–43 marketing year) which is not disposed of by a "Tobacco Carryover Agreement", by use on the farm, or by storage prior to the issuance of a marketing card for the farm.

(22) "Trucker" means any person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(23) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a warehouse during the tobacco marketing season.

(24) "Warehouse sale" means a marketing by sale at auction through a warehouse in the regular course of business.

§ 724.424 *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

§ 724.425 *Tobacco subject to marketing quotas.* Any tobacco marketed during the period October 1, 1942, to September 30, 1943, inclusive, and any tobacco produced in the calendar year 1942 and marketed prior to October 1, 1942, shall be subject to the marketing quotas for the 1942–43 marketing year.

FARM MARKETING QUOTAS

§724.426 *Amount of farm marketing quota.* The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with Part I of the "Marketing Quota Regulations—Burley Tobacco, 1942–43 Marketing Year" (Tobacco 603 Part I). The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the farm acreage allotment. The excess tobacco on any farm shall be that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the number of acres harvested in excess of the farm acreage allotment.

§ 724.427 *Issuance of marketing card.* A marketing card shall be issued for every farm having tobacco available for marketing. The card shall be issued after information required for its prep-

aration (including measurements of the harvested acreage of tobacco and an estimate of the actual production of tobacco) has been furnished to or obtained by the county office. If the farm operator refuses to furnish or prevents the county office from obtaining such information the card shall show that all of the tobacco available for marketing from the farm is subject to penalty.

(a) *Within Quota Marketing Card (MQ–655 Burley).* A "Within Quota Marketing Card" authorizing the marketing without penalty of the actual production of tobacco on the farm in the 1942 calendar year and any tobacco carried over from a prior marketing year shall be issued for a farm unless an excess marketing card is required to be issued for the farm in accordance with paragraph (b) of this section.

(b) *Excess Marketing Card (MQ–657 Burley).* An "Excess Marketing Card" showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1942 is in excess of the farm acreage allotment and such excess tobacco is not disposed of in accordance with § 724.428 hereof, or if the operator of the farm also operates another farm on which the harvested acreage of tobacco in 1942 exceeds the farm acreage allotment and such excess is not disposed of in accordance with § 724.428 hereof.

(2) If a within quota marketing card could be issued for the farm but the county committee determines that a zero percent excess marketing card is necessary to protect the interest of the government and to insure proper identification of and accounting for the disposition of tobacco produced on the farm and the proper use of the marketing card issued for the farm.

(3) If there is tobacco available for marketing from the farm but no tobacco acreage allotment was established and such tobacco is not disposed of as provided in § 724.428 hereof.

(4) If information required for preparation of the marketing card is not furnished or the county office is prevented from obtaining the necessary information.

(5) If there is tobacco available for marketing from the farm carried over from a prior marketing year and the harvested acreage in 1942 is not less than the 1942 acreage allotment by an amount equivalent to the acreage of carry-over excess determined as provided in § 724.427, c, hereof.

(6) If a farm operated by a publicly owned experiment station produces tobacco for other than experimental purposes and such tobacco is not disposed of as provided in § 724.428 hereof.

(c) *Extent to which marketings from a farm are subject to penalty.* The extent to which marketings of tobacco from any farm having no carry-over tobacco are subject to penalty shall be that percentage of the tobacco available for marketing from the farm which the acreage of tobacco harvested in excess of the farm acreage allotment for the farm and not disposed of as provided in § 724.428 of these regulations, is of the acreage of tobacco harvested from the farm. Each marketing card showing a percentage excess of zero also shall show the maximum number of pounds of tobacco which may be marketed therefrom, which shall be the quantity of tobacco estimated by the county committee to be available for marketing from the 1942 crop produced on the farm. For any excess marketing card which shows a percentage of excess of more than zero, the county committee, if it has reason to believe it to be necessary in order to prevent marketing thereunder of tobacco produced on another farm, also shall have shown on the card the maximum number of pounds which may be marketed thereunder, such number of pounds to be determined in the same manner as for a card showing zero percent excess. The maximum number of pounds shown on any excess marketing card shall be increased by the county committee if the committee determines that the quantity of tobacco available for marketing from the 1942 crop produced on the farm is greater than the number of pounds previously estimated by the committee to be available for marketing.

The extent to which marketings of tobacco from any farm having tobacco available for marketing which has been carried over from a prior marketing year are subject to penalty shall be the percentage determined as follows:

(1) Determine the number of "carry-over acres" by dividing the number of pounds of tobacco carried over from the prior year by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" ((1) above) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" ((1) above) and the acreage of tobacco harvested in the current year.

(4) Determine the excess acreage by subtracting from the "total acres" ((3) above) the sum of the 1942 allotment and the "within quota carry-over acres" ((2) above).

(5) Determine the percent excess to be shown on the marketing card by dividing the "total acres" into the excess acreage ((4) above).

(d) *Number of marketing cards and entries and signatures thereon.* One or more marketing cards may be issued for any farm as approved by the county committee. All entries on each marketing card shall be made in accordance with the instructions for issuing the marketing card and the operator's agreement on each marketing card shall be signed by the farm operator or on his behalf by his authorized representative.

§ 724.428 *Disposition of excess tobacco.* The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By executing a "Tobacco Carry-over Agreement", (Tobacco 628) and delivering, either to the county committee prior to the issuance of the marketing card or to a field assistant at the auction warehouse out of the first proceeds from the marketing of tobacco from the farm, a certified check, cashier's check or post office money order, or by a check drawn by the warehouseman, payable to Commodity Credit Corporation in an amount equal to the estimated actual yield of tobacco from the excess acreage times 85 percent of the parity price of Burley tobacco as of the beginning of the 1942–43 marketing year.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1942 crop produced on the farm, and posting of a bond or making of other arrangements approved by the county committee and the chief of the Marketing Quota Section which will guarantee payment of the amount of penalty which will become due upon the marketing of excess tobacco.

(c) By rendering the excess tobacco unmerchantable, the tobacco so rendered unmerchantable to be representative of the entire crop of tobacco produced on the farm in 1942 and the act of rendering the tobacco unmerchantable to be performed only by the farm operator (or his representative) under the supervision of the county committee (or a person designated by the committee).

(d) By payment to the county office by certified check, cashier's check, or money order drawn payable to the Treasurer of the United States of an amount equal to 10 cents per pound times the estimated actual production of the excess acreage of tobacco harvested from the farm. Any additional amount of penalty due after the actual yield for the farm has been determined shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty from the county office. This subsection (d) shall apply only in the event that the acreage harvested in excess of the allotment does not exceed the larger of two-tenths acre or 10 percent of the farm acreage allotment.

§ 724.429 *Report on marketing card.* The operator of each farm on which tobacco is produced in 1942 shall return to the county office each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets for the area in which the farm is located. Failure to return the marketing card to the county office within the time specified (after formal notification) shall constitute failure to give proof of disposition of tobacco marketed from the farm in the event that satisfactory proof of such disposition is not furnished otherwise.

§ 724.430 *Additional reports by producers and identification of tobacco.* In addition to any other reports which may be required under these regulations, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall, upon written request by the chairman of the State Committee and within ten days after the deposit of such request in the United States mails addressed to such person at his last known address, furnish the Secretary of Agriculture, by sending the same to the Chairman of the State Committee, a written report showing, as to the farm at the time of filing said report (a) the number of acres of tobacco harvested, (b) the total production of tobacco, (c) the amount of tobacco on hand and its location, and (d) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of marketing.

§ 724.431 *Rights of producers in marketing card.* Each producer having a share in the tobacco available for marketing from the farm shall be entitled to the use of the marketing card for marketing his proportionate share of the total amount of tobacco available for marketing from the farm: *Provided,* That the burden of any penalty with respect to carry-over tobacco shall be borne by those persons having an interest in such tobacco.

§ 724.432 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from the farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 724.433 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. No marketing card shall be signed by the issuing officer until all other entries required to be made thereon have been made, except that the Operator's Agreement therein may be signed after the issuing officer has signed the card, but prior to the issuance of a memorandum of sale from the card. Only one person shall be designated as issuing officer but such person may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards; provided that each such person shall place his initials immediately beneath the name of the issuing officer as written by him or the card.

§ 724.434 *Invalid cards.* A marketing card shall be invalid under any of the following conditions:

(a) If it is not issued or delivered in the form and manner prescribed;

(b) If entries are not made thereon as required;

(c) If it is lost, destroyed, stolen, or becomes illegible;

(d) If any erasure has been made;

(e) If any alteration has been made and not properly initialed; or

(f) If the amount due Commodity Credit Corporation with respect to a "Tobacco Carry-over Agreement" is not paid prior to the issuance of any memorandum of sale.

In the event any marketing card becomes invalid (other than by loss, destruction, theft, omission, alteration, or incorrect entry which can be corrected by a field assistant) the farm operator (or the person having the card in his possession) shall return it to the county office at which it was issued.

If any marketing card is lost, destroyed, stolen, or altered, the person having knowledge of such loss, destruction, theft, or alteration shall notify the county office to that effect, and the county office shall immediately notify the Marketing Quota Section.

If any marketing card which was reported as lost, destroyed, stolen, or altered is later received by the county office, the county office shall immediately notify the Marketing Quota Section of the receipt of such card.

After receipt of notice of loss, destruction or theft of any marketing card the county office may issue a duplicate marketing card to replace the lost, destroyed, or stolen card in accordance with instructions issued pursuant to these regulations.

In the event any marketing card was improperly issued, has been altered, or becomes illegible, upon the return of the card to the county office a new marketing card shall be issued immediately, or as soon thereafter as the necessary information is available.

If any entry is not made on a marketing card as required (either through omission or incorrect entry) and the proper entry is made by a field assistant then such card shall become valid. If the field assistant is unable to make the proper entry, he shall return the card to the county office where it shall be retained until such entry is made, or a new marketing card is issued, as provided above.

§ 724.435 *Additional cards and disposition of used cards.* Upon the return to the county office of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. Any marketing card issued to replace another card shall have entered thereon the total sales as shown on the marketing card which is replaced.

§ 724.436 *Report of probable misuse of marketing card.* Any information which causes any field assistant, a member of any local committee, or an employee of the county office to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the State office and the Marketing Quota Section.

§ 724.437 *No transfers.* There shall be no transfer of marketing quotas (except as provided in Part I of these regulations) and the tobacco marketed under the marketing card issued for a farm shall consist only of tobacco produced on the farm.

MARKETING OF TOBACCO AND PENALTIES

§ 724.438 *Memorandum of sale to identify every marketing.* Each marketing of tobacco from a farm shall be identified by a memorandum of sale issued from the marketing card (MQ-656 Burley or MQ-657 Burley) for the farm but if a memorandum of sale cannot be obtained within four weeks after the date of the marketing of any tobacco at a warehouse sale, such marketing of tobacco shall be subject to penalty and the amount of penalty shall be shown on the memorandum of sale cleared without marketing card (Tobacco 618). The memorandum of sale shall be issued only by a field assistant, with the following exceptions:

(a) A warehouseman, or his authorized representative, who has been authorized on form Tobacco 625, may issue a within quota memorandum of sale to identify a warehouse sale, if a field assistant is not available at the warehouse when the card is presented by the farmer and if no payment to Commodity Credit Corporation under a "Tobacco Carry-over Agreement" is due with respect to the tobacco to be covered by the memorandum. Each memorandum of sale issued by a warehouseman shall be presented promptly by him to the field assistant for verification with the warehouse records.

(b) A representative of the county office may issue memoranda of sale covering sales of tobacco by the producer in small lots by mail order or directly to various individuals other than dealers.

The authorization to issue within quota memoranda of sale under paragraph (a) above may be withdrawn from any warehouseman or dealer upon written notice by the Chief of the Marketing Quota Section.

Each excess memorandum of sale, after issuance by a field assistant, shall be checked by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed, and the warehouseman or dealer shall be responsible for the correctness of such computations.

If the quantity of tobacco previously identified by memoranda of sale issued from any within quota marketing card is in excess of the number of pounds assigned to the card, the person issuing the memorandum shall require the farm operator to sign the "Operator's Certificate" on the back of the memorandum and if he is satisfied that such signature is the same as the signature of the farm operator on the marketing card, he may issue the memorandum. If any person other than the operator presents the marketing card, the memorandum of sale shall not be issued unless the "Authorization" on the back of such memorandum has been properly executed and signed by the operator. The person who presents the marketing card may sign on behalf of the farm operator, provided that such person

places his address immediately beneath his signature. Any person authorized to issue a memorandum of sale under either of the above described circumstances who has reason to believe that the tobacco to be covered by the memorandum was not produced on the farm for which the marketing card containing the memorandum was issued, may or may not issue the memorandum as he considers advisable, but in either event he shall immediately make a written report of the circumstances in the case to the Marketing Quota Section.

§ 724.439 *Bill of nonwarehouse sale.* Each marketing of farm tobacco, except a warehouse sale, shall be identified by a Bill of Nonwarehouse Sale (Tobacco 614) completely executed by the buyer and the farm operator, except for the entry of the serial number of the memorandum of sale. The post card copy (Tobacco 614a) shall be mailed by the farm operator not later than the day following the day on which executed. The original of each Bill of Nonwarehouse Sale covering any marketing of tobacco shall be presented to a field assistant for issuance of a memorandum of sale (or a memorandum of sale cleared without marketing card) and for recording in the Dealer's Record Book in case of a purchase by a dealer other than a warehouseman. The original of each such Bill of Nonwarehouse Sale shall be forwarded with the applicable Dealer's Record (Tobacco 615).

§ 724.440 *Marketings free of penalty.* Any tobacco marketed from a farm which is identified by a valid memorandum of sale from the marketing card issued for the farm shall be free of penalty to the extent shown by the memorandum of sale.

§ 724.441 *Marketings subject to penalty and collection of penalties*—(a) *Farm tobacco.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that proportion of each lot of tobacco which the tobacco available for marketing in excess of the farm quota (at the time of issuance of the marketing card) is of the total amount of tobacco available for marketing from the farm. The memorandum of sale issued to identify such marketing of tobacco shall show that portion of such marketing which is subject to penalty, and any portion of such marketing of tobacco which is not shown by the memorandum as being subject to penalty shall be free of penalty.

(b) *Dealer's tobacco.* Any marketing of tobacco by a dealer which such dealer represents to be a resale, but all or any part of which, when added to prior resales by such dealer as shown on the Dealer's Record, is in excess of the total amount of purchases as shown on such Dealer's Record shall be a marketing of tobacco subject to penalty unless and until the dealer furnishes proof acceptable to the Secretary showing that such tobacco is not subject to penalty. Any marketing of tobacco by a dealer which such dealer represents to be a resale of tobacco previously purchased by him but which, because of the difference in the price at which such tobacco is resold as compared with the price at which he had purchased the tobacco, cannot reasonably be regarded as tobacco previously purchased by him shall be taken to be a marketing of tobacco subject to penalty.

(c) *Tobacco not identified by a valid memorandum.* Any marketing of tobacco which is not identified by a valid memorandum of sale shall be subject to penalty.

(d) *Liability in case of error on memorandum.* The person liable for the payment of the penalty upon any marketing of tobacco shall not be relieved of such liability because of any error which may occur on the memorandum of sale.

§ 724.442 *Persons to pay penalty.* The person to pay the penalty due on any marketing of excess tobacco shall be one of the following as applicable:

(a) *Warehouseman.* If the tobacco is marketed by the producer through a warehouseman the penalty shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Dealer.* If the tobacco is acquired from the producer by a dealer, the penalty shall be paid by the dealer who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Agent.* If the tobacco is marketed by the producer through an agent who is not a warehouseman, the penalty shall be paid by the agent who may deduct an amount equivalent to the penalty from the price paid to the producer.

(d) *Producer on behalf of buyer in case of mail order or direct sales in small lots.* If the tobacco is marketed in small lots by the producer by mail order sales or directly to various individuals other than dealers, the penalty may be paid by the producer of such tobacco on behalf of the various buyers. In such case the buyer of such tobacco shall be relieved of the penalty to the extent that it is paid by the producer.

(e) *Warehouseman and dealer on dealer's tobacco.* Any penalty due upon tobacco subject to penalty under paragraph (b) of § 724.441 shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the dealer, but the dealer shall not be relieved of responsibility for payment of such penalty.

(f) *Producer marketing outside United States.* If the tobacco is marketed by the producer directly to any person outside the United States, the penalty shall be paid by the producer.

§ 724.443 *Rate of penalty.* The penalty shall be ten cents per pound upon the marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced and on the marketing of any other tobacco not identified under these regulations as being free of penalty.

§ 724.444 *Penalty for false identification or failure to account for disposition of tobacco.* If any producer falsely identifies or fails to account for disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in 1942 in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm and the penalty in respect thereof shall be paid and remitted by the producer.

§ 724.445 *Payment of penalty.* Penalties upon the marketing of tobacco shall become due at the time of the marketing and shall be paid by remitting the amount thereof to the applicable field office as shown in the Marketing Quota Instructions, Tobacco 622, not later than the end of the calendar week following the week in which the memorandum of sale was issued, or, in the event a memorandum is not issued, not later than four weeks after the date upon which the tobacco was sold. A draft, money order, or check, payable to the order of the Treasurer of the United States may be used to pay any penalty, but any such draft, or check shall be received subject to payment at par.

§ 724.446 *Application for return of penalty.* Any producer of tobacco and any other person who bore the burden of the payment of any penalty collected may file an application for return of the amount of such penalty which is in excess of that amount equal to ten cents per pound upon the number of pounds marketed in excess of the farm marketing quota. Any application for return of any penalty shall be filed on form Tobacco 624, "Application for Return of Penalty."

An application for the return of penalty filed by any producer of tobacco on a farm on which the tobacco available for marketing is in excess of the farm marketing quota shall not be approved unless (1) the marketing of tobacco from the farm has been completed and (2) disposition of all unmarketed excess tobacco has been made under the supervision of the county committee (or its representative) and has been approved by the county committee.

Return of penalty collected upon marketings of tobacco from any farm on which the tobacco available for marketing is in excess of the farm marketing quota shall be made only upon the basis of tobacco produced on the farm and, if the county committee has good cause to believe that any of the unmarketed excess tobacco as reported for the farm by the farm operator was not actually produced thereon, the application for such farm shall not be approved with respect to that tobacco which the committee has good cause to believe was not produced on the farm. The county committee shall approve an Application for Return of Penalty only for that number of pounds of unmarketed excess tobacco which the committee determines is representative of the entire amount of tobacco available for marketing from the farm in the 1942–43 marketing year, taking into account the value of the unmarketed excess tobacco (which is disposed of) as appraised by the county committee (or its representative) and the value of tobacco marketed from the farm.

RECORDS AND REPORTS

§ 724.447 *Warehouseman's records and reports*—(a) *Record of marketings.* Each warehouseman shall keep such records as will enable him to furnish to the Secretary of Agriculture a report of the following information with respect to each sale or resale of tobacco made at his warehouse:

(1) The name of the seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the tobacco was produced);

(2) The name of the purchaser;

(3) The date of sale;

(4) The number of pounds sold;

(5) The sale price; and

(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).

All purchases and resales for the warehouse leaf account shall be so identified in the records and a separate account shall be maintained with respect to the amount of floor sweepings picked up and the disposition of such floor sweepings. The quantity of floor sweepings, including bundles, leaves and scrap, picked up by the warehouse after each sale shall be reported in the space provided on the Auction Warehouse Report (Tobacco 616). Any warehouseman who grades tobacco for farmers shall maintain a separate account showing the approximate amount of grading house scrap obtained from the tobacco graded from each farm. In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each marketing of tobacco from the farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale record and bill of nonwarehouse sale record.* A record in the form of a valid memorandum of sale (or a memorandum of sale cleared without marketing card) shall be obtained by every warehouseman to cover each marketing of tobacco from a farm through the warehouse, and if a warehouseman buys tobacco directly from a farmer (other than at a warehouse auction sale as defined in these regulations) such warehouseman shall obtain a valid memorandum of sale to cover each such purchase of tobacco, together with properly executed Bill of Nonwarehouse Sale (Tobacco 614). Any warehouseman who obtains possession of any grading house scrap in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap tobacco from such farm.

(d) *Suspended sale record.* Any warehouse bills for covering farm tobacco which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "suspended", write thereon the serial number of the suspended sale, and record the bills on the Register of Suspended Sales (Tobacco 612): *Provided,* That if a field assistant is not available, the warehouseman may stamp such bills "suspended" and deliver them to a field assistant as soon as one is available.

(e) *Warehouse entries on dealers' records.* Each warehouseman shall enter on such Dealer's Record (Tobacco 615) the total of purchases and resales made by such dealer during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1942 the entry on the Dealer's Record shall clearly show such fact.

(f) *Daily report of warehouse business and report of penalties.* Each warehouseman shall make reports on form Tobacco 616, Auction Warehouse Report, and on form Tobacco 617, Report of Penalties, showing the information required on the respective reports. Form Tobacco 616 shall be prepared for each sale day and all reports for the sale days occurring during any week shall be forwarded to the Marketing Quota Section not later than the end of the next following calendar week. Form Tobacco 617 shall be prepared for each week and the report for each week shall be forwarded, together with remittances of the penalties due, as shown thereon, to the Marketing Quota Section not later than the end of the next following calendar week.

(g) *Summary of warehouse accounts.* Each warehouseman shall assist field assistants to prepare summaries of the warehouse account by making available all records kept and reports made by the warehouse as required by these regulations.

(h) *Additional records and reports.* In addition to the records and reports provided above, each warehouseman shall keep such additional records and make such additional reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary in order to enforce these regulations.

§ 724.448 *Dealer's records and reports.* Each dealer, except as provided in § 724.449 below, shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to the Marketing Quota Section the page "Receipt for Dealer's Record" contained in form Tobacco 615, "Dealer's Record" which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on form Tobacco 615, "Dealer's Record", showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1942, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1942.

(c) *Report of penalties.* Each dealer shall make a report on form Tobacco 617 showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.

(d) *Memorandum of sale record and bill of nonwarehouse sale record.* For each lot of tobacco purchased from a farmer each dealer shall obtain a record in the form of a valid memorandum of sale issued by a field assistant. No memorandum of sale shall be issued unless:

(1) The farm operator or his authorized agent has signed the "Authorization" on the back of the memorandum; and

(2) Unless a properly executed Bill of Nonwarehouse Sale (Tobacco 614) is presented covering such sale.

(e) *Additional records.* Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the following information with respect to each lot of tobacco purchased or sold by him.

(1) The name of the seller (and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced);

(2) The name of the purchaser;

(3) The date of the transaction;

(4) The number of pounds and the gross sale price; and

(5) In the event of resale of tobacco bought by him and carried over from a crop produced prior to 1942, the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to the Marketing Quota Section not later than the end of the week following the calendar week covered by the reports.

§ 724.449 *Dealers exempt from regular records and reports.* Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 724.448 of these regulations; but each such dealer shall make such reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary to enforce these regulations.

§ 724.450 *Records and reports of truckers, redryers, etc.* Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report with respect to each lot of tobacco received by him showing the following information:

(a) The name and address of the farm operator;

(b) The date of the receipt of the tobacco; and

(c) The number of pounds received and the place to which it was delivered.

Every person engaged in the business of redrying, prizing, or stemming tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report showing the information provided above for truckers and in addition the purpose for which the tobacco was received, the amount of advance made by him on the tobacco, and the disposition of the tobacco. Each such person shall make such reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may

find necessary to enforce these regulations.

§ 724.451 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer, processor, or as a person engaged in the business of redrying, prizing, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged, to the same extent for each such business as if he were engaged in no other business, except that a warehouseman shall not be required to keep a record and make reports on form Tobacco 615, "Dealer's Record", if the transactions which would be recorded and reported on such forms are recorded on the records kept by the warehouse in its regular course of business and reported as required on form Tobacco 616.

§ 724.452 *Failure to keep record or make report.* Any warehouseman, processor, or common carrier of tobacco, or person engaged in the business of purchasing tobacco from producers, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under these regulations, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by the Chief of the Marketing Quota Section.

§ 724.453 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing or stemming tobacco for producers shall make available for examination, upon written request by the Chief of the Marketing Quota Section such books, papers, records, accounts correspondence, contracts, documents and memoranda as he has reason to believe are relevant and are within the control of such person.

§ 724.454 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under these regulations for the 1942–43 marketing year shall be kept by him until September 30, 1944, and for such longer period of time as may be requested in writing by the Chief of the Marketing Quota Section.

§ 724.455 *Information confidential.* All data reported to or acquired by the Secretary of Agriculture pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the Department of Agriculture and only such data so reported or acquired as the Secretary of Agriculture deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

Done at Washington, D. C., this 15th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9161; Filed, September 16, 1942; 12:02 p. m.]

PART 721—CORN

MARKETING QUOTAS—1942

By the Secretary of Agriculture of the United States of America a Proclamation.

Whereas the Agricultural Adjustment Act of 1938, as amended, provides:

Sec. 322. (a) Whenever in any calendar year the Secretary determines from available statistics of the Department, including the August production estimate officially published by the Division of Crop and Livestock Estimates of the Bureau of Agricultural Economics of the Department, that the total supply of corn as of October 1 will exceed the normal supply thereof by more than 10 per centum, marketing quotas shall be in effect in the commercial corn-producing area for the crop of corn grown in such area in such calendar year, and shall remain in effect until terminated in accordance with the provisions of this title.

(b) The Secretary shall determine, on the basis of the estimated average yield of corn in such area for such crop, the acreage in such area which the Secretary determines would make available for the marketing year beginning October 1 a supply of corn (together with the estimated production of corn in the United States outside such area) equal to the normal supply. The percentage which the number of acres of the acreage allotment under Section 328 shall be proclaimed by the Secretary. Such percentage is referred to herein as the "marketing percentage."

(c) The Secretary shall proclaim his determinations of facts under subsection (a) and his determination of the marketing percentage under subsection (b) not later than August 15. (52 Stat. 49, 7 U.S.C. 1322);

And whereas Public Resolution No. 34 (H. J. Res. 342, 76th Congress, First Session), approved July 26, 1939, provides:

• • • that notwithstanding the provisions of section 322 of the Agricultural Adjustment Act of 1938, as amended, the determinations under subsection (c) may be proclaimed at any time prior to September 15, • • •. (53 Stat. 1125, 7 U.S.C. Supp. V, 1322a);

And whereas the Agricultural Adjustment Act of 1938, as amended, contains in section 301 (b) thereof, the following definitions of terms here pertinent:

"Marketing year" means, in the case of the following commodities, the period beginning on the first and ending with the second date specified below:

Corn, October 1—September 30

• • • • • •

"Total supply" of corn • • • for any marketing year shall be the carry-over of the commodity for such marketing year plus the estimated production of the commodity in the United States during the calendar year in which such marketing year begins.

"Normal supply," in the case of corn • • • shall be a normal year's domestic consumption and exports of the commodity, plus 7 percentum in the case of corn, • • • of a normal year's domestic consumption and exports, as an allowance for a normal carry-over.

"Reserve supply level," in the case of corn, shall be a normal year's domestic consumption and exports of corn, plus 10 percentum of a normal year's domestic consumption and exports, to insure a supply adequate to meet domestic consumption and export needs in years of drought, flood, or other adverse conditions, as well as in years of plenty. (52 Stat. 38, 7 U.S.C. 1301);

And whereas said act further provides:

Sec. 304. The powers conferred under this Act shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities. In carrying out the purposes of this Act it shall be the duty of the Secretary to give due regard to the maintenance of a continuous and stable supply of agricultural commodities from domestic production adequate to meet consumer demand at prices fair to both producers and consumers. (52 Stat. 45, 7 U.S.C. 1304);

And whereas said Act provides in section 301 (c), that the latest available statistics of the Federal Government shall be used by the Secretary of Agriculture in making the determinations required to be made by the Secretary under said Act (52 Stat. 38, 7 U.S.C. 1301);

And whereas said Act further provides:

Sec. 371(b). If the Secretary has reason to believe that, because of a national emergency or because of a material increase in export demand, any national marketing quota for corn, wheat, cotton, rice or tobacco should be increased or terminated, he shall cause an immediate investigation to be made to determine whether the increase or termination is necessary in order to effectuate the declared policy of this Act or to meet such emergency or increase in export demand. If, on the basis of such investigation, the Secretary finds that such increase or termination is necessary, he shall immediately proclaim such finding (and if he finds an increase is necessary, the amount of the increase found by him to be necessary) and thereupon such quota shall be increased, or shall terminate, as the case may be.

And whereas, by proclamation, dated September 18, 1941, issued by Claude R. Wickard, Secretary of Agriculture, pursuant to section 327 of said Act, the commercial corn-producing area for the calendar year 1942 was ascertained and proclaimed;

And whereas, by proclamation, dated March 3, 1942 issued by Claude R. Wickard, Secretary of Agriculture, pursuant to section 322 of said Act, the acreage allotment of corn for the commercial corn-producing area for the calendar year 1942 was ascertained and proclaimed to be 41,338,000 acres.

Now, therefore, be it known that I, Claude R. Wickard, Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in me by the Act of Congress, known as the Agricultural Adjustment Act of 1938, as amended, upon the basis of the latest available statistics of the Federal Government, do hereby determine and proclaim, under section 322 of said Act, as amended by said Public Resolution No. 34, approved July 26, 1939;

§ 721.305 *Determinations relating to corn marketing quotas for 1942.* (a) That the total supply of corn for the marketing year commencing October 1, 1942 is 3,516,000,000 bushels.

(b) That the normal supply of corn for the marketing year commencing October 1, 1942, is 3,149,000,000 bushels.

(c) That the reserve supply level of corn for the marketing year commencing October 1, 1942, is 3,237,000,000 bushels.

(d) That the marketing quota level of corn for the marketing year commencing October 1, 1942, is 3,464,000,000 bushels.

(e) That the total supply of corn, as of October 1, 1942, will exceed the normal supply thereof by more than 10 per centum. However, in view of the existing national emergency and the provisions of section 371 (b) of said Act, marketing quotas will not be in effect with respect to the 1942 crop of corn.

Done at Washington, D. C. this 16th day of September 1942.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-9225; Filed, September 17, 1942; 11:50 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 11—ASSISTANCE TO RELATIVES AND OTHERS IN CONNECTION WITH DECEASED PERSONNEL

NOTIFICATION TO NEAREST RELATIVE IN CASE OF EMERGENCY

Section 11.1 (a) and (b) is hereby amended to read as follows:

§ 11.1 *Notification to nearest relative or other person designated to be notified in case of emergency.* (a) In cases of deaths occurring within the continental limits of the United States, the immediate commander will send notification of death by commercial telegraph to the nearest relative or other person designated to be notified in case of emergency. Such notification will include the fact, date, place, and cause of death, and will, when early shipment of the remains is practicable, request the person notified to reply by telegraph whether it is desired to have the remains shipped home, and if such shipment is desired, to designate the destination and the name of the person to whom the remains are to be consigned. For shipment of remains, see § 93.6.[1] In the cases of deaths within the continental limits of the United States, referred to in paragraph 3b, AR 600-550,[2] the officer making the report to The Adjutant General will also notify by commercial telegraph the nearest relative or other person designated to be notified in case of emergency. Under no circumstances will the notification include a statement relative to line of duty or misconduct.

(b) In cases of deaths occurring outside the continental limits of the United States, upon receipt of the report of death, The Adjutant General will, except as provided in paragraph (c) of this section, notify the nearest relative, or other persons designated to be notified in case of emergency, of the fact of death, and in all cases of civilian employees will report the facts to the Secretary of War. (R.S. 161; 5 U.S.C. 22) [Par. 7a and b, AR 600-550, March 6, 1936, as amended by C 3 September 5, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9194; Filed, Septeber 17, 1942; 9:54 a. m.]

PART 79—PRESCRIBED SERVICE UNIFORM

CHAPLAIN'S SCARF

Section 79.62a is hereby added as follows:

§ 79.62a *Chaplain's scarf*—(a) *Christian faith.* A scarf of standard ecclesiastical pattern, of suitable black material 9 feet long. On each end in gold color Schiffli work the coat of arms of the United States 3 inches high with the chaplain's insignia, Christian, spaced ½ inch below the coat of arms. The bottom of the insignia to be 6½ inches from the end of the scarf.

(b) *Jewish faith.* A scarf of standard ecclesiastical pattern, of suitable white or black material 9 feet long. On each end and in gold color Schiffli work the coat of arms of the United States 3 inches high with the chaplain's insignia, Jewish, 4 inches high spaced ½ inch below the coat of arms. The bottom of the insignia to be 6½ inches from the end of the scarf. (R.S. 1296; 10 U.S.C. 1391) [Par. 62½, AR 600-35, November 10, 1941, as added by C 1, September 4, 1942.]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9193; Filed, September 17, 1942; 9:54 a. m.]

[1] 6 F.R. 2502, 6730.

[2] Administrative regulations of the War Department relative to deceased personnel.

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation No. 2]

PART 105—ESTABLISHMENT OF MILITARY AREAS

PROHIBITED AND RESTRICTED ZONES: EASTERN MILITARY AREAS

Headquarters, Eastern Defense Command and First Army, Governors Island, New York

SEPTEMBER 7, 1942.

To: The people within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, part of the State of Florida, and the District of Columbia.

Whereas The Eastern Military Area was prescribed by Public Proclamation No. 1,[1] this Headquarters, dated May 16, 1942; and

Whereas the present situation requires as a military necessity the promulgation of additional restrictions and the designation of certain Prohibited and Restricted Zones within the Eastern Military Area under authority contained in Executive Order of the President of the United States, No. 9066, dated February 19, 1942;

Now, therefore, I, Hugh A. Drum, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Eastern Defense Command and First Army, charged with the defense of the Eastern Seaboard, do hereby declare and proclaim that:

§ 105.2 *Additional restrictions; Prohibited and Restricted Zones designated: Eastern Military Area.* (a) All persons entering or remaining in any zone or any part of the Eastern Military Area are enjoined to refrain from acts of hostility, from giving information, aid, or comfort to the enemies of the United States; from interfering, by word or deed, with the military effort of the United States, or the processes thereof; and to comply strictly with the restrictions and orders which are herein or may hereafter be issued by the Commanding General, Eastern Defense Command and First Army.

(b) By Proclamations of the President of December 7th and 8th, 1941, the Attorney General of the United States is charged with the duty of executing the regulations prescribed by the President regarding the conduct of alien enemies in the continental United States. He is specifically directed to cause the apprehension of such alien enemies as in his judgment are subject to apprehension. In the execution of his responsibility under the Proclamations of the President previously referred to, he has promulgated certain rules and regulations. Nothing contained herein shall be construed as limiting or modifying the duty and responsibility of the Department of Justice under the said Proclamations insofar as the enforcement of laws and

[1] 7 F.R. 6754.

regulations for the conduct and control of alien enemies is concerned.

(c) The duty and responsibility of the Federal Bureau of Investigation with respect to the investigation of alleged acts of espionage and sabotage are not to be construed as limited or modified in any respect by the terms of this Proclamation.

(d) Within the Eastern Military Area, control will be maintained primarily by a system of zones, designated A–Zones, or Prohibited Zones, and B–Zones, or Restricted Zones. Zones include forts, camps, arsenals, airports, landing fields, aircraft stations, electric and other power plants, hydroelectric dams, government naval vessels, navy yards, piers, docks, drydocks, factories, foundries, plants, workshops, storage yards or warehouses for the manufacture of munitions or implements of war or anything of any kind, nature or description for the use of the Army, the Navy, or any country allied or associated with the United States or in any wise connected with the successful prosecution of war by the United States, canals, wharfs, piers, docks, or drydocks used by ships or vessels, warehouses, sheds, elevators, railroad terminals, depots, or yards, or other terminals, storage or transfer facilities, radio, telephone, telegraph, or other signal communication facilities, highways and transportation facilities, railway and railroad facilities and equipment, public utilities and appurtenances, natural oil and gas wells, coal and other mines and equipment, strips of coastline or water front, military, naval or civil installations, commercial or defense facilities, and other places the protection of which is deemed essential to the national defense, and any designated area surrounding any such place or places.

(e) Within the Eastern Military Area, there are hereby designated Prohibited Zones A–1 to A–905, inclusive. The location and extent of Zones A–1 to A–231, inclusive, are more particularly described and defined in Exhibit No. 1, hereto attached, and as shown on the map hereto attached marked Exhibit No. 2. The location and extent of Zones A–232 to A–905, inclusive, shall be described and defined by the posting of appropriate signs at the entrances to and exits from such zones, along the outside boundaries thereof, and at such other places therein as shall give full and complete notice of the area included. The restrictions governing the right of any person to enter, remain in, or leave said Zones, including Zones A–232 to A–905, inclusive, are hereinafter prescribed in paragraph (i) (4), (5), (6), and (7). Additional Prohibited Zones will be designated in subsequent Proclamations.

(f) Within the Eastern Military Area, there are hereby designated Restricted Zones B–1 to B–69, inclusive. The location and extent of such zones are more particularly described and defined in Exhibit No. 3, hereto attached, and as shown on the maps hereto attached marked Exhibits 4 to 21. The restrictions applicable to Restricted Zones B–1 and B–4 to B–69, inclusive, are hereinafter prescribed in paragraph (i) (8), (9), (10), (11) and (12). The restrictions applicable to Restricted Zone B–2 are hereinafter prescribed in paragraph (i) (5), (9), (12) and (13); and those applicable to Restricted Zone B–3 are hereinafter prescribed in paragraph (i) (9), (12) and (13). Additional Restricted Zones will be designated in subsequent Proclamations.

(g) Any person who violates any restriction or order issued or adopted by the Commanding General, Eastern Defense Command and First Army, pursuant to the authority cited in the preamble of this Proclamation, applicable to the whole or any part of the Eastern Military Area, including any zone thereof, is subject to the penalties provided by Public Law No. 503 of the 77th Congress approved March 21, 1942, entitled, "An Act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones". In addition, if two or more persons conspire to violate Public Law 503 and one or more do any act to effect the object of such conspiracy, each of the parties will be subject to the penalties provided by Title 18, Section 88, United States Code.

In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

(h) Prosecution of offenses under Public Law 503, as well as all internment proceedings, are to be conducted by the several United States Attorneys for the several Federal judicial districts in the Eastern Military Area and such other representatives of the Department of Justice as the Attorney General may, from time to time, designate pursuant to the procedure, rules and regulations of the Attorney General.

(i) The right of any person to enter, remain in, or leave the Eastern Military Area, or any part or zone thereof, shall be subject to the following restrictions, effective from the date of this Proclamation, which said restrictions are hereby promulgated. These restrictions are in addition to those promulgated in Public Proclamation No. 1, this Headquarters, dated May 16, 1942, and additional restrictions will be promulgated as may be necessary.

(1) Any person whose presence in the Eastern Military Area, or any part or Zone thereof, is deemed dangerous to the national defense by the Commanding General, Eastern Defense Command and First Army, will be ordered excluded from the Military Area, or such part or Zone thereof, by the Commanding General, Eastern Defense Command and First Army. No person who has been ordered excluded from the Eastern Military Area, or any part or Zone thereof, by the Commanding General, Eastern Defense Command and First Army, in accordance with the provisions of this paragraph, shall enter or remain in the Military Area or in such part or Zone thereof.

(2) All civilian flying shall be in accordance with the provisions of War Department Circular, March 11, 1942, entitled "National Policy of Air Defense, Regulations and General Flight Rules"; with such regulations as have been or may be promulgated in accordance therewith by the Civil Aeronautics Administration, by the War Department, or by the Navy Department; and with such restrictions or orders as have been or may be issued by this Headquarters.

(3) No person shall make any false statement with respect to his citizenship or country of origin nor shall any person make any false statement orally or in writing in connection with the administration of the Eastern Military Area.

(4) All persons are prohibited from entering, remaining in or leaving any Prohibited or A–Zone, or any part or portion thereof, except by special individual permit issued in accordance with instructions of the Commanding General of the appropriate Service Command, Services of Supply. Applications for permits will be made at the post, camp or station, or civilian manufacturing plant or other installation concerned.

(5) No person not in the armed forces of the United States entering or remaining in any part or portion of any Prohibited Zone or of Restricted Zone B–2 shall have in his possession without authorization by competent military authority any of the following:

(i) Firearms.

(ii) Weapons or implements of war or component parts thereof.

(iii) Ammunitions.

(iv) Bombs.

(v) Explosives or material used in the manufacture of explosives.

(vi) Short wave radio receiving sets. For the purpose of this Proclamation, a short wave radio receiving set is any apparatus designed to be used or capable of being used for the purpose of receiving signals, messages or communications of any nature whatsoever, which signals, messages or communications are transmitted by means of amplitude modulation radio waves of a frequency of 1750 kilocycles, or greater, or of a frequency of 540 kilocycles, or less.

(vii) Radio transmitting sets. For the purpose of this Proclamation, a radio transmitting set is any apparatus designed to be used or capable of being used for the sending or transmitting of radio signals, communications or messages of any kind or nature whatsoever.

(viii) Signal devices.

(ix) Codes or ciphers.

(x) Cameras.

(xi) Books, magazines, documents or papers in which there is any invisible writing or (other than those distributed and readily available to the general public) in which there are photographs, sketches, pictures, drawings, maps or graphical or written descriptions of any military or naval post, camp, station or installation, or any part thereof, or of any equipment, arms, ammunition, implements of war, devices, or other similar things used or intended to be used in the combat equipment of the land, naval, or air forces of the United States or those of the United Nations.

(xii) Binoculars, telescopes, field-glasses, or similar instruments in the nature of visual aids.

(6) Notwithstanding the provisions of paragraph (i) (4) and (5), railways, waterways or Federal, state, county or municipal highways included within, passing through, or contiguous to any Prohibited Zone shall continue open for normal traffic and the normal operations of common carriers, except that all restrictions heretofore promulgated by competent authority are hereby adopted and except as such continuance of normal traffic and operations may be specifically restricted hereafter by competent military authority.

(7) On highways, railways or waterways where normal traffic and operation of common carriers are permitted, no person, vehicle, train or watercraft shall stop, loiter, park or anchor in any Prohibited Zone unless so authorized by competent authority or unless the person or persons involved are fully accredited under the established restrictions to enter and remain in such Zone.

(8) (i) Within any of the Restricted Zones B–1 and B–4 to B–69, inclusive, no person not in the armed forces of the United States engaged in the performance of official duties shall enter upon or be found in the area seaward of a line 100 yards inland from the line of mean high tide during the period between sunset and sunrise. Whenever such area is paralleled by a public road, railroad or boardwalk and such public road, railroad or boardwalk is less than 100 yards inland from the line of mean high tide, the prohibitions in this restriction shall extend only to the area seaward of such public road, railroad or boardwalk.

(ii) Exceptions to the above restrictions will be made in the cases of:

(*a*) Personnel of Federal, State and Municipal law enforcement agencies in the performance of their official duties.

(*b*) Persons or classes of persons specifically designated by Sector Commanders for their respective Sectors.

(*c*) Personnel of utilities (railroads, electric companies, gas companies, transit companies, etc.) in the performance of their duties.

(*d*) Personnel of emergency agencies (fire, police, hospital, doctors, etc.) and necessary vehicles thereof, in the performance of their duties.

(*e*) In cases where residences, hotels, dancehalls, piers, or other public or private buildings lie within or project into the area defined above, said buildings, and roads and walks leading therefrom landward, shall not be considered to be within the area, but egress from said buildings seawards shall not be made during the hours of darkness as defined above.

(9) Any person entering upon or found within any of the Restricted Zones B–1 to B–69, inclusive, shall, whenever called upon by any member of an enforcement agency, identify himself and otherwise explain his presence and activity therein. In all cases, the burden will be on the individual questioned satisfactorily to establish his identity and explain his presence and activity in the Zone.

(10) No person not in the armed forces or a member of an enforcement agency engaged in the performance of his official duties shall use or operate at stricted Zones B–1 and B–4 to B–69, inclusive, any camera, any binocular, field glass, or similar instrument in the nature of visual aid, or any signal device or instrument in the nature of a signal device.

(11) No person not in the armed forces or a member of an enforcement agency engaged in the performance of his official duties shall enter upon or leave any of the Restricted Zones B–1 and B–4 to B–69, inclusive, by water, except from places customarily used for such purposes.

(12) (i) No person not in the armed forces or a member of an enforcement agency engaged in the performance of his official duties shall park or loiter in any part of any Restricted Zone which is posted with a prohibition against such parking or loitering unless such person shall have secured permission from competent military authority.

(ii) Exceptions to this restriction will be made in the case of such persons as are defined and described by subdivisions (*a*), (*b*), (*c*) and (*d*) of subparagraph (8) (ii) above.

(13) In Restricted Zones B–2 and B–3, all persons shall obey such instructions concerning control of traffic within the Zones as may be promulgated by authority of the Commanding General of the appropriate Service Command, Services of Supply.

(j) (1) The Commanding Officers of military posts, camps and stations are charged with the immediate enforcement of restriction applicable thereto. The responsible officials of civilian manufacturing plants or other installations are, in accordance with existing regulations pertaining thereto, charged with the immediate enforcement of restrictions applicable to the Prohibited Zones within which their respective plants or installations are located. The Commanding Generals, First, Second, Third and Fourth Service Commands, Services of Supply and the Military District of Washington, are charged with the supervision of the enforcement of restrictions, by Commanding Officers of military posts, camps and stations, and by responsible officials of civilian manufacturing plants or other installations included within Prohibited Zones located within their respective jurisdictions not operated under Naval control. The Commandants of the respective Naval Districts are charged with the supervision of the enforcement of restrictions by Commandants of Naval Stations in such stations and by responsible officials of civilian manufacturing plants or other installations operated under Naval control.

(2) Service Command Commanders are charged with responsibility for the enforcement of restrictions applicable to Restricted Zones B–1 to B–69, inclusive, and such other Restricted Zones as may hereafter be designated by this Headquarters. In the execution of this responsibility, it is specifically requested that Federal, state, municipal and local law enforcement and other agencies any time or place within any of the Re within the Eastern Military Area assist when requested by Service Command Commanders. In accordance with specific instructions issued by the Commanding General, Eastern Defense Command and First Army, Sector Commanders will assist Service Command Commanders in the enforcement of restrictions applicable to Restricted Zones B–1 and B–4 to B–69, inclusive.

(k) The provisions of Paragraph 2 of Public Proclamation No. 1, this Headquarters, dated May 16, 1942, prescribing the functional subdivisions of the Eastern Military Area for purposes of enforcement of restrictions and orders, are amended to include also the Military District of Washington with Headquarters at Washington, D. C. The provisions of Paragraph 3 of that Proclamation, relating to control of artificial lighting along the coast, are amended to provide that the Commanding General of the Military District of Washington is designated as authority to promulgate and enforce, within his jurisdiction, the necessary restrictions and orders for control of artificial lighting. The term "Commanding General of the appropriate Service Command, Services of Supply" in this or other Proclamations will be construed to include the Commanding General of the Military District of Washington when appropriate.

(l) Corps Areas and Corps Area Commanders having been redesignated by the War Department as Service Commands, Services of Supply, and Commanding Generals, Service Commands, Services of Supply, respectively, Public Proclamation No. 1, this Headquarters, dated May 16, 1942, is amended by substituting throughout the term "Service Commands, Services of Supply" for the term "Corps Areas" and the term "Commanding Generals, Service Commands, Services of Supply" for the term "Corps Area Commanders".

(m) A copy of this Proclamation shall be displayed for public inspection at every Selective Service Local Board; at every post office; at every court house; and at every town hall within the Eastern Military Area. Additional proclamations, announcements and restrictions will be issued from this Headquarters as occasion demands. Copies of such additional proclamations, announcements and restrictions will be available for inspection at every Selective Service Local Board; at every post office; at every court house; and at every town hall within the Eastern Military Area. It shall be the duty of every person found within the Eastern Military Area to familiarize himself with the terms of every proclamation, announcement or restriction issued by this Headquarters.

H. A. DRUM,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General.
The Adjutant General.

[F. R. Doc. 42–9202; Filed, September 17, 1942; 11:05 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4488]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NORFOLK MATTRESS COMPANY, INC.

§ 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approvals and testimonials:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Doctor's design or supervision of manufacture or preparation:* § 3.18 *Claiming indorsements or testimonials falsely:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Doctor's design or supervision:* § 3.96 (a) *Using misleading name—Goods—Indorsements, approvals and testimonials:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Doctor's design or supervision.* In connection with offer, etc., in commerce, of mattresses, pillows, bedsprings, couches, and other products, using the word "Doctor", or the abbreviation "Dr.", or any simulation thereof, either alone or in connection with any other word or words, to designate, describe, or refer to any mattresses, pillows, bedsprings, couches or other products not designed, approved, or recommended by a doctor; or otherwise representing in any manner that any product not designed, approved or recommended by a doctor has been designed, approved, or recommended by a doctor; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Norfolk Mattress Company, Inc., Docket 4488, September 14, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony in support of and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner and exceptions thereto, and briefs filed herein, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Norfolk Mattress Company, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of mattresses, pillows, bedsprings, couches and other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from using the word "Doctor," or the abbreviation "Dr.," or any simulation thereof, either alone or in connection with any other word or words, to designate, describe, or refer to any mattresses, pillows, bedsprings, couches or other products not designed, approved, or recommended by a doctor; or otherwise representing in any manner that any product not designed, approved, or recommended by a doctor has been designed, approved, or recommended by a doctor.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9198; Filed, September 17, 1942; 10:47 a. m.]

[Docket No. 4538]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SPECIALTY ACCOUNTING SUPPLY MANUFACTURERS ASSOCIATION, ET AL

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of "printed stationery" for use in making records of sales and other business transactions, including sales books, continuous forms consisting of multiple sets of business forms for use in billing machines, typewriters, or other office equipment, and autographic register stationery consisting of multiple sets of business forms for use in autographic or credit registers and other business recording machines for making handwritten or machine records of various business transactions, or other stationery for similar uses, and among other things, as in order set forth, and on the part of respondent Specialty Accounting Supply Manufacturers Association, its officers, etc.; O. L. Moore, its secretary, and his representatives, etc.; and thirty respondent manufacturers and sellers of such products, members of said Association, and their respective officers, etc., entering into, continuing, cooperating in, or carrying out, any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) establish, fix, or maintain prices, terms, or conditions of sale for "printed stationery", or adhere to, or promise to adhere to, the prices, terms, and conditions of sale so fixed; (2) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent Association, respondent O. L. Moore, or any other medium or agency concerning proposed or future prices, terms, or conditions of sale or concerning bids and prices in advance of the submittal of bids or price quotations to purchasing officials, awarding authorities of the Federal Government or other Governmental units, or to any buyer of "printed stationery"; (3) arrive at the amount of any bid or price quotations to be submitted to purchasing officials of the Federal Government, to awarding authorities of other Governmental units or subdivisions, or to any buyer of "printed stationery" through agreement, understanding, or collusion with other bidders; (4) exchange, distribute, or relay among manufacturing respondents, information as to bids submitted or to be submitted to purchasing officials of the Federal Government or to awarding authorities of other Governmental units or subdivisions or to any buyer of "printed stationery", or submit bids which are not bona fide, to such officials, agencies, or purchasers, for the purpose, or with the effect, of protecting or favoring any one or more of the manufacturing respondents or of eliminating competitive bidding; and (5) employ or utilize respondent O. L. Moore or respondent Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Specialty Accounting Supply Manufacturers Association, et al., Docket 4538, September 9, 1942]

§ 3.24 (b) *Coercing and intimidating—Customers or prospective customers—To maintain resale prices:*

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of "printed stationery" for use in making records of sales and other business transactions, including sales books, continuous forms consisting of multiple sets of business forms for use in billing machines, typewriters, or other office equipment, and autographic register stationery consisting of multiple sets of business forms for use in autographic or credit registers and other business recording machines for making handwritten or machine records of various business transactions, or other stationery for similar uses, and among other things, as in order set forth, and on the part of respondent Specialty Accounting Supply Manufacturers Association, its officers, etc.; O. L. Moore, its secretary, and his representatives, etc.; and thirty respondent manufacturers and sellers of such products, members of said Association, and their respective officers, etc., entering into, continuing, cooperating in, or carrying out, any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) exchange or circulate among respondent members or through respondent Association or any other medium or central agency, lists of "recognized" jobbers or dealers in "printed stationery", to protect or favor any one or more of such jobbers or dealers or restrict the sale of "printed stationery" to jobbers and dealers so listed; (2) coerce, induce, or persuade, by espionage, refusal to sell, or other means, or so attempting to coerce, induce, or persuade, jobbers or subjobbers of "printed stationery" to adhere to or maintain the prices, terms, or conditions of sale as fixed by any of the manufacturing respondents and their jobbers or subjobbers; and (3) employ or utilize respondent O. L. Moore or respondent Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Specialty Accounting Supply Manufacturers Association, et al., Docket 4538, September 9, 1942]

§ 3.27 (h) *Combining or conspiring—To restrain and monopolize trade:* § 3.75 *Operating secret subsidiary.* In connection with offer, etc., in commerce, of "printed stationery" for use in making records of sales and other business transactions, including sales books, continuous forms consisting of multiple sets of business forms for use in billing machines, typewriters, or other office equipment, and autographic register stationery consisting of multiple sets of business forms for use in autographic or credit registers and other business recording machines for making handwritten or machine records of various business transactions, or other stationery for similar uses, and among other things, as in order set forth, and on the part of respondent Specialty Accounting Supply Manufacturers Association, its officers, etc.; O. L. Moore, its secretary, and his representatives, etc.; and thirty respondent manufacturers and sellers of such products, members of said Association, and their respective officers, etc., entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) give special or valuable inducements in price, or otherwise, to purchasers of "printed stationery" not customers of the respondents herein, while at the same time denying or withholding such inducements or valuable consideration from customers of the respondents, for the purpose, or with the effect, of diverting trade to any of the respondents from other manufacturers or sellers of "printed stationery"; (2) hold out or permit any printing stationery concern to be held out and advertised as an independent business when, in fact, such concern is owned, operated, or controlled by any of the respondents; and (3) employ or utilize respondent O. L. Moore or respondent Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Specialty Accounting Supply Manufacturers Association, et al., Docket 4538, September 9, 1942]

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.27 (h) *Combining or conspiring—To restrain and monopolize trade.* In connection with offer, etc., in commerce, of "printed stationery" for use in making records of sales and other business transactions, including sales books, continuous forms consisting of multiple sets of business forms for use in billing machines, typewriters, or other office equipment, and autographic register stationery consisting of multiple sets of business forms for use in autographic or credit registers and other business recording machines for making handwritten or machine records of various business transactions, or other stationery for similar uses, and among other things, as in order set forth, and on the part of respondent Specialty Accounting Supply Manufacturers Association, its officers, etc.; O. L. Moore, its secretary, and his representatives, etc.; and thirty respondent manufacturers and sellers of such products, members of said Association, and their respective officers, etc., entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) exchange, distribute, or relay among manufacturing respondents or any of them, or through respondent Association, respondent O. L. Moore, or through any other medium or central agency, price lists or other information showing current or future prices, terms, or conditions of sale, or information showing current or future prices, terms, or conditions of sale of any particular respondent, or bid or price quotations submitted or to be submitted on any prospective piece of business; (2) exchange, distribute, or relay among manufacturing respondents or any of them, or through respondent Association, respondent O. L. Moore, or any other medium or central agency, information concerning prices charged particular customers or information concerning volume of production, sales, or shipments of "printed stationery" where the identity of the manufacturer, seller, or purchaser can be determined through such information, and which has the capacity or tendency of aiding in securing compliance with announced prices, terms, or conditions of sale; (3) formulate, establish, put into operation, continue, or use in any way, any "open price plan" or "reporting plan" which has the tendency or effect of depriving the public of any benefit of competition in price between and among the manufacturing respondents, or between any of them and any other manufacturer or seller of "printed stationery"; (4) authorize or permit the examination of the books and other records of the manufacturing respondents by any agent of the respondents or any of them, to permit or make possible a collective or cooperative consideration, through any common agent of the respondents, of the prices at which any given manufacturing respondent has made sales, is currently making sales, or expects to make sales, and a comparison of the sales with the price quotations previously announced by such manufacturing respondents; (5) formulate or put into operation any other practice or plan which has the purpose, or the tendency or effect, of fixing prices for "printed stationery" or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products; and (6) employ or utilize respondent O. L. Moore or respondent Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112;

15 U.S.C., sec. 45b) [Cease and desist order, Specialty Accounting Supply Manufacturers Association, et al. Docket 4538. September 9, 1942]

In the Matter of Specialty Accounting Supply Manufacturers Association, et al., an Unincorporated Association, Its Board of Directors, Its Officers Including Its Secretary, O. L. Moore, Individually and as the Secretary of the Specialty Accounting Supply Manufacturers Association, and the Following Corporations, Individually and as Members of the Specialty Accounting Supply Manufacturers Association; Acme Register Company, Adams Bros. Sales Book Company, American Sales Book Co., Inc., Atlantic Register Company, Autographic Register Co., Baltimore Sales Book Company, Bonnar-Vawter Fanform Co., Cosby-Wirth Manifold Book Company, Craft Sales Book Company, Inc., Egry Register Company, W. S. Gilkey Printing Co., Stephen Greene Company, Hamilton Autographic Register Co., Hanna Register Company, Philip Hano Company, Inc., Lisbon Sales Book Company, Roscoe M. Breeden, an Individual Doing Business Under the Firm Name of Los Angeles Register & Printing Co., McCaskey Register Company, The Miami Systems Corp., National Carbon Coated Paper Co., The Potter Press, C. W. Potter, Inc., The Rotary Printing Company, Schwabacher-Frey Company, Shelby Salesbook Company, The Snapout Forms Company, The Standard Register Company, Sunset-McKee Sales Book Co., United Autographic Register Co., The Wallace Press, Inc.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission and the answers of the respondents, in which answers respondents American Sales Book Co., Inc., Autographic Register Co., Baltimore Sales Book Company, Bonnar-Vawter Fanform Co., Cosby-Wirth Manifold Book Company, Egry Register Company, Hanna Register Company, The Potter Press, The Snapout Forms Company, The Standard Register Company, and United Autographic Register Co., admit all of the material allegations of fact set forth in the said amended complaint, and respondents Specialty Accounting Supply Manufacturers Association, O. L. Moore, Acme Register Company, Adams Bros. Sales Book Company, Atlantic Register Company, Craft Sales Book Company, Inc., W. S. Gilkey Printing Co., Stephen Green Company, Hamilton Autographic Register Co., Philip Hano Company, Inc., Lisbon Sales Book Company, Roscoe M. Breeden, an individual doing business under the firm name of Los Angeles Register & Printing Co., McCaskey Register Company, The Miami Systems Corp., National Carbon Coated Paper Co., C. W. Potter, Inc., The Rotary Printing Company, Schwabacher-Frey Company, Shelby Salesbook Company, Sunset-McKee Sales Book Co., and The Wallace Press, Inc., admit all the material allegations of fact set forth in the said amended complaint, except the allegations contained in subparagraph (3) of Paragraph Five of said amended complaint, which subparagraph they neither admit nor deny, but state in connection therewith that they lack knowledge of the facts relating to the charges therein contained. All respondents waived all intervening procedure and hearing as to said facts and consented that the Commission may, without trial and without the taking of evidence, make and enter its findings as to the facts, including inferences which it may draw therefrom and its conclusions based thereon, and issue and serve upon them an order to cease and desist from any methods of competition alleged in the said amended complaint; and the Commission having made its findings as to the facts and having stated its conclusion that all of the said respondents have violated the provisions of Section 5 of the Federal Trade Commission Act:

It is ordered, That the respondents, Specialty Accounting Supply Manufacturers Association, an unincorporated association hereinafter referred to as "respondent Association," its officers, directors, agents, and employees and O. L. Moore, individually and as an officer of Specialty Accounting Supply Manufacturers Association, his representatives, agents, and employees and the following persons, firms, and corporations, individually and as members of the Specialty Accounting Supply Manufacturers Association, hereinafter referred to as "manufacturing respondents": Acme Register Company, a corporation; Adams Bros. Sales Book Company, a corporation; American Sales Book Co., Inc., a corporation; Atlantic Register Company, a corporation; Autographic Register Co., a corporation; Baltimore Sales Book Company, a corporation; Bonner-Vawter Fanform Co., a corporation; Cosby-Wirth Manifold Book Company, a corporation; Craft Sales Book Company, Inc., a corporation; Egry Register Company, a corporation; W. S. Gilkey Printing Co., a corporation; Stephen Greene Company, a corporation; Hamilton Autographic Register Co., a corporation; Hanna Register Company, a corporation; Philip Hano Company, Inc., a corporation; Lisbon Sales Book Company, a corporation; McCaskey Register Company, a corporation; The Miami Systems Corp., a corporation; National Carbon Coated Paper Co., a corporation; The Potter Press, a corporation; C. W. Potter, Inc., a corporation; The Rotary Printing Company, a corporation; Schwabacher-Frey Company, a corporation; Shelby Salesbook Company, a corporation; The Snapout Forms Company, a corporation; The Standard Register Company, a corporation; Sunset-McKee Sales Book Co., a corporation; United Autographic Register Co., a corporation; and The Wallace Press, Inc., a corporation; their respective officers, agents, representatives, and employees, and Roscoe M. Breeden, an individual doing business under the firm name of Los Angeles Register & Printing Co., and his representatives, agents, and employees, in connection with the offering for sale, sale, and distribution in commerce as "commerce" is defined in the Federal Trade Commission Act, of "printed stationery" for use in making records of sales and other business transactions, including sales books, continuous forms consisting of multiple sets of business forms for use in billing machines, typewriters, or other office equipment, and autographic register stationery consisting of multiple sets of business forms for use in autographic or credit registers and other business recording machines for making handwritten or machine records of various business transactions, or other stationery for similar uses, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following acts or practices:

(1) Establishing, fixing, or maintaining prices, terms, or conditions of sale for "printed stationery," or adhering to, or promising to adhere to, the prices, terms, and conditions of sale so fixed;

(2) Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent Association, respondent O. L. Moore, or any other medium or agency concerning proposed or future prices, terms, or conditions of sale or concerning bids and prices in advance of the submittal of bids or price quotations to purchasing officials, awarding authorities of the Federal Government or other Governmental units, or to any buyer of "printed stationery";

(3) Arriving at the amount of any bid or price quotations to be submitted to purchasing officials of the Federal Government, to awarding authorities of other Governmental units or subdivisions, or to any buyer of "printed stationery" through agreement, understanding, or collusion with other bidders;

(4) Exchanging distributing, or relaying among manufacturing respondents, information as to bids submitted or to be submitted to purchasing officials of the Federal Government or to awarding authorities of other Governmental units or subdivisions or to any buyer of "printed stationery," or submitting bids which are not bona fide, to such officials, agencies, or purchasers, for the purpose, or with the effect, of protecting or favoring any one or more of the manufacturing respondents or of eliminating competitive bidding;

(5) Exchanging or circulating among respondent members or through respondent Association or any other medium or central agency, lists of "recognized" jobbers or dealers in "printed stationery," to protect or favor any one or more of such jobbers or dealers or restrict the sale of "printed stationery" to jobbers and dealers so listed;

(6) Coercing, inducing, or persuading, by espionage, refusal to sell, or other means, or so attempting to coerce, induce, or persuade, jobbers or subjobbers of "printed stationery" to adhere to or maintain the prices, terms, or conditions of sale as fixed by any of the manufacturing respondents and their jobbers or subjobbers;

(7) Giving special or valuable inducements in price, or otherwise, to purchasers of "printed stationery" not customers of the respondents herein, while at the same time denying or withholding such inducements or valuable consideration from customers of the respondents, for the purpose, or with the effect, of diverting trade to any of the respondents from other manufacturers or sellers of "printed stationery";

(8) Holding out or permitting any printing stationery concern to be held out and advertised as an independent business when, in fact, such concern is owned, operated, or controlled by any of the respondents;

(9) Allocating or dividing among themselves or anyone, any given lot or piece of business or the business of any given purchaser of "printed stationery," which allocation or division has the tendency or effect of fixing prices or otherwise restricting, restraining, or eliminating competition in the sale and distribution of "printed stationery";

(10) Entering into, continuing, or carrying out any licensing or cross-licensing arrangements in connection with claims of any of the manufacturing respondents under patents, for the purpose, or with the tendency or effect, of upholding or maintaining prices, terms, or conditions of sale of "printed stationery";

(11) Exchanging, distributing, or relaying among manufacturing respondents or any of them, or through respondent Association, respondent O. L. Moore, or through any other medium or central agency, price lists or other information showing current or future prices, terms, or conditions of sale, or information showing current or future prices, terms, or conditions of sale of any particular respondent, or bid or price quotations submitted or to be submitted on any prospective piece of business;

(12) Exchanging, distributing, or relaying among manufacturing respondents or any of them, or through respondent Association, respondent O. L. Moore, or any other medium or central agency, information concerning prices charged particular customers or information concerning volume of production, sales, or shipments of "printed stationery" where the identity of the manufacturer, seller, or purchaser can be determined through such information, and which has the capacity or tendency of aiding in securing compliance with announced prices, terms, or conditions of sale;

(13) Formulating, establishing, putting into operation, continuing, or using in any way, any "open price plan" or "reporting plan" which has the tendency or effect of depriving the public of any benefit of competition in price between and among the manufacturing respondents, or between any of them and any other manufacturer or seller of "printed stationery";

(14) Authorizing or permitting the examination of the books and other records of the manufacturing respondents by any agent of the respondents or any of them, to permit or make possible a collective or cooperative consideration, through any common agent of the respondents, of the prices at which any given manufacturing respondent has made sales, is currently making sales, or expects to make sales, and a comparison of the sales with the price quotations previously announced by such manufacturing respondents;

(15) Formulating or putting into operation any other practice or plan which has the purpose, or the tendency or effect, of fixing prices for "printed stationery" or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products;

(16) Employing or utilizing respondent O. L. Moore or respondent Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It is further ordered That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9199; Filed, September 17, 1942; 10:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1308]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting further relief in the matter of the petition of District Board No. 8, for the provisions in the schedule of effective minimum prices for District No. 8 For All Shipments Except Truck, permitting the absorption of the C. & O. Railroad switching charge applicable on shipments from Freight Origin Group No. 63 to the C. C. & O. Railroad for off-line railroad locomotive fuel.

This proceeding was originally instituted upon a petition filed with the Bituminous Coal Division by the Bituminous Coal Producers Board for District No. 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, in behalf of Caudill-Ward Coal Company, a code member producer in District No. 8. Petitioner proposed, sought, and, on May 8, 1942, 7 F.R. 3469, was granted an addition to the special prices established by the Schedule of Effective Minimum Prices for District No. 8 (High Volatile section IV), for All Shipments Except Truck, in § 328.13 (c) (2) (iii) (b) as follows:

Mines in Freight Origin Group No. 63 (C. & O. only), may deduct $6.93 per car switching charge on coal sold for off-line railroad locomotive fuel to the CC&O Railroad.

On August 31, 1942, District Board No. 8 filed a motion for further consideration and for further relief requesting that the Acting Director issue an order effecting a modification of his order of May 8, 1942, to the effect that the provisions added by such Order to High Volatile section IV, § 328.13 (c) (2) (iii) (b) in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck to read as follows:

Mines in Freight Origin Group No. 63 (C&O only) may deduct $7.35 per car switching charge on coal sold for off-line railroad locomotive fuel to the CC&O Railroad.

At the time the original petition was filed in Docket No. A-1308 tariff schedules as of that date required the payment by mines in Freight Origin Group No. 63 (C&O only), and particularly Federal Mine (Mine Index No. 202) of Caudill-Ward Coal Company, of a switching charge of $6.93 per car on shipments of off-line railway locomotive fuel produced at such mines from the C&O Railway tracks to the CC&O Railroad tracks at Elkhorn City, Kentucky, for use by the CC&O Railroad. The Acting Director, by an Order of May 8, 1942, 7 F.R. 3469, found that mines in Freight Origin Group No. 63 (C&O only), should be permitted to deduct such switching charge on coals sold for off-line railroad locomotive fuel to the CC&O Railroad under the standards of the Bituminous Coal Act in order to preserve fair competition with other producers shipping coals for locomotive fuel use to that railroad.

Shortly before the hearing of March 17, 1942, Agent W. S. Curlett published a tariff designated as I. C. C. No. A-742 (Tariff of Increased Rates and Charges No. X-148), and Supplement No. 10 thereto, which, in effect, increased the switching rate of $6.93 per car of coals shipped from mines in Freight Origin Group No. 63 (C&O only), for off-line railroad locomotive fuel to the CC&O Railroad, to $7.35 per car. Such increase in the switching charges, of which petitioner had no knowledge until recently, became effective March 18, 1942, and is still in effect.

Since March 18, 1942, mines in Freight Origin Group No. 63 (C&O only), and particularly Federal Mine of Caudill-Ward Coal Company, have been permitted to adjust the minimum f. o. b. mine prices upon shipments of off-line railroad locomotive fuel to the CC&O Railroad by deducting only $6.93 per car therefrom, whereas the actual deduction required to place the producer of such coals upon a fair competitive basis with the producers of comparable coals delivered to the CC&O Railroad from mines located on the tracks of that railroad in the vicinity of Elkhorn City, Kentucky, has been and is now $7.35.

On the basis of the foregoing, it is apparent that the relief should be granted in order to effectuate the purposes of section 4 II (a) and 4 II (b) of the Act and to comply in all respects with the standards thereof.

Now, therefore, it is ordered, That effective fifteen (15) days from the date

of this Order the amendment effected in § 328.13 (c) (2) (iii) (*b*) (*Special prices—Railway locomotive fuel—For off-line railways—Adjustments to off-line railway locomotive fuel prices*) in the Schedule of Effective Minimum Prices for District No. 8, High Volatile section IV, for All Shipments Except Truck by the Order of May 8, 1942, herein, be and the same hereby is deleted and in lieu thereof the following amendment to the said Schedule is adopted:

Mines in Freight Origin Group No. 63 (C&O only) may deduct $7.35 per car switching charge on coals sold for off-line railroad locomotive fuel to the CC&O Railroad.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9210; Filed September 17, 1942; 11:46 a. m.]

[Docket No. A-1536]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER CORRECTING TYPOGRAPHICAL ERRORS

Order correcting typographical errors in order of July 31, 1942 in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An Order Granting Temporary Relief and Conditionally Providing for Final Relief was issued in the above-entitled matter on July 31, 1942, 7 F.R. 6245.

Although the original order was correct, in the process of duplication the price classifications of "B" and "C" in Size Groups 24 and 25 for the coals of the Garco No. 2 Mine (Mine Index No. 5649) of Garmeada Coal Company for shipment to destinations other than Great Lakes were inadvertently changed to "D" and "B", respectively, in Supplement R–I annexed to and made part of the order. The correct classifications are "B" and "C".

Accordingly, § 328.11 (*Alphabetical list of code members*) is corrected by inserting in Supplement R–I set forth and made a part of Order issued in the above-entitled matter on July 31, 1942, price classifications "B" and "C", respectively, in Size Groups 24 and 25 for the coals of the Garco No. 2 Mine (Mine Index No. 5649) of Garmeada Coal Company for shipment to destinations other than Great Lakes.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9214; Filed, September 17, 1942; 11:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

LOCAL BOARD NO. 2, UNION COUNTY, PA.

ORDER WAIVING LOCAL BOARD PHYSICAL EXAMINATIONS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885), as amended, and the authority vested in me by the rules and regulations prescribed thereunder, and more particularly the provisions of § 623.35 of the Selective Service Regulations,[1] I hereby waive the requirement that registrants be physically examined by an examining physician in the manner provided in Part 623, Selective Service Regulations, when such registrants are being classified by Local Board No. 2, Union County, Pennsylvania, and I hereby direct that the classification of such registrants be completed in the manner provided in § 623.51 (f), Selective Service Regulations,[1] without such physical examination by a local board examining physician.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 15, 1942.

[F. R. Doc. 42-9181; Filed, September 16, 1942; 3:03 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 3061—STEEL SHIPPING DRUMS

[Amendment 1 of Limitation Order L-197]

Subparagraph (1) of paragraph (c) to Limitation Order L–197 (§ 3061.1)[2] is hereby amended to read as follows:

§ 3061.1 *Limitation Order L–197.* • • •

(c) *Restrictions on sale, delivery and use.* (1) On and after October 1, 1942, no person shall manufacture or complete the manufacture of any drum which shall not have the letter **X** plainly and legibly embossed on the bottom plate thereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9191; Filed, September 16, 1942; 4:26 p. m.]

PART 1115—FUEL OIL

[Amendment 3[3] to Limitation Order L-56, as Amended, Correction]

LIMITATIONS IN DELIVERIES

Section 1115.1 Limitation Order L–56, as amended, paragraph (c) (2) is corrected to read as follows:

(c) *Limitations on deliveries of fuel oil.* • • •

(2) Within Area Four, on and after September 16, 1942, no supplier shall deliver or cause to be delivered, and no person shall accept delivery of fuel oil for use in space and central heating and cooling equipment or domestic and commercial water heating equipment, except in accordance with the provisions of paragraphs (c) (3), (c) (4), (c) (5), and (c) (6).

Issued this 17th day of September, 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9224; Filed, September 17, 1942; 11:52 a. m.]

PART 1049—INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

[Supplementary General Limitation Order L-28-a]

Part 1049, Incandescent and Fluorescent Lamps, is hereby amended to read Part 1049, Incandescent, Fluorescent, and Other Electric Discharge Lamps.

§ 1049.2 *Supplementary General Limitation Order L–28–a*—(a) *Definitions.* For the purposes of this order:

(1) "Incandescent lamp" means any hermetically-sealed lamp or bulb, designed primarily to produce light, which makes use of a metal or carbon filament or metal wire, strip, foil or compound as the source of light.

(2) "Fluorescent lamp" means any hermetically-sealed electric discharge lamp or tube (other than a cold-cathode tube) in which the radiant energy from the electric discharge is converted by suitable phosphor coatings into visible wave lengths.

(3) "Glow discharge lamp" means any hermetically-sealed electric discharge lamp or tube (other than a fluorescent lamp) containing gases or vapors and designed to operate at impressed voltages of less than one thousand volts to produce visible light.

(4) "Manufacturer" means any person who produces or assembles any incandescent, fluorescent or glow discharge lamp or part therefor, or who coats, etches or otherwise marks any such lamps for use by any other person.

(b) *General restrictions.* (1) On and after November 1, 1942, no manufacturer shall (i) produce or assemble any incandescent, fluorescent or glow discharge lamp except lamps which conform to the specifications contained in Schedule A, attached to this Order, or coat, etch or otherwise mark any incandescent, fluorescent or glow discharge lamp which does not conform to the specifications contained in Schedule A after such coating, etching or marking is completed; (ii) produce any part (including a filament) for incandescent, fluorescent or glow discharge lamps which part cannot be used in a lamp conforming to the specifications contained in Schedule A; or (iii) coat, etch or otherwise mark on any incandescent, fluorescent or glow discharge lamp or part therefor any trade mark or identification of any person other than himself or another manufacturer.

(2) During the period from September 27, 1942, to October 31, 1942, inclusive, no manufacturer shall (i) produce any filament for incandescent lamps which filament cannot be used in a lamp conforming to the specifications contained in Schedule A; or (ii) produce or accept delivery of any part (other than a filament) for incandescent, fluorescent or glow discharge lamps which part cannot be used in a lamp conforming to the specifications contained in Schedule A, if such production or acceptance of delivery will leave any such part in his inventory on November 1, 1942, in the light of his expected production and delivery schedules.

(3) On and after September 27, 1942, no manufacturer shall produce or accept delivery of any phosphor coatings containing beryllium or cadmium for fluorescent lamps except with the specific authorization of the Director General for Operations granted pursuant to this Order.

(4) None of the restrictions contained in this paragraph (b) shall apply to the production, assembly or marking of:

(i) Any incandescent, fluorescent or glow discharge lamp, or any part for such lamps, in fulfillment of any specific contract or purchase order for delivery of incandescent, fluorescent or glow discharge lamps to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or to the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided*, That:

(*a*) A manufacturer receiving any such contract or purchase order shall file, with the War Production Board, on or before the fifteenth day of each calendar month, copies of all such contracts or orders received by him during the preceding calendar month, showing the quantity and type of lamps ordered and the proposed use of such lamps; and

(*b*) Each such contract or purchase order contains or is accompanied by a written certification in the following form, signed by the appropriate procuring officer:

This is to certify that no lamps which_____ (name of manufacturer) has stated that it is permitted to produce under the provisions of Schedule A of Limitation Order L–28–a are suitable for the service for which the lamps specified in this order are being purchased.

_____
Name

_____
Title

(ii) Any incandescent lamp, or part for such lamp, designed for use in diagnostic or surgical instruments and equipment as included in the definition of "Health Supplies" contained in Preference Rating Order P–29, as amended September 30, 1941.

(c) *Applicability of other orders.* Nothing contained in this order shall be deemed to relax in any way the restrictions contained in General Limitation Order L–28. In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations shall limit the use of any material in the manufacture of incandescent, fluorescent or glow discharge lamps to a greater extent than the restrictions imposed by this order, the provisions of such other order shall govern unless otherwise specified therein.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(e) *Appeals.* Any person affected by this order who considers that it works an exceptional or unreasonable hardship upon him may apply for relief by forwarding a letter addressed to the War Production Board, Ref: L–28–a, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: L–28–a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of September, 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE A TO LIMITATION ORDER L–28–a

General explanations

Except to fill orders expressly excepted by Limitation Order L–28–a, a manufacturer, on and after November 1, 1942, may produce only those incandescent, fluorescent, and glow discharge lamps listed on this schedule. Manufacturers under this schedule are permitted to produce any of the lamps listed on this schedule subject to the specific instructions below.

The terms and abbreviations used in this schedule are those standard manufacturers' terms on file with the United States Department of Commerce, National Bureau of Standards, except as otherwise mentioned herein.

Specific instructions

No manufacturer may produce lamps described on a single line of this schedule which differ in respect to the following specifications:

(a) Design life.
(b) Light center length.
(c) Over-all length.
(d) Filament construction.

The following comments refer to the headings of the columns in this schedule:

Volts: When more than one figure appears in this column, separated by commas, as "115, 120, 125", a manufacturer may produce lamps capable of use on each of the voltages listed. When a range of volts appear, such as "3–125", only one type of lamp may be produced by a manufacturer, and it must be capable of satisfactory operation within the whole range of voltages specified. When more than one figure appears in this column, separated by a diagonal, thus "1.88/2", the lamp must contain at least two filaments, each of which will operate at one of the specified voltages.

Watts: When the letter "A" appears as a suffix in this column, it refers to ampere ratings rather than to watts. When the letters "C. P." appear in this column, the rating given is in candle power rather than in watts. When more than one figure appears in this column, separated by one or more diagonals, thus "30/6", the lamp must contain two or more filaments which, separately or together, will operate at all the specified wattages, candle powers or amperes.

Base: A manufacturer may produce incandescent lamps for export having any of the following special bases, provided that such lamps conform in all other respects to this Schedule:

Single contact medium bayonet (No. 1202)
Double contact medium bayonet (No. 810)
Export medium screw (No. 1844), and
Export mogul screw (No. 1823).

In all other cases a manufacturer may use only one type of base for lamps appearing on a single line of this Schedule,

[1] 6 F.R. 6643.
[2] 7 F.R. 7237.
[3] 7 F.R. 7310.

except that when a bayonet candelabra base is specified, a manufacturer may use single contact or double contact bases or both.

Description: A manufacturer may produce lamps described on a single line of this Schedule with each of the finishes specified in this column. A manufacturer may not use more than one kind of any finish specified for lamps described on a single line of this Schedule, except that where "diffusing" is listed, he may use a clear glass bulb also. Where no finish is specified, a clear glass bulb must be used.

"Diffusing" means having a translucent bulb which is substantially white when illuminated.

"Blackout Lamp" means a lamp having a lumen output of less than 1 Lumen per Watt, with an opaque coating of more than 50% of the external or internal glass surface.

The following is an explanation of some of the abbreviations which appear in this column:

DY—Clear Daylight and Diffusing Daylight,
DF—Diffusing - Side Reflector and Clear-Side Reflector,
NS—Clear Silvered Neck and Diffusing Silvered Neck,
SB—Clear Silvered Bowl and Diffusing Silvered Bowl,
WP—Clear White Bowl.

TUNGSTEN FILAMENT LAMPS

Volts	Watts	Base	Description
A-15 BULB			
3	25–40 [1]	Med	Photoflash.
8	10	(2)	Railway light signal.
8	10/ 3.5	(2)	Railway light signal.
8	18	(2)	Railway light signal.
8	18/ 3.5	(2)	Railway light signal.
8	40	(2)	Railway light signal.
10	10	(2)	Railway light signal.
10	18	(2)	Railway light signal.
10	18/ 3.5	(2)	Railway light signal.
10	30	(2)	Railway light signal.
10	30/ 6	(2)	Railway light signal.
10	40	(2)	Railway light signal.
10	40/ 3.5	(2)	Railway light signal.
12	100	Med. Pf.	Airplane signal.
12	180	Med.	Airplane headlight.
24	100	Med. Pf.	Airpla e signal.
24	180	Med.	Airplane headlight.
30	36	(2)	Railway light signal.
32	14	Med.	Blackout lamp—(War Dept. Spec. 42-1283)—Train and Country Home.
115, 120, 125	15	Med.	Diffusing.
115, 120, 125	15	Med.	Diffusing—photometric standard.
115, 120, 125	30	(2)	Railway light signal.
115, 120, 125	45/15	Med.	Traffic signal.
120	14	Med.	Blackout lamp—(War Dept. Spec. 42-1283).
A-17 BULB			
3.5	11A	Med.	Oscillograph.
3.5	11A	Med.	Multi-element oscillograph.
6	15	Med.	Diffusing.
10.5	15	Med.	Diffusing—emergency ltg.
12	15	Med.	Diffusing.
20	15	Med.	Diffusing.
30	15	Med.	Railway signal.

[1] Thousand lumen seconds.
[2] Med. Bay. without pins, base equipped with 2 or 3 pin sleeve.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
A-17 BULB—Con.			
30	15	Med.	Diffusing—train and country home.
30	15	Med.	Diffusing—photometric standard.
34	15	Med.	Diffusing—train.
36	15	Med.	Diffusing.
60	15	Med.	Diffusing—train.
64	25	Med.	Railway signal.
70	15	Med.	Diffusing—train.
115, 120, 125	40	Med.	Diffusing—surgical spotlight.
A-19 BULB			
3–125	65–75 [1]	Med.	Photoflash.
3–125	35–45 [1]	Med.	Blue-photoflash.
3–125		Med.	Purple-photoflash.
6	25	Med.	Diffusing.
6	36	Med.	Headlight.
7	6A	Med.	Spotlight.
12	25	Med.	Diffusing.
12	36	Med.	Headlight.
12	100	Med.	Airplane headlight.
12	100	Med. Pf.	Airplane headlight.
12	239	Med. Pf.	Airplane headlight.
12	240	Med. Pf.	Airplane headlight.
20	25	Med.	Diffusing.
24	239	Med. Pf.	Airplane headlight.
24	240	Med. Pf.	Airplane headlight.
30	1A	Med.	Diffusing—street rwy.
30	25	Med.	Diffusing-photometric standard.
30	25	Med.	Diffusing-train and country home.
30	40	Med.	Diffusing-train and country home.
30	50	Med.	Diffusing-rough service.
32	36	Med.	Headlight.
34	25	Med.	Diffusing—train.
36	25	Med.	Diffusing.
60	25	Med.	Diffusing—train.
60	36	Med.	Headlight.
60	40	Med.	Diffusing—train.
60	50	Med.	Diffusing—train—rough service.
70	25	Med.	Diffusing.
115, 120, 125	25	Med.	Vibration.
115, 120, 125	25	Med.	Diffusing—photometric standard.
115, 120, 125	25	Med.	Diffusing, DY, White.
115, 120, 125	36	Med.	Street railway headlight.
115, 120, 125	40	Med.	Spotlight.
115, 120, 125	40	Med.	Airport contact.
115, 120, 125	40	Med.	Diffusing, White.
115, 120, 125	40	Med.	Diffusing—photometric standard.
115, 120, 125	50	Med.	Vibration.
115, 120, 125	50	Med.	Photometric standard.
115, 120, 125	50	Med.	Diffusing—rough service.
115, 120, 125	50	Med.	Diffusing—lacquer coated—rough service.
115, 120, 125	50	Med.	Lacquer coated—vibration
115, 120, 125	54	Med.	Multiple street ltg.
115, 120, 125	58	Med.	Multiple street ltg. group replace.
115, 120, 125	60	Med.	Diffusing—photometric standard.
115, 120, 125	60	Med.	Diffusing, DY, SB, White.
120	25	Med.	Coated—blue, green, red.
120	25	Med.	Natural colored—blue, green, light ruby, dark ruby.
135, 145, 155	25	Med.	Diffusing.
135, 145, 155	50	Med.	
230, 250	25	Med.	Diffusing.
230, 250	50	Med.	
230, 250	50	Med.	Diffusing—rough service.
230, 250	50	Med.	Diffusing—lacquer coated—rough service.
285	50	Med.	Mine.
285	50	Med.	Diffusing—rough service.
A-21 BULB			
3	75–90 [1]	Med.	Photoflash.
6	50	Med.	Diffusing.
10.5	60	Med.	Diffusing—emergency ltg.
12	50	Med.	Diffusing.
20	50	Med.	Diffusing.
22	50	L. H. Med.	Diffusing.
30	1.6A	Med.	Diffusing—street rwy.
30	1.6A	Med.	Diffusing—photometric standard.
30	50	Med.	Diffusing—train & country home.
30	50	Med.	Diffusing—photometric standard.
30	250	Med.	Diffusing—photographic.
32	100	Med.	Loco. headlight.
34	50	Med.	Diffusing—train.
36	50	Med.	Diffusing.
47	50	Med.	Diffusing.
60	50	Med.	Diffusing—train.
60	100	Med.	Loco. headlight.
70	50	Med.	Diffusing—train.
115	50-100/150	3 C. Med.	White-photo-enlarger three-lite.
115	150	Med.	White-photo-enlarger.
115	250	Med.	Diffusing—photoflood.
115	250	Med.	Blacklight.
115	500	Med.	Diving lamp.
115, 120, 125	36	Med.	Diffusing—photometric standard.
115, 120, 125	36	Med.	Diffusing—street railway.
115, 120, 125	40	Med. Pf.	Airport marker.
115, 120, 125	40	Med.	Traffic signal.
115, 120, 125	45/15	Med.	Traffic signal.
115, 120, 125	46	Med.	Diffusing—street railway.
115, 120, 125	56	Med.	Diffusing—street railway.
115, 120, 125	60	Med.	Traffic signal.

[1] Thousand lumen seconds.
[2] Thousand lumen seconds, long duration flash for focal plane shutter.

except that when a bayonet candelabra base is specified, a manufacturer may use single contact or double contact bases or both.

Description: A manufacturer may produce lamps described on a single line of this Schedule with each of the finishes specified in this column. A manufacturer may not use more than one kind of any finish specified for lamps described on a single line of this Schedule, except that where "diffusing" is listed, he may use a clear glass bulb also. Where no finish is specified, a clear glass bulb must be used.

"Diffusing" means having a translucent bulb which is substantially white when illuminated.

"Blackout Lamp" means a lamp having a lumen output of less than 1 Lumen per Watt, with an opaque coating of more than 50% of the external or internal glass surface.

The following is an explanation of some of the abbreviations which appear in this column:

DY—Clear Daylight and Diffusing Daylight,
DF—Diffusing-Side Reflector and Clear-Side Reflector,
NS—Clear Silvered Neck and Diffusing Silvered Neck,
SB—Clear Silvered Bowl and Diffusing Silvered Bowl,
WP—Clear White Bowl.

TUNGSTEN FILAMENT LAMPS

Volts	Watts	Base	Description
A-15 BULB			
3	25–40 [1]	Med	Photoflash.
8	10	(2)	Railway light signal.
8	10/3.5	(2)	Railway light signal.
8	18	(2)	Railway light signal.
8	18/3.5	(2)	Railway light signal.
8	40	(2)	Railway light signal.
10	10	(2)	Railway light signal.
10	18	(2)	Railway light signal.
10	18/3.5	(2)	Railway light signal.
10	30	(2)	Railway light signal.
10	30/6	(2)	Railway light signal.
10	40	(2)	Railway light signal.
10	40/3.5	(2)	Railway light signal.
12	100	Med. Pf.	Airplane signal.
12	180	Med.	Airplane headlight.
24	100	Med. Pf.	Airplane signal.
24	180	Med.	Airplane headlight.
30	36	(2)	Railway light signal.
32	14	Med.	Blackout lamp—(War Dept. Spec. 42-1283)—Train and Country Home.
115, 120, 125	15	Med.	Diffusing.
115, 120, 125	15	Med.	Diffusing—photometric standard.
115, 120, 125	30	(2)	Railway light signal.
115, 120, 125	45/15	Med.	Traffic signal.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
A-21 Bulb—Con.			
115, 120, 125	61	Med	Diffusing—street railway.
115, 120, 125	75	Med	Diffusing—rough service.
115, 120, 125	75	Med	Diffusing—photometric standard.
115, 120, 125	75	Med. Pf	Airport marker.
115, 120, 125	100	Med	Traffic signal.
115, 120, 125	100	Med. Pf	Airport marker.
115, 120, 125	100	Med	Loco. headlight.
115, 120, 125	100	Med	Diffusing, White.
115, 120, 125	100	Med	Diffusing—photometric standard.
115, 120, 125	150	Med	Diffusing—daylight—X Ray illuminator.
120	60	Med	Natural colored—blue, green, light ruby, dark ruby.
125	250	Med	Diffusing—photoflood.
135, 145, 155	40	Med	Diffusing.
135, 145, 155	60	Med	Diffusing.
230	150	Med	White—photographic enlarger.
230, 250	40	Med	Traffic signal.
230, 250	50	Med	Diffusing.
230, 250	60	Med	Traffic signal.
230, 250	75	Med	Diffusing—rough service.
230, 250	100	Med	Traffic signal.
230, 250	250	Med	Diffusing—photographic enlarger.
285	50	Med	Diffusing—mine.
325 lumens	6.6A	Med. Pf	Airport marker.
1020 lumens	6.6 A	Med. Pf	Airport marker.
A-23 Bulb			
3-125	140-170[1]	Med	Photoflash.
30	100	Med	Diffusing—train & country home.
30	100	Med	Diffusing—photometric standard.
34	100	Med	Diffusing—train.
60	100	Med	Diffusing—train.
115	100	Med	Diffusing—daylight—rough service.
115	100	Med	Drying.
115, 120, 125	85	Med	Multiple street lighting.
115, 120, 125	92	Med	Multiple street lighting—group replac.
115, 120, 125	100	Med	Diffusing—vibration.
115, 120, 125	100	Med	DY, NS, SB.
115, 120, 125	100	Med	Diffusing—rough service.
115, 120, 125	100	Med	Diffusing—lacquer coated—rough service
115, 120, 125	101	Med	Diffusing—street railway.
115, 120, 125	106	Med	Multiple street lighting.
115, 120, 125	115	Med	Multiple street lighting—group replac.
115, 120, 125	300	Med. Pf	Code signal.
135, 145, 155	100	Med	Diffusing.
230, 250	100	Med	Diffusing.
230, 250	100	Med	Diffusing—photometric standard.
230, 250	100	Med	Diffusing—rough service.
285	100	Med	Diffusing—rough service.
285	100	Med	Diffusing—mine.
B-3¼ Bulb			
1.9	.60A	S. C. Min. Fl	Flashlight.
2.3	.27A	S. C. Min. Fl	Flashlight.
2.4	.50A	Min. Fl	Flashlight.
2.5	.30A	S. C. Min. Fl	Flashlight.
3.6	.50A	Min. Fl	Flashlight.
3.8	.30A	S. C. Min. Fl	Flashlight.
B-4 Bulb			
2.5	.35A	Min	Opal back—surgical.
2.5	1.10A	Min	Opal back—surgical.
3.8	.35A	Min	Opal back—surgical.
B-11 Bulb			
3	3-6[1]	S. C. Bay	Photoflash.
3	15-20[2]	S. C. Bay	Photoflash.
3	15-25[1]	S. C. Bay	Photoflash.
3	5-7[1]	S. C. Bay	Blue-photoflash.
3		S. C. Bay	Purple-photoflash.
B-12 Bulb			
6-8	45/2	(4)	Shielded—auto headlamp.
6-8	45/35	(4)	Shielded—auto headlamp.
6-8	45/35	(4)	Auto headlamp.
6-8	45/35	(4)	Auto headlamp.
12	36	Furn. by User	British signal.
12-16	45/3	(4)	Shielded—auto headlamp.
12-16	45/35	(4)	Shielded—tank headlamp.
12-16	45/35	(4)	Auto headlamp.
12-16	45/35	(4)	Auto headlamp.
24	36	Furn. by User	British signal.
C-7 Bulb			
120	7	Cand	Clear, white.
CT-7 Bulb			
8	5	Bay. Cand	Railway light signal.
8	10	Bay. Cand	Railway light signal.
10	5	Bay. Cand	Railway light signal.
10	10	Bay. Cand	Railway light signal.

[1] Thousand lumen seconds.
[2] Thousand lumen seconds—long duration flash for focal plane shutter.
[4] Unthreaded cylinder base with three contact lugs—base sealed.
[3] Unthreaded cylinder base with three contact lugs.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
CT-7 Bulb—Con.			
12	6	Bay. Cand	Railway light signal.
12	9	Bay. Cand	Railway light signal.
CT-8 Bulb			
6	10	Bay. Cand	Railway light signal.
8	5	Bay. Cand	Railway light signal.
10	10	Bay. Cand	Railway light signal.
FE-3¾ Bulb			
1.1	.22A	Min	Enamel back—flashlight.
2	.06A	Min	Enamel back—flashlight.
2.2	.25A	Min	Flashlight.
G-3 Bulb			
6.0	.28A	Furn. by user	Surgical.
G-3½ Bulb			
1.2	.30A	Min	Flashlight.
1.3	.10A	Min	Bicycle tail lamp.
1.3	.10A	Min. Bay	Radio panel.
1.93	.45A	Min	Flashlight.
2	.06A	Min	Radio panel.
2	.20A	Min	Pilot balloon observation.
2.3	.27A	Min	Flashlight.
2.5	.30A	Min. Bay	Oil well gauge.
2.5	.30A	Min	Flashlight.
2.6	.10A	Min	Bicycle tail lamp.
2.6	.30A	Min	Flashlight.
3.6	.50A	Min	Flashlight.
3.8	.30A	Min	Surgical.
3.8	.30A	Min	Flashlight.
4.0	.50A	Min	Mine.
6-8	1 C. P	Min	Radio panel or indicator.
6-8	1 C. P	Min. Bay	Auto.
12-16	1 C. P	Min. Bay	Indicator.
12-16	1 C. P	Min	Indicator.
24	.035A	Min	Radio panel.
28	.17A	Min. Bay	Airplane.
G-4½ Bulb			
1.2	.60A	Min	Electrocardiograph.[1]
1.3	.60A	Min	Flashlight.
1.8	.73A	Min	Aerial navigation.[5]
2.4	.90A	Min. Bay	Reflector test lamp.[5]
2.5	.15A	Min. Bay	Mine—train tail lamp.
2.5	.30A	Min	Instrument.[5]
2.6	.10A	Unthreaded cylinder.	Magneto flash light.
3.3	.60A	Min. Bay	Indicator.[1]
5.0	.15A	Min	Flashlight.
6.0	.04A	Min	Generator bicycle tail lamp.
6.0	.45A	Min	Generator bicycle headlamp.
6-8	2 C. P	Min. Bay	Auto.
6-8	2 C. P	Min. Bay	Photometric standard.
6.2	.30A	Min	Flashlight.
6.2	.30A	Min	Instrument.
6.2	.30A	Min	Oscillograph.
8.0	.60A	Min	Miscroscope illuminator.
10.0	.45A	Min	Bicycle headlamp.
12-16	1.5 C. P	Min. Bay	Auto.
G-5½ Bulb			
2.4	.80A	Min	Clear-Daylight.
2.4	.80A	Min	Flashlight.
23	.26A	Short Cand	Gyroscope.
36	.20A	Short Cand	Indicator.
G-6 Bulb			
2	.25A	Min	Pilot balloon observation.
2	.45A	(3)	Mine.
2.25	.28A	Unthreaded cylinder.	Illuminometer.
2.4	.80A	Bay. Cand	Bicycle headlamp.
3.0	.325A	D. C. Bay	Field artillery.
3	6 C. P	S. C. Bay	Crankshaft balancing indicator.
3.65	1.15A	Min	Mine—Two 0.575A fil. in mult.
3.65	1.15A	Min	Mine.
3.65	1.15/1.15A	D. C. Indexing	Mine—both fil. offset.
3.65	1.15/1.15A	D. C. Indexing	Mine—1 fil. offset.
3.7	0.90A	Min	Mine.
4	0.55A	Min	Mine.
4	0.62A	Cand	Gauge.
4	0.80A	Min	Mine.
4	1.0A	Min	Mine.
4.0	.80	Min	Optical instrument.[5]
5.7	.42	Bay. Cand	Subway door indicator.
6	4 C. P	Min	Surgical.
6.0	.80	Min	Surgical.
6	.67/.67A	D. C. Bay	Mine.
7.0	.66A	S. C. Bay	Auto.
6-8	2 C. P	Cand	Indicator.
6-8	3 C. P	Min	Auto.
6-8	3 C. P	Cand	Auto.

[5] Top of bulb free from striations and defects.
[1] Tipped unthreaded conical base.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
G-6 Bulb—Con.			
6-8	3 C. P.	Bay. Cand.	Auto.
6-8	3 C. P.	D. C. Bay	Auto-high electrical resistance soldering flux.
6-8	3 C. P.	S. C. Bay	Photometric standard.
6-8	3 C. P.	(1)	Auto.
6-8	6 C. P.	Min. Bay	Reflector tester.
6-8	6 C. P.	D. C. Bay	Auto.
6-8	6 C. P.	Cand	Auto.
10	.20A	Bay. Cand	Railway signal.
10	.20A	Min	Railway signal.
11.5	.80A	Min	Microscope illuminator.
12	.20A	Cand	Railway signal.
12	.20A	Bay. Cand	Railway signal.
12	.26A	Cand	Hospital annunciator.
12-16	3 C. P.	Bay. Cand.	Auto-two identical fil. in series.
12-16	3 C. P.	S. C. Bay	Photometric standard.
12-16	3 C. P.	S. C. Bay: No pins.	Auto-two identical fil. in series.
12-16	3 C. P.	Bay. Cand	Auto.
12-16	3 C. P.	Cand	Auto.
12-16	3 C. P.	Min	Auto.
12-16	6 C. P.	Cand	Auto.
12-16	6 C. P.	Bay. Cand	Auto.
13	.30A	S. C. Bay	Indicator.
14	.20A	Min	Railway signal.
14	.20A	Bay. Cand	Railway signal.
14	.26A	Cand	Hospital annunciator.
18	.11A	Bay. Cand	Switchboard.
18-24	3 C. P.	Cand	Auto.
18-24	3 C. P.	Min	Auto.
18-24	3 C. P.	Bay. Cand	Auto.
24	.17A	Cand	Indicator.
24	6	D. C. Bay	Blue-battle light.
24	6	D. C. Bay	Navigation.
24-28	3 C. P.	Bay. Cand	Auto tank indicator—two identical supported fil. in series.
24-28	3 C. P.	S. C. Bay. No pins.	Auto tank indicator—two identical supported fil. in series.
28	3 C. P.	Bay Cand	Airplane.
28	6 C. P.	Bay. Cand	Airplane.
32	3 C. P.	Cand	Motorboat.
32	3 C. P.	D. C. Bay	Motorboat.
34	.10A	Bay. Cand.	Foam gauge.
34	.17A	Bay. Cand	Hospital annunciator.
34	.17A	Cand	Hospital annunciator.
45	.20A	Bay. Cand	Indicator.
G-8 Bulb			
2.4	.80A	D. C. Bay	Hand lantern.
2.6	.80A	Bay. Cand	Hand lantern.
4	1.0A	S. C. Bay. No pins.	Mine.
6.5	1.70A	Bay Cand	Microscope illuminator.
12	1.25	Cand	Railway signal.
14	1.25	Cand	Railway signal.
22	.50A	Bay. Cand	Subway door indicator.
24-28	13	S. C. Bay	Auto.
32	6 C. P.	D. C. Bay	Motor boat.
50	.35A	Bay. Cand.	Subway door indicator.
70	8	Min	Repeater—U. S. Navy.
70	8	Cand	Repeater—U. S. Navy.
G-10 Bulb			
3.5-4.0	.50A	Cand	Galvanometer.[3]
4	2.5A	Bay. Cand	Oscillograph.[4]
4	2.5A	Cand	Oscillograph.[4]
4	.50A	Bay. Cand	Seismograph.[4]
4	.50A	Cand	Seismograph.[4]
4.2	3.7A	Bay. Cand	Seismograph—spring supported fil.[4]
4.2	3.7A	Bay Cand	Seismograph.[4]
4.5	1.3A	Bay. Cand.	Oscillograph.[4]
5.4	.60A	D. C. Med. Bay	Trench signal.
6	1.0A	Bay. Cand	Oscillograph.[4]
6	10	S. C. Bay	Planetarium.
12-16	32 C. P.	S. C. Bay	Auto.
20	.14A	Cand	Railway signal.
82	8	Cand	Railway signal
G-12 Bulb			
3.7	.60A	Bay. Cand	Night triangulation—U. S. Coast and Geodetic Survey
3.7	1.25A	Bay. Cand	U. S. Coast and Geodetic Survey.
6	1.00A	S. C. Bay	Flashing signal.
6	1.00A	S. C. Pf.	Flashing signal.
6	25	L. S. Med	Instrument.
6	30	Bay. Cand	Instrument.
6	30	German Cand	Instrument.
6	30	German Cand	Photo-micrographic.
6	30	Bay. Cand.	Photo-micrographic.
6	30	D. C. Med.	Photo-micrographic.
8	4.20A	D. C. Med. Bay	Ophthalmometer.[4]
24	50 C. P.	L. S. Med	X-Ray instrument.
G-16½ Bulb			
3.25	3.25/.75A	D. C. Bay	Searchlight.
4.5	4A	Bay. Cand	Searchlight.
5.0	2A	Bay. Cand	Searchlight.
5.0	2.00/.75A	D. C. Bay	Searchlight.
5.5	2.00/.75A	D. C. Bay	Searchlight.
5.5	100 C. P.	Bay. Cand	Searchlight.

[4] Top of bulb free from striations and defects.
[3] S. C. Bay., pinless, sealed base.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
G-16½ Bulb—Con.			
6.0	4A	Bay. Cand	Projection.
6	5A	Bay. Cand	Searchlight.
6	29	(1)	Railway signal.
6	29/6.5	(1)	Railway signal.
6-8	32 C. P.	D. C. Bay	Fire and police searchlight.
6-8	50 C. P.	D. C. Bay	Fire and police searchlight.
6-8	100 C. P.	Bay. Cand	Searchlight.
7	5.7A	Bay. Cand	Spotlight.
8	40	Med	Railway signal.
8	40	Bay. Cand	Railway signal.
8	27 C. P.	Med	Railway signal.
10	18	Bay. Cand	Railway signal.
10	40	Bay. Cand	Railway signal.
12	9	(1)	Railway signal.
12	2A	Bay. cand	Searchlight.
12	5A	D. C. Pf.	Searchlight.
12	5A	Bay. Cand	Searchlight.
12	6A	Bay. Cand	Searchlight.
12-16	100 C. P.	Bay. Cand	Searchlight.
12-16	60	S. C. Bay	R. A. F. searchlight.
12-16	150 C. P.	Bay. Cand	Searchlight.
14	30	Med	Railway signal.
14	3.5A	Bay. Cand	Galvanometer.
18	4A	Bay. Cand	Searchlight.
19	2.6A	Med	Ophthalmoscope.[1]
20	5A	S. C. Pf.	Marine signal.
24	4A	Bay. Cand	Searchlight.
28	2.5A	Bay. Cand	Searchlight.
28	100 C. P.	Bay. Cand	Airplane.
32	2A	D. C. Bay	Portable searchlight.
32	3.5A	D. C. Bay	Searchlight—L. C. L.—1¼ in.
32	3.5A	D. C. Bay	Searchlight—L. C. L.—1 3/16 in.
32	3.5A	D. C. Pf.	Portable searchlight.
52	25	Bay. Cand	Auto electric vehicle.
98	25	Bay. Cand	Auto electric vehicle.
115, 120, 125	25	Bay. Cand	Railway signal—L. C. L. tolerance—1/32 in.
115, 120, 125	25	Bay. Cand	Railway signal—L. C. L. tolerance—1/16 in.
115, 120, 125	50	Bay. Cand	Railway signal.
115, 120, 125	75	D. C. Pf.	Spotlight.
115, 120, 125	75	Bay. Cand	Spotlight.
115, 120, 125	100	Bay. Cand	Searchlight—L. C. L.—1¾ in.
115, 120, 125	100	Bay. Cand	Searchlight—L. C. L.—1¾ in.
115, 120, 125	100	D. C. Pf.	Search—Navy crash lamp.
115, 120, 125	100	Bay. Cand	Spotlight.
115, 120, 125	100	D. C. Pf.	Spotlight.
115, 120, 125	150	Bay. Cand	Spotlight.
G-18½ Bulb			
6	100	D. C. Med	Instrument.
8	50	Med	Railway light signal.
14	36	Med	Railway light signal—2 18W Fil. in multiple.
30	36	Med	Railway light signal—2 18W Fil. in multiple.
30	36	Med	Railway light signal.
60	25	Med	Railway signal.
115, 120, 125	25	Med	Dental lamp.
115, 120, 125	36	Med	St. railway hdlt.—L. C. L. 1¾ in.
115, 120, 125	36	Med	St. railway hdlt.—L. C. L. 2 3/16 in
115, 120, 125	95	D. C. Med	Projection.
G-19 Bulb			
110	100	Med. Pf.	Airport approach
115, 120	50	Med	Diffusing—rough service.
G-25 Bulb			
10.8	375	Mog. Pf.	Searchlight.
12	360	Mog. Pf.	Loco. hdlt.
12	420	Mog	Airplane hdlt.
12	420	Mog. Pf.	Airplane hdlt.
14	420	Mog. Pf.	Airplane hdlt.
24	420	Mog. Pf.	Airplane hdlt.
115	1000	(10)	Deep sea.
115, 120, 125	1000	Med	Diving.
120/6	150/108	3 C. Mog	Hospital spotlight.
120/12	150/108	3 C. Mog	Hospital spotlight.
G-30 Bulb			
6	108	Mog	Loco. hdlt.
10.5	200	Med	Floodlight.
12	200	Med	Floodlight.
12	480	Med. Bip	Headlight.
115	250	Med	Drying.
115, 120, 125	100/200/300	3. C. Mog	Diffusing-three-lite.
115, 120, 125	150/150	3. C. Mog	Hospital spotlight.
115, 120, 125	250	Mog	Hospital spotlight.
115, 120, 125	250	Med	Floodlight—base up.
115, 120, 125	250	Med	Floodlight—base down.
115, 120, 125	250	Med. Pf.	Floodlight.
115, 120, 125	250	Med.	Spotlight.
115, 120, 125	250	Med. Pf.	Spotlight.
115, 120, 125	250	Med	Lighthouse.
115, 120, 125	250	Med	High speed signal.

[1] Med. Bay. without pins, base equipped with 2 or 3 pin sleeve.
[3] Special S. C. Bay. base, diam. .5925" to .5945".
[4] Top of bulb free from striations and defects.
[10] Special tube base for underwater use.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
G-30 Bulb—Con.			
115, 120, 125	250	Med	Diffusing—indirect lite.
115, 120, 125	251	Med	Floodlight.
115, 120, 125	275	Med. Skt	Headlight.
115, 120, 125	300	Mog	Diffusing—indirect lite.
115, 120, 125	400	Med. Pf	Floodlight.
115, 120, 125	400	Med	Floodlight.
115, 120, 125	400	Med	Spotlight.
115, 120, 125	400	Med. Pf	Spotlight.
115, 120, 125	400	Med	Searchlight.
115, 120, 125	400	Med. Skt	Searchlight.
115, 120, 125	400	Med	Photographic blue.
115, 120, 125	400	Med	High speed signal.
230, 250	250	Med	Spotlight.
230, 250	250	Med	Floodlight.
230, 250	400	Med	Spotlight.
230, 250	400	Med	Floodlight.
G-40 Bulb			
32	500	Mog	Floodlight.
32	1,000	Mog	Searchlight.
80	320	Mog	Headlight.
115, 120, 125	500	Mog	Spotlight.
115, 120, 125	500	Mog	Floodlight.
115, 120, 125	501	Mog	Floodlight.
115, 120, 125	750	Mog	Diffusing.
115, 120, 125	1,000	Mog	Spotlight.
115, 120, 125	1,000	Mog. Pf	Spotlight.
115, 120, 125	1,000	Mog	Floodlight.
115, 120, 125	1,000	Mog	Projection.
115, 120, 125	1,000	Med. Bip	Motion picture production.
115, 120, 125	1,000	Mog	3200° K.
115, 120, 125	1,000	Med. Bip	3200° K.
115, 120, 125	1,000	Med. Bip	Color photography.
115, 120, 125	1,000/1,000	3 C. Mog	Bargelight.
115, 120, 125	1,500	Mog	Spotlight.
115, 120, 125	1,500	Mog. Pf	Projection.
230, 250	500	Mog	Floodlight.
230, 250	1,000	Mog	Spotlight.
230, 250	1,000	Mog	Floodlight.
G-48 Bulb			
115, 120, 125	1,000	Mog. Bip	Motion picture.
115, 120, 125	1,000	Mog	Motion picture production.
115, 120, 125	1,500	Mog	Floodlight.
115, 120, 125	2,000	Mog. Bip	Spotlight.
115, 120, 125	2,000	Mog	Spotlight.
115, 120, 125	2,000	Mog	Floodlight.
115, 120, 125	2,000	Mog	Motion picture production.
115, 120, 125	2,000	Mog. Bip	Motion picture modeling.
115, 120, 125	2,000	Mog, Bip	Motion picture production (tungsten powder cleaner).
115, 120, 125	2,000	Mog	3,200° K.
115, 120, 125	2,000	Mog. Bip	3,200° K.
115, 120, 125	2,000	Mog. Bip	Color photography.
230, 250	1,500	Mog	Floodlight.
G-64 Bulb			
115, 120, 125	5,000	Mog. Bip	Floodlight.
115, 120, 125	5,000	Mog. Bip	Motion picture prod. and color photography.
115, 120, 125	5,000	Mog. Bip	3,200° K.
G-96 Bulb			
115, 120, 125	10,000	Mog. Bip	Process photography.
115, 120, 125	10,000	Mog. Bip	Motion picture—color photography.
GG-10 Bulb			
12-16	21/6 C. P.	S. C. Indexing	Airplane.
28	21/6 C. P.	S. C. Indexing	Airplane.
GT-38 Bulb			
32	3,000	Prong	Airport floodlight.
GT-48 Bulb			
115, 120, 125	2,000	Mog	Street lighting.
P-25 Bulb			
5.5	72	Med	Spotlight.
6	72	Med	Headlight.
6	108	Med	Headlight.
6	108	Med	Searchlight.
6	108	Med	Instrument.
10.5	95	Med	Spotlight.
12	72	Med	Headlight.
12	80	Med	Hospital spotlight—2 40W fil. in mult.
12	108	Med	Headlight.
12	120	Med	Hospital spotlight—2 60W fil. in mult.
12	18A	Med	Searchlight.
24	250	Med	Loco. headlight.
32	150	Med	Loco. headlight.
32	50/50	3 C. Mog	Marine running light.
32	100	Med	Loco. headlight.
32	250	Med	Loco. headlight.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
P-25 Bulb—Con.			
32	250	Med. Pf	Loco. headlight.
32	8A	Med	Searchlight.
60	46	Med	Headlight.
60	50	Med	Loco. headlight.
60	94	Med	Headlight.
60	150	Med	Loco. headlight.
60	250	Med	Loco. headlight.
115, 120, 125	46	Med	Headlight.
115, 120, 125	50/50	3 C. Mog	Marine running light.
115, 120, 125	56	Med	Street railway headlight.
115, 120, 125	60	Med	Spotlight.
115, 120, 125	72	Med	Headlight.
115, 120, 125	94	Med	Headlight.
115, 120, 125	94	Med	Street railway headlight.
115, 120, 125	100	Med	Floodlight.
115, 120, 125	100	Med	Spotlight.
115, 120, 125	100	Med. Pf	Spotlight.
115, 120, 125	100	Med	Spotlight—base up.
115, 120, 125	100/100	3 C. Mog	Marine running light.
115, 120, 125	118	Med	St. railway headlight.
115, 120, 125	150	Med	Spotlight—base up.
115, 120, 125	150	Med	Headlight L. C. L.—3 in.
115, 120, 125	150	Med	Headlight L. C. L. 2 1/16 in.
115, 120, 125	200	Med	Diffusing-daylight-X-ray illuminator.
115, 120, 125	250	Med	Diffusing-daylight-X-ray illuminator.
115, 120, 125	250	Med	Loco. headlight.
115, 120, 125	250	Med	Spotlight—base up.
115, 120, 125	250/250	3 C. Mog	Hospital spotlight.
135, 145, 155	56	Med	Headlight.
135, 145, 155	94	Med	Headlight.
230, 250	94	Med	Headlight.
230, 250	100	Med	Spotlight.
230, 250	150	Med	Spotlight.
230, 250	200	Med	Diffusing—daylight—X-ray illuminator.
230, 250	250	Med	Diffusing—daylight—X-ray illuminator.
230, 250	250	Med	Spotlight.
285	94	Med	Headlight.
PAR-36 Bulb			
6-8	30	Screw Term	Fog—clear lens.
6-8	30	Screw Term	Fog—amber lens.
12-16	40	Screw Term	Tank headlamp.
13	6.6A	Screw Term	Flashing signal.
24-28	50	Screw Term	Tank headlamp.
26	5.3A	Screw Term	Flashing signal.
PAR-38 Bulb			
115, 120, 125	150	Med. Skt	Spotlight.
115, 120, 125	150	Med. Skt	Floodlight.
115, 120, 125	150	Med. Skt	Floodlight—bomb practice.
120	150	Med. Skt	Spotlight—ordnance.
120	150	Med. Skt	Floodlight—ordnance.
PAR-46 Bulb			
3.7	.60A	Screw Term	U. S. Coast & Geodetic Survey.
6	4.75A	Screw Term	Floodlight.
6	4.75A	Screw Term	Spotlight.
6	6.6A	Screw Term	Flashing signals.
6-8	30	Screw Term	Driving lamp.
6-8	30	Screw Term	Passing lamp.
6-8	30	Screw Term	Fog—clear lens.
6-8	30	Screw Term	Fog—amber lens.
12	1.5A	Screw Term	Flashing Signal—beam spread—4 to 8 deg.
12	1.5A	Screw Term	Flashing signal—beam spread—6 to 10 deg.
12	250	Screw Term	Airplane landing.
13	6.6A	Screw Term	Flashing signal.
13	6.6A	Screw Term	Tank spotlight and signal.
24	250	Screw Term	Airplane landing.
26	5.3A	Screw Term	Flashing signal.
26	5.3A	Screw Term	Tank spotlight and signal.
PAR-56 Bulb			
6	100	3 C. Lugs	Spotlight.
6-8	40/30	3 C. Lugs	Headlight.
6-8	40/30	3 C. Lugs	Photometric standard.
12	450	Flex. Conn. Lugs	Airplane landing.
12-16	45/35	3 C Lugs	Headlight.
24	450	Flex. Conn. Lugs	Airplane landing.
PAR-64 Bulb			
12	250	Flex. Conn. Lugs	Airplane landing.
13	6.6A	Flex. Conn. Lugs	Flashing signal.
24	250	Flex. Conn. Lugs	Airplane landing.
24	600	Flex. Conn. Lugs	Airplane landing.
26	5.3A	Flex. Conn. Lugs	Flashing signal.
PS-25 Bulb			
8	27 C. P.	Med	Railway light signal.
12	150	Med	
30	150	Med	Train and country home.
115	500	Med	Diffusing—photoflood.
115	500	Med	Diffusing—daylight—photoflood.
115, 120, 125	50/100/150	3 C. Mog	Diffusing—three-lite.
115, 120, 125	94	Med	Street railway.
115, 120, 125	100	Mog	

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
PS-25 Bulb—Con.			
115, 120, 125	150	Med	Photometric standard.
115, 120, 125	150	Med	Diffusing, DY, NS, SB, WB, White.
115, 120, 125	150	Med	Diffusing—vibration.
115, 120, 125	150	Med	Diffusing—rough service.
115, 120, 125	151	Med	Street railway.
115, 120, 125	175	Med	Multiple street lighting.
115, 120, 125	189	Med	Multiple street ltg. group replac.
115, 120, 125	250	Med	Photographic enlarger.
115, 120, 125	500	Med	Diffusing—3200° K.
125	500	Med	Diffusing—photoflood.
230, 250	100	Mog	
230, 250	150	Med	
230, 250	500	Med	Diffusing.
285	150	Med	
320 Lumens	6.6A	Mog	Series street lighting.
600 Lumens	4A	Mog	Series street lighting.
600 Lumens	4.4A	Mog	Series street lighting.
600 Lumens	5.5A	Mog	Series street lighting.
600 Lumens	6.6A	Mog	Series street lighting.
600 Lumens	6.6A	Mog	Series street ltg.—group replac.
600 Lumens	7.5A	Mog	Series street lighting.
600 Lumens	7.5A	Mog	Series street ltg.—group replac.
1000 Lumens	4A	Mog	Series street lighting.
1000 Lumens	4A	Mog	Series street ltg.—rectifier.
1000 Lumens	5A	Mog	Series street ltg.—rectifier.
1000 Lumens	5.5A	Mog	Series street lighting.
1000 Lumens	6.6A	Mog	Series street lighting.
1000 Lumens	6.6A	Mog	Series street ltg.—group replac.
1000 Lumens	6.6A	Mog	Series street ltg.—in-built cutout.
1000 Lumens	6.6A	Mog. Pf	Airport approach.
1000 Lumens	7.5A	Mog	Series street lighting.
1000 Lumens	7.5A	Mog	Series street ltg.—group replac.
2500 Lumens	6.6A	Mog. Pf	Airport approach.
PS-30 Bulb			
12	200	Med. Skt	
30	200	Med	
50	201	Mog	Arc-resisting series—burning.
65	200	Med	
90	200	Med	Diffusing.
115	125	Med. Skt	Drying.
115	150	Med	White-photographic enlarger.
115	250	Med	Drying.
115	250	Med. Skt	Silver ring—drying.
115	375	Med. Skt	Drying.
115	500	Med	White-photographic enlarger.
115, 120, 125	100	Med	Silver neck—reflector.
115, 120, 125	100/100/200	3 C. Mog	Diffusing—hospital—base up.
115, 120, 125	100/200/300	3 C. Mog	Diffusing—hospital—base up.
115, 120, 125	150	Med	Silver neck—reflector.
115, 120, 125	200	Med	Photometric standard.
115, 120, 125	200	Med	Rough service.
115, 120, 125	200	Med	Diffusing, DY, NS, SB, WB.
115, 120, 125	200	Med. Pf	Code beacon.
115, 120, 125	200	Mog	
115, 120, 125	200	Mog. Pf	Code beacon.
115, 120, 125	201	Med	Street railway.
115, 120, 125	250	Med	Photographic enlarger.
230, 250	200	Mog	
230, 250	200	Med	Rough service.
230, 250	200	Med	Diffusing.
230, 250	201	Med	Arc-resisting series—burning.
285	200	Med	Mine.
285	201	Med	Arc-resisting series—burning.
PS-35 Bulb			
32	300	Mog	
65	300	Mog	
90	300	Mog	Diffusing.
115	1000	Mog	Diffusing—photoflood.
115, 120, 125	200	Med	Silver neck—reflector.
115, 120, 125	208	Mog	Multiple street lighting.
115, 120, 125	295	Mog	Multiple street ltg.—group replac.
115, 120, 125	300	Med. Skt	Diffusing—silver bowl.
115, 120, 125	300	Mog	Rough service.
115, 120, 125	300	Med	Diffusing.
115, 120, 125	300	Mog	Diffusing, DY, NS, SB, WB.
115, 120, 125	300	Mog	Lighthouse.
115, 120, 125	300	Mog	Photometric standard.
115, 120, 125	300	Mog	Photometric standard.
115, 120, 125	301	Mog	Street railway.
115, 120, 125	400	Med. Skt	4" diffusing spot on bulb end—photographic enlarger.
115, 120, 125	400	Med. Skt	1¾" diffusing spot on bulb end—photographic enlarger.
125	1,000	Mog	Diffusing—Photoflood.
230, 250	300	Med. Skt	
230, 250	500	Mog	
285	300	Mog	
1500 Lumens	6.6A	Mog	Series street lighting.
2500 Lumens	4A	Mog	Series street lighting.
2500 Lumens	4.4A	Mog	Series street lighting.
2500 Lumens	5.5A	Mog	Series street lighting.
2500 Lumens	6.6A	Mog	Series street lighting.
2500 Lumens	6.6A	Mog	Series street lighting—Base down.
2500 Lumens	6.6A	Mog	Series street ltg.—Group replac.
2500 Lumens	7.5A	Mog	Series street lighting.
2500 Lumens	7.5A	Mog	Series street lighting—Group replac.
2500 Lumens	10A	Mog	Series street lighting.
2500 Lumens	15A	Mog	Series street lighting—Base up.
2500 Lumens	15A	Mog	Series street lighting—Base down.
4000 Lumens	4A	Mog	Series street lighting.
4000 Lumens	5.5A	Mog	Series street lighting.
4000 Lumens	6.6A	Mog	Series street lighting.
4000 Lumens	6.6A	Mog	Series street ltg.—Group replac.
4000 Lumens	7.5A	Mog	Series street lighting.
4000 Lumens	7.5A	Mog	Series street ltg.—Group replac.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
PS-35 Bulb—Con.			
4000 Lumens	15A	Mog	Series street lighting—Base up.
4000 Lumens	15A	Mog	Series street ltg.—base up—group replac.
4000 Lumens	15A	Mog	Series street lighting—base down.
4000 Lumens	15A	Mog	Series street ltg.—base down—group replac.
4000 Lumens	20A	Mog	Series street lighting—base up.
4000 Lumens	20A	Mog	Series street ltg.—base up—group replac.
4009 Lumens	20A	Mog	Series street lighting—base down.
4000 Lumens	20A	Mog	Series street ltg.—base down—group replac.
PS-40 Bulb			
32	500	Mog	
32	750	Mog	Headlight—base up.
65	500	Mog	
90	500	Mog	Diffusing.
115	500	Med. Skt	Drying.
115, 120, 125	300	Med. Skt	Silver neck—reflector.
115, 120, 125	370	Mog	Multiple street ltg.
115, 120, 125	405	Mog	Multiple street ltg.—group replac.
115, 120, 125	500	Mog	Diffusing, DY, NS, SB.
115, 120, 125	500	Mog	Diffusing—photographic blue.
115, 120, 125	500	Mog	Photometric standard.
115, 120, 125	500	Mog	Heat-resisting glass bulb.
115, 120, 125	500	Mog. Pf	Code beacon.
115, 120, 125	501	Mog	Arc-resisting series burning.
115, 120, 125	575	Mog	Multiple street ltg.
115, 120, 125	620	Mog	Multiple street ltg.—Group replac.
115, 120, 125	1000	Mog	Diffusing 3200° K.
230, 250	500	Mog	
285	500	Mog	
6000 Lumens	4A	Mog	Series street lighting—rectifier.
6000 Lumens	6.6A	Mog	Series street lighting.
6000 Lumens	6.6A	Mog	Series street ltg.—group replac.
6000 Lumens	6.6A	Mog	Series street lighting—rectifier.
6000 Lumens	7.5A	Mog	Series street lighting.
6000 Lumens	7.5A	Mog	Series street ltg.—group replac.
6000 Lumens	20A	Mog	Series street lighting—base up.
6000 Lumens	20A	Mog	Series street ltg.—base up—group replac.
6000 Lumens	20A	Mog	Series street lighting—base down.
6000 Lumens	20A	Mog	Series street ltg.—base down—group replac.
10000 Lumens	6.6A	Mog	Series street lighting.
10000 Lumens	6.6A	Mog	Series street ltg.—group replac.
10000 Lumens	20A	Mog	Series street ltg.—base up.
10000 Lumens	20A	Mog	Series street ltg.—base up—group replac.
10000 Lumens	20A	Mog	Series street lighting—base down.
10000 Lumens	20A	Mog	Series street ltg.—base down—group replac.
15000 Lumens	20A	Mog	Series street lighting—base up.
15000 Lumens	20A	Mog	Series street lighting—base down.
PS-52 Bulb			
115	2,000	Mog	Color photography.
115, 120, 125	500	Mog	Silver neck—reflector.
115, 120, 125	750	Mog	Diffusing, SB.
115, 120, 125	750	Mog	Photometric standard.
115, 120, 125	750	Mog. Clamp	Heat-resisting glass bulb.
115, 120, 125	800	Mog	Multiple street lighting.
115, 120, 125	860	Mog	Multiple street ltg.—group replac.
115, 120, 125	1,000	Mog	Photometric standard.
115, 120, 125	1,000	Mog. Clamp	Heat-resisting glass bulb.
115, 120, 125	1,000	Mog	3200° K.
115, 120, 125	1,000	Mog	Diffusing, SB.
115, 120, 125	1,000	Mog	Diffusing—photographic blue.
115, 120, 125	1,000	Mog	Photographic enlarger.
115, 120, 125	1,000	Mog	Diffusing bulb end—photographic enlarger.
115, 120, 125	1,000	Mog	Motion picture production.
115, 120, 125	1,001	Mog	
115, 120, 125	1,500	Mog	Photometric standard.
115, 120, 125	1,500	Mog. Clamp	Heat-resisting glass bulb.
115, 120, 125	1,500	Mog	Diffusing.
115, 120, 125	2,000	Mog. Clamp	
230, 250	750	Mog	
230, 250	1,000	Mog	
230, 250	1,000	Mog. Clamp	Heat-resisting glass bulb.
230, 250	1,500	Mog. Clamp	Heat-resisting glass bulb.
230, 250	1,500	Mog	
230, 250	2,000	Mog. Clamp	
285	750	Mog	
285	1,000	Mog	
285	1,000	Mog. Clamp	Heat-resisting glass bulb.
285	1,500	Mog	
25000 Lumens	20A	Mog	Series street lighting—base up.
PS-60 Bulb			
115, 120, 125	750	Mog	Silver neck—reflector.
115, 120, 125	1,000	Mog	Silver neck—reflector.
R-18 Bulb			
115, 120, 125	60	Med	Dental lamp.
R-40 Bulb			
115	125	Med. Skt	Diffusing—drying.
115	250	Med	Diffusing—drying.
115	250	Med	Diffusing—heat.
115	500	Med	Diffusing—photoflood.
115, 120, 125	100	Med	Diffusing—spotlight.
115, 120, 125	100	Med	Diffusing—floodlight.
115, 120, 125	150	Med	Diffusing—spotlight.
115, 120, 125	150	Med	Diffusing—floodlight.
115, 120, 125	200	Med	Diffusing—spotlight.
115, 120, 125	200	Med	Diffusing—floodlight.
115, 120, 125	300	Med	Diffusing—spotlight.
115, 120, 125	300	Med	Diffusing—floodlight.
125	500	Med	Diffusing—photoflood.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
R-60 Bulb			
115	500	Mog	Diffusing—drying.
115, 120, 125	300	Mog	Diffusing—spotlight.
115, 120, 125	500	Mog	Diffusing—spotlight.
RP-11 Bulb			
1.88/2	4/1A	D. C. Bay	Hand lantern.
2.6	1.5A	D. C. Bay	Hand lantern.
4.5	1.25A	S. C. Pf	Hand lantern.
5.5	6.2A	D. C. Bay	Telemeter.
6.6	32 C. P	S. C. Bay	Shielded—auto foglight.
6	2.35A	S. C. Pf	Fire and police searchlight.
6	2.5A	D. C. Bay	Semaphore—2 fil. in mult.
6-8	21 C. P	(12)	Auto—for use in blackout equipment.
6-8	21/6 C. P	D. C. Pf	Auto headlamp.
6-8	21/21 C. P	D. C. Bay	Auto.
6-8	21/21 C. P	D. C. Bay	Auto hdlp.—one fil. on axis.
6-8	21/21 C. P	D. C. Pf	Auto—1⅛ in. L. C. L.
6-8	21/21 C. P	D. C. Pf	Auto—1.176 in. L. C. L.
6-8	32 C. P	D. C. Pf	Egg candling.
6-8	32 C. P	D. C. Pf	Spotlight.
6-8	32 C. P	S. C. Pf	Auto spotlight—¾" L. C. L.
6-8	32 C. P	S. C. Pf	Shielded bulb—auto spotlight—¾" L. C. L C-2 fil
6-8	32 C. P	S. C. Pf	Auto hdlp. and spotlight—1⅛" L. C. L.
6-8	32 C. P	S. C. Bay	Photometric standard.
6-8	32 C. P	S. C. Bay	Auto.
6-8	32 C. P	D. C. Bay	Auto headlamp.
6-8	32 C. P	S. C. Pf	Auto hdlp. and spotlight—¾" L. C. L. C-6 fil.
6-8	32 C. P	S. C. Pf	Shielded bulb—auto hdlp. and spotlight ¾" L. C. L. C-6 fil.
6-8	32/32 C. P	D. C. Pf	Photometric standard.
6-8	35	(12)	Shielded bulb—auto hdlp.
6-8	40	S. C. Pf	Shielded bulb—spotlight.
6-8	50 C. P	D. C. Pf	Spotlight.
6-8	50 C. P	D. C. Bay	Auto hdlp.
6-8	50 C. P	S. C. Bay	Photometric standard.
6-8	50 C. P	S. C. Pf	Air traffic control.
6-8	50 C. P	S. C. Bay	Air traffic control.
6-8	50/32 C. P	D. C. Pf	Photometric standard.
6.5	4.5/4.5A	D. C. Pf	Street railway headlight.
12-16	21 C. P	S. C. Pf	Auto headlamp and spotlight.
12-16	21/6 C. P	D. C. Pf	Auto headlamp.
12-16	21/21 C. P	D. C. Bay	Diffusing—auto.
12-16	32 C. P	S. C. Pf	Auto spotlight—¾" L. C. L.
12-16	32 C. P	S. C. Pf	Auto hdlp. and spotlight—1⅜" L. C. L.
12-16	32 C. P	S. C. Pf	Shielded bulb—auto hdlp. and spotlight ¾" L. C. L.
12-16	32 C. P	Bay Cand	Auto.
12-16	32/32 C. P	D. C. Bay	Headlamp.
12-16	32/32 C. P	D. C. Pf	Auto headlamp.
12-16	50 C. P	Bay. Cand	Auto.
12-16	50 C. P	S. C. Pf	Auto.
12-16	35	(12)	Shielded bulb—auto hdlp.
12-16	40	(12)	Auto tank hdlp.
12.3	32 C. P	S. C. Bay	Shielded—auto foglight.
12.8	2.4/2.4A	D. C. Pf	Street railway headlight.
12.8	3.6A	Bay. Cand	Airplane flashing signal.
13	6.6A	Bay. Cand	Airplane flashing signal.
18-24	27 C. P	S. C. Bay	Auto headlamp and spotlight.
18-24	27 C. P	D. C. Bay	Auto headlamp.
18-24	50 C. P	Bay Cand	Auto headlamp.
22	.90A	S. C. Pf	Hand lantern.
24-28	32/32 C. P	D. C. Pf	Auto headlamp.
24-28	40 C. P	S. C. Bay	Auto tank hdlp.—two identical fil. in series.
24-28	40	(12)	Auto tank hdlp.
26	2.7A	Bay Cand	Airplane flashing signal.
28	1.4A	Bay. Cand	Airplane flashing signal.
28	21/21 C. P	D. C. Bay	Diffusing—airplane.
32	21 C. P	D. C. Bay	Searchlight.
32	32 C. P	Bay. Cand	Searchlight.
32	50 C. P	Bay. Cand	Searchlight.
32	50 C. P	S. C. Pf	Searchlight.
40-44	21 C. P	Bay. Cand	Auto electric vehicle.
Ring Type Bulb			
13.5	.90A	Wire Term	Silvered-microscope illuminator T-2 ring type bulb 1⅜₁₆ in. outside diam. ring.
13.5	.50A	Wire Term	Blue-silvered-microscope illuminator T-2 ring type bulb 1³⁵/₆₄ in. outside diam. of ring.
S-6 Bulb			
3.6/4.0	2.00/.67A	D. C. Bay	Mine.
6	6	Cand	Indicator.
12	6	Cand	Indicator.
30	6	Cand	Train and country home.
60	6	Cand	Train.
70	6	Cand	Indicator.
115, 120, 125	6	Cand	
115, 120, 125	6	Cand	Photometric standard.
115, 120, 125	6	Bay. Cand	Indicator.
115, 120, 125	6	Inter	Indicator.
135, 145, 155	6	Cand	Indicator.
230, 250	10	Cand	Indicator.
230, 250	10	Inter	Indicator.
S-8 Bulb			
1.28	.80A	Bay. Cand	Mine.
1.5	.50A	D. C. Bay	Marine running light.
2.25	1.80A	Bay. Cand	Mine.
2.4	.80A	D. C. Bay	Hand lantern.
2.40/2.50	1.25/.75A	D. C. Bay	Mine.
2.43	1.10A	Bay. Cand	Mine.
2.45	1.00/1.00A	D. C. Bay	Mine.

[12] Unthreaded cylinder base with screw center contact—base sealed.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
S-8 Bulb—Con.			
2.15/2.50	1.00/.75A	D. C. Bay	Mine.
2.5	1.50A	D. C. Bay	Hand lantern.
3.30	1.75A	Bay. Cand	Mine.
3.30/3.87	1.75/.65A	D. C. Bay	Mine.
3.5	1A	S. C. Pf	Marine signal.
3.5	2A	S. C. Pf	Facsimile transmitter.
3.6	2.00A	Bay. Cand	Mine.
3.65/3.87	1.15/.65A	D. C. Bay	Mine.
3.70	1.00/1.00A	D. C. Bay	Mine.
3.70/3.87	1.00/.65A	D. C. Bay	Mine.
3.90	.65A	S. C. Bay	Mine.
4	.55A	Bay. Cand	Mine.
4	.75A	S. C. Bay	Sound reproducer.
4	.75A	S. C. Pf	Sound reproducer.
4	.75A	D. C. Pf	Sound reproducer.
4	.80A	S. C. Bay	Mine.
4	.55/.55A	D. C. Bay	Mine.
4	.67/.67A	D. C. Bay	Mine.
4	.83/.83A	D. C. Bay	Mine—fil. in straight line—base parallel to lead wires.
4	.83/.83A	D. C. Bay	Mine—fil. in straight line.
4	.83/.83A	D. C. Bay	Mine—fil. at rt. angles to each other.
4.3	1A	S. C. Pf	Marine signal.
5	.55A	S. C. Pf	Flashing signal.[9]
5.4	1.86A	Bay. Cand	Instrument.
5.4	1.86A	Bay. Cand	Instrument.[9]
5.4	1.86A	S. C. Bay. No pins	Military.
6	1A	S. C. Bay	Recorder.
6	1.50A	Bay. Cand	Oscillograph.[9]
6-8	10 C. P	(12)	Auto—shielded bulb—for use in blackout equipment.
6-8	15 C. P	S. C. Bay	Photometric standard.
6-8	15 C. P	S. C. Bay. No pins	Auto.
6-8	15 C. P	S. C. Bay	Auto—C-6 fil.
6-8	15 C. P	S. C. Bay	Diffusing—auto—C-2 fil.
6-8	15 C. P	D. C. Bay	Diffusing—auto.
6-8	15 C. P	D. C. Bay	Auto.
6-8	15 C. P	Cand	
6-8	21 C. P	S. C. Bay	Photometric standard.
6-8	21 C. P	S. C. Bay	Auto.
6-8	21 C. P	S. C. Bay	Diffusing gunsight.
6-8	21 C. P	D. C. Bay	Auto headlamp.
6-8	21/3 C. P	D. C. Bay	Auto.
6-8	21/3 C. P	(12)	Auto.
6-8	21/3 C. P	D. C. Indexing	Auto.
6.2	.25A	S. C. Pf	Marine signal.
6.2	.46A	Bay. Cand	Marine signal.
6.2	.46A	S. C. Pf	Marine signal.
6.2	.50A	Bay. Cand	Marine signal.
6.2	.70A	Bay. Cand	Marine signal.
6.2	.70A	S. C. Pf	Marine signal.
6.2	.92A	Bay. Cand	Marine signal.
6.2	.92A	S. C. Pf	Marine signal.
6.2	1.4A	S. C. Pf	Marine signal.
6.2	1.84A	S. C. Pf	Marine signal.
6.5	.70/.70A	D. C. Bay	Marine running light.
6.5	2.75A	S. C. Bay	Microscope illuminator.
6.5	2.75A	D. C. Bay	Microscope illuminator.
6.75	1.7A	D. C. Bay	Spotlight—Sides of bulb free from striations and defects.
6.8	1.3A	S. C. Bay	Radio panel.
7	.2A	S. C. Bay. No pins	Recorder.
7	1.5A	Bay. Cand	Hand lantern.
8	15 C. P	D. C. Bay	Auto.
12	.55A	S. C. Pf	Marine signal.
12	.77A	S. C. Pf	Marine signal.
12	1.15A	S. C. Pf	Marine signal.
12	1.35A	S. C. Pf	Marine signal.
12-16	10 C. P	Bay. Cand	Auto.
12-16	15 C. P	Bay. Cand	Diffusing—auto.
12-16	15 C. P	Cand	Auto.
12-16	21 C. P	Bay. Cand	Auto.
12-16	21 C. P	D. C. Bay	Diffusing—auto.
12-16	21 C. P	S. C. Bay. No pins	Airplane.
12-16	21/6 C. P	Bay. Cand	Auto.
12-16	21/6 C. P	D. C. Indexing	Auto.
12-16	21/6 C. P	(12)	Auto stop and tail.
12-16	21/6 C. P	D. C. Bay	Diffusing—ordnance.
12-16	21/6 C. P	S. C. Bay	Airplane.
13	.28A	Bay. Cand	Marine signal.
13	.28A	S. C. Pf	Marine signal.
13	.35A	Bay. Cand	Marine signal.
13	.75A	Bay. Cand	Marine signal.
13	21/21 C. P	D. C. Bay	Diffusing—airplane.
14	.25A	Bay. Cand	Marine signal.
14	.25A	S. C. Pf	Marine signal.
14	.35A	Bay. Cand	Marine signal.
14	.35A	S. C. Pf	Marine signal.
14	.75A	S. C. Pf	Marine signal.
14	.75A	Bay. Cand	Marine signal.
18-24	15 C. P	Bay. Cand	Auto.
24-28	15 C. P	D. C. Bay	Auto tank inspection.
24-28	21 C. P	Bay. Cand	Auto.
24-28	32/6 C. P	(13)	Auto tank stop and tail.
25	32 C. P	Bay. Cand	Diffusing—indicator.
28	15 C. P	Bay. Cand	Airplane.
28	21 C. P	Bay. Cand	Airplane.
28	21 C. P	S. C. Bay	Silvered bowl—airplane.
28	21/6 C. P	S. C. Bay	Airplane.
28	21/6 C. P	D. C. Bay	Diffusing—airplane.
28	21/21 C. P	D. C. Bay	Diffusing—airplane.

[9] Top of bulb free from striations and defects.
[12] Unthreaded cylinder base with screw center contact—sealed base.
[13] D. C. Bay. Pinless sealed base.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
S-8 Bulb—Con.			
28	27 C. P.	Bay Cand	Airplane.
30	.50A	S. C. Bay	Radio panel.
32	15 C. P.	D. C. Bay	Motor boat.
34	15 C. P.	Bay Cand	Motor boat.
40–44	6 C. P.	Bay. Cand	Auto—electric vehicle.
40–44	6 C. P.	Cand. Skt	Auto—electric vehicle.
40–44	10	D. C. Bay	Subway door indicator.
48	6 C. P.	Bay. Cand	Diffusing—portable telephone trouble.
S-9 Bulb			
4	2.5A	D. C. Bay	Oscillograph—sides of bulb free from striations and defects.
S-11 Bulb			
1.3	.50A	S. C. Bay. No pins.	Pyrometer.
2.5	.15A	Bay. Cand.	Railway signal.
2.5	.30A	Bay. Cand.	Railway signal.
3.3	2A	Bay. Cand.	Electrocardiograph.
3.5	.12A	Bay. Cand.	Railway signal.
3.5	.30A	Bay. Cand.	Railway signal.
3.5	.75A	Bay. Cand.	Marine signal.
4	.15A	Bay. Cand.	Traffic signal.
4	3	Bay. Cand.	Railway light signal.
4.5	21/10 C. P.	D. C. Bay.	Fire and police searchlight.
4.8	4.50A	D. C. Bay. No pins.	Recording microphotometer.
5	.25A	Bay. Cand.	Railway signal.
5	2A	Bay. Cand.	Searchlight.
5	2.00/.75A	D. C. Bay	Searchlight.
5	5A	Bay. Cand	Electrocardiograph.
5	5A	Bay. Cand.	Oscillograph.
5.5	.15A	Bay. Cand.	Traffic signal.
6	.25A	Bay. Cand.	Railway signal.
6	1.50A	Bay. Cand	X-ray projector.
6	3.95A	Unthreaded Cylinder	Surgical.
6	5A	Bay. Cand	Searchlight.
6	5A	Bay. Cand.	Photocell exciter.
6	5A	D. C. Pf.	Photocell exciter.
6	10	Bay. Cand.	Railway light signal.
6	30	Med.	Battleship emergency.
6	30	D. C. Bay	Battleship emergency.
6–8	21C. P.	Cand.	Auto.
6–8	32C. P.	Bay. Cand.	Indicator.
6–8	50C. P.	S. C. Bay.	Auto.
6.2	2.8A	S. C. Pf.	Marine signal.
6.2	4.2A	S. C. Pf.	Marine signal.
6.5	10	Med.	Battleship emergency.
8	5	Bay. Cand.	Railway light signal.
8	5/3.5	S. C. Bay	Railway light signal.
8	10	Bay. Cand.	Railway light signal.
8	13/3.5	S. C. Bay	Railway light signal.
8	18	Bay. Cand.	Railway light signal.
8	18/3.5	S. C. Bay	Railway light signal.
8	.25A	Bay. Cand	Railway signal.
8	3.75A	S. C. Bay	Photocell exciter.
9	15.3	Bay. Cand	Railway light signal.
10	.25A	S. C. Bay	Photometric standard.
10	.25A	Bay. Cand.	Railway signal.
10	5	Bay. Cand.	Railway light signal.
10	5.0/3.5	S. C. Bay	Railway light signal.
10	10	Bay. Cand.	Railway light signal.
10	13/3.5	S. C. Bay	Railway light signal.
10	18	Bay. Cand.	Railway light signal.
10	21.5/3.5	S. C. Bay	Railway light signal.
10	25	Bay. Cand	Railway light signal.
11	11	Bay. Cand.	Railway light signal.
11.3	14.4/3.5	S. C. Bay	Railway light signal.
12	.12A	Bay. Cand.	Railway signal.
12	.25A	Bay. Cand.	Railway signal.
12	2.03A	S. C. Pf.	Marine signal.
12	3.05A	S. C. Pf.	Marine signal.
12	18/3	Bay. Cand.	Railway light signal.
12–16	21 C. P.	Cand.	Auto.
12–16	32	S. C. Bay	Auto.
12–16	50	S. C. Bay	Auto.
13.5	10	Bay. Cand.	Railway light signal.
13.5	17	Bay. Cand.	Railway light signal.
13.5	.12A	Bay. Cand.	Railway signal.
13.5	.25A	Bay. Cand.	Railway signal.
14	2A	S. C. Pf	Marine signal.
14	2A	Bay. Cand.	Marine signal.
14	3A	S. C. Pf.	Marine signal.
14	10	Inter.	Indicator.
16	.25A	Bay. Cand.	Railway signal.
24	32 C. P.	Bay. Cand.	Gun turret.
25	15	Bay. Cand.	Telephone trouble.
28	32 C. P.	Bay. Cand.	Airplane.
28	50 C. P.	Bay. Cand.	Airplane.
30	15	Cand	Train and country home.
30	15	Inter.	Train and country home.
32	30	D. C. Bay	Train marker.
40	.15A	Cand	Fire alarm signal.
40–44	15	D. C. Bay	Subway door indicator.
50	15	Bay. Cand.	Auto electric vehicle.
60	10	Med.	Train.
64	15	Bay. Cand.	Multiplex printing machine.
64	30	Bay. Cand.	Train marker.
90	15	Bay. Cand.	Auto electric vehicle.
100	20	D. C. Bay	Photographic.
100	30	Cand	Photographic.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
S-11 Bulb—Con.			
115	30	Cand	Film viewer.
115	75	S. C. Bay	White—photographic enlarger.
115	90	D. C. Bay	Film viewer.
115, 120, 125	7.5	Med.	Photometric standard.
115, 120, 125	7.5	Med.	White.
115, 120, 125	10	Bay. Cand.	
115, 120, 125	10	Inter.	Diffusing—outside transparent coated brown—Infrared.
115, 120, 125	10	Inter.	Clear, White.
115, 120, 125	10	Cand. Skt	Indicator.
115, 120, 125	10	Bay. Cand.	Railway signal.
115, 120, 125	15	Bay. Cand	Headlamp.
115, 120, 125	15	Cand	Headlamp.
120	10	Inter.	Coated—blue, green, red.
135, 145, 155	15	Cand	Microscope.
S-12 Bulb			
6–8	21/21/32 C. P.	3 Pin Bay	Auto headlamp.
6–8	32/32/32 C. P.	3 Pin Bay	Auto headlamp.
28	100 C. P.	Bay. Cand.	Black bowl—coated—airplane.
S-13 Bulb			
3–125	22–28 [1]	Med.	Photoflash.
S-14 Bulb			
6	5	Med.	
6	10	Med.	
10	.25A	Med. Bay with 3 Pin Sleeve.	Railway signal.
12	2.5	Med.	Railway signal.
14	5	Med.	Railway signal.
14	10	Med.	Railway signal—two 5 W. fil. in mult.
15	5	Med.	
30	5	Med.	Train and country home.
32	5	Med.	Railway signal.
34	5	Med.	Train.
34	15	Med.	Locomotive cab.
40	15	Med.	Subway car tail light.
50	20	Med.	Railway signal—two 10 w. fil. in mult.
55	15	Med.	Railway signal
64	10	Med.	Railway signal.
115, 120, 125	10	Med.	Photometric standard.
115, 120, 125	10	Med.	Diffusing, DY
120	9	Med.	Street lighting—for use in blackout equipment (War Dept. Spec. 42-1283).
120	10	Med.	Coated—blue, green, red.
120	10	Med.	Natural colored—blue, green, light ruby, dark ruby.
S-24½ Bulb			
115, 120, 125	94	Med.	Film printing.
115, 120, 125	100	Med.	Film prinitng.
115, 120, 125	150	Med.	Film printing.
115, 120, 125	150	Med.	Film printing—two 75 W. fil. in mult.
T-¾ Bulb			
1.5	.13A	Wire Ext	Surgical.
1.5	.13A	Wire Term.	Surgical.
1.5	.13A	Fur. by user	Surgical.
T-1¼ Bulb			
3	.19A	Fur. by User.	Airplane instrument—threaded base approx. 3/16" diam.—approx. ¼" long.
3	.19A	Wire Term.	Indicator.
3	.19A	951	Airplane indicator.
3	.19A	951	Colored—red, green, amber—airplane indicator.
3	.19A	952	Clear, amber, blue, green, purple, red or white plastic cap. Airplane indicator.
3	.19A	953	Airplane instrument.
3	.19A	954	Airplane instrument.
T-1½ Bulb			
1.5	.30A	Wire Ext	Surgical lens end bulb.
2.2	.30A	Fur. by User	Surgical lens end bulb.
2.5	.30A	Wire Term	Gunner training.
T-1¾ Bulb			
28	.035A	952A	Amber, cloudy amber, green, red or white plastic cap. Airplane indicator.
28	.035A	955	Amber, cloudy amber, green, red or white plastic cap. Airplane indicator.

[1] Thousand lumen seconds.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Amperes	Base	Description
T-2 Bulb			
2.6	.06-.07	Fur. by User	Pyrometer.
4	.17-.21	Tel. Slide	Telephone.
4	.27-.31	Tel. Slide	Telephone.
6	.035-.045	Tel. Slide	Telephone.
6	.12-.16	Tel. Slide	Telephone.
6	.25	Gun sight without threads.	Gun sight.
6	.27-.31	Tel. Slide	Telephone.
8	.08-.10	Tel. Slide	Telephone.
8	.10-.12	Tel. Slide	Telephone.
10	.10-.12	Tel. Slide	Telephone.
10	.23-.27	Tel. Slide	Telephone.
12	.032-.038	Tel. Slide	Telephone.
12	.09-.11	Tel. Slide	Telephone.
12	.17	Tel. Slide	Annunciator 1¼" M. O. L.
12	.17	Tel. Slide	Telephone 1 31/32" M. O. L.
14	.032-.038	Tel. Slide	Telephone.
14	.09-.11	Tel. Slide	Telephone.
15	.09-.41	Tel. Slide	Telephone.
16	.09-.11	Tel. Slide	Telephone.
16	.27-.31	Tel. Slide	Telephone.
18	.035-.045	Tel. Slide	Telephone.
18	.09-.11	Tel. Slide	Telephone.
20	.09-.085	Tel. Slide	Telephone.
20	.09-.11	Tel. Slide	Telephone.
24	.025-.035	Tel. Slide	Telephone.
24	.032-.038	Tel. Slide Prick Punch	Supervisory control indicator.
24	.032-.038	Tel. Slide	Telephone.
24	.035-.045	Tel. Slide	Telephone.
24	.09-.085	Tel. Slide	Telephone.
24	.09-.11	Tel. Slide	Telephone.
24	.50	Fur. by User	Outside clear lacquer—surgical.
30	.06-.085	Tel. Slide	Telephone.
30	.09-.11	Tel. Slide	Telephone.
32	.09-.12	Tel. Slide	Telephone.
35	.035-.045	Tel. Slide	Telephone.
35	.06-.085	Tel. Slide	Telephone.
35	.09-.11	Tel. Slide	Telephone.
40	.035-.045	Tel. Slide	Telephone.
40	.06-.085	Tel. Slide	Telephone.
44	.06-.085	Tel. Slide	Telephone.
48	.032-.038	Tel. Slide	Telephone.
48	.045-.06	Tel. Slide	Telephone.
48	.06-.085	Tel. Slide	Telephone.
48	.09-.11	Tel. Slide	Telephone.
55	.045-.06	Tel. Slide	Telephone.
55	.09-.11	Tel. Slide	Telephone.
60	.045-.055	Tel. Slide	Telephone.
T-2½ Bulb			
6	.40	Gunsight	Gunsight.
10	.25	Gunsight	Gunsight.
16	.12	Fur. by User	Surgical.
T-3 Bulb			
1.75	2.10	Min	Heater.
2.3	.40	Min	Surgical lens end bulb.
2.7	.35	Min	Surgical flat top fil.
2.7	.35	Min	Surgical round top fil.
2.7	.40	Min	Surgical.
2.7	.40	Min	Surgical lens end bulb.
2.7	.55	Min	Surgical.
3	.40	Min	Surgical.
5.5	.36	Min	Surgical lens end bulb.
6-8	2 C. P	Min	Indicator.
10	.17	Min	Elevator annunciator.
12	.35	Min	Diffusing—bore inspection.
12	.50	Min	Diffusing—bore inspection.
12-16	.17	Min. Bay	Airplane instrument.
14	.17	Min	Elevator annunciator—1¼" M. O. L.
14	.17	Min	Elevator annunciator—1 31/32" M. O. L.
18	.17	Min	Elevator annunciator.
24	.17	Min	Elevator annunciator.
30	.17	Min	Elevator annunciator.
T-3¼ Bulb			
1.35	.06	Min	Radio panel.
1.5	1.5	Min	Gauge.
2	.06	Min	Radio panel.
2	.06	Min. Bay	Radio panel.
2	.06	Wire Term	Indicator.
2.5	.50	Wire Term	Radio panel.
2.5	.50	Min. Bay	Radio panel.
2.5	.50	Min	Radio panel—high temp. lead-silver and copper alloy solder.
2.5	.50	Min	Radio panel or indicator.
2.9	.17	Min. Bay	Radio panel.
3	.214	Min	Gauge.
3	.312	Min	Gauge.
3	.519	Min	Gauge.
3.2	.16	Min. Bay	Radio panel.
4	.06	Min	Radio panel.
4	.06	Min. Bay	Marine running light.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Amperes	Base	Description
T-3¼ Bulb—Con.			
4	.40	Min	Indicator.
5	.15	Min. Bay	Indicator.
6-8	.15	Min	Photometric standard.
6-8	.15	Min	Radio panel—indicator.
6-8	.15	Min. Bay	Radio panel—indicator.
6-8	.25	Min. Bay	Diffusing black bowl radio panel.
6-8	.25	Min	Radio panel—indicator.
6-8	.25	Min. Bay	Radio panel—indicator.
6.3	.15	Min	Flashing beacon.
6.3	.40	Min. Bay	Film printing.
6.5	.40	Min. Bay	Radio panel.
9	.20	Min. Bay	Indicator.
12-16	.10	Min	Radio panel.
12-16	.10	Min. Bay	Radio panel.
12-16	.20	Min	Indicator.
12-16	.20	Min. Bay	Indicator.
13	.33	Min. Bay	Airplane.
13	.40	Min. Bay	Airplane.
24	.17	Min. Bay	Airplane.
28	.035	Min. Bay	Airplane.
28	.10	Min. Bay	Airplane.
28	.17	Min. Bay	Airplane.
28	.17	Min	Indicator.
30	.10	Min. Bay	Indicator.
36	.17	Min	Indicator.
40	.13	Min	Gauge.
48	.10	Min	Indicator.
T-4 Bulb			
6	.80	L. S. Min	Side half diffusing—galvanometer.
8	.15	Cand	Railway signal.
14	.17	Cand	Annunciator.
18	.11	Cand	Switchboard.
18	.17	Cand	Annunciator.
22	.11	Cand	Switchboard.
24, 32	.17	Cand	Annunciator.
T-4½ Bulb			
2.8	.5 C. P	Min	Photometric standard.
3.4	.25 C. P	Min	Photometric standard.
3.7	.75 C. P	Min	Photometric standard.
3.7	1.5 C. P	Min	Photometric standard.
6	.50 A	Min. Bay	Pistol sighting.
6-8	1 C. P	Min. Bay	Photometric standard.
6-8	3 C. P	D. C. Bay	Airplane.
6.3	.80	Min. Bay	Radio panel.
8.4	.50	Min	Flashlight.
9	.44	Min	Spotlight.
9	.44	Cand	Drum inspection.
9.6	.50	Min	Flashlight.
11.8	.50	Min	Flashlight.
12-16	2 C. P	Bay. Cand	Airplane.
25	.20	Min. Bay	Radio panel.
28	3 C. P	Bay Cand	Airplane.
30	.15	Min	Indicator.
117, 120, 125	6 Watts	Cand	Indicator.
T-5 Bulb			
3.2	.80	S. C. Pf	Galvanometer.
3.3	.80	S. C. Pf	Oil well gauge.
4	.75	S. C. Bay	Sound reproducer.
5	4	S. C. Bay	Oscillograph.
6	1	Bay. Cand	Recorder.
6	1	S. C. Pf	Sound reproducer—C-6 fil.
6	1	S. C. Pf	Sound reproducer—C-8 fil.
6	3.9	Cand	Gunner training.
6	3.9	Cand. Pf	Gunner training.
7	.20	S. C. Pf	Sound producer.
7	.20	S. C. Bay. No pins.	Recorder.
9	2.15	(14)	Portable recorder.
9	2.15	D. C. Bay	Portable recorder.
9	2.15	S. C. Pf	Recorder.
10	2.75	D. C. Bay	Indicator.
15	1	(14)	Sound reproducer.
15	1	S. C. Pf	Surgical.
20	.50	S. C. Skt. with Pf. clip.	Projection.
T-6 Bulb			
3.5	3.8	German Cand	Instrument.
4.2	3.7	S. C. Bay	Side half diffusing—oscillograph.
4.2	3.7	S. C. Pf	Side half diffusing—oscillograph.
4.2	3.7	Inter	Oscillograph.
4.2	3.7	Inter	Side half diffusing—oscillograph.
10	5 Watts	Cand	Switchboard.
12-16	21 C. P	S. C. Bay	Auto.
14.5	.76	D. C. Bay	Gun mount illuminator.
14.5	.76	Cand	Gun mount illuminator.
30	15 Watts	Cand	Switchboard.
40, 50	15 Watts	Cand	Switchboard.
70	15 Watts	Cand	Switchboard.
115, 120, 125	15 Watts	Cand	Transilluminator.
115, 120, 125	15 Watts	Cand	Switchboard.
145	15 Watts	Cand	Switchboard.
175	15 Watts	Cand	Switchboard.

(14) Special S. C. Bay. with lead to shell soldered at bottom.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
T-6½ Bulb			
6	25	Inter	Showcase.
30	25	Inter	Diffusing—train and country home
34	25	Inter	Train.
60	25	Inter	Diffusing—train.
115, 120, 125	25	Cand. Skt	Showcase.
115, 120, 125	25	Inter	Diffusing—showcase.
115, 120, 125	25	Inter	Diffusing—side reflector showcase.
115, 120, 125	40	Inter	Diffusing—bore inspection.
115, 120, 125	40	German Cand	Bore inspection.
135, 145, 155	25	Inter	Showcase.
230, 250	25	Inter	Showcase.
T-7 Bulb			
32	15	Cand	Signal light.
115	15	Cand	Signal light—C1 fil.
115, 120, 125	15	Bay. Cand	Transfer time punching mach. indicator.
115, 120, 125	15	D. C. Bay	Pilot lamp for use in special projector—high electrica resistance soldering flux.
160	.139A	Bay. Cand	Switchboard—network protector.
T-8 Bulb			
4	.03A	D. C. Bay. No pins.	Pyrometer.
5	6.5A	S. C. Pf	Sound reproducer.
5	6.5A	S. C. Bay	Sound reproducer.
6	3.5A	S. C. Pf	Photocell exciter.
6	5A	S. C. Pf	Photocell exciter.
6	50	Bay. Cand	Projection.
6	50	D. C. Pf	Projection.
8	2A	S. C. Bay	Sound reproducer.
8	2A	S. C. Pf	Sound reproducer.
8	50	S. C. Pf	Projection.
8.5	4A	S. C. Pf	Sound reproducer—C-6 filament.
8.5	4A	S. C. Bay	Sound reproducer—C-6 filament.
8.5	4A	S. C. Pf	Sound reproducer—C8 filament.
8.5	4A	S. C. Bay	Sound reproducer—C8 filament.
9	4A	S. C. Pf	Sound reproducer.
10	5A	Bay. Cand	Sound reproducer—curved filament.
10	5A	S. C. Bay	Sound reproducer.
10	5A	S. C. Pf	Sound reproducer.
10	7.5A	Bay. Cand	Sound reproducer.
10	7.5A	S. C. Pf	Sound reproducer.
10	7.5A	S. C. Pf	Sound reproducer—Silver contact.
10	7.5A	D. C. Pf	Densitometer.
10.5	7.8A	Bay. Cand	Recorder.
12	1A	Bay. Cand	Instrument.
12	50	Bay. Cand	Projection.
14	2A	Cand	Projection.
14	2A	Bay. Cand	Projection.
14	2A	D. C. Bay. No pins.	Projection.
14	2A	S. C. Pf	Projection.
14	4A	Med	Projection.
14	4A	Bay. Cand	Projection.
14	4A	Cand	Projection.
14	4A	S. C. Pf	Projection.
20	100	Bay. Cand	Projection.
20	100	Bay. Cand	Contour map.
27	1A	S. C. Bay	Sound reproducer.
30	15	Cand	Train.
30	25	Med	Train.
30	30	Disc	Clear, White.
30	40	Med	Diffusing—train.
30	75	Bay. Cand	Projection.
32	2A	Bay. Cand	Oscillograph.
33	100	Bay. Cand	Projection.
34	40	Med	Train.
60	30	Disc	Clear, White.
105	10	D. C. Pf	Airport marker.
105	25	D. C. Pf	Airport marker.
110	99	D. C. Pf	Airport signal.
115, 120, 125	15	Cand	Ophthalmometer.
115, 120, 125	25	Bay. Cand	Microscope illuminator.
115, 120, 125	30	Disc	Clear, White.
115, 120, 125	40	D. C. Pf	Airport marker.
115, 120, 125	40	Med	Diffusing—showcase.
115, 120, 125	40	Disc	Clear, White.
115, 120, 125	60	Med	Showcase.
115, 120, 125	60	Disc	Clear, White.
115, 120, 125	75	Bay. Cand	Projection.
115, 120, 125	75	S. C. Pf	Projection.
115, 120, 125	75	D. C. Pf	Projection.
115, 120, 125	75	D. C. Pf	Projection.[1]
115, 120, 125	100	Bay. Cand	Projection.
115, 120, 125	100	D. C. Pf	Projection.
115, 120, 125	100	D. C. Bay	Photographic enlarger—base up.
115, 120, 125	150	S. C. Pf	Projection.
115, 120, 125	150	D. C. Pf	Projection.
115, 120, 125	150	Bay. Cand	Projection.
115, 120, 125	150	D. C. Pf	Projection.[1]
230, 250	40	Med	Showcase.
230, 250	75	Bay. Cand	Projection.
230, 250	150	Bay. Cand	Projection.

[1] Major looking eyelet 30° from plane of filament.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
T-8½ Bulb			
3	5A	Med	Pyrometer.
3	6A	Med	Oscillograph.
6	12A	Med	Projection.
6	9A	Med	Recorder.
6	9A	Med	Instrument.
30	25	Med	Diffusing—country home.
30	40	Med	Diffusing—train and country home.
30	100	Med. Pf	Projection.
34	25	Med	Diffusing—train.
60	25	Med	Diffusing—train.
60	60	Med	Diffusing—train.
115, 120, 125	100	Med	Projection.
115, 120, 125	100	Med. Pf	Projection.
115, 120, 125	100	Med	Film printing.
115, 120, 125	300	S. C. Pf	Projection.
115, 120, 125	300	Bay. Cand	Projection.
115, 120, 125	300	D. C. Pf	Projection.
230, 250	125	Med	Projection.
230, 250	125	Med. Pf	Projection.
T-10 Bulb			
6	9A	Med. Pf	Oscillograph.
6	18A	Med	Microscope illuminator.
6	18A	Med	Ultraviolet spectrum.
6	18A	Med	Projection.
6	18A	Med. Pf	Projection.
8	30	L. S. Med	Instrument.
10	9A	Med	Recorder.
12	3A	Bay. Cand	Optical gauge.
12	9A	Med	Projection.
12	12A	Med. Pf	Photocell exciter.
18	2A	Med	Galvanometer.
30	25	Med	Train and country home.
30	165	Med	Projection.
30	165	Med. Pf	Projection.
30	165	Med. Pf	Sensitometer.
30	300	Med. Pf	Opaque bulb end—projection.
30	300	Med	Opaque bulb end—projection.
52	260	Med. Pf	Projection.
115, 120, 125	25	Med	Inspection (extension cord).
115, 120, 125	25	Med	Diffusing—side reflector—showcase.
115, 120, 125	25	Med	Diffusing—showcase.
115, 120, 125	40	Med	Showcase.
115, 120, 125	40	Med	Diffusing—side reflector—showcase.
115, 120, 125	75	Med	Showcase.
115, 120, 125	150	Med	Showcase.
115, 120, 125	200	Bay. Cand	Photographic—base pins parallel to plane of lead wires.
115, 120, 125	200	D. C. Bay	Photographic.
115, 120, 125	200	Med	Projection.
115, 120, 125	200	Med. Pf	Projection.
115, 120, 125	300	Med	Opaque bulb end—projection.
115, 120, 125	300	Med. Pf	Opaque bulb end—projection.
115, 120, 125	400	Med	Opaque bulb end—projection.
115, 120, 125	400	Med. Pf	Opaque bulb end—projection.
115, 120, 125	500	Med	Opaque bulb end—projection.
115, 120, 125	500	Med. Pf	Opaque bulb end—projection.
135, 145, 155	25	Med	Showcase.
230, 250	25	Med	Showcase.
230, 250	250	Med	Projection.
230, 250	250	Med. Pf	Projection.
230, 250	500	Med	Opaque bulb end—projection.
230, 250	500	Med. Pf	Opaque bulb end—projection.
T-12 Bulb			
20	3.5A	Med	Galvanometer.
30	400	Med	Opaque bulb end—projection.
115, 120, 125	100	Med. Skt	
115, 120, 125	250	Med. Pf	Spotlight—base up.
115, 120, 125	500	Med. Pf. Skt	Spotlight—base up.
115, 120, 125	500	Med. Pf. Skt	Floodlight—base up.
115, 120, 125	500	Med. Pf	Projection.
115, 120, 125	500	Med	Projection—base up.
115, 120, 125	500	Med	Projection—offset fil.
115, 120, 125	500	Med. Pf	Projection—offset fil.
115, 120, 125	600	Med. Pf	Opaque bulb end—stereoscopic projection—two 300W fil. in mult.
115, 120, 125	750	Med	Projection—base up.
115, 120, 125	750	Med	Opaque bulb end—projection.
115, 120, 125	750	Med. Pf	Opaque bulb end—projection.
115, 120, 125	1,000	Med. Pf	Opaque bulb end—projection.
115, 120, 125	1,000	Med	Opaque bulb end—projection—L. C. L. —3 in.
115, 120, 125	1,000	Med	Opaque bulb end—projection—L. C. L.—3¾ in.
115, 120, 125	1,000	Med	Projection—base up.
115, 120, 125	1,025	Med	Opaque bulb end—projection.
115, 120, 125	1,025	Med. Pf	Opaque bulb end—projection.
115, 120, 125	1,500	Med. Pf	High speed photography.
230, 250	750	Med	Opaque bulb end—projection.
230, 250	750	Med. Pf	Opaque bulb end—projection.
T-14 Bulb			
6	3.5A	Med	Galvanometer.
10	3.5A	Med	Galvanometer.
30	300	Med	Projection.
30	300	Med. Pf	Projection.
99	60	D. C. Med	Photomicrographic tungsten arc.
115, 120, 125	250	Med. Bip	Floodlight—base up.
115, 120, 125	250	Med	Lighthouse.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
T-14 Bulb—Con.			
115, 120, 125	250	Med	Projection.
115, 120, 125	250	Med. Pf	Projection.
115, 120, 125	500	Med. Bip	Floodlight—base up.
115, 120, 125	500	Med. Bip	Spotlight—base up.
T-20 Bulb			
3.5	30A	Mog	Pyrometer.
4	20A	Mog	Pyrometer.
5.5	30A	Mog	Instrument.
7.5	30A	Mog. Pf	Ultraviolet spectrum.
30	500	Med	Projection.
30	500	Med. Pf	Projection.
30	600	Mog	Projection.
30	900	Mog. Pf	Motion picture projection.
30	900	Mog	Motion picture projection.
30	1,000	Mog	Airway beacon.
30	1,000	Mog. Bip	Airway beacon.
115, 120, 125	250	Med. Pf	Spotlight.
115, 120, 125	250	Med. Pf	High speed signal.
115, 120, 125	300	Med. Bip	Diffusing—base up.
115, 120, 125	300	Med. Bip	Diffusing—base down.
115, 120, 125	400	Med. Pf	High speed signal.
115, 120, 125	500	Med. Bip	Diffusing—base up.
115, 120, 125	500	Med. Bip	Diffusing—base down.
115, 120, 125	500	Med. Pf	Spotlight.
115, 120, 125	500	Med. Skt	Projection.
115, 120, 125	500	Mog	Projection.
115, 120, 125	500	Med	Projection.
115, 120, 125	500	Med. Pf	Projection.
115, 120, 125	500	Med	3200° K.
115, 120, 125	500	Med. Pf	3200° K.
115, 120, 125	500	Med. Bip	3200° K.
115, 120, 125	500	Med. Bip	Color photography.
115, 120, 125	500	Med. Bip	Motion picture.
115, 120, 125	500	Med Pf	Marine fire detector.
115, 120, 125	500	Med	Diffusing—photographic blue.
115, 120, 125	500	Med. Bip	Airway beacon.
115, 120, 125	500	Mog	Lighthouse—two 250W fil. in mult.
115, 120, 125	500	Mog. Pf	Airway beacon.
115, 120, 125	500	Mog	On course beacon.
115, 120, 125	500	Mog	Lighthouse.
115, 120, 125	750	Med	Projection.
115, 120, 125	750	Med. Pf	Projection.
115, 120, 125	1,000	Med	Projection.
115, 120, 125	1,000	Med. Pf	Projection.
115, 120, 125	1,000	Mog	Projection.
115, 120, 125	1,000	Mog. Pf	Projection.
115, 120, 125	1,000	Mog	Diffusing spot on bulb side—photographic enlarger.
115, 120, 125	1,000	Mog	3200° K.
115, 120, 125	1,000	Mog. Pf	3200° K.
115, 120, 125	1,000	Mog	Lighthouse—two 500W fil. in mult.
115, 120, 125	1,000	Mog. Bip	Lighthouse—two 500W fil. in mult.
115, 120, 125	1,000	Mog	Lighthouse.
115, 120, 125	1,000	Mog	Airway beacon.
115, 120, 125	1,000	Mog. Pf	Airway beacon.
115, 120, 125	1,000	Mog. Bip	Airway beacon.
115, 120, 125	1,000	Mog	Film printing.
115, 120, 125	1,000	Mog. Bip	Liquid immersed.
115, 120, 125	1,500	Mog	Projection.
115' 120, 125	1,500	Mog. Bip	Projection.
115, 120, 125	1,500	Mog. Pf	Projection.
115, 120, 125	1,500	Mog. Pf	Television.
230, 250	500	Med	Projection.
230, 250	500	Med. Pf	Projection.
230, 250	1,000	Med. Pf	Projection.
230, 250	1,000	Mog	Projection.
230, 250	1,000	Mog. Pf	Projection.
4,000 Lumens	6.6A	Med. Bip	Series street ltg.—base up.
T-24 Bulb			
3	75A	Mog. Bip	Spectrograph.
6	30A	Mog	Pyrometer.
6	30A	Mog. Bip	Spectrograph.
6	30A	Mog. Bip	Ultraviolet spectrum.
19	20A	Mog	
32	1,500	Mog. Bip	Airport floodlight—C13 fil.
32	1,500	Mog. Bip	Osciliating beacon—C5 fil.
60	2,100	Mog. Bip	Projection.
110	1,250	Med. Bip	Portable by air floodlight.
115, 120, 125	500	Mog. Bip	On course beacon.
115, 120, 125	500	Mog	
115, 120, 125	750	Med. Bip	3200° K.
115, 120, 125	750	Med. Bip	Color photography.
115, 120, 125	750	Med. Bip	Motion picture.
115, 120, 125	750	Med. Bip	Diffusing.
115, 120, 125	750	Med. Bip	Diffusing—base down.
115, 120, 125	1,000	Med. Bip	Diffusing.
115, 120, 125	1,000	Med. Bip	Diffusing—base down.
115, 120, 125	1,000	Mog. Bip	Spotlight—base up.
115, 120, 125	1,500	Med. Bip	Diffusing—photo engraving.
115, 120, 125	1,500	Mog. Bip	Spotlight—base up.
115, 120, 125	1,500	Mog	Projection.
115, 120, 125	2,000	Mog	Projection.
10,000 Lumens	20A	Med. Bip	Series street ltg.—base up.
10,000 Lumens	20A	Med. Bip	Series street ltg.—base down.
15,000 Lumens	20A	Med. Bip	Series street ltg.—base up.

TUNGSTEN FILAMENT LAMPS—Continued

Volts	Watts	Base	Description
T-30 BULB			
115, 120, 125	2,000	Mog. Bip	3,200° K.
115, 120, 125	2,000	Mog. Bip	Spotlight—Base up.
T-32 BULB			
26	3,000	Mog. Bip	Searchlight.
32	3,000	Mog. Bip	Airplane Floodlight.
T-40 BULB			
115	500	Med. Bip	Drying.
115	1,000	Med. Bip	Drying.
T-48 BULB			
115, 120, 125	2,000	Mog. Bip	Motion Picture Production.
115, 120, 125	2,000	Mog. Bip	Motion Picture Production—Tungsten Powder Cleaner.
115, 120 .125	2,000	Mog. Bip	Color Photography.
T-64 BULB			
115, 120, 125	5,000	Mog. Bip	Color Photography—Motion Picture.
TL-3 BULB			
1.1	.22A	Min	Flashlight.
2.2	.25A	Min	Flashlight.
2.3	.27A	Min	Flashlight.

FLUORESCENT LAMPS

Watts	Base	Description
RP-12 BULB		
3	D. C. Indexing	360 BL.
4	D. C Indexing	360 BL.
S-6 BULB		
2	D. C. Indexing	360 BL.
T-5 BULB		
4	FA-5	Blue, green, 360 BL-2.
6	Min. Bipin	Daylight, 3500° K white, 360 BL.
8	Min. Bipin	Daylight, 3500° K white.
T-6 x 2½ BULB		
4	Min. Bipin	Daylight, 3500° K white.
4	FA-5	Daylight, blue.
6	FA-5	Daylight.
6	Min. Bipin	Daylight, 3500° K. white.
T-8 BULB		
15	Med. Bipin	Daylight, 3500° K white, 360 BL.
30	Med. Bipin	Daylight, 3500° K white, 360 BL.
T-10		
85	3 & 2 Prong	Blue white, industrial white—type RF.
T-12 BULB		
14	Med. Bipin	Daylight, 3500° K white.
15	Med. Bipin	Daylight, 3500° K white.
20	Med. Bipin	Daylight, 3500° K white.
40	Med. Bipin	Daylight, 3500° K white, 360 BL.
40	Med. Bipin	3500° K white—low temperature.
T-17 BULB		
65	Mog. Bipin	Daylight, 3500° K white.
100	Mog. Bipin	Daylight, 3500° K white.

CARBON FILAMENT LAMPS

All types except those designed primarily for advertising, decorative or display purposes, or for use on amusement devices, Christmas trees, household appliances and toys.

GLOW DISCHARGE LAMPS

All types except those designed primarily for advertising, decorative or display purposes, or for use on amusement devices, Christmas trees, household appliances and toys.

[F. R. Doc. 42-9223; Filed, September 17, 1942; 11:53 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[Amendment 2 to Maximum Price Regulation 186 [1]]

WESTERN WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.* In § 1377.114 (a) Table 1, item 3 is amended; in § 1377.114 (f) Table 6 is amended; and a new § 1377.116 is added, as set forth below.

§ 1377.114 *Appendix A: Maximum prices for western wooden agricultural containers.* (a) * * *

TABLE 1—SHOOK

* * * * * * *

3. Where freight rates are over $0.97 use basic price plus freight from Klamath Falls, Oregon, or Weed, California, whichever is lower figured on basis of 1800 lbs. per 1000 feet.

* * * * * * *

(f) The maximum charges that may be made for warehousing and delivery within the western area are as follows:

TABLE 6—WAREHOUSING, DELIVERY, AND EXPORT CHARGES

(1) Where shipment is made from a warehouse in a quantity of 30,000 pounds or more at one time: *Add* $1.00 per thousand feet.

(2) Where shipment is of a quantity less than 30,0000 pounds:

(a) *Add*, for vegetable containers $1.00, other containers $2.00, per thousand feet as a warehousing charge, whether shipment is from a mill, warehouse, distribution agency, co-operative, wholesale, retail, or other establishment, and

(b) *Add* $2.00 per thousand feet for delivery, except where purchaser takes delivery at the mill, warehouse, distribution agency, co-operative, wholesale, retail or other establishment.

(3) The additions in (1) and (2) of this table also apply to car bracing and car strips.

(4) For unitized stock: substitute 5¢ per one hundred units for the $1.00 and 10¢ per 100 units for the $2.00 charges in (1) and (2) of this table.

(5) For delivering framed stock: Add $4.00 per thousand feet, or actual cost, whichever is lower.

(6) Exports: Where export quality and a dryness of 16% or less is specified, add $5.00 per thousand feet.

§ 1377.116 *Colorado excepted from Maximum Price Regulation No. 186 in certain respects.* (a) On and after September 22, 1942, and until such time as this section is revoked or amended, this Maximum Price Regulation No. 186 shall be superseded by the General Maximum Price Regulation to the extent and in the manner set forth in paragraphs (b), (c) and (d) of this section.

(b) Section 1377.114 (d), (e) and (f) shall not apply where the services rendered in connection with assembly, extras, warehousing and delivery take place within the State of Colorado, but the maximum prices, including delivered prices, set forth in § 1377.114 (a), (b) and (c) shall continue to apply to containers and shook produced in the western area and shipped into the State of Colorado.

(c) None of the provisions of Maximum Price Regulation No. 186 shall apply to the sale or delivery of shook or containers, or to any charge in connection therewith, in any case where all the shook in a given order was manufactured in the State of Colorado.

(d) Where a single order of shook or containers delivered in the State of Colorado consists in part of shook produced in Colorado and in part of shook produced in another state in the western area, the seller shall not charge more for that part produced in Colorado than is proper under the General Maximum Price Regulation, nor shall he charge more for that portion produced elsewhere within the western area than is proper under paragraphs (a), (b) and (c) of § 1377.114 of this Maximum Price Regulation No. 186. The seller shall indicate on his invoice the charge made for both of the foregoing classes of shook, and shall preserve records thereof as provided in § 1377.106.

§ 1377.113a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1377.114 (a), (f), 1377.116) to Maximum Price Regulation No. 186 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9179; Filed, September 16, 1942; 2:44 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 5 to Revised Price Schedule 63 [1]—Retail Prices for New Rubber Tires and Tubes]

LEASING OR RENTING OF NEW TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1315.101a is added as set forth below:

§ 1315.101a *Leasing or renting of new rubber tires and tubes.* The maximum price for leasing or renting any new rubber tire or tube shall be determined according to Maximum Price Regulation No. 165,[2] as amended—Services as now or hereafter amended.

§ 1315.109a *Effective dates of amendments.* * * *

(f) Amendment No. 5 (§ 1315.101a) to Revised Price Schedule No. 63 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9176; Filed, September 16, 1942; 2:39 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 2 to Revised Price Schedule 66 [1]—Retreaded and Recapped Rubber Tires, Retreading and Recapping of Rubber Tires, and Basic Tire Carcasses]

LEASING OR RENTING OF RETREADED OR RECAPPED TIRES, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1315.1206 (a) is amended and two new sections, 1315.1201a and 1315.1206a are added as set forth below:

§ 1315.1201a *Leasing or renting of retreaded and recapped rubber tires and basic tire carcasses.* The maximum price for leasing or renting any retreaded or recapped tire or any basic tire carcass shall be determined according to Maximum Price Regulation No. 165,[2] as amended—Services, as now or hereafter amended.

§ 1315.1206 *Enforcement.* (a) Persons violating any provisions of this Revised Price Schedule No. 66 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * * * *

§ 1315.1206a *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation [3] and Maximum Price Regulation No. 165, as amended.* (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at wholesale or retail any retreaded or recapped rubber tire for which a maximum price is established by Revised Price Schedule No. 66. When used in this paragraph (a) the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o), respectively, of the General Maximum Price Regulation.

(b) The registration and licensing provisions of §§ 1499.111 and 1499.112 of Maximum Price Regulation No. 165, as amended, are applicable to every person selling the service of retreading or recapping any tire for which service a maximum price is established by Revised Price Schedule No. 66.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5776, 6968.

[1] 7 F.R. 1323, 1836, 2132, 3036, 3719, 5708, 6048, 6215.

[2] 7 F.R. 6428, 6966, 7249.

[2] 7 F.R. 1333, 1837, 1836, 2132.

[2] 7 F.R. 6428, 6966, 7249.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

§ 1315.1209a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1315.1201a, 1315.1206 (a), 1315.1206a) to Revised Price Schedule No. 66 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9175; Filed, September 16, 1942; 2:39 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment No. 4 to Maximum Price Regulation No. 107 [1]—Used Tires and Tubes]

LEASING OR RENTING OF USED TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1315.1351a is added as set forth below:

§ 1315.1351a *Leasing or renting of used tires and tubes.* The maximum price for leasing or renting any used tire or tube shall be determined according to Maximum Price Regulation No. 165 [2], as amended—Services, as now or hereafter amended.

§ 1315.1359a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1315.1351a) to Maximum Price Regulation No. 107 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9174; Filed, September 16, 1942; 2:39 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 18 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

NORTHWESTERN MOTOR COMPANY

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

New subparagraph (12) is added to paragraph (c) of § 1390.25 and new paragraph (r) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(12) *Northwestern Motor Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any railway motor car manufactured and sold by the Northwestern Motor Company, Eau Claire, Wisconsin, for which the said Company had a published or confidential list price in effect on October 1, 1941, shall be the net price determined in accordance with the provisions of § 1390.5 plus sixty dollars ($60), when such car is one of the following series, viz:

No. 561-V8-85----- Extra gang car.
No. 561-HV-8-85--- Hump and extra gang car.
No. 581-V8-85----- Power ballast discer.

§ 1390.31a *Effective dates of amendments.* * * *

(r) Amendment No. 18 (§ 1390.25 (c) (12)) to Maximum Price Regulation No. 136, as amended, shall become effective September 21, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9160; Filed, September 16, 1942; 2:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 22 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

FLUID MILK AND CREAM IN ALBUQUERQUE, NEW MEXICO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73, paragraph (a) (1), is amended as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream*—(i) *Maximum prices for fluid milk sold at retail in specified localities.* The maximum price of fluid milk sold and delivered at retail, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher; *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

Locality	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents) [1]
*	*	* *	*	*	*
(f) Albuquerque, N. Mex.	Approved---	Out of store or to the home----------	Quart------	Glass------	Plus 1.
	Approved---	Out of store or to the home----------	Quart------	Paper------	Plus 1.
	Approved---	Out of store or to the home----------	Pint-------	Glass------	Plus ½.
	Approved---	Out of store or to the home----------	Pint-------	Paper------	Plus ½.

[1] Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller at wholesale must multiply such fractional per unit figure by the number of units in each order. The seller at retail, however, will adjust unit figures containing a fraction of a cent to the next highest half cent; for example, a maximum price of 12½ cents for one unit would be adjusted to 13 cents for one unit, 25 cents for two units, etc.

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.* The maximum price of fluid milk sold and delivered at wholesale, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher; *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1838, 1981, 2394, 3891, 5177.

[1] 7 F.R. 6428, 6966, 7249.

[2] 7 F.R. 5047, 5362, 5665, 5908, 6426, 6682, 6899, 6937, 6964, 6973, 7010, 7246.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6472, 6477, 6774, 6775, 6776.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

Price Administration.
[1] 7 F.R. 5776, 6968.

[2] 7 F.R. 6428, 6966, 7249.

Locality	Grade	Container size	Type of container	Adjusted maximum price (cents) [1]
•	•	•	•	•
(d) Albuquerque, N. Mex.	Approved.	Quart...	Glass..	Plus 1.
	Approved.	Qnart...	Paper.	Plus 1.
	Approved.	Pint...	Glass..	Plus ½.
	Approved.	Pint...	Paper.	Plus ½.
	Approved.	½ pint.	Glass..	Plus ¼.
	Approved.	½ pint.	Paper.	Plus ¼.

[1] Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller at wholesale must multiply such fractional per unit figure by the number of units in each order. The seller at retail, however, will adjust unit figures containing a fraction of a cent to the next highest half cent; for example, a maximum price of 12½ cents for one unit would be adjusted to 13 cents for one unit, 25 cents for two units, etc.

(iii) *Definitions.* For purposes of this subparagraph (1):

• • • • •

(*g*) "Albuquerque, New Mexico" means the City of Albuquerque and all other points within the county of Bernalillo, in the State of New Mexico.

(b) *Effective dates.* • • •

(23) Amendment No. 22 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9177; Filed, September 16, 1942; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 1 [1] under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3-72]

HOFFMAN BEVERAGE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith *it is ordered:*

Amended: § 1499.301 (a), (b), and (c).

§ 1499.301 *Adjustment of maximum prices for malt beverages manufactured by Hoffman Beverage Company.* (a) Hoffman Beverage Company may increase the maximum prices established for its sales of its malt beverages (beer, ale, and half and half) to all classes of trade by the following amounts:

4 cents per case of 24 twelve ounce bottles
10 cents per case of 12 quart bottles
25 cents per half barrel (15½ gallons).

Provided, That such increases may only be made in the State of Connecticut, in the State of New Jersey, and in the counties of Bronx, Duchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester, State of New York.

(b) *Wholesalers and retailers.* (1) New London Fruit & Produce Company, 376 Bank Street, New London, Connecticut, and M. Rosenfield Inc., 700 C. 8th Avenue, Belmar, New Jersey, may increase the maximum prices established for their sales of Hoffman Beverage Company's malt beverages in the area described in paragraph (a) of this order by the following amounts:

4 cents per case of 24 twelve ounce bottles
10 cents per case of 12 quart bottles
25 cents per half barrel (15½ gallons).

(2) Any retailer may increase the maximum prices established for his sales of Hoffman Beverage Company's malt beverages in the area described in paragraph (a) of this order by 1 cent for 3 twelve ounce bottles and 1 cent for each quart bottle; *Provided,* That such maximum prices as increased shall not exceed 27 cents for 3 twelve ounce bottles and 22 cents for each quart bottle.

(c) *Notification of retailers.* On or before September 19, Hoffman Beverage Company shall, by circular or other appropriate means, notify all retailers selling its malt beverages in the area described in paragraph (a) of this order that may increase their maximum prices as provided in paragraph (b) of this order; *Provided,* That Hoffman Beverage Company shall not be required to notify any retailer whom it has heretofore notified of the price increases permitted by paragraph (b) of this order.

• • • • •

(e) (1) Amendment No. 1 (§ 1499.301 (a) (b) (c)) to Order No. 1 under § 1499.18 (b) of the General Maximum Price Regulation shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9178; Filed, September 16, 1942; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 39 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-802]

THE FLINTKOTE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith *it is ordered:*

§ 1499.389 *Denial of application for adjustment of maximum price of dry felt sold by the Flintkote Company of New York, New York.* (a) The application of the Flintkote Company of New York, New York, filed July 22, 1942, and assigned Docket No. GF3-802, requesting permission to increase the maximum price to industrial consumers of dry felt is denied.

(b) This Order No. 39 (§ 1499.389) shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9168; Filed, September 16, 1942; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 42 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1412]

GLOVERSVILLE KNITTING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith,* *it is ordered:*

§ 1499.392 *Maximum prices for sales of woolen knitted fabrics sold by the Gloversville Knitting Company.* (a) Pending final determination by the Price Administrator of a petition for relief from the provisions of § 1499.2 of the General Maximum Price Regulation filed by the Gloversville Knitting Company (hereinafter referred to as the petitioner), the petitioner, whose post-office address is Beaver Street, Gloversville, New York, is hereby authorized to sell, and any person is authorized to buy from the petitioner, Styles No. 769, 816, 843, 529, 793, 764 and 768, manufactured by it, at a price not in excess of the maximum price established according to the aforementioned §1499.2: *Provided however,* That the Gloversville Knitting Company and any buyer from it may agree in any contract for the sale of such styles that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the petitioner's request for relief.

(b) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(c) This Order No. 42 (§ 1499.392) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 42 (§ 1499.392) shall become effective September 17 (Pub. Law 421, 77th Cong.).

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9173; Filed, September 16, 1942; 2:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Maximum Price Regulation 204 [1]]

IDLE OR FROZEN MATERIALS SOLD UNDER PRIORITIES REGULATION NO. 13 [2]

A statement of the considerations involved in the issuance of Amendment No. 1 to Maximum Price Regulation No. 204, Idle or Frozen Materials Sold Under Priorities Regulation No. 13, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1499.502 paragraph (a) is amended to read as set forth below and a new § 1499.514a is added:

§ 1499.502 *Maximum prices for idle or frozen materials*—(a) *Idle or frozen material which is in the form in which originally purchased by the seller.* (1) If

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 6479.
[2] 7 F.R. 5167, 5604.

[1] 7 F.R. 6718.

sold to a producer of this or similar material, there shall be no maximum price applicable to such sale.

(2) If sold to any other authorized buyer:

(i) The maximum price f. o. b. the present location of the material shall be the delivered cost, including all transportation charges, that the seller would be permitted to incur for the material if purchased from his original supplier under the presently applicable maximum price regulation. If the quantity sold is smaller than the quantity originally purchased, "the delivered cost that the seller would be permitted to incur" shall be determined in reference to the quantity originally purchased instead of the quantity sold. If the seller cannot identify the quantity originally purchased, the quantity last purchased shall be considered as the quantity originally purchased.

(ii) If the maximum price cannot be determined under subparagraph (2) (i) of this paragraph (a), the maximum price f. o. b. the present location of the material shall be the actual delivered cost of the material to the seller.

• • • • •

§ 1499.514a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1499.502(a) and 1499.514a) to Maximum Price Regulation No. 204 shall become effective September 16, 1942.

(Pub. Law. 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9171; Filed, September 16, 1942; 2:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 40 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-432]

JONES DAIRY FARM

For the reasons set forth in an opinion issued simultaneously herewith,* *it is ordered:*

§ 1499.390 *Adjustment of maximum prices for pork link sausage and pork sausage meat produced by Jones Dairy Farm.* (a) Jones Dairy Farm of Fort Atkinson, Wisconsin, may sell and deliver, and any person may buy and receive from Jones Dairy Farm, pure pork link sausage and pure pork sausage meat at a price equal to its maximum price as established under § 1499.2 of the General Maximum Price Regulation plus 2½ cents per pound.

(b) Any person selling at wholesale or retail pork sausage links and pork sausage meat produced by Jones Dairy Farm may sell and deliver, and any person may buy and receive from wholesale or retail distributors pork sausage meat and pork sausage links so produced at a price equal to the maximum price as established under § 1499.2 of the General Maximum Price Regulation plus 3 cents per pound, provided that no such increase shall result in a maximum price in excess of 51 cents a pound for sausage meat or 55 cents a pound for link sausage.

(c) Jones Dairy Farm, and each wholesaler distributing its pork sausage, shall affix to or enclose with every case or carton of pork sausage sold by it for a period of three months from September 10, 1942, a written or printed notice stating (1) that Jones Dairy Farm has been allowed to increase its maximum price for sausage by 2½ cents per pound and (2) that each retailer may add 3 cents per pound to his ceiling price, provided that no retailer's maximum price shall be increased to more than 51 cents per pound for sausage meat or more than 55 cents per pound for link sausage.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 40 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 40 (§ 1499.390) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 40 (§ 1499.390) shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9172; Filed, September 16, 1942; 2:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 41, Under § 1499.18 (c) of the General Maximum Price Regulation]

CELCURE WOOD PRESERVING CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.391 *Adjustment of maximum prices for Celcure processed 2½" x 6" tupelo and gum platform decking, sized to 2¼" x 5½", sold by the Celcure Wood Preserving Corporation.* (a) The maximum price f. o. b. Columbia, South Carolina, for Celcure processed 2½" x 6" tupelo and gum platform decking, sized to 2¼" x 5½", sold by the Celcure Wood Preserving Corporation, Jacksonville, Florida, shall be $52.85 per 1,000 feet board measure.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 41 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 41 (§ 1499.391) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modification of maximum prices established by § 1499.2.

(e) This Order No. 41 (§ 1499.391) shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9170; Filed, September 16, 1942; 2:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 68 under § 1499.3 (b) of the General Maximum Price Regulation [1]]

EASTMAN KODAK COMPANY

The Eastman Kodak Company of Rochester, New York, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum prices for a new product. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is ordered:*

§ 1499.282 *Approval of maximum prices for n-Hexyl Chloride.* (a) On and after September 17, 1942, the Eastman Kodak Company of Rochester, New York, may sell and deliver and agree, solicit and attempt to sell and deliver, and any person may buy from the Eastman Kodak Company, n-Hexyl Chloride at prices not in excess of those hereinafter set forth:

n-Hexyl Chloride at $2.25 per 100 grams, to dealers for resale; and $3.00 per 100 grams, list to customers.

(b) All discounts, allowances, practices with regard to charges for transportation and other trade practices in effect with respect to comparable commodities during March 1942, by the seller, shall remain in effect under this order.

(c) Total sales of the commodity at the prices set forth in paragraph (a) shall not exceed $150 per year.

(d) This Order No. 68 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 68 (§ 1499.282) shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9169; Filed, September 16, 1942; 2:43 p. m.]

PART 1426—WOOD PRESERVING AND PRIMARY FOREST PRODUCTS

[Maximum Price Regulation 218]

CENTRAL APPALACHIAN WOODEN MINE MATERIALS

Correction

Under Table 5 appearing on page 7151 of the issue for Thursday, September 10, 1942, the first item should read "⅛" x 1" x 5"—12" " instead of "⅛" x 1" x 5"—13" ".

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6038, 6081, 6007, 6216, 6615, 6794, 6939, 7093.

[7] 7 F.R. 6718.

[2:45 p. m.]

[8] 7 F.R. 5167, 5604.

No. 184——6

PART 1426—WOOD PRESERVING AND PRIMARY FOREST PRODUCTS

[Maximum Price Regulation 216]

RAILROAD TIES

Correction

A footnote reference "7" should appear at the end of § 1426.14 (6) on page 7099 of the issue for Wednesday, September 9, 1942.

PART 1499—COMMODITIES AND SERVICES

[Order 43 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-1821]

LONDONDERRY OF PORTLAND

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.393 *Adjustment of maximum prices for factory-filled, quart packages of Londonderry Ice Cream manufactured by Londonderry of Portland.* (a) Londonderry of Portland, 927 S. E. Marion Street, Portland, Oregon, may sell and deliver, at wholesale, and any person may buy and receive from Londonderry of Portland, factory-filled, quart packages of Londonderry Ice Cream at a price not higher than 65 cents per gallon.

(b) Any person may sell and deliver at retail, and any person may buy and receive from a seller at retail, factory-filled, quart packages of Londonderry Ice Cream at a price not higher than 22 cents per quart package.

(c) The adjustments granted in paragraphs (a) and (b) of this Order No. 43 are subject to the following conditions:

(1) Londonderry of Portland shall notify all persons to whom it sells factory-filled, quart packages of Londonderry Ice Cream of the modification of the maximum prices for such product permitted by this Order, and shall accompany such notice with a copy of this order. Such notification shall be made with the first delivery after the effective date of this order;

(2) The maximum prices permitted by this order shall be subject to discounts, allowances, and terms no less favorable than those given during March 1942.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 43 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 43 (§ 1499.393) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 43 (§ 1499.393) shall become effective September 18, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9208; Filed, September 17, 1942; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 37 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-288]

PROGRESS CIGAR CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.387 *Adjustment of maximum prices for cigars manufactured by Progress Cigar Company.* (a) Progress Cigar Company, 428-30 South 13th Street, Philadelphia, Pennsylvania, may sell and deliver and Yahn & McDonnell Company, Philadelphia, Pennsylvania, may buy and receive from Progress Cigar Company the following commodities at prices not higher than those set forth below:

McDONNELL COMPANY AND WIDENER ARCADE BRAND CIGARS

	Per thousand
Longfellows	$35.00
Panetelas	35.30
Perfectos	35.30

BELLEVUE STRATFORD BRAND CIGARS

	Per thousand
Lobbies	$50
Broad Street	59

(b) The adjustment granted to Progress Cigar Company in paragraph (a) is subject to the condition that Yahn & McDonnell Company shall not use such adjustment as the basis for petitioning the Office of Price Administration for adjustment of its prices.

(c) All prayers of the Petition not granted herein are denied.

(d) This Order No. 37 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 37 (§ 1499.387) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 37 (§ 1499.387) shall become effective September 18, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 17th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9209; Filed, September 17, 1942; 11:37 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1611]

BENNETT AND BRASSART COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of the Bennett and Brassart Coal Co., code member in District No. 15 for a reduction in the effective minimum price for ½" x 0 slack coals produced from the B & B Mine, Mine Index No. 1387, in District No. 15.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 19, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, at 536 Dwight Building, 1004 Baltimore Avenue, Kansas City, Missouri.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 14, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of the Bennett and Brassart Coal Co., a code member in District No. 15, for a reduction, from $1.35 per ton to 70 cents per ton, for ½" x 0 slack coals produced from the B & B Mine, Mine Index No. 1387, in District No. 15 for shipment by truck to all market areas.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9219; Filed, September 17 1942; 11:47 a. m.]

[Docket Nos. A-1559; A-1559 Part II]

DISTRICT BOARD 15

ORDER GRANTING RELIEF, ETC.

In the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15. In the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of the Moss & Hill No. 2 Mine and the Floyd Mine.

Memorandum Opinion and Order severing Docket No. A-1559 Part II from Docket No. A-1559 and granting temporary relief in Docket No. A-1559 Part II.

The original petition in the above-entitled matter filed with this Division on July 28, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, prays for the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 15.

As indicated in a separate order entered in Docket No. A-1559, a reasonable showing of necessity has been made for the granting of the relief prayed for by the petitioner, except with respect to the establishment of permanent price classifications and minimum prices for the coals of the Moss & Hill No. 2 Mine (Mine Index No. 1627) of code member Moss & Hill (E. M. Moss) and the Floyd Mine (Mine Index No. 1623) of code member Floyd Rouse in Production Group 3 in District No. 15.

It appears that the coals of the Moss & Hill #2 Mine, located in Putnam County, Missouri, and the Floyd Mine, located in Adair County, Missouri, possess marketing factors and qualities similar to those of other coals heretofore classified and priced and presently being produced in those respective counties and that the minimum prices for the coals of the above-named mines, in the respective size groups, should correspond with those in effect for other coals produced in the same county for shipment by truck into all market areas. The coals produced in Adair County, Missouri, and presently subject to the temporary minimum prices set forth in the Order entered October 29, 1940, granting temporary relief in Docket No. A-58. An analysis of the Moss & Hill #2 Mine and the Floyd Mine and that their permanent classification and prices should await final determination of the related issues raised in Docket Nos. A-58, A-179 and A-492.

Now, therefore, it is ordered, That the portion of Docket No. A-1559 relating to the coals of the Moss & Hill #2 Mine (Mine Index No. 1627) of code member Moss & Hill and the Floyd Mine (Mine Index No. 1623) of code member Floyd Rouse be, and it hereby is, severed from the remainder of that docket and designated as Docket No. A-1559, Part II.

It is further ordered, That pending final disposition of Docket No. A-1559, Part II, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 15 For Truck Shipments is supplemented to include the price classifications and minimum prices set forth below for the coals of the Moss & Hill #2 Mine (Mine Index No. 1627) operated by code member Moss & Hill and the Floyd Mine (Mine Index No. 1623) operated by code member Floyd Rouse for shipment by truck to all market areas:

DISTRICT NO. 15 (TRUCK SHIPMENTS)

PRICES IN CENTS PER NET TON FOR SHIPMENT INTO ALL MARKET AREAS

Mine Index No.	Code member	Mine name	Production group No.	County	Prices and size group numbers														
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1627	Moss & Hill (E. M. Moss)	Moss & Hill #2	3	Putnam, Mo	230	230	230	230	230	215	200	190	250	185	210	195	----	135	35
1623	Rouse, Floyd	Floyd	3	Adair, Mo	250	250	250	250	250	235	215	195	230	180	205	190	170	130	35

**Prices applicable on coal moving into the State of Iowa.

Notice is hereby given, that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated, September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9216; Filed, September 17, 1942; 11:45 a. m.]

[Docket Nos. A-1536 and A-1589.]

JOHN P. PRUSHNOK

ORDER OF CONSOLIDATION AND ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petitions of John P. Prushnok, for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

District Board 1 having petitioned for leave to intervene in Docket No. A-1538; and

An informal conference having been held in Docket No. A-1538, at which petitioner and District Board 1 were present; and

A Statement re Original Petition—Docket No. A-1538 having been filed on August 27, 1942, and a similar Statement in Docket No. 1589 having been filed on September 4, 1942, indicating that a question has arisen as to whether petitioner is the producer of the coals involved; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth rather than in the manner in which relief was requested; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated.

It is further ordered, That pending final disposition of the above-entitled matter temporary relief be, and the same hereby is, granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck is supplemented to include the price classifications and minimum prices in the Schedule marked "Supplement R" annexed hereto and made a part hereof.[1]

No code acceptances or necessary information having been filed for certain other mines for which petitioner requests the establishment of price classifications and minimum prices, no relief is accorded to these mines.

Nothing contained herein shall be deemed to constitute an opinion with regard to the question whether or not John P. Prushnok is the operator of any of the mines for which price classifications and minimum prices are established or for which price classifications and minimum prices were requested.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on October 9, 1942, at 10:00 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 2, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of John P. Prushnok for the establishment of permanent price classifications and minimum prices for the coals of certain mines in District No. 1 which are represented to be leased and operated by the said John P. Prushnok, and for the establishment of minimum prices for truck shipment for said mines.

Notice is hereby given that applications to stay, terminate, or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practices and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9217; Filed, September 17, 1942; 11:46 a. m.]

[Docket No. B-134]

W. W. COFFEY

ORDER REVOKING AND CANCELLING REGISTRATION OF DISTRIBUTOR

This proceeding having been instituted by the Bituminous Coal Division, pursuant to the Bituminous Coal Act of 1937 and § 304.14 of the Rules and Regulations for the Registration of Distributors, in order to investigate and determine whether W. W. Coffey, a registered distributor (Registration No. 1685), Lynchburg, Virginia, has violated certain provisions of the Act, the Marketing Rules and Regulations Incidental to the Sale and Distribution of Coal, the Rules and Regulations for the Registration of Distributors, and the Agreement by Registered Distributor;

A Notice of and Order for Hearing having been issued and respondent having filed an answer;

Pursuant to the Notice of and Order for Hearing, a hearing in this matter having been held before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Lynchburg, Virginia, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which respondent appeared;

The Examiner having filed his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation in this matter on June 1, 1942, in which it was recommended that the proceeding in this matter be dismissed;

The undersigned having made Findings of Fact herein and having rendered an Opinion, filed herewith, rejecting the recommendations of the Examiner;

Now, therefore, it is ordered, That the registration of W. W. Coffey, as a registered distributor (Registration No. 1685) be and it hereby is revoked; that the respondent shall not, until the elapse of at least six months from the date of this order, petition the Division for registration as a registered distributor; that any application for registration subsequently filed by respondent shall be accompanied by an affidavit verifying that during the period respondent's registration as a registered distributor was revoked, respondent neither directly nor indirectly transacted business as a registered distributor nor received nor was promised any discount which distributors are entitled to receive by virtue of registration; and that satisfactory proof of the facts as set forth in such affidavit be a further condition to registration of respondent as a registered distributor.

Dated September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9218; Filed, September 17, 1942; 11:46 a. m.]

[Docket No. B-303]

J. J. FOUTZ

ORDER POSTPONING HEARING AND REDESIGNATING TRIAL EXAMINER

The above-entitled matter having been heretofore scheduled for hearing at 10 a. m. on September 21, 1942, at a hearing room of the Bituminous Coal Division, at the Franciscan Hotel, Albuquerque, New Mexico; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from September 21, 1942 to November 19, 1942 at 1 p. m., at a hearing room of the Bituminous Coal Division at the Franciscan Hotel, Albuquerque, New Mexico.

It is further ordered, That Charles O. Fowler, or any other officer of the Division that may be designated for that purpose, shall preside at said hearing vice D. C. McCurtain.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9220; Filed, September 17, 1942; 11:47 a. m.]

[Docket No. B-294]

HAL MASSEY

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 1, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 1, 1942, by Bituminous Coal Producers Board for District No. 8 complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Hal Massey (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 24, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 214, Post Office Building, Knoxville, Tennessee.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by § 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Hal Massey, a Code Member of Calloway, Kentucky, whose code membership became effective January 26, 1938, operating Mine Index No. 1532, located in Bell County, Kentucky, District No. 8, violated the Act, the Code and the rules and regulations thereunder by:

(1) Selling during the period April 20, 1941 to April 28, 1941, both dates inclusive, to the Kentucky Home Coal Company of Pineville, Kentucky, approximately 285 tons of 1½" slack coal produced at the above-designated mine at a price of $1.25 per net ton f. o. b. the mine for truck shipment, and during the period April 12, 1941 to April 22, 1941, both dates inclusive, to Isaac Slusher of Hulen, Kentucky, approximately 222.95 tons of 1½" slack coal produced at the above-designated mine at prices of 80¢ and 90¢ per net ton f. o. b. the mine for truck shipment, whereas the effective minimum price for said coal was $1.80 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, resulting in violation of section 4 II (e) of the Act and Part II (e) of the Code; and

(2) Selling during the period April 20, 1941 to April 28, 1941, both dates inclusive, to the Kentucky Home Coal Company of Pineville, Kentucky, approximately 285 tons of 1½" slack coal produced at the above-designated mine for shipment by rail, and during the period April 12, 1941 to April 22, 1941, both dates inclusive, to Isaac Slusher of Hulen, Kentucky, approximately 222.95 tons of 1½" slack coal produced at the above-designated mine for shipment by rail, whereas prices, temporary or final, had not been established by the Division for said coal for rail shipment, resulting in violation of the Order in General Docket No. 19 dated October 9, 1940.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9221; Filed, September 17, 1942; 11:47 a. m.]

[Docket No. 1717-FD]

SHELBY COAL COMPANY (W. K. JENNE)

ORDER POSTPONING HEARING AND REDESIGNATING EXAMINER

The above-entitled matter having been heretofore scheduled for hearing on September 21, 1942, at 10 a. m., at the Cabell County Court House, Huntington, West Virginia; and

The Acting Director deeming it advisable that said hearing be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from September 21, 1942, at 10 a. m., at the Cabell County Court House, Huntington, West Virginia, to October 29, 1942, at 10 a. m., at the same place.

It is further ordered, That Examiner Floyd McGown preside at said hearing, vice Examiner Travis Williams.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9222; Filed, September 17, 1942; 11:47 a. m.]

[1] Not filed with the Division of the Federal Register.

Bureau of Reclamation.

[No. 27]

ORLAND IRRIGATION PROJECT

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

AUGUST 28, 1942.

(1) Announcement is hereby made that, pending the cancellation of water rights on lands now delinquent in the payment of charges due the United States and the transfer of said water rights to other lands in private ownership that can be served from the constructed canal system, or minor extensions, on the Orland project, California, water will be furnished during the irrigation season of 1943 and thereafter until further notice, upon approved applications for temporary water service for the irrigation of such other lands, upon a water rental basis, at the following rates and terms.

(2) The minimum water rental charge for the lands to be irrigated under the provisions of this public notice shall be one dollar and sixty cents ($1.60) per irrigable acre, which charge will permit the delivery of not to exceed three acre-feet of water per acre. Additional water will be furnished at the rate of forty cents ($0.40) per acre-foot. The minimum charge defined above will be due and payable at the time that application for temporary water service is executed and no water will be delivered until the minimum charge has been paid in full. Charges for additional water at the rates above specified must be paid in advance of the delivery of additional water and no advance payment shall be accepted in sums of less than $10.00 which would permit the delivery of 25 acre-feet at the rate specified.

(3) All charges for water rental service are to be paid to the Bureau of Reclamation, Orland, California. (Act of June 17, 1902, 32 Stat., 388, as amended or supplemented.)

ABE FORTAS,
Under Secretary.

[F. R. Doc. 42-9192; Filed, September 17, 1942; 9:54 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4774]

D. K. TUEY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, October 14, 1942, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 229, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9197; Filed, September 17, 1942; 10:47 a. m.]

[Docket No. 4780]

GALLANT TRADING COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 12, 1942, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 229, Post Office Building, Los Angeles, California

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9196; Filed, September 17, 1942; 10:47 a. m.]

[Docket No. 4825]

EDWARD WEMETT & COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of September A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, October 7, 1942, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 229, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9195; Filed, September 17, 1942; 10:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 3 Under Revised Price Schedule 12[1]—Brass Mill Scrap—Docket 3012-2]

THE BRUSH BERYLLIUM COMPANY

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.19 (e) (2) of Revised Price Schedule No. 12—Brass Mill Scrap, *it is ordered:*

(a) The Brush Beryllium Company of Cleveland, Ohio, may buy and receive from the American Brass Company of Waterbury, Connecticut, and the American Brass Company of Waterbury, Connecticut, may sell and deliver to The Brush Beryllium Company of Cleveland, Ohio, at a price not higher than 14¢ per pound f. o. b. Lorain, Ohio, specially prepared brass mill scrap: *Provided*, That The Brush Beryllium Company of Cleveland, Ohio, has been authorized by the War Production Board to make each such purchase.

(b) As used in this Order No. 3 "specially prepared brass mill scrap" shall mean fine, clean copper chips free from iron, oil, zinc, lead, arsenic, antimony or other contamination.

(c) Unless the context otherwise requires, the terms used in this Order No. 3 shall have the same meaning given to them by Revised Price Schedule No. 12.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 3 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9187; Filed, September 16, 1942; 2:43 p. m.]

[1] 7 F.R. 1234, 1836, 2132, 3520, 5515.

[Order 45 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-55]

PREMAR COAL COMPANY, INC.

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) The Premar Coal Company, Inc., Tunnelton, West Virginia, may sell and deliver and any person may buy and receive, rail shipments of the bituminous coal described in paragraph (b) below at prices not in excess of those stated therein.

(b) Coals in Size Groups 6 to 9, inclusive, produced by the Premar Coal Company, Inc., at its Monitor No. 2 Mine, Mine Index No. 150, District No. 3 may be sold at prices not to exceed $2.25 per net ton, f. o. b. the mine, for shipment by rail.

(c) This Order No. 45 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petitioner not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 45 shall become effective on September 17, 1942.

Issued this 16th day of September, 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-9182; Filed, September 16, 1942; 2:40 p. m.]

[Order 15 Under Maximum Price Regulation 122[1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket 3122-216]

BOARD OF EDUCATION OF NEWARK, NEW JERSEY

ORDER GRANTING ADJUSTMENT

On July 29, 1942, the Board of Education of the City of Newark, New Jersey, filed a petition (Docket No. 3122-216) requesting an adjustment of the maximum prices established by Maximum Price Regulation No. 1 2 for sales of solid fuels by C & I Coal Company, Fuels, Inc., Hi-Grade Coal and Fuel Company, J. I. Seidenburg Coal and Fuel Company, and S. Smith Coal and Oil Company to permit said companies to deliver anthracite coals pursuant to contracts awarded by the Board of Education of the City of Newark at prices specified in such contracts.

Due consideration has been given to said petition and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *it is ordered:*

(a) C & I Coal Company, Fuels, Inc., Hi-Grade Coal and Fuel Company, J. I. Seidenburg Coal and Fuel Company, and S. Smith Coal and Oil Company may sell and deliver and the Board of Education of the City of Newark, New Jersey, may buy and receive anthracite coal for use in the public schools of the City of Newark as set forth in the subparagraph of paragraph (b) below applicable to each company, at prices not in excess of those stated in each such subparagraph, pursuant to contracts heretofore awarded by the Board of Education of Newark, New Jersey;

(b) (1) *C & I Coal Company.*

School	*Contract prices 1942–43*
Bruce St	$5.93
Warren St	5.36

(b) (2) *Fuels, Inc.*

School	*Contract prices 1942–43*
Alexander St	$5.96
Ann St	5.61
Arlington Ave	5.73
Bergen St	5.91
Central Ave	5.73
East Side C & T High	5.74
Franklin	5.59
Garfield	5.61
Hawkins St	5.60
Ivy St	5.91
Lafayette St	5.63
Lincoln	5.91
Madison	5.91
McKinley-7th Ave	5.91
Miller St	5.71
Ridge St	5.73
Summer Ave	5.69

(b) (3) *Hi-Grade Coal Company.*

School	*Contract prices 1942–43*
Abington Ave	$5.40
Alyea St	9.40
Avon Ave	5.73
Barringer High (Main Bldg.)	5.40
Barringer High (Gym.)	5.40
Boylan St	5.53
Bragaw Ave	5.53
Camden St	5.40
Chancellor Ave	5.40
Charlton St	5.40
Hawthorne Ave	5.39
Maple Ave	5.83
McKinley-8th Ave	5.40
Montgomery St	5.39
Morton St	5.21
Newton St	5.60
Oliver St	5.40
Peshine Ave	5.29
Robert Treat	5.65
South 17th St	5.90
South Side High	5.21
Speedway Ave	5.40
State St	9.35
Webster St	5.48
Weequahic High	5.38
West Side High	5.50
Wilson Ave	5.21
Woodland Ave. (Stove)	9.40
Woodland Ave. (Nut)	9.40
Repair Shop	9.40
Newark School Stadium	9.40

(b) (4) *J. I. Seidenberg Coal & Fuel Company.*

School	*Contract prices 1942–43*
Coes Place	$5.93
South St	5.93

(b) (5) *S. Smith Coal & Oil Company.*

School	*Contract prices 1942–43*
Arts High	$5.42
Branch Brook	5.71
Burnet St	5.71
Central C & T High	5.21
Cleveland	5.42
East Side C & T High Annex	7.91
Eighteenth Ave	5.68
Elliott St	5.71
Fifteenth Ave. (Old Bldg.)	5.88
Fifteenth Ave. (New Bldg.)	5.71
First Ave	5.71
Fourteenth Ave	5.68
Girls' Trade	5.91
Monmouth St	5.62
Roseville Ave	7.91
South 8th St	5.62
South 10th St	5.62
Summer Place	5.91
Sussex Ave	5.62
Waverly Ave	5.62

(c) This Order No. 15 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein;

(f) This Order No. 15 shall become effective September 21, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9188; Filed, September 16, 1942; 2:45 p. m.]

[Order 9 Under Maximum Price Regulation 126[1]—Fluorspar]

INDIAN METALS COMPANY

ORDER DETERMINING MAXIMUM PRICE

Under date of July 30, 1942, Indian Metals Company, Lordsburg, New Mexico, applied to the Office of Price Administration for the determination of a maximum price at which it might sell its acid grade fluorspar from its plant at Lordsburg, New Mexico. The specifications of its product are a minimum of 98% calcium fluoride, and a maximum of 1% silica. Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, the Office of Price Administration will determine the maximum price at which fluorspar of a particular grade may be sold by a producer when the conditions named in that Section exist. Due consideration has been given to that application, and an opinion in support of this Order No. 9 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered:*

[1] 7 F.R. 3189.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524.

[2] 7 F.R. 971, 3663, 6967.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567, 5835.

[2] 7 F.R. 971, 3663, 6967.

(a) Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $27.16 per ton f. o. b. Lordsburg, New Mexico, for acid grade fluorspar, the specifications of which are a minimum of 98% calcium fluoride, and a maximum of 1% silica, is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by the Indian Metals Company, Lordsburg, New Mexico, and the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) On or before October 15, 1942, and on or before the 15th day of each month thereafter, Indian Metals Company shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement covering operations in the preceding calendar month, and copies of all invoices for fluorspar sold during the same period.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9184; Filed, September 16, 1942; 2:40 p. m.]

[Order 10 Under Maximum Price Regulation 126[1]—Fluorspar]

JAMES W. PATTON & SONS

ORDER DETERMINING MAXIMUM PRICE

Under date of August 1, 1942, James W. Patton & Sons, Elizabethtown, Illinois, applied to the Office of Price Administration for the determination of a maximum price at which it might sell its acid grade fluorspar from its plant at Elizabethtown, Illinois. The specifications of its product are a minimum of 98% calcium fluoride, and a maximum of 1% silica. Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, the Office of Price Administration will determine the maximum price at which fluorspar of a particular grade may be sold by a producer when the conditions named in that Section exist. Due consideration has been given to that application, and an opinion in support of this Order No. 10 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered:*

(a) Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $32.00 per ton f. o. b. Elizabethtown, Illinois, for acid grade fluorspar, the specifications of which are a minimum of 98% calcium fluoride, and a maximum of 1% silica, is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by James W. Patton & Sons, Elizabethtown, Illinois, and the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) On or before October 15, 1942, and on or before the 15th day of each month thereafter, James W. Patton & Sons shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement covering operations in the preceding calendar month, and copies of all invoices for fluorspar sold during the same period.

(c) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 10 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9185; Filed, September 16, 1942; 2:40 p. m.]

[Order 11 Under Maximum Price Regulation 126[1]—Fluorspar]

JAMES W. PATTON & SONS

ORDER DETERMINING MAXIMUM PRICE

Under date of August 1, 1942, James W. Patton & Sons, Elizabethtown, Illinois, applied to the Office of Price Administration for the determination of a maximum price at which it might sell its ceramic grade fluorspar from its plant at Elizabethtown, Illinois. The specifications of its product are a minimum of 95% calcium fluoride, and a maximum of 1½% silica. Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, the Office of Price Administration will determine the maximum price at which fluorspar of a particular grade may be sold by a producer when the conditions named in that section exist. Due consideration has been given to that application, and an opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *it is hereby ordered:*

(a) Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $30.00 per ton f. o. b. Elizabethtown, Illinois, for ceramic grade fluorspar, the specifications of which are a minimum of 95% calcium fluoride, and a maximum of 1½% silica, is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by James W. Patton & Sons, Elizabethtown, Illinois, and the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) On or before October 15, 1942, and on or before the 15th day of each month thereafter, James W. Patton & Sons shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement covering operations in the preceding calendar month, and copies of all invoices for fluorspar sold during the same period.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 11 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9186; Filed, September 16, 1942; 2:41 p. m.]

[Order 20 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-36]

HAAS-DAVIS PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 20, 1942 the Haas-Davis Packing Company, Inc., Mobile, Alabama, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 20 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Haas-Davis Packing Company, Inc., may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from the Haas-Davis Packing Company, Inc.

(b)

	Cents per pound
Pork loins, 8/10	29½
Pork loins, 10/12	29½
Pork loins, 12/15	29½
Pork loins, 15/up	27½
Boston butts	29½
Fresh pork shoulders	26½
Green picnics	25
Regular pork trimmings	22
Fresh back fat	14
Smoked skinned hams, 8/15	33
Smoked skinned hams, 15/18	32
Smoked skinned hams, 18/20	30
Smoked skinned hams, 20/25	29
Picnics shankless 3/7	28
Picnics regular 3/7	27
Picnics regular 5/10	27
1st grade bacon 6/12	28
2nd grade bacon 6/10	27
3rd grade bacon 10/14	26
Rindless bacon	29
1st grade sliced bacon	33
2nd grade sliced bacon	32
3rd grade sliced bacon	31
S. P. picnics all averages	24
S. P. shoulders all averages	25½

[1] 7 F.R. 3189.

[1] 7 F.R. 3189.

[1] 7 F.R. 3821, 4342.
[2] 7 F.R. 971, 3663, 6967.

(c) The permission granted to the Haas-Davis Packing Company, Inc. in this Order No. 20 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Haas-Davis Packing Company, Inc. may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from the Haas-Davis Packing Company, Inc., each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 20 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9183; Filed, September 16, 1942; 2:40 p. m.]

[Order 19 Under Maximum Price Regulation 148[1]—Dressed Hogs and Wholesale Pork Cuts—Docket No. 3148-37]

SEEGER PACKING CO.

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 21, 1942, the Seeger Packing Company, Montgomery, Alabama, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 19 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Seeger Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from the Seeger Packing Company.

(b)

	Cents Per Pound
Pork regular hams	29
Pork skinned hams	30
Smoked regular hams	32
Smoked skinned hams	32
Baked hams (bone in)	48
Boiled hams	49¾
Barbecue hams	52
Pork skinned shoulders	26½
Boston butts	28¼
Smoked picnics	27
Pork loins	29
Breakfast bacon	25
Native breakfast bacon	20¼

(c) The permission granted to the Seeger Packing Company in this Order No. 19 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Seeger Packing Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from the Seeger Packing Company each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of Section 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 19 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9190; Filed, September 16, 1942; 4:23 p. m.]

[Order 8 Under Maximum Price Regulation 126[1]—Fluorspar]

NAVAJO FLUORSPAR MINES

ORDER DETERMINING MAXIMUM PRICE

Under date of July 26, 1942, Navajo Fluorspar Mines, Indiana, Pennsylvania, applied to the Office of Price Administration for the determination of a maximum price at which it might sell its acid grade fluorspar from a mill at Los Lunas, New Mexico. The specifications of its product are a minimum of 98% calcium fluoride, and a maximum of 1% silica. Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, the Office of Price Administration will determine the maximum price at which fluorospar of a particular grade may be sold by a producer when the conditions named in that section exist. Due consideration has been given to that application, and an opinion in support of this Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered*, That:

(a) Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $27.16 per ton f. o. b. Los Lunas, New Mexico, for acid grade fluorspar, the specifications of which are a minimum of 98% calcium fluoride, and a maximum of 1% silica, is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by Navajo Fluorspar Mines, Indiana, Pennsylvania, and the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) On or before October 15, 1942, and on or before the 15th day of each month thereafter, Navajo Fluorspar Mines shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement covering operations in the preceding calendar month, and copies of all invoices for fluorspar sold during the same period.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 shall become effective September 17, 1942.

Issued this 16th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9189; Filed, September 16, 1942; 4:23 p. m.]

[Order 1 Under Maximum Price Regulation 116—China and Pottery]

WALLACE CHINA COMPANY

ORDER GRANTING ADJUSTMENT

Correction

The document appearing on page 7209 of the issue for Saturday, September 12, 1942, as "Order 1 under Maximum Price Regulation 12—Brass Mill Scrap" should have been designated "Order 1 under Maximum Price Regulation 116—China and Pottery".

[Order 2 Under Maximum Price Regulation 160—Seasonal Wooden Agricultural Containers]

STATE OF MAINE BLUEBERRY GROWERS, INC.

AUTHORIZATION OF MAXIMUM PRICES FOR BLUEBERRY CRATES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the

[1] 7 F.R. 3189.

[1] 7 F.R. 971.

Price Administrator by the Emergency Price Control Act of 1942, *it is ordered:*

(a) State of Maine Blueberry Growers, Inc., an incorporated cooperative association of West Rockport, Maine, may sell and deliver and any person may buy from said State of Maine Blueberry Growers, Inc., 24 qt. blueberry crates at a price not exceeding that hereinafter set forth:

(32¢ for 24 qt. blueberry crate.)

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective on September 18, 1942.

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9204; Filed, September 17, 1942; 11:36 a. m.]

[Order 21 Under Revised Price Schedule 6 [1]—Iron and Steel Products—Docket 3006-13]

EWALD IRON COMPANY, INC.

ORDER DENYING PETITION FOR EXCEPTION

On April 29, 1942, Ewald Iron Company, Inc., of Louisville, Kentucky, filed a petition for an exception to Revised Price Schedule No. 6 as amended. Due consideration has been given to the petition and an opinion in support of this Order No. 21 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator under the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *It is hereby ordered:*

(a) That the petition for exception of Ewald Iron Company, Inc., be and it hereby is denied.

(b) This Order No. 21 shall become effective September 18, 1942.

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9205; Filed, September 17, 1942; 11:36 a. m.]

[Order 21 Under Maximum Price Regulation 148 [3]—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-46]

GEORGIA PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 30, 1942, the Georgia Packing Company, Thomasville, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 21 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2], issued by the Office of Price Administration, *it is hereby ordered:*

(a) The Georgia Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from the Georgia Packing Company:

(b)

	Cents per pound
Pork loins, 6/12# Average	29½
Green regular hams, 8/16# Average	28
Green skinned hams, 10/20# Average	29
Green skinned shoulders, 6/15#	27
Green regular shoulders, 8/16# Avg.	26
Green picnics, 4/8# Average	24½
Green Boston butts, 4/8# Average	29½
Smoked regular hams, 8/16# Average	32
Smoked skinned hams, 10/20# Avg.	32¼
Smoked skinned hams, 20/25# Avg.	31
Smoked short shank picnics, 6/10#	28¾
Smoked Boston butts, 2/6# Average	34
Smoked bacon, 8/16# Average	25
Boiled hams boneless	49
Boneless Visking hams, smoked	40½
Bar-B-Que ham, boneless	52

(c) The permission granted to the Georgia Packing Company in this Order No. 21 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum prices at which the Georgia Packing Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from the Georgia Packing Company each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 21 shall become effective September 18, 1942.

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9206; Filed, September 17, 1942; 11:36 a. m.]

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[1] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780.
[2] 7 F.R. 971, 3663, 6967.
[3] 7 F.R. 3821, 4342.

[2] 7 F.R. 971.

[Order 16 Under Supplementary Regulation 1 [1]—General Maximum Price Regulation]

TRIANGLE SALES CORP.

DISAPPROVAL OF REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following corporation applied for registration and approval of the Office of Price Administration in order that its sales and deliveries might be excepted from the provisions of the General Maximum Price Regulation pursuant to § 1499.26 (b) (1) of Supplementary Regulation No. 1: Triangle Sales Corp., 11 Market Street, Lynn, Massachusetts.

Due consideration has been given to the application for registration and approval of Triangle Sales Corp. and it has been found that said corporation does not meet the requirements of § 1499.26 (b) (1) of Supplementary Regulation No. 1. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 *It is hereby ordered:*

(a) That the said application for registration and approval of Triangle Sales Corp., 11 Market Street, Lynn, Massachusetts, be, and the same is, denied and disapproved.

(b) This Order No. 16 shall become effective September 18, 1942.

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9207; Filed, September 17, 1942; 11:36 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-599]

ANDROSCOGGIN MILLS, ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of September 1942.

In the Matter of Androscoggin Mills, Bates Manufacturing Company, the Edwards Manufacturing Company, Hill Manufacturing Company, and York Manufacturing Company.

Notice is hereby given that declarations or applications (or both), have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested party may, not later than September 25, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company, and York Manufacturing Company, all non-utility subsidiary companies of New England Public Service Company, a registered holding company, each proposes to issue promissory notes from time to time to The First National Bank of Boston or other banks or trust companies for the purpose of evidencing borrowings to obtain working capital. The maximum principal amount of notes to be outstanding at any one time is $500,000 in the case of Androscoggin Mills, The Edwards Manufacturing Company, Hill Manufacturing Company and York Manufacturing Company and a maximum amount of not to exceed $1,000,000 in the case of Bates Manufacturing Company, which maximum amount in the case of Bates Manufacturing is inclusive of promissory notes in the aggregate principal amount of $825,000 issued and outstanding as of August 8, 1942 and held by said The First National Bank of Boston.

It is stated that it is proposed that these promissory notes in the case of each Company shall be short-term, issued when the Company needs additional current funds, and be paid or renewed, as the case may be, at the end of the term, the result being in each case a revolving issue of notes with the aggregate amount outstanding at any one time fluctuating according to the credit requirements of the particular Company but exceeding at no time the aggregate amount herein proposed to be issued by each Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9167; Filed, September 16, 1942; 2:30 p. m.]

[File No. 1-2685]

UPSON-WALTON CO.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, A. D. 1942.

In the matter of The Upson-Walton Company Common stock, $1 Par Value.

The Upson-Walton Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Cleveland Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Thursday, October 15, 1942, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9166; Filed, September 16, 1942; 2:30 p. m.]

[File Nos. 70-282, 59-11, 59-17 and 54-25]

COMMUNITY POWER AND LIGHT CO., ET AL.

ORDER EXTENDING TIME IN WHICH TO COMPLY WITH PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of September 1942.

In the matter of Community Power and Light Company, the Kansas Utilities Company, et al., The United Light and Power Company, Continental Gas & Electric Corporation, and Eastern Kansas Utilities, Inc., et al. (Public Utility Holding Company Act of 1935).

The Commission having heretofore on the 16th day of July 1942, entered an order approving application Number 9 filed by Continental Gas & Electric Corporation and Eastern Kansas Utilities, Inc., permitting the acquisition by Eastern Kansas Utilities, Inc., of the assets of The Kansas Utilities Company, the issuance and sale by Eastern Kansas Utilities, Inc., of $990,000 principal amount of its First Mortgage Bonds to The Northwestern Mutual Life Insurance Company, and the issuance of 12,500 shares of the common stock of Eastern Kansas Utilities, Inc., to Continental Gas & Electric Corporation; and

Continental Gas & Electric Corporation and Eastern Kansas Utilities, Inc., having filed an application on September 9, 1942, requesting that the sixty day period prescribed by Rule U-24 in which to comply with said order of July 16, 1942, be extended for an additional period of sixty days from September 14, 1942; and

The sale of assets by The Kansas Utilities Company being involved in the Plan of Integration and Simplification of Community Power and Light Company and its subsidiary companies, which it is represented, cannot be consummated within the period of sixty days following the entry of the order dated July 16, 1942; and

The Commission having considered the matter, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said extension of time;

It is hereby ordered, That the time for the consummation of the transactions authorized by our order of July 16, 1942, be, and the same is hereby extended an additional sixty days from September 14, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9165; Filed, September 16, 1942; 2:30 p. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO., ET AL.

ORDER GRANTING EXTENSION OF TIME FOR COMPLIANCE, ETC.

In the matter of the United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, Iowa - Nebraska Light and Power Company, respondents; The United Light and Power Company and its subsidiary companies; respondents, and The United Light and Power Company, applicant. (Public Utility Holding Company Act of 1935).

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 14th day of September, 1942.

The Commission having heretofore on the 17th day of July 1942, entered an order approving Application Number 10 filed by The United Light and Power Company, The United Light and Railways Company and Continental Gas & Electric Corporation permitting Continental Gas & Electric Corporation to sell all of its interest, consisting of capital stock, notes and open account indebtedness in Panhandle Power and Light Company, Cimarron Utilities Company and Guymon Gas Company, to Community Power and Light Company, a non-affiliated registered holding company; and

The United Light and Power Company, The United Light and Railways Company and Continental Gas & Electric Corporation having filed an application on September 9, 1942, requesting that the previous order of July 17, 1942, be amended to the extent necessary to permit Continental Gas & Electric Corporation to sell its aforesaid interest in Panhandle Power and Light Company, Cimarron Utilities

[1] 7 F.R. 3158, 3486, 3892, 4183, 4419, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5192, 5276, 5366.

Company and Guymon Gas Company to The Kansas Utilities Company, a subsidiary of Community Power and Light Company, as assignee of the contract between Continental Gas & Electric Corporation and Community Power and Light Company for the sale of such interest; and

Said applicants having also requested an additional period of sixty days from September 15, 1942 in which to comply with said order of July 17, 1942, and with such order as the Commission may enter amending said order; and

The application stating that the change in the proposed purchaser of Continental Gas & Electric Corporation's interest in the aforesaid companies is necessary to the consummation of Community Power and Light Company's Plan of Integration and Simplification now pending before the Commission, and that applicants have found it impossible to carry out their proposals within the period of sixty days following the entry of the order dated July 17, 1942; and

The Commission having considered such requests and representations, and finding that the same is not unreasonable and that the granting of such requests would not be detrimental to the public interest or the interest of investors or consumers;

It is ordered, That said order of July 17, 1942, be, and it is hereby amended in the following respects:

The sentence beginning at line 11 of page 9 is amended to read:

Cimarron Utilities Company and Guymon Gas Company, to The Kansas Utilities Company, as assignee of the contract between Continental Gas & Electric Corporation and Community Power and Light Company, for a consideration of $7,250,000 cash, subject to certain adjustments; and * * *

It is further ordered, That applicants be, and they are hereby granted an additional sixty days from September 15, 1942, in which to complete compliance with Commission's order of July 17, 1942, and this order amending said order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9164; Filed, September 16, 1942; 2:30 p. m.]

Reference

SEP 21 1942

THE NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 7 NUMBER 185

Washington, Saturday, September 19, 1942

The President

EXECUTIVE ORDER 9246

PROVIDING FOR THE COORDINATION AND CONTROL OF THE RUBBER PROGRAM

By virtue of the authority vested in me by the Constitution and the statutes, particularly the Act of December 18, 1941, entitled "First War Powers Act, 1941" (Public 354—77th Congress), as President of the United States and Commander in Chief of the Army and Navy, and in order to carry out certain recommendations made to the President by the Rubber Survey Committee for the purpose of assuring an adequate supply of rubber for war and essential civilian needs, it is hereby ordered as follows:

1. The Chairman of the War Production Board is authorized and directed to assume full responsibility for and control over the Nation's rubber program in all of its phases, including, but not limited to: technical research and development, importation, purchase, sale, acquisition, storage, transportation, provision of facilities, conservation, production, manufacturing, processing, marketing, distribution, and use of natural and synthetic rubber, related materials, and products manufactured therefrom.

2. There shall be, within the War Production Board, a Rubber Director, appointed by and responsible to the Chairman of the War Production Board for the administration of the Nation's rubber program.

3. In carrying out this order, the Rubber Director may direct the Rubber Reserve Company and other subsidiaries of the Reconstruction Finance Corporation, the Office of the Petroleum Coordinator for War, the Board of Economic Warfare, the Office of Defense Transportation, the Office of Price Administration, the Department of Agriculture, and such other departments, establishments, and agencies as he may deem necessary, to execute such aspects of the rubber program in such manner and for such period of time as he deems advisable, and full compliance shall be accorded such directives by the Federal agencies concerned.

4. In accordance with the provisions of paragraph 3 and unless future directives issued thereunder shall otherwise provide:

A. The Office of the Petroleum Coordinator for War shall, upon and under the direction of the Rubber Director:

(1) Conduct or promote developmental research in the production and manufacture of butadiene from petroleum and natural gas products and recommend new production and manufacturing methods for the consideration of the Rubber Director.

(2) Serve as the agency of the Government in supervising, upon completion of construction, the operation of plants producing synthetic rubber raw materials made from petroleum and natural gas products.

B. The Rubber Reserve Company shall, upon and under the direction of the Rubber Director, serve as the agency of the Government in supervising the construction of all plants under the rubber program, including plants manufacturing butadiene from petroleum and natural gas products.

5. Nothing herein shall be construed to limit the powers conferred upon the Price Administrator by the "Emergency Price Control Act of 1942."

6. Any provision of any Executive Order conflicting with this order is superseded to the extent of such conflict.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 17, 1942.

[F. R. Doc. 42-9276; Filed, September 18, 1942; 12:08 p. m.]

EXECUTIVE ORDER 9247

TRANSFERRING CERTAIN EMPLOYMENT SERVICE AND TRAINING FUNCTIONS TO THE WAR MANPOWER COMMISSION

By virtue of the authority vested in me by the First War Powers Act, 1941, and for the purpose of enabling the

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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Chairman of the War Manpower Commission more effectively to carry out the responsibility vested in him by Executive Order No. 9139,[1] dated April 18, 1942, of assuring the most effective mobilization and utilization of the national manpower, it is hereby ordered as follows:

1. The following agencies, functions, duties, and powers are transferred to the War Manpower Commission in the Office for Emergency Management of the Executive Office of the President and shall be administered under the supervision and direction of the Chairman of the Commission:

(a) The United States Employment Service and all functions, duties, and powers of the Social Security Board in the Federal Security Agency relating to employment service.

(b) The National Youth Administration in the Federal Security Agency, and its functions, duties, and powers.

(c) The Apprenticeship Training Service in the Office of the Federal Security Administrator, and its functions, duties, and powers, including those relating to the program to encourage apprentice training in national defense industries.

(d) The Training Within Industry Service in the Office of the Federal Security Administrator, and its functions, duties, and powers.

The Apprenticeship Training Service and the National Youth Administration shall be preserved as organizational entities within the War Manpower Commission.

2. The following functions, duties, and powers are transferred to the Chairman of the War Manpower Commission:

(a) All functions, duties, and powers of the Federal Security Administrator relating to the administration of any agency or function transferred by paragraph 1 of this order.

(b) All functions, duties, and powers of the Federal Security Administrator relating to the following matters administered by the Office of Education: loans to students in technical and professional fields (national defense); education and training, defense workers (national defense); and visual aids for war training (national defense).

3. All records and property (including office equipment, contracts, agreements, and leased office space) used primarily in the administration of any agency, function, duty, or power transferred by this order, and all personnel used primarily in the administration of such agencies, functions, duties, and powers (including officers whose chief duties relate to such administration) are transferred to the War Manpower Commission for use in the administration of the agencies, functions, duties, and powers transferred by this order. So much of the unexpended balances of appropriations, allocations, or other funds available for the use of any agency in the exercise of any function, duty, or power transferred by this order or for the use of the head of any agency in the exercise of any function, duty, or power so transferred, as the Director of the Bureau of the Budget shall determine, shall be transferred to the War Manpower Commission, for use in connection with the exercise of functions, duties, and powers so transferred. In determining the amounts to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer.

4. In order to maintain, to the maximum extent consistent with the effective prosecution of the war, the essential coordination and integration of public employment service and unemployment compensation functions, and to avoid any necessity for establishing duplicate public employment office facilities, the Chairman of the War Manpower Commission is directed to provide for making available to agencies charged with the administration of unemployment compensation laws, such services, information, and facilities by the United States Employment Service and its public employment offices as the Chairman of the War Manpower Commission finds will not be inconsistent with the effective prosecution of the war and as the Social Security Board finds necessary for the proper and efficient administration of such unemployment compensation laws.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 17, 1942.

[F. R. Doc. 42-9275; Filed, September 18, 1942; 12:08 p. m.]

[1] 7 F.R. 2919.

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 499, Supp. No. 7]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED

Introductory note. Experiments with methyl bromide dissolved in water and applied to specified soil areas have resulted in the development of new methods for treating the soil of areas free from plants and of individual items of nursery stock in field rows. The application of this treatment in meeting the requirements of the Japanese beetle quarantine must be conducted under the supervision of an inspector of the Division of Japanese Beetle Control, 266 Glenwood Avenue, Bloomfield, N. J., and in accordance with detailed instructions furnished by him.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by §§ 301.48-6 and 301.48-7, Chapter III, Title 7, Code of Federal Regulations [regulations 6 and 7 of the rules and regulations supplemental to Notice of Quarantine No. 48], paragraphs (k) and (m) of § 301.48b [circular B. E. P. Q. 499, issued June 9, 1939], as amended, are hereby further amended effective September 18, 1942, by the addition of the following subparagraphs:

§ 301.48b *Administrative instructions to inspectors on the treatment of nursery products, fruits, vegetables, and soil, for the Japanese beetle.* * * *

TREATMENT OF SOIL IN ABSENCE OF PLANTS

* * * * *

(k) *Soil in and around coldframes, plunging beds, and heeling-in areas.* * * *

(6) *Methyl bromide solution*—(i) *Season.* The treatment can be applied at any time when conditions are suitable between October 1 and May 15.

(ii) *Equipment.* Equipment includes a gastight drum, complete with spigot and hose, methyl bromide applicator, collars when necessary, and measuring cans. Such equipment must be inspected, tested, and approved by an inspector of the Department before use.

(iii) *Preparation of solution.* The solution must be prepared in accordance with the directions of the inspector.

(iv) *Condition and type of soil.* Soil of any type may be treated provided the surface can be pulverized sufficiently to absorb the solution. To prepare a well pulverized surface, areas to be treated must be leveled and thereafter cultivated to loosen the soil to a depth of at least 1 inch. The treatment must not be applied during rain. The surface of wet soil should be tilled, allowed to dry for at least 24 hours, and then pulverized preparatory to treatment.

(v) *Dosage and application.* The dosage shall be at the rate of 3 gallons of solution per 1 square yard. The strength of the solution shall be based on the minimum soil temperature within the top 6 inches as follows:

Minimum soil temperature in top 6 inches (°F.):	*Percentage concentration by volume of methyl bromide*
47 to 56, inclusive	0.150
57 to 67, inclusive	0.100
68, and over	0.050

The surface must be divided by strings or marks in the soil into units of approximately 1 square yard. The solution is to be applied uniformly in a crisscross pattern to the soil surface from the spout of a sprinkling can or other vessel with a similar spout, held no more than 6 inches above the soil surface.

(vi) *Safety zone.* In addition to the area desired to be certified, a strip 3 feet wide must be treated around the entire coldframe, plunging bed, or heeling-in ground. No plants will be certified from this strip. In the case of coldframes, etc. extending into the ground to a depth of 12 inches or more, no safety zone is required.

(vii) *Marking.* In the case of coldframes, etc. having fixed boundaries, proper designations will be made on them by the inspector. In all other cases the nurserymen shall furnish suitable stakes, at least 4 inches square and 30 inches long, to be placed at the boundaries of the certified plots and marked by the inspector.

(viii) *Period of treatment.* The area must remain undisturbed for a period of 48 hours after treatment.

(ix) *Alternative treatment.* If 1-square-yard collars are used in treating frames, plunging beds, and heeling-in areas, the dosages and methods of procedure listed below for treatment of soil about the roots of plants may be used.

* * * * * *

TREATMENT OF SOIL ABOUT THE ROOTS OF PLANTS

* * * * * *

(m) *Treatment of plants before digging.* * * *

(3) *Methyl bromide solution, collar treatment*—(i) *Season.* The treatment can be applied at any time when conditions are suitable between October 1 and May 15.

(ii) *Equipment.* The equipment required is the same as that under "Treatment of Soil in Absence of Plants" (subparagraph (6) of paragraph (k)) except that collars are necessary.

(iii) *Preparation of solution.* The required solution must be prepared in accordance with the directions of the inspector.

(iv) *Dosage, solution, concentration, and soil temperatures.* The dosage is at the constant rate of 3 gallons per square yard. The percentage concentration of methyl bromide in solution, by volume, is dependent upon the minimum soil temperature within the top 6 inches, as follows:

Minimum soil temperature in top 6 inches (°F.):	*Percentage concentration of methyl bromide*
47 to 51, inclusive	0.100
52 to 56, inclusive	0.075
57 to 62, inclusive	0.050
63 to 67, inclusive	0.040
68 to 72, inclusive	0.025
73 and over	0.015

(v) *Condition and type of soil.* There are no limitations so long as there is no standing water on the area to be treated and all of the solution enters the soil within 30 minutes after application.

(vi) *Preparation of collar areas.* The area must be free from weeds and debris and must be practically level. Leveling can be expedited by filling in and subsequent tamping to produce a uniformly packed subsurface for the application. The entire surface of the collar about the plant treated must be loosened to a depth of 1 inch. The collar should be set so that the solution will not break out beneath or through it.

(vii) *Safety area.* The collar must be of sufficient size so that a safety margin of soil of at least 2 inches all around remains when the treated nursery stock unit is dug for balling.

(viii) *Withdrawal and application of solution.* The solution is to be withdrawn from the preparation-drum through a hose extending to the bottom of the dosage-measuring vessel. It must be poured from the open top of the vessel onto the collar area quickly and without unnecessary splashing. Immediately thereafter the soil within the collar must be smoothed off without splashing so that the entire surface is uniformly submerged.

(ix) *Use period.* If the drum is tightly sealed between dosage withdrawals, the solution may be used at any time within 24 hours after preparation. While in storage between treatments within this period the drum must be shaded.

(x) *Treatment period.* The plants must be dug not less than 20 hours or more than 48 hours after treatment.

(xi) *Plant reactions.* The Department's records on plant reactions to the treatment are limited. Such information as is available will be supplied on request to the Division of Japanese Beetle Control. All interested nurserymen are advised to run test lots of their own stock for observation. So far as possible, the Department will cooperate in this testing on written request to the Division of Japanese Beetle Control, 266 Glenwood Avenue, Bloomfield, N. J.

(xii) *Precautions.* Directions as to precautions may be obtained from the above Division and should be observed.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161).

Done at Washington, this 14th day of September 1942.

[SEAL] P. N. ANNAND,
Chief.

[F. R. Doc. 42-9263; Filed, September 18, 1942; 11:42 a. m.]

[B. E. P. Q. 499—Supp. No. 1, Sixth Revision]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED

Introductory note. Two new schedules for methyl bromide fumigation of potted or bare-rooted plants are provided in this revision of supplement No. 1. These two treating schedules, at lower temperatures than have heretofore been

authorized, are Nos. 8 and 9 in the table under subdivision (i). The instructions as to fumigation of packaged plants are carried forward in this revision of the supplement.

§ 301.48b *Administrative instructions to inspectors on the treatment of nursery products, fruits, vegetables, and soil, for the Japanese beetle; treatment authorized.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48–6, Chapter III, Title 7, Code of Federal Regulations [regulation 6 of the rules and regulations supplemental to Notice of Quarantine No. 48], paragraph (i) (5) of § 301.48b [on page 13 of the mimeographed edition of circular B.E.P.Q. 499, issued June 9, 1939] is hereby further modified effective September 18, 1942, to read as follows:

TREATMENT OF SOIL ABOUT THE ROOTS OF PLANTS

* * * * *

(i) *Treatment of plants after digging.* * * *

(5) *Methyl bromide fumigation—Equipment.* An approved fumigation chamber equipped with vaporizing, air-circulating, and ventilating systems must be provided.

Application. After the chamber is loaded, the methyl bromide must be vaporized within it. The air within the chamber must be kept in circulation during the period of fumigation. At the completion of the treatment, the chamber must be well ventilated before it is entered and the plants removed. The ventilating system should also be in continuous operation during the entire period of removal of the fumigated articles.

(i) *Fumigation of plants, with or without soil—(a) Temperatures, periods of treatment, and dosages.* The temperature of the soil (with bare root stock, the root spaces) and of the air for each type of treatment must remain throughout the entire period of treatment at the minimum specified in the following table, or higher:

Temperature at least	Period of treatment	Dosage (methyl bromide per 1,000 cubic feet)
	Hours	*Pounds*
1. 73° F.	2½	1½
2. 67° F.	2½	2
3. 63° F.	2½	2½
4. 60° F.	3	2½
5. 57° F.	3½	2½
6. 54° F.	4	2½
7. 50° F.	4½	2½
8. 46° F.	4	3
9. 43° F.	4½	3

The dosage shall be for each 1,000 cubic feet including the space occupied by the load.

(b) *Preparation of plants.* The treatment is to be applied to plants with bare roots or in 14-inch pots or smaller, or in soil balls not larger than 14 inches in diameter nor thicker than 14 inches when not spherical. The soil should not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation. The plants should be stacked on racks or separated so that the gas can have access to both top and bottom surfaces of pots or soil balls. While not essential that the balls be completely separated from each other they should not be jammed tightly together.

(c) *Packaged plants.* Boxed or wrapped plants in packages not more than 14 inches in diameter may be fumigated at any one of the above nine temperatures, periods of treatment, and schedules. In order that the fumigant may have access to the roots and soil masses about the roots, the wrapping shall not be tightly closed.

(d) *Varieties of plants.* The list of plants, including greenhouse, perennial, and nursery-stock types treated experimentally, is subject to continual expansion and, moreover, is too great to include in these instructions.

The schedule for the fumigation of strawberry plants as specified in subparagraph (5) (ii) of paragraph (i) of § 301.48b [page 14 of the mimeographed edition of circular B. E. P. Q. 499] remains the same as heretofore.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.)

This supplement supersedes Supplement No. 1—revised effective April 23, 1942.

Done at Washington, D. C., this 16th day of September 1942.

[SEAL] P. N. ANNAND, *Chief.*

[F. R. Doc. 42–9264; Filed, September 18, 1942; 11:42 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1620]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of the New Superior Coal Co. for the establishment of price classifications and minimum prices for the coals of its New Superior Coal Co. Mine in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of its New Superior Coal Co. mine (Mine Index No. 1202) in District No. 10 for rail shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 (*Price groups*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 10, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

NOTE: The material contained in this Supplement R is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10 FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping Point	Railroad
5	Stump, C. C.	New Superior Coal Co.	[1] 1202	[2] 133	Harrisburg, Ill.	NYC.

[1] The f. o. b. mine prices for Mine Index No. 1202, shall be the same as the prices provided for the mines in Price Group 5, Minimum Price Schedule for District No. 10 for All Shipments Except Truck and shall be subject to the same adjustments in f. o. b. mine prices for differences in freight rates as are therein provided for other mines in Freight Origin Group 133 having the same freight rates as Mine Index No. 1202; and on shipments for railroad locomotive fuel, the f. o. b. mine prices for Mine Index No. 1202 shall be: Mine Run—$2.25, Screenings—$1.70 per ton f. o. b. cars Harrisburg, Illinois.

[2] Shipping Point Marion, Ill., Freight Origin Group 142 is no longer applicable.

NOTE: Relief granted in Docket A–1079 is hereby terminated.

[F. R. Doc. 42–9211; Filed, September 17, 1942; 11:45 a. m.]

[Docket No. A–1481, Part II]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

J. A. GARRETT—SUPREME BLACK CREEK COAL CO.

Findings of fact, conclusions of law, and memorandum opinion and order in the matter of the petition of District Board No. 13 for the revision of price classifications and minimum prices for the coals of the Happy Hollow Mine (Mine Index No. 326) of J. A. Garrett and for the establishment of price classifications and minimum prices for coals of the Cross Roads Mine (Mine Index No. 171) of Supreme Black Creek Coal Company, Inc., for all shipments except truck.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on June 1, 1942, by District Board No. 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition requests the establishment of price classifications and minimum prices of the coals produced at Mine Index No. 171 and a revision of the classification and minimum prices of the coals produced at Mine Index No. 326.

On July 6, 1942, 7 F. R. 5697, the Acting Director issued an order separating from Docket No. A–1481 and designating as Docket No. A–1481 Part II, that portion of the docket relating to Mine Index Nos. 326 and 171. Temporary price classifications and minimum prices were established for Mine Index No. 171 by Order of the Acting Director under date of July 6, 1942, 7 F. R. 5697. Pursuant to an order and after due notice to interested parties, a hearing in this matter was held on August 4, 1942, before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. Interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The petitioner, District Board No. 13, appeared. Preparation and filing of a report by the Examiner was waived and the record was thereupon submitted to the undersigned.

1. *The Happy Hollow Mine.* The petitioner requests the reduction in minimum prices for the Happy Hollow Mine (Mine Index No. 326). This mine was included in the original truck price schedule as Happy Hollow Coal Company, A. C. Higginbotham, Mary Lee Seam, and priced accordingly. It was later taken over by the partnership of Garrett and Whitten and application was made for rail prices. An analysis submitted showed 7 per cent ash content and B. t. u. content of about 14,200. It was on the basis of this analysis that prices were established in Docket No. A–894, 6 F. R. 3472, for the coals of this mine.

In April 1942, the producer, claiming that he was unable successfully to market his coals at the established prices, furnished a more complete analysis of the mine run coal produced at the mine. This showed an ash content of some 15 to 20 per cent. N. E. Cross, Secretary of District Board No. 13, testified that coal with such high ash content is similar to the Mary Lee Seam coals, the poorest quality coal in the district, and price should be correlated with Mine Index Nos. 46 and 47 producing similar coal in this area. Based on the uncontroverted evidence of record I find that a reduction of the prices previously established for the coals of the Happy Hollow Mine is proper in order to reflect the market value of this coal and its relationship to other coals in the district.

2. *Cross Roads Mine.* When rail prices were first considered for the Cross Roads Mine, Mine Index No. 171, L. B. Baird, the producer, requested shipping points at Natural Bridge, Alabama, and Eldridge, Alabama, 6 and 8½ miles, respectively, from the mine, and these shipping points were assigned in Docket No. A–1049, Part II by an order issued March 17, 1942, 7 F.R. 2343. The present owner, the Supreme Black Creek Coal Company, Inc., now requests one shipping point, Natural Bridge, Alabama, on the Southern Railroad and asks that price classifications and minimum prices for Size Groups Nos. 7, 19, 20, 21, 22 and 26 for all shipments except truck from Natural Bridge, Alabama, be established, that those size group classifications and prices previously granted be applicable only when shipped from Natural Bridge, Alabama, and that Eldridge, Alabama, no longer be a shipping point for the Cross Roads Mine. N. E. Cross, Secretary of District Board No. 13, testified that the present owner has never used the Eldridge shipping point and recommended that it no longer apply to this mine. Since the producer and district board agree that this mine have assigned only one shipping point, there is no objection to deleting from the schedule Eldridge as a permissible shipping point for this mine.

On the basis of the uncontroverted evidence I find that the establishment of effective price classifications and minimum prices requested are proper and will effectuate the purposes of section 4 II (a) and (b) of the Act and will comply with all the standards thereof.

Now, therefore, it is ordered, That commencing fifteen (15) days from the date of this order, § 333.6 (*General prices*) is amended by adding thereto Supplement R which supplement is hereinafter set forth and hereby made a part hereof.

Dated: September 11, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

NOTE: The material contained in this Supplement R is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 *General prices*—Supplement R

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	JEFFERSON COUNTY, ALA.				
326	Garrett, J. A.	Happy Hollow [1]	1	Mary Lee	50
	WINSTON COUNTY, ALA.				
171	Supreme Black Creek Coal Co., Inc.	Cross Road [1]	1	Black Creek	[2] 111

[1] Shipping point: Coalburg, Ala.; Railroad: So. Ry. This mine shall have in Size Groups 1 and 2, on each respective price table, the same prices as are listed in these respective size groups for Mine Index No. 46 (Sloss-Sheffield Steel & Iron Company, Lewisburg Mine, Price Schedule No. 1); and this mine shall have in Size Groups 7, 13, 22, and 23, on each such table, prices which are 10 cents less than those respectively listed in Size Groups 6, 12, 17, and 18, for said Mine Index No. 46. (These prices supersede those granted to this mine in Docket No. A–894, and the prices granted to this mine in Docket No. A–894 are hereby terminated.)

[2] Shipping Point: Natural Bridge, Ala.; Railroad: So. Ry. This mine shall have in Size Groups 7 and 22, on each respective price table, prices which are 10 cents less than those respectively listed in Size Groups 6 and 17, for Mine Index No. 14 (Galloway Coal Company, Hope Mine, Price Schedule No. 1); and in Size Groups 19, 20, and 21, on each such table, the same price as is listed hereon in Size Group 19, for said Mine Index No. 14; and in Size Group 26, on each such table, the same price as is listed thereon in that size group for said Mine Index No. 14.

[3] Denotes restriction to one shipping point and change in Freight Origin Group. Size Group classifications and prices as heretofore granted shall hereafter be applicable only when shipped from Natural Bridge, Ala. Shipping Point at Eldridge, Ala., shall no longer be applicable.

[F. R. Doc. 42–9213; Filed, September 17, 1942; 11:44 a. m.]

[Docket No. A–1609]

PART 339—MINIMUM PRICE SCHEDULE, DISTRICT NO. 19

HOLLY NO. 1 MINE

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 19 for the establishment of price classifications and minimum prices for the Holly No. 1 Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Holly No. 1 Mine, Mine Index No. 239, of code member George W. Bell in Subdistrict 6 in District No. 19 for shipments by both rail and truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 339.4 (*Code member price index*) is amended by adding thereto Supplement R, and § 339.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 339, Minimum Price Schedule for District No. 19, and supplements thereto.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 19:

§ 339.4 *Code member price index*—Supplement R

Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Railroad	F. O. G. No.	Prices	
								Rail	Truck
Bell, Geo. R. (Bell Coal Co.).	Holly No. 1.	239	Fremont	Riverton..	6	C. & N. W..	40	$339.5	$339.21

NOTE: The coals of the above listed Holly No. 1 Mine (Mine Index No. 239) of Geo. W. Bell shall take the minimum f. o. b. mine prices in cents per net ton for shipment by rail transportation into Market Areas shown under Subdistrict No. 6, §339.5, of the Schedule of Effective Minimum Prices for District No. 19, as amended

§ 339.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Insert the following code member name, mine name and county under Subdistrict No. 6, and the following prices:

TRUCK SHIPMENTS

Code member, mine name	County	Size groups												
		1	2	3	4	5	6	7	8	9	10	12	14	15
SUBDISTRICT NO. 6														
Bell, Geo. W. (Bell Coal Co.) Holly No. 1 Mine.	Fremont..	325	325	325	300	275	275	275	250	150	150	195	125	115

[F. R. Doc. 42-9212; Filed, September 17, 1942; 11:44 a. m.]

[Docket No. A-1533]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Correction

The date of the document appearing on page 6931 of the issue for September 2, 1942, should read "August 22, 1942," instead of "August 2, 1942."

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXVIII]

PART 802 — GENERAL LICENSES

PART 804 — INDIVIDUAL LICENSES

MISCELLANEOUS AMENDMENTS

Section 802.13 Ship and plane stores, supplies and equipment[1] is hereby amended to read as follows:

[1] 7 F.R. 7167.

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) General licenses are hereby issued permitting exportation on freight or passenger vessels operating under the control of countries designated by numbers 1 through 3, 5, 6, 8 through 81, 88 through 91, 96 and 99 in §802.2 (a), or on vessels owned by or chartered to the United States Maritime Commission or the War Shipping Administration, of the following items:

(1) Bunker fuel, ordinary ship stores, sea stores, and supplies, exclusive of zinc plates, for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled;

(2) Equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(b) General licenses are hereby issued permitting exportation on vessels other than those covered by paragraph (a) only of food stores for the outgoing and any immediate return voyage scheduled. Such food stores shall not be in excess of 6.85 lbs. per man, per day, which amount shall be distributed among individual food items in accordance with the list set forth below. An excess tolerance of .15 lbs. per man per day, may be allowed by the Collectors of Customs where, due to packaging, items of food stores cannot be split up. Additional food stores, not in excess of the amount allowable for 20% of the number of days required for the outgoing and return voyage, may be authorized for exportation by the Collectors of Customs where necessary for the ship's safety and "in port operations". In no event may the food stores included within groups B, C and I of the list set forth below exceed the individual amounts specified for such groups. However, the food stores included within groups A, D, E, F, G and H may exceed the amounts specified for such groups, *Provided*, That the aggregate of food stores included in both groups A and E does not exceed 4.00 lbs. per man, per day, and *Provided further*, That the aggregate of all food stores included in all groups does not exceed 6.85 lbs. per man, per day. The operators of vessels shall furnish to the Collectors of Customs requisitions based upon the information set forth in said list, and shall furnish the following additional information: name of vessel; nationality; name of agent; approximate number of days required for the outgoing and return voyage; the vessel's possible itinerary; and the number of crew and passengers. The list referred to above is as follows:

ITEM AND ALLOWANCE AUTHORIZED PER MAN, PER DAY

Group A:
- Meats: fresh. / dried. / canned (not to exceed .06 lbs.)
- Poultry and game.
- Fish: fresh. / dried. / canned (not to exceed .06 lbs.)
- Cheese
- Butter
- Eggs (8 to a lb.)
- Milk: fresh. / canned.
- Cream: fresh. / canned.

Total for Group A 3.00 lbs.

Group B:
- Sugar.

Total for Group B .20 lbs.

Group C:
- Potatoes.

Total for Group C 1.00 lbs.

Group D:
- Vegetables: fresh. / dried. / canned.
- Fruit: fresh. / dried. / canned.

Total for Group D .75 lbs.

Group E:
- Flour.
- Cereals.
- Bread.
- Biscuits.
- Crackers.

Total for Group E 1.00 lbs.

Group F:
- Cocoa.
- Coffee.
- Tea.

Total for Group F .25 lbs.

Group G:
- Beverages.

Total for Group G .15 lbs.

Group H:
- Other Groceries.

Total for Group H .50 lbs.

Group I:
- Tobacco[1]
- Cigarettes.[1]

Total per man, per day 6.85 lbs.

[1] Two (2) packs of cigarettes per man, per day, or the equivalent of four ounces of tobacco per man, per day.

(c) General licenses are hereby issued permitting exportation in planes departing from the United States of fuel, ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and of equipment and spare parts when necessary for the proper operation of such planes.

Section 804.7 Special provisions concerning applications to export certain commodities,[1] is hereby amended in the following particulars:

1. Paragraph (j) *Bunker fuel* is amended to read as follows:

(j) *Bunker fuel.* All applications for licenses to export bunker fuel on vessels other than those covered by § 802.13 (a) of this subchapter must have the following information attached:

(1) Name of ship and nationality.
(2) Type of fuel.
(3) Gross tonnage.
(4) Net tonnage.
(5) Deadweight tonnage.
(6) Bunker capacity.
(7) Permanent bunkers.
(8) Average speed.
(9) Type of engine.
(10) Indicated horsepower at average speed.
(11) Average daily consumption of coal (or oil) at sea.
(12) Average daily consumption of coal (or oil) in port.

2. The following new paragraph is added:

(n) *Engine room, deck and cabin stores.* (1) All applications for licenses to export engine room, deck and cabin stores on vessels other than those covered by § 802.13 (a) of this subchapter must have attached thereto three copies of a list of the required stores. Two additional copies of such list must be submitted to the Collector of Customs in the port where such stores are to be laden immediately upon arrival of the vessel.

(2) Where additional engine room, deck and cabin stores are required by such vessels after an application for a license has been filed with the Export Control Branch, requests for authority to export such stores must be submitted to the Collector of Customs in the port where the stores are to be laden. Such requests will be transmitted to the Export Control Branch by teletype or wire and the Collector of Customs will receive notification directly from the Export Control Branch by teletype or wire of the approval or rejection of such requests. In cases where exportation of such additional stores is authorized by teletype or wire, the applicant must thereafter submit to the Export Control Branch a license application in the prescribed form with a sheet attached to the duplicate copy marked "Approved by teletype or wire", and stating the date of such approval.

Section 804.10 Repair parts for certain vessels[1] is hereby amended to read as follows:

§ 804.10 *Repair parts for certain vessels.* Individual licenses for the exportation of repair parts for vessels other than those covered by § 802.13 (a) of this subchapter are conditioned upon the observance of the following requirements.

(a) Repairs to the vessel must be made prior to the departure of the vessel at the port where the repair parts are taken on board.

(b) Parts which are replaced by said repair parts may not be exported on the vessel, but must be discharged onto the pier at the port of installation.

Part 804, Individual Licenses, is further amended by adding the following new section:

§ 804.12 *Drums for oil, gas, liquids and solids.* Individual licenses for the exportation of all drums for oil, gas, liquids and solids, whether filled or unfilled, are subject to the condition that, if the drums are exported on vessels other than those covered by § 802.13 (a) of this subchapter, the drums must be stowed under deck.

This amendment shall become effective September 25, 1942.

[1] 7 F.R. 5745.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F. R. 4951).

Dated September 16, 1942.

F. R. KERR,
Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42-9252; Filed, September 18, 1942; 11:31 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1107—TRACK-LAYING TRACTORS AND AUXILIARY EQUIPMENT

[Interpretation 1 of Supplementary Limitation Order L-53-b]

The following official interpretation is hereby issued with respect to § 1107.3, Supplementary Limitation Order L-53-b[1] dated July 7, 1942.

Supplementary Order L-53-b provides in paragraph (d) (1) that:

No producer shall sell or deliver repair parts to any person except to:

(i) The Army, Navy or Maritime Commission,

(ii) An authorized distributor or dealer of repair parts located within the continental limits of the United States or Canada,

(iii) Any person for export outside the continental limits of the United States or Canada.

These provisions do not prohibit a producer from shipping track-laying tractor parts directly to a consumer on behalf of a distributor or dealer who is authorized by the order to make delivery to such consumer. Shipment of track-laying tractor parts shall not be made to a consumer by a producer except when requested by a distributor or dealer who has obtained a certificate as required in Supplementary Limitation Order L-53-b paragraph (e) (1) and such request shall not be made by a distributor or dealer in violation of Supplementary Limitation Order L-53-b paragraph (e) subparagraphs (2) and (3). Shipment so made by a producer to a consumer at the request of a dealer or distributor must be considered as a delivery by the producer to the distributor or dealer and by the

[1] 7 F.R. 5174.

distributor or dealer to the consumer in conformance with Supplementary Limitation Order L–53–b paragraph (d) subparagraph (2) and (3) and paragraph (e) subparagraphs (2) and (3).

Issued this 18th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9257; Filed, September 18, 1942; 11:36 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Schedule II to Limitation Order L–157]

FORGED AXES, FORGED HATCHETS, FORGED BROAD AXES, FORGED ADZES AND FORGED LIGHT HAMMERS

§ 1293.3 *Schedule II to Limitation Order L–157*[1]—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures forges or otherwise fabricates forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(2) "Forged light hammer" means a forged hammer weighing less than 4 pounds. (Handles not included in weight.)

(3) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

(b) *Simplified practices.* Pursuant to Limitation Order L–157, the kinds, grades, styles, sizes, weights and provisions set forth in the Appendices A, B and C hereto, are hereby established for the manufacture of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(c) *Effective date of simplified practices.* From and after 60 days subsequent to the date of issuance of this schedule, no producer shall manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer which fails to conform with the kind, grade, style, size, weight and provisions established by paragraph (b) of this schedule and set forth in Appendices A, B and C. From and after 45 days subsequent to the date of issuance of this schedule, no producer shall put into process any ferrous metal to make a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer which fails to conform with the kind, grade, style, size, weight and provisions established by paragraph (b) of this schedule and set forth in Appendices A, B and C.

A producer may at any time sell and deliver a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer in his possession which was manufactured prior to the expiration of 60 days from the date of issuance of this schedule.

(d) *Application to manufacture exceptions.* Application by a producer to manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer not in accordance with the specifications as set forth in Appendices A, B and C of this schedule shall be made in writing to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L–157. The Director General for Operations may thereupon take such action as he deems appropriate.

(e) *Records covering inventories and work in process.* Upon the expiration of 60 days from the date of issuance of this schedule each producer shall compile and retain in his files:

(1) An inventory of his stock of forged axes, forged hatchets, forged broad axes, forged adzes, and forged light hammers not conforming to the kinds, grades, styles, sizes and weights as set forth in Appendices A, B and C of this schedule, and on hand as of said date.

(2) A record of all types of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers in process of manufacture as of said date.

Such inventory and record shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

APPENDIX A TO SCHEDULE II—LIMITATION ORDER L–157

FORGED AXES

1. Patterns, bit styles, grades and sizes shall be as specified in the following tables 1, 2 and 3.

2. (a) A plain bit shall be a bit in which the transverse surface is continuous.

(b) A bevel bit shall be a bit in which the sides are beveled transversely.

3. (a) A Grade 1 axe shall have:

(i) The bit or bits and striking face ground and polished, and the remainder of the axe unground and coated with a rust-proofing material in accordance with the manufacturer's standard practice; or,

(ii) The striking face ground and polished and the remainder of the axe rough polished and coated with a rust-proofing material in accordance with the manufacturer's standard practice; or,

(iii) The entire axe ground and polished.

(b) A Grade 2 axe shall have:

(i) The striking face ground and polished, and the bit or bits ground and polished for a distance not to exceed 2½" from the cutting edge, and the remainder of the axe left in the forge finish and coated with a rust-proofing material in accordance with the manufacturer's standard practice; or,

(ii) The striking face ground and polished and the remainder of the axe left in the forge finish and coated with a rust-proofing material in accordance with the manufacturer's standard practice.

4. In cases where a substitute name is shown in the listing of pattern names in tables 1 and 2, the name listed first shall be the name of the pattern, but a producer or a distributor may use one of the listed substitute names for the pattern, providing such listing does not indicate it as a different pattern. The substitute names may not be used for patterns other than as listed in tables 1 and 2.

5. A manufacturing tolerance of 3 ounces plus or minus shall be permitted in the sizes as listed but they may only be cataloged and listed in the sizes as shown in the tables.

6. No alloy steel shall be used in the manufacture of any forged axes.

TABLE 1—SINGLE-BIT AXES

Pattern and style of bit	Grade	Size (weight of head in pounds)
Cedar (wid. bit) plain	1	2½.
Connecticut plain	1, 2	3, 3½, 4.
Dayton (also known as Yankee, Maine) plain	1, 2	3, 3½, 4, 4½, 5, 6.
Dayton (also known as Yankee, Maine) bevel	1	3, 3½, 4, 4½, 5, 6.
Half-wedge plain	1	8.
Jersey (also known as Baltimore-Jersey, Carolina-Jersey) plain	1, 2	3, 3½.
Jersey (also known as Baltimore-Jersey, Carolina-Jersey) bevel	1, 2	2½, 3, 3½, 4, 4½, 5.
Kentucky (also known as Southern Kentucky). plain	1	2½, 3, 3½, 4, 4½, 5.
Kentucky (also known as Southern Kentucky). bevel	1, 2	3, 3½, 4, 4½, 5, 5½, 6.
Michigan plain	1	3, 3½, 4, 4½.
Michigan bevel	1, 2	3, 3½, 4, 4½.
Rafting (also known as Mauling, Construction). plain	1	3, 3½, 4, 4½, 4, 5.

Dock Axes—Any 4, 4½, or 5 pound plain bit grade 1 axe as listed above, with hardened head.

TABLE 2—DOUBLE-BIT AXES

Pattern and style of bit	Grade	Size (weight of head in pounds)
Cedar (also known as Cruiser). plain	1	2½.
Falling plain	1	3½, 4, 4½, 5.
Reversible (also known as Half Peeling). plain	1, 2	3, 3½, 4, 4½.
Half-Wedge plain	1, 2	3, 3½.
Michigan (also known as Crown). plain	1, 2	2½, 3, 3½, 4, 4½.
Michigan (also known as Crown). bevel	1	2½, 3, 3½, 4, 4½.
Swamping plain	1	3½, 4, 4½.
Western (also known as Pennsylvania). plain	1, 2	3, 3½, 4, 4½, 5.
Western (also known as Pennsylvania). bevel	1	3, 3½, 4, 4½, 5.
Humbolt (also known as Redwood). plain	1	3½, 4, 4½.

[1] 7 F.R. 5557, 5558, 6046.

TABLE 3—MISCELLANEOUS AXES

Pattern and style of bit	Grade	Size (weight of head in pounds)
Light Weight Axe plain	1, 2	2¼ (varying handle lengths).
Hudson Bay plain	1	2.
Camp plain	1	1¾.
Hunters' plain	1	1¼, 1¾.
Belt Axe (with slot) plain	1	1¼.
Intrenching		(to be made in accordance with Army specifications).
Firemen's plain	1	2¾, 4½, 6, 8.
Pulaski (Forestry) plain	1	3¼.

APPENDIX B TO SCHEDULE II—LIMITATION ORDER L–157

FORGED HATCHETS, BROAD AXES AND ADZES

1. Grades, patterns, kinds and sizes shall be as specified in the following tables 1, 2 and 3.

2. Grades and patterns as specified shall conform to a manufacturer's grades and patterns as now manufactured, but not more than one type of hatchet, broad axe or adze of the grade, pattern, kind and size as listed shall be manufactured.

3. Sizes shall conform to a manufacturer's established practice in manufacturing size numbers as listed. Where sizes are specified as the weight of the head in ounces a tolerance of 1 ounce plus or minus shall be permitted. Where sizes are specified in pounds, a tolerance of 2 ounces plus or minus shall be permitted.

4. No alloy steel shall be used in the manufacture of any forged hatchets, forged broad axes and forged adzes.

5. Handles in first grade standard pattern hatchets, special pattern hatchets and broad axes shall be of selected quality hickory, sanded and polished. Handles in second grade and third grade hatchets shall be of suitable hardwood, sanded only. Lacquering, staining or painting of hatchet and broad axe handles is optional.

TABLE 1—FORGED HATCHETS

Pattern, grade, etc.	Kind	Size No.
STANDARD PATTERNS		
First Grade, Smooth Black or Painted, with Polished Bits.	Half	1, 2.
First Grade, Smooth Black or Painted, with Polished Bits.	Shingling	2.
First Grade, Smooth Black or Painted, with Polished Bits.	Lath	2.
First Grade, Smooth Black or Painted, with Polished Bits	Flooring	1, 2.
First Grade, Smooth Black or Painted, with Polished Bits.	Claw	2.
First Grade, Smooth Black or Painted, Single Bevel.	Broad	1, 2, 3.
Second Grade, Smooth Black	Half	1, 2.
Second Grade, Smooth Black	Shingling	2.
Second Grade, Smooth Black	Lath	2.
Second Grade, Smooth Black	Claw	2.
Second Grade, Smooth Black, Single Bevel.	Broad	1, 2, 3.
Third Grade, Forge Finish	Half	2.
Third Grade, Forge Finish	Shingling	2.
Third Grade, Forge Finish, Single Bevel.	Broad	1, 2, 3.
SPECIAL PATTERNS		
Octagon Head, Heavy Blade, Smooth Black or Polished.	Half	2.
Octagon or Round Head, Thin Blade, Smooth Black or Polished.	Half	1, 2.
Haines Pattern, Polished	Half	1.
Haines Pattern, Polished	Shingling	1.
Haines Pattern, Polished	Lath	1.
Underhill Lath, Polished	Chicago, 9 rows.[1]	
Underhill Lath, Polished	California, 12 rows.[1]	
Underhill Shinglers, Polished or Smooth Black.	Expert Shinglers 16 ounces (with gauge).[1]	
Underhill Fruit Box, Polished or Painted, Oval Head.	Coast Pattern, 12 rows.[1]	

See footnotes at end of table.

TABLE 1—FORGED HATCHETS—Con.

Pattern, grade, etc.	Kind	Size No.
Underhill Fruit Box, Polished or Painted, Oval Head.	Coast Pattern, 16 rows.[1]	
Produce, Smooth Black or Painted.	12 ounces.[2]	
Packers, Smooth Black or Painted.	No. 3, (20 ounces).[2]	
Barreling, Smooth Black or Painted.	No. 2, (14 ounces).[2]	
Car or Rig Builders, Smooth Black or Painted.	No. 2, (Plain or Milled Heads).	
Lineman, Black	3 pounds and 4 pounds.[1]	
Marketing Hatchet, Polished or Painted.	(Made to Special Order).	

[1] Milled cuts on face.
[2] Weights are for heads only.

TABLE 2—FORGED BROAD AXES

Pattern	Size
	(*Inches*)
Pennsylvania, Black or Painted	11, 12.
Canada, Black or Painted	12.
Pennsylvania,[1] Black or Painted	6.
Canada,[1] Black or Painted	6.

[1] May only be manufactured to fulfill a specific purchase order of the Army, Navy, Maritime Commission or War Shipping Administration.

TABLE 3—FORGED ADZES

Pattern	Size
	(*Inches*)
Carpenters, Half Head, Black or Painted	3½, 4, 4½.
Carpenters, Full Head, Black or Painted	4.
Ship Carpenters, Plain, Black or Painted	4, 4½.
Ship Carpenters, Lipped, Black or Painted.	4½ 5.
Mine Track, Black or Painted, 3½ Pound	3 (Eye #3).
Railroad, Full Head, Forge Finish	5.
Railroad, Full Head, Black or Painted	4 by 9 Blade (A. R. E. A. design. 6 lb.).

APPENDIX C TO SCHEDULE II—LIMITATION ORDER L–157

FORGED LIGHT HAMMERS

1. Kinds, grades, styles, weights or sizes of forged light hammers shall be as specified in the following tables 1 and 2, but not more than one type of hammer of the same kind, grade, style and weight (or size) shall be manufactured.

2. Fancy pattern indicates a hammer having an octagonal or hexagonal neck or poll, or neck and poll.

3. Enameled indicates an application of color to the surface with a paint product or by chemical treatment.

4. Nail and ripping hammers, first grade:

(a) Fancy pattern shall be:

(i) Ground smooth and full polished; or,

(ii) Ground smooth and polished, with enameled neck.

(b) Bell pattern shall be:

(i) Ground smooth and full polished; or,

(ii) Ground smooth and polished with enameled neck; or,

(iii) Ground smooth and enameled throughout except face which shall be polished.

(c) Plain pattern shall be:

(i) Ground smooth and full polished; or,

(ii) Ground smooth and enameled throughout except face which shall be polished.

(d) Milling is permissible on faces in 16 ounce, 20 ounce and 28 ounce sizes.

(e) All patterns may be black under the claws.

5. Nail and ripping hammers, second grade:

(a) Fancy and bell patterns shall be:

(i) Ground and polished with enameled neck; or,

(ii) Ground and enameled throughout except face which shall be polished.

(b) Plain pattern shall be:

(i) Ground and enameled throughout except face which shall be polished; or,

(ii) Full polished.

(c) All patterns shall be black under the claws.

6. Nail and ripping hammers, third grade:

(a) Bell pattern shall be:

(i) Rough black throughout and may be sand tumbled. Face only to be polished.

7. Machinists ball pein, straight pein and cross pein hammers:

(a) First grade shall be:

(i) Ground smooth and full polished; or,

(ii) Ground smooth with face, poll and pein polished and body enameled.

(b) Second grade shall be:

(i) Ground with face and pein polished and body enameled. Polished poll is optional.

(c) Third grade shall be:

(i) Rough black throughout except face and pein polished.

8. Finish of first grade hammers not specifically mentioned above shall conform to the manufacturer's standard practice but not more than one type of finish shall be adopted for each kind of forged light hammer.

9. Second grade hammers not specified above shall be finished black throughout except face and pein polished.

10. Polishing of all second and third grade hammers to be not finer than 120 emery.

11. Weights indicated are for heads only.

12. No alloy steel shall be used in the manufacture of forged light hammers except machinists hammers. Alloy steels, as permitted at time of manufacture by the Iron and Steel Branch of the War Production Board, may be used in the manufacture of machinists hammers.

13. Handles in first grade hammers shall be of selected quality hickory, sanded and polished. Handles in second grade and third grade hammers shall be of hickory or suitable hardwood, sanded only. Lacquering, staining or painting of hammer handles is optional.

TABLE 1

Kind	Grade	Style	Weight	
			Ounces	Pounds
Nail	First	Fancy	13, 16, 20.	
		Bell	7, 13, 16, 20.	
		Plain	13, 16, 20, 24, 28.	
	Second	Fancy	16.	
		Bell	7, 13, 16, 20.	
		Plain	13, 16, 20.	
	Third	Bell	16.	
Ripping	First	Bell	16 or 18, 20.	
		Plain	16, 20.	
	Second	Bell	16.	
	Third	Bell	16.	
Blacksmiths	First	Cross Pein		1½, 2, 2½, 3.
	Second	Cross Pein		1½, 2, 2½, 3.

TABLE 1

Kind	Grade	Style	Weight: Ounces	Weight: Pounds
Bricklayers	First	Adze Eye	24, 32	
	Second	Adze Eye	24, 32	
Coopers	First	Plain Eye	24	
	Second	Plain Eye	24	
	First	Nantucket		1¼.
		Regular		3, 4.
Engineers	First	Cross Pein		1½, 2, 2½, 3.
	Second	Cross Pein		1½, 2, 2½, 3.
	First	Double Face		2½, 3.
	Second	Double Face		2½, 3.
Farriers	First	Octagon Poll, Driving	7, 10	
		Rd. Poll, Curved Claw Driving	7, 10	
		Rd. Poll, Straight Claw Driving	12	
		Turning		2¼.
		Fitting		2¼.
		Sharpening		2¼.
Machinists	First	Ball Pein	2, 4, 6, 8, 12	1, 1¼, 1½, 2, 2½.
	Second	Ball Pein	4, 6, 8, 12	1, 1½, 1½, 2, 2½.
	Third	Ball Pein Forge Finish	12	1, 1¼, 1½, 2.
	First	Straight Pein		1½, 2.
	First	Cross Pein		1½, 2.
Riveting	First	Plain Eye	4, 7, 9, 12, 15, 18	
Tinners	First	Riveting	8, 12, 16	
	First	Paneing or Setting	12, 16	
	First	Raising	28	
Body Workers	First	Bumping	9, 14	
	First	Bumping, Bullet Pein	7	
	First	Dinging	10, 13	
	First	Point Dinging	13	
	First	Long Pick Dinging	15	
	First	Offset Dinging	10	
	First	Fender Bumper		1¼.
	First	Roughing Out		3½.

Kind	Style	Length of head (inches)
Tack	Plain Eye, Magnetic	3½, 4, 4½, 5.
	Plain Eye, Non-Magnetic	3½.
	Adze Eye, Magnetic	5¼.

TABLE 2—SPECIAL PURPOSE HAMMERS

Kind	Weight: Ounces	Weight: Pounds
Bill Posters, Magnetic	5, 8	
Boiler Inspectors	9	
Cobblers	14	
Electricians	16, 20	
Flooring		2.
Hand Drilling or Stone Cutters, 4" Head		3 (Eye #2 or #4).
Pattern Makers	5	
Prospecting Hammer	28	
Prospecting Pick	16, 24	
Saw Setters	8	
Sealing Hammer		1.
Scutch		1½, 2½.
Tile Setters	3	
Trimmers, 5½" Head	7	
Upholsterers, 5½" Magnetic Head	7	
Boilermakers, Double Face [1]		2, 3.

[1] May only be manufactured to fulfill a specific purchase order of the Army, Navy, Maritime Commission or War Shipping Administration.

[F. R. Doc. 42-9256; Filed, September 18, 1942; 11:36 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Schedule III to Limitation Order L-157]

MANUALLY-OPERATED WOOD AND SPECIAL PURPOSE SAWS

§ 1293.4 *Schedule III to Limitation Order L-157* [1]—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps or otherwise fabricates manually-operated wood and special purpose saws.

(2) "Manually-operated wood and special purpose saws" means the following saws:

(i) Handsaws, crosscut and rip.
(ii) Mitre, cabinet, and back saws.
(iii) Compass and keyhole saws and nests of saws.
(iv) Special purpose handsaws of the kinds listed in Table 4.
(v) Pruning saws.
(vi) Butcher saws.
(vii) Buck, cordwood and pulpwood saws.
(viii) Crosscut saws, two-man.
(ix) Crosscut saws, one-man.
(x) Ice saws.

(b) *Simplified practices.* Pursuant to Limitation Order No. L-157, the production and distribution of manually-operated wood and special purpose saws shall be limited to the types, grades, sizes and number of models set forth in Appendix A of this schedule.

(c) *Effective date of simplified practices.* On and after thirty days subsequent to the issuance of this schedule, no producer shall put in process any steel for the purpose of manufacturing a manually-operated wood or special purpose saw other than a manually-operated wood or special purpose saw conforming to the sizes, specifications and standards as established by paragraph (b) and Appendix A of this schedule. On and after ninety days subsequent to the issuance of the schedule, no producer shall manufacture, assemble or fabricate any manually-operated wood or special purpose saw not conforming to the sizes, specifications and standards established in paragraph (b) and Appendix A of the schedule, except with the express permission of the Director General for Operations. All saws fabricated prior to ninety days from the date of issuance of this order may be shipped without special permission.

(d) *Records covering material, work in process, etc.* Each producer of manually-operated wood and special purpose saws shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[1] 7 F.R. 5557, 5558, 6046.

APPENDIX A TO SCHEDULE III—LIMITATION ORDER NO. L-157

EXPLANATIONS AND LIMITATIONS

(1) *"Model"* as used in the following Tables 1, 2, 3, 4, 5, 6, 7, 9, and 10 shall designate one combination of saw details. Such details as are not specified may be selected by the manufacturer, provided that the different combinations of details for a given kind and grade of saw do not exceed the number of models to which such saw is limited.

(2) *"Gages"* as referred to in the following Tables are Birmingham or Stubs' wire gages, and are subject to commercial tolerances.

(3) *"Length & Width of Blades"* as referred to in the following Tables 1, 2, 3, 4, 5, 6, 7a, 8, 9, and 10 are subject to commercial tolerances, except where minima and maxima are specified.

(4) *Elimination of all Alloy Steel.* No producer shall use any alloy steels in the manufacture of any manually operated wood or special purpose saw except (a) upon approval of the Director General for Operations of a written application for the use of such alloy steel, or (b) such alloy steels as may be in the possession of a producer on the 18th day of September 1942.

TABLE 1.—HANDSAWS

Grade and kind	Blade dimensions: Length [1]	Width: Point Min.	Width: Point Max.	Width: Butt Min.	Width: Butt Max.	Number of points per inch: Cross-cut saws	Number of points per inch: Rip saws
	In.	*In.*	*In.*	*In.*	*In.*		
A Grade: [2]							
Regular style, skew back:							
One model in each length	20	1⅜	1⅞	5	5⅜	10	------
	22	1⅜	1⅞	5⅜	5⅞	8, 10	------
	24	1¾	2	6	6¼	8, 10	------
	26	2	2⅜	6	7	7, 8, 10, 11	5½
Narrow or ship-point style, skew or straight back:							
Three 26-in. models	26	1½	1¾	6	6½	7, 8, 10, 11	5½
One 24-in. model	24	1¾	1½	5	5½	8, 10	------
B Grade: [2]							
Narrow or ship-point style, skew or straight back:							
Two 26-in. models	26	1½	1¾	6¼	6½	8, 10	5½
One 20-in. model	20	1¾	1½	5	5¼	10	------
C Grade: [2]							
Narrow or ship-point style, skew or straight back:							
Two 26-in. models	26	1½	1¾	6¼	6½	8	5½
One 20-in. model	20	1¾	1½	5	5¼	10	------

[1] Plus or minus ½ inch.
[2] For the purposes of this schedule grades are defined as shown in the section immediately following entitled *grades of handsaws.*

GRADES OF HANDSAWS

A-Grade. Blades shall be of best quality selected saw steel, free from dirt, segregation, and inclusions. The steel shall be cross rolled and show a fine fracture grain. The carbon content shall be not less than 0.80, or more than 0.95 percent; phosphorus and sulphur not more than 0.035 percent, and silicon not less than 0.15 percent. The blade shall be tempered to a Rockwell hardness of not less than C48 or more than C52.

The blade shall be true and full taper ground, i. e., uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 4 gages. The thickness of the cutting edge shall be not less than 0.032 in. or more than 0.042 in., and the thickness of the back at the handle not less than the cutting edge.

The teeth of cross cut saws shall be bevel filed, and the teeth of rip saws, filed straight through. The teeth shall be set, but the set shall not extend more than one-half the depth of the tooth.

Handles shall be of suitable hardwood, properly seasoned, and free from cracks, checks, and other defects, and shall be given a protective coating to aid in preventing warping, swelling, or shrinkage. Handles shall be fastened to blades with not more than 5 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

B-Grade. Blades shall be of standard quality steel free from dirt and inclusions, and shall show a fine fracture grain. The carbon content shall be not less than 0.70, or more than 0.95 percent, phosphorus and sulphur not more than 0.040 percent, and silicon not less than 0.15 percent. The blade shall be tempered to a Rockwell hardness of not less than C46, or more than C48.

The blade shall be taper ground, uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 2 or more than 3 gages. The back at the handle shall not be thinner than the cutting edge.

The teeth of both cross-cut and rip saws to be filed and set, but the set shall not extend more than one-half the depth of the tooth.

The handle shall be of seasoned hardwood, free from cracks, checks, or other defects, shall be given a protective coating to aid in preventing warping, swelling, and shrinkage, and shall be fastened to the blade with not more than 4 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

C-Grade. Blades shall be of suitable quality steel, with carbon content of not less than 0.70 percent, and free from injurious surface imperfections. The blade shall be tempered to a Rockwell hardness of not less than C42 or more than C46.

The blade shall be flat ground to the same gage throughout.

The teeth shall be filed and set, but the set shall not extend more than one-half the depth of the tooth.

The handle shall be of any suitable, seasoned hardwood, protected by a coat of varnish or other suitable material, and shall be fastened to the blade with not more than 4 steel screws or tubular rivets.

The blade of each saw shall be permanently branded to permit its identification.

Private brands. The blades of all handsaws manufactured for distribution under private brands shall have the qualities speci-

fied above, and shall be permanently branded to permit their identification. The handles of such saws may vary in design from the manufacturers' standard, provided that no manufacturer shall make, for any saw distributed under private brands, more than 3 different designs of handles in addition to his standard handles.

TABLE 2—MITRE, CABINET, AND BACK SAWS

Kind	Blade dimensions					Points per inch
	Length [1]	Thickness		Width [1]		
		Min.	Max.	Min.	Max.	
MITRE BOX SAW						
Flat-ground blade, hardwood handle attached by not more than 3 steel screws:	*In.*	*In.*	*In.*	*In.*	*In.*	
One grade, one model	26	0.040	0.043	4	4	11.
	28	.040	.043	5	5	11.
	30	.040	.043	6	6	11.
CABINET SAW						
Flat-ground blade, one edge toothed for ripping, the other for cross cutting, hardwood handle attached with not more than 2 steel screws:						
One grade, one model	12			3¼	3½	Optional.
BACK SAWS						
Grade 1.—Heavy back, flat-ground blade, hardwood handle attached with not more than 3 steel screws:		*Gage*				
One model	12	22		2¼	3	14.
	16	21		3½	3¾	12.
Grade 2.—Flat-ground blade, hardwood handle, one model	12	22		2¼	2⅝	14.
	10	22		2	2¼	14.

[1] Distance from underside of back to cutting edge.
[2] Plus or minus ½ inch.

TABLE 3—COMPASS, KEYHOLE, AND NESTS OF SAWS

Kind	Blade		Points per inch
	Length [1]	Kind	
COMPASS SAWS			
Grade 1:	*In.*		
Standard model: Full polished blade, teeth filed and set, hardwood handle with either open- or pistol-style grip (one only), carving optional.	12	Taper ground	8
Adjustable model: Full polished blade, teeth filed and set, blade position adjustable, suitable hardwood handle.	12	do	8
Plumber's model: Heavy blade, reversible hardwood handle:			
For wood cutting, teeth filed and set	12	do	9
For metal cutting	12	do	12
Grade 2:			
Standard model: Hardwood handle with either open- or pistol-type grip (one only).	12	Flat ground	8
KEYHOLE SAWS			
Grade 1:			
Standard model: Blade tapered to sharp point, teeth filed and set, hardwood handle with either open- or pistol-type grip (one only), carving optional.	10	Taper ground	10
Grade 2:			
Standard model: Blade tapered, hardwood handle	10	Flat ground	10
NESTS OF SAWS			
Standard combination (one grade only):			
One hardwood handle and 3 blades to fit as follows:			
One keyhole blade	10	do	10
One compass blade	12	do	8
One pruning blade	16	do	8
Nail-cutting combination (one grade only):			
Same as standard combination, but with nail-cutting blade substituted for pruning blade, as follows:			
One nail cutting blade (one only)	16 or 18	do	12 or 15

[1] Plus or minus ½ inch.

TABLE 4—SPECIAL PURPOSE SAWS

Kind	Blade specification		
	Length	Width	Points per inch
Coping saws:			
Grade 1.—Cold rolled steel frame ⅜" x 3/16" with hardwood handle, and threaded blade stretcher adjustable by turning handle (one model)	*In.* 6½	[1] ⅛	18
Grade 2.—Wire rod frame ¼" diameter for loop-end blade, hardwood handle with plug to prevent turning (one model)	6	[1] 1/16	18
Cable saw			
Docking saw, with wood handle only			
Plumber's saw			
Flooring or fireman's saw			
Pattern maker's saw			
Stair builder's saw			
Deborning saw	(2)	(2)	(2)
Plasterer's saw			
Toolbox saw			
Bead saw			
Veneer saw			
Kitchen saw			
Fork packer's saw			
Web saw, felloe	14	¼	8
	14	½	6
Mine saw, with wood handle only	(3)	(3)	(3)
Dovetail saw (1 model in each length)	8	1⅝	15½ to 17
	10	1⅝	15½ to 17

[1] Approximately.
[2] One model, one size only.
[3] Two models, each in two lengths and one tooth style.

TABLE 5—PRUNING SAWS

Description [1]	Blade size		
	Length	Width	
		Point [2]	Butt [3]
1. Curved, tapered blade with hardwood lacquered handle, 7 or 8 points per in.[4] to cut on draw stroke, one model in each of two teeth types	*In.* 14	*In.* ¼	*In.* 1½
2. Curved, tapered blade with long lacquered hardwood handle, 5½ points per in. to cut on draw stroke	14	⅝	2¾
3. Folding pattern, with curved, tapered blade and lacquered hardwood folding handle, 6 or 6½ points per in.[4] to cut on draw stroke	12	3/16	1 15/16
4. Folding pattern, with curved, tapered blade and lacquered folding hardwood handle, 8 points per in. to cut on draw stroke	12	½	1⅞
5. Slightly curved and tapered blade with large hardwood lacquered handle: 8 points per in. on convex edge, 6 on concave edge, latter to cut on draw stroke	18	1⅜	3⅛
6. Straight, tapered, high tempered blade with large hardwood handle; 8 points per in. on one edge, lightning-type teeth on the other, teeth filed and set	18	¾	2¾
7. Same as No. 6, except blade to be of standard saw steel	18	¾	2¾
8. Standard type, tapered skew back blade, with hardwood handle, having a large hole for gloved hand, 7 points per in	20	1⅛	5
9. Same as No. 8, but with large tuttle or champion type teeth	24	1½	5¾
10. Same as No. 8, but with 6 points per in., bevel filed and set	26	1¾	6
11. Flat steel frame tapered to a narrow point, and arranged to hold blade taut at 4 different angles, hardwood handle, 8 points per in	14	½	½
12. Saw and shear combination, with malleable iron socket and hook, socket 1 to 1¼ in. in diameter, shear to cut up to ¾ in. in diameter, blade 8 points per in	[5] 10¾	(6)	(6)
13. Curved, tapered blade, with malleable iron socket for pole, arranged for adjustment of angle of saw blade with bolt and wing nut, 8 points per in. to cut on draw stroke	[7] 15	¾	2¾
14. Curved, tapered walnut-pruning blade, with teeth in butt to hold adjustment in sprocket of pruning saw socket, heavy stamped socket with hook and wing nut and bolt, 6 points per in	20	1⅛	3⅛

[1] Each number to be made in one grade and one model only, except No. 1, which may be made in two styles of teeth.
[2] Tolerance: Plus or minus 1/16 inch.
[3] Tolerance: Plus or minus ¼ inch.
[4] One or the other, not both
[5] Plus or minus ¾ inch.
[6] Optional.
[7] Plus or minus 1 inch.

TABLE 6—BUTCHER SAWS

Kind	Frame		Blade [1]		
	Size	Depth from frame to tooth edge	Nominal length [2]	Width	Points per inch
BUTCHER SAWS	*In.*	*In.*	*In.*	*In.*	
Type 1: Hot rolled, flat steel frame, with winged nut or trigger for tightening the blade, one winged-nut model and one trigger model in each length, one grade only.	¾ or 1 x ¼	5	24	¾ or ⅝	11.
	¾ or 1 x ¼	5	26	¾ or ⅝	11.
Type 2: Cold rolled, flat steel frame, with square or round edges and winged nut or trigger for tightening the blade, one winged-nut model and one trigger model in each length, one grade only.	⅝ x ⅛	4½ or 5	18	¾ or ⅝	11.
	¾ x ⅛	4½ or 5	22	¾ or ⅝	11.
	¾ x ⅛	4½ or 5	24	¾ or ⅝	11.
Same, with unguarded handle, one model, one grade	⅝ x 1¼	4½ or 5	14	¾ or ⅝	11.
BEEF SPLITTER SAW					
Flat steel frame, with square edges, eye-type fastener at front end and tension bolt on rear, hardwood handle secured with not more than 4 steel screws, one model.	1⅛ x 5/16 [3]	5¼	30	1⅜ [4]	8 or 9.

[1] Blades similar to the above, but of different lengths needed to fit saw frames already in use may also be made.
[2] Length from center to center of holes or pins; tolerance plus or minus ¼ inch.
[3] Approximately.
[4] Plus or minus ¼ inch.

TABLE 7—WOOD (BUCK) SAWS, AND PULPWOOD SAWS

Kind	Frame			Blades [1]
	Size	Bracing	Rod	
WOOD (BUCK) SAWS	*In.*			
Grade 1: Special selected hardwood frame, with lacquered finish, one model.	30	Double brace, single or double riveted, hardwood.	22 in.	1 to 6.
Grade 2: Standard selected hardwood frame, with sanded finish, one model.	30	Single straight or double brace.	22 in.	1 to 6.
PULPWOOD SAW				
High carbon tubular steel frame tempered for strength, with suitable blade fastening and lacquered finish:				
One non-adjustable model	30			7 and 8.
One adjustable model	39			9 to 14.

[1] See table 7a.

TABLE 7A—BLADES FOR WOOD (BUCK) SAWS AND PULPWOOD SAWS

No.	Grade	Style	Length	Width	Teeth
			In.	*In.*	
1	High carbon steel, thin back, bright finish.	Straight	30	1¾	Tuttle or champion.
2		do	30	1¾	4½ or 5 plain teeth per in.—filed and set.
3		Breasted	30	1¾	Tuttle or champion.
4		do	30	1¾	4½ or 5 plain teeth per in.—filed and set.
5	Carbon steel, flat-ground, bright finish.	Straight	30	1¾	Tuttle or champion.
6		do	30	1½	4½ or 5 plain teeth per in.—filed and set.
7	High carbon, taper ground	do	30	1 or 1⅜	Skip tooth pattern.
8	do	do	30	1 or 1⅜	4 cutting and 1 raker.
9	do	do	39	1 or 1⅜	Skip tooth pattern.
10	do	do	39	1 or 1⅜	4 cutting and 1 raker.
11	do	do	42	1 or 1⅜	Skip tooth pattern.
12	do	do	42	1 or 1⅜	4 cutting and 1 raker.
13	do	do	48	1 or 1⅜	Skip tooth pattern.
14	do	do	48	1 or 1⅜	4 cutting and 1 raker.

TABLE 8—TWO-MAN CROSS-CUT SAWS

Class	Kind	Length	Maximum width	Gage at cutting edge	Number of different saws to be made in each length of each class [1]
	HOLLOW BACK	*Feet*	*Inches*		
1	Eastern, narrow	4½	4 9/16	14 or 15	2
		5	4⅝	do	2
		5½	4⅞	do	2
		6	5	do	2
2	Eastern, medium	5	5¾	do	4
		5½	6	do	4
		6	6 5/16	do	4
		6½	6 9/16	do	4
3	Western, falling	5½	5½	13 or 14	2
		6	6	do	2
		6½	6	do	2
		7	6 3/16	do	2
		7½	6 9/16	do	2
		8	6 5/16	do	2
		10	6 7/16	do	2
4	Wide gullet lance tooth	5½	6	14 or 15	2
		6	6 5/16	do	2
		6½	6 9/16	do	2
5	Parallel pattern	5	3¾	do	4
		5½	3¾	do	4
		6	3¾	do	4
6	STRAIGHT BACK	5	5¾	do	4
	Eastern, medium	5½	6	do	4
		6	6 5/16	do	4
		6½	6 9/16	do	4
7	Eastern, wide	7	6⅞	13 or 14	4
		5	6½	14 or 15	4
		5½	6⅞	do	4
8	Western bucking	6	7¼	do	4
		5	6½	13 or 14	2
		6	7¼	do	2
		6½	7 1/16	do	2
		7	7⅝	do	2

[1] The figures in this column designate the maximum different combinations of characteristics in which a given class and length of saw may be made by a single manufacturer, subject to the qualifications given below. The characteristics referred to are (1) grade, (2) type of teeth, (3) amount of taper (including flat ground as zero taper), (4) gage of cutting edge, (5) width, and (6) breast.
In other words, any variation in any one of the above characteristics as between two saws of the same class and length would make them different saws. They might, of course, differ in all those characteristics.
Saws of classes 2, 5, and 7 are permitted to be made in two types of teeth, and saws of class 6, in three types of teeth. If a manufacturer elects to make them in only one type of teeth, he shall not make more than two different saws in each length in these classes. Thus, no saw shall be made in more than two different grades.
Saws of the same class and length and type of tooth, but of different grade or gage, may vary slightly in width, provided the total different saws of a given class and length does not exceed the figure given in column 6.

TABLE 9—ONE-MAN CROSS-CUT SAWS

Grade and kind	Length	Gage at cutting edge	Number of gages taper	Maximum blade dimensions	
				Point	Butt
	Ft.			*In.*	*In.*
Grade 1: Tapered straight- or skew-back blade, with hardwood handle attached with not more than 3 steel screws, and supplementary handle, one model in each of 2 tooth designs in each length	3	16	2 to 3	2⅞	7⅛
	3½	16	2 to 3		
	4	15 or 16	2 to 3		
	4½	15 or 16	2 to 3		
Grade 2: Same as grade 1, but of lower grade steel and flat ground blade, one model in each of 2 tooth designs in each length	3	16		2½	7⅛
	3½	16			
	4	16			
	4½	16			

TABLE 10—ICE SAWS

Kind	Length	Width	Gage
HAND ICE SAW			
Straight-back, flat-ground blade, with hardwood handle, plain teeth, one grade, one model	*In.* 26	*In.* 5¾	14
POND ICE SAW			
Straight back, flat-ground blade, with hole in butt for tiller handle, teeth optional, one grade, one model	60	5 at point, 7 at butt	11

[F. R. Doc. 42-9255; Filed, September 18, 1942; 11:38 a. m.]

PART 2021—CRYOLITE

[General Preference Order M–198]

The fulfillment of requirements for the defense of the United States and the need for adequate reserves occasioned by the uncertainty of future shipments from abroad, have created a shortage in the supply of cryolite for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense, *It is hereby ordered*, That:

§ 2021.1 *General Preference Order M–198*—(a) *Definitions.* For the purposes of this order:

(1) "Cryolite" means the natural ore of sodium aluminum fluoride, any product refined from this ore, and also all forms of synthetic cryolite.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(3) "Producer" means a refiner of natural cryolite or a producer of synthetic cryolite.

(4) "Director" means the Director General for Operations of the War Production Board.

(b) *Limitation on receipt and use of cryolite.* After the effective date of this order, no person shall receive any cryolite, except for use as insecticide, or use any cryolite, except as insecticide, unless such receipt or use, or both, is specifically authorized by the Director.

(c) *Limitation on delivery of cryolite.* After the effective date of this order, no producer shall deliver any cryolite to any person unless such delivery shall have been authorized by the Director. After the effective date of this order, no person, other than a producer, shall deliver any cryolite to any person unless such delivery shall have been authorized by the Director or unless the cryolite is to be used as insecticide.

(d) *Application for authorization to receive, use, or deliver cryolite, except as insecticide.* Any person who wishes to be authorized to receive cryolite, except for use as insecticide, or to use cryolite, except as insecticide, shall request such authorization by filing Form PD–592 in quadruplicate, or such other form as may be required, with the Aluminum and Magnesium Branch, War Production Board. Two copies of the form will be forwarded by the War Production Board to the supplier if authorization to receive and use cryolite is granted, and receipt of this form by the supplier will constitute authorization to make the indicated deliveries, and authorization to the applicant to use cryolite as indicated on the form. The supplier upon completing delivery of the material covered by the authorization, shall return one copy thereof to the Aluminum and Magnesium Branch, War Production Board, indicating deliveries made. If authorization is granted to the applicant solely to use cryolite, a copy of the form will be returned to the applicant and receipt of the copy will constitute authorization to use the cryolite as indicated on the form. Applications for authorization to use stocks on hand should be made separately from applications for authorization to both receive and use cryolite.

(e) *Application by a producer for authorization to deliver cryolite to be used as insecticide.* A producer seeking authorization to deliver any cryolite for use as insecticide shall apply for written authorization to do so by letter addressed to the War Production Board, Aluminum and Magnesium Branch, Washington, D. C., Ref: M–198, stating the quantity and grade of cryolite he proposes to deliver.

(f) *Special reports.* Any person applying for authorization to receive or use cryolite, except as insecticide, for the first time shall file with the Aluminum and Magnesium Branch of the War Production Board, within 15 days of such application, duplicate copies of Form PD–632 (except that any person who has already filed Form WPB–1183 with the Aluminum and Magnesium Branch need fill in on Form PD–632 only Line (A) calling for stocks of cryolite as of June 30, 1942) and any person applying for authorization to receive or use cryolite under paragraph (d) above shall file with the Aluminum and Magnesium Branch of the War Production Board, such information as may be requested from time to time by the Director. No person will be authorized to receive or use cryolite, except as insecticide, if he is in default in furnishing the information required by this paragraph.

(g) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be deprived of priorities assistance by the Director.

(h) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time.

(i) *Communications with War Production Board.* All reports and certifications required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Aluminum and Magnesium Branch, Washington, D. C. Ref: M–198.

(j) *Effective date.* The effective date of this order is October 1, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of September, 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9259; Filed, September 18, 1942; 11:39 a. m.]

PART 3011—TURBO-BLOWERS

[Amendment 1 to General Limitation Order L–163]

Paragraph (a) (4) of § 3011.1 *General Limitation Order L–163*[1] is hereby amended to read as follows:

(4) "Critical turbo-blower" means any new, reconditioned or used centrifugal or rotary type blower or exhauster having a capacity of 5,000 cubic feet per minute or more, at a total equivalent sea level air pressure of 1½ pounds per square inch or more; except any such equipment to be delivered to the United States Navy or Maritime Commission for shipboard use, or to any privately owned shipyard or plant for installation in ships built, or repaired, for the United States Navy or Maritime Commission. As used in this paragraph "equivalent sea level air" means air at a temperature of 60 degrees Fahrenheit, a pressure of 14.7 pounds per square inch absolute and a specific weight of 0.0764 pound per cubic foot.

This amendment shall become effective October 1, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law, 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9254; Filed, September 18, 1942; 11:38 a. m.]

[1] 7 F.R. 6165.

PART 3017—BLACKOUT AND DIMOUT LIGHTING FIXTURES

[General Limitation Order L–168]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, iron and steel and other materials for private account, for export and for military needs, and there are blackout and dimout lighting fixtures being manufactured and used which consume large amounts of such metals and other materials and which fixtures do not properly perform the functions of an approved blackout and dimout lighting fixture; therefore, the following order is deemed necessary and appropriate in the public interest and to promote the national war effort.

§ 3017.1 *General Limitation Order L–168*—(a) *Definitions.* For the purposes of this order:

(1) "Lighting fixture" means any equipment or device (whether portable or not) employing any artificial light source, including but not limited to the following:

(i) Street and highway luminaire;
(ii) Traffic signal;
(iii) Flashlight;
(iv) Lantern;
(v) Fluorescent lighting fixture; and
(vi) Incandescent lighting fixture.

[1] 7 F.R. 5127, 5982, 6934.
[2] 7 F.R. 4423, 4615, 4698, 4848, 5043, 5359, 6147, 6146, 6614.

"Lighting fixture" shall not include lighting equipment for a passenger automobile, light truck, medium and/or heavy motor truck, truck trailer, passenger carrier and off-the-highway motor vehicle as defined in Limitation Order No. L–158.[1]

(2) "Blackout and dimout lighting fixture" means (i) any lighting fixture held out or intended to be used during a blackout and dimout period, the light from such fixture being controlled by voltage and/or electric current variation and/or by reflection, refraction, shading, shielding, masking, diffusing or hooding; or (ii) any accessory for a lighting fixture such as a switch, transformer, reflector or refractor, shade, shield, mask, diffuser or hood, which accessory is held out or intended to be for use during a blackout or dimout period and which accessory is designed to reduce or control the light from an artificial source.

"Blackout and dimout lighting fixture" does not include any fluorescent tube, incandescent bulb or any other light source, or obscuration materials, nor does it include any device used solely to extinguish light.

(3) "Approved blackout and dimout lighting fixture" means any blackout and/or dimout lighting fixture which has been certified by the Engineer Board of the War Department of the United States to have been manufactured in accordance with specifications prepared and approved by the War Department.

(4) "Obscuration Materials" means any object or material other than a blackout and dimout lighting fixture used to prevent emission or escape of light from a building, a structure or vehicle, or any part of a building, structure or vehicle during a blackout and dimout period.

(5) "Blackout period" means the length of time during which length of time, by order of the proper authorities, all sources of light are extinguished, reduced or controlled in accordance with the commands or regulations of the proper military authority, for the purpose of preventing the detection of any object or locality from the air.

(6) "Dimout period" means the length of time during which length of time, by order of the proper authorities, all sources of light are extinguished, reduced or controlled to the extent deemed necessary in the discretion of the proper military authorities as a precautionary measure to eliminate sky glow, to prevent the detection of shipping by silhouette or in preparation for a blackout period.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, municipal corporation or any organized group of persons, whether incorporated or not.

(8) "Critical material" means all metals as set forth in Sections (a) (1) and (2) of Metals List, Priorities Regulation No. 11.[2]

(b) *General restrictions*—(1) *Manufacture.* On and after ten days subsequent to the issuance of this order, notwithstanding any contract or agreement to the contrary, no person shall manufacture or assemble for the purposes of sale and delivery any blackout and dimout lighting fixture or any component part of any blackout and dimout lighting fixture other than an "approved" blackout and dimout lighting fixture or component part of such approved fixture except, (i) for the purpose of experimentation, test or examination of such blackout and dimout lighting fixture in order to determine the conformity of such blackout and dimout lighting fixture to specifications approved by the War Department, Navy Department, or the Maritime Commission of the United States; or (ii) as authorized by proper military authority, when approved blackout and dimout lighting fixtures are not deemed sufficiently available by such military authority for immediate military needs; or (iii) as specifically authorized by the Director General for Operations upon written request; or (iv) to meet the specifications of the Bureau of Ships, United States Navy Department or the United States Maritime Commission for use on vessels built for or operated under the direction of such agencies.

(2) *Sale and delivery.* On and after ten days subsequent to the issuance of this order, notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any blackout and dimout lighting fixture except, (i) approved blackout and dimout lighting fixtures containing critical material when in fulfillment of orders bearing a preference rating of A–1–k or better; or (ii) approved blackout and dimout lighting fixtures containing no critical material when in fulfillment of orders bearing a preference rating of A–4 or better; or (iii) flashlight or lantern approved blackout or dimout lighting fixtures may be sold by a person in fulfillment of orders bearing no preference rating, provided such fixtures have been sold or delivered by the manufacturer thereof upon authorization and in areas specified by the Director General for Operations; or (iv) for the purpose of experimentation, test or examination of such blackout and dimout lighting fixture in order to determine the conformity of such blackout and dimout lighting fixture to specifications approved by the United States War Department, United States Navy Department or United States Maritime Commission; or (v) as authorized by proper military authority, when approved blackout and dimout lighting fixtures are not deemed sufficiently available by such military authority for immediate military needs; or (vi) in fulfillment of contracts or orders of the United States Navy Department or the United States Maritime Commission for use on vessels built or operated by such agencies; or (vii) as otherwise specifically authorized by the Director General for Operations.

(c) *Restrictions on the use of critical materials.* No person shall incorporate in the manufacture of any blackout and dimout lighting fixtures critical material except:

(1) Iron and steel in accordance with the limitations established by General Conservation Order M–126,[3] and in the minimum quantities required to meet the specifications and the requirements of the War Department, Navy Department and Maritime Commission of the United States; and

(2) Copper, brass and bronze in accordance with the limitations established by General Conservation Order M–9–c[4] and then only in the minimum quantities required to provide adequate electrical contact and conductivity in order that the operation of blackout and dimout lighting fixtures will be in accordance with specifications and requirements of the War Department, Navy Department and Maritime Commission of the United States.

(d) *Reports.* Every manufacturer of blackout and dimout lighting fixtures shall within thirty days from the date of issuance of this order and on the fifteenth day of each month thereafter report by letter, in duplicate, to the War Production Board the following information:

(1) A description, catalog number and sketch or drawing of each type of blackout and dimout lighting fixture manufactured by such manufacturer since the date of issuance of this order showing dimensions and listing all materials incorporated into such fixture, including wire and other accessories sold with such fixture; provided such information has not been previously submitted to the War Production Board, and further provided that the design and material content of such fixture has not changed prior to the date of filing such report.

(2) The number of each type of such blackout and dimout lighting fixtures sold during each calendar month subsequent to the date of issuance of this order by such manufacturers, the name of the person to whom such fixtures were sold and the date of sale of such fixtures.

Each person to whom this order applies shall execute and file with the War Production Board such other reports as the Board shall from time to time require.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction

[1] 7 F.R. 5353, 5358, 5462, 5510, 5902, 6047, 7030, 7032.
[2] 7 F.R. 3424, 3660, 3745, 5344, 5902, 6162, 6866.

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications.* Reports to be filed and all other communications concerning this order shall be addressed to War Production Board, Building Materials Branch, Washington, D. C., Ref: L–168.

(j) *Appeal.* Any manufacturer affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter directed to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9253; Filed, September 18, 1942; 11:38 a. m.]

PART 3037—ELECTRONIC EQUIPMENT

[General Limitation Order L–183]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of electronic equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3037.1 *General Limitation Order L–183*—(a) *Definitions.* For the purpose of this order:

(1) "Manufacturer" means any individual, partnership, association, business trust, corporation, receiver or any organized group of persons whether incorporated or not that manufactures, produces, fabricates and/or assembles electronic equipment.

(2) "Transfer" means sell, lease, trade, rent, give, deliver, or physically transfer in any other way so as thereby to make available for the use of a person other than the transferor.

(3) "Minimum inventory" means the smallest quantity of electronic equipment which will satisfy anticipated deliveries for a period of forty-five days in advance, but in no case shall such quantity exceed 12½% of total 1941 sales of such product or similar product unless specifically authorized by the Director.

(4) "Electronic equipment" means any electrical apparatus or device involving the use of vacuum or gaseous tubes and/or any associated or supplementary device, apparatus or part therefor, except equipment listed on Schedule A hereof.

(5) "Director" means Director General for Operations of the War Production Board or Director of Industry Operations of the War Production Board or Director of Priorities of the Office of Production Management.

(b) *General restrictions.* (1) On and after the 15th day following the issuance of this order, and irrespective of the terms of any contract of sale, purchase, rental or any other commitment, no manufacturer, shall manufacture, fabricate, assemble or produce any electronic equipment, in excess of a minimum inventory required to meet deliveries on orders bearing a preference rating of A–3 or higher, and no manufacturer shall transfer electronic equipment except on orders bearing a preference rating of A–3 or higher.

(c) *Exceptions.* Where the manufacture, assembly, production or transfer of electronic equipment for specific purposes is governed by other limitation orders issued or to be issued by the Director, the terms of such order(s) shall apply.

(d) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said board shall from time to time request.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Communications to War Production Board.* All reports that may be required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Radio and Radar Branch, Washington, D. C. Ref: L–183.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board; setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority contract, and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

1. Hearing aid devices.
2. Telephone and telegraph equipment.
3. Medical and therapeutic equipment.
4. Power and light equipment.

[F. R. Doc. 42–9258; Filed, September, 18, 1942; 11:39 a. m.]

Chapter XI—Office of Price Administration

PART 1346—BUILDING MATERIALS

[Maximum Price Regulation 224]

CEMENT

In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purpose of the Emergency Price Control Act of 1942 to replace the general Maximum Price Regulation with a separate regulation establishing as the maximum prices for cement the prices prevailing with respect thereto during the period March 1 to 15, 1942.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices prevailing during the period March 1 to 15, 1942. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 224 is hereby issued.

Sec.

1346.101 Applicability of the General Maximum Price Regulation and Maximum Price Regulation No. 188.
1346.102 Export sales.
1346.103 Prohibitions.
1346.104 Maximum prices for sales and deliveries by manufacturers.
1346.105 Maximum prices for sales and deliveries by cement dealers.
1346.106 Less than maximum prices.
1346.107 Federal and State taxes.
1346.108 Conditional agreements.
1346.109 Evasion.
1346.110 Records and reports.
1346.111 Licensing.
1346.112 Petition for adjustment or amendment.
1346.113 Enforcement.
1346.114 Definitions.
1346.115 Applicability.
1346.116 Effective date.

AUTHORITY: §§ 1346.101 to 1346.116, inclusive, issued under Pub. Law No. 421, 77th Cong.

§ 1346.101 *General Maximum Price Regulation and Maximum Price Regulation No. 188 superseded.* The provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188 are superseded by this Maximum Price Regulation No. 224 with respect to sales or deliveries of cement which are subject to this Maximum Price Regulation No. 224: *Provided*, That the provisions of §§ 1499.2 and 1499.3 of the General Maximum Price Regulation shall be applicable in the manner indicated in § 1346.105 of this Maximum Price Regulation No. 224.

§ 1346.102 *Revised Maximum Export Price Regulation applicable.*[2] The maximum price at which a person may export any cement shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration. An "export sale" is any sale between a seller in the continental United States and a purchaser outside thereof in which the commodity sold is transported from the continental United States to a point outside thereof and includes any sale of a commodity outside the continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the continental United States.

§ 1346.103 *Prohibition against sales of cement at higher than maximum prices.* (a) On and after September 23d, 1942, regardless of any contract, lease, or other obligation:

(1) No person shall sell or deliver any cement at a price higher than the maximum price permitted by this Maximum Price Regulation No. 224;

(2) No person in the course of trade or business shall buy or receive any cement at a price higher than that permitted by this Maximum Price Regulation No. 224: *Provided*, That if upon the purchase of any cement, the purchaser shall receive from the seller or supplier a written affirmation that to the best of his knowledge, information, and belief, the prices charged do not exceed the maximum price established by this Maximum Price Regulation No. 224; and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section;

(3) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this paragraph (a).

(b) No war procurement agency, nor any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 224 or the Emergency Price Control Act of 1942.

§ 1346.104 *Maximum prices for sales and deliveries of cement by manufacturers*—(a) *Maximum prices for cement sold by a manufacturer and shipped within its normal market area.* The maximum price for American Society for Testing Materials Types 1 and 2 Portland cement sold by a manufacturer and shipped within its normal market area, whether the shipment is made f. o. b. mill or on a delivered price basis, shall be such that the cost to the purchaser at the destination for like quantities and classifications of cement similarly packaged is not in excess of what it was or would have been to such purchaser for a delivery to such purchaser completed between March 1 to 15, 1942. Such price shall be calculated upon the basis of the prices, pricing practices, freight practices, trade discounts, charges (including package charges), allowances, and deposits (other than deposits on cloth bags which may be required in a reasonable amount so long as the refund equals the deposit) most favorable to purchasers in effect, published, listed, or quoted by the seller during the period March 1 to 15, 1942, but upon the basis of the freight rates in effect at the time of any shipment made subsequent to September 23d, 1942.

(1) The differentials from the price of American Society for Testing Materials Types 1 and 2 Portland cement which prevailed on March 15, 1942, with respect to American Society for Testing Materials Type 3 Portland cement (high early strength cement), white cement, oil-well cements, masonry cement, and other cement, shall be added to or subtracted from, as the case may be, the maximum selling prices established under this paragraph for American Society for Testing Materials Types 1 and 2 Portland cement, to determine the maximum prices for such other cements.

(2) The maximum prices established under paragraph (a) of this section shall be subject to cash discounts under conditions as favorable as were offered by the seller during the period March 1 to 15, 1942: *Provided*, That during the period of the war emergency a reasonable period of grace sufficient to permit routine handling shall be allowed to any war procurement agency within which to avail itself of the cash discount.

(b) *Maximum prices for cement sold by a manufacturer and shipped outside its normal market area.* (1) The maximum prices for American Society for Testing Materials Types 1 and 2 Portland cement sold by a manufacturer and shipped outside its normal market area shall be, except as provided in subparagraph (2) below, the higher of the following two prices:

(i) A price at the destination not in excess of the maximum price established under paragraph (a) of this section for a sale at such destination by a mill whose normal market area includes such destination.

(ii) A price f. o. b. mill in bulk not in excess of the price listed below in the Bureau of Mines District in which the mill is located.

District No.:	Price per barrel
1 (Eastern Pa., N. J., Md., Dels.)	$1.33
2 (N. Y., Conn., R. I., Mass., N. H., Vt., Maine)	1.36
3 (Western Pa., West Va.)	1.27
4 (Michigan	1.28
5 (Ind., Ill., Wis., Ky.)	1.42
6 (Ga., Ala., Tenn., La., Miss., N. C., S. C., Va., Fla.)	1.44
7 (Eastern Mo., Iowa, Minn., N. D., S. D.)	1.54
8 (Neb., Kans., Okla., West Mo., Ark.)	1.43
9 (Texas)	1.58
10 (Colo., Utah, Mont., Wyoming, N. M.)	1.73
11 (California)	1.43
12 (Oregon, Washington)	1.81

A delivered price may be charged under this provision equal to the f. o. b. mill price plus the freight charges incurred by the manufacturer in making delivery to the point of destination.

(2) A manufacturer may use the alternative pricing method set forth in paragraph (b) above only if (i) the manufacturer indicates on the billing that the price has been determined in accordance with § 1346.104 (b) (2) of this Maximum Price Regulation No. 224; and (ii) the cement is to be sold to a person who will not resell it in the course of trade to a person other than a war procurement agency or a contractor or subcontractor with any war procurement agency for use on a project controlled by any such agency: *Provided*, That the obligations of a manufacturer under this provision will be met if he secures an affidavit from the purchaser that the cement to be purchased will not be resold in the normal course of trade to a person other than a war procurement agency or a contractor or subcontractor with any war procurement agency for use on a project controlled by any such agency, and the manufacturer retains such affidavit in his possession for a period of two years and makes it available for inspection by the Office of Price Administration.

(3) The maximum prices established under this paragraph (b) are subject to the trade discounts, quantity differentials, charges (including package charges), allowances, and deposits (other than deposits on cloth bags which may be required in a reasonable amount so long as the refund equals the deposit) most favorable to purchasers which the manufacturer had in effect, published, listed, or quoted, during the period March 1 to 15, 1942.

(4) The maximum prices under this paragraph (b) may be increased to the extent that a cash discount is offered to purchasers under conditions as favorable as were offered by the seller during the period March 1 to 15, 1942: *Provided*, That during the period of the war emergency a reasonable period of grace sufficient to permit routine handling shall be allowed to any war procurement agency within which to avail itself of the cash discount.

(5) The differentials from the price of American Society for Testing Materials Types 1 and 2 Portland cement which prevailed on March 15, 1942, with respect to American Society for Testing Materials Type 3 Portland cement (high early strength cement), white cement, oil-well cements, masonry cement, and other cement, shall be added to or subtracted from, as the case may be, the maximum selling prices established under this paragraph for American Society for Testing Materials types 1 and 2 Portland cement, to determine the maximum prices for such other cements.

*Copies may be obtained from the office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F. R. 5059.

§ 1346.105 *Maximum prices for sales and deliveries of cement by dealers.* The maximum prices for sales and deliveries of cement by dealers shall be prices established in accordance with the provisions of §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, except that:

(a) The maximum price for the sale by a dealer of cement purchased from a manufacturer who established maximum prices in accordance with the provisions of § 1346.104 (b) (2) of this regulation for the cement which the dealer is reselling shall be a price not in excess of the cost of such cement to the dealer plus a dollar margin not higher than the dollar margin which the dealer customarily received in a similar transaction involving like quantities and types of cement between October 1, 1941, and March 31, 1942.

(b) If by reason of freight rate increases occurring after March 17, 1942, the delivered cost to the dealer of the cement he is reselling is in excess of the delivered cost of the cement which he delivered or offered for delivery to establish his maximum price under this paragraph, the dealer may add to his price a sum not in excess of the amount by which such freight rate increase resulted in an increased delivered cost to him: *Provided*, That any dealer who raised his price during the period March 17 to 31, 1942, by an amount sufficient to compensate for any increase in freight rates during such period shall not be entitled to raise his price pursuant to this paragraph.

(c) The maximum prices established under this section shall be reduced to the extent that delivery services or other services furnished by the seller during the period March 1 to 31, 1942, are reduced or eliminated, and shall be subject to cash discounts under conditions as favorable as were offered by the seller during the period March 1 to 15, 1942: *Provided*, That during the period of the war emergency a reasonable period of grace sufficient to permit routine handling shall be allowed to any war procurement agency within which to avail itself of the cash discount.

§ 1346.106 *Less than maximum prices.* Lower prices than those set forth in §§ 1346.104 and 1346.105 may be charged, demanded, paid, or offered.

§ 1346.107 *Federal and state taxes.* Any tax upon, or incident to, the sale of any cement imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for cement and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during the base period.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price in the "base period" the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 224.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum prices under Maximum Price Regulation No. 224.

(b) *As to a tax or increase in a tax which becomes effective after the base period.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1346.108 *Conditional agreements.* No manufacturer of cement shall enter into an agreement permitting the adjustment of the price to prices which may be higher than the maximum prices provided by § 1346.104 or § 1346.105 in the event that this Maximum Price Regulation No. 224 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment or application for adjustment has been duly filed, and such petition or application requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment or application for adjustment. Requests for such an exception may be included in the aforesaid petition for amendment or application for adjustment.

§ 1346.109 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 224 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, or delivery of or relating to cement, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by delivering to a purchaser at a destination other than the ultimate destination, or otherwise.

§ 1346.110 *Records and reports.* (a) Every manufacturer and every dealer making sales or purchases subject to this Maximum Price Regulation No. 224 of cement of the value of $100 or more in any month after September 23d, 1942, shall keep for inspection by the Office of Price Administration for a period of two years, complete and accurate records of every purchase and each sale totaling $50 or more, showing the date thereof, the name and address of the seller or purchaser, the point of shipment and the point of delivery, the price paid or received, together with a statement as to whether it is a price f. o. b. point of shipment or f. o. b. destination, and the quantity, type of package, and classification of cement sold or purchased.

(b) Every manufacturer shall make a report to the Office of Price Administration, Washington, D. C., on or before the fifteenth day of each month, beginning October 15, 1942, setting forth a list of all sales which resulted in cement being shipped to points outside its normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity, type of package, and classification of cement sold, the price charged, and the method of computing such price.

(c) Every dealer shall make a report to the Office of Price Administration, Washington, D. C., on or before the fifteenth day of each month, beginning October 15, 1942, setting forth a list of all sales of cement which were priced under the provisions of § 1346.105 (a) during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity, type of package, the classification of cement sold, the cost to the dealer, and the price charged.

(d) On or before October 15, 1942, every manufacturer of cement shall file with the Office of Price Administration, Washington, D. C., a map of the United States (which will be furnished by the Office of Price Administration) setting forth the information required by the instructions accompanying such map.

(e) Persons affected by this Maximum Price Regulation No. 224 shall submit such other reports to the Office of Price Administration as it may from time to time require.

§ 1346.111 *Licensing.* The provisions of Supplementary Order No. 18 (§ 1305.22) Licensing Persons Selling Lumber, Lumber Products or Building Materials, are applicable to every person (except mills, manufacturers, or producers) making sales of cement for which maximum prices are established by this regulation. The term "producers" when used in this section shall have the meaning given to such term by Supplementary Order No. 224.

§ 1346.112 *Petition for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with any war procurement agency or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of cement which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 224 in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

maximum prices. The Office of Price

(b) *Adjustment of abnormally low* Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 224 for any seller of cement in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of cement; and

(i) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of cement will not cause or threaten to cause an increase in the level of retail prices.

(ii) Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration.

(c) *Special relief.* Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 224 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 224 to eliminate the danger of inflation.

(d) *General amendments and adjustments.* Persons seeking any general modification of this Maximum Price Regulation No. 224 or any exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1346.113 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 224 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 224 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest state, district, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1346.114 *Definitions.* (a) When used in this Maximum Price Regulation No. 224, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Cement" includes standard Portland cements; special Portland cements, such as high early strength, masonry, or mortar, low and moderate heat, oil-well, sulphate-resisting, white Portland, or any other cements generally classified as special Portland cements; alumina cement, natural cement, Pozzolan (slag-lime) cement; and masonry cement of the natural-cement class; but excluding hydraulic lime.

(3) "Manufacturer" means a person engaged in the production of cement. Each mill of each person producing cement shall be considered a separate manufacturer and seller.

(4) "War procurement agency" includes the War Department, the Department of the Navy, United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation: Rubber Reserve Corporation, Metals Reserve Corporation, Defense Plant Corporation, and Defense Supplies Corporation, or any public agency of any of the foregoing; or the government of any country, the defense of which the President of the United States deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any public agency of any such government.

(5) "Normal market area" for any mill means that area in which cement was regularly offered for sale at delivered prices for shipment from that mill during the period January 1, 1940, to January 1, 1942. For the purposes of this definition, cement will be deemed to have been "regularly offered for sale" in the area in which the mill regularly had traveling salesmen and/or made quotations for shipment at delivered prices during such period.

(6) "Dealer" means a person who buys cement and resells it without substantially changing its form.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1346.115 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 224 shall be applicable to the 48 states of the United States and the District of Columbia.

§ 1346.116 *Effective date.* This Maximum Price Regulation No. 224 (§§ 1346.101 to 1346.116, inclusive) shall become effective September 23d, 1942.

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9241; Filed, September 17, 1942; 5:17 p. m.]

[1] 7 F.R. 5087, 5664.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 40A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.6007 (a) of Maximum Rent Regulation No. 40A[1] is hereby amended to read as follows:

§ 1388.6007 *Registration.* (a) On or before October 15, 1942, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as registration statement.

* * * * * * *

§ 1388.6014a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.6007 (a)) to Maximum Rent Regulation No. 40A shall become effective September 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9242; Filed, September 17, 1942; 5:17 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 10 to Ration Order 5A[1]—Gasoline Rationing Regulations]

RESTRICTIONS ON USE OF RATIONS AND GASOLINE

Section 1394.1102 is amended; a new § 1394.1310, is added; and a new paragraph (k) is added to § 1394.1902; as set forth below:

§ 1394.1102 *Rations not transferable.* (a) No person shall transfer or assign any ration, and no person shall accept such transfer or assignment.

(b) No person shall transfer or assign, and no person shall accept a transfer or assignment of any gasoline coupon book or any bulk, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as part of a ration book), or exchange certifi-

[1] 7 F.R. 5817, 5912.

[1] 7 F.R. 5225, 5362, 5426, 5566, 5606, 5666, 5674, 5942, 6267, 6684, 6776.

cate, except in accordance with the provisions of Ration Order No. 5A.

(c) No person shall have in his possession any gasoline coupon book or bulk, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as part of a ration book), or exchange certificate, except the person, or the agent of the person, to whom such book, coupon or certificate was issued, or by whom it was acquired, in accordance with the provisions of Ration Order No. 5A.

(d) Notwithstanding the provisions of this section a ration may, subject to the provisions of § 1394.1104, be used by anyone entitled to use the vehicle, boat, or equipment for which it was issued if such use is for a purpose for which such ration may be obtained, and so long as there is no change in ownership of such vehicle, boat, or equipment.

(e) The provisions of paragraphs (a), (b), and (c) of this section shall not be applicable to public officials acting in the performance of their official duties.

(f) No person shall offer, solicit, attempt or agree to do any act in violation of the provisions of this section.

* * * * *

General Provisions With Respect to Issuance of Gasoline Rations

§ 1394.1310 *Disposition of lost books.* (a) Any person who finds a gasoline coupon book, coupon, or exchange certificate shall, within five (5) days, surrender such coupon book, coupon, or exchange certificate to a Board.

(b) The Board to which a coupon book, coupon or exchange certificate is surrendered pursuant to paragraph (a) of this section shall forward such coupon book, coupon or exchange certificate through the State Director to the Board having jurisdiction over the issuance thereof. The Board having jurisdiction shall return such coupon book, coupon, or exchange certificate to the person to whom it was originally issued, or, if a duplicate thereof has already been issued, shall destroy such coupon book, coupon, or exchange certificate.

* * * * *

Effective Date

§ 1394.1902 *Effective dates of amendments.* * * *

(k) Amendment No. 10 (§§ 1394.1102 and 1394.1310) shall become effective September 18, 1942. (Pub. No. 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2d Sess., Pub. No. 421, 77th Cong., 2d Sess., W.P.B. Directive No. 1, Supp. Directive No. 1 H, 7 F.R. 562, 3478, 3877, 5216).

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9239; Filed, September 17, 1942; 5:18 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 4 to Ration Order 5B [1]]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A new paragraph (c) is added to § 1394.2601; a new paragraph (c) is added to § 1394.2756; a new paragraph (e) is added to § 1394.2851; a new paragraph (d) is added to § 1394.2913; and a new paragraph (d) is added to § 1394.3052.

Gallonage Value of Coupons

§ 1394.2601 *Value of coupons.* * * *

(c) Notwithstanding the provisions of paragraph (a) or (b) of this section, each gasoline ration coupon of the class herewith designated shall have the following value in gallons of gasoline during the period from 8:00 a. m. on September 2, 1942 to 8:00 a. m. on September 14, 1942:

Class:	
A	None
B	None
C	½
D	½
E	½
R	2
S–1	1
S–2	1
Gallon bulk	None
100 gallon bulk	None

Restriction on Transfers

§ 1394.2851 *Restriction on transfer to consumers.* * * *

(e) No dealer shall transfer gasoline to a consumer between the hours of 8:00 a. m. and 12:00 noon on September 2, 1942.

Replenishment and Audit

§ 1394.2913 *Exchange of coupons for certificates.* * * *

(d) Every dealer and intermediate distributor, on or before the hour of 11:00 a. m. September 2, 1942, shall surrender to his local War Price and Rationing Board all coupons of each class or classes held by such dealer or intermediate distributor for exchange certificates having an equal gallonage value computed as of August 31, 1942.

* * * * *

General Provisions With Respect to Issuance of Gasoline Rations

§ 1394.2756 *Authorization of bulk purchase.* * * *

(c) No bulk transfer of gasoline shall be made to a consumer by any person during the period from 8:00 a. m., September 2, 1942, to 8:00 a. m., September 14, 1942.

Effective Date

§ 1394.3052 *Effective date of amendments.* * * *

(d) Amendment No. 4 to Ration Order No. 5B (§§ 1394.2601 (c), 1394.2756 (c), 1394.2851 (e) and 1394.2913 (d) shall become effective at 8:00 a. m. September 2, 1942.

(Pub. Law 617, 76th Cong., as amended by Pub. Law 59, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Directive No. 1, Supp. Dir. No. 1 J, 7 F. R. 562, 5043.)

Issued this 17th day of September, 1942.

JAMES P. DAVIS,
Acting Director, Office of Price Administration for Puerto Rico.

[F. R. Doc. 42-9231; Filed, September 17, 1942; 4:03 p. m.]

[1] 7 F.R. 5607, 6389, 6390, 6871.

PART 1499—COMMODITIES AND SERVICES

[Amendment 25 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

SALES OF USED SILK OR NYLON HOSIERY TO DEFENSE SUPPLIES CORPORATION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (24) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum price established by § 1499.2 of General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(24) *Sales of used silk or nylon hosiery to Defense Supplies Corporation*—(i) *Maximum price.* The maximum price for used silk or nylon hosiery sold or delivered in carload lots to Defense Supplies Corporation shall be 3½ cents per pound, f. o. b. loading platform of common carrier at seller's point of shipment.

(ii) *Other transactions.* The maximum price set forth in subdivision (i) above shall not apply and section 2 of the General Maximum Price Regulation or such other Maximum Price Regulation as may be applicable shall apply to all sales of used silk or nylon hosiery other than sales described in said subdivision (i).

(iii) *Definition.* The term "used silk or nylon hosiery" as used in this Amendment No. 25 means any women's or misses' hosiery of any length or size of which the body is silk and/or nylon, which hosiery is used, worn or damaged so that it can only be sold as second hand goods, and which is guaranteed by the seller to be a fair average of dealer's graded clean, dry stock, free of objectionable material, packed in machine compressed bales, covered with burlap or similar protective wrapper, tare not to exceed 3½%.

(b) *Effective dates.* * * *

(26) Amendment No. 25 (§ 1499.72 (a) (24)) to Supplementary Regulation No. 14 shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9232; Filed, September, 17, 1942; 4:03 p. m.]

*Copies may be obtained at the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6784, 6939, 7093.

PART 1499—COMMODITIES AND SERVICES

[Amendment 23 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

FOOTWEAR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (22) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(22) *Footwear*—(i) *Method of determining maximum prices.* (a) The maximum price for sales and deliveries of footwear by manufacturers or wholesalers thereof shall be the maximum price determined in accordance with § 1499.2, General Provisions, of the General Maximum Price Regulation, except that the maximum price for each style in a line of footwear shall be the highest price charged by such seller during March 1942, for any style in the line: *Provided,* That such seller in actual practice, (*1*) priced each style in the line at the same price. (*2*) offered the entire line at that one price giving the purchaser the option to choose without restriction any reasonable quantity of any style or styles. (*3*) would not change the price of any style in the line without changing the price of all styles, and (*4*) offered each style in the line only as part of the line and not as an individual item: *Provided further,* That the maximum price so determined may not be used for new styles added to the line unless all standards of quality of such new styles are at least equal to the standards of quality of the other footwear in the line with respect to workmanship and materials.

(*b*) For the purpose of determining the highest price charged by manufacturers or wholesalers during March 1942, deliveries of sample footwear shall be deemed a delivery during March 1942: *Provided,* That such samples (*1*) were delivered in March 1942 as an advance delivery pursuant to a firm contract previously made for volume shipment, (*2*) were the same footwear called for by such contract, (*3*) were delivered at the contract price, and (*4*) were not delivered by the seller to promote his own sales.

(*c*) The maximum price for sales of footwear at retail shall be the seller's maximum price determined in accordance with § 1499.2, General Provisions, of the General Maximum Price Regulation, except that the maximum price for each style in a line of footwear shall be the highest price charged by the seller during March 1942, for any style in the line: *Provided,* That such seller in actual practice (*1*) priced each style in the line at the same price and (*2*) would not change the price of any style in the line without changing the price of all styles: *Provided further,* That the maximum price so determined may not be used for new styles added to the line unless all standards of quality of such new styles are at least equal to the standards of quality of the other footwear in the line with respect to workmanship and materials.

(*d*) A seller at retail who maintained in March 1942, the practice of pricing at more than one resale price a manufacturer's or wholesaler's line of footwear, all styles of which were purchased by such seller at the same price shall continue to price at the lower price level or levels at least the same proportion of footwear in such line as was in effect during March 1942.

(ii) *Definitions.* (*a*) When used in Supplementary Regulation No. 14, the term:

(*1*) "Footwear" means any type of outside covering for the human foot, but does not include hosiery, footwear made entirely of wood or footwear in which vulcanization is used in the process of manufacture.

(*2*) A "line of footwear" means an integrated group of styles of footwear offered by a seller at the same price for each style in the group.

(*b*) Unless the context otherwise requires the definitions set forth in §1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(b) *Effective date.* * * *

(24) Amendment No. 23 (§ 1499.73 (a) (22)) to Supplementary Regulation No. 14 (§ 1499.73) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9247; Filed, September 17, 1942; 5:20 p. m.]

PART 1335—CHEMICALS

[Amendment 2 to Revised Price Schedule 28 [1]]

ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New paragraphs (e), (f) and (g) are added to § 1335.159, and a new § 1335.160 is added, as set forth below:

§ 1335.159 *Appendix A: Maximum prices for ethyl alcohol.* * * *

(e) Until and including March 31, 1943, the maximum prices for the sale to the United States or any agency thereof of ethyl alcohol of 188 proof or higher produced in a converted alcoholic beverage distillery which prior to July 1, 1942 did not sell ethyl alcohol of 188 proof or higher exclusively, shall be the maximum prices set forth in paragraphs (a), (b), (c) and (d) of this section for the formulae of ethyl alcohol listed in paragraph (a), or the maximum prices established by the General Maximum Price Regulation [2] for other formulae of ethyl alcohol, including pure ethyl alcohol, or the maximum prices computed pursuant to the following formula:

Maximum price per wine gallon f. o. b. works shall be the sum of the following cost items per wine gallon, less the recovered values of dried feed, fusel oil or the like, plus $0.04:

(1) Raw materials.
(2) Direct labor.
(3) Other conversion costs.
(4) Plant overhead.
(5) General and administrative expense, not in excess of three cents per wine gallon.

The provisions of § 1335.157 (c) notwithstanding, for the purposes of this paragraph, ethyl alcohol means all formulae thereof including pure ethyl alcohol.

(f) Maximum prices computed pursuant to the formula contained in paragraph (e) shall be determined for each calendar quarterly three month period. For the period after a converted beverage distillery starts production of ethyl alcohol of 188 proof or higher, and until the end of the first full calendar quarterly three month period thereafter, such maximum prices may be computed on the basis of estimated cost items. The prices for each succeeding calendar quarterly three month period, however, shall be computed on the basis of the actual cost items for the preceding period.

(g) Reports of all prices computed pursuant to the formula contained in paragraph (e) shall be submitted to the Office of Price Administration, Washington, D. C. on the form contained in Appendix B (§ 1335.160). The report for the first period after a converted alcoholic beverage distillery starts production of ethyl alcohol of 188 proof or

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477.

[2] 7 F.R. 3163, 3330, 3686, 3990, 3991, 4339, 4487, 4659, 4687, 4689, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6091, 6216.

[1] 7 F.R. 1257, 1836, 2000, 2132, 3775.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216.

higher for which maximum prices are computed pursuant to such formula shall be submitted within twenty days after the first sale of such ethyl alcohol by such producer, and shall show the prices he proposes to charge and the estimated cost items upon which such prices are based. Within twenty days after the end of the first period, and within twenty days after the end of each succeeding period, there shall be submitted a report on the form contained in Appendix B (§ 1335.160). Such maximum prices shall be subject to disapproval in writing at any time by the Office of Price Administration, and if a maximum price reported by a producer pursuant to this paragraph is revised downward by the Office of Price Administration, and if any payment has been made at the reported price, the producer may be required to refund the excess.

§ 1335.160 *Appendix B: Form of report.*

Form 128:3

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Report of maximum prices for sales of ethyl alcohol of 188 proof or higher in accordance with § 1335.159 (e) of Revised Price Schedule No. 28:

1. Name of producer _____
2. Address _____
3. Location of plant _____
   Distillery No. _____
4. Destination of the ethyl alcohol _____
   Name of buyer _____
5. Figures submitted for _____
   (period)

	Use wine gallon basis (four decimals)
6. Raw materials (Schedule I)	$
7. Direct labor (Schedule II)	$
8. Other conversion costs (Schedule III)	$
9. Plant overhead (Schedule IV)	$
10. General and administrative expense (Schedule V)	$
11. Total (lines 6, 7, 8, 9, and 10)	$
12. Recovered values (Schedule VI)	$
13. Net cost per wine gallon (line 11 less line 12)	$
14. Profit (Schedule VII)	$
15. Maximum price (line 13 plus line 14) for next quarterly three month period	$
16. Yield per 56 lb. bushel of mixed grain—in wine gallons	
17. Total production per period in wine gallons	
18. Production capacity based on 24 hour day, and 7 day week for same period	
19. Percentage of capacity operated (17÷18)	

SCHEDULE I.—RAW MATERIAL USED

(56 lb. Bushel)

	bu.	*lbs.*	*Cost*
Rye			$
Wheat			$
Corn			$
Malt			$
Others			$
Total (enter on line 6)			$

SCHEDULE II.—DIRECT LABOR COSTS

	Per wine gallon
Operating labor	
Repair and maintenance	
Overtime repair and maintenance labor	
Payroll taxes (Social Security)	
Total (enter on line 7)	

SCHEDULE III.—CONVERSION COSTS

Fuel (specify type)	
Electric power	
Water	
Supervision (plant manager or superintendent)	
Others (specify and itemize)	
Total (enter on line 8)	

SCHEDULE IV.—PLANT OVERHEAD

Depreciation on buildings (specify annual rate)	
Depreciation on plant and equipment (specify annual rate)	
Taxes (itemize—do not include income tax)	
Licenses (itemize)	
Fire insurance	
Employer's liability insurance	
Other insurance (specify)	
Other plant overhead (itemize)	
Total (enter on line 9)	

SCHEDULE V.—GENERAL AND ADMINISTRATIVE EXPENSE OTHER THAN THE PLANT

Executive salaries	
Office salaries	
Interest paid	
Other (itemize)	
Total (enter on line 10)	

NOTE 1: Indicate the basis of allocation of the above to 188 or higher proof ethyl alcohol.

NOTE 2: Briefly describe any special services rendered the plant, the cost of which is included in Schedule V.

SCHEDULE VI.—RECOVERED VALUES

	Per wine gallon
Fusel oil	
Value of dried grains sold	
Less cost of recovery, etc.	
Net value of dried grain recovery	
Other	
Total (enter on line 12)	

SCHEDULE VII.—PROFITS

Profits shall be entered at 4¢ per wine gallon.

SCHEDULE VIII.—SALARIES

A. List ten highest salaries above $3,600 per annum for the company as a whole for each calendar year, commencing with 1941.

B. List the same information for the plant.

SCHEDULE IX.—PRICES

	Per wine gallon
Indicate price charged during preceding period	

_____
Producer

By _____

_____
Title

AFFIDAVIT

State of _____

County of _____ *ss:*

The undersigned, _____, being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above report; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
Signature.

§ 1335.158a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1335.159 (e), (f) and (g) and 1335.160) shall be effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9240; Filed, September 17, 1942; 5:18 p. m.]

PART 1335—CHEMICALS

[Amendment 3 to Revised Price Schedule 28[1]]

ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1335.161 is added, as set forth below:

§ 1335.161 *Sales by the Defense Supplies Corporation.* Nothing in this Revised Price Schedule No. 28, or in the General Maximum Price Regulation,[2] shall apply to sales of ethyl alcohol of 188 proof or higher, of any formulae thereof including pure ethyl alcohol, by the Defense Supplies Corporation to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, or to any person who will use such ethyl alcohol purchased by him to fulfill a contract with the United States or any agency thereof, or with any such Government or any agency of any such Government, or a subcontract under any such contract.

§ 1335.158a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1335.161) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9230; Filed, September 17, 1942; 4:03 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1257, 1836, 2000, 2132, 3775, 6385.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6097, 6216, 6616, 6795, 6939, 7093, 7322.

PART 1337—RAYON

[Amendment 2 to Maximum Price Regulation 167[1]]

RAYON YARN AND STAPLE FIBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1337.42, in paragraph (b), a new subparagraph (3a) is added, and in § 1337.41a, a new paragraph (b) is added, as set forth below:

§ 1337.42 *Appendix A: Maximum prices for rayon yarn and staple fiber.* * * *

(b) * * *

* * * * * *

(3a) *300 denier viscose process continuous filament yarn manufactured and sold by National Rayon Corporation.* (i) On and after September 23, 1942, the maximum price which National Rayon Corporation may charge for 300 denier viscose process continuous filament yarn produced at its plant at 1294 West 70th Street, Cleveland, Ohio, shall be 65 cents per pound: *Provided*, That for the purpose of determining maximum prices under Revised Price Schedule No. 23 as amended, any purchaser of this yarn shall calculate its cost at 49 cents per pound. This maximum price shall not apply to any deliveries made on or after March 23, 1943.

(ii) On or before October 10, 1942, and on or before the tenth day of each month thereafter, National Rayon Corporation shall file with the Office of Price Administration in Washington, D. C., an itemized statement of the cost of production of its 300-denier Viscose process continuous filament rayon yarn, for the previous month, and the name and address of each purchaser of this yarn.

(iii) This subparagraph (3a) shall be effective until March 23, 1943, unless revoked prior thereto by the Office of Price Administration.

§ 1337.41a *Effective date of amendments.* * * *

(b) Amendment No. 2 (§§ 1337.41 (b) (3a) and 1337.41a (b)) to Maximum Price Regulation No. 167 shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9233; Filed, September 17, 1942; 4:03 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 1 to Maximum Price Regulation 197[2]]

CANNED FRUITS AND CANNED BERRIES AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1341.153, 1341.154, and 1341.156 are amended to read as set forth below and a new § 1341.172 is added as set forth below:

* * * * * *

§ 1341.153 *Retailer's maximum prices for canned fruits and canned berries.* (a) The retailer's maximum price per can or container for each kind, grade, brand and container size of canned fruits or canned berries, except canned pineapple and canned pineapple juice, shall be:

(1) His maximum price per can or container, as determined or to be determined in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, for each kind, grade, brand and container size; plus

(2) The amount reported by his supplier as the permitted increase per can or container for such kind, grade, brand and container size, pursuant to the provisions of § 1341.156 of this Maximum Price Regulation No. 197, or one-twelfth of the amount reported by his supplier as the permitted increase per dozen cans or containers for such kind, grade, brand and container size, pursuant to the provisions of § 1341.106a of Maximum Price Regulation No. 185. The permitted increase per can or container shall be adjusted to the next lower cent for fractions of less than one-half cent and to the next higher cent for fractions of one-half cent or more.

(b) The retailer's maximum price for each kind, grade, brand and container size of such canned fruits and canned berries shall be so determined after receipt by him of his first delivery of such kind, grade, brand and container size after August 5, 1942.

§ 1341.154 *Maximum prices for canned pineapple and canned pineapple juice, except canned Cuban pineapple and canned Cuban pineapple juice.* (a) The wholesaler's maximum price per dozen for each grade, brand, and container size of canned pineapple or canned pineapple juice, except canned Cuban pineapple and canned Cuban pineapple juice shall be:

(1) The wholesaler's maximum price per dozen for such grade, brand and container size computed in accordance with the General Maximum Price Regulation except that February 1942 shall be substituted for March 1942, in computing the maximum price in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation; plus

(2) The difference between the price for such grade, brand and container size, f. o. b. canner's shipping point, on the canner's price list for November 1941, and such canner's maximum price, f. o. b. canner's shipping point.

(b) The retailer's maximum price per can or container for each grade, brand and container size of canned pineapple or canned pineapple juice, except canned Cuban pineapple or canned Cuban pineapple juice, shall be:

(1) His maximum price per can or container, as determined or to be determined in accordance with §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, for each grade, brand and container size; plus

(2) In the case of a retailer purchasing directly from a canner, the amount of the difference between the price per can or container for such grade, brand and container size, f. o. b. canner's shipping point on the canner's price list for November 1941 and such canner's maximum price, f. o. b. canner's shipping point, adjusted to the next lower cent for fractions of less than one-half cent and adjusted to the next higher cent for fractions of one-half cent or more; or

(3) In the case of a retailer purchasing from a wholesaler, the amount of the permitted increase for such grade, brand and container size, as reported by the wholesaler pursuant to the provisions of § 1341.156 of this Maximum Price Regulation No. 197.

* * * * * *

§ 1341.156 *Information to purchasers from wholesalers.* (a) Within thirty days after establishing his maximum price per dozen for any kind, grade, brand and container size of canned fruits or berries, except canned Cuban pineapple and canned Cuban pineapple juice, under the provisions of this Maximum Price Regulation No. 197, each wholesaler shall (1) prepare a statement in writing showing his maximum price for the month of February 1942, which shall be designated as the "base price", his maximum price as computed under the provisions of this regulation, which shall be designated as the "maximum price" and the amount of the difference between such prices which shall be designated as the "permitted increase" and (2) file a copy of each such statement with the nearest Regional, State, District or Field Office of the Office of Price Administration.

(b) Each wholesaler, before or at the time of his first delivery to any retailer of any kind, grade, brand and container size of canned fruits or canned berries, except canned Cuban pineapple and canned Cuban pineapple juice, after the wholesaler's maximum price therefor has been established pursuant to the provisions of this Maximum Price Regulation No. 197, shall supply to such retailer a written statement identifying each such item included in the sale and shall clearly indicate for each such item the permitted increase per can or container which the retailer is entitled to add to his maximum price established under the General Maximum Price Regulation in order to compute the retailer's maximum price under this regulation. The permitted increase so reported shall be one-twelfth of the amount reported to the wholesaler by his supplier as the permitted increase, or, in the case of canned pineapple and canned pineapple juice, except canned Cuban pineapple and canned Cuban pineapple juice, one-twelfth of the increase determined by the wholesaler pursuant to § 1341.154 hereof. Such permitted increase per can or container shall be adjusted to the next lower cent for fractions of less than one-half cent and to the next higher cent for fractions of one-half cent or more. In every such statement

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4662, 6895.

[2] 7 F.R. 5989.

the information prescribed by this paragraph shall be preceded by the following statement:

Your new OPA ceiling price for each item noted is your March ceiling price plus the permitted increase per retail package. OPA requires you to keep this information for examination.

Although this regulation requires no special form for listing items and permitted increases, an example of an approved form which may be helpful to many wholesalers is set forth below.

NOTICE OF RETAILER'S PERMITTED INCREASE

To_____

Address_____

Your new OPA ceiling price for each item noted is your March ceiling price plus the permitted increase per retail package. OPA requires you to keep this information for examination.

Item				Permitted increase per retail package
Kind	Grade	Brand	Container size, No.	
				Cents
Apricots, unpeeled halves.	Standard	Star	2½	1
Apricots, peeled halves.	Choice	Moon	2½	1
Peaches, sliced etc.	Fancy	Sun	10	2

Wholesaler_____
Address_____
By_____

Date_____

The statement may also contain similar information for any other items covered by this regulation even though they are not included in the sale.

* * * * *

§ 1341.172 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1341.153, 1341.154, 1341.156 and 1341.172) to Maximum Price Regulation No. 197 shall become effective on September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9245; Filed, September 17, 1942; 5:19 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 2 to Revised Price Schedule 51 [1]]

COCOA BEANS AND COCOA BUTTER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: §§ 1351.51, 1351.61 (a) (1). Added: § 1351.62 (e).

§ 1351.51 *Maximum prices for cocoa beans and cocoa butter.* On and after December 11, 1941, no person shall sell, offer to sell, deliver or transfer cocoa beans or cocoa butter, and no person shall buy, offer to buy, or accept delivery of cocoa beans or cocoa butter at prices higher than the maximum prices set forth in Appendices A and B hereof incorporated herein as §§ 1351.61 and 1351.62, except that

(a) Contracts entered into prior to December 11, 1941, may be carried out at the contract prices.

(b) Contracts for cocoa beans entered into prior to February 3, 1942, but subsequent to December 11, 1941, may be carried out at prices no higher than the maximum prices established in Price Schedule No. 51, as effective prior to Amendment No. 2.

(c) Special cocoa bean agreements now or hereafter entered into with Commodity Credit Corporation (United States Department of Agriculture, 1942, C.C.C., Cocoa Bean Form No. 1) providing for a price higher than the maximum price may be carried out at the contract price.

* * * * * *

§ 1351.61 *Appendix A: Maximum prices for cocoa beans.* (a) The maximum prices shall include all commissions and all other charges, except that:

(1) *As to ocean freight, war risk insurance and marine insurance*—(i) *On cocoa beans not eligible for the special cocoa bean agreement of the Commodity Credit Corporation and which were shipped before August 15, 1942.* Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance and marine insurance may be added to the maximum prices, if such charges have been actually incurred by the seller on such sale. Decreases in such charges prevailing prior to the opening of business on December 8, 1941 must be subtracted from the maximum prices.

(ii) *On cocoa beans not eligible for the special cocoa bean agreement of the Commodity Credit Corporation and which were shipped after August 15, 1942.* Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance and marine insurance may be added to the maximum prices, if such charges have been actually incurred by the seller on such sale: *Provided*, That the amount of the permissible addition for such charges may not exceed the difference between the war risk charges prevailing on December 8, 1941 and the prevailing war risk insurance rates offered by the War Shipping Administration at the date of shipment from the country of origin. Decreases in such charges prevailing prior to the opening of business on December 8, 1942 must be subtracted from the maximum prices.

(iii) *On cocoa beans eligible for the special cocoa bean agreement of the Commodity Credit Corporation.* Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance and marine insurance may not be added to the maximum prices for such cocoa beans, except that increases in said charges may be added to the maximum prices in the case of sales to the War Department of the United States of America. Cocoa beans eligible for the Special Cocoa Bean Agreement of the Commodity Credit Corporation are: (a) Cocoa beans covered by unshipped contracts which were in force at 12:01 a. m. July 2, 1942. (b) Cocoa beans covered by unshipped contracts which were made between June 19 and July 2, 1942 and were in transit to a point within the continental United States at or prior to July 2, 1942.

§ 1351.62 *Appendix B: Maximum prices for cocoa butter.* * * *

(e) If the services of a broker or brokers are required, a commission or commissions, which in the aggregate shall not exceed 1% of the maximum prices named in paragraph (a) of § 1351.61 may be added to such maximum prices. This addition may be made only when such commissions have been actually paid, and shall be based upon the net maximum price established by the Schedule.

§ 1351.60a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1351.51, 1351.61 (a) (1), 1351.62 (e)) to Revised Price Schedule No. 51 shall become effective on September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9234; Filed, September 17, 1942; 4:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 3 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Sections 1388.15, 1388.65, 1388.115, 1388.165, 1388.215, 1388.265, 1388.315, 1388.365, 1388.415, 1388.465, 1388.515, 1388.565, 1388.615, 1388.665, 1388.715, 1388.765, 1388.815, 1388.865, 1388.915, 1388.965, 1388.1015, 1388.1655, 1388.1705, 1388.1755, 1388.1805, 1388.2055, 1388.3055, 1388.4055, 1388.5055, 1388.6055, 1388.7055, and 1388.8055 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, and 45, respectively, are hereby amended by adding the following paragraph (f) to such sections:

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Administrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

This Supplementary Amendment No. 3 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective September 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9238; Filed, September 17, 1942; 4:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 44A]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.8007 (a) of Maximum Rent Regulation No. 44A [1] is hereby amended to read as follows:

§ 1388.8007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 44A (or, as to rooms within the Charleston, South Carolina Defense-Rental Area, on or before October 15, 1942), every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. * * *

§ 1388.8014a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1388.8007 (a)) to Maximum Rent Regulation No. 44A shall become effective September 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9243; Filed, September 17, 1942; 5:17 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[Amendment 5 to Revised Rationing Order 4 [2]]

NEW AND USED TYPEWRITERS

Amended: §§ 1398.102 (a) (8), (b) (3), (b) (7), 1398.103 (a) (1), (a) (2), (a) (3), and (b).

Added: §§ 1398.102 (b) (10), 1398.103 (a) (6), (a) (7), (a) (8), (b) (14), and (b) (15).

§ 1398.102 *Persons eligible to receive typewriters without application*—(a) *New typewriters.* * * *

(8) The Procurement Division of the Treasury Department for the agencies of the federal government within the applicable quota assigned: *Provided*, That deliveries to government agencies other than the Army, Navy, or Office of Lend Lease Administration shall require the prior approval of the Director General for Operations of the War Production Board pursuant to application made to the Bureau of Governmental Requirements of the War Production Board. Any person who sells or delivers a typewriter in exchange for a purchase order issued by the Procurement Division of the Treasury Department shall retain a copy of such order in accordance with § 1398.107.

(b) *Used typewriters.* * * *

(3) Persons who have delivered used typewriters to others for repair, reconditioning, or rebuilding and are entitled to the return thereof, may receive such typewriters.

* * * * *

(7) The Procurement Division of the Treasury Department for the agencies of the federal government within the applicable quota assigned: *Provided*, That deliveries to government agencies other than the Army, Navy, Maritime Commission, or Office of Lend Lease Administration shall require the prior approval of the Director General for Operations of the War Production Board pursuant to application made to the Bureau of Governmental Requirements of the War Production Board. Any person who sells or delivers a typewriter in exchange for a purchase order issued by the Procurement Division of the Treasury Department shall retain a copy of such order in accordance with § 1398.107.

* * * * *

(10) Any person who sells to a typewriter dealer, wholesaler, or manufacturer a typewriter or typewriters manufactured after January 1, 1935, for the account of such dealer, wholesaler, or manufacturer or for the account of the United States Government may at the same time, and only at such time, purchase from the dealer, wholesaler, or manufacturer, as the case may be, a number of typewriters manufactured prior to January 1, 1928, no greater than the number sold. Records and invoices of transactions pursuant to this subparagraph shall be preserved in accordance with the provisions of § 1398.107.

§ 1398.103 *Persons eligible to receive new or used typewriters upon certified application*—(a) *Non-portables.* * * *

(1) Prime contractors for the construction of a military or naval establishment, shipyard, air base, airport, airplane hanger; or of any plant, factory or other facility for the production of the products enumerated in subparagraph (2) of paragraph (a) of this section or the essential component parts or component materials which are used in the manufacture or assembly of one or more of such products.

(2) Persons who are engaged in the operation of a plant, factory, shipyard, or other facility, 70% of whose combined billings and accepted but unbilled orders (whether or not production has commenced pursuant to such orders), during the three-month period preceding the month in which the application is filed, consisted of billings and accepted but unbilled orders for ships, planes, tanks, guns, ammunition, powder, fire control apparatus, military or naval optical, transportation, or communications equipment, armor plate, radiosondes, machine tools, lift trucks, welding machines, foundry equipment, cranes, metal working equipment, heat treating furnaces, tackle blocks, aviation and military lubricating oils, high octane gas, or for the essential component parts or component materials which are actually used or to be used for the manufacture or assembly of one or more of the foregoing, when such component parts or materials are manufactured or processed under a priority rating of A-1-d or higher from the War Production Board.

(3) Persons engaged in the operation of merchant ships, for use in direct connection with such operation.

* * * * *

(6) Prime contractors with the Army or Navy for the air transportation of personnel or supplies to foreign countries.

(7) The national offices of the United Service Organization, Inc.; the American Red Cross for use in connection with the performance of services auxiliary to the American Armed Forces; and the United Seamen's Service.

(8) Any employer organization or labor organization, 70% of whose membership is engaged in the construction of the projects, or the manufacturing or processing of the products, or the operation of the transportation facilities enumerated in § 1398.103 (a).

(b) *Portables; and non-portables manufactured prior to January 1, 1928.* On and after September 21, 1942, the following shall be eligible to buy or receive new or used portable typewriters, or used non-portable typewriters manufactured prior to January 1, 1928, for the purposes specified in this paragraph in exchange for a certified application pursuant to § 1398.105, upon showing need therefor in accordance with the provisions of paragraph (c) of this section: *Provided*, That no manufacturer (or branch, outlet, or sales agency of a manufacturer) shall deliver, and no person shall receive from a manufacturer (or branch, outlet, or sales agency of a manufacturer) any new typewriter except as authorized by the War Production Board:

* * * * *

(14) Any employer organization or labor organization, 60% of whose membership is engaged in the operation of the plants, projects, or other facilities made eligible by § 1398.103 (b) (12).

(15) United Seamen's Service for its official use.

* * * * *

§ 1398.112 *Effective dates of amendments.* * * *

(e) Amendment No. 5, (§§ 1398.102 (a) (8), (b) (3), (b) (7), (b) (10), 1398.103 (a) (1), (a) (2), (a) (3), (a) (6), (a) (7), (a) (8), (b), (b) (14) and (b) (15)) to Revised Rationing Order No. 4 shall become effective September 21, 1942.

(Pub. Law 421, 77th Cong., WPB Directive No. 1, Supplementary Directive No.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1307, 1836, 2132, 2633, 6385.

[1] 7 F.R. 5994.

[2] 7 F.R. 2317, 2792, 4179, 5188, 6773.

1D, and Conversion Order No. L–54–a, 7 F.R. 562, 7 F.R. 1792, 7 F.R. 2130).

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9235; Filed, September 17, 1942; 4:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 12 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

A new § 1407.185 is added as set forth below:

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.185 *Products containing sugar manufactured for delivery to Army or Navy.* (a) A registering unit which, subsequent to April 28, 1942, manufactured products delivered by another person on or after July 1, 1942, to the Army or Navy of the United States may obtain certificates in weight value equal to the amount of sugar used by it in such products: *Provided*, That; (1) it manufactured such products pursuant to a contract between it and the person who delivered such products to the Army or Navy or between it and a person who delivered such products to the person who delivered them to the Army or Navy; (2) such products were manufactured in accordance with specifications prescribed by a contract between the person who delivered such products to the Army or Navy and the Army or Navy; and (3) such products were not further processed, except for packaging, after delivery by the registering unit.

(b) Application shall be made by the registering unit to the Board on OPA Form No. R–315 (Special Purpose Application). It shall establish compliance with the requirements of paragraph (a) and include such other information as the Board may require.

§ 1407.222 *Effective dates of amendments.* * * *

(e) Amendment No. 12 (§ 1407.185) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, 7 F.R. 562 and Supp. Dir. No. 1E, 7 F.R. 2965)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9229; Filed, September 17, 1942; 4:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Maximum Price Regulation 211 [1]]

COTTON GINNING SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1499.559 is revoked and a new § 1499.566a is added as set forth below:

§ 1499.566a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1499.559 and 1499.566a) to Maximum Price Regulation No. 211 shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9244; Filed, September 17, 1942; 5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 69—Maximum Prices Authorized Under § 1499.3 (b) of General Maximum Price Regulation]

H. J. M'GRATH COMPANY

The H. J. McGrath Company, 2501 Boston Street, Baltimore, Maryland, has made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and pursuant to § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, *it is ordered:*

§ 1499.283 *Approval of maximum prices for 20,000 cases of No. 10 tins whole Irish potatoes in wire strapped weather proof fibre boxes for sale by the H. J. McGrath Company.* (a) On and after September 18, 1942, the H. J. McGrath Company of Baltimore, Maryland, may sell and deliver and offer, agree, solicit and attempt to sell and deliver to the Federal Surplus Commodity Corporation, and the Federal Surplus Commodity Corporation may buy, offer to buy and receive 20,000 cases of No. 10 tins, six to the case, whole Irish potatoes in weather proof, wire strapped fibre boxes, at a price no higher than $4.83 per dozen, f. o. b. factory.

(b) This Order No. 69 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 69 (§ 1499.283) shall become effective September 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9237; Filed, September 17, 1942; 4:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 70 Under § 1499.3 (b) of the General Maximum Price Regulation [1]]

NOLDE & HORST COMPANY

Nolde & Horst Company of Reading, Pennsylvania, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of proposed maximum prices for ladies' full-fashioned rayon hosiery of its Shadow Clock Style No. 9900. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *It is ordered:*

§ 1499.284 *Approval of maximum prices for sale by Nolde & Horst Company of rayon hosiery.* (a) On and after September 18, 1942, the maximum price, f. o. b. mill, at which Nolde & Horst Company may sell ladies' full-fashioned rayon hosiery of its Shadow Clock Style No. 9900 shall be $8.25 per dozen. Customary discounts are to be maintained.

(b) This order No. 70 may be revoked or amended by the Price Administrator at any time.

(c) This order No. 70 (§ 1499.284) shall become effective September 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9246; Filed, September 17, 1942; 5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 45 Under § 1499.18 (c) of the General Maximum Price Regulation]

FORD MOTOR CO.—HARRY FERGUSON, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered*, That:

§ 1499.395 *Adjustment of maximum prices for sales of farm tractors by Ford Motor Company and Harry Ferguson, Inc., of Dearborn, Michigan.* (a) Ford Motor Company of Dearborn, Michigan, is hereby authorized to sell and offer, agree, solicit and attempt to sell the Ford Agricultural Tractor (Ferguson System) as designed and equipped on March 31, 1942, but with the specification changes brought about by the substitution of steel for rubber tired wheels, at the price in effect in March, 1942 plus $60, f. o. b. factory.

(b) Harry Ferguson, Inc., of Dearborn, Michigan, is hereby authorized to sell and offer, agree, solicit, and attempt to sell the Ford Agricultural Tractor (Ferguson System) at $805 less a discount of 20.0% to retail dealers less a discount of 8.4% to wholesale distributors.

(c) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 45 (§ 1499.395) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 45 (§ 1499.395) shall become effective September 18, 1942. (Pub. Law 421, 77th Cong.)

Issued this 17th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9236; Filed, September 17, 1942; 4:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 71 Under § 1499.3 (b) of the General Maximum Price Regulation]

SMITH, KLINE AND FRENCH LABORATORIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.285 *Approval of maximum prices for sales of paredrine sulfathiazole suspension and micraform sulfathiazole suspension by Smith, Kline and French Laboratories, Incorporated.* (a) On and after September 19, 1942, Smith, Kline and French Laboratories, Incorporated, a corporation having its principal place of business in Philadelphia, Pennsylvania, may sell and deliver the products listed below, and any person may buy the products listed below from Smith, Kline and French Laboratories, Incorporated, at prices no higher than those hereinafter set forth:

	In containers of 1 ounce	
	Per dozen	*Each*
Paredrine sulfathiazole suspension	$6.80	$0.57
Micraform sulfathiazole suspension	5.10	.43

(b) All discounts, trade practices, and practices relating to the payment of shipping charges effective during March, 1942, on sales by this company of comparable ethical medical preparations shall apply to the maximum prices set forth in paragraph (a).

(c) When used in this Order No. 71 the term:

(1) "Paredrine sulfathiazole suspension" means a 5 per cent suspension of micraform sulfathiazole in an isotonic solution of paredrine hydrobromide, 1 per cent.

(2) "Micraform sulfathiazole suspension" means a 5 per cent suspension of micraform sulfathiazole.

(d) This Order No. 71 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 71 (§ 1499.285) shall become effective on September 19, 1942

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9268; Filed, September 18, 1942; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 46 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket CF1–769–P]

STAPLE CIGAR CO.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

§ 1499.346 *Adjustment of maximum prices for cigars manufactured by Staple Cigar Co.* (a) Staple Cigar Co, 337 Sacramento Street, San Francisco, California, may sell and deliver and any person may buy and receive from Staple Cigar Co. the following commodities at prices not higher than those set forth below:

	Prevailing Factory List Price per 1,000
Garcia Y Vega Cigars 1/40 Packing:	
Eurekas	$135.50
Ensigns	135.50
Queen	135.50
St. Francis	135.50
Kings	118.00
Non Plus Ultra	118.00
Old Fashion	118.00
Dainties	98.00
Roosevelts	98.00
Bouquets	78.00
Oportunos	78.00
Plantations	78.00
Webster Eisenlohr Cigars 1/40 Packing:	
Banker & Broker	97.50
Queens	97.50
Tiffany	132.50
Fancy Tales	117.50
Golden Weddings	77.50
Smokers 1/20 Packing	40.00
Panetela 1/20 Packing	40.00
Federal Cigar Co. Cigars 1/20 Packing:	
Red Dots	40.00

Provided, That Staple Cigar Co. shall continue to give the discounts which it customarily gave during March 1942 to purchasers of any particular class for any particular quantity of cigars purchased.

(b) The adjustment granted to Staple Cigar Co. in paragraph (a) is subject to the condition that Staple Cigar Co. shall forthwith by circular or other appropriate means, notify its customers that the Office of Price Administration has authorized adjustment of its maximum prices to those set forth in paragraph (a).

(c) This Order No. 46 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 46 (§ 1499.346) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 46 (§ 1499.346) shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9267; Filed, September 18, 1942; 11:56 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order No. 87–B]

PART 12—RULES GOVERNING AMATEUR RADIO STATIONS AND OPERATORS

AMATEUR STATION LICENSES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of September, 1942;

Whereas under the provisions of Orders 87 [1] and 87–A [2] the Commission has ordered the complete cessation of all amateur radio operation and;

Whereas the continued issuance of renewed, or modified amateur station licenses is not in the public interest;

It is ordered, That hereafter no renewed, or modified amateur station licenses shall be issued until further order of the Commission.

Provided, however, That all presently outstanding amateur station licenses shall remain valid until expiration of the term thereof, unless revoked by specific order.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–9249; Filed, September 18, 1942; 10:40 a. m.]

PART 31—UNIFORM SYSTEM OF ACCOUNTS CLASS A AND CLASS B TELEPHONE COMPANIES

TELEPHONE PLANT RECORDS

The Commission on September 15, 1942, effective April 1, 1943, cancelled paragraph (d) of § 31.2–25, *Telephone plant retired*, and adopted the following paragraph:

§ 31.2–25 *Telephone plant retired.* * * *

(d) *Determination of the cost of property to be retired.* The cost of telephone plant retired shall be the amount at which such property is included in the telephone plant accounts. When it is impracticable to determine the cost of each item due to the relatively large number or small cost of such items, the

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[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6057, 6084, 6473, 6828, 6937, 7289, 7321.
[2] 7 F.R. 6828.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4887, 4659, 4738, 5027, 5276, 5192, 5265, 5445, 5665, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093.
[2] 7 F.R. 971, 3663, 6967.

[1] 6 F.R. 6378.
[2] 7 F.R. 291.

average cost of all the items covered by an appropriate subdivision of the account shall be used in determining the cost of the items retired; provided that the method used in determining average cost gives due regard to the quantity, size, and kind of items, the date or period of installation, the area in which they were installed and their classification in other respects, as called for by the rules of this Commission regarding continuing property records and by the system of continuing property records accepted by this Commission specifically for use of the accounting company. This method of average cost may be applied in retirement of such items as telephones, bell boxes, station installations, poles, cross-arms, wire, cable, cable terminals, conduit, and non-multiple private branch exchange switchboards.

Cancelled § 31.2–26 and adopted a new section as follows:

§ 31.2–26 *Telephone plant continuing property record required.* (a) Not later than January 1, 1937, each company shall begin the preparation of a continuing property record with respect to property of each class represented in the several plant accounts comprised by balance-sheet account 100:1, "Telephone plant in service." Not later than July 1, 1943, each company shall also begin the preparation of a similar record with respect to property of each class represented in the several plant accounts comprised by account 100:3, "Property held for future telephone use," and with respect to property represented in account 103, "Miscellaneous physical property." These records shall be completed not later than June 30, 1944, with respect to property as at Decemebr 31, 1936, and with respect to the changes effected therein between the dates of January 1, 1937, and December 31, 1943.

(b) Not later than June 30, 1943, each company shall file with this Commission a complete plan of the method to be used in the compilation of a continuing property record, the installation and maintenance of which is prescribed in paragraph (a) of this section. The plan shall include a list of the property-record units proposed for use, classified to conform with the plant accounts prescribed in this system of accounts. A narrative statement shall accompany the list of proposed units, describing in detail the content and method of maintenance of all forms and other records which are designed for use in compiling the continuing property record, to the end that a ready analysis with respect to the sufficiency thereof may be made. In preparing this narrative statement, the companies shall include typical examples indicating the use of and relationship between the various forms and records.

(c) Any company may, in lieu of submitting the plan provided for in foregoing paragraph (b), advise the Commission not later than June 30, 1943, that it concurs in and proposes to pursue in all particulars a plan filed with the Commission by another company which it is believed conforms fully to the requirements of said paragraph (b).

(d) The record shall be arranged in conformity with the plant accounts prescribed in this system of accounts. It shall be compiled on basis of original cost (or other book cost consistent with the provisions of this system of accounts). The record or data supplemental thereto shall contain such detailed description and classification of property units as will permit of their ready identification and verification. It shall be so designed as to permit ready attainment of its principal objectives, such as proper and expeditious retirement accounting, facility in estimating the cost of further property changes, verification of original cost or of inventories of plant (or of other property represented in the record), and determination of mortality characteristics. The record shall accordingly reveal clearly, in relation to designated accounting areas, both detailed and systematically summarized information as to the kind, character, size, quantity, location, date of installation (if substantially different from the date of entry in the asset accounts), ownership, and actual or apportioned original (or other appropriate book) cost of the telephone plant and other units aggregately represented by the concurrent balances in accounts 100:1, "Telephone plant in service," 100:3, "Property held for future telephone use," and 103, "Miscellaneous physical property."

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-9250; Filed, September 18, 1942; 10:40 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-328]

SHELBY COAL COMPANY, INC.

NOTICE OF AND ORDER FOR HEARING

In the matter of Shelby Coal Company, Inc., registered distributor, Registration No. 8320; and W. K. Jenne, an individual doing business under the name and style of Shelby Coal Co., registered distributor, Registration No. 4797.

The Bituminous Coal Division (the "Division"), finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

A. Whether the Shelby Coal Company, Inc., Registered Distributor, Registration No. 8320, and W. K. Jenne, an individual doing business under the name and style of Shelby Coal Company, Registered Distributor, Registration No. 4797, (hereinafter sometimes referred to as the "Distributors") whose addresses are Pikeville, Kentucky, jointly or severally, have violated any provisions of the Act, the Code and Orders of the Division, including the Marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors and their Distributors' Agreements (the "Agreements"), dated June 30, 1939 and April 8, 1940, respectively, and filed by said distributors pursuant to an order of the National Bituminous Coal Commission, dated March 24, 1939, entered in General Docket No. 12, which was adopted and ratified as an order of the Division on July 1, 1939, and more particularly whether subsequent to September 30, 1940, said Distributors, jointly or severally:

1. Acting as Distributors, purchased for resale and resold to various consumers for rail shipment substantial quantities of coal produced by various code members at their respective mines, located in District No. 8, as follows:

Code member producer	Mine index number	Tonnage	Dates of shipment	Resold to—
Rockhouse Elkhorn Coal Co.	1247	670.50	10/31 to 11/25/40	Ga. & Fla. RR
Stewart Elkhorn Coal Co.	538	230.85	10/25 to 10/28/40	Ga. & Fla. RR
Ferguson Creek Coal Co.	1242	119.50	10/16 to 11/1/40	Ga. & Fla. RR
Roscoe Rowe	1255	368.95	10/16/40 to 5/21/41	Ga. & Fla. RR
Roscoe Rowe	1255	62.80	3/10/41	CC&O RR

Code member mine index No. (size group)	Tonnage	Dates of shipment	Resold to	Resale prices per ton	Effective min. price per ton *
Famous Elkhorn Coal Co. 536 (11)	52.2	10/1/40	Iowa Builders Supply Co., Lost Nation, Ia.	$1.90	$2.50
Famous Elkhorn Coal Co. 536 (20)	64.95	10/1/40	Etheridge Coal & Coke Co., Chicago	1.25	1.70
J. C. Cooley 465 (12)	47.05	1/29/41	Marine Hospital, Savannah, Ga.	1.87	2.02

resulting in violations by said Distributors, jointly or severally, of section 4 II (e) of the Act, Part II (e) of the Code thereunder and paragraph (b) of their Agreements.

5. Acting as Distributors, purchased for resale and resold to the Cleveland County Board of Education, Shelby, North Carolina, substantial quantities of 2" x 5" egg coal (Size Group No. 12) for industrial use (U-5) produced by code members at their respective mines located in District No. 8, to which consumer said Distributors allowed discounts or rebates from the applicable minimum price of $2.03 per net ton as follows:

Code member producer	Mine Index No.	Tonnage	Dates of shipment	Disc. or rebate allowed
				Cents
J. C. Cooley	465	210.10	10/25-26/40	38.30
Triple Elkhorn Coal Co.	464	34.30	11/28 & 29/40	1.17
Samson Elkhorn Coal Co.	466	109.45	11/29-30/40	1.17

resulting in violations by said Distributors, jointly or severally, of sections 4 II (e) and (i) 2, 4, and 6 of the Act, Part II (e) and (i) 2, 4, and 6 of the Code thereunder, Rule 2 of section XII and Rules 2, 4, and 6 of section XIII of the Marketing Rules and Regulations and paragraphs (b), (c), and (e) of their Agreements.

6. Acting as sales agents for various code members, sold coal for and produced by such code members at their respective mines located in District No. 8, to various consumers and accepted and retained commissions thereon although certified copies of sales agency contracts entered into prior to October 1, 1940, were not filed by the code members with the Statistical Bureau for District No. 8 within twenty (20) days after October 1, 1940 as required by Rule 4 (A) of section II of the Marketing Rules and Regulations, as follows:

Code member and mine index No.	Tonnage	Dates of shipment	Sold to	Total commissions accepted & ret.	Date of sales agency contract
C. L. Kline, 2112	2,019.55	1/9 to 2/28/41	Ga. & Fla. RR Co.	$1,009.27	6/18/40
C. L. Kline, 2112	4,274.15	3/1-27/41	Rockhill Fin. Co.	34.27	6/18/40
Rockhouse Elkhorn Coal Co., 1247	4,120.60	1/16 to 3/26/41	Ga. & Fla. RR.	1,063.68	1/20/40

resulting in participations by said Distributors, jointly or severally, in wilful violations by said code members, as principals in said transactions, of Rule 9 of section II of the Marketing Rules and Regulations and in violations by said Distributors, jointly or severally, of paragraph (e) of their Agreements.

7. On or about May 1, 1941, acting as sales agents for John Taylor, a code member, pursuant to a sales agency agreement entered into by said Distributors, jointly or severally, and said code member, subsequent to August 8, 1940 sold 59.6 tons of coal, (Size Group No. 16) produced at said code members

whereas minimum prices, temporary or final, for such coal for rail shipment, had not been established by the Division so that said Distributors' joint or several participation in the aforesaid transactions were in violation of the order of the Director entered in General Docket No. 19 dated October 9, 1940, resulting in violations by said Distributors, jointly or severally, of paragraph (e) of their Agreements.

2. Acting as Distributors, purchased for resale and resold to various consumers substantial quantities of coal (Size Group No. 16) produced by various code members at their respective mines, located in District No. 8 and accepted and retained discounts thereon in amounts ranging from 14.24 to 35 cents per ton from the effective minimum prices thereof, which discounts were in excess of the maximum allowable discounts of 10 and 12 cents per ton, prescribed by the Division by Order of the Director entered in General Docket No. 12, dated October 19, 1940, as follows:

Code member producer	Mine Index No.	Tonnage	Dates of shipment	Resold to (use)
Rockhouse Elkhorn Coal Co.	1247	61.10	12/7/40	Cutter Mfg. Co., Rockhill, S. C. (U-3).
Rockhouse Elkhorn Coal Co.	1247	1,246.55	11/29 to 12/31/40	Ga. & Fla. RR (U-1).
Shelby Elkhorn	539	240.40	11/17/40 to 2/19/41	Ga. & Fla. RR (U-1).
Shelby Elkhorn Coal Co.	539	651.80	2/21 to 3/31/41	Ga. & Fla. RR (U-1).
John Taylor	1262	420.90	1/22 to 4/1/41	Ga. & Fla. RR (U-1).
Stewart Elkhorn Coal Co.	538	372.70	1/6 to 1/7/41	Ga. & Fla. RR (U-1).

resulting in violations by said Distributors, jointly or severally, of paragraph (a) of their Agreements.

3. Acting as Distributors, purchased for resale and resold to various consumers substantial quantities of coal (Size Group No. 16) produced by various code members located in District No. 8 which coal said Distributors physically handled and accepted and retained discounts thereon of 55 and 13 cents per ton from the effective minimum prices thereof, which discounts were in excess of the maximum allowable discount of 10 cents per ton, prescribed by the Division by Order of the Director entered in General Docket No. 12, dated October 19, 1940, as follows:

Code member producer	Mine index No.	Tonnage	Dates of shipment	Resold to (use)
D. M. Stewart	2841	223.95	1/9-31/41	Ga. & Fla. RR (U-1).
D. M. Stewart	2841	1241.60	1/21 to 5/19/41	A. C. L. RR (U-1).
Isaac Epling	1241	260.90	3/29 to 5/20/41	A. C. L. RR (U-1).
Willie Miller	716	387.95	7/9 to 8/13/41	A. C. L. RR (U-1).
Willie Miller	716	116.30	8/9-15/41	Ga. & Fla. RR (U-1).

resulting in violations by said Distributors, jointly or severally of paragraphs (a) and (d) of their Agreements.

4. Acting as Distributors, purchased for resale and resold through the Central Fuel Corp., Chicago, Illinois, to various consumers for rail shipment for industrial use (U-5), substantial quantities of coal produced by various code members at their respective mines located in District No. 8, at prices which were less than the effective minimum prices therefor as established in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck, and accepted and retained discounts therefrom

mine, Mine Index No. 1262, located in Subdistrict No. 1 of District No. 8, Pike County, Kentucky, to the Georgia & Florida Railroad Company for railroad locomotive fuel use (U-1) and accepted and retained a sales agency commission of $8.49 from the applicable minimum price for such coal, as provided by said sales agency agreement, which commission was in excess of the maximum allowable discount prescribed by the Division in the Order of the Director entered in General Docket No. 12, dated June 19, 1940, although said code member had not filed with the Division an application pursuant to the Order of the Director entered in General Docket No. 20 dated December 5, 1940, for permission to pay such commission and had not been granted such permission by the Division, resulting in a participation by said Distributors, jointly or severally, in a wilful violation by said code member, as principal in the aforesaid transaction, of Rule 13 (A) of section II of the Marketing Rules and Regulations and violations by said Distributors, jointly or severally, of paragraph (e) of their Agreements.

B. Whether the registrations of said Shelby Coal Company, Inc., Registered Distributor, Registration No. 8320, and said W. K. Jenne, an individual, doing business under the name and style of Shelby Coal Company, Inc., Registered Distributor, Registration No. 4797, or either of them, should be revoked or suspended or other appropriate penalties imposed.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether the aforementioned Shelby Coal Company, Inc., and W. K. Jenne, an individual doing business under the name and style of Shelby Coal Company, have committed violations in the respects heretofore described and whether the registration of said Distributors, or the registration of either of them, should be revoked or suspended, or other appropriate penalties imposed, be held at 10 a. m. on October 29, 1942 at a hearing room of the Division at the Cabell County Court House, Huntington, West Virginia.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Distributors and to all persons and entities having an interest in such proceeding.

Notice is hereby given That answers setting forth the positions of the said Distributors with reference to the matters hereinbefore described, shall be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on said Distributors, and that failure of either to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Distributor so failing of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given That any application or applications pursuant to § 301.132 of the Rules of Practice and Procedure for the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Distributors of this Notice of and Order for Hearing.

All persons are hereby notified That the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9215; Filed, September 17, 1942; 11:44 a. m.]

[Docket No. B-305]

FLASH COAL CO.

ORDER POSTPONING HEARING

In the Matter of Julius Kauzlarich and Tony Kauzlarich, individually and as co-partners, doing business under the name and style of Flash Coal Company, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on September 28, 1942 at a hearing room of the Bituminous Coal Division, at the District Court Room, Centerville, Iowa; and

The Acting Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from September 28, 1942 at 10 a. m. to October 22, 1942 at 10 a. m., at a hearing room of the Bituminous Coal Division at the District Court Room, Centerville, Iowa, before the officer or officers heretofore designated to preside at said hearing.

Dated: September 17, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9266; Filed September 18, 1942; 11:57 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 14-A 10]

BOSTON, MASSACHUSETTS, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Boston, Massachusetts, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Auditorium, Municipal Building, Church Street, Burlington, Vermont, beginning at 10 a. m., e. w. t., September 24, 1942, and in the Gardiner Auditorium, State House, Boston, Massachusetts, at 10 a. m., e. w. t., September 28, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Boston, Massachusetts, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below, and the name of the agency, association, or company by which each was submitted is indicated as follows:

PROPOSED AMENDMENTS

Definitions

1. Revise § 904.1 (a) (7) to remove the requirement that a producer-handler must produce at least 25 percent of his milk on the farm where his milk is processed and packaged.[1]

2. Revised in § 904.1 (a) (2) the meaning of the term "Secretary" to include any person who may be authorized to exercise the powers and perform the duties of the Secretary.[2]

Market Administrator

3. Under paragraph (d) (Duties) add a new subparagraph as follows:

No. 8. Prepare and disseminate for the benefit of producers, consumers, and handlers such statistics and information concerning the operation of this order as do not reveal confidential information.[2]

[1] Proposed by E. W. Dwyer, a producer-handler of Weymouth, Massachusetts.

[2] Proposed by the Dairy and Poultry Branch, Agricultural Marketing Administration.

Classification of milk

4. Revise § 904.3 (a) to permit a cooperative association to purchase Class II milk, including skim milk from Boston handlers, and sell such milk for Class II uses to persons manufacturing milk products.[3]

5. Amend § 904.3 (b) (2) (i) by deleting the words "buttermilk or cultured skim milk."[4] This will change these products from Class I to Class II.

6. *Shrinkage.* (a) Amend § 904.3 (b) (2) (ii) to read:

• • • and have actual plant shrinkage not to exceed 2 percent of all milk classified pursuant to § 904.3."[4]

This will change shrinkage associated with the handling of Class I milk from Class I to Class II.

(b) Add the following words to § 904.3 (b) (2):

• • • *And provided further,* That if for any delivery period the quantity of shrinkage cannot be ascertained from the records of the handler, the percentage of shrinkage shall be considered to be 1 percent of the volume handled or such higher percentage as may be indicated from the nature of the handlers' operations.[2]

This change is to clarify the present intent of the order.

7. Add an additional paragraph to § 904.3 as follows:

Responsibility of handlers in establishing the classification of milk. In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.[2]

8. Add at the end of § 904.3 (c) (2) the following:

• • • *Provided,* That such milk shall be Class II milk if received at a plant subject to another Federal milk marketing order and, subject to verification by the market administrator, is disposed of as Class II milk.[5]

The effect of this change is to accept the verification of the market administrator in another market under Federal regulation on the classification of milk sold in that market.

Prices

9. *Class I price level.* (a) Amend § 904.4 (a) (1) to provide a Class I price for milk delivered from producers' farms to handlers' plants located not more than 40 miles from the State House in Boston of $4.00 per hundredweight for periods prior to April 1, 1943, and thereafter $3.63 per hundredweight.[6]

[1] See footnote 2, *supra.*

[2] Proposed by the New England Milk Producers' Association.

[3] Proposed jointly by the handlers H. P. hood and Sons, Whiting Milk Company, White Bros., and Lyndonville Creamery Association.

[4] Proposed by Braley's Creamery, Inc., of North Dartmouth, Massachusetts.

[4] Proposed jointly by Northern Farms Cooperative Inc., East New York Dairies, Inc., Independent Cooperative Association, Inc., Maine Dairymen's Inc., Connecticut Valley Milk Producers' Association, White Bros. Producers' Group, of South Ryegate, Vermont, and Lyndonville, Vermont, Producers' Group.

(b) Amend § 904.4 (a) (1) to increase the Class I price.[2]

(c) Amend the proviso of § 904.4 (a) (1) by adding between the word "relief" and the clause "the price shall be" the following:

• • • Or with respect to any Class I milk disposed of to purchasers of any cash and carry milk depot or center operated as a nonprofit service to low-income families by any State or municipal agency or by any charitable or philanthropic agency or by any consumer cooperative duly established under the cooperative laws of Massachusetts.[7]

10. *Country receiving plant handling allowance.* (a) In § 904.4 (a) (2) change "13 cents" to "8 cents."[8] This change is to reduce the gross plant handling allowance, including an allowance for use of containers, from 23 to 18 cents per hundredweight on Class I milk.

(b) Increase the country receiving plant handling allowance from 20 to 23 cents.[2]

11. In § 904.4 (a) (2) change the term "New England Joint Tariff M2," to "New England Joint Tariff, M3."[2] This change is to bring the reference to the railroad tariff schedule up to date. Tariff M2 has been superseded by Tariff M3.

12. In § 904.4 (a) (3) delete the words "in the marketing area."[3] This change is to make this provision consistent with the change in method of pricing the milk sold outside the marketing area that automatically became effective on September 1, 1942.

13. In § 904.4 (b) (1) change the words "31 cents" to "17 cents."[8] This change will reduce the Class II price of city plants 14 cents relative to the level of the Class II price of country plants.

14. In § 904.4 (b) (2) substitute for the item "29 cents" the following:

• • • And subtract from milk received at plants located more than 40 miles from the State House in Boston but within the first 10 freight zones 23.5 cents; at plants located from the 11th to the 15th freight zones, inclusive, 24.25 cents; at plants located from the 16th to the 20th freight zones, inclusive, 25 cents; at plants located from the 21st to the 25th freight zones, inclusive, 25.5 cents; and at plants located in the 26th freight zone and beyond, 26 cents.[6]

The effect of this change will be an increase in the Class II price at country plants of from 3 cents in the more distant zones to 5.5 cents in the nearby zones.

15. (a) Amend § 904.4 (b) (2) to reflect the higher value now present in skim milk and eliminate New York cream from the computation of the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market.[3]

(b) In § 904.4 (b) (2) revise the value of skim milk to the present Class V-B price at New York.[6]

16. *Prices for milk manufactured into butter.* (a) In § 904.4 (b) (3) delete the words "deduct 5 cents, add 16⅔ percent and multiply by 3.7" and substitute the words "deduct 4 cents, add 20 percent, and multiply by 3.7".[6] Also delete the words at the end of the sentence "less 15 cents." The effect of this change is to price this milk on the butter formula used in New York.

(b) Amend § 904.4 (b) (3) by deleting the words "during the May, June, and September delivery periods" and substitute the words "during each month of the year."[10] This change will allow a butter class for all months of the year.

(c) Amend § 904.4 (b) (3) to provide that in case cream is manufactured into butter after there has been a request to purchase it for use as fluid cream that the butter price formula shall not be allowed.[6]

17. Amend § 904.4 (c) to provide for the continuation of the prevailing price clause on Class I milk sold in outside markets.[2 11]

Reports

18. Amend § 904.5 (f) to read:

1. Verification of reports. For the purpose of ascertaining the correctness of any report made to the market administrator as required by this order or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to (a) examine such books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, and memoranda as the market administrator deems relevant and which are within the control (1) of any such handler from whom such report was requested, (2) of any person having, either directly or indirectly, actual or legal control of or over such handler, or (3) of any subsidiary of any such handler; and (b) weigh, sample, and test milk for butterfat.[2]

This change is to amplify the authority allowable under the act for the market administrator to have access to handlers' books and records in order to verify their reports.

Method of Payment for Milk

19. Amend § 904.8 (b) (2) to remove the present requirement that new producers receive the lowest class price for all their milk for the first 2 full months during which they deliver milk to the market.[4]

20. Amend § 904.8 (f) (1) to provide that in case the Federal Government should compel the transportation by rail from handlers' plants located more than 14 but less than 40 miles from the State House in Boston of all Class I milk to be disposed of in the marketing area, that handlers be permitted to deduct freight at the carlot rate for milk in bottles from the shipping point nearest his plant to the marketing area as published in the New England Joint Tariff, M3.[2]

21. Amend § 904.8 (f) (1) by putting a period after the word "hundredweight" and deleting the rest of the paragraph.[12] This change will allow a handler to deduct 10 cents per hundredweight from all the milk he receives from producers rather than from only Class I milk sold in the marketing area with respect to the

[5] Proposed by Milton Cooperative Dairy, Inc.

[6] Proposed by Deerfoot Farms Company.

[7] Proposed by Greater Boston Consumers' Committee on Milk.

[8] Proposed by Federated Dairy Associations of Massachusetts.

[10] Proposed by New England Dairies, Inc.

[11] Proposed by W. T. Boyd and Sons, Inc.

[12] Proposed by New England Dairies, Inc.

milk handled at a plant that is outside of the marketing area and more than 14 miles but not more than 40 miles from the State House in Boston.

22. Add a new paragraph to § 904.8 as follows:

Interest on unpaid accounts. The market administrator shall promptly bill each handler from whom there is due to the market administrator under this section any amount which remains unpaid at the close of business on the tenth day of each month at the rate of one-half of one percent of such unpaid amount. The amount so billed shall be due immediately.[1]

Payments to Cooperative Associations

23. Delete all of § 904.9 except paragraph (e) or amend § 904.9 so that the Secretary shall prescribe exactly how payments may be used and provide for auditing by the administrator of the expenditures from this fund by cooperatives, disallowing an expenditure not provided for and requiring the refunding of all unexpended balances to the cash balance of the equalization fund.[2]

24. Delete § 904.9.[3]

25. In § 904.9 (a) (2) add a proviso at the end of the first sentence as follows:

• • • *Provided*, That where sales are consummated by delivery of milk from a plant handling milk from sources other than specified herein either directly or from a second plant the quantity of milk applicable for payments shall be sales in excess of the quantity received from such other sources.[3]

The effect of this change will be to provide, in case milk is sold to proprietory handlers from a plant of a cooperative in which there is milk received from a proprietory handler or another cooperative, that such other milk shall be considered to have been used to supply such sales before the cooperatives' own milk is available.

Expense of Administration

26. In § 904.10 (a) delete all of the present proviso.[4] The effect of this change will be to remove language from the order which is now inoperative because of changes that have occurred in the organization and structure of certain cooperatives.

Miscellaneous

27. Consider possible amendments designed to regulate the country assembly of milk to conserve rubber and equipment and to insure adequate facilities for movement of milk to market.[5]

28. Add a new section, as follows:

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.[5]

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

Dated: September 17, 1942.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 42-9262; Filed, September 18, 1942; 11:43 a. m.]

[1] See footnote 2, *supra*.
[2] See footnote 3, *supra*.
[3] See footnote 4, *supra*.
[4] See footnote 6, *supra*.

[Docket No. AO 83-A 5]

LOWELL-LAWRENCE, MASSACHUSETTS, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, Marketing Area, including an amendment enlarging the Marketing Area to include Nashua and Hudson, New Hampshire.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Auditorium, 11 Haverhill Street, Shawsheen Village, Andover, Massachusetts, beginning at 10 a. m., e. w. t., September 30, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below, and the name of the agency, association, or company by which each was submitted is indicated as follows:

PROPOSED AMENDMENTS

Definitions

1. Revise, in § 934.1 (a) (2), the meaning of the term "Secretary" to include any person who may be authorized to exercise the power and perform the duties of the Secretary.[1]

2. In § 934.1 (a) (3), change the colon at the end of the last line to a comma, and add thereafter the words "and Nashua and Hudson, New Hampshire."[2]

3. Consider such revision of § 934.1 (a) (8) (producer-handler) as may be necessary to keep this definition consistent with a similar definition in the Boston order.[3]

Market Administrator

4. In § 934.2 (c) (duties) add a new subparagraph as follows:

Prepare and disseminate for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order as do not reveal confidential information.[3]

Classification of Milk

5. Amend § 934.3 (b) (2) (i) by deleting the words "buttermilk or cultured skim milk." This will change these products from Class I to Class II.[3]

6. Amend § 934.3 (b) (2) (ii) to read:

• • • and as actual plant shrinkage not to exceed 2 percent of all milk classified pursuant to § 934.3.

This will change shrinkage associated with the handling of Class I milk from Class I to Class II.[3]

7. Add the following words to § 934.3 (b) (2):

• • • *And provided further*, That if for any delivery period the quantity of shrinkage cannot be ascertained from the records of the handler, the percentage of shrinkage shall be considered to be 1 percent of the volume handled or such higher percentage as may be indicated from the nature of the handlers' operations.

This change is to clarify the present intent of the order.[3]

8. Add an additional paragraph to § 934.3 as follows:

Responsibility of handlers in establishing the classification of milk. In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.[1]

9. Amend § 934.3 (c) (2) to read:

(2) Milk or skim milk disposed of by a handler to any plant not subject to the provisions hereof shall be classified as Class I milk, not to exceed the total quantity of Class I milk or skim milk at such plant.[1]

Prices

10. Amend § 934.4 (b) (1) to increase the Class I price.[4]

11. Consider revision of the factor "13 cents" to "8 cents" in § 934.4 (b) (2) in case a similar change is made in the Boston order.[1]

12. Amend § 934.4 (b) to extend the city plant price to include all milk delivered from producers' farms to a handler's receiving plant located within 40 miles of the City Hall in Lowell or Lawrence.[4]

13. Amend § 934.4 (c) (2) to reflect the higher value now present in skim milk and eliminate New York cream from the computation of the weighted average price per 40-quart can of 40 percent bottling cream in the Boston order.[4]

14. In § 934.4 (c) (2) substitute for the item "30 cents" the following:

• • • And subtract from milk received at plants located more than 20 miles from the City Hall in Lowell or Lawrence but within the first 10 freight zones 23.5 cents; at plants located from the 11th to the 15th freight zones, inclusive, 24.25 cents; at plants located from the 16th to the 20th freight zones, inclusive, 25 cents; at plants located from the 21st to the 25th freight zones, inclusive, 25.5 cents; and at plants located in the 26th freight zone and beyond, 26 cents.[1]

The effect of this change will be an increase in the Class II price at country plants of from 3 cents in the more distant zones to 5.5 cents in the nearby zones.

15. Amend § 934.4 (c) (2) to provide a country station allowance of 26 cents per hundredweight on Class II milk.[5]

16. Amend § 934.4 (d) to apply the prevailing price clause to milk sold in outside markets.[5]

Reports

17. Amend § 934.5 (e) to read:

(e) *Verification of reports.* For the purpose of ascertaining the correctness of any report made to the market administrator as required by this order or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to (a) examine such books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, and memoranda as the market administrator deems relevant and which are within the control (1) of any such handler from whom such report was requested, (2) of any person having either directly or indirectly, actual or legal control of or over such handler, or (3) of any subsidiary of any such handler; and (b) weigh, sample, and test milk for butterfat.[1]

This change is to amplify the authority allowable under the act for the market administrator to have access to handlers' books and records in order to verify their reports.

Application of Provisions

18. Amend § 934.6 (e) to read:

(e) *Milk subject to the Greater Boston Order.* The provisions hereof shall not apply, except as provided in § 934.3, to the handling of milk received at any handler's receiving plant which is subject to the provisions of the order regulating the handling of milk in the Greater Boston, Massachusetts, marketing area (Order No. 4), issued by the Secretary on February 7, 1936, effective February 9, 1936, as amended, or of any order superseding or amending such order, unless such handler, not including a cooperative association as qualified pursuant to § 904.9 (a) of the aforementioned order, sells, distributes, or disposes of less than 10 percent of his total receipts of milk as Class I milk in the Greater Boston marketing area.[1]

This change is to eliminate an inconsistency between the Boston and Lowell-Lawrence orders.

Determination of Prices

19. Delete § 934.7 (a) (1) (i) and § 934.6 (b). This change will discontinue the present arrangement of allowing a producer-handler to have his own farm production of milk deducted from his pool at Class I in the computation of his blended price.[1]

Payments to Producers

20. Delete § 934.8 (e) (2). This change is to eliminate an out-of-date reference to the Massachusetts Milk Control Board.[1]

Expenses of Administration

21. In § 934.10 (a), consider increasing the maximum administration assessment from 3 cents to 4 cents per hundredweight.[1]

Miscellaneous

22. Consider possible amendments designed to regulate the country assembly of milk to conserve rubber and equipment and to insure adequate facilities for movement of milk to market.[4]

23. Add a new section as follows:

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.[1]

It is hereby declared that an emergency exists in the handling of milk in the aforesaid area which requires a shorter period of notice than fifteen (15) days; and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

Dated: September 18, 1942.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[6]

[F. R. Doc. 42-9261; Filed, September 18, 1942; 11:42 a. m.]

[1] Proposed by Dairy and Poultry Branch, Agricultural Marketing Administration, U. S. D. A.
[2] Proposed by W. T. Boyd and Sons, Inc.
[3] Proposed by H. P. Hood and Sons, Inc.
[4] Proposed by New England Milk Producers, Inc.
[5] See footnote 1, *supra*.
[6] Proposed by Findersen's Farms.
[7] Acting Pursuant to Authority Delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

FEDERAL TRADE COMMISSION.

[Docket No. 4833]

STANLEY J. REMUS & CO., ET AL.

COMPLAINT AND NOTICE OF HEARING

In the Matter of Stanley J. Remus, doing business as Stanley J. Remus & Company, P. E. Harris & Company, Kelley-Clarke Company, and Oceanic Sales Company.

The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Stanley J. Remus is an individual doing business under the firm name and style of Stanley J. Remus & Company. Respondent Remus has his principal office and place of business at 437 West Ontario Street, Chicago, Illinois, and is now and for many years prior hereto has been engaged in business, principally as a jobber, buying and selling in his own name and for his own account canned salmon, tuna, shrimp, and sardines (hereinafter called canned fish).

PAR. TWO: Respondent P. E. Harris & Company is a corporation organized under the laws of the State of Washington with its principal office and place of business located at 1222 Dexter Horton Building, Seattle, Washington, and is engaged in the business of canning fish and in the distribution and sale of its own pack and the pack of other canners. Said respondent operates several canneries in the Territory of Alaska, one of which is located in each of the following places: Hawk Inlet, Rose Inlet, False Pass and Ketchikan, Alaska.

Respondent Kelley-Clarke Company is a corporation organized under the laws of the State of Washington with its principal office and place of business located in the Exchange Building at 321 W. Fourth Avenue, Seattle, Washington, and is engaged in the distribution and the sale of canned fish. Respondent Kelley-Clarke Company operates several branch offices and warehouses, one of which is located at each of the following points: Los Angeles and San Francisco, California; Portland, Oregon; and Spokane and Tacoma, Washington.

Respondent Oceanic Sales Company is a corporation organized under the laws

beginning at 9:45 a. m. (EWT), in Room 305, Federal Building, Concord, New Hampshire.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9248; Filed September 18, 1942; 10:18 a. m.]

FEDERAL POWER COMMISSION

[Project No. 1887]

COOPERATIVE SERVICE ASSOCIATION

ORDER SETTING DATE FOR HEARING

SEPTEMBER 15, 1942.

Upon application filed June 25, 1942, by Cooperative Service Association of Meredith, New Hampshire, for preliminary permit for a proposed hydroelectric development to be installed at the Franklin Falls flood control dam located on the Pemigewasset River in Merrimack County, New Hampshire; and

It appearing to the Commission that: Numerous informal protests against the granting of such application have been filed; *It is ordered*, That:

A public hearing on the aforesaid application be held on October 26, 1942,

milk handled at a plant that is outside of the marketing area and more than 14 miles but not more than 40 miles from the State House in Boston.

22. Add a new paragraph to § 904.8 as follows:

Interest on unpaid accounts. The market administrator shall promptly bill each handler from whom there is due to the market administrator under this section any amount which remains unpaid at the close of business on the tenth day of each month at the rate of one-half of one percent of such unpaid amount. The amount so billed shall be due immediately.[2]

Payments to Cooperative Associations

23. Delete all of § 904.9 except paragraph (e) or amend § 904.9 so that the Secretary shall prescribe exactly how payments may be used and provide for auditing by the administrator of the expenditures from this fund by cooperatives, disallowing an expenditure not provided for and requiring the refunding of all unexpended balances to the cash balance of the equalization fund.[6]

24. Delete § 904.9.[4]

25. In § 904.9 (a) (2) add a proviso at the end of the first sentence as follows:

• • • *Provided*, That where sales are consummated by delivery of milk from a plant handling milk from sources other than specified herein either directly or from a second plant the quantity of milk applicable for payments shall be sales in excess of the quantity received from such other sources.[2]

The effect of this change will be to provide, in case milk is sold to proprietory handlers from a plant of a cooperative in which there is milk received from a

licitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

Dated: September 17, 1942.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 42-9262; Filed, September 18, 1942; 11:43 a. m.]

[Docket No. AO 83-A 5]

LOWELL-LAWRENCE, MASSACHUSETTS, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, Marketing Area, including an amendment enlarging the Marketing Area to include Nashua and Hudson, New Hampshire.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Auditorium, 11 Haverhill Street, Shawsheen Village, Andover, Massachusetts, beginning at 10 a. m., e. w. t., September 30, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the

sary to keep this definition consistent with a similar definition in the Boston order.[1]

Market Administrator

4. In § 934.2 (c) (duties) add a new subparagraph as follows:

Prepare and disseminate for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order as do not reveal confidential information.[1]

Classification of Milk

5. Amend § 934.3 (b) (2) (i) by deleting the words "buttermilk or cultured skim milk." This will change these products from Class I to Class II.[2]

6. Amend § 934.3 (b) (2) (ii) to read:

• • • and as actual plant shrinkage not to exceed 2 percent of all milk classified pursuant to § 934.3.

This will change shrinkage associated with the handling of Class I milk from Class I to Class II.[2]

7. Add the following words to § 934.3 (b) (2):

• • • *And provided further*, That if for any delivery period the quantity of shrinkage cannot be ascertained from the records of the handler, the percentage of shrinkage shall be considered to be 1 percent of the volume handled or such higher percentage as may be indicated from the nature of the handlers' operations.

This change is to clarify the present intent of the order.[1]

8. Add an additional paragraph to § 934.3 as follows:

Responsibility of handlers in establishing

of the State of Washington, with its principal office and place of business located in the Smith Tower Building, Seattle, Washington, and is engaged in the distribution and sale of canned fish.

Each of the three respondents named in Paragraph Two will hereinafter be referred to as "seller respondents."

PAR. THREE: Each of said seller respondents is engaged in the sale of canned fish and other products to respondent Remus and to other customers residing in states other than the respective states in which the seller respondents are located. Pursuant to the purchase orders and instructions of respondent Remus and other customers of seller respondents, canned fish are sold, shipped and transported by each of said seller respondents into and across state lines to the respondent Remus and to other customers.

Respondent Remus, in the course and conduct of his said business as a jobber, purchases a substantial portion of his requirements of canned fish from each of the seller respondents who are located in states other than the state in which respondent Remus is located. Pursuant to his purchase orders and instructions such commodities are caused to be shipped and transported by the respective seller respondents thereof across state lines to him or to his customers.

PAR. FOUR: Respondents P. E. Harris & Company, a corporation, Kelley-Clarke Company, a corporation, and Oceanic Sales Company, a corporation, since June 19, 1936, in connection with the sale in interstate commerce of canned fish to respondent Remus for his own account, have transmitted, paid, and delivered, and do transmit, pay and deliver, directly or indirectly to said Stanley J. Remus, trading as Stanley J. Remus & Company, brokerage fees, or allowances and discounts in lieu thereof in substantial amounts.

Among other methods of paying such brokerage fees, discounts and allowances in lieu thereof, each of the seller respondents customarily transmits and pays to the respondent Remus monthly rebate checks in amounts equal to an agreed percentage of the invoice price of the canned fish sold by the respective seller respondents to the Respondent Remus in his own name and/or for his own account during the preceding month.

PAR. FIVE: Respondent Remus, since June 19, 1936, in connection with the purchase of his requirements of canned fish in interstate commerce, in his own behalf and for his own account, from each of said seller respondents, has been and is now receiving, and accepting from said seller respondents, brokerage fees, or allowances and discounts in lieu of brokerage fees, or allowances and discounts in lieu of brokerage in substantial amounts.

Among the methods of so receiving and accepting brokerage fees, discounts and allowances in lieu thereof, Respondent Remus customarily receives and accepts monthly rebates from each of the seller respondents in an amount equal to an agreed percentage of the invoice prices of all canned fish purchased by said Respondent Remus in his own name and/or in his own behalf during the preceding month from each of the respective seller respondents.

PAR. SIX: The receipt and acceptance by the respondent, Stanley J. Remus, doing business as Stanley J. Remus & Company of brokerage fees or allowances and discounts in lieu of brokerage as aforesaid and the transmission and payment of the aforesaid brokerage fees or allowances and discounts in lieu of brokerage to him by P. E. Harris & Company, a corporation, Kelley-Clarke Company, a corporation, and Oceanic Sales Company, a corporation, in the manner and under the circumstances hereinabove set forth, are in violation of the provisions of Section 2, subsection (c) of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936.

Wherefore, the premises considered, the Federal Trade Commission on this 14th day of September, A. D. 1942, issues its complaint against said respondents.

Notice

Notice is hereby given you, Stanley J. Remus, doing business as Stanley J. Remus & Company, P. E. Harris & Company, Kelley-Clarke Company and Oceanic Sales Company, respondents herein, that the 23rd day of October, A. D. 1942, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file anwser within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer, the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 14th day of September, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9251; Filed September 18, 1942; 11:09 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-26]

HARRISBURG, PA.—NEW YORK, N. Y.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Harrisburg, Pennsylvania, and New York, New York.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with this office by Alma Lines, Inc., Whitehouse Station, New Jersey, Edwards Motor Transit Co., Williamsport, Pennsylvania, Frank Martz Coach Co., Wilkes-Barre, Pennsylvania, Jersey Central Transportation Co., New York, New York, Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, and Reading Transportation Co., Philadelphia, Pennsylvania, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. The Alma Lines, Inc., Edwards Motor Transit Co., Frank Martz Coach Co., Jersey Central Transportation Co., Pennsylvania Greyhound Lines, Inc., and Reading Transportation Co. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them as common carriers by motor vehicle between any of the following cities: Harrisburg, Allentown and Easton, Pennsylvania, and New York, New York, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carrier, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers;

(d) Operate a number of daily round trips no greater than the number operated by the carriers, respectively, on August 5, 1942, without the prior approval of this Office;

(e) Cancel all excursion fares.

2. Pennsylvania Greyhound Lines, Inc., shall not resume service that has heretofore been suspended over U. S. Highways Nos. 422 and 222 between Harrisburg and Allentown, Pennsylvania.

3. The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to said Commission, and each such regulatory body for special permission for such tariffs or supplements, to become effective on one day's notice.

This order shall become effective October 5, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 18th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-9260; Filed, September 18, 1942; 11:44 a. m.]

[Order 8 Under Maximum Price Regulation 147—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets—Docket 3147-12]

OLIVER IRON AND STEEL CORPORATION

ORDER GRANTING PETITION FOR EXCEPTION

On August 6, 1942, Oliver Iron and Steel Corporation (hereinafter called the Petitioner), Pittsburgh, Pennsylvania filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration had been given to the petition and an opinion in support of this Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by § 1368.7 (a) of Maximum Price Regulation No. 147 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Oliver Iron and Steel Corporation in ascertaining the maximum prices which it may charge for track bolts to be shipped from Pittsburgh, Pennsylvania to Sidney, Nebraska pursuant to Order No. 734 of the War Department, Office of Area Engineers, Sioux Ordnance Depot, Sidney, Nebraska, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147 from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 8 shall become effective September 19, 1942.

Issued this 18th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9273; Filed, September 18, 1942; 11:55 a. m.]

[Order 9 Under Maximum Price Regulation 147—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets—Docket 3147-11]

OLIVER IRON AND STEEL CORPORATION

ORDER GRANTING EXCEPTION

On August 5, 1942, Oliver Iron and Steel Corporation (hereinafter called the Petitioner), Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition, which for the reasons set forth in the opinion has been treated as one for an exception pursuant to § 1368.7 (b) of said Maximum Price Regulation No. 147, and an opinion in support of this Order No. 9 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by §1368.7 (b) of Maximum Price Regulation No. 147 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Oliver Iron and Steel Corporation in ascertaining the maximum price it may charge for the lag screws shipped from Pittsburgh, Pennsylvania, to Hooks, Texas, pursuant to Purchase Order No. QM7127-1679 of the War Department, Office of the Area Engineer, Red River Ordnance Depot, Texarkana, Texas may add to its maximum price therefor as otherwise established by Maximum Price Regulation No. 147 an amount equal to the difference between the less than carload lot freight actually charged on such shipment and the freight that would have been charged on such shipment if it had been part of a carload lot.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 9 shall become effective September 19, 1942.

Issued this 18th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9272; Filed, September 18, 1942; 11:55 a. m.]

[Order 10 Under Maximum Price Regulation 147—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets—Docket 3147-10]

OLIVER IRON AND STEEL CORPORATION

ORDER GRANTING PETITION FOR EXCEPTION

On August 4, 1942 Oliver Iron and Steel Corporation (hereinafter called the Petitioner), Pittsburgh, Pennsylvania filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition and an opinion in support of this Order No. 10 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by § 1368.7 (a) of Maximum Price Regulation No. 147 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Oliver Iron and Steel Corporation in ascertaining the maximum price which it may charge for the 3,000 track bolts shipped from Pittsburgh, Pennsylvania to Longvill-Scott, Inc., Care of Area Engineer, Springfield War Aid Depot, Springfield, Illinois, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147 from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 10 shall become effective September 19, 1942.

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9271; Filed, September 18, 1942; 11:55 a. m.]

[Order 11 Under Maximum Price Regulation 147—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets—Docket 3147-13]

OLIVER IRON AND STEEL CORPORATION

ORDER GRANTING PETITION FOR EXCEPTION

On August 17, 1942, Oliver Iron and Steel Corporation (hereinafter called the Petitioner), Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition and an opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by § 1368.7 (a) of Maximum Price Regulation No. 147 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Oliver Iron and Steel Corporation in ascertaining the maximum price which it may charge for track bolts to be shipped from Pittsburgh, Pennsylvania, to Tampa, Florida, pursuant to Order No. 7622-6 of the War Department, Office of the Chief Engineers, Construction Division, may calculate its delivery charge under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147 from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 11 shall become effective September 19, 1942.

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9270; Filed, September 18, 1942; 11:54 a. m.]

[Order 20 Under Revised Price Schedule 6—Iron and Steel Products—Docket 3006-19]

NORTHWESTERN STEEL AND WIRE COMPANY

ORDER GRANTING EXCEPTION

On June 30, 1942, Northwestern Steel and Wire Company filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 20 has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Northwestern Steel and Wire Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver to the Procurement Division of the Treasury Department for the account of the Lend-Lease Administration, under allocation order Series A No. 7151-12581 and subsequent similar orders, rerolling grade billets at a base price of $41 per gross ton f. o. b. mill.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(d) The definition set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(e) This Order No. 20 shall become effective September 19, 1942.

Issued this 18th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9274; Filed, September 18, 1942; 11:55 a. m.]

[Order 22 Under Maximum Price Regulation 148—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-64]

OLD FORT PROVISION COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On August 17, 1942, the Old Fort Provision Company, Walterboro, South Carolina, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 22 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Old Fort Provision Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from the Old Fort Provision Company.

(b)

	Cents per pound
Pork loins fresh	29½
Pork hams fresh	28
Picnic hams smoked	27
Regular hams smoked	31
Skinned hams smoked	32
Pork shoulder fresh	26½
Pork shoulder smoked	28
Boiled ham	50

(c) The permission granted to the Old Fort Provision Company in this Order No. 22 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Old Fort Provision Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from the Old Fort Provision Company each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

(g) This Order No. 22 shall become effective September 19, 1942.

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9269; Filed, September 18, 1942; 11:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-267]

BROADWAY AND 58TH STREET CORPORATION, ET AL.

NOTICE AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September, A. D. 1942.

In the matter of Broadway and 58th Street Corporation and William T. Hunter and R. Keith Kane, as surviving trustees under voting trust agreement of Broadway and 58th Street Corporation, dated as of April 1, 1935.

An application having been filed by Broadway and 58th Street Corporation under and pursuant to the provisions of section 3 (b) (2) of the Investment Company Act of 1940 for an order declaring it to be excepted from the definition of an investment company contained in this Act on the ground that it is primarily engaged in a business other than that of investing, reinvesting, owning, holding, or trading in securities, or, in the alternative, for an order under and pursuant to the provisions of section 6 (c) of the Act exempting it from the provisions of the Act.

William T. Hunter and R. Keith Kane, as surviving trustees under voting trust agreement of Broadway and 58th Street Corporation, dated as of April 1, 1935, having filed an application under and pursuant to the provisions of section 6 (c) of the Act for an order of exemption from the provisions of the Act in the event that the application of Broadway and 58th Street Corporation under section 3 (b) (2) is denied.

It is ordered, That a hearing on the aforesaid applications be held on the sixth day of October at 10:00 o'clock in the forenoon of that day in the hearing room of the Securities and Exchange Commission Building at 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held;

It is further ordered, That Willis E. Monty, Esquire, or any other officer of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicants and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9269; Filed, September 18, 1942; 11:54 a. m.]

[File No. 59-4]

ENGINEERS PUBLIC SERVICE CO., ET AL

ORDER REQUIRING DIVESTITURE BY HOLDING COMPANIES AND SUBSIDIARIES IN HOLDING COMPANY SYSTEM OF COMPANIES AND PROPERTIES OWNED OR OPERATED THEREBY

In the Matter of Engineers Public Service Company and its subsidiary companies, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September, A. D., 1942.

The Commission having on February 28, 1940, by notice and order for hearing, instituted proceedings under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 with respect to Engineers Public Service Company and its subsidiaries to determine their status under that section, and Engineers Public Service Company and its subsidiaries having answered such notice and order; and

Hearings having been held after due notice, requests for findings of fact on behalf of such companies and briefs in support thereof having been filed, oral argument having been heard; and

The Commission being advised in the premises, and having this day issued its Findings and Opinion with respect to certain action which the Commission finds necessary to limit the operations of the holding company systems of Engineers Public Service Company and its subsidiaries, including each subsidiary thereof which is a registered holding company and its subsidiaries, to a single integrated public utility system and additional systems and other businesses in accordance with the requirements of section 11 (b) (1) of the Public Utility Holding Company Act of 1935;

It is ordered, Pursuant to section 11 (b) (1):

(1) That Engineers Public Service Company, a registered public utility holding company, shall sever its relationship with the companies named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the Rules, Regulations or Orders promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by the following companies:

Savannah Electric and Power Company
Gulf States Utilities Company
Baton Rouge Bus Company, Inc.
El Paso Electric Company (Delaware)
El Paso Electric Company (Texas)
El Paso and Juarez Traction Company
El Paso Natural Gas Company
Engineers Public Service Company, Inc.;

and

(2) That the said Engineers Public Service Company shall cease to own or operate, directly or indirectly, any property or facilities now owned or operated by it through Virginia Electric and Power Company for the purpose of conducting, directly or indirectly, any gas utility, gas appliance merchandising and jobbing, and transportation business, and to cease engaging, directly or indirectly, in any gas utility, gas appliance merchandising and jobbing, and transportation business now engaged in by it, directly or indirectly, through the said Virginia Electric and Power Company; and

(3) That El Paso Electric Company (Delaware), a registered public utility holding company, shall sever its relationship with El Paso and Juarez Traction Company by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the Rules, Regulations or Orders promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by the said El Paso and Juarez Traction Company; and

(4) That the said El Paso Electric Company (Delaware) shall cease to own or operate, directly or indirectly, any property or facilities now owned or operated by it through El Paso Electric Company (Texas) for the purpose of conducting, directly or indirectly, any transportation or toll bridge business, and to cease engaging, directly or indirectly, in any transportation and toll bridge business now engaged in by it, directly or indirectly, through the said El Paso Electric Company (Texas); and

Engineers Public Service Company, a registered public utility holding company, controlling more than one single integrated public utility system, although heretofore afforded opportunity to indicate its choice of the single integrated system it desires to retain as its principal system, having failed to avail itself of such opportunity, and the Commission desiring nevertheless that further opportunity be afforded said respondent to indicate its views with respect to its choice of the principal system:

It is further ordered, That notwithstanding the provisions of Rule XII (d) of the Commission's Rules of Practice Engineers Public Service Company may, within fifteen days of the date hereof, petition for leave to retain as its principal system the electric utility system of Gulf States Utilities Company: *Provided, however*, That the Commission reserves the right to grant, deny, or dispose of any such petition according to the merits of the grounds urged in support thereof, and to take such other action with respect thereto as may appear to the Commission to be appropriate.

Issue having arisen in this proceeding as to the permissibility of retention of the Gulf States Utilities Company's electric utility properties located in Jasper, Texas; and

The Commission deeming it necessary and appropriate that the record be reopened and that additional opportunity be afforded for the presentation of further relevant evidence bearing on such questions;

It is ordered, That, at such hour and place and before such trial examiner as the Commission shall by further notice and order designate, additional opportunity shall be afforded upon application by Gulf States Utilities Company or Engineers Public Service Company for the presentation of further relevant evidence bearing upon the question whether the said electric utility properties located in Jasper, Texas, may be retained under Clauses (A) and (C) of section 11 (b) (1) of the Act as systems additional to the integrated electric utility system of Gulf States Utilities Company.

It is provided, With respect to our Findings, Opinion and Order herein, in their entirety, and with respect to the entry, publication, and service thereof that they shall be without prejudice to the right of the Commission to enter such other and further appropriate orders from time to time as the Commission may deem necessary to secure compliance by the respondents with the provisions of the Act and the pertinent Rules and Regulations thereunder, the Findings and Opinion in this proceeding, and the provisions of this Order; and

It is further provided, That jurisdiction is reserved to the Commission, notwithstanding this Order, or its entry, publication, and service, to conduct such investigations, hearings, or other proceedings involving any or all of the respondents herein and to make such orders as it shall deem necessary or appropriate under section 11 (b) (2) or any other provision of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9227; Filed, September 17, 1942; 3:33 p. m.]

[File No 4-307]

CHARLES C. WRIGHT, ET AL.

ORDER OF EXPULSION FROM NATIONAL SECURITIES EXCHANGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September 1942.

The Commission having issued an order herein on February 28, 1938, expelling the respondent Charles C. Wright from the national securities exchanges of which he was a member, for the reasons set forth in its findings and opinion issued and filed with said order;

The United States Circuit Court of Appeals for the Second Circuit having sustained in part and set aside in part the findings on which said order was based, and having remanded the case to the Commission so that the Commission might determine, in its discretion, whether or not to modify its order to one of suspension rather than expulsion;

This matter having been duly reconsidered by the Commission, after notice and further hearing, and the Commission having this day issued and filed its opinion thereon; now, on the basis of the Commission's findings and opinion dated February 28, 1938, as modified by the United States Circuit Court of Appeals for the Second Circuit, and on the basis of the further hearing herein and pursuant to section 19 (a) (3) of the Securities Exchange Act of 1934,

It is hereby ordered, That, effective, October 15, 1942, the respondent Charles C. Wright be and hereby is expelled from the New York Stock Exchange, the New York Curb Exchange, the Philadelphia Stock Exchange, the Chicago Stock Exchange and the Board of Trade of the City of Chicago, national securities exchanges of which said respondent was on February 28, 1938, a member as that term is defined in section 3 (a) (3) of the Securities Exchange Act of 1934.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9228; Filed, September 17, 1942; 3:33 p. m.]

It is hereby ordered, That, effective, October 15, 1942, the respondent Charles C. Wright be and hereby is expelled from the New York Stock Exchange, the New York Curb Exchange, the Philadelphia Stock Exchange, the Chicago Stock Exchange and the Board of Trade of the City of Chicago, national securities exchanges of which said respondent was on February 28, 1938, a member as that term is defined in section 3 (a) (3) of the Securities Exchange Act of 1934.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9228; Filed, September 17, 1942; 3:33 p. m.]

Reference

SEP 2 1942

THE NATIONAL ARCHIVES LITTERA SCRIPTA MANET 1934 OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 186

Washington, Tuesday, September 22, 1942

The President

EXECUTIVE ORDER 9248

AMENDING EXECUTIVE ORDER NO. 9240 ENTITLED "REGULATIONS RELATING TO OVERTIME WAGE COMPENSATION"

By virtue of the authority vested in me by the Constitution and the statutes, it is ordered that Section V of Executive Order No. 9240 of September 9, 1942,[1] entitled "Regulations Relating to Overtime Wage Compensation", be, and it is hereby, amended to read as follows:

"All Federal departments and agencies affected by this order shall refer to the Secretary of Labor for determination questions of interpretation and application arising hereunder. In any industry or occupation in which the Secretary finds that a wage stabilization agreement approved by a Government department or agency is operating satisfactorily, or in any industry or occupation in which the Secretary finds that the nature and exigencies of operations make such action necessary or advisable for the successful prosecution of the war, the Secretary may determine that any or all of the provisions of this order shall not apply to such industry or occupation or to any classes of employees therein."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 17, 1942.

[F. R. Doc. 42-9277; Filed, September 18, 1942; 2:27 p. m.]

[1] 7 F.R. 7159.

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[Amendment 3 to 1937 CCC Cotton Form SFE]

PART 224—TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

MISCELLANEOUS AMENDMENTS

1937 CCC Cotton Form SFE—Terms and Conditions of Cotton Sales for Export Program, issued October 3, 1941, as amended, is hereby further amended as follows:

Section 224.10 *Registration of sales*, is amended by adding paragraph (h), reading as follows:

(h) The terms of sales contracts filed with Commodity Credit Corporation may be amended to provide for exportation of the cotton prior to November 30, 1942, by filing with Commodity Credit Corporation certified copies of the agreement between the parties to such contracts.

Section 224.13 *Liquidated damages*, is amended to read as follows:

§ 224.13 *Liquidated damages.* In all cases in which (a) cotton is sold by the Corporation in reliance upon registered sales for future delivery and satisfactory evidence of the exportation, prior to November 30, 1942, of an equivalent quantity of cotton in fulfilment of such sales is not filed within the prescribed time with the Corporation or (b) cotton as to which satisfactory evidence of exportation has been submitted re-enters the United States or its possessions (other

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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than the Philippine Islands) in raw cotton form, the purchaser shall pay to the Corporation, as liquidated damages, the sum of 12½ cents per pound for each pound of such cotton: *Provided*, That the purchaser shall not be liable for liquidated damages under paragraph (b) of this section with respect to raw cotton re-entering the United States or its possessions (other than the Philippine Islands) under the provisions of the Proclamation of the President of the United States, No. 2544, dated March 31, 1942.

These amendments shall be applicable to all cotton purchased under the Cotton Sales for Export Program.

Issued this 25th day of August 1942 at Washington, D. C.

(Sec. 302 (a) and sec. 381 (c) 52 Stat. 43; 7 U.S.C., 1940 ed. 1302, and 1381 (c))

[SEAL] J. B. HUTSON, *President.*

Attest:

FRANK L. WALSTON, *Secretary.*

[F. R. Doc. 42-9306; Filed, September 19, 1942; 11:00 a. m.]

[Amendment 1 to 1942 C.C.C. Soybean Form 1—Instructions]

PART 230—1942 SOYBEAN LOANS

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of Title III, section 302 (a) of the Agricultural Adjustment Act of 1938, as amended, (52 Stat. 43; 7 U.S.C., Sup., 1302), Commodity Credit Corporation has authorized the making of loans on farm-stored soybeans or the purchase of soybeans stored in approved warehouses or delivered to designated delivery points in accordance with the regulations in this part (1942 C.C.C. Soybean Form 1—Instructions). Such regulations are amended as follows:

Section 230.2 *Loans*, paragraphs (a) and (b) are hereby amended to read as follows:

(a) *Amount.* The basic loan values for No. 1 and No. 2 soybeans shall be in accordance with the following schedules:

(1) Soybeans of classes I and II (green and yellow):

(i) $1.67 per bushel for high oil content.

(ii) $1.57 per bushel for medium oil content.

(2) Soybeans of classes III, IV, and V (brown, black, and mixed):

(i) $1.57 per bushel for high oil content.

(ii) $1.47 per bushel for low oil content.

(3) Soybeans of any class grading No. 3 with respect to factors other than moisture and having not more than 14 percent moisture shall be discounted 3 cents per bushel below the basic loan value for No. 1 or No. 2.

(b) *Maturity and interest.* Loans on eligible soybeans will be available after the 1942 harvest begins and through March 31, 1943. Loans will mature on demand, but not later than June 30, 1943. Consent for storage of the soybeans on the farm until September 1, 1943, will be required. The loan rate includes a 7-cent per bushel storage allowance which may be retained by the borrower if the soybeans are delivered to Commodity Credit Corporation in payment of the loan at maturity or prior thereto if payment is demanded for a reason other than damage to the collateral or misrepresentation by the borrower. If delivery is made prior to maturity due to damage or threatened damage to the collateral, the producer shall refund to the Corporation an amount equal to 1 cent per bushel per month for each month or fraction thereof he fails to store the beans, to June 30, 1943, not to exceed a total of 7 cents per bushel. Loans will be made on a note and chattel mortgage basis, using C. C. C. Grain Form A (Revised) (note) and C. C. C. Grain Form AA (Revised) (chattel mortgage).

Dated August 6, 1942.

[SEAL] J. B. HUTSON, *President.*

[F. R. Doc. 42-9307; Filed, September 19, 1942; 11:00 a. m.]

[Amendment 2 to 1942 C. C. C. Soybean Form 1—Instructions]

PART 230—1942 SOYBEAN LOANS

INCREASE IN BASIC PRICE TO BE PAID FOR NO. 1 AND NO. 2 SOYBEANS PURCHASED SUBSEQUENT TO JANUARY 1, 1943

Pursuant to the provisions of Title III, section 302 (a) of the Agricultural Adjustment Act of 1938, as amended, (52 Stat. 43; 7 U. S. C., Sup., 1302), Commodity Credit Corporation has authorized the making of loans on farm-stored soybeans or the purchase of soybeans stored in approved warehouses or delivered to designated delivery points in accordance with the regulations in this part (1942 C. C. C. Soybean Form 1—Instructions). Such regulations are amended as follows:

Section 230.3 *Purchases*, is amended by adding between paragraphs (b) and (c) thereof the following language:

The basic price will apply to all purchases made prior to January 1, 1943, at which time the basic price shall be advanced 1 cent per bushel, and on each succeeding first day of February, March, April, May, and June the basic price shall be increased 1 cent per bushel over the price applicable for the immediately preceding month:

Dated August 6, 1942.

[SEAL] J. B. HUTSON, *President.*

[F. R. Doc. 42-9308; Filed, September 19, 1942; 11:00 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Administration

PART 161—REGULATIONS FOR THE ENFORCEMENT OF THE INSECTICIDE ACT

AMENDMENT OF WORDING

By virtue of the authority vested in the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce by The Insecticide Act (36 Stat. 331, as amended; 7 U. S. C. 1940 ed. 121–134), the following amendments to Title 7, Chapter 1, Part 161, Code of Federal Regulations, as published in the FEDERAL REGISTER on September 25, 1941 (6 F.R. 4878), are promulgated:

Section 161.2 (c) is amended to read:

(c) "Administrator" means the Administrator of the Agricultural Marketing Administration of the United States Department of Agriculture or any officer or employee of that Administration to whom the Administrator has heretofore lawfully delegated, or to whom the Administrator may hereafter lawfully delegate, the authority to act in his stead.

In §§ 161.3 and 161.9, the words "Chief of Service" are stricken and the word "Administrator" is substituted therefor.

Wherever they occur in Part 161, the words "Agricultural Marketing Service" are stricken and the words "Agricultural Marketing Administration" substituted therefor.

Done at Washington, D. C. this 19th day of September, 1942.

Witness my hand and the seal of the Treasury Department.

[SEAL] HERBERT E. GASTON, *Acting Secretary of the Treasury.*

Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, *Acting Secretary of Agriculture.*

Witness my hand and the seal of the Department of Commerce.

[SEAL] WAYNE C. TAYLOR, *Acting Secretary of Commerce.*

[F. R. Doc. 42-9305; Filed, September 19, 1942; 10:59 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Marketing Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

SUPERIOR SALES COMPANY, SUPERIOR, NEBRASKA

NOTICE UNDER PACKERS AND STOCKYARDS ACT[1]

SEPTEMBER 18, 1942.

Whereas, in accordance with the provisions of section 302 (b) of the Packers and Stockyards Act, 1921 (7 U. S. C. sec. 202 (b)), the Secretary of Agriculture posted the stockyard known as the McKee Sales Company, Superior, Nebraska, as being subject to the provisions of said Act; and

Whereas, it appears that said stockyard is now known as The Superior Sales Company, and is being operated by J. L. Miller, doing business as The Superior Sales Company:

Now, therefore, *It is ordered*, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is The Superior Sales Company, Superior, Nebraska.

[SEAL] GROVER B. HILL, *Assistant Secretary of Agriculture.*

[F. R. Doc. 42-9312; Filed, September 19, 1942; 10:59 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50722]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

CALEXICO MUNICIPAL AIRPORT, CALEXICO, CALIFORNIA

DESIGNATION AS AIRPORT OF ENTRY REVOKED[2]

SEPTEMBER 17, 1942.

The designation of the Calexico Municipal Airport, Calexico, California, as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States is hereby revoked, effective this date.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b)).

[SEAL] HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 42-9280; Filed, September 18, 1942; 4:42 p. m.]

[T. D. 50723]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

CHALKS FLYING SERVICE AIRPORT, MIAMI, FLORIDA

REDESIGNATION AS AIRPORT OF ENTRY FOR ONE YEAR[1]

SEPTEMBER 17, 1942.

The Chalks Flying Service Airport, Miami, Florida, is hereby redesignated as

[1] Modifies list posted stockyards 9 CFR 204.1.

[2] This document affects the tabulation in 19 CFR 4.13.

an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from September 17, 1942.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9279; Filed, September 18, 1942; 4:42 p. m.]

[T. D. 50724[1]]

PART 6—INVOICES, ENTRY AND ASSESSMENT OF DUTIES

INVOICES—FISH AND FISH LIVERS

NOTICE OF ADDITIONAL DATA REQUIRED ON INVOICES OF FISH AND FISH LIVERS IMPORTED IN AIR-TIGHT CONTAINERS

Pursuant to the provisions of article 274 (e) (2) of the Customs Regulations of 1937, as amended by (1938) T. D. 49426 [sec. 6.1 (c)], notice is hereby given that there shall be included on all customs invoices covering fish and fish livers imported in air-tight containers a statement whether the articles contain an oil, fat, or grease which has had a separate existence as an oil, fat, or grease. The name and quantity of any oil, fat, or grease which has been added shall be stated. The requirements set out in (1938) T. D. 49640 shall be compiled with in respect of any added oil, fat, or grease which is subject to an import tax under section 2491 (c) of the Internal Revenue Code.

This requirement shall be effective as to invoices certified after 30 days after publication of this document in the weekly Treasury Decisions. (Sec. 481 (a) (10), 46 Stat. 719; 19 U.S.C. 1481 (a) (10))

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved September 17, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9315; Filed, September 19, 1942; 11:28 a. m.]

[1] This document affects 19 CFR 6.1 (c).

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

SUPPLEMENT 2 TO REVISION III OF AUGUST 10, 1942

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement 2 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision III[1] of August 10, 1942 (7 F.R. 6282) is hereby promulgated

By direction of the President:

CORDELL HULL,
Secretary of State.
JESSE H. JONES,
Secretary of Commerce.
H. MORGENTHAU, Jr.,
Secretary of the Treasury.
MILO PERKINS,
Executive Director,
Board of Economic Warfare.
CHARLES FAHY,
Acting Attorney General.
PERCY L. DOUGLAS,
Acting Coordinator of
Inter-American Affairs.

SEPTEMBER 18, 1942.

GENERAL NOTES: (1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions:

If the title includes a full personal name, that is, a given name or initial and the surname, the title is listed under the *surname.*

Personal-name prefixes such as *de, la, von,* etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cía.; Comp.
Compañía Anónima; C. A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

(4) For an explanation of the use of the symbol following each addition in this supplement see General Notes, Revision III.

PART I—LISTINGS IN AMERICAN REPUBLICS

ADDITIONS

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Bernezzo, Victorio Asinari di.—San Martín 232, Buenos Aires. III–2.

Bini, J. Carlos.—Carlos Calvo 2526, Buenos Aires. III–2.

Clerici, Angelo.—Avenida Roque Sáenz Peña 555, Buenos Aires. III–2.

Cochico Sociedad Anónima Agrícola Ganadera.—Guamini, Provincia de Buenos Aires; and Cangallo 456, Buenos Aires. III–2.

Crefin, Sociedad Anónima Creditos y Financiaciones. — Bartolomé Mitre 311, Buenos Aires. III–2.

de Alarcón y Cia., Francisco.—Salcedo 490 y Mitre 5938 Wilde, F. C. S. III–2.

Eder José.—Corrientes 923, Buenos Aires. III–2.

Edificio Germánico Compañía Inmobiliaria S. A.—Leandro N. Alem 150, Buenos Aires. III–2.

"El Argentino".—Uspallata 981, Buenos Aires. III–2.

Fantoni, Mario.—Avenida Roque Sáenz Peña 555, Buenos Aires. III–2.

Fernández, Juan Antonio.—Rojas 1047, Buenos Aires. III–2.

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Herrero y Cía.—Avenida Presidente Roque Sáenz Peña 1119, Buenos Aires. III–2.

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Jobke & Neidig.—Lafayette 1735, Buenos Aires. III–2.

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Librería Goethe.—Corrientes 366, Buenos Aires. III–2.

Lima, Luis.—Avenida Presidente Roque Sáenz Peña 1119, Buenos Aires. III–2.

Lowengard, Enrique Guido.—Avenida Presidente Roque Sáenz Peña 1119, Buenos Aires. III–2.

Mercantil Argentina S. A. C., Cia.—Bartolomé Mitre 430, Buenos Aires. III–2.

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Mourgues & Klapproth.—Belgrano 263, Buenos Aires. III–2.

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Patrolat y Bianchi.—25 de Mayo 11, Buenos Aires. III–2.

Pfeiffer Sáenz, Christian Edmundo.—San Martín 235, Buenos Aires. III–2.

"Rhenania" Sociedad Anónima Comercial y Financiera.—Avenida Presidente Roque Sáenz Peña 933, Buenos Aires. III–2.

Rodríguez y Cia.—Nicasio Orono 691-93, Buenos Aires. III–2.

Saibene, Miguel Etchegaray.—Cangallo 460, Buenos Aires. III–2.

Salbach & Landoni.—Sarmiento 2580, Buenos Aires. III–2.

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[1] 7 F.R. 6282, 6847.

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Steiner, Robert.—Cochabamba. III–2.

Brazil

Blanco Prior e Cia., F.—Rua Amador Bueno 101, Santos. III–2.

Casa Allemã, Tecidos, Moveis e Tapecarias, S. A.—Rua do Ouvidor 158, Rio de Janeiro. III–2.

Dima S. A., Distribuidora de Máquinas Brasileiras.—São Paulo. III–2.

Foto Optica Adro.—Rua 15 de Novembro 357, Curitiba. III–2.

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Haenel Rabenau, Arturo.—Estado 260, Santiago. III–2.

Hilgers y Weis.—Carrera esquina Colón, Osorno. III–2.

Hubach, Fernando.—Osorno and Riachuélo. III–2.

Inducación Wagner - Beckers y Cía., Ltda.—R. Phillippi 341 (Casilla 125), Valparaiso. III–2.

Kunstmann Ribbeck, Erico.—Calle Arturo Prat esquina Libertad (Casilla 175), Valdivia. III–2.

"La Riojana".—Ramírez 818, Osorno. III–2.

Lehmann, Alberto.—Egaña 807–847, Puerto Montt. III–2.

"Lucelys".—Ramírez 1013, Osorno. III–2.

Marini Monteverde, Silvio.—Avenida Pedro Montt 1844, Valparaiso. III–2.

Matthei, Eduardo.—Ramírez 754, Osorno. III–2.

Mercería Puente.—Puente 676, Santiago. III–2.

Molino Rahue.—República 272, Osorno. III–2.

Morawitz, Max.—Freire 314, Osorno. III–2.

Nolff, Max.—Arturo Prat 850 (Casilla 26), Vallenar. III–2.

Radio Maipo.[1]—Huérfanos 1055, Santiago. III–2.

Scheuch Fritz, Augusto.—Calle República, Osorno. III–2.

Schuck, Ricardo. — Carrera 979, Osorno. III–2.

Schuller Flaig, Otto.—General Lagos 1356, Valdivia. III–2.

Seeger, Alberto. — Calle Ramírez, Osorno. III–2.

Troeger, Kurt.—Cochrane 843, Piso 3, Valparaiso. III–2.

Vega y Cía, Ltda., José.—Vicuña Mackenna 801, Santiago. III–2.

von Bischoffshausen, Ernesto.—Ramírez 643, Osorno. III–2.

Wagner, Carlos.—Picarte 453, Valdivia. III–2.

[1] Formerly known as Radio Hucke.

Weil Gardeweg, Carlos.—Varas 880, Puerto Montt. III–2.

Colombia

Pardo, Jesús.—Bogotá. III–2.

Parra, Saul.—Calle 12 No. 4–88, Bogotá. III–2.

Ruehle, Wilhelm.—Medellin. III–2.

Costa Rica

Aronne Filomena, Luis.—San José. III–2.

Botica Quirós.—San José. III–2.

Bruno Mainieri, José.—San José. III–2.

Bruno Mainieri, Nicolás.—San José. III–2.

Cersósimo Gugliotta, Francisco.—San José. III–2.

Cersósimo Gugliotta, José.—San José. III–2.

Cersósimo Gugliotta, Juan.—San José. III–2.

Croceri y Cía.—San José. III–2.

Delcore Belucci, Domingo.—San José. III–2.

Delcore Belucci, Nicolás.—San José. III–2.

Delcore & Aronne.—San José. III–2.

Guidi Santarelli, Corrado.—San José. III–2.

Luisi y Cía., Marmolería, U.—San José. III–2.

Neurohr, Julio.—San José. III–2.

Neurohr, Aserradero Julio.—San José. III–2.

Quirós, Marta viuda de.—San José. III–2.

Rímolo D'Agostino, Fidel.—San José. III–2.

Rímolo D'Agostino, José.—San José. III–2.

Rímolo D'Agostino, Leonardo.—San José. III–2.

Rímolo d'Agostino, Luis.—San José. III–2.

Rímolo Hermanos.—San José. III–2.

Ulloa Z., Miguel Angel. San José. III–2.

Zapatería La Renaciente.—San José. III–2.

Ecuador

Costa, Guido.—Guayaquil. III–2.

Neira, Alberto.—Ayacucho 202, Guayaquil. III–2.

Orrantia González, Joaquín.—Guayaquil. III–2.

Salón "Viena".—García Moreno 47, Quito. III–2.

von Gizitzky, Bernardo.—Manta. III–2.

von Gizycki, Bernardo.—Manta. III–2.

Witte, Fritz.—Manta. III–2.

El Salvador

Schmidt, Arthur Max.—Delgado 26, San Salvador. III–2.

Haiti

Caprio, Raphael. — Port - au - Prince. III–2.

de Matteis, Attilio.—Rue du Peuple, Port-au-Prince. III–2.

Farber, Alfred.—Pétionville. III–2.

Gaetjens, Raoul. — Port - au - Prince. III–2.

Lajat, Louis.—Rue des Cesars (Boite Postale 111), Port-au-Prince. III–2.

Lajat & Co.—Rue des Cesars (Boite Postale 111), Port-au-Prince. III–2.

Leonhardt, Martin. — Port-au-Prince. III–2.
Maglio, Joseph (Giuseppe).—Avenue Président Trujillo, Port-au-Prince. III–2.
Maglio, Joseph (Mme.).—Avenue Président Trujillo, Port-au-Prince. III–2.
Maimone, Louis (Luigi).—Rue Roux, Port-au-Prince. III–2.
Maimone & Fils, François.—Rue Roux, Port-au-Prince. III–2.
Salimbene, Edouard.—Port-au-Prince. III–2.
Salimbene Frères.—Port-au-Prince. III–2.
Schmid, Louis Ferdinand.—Port-au-Prince. III–2.

Panama

Vargas, Eugenio.—Colón. III–2.

Peru

Amemiya, Pedro Toshio.—Santa Catalina 640, Lima. III–2.
Arakawa, Sempu.—Recuay 218, Lima. III–2.
Araki, Takeshi.—Francisco Pizarro 404, Lima. III–2.
Asay, K.—Zamudio 699, Lima. III–2.
Chinen Co., H.—Manco Capac 900, Lima. III–2.
Doy, N.—Hoyos 806, Lima. III–2.
Fujishin, H.—San Diego 738, Lima. III–2.
Ginocchio & Co., J.—Paita. III–2.
Gnamm, Fritz.—Arequipa. III–2.
Haraba, Isabel T.—Ayacucho 839, Lima. III–2.
Haraba, S.—Ayacucho 839, Lima. III–2.
Higa, J.—Camaná 849, Lima. III–2.
Hirata, T.—Cajamarca 523, Lima. III–2.
Hojata, Juan.—Hoyos y Capón, Lima. III–2.
Horiba, Juan K.—Vitarte. III–2.
Ichicawa & Co., T.—Divorciadas 605, Lima. III–2.
Ikeda, Pedro.—Libertad 301, Lima. III–2.
Ishii, Augusto Ch.—Zavala 565, Lima. III–2.
Kaigai Kogyo Kabushiki Kaisha.—Callao 202, Lima. III–2.
Kaneko, Jimatsu.—Andahuaylas 1110, Lima. III–2.
Kishimoto, Kenjun.—Pachitea 388, Lima. III–2.
Koda, Minoru.—Trujillo 805, Lima. III–2.
Kondo, K.—Arequipa 736, Lima. III–2.
Konno, Terakatsu.—Hoyos 899, Lima. III–2.
Maderera Tulumayo, S. A., Cía.—Tingo Maria and Lima. III–2.
Matsuda, Carlos.—Pueblo Libre, Hacienda Cueva. III–2.
Matsufiji, Julio.—José Gálvez 551, Lima. III–2.
Nakanichi, M.—Colmena 256, Lima. III–2.
Nishi, Tadiemon.—20 de Setiembre 101, Lima. III–2.
Nishimura, Tomekichi.—Andahuaylas 1057, Lima. III–2.
Okada & Tanimoto.—Sinchi Roca 459, Lima. III–2.
Oshiro, Magosei.—Manco Capac 944, Lima. III–2.
Sasaki, Pablo T.—Esperanza 150, Miraflores. III–2.
Sato, K.—Petit Thouars 2111, Lima. III–2.
Sato, T.—Luna Pizarro 320, Lima. III–2.
Sato, Y.—Cuzco 773, Lima. III–2.
Shijara, Masaki.—Amazonas 299, Lima. III–2.
Shimiya, Y.—Cuzco 630, Lima. III–2.
Susuki & Co., Y.—Virreyna 415, Lima. III–2.
Takeshi, Gasaku.—Cotabambas 299, Lima. III–2.
Tamashiro, Kohe.—Santa Ana 901, Lima. III–2.
Taniguchi Tanino y Cía.—Judios 276, Lima. III–2.
Uda, M.—Aumente 425, Lima. III–2.
Watanabe & Co., K.—Esperanza 156, Lima. III–2.
Yagui, Masanori.—Nazca 252, Lima. III–2.
Yagui, S.—Independencia 485, Lima. III–2.
Yamakawa, S.—Huanta 1232, Lima. III–2.
Yamashiro, Hanjiu.—Zárate 460, Lima. III–2.
Yanakowa, M.—Zamudio 661, Lima. III–2.
Yoshimoto, Pedro.—Huiracocha 1824, Lima. III–2.
Ywanami, Maryama.—Surquillo, San Diego 124, Lima. III–2.

Uruguay

Bianchi, Erminia Locotelli de.—Carmelo 1424, Montevideo. III–2.
Fils, Armin.—Camino Castro 595, Montevideo. III–2.
Turcatti, Félix.[3]—Lavelleja 2112, Montevideo. III–2.
Turri Hermanos.—Burgues 3217, Montevideo. III–2.

Venezuela

Debis, Emilia.—Avenida Libertador 50 Oeste, Maracaibo. III–2.
Hermann, Emil.—Maracaibo. III–2.

AMENDMENTS

Argentina

For Barral, Andrés.—Pasaje Judio 2070, Piñeyro, Avellaneda, substitute Barral, Andrés.—Cabildo 607 esquina Pasaje Indio 2070, Avellaneda.
For Bergdolt, Alberto.—Piedras 736–44, Buenos Aires, substitute Bergdolt, Alberto.—Avenida de Mayo 1437, Buenos Aires.
For Di Toma, Nicolás.—Méjico 936, Buenos Aires, substitute Di Toma, Nicolás.—Bernardo de Irigoyen 584, Buenos Aires.
Relative to "Italóptica".—Corrientes 571, Buenos Aires, see footnote 4.
Relative to Perfumerias Tosca, S. A.—Blanco Encalada 3145, Buenos Aires, see footnote 5.
For Seculi, Gahn y Cía.—General Mitre 1563, Rosario, substitute Seculi & Gahn.—General Mitre 1563, Rosario.

Bolivia

For Zehl, Albert.—Plaza 14 de Septiembre, Cochabamba; and Oruro, substitute Zehl, Albert.—Plaza 14 de Septiembre, Cochabamba.
For Zehl y Cía., Albert.—Plaza 14 de Septiembre, Cochabamba; and Oruro, substitute Zehl y Cía., Albert.—Plaza 14 de Septiembre, Cochabamba.

Brazil

For Romano, Adolpho.—Praça Coronel Eneas 38, Curitiba, and all branches in Brazil, substitute Romano, Adolpho.—Praça Coronel Eneas 38 e Rua 15 de Novembro 357, Curitiba.

Chile

For CB 93 (ex-Radio Hucke).—Huérfanos 1055, Santiago, substitute CB 93 Radio Maipo.[5]—Huérfanos 1055, Santiago.
For CE 1174 (ex-Radio Hucke).—Huérfanos 1055, Santiago, substitute CE 1174 Radio Maipo.[5]—Huérfanos 1055, Santiago.

Colombia

Relative to Iannini Buraglia, Genaro.—Calle 13 No. 7–20, Bogotá, *see* footnote 7.
Relative to Iannini y Cía.—Calle 13 No. 7–20, Bogotá, *see* footnote 7.
For Núñez B., Emilio.—Apartado Nacional 648, Barranquilla, substitute Núñez Vargas, Emilio.—Apartado Nacional 648, Barranquilla.

Cuba

For Pinks, Gerhard.—Habana, substitute Pinks, Ernst Gerhard.[5]—Calle D no. 5, Habana.

Ecuador

For Zohrer, Adolf.—Casilla 277, Guayaquil, substitute Zohrer Tama, Adolf E.—Pedro Carbo 707–715 (Casilla 277), Guayaquil.

Mexico

For Abe, J.—M. Ocampo 321, Mazatlán, substitute Abbe, Shoji (Luis).—

Peru

Relative to "La Papelera".—Junín (Zárate) 442 (Casilla 337), Lima, *see* footnote 9.

DELETIONS

Argentina

Racca, Angel.—Rosario.
"Sudamsteel" Soc. de Resp. Ltda.—Sarmiento 459, Buenos Aires.

Bolivia

Copa Pérez, Marcelino.—Oruro.

Colombia

Elaboradora de Artículos de Seda S A Soc.—Calle 33 No. 6–37, Bogotá.
Fábrica Nacional de Artículos de Aluminio S. A.—Apartado 568, Barranquilla.
"FANAL" Fábrica Nacional de Artículos de Aluminio, S. A.—Apartado 568, Barranquilla.

[3] Not to be confused with Turcatti & Casalla.
[4] Owned by Santos Zaghi.
[5] Distributors of eau de cologne "NO. 4711".
[5] Formerly known as Radio Hucke.
[7] Not to be confused with Genaro Iannini & Hnos., Carrera 7 No. 16–28, Bogotá.
[8] Not to be confused with Dr. Gerhard Paul Pink, Calle F no. 507, Vedado, Habana.
[9] Not to be confused with La Papelera Feruana S. A., Huallaga 489, Lima.

Henríquez y Cía., S. D. C.—Riohacha.
"SEDAS" Sociedad Elaboradora de Artículos de Seda S. A.—Calle 33 No. 6–37, Bogotá.

Costa Rica

Los Baños.—Puntarenas.

Cuba

Pharmaceutical Importers, S. A.—Habana.
Química Lissa S. A.—Linea 552, Vedado, Habana.
Química Schering S. A.—Avenida Wilson 552, Habana.
Schering Pharmaceutical Corporation of Cuba S. A.—Habana.
Schering S. A., Química.—Avenida Wilson 552, Habana.

Peru

Naeman, Andrey.—Lima.
Preutsky, Jaime.—Avenida Progreso 977, Lima.

PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS

ADDITIONS

Iran

Miskerzadeh & Bros., Haji Ali.—Tabriz. III–2.
Miskerzadeh, Haji Ali.—Tabriz. III–2.

Morocco

Spanish Morocco

Almadraba Marroqui.—Larache. III–2.

Tangier International Zone

Almadraba del Cabo Spartel.—Ave. de Espana, Tangier. III–2.
Ravella, Lorenzo.—Rue du Statut 56, Tangier. III–2.
Sociedad General de Pesquerias y Conservas de Marueccos.—Plage, Tangier. III–2.
Societe Generale de Pecheries et Conserves au Maroc.—Plage, Tangier. III–2.

Portugal and Possessions

Portugal

Bacelar, Luiz, Ribeiro Pinto.—Rua dos Douradores 100, Lisbon. III–2.
Centeio, Francisco Xavier.—Travessa das Salgadeiras 7, Lisbon. III–2.
Cunha, Elisio M. da.—Rua Cecilia de Sousa 23, Lisbon. III–2.
Empresa Mercantil de Importacao e Exportacao Ltda.—Rua dos Douradores 100, Lisbon. III–2.
Fabrica de Conservas Leixoes Ltda. ("Facole").—Rua Guerra Jungeiro 209, Matozinhos, Oporto. III–2.
"Facole"—Fabrica de Conservas Leixoes Ltda.—Rua Guerra Jungeiro 209, Matozinhos, Oporto. III–2.
Franco, Virgilio Lino.—Rua Ramalho Ortigao 16, Lisbon. III–2.
Franco Ltda., Virgilio.—Rua Ramalho Ortigao 16, Lisbon. III–2.
Guimaraes, Fernando Vasconcelos.—Praca dos Restauradores 13, Lisbon, and Rua da Fabrica 45, Oporto. III–2.
Guimaraes & Co., Ltda., F. Vasconcelos.—Praca dos Restauradores 13, Lisbon, and Rua da Fabrica 45, Oporto. III–2.
Heine, Edgar.—Rua Ramalho Ortigao 16, Lisbon. III–2.
Leal, Antonio Firmino.—Rua de Arroios 77, Lisbon. III–2.
Leitao, Miguel Teixeira.—Praca dos Restauradores 13, Lisbon. III–2.
Litographia Lusitania. — Matozinhos, Oporto. III–2.
Prata, U. M. da Costa.—Oporto. III–2.
Ribeiro, Carlos Augusto.—Rua de Mocambique 42, Lisbon. III–2.
Ribeiro, Estevao Augusto.—Rua de Mocambique 42, Lisbon. III–2.
Schultz, Wilma.—Rua do Carvalhido 153, Oporto. III–2.
Uva, Domingos, Sancho de Sousa.—Rua Serpa Pinto 122, and Rua Guerra Jungueiro, Matozinhos, Oporto. III–2.

Azores

Camara, Dr. Antonio da.—Rua Tavares Rezende, Ponta Delgada, São Miguel. III–2.
Exportadora Ltda.—Ponta Delgada, São Miguel. III–2.
Soares, Cristovao da Mota.—Capellas, São Miguel. III–2.

Madeira

Branco, Jose Maria.—Funchal. III–2.
Corte, Joao da.—Rua das Murcas, Funchal. III–2.
Dantas, Francisco.—Camara de Lobos. III–2.
Fernandes, Joao.—Caminho de S. Martinho, Funchal. III–2.
Goncalves, Luciano Anselmo de Jesus.—Casa Coimbra, Rua 31 de Janeiro, Funchal. III–2.
Gouveia, Renato.—Rua Serpa Pinto 23–25, Funchal. III–2.
Jesus, Antonio Martins de.—Casa Coimbra, Rua 31 de Janeiro, Funchal. III–2.
Moreira, Joao.—Machico. III–2.
Pereira, Alberto Faria.—Casa Coimbra, Rua 31 de Janeiro, Funchal. III–2.
Soares, Antonio.—Camara de Lobos. III–2.
Souza, Agostinho.—Camara de Lobos, and Casa Coimbra, Rua 31 de Janeiro, Funchal. III–2.
Souza, Joao.—Camara de Lobos, and Casa Coimbra, Rua 31 de Janeiro, Funchal. III–2.
Souza, Tome.—Camara de Lobos, and Casa Coimbra, Rua 31 de Janeiro, Funchal. III–2.
Teixeira, Jose.—Rua Serpa Pinto 23–25, Funchal. III–2.
Viana, Luiz.—Rua Serpa Pinto 23–25, Funchal. III–2.

Mozambique

Dahlmann, Georg.—Mehegane-Ancuabe, and Macarara, Porto Amelia, Niassa. III–2.
Freier, Karl von.—Mareja-Metuge, Porto Amelia, Niassa. III–2.
Huttig, Emil O. — Negoien - Ancuabe, Porto Amelia, Niassa. III–2.
Lohr, Justus Robert.—Narrussa-Ancuabe, Porto Amelia, Niassa. III–2.
Siemers, Fritz—Mericue and Secubir, Antonio Enes, Niassa. III–2.
Siemers, Hans.—Mericue and Secubir, Antonio Enes, Niassa. III–2.
Tepper, Johannes.—Memba-Ancuabe, Porto Amelia, Niassa. III–2.
Trepte, Max Kurt.—Joga-Ancuabe and Mihali, Porto Amelia, Niassa. III–2.
Zipfel, Albert. — Muguia-Muaguide, Quissanga, Niassa. III–2.

Spain

Aduanas y Transportes Jose Herrero S. A.—Barcelona. III–2.
Aralai S. A., Cia. de Explotaciones Mineras.—Calle Zumalcarequi, Tolosa (Guipuzcoa). III–2.
Assicurazioni Generali.—Ave. Jose Antonio 16, Madrid, and all branches in Spain. III–2.
Baquera Segalerva, Rafael.—Plaza de las Cortes 3, Madrid, and at Malaga. III–2.
Beselin, Val H.—Plaza de las Cortes 3, Madrid. III–2.
Calza Bini, Gino.—Madrid. III–2.
"Cites"—Casa Italiana Transporti e Spedizioni.—Alcala 61, Madrid. III–2.
"Colonsa".—Plaza de Colon 3, Madrid. III–2.
Corradi, Felipe.—Alcala 61, Madrid. III–2.
Cuartero, Arturo.—Madrid. III–2.
Draeger, Gustavo.—Seville. III–2.
Errausqui, Victoria.—Irun. III–2.
Escalante, Enrique.—Primo de Rivera 7, Irun. III–2.
Espanola de Comercio con el Extranjero, S. A.—Plaza de Colon 3, Madrid. III–2.
Fabricaciones y Repuestos Aeronauticas S. A. (S. A. F. I. R. A.).—Marques de Riscal 10, Madrid. III–2.
Gomes de Sa, Henrique Alberto.—Madrid. III–2.
Grilli, D. Renato (Owner of S. T. "Primer Enrique" and S. T. "Segundo Enrique").—Irun. III–2.
Herrero S. A. Jose, Aduanas y Transportes.—Barcelona. III–2.
Instituto Nazionale delle Assicurazioni.—Montera 53, Madrid, and Calle Navarra 1, Bilbao.—III–2.
Italiana Transporti e Spedizioni, Casa ("Cites").—Alcala 61, Madrid. III–2.
Labourdette, Juan Batista.—Ave. Salis, Irun. III–2.
Lazzarovich, Jorge.—Hotel Valencia, Madrid. III–2.
Le Assicurazioni d'Italia.—Montera 53, Madrid, and Calle Navarra 1, Bilbao. III–2.
Leopardi, Conde Corrado.—Lagasca 95, Madrid. III–2.
Lopez Uribe, Luis.—General Mola 50, Saragossa. III–2.
Maissa, Elio Francisco.—Madrid. III–2.
Mampel, Gaspar.—Consejo de Ciento 221, Barcelona. III–2.
Margareto Vazquez, Dr. Jose.—Fuencarrel 88, Madrid. III–2.
Mato, Pedro.—Calle Alba, 49, San Juan de Palamos. III–2.
Montes de Galicia, Explotadora de Minas S. A.—Policarpo Sanz 35, Vigo, and at Orense. III–2.
Nortes.—Seville. III–2.
Orsolini, Alberto.—Bailen 149, Barcelona. III–2.
Prager, Hans.—c/o Banco Germanico de la America del Sud, Madrid. III–2.
Reuss, Otto Pablo.—Alarcon 7, Madrid. III–2.
Riveras de la Portilla, Angel.—Goya 67, Madrid. III–2.
Riveras de la Portilla, Senora Angel.—Goya 67, Madrid. III–2.

Riveras Soc. Ltda.—Goya 67, Madrid. III–2.
Rosell, Antonio.—Tarragona. III–2.
Rosell y Herrero.—Rambla Cataluna 1, Barcelona. III–2.
S. A. F. I. R. A.—Fabricaciones y Repuestos Aeronauticas S. A.—Marques de Riscal 10, Madrid. III–2.
Sa, Henrique de (Henrique Alberto Gomes de Sa).—Madrid. III–2.
Salvador, Juan.—Rambla Santa Monica 2, Barcelona. III–2.
Schuenemann, Otto Louis.—Plaza de Compostela 24–25, Vigo. III–2.
Schul, Guillermo.—Jose Antonio Primo de Rivera 733, Madrid. III–2.
Tovani, Camilo.—Plaza Nueva 5, Seville. III–2.
Walter, Kurt.—Calle Alba 49, San Juan de Palamos. III–2.

Sweden

Bergslagsvarden A/B.—Drottninggatan 11, Stockholm. III–2.
Deutsche Lufthansa A. G.—Alviksgvagen 121, Appelviken. III–2.
Deutsches Nachrichtenburo Vertretung.—Birger Jarisgatan 53, Stockholm. III–2.
Knieriem, Baron Ottokar Von.—Kungstradgardsgatan 10, Stockholm. III–2.
Knorre, Dr. Werner Von.—Brahevagen 3, Stockholm. III–2.
Koch, Dr. Carl Fabian Richert Von.—Smedsbacksgatan 14, Stockholm. III–2.
Von Knieriem, Baron Ottokar.—Kungstradgardsgatan 10, Stockholm. III–2.
Von Knorre, Dr. Werner.—Brahevagen 3, Stockholm. III–2.
Von Koch, Dr. Carl Fabian Richert.—Smedsbacksgatan 4, Stockholm. III–2.

Switzerland

Adler, Max Erich.—Sihlstr. 1, and Doufourstr. 49, Zürich. III–2.
Babaeff, Ervand.—Ave. Bertrand 7, Geneva. III–2.
Bianchi, John.—Zwischenweg 3, Zollikon, Zürich. III–2.
Haniel A. G., Franz.—Zentralbahnstr. 9, Basel. III–2.
Hunziker, Ernst.—Gutenbergstr. 10, and Altstetterstr. 194, Zürich. III–2.
Koechlin, F.—Binningen. III–2.
Menetrey, Frau.—Villa Duboschet 14, Clarens (Vaud). III–2.
Miniere S. A., Cia.—Place des Alpes 1, Geneva. III–2.
Mummenthaler, Max.—Bahnhofstr. 61, Zürich. III–2.
Mummenthaler, Walter.—Bahnofquai 7, Zürich. III–2.
Ocean Stamp Ltd.-Ozean Briefmarken A. G.—Stadlhausstr. 3, Lucerne. III–2.
Ozean Briefmarken A. G. (Ocean Stamp Ltd.).—Stadlhausstr. 3, Lucerne. III–2.
Prager, Hans.—Geneva. III–2.
Staiger, Franz.—Sihlstr. 1, Bahnhofstr. 67, Zürich. III–2.
Stauffenegger, R. C.—Spluegenstr. 13, St. Gallen. III–2.
Vetterli, Julius J.—Scheuchzerstr. 210, Zürich. III–2.
Weil, Sophia.—Via Clemente Marain 9, Lugano. III–2.
Zumstein & Co.—Marktgasse 50, Bern. III–2.

Turkey

Bayrakdaroglu, Fikret.—Germania Hans 28–9, Istanbul. III–2.
Bayrakdaroglu ve Seriki, Fikret.—Germania Han 28–9, Istanbul. III–2.
Fantasia, Jacques.—Izmir. III–2.
Filipucci, Eduar.—Kurtulus 854, Ncu S 35, Izmir. III–2.
Gioskun, Joseph.—Mersin. III–2.
Gless, Gerhalt.—Birinci Kordon 124, Izmir. III–2.
Haniotis, T. H.—Persembepazar 45, Hakki Bey Han, Galata, Istanbul. III–2.
Missir, Albert.—Izmir. III–2.
Momm, Eberhard Ernst.—Germania Han 28–9, Istanbul. III–2.
"Pak Is".—Mersin. III–2.
Ricci, J. (Josef Ricci).—Hilal Elektrik Magazasi, Voyvoda Cad. 10, Galata, Istanbul. III–2.

AMENDMENTS

Iran

Relative to Tabriztchi, Djaffer, for Tehran, substitute Boozarjomehri St., Tehran.

Portugal and Possessions

Portugal

For Bote I. iho, Joaquim Serrano de Sousa, substitute Botelho, Joaquim Serrano de Sousa.
For Leopardi, Corrado, substitute Leopardi, Conde Corrado.
Relative to Serra, Eduardo da Silva for Oporto, substitute and Rua Miguel Bombarda 456, Oporto.

Mozambique

For Lair, Manoel Ribeiro, substitute Lair (Laia), Manoel Ribeiro.

Spain

Relative to Pares y Cia. S. en C. for Ave. Marques Argentina 15, substitute Ave. Marques Argentina (Ave. Eduard Maristany) 15.

Switzerland

For Baeumlin & Cie., Ernst, substitute Baeumlin, Ernst & Cie.
Relative to Naruva S. A., add and Bahnhofstr. 77, Zürich.
For Zimmermann, N. J., Basel, substitute Zimmermann, Niklaus J.—Mythenquai 26, Zürich.

DELETIONS

Portugal and Possessions

Portugal

Machado, Olivia.—Rua Conde S. Salvador 106, Matozinhos, Oporto.

Mozambique

Correia & Martins Ltda.—Caixa Postal 373, Lourenço Marques.

Portuguese Guinea

Souleiman & Co., Aly.—Bafata, Bissau, and all branches in Portuguese Guinea.

Spain and Possessions

Canary Islands

Ceballos, Andres S. (Owner of S. S. "San Miguel").—Las Palmas, Grand Canary.

Switzerland

Rohner A. G., Chemische Fabrik.—Prattein.

[F. R. Doc. 42-9316; Filed, September 19, 1942; 11:35 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 621—MINIMUM WAGE RATE AND REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE GLOVES AND MITTENS INDUSTRY

EFFECT OF HOME-WORKER CERTIFICATES ISSUED BY NEW YORK LABOR DEPARTMENT

The following amendment adding a new section, § 621.113, to Part 621[1] is hereby issued.

§ 621.113 *Effect of home work certificates issued by the New York State Department of Labor.* Any certificate issued to an industrial home worker by the New York State Department of Labor under Paragraph II of Home Work Order No. 4 Restricting Industrial Home Work in the Glove Industry dated June 28, 1941, will be given effect by the Administrator as a certificate permitting the employment of the home worker under the terms of § 621.3 of the Gloves and Mittens Industry Minimum Wage Order for the period during which such certificate shall continue in force: *Provided*, That, in accordance with § 621.109 of the Regulations Applicable To The Employment Of Home Workers In The Gloves and Mittens Industry, wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees who is engaged in commerce or in the production of goods for commerce except if subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to Regulations, Part 524, and provided that, all hours worked by such employees in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

This amendment shall become effective on September 21, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Signed at New York, New York, this 18th day of September 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-9337; Filed, September 21, 1942; 10:29 a. m.]

[1] 7 F.R. 6713, 6714.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TITLE 30—MINERAL RESOURCES
Chapter III—Bituminous Coal Division
[Dockets Nos. A-1612 and A-1616]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2 and for a change in shipping points for Mine Index Nos. 3027 and 670.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and for a change in shipping points for Mine Index Nos. 3027 and 670; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R-I

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and Supplements thereto.

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2528	Doorley, T. L. & J. T. (John T. Doorley).	Doorley Strip (s)	Pittsburgh	3	Martin Prep. Tipple, Pa.	Monon	30	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2533	Gallarett Coal & Coke Company (Philip Gallarett).	Crawford #9 (s)	Pittsburgh	3	Crawford #3, Pa.	B&O	114	(†)	(†)	(†)	D	E	E	E	E	E	(†)	(†)	(†)	E	E	E	E
1214	Latchem, Willard F.	Latchem (o)	Pittsburgh	9	Charleroi, Pa.	P.R.R.	74	D	D	C	C	C	C	C	C	C	(‡)	A	A	E	E	E	E
2531	Loyalhanna Fuel Co. (R. H. Jamison, Jr.).	Maust #7 (d)	Pittsburgh	9	Sleckville, Pa.	P.R.R.	90	G	F	E	E	E	E	E	E	E	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)	(‡)
2496	Walker, Carl W.	Little Run (d)	Pittsburgh	3	Pt. Marion, Pa.	B&O	80	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective in this size group.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R-II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 1214; Group No. 6: 2533; Group No. 7: 2496, 2528; Group No. 20: 2531.

§ 322.7 *Alphabetical list of code members*—Supplement R-III

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
3027	Erminio, Chauncey (Leckrone Fuel Company).	Elias #3	Sewickley	3	Geneva, Pa.	Monon	20	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
670	Solar Fuel Company	Alice	Pittsburgh	7	Wylie, Pa.	Union	76	(†)	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications and prices effective for these size groups.

Note: The above prices for Mine Index No. 670 and Mine Index No. 3027 are applicable only via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown in previous schedules are hereby deleted,

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–IV. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 2: 670; Group No. 8: 3027.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾ x 1" 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Detwiler, E. B.	2534	Detwiler	Redstone	275	265	255	230	215	215	210	220	180	170	160
FAYETTE COUNTY														
Doorley, T. L. & J. T. (John T. Doorley).	2528	Doorley Strip (s).	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
Galiardi Coal & Coke Company (Philip Galiardi).	2533	Crawford #9(s)	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175
GREENE COUNTY														
Acklin Lumber Co. (S. P. Acklin)	2529	Mather, S. D.	Pittsburgh	275	265	255	245	230	220	215	220	190	180	165
WESTMORELAND COUNTY														
Adams, H. P. (Western Pennsylvania Coal Co.).	2525	Byers	Pittsburgh	310	300	290	270	250	240	235	245	210	200	175
Adams, H. P. (Western Pennsylvania Coal Co.).	2522	Summy	Redstone	280	270	260	245	240	230	210	215	195	185	175
Dillon, C. W.	2532	Neidetheiser	Pittsburgh	290	280	270	260	240	230	230	225	205	195	175
Loyalhanna Fuel Co. (R. H. Jamison, Jr.).	2531	Maust #7 (d)	Pittsburgh	275	265	255	245	225	220	215	215	195	185	175
Zelmore, Fred B.	2527	Rose	Pittsburgh	310	300	290	270	250	240	235	245	210	200	175

[F. R. Doc. 42–9265; Filed, September 18, 1942; 11:58 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[Public Circular 4C, Amendment]

PART 130—REGULATIONS RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, TRANSFERS OF CREDIT, PAYMENTS, AND THE EXPORT AND WITHDRAWAL OF COIN, BULLION AND CURRENCY; AND TO REPORTS OF FOREIGN PROPERTY INTERESTS IN THE UNITED STATES; APPENDIX

REPORTS BY CERTAIN NATIONALS AND THEIR REPRESENTATIVES

SEPTEMBER 18, 1942.

Amendment of Public Circular No. 4C[1] under Executive Order No. 8389, April 10, 1940, as amended, and regulations issued pursuant thereto, relating to transactions in foreign exchange, etc.[2]

Public Circular No. 4C is amended as follows:

Subdivision (2) (a) in Instruction G under section II shall read:

(2) *Time.* (a) Reports by a national entering the United States after October 31, 1941, and prior to September 1, 1942, shall be filed on or before October 31, 1942. Reports by a national entering the United States on or after September 1, 1942, shall be filed on or before the thirtieth day succeeding the day on which the national entered the United States.

Subdivision (2) (e) in Instruction G under section II shall read:

(e) Reports by a person having custody, control, or possession of property of another person whose name appeared in the Proclaimed List of Certain Blocked Nationals on September 1, 1942, shall be filed on or before October 31, 1942. Reports with respect to property of a person whose name is added to the List after September 1, 1942, shall be filed within fifteen days from the date on which the addition of the person's name to the List is promulgated.

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 42–9281; Filed, September 18, 1942; 4:43 p. m.]

[1] 7 F.R. 7274.

[2] Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785; June 14, 1941, Ex. Order 8832, July 26, 1941, Ex. Order 8963, Dec. 9, 1941, and Ex. Order 8998, Dec. 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.

[General Ruling HS–1]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII; APPENDIX

BISHOP NATIONAL BANK

JULY 7, 1942.

Bishop National Bank of Hawaii at Honolulu is hereby authorized to be treated as a domestic bank for the purpose of the definition contained in § 133.2 (d) (6) (i) of the Regulations Relating to Securities, issued July 3, 1942.[1]

[SEAL] CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42–9282; Filed, September 18, 1942; 4:42 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 56]

WALDPORT PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Waldport Project to be work of national importance, to be known as Civilian Public Service Camp No. 56. Said camp, located at Waldport, Lincoln County, Oregon, will be the base of operations for forestry work in the Siuslaw National Forest, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 56 will consist of fire presuppression; fire hazard reduction; fire suppression; construction of telephone lines, truck trails and minor roads; field planting; and forest stand improvement, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 17, 1942.

[F. R. Doc. 42–9352; Filed, September 21, 1942; 11:43 a. m.]

[1] 7 F.R. 5808, 6463.

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXIX]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Section 802.9 General intransit licenses[1] is hereby amended in the following particulars:

1. Subparagraph (1) of paragraph (b) is amended by adding to the table set forth at the end thereof the following:

	General License Designations
From U. S. S. R. to U. S. S. R.	GIT–R/R

2. Paragraph (d) is amended by adding to the list of commodities set forth therein the following:

Commodity	*Department of Commerce Schedule B or F Number*
Quinine sulphate	8127.3

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

Dated: September 18, 1942.

A. N. ZIEGLER,
Deputy Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42–9319; Filed, September 19, 1942; 12:15 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATION OF AUTHORITY

[Amendment 4 to Supplementary Directive 1–a]

Paragraph (a) of § 903.2, *Supplementary Directive 1–a*,[1] is hereby amended to read as follows:

(a) In order to permit the efficient rationing of new passenger automobiles, the authority delegated to the Office of Price Administration by Directive No. 1 (§ 903.1), is hereby extended to the exercise of control over the sale, transfer, or other disposition of new passenger automobiles to, and the use or alteration of new passenger automobiles by, any person except those specified in paragraphs (a) (1) and (2) of said Directive No. 1. The exercise of such authority shall be subject to the terms and conditions specified in said Directive No. 1.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, Apr. 7, 1942, 7 F.R. 2719; Sec. 2 (a) Pub. No. 671, 76th Cong., 3d Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2d Sess.; WPB Dir. No. 1, Jan. 24, 1942, 7 F.R. 562; W.P.B. Reg. No. 1, Jan. 26, 1942, 7 F.R. 561, as amended March 14, 1942, 7 F.R. 2126, and July 9, 1942, 7 F.R. 5395.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9320; Filed, September 19, 1942; 12:23 p. m.]

[1] 7 F.R. 5509, 5745, 7167.

[1] 7 F.R. 698, 1493, 2229, 2729.

Subchapter B—Director General for Operations

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 4 to Priorities Regulation 11]

PRODUCTION REQUIREMENTS PLAN

Priorities Regulation No. 11 (§ 944.32)[1] is hereby amended as follows:

1. Paragraph (e) is amended to read as follows:

(e) *Interim procedure for Class I producers.* Any Class I producer who has filed his PRP application for the fourth quarter of 1942 but has not received his PRP certificate for such quarter may apply or extend preference ratings for delivery during such quarter, and, in case he shall have included advance quarter applications, may apply or extend preference ratings for delivery during only the first advance quarter, as follows:

(1) If he has been operating under the Production Requirements Plan, he may apply the same preference ratings he was authorized to apply during the preceding quarter (on his PRP certificates or under Priorities Regulation No. 12) to not more than 40% during the first month of the quarter, and not more than 70% during the entire quarter, of the amount of each material which he has indicated on his PRP application as his anticipated requirements for the fourth quarter, but in no event to more than the total amount of each material he put into production during July and August, 1942.

(2) If he has not been operating under the Production Requirements Plan, he may continue to apply and extend ratings under any applicable preference rating orders or preference rating certificates in the same manner as permitted prior to the beginning of the fourth quarter; and, notwithstanding the termination of any preference rating order on or after the end of the third quarter the same shall be deemed to continue in effect as to any such person until he receives his PRP certificate: *Provided, however,* That he shall not apply or extend ratings to the delivery in the fourth quarter of any material in an aggregate quantity greater than 40% during the first month of the quarter, nor greater than 70% during the entire quarter, of the amount of such material which he has indicated as his anticipated requirements on his PRP application for the fourth quarter, but in no event to more than the total amount of each material he put into production during July and August, 1942, subject to any further restrictions contained in the preference rating certificates or orders assigning the ratings which he is applying or extending.

(3) A Class I producer who applies or extends any preference rating pursuant to subparagraphs (1) or (2) of this paragraph (e), shall deduct the amount of any material which he has received or to which he has applied or extended such rating from the amount rated or otherwise authorized by his PRP certificate when issued to him.

(4) On or before October 5, 1942, each Class I producer shall, either by cancellation or by postponing deliveries, reduce the amount of each material which he has on order for delivery during the fourth quarter as follows:

(i) If he has received his PRP certificate for the fourth quarter, then to a total amount for the quarter which shall not exceed the amount of each such material he is authorized to receive during the entire quarter under such certificate.

(ii) If he has not received his PRP certificate for the fourth quarter, then to a total amount for the quarter which shall not exceed the amount of each such material he is authorized to receive during the quarter under subparagraphs (1) and (2) of this paragraph (e). Thereafter, upon receipt of his PRP certificate for the fourth quarter he shall make any further adjustments necessary to conform to the provisions of paragraph (d) (1) of this regulation.

The reduction required by this subparagraph (4) need be made only to the aggregate amount for the quarter as provided above, without regard to distribution of deliveries as between the first month of the quarter and the entire quarter.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9334; Filed, September 19, 1942; 12:48 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–102]

RELIABLE TOOL AND WIRE PRODUCTS CORP.

Reliable Tool and Wire Products Corporation, New York, New York, is a corporation engaged in the manufacture and sale of steel hooks which are used in the assembling of dolls. During the period from April 1, 1942 through June 30, 1942, Louis Rubin, the president of the company, endorsed on purchase orders for approximately 11,840 pounds of steel wire the certification that the material was for maintenance, repair or operating supplies and that delivery thereof was entitled to a rating of A–10 under Preference Rating Order P–100. Such material did not constitute maintenance, repair or operating supplies as defined in this order and the certifications constituted a misrepresentation to the War Production Board in violation of Priorities Regulation No. 1 and Preference Rating Order P–100.[1] In making these certifications, Rubin relied upon advice given by persons outside the War Production Board which he had reason to believe was erroneous. By means of such misrepresentations, the company received deliveries of approximately 11,840 pounds of steel wire, which constituted a violation of Preference Rating Order P–100.

[1] 7 F.R. 925, 1009, 1626, 1794, 2236, 2660, 6825.

These violations of Priorities Regulation No. 1 and Preference Rating Order P–100 have impeded and hampered the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.102 *Suspension Order S–102.* (a) Deliveries of material to Reliable Tool and Wire Products Corporation, its successors and assigns, or to Louis Rubin, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Reliable Tool and Wire Products Corporation, its successors and assigns, or to Louis Rubin, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Reliable Tool and Wire Products Corporation, its successors and assigns, and Louis Rubin, his successors and assigns, shall not purchase, put into process, sell or otherwise dispose of any steel wire except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Reliable Tool and Wire Products Corporation or Louis Rubin from any restriction, prohibition or provision contained in any of the orders or regulations of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on September 21, 1942, and shall expire on November 21, 1942, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9322; Filed, September 19, 1942; 12:25 p. m.]

PART 1026—PRODUCTION OF CHEMICALS, MAINTENANCE, REPAIR, AND OPERATING SUPPLIES

[Amendment 3 to Preference Rating Order P–89, as Amended]

Section 1026.1 *Preference Rating Order P–89*,[1] as amended, as hereby amended in the following respects:

(1) Paragraph (b) is amended to read:

(b) *Assignment of preference ratings.* Subject to the terms of this order, and provided that nothing herein contained shall prevent the use of any other or higher rating to which the producer shall be entitled by reason of any other preference rating certificate or order, the following preference ratings are hereby assigned to deliveries to the producer of material for repair, maintenance, and operating supplies:

(1) Up to and including A–1–a to deliveries of metals in any form appearing in Materials List No. 1, Revised, in Form PD–25A for the fourth quarter of 1942, and of fabricated parts and equipment having a unit cost of $250 or less. Parts and equipment, and components thereof, which are ordered for use together shall be treated as a single unit for the purpose of determining unit cost in this subparagraph.

(2) Up to and including A–1–c to deliveries of material not included in paragraph (b) (1).

(3) Such other preference ratings as the Director General for Operations may from time to time assign to particular orders for any material for repair, maintenance and operating supplies, upon application by the producer to the War Production Board, Chemicals Branch, Washington, D. C., Ref: P–89, by letter or telegram, stating plant location and serial number, material needed, the weight, value and function of such material, name and address of supplier (if known), purchase order number and date, product or products affected, percentage curtailment of production, nature of the emergency, rating requested, and delivery date promised by supplier on basis of rating requested.

(2) Paragraph (c) is amended to read:

(c) *Conditions on assignment of ratings.* The preference ratings assigned by or pursuant to paragraph (b) are assigned subject to the following conditions:

(1) That the producer shall have filed with the War Production Board, Chemicals Branch, Washington, D. C., Ref: P–89, a statement (in triplicate) properly executed on Form PD–315, and shall have received from the War Production Board a serial number under this order.

(2) That the producer shall not apply any preference rating assigned by paragraph (b) hereof to any purchase order for metal containers, metal parts for containers or material for the manufacture of metal containers unless and until he shall have communicated with the War Production Board, Chemicals Branch, Washington, D. C., Ref.; Chemicals Transportation and Packaging Section, and shall have received from the Director General for Operations specific authorization to apply such rating.

(3) That the producer shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required with a lower rating.

(4) That the producer shall not apply any preference rating hereunder to obtain scarce material if its use can be eliminated without serious loss of efficiency by substitution of less scarce material or by simplification of design.

(3) Paragraph (d) is amended to read:

(d) *Application and extension of ratings.* Preference ratings assigned by or pursuant to this order shall be applied by the producer and extended by the supplier in accordance with the terms of Priorities Regulation No. 3, as now or hereafter amended.

(4) Paragraphs (e) and (f) are each deleted in their entirety.

(5) Paragraph (g) is amended to read:

(g) *Inventory provisions.* The producer shall not accept deliveries (whether rated hereunder or not) of material for repair and maintenance or operating supplies which will increase the inventory or stores available to the producer for such purpose to an amount greater than the minimum necessary for repair and maintenance and to sustain the current level of operations of the producer, and the ratio of such inventory and stores to current operations shall in no event exceed the ratio of average inventory to average operation for the years 1938, 1939 and 1940. For purpose of calculating these ratios, and only for such purpose, the value of inventory and stores of material for maintenance, repair and operating supplies shall exclude all fuels, containers, parts for containers and material for the manufacture of containers, and all materials listed in § 1255.1, General Inventory Order M–161, as amended from time to time. Nothing contained in this paragraph (g) shall prevent the acceptance of delivery of any quantity of any material subject to § 1103.1, General Inventory Order No. M–97, or § 1255.1, General Inventory Order M–161, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9321; Filed, September 19, 1942; 12:25 p. m.]

PART 1095—COMMUNICATIONS

[Interpretation 1 of Order L–50, as Amended September 7, 1942]

TO LIMIT THE USE OF SCARCE AND CRITICAL MATERIALS BY THE WIRE TELEPHONE INDUSTRY

The following interpretation is hereby issued by the Director General for Operations with respect to § 1095.1 General Conservation Order L–50, as amended September 7, 1942.[1]

Question has arisen as to whether the term "operator" as defined in paragraph (a) (1) includes private and nonpublic telephone communication systems.

The term "operator" includes all persons to the extent engaged in rendering telephone communication service (and such telegraph and teletypewriter service as may be conducted by an operator) without regard to whether such service is private or public in character.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9324; Filed, September 19, 1942; 12:23 p. m.]

PART 1099—BEDS, SPRINGS AND MATTRESSES

[Amendment 1 to Limitation Order L–49 as Amended August 4, 1942]

Section 1099.1 *General Limitation Order L–49*[2] is hereby amended in the following particular:

(1) Paragraph (d) (3) is hereby amended by changing the period at the end of the paragraph to a comma and by adding the following words:

except that manufacturers may, after November 1, 1942, process, fabricate, work on or assemble final fabric covers on any such studio couch, sofa bed or lounge, provided that any such studio couch, sofa bed or lounge has otherwise been completely processed, fabricated, worked on or assembled prior to November 1, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9323; Filed, September 19, 1942; 12:23 p. m.]

PART 1245—WOOD UPHOLSTERED FURNITURE

[Amendment 1 to General Limitation Order L–135]

Section 1245.1 *General Limitation Order L–135*[3] is hereby amended in the following particulars:

(1) Paragraph (a) is hereby amended by adding at the end thereof the following new subparagraph:

(5) "Reupholsterer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, who repairs, renovates or reupholsters used wood upholstered furniture.

(2) Paragraph (b) (2) is hereby amended by changing the period at the end thereof to a comma and by adding the following words:

except that wood upholstered furniture manufacturers may, after November 1, 1942, process, fabricate, work on or assemble final fabric covers on any new wood upholstered furniture: *Provided*, That any such new wood upholstered furniture has otherwise been completely processed, fabricated, worked on or assembled prior to November 1, 1942.

(3) Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(4) On and after the effective date of this amendment no steel upholstery springs manufacturer shall process, fabricate, work on or assemble any steel upholstery springs.

(5) On and after November 1, 1942 no reupholsterer shall replace more than 25% of the steel upholstery springs contained in the wood upholstered furniture being repaired, renovated or reupholstered with either new or used steel upholstery springs.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9325; Filed, September 19, 1942; 12:23 p. m.]

PART 3014—ARMORED CABLE

[General Limitation Order L–165]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, iron, steel and other materials for defense, for private account and for export, and the following order designed to prevent unnecessary use of copper and its alloys by the manufacture of armored cable is deemed necessary and appropriate to the public interest and to promote the national war effort:

§ 3014.1 *General Limitation Order L–165*—(a) *Definitions.* For the purpose of this order:

(1) "Armored cable" means a flexible metal covered cable (commonly known as "BX" cable) used as a conductor of electricity in the interior of a building structure and which cable is designed and constructed to be used with bushings or the equivalent at cut ends.

(2) "Manufacturer" means any person who makes, fabricates, assembles, casts, or in any way processes material for the manufacture of armored cable.

(b) *General restrictions.* Notwithstanding any contract or agreement to the contrary:

(1) On and after the fifth day subsequent to the date of issuance of this order, no manufacturer shall acquire any copper, steel, or other material of any type to be used in the manufacture of armored cable except material in transit on such fifth day.

(2) On and after the thirtieth day subsequent to the date of issuance of this order, no manufacturer shall make, manufacture or assemble armored cable.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each manufacturer to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(f) *Violations and false statements.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Applicability of priority regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priority Regulations of the War Production Board as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(j) *Communications.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L–165. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9326; Filed, September 19, 1942; 12:24 p. m.]

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[1] 7 F.R. 541, 1640, 2384, 3850, 4729.

[1] 7 F.R. 7087.

[2] 7 F.R. 6044.

[3] 7 F.R. 6207.

PART 3023—OIL AND GAS BURNING DOMESTIC SPACE HEATERS

[Amendment 1 to Limitation Order L–173]

Paragraph (a) (1) of § 3023.1 *General Limitation Order L–173* [1] is amended to read as follows:

(1) "Domestic space heaters" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating heaters, radiant heaters, floor furnaces and wall furnaces: *Provided*, That "Domestic space heaters" does not include direct fired gas unit heaters.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 239; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9327; Filed, September 19, 1942; 12:24 p. m.]

PART 3064—COTTON TEXTILES FOR AGRICULTURAL AND FOOD PROCESSING USES

[General Preference Order M–218]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton textiles for use in the handling and processing of agricultural products and foodstuffs, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3064.1 *General Preference Order M–218*—(a) *Issuance of schedules covering cotton textiles for various types or classifications of agricultural and food processing uses.* The Director General for Operations may from time to time issue schedules establishing definitions, allocations of looms or yardages, assignments of preference ratings, purchase quotas for manufacturers or users, as well as regulations upon inventories, manufacture and sale, and such other matters pertaining to cotton textiles for various types or classifications of agricultural and food processing uses, as may be necessary and appropriate in the public interest and to promote the national defense.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on the use of material obtained pursuant to any schedule.* Except as otherwise expressly provided in any schedule issued hereunder, and subject to any more restrictive provisions contained therein, no person shall use or dispose of any cotton textile material, whether in the original mill state or partially processed state, which was obtained by him pursuant to the application of a preference rating assigned by any such schedule, or pursuant to the use of any certification required by any schedule for the acquisition thereof, except as follows:

(1) For the manufacture of the end products covered by said schedule.

(2) For sale to any person on an order bearing a rating of A–2 or better; or

(3) For sale to or for the account of, or for physical incorporation into products to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents: *Provided*, That no person shall sell or deliver, on an order rated less than A–2, any such material for physical incorporation into products for any of said governmental agencies unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies that he requires the material covered by the annexed order for physical incorporation into material or equipment to be delivered to or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration or its Operating or General Agents.

(d) *Records.* All persons affected by this order shall keep and preserve for a period of not less than two years accurate and complete records concerning inventories, production and sales, and showing the yardage of each class of fabric, as indicated by the headings in the schedules, sold pursuant to the application of the rating assigned by each schedule, and any other records as may be required to be kept by any such person in accordance with the provision or provisions of the respective schedule or schedules issued by the Director General for Operations pursuant to this order.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by the War Production Board from time to time in accordance with the provision or provisions of the respective schedule or schedules issued by the Director General for Operations pursuant to this order.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cotton textiles for agricultural and food processing uses conserved or made available, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal in writing to the War Production Board, Reference M–218, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: M–218.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance by the Director General for Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9328; Filed, September 19, 1942; 12:24 p. m.]

[Schedule I to General Preference Order M–218]

DAIRY SUPPLIES

§ 3064.2 *Schedule I to General Preference Order M–218* [1]—(a) *Definitions.* For the purposes of this schedule:

(1) "Dairy supplies" shall mean cheese bandages, cheese circles, cheese press cloths, milk strainers and milk filters for use as such.

(2) "Dairy textiles" shall mean the cotton textile constructions listed below:

Sheetings:	40"	48/48	2.85 yd.
Flannels: Bleached or unbleached; single or double napped			
Print cloth yarn fabrics:			
	38½"	44/40	8.20 yd.
	38½"	40/32	9.80 yd.
Any Class C print cloth, gray or bleached, with not more than 28 sley and 24 picks per inch			

and shall also include pro rata widths of like count and weight to the above constructions.

(3) "Dairy supplies manufacturer" shall mean any person engaged in the manufacture of dairy supplies.

(4) "Intermediate processor" shall mean any person engaged in the bleaching, finishing or processing of dairy textiles for resale either to another intermediate processor, or to a dairy supplies manufacturer, or for his own use as a dairy supplies manufacturer.

(5) "Partially processed fabrics" shall mean any of the above defined dairy textiles after they have been bleached, finished, or processed in preparation for manufacture into dairy supplies.

(6) "Inventory" shall mean the total yardage of dairy textiles and of partially processed fabrics owned by any dairy supplies manufacturer or intermediate processor and held by him in any warehouse, place of storage or manufacturing plant. For the purposes of this schedule, such merchandise shall not be considered as being in inventory while it is in transit.

(b) *Assignment of preference rating.* Purchase or manufacturing orders for dairy textiles placed by dairy supplies manufacturers or by intermediate processors are hereby assigned a preference rating of A–2.

(c) *Restrictions on inventories of dairy supplies fabrics and of partially processed fabrics.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14):

(1) No dairy supplies manufacturer shall after thirty (30) days after the effective date of this order, hold in his inventory, unless in his capacity as an intermediate processor, any dairy textiles or any partially processed fabrics in excess of the aggregate yardage of such fabrics which will be completely manufactured by him into dairy supplies within sixty (60) days after the receipt thereof in inventory.

(2) No intermediate processor shall after thirty (30) days after the effective date of this order, hold in his inventory any dairy textiles or any partially processed fabrics in excess of the aggregate yardage of all such fabrics which is scheduled to be shipped by him within sixty (60) days after receipt thereof in inventory, or will be completely manufactured by him into dairy supplies within such period.

(d) *Application of preference rating.* Any dairy supplies manufacturer or intermediate processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is to be applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the supplier and to the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of dairy supplies or otherwise disposed of only as permitted in General Preference Order M–218 and/or Schedule I thereto.

(Name of Dairy Supplies Manufacturer or Intermediate Processor)	(Address)
By (Signature and Title of Duly Authorized Officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the purchase or manufacturing order is placed that such purchase or manufacturing order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9329; Filed, September 19, 1942; 12:25 p. m.]

[Schedule II to General Preference Order M–218]

CROP CULTIVATION FABRICS

§ 3064.3 *Schedule II to General Preference Order M–218* [1]—(a) *Definitions.* For the purposes of this schedule:

(1) "Crop cultivation fabrics" shall mean the construction listed below:

Osnaburg:
30" 40/30 7 oz.
Tobacco cloth:
36" 22/18 plain or wide selvage, as piece goods or ready made covers
36" 28/24 plain or wide selvage, as piece goods or ready made covers
36" 32/28 plain or wide selvage, as piece goods or ready made covers
12/16 approximately 14 sq. yds. per pound, wide woven
22/22 approximately 12½ sq. yds. per pound, wide woven
8/8 approximately 12 to 12½ sq. yds. per pound, wide reinforced weave
8/10 approximately 11 to 11½ sq. yds. per pound, wide reinforced weave
196" 18 to 19 x 13 to 14 approximately 7.00 sq. yds. per pound, reinforced weave
when used in the cultivation and harvesting of cotton, tobacco or other crops,

and shall also include pro rata widths of like count and weight to the above constructions.

(2) "Cloth merchant" shall mean any person engaged in the business of buying crop cultivation fabrics for purposes of resale, either in the condition in which purchased or after manufacture by him into covers for use in the cultivation or harvesting of cotton, tobacco or other crops.

(3) "Inventory" shall mean the total square yardage of crop cultivation fabrics owned by any cloth merchant and held by him in any warehouse, place of storage or salesroom. For the purposes of this Schedule such merchandise shall not be considered as being in inventory while it is in transit.

(b) *Assignment of preference rating.* Purchase orders for crop cultivation fabrics placed by cloth merchants are hereby assigned a preference rating of A–2.

(c) *Restriction on inventories of cloth merchants.* No cloth merchant shall accept any delivery of crop cultivation fabrics to his inventory which, based upon his past experience and upon the current Department of Agriculture crop forecasts for the area to be served by him, he may not reasonably expect to resell and redeliver in the ordinary course of his business for use in the cultivation or harvest of that crop which, in the normal agricultural cycle, is due to be cultivated or harvested next following the date on which he accepts such delivery to his inventory.

(d) *Sales of crop cultivation fabrics.* In addition to the use and disposition permitted by paragraph (c) of General Preference Order M–218 for crop cultivation fabrics obtained pursuant to the application of the preference rating assigned by paragraph (b), cloth merchants may sell and deliver such fabrics to any person not engaged in the manufacture of crop cultivation fabrics into products for sale without requiring any preference rating from him.

(e) *Application of preference rating.* Any cloth merchant, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each contract or purchase order placed by him to which the rating is to be applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this contract or purchase order, and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of covers for use in the cultivation or harvesting of crops or otherwise disposed of only as permitted by General Preference Order M–218 and/or Schedule II thereto.

(Name of Purchaser)	(Address)
By (Signature and Title of Duly Authorized Officer)	(Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R.

[1] 7 F.R. 6075.

[1] *Supra.*

[1] *Supra.*

[1] 7 F.R. 6075.

2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9330; Filed, September 19, 1942; 12:25 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supplementary Order 19]

LICENSING DISTRIBUTORS OF PAPER AND PAPER PRODUCTS

A statement of the reasons for this Supplementary Order No. 19 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority of the Emergency Price Control Act of 1942, including section 205 (f) (1) thereof, it is hereby ordered:

§ 1305.23 *Provisions licensing distributors of paper and paper products*—(a) *License required.* Effective September 24, 1942 a license as a condition of selling is hereby required of every distributor now or hereafter selling any paper or paper product for which maximum prices are established by Price Regulations Nos. 114, 130, 140, 182,[1] as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 19.

(b) *License granted.* Every distributor now or hereafter selling any paper or paper products for which maximum prices are established by Price Regulations Nos. 114, 130, 140, 182, as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 19, is hereby granted a license as a condition of selling such paper or paper products.

The provisions of every price regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall become effective September 24, 1942, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided in the Act, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement remains in effect.

(c) *Exclusions.* This order shall not apply to sales at retail.

(d) *Licensing section of General Maximum Price Regulation superseded.* This Supplementary Order No. 19 supersedes the provisions of § 1499.16 of the General Maximum Price Regulation insofar as said § 1499.16 may be applicable to sales for which a license is required by this Order 19. The licensing provisions of § 1499.16 of the General Maximum Price Regulation shall, however, continue to apply to sales at retail.

(e) *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter prescribe.

(f) *License not transferable.* The license hereby granted is not transferable.

(g) *Suspension of license.* Licensees violating any of the provisions of this order or of the license hereby granted, or violating any of the provisions of the price regulations specified in paragraph (b) hereof, or violating the provisions of any applicable regulation, order or requirement under section 202 (b) of the Act, are subject to the license suspension proceedings provided in the Act: *Provided, however,* That no proceedings for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(h) *Definitions.* When used in this Supplementary Order No. 19 the term:

(1) "Distributor" means a person who buys for the purpose of resale (whether as jobber, agent, broker, dealer, merchant, or any similar person), any commodity subject to a price regulation specified in paragraph (b): *Provided,* That, "distributor" shall include a person making "resales" as defined in Price Regulation No. 114, a "merchant or distributor" as defined in Price Regulation Nos. 130 and 182, a "converter" as defined in Price Regulation No. 130, a "wholesaler" as defined in Price Regulation No. 140. "Distributor" shall also include any producer insofar as such producer acts as a distributor of any such paper or paper products or operates any warehouse, branch, subsidiary or affiliate which acts as such a distributor.

(2) "Sales at retail" means a sale to an ultimate consumer other than an industrial or commercial user.

(3) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(4) "Price regulation" means a schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(5) "Act" means the Emergency Price Control Act of 1942.

(i) *Effective date of Supplementary Order No. 19.* This Supplementary Order No. 19 (§ 1305.23) shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9284; Filed, September 18, 1942; 5:16 p. m.]

PART 1306—IRON AND STEEL

[Amendment 3 to Revised Price Schedule No. 41 [1]]

STEEL CASTINGS

A statement of the considerations involved in the issuance of this Amendment No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1306.109 (c) is amended to read as set forth below:

* * * * *

§ 1306.109 *Definitions.* When used in Price Schedule No. 41, the term: * * *

(c) "Steel castings" means any cast steel object, whether rough or machined, that has been initially cast into the desired shape of the finished product, and which contains less than 1.70% carbon and/or alloys totaling not more than 8%, and includes miscellaneous steel castings and steel castings produced for railroads other than the railroad specialties defined in paragraph (d) below:

§ 1306.110a *Effective date of amendment.* * * *

(c) Amendment No. 3 (§ 1306.109 (c)) to Revised Price Schedule No. 41 shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9285; Filed, September 18, 1942; 5:17 p. m.]

PART 1316—COTTON TEXTILES

[Amendment 4 to Revised Price Schedule 11 [1]]

FINE COTTON GREY GOODS

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1316.11 (b) is amended and in § 1316.13 (d) (4) Table I, footnote 2 is amended and Table III is added, all as set forth below:

§ 1316.11 *Definitions.* * * *

(b) "Fine cotton goods" means cotton grey goods made wholly or in part of combed yarn and unfinished box-loom clip-spot marquisettes whether or not made of combed yarn, but, unless otherwise specified, refers only to goods of the types and specifications for which maximum prices are established in § 1316.13, Appendix A;

* * * * *

§ 1316.13 *Appendix A: Maximum prices for fine cotton goods.* * * *

(d) *Fine cotton goods not covered by contract prior to December 24, 1941.* * * *

(4) *Maximum price tables.*

TABLE I

Name of manufacturing process	*Premium (cents per yd.)*
* * * * *	
Clipping	1 [2]

[2] This premium shall not be charged in connection with clip-spot marquisettes, for which maximum prices are set forth in Table III of this subparagraph.

* * * * *

TABLE III

The following provisions shall apply, and the General Maximum Price Regulation shall not apply, to unfinished box-loom clip-spot marquisettes.

As used herein, the term "standard" means having a width of 35", 39½", 46", or 48" and a total count per inch of 37 to 48 sley and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½" 40 x 18, 40s or 50s combed warp, 40s or 50s combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harnesses or less.

The base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 8⅞ cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

For seconds of standard unfinished box-loom clip-spot marquisettes the maximum prices shall be 5 percent less than those set forth herein.

For any construction other than a standard construction the maximum prices shall be the price issued by the Office of Price Administration upon application by the seller.

A. *Width Differentials.*

35", deduct	$.0059
46", add	.0084
48", add	.0224

B. *Warp Differentials—Ground.*

	35"	39½"	46"	48"
40s or 50s combed, where ground ends are more or less than 40 per inch:				
Grey, add or subtract for each two ends per inch	$.0013	$.0015	$.0017	$.0018
Pastel colors, add per end per inch	.00041	.00047	.00054	.00057
Empire colors, add per end per inch	.00054	.00062	.00072	.00075
40s or 50s carded, subtract from combed for two ends per inch	.00012	.00014	.00016	.00017

C. *Filling Differentials.*

	35"	39½"	46"	48"
1. Ground:				
40s or 50s combed, where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch	$.0033	$.0035	$.0037	$.0047
Pastel colors, add per pick per inch	.00046	.00052	.00060	.00063
Empire colors, add per pick per inch	.00059	.00067	.00078	.00082
40s or 50s carded, subtract from combed for one pick per inch	.000053	.000060	.000070	.000072
2. Roving, subtract $.009 and add per pick per inch:				
Grey:				
4 hank	.0033	.0038	.0067	.0074
6 hank	.0041	.0045	.0051	.0057
8 hank	.0033	.0036	.0041	.0046
10 hank	.0028	.0031	.0035	.0040
12 hank	.0027	.0029	.0032	.0038
Pastel:				
4 hank	.0091	.0101	.0116	.0126
6 hank	.0066	.0073	.0084	.0092
8 hank	.0052	.0057	.0066	.0072
10 hank	.0044	.0048	.0054	.0061
12 hank	.0039	.0043	.0049	.0055
Empire:				
4 hank	.0101	.0113	.0130	.0140
6 hank	.0073	.0081	.0093	.0101
8 hank	.0057	.0063	.0072	.0079
10 hank	.0048	.0053	.0060	.0067
12 hank	.0043	.0047	.0054	.0060

D. *Pattern Differentials.*

	35"	39½"	46"	48"
Over 10 jumpers and/or 15 harness:				
Per yard per pick—2 shuttles	$.000114	$.000114	$.000140	$.000140
Per yard per pick—3 and 4 shuttles	.000140	.000140	.000175	.000175

20/2 carded cords (other than selvage):

Add per end:	*All widths*
Grey	$.000055
Pastel colors	.000095
Empire colors	.000110

E. *Loop cutting.*

E. Loop cutting	$.0033

F. *Production Differential.*

After applying all necessary differentials, add or subtract for each pick over or under an overall count of 20 picks $.0003

* * * * *

§ 1316.12a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1316.11 (b), 1316.13 (d) (4), Tables I and III) to Revised Price Schedule No. 11 shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9292; Filed, September 18, 1942; 5:15 p. m.]

PART 1339—BURLAP AND BURLAP PRODUCTS

[Amendment 3 to Revised Price Schedule 18 [1]]

BURLAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1339.11 paragraph (a) is amended by revoking footnote 3 thereof and by adding new items thereto, and paragraph (b) is redesignated (b) (1) and a new paragraph (b) (2) is added to read as set forth below:

§ 1339.11 *Appendix A: Maximum prices for burlap.* (a) Prices per yard, ex dock port of discharge,[2] duty paid.

Quality of Burlap	Construction: Width (inches)	Construction: Weight (ounces per yard)	Cents
* *	*	*	*
Common burlap	38	5	5.75
	57	5	8.55
	58	5	8.70
	48	9	11.60
	30	10	8.35
	72	10	20.90
	45	12	14.50
	48	12	15.45
	60	12	19.55
	72	12	23.50
	48	14	18.55
	48	16	22.00
SPECIAL FINISHES			
* *	*	*	*
Double calendered	40	11	12.60
	45	11	14.20
	57	11	17.95
	40	14	15.65
	44	15	17.00
* *	*	*	*
Cropped and mangled	40	11	12.85
	36	12	13.00
	40	12	13.80
	45	12	15.40
	44	15	17.30

* * * * *

(b) *Charges for war risk insurance in excess of 2½%.* * * *

(2) The maximum premium rate which may be used in calculating such charges for excess war risk insurance on any lot of burlap shipped from a foreign port after September 23, 1942, shall be the War Shipping Administration's war risk insurance premium rate on the identical shipment. For the purpose of this paragraph the War Shipping Administration's war risk insurance premium rate shall include, in addition to the basic rate, the premium rate for extended transhipment coverage.

1339.10a *Effective dates of amendments.* * * *

*Copies may be obtained from the Office of Price Administration.

[1] 114 Wood pulp, 7 F.R. 2843, 3576, 5059, 5564. 130 Standard Newsprint Paper, 7 F.R. 3183, 3521, 5139. 140 Sanitary Napkins, 7 F.R. 3410, 5563. 182 Kraft Wrapping Papers and Certain Kraft Bag Papers, 7 F.R. 5712, 6048.

[1] 7 F.R. 1281, 1836, 2001, 2132, 4667.

[1] 7 F.R. 1231, 1836, 2000, 2132, 2737, 3163, 5519.

[1] *Supra.*

[2] 7 F.R. 1241, 1600, 1836, 2000, 2132, 5138.

(c) Amendment No. 3 (§ 1339.11 (a) and (b)) to Revised Price Schedule No. 18 shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9294; Filed, September 18, 1942; 5:16 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 5 to Revised Price Schedule 85 [1]]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this Amendment has been prepared and filed with the Division of the Federal Register.* Section 1360.52 (c) is amended and new paragraph (e) is added to § 1360.60a as set forth below:

§ 1360.52 *Maximum retail price for new passenger automobiles.* * * *

(c) An allowance for transportation which shall not exceed the actual rail freight charge at carload rate, by the most direct route, for the transportation of the automobile from the factory to the place of business of the dealer making delivery to the purchaser: *Provided*, That, in the case of sale by a distributor or dealer located in any of the territories or possessions of the United States, the allowance for transportation may include the actual cost of shipment by all types of transportation outside the territorial boundaries of the United States actually used to deliver the automobile to such distributor or dealer, and may include expenses incurred for packing, crating, dunnage, drayage, lighterage, war risk insurance, and wharfage.

* * * * *

§ 1360.60a *Effective dates of amendment.* * * *

(e) Amendment No. 5 (§ 1360.52 (c)) to Revised Price Schedule No. 85 shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9293; Filed, September 18, 1942; 5:16 p. m.]

PART 1381—SOFTWOOD LUMBER

[Maximum Price Regulation 222]

NORTHERN SOFTWOOD LUMBER

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of Northern softwood lumber by a specific maximum price regulation. The Price Administrator has ascertained and given due consideration to the prices of Northern softwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgement of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the Procedural Regulation No. 1,[1] issued by the office of Price Administration, Maximum Price Regulation No. 222 is hereby issued.

AUTHORITY: §§ 1381.251 to 1381.267, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1381.251 *Maximum prices for Northern softwood lumber.* (a) On and after September 23, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Northern softwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Northern softwood lumber so shipped, at prices higher than the maximum prices set forth in Appendices A to E hereof, inclusive, incorporated herein as §§ 1381.263 to 1381.267, inclusive; and no person subject to this Maximum Price Regulation No. 222 shall agree, offer, solicit or attempt to do any of the foregoing.

(b) The provisions of this Maximum Price Regulation No. 222 shall not be applicable to retail sales as defined in paragraph (a) (7) of § 1381.259.

(c) The provisions of this Maximum Price Regulation No. 222 shall not be applicable to sales or deliveries of Northern softwood lumber to a purchaser, if prior to September 23, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(d) The maximum prices established in this Maximum Price Regulation No. 222 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941.

§ 1381.252 *Less than maximum prices.* Lower prices than those established in this Maximum Price Regulation No. 222 may be charged, demanded, paid or offered.

§ 1381.253 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 222 shall enter into an agreement permitting the adjustment of the price of Northern softwood lumber to prices which may be higher than the maximum prices in effect on the date of the agreement: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception should be made in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1381.254 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 222 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to Northern softwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lumber through a distribution yard;

(2) Unreasonably refusing to ship lumber on standard grades;

(3) Falsely or wrongly grading or invoicing lumber;

(4) Grading as a special grade lumber which normally is graded by the seller as a standard grade;

(5) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in paragraph (d) of § 1381.267).

§ 1381.255 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 222 making sales or deliveries or purchases of Northern softwood lumber to the value of $500.00 or more in any one month, after September 23, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Northern softwood lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, and the price paid or received.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1381.256 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 222 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses and suits for treble damages provided for by the Emergency Price Control Act of 1942: *Provided*, That no war procurement agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 222 or the Emergency Price Control Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 664, 1009, 1364, 1675, 1836, 2134, 2132, 6048, 6897.

[1] 7 F.R. 971, 3663, 6967.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 222 or any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1381.257 *Licensing.* The provisions of Supplementary Order No. 18 (§ 1305.-22) licensing persons selling lumber, lumber products or building materials, are applicable to every person, except mills, making sales of Northern softwood lumber for which maximum prices are established by this regulation.

§ 1381.258 *Petitions for amendment or adjustment—*(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of Northern softwood lumber which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 222 in accordance with Procedural Regulation No. 6,* issued by the Office of Price Administration.

(b) *Special relief.* Any person seeking special relief for which no provision is made in paragraph (a) of this section, from a maximum price established under this Maximum Price Regulation No. 222, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 222 to eliminate the danger of inflation.

(c) *General amendments and adjustments.* Persons seeking any general modification of this Maximum Price Regulation No. 222 or any general adjustment or exception not provided for therein may file petitions for amendment in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1381.259 *Definitions.* (a) When used in Maximum Price Regulation No. 222 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ½", ¾", and ⅝", the term "feet" means surface feet.

(3) "Northern softwood lumber" means lumber:

(i) Produced from the botanical species of Northern white pine (Pinus strobus), Norway pine (Pinus resinoas), Northern white cedar (Thuja occidentalis), Eastern spruce (Picea glauca, Picea mariana, and Picea rubra), Western white spruce (Picea canadensis), and Northern hemlock (Tsuga canadensis); and

(ii) Processed into lumber at mills located in the states of Michigan, Minnesota, and Wisconsin; or

(iii) Processed into lumber at mills located in the Canadian provinces of British Columbia, Alberta, Saskatchewan, and Manitoba and sold in the United States or its territories or possessions.

(4) "Mill" means any establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 222, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 percent of the volume of Northern softwood lumber or logs purchased or received by it, or

(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (5) (ii) of this paragraph: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Northern softwood and Northern hardwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.

(5) "Distribution yard" means an establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 222, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 percent of the volume of Northern softwood lumber purchased or received by it; and

(ii) Which resembles the following described establishment more nearly than that described under the definition of "mill" in subparagraph (4) (ii) of this paragraph: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.

(6) "Volume" means the board feet volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within the six months immediately prior to the transaction subject to this Maximum Price Regulation No. 222.

(7) "Retail sale" means a sale which satisfies all of the following tests:

(i) It must be a sale of not more than 5,000 feet of lumber;

(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates;

(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.

(8) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department or any agency of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1381.260 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 222 supersede the provisions of the General Maximum Price Regulation [2] with respect to sales and deliveries of Northern softwood lumber for which maximum prices are established by this regulation.

§ 1381.261 *Export sales.* The maximum price at which a seller may make an export sale of Northern softwood lumber shall be determined in accordance with the provisions of the Maximum Export Price Regulation [4] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the Continental United States and a purchaser outside thereof in which the commodity sold is transported from the Continental United States to a point outside thereof and includes any sale of a commodity outside the Continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the Continental United States.

§ 1381.262 *Effective date.* This Maximum Price Regulation No. 222 (§§ 1381.-251 to 1381.267, inclusive) shall become effective September 23, 1942.

§ 1381.263 *Appendix A: Maximum prices for domestic Northern hemlock*

[1] *Supra* note 1.

[1] 7 F.R. 5087, 5664.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093.

[4] 7 F.R. 5059.

lumber in standard or near standard grades—(a) *Application of Appendix A.* The provisions of this section shall apply to Northern hemlock lumber which is:

(1) sold on the specifications and on the grades designated in this section; and

(2) shipped to the purchaser from mills located in the states of Wisconsin, Michigan, and Minnesota.

(b) *Grading rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for Hemlock and Tamarack Lumber and White Cedar Shingles" published by the Northern Hemlock and Hardwood Manufacturers' Association, effective June 27, 1941.

(c) *Maximum prices.* The maximum price, f. o. b. mill, for 1,000 feet (or for 1,000 pieces, where so designated herein) of domestic Northern hemlock lumber in a rough air dried condition shall be the price set forth in the following paragraphs of this section.

(d) *Dimension.*

NO. 1 PIECE STUFF (ROUGH)

Thickness and width	Length							
	6′	8′	10	12′	14′	16′	18 & 20′	22 & 24′
2 x 3″ & 2 x 4″	$31.50	$39.00	$38.00	$38.00	$38.00	$39.00	$42.00	$44.00
2 x 6″	30.50	37.00	37.00	37.00	37.00	38.00	42.00	44.00
2 x 8″	31.50	38.00	38.00	38.00	38.00	38.00	42.00	44.00
2 x 10″	32.50	40.00	41.00	41.00	41.00	41.00	44.00	46.00
2 x 12″	33.50	41.00	42.00	42.00	42.00	42.00	44.00	46.00

MERCHANTABLE PIECE STUFF (ROUGH)

Thickness and width	Length							
	6′	8′	10′	12′	14′	16′	18 & 20′	22 & 24′
2 x 3″ & 2 x 4″	$30.50	$38.00	$37.00	$37.00	$37.00	$38.00	$41 50	$43.50
2 x 6″	29.50	36.50	36.50	36.50	36.50	36.50	40.50	42.50
2 x 8″	30.50	37.00	37.00	37.00	37.00	37.00	41.50	43.50
2 x 10″	31.50	38.50	39.50	39.50	39.50	39.50	42.50	44.50
2 x 12″	31.50	38.50	39.50	39.50	39.50	39.50	42.50	44 50

NO. 2 PIECE STUFF (ROUGH)

Thickness and width	Length							
	6′	8′	10′	12′	14′	16′	18 & 20′	22 & 24′
2 x 3″ & 2 x 4″	$29.50	$37.00	$36.00	$36.00	$36.00	$37.00	$40.00	$42.00
2 x 6″	29.00	34.50	34.50	34.50	34.50	34.50	38.00	40.00
2 x 8″	29.50	35.50	35.50	35.50	35.50	35.50	39.00	41.00
2 x 10″	30.00	36.50	37.50	37.50	37.50	37.50	39.50	41.50
2 x 12″	30.00	36.50	37.50	37.50	37.50	37.50	39.50	41.50

NO. 3 PIECE STUFF (ROUGH)

Thickness and width	Length							
	6′	8′	10′	12′	14′	16′	18 & 20′	22 & 24′
2 x 3″ & 2 x 4″	$25.50	$33.00	$32.00	$32.00	$32.00	$33.00	$35.00	$37.00
2 x 6″	25.50	31.00	31.00	31.00	31.00	31.00	34.00	36.00
2 x 8″	25.50	32.00	32.00	32.00	32.00	32.00	35.00	37.00
2 x 10″	25.50	32.00	32.00	32.00	32.00	32.00	36.00	38.00
2 x 12″	25.50	32.00	32.00	32.00	32.00	32.00	36.00	38.00

NO. 3 AND BETTER PIECE STUFF (ROUGH)

2 x 4″ and wider, 4′ long	$23.00
2 x 4″ and wider, 6′ long	25.00

NO. 4 PIECE STUFF (ROUGH)

Thickness and width	Length					
	6′	8′	10′	12′	14′	16′
2 x 3″ & 2 x 4″	$23.00	$27.00	$25.00	$25.00	$25.00	$26.00
2 x 6″	22.50	23.50	23.50	23.50	23.50	24.50
2 x 8″	23.00	25.00	25.00	25.00	25.00	26.00
2 x 10″	23.00	25.00	25.00	25.00	25.00	26.00
2 x 12″	23.00	25.00	25.00	25.00	25.00	26.00

NOTES

1. 7′ lengths: Add $1.00 to 14′ price.
2. 9′ lengths: Use same price as 18′.
3. Random lengths, 8′ to 16′: Use same price as 14′.
4. S1E, S2E, S1S, or S2S: Add $1.00 to rough price.
5. S1S1E or S4S: Add $1.50 to rough price.
6. Special construction grade: Add $2.00 to the price for No. 3 piece stuff of same size and length.
7. Dimension, surfaced to 1¾₆″ hit or miss: Deduct $3.00.

(e) *Boards*

NO. 1 COMMON (ROUGH)

Thickness and width	Length						
	6′	8′	10′	12′	14′	16′	6 to 16′
1 x 4″	$30.50	$35.00	$36.00	$36.00	$36.00	$38.00	$36.00
1 x 6″	33.00	37.50	38.50	38.50	38.50	40.00	38.50
1 x 8″	33.00	37.50	38.50	38.50	38.50	40.00	38.50
1 x 10″	34.50	39.00	40.00	40.00	40.00	41.50	40.00
1 x 12″	35.50	40.00	41.00	41.00	41.00	42.50	41.00

MERCHANTABLE (ROUGH)

Thickness and width	Length						
	6′	8′	10′	12′	14′	16′	6 to 16′
1 x 4″	$29.00	$33.50	$34.50	$34.50	$34.50	$36.50	$34.50
1 x 6″	31.00	35.50	36.50	36.50	36.50	38.00	36.50
1 x 8″	31.50	36.00	37.00	37.00	37.00	38.50	37.00
1 x 10″	31.50	36.00	37.00	37.00	37.00	38.50	37.00
1 x 12″	32.50	37.00	38.00	38.00	38.00	39.50	38.00

NO. 2 COMMON (ROUGH)

Thickness and width	Length						
	6′	8′	10′	12′	14′	16′	6 to 16′
1 x 4″	$28.50	$31.00	$31.00	$31.00	$31.00	$33.00	$31.00
1 x 6″	29.50	34.00	35.00	35.00	35.00	36.50	35.00
1 x 8″	30.00	35.00	36.00	36.00	36.00	37.50	36.00
1 x 10″	31.00	35.00	36.00	36.00	36.00	37.50	36.00
1 x12″	31.00	36.00	37.00	37.00	37.00	38.50	37.00

NO. "3" COMMON (ROUGH)

Thickness and width	Length						
	6′	8′	10′	12′	14′	16′	6 to 16′
1 x 4″	$27.50	$30.50	$30.50	$30.50	$30.50	$31.50	$30.50
1 x 6″	29.00	33.50	34.00	34.00	34.00	35.00	34.00
1 x 8″	29.50	34.50	35.00	35.00	35.00	36.00	35.00
1 x 10″	30.50	34.50	35.00	35.00	35.00	36.00	35.00
1 x 12″	30.50	35.00	35.00	35.00	35.00	36.00	35.00

NO. 3 COMMON AND BETTER (ROUGH)

1 x 4″ and wider, 4′ long	$23.50
1 x 4″ and wider, 6′ long	25.50

NO. 4 COMMON (ROUGH)

Thickness and width	Length						
	6′	8′	10′	12′	14′	16′	6 to 16′
1 x 4″	$20.50	$23.50	$23.50	$23.50	$23.50	$24.50	$23.50
1 x 6″	21.50	24.50	24.50	24.50	24.50	25.50	24.50
1 x 8″	22.50	25.50	25.50	25.50	25.50	26.50	25.50
1 x 10″	22.50	25.50	25.50	25.50	25.50	26.50	25.50
1 x 12′	22.50	25.50	25.50	25.50	25.50	26.50	25.50

NOTES

1. Industrial yard No. 3 grade: Deduct $1.00 from No. "3" price.
2. S1E, S2E, S1S, or S2S: Add $1.00 to rough price.
3. S1S1E or S4S: Add $1.50 to rough price.
4. "D" Selects: Add $5.00 to No. 1 price.

(f) *Plank and timbers.*

MERCHANTABLE (ROUGH)

Thickness and width	Length			
	10'	12' to 16'	18' & 20'	22' & 24'
3 x 6" & 3 x 8"	$39.00	$36.00	$41.00	$43.00
3 x 10"	41.00	38.00	43.00	45.00
3 x 12"	42.00	39.00	44.00	46.00
4 x 4" & 4 x 6"	39.00	36.00	41.00	43.00
6 x 6" & 8 x 8"	40.00	37.00	42.00	44.00
4 x 10" to 10 x 10"	39.50	36.50	41.50	43.50
4 x 12" to 12 x 12"	40.50	37.50	42.50	44.50

NOTES

1. No. 1: Add $3.00 to merchantable price.
2. No. 2: Deduct $2.00 from merchantable price.
3. S1E, S2E, S1S, or S2S on 3 and 4 x 4" to 8 x 8": Add $1.50 to rough price; on 4 x 10" to 12 x 12": Add $2.00 to rough price.
4. S1S1E on 3 and 4 x 4" to 8 x 8": Add $2.00 to rough price; on 4 x 10" to 12 x 12": Add $2.50 to rough price.
5. S4S on 3 and 4 x 4" to 8 x 8": Add $2.00 to rough price; on 4 x 10" to 12 x 12": Add $3.00 to rough price.
6. D&M or shiplap on 3" thicknesses: Add $2.50 to rough price.

(g) *Grain and coal door boards.*

Grain door boards 6' long	$26.50	Coal door boards 6' long	$22.50
Grain door boards 7' long	29.50	Coal door boards 7' long	24.50

(h) *Patent sheathing lath.*

Worked from:	No. 1	Merchantable	No. 2	No. 3
4" 4' and longer, mixed, bundled	$38.50	$37.00	$35.50	$35.00
6" 4' and longer, mixed, bundled	39.50	37.50	36.00	34.50

(i) *Lath (maximum prices per 1,000 pieces).*

48" No. 1	$6.15	48" No. 3	$4.40
48" No. 2	5.40	32" merchantable	3.35

(j) *General notes.* (Applying to entire appendix)

1. No. 2 and better, 1" or 2" thicknesses: use same price as merchantable in same length.

2. "Thin and miscut": use 75% of price of 1" thickness in same length and grade.

3. 1 x 2": add $1.00 to price of 1 x 4" in same length and grade.

4. 1 x 3": add $1.00 to 1 x 6" price in same length and grade.

5. 2 x 2": add $1.00 to price of 2 x 4" in same length and grade.

6. Random lengths shorter than 6': use same price as 4' in same grade and thickness.

7. Barky crating: use same price as No. 3 common in same length and thickness.

8. Ripping, resawing, or cut to length: add $1.00 for each cut.

9. Shiplap, D&M, or S2S and CM (except on thicker than 2"): add $1.50 to rough price.

10. Drop siding, ceiling, fancy shiplap, grooved roofing or partition (except on thicker than 2"): add $3.00 to rough price.

11. Odd or fractional widths, not listed: use same price as next wider even width and compute footage on even width.

12. Odd or fractional lengths, not listed: use same price as next longer even length and compute footage on even length.

13. Lengths longer than listed: add $2.00 for each additional two feet to the specified length price of the longest listed length.

14. Widths wider than listed: add $2.00 for each additional two inches to the specified width price of the widest listed width.

15. Patterns not listed (including log siding, silo staves and well curbing): add $5.00 to rough price.

16. Regular loading of random lengths or widths shall be in accordance with the standard practice of the Northern Hemlock and Hardwood Manufacturers' Association.

17. No addition may be made for kiln drying.

§ 1381.264 *Appendix B: Maximum prices for domestic and imported Northern white pine, Norway pine, Northern white cedar, and Eastern spruce lumber in standard or near standard grades—*(a) *Application of Appendix B.* The provisions of this section shall apply to Northern white pine, Norway pine, Northern white cedar, and Eastern spruce lumber which is:

(1) Sold on the specifications and on the grades designated in this section; and

(2) Shipped to the purchaser from mills located in the states of Wisconsin, Michigan, and Minnesota, and in the Canadian provinces of Saskatchewan and Manitoba.

(b) *Grading rules.* (1) With reference to domestically produced lumber, grade terms used herein have the meaning set forth in the "Standard Grading Rules for Northern White Pine, Norway Pine, Jack Pine, Eastern Spruce, Western White Spruce, Balsam, Tamarack, and Aspen Lumber", published by the Northern Hemlock and Hardwood Manufacturers' Association, effective June 27, 1941.

(2) With reference to imported lumber, grade terms used herein have the meaning set forth in the "Standard Grading Rules for Northern White Pine, Norway Pine, Jack Pine, Eastern Spruce, Western White Spruce, Balsam, Tamarack, and Aspen Lumber", published by the Northern Pine Manufacturers' Association, effective May 1, 1939.

(c) *Maximum prices.* The maximum price, f. o. b. mill, for 1,000 feet (or for 1,000 pieces, or for a square, where so designated herein) of Northern white pine, Norway pine, Northern white cedar, or Eastern spruce lumber in a rough air dried condition shipped to the purchaser from mills located in Wisconsin, Michigan, and Minnesota, and the maximum price, f. o. b. Baudette, Minnesota, for such lumber shipped to the purchaser from mills located in Saskatchewan and Manitoba, shall be the price set forth in the following paragraphs of this section.

(d) *Northern white pine selects (rough).*

6 to 16' lengths	B and better	"C"	"D"
1 x 4"	$85.00	$75.00	$60.00
1 x 5"	98.00	88.00	77.00
1 x 6"	90.00	80.00	62.00
1 x 8"	90.00	80.00	62.00
1 x 10"	98.00	88.00	77.00
1 x 12"	130.00	120.00	103.00
1 x 13" & wider	135.00	125.00	105.00
1 x 6" & wider	97.00	87.00	68.00
1 x 8" & wider	102.00	92.00	73.00
5/4 & 6/4 x 4"	123.50	108.50	83.50
5/4 & 6/4 x 5"	133.50	118.50	98.50
5/4 & 6/4 x 6"	123.50	108.50	83.50
5/4 & 6/4 x 8"	128.50	113.50	93.50
5/4 & 6/4 x 10"	133.50	118.50	98.50
5/4 & 6/4 x 12"	143.50	128.50	108.50
5/4 & 6/4 x 13" & wider	148.50	133.50	108.50
5/4 & 6/4 x 6" & wider	128.50	113.50	88.50
5/4 & 6/4 x 8" & wider	133.50	118.50	98.50
8/4 x 4"	128.50	113.50	88.50
8/4 x 5"	138.50	123.50	103.50
8/4 x 6"	128.50	113.50	88.50
8/4 x 8"	133.50	118.50	98.50
8/4 x 10"	138.50	123.50	103.50
8/4 x 12"	148.50	133.50	113.50
8/4 x 13" & wider	153.50	138.50	113.50
8/4 x 6" & wider	133.50	118.50	93.50
8/4 x 8" & wider	138.50	123.50	103.50
10/4 & 12/4 x 8" & wider	181.50	166.50	131.50
16/4 x 8" & wider	201.50	186.50	141.50

4 to 6' lengths:	*D and better*
4/4	$48.00
5/4 and 6/4	65.00
8/4	70.00

NOTES

1. Specified lengths:
   8 to 14' lengths in 4, 6, and 8" widths: No addition.
   8 to 14' lengths, 10" and wider: Add $5.00.
   16' lengths in 4, 6, and 8" widths: Add $5.00.
   16' lengths, 10" and wider: No addition.
2. S1S or S2S: Add $1.00 to rough price.
3. S1S1E or S4S: Add $1.50 to rough price.

(e) *Northern white pine bevel and bungalow siding.*

Thickness, width	B and better	C and better	"C"	"D"	"E"
½ x 4"	$40.50	$39.00	$37.50	$27.50	$19.50
½ x 6"	45.50	44.50	43.50	33.50	26.50
⅝ x 8"	49.50	47.50	46.50	37.50	31.50
¾ x 8"	79.00	------	72.00	60.00	------
¾ x 10"	92.00	------	79.00	65.00	------
¾ x 12"	96.00	------	83.00	------	------

(f) *Northern white pine mouldings.* Maximum prices shall be the prices listed in the 4th edition of the 8,000 series of the Standard Moulding Book published by Shattock and McKay Company of Chicago, Illinois, revised on March 1, 1940, less the following discounts:

Where list price is less than $2.00: 30% discount.

Where list price is $2.00 or more: 25% discount.

(g) *Northern white pine shop (rough).*

Thickness	No. 1—6" & wider; 8' & longer	No. 2—6" & wider; 8' & longer	No. 3—4" & wider; 4' & longer
4/4	$69.00	------	------
5/4	91.50	$64.50	$48.50
6/4	91.50	68.50	48.50
8/4	96.50	73.50	53.50
10/4	131.50	103.50	53.50
12/4	131.50	103.50	53.50
16/4	141.50	129.50	70.50

4/4 Shop Common:
1 x 6" & wider, 8 to 16' ---------- $47.00
1 x 8" & wider, 8 to 16' ---------- 52.00

NOTE

1. S1S or S2S: add $1.00 to rough price.

(h) *Northern white pine lath* (maximum prices per 1,000 pieces).

	Length	
No. 1	4'	$7.25
No. 1	32"	4.00
No. 2	4'	6.75
Merchantable	32"	3.75
No. 3 (mixed woods)	4'	5.25

(i) *Northern white pine thick common (rough).*

5/4, 6/4, AND 8/4 THICKNESSES; 8 TO 16' LENGTHS

	4"	6"	8"	10"	12"	13" & wider	6" & wider
No. 1 Common	$68.50	$66.50	$66.50	$79.50	$100.50	$105.50	$77.50
No. 2 Common	62.50	60.50	60.50	62.50	69.50	79.50	62.50
No. 3 Common	47.50	46.50	48.50	49.50	50.50	52.50	48.50

No. 1, 2, and 3 common, 4 to 6' lengths, $43.50

10/4 AND 12/4 THICKNESSES; 8 TO 16' LENGTHS

	4"	6"	8"	10"	12"	6" & wider	8" & wider
No. 1 common	$80.50	$80.50	$80.50	$85.50	$109.50	$81.50	$86.50
No. 2 common	62.50	62.50	62.50	65.50	68.50	62.50	65.50
No. 3 common	48.50	48.50	48.50	49.50	52.50	47.50	49.50

NOTES

1. Specified lengths: 8 to 14': add $5.00. 16': add $2.00.

2. S1S or S2S: add $1.00 to rough price; S1S1E or S4S: add $1.50 to rough price.

(j) *Northern pine boards—(1) Northern white pine.*

NO. 1 COMMON (ROUGH)

Thickness and width	6'	8'	10'	12'	14'	16'	6 to 16'
1 x 4"	$46.00	$58.00	$58.00	$58.00	$58.00	$60.00	$58.00
1 x 6"	46.00	56.00	56.00	56.00	56.00	58.00	56.00
1 x 8"	46.00	56.00	58.00	58.00	56.00	56.00	56.00
1 x 10"	56.00	66.00	68.00	68.00	66.00	66.00	66.00
1 x 12"	81.00	87.00	89.00	89.00	87.00	87.00	87.00
1 x 13" & wider	86.00	92.00	94.00	94.00	92.00	92.00	92.00

NO. 2 COMMON (ROUGH)

1 x 4"	$44.00	$55.00	$55.00	$55.00	$55.00	$57.00	$55.00
1 x 6"	44.00	51.00	51.00	51.00	51.00	53.00	51.00
1 x 8"	44.00	51.00	53.00	53.00	51.00	51.00	51.00
1 x 10"	50.00	54.00	56.00	56.00	54.00	54.00	54.00
1 x 12"	56.00	61.00	63.00	63.00	61.00	61.00	61.00
1 x 13" & wider	60.00	65.00	67.00	67.00	65.00	65.00	65.00

NO. 3 COMMON (ROUGH)

1 x 4"	$35.00	$42.00	$42.00	$42.00	$42.00	$44.00	$42.00
1 x 6"	37.00	45.00	45.00	45.00	45.00	47.00	45.00
1 x 8"	38.00	45.00	47.00	47.00	45.00	45.00	45.00
1 x 10"	38.50	45.50	47.50	47.50	45.50	45.50	45.50
1 x 12"	42.00	47.00	49.00	49.00	47.00	47.00	47.00
1 x 13" and wider	43.00	48.00	50.00	50.00	48.00	48.00	48.00

SHORT LENGTHS (ROUGH)

No. 1, 2, and 3 Common, Random Widths, 4 to 6' lengths: $40.50.

NOTE: Not over 50% No. 3 Common.

(2) NORWAY PINE

No. 1 Common: Use same price as No. 1 White Pine.

No. 2 Common: Deduct $2.00 from price of No. 2 White Pine.

No. 3 Common: Deduct $1.00 from price of No. 3 White Pine.

NOTES

1. 1 x 6" Fence or Gate Boards: Add $2.00 to price of 1 x 6" boards in same species, grade and length.

2. 1 x 5": Add $1.00 to price of 1 x 10" boards in same species, grade and length.

3. Specified lengths of 16' and 20':
   In 4 and 6" widths: Use same price as 16'.
   In 8, 10, and 12" widths: Add $2.00 to 16' price.

4. S1S or S2S: Add $1.00 to rough price; S1S1E or S4S: Add $1.50 to rough price.

(k) *Northern pine thin boards.* (S1S, S2S, or S4S, or shiplap; hit or miss to 11/16")

8 to 16' lengths	No. 2 common	No. 3 common	No. 4 common (mixed softwoods)
11/16" x 6 to 12"	$45.00	$37.00	$31.00

(l) *Mixed northern softwoods common boards (rough).* (Box or crating)

6' and longer	No. 4 common	No. 5 common
1 x 4"	$36.00	$28.00
1 x 6"	37.00	29.00
1 x 8"	38.00	31.00
1 x 10"	38.00	31.00
1 x 12"	38.00	31.00
1 x 12" & wider	39.00	32.00
1 x 4" & wider	37.00	30.00
1 x 6" & wider	37.50	30.50
5/4, 6/4 & 8/4 x 4" & wider	38.50	31.50

4' & Longer:	*No. 6 Common*
1 x 4" & wider	$16.00
1 x 6" & wider	17.00

NOTES:

1. Specified lengths:
   4/4: Add $1.00.
   5/4, 6/4, and 8/4: Add $2.00.

2. Specified widths in 5/4, 6/4, and 8/4 thicknesses: Add $3.00.

3. All 6' and 8' lengths: Deduct $2.00.

4. S1S or S2S: Add $1.00 to rough price: S1S1E or S4S: Add $1.50 to rough price.

5. 4' & longer in No. 4 Common or No. 5 Common: Deduct $1.00 from price of 6' and longer.

6. 10' & longer in No. 4 Common or No. 5 Common: Add $1.00 to price of 6' and longer.

(m) *Northern softwoods dimension—(1) Mixed Norway pine and Eastern spruce No. 1 common (rough)*

Thickness and width	Length 6'	8'	10'	12'	14'	16'	18 and 20'	22 and 24'
2 x 4"	$33.50	$41.00	$40.00	$40.00	$40.00	$41.00	$44.00	$46.00
2 x 6"	32.50	39.00	39.00	39.00	39.00	39.00	44.00	46.00
2 x 8"	33.50	40.00	40.00	40.00	40.00	40.00	44.00	46.00
2 x 10"	34.50	43.00	43.00	43.00	43.00	43.00	46.00	48.00
2 x 12"	35.50	44.00	44.00	44.00	44.00	44.00	46.00	48.00

(2) *Northern White Pine*

Add $5.00 to Mixed Norway Pine and Eastern Spruce price.

NOTES

1. Select Common: Add $5.00 to No. 1 price.
   Merchantable: Deduct $1.00 from No. 1 price.
   No. 2: Deduct $2.00 from No. 1 price.
   No. 3: Deduct $6.00 from No. 1 price.

2. Random Lengths, 8 to 16': Use same price as 14'.

3. All Norway Pine: Add $1.50.

4. S1S or S2S: Add $1.00 to rough price; S1S1E or S4S: Add $1.50 to rough price.

(n) *Mixed Norway pine and Eastern spruce plank and timbers (rough).*

NO. 1

Thickness and width	Length 10' to 16'	18' to 24'
3 x 6 & 8"	$39.00	$41.00
3 x 10"	40.00	42.00
3 x 12"	40.00	42.00
4 x 4" to 8 x 8"	39.00	41.00
4 x 10" to 10 x 10"	41.00	43.00
4 x 12" to 12 x 12"	41.00	44.00
3 x 14" & wider	42.00	45.00

NOTES

1. Select Common: Add $6.00 to No. 1 price.

2. S1S or S2S: Add $1.50 to rough price; S1S1E: Add $2.50 to rough price; S4S: Add $3.00 to rough price.

3. All Norway pine: Add $3.00.

(o) *Norway pine selects (rough).*

	"C" and better	"D"
10 to 20' lengths:		
1 x 4"	$61.00	$52.00
1 x 5"	71.00	61.00
1 x 6"	66.00	54.00
1 x 8"	66.00	56.00
1 x 10"	74.00	61.00
1 x 12"	82.00	76.00
1 x 4" and wider	67.00	59.00
10 to 16' lengths:		
5/4 x 4" and wider	73.50	59.50
6/4 x 4" and wider	75.50	59.50
8/4 x 4" and wider	72.50	61.50
18 to 24' lengths:		
5/4 x 4" and wider	78.50	59.50
6/4 x 4" and wider	80.50	59.50
8/4 x 4" and wider	77.50	61.50

NOTES

1. Stained: Deduct $5.00.
2. Specified lengths: Add $5.00.
3. Specified widths (5/4 and thicker): Add $5.00.
4. S1S or S2S: Add $1.00 to rough price; S1S1E or S4S: Add $1.50 to rough price.

(p) *Norway pine bevel siding.*

	C and Better
½ x 4"	$29.50
½ x 6"	36.50

(q) *Eastern spruce boards (rough)*

6 to 16" Lengths	*No. 3 Common and better*
1 x 4"	$43.00
1 x 6"	46.00
1 x 8"	46.00
1 x 10"	47.00
1 x 12"	55.00
4" & wider	42.00

NOTES

1. Specified lengths: Add $5.00.
2. No. 2 common and better: Add $2.00; No. 3 common: Deduct $2.00.
3. S1S or S2S: Add $1.00 to rough price; S1S1E or S4S: Add $1.50 to rough price.

(r) *White cedar (rough).*

1 x 4" & wider—8' & longer.	
Shop and better	$123.00
No. 4 boards	33.00
No. 5 boards	26.00

NOTE

1. S1S or S2S: Add $1.00; S1S1E or S4S: Add $1.50.

(s) *White cedar shingles.* (Prices per square).

Extra "A"	$3.60
Standard	3.05
Sound butt	2.30

(t) *General notes.* (Applying to entire Appendix.)

1. Drop Siding or Ceiling: Add $2.00 to rough price.

2. Shiplap, D&M, S2S & CM: For 2" and thinner add $1.50 to rough price: For 3" and thicker: Add $3.50 to rough price.

3. Resawing: Add $1.00 for each cut.

4. Ripping: Add $1.00 for each rip.

5. Bundling: Add $1.00.

6. Crosscutting: Add $1.00 for each cut.

7. Width narrower than listed: Add the ripping charge to the price of the width from which it is ripped.

8. Standard casing, jambs, base, sill stock, pulley stiles, log cabin and similar patterns: Add $5.00.

9. Odd or fractional widths not listed: Use same price as next wider even width and compute footage on even width.

10. Odd or fractional lengths not listed: Use same price as next longer even length and compute footage on even length.

11. Lengths longer than listed: Add $2.00 for each additional two feet to the specified length price of the longest length listed.

12. Widths wider than listed: Add $2.00 for each additional two inches to the specified width price of the widest width listed.

13. Regular loading of random lengths and random widths shall be in accordance with the standard practice of the Northern Pine Manufacturers' Association.

14. Kiln drying the lumber to a moisture content not exceeding 7% as of the time the lumber leaves the kiln, add:

Thickness:	
½", ⅝" and ¾"	$5.00
1"	6.00
1¼"	7.00
1½"	8.00
2"	9.00
2½"	11.00
3"	13.00

No charge may be made for kiln drying to a higher moisture content.

15. Inspecting, grading and measuring after kiln drying to a moisture content not exceeding 7%: add 5% of the f. o. b. mill price of the lumber in a rough air-dried condition. (This addition may be made only when the seller performs all three of these services, at the request of the purchaser, after kiln drying.)

§ 1381.265 *Appendix C: Maximum prices for imported Western white spruce lumber in standard or near standard grades*—(a) *Application of Appendix C.* The provisions of this section shall apply to imported Western white spruce lumber which is:

(1) Sold on the specifications and on the grades designated in this section; and

(2) Shipped to the purchaser from mills located in the Canadian provinces of British Columbia, Alberta, Saskatchewan, and Manitoba.

(b) *Grading rules.* Grade terms used herein have the meaning set forth in the "Standard Grading Rules for Northern White Pine, Jack Pine, Eastern Spruce, Western White Spruce, Balsam, Tamarack, and Aspen Lumber", published by the Northern Pine Manufacturers' Association, effective May 1, 1939.

(c) *Maximum prices.* The maximum price, f. o. b. Spokane, Washington, for 1,000 feet (or for 1,000 pieces, where so designated herein) of imported Western white spruce lumber in a rough air dried condition shipped to the purchaser from mills located in British Columbia and Alberta, and the maximum price, f. o. b. Baudette, Minnesota, for such lumber shipped to the purchaser from mills located in Saskatchewan and Manitoba, shall be the price set forth in the following paragraphs of this section.

(d) *Western white spruce selects and boards (rough).* (1) Shipped to the purchaser from mills located in British Columbia and Alberta:

Thickness and Width	Length	"D" and Better	No. 2 Common	No. 3 Common	No. 4 Common	No. 5 Common
1 x 4"	6 to 16'	$43.75	$32.75	$29.75	$23.75	$21.75
1 x 6"	6 to 16'	46.75	34.75	32.75	26.75	23.75
1 x 8"	6 to 16'	49.75	34.75	32.75	26.75	23.75
1 x 10"	6 to 16'	52.75	35.75	32.75	26.75	23.75
1 x 12"	6 to 16'	69.75	43.25	33.75	27.75	23.75
1 x 4" and wider.	R/L				26.00	23.25
1 x 6" and wider.	R/L				26.75	23.75
LENGTH ADDITIONS TO ABOVE GRADES						
For 8 to 16' add		2.00	None	None	1.00	1.00
For specified lengths 8 to 16' add		3.00	1.00	1.00	2.00	2.00
For specified lengths 18 to 20' add		5.00	3.00	2.00	2.00	2.00
For R/L 10' and longer add		None	1.00	1.00	None	None

NOTES

1. S1S, S2S, S1S1E or S4S: Add $1.50 to rough price.

2. 5/4, 6/4, or 8/4 thickness: Add $4.00 to one inch price.

3. 6/4 heavy cut: Add $5.75 to one inch price.

4. All 6' lengths:—
   "D" and Better: Deduct $5.00
   Common: Deduct $1.50
   No. 4 and Better, including at least 35% of No. 3 and Better: Add $2.00 to No. 4 price.

(2) Shipped to the purchaser from mills located in Saskatchewan and Manitoba:

(i) Add $9.00 to the prices established in subdivision (1) above.

(ii) Use same length additions as in subdivision (1) above.

(iii) Use same notes as in subdivision (1) above, except add $1.00 to addition permitted in Note 2 and add $.50 to addition permitted in Note 3.

(e) *Western white spruce dimension (rough).* (1) Shipped to purchaser from mills located in British Columbia and Alberta:

NO. 1

Thickness and width	Length 6'	8'	10', 12', 14'	16'	18/20'	22/24'
2 x 4"	$21.75	$20.25	$28.25	$29.25	$32.25	$34.25
2 x 6"	20.75	27.25	27.25	28.75	32.25	34.25
2 x 8"	21.75	26.25	26.25	28.25	32.25	34.25
2 x 10"	22.75	31.25	31.25	31.25	34.25	36.25
2 x 12"	23.75	32.25	32.25	32.25	34.25	36.25

NOTES

1. S1S, S2S, S1S1E, or S4S: add $1.50.

2. Select Common:
   2 x 4, 6 and 8": add $6.00 to price of same length in No. 1.
   2 x 10 and 12": add $7.00 to price of same length in No. 1.

3. No. 2 and Better, including at least 35% No. 1: deduct $2.00 from price of No. 1 in same width and length.

4. No. 2:
   2 x 4, 6 and 8": deduct $3.00 from price of same length in No. 1.

4. No. 2—Continued.
   2 x 10 and 12": deduct $4.00 from price of same length in No. 1.

5. No. 3, all widths: deduct $7.00 from price of same length in No. 1.

6. Random lengths, 8 to 16': use same price as 14' in same width and grade.

7. Dimension S4S to 1-9/16" hit or miss: deduct $3.00 from price of same length, width and grade dressed S4S.

(2) Shipped to purchaser from mills located in Saskatchewan and Manitoba:

(i) Add $10.00 to the prices established in subdivision (1) above.

(ii) Use same notes as in subdivision (1) above.

(f) *Western white spruce planks and timbers (rough).* (1) Shipped to the purchaser from mills located in British Columbia and Alberta:

Thickness and width	Length 8 to 16'	18 to 24'
3 x 6 and 8"	$25.00	$27.00
3 x 10"	26.00	28.00
3 x 12"	26.00	28.00
4 x 4" to 8 x 8"	25.00	27.00
4 x 10" to 10 x 10"	27.00	28.00
4 x 12" to 12 x 12"	27.00	30.00
3 x 14" and wider	28.00	31.00

NOTES

1. Select Common: Add $6.00 to No. 1 price.

2. S1S or S2S: Add $1.50 to rough price; S1S1E: Add $2.50 to rough price; S4S: Add $3.00 to rough price.

(2) Shipped to the purchaser from mills located in Saskatchewan and Manitoba:

(i) Add $11.00 to the prices established in subdivision (1) above.

(ii) Use same notes as in subdivision (1) above.

(g) *General notes.* (Applying to entire appendix):

1. Drop Siding or Ceiling: Add $2.00 to rough price.

2. 4/4 shiplap, D&M or S2S & CM: Add $1.50 to rough price; for 5/4 and thicker: Add $3.00 to rough price.

3. Resawing: Add $1.00 for each cut.

4. Ripping: Add $1.00 for each rip.

5. Bundling: Add $1.00 per 1,000 feet.

6. Crosscutting: Add $1.00 for each cut.

7. Widths narrower than listed: Add the ripping charge to the price of the width from which it is ripped.

8. Standard casings, jambs, base, sill stock, pulley stiles, log cabin and similar patterns: Add $5.00.

9. Odd or fractional widths not listed: Use same price as next wider even width and compute footage on even width.

10. Odd or fractional lengths not listed: Use same price as next longer even length and compute footage on even length.

11. Lengths longer than listed: Add $2.00 for each additional two feet to the specified length price of the longest length listed.

12. Widths wider than listed: Add $2.00 for each additional two inches to the specified width price of the widest width listed.

13. Regular loading of random lengths and random widths shall be in accordance with the standard practice of the

Northern Pine Manufacturers' Association.

14. Stock surfaced to 13/16" thickness: Add $0.50 to standard surfaced price.

15. Stock surfaced to 7/8" thickness hit or miss: Add $0.50 to standard surfaced price.

16. Dimension surfaced to 1/4" scant thickness: Add $0.50 to standard surfaced price.

17. No addition may be made for kiln drying.

§ 1381.266 *Appendix D: Northern softwood lumber in special grades or items*—(a) *Application of Appendix D.* (1) This section shall apply to Northern softwood lumber which is sold on specifications (herein referred to as special grades or items) other than those set forth in §§ 1381.263 to 1381.265, Appendices A to C, inclusive.

(2) For purposes of this section the term "Northern softwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1381.259, but shall not include the following items: (The term "items" includes specifications, workings, services and/or extras.)

(i) Glued stock.
(ii) Mine material.
(iii) Switch, cross or mine ties.
(iv) Small dimension stock.
(v) Posts, poles and piling.

(b) *Maximum prices for combination grades.* Where Northern softwood lumber is sold on a combination grade (that is, a trade practice grade which is a combination of basic standard grades, such as No. 4 Common and Better) for which no maximum price has been established in Appendices A to C, §§ 1381.263 to 1381.265, inclusive, the maximum price shall be the maximum price established in such Appendices for the lowest basic grade of lumber contained in the stock that is sold on such combination grade. The seller, however, may grade and ship the lumber on the basic standard grades included in such combination grade and invoice the footage in each of the basic standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 222 for the respective basic standard grades.

(c) *Maximum prices for special grades and items other than combination grades.* The maximum price (for any seller) for Northern softwood lumber in a special grade or item, other than a combination grade, shall be computed by adjusting the maximum price established in Appendices A to C, §§ 1381.263 to 1381.265, inclusive, of this Maximum Price Regulation No. 222 for the most comparable standard grade or item in accordance with the differential or differentials which were employed or would have been employed by the producing mill during the period of October 1 to 15, 1941, subject to the following conditions:

(1) The mill must, within thirty days of entering into a contract for sale of stock subject to the provisions of this paragraph, file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., on Form 322:1 setting forth full details of the transaction, including (i) the name and address of the purchaser, (ii) the point of origin and the point of delivery of the stock, (iii) the species and grades of lumber ordered, (iv) the specifications, (v) the price charged for the stock, including the functional commission or discount where the lumber is sold to or through a wholesaler or commission salesman, and (vi) an explanation of how the price was computed, including a showing that the price bears the same relationship to the most comparable standard grade or item of lumber as was employed or would have been employed by the producing mill during the period of October 1 to 15, 1941.

(2) Where the Office of Price Administration, within thirty days of receipt of the report, rules in writing that the seller has made an excessive charge for furnishing stock in special grades or items, the seller must readjust the sale price in accordance with the ruling of the Office of Price Administration. If the Office of Price Administration does not rule on the price within such time, the price submitted shall be considered approved.

(3) Pending action on the application of the producing mill by the Office of Price Administration, the seller may quote and deliver at a price which shall be subject to adjustment in accordance with the action taken on the application, but final payment may not be made and accepted until a maximum price has been approved by the Office of Price Administration.

(4) In the event that the Office of Price Administration approves the price charged by the producing mill, or in the event that the Office of Price Administration rules as to the maximum price which the mill may charge, the price as established shall become the maximum price which any seller thereafter may charge for lumber sold on the special specifications and shipped from the particular mill to which the price is applicable. In subsequent sales of such special stock the mill need not file a report with the Office of Price Administration unless the price quoted by the mill is in excess of the maximum price previously determined.

(5) Copies of Form 322:1 can be obtained from the Office of Price Administration, or Form 322:1 can be reproduced by the seller, providing no change is made in style or content of the form.

OFFICE OF PRICE ADMINISTRATION

Form 322:1
Lumber Branch — Softwood Section

Report of Sales of Northern Softwood Lumber in Special Grades or Items other than Combination Grades.

Company _____
Address _____
Mill Location _____

SALES OF SPECIAL GRADES AND ITEMS

(As defined in Appendix D of Maximum Price Regulation No. 222)

(This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of a special grade or item other than a combination grade.)

Date of Order _____ Origin of Shipment _____
Order No. _____ Destination of Shipment _____
Purchaser _____ FOB Mill Price _____ (Including discounts or commissions, if any)

_____ (Species) _____ (Thickness) _____ (Widths)
_____ (Lengths) _____ (Grade or Item Designation)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1–15, 1941 _____

Most comparable standard grade or item to which differential is applied _____

Complete description of special grade or item (including a description of any working or treatment and of the condition of the lumber)

Detailed explanation of how maximum price was computed or built up _____

_____ (Name) _____ (Office or Title)

Subscribed and sworn to before me, a notary public, in and for _____ this _____ day of _____ 194..

[NOTARIAL SEAL]

My commission expires: _____ (Notary Public)

§ 1381.267 *Appendix E: Delivered prices and estimated average weights*—(a) *Delivered prices for domestic Northern softwood lumber.* (1) A delivered price in excess of the maximum f. o. b. mill prices set forth in Appendices A and B, §§ 1381.263 and 1381.264, for domestic Northern softwood lumber may be charged, consisting of such maximum prices plus the transportation costs permitted by this paragraph: *Provided*, That (i) the invoice shows the point of origin of the shipment, the destination, and the applicable railroad or truck rate, or, in place of such rate, where shipment is by motor vehicle owned or controlled by the seller, the amount added for transportation; and (ii) the invoice is marked "direct mill shipment."

(2) Where shipment is exclusively by motor vehicle owned or controlled by the seller, the charge may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the railroad charge at the carload rate for the most nearly comparable haul. If the actual cost is less than such railroad charge, only the actual cost may be added to the maximum price.

(3) Where shipment is by common or contract carrier, the amount added for transportation may be no greater than the actual amount paid to the carrier, except as provided in paragraph (d) of this section: *Provided*, That where shipment is by both rail and truck (either owned or controlled by the seller or a common or contract carrier), the following shall govern:

(i) Where shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery, provided such cost is shown separately on the invoice.

(ii) Where a truck haul precedes the rail shipment, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for such truck haul: *Provided*, That the seller may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for an exception if the seller can demonstrate that a separate and identifiable charge for the truck haul was customarily made by the seller during the year 1940.

(b) *Delivered prices for imported Western white spruce lumber shipped from the Canadian provinces of British Columbia and Alberta.* A delivered price in excess of the maximum prices, f. o. b. Spokane, Washington, set forth in Appendix C, § 1381.265, for imported Western white spruce lumber shipped to the purchaser from the Canadian provinces of British Columbia and Alberta may be charged, consisting of such prices plus transportation costs at the carload rail rate from Spokane, Washington to the point of delivery designated by the purchaser: *Provided*, That the invoice shows the point of origin of the shipment, the destination, and the carload rail rate from Spokane, Washington to the destination.

(c) *Delivered prices for imported Western white spruce, Northern white pine, Norway pine, Northern white cedar, and Eastern spruce lumber shipped from the Canadian provinces of Saskatchewan and Manitoba.* A delivered price in excess of the maximum prices, f. o. b. Baudette, Minnesota, set forth in Appendices B and C, §§ 1381.264 and 1381.265, for imported Western white spruce, Northern white pine, Norway pine, Northern white cedar, and Eastern spruce lumber shipped to the purchaser from the Canadian provinces of Saskatchewan and Manitoba may be charged, consisting of such prices plus transportation costs at the carload rail rate from Baudette, Minnesota to the point of delivery designated by the purchaser: *Provided*, That the invoice shows the point of origin of the shipment, the destination, and the carload rail rate from Baudette, Minnesota to the destination.

(d) *Trade practices.* In computing transportation costs, the following practices are permitted:

(1) The computation of transportation costs on the basis of the applicable freight rate and the estimated average weights set forth in paragraph (e) of this section.

(2) The charging of a sum equivalent to the one-quarter of a dollar nearest to the transportation cost per 1,000 feet of lumber computed in accordance with subparagraph (1) of this paragraph.

(e) *Estimated average weights.* (1) The estimated average weights for Northern softwood lumber in a green or air dried condition, shall be as follows:

	White pine	Western white spruce and eastern spruce	Norway pine
4/4—per MBM	*Lbs.*	*Lbs.*	*Lbs.*
Rough	2,400	2,400	2,500
S1S and S2S	1,900	1,900	2,000
S4S, S2S & CM, Ceiling Drop Siding, Shiplap	1,800	1,800	1,900
6/4 and Thicker—per MBM			
Rough	2,500	2,500	2,600
S1S, S2S, S1S1E	2,200	2,000	2,200
S4S, S2S, & CM	2,100	1,900	2,100
Plank & Timbers—per MBM			
Rough		3,000	3,200
S1S, S2S, S1S1E, S4S, S2S & CM		2,400	2,700
Bevel Siding—per MBM	800		
Lath (dry)—per M pcs.			
4'	500		
32"	350		
White Cedar Shingles—per square	180		

HEMLOCK

	Lbs. per MBM
3" plank, rough	3,000
3" plank & 4 x 4 to 8 x 8, S1S1E	2,700
3" plank, S4S or D&M	2,500
4 x 10" to 12 x 12", rough	3,500
4 x 10" to 12 x 12", S1S1E	3,200
4 x 10" to 12 x 12", S4S	3,000
4 x 4" to 8 x 8", rough	3,000
2" piece stuff, S1S1E	2,200
2" piece stuff, S1S or S2S	2,200
2" piece stuff, rough or S1E	2,500
2" piece stuff, S4S or D&M	2,000
1" boards, rough	2,500
1" boards, S1S or S2S	2,000
Shiplap, D&M, or drop siding	1,800
Sheathing lath	1,500
	Per M Pcs.
Lath	500
32" lath	325

(2) The estimated average weights for Northern softwood lumber in a kiln dried condition shall be the average weights established in subparagraph (1) of this paragraph decreased by the average difference in weight between air dried lumber and kiln dried lumber in the particular species shipped. This average difference shall be calculated on the basis of the experience of the mill which produced the lumber shipped.

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9295; Filed, September 18, 1942; 5:20 p. m.]

PART 1382—HARDWOOD LUMBER

[Maximum Price Regulation 223]

NORTHERN HARDWOOD LUMBER

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of Northern hardwood lumber by a specific maximum price regulation. The Price Administrator has ascertained and given due consideration to the prices of Northern hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[1], issued by the Office of Price Administration, Maximum Price Regulation No. 223 is hereby issued.

AUTHORITY: §§ 1382.151 to 1382.166, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1382.151 *Maximum prices for Northern hardwood lumber.* (a) On and after September 23, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Northern hardwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Northern hardwood lumber so shipped, at prices higher than the maximum prices set forth in Appendices A to D hereof, inclusive, incorporated herein as §§ 1382.163 to 1382.166, inclusive; and no person subject to this Maximum Price Regulation No. 223 shall agree, offer, solicit or attempt to do any of the foregoing.

(b) The provisions of this Maximum Price Regulation No. 223 shall not be applicable to retail sales as defined in paragraph (a) (7) of § 1382.159.

(c) The provisions of this Maximum Price Regulation No. 223 shall not be applicable to sales or deliveries of Northern hardwood lumber to a purchaser, if prior to September 23, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(d) The maximum prices established in this Maximum Price Regulation No. 223 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663, 6967.

payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941.

§ 1382.152 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 223 may be charged, demanded, paid, or offered.

§ 1382.153 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 223 shall enter into an agreement permitting the adjustment of the price of Northern hardwood lumber to prices which may be higher than the maximum prices in effect on the date of the agreement: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception should be made in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1382.154 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 223 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation agreement, sale delivery, purchase, or receipt of or relating to Northern hardwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lumber through a distribution yard;

(2) Unreasonably refusing to ship lumber on standard grades and in grade-rule range widths and lengths;

(3) Falsely or wrongly grading or invoicing lumber;

(4) Grading as a special grade lumber which normally is graded by the seller as a standard grade;

(5) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in § 1382.166).

§ 1382.155 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 223 making sales or deliveries or purchases of Northern hardwood lumber to the value of $500.00 or more in any one month, after September 23, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Northern hardwood lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, and the prices paid or received.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1382.156 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 223 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942: *Provided*, That no War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 223 or the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 223 or any price schedule regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1382.157 *Licensing.* The provisions of Supplementary Order No. 18 (§ 1305.22) licensing persons selling lumber, lumber products or building materials, are applicable to every person, except mills, making sales of Northern hardwood lumber for which maximum prices are established by this regulation.

§ 1382.158 *Petitions for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of Northern hardwood lumber which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 223 in accordance with Procedural Regulation No. 6,[2] issued by the Office of Price Administration.

(b) *Special relief.* Any person seeking special relief for which no provision is made in paragraph (a) of this section, from a maximum price established under this Maximum Price Regulation No. 223, may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the purpose of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 223 to eliminate the danger of inflation.

(c) *General amendments and adjustments.* Persons seeking any general modification of this Maximum Price Regulation No. 223 or any general adjustment or exception not provided for therein may file petitions for amendment in accordance with Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

§ 1382.159 *Definitions.* (a) When used in Maximum Price Regulation No. 223, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ½", ¾", and ⅝", the term "feet" means surface feet.

(3) "Northern hardwood lumber" means lumber:

(i) Produced from the botanical species of brown ash (*Fraxinus nigra*), beech (*Fagus americana*), rock elm (*Ulmus thomasi*), hard maple (*Acer saccharum*), and the commercial species of the genera basswood (*Tilia*), birch (*Betula*), soft elm (*Ulmus*), soft maple (*Acer*), and oak (*Quercus*).

(ii) Processed into lumber at mills located in the states of Michigan, Minnesota and Wisconsin.

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[2] 7 F.R. 5087, 5664.
[3] *Supra*, note 2.
[4] *Supra*, note 2.

(4) "Mill" means any establishment:
(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 223, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 percent of the volume of Northern hardwood lumber or logs purchased or received by it, *or*
(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (5) (ii) of this paragraph: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Northern hardwood and Northern softwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.
(5) "Distribution yard" means an establishment:
(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 223, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 percent of the volume of Northern hardwood lumber purchased or received by it; *and*
(ii) Which resembles the following described establishment more nearly than that described under the definition of "mill" in subparagraph (4) (ii) of this paragraph: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.
(6) "Volume" means the board feet volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within six months immediately prior to the transaction subject to this Maximum Price Regulation No. 223.
(7) "Retail sale" means a sale which satisfies all of the following tests:
(i) It must be a sale of not more than 2,000 feet of lumber;
(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates;
(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.
(8) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing.
(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1382.160 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 223 supersede the provisions of the General Maximum Price Regulation [5] with respect to sales and deliveries of Northern hardwood lumber for which maximum prices are established in this regulation.

§ 1382.161 *Export sales.* The maximum price at which a seller may make an export sale of Northern hardwood lumber shall be determined in accordance with the provisions of the Maximum Export Price Regulation,[6] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the continental United States and a purchaser outside thereof in which the commodity sold is transported from the continental United States to a point outside thereof and includes any sale of a commodity outside the continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the continental United States.

§ 1382.162 *Effective date.* This Maximum Price Regulation No. 223 (§§ 1382.151 to 1382.166, inclusive) shall become effective September 23, 1942.

§ 1382.163 *Appendix A: Maximum prices for Northern hardwood lumber in standard or near standard grades*—(a) *Application of Appendix A.* The provisions of this section shall apply to Northern hardwood lumber which is sold in the species and on the grades designated in this section. Lumber sold on such grades shall be deemed to include lumber in:
(1) Grade-rule range widths and lengths;
(2) Widths and lengths substantially the same as grade-rule range widths and lengths; or
(3) Specified average widths or specified average lengths which are substantially run-of-the-log.
(b) *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Northern hardwood lumber in standard or near standard grades in a rough air dried condition shall be as follows:

(1) BROWN ASH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
1	$75.00	$60.00	$47.00	$36.00	$27.00
1¼	80.00	65.00	52.00	40.00	28.00
1½	85.00	70.00	55.00	43.00	28.00
2	90.00	75.00	59.00	45.00	29.00
2½	100.00	-------	-------	-------	-------
3	110.00	-------	-------	-------	-------
4	120.00	-------	-------	-------	-------

(2) BASSWOOD

Thickness (inch)	FAS	Selects	No. 1 Common and Selects	No. 2 Common	No. 3 Common
½	$55.00	$49.00	$33.00	$24.00	-------
⅝	64.00	56.00	38.00	28.00	-------
¾	72.00	64.00	43.00	31.00	-------
1	85.00	75.00	50.00	37.00	$28.00
1¼	90.00	80.00	54.00	41.00	29.00
1½	93.00	83.00	58.00	43.00	29.00
2	98.00	88.00	69.00	44.00	29.00
2½	104.00	94.00	76.00	52.00	-------
3	109.00	99.00	81.00	57.00	-------

(3) BEECH

Thickness (inch)	No. 2 Common and better	No. 3 Common
½	$29.00	-------
⅝	34.00	-------
¾	38.00	-------
1	45.00	$27.00
1¼	49.00	28.00
1½	54.00	28.00
2	58.00	28.00
2½	66.00	-------
3	78.00	-------

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6215, 6794, 6939, 7093.
[6] 7 F.R. 5059.

(4) BIRCH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common and Sound	No. 3 Common
4/4	$86.00	$74.00				
5/4	97.00	84.00				
1	114.00	99.00	$65.00	$43.00	$36.00	$28.00
1¼	119.00	104.00	73.00	50.00	37.00	29.00
1½	121.00	106.00	79.00	56.00	38.00	29.00
2	123.00	113.00	89.00	61.00	39.00	29.00
2½	125.00	115.00	93.00	62.00		
3	127.00	117.00	98.00	67.00		

(5) ROCK ELM

Thickness (inch)	FAS	No. 1 Common	No. 2 Common	No. 3 Common
1	$60.00	$40.00	$34.00	$26.00
1¼	65.00	47.00	36.00	27.00
1½	75.00	55.00	38.00	28.00
2	80.00	63.00	43.00	30.00
2½	90.00	73.00	50.00	33.00
3	100.00	83.00	55.00	35.00

(6) SOFT ELM

Thickness (inch)	FAS	No. 1 Common and Selects	No. 2 Common	No. 3 Common
1	$60.00	$50.00	$39.00	$27.00
1¼	63.00	52.00	40.00	28.00
1½	65.00	53.00	41.00	28.00
2	68.00	56.00	42.00	29.00
2½	71.00	59.00	44.00	
3	76.00	64.00	49.00	

(7) HARD MAPLE

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common and Sound	No. 3 Common
1	$93.00	$78.00	$58.00	$43.00	$30.00	$26.00
1¼	99.00	83.00	63.00	46.00	33.00	27.00
1½	102.00	86.00	67.00	48.00	34.00	28.00
2	110.00	93.00	74.00	50.00	36.00	28.00
2½	120.00	101.00	84.00			
3	135.00	121.00	97.00			
4	160.00	140.00	115.00			
Miscut						
1	88.00	73.00	53.00	40.00		

(8) SOFT MAPLE

Thickness (inch)	FAS	No. 1 Common and Selects	No. 2 Common	No. 3 Common
1	$71.00	$51.00	$37.00	$27.00
1¼	76.00	56.00	41.00	28.00
1½	84.00	61.00	46.00	29.00
2	91.00	66.00	47.00	30.00

(9) OAK

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1	$79.00	$64.00	$53.00	$30.00	$30.00	$25.00
1¼	85.00	70.00	58.00	42.00	32.00	26.00
1½	90.00	75.00	63.00	43.00	33.00	27.00
2	100.00	85.00	70.00	45.00	35.00	28.00
2½	120.00	100.00	85.00	55.00		

(10) MIXED HARDWOODS

Dunnage or No. 4 Common.—Lumber of any hardwood species of standard widths and lengths but poorer in quality than No. 3B Common... $15.00

(11) 1" HARDWOOD TIE SIDES

	FAS	No. 1 Common	No. 2 Common	No. 3A Common	No. 3B Common
Birch	$85.00	$54.00	$37.00	$29.00	$24.00
Maple	80.00	50.00	36.00	26.00	22.00
Oak	60.00	44.00	33.00	25.00	22.00

For 1¼" and thicker items in each species, add to the above prices the same amounts by which the prices for those thicknesses, in standard lumber grades, exceed the prices for 1" stock in the same standard grades.

(12) HARDWOOD HEARTS

Size (inch)	Length (feet)	No. 3 Common	Crossing plank and structural stock
2 x 4	6 to 16	$26.00	$31.00
2 x 5	6 to 16	27.00	31.00
2 x 6	6 to 16	26.00	31.00
2 x 8	6 to 16	26.00	30.00
2 x 5 & wider	6 to 16	26.00	31.00
3 x 3	6 to 16	27.00	30.00
3 x 4	6 to 16	26.00	30.00
3 x 6	6 to 16	26.00	30.00
3 x 8	6 to 16	28.00	32.00
3 x 10	6 to 16	32.00	37.00
3 x 12	6 to 16	38.00	47.00
4 x 4	6 to 16	27.00	30.00
4 x 6	6 to 16	27.00	31.00
4 x 8	6 to 16	32.00	36.00
6 x 6	6 to 16	27.00	31.00
6 x 8	6 to 16	32.00	36.00
8 x 8	6 to 16	37.00	46.00

For all one length, 8' or longer, add $2.00.
For all 10' to 16', add $0.50.
For all 12' to 16', add $1.00.
For all 14' to 16', add $1.50.

(13) HARDWOOD BLOCKING

Size (inch)	(No. 3 Common) 2'	3'	4'	5'	6'	2' to 6', mixed lengths
2 x 3, 2 x 4, 2 x 6	$24.00	$25.00	$24.00	$24.00	$24.00	$23.00
3 x 3, 3 x 4, 3 x 6	24.00	25.00	24.00	25.00	25.00	24.00
4 x 4, 4 x 5, 4 x 6	24.00	25.00	24.00	25.00	25.00	24.00
6 x 6, 6 x 8	26.00	27.00	26.00	26.00	26.00	25.00

(14) GRAIN AND COAL DOOR BOARDS

	6'	7'
Grain door boards	$20.00	$20.00
Coal door boards	18.00	18.00

(15) HARDWOOD SQUARES

Length (inches)	1"	1¼"	1½"
12 to 16	$45.00	$53.00	$58.00
18 to 40	48.00	58.00	63.00
42 to 48	63.00	68.00	73.00
54 to 60	73.00	78.00	88.00

Species	¼", 5/16", ¾" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood, Soft Elm, Soft Maple, Ash, Beech, Birch, Rock Elm, Hard Maple, Oak	$5.00	$6.00	$7.00	$8.00	$9.00	$11.00	$13.00
	5.50	7.50	9.00	10.50	13.00	16.00	20.50

(c) *Green* lumber. The maximum f. o. b. mill price for 1,000 feet of Northern hardwood lumber in a rough green condition shall be the maximum price established in paragraph (b) above for rough air dried lumber, less the deduction which the seller customarily made during the last six months of 1941 for furnishing green rather than air dried stock.

(d) *Additions for kiln drying and working.* The following additions per 1,000 feet of Northern hardwood lumber may be charged for the specified treatments and workings:

(1) Kiln drying the lumber to a moisture content not exceeding 7 percent as of the time the lumber leaves the kiln.

(2) Kiln drying the lumber to a moisture content greater than 7 percent but not exceeding 20 percent as of the time the lumber leaves the kiln: One-half of the addition permitted in subparagraph (1) above or $4.00, whichever is the greater sum.

(3) Inspecting, grading, and measuring after kiln drying: 5 percent of the f. o. b. mill price of the lumber in a rough air dried condition. This addition may be made only where the seller performs all three of these services, at the request of the purchaser, after kiln drying.

(4) Anti-stain treatment: 50 cents.

(5) Millworking:

Species	Surfacing 1 or 2 sides	Surfacing 1 or 2 sides and resawing 1 cut	Surfacing 1 or 2 sides and resawing 2 cuts	Surfacing 4 sides	Dressed and matched	Resawing one cut	Resawing two cuts	Ripping per cut	Bundling
Ash, Beech, Birch, Rock Elm, Soft Elm, Hard Maple, Soft Maple, Oak	$2.00	$4.00	$6.00	$4.00	$5.00	$2.00	$4.00	$1.50	$1.50
Basswood	1.50	3.00	4.50	3.00	3.00	1.50	3.00	1.50	1.50

§ 1382.164 *Appendix B. Maximum prices for Northern hardwood lumber in "standard special" grades or items*—(a) *Application of Appendix B.* The provisions of this section shall apply to Northern hardwood lumber which is sold in the species and on the "standard special" grades or specifications designated in this section.

(b) *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Northern hardwood lumber in "standard special" grades or items in a rough air dried condition shall be as follows:

(1) STANDARD SPECIAL GRADES, SPECIFIED WIDTHS, AND SPECIFIED LENGTHS

[In specified hardwood species]

Species	Grade or designation	Thickness	Widths	Lengths	Maximum price	Maximum additions to maximum price established in § 1382.163 for lumber in corresponding standard grade and thickness
		Inches	*Inches*	*Feet*	*1,000 feet*	
Basswood	No. 2 Common and Better	1	Regular	4 and 6	$38.00	
	No. 2 Common	1	3½ to 5½	Regular	$35.00	
	All	1	Regular	10 and 12		$5.00.
	All	1¼ and thicker	Regular	10 and 12		$6.00.
	No. 1 Common and Better	All	7 and wider	Regular		$7.00.
	No. 1 Common and Better		10 and wider	Regular		$15.00.
	No. 1 Common and Better		12 and wider	Regular		$30.00.
	No. 1 Common and No. 2 Common.	1		8 and longer (Long cutting).		$4.00.
	Venetian Blind Stock	1 and 1¼				$5.00.
	FAS Key Stock	1			$105.00	
	No. 1 Common Key Stock	1			$85.00	
	FAS Key Stock	1¼			$110.00	
	No. 1 Common Key Stock	1¼			$90.00	
	1 and 2 Face Clear	4		6 to 16	$75.00	
	1 and 2 Face Clear	1	5	6 to 16	$82.00	
Birch	Selects and Better	1 and 1¼	45% 8 and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 8" and wider in excess of 45%.	$2.50.
	Selects and Better	1 and 1¼	45% 8 and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 14' and 16' in excess of 45%.	$2.00.
	Straight-grained, free from cross-grained or curly stock:					$20.00.
	Knotty	1	4 to 8	8 to 16	$80.00	
	No. 1 Common and Better	1	4 and wider	4 and 6	$65.00	
	No. 2 Common and Better	1	4 and wider	4 and 6	$48.00	
	No. 2 Common	1	4 and wider	4 and 6	$43.00	
	No. 2 Common and Better	1¼	4 and wider	4 and 6	$58.00	
	1 and 2 Face Clear	1	4	6 to 16	$89.00	
	1 and 2 Face Clear	1	5	6 to 16	$94.00	
	2 Face Clear	1	4	6 to 16	$99.00	
	2 Face Clear	1	5	6 to 16	$104.00	
	No. 1 Common	1	4	Any	$65.00	
	No. 2 Common	1	4	Any	$43.00	
	No. 3 Common	1	4	Any	$28.00	
	No. 1 Common	1	6	Any	$66.00	
	No. 2 Common	1	6	Any	$44.00	
	No. 3 Common	1	6	Any	$29.00	
	Selected Red Birch					$20.00.
Hard Maple	1 and 2 Face Clear	1	4	6 to 16	$93.00	
	1 and 2 Face Clear	1	5	6 to 16	$99.00	
	1 and 2 Face Clear	1¼	4	6 to 16	$89.00	
	No. 1 Common and Better—Curly.	1 and thicker	Regular	Regular	$165.00	
	FAS—Birdseye	1 and thicker	Regular	Regular		$25.00.
	No. 1 Common and Better Heel Stock.	1½ to 2½	Regular	Regular		$10.00.
	No. 1 Common Flooring Stock	1	4 and wider	4 and longer	$49.00	
	No. 2 Common Flooring Stock	1	4 and wider	4 and longer	$39.00	
	No. 3A Common Flooring Stock	1	4 and wider	4 and longer	$29.00	
	No. 1 Common Flooring Stock	1¼	4 and wider	4 and longer	$52.00	
	No. 2 Common Flooring Stock	1¼	4 and wider	4 and longer	$42.00	
	No. 3A Common Flooring Stock	1¼	4 and wider	4 and longer	$32.00	
	No. 1 White					$20.00.
	No. 1 and No. 2 White					$15.00.
	No. 2 White					$10.00.
	Sap 1 Face					$7.00.
	Straight Grain (except in conjunction with No. 1 White, No. 2 White or No. 1 and No. White).					$20.00.
	Straight Grain (in conjunction with No. 1 White, No. 2 White or No. 1 and No. 2 White.)					$10.00.

(2) STANDARD SPECIAL WIDTHS AND LENGTHS IN ALL HARDWOOD SPECIES

[Except as otherwise provided in Appendix A, § 1382.163]

Width and/or length	Grade	Maximum addition to maximum prices established in § 1382.163 for lumber in corresponding standard grade and thickness
5" or 6" and wider; 8' and longer	No. 1 Common and No. 2 Common	$2.00
10' and longer or 12' and longer	No. 2 Common	2.00
7" and wider; standard lengths	No. 1 Common and Better	8.00
8" and wider; standard lengths	No. 1 Common and Better	12.00
9" and wider; standard lengths	No. 1 Common and Better	25.00
10" and wider; standard lengths	No. 1 Common and Better	30.00
12" and wider; standard lengths	No. 1 Common and Better	35.00
11" and wider; standard lengths	Step Flank	[1] 35.00
12" and wider; standard lengths	Step Flank	[1] 40.00

[1] Add to FAS price.

All one width. Same price as for the same width and wider, except as specifically provided for in Appendix A, §1382.163.
6' and shorter. Deduct $2.00 except where otherwise specifically provided for in Appendix A, §1382.163.

(c) *Additions.* Additions to the maximum prices established in this section may be charged in accordance with provisions of paragraph (d) of § 1382.163, Appendix A.

§ 1382.165 *Appendix C: Maximum prices for Northern hardwood lumber in "non-standard special" grades or items*—(a) *Application of Appendix C.* (1) This section shall apply to Northern hardwood lumber which is sold on special specifications not covered by Appendix A or B, §§ 1382.163 or 1382.164.

(2) For purposes of this section the term "Northern hardwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1382.159, but shall not include the following items: (The term "items" includes specifications, workings, services and/or extras.)

(i) Glued stock.
(ii) Moulding.
(iii) Shiplap.
(iv) Risers, step treads, thresholds, handrails.
(v) Bevel and drop siding.
(vi) Flooring.
(vii) Switch, cross, and mine ties.
(viii) Mine material.
(ix) Small dimension stock.
(x) Lath.

(b) *Maximum prices for combination grades.* Where Northern hardwood lumber is sold on a Log Run, Mill Run, or No. 1 Common and Better grade for which no maximum price has been established in Appendix A, § 1382.163, the maximum price shall be the maximum price established in that section for the lowest grade of lumber contained in the stock that is sold on such special inspection grade. The seller, however, may grade and ship the lumber on the standard grades included in such special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 223 for the respective standard grades.

(c) *Maximum prices for "non-standard special" grades and items other than combination grades.* The maximum price (for any seller) for Northern hardwood lumber in a "non-standard special" grade or item, other than a combination grade, shall be computed by adjusting the maximum price established in Appendix A or B, §§ 1382.163 or 1382.164, of this Maximum Price Regulation No. 223 for the most comparable standard or "standard special" grade or item in accordance with the differential or differentials which were employed or would have been employed by the producing mill during the period of October 1 to 15, 1941, subject to the following conditions:

(1) The mill must, within thirty days of entering into a contract for sale of stock subject to the provisions of this paragraph, file a report with the Lumber Branch of the Office of Price Administration, Washington, D. C., on Form 323:1 setting forth full details of the transaction, including (i) the name and address of the purchaser, (ii) the point of origin and the point of delivery of the stock, (iii) the species and grades of lumber ordered, (iv) the specifications, (v) the price charged for the stock, including the functional commission or discount where the lumber is sold to or through a wholesaler or commission salesman, and (vi) an explanation of how the price was computed, including a showing that the price bears the same relationship to the most comparable standard or "standard special" grade or item of lumber as was employed or would have been employed by the producing mill during the period of October 1 to 15, 1941.

(2) Where the Office of Price Administration, within thirty days of receipt of the report, rules in writing that the seller has made an excessive charge for furnishing stock in "non-standard special" grades or items, the seller must readjust the sale price in accordance with the ruling of the Office of Price Administration. If the Office of Price Administration does not rule on the price within such time, the price submitted shall be considered approved.

(3) Pending action on the application of the producing mill by the Office of Price Administration, the seller may quote and deliver at a price which shall be subject to adjustment in accordance with the action taken on the application, but final payment may not be made and accepted until a maximum price has been approved by the Office of Price Administration.

(4) In the event that the Office of Price Administration approves the price charged by the producing mill, or in the event that the Office of Price Administration rules as to the maximum price which the mill may charge, the price so established shall become the maximum price which any seller thereafter may charge for lumber sold on the special specifications and shipped from the particular mill to which the price is applicable. In subsequent sales of such special stock the mill need not file a report with the Office of Price Administration unless the price quoted by the mill is in excess of the maximum price previously determined.

(5) Copies of Form 323:1 can be obtained from the Office of Price Administration, or Form 323:1 can be reproduced by the seller, providing no change is made in style or content of the form.

OFFICE OF PRICE ADMINISTRATION

Form 323:1
Lumber Branch — Hardwood Section

Report of Sales of Northern Hardwood Lumber in "Non-Standard Special" Grades or Items other than Combination Grades

Company_____
Address_____
Mill Location_____

SALES OF "NON-STANDARD SPECIAL" GRADES AND ITEMS

(As defined in Appendix C of Maximum Price Regulation No. 223)

(This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of a "non-standard special" grade or item other than a combination grade.)

Date of Order___ Origin of Shipment_____
Order No_____ Destination of Shipment___
Purchaser_____ FOB Mill Price_____
(Including discounts or commissions, if any)

_____ _____ _____ _____
(Species) (Thickness) (Widths) (Lengths)

_____
(Grade or Item Designation)

Differential in relation to most comparable standard or "standard special" grade or item which was employed or would have been employed during October 1–15, 1941_____

Most comparable standard or "standard special" grade or item to which differential is applied_____

Complete description of "non-standard special" grade or item (including a description of any working or treatment and of the condition of the lumber)_____
_____
_____
_____
_____

Detailed explanation of how maximum price was computed or built up_____
_____
_____
_____

(Name) (Office or Title)

Subscribed and sworn to before me, a Notary public, in and for_____
this_____ day of _____, 194___
(NOTARIAL SEAL)
My Commission expires: (Notary Public)

(d) *Additions.* Additions to the maximum prices established in this section may be charged in accordance with the provisions of paragraph (d) of § 1382.163, Appendix A.

§ 1382.166 *Appendix D: Delivered prices and estimated average weights.* (a) Delivered prices in excess of the maximum f. o. b. mill prices established in this Maximum Price Regulation No. 223 may be charged, consisting of such maximum prices plus the transportation costs permitted by this section: *Provided*, That (1) the invoice shows the point of origin of the shipment, the destination, and the applicable railroad or truck rate, or in place of such rate, where shipment is by motor vehicle owned or controlled by the seller, the amount added for transportation; and (2) the invoice is marked "direct mill shipment".

(b) Where shipment is exclusively by motor vehicle owned or controlled by the seller, the charge may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the railroad charge at the carload rate for the most nearly comparable haul. If the actual cost is less than such railroad charge, only the actual cost may be added to the maximum price.

(c) Where shipment is by common or contract carrier, the amount added for transportation may be no greater than the actual amount paid to the carrier, except as provided in paragraph (d) of this section: *Provided*, That where shipment is by both rail and truck (either owned or controlled by the seller or a common or contract carrier), the following shall govern:

(1) Where shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery, provided such cost is shown separately on the invoice.

(2) Where a truck haul precedes the rail shipment, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for such truck haul: *Provided*, That the seller may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for an exception if the seller can demonstrate that a separate and identifiable charge for the truck haul was customarily made by the seller during the year 1940.

(d) In computing transportation costs, the following practices are permitted:

(1) The computation of transportation costs on the basis of the applicable freight rate and the appropriate estimated average weights set forth in paragraph (e) of this section.

(2) The charging of a sum equivalent to the one-quarter of a dollar nearest to the transportation costs per 1,000 feet of lumber, computed in accordance with subdivision (1) of this paragraph.

(e) (1) The estimated average weights for Northern hardwood lumber in a green or rough air dried condition, shall be as follows:

Species:	Pounds per 1,000 feet BM
Brown Ash	3,300
Basswood	2,500
Beech	4,000
Birch	4,000
Rock Elm	4,000
Soft Elm	3,200
Hard Maple	4,300
Soft Maple	3,700
Oak	4,000

(2) The estimated average weights for Northern hardwood lumber in a kiln dried condition shall be the average weights established in subdivision (1) of this paragraph decreased by the average difference in weight between air dried lumber and kiln dried lumber in the particular species shipped. This average difference shall be calculated on the basis of the experience of the mill which produced the lumber shipped.

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9296; Filed, September 18, 1942; 5:20 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 11 to Maximum Price Regulation 118 [1]]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: § 1400.101 (f), § 1400.106 (d) (2) reference Nos. 9, 10, 11, § 1400.118 (d) (18) reference Nos. 19a through 19d, § 1400.118 (e).

Amended: § 1400.106 (d) (1), § 1400.118 (d) (18) reference Nos. 18g and 18h, § 1400.118 (d) (23) (ii) first paragraph, § 1400.118 (d) (29) (v) (i).

Revoked: § 1400.118 (d) (2) (viii), § 1400.118 (d) (14) (iv) (b), § 1400.118 (d) (26) (iii), the proviso in § 1400.118 (d) (27) (viii), § 1400.118 (d) (29) (iii).

Redesignated: § 1400.118 (a) (8) is redesignated § 1400.118 (a) (7).

§ 1400.101 *Maximum prices for cotton products.* * * *

(f) The maximum price for pound goods and remnants less than 10 yards in length resulting from the production of fabrics subject to this Maximum Price Regulation No. 118, Revised Price Schedule No. 35 [2] and Revised Price Schedule No. 89 [3] shall be determined in accordance with the formula set forth in this section: *Provided*, That if such pound goods are inextricably mingled with pound goods of a kind for which maximum prices are established by the General Maximum Price Regulation,[4] then the maximum price for the mingled lot shall be determined in accordance with said General Maximum Price Regulation.

§ 1400.106 *War procurement.* * * *

(d) *Finished piece goods supplied to war procurement agencies.* (1) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed in (2) below shall be subject to Maximum Price Regulation No. 157.

(2)

Reference No.	Type of goods	Specifications
*	* * *	*
9	Cloth, cotton, twill O. D. Shelter Tent.	JQD 54A.
10	Cloth, cotton, twill and tent.	JQD 48.
11	Dyed army and tent duck.	CCC-D-771A. Type III.
*	* * *	*

§ 1400.118 *Specific and formula prices for certain cotton products: construction reports.* * * *

(d) * * *

[1] F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6484.

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 1270, 1836, 2132, 2738, 2795, 3060, 3164, 3447, 3900, 6640.

[3] 7 F.R. 1375, 1836, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4695, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6607, 6216, 6615, 6794, 6939, 7093.

(18) *Miscellaneous special products.*

Reference No.	Description	Producer	Maximum Price
• •	• •	• •	• •
18g	s/1394 El Patio cover 54 x 54—6 napkins 14 x 14	Bates Mfg. Co.	$2.1834 per set.
18h	s/1306 Cherry cover set (Jacquard) cover 54 x 54; 6 napkins 17 x 17.	Bates Mfg. Co.	$1.83 per set.
19a-19d	Baling fabrics made from yarns spun wholly or partially of waste on the cotton system with the specifications below:	Any mill which during 1941 was primarily engaged in the production of tapestries, carpets, or plushes.	
19a	Thread count 12 x 12 with 8/3 ply yarn in the warp and 1.60 yarn in the filling.	Any mill which during 1941 was primarily engaged in the production of tapestries, carpets, or plushes.	48.7 cents per pound.[1]
19b	Thread count 12 x 11 with 1.75 yarn in the warp and 8/3 ply yarn in the filling.	Any mill which during 1941 was primarily engaged in the production of tapestries, carpets, or plushes.	48.7 cents per pound.[1]
19c	Thread count 12 x 12 with 2.66 yarn in the warp and 1.60 yarn in the filling.	Any mill which during 1941 was primarily engaged in the production of tapestries, carpets, or plushes.	48 cents per pound.[1]
19d	Thread count 12 x 11 with 1.75 yarn in the warp and 2.66 yarn in the filling.	Any mill which during 1941 was primarily engaged in the production of tapestries, carpets, or plushes.	48 cents per pound.[1]

[1] This price is the maximum price for goods produced by mills falling within the class described in the column headed "Producer". The maximum price for any other producer shall be determined in accordance with § 1400.101 (b).

• • • • • •

(23) *Wide print cloths.* • • •

(ii) The maximum prices for print cloth 42 inches and more in width shall be:

• • • • • •

(29) *Huck and crash towels and corded napkins.* • • •

(v) • • •

(*i*) Huck towels manufactured in accordance with Federal specifications DDD-T-531 (without woven name or colored stripe, or unstamped) 1.73 dollars per dozen, terms, net f. o. b. shipping point: *Provided*, That the maximum price which may be charged by George Wood, Sons & Co., sole selling agent for May's Landing Water Power Co., May's Landing, New Jersey, for huck towels manufactured in accordance with said specifications shall be 1.8767 dollars per dozen, terms, net f. o. b. shipping point.

§ 1400.118 • • •

(e) *Prices "in line with" specific and formula maximum prices: reports of "in line" prices.* (1) For any cotton product which (i) is not specifically covered by a specific or formula maximum price set forth in paragraph (d) of this section but (ii) is of the same general type as a fabric group[3] (i. e., similar in construction, method of manufacture and use as a cotton product) enumerated in said paragraph (d), the maximum price shall be a price in line with[4] the maximum price established in said paragraph (d) for the most nearly related type, construction, and grade of cotton product made by the same producer, or in the alternative, by any competitive seller.

(2) The maximum prices established by subparagraph (1) of this paragraph shall apply, in lieu of those established in § 1400.101 (b) and (d), to all contracts of sale and to deliveries made on or after September 24, 1942, except deliveries against contracts entered into on or after May 4, 1942, at a specified price agreed upon in reliance on or in conformity with an applicable maximum price established by § 1400.101 (b) and (d).

(3) If the maximum price for any cotton product is determined in accordance with subparagraph (1) of this paragraph, the seller, upon making his first sale or delivery based upon such price, shall file with the Textile, Leather & Apparel Branch, Office of Price Administration, Washington, D. C., a report containing:

(i) An exact description of such cotton product.

(ii) A statement of the maximum price as determined by him.

(iii) A full identification of the cotton product used as a base from which to determine the price.

(iv) A statement of the exact basis used in determining the price including complete information as to the relative costs of the two products and the cost basis used in determining differentials.

§ 1400.117 *Effective dates of amendments.* • • •

(k) Amendment No. 11 (§§ 1400.101 (f), 1400.106 (d) (1), (d) (2) reference numbers 9, 10, 11, 1400.118 (a) (7), (d) (2) (viii), (d) (5), (d) (14) (iv) (b), (d) (18) reference numbers 18g, 18h, 19a through 19d, (d) (23) (ii) first paragraph, (d) (26) (iii), (d) (27) (viii), (d) (29) (iii), (d) (29) (v) (*i*) to Maximum Price Regulation No. 118 shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9290; Filed, September 18, 1942; 5:15 p. m.]

[3] For instance, a new or related construction of gingham shall be priced in line with the specific maximum price of the most nearly comparable construction of gingham for which there is a specific maximum price. The same holds true for corduroy, cottonades, whip cords, frock cloth, etc. A cotton product which does not fall within one of the fabric groups enumerated in paragraph (d) of § 1400.118 shall be priced under the formula provided in § 1400.101 (b) and (d). It may not be related to a construction in a different fabric group. Thus a pin check cannot be related to a cottonade.

[4] See footnote 5 to § 1400.101 for definition of "in line with".

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Amendment 1 to Maximum Price Regulation 158[1]]

RESALE OF WAR BICYCLES—DISTRIBUTORS AND DEALERS

A statement of considerations involved in the issuance of this amendment has been prepared and issued simultaneously herewith.

Sections 1391.61 and 1391.62 are hereby amended to read as follows, and a new § 1391.68 is added, as set forth below:

§ 1391.61 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 158 selling at wholesale or retail any War bicycle covered by this Maximum Price Regulation No. 158. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1391.62 *Applicability of the General Maximum Price Regulation.*[2] The provisions of this Maximum Price Regulation No. 158 supersede the provisions of the General Maximum Price Regulation, except as provided in § 1391.61 hereof, with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1391.68 *Effective dates of amendments.* —

(a) Amendment No. 1 (§§ 1391.61, 1391.62, and 1391.68) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9283; Filed, September 18, 1942; 5:16 p. m.]

PART 1425—LUMBER DISTRIBUTION

[Correction to Maximum Price Regulation 215[1]]

DISTRIBUTION YARD SALES OF SOFTWOOD

In § 1425.14 (a) (3) (iii) the words "$0.60 per hundred pieces for lath" are corrected to read "$0.60 per thousand pieces for lath."

§ 1425.13a *Effective dates of amendments.* (a) Correction (§§ 1425.14 (a) (3) (iii) and 1425.13a) to Maximum Price Regulation No. 215 shall become effective September 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9291; Filed, September 18, 1942; 5:15 p. m.]

[1] 7 F.R. 4295.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4569, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093.

[3] 7 F.R. 7094.

PART 1499—COMMODITIES AND SERVICES

[Order 67 Under § 1499.3 (b) of the General Maximum Price Regulation]

ESS-TEE KNITTING MILLS, INC.

The Ess-Tee Knitting Mills, Inc. of Lowell, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of proposed maximum prices for men's sweaters. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, it is ordered:

§ 1499.281 *Approval of maximum prices for sale by Ess-Tee Knitting Mills, Inc. of men's sweaters.* (a) On and after September 19, 1942, the maximum price, f. o. b. mill, at which Ess-Tee Knitting Mills, Inc. may sell men's sweaters, the body of which is made of core yarn fabric consisting of 22% wool, 22% rayon and 56% cotton and the sleeves and pocket tips of which are made of an all-cotton fabric, shall be $16.21 per dozen. Customary discounts are to be maintained.

(b) This Order No. 67 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 67 (§ 1499.281) shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9286; Filed, September 18, 1942; 5:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 72 Under § 1499.3 (b) of the General Maximum Price Regulation]

VULCANIZED RUBBER COMPANY

For the reasons set forth in the Opinion filed simultaneously herewith, it is ordered:

§ 1499.286 *Maximum prices for sales of Cole-mor-ite plastics.* (a) The Vulcanized Rubber Company of 261 Fifth Avenue, New York City, may sell and deliver, and any buyer may buy and receive from the Vulcanized Rubber Company, the thermosetting plastic molding material to be sold under the trade name of Cole-mor-ite, f. o. b. Morrisville, Pennsylvania, at no higher than the following prices:

2-L-Black

Quantity	Cents per pound
5,000 pounds or more	.35
500 to 4,999 pounds	.40
Less than 500 pounds	.42

3-B-Black and Brown

Quantity	Cents per pound
5,000 pounds or more	.22½
500 to 4,999 pounds	.25½
200 to 499 pounds	.27½
Less than 200 pounds	.30

(b) Permission to sell Cole-mor-ite plastics at the prices specified in paragraph (a) shall terminate six months after the effective date of this order.

(c) Standard discounts in effect during March 1942, on sales by the Vulcanized Rubber Company, shall apply to the maximum prices set forth in paragraph (a).

(d) This Order No. 72 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 72 (§ 1499.286) shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9289, Filed, September 18, 1942; 5:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 47 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF1-770-P]

BURKS SPRING DISTILLERY CO. INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.347 *Adjustment of maximum prices for current bulk Bourbon whiskeys manufactured by Burks Spring Distillery Company, Inc.*, (a) Burks Spring Distillery Company, Inc., of Loretta, Kentucky, may sell and deliver and any person may buy and receive from Burks Spring Distillery Company, Inc., current bulk Bourbon whiskeys at prices not higher than 65 cents per proof gallon.

(b) This Order No. 47 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 47 (§ 1499.347) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 47 (§ 1499.347) shall become effective September 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9288; Filed, September 18, 1942; 5:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 24 to Supplementary Regulation 14[1]—General Maximum Price Regulation[2]]

RAW FURS, SKINS AND PELTRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (23) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(23) *Raw furs, skins and peltries.* (i) The maximum price for any seller of raw furs, skins or peltries, the sale or delivery of which is subject to the provisions of the General Maximum Price Regulation, shall be:

(*a*) A price in line with the highest price charged by such seller during March 1942 for the same or the nearest related type of raw furs, skins, or peltries, making adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as a part of a lot; or

(*b*) If the maximum price cannot be so determined, the seller's maximum price shall be a price in line with the highest price charged during March 1942 by such seller's most closely competitive seller of the same class for the same or the nearest related type of raw furs, skins or peltries, making adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as a part of such lot; or

(*c*) If the maximum price cannot be so determined, the seller's maximum price shall be a price in line with the general level of prices prevailing among sellers of the same class during the year ended March 31, 1942, for the same or similar raw furs, skins or peltries, making adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as a part of such lot.

(ii) (*a*) When used in this subparagraph (23), the term, "raw furs, skins and peltries," means undressed or untanned furs and skins or hides, whether imported or domestic, the sale or delivery of which is subject to the General Maximum Price Regulation.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7203.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used in this subparagraph (23).

(b) *Effective dates.* • • •

(25) Amendment No. 24 (§ 1499.73 (a) (23)) to Supplementary Regulation No. 14 shall become effective September 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9287; Filed, September 18, 1942; 5:17 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[Amendment 1 to Maximum Price Regulation 176]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

Correction

In § 1384.13 *Appendix B: Grading rules for rotary cut Southern hardwood box lumber* appearing on page 7243 of the issue for September 15, 1942, paragraph (e) (1) should read as follows:

(e) (1) Only those cutdowns and cutbacks that actually accumulate in working out defects in the logs and rounding the logs used in filling a particular order may be shipped against that order. Such cutdowns and cutbacks shall have the same maximum price as prime size stock in the same length and thickness as the cutdowns and cutbacks.

PART 1410—WOOL

[Amendment 5 to Maximum Price Regulation 163 [1]]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (3) of paragraph (f) of § 1410.102 and paragraph (a) of § 1410.111 are amended to read as follows:

§ 1410.102 *Maximum prices for woolen and worsted apparel fabrics sold by the manufacturer.* • • •

(f) *Customary discounts, trade practices and transportation costs.* • • •

(3) On and after September 8, 1942, every manufacturer of woolen or worsted apparel fabrics making sales or contracts of sale subject to this Maximum Price Regulation No. 163 shall determine his maximum prices to the closest 2½ cents per yard. The provision of this subparagraph (3) shall not apply to deliveries made pursuant to sales or contracts of sale entered into prior to September 8, 1942 in compliance with this Maximum Price Regulation No. 163.

• • • • •

§ 1410.111 *Reports.* (a) Within 10 days after a manufacturer has determined his maximum price for a comparable, new or similar fabric, pursuant to paragraphs (c), (d) or (i) of § 1410.102, he shall file with the Office of Price Administration, Washington, D. C.:

(1) With respect to comparable fabrics, a report on Form No. 1163.1 furnished by the Office of Price Administration.

(2) With respect to new fabrics, a report on Form No. 1163.2 furnished by the Office of Price Administration.

(3) With respect to similar fabrics, a report on Form No. 1163.3 furnished by the Office of Price Administration.

• • • • •

§ 1410.117 *Effective dates of amendments.* • • •

(g) Amendment No. 5 (§§ 1410.102 (f) (3) and 1410.111 (a)) to Maximum Price Regulation No. 163 shall become effective September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9331; Filed, September 19, 1942; 12:34 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 3 to Maximum Price Regulation 183 [1]]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (4) is added to paragraph (a) of § 1418.14, and paragraph (c) is added to § 1418.13a.

§ 1418.14 *Tables of maximum prices.* (a) Table I: Maximum prices for rice. • • •

(4) In determining maximum prices for commodities under this Maximum Price Regulation No. 183, sellers at wholesale and retail shall adjust fractions of one half a cent or more to the next higher cent, and fractions of less than half a cent to the next lower cent.

• • • • • •

§ 1418.13a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§ 1418.14 (a) (4) and 1418.13a (c)) to Maximum Price Regulation No. 183 shall become effective September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9333; Filed, September 19, 1942; 12:34 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872.

[1] 7 F.R. 5620, 6744, 6659.

PART 1499—COMMODITIES AND SERVICES

[Amendment 27 to General Maximum Price Regulation]

APPLICATIONS FOR ADJUSTMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1499.18 a new paragraph (d) is added immediately following the text of paragraph (c) as set forth below:

§ 1499.18 *Applications for adjustment.* • • •

(d) The Office of Price Administration, or any duly authorized officer thereof, will by order increase the maximum price of any commodity established under this General Maximum Price Regulation for any seller at retail to the minimum price in effect for such commodity during March 1942 pursuant to a contract entered into in accordance with a Fair Trade Act of any state in any case in which such seller shows:

(1) That his maximum price is less than such minimum price;

(2) That the commodity was generally sold at retail during March 1942 at such minimum price within the locality in which his selling establishment is located; and

(3) That he has been permanently enjoined by a court from selling the commodity at less than such minimum price. Applications for adjustment under this paragraph (d) shall be filed in accordance with Procedural Regulation No. 2.

This section shall apply to all maximum price regulations which have incorporated § 1499.18 in their provisions.

• • • • • •

§ 1499.23a *Effective dates of amendments.* • • •

(bb) Amendment No. 27 (§ 1499.18 (d)) to General Maximum Price Regulation shall become effective September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9332; Filed, September 19, 1942; 12:34 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

MISCELLANEOUS AMENDMENTS

PENSIONABLE AND COMPENSABLE SERVICE FOR DEATH PENSION AND COMPENSATION PURPOSES

Revision of §§ 5.2520, 5.2532, 5.2568, 5.2574, 5.2581, 5.2582, 5.2620, 5.2622.

§ 5.2520. *Death of veteran due to service: General law.*

No change in (a).

(b) Persons entitled to pension under the provisions of the General Pension Law (section 4702 and 4707 R.S. as amended), for death resulting from service prior to April 21, 1898, shall be entitled to receive pension on and after July 1, 1938, at the monthly rates specified in § 5.2622 (d), and on and after August 1, 1942, at the monthly rates specified in § 5.2622 (e): *Provided,* That this regulation shall not be so construed as to reduce any pension under any act, public or private, nor shall it be so construed as to enlarge or abridge conditions of entitlement. (September 21, 1942). (Public No. 690, 77th Congress)

§ 5.2532 *Death of veteran due to peace-time service: Public No. 2, 73d Congress as Amended and accessory acts.* (a) For the purposes of Public No. 2 (Act of March 20, 1933), the surviving widow, child or children and/or dependent mother or father of any deceased person who died as a result of injury or disease incurred in or aggravated by active military or naval service subsequent to April 20, 1898, other than in a period of war service, as provided for in § 35.012, paragraph 1, as amended by Public No. 159, 75th Congress (Act of June 23, 1937), shall be entitled to receive pension at the appropriate peace-time rates specified in § 5.2622.

(b) For the purposes of Public No. 159, 75th Congress (Act of June 23, 1937), as amended by Public No. 732, 75th Congress (Act of June 25, 1938), the surviving widow, child or children and dependent mother or father of any deceased person who dies or has died as a result of physical injury (sickness or disease shall not be regarded as an injury) incurred in line of duty while performing active naval service, subsequent to June 15, 1933, shall be entitled to receive pension at the appropriate peace-time rates specified in § 5.2622. (September 21, 1942) (Public No. 690, 77th Congress)

No change in (c).

(d) For the purposes of Public No. 497, 71st Congress (Act of July 2, 1930), and Public No. 182, 77th Congress (Act of July 18, 1941), the surviving widow, child or children, or dependent mother or father of any deceased officer or enlisted man of the United States Coast Guard, who died as a result of injury or disease incurred in or aggravated by active service in line of duty, on or after January 28, 1915 (except service during the World War), shall be entitled to receive pension at the appropriate peace-time rates specified in § 5.2622. For the purposes of Public No. 359, 77th Congress (Act of December 19, 1941), if death resulted from an injury or disease received in active service under the conditions indicated in § 5.2533, the dependents shall be entitled to the war-time rates specified in § 5.2622 (b) or § 5.2624. (September 21, 1942) (Public No. 690, 77th Congress)

COMMENCEMENT OF ORIGINAL AWARDS OF DEATH PENSION OR COMPENSATION

§ 5.2568 *General Law.* Original awards of death pension under the General Law (sections 4702 and 4707, Revised Statutes, as amended), as to service prior to April 21, 1898, shall commence:

(a) *Widows.* The day following the date of the veteran's death if claim is filed within one year from the date of death, otherwise from the date of filing of a formal application, except that if payment is barred under the provisions of 4706, Revised Statutes, then payment should begin the day following the date that the youngest child by the widow and the veteran shall have attained the age of sixteen years.

(b) *Remarried widows.* The date of filing formal application (R.S. 4708, as amended by the Act of March 3, 1901 (31 Stat. 1445), and the Act of February 28, 1903 (32 Stat. 920)).

(c) *Children.* (1) The day following the date of the veteran's death, if claim is filed within one year from the date of death, otherwise from the date of filing of a formal application, provided there be no widow, or if the widow has died without any payment of pension having been made to her.

(2) Date of remarriage of a pensioned widow, except when the widow has continued to receive pension after her remarriage and the child or children have resided with and been supported by her, their pension shall commence from the date of last payment to the widow. (R.S. 4702, as amended)

(3) The day following the date of the veteran's death, if claim is filed within one year from the date of death, otherwise from the date of filing of a formal application, or from date of last payment to a pensioned widow if payment to the widow is barred under the provisions of section 4706, Revised Statutes.

(4) The date of commencement of open and notorious adulterous cohabitation by a widow who has forfeited title under the Act of August 7, 1882 (22 Stat. 345), except that the date shall be from the date of last payment to the widow if payment of pension has been made to her since the commencement of such cohabitation.

(d) *Dependent mothers and fathers.* The day following the date of the veteran's death, if claim is filed within one year from the date of death, otherwise from the date of filing of a formal application. (September 21, 1942.) (Public No. 690, 77th Congress)

No change in (e) and (f)

§ 5.2574 No change in (a).

(b) *§ 35.012 as amended by Publics No. 159 and 732, 75th Congress, and Publics No. 182, 193, 359, and 690, 77th Congress.* Original awards of death pension under § 35.012, as amended by Publics No. 159 and 732, 75th Congress, and Publics No. 182, 193, 359, and 690, 77th Congress, shall commence as follows:

(1) (i) To dependents of persons (except as otherwise provided in this paragraph) whose deaths resulted from injury or disease incurred in or aggravated while in service, the effective date of an award of death pension shall be fixed in accordance with the facts found except that no award of death pension shall be effective prior to the date of the veteran's death, date of the happening of the contingency upon which death pension is allowed or the date of receipt of application therefor, whichever is the later date: *Provided,* That if application is filed on or after July 30, 1942, and within one year from the date of the veteran's death, the effective date of an award of death pension shall be July 30, 1942, or the day following the date of death, whichever is the later, otherwise from the date of filing application. The increased rates authorized solely under Public No. 690, 77th Congress (Act of July 30, 1942), shall not be awarded from a date earlier than August 1, 1942.

(ii) For the purposes of Public No. 182, 77th Congress (Act of July 18, 1941), granting pension to the dependents of officers and enlisted men of the United States Coast Guard for peace-time service on or after January 28, 1915, and prior to July 2, 1930, no award of death pension shall be effective prior to the receipt on or after July 18, 1941, of an application for such benefits. On or after July 30, 1942, the proviso contained in subparagraph (1) (i) of this paragraph, is for application.

(iii) For the purposes of any Act as amended by Public No. 193, 77th Congress (Act of July 30, 1941), no award of death pension to a dependent mother or father who has remarried shall commence prior to the receipt on or after July 30, 1941, of an application for such benefits. On or after July 30, 1942, the proviso contained in subparagraph (1) (i) of this paragraph, is for application.

(2) (i) To dependents of reserve officers and members of the enlisted reserves of the Army of the United States who served prior to June 15, 1933, and of the Navy and Marine Corps who served prior to July 1, 1925, whose deaths resulted from injury or disease incurred in or aggravated while in such active service, in line of duty: The date of filing application or, when pertinent, the date following the date of last payment of United States Employees Compensation, whichever is the later, where such benefits have been awarded and the claimant has elected to receive pension. (Dependents of Naval or Marine Corps reservists are not entitled to pension for death due to causes incurred between July 1, 1925 and June 15, 1933.) Where application is filed on or after July 30, 1942, and no payment of United States Employees Compensation has been made and the claimant has elected to receive pension, then the proviso contained in subparagraph (1) (i) of this paragraph is for application.

(ii) To dependents of reservists (reserve officers and members of the enlisted reserves of the Army of the United States, and of the United States Navy and Marine Corps) whose deaths resulted from injury or disease incurred in or aggravated while in active service in line of duty on or after June 15, 1933, including service for training purposes: The date of filing application or the date following the date of last payment of United States Employees Compensation, whichever is the later, where such benefits have been awarded and the claimant

has elected to receive pension, but not prior to June 23, 1937. Where application is filed on or after July 30, 1942, and no payment of United States Employees Compensation has been made and the claimant has elected to receive pension, then the proviso contained in subparagraph (1) (i) of this paragraph is for application. (September 21, 1942.) (Public No. 690, 77th Congress)

No change in (c) and (d).

EFFECTIVE DATES OF INCREASE OF DEATH PENSION OR COMPENSATION

§ 5.2581 *General law.* (a) Where a person was on the rolls July 1, 1938, under the provisions of the General Pension Law, for death resulting from service prior to April 21, 1898, pension at the rate provided in § 5.2622 (d) (Public No. 758, 75th Congress, Act of June 28, 1938), shall be authorized effective July 1, 1938, in any case where such rate exceeds that being paid the beneficiary on June 30, 1938, provided entitlement thereto is otherwise established.

No change in (b)

(c) Where a person was on the rolls August 1, 1942, under the provisions of the General Pension Law, for death resulting from service prior to April 21, 1898, pension at the rate provided in § 5.2622 (e) (Public No. 690, 77th Congress, Act of July 30, 1942), shall be authorized effective August 1, 1942, in any case where such rate exceeds that being paid the beneficiary on July 31, 1942, provided entitlement thereto is otherwise established. (September 21, 1942.) (Public No. 690, 77th Congress)

§ 5.2582 *Public No. 2 and sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, or Public Nos. 242, 359, and 690, 77th Congress.* The effective date of an award of increased pension or compensation payable under Public No. 2, 73d Congress, sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, Public Nos. 242, 359, and 690, 77th Congress, shall be fixed in accordance with the facts found, except that:

(a) No award of increased pension or compensation may be effective prior to the date of receipt of the evidence showing entitlement thereto; except that a widow who attains an age at which an increased rate is provided under §§ 35.011 and 35.012 or under section 3 of Public No. 304, 75th Congress, or under section 5 of Public No. 198, 76th Congress, or under section 1 of Public No. 690, 77th Congress, shall be entitled to receive such increase effective on the date of attainment of the age at which an increase is authorized, if evidence establishing the date of birth is on file on the date of attainment of such age or is received within one year from the date of the prescribed anniversary of the date of birth, provided that in original claims where the claimant has shown that she was past the age at which the minimum rate is payable at the date of filing her claim, the increased rate provided on account of age may be authorized as of the beginning date of the award or as of the date she attained the required age whichever is the later, provided satisfactory proof of the fact and date of birth is received within one year from the date of request therefor; provided further that in no event will the increase be awarded from a date prior to the date authorized in the law or regulation invoked; provided further that any increase authorized for periods prior to September 1, 1941, under section 3 of Public No. 304, 75th Congress, or section 5, Public No. 198, 76th Congress, must be made subject to the conditions of paragraph (c) of this section; *Provided further*, That any increase authorized for periods beginning on or after September 1, 1941, under Public No. 242, 77th Congress, must be made subject to the conditions of paragraph (f) of this section. (September 21, 1942) (Public No. 690, 77th Congress)

No change in (b), (c), (d), (e), (f) and (g).

RATES OF DEATH PENSION AND COMPENSTTION FOR WIDOWS, REMARRIED WIDOWS, CHILDREN, AND DEPENDENT PARENTS

§ 5.2620 *General law; veteran's death due to service.* The following rates of pension are payable under the General Law, subject to the conditions and limitations set forth in regulations. (R.S. 4695 as amended); (Public No. 758, 75th Congress, Act of June 28, 1938); (Public No. 359, 77th Congress, Act of December 19, 1941); (Public No. 690, 77th Congress, Act of July 30, 1942.) (September 21, 1942.) (Public No. 690, 77th Congress)

No change in (a) and (b).

(c) For persons entitled under the provisions of the General Pension Law for death resulting from service prior to April 21, 1898, the rates (except as to cases which come within the purview of paragraph (d) of this section), for the period, commencing July 1, 1938, and ending July 31, 1942, shall not be less than those outlined in § 5.2622 (d), and on and after August 1, 1942, the rates shall be those outlined in § 5.2622 (e). (September 21, 1942.) (Public No. 690, 77th Congress)

No change in (d), (e), (f), (g) and (h)

§ 5.2622 *Rates under Public No. 2, 73d Congress (Act of March 20, 1933), and section 28, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), and Public No. 690, 77th Congress (Act of July 30, 1942).* The following rates are payable under the regulations promulgated pursuant to authority of Public No. 2, 73d Congress (Act of March 20, 1933), for the death resulting from active military or naval service subsequent to April 20, 1898; in World War cases prior to the dates when awards under Public No. 304, 75th Congress (Act of August 16, 1937), became effective; and in cases comprehended by Public No. 690, 77th Congress (Act of July 30, 1942). (September 21, 1942.) (Public No. 690, 77th Congress)

No change in (a), (b), (c) and (d)

(e) *Rates on and after August 1, 1942, for peace-time service.*

	Per month
Widow under 50 years of age	$30.00
Widow 50 years of age or over	35.00
Widow with one child, $8 additional for such child up to 10 years of age, increased to $11 from age 10 (with $6 for each additional child up to 10 years of age, increased to $10 from age 10.)	
No widow but one child	15.00
No widow but two children (equally divided)	25.00
No widow but three children (equally divided) (with $6 for each additional child; total amount to be equally divided)	35.00
Dependent mother or father	30.00
(or both) each	20.00

As to the widow, child or children the total pension payable under this paragraph shall not exceed $62.00. As to the widow, and child or children not in her care and custody, any amount payable under this section may be apportioned as prescribed in §§ 5.2591 and 5.2592. (Public No. 690, 77th Congress, Act of July 30, 1942.) (September 21, 1942.) (Public No. 690, 77th Congress)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 42-9351; Filed, September 21, 1942; 11:36 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-228]

H. J. DOBSON

ORDER DISMISSING COMPLAINT, CANCELLING HEARING AND TERMINATING MATTER

The Bituminous Coal Producers Board for District 11, complainant herein, by motion filed with the Bituminous Coal Division on August 27, 1942, having moved that its complaint herein filed with the Division on March 9, 1942, against the above-named code member be dismissed without prejudice on the ground that H. J. Dobson is no longer engaged in the business of mining coal;

The Acting Director deeming it advisable to grant said motion;

Now, therefore, it is ordered, That the said complaint herein be, and it hereby is, dismissed without prejudice;

It is further ordered, That the hearing herein, heretofore postponed by Order dated April 20, 1942, to a date and place to be thereafter designated by appropriate order, be, and the same hereby is, cancelled; and

It is further ordered, That the matter herein, Docket No. B-228, be, and the same hereby is, terminated.

Dated: September 17, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-9348; Filed, September 21, 1942; 11:18 a. m.]

[Docket No. B-230]

RAMSAY-COLLINS FUEL CO.

ORDER DISMISSING COMPLAINT, CANCELLING HEARING AND TERMINATING MATTER

In the matter of Ray A. Collins, individually and as surviving partner of the former partnership doing business under the name and style of Ramsay-Collins Fuel Company (Ramsay Collins Fuel Company), code member.

Bituminous Coal Producers Board for District No. 12, complainant herein, by motion filed with the Bituminous Coal Division on September 5, 1942, having moved that its complaint herein, filed with the Division on March 2, 1942, against the above-named code member, be dismissed without prejudice on the ground that the partnership against which the complaint was filed is no longer in existence;

The Acting Director deeming it advisable to grant said motion;

Now, therefore, it is ordered, That the said complaint herein be, and it hereby is, dismissed without prejudice;

It is further ordered, That the hearing herein, heretofore postponed by Order dated May 21, 1942, to a date and place to be thereafter designated by appropriate order, be, and the same hereby is cancelled; and

It is further ordered, That the matter herein, Docket No. B-230, be, and the same hereby is, terminated.

Dated: September 18, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-9347; Filed, September 21, 1942; 11:18 a. m.]

[Docket B-178]

FRENCH & SON

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Wilmer French and Lewis French, individually and as co-partners, doing business under the name and style of French & Son, code member.

A written complaint dated January 2, 1942, having been filed on January 5, 1942, by the Bituminous Coal Producers Board for District No. 11, complainant, pursuant to Sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by Wilmer French and Lewis French, individually and as co-partners, doing business under the name and style of French & Son ("French & Son"), Shoals, Indiana, of the Bituminous Coal Code and the rules and regulations thereunder; and

French & Son, by Lewis French, having filed with the Bituminous Coal Division (the "Division") on September 11, 1942, its application for restoration of its code membership to become effective as of July 8, 1942; and

It appearing from said application and other information in the possession of the Division, that the said French & Son has paid to the Collector of Internal Revenue at Indianapolis, Indiana, on July 8, 1942, the sum of $160.05, pursuant to Order dated April 4, 1942, as a condition precedent to the restoration of its code membership.

Now, therefore, it is ordered, That said application of Wilmer French and Lewis French, individually and as co-partners, doing business under the name and style of French & Son, filed with the Division on September 11, 1942, for restoration of its code membership, be, and the same hereby is granted.

It is further ordered, That said restoration of the code membership of Wilmer French and Lewis French, individually and as co-partners, doing business under the name and style of French & Son, be, and the same hereby is, effective as of 12:01 a. m. on July 8, 1942.

Dated: September 17, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-9346; Filed, September 21, 1942; 11:18 a. m.]

[Docket No. A-1628]

DISTRICT BOARD NO. 8

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change in the price classifications and minimum prices for rail and truck shipments for the coals produced by certain mines in the Red Ash Seam in Southern Appalachian Sub-District of District No. 8 for shipment to all market areas.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 27, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 22, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with the Division by District Board No. 8 requesting the following changes in the price classifications and minimum prices, for rail and truck shipments, for the coals of Block No. 3 Mine (Mine Index No. 560) of Block Coal and Coke Company, Diamond No. 3 Mine (Mine Index No. 165) of the Diamond Coal Mining Company and the No. 2 Mine (Mine Index No. 242) of High Point Coal Company, District No. 8:

Rail:
- Size Groups 1-4, inclusive, from "J" to "E";
- Size Groups 5 and 6; from "F" to "D"; and
- Size Group 7, from "E" to "C".

Rail-lake:
- Size Groups 1 and 2, from "J" to "E";
- Size Groups 3 and 4, from "H" to "E"; and
- Size Groups 5 and 6, from "F" to "D".

Truck:
- Size Group 1, from "$2.80" to "$3.00";
- Size Group 2, from "$2.60" to "$2.80"; and
- Size Group 4, from "$2.40" to "$2.50".

Dated: September 18, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-9345; Filed, September 21, 1942; 11:19 a. m.]

[Docket No. C-13]

COLORADO FUEL & IRON CORP.

ORDER DESIGNATING TIME AND PLACE OF HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of the application of Colorado Fuel & Iron Corporation for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

By an Order dated August 28, 1942, the hearing in the above-entitled matter was postponed until a date to be designated by further order, the hearing room then designated to be at Denver, Colorado.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be held on October 26, 1942, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Post Office Building, Denver, Colorado.

It is further ordered, That Examiner Charles O. Fowler shall preside at the said hearing in the stead of Examiner Travis Williams.

Dated: September 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9344; Filed, September 21, 1942; 11:19 a. m.]

General Land Office.

[Public Land Order 39]

ARIZONA

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT AS A PRACTICE BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as a practice bombing range:

GILA AND SALT RIVER MERIDIAN

T. 8 S., R. 2 E., sec. 33.

The area described aggregates 640 acres.

The order of the Secretary of the Interior of July 30, 1941, adding the above-described land to Arizona Grazing District No. 3, it is hereby modified to the extent necessary to permit the use of the land as herein provided.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 10, 1942.

[F. R. Doc. 42-9338; Filed, September 21, 1942; 10:43 a. m.]

Office of Indian Affairs.

WIND RIVER RESERVATION, WYOMING

ORDER RESTORING LANDS TO TRIBAL OWNERSHIP

Whereas pursuant to the provisions of the Act of March 3, 1905 (33 Stat. 1016), the Shoshone-Arapaho Tribes of Indians in Wyoming ceded to the United States a large area of their reservation in the State of Wyoming, established under the Treaty of July 3, 1868 (15 Stat. 673), and

Whereas there is now remaining undisposed of within the ceded or "opened" portion of the Wind River Reservation, an area of approximately 1,108,700 acres of such ceded lands, most of which is urgently required as grazing land for the use of the Shoshone-Arapaho Tribes of Indians in order properly to support and develop their greatly expanded cattle industry, and

Whereas the Acting Superintendent of the Wind River Reservation and the Commissioner of Indian Affairs have recommended restoration to tribal ownership of all the undisposed of ceded lands within the following described land use districts, of which no part of the land is under lease or permit to non-Indians;

WIND RIVER MERIDIAN

LAND USE DISTRICT NO. 13

T. 5 N., R. 5 E.,
Secs. 1 to 4, inc., and
Secs. 7 to 36, inc.;
T. 6 N., R. 5 E.,
Sec. 33, S½,
Sec. 34, S½,
Sec. 35, S½;
Sec. 36, S½;
T. 5 N., R. 6 E.,
Sec. 5, W½,
Secs. 6 and 7,
Sec. 5, W½,
Sec. 17, W½;
Secs. 18 and 19,
Sec. 20, W½,
Sec. 29, W½,
Secs. 30 and 31,
Sec. 32, W½, SW¼SE¼, lot 7, and those parts of lots 4, 6 and 10 in W½E½;
T. 6 N., R. 6 E.,
Sec. 31, S½,
Sec. 32, SW¼.

LAND USE DISTRICT NO. 24

T. 6 N., R. 4 E.,
Sec. 13, NE¼ and S½,
Sec. 23, S½,
Sec. 24;
T. 7 N., R. 4 E.,
Sec. 13, lots 2, 3, 4, 5, and SW¼SW¼,
Sec. 14, S½,
Sec. 15, S½,
Sec. 16, S½,
Secs. 21 to 34, incl.;
T. 6 N., R. 5 E.,
Sec. 1, N½, N½SE¼ and SW¼SE¼, SW¼,
Sec. 15 to 30, incl.,
Sec. 12, W½NE¼, SE¼NE¼, NW¼ and S½,
Secs. 13 to 30, incl.,
Sec. 31, N½,
Sec. 32, N½,
Sec. 33, N½,
Sec. 34, N½,
Sec. 35, N½,
Sec. 36, N½;
T. 7 N., R. 5 E., all;
T. 6 N., R. 6 E., that part west of Big Horn River (partly unsurveyed);
T. 7 N., R. 6 E., that part west of Big Horn River.

LAND USE DISTRICT NO. 39

T. 6 N., R. 6 E.,
Sec. 3,
Secs. 4, 5 and 8, those parts east of Big Horn River,
Sec. 9, N½, NE¼SE¼,
Sec. 10,
T. 7 N., R. 6 E., that part east of Big Horn River.

LAND USE DISTRICT NO. 42

T. 5 N., R. 6 E.,
Sec. 4, lots 13 and 14,
Sec. 5, lots 5, 6 and SW¼SE¼,
Sec. 8, lots 4 to 9, incl., and W½E½,
Secs. 9 and 16, those parts west of Big Horn River,
Sec. 17, lots 5 to 10, incl., and W½E½,
Sec. 20, lots 3 to 8, incl., and W½NE¼, NW¼SE¼,
Sec. 21, lots 2 and 5,
Sec. 28, lots 2, 3 and 4,
Sec. 29, lots 1, 2 and 3.

LAND USE DISTRICT NO. 44

T. 5 N., R. 6 E.,
Sec. 3,
Sec. 4, lots 7 to 12, incl., lots 15 and 16, SE¼,
Secs. 8 and 9, those parts east of Big Horn River,
Sec. 16, lots 8, 9, 14, 15, 16, 18, and NE¼, NE¼NW¼, SE¼SW¼, N½SE¼, N½S½SE¼, SW¼SW¼SE¼, SE¼SE¼SE¼,
Sec. 17, that part east of Big Horn River,
Sec. 21, lots 12 to 16, incl., E½NE¼NE¼, SW¼NE¼NE¼, NW¼NW¼SE¼, SE¼NW¼NE¼, E½SW¼NE¼, SE¼NE¼, E½SE¼,
Secs. 22, 27 and 34;
T. 6 N., R. 6 E.,
Sec. 21, that part east of Big Horn River,
Secs. 22 and 27,
Secs. 28 and 33, those parts east of Big Horn River,
Sec. 34.

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by Section 5 of the Act of July 27, 1939 (53 Stat. 1128-1130), I hereby find that restoration to tribal ownership of the lands within the area described above, which are classified as undisposed-of ceded land of the Wind River Reservation, Wyoming, will be in the tribal interest, and they are hereby restored to tribal ownership for the use and benefit of the Shoshone-Arapaho Tribes of Indians of the Wind River Reservation, Wyoming, and are added to and made a part of the existing Wind River Reservation, subject to any valid existing rights.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 28, 1942.

[F. R. Doc. 42-9339; Filed, September 21, 1942; 10:43 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket AO 113-A 3]

FALL RIVER, MASSACHUSETTS, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Fall River, Massachusetts, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F. R. 6570, 7 F. R. 3350), notice is hereby given of a hearing to be held in the Watuppa Grange Hall, Westport, Massachusetts, beginning at 10:00 a. m., E. W. T., October 1, 1942, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are as follows:

a. Proposed by H. P. Hood and Sons, Inc.:

1. Amend § 947.3 (a) (2) (i) by deleting the words "buttermilk and cultured skim milk." (This will change these products from Class I to Class II.)

2. Amend § 947.3 (a) (2) (ii) to classify as Class II actual plant shrinkage not to exceed 2 percent of all milk classified according to § 947.3. (This will change shrinkage associated with the handling of Class I milk from Class I to Class II.)

b. Proposed by Fall River Milk Producers' Association:

3. Amend § 947.4 (a) by changing the price (Class I) from $3.88 to $4.30.

4. Add new provisions to give representative of the Secretary of Agriculture power to bring about necessary changes in the farm-to-market hauling of milk which are made necessary by the shortage of critical materials and to set the price for such services.

c. Proposed by the New England Milk Producers' Association:

5. Amend § 947.4 (a) to provide an increase in the Class I price.

6. Amend § 947.4 (b) to reflect the higher value now present in skim milk and eliminate New York cream in computing the weighted average price per 40-quart can of 40 percent bottling quality cream at Boston.

7. Amend § 947.4 (d) to provide the prevailing price clause to sales in outside markets.

d. Proposed by Dairy and Poultry Branch, Agricultural Marketing Administration, U. S. D. A.:

8. Revise, in § 947.1 (a) (2), the meaning of the term "Secretary" to include any person who may be authorized to exercise the power and perform the duties of the Secretary.

9. In § 947.2 (c) (Duties), add a new subparagraph as follows:

Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order [and of the marketing agreement] as do not reveal confidential information.

10. Add the following words to § 947.3 (3) (2):

And provided further, That if for any delivery period the quantity of shrinkage cannot be ascertained from the records of the handler, the percentage of shrinkage shall be considered to be 1 percent of the volume handled or such higher percentage as may be indicated from the nature of the handlers' operations.

(This change is to clarify the present intent of the order and of the tentatively approved marketing agreement.)

11. Add an additional paragraph to § 947.3 as follows:

Responsibility of handlers in establishing the classification of milk. In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

12. Amend § 947.3 (c) (2) to read:

Milk or skim milk disposed of by a handler to any plant not subject to provisions hereof shall be classified as Class I milk not to exceed the total quantity of Class I milk or skim milk at such plant.

13. Amend § 947.5 (c) to read:

Verification of reports. For the purpose of ascertaining the correctness of any report made to the market administrator as required by this order or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to (a) examine such books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, and memoranda as the market administrator deems relevant and which are within the control (1) of any such handler from whom such report was requested, (2) of any person having, either directly or indirectly, actual or legal control of or over such handler, or (3) of any subsidiary of any such handler; and (b) weigh, sample, and test milk for butterfat.

(This change is to amplify the authority allowable under the act for the market administrator to have access to handlers' books and records in order to verify their reports.)

14. In § 947.7 (b) (4) delete the words "but one." (This reduces the size of the cash balance retained in the producer-settlement fund.)

15. In § 947.9 (c), change "13th day" to "15th day", in § 947.9 (d) change "15th day" to "16th day", and in § 947.11 (a) change "13th day" to "15th day." (This will give handlers 2 days longer to pay their equalization and administration assessments.)

16. In § 947.10 (a) and (b), preface the present language with the words:

On or before the 15th day after the end of each delivery period.
(This will provide a deadline for paying market service deductions.)

17. Add a new section as follows:

Agents. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing, of the aforesaid tentatively approved marketing agreement, as amended, and of the order, as amended, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1019 South Building, Washington, D. C., or may be there inspected.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

SEPTEMBER 18, 1942.

[F. R. Doc. 42-9314; Filed, September 19, 1942; 10:59 a. m.]

CHICAGO, ILLINOIS, MARKETING AREA

NOTICE REGARDING HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the Chicago, Illinois, Marketing Area, prepared by the Administrator of Agricultural Marketing Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed amendment to the marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1019, Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

The proceeding was initiated by the Agricultural Marketing Administration upon receipt of petitions dated July 31, 1942, received from the Pure Milk Association and from the Chicago Milk Producers Council, for a public hearing on certain changes in the marketing agreement and marketing order program which they proposed. Following this request, and after consideration of the proposals, notice of the hearing was issued on August 7, 1942, and the hearing was convened on August 14, 1942. The time for filing briefs was set at the close

[1] Acting pursuant to authority delegated by Secretary of Agriculture under Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

of the hearing, to expire at midnight, August 24, 1942.

The major issues developed at the hearing were concerned with (1) the basic formula price to be used in determining class prices, (2) the Class III price, and (3) the butterfat differential to be used in computing individual producer payments.

With respect to these issues it is concluded from the record that:

1. The Class III price formula should be revised in order that the Class III price will not be lower than the Class IV price.

2. The basic formula price to be used in determining Class I and Class II prices should be revised.

3. The butterfat differential used in computing individual producer payments should be revised.

The proposed amendment to the order, as amended, which follows, is recommended as the detailed means by which these conclusions may be effectuated. The proposed amendment to the marketing agreement, as amended, is not included in this report because the provisions thereof will be the same as the provisions of the amendment set forth below.

PROPOSED AMENDMENT TO ORDER, AS AMENDED

It is found upon the evidence introduced at the public hearing held in Chicago, Illinois, on August 14 and 15, 1942:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c) are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended by this amendment, regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held; and

3. That the issuance of this amendment, and all of its terms and conditions, tends to effectuate the declared policy of the act.

Provisions

1. Delete § 941.1 (a) (11) and substitute therefore the following:

(11) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Delete § 941.4 (b) (3) and substitute therefor the following:

(3) Class III milk shall be all milk the butterfat from which is used to produce a milk product other than one of those specified in Class II and Class IV, and all bulk milk and bulk cream disposed of to bakeries, soup companies, and candy manufacturing establishments.

3. Delete from the proviso in § 941.5 (a) (2) the phrase "the price shall be $2.20 per hundredweight," and substitute therefor the phrase "the price per hundredweight shall be that computed pursuant to this subparagraph less 46 cents or the Class IV price plus 12 cents, whichever is higher."

4. Delete § 941.5 (a) (4) and substitute therefore the following:

(4) Class III milk—The price per hundredweight for milk containing 3.5 percent butterfat during each delivery period shall be the average computed by the market administrator of prices as reported by the United States Department of Agriculture paid during such delivery period to farmers at each of the manufacturing plants or places listed in this subparagraph for which prices are reported, but in no event shall such price be less than the price computed pursuant to subparagraph (5) of this paragraph.

LOCATION OF MANUFACTURING PLANTS AND PLACES

Mt. Pleasant, Mich.
Sparta, Mich.
Hudson, Mich.
Wayland, Mich.
Coopersville, Mich.
Greenville, Wis.
Black Creek, Wis.
Orfordville, Wis.
Chilton, Wis.
Berlin, Wis.
Richland Center, Wis.
Oconomowoc, Wis.
Jefferson, Wis.
New Glarus, Wis.
Belleville, Wis.
New London, Wis.
Manitowoc, Wis.
West Bend, Wis.

5. Delete § 941.5 (b) and substitute therefor the following:

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the prices per hundredweight of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to paragraph (a) (4) of this section, the price for Class IV milk determined pursuant to paragraph (a) (5) of this section, or that derived from the following formula, whichever is the highest:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture, by six (6);

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(3) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value";

(4) To the combined butter and cheese value add 30 percent thereof; and

(5) Multiply the sum computed in subparagraph (4) of this paragraph by 3.5.

6. Delete from § 941.5 (e) (2) the phrase "on a basis of bids."

7. Delete § 941.8 (c) and substitute therefor the following:

(c) *Butterfat differential to producers.* For each one-tenth of 1 percent above or below 3.5 percent in average butterfat content of milk delivered by any producer during any delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent and divide the result obtained by 10.

8. Add as § 941.13 the following:

§ 941.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 19th day of September 1942.

[SEAL] ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-9317; Filed, September 19, 1942; 11:35 a. m.]

Office of the Secretary.

ADMINISTRATOR, AGRICULTURAL MARKETING ADMINISTRATION

ORDER DELEGATING CERTAIN AUTHORITY

By virtue of the authority vested in the Secretary of Agriculture by the Federal Seed Act (7 U. S. C. 1940 ed. 1551 et seq., 1591), the Tobacco Inspection Act (7 U. S. C. 1940 ed. 511 et seq., 511p), and the United States Warehouse Act (7 U. S. C. 1940 ed. 241 et seq.), the Administrator, Agricultural Marketing Administration, and such employees of the Administration as he may designate, are hereby authorized, subject to the exceptions hereinafter provided, to execute any and all duties devolving upon the Secretary of Agriculture by virtue of such acts: *Provided, however*, That this delegation shall not be construed to confer upon the Administrator authority (1) to promulgate new rules and regulations, or to change existing rules and regulations, which are designed to have the force of law, to be binding upon the public, and to be recognized and enforced by the courts, or (2) to perform regulatory functions, as defined in the Act of April 4, 1940 (5 U. S. C. 1940 ed. 516a et seq.), under the Federal Seed Act that may be performed by an officer appointed pursuant to such Act of April 4, 1940.

The authority hereby delegated shall be in addition to, and not in lieu of, any authority heretofore delegated to the Administrator, Agricultural Marketing Administration, and predecessor officials of the Department under the Federal Seed Act, the Tobacco Inspection Act, and the United States Warehouse Act.

Done at Washington, D. C., this 18th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9313; Filed, September 19, 1942; 10:59 a. m.]

DEPARTMENT OF LABOR.

Wages and Hours Division.

CANDY AND RELATED PRODUCTS MANUFACTURING INDUSTRY

NOTICE OF HEARING

Notice of hearing on the minimum wage recommendation of Industry Committee No. 47 for the Candy and Related Products Manufacturing Industry, to be held October 14, 1942.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on August 14, 1942, by Administrative Order No. 150, appointed Industry Committee No. 47 for the Candy and Related Products Manufacturing Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 47, on September 15, 1942, recommended a minimum wage rate for the Candy and Related Products Manufacturing Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on September 16, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 47 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 47 is as follows:

Every employer shall pay not less than the following rate per hour to each of his employees who shall be engaged in commerce or in the production of goods for commerce in the Candy and Related Products Manufacturing Industry as defined by Administrative Order No. 150, dated August 14, 1942:

(a) 40 cents to be paid for: the production of chocolate and cocoa products.

(b) 40 cents to be paid for: the production of candied, crystallized or glace fruits and fruit peels.

(c) 40 cents to be paid for: the production of any other products of the Candy and Related Products Manufacturing Industry.

II. The definition of the Candy and Related Products Manufacturing Industry as set forth in Administrative Order No. 150, issued August 14, 1942, is as follows:

The production of candies and related products, including, but without limitation, stuffed fruits; candied, crystallized or glace fruits and fruit peels; candied popcorn; salted, sugared or roasted nuts; chocolate and cocoa products; marshmallow creme; and chewing gum: *Provided*, That the shelling and cleaning of nuts are excluded except where the operations are performed in plants also engaged in the further processing of nuts.

The definition of the candy and related products manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations, when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition, and *Provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 47 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.
New York, New York, 341 Ninth Avenue.
Newark, New Jersey, Essex Building, 31 Clinton Street.
Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.
Pittsburgh, Pennsylvania, 219 Old Post Office Building, Fourth and Smithfield Streets.
Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.
Baltimore, Maryland, 201 North Calvert Street.
Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.
Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.
Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street NE.
Jacksonville, Florida, 456 New Post Office Building.
Birmingham, Alabama, 1908 Comer Building, 2d Avenue and 21st Street.
New Orleans, Louisiana, 916 Union Building.
Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.
Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue N.
Cleveland, Ohio, Main Post Office, West 3d and Prospect Avenue.
Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.
Detroit, Michigan, David Scott Building, 1150 Griswold Street.
Chicago, Illinois, 1200 Merchandise Mart, 222 W. North Bank Drive.
Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.
Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.
St. Louis, Missouri, 100 Old Federal Building.
Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.
Dallas, Texas, Rio Grande National Building, 1100 Main Street.
San Francisco, California, Room 500, Humboldt Bank Building, 785 Market Street.
Los Angeles, California, 417 H. W. Hellman Building.
Seattle, Washington, 305 Post Office Building, 3d Avenue and Union Street.
San Juan, Puerto Rico, Post Office Box 112.
Washington, District of Columbia, Department of Labor, 1st Floor.
New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on October 14, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 3229, United States Department of Labor Building, 14th Street and Constitution Avenue NW., Washington, D. C. for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 47 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 47 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than October 8, 1942 such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

(1) The name and address of the person appearing.

(2) If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

(3) Whether such person proposes to appear for or against the recommendation of Industry Committee No. 47.

(4) The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 47 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys

representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Candy and Related Products Manufacturing Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Economic Factors Bearing on the Minium Wages in the Candy and Related Products Manufacturing Industry*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, August 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate:

(1) The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

(2) In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

(3) At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

(4) At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

(5) All evidence must be presented under cath or affirmation.

(6) Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

(7) Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

(8) Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

(9) Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

(10) The rules of evidence prevailing in the courts of law or equity shall not be controlling.

(11) The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

(12) Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

(13) Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

(14) On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

(15) No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 19th day of September 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-9336; Filed, September 21, 1942; 10:29 a. m.]

CONVERTED PAPER PRODUCTS INDUSTRY

NOTICE OF HEARING

Notice of hearing on the minimum wage recommendations of Industry Committee No. 48 for the converted paper products industry to be held October 21, 1942.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on August 15, 1942, by Administrative Order No. 152, appointed Industry Committee No. 48 for the Converted Paper Products Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 48, on September 9, 1942, recommended a minimum wage rate for the Converted Paper Products Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on September 10, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 48 if he finds the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 48 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Converted Paper Products Industry (as defined in Administrative Order No. 152) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Converted Paper Products Industry as set forth in Administrative Order No. 152, issued August 15, 1942, is as follows:

The manufacture of all products which have as a basic component pulp, paper or board (as those terms are used in Administrative Order No. 41 defining the Pulp and Primary Paper Industry) and the manufacture of all like products in which synthetic materials, such as cellophane, pliofilm or synthetic resin, used in sheet form, is a basic component.

Provided, however, That the manufacture of the following shall not be included:

(a) Any product the manufacture of which is covered by a wage order of the Administrator relating to the Textile, Apparel, Hat, Millinery, Shoe, Pulp and Primary Paper, Carpet and Rug, Portable Lamp and Shade, or Luggage, Leather Goods, and Women's Handbag Industry.

(b) Any product, such as rayon, cellophane, etc., made from such pulp by a process which involves the destruction of the original fibrous structures of such pulp.

(c) Roofing paper, insulation board and products therefrom for use as building materials, or shingles.

(d) Newspapers, magazines, books, blueprints, photographs and other products in which graphic art is the exclusive medium through which the products function: *Provided, however,* That the production of printed forms, stationery, blank books, and tablets, other than the printing thereof in a job printing establishment, and the production of other products in the use of which graphic art is applied by the ultimate consumer of the products, shall be included within the converted paper products industry as herein defined.

The definition of the converted paper products industry covers all occupations in the industry which are necessary to the production of the products specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 48 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.
New York, New York, 341 Ninth Avenue.
Newark, New Jersey, Essex Building, 31 Clinton Street.
Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.
Pittsburgh, Pennsylvania, 219 Old Post Office Building, Fourth and Smithfield Streets
Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.
Baltimore, Maryland, 201 North Calvert Street.
Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.
Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.
Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, NE.
Jacksonville, Florida, 456 New Post Office Building.
Birmingham, Alabama, 1908 Comer Building, 2nd Avenue and 21st Street.
New Orleans, Louisiana, 916 Union Building.
Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.
Nashville, Tennessee, 509 Medical Arts Building, 715 Seventh Avenue, N.
Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue.
Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.
Detroit, Michigan, David Scott Building, 1150 Griswold Street.
Chicago, Illinois, 1200 Merchandise Mart, 222 W. North Bank Drive.
Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.
Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.
St. Louis, Missouri, 100 Old Federal Building.
Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.
Dallas, Texas, Rio Grande National Building, 1100 Main Street.
San Francisco, California, Room 500, Humboldt Bank Building, 785 Market Street.
Los Angeles, California, 417 H. W. Hellman Building.
Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.
San Juan, Puerto Rico, Post Office Box 112.
Washington, District of Columbia, Department of Labor, 1st Floor.
New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on October 21, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 1610, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 48 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 48 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided,* That not later than October 16, 1942 such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 48.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 48 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following documents relating to the Converted Paper Products Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Report on the Converted Paper Products Industry*, prepared by the Research and Statistics Branch, Wage and Hour Division, United States Department of Labor, September, 1940.

Report entitled, *Economic Factors Bearing on Minimum Wages in the Converted Paper Products Industry*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, August, 1942.

Report entitled, *Hourly Earnings in the Converted Paper Products Industry, 1940*, prepared by the Division of Wage and Hour Statistics, Bureau of Labor Statistics, United States Department of Labor, September 25, 1940.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate:

1. The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose in-

stance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a report of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 19th day of September 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-9335; Filed, September 21, 1942; 10:29 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 21, 1942. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Standard Pad Co., 1803–05 John St., Cincinnati, Ohio; Shoulder pads & sleeve head pads; 5 learners (T); September 21, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Bonnie Frocks, 121 North 8th St., Philadelphia, Pennsylvania; Dresses; 4 learners (T); September 21, 1943.

Brooks Uniform Co., 208 South Lamar St., Dallas, Texas; Ladies uniforms; 5 learners (T); September 21, 1943.

J. W. Frederick Co., 132 Essex St., Boston, Massachusetts; Women's cotton uniforms and aprons; 5 learners (T); September 21, 1943.

Freeman Mfg. Co., 900 W. Chicago Road, Sturgis, Michigan; Surgical abdominal supports, girdle anchor bands; 8 learners (T); September 21, 1943.

Jack Hammer, 308 E. 9th St., Los Angeles, California; Dresses and sportswear; 5 learners (T); September 21, 1943.

Lakeland Mfg. Co., Sheboygan, Wisconsin; Cotton & wool lumber jackets, mackinaws, leather jackets, snow suits, loafer jackets; 10 percent (T); September 21, 1943.

H. W. Laroson Mfg. Co., 746 South Los Angeles St., Los Angeles, California; Rayon & cotton dresses, flannellette sleeping garments; 6 learners (T); September 21, 1943.

Lisle Mills, Race & Court Sts., Allentown, Pennsylvania; Children's garments; 10 percent (T); September 21, 1943.

M. & S. Shirt Co., Inc., 32 High St., Elizabeth, New Jersey; Men's shirts; 10 percent (T); September 21, 1943.

Mauch Chunk Dress Co., 268 West Broadway, Mauch Chunk, Pennsylvania; Women's dresses; 25 learners (E); March 21, 1943.

Rex Mfg. Co., Inc., 3725 Dauphin St., New Orleans, Louisiana; Shirts and trousers; 10 percent (T); September 21, 1943.

Stylecraft Frocks, 1427 Vine St., Philadelphia, Pennsylvania; Ladies dresses; 10 learners (T); April 6, 1943. (This certificate replaces the one bearing the expiration date of April 6, 1943.)

Cigar industry

Florida Cigar Co., East Jefferson St., Quincy, Florida; Cigars; 10 percent (T); Cigar packers to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 20, 1943.

The S. Frieder & Sons Co. of Penna., Third & Spruce Sts., Philadelphia, Pennsylvania; Cigars; 40 learners (E); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; January 20, 1943.

R. G. Sullivan, Inc., 114 W. Central St., Manchester, New Hampshire; Cigars; 10 percent (T); Hand strippers to have learning period of 160 hours and cigar machine operators to have learning of 320 hours at 75 percent of the applicable minimum wage; September 20, 1943.

John H. Swisher & Son, Inc., East 16th St., Jacksonville, Florida; Cigars; 10 percent (T); Stripping machine operators to have learning period of 160 hours and cigar packers to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 20, 1943.

Wolf Brothers & Co., 25 Pine St., Red Lion, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 20, 1943.

Glove Industry

Northern Glove & Mitten Co., 1514 Morrow St., Green Bay, Wisconsin; Work gloves; 7 learners (T); September 21, 1943. (This certificate replaces the one bearing the expiration date of September 10, 1943.)

Textile Industry

Kahn & Feldman, Inc., 360 Suydam St., Brooklyn, New York; Rayon; 50 learners (E); March 21, 1943.

Magnolia Cotton Mill Co., Magnolia, Arkansas; Cotton cloth; 3 percent (T); September 21, 1943.

Stonewall Cotton Mills, Inc., Stonewall, Mississippi; Cotton; 3 percent (T); September 21, 1943.

Valdese Mfg. Co., Valdese, North Carolina; Cotton; 3 percent (T); September 21, 1943.

Signed at New York, N. Y., this 19th day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-9355; Filed, September 21, 1942; 11:40 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NAVAJO WEAVERS, ROSWELL, NEW MEXICO.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective September 21, 1942.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the Regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Navajo Weavers, Roswell, New Mexico; Men's neckties; 8 learners; learning period of 8 weeks for any one learner; 30 cents per hour; learners to be employed in the occupations of hand sewing, machine sewing and weaving; January 25, 1943.

Signed at New York, N. Y., this 19th day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-9354; Filed, September 21, 1942; 11:40 a. m.]

PROCESSING OF FRESH GRAPES, ETC., INTO WINE

PETITIONS RE DENIAL OF APPLICATION FOR EXEMPTION

Notice of opportunity to petition for review of determination denying the application for the partial exemption of the processing of fresh grapes and other fresh fruits into wine, grape juice, or brandy from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature pursuant to section 7 (b) (3) of the Act and Part 526 as amended of the regulations issued thereunder.

Whereas application was made by the Wine Institute of San Francisco, California, for the partial exemption of the processing of fresh grapes and other fresh fruits into wine, grape juice, or brandy from the maximum hours provisions of the Fair Labor Standards Act pursuant to section 7 (b) (3) of the Act and Part 526 as amended of the regulations issued thereunder; and

Whereas the Administrator of the Wage and Hour Division gave notice of a public hearing to be held at the National Office of the Wage and Hour Division, New York, New York, on June 19, 1942, before Mr. Merle D. Vincent, who was authorized to take testimony, hear argument, and determine:

Whether the processing of fresh grapes or other fresh fruits into wine, grape juice, or brandy, or any subdivision or combination of these activities is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 as amended of the regulations issued thereunder, and if so the appropriate limits of such industry,

and

Whereas following such hearing the said Merle D. Vincent duly made his findings of fact and determined as follows:

(1) The processing of fresh grapes or other fresh fruits into wine or grape juice in wineries, and the distillation of brandy in wineries and distilleries, as well as the production of related by-products in these establishments, constitute an integrated industry.

(2) The preliminary operations in the making of wine or brandy, through the "first racking" of the wine, or any combination of operations short of the production of the finished wine, do not constitute a separable branch of an industry within the meaning of section 7 (b) (3) of the Fair Labor Standards Act and Part 526 of the regulations.

(3) Although the establishments engaged in the processing of fresh grapes or other fresh fruits into wine, grape juice, or brandy perform their crushing, fermenting and distilling operations principally during the harvesting season of approximately fourteen weeks each year, they do not cease production during the remainder of the year, but carry on aging, finishing, bottling, or other operations after the completion of the crushing, fermenting, and distilling.

(4) The processing of fresh grapes or other fresh fruits into wine, grape juice, or brandy is not an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 of the regulations.

The application is denied; and

Whereas said findings and determination were duly filed with the Administrator on September 11, 1942 and are now on file in room 1619, National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, and are available for examination by all interested parties;

Now, therefore, pursuant to the provisions of § 526.7 of the aforesaid regulations notice is hereby given that any person aggrieved by the said determination may within fifteen days after the date this notice appears in the FEDERAL REGISTER file a petition with the Administrator at the National Office of the Wage and Hour Division requesting that he review the action of the said representative upon the record of the hearing. Such petition shall set forth the grounds upon which the petition for review is based.

Signed at New York, New York, this 16th day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9353; Filed, September 21, 1942; 11:40 a. m.]

BOARD OF ECONOMIC WARFARE.

Office of Exports.

[License Denial 3]

G. E. STECHERT & COMPANY, ET AL.

REVOCATION OF EXPORT LICENSES

Pursuant to Part 807 of the regulations adopted under section 6 of the Act of July 2, 1940, as amended, the Chief of the Trade Intelligence Division of the Export Control Branch, Office of Exports, has charged G. E. Stechert & Company, Alfred Hafner, Walter Alfred Hafner and Otto Henry Hafner with certain violations of Proclamation 2497 authorizing a Proclaimed List of Certain Blocked Nationals and Controlling Certain Exports issued in part under the authority of said section. The respondents have filed a written answer to the charges above set forth.

The Compliance Commissioner, duly designated under § 807.1 of the aforesaid regulations, has reviewed the record and filed his findings of fact and recommendations in the matter. The following facts have been found:

G. E. Stechert & Company is a partnership engaged in buying, selling, exporting and importing books and periodicals, mostly of a scientific nature; its principal place of business is 31–37 East Tenth Street, New York City. The sole members of the partnership at all times hereafter mentioned have been Alfred Hafner, Walter Alfred Hafner and Otto Henry Hafner. Between the dates of July 30, 1941 and November 19, 1941 G. E. Stechert & Company and the partners thereof sent to Frederico Will, a German book seller located in Rio de Janeiro, Brazil, various shipments of books totaling $9.50. Between the dates of December 23, 1941 and March 6, 1942, G. E. Stechert & Company and the partners thereof sent to Jose Alves Nogueira of Rio de Janeiro, Brazil, various shipments of books of the total invoice value of $149.01. These exportations occurred subsequent to July 17, 1941, on which date the name of Frederico Will was placed on the aforesaid Proclamation List of Certain Blocked Nationals. Jose Alves Nogueira was during the above mentioned period acting as an agent of Frederico Will with respect to the exportations made to him and G. E. Stechert & Company and the

partners thereof knew that Jose Alves Nogueira was acting as the agent of Frederico Will. The exportations to Will and Nogueira were not authorized by a license as provided for in Proclamation 2413 or 2465; nor had the Administrator of Export Control determined that such prohibition or exportation would be an unusual hardship on American interests. The Compliance Commissioner has found that these exportations were directly or indirectly to, or on behalf of, or for the account of a Blocked National and as such constituted violations of section 3 of the aforesaid Proclamation 2497 and section 6 of the Act of July 2, 1940, as amended. Upon consideration of the record, findings of fact, and all recommendations in the matter, *It is hereby ordered*, That:

(1) All export licenses heretofore issued to G. E. Stechert & Company, Alfred Hafner, Walter Alfred Hafner and Otto Henry Hafner for exportations as yet not consummated are hereby revoked, and

(2) Until November 16, 1942, G. E. Stechert & Company, Alfred Hafner, Walter Alfred Hafner and Otto Henry Hafner and any person acting on behalf of either of them are denied the privilege of obtaining individual export licenses and the use of any general or unlimited export licenses for any exportation whatsoever from the United States.

The respondents may appeal in writing to the Assistant Director in charge of the Office of Exports provided the appeal is taken within ten days after receipt of this order.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25, and 26, 7 F.R. 4951).

Dated: September 16, 1942.

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42-9318; Filed, September 19, 1942; 12:15 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6429]

WESTERN UNION TELEGRAPH CO. AND POSTAL TELEGRAPH-CABLE CO.

ORDER FOR HEARING ON "TOURATE MESSAGES"

In the matter of The Western Union Telegraph Company and Postal Telegraph-Cable Company (New York); discontinuance of "Tourate Messages".

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of September 1942;

It appearing that there have been filed with the Commission Supplement No. 1 to The Western Union Telegraph Company Tariff F.C.C. No. 221, and First Revised page 24 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 63, both effective September 18, 1942, which provide for the discontinuance of a classification of telegraph communications described as "Tourate";

It further appearing that said discontinuance of the "Tourate" classification makes increases in rates and charges and states regulations and practices effecting such increases in rates and charges for the transmission of telegraph communications in interstate commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said tariff provisions should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplement No. 1 to The Western Union Telegraph Company Tariff F.C.C. No. 221, and First Revised page 24 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 63, insofar as they relate to the discontinuance of the classification of "Tourate" communications;

It is further ordered, That the operation of said tariff schedules, Supplement No. 1 to The Western Union Telegraph Company Tariff F.C.C. No. 221, and First Revised page 24 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 63, insofar as they will result in an increase in rates and charges for delivery of interstate telegraph communications classified as "Tourate" communications, be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such "Tourate" communications be deferred until December 18, 1942, unless otherwise ordered by the Commission; and during said period of suspension no change shall be made in such rates, charges, regulations and practices, or in the rates, charges, regulations and practices sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby instituted, into the lawfulness of the rates, charges, classifications, regulations, practices and services of The Western Union Telegraph Company and the Postal Telegraph-Cable Company (New York) for and in connection with "Tourate" communications;

It is further ordered, That in the event a decision as to the lawfulness of the rates, charges, classifications, regulations, practices and services herein suspended has not been made during the suspension period, and increased charges shall be made effective with respect to "Tourate" communications, The Western Union Telegraph Company, the Postal Telegraph-Cable Company (New York), and all other carriers participating in service provided under the tariff provisions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That The Western Union Telegraph Company, the Postal Telegraph-Cable Company (New York), and each participating carrier, shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing January 10, 1943, showing the amounts received and accounted for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order shall be filed in the office of the Federal Communications Commission with said tariffs herein suspended in part; that copies hereof be served upon the carrier parties to such tariffs; and that said carrier parties be, and they are hereby each made a party respondent to this proceeding:

It is further ordered, That this matter be, and the same is hereby, assigned for hearing at 10 o'clock on the 15th day of October 1942 at the office of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9343; Filed, September 21, 1942; 11:02 a. m.]

[Docket Nos. 5893 and 6161; 5361 and 6144; 5778 and 6145]

WOAX, INCORPORATED, ET AL

ORDER FOR HEARING

In the Matter of applications of WOAX, Incorporated (WTNJ) Trenton, New Jersey (Docket Nos. 5893 and 6161), for Renewal and Modification of License; City of Camden (WCAM) Camden, New Jersey (Docket Nos. 5361 and 6144), for Renewal and Modification of License; Radio Industries Broadcast Co. (WCAP), Asbury Park, New Jersey (Docket Nos. 5778 and 6145), for Renewal and Modification of License.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 15th day of September, 1942;

The Commission having under consideration the proceedings heretofore had upon the above-entitled applications; and

It appearing that additional facts are necessary to enable the Commission to make a proper determination thereon;

It is ordered, That said applications be, and they are hereby, designated for further hearing on the following issue: To determine the qualifications of the applicant, WOAX, Incorporated, its officers, directors and stockholders to continue the operation of Station WTNJ, as presently operated or as proposed in Docket No. 6161.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9341; Filed, September 21, 1942; 11:02 a. m.]

[Docket Nos. 6135, 6169, 6170, 6171]

WILKES-BARRE BROADCASTING CORP., ET AL.

ORDER FOR HEARING, ETC.

In the Matter of applications of Wilkes-Barre Broadcasting Corporation, Wilkes-Barre, Pennsylvania, (Docket No. 6135), for Construction Permit; Central Broadcasting Company, Wilkes-Barre, Pennsylvania, Docket No. 6169), for Construction Permit; Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pennsylvania, Docket No. 6170), for Construction Permit; Key Broadcasters, Inc., Wilkes-Barre, Pensylvania, (Docket No. 6171), for Construction Permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of September, 1942;

The Commission having under consideration the proceedings heretofore had upon the above-entitled applications; and

It appearing that additional facts are necessary to enable the Commission to make a proper determination thereon;

It is ordered, That said applications be and they are hereby, designated for further hearing on the following issue:

To determine the qualifications of the applicant, Northeastern Pennsylvania Broadcasters, Inc., its officers, directors and stockholders to construct a new broadcast station at Wilkes-Barre, Pennsylvania, as proposed in Docket No. 6170.

It is further ordered, That the oral argument upon the aforementioned Dockets, which is scheduled for September 23, 1942, at 10:00 a. m., be, and it is hereby, cancelled.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9342; Filed, September 21, 1942; 11:02 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-257, G-242]

EL PASO NATURAL GAS CO., ET AL.

ORDER DENYING PETITION FOR POSTPONEMENT AND TRANSFER OF HEARING

SEPTEMBER 16, 1942.

In the matter of El Paso Natural Gas Company, Western Gas Company, and El Paso Gas Transportation Corporation; The State of Arizona, complainant, v. Western Gas Company and El Paso Natural Gas Company, defendants.

Upon consideration of the petition filed September 5, 1942, by El Paso Natural Gas Company, Western Gas Company, and El Paso Gas Transportation Corporation, respondents and defendants in the above-entitled matters, requesting a continuance of the hearing in such matters for a period of ninety days from September 30, 1942, and transfer of the place of said hearing from Phoenix, Arizona;

The Commission *finds* that: (1) The complaint of the State of Arizona was duly served on the defendants March 21, 1942; the Commission instituted its investigation of respondents April 21, 1942; and the defendants-respondents have had, therefore, ample notice and opportunity for preparation for the hearing herein;

(2) An important witness of the Commission's staff whose testimony is believed relevant and material to the issues in these proceedings has been called to serve in the armed forces, and further postponement of the hearing may make it impossible to obtain his testimony;

(3) Subsequent to a previous request made by the respondents and defendants for a postponement of hearing, the Commission by its order of September 1, 1942, extended the date of hearing from September 9, 1942, to September 30, 1942;

(4) Under the existing circumstances no good cause has been shown for the granting of the petition for a further postponement:

Wherefore, the Commission *orders*, That: (a) The petition of El Paso Natural Gas Company, Western Gas Company and El Paso Gas Transportation Corporation for postponement and transfer of the hearing in the above-entitled matters be and the same is hereby denied:

(b) The hearing in the above-entitled matters commence on September 30, 1942, at 9:45 a. m. in the Senate Chamber of the State Capitol at Phoenix, Arizona;

(c) Subsequent hearings may be held at such times and places as the Trial Examiner may designate.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9304; Filed, September 19, 1942; 10:18 a. m.]

[Docket No. DI-166]

GEORGIA POWER COMPANY

ORDER CHANGING PLACE OF HEARING

SEPTEMBER 18, 1942.

It appearing that the Commission on September 2, 1942, upon its own motion, directed that the above-entitled proceeding come on for hearing on September 21, 1942, at 9:45 a. m. (EWT) in the Federal Building, Atlanta, Georgia;

The Commission, upon its own motion and for good cause shown, *orders*, That: The hearing in this proceeding be held beginning on September 21, 1942, at 9:45 a. m. (EWT) in Room 216, of the Commission's Regional Office, 10 Forsyth Street Building, Atlanta, Georgia.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9303; Filed, September 19, 1942; 10:18 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4547]

J. T. JARRELL CO.

COMPLAINT AND NOTICE OF HEARING

In the matter of Jim S. Porter, trading as J. T. Jarrell Company.

Supplemental Complaint

The Federal Trade Commission, having reason to believe that the respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues a supplemental complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Jim S. Porter is an individual trading and doing business as the J. T. Jarrell Company with his principal office and place of business located at No. 7 Commercial Warehouse Building, Little Rock, Arkansas.

J. T. Jarrell Company, subsequent to the issuance of the original complaint herein, was a corporation organized and existing under and by virtue of the laws of the State of Arkansas with its principal office and place of business located at No. 7 Commercial Warehouse Building, Little Rock, Arkansas.

On July 31, 1941, J. T. Jarrell, as a corporation, was dissolved and its Vice President and principal stockholder, Jim S. Porter, continued to operate the business of J. T. Jarrell Company in the same manner and form as when J. T. Jarrell Company was a corporation.

PAR. 2. Respondent, Jim S. Porter, trading as the J. T. Jarrell Company, is now engaged in the business of acting as a broker in the sale of food products, particularly canned fish, fruits and vegetables.

Respondent is also engaged in the business of buying and selling, for his own account, food products, particularly canned fish, fruits and vegetables. The purchases which respondent has been making for his own account have been made in his own name, trading as the J. T. Jarrell Company.

Respondent causes the products which he purchases for his own account to be shipped and transported to him from the various places of business of those sellers from whom respondent purchases said products, many of such sellers being located and doing business in states other than the State of Arkansas.

PAR. 3. In the course and conduct of his business of buying food products for his own account in commerce, as aforesaid, the respondent has been and is now receiving and accepting from various sellers brokerage fees or allowances or discounts in lieu thereof on many of said purchases for his own account. In so doing, respondent, Jim S. Porter, trading as J. T. Jarrell Company, has continued practices which were formerly employed by the J. T. Jarrell Company, a corpora-

tion, as alleged in the original complaint herein, and subsequently dissolved.

The respondent receives such brokerage fees, discounts and allowances in lieu thereof in various ways, among which are the following four specified ways:

1. By purchasing canned food stuffs, dried fruits, canned fish, and other miscellaneous merchandise from sellers at prices lower than the same sellers sell such commodities of like grade and quality to other purchasers.

2. By various methods obtaining such commodities at prices that are lower than the prices at which such commodities of like grade and quality are sold by such sellers to other purchasers by an amount which reflects all or part of the brokerage fees currently paid by said sellers to brokers for the selling of such commodities in behalf of such sellers.

3. By making deductions in lieu of brokerage from the invoices of certain sellers when paying such invoices.

4. By receiving from certain sellers rebate checks representing the customary brokerage fees of such sellers.

As illustrative of the practices pursued by the respondent in receiving and accepting allowances and discounts in lieu of brokerage upon his own purchases of food stuffs are the following:

1. Respondent purchases salmon for his own account from Griffith-Durney Company of Seattle, Washington. On such purchases he receives and accepts an allowance of 3% off the invoice price.

The 3% allowance granted to the respondent by Griffith-Durney Company is paid in the form of a check within a 30 day period after the shipment of the commodity.

2. The respondent purchases dried fruits from Guggenheime & Company of San Francisco, California, for his own account and receives from this seller an allowance or discount in lieu of brokerage in the amount of 2½% which amount is deducted by the respondent from the invoice price when remitting for dried fruits purchased from Guggenheime & Company for his own account.

3. The respondent purchases canned fish from Fred B. Neuhoff Company of Los Angeles, California, on a net price basis, which price basis reflects an allowance or discount in lieu of brokerage.

4. The respondent purchases its requirements of beans from the Midwest Bean Company of Denver, Colorado, on a net price basis, which price basis reflects an allowance or discount in lieu of brokerage.

PAR. 4. The foregoing acts of the respondent constitute a violation of subsection (c) of section 2 of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936.

Wherefore, the premises considered, the Federal Trade Commission, on this 16th day of September, A. D. 1942, issues its supplemental complaint against said respondent.

Notice

Notice is hereby given you, Jim S. Porter, trading as J. T. Jarrell Company, respondent herein, that the 23d day of October, A. D. 1942, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 16th day of September, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9356; Filed, September 21, 1942; 11:51 a. m.]

[Docket No. 4760]

FRED BENIOFF CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND SETTING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its offices in the City of Washington, D. C., on the 17th day of September, A. D. 1942.

In the Matter of Fred Benioff Company, a corporation, et al.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby, is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, October 20, 1942, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Court Room No. 258, Post Office Building, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9357; Filed, September 21, 1942; 11:51 a. m.]

[Docket No. 4835]

GLOVER & WILSON

COMPLAINT AND NOTICE OF HEARING

In the Matter of Roy Glover and Ray Wilson, trading as Glover & Wilson.

Complaint

The Federal Trade Commission, having reason to believe that the respondents named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondents Roy Glover and Ray Wilson are individuals trading and doing business as Glover & Wilson with their principal office and place of business located at No. 1 Commercial Warehouse Building, Little Rock, Arkansas.

PAR. TWO: Respondents are now engaged in the business of acting as a broker in the sale of food products, particularly canned fruits and vegetables.

Respondents have also been engaged in the business of buying and selling, for their own account, food products, particularly canned fruits and vegetables. The purchases which respondents have been making for their own account have been made ordinarily in the name of Glover & Wilson. Orders have been placed by the respondents with various manufacturers, packers and sellers for various food products and the respondents cause many of the products which they purchase for their own account to be shipped and transported to them across state lines from the various places of business of those sellers from whom respondents purchase said products, many of such sellers being located and doing business in states other than the State of Arkansas.

PAR. THREE: In the course and conduct of their business of buying food products for their own account in commerce, as aforesaid, the respondents have been and are now receiving and accepting from numerous sellers, brokerage fees or allowances or discounts in lieu thereof on many of said purchases for their own account.

As illustrative of the practices pursued by the respondents in receiving and accepting allowances and discounts in lieu of brokerage upon their own purchases of food stuffs are the following:

1. The respondents purchase sardines for their own account from the Val Vita Food Products Company of Fullerton, California, and receive from such company a brokerage fee amounting to approximately 3% off of the invoice price, which brokerage fee is deducted from the invoice when the respondents make payment to this seller for such product

2. The respondents purchase dried fruit for their own account from West Coast Growers and Packers of Fresno, California, and receive from such seller a brokerage fee of approximately 5%, which is paid by such seller to the respondents upon the purchases made by the respondents for their own account.

3. The respondents purchase canned fish from the Oceanic Sales Company of Seattle, Washington, for their own account and receive from such seller a brokerage fee of approximately 3½% upon such purchase made from such seller by the respondents. The fee is paid directly by the seller to the respondents as brokerage upon the purchases of the respondents for their own account.

4. The respondents purchase canned fish for their own account from the Superior Fisheries, Inc., of Los Angeles, California, and receive from such company a 5% allowance in lieu of brokerage, which allowance is deducted by the respondents from the invoice price when payment is made by the respondents to this seller for such products.

PAR. FOUR: The aforesaid acts of respondents constitute a violation of subsection (c) of section 2 of the Clayton Act as amended by the Robinson-Patman Act, approved June 19, 1936.

Wherefore, the premises considered, the Federal Trade Commission, on this 16th day of September, A. D., 1942, issues its complaint against said respondents.

Notice

Notice is hereby given you, Roy Glover and Ray Wilson, trading as Glover & Wilson, respondents herein, that the 23rd day of October, A. D. 1942, at 2 o'clock in the afternoon is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of the fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 16th day of September, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9358; Filed, September 21, 1942; 11:51 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[General Maximum Price Regulation—Order 20 Under Supplementary Regulation 1]

WORMAN, MACMULLEN & CO.

ORDER APPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as engaged principally and primarily in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agencies of the United States Government, and whose other activities do not include the selling of new or second-hand commodities for its own account: Worman, MacMullen & Co., 116 John Street, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.26 (b) (1) as amended, under Supplementary Regulation No. 1 under the General Maximum Price Regulation it is hereby ordered:

(a) That sales or deliveries by Worman, MacMullen & Co. New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 20 shall become effective September 21, 1942.

Issued this 19th day of September, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-9297; Filed, September 19, 1942; 10:23 a. m.]

[Order 2 Under Maximum Price Regulation 163—Woolen and Worsted Civilian Apparel Fabrics—Docket 3163-8]

HOLYOKE WORSTED COMPANY

ORDER GRANTING ADJUSTMENT

Granting permission to the Holyoke Worsted Company to make adjustable pricing contracts during the pendency of its petition for adjustment.

For the reasons set forth in the opinion, which has been issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and, in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, it is hereby ordered: (a) Pending final determination by the Price Administrator of a petition for relief from the provisions of § 1410.102 of Maximum Price Regulation No. 163, filed by the Holyoke Worsted Company (hereinafter referred to as the petitioner), the petitioner, whose post-office address is 7 Bridge Street, Holyoke, Massachusetts, is hereby authorized to sell and deliver and any person is authorized to buy and receive from the petitioner its 800 range fabric, described in its petition for adjustment as "clear finish, 14–14½ ounce fancy worsted used by the men's wear trade, containing stock-dyed yarn 2/32s both warp and filling, and having approximately 68x60 ends and picks", at a price not in excess of the maximum price established according to the aforementioned § 1410.102: *Provided, however,* That the

Holyoke Worsted Company and any buyer from it may agree in any contract for the sale of such fabric that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the petitioner's request for relief: *Provided further*, That the Holyoke Worsted Company shall inform each purchaser prior to entering into an adjustable pricing contract with him that the maximum price which it has requested in its petition for adjustment for its 800 range fabric, is $3.38 per yard.

(b) All sections and paragraphs of Maximum Price Regulation No. 163 which are not inconsistent with any provision of this order are to apply to this order.

(c) This Order No. 2 may be revoked or amended by the Office of Price Administration at any time, and in any event is to be effective only until the date of issuance of the order disposing of this petition.

(d) This Order No. 2 shall become effective on the 21st day of September 1942.

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9298; Filed, September 19, 1942; 10:23 a. m.]

[GENERAL MAXIMUM PRICE REGULATION—ORDER 19 UNDER SUPPLEMENTARY REGULATION 1]

S. E. PAMPHILON

ORDER APPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as engaged principally and primarily in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agencies of the United States Government, and whose other activities do not include the selling of new or second-hand commodities for its own account: S. E. Pamphilon, 7 Front Street, San Francisco, California.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.26 (b) (1) as amended, under Supplementary Regulation No. 1 under the General Maximum Price Regulation it is hereby ordered:

(a) That sales or deliveries by S. E. Pamphilon, San Francisco, California, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 19 shall become effective September 21, 1942.

Issued this 19th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9299; Filed, September 19, 1942; 10:23 p. m.]

[Order 22 Under Revised Price Schedule 6—Iron and Steel Products]

NICHOLS WIRE & STEEL COMPANY

ORDER GRANTING EXCEPTION

On January 27, 1942, Nichols Wire & Steel Company of Davenport, Iowa, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (b) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 22 has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, it is hereby ordered:

(a) Nichols Wire & Steel Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver wire nails to persons purchasing such nails for their own use and not for resale at a basing point system base price of $2.80 per hundred pounds.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 22 may be revoked or amended by the Office of Price Administration at any time.

(d) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(e) This Order No. 22 shall become effective September 21, 1942.

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9300; Filed, September 19, 1942; 10:23 a. m.]

[General Maximum Price Regulation—Order 17 Under Supplementary Regulation 1]

GOLDMARK'S UNCLAIMED FREIGHT, INC.

ORDER DISAPPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company applied for registration and approval of the Office of Price Administration in order that its sales and deliveries of damaged commodities might be excepted from the provisions of the General Maximum Price Regulation pursuant to § 1499.26 (b) (1), as amended, of Supplementary Regulation No. 1: Goldmark's Unclaimed Freight, Inc., 2525 East 9th Street, Cleveland, Ohio.

Due consideration has been given to the application for registration and approval of Goldmark's Unclaimed Freight, Inc. and it has been found that said company does not meet the requirements of § 1499.26 (b) (1) of Supplementary Regulation No. 1. Therefore, under the authority vested in the Price Administrator by said regulation, and by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) That the said application for registration and approval of Goldmark's Unclaimed Freight, Inc., 2525 East 9th Street, Cleveland, Ohio, be, and the same hereby is, denied and disapproved.

(b) This Order No. 17 shall become effective September 21, 1942.

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9301; Filed, September 19, 1942; 10:24 a. m.]

[General Maximum Price Regulation—Order 18 Under Supplementary Regulation 1]

JOHNSON, BECKER AND COURTNEY

ORDER APPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as engaged principally and primarily in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agencies of the United States Government, and whose other activities do not include the selling of new or second-hand commodities for its own account: Johnson, Becker and Courtney, 66 Maiden Lane, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.26 (b) (1) as amended, under Supplementary Regulation No. 1 under the General Maximum Price Regulation, it is hereby ordered:

(a) That sales or deliveries by Johnson, Becker, and Courtney, New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 18 shall become effective September 21, 1942.

Issued this 19th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9302; Filed, September 19, 1942; 10:24 a. m.]

[Order 18 Under Maximum Price Regulation 148—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-61]

THE PROVISION COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

Correction

In the table on page 7268 of the issue for September 15, 1942, the price for "Economy 10/12 and 12/14 avgs. skinned hams in visking casings shank and aitch bone out" should be 33¾ cents per pound. The price for "Boneless hams in visking casings, casings, closely fatted 8/10, 10/12 and 12/14" should be 39½ cents per pound. In the second line from the end of the table the figure "4/" should be "4/6".

SECURITIES AND EXCHANGE COMMISSION.

[File No. 31-508]

CANTON ELECTRIC LIGHT AND POWER COMPANY

ORDER DECLARING APPLICANT NOT TO BE A SUBSIDIARY COMPANY OF SPECIFIED HOLDING COMPANIES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of September 1942.

Canton Electric Light and Power Company, a New York corporation, having filed an application and amendments thereto pursuant to section 2 (a) (8) of the Public Utility Holding Company Act of 1935, for an order declaring it not to be a subsidiary company of The United Corporation, or its subsidiary, Niagara Hudson Power Corporation, or its subsidiary, Central New York Power Corporation;

A public hearing having been held after appropriate notice; the Commission having examined the record in this matter;

It is ordered, That Canton Electric Light and Power Company be, and it hereby is, declared not to be a subsidiary company, within the meaning and for the purposes of the Public Utility Holding Company Act of 1935, of The United Corporation, or Niagara Hudson Power Corporation, or Central New York Power Corporation, subject, however, to the following terms and conditions:

(1) If at any time, any officer, director, agent employer, nominee, or other representative of The United Corporation, Niagara Hudson Power Corporation or Central New York Power Corporation, or of any of their subsidiaries, shall be elected, appointed, or otherwise designated as an officer, director, agent, employee, nominee or other representative of Canton Electric Light and Power Company, notice thereof shall be given to this Commission within 10 days after the happening of such event; and

(2) Within 30 days after December 31 of each year, Canton Electric Light and Power Company shall report to this Commission any increases which come to its knowledge in the per centum of its voting securities held by Central New York Power Corporation or of the acquisition of any of its securities by Niagara Hudson Power Corporation or The United Corporation or any of their subsidiaries or any decrease in the per centum of voting securities held by John W. McGaughey; and

(3) Within 30 days after December 31 of each year, Canton Electric Light and Power Company shall file with this Commission a statement setting forth the details of the performance of any service, construction, loans or advances by and purchases from, or any contracts or agreements with (excluding the contract for the purchase of electric energy) The United Corporation, Niagara Hudson Power Corporation, Central New York Power Corporation or any of their subsidiaries.

(4) Within 10 days after any stockholders meeting of Canton Electric Light and Power Company at which Central New York Power Corporation has exercised a veto power over a proposed corporate change of the type specified in Sections 16, 85, 86, 105 and 35 to 38, inclusive, of (McKinney's) Stock Corporation Law of New York (or any amendments thereto that may be enacted in the future), or of any other corporate action which Canton Electric Light and Power Company proposes at any stockholders meeting which requires the consent of the holders of not less than ⅔ of the total number of shares outstanding and entitled to vote, Canton Electric Light and Power Company shall report to the Commission the result of all votes cast at such meeting.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9278; Filed, September 18, 1942; 3:37 p. m.]

[File Nos. 70-593, 70-594]

BELLOWS FALLS HYDRO-ELECTRIC CORP., ET AL.

ORDER CORRECTING NOTICE OF FILING AND ORDER FOR HEARING

In the matter of Bellows Falls Hydro-Electric Corporation, Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as trustee under a trust agreement dated January 31, 1939.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of September, 1942.

It appearing to the Commission that its notice of filing and order for hearing dated September 4, 1942 (Holding Company Act Release No. 3781) incorrectly named Olcott Falls Company as an applicant, and should be corrected in that and certain other related respects:

It is ordered, That the words "Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as Trustee under a Trust Agreement dated January 31, 1939," be substituted for the words "Olcott Falls Company" in the caption of said order and that the body of said order be amended to read as follows:

Notice is hereby given that applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as Trustee under a Trust Agreement dated January 31, 1939, a registered holding company, and by Bellows Falls Hydro-Electric Corporation, a subsidiary of New England Power Association, a registered holding company. All interested persons are referred to said applications, which are on file in the office of this Commission, for a statement of transactions therein proposed which are summarized as follows:

Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as Trustee under a Trust Agreement dated January 31, 1939, propose to cause its subsidiary, Olcott Falls Company, to sell all of its physical properties and franchises which include the so-called Wilder Power Development at Hartford, Vermont and Lebanon, New Hampshire, on the Connecticut River consisting of certain facilities for the production and transmission of electric energy, and Bellows Falls Hydro-Electric Company proposes to purchase all of such physical properties and franchises for a consideration of $200,000 which is to be payable in cash. In connection with the proposed purchase, Bellows Falls Hydro-Electric Corporation will assume all the obligations of Olcott Falls Company under and in connection with a contract of October 1, 1937 for the supply of power to Granite State Electric Company and to Bellows Falls Hydro-Electric Corporation, such assumption to be on terms creating a novation with Granite State Electric Company and Bellows Falls Hydro-Electric Corporation remaining as the only parties to said contract.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said applications shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the Rules and Regulations of the Commission thereunder be held on September 24, 1942, at 10:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such applications shall be granted.

Notice is hereby given of said hearing to the above named applicants and to all interested parties, said notice to be given to said applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9311; Filed, September 19, 1942; 11:14 a. m.]

[File Nos. 31-174, 46-203, 70-598]

GENERAL ELECTRIC CO., ET AL.

ORDER EXTENDING PERIOD OF EXEMPTION AND CONDITIONALLY GRANTING APPLICATION FOR ACQUISITION OF SECURITIES

In the matter of General Electric Company, Electrical Securities Corporation, and G. E. Employees Securities Corporation (File Nos. 31-174); General Electric Company and Electrical Securities Corporation (File Nos. 46-203, 70-598).

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of September, 1942.

General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation, having made a joint and several application for an order extending the period of effectiveness of an order of exemption dated August 18, 1941, which order modified and extended the effectiveness of an order dated March 16, 1938, pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935; and

General Electric Company and Electrical Securities Corporation having filed a joint and several application pursuant to section 10 of said Act with respect to the acquisition by General Electric Company through G. E. Employees Securities Corporation and Electrical Securities

Corporation, of 40,000 shares of common stock of Southwestern Public Service Company, a registered holding company, in exchange for 40,000 shares of common stock of Community Power and Light Company, a registered holding company, under and pursuant to a merger of Community Power and Light Company into Southwestern Public Service Company, and with respect to the acquisition by General Electric Company through G. E. Employees Securities Corporation and Electrical Securities Corporation of 16,000 shares of common stock of Southwestern Public Service Company pursuant to the exercise of rights under subscription warrants of Southwestern Public Service Company; and

A public hearing having been held on said applications as amended after appropriate notice, the Commission having examined the consolidated record herein and made and filed its findings based thereon:

It is ordered, That the period of effectiveness of the Commission's order of August 18, 1941, which order modified and extended the period of effectiveness of an order dated March 16, 1938, pursuant to section 3 (a) (3) of said Act with respect to General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation be and hereby is extended to the close of business on August 31, 1943 and that until such date, General Electric Company, Electrical Securities Corporation and G. E. Employees Securities Corporation be and they hereby are exempted from all those provisions of the Public Utility Holding Company Act of 1935 which would require them to register under said Act as a public utility holding company; and

It is further ordered, That the joint and several application as amended of General Electric Company and Electrical Securities Corporation pursuant to section 10 of the Act be and hereby is granted and approved: *Provided, however*, That said application as amended is hereby granted and approved on the condition (in addition to those terms and conditions prescribed by Rule U-24 of this Commission) that applicants sell or otherwise dispose of a sufficient number of the 56,000 shares of common stock of Southwestern Public Service Company, being acquired herein, in order that at the close of business on August 31, 1943 applicants do not directly or indirectly own, control or hold with power to vote 5% or more of the outstanding voting securities of Southwestern Public Service Company; and

It is further ordered, That the jurisdiction of this Commission be and hereby is reserved for the purpose of modifying or revoking this order after notice and opportunity for hearing as the public interest or the interest of investors and consumers may warrant.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9309; Filed, September 19, 1942; 11:14 a. m.]

[File No. 70-415]

NEWPORT WATER CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 18th day of September, 1942.

An application and declaration, and amendments thereto, having been filed with this Commission by Newport Water Corporation, a subsidiary of Ogden Corporation which is a registered holding company, pursuant to sections 11 and 12 (c) of the Public Utility Holding Company Act of 1935, regarding its dissolution and the distribution of its remaining assets to its preferred stockholders; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, That, subject to the terms and conditions prescribed in Rule U-24, said application, as amended, be and hereby is granted forthwith, and said declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9310; Filed, September 19, 1942; 11:14 a. m.]

[File No. 70-282]

COMMUNITY POWER AND LIGHT CO., ET AL.

SUPPLEMENTAL AND AMENDATORY ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of September, A. D. 1942.

In the matter of Community Power and Light Company, General Public Utilities, Inc., and Southwestern Public Service Company, et al.

Community Power and Light Company, General Public Utilities, Inc., and Southwestern Public Service Company, each of said named companies being a registered holding company, and companies subsidiary thereto, having heretofore filed applications and declarations, and amendments thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, whereby said applicants sought approval of a plan of system reorganization submitted pursuant to said section 11 (e), a report upon such plan by this Commission pursuant to section 11 (g) of said Act and authorization for certain particular transactions, constituting component parts of said plan and actions incident thereto, and the Commission, after appropriate proceedings, having made and entered its findings and opinion thereon, whereby the said plan was found to be necessary to effectuate the provisions of subsection (b) of said section 11 and to be fair and equitable to the persons affected thereby, and the Commission, accordingly, having, on July 8, 1942, entered its order approving said plan, subject to certain conditions and reservations of jurisdiction, and having issued a report upon said plan pursuant to said section 11 (g);

Said applicants, having, since the entry of said order of approval, filed certain further amendments to their said application wherein approval is sought for certain modifications in the plan as heretofore approved, and for the issuance and sale to the public, through underwriters, and otherwise, of certain securities proposed to be issued and sold by said Southwestern Public Service Company, and also of the issuance and sale of a certain promissory note by Community Power and Light Company, and of a capital contribution by that company to Texas-New Mexico Utilities Company;

Public hearings having been held in respect of said further proposals, and the Commission having considered the record, as so supplemented, and having made and filed its supplementary findings and opinion herein, and having found that said plan as so proposed to be changed, or modified, is necessary to effectuate the provisions of section 11 (b) of said Act, and fair and equitable to the persons affected thereby, that the requirements of other applicable sections of said Act have been met, and that no adverse findings are required in respect of the several transactions hereinafter authorized by this order;

It is hereby ordered:

(1) That said plan, as so amended, be, and the same is hereby approved, subject, however, to those conditions and reservations of jurisdiction contained in our order entered herein on July 8, 1942, except to the extent that such conditions or reservations, or any one or more of them, may be in conflict with anything in this order contained;

(2) The declaration embraced within the subject application, as amended, as aforesaid, regarding the proposed issuance and sale by Southwestern Public Service Company of (a) First Mortgage and Collateral Trust Bonds, 4% Series due in 1972, in the principal amount of $20,000,000 (b) Serial Notes (unsecured), maturing in the principal amount of $500,000 annually from 1943 to 1954, inclusive, being in the aggregate principal amount of $6,000,000, (c) 6½% Cumulative Preferred Stock, of the par value of $100 per share, in the aggregate par amount of $6,000,000, and (d) 185,000 shares of common stock of the par value of $1 per share and transferable warrants evidencing certain present stockholder's right of subscription thereto, and (e) a promissory note in the principal amount of $700,000 (evidencing a temporary bank loan incident to the refinancing to be accomplished through the issuance and sale of the other securities just enumerated) and of Community Power and Light Company regarding the issuance and sale of its promissory note in a principal amount not in excess of $675,000 (likewise evidencing a temporary bank loan incident to the mechanics of said refinancing), be permitted to become effective;

Provided, The declaration regarding the issuance and sale of the above identified securities is upon the express condition that, so long as any of its said 6½% Cumulative Preferred Stock shall remain outstanding, Southwestern Public Service Company shall provide for a Sinking Fund for such stock in the amount and to the extent and in the manner set forth in Appendix "A" attached to this order, and hereby made a part hereof by reference;

And provided further, That Southwestern Public Service Company shall not (i) declare or pay any dividends upon its Common Stock in excess of 50% of the "Net Earnings of the Company Available for Dividends" (as defined in section 8 of Article Second of the Indenture providing for the issuance of the Serial Notes of said Company) remaining after deducting from such "Net Earnings of the Company Available for Dividends" (a) dividends paid or accrued on the Preferred Stock (but not exceeding an amount equal to dividends computed at dividend rates applicable to the Preferred Stock on which such dividends were paid or accrued) and (b) the 6½% Cumulative Preferred Stock Sinking Fund requirements (on an appropriate pro rata basis), such "Net Earnings of the Company Available for Dividends" and said deductions therefrom to be computed from September 1, 1942 up to the end of the calendar month immediately preceding that in which it is then proposed to declare such dividend, nor (ii) declare or pay dividends on its Common Stock in excess of 50¢ per share in any twelve months' period commencing September 1 (the first such period commencing September 1, 1942), nor (iii) make any payment or distribution on such Common Stock (by purchase or otherwise in money or other property) other than as permitted by (i) and (ii) above; in each case pending the further order or orders of the Commission, except that none of such restrictions shall apply to any payment which may be made in connection with any rights, or asserted rights, of appraisal and payment which any stockholders of Community and/or General may have under any state statute applicable to the merger of Community Power and Light Company and General Public Utilities, Inc. into Southwestern Public Service Company;

And provided further, That Southwestern Public Service Company shall cause to be executed and delivered to the Trustee under the Indenture to secure its First Mortgage and Collateral Trust Bonds hereinabove mentioned, within 60 days from the date hereof, an Indenture supplemental to the original Indenture securing said bonds, which supplemental Indenture shall contain a covenant restricting the declaration or payment of dividends (or other distribution) upon the Common Stock of that company during the continuance of the indebtedness so secured in substantially the same manner as, and to the same extent such declaration and payment is by the Serial Note Indenture, presently proposed to be executed and delivered, restricted during the life of the indebtedness by said latter Indenture secured.

(3) That the conditions and restrictions set forth in the last preceding division hereof (numbered (2)) shall take the place of and supersede that condition numbered (3) in the said order of this Commission of July 8, 1942, which condition, in substantial effect, forbade the payment of any dividend, or the making of any other distribution upon the common stock of Southwestern Public Service Company pending the further order, or orders, of this Commission;

(4) That the declaration of Community Power and Light Company regarding the making by said company of a capital contribution of Texas-New Mexico Utilities Company of the amount of the proceeds of a bank loan to be effected by said Community Power and Light Company in an amount not in excess of $675,000 shall, and the same is hereby permitted to become effective.

(5) That the acquisition from Continental Gas and Electric Corporation of all the outstanding shares of capital stock, notes and open accounts of Panhandle Power and Light Company, Cimarron Utilities Company and Guymon Gas Company, all itemized in our findings of July 17, 1942, The United Light and Power Company, et al., Holding Company Act Release No. 3667, which itemization is by reference made a part hereof, authorized by the said order of July 8, 1942, to be made directly by Southwestern Public Service Company, may be made by The Kansas Utilities Company and subsequently transferred in liquidation to said Southwestern Public Service Company, as described in said plan, as now amended, such acquisition being hereby approved and authorized;

(6) That the declaration of Southwestern Public Service Company regarding the proposed payment from its capital surplus of certain dividends upon the preferred stock presently proposed to be issued and sold by it be, and it is hereby granted and permitted to become effective in respect only of the dividends for the first two quarter-annual dividend periods and in all other respects said declaration relative to the payment of dividends from capital surplus is denied, without prejudice to the right of Southwestern Public Service Company to renew its declaration before this Commission in this connection in regard to dividend payments contemplated to be made for any subsequent period, or periods, and;

Provided, And the authority granted in the last preceding paragraph hereof is upon the express condition, that any amount which may be charged to the capital surplus of Southwestern Public Service Company in connection with the dividend payments so authorized to be charged against such capital surplus shall be eliminated by credits thereto in an aggregate amount sufficient for that purpose from the earnings of the company which would otherwise be available for the payment of dividends before any dividends shall be declared or paid upon the common stock of said company.

(7) That all the transactions contemplated by the Plan of Integration and Simplification, including the acquisition of properties and securities (and in particular the acquisition of the securities of Panhandle Power and Light Company, Cimarron Utilities Company and Guymon Gas Company), the sale of properties and securities (and in particular the sale of the properties of The Kansas Utilities Company), the merger of Community and General into Southwestern and the issuance by the latter company of new securities consisting of bonds, notes, Preferred and Common Stocks, and the issuance, transfer, exchange or conveyance of properties or securities pursuant to said Plan of Integration and Simplification, are all necessary or appropriate to the Integration or Simplification of the holding company system of Community Power and Light Company and to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, the securities and properties to be so issued, transferred, exchanged or conveyed being specified and itemized either in this order, or the order of the Commission dated July 8, 1942, or in the findings and opinion with respect hereto or thereto;

(8) That jurisdiction in respect of the underwriting compensation upon the sale of the bonds, serial notes and common stock, hereinabove identified, is hereby released the Commission having made no adverse findings in respect thereof, but, in all other respects, jurisdiction over all fees and expenses incurred, or to be incurred, in connection with said plan of reorganization and said refinancing, and all transactions incidental thereto shall continue to be reserved, pursuant to the Commission's said order of July 8, 1942;

(9) That the time within which the several transactions authorized by the said order of July 8, were required to be consummated, be, and the same is hereby extended for a period of 60 days from the date of this present order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

APPENDIX A

So long as any shares of the 6½% Cumulative Preferred Stock shall be outstanding, Southwestern Public Service Company (hereinafter called the "Company") shall, out of the "Net Earnings of the Company Available for the Sinking Fund", as hereinafter defined, or out of its earned surplus, set apart and apply, as and for a Sinking Fund for the 6½% Cumulative Preferred Stock, on April 1, 1943 and on April 1 in each year thereafter, to and including April 1, 1952, an amount of cash equal to 1% of the aggregate par value of 6½% Cumulative Preferred Stock at any time theretofore issued by the Company, and on April 1, 1953 and on April 1 in each year thereafter (the several dates hereinbefore referred to in this sentence being referred to in this Item as the "Sinking Fund payment date"), an amount of cash equal to 3% of the aggregate par value of 6½% Cumulative Preferred Stock at any time theretofore issued by the Company, such funds to be applied to the purchase or re-

Reference

demption of 6½% Cumulative Preferred Stock as hereinafter provided. The Company shall be entitled to a credit on its foregoing obligation to set aside cash for the Sinking Fund to the extent of the costs to it (including accrued dividends and brokerage commissions, if any), but not exceeding the redemption price (plus such accrued dividends and commissions, if any) thereof of all shares of 6½% Cumulative Preferred Stock theretofore purchased, redeemed or otherwise acquired, and cancelled, by it otherwise than through operation of the Sinking Fund and not theretofore applied as a credit on such Sinking Fund obligation. The term "Net Earnings of the Company Available for the Sinking Fund", as used herein, shall mean the "Net Earnings of the Company Available for Dividends", as defined in section 8 of Article Second of the Indenture providing for the issuance of the Serial Notes of the Company, for the calendar year immediately preceding such Sinking Fund payment date, after deducting from such "Net Earnings of the Company Available for Dividends" an amount equal to the dividends paid or accrued during such calendar year on the Preferred Stock (but not exceeding an amount equal to dividends computed at dividend rate or rates applicable to the Preferred Stock on which such dividends were paid or accrued).

Moneys in the Sinking Fund shall from time to time be applied by the Company to the purchase of 6½% Cumulative Preferred Stock at private sale or in the open market, with or without advertising for tenders, at the best prices obtainable by the Company, but not exceeding the redemption price thereof, plus accrued dividends and brokerage commissions, if any. If, on or before the January 15 next succeeding any such Sinking Fund payment date, the Company shall not have exhausted the moneys in the Sinking Fund in accordance with the foregoing provisions, then such moneys remaining in the Sinking Fund (if in excess of $5,000) shall be applied by the Company to the redemption on the next succeeding March 1 of shares of said stock, in accordance with the terms of redemption provided in the Agreement of Merger referred to above. All certificates for shares of 6½% Cumulative Preferred Stock purchased, redeemed or otherwise acquired through operation of the Sinking Fund shall be promptly cancelled by the Company.

If for any reason provision for the Sinking Fund shall not be made as hereinabove provided, the deficiency (but without interest thereon) shall be fully made up by the Company before any dividends are declared or any other payment or distribution made on the Common Stock of the Company.

[F. R. Doc. 42-9340; Filed, September 21, 1942; 10:43 a. m.]

Reference

SEP 24 1942

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES — 1934 — LITTERA SCRIPTA MANET

VOLUME 7 NUMBER 187

Washington, Wednesday, September 23, 1942

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 35—PAYMENT OF BILLS AND ACCOUNTS

PAYMENT IN ABSENCE OF VALID CONTRACT

Section 35.9 (c) (1) and (3) is hereby amended to read as follows: § 35.9 *Payment where there is no valid contract.* • • •

(c) *Quantum meruit.* (1) Accounts covering supplies furnished or services rendered before the making of a contract, without a valid contract, or where otherwise settlement is on a quantum meruit basis, should be transmitted through the Chief of Finance to the General Accounting Office. (See MS. Comp. Dec. A. D. 4997, August 6, 1920.) For exception, see subparagraph (3) below.

• • • • •

(3) Notwithstanding the provisions of (1) above, a cost-plus-a-fixed-fee contractor may be reimbursed for proper expenses which were not included in the fixed fee and which were incurred in connection with expediting performance of work under the contract prior to its formal execution, but after verbal notification that the contract would be awarded. See 21 Comp. Gen. 462. (R.S. 161; 5 U.S.C. 22) [Par. 6c, AR 35-6040, June 12, 1942, as amended by C 1, September 12, 1942]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General

[F. R. Doc. 42-9373; Filed, September 21, 1942; 3:37 p. m.]

Chapter V—Military Reservations and National Cemeteries

PART 54—EXCHANGES

PART 55—MOTION PICTURE SERVICE

SUSPENSION OF CREDIT SALES

§ 54.12 *Credit sales: suspension.* Effective November 1, 1942, at all posts, camps, and stations within the continental United States, except Alaska, all purchases from commissaries, exchanges, and theaters, and from all company-owned or company-operated activities, for example, barber shops, tailor shops, etc., will be for cash, or for coupons bought and paid for in advance.

So much of § 54.12 as is in conflict with the above is suspended. (R.S. 161; 5 U.S.C. 22) [Cir. 309, W.D., September 11, 1942]

§ 55.8 *Coupon books: suspension of credit sales.* Effective November 1, 1942, at all posts, camps, and stations within the continental United States, except Alaska, all purchases from commissaries, exchanges, and theaters, and from all company-owned or company-operated activities, for example, barber shops, tailor shops, etc., will be for cash, or for coupons bought and paid for in advance.

So much of § 55.8 as is in conflict with the above is suspended. (R.S. 161; 5 U.S.C. 22) [Cir. 309, W.D., September 11, 1942]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42-9376; Filed, September 21, 1942; 8:37 p. m.]

Chapter VII—Personnel

PART 72—CONTRACT SURGEONS AND CIVILIAN VETERINARIANS

EMPLOYMENT OF CONTRACT SURGEONS

Sections 72.1 and 72.4 are hereby amended to read as follows and §§ 72.2, 72.3, and 72.5 are retained without change in revision of AR 40-30.

§ 72.1 *Authority to employ.* In emergencies civilian physicians may be employed as general (full-time) or special (part-time) contract surgeons under contracts entered into by the commanding generals of service commands for all installations and establishments under their control and in all other cases by The Surgeon General with the approval of the Secretary of War. (Sec. 8, 31

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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Stat. 752; 10 U.S.C. 107) [Par. 1, AR 40–30, September 1, 1942]

§ 72.4 *Qualifications.* To be eligible for employment as a contract surgeon, the candidate must be a graduate of a reputable medical school legally authorized to confer the degree of M. D., and a licensed practitioner of medicine in good standing at the time the contract is made. He must also posess satisfactory moral, professional, and physical qualifications. (R.S. 161; 5 U.S.C. 22) [Par. 4, AR 40–30, September 1, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9375; Filed, September 21, 1942; 3:36 p. m.]

PART 72—CONTRACT SURGEONS AND CIVILIAN VETERINARIANS

COMPENSATION FOR TESTS AND INOCULATIONS

Section 72.8 is hereby amended to read as follows:

§ 72.8 *Compensation for tests and inoculations.* (a) The compensation allowed to civilian veterinarians for the administration of the intradermic mallein test for glanders (the only test authorized), the administration of tetanus toxoid, and encephalomyelitis vaccine to public animals or authorized private mounts, for shipment or other purposes when authorized by regulations or orders, will be at the following rates:

	Administration of tests and inoculations	One or more trips to read tests and complete other inoculations
Veterinarian not required to make a special visit:		
1 animal	$0.75	----------
Each additional animal on same day	.50	----------
Veterinarian required to make a special visit:		
1 animal	3.25	$3.00
Each additional animal on same day	.50	----------

(b) Additional compensation, irrespective of the number of animals tested, will be allowed for one return visit at the rate shown in column two of the table in paragraph (a) of this section only when a special visit is necessary for reading the test or completing the inoculation. In cases of doubt, such additional return visits as may be necessary to enable the veterinarian to sign the required veterinary health certificate will be made, but no compensation will be allowed for such additional visits.

(c) No civilian veterinarian will be employed to apply mallein test or to read it who is not legally authorized to apply the mallein tests by the Federal authorities or the authorities of the State in which the test may be required. (R.S. 161; 5 U.S.C. 22) [Par. 4, AR 40–2030, August 31, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9374; Filed September 21, 1942; 3:36 p. m.]

PART 77—MEDICAL AND DENTAL ATTENDANCE

CIVILIAN DENTAL ATTENDANCE

Sections 77.43 (b) (1) and (3) and 77.44 are hereby amended to read as follows:

§ 77.43 *Civilian dental attendance.*

* * * * *

(b) *Routine or extensive dental attendance.* (1) Civilian dentists may not be employed at Government expense for the treatment of chronic lesions, filling operations, prosthetic replacements, and other prolonged or extensive procedures, such as those required following the relief of an immediate emergency, until specific authority for such employment has been received from commanding generals of service commands. Except that in the case of military personnel on duty without troops in foreign countries, dental service of this character which is urgently necessary may be procured without awaiting advance authority from commanding generals of service commands, provided that this will not apply to the employment of civilian dentists for elective dentistry. For the dentistry obtained without prior authority under the provisions of the foregoing sentence, the authority of commanding generals of service commands will be applied for in submitting the dentist's account in each case.

* * * * *

(3) Application for authority to employ civilian dental service having been made as above, commanding generals of service commands may, as they consider proper, grant or deny the request or recommend that the patient be ordered to a station where he can receive treatment from a dental officer. (R.S. 161; 5 U.S.C. 22) [Par. 5b, AR 40–510, July 31, 1942, as amended by C 1, September 10, 1942]

§ 77.44 *Compensation for civilian dental attendance.* Accounts for civilian dental services arising at stations or camps under exceptional circumstances, all accounts arising at other places, and accounts for special or surgical services will be allowed at rates considered reasonable by the approving authority. (R.S. 161; 5 U.S.C. 22) [Par. 6, AR 40–510, July 31, 1942, as amended by C 1, September 10, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9378; Filed, September 21, 1942; 3:37 p. m.]

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

PURPLE HEART, ETC.

Sections 78.2 (b) (2), (c) (2), and 78.4 (b) are rescinded and § 78.2 (e) and (h) (3) are amended to read as follows:

§ 78.2 *To whom decorations awarded.* * * *

(b) *Distinguished - Service Cross.* * * *

(2) Rescinded.

(c) *Distinguished - Service Medal.* * * *

(2) Rescinded.

* * * * *

(e) *Purple Heart.* (1) The Purple Heart established by General George Washington at Newburgh, August 7, 1782, during the War of the Revolution and revived out of respect to his memory and military achievements by War Department General Orders, No. 3, February 22, 1932, is awarded to persons who, while serving in any capacity with the Army of the United States, are wounded in action against an enemy of the United States, or as a result of an act of such enemy, provided such wound necessitates treatment by a medical officer. One award (the Purple Heart for the first wound, the Oak-Leaf Cluster thereafter) is authorized for each such wound, except that one such award only is authorized for two or more such wounds received contemporaneously from the same agent or missile, or from two or more agents or missiles. An award is not authorized in any case where medical treatment was not given.

(2) When a person entitled to the award under (1) above is admitted to a hospital for treatment of a wound, or when any such person is treated for a wound without being admitted to a hospital, the commanding officer of the hospital, or in the latter case, the medical officer who treats the wound, will furnish the commanding officer of the wounded person with a certificate describing briefly the nature of the wound and certifying to the necessity of the treatment. This information may be furnished to commanders of higher units in the form of certified lists, and will be transmitted by them to the commanding officers concerned.

(3) The Purple Heart will be awarded posthumously by the War Department to persons who, while serving in any capacity with the Army of the United States since December 6, 1941, are killed in action or who die as a direct result of wounds received in action with an enemy of the United States, or as a result of an act of such enemy. The Adjutant General will cause the Purple Heart and Purple Heart certificate to be sent to the nearest of kin of persons entitled to the posthumous award as nearly coincidental with the receipt of the report of death by the War Department as practicable and regardless of the fact that records may show that a previous award of this decoration has been made.

* * * * *

(h) *Oak-Leaf Cluster.* * * *

(3) *Purple Heart.* The provisions of paragraph (h) (1) of this section apply also to the Purple Heart except as indicated in paragraph (e) (3). (40 Stat. 871; 10 U.S.C. 1409) [Pars. 8, 9, 11 and 14, AR 600–45, August 8, 1932, as amended by C 4, September 4, 1942]

§ 78.4 *Posthumous award.* * * *

(b) *Purple Heart.* Rescinded. See § 78.2 (e) (3). (40 Stat. 871; 10 U.S.C. 1, 409) [Par. 17*f*, AR 600–45, August 8, 1932, as amended by C 4, September 4, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9377; Filed, September 21, 1942; 3:36 p. m.]

Chapter IX—Transport

PART 92—CHARTER AND REDELIVERY OF VESSELS

LETTER OF NOTIFICATION, ETC.

Sections 92.16, 92.17 and 92.18 are retained without change in AR 55–520, September 1, 1942, which supersedes AR 30–1320, and §§ 92.14, 92.15 and 92.19 (b) are hereby amended to read as follows:

§ 92.14 *General.* When a vessel under charter is to be redelivered to the owner or other Government agency the Chief of Transportation will advise the officer in charge of the port where redelivery will be made of the fact, designating the date set for redelivery and directing such officer to accomplish the redelivery. Upon receipt of this advice, the officer in charge of the port will advise the owner of the vessel and any other parties interested and will appoint a board of survey and an inventory board in accordance with §§ 92.18 and 92.19. In case the vessel has not yet arrived at the port, he will radio advice to the master of the intention to redeliver the vessel and instruct him to make such preparations for it as can be made before arrival, including inventory and statement of consumable stores. (R.S. 161; 5 U.S.C. 22) [Par. 1, AR 55–520, Sept. 1, 1942]

§ 92.15 *Letter of notification.* (a) The letter to the owner or other Government agency will inform him of the intention to redeliver the vessel as soon as practicable after completion of the present voyage. He will be advised of the probable date of arrival of the vessel at the port, and of the actual date of arrival as soon as it is known.

(b) He should also be advised, in case he should allege damages to the vessel for which the War Department is responsible, to submit in writing, without unnecessary delay, a verified claim giving in detail the items of such damage, with the cost and proof thereof; and that the claim should be complete, represent the entire claim of the owners and should so state; also that it is desirable that the owner or his representative be present during the survey of the vessel by a board convened for the purpose, for free consultation with members of the board in regard to any damages to the vessel while in the service of the War Department and for conference to determine just settlement or the just lump sum to be paid by the Government in lieu of reconditioning the ship.

(c) Form of letter of notification of intention to redeliver:

Sir: You are hereby notified that the War Department will turn over and deliver to you the S. S. ---------- as soon as practicable after completion of the present voyage.

The present voyage will be completed upon the arrival of the vessel at this port, which it is expected will be on ----------. You will be advised of the actual date of arrival as soon as it is known.

Should you deem that in accordance with the terms of the charter, you have any claim against the War Department on account of this vessel while in the service of the War Department, for alleged damages or otherwise, it is requested that you submit, without unnecessary delay, a verified statement giving in detail the items and the amounts involved to recondition the vessel according to the terms of the charter.

The claim should be complete, represent your entire claim, and should so state.

It is requested that either yourself or your representative be present during the survey of the vessel, before redelivery, for free consultation with members of the board in surveying the vessel and for conference in determining a just settlement or a just lump sum to be paid you by the Government in lieu of reconditioning the ship.

(Signature of officer in charge of redelivery.)

(R.S. 161; 5 U.S.C. 22) [Par. 2, AR 55–520, Sept. 1, 1942]

§ 92.19 *Board of survey.* * * *

(b) *General procedure.* The board of survey will survey and will come to a finding on each vessel as soon as possible after its arrival at the port, after consideration of any itemized claims for damages submitted by the owner or other Government agency and of all possible evidence obtained relating to the history of the ship and its services prior to allocation to the War Department. It will make a recommendation of the necessary repairs that should be made to place the ship in the same or as good order and condition as that in which she was when delivered to the United States, ordinary wear and tear and damage due to the operation of risks assumed by the owners excepted, and the lump sum regarded as just compensation for the damage occasioned to the vessel that it recommends to be paid in lieu of repairs. When, in the judgment of the board, minor repairs can be made without in-

terference with the survey of the vessel, the matter should be brought promptly to the attention of the officer in charge of the port for necessary action. The board at its discretion may solicit bids for the accomplishment of repairs and consider such bids in arriving at the award determined upon. In case any member of the board disagrees with the majority, he will submit a minority report to be forwarded with the report of the board. (R.S. 161; 5 U.S.C. 22) [Par. 9, AR 55–520, Sept. 1, 1942]

* * * * *

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42-9379; Filed, September 21, 1942; 3:37 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 239]

PART 60—AIR TRAFFIC RULES

AUTHORIZATION TO THE GOLD FIELDS AMERICAN DEVELOPMENT COMPANY, LTD.

Authorization to The Gold Fields American Development Company, Ltd. to transport certain explosives for its own account.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of September, 1942.

The Gold Fields American Development Company, Ltd., having by application filed on September 15, 1942, requested the Board to confer upon the Administrator specific power to waive § 60.973 of the Civil Air Regulations in order that the petitioner, through its agent, James Angel, may carry a certain quantity of blasting caps by air from Baltimore, Maryland, to Ciudad Bolivar, Venezuela; and

It appearing to the Board, that the Administrator does not possess the power to waive said § 60.973 in the present circumstances; and

It further appearing to the Board, that unless the said blasting caps are transported by air, petitioner's principal—New Goldfields of Venezuela, Ltd.—will be forced temporarily to shut down its mining operations in the District of El Callao, State of Bolivar, Venezuela; and

It further appearing to the Board that the proposed transportation of blasting caps by air will be accomplished in a chartered aircraft used for that purpose alone and carrying no persons not essential for the operation of that aircraft:

Now, therefore, the Civil Aeronautical Board, acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, enacts the following special regulation:

Notwithstanding the provisions of § 60.973 (b) of the Civil Air Regulations, but subject to all other pertinent sections thereof, The Gold Fields American Development Company, Ltd., or New Goldfields of Venezuela, Ltd., may, within 45 days after the date of this special regulation, transport 45,000 blasting caps in an airplane of Venezuelan registry, and piloted by James Angel, from an airport at or near Baltimore, Maryland, to the territorial limits of the United States at a point on the route to Ciudad Bolivar, Venezuela, over a route to be specified by the Administrator and proceeding in accordance with any special directions or instructions which the Administrator may issue.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-9401; Filed, September 22, 1942; 11:32 a. m.]

[Amendment 61-39, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

PILOT FLIGHT TIME LIMITATIONS IN SCHEDULED AIR TRANSPORTATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of September, 1942.

Acting pursuant to sections 205 (a), 601 and 604 of the Civil Aeronautics Act of 1938, as amended, and Public Law 535, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective September 16, 1942, Part 61 of the Civil Air Regulations is amended as follows:

1. By striking §§ 61.518 through 61.5186 (g) and inserting in lieu thereof the following:

§ 61.518 *Flight time limitations.* The following rules prescribed the flight time limitations for all pilots in scheduled air transportation:

(a) A pilot may be scheduled to fly 8 hours or less during any 24 consecutive hours, without a rest period during such 8 hours. If such pilot be scheduled to fly in excess of 8 hours during any 24 consecutive hours, he shall be given an intervening rest period at or before the termination of 8 scheduled hours of flight duty. Such rest period shall equal at least twice the number of hours flown since the last preceding rest period and in no case shall such rest period be less than 8 hours. During such rest period, the pilot shall be relieved of all duty with the air carrier.

(b) When a pilot has flown in scheduled air transportation service in excess of 8 hours during any 24 consecutive hours, he shall receive 24 hours of rest before being assigned any duty with the air carrier. Time spent in dead-head transportation to duty assignment shall not be considered part of such rest period.

(c) A pilot shall not fly in excess of 30 hours during any 7 consecutive days. Relief from all duty for not less than 24 consecutive hours shall be provided for and given to such pilot at least once during any 7 consecutive days.

(d) A pilot shall not fly in scheduled air transportation service as a member of the crew more than 100 hours in any one month: *Provided,* That the Administrator is authorized, during the present war and until 6 months after the termination thereof, to permit the maximum of 100 hours to be exceeded to the extent necessary to complete a particular flight for military purposes.

(e) A pilot shall not fly in scheduled air transportation service as a member of the crew more than 1,000 hours in any one calendar year: *Provided,* That this limitation shall not be effective during the present war and until 6 months after the termination thereof, and that during this period the maximum flying hours permitted in any one calendar year shall be controlled by the provisions of paragraph (d) of this section.

(f) The foregoing flight time limitations shall not be applicable when a pilot is qualifying on a regular route, or alternate route, over which such pilot is not qualified.

(g) A pilot shall not do other commercial flying while employed by an air carrier when such flying, in addition to that in scheduled air transportation service, will exceed any flight time limitations specified herein.

2. By striking § 61.524 and inserting in lieu thereof the following:

§ 61.524 [Unassigned.]

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-9400; Filed, September 22, 1942; 11:32 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4686]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BAER LABORATORIES, INC.

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of "Sulfuraid-21" medicinal preparation, or any substantially similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said "Sulfuraid-21", which advertisements represent, directly or through inference, that respondent's said preparation or any similar one, when used in hot water baths, is an effective relief, preventative or cure for rheumatism, arthritis, neuritis, gout, lumbago or nervous exhaustion, or for muscular, articular or ligamental pain or pain due to rupture of muscles, contusions, neuralgia, tubes, tumors, abdominal spasms, pleural pains, or articular rheumatism of women during their climacteric period; or that as a result of the use of "Sulfuraid-21" in hot water baths, sulphur is absorbed from the water through the skin and mucous membranes and thus has a general pharmacological effect on the human body or that the addition of said preparation to hot water, because of such addition, tends to make a person perspire more quickly or freely and aids a more rapid elimination of the body's waste products and the counteraction of acidity in the body; or that "Sulfuraid-21" is the first successful effort to create sulphur in solution, or when used in hot baths possesses any therapeutic effect in the treatment of any disease or diseased condition of the human body; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Baer Laboratories, Inc., Docket 4686, September 17, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the testimony and evidence offered and received thereunder, and the substitute answer of the respondent, in which substitute answer the respondent admits all the material allegations of fact set forth in said complaint, and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusions that said respondent has violated the provisions of the said Federal Trade Commission Act;

It is ordered, That the respondent, Baer Laboratories, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a medicinal preparation known as "Sulfuraid-21", or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating or causing to be disseminated any advertisements:

(a) By means of the United States mails, or

(b) By any means in commerce, as commerce is defined in the Federal Trade Commission Act, which advertisements represent, directly or through inference, that its preparation "Sulfuraid-21" or any like or similar preparation, when used in hot water baths, is an effective relief, preventative or cure for rheumatism, arthritis, neuritis, gout, lumbago or nervous exhaustion, or for muscular, articular or ligamental pain or for pain due to rupture of muscles, contusions, neuralgia, tubes, tumors, abdominal spasms, pleural pains, or articular rheumatism of women during their climacteric period; or that as a result of the use of "Sulfuraid-21" in hot water baths, sulphur is absorbed from the water through the skin and mucous membranes and thus has a general pharmacological effect on the human body or that the addition of said preparation to hot water, because of such addition, tends to make a person perspire more quickly or freely and aids a more rapid elimination of the body's waste products and the counteraction of acidity in the body; or that "Sulfuraid-21" is the first successful effort to create sulphur in solution or when used in hot baths possesses any therapeutic effect in the treatment of any disease or diseased condition of the human body.

(2) Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of said "Sulfuraid-21", which advertisements contain any of the representations prohibited in paragraph (1) hereof.

It is further ordered That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9395; Filed, September 22, 1942; 11:01 a. m.]

[Docket 4712]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNIFORM MANUFACTURERS EXCHANGE, INC., ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of uniforms, overcoats and other like articles of wearing apparel commonly worn by doormen, bellboys, porters, and others similarly engaged, or any other uniforms or articles of wearing apparel, and among other things, as in order set forth, and on the part of respondent Uniform Manufacturers Exchange, Inc., some 23 corporate and other concerns engaged in the manufacture, sale and distribution of such uniforms or articles, said various concerns' respective agents, etc., and seven individuals, officers and directors of said Exchange, and their respective representatives, etc., entering into, continuing, cooperating in, or carrying out, any common course of action, agreement, understanding, combination, or conspiracy, between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) compile, publish, or distribute any cost guide or manual or any other similar device for use of respondents, which establishes or provides an arbitrary method for fixing or determining material, labor, and overhead costs; (2) establish, fix, or maintain minimum prices for respondents' garments by adhering to, or promising to adhere to, any arbitrary or fixed cost for material, labor, and overhead costs established by any cost guide or manual, or by any other plan or method, or fix or regulate prices for said products by any other means or in any other manner; and (3) establish, fix, or maintain terms or conditions of sale for respondents' garments by adhering to, or promising to adhere to, any arbitrary or fixed selling terms established by any cost guide or manual or by any other plan or method; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Uniform Manufacturers Exchange, Inc., et al., Docket 4712, September 15, 1942]

§ 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise.* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of uniforms, overcoats and other like articles of wearing apparel commonly worn by doormen, bellboys, porters, and others similarly engaged, or any other uniforms or articles of wearing apparel, and among other things, as in order set forth, and on the part of respondent Uniform Manufacturers Exchange, Inc., some 23 corporate and other concerns engaged in the manufacture, sale and distribution of such uniforms or articles, said various con-

cerns' respective agents, etc., and seven individuals, officers and directors of said Exchange, and their respective representatives, etc., entering into, continuing, cooperating in, or carrying out, any common course of action, agreement, understanding, combination or conspiracy, between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) report or relay to respondent Uniform Manufacturers Exchange, Inc., or to any other medium or central agency, the names of members of the Exchange who fail to adhere to any schedule of costs or prices contained in any cost guide, manual, or in any other plan or method; (2) coerce, induce, or persuade, or attempt to coerce, induce, or persuade, members of Uniform Manufacturers Exchange, Inc., to adhere to or maintain the minimum prices, terms, or conditions of sale, or any schedule of costs or prices, contained in any cost guide, manual, or in any other plan or method, by maintaining an arbitration board, committee, or other similar agency as a disciplinary or punitive agency to enforce the various provisions of such cost guide, manual, or other plan or method; (3) authorize or permit the examination of the books and records of the respondent members by any agent of the respondents or by any arbitration board, committee, or like agency having disciplinary, punitive, or other powers to enforce compliance with any rules and regulations pertaining to costs, prices, or terms or conditions of sale, contained in any cost guide, manual, or in any other plan or method; (4) authorize, direct, or permit any arbitration board, committee, or other central agency to impose fines upon, or suspend or expel, members who fail, refuse, or neglect to comply with the rules and regulations of respondent Uniform Manufacturers Exchange, Inc., with reference to costs and prices, or to maintain minimum prices, terms, or conditions of sale, or who fail to adhere to arbitrary or fixed costs for material, labor, or overhead established by any cost guide, manual, or any other plan or method; (5) formulate or put into operation any other practice or plan which has the purpose or the tendency or effect of fixing prices for uniforms or other articles of wearing apparel, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products; and (6) employ or utilize respondent Uniform Manufacturers Exchange, Inc., or any arbitration board, committee, or other central agency, as a punitive or disciplinary agency to enforce any rules or regulations pertaining to costs and prices, or as an instrument, vehicle, or aid in performing or doing any of the acts or practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Uniform Manufacturers Exchange, Inc., et al., Docket 4712, September 15, 1942]

In the Matter of Uniform Manufacturers Exchange, Inc., an Incorporated Association and Its Officers, Board of Directors and Members as Follows: George Appel, President; Howard V. Smith, Sr., Vice-President; I. Charles Bernhard, Secretary; Elias Goldstein, Treasurer; and T. A. Dubois, Arthur Stone, and E. S. Smith, Together With the Officers Above Named Constituting the Board of Directors of Said Uniform Manufacturers Exchange, Inc., Both Individually and as Officers and Members of the Said Board of Directors, Respectively; All-Bilt Uniforms, Inc., a Corporation; S. Appel & Company, Inc., a Corporation; Bernhard, Schrag & Company, Inc., a Corporation; Brooks Uniform Company, Inc., a Corporation; I. Buss, Inc., a Corporation; Walter Cahn Company, Inc., a Corporation; Stone Uniform Company, Inc., a Corporation; Uniforms by Ostwald, Inc., a Corporation; The Joseph F. Webber Uniform Corporation, a Corporation; Wender & Goldstein Uniform Service Corp., a Corporation; Z. & O. Uniform Company, Inc., a Corporation; Russell Uniform Company, a Corporation; B. Schellenberg & Sons, a Corporation; Smith-Gray Corp., a Corporation; A. Dubois Son, Inc., a Corporation; L. P. Maher, Inc., a Corporation; Merson Clothes, Inc., a Corporation; Charles Palley and Abraham Cebulsky, Individually and as Copartners Trading as Acme Uniform Company; Charles Mitchell and Paul Perkins, Individually and as Copartners Trading as Mitchell & Perkins, John A. Hughes and William A. Thomas, Individually and as Copartners Trading as Hughes & Thomas; L. M. Barth, an Individual; Arthur R. Meyers, an Individual Trading as National Uniform Company; Albert T. Scafati, an Individual Trading as A. T. Scafati Corp.; Henry Fisher, an Individual Trading as Fisher-Mair Uniform Company, Members of Said Uniform Manufacturers Exchange, Inc.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of all the respondents, except Henry Fisher, in which answers all the respondents, except Wender & Goldstein Uniform Service Corp., a corporation, admit all the material allegations of fact set forth in said complaint and waive all intervening procedure and further hearings as to said facts; and the Commission having made its findings as to the facts and its conclusion that said respondents, except Wender & Goldstein Uniform Service Corp., a corporation, and Henry Fisher, have violated the provisions of section 5 of the Federal Trade Commission Act.

It is ordered, That the respondents Uniform Manufacturers Exchange, Inc., an incorporated association, All-Bilt Uniforms, Inc., a corporation, S. Appel & Company, Inc., a corporation, Bernhard, Schrag & Company, Inc., a corporation, Brooks Uniform Company, Inc., a corporation, I. Buss, Inc., a corporation, Walter Cahn Company, Inc., a corporation, Stone Uniform Company, Inc., a corporation, Uniforms by Ostwald, Inc., a corporation, The Joseph F. Webber Uniform Corporation, a corporation, Z. & O. Uniform Company, Inc., a corporation, Russell Uniform Company, a corporation, B. Schellenberg & Sons, a corporation, Smith-Gray Corp., a corporation, A. Dubois Son, Inc., a corporation, L. P. Maher, Inc., a corporation, and Merson Clothes, Inc., a corporation, and their respective officers, directors, agents, and representatives; and Charles Palley and Abraham Cebulsky, individuals trading as Acme Uniform Company, Charles Mitchell and Paul Perkins, individuals trading as Mitchell & Perkins, John A. Hughes and William A. Thomas, individuals trading as Hughes & Thomas, L. M. Barth, an individual, Arthur R. Meyers, an individual trading as National Uniform Company, Albert T. Scafati, an individual trading as A. T. Scafati Corp., and Al S. Mair, an individual trading as Fisher-Mair Uniform Company (sued herein as Henry Fisher, trading as Fisher-Mair Uniform Company), and their respective agents, representatives, and employees, and George Appel, Howard V. Smith, Sr., I. Charles Bernhard, Elias Goldstein, T. A. DuBois, Arthur Stone, and E. S. Smith, individuals and as officers and directors of the Uniform Manufacturers Exchange, Inc., and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of uniforms, overcoats, and other like articles of wearing apparel commonly worn by doormen, bellboys, porters, and others engaged in similar employment, or any other uniforms or articles of wearing apparel, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, any common course of action, agreement, understanding, combination, or conspiracy, between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following acts or practices:

(1) Compiling, publishing, or distributing any cost guide or manual or any other similar device for use of respondents, which establishes or provides an arbitrary method for fixing or determining material, labor, and overhead costs;

(2) Establishing, fixing, or maintaining minimum prices for respondents' garments by adhering to, or promising to adhere to, any arbitrary or fixed cost for material, labor, and overhead costs established by any cost guide or manual, or by any other plan or method, or fixing or regulating prices for said products by any other means or in any other manner;

(3) Establishing, fixing, or maintaining terms or conditions of sale for respondents' garments by adhering to, or promising to adhere to, any arbitrary or fixed selling terms established by any cost guide, or manual or by any other plan or method;

(4) Establishing, fixing, or maintaining material, labor, or overhead costs, as a basis for any price or bid quotation on respondents' garments, by adhering to, or agreeing to adhere to, any cost guide or manual or any other plan or method which provides for any of the following or similar arbitrary methods of fixing or determining such costs:

(a) The use of market or replacement costs, or any other specific or arbitrary price other than actual cost to the manufacturer, to determine the cost of cloth used in the manufacture of any garment,

(b) The use of any standard shrunk net yardage scale,

(c) The use of an average cutting cost,

(d) The use of standard or uniform costs for trimmings, findings, sewings, fronts, pockets, and lining used in the manufacture of any garment,

(e) The use of standard labor costs in detail for various products,

(f) The use of minimum overhead costs;

(5) Arriving at the amount of any bid or price quotation to be submitted to any purchaser of uniforms or wearing apparel by any arbitrary method for fixing material, labor, or overhead costs, as a basis for such bid or price quotations, as set out in any cost guide, manual, or by any other plan or method, or requiring a member who bids below such costs to submit a new or revised bid higher than the original bid;

(6) Reporting or relaying to respondent Uniform Manufacturers Exchange, Inc., or to any other medium or central agency, the names of members of the Exchange who fail to adhere to any schedule of costs or prices contained in any cost guide, manual, or in any other plan or method;

(7) Coercing, inducing, or persuading, or attempting to coerce, induce, or persuade, members of Uniform Manufacturers Exchange, Inc., to adhere to or maintain the minimum prices, terms, or conditions of sale, or any schedule of costs or prices, contained in any cost guide, manual, or in any other plan or method, by maintaining an arbitration board, committee, or other similar agency as a disciplinary or punitive agency to enforce the various provisions of such cost guide, manual, or other plan or method;

(8) Authorizing or permitting the examination of the books and records of the respondent members by any agent of the respondents or by any arbitration board, committee, or like agency having disciplinary, punitive, or other powers to enforce compliance with any rules and regulations pertaining to costs, prices, or terms or conditions of sale, contained in any cost guide, manual, or in any other plan or method;

(9) Authorizing, directing, or permitting any arbitration board, committee, or other central agency to impose fines upon, or suspend or expel, members who fail, refuse, or neglect to comply with the rules and regulations of respondent Uniform Manufacturers Exchange, Inc., with reference to costs and prices, or to maintain minimum prices, terms, or conditions of sale, or who fail to adhere to arbitrary or fixed costs for material, labor, or overhead established by any cost guide, manual, or any other plan or method;

(10) Formulating or putting into operation any other practice or plan which has the purpose or the tendency or effect of fixing prices for uniforms or other articles of wearing apparel, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products;

(11) Employing or utilizing respondent Uniform Manufacturers Exchange, Inc., or any arbitration board, committee, or other central agency, as a punitive or disciplinary agency to enforce any rules or regulations pertaining to costs and prices, or as an instrument, vehicle, or aid in performing or doing any of the acts or practices prohibited by this order.

It is further ordered, That the complaint herein be, and the same hereby is, dismissed as to the respondents Wender & Goldstein Uniform Service Corp. and Henry Fisher.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9394; Filed, September 22, 1942; 11:01 a m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—RULES AND REGULATIONS, SECURITIES ACT OF 1933

AMENDMENT OF REGULATION EXEMPTING CERTAIN ISSUES OF SECURITIES FROM REGISTRATION

The form number in the last sentence of § 230.222 (7 F.R. 7075) appeared incorrectly on the original document submitted by the Securities and Exchange Commission. The correct form number should be "S-3b-1".

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 48—INTERNATIONAL RADIOTELEPHONE COMMUNICATIONS

Pursuant to the authority contained in R.S. 161 (5 U.S.C. 22), and in accordance with the procedure required by the Board of War Communications in its order 18, issued under date of August 27, 1942 (7 F.R. 7013), which provides that, as of that date, "no non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere except England, unless such call is made in the interest of the United States or the United Nations and unless an agency of the United States Government sponsors such call and obtains prior approval therefor from the Office of Censorship" and, further, that "No calls of any nature, over the radiotelephone circuits under the jurisdiction of the United States, no matter where such calls may originate, unless sponsored and approved as provided in paragraph (a) [see preceding quotation], shall be permitted to, from, or on behalf of, the following thirteen countries: Egypt, Finland, France, Iceland, Iran, Ireland, Latvia, Lithuania, Portugal, Spain, Sweden, Switzerland, and Turkey", the Secretary of State hereby issues the following regulations:

Sec.

48.1 Application for sponsorship of the Department of State.
48.2 Necessity for approval of Censorship and conformity with its regulations.
48.3 Written notification of approval for sponsorship.
48.4 Notification to applicant of clearance for a call.

AUTHORITY: §§ 48.1 to 48.4, inclusive issued under R.S. 161; 5 U.S.C. 22.

§ 48.1 *Application for sponsorship of the Department of State.* Individuals and organizations desiring to obtain the sponsorship of the Department of State for the placing of an international phone call shall approach the appropriate division, bureau, or office of the Department, where a decision will be made as to whether the proposed call may be approved as "in the interest of the United States".

§ 48.2 *Necessity for approval of Censorship and conformity with its regulations.* In cases approved by the Department, the interested party is to be informed that the phone call, if approved by Censorship, will be made under the rules and regulations of the Office of Censorship and reminded that, by the nature of this means of transmission, secrecy cannot be assured and therefore the utmost caution must be exercised not to divulge vital information.

§ 48.3 *Written notification of approval for sponsorship.* In order that the Office of Censorship may be notified of the Department's sponsorship of approved calls, the Division of Foreign Activity Correlation is to be informed in writing whenever a proposed call is approved. This may take the form of a brief memorandum which should include the following points:

(a) The name, telephone number, and business connection of the individual who will make the call;

(b) The name, address, and business connection of the individual who will receive the call;

(c) The date and hour the call is to be made;

(d) An indication of the subject-matter of the call;

(e) The initials of the officer approving the call.

§ 48.4 *Notification to applicant of clearance for a call.* As soon as the Division of Foreign Activity Correlation clears with Censorship an application for a call, it will notify the sponsoring division, bureau, or office of the Department, which in turn will notify the applicant.

[SEAL] CORDELL HULL, *Secretary of State.*

SEPTEMBER 19, 1942.

[F. R. Doc 42-9372; Filed, September 21, 1942; 3:35 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1607]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; for a change in shipping point for Mine Index No. 3008; and for the establishment of river prices for Mine Index No. 1436.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4, for a change in shipping point for Mine Index No. 3008; and for the establishment of river prices for Mine Index No. 1436; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 324.8 (*Numerical list of mines*) is amended by adding thereto Supplement R–II, § 324.2 (*Seasonal discounts*) is amended by adding thereto Supplement R–III, § 324.9 (*Recapitulation of price classifications*) is amended by adding thereto Supplement R–IV, § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) is amended by adding hereto Supplement R–V, and § 324.24 *General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and

Commencing forthwith prices for all shipments except truck for the Cedar Hill Mine of Penrod and Stoneburner, Mine Index No. 3008, heretofore in Freight Origin Group No. 33 and shipping from Moxahala on the New York Central Railroad, shall be applicable for shipment from Crooksville on the New York Central Railroad in Freight Origin Group No. 32 in lieu of Moxahala on the New York Central Railroad in Freight Origin Group No. 33.

The Brown Mine of Rutland Coal Co. Fred Kincaid), Mine Index No. 2228, is not included in this Order, price classifications and minimum prices having previously been established in Docket No. A–119 for the Brown Mine of the Rutland Coal Co. (Freeman Nelson).

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 12, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Type	Shipping points in Ohio	Railroad	Freight origin group Nos.	Price classifications by size group numbers										
									1	2	3	4	5	6	7	8	9	10	12
457	Arnold Coal Company (Joseph Arnold).	.....	1	8	Strip	Adena (Duncanwood)	W&LE	18	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
492	Bozzo Coal Co. (Emory Torrence).	Patterson	4	6 and 7	Strip	Lisbon	Erie	71	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
493	Burnwell Coal Company (Norman A. Page).	Burnwell #2	4	7	Deep	Kensington	PRR	53	Q	Q	Q	Q	O	O	Q	Q	Q	--	Q
481	Conmar Coal Company (Myles A. Connelly).	Conmar	3	8	Strip	Hammondsville (McCullough Yard).	PRR	53	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
816	Duffy Bros.	Duffy Bros	5	6	Deep	Greendale	C&O	22	K	K	O	O	O	O	Q	Q	Q	--	Q
478	Fiscus, Paul S. (Fiscus Coal Co.).	Fiscus Coal Co. #3	4	3	Deep	Leetonia	PRR	72	Q	Q	Q	Q	O	O	Q	Q	Q	--	Q
487	Fiscus, Paul S. (Fiscus Coal Co.).	Fiscus Coal Co. #4	4	4	Deep	Leetonia	PRR	72	Q	Q	Q	Q	Q	O	O	Q	Q	Q	-----	Q
494	Irish Ridge Coal Co. (Eugene Campbell).	Irish Ridge #2	7	4	Deep	Wellston	B&O	41	K	K	O	O	O	O	O	O	O	O	-----	O
[1] 716	Scott Mining Company (C. O. Scott).	Scott-Myers	2	8	Deep	Warner	PRR	16	R	R	R	Q	O	O	O	O	O	O	-----	O
[2] 1436	Swearingen, Lloyd R.	L. R. Swearingen	4	6	Deep	Parsons' Dock, E. Liverpool.	Ohio River	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
462	Turner & Morgan Coal Co. (Carl Turner).	T. & M	5	6	Deep	Shawnee	NYC	27	K	K	O	O	O	O	Q	Q	Q	-----	Q

[1] Subject to Price Exception No. (4), § 324.1 (b) of Minimum Price Schedule.

[2] Prices applicable for River Shipment for Mine Index No. 1436, located in Sub-district No. 4, shall be the same as those shown in § 324.11 (e) of Minimum Price Schedule. Priced and classified for Rail shipments in a previous Docket.

§ 324.8 *Numerical list of mines*—Supplement R–II

Mine index No.	Mine name	Code member	Freight origin districts	Freight origin group Nos.	Railroad	Sub-district No.
457	.....	Arnold Coal Company (Joseph Arnold).	Ohio No. 8	18	W&LE	1
462	T. & M	Turner & Morgan Coal Co. (Carl Turner).	Hocking	27	NYC	5
478	Fiscus Coal Co. #3	Fiscus, Paul S. (Fiscus Coal Co.)	Leetonia	72	PRR	4
487	Fiscus Coal Co. #4	Fiscus, Paul S. (Fiscus Coal Co.)	Leetonia	72	PRR	4
488	Conmar	Conmar Coal Company (Myles A. Connelly).	Middle	53	PRR	3
492	Patterson	Bozzo Coal Co. (Emory Torrence)	Leetonia	71	Erie	4
493	Burnwell #2	Burnwell Coal Company (Norman A. Page).	Middle	53	PRR	4
494	Irish Ridge #2	Irish Ridge Coal Co. (Eugene Campbell).	Jackson	41	B&O	7
716	Scott-Myers	Scott Mining Company (C. O. Scott).	Cambridge	16	PRR	2
81	Duffy Bros	Duffy Bros	Hocking	22	C&O	5

§ 324.2 *Seasonal discounts*—Supplement R–III

[Seasonal discounts; on all shipments of coal in Size Groups 1 or 2, the discounts shown below in cents per net ton may apply. The date of shipment and not the date of sale shall govern the seasonal price applicable. These seasonal discounts apply for shipments to all Market Areas except Market Areas 1 to 13, inclusive, 98 and 99 (Great Lakes), River Shipments, Vessel Fuel and Railroad Fuel]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index Nos.	Additional mine index Nos.	Amount of discount for shipments during the month of				
					April	May	June	July	Aug.
Ohio No. 8	12, 14, 17, 18	.....	12, 16, 37, 45, 68, 92, 119, 161	Add mine index No. 457.	30	20	10	---	---
Cambridge	16	.....	11, 169	Add mine index No. 716.	30	20	10	---	---
Hocking	21, 22, 26, 27, 28	.....	1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 76, 86, 90, 109, 126, 130, 168, 170, 171.	Add mine index Nos. 462–816.	50	40	30	20	10
Jackson	41, 42, 43	.....	2, 131, 134	Add mine index No. 494.	50	40	30	20	10
Middle	52	Add 53	13, 108	Add mine index No. 488.	30	20	10	---	---
	53, 54, 57	.....	49, 50, 67, 94, 132	Add mine index No. 493.	30	20	10	---	---
Leetonia	71	Add 72	53	Add mine index Nos. 478–487.	30	20	10	---	---
	72, 74	Add 71	3, 77, 159, 166	Add mine index No. 492.	30	20	10	---	---

NOTE: Seasonal discounts as shown in § 324.2 of Minimum Price Schedule apply to all additional mine index numbers hereinabove noted.

§ 324.9 *Recapitulation of price classifications*—Supplement R–IV

[Prices for all rail shipment from mines indexed below into market areas as shown; for shipment into all market areas—See Schedule of Effective Minimum Prices, § 324.9 and § 324.10, also applies to Market Areas 98 and 99 (Great Lakes), § 324.11 (b) and § 324.11 (e), and Vessel Fuel, § 324.11 (d)]

Freight origin districts	Freight origin group Nos.	Additional freight origin group Nos.	Mine index Nos.	Additional mine index Nos.
Ohio No. 8	12, 14, 17, 18	.....	12, 16, 37, 45, 68, 92, 119, 161	Add Mine Index No. 457.
Cambridge	16	.....	11, 169	Add Mine Index No. 716.
	16	.....	11, 169 (subject to Exception No. 4, page 3).	Add Mine Index No. 716.
Hocking	21, 22, 26, 27, 28	.....	1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 76, 86, 90, 109, 126, 130, 168, 170, 171.	Add Mine Index Nos. 462–816.
Jackson	41, 42, 43	.....	2, 131, 134	Add Mine Index No. 494.
Middle	52	Add 53	13, 108	Add Mine Index No. 488.
	53–54–57	.....	49, 50, 67, 94, 132	Add Mine Index No. 493.
Leetonia	71	Add 72	53	Add Mine Index Nos. 478–487.
	72–74	Add 71	3, 77, 159, 166	Add Mine Index No. 492.

NOTE: Prices as shown in §§324.9, 324.10, 324.11 (b), 324.11 (c) and 324.11 (d) of Minimum Price Schedule apply to call additional mine index numbers hereinabove noted.

§ 324.11 *Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*

[Railroad fuel prices for all movements exclusive of lake cargo railroad fuel from mines indexed below for shipment to railroads as shown. See Schedule of Effective Minimum Prices, § 324.11 (a)]

Name of railroad	Mine index Nos.	Additional mine index Nos.
Baltimore & Ohio Railroad Co.	10, 21, 30, 33, 39, 49, 58, 71, 72, 78, 81, 85, 87, 95, 96, 103, 104, 106, 118, 121, 124, 128, 134, 136, 144, 146, 147, 151, 155, 157, 160, 162.	Add mine index No. 494.
Chesapeake & Ohio Railway Co.	14, 38, 41, 47, 61, 70, 72, 75, 76, 82, 86, 101, 105, 112, 113, 130, 131, 168, 170, 171.	Add mine index No. 816.
Erie Railroad	.....	Add Mine Index No. 492.[1]
New York Central System	1, 4, 6, 18, 22, 27, 28, 34, 35, 47, 54, 59, 64, 66, 73, 74, 83, 90, 91, 100, 107, 109, 125, 126, 138, 141, 143, 156, 158, 172.	Add Mine Index No. 462.
Pennsylvania Railroad Co.	11, 26, 31, 42, 43, 49, 50, 55, 56, 57, 62, 65, 67, 69, 81, 94, 111, 114, 115, 132, 152, 162, 165, 169.	Add Mine Index Nos. 478, 487, 493, 716.
	166	Add Mine Index No. 488.
Wheeling & Lake Erie Railway Co.	5, 12, 37, 48, 110, 119	Add Mine Index No. 457.

[1] Prices as shown for Mine Index No. 133 in § 324.11 (a) of Minimum Price Schedule apply to additional Mine Index No. 492 hereinabove noted. Prices as shown in § 324.11 (a) of Minimum Price Schedule apply to all additional mine index numbers hereinabove noted.

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T—Continued.

Code member	Mine	Mine Index No.	Type	Seam	Base sizes							
					6" lump	3", 4", 5" lump	2" lump	2" x 4" egg, 2" x 5" egg	1¼" lump, 1¼" x 4" egg	Mine run, nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT No. 4—MIDDLE CARROLL COUNTY												
Burnwell Coal Company (Norman A. Hayes).	Burnwell #2	493	Deep	7	275	265	250	235	230	220	190	180
Mayle, Ernest	Blazer	464	Deep	6A	275	260	250	235	230	220	190	180
COLUMBIANA COUNTY												
Bruno Coal Co. (Emory Torrence)	Patterson	492	Strip	6, 7	300	290	275	250	245	225	205	195
Fiscus, Paul S. (Fiscus Coal Co.)	Fiscus Coal Co. #3	478	Deep	3	300	290	275	250	245	225	205	195
Fiscus, Paul S. (Fiscus Coal Co.)	Fiscus Coal Co. #4	487	Deep	4	300	290	275	250	245	225	205	195
COSHOCTON COUNTY												
Askrens, Edward	Askrens	485	Deep	6	280	270	260	235	230	195	165	155
Gadd, John W	Gadd	491	Deep	6	280	270	260	235	230	195	165	155
Hankins & Son (Clyde E. Hankins)	Hankins & Son	499	Deep	6	280	270	260	235	230	195	165	155
TUSCARAWAS COUNTY												
Norka Coal Company	Norka #4	497	Strip	5	275	265	250	235	233	210	190	180
Williams & Freed (William Freed)	Williams & Freed	496	Deep	7	275	265	250	235	233	220	190	180
SUBDISTRICT No. 5—HOCKING PERRY COUNTY												
Turner & Morgan Coal Co. (Carl Turner).	T. & M.	492	Deep	6	295	285	275	250	245	195	165	155
SUBDISTRICT NO. 7—JACKSON JACKSON COUNTY												
Irish Ridge Coal Co. (Eugene Campbell).	Irish Ridge #2	494	Deep	4	295	285	275	250	245	195	175	165
LAWRENCE COUNTY												
Poetker & Smith (Walter Smith)	Olive Hill #1	493	Deep	4	295	285	275	250	245	195	175	165
SUBDISTRICT NO. 8—POMEROY GALLIA COUNTY												
Ragan, Franklin W	Garland #2	496	Deep	8	295	285	275	250	245	195	140	140

[F. R. Doc. 42-9350; Filed, September 21, 1942; 11:18 a. m.]

§ 324.11 *Special prices—(a) Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*—Continued.

Name of railroad	Mine index Nos.	Additional mine index Nos.
Akron, Canton & Youngstown Railway Co.		
Ann Arbor Railroad Co.		
Canada Southern Railway and Grand Trunk Railway System.	From all Mine Index Nos. except those shown below:	Add Mine Index Nos. 462, 478, 487, 493, 494, 716, 816.
Canadian Pacific Railway Co.	From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	Add Mine Index Nos. 457, 488, 492.
Detroit and Mackinac Railway Company.		
Detroit & Toledo Shore Line Railroad Co.		
Erie Railroad		
Nickel Plate Road (New York, Chicago & St. Louis Railroad Co.).		
Pere Marquette Railway Co.		
For all Railroads not shown above	From all Mine Index Nos. except those shown below: From Mine Index Nos. 3, 5, 7, 8, 12, 13, 16, 25, 36, 37, 45, 48, 68, 77, 79, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.	Add Mine Index Nos. 462, 478, 487, 493, 494, 716, 816. Add Mine Index Nos. 457, 488, 492.

Note: Prices as shown in § 324.11 (a) of Minimum Price Schedule apply to all additional mine index numbers hereinabove noted.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T

Code member	Mine	Mine Index No.	Type	Seam	Base sizes							
					6" lump	3", 4", 5" lump	2" lump	2" x 4" egg, 2" x 5" egg	1¼" lump, 1¼" x 4" egg	Mine run, nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT No. 1—EASTERN OHIO BELMONT COUNTY												
Arnold Coal Company (Joseph Arnold)		457	Strip	8	275	265	250	225	220	190	190	180
SUBDISTRICT No. 3—BERGHOLZ JEFFERSON COUNTY												
Conmar Coal Company (Myles A. Connelly)		488	Strip	8	275	265	250	225	220	210	190	180

[Docket No. A-1627]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of a price exception for the resultant sludge coal produced by Mine Index No. 87.

An original petition pursuant to the provisions of section 4 II (d) of the Bituminous Coal Act has been filed with this Division by the above-named party, requesting the establishment of a price exception permitting the sale of the resultant sludge coal which passes through dewatering screens with openings not larger than 1 mm. for Mine Index No. 87 of Central States Collieries, Inc., at 75 cents per net ton for rail and truck shipments.

Petitioner represents that 150 tons of this sludge product are produced each week in excess of the 1500 tons per month which are burned in the power plant of Mine Index No. 87 to produce electricity for operation of the mine and that this excess amount is accumulating in large quantity. By Order issued October 10, 1941, 6 F.R. 5253, in Docket No. A-825, the Peabody Coal Company was permitted to sell the sludge product of its Majestic Mine, as were other mines of Peabody and one mine of Franklin County Coal Company, at the established price for Size Group No. 16 coals of 60 cents per net ton. Petitioner sets forth the following analysis of the resultant product produced at Mine Index No. 87 of Central States Collieries, Inc., compared with the analysis of the resultant coal which was involved in Docket No. A-825 and with the analysis of the resultant coal involved in Docket No. A-1450 where permission was granted Mine Index No. 36 of the Delta Coal Mining Company to sell its sludge at 85 cents per net ton:

	Little Sister 1 mm. sludge		Majestic 28 mesh x 0 sludge		Delta ½ mm.x½" sludge	
	As received	Dry	As received	Dry	As received	Dry
Moisture	19.40	.....	22.11	.....	22.28	.....
Ash	12.65	15.69	12.83	16.47	7.95	10.22
Volatile	31.17	38.67	26.41	.....	26.54	.....
Fixed Carbon	36.78	45.64	38.65	.....	43.23	.....
B.t.u.	9679	12008	8089	11340	10106	13000
Sulphur	2.59	3.21	1.40	1.80	1.77	2.27

This comparison indicates that the sludge of the Little Sister Mine (Mine Index No. 87) has a higher B.t.u. than that of the Majestic Mine, for which a minimum price of 60 cents per net ton has been established, while at the same time, it has a lower B.t.u. than the sludge of the Delta Mine, for which a price of 85 cents per net ton has been established. Accordingly, the price of 75 cents per net ton for the sludge of Mine Index No. 87 proposed by the petitioner is fair and equitable so far as can be ascertained at this time.

It appears, therefore, that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth.

No petitions of intervention having been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That temporary relief in the above-entitled matter is granted as follows: Commencing forthwith § 330.8 (*Price instructions and exceptions*—(b) *Price exceptions*) and § 330.21 (*Price instructions and exceptions*—(b) *Price exceptions*) in the Schedules of Effective Minimum Prices for District No. 10 for All Shipments Except Truck and for Truck Shipments be and they hereby are amended to include the following price exception:

At Mine Index No. 87 the resultant coal which passes through dewatering screens with openings not larger than 1 mm., or the equivalent thereof, after the production of washed coal in other sizes, may be sold at a price not less than 75 cents per net ton: *Provided, however*, That this price shall not apply to said resultant product if it has been mechanically or thermally dried: *And further provided*, That there shall be filed with District Board No. 10 and the Bituminous Coal Division at Washington, D. C., within 10 days after any such sale a complete description of such sale as is required by the Marketing Rules and Regulations of the Division, Order No. 313, and any other order of the Division. The filing required herein shall be in addition to that required for filing with the field office.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered and that jurisdiction be and it hereby is reserved by the Acting Director subsequently to modify or revoke the price exception herein established.

Dated: September 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9349; Filed, September 21, 1942; 11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1053—FATS AND OILS

[General Preference Order M-71, as Amended September 22, 1942]

Section 1053.1 *General Preference Order M-71*[1] is hereby amended to read as follows:

§ 1053.1 *General Preference Order M-71, as amended September 22, 1942*—(a) *Definitions.* (1) "Fats and oils" means all the raw, crude, refined and pressed fats and oils, whether vegetable, animal, fish or other marine animal, their by-products and derivatives, including grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, and lard and rendered pork fat, but not including cocoa butter, butter, wool greases, essential oils, tall oil, mineral oils, and vitamin-bearing oils derived from fish or other marine animal livers or viscera.

(2) "Manufacturer" means any person who uses any fats or oils in the manufacture of any finished product, and shall include all other persons directly controlling or controlled by such person, and all persons under direct or indirect common control with such person. The term shall not include any crusher, renderer, refiner or other processor except as and to the extent that his operations result in the production of a finished product, and shall also not include any person who uses fats and oils in the home in the preparation of food for household consumption.

(3) The "inventory" of a manufacturer at any time shall include all fats and oils held or controlled by him and all fats and oils purchased by him for future delivery.

(4) "Finished product" means any product of a manufacturer produced for sale as his finished product and carried on his books as his finished product. Except for the purposes of paragraph (d) hereof, "finished product" shall not include: (i) grease (lard) oil; (ii) sulphonated or similarly processed fat or oil; (iii) fatty acids; (iv) lard or rendered pork fat; (v) any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product (excepting a product falling within paragraph (a) (4) (vi) hereof); (vi) any edible product of which a fat or oil is not the principal ingredient; (vii) any edible product produced by any hotel or restaurant for consumption on the premises; (viii) any medicinal preparation other than medicated soap.

(5) "Crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut or corn or other oil-bearing materials.

[1] 6 F.R. 6797; 7 F.R. 543, 5809.

(b) *Restrictions on manufacture.* (1) No manufacturer, except as provided in paragraph (b) (6) hereof, shall during the period September 1 to December 31, 1942 use or consume any fat or oil in any class of use listed in Schedule A in a quantity in excess of the percentage specified in Schedule A, of one-half of his total use or consumption of fats or oils in such class of use during the eight months September 1 to December 31, 1940 and September 1 to December 31, 1941.

(2) No manufacturer, except as provided in paragraph (b) (6) hereof, shall in any calendar quarter beginning with the first quarter of 1943, use or consume any fat or oil in any class of use listed in Schedule A in a quantity in excess of the percentage specified in such Schedule A of his average quarterly use or consumption of fats or oils in such class of use during the corresponding quarters of the two years 1940 and 1941.

(3) If any manufacturer shall not in any period or quarter use or consume the quantity of fat or oil permitted by paragraphs (b) (1) and (2) hereof, the unused part of his quota for such period or quarter shall for the purposes of such paragraphs (b) (1) and (2) be carried forward and added to his permitted quota for the succeeding quarters: *Provided, however,* That any unused part of his permitted quota for any prior period or quarter shall not be carried forward beyond June 30, 1943 and beyond the 30th day of June of each year thereafter.

(4) For the purpose of determining the quantity of raw foots which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(5) The restrictions on fats and oils hereby imposed are imposed with respect to fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the same fat or oil used or consumed by him in the base period.

(6) Nothing in paragraphs (b) (1) and (b) (2) hereof shall restrict:

(i) The use of fats and oils in any period or quarter by any manufacturer whose aggregate use or consumption of fats and oils in such period is less than 6,000 lbs.;

(ii) The use of fats and oils in the manufacture of products to be delivered pursuant to the Act of March 11, 1941, entitled An Act to Promote the Defense of the United States (Lend-Lease Act);

(iii) The use of fats and oils in the manufacture of any edible product where such product is sold to the Army or Navy of the United States by the manufacturer.

(7) For the purposes of determining a manufacturer's permissible quota under paragraphs (b) (1) and (b) (2) hereof, any fat or oil used in the manufacture of the products referred to in subdivisions (ii) and (iii) of paragraph (b) (6) hereof shall be excluded both from the base period on which such quota is based and from the period or quarter during which use or consumption is hereby limited.

(c) *Restrictions on deliveries of linseed oil.* (1) No person engaged in the business of selling linseed oil at wholesale (whether crushed or processed by him or purchased for resale) shall deliver in the aggregate to persons other than manufacturers:

(i) During the period September 1 to December 31, 1942, more linseed oil (whether raw or processed) than 80% of one half of the total amount of linseed oil so delivered by him during the eight months September 1 to December 31, 1940 and September 1 to December 31, 1941.

(ii) During any calendar quarter, beginning with the first quarter of 1943, more linseed oil (whether raw or processed) than 80% of the average quarterly amount of linseed oil so delivered by him during the corresponding quarters of the two years 1940 and 1941.

(2) In reducing deliveries pursuant to paragraph (c) (1) hereof, no person shall make discriminatory cuts as between customers, whether new or old.

(d) *Restrictions on processing and inventories.* (1) No manufacturer shall hereafter change the condition of any fat or oil in his raw materials inventory, or add any additional materials thereto, except to the extent necessary to store any such fat or oil in his raw materials inventory in a form necessary to prevent deterioration thereof, or except to put such fats or oils into process for the manufacture of his finished products subject to the limitations of paragraph (d) (2). Nothing contained in this paragraph shall be construed to limit the amount of fats and oils which may be held by any manufacturer in his raw materials inventory.

(2) No manufacturer shall hereafter increase the rate at which fats and oils are put into process by him, except to the extent necessary to meet the required deliveries of his finished products within the limitations established by this order, and to maintain only a practicable minimum working inventory of such finished products. The term "practicable minimum working inventory" is to be strictly construed. The mere fact that the turn-over has increased, or that materials are difficult to obtain, does not justify maintaining inventories above the minimum at which his operations can be continued.

(e) *Reports.* Every manufacturer and every other person affected by this order shall file such reports giving such information at such times and upon such form or forms as the Director General for Operations may from time to time prescribe.

(f) *Effect of other orders.* Insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition or disposition of any fat or oil, the limitations of such other order shall control.

(g) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, whether because of the absence of use during the two-year base period, or otherwise, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of fats or oils conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the Director General for Operations by addressing a letter to this War Production Board, Chemicals Branch, Washington, D. C., Ref: M-71, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Violations.* Any person who willfully violates any provisions of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C., Ref: M-71.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Class of use:	Permitted percentage
Manufacture of margarine	110
Manufacture of other edible finished products, including shortening, mayonnaise and salad dressing	90
Manufacture of soap, exclusive of soap made from domestic vegetable oil foots or their fatty acids	90
Manufacture of soap from foots made from domestic vegetable oils or their fatty acids	119
Manufacture of paints, varnishes, lacquers and all other protective coatings	80
Manufacture of linoleum, oilcloth, and oil or oleo resinous coated fabrics, and pyroxylin coated fabrics	70
Manufacture of printing inks, including lithographing, offset, silk screen, and other processing inks	90

[F. R. Doc. 42-9399; Filed, September 22, 1942; 11:26 a. m.]

PART 1079—HEMP SEED

[General Preference Order M-82, as Amended September 22, 1942]

Section 1079.1 *General Preference Order M-82*[1] is hereby amended to read as follows:

§ 1079.1 *General Preference Order M-82*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Domestically produced hemp seed" shall mean the seed of the hemp plant *Cannabis Sativa* grown in the continental United States of America; and not heretofore packaged for retail distribution as seed nor heretofore so processed as to be rendered unfit for seed for the growing of hemp plants.

(c) *Restrictions on the use of domestically produced hemp seed.* No person shall hereafter use any domestically produced hemp seed, except for the growing of hemp fiber or for the growing and producing of additional hemp seed.

(d) *Restrictions on deliveries and assignment of preference ratings.* Notwithstanding anything in Priorities Regulation No. 1 to the contrary, no person shall hereafter sell or otherwise transfer title to, or make any deliveries, and no person shall purchase or accept delivery of domestically produced hemp seed, except upon the following categories of orders:

(1) Orders placed by the Commodity Credit Corporation which are hereby assigned a preference rating of A-10, and acceptance thereof is required.

(2) Orders placed with the Commodity Credit Corporation or their representatives by persons engaged in the growing of hemp whether for fiber or seed. All such orders must be accompanied by a determination on Form PDL-521 signed by a duly authorized representative of the Department of Agriculture certifying that the physical characteristics and composition of the land to be sown and the climatic conditions of the location are suitable for the use of the quantity of seed ordered for the purpose specified.

(3) Such other orders as may from time to time be specifically authorized by the Director General for Operations and acceptance thereof may be required.

(e) *Application of preference rating.* The Commodity Credit Corporation in order to apply the rating assigned by this order may do so by endorsing on, or attaching to, each contract or purchase order placed by it to which the rating is to be applied, a certification in the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar.

(Name of purchaser) _____ (Address)

By _____ _____

(Signature and title of duly authorized officer) _____ (Date)

(f) *Reports.* Each person, other than Commodity Credit Corporation, having title on September 22, 1942, to two or more bushels of domestically produced hemp seed shall, on or before the close of business on the tenth day after September 22, 1942, and each person hereafter acquiring two or more bushels of hemp seed by harvest or otherwise shall, unless such hemp seed was acquired pursuant to paragraph (d) of this order, on or before the close of business on the tenth day after such acquisition, report in writing to the Office of Agricultural Defense Relations, Department of Agriculture, Washington, D. C., as tabulating agent for the War Production Board, setting forth the number of bushels of such hemp seed owned by such person and the location thereof. Failure to make such a report on the part of any person shall be deemed a representation to the Government, subject to the penalties of section 35 (A) of the United States Criminal Code, that such person does not have title to such quantities of hemp seed.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of hemp seed conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference M-82, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to the War Production Board.* Except as provided in paragraph (f), all reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M-82.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

[1] 7 F.R. 521.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9397; Filed, September 22, 1942; 11:26 a. m.]

PART 1243—OFFICERS' UNIFORMS

[Preference Rating Order P-131, as Amended September 22, 1942]

Section 1243.1 *Preference Rating Order P-131*[1] is hereby amended to read as follows:

§ 1243.1 *Preference Rating Order P-131*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Officers uniform" means only the overcoat, short overcoat, raincoat, coat, blouse, trousers, slacks, skirt, cap, web belt or shirt, but only of the material and specifications prescribed by the applicable United States departmental or agency regulations (such as, U. S. Army Regulation No. 600-35 or U. S. Navy Uniform Regulations, 1941) for:

(i) U. S. Army officers (commissioned, warrant and specialist corps) and nurses.

(ii) U. S. Navy officers (commissioned and warrant), chief petty officers and nurses.

(iii) U. S. Marine Corps officers (commissioned and warrant).

(iv) U. S. Coast Guard officers (commissioned and warrant) and chief petty officers.

(v) U. S. Government military and naval academy and training school students.

(vi) U. S. Maritime Commission officers.

(vii) U. S. Coast and Geodetic Survey officers.

(viii) U. S. Public Health Service officers and nurses.

(ix) U. S. Women's Reserve of the U. S. Naval Reserve (WAVES) members.

(2) "Producer" means any person who manufactured officers uniforms prior to June 8, 1942.

(3) "Custom or merchant tailor" and "tailor-to-the-trade" (including all departments of any person operated as such) shall have the usual and customary trade meaning of persons making clothing to specific order and individual measurements, provided such tailor continues to operate as such.

(c) *Assignment of preference rating.* Except as provided in paragraph (d), preference rating A-1-i is hereby assigned to any producer to obtain delivery of

[1] 7 F.R. 4334.

those quantities and kinds of cotton, wool, and synthetic fabrics, thread, buttons (including detachable buttons if sold with the officers uniform at a unit price) and other material (but not including brass buckles for web belts or metal insignia) to be physically incorporated by such producer into officers uniforms prescribed by the applicable United States departmental or agency regulations governing the respective uniforms in force on the date such material is ordered.

(d) *Application and extension of ratings.* (1) The rating assigned by paragraph (c) of this order shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(2) No producer, except a custom or merchant tailor producer, shall apply the rating assigned by paragraph (c) to obtain delivery of any wool cloths over 13 ounces per yard in weight based on a width of 56 inches for the production of any officers uniform for U. S. Army officers (commissioned, warrant and specialist corps) or U. S. Navy officers (commissioned and warrant) or chief petty officers, but not including officers uniforms for U. S. Army or Navy nurses.

(3) No producer, except a custom or merchant tailor producer, shall apply the rating assigned by paragraph (c) to obtain delivery of any tropical worsted cloth for the production of any officers uniform for U. S. Army officers (commissioned, warrant and specialist corps), but not including officers uniforms for U. S. Army nurses.

(4) No custom or merchant tailor producer (including all such departments of such producer as one producer) shall apply the rating assigned by paragraph (c) to obtain delivery from all sources of more than 120 yards weekly in the aggregate of all wool cloths described in paragraph (d) (2) and (3) for the production of any officers uniform for U. S. Army officers (commissioned, warrant and specialist corps) and U. S. Navy officers (commissioned and warrant) and chief petty officers, but not including officers uniforms for U. S. Army or Navy nurses: *Provided, however,* That no such producer shall at any time have in inventory or on order more than 120 yards of such wool cloths in excess of the yardage required to complete officers uniform orders actually received.

(5) No cloth jobber shall extend any preference ratings received from a producer for wool cloths described in paragraph (d) (2) and (3) to the extent that his inventory of such cloths is or will become in excess of the yardage of all such cloths sold or delivered by him during the preceding 90 days.

(e) *Revocation of ratings.* The preference rating assigned by this order as issued June 8, 1942 is hereby revoked as to any undelivered material to the extent that the delivery of such undelivered material is inconsistent with the restrictions of this amended order.

(f) *Seconds or reject material.* No person shall manufacture any officers uniform from material graded as second or which has been rejected by any U. S. department or agency: *Provided, however,* That a custom or merchant tailor producer may use the first grade portions of such material in the manufacture of officers uniforms.

(g) *Restrictions on sales of officers uniforms.* (1) No person shall sell or deliver any officers uniform produced under this order except to the following persons, who may accept delivery under all the classes to which each belongs, and no other person shall accept delivery thereof:

(i) Any person who prior to June 8, 1942 sold or delivered any officers uniform overcoat, short overcoat, raincoat, coat, blouse, trousers or slacks, or shirts, but such person may be sold or delivered only such items of officers uniforms: *Provided, however,* That such person may be sold or delivered ready-to-wear officers uniforms made from wool cloths described in paragraph (d) (2) and (3) only until December 31, 1942;

(ii) Any person who prior to June 8, 1942 sold or delivered any officers uniform cap, web belt or shirt, but such person may be sold or delivered only such items of officers uniforms;

(iii) Any person possessing an "authorization certificate" from the U. S. Army Exchange Service as a "retailer of regulation officers uniforms," but such person may be sold or delivered only U. S. Army officers uniforms;

(iv) Any person possessing an "authorization certificate" from the U. S. Navy as a "retailer of regulation officers uniforms," but such person may be sold or delivered only U. S. Navy officers uniforms;

(v) Any Army exchange, ship's service store, commissary or other enterprise operated under governmental supervision primarily for the benefit of officers, students, nurses or members of the kind described in paragraph (b) (1).

(vi) Any officer, student, nurse, or member of the kind described in paragraph (b) (1).

(2) No person shall sell or deliver any officers uniform produced under this order to any person, except a person described in paragraph (g) (1) (v) or (vi), unless he shall obtain as a condition of making delivery, either a general certificate, which shall be deemed a continuing representation as to all purchase orders thereafter submitted, or an individual certificate applicable to an individual purchase order, which certificate shall be signed by an official duly authorized for such purpose and shall be in substantially the following form:

> The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is authorized to accept delivery of officers uniforms produced under Preference Rating Order P-131 and that he will sell or deliver such officers uniforms in accordance with said order, with the terms of which he is familiar.

(3) No person, except a person described in paragraph (g) (1) (v), shall sell or deliver any officers uniform produced under this order to any officer, student, nurse or member unless he shall maintain sales records showing the name, rank, service and serial number, if any, of the officer, student, nurse or member to whom such officers uniform has been sold or delivered.

(4) No person shall sell or deliver to any person any officers uniform produced under this order or any material to be physically incorporated into any officers uniform if he knows or has reason to believe such officers uniform or material is to be used in violation of the terms of this order.

(h) *Applications and appeals.* Any producer, including a tailor-to-the-trade, who requires additional material for the production of officers uniforms may apply, and any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship because he has not heretofore manufactured officers uniforms or because he has not heretofore sold or delivered officers uniforms or otherwise may appeal, to the War Production Board, Reference P-131, setting forth the pertinent facts and the reasons why he considers relief should be granted. Any such application or appeal regarding the production or sale of officers uniforms for U. S. Army officers (commissioned, warrant and specialist corps) or nurses, must be accompanied by a letter of approval from the Office of the Chief, Army Exchange Service, War Department, Washington, D. C., and any such application or appeal regarding the production or sale of officers uniforms for U. S. Navy officers (commissioned and warrant), chief petty officers or nurses, must be accompanied by a letter of approval from the Office of the Chief, Bureau of Supplies and Accounts, Navy Department, Washington, D. C. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by the Board from time to time.

(j) *Audit and inspection.* All records required to be kept under this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Violations.* Any person who willfully violates any provision of the order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9398; Filed, September 22, 1942; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 73 Under § 1499.3 (b) of General Maximum Price Regulation]

CATALIN CORP.—MARBLETTE CORP.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.287 *Maximum prices for sale of synthetic phenol by Catalin Corporation to Marblette Corporation.* (a) On and after September 22, 1942, the Catalin Corporation, a corporation incorporated under the laws of the State of Delaware, may sell or deliver, and agree, offer, solicit and attempt to sell or deliver to the Marblette Corporation, a corporation incorporated under the laws of the State of New York, and said Marblette Corporation may buy or accept delivery of, and agree, offer, solicit and attempt to buy or accept delivery of not to exceed a total of 25,000 pounds of synthetic phenol produced by said Catalin Corporation, from the Catalin Corporation at a price no higher than 23 cents per pound, naked, f. o. b. Catalin Corporation plant, Matawan, New Jersey.

(b) The maximum price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(c) Catalin Corporation and Marblette Corporation shall submit such reports to the Office of Price Administration as it may, from time to time, require.

(d) This Order No. 73 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 73 (§ 1499.287) shall become effective September 22, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9361; Filed, September 21, 1942; 12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 46 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GP3-958]

INDUSTRIAL BUILDING CO. OF BALTIMORE

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.396 *Denial of adjustment of maximum charges for storage services furnished by The Industrial Building Company of Baltimore.* (a) The application for adjustment filed by The Industrial Building Company of Baltimore, of Baltimore, Maryland, and assigned Docket No. GP3-958, is denied.

(b) This Order No. 46 (§ 1499.396) shall become effective September 22, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 21st day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9364; Filed, September 21, 1942; 12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 47 Under § 1499.18 (c) of General Maximum Price Regulation]

SOUTHERN WOOD PRESERVING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.397 *Adjustment of maximum prices for sales of creosoted pine conduit, 2", 3", and 3½" bore, sold by Southern Wood Preserving Company.* (a) Southern Wood Preserving Company, Atlanta, Georgia, may sell and deliver, and any person may buy and receive from Southern Wood Preserving Company, creosoted pine conduit at prices not higher than those set forth below:

	Per lineal foot
2" bore	$0.0927
3" bore	.1225
3½" bore	.1625

The above maximum prices are f. o. b. plant, Atlanta, Georgia.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 47 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 47 (§ 1499.397) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modification of maximum prices established by § 1499.2.

(e) This Order No. 47 (§ 1499.397) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9365; Filed, September 21, 1942; 12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 48 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GP3-1118]

PENOBSCOT SHOE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.398 *Adjustment of maximum price of Penobscot Shoe Company for patterns No. 205 and No. 251 sold exclusively to the A. Sandler Company, Boston, Massachuetts.*

(a) Penobscot Shoe Company, Oldtown, Maine, may sell and deliver to the A. Sandler Company, Essex at South Street, Boston, Massachusetts, and the A. Sandler Company may buy and receive from the Penobscot Shoe Company patterns No. 205, a women's elk saddle oxford, and pattern No. 251, a women's elk blutcher oxford, at a price not higher than $2.30 per pair for pattern No. 205 and $2.35 per pair for pattern No. 251.

(b) The maximum prices authorized by this order are subject to discounts, allowances and terms no less favorable than those in effect during March 1942.

(c) This Order No. 48 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 48 (§ 1499.398) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 48 (§ 1499.398) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9366; Filed, September 21, 1942; 12:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 49 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GP3-1559]

FIDALGO ISLAND PACKING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.349 *Adjustment of maximum prices for sales of canned Alaska chum salmon by Fidalgo Island Packing Company.* (a) Fidalgo Island Packing Company of Seattle, Washington, may sell and deliver to government purchasing agencies, and government purchasing agencies may buy and receive from Fidalgo Island Packing Company, Alaska chum salmon at not higher than $7.30 per case of 48 1-lb. talls, f. o. b. Seattle.

(b) All prayers of the application, which relate to sales to government purchasing agencies, not granted herein are denied.

(c) This Order No. 49 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 49 (§ 1499.349) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 49 (§ 1499.349) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9363; Filed, September 21, 1942; 12:03 p. m.]

*Copies may be obtained from the Office of Price administration.

PART 1305—ADMINISTRATION

[Supplementary Order 20]

LICENSING DEALERS SELLING SECOND-HAND MACHINE TOOLS OR EXTRAS, OR SECOND-HAND MACHINES OR PARTS

VARIOUS AREAS

A statement of the reasons for this Supplementary Order No. 20 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including section 205 (f) (1) thereof, it is hereby ordered:

§ 1305.24 *Provisions licensing dealers selling second-hand machine tools or extras, or second-hand machines or parts*—(a) *License required.* A license as a condition of selling is hereby required of every dealer now or hereafter selling to any person any second-hand machine tools or extras for which maximum prices are established by Revised Price Schedule No. 1 (Second-hand Machine Tools)[1] or second-hand machines or parts for which maximum prices are established by Maximum Price Regulation No. 136, as amended,[2] (Machines and Parts, and Machinery Services), all as now or hereafter amended or supplemented.

(b) *License granted.* Every dealer now or hereafter selling to any person any second-hand machine tools or extras for which maximum prices are established by Revised Price Schedule No. 1, or second-hand machines or parts for which maximum prices are established by Maximum Price Regulation No. 136, As Amended, all as now or hereafter amended or supplemented, is by this Supplementary Order No. 20 granted a license as a condition of selling any such second-hand machine tools or extras, or second-hand machines or parts. The provisions of every regulation of the Office of Price Administration to which this section now is or may hereafter become applicable, shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by Supplementary Order No. 20 shall be effective on September 26, 1942, or when any person becomes a dealer selling second-hand machine tools or extras, or second-hand machines or parts, and shall, unless suspended as provided by the act, continue in force so long as and to the extent that the aforementioned price schedule or price regulation or any amendment or supplement thereto remains in force.

(c) *Exclusions.* Supplementary Order No. 20 shall not apply to any sale at retail of any such second-hand machine tools or extras, or second-hand machines or parts.

(d) *Registration of licensees.* (1) Every dealer hereby licensed (hereinafter sometimes called "licensee") is required to register with the Office of Price Administration on or before November 2, 1942; or if a dealer not now selling begins to sell any second-hand machine tools or extras, or second-hand machines or parts to any person, after said last-mentioned date, then, within five days after the first such sale. Registration shall be accomplished by filing with the Office of Price Administration, Washington, D. C., a registration statement on OPA Form No. SO20:3 obtainable at the Washington, D. C. office, or at any regional, State or district office of the Office of Price Administration. Every licensee owning, operating or maintaining more than one place of business for the sale of second-hand machine tools or extras, or second-hand machines or parts, shall file a separate registration statement for each such place of business. In case a new, additional or different place of business for such sales is later established or acquired by a dealer now or hereafter subject to the provisions of Supplementary Order No. 20, such dealer shall within five days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

(2) The Office of Price Administration will issue to each dealer registering pursuant to this paragraph (d) and for each place of business so registered, a registration certificate upon completion of registration, which certificate shall be posted at all times after its receipt in a conspicuous place in the licensee's place of business.

(e) *License not transferable.* The license hereby granted is not transferable.

(f) *Suspension of license.* Licensees violating any of the provisions of Supplementary Order No. 20 or of the license hereby granted, or violating any of the provisions of the price schedule or price regulation, or any amendment or supplement thereto, specified in paragraph (a), or violating the provisions of any applicable regulation, order or requirement issued under section 202 (b) of the Act, are subject to the license suspension proceedings provided for in said Act: *Provided, however,* That no proceedings for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(g) *Definitions.* When used in Supplementary Order No. 20 the term: (1) "dealer" means an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, engaged in the business, as a principal, of purchasing for resale second-hand machine tools or extras, or second-hand machines or parts, or engaged in the business, as an agent or broker, of selling or negotiating the sale of second-hand machine tools or extras, or second-hand machines or parts. Purchasing for resale includes the purchase of any second-hand machine tools or extras, or second-hand machines or parts, for resale after repair or rebuilding.

(2) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(3) "Sale at retail" means any sale to an ultimate user other than an industrial, commercial or governmental user, or any sale made at a store or shop where such sales are customarily made.

(4) "Price schedule" and "price regulation" mean a price schedule effective in accordance with the provisions of section 206 of the Act, or any amendment or supplement to such a maximum price regulation or price schedule, or any regulation, order or requirement issued pursuant to any such regulation or schedule.

(5) "Act" means the Emergency Price Control Act of 1942.

(h) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

(i) *Effective date of Supplementary Order No. 20.* This Supplementary Order No. 20 (§ 1305.24) shall become effective September 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9367; Filed, September 21, 1942; 3:21 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 226]

FRUIT PRESERVES, JAMS AND JELLIES

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of fruit preserves, jams and jellies have resulted in the establishment under the General Maximum Price Regulation[1] of maximum prices which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to assist in securing adequate production of these commodities. This Maximum Price Regulation No. 226 is issued by the Price Administrator in order to establish for the packers of fruit preserves, jams and jellies maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1202, 1836, 2132, 6385.

[2] 7 F.R. 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5265, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6031, 6007, 6216, 6615, 6794, 6939, 7093.

The Price Administrator has given due consideration to the prices of fruit preserves, jams and jellies prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has consulted with representatives of the fruit preserves, jams and jellies industry.

The maximum prices established by this Regulation are not below prices which will reflect to the producers of the raw agricultural commodities from which fruit preserves, jams and jellies are manufactured, a price for each such commodity equal to the highest of any of the following prices, as determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market price prevailing on October 1, 1941; (3) the market price prevailing on December 15, 1941; or (4) the average price during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 226 is hereby issued.

AUTHORITY: §§ 1341.301 to 1341.316, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.301 *Prohibition against dealing in fruit preserves, jams and jellies above maximum prices.* (a) On and after September 26, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any fruit preserves, jams or jellies covered by this Maximum Price Regulation No. 226 at a price higher than the maximum prices established by this Maximum Price Regulation No. 226.

(b) No person in the course of trade or business shall buy or receive any fruit preserves, jams or jellies from a packer at a price higher than the maximum prices established by this Maximum Price Regulation No. 226;

(c) No person shall agree, offer, solicit or attempt to do any of these things.

§ 1341.302 *Packer's maximum prices for fruit preserves, jams and jellies.* (a) The packer's maximum price per dozen or other unit f. o. b. factory for each kind, flavor, brand and container type and size of fruit preserves, jams and jellies covered by this Maximum Price Regulation No. 226 shall be:

(1) The weighted average price per dozen or other unit f. o. b. factory charged by the packer for the kind, flavor, brand and container type and size during the applicable 1941 base period; plus

(2) 1.4¢ for each pound of finished fruit preserves, jam or jelly in a dozen or other unit of that size container; plus

(3) The difference per dozen or other unit between the weighted average cost delivered at the factory of 1941 fruit purchased or contracted for during and prior to the 1941 base period, adjusted in the case of cold-packed fruit to include six months' storage, and the weighted average cost delivered at the factory of 1942 fruit purchased or contracted for during and prior to the 1942 base period, adjusted in the case of cold-packed fruit to include six months' storage; except as limited in paragraph (b) (7) of this section.

(b) In determining the packer's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each kind, flavor, brand and container type and size, divided by the number of units of that item sold. All sales made in the regular course of business during the applicable base period of 1941 shall be included, except sales made to the United States.

(2) The "applicable base period" shall be:

(i) The months of June and July for the following flavors: apricot, black raspberry, cherry, currant, guava, pineapple, raspberry and strawberry.

(ii) The months of August and September for the following flavors: blackberry, boysenberry, elderberry, loganberry, peach, plum, tomato and youngberry.

(iii) The months of October and November for the following flavors: apple, boiled cider, crabapple, grape and quince.

(3) In the case of any mixed flavor, the "applicable base period" shall be the base period prescribed in paragraph (b) (2) of this section for the flavor which predominates by weight in the fruit mixture.

(4) The "weighted average cost" shall be the total amount paid for fresh, canned and cold-packed fruit of the flavor being priced divided by the total number of pounds or other unit of that fruit purchased.

(5) "1941 fruit purchased" and "1942 fruit purchased" shall include only fresh fruit or fruit which was canned or cold-packed during the years 1941 and 1942, respectively.

(6) In computing the weighted average cost delivered at the factory of 1942 fruit purchased or contracted for during and prior to the 1942 base period, the packer shall estimate to the best of his ability all fruit costs which he reasonably expects to incur from that time until the end of the base period. However, as to those flavors for which the applicable base period is October and November, the weighted average cost shall be computed as of a date no earlier than September 28, 1942.

(7) In computing the weighted average cost delivered at the factory of 1942 fruit purchased or contracted for during and prior to the 1942 base period, the packer shall exclude from the computation any amounts paid for fruit in excess of the following amounts:

(i) For all canned and cold-packed fruits and berries, the maximum prices which the packer's supplier or suppliers were entitled to charge him under Maximum Price Regulation No. 185 and Maximum Price Regulation No. 207 in the respective sales by which the canned and cold-packed fruits were acquired by the packer.

(ii) For all fresh fruits, but not including guavas, quince or berries, the sum of (*a*) the weighted average cost delivered at the factory of 1941 fruit purchased or contracted for during and prior to the 1941 base period and (*b*) the following respective amounts:

Raw Agricultural Commodity:	*Maximum Permitted Increase (per ton)*
Apples	To be announced
Apricots	$23.
Cherries, Red Sour Pitted.	$50.
Cherries, Sweet	$56.
Crabapples	To be announced.
Grapes	$14.
Peaches (Clingstone)	$7.
Peaches (Freestone)	$15.
Plums	$2.
Tomatoes	$1.

(ii) For guavas and quince, the market prices delivered at the factory prevailing on the respective dates on which the guavas and quince were contracted for.

(iv) For all fresh berries, the sum of (*a*) the weighted average cost per pound delivered at the factory of 1941 fruit purchased and contracted for during or prior to the 1941 base period and (*b*) three cents per pound.

(8) In converting the increased cost of the raw agricultural commodity into increased cost per dozen or other unit for each kind and container type and size, the increase shall be allocated to each kind and container type and size in the same proportion as costs of raw materials in 1941 were allocated.

(c) The maximum price for each kind, flavor, brand and container type and size for a packer who owns more than one factory shall be determined separately for each factory. But if any two or more factories had the same f. o. b. factory prices in 1941 a maximum price may be determined uniformly for that group by using the combined figures of the group in the computations required by paragraphs (a) and (b) of this section. In applying for the specific authorization of a price under paragraph (b) of § 1341.303, application may be made for a uniform maximum price applicable to the whole group.

(d) Any packer who regularly sold a purchaser any item of fruit preserves, jams or jellies on a delivered price basis during the calendar year 1941 shall increase the maximum price for the item, as computed under the preceding paragraphs of this section, by the amount of the freight charge for that item which he added to his f. o. b. factory price during March 1942. The resulting price shall be the packer's maximum delivered price for that purchaser.

§ 1341.303 *Inability to fix maximum prices under § 1341.302* (a) If the packer's maximum price for any item cannot be determined under § 1341.302, his maximum price shall be the maximum price of the most closely competitive packer.

(b) If the packer's maximum price for any item cannot be determined under § 1341.302 or under paragraph (a) of this

section, the maximum price shall be a price determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a detailed description of the kind, flavor, brand and container type and size; and (2) a statement of the facts which differentiate it from the most similar item for which he has determined a maximum price, identifying the similar item and stating the maximum price determined for it. When authorization is given, it will be accompanied by instructions for determining the maximum price. Within ten days after the price has been determined, the seller shall report it to the Office of Price Administration, Washington, D. C. This price shall be subject to adjustment at any time by the Office of Price Administration.

§ 1341.304 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 226 may be charged, demanded, paid or offered.

§ 1341.305 *Customary allowances and discounts.* The maximum prices established by §§ 1341.302 and 1341.303 shall be reduced to reflect the packer's customary allowances, discounts and other price differentials.

§ 1341.306 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any packer are sold or otherwise transferred on or after September 26, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this Regulation.

§ 1341.307 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 226 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to fruit preserves, jams and jellies, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.308 *Enforcement.* Any person violating a provision of this Maximum Price Regulation No. 226, is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.309 *Records and reports.* Every packer who makes sales of any fruit preserves, jams or jellies covered by this Maximum Price Regulation No. 226, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by § 1341.302; and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for fruit preserves, jams or jellies sold on and after September 26, 1942; and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each kind, flavor, brand and container type and size of fruit preserves, jams or jellies, a statement showing (1) his weighted average price and his increase in the cost of the raw agricultural commodity, as determined under § 1341.302, together with the maximum price determined under this regulation and all customary allowances, discounts and differentials, and (2) in those cases in which the maximum price was determined by the maximum price of the most closely competitive packer, the maximum price and the name and address of the packer whose maximum price was adopted; and (d) preserve for a period of two years a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any packer who claims that substantial injury would result to him from making any such statement available to any other person, may file a copy of the statement with the nearest Regional, State, District, or Field Office of the Office of Price Administration. The information contained in the statement will not be published or disclosed unless it is determined that the withholding of the information is contrary to the purposes of this regulation.

§ 1341.310 *Petitions for amendment.* Any person seeking a modification of this Maximum Price Regulation No. 226 may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1341.311 *Applicability.* The provisions of this Maximum Price Regulation No. 226 shall be applicable only to the United States and the District of Columbia.

§ 1341.312 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 226 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of fruit preserves, jams and jellies for which maximum prices are established by this Regulation, except as provided in § 1341.316 (b).

§ 1341.313 *Export sales.* The maximum prices at which a person may export fruit preserves, jams and jellies shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[3] issued by the Office of Price Administration.

[2] 7 F.R. 971, 3663, 6967.
[3] 7 F.R. 5059.

§ 1341.314 *Definitions.* (a) When used in this Maximum Price Regulation No. 226 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any of its agencies, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means a person who preserves and packs any of the products defined in subparagraphs (3) and (4) as fruit preserves, jams and jellies.

(3) "Fruit preserves and jams" shall mean any viscous or semi-solid food obtained by concentrating a mixture of fruit and saccharine ingredients in which the fruit ingredient is not less than 45 parts and the saccharine ingredients not more than 55 parts by weight, as defined by the Regulation Fixing and Establishing Definitions and Standards of Identity for Preserves, Jams, issued under the Federal Drug and Cosmetic Act of 1938 and printed in the FEDERAL REGISTER on September 5, 1940.[4]

(4) "Fruit jellies" shall mean any semi-solid food of gelatinous consistency obtained by concentrating, by the application of heat, a mixture of fruit juice or diluted or concentrated fruit juice and saccharine ingredients, in which the fruit juice is not less than 45 parts by weight and the saccharine ingredients not more than 55 parts by weight, as defined by the Regulation Fixing and Establishing Definitions and Standards of Identity for Jellies, issued under the Federal Food Drug and Cosmetic Act of 1938 and printed in the FEDERAL REGISTER on September 5, 1940.[5]

(5) "The most closely competitive packer" means the packer who:

(i) Sells to the same class of buyer,

(ii) Packs the same or similar quality range of the product,

(iii) Has sold in the past the same kind of fruit preserves, jams or jellies at approximately the same prices as the packer establishing a maximum price,

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area or, if there is no such packer in the same general growing and packing area, is located in the nearest growing and packing area.

(b) Unless the context otherwise requires, the definitions of section 302 of Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

§ 1341.315 *When prices stablished under § 1341.302 may be charged.* (a) The maximum prices established by § 1341.302 shall not apply to any of the following flavors of fruit preserves, jams and jellies until October 1, 1942; apple, boiled cider, crabapple, grape and quince.

(b) Prior to October 1, 1942, every packer shall sell the flavors listed in paragraph (a) subject to maximum prices computed in conformity with the General Maximum Price Regulation.

§ 1341.316 *Effective date.* This Maximum Price Regulation No. 226 (§§ 1341.301 to 1341.316 inclusive) shall become effective September 26, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9368; Filed, September 21, 1942; 3:22 p. m.]

[4] 5 F.R. 3554.
[5] 5 F.R. 3558.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 47]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

KEY WEST AND CHOTEAU DEFENSE-RENTAL AREAS

In the judgment of the Administrator, rents for housing accommodations within the Key West Defense-Rental Area and other Defense-Rental Areas set out in Maximum Rent Regulations Nos. 35 and 36A (§§ 1388.3051 to 1388.3064 and §§ 1388.4001 to 1388.4014, inclusive) were not reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, within sixty days after the issuance of the said designation and rent declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 35 and 36A for housing accommodations within each such Defense-Rental Area, effective August 1, 1942. Since the issuance of these Maximum Rent Regulations, the Administrator has found, and it is his judgment, that the most recent date which does not reflect increases in rents for housing accommodations within the Key West Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942 is on or about October 1, 1941. The Administrator has therefore ascertained and given due consideration to the rents prevailing for such housing accommodations on or about that date. As already stated in Maximum Rent Regulations Nos. 35 and 36A, it is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Key West Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator is accordingly issuing amendments to Maximum Rent Regulations Nos. 35 and 36A to strike out the Key West Defense-Rental Area from these Maximum Rent Regulations. The Administrator is issuing this Maximum Rent Regulation and Maximum Rent Regulation No. 48A for housing accommodations in the Key West Defense-Rental Area in the Maximum Rent Regulations effective for such housing accommodations since August 1, 1942.

In the judgment of the Administrator, rents for housing accommodations within the Choteau Defense-Rental Area as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Choteau Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Choteau Defense-Rental Area on or about October 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date.

The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of housing accommodations in the Key West Defense-Rental Area and the Choteau Defense-Rental Area, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the Key West Defense-Rental Area and the Choteau Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 47 is hereby issued.

AUTHORITY: §§ 1388.31 to 1388.44, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.31 *Scope of regulation.* (a) This Maximum Rent Regulation No. 47 applies to all housing accommodations within the Key West Defense-Rental Area (consisting of the County of Monroe, in the State of Florida), and the Choteau Defense-Rental Area (consisting of the Counties of Craig, Mayes, Rogers, and Wagoner, in the State of Oklahoma), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.32 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 47 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.33 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 47 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.35 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.35 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.34 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.35) shall be: (a) For housing accommodations rented on October 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on October 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodation during that two month period.

(c) For housing accommodations not rented on October 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 47, the first rent for such accommodations after October 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.35 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after October 1, 1941 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.35 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between August 1, 1941 and such effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in § 1388.37. The Administrator may order a decrease in the maximum rent as provided in § 1388.35 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.35 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.35 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on October 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since October 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on October 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 47 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to October 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on October 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial change in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(5) There was in force on October 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941; or the housing accommodations were not rented on October 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to October 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), (e), or (g) of § 1388.34 is higher

housing accommodations on October 1, 1941.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his

ment. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Administrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

§ 1388.36 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or (3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 47.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent sched-

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.37 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 47, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.34 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.38 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.39 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 47 shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.40 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 47 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.41 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 47 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.42 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 47 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.43 *Definitions.* (a) When used in this Maximum Rent Regulation No. 47:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.44 *Effective date of the regulation.* This Maximum Rent Regulation No. 47 (§§ 1388.31 to 1388.44, inclusive) shall become effective October 1, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9385; Filed, September 21, 1942; 5:05 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 48A]

HOTELS AND ROOMING HOUSES

KEY WEST AND CHOTEAU DEFENSE-RENTAL AREAS

In the judgment of the Administrator, rents for housing accommodations within the Key West Defense-Rental Areas and other Defense-Rental Areas set out in Maximum Rent Regulations Nos. 35 and 36A (§§ 1388.3051 to 1388.3064 and §§ 1388.4001 to 1388.4014, inclusive) were not reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, within sixty days after the issuance of the said designation and rent declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 35 and 36A for housing accommodations within each such Defense-Rental Area, effective August 1, 1942. Since the issuance of these Maximum Rent Regulations, the Administrator has found, and it is his judgment, that the most recent date which does not reflect increases in rents for housing accommodations within the Key West Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942 is on or about October 1, 1941. The Administrator has therefore ascertained and given due consideration to the rents prevailing for such housing accommodations on or about that date. As already stated in Maximum Rent Regulations Nos. 35 to 36A, it is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Key West Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator is accordingly issuing amendments to Maximum Rent Regulations Nos. 35 and 36A to strike out the Key West Defense-Rental Area from these Maximum Rent Regulations. The Administrator is issuing this Maximum Rent Regulation and Maximum Rent Regulation No. 47 for housing accommodations in the Key West Defense-Rental Area in the place of the Maximum Rent Regulations effective for such housing accommodations since August 1, 1942.

In the judgment of the Administrator, rents for housing accommodations within the Choteau Defense-Rental Area as designated in the designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Choteau Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Choteau Defense-Rental Area on or about October 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date.

The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of housing accommodations in the Key West Defense-Rental Area and the Choteau Defense-Rental Area, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within the Key West Defense-Rental Area and the Choteau Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 48A is hereby issued.

AUTHORITY: §§ 1388.81 to 1388.94, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.81 *Scope of regulation.* (a) This Maximum Rent Regulation No. 48A applies to all rooms in hotels and rooming houses within the Key West Defense-Rental Area (consisting of the County of Monroe, in the State of Florida), and the Choteau Defense-Rental Area (consisting of the Counties of Craig, Mayes, Rogers, and Wagoner, in the State of Oklahoma), as designated in the Designation and Rent Declaration (§§1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation No. 48A establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Ac-

commodations other than Hotels and Rooming Houses.

§ 1388.82 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 48A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation No. 48A, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.83 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 48A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.85 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.85 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.84 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.85) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on October 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on October 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after October 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after October 1, 1941 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.85 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation No. 48A by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.85 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941; *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on October 1, 1941, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since October 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on October 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to October 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on October 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

(5) There was in force on October 1, 1941 a written lease, which had been in force more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 48A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The Maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 48A, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

§ 1388.86 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and condition are inconsistent with this Maximum Rent Regulation No. 48A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.87 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 48A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.84 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state.

Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.84 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.88 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time require.

§ 1388.89 *Evasion.* The Maximum rents and other requirements provided in this Maximum Rent Regulation No. 48A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.90 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 48A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.91 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 48A shall be filed with the Area Rent Office. All landlords' petitions and tenants' applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.92 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 48A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.93 *Definitions.* (a) When used in this Maximum Rent Regulation No. 48A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.94 *Effective date of the regulation.* This Maximum Rent Regulation No. 48A (§§ 1388.81 to 1388.94, inclusive) shall become effective October 1, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9384; Filed, September 21, 1942; 5:06 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 49]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

VARIOUS AREAS

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and each of the portions of a Defense-Rental Area set out in § 1388.131 (a) of this Maximum Rent Regulation, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, and on June 3, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 49 is hereby issued.

AUTHORITY: §§ 1388.131 to 1388.144, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.131 *Scope of regulation.* (a) This Maximum Rent Regulation No. 49 applies to all housing accommodations within each of the following Defense-Rental Areas and each of the following portions of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the designations and rent declarations (§§ 1388.1201 to 1388.1205, 1388.1251 to 1388.1255, and 1388.1301 to 1388.1305, inclusive) issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, and on June 3, 1942, except as provided in paragraph (b) of this section.

(1) The Selma Defense-Rental Area, consisting of the County of Dallas, in the State of Alabama.

(2) The Fort Huachuca Defense-Rental Area, consisting of the Counties of Cochise and Santa Cruz, in the State of Arizona.

(3) The Prescott-Flagstaff Defense-Rental Area, consisting of the Counties of Coconino and Yavapai, in the State of Arizona.

(4) The Benton-Bauxite Defense-Rental Area, consisting of the County of Saline, in the State of Arkansas.

(5) The Blytheville Defense-Rental Area, consisting of the County of Mississippi, in the State of Arkansas.

(6) That portion of the Hot Springs-Malvern, Arkansas Defense-Rental Area consisting of the County of Hot Spring, in the State of Arkansas.

(7) The Marysville-Yuba City Defense-Rental Area, consisting of the Counties of Sutter and Yuba, in the State of California.

(8) The Colorado Springs Defense-Rental Area, consisting of the County of El Paso, in the State of Colorado.

(9) The Valpariso Defense-Rental Area, consisting of the County of Okaloosa, in the State of Florida.

(10) The Augusta, Georgia Defense-Rental Area, consisting of the County of Richmond, in the State of Georgia; and the County of Aiken, in the State of South Carolina.

(11) The Bainbridge-Cairo, Georgia Defense-Rental Area, consisting of the Counties of Decatur and Grady, in the State of Georgia.

(12) The Toccoa Defense-Rental Area, consisting of the County of Stephens, in the State of Georgia.

(13) That portion of the Pocatello-Idaho Falls Defense-Rental Area consisting of the County of Bannock, in the State of Idaho.

(14) The Crab Orchard Defense-Rental Area, consisting of the Counties of Jackson and Williamson, in the State of Illinois.

(15) The Fort Wayne Defense-Rental Area, consisting of the County of Allen, in the State of Indiana.

(16) The Gary-Hammond Defense-Rental Area, consisting of the County of Lake, in the State of Indiana.

(17) The Vincennes Defense-Rental Area, consisting of the Counties of Daviess and Knox, in the State of Indiana; and the County of Lawrence, in the State of Illinois.

(18) The Wabash Defense-Rental Area, consisting of the Counties of Huntington, Miami, and Wabash, in the State of Indiana.

(19) That portion of the Grand Rapids-Muskegon Defense-Rental Area consisting of the County of Muskegon, in the State of Michigan.

(20) That portion of the Kalamazoo-Battle Creek Defense-Rental Area consisting of the County of Calhoun, in the State of Michigan.

(21) The Lansing Defense-Rental Area, consisting of the Counties of Clinton, Eaton, and Ingham, in the State of Michigan.

(22) That portion of the Ludington Defense-Rental Area consisting of the County of Mason, in the State of Michigan.

(23) The Aberdeen, Mississippi Defense-Rental Area, consisting of the Counties of Chickasaw, Clay, Itawamba, Lee, and Monroe, in the State of Mississippi; and the County of Lamar, in the State of Alabama.

(24) That portion of the Grenada Defense-Rental Area consisting of the Counties of Carroll, Grenada, Leflore, and Montgomery, in the State of Mississippi.

(25) The Meridian Defense-Rental Area, consisting of the County of Lauderdale, in the State of Mississippi.

(26) The Carlsbad Defense-Rental Area, consisting of the County of Eddy, in the State of New Mexico.

(27) The Roswell Defense-Rental Area, consisting of the County of Chaves, in the State of New Mexico.

(28) That portion of the Silver City-Lordsburg Defense-Rental Area consisting of the County of Hidalgo, in the State of New Mexico.

(29) The Jamestown Defense-Rental Area, consisting of the County of Chautauqua, in the State of New York.

(30) The Rochester Defense-Rental Area, consisting of the Counties of Genesee, Monroe, Orleans, and Wayne, in the State of New York.

(31) The Sidney, New York Defense-Rental Area, consisting of the Counties of Chenango Delaware, and Otsego, in the State of New York.

(32) The Elizabeth City, North Carolina Defense-Rental Area, consisting of the County of Pasquotank, in the State of North Carolina.

(33) The Goldsboro Defense-Rental Area, consisting of the Counties of Lenoir, Wayne, and Wilson, in the State of North Carolina.

(34) The Monroe, North Carolina Defense-Rental Area, consisting of the County of Union, in the State of North Carolina.

(35) The New Bern Defense-Rental Area, consisting of the Counties of Carteret and Craven, in the State of North Carolina.

(36) The Sandusky-Port Clinton Defense-Rental Area, consisting of the Counties of Erie, Huron, Ottawa, and Sandusky, in the State of Ohio.

(37) The Medford Defense-Rental Area, consisting of the County of Jackson, in the State of Oregon.

(38) The Pendleton Defense-Rental Area, consisting of the County of Umatilla, in the State of Oregon.

(39) The Warren, Pennsylvania Defense-Rental Area, consisting of the County of Warren, in the State of Pennsylvania.

(40) The Newport Defense-Rental Area, consisting of the County of Newport, in the State of Rhode Island.

(41) The Rapid City-Sturgis Defense-Rental Area, consisting of the Counties of Lawrence, Meade, and Pennington, in the State of South Dakota.

(42) The Memphis Defense-Rental Area, consisting of the County of Shelby, in the State of Tennessee; and the County of Crittenden, in the State of Arkansas.

(43) The Borger Defense-Rental Area, consisting of the Counties of Carson, Gray and Hutchinson, in the State of Texas.

(44) The Eagle Pass Defense-Rental Area, consisting of the County of Maverick, in the State of Texas.

(45) The Gainesville Defense-Rental Area, consisting of the County of Cooke, in the State of Texas.

(46) The Greenville, Texas Defense-Rental Area, consisting of the County of Hunt, in the State of Texas.

(47) The Marshall Defense-Rental Area, consisting of the Counties of Harrison, Marion, and Upshur, in the State of Texas.

(48) That portion of the Brigham Defense-Rental Area, consisting of the County of Box Elder, in the State of Utah.

(49) The Springfield-Windsor Defense-Rental Area, consisting of the County of Windsor, in the State of Vermont; and the County of Sullivan, in the State of New Hampshire.

(50) The Everett Defense-Rental Area, consisting of the County of Snohomish, in the State of Washington.

(51) The Spokane Defense-Rental Area, consisting of the County of Spokane, in the State of Washington.

(52) The Walla Walla Defense-Rental Area, consisting of the County of Walla Walla, in the State of Washington.

(53) The Casper Defense-Rental Area, consisting of the County of Natrona, in the State of Wyoming.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pur-

suant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.132 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 49 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.133 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 49 are for housing accommodations including, as a minimum, services of the same type, quantity and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.135 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.135 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.134 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.135) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on March 1, 1942 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.135 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.135 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 49, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in § 1388.137. The Administrator may order a decrease in the maximum rent as provided in §1388.135 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942 or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in §1388.135 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.135 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 49 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to March 1, 1942 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to March 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or an application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), (e), or (g) of § 1388.134 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Administrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

§ 1388.136 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 49; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however*, That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been ap-

proved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.137 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 49, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.134 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.138 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.139 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 49 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.140 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 49 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.141 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 49 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.142 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 49 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.143 *Definitions.* (a) When used in this Maximum Rent Regulation No. 49:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath,

and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.144 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.131 to 1388.144, inclusive) shall become effective October 1, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9383; Filed, September 21, 1942; 5:03 p. m.]

PART 1388—DEFENSE RENTAL AREAS

[Maximum Rent Regulation 50A]

HOTELS AND ROOMING HOUSES

VARIOUS AREAS

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and each of the portions of a Defense-Rental Area set out in § 1388.181 (a) of this Maximum Rent Regulation, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, and on June 3, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area or portion of a Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 50A is hereby issued.

AUTHORITY: §§ 1388.181 to 1388.194, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.181 *Scope of regulation.* (a) This Maximum Rent Regulation No. 50A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas and each of the following portions of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1201 to 1388.1205, 1388.1251 to 1388.1255, and 1388.1301 to 1388.1305, inclusive) issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, and June 3, 1942, except as provided in paragraph (b) of this section:

(1) The Selma Defense-Rental Area, consisting of the County of Dallas, in the State of Alabama.

(2) The Fort Huachuca Defense-Rental Area, consisting of the Counties of Cochise and Santa Cruz, in the State of Arizona.

(3) The Prescott-Flagstaff Defense-Rental Area, consisting of the Counties of Coconino and Yavapai, in the State of Arizona.

(4) The Benton-Bauxite Defense-Rental Area, consisting of the County of Saline, in the State of Arkansas.

(5) The Blytheville Defense-Rental Area, consisting of the County of Mississippi, in the State of Arkansas.

(6) That portion of the Hot Springs-Malvern, Arkansas Defense-Rental Area, consisting of the County of Hot Spring, in the State of Arkansas.

(7) The Marysville-Yuba City Defense-Rental Area, consisting of the Counties of Sutter and Yuba, in the State of California.

(8) The Colorado Springs Defense-Rental Area, consisting of the County of El Paso, in the State of Colorado.

(9) The Valpariso Defense-Rental Area, consisting of the County of Okaloosa, in the State of Florida.

(10) The Augusta, Georgia Defense-Rental Area, consisting of the County of Richmond, in the State of Georgia; and the County of Aiken, in the State of South Carolina.

(11) The Bainbridge-Cairo, Georgia, Defense-Rental Area, consisting of the Counties of Decatur and Grady, in the State of Georgia.

(12) The Toccoa Defense-Rental Area, consisting of the County of Stephens, in the State of Georgia.

(13) That portion of the Pocatello-Idaho Falls Defense-Rental Area, consisting of the County of Bannock, in the State of Idaho.

(14) The Crab Orchard Defense-Rental Area, consisting of the Counties of Jackson and Williamson, in the State of Illinois.

(15) The Fort Wayne Defense-Rental Area, consisting of the County of Allen, in the State of Indiana.

(16) The Gary-Hammond Defense-Rental Area, consisting of the County of Lake, in the State of Indiana.

(17) The Vincennes Defense-Rental Area, consisting of the Counties of Daviess and Knox, in the State of Indiana; and the County of Lawrence, in the State of Illinois.

(18) The Wabash Defense-Rental Area, consisting of the Counties of Huntington, Miami, and Wabash, in the State of Indiana.

(19) That portion of the Grand Rapids-Muskegon Defense-Rental Area, consisting of the County of Muskegon, in the State of Michigan.

(20) That portion of the Kalamazoo-Battle Creek Defense-Rental Area consisting of the County of Calhoun, in the State of Michigan.

(21) The Lansing Defense-Rental Area, consisting of the Counties of Clinton, Eaton, and Ingham, in the State of Michigan.

(22) That portion of the Ludington Defense-Rental Area consisting of the County of Mason, in the State of Michigan.

(23) The Aberdeen, Mississippi Defense-Rental Area, consisting of the Counties of Chickasaw, Clay, Itawamba, Lee, and Monroe, in the State of Mississippi; and the County of Lamar, in the State of Alabama.

(24) That portion of the Grenada Defense-Rental Area consisting of the Counties of Carroll, Grenada, Leflore, and Montgomery, in the State of Mississippi.

(25) The Meridian Defense-Rental Area, consisting of the County of Lauderdale, in the State of Mississippi.

(26) The Carlsbad Defense-Rental Area, consisting of the County of Eddy, in the State of New Mexico.

(27) The Roswell Defense-Rental Area, consisting of the County of Chaves, in the State of New Mexico.

(28) That portion of the Silver City-Lordsburg Defense-Rental Area con-

sisting of the County of Hidalgo, in the State of New Mexico.

(29) The Jamestown Defense-Rental Area, consisting of the County of Chautauqua, in the State of New York.

(30) The Rochester Defense-Rental Area, consisting of the Counties of Genesee, Monroe, Orleans, and Wayne, in the State of New York.

(31) The Sidney, New York Defense-Rental Area, consisting of the Counties of Chenango, Delaware, and Otsego, in the State of New York.

(32) The Elizabeth City, North Carolina Defense-Rental Area, consisting of the County of Pasquotank, in the State of North Carolina.

(33) The Goldsboro Defense-Rental Area, consisting of the Counties of Lenoir, Wayne, and Wilson, in the State of North Carolina.

(34) The Monroe, North Carolina Defense-Rental Area, consisting of the County of Union, in the State of North Carolina.

(35) The New Bern Defense-Rental Area, consisting of the Counties of Carteret and Craven, in the State of North Carolina.

(36) The Sandusky-Port Clinton Defense-Rental Area, consisting of the Counties of Erie, Huron, Ottawa, and Sandusky, in the State of Ohio.

(37) The Medford Defense-Rental Area, consisting of the County of Jackson, in the State of Oregon.

(38) The Pendleton Defense-Rental Area, consisting of the County of Umatilla, in the State of Oregon.

(39) The Warren, Pennsylvania Defense-Rental Area, consisting of the County of Warren, in the State of Pennsylvania.

(40) The Newport Defense-Rental Area, consisting of the County of Newport, in the State of Rhode Island.

(41) The Rapid City-Sturgis Defense-Rental Area, consisting of the Counties of Lawrence, Meade, and Pennington, in the State of South Dakota.

(42) The Memphis Defense-Rental Area, consisting of the County of Shelby, in the State of Tennessee; and the County of Crittenden, in the State of Arkansas.

(43) The Borger Defense-Rental Area, consisting of the Counties of Carson, Gray, and Hutchinson, in the State of Texas.

(44) The Eagle Pass Defense-Rental Area, consisting of the County of Maverick, in the State of Texas.

(45) The Gainesville Defense-Rental Area, consisting of the County of Cooke, in the State of Texas.

(46) The Greenville, Texas Defense-Rental Area, consisting of the County of Hunt, in the State of Texas.

(47) The Marshall Defense-Rental Area, consisting of the Counties of Harrison, Marion, and Upshur, in the State of Texas.

(48) That portion of the Brigham Defense-Rental Area consisting of the County of Box Elder, in the State of Utah.

(49) The Springfield-Windsor Defense-Rental Area, consisting of the County of Windsor, in the State of Vermont; and the County of Sullivan, in the State of New Hampshire.

(50) The Everett Defense-Rental Area, consisting of the County of Snohomish, in the State of Washington.

(51) The Spokane Defense-Rental Area, consisting of the County of Spokane, in the State of Washington.

(52) The Walla Walla Defense-Rental Area, consisting of the County of Walla Walla, in the State of Washington.

(53) The Casper Defense-Rental Area, consisting of the County of Natrona, in the State of Wyoming.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.182 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 50A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.183 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 50A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.185 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.185 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.184 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.185) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after March 1, 1942, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.185 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 50A.

§ 1388.185 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area or comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If on the effective date of this Maximum Rent Regulation No. 50A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.186 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 50A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest interest therein; *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement, or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.187 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 50A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.184 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.184 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.188 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

§ 1388.189 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 50A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.190 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 50A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.191 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.192 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 50A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.193 *Definitions.* (a) When used in this Maximum Rent Regulation No. 50A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupany of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.194 *Effective date of the regulation.* This Maximum Rent Regulation No. 50A (§§ 1388.181 to 1388.194, inclusive) shall become effective October 1, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9382; Filed, September 21, 1942; 5:03 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation No. 35]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (4) of § 1388.3051 (a) of Maximum Rent Regulation No. 35[1] is revoked, and § 1388.3064a is added as set forth below:

§ 1388.3064a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.3051 (a) and 1388.3064a) to Maximum Rent Regulation No. 35 shall become effective October 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9392; Filed September 21, 1942; 5:04 p. m.]

[1] 7 F.R. 5757.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 36A]

HOTELS AND ROOMING HOUSES

Subparagraph (4) of § 1388.4001 (a) of Maximum Rent Regulation No. 36A[1] is revoked, and § 1388.4014a is added as set forth below:

§ 1388.4014a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.4001 (a) and 1388.4014a) to Maximum Rent Regulation No. 36A shall become effective October 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9393; Filed, September 21, 1942; 5:04 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 19 to Maximum Price Regulation 136, as Amended[2]]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (13) is added to § 1390.25 (c) and new paragraph (s) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(13) *Jeff Hunt Road Machinery Company.* Notwithstanding the provisions of § 1390.9, the maximum price applicable to the performance by the Jeff Hunt Road Machinery Company of Columbia, South Carolina, of any of the machinery services listed below shall be $1.75 per hour for straight time and $2.20 per hour for overtime, on the basis of a 56-hour work week:

Services of field serviceman.
Services of serviceman helper.
Travel time (for each man over one).
Painting.
Services of mechanic.
Services of mechanic's helper.
Welding, acetylene or electric.
Services of machinist.
Services of blacksmith.
Cleaning, high-pressure steam.

This paragraph shall not apply to rates for track work on crawler tractors and for removing and replacing track shoes.

§1390.31a *Effective dates of amendments.* * * *

(s) Amendment No. 19 (§ 1390.25 (c) (13)) to Maximum Price Regulation No.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5761.

[2] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6937, 6964, 6965, 6973, 7010, 7246, 7320, 7365.

136, as amended, shall become effective September 26, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9370; Filed, September 21, 1942; 3:21 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 9 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

Paragraph (b), subparagraph (3) of § 1394.801 is amended; and a new paragraph (j) is added to § 1394.1902; as set forth below:

Special Rations

§ 1394.801 *Application for special ration.* • • •

(b) • • •

(3) To operate a motor vehicle in the course of manufacture or assembly for the purpose of testing such vehicle or moving it within or between plants engaged in its manufacture or assembly; or to operate a truck carrying mounted machinery for the purpose of moving it to procure repair of such mounted machinery; or to move a repossessed motor vehicle or boat, or a motor vehicle or boat seized by a government authority, to a place of storage; or to deliver a motor vehicle or boat, after *bona fide* sale thereof, or pursuant to a *bona fide* lease of more than ninety (90) days; or to move a motor vehicle or boat from one sales establishment or place of storage to another sales establishment or place of storage; or to operate a vehicle or boat held by a motor vehicle or boat dealer for sale or resale, for the purpose of demonstrating such vehicle or boat to prospective purchasers: *Provided*, That no ration in excess of five (5) gallons per month per vehicle or boat shall be granted for purposes of demonstration, or to move a motor vehicle or boat from one sales establishment or place of storage, to another sales establishment or place of storage except after sale of such vehicle or boat.

• • • • •

Effective Date

§ 1394.1902 *Effective dates of amendments.* • • •

(j) Amendment No. 9 (§ 1394.801 (b) (3)) to Ration Order No. 5A shall become effective September 26, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H), 7 F.R. 562, 3478, 3877, 5216)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9371; Filed, September 21, 1942; 3:21 p. m.]

[1] 7 F.R. 5225, 5362, 5426, 5566, 5606, 5666, 5674, 5942, 6267, 6684, 6776, 7399.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 14 to Rationing Order 3 [1]]

SUGAR RATIONING REGULATIONS

A new paragraph (f) is added to § 1407.85, and a new paragraph (d) is added to § 1407.86 as set forth below:

Institutional and Industrial Users

§ 1407.85 *Sugar base.* • • •

(f) For each period commencing on or after November 1, 1942, there shall not be included in the sugar base of a registering unit, any sugar used in the manufacture of condensed milk packaged in containers holding more than one gallon.

§ 1407.86 *Allotment.* • • •

(d) A registering unit may apply in any month for an allotment for the manufacture during the following month of condensed milk to be packaged in containers holding more than one gallon. Application shall be made on OPA Form No. R-315 (Special Purpose Application). The registering unit shall send the original of the application to the Office of Price Administration in Washington and shall file a duplicate with the Board. The application shall set forth the amount of milk the registering unit will receive during the month for which the allotment is requested, its plant capacity, the amount of such milk which cannot be processed into non-sugar-containing products other than evaporated milk, or into condensed milk to be packaged by it in containers holding one gallon or less and such other information as the Office of Price Administration may require. The Office of Price Administration may grant such allotment for each month commencing with November 1942 in an amount which it considers necessary to prevent the spoilage of such milk. Each registering unit receiving an allotment pursuant to this paragraph shall file with the Office of Price Administration such reports of the amount of milk received by it and its disposition of such milk and of the sugar allotted as the Office of Price Administration may require.

§ 1407.222 *Effective dates of amendments.* • • •

(n) Amendment No. 14 (paragraph (f) of § 1407.85, and paragraph (d) of § 1407.86) shall become effective November 1, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Dir. No. 1, and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9390; Filed, September 21, 1942; 5:07 p. m.]

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6057, 6473, 6828, 6937, 7289, 7321, 7406.

PART 1499—COMMODITIES AND SERVICES

[Amendment 26 to Supplementary Regulation 14 [1] to General Maximum Price Regulation [2]]

FIREWOOD IN THE STATES OF OREGON AND WASHINGTON AND IN NEW ENGLAND

Subparagraph (8) of § 1499.73 (a) is amended to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

• • • • •

(8) *Firewood in the States of Oregon and Washington and in New England.* In the States of Oregon and Washington, and in the six New England States (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut), the maximum prices for the sale or delivery of firewood (e. g. cordwood, sawdust, mill ends and shavings and slabwood) may be modified as indicated below:

(i) Wherever the State Office of the Office of Price Administration for the State of Washington or for the State of Oregon, or for any of the six New England States determines, either upon application or its own motion, that the maximum prices established in Section 2 of the General Maximum Price Regulation for the sale or delivery of firewood are inadequate to insure a sufficient supply of firewood to meet heating requirements in any locality or localities within its jurisdiction, it may by order adjust such maximum prices to the minimum extent necessary to insure a sufficient supply of firewood therein. Such adjustments shall be made in relation (a) to the increased production costs which sellers of firewood in the locality or localities affected must incur in order to produce such firewood, compared with the

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322.

costs of production in March 1942 (or the nearest earlier month in which firewood was generally produced in such locality or localities), and/or (*b*) the extent of increased transportation costs which must be incurred by sellers of firewood in order to move sufficient supplies thereof to meet the requirements of the locality or localities affected and (*c*) such other circumstances as may be pertinent to the procurement of sufficient supplies of firewood to meet the requirements of the locality or localities affected.

(ii) (*a*) Every order issued pursuant to the provisions of subdivision (i) above shall be accompanied by a statement of the reasons for the action taken therein.

(*b*) Whenever a State Office issues such an order, it shall promptly take steps to insure that the order is duly publicized in the locality or localities affected, and shall transmit a copy thereof, together with the accompanying statement, to the appropriate Regional Office of the Office of Price Administration and to the National Office of the Office of Price Administration in Washington, D. C.

(b) *Effective dates of amendments.* * * *

(27) Amendment No. 26 (§ 1499.73 (a) (8)) to Supplementary Regulation No. 14 to General Maximum Price Regulation shall become effective September 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9369; Filed, September 21, 1942; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 30 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

WAREHOUSING OF APPLES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (28) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the Commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(28) *Storage and warehousing of apples in the states of New York, Virginia, West Virginia, Maryland, and Pennsylvania*—(i) *Maximum prices.* Maximum prices for the cold storage of apples, including handling in and out of warehouses, in the states of New York, Virginia, West Virginia, Maryland, and Pennsylvania shall continue to be determined under § 1499.2 of General Maximum Price Regulation, except that any seller in any of such states whose maximum price under said § 1499.2 is less than 20 cents per season per bushel basket, bushel box, or bushel crate, or is less than 50 cents per barrel per season, may charge and collect for such storage and handling services 20 cents per season per bushel basket, bushel box or bushel crate and 50 cents per barrel per season: *Provided, however,* That any such seller whose charges during the 1941–1942 season were quoted on a per month as well as on a per season basis may charge, in addition to his maximum charge under § 1499.2 of General Maximum Price Regulation, for the first month's storage, an amount equal to the increase in his per season charge authorized by this subparagraph (28).

(ii) *Definition.* As used in this subparagraph (28), the term "season" means, as to each seller, a period corresponding to that to which the 1941–1942 seasonal rates of such seller were applicable.

(b) Effective dates. * * *

(31) Amendment No. 30 (§ 1499.73 (a) (28)) to Supplementary Regulation No. 14 shall become effective September 21, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9386; Filed, September 21, 1942; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 1 Under § 1499.3 (c) of the General Maximum Price Regulation]

MASLLORENS EXPORT CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is hereby ordered,* That:

§ 1499.801 *Authorization for the Masllorens Export Corporation to determine maximum prices for woolen blankets and men's, women's and tartan woolen piece goods*—(a) (1) *Woolen blankets.* The maximum price per unit which the Masllorens Export Corporation may charge for each style of woolen blankets which on or before August 24, 1942, was imported into the United States from South America or placed upon a vessel in South America for shipment to the United States and for which a maximum price cannot be determined pursuant to either § 1499.2 or § 1499.3 (a) of the General Maximum Price Regulation shall be the quotient of the landed cost per unit of each style of the blankets to be priced divided by the division factor, .79.

(2) *Woolen piece goods.* The maximum price per yard which the Masllorens Export Corporation may charge for each style of men's, women's and tartan woolen piece goods which on or before August 24, 1942, was imported into the United States from South America or placed upon a vessel in South America for shipment to the United States and for which a maximum price cannot be determined pursuant to either § 1499.2 or § 1499.3 (a) of the General Maximum Price Regulation shall be the quotient of the landed cost per yard of each style of the woolen piece goods to be priced divided by the division factor, .79.

(3) As used in this paragraph (a), the term "landed cost" of a style means the sum of (i) the cost of the style to be priced f. o. b. shipping point and (ii) the share of the following expenses attributable thereto: (*a*) freight charges for the shipment from South America to the United States, (*b*) duties in the United States, (*c*) landing expenses, (*d*) freight charges, if any, for any necessary shipment from the point of landing in the United States to New York City, (*e*) sponging expenses, if any, and (*f*) all insurance charges.

(b) Within 10 days after the maximum prices have been determined in accordance with this order, the Masllorens Export Corporation shall file a statement in triplicate with the Office of Price Administration, Washington, D. C., reporting the maximum price of each style of woolen blankets and men's, women's and tartan woolen piece goods, declaring that the prices were determined in accordance with the formula set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining the prices.

(c) Any selling price determined under this Order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 1 (§ 1499.801) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9389; Filed, September 21, 1942; 5:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 48 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-1615]

NEW ENGLAND FISH COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.348 *Adjustment of maximum prices for sales of canned Alaska salmon*

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484 5565, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

by New England Fish Company. (a) New England Fish Company of Seattle, Washington, may sell and deliver to government purchasing agencies, and government purchasing agencies may buy and receive from New England Fish Company, canned Alaska salmon at prices not lower than those set forth below:

(1) Pink salmon, cases of 48 1-lb. talls @ $7.70 per case, f. o. b. Seattle.

(2) Chum salmon, cases of 48 1-lb. talls @ $7.30 per case, f. o. b. Seattle.

(b) All prayers of the application, which relate to sales to government purchasing agencies, not granted herein are denied.

(c) This Order No. 48 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 48 (§ 1499.348) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 48 (§ 1499.348) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9362; Filed, September 21, 1942; 12:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 49 Under § 1499.18 (c) of General Maximum Price Regulation—Dockets GF3-1770 to GF3-1819 incl., GF3-1829, and GF3-1892 to 1897 incl.]

STORAGE AND WAREHOUSING OF ROUGH RICE IN LOUISIANA

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That:

§ 1499.399 *Adjustment of maximum prices for storage and warehousing of rough rice in the State of Louisiana by certain companies.* (a) The persons whose names and addresses are set forth in Appendix A hereto may sell and deliver, and any person may buy and receive from any of such persons, storage and warehousing of rough rice and services incident thereto at prices not higher than the prices set forth in said Exhibit A in conjunction with the names and addresses of such persons, respectively.

(b) All prayers of the applications not granted herein are denied.

(c) This Order No. 49 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 49 (§ 1499.399) shall become effective September 21, 1942.

(e) Appendix A.

MAXIMUM PRICES IN CENTS PER BARREL[1]

Names and addresses	First month	Second month	Third month	Fourth month	Fifth month	Sixth month	Total for season[2]
Abshire's Independent Warehouse, Kaplan, La.	10	7	5	3			*25
Abshire Warehouse, Lake Charles, La.	10	6	4	2			*22
Anderson Warehouse, Elton, La.	8	4					**12
Andrus Warehouse, Lake Arthur, La.	9	6	3				**18
Atteberry & Leonard's Warehouse, Nowata, La.	¼						**14
Brown & Cassidy Warehouse, Crowley, La.	9	6	4	2	2		*23
Campbell Warehouses, Welsh, La.	9	6	3				*18
Crowley Warehouse, Crowley, La.	9	6	4	2	2		*23
Benjamin Daigle Warehouse, Church Point, La.	10	2	2	2			*16
Eunice Warehouse, Eunice, La.	12	2	2	2			*18
Farmers Storage Company, Inc., Elton, La.	8	4					**12
Farmers Storage Company, Inc., Kinder, La.	8	4					**12
E. C. Fremaux & Son, Inc., Rayne, La.	9	6	5				*20
A. L. (Pat) Guillory Bonded, Eunice, La.	12	2	2	2			*18
Gulf Coast Warehouse, Welch, La.	7	6	5				*18
D. Hanks Rice Warehouse, Rayne, La.	9	6	5				*20
Hardcastle Warehouses, Fenton, La.	9	6	3				*18
F. N. Hayes Estate Warehouse, Iota, La.	11	1	1	1	1	1	(3)
Hebert's Seed Agency, Opelousas, La.	12	2	2	2			*18
Hollins Warehouse, Crowley, La.	9	6	4	2	2		*23
Imperial Rice Milling Co., Inc., Crowley, La.	9	6	4	2	2		*23
Iowa Feed & Seed Store, Iowa, La.	9	6	3				*18
Jennings Warehouse, Inc., Jennings, La.	10	6	4	2			**22
A. S. Johnson, Mermentau, La.	9	6	4	2	1		*22
S. Karam Warehouse, Fenton, La.	9	*6	3				*18
Kilpatrick's Warehouse, Roanoke, La.	7	6	5				**18
Landry Warehouses, Abbeville, La.	10	7	5	3			*25
Louisiana Canal Co., Inc., Lake Charles, La.	10	6	4				*20
Louisiana Irrigation & Mill Co., Crowley, La.	9	6	4	2	2		*23
L. C. Mayeux Warehouse, Abbeville, La.	10	7	5	3			*25
W. C. McManus Warehouse, Elton, La.	8	4					*12
W. C. McManus Warehouse, Eunice, La.	12	2	2	2			*18
Menou Warehouse, Iota, La.	11	1	1	1	1	1	(3)
Midland Warehouse, Midland, La.	9	6	4	2	2		*23
M. K. Muller Warehouse, Iota, La.	11	1	1	1	1	1	(3)
Mutual Warehouse Co., Inc., Welsh, La.	9	6	3				*18
Oberlin Warehouse, Oberlin, La.	10	2½	2½				**15
Pelican Rice Mill, Inc., Mermentau, La.	10	8	6				**24
D. Petegean's Warehouse, Rayne, La.	9	6	5				*20
Plattsmier-Hinlin, Inc., Rayne, La.	9	6	5				*23
J. C. Richey, Egan, La.	10						**10
Romain Navarre Rice Warehouse, Rayne, La.	9	6	5				*20
Saal Trading Company, Inc., Gueydan, La.	9	6	5	3	2		*25
Sabine Canal Company, Vinton, La.	12	4	2				‡18
Samson's Warehouse, Inc., Crowley, La.	9	6	4	2	2		*23
Simon's Warehouse, Kaplan, La.	10	7	5	3			*25
Southern Warehouse Company, Inc., Jennings, La.	9	6	4	3			**22
Sweet Lake Land & Oil Company, Lake Charles, La.	10	6	4				**20
Thornwell Warehouse Company, Inc., Thornwell, La.	9	6	3				**18
Vermilion Farmers Coop. Assn. Inc., Abbeville, La.	10	7	5	3			*25
Louisiana Irrigation & Mill Co., Iota, La.	11	1	1	1	1	1	(3)
Vermilion Warehouse Co. Inc., Abbeville, La.	10	7	5	3			*25
Vermilion Warehouse Co. Inc., Kaplan, La.	10	7	5	3			*25
Vermilion Warehouse Co. Inc., Estherwood, La.	8	6	5	3	1		*23
Vermilion Warehouse Co. Inc., % Republic Rice Mill, Inc., Gueydan, La.	9	6	5	3	2		*25
Vermilion Warehouse Co. Inc., Mulvey, La.	8	6	5	3	1		*23
Vermilion Warehouse Co., Inc., % Acadia-Vermilion Rice Ir. Co. Inc., Gueydan, La.	9	6	5	3	2		*25

[1] A "barrel," as used herein, means a unit of 162 lbs., regardless of the kind of container used or the capacity thereof.
[2] The season extends from the time the rough rice is received for storage to the following July 31st.
[3] 1¢ per barrel per month for each additional month. Rate includes insurance.
‡ Plus ¾¢ per barrel per month for insurance.
* Includes insurance.
** Does not include insurance.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9388; Filed, September 21, 1942; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 50 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF3-1079]

J. T. L. COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.400 *Adjustment of maximum prices for transportation services sold by J. T. L. Company, Incorporated, of Springdale, Arkansas.* (a) J. T. L. Company, Incorporated, of Springdale, Arkansas, is hereby authorized to charge as maximum prices for its services as a contract carrier of fresh meats, packing house products and articles grouped therewith, from Kansas City, Kansas and Kansas City, Missouri to Fort Smith, Jonesboro, Blytheville, Camp Joseph T. Robinson, Little Rock and Pine Bluff, Arkansas, and intermediate points in Arkansas, the following prices which are the minimum rates prescribed by the Interstate Commerce Commission in that Commission's report and order in No. MC-C-225, decided May 11, 1942, to be effective September 21, 1942:

To—	Fresh meats and articles grouped therewith	Packinghouse products and articles grouped therewith
	Cents	*Cents*
Fort Smith	55	47
Jonesboro	61	51
Blytheville	65	55
Camp Joseph T. Robinson	62	52
Little Rock	62	52
Pine Bluff	65	55

The above maximum prices are subject to a minimum load of 18,000 pounds. Reasonably related higher rates for peddler loads and any lower minimum weight may be charged. Deductions of 2 cents per 100 pounds shall be made for shipments for which no refrigeration is provided.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 50 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 50 (§ 1499.400), is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.

(e) This Order No. 50 (§ 1499.400), shall become effective September 21, 1942.

(Pub. Law No. 421, 77th Congress)

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9387; Filed, September 21, 1942; 5:02 p. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

ORDER WAIVING COMPLIANCE WITH THE NAVIGATION AND INSPECTION LAWS

Correction

The "Order Waiving Compliance with the Navigation and Inspection Laws" signed by the Secretary of the Navy March 19, 1942, and filed with the Division of the Federal Register March 28, 1942 (7 F. R. 2478), is corrected by deleting the heading "Part 301—International Rules for Preventing Collisions at Sea". The order should be listed under Title 33, Navigation and Navigable Waters, Chapter III, Coast Guard, as well as under Title 46—Shipping, Chapter II, Coast Guard: Inspection and Navigation.

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATIONS OF LOCALITIES FOR LOANS

EXTENSION

Extension of designations of localities and counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, all designations of localities and counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made, which were in effect on June 30, 1942, are hereby extended until further notice. The determinations with respect to the value of the average farm unit of thirty (30) acres or more in such localities and counties, contained in the above described designations, shall also remain in effect until further notice.

This memorandum shall be effective as of July 1, 1942.

Approved: September 15, 1942.

[SEAL] J. O. WALKER,
Acting Administrator.

[F. R. Doc. 42-9380; Filed, September 21, 1942; 3:27 p. m.]

INDIANA

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION III—INDIANA

Daviess County. Locality I—consisting of Barr township, $4,730. Locality II—consisting of Bogard township, $6,719. Locality III—consisiting of Elmore township, $9,332. Locality IV—consisting of Steele township, $12,942. Locality V—consisting of Veale township, $5,808. Locality VI—consisting of Washington township, $8,983. Locality VII—consisting of Madison and Van Buren townships, $3,076. Locality VIII—consisting of Harrison and Reeve townships, $2,808.

Elkhart County. Locality I—consisting of Baugo, Benton, Clinton, Concord, Elkhart, Harrison, Jackson, Jefferson, Locke, Middlebury, Olive, and Union townships, $8,034. Locality II—consisting of Cleveland, Osolo, Washington, and York townships, $4,874.

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: September 14, 1942.

[SEAL] J. O. WALKER,
Acting Administrator.

[F. R. Doc. 42-9381; Filed, September 21, 1942; 3:27 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4777]

GARMENT BOX MANUFACTURERS ASSOCIATION, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of September, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, September 29, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9396; Filed, September 22, 1942; 11:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 3 Under Revised Price Schedule 20, as Amended—Copper Scrap and Copper Alloy Scrap—Docket 3020-4]

NON-FERROUS ALLOY CO.

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended,—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) Non-Ferrous Alloy Co. of Oakland, California, may pay and any person may charge Non-Ferrous Alloy Co. of Oakland, California, the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper or No. 2 Copper Wire or Mixed Heavy Copper in briquettes provided for in § 1309.71 (f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 3 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) Any relief requested by the Non-Ferrous Alloy Co. of Oakland, California, in its petition for exception not specifically granted by this Order No. 3 is hereby denied.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 3 shall become effective September 22, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9360; Filed, September 21, 1942; 12:04 p. m.]

[Order 44 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-186]

TREASURE COAL COMPANY, INC.

ORDER DENYING ADJUSTMENT OR EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, it is hereby ordered that the petition for adjustment or exception of the Treasure Coal Company, Inc., Bartonville, Illinois, be and it hereby is, denied.

(a) This Order No. 44 shall become effective September 22, 1942.

Issued this 21st day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9359; Filed, September 21, 1942; 12:04 p. m.]

*Copies may be obtained from the Office of Price Administration.

[Suspension Order 10]

ISIDORE FRUMKIN AND FRUMKIN TIRE COMPANY

ORDER RESTRICTING TRANSACTIONS

Isidore Frumkin doing business as Frumkin Tire Company, 818 Jefferson Avenue and 2018 Adams Avenue, Toledo, Ohio, hereinafter called respondent, was duly served with a notice of specific charges of violations of Supplementary Order M-15-c issued by the Office of Production Management, the Tire Rationing Regulations and the Revised Tire Rationing Regulations issued by the Office of Price Administration. Pursuant to said notice, a hearing upon such charges was held in Toledo, Ohio, on August 20, 1942. There appeared a representative of the Office of Price Administration and the respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator,

It is hereby determined that:

1. At all times mentioned herein, respondent has been engaged in selling new tires and tubes and recapped and retreaded tires to consumers, commercial accounts, and to persons buying for purposes of resale.

2. Respondent has violated § 1315.803 of Tire Rationing Regulations and § 1315.1003 of the Revised Tire Rationing Regulations in that:

(a) He failed on January 31, 1942, February 28, 1942, and April 30, 1942 to take an inventory of all new tires and tubes and retreaded or recapped tires in his possession or control and to keep records thereof;

(b) He has failed to maintain a complete file of the certificates presented by persons to whom he made sales of new tires and tubes or retreaded or recapped tires during the period from December 30, 1941, to June 30, 1942.

3. Respondent has violated § 940.4 (i) of Supplementary Order M-15-c, § 1315.806 of the Tire Rationing Regulations and § 1315.1007 of the Revised Tire Rationing Regulations in that respondent failed to keep and preserve accurate and complete records concerning his inventories and sales of new tires and tubes.

4. Respondent has violated § 1315.801 (d) (5) of the Revised Tire Rationing Regulations in that he has failed to keep a complete record of the serial numbers of certificates received by him in the transfer of new tires and tubes to retailers and distributors during the period between February 19, 1942, and June 30, 1942.

5. Respondent transferred 454 tires and 557 tubes during the period between March 27, 1942, and June 30, 1942, in violation of §§ 1315.401 and 1315.801 of the Revised Tire Rationing Regulations.

6. Respondent has violated § 940.4 (c) of Supplementary Order M-15-c and § 1315.401 of the Tire Rationing Regulations in that between the dates of January 3, and February 18, 1942, respondent sold and delivered 8 new tires and 8 new tubes to a consumer without receiving tire rationing certificates or other documents required by Supplementary Order M-15-c and the Tire Rationing Regulations.

7. Respondent has violated § 940.4 (c) of Supplementary Order M-15-c, § 1315.401 of the Tire Rationing Regulations and §§ 1315.401 and 1315.801 of the Revised Tire Rationing Regulations in that in 30 instances (other than those referred to in paragraphs 5 and 6 herein) between January 30, and June 23, 1942, respondent sold and transferred new tires and tubes to consumers, dealers, and distributors without receiving rationing certificates or parts B of rationing certificates therefor at the time of each such transaction. At the time of the hearings herein, respondent had not received parts B of rationing certificates for 139 tires and 100 tubes delivered by him to a distributor on or about June 12, 1942.

8. Respondent has violated § 1315.801 of the Tire Rationing Regulations in that on or about May 21, 1942, he purchased and received from the Mansfield Tire and Rubber Company, Mansfield, Ohio, a manufacturer, 121 new tubes without delivering to said manufacturer at or before the time of the transaction, parts B of tire rationing certificates for said tubes.

The violations by respondent of Supplementary Order M-15-c, the Tire Rationing Regulations, and the Revised Tire Rationing Regulations, as set forth in the preceding paragraphs have interfered with the effective administration of the tire rationing program and have resulted in the diversion of over 600 tires and over 600 tubes from military and essential civilian uses to non-essential uses, in a manner contrary to the public interest and detrimental to national defense. And it appearing to the Deputy Administrator from the evidence before him that further violations of the Revised Tire Rationing Regulations by respondent are likely unless appropriate administrative action be taken, *It is, therefore, ordered:*

(a) During the period in which this Suspension Order No. 10 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source, any new tires or tubes or any recapped or retreaded tires.

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer or deliver to respondent any new tires or tubes or any recapped or retreaded tires.

(3) Respondent shall not sell, transfer, deliver or otherwise deal or trade in any new tires or tubes or recapped or retreaded tires: *Provided, however*, That during the period of this Suspension Order No. 10 shall be in effect respondent may, subject to the prior approval of and to supervision by the Regional Administrator of Region III of the Office of Price Administration, sell his present stock of new tires and tubes and retreaded and recapped tires to any dealer, distributor, wholesaler, or manufacturer or any agency of the United States.

(b) Any terms used in this order that are defined in the Revised Tire Rationing Regulations shall have the meaning therein given them.

(c) This Suspension Order No. 10 shall become effective October 4, 1942, and, unless sooner terminated, shall expire at 12:01 A. M., October 4, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9128 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925); OPM Supplementary Order No. M-15-c (6 F.R. 6792))

Issued this 19th day of September 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42-9391; Filed, September 21, 1942; 5:07 p. m.]

SEP 26 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 188

Washington, Thursday, September 24, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter G—Regional Agricultural Credit Corporations

PART 95—LOANS—SPECIAL AREAS

WENATCHEE, WASHINGTON BRANCH OFFICE

Amendment of the rules and regulations governing the extension of credit by the Wenatchee, Washington Branch Office.

Whereas by order of the Governor of the Farm Credit Administration promulgated pursuant to section 33, 50 Stat. 717, 12 U.S.C. 1148c, the Regional Agricultural Credit Corporation of Salt Lake City, Utah, will be merged with the Regional Agricultural Credit Corporation of Washington, D. C., effective as of the close of business October 31, 1942, and the Wenatchee Branch Office of the former will continue to operate thereafter as the Wenatchee Branch Office of the latter;

Section 95.1 of Title 6, Code of Federal Regulations, as amended,[1] is further amended, effective as of that date, by substituting "The Wenatchee Branch of the Regional Agricultural Credit Corporation of Washington, D. C.," in place of "The Wenatchee Branch of the Regional Agricultural Credit Corporation of Salt Lake City, Utah."

In all other respects Part 95 of Title 6, Code of Federal Regulations, as amended, will be applicable to the extension of credit by the Wenatchee Branch of the Regional Agricultural Credit Corporation of Washington, D. C.

[SEAL] C. C. JACOBSEN,
Director.

[F. R. Doc. 42-9422; Filed, September 22, 1942; 3:26 p. m.]

[1] 6 F.R. 4485.

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 201—DISCOUNTS FOR AND ADVANCES TO MEMBER BANKS BY FEDERAL RESERVE BANKS

CERTAIN FEDERAL AGENCIES EXCEPTED FROM NEGOTIABILITY REQUIREMENT

Section 201.1 (h) is amended, effective September 18, 1942, by adding at the end thereof the following sentence:

§ 201.1 *Discount of notes, drafts, and bills of member banks.*

* * * * *

(h) *Determination of eligibility.* * * * The requirement of this section of the regulation that a note, draft or bill of exchange be negotiable shall not be applicable with respect to any note, draft or bill of exchange evidencing a loan which is in whole or in part the subject of a guarantee or commitment by the War Department, Navy Department, or United States Maritime Commission pursuant to Executive Order No. 9112.[1]

(Sec. 3, 48 Stat. 163, sec. 3, 40 Stat. 234, 42 Stat. 821, sec. 204, 49 Stat. 703; sec. 11 (i), 38 Stat. 262, sec. 402, 42 Stat. 1478, 1479, 45 Stat. 975, 46 Stat. 162, sec. 403, 42 Stat. 1479, sec. 9, 48 Stat. 180, sec. 16 (a), 48 Stat. 348, sec. 7 (a), 48 Stat. 646, 39 Stat. 753, sec. 5, 40 Stat. 235, 39 Stat. 754, sec. 404, 42 Stat. 1479, sec. 5, 47 Stat. 160, sec. 10, 40 Stat. 239, sec. 505 (b), 48 Stat. 1263; 12 U. S. C. 301, 330, 12 U. S. C., Sup. 347b, 12 U. S. C. 248 (i), 343, 347, 361, 372, 373, 348–349, 351, 352, 374, 371).

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 42-9433; Filed, September 23, 1942; 10:03 a. m.]

[1] 7 F.R. 2367.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[Public Circular 19 [1]]

AMENDMENT OF GENERAL LICENSES AND GENERAL RULINGS

SEPTEMBER 22, 1942.

Public Circular under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With The Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(1) General License No. 4 is hereby amended by the addition of the following paragraph to the end thereof:

Securities issued or guaranteed by the Government of the United States or any state, territory, district, county, municipality or other political subdivision thereof (including agencies and instrumentalities of the foregoing) need not be sold on a national securities exchange: *Provided*, That such securities are sold at market value and pursuant to all other terms and conditions prescribed in this general license.

(2) General License No. 5 is hereby amended to read as follows:

(1) A general license is hereby granted authorizing the payment from any blocked account to the United States or any agency or instrumentality thereof, or to any state, territory, district, county, municipality, or political subdivision in the United States, of customs duties, taxes, and fees payable thereto by the owner of such blocked account.

(2) Banking institutions within the United States making any single payment in excess of $1,000, pursuant to the terms of this general license, shall file promptly with the appropriate Federal Reserve Bank a report setting forth the details of such transaction.

(3) General License No. 20 is hereby amended by deleting the second paragraph thereof.

(4) The definition of the term "generally licensed trade area" in paragraph (3) (a) of General License No. 53 is hereby amended in the following respects:

(a) Insert "the Faroe Islands" as a separate item between the item whose text is "the Union of Soviet Socialist Republics" and the item whose text is "the Netherlands West Indies."

(b) Delete "Syria and Lebanon", and in lieu thereof, substitute "(1) Syria and Lebanon; and (2) the New Hebrides Islands".

(5) General License No. 11A and General License No. 77 are hereby revoked.

(6) General Ruling No. 11 is hereby amended in the following respects:

(a) In the definition of "enemy national" in paragraph (2) (a) (i) of such general ruling, delete the words "(Germany, Italy, and Japan) and the Governments of Bulgaria, Hungary, and Rumania", and in lieu thereof, substitute the words "(Germany, Italy, Japan, Bulgaria, Hungary, and Rumania)".

(b) In the definition of "enemy territory" in paragraph (2) (b) (1) of such general ruling, delete the words "and Japan" and in lieu thereof substitute the words "Japan, Bulgaria, Hungary, and Rumania".

(7) General License No. 13 is hereby amended by the deletion of the word "Rangoon" from section (b) of paragraph (1) thereof.

(8) General License No. 66 was amended on December 7, 1941, by deleting sections (d), (e), and (f) thereof.

(9) General License No. 69 was amended on December 7, 1941, by deleting sections (b), (c), and (d) thereof. In view of such amendment, General License No. 69 is hereby amended to read as follows:

A general license is hereby granted licensing as a generally licensed national the San Francisco office of the Bank of Canton.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941; E.O. 8832, July 26, 1941; E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9442; Filed, September 23, 1942; 11:01 a. m.]

[1] This public circular affects Parts 131 and 132 and appendices to those parts.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1613]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
[1] 368	Barton, B. B.	M. L. Fortney	11	30	Bevier	L&N.
[1] 811	Brown, Noble	Geibel	9	10	Greenville	IC.
[1] 1032	Chandler, Stovall & Ragland (Daniel Ragland).	Wilkins No. 2	11	10	Depoy	IC.
[1] 969	Furgerson & Morris (Dell Furgerson).	Pleasant Ridge	9	40	Nortonville [2]	L&N-IC.
[1] 686	Hardin & Barnett (Bill Hardin)	Briggs (Wilhite)	9	10	Whitesville	IC.
[1] 648	Manire, B. L.	Manire #3	9	40	Nortonville [3]	L&N-IC.
[1] 704	Phillips, Lee	Little Hector	9	40	Owensboro	L&N-IC.
[1] 1037	Tapp, Robert	Tapp #2	11	30	Nebo	L&N.
[1] 646	Harris, Henry	Harris	9	30	Bevier [3]	L&N.
[4] 1033	West Prong Coal Company c/o E. W. Holt.	West Prong	Stray	10	Beaver Dam	IC.

[1] The f. o. b. mine prices for coal shipped by Mine Index Nos. 368, 811, 1032, 969, 686, 646, 648, 704, 1037 to any market area in any size group and for any use including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Minimum Price Schedule for District No. 9, for All Shipments Except Truck.

[2] Shipping Point St. Charles, Ky., Freight Origin Group 10 is no longer applicable.

[3] Shipping Point DePoy, Ky., Freight Origin Group 10 is no longer applicable.

[4] The f. o. b. mine prices for coal shipped by Mine Index No. 1033 to any market area for any use, including Railroad Locomotive, for size groups 1 to 4, inclusive, shall be the same as the prices shown for Sentry Coal Mining Co., Sentry Mine, Mine Index No. 72, in Price Schedule No. 1 for District No. 9, for All Shipments Except Truck; for size groups 5 to 29, inclusive, the prices shall be the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Minimum Price Schedule for District No. 9 for All Shipments Except Truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index name	Mine index No.	Mine	Seam	Prices and size group Nos. 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	26, 27	28, 29
BUTLER COUNTY																
Dewcese, Shirley	1030	Dewcese	Stray	235	225	215	175	170	160	160	150	140	110	50	120	115
West Prong Coal Co. c/o E. W. Holt.	1033	West Prong	Stray	235	225	215	175	170	160	160	150	140	110	50	120	115
HOPKINS COUNTY																
Tapp, Robert	1037	Tapp #2	#11	205	195	185	175	170	160	160	150	140	110	50	120	115
MUHLENBERG COUNTY																
Chandler, Stovall & Ragland (Daniel Ragland).	1032	Wilkins #2	#11	205	195	185	175	170	160	160	150	140	110	50	120	115

[F. R. Doc. 42-9404; Filed, September 22, 1942; 12:42 p. m.]

[Docket No. A-1533]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting additional temporary relief and conditionally providing for additional final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party requesting the establishment, both temporary and per-

manent, of price classifications and minimum prices for the coals of certain mines in District No. 15.

A reasonable showing of necessity having been made for the granting of the relief prayed for by the petitioner, an Order Granting Temporary Relief and Conditionally Providing for Final Relief was issued in this matter on August 22, 1942, 7 F.R. 6931. However, certain price classifications and minimum prices proposed by petitioner for coals in Size Group 13 produced in Production Group 4 in District No. 15 were inadvertently omitted from the above-mentioned Order. Petitioner requests that the minimum prices proposed for coals in Size Group 13 be made subject to the final determinations in Docket No. A–1497 and General Docket No. 21. The final order was issued in Docket No. A–1497 on July 29, 1942, 7 F.R. 6253, granting the minimum price revisions prayed for in the original petition in that matter. Accordingly, the minimum prices set forth in the attached schedule marked Supplement R–II for coals in Size Group 13 for shipment by rail to Market Areas 75 and 78 have been increased in amounts sufficient to maintain the established price relationship with coals in other size groups produced in Production Group 4 in District No. 15. The minimum prices established herein for coals in Size Group 13 in Production Group 4 in District No. 15 are likewise subject to appropriate order in General Docket No. 21.

Now, therefore, it is ordered, That pending final disposition of the above-entitled matter temporary relief is granted as follows: Commencing forthwith, § 335.6 (*Schedule of delivered differentials*) is amended by adding thereto Supplement R–I, and § 335.7 (*General prices; domestic, commercial and industrial coal schedule*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

§ 335.6 *Schedule of delivered differentials*—Supplement R–I. Section 335.6 of Minimum Price Schedule for District No. 15 for All Shipments Except Truck shall be amended by adding thereto the following:

From product group	Base group	Domestic and commercial size group 13 washed screenings	Industrial size group 13 washed screenings
No. 4	No. 1 as Base	−30	−30
	No. 2 as Base	−15	−15
	No. 3 as Base	−15	−15

§ 335.7 *General prices; domestic, commercial and industrial coal schedule*—Supplement R–II. Section 335.7 of Minimum Price Schedule for District No. 15 for All Shipments Except Truck shall be amended by adding thereto the following:

Section No. in minimum price schedule	To market area No.	From production group No.	Domestic and commercial size group 13 washed screenings	Industrial size group 13 washed screenings
§ 335.7	69	4	190	180
§ 335.7	70	4	185	185
§ 335.7	72–73	4	220	220
§ 335.7	75	4	208	175
§ 335.7	78	4	180	(*)
§ 335.7	208–210 and 211	4	175	145
§ 335.7	209	4	183	150

*Previously classified. No change requested.

[F. R. Doc. 42–9405; Filed, September 22, 1942; 12:43 p. m.]

[Docket No. A–1592]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT No. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 335.8 (*Special prices*—(a) *Oklahoma "smithing coal" from Production Group No. 12*) is amended by adding thereto Supplement R–II, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 14, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

§ 335.5 *Alphabetical list of code members*—Supplement R–I

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in

§ 335.5 *Alphabetical list of code members*—Supplement R–I

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

RAIL

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group														
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Hicks, A. L.	1634	Hicks No. 3	12	Briartown, Okla.	MV	50	Special Purpose Coal—Blacksmithing (See § 335.8(a) Supplement R-II)														
Nejedly, Frank	1630	Klondike	3	Moberly, Mo.	Wabash	111	A	A	A	A	C	C	C	C	A	C	A	A	------	A	A
New Diamond Coal Company, The (C. M. Blair).	865	New Diamond	1	Arcadia, Kans.	St. LSF	146	A	A	A	A	A	A	A	A	A	A	A	A	------	A	A
Nichols, Everett (Randolph County Coal Co.).	1622	Sugar Creek Valley	3	Huntsville, Mo.	Wabash	111	A	A	A	A	C	C	C	C	A	C	A	A	------	A	A
Western Coal & Mining Company	136	No. 24	1	Arma, Kans.	MP	144	A	(*)	A	A	A	A	A	A	A	A	A	A	------	(*)	A

*Size groups Nos. 2 and 14 classified in Price Schedule No. 1—Rail.
"A" is Market Area list price as listed in Price Schedule No. 1: C, minus 10 cents from list price.

§ 335.8 *Special prices*—(a) *Oklahoma "smithing coal" from Production Group No. 12*—Supplement R–II. Special purpose coal schedule—Part 2 (§ 335.8 (a) of Minimum Price Schedule) Oklahoma "Smithing Coal" from Production Group No. 12.

[Minimum prices f. o. b. mine for coal shipped by rail to destinations as shown]

Size	To Minneapolis & St. Paul, Minn. & M. A. No. 40	To all other destinations
Crushed Mine Run—bulk	465	500
Crushed Mine Run—sacked	[1] 615	[1] 650
Lump—Over 2½"	515	550

[1] 130 cents per ton may be deducted when buyer furnishes sacks.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index name	Mine index No.	Mine	Production group No.	County	3" lump	3" up	10" x 1½"	10" x 1¼"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x	1¼" x ⅜"	1¼" x ¼ (R)	1¼" x 0 (W)	1¼" x 0 (R)	¼" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Gifford, Everett	1624	Turkey Creek Valley	3	Callaway, Mo.	230	230	230	230	215	205	195	185	210	180	185	170	------	110	35
Hicks, A. L.	1634	Hicks No. 3	12	Muskogee, Okla.	------	550	------	------	------	------	------	------	[1] 500	------	------	------	------	------	------
Nejedly, Frank	1630	Klondike	3	Randolph, Mo.	230	230	230	230	215	205	195	185	210	180	185	170	------	110	35
Nichols, Everette (Randolph County Coal Co)	1622	Sugar Creek Valley	3	Randolph, Mo.	230	230	230	230	215	205	195	185	210	180	185	170	------	110	35
Sims Brothers (Mathew Sims)	1395	Sims	3	Boone, Mo.	230	230	230	230	215	205	195	185	210	180	185	170	------	110	35
Sweetwood, Louis S.	1633	------	6	Franklin, Kans.	345	345	345	345	------	------	------	------	345	335	335	335	------	------	------
Trussell, D. D. (c/o Jno. Sullivan)	1632	Turtle #1	3	Howard, Mo.	230	230	230	230	215	205	195	185	210	180	185	170	------	110	35

[1] When sacked price of $6.50 per ton applies from which $1.30 may be deducted when buyer furnishes sacks.
NOTE: Prices shown for Production Group No. 3 in Size Groups Nos. 5, 6, 7, 8 and 10 are for washed coal; when these sizes are unwashed, they may be sold for 10¢ less than the prices shown.

[F. R. Doc. 42–9406; Filed, September 22, 1942; 12:43 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 58]

DELAWARE STATE HOSPITAL PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Delaware State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 58. Said project, located at Farnhurst, New Castle County, Delaware, will be the base of operations for work at the Delaware State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Delaware State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent of the Delaware State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Delaware State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 18, 1942.

[F. R. Doc. 42-9407; Filed, September 22, 1942; 1:46 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment of Directive No. 7]

COMMODITY CREDIT CORPORATION

AUTHORITY OVER VEGETABLE OIL SEEDS

Paragraph (d) of § 903.12 (Directive No. 7[1]), issued the 15th day of August, 1942, is hereby amended to read as follows:

(d) Nothing herein contained shall be construed to limit or modify any order or directive heretofore issued by the Director of Priorities of the Office of Production Management, or the Director of Industry Operations of the War Production Board, or the Director General for Operations of the War Production Board, or the Board of Economic Warfare, nor to delegate to Commodity Credit Corporation the power to extend, amend, or modify any such order or directive, nor to terminate or limit the power of the Director General for Operations to issue future orders regulating transactions in vegetable oil seeds and oilseed products. The authority hereby delegated shall be exercised in conformity with any such order or directive heretofore or hereafter issued.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22nd day of September 1942.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 42-9430; Filed, September 22, 1942; 4:59 p. m.]

[1] 7 F.R. 6518.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13 as Amended to September 23, 1942]

SPECIAL SALES OF IDLE OR FROZEN MATERIALS

§ 944.34 *Priorities Regulation 13*[1]—(a) *Purpose.* The purpose of this regulation is to provide uniform rules governing special sales of idle or excess materials by persons who are not regularly engaged in the business of selling such materials, including distress and liquidation sales and sales by persons who, by reason of the effect of priority orders or for other reasons, cannot use such materials in the regular course of their business. This regulation does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation.

(b) *Definitions:* For the purposes of this regulation:

(1) "Sale" of a material includes any public or private sale, auction sale, sale upon foreclosure of any lien or mortgage, or delivery of such material in exchange for money or for any other material and the sale of any warehouse receipt, bill of lading or other document evidencing an interest in such material, but does not include the pledge or mortgage or other creation of any lien upon such material or the transfer of possession of such material without any transfer of title.

(2) "Special sale" means any sale except that:

(i) A sale of any material by any person who regularly in the course of his business sells such material in the same form is not a special sale. For the purpose of this subparagraph, the following classes of sales shall not be deemed to be made by a person who regularly sells material in the course of his business: a sale by any receiver, trustee in bankruptcy, public official or other person acting in a fiduciary or representative capacity (except when made in the course of carrying on the business of an insolvent or bankrupt person or other person whose business is in the hands of such fiduciary or representatives), or any other sale made in the course of liquidating a business or the assets of a business;

(ii) A sale of any material which is being rationed at the retail level by the Office of Price Administration or any other governmental agency is not a special sale;

(iii) A sale of any tool, machinery, or other assembled commercial, industrial, production, agricultural, or household equipment is not a special sale;

(iv) A sale of material which is in the form in which it is used by ultimate consumers thereof and which does not require, in order to be so used, to be further processed or assembled with other materials or made part of a building or other structure is not a special sale;

(v) A sale of foodstuffs, medicines, and other materials for internal human consumption is not a special sale.

(3) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(4) "War material" means any material consisting in whole or in substantial part of one or more materials listed in Schedule A attached.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) "Single lot" of material means all material of the same size and specification at the same location.

(7) "Director" means the Director General for Operations or the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management.

(c) *Permitted special sales.* (1) Subject to paragraph (e) of this regulation, any person may make a special sale of any material other than a war material without restriction.

(2) Subject to paragraph (e) of this regulation, any person may make a special sale of any war material if the sale falls within one of the following categories, and no person may make any special sale of any war material if such sale does not fall within one of the following categories:

[1] 7 F.R. 5167, 5604.

(i) A sale to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy Department, War Department, Board of Economic Warfare, Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended; or

(ii) A sale pursuant to a specific authorization of the Director naming the seller and identifying the particular sale to be made; or

(iii) A sale of a single lot of war material (other than a war material listed in Schedule B attached) at an aggregate price of less than $100. This exception does not permit the dividing of a single lot having a value of over $100 into smaller lots and selling such smaller lots for less than $100 under this subparagraph.

(iv) A sale to any person falling within a class indicated on Schedule A attached as being a class to whom the particular war material may be sold: *Provided,* That when any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one war material, the sale shall be made only to a person to whom all such contained war materials may be sold. A sale of a plated item shall be governed by the basic material, disregarding the plating.

(3) In addition to the provisions of paragraph (c) (2) above, any person may, subject to paragraph (e) of this regulation, make a special sale of any war material to another person engaged in the same business as the seller if an order or other action of the Director applicable generally to persons engaged in such business expressly permits such a sale.

(d) *Intra-company transfers.* Any person may transfer, otherwise than by sale, any material to another department, branch division or section of his business or to a wholly owned subsidiary or affiliate or to another person under common ownership or control, provided such transfer would be a special sale if made for a consideration and such special sale would have been permitted under this regulation.

(e) *Effect on other orders and regulations.* (1) Any sale which is not a special sale shall remain subject to the provisions of all applicable orders and regulations.

(2) The provisions of this regulation shall control all special sales although inconsistent with any order or regulation of the Director heretofore issued and although inconsistent with any order or regulation of the Director hereafter issued unless such order or regulation expressly provides to the contrary. Notwithstanding any provision of any such order or regulation which permits such sale, no special sale shall be made if forbidden by the provisions of this regulation; and any special sale permitted by the provisions of this regulation may be made, and deliveries thereunder accepted by the buyer, despite any provision of any such order or regulation forbidding the same except that:

(i) Nothing in this regulation shall affect any provision contained in any order or regulation of the Director which imposes any quota or other limitation on the amount any buyer may purchase, receive or produce, or which imposes any limitations on the amount of inventory of any person or any restrictions upon the use of any material; and

(ii) This regulation shall not affect any provision of any applicable order or regulation of the Director requiring a buyer to make any reports or to furnish any information in connection with a purchase; and

(iii) No seller shall make any special sale if he knows or has reason to believe that the purchase or acceptance or delivery by the buyer would violate any inventory or quota restrictions imposed on the buyer by any order or regulation or that the buyer is acquiring the material for a use which would be in violation of any order or regulation.

(f) *Records.* Any person making any special sale must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such sale. Such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of September 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Explanatory Note: This schedule relates only to special sales made under paragraph (c) (2) (iv) of this regulation. Any purchaser of materia through a special sale must comply with all inventory, quota, and use restrictions imposed by all other orders and regulations.

When an alloyed material, or a physically or chemically compounded material, is shown in this table, the conditions that govern the sale of the alloyed or compounded material are those shown for the alloy or compound and not those shown for the constituent elements or parts. For example, the conditions under which stainless steel may be sold are those shown for the war material "Stainless Steel" and not those shown for "Chromium" or "Nickel" or "Steel". When any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one war material, the sale shall be made only to a person to whom all such contained war materials may be sold. Plated items are governed by the basic material, disregarding the plating.

The word "No" appearing in any column in this schedule means that a holder may not sell the particular war material to any person in the class to which that column applies unless the sale is otherwise permitted by this regulation.

The letters "PR" mean Preference Rating, and wherever they appear in any column, mean that the holder may sell the particular war material to any person in the class to which that column applies, but *only* provided that such person places with the holder an order for the material bearing a duly applied or extended preference rating equal to or higher than the rating shown immediately after the letters "PR". For example, "PR A-1-k", which appears opposite the war material "Nickel" in the column headed "Users permitted to buy for an authorized use" means that the holder may sell to any user who places an order for a product containing nickel if that order bears a duly applied or extended preference rating of A-1-k or higher.

The letters "W. O. P." mean "Without Preference Rating" and wherever they appear in any column mean that the holder may sell

the particular material to any person in the class to which that column applies without any preference rating from the buyer.

The letter "X" means "not applicable". Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS						
Alloy steel (see Steels).						
Aluminum:						
Aluminum	W.O.P.	No	W.O.P.*	W.O.P.*	No	*Only to approved reprocessors and wholesale dealers. Lists available at WPB offices.
Powder as pigment*	W.O.P.	No	X	W.O.P.	W.O.P.	*When used for paste or paint.
Paint (see Paint).						
Scrap*	W.O.P.	No	W.O.P.**	X	W.O.P.	*Subject to limitations in M-1-d on sale of certain segregated scrap. **Only to approved reprocessors. Lists available at WPB offices.
Antimony:						
Antimony	W.O.P.	No	No	W.O.P.	No	
Chemicals (see Chemicals).						
Antimonial lead (see Lead).						
Scrap	W.O.P.	No	W.O.P.	X	W.O.P.	
Babbitt (see Tin).						
Beryllium (including scrap).	W.O.P.	No	No	W.O.P.	W.O.P.*	*Only when sold as scrap.
Brass (see Copper).						
Brass mill scrap (see Copper).						
Brass and wire mill products (see Copper).						
Bronze (see Copper).						
Cadmium:						
Cadmium	W.O.P.	No	No	W.O.P.	No	
Chemicals (see Chemicals).						
Scrap	W.O.P.	No	No	X	W.O.P.	
Carbon steel (see Steels.						
Cast iron products (see Iron).						
Chromium						
Chromium	W.O.P.	No	X	W.O.P.	No	
Chemicals (see Chemicals).						
Scrap	W.O.P.	PR A-1-k	W.O.P.	X	W.O.P.	
Cobalt:						
Cobalt (including scrap).	W.O.P.	No	X	W.O.P.	W.O.P*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Copper:						
Copper ingots and refinery shapes.	W.O.P.	No	X	W.O.P.*	No	*Only to persons holding allocation certificates or specific authorization to buy.
Copper base alloy ingots (40% or more copper by weight).	W.O.P.	No	X	W.O.P*	No	This note applies only to places where asterisk appears.
Brass & wire mill products.	W.O.P.	PR A-1-a	X	W.O.P*	No	

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS—Con.						
Copper—Continued.						
Insulated wire	W.O.P.	PR A-1-a	X	W.O.P.	No	
Copper & copper base alloy foundry products.	W.O.P.	PR A-1-a	X	W.O.P*	No	
Brass mill scrap	W.O.P.**	No	X	X	W.O.P.	**Only to brass mills.
Other scrap	W.O.P.*	No	X	X	W.O.P.	
Copper chemicals (see chemicals).						
Electrical resistance material*.	W.O.P.	No	X	No	No	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. *May be sold as provided for principal nonferrous element.
Ferroalloys*						
Inconel (see Nickel).						
Iridium (including scrap).	W.O.P.	W.O.P.*	W.O.P.	W. O. P.	W.O.P.**	*Cannot be used for jewelry. **Only when sold as scrap.
Iron:						
Alloy iron castings*	W.O.P.	PR A-1-k	W.O.P.	X	W.O.P.	*Does not include materials commonly known as "ferro-alloys", listed in Priorities Regulation No. 11 as "ferro-alloying agents".
Pig iron	W.O.P.	No	No	No	No	
Wrought iron	W.O.P.	PR A-9	W.O.P.	W.O.P.	No	
Cast iron products	W.O.P.	PR A-9	W.O.P.	W.O.P.	No	
Alloy iron scrap	W.O.P.	No	W.O.P.	X	W.O.P.	
Other iron scrap	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Lead:						
Lead	W.O.P.	W.O.P.	W.O.P.	W.O.P.	No	
Antimonial lead	W.O.P.	W.O.P.	W.O.P.	W.O.P.	No	
Scrap	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Magnesium (including scrap).	W. O. P.*	No	W. O. P.*	W. O. P.	No	*Only to approved reprocessors. Lists available at WPB offices.
Mercury:						
Mercury	W. O. P.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Mercury chemicals (see Chemicals).						
Molybdenum:						
Molybdenum (including scrap).	W. O. P.	No	No	W. O. P.	W. O. P.*	*Only when sold as scrap.
Monel (see Nickel).						
Nickel:						
Nickel (including Monel and inconel).	W. O. P.	PR A-1-k	No	W. O. P.	No	
Solutions and salts (see Chemicals).						
Scrap	W.O.P.	PR A-1-k	W.O.P.	X	W.O.P.	
Nickel steel (see Steels).						
Pig iron (see Iron).						
Platinum:						
Platinum (including scrap).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Rhodium (including scrap).	W.O.P.	W.O.P.*	W.O.P.	W.O.P.	W.O.P.**	*Cannot be used for jewelry. **Only when sold as scrap.
Silver:						
Silver	W.O.P.	PR A-3	W.O.P.	W.O.P.	W.O.P.	
Solder	W.O.P.	PR A-9	W.O.P.	W.O.P.	W.O.P.	
Stainless steel (see Steels).						
Steels:	*For definition of "single lot" see paragraph (b) (6) of regulation.*					
Carbon steel in any single lot of over 5 short tons.*	W.O.P.	PR AA-2x	No	PR AA-2x	No	*Any holder who has a single lot of more than 5 tons may not sell any part of the lot except in accordance with conditions applying to the whole lot.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I—METALS—Con.						
Carbon steel in any single lot of 5 short tons or less:						
Plates*	W.O.P.	PR A-1-a	No	W.O.P.	No	*As defined in M-21-c.
Rails	No	No	No	No	No	
Structural	W.O.P.	PR A-1-a	No	W.O.P.	No	
Carbon tool steel	W.O.P.	PR A-1-a	No	W.O.P.	No	
Bookbinding and stapling wire	W.O.P.	PR A-1-k	W.O.P.	PR A-1-k	W.O.P.*	*Only when sold as scrap.
Tin mill black plate	W.O.P.	PR A-10	W.O.P.	W.O.P.	No	
Other carbon steel	W.O.P.	PR A-1-a	No	W.O.P.	No	
Carbon steel scrap in any quantity	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
Alloy steel* in any single lot of over 2,000 pounds.**	W.O.P.	PR AA-2x	No	PR AA-2x	No	*As defined in M-21-a. **Any holder who has a single lot of more than 2000 pounds may not sell any part of the lot except in accordance with conditions applying to the whole lot.
Alloy steel* in any single lot of 2,000 pounds or less	W.O.P.	PR A-1-a	W.O.P.	W.O.P.	No	
Alloy steel scrap in any quantity	W.O.P.	No	No	X	W.O.P.	
Tantalum (including scrap)	No	No	X	No	No	
Terne plate	W.O.P.	PR A-10	W.O.P.	W.O.P.	No	
Terne plate scrap	W.O.P.	No	W.O.P.	X	W.O.P.	
Tin:						
Tin	No	No	No	No	No	
Babbitt	W.O.P.	PR A-9	W.O.P.	W.O.P.	W.O.P.	
Tin solder (see Solder).						
Chemicals (see Chemicals).						
Foil	W.O.P.	W.O.P.	No	W.O.P.	No	
Scrap	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Tin mill black plate (see Steels).						
Tin plate	W.O.P.	PR A-10	W.O.P.	W.O.P.	No	
Tin plate scrap	W.O.P.	No	W.O.P.	X	W.O.P*	*Subject to limitations of M-24-a.
Tool steel (see Steels).						
Tungsten:						
Tungsten (including scrap).	W.O.P.	No	No	W.O.P.	W.O.P.*	*Only when sold as scrap.
Chemicals (see Chemicals).						
Vanadium:						
Vanadium (including scrap).	W.O.P.	No	No	W.O.P.	W.O.P.*	*Only when sold as scrap.
Welding rods and electrodes	W.O.P.	PR A-1-a	X	W.O.P.	X	
Wrought iron (see Iron).						
Zinc:						
Zinc	W.O.P.	PR A-9	W.O.P.	W.O.P.	No	
Sulphide chemicals (see Chemicals).						
Dust	W.O.P.	PR A-9	W.O.P.	W.O.P.	W.O.P.	
Scrap	W.O.P.	W.O.P.	W.O.P.	X	W.O.P.	
PART II—CHEMICALS						
Acetic anhydride	W.O.P.	W.O.P.	X	W.O.P.	X	
Acids:						
Acetic	W.O.P.	W.O.P.	X	W.O.P.	X	
Arsenious	W.O.P.	No	X	W.O.P.	X	
Naphthenic	W.O.P.	No	X	W.O.P.	X	
Nitric (including mixed)	W.O.P.	W.O.P.	W.O.P.	X	X	
Tannic USP	W.O.P.	No	X	W.O.P.	X	
Acrylonitrile	W.O.P.	No	X	W.O.P.	X	
Alcohols:						
Butyl*	W.O.P.	No	X	W.O.P.	X	*Includes Isobutyl.
Caprylic	W.O.P.	No	X	W.O.P.	X	
Ethyl* (160 proof and higher)	W.O.P.	PR A-1-k	X	W.O.P.	X	*Includes related compounds, see M-30.
Isopropyl	W.O.P.	No	X	W.O.P.	X	
Methyl (methanol)	W.O.P.	W.O.P.	X	W.O.P.	X	
Ammonia:						
By-product ammonia*	W.O.P.	No	X	W.O.P.	X	*Includes salts and solutions. *Containing 20.5 percent nitrogen or less. *Includes compounds.
Sulphate of ammonia*	W.O.P.	No	X	W.O.P.	X	
Synthetic ammonia*	W.O.P.	No	X	W.O.P.	X	
Aniline and salts	W.O.P.	No	X	W.O.P.	X	
Antimony chemicals	W.O.P.	W.O.P.	X	W.O.P.	X	

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART II—CHEMICALS—Continued						
Aromatic petroleum solvents*	W.O.P.	PR A-2	X	W.O.P.	X	*As defined in M-150.
Babassu oil (see Oils).						
Benzene	W.O.P.	No	X	W.O.P.	X	
Beryllium chemicals	W.O.P.	No	X	W.O.P.	X	
Butadiene	No	No	No	No	No	
Butyl alcohol (see Alcohols).						
Cadmium chemicals	W.O.P.	No	X	W.O.P.	X	
Calcium-silicon	W.O.P.	No	No	W.O.P.	X	
Cashew nut shell oil (see Oils).						
Chemical cotton pulp	W.O.P.	No	X	W.O.P.	X	
Chlorate chemicals	W.O.P.	No	X	W.O.P.	X	
Chlorine	W.O.P.	No	X	W.O.P.	X	
Chlorinated hydrocarbon refrigerants	W.O.P.	No	X	W.O.P.	X	
Chlorinated hydrocarbon solvents*	W.O.P.	PR A-10	W.O.P.	W.O.P.	X	*Carbon tetrachloride, chlorethylene, perchlorethylene, and ethylene dichloride.
Chlorinated rubber (see Rubber).						
Chromium chemicals	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Cobalt chemicals	W.O.P.	No	X	W.O.P.	X	
Coconut oil (see Oils).						
Copper chemicals	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Cotton pulp, chemical (see Chemical cotton pulp).						
Cyanamid	W.O.P.	No	X	W.O.P.	X	
Dichlorethyl ether	No	No	No	No	X	
Diphenylamine	W.O.P.	No	X	W.O.P.	X	
Dyestuffs (controlled by M-103)	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Ethyl acetate	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Ethyl cellulose	W.O.P.	W.O.P.	X	W.O.P.	X	
Formaldehyde (see Resins).						
Furfural	W.O.P.	No	X	W.O.P.	X	
Glycerine	W.O.P.	No*	X	W.O.P.	X	*Except holders having less than 10,000 lbs., who may sell W.O.P.
Glycols	W.O.P.	W.O.P.	X	W.O.P.	X	
Hexamethylene tetramine (see Resins).						
High lauric acid oils (see Oils).						
Lithium compounds	W.O.P.	W.O.P.	No	W.O.P.	X	
Mercury chemicals	W.O.P.	W.O.P.	X	W.O.P.	X	
Methanol (see Alcohols).						
Methyl ethyl ketone	W.O.P.	No	X	W.O.P.	X	
Naphthalene	W.O.P.	No	X	W.O.P.	X	
Naphthenates	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Naphthenic acid (see Acids).						
Nickel solutions and nickel salts	W.O.P.	PR A-1-k	W.O.P.	W.O.P.	X	
Nitrocellulose, soluble	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Oils:						
Cashew nut shell	W.O.P.	PR A-2	X	W.O.P.	X	
High lauric acid* (coconut, babassu, palm kernel, etc.)	W.O.P.	W.O.P.	X	W.O.P.	X	*Lauric acid content of 35% and over.
Palm	W.O.P.	W.O.P.	X	W.O.P.	X	
Rapeseed	W.O.P.	W.O.P.	X	W.O.P.	X	
Sperm	W.O.P.	No	X	W.O.P.	X	
Tung and oiticica	W.O.P.	PR A-2	X	W.O.P.	X	
Oiticica oil (see Oils).						
Palm kernel oil (see Oils).						
Palm oil (see Oils).						
Paraffin, chlorinated	W.O.P.	W.O.P.	No	W.O.P.	X	
Paraformaldehyde (see Resins).						
Perchlorate chemicals (see Chlorate chemicals).						
Phenols	W.O.P.	No	No	W.O.P.	X	
Phosphorous	W.O.P.	W.O.P.	No	W.O.P.	X	
Phthalic anhydride	W.O.P.	W.O.P.	X	W.O.P.	X	
Plasticisers:						
Phosphate	W.O.P.	W.O.P.	X	W.O.P.	X	
Phthalate	W.O.P.	W.O.P.	X	W.O.P.	X	

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	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART II—CHEMICALS—Continued						
Plastics:						
Unpolymerized—						
Heat reactive synthetic resins and compounds in primary forms.	W.O.P.	W.O.P.	X	W.O.P.	X	
Polymerized—						
Laminated or cast phenolic condensation products in sheet, tube or rod form.	W.O.P.	W.O.P.	X	W.O.P.	X	
Thermoplastics—Polymers of the esters of acrylic and methacrylic acid.	W.O.P.	PR A-1-a	X	W.O.P.	No	
Platinum chemicals	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Polyvinylchloride	W.O.P.	No	X	W.O.P.	X	
Potash salts	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Pyrethrum	W.O.P.	No	No	W.O.P.	X	
Pyridine	W.O.P.	No	No	W.O.P.	X	
Rapeseed oil (see Oils).						
Resins:						
Natural	W.O.P.	W.O.P.	X	W.O.P.	X	
Synthetic (and formaldehyde, paraformaldehyde, hexamethylene-tetramine).	W.O.P.	W.O.P.	X	W.O.P.	X	
Rotenone	W.O.P.	W.O.P.	X	W.O.P.	X	
Rubber, synthetic (see Rubber).						
Rutile (see Titanium pigments).						
Shellac*	No	No	X	No	X	*Does not include lac which has been bleached, cut, or incorporated in protective or other coatings.
Silica gel	W.O.P.	W.O.P.	X	W.O.P.	X	
Sodium nitrate	W.O.P.	W.O.P.	X	W.O.P.	X	
Sperm oil (see Oils).						
Synthetic resins (see Resins).						
Synthetic rubber (see Rubber).						
Tantalum chemicals	No	No	X	No	X	
Tin chemicals	W.O.P.	No	X	W.O.P.	X	
Titanium pigments	W.O.P.	No	X	W.O.P.	X	
Toluene (toluol)*	No	No	No	No	X	*As defined in M-34, Amendment 1.
Tung oil (see Oils).						
Tungsten chemicals	W.O.P.	No	X	W.O.P.	X	
Vanadium chemicals	W.O.P.	No	X	W.O.P.	X	
Vat dyes (see Dyestuffs).						
Zinc sulphide pigments	W.O.P.	W.O.P.	X	W.O.P.	X	
PART III—MISCELLANEOUS						
Agave fibre:						
Suitable for cordage	W.O.P.	No	X	W.O.P.	No	
Not suitable for cordage.	W.O.P.	W.O.P.	X	W.O.P.	W.O.P*	*Only when sold as scrap.
Binder twine*	W.O.P.	No	X	W.O.P**	W.O.P***	*Sale permitted to any person for agricultural purpose. **For resale for agricultural purpose. ***Only when sold as scrap.
Wrapping twine	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.*	*Only when sold as scrap.
Asbestos:						
Long fibre suitable for spinning or imported from South Africa.	W.O.P.	W.O.P.	X	W.O.P.	X	
All other	W.O.P.	W.O.P.	X	W.O.P.	W.O.P*	*Only when sold as scrap.
Asbestos textiles	W.O.P.	PR A-10	X	W.O.P.	W.O.P.*	*Only when sold as scrap.
Balata	No	No	No	No	X	
Balsa	W.O.P.	PR A-5	W.O.P.	W.O.P.	W.O.P.	
Blood—soluble	No	No	No	No	No	
Blood—adhesives	No	No	No	No	No	

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART III—MISCELLANEOUS—Continued						
Binder twine (see Agave fibre).						
Bristles, pigs' and hogs' (two inches and over).*	W.O.P.	PR A-10	W.O.P.	W.O.P.	W.O.P**	*New or reclaimed. **Only when sold as scrap.
Burlap and new bags	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.**	*As defined in M-47, other Burlap same as Jute Products. **Only when sold as scrap.
Cattle tail hair	W.O.P.	PR A-2	W.O.P.	W.O.P.	X	
Cork:						
Unmanufactured	W.O.P.	No	X	W.O.P.	No	
Manufactured and byproduct cork.	W.O.P.	No	No	No	No	
Corundum*	W.O.P.	No	No	W.O.P.	No	*Emery, ruby, and sapphire not included.
Cotton duck (see Duck).						
Cotton, American extra staple.*	W.O.P.	PR A-9	X	W.O.P.	No	*As defined in M-197.
Cotton, Egyptian*	W.O.P.	PR A-9	X	W.O.P.	No	*As defined in M-117.
Cotton linters*	W.O.P.	No	X	W.O.P.	X	*Of chemical grade, including all produced after Aug. 1, 1942.
Cottonseed, SXP*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	*Subject to restrictions in M-92.
Diamonds, industrial*	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.**	*Report sales as required by M-109. **Only when sold as scrap.
Duck, cotton*	W.O.P.	PR A-1-k	X	W.O.P.	W.O.P.**	*Widths 15" to 87". **Only when sold as scrap.
Frits	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Goose and duck feathers.	W.O.P.*	No	W.O.P.	No	W.O.P.**	*Only to original producer. **Only when sold as scrap.
Graphite, Madagascar flake*.	X	No	No	No	X	*Of Madagascar origin that will stand on a 35-mesh screen.
Hemp seeds*	W.O.P.	No	X	W.O.P.	X	*May be sold to person growing hemp.
Hemp, sunn*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	*As defined in M-187.
Horsehide*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.**	*Restricted to military uses. **Only when sold as scrap.
Istle	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Jewel bearing material*	W.O.P.	No	No	No	No	*Does not include processed jewel bearings.
Jute:						
Raw jute	W.O.P.	W.O.P.	X	W.O.P.	No	
Jute products*	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	*As defined in M-70.
Kapok*	W.O.P.	No	X	W.O.P.	W.O.P.**	*Except that grown in South or Central America. **Only when sold as scrap.
Kyanite, indian, crude and calcined*.	W.O.P.	No	X	No	No	*Also includes andalusite and sillimanite.
Lacquers (see Paint).						
Leather, imitation	W.O.P.	W.O.P.	X	W.O.P.	W.O.P.	
Leather,* sole	W.O.P.	W.O.P.	No	W.O.P.	W.O.P.**	*Restricted to military uses. **Only when sold as scrap.
Loofa sponges	W.O.P.	PR A-1-s	X	W.O.P.	X	
Mahogany:						
Pattern stock	W.O.P.	PR A-10	X	W.O.P.	No	
Other than pattern stock.	W.O.P.	PR A-2	X	W.O.P.	No	
Manila fibre and cordage:*						
Cordage	W.O.P.	PR A-1-k	No	PR A-1-k	No	*As defined in M-36 as amended.
Fibre	W.O.P.	W.O.P.	No	No	No	
Mica:						
Strategic	W.O.P.	W.O.P.	X	W.O.P.	No	
Splittings	W.O.P.	W.O.P.	X	W.O.P.	No	
Nutgalls	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
OD wool clips, rags and waste (see Wool).						
Paint, aluminum	W.O.P.	No	No	W.O.P.	No	
Paints, varnishes, lacquers and other protective coatings (except aluminum paint).	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Phosphate rock	W.O.P.	W.O.P.	X	W.O.P.	X	

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

War material	Classes of buyers to whom special sales of war materials may be made in accordance with this schedule, subject to paragraph (c) (2) of this regulation					Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy for an authorized use	Reprocessors who are authorized to buy	Wholesale dealers who sell the material in the form held by holder	Scrap dealers who are authorized to buy	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART III—MISCELLANEOUS—Continued						
Quartz crystals*	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	*Report sales as required by M-146.
Rubber:						
Latex and crude	No	No	No	No	No	
Compounded latex	No	No	No	No	No	
Chlorinated	W.O.P.	No	No	No	No	
Synthetic	W.O.P.	No	No	No	No	
Reclaimed	No	No	No	No	W.O.P.*	*Only when sold as scrap.
Scrap	No	No	No	X		
Rubber products:						
Cement	W.O.P.	W.O.P.	W.O.P.	W.O.P.	X	
Yarn, elastic thread and fabrics	No	No	X	No	W.O.P.*	*Only when sold as scrap.
Other products	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Silk:						
Raw	X	No	X	No	No	*As defined in M-26.
Waste, noils,* etc	X	PR A-10	X	No	No	*Restricted to military uses.
Used hosiery*	No	No	No	W.O.P.	No	
Sitka spruce logs	No	No	No	No	X	
Sole leather (see Leather).						
Teak	W.O.P.	PR A-2	X	W.O.P.	X	
Varnishes (see Paints).						
Wood pulp	W.O.P.	No	X	W.O.P.	X	
Wool:						
Wool	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.*	*Only when sold as scrap.
OD clips	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
OD rags and waste	W.O.P.	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Wrapping twine (see Agave Fibre).						

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

SCHEDULE B

This schedule lists those war materials which are excluded from paragraph (c) (2) (iii). Sales may be made only in accordance with paragraphs (c) (2) (i), (ii), (iv) and (c) (3).

Electrical Resistance Material (material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat)
Raw silk.

[F. R. Doc. 42-9447; Filed, September 23, 1942; 11:20 a. m.]

PART 3080—CHEMICAL FERTILIZERS

[Amendment 1 to Conservation Order M-231]

Section 3080.1 *Conservation Order M-231*[1] is hereby amended in the following respects:

1. By adding a new subdivision to paragraph (c) (2) of said section, designated subdivision (v) as follows:

(v) Deliveries by fertilizer manufacturers, dealers or agents of any chemical fertilizer, including chemical fertilizer containing chemical nitrogen, for use on new plantings of grass on airports or airfields of the United States Army, Navy or Coast Guard or to the use by any person of any chemical fertilizer, including chemical fertilizer containing chemical nitrogen, delivered pursuant to this paragraph (c) (2) (v).

2. By changing the grade "0-20-20" listed under Arkansas on Schedule A of said section to "0-10-20".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9448; Filed, September 23, 1942; 11:20 a. m.]

[1] 7 F.R. 7234.

Chapter XI—Office of Price Administration

PART 1335—CHEMICALS

[Amendment 1 to Revised Price Schedule 104[1]]

VITAMIN C

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1403, 1836, 2132.

Paragraph (a) of § 1335.905 is amended and new §§ 1335.905a and 1335.908a are added, all to read as set forth below:

§ 1335.905 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 104 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942. * * *

§ 1335.905a *Licensing.* (a) The provisions of Supplementary Order No. 11, licensing distributors of chemicals and drugs, are applicable to every distributor selling vitamin C for which maximum prices are established by Appendix A (§ 1335.909). The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail vitamin C for which maximum prices are established by Appendix A (§ 1335.909). The term "selling at retail" shall have the meaning given it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1335.908a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1335.905 (a), 1335.905a and 1335.908a) to Revised Price Schedule No. 104 shall become effective September 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9413; Filed, September 22, 1942; 2:20 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 2 to Maximum Price Regulation 185[1]]

CANNED FRUITS AND CANNED BERRIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (vi) of § 1341.102 (b) (2) is hereby amended and a new paragraph (b) is added to § 1341.114, as set forth below:

§ 1341.102 *Canner's maximum prices for canned fruits and canned berries.* * * *

(b) * * *

(2) * * *

(vi) In determining and allocating to each container size the increased cost of the raw agricultural commodities used in canning fruit cocktail, fruits for salad, or the fruit and berry juices or nectars made from the fruits or berries listed in paragraph (b) (2) (iii) of this section, the increased cost of each component fruit or berry may be computed as set forth in the preceding paragraphs of this section and the increase apportioned to the various container sizes in the same proportion as the component fruits or berries are used in such container sizes. The increases in the cost of canned pineapple and maraschino cherries used in canning fruit cocktail or fruit for salad may be treated as increases in the cost of raw agricultural commodities. The amount of the increase shall be the difference between the canner's highest cost for canned pineapple and maraschino cherries during the first 60 days after the beginning of the 1941 pack and the respective present maximum prices of the canner's supplier. Such increases shall be apportioned to each container size in the same manner as increases in the cost of raw agricultural commodities are apportioned.

[1] 7 F.R. 5772, 5988.

* * * * * *

§ 134.114 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (subdivision (vi) of § 1341.102 (b) (2), and paragraph (b) of § 1341.114) to Maximum Price Regulation No. 185 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9412; Filed, September 22, 1942; 2:17 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 227]

DRIED FRUITS

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of dried fruits by packers have resulted in the establishment under the General Maximum Price Regulation of maximum prices for such sales which are not generally fair and equitable to packers and which are not best calculated to assist in securing adequate production of such commodities. The Price Administrator has ascertained and given due consideration to the prices of dried fruits prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as is practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established for the packers of dried fruits by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which dried fruits are manufactured, prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for each such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, Maximum Price Regulation No. 227 is hereby issued.

AUTHORITY: §§ 1341.351 to 1341.363, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1341.351 *Prohibition against dealing in dried fruits above maximum prices.* (a) On and after September 22, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any dried fruits at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 227.

(b) No person in the course of trade or business shall buy or receive any dried fruits from a packer at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 227.

(c) No packer or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.352 *Packer's maximum prices for dried fruits.* (a) The packer's maximum prices f. o. b. factory for dried fruits shall be as follows:

(1) *Apricots; packed in wood boxes containing 25 pounds.*

Size	Government sales, per ton			Other sales, per ton		
	Blenheims	Northerns	San Joaquins	Blenheims	Northerns	San Joaquins
Standard	$412.92	$385.32	$357.72	$433.57	$404.59	$375.61
Choice	431.32	403.72	376.12	452.89	423.90	394.93
Extra choice	449.72	422.12	394.52	472.21	443.23	414.25
Fancy	468.12	440.52	412.92	491.53	462.55	433.57
Extra fancy	486.52	458.92	431.32	510.85	481.87	452.89
Jumbo	504.92	477.32	449.72	530.17	501.19	472.21
Slabs	412.92	385.32	357.72	433.57	404.59	375.61

(i) Maximum prices for other grades, varieties, sizes and container sizes shall be computed from those listed above by adding or subtracting, as the case may be, the same differential in dollars and cents which existed in the packer's price lists or schedules of differentials during the 1941-1942 selling season for the 1941 crop, or, if such differential did not remain constant during such period, the differential in effect for the greatest length of time during such period.

(2) *Figs; Paste packed in fibre cases containing 80 pounds.*

	Cents per pound
Calimyrna paste	13⅝
Adriatic paste	12
Natural Kadota paste	10⅞
Unbleached black fig paste	8
Bleached black fig paste	9
Tray dried Kadotas in sacks	10⅝

(i) Maximum prices for package figs and bulk figs in containers of 25 pounds or less shall be 124 percent of the price for the same item in the packer's first price list for the 1941 pack. Maximum prices for manufacturing figs and sliced figs shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots.

(3) *Peaches; Packed in wood cases containing 25 pounds.*

	Government sales, per ton	Other sales, per ton
Choice yellow freestones	$326.11	$342.41

(i) Maximum prices for other grades, varieties, sizes and container sizes of dried yellow freestone peaches shall be computed from the maximum price listed above by the use of a differential in the manner provided above for apricots. Maximum prices for dried clingstone peaches shall be one cent per pound less than the maximum prices for the corresponding sizes and grades of dried yellow freestone peaches. Maximum prices for dried nectarines shall be the same as the maximum prices for the corresponding sizes and grades of dried yellow freestone peaches.

(4) *Pears; Packed in wood boxes containing 25 pounds.*

	Government sales, per ton	Other sales, per ton
Extra choice Lake County	$336.73	$353.57
Choice Northern	307.63	323.01

(i) Maximum prices for other grades, varieties, sizes and container sizes of dried pears shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots.

(5) *Prunes; Packed in wood boxes containing 25 pounds.*

Grade size group	Packed point	Three District per ton		Outside per ton		Northwest per ton	
		Government Sales	Other	Government Sales	Other	Government Sales	Other
15/20	20	$220.51	$221.54	$215.56	$226.34	$210.61	$221.14
18/24	24	216.55	227.38	211.60	222.18	206.65	216.98
20/30	29	210.61	221.14	205.66	215.94	201.70	211.79
30/40	39	197.41	207.28	192.56	202.19	189.26	198.72
40/50	49	186.74	196.08	181.89	190.98	178.48	186.40
50/60	59	176.07	184.87	171.22	179.78	168.68	177.11
60/70	69	165.40	173.67	160.55	168.58	158.90	166.85
70/80	79	154.73	162.47	149.88	157.37	147.12	154.48
80/90	89	144.06	151.26	139.21	146.17	136.34	143.16
90/100	99	134.36	141.08	129.51	135.99	125.56	131.84
100/120	119	114.96	120.71	110.11	115.61	105.96	111.26

(i) The "packed point" above shows the number of packed prunes per pound in the packs for which the maximum prices are listed above. Maximum prices for other counts within the range of a size grade group, shall be computed by adding $1.00 per ton for each whole point lower count (larger fruit) than the "packed point". Maximum prices for prunes in other container sizes shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots.

(6) *Raisins; per ton, packed in fibre boxes containing 25 pounds, except as otherwise indicated.*

	Government sales	Others
Choice natural Thompson seedless	$146.22	$153.97
U. S. Grade B Choice color golden bleached Thompson seedless	169.54	178.02
Fancy sulphur bleached Thompson seedless	186.22	195.53
Three crown muscats	176.22	185.03
Choice seeded muscats (30 lb. fibre boxes)	176.22	185.03
Zante currants	206.22	216.53
Choice Sultanas	141.22	148.28
Zante currants (11 oz. pkg.)	.0931 (per pkg.	.0983 per pkg.

(i) Maximum prices for other grades, varieties and container sizes of raisins shall be computed by the use of a differential from the maximum prices listed above in the same manner as provided herein for apricots, except that the differential shall be determined during the period of September, October and November, 1941.

(b) Maximum prices per ton may be converted to maximum prices per pound by dividing by 2,000.

(c) Maximum prices per pound for brands, which were nationally advertised in 1941, of the dried fruits in the container sizes specified below, may be computed by adding a premium to the maximum prices per pound computed pursuant to the foregoing paragraphs of this section, as follows:

Dried fruits	Container sizes	Premium per pound
Prunes	1 lb. & 2 lb. cartons	¼ cent.
Apricots	11 oz. cartons	½ cent.
Peaches	11 oz. cartons	⅜ cent.

(d) If the maximum price for any kind, grade, variety, size or container size of dried fruits cannot be determined under the foregoing paragraphs of this section, the packer's maximum price shall be the maximum price of the most closely competitive packer of the same item.

(e) All maximum prices established herein include brokerage. The seller shall maintain his customary cash and quantity discounts to different classes of purchasers.

(f) Differentials used to compute maximum prices shall be the same amount in dollars and cents for government sales or other sales. In computing maximum prices for government sales, the differential shall be added to or subtracted from maximum prices established for government sales. In computing maximum prices for other sales, the same differential shall be added to or subtracted from the maximum prices established for other sales.

(g) Prices per pound may be adjusted to the nearest ⅛ of a cent.

§ 1341.353 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 227 may be charged, demanded, paid or offered.

§ 1341.354 *Adjustment of maximum prices for container changes for government sales.* In the event that any governmental purchasing agency requires dried fruits to be packed in a special container, such agency may make application to the Office of Price Administration for an order under this section fixing the amount, if any, which may be added to the maximum prices established hereunder. Such application shall be in writing and shall state the estimated increase in the cost of packing in such special container. Any order issued under this section permitting such an increase, will apply to all packers required to pack in such special container.

§ 1341.355 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 227 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to dried fruits, alone or in conjunction with any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.356 *Records.* Every packer who makes sales of dried fruits after the effective date of this Maximum Price Regulation No. 227, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis of computing maximum prices by differentials under the terms of this regulation and (b) make and preserve for the same period all records of the same kind as he customarily kept, relating to the prices which he charged for dried fruits sold after the effective date of this regulation.

§ 1341.357 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 227 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.358 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 227 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1341.359 *Applicability.* The provisions of this Maximum Price Regulation No. 227 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.360 *Export sales.* The maximum price at which a person may export dried fruits shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1341.361 *Applicability of the General Maximum Price Regulation.* This Maximum Price Regulation No. 227 supersedes the provisions of the General Maximum Price Regulation with respect to sales or deliveries of dried fruits by packers for which maximum prices are established by this regulation.

§ 1341.362 *Definitions.* (a) When used in this Maximum Price Regulation No. 227 the term:

(1) "Persons" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors, or representatives of any of the foregoing and includes the United States, or any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means one who grades, cleans, sorts, processes with hot water, steam, chemicals or compressed air, sterilizes, fumigates or prepares for shipping fruits designated herein as dried fruits, but does not include a grower when he delivers dried fruits to a packer.

[1] 7 F.R. 5059.

(3) "Dried fruits" means the following fruits or portions thereof, from which the major portion of moisture has been removed by natural or artificial drying:

Apricots.
Figs.
Peaches (including nectarines).
Pears.
Prunes.
Raisin variety grapes (raisins).

(4) "1941 pack" of any dried fruits shall be that pack the major portion of which was processed from fruit produced in the calendar year of 1941.

(5) The "most closely competitive packer" means the packer who (i) Sells to the same class of buyers; (ii) Produces the same or a similar quality range of the dried fruit in question; (iii) Has in the past sold the same kind of dried fruit at approximately the same prices as the packer seeking to establish a maximum price; (iv) Has used the same general merchandising methods; (v) Is located in the same or the nearest growing and packing area.

(6) "Government sales" means sales to the armed forces of the United States or to the Government of the United States or to any agency thereof.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.363 *Effective date.* This Maximum Price Regulation No. 227 (§§ 1341.351 to 1341.363 inclusive) shall become effective September 22, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9411; Filed, September 22, 1942; 2:15 p. m.]

PART 1358—TOBACCOS

[Maximum Price Regulation 228]

FLUE-CURED TOBACCO

In the judgment of the Price Administrator, it is necessary and proper for purchases of flue-cured tobacco to be covered by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 228 for flue-cured tobacco are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

The maximum prices established by this Maximum Price Regulation No. 228 for flue-cured tobacco are not below the highest of any of the following prices, as determined by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) The market price prevailing for such commodity on October 1, 1941; (3) The market price prevailing for such commodity on December 15, 1941; or (4) The average price for such commodity during the period July 1, 1919, to June 30, 1929.

The prior approval of the Secretary of Agriculture has been given to this Maximum Price Regulation No. 228.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 228 is hereby issued.

Sec.
1358.51 Prohibition of purchases of flue-cured tobacco above maximum prices.
1358.52 Maximum prices for flue-cured tobacco.
1358.53 Exempt transactions.
1358.54 Less than maximum prices.
1358.55 Petitions for amendment.
1358.56 Applications for adjustment.
1358.57 Evasion.
1358.58 Enforcement.
1358.59 Records and reports.
1358.60 Definitions.
1358.61 Revocation of Temporary Maximum Price Regulation No. 21.
1358.62 Effective date.

AUTHORITY: §§ 1358.51 to 1358.62, inclusive, issued pursuant to Pub. Law 421, 77th Cong.

§ 1358.51 *Prohibition of purchases of flue-cured tobacco above maximum prices.* On and after September 22, 1942, regardless of any contract, agreement, lease or other obligation; (a) No person shall buy or receive any flue-cured tobacco on the loose-leaf markets at prices higher than the maximum prices set forth in § 1358.52 of this Maximum Price Regulation No. 228.

(b) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1358.52 *Maximum prices for flue-cured tobacco.* During the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by any person for flue-cured tobacco shall not exceed the weighted average price per pound paid by such person for flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive; *Provided*, That (a) If the weighted average price paid by any person for flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive, did not exceed the market average price per pound of flue-cured tobacco during said period as published by the United States Department of Agriculture (namely 34.86 cents per pound), then during the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by such person for flue-cured tobacco shall not exceed 34.86 cents per pound, and

(b) If any person did not purchase any flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive, then during the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by such person for flue-cured tobacco shall not exceed (1) 34.86 cents per pound or (2) the weighted average price per pound paid by such person for flue-cured tobacco during the 1941–1942 marketing season plus 6.76 cents per pound, whichever is higher. In order to avail himself of the alternative pricing method in paragraph (b) (2), such person must be able to demonstrate by appropriate written records what the weighted average price per pound paid by him for flue-cured tobacco during the 1941–1942 marketing season was and must preserve such records for so long as the Emergency Price Control Act of 1942 remains in effect and shall make them available for examination by the Office of Price Administration.

§ 1358.53 *Exempt transactions.* The provisions of this Maximum Price Regulation No. 228 shall not apply to the following transactions:

(a) Purchases of flue-cured tobacco for the account of Commodity Credit Corporation.

(b) Purchases of flue-cured tobacco for export: *Provided*, That such purchases are made on bona fide orders for export and that, within one week after each purchase, the purchaser shall file with the Office of Price Administration, in Washington, D. C. a copy of the order upon which the purchase is made.

(c) Purchases of flue-cured tobacco for resale in substantially the same form on the loose-leaf markets: *Provided*, That such flue-cured tobacco is actually resold in substantially the same form on the loose-leaf markets.

§ 1358.54 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 228 may be paid or offered.

§ 1358.55 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 228 or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1358.56 *Applications for adjustment.* (a) The Office of Price Administration or any duly authorized officer thereof may by Order adjust the maximum prices established under this Maximum Price Regulation for any buyer in any case in which such buyer shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive buyers of flue-cured tobacco; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive buyers of flue-cured tobacco will not cause or threaten to cause an increase in the level of retail prices of

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663, 6967.

products manufactured in whole or in part from flue-cured tobacco.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) Any person seeking relief for which no provision is made in this Maximum Price Regulation No. 228 from a maximum price established under this regulation may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration and shall set forth the facts relating to the hardship to which such maximum price subjects the Applicant together with a statement of the reasons why he believes that the granting of relief in his case, and in all like cases, will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 228 to eliminate the danger of inflation.

§ 1358.57 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 228 shall not be evaded, whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to flue-cured tobacco, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege or other trade understanding or otherwise.

§ 1358.58 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 228 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 228 or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1358.59 *Records and reports.* (a) On or before September 30, 1942, each person subject to this Maximum Price Regulation No. 228 shall file with the Office of Price Administration in Washington, D. C. a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during the period from August 24, 1942 to August 28, 1942, inclusive, and the total purchase price paid therefor: *Provided*, That no person shall be required to file such statement if he has already filed a similar statement with the Office of Price Administration.

(b) Any person who proposes to avail himself of the alternative pricing method provided in § 1358.52 (b) (2) shall, before making any purchases of flue-cured tobacco, file with the Office of Price Administration in Washington, D. C., a statement of the weighted average price per pound paid by him for flue-cured tobacco during the 1941–1942 marketing season.

(c) Each person subject to this Maximum Price Regulation No. 228 shall preserve for examination by the Office of Price Administration all his existing records relating to the quantities of flue-cured tobacco purchased by him during the period from August 24, 1942 to August 28, 1942, inclusive, and the purchase prices paid therefor, and all his existing records relating to the quantities of flue-cured tobacco purchased by him during the period from August 31, 1942 to September 22, 1942, inclusive and the purchase prices paid therefor.

(d) Each person subject to this Maximum Price Regulation No. 228 shall make and preserve for examination by the Office of Price Administration complete and accurate records of each purchase of flue-cured tobacco made by him after September 22, 1942 showing the date thereof, the price paid, and the number of pounds purchased.

(e) On or before October 10, 1942 each person subject to this Maximum Price Regulation No. 228 shall file with the Office of Price Administration in Washington, D. C. a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during the period August 31, 1942 to September 30, 1942, inclusive, and the total purchase price paid therefor. On or before the 10th day of each month commencing November 1942 each person subject to this Maximum Price Regulation No. 228 shall file with the Office of Price Administration in Washington a statement of the total number of pounds of flue-cured tobacco purchased by such person during the preceding month and the total purchase price paid therefor.

(f) The records required to be made or preserved by paragraphs (c), (d) and (e) shall be preserved for so long as the Emergency Price Control of 1942 remains in effect.

(g) Each person subject to this Maximum Price Regulation 228 shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a), (b), (c), (d), and (e) of this section as the Office of Price Administration may from time to time require.

§ 1358.60 *Definitions.* (a) When used in this Maximum Price Regulation No. 228 the term:

(1) "Person" includes individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other Government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Flue-cured tobacco" means U. S. types 11, 12, and 13 as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(3) "Weighted average price" means the total purchase price paid for all flue-cured tobacco purchased in any particular period, divided by the total number of pounds of flue-cured tobacco purchased during such period.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1358.61 *Revocation of Temporary Maximum Price Regulation No. 21.* Temporary Maximum Price Regulation No. 21 (§§ 1358.51 to 1358.62, inclusive,) which was issued August 29, 1942 and which was to expire on October 29, 1942, is hereby revoked and is replaced by this Maximum Price Regulation No. 228.

§ 1358.62 *Effective date.* This Maximum Price Regulation No. 228 (§§ 1358.51 to 1358.62, inclusive) shall become effective September 22, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9410; Filed, September 22, 1942; 2:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 4 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Paragraph (e) of §§ 1388.14, 1388.64, 1388.114, 1388.164, 1388.214, 1388.264, 1388.314, 1388.364, 1388.414, 1388.464, 1388.514, 1388.564, 1388.614, 1388.664, 1388.714, 1388.764, 1388.814, 1388.864, 1388.914, 1388.964, 1388.1014, 1388.1654, 1388.1704, 1388.1754, 1388.1804, 1388.2054, 1388.3054, 1388.4054, 1388.5054, 1388.6054, 1388.7054, and 1388.8054, of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, and 45, respectively, is hereby amended to read as follows:

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between ----------[1] and such effective date, the first rent for such accommodations after the change or the effective date as the case may be, but in no event more than the maximum rent provided for such accommodations by any order of the Administrator issued prior to September 22, 1942. Within 30 days after so renting the landlord shall register the accommodations as provided in § ----------.[2] The Administrator may order a decrease in the maximum rent as provided in § ----------[3] (c).

[1] The applicable date is to be inserted for each Maximum Rent Regulation. The respective date to be inserted for each Maximum Rent Regulation is as follows:

Nos. 1, 7, 9, 25, 39, 41, November 1, 1940; Nos. 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 24, 26, 33, February 1, 1941; Nos. 10, 16, 27, 37, May 1, 1941; Nos. 28, 35, 43, 45, January 1, 1942.

Paragraph (c) (1) of §§ 1388.15, 1388.65, 1388.115, 1388.165, 1388.215, 1388.265, 1388.315, 1388.365, 1388.415, 1388.465, 1388.515, 1388.565, 1388.615, 1388.665, 1388.715, 1388.765, 1388.815, 1388.865, 1388.915, 1388.965, 1388.1015, 1388.1655, 1388.1705, 1388.1755, 1388.1805, 1388.2055, 1388.3055, 1388.4055, 1388.5055, 1388.6055, 1388.7055, and 1388.8055 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, and 45, respectively, is hereby amended to read as follows:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), (e), or (g) § ----------[4] is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on ----------[5].

This Supplementary Amendment No. 4 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9409; Filed, September 22, 1942; 2:15 p. m.]

[2] The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§ 1388.17, No. 1; § 1388.67, No. 2; § 1388.117, No. 3; § 1388.167, No. 4; § 1388.217, No. 5; § 1388.267, No. 6; § 1388.317, No. 7; § 1388.367, No. 8; § 1388.417, No. 9; § 1388.467, No. 10; § 1388.517, No. 11; § 1388.567, No. 12; § 1388.617, No. 13; § 1388.667, No. 14; § 1388.717, No. 15; § 1388.767, No. 16; § 1388.817, No. 17; § 1388.867, No. 18; § 1388.917, No. 19; § 1388.967, No. 20; § 1388.1017, No. 24; § 1388.1657, No. 25; § 1388.1707, No. 26; § 1388.1707, No. 27; § 1388.1807, No. 28; § 1388.2057, No. 33; § 1388.3507, No. 35; § 1388.4057, No. 37; § 1388.5057, No. 39; § 1388.6057, No. 41; § 1388.7057, No. 43; and § 1388.8057, No. 45.

[3] The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§ 1388.15, No. 1; § 1388.65, No. 2; § 1388.115, No. 3; §1388.165, No. 4; § 1388.215, No. 5; § 1388.265, No. 6; § 1388.315, No. 7; § 1388.365, No. 8; § 1388.415, No. 9; § 1388.465, No. 10; § 1388.515, No. 11; § 1388.565, No. 12; § 1388.615, No. 13; § 1388.665, No. 14; § 1388.715, No. 15; § 1388.765, No. 16; § 1388.815, No. 17; § 1388.865, No. 18; § 1388.915, No. 19; § 1388.965, No. 20; § 1388.1015, No. 24; § 1388.1655, No. 25; § 1388.1705, No. 26; § 1388.1755, No. 27; § 1388.1805, No. 28; § 1388.2055, No. 33; § 1388.3055, No. 35; § 1388.4055, No. 37; § 1388.5055, No. 39; § 1388.6055, No. 41; § 1388.7055, No. 43; and § 1388.8055, No. 45.

[4] The applicable section number is to be inserted for each Maximum Rent Regulation. The respective section number to be inserted for each Maximum Rent Regulation is as follows:

§ 1388.14, No. 1; § 1388.64, No. 2; § 1388.114, No. 3; § 1388.164, No. 4; § 1388.214, No. 5; § 1388.264, No. 6; § 1388.314, No. 7; § 1388.364, No. 8; § 1388.414, No. 9; § 1388.464, No. 10; § 1388.514, No. 11; § 1388.564, No. 12; §1388.614, No. 13; § 1388.664, No. 14; § 1388.714, No. 15; § 1388.764, No. 16; § 1388.814, No. 17; § 1388.864, No. 18; § 1388.914, No. 19; § 1388.964, No. 20; § 1388.1014, No. 24; § 1388.1654, No. 25; § 1388.1704, No. 26; § 1388.1754, No. 27; § 1388.1804, No. 28; § 1388.2054, No. 33; § 1388.3054, No. 35; § 1388.4054, No. 37; § 1388.5054, No. 39; § 1388.6054, No. 41; § 1388.7054, No. 43; and § 1388.8054, No. 45.

[5] The applicable date is to be inserted for each Maximum Rent Regulation. The respective date to be inserted for each Maximum Rent Regulation is as follows:

Nos. 1, 7, 9, 25, 39, 41, January 1, 1941; Nos. 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 24, 26, 33, April 1, 1941; Nos. 10, 16, 27, 37, July 1, 1941; Nos. 28, 35, 43, 45, March 1, 1942.

PART 1389—APPAREL

[Correction to Amendment 2 to Maximum Price Regulation 153, as Amended [1]]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

For the reasons set forth in the statement of considerations[*] issued simultaneously herewith and pursuant to authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered that § 1389.8, paragraph (b), subparagraph (2) of Amendment No. 2 to Maximum Price Regulation No. 153, as amended, is corrected to read as set forth below:

§ 1389.8 *Records.* * * *

(b) * * *

(2) Prepare, and on or before September 15, 1942, file with the Office of Price Administration in Washington, D. C. sworn statements in the detail required by forms to be furnished him by the Office of Price Administration, showing:

(i) The price lines at which he delivered women's, girls' and children's outerwear garments in each category during March 1942 and during July, August and September, 1941;

(ii) The net cost of the materials and trimmings and direct labor cost incurred in the production of such garments;

(iii) Such other data and information as specified in the forms; and

* * * * * *

§ 1389.11 *Effective dates of amendments.* * * *

(d) This correction to Amendment No. 2 to Maximum Price Regulation No. 153, as amended, shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9408; Filed, September 22, 1942; 2:17 p. m.]

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4381, 5869, 7010.

PART 1499—COMMODITIES AND SERVICES

[Amendment 32 to Supplementary Regulation 14 [1] of General Maximum Price Regulation [2]]

COTTON BALE BAGGING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (29) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.*

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * *

(29) *Sales by cotton oil mills of cotton bale bagging (and ties, when sold in combination with cotton bale bagging at a single price for the combination).* The maximum price for sales by cotton oil mills of cotton bale bagging (and ties, when sold in combination with cotton bale bagging at a single price for the combination) shall be determined in the following manner:

(i) The maximum price per pattern, f. o. b. seller's plant, for cotton bale bagging complete with five ties shall be the sum of:

(*a*) The replacement cost thereof; plus

(*b*) Actual freight incurred in bringing such bagging and ties to seller's plant; plus

(*c*) A markup of $.05.

(ii) The maximum price per pattern, f. o. b. seller's plant, for cotton bale bagging without ties shall be the sum of:

(*a*) The replacement cost thereof; plus

(*b*) Actual freight incurred in bringing such bagging to seller's plant; plus

(*c*) A markup of $.04.

(iii) *Definitions.* For purposes of this subparagraph (29):

(*a*) "Cotton bale bagging" means textile material sold for use as a covering for cotton bales, including, but not limited to, the following: new jute bagging, rewoven jute bagging, reworked jute bagging, sugar bag cloth, and cotton bagging

(*b*) "Pattern" means a quantity of 6 linear yards of cotton bale bagging whether at the time of sale such bagging has been cut into pieces for application to the bale or is in the form of a continuous strip or roll.

(*c*) "Replacement cost" means the net price paid by such seller after May 18, 1942, or the net price the seller would

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7366, 7400, 7401, 7453.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322.

have to pay after such date, when purchasing from his customary source of supply, to replace cotton bale bagging (and ties, when sold in combination with cotton bale bagging at a single price for the combination) of the same type, weight and quality and in the same form as that for which a maximum price is being determined: *Provided*, That such net price may not exceed the maximum price of such seller's customary supplier determined pursuant to the applicable price schedule or regulation issued by the Office of Price Administration.

(iv) No seller determining a maximum price under the provisions of this subparagraph (29) shall be required to grant any discounts or allowances from the maximum price so determined.

(v) The provisions of this subparagraph (29) shall apply and Revised Price Schedule No. 49 shall not apply to sales by cotton oil mills of cotton bale ties when sold in combination with cotton bale bagging at a single price for the combination.

(b) *Effective dates.* • • •

(33) Amendment No. 32 (§ 1499.73 (a) (29)) to Supplementary Regulation No. 14 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9417; Filed, September 22, 1942; 2:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 31 to Supplementary Regulation 14[1] of General Maximum Price Regulation[2]]

SILVER BULLION OTHER THAN NEWLY-MINED DOMESTIC

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (15) is amended to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • •

(15) *Silver other than newly-mined domestic silver.* • • •

(i) *Maximum prices for silver bullion other than newly-mined domestic silver.* On and after August 31, 1942, the seller's maximum price for silver bullion other than newly-mined domestic silver shall be the maximum price established for such silver bullion by § 1499.2 of the General Maximum Price Regulation, *plus* 9.625 cents per troy ounce .999 fine.

(ii) *Maximum prices for semifabricated articles containing silver other than newly-mined domestic silver.* On and after August 31, 1942, the seller's maximum price for any semifabricated article containing silver other than newly-mined domestic silver shall be the maximum price for such article established by § 1499.2 of the General Maximum Price Regulation, *plus* 9.634 cents per fine troy ounce of silver contained.

(iii) *Maximum prices for scrap silver.* On and after August 31, 1942, the seller's maximum price for scrap silver shall be the maximum price for such scrap established by § 1499.2 of the General Maximum Price Regulation, *plus* 9.634 cents per fine troy ounce of silver contained.

(iv) *Definitions.* As used in this paragraph (a) (15)

(*a*) The term "newly-mined domestic silver" means silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof.

(*b*) The term "silver bullion" means silver, other than newly-mined domestic silver, which has been melted, smelted or refined and which is in such state or condition that its value depends primarily upon the silver content and not upon its form.

(*c*) The term "semifabricated article" refers to silver, other than newly-mined domestic silver, which has been melted, smelted or refined, and further processed, or combined with other materials, by alloying, machining, rolling, drawing, turning, blanking, slitting, cutting, spinning, remelting, recasting, or other similar process, or by being subjected to special refining processes, and which is in such state or condition that its value depends primarily upon the metallic silver content and not upon its form. The term includes, but is not restricted to, silver alloys, grain, shot, powder, wire, sheet, blanks, circles, solders, brazing alloys, sintered products, silver-clad metals, silver inlays and bar silver in weights or degrees of fineness different from the weight and fineness of standard commercial bars; it excludes, but without limitation, standard commercial bar silver and any article, other than those specifically referred to herein, which is suitable for ultimate use without further processing or combination with other materials.

(*d*) The terms "standard commercial bars" and "standard commercial bar silver" mean silver bullion in the form of bars weighing approximately 1,000 ounces, .999 fine.

(*e*) The term "scrap silver" includes all materials containing silver, whether in metallic form or not, which are the waste or by-product of metal working of any kind, or of any use of silver in industry or the arts; it also includes all articles containing silver, whether in metallic form or not, which have been discarded from their original use because of obsolescence, failure, or other reasons. It does not include articles which are still useful in their existing state for their original purpose if such articles are bought and sold for reuse in their existing state for their original purpose.

(b) *Effective dates.* • • •

(32) Amendment No. 31 to Supplementary Regulation No. 14 (§ 1499.73 (a) (15)) shall be effective as of August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9418; Filed, September 22, 1942; 2:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 27 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

SILVER SALTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (25) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • •

(25) *Silver salts*—(i) *Maximum prices for sales by producers of certain silver salts manufactured by them from silver bullion.* On and after September 22, 1942, the maximum price for the sale by a producer of a silver salt manufactured by him from silver bullion shall be the maximum price for the same silver salt as determined in accordance with § 1499.2 of the General Maximum Price Regulation, plus the amount by which the silver cost per unit of the product is increased as the result of using silver bullion which has a delivered cost per troy ounce to such manufacturer of more than the delivered cost per troy ounce of the silver bullion last delivered to him prior to August 31, 1942.

(ii) *Maximum prices for sales by producers of silver salts manufactured by them from silver compounds.* On and after September 22, 1942, the maximum price for the sale by a producer of a silver

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7269, 7203, 7365, 7401, 7400, 7453.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6053, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

salt manufactured by him from silver nitrate or any other silver compound shall be the maximum price for the same silver salt as determined in accordance with § 1499.2 of the General Maximum Price Regulation, plus the amount by which the cost of the silver compound per unit of the product is increased as the result of using a silver compound which has a delivered cost to such manufacturer of more than the delivered cost of the silver compound last delivered to him prior to August 31, 1942.

(iii) *Maximum prices for sales of silver salts by persons other than producers.* On and after September 22, 1942, the maximum price for the sale of a silver salt by a person other than a producer shall be the maximum price for the same silver salt as determined in accordance with § 1499.2 of the General Maximum Price Regulation, plus the amount by which the cost of the silver salt to such person has been increased on purchases made on and after August 31, 1942, over the cost of the last delivery to him made prior to August 31, 1942.

(iv) *Definitions.* For the purposes of this § 1499.73 (a) (25) the term:

(*a*) "Silver salt" means any chemical compound which consists of silver and cations of acids, such as silver nitrate, silver ferricyanide, and silver nucleinate. For the purposes of this section, "silver salt" shall also include silver azide, silver oxide and silver sulphide.

(*b*) "Silver bullion" means silver which has been melted, smelted, or refined, and which is in such state or condition that its value depends primarily upon the silver content and not upon its form.

(*c*) "Silver compound" means any compound containing silver, such as silver nitrate, which is used instead of silver bullion in the production of silver salts.

(*d*) "Producer" means any person manufacturing a silver salt.

(v) *Reports.* (*a*) Whenever a producer of a silver salt determines a maximum price for a silver salt in accordance with the provisions of this § 1499.73 (a) (25) which is higher than his maximum price as determined in accordance with § 1499.2 of the General Maximum Price Regulation, he shall, before making any delivery of any such silver salt at a price higher than the maximum price determined in accordance with § 1499.2, submit by registered mail to the Office of Price Administration, Washington, D. C., a statement setting forth all relevant facts, including:

(*1*) A description of the silver salt being priced and whether it is produced from silver bullion or a silver compound;

(2) The maximum prices for such silver salt determined under § 1499.2 of the General Maximum Price Regulation;

(3) The delivered cost of the last delivery prior to August 31, 1942, of silver bullion or silver compound, showing a detailed breakdown of such cost;

(*4*) The delivered cost of the silver bullion or silver compound now being used, showing a detailed breakdown of such cost;

(*5*) The maximum price for such silver salt determined pursuant to this section, showing the details of the computation of such price.

After the statement has been sent by registered mail to the Office of Price Administration, the producer may sell and deliver the silver salt at the proposed price, but the prices at which such sales or deliveries are made prior to the expiration of fifteen days from the date of receipt of the statement by the Office of Price Administration shall be subject to disapproval in writing by the Office of Price Administration, and, if required by the Office of Price Administration, refunds shall be made. If at the expiration of fifteen days from the receipt of the statement, the Office of Price Administration has not in writing disapproved the manufacturer's proposed price, the producer may thereafter continue to sell and deliver such silver salt at prices not in excess of his proposed price unless and until the Administrator establishes a lower maximum price.

(*b*) A seller of silver salts other than a producer shall, within ten days after determining a maximum price pursuant to this section which is higher than the maximum price determined pursuant to § 1499.2 of the General Maximum Price Regulation, report such maximum price to the appropriate field office of the Office of Price Administration. Such report shall include a description of the silver salt being priced, the maximum price as determined pursuant to § 1499.2 of the General Maximum Price Regulation, and the full details of the calculations made in arriving at the new maximum price.

(b) *Effective dates.* * * *

(28) Amendment No. 27 to Supplementary Regulation No. 14 (§ 1499.73 (a) (25)) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9419; Filed, September 22, 1942; 2:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation—Order 74]

E. I. DU PONT DE NEMOURS & CO., INC.

E. I. du Pont de Nemours & Company, Inc., of Wilmington, Delaware, made application for authorization to determine a maximum price for a new type of rayon yarn recently developed by them called "Bubblfil." Due consideration has been given to the application and it appears that this new type of rayon yarn cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation for the reasons set forth in the opinion in support of this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, it is hereby ordered:

§ 1499.288 *Approval of method of determining the maximum price for "Bubblfil" rayon yarn manufactured by E. I. du Pont de Nemours & Company, Inc.* (a) On and after September 23, 1942, the maximum price at which E. I. du Pont de Nemours & Company, Inc., may sell, deliver and offer for sale its "Bubblfil" rayon shall be $1.25 per pound, f. o. b. seller's plant.

(b) The maximum price set forth in paragraph (a) hereof shall apply only to the sale of "Bubblfil" manufactured in quantities of less than 1,000 pounds per day.

(c) The maximum selling price set forth in paragraph (a) hereof shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 74 may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 74 (§ 1499.288) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9420; Filed, September 22, 1942; 2:16 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 50 Under § 1499.18 (b) of General Maximum Price Regulation]

ACME BARREL & PACKAGE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.350 *Adjustment of maximum prices for whole and half flour barrels sold by Acme Barrel & Package Co., Memphis, Tennessee.* (a) Acme Barrel & Package Co., #1 Linden Avenue, Memphis, Tennessee, may sell and deliver, and any person may buy and receive from said Acme Barrel & Package Co., whole and half flour barrels at prices not higher than the following prices, f. o. b. Memphis, Tennessee:

Whole flour Barrels (wood hoops and plain jointed staves): 95¢ each
Half flour Barrels (wood hoops and plain jointed staves): 90¢ each

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 50 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 50 (§ 1499.350) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 50 (§ 1499.350) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9421; Filed, September 22, 1942; 2:19 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 1 to Zoning Order 1[1] Under Rationing Order 3[2]]

SUGAR RATIONING REGULATIONS

That part of paragraph (a) of § 1407.281, Zoning Order No. 1, which establishes Zone 1 is amended, and a new paragraph (e) is added to § 1407.281, as set forth below:

§ 1407.281 *Establishment of zones: authorization of certain deliveries, shipments and transfers.* (a) • • •

Zone 1 shall include the State of Rhode Island; and Worcester, Middlesex, Essex, Norfolk, Bristol, Plymouth, Barnstable, Suffolk, Nantucket and Dukes Counties in the State of Massachusetts.

• • • • •

(d) Zoning Order No. 1 (§ 1407.281) shall become effective September 16, 1942.

(1) Amendment No. 1 to Zoning Order No. 1 (that part of paragraph (a) establishing Zone 1, and paragraph (e) of § 1407.281) shall become effective September 22, 1942.

(e) Confectioners' sugar in bulk may be delivered, shipped or transferred: (1) from Zone 5 to any point in Zone 6 except any point in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; and (2) from Zone 4 to any point in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland.

(Pub. Law 421, 77th Cong., W. P. B. Dir. No. 1, and Supp. Dir. No. 1E, § 1407.168 of Rationing Order No. 3)

Issued this 22d day of September, 1942.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 42-9426; Filed September 22, 1942; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 10 to Revised Supplementary Regulation 4[1] to General Maximum Price Regulation]

IMPORTED MAHOGANY LOGS, ETC.

Imported mahogany logs, lumber, flitches and veneer, and mahogany lumber, flitches, and veneer manufactured therefrom in the United States.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (23) is added to paragraph (a) of § 1499.29 as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • •

(23) Imported mahogany logs, lumber, flitches, and veneer, and mahogany lumber, flitches and veneer manufactured therefrom in the United States, sold or delivered after October 1, 1942 to the United States or any agency thereof, or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1942, entitled "An Act to promote the defense of the United States," or any agency of any such government, or to any person who will use the imported commodity purchased by him to fulfill a contract with the United States or any agency thereof, or with any such government or any agency of any such government, or a subcontract under any such contract.

For the purposes of this subparagraph (23) the term "mahogany" means the wood of the several species of the genus Swietenia and the wood of the several species of the genus Khaya of the Meliaceae family.

• • • • • •

(d) • • •

(11) Amendment No. 10 (§ 1499.29 (a) (23)) to Revised Supplementary Regulation No. 4 shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9427; filed September 22, 1942; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 29 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

STORAGE AND WAREHOUSING OF APPLES AND PEARS IN OREGON AND WASHINGTON

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (27) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

• • • • •

(27) *Storage and warehousing of apples and pears in the States of Oregon and Washington*—(i) *Maximum prices.* Pending final determination by the Price Administrator of numerous requests for modification of the maximum prices established by § 1499.2 of the General Maximum Price Regulation for cold storage of apples and pears in the States of Oregon and Washington, and in view of representations concerning the urgent necessity for an increase in such maximum prices to facilitate harvesting of the current pear and apple crops, the maximum prices for such services shall be the seller's maximum price for such services determined in accordance with § 1499.2 of General Maximum Price Regulation: *Provided, however,* That an additional charge of 3 cents per box for apples and pears other than cannery pears, and $1.50 per ton for cannery pears, may be made, subject to the following conditions set forth in subdivision (ii).

(ii) *Conditions.* (*a*) No person shall make any of the additional charges provided for in subdivision (i) unless, simultaneously with making any such additional charge, he shall enter into an agreement providing for the deposit by him of any such additional charge with an escrow agent and for ultimate payment by such escrow agent of the funds so deposited in accordance with subdivision (ii) (c), or unless, prior to making any such additional charge, he shall have deposited with the appropriate state office of the Office of Price Administration a corporate surety bond conditioned upon refund of any such additional charges in accordance with subdivision (ii) (c).

(*b*) Any person who makes any of the additional charges provided for in subdivision (i) shall advise the person to whom such additional charges are made of the exact amount of such additional charges and of the requirements of this subparagraph (27) for ultimate disposition of such additional charges and shall file with the appropriate state office of the Office of Price Administration, on the fifteenth day of each month, beginning October 15, 1942, a statement showing the names and addresses of all persons to whom such additional charges were made during the preceding month and setting forth the amount of such additional charges as to each such person.

(c) All or any part of the additional charges made pursuant to subdivision (i) shall be refunded, remitted, or paid over to the persons to whom they are made, in accordance with subsequent orders of the Price Administrator, unless the seller's maximum prices for cold storage services established by § 1499.2 of General Maximum Price Regulation are increased by an amount equal to or exceeding the additional charges provided for in subdivision (i): *Provided, however,* That unless the Price Administrator otherwise provides by order or amendment, all such additional charges shall be refunded, remitted, or paid over, not later than December 31, 1942, to the persons to whom they were made.

(iii) *Definitions.* As used in this subparagraph (27) the term "appropriate state office of the Office of Price Administration" means the state office in the state in which the cold storage service is performed.

(b) *Effective dates.* • • •

(30) Amendment No. 29 (§ 1499.73 (a) (27)) to Supplementary Regulation No. 14 shall become effective September 22, 1942.

(Pub. Law 421, 77th Congress)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9428; Filed, September 22, 1942; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 165 as Amended—Supplementary Service Regulation 2—Adjustable Pricing]

PACKING OF APPLES AND PEARS

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 2 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Supplementary Service Regulation No. 2 is hereby issued.

§ 1499.652 *Adjustable pricing*—(a) *Maximum prices for packing of apples and pears.* (1) Pending final action by the Price Administrator on applications filed or which may be filed for adjustment of the maximum prices established under Maximum Price Regulation No. 165, as Amended, for packing of apples and pears, any person filing such an application and any person contracting with such an applicant for packing apples and pears is hereby authorized to agree in any contract for such services that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the applicant's request for adjustment.

(b) This Supplementary Service Regulation No. 2 (§ 1499.652) shall become effective September 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9429; filed, September 22, 1942; 4:21 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7320.

[2] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6034, 6057, 6473, 6828, 6937, 7289, 7321, 7406.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7400, 7453.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T.D. 50729]

VESSELS OF FOREIGN REGISTRY TRANSPORTING MERCHANDISE BETWEEN PUERTO RICO AND UNITED STATES

WAIVER OF COASTWISE LAWS

SEPTEMBER 21, 1942.

Section 27 of Merchant Marine Act, 1920, as amended, waived to permit certain vessels of foreign registry to transport merchandise between points in Puerto Rico and points in continental United States.

Upon the written recommendation of the Secretary of the Interior and the Administrator of the War Shipping Administration, and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C. 883), to the extent necessary to permit the transportation of merchandise between points in Puerto Rico and points in the continental United States on such vessels of foreign registry as may be designated from time to time by the Administrator of the War Shipping Administration and approved by the Commissioner of Customs. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9441; Filed, September 23, 1942; 11:01 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1495]

DISTRICT BOARD 14

MEMORANDUM OPINION AND ORDER GRANTING POSTPONEMENT OF HEARING

In the matter of the petition of District Board No. 14 for revision of price classifications and minimum prices for certain mines in District No. 14.

On September 11, 1942 all parties to the above-entitled matter filed with this Division a joint motion for postponement, for sixty (60) days, of the hearing now scheduled to be held herein on September 21, 1942, at Fort Smith, Arkansas.

In support of the joint motion for postponement it is alleged that the prospective witnesses, with one or two exceptions, are coal producers actively employed in the management of their respective mines and are required to devote their entire time and attention thereto; that due to a serious labor shortage such producers are encountering great difficulty in operating their mines; that the postponement of the hearing in this matter will not operate to the disadvantage of anyone concerned; and that the parties herein cannot be prepared to proceed in this matter on the date it is now scheduled for hearing.

An order entered in this matter on July 6, 1942 scheduled a hearing to be held herein at Fort Smith, Arkansas, on August 10, 1942. However, on July 24, 1942, petitioner and certain interveners in this matter filed a joint motion for postponement of the hearing scheduled to be held on August 10, 1942, stating among other things that due to the number of parties and the many issues involved in this proceeding, it would not be possible for petitioner or interveners to be prepared to go forward with their respective cases upon the date of hearing. After due consideration, good cause having been shown why such motion should be granted, an order was issued on August 6, 1942, postponing the hearing scheduled to be held on August 10, 1942, until September 21, 1942.

District Board No. 14, petitioner in the above-entitled matter on August 25, 1942, filed a motion requesting that the hearing therein be further postponed for a period of at least sixty (60) days. This motion was denied by, and for the reasons set forth in, the Memorandum Opinion and Order Denying Motion for Postponement of Hearing dated September 3, 1942.

The Motion for Postponement of Hearing filed with the Division on September 11, 1942 again requests that the hearing scheduled to be held herein at Fort Smith, Arkansas, on September 21, 1942 be postponed for a period of at least sixty (60) days. As stated in the Memorandum Opinion and Order entered in this matter on September 3, 1942, in view of the fact that the original petition was filed with the Division on June 8, 1942 and that the hearing originally scheduled to be held herein on August 10, 1942 was postponed until September 21, 1942, it appears that petitioner, interveners and other interested persons have been afforded ample opportunity to prepare for the hearing in this matter. However, in contemplation of the facts alleged in the joint motion for postponement filed on September 11, 1942 and in an effort to extend every consideration to interested parties, it is deemed advisable to postpone the date of hearing in this matter from September 21, 1942 until October 21, 1942. No sufficient reason has been advanced to warrant postponement of the aforesaid hearing beyond the latter date. Further, in the event District Board No. 14 is not prepared to proceed with its case on October 21, 1942, the Acting Director will at that time consider the advisability of dismissing this matter for failure of petitioner to proceed.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of September 21, 1942 until 10 o'clock in the forenoon of October 21, 1942.

The time for filing petitions of intervention in this matter is hereby extended until October 16, 1942.

In all other respects the Notice of and Order for Hearing entered in this matter on July 6, 1942, as amended by the

Order of August 6, 1942, shall remain in full force and effect.

Dated: September 19, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9402; Filed, September 22, 1942; 12:42 p. m.]

[Docket No. B-160]

ROBERT VAAL

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Robert Vaal, code member.

A written complaint dated December 6, 1941 having been filed on December 8, 1941, by the Bituminous Coal Producers Board for District No. 11, as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by Robert Vaal of the Bituminous Coal Code and orders, rules and regulations thereunder; and

An order having been entered herein on August 5, 1942, cancelling and revoking the code membership of Robert Vaal after hearing on said complaint, effective fifteen (15) days from the date therof; and

Said order of cancellation and revocation having been duly served upon Robert Vaal on August 13, 1942, and Robert Vaal having filed with the Division on September 8, 1942 his application for restoration of his code membership; and

It appearing from said application and other information in the possession of the Division that Robert Vaal paid to the Collector of Internal Revenue at Indianapolis, Indiana, on September 2, 1942, the sum of $152.94, pursuant to said order dated August 5, 1942, as a condition precedent to the restoration of his code membership.

Now, therefore, it is ordered, That said application of Robert Vaal, filed September 8, 1942, for restoration of his code membership be, and the same hereby is, granted.

It is further ordered, That the code membership of Robert Vaal be, and the same hereby is, restored as of September 2, 1942 at 12:01 a. m.

Dated: September 19, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-9403; Filed, September 22, 1942; 12:42 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

TOLEDO, OHIO, MARKETING AREA

NOTICE ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the Toledo, Ohio, Marketing Area, prepared by the Administrator of Agricultural Marketing Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed amendment to the marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1019, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

This proceeding was initiated by the Agricultural Marketing Administration upon receipt of a petition dated August 6, 1942, from the Northwestern Cooperative Sales Association, Inc., for a public hearing on an amendment to the operative marketing agreement and marketing order program which it proposed. Following this request, and after consideration of the proposal, notice of the hearing was issued on August 27, 1942, and the hearing was convened on September 3, 1942. The time for filing briefs was set at the close of the hearing, to expire at midnight September 14, 1942.

The major issues involved in the hearing were concerned with (1) the basic formula price to be used in determining class prices, (2) the class price levels, (3) the butterfat differential to be used in computing individual producer payments, (4) the reclassification of chocolate milk and milk drinks from Class I to Class III milk, (5) the price of Class I milk sold outside the marketing area, and (6) emergency milk supplies.

With respect to these issues it is concluded from the record that:

1. The basic formula price to be used in determining class prices should be modified;

2. The class prices should be changed only as they are affected by the modification of the basic formula price;

3. The butterfat differential used in computing individual producer payments should be extended;

4. Chocolate milk and milk drinks should not be reclassified from Class I to Class III milk;

5. The price of Class I milk sold outside the marketing area should remain unchanged; and

6. No change should be made in the treatment of emergency milk supplies in the computation of the value of milk for each handler.

The proposed amendment to the order, as amended, which follows, is recommended as the detailed means by which these conclusions may be effectuated. The proposed amendment to the marketing agreement, as amended, is not included in this report because the provisions thereof will be the same as the provisions of the amendment set forth below.

PROPOSED AMENDMENT TO ORDER, AS AMENDED

It is found upon the evidence introduced at the public hearing held in Toledo, Ohio, on September 3, 1942:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c) are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended by this amendment, regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held; and

3. That the issuance of this amendment, and all of its terms and conditions, tends to effectuate the declared policy of the act.

Provisions

1. Delete § 930.1 (a) (1) and substitute therefor the following:

(1) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Delete the proviso of § 930.5 (a) (4) and substitute therefor the following:

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu thereof: multiply by 3.5 the average price per pound of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent thereof, and add or subtract 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk is above or below, respectively, 7½ cents per pound. The price per pound of dry skim milk to be used in this proviso shall be the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, delivered at Chicago, as published by the United States Department of Agriculture during the delivery period, including also in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period.

3. Delete from § 930.7 (c) the phrase "over 45 cents ---- 5.5" and substitute therefor:

Over 45 cents, but not over 50 cents	5.5
Over 50 cents, but not over 55 cents	6.0
Over 55 cents	6.5

4. Add as § 930.11 the following:

§ 930.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 23d day of September 1942.

ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-9449; Filed, September 23, 1942; 11:37 a. m.]

Office of the Secretary.

[Temporary Maximum Price Regulation No. 21]

FLUE-CURED TOBACCO

PROCLAMATION CONCERNING AGRICULTURAL COMMODITIES

Pursuant to Title I of the First Supplemental National Defense Appropriation Act, 1943, Public Law 678, 77th Congress, the Secretary of Agriculture has determined after investigation and hereby proclaims that the maximum prices established for flue-cured tobacco by Temporary Maximum Price Regulation No. 21 [1] did at the time of the issuance of said regulation by the Price Administrator and do at the time of the issuance of this proclamation reflect to the producers of flue-cured tobacco prices in conformity with section 3 (c) of the Emergency Price Control Act of 1942 (Public Law 421, 77th Congress).

Done at Washington, D. C., this 23rd day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-9450; Filed, September 23, 1942; 11:37 a. m.]

[Maximum Price Regulation No. 106]

DOMESTIC SHORN WOOL

PROCLAMATION CONCERNING AGRICULTURAL COMMODITIES

Pursuant to Title I of the First Supplemental National Defense Appropriation Act, 1943, Public Law 678, 77th Congress, the Secretary of Agriculture has determined after investigation and hereby proclaims that the maximum prices established for wool by Maximum Price Regulation No. 106 [2]—Domestic Shorn Wool, and all amendments thereto, did at the time of the issuance of said regulation, and amendments thereto, by the Price Administrator and do at the time of the issuance of this proclamation reflect to the producers of domestic shorn wool prices in conformity with section 3 (c) of the Emergency Price Control Act of 1942 (Public Law 421, 77th Congress).

Done at Washington, D. C., this 23d day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-9451; Filed, September 23, 1942; 11:37 a. m.]

[1] 7 F.R. 6896, 7100.
[2] 7 F.R. 1648, 2245, 2396, 4338.

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6426]

BLUE NETWORK CO., INC.

NOTICE OF HEARING

In re application of Blue Network Company, Inc. (new); dated July 8, 1942, for construction permit, class of service, relay broadcast; class of station, relay broadcast; location, San Francisco, California; operating assignment specified: frequency, 31220, 35620, 37020, 39260 kilocycles; emission: A3; power, 100 w. night; 100 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Blue Network Company, Inc., c/o RCA Building, 30 Rockefeller Plaza, New York, New York.

Dated at Washington, D. C., September 19, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9446; Filed, September 23, 1942; 11:05 a. m.]

[Docket Nos. 6414, 6413]

FRONTIER BROADCASTING CO.

NOTICE OF HEARING

In re application of Frontier Broadcasting Company (new), dated June 24, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of Cheyenne, Wyoming; operating assignment specified: Frequency, 30820, 33740, 35820, 37980 kilocycles; Emission: A3; power, 15 w. night; 15 w. day; hours of operation § 4.24.

In re application of Frontier Broadcasting Company (new), dated June 24, 1942, for construction permit, class of service, relay broadcast; class of station, relay broadcast; location, area of Cheyenne, Wyoming; operating assignment specified: Frequency, 1646, 2090, 2190, 2830 kilocycles; Emission: A3; power, 15 w. night; 15 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above described applications and has designated the matters for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of §1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Frontier Broadcasting Company, Plains Hotel, Cheyenne, Wyoming.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9445; Filed, September 23, 1942; 11:04 a. m.]

[Docket No. 6396]

MARTIN O'BRIEN (WMRO)

NOTICE OF HEARING

In re application of Martin R. O'Brien (WMRO), dated January 7, 1942, for modification of license; class of service, broadcast; class of station, broadcast; location, Aurora, Illinois; operating assignment specified; frequency, 1280 kc.; power, 100 w. night; 250 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice particularly in view of the expected nighttime interference limitation to the service of Station WMRO operating as proposed.

2. To determine the extent of any interference which would result from the simultaneous nighttime operation of Station WMRO as proposed and Station WTCN.

3. To determine the areas and populations which would be deprived of primary service, particularly from Station WTCN, as a result of the operation of Station WMRO as proposed and what other broadcast service is available to these areas and populations.

4. To determine whether Station WMRO, operating as proposed, would provide a minimum field intensity of 25 to 50 mv/m to the business district of Aurora, Illinois, as contemplated by the Standards of Good Engineering Practice.

5. To determine whether Station WMRO, operating as proposed, would provide an interference-free primary service to the entire city of Aurora, Illinois, as contemplated by the Standards of Good Engineering Practice.

6. To determine the areas and populations which would receive primary service from the operation of Station WMRO as proposed and what other broadcast service is available to these areas and populations.

7. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice (Footnote 4, section 1).

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine applicant's financial qualifications to operate Station WMRO as proposed.

10. To determine whether public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the application on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Martin R. O'Brien, Radio Station WMRO, 34 South River Street, Aurora, Illinois.

Dated at Washintgon, D. C., September 19, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-9443; Filed, September 23, 1942; 11:04 a. m.]

[Docket Nos. 6411, 6412]

NATIONAL BROADCASTING CO.

NOTICE OF HEARING

In re application of National Broadcasting Company, Inc. (New), dated June 22, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, near Addison, Illinois; operating assignment specified: frequency, 1606, 2074, 2102, 2758 kilocycles; emission: A1, A2, and A3; power, 1000 w. night; 1000 w. day; hours of operation, § 4.24.

In re application of National Broadcasting Company, Inc. (New), dated June 23, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of Chicago, Illinois; operating assignment specified: frequency, 1606, 2074, 2102, 2758 kilocycles; emission: A1, A2, and A3; power, 25 w. night; 25 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above-described applications and has designated the matters for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: National Broadcasting Company, Inc., c/o RCA Frequency Bureau, 30 Rockefeller Plaza, New York, New York.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-9444; Filed, September 23, 1942; 11:04 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-109, G-112]

ILLINOIS COMMERCE COMMISSION, ET AL.

ORDER ACCEPTING REDUCED RATES FOR FILING AND TERMINATING PROCEEDINGS

SEPTEMBER 19, 1942.

Illinois Commerce Commission, Complainant, v. Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Defendants.

In the Matter of Natural Gas Pipeline Company of America and Texoma Natural Gas Company.

It appearing to the Commission that:

(a) By our Opinion No. 49 and interim order of July 23, 1940, based upon the Companies' estimates of revenues and replacement cost of property, Natural Gas Pipeline Company of America (hereinafter sometimes referred to as Pipeline) and Texoma Natural Gas Company were ordered to reduce their rates to reflect a reduction of not less than $3,750,000 per annum in the operating revenues of Pipeline, and it was further ordered that the record remain open for such future proceedings as the Commission deemed necessary or desirable;

(b) On April 20, 1942, subsequent to the affirmance of Opinion No. 49 and the order of July 23, 1940, by the Supreme Court of the United States, Pipeline filed supplements to its rate schedules in conformity with Opinion No. 49 and the order of July 23, 1940, providing for a reduction in operating revenues of approximately $3,770,000 per annum, which supplements, pursuant to order of April 23, 1942, were allowed to take effect as of September 1, 1940;

(c) In the light of the principles enunciated in the decision of the Supreme Court affirming Opinion No. 49 and the order of July 23, 1940, the Commission's staff estimated, upon the basis of the actual cost of the Companies' properties less depreciation and depletion reserves plus working capital and the actual revenues for 1942, the amount available for additional reduction in Pipeline's revenues to be approximately $2,750,000 over and above the reduction theretofore made in conformity with Opinion No. 49 and the order of July 23, 1940;

(d) As a result of conferences held by the Commission's staff with the staff of Pipeline and Texoma Natural Gas Company, the Companies accepted as correct the amount found by the staff of this Commission to be available for further reduction;

(e) On August 15, 1942, Pipeline filed proposed First Revised Sheets Nos. 2, 3, 4, 11, 12, 14, 15 and 20 and revised sheets Nos. 8 and 9 canceling original sheets Nos. 8 and 9 of its rate book of FPC Gas Schedules, to take effect as of September 20, 1942, which, together with certain minor reductions in rates resulting from the filing of its rate book of FPC Gas Schedules which became effective August 20, 1942, result in a total additional reduction, over and above the reduction heretofore made in conformity with our Opinion No. 49 and order of July 23, 1940, of $2,738,000 per annum based upon revenues for 1942 and of $2,855,000 per annum based upon estimated revenues for the year ending May 31, 1943;

(f) The Commission's staff is of the opinion that this additional reduction will result in just and reasonable rates for Pipeline;

(g) The Commission is in full accord with the holdings of the United States Circuit Court of Appeals for the Seventh Circuit in its opinion dated June 30, 1942, in the case of *Natural Gas Pipeline Company of America and Texoma Natural Gas Company, Petitioners,* v. *Federal Power Commission and Illinois Commerce Commission, Respondents,* that it is the ultimate "consumers for whose benefit these proceedings were instituted. The utilities with whom petitioners (Natural Gas Pipeline Company of America and Texoma Natural Gas Company) contracted were merely conduits by which natural gas transported by petitioners was delivered to customers by utilities," and that it is "for the consumers the Federal Power Commission acted."

(h) Pipeline has advised the Commission that copies of the proposed new rates were submitted to each purchaser at the time of filing with the Commission, and public notice of the proposed new rates was given by the Commission's Release No. 2005, issued August 24, 1942, but no protests with respect therto have been received by the Commission;

(i) By letter of August 21, 1942, the Commission notified the Illinois Commerce Commission, complainant in these proceedings, of the proposed new rates and subsequently the Illinois Commerce Commission was advised that this Commission would defer action until September 11, 1942, to allow time for comments to be received from them, but no comments have been received by this Commission from the Illinois Commerce Commission with respect to the proposed new rates;

(j) By Opinion No. 73 and orders of March 18, 1942, entered in the matters of Canadian River Gas Company, et al., Docket No. G-118, et al., now pending review in the United States Circuit Court of Appeals for the Tenth Circuit, the Commission ordered a reduction in the rates and charges of Colorado Interstate Gas Company, subject to the jurisdiction of the Commission, in the amount of $2,065,000 per annum, of which amount $655,000 constituted excessive charges to Pipeline;

The Commission *finds* that: (1) The reductions in operating revenues provided by Pipeline's rate book of FPC Gas Schedules and the revised sheets therefor are in substantial accord with the estimates of the Commission's staff for a proper reduction over and above the reduction heretofore made in conformity with Opinion No. 49 and order of July 23, 1940;

(2) Pipeline's rates and charges as contained in the rate book of FPC Gas Schedules with said revised sheets will be just and reasonable;

(3) It will be in the public interest to accept for filing the revised sheets for Pipeline's book of FPC Gas Schedules and to terminate the proceedings in these matters;

The Commission *orders* that: (A) The First Revised Sheets Nos. 2, 4, 11, 12, 14, 15 and 20 and revised sheets Nos. 8 and 9 canceling original sheets Nos. 8 and 9 for Pipeline's rate book of FPC Gas Schedules be and they are hereby accepted for filing to become effective on and after September 20, 1942;

(B) Any reduction in rates or charges received by Pipeline for natural gas purchased from Colorado Interstate Gas Company as a result of the reductions ordered in Opinion No. 73 and the order of March 18, 1942, shall be reflected by additional equivalent reductions in Pipeline's rates and charges through the filing of schedules to reflect such additional reductions;

(C) The order of August 20, 1942, postponing the resumption of the hearing in these matters be and it is hereby vacated and the proceedings are terminated;

(D) This order is without prejudice to any findings or orders which may be made by the Commission in any proceeding now pending or hereafter instituted by or against Pipeline.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-9432; Filed, September 23, 1942; 9:44 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 142]

LEGACY PAYABLE TO CATHARINE ARTMANN

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

That certain legacy in the amount of $100 payable under the terms of the last will and testament of Peter Emmerich, deceased, to Catharine Artmann, whose last known address was represented to the undersigned as being Trier, Germany, and who is a national of a designated enemy country (Germany),

is property which is in the process of administration by a person (namely, the executor of the aforesaid last will and testament) acting under judicial supervision (namely, that of the County Court of the County of Milwaukee, State of Wisconsin) and which is payable or deliverable to, or claimed by, such national of a designated enemy country (Germany), and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 8, 1942.

LEO T. CROWLEY, *Alien Property Custodian.*

[F. R. Doc. 42-9434; Filed, September 23, 1942; 10:29 a. m.]

[Vesting Order 145]

INTERESTS OF PARTNERS IN SOUTHERN COTTON CO., LTD.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest as copartners in and to Southern Cotton Co., Ltd., a Texas partnership, which is a business enterprise within the United States, of each of the persons whose names and last known addresses are, respectively, as follows:

Names:	*Last known addresses*
K. Kuzutani	Japan.
B. W. Thomas	Dallas, Texas.

representing in the aggregate a 9 percent interest in the said business enterprise, the other 91 percent interest having been vested by the undersigned pursuant to Vesting Order Number 59 issued by him under date of July 24, 1942.

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after

appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 15, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–9435; Filed, September 23, 1942; 10:29 a. m.]

[Vesting Order 148]

CERTAIN INDEBTEDNESS OWING BY AFRICAN-ASIATIC TRADING CO., INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of F. H. Hillel and Company, Kobe, Japan, and Capelluto and Ashkenazi, Kobe, Japan, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or any of them by African-Asiatic Trading Co., Inc., a New York corporation, which is a business enterprise within the United States, 66⅔ shares of the common capital stock of which were vested by the undersigned pursuant to Vesting Order Number 88 issued under date of July 31, 1942, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, nationals of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–9436; Filed, September 23, 1942; 10:30 a. m.]

[Vesting Order 149]

CERTAIN INDEBTEDNESS OWING BY GOSHO COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Gosho Company, Japan Agency, Osaka, Japan, Gosho Kabushiki Kaisha, Shanghai, China, and S. Kida, Osaka, Japan, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or any of them by Gosho Company, Inc., a Texas corporation, which is a business enterprise within the United States, 7,405 shares of the common capital stock of which were vested by the undersigned pursuant to Vesting Order Number 87 issued under date of July 31, 1942, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, nationals of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest; hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–9437; Filed, September 23, 1942; 10:30 a. m.]

[Vesting Order 150]

CERTAIN INDEBTEDNESS OWING BY R. A. C. E., INCORPORATED

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Societa Italiana Rigenerazione Soluzioni Impure, Castellanza, Italy, in and to all indebtedness, contingent or otherwise, and whether or not matured, owing to it by R. A. C. E., Incorporated, an Ohio corporation, which is a business enterprise within the United States, 245 shares of the common capital stock of which were vested by the undersigned pursuant to Vesting Order Number 89 issued under date of July 31, 1942, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, nationals of a designated enemy country (Italy), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–9438; Filed, September 23, 1942; 10:31 a. m.]

[Vesting Order 139]

THE SCHERING CORPORATION

Re: Certain declared and unpaid dividends on the capital stock of The Schering Corporation (New Jersey), and one additional share of the capital stock of said corporation.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All unpaid dividends declared prior to April 18, 1942 on the 43,994 shares of the common stock and on the 2,225 shares of the preferred stock of The Schering Corporation, a New Jersey corporation, which were vested by the undersigned pursuant to Vesting Order Number 4 issued by him under date of April 18, 1942, and on the one additional share of common stock of such corporation which is hereinafter described in subparagraph (b) and is vested by this order,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and

(b) That the property described as follows:

One share of common capital stock of The Schering Corporation, a New Jersey corporation, which is a business enterprise within the United States, which share is registered in the name of Julius Weltzien, a citizen of Germany, whose last known address was represented to the undersigned as being Millburn, New Jersey,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of such designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 2, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–9440; Filed, September 23, 1942; 10:59 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 1 to Order 5 Under Revised Price Schedule 89—Bed Linens—Dockets 3089–3–E, 3089–4–E]

JOSEPH BANCROFT & SONS CO., INC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 and paragraph (d) of Order No. 5 [1] under Revised Price Schedule No. 89—Bed Linens, paragraph (a) of Order No. 5 is amended and paragraph (g) is added, to read as follows:

(a) Joseph Bancroft & Sons Company, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, to Rhoads & Company, the kinds and grades of bed linens set forth in paragraph (b), at prices not in excess of those stated therein. Rhoads & Company may buy and receive, and agree, offer, solicit and attempt to buy and receive such kinds and grades of bed linens at such prices from Joseph Bancroft & Sons Company.

* * * * *

(g) This Amendment No. 1 to Order No. 5 (paragraphs (a) and (g)) shall become effective as of the 9th day of June, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9416; Filed, September 22, 1942; 2:18 p. m.]

[Order 23 Under Revised Price Schedule 6 [2]—Iron and Steel Products—Docket 3006–15]

LACLEDE STEEL COMPANY

ORDER GRANTING PARTIAL EXCEPTION

On May 8, 1942, the Laclede Steel Company, St. Louis, Missouri, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition, and an opinion in support of this Order No. 23 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the au-

[1] 7 F.R. 4360.

[2] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 7240.

thority vested in the Price Administrator by the Emergency Price Control Act, and in accordance with Procedural Regulation No. 1,[1] issued by the Office fo Price Administration, *It is hereby ordered:*

(a) Laclede Steel Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, semi-finished iron and steel products as set forth in paragraph (b) at prices not in excess of those stated therein to the Lend-Lease Administration.

(b) The maximum price which may be charged by the Laclede Steel Company on sales of semi-finished iron and steel products for the account of the Lend-Lease Administration, when such sales are made for shipment to the eastern seaboard, shall be the maximum Chicago basing point prices as otherwise established in Revised Price Schedule No. 6, f. o. b. Alton and Madison, Illinois.

(c) The provisions of paragraph (b) hereof shall apply to Lend-Lease contract DA-TPS-6781 and all subsequent Lend-Lease contracts covering semi-finished steel products.

(d) Relief requested by Petitioner on finished steel products is denied as are all other prayers in the petition except those specifically granted herein.

(e) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(f) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(g) This Order No. 23 shall become effective September 23, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9414; Filed, September 22, 1942; 2:18 p. m.]

[Order 46 Under Maximum Price Regulation 120[1]—Bituminous Coal Delivered From Mine or Preparation Plant—(Docket 3120-87)]

WEIKART COAL CO.

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[2] *It is ordered:*

(a) On and after May 25, 1942, Weikart Coal Company, Washingtonville, Ohio, may carry out agreements to sell its coals in Size Groups 2, 4 and 5, produced at its Weikart Coal Company Mine (Mine Index No. 1445), District No. 4, in Columbiana County, Ohio for shipment by truck or wagon, at prices no higher than the applicable maximum prices, subject to an agreement to adjust prices upon deliveries made during the pendency of the petition in Docket No. 3120-87, in accordance with the disposition of such petition.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5089, 5560, 5607, 5827, 5836, 6169, 6218, 6265, 6272 6472, 6325, 6524, 6744, 6896.

[2] 7 F.R. 971, 3663, 6967.

(b) This Order No. 46 may be revoked or amended by the Administrator at any time, and, in any event, is to be effective only to the date of final disposition of the petition.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 46 shall become effective September 23, 1942.

Issued this 22d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9415; Filed, September 22, 1942; 2:18 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-600]

CENTRAL OHIO LIGHT & POWER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 21st day of September, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party or parties; and

Notice is further given that any interested person may, not later than October 5, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Central Ohio Light & Power Company, a subsidiary company of Crescent Public Service Company which is a registered holding company, proposes to declare and pay out of earned surplus a dividend of $1.00 per share to the holders of its Common Stock during the month of October, such dividend aggregating $20,000. The application was filed by Central Ohio Light & Power Company pursuant to section 12 (c) of said Act and the Commission's Order, dated February 19, 1941 (Holding Company Act Release No. 2570) which provides, in part, that so long as any of the First Mortgage 3½% Bonds, Series D, due March 1, 1966, of Central Ohio Light & Power Company shall be unredeemed and outstanding or until further Order of the Commission, no further dividends shall be declared or paid on said Common Stock except upon application to and approval by order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9425; Filed, September 22, 1942; 3:26 p. m.]

[File No. 1-2698]

PEARSON COMPANY, INC.

ORDER REOPENING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of September, A. D. 1942.

In the matter of Pearson Company, Incorporated $1 Par Common Stock.

Pearson Company, Incorporated pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its $1 Par Common Stock from listing and registration on the Chicago Board of Trade; and

After appropriate notice, a hearing in this matter having been held and concluded before a Trial Examiner of the Commission on June 29, 1942; and

The application having been offered in evidence pursuant to said rule without further proof of the allegations contained therein; and

It appearing to the Commission, after an examination of the record thus far made, that the Chicago Board of Trade, a party having a bona fide interest in the proceeding, did appear and in substance object to the admission of the application in evidence as proof in support of the allegations therein; and

It further appearing that the record does not disclose proof of compliance with the requirements of said rule with respect to forwarding a copy of the application to the exchange;

It is ordered, That the record in this proceeding be reopened and that the hearing be reconvened at 10:00 a. m. on Wednesday, October 14, 1942, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, for the purpose of allowing the applicant further opportunity to offer proof in support of the allegations contained in the application and proof of compliance with the requirements of Rule X-12D2-1 (b) with respect to forwarding a copy of the application to the exchange.

It is further ordered, That Henry Fitts, or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered

to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the case and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9424; Filed, September 22, 1942; 3:26 p. m.]

[File Nos. 54-55, 59-51]

SOUTHERN COLORADO POWER CO.

NOTICE OF FILING AND ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 18th day of September, A. D. 1942.

In the matter of Southern Colorado Power Company (File No. 54-55) and Southern Colorado Power Company (File No. 59-51).

Notice is hereby given that an amended declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and the Rules promulgated thereunder by Southern Colorado Power Company, a public utility company and a direct subsidiary of Standard Gas and Electric Company, a registered holding company. All interested persons are referred to said document which is on file at the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Southern Colorado Power Company (hereinafter referred to as Colorado) proposes to consummate a plan as amended, for its reorganization and recapitalization pursuant to section 11 (e) of said Act for the purpose of enabling it to comply with the provisions of section 11 (b) (2) of said Act. The elements of the proposal are as follows:

(1) Coincident or substantially coincident, with the consummation of the plan as amended, but not necessarily as a part thereof, Colorado proposes the retirement and redemption of its presently outstanding $6,763,400 First Mortgage 6% Gold Bonds due July 1, 1947 by the issuance and sale of $5,500,000 of First Mortgage 3½%, 30-Year Bonds and $1,200,000 of 10-Year 3% Serial Notes and the employment of the proceeds thereof, together with treasury cash in the estimated amount of approximately $100,000, for that purpose.

(2) By amendment to the Articles of Incorporation of Colorado, the presently outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock will be reclassified into 452,160 shares of new Common Stock, par value $10 per share, or a total of $4,521,600, or a new corporation will be formed with authorized capital stock sufficient to meet the requirements of the plan.

(3) The 452,160 shares of new Common Stock, resulting from the reclassification mentioned in paragraph (2) above, will be distributed to the holders of the presently outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock as follows:

(a) 10 shares of new Common Stock for each share of 7% Cumulative Preferred Stock and all accumulated and unpaid dividends thereon. The holders of the Cumulative Preferred Stock will thus receive a total of 425,160 shares of the new Common Stock.

(b) ⅓ share of new Common Stock for each shares of Class A Common Stock. The holders of the Class A Common Stock will thus receive 22,000 shares of the new Common Stock.

(c) 1/15 share of new Common Stock for each share of Class B Common Stock. The holders of the Class B Common Stock will thus receive 5,000 shares of the new Common Stock.

Under the proposed distribution 94.03% of the new Common Stock will be allotted to the holders of the old 7% Cumulative Preferred Stock, 4.87% of the new Common Stock will be distributed to the holders of Class A Common Stock and 1.10% to the holders of the Class B Common Stock. In lieu of fractional shares of the new Common Stock, scrip certificates will be issued representing such fractional shares and exchangeable, when accompanied by other scrip certificates representing one or more full shares of the new Common Stock for certificates for such full shares, but the holders of such scrip certificates will be entitled to no rights as shareholders of Colorado until so exchanged. If not so exchanged, all scrip certificates will become void in two years from the date of their issuance.

(4) The capital surplus of $3,230,000 resulting from the reclassification of the 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock together with the earned surplus of Colorado amounting to $364,886.62 as of December 31, 1941, will be employed as follows:

Unamortized debt discount and expense on first mortgage bonds	$186,172.20
Redemption premium on first mortgage bonds—2½%—	169,085.00
Duplicate interest on first mortgage bonds for one month—	33,817.00
Estimated expenses in connection with the consummation of the plan	43,870.00
Estimated expenses in connection with the redemption of the presently outstanding bonds and the issuance and sale of the new bonds and notes	60,000.00
Reserve for adjustment of property	[1] 3,101,942.42
Total charges to surplus—	3,594,886.62

[1] The premium on the sale of the proposed new bonds, if any, will be credited to reserve for adjustment of property.

The application states that the amended plan was filed for the purpose of enabling the applicant and the Standard Gas and Electric Company Holding Company System to meet the requirements of section 11 (b) (2) of said Act by simplifying the applicant's corporate structure and effecting a fair and equitable distribution of voting power among the holders of its securities. The application requests (1) an order approving the plan as amended, and (2) a recital in the order approving the plan, as amended, that the contemplated distribution of the new Common Stock is necessary and appropriate to the integration or simplification of the Standard Gas and Electric Company Holding Company System and the itemization in the order of the stock which is to be reclassified, exchanged and/or distributed under the plan, as amended, (in order that no gain or loss may be recognized in such reclassification, exchange and/or distribution of stock as provided in section 371 (b) and section 371 (f) of the Internal Revenue Code).

If this Commission should approve the above plan, as amended, the applicant may, but does not obligate itself to, request this Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said Act to enforce and carry out the terms and provisions of the plan, as amended. Submission of the plan, as amended, to the company's security holders for their approval or rejection is not contemplated.

The Commission having on July 2, 1942 issued its Notice of Filing and Order for Hearing herein pursuant to sections 11 (e), 11 (b) (2), 15 (f) and 20 (a) of said Act; the said hearing having been convened on July 28, 1942, reconvened on August 19, 1942, and having been adjourned on that date until September 30, 1942, and it appearing to the Commission that said hearing scheduled to be reconvened on September 30, 1942 should be postponed until October 6, 1942 in order that adequate notice may be given as herein after provided; and it further appearing that Charles S. Lobingier who was designated as a trial examiner to preside at the hearing aforesaid will be unable to preside at said postponed hearing when reconvened;

It is hereby ordered, That the hearing previously scheduled for September 30, 1942 on (1) the plan for reorganization and recapitalization heretofore filed pursuant to section 11 (e), and (2) the proceedings previously instituted by this Commission pursuant to sections 11 (b) (2), 15 (f) and 20 (a), be postponed to the 6th day of October, 1942 and that on said date the hearing shall be reconvened at 10:00 A. M., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he is hereby designated to preside at such postponed and reconvened hearing in the place of and instead of Charles S. Lobingier;

It is further ordered, That the Secretary of the Commission shall serve notice of the postponed hearing to be reconvened as aforesaid, by mailing a copy of this order by registered mail to the above named party, to Standard Gas and Electric Company and Standard

Power and Light Corporation, and that notice of said hearing is hereby given to all security holders of Southern Colorado Power Company, to all states, municipalities, all political subdivisions of states or foreign countries in which are located any of the utility assets of the holding company system of Standard Gas and Electric Company or under the laws of which any of its subsidiary companies are incorporated, to all state commissions, state securities commissions and all agencies, authorities or instrumentalities of one or more states, municipalities or other political subdivisions having jurisdiction over Southern Colorado Power Company or over any of its business affairs, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER:

It is further ordered, That Southern Colorado Power Company mail a copy of this notice and order at least fifteen days prior to October 6, 1942 to each of its stockholders at his last known address;

It is further ordered, That any person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission on or before October 6, 1942 a written statement relative thereto; any person proposing to intervene shall file with the Secretary of the Commission on or before such date his application therefor, as provided by Rule XVII of the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of the issues presented by the Commission's previous order of July 2, 1942 or by the pending application or declaration (or both), as amended, or by the proceedings previously instituted by this Commission under sections 11 (b) (2), 15 (f) and 20 (a) of said Act, evidence having particular bearing on the following matters will be adduced:

(1) Whether the proposed plan, as amended, filed pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of said Act.

(2) Whether the proposed plan as amended, is fair and equitable to the persons affected thereby.

(3) Whether the proposed plan, as amended, is feasible.

(4) Whether the proposed plan, as amended, should be submitted to the stockholders of Southern Colorado Power Company for their approval or rejection.

(5) Whether the proposed transactions by Southern Colorado Power Company which are incidental to the consummation of the proposed plan, as amended, comply with all the requirements of the applicable provisions of the Act and Rules.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9423; Filed, September 22, 1942; 3:27 p. m.]

JACK LEWIS BAKER

ORDER DENYING APPLICATION FOR REGISTRATION AS OVER-THE-COUNTER BROKER-DEALER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1942.

In the matter of Jack Lewis Baker, doing business as J. L. Baker, R. F. D. No. 1, Box 412, Jacksonville, Florida.

Jack Lewis Baker, doing business as J. L. Baker, having filed an application for registration as an over-the-counter broker-dealer, pursuant to section 15 (b) of the Securities Exchange Act of 1934; and

Proceedings having been instituted pursuant to an order of the Commission to determine whether such registration should be denied; and

The applicant having appeared and hearing having been held according to such order; and

The Commission having duly considered the matter and entered its findings and opinion herein;

It is ordered, On the basis of said findings and opinion, that the application for registration of Jack Lewis Baker, doing business as J. L. Baker, be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9431; Filed, September 23, 1942; 9:44 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 14]

PETROLEUM IN NEW YORK CITY AREA

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I enclose a Plan for an Alternative Storage and Distribution System to Maintain the Supply of Petroleum and Petroleum Products in the Metropolitan New York City Area in the Event of an Emergency.

I hereby approve said plan for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval herein expressed, is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

SEPTEMBER 19, 1942.

[F. R. Doc. 42-9439; Filed, September 23, 1942; 10:37 a. m.]

Retention

SEP 28 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 189

Washington, Friday, September 25, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Administration

PART 961—MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

SUSPENSION OF TIME LIMITATION

Order suspending provision of § 961.1 (a) (5) of the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, (7 U.S.C. 1940 ed. 601 *et seq.*), hereinafter referred to as the "act", and the provisions of the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, effective April 1, 1942 (7 F.R. 2377), it is hereby determined that the time limitation with respect to the inclusion of certain farmers (who do not regularly deliver milk for use in the Philadelphia, Pennsylvania, marketing area) as producers, during September 1942, obstructs, and during such period does not tend to effectuate the declared policy of the act.

It is, therefore, ordered, That the words "of October, November, December, and January", which appear in § 961.1 (a) (5) of the said order, shall be, and hereby are, suspended for the period September 1942.

Done at Washington, D. C., this 23d day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN, *Assistant to the Secretary of Agriculture.*[1]

[F. R. Doc. 42-9466; Filed, September 23, 1942; 4:10 p. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4088]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL LACQUER MANUFACTURING CO., ETC.

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.* In connection with offer, etc., in commerce, of respondent's paint, and among other things, as in order set forth, (1) representing as the customary or regular price of respondent's paint any price which is in excess of the price at which such paint is regularly and customarily sold by respondent in the normal and usual course of business; and (2) representing, directly or by implication, that the price at which respondent offers his paint for sale constitutes a special, reduced, or sacrifice price, when in fact such price is the usual and customary price at which respondent sells his paint in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, September 18, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Plant and equipment:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock:* § 3.6 (dd) *Advertising falsely or misleadingly—Special offers:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of respondent's paint, and among other things, as in order set forth, (1) representing, directly or by implication, that respondent maintains any warehouse other than that maintained at his manufacturing plant in Vernon, California; (2) representing, directly or by implication, that respondent has any

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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specified quantity of paint warehoused or on hand in the vicinity of prospective purchasers, when respondent does not in fact have such quantity warehoused or on hand in the designated locality; and (3) representing, directly or by implication, that the quantity of respondent's paint available to prospective purchasers is limited, when respondent is in fact prepared to fill all orders received; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, September 18, 1942]

§ 3.6 (o) *Advertising falsely or misleadingly—Old as new:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—History.* In connection with offer, etc., in commerce, of respondent's paint, and among other things, as in order set forth, (1) using the words "fresh stock" to designate or describe any reclaimed or reconditioned paint, or otherwise representing, directly or by implication, that such paint is new paint or is made from new and unused materials; and (2) representing, directly or by implication, that respondent's paint is obtained by him direct from paint manufacturers, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, September 18, 1942]

§ 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old, used or reclaimed as unused or new.* In connection with offer, etc., in commerce, of respondent's paint, and among other things, as in order set forth, advertising, offering for sale, or selling reclaimed or reconditioned paint without clearly disclosing in all sales letters and other advertising media, and on labels affixed to the containers in which such paint is sold, that such paint is a reclaimed or reconditioned product made principally from salvage material; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, September 18, 1942]

In the Matter of Jacob Swimmer, an Individual, Trading as National Lacquer Manufacturing Co. and as National Titanium Co.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of September, A. D. 1942.

The Federal Trade Commission having on July 20, 1942, made its findings as to the facts and issued its order to cease and desist in this proceeding (copies of such findings and order being served on the respondent on July 24, 1942), and the Commission now being of the opinion that said order to cease and desist should be modified as hereinafter set forth;

It is ordered, That said order to cease and desist be, and it hereby is, modified to read as follows:

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, the answer of the respondent, testimony and other evidence in support of the allegations of the complaint and in opposition thereto, taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Jacob Swimmer, individually and trading as National Lacquer Manufacturing Co., and as National Titanium Co., or trading under any other name, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's paint in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing as the customary or regular price of respondent's paint any price which is in excess of the price at which such paint is regularly and customarily sold by respondent in the normal and usual course of business.

2. Representing, directly or by implication, that the price at which respondent offers his paint for sale constitutes a special, reduced, or sacrifice price, when in fact such price is the usual and customary price at which respondent sells his paint in the normal and usual course of business.

3. Representing, directly or by implication, that respondent maintains any warehouse other than that maintained at his manufacturing plant in Vernon, California.

4. Representing, directly or by implication, that respondent has any specified quantity of paint warehoused or on hand in the vicinity of prospective purchasers, when respondent does not in fact have such quantity warehoused or on hand in the designated locality.

5. Representing, directly or by implication, that the quantity of respondent's paint available to prospective purchasers is limited, when respondent is in fact prepared to fill all orders received.

6. Using the words "fresh stock" to designate or describe any reclaimed or reconditioned paint, or otherwise representing, directly or by implication, that such paint is new paint or is made from new and unused materials.

7. Representing, directly, or by implication, that respondent's paint is obtained by him direct from paint manufacturers, when such is not the fact.

8. Advertising, offering for sale, or selling reclaimed or reconditioned paint without clearly disclosing in all sales letters and other advertising media, and on labels affixed to the containers in which such paint is sold, that such paint is a reclaimed or reconditioned product made principally from salvage material.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9487; Filed, September 24, 1942; 11:37 a. m.]

[Docket No. 4490]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MAURICE J. ENGEL

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation.* In connection with offer, etc., in commerce, of knives or knife blades for use by the fur industry, or other similar products, representing, directly or by implication, that respondent's knife blades made from rolled carbon steel are composed of tungsten surgical steel, or that said knife blades have been tri-forged; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Maurice J. Engel, Docket 4490, September 21, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence taken before Miles J. Furnas, a trial examiner of the Commission theretofore duly designated by it, which testimony consisted of a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record in lieu of testimony in support of the complaint and in opposition thereto, report of the trial examiner upon the evidence, and brief in support of the complaint; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Maurice J. Engel, his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of knives or knife blades for use by the fur industry, or other similar products, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing, directly or by implication, that respondent's knife blades made from rolled carbon steel are composed of tungsten surgical steel, or that said knife blades have been tri-forged.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9485; Filed, September 24, 1942; 11:37 a. m.]

[Docket No. 4739]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BEWLEY MILLS

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of products:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of respondent's "Red Anchor" poultry and stock feeds, and among other things, as in order set forth, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said poultry and stock feeds, which advertisements represent, directly or through inference, (1) that respondent's products designated Red Anchor Broiler Starter and Broiler Finisher as feed for chicks raised for broilers give better and more economical results than can be obtained from the use of other feeds; that its said product Red Anchor Broiler Finisher as a feed for chicks six to seven weeks old, theretofore fed its product Red Anchor Broiler Starter, will cause total feed cost to be lower and produce better broilers than will other feeds; that its product Red Anchor Starter Feed is perfectly balanced and contains every food element essential to insure a healthy start in life for baby chicks; and (2) that the use of its products designated Red Anchor Feeds will result in the highest production at the lowest cost for poultry; that said feeds are perfectly balanced, thoroughly tested under actual feeding conditions so as to insure better and more economical results regardless of feeding conditions; and that they will give maximum production for the least cost over a long period of time; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Bewley Mills, Docket 4739, September 21, 1942]

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of respondent's "Red Anchor" poultry and stock feeds, and among other things, as in order set forth, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said poultry and stock feeds, which advertisements represent, directly or through inference, (1) that respondent's product Red Anchor Chick Starter, containing Vitamin D elements, insures lower mortality, more rapid growth, sturdier and stronger chicks than are obtained through the use of other starter feeds; and (2) that its product Red Anchor Egg Mash feed, in combination with its product Red Anchor Hen Scratch, contains every essential food element, gives the highest feeding results, and produces eggs of the highest quality; that it contains a greater proportion of certain essential feed ingredients than do other commercial feeds sold for egg production; that it increases hatchability of eggs, the vigor and vitality of laying hens, and insures stronger chicks; that it contains all the essential food elements for greater production and is higher in Vitamin G content than are competitive products; that numerous tests disclose that it takes less of said product to produce a given number of eggs than it takes of other feeds; and that the amount of such product used may be reduced and still produce more eggs than would be produced by other egg mash feeds; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Bewley Mills, Docket 4739, September 21, 1942]

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of respondent's "Red Anchor" poultry and stock feeds, and among other things, as in order set forth, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said poultry and stock feeds, which advertisements represent, directly or through inference, (1) that better cattle and sheep are produced by feeding respondent's product Red Anchor Cattle and Sheep Chunkets than are produced by feeding other products; and (2) that its product All Mash Turkey Starter contains a special mineral balance and a greater quantity of Vitamins A and D than do other mashes, and that it will produce more No. 1 turkeys than will be produced through the use of other turkey mashes; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Bewley Mills, Docket 4739, September 21, 1942]

At a regular session of the Federal Trade Commission held at its office in

the City of Washington, D. C., on the 21st day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent and a stipulation as to the facts entered into by counsel for respondent herein and counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and its conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Bewley Mills, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of its poultry and stock feeds designated Red Anchor Feeds, whether sold under the same name or any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference:

(a) That its products designated Red Anchor Broiler Starter and Broiler Finisher as feed for chicks raised for broilers give better and more economical results than can be obtained from the use of other feeds; that its said product Red Anchor Broiler Finisher as a feed for chicks six to seven weeks old, theretofore fed its product Red Anchor Broiler Starter, will cause total feed cost to be lower and produce better broilers than will other feeds; that its product Red Anchor Starter Feed is perfectly balanced and contains every food element essential to insure a healthy start in life for baby chicks.

(b) That the use of its products designated Red Anchor Feeds will result in the highest production at the lowest cost for poultry; that said feeds are perfectly balanced, thoroughly tested under actual feeding conditions so as to insure better and more economical results regardless of feeding conditions; and that they will give maximum production for the least cost over a long period of time.

(c) That its product Red Anchor Chick Starter, containing Vitamin D elements, insures lower mortality, more rapid growth, sturdier and stronger chicks than are obtained through the use of other starter feeds.

(d) That its product Red Anchor Egg Mash feed, in combination with its product Red Anchor Hen Scratch, contains every essential food element, gives the highest feeding results, and produces eggs of the highest quality; that it contains a greater proportion of certain essential feed ingredients than do other commercial feeds sold for egg production; that it increases hatchability of eggs, the vigor and vitality of laying hens, and insures stronger chicks; that it contains all the essential food elements for greater production and is higher in Vitamin G content than are competitive products; that numerous tests disclose that it takes less of said product to produce a given number of eggs than it takes of other feeds; and that the amount of such product used may be reduced and still produce more eggs than would be produced by other egg mash feeds.

(e) That better cattle and sheep are produced by feeding its product Red Anchor Cattle and Sheep Chunkets than are produced by feeding other products.

(f) That its product All Mash Turkey Starter contains a special mineral balance and a greater quantity of Vitamins A and D than do other mashes, and that it will produce more No. 1 turkeys than will be produced through the use of other turkey mashes.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of its said poultry and stock feeds designated Bewley's Red Anchor Feeds, which advertisement contains any of the representations prohibited in paragraph 1.

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9486; Filed September 24, 1942; 11:37 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1516]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT No. 3

DISTRICT NO. 3—CORNELL COKE CO.

Findings of fact, conclusions of law, memorandum opinion, and order of the Acting Director in the matter of Bituminous Coal Producers Board for District 3, for preliminary and permanent relief regarding the establishment of additional price classifications and minimum prices for the Yale Mine, Mine Index No. 584, of Cornell Coke Company.

This proceeding was instituted upon a petition duly filed with the Bituminous Coal Division (the "Division"), on June 23, 1942, by the Bituminous Coal Producers Board for District No. 3 ("District Board 3"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act"). The petitioner requested a change in the classification of the coals produced by the Yale Mine, Mine Index No. 584, operated by the Cornell Coke Company,[1] in Monongalia County, West Virginia, in District 3 from the classification "J" to a dual classification of "DJ" in Size Groups Nos. 1 to 10, inclusive, for rail shipment; "D" classification, to apply to coal of any size group produced in this mine having a sulphur content of 1.35 percent or under, irrespective of the use for which it is sold, and "J" classification to apply to the coal of any size group if the sulphur content is in excess of 1.35 percent. Petitioner also requested the establishment of a "B" classification for the coals of this mine in Size Groups Nos. 11 to 16, inclusive.

Pursuant to appropriate orders and after due notice to interested persons, a hearing in this matter was held on August 20, 1942, before W. A. Cuff,[2] a duly designated Examiner of the Division, at a hearing room thereof, in Washington, D. C. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The petitioner and the Bituminous Coal Consumers' Counsel appeared at the hearing. The preparation and filing of a report by the Examiner was waived by the parties, and the record was thereupon submitted to the undersigned.

The Cornell Coke Company, which operates the Yale Mine, Mine Index No. 584 in District 3, is engaged in the production of coke. The beehive coke ovens from which the coke is produced are adjacent to this mine. The coke is shipped to the Bethlehem Steel Company and the Jones and Laughlin Steel Company. The coal production of this mine within the last few months has steadily increased so that at the present time it is producing approximately 200 tons a day. The record shows that the coal produced from this mine is suitable for coke and other by-products. But while under the "J" classification this producer can make coke for others, it cannot successfully sell its coal for by-product use to others and thus has no incentive to increase its production of coal over what it can use for its own beehive coke ovens.

Daniel T. Buckley, Chairman of District Board 3, testified in support of the request for the establishment of a dual "DJ" classification as well as a "B" classification for this mine. Upon cross-examination, however, he admitted that the establishment of a "DJ" classification would be granting this code member an advantage over other producers in District 3 operating mines in the Freeport Seam. He admitted that in District 3 only producers in the Pittsburgh Seam have dual classifications.[3] He stated further that the granting of a "B" classification for the Yale Mine would enable this producer to sell his coal on the by-product market and thus solve the code member's immediate problem.

Since the establishment of a "B" classification would not in any way disturb present price coordination and existing fair competitive opportunities, but will afford this code member a fair opportunity to sell his coal in the by-product market for which it is suitable, I find and conclude that the establishment of "B" classification for the Yale Mine, Mine Index No. 584, in District 3, operated by the Cornell Coke Company, is necessary and will effectuate the purposes of sections 4 II (a) and 4 II (b) of the Act and comply with the standards thereof.

Now, therefore, it is ordered, That § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R. which supplement is hereinafter set forth and hereby made a part hereof.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

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[1] This mine was formerly known as the "Reedrun Mine" and was first operated by the E-Z Fuel Company (C. F. Edwards), and later by the Rock Forge Coke Company, for the coals of which mine, in an order dated August 20, 1941, in Docket No. A-981, 6 F. R. 4607, "J" classification was established.

[2] Charles S. Mitchell was first designated as the examiner for this matter. In an order issued by the Acting Director on August 19, 1942, Examiner Cuff designated vice Mitchell.

[3] The Examiners in their Report in General Docket No. 15 pointed out that the Bituminous Coal Code, under the National Industrial Recovery Act accorded the Pittsburgh Seam coals of District 3, when marketed for commercial purposes, a dual classification. (Examiners' Report in General Docket No. 15, pp. 269-271.) They recommended that a line

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

Note: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos.										
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
584	Cornell Coke Company The (Joseph Pursglove, Jr.).	Yale	M. V. Freeport	Rock Forge, W. Va.	B&O	70	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	B	B	B	B	B	B

*Indicates coal in this size group previously classified.

[F. R. Doc. 42-9452; Filed, September 23, 1942; 12:08 p. m.]

[Docket No. A-1599]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 12) is amended by adding thereto Supplement R-II, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein for the coals of the Moss & Hill #2 Mine (Mine Index No. 1627) of code member Moss & Hill (E. M. Moss) or for the coals of the Floyd Mine (Mine Index No. 1623) of code member Floyd Rouse for the reason set forth in the order severing that portion of Docket No. A-1559 relating to such coals from the remainder of the docket, designating such portion as Docket No. A-1559, Part II and granting temporary relief therein.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[Docket No. A-1599]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15;

Now, therefore, it is ordered, That pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937, and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter, and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I and § 335.8 (*Special prices—(a) Oklahoma "smithing coal" from production group*

EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES for code members—Supplement R-I to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPTS TRUCK

§ 335.5 *Alphabetical list of code members*—Supplement R-I

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group: 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Carr, Charles E. (Acme Coal Co.)*	1450	Acme #2	11	Tulsa	StL–S.F.	171	A	A	A	A		A		A	A	A	A				A
Gray, C. E.#	1147	Gray #2	12	Briartown	MV	80					A		A					A		A	

Special Purpose Coal—Blacksmithing (See § 335.8 (a) Supplement R-II)

A is Market Area list price as listed in Price Schedule No. 1.

*Previously classified as truck mine in Docket A-973.
#Previously classified as truck mine in Price Schedule No. 1 in name of Neil P. LaFave.

[Minimum prices f. o. b. mine for coal shipped by rail to destinations as shown]

Size	To Minneapolis & St. Paul, Minn. & Mkt. Area No. 40	To all other destinations
Crushed Mine Run—Bulk	465	500
Crushed Mine Run—Sacked	1465	1550
Lump—Over 2½"	515	580

1 130 cents per ton may be deducted when buyer furnishes sacks.

§ 335.8 *Special prices—(a) Oklahoma "smithing coal" from Production Group No. 12*—Supplement R-II. Special purpose coal schedule—Part 2 (§ 335.8 (a) of Minimum Price Schedule) Oklahoma "smithing coal" from Production Group No. 12.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Product group No.	County	3" lump	2" up	10" x 1½"	10" x 1¼"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ¾"	1¼" x ¾" (R)	1¼" x 0 (W)	1¼" x 0 (R)	¾" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Central Coal Company, The	1028	Central #1	6	Osage, Kans.	345	345	345	345		210	195	190	345	335	335	335	170	150	35
Collins Coal Co. (Marion Collins)	1026	Rudell Fm #2	2	Henry, Mo.	250	250	250	250	225	210	205	210	210	185	185	170	135	135	35
Jones, R. F. (J. & P. Coal Co.)	1020	J. & P.	1	Harton, Mo.	290	290	290	290	265	205	195	185	220	195	185	170	170	110	35
Schneider, E. J.	1619	Schneider	3	Macon, Mo.	290	290	290	290	215	205	195	190	210	180	185	170	170	150	35
Wastell, R. J. (Wastell Construction Co.)	1618	Wastell	2	Henry, Mo.	250	250	250	250	225	210	195	190	210	185	185	170	170	150	35

[F. R. Doc. 42-9453; Filed, September 23, 1942; 12:07 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter A—General

[Order 4]

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY REGARDING CONTRACT MATTERS

To the Executive Director, Administrative Officer, and Chiefs of the Fiscal and Service Divisions, Regarding Contract Matters.

§ 800.4 *Order No. 4.* Pursuant to the authority vested in me, as Chairman of the Board of Economic Warfare, by Executive Order 9233, dated August 22, 1942, 7 F.R. 6703, I hereby designate and authorize the Executive Director of the Board, the Administrative Officer, and, when specifically authorized by said Administrative Officer, the Chiefs, respectively, of the Fiscal and Services Divisions (and, in their absence, the persons designated by any of such officers to act for them), to perform and exercise all of the powers and functions vested in me by the aforesaid Executive Order.

H. A. WALLACE,
Chairman.

SEPTEMBER 22, 1942.

[F. R. Doc. 42-9494; Filed, September 24, 1942; 12:01 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Amendment 1 to Schedule IV to Limitation Order L-42]

Paragraph (b) of § 1076.5 *Schedule IV to Limitation Order L-42 as amended, effective June 1, 1942*[1] is amended by adding at the end thereof the following new subparagraph (3):

(3) Cast iron soil pipe and fittings shall be uncoated.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9481; Filed, September 24, 1942; 11:17 a. m.]

PART 1125—CASKETS, SHIPPING CASES AND BURIAL VAULTS

[General Limitation Order L-64, as Amended September 24, 1942]

Section 1125.1 *General Limitation Order L-64* is hereby amended to read as follows:

§ 1125.1 *General Limitation Order L-64*—(a) *Definitions.* For the purposes of this order:

(1) "Casket" means a container in which it is intended to place a human corpse for interment.

(2) "Shipping case" means a container, in which it is intended to place a casket, containing a human corpse for transportation.

(3) "Burial vault" means a container in which it is intended to place a casket containing a human corpse for interment, and shall include "burial boxes."

(4) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, engaged in the production of caskets, shipping cases, or burial vaults, or parts made specifically for incorporation into caskets, shipping cases, or burial vaults.

(5) "Production" means the fabrication or processing of raw material or of semi-fabricated material into caskets, shipping cases, or burial vaults, or parts made specifically for incorporation into caskets, shipping cases, or burial vaults or the assembly of finished parts into caskets, shipping cases or burial vaults.

(6) "Iron and steel used" means the weight of iron and steel in the aggregate contained in finished caskets, shipping cases or burial vaults, or in parts made specifically for incorporation into caskets, shipping cases or burial vaults.

(7) "Metal liner" means a metal container which is inserted into a wooden casket in order to provide hermetical sealing.

(8) "Metal" means metal or metallic substances in any form and shall include metal or metallic substances contained in powders, sprays, paints, pastes, platings and finishes.

(9) "Joining hardware" means screws, nails, rivets, hinges, panel braces, top supports, fasteners, catches, escutcheons, bolts, arms, and attaching plates for handles, devices for removable handles and other small hardware for joining and similar essential purposes.

(10) "Handle hardware" means hardware attached to the outside of a casket or shipping case for carrying purposes, but does not include arms and attaching plates for handles, and devices for removable handles.

(b) *Restrictions on production of caskets.* (1) On and after September 24, 1942, no manufacturer shall use any metal, other than iron and steel, in the production of caskets, except:

(i) Metallic finishing materials contained in his inventory prior to March 28, 1942;

(ii) Handle hardware for caskets consisting of assemblies of bars, ears, arms, and tips containing antimony, lead, aluminum, or zinc which were completely fabricated prior to March 28, 1942.

(2) No manufacturer shall, after September 24, 1942, process, fabricate, work on, or assemble any iron or steel for use in the production of caskets, except:

(i) Any iron or steel, the manufacture or assembly of which was specifically authorized by the granting of an appeal by the Director of Industry Operations or by the Director General for Operations prior to September 24, 1942;

(ii) Handle hardware for caskets consisting of assemblies of bars, ears, arms and tips which were completely fabricated prior to September 24, 1942;

(iii) During the period from September 24, 1942 to December 23, 1942 inclusive, joining hardware not exceeding 6 pounds per casket may be used, provided that if the casket contains handle hardware assemblies of the types specified in paragraphs (b) (1) (ii) and (b) (2) (ii) of this order not more than 4 pounds per casket of joining hardware shall be used, or

(iv) After December 23, 1942, joining hardware not exceeding 4 pounds per casket may be used whether or not the casket contains handle hardware assemblies of the types specified in paragraphs (b) (1) (ii) and (b) (2) (ii), provided that no more than 12 ounces of such 4 pounds shall be used for devices for removable handles.

(3) On and after September 24, 1942, no manufacturer shall use more than one coat of nitrocellulose lacquer, either spray or brush, on joining hardware.

(c) *Restrictions on production of metal liners.* (1) On and after September 24, 1942, no manufacturer shall use any metal other than iron and steel in the production of metal liners, except:

(i) Lead to be used for gaskets;

(ii) Lead to be used for soldering purposes, provided that such lead shall not contain more than 16% of tin by weight;

(iii) Galvanized steel, terne sheet, or copper bearing steel.

(2) No manufacturer shall, after September 24, 1942, process, fabricate, work on, or assemble any iron or steel for use in the production of metal liners, except

(i) Any iron or steel, the manufacture or assembly of which was specifically authorized by the granting of an appeal by the Director of Industry Operations or by the Director General for Operations prior to September 24, 1942.

(ii) No more than 50 pounds per metal liner of iron and steel or galvanized steel not exceeding 26 standard gauge in thickness, provided that any manufacturer who possessed in his inventory prior to March 28, 1942, iron and steel, galvanized steel, terne sheet or copper bearing steel exceeding 26 standard gauge in thickness may use more than 50 pounds of such steel per metal liner.

(3) On and after September 24, 1942, no metal liner shall be used except when hermetic sealing is required.

(i) To comply with a specific state law for the transportation or interment of a human corpse;

(ii) By the Army or Navy of the United States.

(d) *Restrictions on production of shipping cases.* (1) On and after September 24, 1942, no manufacturer shall use any metal, other than iron or steel, in the production of shipping cases except metallic finishing materials contained in his inventory prior to March 28, 1942.

(2) No manufacturer shall, after September 24, 1942, process, fabricate, work on or assemble any iron or steel for use in the production of shipping cases, except

(i) Any iron or steel, the manufacture or assembly of which was specifically au-

[1] 7 F.R. 2787.

thorized by the granting of an appeal by the Director of Industry Operations or by the Director General for Operations prior to September 24, 1942;

(ii) Joining hardware, provided that the total amount of iron and steel so used does not exceed two pounds per shipping case;

(iii) Handle hardware for shipping cases, provided that the total amount of iron and steel so used shall not exceed 3½ pounds per shipping case.

(3) On and after September 24, 1942, no manufacturer shall use more than one coat of nitrocellulose lacquer, either spray or brush, on joining hardware or handle hardware for shipping cases.

(e) *Restrictions on production of burial vaults.* (1) On and after September 24, 1942, no manufacturer shall use any metal other than iron or steel, in the production of burial vaults, except metallic finishing materials contained in his inventory prior to March 20, 1942.

(2) No manufacturer shall, after September 24, 1942, process, fabricate, work on or assemble any iron or steel for use in the production of burial vaults, except:

(i) Any iron or steel, the manufacture or assembly of which was specifically authorized by the granting of an appeal by the Directo of Industry Operations or by the Director General for Operations prior to September 24, 1942.

(ii) Joining hardware, provided that the total amount of iron and steel so used does not exceed two pounds per burial vault;

(iii) Iron and steel not exceeding 15 pounds per concrete burial vault for reinforcing and fastening purposes, provided that no manufacturer shall process, fabricate, work on or assemble any concrete burial vault containing any iron or steel after December 31, 1942.

(3) On and after September 24, 1942, no manufacturer shall use more than one coat of nitrocellulose lacquer, either spray or brush, on joining hardware for burial vaults.

(4) On and after September 24, 1942, no manufacturer shall procure or acquire any iron and steel for use as reinforcing material in the production of concrete burial vaults except from other manufacturers of concrete burial vaults.

(5) A manufacturer of concrete burial vaults may sell iron and steel for use as reinforcing material in the production of concrete burial vaults to other manufacturers of concrete burial vaults and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13.

(f) *Avoidance of excessive inventories.* No manufacturer of caskets, shipping cases and burial vaults shall accumulate for use in the manufacture of such caskets, shipping cases and burial vaults inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of caskets, shipping cases and burial vaults at the rates permitted by this order.

(g) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(h) *Audit and Inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Ref.: L-64.

(m) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9479; Filed, September 24, 1942; 11:17 a. m.]

PART 3033—PORTLAND CEMENT

[Amendment 2 to General Limitation Order L-179]

Section 3033.1 *General Limitation Order L-179*[1] as amended on August 24, 1942 is hereby further amended by striking out paragraph (a) (2) as amended and substituting therefor the following:

(2) *Storage of cement by manufacturers.* On and after September 24, 1942, no manufacturer of portland cement shall set aside, or continue to set aside, except during the testing period of such cement, any storage space for the storage of portland cement for the exclusive use of any one or more departments, agencies or governmental corporations of the United States or for the exclusive use of any one or more persons; but such manufacturer may set aside storage space for portland cement tested in accordance with the provisions of this order for the use in common by all departments, agencies and governmental corporations of the United States, or for the use in common of all other purchasers of such tested cement.

Paragraph (a) (3) is amended by striking out paragraph (a) (3) and substituting therefor the following:

(3) *Requirements for testing.* A purchaser of portland cement may require tests of such cement, but such tests may only be made in accordance with "Federal Specifications: Emergency Alternate Federal Specifications for Cement; Portland—Dated June 5, 1942, E-SS-C158a" or "American Society for Testing Materials Specifications C 77-40". Such tests shall be made only by a laboratory selected by the manufacturer of such cement, which laboratory, however, shall be either the National Bureau of Standards or a laboratory designated by the National Bureau of Standards.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9478; Filed, September 24, 1942; 11:17 a. m.]

[1] 7 F.R. 5986, 6680.

PART 3075—COPPER CHEMICALS

[Amendment 1 to General Preference Order M-227]

Section 3075.1 *General Preference Order M-227*[1] is hereby amended in the following respects:

1. By striking paragraph (b) (1) of said § 3075.1 and inserting in lieu thereof the following:

(1) On and after October 1, 1942, subject to the exemptions provided for in paragraphs (c) and (d) hereof, no producer or distributor shall deliver, and no person shall accept delivery of, any copper chemical except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (e) hereof.

2. By striking from paragraph (c) of said § 3075.1 "The specific authorization provided for in paragraph (b) (1) hereof, shall not be required with respect to the delivery by any producer or distributor to any one person in any one month" and inserting in lieu thereof the following: "The specific authorization provided for in paragraph (b) (1) hereof, shall not be required with respect to the delivery by any producer or distributor to any one person in any one month, or to the acceptance of delivery by any one person in any one month,".

3. By striking from paragraph (c) (1) of said § 3075.1 the letter and figures "(d) (2) (ii)" and inserting in lieu thereof the letter and figures "(e) (2) (ii)".

4. By adding a new paragraph to said § 3075.1, designated paragraph (d) as follows:

(d) *Special exemptions.* (1) The specific authorization provided for in paragraph (b) (1) hereof, shall not be required with respect to the delivery by any person other than a producer, of any copper chemical to any person for use, or for resale for use, for soil treatment or as an insecticide or fungicide, in connection with the cultivation of any agricultural crop, or to the acceptance by any person of any copper chemical delivered pursuant to this paragraph (d) (1).

(2) Each person seeking delivery of any copper chemical pursuant to the provisions of paragraph (d) (1) hereof, shall, at the time of placing his order therefor, file with his supplier a certificate to the effect that the copper chemical covered by such order will be used, or sold for use, only for soil treatment or as an insecticide or fungicide, in connection with the cultivation of agricultural crops and no person shall make any delivery of any copper chemical pursuant to the provisions of said paragraph (d) (1) unless and until he shall have received such a certificate with respect to each such delivery.

5. By changing the designation of paragraphs (d), (e) and (f) of said § 3075.1 to "(e)", "(f)" and "(g)."

6. By adding to paragraph (d) (2) (ii) of said § 3075.1 (which paragraph becomes (e) (2) (ii) by virtue of this amendment) the following:

If a producer proposes to make deliveries pursuant to paragraph (d) (1) hereof, the producer shall insert the heading "Agricultural Deliveries" in column 1 after completing the list of all other customers and shall list alphabetically under such heading the name of each customer to whom such deliveries are proposed to be made and shall complete columns 2, 3, 4 and 5 with respect to each such customer.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of September 1942.

ERNEST KANZLER,
Director General of Operations.

[F. R. Doc. 42-9480; Filed, September 24, 1942; 11:17 a. m.]

[1] 7 F.R. 7146.

PART 1243—OFFICERS' UNIFORMS

[Preference Rating Order P-131, as Amended September 22, 1942]

Correction

Paragraph (g) (1) (i) of § 1243.1, appearing on page 7488 of the issue for Wednesday, September 23, 1942, should read as follows:

"(i) Any person who prior to June 8, 1942 sold or delivered any officers uniform overcoat, short overcoat, raincoat, coat, blouse, trousers, slacks, or skirts, but such person may be sold or delivered only such items of officers uniforms: *Provided, however,* That such person may be sold or delivered ready-to-wear officers uniforms made from wool cloths described in paragraph (d) (2) and (3) only until December 31, 1942;".

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Correction to Amendment 12 to Rationing Order 3[1]]

SUGAR RATIONING REGULATIONS

§ 1407.185 *Products containing sugar manufactured for delivery to Army or Navy* is renumbered § 1407.186 *Products containing sugar manufactured for delivery to Army or Navy.*

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(o) This correction to Amendment No. 12 (§ 1407.186) shall become effective September 23, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Dir. No. 1, and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9464; Filed, September 23, 1942; 1:56 p. m.]

[1] 7 F.R. 2966, 3242, 3783, 4545, 4616, 5193, 5361, 6057, 6084, 6473, 6828, 6937, 7289, 7321, 7406.

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[Maximum Price Regulation 33]

CARDED COTTON YARNS AND THE PROCESSING THEREOF.

A statement of the considerations involved in the issuance of this Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The title, preamble and §§ 1307.51 to 1307.62, inclusive, of Revised Price Schedule No. 33[1]—Carded Cotton Yarns—are amended, renumbered and reissued as Maximum Price Regulation No. 33—Carded Cotton Yarns and The Processing Thereof.

In the judgment of the Price Administrator, the prices of carded cotton yarns and the processing thereof have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has given due consideration to the prices of these yarns and services prevailing between October 1 and October 15, 1941, inclusive, and has made adjustments of such relevant changes as he has determined and deemed to be of general applicability.

So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, and will effectuate the purpose of said Act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1[2] issued by the Office of Price Administration, Maximum Price Regulation No. 33 is hereby issued.

Sec.

1307.51 Prohibition against the sale or supplying of carded cotton yarns or the processing thereof at prices above the maximum.
1307.52 Less than maximum prices.
1307.53 Adjustable pricing.
1307.54 Export sales.
1307.55 Reports.
1307.56 Records.
1307.57 Transfer of business or stock in trade.
1307.58 Petitions for amendment.
1307.59 Evasion.
1307.60 Enforcement.
1307.61 Applicability of other regulations.
1307.62 Contracts of sale and invoices.
1307.63 Exempt sales.
1307.64 Definitions.
1307.65 Effective date.
1307.66 Appendix A: Maximum prices for base-grade carded cotton yarns.
1307.67 Appendix B: Maximum prices for grey carded cotton yarns other than base-grade.
1307.68 Appendix C: Maximum prices for sales of stock yarns; sales by jobbers.
1307.69 Appendix D: Maximum prices for processed carded cotton yarns and the processing thereof.

AUTHORITY: §§ 1307.51 to 1307.69 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1307.51 *Prohibition against the sale or supplying of carded cotton yarns or the processing thereof at prices above the maximum.* (a) No person shall sell or deliver carded cotton yarns and no person shall sell or supply any processing thereof at prices higher than the maximum prices set forth in Appendices A, B, C and D, incorporated herein as §§ 1307.66 to 1307.69, inclusive.

(b) No person in the course of trade or business shall buy or receive carded cotton yarns or any processing thereof at prices higher than the maximum prices set forth in Appendices A, B, C and D, incorporated herein as §§ 1307.66 to 1307.69, inclusive.

(c) No person shall agree, offer, solicit or attempt to do any of the acts set forth

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1267, 1837, 1836, 2000, 2132, 2737, 3160, 1837.

[2] 7 F.R. 971, 3663, 6967.

in paragraphs (a) and (b) above: *Provided*, That contracts entered into between October 6, 1941 and September 28, 1942 at prices conforming to the maximum prices established by Revised Price Schedule No. 33 [3] may be carried out at the contract price.

§ 1307.52 *Less than maximum prices.* Prices lower than the maximum prices established by the Maximum Price Regulation No. 33 may be charged, demanded, paid or offered.

§ 1307.53 *Adjustable pricing.* No seller of carded cotton yarns or the processing thereof shall enter into any agreement permitting the adjustment of prices to prices which may be higher than the maximum prices established herein in the event that this Maximum Price Regulation No. 33 is amended or upon any other contingency: *Provided*, That in an appropriate situation when a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may upon application grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1307.54 *Export sales.* The maximum price at which a person may export carded cotton yarns shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [4] issued by the Office of Price Administration.

§ 1307.55 *Reports to be submitted to the Office of Price Administration, Washington, D. C., by sellers of carded cotton yarns.* On or before the 10th day of each calendar month commencing with October 10, 1942, each seller of carded cotton yarns made during the preceding calendar month at prices above or below the applicable maximum prices for base-grade yarns of the same number because of adjustments provided in this regulation in § 1307.67. This report shall show with respect to each such sale: (a) the date, (b) the name and address of the purchaser, (c) a complete description of the yarn sold including the number, ply and other specifications, (d) the quantity sold, and (e) the price per pound contracted for or received therefor, itemizing separately the base-grade price, the increase or decrease in price made in accordance with § 1307.67 and the clause in accordance with which this adjustment was made.

§ 1307.56 *Records*—(a) *Records to be kept by sellers of carded cotton yarns.* Every person making sales of carded cotton yarns for commercial use after September 27, 1942, shall keep for inspection by the Office of Price Administration complete and accurate records showing with respect to each such sale: (1) the date, (2) the name and address of the purchaser, (3) the number, ply, and other specifications of the yarn sold, (4) the quantity sold and (5) the price per pound contracted for or received therefor, showing separately the base-grade price and any premium charged or discount allowed.

(b) *Records to be kept by sellers of processing services.* Every person selling processing services on a job or commission basis shall keep for inspection by the Office of Price Administration complete and accurate records showing with respect to each such sale: (1) the date, (2) the name and address of the purchaser, (3) a description of the processing services performed, and (4) the price per pound contracted for or received therefor.

§ 1307.57 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a seller or processor of carded cotton yarns are sold or otherwise transferred on or after September 28, 1942, and the transferee carries on the business, the maximum prices for sales by the transferee shall be the same as those to which sales by the transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same as that of the transferor. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions contained in the Regulation.

§ 1307.58 *Petitions for amendment.* Persons seeking modification of this Maximum Price Regulation No. 33 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 [5] issued by the Office of Price Administration.

§ 1307.59 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 33 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to carded cotton yarns or the processing thereof alone or in conjunction with any other commodity or service, or by way of commission service, transportation, or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1307.60 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 33 are subject to the criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Emergency Price Control Act of 1942.

§ 1307.61 *Applicability of other regulations.* This Maximum Price Regulation No. 33 shall apply and the General Maximum Price Regulation,[6] Maximum Price Regulation No. 165 as amended,[7] and Revised Price Schedule No. 58 as amended [8] shall not apply to sales of carded cotton yarns and the processing thereof for which maximum prices are established in Appendices A, B, C and D, incorporated herein as §§ 1307.66 to 1307.69, inclusive.

§ 1307.62 *Details required in contracts of sale and invoices for sellers of carded cotton yarns.* (a) Every seller of carded cotton yarns shall, with respect to every sale thereof, deliver to the purchaser a contract of sale which shall contain, in addition to the selling price and terms of sale, (1) the date on which the sale or contract of sale was made, and (2) a full description of the yarns sold, including (i) the count, (ii) the ply, and (iii) when in conformity with Maximum Price Regulation No. 33 a premium is charged or a discount is allowed, a full description of each feature of the yarn for which a premium is charged or a discount is allowed.

(b) Every seller of carded cotton yarns shall with respect to each delivery thereof, transmit to the purchaser an invoice or similar document which shall contain the information required by paragraph (a) above or shall refer to the contract in which such information is set forth.

§ 1307.63 *Exempt sales.* The provisions of this Maximum Price Regulation No. 33 shall not apply to:

(a) Sales at retail;

(b) Sales of carded cotton yarns by persons other than the producers thereof for use as wrapping twine or for resale for ultimate use as wrapping twine;

(c) Sales of seine twine and other yarns produced by two-process twisting;

(d) Sales of dyed carded cotton yarns or of the dyeing thereof; and

(e) Sales of carded yarns composed of cotton blended with other fibers.

§ 1307.64 *Definitions of terms used.* (a) When used in this Maximum Price Regulation No. 33, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(2) "Carded cotton yarn" means grey or processed yarns which are (i) composed of cotton, (ii) spun on the cotton system and (iii) not subjected to combing in the preparatory processes. This term shall include wrapping twine and imported carded cotton yarns;

(3) "Processed" means subjected to any of the processing operations set forth in paragraph (a) (11) below;

(4) "Grey carded cotton yarns" means carded cotton yarns which have not been subjected to any of the processing operations set forth in paragraph (a) (11) below;

(5) "Base grade yarn" means grey carded cotton yarns of the following specifications:

(i) Ply—Singles and plied.

(ii) Twist—Regular or reverse.

(iii) Turns per inch—(*a*) Yarns sold as singles. Up to 4.74, inclusive, times the square root of the yarn number.

(*b*) Yarns sold after plying—(*1*) Single twist—Up to 4.74, inclusive, times the square root of the yarn number.

(2) Plied twist—Up to 4.74, inclusive, times the square root of the single yarn equivalent.

(iv) Put-up. Singles and plied—Cones with yarn diameters at base of 6" and over and traverses of all dimensions.

Parallel tubes with yarn diameters of 5" and over and traverses of all dimensions.

Round-tied skeins.

(v) *Cotton content.* The specifications of the cotton in base-grade carded cotton yarns shall be American white Middling cotton of staple lengths not in excess of the staple lengths set forth below in Table I.

TABLE I. MAXIMUM STAPLE LENGTHS FOR COTTON USED IN BASE-GRADE CARDED COTTON YARNS

Yarn number	*Staple length*
Up to 16s	31/32"
17s to 24s	1 1/16"
25s to 30s	1 3/32"
31s to 40s	1 1/8"
41s and up	1 5/32"

As used herein, the term "American cotton" means all kinds of cotton grown in the United States except Sea Island, SXP and Pima, and the term "Middling" refers to the grade of cotton. Thus, for the purposes of this Regulation, any grade of cotton inferior to Middling is low-grade and any grade of cotton better than Middling is high-grade.

(6) "Stock yarn" means carded cotton yarns owned by a person independent of the producer or processor thereof and stored in space (i) owned or leased by such person on September 28, 1942 and located within 25 miles of his principal place of business or (ii) approved by the Administrator, upon a duly filed petition for adjustment in accordance with Procedural Regulation No. 1 [9] as a stock-yarn warehouse established to carry out a legitimate distributive function;

(7) "Thread yarn" means carded cotton yarns sold to a producer or converter for use solely in the production of sewing thread;

(8) "Producer" means any person who owns, operates or controls a factory, plant or mill in which grey carded cotton yarns are spun and includes any agent or representative of the foregoing;

(9) "Processor" means any person who mercerizes, bleaches or gasses carded cotton yarns;

(10) "Jobber" means a person at least 75 percent of whose sales of carded cotton yarn during the calendar month preceding any given transaction consisted of stock-yarn sales;

(11) "Processing" means mercerizing, bleaching or gassing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other items used herein.

§ 1307.65 *Effective date of Maximum Price Regulation No. 33.* Maximum Price Regulation No. 33 (§§ 1307.51 to 1307.69, inclusive) shall become effective September 28, 1942.

§ 1307.66 *Appendix A: Maximum prices for base-grade carded cotton yarns*—(a) *Terms of sale*—(1) *Freight.* The maximum prices established in this Appendix A include freight up to one cent per pound to the purchaser's place of business. If the seller does not pay such freight, the maximum price shall be that shown herein less freight (up to one cent per pound) at the lowest published rate.

(2) *Credit terms.* The terms of credit applicable to sales of base-grade carded cotton yarns shall be either (i) 2%—10th proximo [10] or (ii) 2%—30 days: *Provided*, That a seller shall employ with respect to all sales to a given purchaser only one of the above credit terms.

(b) *Maximum prices.* (1) The prices set forth below in Table II are maximum prices for sales of base-grade yarns. For a yarn number intermediate between any two appearing in Table II, the maximum price shall be that price obtained from this table by interpolation in accordance with the respective yarn numbers.

(2) TABLE II—BASE-GRADE YARNS

Cents per pound

Yarn Numbers	Single	Ply
6s	36.50	39
8s	37	39.50
10s	37.50	40
12s	38.25	41.25
14s	39	42
16s	39.75	43.25
18s	40.50	44
20s	41.25	45.25
22s	42.25	46.25
24s	43.25	47.25
26s	44.25	48.75
28s	45.25	49.75
30s	46.25	50.75
32s	47.50	52.50
34s	48.50	53.50
36s	49.50	54.50
38s	50.50	55.50
40s	51.50	56.50
42s	53	58
44s	54.50	59.50
46s	56	61
48s	57.50	62.50
50s	59.50	64.50

§ 1307.67 *Appendix B: Maximum prices for grey carded cotton yarns other than base-grade*—(a) *Applicability of this Appendix to the other provisions of Maximum Price Regulation No. 33.* The maximum prices for carded cotton yarns of other than base-grade specifications shall be the prices set forth in Appendix A, incorporated herein as § 1307.66, adjusted in accordance with the provisions of this Appendix B.

(b) *Premiums for twist.* For turns per inch exceeding the range provided for in the specifications for base-grade yarns, premiums may be charged in accordance with the following tables:

TABLE III—PREMIUM FOR SINGLE TWIST

Yarn numbers (all numbers herein inclusive)	Multiples [1] 4.75 to 5.24	Multiples 5.25 and up
	Cents per pound	*Cents per pound*
Up to 30s	0.95	1.35
31s to 40s	1.35	1.90
41s and up	2.00	2.75

[1] As used in the above table, "Multiple" means the quotient of the number of turns per inch divided by the square root of the yarn number.

TABLE IV—PREMIUMS FOR PLIED TWIST [1]

Yarn numbers (all numbers inclusive)	Multiples [2] 4.75 to 5.24	Multiples 5.25 and up
	Cents per pound	*Cents per pound*
Up to 30s	0.65	0.75
31s to 40s	.85	1.05
41s and up	1.05	1.20

[1] If the single as well as the plied twist of a plied yarn exceeds that provided for in the specifications for base-grade yarns, the applicable premium set forth in Table III, above, may be charged in addition to the premium for plied twist set forth in Table IV.

[2] See note 1 to Table III.

(c) *Premiums for put-ups.* The maximum prices for carded cotton yarns put-up in a manner set forth below shall be the applicable maximum price of the yarn on a base-grade put-up adjusted in accordance with the following premiums:

(1) *Cones.*	
Less than 6" in diameter and of the following sizes:	Billed at gross weight subject to the following maximum weight allowances for paper cones:
Standard 6" traverse cones	55 lbs. per 1000 cones.
Miniature 4" traverse cones	37 lbs. per 1000 cones.
(2) *Tubes.*	
(i) Tubes other than perforated, less than 5" in diameter and of the following sizes:	Billed at gross weight subject to the following maximum weight allowances for the weight of the tubes:
Standard 6" traverse tubes	50 lbs. per 1000 tubes.
Miniature 4" traverse tubes	19½ lbs. per 1000 tubes.
(ii) *Perforated tubes.*	*Cents per lb.*
Perforated tubes and springs	1.0
Perforated dye tubes with socks	2.0
(3) *Multiple end cones or tubes.*	
(Any number of ends)	1.0
(4) *Skeins.*	
Single figure 8	0.5
Double figure 8	1.0
(5) *Warps.*	
Chain or ball warps	1.0
Warp on section beams or jack spools (including freight one way)	1.5
Slashed warp on loom beams (Premium includes charges for beaming and slashing and freight both ways)	3.0

[3] *Supra*, note 1.

[4] 7 F.R. 5059.

[5] *Supra*, note 2.

[6] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4389, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5563, 5775, 5783, 5784, 6007, 6058, 6061, 6216, 6615, 6794, 6939, 7093, 7322.

[7] 7 F.R. 6428, 6966, 7249.

[8] 7 F.R. 2543, 2580, 3068, 3871, 4117, 4296, 4299, 4428, 5612, 6494.

[9] *Supra*, note 2.

[10] Under terms of 2%—10th proximo, invoices rendered after the 24th day of any month shall not be due until the 10th day of the second month thereafter.

(6) *Cop winding.* The premiums for cop winding shall be applicable to the single numbers listed below or their equivalent in plied yarns.

Yarn up to 2:5/1	2.0
Yarn up to 2.51/1 to 3.99/1	3.0
Yarn of 4/1 and finer	5.0

(7) *Thread yarn.* 6% of the applicable maximum price may be added: *Provided*, That no such premium may be charged unless the seller receives and maintains for inspection by the Office of Price Administration a statement from the purchaser that the yarn is to be used solely in the manufacture of sewing thread.

(d) *Premiums for knotless and lapless yarns.* The maximum prices for carded cotton yarns which are both knotless and lapless shall be the applicable maximum price for the base-grade yarn adjusted in accordance with the following premiums:

	Cents per lb.
Up to and including 16s	2.0
Above 16s	3.0

(e) *Premiums for wrapping twine.* The maximum price for yarn produced by single process twisting for ultimate use as wrapping twine shall be the applicable maximum price for the ply yarn plus the following premiums:

Balls:	Cents per lb.
8 oz. (bulk)	0.5
8 oz. (package or sacks)	1.5
6 to the pound (bulk)	1.0
6 to the pound (package or sacks)	2.0
Tubes:	
50 pounds, many ends	0.5
Reels:	
50 pounds, many ends	0.5
Single end	3.0

(f) *Discounts for yarns spun of tinged or low-grade cotton and/or cotton waste alone or in combination with cotton.* The maximum price for yarns composed in whole or in part of tinged or low-grade cotton and/or cotton waste alone or in combination with cotton shall be a price in line with the maximum price set forth herein for base-grade yarn of the same number. As used in this subparagraph, the term "in line" with means having a justifiable relation to the maximum price for base-grade yarn of the same number with commensurate decreases due to actual differences in the type, kind, classification, trade, condition, quality and cost of the raw materials.

(g) *Premiums for carded cotton yarns composed of cotton of higher than base-grade cotton specifications: Petitions for adjustment to be filed with the Office of Price Administration, Washington, D. C.*—(1) *Petition for adjustment for yarns composed of cotton of longer than base-grade staple length.* Any producer who (i) produces carded cotton yarn composed of cotton of a longer staple than the applicable staple lengths set forth in § 1307.64 (a) (5) (v) of this regulation and (ii) shows that the use of such cotton is reasonably related to the tensile specifications required in the yarn by the purchaser may file a petition for adjustment of his maximum price in accordance with §§ 1300.38 to 1300.41, inclusive, of Procedural Regulation No. 1.[12] This petition shall set forth the following with respect to such yarn:

(*a*) Evidence to show the existence of each of the conditions set forth above;

(*b*) The number, ply and other specifications of the yarn;

(*c*) The present maximum price therefor determined in accordance with this Maximum Price Regulation No. 33;

(*d*) The adjusted maximum price requested by the petitioner; and

(*e*) Evidence to show how this price was determined.

(2) *Petitions for adjustment for yarns composed of a higher grade than middling cotton or of Sea Island, SXP or Pima cotton.* Any producer who (i) produces carded cotton yarn composed in whole or in part of cotton of a higher grade than middling cotton or of Sea Island, SXP or Pima cotton and (ii) shows that the use of such cotton is necessitated by the specifications required in the yarn by the purchaser thereof may file a petition for adjustment of his maximum price in accordance with §§ 1300.38 to 1300.41, inclusive, of Procedural Regulation No. 1.[12] This petition shall set forth the following with respect to such yarn:

(*a*) Evidence to show the existence of each of the conditions set forth above;

(*b*) The number, ply and other specifications of the yarn;

(*c*) The present maximum price therefor determined in accordance with this Maximum Price Regulation No. 33;

(*d*) The adjusted maximum price requested by the petitioner; and

(*e*) Evidence to show how this adjusted price was determined.

§ 1307.68 *Appendix C: Maximum prices for sales of stock yarn; sales by jobbers*—(a) *Terms of sale*—(1) *Freight.* The freight terms for sales of stock yarn shall be (i) for sellers located in New York City, free in the Greater New York Metropolitan Area and f. o. b. New York City for deliveries outside this area and (ii) for sellers not located in New York City, f. o. b. seller's point of shipment.

(2) *Credit terms.* As applied to sales and deliveries of stock yarns, the terms of credit shall be either (i) 2%—10 days E. O. M. or (ii) 2%—30 days: *Provided*, That a seller shall employ with respect to all of his sales to a given purchaser only one of the above terms.

(b) *Maximum prices for sales of stock yarn.* The maximum prices for sales of stock yarn shall be the prices set forth in Appendix A (§ 1307.66), subject to appropriate adjustment by the provisions of Appendix B (§ 1307.67): *Provided*, That the maximum prices for sales of stock yarn by jobbers under the following circumstances shall be the applicable maximum prices determined in accordance with this Maximum Price Regulation No. 33 plus the premium provided below.

TABLE V—PREMIUMS FOR SALES OF STOCK YARN BY JOBBERS

Sales in which premiums are allowed	*Premium*
Sales of broken case[1] lots in quantities of 1500 pounds or less per calendar month to a given customer	10%
Sales of broken case lots in quantities in excess of 1500 pounds per calendar month: (*Provided*, That in no event shall sales of broken case lots irrespective of quantity per sale exceed 15,000 pounds in any calendar month to all of the seller's customers.)	5%
Sales of 1 to 3 unbroken cases: *Provided*, That a jobber may not charge this premium in connection with sales in any one calendar month in excess of 3000 pounds to the same customer or 20,000 pounds to all of his customers	5%

[1] As used in this Table V, the term "broken case" means a case from which at least 25 per cent of the contents have been removed

§ 1307.69 *Appendix D: Maximum prices for processed carded cotton yarns and the processing thereof*—(a) *Applicability of this appendix to the other provisions of Maximum Price Regulation No. 33.* The maximum prices for processed carded cotton yarns shall be the prices set forth in Appendix A (§ 1307.66) as adjusted by the provisions of Appendix B (§ 1307.67) plus the appropriate premium set forth below in Table VII.

(b) *Terms of sale*—(1) *Freight.* The maximum prices established in this Appendix D include freight up to one cent per pound to the purchaser's place of business. If the processor does not pay such freight, the maximum price shall be that shown herein less freight (up to one cent per pound) at the lowest published rate.

(2) *Credit terms.* The terms of credit applicable to sale of processing services shall be either (i) 2%—10th proximo or (ii) 2%—30 days: *Provided*, That a processor shall employ with respect to all sales to a given purchaser only one of the above credit terms.

(c) *Maximum prices for mercerizing, bleaching and/or gassing*—(1) *Explanation of Table VI*—(i) *Quilling, winding and handling charges.* The maximum prices set forth below include all charges for quilling, cone winding and special handling: *Provided*, That if the processor does not quill or wind, his maximum price shall be the price shown herein less his customary charge for quilling or winding.

(ii) *Long chain bleaching done alone.* The maximum prices set forth below may be charged only when bleaching is performed on long chains and is the sole processing operation.

(2) *Maximum prices.*

[12] *Supra*, note 2.

[12] *Supra*, note 2.

TABLE VI—MAXIMUM PRICES FOR MERCERIZING, BLEACHING AND/OR GASSING

[Amount—cents per pound]

Yarn No.	Singles			Plied				
	Mercerizing	Bleaching done alone or in conjunction with mercerizing	Long chain bleaching done alone	Mercerizing	Mercerizing and bleaching	Bleaching done alone	Long chain bleaching done alone	Gassing
Up to 20s	25	12.0	15.25	13.5	19.0	12.0	15.25	3.0
21s–30s	28	13.5	17.0	15.0	21.5	13.5	17.0	3.0
31s–40s	30	15.25	19.0	16.5	25.0	15.25	19.0	3.0
41s and up	32	17.0	20.5	18.0	25.5	17.0	20.5	4.0

(d) *Maximum prices for mercerized, bleached, and/or gassed yarns*—(1) *Explanation of Table VII*—(i) *Quilling, winding and handling charges.* The premiums set forth below include all charges for quilling, cone winding and special handling: *Provided*, That if the processor does not quill or wind, his maximum price shall be the price shown herein less his customary charge for quilling or winding.

(ii) *Shrinkage allowances.* An amount equal to 3 per cent of the maximum price for the grey yarn may be added to the price of yarn which is bleached, except that no shrinkage allowance shall be permitted where plied yarn has been mercerized and bleached. An amount equal to 2½ per cent of the maximum price for the grey yarn may be added to the price of plied yarns which have been gassed.

(iii) *Long chain bleaching done alone.* The premium set forth in Table VII below may be charged only when bleaching is performed on long chains and is the sole processing operation.

(2) *Maximum prices.*

TABLE VII—PREMIUMS FOR MERCERIZED, BLEACHED, AND/OR GASSED YARNS

[Premium—cents per pound]

Yarn No.	Singles			Plied				
	Mercerizing	Bleaching done alone or in conjunction with mercerizing	Long chain bleaching done alone	Mercerizing	Mercerizing and bleaching	Bleaching done alone	Long chain bleaching done alone	Gassing
Up to 20s	26	12.0	15.25	15.0	22.0	12.0	15.25	3.0
21s–30s	29	13.5	17.0	16.75	25.0	13.5	17.0	3.0
31s–40s	31	15.25	19.0	18.5	27.5	15.25	19.0	3.0
41s and up	33.5	17.0	20.5	20.0	29.0	17.0	20.5	4.0

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9495; Filed, September 24, 1942; 11:56 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

PART 222—STATEMENTS AND AGREEMENT REQUIRED TO BE FILED

[General Order 39, Amended, Supp. 1]

ORDER REVISING FORMS

General Order No. 39, amended (6 F.R. 5899) is hereby amended as follows:

Strike out § 222.2 *Revised forms of cargo and passenger reports approved*, and insert in lieu thereof the following:

§ 222.2 *Revised forms of cargo report and vessel performance summary approved.* The attached U. S. Maritime Commission, Division of Economics & Statistics, War Shipping Administration, Division of Statistics & Research, Form 7801 Revised September, 1942, Cargo Report and Vessel Performance Summary (Vessels Arriving at United States Ports)[1] and the attached U. S. Maritime Commission, Division of Economics & Statistics, War Shipping Administration, Division of Statistics & Research, Form 7802 Revised September, 1942, Cargo Report and Vessel Performance Summary (Vessels Departing from United States Ports),[1] are hereby approved.

These forms shall become effective on October 15, 1942.

By order of the United States Maritime Commission.

[SEAL] W. C. PEET, Jr.,
Secretary.

SEPTEMBER 22, 1942.

[F. R. Doc. 42-9493; Filed, September 24, 1942; 11:54 a. m.]

[1] Filed as part of the original document. Copies of the forms referred to may be obtained upon request from the Collector of Customs.

Chapter IV—War Shipping Administration

PART 306—GENERAL AGENTS AND AGENTS

[General Order 12, Supp. 7]

BERTH SUB-AGENT DEFINED

Section 306.5 (a)[1] (Subparagraph (a) of General Order No. 12 (Part I)), as amended by Supplement No. 1 thereto, is hereby amended to read as follows:

§ 306.5 *Sub-agents defined.* (a) *Berth sub-agent defined.* A berth sub-agent is an operator of United States flag vessels who is recognized by the War Shipping Administration as a regular berth operator in a certain service, and who has been designated by the War Shipping Administration as eligible for appointment by an agent or general agent as a sub-agent to perform such services of the agent or general agent as may be agreed upon for a vessel while it is operated in the regular service of the berth operator.

Berth sub-agents shall receive as compensation 80% of the compensation as provided in paragraph 7 of General Order No. 12 (§ 306.7), which compensation shall become effective at the commencement of all voyages begun after midnight, local time, June 30, 1942, and, as to any voyage then in progress, when the vessel is next free of cargo on board at that time. For services rendered by berth sub-agents prior to the effective date of the compensation herein provided, such berth sub-agents shall receive the compensation authorized by the Administrator at the time the services were rendered. The compensation of berth sub-agents shall be collected from the agent or general agent.

Section 306.12 (b), (c), and (d). (Subparagraph (b), (c), and (d) of paragraph 12 of General Order No. 12 (Part I)) are hereby cancelled and the following substituted therefor:

(b) Where a vessel is assigned to one person as agent or general agent and another person as berth sub-agent, the berth sub-agent shall account to the agent or general agent for all income and expenses (including the berth sub-agent's compensation and that paid by him to foreign sub-agents as voyage expenses).

(c) Each agent and general agent shall account directly to the Administration for the income and expenses of the vessels operated, and render monthly invoices to the Administration for their compensation.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 22, 1942.

[F. R. Doc. 42-9496; Filed, September 24, 1942; 11:48 a. m.]

PART 306—GENERAL AGENTS AND AGENTS

[General Order No. 21]

SERVICE AGREEMENT FORM

Whereas by Executive Order No. 9054, dated February 7, 1942, the President

[1] 7 F.R. 6584.

established the War Shipping Administration to assure the most effective utilization of the shipping of the United States for the successful prosecution of the war; and

Whereas the United States of America, acting by and through the Administrator, War Shipping Administration, has appointed certain agents and general agents, and will from time to time appoint additional ones, to conduct the business of vessels assigned to such agents under forms of Service Agreements (TCA–4/4/42 and GAA–4/4/42), approved by the Administrator on April 8, 1942, and

Whereas it is desirable for agents and general agents to appoint berth sub-agents to perform the functions of the agent or general agent under certain circumstances; and

Whereas the Administrator deems it appropriate to issue the following Order concerning the handling of vessels assigned to agents and general agents under service agreements, and the appointment of berth sub-agents by agents and general agents;

Now, therefore, it is hereby ordered, That:

§ 306.43 *Definitions.* The Terms "agent" (§ 306.4), "general agent" (§ 306.3), "berth sub-agent" (§ 306.5 (a)), and "sub-agent" (§ 306.5 (b)) as defined in General Order No. 12, as amended, shall have the same meaning in this order.

§ 306.44 *Service agreements (GAA–4/4/42).* Service agreements entered into between the United States of America, acting by and through the Administrator, War Shipping Administration, with shipping companies appointing them as general agents to manage and conduct the business of vessels (excluding tankers, smallcraft, salvage and rescue vessels, tugs and barges, and other vessels from time to time excluded with the approval of the Administrator) of which the War Shipping Administration is owner or owner *pro hac vice,* and assigned to the general agents by the United States from time to time, shall be as follows:

Contract WSA ------

SERVICE AGREEMENT FOR VESSELS OF WHICH THE WAR SHIPPING ADMINISTRATION IS OWNER OR OWNER PRO HAC VICE

This Agreement, made as of ---------, 19--, between the United States of America (herein called the "United States") acting by and through the Administrator, War Shipping Administration, and ----------, a corporation organized and existing under the laws of ----------, and having its principal place of business at ---------- ----------, (herein called the "General Agent").

Witnesseth:

That in consideration of the reciprocal undertakings and promises of the parties herein expressed:

ARTICLE 1. The United States appoints the General Agent as its agent and not as an independent contractor, to manage and conduct the business of vessels assigned to it by the United States from time to time.

ART. 2. The General Agent accepts the appointment and undertakes and promises so to manage and conduct the business for the United States, in accordance with such directions, orders, or regulations as the latter has prescribed, or from time to time may prescribe, and upon the terms and conditions herein provided, of such vessels as have been or may be by the United States assigned to and accepted by the General Agent for that purpose.

ART. 3A. To the best of its ability, the General Agent shall for the account of the United States:

(a) Maintain the vessels in such trade or service as the United States may direct, subject to its orders as to voyages, cargoes, priorities of cargoes, charters, rates of freight and charges, and as to all matters connected with the use of the vessels; or in the absence of such orders, the General Agent shall follow reasonable commercial practices;

(b) Collect all moneys due the United States under this Agreement and deposit, remit, or disburse the same in accordance with such regulations as the United States may prescribe from time to time, and account to the United States for all moneys collected or disbursed by it or its agents;

(c) Equip, victual, supply and maintain the vessels, subject to such directions, orders, regulations and methods of supervision and inspection as the United States may from time to time prescribe;

(d) The General Agent shall procure the Master of the vessels operated hereunder, subject to the approval of the United States. The Master shall be an agent and employee of the United States, and shall have and exercise full control, responsibility and authority with respect to the navigation and management of the vessel. The General Agent shall procure and make available to the Master for engagement by him the officers and men required by him to fill the complement of the vessel. Such officers and men shall be procured by the General Agent through the usual channels and in accordance with the customary practices of commercial operators and upon the terms and conditions prevailing in the particular service or services in which the vessels are to be operated from time to time. The officers and members of the crew shall be subject only to the orders of the Master. All such persons shall be paid in the customary manner with funds by the United States hereunder.

(e) Issue or cause to be issued to shippers customary freight contracts and Bills of Lading. Unless the United States shall otherwise instruct, such Bills of Lading shall contain all exemptions and stipulations usual to the particular trade or service in which the vessels may be engaged, and reserve a lien upon all cargoes for the payment of freight, primage charges, dead freight, demurrage, forwarding charges, advance charges for carriage to port of shipment, for contributions in general average and special charges on cargo and for all fines or penalties which the vessels or cargoes may incur by reason of illegal, incorrect or insufficient marking or addressing of packages or description of their contents. After a uniform Bill of Lading shall have been adopted by the United States, such Bill of Lading shall be used in all cases as soon as practicable after receipt thereof by the General Agent, with such modifications as shall be necessary for the particular trades in which the vessels hereunder shall from time to time be employed. Pending the issuance of such uniform Bill of Lading, the General Agent may continue to use its usual commercial form of Bill of Lading.

As soon as practicable after April 1, 1942, all Bills of Lading shall be issued by the General Agent or its agents as agent for the Master and the signature clause may provide substantially that the General Agent makes no warranty or representation as to the authority of the United States or the Master to enter into the agreement, and that the General Agent assumes no liability with respect to the goods described therein or the transportation thereof.

ART. 3B. The General Agent agrees, without prejudice to its rights under the provisions of Articles 8 and 16 hereof, to:

(a) Perform the duties required to be performed by it hereunder in an economical and efficient manner, and exercise due diligence to protect and safeguard the interests of the United States in all respects and to avoid loss and damage of every nature to the United States;

(b) Exercise due diligence to see that all Bills of Lading are properly issued, all wharf receipts for freight are nonnegotiable, and, where required, a freight contract or permit is issued for each shipment;

(c) Furnish and maintain during the period of this Agreement, at its own expense, a bond with sufficient surety, in such amount as the United States shall determine, such bond to be approved by the United States as to both sufficiency of surety or sureties and form, and to be conditioned upon the due and faithful performance of all and singular the covenants and agreements of the General Agent contained in this Agreement, including, without limitation of the foregoing, the condition faithfully to account to the United States for all funds collected and disbursed and funds and property received by the General Agent or its agents. The General Agent may, in lieu of furnishing such bond, pledge direct or fully guaranteed obligations of the United States of America of the face value of the penalty of the bond under an agreement satisfactory in form to the United States;

(d) Without the consent of the United States, not sell, assign or transfer, either directly or indirectly or through any reorganization, merger or consolidation, this Agreement or any interest therein, nor make any agreement or arrangement whereby the service to be performed hereunder is to be performed by any other person, whether an agent or otherwise, except as provided in Article 6 hereof.

ART. 4. (a) The General Agent and, to the extent required by the United States, every related or affiliated company or holding company of the General Agent, authorized as provided in Article 13 hereof, to render any service or to furnish any stores, supplies, equipment, provisions, materials, or facilities which are for the account of the United States under the terms of this Agreement, shall (1) keep its books, records and accounts relating to the management, operation, conduct of the business of and maintenance of the vessels covered by this Agreement in such form and under such regulations as may be prescribed by the United States; and (2) file, upon notice from the United States, balance sheets, profit and loss statements, and such other statements of operation, special reports, memoranda of any facts and transactions, which, in the opinion of the United States, affect the results in, the performance of, or transactions or operations under this Agreement.

(b) The United States is hereby authorized to examine and audit the books, records and accounts of all persons referred to above in this Article whenever it may deem it necessary or desirable.

(c) Upon the willful failure or willful refusal of any person described in this Article to comply with the provisions of this Article, the United States may rescind this Agreement.

ART. 5. At least once a month the United States shall pay to the General Agent as full compensation for the General Agent's services hereunder, such fair and reasonable amount as the Administrator, War Shipping Administration, shall from time to time determine: *Provided,* That with respect to vessels allocated before February 25, 1942, compensation shall not be less than the amount of earnings which the General Agent would have been permitted to earn under any applicable previously existing bareboat charters, preference agreements, commitments, rules or regulations of the United States Maritime Commission until the earliest termination date permissible thereunder as of March 22, 1942. Such compensation shall be deemed to cover, but without limitation, the General Agent's administrative and general expense (as presently itemized in General Order No. 22 of the United States Maritime Commission), advertising expense, taxes (other than taxes for which the General Agent is reimbursed under Article 7 hereof), and any other expenses which are not directly and exclusively applicable to the maintenance, management, operation or the conduct of the business of the vessels hereunder.

ART. 6. The General Agent shall exercise due diligence in the selection of agents. Such agents shall be subject to disapproval by the United States and any agency agreement shall be terminated by the General Agent whenever the United States shall so direct. Any compensation payable by the General Agent to its agents for services rendered in connection with the vessels assigned hereunder shall be subject to approval by the United States. In the event that any of the vessels covered by this Agreement are operated in a service in which an American citizen maintained a berth operation with American flag vessels on September 1, 1939, the General Agent, upon request of the United States, will assign such vessels to such berth operators as agents as may be appropriate under form of agreement prescribed by the United States. Agency fees or equivalent allowances for branch offices in accordance with schedules approved by the United States will be reimbursable under Article 7 hereof.

ART. 7. The United States shall reimburse the General Agent at stated intervals determined by the United States for all expenditures of every kind made by it in performing, procuring or supplying the services, facilities, stores, supplies or equipment as required hereunder, *excepting* general and administrative expense (as presently itemized in General Order No. 22 of the United States Maritime Commission), advertising expense, taxes (other than sales and similar taxes or foreign taxes of any kind to the extent determined by the United States to be classifiable as voyage expenses hereunder) and any other expenses which are not directly and exclusively applicable to the maintenance, management, operation or the conduct of the business of the vessels hereunder. The General Agent shall be reimbursed for sales and similar taxes or foreign taxes of any kind to the extent determined by the United States to be classifiable as voyage expenses hereunder if the General Agent shall have used due diligence to secure immunity from such taxation. To the extent not recovered from insurance, the United States shall also reimburse the General Agent for all crew expenditures (accruing during the term hereof) in connection with the vessels hereunder, including, without limitation, all disbursements for or on account of wages, extra compensation, overtime, bonuses, penalties, subsistence, repatriation, travel expense, loss of personal effects, maintenance, cure, vacation allowances, damages or compensation for death or personal injury or illness, and insurance premiums, required to be paid by law, custom, or by the terms of the ship's articles or labor agreements, or by action of the Maritime War Emergency Board, any payments made by the General Agent to a pension fund in accordance with a pension plan in effect on the effective date of this Agreement with respect to the officers and members of the crew of said vessels who are entitled to benefits under such plan, on the effective date of this Agreement, for the amount of any Social Security taxes which the General Agent is or may be required to pay on behalf of the officers and crew of said vessels as agent or otherwise. The United States may disallow, in whole or in part, as it may deem appropriate, and deny reimbursement for, expenses which are found to have been made in willful contravention of any outstanding instructions or which were clearly improvident or excessive.

Any moneys advanced to bonded persons by the General Agent for ship disbursements which are lost by reason of a casualty to the Vessel on which the money so advanced is carried shall in the event of such loss be considered an expense of the General Agent, subject to reimbursement as is in this Article 7 provided.

The United States may advance moneys to the General Agent to provide for disbursements hereunder in accordance with such regulations or conditions as the United States may from time to time prescribe.

ART. 8. The United States shall, without cost or expense to the General Agent, procure or provide insurance against all insurable risks of whatsoever nature or kind relating to the vessels assigned hereunder (which insurance shall include the General Agent and the vessel personnel as assureds) including, but without limitation, marine, war and P. & I. risks, and all other risks or liabilities for breach of statute and for damage caused to other vessels, persons or property, and shall defend, indemnify and save harmless the General Agent against and from any and all loss, liability, damage and expense (including costs of court and reasonable attorneys' fees) on account of such risks and liabilities, to the extent not covered or not fully covered by insurance. The General Agent shall furnish reports and information and comply fully with all instructions that may be issued with regard to all salvage claims, damages, losses or other claims. Neither the United States nor the insurance underwriters shall have any right of subrogation against the General Agent with respect to such risks. The United States may assume any of the foregoing risks except those relating to P. & I. risks and collision liabilities. At all times during the period of this Agreement, the United States shall at its own expense provide and pay for insurance with respect to each vessel hereunder against protection and indemnity marine and war risks, and collision liabilities without limit as to liability as to the amount of any claim or the aggregate of any claims thereunder. The United States at its election may write all or any such insurance, including that against P. & I. and collision liabilities, in its own fund, pursuant to a duly executed policy or policies. Neither the United States nor the insurance underwriters shall have any right of subrogation against the General Agent with respect to any of the foregoing risks. All insurance hereunder shall cover both the United States and the General Agent.

ART. 9. In the event of general average involving vessels assigned to the General Agent under this Agreement, the General Agent shall comply fully with all instructions issued by the United States in that connection including instructions as to the appointment of adjuster, obtaining general average security and asserting liens for that purpose unless otherwise instructed, and supplying the adjuster with all disbursements accounts, documents and data required in the adjustment, statement and settlement of the general average. Reasonable compensation for and general average allowances to the General Agent in such cases shall be in accordance with directions, orders or regulations of the United States.

ART. 10. Salvage claims for services rendered to vessels other than vessels owned or controlled by the United States shall be handled by, and be under the control of, the United States. Salvage awards for services rendered to other vessels owned or controlled by the United States including the vessels hereunder shall be made by the United States. The General Agent shall furnish the United States with full reports and information on all salvage services rendered.

ART. 11. (a) The United States shall have the right to terminate this Agreement at any time as to any and all vessels assigned to the General Agent and to assume control forthwith of any and all said vessels upon fifteen (15) days' written or telegraphic notice.

(b) Upon giving to the United States thirty (30) days' written or telegraphic notice, the General Agent shall have the right to terminate this Agreement, but termination by the General Agent shall not become effective as to any vessel until her arrival and discharge at a continental United States port.

(c) This Agreement may be terminated, modified, or amended at any time by mutual consent.

ART. 12. In case of termination of this Agreement, whether upon expiration of the stated period hereof or otherwise, all vessels and other property of whatsoever kind then in the custody of the General Agent pursuant to this Agreement, shall be immediately turned over to the United States, at times and places to be fixed by the United States, and the United States may collect directly, or by such agent or agents as it may appoint, all freight moneys or other debts remaining unpaid: *Provided,* That the General Agent shall, if required by the United States, adjust, settle and liquidate the current business of the vessels. Notwithstanding the foregoing provisions, when the United States shall so direct, the General Agent shall complete the business of voyages commenced prior to the date as of which the Agreement shall be terminated, and, if directed by the United States and subject to any instructions issued by the United States with respect thereto, the General Agent shall continue to book cargo for the vessels for the next voyages after the termination of this Agreement. No such termination of this Agreement shall relieve either party of liability to the other in respect of matters arising prior to the date of such termination or of any obligation hereunder to indemnify the other party in respect of any claim or demand thereafter asserted, arising out of any matter done or omitted prior to the date of such termination.

ART. 13. Agreements or arrangements with any interested or related company to render any service or to furnish any stores, supplies, equipment, materials, repairs, or facilities hereunder shall be submitted to the United States for approval as to employment. Unless and until such agreements or arrangements have been approved by the United States, compensation paid to any interested or related company shall be subject to review and readjustment by the United States. In connection with such review and readjustment, the United States may deny reimbursement hereunder of any portion of such compensation which it deems to be in excess of fair and reasonable compensation. The United States may also deny reimbursement, in whole or in part, of compensation under any arrangement or agreement with an interested or related company which it deems to be exorbitant, extortionate or fraudulent. The term "interested company" shall mean by person, firm, or corporation in which the General Agent, or any related company of the General Agent, or any officer or director of the General Agent, or any employee of the General Agent who is charged with executive or supervisory duties, or any member of the immediate family of any such officer, director or employee, or any officer or director of any related company of the General Agent or any member of the immediate family of an officer or director of any related

company of the General Agent, owns any substantial pecuniary interest directly or indirectly. The term "related company", used to indicate a relationship with the General Agent for the purposes of this Article only, shall include any person or concern that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the General Agent. The term "control" (including the terms "controlled by" and "under common control with") as used herein means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the General Agent (or related company), whether through ownership of voting securities, by contract, or otherwise.

ART. 14. The General Agent shall, unless otherwise instructed, subject to such regulations, instructions, or methods of supervision and inspection as may be required or prescribed by the United States, arrange for the repair of the vessels, covering hull, machinery, boilers, tackle, apparel, furniture, equipment, and spare parts, and including maintenance and voyage repairs and replacements, for the account of the United States, as may be necessary to maintain the vessels in a thoroughly efficient state of repair and condition. The General Agent shall exercise reasonable diligence in making inspections and obtaining information with respect to the state of repair and condition of the vessels, and so advise the United States from time to time, in order that the United States may satisfy itself that the vessels are being properly maintained, and shall cooperate with representatives of the United States in making any inspections or investigations that the United States may deem desirable.

ART. 15. The United States shall, when it may legally do so, have the advantage of any existing, or future, contracts of the General Agent for the purchase or rental of materials, fuel, supplies, facilities, services, or equipment, if this may be done without unreasonably interfering with the requirements of other vessels owned or operated by the General Agent.

ART. 16. (a) The United States shall indemnify, and hold harmless and defend the General Agent against any and all claims and demands (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) of whatsoever kind or nature and by whomsoever asserted for injury to persons or property arising out of or in any way connected with the operation or use of said vessels or the performance by the General Agent of any of its obligations hereunder, including but not limited to any and all claims and demands by passengers, troops, gun crews, crew members, shippers, third persons, or other vessels, and including but not limited to claims for damages for injury to or loss of property, cargo or personal effects, claims for damages for personal injury or loss of life, and claims for maintenance and cure.

(b) In view of the extraordinary wartime conditions under which vessels will be operated hereunder, the General Agent shall be under no responsibility or liability to the United States for loss or damage to the vessels arising out of any error of judgment or any negligence on the part of any of the General Agent's officers, agents, employees, or otherwise. However, the General Agent may be held liable for loss or damage not covered by insurance or assumed by the United States as required under Article 8 of this Agreement, if such loss or damage is directly and primarily caused by willful misconduct of principal supervisory shoreside personnel or by gross negligence of the General Agent in the procurement of licensed officers or in the selection of principal supervisory shoreside personnel.

(c) In the event that the General Agent shall perform any stevedoring, terminal, ship repair or similar service for the vessels hereunder at commercial rates, the General Agent shall have all the obligations and responsibilities of the person performing such services under the standard or other approved form of contract with the United States or, in the absence of such standard or approved form, under usual commercial practice.

(d) The General Agent shall be under no liability to the United States of any kind or nature whatsoever in the event that the General Agent should fail to obtain officers or crews for the operation of the vessels, or fail to arrange for the fitting out, refitting, maintenance or repair of said vessels, or fail to perform any other service hereunder by reason of any labor shortage, dispute or difficulty, or any strike or lockout or any shortage of material or any act of God or peril of the sea or any other cause beyond the control of the General Agent whether or not of the same or similar nature; or shall do or fail to do any act in reliance upon instructions of military or naval authorities.

ART. 17. Wherever and whenever herein any right, power, or authority is granted or given to the United States, such right, power, or authority may be exercised in all cases by the War Shipping Administration or such agent or agents as it may appoint or by its nominee, and the act or acts of such agent or agents or nominee, when taken, shall constitute the act of the United States hereunder. In performing its services hereunder, the General Agent may rely upon the instructions and directions of the Administrator, his officers and responsible employees, or upon the instructions and directions of any person or agency authorized by the Administrator. Wherever practicable, the General Agent shall request written confirmation of any oral instructions or directions so given.

ART. 18. (a) The General Agent warrants that it has not employed any person to solicit or secure this Agreement upon any agreement for a commission, percentage, brokerage or contingent fee. Breach of this warranty shall give the United States the right to annul this Agreement or in its discretion to deduct from any amount payable hereunder the amount of such commission, percentage, brokerage or contingent fee.

(b) In any act performed under this Agreement, the General Agent and any subcontractor shall not discriminate against any citizen of the United States on the ground of race, creed, color or national origin.

ART. 19. No person elected or appointed a member of or delegate to Congress or a Resident Commissioner, directly or indirectly, himself or by any other person in trust for him, or for his use or benefit, or on his account shall hold or enjoy this Agreement in whole or in part, except as provided in Section 206, Title 18, U.S.C. The General Agent shall not employ any member of Congress, either with or without compensation, as an attorney, agent, officer or director.

ART. 20. Subject to the provisions of Article 5 hereof, this Agreement is in substitution of and hereby abrogates and replaces the so-called 1¢ Bareboat Charter Agreements relating to the assignment or allocation to the General Agent of the vessels listed on Exhibit A hereto from the dates stated on such Exhibit. Preference Agreements relating to such allocated vessels shall be terminated and abrogated as of the same dates.

All rights and obligations of the parties under said abrogated Bareboat Charter and Preference Agreements are hereby cancelled and this Agreement is made retroactive to the cancellation dates thereof as stated on Exhibit A hereto. However, the General Agent shall be reimbursed for any expenditure made before the earliest permissible cancellation date after March 22, 1942, under said agreements to the extent that such expenditure would have been considered in computing additional charter hire or freight under such agreements. This Agreement, unless sooner terminated, shall extend until six months after the cessation of hostilities.

In witness whereof, the Parties hereto have executed this Agreement in triplicate the day and year first above written.

UNITED STATES OF AMERICA,
By: E. S. LAND, *Administrator, War Shipping Administration.*
By: ----------
For the Administrator.

By: ----------
Attest:

Approved as to form:

General Counsel, War Shipping Administration.

EXHIBIT "A" TO CONTRACT WSA ------

Vessel	Date allocation approved	Date of delivery	Cancellation date of previous bareboat charter or preference agreement, or both	Date of redelivery

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ---------- a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ----------
---
who signed this Agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; ---------- that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL] ----------
Secretary.

§ 306.45 *Service agreement (TCA—4-4-42).* Service agreements entered into between the United States of America, acting by and through the Administrator, War Shipping Administration, with shipping companies appointing them as agents to conduct the business of vessels (excluding tankers, smallcraft, salvage and rescue vessels, tugs and barges, and other vessels from time to time excluded with the approval of the Administrator) time chartered by the United States and assigned to them by the United States from time to time shall be as follows:

TCA 4/4/42 Contract WSA ------

SERVICE AGREEMENT FOR VESSELS TIME CHARTERED FROM OTHERS BY THE WAR SHIPPING ADMINISTRATION

This agreement, made as of ----------, 19----, between the United States of America (herein called the "United States") acting by and through the Administrator, War Shipping Administration, and----------
----------, a corporation organized and existing under the laws of ----------, and having its principal place of business at ----------, (herein called the "Agent").

Witnesseth:

That in consideration of the reciprocal undertakings and promises of the parties herein expressed:

ARTICLE 1. The United States appoints the Agent as its agent and not as an independent contractor, to conduct the business of vessels time chartered by the United States and assigned to it by the United States from time to time.

ART. 2. The Agent accepts the appointment and undertakes and promises so to conduct the business for the United States, in accordance with such directions, orders, or regulations as the latter has prescribed, or from time to time may prescribe, and upon the terms and conditions herein provided, of such vessels as have been or may be by the United States assigned to and accepted by the Agent for that purpose.

ART. 3A. To the best of its ability, the Agent shall for the account of the United States:

(a) Perform all of the customary duties of the agent of a time charterer in connection with the vessels subject to this Agreement, subject to the orders of the United States as to voyages, cargoes, priorities of cargoes, charters, rates of freight and other charges and as to all matters connected with the use of the vessels; or in the absence of such orders, the Agent shall follow reasonable commercial practices;

(b) Collect all moneys due the United States under this Agreement and deposit, remit, or disburse the same in accordance with such regulations as the United States may prescribe from time to time, and account to the United States for all moneys collected or disbursed by it or its agents;

(c) Provide and pay for all fuel, fresh water, stevedoring and other cargo handling expense, port charges, wharfage and dockage, pilotages, agencies, canal dues, commissions, and consular charges, except those pertaining to the Master, officers and crew, and all other expenses to the extent that such items and expenses are for the account of the United States as time charterer of the vessels subject to this Agreement: *Provided*, That, where the United States has entered into agreements for any of the foregoing items (such as for stevedoring and supplying fuel), the Agent shall see that the items are furnished pursuant to the provisions of such agreements and shall make the necessary arrangements with the District Manager, or other representative of the United States therefor;

(d) Issue or cause to be issued to shippers customary freight contracts and Bills of Lading. Unless the United States shall otherwise instruct, such Bills of Lading shall contain all exemptions and stipulations usual to the particular trade or service in which the vessels may be engaged, and insofar as possible all pertinent clauses and conditions embodied in the time charters whereunder the vessels subject to this Agreement are chartered to the United States, reserve a lien upon all cargoes for the payment of freight, primage charges, dead freight, demurrage, forwarding charges, advance charges for carriage to port of shipment, for contributions in general average and special charges on cargo and for all fines or penalties which the vessels or cargoes may incur by reason of illegal, incorrect or insufficient marking or addressing of packages or description of their contents. After a Uniform Bill of Lading shall have been adopted by the United States, such bill of lading shall be used in all cases as soon as practicable after receipt thereof by the Agent, with such modifications as shall be necessary for the particular trades in which the vessels hereunder shall from time to time be employed. Pending the issuance of such Uniform Bill of Lading, the Agent may continue to use its usual commercial form of Bill of Lading.

As soon as practicable after April 1, 1942, all Bills of Lading shall be issued by the Agent or its agents as agent for the Master and the signature clause may provide substantially that the Agent makes no warranty or representation as to the authority of the United States or the Master to enter into the agreement, and that the Agent assumes no liability with respect to the goods described therein or the transportation thereof.

ART. 3B. The Agent agrees, without prejudice to its rights under the provisions of Articles 8 and 16 hereof, to:

(a) Perform the duties required to be performed by it hereunder in an economical and efficient manner, and exercise due diligence to protect and safeguard the interests of the United States in all respects and to avoid loss and damage of every nature to the United States;

(b) Exercise due diligence to see that all Bills of Lading are properly issued, all wharf receipts for freight are non-negotiable and, where required, a freight contract or permit is issued for each shipment;

(c) Furnish and maintain during the period of this Agreement, at its own expense, a bond with sufficient surety, in such amount as the United States shall determine, such bond to be approved by the United States as to both sufficiency of surety or sureties and form, and to be conditioned upon the due and faithful performance of all and singular the covenants and agreements of the Agent contained in this Agreement, including, without limitation of the foregoing, the condition faithfully to account to the United States for all funds collected and disbursed and funds and property received by the Agent or its agents. The Agent may, in lieu of furnishing such bond, pledge direct or fully guaranteed obligations of the United States of America of the face value of the penalty of the bond under an agreement satisfactory in form to the United States;

(d) Without the consent of the United States, not sell, assign or transfer, either directly or indirectly or through any reorganization, merger or consolidation, this Agreement or any interest therein, nor make any agreement or arrangement whereby the service to be performed hereunder is to be performed by any other person, whether an agent or otherwise, except as provided in Article 6 hereof.

ART. 4. (a) The Agent and, to the extent required by the United States, every related or affiliated company or holding company of the Agent, authorized as provided in Article 13 hereof, to render any service or to furnish any stores, supplies, equipment, provisions, materials, or facilities which are for the account of the United States under the terms of this Agreement, shall (1) keep its books, records and accounts relating to the management, operation, conduct of the business of and maintenance of the vessels covered by this Agreement in such form and under such regulations as may be prescribed by the United States; and (2) file, upon notice from the United States, balance sheets, profit and loss statements, and such other statements of operation, special reports, memoranda of any facts and transactions, which, in the opinion of the United States, affect the results in, the performance of, or transactions or operations under this Agreement.

(b) The United States is hereby authorized to examine and audit the books, records and accounts of all persons referred to above in this Article whenever it may deem it necessary or desirable.

(c) Upon the willful failure or willful refusal of any person described in this Article to comply with the provisions of this Article, the United States may rescind this Agreement.

ART. 5. At least once a month the United States shall pay to the Agent as full compensation for the Agent's services hereunder, such fair and reasonable amount as the Administrator, War Shipping Administration, shall from time to time determine: *Provided*, That with respect to services rendered before February 25, 1942, compensation shall not be less than that provided for in the applicable agreement, commitment, rules or regulations of the United States Maritime Commission. Such compensation shall be deemed to cover, but without limitation, the Agent's administrative and general expense (as presently itemized in General Order No. 22 of the United States Maritime Commission), advertising expense, taxes (other than taxes for which the Agent is reimbursed under Article 7 hereof), and any other expenses which are not directly and exclusively applicable to the operation of the vessels hereunder.

ART. 6. The Agent shall exercise due diligence in the selection of agents. Such agents shall be subject to disapproval by the United States and any agency agreement shall be terminated by the Agent whenever the United States shall so direct. Any compensation payable by the Agent to its agents for services rendered in connection with the vessels assigned hereunder shall be subject to approval by the United States. Agency fees or equivalent allowances for branch offices in accordance with schedules approved by the United States will be reimbursable under Article 7 hereof.

ART. 7. The United States shall reimburse the Agent at stated intervals determined by the United States for all expenditures of every kind made by it in performing, procuring or supplying the services, facilities, stores, supplies or equipment as required hereunder, *excepting* general and administrative expense (as presently itemized in General Order No. 22 of the United States Maritime Commission), advertising expense, taxes (other than sales and similar taxes or foreign taxes of any kind to the extent determined by the United States to be classifiable as voyage expenses for the account of the United States) and any other expenses which are not directly and exclusively applicable to the maintenance, management, operation or the conduct of the business of the vessels hereunder. The Agent shall be reimbursed for sales and similar taxes or foreign taxes of any kind to the extent determined by the United States to be classifiable as voyage expenses for the account of the United States to the extent that the Agent shall have used due diligence to secure immunity from such taxation: The United States may disallow, in whole or in part, as it may deem appropriate, and deny reimbursement for, expenses which are found to have been made in willful contravention of any outstanding instructions

or which were clearly improvident or excessive.

Any moneys advanced to bonded persons by the Agent for ship disbursements which are lost by reason of a casualty to the Vessel on which the money so advanced is carried shall in the event of such loss be considered an expense of the Agent, subject to reimbursement as is in this article 7 provided.

The United States may advance moneys to the Agent to provide for disbursements hereunder in accordance with such regulations or conditions as the United States may from time to time prescribe.

ART. 8. The United States shall without cost or expense to the Agent procure or provide insurance against, or shall assume, all insurable risks of whatsoever nature or kind relating to the vessels assigned hereunder including, but without limitation, marine, war and P. & I. risks, and all other risks or liabilities for breach of statute and for damage caused to other vessels, persons or property, and shall defend, indemnify and save harmless the Agent against and from any and all loss, liability, damage and expense (including costs of court and reasonable attorneys' fees) on account of such risks and liabilities, to the extent not covered or not fully covered by insurance. The Agent shall furnish reports and information and comply fully with all instructions that may be issued with regard to all salvage claims, damages, losses or other claims. Neither the United States nor the insurance underwriters shall have any right of subrogation against the Agent with respect to such risks.

ART. 9. In the event of general average involving vessels assigned to the Agent under this Agreement, the Agent shall comply fully with all instructions issued by the United States in that connection including instructions as to the appointment of adjuster, obtaining general average security and asserting liens for that purpose unless otherwise instructed, and supplying the adjuster with all disbursements accounts, documents and data required in the adjustment, statement and settlement of the general average. Reasonable compensation for and general average allowances to the Agent in such cases shall be in accordance with directions, orders or regulations of the United States. This Article shall not apply to services required of the Owner under Time Charter.

ART. 10. The negotiation and settlement of all salvage claims for services rendered by vessels shall be controlled by the Owner and the United States in accordance with the provisions of the applicable Time Charter. The Agent shall furnish the United States with full reports and information on all salvage services rendered.

ART. 11. (a) The United States shall have the right to terminate this Agreement at any time as to any and all vessels assigned to the Agent and to assume control forthwith of the business of said vessels upon fifteen (15) days' written or telegraphic notice.

(b) Upon giving to the United States thirty (30) days' written or telegraphic notice, the Agent shall have the right to terminate this Agreement, but termination by the Agent shall not become effective as to any vessel until her arrival and discharge at a continental United States port.

(c) This Agreement may be terminated, modified, or amended at any time by mutual consent.

ART. 12. In case of termination of this Agreement, whether upon expiration of the stated period hereof or otherwise, all property of whatsoever kind then in the custody of the Agent pursuant to this Agreement, shall be immediately turned over to the United States, at times and places to be fixed by the United States, and the United States may collect directly, or by such agent or agents as it may appoint, all freight moneys or other debts remaining unpaid: *Provided*, That the Agent shall, if required by the United States, adjust, settle and liquidate the current business of the vessels. Notwithstanding the foregoing provisions, when the United States shall so direct, the Agent shall complete the business of voyages commenced prior to the date as of which the Agreement shall be terminated, and, if directed by the United States and subject to any instructions issued by the United States with respect thereto, the Agent shall continue to book cargo for the vessels for the next voyages after the termination of this Agreement. No such termination of this Agreement shall relieve either party of liability to the other in respect of matters arising prior to the date of such termination or of any obligation hereunder to indemnify the other party in respect of any claim or demand thereafter asserted, arising out of any matter done or omitted prior to the date of such termination.

ART. 13. Agreements or arrangements with any interested or related company to render any service or to furnish any stores, supplies, equipment, materials, or facilities shall be submitted to the United States for approval as to employment. Unless and until such agreements or arrangements have been approved by the United States, compensation paid to any interested or related company shall be subject to review and readjustment by the United States. In connection with such review and readjustment, the United States may deny reimbursement hereunder of any portion of such compensation which it deems to be in excess of fair and reasonable compensation. The United States may also deny reimbursement, in whole or in part, of compensation under any arrangement or agreement with an interested or related company which it deems to be exorbitant, extortionate or fraudulent. The term "interested company" shall mean any person, firm, or corporation in which the Agent, or any related company of the Agent, or any officer or director of the Agent, or any employee of the Agent who is charged with executive or supervisory duties, or any member of the immediate family of any such officer, director or employee, or any officer or director of any related company of the Agent, or any member of the immediate family of an officer or director of any related company of the Agent, owns any substantial pecuniary interest directly or indirectly. The term "related company", used to indicate a relationship with the Agent for the purposes of this Article only, shall include any person or concern that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the Agent. The term "control" (including the terms "controlled by" and "under common control with") as used herein means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the Agent (or related company), whether through ownership of voting securities, by contract, or otherwise.

ART. 14. This Agreement, unless sooner terminated, shall extend until six months after the cessation of hostilities.

ART. 15. The United States shall, when it may legally do so, have the advantage of any existing, or future, contracts of the Agent for the purchase or rental of materials, fuel, supplies, facilities, services, or equipment, if this may be done without unreasonably interfering with the requirements of other vessels owned or operated by the Agent.

ART. 16. (a) The United States shall indemnify, and hold harmless and defend the Agent against any and all claims and demands (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) of whatsoever kind or nature and by whomsoever asserted for injury to persons or property arising out of or in any way connected with the operation or use of said vessels or the performance by the Agent of any of its obligations hereunder, including but not limited to any and all claims and demands by passengers, troops, gun crews, crew members, shippers, third persons, or other vessels, and including but not limited to claims for damages for injury to or loss of property, cargo or personal effects, and claims for damages for personal injury or loss of life.

(b) The Agent shall be under no responsibility or liability to the United States for loss or damage to the vessels arising out of any error of judgment or any negligence on the part of any of the Agent's officers, agents, employees, or otherwise. However, the Agent may be held liable for loss or damage not covered by insurance or assumed by the United States as required under Article 8 of this Agreement, if such loss or damage is directly and primarily caused by willful misconduct of principal supervisory shoreside personnel or by gross negligence of the Agent in the selection of such principal supervisory personnel.

(c) In the event that the Agent shall perform any stevedoring, terminal, or similar service for the vessels hereunder at commercial rates, the Agent shall have all the obligations and responsibilities of the person performing such service under the standard or other approved form of contract with the United States or, in the absence of such standard or approved form, under usual commercial practice.

(d) The Agent shall be under no liability to the United States of any kind or nature whatsoever in the event that the Agent should fail to perform any service hereunder by reason of any labor shortage, dispute or difficulty, or any strike or lockout or any shortage of material or any act of God or peril of the sea or any other cause beyond the control of the Agent whether or not of the same or similar nature; or shall do or fail to do any act in reliance upon instructions of military or naval authorities.

ART. 17. Wherever and whenever herein any right, power, or authority is granted or given to the United States, such right, power, or authority may be exercised in all cases by the War Shipping Administration or such agent or agents as it may appoint or by its nominee, and the act or acts of such agent or agents or nominee, when taken, shall constitute the act of the United States hereunder. In performing its services hereunder, the Agent may rely upon the instructions and directions of the Administrator, his officers and responsible employees, or upon the instructions and directions of any person or agency authorized by the Administrator. Wherever practicable, the Agent shall request written confirmation of any oral instructions or directions so given.

ART. 18. (a) The Agent warrants that it has not employed any person to solicit or secure this Agreement upon any agreement for a commission, percentage, brokerage or contingent fee. Breach of this warranty shall give the United States the right to annul this Agreement or in its discretion to deduct from any amount payable hereunder the amount of such commission, percentage, brokerage or contingent fee.

(b) In any act performed under this Agreement, the Agent and any subcontractor shall not discriminate against any citizen of the United States of America on the ground of race, creed, color or national origin.

ART. 19. No person elected or appointed a member of or delegate to Congress or a Resident Commissioner, directly or indirectly, himself or by any other person in trust for him, or for his use or benefit, or on his account shall hold or enjoy this Agreement in whole or in part, except as provided in Section 206, Title 18, U. S. C. The Agent shall not employ any member of Congress, either with or without compensation, as an attorney, agent, officer or director.

In witness whereof, the parties hereto have executed this Agreement in triplicate the day and year first above written.

UNITED STATES OF AMERICA,
By: E. S. LAND, *Administrator.*
War Shipping Administration.

By: _____
For the Administrator.

_____

By: _____

Attest:

_____

Approved as to form:

_____
General Counsel,
War Shipping Administration.

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Agreement on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

_____
Secretary.

[CORPORATE SEAL]

§ 306.46 *Berth sub-agent service agreement* (BSA–9–22–42). Unless otherwise determined by the Administrator, when vessels assigned to an agent or general agent are required for operation on voyages in services in which an operator of United States Flag vessels is recognized by War Shipping Administration as a regular berth operator, such operator will be designated by the War Shipping Administration as the Berth Sub-Agent of the Agent or General Agent.

The provisions of this § 306.46 are hereby made retroactive so as to become effective as to vessels time chartered by the Administration from the date of delivery of the vessels to the Administration and as to vessels owned or bareboat chartered by the Administration from the date of delivery of the vessels to the general agent.

Service agreements entered into between the United States of America, acting by and through the Administrator, War Shipping Administration, with berth operators approved by the Administration, appointing such berth operators as berth sub-agents to conduct the business of vessels assigned to them from time to time by the United States, an agent or general agent, shall be as follows:

BSA (Approved 9–22–42)

Contract WSA-_____

AGREEMENT BETWEEN THE WAR SHIPPING ADMINISTRATION AND BERTH SUB-AGENTS OF AGENTS OR GENERAL AGENTS

Whereas the United States of America (herein called the "United States") acting by and through the Administrator, War Shipping Administration, has entered into service agreements (GAA and TCA) with certain companies designating such companies as Agent or General Agent to conduct the business of vessels assigned to such agents by the United States from time to time, and

Whereas when vessels assigned to an Agent or General Agent are required for operation on voyages in services in which an operator of United States flag vessels is recognized by War Shipping Administration as a regular berth operator, such operator will be designated by War Shipping Administration as the Berth Sub-Agent of the Agent or General Agent, and

Whereas the United States has designated _____, a _____ corporation, having its principal place of business at _____, (herein called the "Berth Sub-Agent") as eligible for appointment by Agents and General Agents as a Berth Sub-Agent,

Now, therefore, the United States and the Berth Sub-Agent, in consideration of the reciprocal undertakings and promises of the parties herein expressed, agree that the following provisions shall govern the rights and obligations of the United States and the Berth Sub-Agent, while the Berth Sub-Agent is performing services as Berth Sub-Agent at the request of the United States, an Agent or General Agent:

ARTICLE 1. The United States appoints the Berth Sub-Agent as its sub-agent and not as an independent contractor, to conduct the business of vessels assigned to it by the United States or by an Agent or General Agent, from time to time.

ART. 2. The Berth Sub-Agent accepts the appointment and undertakes and promises so to conduct the business for the United States, in accordance with such directions, orders, or regulations as the United States has prescribed, or from time to time may prescribe, and upon the terms and conditions herein provided, of such vessels as have been or may be by the United States or by an Agent or General Agent assigned to the Berth Sub-Agent for that purpose.

ART. 3A. Unless otherwise directed by the United States, the Berth Sub-Agent in all cases shall, to the best of its ability, for the account of the Agent or General Agent:

(a) Book the cargo and expedite its delivery alongside ship. Issue or cause to be issued to shippers customary freight contracts and bills of lading in the form prescribed by the United States, and prepare manifests and other cargo documents;

(b) Where appropriate, issue or cause to be issued to passengers customary passenger tickets. After a uniform passenger ticket shall have been adopted by the United States, such passenger ticket shall be used in all cases as soon as practicable after receipt thereof by the Berth Sub-Agent. Pending the issuance of such uniform passenger ticket, the Berth Sub-Agent may continue to use the customary form of passenger ticket of the Agent or General Agent;

(c) Collect all moneys due the United States and deposit, remit, or disburse the same in accordance with such regulations as the United States may prescribe from time to time, and account to the Agent or General Agent for all moneys collected or disbursed by it or its agents;

(d) Appoint sub-agents at foreign and intermediate ports of call for the receipt or delivery of cargo;

(e) Pay agency fees, port charges, and cargo expenses in foreign ports;

(f) Adjust cargo claims;

(g) Render accounts to and keep the Agent or General Agent fully informed as to the various activities being performed.

ART. 3B. Where the Agent or General Agent does not provide his own facilities in the United States port of loading or discharge, and when not otherwise directed or approved by the United States, the Berth Sub-Agent shall, to the best of its ability for the account of the Agent or General Agent:

(a) Receive and deliver the cargo; provide and pay for stevedoring and other cargo handling expenses, port charges, wharfage and dockage, pilotage, commissions, and consular charges, except those pertaining to the master, officers and crew of time chartered vessels, and all other expenses in connection with the handling of the cargo.

ART. 3C. Where the Agent or General Agent provides his own facilities in the United States port of loading or discharge, and when not otherwise directed or approved by the United States, the Agent or General Agent shall perform the duties provided in Article 3B, and the Berth Sub-Agent shall be relieved of those responsibilities, but the Berth Sub-Agent shall have the right to employ a Head Receiving or Delivery Clerk to supervise the operation of receiving and delivering cargo.

ART. 3D. Where the Agent or General Agent and the Berth Sub-Agent both provide their own facilities in the United States port of loading or discharge, the duties provided in Article 3B shall be performed as directed by the United States.

ART. 3E. In all cases, the Agent or General Agent shall:

(a) Order and pay for fuel after consultation with the Berth Sub-Agent, and follow such instructions with regard thereto as shall be issued by the United States from time to time;

(b) Make all necessary arrangements for transit of canals, including payment of canal tolls.

ART. 3F. The Berth Sub-Agent agrees, without prejudice to its rights under the provisions of Articles 8 and 16 hereof, to:

(a) Perform the duties required to be performed by it hereunder in an economical and efficient manner, and exercise due diligence to protect and safeguard the interests of the Agent or General Agent and the United States in all respects and to avoid loss and damage of every nature to the Agent or General Agent and to the United States;

(b) Exercise due diligence to see that all Bills of Lading are properly issued, all wharf receipts for freight are non-negotiable and, where required, a freight contract or permit is issued for each shipment;

(c) Furnish and maintain during the period of this Agreement, at its own expense, a bond with sufficient surety, in such amount as the United States shall determine, such bond to be approved by the United States as to both sufficiency of surety or sureties and form, and to be conditioned upon the due and faithful performance of all and singular the covenants and agreements of the Berth Sub-Agent contained in this Agreement, including, without limitation of the foregoing, the condition faithfully to account to the United States through the Agent or General Agent for all funds collected and disbursed and funds and property received by the Berth Sub-Agent or its agents. The Berth Sub-Agent may, in lieu of furnishing such bond, pledge direct or fully guaranteed obligations of the United States of America of the face value of the penalty of the bond under an agreement satisfactory in form to the United States;

(d) Without the consent of the United States, not sell, assign or transfer, either directly or indirectly or through any reorganization, merger or consolidation, this Agreement or any interest therein, nor make any agreement or arrangement whereby the service to be performed hereunder is to be performed by any other person, whether an agent or otherwise, except as provided in Article 6 hereof.

ART. 4. (a) To the extent required by the United States, the Berth Sub-Agent and every related or affiliated company or holding

company of the Berth Sub-Agent, authorized as provided in Article 13 hereof, to render any service or to furnish any stores, supplies, equipment, provisions, materials, or facilities which are for the account of the United States, the Agent or the General Agent under the terms of this Agreement, shall (1) keep its books, records and accounts relating to the management, operation, conduct of the business of and maintenance of the vessels covered by this Agreement in such form and under such regulations as may be prescribed by the United States; and (2) file, upon notice from the United States, balance sheets, profit and loss statements, and such other statements of operation, special reports, memoranda of any facts and transactions, which, in the opinion of the United States, affect the results in, the performance of, or transactions or operations under this Agreement.

(b) The United States is hereby authorized to examine and audit the books, records and accounts of all persons referred to above in this Article whenever it may deem it necessary or desirable.

(c) Upon the willful failure or willful refusal of any person described in this Article to comply with the provisions of this Article, the United States may rescind this Agreement.

ART. 5. At least once a month the Agent or General Agent shall pay to the Berth Sub-Agent as full compensation for the Berth Sub-Agent's services hereunder, such fair and reasonable amount as the Administrator, War Shipping Administration, shall from time to time determine. Such compensation shall be deemed to cover, but without limitation, the Berth Sub-Agent's administrative and general expense (as presently itemized in General Order No. 22 of the United States Maritime Commission), advertising expense, taxes (other than taxes for which the Agent is reimbursed under Article 7 hereof), and any other expenses which are not directly and exclusively applicable to the operation of the vessels hereunder.

ART. 6. The Berth Sub-Agent shall exercise due diligence in the selection of agents. Such agents shall be subject to disapproval by the United States and any agency agreement shall be terminated by the Berth Sub-Agent whenever the United States shall so direct. Any compensation payable by the Berth Sub-Agent to its agents for services rendered in connection with the vessels assigned hereuntier shall be subject to approval by the United States. Agency fees or equivalent allowances for branch offices in accordance with schedules approved by the United States will be reimbursable under Article 7 hereof.

ART. 7. The Agent or General Agent shall reimburse the Berth Sub-Agent at stated intervals determined by the United States for all expenditures of every kind made by it in performing, procuring or supplying the services, facilities, stores, supplies or equipment as required hereunder, *excepting* general and administrative expense (as presently itemized in General Order No. 22 of the United States Maritime Commission), advertising expense, taxes (other than sales and similar taxes or foreign taxes of any kind to the extent determined by the United States to be classifiable as voyage expenses for the account of the United States) and any other expenses which are not directly and exclusively applicable to the maintenance, management, operation or the conduct of the business of the vessels hereunder. The Berth Sub-Agent shall be reimbursed for sales and similar taxes or foreign taxes of any kind to the extent determined by the United States to be classifiable as voyage expenses for the account of the United States to the extent that the Berth Sub-Agent shall have used due diligence to secure immunity from such taxation. The United States, the Agent or the General Agent may disallow, in whole or in part, as it may deem appropriate, and deny reimbursement for, expenses which are found to have been made in willful contravention of any outstanding instructions or which were clearly improvident or excessive.

Any moneys advanced to bonded persons by the Berth Sub-Agent for ship disbursements which are lost by reason of a casualty to the Vessel on which the money so advanced is carried shall in the event of such loss be considered an expense of the Berth Sub-Agent, subject to reimbursement as is in this article 7 provided.

The United States, the Agent, or the General Agent may advance moneys to the Berth Sub-Agent to provide for disbursements hereunder in accordance with such regulations or conditions as the United States, the Agent or the General Agent may from time to time prescribe.

ART. 8. The United States shall without cost or expense to the Berth Sub-Agent procure or provide insurance against, or shall assume, all insurable risks of whatsoever nature or kind relating to the vessels assigned hereunder including, but without limitation, marine, war and P. & I. risks, and all other risks or liabilities for breach of statute and for damage caused to other vessels, persons or property, and shall defend, indemnify and save harmless the Berth Sub-Agent against and from any and all loss, liability, damage and expense (including costs of court and reasonable attorneys' fees) on account of such risks and liabilities, to the extent not covered or not fully covered by insurance. The Berth Sub-Agent shall furnish reports and information and comply fully with all instructions that may be issued by the United States with regard to all salvage claims, damages, losses or other claims. Neither the United States nor the insurance underwriters shall have any right of subrogation against the Berth Sub-Agent with respect to such risks.

ART. 9. In the event of general average involving vessels assigned to the Berth Sub-Agent under this Agreement, the Berth Sub-Agent shall comply fully with all instructions issued by the United States, the Agent or the General Agent in that connection including instructions as to the appointment of adjuster, obtaining general average security and asserting liens for that purpose unless otherwise instructed, and supplying the adjuster with all disbursements accounts, documents and data required in the adjustment, statement and settlement of the general average. Reasonable compensation for and general average allowances to the Berth Sub-Agent in such cases shall be in accordance with directions, orders or regulations of the United States. This Article shall not apply to services required of the Owner under Time Charter.

ART. 10. The negotiation and settlement of all salvage claims for services rendered by vessels shall be controlled by the Owner and the United States in accordance with the provisions of the applicable Time Charter. The Berth Sub-Agent shall furnish the United States, the Agent or the General Agent with full reports and information on all salvage services rendered.

ART. 11. (a) The United States shall have the right to terminate this Agreement at any time as to any and all vessels assigned to the Berth Sub-Agent and to assume control forthwith of the business of said vessels upon fifteen (15) days' written or telegraphic notice.

(b) Upon giving to the United States thirty (30) days' written or telegraphic notice, the Berth Sub-Agent shall have the right to terminate this Agreement, but termination by the Berth Sub-Agent shall not become effective as to any vessel until her arrival and discharge at a continental United States port.

(c) This Agreement may be terminated, modified, or amended at any time by mutual consent.

ART. 12. In case of termination of this Agreement, whether upon expiration of the stated period hereof or otherwise, all property of whatsoever kind then in the custody of the Berth Sub-Agent pursuant to this Agreement, shall be immediately turned over to the United States, the Agent or the General Agent at times and places to be fixed by the United States, and the United States, the Agent or General Agent may collect directly, or by such agent or agents as it may appoint, all freight moneys or other debts remaining unpaid: *Provided*, That the Berth Sub-Agent shall, if required by the United States, adjust, settle and liquidate the current business of the vessels. Notwithstanding the foregoing provisions, when the United States shall so direct, the Berth Sub-Agent shall complete the business of voyages commenced prior to the date as of which the Agreement shall be terminated, and, if directed by the United States and subject to any instructions issued by the United States with respect thereto, the Berth Sub-Agent shall continue to book cargo for the vessels for the next voyages after the termination of this Agreement. No such termination of this Agreement shall relieve either party of liability to the other in respect of matters arising prior to the date of such termination or of any obligation hereunder to indemnify the other party in respect of any claim or demand thereafter asserted, arising out of any matter done or omitted prior to the date of such termination.

ART. 13. Agreements or arrangements with any interested or related company to render any service or to furnish any stores, supplies, equipment, materials, or facilities shall be submitted to the United States for approval as to employment. Unless and until such agreements or arrangements have been approved by the United States, compensation paid to any interested or related company shall be subject to review and readjustment by the United States. In connection with such review and readjustment, the United States may deny reimbursement hereunder of any portion of such compensation which it deems to be in excess of fair and reasonable compensation. The United States may also deny reimbursement, in whole or in part, of compensation under any arrangement or agreement with an interested or related company which it deems to be exorbitant, extortionate or fraudulent. The term "interested company" shall mean any person, firm, or corporation in which the Berth Sub-Agent, or any related company of the Berth Sub-Agent, or any officer or director of the Berth Sub-Agent, or any employee of the Berth Sub-Agent who is charged with executive or supervisory duties, or any member of the immediate family of any such officer, director or employee, or any officer or director of any related company of the Berth Sub-Agent, or any member of the immediate family of an officer or director of any related company of the Berth Sub-Agent, owns any substantial pecuniary interest directly or indirectly. The term "related company", used to indicate a relationship with the Berth Sub-Agent for the purposes of this Article only, shall include any person or concern that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the Berth Sub-Agent. The term "control" (including the terms "controlled by" and "under common control with") as used herein means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the Berth Sub-Agent (or related company), whether through ownership of voting securities, by contract, or otherwise.

ART. 14. This Agreement, unless sooner terminated, shall extend until six months after the cessation of hostilities.

ART. 15. The United States shall, when it may legally do so, have the advantage of any existing, or future, contracts of the Agent for the purchase or rental of materials, fuel, supplies, facilities, services, or equipment, if this may be done without unreasonably interfering with the requirements of other vessels owned or operated by the Berth Sub-Agent.

ART. 16. (a) The United States shall indemnify, and hold harmless and defend the Berth Sub-Agent against any and all claims and demands (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) of whatsoever kind or nature and by whomsoever asserted for injury to persons or property arising out of or in any way connected with the operation or use of said vessels or the performance by the Berth Sub-Agent of any of its obligations hereunder, including but not limited to any and all claims and demands by passengers, troops, gun crews, crew members, shippers, third persons, or other vessels, and including but not limited to claims for damages for injury to or loss of property, cargo or personal effects, and claims for damages for personal injury or loss of life.

(b) The Berth Sub-Agent shall be under no responsibility or liability to the United States, the Agent or the General Agent for loss or damage to the vessels arising out of any error of judgment or any negligence on the part of any of the Berth Sub-Agent's officers, agents, employees, or otherwise. However, the Berth Sub-Agent may be held liable for loss or damage not covered by insurance or assumed by the United States as required under Article 8 of this Agreement, if such loss or damage is directly and primarily caused by willful misconduct of principal supervisory shoreside personnel or by gross negligence of the Berth Sub-Agent in the selection of such principal supervisory personnel.

(c) In the event that the Berth Sub-Agent shall perform any stevedoring, terminal, or similar service for the vessels hereunder at commercial rates, the Berth Sub-Agent shall have all the obligations and responsibilities of the person performing such service under the standard or other approved form of contract with the United States or, in the absence of such standard or approved form, under usual commercial practice.

(d) The Berth Sub-Agent shall be under no liability to the United States, the Agent or the General Agent of any kind or nature whatsoever in the event that the Berth Sub-Agent should fail to perform any service hereunder by reason of any labor shortage, dispute or difficulty, or any strike or lockout or any shortage of material or any act of God or peril of the sea or any other cause beyond the control of the Berth Sub-Agent whether or not of the same or similar nature; or shall do or fail to do any act in reliance upon instructions of military or naval authorities.

(e) The Agent or General Agent shall not be held responsible for acts of a Berth Sub-Agent expressly appointed by or at the direction of the United States.

ART. 17. Wherever and whenever herein any right, power, or authority is granted or given to the United States, such right, power, or authority may be exercised in all cases by the War Shipping Administration or such agent or agents as it may appoint or by its nominee, and the act or acts of such agent or agents or nominee, when taken, shall constitute the act of the United States hereunder. In performing its services hereunder, the Berth Sub-Agent may rely upon the instructions and directions of the Administrator, the Agent or the General Agent, his officers and responsible employees, or upon the instructions and directions of any person or agency authorized by the Administrator. Wherever practicable, the Berth Sub-Agent shall request written confirmation of any oral instructions or directions so given.

ART. 18. (a) The Berth Sub-Agent warrants that it has not employed any person to solicit or secure this Agreement upon any agreement for a commission, percentage, brokerage or contingent fee. Breach of this warranty shall give the United States the right to annul this Agreement or in its discretion to deduct from any amount payable hereunder the amount of such commission, percentage, brokerage or contingent fee.

(b) In any act performed under this Agreement, the Berth Sub-Agent and any subcontractor shall not discriminate against any citizen of the United States of America on the ground of race, creed, color or national origin.

ART. 19. No person elected or appointed a member of or delegate to Congress or a Resident Commissioner, directly or indirectly, himself or by any other person in trust for him, or for his use or benefit, or on his account shall hold or enjoy this Agreement in whole or in part, except as provided in Section 206, Title 18, U. S. C. The Berth Sub-Agent shall not employ any member of Congress, either with or without compensation, as an attorney, agent, officer or director.

In witness whereof, the parties hereto have executed this Agreement in triplicate as of

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UNITED STATES OF AMERICA,
By: E. S. LAND, *Administrator,*
War Shipping Administration.

By: ---
For the Administrator.

By: ---

Attest:

Approved as to form:

General Counsel,
War Shipping Administration.

§ 306.47 *Appointment of berth sub-agents.* An agent or general agent, after being so directed by War Shipping Administration, in appointing a berth sub-agent shall do so by letter or telegram to the appointee, stating that the appointment is made pursuant to the provisions of this order, and that the berth sub-agent shall perform his duties on behalf of the agent or general agent in accordance with the provisions of the form of agreement set forth in § 306.46 of this order which shall be incorporated in the notification of appointment by referring to this General Order, and the berth sub-agent shall by letter or telegram accept the appointment. The effective date of the agreement between the parties shall be the date upon which the notification of acceptance of the appointment is dispatched by the berth sub-agent, or as otherwise agreed by the parties with the approval of the Administrator.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 22, 1942.

[F. R. Doc. 42-9492; Filed, September 24, 1942; 11:54 a. m.]

Notices

WAR DEPARTMENT.

FIXED TEXT AND SENDERS COMPOSITION OVERSEA CABLE AND RADIO MESSAGES

1. *Fixed text (EFM) and sender's composition oversea cable and radio messages*—(a) *General.* Arrangements have been made by the War Department for the handling of personal cablegrams and radiograms to and from members of the armed forces stationed outside the continental United States where commercial facilities are available and the military situation permits. A method of codified addresses has been designed which will permit the expeditious handling of these messages and, at the same time, provide for the security of information. It is imperative that the instructions outlined herein be followed in the address and signature. Two types of messages are available. Their definition and methods of addressing and ascertaining the correct rates are outlined in (b) and (c) below.

(b) *Fixed text message.* This type message will be identified by the symbol EFM (Expeditionary Force Messages) and will consist of not more than three of the authorized numbered fixed texts in any one message (par. 4). With few exceptions the EFM message will cost 60¢ plus the regular Federal message tax. Paragraph 5 primarily for use in the fixed text (EFM) service, contains a complete list of the coded APO cable addresses and coded routing words for the countries of destination. The routing word is a necessary part of the address but the fact that a routing word is shown in column 3 does NOT mean EFM service is available to this point. EFM service is available only to those APO cable addresses for which a rate is indicated in column 4 of paragraph 5. Amendments thereto will be published from time to time as new APO's are added to the list. An EFM will NOT be accepted unless the coded cable address is shown in the second column and the EFM rate is shown in column 4 of paragraph 5. In certain cases where a temporary APO number has been assigned, this number will not appear on the routing chart but if the coded cable address supplied by the sender is shown (column 2, par. 5), the message should be accepted and transmitted in the regular manner.

(c) *Sender's composition message.* This type message is available to all of the coded destinations (routing words) indicated in paragraph 5.

Such messages are subject to the regular rates, dependent upon the service classification chosen by the sender and will be checked in the usual manner. The text will be composed by the sender but must comply with all of the commercial telegraph, cable, or radio carries' rules and regulations, including censorship requirements. Each army command abroad has been advised by this sender's composition service and has completed arrangements for its acceptance by the various foreign administrations involved.

2. *Outgoing messages.* (a) Fixed text (EFM) and sender's composition messages may be filed at any commercial telegraph, cable, or radio office in the continental limits of the United States, at which places there are on record a list of all authorized APO cable addresses to which messages may be sent. Each Army post office has been assigned a two-word address consisting of a six-letter word, the first two letters of which are "AM—" and an eight-letter word such as "WATCHDOG." The first word is the APO cable address and the second is the "routing word." Outgoing messages will be addressed showing grade, full name, and Army serial number of the addressee, the APO cable address, and the routing word. The signature will be the regular signature of the sender, and is limited to three words or two initials and one word, to include the last name in either case. The authorized APO cable addresses and routing words are available at all local telegraph, cable, or radio offices accepting these messages. An example of a proper address is:

Private John L. Wilson, 13286272
AMTRAG WATCHDOG

(b) Both fixed text and sender's composition messages must be addressed as above, the only distinction being that fixed text messages must carry the identifying symbol EFM, while for sender's composition messages there is no special symbol necessary other than the regular commercial indicator used to denote the class of commercial service chosen. Fixed text messages generally will be filed on specially printed EFM forms while sender's composition messages will be filed on the regular commercial telegraph, cable, or radio message blanks. Each message will reach the censorship station in the course of normal routine where the proper country will be substituted for the routing word by Army personnel. The message then will be censored and returned to the communications company for transmission.

(c) When the message is received by the foreign cable or radio terminus, it will be turned over to the Army postal agencies, as designated by the APO cable address, for delivery to the addressee. Formal delivery normally will be accomplished through Army postal channels, but local commanders may vary this procedure as they see fit, and to the extent that arrangements can be made with foreign communication carriers, provided suitable records are kept to prove delivery.

3. *Incoming messages.* To insure censorship it has been agreed that all messages from troops overseas, with certain exceptions approved by the War Department, will be accepted at local APO's or other Army postal agencies by designated clerks who will make cash collection, no charge accounts, giving suitable receipt therefor. Censorship will be accomplished in the same manner prescribed for censorship of ordinary mail and the messages then transmitted to the local communications company in accordance with such procedure as may be agreed upon locally. All messages received in this country will show "Sans Origine" and the six-letter cable address in the preamble. The country or city of origin must NOT be shown. The normal signature of the individual will be used without grade, unit, or arm of service, and will be limited to three words or two initials and one word, to include the last name in either case.

4. *Fixed texts for EFM messages*—(a) *Correspondence.*

1. Letter received many thanks.
2. Letters received many thanks.
3. Telegram received many thanks.
4. Parcel received many thanks.
5. Parcels received many thanks.
6. Letters and parcels received many thanks.
7. Letter and telegram received many thanks.
8. Telegram and parcels received many thanks.
9. Letters sent.
10. Parcels sent.
11. Letters and parcels sent.
12. Many thanks for letter.
13. Many thanks for parcel.
14. Many thanks for telegram.
15. No news of you for some time.
16. Writing.
17. Urgent.
18. Please write or telegraph.
19. Please write.
20. Please telegraph.
21. Please reply worried.
22. to 25 blank.

(b) *Greetings.*

26. Greetings.
27. Loving greetings.
28. Fondest greetings.
29. Love.
30. Darling.
31. All my love.
32. All my love dearest.
33. All our love.
34. Fondest love.
35. Fondest love darling.
36. Best wishes.
37. Greetings from us all.
38. Loving greetings from all of us.
39. Best wishes from all of us.
40. Fondest wishes from all of us.
41. Best wishes and good health.
42. Kisses.
43. Love and kisses.
44. Fondest love and kisses.
45. Well.
46. All well at home.
47. Best wishes for Christmas.
48. Best wishes for Christmas and New Year.
49. Loving wishes for Christmas.
50. Loving wishes for Christmas and New Year.
51. Loving Christmas thoughts.
52. Happy Christmas.
53. Happy Christmas and New Year.
54. Good luck.
55. Keep smiling.
56. My thoughts are with you.
57. Many happy returns.
58. Birthday greetings.
59. Loving birthday greetings.
60. Happy anniversary.
61. You are more than ever in my thoughts at this time.
62. Best wishes for a speedy return.
63. Good show keep it up.
64 to 67 blank.

(c) *Health.*

68. Family all well.
69. All well children evacuated.
70. All well children returned home.
71. All well and safe.
72. Are you all right.
73. Are you all right worried about you.
74. Please don't worry.
75. Hope you are improving.
76. Please telegraph that you are well.
77. Are you ill.
78. Have you been ill.
79. Illness is not serious.
80. Illness is serious.
81. I have left hospital.
82. In bad health.
83. Health improving.
84. Health fully restored.
85. Son born.
86. Daughter born.
87 to 90 blank.

(d) *Promotion.*

91. Congratulations on your promotion.
92. Very pleased to hear of your promotion.
93. Delighted hear about your promotion.
94 to 97 blank.

(e) *Money.*

98. Please send me _____ pounds.
99. Please send me _____ dollars.
100. Have sent you _____ pounds.
101. Have sent you _____ dollars.

NOTE: The actual amount in words to be inserted and transmitted immediately following the text number.

102. Can you send me any money.
103. Glad if you could send some money.
104. Have received money.
105. Have you received money.
106. Have you sent money.
107. Thanks for money received.
108. Have not received money.
109. Unable to send money.
110. Sorry cannot send money.
111 to 114 blank.

(f) *Congratulations.*

115. Congratulations on anniversary best wishes.
116. Congratulations lasting happiness to you both.
117. Glad and proud to hear of your decoration everybody thrilled.
118. Loving greetings and congratulations.
119. Good luck keep it up.
120. I wish we were together on this special occasion all my best wishes for a speedy reunion.
121 to 134 blank.

(g) *Miscellaneous.*

135. Very happy to hear from you dearest am fit and well.
136. Hearing your voice on the wireless gave me a wonderful thrill.

5. *Information on routing word, rate, etc., for messages.* EFM service is available only to those points where an amount is shown in the EFM rate column.

APO No.	Cable address	Routing word	EFM rate (cents)	Transfer point: Postal	WU	MRT	RCA	CCC	AAC	CPC	TR
1	AMGEPI	Platform	60	NY	NY	NY	NY	NY			
5	AMABDY	Castiron	60	NY	NY	NY	NY	NY			
24	AMGODA	Absolute	60	SF	SF	SF	SF			SF	
24	AMGOTU	Absolute	60	SF	SF	SF	SF			SF	
27	AMABEL	Absolute	60	SF	SF	SF	SF			SF	
32	AMABFA	Birthday		NY	SF	SF	SF				
34	AMABIN	Charming	60	NY	NY	NY	NY	NY			
37	AMGUDY	Ancestor		NY	NY						
41	AMABKO	Birthday		NY	SF	SF	SF				
251	AMABNE	Charming	60	NY	NY	NY	NY	NY			
302	AMGEYA	Platform	60	NY	NY	NY	NY	NY			
305	AMEVOK	Charming	60	NY	NY	NY	NY	NY			
500	AMGUFA	Birthday		NY	SF	SF	SF				
501	AMABOR	Birthday		NY	SF	SF	SF				
502	AMABVU	Blockade		NY	SF		SF				
505	AMFUCO	Platform	60	NY	NY	NY	NY	NY			
506	AMFUMU	Platform	60	NY	NY	NY	NY	NY			
507	AMFUNI	Platform	60	NY	NY	NY	NY	NY			
508	AMFUTY	Platform	60	NY	NY	NY	NY	NY			
510	AMICEL	Platform	60	NY	NY	NY	NY	NY			
511	AMICFA	Platform	60	NY	NY	NY	NY	NY			
512	AMICKO	Platform	60	NY	NY	NY	NY	NY			
513	AMICOR	Platform	60	NY	NY	NY	NY	NY			
514	AMIDAT	Platform	60	NY	NY	NY	NY	NY			
515	AMIDPO	Platform	60	NY	NY	NY	NY	NY			
516	AMIFAN	Platform	60	NY	NY	NY	NY	NY			
517	AMIGHO	Platform	60	NY	NY	NY	NY	NY			
518	AMIGUV	Platform	60	NY	NY	NY	NY	NY			
519	AMIHOP	Platform	60	NY	NY	NY	NY	NY			
601	AMEMPO	Solitude	60	AKR	AKR		NY				
602	AMABWI	Children	60	NY	NY		NY				
603	AMACAT	Dryclean		NY	NY						
604	AMACDI	Inasmuch		NY	NY						
605	AMGUKO	Solitude	60	AKR	AKR		NY				
606	AMELDE	Shamrock		NY	NY	NY	NY	NY			
608	AMHORO	Behavior		NY	NY	NY	NY	NY			
610	AMHUFU	Castiron	60	NY	NY	NY	NY	NY			
611	AMHUNA	Castiron	60	NY	NY	NY	NY	NY			
612	AMHEHA	Castiron	60	NY	NY	NY	NY	NY			
613	AMHYEL	Castiron	60	NY	NY	NY	NY	NY			
614	AMHYFA	Castiron	60	NY	NY	NY	NY	NY			
616	AMGUOR	Consider		NY	NY	NY	NY	NY			
617	AMGUVU	Creation		NY	NY	NY	NY	NY			
618	AMHOLA	Baritone		Miami	Miami						Miami
625	AMGYAN	Shamrock		NY	NY	NY	NY	NY			
633	AMFUVA	Platform	60	NY	NY	NY	NY	NY			
634	AMFYAS	Platform	60	NY	NY	NY	NY	NY			
635	AMFYMA	Platform	60	NY	NY	NY	NY	NY			
636	AMFYSO	Charming	60	NY	NY	NY	NY	NY			
637	AMGAHO	Platform	60	NY	NY	NY	NY	NY			
638	AMGASU	Platform	60	NY	NY	NY	NY	NY			
639	AMGILU	Platform	60	NY	NY	NY	NY	NY			
640	AMGIBO	Platform	60	NY	NY	NY	NY	NY			
641	AMGIMI	Charming	60	NY	NY	NY	NY	NY			
642	AMGOBY	Charming	60	NY	NY	NY	NY	NY			
643	AMHEOP	Educator		NY	NY	NY	NY				
644	AMHUGA	Platform	60	NY	NY	NY	NY	NY			
645	AMIJEF	Platform	60	NY	NY	NY	NY	NY			
646	AMIKAM	Platform	60	NY	NY	NY	NY	NY			
647	AMIKUK	Platform	60	NY	NY	NY	NY	NY			
648	AMILAW	Platform	60	NY	NY	NY	NY	NY			
649	AMILIC	Platform	60	NY	NY	NY	NY	NY			
650	AMILJO	Platform	60	NY	NY	NY	NY	NY			
651	AMILOF	Platform	60	NY	NY	NY	NY	NY			
652	AMIMBU	Platform	60	NY	NY	NY	NY	NY			
653	AMIMIL	Platform	60	NY	NY	NY	NY	NY			
654	AMIMUF	Platform	60	NY	NY	NY	NY	NY			
655	AMINAR	Platform	60	NY	NY	NY	NY	NY			
656	AMINET	Platform	60	NY	NY	NY	NY	NY			
657	AMINIV	Platform	60	NY	NY	NY	NY	NY			
658	AMIPAL	Charming	60	NY	NY	NY	NY	NY			
659	AMIPEN	Charming	60	NY	NY	NY	NY	NY			
701	AMFOIT	Question	60	Seat	Seat						
702	AMFOKU	Previous	60	Seat	Seat						
703	AMIBEC	Birthday		NY	SF	SF	SF				
811	AMACOC	Clothing	60	NY	NY	NY	NY		NY		
812	AMACPO	Columbia	60	NY	NY	NY	NY		NY		
813	AMACUR	Charming	60	NY	NY	NY	NY	NY			
814	AMADEQ	Consider		NY	NY	NY	NY	NY			
815	AMADNY	Creation		NY	NY	NY	NY	NY			
816	AMADOL	Cylinder		NY	NY	NY		NY			
817	AMDOSU	Demolish	60	NY	NY	NY			NY		
818	AMDOTI	Keyboard	60	NY	NY	NY			NY		
819	AMHAKA	Bachelor	60	NY	NY				NY		
820	AMDUJO	Holdback	60	NY	NY	NY			NY		
821	AMDUME	Holdback	60	NY	NY	NY			NY		
822	AMDUVI	Cornmeal	60	NY	NY	NY			NY		
824	AMADPA	Democrat		NY	NY	NY		NY			
825	AMDYLU	Postmark	60	NY	NY	NY	NY		NY		NO
826	AMDYMI	Postmark	60	NY	NY	NY	NY		NY		NO
827	AMEBAR	Postmark	60	NY	NY	NY	NY		NY		NO
828	AMEBIV	Postmark	60	NY	NY	NY	NY		NY		NO
829	AMECBO	Postmark	60	NY	NY	NY	NY		NY		NO
830	AMEDRU	Postmark	60	NY	NY	NY	NY		NY		NO
831	AMEFLA	Postmark	60	NY	NY	NY	NY		NY		NO
832	AMEFRO	Postmark	60	NY	NY	NY	NY		NY		NO
833	AMEGUN	Postmark	60	NY	NY	NY	NY		NY		NO
834	AMEHIF	Postmark	60	NY	NY	NY	NY		NY		NO
835	AMEJUS	Postmark	60	NY	NY	NY	NY		NY		NO
836	AMEKNA	Postmark	60	NY	NY	NY	NY		NY		NO
837	AMHEYU	Postmark	60	NY	NY	NY	NY		NY		NO
838	AMHIJO	Postmark	60	NY	NY	NY	NY		NY		NO
839	AMIPGO	Sidewalk	60	NY	NY	---	NY		NY		NO

APO No.	Cable address	Routing word	EFM rate (cents)	Transfer point: Postal	WU	MRT	RCA	CCC	AAC	CPC	TR
954	AMXIA	Absolute	60	SF	SF	SF	SF			SF	
955	AMXIDO	Absolute	60	SF	SF	SF	SF			SF	
956	AMXIE	Absolute	60	SF	SF	SF	SF			SF	
957	AMXIG	Absolute	60	SF	SF	SF	SF			SF	
958	AMXIRU	Absolute	60	SF	SF	SF	SF			SF	
959	AMXSL	Absolute	60	SF	SF	SF	SF			SF	
960	AMXESU	Absolute	60	SF	SF	SF	SF			SF	
961	AMXEXO	Absolute	60	SF	SF	SF	SF			SF	
962	AMXWA	Absolute	60	SF	SF	SF	SF			SF	
963	AMXIKU	Absolute	60	SF	SF	SF	SF			SF	
964	AMXAPO	Absolute	60	SF	SF	SF	SF			SF	
965	AMXIYO	Absolute	60	SF	SF	SF	SF			SF	
966	AMXNSE	Absolute	60	SF	SF	SF	SF			SF	
967	AMHYOK	Absolute	60	Seat	Seat						
968	AMEPVO	Gunsmith	60	Seat	Seat						
969	AMEBQN	Hydrogen	60	Seat	Seat						
970	AMEBQO	Incubate	60	Seat	Seat						
971	AMEBSU	Knightly	60	Seat	Seat						
972	AMETMO	Linotype	60	Seat	Seat						
973	AMETUG	Lubricant	60	Seat	Seat						
974	AMGIMU	Mortar	60	Seat	Seat						
975	AMHOOU	Argument	60	Seat	Seat						
976	AMFAYO	Magnetic	60	Seat	Seat						
977	AMFEAR	Mediator	60	Seat	Seat						
978	AMFAFU	Movement	60	Seat	Seat						
979	AMFIET	Network	60	Seat	Seat						
980	AMFKUO	Nucleate	60	Seat	Seat						
981	AMFKUU	Question	60	Seat	Seat						
982	AMDOCA	Oriental	60	Seat	Seat						
983	AMDOHO	Question	60	Seat	Seat						
984	AMFOLI	Particle	60	Seat	Seat						
985	AMFIP	Sidewalk	60	NY	SF	SF	SF			SF	
986	AMADUC	Courtesy	60	NY	SF	SF	SF			SF	
987	AMADVO	Courtesy	60	NY	SF	SF	SF			SF	
988	AMAFCA	Courtesy	60	NY	SF	SF	SF			SF	
989	AMAFER	Courtesy	60	NY	SF	SF	SF			SF	
990	AMAFIO	Courtesy	60	NY	SF	SF	SF			SF	
991	AMAFSU	Courtesy	60	NY	SF	SF	SF			SF	
992	AMAGIN	Backfire	60	NY	SF	SF	SF			SF	
993	AMHOF	Courtesy	60	NY	SF	SF	SF			SF	
994	AMAGOP	Directly	60	NY	SF	SF	SF			SF	
995	AMAHUB	Dismiss	60	NY	SF	SF	SF			SF	
996	AMAMET	Educator	60	NY	SF	SF	SF	NY	NY	SF	
997	AMAPJO	Castiron	60	NY	SF	SF	SF	NY	NY	SF	
998	AMARON	Dominate	60	NY	SF	SF	SF	NY	NY	SF	
999	AMASIA	Millepost	60	NY	SF	SF	SF	NY	NY	SF	
1000	AMATAH	Millepost	60	NY	SF	SF	SF	NY	NY	SF	
1001	AMAYOD	Millepost	60	NY	SF	SF	SF	NY	NY	SF	
1002	AMBAHO	Hospital	60	NY	SF	SF	SF	NY	NY	SF	
1003	AMBARE	Hospital	60	NY	SF	SF	SF	NY	NY	SF	
1004	AMBEDY	Children	60	NY	SF	SF	SF	NY	NY	SF	
1005	AMEWAM	Platform	60	NY	SF	SF	SF	NY	NY	SF	
1006	AMFAFU	Platform	60	NY	SF	SF	SF	NY	NY	SF	
1007	AMFASA	Platform	60	NY	SF	SF	SF	NY	NY	SF	
1008	AMEVYO	Platform	60	NY	SF	SF	SF	NY	NY	SF	
1009	AMHADI	Bachelor	60	AKR	SF	SF	SF				
1010	AMENDA	Bolbarit		SF	SF	SF	SF				
1011	AMFIBU	Hospital	60	NY	NY	NY	NY	NY	NY	SF	
1012	AMBEKO	Hospital	60	NY	NY	NY	NY	NY	NY	SF	
1013	AMBEVU	Judgment	60	NY	NY	NY	NY	NY	NY	SF	
1014	AMFIDU	Obstacle	60	NY	NY	NY	NY	NY	NY	SF	
1015	AMFILO	Obstacle	60	NY	NY	NY	NY	NY	NY	SF	
1016	AMFIRO	Overcast	60	NY	NY	NY	NY	NY	NY	SF	
1017	AMBICA	Obstacle	60	NY	NY	NY	NY	NY	NY	SF	
1018	AMBIFO	Platform	60	NY	NY	NY	NY	NY	NY	SF	
1019	AMBIKE	Arrester	60	NY	NY	NY	NY	NY	NY	SF	
1020	AMBIOF	Director	60	NY	NY	NY	NY	NY	NY	SF	
1021	AMFOTA	Adjustor	60	NY	NY	NY	NY	NY	NY	SF	
1022	AMBOEF	Organize	60	Seat	SF	SF	SF				
1023	AMBOKI	Birthday		NY	SF	SF	SF				
1024	AMBOYO	Birthday		NY	SF	SF	SF				
1025	AMBUDU	Birthday		NY	SF	SF	SF				
1026	AMBURO	Birthday		NY	SF	SF	SF				
1027	AMBYBY	Birthday		NY	SF	SF	SF				
1028	AMBYDA	Birthday		NY	SF	SF	SF				
1029	AMBYEP	Birthday		NY	SF	SF	SF				
1030	AMBIFO	Birthday		Seat	Seat						
1031	AMCARA	Previous	60	Seat	Seat						
1032	AMCAFU	Blockade	60	Seat	Seat						
1033	AMCELY	Proclaim	60	Seat	Seat						
1034	AMCENA	Speaking	60	Seat	Seat						
1035	AMCETO	Suitable	60	Seat	Seat						
1036	AMCIDU	Triangle	60	Seat	Seat						
1037	AMCIKA	Yourself	60	Seat	Seat						
1038	AMCIPO	Amortize	60	Seat	Seat						
1039	AMCITE	Asperity	60	Seat	Seat						
1040	AMCOAP	Bankrupt	60	Seat	Seat						
1041	AMCOKI	Buckshot	60	Seat	Seat						
1042	AMCOPY	Category	60	Seat	Seat						
1043	AMCOSA	Crawfish	60	Seat	Seat						
1044	AMCUBO	Dialogue	60	Seat	Seat						
1045	AMCUDO	Doctrine	60	Seat	Seat						
1046	AMFIPEG	Forecast	60	Seat	Seat						
1047	AMCIUU	Absolute	60	SF	SF	SF	SF			SF	
1048	AMCIUU	Absolute	60	SF	SF	SF	SF			SF	
1049	AMCYUO	Absolute	60	SF	SF	SF	SF			SF	
1050	AMCYUU	Absolute	60	SF	SF	SF	SF			SF	

NOTES

SF—San Francisco.
NO—New Orleans.
NY—New York City.
AKR—Akron, Ohio.
Seat—Seattle, Wash.
Miami—Miami, Fla.
Postal—Postal Telegraph-Cable Company.
WU—Western Union Telegraph Company.
MRT—Mackay Radio and Telegraph Company.
RCA—RCA Communications, Inc.
CCC—Commercial Cable Company.
CPC—Commercial Pacific Cable Company.
AAC—All American Cables and Radio, Inc.
TR—Tropical Radio Telegraph Company.

(R.S. 161; 5 U.S.C. 22) [Cirs. 170, 249, and 289, W.D., 1942]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 42-9465; Filed, September 23, 1942; 3:12 p. m.]

DEPARTMENT OF THE INTERIOR

Bituminous Coal Division.

[Docket No. B-190]

COVE HILL COAL COMPANY

CEASE AND DESIST ORDER, ETC.

Order granting application filed pursuant to § 301.132 of the rules of practice and procedure for disposition thereof without formal hearing, cancelling hearing and revoking code membership and cease and desist order.

A complaint dated January 16, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on January 16, 1942, by the Bituminous Coal Producers Board for District No. 6, a District Board (the "Complainant"), with the Bituminous Coal Division (the "Division"), alleging that the Cove Hill Coal Company, a Code Member (the "Code Member"), which operates the Three Springs Mine No. 1, Mine Index No. 21, and the Three Springs Mine Index No. 24, both located in Hancock County in West Virginia, District No. 6, wilfully violated the provisions of the Act, the Bituminous Coal Code (the "Code"), the Schedule of Effective Minimum Prices for District No. 6 for Truck Shipments as amended (the "Schedule"), and rules, regulations and orders promulgated by the Division pursuant to the Act, as more fully set forth in the complaint; and

The complaint and notice of and order for hearing herein, dated April 18, 1942, having been duly served on the Code Member on April 23, 1942; and

A joint application, dated June 9, 1942, of the Code Member and Wheeling Valley Coal Corporation for disposition without formal hearing of this proceeding, Docket No. B-190, and the proceeding in Docket No. B-189 pursuant to § 301.132 of the Rules of Practice and Procedure before the Division having been duly filed with the Division on June 10, 1942, and which was denied by the Acting Director on June 16, 1942, pursuant to said § 301.132; and

The hearing herein having been postponed by order dated June 25, 1942 to a date and place to be thereafter designated by appropriate order; and

A new joint application of the Code Member and of the said Wheeling Valley Coal Corporation dated July 2, 1942, for disposition of this proceeding and of the proceeding in Docket No. B-189 without formal hearing, pursuant to said § 301.132, having been duly filed with the Division on July 3, 1942; and

Notice of the filing of said joint application having been published in the FEDERAL REGISTER on July 10, 1942, pursuant to said § 301.132 and a conformed copy thereof having been duly mailed to the Complainant herein; and

Said notice of filing having provided that interested parties desiring to do so might within 15 days from the date of said notice file recommendations or requests for informal conferences with respect to said joint application and it appearing that no such recommendations or requests were filed with the Division within said 15 day period; and

An amendment dated August 3, 1942 to said joint application dated July 2, 1942, having been duly filed with the Division on August 3, 1942; and

In said joint application as amended, the Code Member admits that it wilfully violated the Act, the Code, and rules and regulations thereunder as alleged in the complaint herein and consents to the entry of an order of revocation and a cease and desist order as hereinafter provided and consents to the imposition, under section 5 (b) of the Act, of a tax in the amount of five thousand seven hundred and fifty dollars and twenty-three cents ($5,750.23) which it agrees to pay to the United States, the payment of which amount is a condition precedent to the restoration of its code membership; and

Also, in said joint application as amended, and Code Member represents that it has not to the best of its knowledge committed any violations of the Act, the Code or rules, regulations and orders thereunder other than those violations admitted in the said joint application as amended and as more particularly described in said notice of and order for hearing; and

The instant proceeding and the proceeding in the matter of Wheeling Valley Coal Corporation, Docket B-189, are interrelated with the proceeding in the matter of Constanzo Coal Mining Corporation, Registered Distributor, Registration No. 1897, Docket 1540-FD; that the three proceedings should be viewed as a whole; and

In the findings of the Acting Director dated March 26, 1942 in Docket 1540-FD, it was found that Costanzo Coal Mining Corporation owned one-half of the capital stock of the Cove Hill Coal Company; that Frank Costanzo was the President of both the Cove Hill Coal Company and the Costanzo Coal Mining Corporation; that the entire output of the Cove Hill Coal Company was marketed through the Costanzo Coal Mining Corporation; that Costanzo Coal Mining Corporation also owned the majority of the capital stock of the Wheeling Valley Coal Corporation; and that the Costanzo Coal Mining Corporation and the Wheeling Valley Coal Corporation had officers in common; that those officers constituted the respective Boards of Directors of said two companies; and that the entire output of the Wheeling Valley Coal Corporation was also marketed through the Costanzo Coal Mining Corporation. The transactions involved in Docket 1540-FD are substantially the same as those involved in the instant proceedings and in the Wheeling Valley Coal Corporation proceeding, Docket B-189. On the basis of the violations found in Docket 1540-FD, the registration of the Costanzo Coal Mining Corporation was suspended for a period of nine (9) months by order issued in that proceeding on March 26, 1942.

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act authorizing it to adjust complaints of violations and to compose differences of the parties thereto and upon the said joint application, as amended, filed pursuant to said § 301.132 of the Rules of Practice and Procedure, for disposition without formal hearing of the charges contained in the complaint herein which was filed with the Division on January 16, 1942, and upon evidence in the possession of the Division,

It is hereby found that: (a) Cove Hill Coal Company is a corporation organized and existing by virtue of the Laws of the State of West Virginia with the principal place of business at Hollidays Cove, West Virginia, and is engaged primarily in the business of mining and producing bituminous coal in District No. 6.

(b) Cove Hill Coal Company filed with the Division its Code Acceptance dated June 9, 1938. Said Code Acceptance was made retroactively effective as of April 16, 1938, since which time Cove Hill Coal Company has been and now is a Code Member in District No. 6. During the period when the violations hereinafter found occurred Cove Hill Coal Company was engaged in mining coal at the Three Springs No. 1 Mine, Mine Index No. 21, and the Three Springs No. 2 Mine, Mine Index No. 24, both located in Hancock County, West Virginia, District No. 6.

(c) Cove Hill Coal Company wilfully violated sections 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, as alleged in paragraph II of the complaint herein, by selling and delivering through its sales agent, the Costanzo Coal Mining Corporation, during the months of December 1940 and January, February and March 1941, to the Crescent Brick Company, New Cumberland, West Virginia, coal produced at either said Three Springs No. 1 Mine or Three Springs No. 2 Mine, or both of them, f. o. b. the plant of the Crescent Brick Company at prices below the effective minimum prices therefor set forth in the Schedule, as follows:

	Size	Tonnage	Sales price per ton f. o. b. plant	Effective minimum f. o. b. mine price, per ton
1940				
December	4" lump	316.76	$2.15	$2.65
1941				
January	1¼" lump	462.35	1.75 & 2.15	2.20
	2" x 4" egg	344.70	1.75 & 2.15	2.25
	2" x 5" egg	916.80	1.75 & 2.15	2.25
	4" lump	499.50	2.15	2.65
	5" lump	244.30	2.15	2.65
February	1¼" lump	642.70	1.75 & 2.15	2.20
	2" x 5" egg	1,283.65	1.75 & 2.15	2.25
	5" lump	178.95	1.75 & 2.15	2.65
March	1¼" lump	440.15	1.75 & 2.15	2.20
	2" x 5" lump	581.95	1.75 & 2.15	2.25
	5" lump	386.20	2.15	2.65
		6,298.01		

and to which effective minimum f. o. b. mine price, Cove Hill Coal Company failed to add amounts at least equal as nearly as practicable to the actual transportation charges, hauling charges or incidental charges of whatsoever kind or character from the transportation facilities at the respective mines to the plant of the Crescent Brick Company, as required by Price Instruction No. 6 of said Schedule, as amended.

(d) Pursuant to the said provisions of Section 5 (b) of the Act, the membership of Cove Hill Coal Company in the Code should be revoked with respect to the violations described in paragraph (c) hereof.

(e) The amount of tax imposed by section 5 (b) of the Act with respect to the coal described in paragraph (c) hereof and required to be paid as a condition precedent to restoration of membership of Cove Hill Coal Company in the Code is five thousand seven hundred and fifty-nine dollars and five cents ($5,759.05), which amount is 39% of fourteen thou-

sand seven hundred and sixty-six dollars and eighty-two cents ($14,766.82), the aggregate of the effective minimum prices for such coal f. o. b. mine.

It is further found that: (f) Cove Hill Coal Company wilfully violated sections 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, as alleged in paragraph I of the complaint herein, by selling and delivering through its sales agent, the Costanzo Coal Mining Corporation, during the period from October 1, 1940 to March 31, 1941, both dates inclusive, to the Weirton Steel Company, Weirton, West Virginia, a total tonnage of 141,074.75 net tons of 5/8" lump coal, 2" lump coal, 4" nut and slack coal, 5" nut and slack coal and run of mine coal produced at the said Three Springs No. 1 Mine and the said Three Springs No. 2 Mine, respectively, f. o. b. the plant of the Weirton Steel Company, at prices which were less than the effective minimum f. o. b. mine prices therefor set forth in the Schedule, and to which effective minimum f. o. b. mine prices Cove Hill Coal Company failed to add an amount at least equal, as nearly as practicable, to the actual transportation charges, handling charges or incidental charges, of whatsoever kind or character from the transportation facilities at the respective mines to the plant of the Weirton Steel Company, as required by Price Instruction No. 6 of the Schedule, as amended.

(g) Cove Hill Coal Company wilfully violated section 4 II (e) and (g) of the Act, as alleged in paragraph II of the Complaint herein, by selling and delivering through its sales agent, the Costanzo Coal Mining Corporation to the Crescent Brick Company, New Cumberland, West Virginia, during the period October 1, 1940, to March 31, 1941, both dates inclusive, in addition to the tonnage found in paragraph (c) hereof, a total of 4514.59 net tons of various sizes of egg and lump coal produced either at the said Three Springs No. 1 Mine or the Three Springs No. 2 Mine, or both of them, f. o. b. the plant of Crescent Brick Company, at prices which were less than the effective minimum f. o. b. mine prices therefor set forth in the Schedule and to which effective minimum f. o. b. mine prices Cove Hill Coal Company failed to add an amount at least equal, as nearly as practicable, to the actual transportation charges, handling charges, or incidental charges of whatsoever kind or character from the transportation facilities at the mine to the said plant, as required by Price Instruction No. 6 of the Schedule, as amended.

(h) Cove Hill Coal Company wilfully violated the Order of the Division entered in General Docket No. 19, on October 9, 1940, by selling through its sales agent, the Costanzo Coal Mining Corporation, during the period October 14, 1940, to January 31, 1941, both dates inclusive, substantial quantities of coal produced at either the said Three Springs No. 1 Mine or the said Three Springs No. 2 Mine, or both of them, to the Toronto Paper Company for delivery at its Toronto, Ohio plant. Said coal was transported by truck to the Ohio River, dumped into barges and transported to Toronto, Ohio, reloaded in trucks and transported a distance of six-tenths of a mile to the bins of said purchaser, which method of transportation constituted combination truck and river shipments of coal, whereas minimum prices, temporary or final, for such movement of such coal had not been established by the Division.

(i) Cove Hill Coal Company wilfully violated the Order of the Division entered in General Docket No. 19 on October 9, 1940, by selling through its sales agent, the Costanzo Coal Mining Corporation, during the period December 1940 through January 1941, 2,150.11 net tons of 2" x 5" coal produced at either the said Three Springs No. 1 Mine or the said Three Springs No. 2 Mine, or both of them, for delivery to various purchasers. Such coal was transported by truck from the mines to the Ohio River, dumped into the barges, transported to Port Homer, Ohio, reloaded into trucks and delivered to said various purchasers, which method of transportation constituted combination truck and river shipments whereas minimum prices, temporary or final, for such movement of such coal had not been established by the Division.

(j) Upon the basis of the violations described in paragraphs (f) to (i) hereof, inclusive, Cove Hill Coal Company should be directed to cease and desist from all violations of the Act, the Code, and rules, regulations and orders thereunder.

It is hereby further found that the contracts between Cove Hill Coal Company and Weirton Steel Company and Crescent Brick Company, respectively, pursuant to which coal referred to in paragraphs I and II of the complaint herein and paragraphs (c) and (g) of these findings was sold and delivered, were not lawful bona fide written contracts entered into prior to June 16, 1933, under the provisions of section 4 II (e) of the Act.

Now, therefore, on the basis of the above findings and said admissions and the consent filed by Cove Hill Coal Company pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That the said joint applications as amended be, and the same hereby is, granted in so far as it refers Docket B–190 in respect to violations comitted by the Cove Hill Coal Company; and

It is further ordered, That pursuant to section 5 (b) of the Act the membership of Cove Hill Coal Company in the Code be, and the same hereby is, revoked and cancelled;

It is further ordered, That such revocation and cancellation of Code Membership of Cove Hill Coal Company shall become effective ten (10) days from the date hereof; and

It is further ordered, That the hearing herein heretofore postponed by order dated June 25, 1942, to a date and place to be thereafter designated by appropriate order be, and the same hereby is, cancelled; and

It is further ordered, That prior to restoration of Cove Hill Coal Company to membership in the Code, there shall be paid to the United States a tax in the amount of five thousand seven hundred and fifty-nine dollars and five cents ($5,759.05) as provided in section 5 (c) of the Act; *Provided, however*, That Cove Hill Coal Company shall be conditionally restored to membership in the Code, upon the payment of 50% of five thousand seven hundred and fifty-nine dollars and five cents ($5,759.05), conditioned upon the payment of the remainder thereof in eight equal monthly instalments in the manner more particularly described in paragraph VII of said joint application, as amended, which sets forth the agreement made between Cove Hill Coal Company and the Collector of Internal Revenue for such instalment payments; and

It is further ordered, That Cove Hill Coal Company, its representatives, servants, agents, officers, employees, attorneys, receivers and successors or assigns and all persons acting or claiming to act on its behalf or in its interest cease and desist and they hereby are permanently enjoined and restrained from violating the Bituminous Coal Act, the Bituminous Coal Code and rules and regulations issued thereunder, including, but not in limitation hereof, the making of further sales pursuant to said contracts between the Cove Hill Coal Company and Weirton Steel Company and Crescent Brick Company respectively at less than the effective minimum prices established for such coals, and that the provisions hereof shall continue in full force and effect in respect to Cove Hill Coal Company, its representatives, servants, agents, officers, employees, attorneys, receivers and successors or assigns and all persons acting or claiming to act on its behalf or in its interest upon any conditional or unconditional restoration of Cove Hill Coal Company to membership in the Code under section 5 (c) of the Act.

It is further ordered, That upon any failure to comply with the restraining provisions of this order the Division may apply to any Circuit Court of Appeals of the United States having jurisdiction for the enforcement hereof, or may take other appropriate action.

Dated: September 22, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42–9454; Filed, September 23, 1942; 12:07 p. m.]

Bureau of Reclamation.

AMERICAN RIVER INVESTIGATIONS, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

AUGUST 18, 1942.

The SECRETARY OF THE INTERIOR: In connection with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal as provided in Section 3 of the Act of June 17, 1902 (32 Stat. 388).

AMERICAN RIVER INVESTIGATIONS, CALIFORNIA

Mount Diablo Meridian

Township 10 North, Range 8 East:
Section 20—NW¼NE¼;
Township 12 North, Range 8 East:
Section 12—Lots 2, 3, 4, S½SW¼;
Section 14—NE¼NE¼, E½SW¼, SE¼;
Section 26—W½E½, NW¼NW¼;
Section 34—SE¼;
Township 10 North, Range 9 East:
Section 4—Lots 1, 2, W½NE¼, E½NW¼, N½SW¼, NE¼SE¼;
Section 10—NW¼NE¼, SW¼NW¼;
Section 12—Lot 7;
Section 14—W½SE¼, NE¼SE¼;
Township 11 North, Range 9 East:
Section 2—SE¼NE¼;
Section 10—NW¼NW¼, S½;
Section 12—E½SW¼, SW¼SE¼, SW¼NW¼SE¼, NW¼NE¼SE¼;
Section 14—S½S½;
Section 20—NE¼SW¼, N½SE¼, SE¼SE¼;
Section 24—SW¼SE¼;
Section 28—SW¼NW¼, W½SW¼, SE¼SW¼;
Section 30—Lots 1, 2, 3, 4, SW¼NE¼, SE¼NW¼, E½SW¼, SE¼;
Section 32—NE¼NE¼, W½NE¼, W½, S½SE¼;
Township 12 North, Range 9 East:
Section 4—N½;
Section 6—Lots 12, 14, 20, 23;
Section 34—SE¼SW¼, NW¼SE¼;
Township 13 North, Range 9 East:
Section 1—Lots 15, 16, SE¼;
Section 2—Lots 1, 2, 7, 8, 10, 13, 16, SW¼;
Section 11—Lots 1, 2, SW¼, NW¼SW¼;
Section 22—NW¼, N½SW¼, SW¼SW¼;
Section 23—W½W½SE¼;
Section 24—Lots 1, 2, N½, E½SW¼, SE¼;
Section 25—Lot 1, W½NW¼, NW¼SW¼;
Section 26—Lot 1, N½NE¼, N½S½NE¼, SE¼SE¼NE¼, E½SW¼SE¼NE¼, S½NE¼SE¼, NE¼NE¼SE¼, E½NW¼NE¼SE¼;
Section 28—N½NE¼, SW¼NE¼, NW¼, W½SW¼;
Section 30—NW¼SE¼, S½SE¼;
Section 32—Lot 4;
Section 33—Lots 9, 10;
Section 34—Lots 1, 2, 4, 7, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20;
Township 14 North, Range 9 East:
Section 25—SE¼;
Township 11 North, Range 10 East:
Section 6—W½SW¼;
Section 18—SW¼SW¼NE¼, NW¼NE¼NW¼, NW¼SW¼;
Section 22—SW¼, NW¼SE¼;
Section 25—SW¼;
Section 26—SW¼;
Township 13 North, Range 10 East:
Section 1—Lots 8, 9, 10, 14, S½NW¼;
Section 11—Lot 1, N½SE¼NE¼, SW¼NE¼, SE¼;
Section 14—All;
Section 15—Lots 4, 5, S½NE¼, N½SE¼, SE¼SE¼;
Section 19—Lots 10, 11, 12, 17, 18, 19, 20, 21, 24;
Section 20—Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, NE¼;
Section 21—Lots 5, 6;
Section 22—All;
Township 14 North, Range 10 East:
Section 19—Lots 11, 16;
Section 30—Lots 1, 3, 4, E½ Lot 7, SW¼ Lot 7, Lots 8, 10, NE¼ Lot 11, S½ Lot 11, Lots 14, 15, 17, N½ Lot 18;

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: September 9, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

SEPTEMBER 14, 1942.

[F. R. Doc. 42–9470; Filed, September 24, 1942; 10:10 a. m.]

[No. 50]

SHOSHONE IRRIGATION PROJECT, WILLWOOD DIVISION

REPAYMENT OF CONSTRUCTION COST

AUGUST 31, 1942.

1. Pursuant to the authority of the act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, herein styled the Reclamation Law, the public lands in the Willwood division of the Shoshone irrigation project, Wyoming, were opened to entry, under the homestead laws and subject to all the provisions, limitations, charges, terms, and conditions of said Reclamation Law, by public orders as follows:

Order of May 11, 1927	(No. 38)
Order of June 25, 1928	(No. 40)
Order of May 10, 1929	(No. 41)
Order of April 22, 1931	(No. 43)
Order of June 18, 1935	(No. 46)
Order of June 22, 1938	(No. 48)

2. Each of said public orders contains the following provisions:

Repayment of construction cost. The Act of May 25, 1926 (44 Stat. 648), authorizes the Secretary to fix a period of not more than 40 years for the repayment of construction costs but provides also that before the 40-year plan may be made effective, a contract must be executed with a water users association or irrigation district whereby such water users association or irrigation district shall be required to pay the entire charges against all productive lands within the division wthout regard to default in the payment of charges against any individual tract of land. Since the Willwood Division, except for a few tracts, embraces only public land it would not be possible to make such a contract until the lands are open and entered. Under the circumstances, the division will be operated on a water-rental basis until sufficient settlers have been secured, in the judgment of the Secretary of the Interior, to permit the formation of an irrigation district, at which time a so-called joint liability contract will be required, and the construction charges announced herein will be payable over a period of forty years. Should the water users fail or refuse to proceed in the manner outlined above, it will become necessary to issue public notice in accordance with the provisions of the Extension Act of August 13, 1914 (38 Stat., 686), under which the construction charges must be repaid within 20 years.

All land to be included in irrigation district. Each water-rental application for land covered by this order shall be made on Form 7–289 and the following clause shall be inserted at the bottom of said form:

"I agree to the inclusion of my land in an irrigation district which shall comprise all of the irrigable lands of the Willwood Division, and I agree also to petition for and to participate in the organization of an irrigation district at the earliest practicable date, • • •."

3. The records of the Bureau of Reclamation show that a total of 11,743.64 acres of land irrigable under the works of the Willwood Division are covered by said public orders; and the records of the Bureau of Reclamation and the General Land Office show that of said 11,743.64 acres comprising the irrigable area of said division, 10,943.69 acres were entered under the homestead laws and subject to the Reclamation Law, pursuant to the terms and conditions of said public orders, and each thereof.

4. Based upon said records of the Bureau of Reclamation and of the General Land Office and in accordance with the provisions of each of said public orders relating to the repayment of construction cost, as above set out, I hereby find and determine that sufficient settlers have been secured to permit the formation and organization of all of the lands embraced within the Willwood division of the Shoshone irrigation project as an irrigation district under the laws of Wyoming, such district at the earliest date practicable after its organization to enter into a joint liability contract with the United States, providing generally for the repayment of the construction cost of the Willwood division of the Shoshone irrigation project, under the provisions of section 9 (d) of the Reclamation Project Act of 1939, as permitted under section 7 (b) of that act, or under the provisions of section 46 of the Act of May 25, 1926 (44 Stat. 636, 649), as contemplated when the said public orders, and each of them, opening the lands to entry were issued, as mutually agreed upon between such district and the United States.

5. Pursuant to the authority of said Reclamation Law and in accordance with the provision of the public orders above described, and each thereof, relating to the repayment of construction cost, I order and direct that if the organization of the lands of said Willwood division as an irrigation district under the laws of Wyoming has not been initiated and thereafter prosecuted with due diligence within ninety days from the date of this notice, then public notice shall issue in accordance with the provisions of the Reclamation Extension Act of August 13,

1914 (38 Stat. 686), under which construction charges shall be repaid by each water user under said Willwood division in accordance with section 1 of said act of August 13, 1914.

ABE FORTAS,
Under Secretary.

[F. R. Doc. 42-9469; Filed, September 24, 1942; 10:10 a. m.]

General Land Office.

[Public Land Order 40]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for aviation purposes:

SAN BERNARDINO MERIDIAN

T. 6 S., R. 21 E.,
Tract 60;
Tract 61, S½;
Tract 62, S½;
Tracts 63, 64, 65, 66 and 67;
Tract 81.
T. 6 S., R. 22 E.,
Sec. 19, S½;
Sec. 20, S½;
Sec. 21, SW¼;
Sec. 28, W½;
Secs. 29, 30, 31, and 32;
Sec. 33, W½.

The areas described, including both pubic and non-public lands, aggregate 5,637.80 acres.

This order shall be subject to the temporary withdrawal in aid of legislation made by Executive Order No. 9101 of March 16, 1942, withdrawing certain lands in sec. 31, T. 6 S., R. 22 E.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are nc longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 11, 1942.

[F. R. Doc. 42-9468; Filed, September 24, 1942; 10:08 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Agency.

[NER-600-A-1]

SPECIAL 1942 AGRICULTURAL CONSERVATION PROGRAMS

NORTHEAST REGION

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, NER-600-A, the Special 1942 Agricultural Conservation Programs for the Northeast Region,[1] section I, subsection A, 6, section II, subsection G, and section VII, paragraph 4 are amended to read as follows:

Section I. *Allotments, yields, payments, and deductions.*

A. *Potatoes.* * * *

6. Payment 1.8 cents.

Section II, subsection G. *Deduction for failure to maintain practices under previous programs.* Where the county committee, in accordance with instructions of the State committee, determines that (1) any terrace constructed, forest trees planted or pasture established under any previous agricultural conservation program are not maintained in accordance with good farming practices (2) any seeding of perennial legumes or grasses is destroyed after producers in the county have been generally informed that the destruction of such legumes or grasses is contrary to good farming practice, or (3) the effectiveness of any soil-building practice carried out under any previous program is destroyed during the 1942 program year contrary to good farming practice, there shall be deducted an amount equal to the payment that would be made under the 1942 program for a similar amount of such practice from the net payment due the person (after increase in small payments and deductions for association expense) on the same or any other farm in the county who was responsible for the failure to maintain such practices. In the event the amount of such deduction exceeds the amount of payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary.

Section VII, paragraph 4.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference will be deducted insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished. Any deficit shall be paid by the producer to the Secretary.

Done at Washington, D. C. this 24th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9488; Filed, September 24, 1942; 11:42 a. m.]

[1] 7 F.R. 2654.

Farm Security Administration.

PERRY COUNTY, OHIO

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title J of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION III—OHIO

Perry County: Locality I—Consisting of Clayton township; $3,029.

Locality II—Consisting of Hopewell township; $4,680.

Locality III—Consisting of Jackson township; $2,792.

Locality IV—Consisting of Madison township; $4,116.

Locality V—Consisting of Reading township; $4,702.

Locality VI—Consisting of Thorn township; $6,885.

Locality VII—Consisting of Bearfield, Coal, Harrison, Monday Creek, Monroe, Pleasant, Pike, and Salt Lick townships; $2,296.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: September 18, 1942.

[SEAL] J. O. WALKER,
Acting Administrator, Farm Security Administration.

[F. R. Doc. 42-9467; Filed, September 23, 1942; 4:10 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 24, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Carmi Feature Underwear, Inc., Main St., Grayville, Illinois; Men's & boys' broadcloth shorts; 5 learners (T); September 24, 1943.

The Manhattan Shirt Co., 60 Hill St., Greenwich, New York; Men's cotton underwear; 5 percent (T); September 24, 1943.

Pittsburgh Garter Co., 131 Water St., Pittsburgh, Pennsylvania; Belts, suspenders, garters and notions; 5 learners (T); September 24, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Asher Pant Co., 10 Main St., Fitchburg, Massachusetts; Men's pants; 10 percent (T); September 24, 1943.

The H. A. Austin Co., Inc., 15 Union St., Worcester, Massachusetts; Sanitary belts, chafe panties, breast forms and bandos, head dressings; 10 percent (T); September 24, 1943.

Central Wash Suit Co., Inc., 116 No. Broad St., Peekskill, New York; Washable service apparel, sportswear and other odd outerwear; 15 learners (T); September 24, 1943.

Coronet Mfg. Co., 1000 Broadway, Kansas City, Missouri; Men's bathrobes, sport shirts; 24 learners (E); May 21, 1943. (This certificate became effective September 21, 1942).

D & I Shirt Co., Inc., 89 Wallace St., New Haven, Connecticut; Men's shirts; 10 percent (T); September 24, 1943.

Improved Mfg. Co., 703 Union St., Ashland, Ohio; Men's & boys' leather and cloth jackets, and wool coats; 10 percent (T); September 24, 1943.

Monroe County Waist Co., Inc., 131 Crystal St., E. Stroudsburg, Pennsylvania; Ladies' blouses; 10 percent (T); September 24, 1943.

George W. Prior Co., 1735 Lawrence St., Denver, Colorado; Men's shirts, ladies' and juvenile shirts, ladies' jeans; 10 learners (T); September 24, 1943.

Styltrend Dress Mfg. Co. Inc., 34 Hopkins Place, Baltimore, Maryland; Ladies' wash dresses; 3 learners (T); September 24, 1943.

Tate Mfg. Co., Inc., 518 Craghead St., Danville, Virginia; Coveralls & shop coats, pants, shirts, jackets, caps, aprons and miscellaneous items; 5 learners (T); September 24, 1943.

W. G. Sewing Co., Elizabeth, New Jersey; Children's cotton dresses and smocks; 10 percent (T); September 24, 1943.

Glove Industry

Smart Set Glove Co., Inc., 29 Chuctanunda St., Amsterdam, New York; Knit fabric gloves; 5 learners (T); September 24, 1943.

Hosiery Industry

Graysville Hosiery Mill, 125 East Main St., Dayton, Tennessee; Seamless hosiery; 5 percent (T); September 24, 1943.

Morris Hosiery Mills, Denton, North Carolina; Seamless hosiery; 5 learners (T); September 24, 1943.

Runnymede Mills, Inc., 103 First St., Tarboro, North Carolina; Seamless hosiery; 5 percent (T); September 24, 1943.

Walridge Knitting Mills, Arkansas St., Helena, Arkansas; Seamless hosiery; 5 learners (T); September 24, 1943.

Wilkes Hosiery Mills Co., North Wilkesboro, North Carolina; Seamless hosiery; 5 percent (T); September 24, 1943.

Knitted Wear Industry

Atlas Underwear Co., North 10th & D Sts., Richmond, Indiana; Knitted underwear; 5 percent (T); September 24, 1943.

The William Carter Co., Barnesville, Georgia; Knitted underwear; 5 percent (T); September 24, 1943.

Textile Industry

The H. A. Austin Co., Inc., 15 Union St., Worcester, Massachusetts; Sanitary belts, chafe belts, breast forms and bandos, head dressings (Navy); 3 learners (T); September 24, 1943.

Castile Silk Co., Main St., Castile, New York; Rayon broad goods; 3 learners (T); September 24, 1943.

Economy Products Corp., 512 South Peoria St., Chicago, Illinois; Chenille bedspreads; 5 learners (T); September 24, 1943.

Manetta Mills—Monroe Plant, Mill St., Monroe, North Carolina; Cotton bedspreads and cotton blankets; 3 percent (T); September 24, 1943.

Signed at New York, N. Y., this 22nd day of September, 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-9456; Filed, September 23, 1942; 1:45 p. m.]

[Administrative Order No. 158]

SEAMLESS HOSIERY INDUSTRY

RECONVENING INDUSTRY COMMITTEE NO. 21

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby reconvene for the seamless hosiery industry (as such industry is defined in paragraph 2) Industry Committee No. 21, composed of the following representatives:

For the Public: G. Allan Dash, Jr., Chairman, Philadelphia, Pennsylvania; Frank de Vyver, Durham, North Carolina; Burton R. Morley, University, Alabama.

For the Employees: Alfred Hoffman, Philadelphia, Pennsylvania; Bert Branham, Chattanooga, Tennessee; Joseph Gradel, Milwaukee, Wisconsin.

For the Employers: J. Lee Bausher, Reading, Pennsylvania; J. C. Greer, Lenoir City, Tennessee; W. W. Neal, Sr., Marion, North Carolina.

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "seamless hosiery industry" means:

The manufacturing or processing of seamless hosiery, including among other processes the knitting, dyeing, clocking and all phases of finishing seamless hosiery, but not including the manufacturing or processing of yarn or thread.

3. The definition of the seamless hosiery industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That this definition does not include employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in

marketing and distributing products of the industry which have been purchased for resale: *And provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Industry Committee No. 21, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall meet in the offices of the Wage and Hour Division, U. S. Department of Labor, room 1610, at 165 West 46th Street, New York City, at 10:00 A. M. on October 29, 1942, and shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of Section 14.

Signed at New York, New York, this 23d day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9482; Filed, September 24, 1942; 11:34 a. m.]

[Administrative Order No. 159]

PRINTING AND PUBLISHING AND ALLIED GRAPHIC ARTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 49

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor,

Do hereby accept the resignation of Mr. Harold E. Fey from Industry Committee No. 49 for the Printing and Publishing and Allied Graphic Arts Industry and do appoint in his stead as representative of the public on such committee Mrs. Royal C. Taft, of Saunderstown, Rhode Island.

Signed at New York, New York this 23d day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9483; Filed, September 24, 1942; 11:34 a. m.]

[Administrative Order No. 160]

SEAMLESS HOSIERY INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 21

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor,

Do hereby accept the resignation of Mr. Ambrose McCormick from Industry Committee No. 21 for the Seamless Hosiery Industry, and do appoint in his stead as representative for the employees, Mr. Joseph Gradel of Milwaukee, Wisconsin.

Signed at New York, New York this 23d day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9484; Filed, September 24, 1942; 11:34 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-407; G-406]

GODFREY L. CABOT, INC. AND CABOT GAS CORPORATION

ORDER FIXING DATE OF HEARING

SEPTEMBER 22, 1942.

It appearing to the Commission that: (a) On August 12, 1942, Godfrey L. Cabot, Inc. filed an application under section 7 (b) of the Natural Gas Act seeking authority to abandon the service of selling natural gas to Cabot Gas Corporation and to sundry customers in Allegany County in the State of New York; that on the same date, the Cabot Gas Corporation filed an application seeking authority under section 7 (b) of the Natural Gas Act to abandon the service of selling and transporting natural gas in the State of New York.

(b) On September 12, 1942, the Public Service Commission of the State of New York issued a notice of hearing in case No. 10948 as follows:

Proceeding on motion of the Commission as to service of Cabot Gas Corporation. • • • This Commission having determined that an investigation should be instituted as to the service provided by Cabot Gas Corporation, which investigation shall include an investigation of the Company's available supply of natural gas; whether such supply can be augmented by additional purchases from Godfrey L. Cabot, Inc., or other persons or corporations; as to the present and prospective demands of its consumers; as to its outstanding contracts providing for the sale and delivery of natural gas; as to its plans for the abandonment of service; and as to such other matters that shall appear necessary or desirable, therefore

Take notice that a public hearing will be held in the above matter before Commissioner Burritt in the County Court House in the City of Rochester on September 25, 1942 at 10:00 A. M., Eastern War Time.

The Commission finds that: The questions to be inqured into under the notice issued by the Public Service Commission of the State of New York are substantially the same as the issues raised by the applications filed by Godfrey L. Cabot, Inc. and Cabot Gas Corporation, Dockets Nos. G-407 and G-406; that it will be in the public interest to hold hearings upon the pertinent questions raised by such applications at the same time and place specified by the New York Commission in its notice of September 12, 1942, and that a representative of the Federal Power Commission sit jointly with the Commissioner designated by the New York Commission.

The Commission *orders*, That:

(a) A public hearing be held in the County Court House of the City of Rochester, New York, on September 25, 1942, at 10:00 a. m., Eastern War Time, upon the applications of Godfrey L. Cabot Inc. and Cabot Gas Corporation, Dockets Nos. G-407 and G-406, to determine all necessary and pertinent facts relating to the abandonment of service and the transportation of natural gas under section 7 (b) of the Natural Gas Act.

(b) The representative designated by the Commission to preside at such hearing is authorized (1) to conduct hearings in conjunction with the hearing of the New York Public Service Commission and work out with Commissioner Burritt the best method of procedure, and (2) to hold such other and further hearings, if such be necessary, to complete the record for the purposes of final determination upon the said applications here pending.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9471; Filed, September 24, 1942; 10:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 128]

COPYRIGHTS COVERING "MEIN KAMPF"

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property hereinafter described is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

(a) All right, title and interest of every kind or nature whatsoever of the owners thereof in, to and under the copyrights described in Exhibit A attached hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners.

(b) All right, title and interest of every kind or nature whatsoever of the authors of the publications described in Exhibit A attached hereto and made a part hereof in, to and under the copyrights described in said Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof and all rights of renewal subject to be exercised by such authors or by their widows, children, executors or next of kin.

(c) All right, title and interest of every kind or nature whatsoever of the original authors of the publications described in Exhibit B attached hereto and made a part hereof in, to and under the two copyrights and one copyright claim described in said Exhibit B, including but not limited to all accrued royalties, all rights to receive royalties, and all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof.

(d) All right, title and interest of every kind or nature whatsoever of Franz Eher Nachf., G. m. b. H., otherwise known as Franz Eher Nachfolger, whose last known address was represented to the undersigned as being Munchen, Germany, in, to and under the two copyrights and the one copyright claim described in Exhibit B attached hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, and all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 28, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Copyright No. A. Foreign 28722, on a certain publication entitled "'Mein Kampf", the author thereof being Adolf Hitler, the copyright owner thereof being Franz Eher Nachf., G. m. b. H. otherwise known as Franz Eher Nachfolger, of Thierschstrasse 15, Munchen, Germany, and the effective date thereof being July 17, 1925.

Copyright No. A. Foreign 34076, on a certain publication entitled "Mein Kampf", the author thereof being Adolf Hitler, the copyright owner thereof being Franz Eher Nachf., G. m. b. H., otherwise known as Franz Eher Nachfolger, of Thierschstrasse 15, Munchen, Germany, and the effective date thereof being January 1, 1927.

Copyright No. A. Foreign 25381, on a certain publication entitled "Hitler-Worte, Aussprueche Aus 'Mein Kampf' and Aus den Reden des Fuhrers", the author thereof being Adolf Hitler, the compiler thereof being Bendikt Welser, the copyright owner thereof being Ferdinand Hirt, of Konigsplatz 1, Breslau, Germany, and the effective date thereof being April 17, 1934.

EXHIBIT B

Copyright No. A. 6625, on a certain publication entitled "Mein Kampf", the original author thereof being Adolf Hitler, the copyright owner thereof being Houghton Mifflin Company, Boston, Massachusetts, and the effective date thereof being October 11, 1933.

Copyright No. A. 127254, on a certain publication entitled "Mein Kampf", complete and unabridged fully annotated (unexpurgated), the original author thereof being Adolf Hitler, the copyright owner thereof being Houghton Mifflin Company, Boston, Massachusetts, and the effective date thereof being March 4, 1939.

Copyright Claim No. AA 294861, on a certain publication entitled "Mein Kampf", the original author thereof being Adolf Hitler, the copyright claimant being Noram Publishing Company, Greenwich, Connecticut, and the effective date thereof being April 8, 1939.

[F. R. Doc. 42-9477; Filed, September 24, 1942; 11:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 13 Under Revised Price Schedule 57—Wool Floor Coverings]

HIGHTSTOWN RUG COMPANY—NEW FABRICS

APPROVAL OF PRICES

On July 28, 1942 Hightstown Rug Company of Hightstown, New Jersey, hereinafter called applicant, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57 for approval of maximum prices of certain fabrics containing jute and cotton in the back and 50% wool and 50% rayon in the face. Applicant designated these proposed fabrics as "Monterey," "Pacific" and "Pebblette".

Due consideration has been given to the application and the specifications of the fabrics described therein and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) Hightstown Rug Company may sell, offer to sell, deliver, or transfer the fabrics containing cotton and jute in the back and 50% wool and 50% rayon in the face at prices no higher than those set forth below:

Monterey at $2.72 per square yard f. o. b. mill roll.

Monterey at $33.05 per 9 x 12.

Pacific at $2.29 per square yard f. o. b. mill roll.

Pacific at $27.45 per 9 x 12.

Pebblette at $2.36 per square yard f. o. b. mill roll.

Pebblette at $28.32 per 9 x 12.

subject to discounts, allowances, and rebates no less favorable than those in effect as to "Mercer", "Plymouth" and "Pebblesque" fabrics respectively, under § 1352.1 of Revised Price Schedule No. 57.

The differential between the maximum f. o. b. mill prices and the cut order and key size (other than 9 x 12) maximum prices of "Monterey", "Pacific", and "Pebblette" shall be no less favorable than the differential established under § 1352.1 of Revised Price Schedule No. 57 between the maximum f. o. b. mill prices and the cut order and key size (other than 9 x 12) extra size, and zone maximum prices of "Mercer", "Plymouth", and "Pebblesque" fabrics respectively.

(b) This Order No. 13 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This order shall become effective on the 24th day of September 1942.

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9463; Filed, September 23, 1942; 1:57 p. m.]

[Order 14 Under Revised Price Schedule 57—Wool Floor Coverings]

PHILADELPHIA CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

On June 18, 1942, the Philadelphia Carpet Company, Philadelphia, Pennsylvania, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture a new fabric and for approval of a maximum price thereof. This new fabric is designated in the application as Phoenix.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, *It is hereby ordered:*

(a) Philadelphia Carpet Company may sell, offer to sell or deliver the new fabric designated as Phoenix, at a price no higher than $3.06 per square yard, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Duratone, as established by Revised Price Schedule No. 57.

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in

§ 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 14 shall become effective on the 24th day of September 1942.

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9462; Filed, September 23, 1942; 1:58 p. m.]

[Order 15 Under Revised Price Schedule 57—Wool Floor Coverings]

A. & M. KARAGHEUSIAN COMPANY—NEW FABRIC

APPROVAL OF MAXIMUM PRICE

On June 18, 1942, the A. & M. Karagheusian Company, New York, New York, filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture a new fabric and for approval of a maximum price thereof. This new fabric is designated in the application as "Ventura".

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) A. & M. Karagheusian Company may sell, offer to sell or deliver the new fabric designated as "Ventura" which is manufactured from the supply of staple cotton on hand June 19, 1942, at a price no higher than $2.32 per running yard of three quarter carpet, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for "Brixton", as established by Revised Price Schedule No. 57.

(b) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 15 shall become effective on the 24th day of September 1942.

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9460; Filed, September 23, 1942; 1:58 p. m.]

[Order 16 Under Revised Price Schedule 57—Wool Floor Coverings]

A. & M. KARAGHEUSIAN, INC.

APPROVAL OF MAXIMUM PRICE

On July 10, 1942, A. & M. Karagheusian, Inc., New York City, filed an application, pursuant to § 1352.4 of Revised Price Schedule No. 57 for permission to manufacture a new fabric designated as Beaucaire and for approval of a maximum price thereof.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) A. & M. Karagheusian, Inc. may sell, offer to sell, or deliver the new fabric designated as Beaucaire at a price no higher than $3.96 per square yard, f. o. b. mill, and $49.35 for the 9' x 12' size, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Renaissance, as established by Revised Price Schedule No. 57. The differentials between the maximum square yard f. o. b. mill price and the cut order, extra size, and zone maximum prices for Beaucaire shall be no less favorable than the differentials as established by Revised Price Schedule No. 57, between the maximum square yard, f. o. b. mill price and the cut order, extra size, and zone maximum prices for Renaissance.

(b) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 16 shall become effective on the 24th day of September, 1942.

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9459; Filed, September 23, 1942; 1:59 p. m.]

[Order 17 Under Revised Price Schedule 57—Wool Floor Coverings]

C. H. MASLAND & SONS

APPROVAL OF MAXIMUM PRICE

On June 18, 1942, C. H. Masland & Sons, Carlisle, Pennsylvania filed an application pursuant to § 1352.4 of Revised Price Schedule No. 57, for permission to manufacture two new fabrics and for approval of maximum prices thereof. These new fabrics are designated in the application as "MWC-4" and "MWC-6".

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) C. H. Masland & Sons may sell, offer to sell or deliver the new fabrics designated as "MWC-4" and "MWC-6" at prices no higher than $2.81 and $2.31, respectively, per running yard of three-quarter carpet, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum prices for "Peggy Shippen" and "Woodbine" as established by Revised Price Schedule No. 57.

(b) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This order No. 17 shall become effective on the 24th day of September, 1942.

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9461; Filed, September 23, 1942; 1:56 p. m.]

[Order 17 Under Maximum Price Regulation 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Dockets 3122-33 and 3122-35]

THE C. REISS COAL CO.

ORDER GRANTING ADJUSTABLE PRICING PERMISSION

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is ordered:*

(a) On and after July 1, 1942, the C. Reiss Coal Company, Reiss Building, Sheboygan, Wisconsin may sell and deliver (1) Special Youghiogheny (Warden) by product 2" nut and slack coal to Wisconsin Michigan Power Company, Appleton, Wisconsin, and such consumer may buy and receive such solid fuel;

(2) Gas 4" mine run to Wisconsin Public Service Corporation, Milwaukee, Wisconsin, and such consumer may buy and receive such solid fuel; and

(3) Island Creek Mine No. 22 2" x ¼" nut coal, not rescreened at the dock, to any one or more of the following consumers: Kimberley-Clark Corporation, Neenah, Wisconsin; Consolidated Water, Power and Paper Company, Wisconsin Rapids, Wisconsin; Thilmany Pulp and Paper Company, Kaukauna, Wisconsin; and Combined Locks Paper Company, Combined Locks, Wisconsin and such consumer and any one or more of them may buy and receive such solid fuel

at prices no higher than the applicable maximum prices subject to agreements with such purchasers of such solid fuels to adjust prices upon deliveries made during the pendency of its petitions in accordance with the respective dispositions thereof.

(b) This Order No. 17 may be revoked or amended by the Administrator at any time and, in the event, is to be effective only to the date of the final disposition of the respective petitions;

(c) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein;

(d) This Order No. 17 shall become effective September 24, 1942.

Issued this 23d day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9458; Filed, September 23, 1942; 1:56 p. m.]

[Suspension Order 138]

ARTHUR J. HOUDE

ORDER RESTRICTING TRANSACTIONS

Arthur J. Houde doing business as Houde's Oil Filling Station at 179 West Street, Gardner, Massachusetts, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order 5A, Gasoline Rationing Regulations issued by the Office of Price Administration. Pursuant to said notice, a hearing upon such charges was held in Boston, Massachusetts on September 1, 1942. There appeared a representative of the Office of Price Administration and the respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator,

It is hereby determined, that:

1. Respondent on July 22, 1942 operated at 179 West Street, Gardner, Massachusetts, a filling station at which gasoline was regularly transferred directly to consumers.

2. Respondent has violated § 1394.1601 of the Gasoline Rationing Regulations in that on July 22, 1942, in his registration of inventory with Local War Price and Rationing Board No. 11, Gardner, Massachusetts, respondent knowingly and willfully misrepresented that his total inventory of gasoline on hand at his said filling station was 750 gallons whereas it was in fact 7,850 gallons and thereby he obtained an inventory gasoline ration 7,100 gallons in excess of that to which he was then entitled.

The violation of gasoline rationing regulations by respondent has interfered with the effective administration of the Gasoline Rationing Regulations and hampered the war effort of the United States. It appearing to the Deputy Administrator from the evidence before him that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action be taken,

It is therefore ordered:

(a) During the period in which this Suspension Order No. 138 shall be in effect.

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any gasoline.

(2) Respondent shall not sell, transfer, deliver, or otherwise deal or trade in any gasoline.

(3) No person, firm, or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to respondent.

(b) Nothing in this order shall be deemed to forbid respondent to acquire gasoline as a consumer in accordance with the provisions of the gasoline rationing regulations.

(c) Any terms used in this order that are used in the gasoline rationing regulations shall have the meaning therein given them.

(d) This Suspension Order No. 138 shall become effective 12:01 A. M. October 4, 1942, and unless sooner terminated shall expire 12:01 A. M. October 4, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1H, 7 F.R. 562, 3478, 3877)

Issued this 23d day of September 1942.

PAUL M. O'LEARY,
Deputy Administrator.

[F. R. Doc. 42-9457; Filed, September 23, 1942; 1:56 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-53]

CITIES SERVICE CO., ET AL.

ORDER EXTENDING TIME FOR FILING ANSWERS AND CONTINUING DATE FOR HEARING

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1942.

The Commission having on the 29th day of August, 1942 issued a notice and order instituting proceedings and setting date for hearing under sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Public Utility Holding Company Act of 1935 in the above entitled matter, and having ordered that the respondents named should file answers on or before the 22nd day of September, 1942, and having ordered that a hearing be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania at 10:00 o'clock in the forenoon of the 6th day of October, 1942; and

The respondents having requested that the time to answer be extended until October 22, 1942, and having further requested that the date for hearing in said matter be continued until November 10, 1942; and

The Commission having considered such request and it appearing that the granting thereof will not be detrimental to the public interest or the interest of investors or consumers:

It is therefore ordered, That the time for filing answers in the above entitled matter be extended until October 22, 1942 and that the date for hearing therein be continued until November 10, 1942 at 10:00 o'clock in the forenoon, such hearing to be held at the same place and before the same trial examiner as provided in the order dated August 29, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9474; Filed, September 24, 1942; 10:09 a. m.]

[File No. 812-74]

INTERNATIONAL MINING CORPORATION

ORDER DENYING APPLICATION AND GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of September A. D. 1942.

International Mining Corporation has applied for an order under section 3 (b) (2) of the Investment Company Act of 1940 declaring it to be primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities either directly or through majority-owned subsidiaries, or through controlled companies conducting similar types of businesses.

Hearings were held, oral argument was heard and briefs have been filed. The Commission has considered the matter, is advised in the premises, and has been unable to find that International Mining Company is primarily engaged in a business other than that of investing, reinvesting, owning or holding securities, as more fully set forth in its opinion in this matter this day issued, and

It is ordered, That the application be, and the same hereby is, denied.

International Mining Corporation has indicated to the Commission certain difficulties which would result from the ap-

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plication of the provisions of section 17 (a) (1) to certain transactions common in its business. The Commission has found that it is appropriate in the public interest, consistent with the protection of investors and with the purposes fairly intended by the provisions and policy of the Act to provide an exemption to International Mining Corporation from the provisions of section 17 (a) (1), for any transaction in which International Mining Corporation acquires the securities of a mining company affiliated therewith or with any affiliate thereof for the purpose of financing the development of the mining business of such mining company, on condition that a full report of every transaction so exempted shall be furnished to the Commission within sixty days of the completion thereof.

It is further ordered, therefore, That the transactions described above of International Mining Corporation be exempt, upon the aforesaid condition, from the provisions of section 17 (a) (1), and that jurisdiction is reserved to alter or withdraw the exemption, or the conditions thereof, should facts subsequently appearing make such action necessary.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9473; Filed, September 24, 1942; 10:08 a. m.]

[File No. 59-54]

KEWANEE PUBLIC SERVICE COMPANY

ORDER NAMING ADDITIONAL PARTIES RESPONDENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of September, A. D. 1942.

The Commission having by notice of and order for hearing dated September 3, 1942 instituted the above entitled proceeding pursuant to sections 11 (b) (2), 12 (c) and (f), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935; and

Illinois Traction Company, holder of substantially all the common stock of Kewanee Public Service Company, and North American Light & Power Company, holder of substantially all of the common stock of Illinois Traction Company as well as of a past due note of Kewanee Public Service Company, having filed herein on September 18, 1942, separate applications for permission to intervene as parties in the above entitled proceeding; and

The Commission having duly considered said applications and it appearing to the Commission that it will be in the public interest that said Illinois Traction Company and North American Light & Power Company be named as parties respondent in said proceeding and it further appearing that said Illinois Traction Company and North American Light & Power Company were duly served with copies of the said Notice of and Order for Hearing dated September 3, 1942;

It is ordered, That Illinois Traction Company and North American Light & Power Company be and they are hereby made parties respondent and are directed to file with the Secretary of the Commission on or before October 6, 1942 an answer to the allegations of paragraphs 1 to 9 inclusive of the notice of and order for hearing dated September 3, 1942 in the form prescribed in Rule U-25 of the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9472; Filed, September 24, 1942; 10:08 a. m.]

[File No. 59-52]

NIAGARA HUDSON POWER CORP. AND SUBSIDIARY COMPANIES

ORDER DISMISSING PARTY FROM PROCEEDING

In the matter of Niagara Hudson Power Corporation and its subsidiary companies, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September 1942.

The Commission, on August 28, 1942, having issued a Notice of and Order for Hearing, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, with respect to Niagara Hudson Power Corporation and its subsidiary companies, including Canton Electric Light and Power Company, 34.64% of whose outstanding voting securities is owned by Central New York Power Corporation, a direct subsidiary of Niagara Hudson Power Corporation; and

The Commission having, on September 15, 1942, granted the application of Canton Electric Light and Power Company, pursuant to section 2 (a) (8) of the Act, for an order declaring it not to be a subsidiary company of The United Corporation, Niagara Hudson Power Corporation or Central New York Power Corporation;

It is hereby ordered, That Canton Electric Light and Power Company be and hereby is dismissed as a party to this proceeding.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9476; Filed, September 24, 1942; 10:09 a. m.]

[File No. 59-52]

NIAGARA HUDSON POWER CORP. AND SUBSIDIARY COMPANIES

ORDER AMENDING NOTICE AND ORDER FOR HEARING

In the matter of Niagara Hudson Power Corporation and its subsidiary companies, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September 1942.

The Commission having on August 28, 1942, issued a notice of and order for hearing pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, with respect to Niagara Hudson Power Corporation and its subsidiary companies (Holding Company Act Release No. 3754); and

Said order, at page 16, having provided, among other things, that:

It is further ordered, That, upon the convening of the hearing above ordered, the Respondents shall show cause why the Commission shall not forthwith enter an Order prohibiting the declaration or payment of further dividends on the preferred and common stocks of Buffalo, Niagara and Eastern Power Corporation and also on the common stocks of Niagara Falls Power Company, as violative of section 12 (c) of the Public Utility Holding Company Act of 1935 and Rules thereunder; such Order to be effective until termination of the proceedings herein ordered and final termination of the issues stated above.

The Commission, having been informed by letter dated September 18, 1942, that pending court review of an order of the Federal Power Commission requiring The Niagara Falls Power Company to eliminate from its property account and charge to its earned surplus items aggregating $15,537,943.56, the Board of Directors of The Niagara Falls Power Company will not declare dividends upon its outstanding common stock; and that pending some clarification of the ultimate effect of said proceedings, which may be substantial, upon the corporate surplus of Buffalo, Niagara and Eastern Power Corporation, the Board of Directors of Buffalo, Niagara and Eastern Power Corporation has concluded that dividends should be suspended on the outstanding shares of its $5 1st Preferred stock, $1.60 2nd Preferred stock, and common stock;

It is ordered, That said Notice and Order for Hearing of August 28, 1942, be amended by striking therefrom the above-quoted paragraph.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9475; Filed, September 24, 1942; 10:09 a. m.]

Reference

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 LITTERA SCRIPTA MANET

SEP 28 1942

FEDERAL REGISTER

VOLUME 7 NUMBER 190

Washington, Saturday, September 26, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter A—Administrative Provisions

[Farm Credit Administration Order 360]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

DELETION OF AUTHORIZATION PERTAINING TO SUPERVISION OF FEDERAL CREDIT UNIONS

Section 3.71-50 of Title 6, Code of Federal Regulations, pertaining to authority of Special Field Representative of the Farm Credit Administration in the Territory of Hawaii with respect to Federal credit unions, is hereby rescinded.

[SEAL] A. G. BLACK, *Governor.*

[F. R. Doc. 42-9539; Filed, September 25, 1942; 9:59 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[Amendment 5 to B.A.I. Order 373]

PART 94—RINDERPEST AND FOOT-AND-MOUTH DISEASE; PROHIBITED AND RESTRICTED IMPORTATIONS

COMMODITIES FROM SOUTH AFRICA

Order amending § 94.1, Part 94, Chapter I, Title 9, Code of Federal Regulations.

Pursuant to the authority conferred upon the Secretary of Agriculture by Section 306 of the Tariff Act of 1930 (Sec. 306, 46 Stat. 689; 19 U.S.C. 1306), § 94.1, Part 94, Chapter I, Title 9, Code of Federal Regulations [Section 94.1 of B.A.I. Order 373[1]], as amended, is hereby further amended by striking out the words "all countries on the Continent of Africa," and substituting, in lieu thereof, the words "all countries on the Continent of Africa other than the Union of South Africa," as I have determined that neither foot-and-mouth disease nor rinderpest now exists in the said foreign country of Union of South Africa, and I have officially so notified the Secretary of the Treasury.

The effect of this amendment is to render commodities specified in B.A.I. Order 373 and originating in the Union of South Africa no longer subject to the provisions of that order.

This amendment, which, for purposes of identification, is designated Amendment 5 to B.A.I. Order 373, shall be effective on and after September 27, 1942.

Done at Washington this 24th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, *Acting Secretary of Agriculture.*

[F. R. Doc. 42-9559; Filed, September 25, 1942; 11:34 a. m.]

[1] 5 F.R. 4260, 5283; 6 F.R. 613, 806, 2567.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 77—MEDICAL AND DENTAL ATTENDANCE

MEDICAL ATTENDANCE

Sections 77.2, 77.3, 77.4 and 77. 6 (g) are hereby amended to read as follows:

§77.2 *For whom authorized.* Under the conditions indicated herein the Army will, usually through its own facilities, provide medical attendance to the personnel enumerated in paragraphs (a), (b), and (c) of this section.

(a) *General.* Any person admitted to an Army hospital under the provisions of AR 40-590, 40-605, or 40-610,[1] while undergoing treatment in such hospital.

(b) *Military.* (1) Officers, Army nurses, warrant officers, cadets, enlisted men, contract surgeons (full time), and members of the Women's Army Auxiliary Corps and of the Army Specialist Corps

[1] Administrative regulations of the War Department relative to hospitals.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DIstrict 0525.

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of the Army of the United States while in active Federal service, general prisoners, and prisoners of war.

(2) Persons who are on the retired list of the Regular Army and who report in person at any Army dispensary or hospital, provided sufficient accommodations are available for their treatment. Medical officers and contract surgeons will not be required to leave their stations to attend those on the retired list.

(3) Members of the National Guard not in Federal service while in attendance at a Federal training camp, and under certain other conditions as prescribed under appropriate headings in National Guard Regulations.

(4) Members of the Officers' Reserve Corps and of the Enlisted Reserve Corps as provided in subparagraph (1) above.

(c) *Civilian.* (1) Members of the Reserve Officers' Training Corps, as prescribed in AR 145–10 and §§ 62.1 to 61.34, inclusive.

(2) Persons in military custody or confinement and applicants for enlistment while under observation.

(3) Whenever practicable, the wife, dependent children, and servants of persons enumerated in paragraph (b) (1) of this section; also other dependent members of the family when residing with such persons provided they are not legally dependent upon an individual not in the military service.

(4) Civilian employees of the Army (including civilian employees of exchanges) at stations or in the field, where other medical attendance cannot be procured.

(5) Civilian employees of the United States Government who receive personal injuries in the performance of official duty who may report for treatment at an Army dispensary or hospital upon request of the officer under whom they are employed, provided other Government hospitals for the treatment of such employees are not convenient of access. (R.S. 161; 5 U.S.C. 22) [Par. 2, AR 40–505, Sept. 1, 1942]

§ 77.3 *Civilian medical attendance for military patients at public expense*—(a) *General authorization.* Subject to the conditions and limitations specified herein, civilian medical attendance at public expense is authorized for personnel specified in paragraph (b) of this section, when the required attendance cannot be provided from available facilities of the Army or other Federal agency: *Provided*, That this will not apply to military personnel who obtained elective medical treatment in civilian hospitals or by civilian physicians.

(b) *For whom authorized.* Civilian medical attendance at public expense is authorized for the following personnel and none other:

(1) Officers, Army nurses, warrant officers, cadets, enlisted men, contract surgeons (full time), and members of the Women's Army Auxiliary Corps and of the Army Specialist Corps of the Army of the United States in the Federal service when on a duty status or when absent on authorized leave, sick leave, furlough, or pass. Civilian medical attendance is not authorized for the personnel enumerated when absent without leave.

(2) Prisoners of war, persons undergoing internment, and other persons in military custody or confinement.

(3) An applicant for enlistment while under observation.

(c) *Ordinary medical attendance.* (1) An individual for whom civilian medical attendance is authorized under paragraph (b) above, and who is serving without an immediate local commanding officer, may engage civilian medical attendance without reference to higher authority when the urgency of the situation does not permit obtaining prior approval by higher authority or when he or she is serving beyond the continental limits of the United States, and not under the jurisdiction of a commanding general of a service command. Under all other circumstances such an individual will obtain prior approval from higher authority (see subparagraph (3) of this paragraph). When, under the provisions of this subparagraph, civilian medical attendance is engaged without prior authority, the report required by paragraph (g) below will be made.

(2) A local commanding officer may engage or authorize necessary civilian medical attendance for himself or for any person under his jurisdiction under any one of the following conditions:

(i) When the cost will not exceed $100, unless the individual for whom the medical attendance is required is serving beyond the continental limits of the United States and not under the jurisdiction of a commanding general of a service command.

(ii) When the urgency of the situation does not permit obtaining prior approval by higher authority. See paragraph (g) below for report required.

(3) Where prior approval by higher authority is required for civilian medical attendance, the authority to grant such approval is vested in the commanding general of a service command. See paragraph (f) below.

(d) *Specialist service.* (1) Except as otherwise provided in subparagraph (2) of this paragraph, the engagement at public expense of a civilian specialist is subject to prior approval of the commanding general of the service command.

(2) When it is impracticable to obtain prior approval of the commanding general of the service command or when the services of a civilian specialist are immediately necessary to save life or prevent suffering or distress, such services may be authorized or engaged by the appropriate commanding officer, or by the individual concerned if there is no local commanding officer. Under these circumstances the report required by paragraph (g) below will be made.

(e) *Consultation.* Accounts for consultation will not be allowed except in extraordinary cases, and then only when recommended by the Surgeon General upon the express approval of the Secretary of War.

(f) *Requests for authority to engage civilian medical attendance.* When medical attendance is required, requests for authority to engage such attendance will normally be made in writing, transmitted through channels, but in emergency may be transmitted by telegraph or radio direct to the approving authority. (See paragraphs (c) (3) and (d) of this section.) The request will include—

(1) *For ordinary medical attendance.*
(i) Character and extent of disability.
(ii) Statement whether disability is or is not chronic.
(iii) Place of duty and duties upon which the individual is engaged.

(iv) Status—duty, furlough, leave, or pass. If not on duty, the exact period of furlough, leave, or pass.

(2) *For specialist service.* (i) Diagnosis in the case.
(ii) Professional procedure considered necessary and estimate of time required for treatment.
(iii) Statement of condition of patient and the practicability of his transfer to an Army or other Federal hospital for the necessary treatment.
(iv) Place of duty and duties upon which the individual is engaged.
(v) Status—duty, furlough, leave, or pass. If not on duty, the exact period of furlough, leave, or pass.
(vi) Estimate of the cost.

(g) *Individual surgical and orthopedic appliances.* Surgical or orthopedic appliances for individual patients will be paid for from public funds only upon satisfactory evidence of their necessity and with the approval of the commanding general of the service command.

(h) *Allowances*—(1) *Compensation allowed to civilian physician.* (i) Ordinary medical attendance on public account at garrisoned stations or camps will not exceed the following rates, and if the local charge per visit is less than these rates the account will be rendered at the local rates: For attending station or sick call, five patients or fewer, $4; for each patient in excess of five, 50 cents; for each additional visit to station or sick call when necessary on the same day, $4.

(ii) Where there is a large sick report and the service may be required for an extended period, and the aggregate charge for a month is likely to exceed $150, application will be made to the commanding general of the service command for authority to employ a physician by the month.

(iii) Accounts arising at stations or camps under exceptional circumstances, all accounts arising at other places, and accounts for special or surgical services will be allowed at rates considered reasonable by the approving authority.

(iv) The compensation allowed to each civilian physician for the physical examination of applicants for enlistment in the Regular Army and the Regular Army Reserve, when such examinations are authorized by regulations or orders, will not exceed the following rates: For a single examination $2 and $1 for each additional examination made on the same day. Applicants for the Regular Army and the Regular Army Reserve will be counted together in the total examined for the day at any particular station, as prescribed in AR 155–5. A physician employed at different stations on the same day will be allowed these rates in full for the examinations made at each station. He will be allowed in the case of authorized vaccinations 50 cents for administration of each dose of vaccine (such as smallpox or typhoid vaccine). See AR 600–750.

(v) Civilian physicians employed, in the absence of a medical officer or contract surgeon, for the physical examination or vaccination of officers, enlisted men, or other persons under the provisions of regulations or orders from competent authority, will, except as otherwise provided by competent orders and regulations or directed by The Surgeon General, be paid at the rates prescribed above for the examination and vaccination of applicants for enlistment.

(2) *Charges for other civilian attendance.* Accounts for civilian hospital service, for special nursing, for medicines, for ambulance, and for sundry items of civilian medical service may be allowed at reasonable rates approved by The Surgeon General. (R. S. 161; 5 U.S.C. 22) [Par. 3, AR 40–505, September 1, 1942]

§ 77.4 *Treatment in hospitals of other Government services*—(a) *For whom authorized.* When Army hospitals are not available, treatment in other Federal hospitals at public expense is authorized for the following personnel, and none other:

(1) Officers, Army nurses, warrant officers, cadets, enlisted men, contract surgeons (full time), and members of the Women's Army Auxiliary Corps and of the Army Specialist Corps of the Army of the United States in the Federal service when on a duty status or while absent from duty on authorized leave or absent without leave.

(2) A prisoner in military custody.

(3) An applicant for enlistment while under observation.

(b) *Subsistence.* Subsistence charges will be at the rate prescribed by the individual hospital. Payment for subsistence will not be made to the hospital by the individual concerned. The Surgeon General will collect the subsistence charges from any officer, Army nurse, warrant officer, or contract surgeon (full time), so hospitalized, and deposit it to the proper appropriation. (R.S. 161; 5 U.S.C. 22) [Par. 4, AR 40-505, Sept. 1, 1942]

§ 77.6 *Physical examination of civilians by medical officer.* In addition to making physical examinations of civilians who are applicants for admission to the Army or who are applicants for admission to or members of Reserve Officers' Training Corps units, medical officers will, without charge, conduct physical examinations of civilians as follows:

* * * * *

(g) Honorably discharged enlisted men, sailors, and marines applying under the act of Congress, approved July 11, 1919, for positions under the War Department requiring a medical certificate. (R.S. 161; 5 U.S.C. 22) [Par. 6*g*, AR 40–505; Sept. 1, 1942]

* * * * * *

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–9538; Filed, September 25, 1942; 9:59 a. m.]

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation No. 2]

PART 105—ESTABLISHMENT OF MILITARY AREAS

PROHIBITED AND RESTRICTED ZONES: EASTERN MILITARY AREAS

Correction

Section 105.2 (i) (10), appearing on page 7337 of the issue for Friday, September 18, 1942, should read as follows:

(10) No person not in the armed forces or a member of an enforcement agency engaged in the performance of his official duties shall use or operate at any time or place within any of the Restricted Zones B–1 and B–4 to B–69, inclusive, any camera, any binocular, field glass or similar instrument in the nature of visual aid, or any signal device or instrument in the nature of a signal device.

The next to the last line in the middle column of page 7337 should be deleted.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3217]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KONDI COMPANY

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of respondent's "Kondi Worm Specific and Conditioner", or any other similar product, and among other things, as in order set forth, representing, directly or by implication, that respondent's preparation (1) will expel or destroy all intestinal parasites or worms in dogs; (2) constitutes an effective anthelmintic for hookworms or roundworms in dogs; and (3) has any therapeutic value in the removal of whipworms or dipylibothrium type of tapeworm from dogs; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Kondi Company, Docket 3217, September 21, 1942]

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety.* In connection with offer, etc., in commerce, of respondent's "Kondi Worm Specific and Conditioner", or any other similar product, and among other things, as in order set forth, representing (1) directly or by implication, that respondent's preparation has any value in the treatment of distemper in dogs; (2) directly or by implication, that respondent's preparation constitutes a competent or effective treatment for running or barking fits in dogs; (3) in any manner, either directly or by implication, that respondent's preparation constitutes a conditioner for dogs; and (4) directly or by implication, that respondent's preparation is a harmless anthelmintic or that it can be safely used in the treatment of any condition associated with worms in dogs; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Kondi Company, Docket 3217, September 21, 1942]

In the Matter of J. E. Miller, Kondi Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of, and in opposition to, the allegations of the complaint, taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and briefs filed by counsel for the Commission and by the respondent; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, J. E. Miller, an individual doing business as Kondi Company, or trading under any other name, his representatives, agents, or employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce as "commerce" is defined in the Federal Trade Commission Act, of his product "Kondi Worm Specific and Conditioner," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

(1) Representing, directly or by implication, that respondent's preparation will expel or destroy all intestinal parasites or worms in dogs;

(2) Representing, directly or by implication, that respondent's preparation constitutes an effective anthelmintic for hookworms or roundworms in dogs;

(3) Representing, directly or by implication, that respondent's preparation has any therapeutic value in the removal of whipworms or dipylibothrium type of tapeworm from dogs;

(4) Representing, directly or by implication, that respondent's preparation has any value in the treatment of distemper in dogs;

(5) Representing, directly or by implication, that respondent's preparation constitutes a competent or effective treatment for running or barking fits in dogs;

(6) Representing in any manner, either directly or by implication, that respondent's preparation constitutes a conditioner for dogs;

(7) Representing, directly or by implication, that respondent's preparation is a harmless anthelmintic or that it can be safely used in the treatment of any condition associated with worms in dogs.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9546; Filed, September 25, 1942; 11:17 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 625—MINIMUM WAGE RATE AND REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOMEWORKERS IN THE BUTTON AND BUCKLE MANUFACTURING INDUSTRY

In the matter of the recommendation of Industry Committee No. 43 for a minimum wage rate in the Button and Buckle Manufacturing Industry.

Whereas on March 14, 1942, by Administrative Order No. 143, the Administrator, acting pursuant to Sections 5 and 8 of the Fair Labor Standards Act of 1938, appointed Industry Committee No. 43 for the Button and Buckle Manufacturing Industry, and directed the Committee to recommend minimum wage rates for the Button and Buckle Manufacturing Industry in accordance with section 8 of the Act; and

Whereas the Committee included five disinterested persons representing the public, a like number of persons representing employers in the Button and Buckle Manufacturing Industry, and a like number representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Button and Buckle Manufacturing Industry is carried on; and

Whereas Industry Committee No. 43, on March 27, 1942, after investigation of conditions in the Industry, filed with the Administrator a report containing its recommendation for a minimum wage rate of 40 cents an hour in the Button and Buckle Manufacturing Industry; and

Whereas after notice published in THE FEDERAL REGISTER on April 4, 1942, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing on April 23, 1942, at New York, New York, upon the Committee's recommendation and upon the question of what, if any, prohibition, restriction or regulation of home work is necessary to carry out the purposes of the wage order for the Button and Buckle Manufacturing Industry, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein, in the event an order is issued approving the recommendations of the Committee, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

Whereas no request for oral argument having been received, oral argument on the Committee's recommendation was dispensed with in this proceeding; and

Whereas by notice published in the FEDERAL REGISTER on May 12, 1942, opportunity to submit written briefs was afforded all parties; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for a minimum wage rate for the Button and Buckle Manufacturing Industry, as defined in Administrative Order No. 143, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act and that it is necessary to include terms and conditions in the wage order for this industry with respect to industrial home work to carry out the purpose of such order, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 43 for a Minimum Wage Rate in the Button and Buckle Manufacturing Industry and Industrial Home Work in the Button and Buckle Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York;

Now, therefore, it is ordered, That:

Sec.
625.1 Approval of recommendation of Industry Committee.
625.2 Wage rate.
625.3 Restriction of home work.
625.4 Posting of notices.
625.5 Definition of the Button and Buckle Manufacturing Industry.
625.6 Scope of the definition.
625.7 Effective date.

AUTHORITY: §§ 625.1 to 625.7, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C., Supp. IV, sec. 208.

§ 625.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 625.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Button and Buckle Manufacturing Industry who is engaged in commerce or in the production of goods for commerce.

§ 625.3 *Restriction of home work.* No work in the Button and Buckle Manufacturing Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after November 30, 1942, except by such persons as have obtained special home-work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Button and Buckle Manufacturing Industry prior to April 4, 1942, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and who is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

§ 625.4 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the Button and Buckle Manufacturing Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 625.5 *Definition of the Button and Buckle Manufacturing Industry.* The Button and Buckle Manufacturing Industry, to which this order shall apply, is hereby defined as follows:

The manufacture of buttons, buckles, and slides, and the manufacture of blanks and parts for such articles from any material except metal, for use on apparel, but not including the manufacture of products covered by any definition of an industry in any administrative order heretofore issued.

§ 625.6 *Scope of the definition.* The definition of the Button and Buckle Manufacturing Industry covers all occupations in the industry which are necessary to the production of the products covered by the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 625.7 *Effective date.* This wage order shall become effective October 19, 1942.

Signed at New York, New York, this 19th day of September 1942.

L. METCALFE WALLING, *Administrator.*

[F. R. Doc. 42-9563; Filed, September 25, 1942; 11:30 a. m.]

PART 625—MINIMUM WAGE RATES AND REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE BUTTON AND BUCKLE MANUFACTURING INDUSTRY

The following regulations, §§ 625.100 to 625.112, inclusive, applicable to the employment of industrial home workers in the Button and Buckle Manufacturing Industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 625.3 [1] of the regulations of the Wage and Hour Division. These regulations shall become effective, December 1, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section shall • • • contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. • • •

and

Whereas § 625.3 of the wage order for the Button and Buckle Manufacturing Industry issued pursuant to section 8 (f) of the Act provides as follows:

No work in the Button and Buckle Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after November 30, 1942, except by such persons as have obtained special home-work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Button and Buckle Industry prior to April 4, 1942, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

and

Whereas section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective on December 1, 1942, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

[1] *Supra.*

Sec.
625.101 Definitions.
625.102 Application on official forms.
625.103 Terms and conditions for the issuance of certificates.
625.104 Investigation may be ordered to determine whether the facts justify the issuance of certificate.
625.105 Termination of certificates.
625.106 Revocation and cancellation.
625.107 Preservation of certificate.
625.108 Records and reports.
625.109 Wage rates.
625.110 Delegation of authority to grant, deny or cancel a certificate.
625.111 Petition for review.
625.112 Petition for amendment of regulations.

§ 625.101 *Definitions.* As used in these regulations, the term "industrial home work" means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, for an employer, of goods from material furnished directly by or indirectly for such employer.

"The Button and Buckle Manufacturing Industry" as used herein means:

The manufacture of buttons, buckles, and slides, and the manufacture of blanks and parts for such articles from any material except metal, for use on apparel, but not including the manufacture of products covered by any definition of an industry in any administrative order heretofore issued.

§ 625.102 *Application on official forms.* Certificates authorizing the employment of industrial home workers in the Button and Buckle Manufacturing Industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 625.103 *Terms and conditions for the issuance of certificates.* If the application is in proper form and sets forth facts showing that the worker:

(1) (a) Was engaged in industrial home work in the button and buckle manufacturing industry prior to April 4, 1942; or

(b) Is or will be engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations; and

(2) Is unable to adjust to factory work because of age or physical or mental disability; or

(3) Is unable to leave home because the worker's presence is required to care for an invalid in the home;

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Button and Buckle Manufacturing Industry.

No home worker shall perform industrial home work for more than one employer in the Button and Buckle Manufacturing Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Button and Buckle Manufacturing Industry.

§ 625.104 *Investigation may be ordered to determine whether the facts justify the issuance of certificate.* An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 625.105 *Termination of certificates.* Certificates shall be valid under the terms set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 625.106 *Revocation and cancellation.* Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall be issued to the offending employer for a period of one year. In any proceedings for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 625.107 *Preservation of certificate.* A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 625.108 *Records and reports.* The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by regulations, Part 516; and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer

Each employer of industrial home workers in the Button and Buckle Manufacturing Industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on April 1 and October 1 of each year, the home work handbooks of each employee employed by him during the preceding six month period in industrial home work in the Button and Buckle Manufacturing Industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained but who were not employed in industrial home work in the Button and Buckle Manufacturing Industry during such period.

§ 625.109 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to regulations, Parts 524 and 525. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 625.110 *Delegation of authority to grant, deny or cancel a certificate.* The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny, or cancel home work certificates.

§ 625.111 *Petition for review.* Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 625.112 *Petition for amendment of regulations.* Any person wishing a revision of any of the terms of the foregoing Regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations is set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes. The foregoing sections are issued pursuant to § 625.3 of the Regulations of the Wage and Hour Division and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938.

Signed at New York, New York this 19th day of September, 1942..

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-9562; Filed, September 25, 1942; 11:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 124]

REQUEST FOR TRANSFER FOR DELIVERY

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 154, entitled "Request for Transfer for Delivery," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of DSS Form 154 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 25, 1942.

[F. R. Doc. 42-9518; Filed, September 24, 1942; 3:09 p. m.]

[No. 125]

AFFIDAVIT-OCCUPATIONAL CLASSIFICATION (INDUSTRIAL)

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 42A, entitled "Affidavit-Occupational Classification (Industrial)," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of original DSS Form 42A on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 15, 1942.

[F. R. Doc. 42-9517; Filed, September 24, 1942; 3:09 p. m.]

[No. 126]

AFFIDAVIT-OCCUPATIONAL CLASSIFICATION (GENERAL)

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 4, entitled "Affidavit-Occupational Classification (General)," effective immediately upon the filing hereof with the Division of the Federal Register.

[1] Filed a part of original document.

Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 154, entitled "Request for Transfer for Delivery," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of DSS Form 154 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 15, 1942.

[F. R. Doc. 42-9515; Filed, September 24, 1942; 3:09 p. m.]

[Order No. 57]

HILL CITY PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Hill City Project to be work of national importance, to be known as Civilian Public Service Camp No. 57. Said camp, located near Hill City, Pennington County, South Dakota, will be the base of operations for reclamation work in the State of South Dakota, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 57 will consist of the reclamation of bridges, impounding dam, minor roads, clearing reservoir, and the fighting of forest fires, and shall be under the technical direction of the Bureau of Reclamation of the Department of the Interior insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 23, 1942.

[F. R. Doc. 42-9516; Filed, September 24, 1942; 3:09 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Supplementary Preference Rating Order P-46-b]

In accordance with the provisions of § 978.1 *Preference Rating Order P-46*[1] as amended, which the following order supplements:

§ 978.3 *Supplementary Preference Rating Order P-46-b.* The provisions of paragraph (f)(3)(ii)(b) of Preference Rating Order P-46 as amended shall not apply to gas and electric service connections required to permit the operation of a gas or electric range in the dwelling of a domestic consumer; *Provided*, That:

(a) Complete facilities are not installed for serving either a gas range or an electric range;

(b) The dwelling proposed for connection is not equipped with a range of any kind;

(c) Connections (including any additional service drop, primary, secondary, and ground conductor, but excluding service entrance conductor and interior wiring) can be made with an expenditure by the producer of not more than the following amounts of material:

(i) In the case of an electric range, 15 pounds of copper, or

(ii) In the case of a gas range, 75 feet of one and one-quarter inch steel pipe, or any length of steel pipe weighing in the aggregate not more than 170 pounds.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9557; Filed, September 25, 1942; 11:24 a. m.]

PART 1095—COMMUNICATIONS

[Amendment 1 to General Conservation Order L-148]

Section 1095.4 *General Conservation Order L-148*[2] is hereby amended in the following particulars:

Paragraph (b) is hereby amended to read as follows:

(b) *General restrictions.* (1) On and after the fifteenth day following the date of issue of this order, regardless of the terms of any contract of sale, purchase, rental or other commitment, no manu-

[1] 7 F.R. 2348, 4699, 5272, 5903, 7234.
[2] 7 F.R. 7091.

facturer, distributor or dealer shall accept any purchase, rental or other order for wire communication equipment, parts or attachments thereto including, but not limited to, those included in Schedule A which is attached and made a part of this order, except a purchase, rental or other order bearing a Preference Rating of A–7 or higher; and no manufacturer, distributor, or dealer shall sell, lend, lease, rent, deliver, or otherwise transfer any such wire communication equipment, parts or attachments thereto nor shall any person receive or accept deliveries of any such equipment, parts or attachments thereto except to fill a purchase, rental or other order bearing a Preference Rating of A–7 or higher: *Provided, however,* That this paragraph shall not prohibit the transfer or delivery of wire communication equipment to a manufacturer for repair or storage or the return of said equipment to the owner thereof after repair has been effected or storage terminated.

(2) Notwithstanding the provisions of paragraph (b) (1), in the event that a manufacturer, distributor or dealer shall have delivered prior to September 8, 1942, wire communication equipment under a particular order therefor representing 90 percent or more of the total dollar sale value of the equipment ordered, delivery of the balance of such order may be made and accepted on or before October 15, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9560; Filed, September 25, 1942; 11:40 a. m.]

PART 1177—SPICES

[Conservation Order M–127, as Amended September 25, 1942]

Section 1177.1, *Conservation Order M–127* [1], is amended to read as follows:

§ 1177.1 *Conservation Order M–127*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Restricted spice" means any specific spice which, during any quota period, is subject to a quota determined for that period by the Director General for Operations, and shall include such spice in ground, unground, distilled, mixed or other form.

(2) "Bulk dealer" means any person who deals in restricted spices exclusively in original import packages.

[1] 7 F.R. 3444, 4450, 5663.

(3) "Packer" means any person who grinds, distills, or packs restricted spices owned by him, or has such spices ground, distilled, or packed for his account by some other person, for resale.

(4) "Receiver" mean any person who accepts delivery of restricted spices for resale at wholesale or retail or for use in operating a public or private commercial or institutional eating place; but shall not include any bulk dealer nor any person in the quota-exempt classes listed under paragraph (c) (2).

(5) "Industrial user" means any person who uses restricted spices in the manufacture or processing of any other product for resale.

(c) *Quota restrictions.* (1) Except as permitted in paragraphs (c) (2), (c) (3), and (c (4) below, no packer shall deliver, no receiver shall accept, and no industrial user shall use more of any restricted spice during any quota period than his quota thereof for that period, such quota period and quota to be determined by the Director General for Operations from time to time.

(2) Without charge to his quota, any person may deliver, accept, or use any restricted spice for delivery to or for any of the following persons, for use in the manufacture or processing of any product to be so delivered, or for replacing in his inventory any restricted spice so delivered or used:

(i) The Army or the Navy of the United States, or any Agency of the United States Government for supplies to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The American Red Cross or the United Service Organizations.

(iii) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessel.

(iv) Any person, for retail sale through concession restaurants at Army or Navy camps or through outlets not operated for private profit and established primarily for the use of Army or Navy enlisted personnel within Army and Navy establishments or on Army or Navy vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and ship service stores.

(3) During the first third of any quota period, any person may utilize any unused portion of his quota for the preceding quota period. During the last third of any quota period, he may utilize any portion of his anticipated quota for the subsequent quota period: *Provided, however,* That, if the quota for such subsequent quota period is reduced by the Director General for Operations after such anticipatory utilization has been made, the amount of any excess anticipation shall be charged against the quota for the next subsequent quota period.

(4) The restrictions of paragraph (c) (1) shall not apply to any deliveries of restricted spices in the original import packages by a packer to another packer or to a bulk dealer. In determining his volume during any base period specified for computing a quota, no packer shall include any deliveries made in the original import packages to other packers or to bulk dealers.

(5) Any person who was not in business during any base period specified for computing a quota hereunder shall consider his base period to be the earliest period of equal length that he was in business after the beginning of the base period specified.

(6) All quotas hereunder shall be computed in terms of pounds and in terms of a common weight equivalent.

(d) *Distribution restrictions.* (1) No person shall accept restricted spices from any packer or receiver, and no person shall deliver restricted spices to any other person, with knowledge or reason to believe that such packer or receiver is not entitled to deliver or that such other person is not entitled to accept such restricted spice pursuant to this order.

(2) Every packer and every receiver shall sell restricted spices equitably to purchasers and shall not favor purchasers who buy other products from them or discriminate against purchasers who do not buy other products from them.

(e) *Inventory restrictions.* Except for the purpose of filling orders under paragraph (c) (2) above, (1) no receiver shall accept delivery of any restricted spice which will increase his inventory thereof to an amount in excess of the amount of his then current quota of such spice.

(2) No industrial user shall accept delivery of any restricted spice which will increase his inventory thereof to an amount in excess of a practicable minimum working inventory in view of the restrictions herein relating to his use of such spice.

(3) No receiver who had an excess inventory of any restricted spice on May 8, 1942 may sell or deliver more than a 90-day supply of such spice during any quota period in which the balance of such inventory at any time exceeds a 90-day supply. During any quota period, a 90-day supply shall be an amount equivalent to the receiver's acceptance quota of the restricted spice for that quota period. An excess inventory shall be considered to have existed on May 8, 1942 if, on that date, the receiver was subject to a quota and his inventory of any restricted spice (excluding any inventory then in retail stores or outlets owned by him) was more than twice the amount of his acceptance quota for that spice for the month of May 1942 under the original provisions of Order M–127 issued May 8, 1942.

(f) *Reports.* Every person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as such Board may from time to time request.

(g) *Records.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Applicability of order.* (1) The provisions of this order shall not apply outside the continental United States (which, for purposes of this order, means the 48 states and the District of Columbia).

(2) In the case of any person who combines two or more of the businesses of a packer, a receiver, or an industrial user, the provisions hereof applicable to each such business shall apply separately to such of his operations as are part of such class of business. However, any packer who distributes his entire production of restricted spices through a wholesale subsidiary company may elect to consider the two companies as one and apply his quota to deliveries made by the subsidiary company.

(3) Any person who operates more than one unit (branch, division, store, subsidiary company, or other similar unit) in the same class of business may, at his election, consider any such units or groups of units as separate persons for purposes of applying the quota and inventory restrictions of this order.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, Washington, D. C. Ref: M–127. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9556; Filed, September 25, 1942; 11:24 a. m.]

PART 1177—SPICES

[Supplementary Order M–127–b]

§ 1177.3 *Supplementary Order M–127–b.* Pursuant to Order M–127, as amended September 25, 1942, which this order supplements, the Director General for Operations hereby determines that, for the 3-month period commencing October 1, 1942 and for each subsequent 3-month period until otherwise ordered:

(a) The quota of any restricted spice, as listed below, for any packer, any receiver, or any industrial user shall be the below-listed percentage of the amount of such spice delivered by him (if he was a packer), accepted by him (if he was a receiver), or used by him (if he was an industrial user) during the corresponding period of 1941 or during such other base period as is provided for in paragraph (c) (5) of said order M–127:

Restricted spice:	*Quota percentage*
Black pepper	90
Cassia (cinnamon)	60
Cloves	90
Ginger	100
Mace	75
Nutmeg	75
Pimento (allspice)	75
White pepper	75

(b) In place of a quota computed pursuant to paragraph (a) above, any person may avail himself of a quota of a total of 100 pounds of any restricted spice or any combination of restricted spices.

(c) In place of a quota of white pepper computed pursuant to paragraph (a) above, any person may substitute a quota of black pepper, computed by applying the quota percentage specified for black pepper to the base quantity of white pepper specified in paragraph (a) above.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9555; Filed, September 25, 1942; 11:24 a. m.]

PART 1199—METAL HAIRPINS AND METAL BOB PINS

[General Limitation Order L–104, as Amended September 25, 1942]

Section 1199.1 *General Limitation Order L–104* is hereby amended to read as follows:

§ 1199.1 *General Limitation Order L–104* [1]—(a) *General restrictions.* (1) During the period from September 25, 1942, to September 30, 1942, inclusive, no manufacturer shall produce more metal hairpins and metal bob pins in the aggregate than 5 times 12½% of the daily average (Sundays and holidays excluded) of pounds of metal hairpins and metal bob pins in the aggregate produced by him during the calendar year 1941.

(2) During the period of three months beginning October 1, 1942, and during each three months' period thereafter, no manufacturer shall produce more metal hairpins and metal bob pins, in the aggregate, than 6¼% of the pounds of metal hairpins and metal bob pins, in the aggregate, produced by him during the calendar year 1941.

(3) On and after May 6, 1942, no manufacturer shall produce any metal hairpins or metal bob pins of a length greater than two inches.

(4) On and after September 25, 1942, no manufacturer shall sell any metal hairpins or metal bob pins except in packages or on cards containing 100 metal hairpins or metal bob pins or less.

(b) *Inventory restrictions.* No manufacturer shall accumulate for use in the production of metal hairpins and metal bob pins inventories of raw materials or semi-processed materials in quantities in excess of the amount necessary to maintain production of metal hairpins and metal bob pins for 30 days at the rates permitted by this order.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Appeal.* Any appeal from the provisions of this order must be made on Form PD–500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall,

[1] 7 F.R. 3080, 6207.

unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Ref.: L–104.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Applicability of other orders.* In so far as any other order issued by the Director of Priorities, the Director of Industry Operations or by the Director General for Operations, or to be issued hereafter by the Director General for Operations, limits the use of any iron and steel in the production of metal hairpins or metal bob pins to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9554; Filed, September 25, 1942; 11:24 a. m.]

PART 1213—SAFETY EQUIPMENT

[Interpretation 1 of General Limitation Order L–114]

The following official interpretation is issued by the Director General for Operations, with respect to § 1213.1 *General Limitation Order L–114:*[1]

"Measuring instruments" and "indicating instruments", as used in paragraph (a) of Limitation Order No. L–114, refer to instruments manufactured or used to promote safety, or to prevent or reduce accidents, injuries, occupational hazards, or diseases. Typical measuring and indicating instruments of the kinds contemplated, are used to detect gases or dangerous substances, the unknown presence of which might lead to explosions or other hazards. "Measuring instruments" and "indicating instruments" which are "industrial instruments" as defined in Limitation Order No. L–134,[2] are not "safety equipment".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9553; Filed, September 25, 1942; 11:24 a. m.]

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[1] 7 F.R. 3369, 4273, 4537, 6869.
[2] 7 F.R. 7142.

PART 3084—CASTOR OIL

[General Preference Order M–235]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of castor oil for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3084.1 *General Preference Order M–235*—(a) *Definitions.* For the purposes of this order:

(1) "Castor oil" means that oil obtained from the castor bean, commonly known as castor oil, whether crude, raw, filtered, refined, blown or dehydrated.

(b) *Restrictions on use, processing and delivery.* (1) Subject to paragraph (c) hereof, no person shall on and after October 1, 1942, use, consume or process castor oil except as specifically authorized by the Director General for Operations.

(2) The Director General for Operations in his discretion may from time to time issue special directions to any person with respect to the use, processing, or delivering by such person of any castor oil.

(c) *Special exceptions.* Specific authorization shall not be required by any person:

(1) To use, consume or process in any one calendar month not more than 35 pounds of castor oil;

(2) To press, bleach or alkali refine any quantity of castor oil; or

(3) To use or consume any quantity of castor oil for medicinal purposes.

(d) *Applications and reports.* (1) Each person seeking authorization to use, consume or process castor oil during any calendar month beginning with November 1, 1942 (except as provided in paragraph (c) hereof) shall file application therefor on or before the 15th day of the month preceding the month for which authorization to use, consume or process is sought. For use, consumption or processing in October, 1942, application may be made at any time. In either case, the application shall be made on Form PD–600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Three certified copies shall be prepared and filed with the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M–235.

(iii) In the heading, under name of chemical, specify "Castor oil"; under WPB Order No., specify M–235; under unit of measure, specify pounds; under name of your company, specify name and mailing address; leave delivery destination, supplier with whom order is placed and his shipping point blank; and in phrase "Application for delivery next month" strike out word "delivery" and substitute word "use" and specify the month and year for which authorization to use, consume or process is sought.

(iv) In Columns 1 and 11, specify grade, as indicated by the following examples: crude, refined, dehydrated, polymerized, blown.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following: protective coatings, synthetic rubber, rubber factice, dye mordant, core oil, sulfonated oil, lubricating oil additive, medicinal and pharmaceutical preparations (identify), cosmetics, hydraulic brake fluid, textiles, real and imitation leathers, other products (specify).

(vi) In Column 4, specify ultimate use of product (as, for example, "airplane seat," as opposed to "imitation leather" which may be the primary product called for in Columns 3, 20 and 22), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer.

(vii) Remarks in Column 10 may, if necessary, be extended on the reverse side of the sheet. Include in remarks quantity of castor oil used in manufacture or preparation of primary products in corresponding period of year 1941. If requirements have increased appreciably, state reasons.

(viii) Columns 9, 17, 18, and 19 shall be left blank.

(2) Each person affected by this order shall file such other reports at such times and with respect to such matters as the Director General for Operations may from time to time direct.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M–235. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–9552; Filed, September 25, 1942; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Maximum Price Regulation 225]

PRINTING AND PRINTED PAPER COMMODITIES

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of printing and printed paper products by a separate maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of certain printed paper commodities and to printing and related services in connection therewith, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act.

So far as practicable the Price Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability, and has consulted with representatives of trade and industry.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, this Maximum Price Regulation No. 225 (Printing and Printed Paper Commodities) is hereby issued.

NOTE: The meaning of certain provisions and terms of this Maximum Price Regulation No. 225 is further explained and defined in § 1347.472. The explanations and definitions are set forth in alphabetical order. The terms explained and defined are quoted the first time they appear in the text.

Sec.

1347.451 Prohibition against dealing in commodities or services above maximum prices.
1347.452 Maximum prices for commodities and services; general provisions.
1347.453 Maximum prices for services and for "original sales" of commodities which cannot be priced under § 1347.452.
1347.454 Maximum prices for "resales" of commodities which cannot be priced under § 1347.452.
1347.455 Similar commodities or services subsequently sold.
1347.456 Maximum prices for commodities and services which cannot be priced under the foregoing provisions of this regulation.
1347.457 Transfers of business or stock in trade.
1347.458 Export sales.
1347.459 Federal and state taxes.
1347.460 Less than maximum prices.
1347.461 Conditional agreements.
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1347.463 Base-period "records" and reports.
1347.464 Current records.
1347.465 Sales slips and receipts.
1347.466 Licensing.
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1347.468 Enforcement.
1347.469 Applications for adjustment.
1347.470 Petitions for amendment.
1347.471 Applicability of General Maximum Price Regulation.
1347.472 Definitions and explanations.
1347.473 Applicability.
1347.474 Effective date.
1347.475 Appendix A: Commodities.
1347.476 Appendix B: Services.

AUTHORITY: §§ 1347.451 to 1347.476, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1347.451 *Prohibition against dealing in commodities or services above maximum prices.* (a) On and after September 29th, 1942, regardless of any contract or other obligation:

(1) No "person" shall "sell" or deliver any of the "commodities" listed in Appendix A (§ 1347.475) and no person shall sell or supply any of the "services" listed in Appendix B (§ 1347.476) at a price higher than the maximum price permitted by this Maximum Price Regulation No. 225; and

(2) No person, in the course of trade or business, shall buy or receive any of said commodities or services at a price higher than the maximum price permitted by this Maximum Price Regulation No. 225: *Provided,* That in the case of the sale or supply of services or the original sale of commodities for which a maximum price has been established by this Maximum Price Regulation No. 225, the purchaser shall be deemed to have complied with this subparagraph (2) if: (i) the purchaser shall receive from the "seller" a written affidavit that the seller has calculated the maximum price for said commodity or service in accordance with the provisions of this regulation and has filed with the Office of Price Administration the reports required by § 1347.463, and (ii) the purchaser shall have no knowledge of the maximum price applicable beyond the statements made to him by the seller, and no cause to doubt the accuracy of the affidavit, and (iii) the price paid by the purchaser is not in excess of the maximum price as sworn to by the seller.

(b) The provisions of this § 1347.451 shall not be applicable to sales of any service or to sales or deliveries of any commodity to a purchaser if, prior to September 29, 1942, the commodity sold or in connection with which the service had been rendered had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

(c) The provisions of this Maximum Price Regulation No. 225 shall not be applicable to any persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed "papers" and printed paper products and services in connection therewith did not exceed $20,000. This exemption, however, shall not apply to any person who was not engaged primarily in any of said businesses, or any combination thereof, throughout the calendar year 1941. Such person shall be subject to the provisions of this regulation unless and until he shall have been primarily engaged in one or more of said businesses, or any combination thereof, for an entire calendar year, during which year his total gross sales of printed papers and printed paper products and services in connection therewith did not exceed $20,000.

§ 1347.452 *Maximum prices for commodities and services; general provisions.* Except as otherwise provided in this Maximum Price Regulation No. 225, the seller's maximum price for any commodity or service for which maximum prices are established by this regulation shall be the "highest price charged by the seller during March, 1942" as defined in § 1347.472, subparagraph (6) of this regulation.

(a) For the same commodity or service; or

(b) If no charge was made for the same commodity or service, for the "similar commodity or service" most nearly like it.

§ 1347.453 *Maximum prices for services and for "original sales" of commodities, which cannot be priced under § 1347.452.* The seller's maximum price for a service or for an "original sale" of a commodity which cannot be priced under § 1347.452 of this Maximum Price Regulation No. 225 shall be established in accordance with the seller's customary methods of computing prices on the basis of cost of materials, production charges and margins. Such maximum price shall be a combination of the items set forth below in this § 1347.453.

(a) *Cost of materials.* An item for the actual "delivered" net cost to the seller of the materials used in producing the commodity or supplying the service: *Provided,* That in no event shall such cost exceed the maximum price, for purchase of the materials by the seller, established by the Office of Price Administration. If during March, 1942, the seller used, or, if in making such sale, would have used a method of averaging or otherwise computing his material costs, he shall continue such method in employing this pricing provision.

(b) *Production charges.* An item for charges for hand and machine operations which shall employ the same hourly and piece rates used by such seller in determining the selling price of the most nearly "comparable commodity or service" sold or "supplied" or offered for sale or supply by him during March, 1942. The same standards of production and the same methods or principles of applying production charges shall be employed as were employed during March, 1942, so that direct and indirect production charges shall be computed in the manner customarily employed during March, 1942. Charges for a different type of operation employed in producing any product or service (for example, hand rather than machine operation) shall not be substituted for customary production charges as a means of increasing the price of the product or the service.

*Copies may be obtained from the Office of Price Administration.

No hourly or piece rate, other than a lower rate for an identical operation, shall be employed which was not used by the seller in March, 1942, until it has been filed with the Office of Price Administration in Washington, D. C. in the manner provided in § 1347.463 of this Maximum Price Regulation No. 225. Such new hourly or piece rate shall be a rate which the seller would have used in March, 1942, and shall be in line with the seller's schedule of production charges actually employed during March, 1942.

(c) *Margin.* An item for a margin over the cost of materials and production charges (i. e., paragraph (a) plus paragraph (b)) computed on the same percentage basis, or on the same rate per unit of material, or on a combination thereof and by the same method as the seller employed in pricing the most nearly comparable commodity or service sold, supplied or offered for sale or supply during March, 1942, to a "purchaser of the same class" as defined in § 1347.472, paragraph (13) of this regulation. If during March, 1942, the seller employed the practice of including his charges for margin in his hourly and piece rates for hand and machine operations, he shall continue such practice in pricing any commodity or service under this section, and in such a case the seller shall make no duplicate calculation for margin under this paragraph (c). No new rate for margin, other than a lower rate for the sale of a comparable commodity or service to a purchaser of the same class, shall be employed which was not used by the seller in March, 1942, until it has been filed with the Office of Price Administration in Washington, D. C., in the manner provided in § 1347.463 of this Maximum Price Regulation No. 225. Such new rate for margin shall be a rate which the seller would have used in March 1942, and shall be in line with the seller's schedule of rates for margin actually employed during March 1942.

(d) No seller shall change his customary allowances, discounts, or other price differentials unless such change results in a lower price.

(e) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or in the supply of any commodity or service, than the seller required purchasers of the same class to pay during March, 1942, on deliveries or supplies of comparable types of commodities or services.

§ 1347.454 *Maximum prices for "resales" of commodities which cannot be priced under § 1347.452.* The seller's maximum price for the "resale" of a commodity which cannot be priced under § 1347.452 of this Maximum Price Regulation No. 225 shall be:

(a) The highest price charged during March, 1942, by the "most closely competitive seller of the same class" as defined in § 1347.472, paragraph (7) of this regulation—

(1) For the same commodity; or

(2) If no charge was made for the same commodity, for the similar commodity most nearly like it; or

(b) If a maximum price cannot be ascertained under paragraph (a) of this § 1347.454, a price determined by the seller in accordance with the following procedure:

(1) The seller shall select from the same general classification and price range as the commodity being priced under this paragraph (b) the comparable commodity for which a maximum price is established under § 1347.452 and of which the seller delivered the largest number of units during March, 1942:

(2) The seller shall divide his maximum price for that commodity by his "replacement cost" of that commodity; and

(3) The seller shall multiply the percentage so obtained by the cost to him of the commodity being priced under this paragraph (b).

The resulting figure shall be the maximum price of the commodity being priced. Within ten days after determining such maximum price under this paragraph (b), the seller shall report such price to the appropriate field office of the Office of Price Administration upon a form to be obtained from such office, duly filled out and signed under oath or affirmation.

§ 1347.455 *Similar commodities or services subsequently sold.* Any maximum price determined under § 1347.453, or paragraph (b) of § 1347.454 shall be subject to adjustment in writing at any time by the Office of Price Administration. In the absence of such adjustment, the maximum price so determined shall be the maximum price for all commodities or services subsequently sold or supplied which are the same or similar to the commodity or service for which a maximum price has been so determined, without regard to subsequent changes in cost.

§ 1347.456 *Maximum prices for commodities and services which cannot be priced under the foregoing provisions of this regulation.* Where a maximum price is sought for a commodity or a service which cannot be priced under the foregoing provisions of this Maximum Price Regulation No. 225, the maximum price for the commodity or service shall be a price approved by the Office of Price Administration. Application for such approval shall be filed in duplicate with the Office of Price Administration in Washington, D. C. The application shall contain:

(a) An "appropriate description and identification" of the commodity or service for which a price is being requested;

(b) A statement of the reasons why it cannot be priced except under this § 1347.456;

(c) A statement of the proposed maximum price. In the case of the sale of a service or the original sale of a commodity, the seller shall set forth separately the amount included in the proposed price for cost of materials, production charges and margin. In the case of the resale of a commodity, he shall set forth separately his purchase price, transportation charges, if any, and mark-up.

Unless the Office of Price Administration or an authorized representative thereof shall, by letter mailed to the applicant within 21 days from the date of filing the application, disapprove the maximum price as reported, such price shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

§ 1347.457 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee and his status with regard to the exemptions provided for in §§ 1347.451 (c) and 1347.463 (c) shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all the records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 225.

§ 1347.458 *Export sales.* The maximum price at which a person may export any commodity shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1347.459 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the sale or supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum prices for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 225.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 225.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1347.460 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 225 may be charged, demanded, paid or offered.

§ 1347.461 *Conditional agreements.* No seller of any commodity or service for which maximum prices are established by this Maximum Price Regulation No. 225 shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by this regulation, in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment or for adjustment or for exception under § 1347.469 has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Request for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception under § 1347.469).

§ 1347.462 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 225 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities and services for which maximum prices are established by this regulation alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

[1] 7 F.R. 5059.

§ 1347.463 *Base-period "records" and reports*—(a) *Preservation of existing records.* Every person selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall preserve for examination by the Office of Price Administration for a period of two years all his existing records relating to the prices which he charged for such of those commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 as he delivered or supplied during March 1942, and his "offering prices" for delivery or supply of such commodities or services during such month.

(b) *Statements by all sellers.* Every person making sales of commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall prepare, on or before October 29th, 1942, to the full extent of all available information and records, a statement showing:

(1) The highest prices which he charged for such of those commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 as he delivered or supplied during March 1942, and his offering prices for delivery or supply of such commodities or services during such month, together with an appropriate description or identification of each such commodity or service; and

(2) All his customary allowances, discounts and other price differentials.

Persons supplying a service or making an original sale of a commodity shall keep such statement for examination by a duly authorized representative of the Office of Price Administration. Persons making a resale of a commodity shall keep such statement for examination by any person during ordinary business hours.

(c) *Reports required from persons supplying services or making original sales.* Every person selling or supplying services or making original sales of commodities for which maximum prices are established by this Maximum Price Regulation No. 225 shall file, signed under oath or affirmation upon Form No. 325:1 to be obtained from the "appropriate field office of the Office of Price Administration:"

(1) A report showing all hourly and piece rates for hand and machine operations and all percentage and per piece rates for margins, and any combinations thereof, together with a statement of "pricing methods" and customary allowances, discounts and other price differentials employed by such person during March 1942, in determining the selling prices of any such commodities delivered and services supplied or offered for delivery or supply by such person during that period. Such report shall be filed with the Office of Price Administration in Washington, D. C., on or before November 28th, 1942.

(2) A report of any hourly and piece rates and rates for margin, not used by such person in March 1942, but subsequently proposed to be employed. Such report shall be filed with the Office of Price Administration in Washington, D. C., prior to the employment of such rates. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to such person within 21 days from the filing of such report, disapprove such hourly and piece rates and rates for margin as reported, they shall be deemed to have been approved.

No report, however, under this paragraph (c) shall be required from persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services in connection therewith did not exceed $50,000. This exemption, however, shall not apply to any person who was not engaged primarily in any of said businesses, or any combination thereof, throughout the calendar year 1941. Such person shall be subject to the provisions of this paragraph (c) unless and until he shall have been primarily engaged in one or more of said businesses, or any combination thereof, for an entire calendar year, during which year his total gross sales of printed papers and printed paper products and services in connection therewith did not exceed $50,000.

§ 1347.464 *Current records.* Every person selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for such of those commodities or services as he sold after the effective date of this regulation; and, in addition, records showing, as precisely as possible, the basis upon which he determined the maximum prices for those commodities and services.

§ 1347.465 *Sales slips and receipts.* Any seller of commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser, any such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

§ 1347.466 *Licensing*—(a) *License required.* A license as a condition of selling is hereby required of every person subject to this Maximum Price Regulation No. 225 now or hereafter making a resale of a commodity for which a maximum price is established by this regulation.

(b) *License granted.* Every person now or hereafter making a resale of any commodity for which a maximum price is established by this Maximum Price Regulation No. 225 is hereby granted a license as a condition of making such resale of such commodity. The provisions

of this Maximum Price Regulation No. 225 shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation, or when any such person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, continue in force as long as such regulation, or any amendment or supplement thereto, remains in effect.

§ 1347.467 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1347.468 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 225 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 225 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district office, state office, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.469 *Applications for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 225 for any "seller at retail" of a commodity or service for which maximum prices are established by this Regulation in any case in which such seller shows:

(1) That such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities or services established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Temporary Procedural Regulation No. 2.

(b) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 225 for any seller other than a seller at retail of a commodity or service for which maximum prices are established by this regulation in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities or services; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities or services, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1.

(c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this Maximum Price Regulation No. 225 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this regulation to eliminate the danger of inflation.

§ 1347.470 *Petitions for amendment.* Any person seeking a modification of any provisions of this Maximum Price Regulation No. 225 or an adjustment not provided for in § 1347.469 of this regulation, may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1347.471 *Applicability of General Maximum Price Regulation.*[1] The provisions of this Maximum Price Regulation No. 225 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of commodities and services for which maximum prices are established by this Maximum Price Regulation No. 225.

§ 1347.472 *Definitions and explanations.* (a) When used in this Maximum Price Regulation No. 225:

(1) "Appropriate description and identification" means a complete listing of the specifications, processes and other characteristics of the commodity or service, or of the various grades of commodities or services.

(2) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales of commodities and services are made.

(3) "Commodity" includes articles, products, and materials.

(4) "Comparable commodities and services". For the purposes of § 1347.453 only, one commodity or service shall be deemed comparable to another commodity or service if (i) the first has the same use as the second, (ii) affords the purchaser fairly equivalent serviceability, (iii) is produced by the same or substantially the same productive operations, and (iv) is customarily priced by the same pricing method as the first, although its price as determined by such pricing method is not the same or substantially the same as the first.

(5) "Delivered". A commodity shall be deemed to have been "delivered" during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(6) "Highest price charged during March, 1942" means:

(i) The highest price which the seller charged for a commodity delivered or service supplied by him during March, 1942, to a purchaser of the same class; or

(ii) If the seller delivered no such commodity or supplied no such service during March 1942, his highest offering price for such delivery or supply during that month to a purchaser of the same class; or

(iii) If the seller did not deliver the commodity or supply the service to be priced and had no offering price for such commodity or service to a purchaser of the same class, it shall be the highest price charged by the seller during March 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers;

(iv) If, however, prior to April 1, 1942, the seller raised his prices for the sale of a commodity or supply of a service to his classes of purchasers generally, and if, during March 1942, he delivered such commodity or supplied such service at the higher price to at least one class of purchasers, the highest price charged during March 1942, for each class of purchaser—

(*a*) To which the commodity was not delivered or the service not supplied during March, 1942 at the higher price, and

(*b*) To which the commodity was not delivered or the service not supplied during March, 1942 at a lower price after the price rise, except pursuant to a firm commitment entered into before such price rise

shall be the seller's highest offering price for delivery or supply to such class of purchaser during March 1942, or, if he had no such offering price for supply to a particular class of purchaser during March 1942, the highest price charged by the seller during March 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(v) No seller shall change such of his customary allowances, discounts or other price differentials as were in effect in March 1942, unless such change results in a lower price.

(vi) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchasers of the same class to pay during March, 1942 on deliveries or supplies of the same

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093.

or similar types of commodities or services.

(7) "Most closely competitive seller of the same class" means a seller of the same class who (i) is selling the same or a similar commodity or service, and (ii) is closely competitive in the sale of such commodities or services, and (iii) is located nearest to the seller.

(8) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner or the price determined by the pricing method which the seller regularly adopted, except that in the case of sales of commodities by an establishment selling at retail, the offering price shall be the price at which the commodity was offered for sale at the immediate point of sale (for example, the shelves or counters). But offering price shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(9) "Original sale" means the sale of a commodity by a person who has created or substantially changed the form of the commodity being sold.

(10) "Paper" and "paper products" shall, for the purpose of this Maximum Price Regulation No. 225, include all kinds, types, and grades of paper, paperboard and cellophane-type materials (regenerated cellulose, cellulose acetate and ethyl cellulose), but exclude, however, wallpaper.

(11) "Person" means an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(12) "Pricing methods" means the formulas by which the seller figures his price for any commodity or service, whether such formulas are disclosed to the purchaser or are merely the seller's devices for figuring costs of materials, production charges, and margin.

(13) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(14) "Records" means books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(15) "Replacement cost" means the net price paid by the seller after September 29th, 1942, or the net price which the seller would have to pay to replace such commodity after such date.

(16) "Resale" means a sale by a person other than the creator of a commodity who receives delivery thereof and resells it, without substantially changing its form.

(17) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(18) "Sell" means sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly. Nothing in this Maximum Price Regulation No. 225 shall be construed to prohibit the making of a contract to sell a commodity or service at a price not to exceed the maximum price permitted by the Office of Price Administration at the time of delivery or supply.

(19) "Seller" includes a seller of any commodity or service for which maximum prices are established by this Maximum Price Regulation No. 225. Where a seller makes sales or supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each separate place of business of the seller shall be deemed to be a separate seller, except that for the purposes of § 1347.466 of this regulation, the owner of the business shall be considered the seller regardless of the number of separate places of business he owns.

(20) "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, repairing, typesetting, platemaking or publishing); (ii) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store, printer, electrotyper or photoengraver); (iii) dealing in the same type of commodity or service, and (iv) selling to the same class of purchaser.

(21) "Service" means any service rendered or supplied, otherwise than as an employee, in connection with the processing, distribution, storage, repair, or negotiation of purchase or sale of a commodity, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of a commodity.

(22) "Similar commodities or services". One commodity shall be deemed similar to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold for the same or substantially the same price. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price for which such commodities would ordinarily have been sold, shall not be taken into account. One service shall be deemed similar to another service if the first has the same use and purpose as the second and belongs to a type which would ordinarily be sold for the same or substantially the same price. For the purpose of determining maximum prices for services and for original sales of commodities under § 1347.452, a similar commodity or service is further defined as a commodity or service which is produced to the same or substantially the same specifications and is produced by the same or substantially the same productive operations.

(23) "Supplied". A service shall be deemed to have been supplied during March, 1942, if during such month the service was completed and the commodity in connection with which the service was rendered was delivered to the purchaser.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.473 *Applicability.* The provisions of this Maximum Price Regulation No. 225 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.474 *Effective date.* All provisions of this Maximum Price Regulation No. 225 (§§ 1347.451 to 1347.476 inclusive) shall become effective September 29th, 1942.

§ 1347.475 *Appendix A: Commodities.* This Maximum Price Regulation No. 225 shall apply to the following commodities:

Bound blank books, including but not limited to:

General books of account, such as bill books, cash books, cash sales books, check or voucher registers, columnar books, combination books, day books, figuring books, journals, ledgers, note records, records, and trial balance books.

Books of account or record for specific uses, such as bank forms, bond and mortgage records, business records, club registers, collection books, corporate records, counter books, delivery books, due ledgers, engineers' field books, garage registers, guest registers, hotel registers, index books, insurance registers, investment and income records, law record books, merchandise stock books, milkmen's account books, notarial records, order registers, payroll books, receiving clerks' records, rent collection books, roll books, sales records, scale books, shipping records, social security books, tally books, time books, tourist registers, used car records, and wage rate books.

Columnar pads, such as accounting pads and analysis pads.

Detachable forms, such as bill heads, bills of lading, business blanks, check books, correspondence books, draft books, invoice books, note books, order books, package receipt books, parcel post records, purchase order books, receipt books, remittance books, rent receipt books, sales books, statements, trade acceptances, and warrants.

Memorandum books, such as appointment books, date books, diaries, memo books, pass books, telephone-address books, telephone call pads, and travelers' expense books.

Scrap book type books, such as autograph books, match-book albums, photograph albums, post-card albums, record albums, and scrap books.

Books for personal use, such as baby books, brides' books, budget books, family expense books, graduation books, household expense books, pocket wallets for stamps, recipe books, service books, stamp approval books, trip books, and wedding books.

Miscellaneous blank books, such as bookkeeping blanks, composition books, letter copying books, note books, perforated scratch pads, stenographers' notebooks, and students' notebooks.

Looseleaf binders and covers, including but not limited to:
- Chain binders.
- Compression binders.
- Ledger binders.
- Magazine type, single and multi-blade binders.
- Prong binders.
- Ring binders.
- Screw, post and screw-post binders and covers.
- Storage and transfer binders.
- Binders and covers with fastening devices other than the above.
- Spring binders, sheet and chart holders, and clip binders.

Plain and faint-ruled fillers and printed commercial forms, produced for use in any of the looseleaf binders or covers above specified.

Indexes, indexing systems, index tabs and blank division sheets for indexing purposes, to supplement any of the looseleaf binders and covers listed above.

Greeting cards and related products, as follows:
- Greeting cards.
- Decorated tags.
- Enclosures.
- Printed gift wrapping papers.
- Gift money holders.
- Mottoes.
- Printed decorative paper ribbons and tapes.
- Seals.
- Social calendars.
- Souvenir post cards.

Printed and engraved social stationery, as follows:
- Imprinted papeteries.
- Engraved papeteries.
- Book plates.
- Calling cards.
- Wedding invitations and announcements.
- Birth announcements.
- Death announcements.
- All other social announcements.

Tablets, pads and related products, as follows:
- Composition books.
- Drawing papers.
- Exercise books.
- Graph papers.
- Plain and faint-ruled loose-leaf fillers.
- Memorandum books.
- Music books (blank).
- Music papers (blank).
- Note books.
- Pads.
- Quadrille pads and papers.
- Ruled papers.
- Second sheets.
- Stenographers' note books.
- Tablets.
- Typewriter papers.

Commercial supplies, as follows:
- Bonds.
- Certificates.
- Commercial calendars (except separate bases made of materials other than paper and paperboard).
- Commercial forms.
- Commercial letter heads.
- Coupons, checks, and tickets (except pin tickets and marking machine tickets).
- Currency.
- File folders and dividers.
- Guide cards.
- Index cards.
- Labels, package wraps, and bands.
- Legal forms and contracts.
- Ruled legal papers.
- Blotters.

§ 1347.476 *Appendix B: Services.* This Maximum Price Regulation No. 225 shall apply to the services of publishing, printing, typesetting, platemaking, binding, and related services rendered in connection with:

(a) The commodities listed in Appendix A (§ 1347.475) of this Maximum Price Regulation No. 225.

(b) All papers and paper products, other than those listed in Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation and any and all amendments and supplements to said supplementary regulations now or hereafter issued, when such services are performed by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services or any combination thereof.

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9512; Filed, September 24, 1942; 1:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 28 to Supplementary Regulation 1[1] to General Maximum Price Regulation[2]]

BOOKS, PERIODICALS, ETC.—CERTAIN PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Two new subparagraphs (33) and (34) are added to § 1499.26 (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.*

(a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * * *

(33) Books, magazines, periodicals, newspapers, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogs, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs, and price lists: *Provided however*, That this exception shall not include any commodity listed in Appendix A (§1347.475) to Maximum Price Regulation No. 225.

(34) The commodities listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225 when sold or delivered by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services rendered in connection therewith did not exceed $20,000.

(e) *Effective dates.* * * *

(29) Amendment No. 28 (§ 1499.26 (a) (33) and (34)) to Supplementary Regulation No. 1 shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9511; Filed, September 24, 1942; 1:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 75 Under § 1499.3 (b) of the General Maximum Price Regulation]

THE KENDALL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.289 *Approval of maximum prices for sales of certain health supply articles by The Kendall Company to war procurement agencies.* (a) On and after September 25, 1942, The Kendall Company, a corporation having its principal place of business in Chicago, Illinois, may sell and deliver the articles listed below, and any war procurement agency may buy the articles listed below from The Kendall Company at prices no higher than those hereinafter set forth:

Pneumatic life raft kit	$3.10 per kit.
Carlisle model first aid packet.	.31 per packet
Abdominal pack, 11 inches by 12 inches, 6-ply construction.	6.09 per bag of 80 units
Abdominal pack, 36 inches by 8 inches, 8-ply construction.	4.65 per bag of 30 units

(b) All discounts, trade practices, and practices relating to the payment of shipping charges effective during March 1942, on sales by this company of comparable health supply articles to war procurement agencies shall apply to the maximum prices set forth in paragraph (a).

(c) When used in this Order No. 75, the term:

(1) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section in the Procurement Division of the Treasury Department, and the Defense Supplies Corporation or any agency or subsidiary of the foregoing.

(2) "Pneumatic life raft kit" means a first aid kit composed of six syrettes of morphine, one iodine applicator bottle 10 cc., two ¾ ounce tubes of burn ointment, one 4 ounce bandage compress, five 5 gram packages of sulfanilamide and 24 sulfadiazine tablets packaged to conform with Department of Navy specification 57-K-0366B.

(3) "Carlisle model first aid packet" means a compressed battle dressing made from cotton and gauze sterilized and packed with a five gram envelope of sulfanilamide in a special water proof plastic container as per specifications issued by the Surgeon General of the United States Army.

(4) "Abdominal pack—11 inches by 12 inches, 6 ply construction" means a piece of gauze folded six times, of sufficient size so as to measure eleven inches by twelve inches after folding, and stitched around the edges.

(5) "Abdominal pack—36 inches by 8 inches, 8 ply construction" means a piece of gauze folded eight times, of sufficient size so as to measure thirty-six inches by eight inches after folding, and stitched around the edges.

(d) This Order No. 75 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 75 (§ 1499.289) shall become effective on September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9510; Filed September 24, 1942; 1:39 p. m.]

PART 1499—COMMODITIES & SERVICES

[Order 51 Under § 1499.18 (c) of General Maximum Price Regulation]

BARRON COOPERAGE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.901 *Adjustment of maximum prices for sales of flour barrels by Barron Cooperage Company.* (a) On and after September 25, 1942 Barron Cooperage Company of 621 West Commerce Street, Springfield, Missouri, may sell and deliver, and offer, agree, solicit and attempt to sell and deliver, and any person may buy from Barron Cooperage Company, flour barrels at a price no higher than that hereinafter set forth:

92¢ each for #2 flour barrel size 17½" x 28½", with 4 wood and 4 wire hoops.

(b) This Order No. 51 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 51 (§ 1499.901) is hereby incorporated as a section of Supplementary Regulation 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 51 (§ 1499.901) shall become effective on September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9509; Filed, September 24, 1942; 1:39 p. m.]

PART 1316—COTTON TEXTILES

[Amendment 8 to Revised Price Schedule 89[1]]

BED LINENS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1316.101 (b) is amended by adding thereto a new subparagraph (4), and § 1316.109 is amended by adding thereto two new paragraphs (f) and (g) as set forth below:

§ 1316.101 *Maximum prices for bed linens.* * * *

(b) The provisions of Revised Price Schedule No. 89 are not applicable:

* * * * *

(4) To any product of a non-profit-making agency for the blind on which 75 per cent or more of the direct labor in man-hours has been performed by blind persons.

§ 1316.109 *Definitions.* When used in Price Schedule No. 89 the term:

* * * * *

(f) "Non-profit-making agency for the blind" means any institution operated in the interest of blind persons, the net income of which institution does not inure in whole or in part to the benefit of shareholders or individuals.

(g) "Blind persons" means persons whose visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity is greater than 20/200 but who have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

§ 1316.110a *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§§ 1316.101 (b) (4) and 1316.109 (f) and (g)) to Revised Price Schedule No. 89 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9519; Filed, September 24, 1942; 4:44 p. m.]

PART 1361—FARM EQUIPMENT

[Amendment 2 to Maximum Price Regulation 133[1]]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) of § 1361.7 is amended and new § 1361.7a is added, all to read as set forth below:

§ 1361.7 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 133 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * *

§ 1361.7a *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 133 selling at retail any farm equipment covered by this Maximum Price Regulation No. 133. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

§ 1361.10a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1361.7 (a) and 1361.7a) to Maximum Price Regulation No. 133 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9520; Filed, September 24, 1942; 4:46 p. m.]

PART 1367—FERTILIZERS

[Amendment 3 to Maximum Price Regulation 135[1]]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1367.31, paragraph (b) (4) and paragrapl. (c) are amended; in § 1367.35, the last paragraph is designated (c) and paragraph (b) is amended; in § 1367.39 (a) subparagraph (10) is added; to read as set forth below:

§ 1367.31 *Maximum prices for mixed fertilizer, superphosphate and potash.*

* * *

(b) * * *

(4) If there is no applicable maximum price under either subparagraph (1), (2), or (3), then the maximum price shall be determined in accordance with the following procedure:

There shall be submitted to the Office of Price Administration an application containing a description of the mixed fertilizer, superphosphate or potash for which there is no applicable maximum price and stating the proposed maximum price therefor, and also stating the basis upon which the proposed maximum price was determined by the applicant. Such proposed maximum price must be in line with applicant's maximum price established under subparagraph (1) or (2), or under subparagraph (3) in the event applicant had established no prices under subparagraph (1) or (2), for a comparable quantity, grade and kind of mixed fertilizer, superphosphate or potash sold to a consumer in the same local-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4736, 5027, 5192, 5276, 5365, 5445, 5434, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6784, 6939, 7093.

[1] 7 F.R. 1375, 1836, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3186, 6936.

[1] 7 F.R. 3187, 5027, 5665.

ity under the same terms of payment and delivered under the same conditions in the same or comparable type of containers or bags. If within 10 days of the mailing of such application, such price has not been disapproved by the Office of Price Administration, such applicant may sell, offer for sale, deliver or transfer such mixed fertilizer, superphosphate or potash at the proposed maximum price. Notwithstanding that the Office of Price Administration does not disapprove such price within such 10 day period, it may at a later time disapprove such price or require a modification thereof on such terms and conditions as it deems advisable. All deliveries to a consumer or received by a carrier other than a carrier owned or controlled by the person making the sale (including a dealer, agent or other person) for shipment to a consumer, after the expiration of such 10 day period but prior to such disapproval or requirement of modification, shall not be affected by such later action on the part of the Office of Price Administration disapproving or modifying such maximum price.

(c) No person shall establish terms of payment or conditions of delivery in connection with the sale of mixed fertilizer, superphosphate or potash, in quantities of 250 pounds or more, to a consumer, more onerous than those in effect or available to such consumer for the period from and including February 16, 1942, to and including February 20, 1942; except that terms of payment on such sales made between the effective date of this Amendment No. 3 and December 1, 1942, and during the period July 1 to December 1 of any calendar year thereafter, shall be in line with terms of payment provided in seller's price schedule or price list in effect between October 1 and October 15, 1941.

§ 1367.35 *Records and reports.* • • •

(b) Not later than May 20, 1942, every person or manufacturer of mixed fertilizer, superphosphate or potash, who is engaged in the business of selling the same to consumers, whether by or through any agent or other person, except those persons or manufacturers who have heretofore done so, shall file with the Office of Price Administration in Washington, D. C., one copy of each and every written or printed price schedule, whether temporary or permanent, issued by him in connection with the sale thereof to consumers from and after November 1, 1940, together with all written or printed amendments and supplements to any such schedules; and each such person shall continue, until further notice, to file with the Office of Price Administration in Washington, D. C., one copy of any and all such price schedules and supplements and amendments thereto, whose issuance is thereafter contemplated, at least five (5) business days prior to the contemplated effective date thereof. Each such price schedule, supplement or amendment thereto hereafter filed with the Office of Price Administration shall be accompanied by a statement of all changes made whereby that price schedule, supplement or amendment thereto differs from the price schedule in effect at the time of filing. Neither such filing, nor the failure to object to the contents thereof, shall constitute authorization therefor or approval thereof by the Office of Price Administration.

(c) Persons affected by this Maximum Price Regulation No. 135 shall submit such other reports to the Office of Price Administration as it may, from time to time, require.

§ 1367.39 *Definitions.* (a) • • •

(10) "Price schedule" means any price list or statement, irrespective of form, issued by the seller, setting forth the prices, grades, kinds, terms of payment, types of containers or bags, method and conditions of delivery, and any other provisions relating to sales, of the commodities being priced.

§ 1367.41 *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§ 1367.31 (b) (4), and (c), 1367.35 (b) and (c) and 1367.39 (a) (10)) to Maximum Price Regulation No. 135 shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9521; Filed, September 24, 1942; 4:46 p. m.]

PART 1382—HARDWOOD LUMBER

[Amendment 6 to Maximum Price Regulation 146[1]]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1382.12 (d) five new subparagraphs ((27), (28), (29), (30), and (31)) are added, and items 10 through 12 are added to subparagraph (2), items 84 through 87 are added to subparagraph (10), items 10 through 15 are added to subparagraph (16), and items 12 through 26 are added to subparagraph (25) as set forth below:

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.* • • •

(d) • • •

(2) CHERRY RIVER BOOM & LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
•	•	•	•	•	•	•
10	FAS—Red Face	Birch	2			$128.00
11	Sound Square Edge	White Oak	2			38.00
12	Sound Square Edge	White Oak	3			43.00
•	•	•	•	•	•	•

(10) THE MEADOW RIVER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
•	•	•	•	•	•	•
84	FAS—Clear	Soft Maple	1½	9 to 12	12 and shorter	$129.00
85	FAS—Clear One Face	Poplar	1		12 and shorter	110.00
86	FAS—Clear One Face	Poplar	1½		12 and shorter	124.00
87	FAS—Clear One Face	Poplar	2		12 and shorter	145.00
•	•	•	•	•	•	•

(16) BRINGARDNER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
•	•	•	•	•	•	•
10	Sound Square Edge	White Oak	1			$32.00
11	Sound Square Edge	White Oak	2	6		40.00
12	Sound Square Edge	White Oak	2	8		40.00
13	Sound Square Edge	White Oak	2	10		42.00
14	Sound Square Edge	White Oak	2	12		42.00
15	FAS—WHND	White Oak	2	12 and up		105.00
•	•	•	•	•	•	•

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3776, 4179, 4852, 5520, 6053, 6998.

(25) THE ATLAS LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
12	Sound Square Edge	White Oak	1			$32.00
13	Sound Square Edge	White Oak	1¼			38.00
14	Sound Square Edge	White Oak	1½			40.00
15	Sound Square Edge	White Oak	2			40.00
16	Sound Square Edge	White Oak	2½			42.00
17	Sound Square Edge	White Oak	3			42.00
18	Sound Square Edge	White Oak	6 to 8	6 to 8	10 to 16	44.00
19	Sound Square Edge	White Oak	6 to 12	10 to 12	10 to 16	46.00
20	Sound Square Edge	White Oak	2 and 3	6 and 8	10 to 16	40.00
21	Sound Square Edge	White Oak	2 and 3	10 and 12	10 to 16	42.00
22	Sound Square Edge	White Oak	4 and 6	8	10 to 16	42.00
23	Sound Square Edge	White Oak	4 and 6	10	10 to 16	44.00
24	Sound Square Edge	White Oak	3	6	12, 14, and 16	46.00
25	Sound Square Edge	White Oak	3	8	14 and 16	46.00
26	Sound Square Edge	White Oak	3	8	10 and 12	44.00
(*)	(*)	(*)	(*)	(*)	(*)	(*)

(27) VESTAL LUMBER & MANUFACTURING COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common Squares	Poplar	8	8		$110.00
2	No. 1 Common Squares	Poplar	6	6		80.00
3	No. 1 Common and Selects—Selected.	Yellow Poplar	1¼			66.00

(28) EMORY RIVER LUMBER COMPANY

Grade or item No.	Grade designation	Specie:	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Panel and Wide No. 1	Poplar	5/4	18 and wider		$90.00
2	Panel and Wide No. 1	Poplar	1	18 and 19		105.00
3	Panel and Wide No. 1	Poplar	1	20 to 23		110.00
4	Panel and Wide No. 1	Poplar	1	24 to 26		115.00
5	Panel and Wide No. 1	Poplar	1	30 and wider		120.00
6	Panel and Wide No. 1	Poplar	1½	16 to 27		120.00
7	FAS	Poplar	1	12 to 17		110.00

(29) MARSHALL LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS—White Face	Hard Maple	1			$110.00
2	FAS—White Face	Hard Maple	1¼			120.00
3	No. 1 Common—White Face.	Hard Maple	1			81.00
4	No. 1 Common—White Face.	Hard Maple	1¼			86.00

(30) SALUDA RIVER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common and Selects—Stained.	Poplar	1			$44.00
2	Step Grade	Red Oak	1¼			100.00

(31) ELY-THOMAS LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS—White Two Faces	Hard Maple	1¼			$135.00
2	FAS—White Two Faces	Hard Maple	1½			140.00
3	FAS—White Two Faces	Hard Maple	2			145.00
4	FAS—White One Face	Hard Maple	1			110.00
5	No. 1 Common and Selects—White One Face.	Hard Maple	1			81.00

§ 1382.10a *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§ 1382.12 (d) (2), (10), (16), (25), (27), (28), (29), (30), (31), to Maximum Price Regulation No. 146 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9525; Filed, September 24, 1942; 4:41 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 20 to Maximum Price Regulation 136,[1] as amended]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (14) is added to § 1390.25 (c) and new paragraph (t) is added to § 1390.31a as set forth below.

§ 1390.25 *Petitions for amendment or adjustment.* • • • • •

(c) *Amendments.* • • •

(14) *J. A. Lang & Sons Co.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum prices applicable to the sale of any laundry listing machine or part manufactured by J. A. Lang & Sons Co., Boston, Massachusetts shall be determined pursuant to the provisions of § 1390.5, except that the date November 1, 1941, shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5.

§ 1390.31a *Effective dates of amendments.* • • •

(t) Amendment No. 20 (§ 1390.25 (c) (14)) to Maximum Price Regulation No. 136, as amended, shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9522; Filed, September 24, 1942; 4:44 p. m.]

PART 1396—FINE CHEMICALS AND DRUGS

[Amendment 1 to Revised Price Schedule 101[2] as Amended]

CITRIC ACID

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) of § 1396.6 is amended and new § 1396.6a is added, to read as set forth below:

§ 1396.6 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 101 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

• • • • •

§ 1396.6a *Licensing.* (a) The provisions of Supplementary Order No. 11, licensing distributors of chemicals and drugs, are applicable to every distributor selling citric acid for which maximum prices are established by Appendix A (§ 1396.11). The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail citric acid for which maximum prices are established by Appendix A (§ 1396.11). The term "selling at retail" shall have the meaning given it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1396.10 *Effective dates of amendments.* • • •

(b) Amendment No. 1 (§§ 1396.6 (a) and 1396.6a) to Revised Price Schedule No. 101 shall become effective September 30, 1942.

(Pub. Law. 421, 77th Cong.)

Issued this 24th day of September 1942

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9523; Filed, September 24, 1942; 4:44 p. m.]

PART 1410—WOOL

[Amendment 8 to Revised Price Schedule 58, as amended[1]]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In section 1410.61, the reference in subparagraph (1) of paragraph (d) to "tinged" is amended to read "stained"; in § 1410.62 (b) (4) the reference in subdivision (ii) to "ceiling price" is amended to read "selling price", and the reference in subdivision (iii) to "bale" is amended to read "sale"; in § 1410.66 the title is amended to read "Maximum prices for foreign pulled wools", and the reference to paragraphs "(a) to (e)" is amended to read "(a) to (d)"; in § 1410.60 the reference to "(a) (6)" of § 1410.65 (a) is deleted; in § 1410.65 the reference in subparagraph (6) of paragraph (c) to "paragraph" is amended to read "paragraph (c)"; in § 1410.66 the reference in subparagraph (1) of paragraph (d) to "tinged" is amended to read "stained".

In § 1410.51 subparagraph (2) of paragraph (b) and subparagraph (4) of paragraph (e) are amended; in § 1410.57 a new subparagraph (6) is added to paragraph (a); in § 1410.62 a new subparagraph (4) is added to paragraph (a) and subdivisions (i), (ii) and (iii) of subparagraph (1) of paragraph (a) are amended; in § 1410.65 subparagraph (3) of paragraph (a) and paragraph (c) and subparagraphs (1) and (4) of paragraph (d) are amended; in § 1410.66 subparagraph (4) of paragraph (d) and paragraph (e) are amended as set forth below:

§ 1410.51 *Maximum prices for wool and wool tops and yarns.* • • •

(b) • • •

(2) The maximum price for wool sold by the importer thereof shall be increased or decreased by an amount equal to the actual increase or decrease in war risk insurance rates and freight rates over those prevailing for wool of the same class, kind, type, condition and grade during said period: *Provided*, That on shipments evidenced by an ocean bill of lading or similar shipping document dated September 30, 1942, or later, war risk insurance rates computed under this section shall not exceed the rates for war risk insurance written by the War Shipping Administration on an identical shipment: *Provided further*, That in all cases where the maximum price is so increased, an invoice or similar document shall be delivered to the purchaser showing the amount of such increase.

• • • • •

(e) • • •

(4) The maximum price for wool top futures contracts on said Exchange shall be 140 cents per pound; except that such maximum price shall be increased or decreased by one cent per pound for each 1% that the war risk insurance rate on insurance written by the War Shipping Administration on wool imported from Australia to the east coast prevailing on the date such contract is made is, respectively, above or below 7½%: *Provided*, That contracts entered into prior to December 18, 1941, calling for a price higher than the maximum price may be carried out at the contract price.

§ 1410.57 *Definitions.* (a) When used in Revised Price Schedule No. 58, as amended, the term:

• • • • •

(6) "War risk insurance written by the War Shipping Administration" means the basic war risk coverage and the extended transhipment coverage provided by the War Shipping Administration.

§ 1410.62 *Appendix B: Maximum prices for wool tops and noils*—(a) *Wool tops.* • • •

(1) *Adjustments for increases or decreases in war risk insurance rates.* (i) The maximum prices set forth above for tops made of South American wools of 56's grade or finer shall be increased or decreased by one cent per pound for each 1% that the war risk insurance rate on insurance written by the War Shipping Administration prevailing on the date the contract of sale is made is, respectively, above or below 2½%. For grades coarser than 56's such adjustment shall be one-half cent per pound for each 1% increase or decrease in such war risk insurance rate.

(ii) The maximum prices set forth above for tops made of Australian or New Zealand wools of 56's grade or finer shall be increased or decreased by one cent per pound for each 1% that the war risk insurance rate on insurance written by the War Shipping Administration prevailing on the date the contract of sale is made is, respectively, above or below 7½%. For grades coarser than 56's such adjustment shall be one-half cent per pound for each 1% increase or decrease in such war risk insurance rate.

(iii) The maximum prices set forth above for tops made of South African wools of 56's grade or finer shall be increased or decreased by one cent per pound for each 1% that the war risk insurance rate on insurance written by the War Shipping Administration prevailing on the date the contract of sale is made is, respectively, above or below 4%. For grades coarser than 56's such adjustment shall be one-half cent per pound for each such 1% increase or decrease in such war risk insurance rate.

• • • • •

(4) *Cut tops.* The maximum price for cut tops shall be the applicable maximum price for the wool top plus two and one-fourth cents per pound.

§ 1410.65 *Appendix E: Maximum prices for foreign shorn wools*—(a) *Unscoured South American shorn wools.* • • •

(3) *Maximum prices for sales of South American wools by dealers.* For the purposes of this section, the term "dealer" shall be restricted to persons who purchase wool before it is landed in the United States and either resell it to a topmaker, spinner or manufacturer for his own consumption, after it has been shipped from the country of origin, or resell it after it has been landed in the United States.

When South American wools are sold by a dealer, the applicable maximum price set forth above may be increased by an amount not exceeding 10% of the applicable in bond maximum price or 5 cents per pound clean basis, whichever is greater, plus charges actually paid for marine and war risk insurance on the wool sold: *Provided*, That where the shipment is evidenced by an ocean bill of lading or similar document dated September 30, 1942, or later, no amount for war risk insurance which is in excess of the cost of war risk insurance written by the War Shipping Administration applicable to an identical shipment may be so added: *Provided further*, That an invoice or similar document delivered to the purchaser shall show separately (i) the applicable maximum price of the wool, (ii) the dealer's mark-up per pound, (iii) the charges actually paid for marine insurance and (iv) the charges for war risk insurance added to the applicable in bond maximum price. Persons buying any such wool after it has been once sold by a dealer may resell it at a price not higher than the maximum price applicable to the sale by the dealer under this paragraph.

• • • • •

(c) *South American shorn wools scoured in the United States.* The prices set forth below are maximum prices, f. o. b. shipping point, for South American shorn wools of average to good character scoured in the United States. The maximum prices for such wools of choice character, for inferior wools and for carbonized, neutralized or dusted wools shall be determined in accordance with subparagraphs (2), (3) and (4) of this paragraph. All maximum prices are for wools of United States official standard grades, duty paid, on a price per pound basis and shall include all commissions and other charges except as provided in subparagraph (5) of this paragraph. The maximum prices for scoured South American shorn wools may be increased by the charges actually paid for marine and war risk insurance on the wool imported in a grease state: *Provided*, That no amount which is in excess of the cost of war risk insurance written by the War Shipping Administration applicable to an identical shipment may be so added where the shipment is evidenced by an ocean bill of lading or similar document dated September 30, 1942, or later. Terms of sale shall be cash less 1% up to 10 days or 60 days net cash.

• • • • •

(d) *Australian, New Zealand, South African and other British Wool Control shorn wools*—(1) *Maximum prices for sales by dealers.* For the purposes of this section, the term "dealer" shall be restricted to persons who purchase wool before it is landed in the United States and either resell it to a topmaker, spinner, or manufacturer for his own consumption, after it has been shipped from the country of origin, or resell it after it has been landed in the United States. The maximum prices for sales of such wools by dealers shall be the actual cost thereof landed in bond in the United States, plus an amount not exceeding 10% of such cost or 5 cents per pound, clean basis, whichever is greater, plus charges actually paid for marine and war risk insurance on the wool sold: *Provided*, That where the shipment is evidenced by an ocean bill of lading or similar document dated September 30, 1942, or later, no amount for war risk insurance which is in excess of the cost of war risk insurance written by the War Shipping Administration applicable to an identical shipment may be so added: *Provided further*, That an invoice or similar document, delivered to the purchaser shall show separately (i) such actual cost of the wool, (ii) the dealer's markup per pound, (iii) the charges actually paid for marine insurance, and (iv) the charges for war risk insurance added to the landed in bond cost. Persons buying any such wool after it has once been sold by a dealer may resell it at a price not higher than the maximum price applicable to the sale by the dealer under this paragraph.

• • • • •

(4) *Terms of sale for British Wool Control wools.* Terms of sale shall be cash less 1% up to 10 days or 60 days net cash: *Provided*, That when British Wool Control wools are sold on a duty paid basis, the discount shall be computed on the applicable maximum price exclusive of duty.

§ 1410.66 *Appendix F: Maximum prices for foreign pulled wools.* • • •

(d) *Inferior wools.* • • •

(4) Seedy or burry wools which, in accordance with established trade practice require carbonizing, neutralizing and/or dusting, 10¢ per lb., after adjustment has been made for color in accordance with subparagraphs (1) and (2) above: *Provided*, That where such wools are sold in a carbonized, neutralized and/or dusted state the actual charges for carbonizing, neutralizing and/or dusting plus an allowance for actual shrinkage may be added to the maximum price so long as such charges and the amount of shrinkage allowance are set forth in the invoice or similar document delivered to the purchaser.

(e) *Adjustment for marine and war risk insurance charges.* Actual charges paid for marine insurance and war risk insurance on the wool sold may be added to the applicable maximum price for foreign pulled wool determined in accordance with this section, except that where the shipment is evidenced by an ocean bill of lading or similar document dated September 30, 1942, or later, no amount for war risk insurance which is in excess of the cost of war risk insurance written by the War Shipping Administration applicable to an identical shipment may be so added: *Provided*, That the amounts of such marine and war risk insurance added shall be separately set forth in an invoice or similar document delivered to the purchaser.

§ 1410.60 *Effective dates of amendments.* • • •

(j) Amendment No. 8 (§§ 1410.51 (b) (2) and (e) (4), 1410.57 (a) (6), 1410.61 (d) (1), 1410.62 (a) (1), (a) (4) and (b) (4), 1410.65 (a) (3), (c), (c) (6), (d) (1) and (d) (4), 1410.66, 1410.66 (d) (1), (d) (4) and (e)) to Revised Price Schedule No. 58, as amended, shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9528; Filed, September 24, 1942; 4:45 p. m.]

PART 1410—WOOL

[Amendment 6 to Maximum Price Regulation 163[1]]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1410.109 is amended to read as set forth below:

§ 1410.109 *Adjustment of maximum prices.* (a) In the event that the maximum price of any manufacturer determined in accordance with § 1410.102 is abnormally low or abnormally high in relation to the maximum prices of other

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365.

[2] 7 F.R. 1400, 1836, 2132, 3897.

[1] 7 F.R. 2397, 2543, 2580, 3088, 3271, 4117, 4296, 4299, 4428, 5512, 6494.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973, 7454.

manufacturers for the same or a comparable woolen or worsted apparel fabric, the Office of Price Administration may, upon its own motion or upon a petition for adjustment filed in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, adjust such maximum price by the issuance of an appropriate order.

(b) In any case in which a jobber incurs expenses in connection with the manufacture, styling, or designing of fabrics which he sells, and, because of such expenses, the maximum prices for such fabrics, determined in accordance with § 1410.103, are not sufficient to enable him to sell such fabrics without substantial hardship, he may file a petition for adjustment in accordance with Procedural Regulation No. 1. Adjustment will be made in appropriate cases by an order prescribing the method by which such jobber shall determine his maximum prices for such fabrics. Such an order may also prescribe the method by which persons purchasing such fabrics for resale shall determine their maximum prices therefor.

§ 1410.117 *Effective dates of amendments.* • • •

(h) Amendment No. 6 (§ 1410.109) to Maximum Price Regulation No. 163 shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9529; Filed, September 24, 1942; 4:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 29 to Supplementary Regulation 1[1] of the General Maximum Price Regulation[1]]

BITUMINOUS COAL PRODUCED IN THE TERRITORY OF ALASKA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Section 1499.26 is amended by adding a new subparagraph 35 to paragraph (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries and certain services.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

• • • • • •

(35) Bituminous coal produced in the territory of Alaska.

• • • • • •

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663, 6967.

[2] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 6192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322.

(e) *Effective dates.* • • •

(30) Amendment No. 29 (§ 1499.26 (a) (35)) to Supplementary Regulation No. 1 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9530; Filed, September 24, 1942; 4:46 p. m.]

PART 1499—COMMODITIES AND SERVICE

[Amendment 2 to Revised Supplementary Regulation 11 to General Maximum Price Regulation[1]]

TRUCK LOADING AT PORT OF NEW YORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In § 1499.46, a new sub-paragraph (102) is added to paragraph (b) as set forth below:

§ 1499.46 *Exceptions for certain services.* • • •

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

• • • • • •

(102) Loading of trucks by public dock loaders in the port of New York (including ports in New Jersey adjacent to New York Harbor)—rates and charges for.

• • • • • •

(d) *Effective dates.* • • •

(3) Amendment No. 2 to Revised Supplementary Regulation No. 11 shall become effective on September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9530; Filed, September 24, 1942; 4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 3 to Revised Supplementary Regulation 11[1] to General Maximum Price Regulation[1]]

CERTAIN PUBLISHING, PRINTING, ETC., SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (67) of § 1499.46 (b) is amended to read as set forth below:

[1] 7 F.R. 6426, 6965.

[2] 7 F.R. 6965.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093.

§ 1499.46 *Exceptions for certain services.* • • •

(b) The General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services:

• • • • • •

(67) Services of publishing, printing, typesetting, platemaking, binding or related services in connection with:

(i) Books, magazines, periodicals, newspapers, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogs, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs, and price lists: *Provided, however,* That this exception shall not include any of such services rendered in connection with any commodity listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225;

(ii) All papers and paper products when supplied by persons engaged primarily in the business of rendering such services, whose total gross sales in 1941 of printed papers and printed paper products and services rendered in connection therewith did not exceed $20,000.

• • • • • •

(d) *Effective dates.* • • •

(4) Amendment No. 3 (§ 1499.46 (b) (67)) to Revised Supplementary Regulation No. 11 shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9527; Filed, September 24, 1942; 4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 28 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

CANNED SHRIMP

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (26) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322.

(26) *Canned shrimp*—(i) *Sales by canners of shrimp.* The maximum prices per dozen chargeable for canned shrimp of the 1942 pack or subsequent packs by any canner, or agent or other person acting on behalf, or under the control, of such canner shall be the sum of (*a*) the canner's maximum prices per dozen for each type or style of pack and container size of canned shrimp which prevailed prior to the effective date of this amendment, and (*b*) the "canner's allowable addition" computed pursuant to this subdivision (i).

The "canner's allowable addition" for canned shrimp of the 1942 pack and subsequent packs shall be obtained by multiplying the canner's maximum price per dozen, which prevailed prior to the effective date of this Amendment by the percentage specified in connection with each can size and type of pack listed, as follows:

	Percent
No. 1 flats, dry pack (307 x 208)	22.2
No. 1 flats, wet pack (307 x 208)	17.0
No. 1 picnics, dry pack (211 x 400)	26.7
No. 1 picnics, wet pack (211 x 400)	22.5
No. 1½s, dry pack (307 x 400)	24.2
No. 1½s, wet pack (307 x 400)	19.0
No. 5s, wet pack, all types (502 x 510)	18.75

The product thus obtained, stated in cents, shall be the "canner's allowable addition".

(ii) *Sales by persons selling canned shrimp at wholesale and retail.* (*a*) The maximum prices per dozen chargeable by any person selling canned shrimp of the 1942 pack and subsequent packs at wholesale shall be the sum of (*1*) the seller's maximum prices per dozen for each type or style of pack and container size of canned shrimp which prevailed prior to the effective date of this amendment, and (*2*) the "canner's allowable addition."

(*b*) The maximum prices per can chargeable by any person selling canned shrimp of the 1942 pack and subsequent packs at retail shall be the sum of (*1*) the seller's maximum prices per can for each type or style of pack and container size of canned shrimp which prevailed prior to the effective date of this Amendment, and (*2*) one-twelfth the "canner's allowable addition."

(iii) *Information to purchasers from canners.* Every canner of shrimp, or agent or other person acting on behalf, or under the control of such canner shall advise in writing each person to whom he sells canned shrimp of the 1942 pack or subsequent packs of the amount of the "canner's allowable addition" per dozen, stated in cents, which wholesalers may charge under this Amendment and of the duty of persons selling at wholesale to furnish purchasers with the information required under subdivision (iv) of this subparagraph. Such notification shall accompany the first delivery of canned shrimp to each purchaser after the effective date of this amendment.

(iv) *Information to purchasers from wholesalers.* Every wholesaler, before or at the time of his first delivery to any purchaser for resale of canned shrimp, of the 1942 pack or subsequent packs after the effective date of this amendment, shall supply to such purchaser a written statement identifying each such item included in the sale, and shall clearly indicate for each such item the increase per can which the purchaser is entitled to add to his legal maximum price which prevailed prior to the effective date of this amendment in computing the purchaser's maximum price under this amendment. In every such statement the information prescribed by this subdivision (iv) shall be preceded by an announcement, as follows:

Your new OPA ceiling price for each item noted below is your March ceiling price *plus* the permitted increase shown per retail container. OPA requires you to keep this information for examination.

Although this regulation requires no special form for listing items and permitted increases, an example of an approved form which may be helpful to many wholesalers is set forth below:

ITEM—1942 PACK SHRIMP

Kind	Brand	Container size	Permitted increase per can
Wet pack	Lyk-fresh	No. 1 picnics	0 04
Dry pack	Sea Delight	No. 1½s	.05
Dry pack	Blue Sea	No. 1 flats	.03

Such statement may also contain similar information for any other items covered by this amendment even though they are not included in the sale.

(v) *Fractions of a cent.* In determining the allowable additions for any seller of canned shrimp of the 1942 pack and subsequent packs, fractions of less than five mills shall be reduced to the next lower cent and fractions of five mills or over may be rounded to the next higher cent.

(vi) *Discounts and allowances.* Discounts, allowances, and terms, whether based on quantity, class of purchaser, or any other cause, shall be no less favorable to any purchaser than those in effect in March 1942.

(vii) *To what container sizes and types applicable.* The modification of prices provided by this amendment shall apply only to canned shrimp packed in metal containers of the sizes specified in subdivision (i).

(b) *Effective dates.* • • •

(29) Amendment No. 28 to Supplementary Regulations No. 14 (§ 1499.73 (a) (26)) shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9526; Filed, September 24, 1942; 4:42 p. m.]

[Order 3 Under Maximum Price Regulation 163[1]—Woolen and Worsted Civilian Apparel Fabrics—Docket 3163-6]

THE KINGSLEY COMPANY, ET AL.

ADJUSTMENT GRANTED

For the reasons set forth in the opinion, which has been issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and, in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, *It is hereby ordered:*

(a) *The Kingsley Company.* (1) The maximum price for sales and deliveries by the Kingsley Company of a woolen or worsted apparel fabric produced by a manufacturer in accordance with specifications as to style and/or design supplied by the Kingsley Company or S. Stein and Company shall be the quotient of the sum of (i) the manufacturer's net invoice price for the fabric, whether or not the Kingsley Company has taken advantage of any term discounts offered, but in no case higher than the manufacturer's maximum price determined in accordance with Maximum Price Regulation No. 163, and (ii) the freight charges actually paid for the transportation of such fabric from the manufacturer's shipping point to the Kingsley Company's place of business, divided by the applicable division factor set forth below:

(*a*) Men's wear fabrics sold in piece lots ..... .82
(*b*) Women's wear fabrics sold in piece lots ..... .78
(*c*) Men's wear fabrics sold in less than piece lots ..... .78
(*d*) Women's wear fabrics sold in less than piece lots ..... .74

(2) The maximum price for sales and deliveries by the Kingsley Company of mill ends, close outs, seconds and irregular pieces shall be the manufacturer's maximum price therefor, determined in accordance with Maximum Price Regulation No. 163.

(3) In cases where the Kingsley Company sold or delivered during the period between December 1, 1940, and November 30, 1941, a fabric produced by a manufacturer in accordance with specifications as to style and/or design supplied by the Kingsley Company or S. Stein and Company, it may, at its option, use as the maximum price for such fabric the highest price at which it was sold or delivered during such period: *Provided,* That such optional maximum price shall not exceed the quotient of the sum of (i) the manufacturer's maximum price for the fabric determined in accordance with Maximum Price Regulation No. 163 and (ii) the freight charges which would be paid for the transportation thereof to the Kingsley Company's place of business, divided by the applicable division factor provided for in subparagraph (1) of paragraph (a) of this order.

(b) *Resale of fabrics sold by the Kingsley Company.* (1) The maximum price for sales and deliveries by any person, other than a seller at retail or a clothing manufacturer, who resells any fabric, the maximum price for which is determined pursuant to paragraph (a) of this order, shall be the quotient of the sum of (i) the Kingsley Company's net invoice price, whether or not the purchaser has taken advantage of any term discounts offered, but in no case higher

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973.

[2] 7 F.R. 971, 3663, 6967.

than the Kingsley Company's maximum price determined in accordance with paragraph (a) of this order, and (ii) the freight charges actually paid by the purchaser from the Kingsley Company for the transportation of the fabric from the Kingsley Company's shipping point to the purchaser's place of business, divided by the applicable division factor set forth below:

	Men's wear fabrics	Women's wear fabrics
(a) Sales in piece lots	$1.00	$1.00
(b) Sales in less than piece lots to manufacturers of apparel	.865	.89
(c) Sales in less than piece lots to retail stores and to special order departments of manufacturers of apparel	.82	.845
(d) Sales in less than piece lots to custom or merchant tailors	.635	.65
(e) Sales in cut lengths of 11 yards or less to custom or merchant tailors and to special order departments of manufacturers of apparel and retail establishments	.59	.605

(2) In cases of sales and deliveries covered by subdivisions (c), (d), and (e) of subparagraph (1) of paragraph (b) of this order where the seller has several styles of a fabric in the same range, and the differential between the Kingsley Company's net invoice prices of all the styles in the range does not exceed $0.25 per yard, the Kingsley Company's net invoice price per yard for all the styles may be determined by taking the average of the Kingsley Company's net invoice prices per yard of all the styles in the range.

(3) In cases where such person sold the same fabric during the period between December 1, 1940, and November 30, 1941, he may, at his option, use as the maximum price for such fabric the highest price at which it was sold or delivered during such period: *Provided*, That such optional maximum price shall not exceed the quotient of the sum of (i) the Kingsley Company's maximum price for the fabric determined in accordance with paragraph (a) of this order and (ii) the freight charges which would be paid for the transportation thereof to the seller's place of business, divided by the applicable division factor provided for in subparagraph (1) of paragraph (b) of this order.

(c) *Conditions of order.* The adjustments granted in paragraphs (a) and (b) of this order are subject to the following conditions:

(1) With respect to each sale made by the Kingsley Company pursuant to this order, the Kingsley Company shall deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (i) the selling price, (ii) the maximum price determined in accordance with this order, and (iii) in cases in which the maximum price was determined pursuant to subparagraph (1) of paragraph (a) of this order, a statement that the division factor used in computing the maximum price was not lower than the applicable division factor provided for in subparagraph (1) of paragraph (a) of this order.

(2) Every person making sales of woolen or worsted apparel fabrics pursuant to subparagraph (1) of paragraph (b) of this order, except sales to retail stores, custom or merchant tailors and special order departments of manufacturers of apparel shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth in addition to the terms thereof: (i) the Kingsley Company's net invoice price, (ii) the freight charges paid, and (iii) the division factor used.

(3) Every person making sales of woolen or worsted apparel fabrics to retail stores, custom or merchant tailors and special order departments of manufacturers of apparel pursuant to subparagraph (1) of paragraph (b) of this order shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for in subparagraph (1) of paragraph (b) of this order, showing such division factor in figures.

(4) Upon the request of the Administrator of the Office of Price Administration, the Kingsley Company shall permit the duly authorized agents of the Office of Price Administration to make such investigation, examine such documents and procure such information as the Administrator shall deem necessary to a proper administration and enforcement of this order.

(5) Within 10 days after the effective date of this order, the Kingsley Company shall by circular or other appropriate means notify all persons selling fabrics for which the maximum prices are determined by the provisions of paragraph (b) of this order that they are required to determine their maximum prices for such fabrics in accordance with the provisions of paragraph (b) of this order and are subject to the provisions of subparagraphs (3) and (4) of this paragraph (c).

(d) Within 10 days after the effective date of this order, the Kingsley Company shall refund to every person who received shipments of woolen or worsted apparel fabrics ordered prior to June 22, 1942 at the contract prices, as permitted by Order No. 1 under Maximum Price Regulation No. 163, the amount by which such contract prices exceed the maximum prices permitted by this order.

(e) All prayers of the petition filed by the Kingsley Company not granted herein are denied.

(f) The maximum selling prices set forth in paragraphs (a) and (b) of this order shall be subject to adjustments at any time by the Office of Price Administration.

(g) This order may be revoked or amended by the Office of Price Administration at any time.

(h) All sections and paragraphs of Maximum Price Regulation No. 163 which are not inconsistent with any provision of this order are to apply to this order.

(i) Unless the context otherwise requires, the definitions set forth in § 1410.115 of Maximum Price Regulation No. 163 shall apply to terms used herein.

(j) As used in this order the term:

(1) "The Kingsley Company" refers to Herman W. Block, Henry Bernhard and Leon S. Hartman, copartners, trading as "the Kingsley Company."

(2) "S. Stein and Company" refers to Herman W. Block, Henry Bernhard and Leon S. Hartman, copartners, trading as "S. Stein and Company."

(k) This order shall become effective on the 29th day of September 1942, with respect to any sales or deliveries of woolen or worsted apparel fabrics made by the Kingsley Company on or after the 29th day of September 1942, but shall become effective as of the 29th day of July 1942, with respect to any such deliveries made by the Kingsley Company pursuant to Order No. 1 under Maximum Price Regulation No. 163, issued on the 28th day of July 1942.

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9532; Filed, September 24, 1942; 4:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 68 Under § 1499.3 (b) of General Maximum Price Regulation]

EASTMAN KODAK COMPANY

Correction

The last word in paragraph (a) of § 1499.282, appearing on page 7367 of the issue for Friday, September 18, 1942, should read "consumers" instead of "customers".

PART 1499—COMMODITIES AND SERVICES

[Order 76 Under § 1499.3 (b) of the General Maximum Price Regulation]

TYER RUBBER COMPANY

On July 20, 1942, Tyer Rubber Company of Andover, Massachusetts, filed application with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine maximum prices for a neoprene politzer syringe with bulb and tubing and a No. 2045 valve and for instructions as to the method to be used in determining such prices. Due consideration has been given to the application and an Opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.290 *Authorization for Tyer Rubber Company to determine maximum prices for a neoprene politzer syringe with bulb and tubing and a No. 2045 valve.* (a) The maximum price which may be charged for a neoprene politzer syringe with bulb and tubing and a No. 2045 valve by the Tyer Rubber Company, hereinafter called the "manufacturer", shall be:

The maximum price for a rubber politzer syringe with bulb and tubing and a No. 2045 valve adjusted by adding or subtracting the increase or decrease in direct costs resulting from the change from rubber to neoprene. The direct costs for both the rubber and neoprene politzer syringe with bulb and tubing and a No. 2045 valve shall be determined as follows:

(1) The direct costs shall be the sum total of direct labor and direct materials costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the article by the wage rates determined in accordance with subdivision (i) of this subparagraph (1). The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the article by the materials prices determined in accordance with subdivision (ii) of this subparagraph (1).

(i) The wage rates applicable to the article shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the commodity. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(ii) The price of any materials used in the article shall be the highest price at which the material was delivered by the manufacturer's supplier to a purchaser of the same class as the manufacturer during March, 1942. If the material was not delivered to a purchaser of the same class as the manufacturer during March, 1942, the price of the material shall be the highest price at which the manufacturer's supplier offered the material for delivery during March, 1942. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942. The manufacturer's supplier shall be (*a*) his March, 1942, supplier of the material, or (*b*) lacking a March, 1942, supplier of the material, his most recent supplier of the material.

(b) Any discounts or allowances applicable to the sale of a rubber politzer syringe with bulb and tubing and a No. 2045 valve by the Tyer Rubber Company whether based on quantity, class of purchases or any other cause shall be applicable to sales of a neoprene politzer syringe with bulb and tubing and a No. 2045 valve by that company.

(c) Within ten days after a maximum price has been determined in accordance with this order, Tyer Rubber Company shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him. The report shall set forth in detail the computation of direct costs and of the maximum price.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 76 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 76 (§ 1499.290) shall become effective September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9531; Filed, September 24, 1942; 4:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 37 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF8-288]

PROGRESS CIGAR COMPANY

Correction

In the table appearing in § 1499.387, page 7368 of the issue for Friday, September 18, 1942, the price for Longfellows should be $35.30 instead of $35.00.

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS; APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 161, 4405, 4410, 4411, 4417, 4417a, 4418, 4421, 4426, 4430, 4433, 4438, 4438a, 4439, 4440, 4441, 4442, 4443, 4447, 4481, 4482, 4484, 4488, 4491, as amended, 29 Stat. 188, 31 Stat. L. 800, 49 Stat. 1544, Sec. 7 of 53 Stat. 1147, 54 Stat. 163–167, 54 Stat. 1028 (5 U.S.C. 22, 46 U.S.C. 375, 439, 380, 391, 391a, 392, 399, 404, 408, 411, 224, 224a, 226, 228, 229, 214, 230, 233, 474, 475, 477, 481, 489, 225, 458, 367, 247, 526–526t, 463a) and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT

Section 28.4–6 (f) is amended to read as follows:

§ 28.4–6 *Specifications for kapok life preserver.* • • •

(f) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Subchapter D—Tank Vessels

PART 31—INSPECTION AND CERTIFICATION

§ 31.2–4 *Both inspectors to sign certificates of inspection—TB/ALL* is deleted

PART 33—LIFESAVING EQUIPMENT

Section 33.3–1 (x) is amended to read as follows:

§ 33.3–1 *Tank ship lifeboat equipment; ocean and coastwise — T/OC.* • • •

(x) *Sea anchor.* After 1 January 1943, all new sea anchors and replacements for existing sea anchors shall be of a circular pattern with a mouth not less than 36 inches in diameter, constructed of No. 2 canvas strongly sewn and roped at the seams and having a length of not less than 5 feet from mouth to tip. The tip shall be arranged for securing therein a conical shaped oil container of at least 1 gallon capacity.

A strong metal hoop, of not less than ½-inch material, rendered corrosion-resistant by galvanizing or other suitable method is to be fitted around the mouth and strongly sewn into the canvas. A bridle of not less than 6 lines evenly spaced of 12-thread material shall be attached to the hoop and terminate in a ring or grommet for the attachment of a riding line.

Section 33.3–2 (s) is amended to read as follows:

§ 33.3–2 *Tank ship lifeboat equipment; Great Lakes—T/L.* • • •

(s) *Sea anchor.* After 1 January 1943, all new sea anchors and replacements for existing sea anchors shall be of a circular pattern with a mouth not less than 36 inches in diameter, constructed of No. 2 canvas strongly sewn and roped at the seams and having a length of not less than 5 feet from mouth to tip. The tip shall be arranged for securing therein a conical shaped oil container of at least 1 gallon capacity.

A strong metal hoop, of not less than ½ inch material, rendered corrosion-resistant by galvanizing or other suitable method is to be fitted around the mouth and strongly sewn into the canvas. A bridle of not less than 6 lines evenly spaced of 12-thread material shall be attached to the hoop and terminate in a ring or grommet for the attachment of a riding line.

Section 33.6–3 is amended by changing the proviso thereof to read as follows:

§ 33.6–3 *Shipboard inspections—TB/ALL.* • • •

Provided, That at the annual inspection of a vessel, or oftener if necessary, at least 5 percent of all kapok life preservers, or such greater number as may be deemed necessary or desirable, shall be subjected to a buoyancy test by being entirely submerged in water for a period of two hours, after which they shall be capable of sustaining 16½ pounds net

weight. Any such life preserver failing to meet the required test shall be immediately condemned and removed from the vessel's equipment, and a full detailed report of every such failure shall be immediately forwarded to the Supervising Merchant Marine Inspector of the district having jurisdiction.

PART 37—SPECIFICATIONS FOR LIFESAVING EQUIPMENT

Section 37.2–3 (e) is amended to read as follows:

§ 37.2–3 *Shell plating—TB/ALL.* • • •

(e) The laps of points on keel, stem, and sternpost shall be at least two inches.

Section 37.2–4 is amended by the addition of the following sentence:

§ 37.2–4 *Riveting—TB/ALL.* • • • In the attachment of the keel to the garboard plate, the distance from the edge of the plate to the center of the nearest row of rivets shall be about one-half an inch.

Section 37.2–5 (b) is amended to read as follows:

§ 37.2–5 *Welding—TB/ALL.* • • •

(b) *Scope.* These specifications apply only to the application of fusion welding to lifeboats, life rafts and similar vessels subject to pressures not to exceed 15 pounds per square inch.

Section 37.2–5 (e) is amended to read as follows:

(e) *Design of joints.* The following joints are acceptable: Butt joints or lapped joints, fillet welded at both edges.

Section 37.2–8 is amended by changing paragraphs (b) and (c) to read as follows:

§ 37.2–8 *Inspection and tests—TB/ALL.* • • •

(b) Two tension and two bend test specimens of welding shall be taken from the first lifeboat or life raft constructed by fusion welding in any one order; thereafter two tension and two bend test specimens of welding shall be taken from one boat in each lot of twenty-five lifeboats and from one raft in each lot of twenty-five rafts in the same order.

(c) The tension test specimens shall be made with a reduced section having a gage length of 4 inches. The edges of the bend test specimens may be parallel. Both tension and bend test specimens shall be made with the weld in the center. The reenforcement shall be ground off, and the tension test specimen shall show under test a tensile strength at least equal to that of the base metal. The bend test shall be made in a vise with the face of the weld in tension and must withstand being bent to a radius of twice its thickness without showing cracks or flaws.

Section 37.6–6 (f) is amended to read as follows:

§ 37.6–6 *Specifications for standard type kapok life preserver.* • • •

(f) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Subchapter F—Marine Engineering

PART 50—GENERAL PROVISIONS

The first sentence of the second undesignated paragraph of § 50.1 is amended to read as follows:

§ 50.1 *Basis and application of rules.* • • •

Where existing vessels are reboilered, the mountings and attachments, including feed and blow-off valves and fittings, shall be removed in accordance with the rules in Parts 50 to 57, inclusive, of this subchapter.

• • • • • •

PART 51—MATERIALS

Section 51.7–5 (b) (2) is amended to read as follows:

§ 51.7–5 *Bending properties.* • • •

(b) *Quench-bend tests.* • • •

(2) The test specimen for Grade B steel, when similarly heated and quenched shall stand being bent cold through 180° without cracking on the outside of the bent portion as follows: For material ¾ inch and under in diameter, around a pin the diameter of which is equal to the diameter of the specimen; for material over ¾ inch in diameter, around a pin the diameter of which is equal to one and one-half times the diameter of the specimen.

Section 51.9a–12 (a) is amended by changing the definition of "S" used in the formula to read as follows:

§ 51.9a–12 *Hydrostatic tests*—(a) *Grades A, B, and C tubes.* • • •

S equals allowable fiber stress of 16,000 psi. for Grades A and B tubes, 18,000 psi. for Grade C tubes, and 20,800 psi. for Grade D tubes.

Section 51.11–8 (b) (6) is amended to read as follows:

§ 51.11–8 *Test Procedure.* • • •

(b) *Number of tests.* • • •

(6) If the percentage of elongation of any test specimen is less than that specified in § 51.11–4 (a), and any part of the fracture is more than ¾ inch from the center of the gage length of a 2-inch specimen, or is outside the middle third of the gage length of an 8-inch specimen, as indicated by scribe scratches marked on the specimen before testing, a retest shall be allowed. If a specimen breaks in an inside or outside surface flaw, a retest shall be allowed.

Section 51.16a–5, is amended as follows:

In the table opposite the heading "Sulphur, max., percent", under the column headed "Class 4" the number ".04" is amended to read "0.05."

PART 52—CONSTRUCTION

Section 52.1-4(a) (1) is amended to read as follows:

§ 52.1–4 *Conditions for approval.* (a) • • •

(1) That it conforms to all of the requirements of Parts 50 to 57, inclusive.

Section 52.13–4 (c), Formula (52) is amended to read as follows:

§ 52.13–4 *Computations.* • • •

(c) • • •

$$W = \frac{S\ (T-0.094)^2}{D^2C} \qquad (52)$$

Section 52.15–4 (c) is amended to read as follows:

§ 52.15–4 *Main and auxiliary stop valves.* • • •

(c) Where the diameter of stop valves exceeds 6 inches, they shall be fitted with by-pass valves for the purpose of heating the line and equalizing the pressure before opening the valves.

Section 52.15–9 is amended by changing paragraphs (a), (b), (c), (d), (f), and (i) to read as follows:

§ 52.15–9 *Fusible plugs.* • • •

(a) Vertical boilers shall be fitted with one fusible plug located in a tube not more than 2 inches below the lowest gage cock.

(b) Externally fired, cylindrical boilers, with flues, shall have one plug fitted to the shell immediately below the fire line not less than 4 feet from the front end.

(c) Firebox, Scotch, and other types of shell boilers not specifically provided for, having a combustion chamber common to all furnaces, shall have one plug fitted at or near the center of the crown sheet of the combustion chamber.

(d) Double-ended boilers having individual combustion chambers for each end, which combustion chambers are common to all furnaces in one end of the boiler, shall have one plug fitted at or near the center of the crown sheet of each combustion chamber.

• • • • • •

(f) Boilers of types not herein provided for shall be fitted with at least one fusible plug of such dimensions and located in a part of the boiler as will, in the judgment of the inspector, best meet the purposes for which it is intended.

• • • • • •

(i) Fusible plugs shall be cleaned and examined by the inspector at each annual inspection, and oftener if necessary, and if, in the inspector's opinion, the condition of the plugs is satisfactory, they may be continued in use.

PART 55—PIPING SYSTEMS

Section 55.19–13 (g) is amended by changing Formulas (63) and (64) to read as follows, respectively:

§ 55.19–13 *Pumping arrangements.* • • •

(g) • • •

$$d = \sqrt{\frac{L\ (B+D)}{2{,}500}} + 1 \text{ inch} \qquad (63)$$

$$d = \sqrt{\frac{1\ (B+D)}{1{,}500}} + 1 \text{ inch} \qquad (64)$$

• • • • • •

PART 56—FUSION WELDING

Section 56.20–1 (a) is amended to read as follows:

§ 56.20–1 *Scope.* (a) The rules in this part apply to new construction and to repairs as prescribed in § 57.21–4.

Section 56.20–12 (m) is amended to read as follows:

§ 56.20–12 *Reinforced fusion-welded connections.* • • •

(m) Materials for fusion-welded connections shall be in accordance with § 56.20–8. All welding for fusion-welded connections shall be equivalent to that required for the particular class of vessel to which the connection is attached.

PART 57—SUPPLEMENTARY DATA AND REQUIREMENTS

Section 57.21–15 (e) is amended to read as follows:

§ 57.21–15 *Inspection of boilers of foreign-built vessels admitted to American registry.* • • •

(e) When the inspection is completed and steam is raised on the boilers, an accumulation test shall be conducted, where required, in accordance with the provisions of § 52.14–3 to establish the fact that the safety valves have ample relieving capacity.

Section 57.21–28 is amended to read as follows:

§ 57.21–28 *Flanged connections.* Flanged pipe connection openings in boilers shall conform to the American Standard given in Table P–13 for the corresponding pipe size, and shall have the corresponding drilling for bolts or studs.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.11 (f) (8) is amended to read as follows:

§ 59.11 *Lifeboat equipment.* • • •

(f) *Signal pistol.* • • •

(8) All pistols and cartridges shall be marked with the name and address of the manufacturer and date of manufacture. Each pistol shall be proof-tested in the presence of an inspector by firing a charge double the normal charge, and, at the successful completion of this proof-test, the pistol shall be stamped with the letters "P. T." and the serial number. Report of test shall be forwarded to Headquarters showing the serial numbers of the guns passed.

Section 59.11 (z) is amended to read as follows:

§ 59.11 *Lifeboat equipment.* • • •

(z) *Sea anchor.* After 1 January 1943, all new sea anchors and replacements for existing sea anchors shall be of a circular pattern with a mouth not less than 36 inches in diameter, constructed of No. 2 canvas strongly sewn and roped at the seams and having a length of not less than 5 feet from mouth to tip. The tip shall be arranged for securing therein a conical shaped oil container of at least 1 gallon capacity.

A strong metal hoop, of not less than ½ inch material, rendered corrosion-resistant by galvanizing or other suitable method is to be fitted around the mouth and strongly sewn into the canvas. A bridle of not less than 6 lines evenly spaced of 12-thread material shall be attached to the hoop and terminated in a ring or grommet for the attachment of a riding line.

Section 59.15 (b) is amended by changing the last sentence to read as follows:

§ 59.15 *Construction of metallic lifeboats of class 1A.* • • •

(b) *Shell plating.* • • • The laps of joints on keel, stem, and sternpost shall be at least two inches.

Section 59.15 (c) is amended by the addition of the following sentence:

(c) *Riveting.* • • • In the attachment of the keel to the garboard plate, the distance from the edge of the plate to the center of the nearest row of rivets shall be about one-half an inch.

Section 59.55 (h) (6) is amended to read as follows:

§ 59.55 *Life preservers.* • • •

(h) *Specifications for standard type kapok life preserver.* • • •

(6) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Section 59.55 (j) is amended by changing the proviso thereof to read as follows:

(j) *Shipboard inspections.* • • • *Provided:* That at the annual inspection of a vessel, or oftener if necessary, at least 5 percent of all kapok life preservers, or such greater number as may be deemed necessary or desirable, shall be subjected to a buoyancy test by being entirely submerged in water for a period of two hours, after which they shall be capable of sustaining 16½ pounds net weight. Any such life preserver failing to meet the required test shall be immediately condemned and removed from the vessel's equipment, and a full detailed report of every such failure shall be immediately forwarded to the Supervising Merchant Marine Inspector of the district having jurisdiction.

Section 59.65 *Means of escape from steamers* is amended by deleting the second sentence of the first paragraph.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.9 (f) (8) is amended to read as follows:

§ 60.9 *Lifeboat equipment.* • • •

(f) *Signal pistol.* • • •

(8) (See § 59.11 (f) (8) of this chapter, which is identical with this subparagraph)

Section 60.9 (z) is amended to read as follows:

(z) *Sea anchor.* (See § 59.11 (z) of this chapter, which is identical with this paragraph)

Section 60.12 (b) is amended by changing the last sentence to read as follows:

§ 60.12 *Construction of metallic lifeboats of class 1A.* • • •

(b) *Shell plating.* (See § 59.15 (b) of this chapter, which is identical with this paragraph)

Section 60.12 (c) is amended by the addition of the following sentence:

(c) *Riveting.* (See § 59.15 (c) of this chapter, which is identical with this paragraph)

Section 60.48 (h) (6) is amended to read as follows:

§ 60.48 *Life preservers.* • • •

(h) *Specifications for standard type kapok life preserver.* • • •

(6) Stitching. All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Section 60.48 (j) is amended by changing the proviso thereof to read as follows:

(j) *Shipboard inspections.* (See § 59.55 (j) of this chapter, which is identical with this section)

Section 60.58 *Means of escape from steamers* is amended by deleting the second sentence of the first paragraph.

PART 62—LICENSED OFFICERS AND CERTIFICATED MEN

Section 62.1 (e) (6) is amended to read as follows:

§ 62.1 *Original licenses.* • • •

(e) • • •

(6) An active commission in the United States Navy, Marine Corps, Coast Guard, or the reserve components thereof.

Section 62.5 is amended to read as follows:

§ 62.5 *Reexamination and refusal of licenses.* (a) A person who has been examined and refused a license may be reexamined by the inspector who gave the examination at any time thereafter as determined by the inspector, but the applicant shall not be examined by any other inspector until one year has expired from the date of the refusal without the permission of the inspector who refused the applicant a license.

(b) Whenever a person is refused a license he shall be furnished with a written statement setting forth the cause of the refusal to grant the license.

Section 62.7 is amended to read as follows:

§ 62.7 *Certificate of lost license.* (a) Whenever a person who holds a license loses his license, he shall report such loss to a Merchant Marine Inspector in Charge who shall issue a certificate of lost license after receiving satisfactory evidence of such loss and a record of the lost license from the office where it was issued. The certificate, issued for the unexpired term, shall have the same force and effect as the lost license and shall state the office of the inspector who issued the original license.

(b) Whenever a person reports the loss of his license, or whenever a license is stolen from the office of an inspector the Merchant Marine Inspector in Charge or Supervising Merchant Marine Inspector shall immediately report to the Commandant of the Coast Guard a description of the license and all the facts incident to its loss.

(c) Whenever a license is recovered, the Merchant Marine Inspector in Charge or Supervising Merchant Marine Inspector shall immediately report to the Commandant a description of the license and all the facts incident to its recovery.

Section 62.9 is amended by deleting the last undesignated paragraph thereof and inserting the following new paragraph in its place:

§ 62.9 *Renewal of licenses.* • • •

Whenever a person who holds a license applies for a renewal of his license, he shall appear in person before a Merchant Marine Inspector in Charge or a Supervising Merchant Marine Inspector, except that, when the applicant is some distance from a local district office and it would cause him great inconvenience and expense to appear in person, he may take the oath of office before any person authorized to administer oaths, and forward the executed oath, together with the license to be renewed and certificate of visual examination where required, to the Merchant Marine Inspector in Charge or the Supervising Merchant Marine Inspector of the district in which he resides or is employed and the license may be renewed by the said inspectors if no valid reason to the contrary be known to them. Whenever a person who holds a license is engaged in a service which necessitates his continuous absence from the United States and his license expires, he may make application in writing, through a consul or other authorized person, for renewal of his license to the Merchant Marine Inspector in Charge or Supervising Merchant Marine Inspector who issued the license to be renewed. With this application there shall also be submitted a statement of the applicant, verified before a consul or other officer of the United States authorized to administer an oath, setting forth the reasons for not appearing in person, a satisfactory certificate of visual examination where required, and his certificate of citizenship, if naturalized. Upon receiving the application and the supporting papers, the Merchant Marine Inspector in Charge or the Supervising Merchant Marine Inspector shall renew the license if no valid reason to the contrary is known and shall notify the applicant of such renewal. The inspector who renews a license of an absentee holder shall attach the oath to the stub end of the license which is retained on file in his office.

No license as master, mate or pilot of any class of vessel shall be renewed without furnishing a certificate that the color sense of the applicant is normal.

Section 62.110 (b) (6) is amended to read as follows:

§ 62.110 *Original licenses.* • • •

(b) • • •

(6) An active commission in the United States Navy, Marine Corps, or Coast Guard, or the reserve components thereof.

PART 63—INSPECTION OF VESSELS

Section 63.6 *Certificates of inspection* is deleted.

PART 64—DUTIES OF INSPECTORS

Section 64.2 is amended to read as follows:

§ 64.2 *Publication of inspectors' reports.* Annual reports shall not be made public until after they have been printed and made public by the Coast Guard. No inspector or clerk shall make public any report without the consent of the Supervising Merchant Marine Inspector or the Commandant of the Coast Guard.

Section 64.3 is amended to read as follows:

§ 64.3 *Reports of Supervising Merchant Marine Inspectors and Merchant Marine Inspectors in Charge.* (a) It shall be the duty of the Supervising Merchant Marine Inspectors to inform in writing their respective Merchant Marine Inspectors in Charge of their decisions in cases of appeals.

(b) A Supervising Merchant Marine Inspector who grants a license to a vessel engaged in towing to carry persons in addition to its crew, under the Act approved February 23, 1901 (31 Stat. L. 800; 46 U.S.C. 458, 459), shall notify the Merchant Marine Inspector in Charge, in whose jurisdiction the vessel is to operate, who shall keep a record of the same.

(c) The Merchant Marine Inspector in Charge shall notify, through his Supervising Merchant Marine Inspector, the Merchant Marine Inspectors in Charge of adjoining districts of all revocations or suspensions of licenses, the names of all persons from whom licenses have been withheld, the names of all steam vessels neglecting or refusing to make repairs when ordered, and the names of all vessels that have been refused certificates of inspection with the reasons therefor.

Subchapter H—Great Lakes; General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 76.6a, reading as follows, is added to Part 76:

§ 76.6a *Life floats substituted for life rafts required on vessels of classes (a), (b), (c) and (d).* Life floats may be substituted for life rafts required by §§ 76.3–76.6, inclusive, of this part, during the interval between May 15 and September 15 in any one year, both dates inclusive.

Section 76.6b, reading as follows, is added to Part 76:

§ 76.6b *Additional life rafts required on vessels of classes (a), (b), (c) and (d).* All vessels of classes (a), (b), (c) and (d) shall have, in addition to all other lifeboats and life rafts required, one additional fully equipped life raft which shall be stowed in such a manner that it will float clear in the event of sinking of the vessel. On all vessels of 300 gross tons and over the life raft shall be not less than 15-person capacity.

Section 76.7 is amended to read as follows:

§ 76.7 *Lifeboats and life rafts required on vessels of class (e).* Vessels of class (e) shall be required to have lifeboat capacity to accommodate all persons on board; and all such vessels of 300 gross tons and over shall have, in addition, one fully equipped life raft of not less than 15-person capacity on board which shall be stowed in such manner that it will float clear in the event of sinking of the vessel.

Section 76.8 is amended by inserting a new paragraph, to follow the third undesignated paragraph, reading as follows:

§ 76.8 *Lifeboats and life rafts required on vessels of class (f).* • • •

Towing vessels of 300 gross tons and over shall have, in addition to other lifeboats and life rafts required, one fully equipped life raft of not less than 15-person capacity on board which shall be stowed in such a manner that it will float clear in the event of sinking of the vessel.

§ 76.11 *Distress lights for lifeboats and life rafts* is deleted.

Section 76.14 is amended to read as follows:

§ 76.14 *Equipment for lifeboats on vessels of classes (a), (b), (c), (d) and (e).* All lifeboats on vessels of class (a), (b), (c), (d) and (e) shall be equipped as follows:

(a) *Bailer.* One bailer of sufficient size and suitable for bailing with lanyard attached.

(b) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 8 feet long by 1½ inches in diameter.

(c) *Bucket.* One galvanized iron bucket, of about two gallons capacity, with lanyard attached.

(d) *Compass.* One efficient liquid compass with not less than a 2-inch card.

(e) *Distress lights.* One watertight metal case containing 12 self-igniting red lights capable of burning at least two minutes and to give forth a brilliant red flame of not less than 500 candlepower. Each distress light shall be treated and made impervious to moisture, and the manufacturer shall place upon it a statement in clear, black letters covering the candlepower and burning range, directions for firing, the trade name of the distress light, and the name and address of the manufacturer. The container shall be constructed of 18-ounce or No. 22 B. W. G. copper or equally non-corrosive metal, lock-jointed and soldered, the bottom to be rolled in and soldered, and cover or top to be made of cast brass not less than ⅛ of an inch thick and 5 inches in diameter, to fit down on a rubber gasket to make container watertight. The cover shall be so constructed as to be easily removed. Either a flashlight or an approved signal pistol with 12 approved parachute signal cartridges may be substituted for 6 of the above distress lights, but at least 6 of the above lights shall be carried.

(f) *Flashlight.* (1) (Optional, see paragraph (e) of this section.) One 3-cell type, focusing flashlight and 3 extra standard batteries contained in a portable, watertight metal case. The flashlight shall be of rugged construction, of focusing type with a reflector head of about 2 inches in diameter. One extra lamp shall be provided for the flashlight.

(2) Flashlight batteries for the standard 3-cell type shall be of the sal-ammoniac type with depolarizer. They shall have a nonspillable electrolyte and be free from leakage during the useful life of the cell. They shall be of the tubular construction, comprising 3-cells assembled in line, end to end, in a suitable close-fitting tube or jacket of new, chip, or strawboard. The brass cap on the carbon rod and the zinc bottom of the cell shall serve as the terminals. The batteries shall be marked with the "trade name of the cell, the name of the manufacturer, or trade-mark number, or designations of size, the date of manufacture, and the date of expiration of a guaranteed period for United States Marine Service." The batteries shall not be continued in use for lifeboat equipment for a period exceeding one year from the date of manufacture. The flashlight batteries allowed under this specification shall be of a quality to meet the National Bureau of Standards' tests as to voltage, capacity, delayed service tests, and required performance.

(g) *Hatchets.* Two hatchets attached by lanyards and readily available, one at each end of the boat.

(h) *Illuminating oil.* One gallon of illuminating oil in a metal container.

(i) *Lantern.* One lantern containing sufficient oil to burn at least 9 hours and ready for immediate use.

(j) *Life line.* A life line, properly secured the entire length of each side, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope, and the seine float in each bight shall hang to within 12 inches of the surface of the water when the boat is light.

(k) *Life preservers.* Two life preservers.

(l) *Matches.* One box of friction matches in a watertight container, and carried in a box secured to the underside of the stern thwart or stowed in the locker.

(m) *Oars.* A full complement of oars, two spare oars and a steering oar with rowlock or becket conforming to the following requirements:

NUMBER AND LENGTH OF OARS

Length of boat	Minimum number of oars	Spare oars	Total, including steering oar	Rowing oars, minimum length	Steering oars, minimum length
				Feet	*Feet*
16 feet and under 18 feet	4	2	7	10	12
18 feet and under 20 feet	4	2	7	11	13
20 feet and under 24 feet	4	2	7	13	14
24 feet and under 28 feet	6	2	9	14	15
28 feet and over	6	2	9	15	16

NOTE: Motor lifeboats and lifeboats fitted with propellers operated by hand shall be equipped with four oars and one steering oar.

(n) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than 3 times the distance between the boat deck and the light draft.

(o) *Plugs.* Each drain hole, fitted with an automatic plug, shall be provided with two caps attached by chains. Where an automatic plug is not provided for the drain hole, there shall be two plugs attached by chains.

(p) *Rowlocks.* One set and a half of thole pins or rowlocks attached to the boat by separate chains.

(q) *Rudder.* One rudder with tiller or yoke and yoke lines. Where it is difficult to install a rudder in boats of special construction, it may be omitted.

(r) *Sea anchor.* After 1 January 1943, all new sea anchors and replacements for existing sea anchors shall be of a circular pattern with a mouth not less than 36 inches in diameter, constructed of No. 2 canvas strongly sewn and roped at the seams and having a length of not less than 5 feet from mouth to tip. The tip shall be arranged for securing therein a conical shaped oil container of at least 1 gallon capacity.

A strong metal hoop, of not less than ½ inch material, rendered corrosion-resistant by galvanizing or other suitable method is to be fitted around the mouth and strongly sewn into the canvas. A bridle of not less than 6 line evenly spaced of 12 thread material shall be attached to the hoop and terminate in a ring or grommet for the attachment of a riding line.

(s) *Signal pistol.* (Optional, see paragraph (e) of this section.) An approved signal pistol outfit consisting of an approved pistol with lanyard attached and 12 approved parachute signal cartridges, both contained in an approved portable watertight metal case. The signal cartridge shall contain a projectile which will give forth a brilliant red flame of not less than 20,000 candlepower and capable of being projected vertically to a height of not less than 150 feet and of not less than thirty seconds burning duration. Signal cartridges shall not be retained on board and in use for a period of more than four years from the date of manufacture.

(t) *Storm oil.* One gallon of vegetable or animal oil in a container, so constructed that the oil can be easily distributed on the water and so arranged that it can be attached to the sea anchor.

(u) *Stowage of equipment.* All loose equipment shall be securely attached to the lifeboat to which it belongs. The stowage of signal pistol outfits in lifeboats is discretionary with the master.

Section 76.14a reading as follows, is added to Part 76:

§ 76.14a *Equipment for lifeboats on vessels of class (f).* All lifeboats on vessels of class (f) shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 8 feet long by 1½ inches in diameter.

(b) *Bucket.* One galvanized iron bucket, of about two gallons capacity, with lanyard attached.

(c) *Hatchet.* One hatchet with lanyard attached.

(d) *Life line.* A life line, properly secured the entire length of each side, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope, and the seine float in each bight shall hang to within 12 inches of the surface of the water when the boat is light.

(e) *Life preservers.* Two life preservers.

(f) *Oars.* A full complement of oars and two spare oars.

(g) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than 3 times the distance between the boat deck and the light draft.

(h) *Plugs.* Each drain hole, fitted with an automatic plug, shall be provided with two caps attached by chains. Where an automatic plug is not provided for the drain hole, there shall be two plugs attached by chains.

(i) *Rowlocks.* One set of rowlocks and two spare rowlocks attached to the boat by separate chains.

(j) *Steering oar or rudder.* One steering oar with rowlock or becket, or one rudder with tiller or yoke and yoke lines.

(k) *Stowage of equipment.* All loose equipment shall be securely attached to the lifeboat to which it belongs.

Section 76.18 (b) is amended by changing the last sentence to read as follows:

§ 76.18 *Construction of metallic lifeboats of class 1A.* • • •

(b) *Shell plating.* (See § 59.15 (b) of this chapter, which is identical with this paragraph.)

Section 76.18 (c) is amended by the addition of the following sentence:

(c) *Riveting.* (See § 59.15 (c) of this chapter, which is identical with this paragraph.)

Section 76.48 is amended to read as follows:

§ 76.48 *Equipment for life rafts on vessels of classes (a), (b), (c), (d) and (e).* All life rafts on vessels of classes (a), (b), (c), (d) and (e) shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 6 feet long by 1½ inches in diameter.

(b) *Distress lights.* One watertight metal case containing six self-igniting red lights of the same character as distress lights required for lifeboats, and the container to be of the same material and construction as required for lifeboats: *Provided,* That a container of the same material and construction, with a

cover of not less than 3 inches in diameter, may be used.

(c) *Life line.* A life line properly secured entirely around the sides and ends of the life raft, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope.

(d) *Matches.* One box of friction matches in a watertight container.

(e) *Oars or paddles.* Four oars and one steering oar for all life rafts for seven persons and over. The oars shall be of suitable size but not less than 8 feet in length. Two paddles for all life rafts for six persons or less. The paddles shall be of suitable size but not less than 5 feet in length.

(f) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than three times the distance between the boat deck and the light draft.

(g) *Rowlocks.* On life rafts for seven persons and over, five rowlocks attached by separate chains in such a manner that they may be used from either side of the raft. A becket may be substituted for the steering oar rowlock.

(h) *Sea anchor.* One sea anchor constructed of good quality canvas or other satisfactory material; and, if of circular pattern, to be not less than two feet in diameter.

(i) *Self-igniting water light.* One self-igniting water light of approved type, as provided in § 76.54 of this part, attached to the life raft by a manila lanyard, of about 15-thread, three fathoms in length.

(j) *Storm oil.* One gallon of vegetable or animal oil in a container so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea anchor.

(k) *Stowage of equipment.* All loose equipment shall be securely attached to the life raft to which it belongs.

Section 76.48a, reading as follows, is added to Part 76:

§ 76.48a *Equipment for life rafts on vessels of class (f).* All life rafts on vessels of class (f) shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 6 feet long by 1½ inches in diameter.

(b) *Life line.* A life line properly secured entirely around the sides and ends of the life raft, festooned in bights not longer than 3 feet with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope.

(c) *Oars or paddles.* Four oars and one steering oar for all life rafts for seven persons and over. The oars shall be of suitable size but not less than 8 feet in length. Two paddles for all life rafts for six persons or less. The paddles shall be of suitable size but not less than 5 feet in length.

(d) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than three times the distance between the boat deck and the light draft.

(e) *Rowlocks.* On life rafts for seven persons and over, five rowlocks attached by separate chains in such a manner that they may be used from either side of the raft. A becket may be substituted for the steering oar rowlock.

(f) *Self-igniting water light.* One self-igniting water light of approved type, as provided in section 76.54 of this part, attached to the life raft by a manila lanyard, of about 15-thread, three fathoms in length, required only on towing vessels of 300 gross tons and over.

(g) *Stowage of equipment.* All loose equipment shall be securely attached to the lift raft to which it belongs.

Section 76.48b, reading as follows, is added to Part 76:

§ 76.48b *Equipment for life floats.* All life floats shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 6 feet long by 1½ inches in diameter.

(b) *Life line.* A life line properly secured entirely around the sides and ends of the float, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than a 12-thread manila rope.

(c) *Paddles.* Four paddles.

(d) *Painter.* One painter of manila rope not less than 2¾ inches in circumference, and of a length not less than three times the distance between the boat deck and the light draft.

(e) *Self-igniting water light.* One self-igniting water light of approved type of the same character as required for life rafts, as provided in § 76.54 of this part, attached to the float by a manila lanyard, of about 15-thread, three fathoms in length.

(f) *Stowage of equipment.* The boat hook and paddles shall be securely lashed on the sides of the life float to which they belong.

Section 76.52 (h) (6) is amended to read as follows:

§ 76.52 *Life preservers.* • • •

(h) *Specifications for standard type kapok life preserver.* • • •

(6) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Section 76.52 (j) is amended by changing the proviso thereof to read as follows:

(j) *Shipboard inspections.* (See § 59.55 (j) of this chapter, which is identical with this section.)

Section 76.55 *Flashlights and batteries for lifeboats* is deleted.

Section 76.58 *Means of escape from steam vessels* is amended by deleting the second sentence of the first paragraph.

Section 76.58a, reading as follows, is added to Part 76:

§ 76.58a *Storm shutters; means of escape from boilerhouse to engine room.* Steam vessels navigating the waters of the Great Lakes, so constructed as to have deck houses on the main or spar deck and exposed to the sea, shall be provided with storm shutters for the windows. Where the doors of such deck houses are not constructed of steel or iron plate, or of wood having a thickness of not less than 2 inches, the doors shall be provided with storm doors or shutters. Where the boilerhouse is located on the main or spar deck and exposed to the sea, an avenue of escape shall be provided from the boilerhouse to the engine room or through the top of the boilerhouse with the necessary ladders and scuttle, thereby enabling the boilerhouse doors to be kept closed during heavy weather.

PART 76—LICENSED OFFICERS AND CERTIFICATED MEN

Section 78.1 is amended to read as follows:

§ 78.1 *Original licenses.* (For text of this section see § 62.1 of this chapter, published April 7, 1942, 7 F.R. 2642, and as amended by this order.)

Section 78.5 is amended to read as follows:

§ 78.5 *Reexamination and refusal of licenses.* (See § 62.5 of this chapter which is identical with this section.)

Section 78.7 is amended to read as follows:

§ 78.7 *Certificate of lost license.* (See § 62.7 of this chapter which is identical with this section.)

Section 78.9 is amended by deleting the last paragraph thereof and inserting the following paragraphs in its place:

§ 78.9 *Renewal of licenses.* (See § 62.9 of this chapter, which is identical with this section.)

Section 78.37 is amended to read as follows:

§ 78.37 *Extension of pilot's route.* (a) The pilot shall submit a written application to the Merchant Marine Inspector in Charge, on the form furnished by the Coast Guard, stating the extension of route desired. The pilot shall be given a written examination on the aids to navigation covering the extension of route desired, and, if found qualified, shall receive the extension.

(b) A Merchant Marine Inspector in Charge may endorse a pilot's license for authority to act on the waters outside of his jurisdiction subject to the examination and approval of the Merchant Marine Inspector in Charge having jurisdiction over the waters for which such additional authority is desired. The Merchant Marine Inspector in Charge to whom such application is made shall forward the application for approval to the Merchant Marine Inspector in Charge having jurisdiction who, if he approves the application, shall return the application together with a list of questions and subjects upon which the applicant is to be examined. When the examination is completed, it shall be returned to the Merchant Marine Inspector in Charge having jurisdiction, and, if he is satisfied from the examination that the applicant is capable, he shall advise the Merchant Marine Inspector in Charge who gave the examination to endorse the license accordingly.

Section 78.105 (c) is amended to read as follows:

§ 78.105 *General.* • • •

(c) (For text of this paragraph see § 62.204 (c) of this chapter, published April 7, 1942, 7 F.R. 2642, as amended June 4, 1942, 7 F.R. 4235.)

PART 79—INSPECTION OF VESSELS

Section 79.6 *Certificates of inspection* is deleted.

Section 79.12 (e) *Cable traveler* is deleted.

Section 79.13 *Storm shutters; means of escape from boilerhouse to engine room* is deleted.

Section 79.20 *Life rafts required* is deleted.

PART 83—DUTIES OF INSPECTORS

Section 83.1 is amended to read as follows:

§ 83.1 *Publication of inspectors' reports.* (See § 64.2 of this chapter which is identical with this section.)

Section 83.2 is amended to read as follows:

§ 83.2 *Reports of Supervising Merchant Marine Inspectors and Merchant Marine Inspectors in Charge.* (See § 64.3 of this chapter, which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes; General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 94.2 is amended by adding to the last undesignated paragraph a new sentence which reads as follows:

§ 94.2 *Lifeboats and life rafts required on steam vessels carrying passengers.* • • •

Approved life floats may be substituted for life rafts on vessels carrying passengers operated south of the thirty-third parallel of north latitude and on vessels carrying passengers operated north of the thirty-third parallel of north latitude during the interval between the 15th day of May to the 15th day of October, in any one year, both dates inclusive.

Section 94.13 is amended to read as follows:

§ 94.13 *Equipment for lifeboats.* All lifeboats shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 8 feet long by 1½ inches in diameter.

(b) *Bucket.* One galvanized iron bucket, of about two gallons capacity, with lanyard attached.

(c) *Hatchet or ax.* One hatchet or ax, with lanyard attached.

(d) *Lantern.* One lantern containing sufficient oil to burn at least 9 hours and ready for immediate use.

(e) *Life line.* A life line, properly secured the entire length of each side, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope, and the seine float in each bight shall hang to within 12 inches of the surface of the water when the boat is light.

(f) *Life preservers.* Two life preservers.

(g) *Matches.* One box of friction matches in a watertight container and carried in a box secured to the underside of the stern thwart or stowed in the locker.

(h) *Oars.* A full complement of oars, and two spare oars conforming to the following requirements:

NUMBER AND LENGTH OF OARS

Length of boat	Minimum number of oars	Spare oars	Rowing oars, minimum length in feet
16 feet and under 18 feet	4	2	10
18 feet and under 20 feet	4	2	11
20 feet and under 24 feet	4	2	13
24 feet and under 26 feet	6	2	14
26 feet and over	6	2	15

NOTE: Motor lifeboats and lifeboats fitted with propellers operated by hand shall be equipped with four oars and one steering oar.

(i) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than 3 times the distance between the boat deck and the light draft.

(j) *Plugs.* Each drain hole, fitted with an automatic plug, shall be provided with two caps attached by chains. Where an automatic plug is not provided for the drain hole, there shall be two plugs attached by chains.

(k) *Rowlocks.* One full complement of rowlocks and two spare rowlocks, each rowlock attached to the boat by a separate chain.

(l) *Steering oar or rudder.* One steering oar with rowlock or becket, or rudder with tiller or yoke and yoke lines.

(m) *Stowage of equipment.* All loose equipment shall be securely attached to the lifeboat to which it belongs.

Section 94.48 is amended to read as follows:

§ 94.48 *Equipment for life rafts.* All life rafts shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 6 feet by 1½ inches in diameter.

(b) *Life line.* A life line properly secured entirely around the sides and ends of the life raft, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope.

(c) *Oars or paddles.* Four oars and one steering oar for all life rafts for seven persons and over. The oars shall be of suitable size but not less than 8 feet in length. Two paddles for all life rafts for six persons or less. The paddles shall be of suitable size but not less than 5 feet in length.

(d) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than three times the distance between the boat deck and the light draft.

(e) *Rowlocks.* On life rafts for seven persons and over, five rowlocks attached by separate chains in such a manner that they may be used from either side of the raft. A becket may be substituted for the steering oar rowlock.

(f) *Stowage of equipment.* The boat hook and oars or paddles shall be securely lashed on the sides of the life raft to which they belong.

Section 94.49, reading as follows, is added to Part 94:

§ 94.49 *Equipment for life floats.* All life floats shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 6 feet long by 1½ inches in diameter.

(b) *Life line.* A life line properly secured entirely around the sides and ends of the float, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than a 12-thread manila rope.

(c) *Paddles.* Four paddles.

(d) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and of a length not less than three times the distance between the boat deck and the light draft.

(e) *Stowage of equipment.* The boat hook and paddles shall be securely lashed on the sides of the life float to which they belong.

Section 94.52 (h) (6) is amended to read as follows:

§ 94.52 *Life preservers.* • • •

(h) *Specifications for standard type kapok life preserver.* • • •

(6) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Section 94.52 (j) is amended by changing the proviso thereof to read as follows:

(j) *Shipboard inspections.* (See § 59.55 (j) of this chapter, which is identical with this section.)

Section 94.57 *Means of escape from steamers* is amended by deleting the second sentence of the first paragraph.

PART 96—LICENSED OFFICERS AND CERTIFICATED MEN

Section 96.1 is amended to read as follows:

§ 96.1 *Original licenses.* (For text of this section see § 62.1 of this chapter, published April 7, 1942, 7 F.R. 2642, as amended by this order.)

Section 96.5 is amended to read as follows:

§ 96.5 *Reexamination and refusal of licenses.* (See§ 62.5 of this chapter which is identical with this section.)

Section 96.7 is amended to read as follows:

§ 96.7 *Certificate of lost license.* (See § 62.7 of this chapter which is identical with this section.)

Section 96.9 is amended by deleting the last paragraph thereof and inserting the following new paragraphs in its place:

§ 96.9 *Renewal of licenses.* (See § 62.9 of this chapter, which is identical with this section.)

Section 96.36 is amended to read as follows:

§ 96.36 *Extension of pilot's route.* (See § 78.37 of this chapter which is identical with this section.)

PART 97—INSPECTION OF VESSELS

Section 97.6 *Certificates of inspection* is deleted.

PART 101—DUTIES OF INSPECTORS

Section 101.1 is amended to read as follows:

§ 101.1 *Publication of inspectors' reports.* (See § 64.2 of this chapter which is identical with this section.)

Section 101.2 is amended to read as follows:

§ 101.2 *Reports of Supervising Merchant Marine Inspectors and Merchant Marine Inspectors in Charge.* (See § 64.3 of this chapter which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.4 is amended to read as follows:

§ 113.4 *Lifeboats and life rafts or life floats required on steam vessels carrying passengers.* Steam vessels carrying passengers shall be equipped with lifeboats of sufficient capacity to accommodate at one time at least 10 percent of all persons on board, including passengers and crew. Three-fourths of such equipment may be in approved life rafts, approved life floats, or approved collapsible lifeboats.

Section 113.22 is amended to read as follows:

§ 113.22 *Equipment for lifeboats on vessels on all rivers except western rivers whose waters flow into the Gulf of Mexico and the Yukon River.* All lifeboats except those provided for in § 133.22a of this part shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 8 feet long by 1½ inches in diameter.

(b) *Bucket.* One galvenized iron bucket, of about two gallons capacity, with lanyard attached.

(c) *Hatchet or ax.* One hatchet or ax, with lanyard attached.

(d) *Lantern.* One lantern containing sufficient oil to burn at least 9 hours and ready for immediate use.

(e) *Life line.* A life line, properly secured the entire length of each side, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope, and the seine float in each bight shall hang to within 12 inches of the surface of the water when the boat is light.

(f) *Life preservers.* Two life preservers. Wooden floats may be substituted where permitted by law.

(g) *Matches.* One box of friction matches in a watertight container and carried in a box secured to the underside of the stern thwart or stowed in the locker.

(h) *Oars.* A full complement of oars and two spare oars.

(i) *Painter.* One painter of manilla rope not less than 2¾ inches in circumference and of a length not less than 3 times the distance between the boat deck and the light draft.

(j) *Plugs.* Each drain hole, fitted with an automatic plug, shall be provided with two caps attached by chains. Where an automatic plug is not provided for the drain hole, there shall be two plugs attached by chains.

(k) *Rowlocks.* One full complement of rowlocks and two spare rowlocks, each rowlock attached to the boat by a separate chain.

(l) *Steering oar or rudder.* One steering oar with rowlock or becket, or one rudder with tiller or yoke and yoke lines.

(m) *Stowage of equipment.* All loose equipment shall be securely attached to the lifeboat to which it belongs.

Section 113.22a, reading as follows, is added to Part 113:

§ 113.22a *Equipment for lifeboats on vessels on western rivers whose waters flow into the Gulf of Mexico and the Yukon River.* All lifeboats on vessels navigating the Red River of the North, rivers whose waters flow into the Gulf of Mexico, and the Yukon River shall be equipped as follows:

(a) *Boat hook.* One boat hook of clear-grained wood of suitable length but not less than 3 feet long by 1½ inches in diameter.

(b) *Hatchet or ax.* One hatchet or ax, with lanyard attached.

(c) *Lantern.* One lantern containing sufficient oil to burn at least 9 hours and ready for immediate use.

(d) *Life line.* A life line, properly secured the entire length of each side, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope, and the seine float in each bight shall hang to within 12 inches of the surface of the water when the boat is light.

(e) *Life preserver.* One life preserver. A wooden float may be substituted where permitted by law.

(f) *Matches.* One box of friction matches in a watertight container and carried in a box secured to the underside of the stern thwart or stowed in the locker.

(g) *Oars.* Four oars and one spare oar.

(h) *Painter.* One painter of manilla rope not less than 2¾ inches in circumference and of a length not less than 3 times the distance between the boat deck and the light draft.

(i) *Plugs.* Each drain hole, fitted with an automatic plug, shall be provided with two caps attached by chains. Where an automatic plug is not provided for the drain hole, there shall be two plugs attached by chains.

(j) *Rowlocks.* Four rowlocks and one spare rowlock, each rowlock attached to the boat by a separate chain.

(k) *Stowage of equipment.* All loose equipment shall be securely attached to the lifeboat to which it belongs.

Section 113.23 is amended by changing the headnote and by deleting the last six undesignated paragraphs thereof and substituting the following in their stead:

§ 113.23 *How lifeboats shall be carried; davits and cranes required.* • • •

No type or make of mechanical or gravity davit shall be used unless it has first been approved by the Commandant.

No mechanical davits of a character which require manual or other power to turn the boats out to the position for lowering into the water shall be fitted on any vessel the keel of which is laid after December 31, 1942, if such davits are to handle a lifeboat which, without its complement of persons on board, but having on board all air tanks and other lifeboat equipment, exceeds 5,000 pounds total weight; i. e., 2,500 pounds for a single davit arm. An exemption to this requirement may be granted during the period of the national emergency, proclaimed by the President on May 27, 1941, if evidence is presented to the Coast Guard to substantiate a claim that compliance with this requirement would materially delay the completion and delivery of the vessel.

Davits of an approved type, which are capable of swinging the boats into the lowering position without the application of any effort or external force other than that necessary to operate the releasing mechanism, allowing the boat to move from the stowed position to the lowering position by the force of gravity, shall be provided to handle all lifeboats the total weight of which, including air tanks and lifeboat equipment, but without the complement of persons on board, exceeds 5,000 pounds.

Where steel castings are used for davit frames or davit arms this material shall be fully annealed and comply with the following requirements:

(In substantial agreement with A. S. T. M. Spec. A–27–39 and A–215–39T)

Tensile strength minimum psi	66,000
Yield point minimum psi	33,000
Elongation in 2 inches minimum percent	22
Reduction of area minimum percent	33

Chemical composition for castings not intended to be fusion welded.

(In substantial agreement with A. S. T. M. Spec. A–27–39)

Manganese maximum percent	1.00
Phosphorus maximum percent	.05
Sulphur maximum percent	.06

Chemical composition of castings intended to be fabricated by fusion welding.

(In substantial agreement with A.S.T.M. Spec. A–215–39T)

Carbon maximum percent	0.30
Manganese maximum percent	.70
Phosphorus maximum percent	.05
Sulphur maximum percent	.06
Silicon maximum percent	.50

Where structural steel is used for the fabrication of davit frames or davit arms the material shall conform to the following requirements:

(In substantial agreement with A.S.T.M. Spec. A–131–39)

Tensile strength psi	60,000 to 72,000
Yield point minimum psi	0.5 T.S.
Elongation in 8 inches minimum percent	1,500,000 / Ten. Str.
Elongation in 2 inches minimum percent	22

Where welding is employed in the construction of davits, the welders shall be qualified by the Coast Guard.

All moving parts of davits shall be provided with bushings of nonferrous metal, roller or ball bearings properly lubricated.

An inspector shall be present at the foundry where castings are made to witness the tensile and bend tests prescribed. The manufacturer shall furnish an affidavit stating that the required tests for annealing have been made. When the inspector has satisfied himself that such castings comply with the requirements, he shall stamp the davit arm and frame with the letters B. M. I. N., the initials of his name and the letters F. T., and date of inspection.

Each davit and frame shall be tested for strength and operation at the place of manufacture in the presence of an inspector.

All mechanical and gravity davit arms or frames shall be tested at the extreme outboard position by suspending from the eye or end of each davit arm a weight equal to the weight of the fully loaded and equipped boat (including full complement of persons at 165 pounds each) for which the davit is to be approved, plus 10 percent. Under this test, a davit arm or frame shall show no permanent set or undue deflection. While this test is being conducted, the frame and arms, if of cast material, shall be subjected to a test by being hammered to satisfy the inspector that the castings are sound and without flaw.

While this test load is suspended, the operating gear of mechanical davits shall be tested by being operated from inboard to the extreme outboard position with the same operating crank or device used in actual practice aboard ship.

The manufacturer shall affix to the davit arm and frame a heavy plate giving the name of manufacturer, date of inspection, serial number, capacity load, space for the inspector's initials, and the letters B. M. I. N. After the inspector has satisfied himself that the assembled installation meets the requirements, he shall stamp the manufacturer's plates with his initials. Each set of davits shall be marked with identical serial numbers by the manufacturer.

No davit arm or frame comprising mechanical or gravity davits shall be placed on board any vessel until all of the requirements of the rules of this section have been fully complied with. Whenever mechanical or gravity davits or parts of davits, such as davit arms, or frames, are installed on vessels to take the place of davits, davit arms, or frames which have become damaged or broken, such davits or frames shall have the manufacturer's name plate affixed thereto.

Section 113.31 *Construction of rafts of the catamaran type* is amended by deleting the last paragraph thereof.

Section 113.31a, reading as follows, is added to Part 113:

§ 113.31a *Care of life rafts.* (See § 59.46 of this chapter, which is identical with this section.)

Section 113.43 is amended to read as follows:

§ 113.43 *Equipment for life rafts.* (See § 94.48 of this chapter, which is identical with this section.)

Section 113.43a, reading as follows, is added to Part 113:

§ 113.43a *Equipment for life floats.* (See § 94.49 of this chapter, which is identical with this section.)

Section 113.44 (h) (6) is amended to read as follows:

§ 113.44 *Life preservers.* • • •

(h) *Specifications for standard type kapok life preservers.* • • •

(6) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch, with not less than eight stitches to the inch.

Section 113.44 (j) is amended by changing the proviso thereof to read as follows:

(j) *Shipboard inspections.* (See § 59.55 (j) of this chapter, which is identical with this section.)

Section 113.48 *Means of escape from steamers* is amended by deleting the second sentence of the first paragraph.

PART 114—FIRE APPARATUS; FIRE PREVENTION

Section 114.13 *Connecting, bilge, and sounding pipes; hose tests* is amended by deleting the last two undesignated paragraphs thereof.

Section 114.14b, reading as follows, is added to Part 114:

§ 114.14b *Fire-fighting equipment on vessels using oil as fuel.* (a) On all vessels of 500 gross tons and over, using oil as fuel, there shall be in each fireroom a metal tank containing 10 cubic feet of sand, fitted with a scoop or shaker, for fire purposes; also two or more approved fire extinguishers of the carbon dioxide (CO_2) type, of not less than 15 pounds capacity each, or two foam type fire extinguishers of not less than 2½ gallons capacity each.

(b) On all vessels of less than 500 gross tons, using oil as fuel, there shall be in each fireroom a metal tank containing not less than 5 cubic feet of sand, fitted with a scoop or shaker, for fire purposes; also one carbon dioxide fire extinguisher of not less than 15 pounds capacity, or one foam type fire extinguisher of not less than 2½ gallons capacity.

PART 115—LICENSED OFFICERS

Section 115.1 is amended to read as follows:

§ 115.1 *Original licenses.* (For text of this section see § 62.1 of this chapter, published April 7, 1942, 7 F.R. 2642, as amended by this order.)

Section 115.5 is amended to read as follows:

§ 115.5 *Reexamination and refusal of licenses.* (See § 62.5 of this chapter, which is identical with this section.)

Section 115.7 is amended to read as follows:

§ 115.7 *Certificate of lost license.* (See § 62.7 of this chapter, which is identical with this section.)

Section 115.9 is amended by deleting the last undesignated paragraph thereof and inserting the following new paragraph in its place:

§ 115.9 *Renewal of licenses.* (See § 62.9 of this chapter, which is identical with this section.)

Section 115.35 is amended to read as follows:

§ 115.35 *Extension of pilot's route.* (See § 78.37 of this chapter, which is identical with this section.)

PART 116—INSPECTION OF VESSELS

Section 116.6 *Certificates of inspection* is deleted.

PART 120—DUTIES OF INSPECTORS

Section 120.1 is amended to read as follows:

§ 120.1 *Publication of inspectors' reports.* (See § 64.2 of this chapter, which is identical with this section.)

Section 120.2 is amended to read as follows:

§ 120.2 *Reports of Supervising Merchant Marine Inspectors and Merchant Marine Inspectors in Charge.* (See § 64.3 of this chapter, which is identical with this section.)

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

Part 156, reading as follows, is added to Subchapter O, Emergency Regulations:

PART 156—INSPECTION AND CERTIFICATION

Sec.
156.1 Definition of terms.
156.2 Drydocking of tank vessels navigating fresh water exclusively.

§ 156.1 *Definition of terms.* Certain terms used in the regulations of this part are defined as follows:

(a) *Emergency.* The term "emergency" means the Unlimited National Emergency proclaimed by the President on 27 May 1941.

§ 156.2 *Drydocking of tank vessels navigating fresh water exclusively.* The provisions of § 31.3–7 (a) (3) of this chapter, which require that tank vessels used in fresh water service exclusively shall be drydocked or hauled out at least once in every 5 calendar years, are hereby suspended for the duration of the emergency.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

Davits

Schat Low Type SS davit (maximum working load of 7,000 pounds per arm) (Dwg. CA–301), submitted by Marine Safety Devices, Inc., New York, N. Y.

Landley sheath screw davit, Type 4–CS–66–X (maximum working load of 4,750 pounds per arm) (Dwg. No. 331–D–X, dated 7 April, 1942), submitted by The Landley Company, Inc., New York, N. Y.

Life Rafts

15-person catamaran type life raft (Dwg. No. 8000–D, dated 11 August 1942; and Dwg. No. C–109, dated 20 July 1942), manufactured by Colvin-Slocum Boats, Inc., New York, N. Y.

18-person catamaran type life raft (Dwg. No. GVT 3690–A, dated 1 June 1942), submitted by John Albert Company, Long Island City, N. Y.

20-person catamaran type life raft (Dwg. No. R–4, dated 31 July 1942), submitted by the Suburban Supply Corporation, Great Neck, N. Y.

15-person catamaran type life raft (Dwg. No. 552, rev. 11 August 1942), submitted by United Marine Manufacturing Company, Long Beach, Calif.

15-person catamaran type life raft (Dwg. No. 5, dated 15 August 1942), submitted by Dougherty's Body Works, Lancaster, Pa.

Life Floats

Rectangular hollow balsa wood life float, 40-person capacity, 10'8" x 6'0", 13" thickness of body (Dwg. BF–10, Alt. 13 July 1942), manufactured by Winner Manufacturing Co., Inc., Trenton, N. J.

Life floats, Model Numbers E–100 (15-person), E–2500 (25-person), and E–6000 (60-person), (Navy Dwg. BU No. 469814, dated 2 Oct. 1941); H–100 (15-person) and H–2500 (25-person), (Navy Dwg. SK No. 018309, dated April 1942); also Model W–100 (15-person) (undated drawing marked "W Models"); manufactured by Savage Boat Works, Los Angeles, Calif.

15-person rectangular balsa wood life float (Dwg. No. LFB–15–PS, dated 24 July 1942), submitted by Seaway Manufacturing Company, Inc., New Orleans, La.

25-person rectangular hollow balsa wood life float (Dwg. dated 11 July 1942), manufactured by General Store Equipment Incorporated, New York, N. Y.

15-person elliptical life floats, Model ELL (Dwg. No. 6611) and Model SK (Dwg. No. 6612), manufactured by the Modern Bell Company, Huntington Park, Calif.

Life Preservers

No. T–87 adult kapok life preserver (24 oz. kapok) (Dwg. dated 1 August 1942) Approval No. B–167, manufactured by Cluff Fabric Products, Inc., New York, N. Y. (Approved for general use and also for use with lifesaving suits.)

Style 10–B–3 adult kapok life preserver (Dwg. dated 1 August 1942, rev. 10 August 1942) Approval No. B–163, manufactured by The American Pad & Textile Co., Greenfield, Ohio. (Approved for general use and also for use with lifesaving suits.)

Style 10–B–1 adult kapok life preserver (Dwg. dated 1 August 1942) Approval No. B–165, manufactured by The American Pad & Textile Co., Greenfield, Ohio. (Approved for general use and also for use with lifesaving suits.)

No. SAKJ–13 kapok life preserver (Navy standard type) (Dwg. No. SAKJ–13, dated 19 July 1942) Approval No. B–166, manufactured by Seaway Manufacturing Co., Inc., New Orleans, La.

No. SAKJ–17 adult kapok life preserver (Dwg. No. SAKJ–17, dated 13 August 1942) Approval No. B–164, manufactured by Seaway Manufacturing Co., Inc., New Orleans, La. (Approved for general use and also for use with lifesaving suits.)

Thread For Life Preservers

Sturdy Stitching Thread, 25/3, polished finish, manufactured by Textile Thread Company, Watertown, Mass.

Samson 10/3 cotton thread, manufactured by Cranska Thread Co., Worcester, Mass.

Fire-Resistive Substance

Aspinook finish #30S fire and weather-resistant treatment of cotton drill for life preserver cover fabric, manufactured by the Aspinook Corporation, New York, N. Y.

Lifesaving Suit

The B. F. Goodrich Company lifesaving suit, Model 2, manufactured by the B. F. Goodrich Co., Akron, Ohio. (In conjunction with life preservers bearing approval numbers B–153, B–155, B–156, B–158, B–161, B–162, B–163, B–164, B–165, or B–167.)

Hand Distress Signals

Red Ship Signal hand distress signal, manufactured by Central Railway Signal Company, Inc., Newton, Mass.

Chemurgic Red Ship Signal hand distress signal, manufactured by Chemurgic Corporation, Richmond, Calif.

Water Light

Coslite automatic floating electric water light (Dwg. No. 10, dated 15 June 1942), submitted by Coston Supply Co., New York, N. Y.

Signal Pistol

Sedgley Improved Signal Pistol, 37 M/M, Mark 4, manufactured by R. F. Sedgley, Inc., Philadelphia, Pa.

R. R. WAESCHE,
Commandant.

SEPTEMBER 24, 1942.

[F. R. Doc. 42–9534; Filed, September 25, 1942; 9:14 a. m.]

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R.S. 161, 4405, 4417, 4417a, 4418, 4433, 4488, as amended, 49 Stat. 1544 (5 U.S.C. 22, 46 U.S.C. 375, 391, 391a, 392, 411, 481, 367) and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations are prescribed:

Subchapter F—Marine Engineering

PART 52—CONSTRUCTION

Section 52.15–6 (d) (2) is amended to read as follows:

§ 52.15–6 *Feed valves.* • • •

(d) • • •

(2) Each boiler shall be provided with an independently driven main feed pump capable of supplying the boiler at its normal required operating capacity.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.2 (b) (1) is amended to read as follows:

§ 153.2 *Additional lifesaving equipment on ocean and coastwise vessels.* • • •

(b) *Cargo vessels and tank ships*—(1) *Lifeboats and rafts.* Cargo vessels and tank ships shall carry a sufficient number of lifeboats on each side to accommodate all persons on board: *Provided*, That on oceah and coastwise tank ships of 3,000 gross tons and over, having superstructure amidships, and propelling machinery aft, the lifeboat capacity required by Part 33 of this chapter shall be provided by at least 4 lifeboats, one on each side in way of the after accommodations and one on each side in way of amidships accommodations. *Provided, further*, That where the number of persons permitted by the certificate of inspection is augmented by the addition of Naval personnel for the purpose of protection or observation, additional lifeboat capacity for such personnel will not be required. Cargo vessels and tank ships shall, in addition to the lifeboatage required, be

equipped with sufficient approved life rafts to accommodate all persons on board. Rafts shall not have a greater capacity than 20 persons nor less capacity than 15 persons. The minimum number of rafts to be furnished such vessels certificated for routes exceeding 200 miles offshore shall be four.

Section 153.3 (b) is amended to read as follows:

§ 153.3 *Lifeboats on ocean and coastwise vessels.* • • •

(b) *Readiness for lowering.* Masters shall, with due regard to safety, cause all lifeboats attached to davits other than gravity davits to be properly griped in the outboard position as will allow immediate lowering in case of emergency. On all vessels guys are to be rigged from the davit heads when the boats are carried in the outboard position.

Section 153.3 is amended by the addition of a new paragraph (c) reading as follows:

§ 153.3 *Lifeboats on ocean and coastwise vessels.* • • •

(c) *Cubic capacity of lifeboats.* On all mechanically propelled ocean and coastwise cargo and tank vessels which are certificated for the first time after 1 January, 1943, the cubic carrying capacity of the lifeboats provided shall be calculated on the basis of 15 cubic feet per person. This rated carrying capacity shall be plainly marked on at least two of the thwarts. On such lifeboats the marking of the name plate with rated carrying capacity in persons, shall be omitted.

(1) *Air tanks of lifeboats.* The air tank capacity in such lifeboats shall equal at least one-tenth of the total volume of the lifeboat in cubic feet and in addition sufficient air tank capacity shall be provided to float the boat (including its equipment) when filled with water.

(2) *Provisions and water.* In all cases such lifeboats shall be provided with provisions and water as required by these regulations for the number of persons which the boat will accommodate on the basis of ten cubic feet per person.

Section 153.3a, reading as follows, is added to Part 153:

§ 153.3a *Motor lifeboats.* On all ocean and coastwise ships of 3,000 gross tons and over which are certificated for the first time after January 1, 1943, one of the lifeboats on each side shall be motor-propelled.

(a) *Equipment.* In addition to being provided with all equipment required for lifeboats, such motor lifeboats shall carry at least two one-quart size fire extinguishers of the carbon tetrachloride type. Motor lifeboats carried on passenger vessels in compliance with § 59.5 of this chapter shall in all cases be fitted with a radio installation and a searchlight in accordance with § 59.11a of this chapter.

(b) *Motor and accessories.* The engine for motor-propelled lifeboats shall be of a reliable type, permanently installed inside the lifeboat.

The power of motor lifeboats shall be such that the speed through the water, in smooth water, shall be at least six knots when fully loaded. Under these conditions, fuel capacity sufficient for twenty-four hours' continuous operation shall be provided.

Suitable provision shall be made for going astern.

The motor shall be protected by a weatherproof enclosure. The top of the enclosure shall be constructed so that it may be removed when necessary and shall be fitted with a ventilator of a water-protector type.

Fittings, pipes, and connections shall be of high standard and good workmanship and installed in accordance with good practice. There shall be a strainer between carburetor and fuel tank and an efficient hand starter.

Section 153.6 is amended by changing paragraphs (a), (d), and (p) to read as follows:

§ 153.6 *Additional equipment for lifeboats on ocean and coastwise vessels.* • • •

(a) *Bilge pump.* Lifeboats constructed on or after 1 January 1943 shall be equipped with an approved semi-rotary wing type or equally suitable (and efficient bilge pump permanently affixed in a suitable position in the boat. The pump shall be of a type not easily deranged, the materials used in its construction shall be of a character not readily deterioated by the action of salt water, and it shall be so constructed as to be readily disassembled for repairs. A suitable foot valve shall be located on the suction side of the pump and the suction opening shall have a cross-sectional area of not less than .7854 square inch. The pump shall be located well down in the center line of the boat and be fitted with a flexible dischafge hose at least 6 feet in length and having a cross-sectional area of opening not less than that of the suction opening.

(1) Lifeboats built prior to 1 January 1943 shall be provided with a pump of the type specified above or a good quality barrel bilge pump may be provided. The material of which the pump is manufactured shall be of a corrosion-resisting character. The barrel shall be at least 2 inches in diameter and fitted with a discharge hose at least 6 feet in length and not less than 1½ inches in diameter.

(2) All pump suctions shall be fitted with suitable strainers and provision shall be made for allowing the strainer to be cleaned.

(d) *Drinking cups.* A total of three drinking cups at least two of which shall be of the well-bucket type, consisting of a tubular bucket about one inch in diameter and three inches long, marked in one-half ounce graduations. A chain or lanyard shall be attached to bucket-type cups in order that they may be dropped into the drinking water tanks. Drinking cups shall be fabricated of rust-resisting material.

(p) *Water containers*—(1) *Existing lifeboats.* Lifeboats constructed prior to 15 October 1942 shall carry a total of at least 10 quarts of water for each person the boat will, on the basis of 10 cubic feet per person, accommodate. An equal number of air tanks, from each side of the boat, may be removed and replaced with water containers, or the air tanks may be converted to water containers by reinforcing them where necessary and securely attaching a watertight fitting at the top of each tank through which the water may be extracted. No valves, cocks, etc. for drawing off the water shall be fitted. The drinking water previously required in existing boats may also be carried in these side water containers if capacity and other considerations make it desirable.

(2) *New lifeboats.* Lifeboats constructed after 15 October 1942, shall be provided with at least ten quarts of fresh water for each person the boat will, on the basis of ten cubic feet per person, accommodate. Drinking water shall be distributed and stowed as follows:

Four separate tanks preferably having approximately the same capacities equally distributed in inboard and outboard locations, as for example: one side tank port and one side tank starboard under the side benches plus two inboard tanks symmetrically located under the side benches, thwarts, or in the ends of the boat.

Drinking water tanks shall be substantially constructed of galvanized steel or equivalent corrosive-resistant material. When a tank has a capacity in excess of 25 gallons, a swash plate shall be fitted. A threaded nipple, approximately 2" inside diameter, is to be substantially attached to the top of the tank. The nipple is to project upward a sufficient distance to receive a corrosive-resistant screw cap knurled or otherwise provided with means so that it can be easily removed by hand. A reinforced opening not less than 5 inches in diameter fitted with a watertight cover shall be provided in the upper portion of each tank to permit internal examination and treatment. No spigot or cocks are to be fitted. A threaded meta drain plug and flange shall be provided in the bottom of each tank in such position that it is easily accessible for removal by wrench when the tank is in its stowed position in the boat. Water tanks shall be substantially supported away from the inside of the boat and shall be readily removable for examination.

Section 153.6 is further amended by the addition of new paragraphs (s), (t), and (u) reading as follows:

(s) *Fishing kit.* On every ocean vessel of over 3,000 gross tons there shall be provided in each lifeboat one fishing kit consisting of the following equipment:

2 wire leaders, each with attachments for two fishing hooks, complete with swivels and lock-fast snaps.

18 salt water fish hooks (three #3, three #2, three #1, three 1/0, three 3/0, three 6/0).

200 feet of 100-lb. test tarred fish line
6 two-ounce lead sinkers.

The fish kit is to be packed in a substantial watertight metal container with screw top, sealed. All materials shall be

protected against or resistant to corrosion and of rugged construction.

(t) *Daytime distress signals.* Four self-contained smoke signals of an approved type. Such signals shall be positively and easily operated and under adverse weather conditions, shall produce, while floating on the surface of the water, smoke in sufficient intensity, volume, and color, as to be easily visible from air craft.

(u) *Signaling mirrors.* Two stainless steel or other suitably polished metal mirrors having at least twenty square inches of reflecting surface on each side. The mirrors shall be heavily coated with a neutral preservative grease and wrapped in a waterproof container plainly marked "Signaling Mirrors".

Section 153.7 is amended by the addition of a new paragraph (i) which reads as follows:

§ 153.7 *Additional equipment for life rafts on ocean and coastwise vessels.*

* * *

(i) *Signaling mirrors.* Two stainless steel or other suitably polished metal mirrors having at least twenty square inches of reflecting surface on each side. The mirrors shall be heavily coated with a neutral preservative grease and wrapped in a waterproof container plainly marked "Signaling Mirrors".

Section 153.14a, reading as follows, is added to Part 153:

§ 153.14a *Abandon ship kit.* All ocean and coastwise vessels of 3,000 gross tons and over shall carry at least 2 abandon ship kits. The articles composing the abandon ship kit, as listed below, shall be packed in a compact manner in a watertight container. Unless the container is of such nature that tampering will be readily evident, it shall be provided with a seal over the opening device. The kit shall be fitted with a shoulder-carrying strap or equivalent and, as packed, shall be sufficiently buoyant to float if dropped overboard. It shall be prominently marked and the predominant outside coloring of the case or container shall be orange or chrome yellow. The kit shall contain the following articles:

20 one-quarter grain syrettes of morphine.
48 one-half gram tablets of sulfadiazine in bottle.
10 Navy type, watertight packages containing 2½ grams of crystalline sulfanilamide.
4 ounces of approved oil cleansing solution in bottle having a screw cap.
5 four-ounce tubes of 5% sulfadiazine—tannic acid 10% jelly.
2 chemical heating pads of approved type.

There shall be included in each kit three printed copies of the following instructions:

Directions for Giving Morphine

1. Remove the transparent shield from end of syrette.
2. Holding wire by the loop, push wire through the needle into the syrette, thus breaking the seal. Withdraw the wire.
3. Stick the needle under the skin of the arm or shoulder at an angle of 45 degrees and squeeze syrette until tube is flat.
4. Withdraw the needle and throw the syrette away.
5. After the first dose additional injections may be given every three hours as long as necessary. First dose may be doubled if man is badly injured.

Directions for Using Sulfadiazine Tablets

Each wounded or burned man should be given a single dose of eight of the Sulfadiazine tablets. *No more sulfadiazine should be given.*

Directions for Sulfanilamide Powder

Open one of the packages of Sulfanilamide and sprinkle the powder directly into the wound after which a compress and bandage may be applied. Sulfanilamide is a powerful and effective antiseptic and if properly used will arrest and prevent infection which might otherwise prove fatal.

Directions For Using Oil Cleaning Solution

The solution is supplied for the purpose of removing fuel oil or like substance from the eyelids, nose and lips. A pledget of cotton or a small piece of cloth dipped in the solution should be saturated and lightly rubbed over the skin surface until the oil is removed. To allay or prevent infection or irritation of the eyes from fuel oil, the eye ointment provided in the first-aid kit should be used.

Directions For Using Tannic Acid Jelly

Apply thick layer of jelly to gauze compress of sufficient size (obtained from first-aid kit) to completely cover the burned area. Lay this dressing on the burn and hold in place with a bandage loosely tied. On small burns the jelly may be used without a dressing, if desired. If, when it is necessary to change dressing there is a tendency to stick, soak the compress in fresh or sea water to loosen it and prevent injury to the area.

Directions For Using Chemical Heating Pads

Chemical heating pads are furnished for the purpose of supplying heat to the bodies of persons suffering from shock. Shock is a disturbance of the nervous and circulatory system which follows injury. The shock in itself may be more severe than the injury. Treatment of the shock is most important and the patient must, in all cases, be kept warm. A chemical heating pad should be utilized to apply heat locally to the abdomen and groin. Care should be taken not to burn the skin, especially of an unconscious person. The pad should be wrapped, if necessary, in cloths or clothing. For details of heating pad operation see directions on heating pad.

Abandon ship kits shall be stowed in separate locations as designated by the Master who shall instruct officers in charge of boats regarding understood arrangements as to securing a kit, should it become necessary to abandon the vessel.

Section 153.15a, reading as follows, is added to Part 153:

§ 153.15a *Lifeboat fenders.* All ocean and coastwise vessels of 1,000 gross tons and over shall have fitted over projections and openings in way of the lifeboats, between the boat deck and the light load line, substantial vertical skids constructed of wood or other suitable material to insure the unobstructed passage to the water of the lifeboats when lowered from the high side of the vessel when heavily listed.

Lifeboats on all ocean and coastwise vessels which are fitted with mechanical means for lowering are to be equipped with approved vertical fenders or skates on the inboard side extending from the gunwale well under the turn of the bilge, to facilitate launching on the high side of a listed vessel. Such fenders are to be sufficient in number to prevent damage to the boats while being lowered. Fenders or skates are to be designed so as to be light in weight and shall be so fitted as to be easily detached after the lifeboat is afloat. If wooden fenders are fitted, they shall be made of the best grade of oak or equivalent hard wood. Spaces in way of open decks below stowage positions of lifeboats into which boats might swing are to be fitted with strong horizontal bars between deck stanchions outboard in order that the boat may descend smoothly on the fenders or skates to the water.

Section 153.19a, reading as follows, is added to Part 153:

§ 153.19a *Luminous marking.* All ocean and coastwise cargo and tank ships of 3,000 gross tons and over and all ocean and coastwise passenger vessels shall be provided with interior marking in the accommodation, machinery and working spaces of the vessel in the form of an approved luminous cloth or tape. Such marking shall be sufficient in character to clearly show in darkness the location of exit doors, ports, ladders, companionways, the location of emergency lights, control valves, if necessary, and similar vital locations or accessories.

Section 153.23 is amended to read as follows:

§ 153.23 *Emergency radio installation.* There shall be available and readily accessible (other than in a lifeboat) on board mechanically propelled ocean and coastwise vessels of over 1,000 gross tons for use in lifeboats at least one portable radio installation which complies with the requirements of the Federal Communications Commission or in lieu thereof there shall be located in at least one lifeboat on each side of the vessel at all times while at sea a radio installation (in portable form or permanently installed) which complies with the requirements of the Federal Communications Commission for this purpose.

R. R. WAESCHE,
Commandant.

SEPTEMBER 21, 1942.

[F. R. Doc. 42-9451; Filed, September 25, 1942; 11:04 a. m.]

Chapter IV—War Shipping Administration

[General Order No. 22]

PART 310—MERCHANT MARINE TRAINING

REGULATIONS AND MINIMUM STANDARDS FOR STATE MARITIME ACADEMIES

The War Shipping Administration pursuant to authority conferred upon it by the Merchant Marine Act, 1936, as amended, Title 34 U. S. Code, sections 1121, 1122, 1123 and 1123 a–e inclusive, Executive Order 9054 dated February 7, 1942, Executive Order No. 9083 dated March 2, 1942, and Executive Order 9198 dated July 11, 1942, hereby prescribes and adopts as necessary and appropriate to maintain a trained and efficient merchant marine personnel the following regulations for State Maritime Academies:

Sec.
310.1 Definitions.
310.2 Training vessels.
310.3 State Maritime Academies.
310.4 Training facilities.
310.5 Shore base.
310.6 Entrance requirements.
310.7 Pay and subsistence.
310.8 Uniform allowance.
310.9 Commanding officer, superintendent and staff of inspectors.
310.10 Members of the crew.
310.11 Curriculum.
310.12 Miscellaneous regulations.

AUTHORITY: §§ 310.1 to 310.12, inclusive, issued under 36 Stat. 1353, 55 Stat. 607; 34 U.S.C. 1121–1123; 34 U.S.C. Sup. 1123a–1123e; E.O. 9054, 9083, 9198; 7 F.R. 837, 1609, 5383.

§ 310.1 *Definitions.* As used herein, the following definitions shall apply:

(a) "W.S.A." shall mean the War Shipping Administration.

(b) "Administrator" shall mean the Administrator, War Shipping Administration.

(c) "Division of Training" shall mean the Division of Training, War Shipping Administration.

(d) "Director" shall mean the Director, Division of Training, War Shipping Administration.

(e) "Superintendent" and "commanding officer" shall mean one and the same person, providing he fills both capacities; otherwise the word "superintendent" shall mean the superintendent of the state maritime academy and the "commanding officer" shall mean the commanding officer of the training ship.

(f) "Officers" shall mean all officers and instructors connected with the state maritime academy or the training ship, except part-time civilian instructors.

(g) "Maritime Service" shall mean the U. S. Maritime Service.

(h) "Supervisor" shall mean the supervisor of the State Maritime Academies of the Division of Training, War Shipping Administration.

§ 310.2 *Training vessels.* (a) The W.S.A. will loan a training vessel, if available, or provide cruising facilities, and during each fiscal year will, if funds therefor are appropriated by the Congress, grant to each of the five existing state maritime academies and such others as may be approved by the W.S.A., providing such maritime academies comply with the regulations and minimum standards prescribed by the W.S.A., federal aid equal to the annual appropriation to each of such academies by their respective states, not in excess of $25,000 per annum. Additional annual federal aid, when equalled by state appropriations, may be supplemented to cover the per capita cost of students admitted on appointment by the W.S.A., not in excess of a total of $25,000 per annum.

(b) In pursuance of Public Law 191, 77th Congress, Executive Order No. 9083 dated March 2, 1942, and Executive Order 9198 dated July 11, 1942, as a condition to receiving any portion of such monetary aid in excess of $25,000 each fiscal year, the state shall under appropriate authority agree to admit students appointed by the W.S.A. from national competitive eligible lists upon such terms and in such numbers as the W.S.A. shall prescribe; *Provided*, That the total number of students selected by the W.S.A. shall not exceed ⅓ of the student capacity of any such school. The per capita cost of students designated by the W.S.A. for admission to such schools shall be paid from federal funds appropriated for that purpose. Such cadets shall be subject to all of the rules and regulations of the maritime academy to which they are appointed.

(c) The federal grant of $25,000 to $50,000 per year shall be spent in the operation of the training ship and the maintenance and operation of the shore base. The state shall appropriate and spend at least an amount equal to that received from the federal government each year for the same purpose.

(d) The state shall sign a formal receipt for the loan of the training ship and submit same with a statement, under appropriate authority, that it will comply with the regulations and minimum standards prescribed and issued by the W.S.A., as the same are or may be amended from time to time.

§ 310.3 *State Maritime Academies.* (a) The state maritime academies shall be under the jurisdiction of the Board of Education, or other state department, bureau, or agency, and it is recommended that a Board of Visitors shall be appointed, composed of at least eight members and shall include, if practicable, the following:

One from the shipping industry;
One from the shipbuilding or ship repair industry;
One Merchant Marine master mariner, possessing active license;
One Merchant Marine chief engineer, possessing active license;
One from the alumni of the Academy;
One officer of the United States Navy, active or retired, designated by the Commandant of the Naval District in which the academy is located;
One from the State Board of Education, or other state department, bureau, or agency;
One representative of the W.S.A. designated by the Director.

(b) The Board of Visitors shall act in an advisory capacity only and shall meet at least once a year.

(c) The names of the state maritime academies operating training ships on loan from the W.S.A. shall, as soon as practicable, be as follows:

New York State Maritime Academy.
Pennsylvania Maritime Academy.
Massachusetts Maritime Academy.
Maine Maritime Academy.
California Maritime Academy.

(d) Cadets of the state maritime academies shall first qualify as midshipmen in the Merchant Marine Reserve, United States Naval Reserve. When appointed, they shall wear such Naval Reserve insignia as is prescribed by the Secretary of the Navy.

(e) Cadets enrolled in the U. S. Maritime Service will hereafter be eligible for the benefits provided under Federal Compensation Act of September 7, 1916 (39 Stat. 742), as amended. (See § 310.7 (e).) In no event shall the W.S.A. be liable for any damage to any of the ship's personnel or trainees due to accident, illness, or death.

§ 310.4 *Training facilities.* (a) A condition survey will be made of the vessel after due notice, whenever considered advisable by the Director.

(b) The W.S.A. property on board the training ship shall not be permanently removed from the ship to shore base without written approval of the Director.

(c) The state shall have the use of all equipment, appliances, apparel, spare and replacement parts on board a training ship on loan to the state, provided the same or their substantial equivalent shall be returned to the W.S.A., ordinary wear and tear, unavoidable accident, and/or perils of the sea excepted, and any such items lost, destroyed, or consumed in service shall be replaced at the expense of the state, if so requested by the W.S.A.

(d) The state shall pay for all consumable stores, expendable equipment (except vessel's sails for propulsion), and fuel, in accordance with the existing law.

(e) The W.S.A. shall take inventories of state and federal property on board the vessel and at the shore base at such times as it deems necessary after consultation with academy authorities. A representative of the state shall be present when such inventories are being taken. The commanding officer of the training ship or the superintendent of the academy shall furnish such assistance as is requested from the academy's personnel.

(f) The state shall, at its own expense, man, operate, victual, fuel, and supply the vessel loaned to it and shall pay all port charges, pilotage, and other operation expenses, and all other costs and

expenses incidental to the operation of the vessel and the maintenance and operation of the shore base, other than those items which are deemed by the W.S.A. to be properly chargeable to appropriated repair funds.

(g) The state shall operate the academy and training ship in the most efficient manner and shall exercise due diligence to safeguard the interests of the W.S.A. and avoid loss and damage of every nature. Log books and reports shall be submitted, as directed, to the Director.

(h) The Director shall determine whether the berth of the training ship at the base in its home port is satisfactory from the standpoint of safety. When the training ship is not on a practice cruise, the commanding officer shall keep the supervisor informed relative to the location of the vessel and of any contemplated change of the location of her berth. While on a practice cruise, the supervisor shall be advised by dispatch of the date of arrival at each port visited. The date of departure shall also be reported if at variance with the approved itinerary. The cruise itinerary of the training ship shall be submitted to the supervisor at least sixty days in advance of the date a cruise is scheduled to begin. At the time of submitting the itinerary, the commanding officer shall request the supervisor to arrange with the Department of State for permission to visit the foreign ports listed on the proposed itinerary. Permission for the training ship to visit U. S. Naval Stations or Naval Bases shall be arranged by the commanding officer of the vessel.

(i) The following notice shall be posted in a conspicuous place, on board the training ship, and it shall remain in such place while the training ship is on loan to the state:

> This training ship is the property of the United States of America. It is loaned to the State of _____ by the United States War Shipping Administration for the purpose of training young men to become officers in the Merchant Marine of the United States. Neither the state, the commanding officer, nor any other person has any right, power, or authority to create, incur, or permit to be imposed upon this vessel any lien whatever.

(j) The training ship shall be fumigated, at the expense of the state, at least twice a year, if required by the Director. A copy of the fumigation certificate shall be forwarded to the supervisor.

(k) Requisitions covering repairs, renewals, and betterments shall be prepared in quintuplicate by the heads of departments of the training ship and submitted by the commanding officer to the supervisor at least thirty days before the date that it is expected to commence the annual overhaul. The Division of Training shall determine which items of repair will be accomplished.

(l) To further training and for the purpose of reducing expenses, repairs which need not be carried out during the annual overhaul period shall be done by the trainees under the supervision of ship's officers. When material is needed or has been ordered by the state, the commanding officer of the training ship shall forward to the supervisor a list of material and estimated costs, and a description of the repairs to be carried out by the trainees. The supervisor will promptly advise the commanding officer whether or not such work comes under the heading of repairs. If approved as under the heading of repairs, the state will be reimbursed by the W.S.A. after submission of voucher and statement relative to completion of the repair job. In the event repairs are necessary in foreign ports, the superintendent or commanding officer is authorized to make repairs, at the expense of the state, not exceeding $500 and submit vouchers for reimbursement upon the termination of the cruise. If repairs amount to more than $500, authority must be obtained from the Director by dispatch.

(m) The commanding officer shall promptly advise the supervisor when it is anticipated or it is determined that major spare parts will be or are required.

(n) The state shall, at its own expense, keep the training ship and its machinery, boilers, appurtenances, equipment, and spare parts in good order and condition, and shall keep her clean and painted to the satisfaction of the Director; with the exception of such items approved by the Director as falling under the heading of repairs.

(o) No structural changes shall be made to the training ship, her machinery or boilers without securing the written approval of the W.S.A.

(p) The supervisor shall be promptly notified, sufficiently in advance to enable its representative to be present, except in an emergency, when it is necessary to repair or dry dock the training ship because of damage or other reason, except for annual overhaul.

(q) Complete and detailed reports shall be promptly forwarded to the supervisor in case of accident causing damage to the training ship, her equipment or machinery, or damage by the ship to any other ship or property.

(r) The loan of the training ship to the state may be terminated in the event she is not operated to the satisfaction of the Director, after due notice to state authorities and their failure to remedy conditions complained of.

(s) The W.S.A. may substitute another vessel for the present training ship.

(t) The W.S.A. also may terminate the loan of the training ship to the state in the event said vessel is required for other training. The W.S.A. will, however, return the vessel or provide another to the state for its training cruises when available.

(u) Upon the termination of the loan of the training ship to the state, the state shall turn over to the W.S.A. in the state base port, at such times as the Director may direct, the vessel and all property whatsoever owned by the W.S.A., plus replacements and renewals made by the state. Upon delivery of the vessel a condition survey will be made by the W.S.A. to determine her then physical condition.

§ 310.5 *Shore base.* (a) The state maritime academies shall maintain berthing, messing, and classroom instruction facilities ashore for at least 200 cadets.

(b) The maximum number of cadets that state maritime academies may enroll shall be determined by the Director.

(c) In determining the per capita cost the W.S.A. shall pay for each cadet it has appointed, the total number of state cadets shall be divided into the total cost to the state. The $25,000 annual grant to the state shall be deducted from the total cost to arrive at the cost to the state. The per capita cost shall be established annually on an equitable basis.

(d) The W.S.A., in addition to paying the per capita cost for cadets it appoints, shall also pay for the uniforms and textbooks of such cadets. Other costs to cadets appointed by the W.S.A. shall be borne by such cadets.

(e) Rules and regulations for the internal organization of the state maritime academies and training ships shall be recommended by the superintendent of the academy with the approval of the proper state authority and the Director.

§ 310.6 *Entrance requirements.* (a) A candidate for entrance to a state maritime academy must be a male citizen of the United States. He must also make application for midshipman, Merchant Marine Reserve, U. S. Naval Reserve, and be commissioned as such.

(b) Cadets, upon enrollment, shall be required to take an oath or affirmation of allegiance to the United States of America and submit to finger printing as prescribed by the Director. Copies of the oath or affirmation of allegiance and finger prints shall be furnished to the Director.

(c) He must be not less than 17 years and 8 months of age and shall not have reached his 23rd birthday on the date of entrance; provided that, within this range, each state may fix its upper age limit for cadets appointed by the state.

(d) He must be unmarried, and in the event it is subsequently determined that he was married at the time of admission to the academy, or if he marries while at the academy, he shall be dismissed.

(e) Candidates shall be physically sound, of robust constitution, and must be of good moral character. The physical requirements for entrance shall be the same as the United States Navy requires for appointment as midshipmen, Merchant Marine Reserve. The final physical examination shall be conducted by a medical officer of the United States Navy or Naval Reserve.

(f) Scholastic tests for appointment as cadet are waived for the duration of the emergency.

(g) A candidate for appointment as cadet (deck) or cadet (engineer) during the emergency must possess a minimum of 12 units from accredited schools. One unit is the value assigned to a course which has been studied in classroom for at least 120 sixty minute hours of a school year. Lists of subjects and their corresponding values in units, which must be submitted, are as follows:

Required group (5 units)

3 units in English.
1 unit in mathematics from any of the following:
- Algebra.
- Plane geometry.
- Intermediate algebra.
- Solid geometry.
- Advanced algebra.
- Plane trigonometry.
- Spherical trigonometry.
- Calculus.
- Shop mathematics (for midshipman engineers only).

1 unit in science from any of the following groups:
- Physics.
- Chemistry.
- General science.
- Biology.
- Mechanic arts subjects.
- Vocational and workshop subjects (for midshipman engineers only).

Elective group (7 units)

The remaining 7 units may be supplied from any other subjects completed in accredited schools.

(h) If a candidate has an excess of units in any subject in the required group, such excess units may be credited to the elective group.

(i) A candidate may be given credit for studies being undertaken at school, provided the principal of the school submits a statement that, in his opinion, the candidate will complete subject or subjects with a satisfactory grade at the end of the term. However, such candidate will not be assigned until after successful completion of such work.

§ 310.7 *Pay and subsistence.* (a) Cadets will be enrolled in the U. S. Maritime Service during the present emergency and, while so enrolled, will be entitled to pay at the rate of $65 per month from the date of enrollment, after July 1, 1942.

(b) A subsistence allowance of $.75 per day for each cadet actually enrolled during each month will be paid directly to the academy concerned, upon presentation of a statement to the Maritime Service. Such statement shall be prepared and submitted at the end of each month and should contain the names of cadets for whom subsistence has been furnished during that month: *Provided*, That, when cruising aboard a Maritime Service training ship, no subsistence allowance will be paid. In such status, cadets will be subsisted directly by the Maritime Service.

(c) Hereafter, no state academy will charge a cadet any fee for tuition, subsistence or maintenance.

(d) A detailed daily log of absences, with or without leave, hospitalizations, disenrollments and other analagous data shall be kept by each academy. A copy of these daily logs shall be furnished the supervisor, State Maritime Academies, Division of Training, W. S. A., Washington, D. C., at the end of each month.

(e) No cadet will be paid or subsisted when absent without leave, or during any period of hospitalization. Cadets shall be entitled to free medical attention and free Public Health Service hospitalization when deemed necessary by an Officer of the Public Health Service. Compensation claims for personal injuries sustained in performance of duty may be filed with the U. S. Employees' Compensation Commission, Washington, D. C.

§ 310.8 *Uniform allowance.* (a) Cadets shall be entitled to a total uniform allowance of $75, payable on the first of the month following the acceptance and oath of office as cadet in the particular academy. Such allowance is to be paid by the Maritime Service in lieu of the clothing and equipment provisions of the Maritime Service Regulation.

§ 310.9 *Commanding officer, superintendent and staff of instructors.* (a) The superintendent of the state maritime academy and the commanding officer of the training ship shall be nominated by the state and approved by the Director on behalf of the W.S.A. after consultation with the Navy Department. They shall be either:

(a) A United States Naval officer active or retired, or

(b) A state maritime academy graduate with experience as the master or commanding officer of a vessel no less in size than the training ship, and shall be an officer of the United States Navy or Naval Reserve.

The transcript of service of the nominee, and such other documents as may be prescribed by the Director, for the superintendent and the commanding officer must be submitted to the Director for his approval before appointment by the state.

(b) If for any good and sufficient reason, following due investigation and hearing, the W.S.A. is dissatisfied with the superintendent or the commanding officer, it will request his discharge by the state.

(c) The superintendent or, in his absence, the commanding officer of the training ship shall be responsible for the training ship and all property of the federal government and the state aboard the training ship.

(d) The superintendent and the commanding officer of the training ship shall be bonded. They shall be responsible for financial matters pertaining to the academy and the training ship, and the amount of such bond shall be approved by the Director.

(e) The superintendent or, in his absence, the commanding officer of the training ship shall be responsible for the courses of instructions and the general system of training as approved by the Director.

(f) Proper records pertaining to the academy, its officers, instructors, cadets, crew, the training ship and shore base shall be maintained by each academy and shall be available to the Director upon request.

(g) The W. S. A. recommends the adoption of the pay scale and allowances for the officers and staff of each maritime academy, which are contained in the following sections, reserving the right, if within its legal authority, to require an established pay and allowance scale at an appropriate time in the future.

(h) The pay and allowances of the superintendent, to be paid by the state, shall be not less than $6,000 per annum. In the event two men hold the positions of superintendent and commanding officer, the pay of the commanding officer shall be not less than $5,600. There shall be no cognizance taken of the retired pay or personal income received by the superintendent, commanding officer, or any other member of the instruction staff.

(i) In the absence of the commanding officer, the next senior deck officer shall be in command of the training ship.

(j) All officers of the training ship and the instruction staff shall possess active Merchant Marine licenses. Radio operators and instructors shall possess active licenses issued by the Federal Communications Commission. In addition, all such officers and instructors, except those in service on the date of these regulations, must have served at least three years in a licensed capacity on board merchant vessels of not less than 2,000 gross tons. The following shall be exempt from the above requirements:

(1) Officers of the United States Navy or Naval Reserve, active or retired.

(2) Civilian instructors in other than marine subjects, etc., who do not make cruises.

(3) The medical officer.

(4) The paymaster or supply officer.

(k) Officer-instructors shall be appointed by the state after the approval of the Director. Their transcript of service and such other documents prescribed by the W.S.A. shall be submitted to the Director for approval. The Director is authorized to approve temporary appointments pending investigation of transcripts of service, and the state is authorized to make emergency appointments.

(l) Officers and instructors shall be appointed for qualities of practical experience and training in their specialties, their ability to impart their knowledge to students, and their personality, including the ability to deal with young men without friction.

(m) All officer-instructors, except those for temporary emergency service and civilian part-time instructors not on cruise, must be commissioned officers in the United States Navy or Naval Reserve, and except those in service on October 24, 1941, who are not acceptable to the United States Navy because of age or lack of physical qualifications, and others listed in VIII-10.

(n) The chief engineer of the training ship shall be appointed by the state with the approval of the Director. He shall possess an active unlimited license as chief engineer, or in lieu thereof be an experienced engineer officer of the United States Navy or Naval Reserve.

(o) The chief engineer must have had at least ten years licensed officer experience in the Merchant Marine and/or a state maritime academy training ship, unless he is an officer of the United States Navy or Naval Reserve, with adequate experience.

(p) The minimum pay and allowance for officers and instructors other than civilian part-time instructors, effective January 1, 1942, shall be as follows:

Executive officer	$5,016
Navigation officer	4,152
Watch officer (senior)	3,984
Watch officer (junior)	3,404
Engineer officer	5,016
First asst. engineer officer	4,152
Second asst. engineer officer	3,984
Third asst. engineer officer	3,404
Paymaster [1]	3,984
Medical officer [1]	3,984
Communications officer	3,404
Machinists	3,504
Boatswains	3,504
O. P. O.'s	2,385

[1] If under 35 years of age, the minimum pay shall be as that of U. S. Navy Lieutenant (jg), 1st pay grade, $3,404.

NOTE: The above pay scale is based on dependents. If there are no dependents, it will be reduced according to the Navy pay scale.

(q) Minimum increases of 4% shall be granted at the end of each three years of service with the academy.

(r) Deductions may be made as per U. S. Naval Reserve (active duty) pay and allowance tables in event quarters are owned by the state and furnished to officers and instructors and their dependents.

(s) Officers and instructors may be required by the state to pay wardroom mess for subsistence and laundry service. Wardroom and galley equipment shall not be charged to the accounts of officers and instructors.

(t) The Director shall set the minimum number of officers for the training ships and instructors, except for part-time instructors, for the state maritime academies.

(u) All paid personnel attached to the state maritime academies or training ships, except part-time civilian instructors, shall be eligible to participate in the state retirement plan, with the same deductions from pay and in the same ratio as other state employees, if compatible with state law.

§ 310.10 *Members of the crew.* (a) Members of the crew of the training ships shall be citizens of the United States in accordance with the requirements of the United States Navy for citizenship, except during an emergency.

(b) They shall be required to take an oath of allegiance or affirmation to the United States of America and submit to finger printing as prescribed by the Director.

(c) They shall be members of the United States Navy or Naval Reserve, active or retired, if practicable, except during an emergency, and except those in service on the date these regulations are approved. Waivers may be granted by the Director.

(d) The minimum number of the crew shall be set by the Director.

§ 310.11 *Curriculum.* (a) The curriculum shall be such as the Director, with the approval of the Administrator, shall designate in instructions.

§ 310.12 *Miscellaneous regulations.* (a) The superintendent, commanding officer, officers, instructors (other than part-time civilian instructors), and members of the crew shall be entitled to free medical attention at the expense of the state. The superintendent, commanding officer, officers, and instructors (other than part-time instructors) shall also receive full pay and allowance during periods of illness or injury and if taken ill and left in other than the home port, suitable transportation shall be paid to the home port, unless contrary to state law.

(b) During the emergency, no leave for more than 7 consecutive days shall be granted to officers and instructors. The maximum leave with pay in a year for officers and instructors shall be 14 days.

(c) A medical officer shall be attached to the state maritime academies at all times when any cadets are present and on board the training ships when at shipyard and on cruise. The dependents of the superintendent, officers, and instructors (other than part-time instructors) shall be entitled to free medical attention while a medical officer is attached to the academy, if living within a four mile radius of the academy, and permitted by state law.

(d) The uniform insignia for superintendents and commanding officers (except regular Navy or Naval Reserve officers, active or retired), officers, instructors (other than part-time civilian instructors), and cadets, shall be the same as prescribed for instructors and midshipmen of the U. S. Merchant Marine Cadet Corps, except that such insignia shall have the seal or shield of the state.

(e) All officers of the training ship and instructors holding commissions in the United States Naval Reserve and in inactive status, shall wear Merchant Marine Reserve insignia prescribed by the Secretary of the Navy.

(f) During such periods as retired or reserve officers at the academies are in active duty status they shall wear the uniform of their respective ranks. Non-Naval Reserve or retired Navy officers, not on active duty, shall wear such uniform insignia as may be designated by the superintendent.

(g) Communications from the state maritime academies to other executive or administrative government agencies concerning the policies of the W.S.A. shall be forwarded through the supervisor. Communications in regard to Naval administration shall be forwarded through official Naval channels.

(h) The Director is authorized to issue instructions supplementing these regulations. These regulations shall become effective as of July 11, 1942, and shall supersede all previous regulations for State Maritime Academies.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 23, 1942.

[F. R. Doc. 42-9469; Filed, September 24, 1942; 11:46 a. m.]

PART 310—MERCHANT MARINE TRAINING

[General Order 23]

REGULATIONS FOR THE GOVERNMENT OF THE UNITED STATES MARITIME SERVICE

The War Shipping Administration, pursuant to authority conferred upon it by the Merchant Marine Act, 1936, as amended, Executive Order 9054 dated February 7, 1942, Executive Order 9083 dated February 28, 1942 and Executive Order 9198 dated July 11, 1942, hereby prescribes and adopts as necessary and appropriate to maintain a trained and efficient merchant marine personnel the following regulations for the government of the United States Maritime Service:

ORGANIZATION AND ADMINISTRATION

Sec.
310.13 Definitions.
310.14 General provisions.
310.15 Enrollment and training.
310.16 Maintenance of the Service.
310.17 Administration.
310.18 Ranks, grades and ratings.
310.19 Forms.
310.20 Authority of Commandant.
310.21 Instructions of Commandant.
310.22 Allotments and expenditures.
310.23 Investigations.
310.24 Medical treatment.

ENROLLMENT AND DUTY

310.25 Voluntary enrollment; numbers.
310.26 Qualifications.
310.27 Enrollment; original and regular.
310.28 Duty; active and inactive.
310.29 Disenrollment; voluntary and involuntary.

PAY AND SUPPLY

310.30 Rates of pay.
310.31 Computation of pay.
310.32 Allowances and increases.
310.33 Active duty.
310.34 Pay period.
310.35 Transportation and travel.
310.36 Clothing and equipment.
310.37 Subsistence.
310.38 Loss or damage.
310.39 Death of enrollees.

TRAINING STATIONS AND SHIPS

310.40 Assignments.
310.41 Stations and ships.
310.42 Maintenance and supply.
310.43 Canteens.
310.44 Courses of training.
310.45 Effective date of regulations.

AUTHORITY: §§ 310.13 to 310.45, inclusive issued under 36 Stat. 1358, 55 Stat. 607; 34 U.S.C. 1121-1123, 34 U.S.C. Sup. 1123a-1123e; E.O. 9054, 9083, 9198; 7 F.R. 837, 1609, 5383.

ORGANIZATION AND ADMINISTRATION

§ 310.13 *Definitions.* When used in these regulations:

(a) "WSA" means War Shipping Administration.

(b) "Administrator" means Administrator, War Shipping Administration.

(c) "The Service" or "Maritime Service" means the United States Maritime Service.

(d) "Director" means Director, Division of Training, War Shipping Administration.

(e) "Commandant" means Commandant of the Maritime Service.

(f) "Maritime Service personnel" includes all persons employed in the Maritime Service.

(g) "Enrollees" means persons enrolled in the Maritime Service.

(h) "Merchant vessels of the United States" means ocean-going or Great Lakes vessels of 500 gross tons or over documented under the laws of the United States and engaged in the foreign or domestic commerce of the United States.

(i) "Administrative duties" includes those duties performed by an Instructor in the Service.

§ 310.14 *General provisions.* The number of persons to be enrolled in the Service, the rates of pay of such persons, and courses and periods of training shall be determined, fixed, and prescribed by the WSA in such manner and form as may appear to it to be necessary to maintain a trained and efficient merchant-marine personnel. The ranks, grades, and ratings for the personnel of the Service shall be the same as are now or hereafter prescribed for the personnel of the Coast Guard.

§ 310.15 *Enrollment and training.* Enrollment and training in the Service shall be voluntary and shall be open to all licensed and unlicensed personnel of the United States Merchant Marine who comply with the requirements prescribed by these regulations and to American citizens who desire to train for service in the American Merchant Marine who qualify for training under these regulations. In the selection of applicants for enrollment no discrimination shall be practiced because of the applicant's race or creed, or because of membership or non-membership in any organization. Eligibility for enrollment shall be determined by the Commandant in accordance with these rules and regulations.

§ 310.16 *Maintenance of the Service.* The Service shall be maintained at the expense of the WSA, which shall exercise such supervision over it, through the Commandant, as may be necessary to comply with law and the rules and regulations now or hereafter prescribed by the WSA.

§ 310.17 *Administration.* The Maritime Service shall be administered by the Commandant, who shall have full control over the administration of the functions delegated to him by the rules and regulations prescribed by the WSA. All policies affecting the Service shall be determined by the Director, after consultation with the Administrator or his authorized deputy.

§ 310.18 *Ranks, grades, and ratings.* The ranks, grades, and ratings for the personnel of the Service shall be the same as are now or shall hereafter be prescribed for the personnel of the Coast Guard.

§ 310.19 *Forms.* The Commandant shall prescribe, subject to the approval of the Director, forms for application for enrollment, disenrollment (voluntary and involuntary), release from active duty, assignments of ranks, grades, and ratings, pay and supply of personnel, maintenance and supply of stations and vessels, requests and authorizations for travel, fiscal management and accounts, and all other necessary forms for the administration of the Service.

§ 310.20 *Authority of Commandant.* In compliance with existing federal statutes and applicable government regulations, subject to the regulations prescribed by the WSA, and with the approval of the Director, the Commandant is authorized:

(a) To direct and control the employees and enrollees of the Service, and to prescribe instructions regulating annual and sick leave.

(b) To employ, for the Service, on the account of the WSA, such civil employees as may be necessary for the conduct and maintenance of the Service.

(c) To enroll, disenroll, assign to active or inactive duty, and release from active duty the enrollees of the Service.

(d) To regulate the ranks, grades, and ratings of enrollees of the Service.

(e) To direct and conduct the prescribed courses of training.

(f) To provide for the maintenance of discipline and order.

(g) To administer the fiscal management of the Service.

(h) To direct the use and preservation of training stations, training ships, clothing, equipment, and supplies of the Service.

(i) To authorize the procurement of provisions, clothing, materials, equipment, and services for the operation of the Service.

(j) To dispose, by survey, for the account of the WSA, of such materials, clothing, equipment, and supplies as shall be found to be no longer serviceable.

(k) To authorize and direct necessary travel in behalf of and on the account of the Service.

(l) To delegate such authority as is necessary to subordinate personnel of the Service.

§ 310.21 *Instructions of Commandant.* The Commandant is authorized, with the approval of the Director, to issue directions, instructions, and memoranda, consistent with these regulations, for the proper administration of the Service.

§ 310.22 *Allotments and expenditures.* (a) Expenditures and obligations for the Service shall be limited to the allotment of funds by the WSA to the Service and to appropriations authorized by the Congress of the United States.

(b) Expenditure of funds may be authorized by the Commandant, with the approval of the Director, as required for the proper administration of the Service, including pay of personnel, purchases of equipment, provisions, and supplies, expenses of medical examination, medical treatment and hospitalization, communication and travel expense, and such other expenses of an administrative or ministerial nature as may be necessary for the efficient maintenance of the Service.

(c) The Director shall report to the WSA concerning all accounts and other financial matters of the Service in such manner and form as the WSA shall prescribe.

§ 310.23 *Investigations.* (a) The Commandant is authorized to convene boards consisting of United States Navy, Maritime Service, and Public Health Service personnel to investigate accidents to Maritime Service personnel, damage to Maritime Service property, and any other matters or incidents which in his opinion require investigation.

(b) The Commandant is authorized to promulgate instructions, consistent with law, for the confinement of Maritime Service personnel where such confinement is necessary for safe keeping.

(c) Enrollees charged with violating criminal statutes shall be delivered to the appropriate civil (Federal, state, or municipal) authorities.

§ 310.24 *Medical treatment.* Medical treatment, including all necessary examinations, of the Maritime Service personnel shall be obtained from the Public Health Service in so far as posisble. When the Public Health Service facilities are not available, hospitalization and treatment of Maritime Service personnel in civilian hospitals or by civilian physicians are authorized and shall be provided at the expense of the Maritime Service.

ENROLLMENT AND DUTY

§ 310.25 *Voluntary enrollment; numbers.* (a) Enrollment in the Service shall be voluntary, and shall be open to American citizens in such numbers and grades as the Director shall prescribe.

§ 310.26 *Qualifications.* (a) No applicant shall be eligible for enrollment in the Service unless he is a citizen of the United States, with no physical, mental, or moral defect rendering him unfit for service at sea or for the duties to which assignment is contemplated.

(b) Cadets of the State Maritime Academies under Federal regulation may be enrolled in the Maritime Service on active duty, while actually attending one of the said Academies, and may be paid at the rate provided for Cadets in § 310.30 hereof.

§ 310.27 *Enrollment; original and regular.* (a) All original enrollments except as apprentice seaman shall be deemed probationary for a period not to exceed three months. The enrollment period for apprentice seamen shall be prescribed from time to time by the Director.

(b) The original enrollment of unlicensed personnel shall be in a rating not above seaman, second class, except those persons given officer rank for special administrative duties.

(c) Any enrollee may be advanced in rank or rating during his probationary enrollment, and such advancement may be made effective as of such date as may be determined.

(d) Regular enrollees may be advanced in rank or rating when found qualified by the Commandant.

(e) After the probationary period of enrollment an enrollee whose conduct

and qualifications are satisfactory shall be eligible for regular enrollment. Each original enrollment shall be for a period of three months on active duty, unless otherwise prescribed by the Commandant.

(f) Every enrollee shall, upon enrollment, take an appropriate oath or affirmation.

§ 310.28 *Duty; active and inactive.* (a) Duty status in the Service may be active or inactive.

(b) Every original enrollee shall be deemed to be on active duty immediately upon enrollment, and shall remain on active duty until released therefrom by proper authority.

(c) Regular enrollees may be assigned to inactive duty status subject to voluntary return to active duty at such intervals and for such periods as may be prescribed.

(d) Regular enrollees may be maintained on voluntary active duty for such periods as may be necessary for the proper administration of the Service.

(e) Enrollees on active duty may be assigned as instructors or as under instruction, or to perform other administrative duties.

§ 310.29 *Disenrollment; voluntary and involuntary.* (a) Any enrollee in the Service shall be disenrolled upon request, the disenrollment to be effective on the date of action on such request.

(b) Any enrollee may be disenrolled from the Service for cause, as follows:

(1) During the probationary period of original enrollment or while on active duty thereafter, for conduct or qualifications deemed unsatisfactory to the Service.

(2) For failure to serve 24 months in any period of 36 consecutive months on merchant vessels of the United States, provided that an enrollee shall be disenrolled for failure to serve 15 months in any such period of 36 months on merchant vessels of the United States. When computing any 36-month period under this subsection, active duty in the military or naval establishment of the United States, or on administrative duty with the Maritime Service, shall be excluded.

(3) For failure in such period of 36 consecutive months to serve the required period or periods on active duty in the Service.

(4) For physical or mental disability.

(5) For conduct such as to bring discredit upon the Service.

(c) Any person disenrolled for cause may, upon removal of the disability or upon other correction of the cause of disenrollment, be re-enrolled in the Service.

PAY AND SUPPLY

§ 310.30 *Rates of pay.* Licensed and unlicensed personnel of the Maritime Service shall receive the following monthly rates of pay while on active duty:

Vice admiral	$708.33
Rear admiral (upper half)	666.66
Rear admiral (lower half)	500.00
Captain	333.33
Commander	291.67
Lieutenant commander	250.00
Lieutenant	200.00
Lieutenant (j.g.)	166.67
Ensign	150.00
Cadet [1]	65.00
Chief warrant officer	175.00
Warrant officer	150.00
First grade (chief petty officer with permanent appointment)	138.00
First grade (chief petty officer with acting appointment)	126.00
Second grade (petty officers, first class; officers' stewards, first class)	114.00
Third grade (petty officers, second class; officers' stewards, second class)	96.00
Fourth grade (petty officers, third class; firemen, first class; officers' stewards, third class)	78.00
Fifth grade (seamen, first class; firemen, second class; mess attendants, first class)	66.00
Sixth grade (seamen, second class; firemen, third class; mess attendants, second class)	54.00
Seventh grade (apprentice seaman)	50.00

[1] Applicable to cadets of State Maritime Academies under Federal regulation.

An enrollee below the grade of warrant officer shall receive additional pay not exceeding 40 per cent (40%) of the pay of his grade as above prescribed while detailed by the Commandant to administrative duty.

§ 310.31 *Computation of pay.* Pay shall be computed on the basis of 30 days per month. An enrollee shall be credited in the computation of his pay, or allowances, for each day, or fraction thereof, on which active duty is performed.

§ 310.32 *Allowances and increases.* In addition to the rates of pay prescribed for them, enrollees of the fifth, sixth and seventh pay grades, not in the steward's department, shall, when detailed as messmen, be entitled to additional pay at the rate of 6 per month.

§ 310.33 *Active duty.* The term "active duty" shall include all service while in training or performing duty under authorization of the Service, but shall not include absence from duty on leave, without leave or while under arrest nor while sick or in a hospital unless resultant from causes arising while on active duty and so certified by the medical officer and the superintendent or commanding officer, in which event an enrollee may receive his regular compensation less any sums paid by the United States Compensation Commission: *Provided, however,* That periods of absence on account of annual or sick leave granted with pay to regular enrollees detailed as instructors or for administrative duty shall be regarded for pay computation as active duty.

§ 310.34 *Pay periods.* (a) Enrollees shall be entitled to the pay of their respective ranks or rating while on active duty exclusive of time absent from duty as provided in the preceding section.

(b) Each regular enrollee who has served a minimum of eight months within each 12-month regular enrollment period (or 16 months in each regular enrollment period of 24 months, or 24 months in each regular enrollment period of 36 months) of his regular enrollment on merchant vessels of the United States and whose service on active duty in the Maritime Service complies with prescribed standards shall be entitled to one month's pay of his rank or rating in the Maritime Service for each such 12-month period, such retainer pay to be in addition to his pay for active duty, and to become payable only upon the submission to the Commandant of satisfactory proof of the minimum service hereinabove required: *Provided,* That in any computation of regular enrollment periods or service for retainer pay purposes, all service on active duty in an administrative capacity with the Maritime Service or on active duty in the military or naval establishments of the United States shall be excluded.

§ 310.35 *Transportation and travel.* (a) Enrollees upon original enrollment shall, in lieu of any other travel allowance, be entitled to transportation, including sleeping car or stateroom accommodations from place of enrollment to a training station or training vessel.

(b) A probationary enrollee disenrolled before the completion of his probationary period, except at his request or for reasons within his control, may be furnished transportation including Pullman or sleeping car accommodations from the place of disenrollment to the place of enrollment. An enrollee disenrolled at his own request or for reasons within his control before the completion of his probationary period shall not be entitled to a travel allowance or to transportation in kind.

(c) Upon release from active duty a regular enrollee shall be entitled, in lieu of any other travel expense, to a travel allowance of 5 cents per mile from place of release from active duty to place of latest acceptance for active duty except as provided in paragraph (f) of this section.

(d) The Commandant shall prescribe the travel allowances and transportation in kind for probationary enrollees originally enrolled as apprentice seamen in connection with their original enrollment, release from active duty, or disenrollment, and shall have authority to transport them to such place or places as may be determined to be for the interest of the Government, under such instructions as he may prescribe.

(e) Officers, chief warrant officers, warrant officers, chief petty officers, and petty officers, first class of the Service on administrative duty, when performing travel under competent authority, shall be entitled to the same travel allowances prescribed for officers, chief warrant officers, warrant officers, chief petty officers, and petty officers, first class of the Navy.

(f) Other enrollees of the Service on administrative duty when performing travel under competent authority, shall be entitled to the same travel allowances prescribed for civilian employees by the standardized Government travel regulations.

§ 310.36 *Clothing and equipment.* (a) Officers and warrant officers of the Service, on active administrative duty where uniforms are required to be worn, shall be entitled to a cash allowance for uniforms in the amount of $250, after having served a satisfactory 3 month period of administrative duty, and provided they agree in writing to serve at least one year, and certify that they have the required uniforms and insignia in their possession. The uniforms required shall be, in number and kind, the same as prescribed for officers of the Naval Reserve going on active duty, but Maritime Service insignia must be worn with all uniforms to distinguish them from Navy personnel. Deduction from this allowance shall be made for any articles of uniform that may be issued from Maritime Service supplies for emergency use when first enrolled. Such original issue shall not exceed $65 in value and shall be returned unless 3 months service is satisfactorily completed.

(b) Enrollees below the rank of warrant officers of the Service shall be supplied, without charge, with such clothing and equipment as fixed by clothing bounties approved by the Director, and other government property may be loaned to such personnel. Cadets of the State Maritime Academies under Federal regulation, who are enrolled in the Maritime Service, may receive such clothing bounty as is fixed by the Director. Enrollees on active duty may purchase regulation uniforms and accessories, the cost thereof to be deducted from their pay.

§ 310.37 *Subsistence.* (a) Officers and warrant officers shall be entitled, while on active administrative duty, to the rental and subsistence allowances in the table below:

	With dependents		Without dependents	
	Rental allowance	Subsistence allowance	Rental allowance	Subsistence allowance
Vice admiral	$120	$42	$105	$21
Rear admiral (upper half)	120	42	105	21
Rear admiral (lower half)	120	42	105	21
Captain	120	42	105	21
Commander	120	63	105	21
Lieutenant commander	105	63	90	21
Lieutenant	90	42	75	21
Lieutenant (j.g.)	75	42	60	21
Ensign	60	42	45	21
Chief warrant officer	75	42	60	21
Warrant officer	60	42	45	21

(b) Subsistence at government expense shall be supplied to all members of the Service while on active duty, except officers and warrant officers. General messes shall be established at training stations and on board training vessels as may be necessary. Such general messes shall be conducted in the manner provided in the Maritime Service Pay and Supply Instructions for general messes. A subsistence allowance at the rate of 75 cents per day while on active duty wil be paid for each cadet enrolled at the State Maritime Academies under Federal regulation who is also enrolled in the Maritime Service. This subsistence allowance may be paid monthly to the State Maritime Academies for the number of cadets and for the number of days on which subsistence is actually furnished by the State Maritime Academies. While the State Maritime Academy cadets are cruising on a Maritime Service Vessel this subsistence allowance will not be paid, but subsistence will be furnished by the Maritime Service in kind.

(c) In lieu of subsistence in kind, an allowance of $1 per day is authorized for each enrollee below the rank of warrant officer, not in travel status, for whom government mess facilities are not available.

(d) An allowance, not to exceed $2 per day, is authorized for an enrollee below the rank of warrant officer, not in travel status, for whom government quarters are not provided.

§ 310.38 *Loss or damage.* There may be deducted from the pay of any member of the Service sums sufficient to cover the value of any Government property lost or wilfully damaged by such person.

§ 310.39 *Death of enrollees.* The Commandant, subject to the provisions of existing and applicable laws, is authorized to incur expense in connection with the transportation and burial of the remains of enrollees who die while on active duty.

TRAINING STATIONS AND SHIPS

§ 310.40 *Assignments.* Enrollees in the Service on active duty may be assigned to a vessel, station, or other unit maintained by the Service, to units of the U. S. Merchant Marine Cadet Corps, and to such vessels, ship yards, plants, and industrial and educational organizations as the WSA may designate and under rules and regulations prescribed by the Director.

§ 310.41 *Stations and ships.* Only such training stations and training ships shall be maintained by and for the Service as are authorized by the WSA.

§ 310.42 *Maintenance and supply.* The maintenance and supply of authorized training stations and training ships shall be in accordance with existing Maritime Service Instructions.

§ 310.43 *Canteens.* Canteens for the sale of tobacco, candy, toilet articles and similar merchandise may be established and maintained at training stations and on training ships.

§ 310.44 *Courses of training.* The courses of training at stations and on ships shall be appropriate to the duties performed aboard merchant vessels by enrollees under their licenses or certificates and shall include the following subjects: lifeboat instruction, including rowing; emergency drills, including fire and abandon ship; maritime law pertaining to seamen; hygiene and first aid; navigation; seamanship; signals; marine engineering; engine room and fire room routine; shop work and overhaul of machinery; care of staterooms, quarters and supplies; procurement, handling, and cooking of food; serving of food and care of tableware (mess gear); and instruction in special ratings, such as radio operators, electricians, and clerical workers.

§ 310.45 *Effective date of regulations.* These regulations shall become effective as of July 11, 1942, and any regulations previously issued which may be inconsistent herewith are hereby repealed.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 23, 1942.

[F. R. Doc. 42-9491; Filed, September 24, 1942; 11:46 a. m.]

PART 310—MERCHANT MARINE TRAINING

[General Order 24]

APPOINTMENT AND TRAINING OF CADETS IN MERCHANT MARINE CADET CORPS

Under authority of the Merchant Marine Act, 1936, as amended, Executive Order 9083, dated February 28, 1942, Executive Order 9054, dated February 7, 1942 and Executive Order 9198, dated July 11, 1942, the following revised regulations governing the appointment and training of cadets in the U. S. Merchant Marine Cadet Corps are prescribed and issued for the duration of the emergency proclaimed by the President on May 27, 1941.

Sec.

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AUTHORITY: §§ 310.46 to 310.71, inclusive, issued under 36 Stat. 1353, 55 Stat. 607; 34 U.S.C. 1121–23, 34 U.S.C. Sup. 1123a–1123e; E.O. 9054, 9083, 9196; 7 F.R. 837, 1609, 8983.

§ 310.46 *Definitions.* When used in these regulations, the term:

(a) "W.S.A." means War Shipping Administration.

(b) "Director" means Director of the Division of Training, W.S.A.

(c) "The Academy" means the United States Merchant Marine Academy.

(d) "Basic school" means United States Merchant Marine Cadet Basic School.

(e) "Supervisor" means supervisor of the United States Merchant Marine Cadet Corps.

(f) "District instructor" means District Merchant Marine Cadet Instructor.

(g) "Midshipman" means midshipman, Merchant Marine Reserve, United States Naval Reserve, an appointment awarded all cadets of the United States Merchant Marine Cadet Corps by the Secretary of the Navy and held concurrently with their appointment as cadet.

(h) "Cadet" means cadet, U. S. Merchant Marine Cadet Corps.

§ 310.47 *General requirements.* (a) A candidate must be a male citizen of the United States. If naturalized, a candidate must have been a citizen of the United States for ten years previous to the date of application.

(b) A candidate must be not less than 18 years of age nor more than 23 years of age on the date of application. If the candidate has not reached his eighteenth birthday or if he has reached his twenty-third birthday on or before that date, he will be ineligible for appointment.

(c) If under 21 years of age, he will be required to furnish the written consent of parent or guardian as a part of his application.

(d) A waiver for overage may be granted by the supervisor to those candidates who submit acceptable evidence of having completed studies in an accredited college or university, or who have been engaged in work directly connected with merchant shipping or of such nature that experience gained therein may be considered of direct benefit in the training of a Merchant Marine officer. An allowance of one year in age may be granted for each academic year completed succesfully or for other work which the supervisor may consider equivalent. A maximum of your years' credit may be so allowed.

(e) A candidate may, at the discretion of the supervisor, be admitted to a basic school or the Academy for preliminary training at the age of 17 years, 10 months, but will not be assigned to a merchant vessel until he has reached his eighteenth birthday.

(f) A candidate must prove to the supervisor that he possesses good moral character.

(g) A candidate must present a certified transcript of his scholastic record.

(h) A candidate must be unmarried. Any cadet who marries before completion of training shall be requested to resign, and, failing to do so, shall be dismissed by the supervisor.

(i) No person is eligible for appointment as a cadet who has been dismissed or compelled to resign from a Federal Service Academy or a State Maritime Academy for improper conduct, or who has been dishonorably discharged for cause or has resigned with prejudice as a civil employee of the United States.

(j) No person who has resigned as a cadet will be reappointed unless his previous service record has been approved as satisfactory by the supervisor.

(k) If it should be determined at any time during a cadet's course of training that he has purposely falsified his application or supporting papers, he shall be dismissed.

(l) All applications must show and be signed with the full legal names of applicants. They must be accompanied by or include the following:

(1) Evidence of citizenship as shown below.

If native born:

(i) A duly verified copy of a public or church record of birth, or

(ii) The affidavit, under oath, of the physician, midwife, or other persons present at the birth.

(iii) In cases where neither (i) nor (ii) can be obtained by the candidate, the affidavit of either parent.

(iv) In cases where the candidate certifies that no one of the above is obtainable, the affidavits (under oath) of two reputable citizens acquainted with him. Each of these affidavits should state the facts within the knowledge of the deponent upon which he bases his statements as to the citizenship of the candidate, as for example, that he has known the candidate since birth, that he knew his parents, or as the case may be.

If foreign born:

(v) Certificate of naturalization, under the seal of the court in which naturalized.

(vi) Certificate of naturalization, under the seal of the court in which naturalized, of the parent during the minority of the candidate, together with the affidavit of a parent whose certificate of naturalization is submitted.

(vii) In special cases where the candidate certifies that neither (v) nor (vi) is obtainable, the affidavits of two reputable citizens acquainted with him (see subdivision (iv), under native-born citizens). As every naturalization is a matter of record in some court, these affidavits will be accepted only in very exceptional cases, and on the understanding that the candidate shall later submit a proper certificate of naturalization.

NOTE: In the cases of naturalized citizens, the Navy Department requires a period of ten years' citizenship before it will approve an application for Midshipman, Merchant Marine Reserve, United States Naval Reserve.

§ 310.48 *Physical requirements.* (a) Appointments to cadetships in the U. S. Merchant Marine Cadet Corps are contingent upon qualifying physically for appointment as midshipman, MMR, USMR. The physical examination will be conducted by a Navy or Naval Reserve Medical Officer.

(b) A candidate must be of normal size, sound constitution, and free from physical defects or diseases, especially those of vision, color perception (plate tests), speech and hearing. He must not be less than 5 feet 6 inches and not more than 6 feet 4 inches in height. Candidates must have minimum vision of 18/20 in each eye correctable to 20/20.

(c) The application of a candidate must be signed by a physician who has examined the candidate and certified that, in his opinion, the candidate meets the physical standards set by the Navy for appointment as a midshipman of the Merchant Marine Reserve.

(d) A candidate for whom a waiver has been recommended will not receive an appointment as cadet and will not be assigned to a basic school or the Academy until the Navy Department has approved the waiver and the supervisor has been so informed. Candidates whose recommended waivers are not approved by the Navy Department will be so notified.

(e) Any defect or disease developed by a cadet during training, which would result in his discharge from the Merchant Marine Reserve, will be sufficient cause for the supervisor to terminate his training.

§ 310.49 *Scholastic requirements.* (a) The supervisor is authorized to prescribe and change at any time the scholastic requirements for appointment as cadet for the duration of the emergency.

(b) A candidate for appointment as cadet (deck) or cadet (engineer) during the emergency must possess a minimum of 12 units from accredited schools. Lists of subjects and their corresponding values in units, which must be submitted, are as follows:

Required Group (5 Units)

3 units in English.
1 unit in mathematics from any of the following:
- Algebra.
- Plane geometry.
- Intermediate algebra.
- Solid geometry.
- Advanced algebra.
- Plane trigonometry.
- Spherical trigonometry.
- Calculus.
- Shop mathematics—for cadet (engineers) only.

1 unit in science from any of the following group:
- Physics.
- Chemistry.
- General science.
- Biology.
- Mechanical arts subjects.
- Vocational and workshop subjects—for cadet (engineers) only.

Elective Group (7 Units)

The remaining 7 units may be supplied from other subjects completed in accredited schools.

(c) If a candidate has an excess of units in any subject in the required group, such excess units may be credited to the elective group.

(d) The supervisor may reject any candidate whose grades in required or elective subjects create doubt as to his ability to pursue successfully the study courses prescribed for cadets.

§ 310.50 *Applications.* Application for appointment as cadet, fully completed, together with all supporting papers, shall be submitted to the supervisor, United States Merchant Marine Cadet Corps, Division of Training, War Shipping Administration, Washington, D. C.

§ 310.51 *Certificates.* A candidate must submit the following:

(a) Certified transcript of the candidate's scholastic record forwarded from the registrar, or other official of the school, directly to the supervisor.

(b) Two certified copies of birth certificate, and if of foreign birth proof of citizenship, with application. In cases where birth certificates are not available, the proof of citizenship submitted must be of a nature acceptable to the Navy Department for establishing citizenship for appointment as a midshipman in the Merchant Marine Reserve. (See Appendix A[1] for acceptable proofs to the Navy.)

(c) One full face 2½" x 2½" photograph attached to application.

(d) Three letters from responsible American citizens, including, if possible, one of the candidate's secondary school teachers, attesting the moral character of the applicant.

NOTE: None of the above papers, with the exception of (b), will be returned to a candidate after review of his application. The two copies of birth certificates, or other proof of citizenship, will be promptly returned to the candidate and must be in his possession in duplicate when he reports to the district instructor.

§ 310.52 *Scholastic tests.* (a) Scholastic tests for appointment as cadet are waived for the duration of the emergency.

(b) Applications and supporting papers will be carefully examined by the supervisor, and if the candidate is acceptable, his application will be approved and notice sent him accordingly by the supervisor or the district instructor at New York, New Orleans, or San Francisco.

§ 310.53 *Required finances.* Cadets must provide themselves with a minimum of $25 for spending money and incidentals during the period of preliminary training.

§ 310.54 *Eligibility lists.* (a) During the emergency the names of candidates will be placed on either deck or engineer eligibility lists in accordance with the date their applications and supporting papers are approved.

(b) The lists of eligible deck candidates and engineer candidates shall be divided into coastal areas by the supervisor and assignments will be made to the basic schools or the Academy as determined by the supervisor.

(c) In the event the eligible list for a coast becomes exhausted, the Supervisor may make assignments from other coastal lists.

(d) A candidate on the eligible list must advise the supervisor promptly when he ceases to be available for assignment and wishes his name removed from the list. Such candidate must inform the supervisor in writing of the reasons for his withdrawal.

§ 310.55 *Appointments and assignments.* (a) A successful candidate, who has passed the Naval Reserve physical examination, shall be appointed a cadet by the supervisor and assigned by the district instructor to preliminary training and basic naval science classes at a designated basic school or the Academy.

(b) A basic school for preliminary training including naval science courses, and continuation of studies and practical work while awaiting reassignment, shall be maintained by the War Shipping Administration one each on the Pacific, Atlantic and Gulf Coasts. The school for the Atlantic Coast shall be the United States Merchant Marine Academy maintained at Kings Point, Long Island, New York, for the advanced courses of cadets. This academy may also give preliminary training providing space is available for such training.

(c) Candidates on the eligible lists will be directed by the district instructor to report to the nearest U. S. Navy recruiting station for physical examination and thence to return to their homes and await further orders. Candidates must acknowledge, by prepaid telegram, within 24 hours, receipt of orders and must report to the district instructor on the date specified.

(d) The name of a candidate will be removed from the list if he fails to acknowledge receipt of instruction, fails to report, or rejects assignment without acceptable reason. The supervisor shall decide whether the reason offered is acceptable.

(e) Certificates of appointment signed by the supervisor shall be issued to all cadets after their assignment to basic schools or the Academy.

(f) A candidate, after passing the Naval Reserve physical examination, must inform the district instructor, superintendent of Academy or commanding officers of basic schools in writing of the number and address of his local Selective Service board and his order number. The district instructor will request local Selective Service boards to defer successful candidates until their oath of office is taken as midshipman in the Merchant Marine Reserve of the U. S. Naval Reserve. Local Selective Service boards must be promptly advised of:

(1) Date oath and acceptance of office as midshipman, Merchant Marine Reserve, is signed. (Responsibility of superintendent of Academy or commanding officers of basic schools.)

(2) Failure to complete satisfactorily the preliminary or advanced training, and consequent withdrawal of deferment request. (Responsibility of superintendent of Academy or commanding officers of basic schools.)

(3) Loss of status as cadet because of resignation, dismissal, or any other reason (except promotion), with consequent discharge from the Merchant Marine Reserve and withdrawal of request for deferment. (Responsibility of superintendent of Academy or commanding officers of basic schools if attached to those units. Responsibility of district instructors if cadet is not attached to Academy or basic schools.)

(g) District instructors will promptly inform the commandants of Naval districts relative to cadets not attached to Academy or basic schools who resign or are dismissed from the U. S. Merchant Marine Cadet Corps. It will be the responsibility of the superintendent of Academy or commanding officer of basic schools to inform commandants of cadets attached to their units who resign or are dismissed from the U. S. Merchant Marine Cadet Corps.

(h) During the entire course of training the aptitude and adaptability of a cadet for a career at sea will be closely observed. A cadet reported lacking in officer-like qualities may be requested to resign, or may be dismissed by the supervisor.

(i) A cadet may be ordered to his home after a period at the basic school or Academy, for the purpose of awaiting assignment to a vessel. In such cases he will be reimbursed for transportation from school to home and from home to vessel, but will not receive pay or any other allowance from the W.S.A. during such period away from school or vessel.

(j) Assignments to vessels shall be made by the supervisor or the district instructors after due consideration is given to the standing of cadets at basic schools and to the recommendations of the particular commanding officer or the superintendent of the Academy.

(k) Cadets shall not be permitted to select vessel or steamship company employer, and steamship companies shall not be permitted to select cadets.

(l) The district instructor, or the superintendent of the Academy, or the commanding officer of the basic school will arrange for:

(1) Submission of applications for appointment as midshipman, Merchant Marine Reserve;

(2) Oath of office as cadet and midshipman and fingerprinting;

(3) Furnishing of uniforms and textbooks;

(4) Furnishing of prescribed study assignments;

(5) Assignment to basic school or the Academy;

(6) Detachment from basic school or the Academy upon satisfactory completion of preliminary training and basic naval science courses, and assignment to a vessel;

(7) Reimbursement for pay due while at the basic school or the Academy and travel allowance, after satisfactory completion of preliminary training and basic naval science courses;

(8) See service papers from the proper government bureau;

(9) Introduction to proper shore official of steamship company to which assigned.

(m) A shore official of the steamship company will instruct cadets regarding:

(1) Company regulations;

(2) Approval of master;

[1] Not filed with the original document.

(3) Signing of ship's articles and commencement of pay from steamship company.

§ 310.56 *Courses of training.* For the duration of the emergency the courses for cadets shall be, in general, ten weeks at basic schools or the Academy for preliminary training and basic naval science, followed by not less than six months aboard merchant or training vessels and not less than seven months at the Academy for advanced study in preparation for examination for license; *Provided,* That those cadets (E) holding engineering degrees which permit them to sit for their third or second assistant engineer licenses after three to twelve months as cadet (E) aboard ship shall be required to complete the preliminary training course and basic naval science, but will be designated cadets (F–S) and follow special courses of study in preparation for their examination for license. The maximum training for cadets (E–S) will be one year aboard ships subsequent to completion of preliminary training.

(b) Before being assigned to a vessel, following the preliminary course, cadets shall successfully pass the naval science basic course final examination and such other examinations as may be designated. Cadets (D) must qualify for visual signaling proficiency certificates.

(c) While waiting transfers between ships, cadets shall report to basic schools or to the Academy for continuation of studies or may be granted leave without pay or allowances at the discretion of the district instructor.

(d) The courses during the emergency shall be those which may from time to time be designated by the supervisor. The permanent record of each cadet shall include the courses he has completed, the hours of study devoted to each course, the grade received in it, and the comments of his instructors.

(e) Study assignments, quizzes, problems and supplementary material will be furnished to cadets.

(f) Prescribed texts and equipment will be furnished cadets by the W. S. A. on custody receipt without deduction from pay:

(1) Cadets failing to complete the basic and advanced course will return to the commanding officer or the superintendent such uniforms and textbooks which were furnished by the government.

(2) In the event any textbooks or items of uniform are lost or mutilated the cost of replacements shall be borne by the cadet.

(3) Class rings must be purchased from the supply officer who will determine the eligibility of cadets to buy them. A cadet becomes eligible to wear the ring after a minimum of nine months' service from the date of arrival at basic school. The supply officer will accept only cash or money orders in payment.

(g) Assignments, sea projects, quizzes, problems, and supplementary material shall be prepared by the Educational Unit of the U. S. Merchant Marine Cadet Corps and graded by the staff of instructors at the basic schools and the Academy as directed by the supervisor. Subject to the approval of the Director, outside services may be contracted for and utilized by the supervisor in accordance with law and within allotment limitations, when, in his judgment, efficiency would be promoted or the facilities of the staffs of the Academy or basic schools are not sufficient to administer tests and to prepare properly the courses and grade papers in all prescribed subjects.

(h) Cadets shall be advised by circular letters of any changes made in curricula by the supervisor.

(i) The district instructors and commanding officers of basic schools and the superintendent of the Academy shall advise cadets regarding a review of courses and the purchase of reference textbooks considered necessary in preparation for the examination to secure their licenses.

(j) The supervisor is authorized, in accordance with law and within allotment limitations, to employ instructors on a contract basis for detail to the Academy, basic schools, offices of district instructors and the office of the supervisor. All such contracts must be approved by the Director.

(k) Personnel for administrative duty with the United States Merchant Marine Cadet Corps, at grades designated by the supervisor will be enrolled in the United States Maritime Service when requested by the supervisor, with the approval of the Director.

(l) The supervisor is authorized, with the approval of the Director, to arrange with the Procurement Office of the Division of Training for the purchase of berthing, messing, recreational, and instructional equipment and supplies for the Academy and for basic schools and attached floating equipment, within the limitations of authorized allotments.

§ 310.57 *Pay.* (a) Cadets will receive pay at the rate of $65 per month from the W.S.A. while at the Academy, basic schools, or places of special shore training. Pay while at the Academy or basic schools will commence on the date of attachment to the Academy or to basic schools, provided that the successful completion of the preliminary course is a prerequisite to the right of a cadet to receive any pay or compensation. Cadets initially assigned to basic schools or the Academy for preliminary training and basic naval science shall not receive their balance of pay until after the date of their detachment from basic schools for assignments to ships or places of special shore training. Periods spent at places of special shore training shall be considered the same as time spent at the Academy or at basic schools.

(b) While attached to ships, cadets will receive minimum pay at a rate of $65 per month from their steamship company employers.

(c) Cadets will not receive pay from the W.S.A. when not attached to the Academy or to basic schools or assigned to places of special shore training, except when specially authorized by the supervisor.

(d) In addition to the minimum rates of pay, steamship companies shall grant to cadets, attached to ships, the same percentage of increase in pay for war or other emergency bonuses as has been granted to their third officers.

(e) Cadets assigned to the Academy or basic schools for advanced courses or license preparation or while waiting assignment or while at places of special shore training shall receive their pay at the end of each calendar month and on the date of their detachment from the Academy, basic school or place of special shore training.

(f) The supervisor may place any cadet on a non-pay basis for disciplinary reasons while assigned to the Academy, basic schools, or places of special shore training.

§ 310.58 *Allowances.* (a) Cadets, while assigned to the Academy or to a basic school, will be furnished with quarters and subsistence by the W.S.A.

(b) Cadets while on special assignments away from the Academy or basic schools and when so authorized by the supervisor or district instructors, will receive an allowance of $45 per month for quarters, subsistence and other living expenses, in addition to their pay, provided steamship companies, shipyards, or others to whom cadets are assigned for special training ashore do not pay such wages and allowances.

(c) Cadets, while assigned to ships, will be furnished with quarters and subsistence by the steamship company employer.

(d) Cadets, while traveling on the orders of a steamship company, or when quarters or subsistence are not furnished aboard ship, shall receive the same allowances for transportation, quarters, and subsistence as third officers of the steamship company.

§ 310.59 *Transportation.* (a) The W.S.A. shall reimburse cadets at the rate of five cents per mile, based on official mileage tables of the War Department, for their traveling expenses when traveling on orders of the supervisor or district instructors:

(1) From home town to port wherein the basic school of the Academy is located, after passing Merchant Marine Reserve physical examination, reporting to the commanding officer of a basic school or to the superintendent of the Academy, execution of oath of office as cadet in the U. S. Merchant Marine Corps, and satisfactory completion of preliminary training and basic naval science courses, as outlined in § 310.56 (b).

(2) From port wherein Academy or basic school is located to the port where vessel to which the cadet is assigned is located or to a place of special shore training.

(3) From port where detached from vessel, to port wherein Academy or basic school is located, or to a place of special shore training.

(4) Between ports of Academy or basic schools and between locations of places of special shore training.

(5) From port of Academy or basic school to home, and from home to port where vessel to which assigned is located, or where special shore training is conducted, after having been ordered home by the district instructor for the specific purpose of awaiting assignment to a vessel, the Academy, a basic school, or place of special shore training.

(b) Requests from cadets for transportation reimbursement properly endorsed and approved by the district instructor will be submitted to the disbursing officer for action. When cadets are transferred from one district to another, the mileage voucher will be prepared, approved, certified, and paid in the district to which the cadet has been transferred.

(c) Cadets will not be reimbursed by the W. S. A. for travel expenses to and from the Academy or basic schools or locations of special training ashore or ships while they are on leave; unless ordered home by the district instructor or the superintendent of the Academy for the specific purpose of awaiting assignment to ships, the Academy, basic schools, or places of special training ashore.

§ 310.60 *Quarters and mess.* (a) Cadets aboard ship shall be berthed in rooms with other cadets in that part of the vessel designated as licensed officer or first class passenger quarters.

(b) Cadets shall mess with licensed deck and engineer officers.

§ 310.61 *Annual leave.* (a) Effective January 1, 1942, no annual leave with pay shall be granted to cadets by the W. S. A. or steamship companies. However, a district instructor, the superintendent of the Academy or a commanding officer of a basic school is authorized to grant leave without pay to a cadet while waiting assignment or reassignment to ships, the Academy or basic schools.

§ 310.62 *Uniforms, insignia, textbooks, equipment.* (a) Cadets shall possess uniforms, insignia, textbooks, and equipment as prescribed by the supervisor, with the approval of the Director, in "Uniform Regulations for United States Merchant Marine Corps" and in subsequent circular letters amending such regulations. Cadets assigned to basic schools or the Academy for preliminary training will be furnished such uniforms, insignia, textbooks, and equipment as may be designated by the supervisor.

(b) The supervisor shall designate the items of uniforms, insignia, textbooks, and equipment that shall be possessed and maintained during the period of training, or made optional, in accordance with the following groups:

Group 1 shall include personal items which must be in the possession of the candidates on reporting to basic schools.

Group 2 shall include items of uniform, insignia, textbooks and equipment which shall be furnished on custody receipt by the W.S.A. to cadets assigned to basic schools and the Academy for preliminary training. Upon successful completion of the preliminary and advanced training, such items of uniforms, insignia, textbooks and equipment shall become the property of the cadet.

Group 3 shall include those additional items of uniform, insignia, textbooks and equipment which cadets shall purchase after leaving basic schools or the Academy and while serving on ships.

Group 4 shall include those items of uniform and equipment which shall be optional with cadets.

§ 310.63 *Honors.* Cadets who have rendered distinguished service, or, for some other reason, have won special awards, may be ordered to Washington by the supervisor to receive such award from the Administrator, W.S.A., or other government official. In such cases the cadet shall receive pay at the rate of $65 per month from the W.S.A. during the period absent from the Academy, basic school, or ship and will travel on regular government travel requests issued by the W.S.A. with the per diem allowance granted government employees. If assigned to the Academy or a basic school, the cadet shall receive pay accrued and due on the day ordered to depart from the Academy or basic school for Washington. The period of stay in Washington shall be not more than five days.

§ 310.64 *Vessels required to carry cadets.* All merchant vessels registered under the flags of the United States, Panama and Honduras which are owned, chartered, or controlled by the W.S.A. are required to provide for the training of at least two cadets, which training shall be conducted under the conditions set forth in these regulations and any instructions hereafter issued.

§ 310.65 *Active duty in Navy as midshipman, Merchant Marine Reserve.* Cadets serving on vessels which have been taken over by the Navy may be ordered to active duty as midshipmen and in such cases they will carry on with the prescribed courses of study in preparation for their licenses as third mate or third assistant engineer. Midshipmen, Merchant Marine Reserve, will not be detached from active duty and assigned to the Academy for advanced course of training unless the Navy Department so directs. They will be eligible to sit for their licenses after a total of sixteen months, if they have served aboard a merchant or naval vessel for twelve months. Midshipmen may be ordered to the Academy or a basic school by the Navy Department for a period not to exceed sixty days to prepare for license examination.

§ 310.66 *Resignations.* (a) Cadets who for various reasons find that they must terminate their training, shall submit their written resignations in quadruplicate to the supervisor via the master or commanding officers of their vessels and the district instructor. Resignations of cadets assigned to a vessel must be made effective at the termination of the voyage in a United States port and shall be submitted to the master or commanding officer at least ten days before arrival in port. A resignation of a cadet at the Academy or basic schools must be made to the superintendent of the Academy or to the commanding officer of the basic school for transmission to the district instructor and the supervisor not less than ten days before the resignation is to be effective.

(b) Detailed reasons for terminating training must be stated in resignation.

(c) A copy of resignation must be forwarded by the district instructor to the Chief of Naval Personnel via the commandant of the naval district. This copy shall be endorsed with statement that cadet is a midshipman, Merchant Marine Reserve, and is transmitted for action of the chief of naval personnel. The district instructor shall transmit another copy to the local Selective Service board of cadet with endorsement stating: "This cadet is a midshipman, Merchant Marine Reserve. A copy has been forwarded to the Chief of Naval Personnel for his action."

§ 310.67 *Termination of training; diploma.* A cadet will be eligible for diploma after complying with all of the following conditions:

(1) Satisfactory completion of the prescribed courses of study as certified by the superintendent of the Academy or the commanding officer of a basic school, in conjunction with the district instructor.

(2) Successful completion of the Bureau of Marine Inspection and Navigation examination for a license as third mate or third assistant engineer.

(3) Filing application for a commission as ensign, Merchant Marine Reserve. (Cadets are eligible to apply for a commission as ensign, Merchant Marine Reserve, after successful completion of the basic and advanced naval science courses and after securing a license as third mate or third assistant engineer. Cadets who have not completed both the basic and advanced naval science courses successfully must serve three months on their licenses before becoming eligible for commissions.)

§ 310.68 *Distribution of regulations.* These regulations shall be distributed to cadets, applicants for appointment as cadets, steamship company officials, masters and officers of vessels and others concerned with or interested in the training of cadets ashore and afloat.

§ 310.69 *Amendment of regulations and issuance of instructions.* The supervisor is hereby authorized, with the approval of the Director, to prescribe and issue instructions supplementing these regulations for the training of cadets assigned to the United States Merchant Marine Academy or to basic schools, locations of special training, and aboard ships. Copies of such instructions will be distributed to those concerned.

§ 310.70 *Address for mailing purposes.* All communications relating to matters connected with the appointment and training of cadets in the U. S. Merchant Marine Cadet Corps, Division of Training, War Shipping Administration, Washington, D. C.

§ 310.71 *Effective date.* These regulations shall become effective as of July 11, 1942 and shall supersede all previous regulations for the appointment and training of cadets in the U. S. Merchant Marine Cadet Corps.

[SEAL] E. S. LAND,
Administrator,
War Shipping Administration.

SEPTEMBER 23, 1942.

[F. R. Doc. 42-9400; Filed, September 24, 1942; 11:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

APPLICATIONS INVOLVING CERTAIN FREQUENCY SHIFTS

Effective September 22, 1942, the Commission relaxed slightly its interpretation of the Memorandum Opinion of April 27, 1942,[1] in order that applications involving shifts in frequency in which no materials will be utilized other than quartz crystals, may be granted, provided:

(a) Such applications involve no inconsistencies with Order No. M-146[2] of the War Production Board relating to quartz crystals;

(b) Such applications involve no engineering conflict with any other application pending at any time since February 22, 1942;

(c) Such applications involve no inconsistencies with the Commission's Rules and Regulations;

(d) Such applications tend toward a fair, efficient, and equitable distribution of radio service, are consistent with sound allocation principles and offer substantial improvement in standard broadcast service; and

(e) Such applications are otherwise in the public interest.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9547; Filed, September 25, 1942; 10:59 a. m.]

[1] 7 F.R. 3248.

[2] 7 F.R. 3718, 5663.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-321]

BALDY COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of E. W. Meggison and E. E. Bowen, individually and as copartners, doing business under the name and style of Baldy Coal Company, code member.

(a) Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

(b) The Division on May 14, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, orders, rules and regulations thereunder have been committed by E. W. Meggison and E. E. Bowen, individually and as copartners, doing business under the name and style of Baldy Coal Company, the Code Member above named (hereinafter referred to as the "Code member") whose Code Membership became effective as of February 8, 1941, operating the Baldy Mine, Mine Index No. 7 (previously operated by E. W. Meggison as an individual code member), located in Las Animas County, Colorado, Subdistrict No. 7 of District No. 17, in connection with the following:

(1) *Section 4 II (e) of the Act and Part II (e) of the Code.* Sales for truck shipment subsequent to February 8, 1941, of coal produced at the aforesaid mine below the effective minimum prices established therefor, including sales during the period February 8 to October 31, 1941, both dates inclusive, of approximately 291.78 net tons of run of mine (Size Group No. 17), 3/4" lump coal (required to be priced as Size Group No. 5 by Price Instruction and Exception No. 5 of the Schedule referred to below) and 3/4" x 0 slack coal (required to be priced as Size Group No. 13 by said Price Instruction and Exception No. 5), to various persons at the mine, at prices ranging from 35 cents to $2.12 per net ton below the effective minimum f. o. b. mine prices for said coal, as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments.

(2) *Rules 4 (B) and 9 (a) of section II of the Marketing Rules and Regulations.* Allowed, paid or obligated itself to allow or pay, directly or indirectly, commissions from the effective minimum price of 15 cents per net ton to George Heap of Trinidad, Colorado, purporting to act as sales agent, on approximately 110.8 tons of 1½" x 0 coal sold to the Trinidad Electric Railway Transmission and Gas Company, during the period June 26 to August 31, 1941, both dates inclusive, and on approximately 769.45 tons of 1½" x 0 coal sold to the Denver and Rio Grande Western Railroad during the period July 7 to September 9, 1941, both dates inclusive, although at the time of said transactions, a certified copy of a sales agency contract between the Code Member and said George Heap had not been filed with the Division, as required by Rule 4 (B) of section II of the Marketing Rules and Regulations.

(3) *Section 4 II (i) 7 of the Act and Part II (i) 7 of the Code and Rule 7 of section XIII of the Marketing Rules and Regulations.* Purchase of business during the period June 26 to August 31, 1941, both dates inclusive, from the Trinidad Electric Railway Transmission and Gas Company, Walsenburg, Colorado, and the Denver and Rio Grande Western Railroad, Denver, Colorado, in respect to 879.53 tons of 1½" x 0 coal by the payment therefor of 15 cents per net ton to said George Heap, Trinidad, Colorado.

(c) By letter dated August 25, 1942, the Division notified said Board that unless it took action in this matter within twelve (12) days from the date of said notification the Division would take such action in lieu of the Board, if it deemed it to be appropriate.

(d) District Board No. 17 has not taken any action in this matter.

(e) Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

(f) District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

(1) Whether the Code Member has wilfully violated section 4 II (e) and (i) 7 of the Act, Part II (e) and (i) 7 of the Code, Rules 4 (B) and 9 (a) of section II and Rule 7 of Section XIII of the Marketing Rules and Regulations; and

(2) Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act be held on November 14, 1942, at 10 a. m. at a hearing room of the Division at the Court House, Trinidad, Colorado, to determine whether or not the aforementioned Code Member has committed the violations in the respects heretofore described and whether or not the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act and the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the statistical bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9506; Filed, September 24, 1942; 1:00 p. m.]

[Docket No. B-323]

GUILLERMO BOWMAN

NOTICE OF AND ORDER FOR HEARING

(a) Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district

boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

(b) The Division on May 25, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder, and particularly section 4 II (e), (g) and (l) 8 of the Act, Part II (e), (g) and (l) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, have been committed by Guillermo Bowman, the Code Member above-named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of November, 1938, operator of the Crystal Mine, Mine Index No. 232, located in Las Animas County, Colorado, Subdistrict No. 7 of District No. 17, in connection with (a) sales and delivery by truck, subsequent to September 30, 1940, of coal produced at the aforesaid mine below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 17 for All Shipments, plus the actual transportation, handling and incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction and Exception No. 14, as amended and contained in Supplement No. 1, to the aforesaid schedule, and (b) the intentional misrepresentation of the sizes and sales prices on the truck sales tickets covering said coal, including the following transactions:

(1) Sale and delivery of approximately 213 tons of ½" x 0 slack coal at prices ranging from $1.79 to $2.25 per net ton during the period October 1, 1940, to September 30, 1941, inclusive, to various purchasers in or near Trinidad, Colorado, which coal fell within a size group and classification for which no price was listed for said mine at the time of said transactions and should have been sold, as required by Price Instruction No. 5, at not less than $2.25 per net ton f. o. b. said mine, which was the price applicable to Size Group No. 13, the next larger size for which a price was listed, to which was required to be added pursuant to said Price Instruction and Exception No. 14, an amount sufficient to cover the cost of transportation, handling and incidental charges from said mine to the points of delivery; and intentionally misrepresenting on the truck sales tickets covering said coal the size and sales prices thereof.

(2) Sale and delivery of approximately 267 tons of ½" lump coal at prices ranging from $2.58 to $3.56 per net ton during the period October 1, 1940 to September 30, 1941, inclusive, to various purchasers in or near Trinidad, Colorado, which coal fell within a size group and classification for which no price was listed for said mine at the time of said transactions, and such coal should have been sold, as required by said Price Instruction No. 5, at not less than $3.75 per net ton f. o. b. said mine, to which was required to be added, pursuant to said Price Instruction and Exception No. 14, an amount sufficient to cover the cost of transportation, handling and other incidental charges from said mine to the points of delivery; and intentionally misrepresenting on the truck sales tickets covering said coal the size and sales prices thereof.

(c) By letter dated September 2, 1942, the Division notified said board that unless it took action in this matter within fifteen (15) days from the date of said notification, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

(d) District Board No. 17 has not taken any action in this matter.

(e) Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reson to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

(f) District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

(1) Whether the Code Member has wilfully violated section 4 II (e), (g) and (l) 8 of the Act, Part II (e), (g) and (l) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and

(2) Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder, an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to section 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on November 16, 1942, at 10 a. m. at a hearing room of the Division at the Court House, Trinidad, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by said Code Member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9504; Filed, September 24, 1942; 12:59 p. m.]

[Docket No. B-322]

MOSCHETTI COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of Dom. Moschetti, also known as Dominic Moschetti, doing business as Moschetti Coal Company, code member.

(a) Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

(b) The Division on June 1, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder have been committed by Dom. Moschetti, also known as Dominic Moschetti, doing business as Moschetti Coal Company, the Code Member above-named (hereinafter referred to as the "Code Member"), whose Code Membership became effective as of August 4, 1937, operator of the Canon Chief Mine, Mine Index No. 342, located in Fremont County, Colorado, Subdistrict 3 of District No. 17, in connection with the following:

(1) *Section 4 II (e) of the Act and Part II (e) of the Code.* Sales for truck shipment, subsequent to September 30, 1940, below the effective minimum prices therefor as set forth in the Schedule of Effective Minimum Prices for District No. 17 for All Shipments (the "Schedule"), of substantial quantities of coal produced at the aforesaid mine, including the following:

(i) Sale of approximately 8½ tons of coal to the Diamond Firebrick Company, Canon City, Colorado on or about May 23, 1941, at $1.20 per net ton f. o. b. the mine, the effective minimum price for ¾" slack coal, Size Group No. 15, whereas said coal was actually 10 percent oversize and should, therefore, have been sold at not less than the price established for the next larger size group for this mine as required by Price Instruction and Exception No. 5 of the Schedule, which was 1½" x 0 slack, Size Group No. 13, and priced at not less than $1.95 per net ton f. o. b. the mine as set forth in the Schedule;

(ii) Sale of approximately 18,050 pounds of 3" lump coal, Size Group No. 3, on or about January 8, 1941, to the Pioneer Coal Supply, Pueblo, Colorado, charging therefor at the rate of approximately $3.53 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was $4.25 per net ton f. o. b. said mine as set forth in the schedule;

(iii) Sales to various purchasers of approximately 471 tons of coal during July 1941, invoiced as 3" lump coal and sold at $4.25 per net ton f. o. b. said mine, whereas said coal was actually 8" lump and should have been sold at not less than the price established for Size Group No. 1 which was $4.55 per net ton f. o. b. said mine, as set forth in the schedule;

(iv) Sales to various purchasers of approximately 86 tons of coal during July 1941, invoiced as 3" x 1½" lump coal and sold at $3.50 per net ton f. o. b. said mine, whereas said coal was actually 8" x 1½" coal and sbould have been sold at not less than the price established for Size Group No. 6 which was $3.95 per net ton f. o. b. said mine, as set forth in the Schedule;

(v) Sales to various purchasers of approximately 76 tons of coal during July 1941 invoiced as 6" x 1½" lump at $3.35 per net ton f. o. b. said mine, whereas said coal was actually 8" x 1½" coal and should have been sold at not less than the price established for Size Group No. 6 which was $3.95 per net ton f. o. b. said mine, as set forth in the Schedule; and

(vi) Sales of approximately 454 tons of 3" lump coal, Size Group No. 3, to Victor Herlacher, trading as the Western Coal Supply, Pueblo, Colorado, at prices ranging from $3.56 to $3.58 per net ton, during the period November 27, 1940 to September 30, 1941, whereas the applicable effective minimum price for such coal was $4.25 per net ton f. o. b. the mine, pursuant to the Schedule and said Price Instruction and Exception No. 5, and approximately five tons of 1¼" x 3" nut coal, Size Group No. 9, sold to said Victor Herlacher at $2.85 per net ton, whereas the applicable minimum price for such coal was $3.50 per net ton f. o. b. the mine, pursuant to the Schedule and said Price Instruction and Exception No. 5.

(2) *Section 4 II (i) 8 of the Act; Part II (i) 8 of the Code; Rule 2 of Section XII and Rule 8 of Section XIII of the Marketing Rules and Regulations; Order of the Division No. 307 dated December 11, 1940; and Order of the Division No. 312 dated February 24, 1941.* (i) Intentional misrepresentation of the weight of coal on truck ticket No. 811, dated January 8, 1941, in the sale to the Pioneer Coal Supply Company, Pueblo, Colorado, in that said weight was described as 17,000 pounds of 3" lump coal, whereas the actual weight of said coal was 18,050 pounds; and

(ii) Intentional failure to set forth on his truck sales tickets the actual sizes of the coal referred to in paragraph (1) (iii), (iv), and (v) above in that said Code Member recorded on said truck tickets sizes which were smaller than the actual sizes.

(iii) By letter dated August 25, 1942, the Division notified said board that unless it took action in this matter within twelve (12) days from said notification, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

(d) District Board No. 17 has not taken any action in this matter.

(e) Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section then the Division may take such action in lieu of the district board.

(f) District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining

(1) Whether the Code Member wilfully violated section 4 II (e) and (i) 8 of the Act; Part II (e) and (i) 8 of the Code; Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and Orders of the Division Nos. 307 and 312, dated December 11, 1940 and February 24, 1941, respectively; and

(2) Whether, in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder, an Order should be entered revoking the Code Membership of the Code Member, or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on November 10, 1942, at 10 a. m. at a hearing room of the Division at the Post Office Building, Pueblo, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to ceas and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this

proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9505; Filed, September 24, 1942; 1:00 p. m.]

[Docket No. B-329]

ARTHUR L. PETTY AND LEMAR DENISON

NOTICE OF AND ORDER FOR HEARING

In the matter of Arthur L. Petty & LeMar Denison, individually and as co-partners, code member.

(a) Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code"), and rules and regulations of the Bituminous Coal Division (the "Division").

(b) The Division on May 16, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code, orders, rules and regulations thereunder and particularly section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII, Rule 8 of section XIII and order of the Division No. 312 dated February 24, 1941, have been committed by Arthur L. Petty & LeMar Denison, individually and as co-partners, the Code Member above-named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of September 5, 1941, operator of the Browning Mine, Mine Index No. 125, located in Emery County, Utah, District No. 20, in connection with (a) sales for truck shipment to various purchasers, subsequent to September 5, 1941, below the effective minimum prices established therefor of coal produced at the aforesaid mine, and (b) the intentional misrepresentation of the sizes of said coal by the false recording of sizes thereof on truck sales tickets, including:

(1) Sales of approximately 742.6 net tons of lump coal during the period October 1, 1941, through October 31, 1941, at $2.45 per net ton f. o. b. the mine, whereas said coal was required to be included in Size Group No. 3 at a price of $2.65 per net ton f. o. b. said mine, as set forth in the Schedule of Effective Minimum Prices for District No. 20 For All Shipments and Price Instruction and Exception No. 5 thereof, and intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as ⅝" lump;

(2) Sales of approximately 3,126.5 net tons of lump coal, during the period November 1, 1941 through January 31, 1942, at prices ranging from $2.45 to $2.55 per net ton f. o. b. said mine, whereas said coal was required to be included in Size Group No. 3 and priced at $2.65 per net ton f. o. b. said mine, as set forth in the schedule and Price Instruction and Exception referred to above, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as ⅜" lump; and

(3) Sales of approximately 637.77 tons of nut coal, during the period October 1, 1941 through January 31, 1942, at $1.50 per net ton f. o. b. said mine, whereas said coal was required to be included in Size Group No. 7 and priced at $1.65 per net ton f. o. b. said mine, as set forth in said schedule and said Price Instruction and Exception, and intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 3" x 1¼" nut.

(c) By letter dated August 19, 1942, the Division notified said board that unless it took action in this matter within fifteen (15) days from the date of said notification the Division would take such action in lieu of the board, if it deemed it to be appropriate.

(d) District Board No. 20 has not taken any action in this matter.

(e) Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

(f) District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

(1) Whether the Code Member has wilfully violated section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII, Rule 8 of section XIII and Order of the Division No. 312 dated February 24, 1941; and

(2) Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder, an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on October 31, 1942, at 10 a. m. at a hearing room of the Division at the Court House, Price, Utah, to determine whether the afore-mentioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and rules regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9499; Filed, September 24, 1942; 12:59 p. m.]

[Docket No. B-319]

VENTO COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of Tony Vento, an individual doing business under the name and style of Vento Coal Company, code member.

(a) Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

(b) The Division on June 9, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, orders, rules and regulations thereunder have been committed by Tony Vento, an individual doing business under the name and style of Vento Coal Company, the Code Member above-named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of November 14, 1940, operator of the Vento Mine, Mine Index No. 450, located in Fremont County, Colorado, Subdistrict No. 3 of District No. 17, in connection with the following:

(1) *Section 4 II (e) of the Act, Part II (e) of the Code.* Sales for truck shipment, subsequent to November 14, 1940, of coal produced at the aforesaid mine below the effective minimum f. o. b. mine prices established therefor in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments, as set forth in Temporary Supplement No. 4 to Price Schedule No. 1 for District No. 17 and Supplement A to Price Schedule No. 1 for District No. 17 annexed to and made a part of the Director's Orders in Docket No. A-258 dated November 14, 1940, and August 20, 1941, respectively, including the following sales:

Date of sale	Purchaser	Tonnage	Size	Size group	Sales price per ton	Eff. min. f. o. b. mine price
7-29-41	Silver Trucking Service	11.347	2" x 1¼"	9	$2.91	$3.50
7-29-41	Silver Trucking Service	2.63	3" lump	3	3.64	4.25
4-29-41	New Deal Coal Yard	2	¾" x 1¼"	10	2.60	3.10
4-29-41	Elmer Boe	4	¾" x 1¼"	10	2.75	3.10
6-12-41	Elmer Boe	8	¾" x 1¼"	10	2.75	3.10
5-2-41	New Deal Coal Yard	4	¾" x 1¼"	10	2.75	3.10
5-12-41	Bud Newmeister	8.225	2" x 1¼"	9	2.74	3.50
7-25-1	New Deal Coal Yard	8.175	3" lump	3	3.60	4.25
4-2-41 to 7-18-41	Lorenzo Martino	63.330	3" lump	3	3.41	4.25
5-10-41 to 10-30-41	Ed Neumeister	184.65	3" lump	3	3.44 to 3.57	4.25
5-10-41 to 10-30-41	Ed Neumeister	48.04	1¼" x 3"	9	2.73 to 2.83	3.50
5-10-41 to 10-31-41	Ed Neumeister	20.89	1¼" x ¾"	10	2.30 to 2.68	3.10
6-2-41	A. Harfert	8	1¼" x 3"	9	2.50	3.50
12-1-41 to 12-31-41	Various purchasers	454.385	3" lump	3	3.75	4.25
12-1-41 to 12-31-41	Various purchasers	223.595	1¼" x 3"	9	3.00	3.50
12-1-41 to 12-31-41	Various purchasers	20.325	1¼" x ¾"	10	2.60	3.10
12-1-41 to 12-31-41	Various purchasers	13.160	1¼" x 0	13	1.70	1.95
3-6-41	Southern Colorado Power Co.	8.62	1½" x 0	13	1.20	1.95

(2) *Section 4 II (e), (g) and (i) 8 of the Act, Part II (e), (g) and (i) 8 of the Code and Rule 2 of Section XII and Rule 8 of Section XIII of the Marketing Rules and Regulations.* Sales and delivery by truck, subsequent to November 14, 1940, of coal produced at the aforesaid mine below the effective minimum prices established therefor in said Schedule of Effective Minimum Prices for District No. 17, supplemented as aforesaid, plus an amount at least equal, as nearly as practicable, to the actual transportation, handling and incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction and Exception No. 14, as amended and contained in said Supplement No. 1 to said schedule, including the following:

(i) Sales to Southern Colorado Power Company during the period January 11 to 31, 1942, both dates inclusive, for delivery to its plant located in Canon City, Colorado, of approximately 191.94 net tons of 1¼" x 0 coal (Size Group No. 13) at a delivered price of $2.00 per net ton which was less than the effective minimum f. o. b. mine price for said coal of $1.70 per net ton (pursuant to Price Instruction and Exception No. 15 as set forth in said schedule), plus the amount required to be added by said Price Instruction and Exception No. 14, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as ¾" x 0 slack (Size Group No. 15);

(ii) Sales to the Southern Colorado Power Company during the period January 11 to 31, 1942, both dates inclusive, for delivery to its plant located in Pueblo, Colorado of approximately 248.66 net tons of 1¼" x 0 coal (Size Group No. 13) at a delivered price of $2.30 per net ton which was less than the effective minimum f. o. b. mine price for said coal of $1.70 per net ton (pursuant to said Price Instruction and Exception No. 15), plus the amount required to be added by said Price Instruction and Exception No. 14, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as ¾" x 0 slack (Size Group No. 15).

(iii) *Order of the Division No. 296 dated September 23, 1940, and Order of the Division No. 297 dated October 22, 1940.* Failure to file with the Division sales ticket No. 1840, covering sale by the Code Member of approximately 8.325 tons of 3" lump coal sold on or about December 31, 1940.

(iv) *Order of the Division No. 317 dated February 24, 1941.* Failure by the Code Member, during the period May 10 to August 30, 1941, both dates inclusive, to file copies of the truck tickets, sales slips or invoices for each sale of coal giving all the information required by section III (b) of Order No. 307, or a list of each such sale giving all the information required by section III (b) of Order No. 307 as required by order of the Division No. 317.

(c) By letter dated August 21, 1942, the Division notified said board that unless it took action in this matter within fifteen (15) days from said notification, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

(d) District Board No. 17 has not taken any action in this matter.

(e) Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

(f) District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

(1) Whether the Code Member has wilfully violated section 4 II (e), (g) and (i) 8 of the Act; Part II (e), (g), and (i) 8 of the Code; Orders of the Division Nos. 296, 297 and 317, dated September 23 and October 22, 1940 and February 24, 1941, respectively; and Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and

(2) Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an Order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on November 5, 1942, at 10 a. m. at a hearing room of the Division at the Post Office Building, Pueblo, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such

places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 42-9507; Filed, September 24, 1942; 12:59 p. m.]

[Docket No. B-324]

NICKIE ROCCHIO, CODE MEMBER

NOTICE OF AND ORDER OF HEARING

A. Under provisions of the Bituminous Coal Act of 1937, (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on June 6, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, and rules and regulations thereunder, and particularly section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, have been committed by Nickie Rocchio, the Code Member above named (hereinafter referred to as the "Code Member") whose code membership became effective as of June 16, 1941, operator of the Annex Mine, Mine Index No. 296 (formerly operated by Thomas Hovenic, Code Member), located in Fremont County, Colorado, Subdistrict No. 3 of District No. 17, in connection with the following transactions:

1. Sale and delivery by truck, subsequent to June 16, 1941, of coal produced at the aforesaid mine below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments, plus the actual transportation, handling and incidental charges from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction and exception No. 14, as amended and contained in Supplement No. 1 to the aforesaid Schedule, including the following:

(a) Sales of approximately 483.57 net tons of 1¼" x 0 slack coal (Size Group No. 13) at a delivered price of $2.10 per net ton, to the Southern Colorado Power Company, and delivered at its Pueblo, Colorado plant, a distance of approximately 40 miles from the mines, during the period August 12, 1941 through December 31, 1941, inclusive, which was less than the effective minimum f. o. b. mine price for said coal of $1.95 per net ton, as set forth in the aforesaid Schedule, plus the amount required to be added by said Price Instruction and Exception No. 14.

(b) Sales of approximately 202.51 net tons of 1¼" x 0 slack coal, Size Group No. 13, at a delivered price of $1.80 per net ton, to the Southern Colorado Power Company and delivered at its Canon City, Colorado plant, a distance of approximately 20 miles from the mine during the period June 17, 1941, through August 11, 1941, inclusive, which was less than the effective minimum f. o. b. mine price for said coal, as set forth in said Schedule, of $1.95 per net ton, plus the amount required to be added by said Price Instruction and Exception No. 14.

C. By letter dated August 21, 1942, the Division notified said Board that unless it took action in this matter within fifteen (15) days from the date of said notification, the Division would take such action in lieu of the Board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the Code Member has wilfully violated section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code during the period June 17, 1941 to December 31, 1941, both dates inclusive; and

2. Whether in the event the Code Member is found to have violated section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act, be held on November 9, 1942, at 10 a. m., at a hearing room of the Division at the Post Office Bldg., Pueblo, Colo., to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act and the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the petition of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the statistical bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 42-9503; Filed, September 24, 1942; 1:00 p. m.]

[Docket No. B-325]

JOHN FODERARO, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on July 22, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder have been committed by John Foderaro, the Code Member above-named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of September 9, 1938, operator of the Strawberry Mine, Mine Index No. 269, located in Huerfano County, Colorado, Subdistrict No. 1 of District No. 17, in connection with the following:

1. *Section 4 II (e) of the Act and Part II (e) of the Code.* Sales, for truck shipment, subsequent to September 30, 1940, of coal produced at the aforesaid mine below the effective minimum prices therefor as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments, including the following transactions:

a. Sales to various purchasers during the period October 15, 1940 to January 19, 1942, both dates inclusive, of approximately 49.045 net tons of 3" lump coal (Size Group No. 3) at $4.25, $4.50 and $4.65 per net ton f. o. b. said mine, whereas the applicable minimum f. o. b. mine price for said coal was $4.75 per net ton as set forth in the aforesaid Schedule;

b. Sales to various purchasers during the period December 16, 1940 to October 18, 1941, both dates inclusive, of approximately 13.8 net tons of 3" x 1¼" coal (Size Group No. 9) at $3.15 and $3.50 per net ton f. o. b. the mine, whereas the applicable minimum f. o. b. mine price for said coal was $3.65 per net ton as set forth in the aforesaid Schedule;

c. Sale to Monte Knight, Pueblo, Colorado, on or about October 8, 1941, of approximately 13.250 net tons of 1¼" x 0 slack coal (Size Group No. 13) at $1.70 per net ton f. o. b. the mine, whereas the effective minimum f. o. b. mine price for said coal was $1.95 per net ton as set forth in the aforesaid Schedule; and

d. Sales to the Mountain Ice Co., Pueblo, Colorado, on or about October 6, 8 and 9, 1941, of approximately 38.935 net tons of 1¼" x 0 slack coal (Size Group No. 13) at $1.70 per net ton f. o. b. the mine whereas the effective minimum f. o. b. mine price for said coal was $1.95 per net ton as set forth in the aforesaid Schedule.

2. *Section 4 II (e) and (g) of the Act, Part II (e) and (g) of the Code.* Sales and delivery by truck, subsequent to September 30, 1940, of coal produced at the aforesaid mine at prices below the effective minimum f. o. b. mine prices established in the aforesaid Schedule, plus the actual transportation, handling and other incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction No. 14, as amended and contained in Supplement No. 1 to the aforesaid Schedule, including the following transactions:

Date	Purchaser (all located Pueblo, Colo.)	Tons	Size	Delivered price	Eff. min. f. o. b. mine price	Miles hauled
3-29-41 to 4-14-41	Thos. Coal & Lime Co	122.170	1¼" x 0	$2.60	$1.95	70
6-3-41 to 7-8-41	Thos. Coal & Lime Co	50.4675	1¼" x 0	2.50	1.95	50
10-25-40 to 1-17-41	A. G. Stubblefield	268.8175	1¼" x 0	2.60	1.95	50
10-1-40	Southern Colo. Power Co	7.456	1¼" x 0	2.10	1.95	50
2-13-42 to 3-22-42	Southern Colo. Power Co	99.840	1¼" x 0	2.30	1.95	50
12-4-41 to 3-27-42	Southern Colo. Power Co	18.020	1¼" x 0	1.60	1.95	50
12-22-41 to 4-30-42	A. H. Copley	138.930	1¼" x 0	2.75	1.95	50
10-16-40 to 12-19-40	Ashley Lumber Co	17.050	3" lump	5.00	4.75	50
12-18-40	Ashley Lumber Co	8.3875	3" x 1¼"	4.15	3.65	50
10-3-40 to 9-14-41	Forbush Co	139.6125	1¼" x 0	2.25	1.95	50
11-17-40	Congress Hotel	8.450	1¼" x 0	2.80	1.95	50
11-22-40 to 12-3-40	Congress Hotel	59.845	1¼" x 0	2.50	1.95	50
1-14-41	Superior Dairy	9.40	1¼" x 0	2.75	1.95	50
9-5-41	Mountain Ice Co	8.560	1¼" x 0	2.70	1.95	50

3. *Orders of the Division Nos. 296 and 297.* Failure to file with the Statistical Bureau for District No. 17, during the period October 1, 1940 to December 31, 1940, reports of all sales of substantial tonnages of coal produced, sold and shipped from the above-mentioned mine, by truck or wagon, to various purchasers, and copies of truck tickets, sales slips, invoices or lists of said sales, as required by Orders of the Division Nos. 296 and 297, dated September 23 and October 22, 1940, respectively.

4. *Order of the Division No. 317.* Failure and refusal to file with the Statistical Bureau for District No. 17 for each month from and including March 1941 through June 1942, within five (5) days after the end of each of said months, a report of all sales made during each of said months, of coal produced at the aforesaid mine, and shipped by truck or wagon to various purchasers, and copies of truck tickets, sales slips, invoices and listings of said sales, as required by section 3 (b) of Order of the Division No. 307, dated December 11, 1940.

C. By letter dated September 2, 1942, the Division notified said board that unless it took action in this matter within fifteen (15) days from the date of said notification, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the Code Member has wilfully violated section 4 II (e) and (g) of the Act, Part II (e) and (g) of the Code, Orders of the Division Nos. 296, 297 and 317, dated September 23 and October 22, 1940 and February 24, 1941, respectively; and

2. Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on November 17, 1942,

at 10 a. m. at a hearing room of the Division at the Court House, Trinidad, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 42-9502; Filed, September 24, 1942; 1:01 p. m.]

[Docket No. B-315]

TONY SANTARELLI, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act") district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on July 10, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, orders, rules and regulations thereunder, and particularly section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, have been committed by Tony Santarelli, the Code Member above-named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of June 21, 1937, operator of the Double Dick Mine, Mine Index No. 382, located in Fremont County, Colorado, Subdistrict No. 3 of District No. 17 in connection with sales for truck shipment, subsequent to September 30, 1940, of coal produced at the aforesaid mine below the effective minimum prices established therefor as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments (hereinafter referred to as the "Schedule"), including the following:

1. Sales to various purchasers, during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 7,769.48 net tons of coal (Size Group No. 2), produced at the aforesaid mine, at prices ranging from $1.57 to $3.92 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15 of the Schedule, was $3.95 per net ton as set forth in the Schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 3" lump (Size Group No. 3).

2. Sales to various purchasers, during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 1,194.25 net tons of coal (Size Group No. 2) produced at the aforesaid mine, at prices ranging from $4.00 to $4.44 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was $4.45 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 3" lump (Size Group No. 3).

3. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 4,522.17 net tons of coal (Size Group No. 5) produced at the aforesaid mine, at prices ranging from $1.03 to $3.43 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15 of the schedule was $3.50 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 3" x 1½" nut (Size Group No. 9).

4. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 652.55 net tons of coal (Size Group No. 5) produced at the aforesaid mine at prices ranging from $3.47 to $3.93 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was $4.00 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 3" x 1½" nut (Size Group 9).

5. Sales to E. C. Brinlee (Blue Flame Coal Company), Colorado Springs, Colorado, on or about November 3, 1940, of approximately 4.86 net tons of coal (Size Group No. 6), produced at the aforesaid mine at $3.10 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was $3.95 per net ton, as set forth in the schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 1¼" x 6" nut (Size Group No. 7).

6. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 2,035.16 net tons of coal (Size Group No. 9), produced at the aforesaid mine at prices ranging from $2.10 to $2.93 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15 of the schedule, was $3.00 per net ton as set forth in the schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 1½" x 1" nut (Size Group No. 10).

7. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 208.82 net tons of coal (Size Group No. 9), produced at the aforesaid mine at prices ranging from $3.47 to $3.93 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was $3.50 per net ton as set forth in the schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 1½" x 1" nut (Size Group No. 10).

8. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 542.24 net tons of coal (Size Group No. 10), produced at the aforesaid mine, at prices ranging from $1.58 to $2.71 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15 of the schedule was $2.85 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 1¼" x ⅜" nut (Size Group No. 11).

9. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 320.41 net tons of coal (Size Group No. 10), produced at the aforesaid mine at prices ranging from $2.66 to $3.00 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was $3.10 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 1¼" x ⅜" nut (Size Group No. 11).

10. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 12.53 net tons of coal (Size Group No. 9) produced at the aforesaid mine at prices ranging from $2.06 to $2.45 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15, was $3.00 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as ¾" x 1¼" nut (Size Group No. 10).

11. Sales to various purchasers during the period October 1, 1940, to December 31, 1941, both dates inclusive, of approximately 89.65 net tons of ¾" x 1¼" coal (Size Group No. 10), produced at the aforesaid mine at prices ranging from $1.90 to $2.83 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15, of the schedule was $2.85 per net ton as set forth in the schedule.

12. Sales to E. C. Brinlee (Blue Flame Coal Company), Colorado Springs, Colorado, during the period November 19, 1940 to February 10, 1941, both dates inclusive, of approximately 31.55 net tons of coal (Size Group No. 13) produced at the aforesaid mine at $1.13 and $1.05 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15 of the schedule, was $1.70 per net ton as set forth in the schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as ¾" x 0 slack (Size Group No. 15).

13. Sales to John Berlinger during the period February 11, 1941, to April 4, 1941, both dates inclusive, of approximately 10.85 net tons of 1½" x ¾" nut coal (Size Group No. 10), produced at the aforesaid mine at prices ranging from $2.60 to $2.75 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal, pursuant to Price Instruction and Exception No. 15 of the schedule, was $2.85 per net ton as set forth in the schedule.

C. By letter dated July 31, 1942, the Division notified said board that unless it took action in this matter, the Division would take such action in lieu of the District Board as it deemed to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a District Board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the District Board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board as in this Notice of and Order for Hearing provided, pursuant to Section 6 (a) and other pertinent provisions of the Act, for the purpose of determining

1. Whether the Code Member has wilfully violated section 4 II (e) and section 4 II (i) 8 of the Act, Part II (e) and Part II (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and

2. Whether in the event the Code Member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the Code Membership of Tony Santarelli, Code Member, or directing said Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act be held on November 3, 1942, at 10 a. m. at a hearing room of the Division at the Post Office Building, Pueblo, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate Order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate Order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and Orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 42-9508; Filed, September 24, 1942; 1:01 p. m.]

[Docket No. B-330]

WILLIS E. DAVIS, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the

Bituminous Coal Division (the "Division").

B. The Division on May 14, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, and rules and regulations thereunder, and particularly section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, have been committed by Willis E. Davis, the Code Member abovenamed (hereinafter referred to as the "Code Member") whose Code Membership became effective as of January 27, 1941, operator of the North Canyon Mine, Mine Index No. 266, formerly operated by A. B. and W. E. Davis, located in Garfield County, Colorado, Subdistrict No. 18 of District No. 17, in connection with sales for truck shipment, subsequent to January 27, 1941, of coal produced at the aforesaid mine below the effective minimum prices therefor including approximately 107.20 net tons of 1¼" x ⅛" coal during the period September 8 to November 27, 1941, both dates inclusive, to various purchasers at $1.70 per net ton f. o. b. said mine, whereas said coal falls within a size group for which no prices have been listed for said mine and must be included in Size Group No. 10, the size group for the next larger size for said mine, and priced at not less than $2.25 per net ton f. o. b. the mine, as set forth in Supplement No. 2 to the Schedule of Effective Minimum Prices for District No. 17 For All Shipments; and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as 1¼" x 0 stoker and ¼" x 0 slack.

C. By letter dated August 25, 1942, the Dvision notified said board that unless it took action in the matter within twelve (12) days from the date of notification, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the Code Member has willfully violated section 4 II (e) and (i) 8 of the Act and Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and

2. Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on October 29, 1942, at 10 a. m. at a hearing room of the Division at the Federal Court Room, Grand Junction, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9498; Filed, September 24, 1942; 1:01 p. m.]

[Docket No. B-326]

NUSHAFT CANON COAL COMPANY, INC., CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code"), and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on May 14, 1942, referred to District Boad No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder have been committed by Nushaft Canon Coal Company, Inc., the Code Member abovenamed (hereinafter referred to as the "Code Member") whose Code Membership became effective as of June 21, 1937, operator of the Nushaft Mine, Mine Index No. 348, and the Rex Carbon Mine, Mine Index No. 349, both located in Fremont County, Colorado, Subdistrict No. 3 of District No. 17, in connection with the following:

1. *Section 4 II (c) and (g) of the Act and Part II (e) and (g) of the Code.* Sales and deliveries by truck, to various coal retailers, subsequent to September 30, 1940, through its wholesale coal yard located in Colorado Springs, Colorado, a distance of approximately 54 miles from its Rex Carbon Mine, Mine Index No. 349, of coal produced at said Rex Carbon Mine, at prices below the effective minimum prices for District No. 17 For Truck Shipments, plus the transportation, handling and incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by the purchasers as required by Price Instruction and Exception No. 14 as amended and contained in Supplement No. 1 to the Schedule of Effective Minimum Prices for District No. 17 For All Shipments, including sales and deliveries, during the period August 20 to October 7, 1941, as follows:

Size of coal	Size group	Amount in tons	Sales prices f. o. b. coal yard, Colorado Springs, Colo.	Eff. min. f. o. b. mine price
3" Lump	3	307.965	$4.95 to $5.25	$4.25
¾" x 1¼" Nut	9	106.395	4.00 to 4.75	3.50
1¼" x¾" Stoker	10	18.925	3.75 to 4.25	3.10
8" x 1¾" Nut	6	8.548	4.60 to 4.70	3.95
8" x 3" Grate	4	1.00	4.55	4.25

2. *Section 4 II (e) of the Act and Part II (e) of the Code.* Sales for truck shipment, subsequent to September 30, 1940, of coal produced at its Rex Carbon Mine, Mine Index No. 349, below the effective minimum prices therefor, including sales to the Southern Colorado Power Company, Pueblo, Colorado, during the month of November 1940, of substantial quantities of 1½" x 0 coal produced at said mine at $1.45 per net ton f. o. b. said mine, whereas said coal was classified as Size Group No. 13 and priced at $1.70 per net ton f. o. b. said mine, as set forth in the Schedule of Effective Minimum Prices for District No. 17 for All Shipments, and Price Instruction and Exception No. 15 thereof.

3. *Section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations.* Sales for truck shipment, subsequent to September 30, 1940, of coal produced at the aforesaid Rex Carbon Mine, below the effective minimum prices therefor, including the following:

a. Sales to various purchasers during the period August 11 to August 20, 1941, both dates inclusive, of approximately 74.15 tons of 1¼" x 8" coal at $3.35 per net ton f. o. b. said mine, whereas said coal was classified as Size Group No. 6 and priced at $3.70 per net ton, as set forth in said Schedule, and said Price Instruction and Exception No. 15 thereof, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1½" x 6" nut; and

b. Sales to various purchasers during the period August 10 to 20, 1941, both dates inclusive, of approximately 10.55 tons of 1¼" x 8" coal at $3.85 per net ton f. o. b. said mine, whereas said coal was classified as Size Group No. 6 and priced at $3.95 per net ton f. o. b. said mine, as set forth in said Schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1½" x 6" nut.

C. By letter dated August 25, 1942, the Division notified said board that unless it took action in this matter within twelve (12) days from said notification, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the Code Member has willfully violated section 4 II (e), (g) and (i) 8 of the Act, Part II (e), (g) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and

2. Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on November 13, 1942, at 10 a. m. at a hearing room of the Division at the Post Office Building, Pueblo, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler, or any other officer of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9501; Filed, September 24, 1942; 1:01 p. m.]

[Docket No. B-327]

TONY AND PASQUALE DIGIACOMO

NOTICE OF AND ORDER FOR HEARING

In the matter of Tony Digiacomo and Pasquale Digiacomo, individually and as co-partners, doing business under the name and style of Tony and Pasquale Digiacomo, Code Member.

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on May 16, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder and particularly section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, have been committed by Tony DiGiacomo and Pasquale DiGiacomo, individually and as co-partners, doing business under the name and style of Tony and Pasquale DiGiacomo, the Code Member above-named (hereinafter referred to as the "Code Member"),

[Docket No. B-189]

whose Code Membership became effective as of January 11, 1940, operator of the Canon Shamrock Mine, Mine Index No. 453, located in Fremont County, Colorado, Subdistrict No. 3 of District No. 17, in connection with the following:

1. Sales for truck shipment, subsequent to November 14, 1940, of coal produced at the aforesaid mine below the effective minimum prices established therefor, as set forth in Temporary Supplement No. 4, annexed to and made a part of the Director's Order in Docket No. A–258, dated November 14, 1940, including the following transactions:

(a) Sales of approximately 1535.685 tons of coal which had passed through ¾" bar spacings which is included in Size Group No. 13 (pursuant to Price Instructions and Exceptions Nos. 4 and 5, as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments), sold during the period December 10, 1940, to January 31, 1942, both dates inclusive, to the Southern Colorado Power Company, located in Canon City, Colorado, and Pueblo, Colorado, at $1.20 per net ton f. o. b. said mine, whereas the effective minimum price for said coal (pursuant to Price Instruction and Exception No. 15, as set forth in said Schedule) was $1.70 per net ton f. o. b. said mine, as set forth in said Temporary Supplement, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets ¾" slack; and

(b) Sale of approximately 13¼ tons of 1½" x 6" coal, Size Group No. 7, on or about July 18, 1941, to Jack Otis, Pueblo, Colorado, at $3.00 per net ton f. o. b. said mine, whereas the effective minimum price for said coal (pursuant to Price Instruction and Exception No. 15 as set forth in said Schedule) was $3.35 per net ton f. o. b. said mine, as set forth in the aforesaid supplement, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 3" nut.

C. By letter dated August 21, 1942, the Division notified said Board that unless it took action in the matter within fifteen (15) days from the date of said notification, the Division would take such action in lieu of the Board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the Code Member has willfully violated section 4 II (e) and (i) 8 of the Act and Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations; and

2. Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to section 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on November 12, 1942, at 10 a. m., at a hearing room of the Division at the Post Office Building, Pueblo, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act and the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the statistical bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42–9500; Filed, September 24, 1942; 1:02 p. m.]

APPLICATIONS FOR REGISTRATION

NOTICE OF FILING

To all District Boards, Code Members, distributors, the Consumers' Counsel and other interested persons:

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name	Address	Date application filed
War Eagle Coal Sales Co.	Bluefield, West Va.	9–9–42
Norman W. Lee (Independent Operators' Sales Company).	3829 S. Ninth St., Arlington, Va.	9–3–42
Oscar M. Hoskins	LaFollette, Tenn.	9–2–42
Chicago & Southern Coal Company	332 So. Michigan Ave., Chicago, Ill.	9–11–42
William J. Stubbins	523 Brighton Blvd., Zanesville, Ohio	9–7–42
Central Oil Company, Inc.	616 Twiggs Street, Tampa, Florida	8–31–42

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act an . the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before October 26, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street, NW., Washington, D. C.

Dated: September 23, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42–9497; Filed, September 24, 1942; 1:02 p. m.]

[Docket No. B–189]

WHEELING VALLEY COAL CORPORATION, WEST VIRGINIA

CEASE AND DESIST ORDER, ETC.

Order granting application filed pursuant to § 301.132 of the rules of practice and procedure for disposition hereof without formal hearing, canceling hearing, revoking code membership and cease and desist order.

A complaint dated January 16, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on January 16, 1942, by the Bituminous Coal Producers Board for District No. 6, a District Board (the "Complainant") with the Bituminous Coal Division (the "Division") alleging that Wheeling Valley Coal Corporation, a Code Member (the "Code Member") which operates the Richland Mine, Mine Index No. 19, and the Costanzo Mine, Mine Index No. 8, both located in Ohio County, West Virginia, in District No. 6, and the Devenny No. 1 Mine, Mine Index No. 26, and the Devenny No. 2 Mine, Mine Index No. 31, both located in Brooke County, West Virginia, in District No. 6, violated the provisions of the Act, the Bituminous Coal Code (the "Code"), the Schedule of Effective Minimum Prices for District No. 6 For All Shipments Except Truck, as amended (the "Rail Schedule"), and For Truck Shipments, as amended (the "Truck Schedule"), and rules, regulations and orders promulgated by the Division pursuant to the Act, as more fully set forth in the complaint; and

The complaint and notice of and order for hearing dated April 18, 1942, having been duly served on the Code Member on April 23, 1942; and

A joint application dated June 9, 1942 of the Code Member and Cove Hill Coal Company for the disposition without formal hearing of this proceeding, Docket No. B–189, and the proceeding in Docket No. B–190, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division, having been duly filed with the Division on June 10, 1942, which was denied on June 16, 1942, by the Acting Director; and

The hearing herein having been postponed by order dated June 25, 1942, to a date and place to be thereafter designated by an appropriate order; and

A joint application of the Code Member and Cove Hill Coal Company dated July 2, 1942, for disposition of this proceeding and of the proceeding in Docket No. B–190 without formal hearing pursuant to said § 301.132, having been duly filed with the Division on July 3, 1942; and

Notice of the filing of said joint application dated July 2, 1942, having been published in the FEDERAL REGISTER on July 10, 1942, pursuant to said § 301.132 and a conformed copy thereof having been duly mailed to the complainant herein; and

Said notice of filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said notice file recommendations or requests for informal conferences with respect to said amended application, and it appearing that no such recommendations or requests have been filed with the Division within said fifteen (15) day period; and

An amendment thereto dated August 3, 1942, having been duly filed with the Division on August 3, 1942; and

In said joint application as amended, the Code Member admits that it wilfully violated the Act, the Code, and orders, rules and regulations thereunder as alleged in the complaint herein and consents to the entry of an order of revocation and a cease and desist order as hereinafter provided, and consents to the imposition under section 5 (b) of the Act, of a tax in the amount of five thousand seven hundred and fifty dollars and fourteen cents ($5,750.14) which it agrees to pay to the United States, the payment of which is a condition precedent to the restoration of its code membership; and

Also, in said joint application as amended, the Code Member has not to the best of its knowledge committed any violations of the Act, the Code, or regulations thereunder other than those admitted in the said joint application as amended and more particularly described in the said notice of and order for hearing; and

The instant proceeding and the proceeding in the matter of Cove Hill Coal Company, Docket B–190, are inter-related with the proceeding in the matter of Costanzo Coal Mining Corporation, Registered Distributor, Registration No. 1897, Docket 1540–FD; that the three proceedings should be viewed as a whole; and

In the findings of the Acting Director dated March 26, 1942, in Docket 1540–FD that Costanzo Coal Mining Corporation owned one-half of the capital stock of the Cove Hill Coal Company; that Frank Costanzo was the President of both the Cove Hill Coal Company and the Costanz Coal Mining Corporation; that the entire output of the Cove Hill Coal Company was marketed through the Costanzo Coal Mining Corporation; that Costanzo Coal Mining Corporation also owned the majority of the capital stock of the Wheeling Valley Coal Corporation; that the Costanzo Coal Mining Corporation and the Wheeling Valley Coal Corporation had officers in common; that those officers constituted the respective Boards of Directors of said two companies; and that the entire output of the Wheeling Valley Coal Corporation was also marketed through the Costanzo Coal Mining Corporation. The transactions involved in Docket 1540–FD are substantially the same as those involved in the instant proceedings and in the Cove Hill Coal Company proceeding, Docket B–190. On the basis of the violations found in Docket 1540–FD, the registration of the Costanzo Coal Mining Corporation was suspended for a period of nine (9) months by order issued in that proceeding on March 26, 1942.

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act, authorizing it to adjust complaints of violation and to compose the differences of the parties thereto, and upon the joint application, as amended, filed with the Division pursuant to § 301.132 of the Rules of Practice and Procedure of the Division, for the disposition without formal hearing of the charges contained in the complaint herein, and upon evidence in the possession of the Division;

It is hereby found that: (a) Wheeling Valley Coal Corporation is a corporation organized and existing by virtue of the Laws of the State of West Virginia, with its principal place of business at Wheeling, West Virginia, and is engaged primarily in the business of mining and producing bituminous coal in District No. 6.

(b) Wheeling Valley Coal Corporation filed with the Division on June 20, 1937 its Code Acceptance dated June 16, 1937. Said Code Acceptance became effective as of June 20, 1937. Wheeling Valley Coal Corporatiton has been since June 20, 1937 and is now a Code Member in District No. 6. During the period when the violations hereinafter found occurred, Wheeling Valley Coal Corporation was operating the Richland Mine, Mine Index No. 19 and the Costanzo Mine, Mine Index No. 8, both located in Ohio County, West Virginia, in District No. 6, and the Devenny No. 1 Mine, Mine Index No. 26, and the Devenny No. 2 Mine, Mine Index No. 31, both located in Brooke County, West Virginia, in District No. 6.

(c) Wheeling Valley Coal Corporation wilfully violated section 4 II (e) and (h) of the Act, Part II (e) and (h) of the Code and Rule 1 of section III of the Marketing Rules and Regulations, as alleged in paragraphs I and II of the complaint herein, by selling through its sales agent, the Costanzo Coal Mining Corporation, to J. Q. Clarke Coal Company, Inc., Buffalo, N. Y., a registered distributor, (1) during the period from October 1, 1940, to February 4, 1941, both dates inclusive, 7521.95 net tons of coal produced either at its said Richland Mine or at its said Costanzo Mine, or at both of them, which coal was resold by the said J. Q. Clarke Coal Company, Inc., to various industrial consumers and by granting to said J. Q. Clarke Coal Company, Inc., a discount of 17 cents per net ton on such sales, whereas such coal was physically handled and resold by said J. Q. Clarke Coal Company, Inc., in less than cargo or railroad carload lots so that no discount was allowable on such coal, and (2) during the period from October 17, 1940, to February 1, 1941, 448 net tons of coal produced at either or both of the aforesaid mines and granting thereon a discount of 17 cents per ton whereas the maximum allowable distributor's discount on such coal was 12 cents per net ton as provided in the Order establishing due and reasonable maximum discounts, entered in General Docket No. 12 on June 19, 1940.

(d) Pursuant to the provisions of section 5 (b) of the Act, the membership of Wheeling Valley Coal Corporation in

the Code should be revoked with respect to the violations described in paragraph (c) hereof.

(e) The amount of tax imposed by section 5 (b) of the Act with respect to the coal described in paragraph (c) hereof, amounting to 7969.95 net tons, and required to be paid as a condition precedent to restoration of Wheeling Valley Coal Corporation to membership in the Code is five thousand seven hundred and fifty dollars and fourteen cents ($5,750.14) which amount is 39% of the aggregate of the effective minimum prices of such coal f. o. b. mines of fourteen thousand seven hundred and forty-four dollars and seventeen cents ($14,744.17).

It is further found that: (f) Wheeling Coal Corporation wilfully violated section 4 II (e) and (h) of the Act, Part II (e) and (h) of the Code and Rule 1 of section III of the Marketing Rules and Regulations as alleged in paragraph II of the complaint herein in addition to the tonnage referred to in paragraph (c) hereof, by selling through its sales agent, the Costanzo Coal Mining Company, to the J. Q. Clarke Coal Company, Inc., Buffalo, N. Y., a registered distributor, 61.25 net tons of coal produced at the said Richland Mine or the said Costanzo Mine, or at both of them, during the period October 17, 1940, to February 3, 1941, both dates inclusive, and by allowing thereon a discount of 17 cents per net ton whereas the maximum allowable discount on such coal was 12 cents per ton as provided in the order establishing due and reasonable maximum discounts entered in General Docket No. 12 on June 19, 1940.

(g) Wheeling Valley Coal Corporation wilfully violated section II (e) and (g) of the Act and Part II (e) and (g) of the Code as alleged in paragraph III of the complaint herein by selling and delivering through its sales agent, the Costanzo Coal Mining Corporation, to the Weirton Steel Company, Weirton, West Virginia, during the period December 1940 through January 1941, 6,107.50 net tons of 2" nut and slack coal, produced at the said Devenny No. 1 Mine, at a delivered price f. o. b. the plant of the said Weirton Steel Company, at $1.15 per net ton, which was less than the effective minimum f. o. b. mine price for said coal, of $1.90 per net ton established by the Division, as set forth in the Truck Schedule, and to which the Wheeling Valley Coal Corporation failed to add an amount at least equal as nearly as practicable to the actual transportation charges, handling charges or incidental charges of whatsoever kind or character from the transportation facilities at the mine to the plant facilities of the Weirton Steel Company, as required by Price Instruction No. 6 of said Truck Schedule.

(h) Wheeling Valley Coal Corporation wilfully violated section 4 II (e) of the Act and Part II (e) of the Code as alleged in paragraphs IV and V of the complaint herein,

(1) by selling through its sales agent, the Costanzo Mining Company for rail shipment to the Universal Cyclops Steel Corporation, Titusville, Pennsylvania, during the period October 1, 1940, to March 31, 1941, both dates inclusive, a total tonnage of 7,236.6 net tons of various sizes of coal produced at the said Richland and Costanzo Mines at f. o. b. mine prices which were less than the effective minimum f. o. b. mine prices of $1.85, $2.10 and $2.15 per net ton established therefor by the Division, as set forth in the Rail Schedule,

(2) by selling through its sales agent, the Costanzo Coal Mining Company for rail shipment to the Globe Brick Company, Kennilworth, West Virginia, during the period October through December 1940, a total tonnage of 5,729.95 net tons of various sizes of egg and lump coal, produced at the said Richland Mine or the Costanzo Mine, or at both of them, at an f. o. b. mine price of $2.00 per net ton which was less than the effective minimum f. o. b. mine prices of $2.05, $2.10 and $2.30 per net ton for the respective sizes established therefor by the Division as set forth in the Rail Schedule.

(i) Wheeling Valley Coal Corporation wilfully violated section 4 II (e) of the Act, Part II (e) of the Code, section 4 II (i) 8 of the Act, Part II (i) 8 of the Code, Rule 8 of section XIII of the Marketing Rules and Regulations and the Order of the Division entered in General Docket No. 19 on October 9, 1940, as alleged in paragraph VI of the complaint herein, by selling through its sales agent, the Costanzo Coal Mining Corporation, for rail shipment to the Globe Brick Company, Kennilworth, West Virginia, a mixture of 5,615.3 net tons of 2" lump coal produced at the said Richland and Devenny No. 1 Mines, at a price of $2.00 per net ton f. o. b. said Richland Mine, which was below the effective minimum price of $2.10 per net ton for 2" lump coal produced at said Richland Mine, as set forth in the Rail Schedule, and for which 2" lump coal produced at the said Devenny No. 1 Mine, no effective minimum prices, temporary or final, had been established f. o. b. the Richland Mine by the Division, for the sale of coal produced at the said Devenny No. 1 Mine, and by filing invoices with the Statistical Bureau for District No. 6 falsely showing thereon that all of the coal was produced at the Devenny No. 1 Mine.

(j) Wheeling Valley Coal Corporation wilfully violated section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 (f) of section XI of the Marketing Rules and Regulations, as alleged in paragraph VII of the complaint herein, by substituting upon an order for run of mine coal taken by its sales agent, the Costanzo Coal Mining Corporation, from the Pennsylvania Railroad Company, during the period October 1, 1940 to March 31, 1941, both dates inclusive, 73,038.05 net tons of egg coal, produced at the said Richland and Costanzo Mines, delivered to the Pennsylvania Railroad Company at a price of $2.05 per net ton f. o. b. the mine, which was below the effective minimum f. o. b. mine price for such coal of $2.20 per net ton established by the Division, as set forth in the Rail Schedule, and by failing to comply with the conditions set forth in Rule 1 (f) of Section XI of the Marketing Rules and Regulations in making such substitutions.

(k) Wheeling Valley Coal Corporation wilfully violated Rule 13 of section II of the Marketing Rules and Regulations, as alleged in paragraph VIII of the complaint herein, by paying to the Pocahontas Coal Corporation a commission of 12 cents per net ton for sales on behalf of Wheeling Valley Coal Corporation during the period from December 31, 1940, to January 31, 1941, both dates inclusive, of approximately 5502.90 net tons of coal. Such commissions were paid pursuant to a sales agency agreement entered into on October 4, 1940, between the said Costanzo Coal Mining Corporation on behalf of the Wheeling Valley Coal Corporation and the Pocahontas Coal Corporation, which agreement was filed with the Division on or about October 16, 1940. Said Commissions were 7 cents per net ton in excess of the maximum discounts allowable to a registered distributor on sales of on-line railroad fuel, as established by Order of the Division entered in General Docket No. 12 on June 19, 1940, although at the time of said transactions Wheeling Valley Coal Corporation had not filed an application for permission to pay commissions in excess of such maximum discounts allowable to a registered distributor, as required by Rule 13 of section II of the Marketing Rules and Regulations.

(l) Wheeling Valley Coal Corporation wilfully violated the order of the Division entered in General Docket No. 19 on October 9, 1940, as alleged in paragraph IX of the complaint herein, by sales through its sales agent, the Costanzo Coal Mining Corporation, during the months of November and December 1940, 261.69 net tons of 2" nut and slack coal and 644.25 net tons of 1¼" slack coal produced at the said Devenny No. 1 Mine, to the Toronto Paper Company, for delivery f. o. b. its plant at Toronto, Ohio, at a sales price of $1.95 per net ton f. o. b. said plant. Said coal was delivered by truck from the mine to barges on the Ohio River, transported by barge to Toronto, Ohio, reloaded into trucks and delivered to the bins of the Toronto Paper Company, which method of transportation constituted combination truck and river shipments of said coal, for which minimum prices, temporary or final, for such movement of said coal had not been established by the Division.

(m) Upon the basis of the violations described in paragraphs (f) to (l) hereof, inclusive, Wheeling Valley Coal Corporation should be directed to cease and desist from all violations of the Act, the Code and rules, regulations and orders thereunder.

It is hereby furtner found that the contracts between Wheeling Valley Coal Corporation and the Weirton Steel Company, the Universal Cyclops Steel Corporation, and the Globe Brick Company, respectively, pursuant to which the coal referred to in paragraphs III, IV, V, and VI of the complaint herein and paragraphs (g), (h), and (l) of these findings was sold and delivered were not lawful bona fide written contracts entered into prior to June 16, 1933, under the provisions of section 4 II (e) of the Act.

Now, therefore, on the basis of the above findings and the said admissions and the consent filed by the said Wheeling Valley Coal Corporation pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That the aforesaid joint application as amended be, and the same hereby is, granted in so far as it refers to Docket B–189 in respect to violations committed by the Wheeling Valley Coal Corporation; and

It is further ordered, That pursuant to section 5 (b) of the Act the membership of Wheeling Valley Coal Corporation in the Code be and the same hereby is revoked and canceled and that such revocation and cancellation shall become effective ten (10) days from the date hereof; and

It is further ordered, That the hearing herein heretofore postponed by Order dated June 25, 1942 to a time and place to be thereafter designated by an appropriate order be, and the same hereby is, canceled; and

It is further ordered, That prior to restoration of Wheeling Valley Coal Corporation to membership in the Code, there shall be paid to the United States a tax in the amount of Five Thousand Seven Hundred and Fifty Dollars and Fourteen Cents ($5,750.14) as provided in section 5 (c) of the Act: *Provided, however*, That Wheeling Valley Coal Corporation shall be conditionally restored to membership in the Code upon payment to the United States of fifty per cent (50%) of Five Thousand Seven Hundred and Fifty Dollars and Fourteen Cents ($5,750.14) conditioned upon the payment of the remainder thereof in eight equal monthly instalments, in the manner more particularly set forth in paragraph VII of said joint application, as amended, which sets forth the agreement made between the Wheeling Valley Coal Corporation and the Collector of Internal Revenue for such instalment payments; and

It is further ordered, That the Wheeling Valley Coal Corporation, its representatives, servants, agents, officers, employees, attorneys, receivers and successors or assigns, or any person acting or claiming to act on its behalf or in its interest, cease and desist and they hereby are permanently enjoined and restrained from violating the Bituminous Coal Act, the Bituminous Coal Code and the rules and regulations thereunder, including but not in limitation hereof the making of further sales pursuant to the aforesaid contracts between Wheeling Valley Coal Corporation, and Weirton Steel Company, Universal Cyclops Steel Corporation, and Globe Brick Company, respectively, at less than the minimum prices established for such coals, and that the provisions hereof shall continue in full force and effect with respect to Wheeling Valley Coal Corporation, its representatives, servants, agents, officers, employees, attorneys, receivers and successors or assigns, or persons acting or claiming to act on its behalf or in its interest, upon any conditional or unconditional restoration of Wheeling Valley Coal Corporation to membership in the Code pursuant to section 5 (c) of the Act; and

It is further ordered, That the Division upon failure of the Wheeling Valley Coal Corporation to comply with this order may apply to the Circuit Court of Appeals of the United States within any circuit wherein Wheeling Valley Coal Corporation carries on business, for the enforcement thereof, or take any other appropriate action.

Dated: September 22, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42–9455; Filed, September 23, 1942; 12:07 p. m.]

[Docket No. 1714–FD]

THOMAS REDDING

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on September 29, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division, at Room 118, Colonial Hotel, Altoona, Pennsylvania, pursuant to an order issued in the above-entitled matter on September 4, 1942; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the said hearing in the above-entitled matter be and the same hereby is postponed from September 29, 1942, at 10 a. m. to a time and place to be hereafter designated by an appropriate order.

Dated: September 24, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9550; Filed, September 25, 1942; 11:26 a. m.]

[Docket No. A–1497]

DISTRICT BOARD NO. 15

MEMORANDUM OPINION AND ORDER CONCERNING MOTION FOR RECONSIDERATION

In the matter of the petition of District Board No. 15 for revision of the effective minimum prices for certain coals produced in District No. 15.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on June 9, 1942, by District Board No. 15, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting increases in the prices published in the Schedule of Effective Minimum Prices for District No. 15 for All Shipments Except Truck applicable to code member's mines in Production Groups Nos. 1, 2, 4, 5, 10, and 11, District 15, for shipment to Market Area No. 75 (Kansas City), and in Production Group No. 4, District 15, for shipment into Market Area No. 78 (St. Joseph, Missouri, etc.).

Pursuant to order of June 18, 1942, and after due notice to all interested persons, a hearing was held on July 8, 1942, before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The original petitioner and Bituminous Coal Consumers' Counsel ("Consumers' Counsel") appeared at the hearing. The preparation and filing of a report by the Examiner were waived, and the record was thereupon submitted to the Acting Director.

On July 29, 1942, the undersigned made Findings of Fact, Conclusions of Law and entered a final order granting relief.

On August 22, 1942, Consumers' Counsel filed a motion for reconsideration and modification of the order. The basis for the motion presently appears.

Established minimum prices for coals produced in District 15 are predicated on delivered differentials arrived at by relating the coals to one (or more) particular production group as a base group. Subsequent to the coordination and establishment of prices, certain freight rate changes, set out in my Findings of Fact, were established by carriers on coal produced in District 15 for shipment to Market Area 75. These changes were not uniform as between production groups. The price schedule provides a 10 per cent delivered differential between Size Groups 13 and 14. Applying the 10 per cent differential to the effective minimum f. o. b. mine price plus the freight rate results in fractional differences which may be more or less than 5 mills. I concluded that in cases of 5 mills or more, the fraction should be carried forward and the 1 cent added, and where less than 5 mills the fraction should be dropped in determining the minimum f. o. b. mine prices.

Rule 1 of section XII of the Marketing Rules and Regulations is as follows:

If, in converting a net or gross ton price, freight rate or freight rate differential, the calculation extends to more than two (2) decimals, and the third decimal is 0.005 or more, it shall be added as 0.01, and if under 0.005 it shall be eliminated.

I construed the foregoing rule as governing in this situation. Consumers' Counsel objects to such application of the Marketing Rule, contending that the rule is limited in its application to matters arising out of the conversion of gross tons to net tons. It is further contended that such translation of fractional cents is contrary to the acceptable statistical rule and is burdensome to consumers, adding 1 cent per ton to the

price of coal in those instances where the fraction happens to be exactly 5 mills, when there should be a reduction of 1 cent.

It is true that the extension of decimals to three or more points in converting gross ton prices to net tone prices suggested the advisability of adopting the rule.[1] However, I believe the rule expresses a policy which should be made applicable in such an instance as is presented here. The fact that the matter of translating gross ton prices immediately suggested the rule is no reason for limiting the policy of the rule to that type of situation.

The decision is justified in the interest of orderly administration and it does not appear from the evidence that the rule as construed by me works an undue hardship on consumers.

For the foregoing reasons, the motion of Consumers' Counsel for reconsideration and modification of the final order in this proceeding should be overruled.

Accordingly, it is so ordered.

Dated: September 24, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9951; Filed, September 25, 1942; 11:26 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Entomology and Plant Quarantine.

WHITE-FRINGED BEETLE

HEARING TO CONSIDER REVISING QUARANTINE

SEPTEMBER 25, 1942.

Notice of public hearing to consider the advisability of revising the White-Fringed Beetle Quarantine to include North Carolina.

The Secretary of Agriculture has information that white-fringed beetles (species of the genus *Pantomorus*, subgenus *Graphognathus*), insect pests dangerous to agriculture, and not heretofore widely prevalent or distributed within and throughout the United States, but known to be present in Alabama, Florida, Louisiana, and Mississippi, have been found to exist in the State of North Carolina.

It appears necessary, therefore, to consider the advisability of revising the quarantine on account of the white-fringed beetle (7 CFR 301.72 [Notice of Quarantine No. 72]) to include the State of North Carolina, and of restricting or prohibiting the movement from that State, or regulated portions thereof, of (1) soil, sand, clay, peat, or muck, independent of, or in connection with, nursery stock, plants, or other things; and (2) such other articles or materials as may be determined to present a hazard in spread of the beetle, including the following:

Nursery stock.
Potatoes.
Grass sod.
Lily bulbs.
Compost and manure.
Forest products such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.
Hay, roughage of all kinds, straw, leaves, and leafmold.
Peanuts in shells and peanut shells.
Seed cotton, cottonseed, baled cotton lint, and linters.
Used implements, machinery, containers, scrap metal, and junk.
Brick, tile, stone, cinders, concrete slabs, and building blocks.

Notice is, therefore, hereby given that, in accordance with section 8 of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315; 7 U.S.C. 161) as amended, a public hearing will be held before the Bureau of Entomology and Plant Quarantine in the auditorium of the Department of Agriculture, Washington, D. C., in the South Building, Independence Avenue and 14th Street SW., at 10:30 A. M., October 15, 1942, in order that any person interested in the proposed quarantine revision may appear and be heard either in person or by attorney.

GROVER B. HILL,
Acting Secretary.

[F. R. Doc. 42-9558; Filed, September 25, 1942; 11:34 a. m.]

[1] See evidence (Tr. 102, Hearing on the coordination of Marketing Rules and Regulations, April 17, 1939).

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 161]

PRINTING AND PUBLISHING AND ALLIED GRAPHIC ARTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 49

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, U. S. Department of Labor,

Do hereby accept the resignation of Mr. Julian Wolfner from Industry Committee No. 49 for the Printing and Publishing and Allied Graphic Arts Industry, and do appoint in his stead as representative of the employers on such committee Mr. F. R. Tyroler, of New York, New York.

Signed at New York, New York, this 24th day of September 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-9561; Filed, September 25, 1942; 11:30 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6427]

MCCLATCHY BROADCASTING CO. (KWG)

NOTICE OF HEARING

In re application of McClatchy Broadcasting Company (KWG), dated April 29, 1942; for construction permit; class of service, broadcast; class of station, broadcast; location, Stockton, California; operating assignment specified: Frequency, 1230 kilocycles; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission on September 8, 1942, denied the petition of the applicant filed pursuant to the memorandum opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: McClatchy Broadcasting Company, Radio Station KWG, 708 I Street, Sacramento, California.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9542; Filed, September 25, 1942; 10:59 a. m.]

[Docket Nos. 6423, 6424, 6425]

NATIONAL BROADCASTING CO., INC. (NEW)

NOTICE OF HEARING

In re application of National Broadcasting Company, Inc. (New), dated June 22, 1942; for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of San Francisco, California; operating assignment specified: frequency, 1606, 2074, 2102, 2758 kilocycles; emission: A1, A2, and A3; power, 75 w. night; 75 w. day; hours of operation, section 4.24; to be used with KPO.

In re application of National Broadcasting Company, Inc. (New), dated June 25, 1942; for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of San Francisco, California; operating assignment specified: frequency, 1606, 2074, 2102, 2758 kilocycles; emission: A3; power, 500 w. night; 500 w. day; hours of operation, section 4.24.

In re application of National Broadcasting Company, Inc. (New), dated June 22, 1942; for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, area of San Francisco, California; operating assignment specified: frequency, 31220, 35620, 37020, 39260 kilocycles; emission: A3; power, 25 w. night; 25 w. day; hours of operation, section 4.24; to be used with KPO.

You are hereby notified that the Commission has examined the above described applications and has designated the matters for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: National Broadcasting Company, Inc., c/o RCA Frequency Bureau, 30 Rockefeller Plaza, New York, New York.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9544; Filed, September 25, 1942; 10:59 a. m.]

[Docket No. 6428]

ROYAL MILLER (KROY)

NOTICE OF HEARING

In re application of Royal Miller (KROY), dated May 6, 1942; for construction permit; class of service, broadcast; class of station, broadcast; location, Sacramento, California; operating assignment specified: Frequency, 1240 kilocycles; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission on September 8, 1942, denied the petition of the applicant filed pursuant to the memorandum opinion of the Commission of April 27, 1942, and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Royal Miller, Radio Station KROY, Sacramento Hotel, 10th and K Streets, Sacramento, California.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9543; Filed September 25, 1942; 11:00 a. m.]

[Docket No. 6419]

WRDO, INCORPORATED

NOTICE OF HEARING

In re application of WRDO, Incorporated, dated February 28, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Augusta, Maine; operating assignment specified: Frequency, 1400 kilocycles; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WRDO, Incorporated, Radio Station WRDO, No. 1 Commercial Street, Augusta, Maine.

Dated at Washington, D. C., September 21, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-9545; Filed, September 25, 1942; 10:59 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-262]

MEMPHIS NATURAL GAS COMPANY

ORDER FIXING DATE OF HEARING

SEPTEMBER 22, 1942.

The Department of Public Utilities of the State of Arkansas, complainant, *v.* Memphis Natural Gas Company, defendant.

It appearing to the Commission that: The Department of Public Utilities of the State of Arkansas on April 25, 1942, filed a complaint with the Federal Power Commission alleging that the rates charged by the Memphis Natural Gas Company for gas sold to the Arkansas Power and Light Company for resale and distribution for domestic use, and for all uses, compared with the rates charged for gas sold to the City of Memphis for similar uses, are unreasonable, unjust, and unduly discriminatory; that under existing conditions and circumstances the citizens and business interests in the cities and towns in Arkansas served by the Arkansas Power and Light Company are subjected to unlawful and unreasonable prejudice and disadvantage not justified by any difference in the cost of service; that the action of the Memphis Natural Gas Company in maintaining such difference in rates and charges for gas sold and delivered to the City of Memphis and to the Arkansas Power and Light Company is in violation of and prohibited by section 4 (b) of the Natural Gas Act.

The Commission orders, That: A public hearing be held in Room 521, Federal Building, at Little Rock, Arkansas, beginning at 10 A. M., on October 12, 1942, to determine whether the rates and charges assessed and collected by Memphis Natural Gas Company for gas sold and delivered to Arkansas Power and Light Company are unreasonable, unjust, and unduly discriminatory, as alleged in the complaint filed by the Department of Public Utilities of the State of Arkansas.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9540; Filed, September 25, 1942; 9:59 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 12 Under Maximum Price Regulation 126[1]—Fluorspar]

D. S. BUISSON

DETERMINING MAXIMUM PRICE

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered that:*

(a) Under the provisions of § 1376.1 (a) (3) of Maximum Price Regulation No. 126, issued April 28, 1942, the price of $18.00 per ton f. o. b. Townsend, Montana, for metallurgical grade fluorspar, the specifications of which are a minimum of 85% calcium fluoride, and a maximum of 5% silica, is determined to be a price in line with the level of maximum prices established by § 1376.1 of said Maximum Price Regulation for sales made by D. S. Buisson, Townsend, Montana, and the maximum price at which said company may sell or deliver said grade of fluorspar.

(b) On or before October 15, 1942, and on or before the 15th day of each month thereafter D. S. Buisson shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement covering operations in the preceding calendar month, and copies of all invoices for fluorspar sold during the same period.

(c) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 12 shall become effective September 25, 1942.

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9514, Filed, September 24, 1942; 1:40 p. m.]

[Order 1 Under Maximum Price Regulation 205—Sulphate of Ammonia Producers, Importers and Jobbers—Docket 3205-2]

COLORADO FUEL AND IRON CORPORATION

GRANTING PERMISSION FOR ADJUSTABLE PRICES

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, *It is ordered:*

(a) On and after the 25th day of September 1942, sales of sulphate of ammonia produced at Pueblo, Colorado by The Colorado Fuel and Iron Corporation may be made at the applicable maximum price, subject to an agreement with the purchasers of such sulphate of ammonia to adjust prices upon deliveries during pendency of its petition in accordance with the disposition thereof.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time, and, in any event, is to be effective only to the date upon which the petition is finally determined by the Price Administrator.

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[1] 7 F.R. 8189.

(c) This Order No. 1 shall become effective September 25, 1942.

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9513; Filed, September 24, 1942; 1:39 p. m.]

[Order 17 Under Revised Price Schedule 64[1]—Domestic Cooking and Heating Stoves]

PRIZER-PAINTER STOVE WORKS

ORDER APPROVING MAXIMUM PRICES

On August 21, 1942, Prizer-Painter Stove Works, Reading, Pennsylvania, filed an application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for eight coal ranges, designated in said application as Models Nos. 395–E Victory Perfect, 818–V Perfect, 17–KV Modern, 821–V Perfect Peerless, 18–KV Modern, 17–8 V Duplex, 18–8 V Duplex, and 181–V Duplex.

Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) Prizer-Painter Stove Works may sell, offer to sell, deliver, or transfer the following models at prices no higher than those specified:

Model No.:	*F.o.b. factory to dealers*
395–E Victory Perfect	$91.11
818–V Perfect	57.01
17–KV Modern	62.39
821–V Perfect Peerless	66.01
18–KV Modern	67.31
17–8 V Duplex	72.88
18–8 V Duplex	84.90
181–V Duplex	86.86

subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum prices of Models Nos. 395–E Perfect 313 AL Perfect, 17–E Modern, 821 Perfect Peerless, 18–E Modern, 17–8 Duplex, 18–8 Duplex, and 181 Duplex, respectively under § 1356.1 of Revised Price Schedule No. 64.

(b) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 17 shall become effective on the 24th day of September 1942.

Issued this 24th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9533; Filed, September 24, 1942; 4:45 p. m.]

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[1] 7 F.R. 1329, 1836, 2060, 2132, 4404, 5872, 6221.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-509]

ANDROSCOGGIN MILLS, ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of September 1942.

In the matter of Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company, York Manufacturing Company.

A declaration or application (or both) having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named person or persons, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U–23 under said Act; and

Said declaration or application relating to the following transactions: Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company, and York Manufacturing Company, all nonutility subsidiary companies of New England Public Service Company, a registered holding company, each proposes to issue promissory notes from time to time to The First National Bank of Boston or other banks or trust companies for the purpose of evidencing borrowings to obtain working capital. The maximum principal amount of notes to be outstanding at any one time is $500,000 in the case of Androscoggin Mills, The Edwards Manufacturing Company, Hill Manufacturing Company and York Manufacturing Company and a maximum amount of not to exceed $1,000,000 in the case of Bates Manufacturing Company, which maximum amount in the case of Bates Manufacturing is inclusive of promissory notes in the aggregate principal amount of $825,000 issued and outstanding as of August 8, 1942, and held by said The First National Bank of Boston. It is stated that it is proposed that these promissory notes in the case of each Company shall be short-term, issued when the Company needs additional current funds, and be paid or renewed, as the case may be, at the end of the term, the result being in each case a revolving issue of notes with the aggregate amount outstanding at any one time fluctuating according to the credit requirements of the particular Company but exceeding at no time the aggregate amount herein proposed to be issued by each Company.

It now appearing to the Commission that it is appropriate and in the public interest and the interests of investors and consumers that a hearing be held with respect to said declaration or application (or both) and that said declaration shall not become effective or said application be granted except pursuant to further order of the Commission, and that at said hearing there be considered, among other things, the various matters hereinafter set forth:

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on September 29, 1942, at 10 A. M., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commissions Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said application or declaration particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the issue and sale of the notes proposed to be issued are solely for the purpose of financing the business of the applicant companies;

(2) What terms and conditions, if any, should be attached to the Commission's order?

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file written application pursuant to Rule XVII of the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9537; Filed, September 25, 1942; 10:01 a. m.]

[File No. 70-597]

AMERICAN UTILITIES SERVICE CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of September, A. D. 1942.

American Utilities Service Corporation, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-62 promulgated thereunder, regarding the acquisition by American, prior to December 31, 1942, of $250,000 of its Collateral Trust 6% Bonds, Series A, through invitation of tenders pursuant to its indenture with Continental Illinois Bank and Trust Company of Chicago, Indenture Trustee;

Said declaration having been filed on September 2, 1942, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said acquisition and the solicitation material filed therewith that the requirements of section 12 (c) of the Act and Rules U-42 and U-62 are complied with and the Commission deeming it appropriate in the public interest and the interest of investors and consumers to permit the declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23, and the applicable provisions of said Act and subject to the terms and conditions prescribed by U-24, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-9536; Filed, September 25, 1942; 10:01 a. m.]

WAR MANPOWER COMMISSION.

[Directive No. XI]

REQUESTS FOR OCCUPATIONAL DEFERMENT OF OFFICERS OR EMPLOYEES

To all departments and agencies of the executive branch of the Federal Government, concerning requests for the occupational deferment of their officers or employees.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9139[1] establishing the War Manpower Commission, and having found, after consultation with the members of the War Manpower Commission, that the measures hereinafter set forth will promote an equitable and uniform application to employees of the Federal Government of the provisions of the Selective Training and Service Act of 1940, as amended, facilitate the filling of the Federal Government's requirements for manpower in the civilian service, and promote the effective mobilization and maximum utilization of the Nation's manpower, it is hereby directed:

I. Not later than ten days after the publication of this directive in the FEDERAL REGISTER, each department and agency of the executive branch of the Federal Government shall have prepared and submitted to the Civil Service Commission, and shall thereafter keep current, information, hereinafter referred to as the department's or agency's list of key positions, with respect to each position, directly concerned with the war effort or with essential supporting activities, in such department or agency, the adequate performance of the duties of which requires (a) special skills or abilities and (b) a considerable period of training or experience. Such list of key positions shall include with respect to each such position, a description of the skills, abilities, training or experience required and a description of the relation of the position to the war effort or essential supporting activities.

II. On the basis of the information so submitted, the Chairman of the War Manpower Commission will designate those positions which shall be eliminated from each department's or agency's list of key positions. In making such designations, the Chairman of the War Manpower Commission will base his determination with respect to each position (a) on the relation of such position to the war effort or to essential supporting activities, (b) on the skills, abilities, training or experience required for the adequate performance of the functions and duties of such position, and (c) on the ability of the department or agency concerned to secure from government or non-government sources, a replacement for such position, consistently with such policies and directives as the Chairman of the War Manpower Commission may have prescribed. The Chairman of the War Manpower Commission will promptly inform the appropriate department or agency of such designations, and will thereafter from time to time make, and notify the appropriate department or agency of, such new designation or revisions in former designations as changing circumstances may require.

III. On and after the twentieth day after the publication of this directive in the FEDERAL REGISTER, no department or agency, unless such request conforms Federal Government shall directly or indirectly request the occupational deferment, under the Selective Training and Service Act of 1940, as amended, of any officer or employee of such department or agency of, such new designations or re- with the following principles and procedures:

(a) Each such request shall be made only by the head of the appropriate department or agency, or by the person or persons designated by such head to take such action;

(b) Each such request shall be made on the form or forms prescribed by the Director of Selective Service;

(c) No such initial request for a Class II classification on occupational grounds shall be made unless the head of the appropriate department or agency or the person or persons designated by him to take such action shall certify that:

(i) The officer or employee possesses special skills or abilities, absolutely essential to the performance of his duties, which skills or abilities have been acquired as a result of a considerable period of training or experience; and

(ii) The officer or employee is employed in a position which is included in the department's or agency's list of key positions as currently revised pursuant to

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[1] 7 F.R. 2919.

paragraph II of this directive, or, though he is not employed in such a position, the officer or employee is engaged in an activity which is directly concerned with the war effort or with essential supporting activities and occupies such an extraordinary and unique relationship to the conduct of that activity that the head of his department or agency and the Chairman of the War Manpower Commission have determined that his separation from the activity would seriously impair, over a substantial period of time, the effective functioning of that activity.

(d) No such request for an additional occupational deferment beyond the initial period of six months shall be made unless the head of the department or agency, or the person or persons designated by such head to take such action shall, in addition to certifying to the matters prescribed under subparagraph (c) hereof, also certify that:

(i) The department or agency concerned and the Civil Service Commission have determined that any effort to recruit a replacement would be in conflict with the policies and directives of the Chairman of the War Manpower Commission, or

(ii) Vigorous efforts have been made, subject to the policies and directives of the Chairman of the War Manpower Commission, by the department or agency concerned and by the Civil Service Commission to secure a replacement and such efforts have been unavailing, or

(iii) A replacement has been secured but a further period of training is required before the trainee will be qualified to assume the responsibilities of the position, or

(iv) The head of the department or agency and the Chairman of the War Manpower Commission have determined that the officer or employee is engaged in an activity which is directly concerned with the war effort or with essential supporting activities and occupies such an extraordinary and unique relationship to the conduct of that activity that his separation from the activity would seriously impair, over a substantial period of time, the effective functioning of that activity.

IV. If, pursuant to the requirements of the War Department or the Navy Department with respect to the voluntary enlistment in the armed forces by, or the offer or award of commissions in the armed forces to, civilian officers or employees of the executive branch of the Federal Government, any such officer or employee presents to the head of his department or agency a request for a release in order to so enlist or to secure such a commission, such release shall be denied if the head of such department or agency determines that he would have requested the occupational deferment of such officer or employee under the Selective Training and Service Act of 1940, as amended, pursuant to the provisions of paragraph III (c) of this directive, unless the Chairman of the War Manpower Commission determines that the services for which such officer or employee is sought by the armed forces will constitute a more effective contribution to the war effort than the services performed by the individual in his position in such department or agency. In the event of such denial, the head of the department or agency shall at the same time certify to the officer's or employee's appropriate Selective Service local board that he had refused to issue to such officer or employee a release which would have enabled him to enlist in or accept a commission in the armed forces of the Nation, including therein a statement of the reasons for such refusal.

V. The Chairman of the War Manpower Commission will exempt from the provisions of this directive, any civilian activity of a department or agency of the executive branch of the Federal Government which he finds (a) is substantially identical to an industrial enterprise and (b) has established and is maintaining policies and procedures with respect to the occupational deferment, under the Selective Training and Service Act of 1940, as amended, of officers or employees engaged therein, which are consistent with the policies and directives of the Chairman of the War Manpower Commission.

VI. Each department or agency of the executive branch of the Federal Government seeking a determination by the Chairman of the War Manpower Commission pursuant to paragraph III, IV or V hereof shall submit its request therefor, together with such information in connection therewith as it may deem pertinent, to the Civil Service Commission. The Civil Service Commission shall submit its recommendations with respect to such requests and with respect to each department's or agency's list of key positions submitted pursuant to paragraph I hereof, to the Chairman of the War Manpower Commission.

VII. The Director of Selective Service shall take such actions as may be necessary or appropriate to acquaint all local boards and boards of appeal in the Selective Service System with the provisions of this directive.

VIII. This directive may be cited as the "Directive with Respect to Requests for the Occupational Deferment of Federal Employees."

PAUL V. MCNUTT,
Chairman.

SEPTEMBER 24, 1942.

[F. R. Doc. 42-9548; Filed, September 25, 1942; 11:21 a. m.]

[Directive No. XII]

CLASSIFICATION OF FIELD POSITIONS IN FEDERAL SERVICE

To all departments and agencies of the executive branch of the Federal Government, concerning the classification of field positions in the Federal service.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9139[1] establishing the War Manpower Commission, and having found, after consultation with the members of the War Manpower Commission, that the measures hereinafter set forth will facilitate the filling of the Federal Government's requirements for manpower in the civilian service, effectuate the administration of Executive Order No. 9243[2] and War Manpower Commission Directive No. X,[3] and promote the effective utilization of the Nation's manpower in the prosecution of the war, it is hereby directed:

I. Whenever the Civil Service Commission shall have reason to believe that the classifications of any civilian positions in the field services of an executive department or agency which are subject to the schedule of grades and salaries prescribed by the Classification Act of 1923, as amended, are such as to result in (a) material interference with the effective administration of Executive Order No. 9243 and War Manpower Commission Directive No. X, or (b) undesirable competition for employees among such departments or agencies, or (c) an impediment to the effective utilization of the Nation's manpower in the war effort, it shall make a fact-finding survey of the positions concerned or such other study as it deems necessary, and shall, after consultation with the affected department or agency, prepare and promulgate standards for the proper classification of such positions in accordance with the schedule of grades and salaries prescribed by the Classification Act of 1923, as amended. Any such fact-finding survey or study may be made at the request of or in cooperation with an affected department or agency.

II. Upon receipt of such standards, each department and agency having field positions affected thereby shall classify such positions in accordance with such standards and report its classifications to the Civil Service Commission, together with such additional information and in such manner and form as the Civil Service Commission may prescribe.

III. The Civil Service Commission shall make such audits as may be necessary to determine the extent of adherence to standards prescribed pursuant to paragraph I hereof, and shall report its findings with respect to variations therefrom to the Director of the Bureau of the Budget.

IV. Whenever the Civil Service Commission shall have reason to believe that the results described in clause (a), (b), or (c) of paragraph I hereof are occurring or are likely to occur, with respect to positions in the Federal service for which wage scales are fixed on a prevailing rate basis, it shall take such action as may be appropriate to promote such adjustments of such wage rates or other action by the departments or agencies concerned, as may appear proper or necessary to effectuate the purposes of this directive.

V. The Civil Service Commission is authorized and directed to adopt such measures and take such action as may be necessary and appropriate to carry out the provisions of this directive.

VI. The Civil Service Commission shall prescribe such rules or regulations as may be necessary to assure that the incumbent of any position whose rate of pay will be reduced by reason of any action pursuant to paragraph II hereof is provided, prior to such reduction, a fair opportunity to present to the Civil Service Commission, his objections thereto.

VII. This Directive may be cited as the "Directive with Respect to Classification Standards for positions in the field services of executive departments and agencies of the Federal Government."

PAUL V. MCNUTT,
Chairman.

SEPTEMBER 24, 1942.

[F. R. Doc. 42-9549; Filed, September 25, 1942; 11:21 a. m.]

[1] 7 F.R. 2919.

[2] 7 F.R. 7213.

[3] 7 F.R. 7296.

WAR PRODUCTION BOARD.[1]

[Amendment 1 to Certificate 1]

MANUFACTURE OF SYNTHETIC NITRATION GRADE TOLUENE

THE ATTORNEY GENERAL: Reference is made to Certificate No. 1 dated June 24, 1942,[2] made pursuant to Section 12 of Public Law No. 603, approved June 11, 1942, relating to the exchange of technical information with respect to the manufacture of synthetic nitration grade toluene. After consultation with you, I hereby amend such plan so as to include within its scope such persons having technical information regarding the manufacture of synthetic nitration grade toluene, in addition to those referred to in Certificate No. 1, as may be requested by me to participate in such plan; and I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any such person in compliance with such request is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 10, 1942.

[F. R. Doc. 42-9564; Filed, September 25, 1942; 11:45 a. m.]

[1] F.R. 5070.

Reference

OCT 1

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 191

Washington, Tuesday, September 29, 1942

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 30—THE FEDERAL LAND BANK OF HOUSTON

FEES FOR RELEASE OF PERSONAL LIABILITY

Part 30 of Title 6, Code of Federal Regulations, is amended by adding a new section, § 30.10, to read as follows:

§ 30.10 *Fees for releases of personal liability in connection with Federal land bank and land bank Commissioner loans.* When no reappraisal by a land bank appraiser or investigation is necessary no fee will be charged. When reappraisal or investigation is necessary, a charge will be made covering the actual expense incurred, not to exceed $15.00. (Sec. 13 "Ninth", 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.4019) [Res. Ex. Com., August 27, 1942]

By The Federal Land Bank of Houston.

[SEAL] A. P. GRAVES,
Executive Vice President.

[F. R. Doc. 42-9574; Filed, September 25, 1942; 3:27 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

DAMAGE BY ARMY FORCES IN FOREIGN COUNTRIES

Section 36.55 (b) (2) is hereby amended to read as follows:

§ 36.55 *Claims for damages occasioned by Army forces in foreign countries.*

* * *

(b) *Application and scope.* * * *

(2) *Scope.* (i) No claim will be allowed where the evidence establishes that the damage was approximately caused in whole or in part by negligence on the part of the claimant, his agent, or employee.

(ii) Claims otherwise within the purview of the statute and these regulations may be allowed regardless of whether the officer or employee of the United States who caused the damage was acting within the scope of his employment, and regardless of whether the damage was caused by the negligence or criminal act of any such officer or employee.

(iii) In consideration of claims for damages resulting from personal injury or death the commissions may, in addition to the payment of actual and reasonable expenses for medical care and treatment, hospitalization, and funeral services and subject to the limitations of the Act, allow, in connection with personal injury claims, reasonable compensation for pain, suffering, loss of earning capacity and in connection with death claims loss of prospective support, taking due account of local standards. (Act January 2, 1942, Public Law 393—77th Congress) [Par. 2b, AR 35-7090 February 10, 1942, as amended by C 1 September 17, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-9575; Filed, September 25, 1942; 3:27 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial Number 1936]

PART 202—ACCOUNTS, RECORDS AND REPORTS

UNIFORM SYSTEM OF ACCOUNTS FOR DOMESTIC AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 14th day of September 1942.

The Civil Aeronautics Board, on January 21, 1942, having promulgated an amendment of § 202.2 of the Economic Regulations relating to Forms of Accounts for Air Carriers; and

It appearing to the Board that certain amendments to the Uniform System of Accounts for Domestic Air Carriers therein prescribed are now necessary to

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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make available to the Board certain information in relation to results of the operation of domestic air carriers under government war contracts relating to the performing of services for the military; and

The Board finding that its action is in the public interest and is necessary to carry out the provisions of the Civil Aeronautics Act of 1938, as amended, and to enable the Board to exercise and perform its powers and duties under that Act;

It is ordered, That the Uniform System of Accounts for Domestic Air Carriers be and the same is amended as set forth in Amendment Number Two[1] attached as Exhibit A[1] hereto.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 42-9641; Filed, September 28, 1942; 11:33 a. m.]

TITLE 14—CIVIL AERONAUTICS

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 600—DESIGNATION OF CIVIL AIRWAYS

[Amendment No. 9]

REDESIGNATION OF GREEN CIVIL AIRWAY NO. 4 AND RED CIVIL AIRWAY NO. 12

SEPTEMBER 24, 1942

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By inserting after "Kansas City, Mo., Radio Range Station", in § 600.10003 Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.) the following:

§ 600.10003 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* • • • The intersection of the center lines of the on course signals of the northeast leg of the Kansas City Radio Range Station and the west leg of the Columbia, Mo., Radio Range Station; Columbia, Mo., Radio Range Station.

2. By deleting in § 600.10211 Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.) the phrase "From the Kansas City, Mo., Radio Range Station," and inserting in lieu thereof the following:

§ 600.10211 *Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.)* • • • From the intersection of the center lines of the on course signals of the northeast leg of the Kansas City Radio Range Station and the west leg of the Columbia, Mo., Radio Range Station.

This amendment will become effective 0001 EST, September 28, 1942.

C. I. STANTON, *Administrator.*

[F. R. Doc. 42-9580; Filed, September 26, 1942; 11:00 a. m.]

[1] Filed with the Division of the Federal Register.

Range Station and the west leg of the Columbia, Mo., Radio Range Station; Columbia, Mo., Radio Range Station.

2. By deleting in § 600.10211 Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.) the phrase "From the Kansas City, Mo., Radio Range Station," and inserting in lieu thereof the following:

§ 600.10211 *Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.)* • • • From the intersection of the center lines of the on course signals of the northeast leg of the Kansas City Radio Range Station and the west leg of the Columbia, Mo., Radio Range Station.

This amendment will become effective 0001 EST, September 28, 1942.

C. I. STANTON, *Administrator.*

[F. R. Doc. 42-9581; Filed, September 26, 1942; 11:00 a. m.]

[Amendment No. 15]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

REDESIGNATION OF RADIO FIX

SEPTEMBER 24, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

By inserting after "Kansas City, Mo., Radio Range Station", in § 601.4004 Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.) the following:

§ 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* • • • The intersection of the center lines of the on course signals of the northeast leg of the Kansas City Radio Range Station and the west leg of the Columbia, Mo., Radio Range Station or the Excelsior Springs fan type radio marker station; Columbia, Mo., Radio Range Station.

This amendment will become effective 0001 E. S. T., September 28, 1942.

C. I. STANTON, *Administrator.*

[F. R. Doc. 42-9582; Filed, September 26, 1942; 11:00 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4663]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HEATLESS PERMANENT WAVE COMPANY, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of a method of heatless permanent waving which includes a curling solution composed of ammonium hydrogen sulphide, or any similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said method when used with such a curling solution, which advertisements represent, directly or through inference, that any method of heatless permanent waving which includes the use of a curling solution of ammonium hydrogen sulphide constitutes a competent, safe, or scientific means of producing permanent waves in the hair of human subjects or that its use is harmless and will have no ill effects upon the human body; or which advertisements fail to reveal that the use of a curling solution of ammonium hydrogen sulphide in connection with any method of heatless permanent waving may cause local skin irritation, nausea, or vomiting or may cause convulsions, asphyxiation, or collapse in the absence of ventilation, and if introduced into the circulatory system in sufficient quantities and strength may result in systemic poisoning and death; prohibited (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Heatless Permanent Wave Company, et al., Docket 4663, September 21, 1942]

In the Matter of Irvin A. Willat, an Individual, Trading as Heatless Permanent Wave Company and Arnold F. Willat, an Individual, Trading as Willat Production Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of September, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into between William S. Graham, counsel for the respondents, and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that the respondent Irvin A. Willat, an individual, trading as Heatless Permanent Wave Company, has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Irvin A. Willat, individually and trading as Heatless Permanent Wave Company, or under any other name or names, his agents, servants and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of a method of heatless permanent waving which includes a curling solution composed of ammonium hydrogen sulphide, or any product of substantially similar composition or possessing substantially similar properties, whether described by the same name or by any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails, or (b) by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference, that any method of heatless permanent waving which includes the use of a curling solution of ammonium hydrogen sulphide constitutes a competent, safe, or scientific means of producing permanent waves in the hair of human subjects or that its use is harmless and will have no ill effects upon the human body; or which advertisement fails to reveal that the use of a curling solution of ammonium hydrogen sulphide in connection with any method of heatless permanent waving may cause local skin irritation, nausea, or vomiting or may cause convulsions, asphyxiation, or collapse in the absence of ventilation, and if introduced into the circulatory system in sufficient quantities and strength may result in systemic poisoning and death;

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of said method of heatless permanent waving when used with a curling solution of ammonium hydrogen sulphide, which advertisement contains any of the representations prohibited in Paragraph 1 hereof, or which advertisement fails to reveal that the use of a curling solution of ammonium hydrogen sulphide in connection with any method of heatless permanent waving may cause local skin irritation, nausea, or vomiting or may cause convulsions, asphyxiation, or collapse in the absence of ventilation, and if introduced into the circulatory system in sufficient quantities and strength may result in systemic poisoning and death.

It is further ordered, That said respondent Irvin A. Willat shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

It is further ordered, That the complaint herein be, and the same hereby is, dismissed as to respondent Arnold F. Willat.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-9600; Filed, September 26, 1942; 11:32 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5170]

PART 101—TAXES ON ADMISSIONS, DUES AND INITIATION FEES

AMENDMENTS AFFECTING MEMBERS OF MILITARY AND NAVAL FORCES, ETC.

Sections 101.5, 101.15, 101.16 and 101.18 of Regulations 43 (1941 Edition) amended.

In order to conform to Public Law 676, 77th Congress, 2d Session, approved July 23, 1942, Regulations 43 (1941 Edition) [Part 101, Title 26, Code of Federal Regulations, 1941 Supp.], as amended by Treasury Decision 5096, approved November 1, 1941, and Treasury Decision 5129, approved March 26, 1942, relating to the taxes on admissions, dues, and initiation fees under Chapter 10 of the Internal Revenue Code, as amended, are hereby further amended as follows:

PARAGRAPH 1. The following is inserted immediately preceding § 101.2:

PUBLIC LAW NO. 676—77TH CONGRESS, 2D SESSION

• • • That section 1700 (a) (1) of the Internal Revenue Code, as amended, is amended by inserting after the words "members of the military or naval forces of the United States when in uniform" a comma and the words "members of the military or naval forces of any of the United Nations, when in uniform," • • •

§ 101.2 *Meaning of "admission."* • • •

PAR. 2. The second paragraph of paragraph (b) of § 101.5 is amended to read as follows:

§ 101.5 *Free and reduced rate of admissions.* • • •

Persons in the military or naval forces of the United States when in uniform, members of the military or naval forces of any of the United Nations when in uniform, and members of the Civilian Conservation Corps when in uniform, are not liable for tax if admitted free, and if admitted at a reduced rate are liable for tax on the reduced price.

PAR. 3. The following is inserted immediately preceding § 101.15:

PUBLIC LAW NO. 676—77TH CONGRESS, 2D SESSION

• • • That section 1700 (a) (1) of the Internal Revenue Code, as amended, is amended • • • by inserting at the end thereof the following sentence: "Amounts paid on and after October 1, 1941, for admission to theatres and other activities operated by or under the control of the War Department or the Navy Department within posts, camps, reservations, and other areas maintained by the Military or Naval Establishment shall be exempt from the tax imposed by this section: *Provided*, That the net proceeds from said admission charges are used exclusively for the welfare of the military or naval forces of the United States."

PAR. 4. Sections 101.15 and 101.16 are amended to read as follows:

§ 101.15 *Termination of exemptions—*(a) *General rule.* The several exemptions from the tax on admissions formerly allowed by section 1701 of the Code and by the Interior Department Appropriation Acts were terminated as of October 1, 1941, by section 541 (b) and (c) of the Revenue Act of 1941. Accordingly, except as provided in paragraph (b) of this section, all amounts paid on and after October 1, 1941, for admission to any place are subject to tax, regardless of the purpose of the entertainment or affair and regardless of the organization or person to whom the proceeds inure. A child under 12 years of age admitted for less than 10 cents is not liable for tax. (See § 101.4.)

(b) *Exceptions.* Amounts paid on and after October 1, 1941, for admission to theatres and other activities operated by or under the control of the War Department or the Navy Department within posts, camps, reservations, and other areas maintained by the Military or Naval Establishment shall be exempt from the tax imposed by this section, provided the net proceeds from said admission charges are used exclusively for the welfare of the military or naval forces of the United States.

§ 101.16 *Admissions by or for the benefit of Federal, State, or Municipal Governments.* The fact that the authority charging admissions or receiving the proceeds thereof is the United States or an agency thereof, or a State or Territory or political subdivision thereof, such as a county, city, town, or other municipality, does not make such admissions exempt. For exception see § 101.15 (b). The Code specifically provides that the taxes on admission shall be paid by the person paying for admission. It is not, therefore, a tax on the person or authority selling the admissions or receiving the proceeds thereof.

PAR. 5. The second paragraph of subparagraph (1) of § 101.18 is amended to read as follows:

§ 101.18 *Religious organizations.* • • •

Where a theater or other place has a reduced or special price of admission for (i) members of the military or naval forces of the United States, when in uniform, (ii) members of the military or naval forces of any of the United Nations, when in uniform, (iii) members of the Civilian Conservation Corps in uniform, or (iv) children under 12 years of age, a separate form of ticket (serially numbered) should be used showing such reduced or special price and that the ticket is to be used only by such persons.

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C. 1940, ed., 3791))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: September 25, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9601; Filed, September 26, 1942; 11:58 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—War Relocation Authority

PART 5—ISSUANCE OF LEAVE FOR DEPARTURE FROM A RELOCATION AREA

Pursuant to the provisions of Executive Order No. 9102 of March 18, 1942, the following regulations are hereby prescribed:

Sec.
5.1 Types of leave.
5.2 Application for leave.
5.3 Proceedings upon application for leave.
5.4 Appeal from disapproval, or from approval with special conditions, of application for leave.
5.5 Transportation and reports during leave.
5.6 Extension of leave.
5.7 Granting of furlough from the War Relocation Work Corps.
5.8 Restrictions on leave.
5.9 Expiration of leave and furlough.
5.10 Definitions.
5.11 Effective date.
5.12 Forms.

AUTHORITY: §§ 5.1 to 5.12, inclusive, issued under E.O. 9102, 7 F.R. 2165.

§ 5.1 *Types of leave.* Leaves are of the following types:

(a) A short term leave, for not more than thirty days, for attending to affairs requiring the applicant's presence outside the relocation area;

(b) A leave to participate in a work group, for employment and residence with a group of center residents outside the relocation area, or for such employment with residence remaining within the relocation area; and

(c) An indefinite leave, for employment, education or indefinite residence outside the relocation area.

§ 5.2 *Application for leave.* Any person residing within a relocation center who has been evacuated from a military area or who has been specifically accepted by the War Relocation Authority for residence within a center may apply for leave.

§ 5.3 *Proceedings upon application for leave.* (a) The Project Director may interview an applicant for leave, shall secure a completed individual record on for WRA–26 for the applicant, and shall secure such further information concerning the applicant and the proposed leave as may be available at the relocation center.

(b) Short-term leaves shall be issued by the Project Director.

(c) Leaves to participate in a work group shall likewise be issued by the Project Director, but only in the case of such work groups as have been earlier approved by the Director or the Regional Director, and only upon the conditions specified in regulations or instructions issued from time to time.

(d) The file on each application for indefinite leave, which shall include the application, all related papers, and the Project Director's findings and recommendations, shall be forwarded by the Project Director to the Director. At the time of such forwarding, the Project Director shall inform the Regional Director of the names of the applicants on whose behalf such files have been forwarded to the Director, with a brief statement, as to each applicant, of the relevant facts and the recommendation made by the Project Director.

(e) In the case of each application for indefinite leave, the Director, upon receipt of such file from the Project Director, will secure from the Federal Bureau of Investigation such information as may be obtainable, and will take such steps as may be necessary to satisfy himself concerning the applicant's means of support, his willingness to make the reports required of him under the provisions of this part, the conditions and factors affecting the applicant's opportunity for employment and residence at the proposed destination, the probable effect of the issuance of the leave upon the war program and upon the public peace and security, and such other conditions and factors as may be relevant. The Director will thereupon send instructions to the Project Director to issue or deny such leave in each case, and will inform the Regional Director of the instructions so issued. The Project Director shall issue indefinite leaves pursuant to such instructions.

(f) A leave shall issue to an applicant in accordance with his application in each case, subject to the provisions of this Part and under the procedures herein provided, as a matter of right, where the applicant has made arrangements for employment or other means of support, where he agrees to make the reports required of him under the provisions of this Part and to comply with all other applicable provisions hereof, and where there is no reasonable cause to believe that applicant cannot successfully maintain employment and residence at the proposed destination, and no reasonable ground to believe that the issuance of a leave in the particular case will interfere with the war program or otherwise endanger the public peace and security.

(g) The Director, the Regional Director, and the Project Director may attach such special conditions to the leave to be issued in a particular case as may be necessary in the public interest. The special conditions to be so attached shall be governed by regulations or instructions issued from time to time. Every leave issued under the provisions of this Part shall state the conditions that are applicable thereto.

(h) The Project Director shall promptly notify the applicant of the approval of an application, and of any special conditions attached thereto, or of the disapproval of an application, with a statement of the reasons therefor. In the case where the application for leave has been disapproved, or has been approved subject to special conditions, the Project Director shall advise the applicant of his right to appeal under the provisions of § 5.4.

(i) An applicant shall be required to arrange with the Project Director, in conformity with the applicable regulations or instructions of the Director, to provide for the support of any dependents of the applicant left in a relocation center.

(j) The Project Director may issue, on application, a written authorization to engage in individual work outside the boundaries of a relocation area while continuing to reside in the center. Such a written authorization may be issued to run from day to day until revoked, but shall otherwise be issued upon the same terms, and pursuant to the same forms and procedures, as short-term leaves.

(k) The Project Director shall make monthly reports to the Director and the Regional Director concerning all leaves issued or denied. In the case of each denial, the reason therefor shall be stated. In each case where leave has been issued notwithstanding circumstances which could have been made the grounds for denying leave, a statement of the circumstances and the reason for issuing the leave shall be included. In the case of each application for a short term leave, the report shall state the dates, destinations and purposes assigned in the application. Except as above provided, the report with reference to leaves to participate in a work group may be confined to statistics of the number of persons given leave to go to different work projects. Each such report shall also state the number and, where departure was reported by name, the names of persons who have returned to the relocation center upon expiration of leave.

(l) The Project Director shall promptly notify the Regional Director and the Director of the names of any persons who have failed to return to the relocation center upon expiration of leave.

§ 5.4 *Appeal from disapproval, or from approval with special conditions, of application for leave.* (a) Any applicant whose application for a short term or work group leave has been disapproved or approved with special conditions under § 5.3 may submit to the Project Director, within ten days following receipt of notice of such action, an appeal requesting the Project Director to transmit the appeal and all related papers to the Regional Director. The applicant may submit any supplemental written statement he wishes in support of the appeal.

(b) Within five days following receipt of such an appeal, the Project Director shall transmit the appeal and all related papers to the Regional Director, together with any supplemental statement he believes necessary or desirable.

(c) Upon receipt of such an appeal, the Regional Director shall, within five days, supplement the Project Director's findings with such additional facts as may be readily available, may make such further investigation in connection with the application as he deems necessary, and shall transmit the papers with his comments thereon, to the Director. The Director will thereupon consider the appeal as if it were a proper original application to him, and will issue instructions for the issuance or denial of the leave in accordance with the provisions of this part applicable to applications for indefinite leave. The Director will notify the Regional Director and the Project Director of his disposition of the appeal and the Project Director shall notify the applicant accordingly.

§ 5.5 *Transportation and reports during leave.* (a) The Project Director shall provide transportation for the applicant to whom a leave has been issued to the most convenient railroad or bus station. All other necessary transportation shall be arranged for by the applicant and shall not be paid for by the War Relocation Authority. The Authority may, however, make arrangements with employers for transportation connected with group work leaves. The Project Director shall inform any prospective employer or educational institution concerned, the Regional Director, and the Director, of the place and scheduled time of arrival of the applicant at his destination.

(b) Every short term leave shall require the center resident to report his arrival and every change of address to the Project Director. Every indefinite leave shall require the person to whom such a leave has been issued to report his arrival, his business or school and residential addresses, and every change of address, to the Director. Reports of changes of addresses shall be required to be made, so far as possible, before leaving any employment, institution or address. The person to whom an indefinite leave has been issued shall further be required to report upon arrival at a new location, and to transmit any further appropriate information concerning his exact business, school and residence addresses promptly upon ascertaining them. The Project Director shall send to the Director reports of all such information received by him.

§ 5.6 *Extension of leave.* (a) Any center resident to whom a short term leave has been issued may submit to the Project Director of the relocation center in which he resides a written application for an extension of such leave for a specified period, stating in detail his reasons therefor, and any corrections or additions to the information supplied in connection with the original application for leave. Such an application must be submitted in due time for consideration before the original leave expires. There shall be no implied authorization to remain on leave pending disposition of an application for an extension.

(b) Extensions of leave shall be issued or denied upon the same grounds and pursuant to the same procedure as applications for original leave, but no short term leave shall be prolonged beyond a total period of 60 days.

(c) The issuance of a leave of one type shall not prejudice an application for leave of another type. A center resident absent from the center under a leave to participate in a work group may apply for a similar leave to work with another group. In cases where the Project Director does not deem further personal interviews with the applicant to be necessary, applications may be made and processed while applicant is absent from the center on leave.

§ 5.7 *Granting of furlough from the War Relocation Work Corps.* (a) Any member of the War Relocation Work Corps to whom a leave has been issued under this part shall be considered as having been thereby likewise given a furlough from the Work Corps for the period for which the leave was issued, except where such leave is issued to permit him to perform work as a member of the Work Corps outside a relocation area.

(b) Any leave which has been issued to a member of the Work Corps shall be evidence of such furlough for the period for which the leave was issued.

§ 5.8 *Restrictions on leave.* (a) No short term leave or work group leave issued under the provisions of this part

priation Acts were terminated as of Octo-

scribed:

may be necessary to satisfy himself con-

shall authorize the person to whom the leave is issued to be present in any place except at, or en route to or from, a destination stated in the leave, within the dates stated therein. More than one destination may be stated in the leave where necessary. Such destinations shall be defined in terms of towns or counties as accurately as practicable.

(b) An indefinite leave may permit travel unlimited except as to restrictions imposed by military authorities with reference to military areas or zones, or may permit only travel within designated states, counties, or comparable areas.

(c) Whenever the military authorities of the United States require a pass or other authorization to enter any designated area, no leave shall be issued under the provisions of this part to permit entry into such area until the required pass or authorization has been obtained for the applicant. Whenever such military authorities impose restrictions on movement or conduct within any area, the continuance of such leave shall be contingent upon the observance of any such restrictions in addition to the observance of the other conditions of such leave.

(d) When any alien of enemy nationality is issued a leave under the provisions of this part, the leave shall recite that travel to the first destination has been permitted by the Department of Justice, and the Project Director shall notify the United States Attorney of the judicial district in which the first destination is located concerning the name, description, last residence, destination, and date of departure of such alien. Any subsequent travel within the terms of the leave may take place only with the permission of the United States Attorney for the judicial district including the new point of departure. In addition, if such alien has been paroled by order of the Attorney General, leave shall not issue until the Director has obtained from the Department of Justice in Washington, D. C., a specification of the terms and conditions that are to apply to the parole during such leave. A notification of these terms and conditions shall be embodied in the leave. The leave shall require the alien to comply with all applicable regulations of the Department of Justice with respect to the travel and conduct of enemy aliens.

§ 5.9 *Expiration of leave and refusal.* (a) Any leave issued, and the privilege granted in connection therewith, under the provisions of this part shall expire at the time stated in the leave.

The Project Director may, on similar ground, with the prior approval of the Regional Director, revoke any short term leave. When the Director shall revoke a leave, he will promptly notify the Regional Director and the Project Director. When a Project Director shall revoke a leave, he shall promptly notify the Director and the Regional Director.

(c) Upon the expiration of any leave issued under this part, the person to whom the leave was issued shall return to the relocation center in which he previously resided, unless new leave has been granted or unless he is otherwise directed by the Director.

§ 5.10 *Definitions.* As used in this part:

(a) "Director" means the Director of the War Relocation Authority.

(b) "Regional Director" means the Regional Director of the War Relocation Authority for the region which contains the relocation center in which the particular applicant or person to whom a leave has issued resides or resided at the time application was made.

(c) "Project Director" means the Project Director of the War Relocation Authority for the relocation center in which the particular applicant or person to whom a leave has been issued resides or resided at the time application was made.

(d) "Relocation center" means a relocation community administered by the War Relocation Authority for occupancy by persons evacuated from military areas.

(e) "Relocation area" means the entire area, administered by the War Relocation Authority, surrounding a relocation center.

(f) "Applicant" includes the applicant for a leave and every member of his family who seeks to accompany him on the leave.

(g) "Center resident" means a person to whom a short term leave or work group leave has been issued under the provisions of this part.

§ 5.11 *Effective date.* The provisions of this part shall become effective on October 1, 1942.

§ 5.12 *Forms.* Applications for leave, leaves, and notices provided for in this part shall be made and issued on the prescribed forms whenever such forms are issued by the Director and distributed to the appropriate offices.

Issued at Washington, D. C., the 26th day of September, 1942.

[signature]
Director.

the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 59, entitled "Notice to Employer of Right to Appeal," effective immediately upon the filing hereof with the Division of the Federal Register. The original supply of forms will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 21, 1942.

[F. R. Doc. 42-9577; Filed, September 26, 1942; 10:30 a. m.]

[No. 126]

AFFIDAVIT—OCCUPATIONAL CLASSIFICATION (GENERAL)

ORDER PRESCRIBING FORM

Correction

The number for DSS Form 42 entitled "Affidavit — Occupational Classification (General)" appeared incorrectly as "4" on page 7589 of the issue for Saturday, September 26, 1942.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 4 to General Limitation Order L-38]

Section 1071.1 *General Limitation Order L-38*[1] as amended, is hereby further amended as follows:

Subparagraph (1) of paragraph (b) (*Definitions*) is amended to read as follows:

(1) "Refrigerating and air conditioning equipment" means any type of machinery, equipment or other apparatus (except a domestic mechanical refrigerator as defined in paragraph (b) (2) of this order and except a domestic air refrigerator as defined in paragraph (b) (3) of this order) which is primarily designed to lower the temperature of [illegible] or to lower the temperature or [illegible] or both, of air, by mechanical, chemical or physical means and includes [illegible] and devices designed to [illegible]

type) milk coolers for use on a farm in excess of the limitations established in such subparagraph of this order, provided that nothing in this order shall be deemed to authorize the production of such milk coolers in excess of the limitations imposed by Limitation Order No. L-26 as amended.[2]

Paragraph (e) *Restricting production and sale of specific items*) is hereby amended to read as follows:

(e) *Production and sale of specific items.* (1) Notwithstanding the provisions of paragraph (d) (2) of this order, no producer shall produce any of the following equipment for any purpose:

(i) Self-contained or remote draft beer dispensers, including storage cabinets or water chilling devices, or both, which are a part of the dispensing system.

(ii) Carbonated beverage dispensers.

(iii) Bottled beverage coolers, whether of reach-in, counter or self-contained type.

(iv) Low temperature mechanical refrigerators having a net capacity of eight (8) cubic feet or less designed for the storage of frozen foods or for the quick-freezing of food.

(v) Self-contained air conditioners (room coolers), and window type air conditioners having a rated capacity of less than two (2) horse power or a refrigerating capacity of less than two (2) tons (American Society of Refrigeration Engineers' Specifications).

(vi) Soda fountains without facilities for bulk ice cream storage (fountainette type).

(vii) Florist boxes.

(viii) Ice cream cabinets which are not to be used aboard ship.

(ix) Non-mechanical water coolers (whether of the iced bubbler or bottled type) having an ice capacity of less than twenty-five (25) pounds.

(x) Evaporative coolers rated at 2000 c. f. m. or less at the discharge side of the unit.

(xi) Refrigerated display cases of all types.

(xii) Low temperature mechanical refrigerators having a net capacity of more than eight (8) cubic feet but not over twenty-four (24) cubic feet to be used for the freezing and storage of food on a farm (farm freezers).

(2) Notwithstanding the provisions of paragraph (e) (1) of this order, no producer shall sell, lease, trade, lend, deliver, ship or transfer to any person or [illegible] for installation and use on a farm (farm freezers)

changes, Naval Ship Stores, Officers' Messes and Officers', Non-Commissioned Officers' and Enlisted Men's Clubs), the United States Maritime Commission, the War Shipping Administration, the Panama Canal, or the Coast Guard;

(ii) Parts for emergency repair service; and

(iii) Those items of equipment listed in paragraph (e) (4) of this order.

(3) Notwithstanding the provisions of paragraph (c) (1) of this order, a dealer or other authorized channel of distribution (including a bottler of carbonated beverages and a manufacturer of ice cream for resale) of refrigerating and air conditioning equipment may sell, lease, trade, loan, deliver, ship or transfer to any person, and any person may accept the sale, lease, trade, loan, delivery, shipment or transfer of, any of the items of refrigerating and air conditioning equipment listed in paragraph (e) (1) of this order, except draft beer dispensers as defined in paragraph (e) (1) (i) of this order. This subparagraph (3) also applies to parts for emergency repair service of all items of refrigerating and air conditioning equipment listed in paragraph (e) (1) of this order, including parts for draft beer dispensers as defined in paragraph (e) (1) (i) of this order.

(4) Notwithstanding the provisions of paragraphs (c) (1) and (e) (2) of this order, a producer, dealer or other authorized channel of distribution may without restriction sell, lease, trade, loan, deliver, ship or transfer to any person, and install, and any person may accept the sale, lease, trade, loan, delivery, shipment or transfer and installation of any of the following equipment (as well as parts to be used for the emergency repair service thereof):

(i) Non-mechanical bottled beverage coolers of the ice chest type.

(ii) Refrigerated vegetable display cases.

(iii) Florist boxes, and florist display cases.

(iv) Single duty refrigerated display cases.

(v) Non-mechanical water coolers (whether of the iced bubbler or bottled type) having an ice capacity of less than twenty-five (25) pounds.

(vi) Vending machines as defined in Limitation Order No. L-21.[3]

(vii) Low temperature mechanical refrigerators having a net capacity of more than eight (8) cubic feet but not over twenty-four (24) cubic feet to be used [illegible] farm (farm freezers).

non-defense to defense work may apply for relief, on Form PD-520 if the provisions of paragraph (e) of this order are involved, or as to other provisions by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST C. KANZLER,
Director General for Operations.

[F. R. Doc. 42-9606; Filed, September 26, 1942; 12:01 p. m.]

PART 1084—CANNED FOODS

[Conservation Order M-237]

The fulfillment of requirements for the defense of the United States has created a shortage in the available supply of canned fruits and vegetables for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1084.15 *Conservation Order M-237*—(a) *Definitions.* For the purposes of this order:

(1) "Canner" shall mean any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) "Civilian pack" shall mean the total amount by weight of all grades of all restricted canned foods in any one of the three groups listed in Exhibit A canned by any canner during the season specified, excluding any food which the canner is required to set aside by Conservation Order M-86 and orders amendatory and supplementary thereto, and which is not released from the operation of such orders by the Director General for Operations, and also excluding any canned foods actually purchased by or [illegible] for or packed pursuant to [illegible] [illegible] [illegible] [illegible] designed to effect or change the normal

shall authorize the person to whom the leave is issued to be present in any place except at, or en route to or from, a destination stated in the leave, within the dates stated therein. More than one destination may be stated in the leave where necessary. Such destinations shall be defined in terms of towns or counties as accurately as practicable.

(b) An indefinite leave may permit travel unlimited except as to restrictions imposed by military authorities with reference to military areas or zones, or may permit only travel within designated states, counties, or comparable areas.

(c) Whenever the military authorities of the United States require a pass or other authorization to enter any designated area, no leave shall be issued under the provisions of this part to permit entry into such area until the required pass or authorization has been obtained for the applicant. Whenever such military authorities impose restrictions on movement or conduct within any area, the continuance of such leave shall be contingent upon the observance of any such restrictions in addition to the observance of the other conditions of such leave.

(d) When any alien of enemy nationality is issued a leave under the provisions of this part, the leave shall recite that travel to the first destination has been permitted by the Department of Justice, and the Project Director shall notify the United States Attorney of the judicial district in which the first destination is located concerning the name, description, last residence, destination, and date of departure of such alien. Any subsequent travel within the terms of the leave may take place only with the permission of the United States Attorney for the judicial district including the new point of departure. In addition, if such alien has been paroled by order of the Attorney General, leave shall not issue until the Director has obtained from the Department of Justice in Washington, D. C., a specification of the terms and conditions that are to apply to the parole during such leave. A notification of these terms and conditions shall be embodied in the leave. The leave shall require the alien to comply with all applicable regulations of the Department of Justice with respect to the travel and conduct of enemy aliens.

§ 5.9 *Expiration of leave and furlough.* (a) Any leave issued, and the furlough granted in connection therewith, under the provisions of this part shall expire:

(1) On the expiration date stated in the leave; or

(2) At any time that the person to whom the leave has been issued shall violate any of the conditions applicable to such leave; or

(3) Upon notice from the Director or Project Director that the leave is revoked pursuant to the provisions of paragraph (b) of this section.

(b) The Director may revoke any leave when conditions are so far changed, or when such additional information has become available, that an original application by such person for leave would be denied under the provisions of this part. The Project Director may, on similar ground, with the prior approval of the Regional Director, revoke any short term leave. When the Director shall revoke a leave, he will promptly notify the Regional Director and the Project Director. When a Project Director shall revoke a leave, he shall promptly notify the Director and the Regional Director.

(c) Upon the expiration of any leave issued under this part, the person to whom the leave was issued shall return to the relocation center in which he previously resided, unless new leave has been granted or unless he is otherwise directed by the Director.

§ 5.10 *Definitions.* As used in this part:

(a) "Director" means the Director of the War Relocation Authority.

(b) "Regional Director" means the Regional Director of the War Relocation Authority for the region which contains the relocation center in which the particular applicant or person to whom a leave has issued resides or resided at the time application was made.

(c) "Project Director" means the Project Director of the War Relocation Authority for the relocation center in which the particular applicant or person to whom a leave has been issued resides or resided at the time application was made.

(d) "Relocation center" means a relocation community administered by the War Relocation Authority for occupancy by persons evacuated from military areas.

(e) "Relocation area" means the entire area, administered by the War Relocation Authority, surrounding a relocation center.

(f) "Applicant" includes the applicant for a leave and every member of his family who seeks to accompany him on the leave.

(g) "Center resident" means a person to whom a short term leave or work group leave has been issued under the provisions of this part.

§ 5.11 *Effective date.* The provisions of this part shall become effective on October 1, 1942.

§ 5.12 *Forms.* Applications for leave, leaves, and notices provided for in this part shall be made and issued on the prescribed forms whenever such forms are issued by the Director and distributed to the appropriate offices.

Issued at Washington, D. C., the 26th day of September, 1942.

[SEAL] D. S. MYER,
Director.

[F. R. Doc. 42-9617; Filed, September 28, 1942; 11:14 a. m.]

Chapter VI—Selective Service System

[No. 127]

NOTICE OF RIGHT OF APPEAL

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 59, entitled "Notice to Employer of Right to Appeal," effective immediately upon the filing hereof with the Division of the Federal Register. The original supply of forms will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register,[1] become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 21, 1942.

[F. R. Doc. 42-9577; Filed, September 26, 1942; 10:30 a. m.]

[No. 126]

AFFIDAVIT—OCCUPATIONAL CLASSIFICATION (GENERAL)

ORDER PRESCRIBING FORM

Correction

The number for DSS Form 42 entitled "Affidavit — Occupational Classification (General)" appeared incorrectly as "4" on page 7589 of the issue for Saturday, September 26, 1942.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 4 to General Limitation Order L-38]

Section 1071.1 *General Limitation Order L-38*[2] as amended, is hereby further amended as follows:

Subparagraph (1) of paragraph (b) (*Definitions*) is amended to read as follows:

(1) "Refrigerating and air conditioning equipment" means any type of machinery, equipment or other apparatus (except a domestic mechanical refrigerator as defined in paragraph (b) (2) of this order and except a domestic ice refrigerator as defined in paragraph (b) (3) of this order) which is primarily designed to lower the temperature of matter, or to lower the temperature or humidity, or both, of air, by mechanical, chemical or physical means, and includes all insulated enclosures, materials, parts, implements and devices included in the construction or assembly of such machinery, equipment or apparatus, or used therewith in causing it to perform its function of refrigeration or air conditioning.

Paragraph (d) (*Restricting production of refrigerating and air conditioning equipment*) is amended by adding thereto the following subparagraph:

(4) Notwithstanding the provisions of paragraph (d) (2) of this order, a producer may produce immersion (drop-in type) milk coolers for use on a farm in excess of the limitations established in such subparagraph of this order, provided that nothing in this order shall be deemed to authorize the production of such milk coolers in excess of the limitations imposed by Limitation Order No. L-26 as amended.[3]

Paragraph (e) *Restricting production and sale of specific items*) is hereby amended to read as follows:

(e) *Production and sale of specific items.* (1) Notwithstanding the provisions of paragraph (d) (2) of this order, no producer shall produce any of the following equipment for any purpose:

(i) Self-contained or remote draft beer dispensers, including storage cabinets or water chilling devices, or both, which are a part of the dispensing system.

(ii) Carbonated beverage dispensers.

(iii) Bottled beverage coolers, whether of reach-in, counter or self-contained type.

(iv) Low temperature mechanical refrigerators having a net capacity of eight (8) cubic feet or less designed for the storage of frozen foods or for the quick-freezing of food.

(v) Self-contained air conditioners (room coolers), and window type air conditioners having a rated capacity of less than two (2) horse power or a refrigerating capacity of less than two (2) tons (American Society of Refrigeration Engineers' Specifications).

(vi) Soda fountains without facilities for bulk ice cream storage (fountainette type).

(vii) Florist boxes.

(viii) Ice cream cabinets which are not to be used aboard ship.

(ix) Non-mechanical water coolers (whether of the iced bubbler or bottled type) having an ice capacity of less than twenty-five (25) pounds.

(x) Evaporative coolers rated at 2000 c. f. m. or less at the discharge side of the unit.

(xi) Refrigerated display cases of all types.

(xii) Low temperature mechanical refrigerators having a net capacity of more than eight (8) cubic feet but not over twenty-four (24) cubic feet to be used for the freezing and storage of food on a farm (Farm freezers).

(2) Notwithstanding the provisions of paragraph (c) (1) of this order, no producer shall sell, lease, trade, lend, deliver, ship or transfer to any dealer or other authorized channel of distribution of refrigerating and air conditioning equipment, or to any other person, and no dealer or other authorized channel of distribution, or any other person, shall accept the sale, lease, trade, loan, delivery, shipment or transfer of, any of the items of refrigerating and air conditioning equipment listed in paragraph (e) (1) of this order or any ice cream cabinets which are to be used aboard ship, except:

(i) Items to be delivered to, or for the account of, the Army or Navy of the United States (including Army Exchanges, Naval Ship Stores, Officers' Messes and Officers', Non-Commissioned Officers' and Enlisted Men's Clubs), the United States Maritime Commission, the War Shipping Administration, the Panama Canal, or the Coast Guard;

(ii) Parts for emergency repair service; and

(iii) Those items of equipment listed in paragraph (e) (4) of this order.

(3) Notwithstanding the provisions of paragraph (c) (1) of this order, a dealer or other authorized channel of distribution (including a bottler of carbonated beverages and a manufacturer of ice cream for resale) of refrigerating and air conditioning equipment may sell, lease, trade, loan, deliver, ship or transfer to any person, and any person may accept the sale, lease, trade, loan, delivery, shipment or transfer of, any of the items of refrigerating and air conditioning equipment listed in paragraph (e) (1) of this order, except draft beer dispensers as defined in paragraph (e) (1) (i) of this order. This subparagraph (3) also applies to parts for emergency repair service of all items of refrigerating and air conditioning equipment listed in paragraph (e) (1) of this order, including parts for draft beer dispensers as defined in paragraph (e) (1) (i) of this order.

(4) Notwithstanding the provisions of paragraphs (c) (1) and (e) (2) of this order, a producer, dealer or other authorized channel of distribution may without restriction sell, lease, trade, loan, deliver, ship or transfer to any person, and install, and any person may accept the sale, lease, trade, loan, delivery, shipment or transfer and installation of any of the following equipment (as well as parts to be used for the emergency repair service thereof):

(i) Non-mechanical bottled beverage coolers of the ice chest type.

(ii) Refrigerated vegetable display cases.

(iii) Florist boxes, and florist display cases.

(iv) Single duty refrigerated display cases.

(v) Non-mechanical water coolers (whether of the iced bubbler or bottled type) having an ice capacity of less than twenty-five (25) pounds.

(vi) Vending machines as defined in Limitation Order No. L-27.[3]

(vii) Low temperature mechanical refrigerators having a net capacity of more than eight (8) cubic feet but not over twenty-four (24) cubic feet to be used for the freezing and storage of food on a farm (farm freezers).

(viii) Immersion (drop-in type) milk coolers for use on a farm.

Paragraph (k) *Appeal*) is hereby amended to read as follows:

(k) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work may apply for relief, on Form PD-520 if the provisions of paragraph (e) of this order are involved, or as to other provisions by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST C. KANZLER,
Director General for Operations.

[F. R. Doc. 42-9606; Filed, September 26, 1942; 12:01 p. m.]

PART 1084—CANNED FOODS

[Conservation Order M-237]

The fulfillment of requirements for the defense of the United States has created a shortage in the available supply of canned fruits and vegetables for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1084.15 *Conservation Order M-237*—(a) *Definitions.* For the purposes of this order:

(1) "Canner" shall mean any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) "Civilian pack" shall mean the total amount by weight of all grades of all restricted canned foods in any one of the three groups listed in Exhibit A canned by any canner during the season specified, excluding any food which the canner is required to set aside by Conservation Order M-86 and orders amendatory and supplementary thereto, and which is not released from the operation of such orders by the Director General for Operations, and also excluding any canned foods actually purchased by or contracted for, or packed pursuant to letter of intent issued by, any non-quota purchaser. This definition shall not be deemed to affect or change the meaning of the term "pack" as used in Conservation Order M-81,[4] wherein such term refers to area of tinplate or terneplate, nor to affect or change the meaning of the term in Conservation Order M-86.[5]

(3) "Restricted canned foods" shall mean any of the fruits and vegetables listed in Exhibit A attached hereto, packed in hermetically sealed metal or glass containers and sterilized by the use of heat, during the packing seasons indicated in said exhibit, excluding, however, liquid, strained, mashed or chopped

[1] Filed with the original document.
[2] 7 F.R. 3662, 4569, 5081, 5297.
[3] 7 F.R. 5396, 6148.
[4] 7 F.R. 118.
[5] 7 F.R. 4836, 5272, 6148, 7090, 7237.
[6] 7 F.R. 1998.

canned foods when packed as infant food or for invalid feeding, and excluding jams, jellies, preserves, marmalades, pickles, relishes, and soups.

(4) "Non-quota purchaser" shall mean the Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Defense Supplies Corporation, War Shipping Administration or any Agency of the United States Government for supplies to be delivered to, or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Restrictions on delivery.* (1) Without regard to existing contracts, and except as authorized in paragraph (2) below, no canner shall deliver more than 35% of his civilian pack of any group of canned foods listed in Exhibit A before December 1, 1942, nor more than 70% thereof before April 1, 1943. Deliveries already made on or before September 26, 1942 shall not be deemed in violation of this paragraph, but shall be charged first against the 35% permitted before December 1, 1942, and if in excess of 35%, against subsequent delivery quotas in their chronological order. The restrictions on delivery in this paragraph do not prohibit shipment for storage at the point of destination or in transit in advance of the permitted delivery date if possession and control do not pass to the purchaser, but the 30% which may not be delivered before April 1, 1943 must be held at or near the canner's plant until the time when such delivery is permitted. For the purpose of calculating the delivery quotas permitted by this paragraph all canning plants owned directly or indirectly by a single person may be regarded as a whole.

(2) Any person whose permitted delivery quotas of all groups under paragraph (1) for any period are less than a minimum carload as defined in applicable Office of Defense Transportation orders may nevertheless deliver a minimum carload and charge the excess against his quota for the next quota period, provided that such delivery is actually made by rail in a single car.

(c) *Reports.* Canners and distributors of restricted canned foods shall file OPA Forms CF-1 and CF-2 monthly on or before the dates required by said forms with the Bureau of Census acting as collecting and compiling agent for the Office of Price Administration and the War Production Board. Representations made on such forms shall be deemed made to the War Production Board. Canners to whom this order applies shall execute and file with the War Production Board such other reports and questionnaires as said Board may from time to time request.

(d) *Records.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal in writing to the Director General for Operations setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, Washington, D. C., Ref: M-237.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

GROUP I

Fruits	*Packing season*
Apples, including crabapples	1942–43
Applesauce, including sauce from crabapples	1942–43
Apricots	1942
Berries of all kinds	1942
Cherries, red sour pitted	1942
Cherries, sweet	1942
Combinations of oranges and grapefruit	1942–43
Cranberries, including sauce and jelly	1942–43
Figs	1942
Fruits for salad	1942–43
Fruit cocktail	1942–43
Grapefruit	1942–43
Oranges	1942–43
Peaches, including nectarines	1942
Pears	1942
Pineapples	1942–43
Plums	1942
Prunes	1942

GROUP II

Fruit and vegetable juices	*Packing season*
Apple	1942–43
Beet	1942–43
Carrot	1942–43
Celery	1942
Cherry	1942
Cranberry	1942–43
Berry, all	1942
Grape	1942
Grapefruit	1942–43
Grapefruit and orange combination	1942–43
Lemon	1942–43
Lime	1942–43
Orange	1942–43
Pineapple	1942–43
Prune	1942–43
Sauerkraut	1942–43
Spinach	1942
Tomato and tomato cocktail	1942
Mixed vegetable	1942
All fruit nectars	1942

GROUP III

Vegetables	*Packing season*
Artichokes	1942–43
Aparagus	1942
Green and wax beans	1942
Green soya beans	1942
Lima beans	1942
Shell beans	1942–43
Beets	1942
Broccoli	1942
Brussels sprouts	1942
Cabbage	1942–43
Carrots	1942–43
Carrots and peas	1942
Cauliflower	1942
Celery	1942
Corn, including corn-on-cob	1942
Spinach and other green leafy vegetables	1942–43
Mushrooms	1942
Okra	1942–43
Onions	1942
Peas	1942
Peppers and pimentos	1942–43
Potatoes, white	1942
Pumpkin and squash	1942
Succotash	1942–43
Sweetpotatoes and yams	1942–43
Sauerkraut	1942
Tomatoes, whole or parts	1942
Tomato puree and pulp	1942
Tomato paste	1942
Tomato sauce	1942
Mixed vegetables, including vegetables for salad	1942

[F. R. Doc. 42-9603; Filed, September 26, 1942; 12:01 p. m.]

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Amendment 1 to Conservation Order M-104, as Amended May 30, 1942]

Section 1128.1 *Conservation Order M-104* as amended May 30, 1942,[1] is hereby amended in the following particulars:

1. Paragraph (a) (6) is hereby amended to read as follows:

(6) "Tinplate" means blackplate coated with tin, and includes "primes", "seconds", "waste-waste", and all other forms of tinplate except waste.

2. Paragraph (a) (7) is hereby amended to read as follows:

(7) "Terneplate" means blackplate coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

[1] 7 F.R. 4157.

3. Paragraph (a) (8) is hereby amended to read as follows:

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects" and all other forms of blackplate except waste.

4. Paragraph (a) is hereby amended by the addition of the following paragraph (a) (11):

(11) "Waste" means used closures and used cans, made of tinplate, terneplate, or blackplate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9604; Filed, September 26, 1942; 12:01 p. m.]

PART 3019—TOILETRIES AND COSMETICS

[Amendment 1 to Schedule I[1] to General Limitation Order L-171]

Section 3019.2 *Schedule I to General Limitation Order L-171* is hereby amended in the following respects:

1. Paragraph (b) (1) is amended by adding at the end thereof the following:

Any person who distributed in sample units or tester units any portion of the quantity of a toiletry or cosmetic product which he, under his name or brand, produced or caused to be produced during 1941, shall regard such portion not only as part of his 1941 production, but also as part of his 1941 sales, for the purpose of determining permitted production and permitted sales, as to quantity, under this paragraph (b) (1); but he shall not regard such units as marketable units for the purpose of determining permitted production or permitted sales, as to marketable units, under this paragraph (b) (1). No sample units or tester units distributed after July 17, 1942, and not offered for sale nor sold in any manner by the person under whose name or brand they are produced or caused to be produced, shall be regarded as marketable units for the purposes of this Schedule.

2. Lists 1, 2 and 3, attached to Schedule I, are amended to read as follows:

LIST 1

Baby powder (containing no zinc oxide).
Eye wash and eye drops (containing no organic materials).
Shaving soap and brushless cream (containing no coconut oil, alcohol or added glycerin).
Soap shampoo (containing no coconut oil, alcohol or added glycerin).
Toilet powder (including after-shave, bath, body, dusting, sachet, and talcum powder, containing no zinc oxide).
Tooth cleanser, liquid, paste and powder (containing no alcohol, glycerin, coconut oil, or wetting agents).

LIST 2

Baby oil.
Baby powder (containing zinc oxide).
Bath salts.
Brilliantine.
Cleansing cream.
Cleansing lotion (non-alcoholic).
Cologne.
Compact for wet application.
Cosmetic stockings.
Cuticle softener (containing no sulfonated oils).
Deodorant and anti-perspirant.
Depilatory.
Eyebrow pencil.
Eyeshadow.
Eye wash and eye drops (containing organic materials).
Face lotion and hand lotion.
Face pack.
Face powder.
Hair dye and hair tint.
Hair lotion (non-alcoholic).
Hair oil.
Hair pomade.
Hair rinse.
Hair straightener.
Lip pomade.
Lipstick.
Lubricating cream.
Mascara.
Nail polish paste (containing no tin oxide).
Nail polish powder (containing no tin oxide).
Perfume.
Permanent waving lotion and cream.
Powder, cream, paste and liquid (including blemish concealer).
Protective cream.
Rouge.
Soap shampoo (containing coconut oil, alcohol or added glycerin).
Shaving soap and brushless cream (containing coconut oil, alcohol or added glycerin).
Suntan preparation.
Theatrical makeup.
Toilet powder (including after-shave, bath, body, dusting, sachet, and talcum powder, containing zinc oxide).
Toilet water.
Tooth cleanser, liquid, paste and powder (containing alcohol, glycerin, coconut oil, or wetting agents).
Waveset.

LIST 3

After-shave lotion.
Astringent.
Bath milk.
Bath oil.
Bleach cream and bleach lotion (including freckle remover).
Body rub.
Bubble bath.
Cleansing lotion (alcoholic).
Cuticle softener (containing sulfonated oils).
Eyelash curler.
Hair lacquer.
Hair lotion (alcoholic).
Lash and brow dye.
Liquid lip color.
Nail bleach.
Nail enamel.
Nail enamel remover.
Nail polish paste (containing tin oxide).
Nail polish powder (containing tin oxide).
Plucking cream.
Skin freshener.
Tooth whitener.
Any other toiletry or cosmetic product not named in Lists 1 and 2 above.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9602; Filed, September 26, 1942; 12:01 p. m.]

PART 3019—TOILETRIES AND COSMETICS

[Amendment 1 to Schedule II to General Limitation Order L-171]

Section 3019.3 *Schedule II*[1] *to General Limitation Order L-171* is hereby amended in the following respects:

1. Paragraph (a) is amended by adding thereto the following subparagraph:

(2) "Size" means size by volumetric capacity of the container.

2. Paragraph (b) is amended by adding thereto the following subparagraph:

(5) In any case where a person, under his name or brand, packs or causes to be packed two or more varieties of a toiletry or cosmetic product (or of an odor of perfume) which are in different physical form (solid, semi-solid or liquid), each such variety may be regarded as though it were a separate product (or, in case of perfume, as though it were a separate odor) for the purposes of this Schedule.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9605; Filed, September 26, 1942; 12:01 p. m.]

PART 1090—AGAVE FIBER

[Amendment 3 to General Preference Order M-84, as Amended August 5, 1942]

Section 1090.1 *General Preference Order M-84*[2] is hereby amended by the addition of the following subparagraphs to paragraph (d):

(5) On and after September 26, 1942, to and including December 31, 1942, no processor shall process agave fiber for cordage or sell or deliver any agave cordage except for filling purchase orders for the following categories of uses:

(i) *Class One:* (a) Use by the United States Army and Navy, the United States Maritime Commission, Federal Barge Lines, the Panama Canal, the War Shipping Administration and its general or operating agents, or for physical incorporation into material or equipment (excluding grommets and ammunition box

[1] 7 F.R. 5510, 6934.

[2] 7 F.R. 5511, 6934.
[3] 7 F.R. 6144, 6599, 7078.

handles) to be delivered to and for the account of any of the foregoing agencies;

(b) Use upon any contract or order placed by any department or agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act).

(ii) *Class Two:* (a) Commercial marine, towage or lighterage uses, provided the cordage for such uses shall be one inch or more in diameter;

(b) Fishing uses for commercial fish markets or canneries;

(c) Use as catlines, bull-ropes and drilling cables in the operation or drilling of oil or gas wells;

(d) Use as drilling cables in mines or quarries;

(e) Power transmission uses;

(f) Shipyard or construction rigging uses.

(6) Each purchaser of agave cordage from a processor shall furnish a certificate as a condition to receiving said cordage, and no processor shall sell or deliver any agave cordage to such purchaser without obtaining a certificate signed by such purchaser or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the agave cordage covered by this certificate will be used or sold only for the uses described in paragraph (d) (5) of General Preference Order M-84 as amended September 25, 1942, with the terms of which the undersigned is familiar.

(7) During the period beginning September 26, 1942, to and including December 31, 1942, no processor shall put into process any agave fiber for the purpose of filling purchase orders for Class Two cordage uses, as specified in paragraph (d) (5). (ii) hereof, in excess of 20% of the unprocessed balance of his processing quota as established under paragraph (e) hereof as said balance may appear at the close of business on September 25, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9619; Filed, September 28, 1942; 11:16 a. m.]

PART 1095—COMMUNICATIONS

[General Conservation Order L-148, as Amended September 25, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain types of wire communication equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1095.4 *General Conservation Order L-148*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing wire communication equipment, parts or attachments thereto, of the kinds listed in Schedule A, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Distributor" means any person other than a manufacturer regularly engaged in the business of leasing or selling wire communication equipment, parts or attachments thereto, to dealers.

(4) "Dealer" means any person (other than one engaged in rendering wire or radio communication service), regularly engaged in the business of offering wire communication equipment, parts or attachments thereto for sale or lease at retail to the consumer.

(5) "Wire communication equipment" shall include, but not by way of limitation, new and used wire telephone and telegraph communication equipment, parts and attachments thereto (including wire intercommunicating systems) of the kinds listed in Schedule A, to the extent used in the communications industry.

(b) *General restrictions.* (1) On and after the fifteenth day following September 25, 1942, regardless of the terms of any contract of sale, purchase, rental or other commitment, no manufacturer, distributor or dealer shall accept any purchase, rental or other order for wire communication equipment, parts or attachments thereto including, but not limited to, those included in Schedule A which is attached and made a part of this order, except a purchase, rental or other order bearing a Preference Rating of A-7 or higher; and no manufacturer, distributor, or dealer shall sell, lend, lease, rent, deliver, or otherwise transfer any such wire communication equipment, parts or attachments thereto nor shall any person receive or accept deliveries of any such equipment, parts or attachments thereto except to fill a purchase, rental or other order bearing a Preference Rating of A-7 or higher: *Provided, however,* That this paragraph shall not prohibit the transfer or delivery of wire communication equipment to a manufacturer for repair or storage or the return of said equipment to the owner thereof after repair has been effected or storage terminated.

(2) Notwithstanding the provisions of paragraph (b) (1), in the event that a manufacturer, distributor or dealer shall have delivered prior to September 8, 1942, wire communication equipment under a particular order therefor representing 90 percent or more of the total dollar sale value of the equipment ordered, delivery of the balance of such order may be made and accepted on or before October 15, 1942.

(c) *Existing contracts.* Fulfillments of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for default under any contract or order which shall result directly or indirectly from compliance with the terms of this order.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Communications Branch, Washington, D. C., Ref.: L-148.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director General for Operations, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority contract, and may be deprived of priorities assistance.

(h) *Reports.* All persons affected by this order shall execute and file such reports as the Director General for Operations shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

General categories of wire communication equipment, parts or attachments thereto, to the extent used in the communications industry, limited by General Conservation Order L-148.

1. Switchboards and switching systems including local telephone, central office, toll telephone, PBX telephone and telegraph.

2. Telephones including transmitters, receivers, dials, subscriber sets.
3. Relays, condensers, repeaters, coils, filters and carrier systems.
4. Testing apparatus.
5. Wire and strand.
6. Cable.
7. Cable terminals.
8. Pole line hardware.
9. Plugs, jacks, cords, keys.
10. Wire intercommunicating systems.
11. Varioplex, multiplex, facsimile and telautograph equipment.
12. Teletypewriters, printing telegraph machines, tape perforating apparatus and accessories.
13. Appliances used for manual telegraph.
14. Time clocks, time switches, call boxes, signaling and selector equipment used for telephone and telegraph systems and/or used for wire protective alarm systems.
15. Motors, generators, storage batteries, rectifiers, transformers, power panels and associated equipment used for telephone and telegraph communication.

NOTE: The underscored portion of this regulation comprises Amendment 1 to L-148, which appeared in the FEDERAL REGISTER on September 26, 1942, 7 F.R. 7589.

PART 1210—INDUSTRIAL POWER TRUCKS

[Limitation Order L-112 as Amended September 28, 1942]

The fulfillment of the requirements of the defense of the United States has created a shortage in the supply of certain critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1210.1 *General Limitation Order L-112*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, airports or depots. The term shall not include automotive tractors, trucks, or wheeltype industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(3) "Manufacturer" means any person who manufactures or assembles industrial power trucks.

(4) "Parts producer" means any person, other than a manufacturer, who manufactures parts to be incorporated in industrial power trucks.

(5) "Standard model" as applied to a manufacturer, means one model only of each type and capacity of industrial power truck listed in List A attached hereto, described in such manufacturer's catalogue or bulletin on July 10, 1942.

(6) "Approved standard model" means a standard model listed hereafter and from time to time by supplementary order or orders, as provided in paragraph (d) (2).

(b) *Restrictions on orders and deliveries.* (1) Prior to October 15, 1942, no manufacturer shall accept any order for an industrial power truck, except an order rated A-9 or better on Preference Rating Certificate PD-1A or PD-3A or on a preference rating certificate in the PD-408 series. On and after October 15, no manufacturer shall accept any order for an industrial power truck unless such order is accompanied by the authorization of the Director General for Operations provided for in paragraph (b) (2) below. Orders so authorized shall be placed only with the supplier, if any, specified by the Director General for Operations.

No manufacturer shall hereafter deliver any industrial power truck, except in fulfillment of an order (i) accepted before October 15, and rated A-9 or better on Form PD-1A and PD-3A or on a form in the PD-408 series, or (ii) accepted on or after October 15, and accompanied by the authorization of the Director General provided for in paragraph (b) (2) below.

(2) Application for the authorization of the Director General for Operations required by paragraph (b) (1) shall be made by the purchaser on Form PD-556 in triplicate, including therein (under Item 5) (i) manufacturer's model number, (ii) number of similar trucks in use in the same department of the applicant, (iii) size and character of loads, and (iv) hours per week existing equipment used. The Director General for Operations may grant such application unconditionally or upon specified conditions, including the requirement that the order be placed with a supplier named by the Director General for Operations.

(c) *Conservation of material*—(1) *Restrictions upon use of copper.* Parts producers and manufacturers shall be governed by the provisions of paragraph (b) of Limitation Order L-106, (§ 933.9) as amended, in their use of copper products or copper base alloy products (as defined in that order) in the production of parts for industrial power trucks.

(2) No manufacturer shall begin the manufacture of any industrial power truck if such truck contains any of the following materials, or accept delivery of any of the following materials for use in the manufacture of any industrial power truck:

(i) Rubber in any form, except in tires, storage batteries, radiator hose or wire or cable insulation.

(ii) Protective plating in any form, except when necessary to the operation of functional parts.

(iii) Steel plate, where substitution of a less critical material is practicable.

(iv) Lead for counter weights, except that reclaimed lead may be used when required by space limitations.

(v) Steel battery trays, where steel battery boxes are provided.

Provided, however, That the restrictions of this subparagraph (2) shall not apply to parts in the manufacturer's stock which, as of July 10, 1942, were completed, or processed to the point where other use is impracticable: *And provided further,* That the restrictions of this subparagraph (2) shall not apply to the manufacture or delivery of repair and maintenance parts.

(3) *Other regulations.* Nothing in this paragraph (c) shall be construed to permit any manufacturer to sell, deliver or otherwise transfer, or any person to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts or finished parts or products in contravention of the terms of any regulation or order of the War Production Board.

(d) *Standardization of models.* (1) No manufacturer shall hereafter begin the manufacture of any industrial power truck which is not a standard model. The design and structure of any standard model shall be only as specified or described in such manufacturer's catalogue or bulletin; except that electric fork trucks with capacities from 2,000 pounds to 6,000 pounds may be built in both center and end control types; and that alterations may be made in counter weights, die pullers (power winch), height of lift, voltage, battery capacity, explosion or fire prevention features, and the length or width or type of fork or ram: *Provided, however,* That nothing herein shall be construed to prevent any change required by the limitations of paragraphs (c) (1) and (c) (2) hereof, or any change which results in further conservation of critical materials.

(2) On and after August 15, 1942, no manufacturer shall begin the manufacture of any standard model which is not an approved standard model. Approved standard models for each manufacturer shall be only those industrial power trucks listed hereafter and from time to time by order or orders supplementary to this order. The provisions of paragraph (d) (1) hereof relative to changes in design and structure shall be applicable to approved standard models.

(3) On or before the 15th day of October and of each succeeding calendar month, every manufacturer shall file with the Director General for Operations a report on Form PD-385, which shall include (i) such manufacturer's proposed production schedules so far as then planned, but in any event for not less than the three calendar months following the filing of the report; and (ii) his proposed delivery schedules so far as then planned, but in any event for not less than the one calendar month following such filing. The production schedules for the three calendar months, and the delivery schedules for the one

calendar month following the filing of the report shall be deemed to be approved by the Director General for Operations upon the receipt of the report by the War Production Board, unless the Director General for Operations shall otherwise direct. The Director General for Operations may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer; or direct the delivery of any industrial power truck so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any industrial power truck except in accordance with schedules approved or prescribed by the Director General for Operations, as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the Director General for Operations.

(e) *Ninety-day exemption of Army, Navy and Maritime Commission.* Until ninety days after July 10, 1942, this order shal not apply to deliveries to and for the use of the Army, Navy, Maritime Commission, or War Shipping Administration to the extent that industrial power trucks of a design or structure prohibited by the terms of this order are required by any applicable specifications of the Army, Navy, Maritime Commission, or War Shipping Administration. As used in this paragraph, the terms "Army," "Navy," "Maritime Commission," and "War Shipping Administration" shall not include any privately operated plant or shipyard, financed or controlled by any of those agencies, or operated on a cost-plus-fixed-fee basis.

(f) *Miscellaneous provisions.*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after July 10, 1942. No person shall be held liable for damages or penalties for default, under any contract or order, which shall result directly or indirectly from his compliance with the terms of this order.

(3) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time request.

(4) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(6) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director General for Operations, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(7) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Branch, Washington, D. C.; Ref.: L-112. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

List A

No lift, high platform	1,000 lbs. to 20,000 lbs.
No lift, low platform	1,000 lbs. to 20,000 lbs.
Low lift, high platform	2,000 lbs. to 20,000 lbs.
Low lift, low platform	2,000 lbs. to 20,000 lbs.
High lift, low platform	2,000 lbs. to 10,000 lbs.
Fork or ram	2,000 lbs. to 60,000 lbs.
Crane	2,000 lbs. to 20,000 lbs.
Tractor	[1] 1,500 lbs. to 6,000 lbs.
Motorized low lift	2,000 lbs. to 6,000 lbs.
Straddle trucks	10,000 lbs. to 30,000 lbs.

[1] Max. D.B.P.

Issued this 28th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9627; Filed, September 28, 1942; 11:30 a. m.]

PART 3022—SILVER

[Amendment 2 of Conservation Order M-199]

Section 3022.1 *Conservation Order M-199*[1] is hereby amended as follows:

1. By changing paragraph (a) (5) to read as follows:

(5) "Manufacturer" means any person who uses silver by incorporating it physically in the products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, plating, or repairing process.

2. By adding the following sentence at the end of paragraph (a) (9):

In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks, or other utensils to backs or handles of silver.

3. By inserting the following sentence after the first sentence of paragraph (b):

No manufacturer shall sell foreign silver in the form of raw material, semi-processed material, or scrap except to a supplier or to fill orders bearing a preference rating of A-3 or higher or to Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act, as amended.

4. By changing paragraph (d) to read as follows:

(d) *Restrictions upon manufacture of foreign silver for restricted uses.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater. Except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process any foreign silver for restricted uses, nor shall he process further any partially processed products or parts thereof of foreign silver on List A, unless the foreign silver was put into process prior to October 1, 1942, and unless the products or parts will be finished by November 15, 1942. After October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process any foreign silver for restricted uses; and after November 15, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall process any foreign silver for restricted uses.

5. By striking the following clause at the end of item 2 of List A, to-wit: "except those permitted as church goods."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9620; Filed, September 28, 1942; 11:16 a. m.]

[1] 7 F.R. 5865, 6935.

PART 3058—USED CONSTRUCTION EQUIPMENT

[Amendment 1 to Limitation Order L-196]

Section 3058.1 *Limitation Order L-196*[1] is hereby amended in the following particulars:

Paragraph (d) "Registration of Used Construction Equipment", is hereby amended to read as follows:

(d) *Registration of Used Construction Equipment.* Any person owning used construction equipment purchased prior to October 1, 1942, shall on or before October 31, 1942, register such equipment by completing, signing and returning by mail WPB Form 1159 to Used Construction Equipment Regional Specialist in the War Production Board Regional office in the region in which such equipment is located.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of September 1942.

ERNEST C. KANZLER,
Director General for Operations.

[F. R. Doc. 42-9618; Filed, September 28, 1942; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOODS AND FOOD PRODUCTS

[Revocation of Revised Price Schedule 92[2]]

SOY BEAN AND PEANUT OILS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) §§ 1351.301 to 1351.309 inclusive, Revised Price Schedule No. 92, are hereby revoked.

(b) This Order of Revocation shall be effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9565; Filed, September 25, 1942; 12:03 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] F.R. 6870.

[2] 7 F.R. 758, 1379, 1836, 2132.

PART 1351—FOODS AND FOOD PRODUCTS

[Amendment 7 to Revised Price Schedule 53[1]]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (11) is added to paragraph (b) of § 1351.151 and paragraph (b) of § 1.351.157 is amended, as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(11) On and after September 30, 1942 subparagraphs (1) to (5), both inclusive, of this paragraph (b) shall have no application to the following fats and oils and the maximum prices thereof shall be the following prices:

SOYBEAN OIL

(i) *Crude soybean oil*—in tank cars:

	Cents per pound
F. O. B. midwestern mills	11.75

(ii) *Refined soybean oil*—in tank cars, basis F. O. B. Decatur, Illinois:

[Cents per pound]

	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
Decatur, Ill	12.87	13.00	13.45	13.60
Chicago, Ill	13.04	13.17	13.62	13.77
New York, N. Y	13.41	13.54	13.99	14.14
San Francisco, Calif	13.77	13.90	14.35	14.50

(a) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

CORN OIL

(iii) *Crude corn oil*—in tank cars:

	Cents per pound
F. O. B. midwestern mills	12.75

(iv) *Refined corn oil*—in tank cars, F. O. B. Chicago:

[Cents per pound]

	Deodorized and bleached corn oil	Winterized corn oil	Hydrogenated margarine corn oil	High titre hydrogenated corn oil
Chicago, Ill	14.37	14.50	14.95	15.10
New York, N. Y	14.89	15.02	15.47	15.62
San Francisco, Calif	15.27	15.40	15.85	16.00

(a) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

PEANUT OIL

(v) *Crude peanut oil*—in tank cars:

	Cents per pound
F. O. B. southeastern mills	13.00
F. O. B. Texas and Oklahoma mills	12.875

These crude peanut oil maximum prices may be adjusted on a 5% settlement basis as provided in Rule 142 of the 1942-1943 Rules of the National Cottonseed Products Association, Inc.

(vi) *Refined peanut oil*—in tank cars:

(Cents per pound)

	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Los Angeles, Calif	15.20	15.78	15.93
San Francisco, Calif	15.20	15.78	15.93
Denver, Colo	14.98	15.56	15.71
Jacksonville, Fla	14.77	15.35	15.50
Atlanta, Ga	14.67	15.25	15.40
Macon, Ga	14.67	15.25	15.40
Savannah, Ga	14.75	15.33	15.48
Chicago, Ill	14.93	15.51	15.66
Indianapolis, Ind	14.90	15.48	15.63
Terre Haute, Ind	14.88	15.46	15.61
Louisville, Ky	14.89	15.47	15.62
New Orleans, La	14.76	15.34	15.49
Baltimore, Md	14.96	15.54	15.69
Boston, Mass	15.04	15.62	15.77
Kansas City, Mo	14.79	15.37	15.52
St. Louis, Mo	14.84	15.42	15.57
Albany, N. Y	15.05	15.63	15.78
Buffalo, N. Y	15.08	15.66	15.81
New York, N. Y	15.00	15.58	15.73
Charlotte, N. C	14.79	15.37	15.52
Cincinnati, Ohio	14.93	15.51	15.66
Columbus, Ohio	14.98	15.56	15.71
Oklahoma City, Okla	14.67	15.25	15.40
Philadelphia, Pa	14.98	15.56	15.71
Chattanooga, Tenn	14.84	15.42	15.57
Memphis, Tenn	14.69	15.27	15.42
Dallas, Tex	14.52	15.10	15.25
Fort Worth, Tex	14.54	15.12	15.27
Houston, Tex	14.58	15.16	15.31
San Antonio, Tex	14.58	15.16	15.31
Sherman, Tex	14.54	15.12	15.27
Seattle, Wash	15.20	15.78	15.93
Cudahy, Wis	14.95	15.53	15.68
El Paso, Tex	14.85	15.43	15.58
Denison, Tex	14.86	15.14	15.29

(a) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(b) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(c) The usual or normal differentials for type of container shall continue to apply.

* * * * * *

§ 1351.157 *Definitions.* * * *

(b) "Fats and oils" means all of the raw, crude, and refined fats and oils, their by-products, and derivatives, and greases, except linseed oil, "essential oils", mineral oils, butter, and cocoa butter.

* * * * * *

§ 1351.159 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1351.151 (b) (11) and 1351.157 (b)) to Revised Price Schedule No. 53 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9566, Filed, September 25, 1942; 12:03 p. m.]

[1] 6 F.R. 6409; 7 F.R. 81, 756, 1009, 1309, 1836, 2132, 3480, 3821, 4229, 4294, 4484, 5605.

PART 1351—FOODS AND FOOD PRODUCTS

[Amendment 8 to Revised Price Schedule 53 [1]]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (6) of paragraph (b) of § 1351.151 is amended as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(6) On and after September 30, 1942 subparagraphs (1) to (5), both inclusive, of this paragraph (b) shall have no application to cottonseed oil and the maximum prices thereof shall be the following prices:

(i) *Crude cottonseed oil.* F. o. b. mill, in tank cars, in cents per pound, as follows:

North Carolina, South Carolina and Tennessee	12.75
Mississippi Valley, Alabama and Georgia	12.625
Texas and Oklahoma	12.50

(a) These crude cottonseed oil maximum prices may be adjusted on a 9% settlement basis as provided in Rule 142 of the 1942–1943 rules of the National Cottonseed Products Association, Inc.

(b) The usual or normal location differentials shall continue to apply.

(ii) *Refined cottonseed oil.* Delivered, in tankcars, as follows:

[Cents per pound]

	Bleachable prime summer yellow	Cooking or deodorized white (bleached) summer oil	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	14.00	14.67	15.05	15.25	15.40
Atlanta, Ga.	13.62	14.29	14.67	14.87	15.02
Baltimore, Md.	13.91	14.58	14.96	15.16	15.13
Boston, Mass.	13.99	14.66	15.04	15.24	15.39
Buffalo, N. Y.	14.03	14.70	15.08	15.28	15.43
Charlotte, N. C.	13.74	14.41	14.79	14.99	15.14
Chattanooga, Tenn.	13.79	14.46	14.84	15.04	15.19
Chicago, Ill.	13.88	14.55	14.93	15.13	15.28
Cincinnati, Ohio	13.88	14.55	14.93	15.13	15.28
Columbus, Ohio	13.93	14.60	14.98	15.18	15.33
Dallas, Tex.	13.90	14.57	14.95	15.15	15.30
Dudahy, Wis.	13.47	14.14	14.52	14.72	14.87
Dallas, Tex.	13.51	14.18	14.56	14.76	14.91
Denison, Tex.	13.93	14.60	14.98	15.18	15.33
Denver, Colo.	13.80	14.47	14.85	15.05	15.20
El Paso, Tex.	13.49	14.16	14.54	14.74	14.89
Fort Worth, Tex.	13.83	14.20	14.58	14.78	14.93
Houston, Tex.	13.85	14.52	14.90	15.10	15.25
Indianapolis, Ind.	13.72	14.39	14.77	14.97	15.12
Jacksonville, Fla.	13.74	14.41	14.79	14.99	15.14
Kansas City, Mo.	14.15	14.82	15.20	15.40	15.55
Los Angeles, Calif.	13.84	14.51	14.89	15.09	15.24
Louisville, Ky.	13.62	14.29	14.67	14.87	15.02
Macon, Ga.	13.64	14.31	14.69	14.89	15.04
Memphis, Tenn.	13.71	14.38	14.76	14.96	15.11
New Orleans, La.	13.95	14.62	15.00	15.20	15.35
New York, N. Y.	13.62	14.29	14.67	14.87	15.02
Oklahoma City, Okla.	13.93	14.60	14.98	15.18	15.33
Philadelphia, Pa.	13.79	14.46	14.84	15.04	15.19
St. Louis, Mo.	13.53	14.20	14.58	14.78	14.93
San Antonio, Tex.	14.15	14.82	15.20	15.40	15.55
San Francisco, Calif.	13.70	14.37	14.75	14.95	15.10
Savannah, Ga.	14.15	14.82	15.20	15.40	15.55
Seattle, Wash.	13.49	14.16	14.54	14.74	14.89
Sherman, Tex.	13.83	14.50	14.88	15.08	15.23

(a) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(b) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(c) The usual or normal differentials for type of container shall continue to apply.

(iii) *Purchases of cottonseed oil by the Commodity Credit Corporation.* The Commodity Credit Corporation is free to purchase bleachable prime summer yellow cottonseed oil at any price, whether that price is above or below the maximum price for bleachable prime summer yellow cottonseed oil established by this schedule.

* * * * * *

§ 1351.159 *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§ 1351.151 (b) (6)) to Revised Price Schedule No. 53 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9571; Filed, September 25, 1942; 3:19 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 9 to Revised Price Schedule 53 [1]]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (12) is added to paragraph (b) of § 1351.151 as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(12) On and after September 30, 1942 the maximum prices of standard and hydrogenated shortenings and salad and cooking oils shall be the following prices:

Maximum Prices of Processors

(i) *Standard shortening.* The maximum delivered prices of Swift's "Jewel" and "Sanco"; Armour's "Vegetole"; Lookout's "Domino"; Wilson's "Advance"; Atlantic Lard's "Royal Aster"; Procter and Gamble's "Flakewhite" and "Fluffo"; Southern's "Scoco" and "Kneedit"; South Texas' "Crustene"; Gulf and Valley's "Blue Plate"; Interstate's "Mrs. Tucker"; Lever Brothers' "Hydora" and Humko's "Humko" and all other brands of standard shortening manufactured or distributed by the processors of these brands shall be the following prices:

	North	South	Pacific coast
Drums (per pound)	16.50¢	16.25¢	16.75¢
Cartons:			
(1) 12/4 lbs. (per case)	$8.10	$8.00	$8.20
(2) 48/1 lbs. (per case)	8.25	$8.15	$8.35

(ii) *Hydrogenated shortening.* (a) The maximum delivered prices of Procter and Gamble's "Primex"; Lever Brothers' "Covo"; Southern's "Heavy Duty MFB"; Swift's "Vream"; Armour's "Kremit"; and Wilson's "Bakerite" shall be the following prices:

	North	South	Pacific coast
Drums (per pound)	17.75¢	17.75¢	17.75¢

(b) The maximum delivered prices of Procter and Gamble's "Sweetex"; Lever Brothers' "Covo Super Mix"; Southern's "Quik Blend"; Swift's "Vreamay"; Armour's "Kremor"; and Wilson's "Bakerite 140" shall be the following prices:

	North	South	Pacific coast
Drums (per pound)	18.75¢	18.75¢	18.75¢

(c) The maximum delivered prices of Lever Brothers' "Spry" and Procter and Gamble's "Crisco" shall be the following prices:

	North	South	Pacific coast
Three and six pound airtight containers (per case)	$7.74	$7.74	$7.74

(iii) *Salad oil.* The maximum delivered prices of Southern's "77" and "Angela Mia"; Gulf and Valley's "Blue Plate"; Procter and Gamble's "Puritan" and "Fluffo"; Swift's "Jewel"; Armour's "Star"; Wilson's "Certified"; South Texas' "Crustene"; Interstate's "Mrs. Tucker" and Humko's "Humko" shall be the following prices:

	North	South	Pacific coast
(a) Drums (per pound)	16.50¢	16.50¢	17.00¢
(b) 1/5 Gal. Can (per can)	$6.65	$6.55	$6.75
(c) 6/1 Gal. Can (per case)	$8.20	$8.10	$8.50

The maximum delivered prices of Southern's "Wesson Oil" shall be the following prices:

	North	South	Pacific coast
(d) 12/1 Qt. cans (per case)	$5.40	$5.35	$5.39
(e) 24/1 Pint cans (per case)	$5.60	$5.60	$5.65

(iv) *Cooking oil.* The maximum delivered prices of Procter and Gamble's "Marigold"; Southern's "88"; Gulf and Valley's "Clarola"; Swift's "Golden West"; Armour's "Supreme"; Wilson's "Laurel"; South Texas' "Magnolia" and Interstate's "White Beauty" shall be the following prices:

	North	South	Pacific coast
(a) Drums (per pound)	16.00¢	16.00¢	16.50¢
(b) 1/5 Gal. Can (per can)	$6.45	$6.35	$6.55
(c) 6/1 Gal. Cans (per case)	$7.95	$7.85	$8.25

(v) *Differentials.* (a) The maximum delivered prices of hydrogenated and standard shortenings, established in § 1351.151 (b) (12) (i) and (ii) above, are the maximum delivered prices for hydrogenated and standard shortenings when shipped in (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists. When hydrogenated and standard shortenings are shipped in less than (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential for such a quantity shall continue to apply.

(b) The maximum delivered prices of salad and cooking oils, established in § 1351.151 (b) (12) (iii) and (iv) above, are the maximum prices for salad and cooking oils when shipped in the quantities usually named in the processor's published lists. When salad and cooking oils are shipped in carlots on which a refining in transit privilege is applicable the usual or normal discount (if any) from the maximum prices established in the Schedule shall continue to apply. When shipped in a quantity less than the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential over the maximum prices established in this Schedule shall continue to apply.

(c) When hydrogenated and standard shortenings and salad and cooking oils are sold in containers of different sizes from the container-sizes named in § 1351.151 (b) (12) (i), (ii), (iii), and (iv), the usual or normal differential for size of container shall continue to apply.

(d) The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in § 1351.151 (b) (12), (i), (ii), (iii), and (iv), are the maximum prices before cash discounts. The usual or normal discount for the receipt of payment within the period usually specified in the processor's published lists shall continue to apply.

(e) The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in § 1351.151 (b) (12), (i), (ii), (iii), and (iv), are basic prices for the three areas named (North, South, and Pacific Coast). The usual or normal differentials which have applied in the past over base prices to some points within these areas shall continue to apply.

(f) The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in § 1351.151 (b) (12), (i), (ii), (iii), and (iv), are the maximum prices on sales made by processors. These prices are not the maximum prices on sales made by the distributing units of processors, and by wholesalers and retailers.

(g) The maximum prices established in § 1351.151 (b) (12) (i), (ii), (iii), and (iv) shall apply to sales to any person.

(vi) *Maximum prices of brands for which maximum prices are not established in § 1351.151* (b) (12) (i), (ii), (iii) *and* (iv). (a) The maximum price of a brand of standard or hydrogenated shortening, the maximum price of which is not established in § 1351.151 (b) (12) (i) and (ii) of this Schedule, shall be determined according to the provisions of the General Maximum Price Regulation, except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

(b) The maximum price of a brand of salad or cooking oil, which is not specifically named in § 1351.151 (b) (12) (iii) and (iv) of this schedule, shall be determined according to the provisions of the General Maximum Price Regulation, except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

(vii) *Applications for adjustment of maximum prices by processors.* If the processor of a brand of hydrogenated or standard shortening, or of a brand of salad or cooking oil, the maximum price of which is not established in §1351.151 (b) (12) (i), (ii), (iii) or (iv), feels that his brand should command the same maximum price as those brands for which a maximum price is established in § 1351.151 (b) (12) (i), (ii), (iii), or (iv), or if he feels that the maximum price for his brand, as computed under § 1351.151 (b) (12) (vi) is unduly low in relation to the maximum prices of those brands the maximum prices of which are established in § 1351.151 (b) (12) (i), (ii), (iii), and (iv), he should file an application for adjustment with the Office of Price Administration in accordance with the procedure set forth in Procedural Regulation No. 1. Such application should set forth in detail the reasons why the applicant believes his brand should command the maximum price requested by the applicant in his application. The application should also set forth in detail the price relationship between the applicant's brand and one of the brands specifically named in § 1351.151 (b) (12) (i), (ii), (iii), or (iv).

(viii) *Definitions.* When used in § 1351.151 (b) (12), the following terms shall have the following meanings:

(a) "Standard shortening" means a shortening which is (1) made from hardened vegetable oil or (2) made from a mixture of vegetable oil and animal fat and/or hardened marine animal oils. It must conform with the following specifications:

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method: King, Roschen and Irwin; Oil and Soap 10, 105, June, 1933).

Plasticity: The shortening must remain solid, and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.3% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

(b) "Hydrogenated shortening" means a shortening made entirely from vegetable oils, each of which has been hydrogenated to some extent. It must conform with the following specifications:

No free oils: The shortening must contain no free oils.

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours

[1] 1309, 1836, 2132, 2430, 3821, 4229, 4294, 4484, 5605.

*Copies may be obtained from the Office of Price Administration.

[1] 6 F.R. 6409; 7 F.R. 81, 756, 1009, 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605.

(Active Oxygen Method; King, Roschen and Irwin; Oil and Soap 10, 105, June, 1933).

Plasticity: The shortening must remain solid and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.12% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

Iodine number: The iodine number must not exceed 80 (Hanus Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 429).

(c) The term "North" includes the following states:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Colorado, Wyoming.

The term "South" includes the following states:

Delaware, Maryland, Washington, D. C., West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, New Mexico.

The term "Pacific Coast" includes the following states:

Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona.

(d) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

* * * * * *

§ 1351.159 *Effective dates of amendments.* * * *

(l) Amendment No. 9 (§ 1351.151 (b) (6)) to Revised Price Schedule No. 53 shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9570; Filed, September 25, 1942; 3:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 49 [1]]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

CHEYENNE AREA

Section 1388.131 (a) of Maximum Rent Regulation No. 49 is hereby amended by adding subparagraph (54) to the said section, and § 1388.144a is added to the said Maximum Rent Regulation No. 49, to read as follows:

§ 1388.131 *Scope of regulation.* (a) * * *

(54) The Cheyenne Defense-Rental Area, consisting of the County of Laramie, in the State of Wyoming.

[1] 7 F.R. 7500.

§ 1388.144a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.-131 (a) and 1388.144a) to Maximum Rent Regulation No. 49 shall become effective October 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9567; Filed, September 25, 1942; 12:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1 to Maximum Rent Regulation 50A [1]]

HOTELS AND ROOMING HOUSES

CHEYENNE AREA

Section 1388.181 (a) of Maximum Rent Regulation No. 50A is hereby amended by adding subparagraph (54) to the said section, and § 1388.194a is added to the said Maximum Rent Regulation No. 50A, to read as follows:

§ 1388.181 *Scope of regulation.* (a) * * *

(54) The Cheyenne Defense-Rental Area, consisting of the County of Laramie, in the State of Wyoming.

§ 1388.194a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1388.-181a and 1388.194a) to Maximum Rent Regulation No. 50A shall become effective October 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9568; Filed, September 25, 1942; 12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 51 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF1-214-P]

JOHN BREMOND COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.851 *Adjustment of maximum prices for Golden Glow Maple Syrup sold by John Bremond Company, Austin, Texas.* (a) John Bremond Company, Austin, Texas, may sell and deliver, and any person may buy and receive from the said John Bremond Company Golden Glow Maple Syrup at prices not higher than those set forth below:

One five gallon can	$6.00
Six one gallon cans	$7.60

These maximum prices shall include delivery. Discounts, price differentials or allowances given by said John Bremond Company during March 1942 based on quantity purchased, time of payment, or different classes of purchasers shall be continued.

(b) All prayers of the application not granted herein are denied.

[1] 7 F.R. 7505.

(c) This Order No. 51 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 51 (§ 1499.851) is hereby incorporated as a part of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 51 (§ 1499.851) shall become effective September 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9569; Filed, September 25, 1942; 12:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 5 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

ACCOMMODATIONS HEATED WITH FUEL OIL

The text of §§ 1388.12, 1388.62, 1388.112, 1388.162, 1388.212, 1388.262, 1388.312, 1388.362, 1388.412, 1388.462, 1388.512, 1388.562, 1388.612, 1388.662, 1388.712, 1388.762, 1388.812, 1388.862, 1388.912, 1388.962, 1388.1012, 1388.1652, 1388.1702, 1388.1752, 1388.1802, 1388.2052, 1388.-3052, 1388.4052, 1388.5052, 1388.6052, 1388.7052, 1388.8052, 1388.32 and 1388.-132 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, and 49, respectively, is designated as paragraph (a) of the said sections and a new paragraph (b) is added to the said sections as set forth below:

(b) Notwithstanding any other provision of this Maximum Rent Regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the Area Rent Office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within 5 days after the filing of such report, upon the expiration of such 5-day period.

This Supplementary Amendment No. 5 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective September 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9572; Filed, September 25, 1942; 3:20 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 1 to Revised Price Schedule 56 [1]]

RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Section 1315.51 is amended by adding a new paragraph (d); and a new § 1315.61 is added, as set forth below.

§ 1315.51 *Maximum prices for reclaimed rubber.* * * *

(d) Notwithstanding any other provision of this Revised Price Schedule No. 56, the maximum price for the sale or delivery by Rubber Reserve Company of reclaimed rubber purchased or received by Rubber Reserve Company pursuant to Priorities Regulation No. 13 [3] issued by the Division of Industry Operations of the War Production Board shall be the amount paid by Rubber Reserve Company to the seller for such reclaimed rubber plus all charges for transportation and delivery for shipping such reclaimed rubber from the plant, place of business or storage place of the person selling to Rubber Reserve Company to the place to which it was moved from such plant, place of business or storage place.

* * * * * *

§ 1315.61 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.51 (d), 1315.61) to Revised Price Schedule No. 56 shall become effective September 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9594; Filed, September 26, 1942; 11:16 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 26 to Revised Tire Rationing Regulations [1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

§ 1315.503 (c) (2) and (d) are amended to read as follows:

Retreaded and Recapped Tires and New Passenger Tires of an Obsolete Type for Vehicles Eligible Under List B

§ 1315.503 *Eligibility of List A and List B Passenger Automobiles for New Passenger Tires of an Obsolete Type.* * * *

(c) * * *

(2) That the tire for which application is made is to replace a tire which is not capable of being recapped either because of its physical condition or the lack of adequate recapping facilities, or which cannot be recapped for safe use at the speeds at which the applicant may reasonably be expected to operate, or which is to be mounted on an unused or rebuilt vehicle which the applicant has purchased or contracted to purchase for his intended use. If the carcass can be recapped and adequate recapping facilities are available, a certificate may be granted only for recapping services.

(i) A Board shall not issue a certificate for a tire to an applicant who seeks to replace a tire carcass which cannot be recapped because of its physical condition, unless the applicant can establish to the satisfaction of the Board that the carcass which he seeks to replace became unusable from circumstances not resulting from the applicant's abuse or neglect. Granting or denial of a certificate under these conditions will be at the discretion of the Board with regard to the loss which the community will suffer if the applicant is denied tires. Where the community would suffer no loss if the applicant were denied tires, because other persons can perform the same service, or for other reasons, the Board may refuse to grant tires to replace such damaged tires.

(d) As applied to tires, the words "obsolete type" apply to passenger-type tires of the following sizes, and no others:

330–18	650–19	500–21
350–18	700–19	525–21
385–18	750–19	600–21
525–18	330–20	650–21
525–500–18	385–20	700–21
550–18	450–20	500–22
600–18	475–20	600–22
650–18	450–475–500–	750–14
700–18	20	28 x 3
750–18	500–20	30 x 3
400–19	525–20	30 x 3½
450–19	550–20	31 x 4
475–19	600–20	32 x 4
475–500–19	600–650–20	33 x 4
500–19	650–20	32 x 4½
525–19	700–20	33 x 4½
525–550–19	440–450–21	34 x 4½
550–19	440–21	35 x 5
600–19	450–21	
600–650–19	475–21	

§ 1315.1199a *Effective dates of amendment.* * * *

(bb) Amendment No. 28 (§1315.503 (c) (2) (d)) to Revised Tire Rationing Regulations shall become effective October 2, 1942,

(Pub. Law 421, 77th Cong., Jan. 30, 1942. OPM Supp. Order No. M–15–c, WPB Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 562, 925, 1009, 1026.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9598; Filed, September 26, 1942; 11:22 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment 29 to Revised Tire Rationing Regulations [1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

§ 1315.405 (a) (1) is amended to read as follows:

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.405 *Eligibility classification; List A.* * * *

(a) (1) A vehicle operated by a physician, surgeon, osteopath, chiropractor, farm veterinary, public health nurse, midwife, dental surgeon or itinerant dentist which is necessary for the performance of professional duties and is used exclusively for such purpose.

(i) The Board may issue certificates under this paragraph only to physicians, surgeons, osteopaths, chiropractors, farm veterinaries, midwives, dental surgeons or itinerant dentists who are licensed by the appropriate governmental agency, or to public health nurses, if the use of a motor vehicle is necessary for the performance of their professional duties because of the nature of such duties and the absence of other practicable means of transportation.

* * * * * *

(iv) No certificate shall be issued to a midwife, itinerant dentist or dental surgeon unless the Board finds that he renders to a substantial number of patients services of an emergency character necessary to save life or prevent serious injury to health and that the use of a motor vehicle is necessary to the performance of these services. A dental surgeon must present a certificate to this effect from his state dental association, which certificate must also contain a statement that the applicant practices dental surgery. A vehicle used by an itinerant dentist may be eligible hereunder only if the dentist renders regularly scheduled services in more than one locality and cannot perform his duties effectively without a motor vehicle. A vehicle used by an itinerant dentist, otherwise eligible hereunder, may be used by him to travel between his home and places where he renders professional services without forfeiting its eligibility.

§ 1315.1199a *Effective dates of amendments.* * * *

(cc) Amendment No. 29 (§ 1315.405 (a) (1)) to Revised Tire Rationing Regulations shall become effective October 2, 1942.

(Pub. Law 421, 77th Cong., Jan. 30, 1942, OPM Supp. Order No. M–15c, WPB Directive No. 1, Supp. Directive No. 1B,

[1] Copies may be obtained from the Office of Price Administration.

[2] 6 F.R. 6455; 7 F.R. 657, 1313, 1836, 2000, 2132.

[3] 7 F.R. 5167, 5604, 7523.

[1] 7 F.R. 1027, 1089, 2107, 2541, 2633, 2945, 2948, 3235, 3237, 3551, 3830, 4176, 4336, 4493, 4543, 4544, 4617, 4856, 6423, 6775, 7034, 7241.

6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9597; Filed, September 26, 1942; 11:2° a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment 30 to Revised Tire Rationing Regulations[1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

§ 1315.405 (e) is amended to read as follows:

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.405 *Eligibility classification; List A.* • • •

(e) A vehicle operated exclusively for one or more of the following purposes:

(1) Transportation of passengers as part of the services rendered to the public by a regular transportation system.

(i) Certificates may be issued under paragraph (e) (1) only to equip vehicles performing necessary transportation service along regular routes or with regular schedules, from which the public may obtain service upon payment of a standard fare.

(ii) No certificate shall be issued under this subparagraph for a vehicle used for sightseeing trips or similar excursions.

(iii) No certificate shall be issued under this subparagraph for a vehicle on which the general public cannot obtain transportation, except as provided in paragraphs (e) (2), (e) (3) and (e) (4).

(2) Transportation of students and teachers to or from school.

(i) A vehicle otherwise eligible under this subparagraph shall not forfeit its eligibility because it is used to transport other employees of the school as well as teachers.

(ii) No vehicle equipped with tires or tubes for which certificates have been granted under this subparagraph shall be used for excursions of any character. Transportation shall be provided only to or from the homes of students and teachers, or regular stops, and the regular places of instruction.

(iii) Any vehicle having a capacity of less than 10 passengers shall be eligible under this subparagraph only if it is licensed to transport school children or is operated for such purpose under a contract with the appropriate governmental agency.

(3) • • •

(4) Transportation of the following persons:

(i) Prisoners, insane, mentally disordered or mentally incompetent persons and their custodians, guards, and other necessary attendants, provided that such transportation is furnished upon written request to the operator of the vehicle by an authorized officer of the law or other government official charged with the custody of such persons;

(ii) A jury and its official custodians and other authorized court attendants, provided such transportation is furnished upon written request to the operator of the vehicle by the presiding judge of the court in which such jury is serving;

(iii) Military or naval personnel, or persons participating in organized recreational activities at military or naval establishments, to and from such establishments, where other practicable means of transportation is not available, provided such transportation is furnished upon written request to the operator of the vehicle by the commanding officer of such establishment;

(iv) Selectees to and from examining or induction centers of the Army, where other practicable means of transportation is not available, provided such transportation is furnished upon written request to the operator of the vehicle by an authorized official of the Selective Service System;

(v) Children under 18 years of age and their attendants to and from summer camps, where other practicable means of transportation is not available, provided the operator of the vehicle shall first obtain the written approval of the Regional Recreation Representative of the Office of Defense Health and Welfare Services;

(vi) Persons between their homes and their places of regular weekly worship for the purpose of attending religious services, where other practicable means of transportation is not available;

(vii) Civilians from their homes for purposes of evacuation, in the interest of their safety and to serve military purposes, or to their homes after evacuation, pursuant to orders of governmental or military authorities.

(viii) Any of the transportation services provided for in this subparagraph may be performed by a vehicle otherwise eligible under § 1315.405 without forfeiting its eligibility for tires or tubes.

(5) • • •

§ 1315.1199a *Effective dates of amendments.* • • •

(dd) Amendment No. 30 (§ 1315.405 (e)) to Revised Tire Rationing Regulations shall become effective October 2, 1942.

(Pub. Law 421, 77th Cong., Jan. 30, 1942, OPM Supp. Order No. M-15c, WPB Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1025.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9588; Filed, September 26, 1942; 11:20 a. m.]

PART 1340—FUEL

[Amendment 22 to Maximum Price Regulation 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (8) of § 1340.210 (a) is amended to read as set forth below:

§ 1340.210 *Maximum price instructions.* (a) • • •

(8) (i) Except as otherwise specifically provided in this section or in §§ 1340.212 to 1340.233, inclusive, (Appendices A to V, inclusive) wherever lump, double screened coal, or mine-run coals (and coals of the same size group as mine-run coals) are crushed, the applicable maximum price shall be the maximum price for the size to which the coal is crushed, irrespective of whether the crushing is done by the producer for his own account or for the buyer's account.

(ii) Where a higher maximum price than is above provided for crushed coals is necessary to maintain or increase essential production of resultant screening sizes, a producer may file an application containing the information hereinafter set forth, requesting permission from the Office of Price Administration to sell crushed coal at straight run-of-mine prices. An original and two copies of such application to the Office of Price Administration shall be filed with the Bituminous Coal Division, Department of the Interior, Washington, D. C., and a cop. shall be filed with said Division's Field Office for the district in which the mine is located. Immediately upon such filing, the producer has permission to charge maximum prices for crushed coal as is hereinafter provided. Such permission will terminate for failure to file the monthly reports as required in § 1340.210 (a) (6) (iv), below, or may be terminated at any time in the discretion of the Administrator. On deliveries of bituminous coal made after such filing, (*a*) where the applicant's lump coals, double screened coals, or mine-run coals (and coals of the same size group as mine-run coals) are mechanically crushed to sizes normally sold by the applicant as screenings, and such resultant sizes are not screened, altered or modified (exclusive of mechanical cleaning or preparation), the maximum price applicable thereto shall be the maximum price for the coal produced at the mine involved which is classified as straight run-of-mine coal; (*b*) where mine-run coals (and coals of the same size group as mine-run coal) are separated into two or more sizes and only the larger sizes are crushed, the smaller uncrushed sizes shall have the maximum price established under this Regulation for the particular sizes involved; but if such smaller uncrushed sizes are re-assembled with the crushed sizes and shipped as re-assembled, the maximum price applicable to such re-assembled product shall be the maximum price for that coal produced at the mine involved which is classified as straight run-of-mine coal.

(iii) Such application shall include, in affidavit form:

(*a*) A complete identification of the applicant, including business name and address, mine name, mine index number, and number of producing district;

(*b*) A statement of the manner in which the requested permission will facilitate the economical and efficient production of slacks or screenings.

(c) For each month from October 1, 1941 to and including the month prior to the month when the application is filed, a statement of:

(*1*) The tonnages of lump coals, double screened coals, mine-run coals (or coals of the same size group as mine-run coals) crushed and shipped in a crusher-run state, without subsequent rescreening, alteration or modification (exclusive of mechanical cleaning or preparation), which were shipped from the applicant's mine during each such month—indicating in each case the specific sizes before crushing and the specific sizes as shipped, the total tonnage of crushed coal shipped during the month and the percentage relation which this total tonnage bears to the total of all shipments of all sizes made during the month;

(2) The tonnages of each size of coal not crushed which were shipped from the applicant's mine during each such month;

(3) An estimate of the data specified in (*1*) and (2) for 30 days subsequent to the actual date on which the application is filed.

(iv) On or before the 20th day of the month following that in which the application was filed, and monthly thereafter, an original and 3 copies of a monthly report, in affidavit form, containing the information hereinafter set forth, shall be filed with the Bituminous Coal Division's Field Office for the district in which the mine is located. Such monthly reports shall contain:

(*a*) A complete identification of the reporting producer, including business name and address, mine name, mine index number, and number of producing district, and a statement of the date or dates on which the aforesaid application was filed by the reporting producer;

(*b*) A statement of why continued permission to sell crushed coal as previously requested is necessary;

(c) For the month in which the application was filed and for each full month thereafter, a statement of:

(*1*) The tonnages of crushed coals which were shipped at prices in excess of the maximum prices applicable to natural screenings of the same top sizes (i. e., screenings not produced by crusher);

(2) The tonnages shipped of each size of coal not crushed;

(3) The same details with respect to such tonnages of crushed and uncrushed coals as are called for in § 1340.210 (a) (8) (iii) (c) above; and

(*4*) An estimate of the foregoing date specification in (*1*), (2) and (3) for 30 days subsequent to the actual date on which the report is filed.

§ 1340.211a *Effective dates of amendments.* • • •

(w) Amendment No. 22 (§ 1340.210 (a) (8)) to Maximum Price Regulation No. 120 shall become effective September 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9587; Filed, September 26, 1942; 11:14 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 34 to Supplementary Regulation 14 to General Maximum Price Regulation]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subdivision (iv) is added to subparagraph (1) of § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream.* • • •

(iv) *Price adjustments in localities of less than 100,000 population.* (*a*) Whenever any Regional Office of the Office of Price Administration determines, either upon application or its own motion, that (*1*) the use of March 1942 as the base period for the establishment of maximum prices for fluid milk has eliminated a normal differential or established an abnormal differential between the prices charged for fluid milk in any two or more localities within the region served by such Office, (2) the elimination of such normal differential or the establishment of such abnormal differential has caused or threatens to cause a diversion of a material portion of its normal supply of fluid milk from one such locality to one or more of such other localities, and (3) as the result of such diversion or threatened diversion, a shortage of fluid milk exists or is imminent in such locality, it may, for the purpose of relieving or preventing such shortage, by order, increase or decrease the maximum prices established under § 1499.2 of the General Maximum Price Regulation for the sale or delivery of fluid milk at wholesale and retail in any of such localities to the minimum extent necessary to accomplish such purpose.

(b) Whenever any Regional Office of the Office of Price Administration determines, either upon application or its own motion, that (*1*) the price paid to producers by manufacturers of butter, cheese, condensed and evaporated milk, or milk powder for milk produced within the milk-shed upon which any locality within the region served by such Office depends for its supply of fluid milk has increased 23 cents or more per cwt. since March 1942, (2) distributors of fluid milk in such locality, in order to obtain the supply of milk for fluid use necessary to satisfy the normal requirements of the locality, are paying producers of such milk at least 23 cents more per cwt. than they paid in March 1942, and (3) notwithstanding the savings that have been effected or may be effected as the result of the adoption of all practicable measures designed to reduce distribution costs, such distributors cannot fairly be expected to continue to distribute fluid milk in such locality at the maximum prices established for them under § 1499.2 of the General Maximum Price Regulation, it may, by order, increase the maximum prices established under said § 1499.2 for the sale or delivery of fluid milk at wholesale and retail in such locality no more than one-half cent per quart of fluid milk if the prices paid to producers by such manufacturers and such distributors have increased 23 cents to 40 cents per cwt. since March 1942, and no more than one cent per quart of fluid milk if such prices have increased 41 cents or more per cwt. since March 1942: *Provided,* That any order issued pursuant to this subparagraph (b) shall require the distributors affected by such order to file, with the Regional Office, issuing such order, periodic reports concerning the prices paid by them to producers as such Office may deem necessary and appropriate.

(c) No order issued pursuant to this subdivision (iv) shall modify the maximum prices established under the General Maximum Price Regulation for the sale or delivery of fluid milk in any city which, according to the Sixteenth Census of the United States, 1940, has a population of 100,000 or more persons, or in any city in which a minimum producer price for milk has been established pursuant to any marketing agreement or order made or issued under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

(d) (*1*) Every order issued pursuant to the provisions of this subdivision (iv) shall be accompanied by a statement of the reasons for the action taken therein and shall be effective for such period as the Regional Office deems appropriate.

(2) Whenever a Regional Office issues such an order, it shall take prompt steps to insure that the order is duly publicized in the locality or localities affected, and shall transmit a copy thereof, together with the accompanying

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[1] 7 F.R. 1027, 1089, 2107, 2541, 2633, 2945, 2948, 3235, 3237, 3551, 3830, 4176, 4336, 4493, 4543, 4544, 4617, 4856, 5023, 5274, 5276, 5566, 5605, 5867, 6775, 7034, 7241.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896.

*Copies may be obtained from the Office of Price Administration.

statement, to the National Office of the Office of Price Administration in Washington, D. C.

(b) *Effective dates of amendments.*

* * *

(35) Amendment No. 34 (§ 1499.73 (a) (1) (iv)) to Supplementary Regulation No. 14 to General Maximum Price Regulation shall become effective September 26, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9592; Filed, September 26, 1942; 11:14 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 77 Under § 1499.3 (b) of General Maximum Price Regulation]

CLEVELAND TUNGSTEN, INC.

Cleveland Tungsten, Inc. of Cleveland, Ohio has made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for the determination of a maximum price for a certain tungsten metal powder. Due consideration has been given to the application and an opinion in support of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and pursuant to § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, *It is ordered:*

§ 1499.291 *Maximum prices for a certain tungsten metal powder sold by Cleveland Tungsten, Inc. of Cleveland, Ohio.* (a) On and after September 28, 1942, Cleveland Tungsten, Inc., Cleveland, Ohio, may sell or deliver, and any person may buy or receive from Cleveland Tungsten, Inc. tungsten metal powder, containing a minimum of 99.7% tungsten and a maximum of .20% alkalis and .02% molybdenum, at a price not in excess of $5.40 per pound f. o. b. seller's plant.

(b) This Order No. 77 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 77 (§ 1499.291) shall become effective September 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9599; Filed, September 26, 1942; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 78 Under § 1499.3 (b) of General Maximum Price Regulation]

NORTON COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.292 *Authorization of maximum prices for special bonded abrasives to the Norton Company.* (a) The Norton Company may sell and deliver and agree, offer, solicit, and attempt to sell and deliver special bonded abrasives at prices no higher than will be determined by the use of the pricing formula employed by the said Company in March, 1942, to determine the prices at that time of similar items. The values given to the factors used in said formula shall be no higher than the highest values given to the same factors in the determination of March, 1942, prices under said formula, and the method used in computing said factors shall be the method used in March, 1942.

(b) For the purposes of this order bonded abrasives may be classified as special bonded abrasives whenever, (1) they are made to the specifications of each individual order, (2) said specifications differ materially with each order, and (3) for the reasons set forth in (1) and (2) said "specials" are unable to be included in the company's price lists.

(c) This Order No. 78 may be revoked or amended at any time by the Price Administrator.

(d) This Order No. 78 (§ 1499.292) shall become effective September 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9590; Filed, September 26, 1942; 11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 79 Under § 1499.3 (b) of General Maximum Price Regulation]

KEASBEY & MATTISON COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.293 *Authorization of maximum prices for special asbestos textile products to the Keasbey & Mattison Company.* (a) The Keasbey & Mattison Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver special asbestos textile products at prices no higher than will be determined by the use of the pricing formula employed by the said company in March, 1942, to determine the prices at that time of similar items. The values given to the factors used in said formula shall be no higher than the highest values given to the same factors in the determination of March, 1942, prices under said formula, and the method used in computing said factors shall be the method used in March, 1942.

(b) For the purposes of this order asbestos textile products may be classified as special asbestos textile products whenever, (1) they are made to the specifications of each individual order, (2) said specifications differ materially with each order, and (3) for the reasons set forth in (1) and (2) said "specials" are unable to be included in the company's price lists.

(c) This Order No. 79 may be revoked or amended at any time by the Price Administrator.

(d) This Order No. 79 (§ 1499.293) shall become effective September 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9593; Filed, September 26, 1942; 11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 52 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3-685]

PFEIFFER BREWING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.852 *Adjustment of maximum prices for 32 ounce bottles of beer manufactured by Pfeiffer Brewing Company.* (a) Pfeiffer Brewing Company, 3740 Bellevue Avenue, Detroit, Michigan and wholesalers may sell and deliver and any person may buy and receive from Pfeiffer Brewing Company and wholesalers 32 ounce bottles of beer manufactured by Pfeiffer Brewing Company at prices not higher than those set forth below:

Pfeiffer Brewing Company:
To retailers. $1.90 per case of 12 bottles.
To wholesalers. $1.65 per case of 12 bottles.
Wholesalers: The maximum prices established for the particular wholesaler under the General Maximum Price Regulation or $1.90 per case of 12 bottles, whichever is higher.

Provided, That customary discounts shall be maintained.

(b) The adjustment granted to Pfeiffer Brewing Company and wholesalers in paragraph (a) is subject to the following conditions:

(1) Pfeiffer Brewing Company shall forthwith, by circular or other appropriate means, notify all retailers purchasing its 32 ounce bottles of beer that the Office of Price Administration has by this order authorized adjustment of its maximum price to retailers for 32 ounce bottles of beer to $1.90 per case of 12 bottles less customary discounts.

(2) Pfeiffer Brewing Company shall forthwith, by circular or other appropriate means, notify all wholesalers purchasing its 32 ounce bottles of beer that the Office of Price Administration has by this order (i) authorized adjustment of its maximum price to wholesalers for its 32 ounce bottles of beer to $1.65 per case of 12 bottles and (ii) authorized wholesalers to charge for its 32 ounce bottles of beer the maximum prices established for the particular wholesaler under the General Maximum Price Regulation or $1.90 per case of 12 bottles, less customary discounts, whichever is higher.

(3) Upon receipt of notice from Pfeiffer Brewing Company under subparagraph (2) hereof, each wholesaler shall forthwith, by circular or other appropriate means, notify each retailer purchasing from it 32 ounce bottles of Pfeiffer Brewing Company's beer of the precise adjustment, if any, of its maximum price therefor permitted under paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 52 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 52 (§ 1499.852) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 52 (§ 1499.852) shall become effective September 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9591; Filed, September 26, 1942; 11:16 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 52 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-1042]

CAPITAL BAKERS, INC.

For the reasons set forth in an Opinion issued simultaneously herewith, *It is ordered:*

§ 1499.902 *Adjustment of maximum prices for Pullman breads produced by Capital Bakers, Inc., 13th and Walnut Streets, Harrisburg, Pennsylvania.* (a) Capital Bakers, Inc. may sell and deliver, and any person may buy and receive from Capital Bakers, Inc. the following commodities at prices not higher that the following:

(1) Number 2 and number 4 loaves of Pullman bread at 8¢ per pound.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 52 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 52 (§ 1499.902) is hereby incorporated as a part of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 52 (§ 1499.902) shall become effective September 28, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9589; Filed, September 26, 1942; 11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 53 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-1516]

CLINTONDALE FRUIT GROWERS CO-OPERATIVE, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.903 *Adjustment of maximum prices for warehouse services sold by Clintondale Fruit Growers Co-operative, Inc.* (a) Clintondale Fruit Growers Co-operative, Inc., of Clintondale, N. Y., may sell and supply, and any person may buy and receive from Clintondale Fruit Growers Co-operative, Inc., the following services at charges not higher than those set forth below:

Handling apples in and out of storage—10 cents per bushel basket or bushel box.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 53 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 53 (§ 1499.903) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 53 (§ 1499.903) shall become effective September 28, 1942.

(Public Law No. 421, 77th Cong.)

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9596; Filed, September 26, 1942; 11:21 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 54 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF3-1030]

BLEAKLEY TRANSPORTATION CO. ET AL.

For the reasons set forth in an opinion issued simultaneously herewith,[1] *It is ordered:*

§ 1499.904 *Denial of adjustment of maximum prices for transportation services sold by the following companies:*

Bleakley Transportation Co., Inc., 50 Church Street, New York, N. Y.
Eastern Transportation Company, 1416 Munsey Bldg., Baltimore, Md.
Foreman-Gregory Company, Inc., N. Road St., Ext'd, Elizabeth City, N. C.
Henry Gillen's Sons Lighterage, Inc., 15 Moore Street, New York, N. Y.
F. E. Grauwiller Transportation Co., Inc., 15 Moore Street, New York, N. Y.
C. F. Harms Company, 75 West Street, New York, N. Y.
Martin Marine Transportation Company, 111 Walnut St., Philadelphia, Pa.
North River Barge Lines, Inc., 50 Church Street, New York, N. Y.
Red Star Towing & Transportation Co., 17 Battery Place, New York, N. Y.
Sheridan Transportation Company, 127 Walnut Street, Philadelphia, Pa.
Tritoro Scow Corporation, 50 Church Street, New York, N. Y.
B. Turecamo Towing Corporation, Ft. of 24th Ave., Brooklyn, N. Y.
Wathon & Company, South End Andre St., Baltimore, Md.
The Wright & Cobb Lighterage Company, 17 Battery Place, New York, N. Y.

(a) The application for adjustment filed by the above companies and assigned Docket No. GF3-1030 is denied.

(b) This Order No. 54 (§ 1499.904) shall become effective September 29, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9645; Filed, September 28, 1942; 11:51 a. m.]

[1] Copies may be obtained from the Office of Price Administration.

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Administration

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 53—MEATS, PREPARED MEATS, AND MEAT PRODUCTS, GRADING AND CERTIFICATION

AMENDMENT CHANGING BASIS FOR CHARGES

By virtue of the authority vested in the Secretary of Agriculture by law (56 Stat. 664; 7 U.S.C. 414), the following amendment to Title 7, Chapter I, Subchapter C, Part 53, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Subchapter C, Part 53), as amended by 7 F.R. 6804, is promulgated:

Section 53.34 (a) is amended to read:

(a) *Basis for charges.* Fees and charges for grading services at designated markets shall be based on the actual time required to render the services, including the time required for travel of the official grader in connection therewith, at the rate of two dollars and twenty cents ($2.20) per hour for each official grader assigned, unless otherwise provided by special agreement approved by the Administrator: *Provided,* That no grading services shall be rendered for less than a minimum charge of one dollar and ten cents ($1.10). *Provided further,* That the Administrator may, in lieu of the fixed charge of $2.20 per hour, fix other reasonable charges for the grading and certification of products at rates that, in his judgment, will cover the costs of the services.

Done at Washington, D. C., this 26th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9644; Filed, September 28, 1942; 11:38 a. m.]

Chapter VII—Agricultural Adjustment Agency

[Tobacco 603 (Fire-cured); Part II]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1942-43 MARKETING YEAR

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of Part II of the Marketing Quota Regulations, Fire-cured Tobacco—1942-43

Marketing Year (Tobacco 603 Fire-cured, as issued by the Secretary of Agriculture on November 7, 1941), which regulations shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act.

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AUTHORITY: §§ 726.420 to 726.452, inclusive, issued under 52 Stat. 47, 48, 65, 66, 202; 53 Stat. 1261, 1262; 54 Stat. 393, 728, 1209; 55 Stat. 88; 7 U. S. C. 1940 ed. 1301 et seq.

GENERAL

§ 726.420 *Definitions.* As used in these regulations and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(b) "Committee" means a committee within a county or community established under the Soil Conservation and Domestic Allotment Act. "County Committee", "Local Committee", or "Community Committee" shall have corresponding meanings in the connection in which they are used.

(c) "County office" means the office of the County Agricultural Conservation Association Committee or the county or local committees or employees of such committee according to the sense in which such term is used.

(d) "Dealer" means a person who engages to whatever extent, in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(e) "Farm" means any tract or tracts of land which are considered as a farm under the provisions of the 1942 Agricultural Conservation Program.

(f) "Field Assistant" means an employee of the Agricultural Adjustment Agency, United States Department of Agriculture, whose duties involve primarily the preparation and handling of auction warehouse and dealer records and reports as they relate to tobacco marketing quotas.

(g) "Floor sweepings" means all tobacco which is dropped on the warehouse floor in the course of the warehouse operations and is picked up by the warehousemen. Any tobacco accumulated in the course of the grading of tobacco for farmers shall not be included as floor sweepings.

(h) "Market" means the first disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos. "Marketing" and "Marketed" shall have corresponding meanings to the term "market."

(i) "Marketing Quota Section" means the Marketing Quota Section, East Central Division, Agricultural Adjustment Agency, United States Department of Agriculture, Washington, D. C.

(j) "Nonwarehouse sale" means any marketing of tobacco other than a warehouse sale.

(k) "Operator" means the person who is in charge of the supervision and the conduct of the farming operations on the entire farm.

(l) "Person" means an individual, partnership, association, corporation, estate, trust, or any agency of a State or of the Federal Government. The term "person" shall include two or more persons having a joint or common interest.

(m) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight. The weight of redried or prized tobacco shall be increased so as to correspond with the original weight of such tobacco prior to redrying.

(n) "Producer" means a person who, as owner, landlord, tenant, shorecropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds of the marketing, under the provisions of his agreement relating to the production of tobacco.

(o) "Resale" means the disposition by sale, barter, or exchange of tobacco which has been marketed previously.

(p) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(q) "Secretary of Agriculture" means the Secretary or Acting Secretary of Agriculture of the United States.

(r) "State committee or state office" means the group of persons comprising the State Agricultural Conservation Committee appointed by the Secretary of Agriculture to assist within any State in the administration of the Soil Conservation and Domestic Allotment Act or the office of such persons.

(s) "Suspended sale" means any marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the particular sale day on which such marketing occurred.

(t) "Tobacco" means fire-cured tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as types 21, 22, 23 and 24, and collectively known as fire-cured tobacco.

(u) "Tobacco available for marketing" means all tobacco produced on a farm in the calendar year 1942 (and any tobacco produced on the farm prior to the calendar year 1942 and carried over to the 1942–43 marketing year) which is not disposed of by a "Tobacco Carry-over Agreement", by use on the farm, or by storage prior to the issuance of a marketing card for the farm.

(v) "Trucker" means any person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(w) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a warehouse during the tobacco marketing season.

(x) "Warehouse sale" means a marketing by sale at auction through a warehouse in the regular course of business.

§ 726.421 *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

§ 726.422 *Tobacco subject to marketing quotas.* Any tobacco marketed during the period October 1, 1942, to September 30, 1943, inclusive, and any tobacco produced in the calendar year 1942 and marketed prior to October 1, 1942, shall be subject to the marketing quotas for the 1942–43 marketing year.

FARM MARKETING QUOTAS

§ 726.423 *Amount of farm marketing quota.* The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with Part I of the "Marketing Quota Regulations — Fire-cured Tobacco — 1942–43 Marketing Year" (Tobacco 603 Part I). The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the farm acreage allotment. The excess tobacco on any farm shall be that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the number of acres harvested in excess of the farm acreage allotment.

§ 724.424 *Issuance of marketing card.* A marketing card shall be issued for every farm having tobacco available for marketing. The card shall be issued after information required for its preparation (including measurements of the harvested acreage of tobacco and an estimate of the actual production of tobacco) has been furnished to or obtained by the county office. If the farm operator refuses to furnish or prevents the county office from obtaining such information, the card shall show that all of the tobacco available for marketing from the farm is subject to penalty.

(a) *Within quota marketing card (MQ–656 Fire-cured).* A "within quota marketing card" authorizing the marketing without penalty of the ctual production of tobacco on the farm in the 1942 calendar year and any tobacco carried over from a prior marketing year shall be issued for a farm unless an excess marketing card is required to be issued for the farm in accordance with paragraph (b) of this section.

(b) *Excess marketing card (MQ–657 Fire-cured).* An "excess marketing card" showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1942 is in excess of the farm acreage allotment and such excess tobacco is not disposed of in accordance with § 726.425 hereof, or if the operator of the farm also operates another farm on which the harvested acreage of tobacco in 1942 exceeds the farm acreage allotment and such excess is not disposed of in accordance with § 726.425 hereof.

(2) If a within quota marketing card could be issued for the farm but the county mmittee determines that a zero percent excess marketing card is necessary to protect the interest of the government and to insure proper identification of and accounting for the disposition of tobacco produced on the farm and the proper use of the marketing card issued for the farm.

(3) If there is tobacco available for marketing from the farm but no tobacco acreage allotment was established and such tobacco is not disposed of as provided in § 726.425 hereof.

(4) If information required for preparation of the marketing card is not furnished or the county office is prevented from obtaining the necessary information.

(5) If there is tobacco available for marketing from the farm carried over from a prior marketing year and the harvested acreage in 1942 is not less than the 1942 acreage allotment by an amount equivalent to the acreage of carry-over excess determined as provided in § 726.424 (c) hereof.

(6) If a farm operated by a publicly owned experiment station produces tobacco for other than experimental purposes and such tobacco is not disposed of as provided in § 726.425 hereof.

(c) *Extent to which marketings from a farm are subject to penalty.* The extent to which marketings of tobacco from any farm having no carry-over tobacco are subject to penalty shall be that percentage of the tobacco available for marketing from the farm which the acreage of tobacco harvested in excess of the farm acreage allotment for the farm and not disposed of as provided in § 726.425 of these regulations, is of the acreage of tobacco harvested from the farm. Each marketing card showing a percentage excess of zero also shall show the maximum number of pounds of tobacco which may be marketed thereunder, which shall be the quantity of tobacco estimated by the county committee to be available for marketing from the 1942 crop produced on the farm. For any excess marketing card which shows a percentage of excess of more than zero, the county committee, if it has reason to believe it to be necessary in order to prevent marketing thereunder of tobacco produced on another farm, also shall have shown on the card the maximum number of pounds which may be marketed thereunder, such number of pounds to be determined in the same manner as for a card showing zero percent excess. The maximum number of pounds shown on any excess marketing card shall be increased by the county committee if the committee determines that the quantity of tobacco available for marketing from the 1942 crop produced on the farm is greater than the number of pounds previously estimated by the committee to be available for marketing.

The extent to which marketings of tobacco from any farm having tobacco available for marketing which has been carried over from a prior marketing year are subject to penalty shall be the percentage determined as follows:

(1) Determine the number of carry-over acres" by dividing the number of pounds of tobacco carried over from the prior year by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" (subparagraph (1) of this paragraph) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" (subparagraph (1) of this paragraph) and the acreage of tobacco harvested in the current year.

(4) Determine the excess acreage by subtracting from the "total acres" (subparagraph (3) of this paragraph) the sum of the 1942 allotment and the "within quota carry-over acres" (subparagraph (2) of this paragraph).

(5) Determine the percent excess to be shown on the marketing card by dividing the "total acres" into the excess acreage (subparagraph (4) of this paragraph).

(d) *Number of marketing cards and entries and signatures thereon.* One or more marketing cards may be issued for any farm as approved by the county committee. All entries on each marketing card shall be made in accordance with the instructions for issuing the marketing card and the operator's agreement on each marketing card shall be signed by the farm operator or on his behalf by his authorized representative.

§ 726.425 *Disposition of excess tobacco.* The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By executing a "Tobacco Carry-over Agreement", (Tobacco 628) and delivering, either to the county committee prior to the issuance of the marketing card or to a field assistant at the auction warehouse out of the first proceeds from the marketing of tobacco from the farm, a certified check, cashier's check or post office money order, or by a check drawn by the warehouseman, payable to Commodity Credit Corporation in an amount equal to the estimated actual yield of tobacco from the excess acreage time 85 percent of the parity price of fire-cured tobacco as of the beginning of the 1942–43 marketing year.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1942 crop produced on the farm, and posting of a bond or making of other arrangements approved by the county committee and the Chief of the Marketing Quota Section which will guarantee payment of the amount of penalty which will become due upon the marketing of excess tobacco.

(c) By rendering the excess tobacco unmerchantable, the tobacoo so rendered unmerchantable to be representative of the entire crop of tobacco produced on the farm in 1942 and the act of rendering the tobacco unmerchantable to be performed only by the farm operator (or his representative) under the supervision of the county committee (or a person designated by the committee).

(d) By payment to the county office by certified check, cashier's check, or money order drawn payable to the Treasurer of the United States of an amount equal to 5 cents per pound times the estimated actual production of the excess acreage of tobacco harvested from the farm. Any additional amount of penalty due after the actual yield for the farm has been determined shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty from the county office. This subsection shall apply only in the event that the acreage harvested in excess of the allotment does not exceed the larger of two-tenths acre or 10 percent of the farm acreage allotment.

§ 726.426 *Report on marketing card.* The operator of each farm on which tobacco is produced in 1942 shall return to the county office each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets for the area in which the farm is located. Failure to return the marketing card to the county office within the time specified (after formal notification) shall constitute failure to give proof of dispo-

sition of tobacco marketed from the farm in the event that satisfactory proof of such disposition is not furnished otherwise.

§ 726.427 *Additional reports by producers and identification of tobacco.* In addition to any other reports which may be required under these regulations, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall, upon written request by the chairman of the State Committee and within ten days after the deposit of such request in the United States mails addressed to such person at his last known address, furnish the Secretary of Agriculture, by sending the same to the Chairman of the State Committee, a written report showing, as to the farm at the time of filing said report (a) the number of acres of tobacco harvested, (b) the total production of tobacco, (c) the amount of tobacco on hand and its location, and (d) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of marketing.

§ 726.428 *Rights of producers in marketing card.* Each producer having a share in the tobacco available for marketing from the farm shall be entitled to the use of the marketing card for marketing his proportionate share of the total amount of tobacco available for marketing from the farm; *Provided*, That the burden of any penalty with respect to carry-over tobacco shall be borne by those persons having an interest in such tobacco.

§ 726.429 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from the farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 726.430 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. No marketing card shall be signed by the issuing officer until all other entries required to be made thereon have been made, except that the Operator's Agreement therein may be signed after the issuing officer has signed the card, but prior to the issuance of a memorandum of sale from the card. Only one person shall be designated as issuing officer but such person may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: *Provided*, That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 726.431 *Invalid cards.* A marketing card shall be invalid under any of the following conditions:

(a) If it is not issued or delivered in the form and manner prescribed;

(b) If entries are not made thereon as required;

(c) If it is lost, destroyed, stolen, or becomes illegible;

(d) If any erasure has been made;

(e) If any alteration has been made and not properly initialed; or

(f) If the amount due Commodity Credit Corporation with respect to a "Tobacco-Carry-over Agreement" is not paid prior to the issuance of any memorandum of sale.

In the event any marketing card becomes invalid (other than by loss, destruction, theft, omission, alteration, or incorrect entry which can be corrected by a field assistant) the farm operator (or the person having the card in his possession) shall return it to the county office at which it was issued.

If any marketing card is lost, destroyed, stolen, or altered, the person having knowledge of such loss, destruction, theft, or alteration shall notify the county office to that effect, and the county office shall immediately notify the Marketing Quota Section.

If any marketing card which was reported as lost, destroyed, stolen, or altered is later received by the county office, the county office shall immediately notify the Marketing Quota Section of the receipt of such card.

After receipt of notice of loss, destruction or theft of any marketing card the county office may issue a duplicate marketing card to replace the lost, destroyed, or stolen card in accordance with instructions issued pursuant to these regulations.

In the event any marketing card was improperly issued, has been altered, or becomes illegible, upon the return of the card to the county office a new marketing card shall be issued immediately, or as soon thereafter as the necessary information is available.

If any entry is not made on a marketing card as required (either through omission or incorrect entry) and the proper entry is made by a field assistant then such card shall become valid. If the field assistant is unable to make the proper entry, he shall return the card to the county office where it shall be retained until such entry is made, or a new marketing card is issued, as provided above.

§ 726.432 *Additional cards and disposition of used cards.* Upon the return to the county office of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. Any marketing card issued to replace another card shall have entered thereon the total sales as shown on the marketing card which is replaced.

§ 726.433 *Report of probable misuse of marketing card.* Any information which causes any field assistant, a member of any local committee, or an employee of the county office to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the State office and the Marketing Quota Section.

§ 726.434 *No transfers.* There shall be no transfer of marketing quotas (except as provided in Part I of these regulations) and the tobacco marketed under the marketing card issued for a farm shall consist only of tobacco produced on the farm.

MARKETING OF TOBACCO AND PENALTIES

§ 726.435 *Memorandum of sale to identify every marketing.* Each marketing of tobacco from a farm shall be identified by a memorandum of sale issued from the marketing card (MQ–656 Fire-cured or MQ–657 Fire-cured) for the farm but if a memorandum of sale cannot be obtained within four weeks after the date of the marketing of any tobacco at a warehouse sale, such marketing of tobacco shall be subject to penalty and the amount of penalty shall be shown on the memorandum of sale cleared without marketing card (Tobacco 618). The memorandum of sale shall be issued only by a field assistant, with the following exceptions:

(a) A warehouseman, or his authorized representative, who has been authorized on form Tobacco 625, may issue a within quota memorandum of sale to identify a warehouse sale, if a field assistant is not available at the warehouse when the card is presented by the farmer and if no payment to Commodity Credit Corporation under a "Tobacco Carry-over Agreement" is due with respect to the tobacco to be covered by the memorandum. Each memorandum of sale issued by a warehouseman shall be presented promptly by him to the field assistant for verification with the warehouse records.

(b) A dealer, or his authorized representative, operating a regular receiving point for tobacco who keeps records showing the information specified in § 726.445 (f) and who has been authorized on Tobacco 625, may issue within quota memoranda of sale covering tobacco purchased by such dealer and delivered directly to such receiving point by the producer.

(c) A representative of the county office may issue memoranda of sale covering sales of tobacco by the producer in small lots by mail order or directly to various individuals other than dealers.

The authorization to issue within quota memoranda of sale under paragraph 1 or 2 above may be withdrawn from any warehouseman or dealer upon written notice by the Chief of the Marketing Quota Section.

Each excess memorandum of sale, after issuance by a field assistant, shall be checked by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed, and the warehouseman or dealer shall be responsible for the correctness of such computations.

If the quantity of tobacco previously identified by memoranda of sale issued from any within quota marketing card is in excess of the number of pounds assigned to the card, the person issuing the memorandum shall require the farm operator to sign the "Operator's Certificate" on the back of the memorandum and if he is satisfied that such signature is the same as the signature of the farm operator on the marketing card, he may issue the memorandum. If any person other than the operator presents the marketing card, the memorandum of sale shall not be issued unless the "Authorization" on the back of such memorandum has been properly executed and signed by the operator. The person who presents the marketing card may sign on behalf of the farm operator: *Provided*, That such person places his address immediately beneath his signature. Any person authorized to issue a memorandum of sale under either of the above described circumstances who has reason to believe that the tobacco to be covered by the memorandum was not produced on the farm for which the marketing card containing the memorandum was issued, may or may not issue the memorandum as he considers advisable, but in either event he shall immediately make a written report of the circumstances in the case to the Marketing Quota Section.

§ 726.436 *Bill of nonwarehouse sale.* Each marketing of farm tobacco, except a warehouse sale or a nonwarehouse sale of within quota tobacco to a dealer authorized to issue memoranda of sale under paragraph (b) of § 726.435 shall be identified by a Bill of Nonwarehouse Sale (Tobacco 614) completely executed by the buyer and the farm operator, except for the entry of the serial number of the memorandum of sale. The post card copy (Tobacco 614a) shall be mailed by the farm operator not later than the day following the day on which executed. The original of each Bill of Nonwarehouse Sale covering any marketing shall be presented to a field assistant for issuance of a memorandum of sale (or a memorandum of sale cleared without marketing card) and for recording in the Dealer's Record Book in case of a purchase by a dealer other than a warehouseman. The original of each such Bill of Nonwarehouse Sale shall be forwarded with the applicable Dealer's Record (Tobacco 615).

§ 726.437 *Marketings free of penalty.* Any tobacco marketed from a farm which is identified by a valid memorandum of sale from the marketing card issued for the farm shall be free of penalty to the extent shown by the memorandum of sale.

§ 726.438 *Marketings subject to penalty and collection of penalties*—(a) *Farm tobacco.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that proportion of each lot of tobacco which the tobacco available for marketing in excess of the farm quota (at the time of issuance of the marketing card) is of the total amount of tobacco available for marketing from the farm. The memorandum of sale issued to identify such marketing of tobacco shall show that portion of such marketing which is subject to penalty, and any portion of such marketing of tobacco which is not shown by the memorandum as being subject to penalty shall be free of penalty.

(b) *Dealer's tobacco.* Any marketing of tobacco by a dealer which such dealer represents to be a resale, but all or any part of which, when added to prior resales by such dealer as shown on the Dealer's Record, is in excess of the total amount of purchases as shown on such Dealer's Record shall be a marketing of tobacco subject to penalty unless and until the dealer furnishes proof acceptable to the Secretary showing that such tobacco is not subject to penalty. Any marketing of tobacco by a dealer which such dealer represents to be a resale of tobacco previously purchased by him but which, because of the difference in the price at which such tobacco is resold as compared with the price at which he had purchased the tobacco, cannot reasonably be regarded as tobacco previously purchased by him shall be taken to be a marketing of tobacco subject to penalty.

(c) *Tobacco not identified by a valid memorandum.* Any marketing of tobacco which is not identified by a valid memorandum of sale shall be subject to penalty.

(d) *Liability in case of error on memorandum.* The person liable for the payment of the penalty upon any marketing of tobacco shall not be relieved of such liability because of any error which may occur on the memorandum of sale.

§ 726.439 *Persons to pay penalty.* The person to pay the penalty due on any marketing of excess tobacco shall be one of the following as applicable:

(a) *Warehouseman.* If the tobacco is marketed by the producer through a warehouseman the penalty shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Dealer.* If the tobacco is acquired from the producer by a dealer, the penalty shall be paid by the dealer who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Agent.* If the tobacco is marketed by the producer through an agent who is not a warehouseman, the penalty shall be paid by the agent, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(d) *Warehouseman and dealer on dealer's tobacco.* Any penalty due upon tobacco subject to penalty under paragraph (b) of § 726.438 shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the dealer, but the dealer shall not be relieved of responsibility for payment of such penalty.

(e) *Producer marketing outside United States.* If the tobacco is marketed by the producer directly to any person outside the United States, the penalty shall be paid by the producer.

(f) *Producer on behalf of buyer in case of mail order or direct sales in small lots.* If the tobacco is marketed in small lots by the producer by mail order sales or directly to various individuals other than dealers, the penalty may be paid by the producer of such tobacco on behalf of the various buyers. In such case the buyer of such tobacco shall be relieved of the penalty to the extent that it is paid by the producer.

§ 726.440 *Rate of penalty.* The penalty shall be five cents per pound upon the marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced and on the marketing of any other tobacco not identified under these regulations as being free of penalty.

§ 726.441 *Penalty for false identification or failure to account for disposition of tobacco.* If any producer falsely identifies or fails to account for disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in 1942 in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm and the penalty in respect thereof shall be paid and remitted by the producer.

§ 726.442 *Payment of penalty.* Penalties upon the marketing of tobacco shall become due at the time of the marketing and shall be paid by remitting the amount thereof to the applicable field office as shown in the Marketing Quota Instructions, Tobacco 622, not later than the end of the calendar week following the week in which the memorandum of sale was issued, or, in the event a memorandum is not issued, not later than four weeks after the date upon which the tobacco was sold. A draft, money order, or check, payable to the order of the Treasurer of the United States may be used to pay any penalty, but any such draft, or check shall be received subject to payment at par.

§ 726.443 *Application for return of penalty.* Any producer of tobacco and any other person who bore the burden of the payment of any penalty collected may file an application for return of the amount of such penalty which is in excess of that amount equal to five cents per pound upon the number of pounds marketed in excess of the farm marketing quota. Any application for return of any penalty shall be filed on form Tobacco 624, "Application for Return of Penalty."

An application for the return of penalty filed by any producer of tobacco on a farm on which the tobacco available for marketing is in excess of the farm marketing quota shall not be approved unless (a) the marketing of tobacco from the farm has been completed and (b) disposition of all unmarketed excess tobacco has been made under the supervision of the county committee (or its representative) and has been approved by the county committee.

Return of penalty collected upon marketings of tobacco from any farm on which the tobacco available for marketing is in excess of the farm marketing quota shall be made only upon the basis of tobacco produced on the farm and, if the county committee has good cause to

believe that any of the unmarketed excess tobacco as reported for the farm by the farm operator was not actually produced thereon, the application for such farm shall not be approved with respect to that tobacco which the committee has good cause to believe was not produced on the farm. The county committee shall approve an application for return of penalty only for that number of pounds of unmarketed excess tobacco which the committee determines is representative of the entire amount of tobacco available for marketing from the farm in the 1942–43 marketing year, taking into account the value of the unmarketed excess tobacco (which is disposed of) as appraised by the county committee (or its representative) and the value of tobacco marketed from the farm.

RECORDS AND REPORTS

§ 726.444 *Warehouseman's records and reports*—(a) *Record of marketings.* Each warehouseman shall keep such records as will enable him to furnish to the Secretary of Agriculture a report of the following information with respect to each sale or resale of tobacco made at his warehouse:

(1) The name of the seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the tobacco was produced);

(2) The name of the purchaser;

(3) The date of sale;

(4) The number of pounds sold;

(5) The sale price; and

(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).

All purchases and resales for the warehouse leaf account shall be so identified in the records and a separate account shall be maintained with respect to the amount of floor sweepings picked up and the disposition of such floor sweepings. The quantity of floor sweepings, including bundles, leaves and scrap, picked up by the warehouse after each sale shall be reported in the space provided on the Auction Warehouse Report (Tobacco 616). Any warehouseman who grades tobacco for farmers shall maintain a separate account showing the approximate amount of grading house scrap obtained from the tobacco graded from each farm. In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each marketing of tobacco from the farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale record and bill of nonwarehouse sale record.* A record in the form of a valid memorandum of sale (or a memorandum of sale cleared without marketing card) shall be obtained by every warehouseman to cover each marketing of tobacco from a farm through the warehouse, and if a warehouseman buys tobacco directly from a farmer (other than at a warehouse auction sale as defined in these regulations) such warehouseman shall obtain a valid memorandum of sale to cover each such purchase of tobacco, together with properly executed Bill of Nonwarehouse Sale (Tobacco 614). Any warehouseman who obtains possession of any grading house scrap in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap tobacco from such farm.

(d) *Suspended sale record.* Any warehouse bills covering farm tobacco for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "suspended", write thereon the serial number of the suspended sale, and record the bills on the Register of Suspended Sales (Tobacco 612): provided that if a field assistant is not available, the warehouseman may stamp such bills "suspended" and deliver them to a field assistant as soon as one is available.

(e) *Warehouse entries on dealers' records.* Each warehouseman shall enter on such Dealer's Record (Tobacco 615) the total of purchases and resales made by such dealer during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1942 the entry on the Dealer's Record shall clearly show such fact.

(f) *Daily report of warehouse business and report of penalties.* Each warehouseman shall make reports on form Tobacco 616, Auction Warehouse Report, and on form Tobacco 617, Report of Penalties, showing the information required on the respective reports. Form Tobacco 616 shall be prepared for each sale day and all reports for the sale days occurring during any week shall be forwarded to the Marketing Quota Section not later than the end of the next following calendar week. Form Tobacco 617 shall be prepared for each week and the report for each week shall be forwarded, together with remittances of the penalties due, as shown thereon, to the Marketing Quota Section not later than the end of the next following calendar week.

(g) *Summary of warehouse accounts.* Each warehouseman shall assist field assistants to prepare summaries of the warehouse account by making available all records kept and reports made by the warehouse as required by these regulations.

(h) *Additional records and reports.* In addition to the records and reports provided above, each warehouseman shall keep such additional records and make such additional reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary in order to enforce these regulations.

§ 726.445 *Dealer's records and reports.* Each dealer, except as provided in § 726.446 below, shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to the Marketing Quota Section the page "Receipt for Dealer's Record" contained in form Tobacco 615, "Dealer's Record" which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on form Tobacco 615, "Dealer's Record", showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1942, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1942.

(c) *Report of penalties.* Each dealer shall make a report on form Tobacco 617 showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.

(d) *Memorandum of sale record and Bill of Nonwarehouse Sale record.* For each lot of tobacco purchased from a farmer each dealer shall obtain a record in the form of a valid memorandum of sale issued by a field assistant or by an authorized representative of a tobacco receiving point. No memorandum of sale shall be issued unless:

(1) The farm operator or his authorized agent has signed the "Authorization" on the back of the memorandum; and

(2) Unless a properly executed Bill of Nonwarehouse Sale (Tobacco 614) is presented covering such sale.

(e) *Additional records.* Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the following information with respect to each lot of tobacco purchased or sold by him:

(1) The name of the seller (and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced);

(2) The name of the purchaser;

(3) The date of the transaction;

(4) The number of pounds and the gross sale price; and

(5) In the event of resale of tobacco bought by him and carried over from a crop produced prior to 1942, the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to the Marketing Quota Section not later than the end of the week following the calendar week covered by the reports.

§ 726.446 *Dealers exempt from regular records and reports.* Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 726.445 of these regulations; but each such dealer shall make such reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary to enforce these regulations.

§ 726.447 *Records and reports of truckers, redryers, etc.* Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report with respect to each lot of tobacco received by him showing the following information: (a) The name and address of the farm operator; (b) The date of the receipt of the tobacco; (c) The number of pounds received; and (d) The place to which it was delivered. Every person engaged in the business of redrying, prizing, or stemming tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report showing the information provided above for truckers and in addition the purpose for which the tobacco was received, the amount of advance made by him on the tobacco, and the disposition of the tobacco. Each such person shall make such reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary to enforce these regulations.

§ 726.448 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer, processor, or as a person engaged in the business of redrying, prizing, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged, to the same extent for each such business as if he were engaged in no other business, except that a warehouseman shall not be required to keep a record and make reports on form Tobacco 615, "Dealer's Record", if the transactions which would be recorded and reported on such forms are recorded on the records kept by the warehouse in its regular course of business and reported as required on form Tobacco 616.

§ 726.449 *Failure to keep record or make report.* Any warehouseman, processor, or common carrier of tobacco, or person engaged in the business of purchasing tobacco from producers, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under these regulations, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by the Chief of the Marketing Quota Section.

§ 726.450 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing or stemming tobacco for producers shall make available for examination, upon written request by the Chief of the Marketing Quota Section, such books, papers, records, accounts, correspondence, contracts, documents and memoranda as he has reason to believe are relevant and are within the control of such person.

§ 726.451 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under these regulations for the 1942–43 marketing year shall be kept by him until September 30, 1944, and for such longer period of time as may be requested in writing by the Chief of the Marketing Quota Section.

§ 726.452 *Information confidential.* All data reported to or acquired by the Secretary of Agriculture pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the Department of Agriculture and only such data so reported or acquired as the Secretary of Agriculture deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

Done at Washington, D. C., this 28th day of September 1942.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9642; Filed, September 28, 1942; 11:36 a. m.]

[Tobacco 603 (Dark Air-Cured); Part II]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1942–43 MARKETING YEAR

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of Part II of the Marketing Quota Regulations, Dark Air-cured Tobacco—1942–43 Marketing Year (Tobacco 603 Dark Air-cured, as issued by the Secretary of Agriculture on November 8, 1941), which regulations shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act.

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AUTHORITY: §§ 726.469 to 726.495, inclusive, issued under 52 Stat. 47, 48, 65, 66, 202; 53 Stat. 1261, 1262; 54 Stat. 393, 1209, 728; 55 Stat. 88; 7 U.S.C. 1940 ed. 1301 et seq.

GENERAL

§ 726.469 *Definitions.* As used in these regulations and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(b) "Committee" means a committee within a county for community established under the Soil Conservation and Domestic Allotment Act. "County Committee", "Local Committee", or "Community Committee" shall have corresponding meanings in the connection in which they are used.

(c) "County office" means the office of the County Agricultural Conservation Association Committee, or the county or local committees or employees of such

committee according to the sense in which such term is used.

(d) "Dealer" means a person who engages to whatever extent, in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(e) "Farm" means any tract or tracts of land which are considered as a farm under the provisions of the 1942 Agricultural Conservation Program.

(f) "Field Assistant" means an employee of the Agricultural Adjustment Agency, United States Department of Agriculture, whose duties involve primarily the preparation and handling of auction warehouse and dealer records and reports as they relate to tobacco marketing quotas.

(g) "Floor sweepings" means all tobacco which is dropped on the warehouse floor in the course of the warehouse operations and is picked up by the warehouseman. Any tobacco accumulated in the course of the grading of tobacco for farmers shall not be included as floor sweepings.

(h) "Market" means the first disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter or exchange, or by gift inter vivos. "Marketing" and "marketed" shall have corresponding meanings to the term "market".

(i) "Marketing Quota Section" means the Marketing Quota Section, East Central Division, Agricultural Adjustment Agency, United States Department of Agriculture, Washington, D. C.

(j) "Nonwarehouse sale" means any marketing of tobacco other than a warehouse sale.

(k) "Operator" means the person who is in charge of the supervision and the conduct of the farming operations on the entire farm.

(l) "Person" means an individual, partnership, association, corporation, estate, trust, or any agency of a State or of the Federal Government. The term "person" shall include two or more persons having a joint or common interest.

(m) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight. The weight of redried or prized tobacco shall be increased so as to correspond with the original weight of such tobacco prior to redrying.

(n) "Producer" means a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds of the marketing, under the provisions of his agreement relating to the production of tobacco.

(o) "Resale" means the disposition by sale, barter, or exchange of tobacco which has been marketed previously.

(p) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(q) "Secretary of Agriculture" means the Secretary or Acting Secretary of Agriculture of the United States.

(r) "State committee or State office" means the group of persons comprising the State Agricultural Conservation Committee appointed by the Secretary of Agriculture to assist within any State in the administration of the Soil Conservation and Domestic Allotment Act or the office of such persons.

(s) "Suspended sale" means any marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the particular sale day on which such marketing occurred.

(t) "Tobacco" means dark air-cured tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as types 35 and 36, and collectively known as dark air-cured tobacco.

(u) "Tobacco available for marketing" means all tobacco produced on a farm in the calendar year 1942 (and any tobacco produced on the farm prior to the calendar year 1942 and carried over to the 1942–43 marketing year) which is not disposed of by a "Tobacco Carry-over Agreement", by use on the farm, or by storage prior to the issuance of a marketing card for the farm.

(v) "Trucker" means any person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(w) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a warehouse during the tobacco marketing season.

(x) "Warehouse sale" means a marketing by sale at auction through a warehouse in the regular course of business.

§ 726.469a *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

§ 726.469b *Tobacco subject to marketing quotas.* Any tobacco marketed during the period October 1, 1942, to September 30, 1943, inclusive, and any tobacco produced in the calendar year 1942 and marketed prior to October 1, 1942, shall be subject to the marketing quotas for the 1942–43 marketing year.

FARM MARKETING QUOTAS

§ 726.470 *Amount of farm marketing quota.* The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with Part I of the "Marketing Quota Regulations—Dark Air-cured Tobacco—1942–43 Marketing Year" (Tobacco 603 Part I). The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the farm acreage allotment. The excess tobacco on any farm shall be that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1942 times the number of acres harvested in excess of the farm acreage allotment.

§ 726.471 *Issuance of marketing card.* A marketing card shall be issued for every farm having tobacco available for marketing. The card shall be issued after information required for its preparation (including measurements of the harvested acreage of tobacco and an estimate of the actual production of tobacco) has been furnished to or obtained by the county office. If the farm operator refuses to furnish or prevents the county office from obtaining such information, the card shall show that all of the tobacco available for marketing from the farm is subject to penalty.

(a) *Within quota marketing card (MQ–656 Dark Air-cured).* A "within quota marketing card" authorizing the marketing without penalty of the actual production of tobacco on the farm in the 1942 calendar year and any tobacco carried over from a prior marketing year shall be issued for a farm unless an excess marketing card is required to be issued for the farm in accordance with paragraph (b) of this section.

(b) *Excess marketing card (MQ–657 Dark Air-cured).* An "excess marketing card" showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1942 is in excess of the farm acreage allotment and such excess tobacco is not disposed of in accordance with § 726.472 hereof, or if the operator of the farm also operates another farm on which the harvested acreage of tobacco in 1942 exceeds the farm acreage allotment and such excess is not disposed of in accordance with § 726.472 hereof.

(2) If a within quota marketing card could be issued for the farm but the county committee determines that a zero percent excess marketing card is necessary to protect the interest of the Government and to insure proper identification of and accounting for the disposition of tobacco produced on the farm and the proper use of the marketing card issued for the farm.

(3) If there is tobacco available for marketing from the farm but no tobacco acreage allotment was established and such tobacco is not disposed of as provided in § 726.472.

(4) If information required for preparation of the marketing card is not furnished or the county office is prevented from obtaining the necessary information.

(5) If there is tobacco available for marketing from the farm carried over from a prior marketing year and the harvested acreage in 1942 is not less than the 1942 acreage allotment by an amount equivalent to the acreage of carry-over excess determined as provided in § 726.471 (c).

(6) If a farm operated by a publicly owned experiment station produces tobacco for other than experimental purposes and such tobacco is not disposed of as provided in § 726.472.

(c) *Extent to which marketings from a farm are subject to penalty.* The extent to which marketings of tobacco from any farm having no carry-over tobacco are subject to penalty shall be that percentage of the tobacco available for marketing from the farm which the acreage of tobacco harvested in excess of the farm acreage allotment for the farm and not disposed of as provided in § 726.472 of these regulations, is of the acreage of tobacco harvested from the farm. Each marketing card showing a percentage excess of zero also shall show the maximum number of pounds of tobacco which may be marketed thereunder, which shall be the quantity of tobacco estimated by the county committee to be available for marketing from the 1942 crop produced on the farm. For any excess marketing card which shows a percentage of excess of more than zero, the county committee, if it has reason to believe it to be necessary in order to prevent marketing thereunder of tobacco produced on another farm, also shall have shown on the card the maximum number of pounds which may be marketed thereunder, such number of pounds to be determined in the same manner as for a card showing zero percent excess. The maximum number of pounds shown on any excess marketing card shall be increased by the county committee if the committee determines that the quantity of tobacco available for marketing from the 1942 crop produced on the farm is greater than the number of pounds previously estimated by the committee to be available for marketing.

The extent to which marketings of tobacco from any farm having tobacco available for marketing which has been carried over from a prior marketing year are subject to penalty shall be the percentage determined as follows:

(1) Determine the number of "carry-over acres" by dividing the number of pounds of tobacco carried over from the prior year by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" ((1) above) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" ((1) above) and the acreage of tobacco harvested in the current year.

(4) Determine the excess acreage by subtracting from the "total acres" (subparagraph (3) of this paragraph) the sum of the 1942 allotment and the "within quota carry-over acres" (subparagraph (2) of this paragraph).

(5) Determine the percent excess to be shown on the marketing card by dividing the "total acres" into the excess acreage (subparagraph (4) of this paragraph).

(d) *Number of marketing cards and entries and signatures thereon.* One or more marketing cards may be issued for any farm as approved by the county committee. All entries on each marketing card shall be made in accordance with the instructions for issuing the marketing card and the operator's agreement on each marketing card shall be signed by the farm operator or on his behalf by his authorized representative.

§ 726.472 *Disposition of excess tobacco.* The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By executing a "Tobacco Carry-over Agreement", (Tobacco 628) and delivering, either to the county committee prior to the issuance of the marketing card or to a field assistant at the auction warehouse out of the first proceeds from the marketing of tobacco from the farm, a certified check, cashier's check or post office money order, or by a check drawn by the warehouseman, payable to Commodity Credit Corporation in an amount equal to the estimated actual yield of tobacco from the excess acreage times 85 percent of the parity price of dark air-cured tobacco as of the beginning of the 1942–43 marketing year.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1942 crop produced on the farm, and posting of a bond or making of other arrangements approved by the county committee and the Chief of the Marketing Quota Section which will guarantee payment of the amount of penalty which will become due upon the marketing of excess tobacco.

(c) By rendering the excess tobacco unmerchantable, the tobacco so rendered unmerchantable to be representative of the entire crop of tobacco produced on the farm in 1942 and the act of rendering the tobacco unmerchantable to be performed only by the farm operator (or his representative) under the supervision of the county committee (or a person designated by the committee).

(d) By payment to the county office by certified check, cashier's check, or money order drawn payable to the Treasurer of the United States of an amount equal to 5 cents per pound times the estimated actual production of the excess acreage of tobacco harvested from the farm. Any additional amount of penalty due after the actual yield for the farm has been determined shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty from the county office. This paragraph (d) shall apply only in the event that the acreage harvested in excess of the allotment does not exceed the larger of two-tenths acre or 10 percent of the farm acreage allotment.

§ 726.473 *Report on marketing card.* The operator of each farm on which tobacco is produced in 1942 shall return to the county office each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets for the area in which the farm is located. Failure to return the marketing card to the county office within the time specified (after formal notification) shall constitute failure to give proof of disposition of tobacco marketed from the farm in the event that satisfactory proof of such disposition is not furnished otherwise.

§ 726.473a *Additional reports by producers and identification of tobacco.* In addition to any other reports which may be required under these regulations, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall, upon written request by the Chairman of the State Committee and within ten days after the deposit of such request in the United States mails addressed to such person at his last known address, furnish the Secretary of Agriculture, by sending the same to the Chairman of the State Committee, a written report showing, as to the farm at the time of filing said report (a) the number of acres of tobacco harvested, (b) the total production of tobacco, (c) the amount of tobacco on hand and its location, and (d) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of marketing.

§ 726.474 *Rights of producers in marketing card.* Each producer having a share in the tobacco available for marketing from the farm shall be entitled to the use of the marketing card for marketing his proportionate share of the total amount of tobacco available for marketing from the farm: *Provided*, That the burden of any penalty with respect to carry-over tobacco shall be borne by those persons having an interest in such tobacco.

§ 726.474a *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from the farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 726.475 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. No marketing card shall be signed by the issuing officer until all other entries required to be made thereon have been made, except that the Operator's Agreement therein may be signed after the issuing officer has signed the card, but prior to the issuance of a memorandum of sale from the card. Only one person shall be designated as issuing officer but such person may subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards, *Provided*, That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 726.476 *Invalid cards.* A marketing card shall be invalid under any of the following conditions:

(a) If it is not issued or delivered in the form and manner prescribed;

(b) If entries are not made thereon as required;

(c) If it is lost, destroyed, stolen, or becomes illegible;

(d) If any erasure has been made;

(e) If any alteration has been made and not properly initialed; or

(f) If the amount due Commodity Credit Corporation with respect to a "Tobacco Carry-over Agreement" is not paid prior to the issuance of any memorandum of sale:

In the event any marketing card becomes invalid (other than by loss, destruction, theft, omission, alteration, or incorrect entry which can be corrected by a field assistant) the farm operator (or the person having the card in his possession) shall return it to the county office at which it was issued.

If any marketing card is lost, destroyed, stolen, or altered, the person having knowledge of such loss, destruction, theft, or alteration shall notify the county office to that effect, and the county office shall immediately notify the Marketing Quota Section.

If any marketing card which was reported as lost, destroyed, stolen, or altered is later received by the county office, the county office shall immediately notify the Marketing Quota Section of the receipt of such card.

After receipt of notice of loss, destruction or theft of any marketing card the county office may issue a duplicate marketing card to replace the lost, destroyed, or stolen card in accordance with instructions issued pursuant to these regulations.

In the event any marketing card was improperly issued, has been altered, or becomes illegible, upon the return of the card to the county office a new marketing card shall be issued immediately, or as soon thereafter as the necessary information is available.

If any entry is not made on a marketing card as required (either through omission or incorrect entry) and the proper entry is made by a field assistant then such card shall become valid. If the field assistant is unable to make the proper entry, he shall return the card to the county office where it shall be retained until such entry is made, or a new marketing card is issued, as provided above.

§ 726.477 *Additional cards and disposition of used cards.* Upon the return to the county office of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. Any marketing card issued to replace another card shall have entered thereon the total sales as shown on the marketing card which is replaced.

§ 726.477a *Report of probable misuse of marketing card.* Any information which causes any field assistant, a member of any local committee, or an employee of the county office to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the State office and the Marketing Quota Section.

§ 726.477b *No transfers.* There shall be no transfer of marketing quotas (except as provided in Part I of these regulations) and the tobacco marketed under the marketing card issued for a farm shall consist only of tobacco produced on the farm.

MARKETING OF TOBACCO AND PENALTIES

§ 726.478 *Memorandum of sale to identify every marketing.* Each marketing of tobacco from a farm shall be identified by a memorandum of sale issued from the marketing card (MQ–656 Dark Air-cured or MQ–657 Dark Air-cured) for the farm but if a memorandum of sale cannot be obtained within four weeks after the date of the marketing of any tobacco at a warehouse sale, such marketing of tobacco shall be subject to penalty and the amount of penalty shall be shown on the memorandum of sale cleared without marketing card (Tobacco 618). The memorandum of sale shall be issued only by a field assistant, with the following exceptions:

(a) A warehouseman, or his authorized representative, who has been authorized on form Tobacco 625, may issue a within quota memorandum of sale to identify a warehouse sale, if a field assistant is not available at the warehouse when the card is presented by the farmer and if no payment to Commodity Credit Corporation under a "Tobacco Carry-over Agreement" is due with respect to the tobacco to be covered by the memorandum. Each memorandum of sale issued by a warehouseman shall be presented promptly by him to the field assistant for verification with the warehouse records.

(b) A dealer, or his authorized representative, operating a regular receiving point for tobacco who keeps records showing the information specified in § 726.488 (e) and who has been authorized on Tobacco 625, may issue within quota memoranda of sale covering tobacco purchased by such dealer and delivered directly to such receiving point by the producer.

(c) A representative of the county office may issue memoranda of sale covering sales of tobacco by the producer in small lots by mail order or directly to various individuals other than dealers.

The authorization to issue within quota memoranda of sale under paragraph (a) or (b) of this section may be withdrawn from any warehouseman or dealer upon written notice by the Chief of the Marketing Quota Section.

Each excess memorandum of sale, after issuance by a field assistant, shall be checked by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed, and the warehouseman or dealer shall be responsible for the correctness of such computations.

If the quantity of tobacco previously identified by memoranda of sale issued from any within quota marketing card is in excess of the number of pounds assigned to the card, the person issuing the memorandum shall require the farm operator to sign the "Operator's Certificate" on the back of the memorandum and if he is satisfied that such signature is the same as the signature of the farm operator on the marketing card he may issue the memorandum. If any person other than the operator presents the marketing card, the memorandum of sale shall not be issued unless the "Authorization" on the back of such memorandum has been properly executed and signed by the operator. The person who presents the marketing card may sign on behalf of the farm operator, provided that such person places his address immediately beneath his signature. Any person authorized to issue a memorandum of sale under either of the above described circumstances who has reason to believe that the tobacco to be covered by the memorandum was not produced on the farm for which the marketing card containing the memorandum was issued, may or may not issue the memorandum as he considers advisable, but in either event he shall immediately make a written report of the circumstances in the case to the Marketing Quota Section.

§ 726.479 *Bill of nonwarehouse sale.* Each marketing of farm tobacco, except a warehouse sale or a nonwarehouse sale of within quota tobacco to a dealer authorized to issue memoranda of sale under § 726.478 (b) shall be identified by a Bill of Nonwarehouse Sale (Tobacco 614) completely executed by the buyer and the farm operator, except for the entry of the serial number of the memorandum of sale. The post card copy (Tobacco 614a) shall be mailed by the farm operator not later than the day following the day on which executed. The original of each Bill of Nonwarehouse Sale covering any marketing shall be presented to a field assistant for issuance of a memorandum of sale (or a memorandum of sale cleared without marketing card) and for recording in the Dealer's Record Book in case of a purchase by a dealer other than a warehouseman. The original of each such Bill of Nonwarehouse Sale shall be forwarded with the applicable Dealer's Record (Tobacco 615).

§ 726.480 *Marketings free of penalty.* Any tobacco marketed from a farm which is identified by a valid memorandum of sale from the marketing card issued for the farm shall be free of penalty to the extent shown by the memorandum of sale.

§ 726.481 *Marketings subject to penalty and collection of penalties*—(a) *Farm tobacco.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that proportion of each lot of tobacco which the tobacco available for marketing in excess of the farm quota at the time of issuance of the marketing card) is of the total amount of tobacco available for marketing from the farm. The memorandum of sale issued to identify such marketing of tobacco shall show that portion of such marketing which is subject to penalty, and any portion of such marketing of tobacco which is not shown by the memorandum as being subject to penalty shall be free of penalty.

(b) *Dealer's tobacco.* Any marketing of tobacco by a dealer which such dealer represents to be a resale, but all or any part of which, when added to prior resales by such dealer as shown on the Dealer's Record, is in excess of the total amount of purchases as shown on such Dealer's Record shall be a marketing of tobacco subject to penalty unless and until the dealer furnishes proof acceptable to the Secretary showing that such tobacco is not subject to penalty. Any marketing of tobacco by a dealer which such dealer represents to be a resale of tobacco previously purchased by him but which, because of the difference in the price at which such tobacco is resold as compared with the price at which he had purchased the tobacco, cannot reasonably be regarded as tobacco previously purchased by him shall be taken to be a marketing of tobacco subject to penalty.

(c) *Tobacco not identified by a valid memorandum.* Any marketing of tobacco which is not identified by a valid memorandum of sale shall be subject to penalty.

(d) *Liability in case of error on memorandum.* The person liable for the payment of the penalty upon any marketing of tobacco shall not be relieved of such liability because of any error which may occur on the memorandum of sale.

§ 726.482 *Persons to pay penalty.* The person to pay the penalty due on any marketing of excess tobacco shall be one of the following as applicable:

(a) *Warehouseman.* If the tobacco is marketed by the producer through a warehouseman the penalty shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Dealer.* If the tobacco is acquired from the producer by a dealer, the penalty shall be paid by the dealer who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Agent.* If the tobacco is marketed by the producer through an agent who is not a warehouseman, the penalty shall be paid by the agent, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(d) *Warehouseman and dealer on dealer's tobacco.* Any penalty due upon tobacco subject to penalty under § 726.481 (b) shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the dealer, but the dealer shall not be relieved of responsibility for payment of such penalty.

(e) *Producer marketing outside United States.* If the tobacco is marketed by the producer directly to any person outside the United States, the penalty shall be paid by the producer.

(f) *Producer on behalf of buyer in case of mail order or direct sales in small lots.* If the tobacco is marketed in small lots by the producer by mail order sales or directly to various individuals other than dealers, the penalty may be paid by the producer of such tobacco on behalf of the various buyers. In such case the buyer of such tobacco shall be relieved of the penalty to the extent that it is paid by the producer.

§ 726.483 *Rate of penalty.* The penalty shall be five cents per pound upon the marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced and on the marketing of any other tobacco not identified under these regulations as being free of penalty.

§ 726.484 *Penalty for false identification or failure to account for disposition of tobacco.* If any producer falsely identifies or fails to account for disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in 1942 in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm and the penalty in respect thereof shall be paid and remitted by the producer.

§ 726.485 *Payment of penalty.* Penalties upon the marketing of tobacco shall become due at the time of the marketing and shall be paid by remitting the amount thereof to the applicable Marketing Quota Office as shown in the Marketing Quota Instructions, Tobacco 622, not later than the end of the calendar week following the week in which the memorandum of sale was issued, or, in the event a memorandum is not issued, not later than four weeks after the date upon which the tobacco was sold. A draft, money order, or check, payable to the order of the Treasurer of the United States may be used to pay any penalty, but any such draft, or check shall be received subject to payment at par.

§ 726.486 *Application for return of penalty.* Any producer of tobacco and any other person who bore the burden of the payment of any penalty collected may file an application for return of the amount of such penalty which is in excess of that amount equal to five cents per pound upon the number of pounds marketed in excess of the farm marketing quota. Any application for return of any penalty shall be filed on form Tobacco 624, "Application for Return of Penalty."

An application for the return of penalty filed by any producer of tobacco on a farm on which the tobacco available for marketing is in excess of the farm marketing quota shall not be approved unless (a) the marketing of tobacco from the farm has been completed and (b) disposition of all unmarketed excess tobacco has been made under the supervision of the county committee (or its representative) and has been approved by the county committee.

Return of penalty collected upon marketings of tobacco from any farm on which the tobacco available for marketing is in excess of the farm marketing quota shall be made only upon the basis of tobacco produced on the farm and, if the county committee has good cause to believe that any of the unmarketed excess tobacco as reported for the farm by the farm operator was not actually produced thereon, the application for such farm shall not be approved with respect to that tobacco which the committee has good cause to believe was not produced on the farm. The county committee shall approve an Application for Return of Penalty only for that number of pounds of unmarketed excess tobacco which the committee determines is representative of the entire amount of tobacco available for marketing from the farm in the 1942–43 marketing year, taking into account the value of the unmarketed excess tobacco (which is disposed of) as appraised by the county committee (or its representative) and the value of tobacco marketed from the farm.

RECORDS AND REPORTS

§ 726.487 *Warehouseman's records and reports*—(a) *Record of marketing.* Each warehouseman shall keep such records as will enable him to furnish to the Secretary of Agriculture a report of the following information with respect to each sale or resale of tobacco made at his warehouse:

(1) The name of the seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the tobacco was produced);

(2) The name of the purchaser;

(3) The date of sale;

(4) The number of pounds sold;

(5) The sale price; and

(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).

All purchases and resales for the warehouse leaf account shall be so identified in the records and a separate account shall be maintained with respect to the amount of floor sweepings picked up and the disposition of such floor sweepings. Any warehouseman who grades tobacco for farmers shall maintain a separate account showing the approximate amount of grading house scrap obtained from the tobacco graded from each farm. In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each marketing of tobacco from the farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale record and bill of nonwarehouse sale record.* A record in the form of a valid memorandum of sale (or a memorandum of sale cleared without marketing card) shall be obtained by every warehouseman to cover each marketing of tobacco from a farm through the warehouse, and if a warehouseman buys tobacco directly from a farmer (other than at a warehouse auction sale as defined in these regulations) such warehouseman shall obtain a valid memorandum of sale to cover each such purchase of tobacco, together with properly executed Bill of Nonwarehouse Sale (Tobacco 614). Any warehouseman who obtains possession of any grading house

scrap in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap tobacco from such farm.

(d) *Suspended sale record.* Any warehouse bills covering farm tobacco for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "suspended", write thereon the serial number of the suspended sale, and record the bills on the Register of Suspended Sales (Tobacco 612): *Provided*, That if a field assistant is not available, the warehouseman may stamp such bills "suspended" and deliver them to a field assistant as soon as one is available.

(e) *Warehouse entries on dealers' records.* Each warehouseman shall enter on such Dealer's Record (Tobacco 615) the total of purchases and resales made by such dealer during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1942 the entry on the Dealer's Record shall clearly show such fact.

(f) *Daily report of warehouse business and report of penalties.* Each warehouseman shall make reports on form Tobacco DAC 616, Auction Warehouse Report, Tobacco DAC 619, Register of Resale, and on form Tobacco 617, Report of Penalties, showing the information required on the respective reports. Form Tobacco DAC 616 and Tobacco DAC 619 shall be prepared for each sale day and all reports for the sale days occurring during any week shall be forwarded to the Marketing Quota Section not later than the end of the next following calendar week. Form Tobacco 617 shall be prepared for each week and the report for each week shall be forwarded, together with remittances of the penalties due, as shown thereon, to the Marketing Quota Section not later than the end of the next following calendar week.

(g) *Summary of warehouse accounts.* Each warehouseman shall assist field assistants to prepare summaries of the warehouse account by making available all records kept and reports made by the warehouse as required by these regulations.

(h) *Additional records and reports.* In addition to the records and reports provided above, each warehouseman shall keep such additional records and make such additional reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary in order to enforce these regulations.

§ 726.488 *Dealer's records and reports.* Each dealer, except as provided in § 726.489 of this part, shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to the Marketing Quota Section the page "Receipt for Dealer's Record" contained in form Tobacco 615, "Dealer's Record" which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on form Tobacco 615, "Dealer's Record", showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1942, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1942.

(c) *Report of penalties.* Each dealer shall make a report on form Tobacco 617 showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.

(d) *Memorandum of sale record and bill of nonwarehouse sale record.* For each lot of tobacco purchased from a farmer each dealer shall obtain a record in the form of a valid memorandum of sale issued by a field assistant or by an authorized representative of a scrap tobacco receiving point in the case of scrap tobacco sold and delivered to such receiving point. No memorandum of sale shall be issued unless:

(1) The farm operator or his authorized agent has signed the "Authorization" on the back of the memorandum; and

(2) Unless a properly executed Bill of Nonwarehouse Sale (Tobacco 614) is presented covering such sale.

(e) *Additional records.* Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the following information with respect to each lot of tobacco purchased or sold by him:

(1) The name of the seller (and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced);

(2) The name of the purchaser;

(3) The date of the transaction;

(4) The number of pounds and the gross sale price, and

(5) In the event of resale of tobacco bought by him and carried over from a crop produced prior to 1942, the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to the Marketing Quota Section not later than the end of the week following the calendar week covered by the reports.

§ 726.489 *Dealers exempt from regular records and reports.* Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 726.488 of these regulations; but each such dealer shall make such reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary to enforce these regulations.

§ 726.490 *Records and reports of truckers, redryers, etc.* Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report with respect to each lot of tobacco received by him showing the following information:

(a) The name and adress of the farm operator;

(b) The date of the receipt of the tobacco;

(c) The number of pounds received; and

(d) The place to which it was delivered.

Every person engaged in the business of redrying, prizing, or stemming tobacco for producers shall keep such records as will enable him to furnish the Secretary of Agriculture a report showing the information provided above for truckers and in addition the purpose for which the tobacco was received, the amount of advance made by him on the tobacco and the disposition of the tobacco. Each such person shall make such reports to the Secretary of Agriculture as the Chief of the Marketing Quota Section may find necessary to enforce these regulations.

§ 726.491 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer, processor, or as a person engaged in the business of redrying, prizing, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged, to the same extent for each such business as if he were engaged in no other business, except that a warehouseman shall not be required to keep a record and make reports on form Tobacco 615, "Dealer's Record", if the transactions which would be recorded and reported on such forms are recorded on the records kept by the warehouse in its regular course of business and reported as required on form Tobacco DAC 616 and Tobacco DAC 619.

§ 726.492 *Failure to keep record or make report.* Any warehouseman, processor, or common carrier of tobacco, or person engaged in the business of purchasing tobacco from producers, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under these regulations, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by the Chief of the Marketing Quota Section.

§ 726.493 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing or stemming tobacco for producers shall make available for examination, upon written request by the Chief of the Marketing Quota Section such books, papers, records, accounts correspondence, contracts, documents and memoranda as he has reason to believe are relevant and are within the control of such person.

§ 726.494 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under these regulations for the 1942–43 marketing year shall be kept by him until Septembe. 30, 1944, and for such longer period of time as may be requested in writing by the Chief of the Marketing Quota Section.

§ 726.495 *Information confidential.* All data reported to or acquired by the Secretary of Agriculture pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the Department of Agriculture and only such data so reported or acquired as the Secretary of Agriculture deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

Done at Washington, D. C., this 28th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9643; Filed, September 28, 1942; 11:36 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III—Grazing Service

PART 501—THE FEDERAL RANGE CODE

REVISION OF GRAZING DISTRICT REGULATIONS

Revision of the Rules and Regulations for the Administration of Grazing Districts under the Act of June 28, 1934 (48 Stat. 1269), as amended, commonly known as the Taylor Grazing Act.

Pursuant to the authority vested in the Secretary of the Interior by the act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315 et seq.), as amended, commonly known as the Taylor Grazing Act, the following rules and regulations, known as the Federal Range Code, are prescribed for the administration of grazing districts:

Sec.
501.1 Introductory; basic policy and plan of administration.
501.2 Definitions.
501.3 Qualifications of applicants.
501.4 Classification of base properties.
501.5 Rating and classification of Federal range.
501.6 Issuance of licenses and permits.
501.7 Transfers of base properties and licenses or permits.
501.8 Fees; time of payment; refunds.
501.9 Procedure in applications, hearings, and appeals.
501.10 General rules of the range.
501.11 Procedure for enforcement of rules and regulations.
501.12 District advisory boards.
501.13 Local associations of stockmen.
501.14 Construction and maintenance of improvements on the Federal range.
501.15 Special rules for grazing districts.
501.16 Penal provision.
501.17 Saving clause.
501.18 Prior regulations superseded.

AUTHORITY: §§ 501.1 to 501.18, inclusive, issued under 48 Stat. 1269; 43 U. S. C. 315, et seq.

§ 501.1 *Introductory: basic policy and plan of administration*—(a) *Purposes; general requirements.* Grazing districts will be administered to conserve and regulate the public grazing lands, to stabilize the livestock industry dependent upon them, and in aid thereof to promote the proper use of the privately controlled lands and waters dependent upon those public grazing lands. In furtherance of these objectives, grazing privileges will be granted with a view to the protection of those livestock operations that are recognized as established and continuing and which normally involve the substantial use of the public range in a regular, continuing manner each year. To promote the highest use of the public lands within grazing districts which have been or hereafter are established, possession of sufficient land or water to insure a year-round operation for a certain number of livestock in connection with the use of the public domain will be required of all users.

(b) *Preference applicants.* Preference in the granting of grazing privileges will be given to those applicants within or near a district who are landowners engaged in the livestock business, bona fide occupants or settlers, or owners of water or water rights, as may be necessary to permit the proper use of lands, water, or water rights owned, occupied, or leased by them. When the demands of all such preference applicants cannot be satisfied, prior consideration will be given applicants in the manner hereinafter provided. Provision will be made for other applicants so far as Federal range remains available.

(c) *Permits; temporary licenses; termination; revocation.* Permits within the meaning of secton 3 of the Act may be issued as soon as the necessary data can be obtained or after agreements as to the extent of their individual grazing privileges have been reached by the interested applicants and such agreements have been reduced to writing, a recommendation thereon made by the advisory board, and approval thereof given by the district or regional grazier. No such agreement will be approved by either officer unless it appears that it is fair and that it represents a substantial compliance with the provisions of the Federal Range Code, and no applicant shall be prejudiced by his failure or refusal to enter into such an agreement. During the period prior to the issuance of permits, the issuance of temporary licenses will be continued. Upon the issuance of a permit within any district or portion thereof, any outstanding license or part thereof which has been granted on the basis of the qualifications on which the permit is based will be terminated. Licenses and permits will be revocable for violations of the terms thereof or for a violation of any provision of the Federal Range Code, as hereinafter provided. (Secs. 2, 3, 48 Stat. 1270; 43 U.S.C. 315a, 315b)

§ 501.2 *Definitions.* Wherever used in rules, instructions, or interpretations issued by the Grazing Service, unless the context otherwise requires:

(a) The "Act" means the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315—315m, 315n—315o–1), and all amendments thereto.

(b) The "Federal Range Code" means all of the rules and regulations pertaining to the administration of grazing districts.

(c) "Federal range" means land owned, leased, or otherwise controlled by the United States and administered by the Grazing Service: *Provided*, That land under the control of another agency and administered by the Grazing Service under cooperative agreement may be excluded from the scope of this definition by the agreement.

(d) "Property" means privately owned or controlled land or water used in range livestock operations.

(e) "Base property" means property used for the support of the livestock for which a grazing privilege is sought and on the basis of which the extent of a license or permit is computed.

(f) "Forage land" means land the principal use of which is the production of natural or cultivated feed for livestock.

(g) "Land dependent by use" means forage land which is of such character that the conduct of an economic livestock operation requires the use of the Federal range in connection with it and which, in the 5-year period immediately preceding June 28, 1934 (hereinafter referred to as the "priority period"), was used as a part of an established, permanent, and continuing livestock operation for any two consecutive years or for any three years in connection with substantially the same part of the public domain, now part of the Federal range, except that in any area placed within a grazing district after June 28, 1938, or in any area added to an existing grazing district after that date, the priority period shall be the five years immediately preceding the date of the order establishing such district or effecting such addition, as the case may be: *Provided*, That in any case in which a livestock operation used a base property or properties during the priority period in such manner as would, in the absence of other factors, serve to invest the property with the attribute of dependency by use, but such livestock operation subsequently ceased using such property or properties and used other base property or properties in such manner as to invest them also with dependency by use, only the latter property or properties shall be considered as dependent by use unless the former are dependent by use by reason of use by another livestock operation: *Provided further*, That in no event shall any land

be considered as dependent by use unless offered as base property in an application for a grazing license or permit within one year from the date when the public land used in creating the dependency by use first became a part of a grazing district, except that in cases in which the lands used in creating dependency by use of a base property became a part of a grazing district prior to June 28, 1938, such base property shall not be considered as dependent by use unless offered in an application for a grazing license or permit filed prior to said date.

The extent of the dependency by use of land shall be subject to the following:

(1) The dependency by use in no event shall exceed the average annual amount of forage that was customarily and properly utilized by the livestock operation during the priority period on that part of the public lands which, at the time of the issuance of the license or permit, is Federal range.

(2) In the event that the area of Federal range which was used in creating the dependency by use is diminished by withdrawal, appropriation, selection, or otherwise, the dependency by use shall diminish proportionately.

(3) Whenever dependency by use of more than one base properly was created by the use of all or a part of certain range which was used jointly or at different seasons of the year by one or more other livestock operations in such a manner as to invest another base property or properties with the attribute of dependency by use, the relative dependency by use of each of the properties shall be proportionate to the average annual use made of the range by each of the operations.

(h) "Land dependent by location" means forage land which is so situated and of such character that it can properly be used as a base for an economic livestock operation utilizing the forage resources of the Federal range.

(i) "Animal-unit month," as applied to lands that are base properties, means the amount of natural or cultivated feed necessary for the complete sustenance of one cow for a period of one month; as applied to Federal range, it means that amount of grazing privileges represented by the grazing of one cow for a period of one month. For the purpose of this definition, one cow will be considered the equivalent of one horse or five sheep or five goats.

(j) "Carrying capacity" means the total animal-unit months of forage available from a tract or tracts of forage land during a given period.

(k) "Full-time water" means water which is suitable for consumption by livestock and available, accessible, and adequate for a certain number of livestock during those months in the year for which the range is classified as suitable for use. Such water may be from one source or may be the aggregate amount available from several sources.

(l) "Prior water" is water which, during all or a substantial part of the five-year period immediately preceding June 28, 1934 (hereinafter referred to as the "priority period"), was used to service certain public range within the service area of the water for a livestock operation that was established, permanent, and continuing, and which, during the period of such use, normally involved the grazing of livestock on the same areas of public land for a certain period or periods of each year, except that in any area placed within a grazing district or added to an existing district after September 23, 1942, the priority period shall be the five-year period immediately preceding the date of the order establishing such district or effecting such addition, as the case may be: *Provided*, That in any case in which a livestock operation used a water or waters during the priority period in such manner as would, in the absence of other factors, serve to invest such water with the attribute of priority, but such livestock operations subsequently ceased using such water or waters and used other water or waters in such manner as to invest them also with priority, only the latter water or waters shall be considered as prior unless the former are prior because of use by another livestock operation: *Provided further*, That in no event shall any water be considered as prior unless offered as base property in an application for a grazing license or permit filed within one year after the public lands which were used in creating the priority first became a part of a grazing district, except that in cases wherein such lands became a part of a grazing district more than one year prior to March 16, 1942, a water shall not be considered as prior unless offered in an application filed prior to that date.

The extent of the priority of water shall be subject to the following:

(1) The priority in no event shall exceed the average annual amount of forage that was customarily and properly utilized by the livestock operation during the priority period on that part of the lands within the service area which, at the time of the issuance of the license or permit, is Federal range.

(2) In the event that the area of Federal range which was used in creating the priority is diminished by withdrawal, appropriation, selection, or otherwise, the priority of the water shall diminish proportionately.

(m) "Service area" means the area that can be properly grazed by livestock watering at a certain water. In determining such area, natural and cultural barriers, recognized habits of livestock, proper livestock practices and range management factors, will be considered.

(n) "Free-use applicant" means an applicant who resides in the immediate neighborhood of Federal range and who owns livestock kept for domestic purposes. "Livestock kept for domestic purposes" means livestock whose products are consumed or whose work is used directly and exclusively by the family of the applicant. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.3 *Qualifications of applicants*—(a) *Definition of qualifications.* An applicant for a grazing license or permit is qualified if engaged in the livestock business and:

(1) Is a citizen of the United States, or

(2) Has filed a declaration of intention to become a citizen: *Provided*, That an applicant who has filed such declaration but has not filed a petition for naturalization before a court of competent jurisdiction within seven years from the date of filing the declaration or, having filed such petition, has failed to attain citizenship within a reasonable time thereafter and is unable to show any satisfactory reason for such failure, shall be disqualified to receive a license or permit or any renewal thereof until he has actually attained citizenship, and any existing license or permit held by such person shall become void at the end of the grazing season during which the disqualification arises, or

(3) Is a group, association, or corporation which is authorized to conduct business under the laws of the State in which the grazing privileges sought are to be exercised, and the controlling interest in which is vested in a citizen or citizens or persons who would be qualified as individual applicants under subparagraph (2), next above.

(b) *Effect of disqualification arising through operation of law.* Nothwithstanding the above provisions of this section, the acquisition of rights in base property by an unqualified applicant through operation of law or testamentary disposition will not affect any outstanding license or permit, or preclude the issuance or renewal of a license or permit, to the extent based on such property, for a period of two years after such acquisition. (Secs. 3, 48 Stat. 1270; 43 U.S.C. 315b)

§ 501.4 *Classification of base properties.* For the purpose of determining the proper use of the base properties of all applicants and their relative dependence upon the Federal range, land and water conditions and other factors affecting livestock operations in the area will be considered and determined according to customary use and best practices for good range management. Base properties will be classified as land or water and further in the following manner:

Class 1. Land dependent by use, or full-time prior water.

Class 2. Land dependent by location, or full-time water.
(Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.5 *Rating and classification of Federal range*—(a) *Carrying capacity; seasons and maximum annual period of use.* For the purpose of stabilizing the livestock industry, determining the proper use of the Federal range, and other purposes, the carrying capacity of each administrative unit or area in a grazing district will be rated, and each will be classified for the proper season, or seasons, if necessary, of its use and for the maximum period of time for which any licensee or permittee will be allowed to use the Federal range lying therein during any one year.

(b) *Wildlife; allowance for maintenance.* In each grazing district a sufficient carrying capacity of Federal range will be provided, following consultation with and the advice of wildlife interests, for the maintenance of a reasonable number of wild game animals, to use the range in common with livestock grazing in the district.

(c) *Segregation of ranges for particular kinds of livestock.* When the proper use of the Federal range or an orderly administration of the act requires it, certain areas may be designated for use exclusively by a certain kind or class of livestock. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.6 *Issuance of licenses and permits*—(a) *Free-use licenses and permits.* Free-use licenses or permits first will be issued to free-use applicants for not to exceed the number of livestock kept for domestic purposes. Such livestock shall be grazed on Federal range in the immediate neighborhood of the residence of the licensee or permittee. (Sec. 5, 48 Stat. 1271; 43 U.S.C. 315d)

(b) *Regular licenses and permits; order of issuance; number of livestock.* Regular licenses and permits will be issued to qualified applicants to the extent that Federal range is available in the following preference order and amounts:

(1) To applicants owning or controlling land in class 1, licenses or permits to the extent of the dependency by use of such land; to applicants owning or controlling water in class 1, licenses or permits to the extent of the priority of such water.

(2) To applicants owning or controlling land or water in class 2, licenses or permits for the number of livestock for which range is available and which can be properly grazed in connection with a livestock operation which involves the use of such land or water.

(3) To other applicants, licenses or permits for the number of livestock for which range is available and which can be properly grazed without detriment to the operations on the range of applicants owning or controlling base properties in class 1 and class 2.

After licenses or permits have been issued on the basis of the foregoing, any licensee or permittee may, within the discretion of the district grazier, and on written order by him, be allowed to use the amount of Federal range grazing privileges represented by his license or permit over any period of time within the season or seasons for which the Federal range is classified as proper for use: *Provided*,

(i) Such period does not exceed the maximum period of time for which any licensee or permittee is allowed to use the Federal range during any one year;

(ii) The number of animal-unit months of Federal range to be utilized is not thereby increased;

(iii) Such use will not be detrimental to the Federal range; and

(iv) Such use will not adversely affect other licensees or permittees. (Sec. 3, 48 Stat. 1270; 43 U.S.C. 315b)

(c) *Terms and conditions.* The issuance and continued effectiveness of all regular licenses and permits will be subject to the following conditions and requirements:

(1) No license or permit will be issued to any applicant unless he is able to show that he possesses adequate feed to support his licensed or permitted livestock during the period of time for which they are to be off the Federal range.

(2) No license or permit will provide for the grazing of livestock on the Federal range during that part or parts of the year for which the Federal range has not been classified as proper for use.

(3) No license or permit will confer grazing privileges in excess of the carrying capacity of the range to be used.

(4) So far as consistent with proper range practices, licenses and permits will confer grazing privileges on the range lands which were used in creating the dependency by use or priority of the base properties involved.

(5) Upon the diminution of the Federal range to be used under any license or permit due to withdrawal, appropriation, selection, or otherwise, the license or permit may be reduced proportionately.

(6) If at any time during the life of a license or permit the holder thereof ceases to make substantial use of his base property in connection with his year-round livestock operation, the license or permit will be subject to a proportionate reduction.

(7) If at any time during the life of a license or permit the holder thereof loses ownership or control either of all or a part of his base property or of all or a part of such other lands or grazing privileges as are necessary to his year-round livestock operation, and fails within a reasonable time, as directed by the district grazier after submission of the matter to the advisory board for recommendation, to obtain ownership or control of other base property, lands or grazing privileges sufficient to insure such a year-round operation, the license or permit will be subject to a proportionate reduction.

(8) In the event of range depletion resulting from drought or other causes, the grazing privileges that may be exercised under any license or permit may be reduced in whole or in part, and for such period of time as may be necessary.

(9) In the event of failure for any two consecutive years either to offer a base property in an application for a license or permit, or to accept a license or permit offered pursuant to such an application, such base property will lose its dependency by use or priority.

(10) A revocation of a license or permit because of a violation of any of the provisions of the Federal Range Code may result in the loss of the dependency by use or priority of the base property upon which the license or permit is based. (Sec. 2, 48 Stat. 1270; 43 U. S. C. 315a)

(d) *Applicants having more than one class of property; reductions; allotments; agreements.* Nothing herein contained will prevent an applicant who owns or controls properties in more than one class from having such properties considered separately in the order and manner set forth in this section. If necessary to reach the carrying capacity of any parts of the Federal range after licenses or permits have been issued, reductions on an equal percentage basis will be imposed on licensees or permittees so far as their grazing activities involve the use of such parts. Reductions in all cases will be made by reducing the numbers of livestock or the time on the Federal range area involved, or by both methods: *Provided*, That the regional grazier may recommend, for the approval of the Secretary of the Interior, a limit below which no license or permit in that area will be reduced. Allotments of Federal range will be made to licensees or permittees when conditions warrant, and divisions of the range by agreement or by former practice will be respected and followed where practicable. Increases in carrying capacity will be participated in by existing licensees and permittees to the extent of their respective qualifications. Licenses or permits to use any range available thereafter may be granted to other applicants. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

(e) *Administration of lands additionally available.* Any land added to a grazing district, or otherwise made available for administration by the Grazing Service, by a lease under the Pierce Act of June 23, 1938 (52 Stat. 1033; 43 U.S.C. 315m–1—315m–4), the revocation of a withdrawal, or the cancelation or relinquishment of a homestead entry or claim, after the grazing privileges in the area embracing the land have been adjudicated, will be administered in accordance with customary use so far as such administration may be practicable and consistent with good range management. (Secs. 2, 3, 48 Stat. 1270; 43 U.S.C. 315a, 315b) (52 Stat. 1033; 43 U.S.C. 315m–1—315m–4)

(f) *Suspension of licenses and permits under Soldiers' and Sailors' Civil Relief Act of 1940.* Any licensee or permittee who enters military service, as defined in section 101 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940 (54 Stat. 1179; 50 U.S.C. 511 (1)), may elect at the beginning of or at any time during the period of such service to suspend his license or permit, in whole or in part, for such period and six months thereafter, subject to the following:

(1) The licensee or permittee shall file with the regional grazier an application, in triplicate, the original of which shall be sworn to before a notary public or other officer authorized to administer oaths in the State in which the applicant resides, or before the officer in immediate command and holding a commission in the branch of the Service in which the applicant is engaged, which shall set forth the facts and circumstances upon which the application for suspension of the license or permit is based. If the applicant desires the suspension of a license or permit in more than one region a separate application shall be filed with the regional grazier for each region.

(2) Upon the approval of the application the suspension shall be effective for the period involved, unless sooner terminated upon further application to the regional grazier by the licensee or permittee, and no operations under the license or permit to the extent suspended shall be conducted during such period.

(3) No grazing fees will be assessed under a license or permit to the extent and during the period it is suspended and, upon the approval of an application for

suspension, any fees that have been paid for the period of suspension will be refunded and any fees that are or may become due for such period will be remitted.

(4) A special temporary license, to the extent of any grazing privileges suspended, may be issued to another applicant for the period of such suspension, but upon the termination of the suspension, either by reason of the expiration of the six months' period following the conclusion of the first licensee's or permittee's military service or by reason of an application by the first licensee or permittee for an earlier termination, such a temporary license shall be revocable as of the beginning of the grazing period next following the termination of the suspension.

(5) No suspension granted hereunder shall entitle a licensee or permittee to any greater privileges subsequently than those to which he would have been entitled in the absence of a suspension.

(6) Any adverse action by the regional grazier on an application for suspension or termination of a license or permit may be appealed by the applicant, licensee, or permittee to an examiner of the Grazing Service, and from his decision to the Secretary of the Interior. The procedure in such appeals shall conform as nearly as practicable to the procedure prescribed in § 501.9. (Secs. 2, 3, 9, 48 Stat. 1270, 1271; 43 U.S.C. 315a, 315b, 315h) (Secs. 501, 507, 54 Stat. 1187, 1188; 50 U.S.C. 561, 567)

§ 501.7 *Transfers of base properties and licenses or permits*—(a) *Transfer of base property; effect.* A transfer of a base property, whether by agreement, operation of law, or testamentary disposition, will entitle the transferee, if otherwise properly qualified, to all or to such part of a license or permit as is based on the property transferred, and the original license or permit will be terminated or decreased by such transfer. In any instance in which a transfer, or a different vesting in any manner, of a leasehold interest in land may result in an interference with the stability of livestock operations or with proper range management, such land will lose its dependency by use or dependency by location, as the case may be, upon a finding to that effect by the regional grazier, after reference of the matter to the district advisory board for its recommendation.

(b) *Transfer of a license or permit; limitations; effects; consent of owner or encumbrancer.* Upon application by a licensee or permittee, and after reference to the advisory board for recommendation, the district grazier may allow a license or permit based on ownership or control of land to be transferred to other land or a license or permit based on ownership or control of water to be transferred to other water within the same service area; *Provided*, That such transfer will not interfere with the stability of livestock operations or with proper range management and will not affect adversely the established local economy: *Provided further*, That no such transfer will be allowed without the written consent of the owner or owners and any encumbrancers of the base property from which the transfer is to be made, except that when the applicant for such transfer is a lessee without whose established livestock operations such property would not have dependency by use or priority, such consent will not be required. Upon the allowance of a transfer under this paragraph, the base property from which the transfer is made shall lose its dependency by use or priority to the extent of the license or permit transferred.

(c) *Transfer of dependency by use on same land.* Whenever a licensee or permittee owns or controls land dependent by use which has a carrying capacity in excess of that necessary for the support of the licensed or permitted livestock during that period of the year for which they are to be kept on such land, the excess land may be disposed of or may be used for purposes other than the support of such livestock; upon application by the licensee or permittee, and after reference to the advisory board for recommendation, the district grazier may allow the dependency by use allocable to such land to be transferred to that part which continues to be used for the support of such livestock: *Provided*, That no such transfer will be allowed without the written consent of the owner or owners and any encumbrancers of the land from which the transfer is to be made. Upon the allowance of a transfer under this paragraph, the land from which the transfer is made shall lose its dependency by use. (Sec. 2, 48 Stat. 1270; 43 U. S. C. 315a)

§ 501.8 *Fees; time of payment; refunds*—(a) *Free-use licenses and permits.* No fee will be charged for the issuance of a free-use license or permit.

(b) *Regular licenses and permits.* Unless notice is otherwise given, a grazing fee of five cents per head for cattle and horses and one cent per head for sheep and goats, will be charged each regular licensee or permittee for each month of the grazing period covered by the license or permit: *Provided*, That a different fee may be charged in any district or unit thereof in which the carrying capacity of Federal range is increased by reason of the addition of land not owned by the United States or by reason of a cooperative agreement or memorandum of understanding between the Grazing Service and any other governmental agency, State or Federal, or any person, association, or corporation. When the grazing period involves a fraction of a month, the fees for such fraction will be prorated on the basis of a thirty-day month. All livestock six months of age or over and allowed on the Federal range will be counted, at any point of time during the grazing period, as a part of the total number for which a license or permit has been issued.

(c) *Crossing permits.* Unless notice is otherwise given, a fee of one-fourth of a cent per head per day, for cattle and horses, and one-twentieth of a cent per head per day, for sheep and goats, will be charged for a crossing permit, which will be issued upon application by any person showing the necessity of crossing the Federal range for proper and lawful purposes: *Provided*, That in cases where the trail to be used is so limited and defined that no material amount of forage will be consumed in transit the permit will be issued without charge: *Provided further*, That no fee will be charged for a crossing permit to the extent that it involves the use of a stock driveway created under section 10 of the stock-raising homestead act of December 29, 1916 (39 Stat. 862; 43 U.S.C. 300).

(d) *Payment of fees; reduction or increase in numbers; extension of periods of use.* All fees for crossing permits shall be paid at the time of the issuance of the permit. Payments of fees for regular licenses or permits shall be made prior to the beginning of each grazing period shown on the license or permit. Licenses or permits will be effective only when all fees due thereunder have been paid. No license or permit shall be issued or renewed until payment of all amounts found to be due to the United States under the Federal Range Code has been made. Upon application by a transferee of any property or part thereof on the basis of which a license or permit has been issued, a new license or permit representing that part of the grazing privileges to which he may thereby become entitled shall be issued to him. In case of such transfer, the transferor shall not be entitled to a refund of any portion of the fees that have been properly paid and that are applicable to the period subsequent to the transfer.

A licensee or permittee will be required to make payment of fees in accordance with the terms of the license or permit unless he notifies the district grazier in writing, more than thirty days before the effective date of any grazing period shown, that he desires to make temporary use of the grazing privileges in a manner other than that shown in the license or permit. Such change will be allowed if due to annual fluctuations ordinarily occurring in livestock operations or to the necessity of conserving or protecting the range. When the requested change is due to financial reasons, such as foreclosure, or other reasons beyond the licensee's or permittee's control, it may be granted for one year or longer, after reference to the advisory board for recommendation, and the approval of the district grazier. Fee notices in each case will issue accordingly.

Upon application by a licensee or permittee, and after reference to the advisory board for recommendation, the district grazier may allow an extension of the applicant's period or periods of use of the Federal range during any year or season thereof. A receipted supplemental fee notice covering the additional grazing privileges will constitute authority to use the range for the extended period.

(e) *Refunds.* No refund of fees properly paid will be made because of a failure to use the grazing privileges, either in whole or in part, represented by a license or permit, except that:

(1) During periods of range depletion due to severe drought or other natural causes or in case of a general epidemic of disease during the life of a license or permit, the Secretary of the Interior will in his discretion remit, refund, reduce in whole or in part, or postpone the payment of fees for such depletion period as long as the emergency exists.

(2) When fees have been paid which are not required by law, or which are in excess of lawful requirements, and application for refund thereof may be made under the provisions of the act of March 26, 1908, as amended (35 Stat. 48; 43 U.S.C. 95, et seq.)

(3) When a license or permit is suspended under section 501 (2) of the Soldiers' and Sailors' Civil Relief Act of 1940 (54 Stat. 1187; 50 U.S.C. 561 (2)), any fees that have been paid for the period of suspension will be refunded and any fees that are or that may become due for such period will be remitted. (Secs. 3, 5, 6, 48 Stat. 1270–1272; 43 U. S. C. 315b, 315d, 315e) (Secs. 501, 507, 54 Stat. 1187, 1188; 50 U.S.C. 561 (2), 567)

§ 501.9 *Procedure in applications, hearings, and appeals*—(a) *Filing and consideration of applications; recommendations; service of notice.* Each year the regional grazier will set a date for each district in his region prior to which all applications for grazing licenses or permits in the district must be filed. Failure to file applications before such date will result in their rejection for that year unless reasonable justification for a belated filing is shown. Whenever an application is filed for a license or permit based in whole or in part on a property which has not served as a base for a license or permit during the grazing season immediately preceding such filing, all users who might be directly affected by favorable action on such application will be notified of its filing. All applications for grazing licenses or permits, except those of district advisers, will be considered first by the advisory board of the district in which the license or permit is sought. The advisory board will make its recommendation to the district grazier and, if such recommendation is to any extent adverse, it shall set forth the reasons therefor. If such recommendation is favorable, the district grazier will so notify the applicant by ordinary mail. If the recommendation is to any extent adverse, notice thereof will be served on the applicant personally either by the district grazier or by such person as may have been designated by him; or by registered letter sent to the applicant at the address given in his application. Such notice will set out the reason or reasons set forth by the advisory board for the adverse recommendation and will name a place and date, not less than ten days thereafter, when protests against the recommendation will be heard.

(b) *Hearing of protests; reconsideration by advisory board; service of notice.* At the dates and places fixed for hearing protests any party in interest may appear, either in person or by attorney or other representative, or may file a written protest with the advisory board, which thereupon will reconsider its previous recommendation in the light of the protest and will make a final recommendation to the district grazier. If such recommendation is favorable to the applicant, and the district grazier approves, he will notify the applicant thereof by ordinary mail. If the recommendation is to any extent adverse, and the district grazier approves, a notice giving the reason or reasons therefor will be served on the applicant either personally by the district grazier or such person as may have been designated by him, or by registered letter sent to the applicant at the address given in his application. Such notices will constitute the district grazier's final decisions for purposes of appeal.

(c) *Allowance or rejection of application by the district grazier; modification; service of notice; appeal to examiner; intervention.* The district grazier is vested with the authority in the light of all facts and circumstances, after first having submitted an application to the district advisory board, to issue or to refuse to issue a grazing license or permit. If the action taken by the district grazier on any application is substantially different from that recommended by the advisory board, a notice including a recital of the specific reasons for the action taken will be served on the applicant and on any other applicant or applicants adversely affected by such action, either personally by the district grazier or by such person as may have been designated by him or by registered letter sent to the applicant at the address given in his application. The notice given the particular applicant will advise him of his privilege to file an appeal to an examiner of the Grazing Service. The appeal must be filed with the regional grazier within fifteen days following the receipt of the notice. The appeal shall be accompanied by specifications of error setting forth in a clear and concise manner the matters upon which it is based. Any party or parties who may be directly affected by the decision on the appeal will be notified by the regional grazier of the filing of the appeal and advised that a written request to intervene in the appeal may be filed. Such a party shall be known and designated as an intervener. When separate appeals are filed and the issue or issues involved are common to two or more appeals, they may be consolidated for purposes of hearing and decision.

(d) *Cancelation of licenses or permits; service of notice; appeal to examiner.* Licenses or permits will be subject to cancelation to the extent that they have been improperly issued. In any case in which it shall appear to the Grazing Service that a license or permit confers grazing privileges in excess of those properly allowable under the act and the Federal Range Code, the district grazier will notify the licensee or permittee that the license or permit is thereby held for cancelation either in whole or in part, as the case may be, and that the licensee or permittee will be allowed fifteen days from receipt of notice within which to show cause why such cancelation should not be made final. Such notice will set forth fully the reasons for the proposed cancelation and will be served on the licensee or permittee either personally by the district grazier or by such person as may have been designated by him or by registered mail sent to the licensee or permittee at his last address of record. In case of failure of the licensee or permittee to show cause within the fifteen days allowed, the license or permit will be canceled to the extent indicated in the notice. The district grazier will consider any cause shown and, if satisfied of its sufficiency, will close the case. If the district grazier is not satisfied that sufficient cause has been shown, he will notify the licensee or permittee that the cancelation will be made final unless an appeal to an examiner of the Grazing Service is filed within fifteen days from receipt of notice. Such notice will be served on the licensee or permittee either personally by the district grazier or by such person as may have been designated by him or by registered mail sent to the licensee or permittee at his last address of record. The appeal must be filed with the regional grazier and shall be accompanied by specifications of error setting forth in a clear and concise manner the matters upon which it is based. So far as practicable, the appeal thereafter will follow the procedure prescribed in the following paragraphs of this section, except that any decision by the district grazier or the examiner on a matter arising under this paragraph will not become effective pending the disposition of a timely appeal to the examiner or the Secretary of the Interior, as the case may be.

(e) *Fixing of place and date for hearing before examiner on appeal; notice.* Upon the filing of an appeal and specifications of error, the regional grazier will notify the Chief Examiner, naming a place within or near the district at which a hearing will be held. The Chief Examiner will then advise the regional grazier of the date of hearing, which will be not less than ten days after the date of the filing of the appeal, and the regional grazier thereupon will notify the appellant, and all parties who may be directly affected by the decision on the appeal, of the time and place of hearing, which will be held by one of such representatives of the Grazing Service as may have been designated by the Secretary of the Interior to conduct hearings. Such representative, however, shall be one other than the administrative officer from whose decision the appeal is taken. For the purpose of the hearing, such representative of the Grazing Service shall be known and designated as an examiner.

(f) *Authority of examiner.* The examiner is vested with general authority to conduct the hearing in an orderly and judicial manner, including authority to subpoena witnesses and to administer oaths, to call and question witnesses and to make findings of fact and a decision.

(g) *Conduct of hearing before examiner.* The appellant, the district grazier, and recognized interveners will stipulate as far as possible all material facts and the issue or issues involved. The examiner will state any other issues on which he may wish to have evidence presented and issues which clearly appear to be

unnecessary to a proper disposition of the case will be excluded, *Provided*, That the party asserting such an issue may state briefly for the record the substance of the proof which otherwise would be offered in support of the issue. The district grazier, or his representative, will then state the grounds of the decision from which the appeal has been taken, together with such explanation as may be deemed necessary, and may call and examine witnesses on the issues involved. Upon the conclusion of this testimony the appellant shall present his case, following which recognized interveners may present evidence if such a presentation appears to the examiner to be necessary for a proper disposition of the matters in controversy. All oral testimony shall be under oath, and witnesses will be subject to cross-examination by any party to the proceeding. The examiner will himself question an witness whenever it appears necessary. Documentary evidence will be received by the examiner and made a part of the record, if pertinent to any issue, or may be entered by stipulation. Objections to evidence will be ruled upon by the examiner and exceptions duly noted and such exceptions will be considered upon an appeal from the decision of the examiner. In noting an exception to a ruling sustaining an objection to the admission of evidence, the party affected may insert in the record, as a tender of proof, a summary written statement of the substance of the excluded evidence. The examiner will summarily stop examination and exclude testimony which is obviously irrelevant and immaterial.

(h) *Witness fees.* Under the subpoena issued a witness will be entitled to a witness fee of $1.50 per day for the time in attendance at the hearing and the time necessarily spent in travel from his residence to the place of hearing and return, plus five cents per mile for the distance necessarily traveled. Witnesses who attend hearings so far removed from their residences as to prohibit return thereto from day to day will be allowed a per diem of $3.00 for expenses of subsistence in addition to witness fees for each day of actual attendance and for each day necessarily occupied in traveling to and from hearings. A subpoena may be served only in the county in which the hearing is to be held, and a witness cannot be compelled to appear outside of such county. Claims for witness fees and mileage will be presented on Form No. 1–327, properly certified by an authorized certifying officer, and will be submitted in the usual way for payment.

(i) *Findings of fact and decision by examiner; notice; submission to Secretary of the Interior.* As promptly as possible following the conclusion of the hearing the examiner will make findings of fact and render a decision, which shall become a part of the record in any appeal, and a copy of which shall be sent by registered mail to the appellant and all interveners; *Provided, however*, That the examiner may, before promulgating a decision, submit it to the Secretary of the Interior for consideration. Upon approval by the Secretary, it shall constitute the decision of the Department, without prejudice to the right of any party affected to be furnished with a copy of the transcript of testimony, as provided in the next paragraph, and to move for a rehearing in the manner prescribed by the Rules of Practice of the Department then in effect.

(j) *Notice of appeal to Secretary of the Interior; furnishing copies of record.* Within ten days after the receipt of the decision of the examiner any party desiring to appeal to the Secretary of the Interior shall file a written notice of his intention to appeal and may request a copy of the transcript of testimony. Copies of the transcript will be furnished to the appellant and to the interveners, at a charge of five cents per folio, except that upon a sufficient showing to the examiner, supported by an affidavit, that an appellant or intervener is financially unable to pay such fee, a copy will be furnished him without charge. The examiner shall include in the record proof of delivery of the transcript showing the date of such delivery. Notice of appeal and request for a copy of the transcript shall be filed in the office of the Chief Examiner, Grazing Service, Salt Lake City, Utah.

(k) *Decision in effect pending appeal.* Except as provided in paragraph (d) of this section, the decision of the district grazier shall be in full force and effect pending an appeal to the examiner and disposition thereof, and the decision of the examiner shall be in full force and effect pending an appeal to the Secretary of the Interior and disposition thereof. Any action taken by the district grazier pursuant to the examiner's decision shall be subject to modification or revocation by the Secretary upon an appeal from the decision of the examiner.

(l) *Appeals to the Secretary of the Interior.* An appeal from the decision of the examiner to the Secretary of the Interior shall be filed, together with any brief desired in support thereof, within thirty days after date of receipt of the transcript of testimony, or, in the event the transcript of testimony is not requested, such appeal shall be filed within thirty days after receipt of the examiner's decision, in the office of the Chief Examiner, Grazing Service, Salt Lake City, Utah. A copy of the appeal and any brief in support thereof must be served on each party of record, either personally or by registered mail. Any party of record opposing the appeal will be allowed twenty days from date of receipt of the copy of the appeal and brief within which to file in said office a reply brief, if he so desires, a copy of which must be served upon the appellant in the same manner. Evidence of service of appeals and briefs must be furnished. The appeal in other respects shall be made in accordance with the Rules of Practice of the Department in effect at the time such appeal is taken.

No adjudication of grazing privileges will be set aside on appeal if it appears that it is reasonable and that it represents a substantial compliance with the provisions of the Federal Range Code. (Sec. 9, 48 Stat. 1273; 43 U.S.C. 315h.

§ 501.10 *General rules of the range*—(a) *Acts prohibited.* The following acts are prohibited on the Federal range:

(1) Grazing livestock upon or driving livestock across the Federal range, including stock driveways, without an appropriate license or permit, whether regular or free-use, or a crossing permit.

(2) Grazing livestock upon or driving livestock across the Federal range, including stock driveways, in violation of the terms of a license or a permit, either by exceeding the number of livestock permitted, or by allowing livestock to be on the Federal range in an area or at a time different from that designated, or in any other manner.

(3) Allowing livestock to drift and to graze on Federal range, including stock driveways, without a license or permit, either regular or free-use.

(4) Constructing or maintaining any kind of improvements, structures, fences, or enclosures on the Federal range, including stock driveways, without authority of law or a permit.

(5) Destroying, molesting, disturbing, or injuring property used or acquired for use by the United States in the administration of Federal range, including stock driveways, or improvements constructed or maintained under section 4 of the Act.

(6) Cutting, burning, or removing vegetative cover, brush, woodland growth, or timber for any purpose, except as authorized by law.

(7) Maliciously molesting, or driving from the Federal range livestock lawfully grazing thereon under an appropriate license or permit.

(b) *Rules of fair range practice.* The following rules of fair range practice shall be complied with by all licensees and permittees, both regular and free-use:

(1) The provisions of statutory law of any State in which grazing districts are located with reference to the branding of livestock and sanitary requirements are hereby incorporated as a part of the Federal Range Code and all licensees and permittees shall comply with the provisions in effect in the State or States in which any part of the grazing district or districts in which their licenses or permits are to be effective are located.

(2) A crossing permittee shall follow the route prescribed in the crossing permit at an average rate of not less than five miles per day for sheep or goats, and ten miles per day for cattle or horses: *Provided*, That an increased or decreased rate of travel may be prescribed in such permit if, in the discretion of the district grazier, the circumstances in any given case so require.

(3) All licensees and permittees shall provide adequate salt on the range for their licensed or permitted livestock, shall pay a proportionate share of the cost of managing livestock licensed or permitted within the range area in instances wherein associations for such management have been formed, and shall bed sheep and goats according to instructions issued by the Grazing Service. Upon request by the majority of the users of any community allotment of Federal range, the Grazing Service may prescribe the time for, breed, grade, and number of bulls to be turned onto such allotment; in the absence of such express requirements by the Grazing Service, the provisions of State law on the subject shall be regarded as applicable. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a.)

§ 501.11 *Procedure for enforcement of rules and regulations*—(a) *Service of notice.* Whenever it appears that there has been any willful violation of any provision of the Act or of the Federal Range Code, the district grazier will cause the alleged violator and any interested lien holder who has filed notice of his lien with the Grazing Service to be served with a written notice, which will set forth the act or acts constituting such violation and in which reference will be made to the provision or provisions of the act or the Federal Range Code alleged to have been violated. Such notice may be served in person or by registered mail and the affidavit of the person making personal service or the registry receipt shall be preserved.

(b) *Unlawful grazing on federal range; removal of livestock; impoundment.* Whenever the charge consists of unlawfully grazing livestock on the Federal range, the notice served on the alleged violator and any interested lien holder who has filed notice of his lien with the Grazing Service will order the alleged violator to remove the livestock or to cause them to be removed immediately or within such reasonable time as may be specified. If the alleged violator fails to comply with the notice the district grazier may proceed to exercise the proprietary right of the United States in the Federal range, under local impoundment law and procedure, if practicable; otherwise he may refer the matter through the usual channels for appropriate legal action by the United States against the violator.

(c) *Amicable settlement of civil cases involving damage to Government property.* All offers of settlement for damage to Federal range or to other property of the United States resulting from an alleged violation of any provision of the act or of the Federal Range Code will be transmitted by the regional grazier, with his recommendation, to the Director of Grazing for consideration. An offer of settlement will not constitute satisfaction of civil liability for the damage involved until finally accepted by him, and in no event will it relieve the violator of criminal liability. No license or permit will be issued or renewed until payment of any amount found to be due the United States under this section has been offered and until payment of any amount due as grazing fees has been made.

(d) *Disciplinary action for violations.* The regional grazier is authorized to reduce or revoke a grazing license or permit or to deny renewal thereof for a clearly established violation of the terms or conditions of the license or permit or for a violation of any of the provisions of the Federal Range Code. Before any license or permit is reduced or revoked, or renewal thereof denied, because of such a violation, however, the regional grazier will cause the licensee or permittee to be served with a written notice which will set forth the act or acts constituting the violation and an estimate of the amount of damage resulting therefrom. Such notice also will refer to the terms or conditions of the license or permit or to the provision or provisions of the Federal Range Code alleged to have been violated. The notice will cite the licensee or permittee to appear before an examiner of the Grazing Service at a designated time and place to show cause why his license or permit should not be reduced or revoked and satisfaction of damages made. The notice may be served in person or by registered mail and the affidavit of the person making personal service or the registry receipt shall be preserved.

The hearing before the examiner upon the order to show cause will be conducted so far as practicable in the same manner as other hearings before an examiner. The licensee or permittee may appear in his own behalf or by counsel. The evidence shall be confined to the commission of the acts charged and the amount of damages, if any, due the United States. If upon the hearing of the order to show cause the violation with which the licensee or permittee is charged is established to the satisfaction of the examiner, he will render a decision finding the amount of damages and directing the regional grazier to reduce or revoke the license or the permit, if the facts so warrant.

Upon the failure of the person served in the notice to appear at the time and place designated in the notice, and in the absence of a good and sufficient showing to the examiner of a reason for his failure to appear, the examiner may direct the regional grazier to reduce or revoke the license or permit, as the violations charged in the notice and the amount of damages alleged may warrant.

The decision of the examiner on any matters in this section shall be final unless an appeal is taken within fifteen days to the Director of Grazing, whose decision likewise shall be final unless an appeal is taken within thirty days to the Secretary of the Interior. Pending an appeal and final determination thereof the decision of the examiner or of the Director of Grazing as the case may be, shall remain in full force and effect. Appeals to either the Director of Grazing or the Secretary of the Interior shall be filed in the office of the Director of Grazing, Salt Lake City, Utah.

(e) *Bonds for violations.* Whenever a livestock operator commits a willful or wanton violation of any provision of these rules or has repeatedly committed violations, the regional grazier is authorized to require him to furnish a bond in an amount sufficient to cover all probable damage that may result from his violations during the ensuing year. The bond may be either a cash or a surety bond and will be in a form approved by the Director of Grazing. Upon the failure to furnish such bond when so required, the regional grazier is authorized to refuse to issue or renew a license or permit, or to revoke an existing license or permit. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.12 *District advisory boards*—(a) *Authorization for establishment; number of members; qualifications.* Section 18 of the Act provides that there shall be an advisory board of local stockmen in each grazing district. The regional grazier will fix the number of members to be elected to such board in each district, such number to be not less than five and not more than twelve, exclusive of a wildlife representative who will not be elective but will be appointed by the Secretary of the Interior. The regional grazier may fix the number of district advisers to be elected as representatives of each class of stockmen, according to the kind of livestock owned, o may fix the number to be elected from each voting precinct established by him, or both, provided that the free-use licensees or permittees in each district will be entitled to one representative, who shall be a free-use licensee or permittee. All district advisers shall be elected in the manner herein provided and, excepting the wildlife representatives, shall be electors qualified to vote in the particular election. If a district is divided into precincts, an adviser representing a precinct shall qualify in the precinct in the same manner as in the district.

(b) *Elections; time and place of holding; notice.* An election of district advisers will be held in each grazing district within ninety days after the publication in the FEDERAL REGISTER of the order establishing the district, and annually thereafter. The regional grazier may divide the district into voting precincts and will designate a voting place within each district or precinct. Notice of the time and place or places of holding an election will be given by publication in one newspaper of general circulation in the district, by posting in the office of the regional grazier and in the office of each district grazier and by posting in such other public places as may be necessary to give the matter proper publicity. No election shall be held to be invalid by reason of failure to give any of the foregoing notices unless it shall be made to appear that there was a failure to give substantial notice.

(c) *Elections; qualifications of electors.* Only those persons who are qualified to receive regular or free-use licenses or permits will be allowed to vote in any election held pursuant to section 18 of the Act: *Provided*, That in any new grazing district hereinafter established and embracing areas not heretofore within any district, the electors will be those stockmen who, prior to the establishment of the district, were regularly accustomed to using the Federal range within said district. A minor may vote if otherwise qualified: *Provided*, That upon request by his natural or legal guardian his ballot may be cast by the guardian in the name of the minor. The judges at any election will be furnished by the representative of the Grazing Service in charge with a list of all electors entitled to vote in the district. No one whose name does not appear on such list shall be allowed to vote: *Provided*, That anyone claiming that his name has been erroneously omitted from the list may obtain and mark a ballot which will be held uncounted until the district grazier shall have had a further opportunity to determine whether or not

the party was entitled to vote. If it is found that the party was entitled to vote, his ballot shall be counted, otherwise it shall be disregarded.

(d) *Elections; judges; nominations; ballots; registration; challenges.* The representative of the Grazing Service in charge of an election will choose three qualified electors to act as election judges. The electors present may then place in nomination the names of the candidates: *Provided*, That nominations for the representative of a given precinct must be made by one qualified to represent such precinct, but ballots may be cast for any other person qualified to represent a particular class or precinct. Voting shall be only by ballots cast personally by qualified electors and proxies will not be recognized. No elector shall receive a ballot until he has registered by signing opposite his name on the list of persons entitled to vote. Before receiving a ballot any elector may be challenged by any other elector qualified to vote in the district and thereupon the judges, or any of them, may require the elector challenged to answer such questions concerning his qualifications as a voter as may be deemed necessary. Upon his failure or refusal to answer such questions satisfactorily, he shall not be permitted to register or to receive a ballot. Each candidate may designate any qualified elector to remain within the polling places during the casting and counting of votes and the declaration of the results thereof, and such person may act as a challenger. Before any elector shall be permitted to deposit his completed ballot in the ballot box, the judges shall write "Voted" opposite his signature on the registration list.

(e) *Elections; method of voting.* Only one ballot may be cast by the holder or holders of any one license or permit, whether regular or free-use, or by a qualified elector or electors controlling any one base property. An elector eligible only for a free-use license or permit may cast a ballot for one free-use candidate only and for no other candidate. All other electors, regardless of the precincts in which they may reside or operate, shall cast one ballot each, on which shall be written the name or names of the total number of candidates to be elected in the district as representatives of the class of owners of livestock to which the elector belongs: *Provided*, That if he belongs to more than one such class he shall vote only for the candidates of the class in which he predominates in numbers of livestock, on the basis of one cow or horse being the equivalent of five sheep or goats. If a certain number are to be elected from each precinct, no ballot shall include the names of more candidates from any one precinct than are to be elected therefrom.

(f) *Elections; close of polls; results; ties; judges' certificates.* Polling places shall remain open on the day of the election from 2 p. m. to 5 p. m., or until those present at 5 p. m. shall have voted. Upon the closing of the polls the judges shall open the ballot box and count the votes. In case of a tie vote, a choice by lot shall be made by the judges in the presence of the tie candidates or of at least one representative designated by each such candidate for such purpose. As soon as the ballots have been counted, the judges shall make out a certificate of returns under their hands, stating the number of votes cast, the number of excess, unused or spoiled ballots, and, in both words and figures, the number of votes received by each candidate. The certificate, together with the ballots and the registration list of voters, shall be enclosed and sealed and forthwith delivered to the representative of the Grazing Service in charge of the election.

(g) *Appointment by Secretary of the Interior; oath and term of office; removal; vacancies.* No person elected as a district adviser may assume office until he has been appointed by the Secretary of the Interior and has taken an oath of office. Persons elected as district advisers at the first election after the establishment of a grazing district shall be divided as evenly as may be into three classes by lot by the district grazier. Those in class 1 shall hold office for one year, those in class 2 for two years, and those in class 3 for three years, and until their successors are elected and have qualified. Thereafter at each election the class whose term has expired shall be elected for a term of three years. The Secretary of the Interior may remove any district adviser from office because of failure to discharge his duties loss of any of his qualifications to hold the office, or for the good of the service. Upon a vacancy occurring in the office of a district adviser other than a wildlife representative by reason of resignation, removal, disqualification, or otherwise, the board shall recommend the name of a person to fill the vacancy and such recommendation, together with that of the regional grazier, shall be transmitted to the Director, who shall consider the recommendation and, if he concurs, transmit it to the Secretary for his consideration. A person appointed by the Secretary to fill a vacancy shall hold office until the next regular election, when a successor shall be elected to serve for the remainder of the unexpired term, if any, of the member causing the vacancy. Wildlife representatives shall hold office without term and until a successor may be appointed by the Secretary.

(h) *Meetings; organization.* District advisory boards shall meet at any time and place within the district designated by the regional grazier or his authorized representative. At the first meeting of the board after an election, it shall organize by electing one of its members as chairman and such other officers from its membership as it may deem necessary. Meetings of a district advisory board shall be open to the public except that, with the approval of the representative of the Grazing Service present, it may meet in executive session in considering applications for the granting of licenses or permits or any other business.

(i) *Functions and duties of district advisers.* District advisers shall advise or make recommendations on the following matters:

(1) The carrying capacity of the Federal range in the district.

(2) Applications under the Federal Range Code, for grazing licenses or permits, either regular or free-use: *Provided*, That no board shall make a recommendation on an application by any of its members. Such an application shall be acted on in the first instance by the regional grazier or district grazier.

(3) Proper rules of fair range practice.

(4) Allotments of range by classes of livestock or for community or individual use.

(5) Seasonal use of the Federal range or any part thereof.

(6) Applications for the construction or maintenance of improvements on the Federal range under section 4 of the act.

(7) Any recommendations made by local associations of stockmen in the district.

(8) Reservations of carrying capacity of Federal range for wild game animals, including any agreements in connection therewith proposed for execution with State or Federal wildlife agencies.

(9) Special rules for the district, within the meaning of § 501.15.

(10) Any other matter which they may desire to bring to the attention of the Secretary of the Interior, or on which he may request their advice. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a) (July 14, 1939, 53 Stat. 1002; 43 U.S.C. 315o–1)

§ 501.13 *Local associations of stockmen*—(a) *Organization.* Qualified applicants for grazing licenses or permits in any grazing district may organize a local association, or several associations, according to classes of livestock, or by community of interest or otherwise.

(b) *Articles of incorporation; constitution; by-laws.* Such associations shall be organized as corporations "not-for-profit," if permissible under the laws of the State in which the grazing district, or the greater part thereof, is situated; or they may be organized as cooperative unincorporated associations. In either case the articles of incorporation, the charters, or the constitutions of such associations shall be submitted to the Director of Grazing before the organization of the association shall be recognized by the Department of the Interior. The bylaws of such associations need not be submitted but in any instance in which they are in conflict with the provisions of the Federal Range Code or the terms of any license, permit, or cooperative agreement issued to or made with an association, the latter shall prevail.

(c) *Powers.* Such local associations should be authorized to exercise the following powers:

(1) To lease, or otherwise acquire the control of State, county, privately owned, tax default, or other lands within or near a district.

(2) To make contributions in cash, property, material, or labor toward the administration, protection, and improvement of the Federal range lying within the district.

(3) To construct and maintain fences, wells, reservoirs, and other improvements necessary to the care and management of the livestock grazed in the district, under permit issued by authority of the Secretary of the Interior.

(4) To act in an advisory capacity to the Secretary of the Interior in the administration of the Federal range lying within the district. All recommendations made by the association to the Secretary shall be subject to the provisions of the Federal Range Code and shall include the right of a hearing before an examiner of the Grazing Service on the necessity and propriety of any action recommended and of appeal to the Secretary from the examiner's findings of fact and decision.

(5) To recommend the amount, manner of apportionment, time, and method of collection of assessments for strictly association purposes, as well as for the public purposes contemplated by the act.

(6) To enter into cooperative agreements with the Secretary of the Interior or any officer designated by him for any of the foregoing purposes or for any other purpose authorized by the act.

(d) *Cooperative agreements for use of lands; obligation of all licensees and permittees to share cost.* Whenever the carrying capacity of Federal range is increased by reason of the acquisition of control of any lands by the Grazing Service through a cooperative agreement with a local association, any licensee or permittee benefiting thereby, whether a member of the association or not, shall pay to the association his proportionate share of the cost of the association lands, based on the number of livestock by which his license or permit is increased by reason of the administration of the association lands by the Grazing Service, plus any authorized association assessments for other expenses. The district grazier is authorized to refuse to issue a license or permit to any applicant or to cancel or refuse to renew the license or permit of any licensee or permittee to graze on any lands covered by such an agreement, whether public or association lands, and whether or not such applicant, licensee, or permittee is a member of the association, if he fails or refuses to pay to the association any of the foregoing charges. (Sec. 9, 48 Stat. 1273; 43 U.S.C. 315h)

§ 501.14 *Construction and maintenance of improvements on the Federal range*—(a) *Statutory authorization.* Section 4 of the Act provides:

> Fences, wells, reservoirs, and other improvements necessary to the care and management of the permitted livestock may be constructed on the public lands within such grazing districts under permit issued by the authority of the Secretary, or under such cooperative arrangement as the Secretary may approve. Permittees shall be required by the Secretary of the Interior to comply with the provisions of law of the State within which the grazing district is located with respect to the cost and maintenance of partition fences. No permit shall be issued which shall entitle the permittee to the use of such improvements constructed and owned by a prior occupant until the applicant has paid to such prior occupant the reasonable value of such improvements to be determined under rules and regulations of the Secretary of the Interior. The decision of the Secretary in such cases is to be final and conclusive.

(b) *Applicants for permits and cooperative agreements; qualifications.* An applicant for a permit or for a cooperative agreement or an arrangement to construct and maintain improvements of the character described in section 4 of the Act, or to use and maintain improvements of such character constructed and owned by a prior occupant, on the Federal range, must satisfy the qualifications defined in § 501.3 (a).

(c) *Applications; form and contents; filing.* Applications for such permits, cooperative agreements, or arrangements shall set forth the location of such improvements by legal subdivision of the public land survey, the necessity, use, cost, and description of such improvements, item by item, shall designate the time and manner of their construction, the period of use, the method of operation, protection, repair, removal, or other disposition, and shall include any other pertinent information. If an application concerns the use and maintenance of improvements constructed and owned by a prior occupant under permit issued by the authority of the Secretary, it shall include also an itemized showing of their reasonable value at the time of filing the application and other evidence that the applicant has paid this amount to the prior occupant and has obtained title to the improvements free of all encumbrances, or a clear and concise explanation of the reasons for a lack of such agreement between the applicant and the prior occupant. When necessary properly to explain the improvements and matters connected therewith, the application shall be accompanied by a sketch of the improvements with specifications and a map showing their location in the grazing district. All applications shall be made on forms provided by the Grazing Service, with such modifications as may be necessary, and shall be filed in triplicate with the district grazier, who will submit them to the advisory board for consideration and recommendation prior to transmittal to the regional grazier for action.

(d) *Applications for construction of improvements; consideration; appeals.* The regional grazier, following the receipt of an application concerning the construction of an improvement, together with the recommendation of the advisory board and district grazier, will act on the application and such action shall be final unless the applicant appeals to the Director of Grazing within fifteen days following receipt of notice. The decision of the Director of Grazing on any such application shall be final unless the applicant appeals to the Secretary of the Interior within thirty days. In the latter event the decision of the Secretary shall be final.

(e) *Applications for use of improvements owned by prior occupant; procedure upon failure to agree.* An application to use and maintain improvements constructed and owned by a prior occupant, under permit issued by the authority of the Secretary, if accompanied by the evidence of ownership provided for in paragraph (c) of this section, shall be considered in the same manner as an application for the construction of improvements. Upon the filing of such an application showing that the applicant and the prior occupant have not agreed on the value of the improvements, the regional grazier will immediately, at the applicant's expense, cause the prior occupant to be served either personally or by registered mail with a notice of the filing of the application, together with copies of the application and any accompanying papers and an order to show cause within thirty days why the improvements should not be determined to be of the value alleged by the applicant. Upon such a showing, or, if the prior occupant applies within thirty days from the date of service for a hearing, in the light of such evidence as the applicant and the prior occupant may desire to present in such hearing the regional grazier will determine the present reasonable value of the improvements. Such determination shall be final unless an appeal is taken within fifteen days to the Director of Grazing, whose decision in the matter likewise shall be final unless an appeal is taken within thirty days to the Secretary of the Interior. In the latter, event, the decision of the Secretary shall be final. Upon the failure of the prior occupant to show cause or to apply within thirty days for a hearing, the reasonable value of the improvements will be determined by the regional grazier: *Provided*, That in the event of such default by the prior occupant the value determined shall not be less than the amount alleged by the applicant in his application and the decision of the regional grazier in such cases shall be final. In any case when a decision has become final, payment by the applicant to the prior occupant of the amount determined and a showing that the improvements are free of all encumbrances shall be a condition precedent to favorable action on the application.

(f) *Approval of application.* Upon the approval of an application concerning the construction or use and maintenance of any improvements on the Federal range by the issuance of a permit or the approval of a cooperative agreement or other arrangement, the applicant may construct the improvements or use the improvements constructed and owned by the prior occupant, as the case may be. (Sec. 4, 48 Stat. 1271; 43 U.S.C. 315c)

§ 501.15 *Special rules for grazing districts.* Whenever it appears to a regional grazier that local conditions in any district in his region make necessary the application of a special rule on any of the matters in the Federal Range Code in order better to achieve an administration consistent with the purposes of the Act, he may recommend such a rule, supported by a factual showing of its necessity, to the Secretary of the Interior for approval. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.16. *Penal provision.* Under section 2 of the Act any willful violation of the provisions of the Act or of the rules and regulations thereunder (the Federal Range Code), after actual notice of the existence of the provisions of such act or such rules and regulations, is punishable by a fine of not more than $500. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.17 *Saving clause.* So far as practicable, and consistent with the purposes and provisions of the Act and the basic policy and plan of administration outlined in § 501.1 (a) of the Federal Range Code, the provisions of § 501.6 (b) of the Code will not be applied to the prejudice of the position of anyone who on September 23, 1942, was the holder of a grazing license or permit or who on that date had pending an application therefor. (Sec. 2, 48 Stat. 1270; 43 U.S.C. 315a)

§ 501.18 *Prior regulations superseded.* The rules and regulations in this Part shall supersede the rules and regulations for the administration of grazing districts, known as the Federal Range Code, approved March 16, 1938, and June 22, 1938, as amended August 19, 1938, and revised August 31, 1938, and all amendments thereof and additions thereto, approved September 18, 1939, December 5, 1940, February 26, 1941, and March 12, 1942, and included in Part 501 of the Code of Federal Regulations and supplements thereto, and all special rules thereunder, except the special rules approved September 1, 1939, as amended.

R. H. RUTLEDGE,
Director of Grazing.

Approved: September 23, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-9576; Filed, September 26, 1942; 10:53 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O.D.T. 3, Revised, Amendment 2]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART B—COMMON CARRIERS OF PROPERTY

By virtue of the authority vested in me by Executive Order No. 8989, approved December 18, 1941, and by Executive Order No. 9156 approved May 2, 1942:

It is hereby ordered: That § 501.5 of General Order O.D.T. No. 3, Revised, as amended,[1] be amended by striking out paragraph (b), and by designating paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

This amendment shall become effective on October 1, 1942. (E.O. 8989, 6 F.R. 6275; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 26th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-9623; Filed, September 28, 1942; 11:25 a. m.]

[General Order O.D.T. 17, Amendment 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART K—MOTOR CARRIERS OF PROPERTY

By virtue of the authority vested in me by Executive Order No. 8989, approved December 18, 1941, and by Executive Order No 9156, approved May 2, 1942:

It is hereby ordered: That § 501.66 of General Order O.D.T. No. 17[2] be amended by striking out paragraph (b), and by designating paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

This amendment shall become effective on October 1, 1942 (E.O. 8989, 6 F.R. 6275; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 26th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-9624; Filed, September 28, 1942; 11:26 a. m.]

[General Order O.D.T. 20, Amendment 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART L—TAXICABS AND TAXI SERVICE

By virtue of the authority vested in me by Executive Order No. 8989, approved December 18, 1941, and by Executive Order No. 9156, approved May 2, 1942:

It is hereby ordered, That § 501.82 of General Order O.D.T. No. 20[3] be amended by striking out paragraph (b), and by designating paragraphs (c), (d), (e), (f), and (g) as paragraphs (b), (c), (d), (e), and (f), respectively.

This amendment shall become effective on October 1, 1942. (E.O. 8989, 6 F.R. 6275; E.O. 9156, 7 F.R. 3349.)

Issued at Washington, D. C., this 26th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-9625; Filed, September 26, 1942; 11:26 a. m.]

[General Order ODT 23]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART O—LIMITATION ON SPEED OF MOTOR VEHICLES

By virtue of the authority vested in me by Executive Order No. 8989, issued December 18, 1941, and by Executive Order No. 9156, issued May 2, 1942 and in order to conserve and providently utilize vital transportation equipment, material, and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

Sec.
501.125 Definitions.
501.126 Limitation on speed.
501.127 Exemptions.
501.128 Communications.
501.129 Effective date.

AUTHORITY: §§ 501.125 to 501.129, inclusive, issued under E.O. 8989, 6 F.R. 6275, and E.O. 9156, 7 F.R. 3349.

§ 501.125 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, and includes the United States or any agency, territory, or possession thereof, a State or any agency or political subdivision thereof, the District of Columbia, or any trustee, receiver, assignee, or personal representative.

(b) The term "motor vehicle" means any rubber-tired vehicle or machine propelled or drawn by mechanical power and used or capable of being used upon the highways in the transportation of a person or persons or property, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

§ 501.126 *Limitation on speed.* No person shall drive or operate, or cause, permit, suffer, or allow to be driven or operated, any motor vehicle within the continental limits of the United States at a rate of speed which is (1) in excess of the applicable speed limit duly prescribed by competent public authority, or (2) in excess of thirty-five (35) miles per hour, whichever rate of speed is the lesser.

§ 501.127 *Exemptions.* The provisions of this subpart shall not apply to:

(a) Any motor vehicle driven or operated by or under the direction of the military or naval forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended;

(b) Any motor vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided,* That this paragraph shall not be so construed as to authorize any such motor vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

§ 501.128 *Communications.* Communications concerning this subpart should be addressed to the Division of Law, Office of Defense Transportation, Washington, D. C., or to the field office of the Office of Defense Transportation designated for the area in which the home office or principal place of business of the correspondent is located. Such communications should refer to General Order ODT 23.

§ 501.129 *Effective date.* This subpart shall become effective October 1, 1942, and shall remain in full force and effect until further order of the Office of Defense Transportation, except that as to any person operating any motor vehicle for hire in scheduled regular route service it shall become effective on October 15, 1942.

Issued at Washington, D. C., this 26th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-9622; Filed, September 28, 1942; 11:25 a. m.]

[1] 7 F.R. 5445; 7 F.R. 6689.
[2] 7 F.R. 5678.
[3] 7 F.R. 6906.

[Exception Order O.D.T. 7-3]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SUBPART B—TANK CARS

Pursuant to the authority conferred by General Order O.D.T. No. 7, as amended,[1] Title 49, Chapter II, Subpart B,

It is hereby ordered, That:

§ 520.405 *Certain shipments excepted.* The provisions of § 500.11, General Order O.D.T. No. 7, shall be suspended to the extent hereinafter shown and general or special permits shall not be required in respect of the shipment, forwarding, or transportation of the following:

(a) Crude petroleum or petroleum products, in tank cars of a shell capacity of not less than 7,000 gallons, into the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia, from any shipping point in any other State.

(b) Crude petroleum or petroleum products, in tank cars, into the State of Washington or Oregon from any shipping point in any other State.

(c) Any commodity, in tank cars, to any destination in the United States or a foreign country over two hundred (200) miles from the shipping point in the United States (such distance being measured over the shortest available published rail tariff route, whether billed or transported over such route or otherwise), except crude petroleum or petroleum products in tank cars of a shell capacity less than 7,000 gallons, into the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia, from any shipping point in any other State.

§ 520.406 *Revocation.* Exception Order O.D.T. No. 7-1, as amended,[2] and Exception Order (O.D.T. No. 7-2[3] this Title and Chapter Part 520, Subpart B, are hereby revoked and superseded, respectively, upon the date this Exception Order O.D.T. No. 7-3 becomes effective.

§ 520.407 *Effective date.* This Exception Order shall become effective on the 10th day of October, 1942, and shall remain in full force and effect until further order of the Office of Defense Transportation. (E.O. 8989, 6 F.R. 6725; General Order O.D.T. No. 7, as amended, 7 F.R. 3332, 7 F.R. 3531).

Issued at Washington, D. C., this 28th day of September 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-9650; Filed, September 28, 1942; 11:54 a. m.]

[1] 7 F.R. 3332, 3531.
[2] 7 F.R. 3332, 3786.
[3] 7 F.R. 7102.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

APACHE NATIONAL WILDLIFE REFUGE, ARIZONA

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II[1] (53 Stat. 1431), and in furtherance of § 12.3 of the Regulations for the Administration of National Wildlife Refuges dated December 19, 1940,[2] the following is hereby ordered:

§ 23.23 *Apache National Wildlife Refuge, Arizona; fishing.* Noncommercial fishing is permitted on the Apache National Wildlife Refuge, Arizona, from July 1 to the eighth day prior to the opening day of the migratory-waterfowl hunting season in Arizona of each year, inclusive, in all waters of the refuge, in accordance with the provisions of the regulations dated December 19, 1940,[2] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Arizona. Fishing shall be by hook and line only, as defined by State law.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Arizona State Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Arizona State Game and Fish Commission, of the Fish an Wildlife Service, or of the Forest Service of the Department of Agriculture.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(d) *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. The use of rowboats and canoes is permitted except in such waters as may be posted suitably by the officer in charge.

(e) *Temporary restrictions.* During periods of waterfowl usage on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl usage and are posted suitably by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 16, 1942.

[F. R. Doc. 42-9616; Filed, September 28, 1942; 10:10 a. m.]

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

HAVASU LAKE NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

Under authority of section 84 of the Act of March 4, 1909, as amended by the Act of April 15, 1924, 43 Stat. 98 the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II[1] (53 Stat. 1431), and in extension of § 12.9 of the regulations of December 19, 1940,[2] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the following regulations governing hunting within Havasu Lake National Wildlife Refuge, in Arizona and California, are prescribed:

§ 23.409 *Havasu Lake National Wildlife Refuge, Arizona and California; hunting.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken within the area hereinafter described of the Havasu Lake National Wildlife Refuge, Arizona and California, during the season prescribed therefor by the Migratory Bird Treaty Act regulations in accordance with the provisions of the regulations dated December 19, 1940,[2] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting.* All the lands of the United States within the following described area of the refuge, except those required for military purposes by the United States Army, shall be open to hunting: That part of the refuge extending from the north line extended of secs. 25 and 26, T. 8 N., R 23 E., San Bernardino Meridian, southward to the east line extended of sec. 20, T. 13 N., R 20 W., Gila and Salt River Meridian.

(b) *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

(c) *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid State hunting license, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the

[1] 4 F.R. 2731.
[2] 5 F.R. 5284.

stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the Arizona Game and Fish Commission or of the California Department of Natural Resources authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all wildlife killed by him or in his possession.

(d) *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(e) *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(f) *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas via routes designated by the officer in charge provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

(g) *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of the regulations in this section will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 16, 1942.

[F. R. Doc. 42-9615; Filed, September 28, 1942; 10:10 a. m.]

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

IMPERIAL NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II[1] (53 Stat. 1431), and in extension of § 12.9 of the regulations of December 19, 1940,[2] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the following regulations governing hunting within the Imperial National Wildlife Refuge, in Arizona and California, are prescribed:

§ 23.467 *Imperial National Wildlife Refuge, Arizona and California; hunting.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken within the area hereinafter described of the Imperial National Wildlife Refuge, Arizona and California, during the season prescribed therefor by the Migratory Bird Treaty Act regulations in accordance with the provisions of the regulations dated December 19, 1940,[2] for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting.* All the lands of the United States within the following-described area of the refuge shall be open to hunting: That part of the refuge from Reclamation River Station No. 4 northward and westward to the east line extended of sec. 30, T. 4 S., R 23 W., Gila and Salt River Meridian.

(b) *State laws.* Any person while hunting within the refuge must comply with the applicable state laws and regulations.

(c) *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid state hunting license, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the Arizona Game and Fish Commission or of the California Department of Natural Resources authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all wildlife killed by him or in his possession.

(d) *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(e) *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(f) *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas via routes designated by the officer in charge provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

(g) *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of the regulations in this section will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 16, 1942.

[F. R. Doc. 42-9614; Filed, September 28, 1942; 10:10 a. m.]

[1] 4 F.R. 2731.
[2] 5 F.R. 5284.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-308]

COAL HILL MINING CO., INC.

ORDER EXTENDING TIME FOR APPLICATION

In the matter of Coal Hill Mining Co., Inc., registered distributor, registration No. 1675.

Order extending time within which to file application based upon admissions for disposition of compliance proceeding without formal hearing, extending time to file answer, and postponing hearing.

The above-entitled matter having been heretofore scheduled for hearing on September 30, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division (the "Division") at Room 118, Colonial Hotel, Altoona, Pennsylvania, by a notice of and order for hearing issued herein on September 3, 1942; and

An application dated September 18, 1942, having been filed on September 19, 1942, with the Division, by the above-named registered distributor requesting that (1) the time within which it may file with the Division an application pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division to dispose of this proceeding without formal hearing be extended to and including October 10, 1942; (2) the time within which it must file its answer herein be extended to a date to be hereafter designated by an appropriate order, and (3) the hearing herein be postponed to a date and place to be hereafter designated by an appropriate order; and

It appearing to the Director that good cause therefor has been shown;

Now, therefore, it is ordered, That the time within which the above-named registered distributor may file its application in the above-entitled matter pursuant to §301.132 of the Rules of Practice and Procedure Before the Division be and the same hereby is, extended to and including October 10, 1942; and

It is further ordered, That the time within which the above-named registered distributor must file its answer in the above-entitled matter be and the same hereby is extended to October 10, 1942: *Provided, however*, That if an application is filed by the said registered distributor on or before October 10, 1942, pursuant to said § 301.132 of the Rules of Practice and Procedure Before the Division, the time within which said registered distributor must file its answer in the above-entitled matter shall be, and it hereby is, extended to ten (10) days from the date of the final disposition of said application by the Division, pursuant to § 301.132 (f) of the said Rules of Practice and Procedure Before the Division; and

It is further ordered, That the said hearing in the above-entitled matter, be and the same hereby is, postponed to a time and place to be hereafter designated by an appropriate order; and

It is further ordered, That the said notice of and order for hearing issued herein on September 3, 1942, shall in all respects, remain in full force and effect.

Dated: September 26, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9635; Filed, September 28, 1942; 11:22 a. m.]

[Docket No. B-311]

FRED J. WERNER

NOTICE OF AND ORDER FOR HEARING

In the matter of Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, Code Member.

A complaint dated June 29, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 1, 1942 by Bituminous Coal Producers Board for District No. 11, a District Board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on November 5, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Owensboro, Kentucky.

It is further ordered, That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, R. R. 1, Tell City, Indiana, whose code membership became effective as of April 21, 1938, and who operated the Werner Mines Nos. 1 and 2, Mine Index Nos. 548 and 549, respectively, located in Anderson Township, Perry County, Indiana, in District No. 11,

(1) Wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling, subsequent to September 30, 1940, coal produced at the aforesaid mines at prices less than the effective minimum prices therefor established in Schedule of Effective Minimum Prices for District No. 11 for truck shipments, including

(a) The sale during the period from October 2, 1940, to September 30, 1941, both dates inclusive, to Frank Werner (Werner Brothers Trucking Company), Tell City, Indiana, of approximately 1426.13 net tons of 7/16" lump coal (size group No. 6) produced at the aforesaid mines at a price of $1.80 per net ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price established therefor was $2.20 per net ton as set forth in said schedule.

(b) The sale during the period from October 2, 1940, to September 30, 1941, both dates inclusive, to the said Frank Werner (Werner Brothers Trucking Company), a substantial tonnage of 7/16" slack coal (size group No. 14) produced at the aforesaid mines at a price of 85 cents per net ton f. o. b. the mine, whereas the effective minimum f. o. b. mine price for such coal was $1.40 per net ton as set forth in said schedule.

(2) Wilfully violated Rule 1 (F) of section VII of the Marketing Rules and Regulations by disposing of approximately 100 net tons of 7/16" screenings coal (size group No. 14) produced at the aforesaid mines to the said Frank Werner (Werner Brothers Trucking Company) during the period October 1, 1940, to October 13, 1940, both dates inclusive, in consideration of the services performed by said Frank Werner in removing such coal from the premises of said mines.

Dated: September 25, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-9636; Filed, September 28, 1942; 11:22 a. m.]

[Docket No. A-1642]

DISTRICT BOARD 2

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the

coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act; ~

It is ordered, That, pending final disposition of the proceedings in Docket No. C–19, which will, among other things, determine whether either or both Bethlehem Steel Company (F. A. Shick) or Industrial Collieries Corporation (M. L. Jacobs) are producers within the meaning of the Bituminous Coal Act of 1937, and therefore, entitled to membership in the Bituminous Coal Code with respect to the coals produced at the aforesaid mines, temporary relief is granted as follows: Commencing forthwith, the schedules of effective minimum prices for District No. 2 for all shipments except truck are supplemented to include the price classifications and minimum prices appearing in "Supplement R" annexed hereto and made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, or within ten (10) days from the date of the final order in Docket No. C–19, whichever is sooner, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: September 21, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–9621; Filed, September 28, 1942; 11:23 a. m.]

Bureau of Reclamation.

AMERICAN RIVER INVESTIGATIONS, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

Correction

The description for section 11 under Township 13 North, Range 9 East, appearing on page 7575 of the issue for Friday, September 25, 1942, should read as follows:

"Section 11—Lots 1, 2, SW¼, NW¼SE¼;"

General Land Office.

[Public Land Order 41]

CALIFORNIA

WITHDRAWING PUBLIC LAND FOR USE OF THE NAVY DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U.S.C., title 43, sec. 416), *It is ordered as follows:*

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Navy Department for aviation purposes:

SAN BERNARDINO MERIDIAN

T. 11 S., R. 11 E., sec. 28, W½SW¼.

The area described contains 80 acres.

This order shall take precedence over, but shall not rescind or revoke, (1) the withdrawal for reclamation purposes made by the Secretary of the Interior on October 19, 1920, and (2) the temporary withdrawal made by the Executive Order of February 23, 1928 (Public Water Reserve No. 114, California No. 26), so far as such orders affect the above-described land.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior, when it is no longer needed for the purpose for which it is reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 18, 1942.

[F. R. Doc. 42–9613; Filed, September 26, 1942; 10:10 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DELEGATION OF AUTHORITY TO EXECUTE ACCEPTANCES OR CANCELLATIONS OF OPTIONS ON LAND AND OF WAIVERS OF RESERVATIONS AND EXCEPTIONS

SEPTEMBER 19, 1942.

I. Assistant Administrators, and the Director, the Associate Director and the Assistant Director of the MA Division are authorized to:

A. Execute, on behalf of the United States of America: (1) Acceptances of options and other contracts for the acquisition of real property or any interest therein, water rights or water stock, for purposes approved by the Secretary of Agriculture; (2) cancelations of such options and other contracts; and (3) waivers relating to reservations and exceptions which may appear in the chains of title.

B. Request, in the name of the Secretary of Agriculture, the Attorney General to render title opinions on lands conveyed to the United States of America by the various state RR corporations pursuant to their transfer agreements.

Approved: September 19, 1942.

[SEAL] J. O. WALKER,
Acting Administrator.

[F. R. Doc. 42–9630; Filed, September 26, 1942; 11:36 a. m.]

Rural Electrification Administration.

[Administrative Order No. 728]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 14, 1942

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	*Amount*
Indiana 3–1099B1 Spencer*	$5,500
Iowa 3–1033C2 Calhoun	35,000
Minnesota 3–1074B2 Norman	10,000
Nebraska 3–1051D3 Burt District Public	5,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42–9631; Filed, September 28, 1942; 11:37 a. m.]

[Administrative Order No. 729]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 14, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project Designation:	*Amount*
North Carolina 3–2043G4 Jones	$430,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42–9632; Filed, September 28, 1942; 11:37 a. m.]

[Administrative Order No. 730]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 14, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	*Amount*
Idaho 3–1021A3 Camas	$5,000
Illinois 3–1012B3 Bureau	15,000
Minnesota 3–1081B2 Aitkin	39,000
Minnesota 3–1092A2 South Itasca	34,000
Mississippi 3–1030C3 Jones	20,000
Nebraska 3–1003C1 Chimney Rock District Public	3,700
Ohio 3–1039E2 Paulding	15,000
Washington 3–1020C2 Columbia	10,000
Washington 3–1028A2 Kittitas District Public	10,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42–9633; Filed, September 29, 1942; 11:38 a. m.]

[Administrative Order No. 731]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 14, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project Designation	*Amount*
Texas 3–1115A2 Grimes	$10,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42–9634; Filed, September 28, 1942; 11:36 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1936.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and part 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective September 28, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE.

Chenille Mfg. Co., Inc., 28½ E. 2nd St., Sand Springs, Oklahoma; Chenille robes and bedspreads; 4 learners; 320 hours for any one learner; 25 cents per hour; Chenille machine operating and punchwork operating; September 28, 1943.

Majestic Contractors, Inc., 252 Pennsylvania Ave., Brooklyn, New York; Novelty jewelry; 12 learners; 4 weeks (160 hours) for any one learner; 35 cents per hour; Plier worker and clasper; December 7, 1942.

Signed at New York, N. Y., this 26th day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42–9651; Filed, September 28, 1942; 11:56 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective September 28, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

American Underwear Mfg. Co., Inc., 333 Hamilton St., Allentown, Pennsylvania; Men's cotton shorts; 5 learners (T); September 28, 1943.

R. M. Crouthamel, Inc., South Third St., Perkasie, Pennsylvania; Men's trousers; 5 percent (T); September 28, 1943.

Fashion Park Inc., 432 Portland Ave., Rochester, New York; Men's suits and overcoats; 50 learners (T); September 28, 1943.

Robinson Mfg. Co., Inc., S. Market St., Dayton, Tennessee; Men's & boys' woven cotton underwear; 5 percent (T) September 28, 1943.

Sanitary Headwear Manufacturers, Inc., 1516 Callowhill St., Philadelphia, Pennsylvania; Caps; 2 learners (T) September 28, 1943.

True Value Neckwear Co., 225 62nd St., West New York, New Jersey; Men's neck ties and handkerchief sets; 5 learners (T); September 28, 1943.

Western Hat & Cap Co., 120 North 4th St., St. Joseph, Missouri; Caps; 2 learners (T); September 28, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry.

Berk Novelty Co., 49–4th St., San Francisco, California; Vestees, collars and wraparound turbans; 4 learners (T); September 28, 1943.

Boston Marilyn Dresses, 91 Willow St., Lynn, Massachusetts; Dresses; 5 learners (T); September 28, 1943.

Carolina Maid Products, Inc., Granite Quarry, North Carolina; Dresses and slippers; 10 learners (T); September 28, 1943. (This certificate replaces the one bearing the expiration date of December 11, 1942.)

Carter & Churchill Co., 15 Parkhurst St., Lebanon, New Hampshire; Sport and ski jackets, ski pants, mackinaws and snow suits; 10 learners (T); September 28, 1943.

Cumberland Mfg. Co., Inc., Cadiz & Nichols, Princeton, Kentucky; Flannel shirts, work shirts, children's playsuits; 10 percent (T); September 28, 1943.

Elm Dress Mfg. Co., White Horse Pike, Elm, New Jersey; Dresses; 4 learners (T); September 28, 1943.

Ely & Walker, Belleville, Illinois; Govt. field jackets O.D., leather jackets, wool jackets and mackinaws; 10 percent (T); September 28, 1943.

Every Buddy's Blouse Co., 720 12th St., Union City, New Jersey; Boys' dress shirts and pajamas; 2 learners (T); September 28, 1943.

Hagerstown Mfg. Co., Inc., 113 Summit Ave., Hagerstown, Maryland; Children's dresses; 10 learners (T); September 28, 1943.

Harwood Mfg. Corp., Marion, Virginia; Men's cotton pajamas and shorts; 10 percent (T); September 28, 1943.

Holmes Blouse Co., 115 South Poydras St., Dallas, Texas; Ladies two piece dresses, blouses; 5 learners (T); September 28, 1943.

Items, Inc., 701 South Third St., Belleville, Illinois; Ladies house dresses, mosquito bars for Army; 20 learners (E); March 28, 1943.

I. Janov Shirt Co., 489 West Broad St., Hazelton, Pennsylvania; Dress shirts; 10 percent (T); September 28, 1943.

Johnson's Gloves, Inc., 307 West 2nd St., Marshfield, Wisconsin; Synthetic resin-coated raincoats for U. S. Army; 10 percent (T); September 8, 1943.

R. O. Layfield, 105 College St., Burlington, Vermont; Ladies nightgowns and

pajamas; 10 learners (T); September 28, 1943.

Charles Rabin Co., Inc., Oak & Brd. Mt. Avenue, Frackville, Pennsylvania; Bathrobes; 10 percent (T); September 28, 1943.

Reliance Mfg. Co., Mitchell, Indiana; Cotton work shirts and children's play suits and shortee pants; 10 percent (T); September 28, 1943.

Rosaline Dress Co., 582 West Philer St., York, Pennsylvania; Misses and junior cotton, silk and woolen dresses; 10 percent (T); September 28, 1943.

Smoler Brothers, Inc., 2300 Wabansia Ave., Chicago, Illinois; Ladies' popular priced dresses; 10 percent (T); September 28, 1943.

The Thompson Shirt Co., Brownstown, Lanc. Co., Pennsylvania; Dress shirts; 10 percent (T); September 28, 1943.

Trilleo, Inc., 523 23rd St., Union City, New Jersey; Women's underwear; 7 learners (T); September 28, 1943.

Waldman & Greenberg, 223–226 Pratt St., Hammonton, New Jersey; Men's trousers; 18 learners (T); September 28, 1943.

Wolverine Sportswear Co., Ludington, Michigan; Work and comfort jackets, Army field jackets O.D.; 10 learners (T); September 28, 1943.

J. M. Wood Mfg. Co., 910 Franklin Ave., Waco, Texas; U. S. A. suits, working one-piece, trousers and cotton khaki; 10 percent (T); September 28, 1943.

Cigar

T. E. Brooks & Co., Poplar & Dewey Sts., York, Pennsylvania; Cigars; 6 learners (T); Stemming machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; January 6, 1943.

Jose Escalante & Co., 1018 Poeyfarre St., New Orleans, Louisiana; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours and stripping machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; September 27, 1943.

I. Lewis Cigar Mfg. Co., Morgan St., Selma, Alabama; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have learning period of 320 hours and machine strippers to have learning period of 160 hours at 75 percent of the applicable minimum wage; September 27, 1943.

Penn Cigar Co. of Pittsburgh, 113 McConaughy St., Johnstown, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 27, 1943.

J. C. Winter & Co., Inc., 49 S. Pine St., Red Lion, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; September 27, 1943.

Glove

Gutmann-Mayer Glove Corp., 116 Nassau St., Brooklyn, New York; Knit fabric gloves; 5 learners (T); September 28, 1943.

House of Glamour, Inc., 130 Madison Ave., New York, New York; Leather dress and knit fabric gloves; 5 learners (T); September 28, 1943.

Universal Glove Co., 830 Summit St., Toledo, Ohio; Work gloves; 5 learners (T); September 28, 1943.

Hosiery

Baker-Mebane Hosiery Mills, Highway 103, Mebane, North Carolina; Seamless hosiery; 12 learners (T); May 28, 1943.

Black Hosiery Mills Co., Midland, North Carolina; Seamless hosiery; 5 learners (T); September 28, 1943.

Browning Hosiery Mills, Bridgeport, Alabama; Seamless hosiery; 5 learners (T); September 28, 1943.

C & M Hosiery Mills, Inc., 100–4 South Hanover St., Baltimore, Maryland; Seamless hosiery; 5 learners (T); September 28, 1943.

Cameron Corp., Darby, Pennsylvania; Full-fashioned hosiery; 5 learners (T); September 28, 1943.

Carmichael Hosiery Mills, McDonough, Georgia; Seamless hosiery; 5 learners (T); September 28, 1943.

Continental Hosiery Co., Dabney Road, Henderson, North Carolina; Seamless hosiery; 5 learners (T); September 28, 1943.

John B. Davidson Woolen Mills, Inc., Eaton Rapids, Michigan; Seamless hosiery; 5 learners (T); September 28, 1943.

Delaware Silk Hosiery Mills, Seaford, Delaware; Full-fashioned hosiery; 4 learners (T); September 28, 1943.

Greenwood Hosiery Mill, Greenwood, Delaware; Full-fashioned hosiery; 3 learners (T); September 28, 1943.

Hollar Hosiery Mills, Hickory, North Carolina; Seamless hosiery; 5 learners (T); May 28, 1943.

McMillan Hosiery Co., Westridge Road, Greensboro, North Carolina; Seamless hosiery; 4 learners (T); September 28, 1943.

Marlow Hosiery Mill, Hickory, North Carolina, Route 5; Seamless hosiery; 3 learners (T); September 28, 1943.

Mountcastle Knitting Co., Inc., Salisbury St., Lexington, North Carolina; Seamless hosiery; 12 learners (T); May 28, 1943.

Newton Knitting Mills, Newton, North Carolina; Seamless hosiery; 5 learners (T); September 28, 1943.

Orange Knitting Mills, Inc., Orange, Virginia; Full-fashioned hosiery; 5 percent (T); September 28, 1943.

Palmetto Full-fashioned Hosiery Mills, Inc., Saluda, South Carolina; Full-fashioned hosiery; 5 learners (T); September 28, 1943.

The Robbins Knitting Co., Spruce Pine, North Carolina; Seamless hosiery; 5 percent (T); September 28, 1943.

Selinsgrove Knitting Mill, Inc., Rear of Orange, Selinsgrove, Pennsylvania; Full-fashioned hosiery; 2 learners (T); September 28, 1943.

The Vaughan Knitting Co., 2 High St., Pottstown, Pennsylvania; Full-fashioned hosiery; 5 percent (T); September 28, 1943.

Knitted Wear

Dupont Knitting Mills, White & Center Sts., Dupont, Pennsylvania; Knitted outerwear; 5 learners (T); September 28, 1943.

Millinery

Holly-Vogue Hat Co., 910 South Broadway, Los Angeles, California; Popular-priced millinery; 2 learners (T); March 28, 1943.

Holly-Vogue Hat Co., 910 South Broadway, Los Angeles, California; Custom-made millinery; 2 learners (T); September 28, 1943.

Suzy Lee Hat, Inc., 728 South Hill St., Los Angeles, California; Female headwear; 2 learners (T); September 28, 1943.

Textile

Astoria Braid Mfg. Co., 1155 Manhattan Ave., Brooklyn, New York; Braids; 3 learners (T); September 28, 1943.

Birmingham Cotton Mills, Inc., 1700 Vanderbilt Road, Birmingham, Alabama; Cotton; 3 percent (T); September 28, 1943.

Fife Fabrics, Inc., 626 North Locust St., Momence, Illinois; Novelty fabrics; 2 learners (T); September 28, 1943.

Quaker Meadows Mills, Inc., Hildebran, North Carolina; Cotton; 3 percent (T); September 28, 1943.

Union Mills Co., Everett St., Monroe, North Carolina; Cotton; 3 percent (T); September 28, 1943.

Signed at New York, N. Y., this 26th day of September 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42–9652; Filed, September 28, 1942; 11:57 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 771, 193]

BRANIFF AIRWAYS, INC.

NOTICE OF HEARING

In the matter of temporary amendment of the certificates of public convenience and necessity of American Airlines, Inc., and Braniff Airways, Inc., so as to authorize air transportation with respect to persons, property and mail between or to and from San Antonio, Texas and Laredo, Texas under section 401 (h) of the Civil Aeronautics Act of 1938, as amended.

In the matter of the application of Braniff Airways, Inc., for a certificate of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that hearing is assigned to be held in the above entitled proceeding on October 13, 1942, 10 o'clock a. m. (eastern war time) in Conference Room A, Departmental Auditorium, Constitution Avenue between 12th and 14th Streets, NW., Washington, D. C.

Dated Washington, D. C., September 24, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42–9629; Filed, September 28, 1942; 11:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 5892]

OLYMPIC RADIO COMPANY

ORDER REOPENING HEARING, ETC.

In re application of Olympic Radio Company, Hoquiam, Washington, for construction permit.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 22nd day of September, 1942;

It appearing that the Commission on August 19 and August 20, 1941, held a hearing on the above application upon certain specified issues; and

It further appearing that the Commission, by Memorandum Opinion dated July 21, 1942 adopted, until further notice, a policy against granting applications for authorizations which involve the use of any materials to construct or change the transmitting facilities of any station operating in the Coastal, Marine Relay or Fixed Public Services; except upon a showing that the facilities to be constructed or changed will serve either (1) an essential military need or (2) a vital public need, which cannot otherwise be met;

It is ordered, This 22nd day of September, 1942, that the hearing on said application be, and it is hereby, reopened upon the following additional issue:

To determine whether or not the facilities to be constructed or changed will serve either (1) an essential military need or (2) a vital public need, which cannot otherwise be met.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–9579; Filed, September 26, 1942; 10:48 a. m.]

[Docket No. 6401]

THE WESTERN UNION TELEGRAPH COMPANY

SUPPLEMENTAL ORDER FOR HEARING, ETC.

In the matter of changes in directory of station listings and increased rates of The Western Union Telegraph Company for service to and from various points in the United States and Canada.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22nd day of September 1942;

It appearing that by orders dated August 11 and 25, 1942, in this proceeding tariff filings of The Western Union Telegraph Company providing for changes in station listings have been suspended, and an investigation thereof has been ordered;

It further appearing that there has been filed with the Commission Supplement No. 71 to The Western Union Telegraph Company Tariff F. C. C. 217, effective September 29, 1942, changing said company's directory of station listings at Roby, Texas. and providing for the discontinuance of the public telegraph office at that point and for an increase in the rates and charges applicable to the receipt, transmission, and delivery of telegraph messages to and from such point;

It further appearing that said supplement No. 71 to The Western Union Telegraph Company Tariff F. C. C. No. 217, make increases in rates and charges and state regulations and practices effecting such increases in rates and charges for the receipt, transmission and delivery of telegraph messages in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said tariff supplement, insofar as it relates to increases in rates, should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplement No. 71 to The Western Union Telegraph Company Tariff F. C. C. No. 217, insofar as it relates to changes in such company's directory of station listings at Roby, Texas;

It is further ordered, That the operation of said tariff supplement, insofar as it provides for an increase in rates and charges for the receipt, transmission and delivery of interstate or foreign telegraph messages to and from Roby, Texas, be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such point, insofar as they provide for an increase in such rates and charges, be deferred for a period of three months beyond the time when it would otherwise go into effect, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in the rates, charges, regulations and practices herein suspended or in the rates, or charges sought to be increased or in the regulations and practices relating thereto unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services to and from the point named in Supplement No. 71 to The Western Union Telegraph Company Tariff F. C. C. No. 217;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Western Union Telegraph Company and all other carriers participating in service provided under the tariff provisions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected or received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That The Western Union Telegraph Company and each such participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing February 10, 1943, showing the amounts accounted for as aforesaid, during the previous calendar month;

It is further ordered, That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff supplement herein suspended in part; and that copies hereof be served upon the carrier parties to such supplement and tariff;

It is further ordered, That the matters herein placed in issue be, and the same are hereby assigned for hearing at the same time and place as those matters previously placed in issue in this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42–9578; Filed, September 26, 1942; 10:48 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 53 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120–115]

GEORGE KEFOVER COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, it is hereby ordered:

(a) George Kefover Coal Company, Albright, West Virginia, may sell and deliver, and any person may buy and receive, for shipment other than by truck or wagon, the bituminous coal described in paragraph (b), (1) below at a price not in excess of that stated therein;

(b) (1) Coals in Size Group 6, produced by George Kefover Coal Company, at its Kefover No. 1 Mine (Mine Index No. 608), District 3, may be sold at a price not to exceed $2.75 per net ton, f. o. b. the mine for shipment other than by truck or wagon.

(2) With respect to deliveries of such size group 6 coals on and after June 24, 1942, petitioner may carry out agreements providing for the delivery of such coals at a price not exceeding the applicable maximum price and also providing for a price adjustment in accordance with the disposition of this petition.

(c) This Order No. 53 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(f) This Order No. 53 shall become effective September 25, 1942.

Issued this 25th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9573; Filed, September 25, 1942; 3:19 p. m.]

[Order 18 Under Maximum Price Regulation 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket 3122-174]

T. A. D. JONES AND COMPANY, INC.

ORDER GRANTING ADJUSTABLE PRICING PERMISSION

For the reasons set forth and in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is ordered:*

(a) On and after August 5, 1942, T. A. D. Jones and Company, Inc., New Haven, Connecticut may sell and deliver and its industrial purchasers may buy and receive Southern slack and Southern nut and slack and bituminous coal (produced at any mine or mines other than those specified in Order No. 5 under Maximum Price Regulation No. 122, effective July 21, 1942) at prices no higher than the applicable maximum prices subject to agreements with such purchasers of such coals to adjust prices on deliveries made during the pendency of the petition in accordance with the disposition thereof.

(b) This Order No. 18 may be revoked or amended by the Administrator at any time and, in any event, is to be effective only to the date of final disposition of the petition.

(c) Unless the context otherwise requires the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

This Order No. 18 shall become effective on the 28th day of September 1942.

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9595; Filed, September 26, 1942; 11:16 a. m.]

[Order 21 Under Maximum Price Regulation 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket 3122-233]

THE CITY OF BOSTON

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion filed simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The City of Boston may buy and receive anthracite coal for distribution in one-quarter and one-half ton lots to its local welfare recipients and each of the following companies:

The Boston Ice Company (Division of American Ice Company).
Everett Fuel Company.
Tidewater Coal Company.
East Boston Coal Company.
County Coal Company.

may sell and deliver such coal to the City of Boston at prices not to exceed $13.84 per ton for half-ton lots and $14.34 per ton for quarter-ton lots.

(b) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to the terms used herein.

(d) This Order No. 21 shall become effective September 26, 1942.

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9584; Filed, September 26, 1942; 11:14 a. m.]

[Order 47 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-114]

MAGINNIS COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942, and Procedural Regulation No. 1, *It is hereby ordered:*

(a) The Maginnis Coal Company, Morganfield, Kentucky, may sell and deliver, and any person may buy and receive, truck or wagon shipments of the bituminous coal described in paragraph (b) at prices not in excess of the respective prices stated therein.

(b) Truck or wagon shipments of coals in Size Groups 3 and 11, produced by Maginnis Coal Company at its Waco Mine, Mine Index No. 88, District No. 9, may be sold at prices not to exceed $2.40 and $1.75 per net ton, respectively, f. o. b. the mine.

(c) This Order No. 47 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 47 shall become effective on September 26, 1942.

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9583; Filed, September 26, 1942; 11:19 a. m.]

[Order 48 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 1120-140-P]

MARYLAND UNION COAL CORPORATION

ORDER GRANTING ADJUSTMENT

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is hereby ordered:*

(a) The Maryland Union Coal Corporation, Cumberland, Maryland, may sell and deliver, and any person may buy and receive, the bituminous coal described in paragraph (b) at prices not in excess of those stated therein.

(b) Rail and truck shipments of coals in Size Group 3 produced at the Maryland Union No. 1 Mine, Mine Index No. 1718, District No. 1, of the Maryland Union Coal Corporation, may be sold at a price not to exceed $3.00 per net ton, f. o. b. the mine.

(c) This Order No. 48 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 48 shall become effective September 28, 1942.

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9585; Filed, September 26, 1942; 11:18 a. m.]

[Amendment 1 to Order 1 Under Revised Price Schedule 41[1]—Steel Castings—Docket 3041-3]

HUGHES TOOL CO.

ORDER AMENDING EXCEPTIONS

On July 15, 1942, Hughes Tool Company, 3000 Hughes Street, Houston, Texas, was granted permission in ascertaining the maximum prices which it might charge for steel armor castings for tanks produced by it at its plant at Houston, Texas, to add to the maximum prices otherwise established for such castings by Revised Price Schedule No. 41 the lowest applicable railroad charge for the transportation of an identical quantity of steel armor castings for tanks from its foundry in Houston, Texas, to the consumer's plant but only to the extent that such charge exceeded the lowest applicable railroad charge for the transportation of an identical quantity of such steel castings from its foundry in Houston, Texas, to New Orleans, Louisiana. This order was expressly made subject to amendment. Hughes Tool Company now wishes an amendment to the exception granted in Order No. 1 to cover cases where an emergency high cost method of transportation, such as railroad express, is requested by the purchaser. Due consideration has been given to this matter and an opinion in support of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Hughes Tool Company, Houston, Texas, in ascertaining the maximum price which it may charge for steel armor castings for tanks produced by it at its plant in Houston, Texas, may add to the maximum prices otherwise established for such castings by Revised Price Schedule No 41, the lowest applicable railroad charge for the transportation of an identical quantity of steel armor castings for tanks from its foundry in Houston, Texas, to the consumer's plant but only to the extent that such charge exceeds the lowest applicable railroad charge for the transportation of an identical quantity of such steel castings from its foundry in Houston, Texas to New Orleans, Louisiana, except that, in cases where a mode of transportation more expensive than by railroad is requested by the purchaser, there may be added to the maximum prices above referred to the excess of such emergency transportation charge over the lowest applicable railroad charge for the transportation of an identical quantity of such steel castings from its foundry in Houston, Texas, to New Orleans, Louisiana.

(b) This amendment may be revoked or amended by the Price Administrator at any time.

(c) The definitions set forth in §1306.109 of Revised Price Schedule No. 41 shall apply to the terms used herein.

(d) This Amendment No. 1 to Order No. 1 under Revised Price Schedule No. 41 shall become effective September 28, 1942.

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9582; Filed, September 26, 1942; 11:29 a. m.]

[Order 24 under Revised Price Schedule 6—Iron and Steel Products—Docket 3006-18]

WHEELING STEEL CORPORATION

ORDER GRANTING RELIEF

On June 27, 1942, Wheeling Steel Corporation, of Wheeling, West Virginia, filed a petition for an exception to Revised Price Schedule No. 6 as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 24 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Wheeling Steel Corporation may sell and deliver, and agree, offer, solicit and attempt to sell and deliver to the Procurement Division of the United States Treasury for the account of the Lend-Lease Administration and to the Phoenix Iron Company under the directive order of the War Production Board dated June 5, 1942, small rerolling billets, sheet bar, ingots, slabs and blooming mill billets produced at its Portsmouth plant for delivery at prices not in excess of those stated in paragraph (b).

(b) (1) The maximum base price which may be charged for small rerolling billets, base grade, is $36 per gross ton f. o. b. Portsmouth, Ohio.

(2) The maximum base price which may be charged for sheet bar is $37 per gross ton, f. o. b. Portsmouth, Ohio.

(3) The maximum base prices which may be charged for ingots, slabs, and blooming mill billets are the applicable maximum basing point base prices as otherwise established in Revised Price Schedule No. 6 f. o. b. Portsmouth, Ohio.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 24 shall become effective September 28, 1942.

Issued this 26th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9586; Filed, September 26, 1942; 11:22 a. m.]

[Order 49 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-24]

MINERS BIG VEIN COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is hereby ordered:*

(a) The Miners Big Vein Coal Company, Frostburg, Maryland, may sell and deliver, and any person may buy and receive, the shipments of bituminous coal described in paragraphs (b) (1) and (b) (2) at prices not in excess of the respective prices stated therein.

(b) (1) Rail shipments of Size Group 3 coal produced by the Miners Big Vein Coal Company at its Bivecol Mine, Mine Index No. 52, District No. 1, may be sold at a price not to exceed $3.05 per net ton, f. o. b. the mine.

(2) Truck or wagon shipments of Size Group 3 coal produced by the Miners Big Vein Coal Company at its Bivecol Mine, Mine Index No. 52, District No. 1, may be sold at a price not to exceed $3.05 per net ton, f. o. b. the mine.

(c) This Order No. 49 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 49 shall become effective on the 29th day of September 1942.

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9647; Filed, September 28, 1942; 11:50 a. m.]

[Order 50 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-90]

HUNTER COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is hereby ordered:*

(a) The Hunter Coal Company, Antrim, Pennsylvania, may sell and deliver and any person may buy and receive rail shipments of the bituminous coal described in paragraph (b) below at prices not in excess of the respective prices stated therein;

(b) The following size groups of coals produced by Hunter Coal Company at its Antrim Mine (Mine Index No. 572) and the No. 1 Bloss Drift Mine (Mine Index No. 841), District No. 1, may be sold for rail shipment f. o. b. the mine at prices not to exceed the following respective amounts per net ton:

Size group	Antrim mine	Bloss drift mine
2		$3.55
3	$2.75	3.40
4	2.75	3.30
5	2.75	3.30

(c) This Order No. 50 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(f) This Order No. 50 shall become effective September 29, 1942.

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9649; Filed, September 28, 1942; 11:50 a. m.]

[Order 51 Under Maximum Price Regulation 120—Bituminous coal delivered from Mine or Preparation Plant—Docket 3120-191]

LANARK COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price

[1] 7 F.R. 1281, 2001, 4667, 1636, 2132, 7434.

[2] 7 F.R. 971, 3663, 6967.

Control Act of 1942 and Procedural Regulation No. 1, *It is hereby ordered:*

(a) The Lanark Coal Company, Hastings, Pennsylvania, may sell and deliver, and any person may buy and receive, the bituminous coal described in paragraph (b) below at prices not in excess of the respective prices stated therein;

(b) Coals in Size Groups 3, 4 and 5, produced by the Lanark Coal Company at its No. 1 Mine (Mine Index No. 263), District No. 1, for shipment other than by truck or wagon, may be sold at prices not to exceed the following amounts per net ton, f. o. b. the mine: $3.10 for Size Group 3, and $2.95 for Size Groups 4 and 5;

(c) This Order No. 51 may be revoked or amended by the Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 51 shall become effective September 29, 1942.

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9646; Filed, September 28, 1942; 11:50 a. m.]

[Order 52 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-102]

PRYCE COAL MINE

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is hereby ordered:*

(a) Richard Pryce, doing business as Pryce Coal Mine, Coal Valley, Illinois, may sell and deliver, and any person may buy and receive, bituminous coal described in paragraph (b) at prices not in excess of those stated therein.

(b) Truck shipments of coals produced at the Pryce Coal Mine, Mine Index No. 642, District No. 10, may be sold at prices per net ton not to exceed the following prices, f. o. b. the mine: $3.80 for Size Group 6, $3.00 for Size Group 7, $2.50 for Size Group 10, and $1.40 for Size Group 14.

(c) This Order No. 52 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 52 shall become effective this 29th day of September 1942.

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9648; Filed, September 28, 1942; 11:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of September, A. D. 1942.

In the matter of Community Gas and Power Company, American Gas and Power Company, a registered holding company, and the subsidiary companies thereof, respondents.

The Commission having examined the corporate structure of Community Gas and Power Company, a registered holding company, American Gas and Power Company, a registered holding company, and their subsidiary companies, the relationships among the companies in the holding-company system of said Community Gas and Power Company and American Gas and Power Company, the character of the interests thereof and the properties owned or controlled thereby, and having examined the files and records of the Commission relating thereto, and said examination having disclosed data establishing or tending to establish the following:

I

1. Community Gas and Power Company ("Community"), a registered holding company, is a corporation organized under the laws of Delaware and maintains its principal office for the doing of business in the City of New York, State of New York. American Gas and Power Company ("American Gas") is a subsidiary company of Community and a registered holding company; it is a corporation organized under the laws of Delaware and maintains its principal office for the doing of business in the City of New York, State of New York. Community has no subsidiary companies other than American Gas and the subsidiary companies of American Gas.

2. The following are subsidiary companies of Community and American Gas, and are gas utility companies within the meaning of the Public Utility Holding Company Act of 1935:

	State of organization	State of operation
Minneapolis Gas Light Company	Delaware	Minnesota.
Birmingham Gas Company	Alabama	Alabama.
Savannah Gas Company	Georgia	Georgia.
Jacksonville Gas Company	Florida	Florida.
St. Augustine Gas Company	do	Do.
Lowell Gas Light Company	Massachusetts	Massachusetts.
Bangor Gas Company	Maine	Maine.

3. Each of the gas utility companies named in paragraph 2 above is a direct subsidiary company of American Gas except Lowell Gas Light Company, which is a direct subsidiary company of American Utilities Associates. American Utilities Associates is a holding company, a subsidiary company of Community, and a direct subsidiary company of American Gas.

4. Public Utilities Management Corporation, organized under the laws of New York, is a subsidiary company of Community and American Gas whose securities are wholly owned by the subsidiary companies of Community and American Gas listed in paragraph 2 above. It renders services under contract to Community, American Gas and their subsidiary companies, and is a mutual service company. It maintains principal offices for the doing of business in the City of New York, State of New York.

5. At December 31, 1941, the holding company system of Community and American Gas served with gas 41 communities having an estimated aggregate population of 1,472,500 located in the States of Minnesota, Alabama, Georgia, Florida, Massachusetts, and Maine. The location of the communities served by the gas utility subsidiary companies, named in paragraph 2 above, and the respective air line distances from the principal office for the doing of business of Community, American Gas and Public Utilities Management Corporation, are shown on the annexed map marked Exhibit A, which is made a part hereof as if here set out in full.

II

6. American Gas was organized in Delaware on May 3, 1928, as a wholly owned subsidiary company of American Commonwealths Power Corporation, a Delaware Corporation. Fred W. Seymour, vice president, consulting engineer, and a director of American Commonwealths Power Corporation, became president and a director of American Gas. American Gas issued 70,000 shares of common stock to American Commonwealths Power Corporation for a stated consideration of $6,300,000, set up on the books of American Gas as an account receivable. As of May 1, 1928, American Gas acquired from its parent, American Commonwealths Power Corporation, all of the oustanding common stock of Savannah Gas Company, St. Augustine Gas and Electric Company (now St. Augustine Gas Company), and Bangor Gas Light Company (now Bangor Gas Company), and all of the common and second preferred stock of Jacksonville Gas Company, at an agreed price of $6,156,740, credited to the account receivable. The total cost to American Gas of the securities (including incidental expenses) was $6,161,158, an amount $1,449,487 in excess of their book values, according to the books of the issuing companies.

7. In May 1928 American Gas acquired for cash all of the outstanding common stock of Minnesota Gas Light Company at a total cost of $13,426,830. This amount was $10,767,030 in excess of the book value of the stock, according to the books of Minneapolis Gas Light Company.

8. In March 1929 Birmingham Gas Company was incorporated at the instance of American Commonwealths Power Corporation to acquire the gas properties of Birmingham Electric Company, which American Commonwealths Power Corporation had contracted to purchase from strangers in interest for approximately $14,012,741. In May 1929 this contract was assigned to American Gas. American Gas paid in cash to the seller and to American Commonwealths Power Corporation a total of $14,012,741, and issued 35,000 shares of additional common stock with a stated value of $2,625,000 to American Commonwealths Power Corporation. American Gas then caused the properties to be conveyed to Birmingham Gas Company in exchange for $5,000,000 principal amount of bonds, $3,000,000 stated value of preferred stock, and 200,000 shares of common stock of Birmingham Gas Company. American Gas sold the bonds for $4,609,027, and the preferred stock for $2,706,500, so that the remaining cost to American Gas of the common stock of Birmingham Gas Company was $9,322,214. The book value of the properties, according to the seller's books, was $8,638,838, leaving a book value for the common stock, above the $8,000,000 of senior securities issued by Birmingham Gas Company, of $638,838. Thus the cost of the common stock to American Gas was $8,683,376 in excess of its book value, according to the seller's books. In June 1929 American Gas acquired the common stock of Industrial Gas Corporation at a cost of $1,350,000 cash, an amount $716,384 in excess of its book value, according to the books of Industrial Gas Corporation. In 1932 the assets of Industrial Gas Corporation were sold to Birmingham Gas Company.

9. In April 1929 American Commonwealths Power System was organized as a Massachusetts trust at the instance of American Commonwealths Power Corporation. In or about October 1929, American Gas advanced to the trust $5,910,000 against promissory notes, and the trust used these funds to purchase 58,861.6 shares of the common stock of Lowell Gas Light Company, constituting 96.55% of the 60,962 shares outstanding. The book value of this stock at December 31, 1929 was $3,084,412 less than the cash so advanced. The name of the trust was changed in November 1929 to American Commonwealths Power Associates, and in December, 1936 to American Utilities Associates.

10. The total amount of $36,170,202 paid by American Gas for the securities it acquired was $24,700,689 in excess of the book value of those securities, as stated in paragraphs 6, 7, 8 and 9 above. American Gas obtained the cash required for the transactions set forth in paragraphs 7, 8, and 9 above by the issuance and sale in 1928 and 1929 of $6,500,000 principal amount of 5% debentures, $4,000,000 principal amount of 6% debentures, $4,000,000 stated value of first preferred stock, and $10,900,000 stated value of preference stock.

11. In 1930 and 1931 American Gas and its officers and directors caused certain of the subsidiary companies of American Gas to supply funds to American Gas and

Liabilities and Capital		
Current Liabilities:		
Accounts Payable		$226.63
Capital Stock and Surplus:		
Capital Stock, Par Value 50¢ per share; Authorized and outstanding: "A" Common	$269,500.00	
539,000 Shares Class "A" Common	55,500.00	
111,000 Shares Class "B" Common	$325,000.00	
Less—Deficit	244,201.83	80,798.17
Total Liabilities and Capital		81,024.80

16. The Class B common stock of Community has all of the voting power of the company. At March 31, 1942, 34,213 shares of said Class B common stock, constituting 30.8% of the total outstanding, were registered in the name of Fred W. Seymour, who had died in September 1941, and were beneficially owned by the estate of said Fred W. Seymour. Except for the Seymour interests, the largest holding of such stock was less than 5% of the total outstanding.

17. Community had no income for the year ended December 31, 1941; its expenses, and its loss for the year, amounted to $1,704.91.

IV

18. The balance sheet of American Gas at December 31, 1941, according to its books, was as follows:

Assets		
Investments in Subsidiary Companies:		
Common Stock:		
Minneapolis Gas Light Company (100%)	$11,000,000	
Birmingham Gas Company (62.82%)	284,453	
Savannah Gas Company (100%)	1,400,000	
St. Augustine Gas Company (100%)	277,100	
Jacksonville Gas Company (50%)	109	
Bangor Gas Company (100%)	588,045	
Total Common Stock Investment		$13,549,707
Notes—6%: American Utilities Associates		2,096,650
Special Deposit		373
Cash		14,170
Prepaid Expense		33
Total Assets		15,660,933
Liabilities and Capital		
Current and Accrued Liabilities		$147,214
Long Term Debt:		
Debentures due 1953 5% Series	$6,114,500	
Debentures due 1953 6% Series	4,213,600	10,328,000
		1,459,206
Accrued Conditional Interest on Outstanding Debentures		
Certificates of Indebtedness (including accrued interest):		
Due to Minneapolis Gas Light Company	1,615,123	
Due to Jacksonville Gas Company	67,651	1,682,774
		189,636
Capital Stock and Surplus:		
Common Stock (par value $1 per share—180,637½ shares)	1,002,592	
Capital Surplus	851,509	
Earned Surplus (from January 1, 1935)		2,043,739
Total Capital Stock and Surplus		15,660,933
Total Liabilities and Capital		

to American Commonwealths Power Corporation by transfers of funds from the bank accounts of subsidiary companies, loans, payments of dividends out of capital, sales to customers and employees of worthless stock in American Commonwealths Power Corporation (Del.), and in its affiliate, The American Commonwealths Power Corporation (N. J.), through service contracts, by payment of salaries to officers and directors of the parent companies, and in other ways.

12. On December 31, 1931, receivers of American Commonwealths Power Corporation were appointed by the Chancery Court in Delaware. On January 20, 1932, said receivers sold to A. E. Fitkin $1,707,000 principal amount of 6% debentures, 82,500 shares of preference stock out of 50,000 shares of preference stock and 82,500 shares held by said receivers, and all of the outstanding common stock (105,000 shares) of American Gas, and subsequently sold to said A. E. Fitkin all of the outstanding stock of American Commonwealths Power Associates, the Massachusetts trust referred to in paragraph 9 above. The assets of American Commonwealths Power Corporation were subsequently distributed among its creditors and the corporation was dissolved.

13. Community was organized on December 3, 1933, after the death of A. E. Fitkin as a vehicle for settling certain claims against the estate of A. E. Fitkin made in connection with the receivership of two holding companies he had controlled. The estate of A. E. Fitkin transferred to Community the 50,000 shares of preference stock and 105,000 shares of common stock of American Gas theretofore acquired by A. E. Fitkin from the receivers of American Commonwealths Power Corporation. Approximately 80% of the Class A (non-voting) stock, and approximately 50% of the Class B (voting) stock of Community was distributed among claimants against the Fitkin estate. In 1934 a syndicate headed by Fred W. Seymour, who remained throughout these transactions as president and a director of American Gas, acquired 50% of the Class B stock of Community, and Mr. Seymour became president of Community.

14. In January 1935 American Gas filed a petition in the United States District Court for the District of Delaware for leave to reorganize under the provisions of section 77B of the Bankruptcy Act. As of January 1, 1935, the date of the plan of reorganization submitted together with said petition, American Gas had outstanding $11,990,000 principal amount of secured debentures, 40,000 shares of first preferred stock, 82,500 shares of preference stock of which Community owned 50,000 shares, and 105,000 shares of common stock owned by Community. Under the plan approved by the Court, fixed interest on the 5% debentures was reduced to 3% and on the 6% debentures to 5.6%, the balance to be payable conditionally as stated below and to be cumulative. The maturity of all of the debentures was extended to August 1, 1953 and each share of preference stock received 5 shares of new common stock. The holder of each share of first preferred stock received 2 shares of new common stock and a warrant to subscribe to an additional share at $5. The holder of each share of preference stock received 19/40ths of a share of new common stock, and the holder of each share of old common stock received 1/10th of a share of new common stock. As a result of this reorganization, Community received and now holds 34,250 shares of new common stock, constituting 18.38% of the outstanding stock of American Gas.

III

15. The balance sheet of Community at December 31, 1941, according to its books, was as follows:

Assets		
Current Assets:		
Cash in Bank		$11,955.22
Investment:		
At ledger value (valuation based on bid quotations at Dec. 31, 1941—$34,250.00):		
34,250 Shares American Gas and Power Company Common Stock	68,500.00	
Deferred Charges	569.58	
Total Assets		81,024.80

19. The common stock of American Gas, which together with surplus represents only 13.1% of the total book capitalization, elects 4 of the 7 directors of the company and exercises voting control over it. The holders of the debentures of American Gas, which represent 75.96% of the total book capitalization, are entitled to elect the remaining 3 directors. At March 31, 1942, 34,250 shares of said stock, constituting 18.38% of the total outstanding, were held by Community; 32,479 shares, constituting 17.43% of the total outstanding, were registered in the name of Fred W. Seymour and were beneficially owned by the estate of said Fred W. Seymour; 4,025 shares, constituting 2.16% of the total outstanding, were held by Vera B. Seymour, the widow of said Fred W. Seymour. Except for the Community and Seymour interests, the largest holding of such stock was less than 6.5% of the total outstanding.

20. Said Vera B. Seymour is the president and a director of American Gas.

21. At December 31, 1941, American Gas held the following securities of subsidiary companies:

	No. of shares or principal amount	Percentage of total outstanding
Common stock:		
Minneapolis Gas Light Company	44,000	100.00
Birmingham Gas Company	142,956	62.82
Savannah Gas Company	56,000	100.00
Jacksonville Gas Company [1]	25,098	50.00
St. Augustine Gas Company	2,771	100.00
Bangor Gas Company	6,000	100.00
6% notes: American Utilities Associates	[2] $5,910,000	100.00

[1] Jacksonville Gas Company has submitted, and this Commission approved, a plan of reorganization under Section 11 (e) of the Act pursuant to which the common stock of Jacksonville Gas Company would be cancelled and its holders would receive nothing therefor.

[2] The 6% notes of American Utilities Associates are carried on the books of American Gas at $2,096,650, and on the books of American Utilities Associates at the face amount of $5,910,000 plus accrued and unpaid interest. The total liability at December 31, 1941, was stated as $9,378,989.

22. At December 31, 1941 American Utilities Associates held 58,861.6 shares of the common stock of Lowell Gas Light Company, constituting 96.55% of the total outstanding, and had pledged with American Gas 58,199 of said shares as collateral security for its 6% notes. At July 1, 1940 the holders of all the stock, and the trustees, of American Utilities Associates were Daniel H. Levan, Leland Balch and Hugh H. Hite, officers or directors, or both, of Lowell Gas Light Company or of Community and American Gas. Information is not available in the Commission's files as to the present beneficial owners or holders of record of such stock, or as to the present trustees of American Utilities Associates.

23. At December 31, 1941, American Gas had pledged with the trustee under its debenture agreement, as collateral security for its outstanding debentures, all of the common stock of Minneapolis Gas Light Company, St. Augustine Gas Company,[1] Savannah Gas Company,[1] and Bangor Gas Company;[1] 139,993 shares of the common stock of Birmingham Gas Company; $4,950,000 principal amount of the 6% notes of American Utilities Associates; and 58,199 shares of the common stock of Lowell Gas Light Company.

[1] Except for directors' qualifying shares, which were subject to options held by said trustee.

24. In 1941 the gross cash income of American Gas was $685,480, received from the following sources:

	Dividends on common stock	Interest	Percent
Minneapolis Gas Light Company	$495,000		72.21
Birmingham Gas Company	35,739		5.21
Savannah Gas Company	84,000		12.26
Jacksonville Gas Company			
St. Augustine Gas Company	11,084		1.62
Bangor Gas Company [1]		$3,657	.53
American Utilities Associates [2]		56,000	8.17
Totals	625,823	59,657	100.00

[1] Interest of $9,990 from Bangor Gas Company and Penobscot Valley Gas Corporation accrued during 1941. Payments of $3,657.50 were made on account of prior arrearages in interest.

[2] American Utilities Associates received $58,862 dividends on the common stock of Lowell Gas Light Company which it held.

25. Disbursements by American Gas for the year 1941 were made approximately as follows:

	Amount	Percent
Operating and administrative expenses	$33,473	4.85
Taxes (including income taxes) accrued	6,643	.96
Paid to debenture holders:		
Unconditional interest	335,121	48.59
Conditional interest based on 1938–1940 earnings, paid in 1941 [1]	114,478	16.60
Paid to holders of certificates of indebtedness: [2]		
To Minneapolis Gas Light Company on account of principal	192,200	27.87
To Jacksonville Gas Company on account of accrued interest	7,600	1.13
	689,715	100.00

[1] No payments of conditional interest were made in 1939 or 1940. In 1942, based on 1941 earnings, the company paid $103,414 conditional interest. In 1941 the company surrendered for sinking fund purposes $62,000 principal amount of 5% debentures and $154,000 principal amount of 6% debentures, which had been previously purchased at a total cost of $114,412. In 1942 the company surrendered for sinking fund purposes $12,000 principal amount of 5½% debentures and $173,500 principal amount of 6% debentures which had been previously purchased at a total cost of $194,275.

[2] According to the formula set forth in the 1935 plan of reorganization, as interpreted by the company, nothing was due on these certificates of indebtedness in 1940, $114,804 was due in 1941, and $168,414 was due in 1942. The company made anticipatory payments totalling $195,700 in 1940 and $220,000 in 1941.

26. Funds have been made available for buying back debentures in excess of sinking fund requirements, and for anticipatory payments on the certificates of indebtedness, in three ways:

(a) Through loans from banks, made and repaid as follows:

	Borrowed	Repaid	Balance due
1936	$450,000	$250,000	$200,000
1937	100,000	100,000	200,000
1938		160,000	40,000
1939	560,000	325,000	275,000
1940		275,000	
	$1,110,000	$1,110,000	

Except for the $250,000 repaid in 1936, each year's repayments were deducted in computing net earnings "available" for conditional interest and sinking fund instalments on the debentures and for payments on the certificates of indebtedness. Of the $1,110,000 borrowed, $550,000 was paid to Birmingham Gas Company in 1939 in connection with its recapitalization and the retirement of the certificate of indebtedness which it held. The balance of $560,000 was used to purchase for the treasury of American Gas $1,212,500 of its own debentures (net after sales) in excess of sinking fund payments to December 31, 1941. $400,000 principal amount of these treasury debentures were retired in 1939, in connection with the recapitalization of Birmingham Gas Company. The balance of $812,500 remained in the treasury at December 31, 1941. The deduction of bank loan repayments in computing "available net earnings" was disapproved by the Commission in its findings and opinion (3 S.E.C. 911) and report (3 S.E.C. 933) in the matter of *American Gas and Power Company and Birmingham Gas Company* (1938), and was expressly forbidden, as to loans subsequent to those above tabulated, by a supplemental instrument dated October 1, 1938 modifying the Supplemental Debenture Agreement dated July 18, 1935.

(b) By applying treasury debentures against sinking fund requirements on the debentures, thus making available for other purposes up to one third of "available net earnings".

(c) Because of the lag of up to 18 months between receipt of income and the disbursements required pursuant to the plan of reorganization. During 1941 American Gas received cash income of $310,243 in excess of operating expenses, taxes, and fixed interest, constituting its "available net earnings" for the year. Conditional interest was not payable to the trustee out of those earnings until June 30, 1942; sinking fund requirements, and payments on the certificates of indebtedness, were due May 31, 1942.

V

27. Minneapolis Gas Light Company owns and operates in the State of Minnesota facilities used for the manufacture of gas and for the transmission and distribution at retail to the public, through mains, of natural and manufactured gas

for heating, light or power, and is a gas utility company as defined in the Act. It operates in the City of Minneapolis, Minnesota, and suburbs thereof, serving a population of about 543,000.

28. Minneapolis Gas Light Company was incorporated in Delaware on February 6, 1930, as successor to a Minnesota corporation of the same name incorporated in 1870. All of the 44,000 outstanding shares of the predecessor company's common stock had been acquired by American Gas in May 1928 for $13,426,830, over $300 per share. The stock had been purchased by American Commonwealths Power Corporation and the contracts assigned to American Gas. The par value of the stock so acquired was $50 per share; the book value was $60.45 per share.[1]

[1] According to the Federal Trade Commission Hearings on Utility Corporations (Sen. Doc. 92, 70th Congress, First Session) Vol. 51, Pages 266 to 272, 562 to 565, the cost to The United Gas Improvement Company of the 21,218½ shares sold by it to American Gas was less than $10 per share.

29. In 1930 and 1931 American Gas, American Commonwealths Power Corporation and their officers and directors caused Minneapolis Gas Light Company to advance over $2,500,000 to American Gas and Power Company and/or to American Commonwealths Power Corporation.

30. In 1930 and 1931 American Gas, American Commonwealths Power Corporation and their officers and directors caused Minneapolis Gas Light Company to sell to customers and employees worthless stock in American Commonwealths Power Corporation (Delaware) and The American Commonwealths Power Corporation (New Jersey), and to transmit to these companies the proceeds of such sales. Subsequently American Gas and its officers and directors caused Minneapolis Gas Light Company to issue to purchasers of the worthless stock income participation units with a liquidation value of $2,431,127.

31. The capitalization and surplus of Minneapolis Gas Light Company at December 31, 1941, according to its books, was as follows:

Long-Term Debt:			
First mortgage 4% bonds due June 1, 1950		$11,772,000	44.22%
Capital Stock, Income Participation Units and Surplus:			
First preferred cumulative—par value $100 per share:			
$6 Series	$584,100		
$5.50 Series	825,400		
$5.10 Series	402,400		
$5 Series	444,800		
		2,256,700	8.48%
$5 income participation units, liquidation value $100 per unit		1,408,225	5.29%
Common stock, no par value; stated value $50 per share	2,200,000		
Earned surplus, after deducting liquidation value of participation units outstanding (deficit)	(1,328,084)		
		871,916	3.28%
Total		16,308,841	61.27%
Capital surplus arising from appraisals, etc.		10,308,667	38.73%
Total Capitalization and Surplus		26,617,508	100.00%

32. The common stock of Minneapolis Gas Light Company has all of the voting power of the company. All of the 44,000 shares outstanding are owned by American Gas and are pledged with the trustee under the debenture agreement of American Gas as collateral security. American Gas has an option dated February 19, 1930 to subscribe to and purchase any additional shares of common stock issued or offered by Minneapolis Gas Light Company on or before May 1, 1953 at $50 per share, unless a higher price is agreed upon.

33. All series of the preferred stock of Minneapolis Gas Light Company share equally (except as to amount) in the assets and earnings of the company. In involuntary liquidation, each share of preferred stock is entitled to par plus accrued dividends. In voluntary liquidation, each share of the $6 and $5 series is entitled to an additional premium of $5, and each share of the $5.50 and $5.10 series is entitled to an additional premium of $10. The preferred stock has no voting power unless four quarterly dividends are in arrears. Additional series of preferred stock may be issued either by vote of the common stockholders or by vote of the Board of Directors.

34. The holders of income participation units are beneficiaries under the provisions of an indenture dated March 21, 1932 between Minneapolis Gas Light Company and The Minnesota Loan and Trust Company, as depositary and registrar, and First Minneapolis Trust Company, as paying agent and transfer agent. The units were issued as a result of the transactions referred to in paragraph 30 above. They have no stated maturity date, but in the event of the company's dissolution, voluntary or involuntary, are to be redeemed at $100 per unit plus unpaid accruals, before any payments or distributions are made to common stockholders. Before any dividends may be declared or paid on its common stock, Minneapolis Gas Light Company is obligated to make quarterly payments (out of funds available for common stock dividends) in cash, and/or by surrender of participation units at $100 per unit, in the aggregate amount of $218,801 annually. Of each quarterly payment, $1.25 per unit then outstanding must be paid in cash and distributed to the holders of outstanding participation units. The balance may be paid either in cash or by surrender of participation units at $100 per unit, and is applied as a sinking fund for the retirement of the outstanding units. No common stock dividends may be declared or paid on or after July 1, 1950 so long as any participation units remain outstanding.

35. The first mortgage bonds, due June 1, 1950, have no sinking fund requirement.

36. The balance sheet of Minneapolis Gas Light Company at December 31, 1941 states property, plant, and equipment, including intangibles, as follows:

Gross value, as appraised in 1929 and 1930, plus subsequent additions at cost, less retirements	$28,057,253
Reserve for property retirements and replacements	3,174,361
Net book value	24,882,892

The above figures include intangibles of $3,767,391, less possible retirements since August 1, 1929.

37. The recording on the books of Minneapolis Gas Light Company of the 1929 and 1930 appraisals resulted in inflation of net plant account in the amount of $10,317,714, summarized as follows:

Write-ups of property, plant and equipment	$9,018,068
Write-down of reserve for property retirements and replacements	1,299,646
Total inflation from these appraisals	[1] $10,317,714

[1] A net total of $10,317,714 was credited to capital surplus as a result of these appraisals. An additional credit of $953 in connection with the sale of certain real estate, and a charge of $10,000 to reflect the discount on 250 shares of First Preferred $6 Series stock sold to American Gas in 1932, leave a net balance in capital surplus of $10,308,667 at December 31, 1941.

38. The ratio of long-term debt of Minneapolis Gas Light Company to net property after eliminating the 1929 and 1930 write-ups is 80.8%. The ratio of long term debt plus preferred stock to net property so adjusted is 96.3%. The ratio of long term debt plus preferred stock and income participation units to net property so adjusted is 106%.

39. At December 31, 1941 the reserve for property retirements and replacements of Minneapolis Gas Light Company was equal to 11.3% of the book value of its property, plant and equipment.

40. The 1941 provision for retirements and replacements of Minneapolis Gas Light Company was $299,435, constituting 1.07% of gross book value of property, plant and equipment. On its income tax return for 1941 the company claimed $348,171 depreciation.

41. The balance sheet of Minneapolis Gas Light Company at December 31, 1941, states as an investment a certificate of indebtedness of American Gas at a valuation of $1,615,123. This certificate was originally issued in acknowledgment of part of the indebtedness arising out of the transactions referred to in paragraph 29 above. From January 1, 1936, to April 30, 1939, this certificate bore interest at the annual rate of 6%, principal and interest, however, being payable only out of 33⅓% of the available net earnings of American Gas computed, in accordance with its plan of reorganization approved July 2, 1935, after payment of fixed interest on its debentures and certain other deductions. Between January 1, 1936, and April 30, 1939, American Gas made some payments on account of interest due, but no payments on the principal amount of the certificate of indebtedness. As of May 1, 1939, Minneapolis Gas Light Company entered into an agreement with American Gas which provides that the certificate bear no interest for the ten year period beginning that date, and that any payments made by American Gas be applied by Minneapolis Gas Light Company first on account of principal indebtedness, until such principal indebtedness is extinguished, and then on account of accrued and unpaid interest to April 30, 1939, in the order of accrual. That agreement has not been submitted to or approved by this Commission. The unpaid and subordinated interest, in the aggregate amount of $428,914, was credited to income and indirectly to earned surplus during the years when it accrued. Presently the certificate of indebtedness bears no interest, payment of principal as well as income is wholly contingent upon net earnings of American Gas, and earnings of American Gas depend chiefly on dividends paid by Minneapolis Gas Light Company on its common stock. Nevertheless, Minneapolis Gas Light Company states the certificate of indebtedness as an asset at face value plus accrued interest, and has created no reserve to reflect the contingencies affecting the value of the certificate.

42. The City of Minneapolis has the right at the end of any five year period after September 2, 1930, to acquire the property of Minneapolis Gas Light Company then used and useful for the manufacture, distribution and sale of gas within the City upon payment of the value of said property, said value not to include any amount for the value of any right, privilege, franchise or grant from the State of Minnesota or the City of Minneapolis, for good will, or for future profits, and said value is to be determined without regard to the amounts of stocks, bonds and other obligations of Minneapolis Gas Light Company.

43. The following tabulation shows the earnings available for common stock dividends and common stock dividends paid in each of the years 1928–1941, inclusive, and earned surplus at May 31, 1928, and December 31, 1928–1941, inclusive, according to the books of Minneapolis Gas Light Company,[1] before and after deducting participation units outstanding:

[1] This schedule does not show income or surplus of Minneapolis Suburban Gas Company prior to its merger with Minneapolis Gas Light Company in 1935, but dividends paid by the suburban company are included in the income of Minneapolis Gas Light Company.

	Income available for common stock (A)	Common stock dividends paid	Balance	Earned surplus end of year (B)	
				Per books	Per books less participation units outstanding
May 31, 1928 surplus at acquisition				$518,943	$518,943
1928	$365,366	$176,000	$89,395	607,564	607,564
1929	357,241	352,000	5,241	614,748	614,748
1930	515,884	1,173,333	(657,449)	(53,941)	(53,941)
1931	908,372	645,333	263,039	245,276	245,276
1932	750,723	777,333	(26,610)	190,531	(2,235,790)
1933	495,112	484,000	11,112	201,221	(2,220,654)
1934	292,877	440,000	(47,123)	125,280	(2,305,747) (C)
1935	424,915	462,000	(37,085)	216,384	(2,051,302)
1936	426,310	440,000	(13,690)	173,595	(1,995,439)
1937	541,101	583,000	(41,899)	166,254	(1,874,970)
1938	604,885	528,000	76,885	261,955	(1,679,329)
1939	589,722	484,000	105,722	388,764	(1,442,125)
1940	635,346	605,000	30,346	415,114	(1,303,734)
1941	452,932	495,000	(42,068)	276,089	(1,328,084)
	7,360,815	7,644,999	(284,184)		

(A) "Income Available for Common Stock" is computed after deducting annual income and sinking fund requirements on Participation Units.
(B) Included in the income and earned surplus for 1932 and subsequent years is accrued and unpaid interest on Certificates of Indebtedness owned by American Gas and Power Company, which amounted to $428,914 at December 31 1939, 1940 and 1941. No payments of such interest have been or are being made, as stated in paragraph 41 above.
(C) Assuming that 24,311-27/100 participation units outstanding at October 1, 1934 were still outstanding at December 31, 1934.
( ) Indicates red figures.

44. The following tabulation shows the annual provision for replacements and retirements per the books of Minneapolis Gas Light Company (including Minneapolis Suburban Gas Company) and annual depreciation claimed for income tax purposes, for each of the years 1932–1941, inclusive:

	Per books	For income tax purposes	Excess for tax purposes
1932	$200,000	$410,000	$210,000
1933	200,000	410,000	210,000
1934	200,000	419,183	219,183
1935	227,485	424,756	197,271
1936	243,088	430,661	187,573
1937	247,878	440,436	19,558
1938	256,648	453,008	196,360
1939	207,781	466,303	198,522
1940	284,810	481,631	196,821
1941	299,435	348,171	48,736
	2,427,125	4,284,149	1,857,024

VI

45. Birmingham Gas Company owns and operates in the State of Alabama facilities used for the purchase at wholesale and for the transmission and distribution at retail to the public, through mains, of natural and manufactured gas for heating, light, or power, and is a gas utility company as defined in the Act. It operates in the city of Birmingham, Alabama and certain adjacent communities, serving a population of about 460,000.

46. The capitalization and surplus of Birmingham Gas Company at December 31, 1941, according to its books, was as follows:

Long-Term Debt:			
First Mortgage 3¾% Bonds due April 1, 1971		$5,850,000	Percent 68.02
Capital Stock and Surplus:			
$3.50 Cumulative Prior Preferred, par value $50 per share (entitled to $70 per share upon call or voluntary liquidation), outstanding 28,952.7 shares		1,447,635	16.83
Common stock, par value $2 per share, outstanding 227,548.1 shares		455,096	5.29
Paid-in surplus		181,795	2.12
Earned surplus (from Jan. 1, 1939)		665,873	7.74
Total Capital Stock and Surplus		2,750,399	31.96
Total Capitalization and Surplus		8,600,399	100.00

47. The common stock of Birmingham Gas Company has all of the voting power of the company, except that the preferred stockholders as a class elect two of the seven directors of the company.[1] 142,955 shares, constituting 62.82% of the total outstanding, are owned by American Gas. 139,995 of said shares are

[1] The Commission's files do not disclose action by the company, pursuant to its plan of recapitalization dated February 17, 1939 (see *American Gas and Power Company and Birmingham Gas Company*, 3 S.E.C. 911, 933 (1938), to provide that the preferred stockholders have the right as a class to elect four out of seven directors in the event of three successive quarterly defaults, or any four quarterly defaults, in the payment of preferred dividends.

pledged with the trustee under the debenture agreement of American Gas as collateral security.

48. Annual sinking fund payments on the first mortgage bonds are to be made as follows:

On or before March 31, 1942 to 1946, inclusive, $70,000.
On or before March 31, 1947 to 1951, inclusive, $80,000.
On or before March 31, 1952 to 1961, inclusive, $90,000.
On or before March 31, 1962 to 1971, inclusive, $160,000.

In lieu of said cash payments, Birmingham Gas Company may deliver bonds, to the trustee, or, for the years 1942 and 1943, submit evidence of certain property additions.

49. The balance sheet of Birmingham Gas Company at December 31, 1941 states property, plant and equipment, including intangibles, as follows:

Gross Book Value	$11,015,069
Reserve for Property Retirements and Replacements	1,440,571
Net Book Value	9,574,498

The above figures include $1,085,625 of utility plant acquisition adjustments (reduced from $6,459,528 pursuant to recapitalization effected in 1939) and organization expenses and franchises of $153,056. The reclassification of the company's accounts has been submitted to, but not passed on by, the Alabama Public Service Commission.

50. At December 31, 1941, the ratio of long-term debt of Birmingham Gas Company to net book value of property, plant and equipment was 61.1%. The ratio of long-term debt plus preferred stock to net property was 76.2%.

51. At December 31, 1941, the reserve for property retirements and replacements of Birmingham Gas Company was equal to 13.08% of the gross book value of its property, plant and equipment.

52. The 1941 provision for retirements and replacements of Birmingham Gas Company was $194,908, constituting 1.77% of the gross book value of its property, plant and equipment. On its income tax return for 1941, the company claimed $277,866 depreciation.

53. The following tabulation shows income available for common stock dividends, common stock dividends paid, and earned surplus at December 31 for each of the years 1935–1941, inclusive, according to the books of Birmingham Gas Company:

	Income available for common dividends	Common dividends paid	Balance	Balance in earned surplus end of year
1935				$(201,274)
1936				(195,547)
1937				(50,834)
1938				*129,209
1939	$164,171		$164,171	**221,501
1940	210,384		210,384	**428,828
1941	298,010	$36,887	242,123	**665,573
	673,765	56,887	616,878	

*The write-down of property, plant and equipment in 1939 (see paragraph 49 above) was effected in part by charging $129,209 to earned surplus as of December 31, 1938.
**Surplus since January 1, 1939.
($) Indicates red figures.

Prior to effective date of Plan of Recapitalization dated February 17, 1939, no earnings were available for common dividends because of preferred stock dividend arrearage.

VII

54. Savannah Gas Company owns and operates in the State of Georgia facilities used for the manufacture, transmission, and distribution at retail to the public, through mains, of manufactured gas for heat, light or power, and is a gas utility company as defined in the Act. It does business in the City of Savannah and the town of Thunderbolt, Georgia, a suburb of Savannah, serving a population of about 96,000.

55. The capitalization and surplus of Savannah Gas Company at December 31, 1941, according to its books, was as follows:

		Percent
Long-Term Debt:		
First mortgage 3¾% bonds due Jan. 1, 1966	$1,000,000	35.14
Serial notes, 3½% and 4% due Jan. 1, 1943, to Jan. 1, 1951	355,000	12.47
Total Long-Term Debt	1,355,000	47.61
Capital Stock and Surplus:		
Common stock, par value $25 per share	1,400,000	49.20
Earned surplus	90,700	3.19
Total Capital Stock and Surplus	1,490,700	52.39
Total Capitalization and Surplus	2,845,700	100.00

56. The common stock of Savannah Gas Company has all of the voting power of the company. All of the 56,000 shares authorized are outstanding and owned by American Gas, and except for directors' qualifying shares are pledged with the trustee under the debenture agreement of American Gas as collateral security. The five directors' qualifying shares are subject to options held by said trustee.

57. The first mortgage 3¾% bonds, in the principal amount of $1,000,000, and serial notes in the principal amount of $400,000 were issued and sold in January and February, 1941, and the proceeds were used to redeem the following securities of the company:

The company's outstanding first mortgage 5% bonds, principal amount $327,000, at 105	$343,350
The company's outstanding first mortgage 4½% bonds, principal amount $535,000, at 107	572,450
The company's outstanding 7% cumulative preferred stock $25 par value at $30 per share	480,870

Of the serial notes so isued, $30,000 principal amount matured January 1, 1942. $30,000 principal amount will mature January 1, 1943; $35,000, January 1, 1944 and 1945; $40,000, January 1, 1946 and 1947; $45,000, January 1, 1948 and 1949; and $50,000, January 1, 1950 and 1951. The notes maturing on or before January 1, 1947 bear interest at 3½%; the notes maturing January 1, 1948 and subsequently bear interest at 4%. The notes are redeemable at the option of the company, in inverse order of maturity, at principal amount, accrued interest and premiums up to 5% depending upon the date of redemption. Beginning in 1952, after the serial notes have all become due, a sinking fund of $20,000 annually will apply on the outstanding first mortgage bonds.

58. On December 31, 1939, as of January 1, 1938, the company reclassified its property, plant and equipment accounts pursuant to the reclassification approved by the Georgia Public Service Commission. A total of $769,902 was then classified as Gas Plant Adjustments (Account No. 107), and remained in that account at December 31, 1941. The balance of the company's property, plant and equipment purports to be stated at cost.

59. The balance sheet of Savannah Gas Company at December 31, 1941, states property, plant and equipment as follows:

	Including gas plant adjustments	Excluding gas plant adjustments
Gross book value	$3,246,689	$2,476,787
Reserve for property retirements and replacements	595,127	595,127
Net book value	2,651,562	1,881,660

60. At December 31, 1941, the ratio of long-term debt of Savannah Gas Company to net book value of property, plant and equipment, after eliminating the amount in Account No. 107, was 72.01%.

61. At December 31, 1941 the reserve for property retirements and replacements of Savannah Gas Company was equal to 24.03% of the gross book value of its property, plant and equipment, after eliminating the items in Account No. 107.

62. The 1941 provision for retirements and replacements of Savannah Gas Company was $45,351, constituting 1.83% of the gross book value of its property, plant and equipment, after eliminating the items in Account No. 107. In its income tax return for 1941, the company claimed $81,996 depreciation.

63. The following tabulation shows income available for common stock dividends, common stock dividends paid, and earned surplus at December 31 for each of the years 1935–1941, inclusive, according to the books of Savannah Gas Company:

	Income available for common dividends	Common dividends paid	Balance	Earned surplus end of year
1935	$39,139	$14,000	$25,139	$31,938
1936	82,850	70,000	12,850	85,356
1937	96,521	70,000	26,521	82,911
1938	113,075	119,000	(5,925)	80,677
1939	123,653	133,000	(9,347)	73,863
1940	114,091	126,000	(11,909)	61,563
1941	114,147	84,000	30,147	90,709
	683,416	616,000	67,416	

() Indicates red figures.

VIII

64. Jacksonville Gas Company owns and operates in the State of Florida facilities used for the manufacture, transmission, and distribution at retail to the public, through mains, of manufactured gas for heat, light or power, and is a gas utility company as defined in the Act. It operates in the Cities of Jacksonville and South Jacksonville, Florida, and certain of the environs thereof, serving a population of about 173,000.

65. Jacksonville Gas Company has submitted and the Commission has approved a plan pursuant to section 11 (e) of the Act under which the presently outstanding stock of the company, including the 50% thereof held by American Gas, would be eliminated.[1] American Gas has admitted that its stock represents no equity and has consented to the plan. The Commission has applied to the United States District Court for the Southern District of Florida for enforcement of the plan, and although objections to the plan have been urged before the Court, no one has challenged the elimination of the interest of American Gas in the stock of Jacksonville Gas Company.

IX

66. St. Augustine Gas Company owns and operates in the State of Florida facilities used for the manufacture, transmission, and distribution at retail to the public, through mains of manufactured gas for heat, light or power, and is a gas utility company as defined in the Act. It operates in the City of St. Augustine, Florida, serving a population of about 12,000.

67. The capitalization and surplus of St. Augustine Gas Company at December 31, 1941, according to its books, was as follows:

		Per cent
Long Term Debt:		
First mortgage 4½% bonds due July 1, 1965	$120,000	25.86
Capital Stock and Surplus:		
Common stock 2,771 shares, par value $100 per share	277,100	59.73
Earned Surplus	66,865	14.41
Total Capital Stock and Surplus	343,965	74.14
Total Capitalization and Surplus	463,965	100.00

68. The common stock of St. Augustine Gas Company has all of the voting power of the company. All of the shares outstanding are owned by American Gas and except for directors' qualifying shares are pledged with the trustee under the debenture agreement of American Gas as collateral security. The 3 directors' qualifying shares are subject to options held by said trustee.

69. The following tabulation shows income available for common stock dividends, common stock dividends paid, and earned surplus at December 31 for each of the years 1935–1941 inclusive, according to the books of St. Augustine Gas Company:

	Income available for common dividends	Common dividends paid	Balance	Balance in earned surplus end of year
1935	$10,653		$10,653	$48,158
1936	15,623	$16,250	(627)	47,577
1937	13,635	10,000	3,635	52,122
1938	14,745	10,000	4,745	56,866
1939	15,858	10,000	5,858	61,827
1940	16,278	2,500	13,778	64,548
1941	13,401	11,084	2,317	66,865
	100,193	59,834	40,359	

( ) Indicates red figure.

X

70. Lowell Gas Light Company owns and operates in the State of Massachusetts facilities used for the manufacture, transmission, and distribution at retail to the public, through the mains, of manufactured gas for heat, light, or power, and is a gas utility company as definied in the Act. It operates in the town of Lowell, Massachusetts, and in eight neighboring towns, serving a population of about 140,000.

71. Lowell Gas Light Company was incorporated in Massachusetts on May 2, 1849. In 1929, as stated in paragraph 9 above, American Commonwealths Power Associates, a Massachusetts trust wholly owned, financed and controlled by American Commonwealths Power Corporation and American Gas, acquired 58,861.6 shares (96 55%) of the common stock of Lowell Gas Light Company.

72. In 1930 and 1931 American Commonwealths Power Associates held substantially no assets other than 58,861.6 shares of common stock of Lowell Gas Light Company (par value $1,471,540; market value according to bids quoted at December 31, 1930, and December 31, 1931, $2,943,080), and owed $5,910,000 principal amount of notes to American Gas. During those years American Commonwealths Power Associates, American Gas, American Commonwealths Power Corporation, and their officers, trustees and directors, caused Lowell Gas Light Company to borrow $1,500,000 on 3% notes due June 15, 1932, and to advance over $1,500,000 to American Commonwealths Power Associates.

73. In 1930 and 1931 American Commonwealths Power Associates, American Gas, American Commonwealths Power Corporation, and their officers, trustees and directors, caused Lowell Gas Light Company to sell to customers and employees worthless stock in American Commonwealths Power Corporation (Del.) and The American Commonwealths Power Corporation (N. J.) and to transmit to those companies the proceeds of such sales. Subsequently American Commonwealths Power Associates, American Gas and their officers, trustees and directors caused Lowell Gas Light Company to issue to purchasers of the worthless stock serial non-interest bearing obligations in the principal amount of $323,287.

74. In January 1932 A. E. Fitkin acquired from the receivers of American Commonwealths Power Corporation all of the outstanding common stock, and certain other securities, of American Gas, and all of the outstanding shares of beneficial interest in American Commonwealths Power Associates.

75. At or about the maturity of its 3% notes, due in the principal amount of $1,500,000 on June 15, 1932, Lowell Gas Light Company offered in exchange therefor $1,500,000 principal amount of 5% notes. This exchange, however, was not consummated. Early in 1933 Lowell Gas Light Company issued $950,000 principal amount of 5½% first mortgage bonds dated September 1, 1932, and $549,000 principal amount of 6% gold notes dated January 1, 1933. The holders of each $5,000 principal amount of old notes received $3,170 cash out of the proceeds of the sale of the first mortgage bonds, $1,830 principal amount of 6% notes, interest at 3% on the old notes to June 15, 1932, and at 6% from June 15, 1932, to the date of adjustment, less accrued interest on the new notes. The 6% notes have been paid by Lowell Gas Light Company, and the 5½% first mortgage bonds were refunded in 1936 by the issuance of the same principal amount of 4½% first mortgage bonds.

76. At June 30, 1935, the amounts owing by American Commonwealths Power Associates to Lowell Gas Light Company were stated on the books of Lowell Gas Light Company at $1,203,989, having been reduced to that figure by the declaration of dividends on the common stock of Lowell Gas Light Company and the crediting of part of such dividends against amounts owing from American Commonwealths Power Associates. As of that date, Lowell Gas Light Company wrote down the amounts owing to it from American Commonwealths Power Associates to $195,000, and cancelled the balance of $1,008,989. Thereafter the remaining obligation of the trust to Lowell Gas Light Company was eliminated by the declaration of dividends on the common stock of Lowell Gas Light Company and the crediting of part of such dividends against the amounts owing from the trust.

77. On December 1, 1936, the name of American Commonwealths Power Associates was changed to American Utilities Associates.

78. The balance sheet of American Utilities Associates at December 31, 1941, according to its books was as follows:

[1] See Holding Company Act Releases Nos. 3570 and 3572 (1942).

ASSETS

Investment in Subsidiary Company:		
Lowell Gas Light Company:		
Common Stock—58,861.6 shares	$5,328,778.53	
Serial Non-Int. Bearing Obligations	1,997.81	
		$5,330,776.34
Organization Expense		7,733.53
Current Asset—Cash in Bank		4,379.20
Total Assets		5,342,889.07

LIABILITIES AND CAPITAL

Notes and Accounts Payable to American Gas (Including Accrued Interest thereon)		9,325,989.19
Current Liability—Accounts Payable		3,734.96
Capital Stock and Surplus:		
Capital Stock, par value $1 per share; Authorized, Issued and Outstanding 20,000 shares	$20,000.00	
Deficit	4,006,835.08	
		3,986,835.08
Total Liabilities and Capital		5,342,889.07

79. In 1941 American Utilities Associates received dividends on the common stock of Lowell Gas Light Company in the amount of $58,861.60 and paid to American Gas $56,000 interest, out of $354,600 of such interest accrued for the year.

80. The capitalization and surplus of Lowell Gas Light Company at December 31, 1941, according to its books, was as follows:

		Percent
Long-Term Debt:		
First mortgage 4½% bonds due March 1, 1966	$950,000	32.65
Serial Non-Interest Bearing Obligations (not reflected on the published balance sheet)	210,136	7.22
Capital Stock and Surplus:		
Common stock, 60,962 shares, par value $25 per share	1,524,050	52.37
Earned surplus (after reflecting the serial obligations)	225,763	7.76
Total Capital Stock and Surplus	1,749,813	60.13
Total Capitalization and Surplus	2,909,949	100.00

81. The common stock of Lowell Gas Light Company has all of the voting power of the company. American Utilities Associates owns 58,861.6 shares, constituting 96.55% of the total outstanding. 58,199 of those shares, constituting 95.47% of the total outstanding, are pledged by American Utilities Associates with American Gas as collateral security for $4,950,000 of the $5,910,000 principal amount of notes payable to American Gas. American Gas has pledged the $4,950,000 principal amount notes of American Utilities Associates and the 58,199 shares of common stock of Lowell Gas Light Company, with the trustee under its debenture agreement as collateral security. By virtue of these security holdings and pledges, and through common officers, trustees and directors, American Gas controls American Utilities Associates and Lowell Gas Light Company.

82. The serial non-interest bearing obligations of Lowell Gas Light Company were issued during and subsequent to 1934 in the principal amount of $323,287 to customers and employees of the company who had purchased, through the company or through its officers or employees, preferred stock of American Commonwealths Power Corporation (Del.) and of The American Commonwealths Power Corporation (N. J.) The resolution of the directors pursuant to which said serial obligations were issued provided that they be issued without the use of the mails, and only to residents of Massachusetts, and that the recipients execute and deliver to the company releases satisfactory to the company. They provide for payments only out of the net earnings of Lowell Gas Light Company available for dividends, and only in years in which in the judgment of the board of directors there are net earnings available; payments are to be made in annual instalments beginning in the year 1934 of not in excess of 5% of the principal amount of the obligations, without interest.

83. The first mortgage bonds were issued in the principal amount of $950,000 under date of March 1, 1966, and the proceeds used to redeem the same principal amount of 5½% first mortgage bonds due September 1, 1947. There are no sinking fund requirements.

84. The balance sheet of Lowell Gas Light Company at December 31, 1941, states property, plant and equipment as follows:

Gross Book Value	$3,703,880
Reserve for Property Retirements and Replacements	747,763
Net Book Value	2,956,117

85. At December 31, 1941, the ratio of long term debt of Lowell Gas Light Company to net book value of property, plant and equipment was 32.14%.

86. At December 31, 1941, the reserve for property retirements and replacements of Lowell Gas Light Company was equal to 20.19% of the gross book value of its property, plant and equipment.

87. The 1941 provision for retirements and replacements of Lowell Gas Light Company was $46,743, constituting 1.26% of the gross book value of its property, plant and equipment. In its income tax return for 1941, the company claimed $90,345 depreciation.

88. The following tabulation shows income available for common stock dividends (after payments due on the serial non-interest bearing obligations), common stock dividends paid, and earned surplus at December 31, before and after deducting serial obligations outstanding for each of the years 1929–1941 inclusive, according to the books of Lowell Gas Light Company:

	Income available for common dividends	Common dividends paid	Balance	Earned surplus end of year	
				Per books	Per books less serial obligations outstanding
	$287,298	$182,886	$104,412	$623,678	$623,678
1929	263,222	182,886	80,336	703,451	703,451
1930	333,443	198,127	135,316	828,153	828,153
1931	264,217	60,962	203,255	1,068,216	1,068,216
1932	187,519	289,570	(102,051)	964,673	568,857
1933	71,022	137,165	(66,143)	880,079	*272,650
1934	71,768	152,405	(80,637)	569,496	291,676
1935	55,463		55,463	574,578	230,139
1936	54,167	121,924	(67,757)	504,036	165,692
1937	55,478	30,481	24,997	424,321	215,412
1938	95,911	60,962	34,949	457,877	194,020
1939	77,810	106,684	(29,374)	420,321	225,763
1940	72,064	60,962	11,102	435,899	
1941	1,888,882	1,585,014	303,868		

*Non-Interest Bearing Obligations outstanding at September 30, 1935, deducted because amount outstanding at December 31 is unknown.
( ) Indicates red figures.

XI

89. Bangor Gas Company owns and operates in the State of Maine facilities used for the manufacture, transmission and distribution at retail to the public, through mains, of manufactured gas for heat, light or power, and is a gas utility company as defined in the Act. It operates in the City of Bangor, Maine, and four neighboring communities, serving a population of about 48,500.

90. The capitalization and surplus of Bangor Gas Company at December 31, 1941, according to its books, was as follows:

Long-term debt:		
First mortgage 4% bonds due October 1, 1971	$300,000	30.43%
Capital stock and Surplus:		
Common stock, 6,000 shares, par value $100 per share	600,000	60.86%
Earned surplus	85,807	8.71%
Total capital stock and surplus	685,807	69.57%
Total capitalization and surplus	985,807	100.00%

91. The common stock of Bangor Gas Company has all of the voting power of the company. All of the 6,000 shares authorized are outstanding and owned by American Gas, and except for directors' qualifying shares are pledged with the trustee under the debenture agreement of American Gas as collateral security. The five directors' qualifying shares are subject to options held by said trustee.

92. The following tabulation shows income available for common stock dividends, common stock dividends paid, and earned surplus at December 31 for each of the years 1935–1941 inclusive, according to the books of Bangor Gas Company:

	Income available for common dividends	Common dividends paid	Balance	Balance in earned surplus end of year
1935	$894		$894	$84,423
1936	5,818	$9,000	(3,182)	77,311
1937	(1,885)		(1,885)	62,743
1938	8,610		8,610	70,008
1939	12,194		12,194	65,666
1940	9,873		9,873	75,539
1941	10,268		10,268	85,807
	45,772	9,000	36,772	

Above amounts include Penobscot Valley Gas Corporation which was merged with Bangor Gas Light Company in 1941 to form the present company.
( ) Indicates red figures.

XII

93. Public Utilities Management Corporation was incorporated in New York on October 25, 1935 to render financial, management and other services to Community, American Gas and their subsidiary companies. Up to that time, such services had been rendered by American Gas under contracts providing for fees based upon the gross revenues of the subsidiary companies served. The difference between such fees and the cost of such services was retained as profit for the holding company.

94. From January 1, 1932 through November 30, 1935 American Gas received from its subsidiary companies fees for services as follows: 1932, $220,477; 1933, $226,975; 1934, $223,139; 1935 (11 mos.), $168,320.

95. As of November 30, 1935, American Gas assigned its management contracts with subsidiary companies to Public Utilities Management Corporation. All of the stock of Public Utilities Management Corporation was held by subsidiary operating companies of American Gas, and the difference between the fees charged and the cost of services was returned to the operating companies as dividends.

96. On April 30, 1938, Public Utilities Management Corporation applied to the Commission for approval as a mutual service company. During the proceedings on said application, Public Utilities Management Corporation revised its service contracts as of April 1, 1938, to provide for charges on the basis of cost instead of fixed fees. By order entered November 19, 1938, the Commission approved Public Utilities Management Corporation as a mutual service company under section 13 of the Act, subject to certain conditions, including future scrutiny of its operations.[1]

97. During the years 1937 through 1941 Public Utilities Management Corporation received fees for services as follows:

Year	Gross fees	Dividends paid	Net fees
1937	$183,540	$63,000	$120,540
1938	156,398	30,000	126,398
1939	159,315	65,250	94,065
1940	150,902		150,902
1941	138,201		138,201

98. The balance sheet of Public Utilities Management Corporation at December 31, 1941, according to its books, was as follows:

[1] Public Utilities Management Corporation, 4 S.E.C. 45 (1938).

ASSETS

Office equipment		$9,498
Current assets:		
Cash	$12,992	
Accounts receivable	11,560	
		24,552
Prepaid franchise tax		1,174
Total assets		35,224

LIABILITIES AND CAPITAL

Current liabilities:		
Accrued taxes		407
Reserve for depreciation of office equipment		3,674
Capital stock and surplus:		
Common stock, 3,000 shares, par value $1 per share	3,000	
Capital surplus—paid in	27,000	
Earned surplus	1,143	
		31,143
Total liabilities and capital		35,224

99. At December 31, 1941, the capital stock of Public Utilities Management Corporation was wholly owned by the operating subsidiary companies of Community and American Gas as follows:

Name of holder	Number of shares	Percentage of total
Minneapolis Gas Light Company	1,643	54.8
Birmingham Gas Company	677	22.6
Savannah Gas Company	168	5.6
Jacksonville Gas Company	[1] 190	6.3
St. Augustine Gas Company	27	.9
Lowell Gas Light Company	244	8.1
Bangor Gas Company	51	1.7
	3,000	100.0

[1] Under the plan referred to in paragraph 65 above Public Utilities Management Corporation would repurchase these shares for $1,900, their cost to Jacksonville Gas Company.

100. The income of Public Utilities Management Corporation for the year 1941, according to its books, was as follows:

Income:		
Service charges to associate companies		$138,201
Service charges to other companies		1,453
Total		139,654
Expenses and taxes		139,552
Net income		102

101. In 1941 service charges were paid to Public Utilities Management Corporation by associate companies as follows:

	Direct charges	Apportioned charges	Total charges	Percentage
Community Gas and Power Company	$151	$41	$192	.1
American Gas and Power Company	4,929	4,240	9,169	6.6
Minneapolis Gas Light Company	19,900	38,531	58,431	42.3
Birmingham Gas Company	13,823	18,362	32,185	23.3
Savannah Gas Company	5,363	4,337	9,700	7.0
Jacksonville Gas Company	6,744	5,333	12,077	8.8
St. Augustine Gas Company	849	659	1,508	1.1
American Utilities Associates				
Lowell Gas Light Company	5,018	5,750	10,768	7.8
Bangor Gas Company (including Penobscot Valley Gas Corp.)	2,567	1,604	4,171	3.0
Total	59,344	78,857	138,201	100.0
Percentage	42.9%	57.1%	100%	

	St. Augustine Gas Company	American Utilities Associates	Bangor Gas Company
Property plant and equipment (per books)	$187,616	*37,724	$1,288,961
Less:			
Reserve for property retirements and replacements	53,700		333,212
Contributions in aid of construction			413
Total deductions	53,700		333,625
Net property	433,856	7,731	955,336
Investments (principally affiliated companies)	270	#1,691,506	510
Net current assets	23,197	v 644	6,047
Net deferred and prepaid items	6,642		21,914
Reserves (other than property retirements)			
Net assets	463,965	1,699,884	983,807
Long term debt (in hands of public)	120,000		300,000
Balance for common stock	343,965		685,807
Minority interest			
Equity for American Gas	343,965	1,699,884	685,807
Carrying value of investment on books of American Gas	277,100	2,099,650	888,045
Excess of equity over carrying value	$66,865	$(399,766)	$97,762

*Organization Expense.

#Underlying book value of 99.55% of common stock of Lowell Gas Light Company held by American Utilities Associates is $1,699,506 after deducting outstanding "Non-Interest Bearing Obligations." Carrying value of American Utilities Associates investment in "Non-Interest Bearing Obligations" is $1,998.

( ) Red figure.

Annexed hereto, marked Exhibit B, and made a part hereof as if here set forth in full, are condensed balance sheets (not adjusted) at December 31, 1941, of Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, St. Augustine Gas Company, Lowell Gas Light Company and Bangor Gas Company. A balance sheet at December 31, 1941, of American Utilities Associates is included in paragraph 78 above.

106. The following tabulation shows the equities available for security holders of American Gas, stating investments on the basis of adjusted underlying book values according to paragraph 105 above:

Investments:			
Common Stocks:			
Minneapolis Gas Light Company	(100%)	$862,668	
Birmingham Gas Company	(62.82%)	816,450	
Savannah Gas Company	(100%)	720,799	
St. Augustine Gas Company	(100%)	343,965	
Bangor Gas Company	(100%)	685,807	
Jacksonville Gas Company	(50%)	----------	
			$3,431,689
Notes Receivable:			
American Utilities Associates		1,699,884	
Total Investments			$5,131,773
Special Deposits			373
Net Current Assets:			
Current Assets		$14,170	
Current and Accrued Liabilities		147,215	
			(133,045)
Prepayments			33
Net Assets			4,999,134
Secured Debentures:			
5% Series		6,114,500	
6% Series		4,213,500	
Accumulated Conditional Interest Accrued		1,459,205	
			11,787,206
Equity for Certificates of Indebtedness			(6,788,072)
Certificates of Indebtedness (including accrued interest):			
Minneapolis Gas Light Company		1,615,123	
Jacksonville Gas Company		67,651	
			1,682,774
Equity for Common Stock			(8,470,846)

NOTE. If net "Unamortized Debt Discount and Expense" after deducting "Premium on Debt" and after deducting the minority interest (Birmingham Gas Company $21,522; Lowell Gas Light Company $345), were eliminated from the above "Investments" the total Net Assets would be reduced in the amount of $956,105 to $4,043,029.

( ) Indicates red figures.

102. In the proceedings on its application for approval as a mutual service corporation (see 4 S.E.C. 45, at page 47) Public Utilities Management Corporation estimated that 70 to 80 per cent of its salaries would be allocated on a direct charge basis.

103. In 1941 the officers and directors of Community and American Gas received total compensation from system companies (not including some directors' fees of $10 or $20 per meeting) of $107,915. Of that amount $63,365 was paid by Public Utilities Management Corporation, $34,250 by Minneapolis Gas Light Company, $1,000 by Savanah Gas Company, nothing by Community, and only $9,300 by American Gas.

104. In 1941 Public Utilities Management Corporation paid a total of $104,716 to its officers, directors and other employees. Of that amount, $69,900 was paid to eight officers and directors, and $34,816 to fourteen other employees. Of the 69,900 paid to officers and directors, $63,365 was paid to six men who were also officers or directors, or both, of Community and American Gas.

XIII

105. The following tabulation shows the equity of American Gas in its subsidiary companies other than Jacksonville Gas Company at December 31, 1941, according to the book values of the assets of subsidiary companies, with adjustments as indicated:

	Minneapolis Gas Light Company	Birmingham Gas Company	Savannah Gas Company
Property plant and equipment (per books)	$28,057,253	$11,015,069	$3,248,089
Less: Appraisal revaluations	10,317,714		
Account 107 gas plant adjustments			709,902
Reserve for retirements and replacements	3,174,261	1,449,571	860,127
Contributions in aid of construction	118,316	615,533	3,563
Total deductions	13,609,291	2,065,224	1,573,592
Net property	14,451,962	8,955,845	1,675,077
Investments (principally affiliated companies)	1,691,506*	(139,220)	66,000
Net current assets	(726,780)	(188,272)	32,546
Net deferred and prepaid items	943,171	(85,750)	183,496
Reserves (other than property retirements)		(90,343)	
Net assets	16,360,793	8,493,400	2,075,799
Long term debt (in hands of public)	11,772,000	8,850,000	1,355,000
Equity for preferred stock	4,527,793	2,760,400	
Less involuntary liquidating value of preferred stock	2,255,700	1,447,033	
Equity for participation units	2,271,093		
Less liquidating value of participation units	1,408,225		
Balance for common stock	862,868	1,302,783	720,799
Minority interest		484,315	
Equity for American Gas	862,868	818,480	720,799
Carrying value of investment on books of American Gas	11,000,000	294,493	1,400,000
Excess of equity over carrying value	($10,137,132)	$538,987	($679,201)

*Includes certificate of indebtedness owed by American Gas to Minneapolis Gas Light Company in the amount of $1,615,123, including accrued interest.

( ) Red figures.

It appearing to the Commission, in the light of the foregoing, that it is appropriate in the public interest, and in the interest of investors and consumers, to institute proceedings against Community Gas and Power Company, American Gas and Power Company, and their subsidiary companies, under sections 11 (b) (1), (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Public Utility Holding Company Act of 1935, to determine whether certain orders should be entered pursuant to the provisions of said sections, and

It further appearing to the Commission that the holding-company system of Community Gas and Power Company and American Gas and Power Company is not confined in its operations to those of a single integrated public-utility system within the meaning of the Act, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public utility system:

It is hereby ordered, That Community Gas and Power Company and American Gas and Power Company and each of their subsidiary companies above named, all respondents herein, file with the Secretary of the Commission on or before the 20th day of October, 1942, answers to the allegations of paragraphs 1 to 106 inclusive hereof, in the form prescribed by Rule U-25. Any such answers may include a statement of the claim of the respondents or any of them as to the action, if any, which is necessary and should be required to be taken by any of the respondents pursuant to the requirements of sections 11 (b) (1) and 11 (b) (2) of the Act, and with particular regard to the questions raised hereinafter in paragraphs A to K inclusive. The answer of any respondent which is a holding company may, if such respondent so desires, state that such respondent proposes and is prepared to take such action as will cause it to cease to be a holding company within the meaning of the Act, together with a description of such action and the time within which it proposes to take such action.

It is further ordered, That a hearing on such matters, under the applicable provisions of said Act, and the rules of the Commission thereunder, be held on October 27, 1942, at 10 A. M., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That particular attention will be directed at said hearing to the following matters and questions:

a. Whether the allegations set forth in paragraphs 1 to 106, inclusive, hereof are true and accurate.

b. What action, if any, is necessary and shall be required to be taken by the respondents herein, or any of them, to limit the operations of the holding-company system of Community Gas and Power Company and American Gas and Power Company to a single integrated public-utility system, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operation of such integrated public-utility system.

c. Pursuant to such application as may be made herein, the extent to which each of the registered holding companies hereinbefore named shall be permitted to continue to control one or more additional integrated public-utility systems as provided by section 11 (b) (1) of the Act.

d. Pursuant to such application as may be made herein, the extent to which any of the respondents shall be permitted to retain any interest in any business (other than that of a public-utility company as such) as provided by section 11 (b) (1) of the Act.

e. Whether the corporate structure or continued existence of Community Gas and Power Company, American Gas and Power Company and American Utilities Associates, or any of them unduly or unnecessarily complicates the structure, or unfairly or inequitably distributes voting power among security holders, of the holding-company system, and if so, what action shall be required with respect thereto pursuant to section 11 (b) (2) of the Act.

f. What further action, if any, is necessary and shall be required to be taken by Community Gas and Power Company, American Gas and Power Company, American Utilities Associates, and Lowell Gas Light Company, or any of them, in order that Community Gas and Power Company shall cease to be a holding company with respect to a subsidiary company which itself has a subsidiary company which is a holding company.

g. Whether the corporate structure of Minneapolis Gas Light Company unfairly or inequitably distributes voting power among its security holders, and if so, what changes in its corporate structure and other action are necessary or appropriate for the purpose of fairly and equitably distributing voting power among its security holders.

h. Whether it is necessary or appropriate to enter an order pursuant to section 12 (c) and 12 (f) of the Act prohibiting or restricting the payment by the subsidiary companies of Community Gas and Power Company and American Gas and Power Company, or any of them, of dividends on their common stock, or directing appropriate action with respect to debts owed by American Gas and Power Company to any of its subsidiary companies, in order to protect their financial integrity, to safeguard their working capital, to prevent the payment of dividends out of capital or unearned surplus, to prevent the circumvention of the provisions of the Act or of the rules, regulations, or orders thereunder, or otherwise in the public interest or for the protection of investors.

i. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require that Community Gas and Power Company, American Gas and Power Company, and their subsidiary companies, or any of them, restate their respective plant, investment, surplus, capital, and other accounts pursuant to sections 15 (a), 15 (f) and 20 (a) of the Act, and the rules and regulations thereunder, including applicable systems of accounts adopted by the Commission, so as to segregate, dispose of, and eliminate write-ups and intangibles in the plant accounts, set up adequate reserves for retirements and depreciation, and make other adjustments in conformance to the standards of the Act, and the rules and regulations thereunder, including applicable systems of accounts adopted by the Commission.

j. Whether it is necessary or appropriate pursuant to section 13 of the Act to require elimination of interlocking directorates and personnel among Public Utilities Management Corporation, the holding companies, and the utility companies in the holding-company system, and to require prospective or retroactive adjustments, or both, of cost allocations in order to prevent direct or indirect payment by the utility companies of compensation to officers, directors and employees of the holding companies, to prevent direct or indirect payment by the utility companies of other charges for services rendered, directly or indirectly, by the holding companies and to effect a fair and equitable allocation of costs among the holding companies and utility companies; and whether it is necessary or appropriate to require other changes in the organization and conduct of business of Public Utilities Management Corporation in the light of action which may be taken or required under sections 11 (b) (1) and 11 (b) (2) of the Act.

k. Whether further action may be required of Community Gas and Power Company, American Gas and Power Company, and their subsidiary companies, or any of them, in order to effect compliance with the provisions of sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Act.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions hereinbefore set forth or which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That notice of said hearing is hereby given to Community Gas and Power Company, American Gas and Power Company, Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, American Utilities Associates, Lowell Gas Light Company, Bangor Gas Company, and Public Utilities Management Corporation, to their respective security holders and consumers, to all States, municipalities, and public subdivisions of States within which are located any of the physical assets of said companies or under the laws of which any of said companies are incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities, or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over any of such companies or over any of the business, affairs, or operations of any of them; that the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this Order by registered mail to Community Gas and Power Company, American Gas and Power Company, Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, American Utilities Associates, Lowell Gas Light Company, Bangor Gas Company and Public Utilities Management Corporation, the respondents herein, and to the Alabama Public Service Commission, the Georgia Public Service Commission, the Department of Public Utilities of Massachusetts, and the Public Utilities Commission of the State of Maine, and the Cities of Minneapolis, Minnesota, Jacksonville, Florida and St. Augustine, Florida, such mailing to be made not less than twenty days prior to the date herein fixed for the filing of answers; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice shall be given to all persons by publication in the FEDERAL REGISTER not less than twenty days prior to the date hereinbefore fixed for the filing of answers, of a notice as follows:

Notice of Hearing Pursuant to Sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Public Utility Holding Company Act of 1935 with respect to Community Gas and Power Company, American Gas and Power Company and the Subsidiary Companies Thereof (File No. 59-55)

Notice is hereby given that the Securities and Exchange Commission issued an order on September 24, 1942, directing that a hearing pursuant to sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Public Utility Holding Company Act of 1935 be held with respect to Community Gas and Power Company, American Gas and Power Company and their subsidiary companies, namely: Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, American Utilities Associates, Lowell Gas Light Company, Bangor Gas Company and Public Utilities Management Corporation. Said order directs that the hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10 A. M. on October 27, 1942.

Said order recites that the Securities and Exchange Commission has examined the corporate structure of Community Gas and Power Company, a registered holding company, American Gas and Power Company, a registered holding company and their subsidiary companies, the relationships among the companies in the holding-company system of said Community Gas and Power Company and American Gas and Power Company, the character of the interests thereof and the properties owned or controlled thereby, and has examined the files and records of the Commission relating thereto, and that said examination has disclosed data establishing or tending to establish allegations set forth in paragraphs 1 through 106 of said order.

Said order further recites that it appears to the Commission that it is appropriate in the public interest, and in the interest of investors and consumers, to institute proceedings against Community Gas and Power Company, American Gas and Power Company, and their subsidiary companies, under the sections of the Act above set forth, to determine whether certain orders should be entered pursuant to the provisions of said sections, and that the holding-company system of Community Gas and Power Company and American Gas and Power Company is not confined in its operations to those of a single integrated public utility system within the meaning of the Act, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public utility system.

Said order further provides that particular attention will be directed at said hearing to the following matters and questions:

a. Whether the allegations set forth in paragraphs 1 through 106 of said order are true and accurate.

b. What action, if any, is necessary and shall be required to be taken by the respondents herein, or any of them, to limit the operations of the holding-company system of Community Gas and Power Company and American Gas and Power Company to a single integrated public-utility system, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operation of such integrated public-utility system.

c. Pursuant to such application as may be made herein, the extent to which each of the registered holding companies hereinbefore named shall be permitted to continue to control one or more additional integrated public-utility systems as provided by section 11 (b) (1) of the Act.

d. Pursuant to such application as may be made herein, the extent to which any of the respondents shall be permitted to retain any interest in any business (other than that of a public-utility company as such) as provided by section 11 (b) (1) of the Act.

e. Whether the corporate structure or continued existence of Community Gas and Power Company, American Gas and Power Company and American Utilities Associates, or any of them unduly or unnecessarily complicates the structure, or unfairly or inequitably distributes voting power among security holders, of the holding-company system, and if so, what action shall be required with respect thereto pursuant to section 11 (b) (2) of the Act.

f. What further action, if any, is necessary and shall be required to be taken by Community Gas and Power Company, American Gas and Power Company, American Utilities Associates, and Lowell Gas Light Company, or any of them, in order that Community Gas and Power Company shall cease to be a holding company with respect to a subsidiary company which itself has a subsidiary company which is a holding company.

g. Whether the corporate structure of Minneapolis Gas Light Company unfairly or inequitably distributes voting power among its security holders, and if so, what changes in its corporate structure and other action are necessary or appropriate for the purpose of fairly and equitably distributing voting power among its security holders.

h. Whether it is necessary or appropriate to enter an order pursuant to section 12 (c) and 12 (f) of the Act prohibiting or restricting the payment by the subsidiary companies of Community Gas and Power Company and American Gas and Power Company, or any of them, of dividends on their common stock, or directing appropriate action with respect to debts owed by American Gas and Power Company to any of its subsidiary companies, in order to protect their financial integrity, to safeguard their working capital, to prevent the payment of dividends out of capital or unearned surplus, to prevent the circumvention of the provisions of the Act or of the rules, regulations, or orders thereunder, or otherwise in the public interest or for the protection of investors.

i. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require that Community Gas and Power Company, American Gas and Power Company, and their subsidiary companies, or any of them, restate their respective plant, investment, surplus, capital, and other accounts pursuant to sections 15 (a), 15 (f) and 20 (a) of the Act, and the rules and regulations thereunder, including applicable systems of accounts adopted by the Commission, so as to segregate, dispose of, and eliminate write-ups and intangibles in the plant accounts, set up adequate reserves for retirements and depreciation, and make other adjustments in conformance to the standards of the Act, and the rules and regulations thereunder, including applicable systems of accounts adopted by the Commission.

j. Whether it is necessary or appropriate pursuant to section 13 of the Act to require elimination of interlocking directorates and personnel among Public Utilities Management Corporation, the holding companies, and the utility companies in the holding company system, and to require prospective or retroactive adjustments, or both, of cost allocations in order to prevent direct or indirect payment by the utility companies of compensation to officers, directors and employees of the holding companies, to prevent direct or indirect payment by the utility companies of other charges for services rendered, directly or indirectly, by the holding companies and to effect a fair and equitable allocation of costs among the holding companies and utility companies; and whether it is necessary or appropriate to require other changes in the organization and conduct of business of Public Utilities Management Corporation in the light of action which may be taken or required under sections 11 (b) (1) and 11 (b) (2) of the Act.

k. Whether further action may be required of Community Gas and Power Company, American Gas and Power Company, and their subsidiary companies, or any of them, in order to effect compliance with the provisions of sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Act.

Reference is made to said order for a more complete statement of the various matter to be determined at said hearing. A copy of said order is on file and open to public inspection at the offices of the Securities and Exchange Commission at 18th and Locust Streets, Philadelphia, Pennsylvania and in each of the regional offices of the Securities and Exchange Commission, a copy of said order may be had upon written request to the Secretary of the Commission, and said order is hereby made a part of this notice as if here set out in full.

Notice of said hearing is particularly given to Community Gas and Power Company, American Gas and Power Company and each of the subsidiary companies thereof named above, and to all other persons, including the respective security holders and consumers of said companies, to all States, municipalities, and public subdivisions of States within which are located any of the physical assets of said companies or under the laws of which any of said companies are incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities, or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over any of such companies or over any of the business, affairs, or operations of any of them.

Said order further provides that any person proposing to intervene or to be heard in said proceedings shall file with the Secretary of the Securities and Exchange Commission on or before October 20, 1942 his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Securities and Exchange Commission.

By order of the Securities and Exchange Commission this 24th day of September 1942.

[SEAL] ORVAL L. DUBOIS,
Secretary.

It is further ordered, That any person proposing to intervene or to be heard in these proceedings shall file with the Secretary of the Commission on or before October 20, 1942 his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

EXHIBIT A



COMMUNITY GAS AND POWER COMPANY AND AMERICAN GAS AND POWER COMPANY

Map showing location of communities served by subsidiaries, and distances from New York.

1. Minneapolis Gas Light Company
2. Birmingham Gas Company
3. Savannah Gas Company
4. Jacksonville Gas Company
5. St. Augustine Gas Company
6. Lowell Gas Light Company
7. Bangor Gas Company

Figures on lines indicate approximate air line distances from New York City.

EXHIBIT B (2)—Continued

Condensed Balance Sheets at December 31, 1941—Con.

	Birmingham Gas Company	Savannah Gas Company	Birmingham Gas Company	Savannah Gas Company
ASSETS			LIABILITIES AND CAPITAL—Con.	
Property, plant and equipment	$11,015,066	$3,246,689	Deferred credits—Continued.	
Investments (principally F. U. Mgm't. Corp. stock)	6,920	1,080	Other	$164,183
Current assets:			Total deferred credits	450,491
Cash	60,830	7,857	Reserves:	
Other	845,302	156,321	Reserve for retirements and replacements	1,440,571
Total current assets	907,132	164,178	Contributions in aid of construction	615,833
Deferred charges:			Other	93,343
Unamortized debt discount	344,221	160,385	Total reserves	2,149,747
Other	20,590	3,111	Capital stock and surplus:	
Total deferred charges	364,741	163,496	Prior preferred stock—$6.50 series	1,447,638
Total assets	11,993,861	3,576,043	Common stock	181,704
LIABILITIES AND CAPITAL			Capital surplus	665,873
Long term debt	5,850,000	1,355,000	Earned surplus	90,700
Current and accrued liabilities	798,464	131,683	Total capital stock and surplus	2,785,909
Deferred credits			Total liabilities and capital	11,993,861
Unamortized premium on debt	286,328			

EXHIBIT B (3)

Condensed Balance Sheets at December 31, 1941

ASSETS	St. Augustine Gas Company	Lowell Gas Light Company	Bangor Gas Company
Property plant and equipment (including intangibles)	$497,616	$3,709,980	$1,298,961
Investments (Public Utilities Management Corporation stock)	270	2,440	810
Current assets:			
Cash	13,845	4,612	7,303
Other	24,251	270,815	81,390
Total current assets	38,096	277,430	88,709
Special deposits		20,439	
Long term charges—coal heater contracts receivable	4,685	10,009	16,490
Deferred charges:			
Unamortized debt discount and expense	2,082	3,027	4,434
Other	6,787	18,336	21,014
Total deferred charges	552,749	4,017,860	1,403,057
Total assets			
LIABILITIES AND CAPITAL			
Long term debt	120,000	950,000	300,000
Current and accrued liabilities	14,990	324,026	80,655
Deferred credits	123		
Reserves:			
Reserves for retirements and replacements	83,760	747,703	313,380
Contributions in aid of construction		32,771	19,623
Other	53,700		
Total reserves		782,985	334,003
Capital stock and surplus:			
Common stock	277,100	1,594,350	600,000
Earned surplus	66,985	433,899	83,807
Total capital stock and surplus	343,985	1,949,249	683,807
Total capital stock and surplus	552,749	4,017,860	1,400,067

[F. R. Doc. 42-9835; Filed, September 25, 1942; 9:56 a. m.]

Exhibit B (1)

Condensed Balance Sheet at December 31, 1941

Minneapolis Gas Light Company

Assets		
Property Plant and Equipment (incl. intang.)		$28,057,253
Investments:		
Cert. of Indebt.—Am. Gas	$1,615,123	
Other (principally F. U. Mgm't. Corp. stock)	16,432	
	1,631,555	
Current assets:		
Cash	281,905	
Other	1,203,849	
	1,485,754	
Special Deposit	443	
Deferred charges:		
Unamortized Debt Discount and Expense	726,510	
Other	252,761	
	981,271	
Total assets		$32,126,276
Liabilities and Capital		
Long Term Debt		$11,772,000
Current and Accrued Liabilities		2,182,549
Deferred Credits		38,100
First Preferred Stock and Participation Units called for Redemption		443
Reserves:		
Reserve for Retirements and Replacements	$3,174,361	
Contributions in Aid of Construction	113,315	
	3,287,676	
Capital Stock, Part. Units & Surplus:		
Preferred Stock:		
First Pfd. Stock—$6.00 Series	$564,100	
First Pfd. Stock—$5.50 Series	825,400	
First Pfd. Stock—$5.10 Series	402,400	
First Pfd. Stock—$5.00 Series	444,800	
	2,236,700	
Participation Units:		
Participation Units Outstanding	1,622,064	
Less—Reacquired for Sinking Fund	213,839	
	1,408,225	
Common Stock and Earned Surplus:		
Common Stock—no par value	2,200,000	
Earned Surplus	276,089	
	2,476,089	
Total	17,881	
Add—Excess of liquidation value over cost of 2,138.39 units reacquired		
	2,493,980	
Total	1,622,064	
Deduct—Liquidation value of units outstanding (as above)	871,916	
Capital Surplus arising from appraisals etc.	10,908,667	
	14,946,508	
Total Liabilities and Capital		$32,126,276

[File Nos. 2-4869, 2-4914, 811-457, 811-463]

MUTUAL FUNDS, INCORPORATED, ET AL.

NOTICE AND ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 25th day of September, A. D., 1942.

In the Matter of proceeding under sections 14 (a) and 40 (a) of the Investment Company Act of 1940, to determine whether the effectiveness of registration statements of Mutual Funds, Incorporated, Files No 2-4869 and No. 2-4914, under the Securities Act of 1933, as amended, should be suspended and whether the registrations of Mutual Funds, Incorporated, File No. 811-457, and Mutual Funds Trust, File No. 811-463, under the Investment Company Act of 1940 should be suspended or revoked.

I. The Commission's public official files disclose—

That Mutual Funds, Incorporated, is an investment company registered under the Investment Company Act of 1940 (File No. 811-457) and was organized, under the name of Investors Mutual Fund, Incorporated, after the date of enactment of said Act; and

That Mutual Funds Trust is an investment company registered under the Investment Company Act of 1940 (File No. 811-463) and was organized after the date of enactment of said Act; and

That a registration statement of Mutual Funds, Incorporated, under the Securities Act of 1933 (File No. 2-4869) covering certain Mutual Diversified Fund Shares to be deposited under the indenture creating Mutual Funds Trust, and certain Mutual Diversified Fund Trust Certificates representing an interest in such deposited shares, became effective on January 10, 1942; and

That a registration statement of Mutual Funds, Incorporated, under the Securities Act of 1933 (File No. 2-4914) covering certain Mutual Corporate Fund Shares to be deposited under the indenture creating Mutual Funds Trust, and certain Mutual Corporate Fund Certificates representing an interest in such deposited shares, became effective on January 10, 1942; and

That in connection with and as a condition of the registration of such securities under the Securities Act of 1933 arrangements were made whereby any proceeds to Mutual Funds, Incorporated, and Mutual Funds Trust from the sale of such securities to not more than 25 responsible persons, as well as any sales load, would be refunded to any subscriber on demand without any deduction, in the event that the net proceeds so received by said companies did not result in each of said companies having a net worth of at least $100,000 within 90 days after such registration statements became effective.

II. Members of its staff have reported to the Commission information which tends to show that the net proceeds so received by Mutual Funds, Incorporated, and Mutual Funds Trust did not result in either of said companies having a net worth of at least $100,000 within 90 days after such registration statements became effective.

III. *It is ordered*, That a hearing be held, pursuant to section 40 (a) of the Investment Company Act of 1940, to determine whether the statement set forth in paragraph II hereof is true, and if so, whether a stop order suspending the effectiveness of the registration statements of Mutual Funds, Incorporated under the Securities Act of 1933 should be issued pursuant to section 14 (a) of the Investment Company Act of 1940, and whether the registration of Mutual Funds, Incorporated and Mutual Funds Trust under the Investment Company Act of 1940 should be suspended or revoked pursuant to said section 14 (a) of said Act; and

It is further ordered, That such hearing be convened on October 12, 1942, at ten A. M. Eastern War Time in Room 318, Securities and Exchange Commission Building, Eighteenth and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, That William W. Swift, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

Upon completion of the testimony in this matter the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9609; Filed, September 26, 1942; 12:42 p. m.]

[File No. 70-590]

NORTHERN INDIANA PUBLIC SERVICE COMPANY, ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held in its office in the City of Philadelphia, Pa., on the 25th day of September 1942.

In the Matter of Northern Indiana Public Service Company, Chicago, South Shore and South Bend Railroad, Utilities Building Incorporated.

Utilities Building Incorporated, a direct subsidiary of Northern Indiana Public Service Company and an indirect subsidiary of Midland Utilities Company, a registered holding company in reorganization under section 77B of the Bankruptcy Act, Northern Indiana Public Service Company, a direct operating public utility subsidiary of Midland Utilities Company, and Chicago, South Shore and South Bend Railroad, a direct subsidiary of Midland Utilities Company, having filed a declaration and applications pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10 and 12 (f) and Rule U-43, concerning the following transactions:

Utilities Building Incorporated proposes to sell its real property, all situated in the City of South Bend, Indiana, and consisting of two lots characterized as Lots #72 and #73, each of which has been improved by the erection of buildings thereon, and all other assets, except cash, to Northern Indiana Public Service Company and Chicago, South Shore and South Bend Railroad;

The real property to be sold to Chicago, South Shore and South Bend Railroad consists of "the east 86 feet of Lot #72 together with the buildin" and improvements thereon", the consideration being cash in the amount of $75,000;

The sale to Northern Indiana Public Service Company will embrace all remaining assets of Utilities Building Incorporated, except cash, the consideration therefor being a reduction by $135,000 of indebtedness of Utilities Building Incorporated, presently held by Northern Indiana Public Service Company;

Said applications and declaration having been filed on August 19, 1942, and the last amendment thereto having been filed on September 8, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said applications or declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon;

The Commission finding that the requirements of section 12 (f) and Rule U-43 are satisfied, making the necessary findings under section 10 and there being no basis for adverse findings thereunder, and deeming it appropriate in the public interest and for the protection of investors and consumers to allow said declaration to become effective and to grant said applications;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, and the aforesaid applications, as amended, be, and hereby are, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9611; Filed, September 26, 1942; 12:43 p. m.]

[File No. 70-587]

POTOMAC ELECTRIC POWER COMPANY

ORDER CORRECTING FINDINGS AND OPINION OF THE COMMISSION AND ORDER OF AUGUST 26, 1942

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 24th day of September, A. D. 1942.

The Commission having on August 26, 1942, issued its "Findings and Opinion of the Commission" and its order in the above entitled proceeding and it appearing necessary to make certain corrections in the aforementioned Findings and Opinion and order (published as Holding Company Act Release No. 3759);

It is ordered, That the said Findings and opinion of the Commission and the order of August 26, 1942 be and the same hereby are amended and corrected in the following respects:

Findings and Opinion of the Commission. On page 2 in the third paragraph, line 6 thereof, the word "an" is stricken and the word "indenture" is changed to "indentures" and in line 7 of the same paragraph there is inserted before the period and after "1942" the following: "and August 10, 1942".

On page 2 in the third line from the bottom the figure "1/34" is changed to read "1/36" and there is inserted before the comma and after the word "thereof" the words "on each August 1 to and including August 1, 1975, and on and after August 1, 1976, the bonds shall be redeemable without premium".

On page 3 in the sixth paragraph, in the first line thereof, there is inserted after the word "expenditures" the words "made and".

Order of August 26, 1942. In the last line of the first paragraph the word "an" is stricken and the word "indenture" is changed to "indentures" and there is inserted before the semicolon and after "1942" the following: "and August 10, 1942".

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9612; Filed, September 26, 1942; 12:43 p. m.]

[File No. 54-42]

CENTRAL STATES UTILITIES CORPORATION, ET AL.

NOTICE OF FILING OF AMENDMENTS AND ORDER RECONVENING HEARING AND DESIGNATING A NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 25th day of September, A. D. 1942.

In the Matter of Central States Utilities Corporation, Central States Power & Light Corporation, Ogden Corporation.

Central States Utilities Corporation, Central States Power & Light Corporation and Ogden Corporation, the applicants herein, having heretofore filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 providing for the liquidation and dissolution of Central States Power & Light Corporation and Central States Utilities Corporation, a more detailed description of such plan having been set forth in the Notice of and Order for Hearing issued by the Commission on January 13, 1942 (Holding Company Act Release No. 3270); hearings having been held in respect of such plan and having been adjourned subject to call of the Trial Examiner; and

Amendments having been filed on August 29, 1942 by applicants and on September 12, 1942, by Missouri Electric Power Company, a wholly owned subsidiary of Central States Power & Light Corporation, requesting approval, by interim order, of certain steps in the aforesaid plan as amended which may be described briefly as follows:

Central States Power & Light Corporation proposes to acquire all of the property and assets of Missouri Electric Power Company, subject to its liabilities, and thereafter effect the dissolution of said company. Central States Power & Light Corporation will then convey all of such property and certain assets (cash excepted) to Sho-Me Power Cooperative, a Missouri cooperative, for a consideration of approximately $2,500,000. As soon as possible after the consummation of such sale, and in the event that Central States Power & Light Corporation deems it desirable to purchase a portion of its First Mortgage and First Lien Gold Bonds, 5½% Series, due January 1, 1953, it is proposed that Central States Power & Light Corporation will give such notice as the Commission shall approve, by publication and by mail, to all bondholders of record to the effect that the proceeds of the said sale and any other funds on deposit with the corporate trustee will be used to purchase such Bonds on the open market and/or Bonds tendered to Central States Power & Light Corporation within a period of 30 days after such notice is given at 100 and accrued interest, and that any portion of such proceeds and other funds unexpended at the end of such 30-day period, if such unexpended portion shall exceed $150,000, shall be used to make pro rata payments on the Bonds on the fifteenth day after a second notice to be given to all bondholders. It is further proposed that from and after such latter date interest on said Bonds will continue to be paid only in respect of the unpaid portion of such Bonds. The plan further provides that such partial payment shall be without prejudice to any claim that may be later made on behalf of any of the holders of such Bonds to a premium thereon.

It appearing appropriate to the Commission that hearings in this matter be reconvened for the purpose of affording an opportunity to the parties and other interested persons to submit evidence in respect of the proposals contained in the amendments heretofore described; and

It further appearing to the Commission that the examiner heretofore designated to preside at the proceedings is not available and will be unable to officiate;

It is ordered, That the hearing in the above entitled matter be reconvened on the 7th day of October, 1942, at 10:00 o'clock in the forenoon of that day in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On that day the hearing room clerk in Room 318 will inform the parties as to the exact room in which said reconvened hearing shall be held;

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by these proceedings, attention will be directed at the reconvened hearing to a consideration of the following matters and questions:

1. Whether the acquisition of such assets by Central States Power & Light Corporation is detrimental to the carrying out of the provisions of section 11 of the Holding Company Act.

2. The reasonableness of the consideration proposed to be paid by Sho-Me Power Cooperative to Central States Power & Light Corporation for the assets of Missouri Electric Power Company.

3. The propriety of the accounting entries proposed to be made on the books of Central States Power & Light Corporation in connection with the acquisition and subsequent resale of the assets of Missouri Electric Power Company.

4. Whether the proposal of Central States Power & Light Corporation to acquire a portion of its First Mortgage and First Lien Gold Bonds, 5½% Series, due January 1, 1953, pursuant to tenders or by purchase in the open market at 100 and accrued interest or, in the alternative, to make pro rata partial payments on such Bonds as hereinbefore described is fair and equitable to the holders of such Bonds.

5. Whether or not the fees and expenses expected to be incurred in connection with the consummation of the proposed transactions are reasonable and whether the proposed allocation of the same by the companies involved is fair and equitable.

6. Whether any of the transactions proposed will in any way be detrimental to the public interest or the interests of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9610; Filed, September 26, 1942; 12:42 p. m.]

BLANCHARD SECURITIES COMPANY

FINDINGS AND ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of September, A. D. 1942.

In the matter of Blanchard Securities Company, 29 South LaSalle Street, Chicago, Illinois.

1. On June 25, 1942, we instituted proceedings under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Blanchard Securities Company as a broker and dealer should be suspended or revoked. The order for proceedings stated that information had been reported to the Commission by its staff, which, if true, tended to show that Blanchard Securities Company had wilfully violated the provisions of sections 15 (b) and 17 (a) of the Securities Exchange Act of 1934, and Rules X-15B-2 and X-17A-3 of the Commission's Rules and Regulations. The order recited that information had been reported to the Commission by its staff to the effect that:

A. During the period from approximately January 1, 1939 to approximately September 3, 1941, registrant did not make and keep current books and records, including, among others—

(1) Blotters or other records of original entry containing an itemized daily record of purchases and sales of securities and receipts and deliveries of securities;

(2) A memorandum of each purchase and sale of securities for its own account showing th price and, to the extent feasible, the time of execution.

B. Registrant, under Item 8 of its application for registration, represents that W. G. Glascoff controls the registrant and owns all of the outstanding stock of registrant when, in truth and in fact, Miss Hannah E. Johns, since on or about June 14, 1939, has controlled the registrant and has owned all of registrant's outstanding stock.

C. Registrant, under Item 17 of its application for registration, states that it is registered or licensed to sell securities in the States of Illinois and Wisconsin, when, in truth and in fact, registrant has not been licensed by the State of Illinois to sell securities since June 30, 1939, and has not been licensed to sell securities by the State of Wisconsin since December 31, 1936.

2. On September 1, 1942, registrant submitted to the trial examiner an "answer and consent" to revocation in which it acknowledges receipt and service of adequate notice of this proceeding and waives opportunity for hearing. In said "answer and consent" registrant further admits and acknowledges, for the purpose of this proceeding and for that purpose only, the existence of the facts set forth above, and consents to the entry of an order revoking its registration as an over-the-counter broker and dealer.

3. We find that the facts set forth above are true; that the registrant has wilfully violated sections 15 (b) and 17 (a) of the Securities Exchange Act of 1934 and Rules X-15B-2 and X-17A-3 of the Rules and Regulations adopted pursuant to said Act; and that the public interest requires revocation of its registration.

Accordingly, it is ordered, pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of Blanchard Securities Company, as a broker and dealer, be, and it is, revoked.

By the Commission (Chairman Purcell and Commissioners Pike, Burke, and O'Brien), Commissioner Healy being absent and not participating.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9607; Filed, September 26, 1942; 12:43 p. m.]

[File Nos. 54-45, 59-48]

SOUTHERN UNION GAS CO., ET AL.

ORDER APPROVING PLAN, REQUIRING DIVESTITURE OF PROPERTIES, PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of September, A. D., 1942.

In the matter of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company, and Southern Union Production Company, File No. 54-45.

In the matetr of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company, Southern Union Production Company, Angels Peak Oil Company, Congress Oil Company, and Summit Oil Company, File No. 59-48.

Southern Union Gas Company, a registered holding company and its principal subsidiary companies, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company and Southern Union Production Company, having filed applications and declarations, and amendments thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the Rules and Regulations of this Commission promulgated thereunder, whereby said applicants request approval of a plan submitted pursuant to said section 11 (e), a report upon such plan by this Commission pursuant to section 11 (g) of said Act and authorization for certain particular transactions, constituting component parts of said plan, and actions incidental thereto, including, among other things, a merger of said Southern Union Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company and Texas Southwestern Gas Company, and, in connection with such proposed merger the transmission of certain solicitation material to the common and preferred stockholders of Southern Union Gas Company, New Mexico Gas Company and New Mexico Eastern Gas Company, intra-system sales and acquisitions of certain properties and securities, the liquidation of certain subsidiary companies, the refinancing of the principal surviving operating company, Texas Southwestern Gas Company, the exemption of the issuance and sale of securities from the competitive bidding requirements contained in paragraphs (b) and (c) of Rule U-50 and the exemption, pursuant to Rule U-100, of such investment houses and brokers and the members, officers and employees of such investment houses or brokerage firms or companies as may render services in connection with the solicitation of assents of stockholders to said merger agreement, from any disqualification which might otherwise be imposed upon such companies or individuals by reason of Rule U-62 (g) (2);

The Commission having, on June 4, 1942, by notice and order for hearing issued in combination with its notice and order for hearing on the plan filed pursuant to section 11 (e) of the Act, instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Act against Southern Union Gas Company and its subsidiaries to determine what action shall be required to be taken under said sections;

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is hereby ordered, That said plan be, and the same is hereby approved, that said applications, as amended, be, and the same are hereby, granted, and that said declarations, as amended, be, and the same are hereby, permitted to become effective forthwith, subject however to the conditions and reservations hereinafter set forth:

(1) That the several transactions, approval or authorization of which is granted by this order, shall be carried out in accordance with the terms and conditions of, and for the purposes stated in the declarations and applications, as amended, filed in this proceeding;

(2) That the management of the surviving company, Texas Southwestern Gas Company, shall prepare a list of the stockholders of such company, following its reorganization in accordance with the merger agreement, showing the names, addresses and stockholdings of such holders, shall file such list of stockholders not less than 45 days before the date of the next annual meeting in the offices of the company in Dallas, Texas, and of this Commission in Philadelphia, Pennsylvania, for inspection and copying by any stockholder of such company or by his representative, and shall, at the time of its solicitation for the next annual meeting, include in its solicitation material, at company expense, the name or names of any nominee or nominees for the Board of Directors proposed by any stockholder or group of stockholders and shall provide in its proxy form appropriate means for stockholders to vote for nominees of their choice;

(3) That approval of the issuance and sale by Texas Southwestern Gas Company of Twenty-Year Sinking Fund First Mortgage 3¾% Bonds and Twenty-Five Year Sinking Fund 6% Debentures is subject to the approval by the Commission of the definitive indentures securing such bonds and debentures;

(4) That approval of the issuance and sale by Texas Southwestern Gas Company of common stock at a price of $1.50 per share is subject to the effective registration of the stock to be sold pursuant to the Securities Act of 1933;

(5) That jurisdiction be, and is hereby, reserved in respect of the reasonableness, and approval or disapproval, of fees and expenses incurred or to be incurred in connection with the subject plan and transactions incident thereto, except fees

and expenses in connection with the solicitation of assents to the plan, the securing of common stock subscriptions, the negotiation of the sale of the bonds and the underwriting of the common stock to be sold for cash; and

(6) That jurisdiction be, and is hereby, reserved to this Commission to entertain such further proceedings, to make such further and supplemental findings, to approve the terms and conditions, and to take such additional and further action as may be found by it to be appropriate in the premises, in connection with the dispositions of assets, by the surviving company and its subsidiaries, which are proposed in the plan or required by this order.

It is further ordered, That within one year from the date of the entry of this order, unless such time shall be further extended by this Commission in accordance with section 11 (c) of the Act, Texas Southwestern Gas Company shall take such action as may be necessary to divest itself of all interest in, and of all ownership and control of,

(1) Arkansas Western Gas Company;

(2) Quanah Water Company;

(3) The physical properties owned by Texas Southwestern Gas Company located in Oklahoma, in central Texas and in southeastern Texas; and

(4) The oil well, owned by Southern Union Production Company, located near Artesia, New Mexico.

And the applicants having requested that the order of the Commission conform to the formal requirements specified in section 371 (f) of the Internal Revenue Code:

It is further ordered, That the hereinafter described exchanges and distributions proposed in such plan are hereby found to be necessary or appropriate to effectuate the provisions of section 11 (b) of said Act and that the stock and securities and other property, which are ordered to be transferred and received upon such exchange and distribution, are specified and itemized as follows:

(1) Incident to the merger, the properties and assets, both real and personal, franchises, rights and powers which are to be transferred by Southern Union Gas Company, New Mexico Gas Company and New Mexico Eastern Gas Company and which are to be received by Texas Southwestern, all as more fully specified and itemized in applicants' Exhibit F to Amendment No. 3 filed with the Commission on September 16, 1942, made a part hereof by reference;

(2) Subject to the reservation of jurisdiction hereinabove noted, the securities of Arkansas Western Gas Company and Quanah Water Company to be transferred to, and received by, Texas Southwestern Gas Company in the merger and which are subsequently to be disposed of pursuant to plan; and

(3) Subject to the reservation of jurisdiction hereinabove noted, the properties of Texas Southwestern located in and around Kingfisher, in central Oklahoma, Hico, in central Texas, and Bellville, in southeast Texas, and the oil well owned by Southern Union Production Company, located near Artesia, New Mexico, which are to be disposed of pursuant to the order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-9608; Filed, September 28, 1942; 12:42 p. m.]

WAR MANPOWER COMMISSION.

[Directive No. XI]

REQUESTS FOR OCCUPATIONAL DEFERMENT OF OFFICERS OR EMPLOYEES

Correction

The misplacing of certain lines of type in final page proof resulted in errors in paragraph III of the directive appearing on page 7649 of the issue for Saturday, September 26, 1942. The paragraph should read as follows:

III. On and after the twentieth day after the publication of this directive in the FEDERAL REGISTER, no department or agency of the executive branch of the Federal Government shall directly or indirectly request the occupational deferment, under the Selective Training and Service Act of 1940, as amended, of any officer or employee of such department or agency, unless such request conforms with the following principles and procedures:

Reference

OCT 1 1942

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934

FEDERAL REGISTER

VOLUME 7 NUMBER 192

Washington, Wednesday, September 30, 1942

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

By virtue of the authority vested in the United States Civil Service Commission by Executive Order No. 9063 dated February 16, 1942, Executive Order No. 9243 dated September 12, 1942, and Directive No. X, War Manpower Commission, dated September 14, 1942, the following regulations, effective as amended September 27, 1942, are hereby prescribed as Part 18 of Title 5, Chapter I, Code of Federal Regulations.

Sec.
18.1 Examinations.
18.2 Qualifications of applicants.
18.3 Rating and eligibility.
18.4 Recruitment and placement.
18.5 Appointment.
18.6 Promotion.
18.7 Removal.
18.8 Reappointment and reinstatement.
18.9 Transfer.
18.10 Release from government employment.
18.11 Extent of regulations.

AUTHORITY: §§ 18.1 to 18.11, inclusive (with the exceptions noted in the text), issued under the authority contained in E.O. No. 9063, February 16, 1942, 7 F.R. 1075.

§ 18.1 *Examinations.* (a) Examinations will be either competitive or noncompetitive in the discretion of the Commission.

(b) Competitive examinations for original appointment will be held at such times and places and in such manner as the needs of the service require. The Commission will accept applications at any time from applicants granted disability preference for examinations for which there are existing lists or lists about to be established and such applicants will be examined as the needs of the service require, but in any case not less than once each six months.

(c) Whenever in the opinion of the Commission it is not practicable to make appointment through competitive examination, appointment may be made through noncompetitive examination.

(d) Whenever the number of applicants for a competitive examination exceeds the anticipated needs of the service, the number of persons admitted to the examination may be limited to a number commensurate with the needs of the service. Whenever the number of applicants is so limited, applicants will be examined in the order of the receipt of their applications.

NOTE: This section supersedes Civil Service Rule III, 5 CFR, Part 3, with respect to positions covered by these regulations.

§ 18.2 *Qualifications of Applicants*—(a) *Citizenship.* No person shall be admitted to an examination unless he is a citizen of or owes allegiance to the United States. A noncitizen may be appointed through noncompetitive examination provided the Department or Agency desiring his services has specific authority to employ noncitizens.

(b) *Form of application.* Application for examination must be made in such form and manner and accompanied by such certificates as the Commission may prescribe.

(c) *Disqualifications.* An applicant may be denied examination and an eligible may be denied appointment for any of the following reasons: (1) Dismissal from the service for delinquency or misconduct; (2) physical or mental unfitness for the position for which he applies: *Provided*, That the physical requirements may be waived in the case of any person entitled to disability preference; (3) criminal, infamous, dishonest, immoral or notoriously disgraceful conduct; (4) intentional false statements as to any material fact, or deception or fraud in securing examination or appointment; (5) refusal to furnish testimony as required by Civil Service Rule XIV, (5 CFR Part 14); (6) habitual use of intoxicating beverages to excess; (7) a reasonable

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives; pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.25 per month or $12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

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doubt as to his loyalty to the Government of the United States; (8) any legal disqualification for appointment.

Any of the reasons stated in the foregoing subparagraphs from (2) through (8) inclusive, shall also be sufficient cause for removal from the service.

(d) *Age limits.* There will be no maximum age limits except where the appointing officer establishes to the satisfaction of the Commission that the interests of sound administration require such limits for a particular position.

A person retired under the age or optional provision of the Civil Service Retirement Act may be reemployed only in the event the appointing authority determines that he is possessed of special qualifications.

NOTE: This section supersedes Civil Service Rule V, 5 CFR Part 5, with respect to positions covered by these regulations.

§ 18.3 *Rating and Eligibility*—(a) *Rating.* Examination papers shall be rated either "eligible" or "ineligible", except where, in the discretion of the Commission, the assignment of numerical ratings will facilitate the making of placements. Ratings will be based on such subjects as the Commission may prescribe. In examinations where experience is an element of qualifications, time spent in the military or naval service of the United States during the War with Spain, or the World War, or the present war, shall be considered in determining an applicant's eligibility, where the applicant's actual employment in a similar vocation to that for which he applies, was temporarily interrupted by such military or naval service but was resumed after his discharge.

(b) *Notice of rating.* Competitors will be notified in writing of the results of an examination.

(c) *Preference.* Honorably discharged soldiers, sailors and marines shall be entitled to military preference in competitive examinations for War Service appointments to positions in the classified civil service.

The following shall be entitled to disability preference:

(1) Honorably discharged soldiers, sailors and marines who establish by official records, the present existence of a service-connected disability.

(2) Honorably discharged soldiers, sailors and marines who are over 55 years of age and because of disability are entitled to pension or compensation under existing laws.

(3) Widows of honorably discharged soldiers, sailors and marines.

(4) Wives of honorably discharged soldiers, sailors and marines who because of service-connected disability are not qualified for appointment.

(5) Wives of honorably discharged soldiers, sailors and marines who are over 55 years of age and because of disability are not qualified for appointment.

(6) Retired officers and enlisted men who establish through official sources, the present existence of a service-connected disability.

(d) *Eligible lists.* The names of all competitors rated eligible will be entered on appropriate lists as eligibles for appointment. In situations where the demand for qualified eligibles exceeds the supply the Commission may rate competitors "eligible" or "ineligible." In instances where the supply of eligibles exceeds the demand the Commission shall assign numerical ratings to competitors.

(1) Upon lists where eligibles are not listed or subdivided according to numerical ratings, the order of listing shall be as follows: (i) All eligibles granted disability preference, (ii) All eligibles granted military preference, (iii) All other eligibles.

(2) Upon lists on which eligibles are assigned numerical ratings, ten points shall be added to the rating of each eligible granted disability preference, and five points shall be added to the rating of each eligible granted military preference. Upon such lists the order of listing shall be as follows: (i) All eligibles granted disability preference in order of their ratings, (ii) All other eligible in order of their ratings as augmented by preference granted, if any.

(3) The order of listing provided for in this section shall, for lists established for the departmental service, be subject to the provisions of paragraph (c) of § 18.4 hereof relating to the apportionment of appointments among the States and Territories.

(e) *Term of eligibility.* Eligibility on any list shall continue until terminated by the Commission for all eligibles on the list.

NOTE: This section supersedes Civil Service Rule VI, 5 CFR Part 6, with respect to positions covered by these regulations.

§ 18.4 *Recruitment and Placement*—(a) *Procedure in filling vacancies.* In conformity with the over-all labor supply policies of the Federal government which have been established in view of the comparatively small number of qualified persons now available for appointment to many positions, and in order to avoid competitive recruitment programs on the part of the agencies of the Federal government, the following procedures in the filling of vacancies must be observed:

(1) Each department and agency shall report to the Commission its estimated future needs for personnel, both in Washington and in the field in such form and

at such intervals as the Commission may prescribe.

(2) As soon as the need for filling positions becomes apparent, the department or agency concerned must place a requisition for personnel with the Commission.

(3) The Commission shall, in consultation with the department or agency concerned, work out a recruiting program for filling the positions involved. This recruiting program shall be of such a nature that full utilization is made by the Commission of any recruiting resources available to the department or agency concerned.

(4) Upon the receipt of a request for names of qualified persons the Commission will supply an adequate number from the head of appropriate lists of eligibles.

(5) The Commission may, upon agreement with the department or agency concerned, recruit persons directly for the filling of specific vacancies.

(6) No recruiting activities for the filling of vacancies shall be carried on except with the prior approval of the Commission and under its direction.

(b) *Sex.* Requisitions for personnel shall be filled without regard to sex unless sex desired is specified by the appointing officer.

(c) *Apportionment.* In filling requisitions for appointment in the departmental service of the departments or independent offices procedures shall be followed which will maintain, as nearly as the conditions of good administration warrant, the apportionment of appointments among the several States and Territories and the District of Columbia upon the basis of population, but the names of eligibles who have been granted military preference shall be supplied without regard to apportionment: *Provided,* That appointments to the following positions shall not be so apportioned:

(1) In all departments and offices: All positions for which the entrance salary is $1440 or less per annum and all positions of telephone operators, artisan positions in a recognized trade, craft, or skilled (manual) occupation, helpers and apprentices in such occupations, and other subordinate employees, including laborers, in manual occupations and including foremen of laborers, and other foremen and supervisory artisan positions the incumbents of which are required, in the performance of their duties, to have knowledge of the trades, crafts, or skilled occupations.

(2) In the Government Printing Office, mail equipment shops, local offices in the District of Columbia, field service of the military staff departments and at Army headquarters: All positions.

(d) *Selection.* The nominating or appointing officer shall, with sole reference to merit and fitness, make selections for appointment from the names of eligibles furnished by the Commission unless better qualified persons for the position in question could be obtained by the Commission by presenting for consideration other names on the list of eligibles or by going outside the list entirely. An appointing officer who passes over an eligible granted disability preference or military preference and selects a person not granted such preference shall file with the Commission a statement setting forth in detail his reasons for so doing which reasons shall not be made available to the veteran or to anyone else except in the discretion of the appointing officer.

(e) *Minimum period of service required.* Every person to whom an offer of appointment is made shall be advised at that time by the appointing officer that if his services are found satisfactory he will be expected to serve a minimum period of six months, and that any resignation during such period will be accepted with prejudice unless in the judgment of the appointing officer the reasons for the resignation warrant acceptance of the resignation without prejudice.

NOTE: This section supersedes Civil Service Rule VII, 5 CFR Part 7, with respect to positions covered by these regulations.

§ 18.5 *Appointment*—(a) *Notification of eligibles.* An eligible selected for appointment shall be duly notified in writing by the appointing officer.

(b) *Status of appointees.* Persons appointed under these regulations will not thereby acquire a classified (competitive) civil service status. Unless otherwise specifically limited such appointments may be for the duration of the present war and for six months thereafter.

(c) *Trial period.* Except for persons appointed for a specific period of one year or less, the first full year of service shall be a trial period, satisfactory completion of which shall be considered part of the entrance examination. If and when, after a full and fair trial during this period, the conduct or capacity of the trial appointee be not satisfactory to the appointing officer, the appointee may at any time thereafter during the trial period be so notified in writing and such notice shall terminate his service.

(d) *Emergency appointment without examination.* (1) In cases of extreme emergency, where positions must be filled without delay, and where time does not permit the securing of prior authority, emergency appointments for not to exceed thirty days may be made without examination and without specific authority of the Commission. This authority shall not apply to positions in Washington, D. C., or to positions in cities which are civil service District headquarters. Such appointments may not be extended beyond the thirty-day period without the express prior approval of the Commission.

(2) Notwithstanding the provisions of this section, all existing special agreements between the Commission and any department or agency are continued in effect until further notice except that such appointments will be made initially under Executive Order No. 9063. Approval of the Commission or the District Manager or his representative must be obtained for continuation of such appointments beyond the period authorized by such agreements.

(3) Except as provided in subparagraphs (1) and (2) of this paragraph, appointment without examination may be made only with the express prior approval of the Commission.

NOTE: This section supersedes Civil Service Rules VII and VIII, 5 CFR parts 7 and 8, with respect to positions covered by these regulations.

§ 18.6 *Promotion.* Employees appointed under the provisions of these regulations may be promoted within the same department or agency in the same manner and under the same procedures and standards as employees having a classified civil-service status, but shall not thereby acquire a classified (competitive) civil-service status.

NOTE: For regulations relating to promotion of employees having a classified civil service status, see 5 CFR Part 11.

§ 18.7 *Removal.* The provisions of Civil Service Rule XII (5 CFR Part 12) shall apply to all persons appointed under the provisions of these regulations except (a) those appointed for periods specifically limited to one year or less, (b) those serving the trial period provided for in paragraph (c) of § 18.5, and (c) those appointed subject to a condition imposed by the Commission which has not been complied with.

§ 18.8 *Reappointment and reinstatement.* Subject to the prior approval of the Commission, a former civilian employee of the executive branch of the Federal government may be reinstated (or reappointed) by war service appointment to any position which is covered by these regulations and for which he establishes the requisite qualifications. Such reinstatement must be for actual service and not primarily for the purpose of bringing the person within the provisions of the Civil Service Retirement Act, as amended.

NOTE: This section supersedes Civil Service Rule IX, 5 CFR Part 9, with respect to positions covered by these regulations.

§ 18.9 *Transfer*—(a) *Transfers in interests of war program.* In determining whether an employee can make a more effective contribution to the war program in some other Government position, or in a position in private enterprise, for the purpose of this section the Commission will base its findings upon:

(1) the extent to which the skills, abilities, training, and experience of the employee are required and will be utilized by the departments, agencies, activities or private enterprise concerned; and

(2) the relative importance to the war program of the government activities in which the employee has been employed and to which he will be transferred, as indicated by, among other considerations, priority classifications established by the Director of the Bureau of the Budget pursuant to Executive Order No. 9243; and

(3) the relative importance to the war program of the government activity in which the employee has been employed and of the private enterprise to which he will be transferred, as indicated by priority classifications established by the Director of the Bureau of the Budget pursuant to Executive Order No. 9243 and by such policies and directives as the Chairman of the War Manpower Commission may prescribe.

(b) *Inter-agency transfers.* (1) Whenever the Commission shall find that

an employee will make a more effective contribution to the war program in a position in some other agency or activity, transfer will be authorized by the Commission under Directive No. X of the War Manpower Commission (effective September 27, 1942). Such transfer shall be authorized subject to the following conditions:

(i) The employee transferred shall be entitled to the re-employment benefits set forth in paragraph (e) of this section.

(ii) The consent of the employee shall not be required, but any employee whose transfer is to be directed without his consent shall be afforded such period of time as the War Transfer Unit of the Central Office of the Commission or the War Transfer Unit of a Regional Office, as the case may be, may specify to present in writing reasons and evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. The employee's statement will be considered by the War Transfer Unit in the Central Office or in a Regional Office, as the case may be, and if it is decided to direct the transfer, the employee shall be so notified and afforded a reasonable period of time to file an appeal.

Upon receipt of an appeal from the employee, there will be designated by the Legal Advisor of the Commission (or, in cases involving employees in the field service, by the Regional Director) a committee consisting of an employee representative and an administrative or supervisory official of a Government department or agency not involved in the proposed transfer to consider the employee's statement and such other evidence as it may consider pertinent, and to report to the Commission's Legal Advisor, or the Regional Director, as the case may be, its findings as to whether the proposed transfer is inequitable or will impose an undue hardship upon the employee. Final decision as to whether the proposed transfer shall be ordered will be made by the Commission's Legal Advisor, or the Regional Director, as the case may be: *Provided*, That whenever the Legal Advisor or the Regional Director does not agree with the findings of the Committee, the case shall be forwarded to the Commission for final decision. If the special committee is unable to agree on a finding, the Legal Advisor or the Regional Director, as the case may be, shall forward the case to the Commission for final decision with his recommendation.

(iii) No employee shall, without his consent, be transferred to a position at a lower salary than he is receiving at the time transfer is initiated, nor shall any employee, without his consent, be transferred to a position beyond reasonable commuting distance from his home unless the department or agency concerned shall reimburse the employee for the cost of transporting himself, his immediate family, and his household goods in accordance with Government regulations.

(iv) The consent of the agency in which the employee is serving shall not be required, but such agency shall be notified by the Commission and allowed such period of time as the Commission shall specify to present evidence that its work will be jeopardized by the loss of the employee's services and as to the extent to which the employee's skills, abilities, training, and experience are being and will be utilized in connection with the war program or essential supporting activities in such department or agency. The Commission will consider this, and all other relevant evidence, and unless a decision to the contrary is reached by the Commission, the transfer shall become effective within ten days of the original notification. In the event that the Commission finds that the agency's work will be jeopardized by an immediate transfer of the employee, the transfer shall become effective on such date as the Commission may specify.

(v) An employee desiring to apply for transfer shall file his application with the Civil Service Commission, and the department or agency concerned shall not receive applications for transfer from such employees.

(vi) The Commission may, of its own motion, initiate action to effect transfers under this subsection.

(2) In cases in which the Commission does not make the affirmative finding that the employee will make a more effective contribution to the war program, as defined in paragraph (a) of this section, in the position to which transfer is proposed, transfer may be authorized by the Commission under Executive Order No. 9063 dated February 16, 1942: *Provided*, That in the judgment of the Commission, the transfer is not contrary to the best interests of the war program or contrary to the most effective methods of filling the Federal Government's requirements for manpower in the civilian service or in conflict with the policies or directives of the War Manpower Commission. Such transfers shall be subject to the following conditions:

(i) That the department or agency in which the employee is serving does not object to the proposed transfer. In the event of such objection, the Commission will consider such information and evidence as may be submitted by the department and make a final decision as to whether the transfer shall be authorized.

(ii) That an employee transferred under this subsection shall not be entitled to the reemployment benefits set forth in paragraph (e) of this section.

(c) *Intra-agency transfers.* The transfer of any employee from one activity or office to another activity or office within the same department or agency may be effected by the head of the department or agency without the prior approval of the Commission, subject to the following conditions:

(1) An employee transferred under this paragraph shall be entitled to the reemployment benefits set forth in paragraph (e) of this section whenever the head of the agency concerned shall find that the skills and qualifications possessed by the employee can be better utilized in the position to which he is transferred, and that the employee can thus make a more effective contribution to the war program. All transfers under this paragraph involving reemployment benefits shall be reported to the Commission within one week after the effective date of the transfer.

(2) All other transfers within a department or agency shall be made and reported to the Commission as heretofore.

(3) The Commission may, of its own motion, initiate action to effect such transfers.

(d) *Transfers to private enterprise.* The release of any employee from any department or agency for employment in a private enterprise will be authorized by the Commission under Directive No. X of the War Manpower Commission (effective September 27, 1942) whenever the Commission shall find that such employee is qualified to perform work in a critical war occupation (as defined in the Essential Activities and Essential Occupations Directive of the War Manpower Commission, 7 F.R. 4748) and can make a more effective contribution to the war effort in an essential activity carried on by a private enterprise, subject to the following conditions:

(1) An employee released under this paragraph shall be entitled to the reemployment benefits set forth in paragraph (e) of this section.

(2) The consent of the employee shall be required for releases under this paragraph.

(3) An employee whose release has been authorized under this paragraph shall be carried in a leave-without-pay status in his Federal position for the period of his employment with the private enterprise, but not to extend beyond six months after the end of the war.

(4) The consent of the agency in which the employee is serving shall not be required for releases under this paragraph but such agency shall be notified by the Commission and allowed such period of time as the Commission shall specify to present evidence that its work will be jeopardized by the loss of the employee's services and as to the extent to which the employee's skills, abilities, training, and experience are being and will be utilized in such department or agency. The Commission will consider this, and all other relevant evidence, and unless a decision to the contrary is reached by the Commission, the release shall become effective within ten days of the original notification. In the event that the Commission finds that the agency's work will be jeopardized by an immediate release of the employee, the release shall become effective on such date as the Commission may specify.

(5) Action to effect the release of individual employees under this paragraph may be initiated by the employee, the department or agency in which he is employed, the private enterprise concerned, the United States Employment Service, or the Civil Service Commission.

(e) *Reemployment benefits.* (1) Any person, except one holding a temporary position, transferred under this section under such conditions as to entitle him to reemployment benefits, whose services are subsequently terminated without prejudice, shall be entitled to the rights specified below, provided he is still qualified to perform the duties of his position and that he makes application for reinstatement within forty days after the termination of his services, but in no event later than six months after the end of the war:

(i) If transferred to another Federal department or agency, he shall be entitled to thirty days' notice from the department or agency to which he has been transferred, prior to the termination of his services with such department or agency, unless such termination is for cause.

(ii) He shall be reinstated within thirty days of his application in the same department or agency and to the maximum extent practicable, in the same locality, in his former position, or in a position of like seniority, status, and pay, in such manner, to the extent consistent with law, that he does not lose any of the rights or benefits to which he would have been entitled had he not been transferred or released: *Provided*, That such a position then exists.

(iii) If such a position, or if the agency or activity in which he was employed, is no longer in existence and such person therefore cannot be reinstated, his name shall be entered on the Reemployment List established pursuant to Executive Order No. 5924 dated September 20, 1932, to be considered for certification, ahead of all other lists maintained by the Civil Service Commission, to positions elsewhere in the Government service for which he is eligible by reason of his civil service status and qualifications.

(2) In the event of the transfer of any employee under a series of transfers, all of which are under such conditions as to entitle him to the reemployment benefits provided in this section, such reemployment benefits shall continue to be applicable to the agency from which the employee was originally transferred.

(3) A person initially appointed for the duration of the war who receives a transfer or release under these regulations for the duration of the war, under such conditions as to entitle him to reemployment benefits, will not be required to be reemployed at the cessation of the war in the department or agency in which he was originally employed in view of the fact that his position would no longer exist and in view of the fact that no position of like status would exist. Such person will, however, be entitled to have his name entered on the Reemployment List as provided in this paragraph.

(4) Whenever the filling of any position by promotion from within for an indefinite period is being considered by any department or agency, employees who have been transferred or released under conditions which entitle them to reemployment benefits in such department or agency shall be given the same consideration they would have received had they not been transferred or released, and may be selected for such promotion. In the event of such selection, if such employee is not authorized to return to the position to which promotion was made, the position in question shall be filled only for the duration of such employee's reemployment rights under paragraph (e) of this section, and such reemployment rights shall be applicable to the position to which promotion was made.

(f) *Examinations.* No employee appointed without competitive or noncompetitive examination may be transferred without qualifying in such appropriate noncompetitive examinations as the Commission may prescribe, except employees who are subject to Title I of the Act of November 26, 1940, or any statute or Executive Order providing for the acquisition of a classified civil service status. Whenever a transfer involves also a promotion or change in status, the provisions of these regulations regarding promotions and changes in status shall be applicable to such transfers.

(g) *Apportionment.* The provisions of § 18.4 (c) of this chapter relating to the apportionment of positions among the several states shall not be applicable to transfers under this section, and such transfers shall not be charged to the quota of any State under such apportionment.

(h) *Status of employees.* In all transfers under this section, the employee shall retain for all intents and purposes under the civil service laws and rules the same civil service status which he had in the agency from which he was originally transferred.

(i) *Reports.* Each department and agency shall report to the Civil Service Commission such information as the Commission may require for the effectuation of Directive No. X of the War Manpower Commission in such form and at such intervals as the Commission may prescribe.

(j) *Post Office Department, field service.* This section shall not apply to transfers to or between positions in the field service of the Post Office Department, which shall continue to be effected under existing rules and regulations, but shall apply to the transfer of employees from the field service of the Post Office Department to positions in other departments or agencies of the executive branch of the Government. (E.O. No. 9243 dated September 12, 1942, 7 F.R. 7213; Directive No. X, War Manpower Commission, dated September 14, 1942, 7 F.R. 7298).

NOTE: This section supersedes Civil Service Rule X, 5 CFR Part 10, with respect to positions covered by these regulations.

§ 18.10 *Release from Government employment*—(a) *Repeal of existing regulations.* In all original appointments, transfers, reinstatements, and reemployment under any authority whatsoever, the provisions of this Section shall govern release from Government employment, and all provisions of existing regulations inconsistent with this Section are suspended and made inoperative.

(b) *Contacts or requests for the transfer of employees.* No request for the transfer or release of any civilian employee in any department or agency of the executive branch of the Federal Government shall be made by another such department or agency except through the Commission, and no civilian employee of any such department or agency shall be released for transfer to another such department or agency except upon request of the Commission.

(c) *Consent to compete in examinations.* No consent will be required from any Government department or agency to permit any employee of the Government, or any former employee, to compete in any civil service examination.

(d) *Consent for reappointment, reinstatement, and reemployment.* No department or agency will effect the transfer or the appointment, reappointment, reinstatement, or reemployment within ninety days of separation from the service of any employee, or former employee, as the case may be, of another department or agency without the express prior approval of the Commission.

(e) *Employment of short-term employees.* A person who is serving or who last served under an appointment limited to six months or less shall not be required to secure the consent of any Government department or agency in order to be appointed, reappointed, transferred, reinstated, or reemployed in any other Government department or agency for a period to extend for the duration of the war and six months thereafter. (E.O. No. 9243 dated September 12, 1942, 7 F.R. 7213; Directive No. X, War Manpower Commission dated September 14, 1942, 7 F.R. 7298).

§ 18.11 *Extent of Regulations.* (a) The foregoing regulations shall supersede Civil Service Rules III, V, VI, VII, VIII, IX, X (5 CFR Parts 3, 5, 6, 7, 8, 9, 10), and all provisions of joint regulations inconsistent with these regulations, for all positions except:

(1) Positions in the field service of the postal establishment (except as provided in § 18.10 (j) of this chapter);

(2) Positions other than those filled by civilian employees of the forces in the Police Department and the Fire Department of the municipal government of the District of Columbia;

(3) Positions of policeman in the United States Park Police force of the Interior Department;

(4) Deputy collectors of internal revenue;

(5) Deputy United States Marshals.

(b) Nothing in these regulations shall be construed to affect any existing or future regulations promulgated by the Board of Legal Examiners pursuant to Executive Order No. 8743 dated April 23, 1941. (E.O. No. 9063 dated February 16, 1942, 7 F.R. 1075; E.O. No. 9243 dated September 12, 1942, 7 F.R. 7213; Directive No. X, War Manpower Commission dated September 14, 1942, 7 F.R. 7298).

By the United States Civil Service Commission.

H. B. MITCHELL,
President.

SEPTEMBER 26, 1942.

[F. R. Doc. 42-9671; Filed, September 29, 1942; 10:54 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1272]

PART 326—MINIMUM PRICE SCHEDULE, DISTRICT NO. 6

ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of District Board No. 6, for the establishment of price classifications and minimum prices for the coals of Rivercoal Mine, Mine Index No. 29, of Rivercoal, Inc., in District No. 6.

A petition having been filed with the Bituminous Coal Division on January 16, 1942, and an amended petition having been filed on May 20, 1942, by District Board 6, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the classification and pricing of the coals produced by the Rivercoal Mine, Mine Index No. 29, of Rivercoal, Inc. for all shipments except ex-river.

A hearing having been held in this matter, pursuant to appropriate orders, on August 11, 1942; before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The Bituminous Coal Consumers' Counsel, who had previously filed a Notice of Appearance, appeared at the hearing; the petitioner appeared and submitted proof in support of its petition;

The parties having waived the preparation and filing of a Report by the Examiner, and the record in this proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter which are filed herewith;

Now, therefore, it is ordered, That effective fifteen (15) days from the date hereof § 326.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 326.6 (*Numerical list of mines*) is amended by adding thereto Supplement R-II, and § 326.23 (*General prices; for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

Dated: September 17, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 6

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 326, Minimum Price Schedule for District No. 6 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK AND EX-RIVER

§ 326.5 *Alphabetical list of code members*—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Type	Shipping points in W. Va.	Railroad	Freight origin group No.	Price classifications by size group No.											
									1	2	3	4	5	6	7	8	9	10	11	12
29	Rivercoal, Inc. c/o Everett Drennen.	Rivercoal, Inc.	------	Pgh. 8	Strip	Moundsville, W. Va.	B&O	20	C	C	C	C	C	C	C	C	C	------	------	C

§ 326.6 *Numerical list of code mines*—Supplement R-II. Refer to § 326.6 of Price Schedule No. 1 of the Schedule of Effective Minimum Prices for District No. 6. Add the following:

Mine index No.	Mine name	Code member	Freight origin group No.	Railroad
29	Rivercoal, Inc.	Rivercoal, Inc., c/o Everett Drennen	20	B&O.

Prices for all Mine Index Numbers except 7, 20, 24, and 26 shown in § 326.7, § 326.8 (a), § 326.8 (b), § 326.8 (c), § 326.8 (d) and § 326.8 (e), of Price Schedule No. 1 of the Schedule of Effective Minimum Prices apply to Mine Index Number 29.

FOR TRUCK SHIPMENTS

§ 326.23 *General prices; for shipment into all market areas*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member	Mine	Mine index No.	Type	Seam	Base sizes							
					6" lump	3"-4"-6" lump	2" lump	2" x 4", egg, 2" x 6" egg	1¼" lump, 1¼" x 4" egg	Mine run, nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
Rivercoal, Inc., c/o Everett Drennen.	Rivercoal, Inc.	29	Strip	Pgh. 8	285	275	260	235	230	220	200	190

[F. R. Doc. 42-9637; Filed, September 28, 1942; 11:22 a. m.]

[Docket No. A-1629]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of the Powderly Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Powderly Mine (Mine Index No. 1039) in District No. 9 for rail shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 22, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
1039	Greenville Coal Company	Powderly	9	10	Powderly	IC.

The f. o. b. mine price for coal shipped by Mine Index No. 1039, to any market area in size group 15 only and for any use, including Railroad Locomotive Fuel, is the same as the price shown for size group 15 for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Price Schedule No. 1 for District No. 9, for All Shipments Except Truck.

[F. R. Doc. 42-9639; Filed, September 28, 1942; 11:23 a. m.]

[Docket No. A-1638]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of the Williams and Cannon Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Williams and Cannon Mine (Mine Index No. 1596) in District No. 10 for truck shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 21, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos.														
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 4, PEORIA COUNTY																		
Williams & Cannon (John W. Cannon).	1596	Williams & Cannon	5	255	250	245	235	230	225	185	165	160	155	155	155	125	115	60

[F. R. Doc. 42-9640; Filed, September 28, 1942; 11:23 a. m.]

[Docket No. A-1623]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11 for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered That pleadings in opposition to the original petition in the above-entitled matter and application to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member inde:	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
CLAY COUNTY																	
Smith, C. R.	1347	Oak Leaf Rib	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55
CLAY AND SULLIVAN COUNTIES																	
Smith, C. R.	1349	Alum Cave Rib	5	250	245	240	230	225	220	180	185	170	165	135	125	70	40
DUBOIS COUNTY																	
Stetter, Ben E.	1339	Stetter	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55
GREENE COUNTY																	
Letsinger & Presser (Green P. Letsinger).	1350	Letsinger #2	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55
OWEN COUNTY																	
Slough, John M. & William Foulk (John M. Slough).	1343	Foulk	B	310	285	265	255	250	245	215	215	195	185	155	145	80	50
SPENCER COUNTY																	
Gentry, George	1338	Wm. Bolin No. 2	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55
Scheler, Virgil	1346	Virgil Scheler	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55
SULLIVAN COUNTY																	
Goble, Gorby & Woodruff (Everett Gorby).	1344	Wish	7	250	245	240	230	225	220	180	185	170	165	135	125	70	40
Smith, C. R.	1348	Kingkol Rib	5	250	245	240	230	225	220	180	185	170	165	135	125	70	40

[F. R. Doc. 42-9638; Filed, September 26, 1942; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATION OF AUTHORITY

[Supplementary Directive 1-N]

§ 903.16 *Further delegation of authority to the Office of Price Administration with reference to the rationing of rubber footwear.*[1] (a) In order to permit the efficient rationing of rubber footwear, the authority delegated to the Office of Price Administration in § 903.1, Directive No. 1,[2] is hereby extended to include the following:

(1) The exercise of rationing control over the sale, transfer, delivery, or other disposition of rubber footwear by any person to any other person and over the acquisition of rubber footwear by any person except those specified in subparagraphs (1) and (2) of paragraph (a) of said Directive No. 1.

(2) The authority to prohibit the acquisition, sale, transfer, delivery, or other disposition of rubber footwear and to permit such acquisition, sale, transfer, delivery, or other disposition pursuant to regulations promulgated by the Office of Price Administration.

(b) As used in this supplementary directive, the term "rubber footwear" means all types of protective waterproof or snow and water repellent foot or shoe covering manufactured under any process which joins the sole and upper in a single unit manufactured wholly or in part of latex, crude rubber, reclaimed rubber, scrap rubber or synthetic rubber and generally classified as belonging to the kind of rubber footwear of such types as boots, hunting and farming pacs, mining shoes and pacs, lumbermen's overs and shells, heavy and light all rubber or rubber and cloth arctics and galters, heavy foot or shoe rubbers including buckle types, dress rubbers, clogs and footholds (toe rubbers) and all types of snap and automatic fastener galters or galoshes, and the so-called carriage and utility boots; and includes such footwear whether new, used, seconds or rejects.

(E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; E.O. 9125, Apr. 7, 1942, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; W.P.B. Dir. No. 1, Jan. 24, 1942, 7 F.R. 562; W.P.B. Reg. No. 1, as amended July 9, 1942, 7 F.R. 5395.)

Issued this 29th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9675; Filed, September 29, 1942; 11:24 a. m.]

[1] See also Ration Order 6 of the Office of Price Administration, *infra*.

[2] 7 F.R. 562.

Subchapter B—Director General for Operations

PART 1108—REPAIR, MAINTENANCE, AND OPERATION OF PLANTS PROCESSING OF PRODUCING DAIRY PRODUCTS

[Amendment 3 to Preference Rating Order P-118]

Paragraph (m), as previously amended, of § 1108.1[1] (Preference Rating Order P-118), is further amended by deleting therefrom the date "September 30" and substituting therefor the date "December 31".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9676; Filed, September 29, 1942; 11:24 p. m.]

PART 1222—EXPORTS UNDER LICENSES ISSUED BY THE BOARD OF ECONOMIC WARFARE

[General Exports Order M-148, as amended September 28, 1942, effective October 1, 1942]

[1] 7 F.R. 2937, 3078, 4840, 6467.

Part 1222—Exports of Critical Material, is hereby amended to read "Part 1222—Exports under Licenses Issued by the Board of Economic Warfare."

Section 1222.1 *General Exports Order M-148*[1] is hereby amended to read as follows:

§ 1222.1 *General Exports Order M-148*—(a) *Requirement of delivery for export.* Any person receiving, from the holder of an export license issued by the Board of Economic Warfare, a purchase order for material covered by such license, to which a preference rating has been assigned by the Board of Economic Warfare, shall accept such order and make delivery thereunder in accordance with such rating, unless such order would be in excess of any export quota relating to such material previously established for such person by the Director General for Operations. Such delivery shall be made regardless of any order of the Director General for Operations restricting inventories of material or uses thereof in manufacture or otherwise, or requiring certificates with respect to such inventories or uses, insofar as such inventories are maintained or such uses occur in the country to which such material is to be exported, but shall be subject to such restrictions with respect to inventories maintained or uses occurring within the United States prior to export. Such preference ratings shall be assigned by the Board of Economic Warfare only pursuant to specific authority granted, from time to time, by the Director General for Operations with respect to specified quantities of material.

(b) *Reports.* Any person accepting a purchase order to which a preference rating has been assigned by the Board of Economic Warfare shall promptly send to the War Production Board, Washington, D. C., Ref: M-148, a copy of the purchase order, bearing thereon the export license number and the United States Department of Commerce Export Classification Code Schedule B and F Number. Such further and other reports shall also be made by any person operating under this order as may be required from time to time by the Director General for Operations.

(c) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(d) *Application or extension or rating.* Notwithstanding the provisions of Priorities Regulation No. 3, a rating assigned by the Board of Economic Warfare may be applied, by the holder of the export license for the material ordered, only by endorsing on, or attaching to, the contract or purchase order to which the rating is to be applied, a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby represents to the seller and the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, pursuant to an assignment thereof by the Board of Economic Warfare upon Export License Number ------, and that this purchase order is subject to the provisions of General Exports Order No. M-148. This material is to be charged to the period: ---------- to ----------.

---------- ----------
(Name) (Address)

(Date)

By ----------
(Signature and title of duly authorized officer)

Any extension of any such rating shall be pursuant to the provisions of Priorities Regulation No. 3.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

This amendment shall take effect October 1, 1942, and the order, as amended, shall continue in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-9628; Filed, September 28, 1942; 2:38 p. m.]

[1] 7 F.R. 3518, 3663, 5864.

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[Maximum Price Regulation 230]

REUSABLE IRON AND STEEL PIPE

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of reusable iron and steel pipe by a separate maximum price regulation. The Price Administrator has ascertained and given due consideration to the prices of reusable iron and steel pipe prevailing between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Maximum Price Regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 230 is hereby issued.

AUTHORITY: §§ 1306.451 to 1306.466, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1306.451 *Maximum prices for reusable iron and steel pipe.* On and after October 3, 1942, regardless of the terms of any contract, agreement, lease, or other obligation, no person shall sell or deliver reusable iron or steel pipe to the consumer of such pipe, and no consumer shall, in the course of trade or business, buy or receive reusable iron or steel pipe at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1306.466; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of reusable iron or steel pipe to a consumer if prior to October 3, 1942, such reusable iron or steel pipe had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such consumer.

§ 1306.452 *Geographical application.* The provisions of this Maximum Price Regulation No. 230 shall be applicable to the forty-eight states and the District of Columbia.

§ 1306.453 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.454 *Federal and State taxes.* There may be added to the maximum prices established by this regulation the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663, 6967.

requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer, or user.

§ 1306.455 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1306.466) may be charged, demanded, paid or offered.

§ 1306.456 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 230 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to reusable iron and steel pipe, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1306.457 *Records.* Every person making sales of reusable iron or steel pipe to consumers after October 2, 1942, shall render an invoice to the consumer for each such sale, showing separately the date (month, day, and year) thereof, the name and address of the consumer, a complete description of the pipe (indicating whether it is oil well casing, tubing, drill pipe or drive pipe, or whether it is pipe other than oil country tubular goods, and stating whether it is plain end or threaded and coupled), the size in inches (stating whether such size is the inside (I.D.) or outside (O.D.) diameter), the quantity in lineal feet, the weight in pounds per foot, the shipping point price per hundred feet, the city or town and state nearest the shipping point, the city or town and state nearest the point of delivery, the mode of transportation employed, the delivery charge, and the charge for extras if any was made. Such invoice shall be retained by the consumer, and a copy of such invoice shall be retained by the seller, for inspection by the Office of Price Administration, for a period of not less than two years.

§ 1306.458 *Reports.* (a) If the allowable delivery charge under § 1306.466 (f) exceeds 50 cents per hundred pounds, the seller must file with the Office of Price Administration, Washington, D. C., within 15 days after the delivery of the pipe, a copy of the invoice, required by § 1306.457 of this Maximum Price Regulation No. 230, covering such transaction.

(b) Reports regarding customary charges for extras shall be made in accordance with the provisions of § 1306.466 (e) of this Maximum Price Regulation No. 230.

(c) Persons affected by this Maximum Price Regulation No. 230 shall submit such other reports to the Office of Price Administration as it may, from time to time, require.

§ 1306.459 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 230, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 230, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1306.460 *Petition for amendment, adjustment or exception.* (a) Persons seeking any modification of this Maximum Price Regulation No. 230, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) Any person seeking relief from a maximum price established under this Maximum Price Regulation No. 230 may present the special circumstances of his case in a petition for an order of adjustment. Such a petition shall be filed in accordance with the provisions of Procedural Regulation No. 1 and shall set forth the facts relating to the hardship to which such maximum price subjects the petitioner together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 230 to eliminate the danger of inflation.

§ 1306.461 *Applicability of other maximum price regulations or revised price schedules.*—(a) *Revised Price Schedule No. 4.* Used iron and steel pipe not conforming to the definition of "reusable" as set forth in § 1306.464 of this Maximum Price Regulation No. 230, or threaded but not furnished with couplings, shall be deemed to be scrap, and when sold to consumers shall be priced in accordance with the provisions of Revised Price Schedule No. 4[3]—Iron and Steel Scrap.

(b) *Revised Price Schedule No. 49.* The provisions of this Maximum Price Regulation No. 230 supersede the provisions of Revised Price Schedule No. 49[3]—Resale of Iron and Steel Products, with respect to sales and deliveries of reusable iron or steel pipe for which maximum prices are established by this Maximum Price Regulation No. 230. This regulation does not relate to cast iron pipe and fittings.

§ 1306.462 *Export and import sales.*—(a) *Export sales.* The maximum prices at which a person may export to a consumer reusable iron or steel pipe shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

(b) *Imports.* This Maximum Price Regulation No. 230 shall not apply to imports of reusable iron or steel pipe. Such imports shall be governed by the provisions of the General Maximum Price Regulation.

§ 1306.463 *Licensing order applicable.* The provisions of Supplementary Order No. 17[5] are applicable to every person subject to this Maximum Price Regulation No. 230, selling reusable iron or steel pipe to a consumer.

§ 1306.464 *Definitions.* (a) When used in this Maximum Price Regulation No. 230, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

[3] 7 F.R. 1207, 1836, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217.
[4] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3390, 3893, 4342, 5176, 6893, 6935.
[5] 7 F.R. 5059.
[6] 7 F.R. 7239.

(2) "Iron and steel pipe" means iron and steel pipe, casing, or tubing of all the types, sizes and weights referred to in § 1306.466 Appendix A, of this Maximum Price Regulation No. 230, whether such pipe, casing, or tubing is (i) manufactured by the lapweld, butt weld, continuous weld, electric weld (including spiral weld) or seamless process; (ii) black or galvanized; and (iii) plain end, or threaded and furnished with couplings. "Iron and steel pipe" shall not include cast iron pipe and fittings.

(3) "Reusable iron and steel pipe" means used iron and steel pipe: (i) suitable without further reconditioning for use by the consumer for the purpose for which such consumer purchased it, (ii) suitable for use for any purpose for which new pipe of prime quality is customarily used, and (iii) capable of conducting, without leakage, liquids and gases at a pressure of at least 50 pounds per square inch.

(4) "Pipe" means (unless the context otherwise requires) reusable iron and steel pipe.

(5) "Oil country tubular goods" means reusable oil well casing, tubing, drill pipe, and drive pipe, suitable, without further reconditioning, for use for a purpose for which such pipe of prime quality is customarily used.

(6) "Consumer" means a person who purchases reusable iron or steel pipe for his own use and not for resale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1306.465 *Effective date of Maximum Price Regulation No. 230.* This Maximum Price Regulation No. 230 (§§ 1306.451 to 1306.466 inclusive) shall become effective October 3, 1942.

§ 1306.466 *Appendix A.—Maximum shipping point prices for reusable iron and steel pipe.*—(a) *Shipping point.* (1) If the shipment of pipe to the consumer is wholly or partially by rail, vessel, or combination, the pipe is at its shipping point when it has been placed f. o. b. railroad car or f. a. s. vessel for shipment to the consumer.

(2) If the shipment of pipe to the consumer is solely by motor vehicle, the pipe is at its shipping point when it has been loaded on such vehicle for shipment to the consumer.

(3) If movement by motor vehicle precedes rail or vessel movement, the pipe is not at its shipping point until it has been placed f. o. b. railroad car or f. a. s. vessel for shipment to the consumer.

(b) *Shipping point zone.* The zone in which a shipping point is located is determined by ascertaining the established charge in cents per hundred pounds for transporting pipe by rail, at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point, and by selecting the zone applicable to such charge in accordance with the following table:

Zone:	*Established charge for transporting pipe by rail at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point.* *Cents per hundred pounds*
1	Less than 25.
2	25 and over but less than 50.
3	50 and over but less than 75.
4	75 and over but less than 100.
5	100 and over but less than 125.
6	125 and over but less than 150.
7	150 and over.

(c) *Maximum shipping point prices for pipe other than oil country tubular goods.* (1) Except as otherwise provided in this paragraph, the maximum shipping point price for pipe other than oil country tubular goods shall be the applicable price for plain end, or threaded and coupled, pipe, listed in subparagraph (3) of this paragraph (according to the zone in which the shipping point is located) for the listed size identical with or nearest to the size of the pipe to be priced, and the listed weight per foot for such listed size, nearest to the weight per foot of the pipe to be priced. If the size of the pipe to be priced is exactly midway between two adjacent listed sizes, the smaller of the two listed sizes shall be the governing size, and the maximum shipping point price shall be the price applicable to the listed weight per foot for such governing size, nearest to the weight per foot of the pipe to be priced: *Provided, however,* That if the weight per foot of the pipe to be priced is exactly midway between adjacent weights per foot listed for such governing size, the maximum shipping point price shall be the price applicable to the lower of such adjacent weights.

(2) (i) If threaded and coupled pipe other than oil country tubular goods meets the specifications set forth in this subdivision, the maximum shipping point price shall be the maximum price determined under subparagraph (1) of this paragraph, plus twenty per cent: *Provided, however,* That on shipments of 40,000 pounds or more, whether at one time or on one order, the maximum shipping point price shall be the maximum price determined under subparagraph (1) of this paragraph, plus ten per cent:

Each length of pipe must be of American manufacture, commercially straight and free of injurious surface defects, must weigh within five per cent of new pipe of the same size and weight per foot, must have new threads and new couplings of prime quality, must have been hydrostatically tested to a minimum pressure of five hundred pounds per square inch (the pressure to be applied for not less than five seconds without leakage), and must be stamped with a steel die to show clearly the seller's identification mark.

(ii) If plain end pipe other than oil country tubular goods meets the specifications set forth in this subdivision, the maximum shipping point price shall be the maximum price determined under subparagraph (1) of this paragraph, plus ten per cent:

Each length of pipe must be of American manufacture, commercially straight and free of injurious surface defects, must weigh within five per cent of new pipe of the same size and weight per foot, must have been hydrostatically tested to a minimum pressure of five hundred pounds per square inch (the pressure to be applied for not less than five seconds without leakage), and must be stamped with a steel die to show clearly the seller's identification mark.

TABLE I

PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS

Description of Pipe: Size: Inside Diameter (Inches)	Outside Diameter (Inches)	Weight per Foot (Pounds)	Price per Hundred Feet—Dollars: Zone 1 Less Than $0.25 Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 1: Plain End	Zone 2 $0.25 and Over but Less Than $0.50 Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 2: Plain End	Zone 3 $0.50 and Over but Less Than $0.75 Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 3: Plain End	Zone 4 $0.75 and Over but Less Than $1.00 Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 4: Plain End	Zone 5 $1.00 and Over but Less Than $1.25 Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 5: Plain End	Zone 6 $1.25 and Over but Less Than $1.50 Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 6: Plain End	Zone 7 $1.50 and Over Freight Rate[1] per Hundred Pounds: Threaded and Coupled	Zone 7: Plain End
⅛		0.24	2.18		2.30		2.40		2.50		2.60		2.80		2.90	
¼		.314		5.10		5.40		5.70		5.90		6.20		6.50		6.70
¼		.42	2.20		2.40		2.50		2.60		2.70		2.90		3.00	
¾		.525		3.10		3.20		3.40		3.60		3.70		3.90		4.10
¾		.56	2.20		2.40		2.50		2.60		2.70		2.90		3.00	
¾		.738		3.10		3.20		3.40		3.60		3.70		3.90		4.10
½		.85	2.80		3.00		3.20		3.40		3.60		3.70		3.90	
½		1.087		4.00		4.20		4.50		4.70		4.80		5.00		5.20
½		1.13	3.50		3.80		4.00		4.30		4.50		4.80		5.00	
½		1.47		5.00		5.20		5.60		5.90		6.20		6.60		6.90
½		1.67	4.90		5.20		5.60		6.00		6.40		6.70		7.10	
1		2.17		6.90		7.40		7.90		8.40		8.90		9.40		9.90
1		2.27	5.60		5.90		6.20		6.60		6.90		7.30		7.70	
1¼		2.996		9.40		10.00		10.70		11.40		12.10		12.80		13.40
1¼		2.71	7.90		8.50		9.10		9.70		10.30		10.90		11.50	
1¼		3.63		11.40		12.20		13.00		13.90		14.70		15.50		16.40
1½		2.4	8.80	8.10	9.30	8.70	9.80	9.20	10.30	9.70	10.90	10.20	10.90	10.80	11.90	11.30
	2	2.73	9.90	9.20	10.50	9.80	11.00	10.30	11.60	10.90	12.20	11.50	12.80	12.10	13.40	12.70
	2¼	3.2	11.70	10.90	12.40	11.60	13.10	12.30	13.80	13.00	14.50	13.70	15.20	14.40	15.90	15.10
	2½	3.0	11.00	10.20	11.60	10.80	12.30	11.50	12.90	12.10	13.60	12.80	14.20	13.50	14.90	14.10
	2¾	3.67	10.60	10.00	11.40	10.80	12.20	11.60	13.00	12.40	13.80	13.20	14.70	14.00	15.50	14.80
	2¾	4.60	13.20	12.40	14.20	13.40	15.20	14.40	16.20	15.40	17.20	16.40	18.20	17.40	19.20	18.40
	2¾	5.022		15.60		16.70		17.90		19.00		20.10		21.30		22.40
	2½	4.3	15.70	14.60	16.60	15.50	17.60	16.50	18.50	17.40	19.50	18.30	20.40	19.30	21.40	20.20
	2½	5.85	18.80	17.70	18.00	17.00	19.30	18.30	20.60	19.60	21.90	20.90	23.20	22.10	24.40	23.40
	2½	6.16	17.50	16.40	18.80	17.70	20.20	19.10	21.50	20.40	22.80	21.80	24.20	23.10	25.50	24.40
	2½	7.66		24.00		25.80		27.50		29.30		31.00		32.80		34.50
	3	3.36	12.10	11.30	12.80	11.90	13.50	12.60	14.20	13.40	14.90	14.10	15.70	14.80	16.40	15.50
	3	4.5	16.40	15.30	17.40	16.30	18.40	17.20	19.40	18.20	20.40	19.20	21.40	20.20	22.40	21.20
	3¼	5.29	19.00	17.60	20.10	18.80	21.30	19.90	22.40	21.10	23.50	22.20	24.70	23.30	25.80	24.50
	3½	7.70	21.90	20.80	23.60	22.30	25.30	23.90	26.90	25.60	28.60	27.30	30.30	29.00	32.00	30.60
	3½	10.25		2.10		34.40		36.80		39.10		41.50		43.80		46.20
	4	3.29	17.60	16.30	18.80	17.40	19.90	18.50	21.00	19.70	22.20	20.80	23.30	22.00	24.80	23.10
	4	6.09	20.30	18.80	21.70	20.10	23.00	21.40	24.30	22.70	25.60	24.00	26.90	25.30	28.20	26.60
	4	9.20	28.40	26.00	30.40	28.00	32.40	30.00	34.40	32.00	36.40	34.00	38.40	36.00	40.50	38.00
	4	12.51		39.50		42.40		45.20		48.10		50.90		53.80		56.60
	4½	5.98	20.00	19.50	21.30	19.70	22.60	21.00	23.90	22.30	25.20	23.60	26.50	24.80	27.80	26.20
	4½	6.6	22.40	20.70	23.80	22.10	25.30	23.50	26.70	25.00	28.20	26.40	29.60	27.90	31.00	29.30
	4½	8.6	26.50	24.30	28.40	26.20	30.30	28.00	32.20	29.90	34.00	31.80	35.80	33.70	37.80	35.60
	4½	10.79	33.60	30.80	36.00	33.20	38.40	36.50	40.80	37.90	43.30	40.30	45.80	42.70	47.90	45.10
	4½	14.98		47.40		50.90		54.30		57.70		61.10		64.50		67.90
	4½	7.1	24.10	22.30	25.60	23.80	27.20	25.30	28.70	26.90	30.30	28.40	31.80	30.00	33.40	31.50
	4¾	9.3	28.70	26.20	30.70	28.30	32.80	30.30	34.80	32.30	36.80	34.40	38.90	36.40	40.90	38.40
	4¾	15.75		49.70		53.20		56.80		60.40		63.90		67.50		71.10
	5	6.56	23.40	21.60	24.90	23.10	26.40	24.60	27.90	26.10	29.40	27.62	30.90	29.10	32.50	30.60
	5	9.6	29.60	27.10	31.70	29.20	33.80	31.30	35.90	33.40	38.00	35.50	40.10	37.60	42.20	39.70
	5	12.53	38.60	35.30	41.30	38.00	44.00	40.70	46.80	43.50	49.50	46.20	52.20	49.00	55.00	51.70
	5	14.87		46.80		50.20		53.80		56.90		60.30		63.60		67.00
	5½	8.3	28.10	26.00	30.00	27.80	31.80	29.60	33.60	31.40	35.40	33.20	37.20	35.00	39.00	36.90
	5½	12.89	39.50	36.10	42.30	38.90	45.10	41.70	47.90	44.50	50.70	47.30	53.50	50.10	56.30	52.90
	5½	10.41	35.30	32.50	37.60	34.80	39.80	37.10	42.10	39.40	44.40	41.60	46.60	43.90	48.90	46.20
	5½	8.79	29.80	27.20	31.40	29.10	33.30	31.00	35.20	32.90	37.10	34.80	39.00	36.70	40.90	38.60
	5½	16.87	51.80	47.40	55.50	51.10	59.20	54.90	62.80	58.40	66.50	62.10	70.20	65.80	73.90	69.60
	5½	19.81		62.60		67.10		71.60		76.10		80.60		85.10		89.60
	5⅝	8.56	28.80	26.60	30.70	28.40	32.50	30.30	34.40	32.20	36.30	34.00	38.10	35.90	40.00	37.70
	5⅝	14.62	45.00	41.20	48.20	44.40	51.40	47.60	54.60	50.80	57.80	54.00	61.00	57.20	64.20	60.40
	5⅝	17.07	52.40	48.00	56.20	51.70	59.90	55.40	63.60	59.10	67.30	62.80	71.00	66.60	74.70	70.30
	5⅝	20.78		65.80		70.50		75.20		80.00		84.70		89.40		94.20
	6	8.76	29.50	27.20	31.40	29.10	33.30	31.00	35.20	32.90	37.10	34.80	39.00	36.70	40.90	38.60
	6	11.64	39.30	36.30	41.90	38.80	44.40	41.40	46.90	43.90	49.50	46.40	52.00	49.00	54.60	51.50
	6	15.35	47.20	43.20	50.50	46.50	53.90	49.90	57.20	53.20	60.60	56.60	63.90	59.90	67.30	63.30
	6	21.63		68.30		73.20		78.10		83.10		88.00		92.90		97.80
	6⅝	11.65	40.90	37.70	43.50	40.40	46.20	43.00	48.80	45.70	51.50	48.30	54.10	51.00	56.70	53.60
	6⅝	12.89	45.10	41.60	48.10	44.60	51.00	47.50	53.90	50.40	56.80	53.30	59.70	56.20	62.60	59.10
	6⅝	17.02	54.50	49.90	58.40	53.80	62.30	57.60	66.10	61.50	70.00	65.40	73.90	69.20	77.70	73.10
	6⅝	18.97	60.90	55.80	65.30	60.10	69.60	64.40	73.90	68.70	78.20	73.10	82.60	77.40	86.90	81.70
	6⅝	28.57		90.50		97.00		103.50		110.00		116.50		123.00		129.50
	7	10.09	36.20	33.40	38.50	35.70	40.70	38.00	43.00	40.30	45.30	42.60	47.60	44.80	49.80	47.10
	7	13.64	49.20	45.50	52.30	48.60	55.40	51.70	58.50	54.80	61.60	57.80	64.70	61.00	67.80	64.10
	7	16.7	55.10	50.50	58.90	54.30	62.70	58.10	66.50	61.90	70.30	65.70	74.10	69.50	77.90	73.30
	7	19.54	64.30	59.00	68.80	63.40	73.20	67.90	77.60	72.30	82.10	76.80	86.50	81.20	90.90	85.60
	7	23.64	77.90	71.40	83.20	76.80	88.60	82.20	94.00	87.50	99.30	92.90	104.70	98.30	110.10	103.60
	7	25.66		83.30		89.10		94.90		100.70		106.50		112.40		118.20
	7⅝	14.89	53.50	49.50	56.90	52.90	60.30	56.20	63.60	59.60	67.00	63.00	70.40	66.30	73.70	69.70
	7⅝	19.69	64.70	59.30	69.10	63.80	73.60	68.30	78.00	72.70	82.50	77.10	87.00	81.60	91.40	86.10
	7⅝	29.04		94.40		101.00		107.50		114.10		120.70		127.30		133.90
	8	13.23	47.80	44.10	50.80	47.20	53.80	50.20	56.80	53.20	59.80	56.20	62.80	59.20	65.80	62.20
	8	18.64	58.40	52.20	60.00	55.70	63.50	59.30	67.10	62.80	70.60	66.40	74.20	69.99	77.70	73.50
	8	18.28	60.00	55.10	64.20	59.20	68.30	63.40	72.40	67.50	76.60	71.60	80.70	75.80	84.90	79.90
	8	23.19		75.20		80.40		85.70		90.90		96.20		101.40		106.70
	8⅝	16.23	58.60	54.20	62.30	57.90	66.00	61.60	69.70	65.20	73.30	68.90	77.00	72.60	80.70	76.30
	8⅝	22.36	80.70	74.60	85.70	79.70	90.80	84.70	95.90	89.80	101.00	94.70	106.00	100.00	111.10	105.00
	8⅝	24.70	81.30	74.70	87.10	80.40	92.70	86.00	98.30	91.60	104.00	97.20	109.60	102.80	115.20	108.40
	8⅝	28.06	82.50	75.70	88.20	81.30	93.90	87.00	99.50	92.72	105.20	98.40	110.90	104.10	116.60	109.80
	8⅝	28.55	98.00	87.10	101.60	93.70	108.10	100.20	114.70	106.80	121.20	113.40	127.80	119.20	134.30	126.50
	8⅝	43.39		141.20		150.10		161.00		171.82		180.70		190.60		200.40
	9	17.65	63.70	58.90	67.70	62.90	71.70	66.90	75.70	70.90	79.70	74.90	83.70	78.90	87.70	82.90
	9	32.77	107.90	99.00	113.30	106.40	122.80	113.80	130.20	121.30	137.60	128.70	145.10	136.10	152.50	143.60
	9	45.39		147.40		157.70		168.00		178.30		188.60		198.90		209.20

[1] Established charge for transporting pipe by rail at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point.

TABLE I

PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS

Description of Pipe: Size: Inside Diameter (Inches)	Outside Diameter (Inches)	Weight per Foot (Pounds)	Price per Hundred Feet—Dollars: Zone 1 Less Than $0.25 Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 1: Plain End	Zone 2 $0.25 and Over but Less Than $0.50 Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 2: Plain End	Zone 3 $0.50 and Over but Less Than $0.75 Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 3: Plain End	Zone 4 $0.75 and Over but Less Than $1.00 Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 4: Plain End	Zone 5 $1.00 and Over but Less Than $1.25 Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 5: Plain End	Zone 6 $1.25 and Over but Less Than $1.50 Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 6: Plain End	Zone 7 $1.50 and Over Freight Rate per Hundred Pounds: Threaded and Coupled	Zone 7: Plain End
----------	9⅝	18.90	69.20	64.10	73.50	68.40	77.80	73.40	82.10	77.00	86.40	81.30	90.70	85.60	95.00	89.90
----------	9⅝	25.03	83.60	76.50	89.30	82.50	95.00	88.20	100.70	93.80	106.40	99.50	112.10	105.20	117.70	110.90
----------	9¾	37.05	123.80	113.60	132.20	122.10	140.60	130.50	149.00	138.90	157.40	147.30	165.80	155.70	174.30	164.10
----------	9¾	48.73		162.90		174.00		185.00		196.10		207.20		218.30		229.40
----------	10	19.65	71.80	66.40	76.30	70.90	80.70	75.40	85.20	79.80	89.60	84.30	94.10	88.70	98.50	93.20
----------	10	28.03	95.20	88.10	101.10	94.10	107.10	100.00	113.00	105.90	118.90	111.80	124.80	117.70	130.70	123.60
----------	10	38.54	128.80	118.20	137.50	127.00	146.30	135.80	155.00	144.50	163.80	153.30	172.60	162.00	181.30	170.80
----------	10	50.73		169.60		181.10		192.60		204.20		215.70		227.20		238.80
----------	10¼	22.57	83.50	77.30	88.70	82.50	93.90	87.70	99.10	92.80	104.30	98.00	109.40	103.20	114.60	108.40
----------	10¼	28.04	102.60	94.90	108.90	101.30	115.30	107.70	121.70	114.00	128.00	120.40	134.40	126.80	140.80	133.10
----------	10¼	31.20	107.00	98.28	114.30	105.60	121.60	112.80	128.90	120.10	136.10	127.40	143.40	134.70	150.70	142.00
----------	10¼	34.24	117.60	107.50	125.00	115.50	133.00	123.40	140.90	131.40	148.90	139.30	156.90	147.30	164.80	155.30
----------	10¼	41.20	137.80	126.50	147.20	135.90	156.50	145.30	165.90	154.70	175.30	164.00	184.70	173.40	194.00	182.80
----------	10¾	54.74		183.30		195.80		206.20		220.70		233.20		245.60		258.10
----------	11	21.68	79.10	73.20	84.00	78.10	88.90	83.00	93.90	88.00	98.80	92.90	103.70	97.80	108.60	102.70
----------	11	28.70	105.10	94.20	111.70	103.50	118.20	110.30	124.70	116.50	131.20	123.40	137.80	129.40	144.30	136.50
----------	11	42.55	142.10	130.50	151.80	140.20	161.50	149.90	171.20	159.50	180.80	169.20	190.50	178.90	200.20	188.50
----------	11	56.07		187.30		200.00		212.80		225.50		238.30		251.00		263.70
----------	11¼	30.71	115.20	106.00	122.30	113.80	129.20	120.80	136.20	127.70	143.20	134.80	150.20	141.80	157.10	148.80
----------	11¼	45.56	156.30	143.90	166.70	154.20	177.00	164.60	187.40	175.00	197.70	185.30	208.10	195.70	218.40	206.00
----------	11¼	60.08		206.10		219.80		233.40		247.10		260.70		274.40		288.00
----------	12	24.46	91.60	84.90	97.10	90.50	102.70	96.00	108.20	101.60	113.80	107.10	119.30	112.70	124.90	118.20
----------	12	31.37	117.50	108.90	124.60	116.10	131.70	123.20	138.90	130.30	146.00	137.40	153.10	144.60	160.20	151.70
----------	12	45.56	159.70	147.10	170.30	157.60	180.90	168.20	191.50	178.80	202.10	189.40	212.60	200.00	223.20	210.50
----------	12	61.41		210.90		224.90		238.90		252.80		266.80		280.80		294.70
----------	12¼	33.38	125.00	115.90	132.60	123.50	140.20	131.10	147.70	138.60	155.30	146.20	162.90	153.80	170.50	161.40
----------	12¼	41.51	142.60	131.20	152.00	140.70	161.50	150.10	170.90	159.60	180.30	169.00	189.80	178.50	199.20	187.90
----------	12¼	45.55	154.60	142.30	164.80	152.60	175.10	162.80	185.30	173.00	195.50	183.20	205.80	193.50	216.00	203.70
----------	12¼	49.66	174.20	160.34	185.70	171.90	197.20	183.40	208.80	194.90	220.30	206.50	231.80	218.00	243.40	229.50
----------	12¾	65.42		225.00		239.90		254.80		269.70		284.60		299.50		314.40
----------	13	34.04	129.20	119.90	136.90	127.60	144.60	135.40	152.40	143.10	160.10	150.80	167.90	158.60	175.60	166.30
----------	13	50.56	173.50	159.70	183.00	171.20	196.50	182.70	207.90	194.20	219.40	205.60	230.92	217.20	242.40	228.60
----------	13	66.75	229.10	210.90	244.30	226.10	259.50	241.30	274.70	256.50	289.80	271.60	305.00	286.80	320.20	301.90
----------	13⅜	35.04	133.00	123.40	140.90	131.40	148.90	139.30	156.90	147.30	164.80	155.30	172.80	163.20	180.70	171.20
----------	13⅜	52.07	178.60	164.40	190.50	176.30	202.30	188.10	214.10	199.90	226.00	211.80	237.80	223.60	249.60	235.40
----------	13⅜	68.75	236.00	217.20	251.60	232.90	267.30	248.50	282.90	264.10	298.50	279.80	314.10	295.40	329.80	311.00
----------	14	36.71	139.40	129.40	147.80	137.80	156.10	146.10	164.50	154.50	172.80	162.80	181.20	171.20	189.50	179.50
----------	14	54.57	187.20	172.30	199.60	184.70	212.00	197.10	224.40	209.50	236.80	221.90	249.20	234.30	261.60	246.70
----------	14	72.09	247.30	227.70	263.70	244.10	280.10	260.40	296.50	276.80	312.90	293.20	329.20	309.60	345.60	326.00
----------	15	39.38	151.10	140.40	160.00	149.30	169.00	158.30	177.90	167.20	186.90	176.10	195.80	185.10	204.70	194.00
----------	15	58.57	216.90	201.00	230.20	214.30	243.60	227.60	256.90	240.90	270.20	254.20	283.50	267.50	296.80	280.80
----------	15	77.43	287.00	265.90	304.60	283.50	322.20	301.10	339.80	318.70	357.50	336.30	375.10	353.90	392.70	371.50
----------	16	42.05	161.50	150.00	171.00	159.60	180.60	169.10	190.10	178.70	199.70	188.20	209.30	197.80	218.80	207.30
----------	16	62.58	231.80	214.70	246.00	228.90	260.20	243.10	274.40	257.40	288.60	271.60	302.90	285.80	317.10	300.00
----------	16	82.77	306.70	284.10	325.50	302.90	344.30	321.70	363.10	340.50	381.90	359.40	400.74	378.20	419.60	397.00
----------	18	47.39		171.10		181.90		192.60		203.40		214.10		224.90		235.70
----------	18	70.59		245.40		261.40		277.50		293.50		309.60		325.60		341.60
----------	18	93.45		325.10		346.40		376.60		388.90		410.10		431.40		452.60
----------	20	52.73		190.60		202.60		214.60		226.60		238.60		250.60		262.60
----------	20	78.60		273.60		291.50		309.40		327.20		345.10		363.00		380.90
----------	20	104.13		362.40		385.00		408.70		433.40		457.10		480.80		504.50
----------	22	69.76		255.80		271.20		287.00		302.90		318.70		334.60		350.40
----------	22	94.62		333.60		355.10		376.70		398.20		419.70		441.20		462.70
----------	24	114.81		404.90		431.00		457.10		483.20		509.30		535.40		561.60
----------	24	79.06		289.40		307.30		325.30		343.30		361.30		379.20		397.20
----------	24	94.62		333.60		355.10		376.70		398.20		419.70		441.20		462.70
----------	24	125.49		442.20		470.80		499.30		527.80		556.30		584.90		613.40
----------	26	119.44		421.00		448.20		475.40		502.50		529.70		556.90		584.00

(d) *Maximum shipping point prices for oil country tubular goods.* (1) Except as otherwise provided in this paragraph, the maximum shipping point price for threaded and coupled oil country tubular goods shall be the applicable price listed for the kind of pipe to be priced, in subparagraph (5) of this paragraph (according to the zone in which the shipping point is located) for the listed size identical with or nearest to the size of the pipe to be priced, and the listed weight per foot for such listed size, nearest to the weight per foot of the pipe to be priced. If the size of the pipe to be priced is exactly midway between two adjacent listed sizes, the smaller of the two listed sizes shall be the governing size, and the maximum shipping point price shall be the price applicable to the listed weight per foot for such governing size, nearest to the weight per foot of the pipe to be priced: *Provided however*, That if the weight per foot of the pipe to be priced is exactly midway between adjacent weights per foot listed for such governing size, the maximum shipping point price shall be the price applicable to the lower of such adjacent weights.

(2) If threaded and coupled oil country tubular goods meet the specifications set forth in this subparagraph, the maximum shipping point prices shall be the maximum prices determined under subparagraph (1) of this paragraph, plus twenty percent:

Each length of pipe must be commercially straight and free of injurious surface defects, must bear the American Petroleum Institute (hereinafter referred to as A. P. I.) monogram showing that such pipe was manufactured to A. P. I. specifications, must be of American manufacture, must have been subjected to a ring and plug-gauge test as required under A. P. I. specifications to assure absence of stand-off and other defects such as "cupping" of threads and pulling strain, must have threads which are free from visible breaks and galling, must weigh at least 96½ percent of the calculated weights required by A. P. I. specifications for new pipe of the same size and weight per foot, must have been drifted with cylindrical mandrels as required in A. P. I. specifications (except that the mandrel shall have an outside diameter

of not less than 1/16 inch under the nominal inside diameter of the pipe being tested), must have been hydrostatically tested to a minimum pressure of fifteen hundred pounds (the pressure to be applied for not less than one minute without leakage and the ends filled with plugs, using a zinc base thread compound), and must be stamped with a steel die to show clearly the seller's identification mark.

(3) **Maximum shipping point prices** for plain end oil well casing and tubing meeting the requirements for oil country tubular goods as defined in § 1306.464 shall be ten per cent less than the maximum shipping point prices in subparagraphs (1) and (2) of this paragraph applicable to such casing and tubing when threaded and coupled.

(4) Where pipe, originally oil country tubular goods, is no longer suitable for reuse for a purpose for which such pipe of prime quality is customarily used, but meets the requirements of reusable pipe as defined in § 1306.464 of this Maximum Price Regulation No. 230, the maximum shipping point price shall be determined in accordance with the provision of § 1306.466 (c).

TABLE II

OIL COUNTRY TUBULAR GOODS—THREADED AND COUPLED

Steel tubing—upset or plain

Description of pipe: Size, Outside diameter (inches)	Weight per foot (pounds)	Price per hundred feet—dollars: Zone 1 Less than $0.25 freight rate[1] per hundred pounds	Zone 2 $0.25 and over but less than $0.50 freight rate[1] per hundred pounds	Zone 3 $0.50 and over but less than $0.75 freight rate[1] per hundred pounds	Zone 4 $0.75 and over but less than $1.00 freight rate[1] per hundred pounds	Zone 5 $1.00 and over but less than $1.25 freight rate[1] per hundred pounds	Zone 6 $1.25 and over but less than $1.50 freight rate[1] per hundred pounds	Zone 7 $1.50 and over freight rate[1] per hundred pounds
2⅜	4.60	17.00	17.80	18.70	19.50	20.40	21.30	22.10
2⅞	6.20	22.00	23.20	24.30	25.40	26.60	27.80	28.90
3½	9.20	31.60	33.40	35.10	36.80	38.50	40.30	42.00

Steel Casing

4½	9.50	34.30	36.10	37.90	39.70	41.40	43.20	45.00
4¾	16.00	57.80	60.80	63.80	66.80	69.80	72.80	75.80
5	13.00	46.60	51.10	53.50	55.90	58.40	60.80	63.20
5	14.00	49.80	52.50	55.10	57.70	60.30	63.00	65.60
5	15.00	53.50	56.30	59.10	61.90	64.70	67.50	70.30
5	18.00	64.00	65.20	70.80	74.20	77.60	80.90	84.30
5	10.00	39.60	40.70	42.60	45.20	47.10	49.00	50.90
5¼	13.00	47.50	48.90	52.30	54.80	57.20	59.60	62.08
5¼	16.00	54.40	57.30	60.30	63.30	66.30	69.30	72.30
5¼	14.00	42.50	45.10	47.80	50.40	53.00	55.70	58.30
5½	15.00	41.90	47.70	48.20	53.30	56.10	58.90	61.70
5½	17.00	51.20	52.10	57.59	60.70	63.90	67.10	70.30
5½	13.00	51.50	53.90	56.30	58.80	61.20	63.70	66.10
6⅝	17.00	60.10	63.30	66.40	69.60	72.80	76.00	79.20
6⅝	20.00	70.90	74.60	78.40	82.10	85.90	89.60	93.30
6⅝	24.00	84.70	89.20	93.70	98.20	102.70	107.20	111.70
6⅝	26.00	90.60	95.40	100.20	105.20	110.10	114.90	119.80
6⅝	17.00	53.30	56.40	59.60	62.80	66.00	69.20	72.40
7	18.00	56.40	59.80	63.10	66.50	69.90	73.30	76.70
7	20.00	62.40	66.60	69.90	73.60	77.40	81.10	84.90
7	22.00	68.90	73.00	77.20	81.30	85.40	89.50	93.70
7	24.00	76.60	81.10	85.60	90.10	94.60	99.10	103.60
7	26.00	82.40	87.20	92.10	97.00	101.90	106.80	111.60
7	28.00	92.60	97.80	103.10	108.30	113.60	118.80	124.10
7	26.40	98.10	103.10	108.00	113.00	117.90	122.90	127.00
7⅝	20.00	76.40	80.10	83.90	87.70	91.40	95.20	98.90
8	20.00	76.50	80.10	84.00	87.70	91.50	95.20	99.00
8⅝	24.00	88.80	93.10	97.89	102.30	106.80	111.30	115.80
8⅝	28.00	95.10	100.30	105.60	110.80	116.10	121.30	126.60
8⅝	32.00	101.80	107.80	113.80	119.80	125.80	131.80	137.80
8⅝	36.00	131.30	138.00	144.80	151.50	158.30	165.00	171.80
8⅝	34.00	143.60	150.00	156.30	162.70	169.10	175.50	181.80
9	38.00	161.20	168.50	175.40	182.56	189.70	196.80	203.90
9	40.00	169.70	177.50	184.70	192.20	199.70	207.20	214.70
9	40.00	127.00	134.50	142.00	149.50	157.00	164.50	172.00
9⅝	32.75	113.10	119.20	125.40	131.50	137.60	143.80	149.90
10¾	35.75	133.10	139.70	146.50	153.10	159.80	166.50	173.20
10¾	45.50	168.10	176.70	185.20	193.70	202.30	210.80	219.30
10¾	47.00	171.80	180.70	189.50	198.30	207.10	215.90	224.70
11¾	45.00	183.60	192.00	200.40	208.90	217.30	225.80	234.20
12¾	51.00	206.70	216.30	225.90	235.40	245.00	254.60	264.10
12¾	40.60	156.60	164.10	171.60	179.10	186.60	194.10	201.60
13	45.00	169.90	178.30	186.70	195.20	203.60	212.00	220.50
13	50.00	184.90	194.30	203.70	213.00	222.40	231.80	241.20
13	48.00	206.80	215.80	224.80	233.80	242.80	251.80	260.80
13⅜	54.50	225.30	235.50	245.70	255.90	266.10	276.30	286.60
13⅜	61.00	250.10	261.50	273.00	284.40	295.80	307.30	315.70
13¾	50.00	227.80	237.20	246.50	255.90	265.30	274.70	284.00
14	55.00	285.00	295.30	305.60	315.90	326.20	336.50	346.90
16	65.00	333.60	345.80	358.00	370.10	382.30	394.50	406.70
16	70.00	354.40	367.50	380.70	393.80	406.90	420.00	433.20
16	75.00	376.50	390.60	404.70	418.70	432.80	446.90	460.90
16	78.60	447.00	461.60	476.20	490.80	505.50	520.10	534.70
18⅝	87.50	487.10	503.50	519.90	536.30	552.70	569.10	585.50
18⅝	96.50	522.30	540.40	558.50	576.50	594.60	612.70	630.80
18⅝	84.00	469.50	488.30	501.00	516.80	532.50	548.30	564.00
20	90.00	503.00	520.00	536.80	553.70	570.60	587.50	604.30
20	92.50	599.90	617.30	634.60	651.90	669.30	686.60	704.00
21½	103.00	648.70	668.00	687.30	706.60	725.90	745.20	764.50
21½	114.00	669.20	717.60	738.90	760.30	781.70	803.10	824.40

[1] Established charge for transporting pipe by rail at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point.

TABLE II—Continued

OIL COUNTRY TUBULAR GOODS—THREADED AND COUPLED—continued

Steel Drive Pipe

Description of pipe: Size, Outside diameter (inches)	Weight per foot (pounds)	Price per hundred feet—dollars: Zone 1 Less than $0.25 freight rate per hundred pounds	Zone 2 $0.25 and over but less than $0.50 freight rate per hundred pounds	Zone 3 $0.50 and over but less than $0.75 freight rate per hundred pounds	Zone 4 $0.75 and over but less than $1.00 freight rate per hundred pounds	Zone 5 $1.00 and over but less than $1.25 freight rate per hundred pounds	Zone 6 $1.25 and over but less than $1.50 freight rate per hundred pounds	Zone 7 $1.50 and over freight rate per hundred pounds
2⅜	3.75	15.40	16.10	16.90	17.50	18.30	19.00	19.70
2⅞	5.90	21.80	22.90	24.00	25.10	26.20	27.30	28.40
3½	7.70	28.50	29.90	31.40	32.80	34.30	35.70	37.10
4	9.25	33.70	35.40	37.20	38.90	40.60	42.40	44.10
4½	11.00	40.10	42.10	44.20	46.30	48.30	50.40	52.40
5⅝	13.00	54.20	57.00	59.80	62.70	65.50	68.30	71.10
6⅝	19.45	69.90	73.50	77.20	80.80	84.50	88.20	91.80
6⅝	25.55	98.10	102.90	107.70	112.50	117.30	122.10	129.90
6⅝	29.35	113.10	118.60	124.10	129.60	135.10	140.60	146.20
6⅝	32.40	125.10	131.10	137.20	143.30	149.40	155.40	161.50
10¾	32.75	127.30	133.40	139.60	145.70	151.90	158.00	164.20
10¾	35.75	130.90	146.60	153.30	160.00	166.70	173.40	180.20
10¾	41.85	163.10	171.00	178.80	186.70	194.50	202.40	210.20
12¾	45.45	180.80	189.30	197.80	206.40	214.90	223.40	232.00
12¾	51.15	203.20	212.80	222.40	232.00	241.60	251.20	260.80
14	57.00	269.80	280.50	291.20	301.90	312.60	323.30	334.00
16	65.30	330.40	342.70	354.90	367.20	379.40	391.60	403.90
18	81.20	442.40	457.60	472.80	488.10	503.30	518.50	533.70
20	90.00	503.10	520.00	536.80	553.70	570.50	587.50	604.30

Steel Drill Pipe

2⅜	4.80	25.00	25.90	26.80	27.70	28.60	29.50	30.40
2⅜	6.65	35.60	37.10	38.40	39.60	40.90	42.10	43.40
2⅞	6.45	34.80	36.00	37.20	38.40	39.70	40.90	42.10
2⅞	8.35	43.60	45.20	46.80	48.40	49.90	51.60	53.20
2⅞	10.40	54.60	56.50	58.50	60.40	62.40	64.30	66.30
3½	8.50	45.70	47.30	48.90	50.50	52.10	53.70	55.30
3½	11.20	60.40	62.50	64.60	66.70	68.80	70.90	73.00
3½	13.30	69.80	72.30	74.80	77.30	79.80	82.30	84.80
4½	12.75	66.20	68.60	71.00	73.40	75.80	78.20	80.60
4½	16.60	86.40	89.50	92.60	95.80	98.90	102.00	105.10
4½	19.00	99.10	102.70	106.30	109.80	113.40	116.90	120.50
5⅝	22.90	117.50	121.80	126.10	130.40	134.70	139.00	143.20
5⅝	25.25	132.40	137.20	141.90	146.60	151.40	156.10	160.90
6⅝	22.20	117.40	121.60	125.80	129.90	134.10	138.30	142.40
6⅝	31.90	166.70	172.60	178.60	184.60	190.60	196.50	202.50
7⅝	29.25	150.90	156.80	171.80	177.30	182.80	188.30	193.80
8⅝	40.00	234.20	241.70	249.20	256.70	264.20	271.70	279.20
8⅝	46.50	271.70	280.40	289.10	297.90	306.60	315.30	324.00

(e) *Extras.* (1) Whenever, at the request of the consumer, pipe is coated with asphalt; or wrapped with a protective coating; or cut to lengths of 12 feet and under; or cut to lengths of 12 feet and under and threaded; an extra charge may be made for each such service. Such charge or charges may not exceed the charge or charges that the seller customarily made for such service or services during the period August 15 to October 15, 1941.

No extra charge or charges may be made unless each such charge is listed as a separate item on the invoice.

(2) No extra charge or charges authorized in subparagraph (1) of this paragraph may be made unless the seller files with the Office of Price Administration, Washington, D. C., before November 30, 1942, a complete and detailed report under oath, setting forth the charge or charges which the seller customarily made during the period August 15 to October 15, 1941, for each service mentioned in subparagraph (1) of this paragraph.

(f) *Maximum delivery charges.* The charges that may be added to the maximum shipping point price for transporting any grade of pipe may not exceed the applicable charges authorized below. In no case may any charge or cost incurred in placing the pipe at its shipping point or in unloading the pipe at the point of delivery be added to the delivery charge. No delivery charge shall be made unless such charge is listed as a separate item on the invoice.

Pipe is at its point of delivery when it has arrived for unloading at the point designated by the buyer as his receiving point: *Provided, however,* That where the buyer has designated a point away from a railroad siding and delivery is by rail, the pipe is at its point of delivery when it has arrived for unloading at the rail siding nearest the point designated by the buyer as his receiving point.

(1) *Where transportation from shipping point to point of delivery is wholly or partially by rail, vessel, or combination,* the maximum delivery charge shall be the established charge for transporting the pipe from the shipping point to the point of delivery by the mode of transportation employed.

Where transportation from shipping point to point of delivery includes water movement, if no established charge exists for such water movement, then the actual charge incurred in such water movement may be included in the delivery charge.

Where transportation from shipping point to point of delivery includes water movement and there are no established dock charges, the actual charges incurred at the dock may be included in the delivery charge.

(2) *Where transportation from shipping point to point of delivery is solely by motor vehicle.* (i) Where transportation is by public carrier, the maximum

delivery charge shall be the established public carrier charge for transporting the pipe by motor vehicle from the shipping point to the point of delivery.

(ii) Where transportation is by other than public carrier, the maximum delivery charge shall be the charge for transporting the pipe at the established rail carload rate for the lowest minimum weight from the rail siding nearest the shipping point to the rail siding nearest the point of delivery.

(g) *Maximum delivered prices.* The maximum delivered price for any pipe governed by this Maximum Price Regulation No. 230 shall not exceed the applicable maximum shipping point price established in paragraph (c) or (d) of this section, plus the extra charges, if any are allowable, under paragraph (e) of this section, plus the applicable delivery charge authorized under paragraph (f) of this section.

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9656; Filed, September 28, 1942; 1:19 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 1 to Maximum Price Regulation 229[1]]

RETAIL AND WHOLESALE PRICES FOR VICTORY LINE WATERPROOF RUBBER FOOTWEAR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The words "per pair" are added to the title of § 1315.1713 and a new § 1315.1712a is added, as set forth below:

§ 1315.1713 *Appendix A: Table of maximum prices per pair of Victory Line Footwear.* • • •

§ 1315.1712a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.1712a, 1315.1713) to Maximum Price Regulation No. 229 shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9657; Filed, September 28, 1942; 1:19 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 2 to Maximum Price Regulation 197[2]]

CANNED FRUITS AND CANNED BERRIES AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraphs (4) and (5) are added to § 1341.155 (a); § 1341.164 is amended and paragraph (b) is added to § 1341.172 as set forth below:

§ 1341.155 *Maximum prices for canned Cuban pineapple and canned Cuban pineapple juice.* (a) • • •

(4) In the event that an importer of canned Cuban pineapple or canned Cuban pineapple juice cannot establish a maximum price for any grade and container size under the foregoing paragraphs of this section, his maximum price shall be the maximum price of such grade and container size established by the importer who is his most closely competitive seller. His most closely competitive seller is an importer located nearest to him who has determined a maximum price for such grade and container size. The importer shall report any maximum price thus established to the Office of Price Administration, Washington, D. C., within ten days.

(5) If the importer's maximum price cannot be established pursuant to the foregoing provisions of this section, the importer may apply to the Office of Price Administration, Washington, D. C., for specific authorization of a maximum price. Such application shall be under oath or affirmation and shall contain a detailed description of the grade and container size for which a maximum price is sought and a statement of the facts which differentiate such grade and container size from the most similar grade and container size for which he has determined a maximum price, stating such most similar grade and container size and the maximum price determined therefor.

• • • • • •

§ 1341.164 *Marking, posting and filing by retailers; applicability of the marking, posting and filing provisions of the General Maximum Price Regulation.* (a) The marking, posting and filing provisions of § 1499.13 of the General Maximum Price Regulation are applicable to every person selling at retail any canned fruits or canned fruit juices referred to in that section or in Appendix B of the General Maximum Price Regulation.

(b) Each retailer who adjusts his maximum price on canned peaches, canned pears, canned pineapple or canned pineapple juice, pursuant to the provisions of this Maximum Price Regulation No. 197, shall file with the appropriate War Price and Rationing Board of the Office of Price Administration a statement or statements showing each such adjustment. Such statement or statements shall be filed on or before the tenth day of the month following the month in which the maximum price was so adjusted. Each such statement may contain the required information for one or more of such commodities and shall contain an appropriate description or identification of each such commodity.

• • • • • •

§ 1341.172 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1341.155 (a) (4) and (a) (5), §§ 1341.164 and 1341.172 (b)) to Maximum Price Regulation No. 197 shall become effective on October 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9658; Filed, September 28, 1942; 1:18 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 1 to Maximum Price Regulation 150 as Amended[1]]

MILLED RICE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In paragraph (d) of § 1351.464, subparagraph (3) is revoked and subparagraph (4) is redesignated (3) and amended to read as set forth below.

§ 1351.464 *Appendix A: Maximum prices for milled rice.* • • •

(d) *All other maximum delivered prices.* • • •

(3) In determining the transportation charges pursuant to the provisions of subparagraph (1) of this paragraph, where a shipment originates in a place outside of a base point and actually moves at a carload rate, the maximum transportation charge to be added shall be computed at the lowest railroad carload rate from the applicable base point to the point of destination. Where coastwise or intercoastal shipments are made by water, the maximum delivered prices may be increased further by the addition of charges for war risk cargo insurance, surcharges and emergency charges necessarily incident to the transportation, where actually incurred by the seller. Within the meaning of this paragraph (d) the applicable base point shall be that base point from which the lowest established rate for transportation of milled rice applies to the seller's mill, and the point of destination shall be f. o. b. conveyance at the dock or siding at or in the vicinity of the buyer's warehouse or place of business or some other point designated by the buyer if the shipment actually moves to such other point directly from the mill point.

§ 1351.463 *Effective dates of amendments.* • • •

(b) Amendment No. 1 (§ 1351.464 (d)) to Maximum Price Regulation No. 150, as amended, shall become effective October 3d, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9659; Filed, September 28, 1942; 1:17 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] *Infra.*

[2] 7 F.R. 5989, 7403.

[1] 7 F.R. 6602.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 21 to Maximum Price Regulation 136[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (15) is added to § 1390.25 (c) and new paragraph (u) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* • • •

(c) *Amendments.* • • •

(15) *Micro-Westco, Inc.* Notwithstanding the provisions of § 1390.9 the maximum charge applicable to the servicing of machines by Micro-Westco, Inc., Bettendorf, Iowa, shall be at the rate of $2.65 per hour, including travel-time when performed during the regular hours of the working day.

§ 1390.31a *Effective dates of amendments.* • • •

(u) Amendment No. 21 (§ 1390.25 (c) (15)) to Maximum Price Regulation No. 136, as amended, shall become effective October 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9660; Filed, September 28, 1942; 1:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 30 to Supplementary Regulation 1[2] of the General Maximum Price Regulation]

MANUFACTURE OF FURFURAL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (25) of paragraph (a) of § 1499.26 is amended, and subdivision (vii) of subparagraph (25) is redesignated (viii) and a new subdivision (vii) is added, all to read as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

• • • • • •

(25) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum, and agricultural components used in the manufacture of furfural.

• • • • • •

(vii) The following to the extent sold or delivered for use in the manufacture of furfural: Agricultural components of furfural including but not limited to oat hulls, cottonseed hulls, and cottonseed hull bran.

(•) *Effective dates.* • • •

(31) Amendment No. 30 (§ 1499.26) (a) (25)) to Supplementary Regulation No. 1 shall become effective October 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9654; Filed, September 28, 1942; 1:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 83 to Supplementary Regulation 14[1] to General Maximum Price Regulation[2]]

SILICOMANGANESE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (30) is added to paragraph (a) of § 1499.73 as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(30) *Silicomanganese.* (i) The seller's maximum price for silicomanganese, containing 65% to 70% manganese by weight, shall be the price set forth below for the applicable grade:

[Dollars per gross ton]

	3% approximate carbon, 12–14% silicon	2½% maximum carbon, 14–18% silicon	2% maximum carbon, 16–20% silicon	1½% maximum carbon, 17–20% silicon	1% maximum carbon, 20–24% silicon
Carload lots, bulk	$120.00	$125.00	$130.00	$135.00	$140.00
Carload lots, packed	127.00	132.00	137.00	142.00	147.00
Gross ton lots, packed	132.50	137.50	142.50	147.50	152.50
Less than gross ton lots:					
Down to 200 pounds packed	136.00	141.00	146.00	151.00	156.00
Less than 200 pounds packed	140.00	145.00	150.00	155.00	160.00
Crushed to specified mesh	Premiums prevailing during March, 1942.				

(ii) The seller's maximum price for silicomanganese, crushed and pressed into briquettes weighing approximately 3½ pounds, with binding material, and containing 2 pounds of manganese and ½ pound of silicon by weight, shall be:

	Cents per lb. of briquettes
Carload lots, bulk	5.80
Carload lots, packed	6.05
Gross ton lots, packed	6.30
Less than gross ton lots:	
Down to 200 lbs., packed	6.55
Less than 200 lbs., packed	6.80

(iii) The maximum prices set forth above are f. o. b. seller's shipping point with an allowance for railway freight charges to point of destination: *Provided,* That this allowance need not be in excess of railway freight charges from seller's shipping point to St. Louis, Missouri.

(iv) The maximum prices set forth above shall not be increased by any charges for the extension of credit. On spot sales these maximum prices may be increased by $5.00 per gross ton of silicomanganese and ¼¢ per pound of silicomanganese briquette.

(b) *Effective date.* • • •

(34) Amendment No. 33 (§ 1499.73 (a) (30)) to Supplementary Regulation No. 14 shall become effective October 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9661; Filed, September 28, 1942; 1:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 80 Under § 1499.3 (b) of General Maximum Price Regulation]

E. I. DU PONT DE NEMOURS AND CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.294 *Maximum prices for sales of segregated moisture-proof baled cellophane scrap by E. I. du Pont de Nemours & Company of Wilmington, Delaware.* (a) On and after September 29, the maximum prices for sales from any cellophane plant operated by E. I. du Pont de Nemours & Company of Wilmington, Delaware, of 100% moisture-proof heat-sealing type, cellophane scrap packed in 75 to 85 pound bales, shall be the following:

7½¢ per pound in carload lots, f. o. b. cellophane plant at which collection of the scrap has been made.

8¢ per pound in less than carload lots, f. o. b. cellophane plant at which collection of the scrap has been made.

(b) All discounts, allowances, and trade practices in effect with respect to the above listed commodity during March 1942 by the seller shall remain in effect under this order.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509.

[2] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7269, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454.

(c) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 80 (§ 1499.294) shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9655; Filed, September 28, 1942; 1:18 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Maximum Price Regulation 229]

RETAIL AND WHOLESALE PRICES FOR VICTORY LINE WATERPROOF RUBBER FOOTWEAR

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for the sale at retail and wholesale of victory line waterproof rubber footwear because such footwear was not generally sold at retail or wholesale in March 1942.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 229 is hereby issued.

Sec.

1315.1701 Applicability of this Maximum Price Regulation No. 229.
1315.1702 Maximum retail and wholesale prices for victory line footwear.
1315.1703 Maximum prices for sales at retail of victory line footwear.
1315.1704 Maximum prices for sales of victory line footwear at wholesale.
1315.1705 Adjustment of maximum prices for different classes of purchasers.
1315.1706 Records.
1315.1707 Relation between Maximum Price Regulation No. 229 and the General Maximum Price Regulation.
1315.1708 Less than maximum prices.
1315.1709 Evasion.
1315.1710 Enforcement.
1315.1711 Definitions.
1315.1712 Effective date.
1315.1713 Appendix A: Maximum prices of victory line footwear.
1315.1714 Appendix B: Sections of the General Maximum Price Regulation incorporated into this Maximum Price Regulation. No. 229.

Authority: §§ 1315.1701 to 1315.1714, inclusive, issued under Pub. Law 421, 77th Cong.

*Copies may be obtained from the Office of Price Administration.

§ 1315.1701 *Applicability of this Maximum Price Regulation No. 229—(a) What waterproof rubber footwear must be priced under this regulation.* This regulation applies to waterproof rubber footwear produced on and after February 11, 1942 (the effective date of War Production Board Supplementary Order No. M-15-b-1) which will be called "victory line footwear" in this regulation. This regulation does not apply to waterproof rubber footwear produced before February 11, 1942, the maximum prices of which are established by the General Maximum Price Regulation nor to sales and deliveries of waterproof rubber footwear made in accordance with military specification if that footwear is sold pursuant to contract with: (1) any war procurement agency of the United States Government; or (2) any person who contracts to sell the purchased footwear to any war procurement agency of the United States Government.

(b) *To what types of sellers this regulation applies.* This regulation applies to all sellers, other than manufacturers of footwear, who sell at retail or at wholesale.

(c) *Geographical applicability of this regulation.* This regulation applies to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

(d) *Effect of this regulation.* This regulation establishes maximum prices for victory line waterproof rubber footwear. On and after September 29, 1942, the date this regulation takes effect, regardless of any contract or other obligation, no person is permitted to sell or deliver at retail or wholesale any victory line waterproof rubber footwear at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any victory line waterproof rubber footwear in the course of trade or business at a price which is higher than the maximum price.

§ 1315.1702 *Maximum retail and wholesale prices for victory line footwear.* The maximum retail prices of victory line footwear must be determined in accordance with § 1315.1703. The maximum wholesale prices of victory line footwear must be determined in accordance with § 1315.1704. These prices are set forth in Appendix A, incorporated herein as § 1315.1713. The seller must determine the maximum price for a particular type and brand of footwear before he first offers it for sale. Once the seller has determined his maximum price for a particular type and brand of footwear, that price is his maximum thereafter.

§ 1315.1703 *Maximum prices for sales at retail of Victory line footwear.*—(a) *Method of determining the maximum price.* The seller should first determine the "net price at which he purchased the type and brand of footwear he is pricing," as defined in paragraph (b) of this section. The seller should then compare that cost figure with the price stated in Appendix A for sales at wholesale of that type of footwear. If it is the same as or greater than the price stated in Appendix A, the maximum price is stated under the column in Appendix A entitled "Class I". If it is below the price stated in Appendix A by 10% or by less than 10%, the maximum price is also stated under the column in Appendix A entitled "Class I." If it is below the price stated in Appendix A by more than 10% but less than 16%, the maximum price is stated under the column in Appendix A entitled "Class II." If it is below the price stated in Appendix A by 16% or more but by less than 21%, the maximum price is stated under the column in Appendix A entitled "Class III." If it is below the price stated in Appendix A by 21% or more, the maximum price is stated under the column in Appendix A entitled "Class IV" except that for sales of footwear by mail purchased by mail order houses at this net price, the maximum price is stated under the column in Appendix A entitled "Class V".

(b) *Meaning of "the net price at which the seller purchased the footwear he is pricing".* When used in this section "the net price at which the seller purchased the footwear he is pricing" means the lowest price (less all discounts except cash discount) at which the seller purchased that type and brand of footwear during the period February 11 to September 29, 1942. If, during the period February 11 to September 29, 1942, the seller did not purchase the type and brand of footwear he is pricing, or if he was not in business during that period, the net price at which the seller purchased the footwear he is pricing means the price (less all discounts except cash discount) at which he first purchased that type and brand of footwear after September 28, 1942.

§ 1315.1704 *Maximum prices for sales of victory line footwear at wholesale.* The maximum price for sales of victory line footwear at wholesale is the price stated in Appendix A for sales at wholesale of the type of footwear being priced.

§ 1315.1705 *Adjustment of maximum prices for different classes of purchasers.* In case the seller at retail had a practice during the period July 1 to October 25, 1941, inclusive, or in case the seller at wholesale had a practice during the period April 1 to October 25, 1941, inclusive, of giving to different classes of purchasers allowances, discounts or other price differentials, he is required to continue that practice and his maximum price calculated for footwear must be reduced by the seller to reflect such allowances, discounts and other price differentials. No seller shall change his customary allowances, discounts and price differentials if the change results in a higher net price.

§ 1315.1706 *Records.* To aid in the enforcement of this regulation every seller is required to keep certain records for inspection by the Office of Price Administration. These records are described in three paragraphs as follows:

(a) *Records of purchases and sales.* The seller must preserve all existing records showing his purchases of each type and brand of victory line footwear.

(b) *Records of calculations made by the seller in setting each maximum price.* The seller must prepare and preserve (in a form which will permit filing on demand with the Office of Price Administration) records showing the basis on which the seller set each maximum price.

(c) *Customary records of prices charged.* The seller must continue to keep records of the same kind as he has customarily kept showing the prices actually charged by him for victory line footwear which he sells after the effective date of this regulation.

§ 1315.1707 *Relation between Maximum Price Regulation No. 229 and the General Maximum Price Regulation.* (a) Maximum prices previously set under the General Maximum Price Regulation will not apply to victory line footwear which is sold or delivered on and after September 29, 1942. All such footwear must be priced under this regulation and not under the General Maximum Price Regulation. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and the seller must comply with them:

(1) Transfers of business or stock in trade (§ 1499.5).[1]

(2) Sales for export (§ 1499.6).[1]

(3) Federal and state taxes (§ 1499.7).[1]

(4) Maximum prices of cost-of-living commodities: statement, marking or posting (§ 1499.13).[1]

(5) Sales slips and receipts (§ 1499.14).[1]

(6) Applications for adjustment (§ 1499.18).[1]

(7) Petitions for amendment (§ 1499.19).[1]

Any amendments to these sections are automatically applicable to this Maximum Price Regulation No. 229. In applying these sections the words "Maximum Price Regulation No. 229" should be substituted for the words "General Maximum Price Regulation." The text of these sections is set forth in Appendix B, incorporated herein as § 1315.1714.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling victory line footwear at wholesale or retail.

§ 1315.1708 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 229 may be charged, demanded, paid or offered.

§ 1315.1709 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 229 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to victory line footwear, alone or in conjunction with any other commodity or by way of commission, service, transportation, or any other charge, discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

[1] *Infra*, § 1315.1714.

§ 1315.1710 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 229 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942.

§ 1315.1711 *Definitions.* (a) When used in this Maximum Price Regulation No. 229, the term:

(1) "Footwear" means waterproof rubber footwear produced on and after February 11, 1942.

(2) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation shall apply to other terms used herein.

§ 1315.1712 *Effective date.* This Maximum Price Regulation No. 229 (§§ 1315.1701 to 1315.1714, inclusive) shall become effective September 29, 1942.

§ 1315.1713 *Appendix A: Table of maximum prices of Victory line footwear* [1]

Type	Sales at wholesale [2]	Sales at retail				
		Class I	Class II	Class III	Class IV	Class V
Boots—Other than severe occupational:						
Men's short 14"	$2.60	$3.90	$3.60	$3.46	$3.30	$3.12
Men's short 15½"	2.75	4.13	3.91	3.69	3.49	3.30
Women's short	2.30	3.45	3.27	3.08	2.92	2.76
Men's stormking	4.00	6.08	5.75	5.43	5.14	4.86
Men's hip	4.00	6.08	6.60	6.23	5.91	5.58
Pacs—Other than severe occupational:						
Men's 12" toplace pac	3.20	4.80	4.54	4.29	4.06	3.84
Men's lumberman's overs, half heel (rubber part only)	2.00	3.00	2.84	2.68	2.54	2.40
Arctics:						
Men's 5-buckle rubber midweight bal	3.15	4.73	4.47	4.22	4.00	3.78
Men's 4-buckle rubber midweight bal	2.75	4.13	3.91	3.69	3.49	3.30
Men's 4-buckle cloth farmweight blucher	2.75	4.13	3.91	3.69	3.49	3.30
Men's 4-buckle height lightweight bal-rubber:						
a. Buckle	2.30	3.45	3.27	3.08	2.92	2.76
b. Strap	2.25	3.38	3.20	3.02	2.86	2.70
c. Slide	2.65	3.98	3.76	3.55	3.37	3.18
Boys' 3-buckle lightweight bal-rubber	2.00	3.00	2.84	2.68	2.54	2.40
Youth's 3-buckle lightweight bal-rubber	1.85	2.78	2.63	2.48	2.35	2.22
Women's 4-buckle height lightweight bal-rubber (10-inch style or utility boot):						
a—Buckle	2.05	3.08	2.91	2.75	2.60	2.46
b—Strap	1.80	2.70	2.56	2.41	2.29	2.16
Men's 4-buckle lightweight ba cloth	2.65	3.98	3.76	3.55	3.37	3.18
Boy's 3-buckle cloth:						
a—Cashmerette	2.20	3.30	3.12	2.95	2.79	2.64
b—Jersey	2.00	3.00	2.84	2.68	2.54	2.40
Youth's 3-buckle cloth:						
a—Cashmerette	2.00	3.00	2.84	2.68	2.54	2.40
b—Jersey	1.85	2.78	2.63	2.48	2.35	2.22
Utility boot, calendered sole:						
a—Women's rubber 9" height	1.65	2.48	2.34	2.21	2.10	1.98
b—Women's cloth 9" height	1.80	2.70	2.56	2.41	2.29	2.16

[1] The prices set forth in this table are subject to discounts and allowances as set forth in § 1315.1705.

[2] (a) A sum not exceeding the following may be added to the prices set forth in the table for sales at wholesale if the footwear in question is made with a stitched replaceable outsole:

Gender:	*Sum permitted to be added*
Men's	$0.12
Boy's	.10
Youth's	.08
Women's	.10
Misses'	.08
Child's	.07

(b) $0.15 per pair may be added to the prices set forth in the table for sales at wholesale of men's footwear if hobnails and toe and heel cleats are affixed thereto.

[3] (a) A sum not exceeding the following may be added to the prices set forth in the table for sales at retail if the footwear in question is made with a stitched replaceable outsole;

Gender:	*Sum permitted to be added*
Men's	$0.18
Boy's	.15
Youth's	.12
Women's	.15
Misses'	.12
Child's	.10

(b) $0.22 per pair may be added to the prices set forth in the table for sales at retail of men's footwear if hobnails and toe and heel cleats are affixed thereto.

Type	Sales at wholesale [1]	Sales at retail [1] Class I	Class II	Class III	Class IV	Class V
Arctics—Continued.						
c—Misses' cloth 7½" height	$1.72	$2.58	$2.44	$2.30	$2.18	$2.06
d—Child's cloth 7" height	1.63	2.45	2.31	2.18	2.07	1.96
Gaiters:						
Women's 2-snap height rubber:						
a—Snap	1.15	1.73	1.63	1.54	1.46	1.38
b—Slide	1.50	2.25	2.13	2.01	1.91	1.80
Misses' 2-snap rubber	1.12	1.68	1.59	1.50	1.42	1.34
Child's 2-snap rubber	1.09	1.64	1.55	1.46	1.38	1.31
Rubbers:						
Men's work rubbers, storms and/or semi-storms	1.25	1.88	1.78	1.68	1.59	1.50
Boys' work rubbers, storms and/or semi-storms	1.20	1.80	1.70	1.61	1.52	1.44
Men's storms and/or S. A. overs (full lined)	1.10	1.65	1.56	1.47	1.40	1.32
Boys' storms and overs (full lined)	1.00	1.50	1.42	1.34	1.27	1.20
Youths' storms and overs (full lined)	.90	1.35	1.28	1.21	1.14	1.08
Women's overs (full lined)	.88	1.32	1.25	1.18	1.12	1.06
Growing girls' storms (full lined)	.88	1.32	1.25	1.18	1.12	1.06
Misses' storms (full lined)	.80	1.20	1.14	1.07	1.02	.96
Child's storms (full lined)	.73	1.10	1.04	.98	.93	.88
Women's footholds, calendered sole	.58	.87	.82	.78	.74	.70
Rubbers, special construction:						
Men's sandal, molded	.85	1.28	1.21	1.14	1.08	1.02
Men's clog, molded	.67	1.01	.95	.90	.85	.80
Women's footholds, molded	.21	.32	.30	.28	.27	.25
Women's footholds, latex, black, including pouch	.792	1.19	1.12	1.06	1.01	.95
Women's footholds, later, spotted, including pouch	.917	1.38	1.30	1.23	1.16	1.10
Severe occupational:						
Men's black short boot	3.15	4.73	4.47	4.22	4.00	3.78
Men's black short boot, steel toe	3.65	5.48	5.18	4.89	4.64	4.38
Men's black stormking boot	4.45	6.68	6.32	5.96	5.65	5.34
Men's black stormking boot, steel toe	4.95	7.43	7.03	6.63	6.29	5.94
Men's black short fire fighter boot:						
a—Duck	4.65	6.98	6.60	6.23	5.91	5.58
b—Felt	5.25	7.88	7.46	7.04	6.67	6.30
Men's black stormking fire fighter boot:						
a. Duck	6.15	9.23	8.73	8.24	7.81	7.38
b. Felt	6.75	10.13	9.59	9.05	8.57	8.10
Men's black hip boot	5.05	7.58	7.17	6.77	6.41	6.06
Men's black hip boot, steel toe	5.55	8.33	7.88	7.44	7.05	6.66
Men's black body boot	12.00	18.00	17.04	16.08	15.24	14.40
Men's black 15" lace mine pac	4.15	6.23	5.89	5.56	5.27	4.98
Men's black 15" lace mine pac, steel toe	4.65	6.98	6.60	6.23	5.91	5.58
Men's black 15" lace mine pac, steel toe	3.00	4.50	4.26	4.02	3.81	3.60
Men's black work shoe	3.50	5.25	4.97	4.69	4.45	4.20
Men's black work shoe, steel toe	2.80	4.20	3.98	3.75	3.56	3.36
Men's black 2-buckle perfections						
Neoprene coated, par-grip sole:						
Men's short boot, steel toe	4.40	6.60	6 25	5.90	5.59	5.28
Men's stormking, steel toe	5.05	8.93	8.45	7.97	7.56	7.14
Men's hip boot, steel toe	6.65	9.98	9.44	8.91	8.45	7.98
Men's rubber work shoe, steel toe	3.90	5.85	5.54	5.23	4.95	4.68

§ 1315.1714 *Appendix B: Sections of the General Maximum Price Regulation [2] incorporated into this Maximum Price Regulation No. 229.* The following sections of the General Maximum Price Regulation have been incorporated by reference into this Maximum Price Regulation No. 229. Any amendments to these sections are automatically applicable to this Maximum Price Regulation No. 229. These sections provide as follows:

§ 1499.5 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Regulation.

§ 1499.6 *Sales for export.* The maximum price at which a person may export any commodity shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration on April 25, 1942.

§ 1499.7 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March 1942 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this General Maximum Price Regulation.

(2) In all other cases if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this General Maximum Price Regulation.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1499.13 *Maximum prices of cost-of-living commodities: statement, marking, or posting.* For the purposes of this section, a cost-of-living commodity is any commodity designated as such by the Price Administrator. A list of the classes of commodities so designated appears in Appendix B of this Regulation." (Rubber footwear is included in Appendix B.)

(a) On and after May 18, 1942, every person offering to sell a cost-of-living commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum price may be marked on the commodity itself or on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale. *Provided*, That whichever of the above methods of posting is adopted, the maximum price of each commodity offered for sale shall be plainly visible to the purchaser at the place in the business establishment where the commodity is offered for sale, and shall not be obscured by the posted prices of other commodities, whether by use of price books or catalogs or layers of price lists or otherwise or in any other manner. The maximum price shall be stated as follows, "Ceiling Price $———;" or "Our Ceiling $———." Any person choosing to post by price-lines the maximum prices of commodities in the classifications marked by asterisks in Appendix B, shall post the maximum price by price-line at the place in the business establishment where the commodities in such price-line are offered for sale, and, in addition, shall mark the selling price of each such commodity on the commodity itself.

(1) Every mail order establishment selling commodities at retail shall in place of the above requirements post its maximum prices for cost-of-living commodities in one of the following manners in catalogs or flyers published after the effective date of this amendment.

(i) State the maximum price for each cost-of-living commodity listed in each catalog or flyer issued by it at the place in the catalog or flyer where such commodity is listed. The maximum prices shall be stated substantially as follows: "Ceiling price $———;" or "Our ceiling $———;" or,

(ii) Print on the front cover, or on the page immediately following, of all catalogs or flyers hereafter issued, substantially the following statement: "All the prices in the present catalog are our ceiling prices with the exception of" (here shall follow a list of the commodities offered for sale below the ceiling prices, and the ceiling prices of such commodities, or the purchaser may be referred to another page in the catalog or flyer on which such a list appears).

(2) Any mail order establishment may apply to the Office of Price Administration for permission to deviate from the requirements in subparagraph (1). The application shall state why such requirements are inequitable or inappropriate as applied to the applicant's business, and shall show that the requested method of posting is substantially in line with the requirements of posting for mail order establishments set forth in subparagraph (1).

(b) On or before July 1, 1942, every person offering to sell cost-of-living commodities at retail shall file with the appropriate War Price and Rationing Board of the Office of Price Administration a statement showing his maximum price for each such commodity, together with an appropriate description or identification of it. Such statement shall be kept up to date by such person by filing on the tenth day of every succeeding month a statement of his maximum price for any cost-of-living commodity newly offered for sale during the previous month, together with an appropriate description or identification of the commodity.

§ 1499.14 *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

§ 1499.18 *Applications for adjustment.* (a) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this General Maximum Price Regulation for any seller at retail in any case in which such seller shows:

(1) That such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 2.

(b) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum prices established under this General Maximum Price Regulation for any seller other than a seller at retail in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices. Applications for adjustment under this paragraph (b) shall be filed in accordance with Procedural Regulation No. 1.

(c) Any person seeking relief, for which no provision is made in the foregoing paragraphs (a) and (b) of this section, from a maximum price established under this General Maximum Price Regulation may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed by sellers at retail in accordance with Procedural Regulation No. 2, and by all other sellers in accordance with Procedural Regulation No. 1 and in every case shall set forth the facts relating to the hardship to which such maximum price subjects the applicant together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this General Maximum Price Regulation to eliminate the danger of inflation.

This section shall apply to all maximum price regulations which have incorporated § 1499.18 in their provisions.

§ 1499.19 *Petitions for amendment.* Any person seeking a modification of any provision of this Regulation, or an adjustment not provided for in section 18 of this Regulation, may file a petition for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9664; Filed, September 28, 1942; 4:24 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 31 to Revised Tire Rationing Regulations [1]]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

Sections 1315.801 (a) and (f) (5) (iii), 1315.802 (a) and (d) (4) (iii) and 1315.803 (a) and (d) (3) (ii) are amended as follows; a new § 1315.806 is added as set forth below:

Transfers and Deliveries of New Tires and Tubes, Retreaded or Recapped Tires and Camelback

§ 1315.801 *Permitted and prohibited transfers of new tires and tubes*—(a) *Prohibitions.* Except as provided in §§ 1315.401, 1315.804, 1315.806, and paragraphs (c), (d), (e), and (f) of this § 1315.801 of these regulations, no person shall transfer a new tire or tube, and no person shall accept any such transfer of a new tire or tube.

• • • • • •

(f) *Other transfers.* • • •

(5) *Transfers to and from public warehouses.* • • •

(iii) *Transfers from public warehouses to others.* Any public warehouse may, without certificate, transfer new tires or tubes to the retailer, distributor, wholesaler or manufacturer who transferred such tires or tubes to the warehouse for storage, to such persons if new tires or tubes stored by others in a public warehouse have been transferred to them in accordance with these regulations, to persons who have security interests in such tires or tubes as provided in § 1315.806, to the Defense Supplies Corporation, or to any manufacturer, assembler or dealer in vehicles equipped with tires or tubes who transferred the new tires or tubes to the warehouse for storage. Records shall be kept by both the public warehouse and by the person accepting any transfer of new tires or tubes from such public warehouse, which shall show the date of transfer, and the number, size and type of any tires or tubes authorized to be transferred.

• • • • • •

§ 1315.802 *Permitted and prohibited deliveries of retreaded or recapped tires*—(a) *Prohibitions.* Except as provided in §§ 1315.401, 1315.804, 1315.806, and in paragraphs (c) and (d) of this § 1315.802, no person shall deliver a retreaded or recapped tire to any other person, and no person shall accept any such delivery of a retreaded or recapped tire.

• • • • • •

(3) The prohibition in paragraph (a) applies both to sales and deliveries. Except as provided by §§ 1315.401, 1315.804, 1315.806, and by paragraphs (c) and (d) of § 1315.802, it is unlawful to deliver retreaded or recapped tires to a person even though such person has previously bought and paid for the retreaded or recapped tires, or even though such person supplies the carcass which was recapped or retreaded.

• • • • • •

(d) *Other deliveries.* • • •

(4) *Deliveries to and from public warehouses.* • • •

(iii) *Transfers from public warehouses to others.* Any public warehouse may, without certificate, transfer retreaded or recapped tires to the retreader, recapper or dealer in retreaded or recapped tires, who transferred such tires or tubes to the warehouse for storage, to such persons if retreaded or recapped tires stored by others in a public warehouse have been transferred to them in accordance with these regulations, to persons who have security interests in such tires as provided in § 1315.806, to the Defense Supplies Corporation, or to any manufacturer, assembler or dealer in vehicles equipped with tires or tubes who transferred the retreaded or recapped tires to the warehouse for storage. Records shall be kept by both the public warehouse and by the person accepting any transfer of retreaded or recapped tires from such public warehouse, which shall show the date of transfer, and the number, size and type of retreaded or recapped tires authorized to be transferred.

• • • • • •

§ 1315.803 *Permitted and prohibited deliveries of camelback.*—(a) *Prohibitions.* Except as provided in §§ 1315.804, 1315.805, 1315.806, and in paragraphs (c) and (d) of this § 1315.803 or in regulations hereafter issued by the Office of Price Administration, no person shall deliver camelback to any other person, and no person shall accept any such delivery of camelback.

• • • • • •

(3) The prohibitions in paragraph (a) apply to both sales and physical deliveries. Except as provided by §§ 1315.804, 1315.805, 1315.806, and by paragraphs (c) and (d) of § 1315.803, it is unlawful to deliver camelback to any person even though such person has previously bought and paid for the camelback.

• • • • • •

(d) *Other transfers.* • • •

(3) *Transfers to and from public warehouses.* • • •

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5485, 5565, 5575, 5783, 5784, 6007, 6058, 6081, 6216.

[1] 7 F.R. 1027, 1089, 2107, 2541, 2633, 2945, 2948, 3235, 3237, 3551, 3830, 4176, 4336, 4493, 4543, 4544, 4617, 4856, 5023, 5274, 5276, 5566, 5605, 5867, 6423, 6775, 7034, 7241.

(ii) *Transfers from public warehouses.* Any public warehouse may transfer camelback stored in such warehouse to the person who transferred the camelback to the warehouse for storage, to the person to whom camelback stored in a public warehouse by any other person has been transferred in accordance with these regulations, to persons who have security interests in such camelback as provided in § 1315.806, or to the Defense Supplies Corporation. Records shall be kept by both the public warehouse and by the person accepting any transfer of camelback from such public warehouse, which shall show the date of transfer, and the amount, size, type and gauge of camelback authorized to be transferred.

* * * * *

§ 1315.806 *Security transactions.*—(a) *Permitted security transactions.* Subject to the provisions of this section, tires, tubes, camelback, or documents of title thereto or interests therein, may be transferred, without certificate, for security purposes to a State or political subdivision or agency thereof, to the United States or any agency thereof, or to any person duly licensed to engage in the business of making loans upon collateral and regulated in conducting such business by a State or the United States. Except as otherwise provided in these regulations, tires, tubes, camelback, or documents of title thereto or interests therein, transferred for security purposes hereunder may be transferred, returned or released to the debtor without certificate: *Provided however,* That nothing in this paragraph shall be deemed to permit any transfer for use or diversion to use not otherwise permitted by these regulations.

(1) *Reports.* Within three days after a transfer for security purposes has been made under paragraph (a), the creditor shall file a report of the transaction with the State Director of the Office of Price Administration having jurisdiction over the State in which the tires, tubes, or camelback are located.

(b) *Permitted involuntary liens.* Nothing in these regulations shall be deemed to prohibit the creation of involuntary liens by operation of the laws of a State or of the United States. Such liens may be released without certificate. Enforcement of such liens is subject to the terms and conditions of paragraph (c).

(c) *Enforcement of security or lien.* Any person who holds a security interest in tires, tubes, or camelback, or in whose favor a lien thereon has been created under the authority of this section, or who holds such a security interest or lien created before the effective date of these regulations or pursuant to the provisions of Public Law 549, 77th Congress, Chapter 301, 2nd Session, may enforce such security, lien or other interest in the manner provided by applicable State or Federal laws. Transfers for the enforcement thereof may be made, without certificate, to the persons enumerated in §1315.804, to the Defense Supplies Corporation, to the creditor or lienor for retransfer only in accordance with these regulations, or to any person to whom a consumer may make a transfer without certificate under these regulations.

(1) *Reports.* Within three days after tires, tubes, or camelback have been transferred pursuant to paragraph (c), the creditor or lienor shall file a report of the transfer with the State Director of the Office of Price Administration having jurisdiction over the State in which the transfer took place.

* * * * *

§ 1315.1199a *Effective dates of amendment.* * * *

(ee) Amendment No. 31 (§§ 1315.801 (a), (f), 1315.802 (a), (d) (4), 1315.803 (a), (d) (3), and 1315.806) to Revised Tire Rationing Regulations shall become effective October 3, 1942.

(Pub. Law 421, 77th Cong., OPM Supp. Order No. M-15c, WPB Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 562, 925)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9665; Filed, September 28, 1942; 4:25 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 22 to Maximum Price Regulation 136,[1] as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

New subparagraph (16) is added to § 1390.25 (c) and new paragraph (v) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(16) *The Electro Motive Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, on and after July 22, 1942, the maximum price applicable to the sale and delivery of any capacitor or part manufactured and sold by Philip and Josephine Lauter, doing business under the firm name and style of The Electro Motive Manufacturing Company, Willimantic, Connecticut, for which the company had a published or confidential list price in effect on October 1, 1941, shall be the price for such item filed by the company with the Office of Price Administration as part of price computations accompanying protest docketed as No. 1136-223-P.

§ 1390.31a *Effective dates of amendments.* * * *

(v) Amendment No. 22 (§ 1390.25 (c) (16)) to Maximum Price Regulation No. 136, as amended, shall become effective September 30, 1942.

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[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6682, 6682, 6899, 6964, 6965, 6937, 6973, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9666; Filed, September 28, 1942; 4:26 p. m.]

PART 1411—COMPENSATORY ADJUSTMENTS

[Amendment 3 to Compensatory Adjustment Regulation 1[1]]

WARTIME INCREASES IN THE COST OF TRANSPORTING COAL[2]

Added: § 1411.5a.
Amended: § 1411.3 (a).

§ 1411.3 *Special applications.*—(a) *Requests for special adjustment.* (1) An application filed by an applicant eligible to apply for a compensatory adjustment under § 1411.1 (a) of this Regulation and who is either a bituminous coal dealer, or a person who, prior to January 1, 1942, normally received southern bituminous coal for his own use, transshipped via tidewater from Hampton Roads, by free alongside delivery at an unloading port on the Atlantic Coast, north of and including New York Harbor, may include a request for a special adjustment in addition to a request for the applicable standard adjustment which is set forth in Appendix A, incorporated in this Regulation as § 1411.5. Such a request for a special adjustment shall relate exclusively to differences between (i) the transportation cost which the applicant incurred for southern bituminous coal transshipped via tidewater from Hampton Roads, to an unloading port on the Atlantic Coast, north of and including New York Harbor, during the period December 15–31, 1941 (or the nearest earlier date on which he incurred such costs) and which he received at a business establishment operated by him, and (ii) the transportation cost incurred by him on and after May 18, 1942 for bituminous coal transported to the same business establishment. Such a request shall be specifically designated in the application as a "request for special adjustment", shall set forth the exact amount of the special adjustment requested, and shall set forth a detailed statement of the special facts deemed to justify such request.

(2) (i) A request for a special adjustment may also be filed by any person who (a) prior to January 1, 1942 normally received at a business establishment bituminous coal originating in the Big Sandy or Eastern Kentucky freight rate districts and transshipped via tidewater from Hampton Roads to an unloading port on the Atlantic Coast north of, and including, New York Harbor and (b) on or after May 18, 1942 is a receiver of such coal transported to the same business establishment at a greater cost than the cost of transporting it to the same business establishment via tidewater transshipment from Hampton Roads during the period December 15–31, 1941 (or if no shipment was received

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[1] 7 F.R. 3749, 3900, 6005, 6149.

[2] The word "bituminous" has been deleted from the title.

during this period, the nearest earlier date on which such a shipment was received) and (c) demonstrates to the satisfaction of the Price Administrator that such coal is essential to the operation of the applicant's business.

(ii) Such a request shall relate exclusively to differences between the transportation cost actually incurred on or after May 18, 1942 for transporting bituminous coal originating in the Big Sandy or Eastern Kentucky freight rate districts, and the transportation costs incurred for transporting such coal to the same business establishment via tidewater transshipment from Hampton Roads during the period December 15–31, inclusive, 1941 (or if no such shipment was received during this period, the nearest earlier date on which such a shipment was received): *Provided,* That to the extent that the requested adjustment is based on a movement which includes a rail haul, any adjustment paid shall be based on the lowest available rail transportation charges from the same rail origin to the same rail destination.

* * * * *

§ 1411.5a *Pennsylvania anthracite.*—(a) *Eligibility.* (1) An application for a compensatory adjustment on account of wartime increases in the cost of transporting coal may be filed by any dealer in Pennsylvania anthracite who (i) prior to Janaury 1, 1942 normally handled, at a business establishment, Pennsylvania anthracite transshipped from New York Harbor, via tidewater, to an unloading port on the Atlantic Coast north of, and including, Portsmouth, New Hampshire, or to points east of Stonington, Connecticut wholly dependent upon water transportation, (ii) during the period January 1, 1942, to May 17, 1942, inclusive, received Pennsylvania anthracite transported to the same establishment at a higher cost than the cost of transporting such Pennsylvania anthracite prior to January 1, 1942, and (iii) prior to May 18, 1942, had not disposed of the Pennsylvania anthracite transported at such higher cost, or of an equivalent amount of inventory, at prices adjusted upwards over his selling prices during the month of December 1941.

(2) Such an application may also be filed by any dealer in Pennsylvania anthracite who (i) prior to January 1, 1942, normally received at a business establishment Pennsylvania anthracite transshipped from New York Harbor, via tidewater, to an unloading port on the Atlantic Coast north of, and including, Portsmouth, New Hampshire, or to points east of Stonington, Connecticut, wholly dependent upon water transportation, and (ii) on or after May 18, 1942, incurs a greater cost for rail or combined rail and water transportation of Pennsylvania anthracite to the same business establishment: *Provided,* That with respect to the tonnage moving via tidewater transshipment as above described, prior to January 1, 1942, the total tonnage of Pennsylvania anthracite so moving to the dealer in the calendar year 1941 shall be the approximate maximum amount of tonnage which may be considered by the Office of Price Administration in the dealer's application for compensatory adjustments relating to tonnages of Pennsylvania anthracite shipped during the calendar year 1942, and: *Provided further,* That the preceding proviso shall not apply where all or approximately all of the tonnage of Pennsylvania anthracite received by the dealer in 1941 had been received by tidewater transshipment as above described.

(b) *Manner of filing and contents of application.* (1) Applications pursuant to this § 1411.5a shall be filed with the Office of Price Administration in Washington, D. C. in one original and two copies on forms prescribed therefor by the Office of Price Administration. To the extent that such forms filed pursuant to this § 1411.5a may contain references to bituminous coal or transportation routes, they shall be appropriately modified to relate to Pennsylvania anthracite.

(2) (i) Applications pursuant to paragraph (a) (1) of this § 1411.5a shall be filed on or before November 20, 1942.

(ii) (a) In the case of applications pursuant to paragraph (a) (2) of this § 1411.5a, a separate application shall be filed as to receipts, if any, of Pennsylvania anthracite during May 18–31, inclusive, 1942, for the transportation of which an adjustment is requested; and thereafter a separate application shall be filed for each succeeding calendar month in which the applicant received Pennsylvania anthracite for the transportation of which an adjustment is requested. Shipments in transit do not constitute receipts.

(b) Applications relating to receipts during May 18–31, inclusive, 1942, and during the months of June, July and August 1942 shall be filed on or before November 20, 1942. Applications relating to receipts during any subsequent month, beginning with September 1942, shall be filed on or before the twentieth (20th) day of the third succeeding month. For example, applications as to receipts during the month of September 1942 shall be filed on or before December 20, 1942.

(3) Applications filed pursuant to this § 1411.5a shall include:

(i) The name and address of the applicant and the location of each establishment at which he received the Pennsylvania anthracite for the transportation of which an adjustment is requested.

(ii) The kind, size, tonnage and origin of such anthracite, and the identity of the person from whom it was purchased, together with a copy of the invoice or other billing memorandum rendered by such person.

(iii) The method, route and cost per gross ton of transporting such anthracite, specifying any separate costs incurred for cargo insurance on waterborne anthracite, and the identity of the person to whom such costs are paid, together with a copy of the freight bills and insurance bills (if any) actually paid in connection with such transportation.

(iv) The total tonnage of Pennsylvania anthracite received by the applicant at the business establishment listed pursuant to subdivision (i) above of this subparagraph (b) (3), during both the calendar year 1941 and the month of December 1941, and specifying (a) the amount of such total which was transported all-rail, (b) the amount of such total which was transported via tidewater transshipment from New York Harbor, and (c) the transportation cost incurred for the last cargo received in 1941 via tidewater transshipment from New York Harbor: *Provided,* That the information required under this subdivision (iv) need not be restated after it has been included in a previous application filed pursuant to this Compensatory Adjustment Regulation No. 1.

(v) The amount, if any, per gross ton, by which the combined rail and water transportation cost incurred by the applicant on the last cargo of Pennsylvania anthracite received by him in 1941, via tidewater transshipment from New York Harbor, is less than the cost incurred by the applicant on and after May 18, 1942 for the all-rail or combined rail and water transportation of the Pennsylvania anthracite for the transportation of which an adjustment is requested. The amount, if any, of such excess shall constitute the "standard adjustment", which shall be set forth in the application: *Provided,* That in the case of any rail movement on and after May 18, 1942, the standard adjustment shall be based on the lowest available rail transportation charges from the same rail origin point to the same destination point.

(vi) The declarations and agreement set forth in subparagraph (5), (7), (9), (10) and (11) of § 1411.2 (b) of this Compensatory Adjustment Regulation No. 1, but appropriately modified to relate to Pennsylvania anthracite instead of to bituminous coal (e. g., in the case of subparagraph (9) a declaration that the payment of the requested adjustment will not reduce the delivered cost to the applicant of the Pennsylvania anthracite, the transportation of which is the basis of the application, below the delivered cost to the applicant of the last cargo of Pennsylvania anthracite received by him in 1941 and which was transported via tidewater transshipment from New York Harbor).

(vii) In the case of applications filed pursuant to paragraph (a) (1) of this § 1411.5a, an inventory statement for the period January 1 to May 17, inclusive, 1942, as set forth in the form prescribed therefor by the Office of Price Administration.

§ 1411.7 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1411.3 (a), 1411.5a) to Compensatory Adjustment Regulation No. 1 shall be effective as of May 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9663; Filed, September 28, 1942; 4:26 p. m.]

PART 1300—PROCEDURE

[Temporary Procedural Regulation 8]

CERTAIN CARRIERS, STORAGE OR TERMINAL SERVICES

Procedure for the adjustment of maximum prices under § 1499.18 (e) of the General Maximum Price Regulation.

Pursuant to the authority of sec. 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Public Law No. 421, 77th Cong. 2nd Sess., Jan. 30, 1942), the following rules are hereby prescribed for the adjustment of the maximum prices under sec. 18 (e) of the General Maximum Price Regulation:

§ 1300.801 *Effective date and expiration date.* This regulation becomes effective September 29, 1942, and expires on December 1, 1942, unless earlier replaced by a permanent procedural regulation or extended by amendment.

§ 1300.802 *Right to apply for adjustment.* Any person supplying service as a carrier other than a common carrier, or any person supplying storage or terminal service, may apply for adjustment of the maximum price established for nim under the General Maximum Price Regulation. Such application shall be filed in accordance with the provisions of this regulation and shall show:

(a) That such maximum price subjects him to substantial hardship; and

(b) That the adjustment requested is necessary to permit the continuance of the supply of an essential service for which there is no adequate substitute available at a price equal to or lower than the maximum price requested.

§ 1300.803 *Place for filing applications.* Applications for adjustment shall be filed with the regional office of the Office of Price Administration in the region in which the service or services involved in the application are performed except that where an applicant supplies service in more than one region, or supplies service in interstate commerce as a carrier other than a common carrier, an application shall be filed with the Secretary, Office of Price Administration, Washington, D. C.

A list of the regional offices with an enumeration of the states included in each region is set forth in Appendix A to this regulation.

§ 1300.804 *Form of application.* An application for adjustment shall be filed on such forms as the Price Administrator shall from time to time prescribe, and the number of copies required to be filed shall be stated on the face of such forms. In the event no form has been designated with respect to applications for adjustment of maximum prices of any particular service the applicant shall submit printed, mimeographed or typewritten application in duplicate and shall set forth there, in affidavit form, a clear and concise statement of the relief which is requested and of all facts offered in justification thereof. Such statement should contain, in addition to other pertinent information set forth by the applicant, the following data:

(a) Description of applicant's business, including reference to commodities handled and territories served, and setting forth the names and addresses of companies financially or otherwise affiliated.

(b) Names and addresses of principal customers affected by the maximum price adjustment requested in the application.

(c) Reference to, and explanation of, authority granted by any federal or state regulatory agency to perform the service involved in the application.

(d) Present and requested maximum prices.

(e) Volume of commodity tonnage handled from January, 1941 to date of application in service for which adjusted maximum price is requested and gross revenue derived from such service; the relationship between such gross revenue and total gross revenue should be shown if service involved in application is only a part of applicant's business.

(f) Detailed description of all equipment and property used by applicant in his business and in the service involved in the application, including date and cost of acquisition, capacity, and normal and present percentage of utilization of capacity (if applicant is a carrier other than a common carrier, his normal and present load factor should be shown; if applicant supplies warehouse service, percentage of total space occupied should be shown).

(g) Classes of employees, wages for each class and number employed in each class.

(h) All additional or increased expenses incurred since the establishment by the applicant of the price concerning which adjustment is requested.

(i) Detailed annual profit and loss statements, accompanied by balance sheets for past three fiscal or calendar years and detailed profit and loss statements supported by balance sheets, by quarters or months for the period from the termination of the last such year to the date of the application, with an explanation of all items contained in such statements; if the service involved in the application forms only a portion of applicant's business, an allocation of items of revenue and expenses should be made.

(j) Statement showing services supplied by others which are available to applicant's customers, prices of such services and adequacy of such services to meet any specialized needs of applicant's customers.

§ 1300.805 *Application must be verified.* An application for adjustment shall be filed by the applicant and shall contain a statement, signed and sworn to by the applicant, that the statements made in the application are true and correct to the best of his knowledge and belief. Unless otherwise prohibited by law, every employee of the Office of Price Administration who is authorized to administer oaths shall, without charge, administer the oaths required by this rule and § 1300.804.

§ 1300.806 *Joint application.* Two or more persons may join in filing a single application for adjustment in any case where the basis of the relief requested in the application is common to all of the applicants. Such applications must be verified by each applicant pursuant to § 1300.805. Any joint application may be treated severally as to any or all of the applicants with respect to any or all of the questions raised therein, if such several treatment is necessary for a proper determination of questions raised in the application.

§ 1300.807 *Investigation of application.* Upon receipt of an application for adjustment, the Regional Office or the National Office, as the case may be, shall make such investigation of the facts involved in the application, hold such conferences and request the filing of such affidavits as may be necessary to the proper disposition of the application.

§ 1300.808 *Action by Regional and National Office.* After due consideration, the Regional Office or the National Office, as the case may be shall grant or deny, in whole or in part, any application for adjustment which is properly pending before it. The decision shall be accompanied by a statement of the reasons supporting it. At any time prior to a decision by a Regional Office on an application pending before it, the Administrator may require that such application be referred to him in Washington, D. C. for decision.

§ 1300.809 *Review by Administrator of decision of Regional Office.* Any applicant whose application for adjustment has been denied in whole or in part by a Regional Office may, within 15 days after the date on which such order of denial was mailed to him, file with the Regional Office a request for review by the Administrator of the order of denial. Requests for review shall be filed on form OPA PR8:1 set out in Appendix B to this regulation. Such form may be obtained at any field office of the Office of Price Administration or may be copied by the applicant from Appendix B. Upon the filing of such a request the Regional Office shall transfer a complete file in the matter to the Secretary, Office of Price Administration, Washington, D. C.

§ 1300.810 *Action by Administrator on requests for review.* After due consideration, the Administrator shall grant or deny, in whole or in part, any application for adjustment which is properly pending before him pursuant to a request for review of an order of denial issued by a regional office. The decision of the Administrator shall be accompanied by a statement setting forth the reasons for his action.

§ 1300.811 *Protests of denial of application.* Any applicant whose application for adjustment is denied, in whole or in part, by the Administrator may, within 60 days after the issuance of the Administrator's order finally denying such application, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1 (7 F.R. 971).

§ 1300.812 *Redocketing of applications for adjustment filed under other procedural regulations.* Any petition for amendment and application for adjustment filed under any other procedural regulation (which could have been filed pursuant to provisions of this procedural regulation) may be treated as an application for adjustment under this procedural regulation without being redocketed.

§ 1300.813 *Amendment of this regulation.* Any provision of this regulation may be amended or rescinded by the Administrator at any time. Such amendment or rescission shall be published in the FEDERAL REGISTER and shall take effect from the date of its publication unless otherwise specified therein.

§ 1300.814 *Definitions.* As used in this regulation, unless the context otherwise requires, the terms:

(a) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C. or such person as he may appoint or designate to carry out any of his duties hereunder.

(b) "Person" includes individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(c) "FEDERAL REGISTER" means the publication provided for by the act of July 25, 1935 (49 Stat. 500), as amended.

§ 1300.815 Appendix A: *Regional offices.*

	States covered
Region I: Boston Regional Office, 17 Court Street	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.
Region II: New York Regional Office, 350 Fifth Avenue	New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia.
Region III: Cleveland Regional Office, 363 Union Commerce Building	Ohio, Michigan, Indiana, Kentucky, West Virginia.
Region IV: Atlanta Regional Office, Candler Building, Peachtree Street	Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, Virginia.
Region V: Dallas Regional Office, Fidelity Union Building	Texas, Oklahoma, Louisiana, Missouri, Arkansas, Kansas.
Region VI: Chicago Regional Office, 2301 Civic Opera Bldg., 20 North Wacker Drive	Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, Nebraska.
Region VII: Denver Regional Office, 334 U. S. National Bank Building	Colorado, New Mexico, Utah, Idaho, Montana, Wyoming.
Region VIII: San Francisco Regional Office, 1335 Market St	California, Nevada, Arizona, Oregon, Washington.
	Territories covered
Region IX: Territorial Office; Office of Price Administration, Washington, D. C.	Alaska, Puerto Rico, Virgin Islands, Canal Zone, Hawaii.

§ 1300.816 *Appendix B: Review form.*

FORM OPA PR8:1

(This form must be filed in duplicate)

Request for Review of the Order Denying Application for Adjustment under § 1499.18 (d), of the General Maximum Price Regulation.

---------- an applicant for adjustment of the maximum price of transportation, warehouse, or terminal service, pursuant to § 1499.18 of the General Maximum Price Regulation and Temporary Procedural Regulation No. 8 of the Office of Price Administration, hereby requests the Price Administrator, Washington, D. C., to review the order of denial of such application for adjustment in whole or in part, entered by the ---------- Regional Office and mailed to the applicant on----------, 194--.

The applicant's objections to such order of denial are as follows:

(Applicant should state briefly and concisely, and separately number, his objection)

---------- Applicant

By ----------

---------- Title

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9688; Filed, September 29, 1942; 11:37 a. m.]

PART 1381—SOFTWOOD LUMBER

[Correction to Maximum Price Regulation 219[1]]

NORTHEASTERN SOFTWOOD LUMBER

In § 1381.312 *Licensing*, the words "Redwood Lumber or millwork" are corrected to read "Northeastern softwood lumber."

In § 1381.316 Table 1 the term "Box slides" is corrected to read "Box sides."

Section 1381.314a is added to read as set forth below:

§ 1381.314a *Effective dates of amendments.* (a) Correction (§§ 1381.312, 1381.314a and 1381.316) to Maximum Price Regulation No. 219 shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9689; Filed, September 29, 1942; 11:38 a. m.]

PART 1382—HARDWOOD LUMBER

[Amendment 7 to Maximum Price Regulation 149[2]]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1382.12 (d) a new subparagraph (32) is added, and items 4 through 6 are added to subparagraph (8), item 88 is added to subparagraph (10) and items 4 through 28 are added to subparagraph (27) as set forth below:

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.* * * * (d) * * *

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7285.

[2] 7 F.R. 3773, 4179, 4852, 5520, 6053, 6998.

(5) PARDEE & CURTIN LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
4	FAS	White Oak	1¼	11 to 14		$130.00
5	Selected FAS End Dried	Red Oak	1			90.00
6	Panel and Wide No. 1	Poplar	1			105.00
6	Panel and Wide No. 1	Poplar	1¼			110.00
6	Panel and Wide No. 1	Poplar	1½			115.00
6	Panel and Wide No. 1	Poplar	2			120.00

(10) MEADOW RIVER LUMBER COMPANY

88	No. 2A Common	Soft Maple	1			$40.00

(27) VESTAL LUMBER AND MANUFACTURING COMPANY

4	FAS Squares	Poplar	3	3		$110.00
5	FAS Squares	Poplar	4	4		120.00
6	FAS Squares	Poplar	5	5		130.00
7	FAS Squares	Poplar	6	6		135.00
8	FAS Squares	Poplar	7	7		165.00
9	FAS Squares	Poplar	8	8		175.00
10	FAS Squares	Poplar	10	10		200.00
11	FAS Squares	Poplar	12	12		225.00
12	No. 1 Common Squares	Poplar	3	3		65.00
13	No. 1 Common Squares	Poplar	4	4		70.00
14	No. 1 Common Squares	Poplar	5	5		75.00
15	No. 1 Common Squares	Poplar	7	7		100.00
16	No. 1 Common Squares	Poplar	10	10		130.00
17	No. 1 Common Squares	Poplar	12	12		160.00
18	Panel and Wide No. 1	Poplar	1	18 to 20		105.00
19	Panel and Wide No. 1	Poplar	1	20 to 23		115.00
20	Panel and Wide No. 1	Poplar	1	24 and wider		125.00
21	Panel and Wide No. 1	Poplar	1¼	18 to 20		110.00
22	Panel and Wide No. 1	Poplar	1¼	20 to 23		120.00
23	Panel and Wide No. 1	Poplar	1¼	24 and wider		130.00
24	Panel and Wide No. 1	Poplar	1½	18 to 20		115.00
25	Panel and Wide No. 1	Poplar	1½	20 to 23		125.00
26	Panel and Wide No. 1	Poplar	1½	24 and wider		135.00
27	FAS	Rift Sawn Red Oak	1			90.00
28	FAS	Rift Sawn White Oak	1			125.00

(32) WILDERNESS LUMBER COMPANY

1	"A" Grade—100% Sound—Free of Heart.	White Oak	1			$38.00
2	"A" Grade—100% Sound—Free of Heart.	White Oak	1¼			42.00
3	"A" Grade—100% Sound—Free of Heart.	White Oak	1½			44.00
4	Sill Stock	White Oak	2	6 to 12	6 to 16	60.00
5	Selected No. 3	White Oak and Red Oak (50% and better sound).	1	6 and wider	8 and longer	27.00
6	Selected No. 3	White Oak and Red Oak (50% and better sound).	1¼			28.00
7	Selected No. 3	White Oak and Red Oak (50% and better sound).	2			29.00
8	Selected No. 3	White Oak and Red Oak (50% and better sound).	1			23.00
9	Panel and Wide No. 1	Poplar	1			101.00
10	Stepping Plank	Red Oak	1¼	11 to 16		105.00
11	Export Grade	White Oak	1	8 and wider	18 to 24	100.00
12	Export Grade	White Oak	1¼	8 and wider	18 to 24	110.00
13	Export Grade	White Oak	1½	8 and wider	18 to 24	110.00
14	Export Grade	White Oak	2	8 and wider	18 to 24	120.00

§ 1382.10a *Effective dates of amendments.* • • •

(g) Amendment No. 7 (§ 1382.12 (d) (8), (10), (27), (32)) to Maximum Price Regulation No. 146 shall become effective October 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9690; Filed, September 29, 1942; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 11 to Ration Order 5A [1]]

GASOLINE RATIONING REGULATIONS

Section 1394.1614 is amended; a new paragraph (o) to § 1394.506, and a new paragraph (l) to § 1394.1902, are added; as set forth below:

[1] 7 F.R. 5225, 5362, 5426, 5606, 5566, 5666, 5674, 5942, 6267, 6684, 6776, 7510, 7399.

Supplemental Rations

§ 1394.506 *Preferred mileage.* • • •

(o) To transport regularly four or more students, teachers, or school employees to and from regular places of study: *Provided*, That no alternative means of transportation are available which would be reasonably adequate for such purpose.

• • • • • •

Replenishment and Audit

§ 1394.1614 *Exchange of coupons for certificates.* A distributor may at any time deliver to any Board in a state included in whole or in part in the limitation area coupons or other evidences (including exchange certificates) and obtain in return a certificate or certificates equal to the gallonage value of the coupons or other evidences remitted. The remitter shall attach to such coupons or other evidences a summary of coupons and acknowledgments on Form OPA R-541. The Board shall furnish him in return an exchange certificate (Form OPA R-548, of which a duplicate shall be retained for the files of the Board) equal in gallonage value to the total gallonage value of the coupons or other evidences remitted by him: *Provided, however*, That every licensed distributor shall segregate all coupons or other evidences remitted by him according to the states to which are due the state motor fuel taxes on his own sales which such coupons or other evidences represent, shall prepare a separate summary of coupons and acknowledgments (Form OPA R-541) for each such state, and shall receive from the Board a separate exchange certificate for each such state. The Board shall on request furnish more than one such certificate for sales within any given state, each representing any fraction of the total gallonage value remitted for such state, so long as the sum of all such certificates equals the total gallonage value of the coupons or other evidences remitted.

• • • • • •

Effective Date

§ 1394.1902 *Effective dates of amendments.* • • •

(l) Amendment No. 11 (§§ 1394.506 (o) and 1394.1614) to Ration Order No. 5A shall become effective October 5, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H) 7 F.R. 562, 3478, 3877, 5216).

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9691; Filed, September 29, 1942; 11:36 a. m.]

PART 1404—RATIONING OF RUBBER FOOTWEAR

[Ration Order 6]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES RATIONING REGULATIONS

Preamble. Among the most critical war-time problems of the nation is the scarcity of rubber. Our limited stockpile of this vital commodity must be reserved only for the most urgent needs. The use of rubber in the manufacture of many non-essential products is prohibited. Severe production controls have limited the quantity and the rubber content of even the most essential items. Tires are now being rationed.

The continuance of important types of military and civilian production depends upon the use of rubber footwear by certain workers in the mines and factories and on the farms. Maintenance of the health and safety of those workers requires rubber footwear protection.

The War Production Board has made careful studies of the occupational needs for rubber footwear; it has permitted production of only a small number of simplified types; it has established a maximum permissible rubber content of each type; it has allocated a limited amount of rubber for the production of those types.

The total number of pairs which can be manufactured from the allocation of rubber is far less than the demand. Unless this demand is restricted, and unless measures are taken to insure the distribution of the supply among those workers whose activities are most essential and whose needs are most urgent, production for the war effort may be seriously disrupted. Accordingly, the War Production Board has directed the Office of Price Administration to ration rubber footwear.

Ration Order No. 6 is issued pursuant to that directive. It is designed to exclude from the market all but those purchasers whose war-time activities require the use of this scarce footwear, and at the same time to add scrap rubber to the salvage piles. It provides for the rationing of men's rubber boots and rubber work shoes, comprising the bulk of all occupational waterproof footwear. It requires all who wish to buy such footwear to apply to a Local War Price and Rationing Board. Applications may be made either by workers for footwear for their own use or by employers who customarily furnish such footwear to their employees.

Authorizations to buy will be granted only to those individuals (1) who demonstrate that their work is essential to the war effort or the maintenance of public health or safety, and (2) whose working conditions require the use of such footwear, and to employers of such individuals.

Two further requirements are established to conserve rubber. Authorizations to buy will be granted only to those applicants: (1) who have no footwear suitable to their needs, and (2) who agree to surrender for salvage any unserviceable rubber boots or rubber work shoes in their possession.

Applicants who qualify under these conditions will receive a certificate issued by the Local Board, authorizing them to purchase a specified quantity of one of the six types into which all rationed footwear is grouped. In each case the Local Board will authorize the purchase of only the shortest and lightest weight of the six types which will meet the applicant's needs. Employer applicants will be granted certificates allowing them the minimum quantity practicable for their operations.

Rationed rubber footwear can be purchased only by the presentation of these certificates to registered dealers. These dealers customarily will serve as the agencies to receive unserviceable footwear turned in for salvage.

In order that the rubber footwear will continue to flow in the quantities and types that Local Boards have determined, under Ration Order No. 6, to be needed, dealers may obtain replacements of inventory only by surrendering certificates to their suppliers. To facilitate trade adjustment to the rationing program, provision is made that until the end of the 60th day after Ration Order No. 6 takes effect, footwear may be transferred at will within the trade, but not to consumers, without the surrender of certificates.

To provide information necessary to the proper administration and enforcement of this rationing program, all members of the trade are required to take an initial inventory, register with their Local Board, keep records of their transactions, and make periodic reports to the Office of Price Administration.

Accordingly, pursuant to the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942, and Directive No. 1 and Supplementary Directive No. 1-N [1] of the War Production Board, issued on January 24 and September 29, 1942, respectively.

It is hereby ordered That:

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DEFINITIONS

1404.2 Definitions.

JURISDICTION

1404.3 Jurisdiction of Boards.

RESTRICTION OF TRANSFERS

1404.4 Restriction of transfers.
1404.5 Transfer of rubber footwear must be accompanied by surrender of certificates.

ACQUISITION OF RUBBER FOOTWEAR BY CONSUMERS

1404.6 Eligibility.
1404.7 Applications for certificates.
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1404.11 Issuance of certificate.
1404.12 Form of certificate.
1404.13 Surrender of certificate to person selling at retail.
1404.14 Return of certificates to consumer.
1404.15 Surrender of unserviceable rubber footwear.
1404.16 Correction of certificates; changes in certificates.
1404.17 Consumer may have certificate subdivided.
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ACQUISITION AND TRANSFER BY RETAILER, DISTRIBUTOR, AND MANUFACTURER

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1404.22 Transfers not to be made upon expired certificates.
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1404.26 Part III to be completed and sent by person selling at retail to appropriate State Director.
1404.27 Use of Part I of certificates by retailer and distributor to replenish stock.
1404.28 Return of certificates to retailers and distributors.
1404.29 Disposition of Part I of certificate by manufacturer.
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1404.37 Surrendering certificates to the Board for cancellation.

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1404.39 Voluntary or involuntary transfer of establishment.
1404.40 Acquisition of rubber footwear by judicial process by operation of law and for security and similar purposes; enforcement.
1404.41 Transfer of rubber footwear for carriage.
1404.42 Transfer of rubber footwear for storage.
1404.43 Other excepted transfers.

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1404.46 Monthly report by manufacturers.
1404.47 By importers.
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1404.49 By retailers, distributors, and manufacturers.
1404.50 Records confidential.

APPEALS

1404.51 Who may appeal.
1404.52 Time within which appeal must be brought.
1404.53 Appeals to State Director; how brought.
1404.54 Action by State Director.
1404.55 Appeals to Regional Administrator; how brought.

[1] *Supra.*

Sec.
1404.56 Action by Regional Administrator.
1404.57 Appeals to Washington Office.

MISCELLANEOUS

1404.58 Personnel.
1404.59 Powers and duties.
1404.60 Sale, gift, loan, or judicial seizure of certificates prohibited.
1404.61 Notification to the Office of Price Administration of legal proceedings.
1404.62 Authorization of transfer against certificates is authorization of acquisition and vice versa.
1404.63 Rights of parties who have entered into contracts, agreements, or commitments prohibited by Ration Order No. 6.
1404.64 Violations of Ration Order No. 6 and offers or attempts to do so.
1404.65 Falsification.

ENFORCEMENT

1404.66 Criminal prosecutions.
1404.67 Suspension orders.
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APPENDIX

1404.69 Appendix A.

EFFECTIVE DATE

1404.70 Effective date of Ration Order No. 6.

AUTHORITY: §§ 1404.1 to 1404.70, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong.; W. P. B. Directive No. 1, Supplementary Directive No. 1–N, 7 F.R. 562.

SCOPE OF RATION ORDER NO. 6

§ 1404.1 *Territorial limitation.* Ration Order No. 6 shall apply within the 48 States of the United States and within the District of Columbia.

DEFINITIONS

§ 1404.2 *Definitions.* When used in Ration Order No. 6 the term:

(a) "Acquire" means to purchase, accept a transfer, or otherwise obtain possession or title.

(b) "Board" means a War Price and Rationing Board or, if the context so indicates, the specific War Price and Rationing Board having jurisdiction over specific persons or establishments.

(c) "Certificate" means a rubber footwear certificate (O. P. A. Form R–605) or, if the context so indicates, Parts I, II, or III thereof, and a "multiple certificate" means a certificate authorizing the acquisition and transfer of two or more pairs of rubber footwear.

(d) "Consumer" means any individual acquiring or seeking to acquire rubber footwear for personal use or an employer acquiring or seeking to acquire such footwear for the use of his employees under the conditions described in § 1404.6 (b).

(e) "Distributing establishment" means an establishment, other than a manufacturing establishment or part thereof as defined in paragraph (i) of this section, over 50 per cent of whose transfers, in dollar volume, of rubber footwear, during the twelve full calendar months immediately preceding the effective date of Ration Order No. 6 (or, if such establishment has records of transfers only for a period of less than the twelve full calendar months preceding the effective date of Ration Order No. 6, then during such shorter period), were transfers to persons other than consumers. A distributing agency or warehouse for one or more outlets is a distributing establishment, and each of a chain of distributing establishments owned by the same person is a separate distributing establishment. A person owning a distributing establishment is, with respect to the ownership and operation of such establishment, a distributor.

(f) "Employee" means, in addition to the persons commonly included within the meaning of the term, inmates, residents, and members of any eleemosynary institution or of any institution supported in whole or in part by public funds.

(g) "Employer" means, in addition to the persons commonly included within the meaning of the term, any eleemosynary institution or any institution supported in whole or in part by public funds.

(h) "Establishment" means a business or operation subject to Ration Order No. 6, conducted at or from a particular location: *Provided, however,* That a manufacturing establishment, as defined in paragraph (i) of this section, may include a business or operation conducted at or from a number of locations. When the provisions of Ration Order No. 6 impose or confer duties, rights, or obligations upon an establishment, such duties, rights, and obligations shall be considered as being conferred or imposed upon the person owning such establishment with respect thereto.

(i) "Manufacturing establishment" means an establishment manufacturing, processing, or assembling rubber footwear. All factories, warehouses, storage places, and distributing agencies owned by the same person constitute one manufacturing establishment: *Provided, however,* That no such warehouse, storage place, or distributing agency shall be included as part of a manufacturing establishment if it is a retail establishment, as that term is defined in paragraph (k) of this section, or if there is customarily a change in title to rubber footwear sent from any part of such manufacturing establishment to such warehouse, storage place, or distributing agency. A person owning a manufacturing establishment is, with respect to the ownership and operation of such establishment, a manufacturer, except that a manufacturer who, in connection with the ownership or operation of his manufacturing establishment, acquires or transfers rubber footwear not manufactured by him is, with respect to such acquisition or transfer, a distributor.

(j) "Person" means any individual, corporation, partnership, association, business trust, or any organized group of persons whether incorporated or not, and includes the United States or any agency thereof, and any State, or any political subdivision or agency thereof.

(k) "Retail establishment" means any establishment at least 50 percent of whose transfers, in dollar volume, of rubber footwear during the twelve full calendar months immediately preceding the effective date of Ration Order No. 6 (or, if such establishment has records of transfers only for a period of less than the twelve full calendar months preceding the effective date of Ration Order No. 6, then during such shorter period), were transfers to consumers. Each of several retail outlets owned by one person is a separate retail establishment. A person owning a retail establishment is, with respect to the ownership and operation of such establishment, a retailer.

(l) "Rubber footwear" means all men's protective waterproof or snow and water repellent boots and work shoes, except those which have been worn, of the types listed in Appendix A (§ 1404.69), manufactured under any process which joins the sole and upper in a single unit manufactured wholly or in part of latex, crude rubber, reclaimed rubber, scrap rubber, or synthetic rubber, including seconds and rejects but excluding all men's and boys' rubber boots and rubber work shoes below size six, all lumbermen's overs with leather tops, and all arctics, gaiters, work rubbers, dress rubbers, clogs, and footholds. When used in the context "unserviceable rubber footwear," however, the term "rubber footwear" shall denote only footwear which has been worn.

(m) "Sale at retail" means a transfer of rubber footwear to a consumer. It includes diverting to consumer use rubber footwear held for sale or transfer whether or not a change in ownership or possession results.

(n) "Transfer" means sell, lease, lend, trade, give, ship, deliver, or transfer, in any way, the ownership or possession of rubber footwear or any interest therein from one establishment or person to another establishment or person.

JURISDICTION

§ 1404.3 *Jurisdiction of Boards.* For the purposes of Ration Order No. 6 each War Price and Rationing Board shall have jurisdiction over:

(a) Each individual consumer who makes application to the Board for a certificate.

(b) Each employer applicant for certificates whose principal business office is located within the area assigned to the Board. Any Board located within the territorial jurisdictional limits of a State, local government, or the District of Columbia shall have jurisdiction to entertain and act on applications by and grant certificates to such State, local government, or District.

(c) Each retail and distributing establishment within the area assigned to the Board and each manufacturing establishment whose principal business office is located within such area.

RESTRICTION OF TRANSFERS

§ 1404.4 *Restriction of transfers.* Notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person shall on or after the effective date of Ration Order No. 6 transfer or acquire rubber footwear except in accordance with Ration Order No. 6.

§ 1404.5 *Transfer of rubber footwear must be accompanied by surrender of certificates.* Except as otherwise provided in Ration Order No. 6, a sale at retail of rubber footwear shall be made only upon surrender of Parts I and III of a certificate authorizing such transfer and a transfer of rubber footwear, other than by sale at retail, shall be made only upon the surrender of Part I of a certificate authorizing the transfer of such rubber footwear.

ACQUISITION OF RUBBER FOOTWEAR BY CONSUMERS

§ 1404.6 *Eligibility.* Except as otherwise expressly provided in Ration Order No. 6, a certificate may be issued by the Board only to the following:

(a) *Individuals.* Individuals (1) whose work is essential to the promotion of the war effort or to the maintenance of public health or safety, and (2) who in their work are necessarily exposed to water, snow, mud, spray, splash, floor heat, danger of burns, the action of chemicals, or other similar conditions, to such an extent that the use of rubber footwear is necessary to the preservation of their health or safety.

(b) *Employers.* Persons having employees whose work is essential as set forth in paragraph (a) (1) of this section and who are exposed to the conditions described in paragraph (a) (2) of this section, where such persons have normally and customarily furnished rubber footwear for the use of such employees in connection with their work and retain title to the rubber footwear so furnished after the termination of the employer-employee relationship.

§1404.7 *Applications for certificates.* (a) On or after the sixth day after the effective date of Ration Order No. 6 any person may file with the Board in duplicate an application on O. P. A. Form R–603 for a certificate.

(b) Each applicant shall state: (1) whether the applicant is an employer or an individual applicant; if the former, the business in which he is engaged; if the latter, his occupation; (2) the type and quantity of rubber footwear applied for; (3) the nature of the duties performed by the applicant or his employees requiring such type of rubber footwear; (4) an inventory of the applicant's present supply of rubber footwear, and, if the applicant is an employer, the quantity purchased within the preceding twelve months; (5) an agreement that the applicant will surrender any unserviceable rubber footwear in his possession; and (6) such other information as may be required by the application form.

(c) An application filed by an individual consumer may be for only one pair of rubber footwear. An application filed by an employer may be for one or more pairs of one type of rubber footwear. An employer shall make separate application for each type.

§ 1404.8 *Applications by Army and Navy personnel.* In addition to complying with all other provisions of Ration Order No. 6, an application for a certificate by a member of the Army or Navy, whether an officer or enlisted man, must be accompanied by a statement in writing by the senior commanding officer who has jurisdiction over the work in connection with which the requested rubber footwear is required, certifying that the applicant satisfies the requirements of § 1404.6 (a).

§ 1404.9 *Applications by Federal agencies and the American National Red Cross.* All applications for certificates by agencies of the United States Government, except those enumerated in § 1404.31 (b), and applications by the American National Red Cross shall be made on O. P. A. Form R–603 directly to the Office of Price Administration, Washington, D. C.; *Provided, however,* That if any such applicant authorizes the Procurement Division of the Treasury Department to acquire rubber footwear on its behalf, such applicant shall file its application for a certificate with the Procurement Division for transmittal to the Office of Price Administration, Washington, D. C. If the Office of Price Administration determines that the applicant is entitled to such certificate, it may issue and deliver the certificate to said applicant, or to the Procurement Division, if the application was transmitted by it.

§ 1404.10 *Appearance by applicant before Board.* In seeking a certificate, an applicant may submit his application in person or by a duly authorized agent; *Provided, however,* That the Board may require an applicant to appear in person to answer any pertinent questions propounded by the Board.

§ 1404.11 *Issuance of certificate.* (a) Except as otherwise expressly provided in Ration Order No. 6, a certificate (O. P. A. Form R–605) shall be issued by the Board only to an applicant who establishes to the satisfaction of the Board that he (1) is eligible to acquire such rubber footwear within the provisions of § 1404.6 and (2) does not have available for use any adequate and appropriate rubber footwear in serviceable condition, and who agrees to surrender, pursuant to § 1404.15, any unserviceable rubber footwear in his possession.

(b) If an applicant establishes to the satisfaction of the Board that he has no unserviceable rubber footwear which he can surrender or if the applicant is a person, such as a government agency, forbidden by law to make such disposition of its property, the Board shall note on the application and on the certificate that no such surrender shall be necessary.

(c) The certificate issued shall authorize the acquisition only of the type of rubber footwear which is the minimum necessary to satisfy the requirements of the applicant.

§ 1404.12. *Form of certificate.* Each certificate shall authorize the transfer of not more than one type of rubber footwear, and shall be divided into three parts bearing identical serial numbers, the date of issuance, and the number of the issuing Board.

(a) Part I shall specify the name and address of the applicant and the quantity and type of rubber footwear authorized to be acquired and transferred.

(b) Part II shall specify whether the consumer is required to surrender unserviceable rubber footwear and, if such surrender is required, the quantity and type thereof, and a person or agency to whom such unserviceable rubber footwear shall be surrendered if the consumer acquires the rubber footwear through mail-order or similar transaction. Part II shall also contain a receipt to be completed and signed by the person receiving the unserviceable rubber footwear required to be surrendered.

(c) Part III shall contain the name and address of the person to whom it is issued, the quantity and type of rubber footwear authorized to be acquired, and a notation showing whether the consumer is required to surrender unserviceable rubber footwear and, if so, the quantity and type of such rubber footwear required to be surrendered.

§ 1404.13 *Surrender of certificate to person selling at retail.* (a) In order to acquire the rubber footwear described in a certificate, a consumer shall, before or at the time of the transfer to him of such rubber footwear, surrender Parts I and III of such certificate to the person selling him such rubber footwear at retail. The consumer shall, at the time of such surrender, except in a mail-order or similar transaction, identify himself to the person selling at retail in the manner specified on the certificate.

(b) When a consumer wishes to acquire rubber footwear by mail-order or similar transaction, he shall forward Parts I and III of the certificate to the seller with his order.

§ 1404.14 *Return of certificates to consumer.* Upon demand therefor by a consumer, a person selling at retail shall immediately return to him Parts I and III of a certificate surrendered by the consumer unless such person selling at retail has:

(a) Transferred all or, with the consent of the consumer, part of the rubber footwear authorized to be transferred to the consumer by such certificate or;

(b) Forwarded Part I of such certificate, with the consent of the consumer, to a supplier pursuant to § 1404.27 (a) (2).

§ 1404.15 *Surrender of unserviceable rubber footwear.* Each consumer required to surrender unserviceable rubber footwear owned by him shall surrender it as follows:

(a) *Over-the-counter transactions.* In sales at retail other than mail-order and similar transactions, the consumer shall, simultaneously with his acquisition of the rubber footwear described in the certificate, surrender the unserviceable rubber footwear specified in such certificate to the person selling at retail, who shall acknowledge such surrender on Parts II and III of such certificate.

(b) *Mail-order or similar transactions.* Where a consumer acquires rubber footwear by mail-order or other similar transaction, he shall, within ten days after receiving such rubber footwear, surrender the unserviceable rubber footwear specified in the certificate to the person designated for this purpose on Part II of the certificate, who shall acknowledge such surrender thereon.

(c) *Part II to be retained by consumer.* Part II shall be retained by the consumer for a period of at least six months as evidence of his compliance with the requirements of Ration Order No. 6, and

shall, during such period, be available for inspection by the Office of Price Administration.

§ 1404.16 *Correction of certificates; changes in certificates.*[2] A certificate containing erasures or changes in any part required to be completed by the Board shall be invalid except that the Board may change the date of issuance and countersign such change pursuant to § 1404.18. Upon the surrender to the Board by the person to whom it was issued of a certificate bearing erasures or changes which invalidate it, the Board may issue a new certificate to such person. Upon the surrender to the Board of a certificate with clerical errors, the Board may issue a correct certificate.

§ 1404.17 *Consumer may have certificate subdivided.* (a) A consumer may surrender to the issuing Board Parts I, II, and III of a multiple certificate issued to him, and request issuance of several certificates in smaller denominations in exchange therefor. The Board may issue to such consumer certificates in such reasonable denominations as he may require but in no event shall the total number of pairs of rubber footwear authorized to be acquired by such newly-issued certificates exceed the number of pairs of rubber footwear authorized to be acquired by the surrendered multiple certificate.

(b) Each of such newly-issued certificates shall be identical with the multiple certificate surrendered therefor except (1) with respect to the number of pairs of rubber footwear authorized to be acquired thereby, (2) with respect to the number of pairs of unserviceable rubber footwear required to be surrendered thereby, and (3) that the newly-issued certificates shall be dated as of the date of their issuance.

§ 1404.18 *Change of date of issuance of certificate.* A consumer who has in his possession a certificate which has expired or is about to expire for use by him may present such certificate to the issuing Board and request the Board to change the date of issuance. The Board may grant such request, entering on the certificate the date of such presentation as the date of issuance and countersigning such new date of issuance.

ACQUISITION AND TRANSFER BY RETAILER, DISTRIBUTOR, AND MANUFACTURER

§ 1404.19 *Inventory.* (a) Every person owning one or more establishments shall prepare in duplicate on O. P. A. Form R–601, in the manner described thereon, an inventory for each such establishment of all rubber footwear as of 12 o'clock midnight of the fourth day after the effective date of Ration Order No. 6 and shall file such inventory with the Board having jurisdiction over such establishment. Such inventory shall be filed not later than the 11th day after the effective date of Ration Order No. 6, *Provided, however,* That upon good cause being shown therefor, the Board may permit an inventory to be filed thereafter. If the Board determines that good cause has not been shown, it shall refer the matter to the State Director, who may, after investigation, permit the inventory to be filed late.

(b) The inventory of an establishment shall classify the rubber footwear according to the types set forth in Appendix A (§ 1404.69) and shall specify the number of pairs of each such type. The inventory shall include all rubber footwear located in the establishment, whether or not the person owning the establishment owns or has contracted for the sale and delivery of such rubber footwear, rubber footwear stored in a public or independent warehouse not an establishment as defined in Ration Order No. 6, and rubber footwear transferred by the establishment for the purpose of repair only and therefore not in the possession of such establishment. The inventory shall not include rubber footwear which has been delivered to the establishment for the purpose of repair only or rubber footwear located in a separate establishment. Each manufacturing establishment shall report all finished rubber footwear.

(c) Every person who owns more than one establishment and owns rubber footwear located in a public or independent warehouse not an establishment as defined in Ration Order No. 6 shall include such rubber footwear in the inventories of his establishments, allocating such rubber footwear among such of his establishments as he selects.

§ 1404.20 *Registration.* Upon filing an inventory as set forth in § 1404.19, a retail, distributing, or manufacturing establishment shall be registered under Ration Order No. 6, and the Board shall issue to such establishment a certificate of registration (O.P.A. Form R–602) which shall be serially numbered and conspicuously posted at the registered establishment. Each of a number of establishments owned by the same retailer, distributor, or manufacturer shall be separately registered.

§ 1404.21 *No transfers without registration.* Except as otherwise expressly permitted by Ration Order No. 6 rubber footwear may be acquired only by consumers and registered establishments and may be transferred only by registered establishments and no person shall transfer rubber footwear to any establishment until he has been notified by the establishment of its registration number: *Provided, however,* That an establishment which has obtained an inventory form (O.P.A. Form R–601) may sell rubber footwear at retail between the sixth and 11th days, inclusive, after the effective date of Ration Order No. 6.

§ 1404.22 *Transfers not to be made upon expired certificates.* (a) No person shall sell rubber footwear at retail if the certificate tendered therefor was issued more than 30 days prior to the date of its receipt by the person selling at retail: *Provided, however,* That a person selling rubber footwear at retail by mail order may transfer such footwear upon the surrender of a certificate enclosed in an envelope or other wrapper postmarked not more than 30 days after the date of issuance of such certificate.

(b) No person shall transfer rubber footwear if the certificate tendered therefor was issued more than one year prior to the date of such transfer.

§ 1404.23 *Transfers not to be made upon invalid certificates.* (a) No person shall transfer rubber footwear if the certificate tendered therefor is illegible, contains such erasures or changes as to invalidate it under § 1404.16, or is so mutilated as not to indicate the essential information set forth in § 1404.12.

(b) No person shall transfer rubber footwear if he knows or has reason to believe that the certificate tendered therefor was not acquired in accordance with Ration Order No. 6 by the person tendering it. In such case, the person refusing to make the transfer shall promptly notify the issuing Board of such refusal and his reasons therefor.

§ 1404.24 *Receipt of unserviceable rubber footwear by the person selling at retail.* (a) Unless the certificate indicates that no unserviceable rubber footwear need be surrendered by the consumer, or the sale at retail is by mail-order or similar transaction, the person selling at retail must receive from the consumer, simultaneously with the transfer of the rubber footwear, the unserviceable rubber footwear described in the certificate. The person selling at retail shall acknowledge such surrender of unserviceable rubber footwear on Parts II and III of the certificate.

(b) Every person selling at retail shall surrender to the salvage agency designated by the Office of Price Administration and serving the area in which his establishment is located, all unserviceable rubber footwear received by such establishment.

§ 1404.25 *Addressing of mail-order shipment.* A person selling at retail on mail order shall ship the rubber footwear only to the consumer whose name appears on the certificate and to the address of the consumer as indicated on the certificate.

§ 1404.26 *Part III to be completed and sent by person selling at retail to appropriate State Director.* A person selling rubber footwear at retail shall retain Part III of any certificate received by him until he has transferred to the consumer all rubber footwear authorized to be acquired thereby. Every person selling rubber footwear at retail shall complete each Part III of a certificate received by him and shall, on or before the tenth day of each month, send each Part III received by him in connection with sales at retail completed during the preceding calendar month to the State Director specified thereon. All such certificates sent to a State Director shall be accompanied by a signed statement that they represent all rubber footwear transferred by such person by sale at retail during the preceding calendar month on the authority of certificates issued in such State except:

(a) Rubber footwear authorized to be transferred by multiple certificates which

are being retained by such person pending completion of transfers against such certificates, and

(b) Rubber footwear transferred to persons who are not required to surrender certificates under the provisions of Ration Order No. 6.

§ 1404.27 *Use of Part I of certificates by retailer and distributor to replenish stock.* (a) A retailer or distributor may, at any time within one year after the date of issuance of a certificate, acquire the rubber footwear specified thereon upon the surrender by him of Part I of such certificate: *Provided, however,* That a retailer or distributor shall not send to a supplier Part I of a certificate received by him or Part I of a newly issued certificate received as a result of the subdivision of a certificate in accordance with the provisions of § 1404.30, unless such retailer or distributor has (1) transferred to the person from whom he received the certificate all the rubber footwear authorized to be transferred by the original certificate or the newly issued certificate, as the case may be; or (2) received the consent of such person to send such Part I to a supplier and received the promise of such supplier that such rubber footwear will be shipped by him within 15 days of the receipt by him of the Part I.

(b) Prior to surrendering Part I of a certificate to his supplier, a retailer or distributor shall enter the necessary information in Schedule 1. Where a retailer or distributor makes instalment transfers of rubber footwear against a multiple certificate he shall enter in Schedule 1 the date of each such instalment transfer and the quantity of rubber footwear so transferred.

(c) Every establishment shall, when ordering rubber footwear, specify its registration number on the order.

§ 1404.28 *Return of certificates to retailers and distributors.* (a) Upon demand therefor by a retailer or distributor, a supplier shall within 15 days of such demand return to such retailer or distributor Part I of a certificate surrendered by the retailer or distributor to the supplier unless such supplier has (1) transferred all or part of the rubber footwear authorized to be transferred by such Part I or (2) forwarded such Part I, with the consent of the retailer or distributor, to another supplier pursuant to § 1404.27 (a) (2).

(b) If a supplier has transferred part of but not all the rubber footwear authorized to be transferred by Part I of a certificate, of which a retailer or distributor demands the return, and has not forwarded such Part I to another supplier pursuant to § 1404.27 (a) (2), the supplier shall, within 15 days of a demand therefor by such retailer or distributor, obtain the subdivision of such Part I in accordance with § 1404.30 and return to such retailer or distributor a newly-issued Part I or Parts I representing the untransferred portion of the rubber footwear authorized to be transferred by the original Part I.

(c) When any Part I is returned pursuant to this section, no entry shall be made in Schedule 1 thereof by the person so returning it. If an entry has been made by such person it shall be stricken.

§ 1404.29 *Disposition of Part I of certificate by manufacturer.* Every manufacturer shall enter the necessary information in Schedule 1 of Part I of each certificate received by him. When a manufacturer makes instalment transfers of rubber footwear against a multiple certificate he shall enter in Schedule 1 the date of each such instalment transfer and the quantity of rubber footwear so transferred. Except as he may use Parts I to acquire rubber footwear not manufactured by him, every manufacturer shall, on or before the tenth day of each month, send to the Central Inventory Unit of the Office of Price Administration, Empire State Building, New York City, each Part I received by him against which he has shipped all the rubber footwear specified thereon. All such certificates sent to the Central Inventory Unit shall be accompanied by a signed statement that they represent all rubber footwear manufactured by such manufacturer and shipped by him during the preceding calendar month except:

(a) Rubber footwear authorized to be transferred by multiple certificates which are being retained by such manufacturer pending completion of transfers against them and

(b) Rubber footwear shipped to persons who are not required to surrender certificates under the provisions of Ration Order No. 6, and shall further be accompanied by the report provided for in § 1404.46.

§ 1404.30 *Subdividing certificates of a retailer, distributor, or manufacturer.* (a) A retailer, distributor, or manufacturer may surrender to the Board Part I of a multiple certificate which he is entitled to use in whole or in part to acquire rubber footwear, as provided in § 1404.27, and apply on O. P. A. Form R–604 for several Parts I in smaller denominations in exchange therefor. The Board may issue to such retailer, distributor, or manufacturer Parts I of certificates in such reasonable denominations as he may require but in no event shall the total number of pairs of rubber footwear authorized to be acquired by the newly-issued Parts I exceed the number of pairs of rubber footwear authorized to be acquired by the surrendered multiple certificate.

(b) Each of such newly-issued Parts I shall be identical with the Part I of the multiple certificate surrendered therefor, including the original date of issue, except (1) with respect to the number of pairs of rubber footwear authorized to be acquired thereby and (2) that the Board shall enter its own number, State, and issuing officer's signature on the newly-issued Parts I. The name and address of the person presenting such Parts I for subdivision may be omitted from Schedule 1 of any newly-issued Parts I which are to be returned to the prior holder as provided in § 1404.28.

§ 1404.31 *Transfer of rubber footwear to exempt persons.*—(a) *Procuring certificates after transfer to exempt persons.* Any person who transfers rubber footwear from an establishment to any of the agencies enumerated in paragraph (b) of this section, or to any person acquiring such rubber footwear for export to and use in any foreign country, or ships or otherwise sends rubber footwear to a territory, possession, or dependency of the United States (except the District of Columbia), without the surrender of certificates, may, after such establishment has been registered pursuant to § 1404.20, apply to the Board on O. P. A. Form R–604 for Parts I of certificates authorizing the acquisition of the type and quantity of rubber footwear so transferred. A separate application shall be made for each type. Before the Board may grant any such application, the applicant shall exhibit to it bills of lading, shipping documents, or other proof of such transfer: *Provided, however,* That matters involving military or naval secrets, such as points at which delivery was made, need not be revealed to the Board.

(b) *Armed forces, certain Government agencies excluded.* The agencies included within the provisions of this section are the Army and Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, and the War Shipping Administration.

§ 1404.32 *Damaged, destroyed, lost, or stolen rubber footwear.*—(a) *Damaged rubber footwear.* Rubber footwear that has been damaged, but is still usable as rubber footwear, and undamaged rubber footwear mingled therewith, may be acquired without the surrender of Certificates by the following persons for purposes of transfer only; (1) persons duly authorized by law to engage in the insurance business, and common or contract carriers in connection with the right of subrogation, or by virtue of the payment by them of any claim or claims for damage to such rubber footwear; (2) persons performing public fire, health, police, safety, or sanitation functions, warehousemen, or persons engaged principally and primarily in the business of adjusting losses or selling or reconditioning and selling damaged commodities, who take possession of or receive such commodities on the occurrence or imminence of casualties, or in direct connection with the adjustment of losses resulting from such casualties.

(b) *Subsequent transfer of damaged rubber footwear.* Any transfer of such rubber footwear by any person included in paragraph (a) of this section to any person not so included shall be made only upon the surrender of appropriate certificates as provided in Ration Order No.

6. Certificates thus received by the persons disposing of such rubber footwear shall, within five days after each such transfer, be surrendered for cancellation to the State Director of the State where such rubber footwear was located immediately prior to the acquisition thereof by the transferor, together with the report referred to in paragraph (d) of this section.

(c) *Rubber footwear in danger of damage or theft.* Rubber footwear in imminent danger of being damaged, destroyed, or stolen may be acquired without certificates by the persons designated in paragraph (a) of this section and subject to the limitations set forth in paragraphs (a) and (b) of this section.

(d) *Procedure for transfer of damaged or destroyed rubber footwear.* Any person included in paragraph (a) of this section transferring rubber footwear pursuant to paragraph (b) of this section shall prepare in duplicate a complete report of the transactions, furnishing, in addition, such information as may be required by the Office of Price Administration, and containing any necessary supporting statements. Such person, upon transferring such rubber footwear, shall retain for himself the copy of such report and shall file, within five days of the transfer, the original of such report with the State Director of the State where such rubber footwear was located immediately prior to the acquisition thereof by the transferor.

(e) *Obtaining certificates to replace damaged, destroyed, lost, or stolen rubber footwear.* Any person owning an establishment whose rubber footwear is lost, stolen, or destroyed, or transferred pursuant to paragraphs (a) or (c) of this section may, after his establishment has been registered pursuant to § 1404.20, apply to the Board on O. P. A. Form R–604 for Parts I of certificates authorizing the acquisition of the same type and quantity of rubber footwear. A separate application shall be made for each type. Before the Board may grant any such application, the applicant shall prove to the satisfaction of the Board the loss, theft, damage, or destruction or imminence of such casualty claimed.

§ 1404.33 *Use of Parts I issued pursuant to §§ 1404.31, 1404.32, and 1404.36.* Any retailer or distributor who has received Parts I of certificates pursuant to §§ 1404.31 (a), 1404.32 (e), or 1404.36 may use such certificates to acquire rubber footwear without regard to the limitations contained in the proviso to § 1404.27 (a).

§ 1404.34 *Destroyed, mutilated, or stolen certificates.* (a) If Parts I of certificates held by a person owning an establishment are lost, destroyed, stolen, or so mutilated as to be invalid, the person entitled to such certificates may, after his establishment has been registered pursuant to § 1404.20, apply on O. P. A. Form R–604 to the Board for new Parts I authorizing the acquisition of the same type and quantity of rubber footwear. A separate application shall be made for each type. Before the Board shall grant any such application, the applicant shall prove to the satisfaction of the Board the loss, destruction, theft, or mutilation claimed.

(b) Any Parts I issued by the Board pursuant to this section shall be received, held, and used by the person to whom issued subject to the same conditions and limitations under Ration Order No. 6 as the certificates which were lost, destroyed, stolen or mutilated.

§ 1404.35 *Disposal of rubber footwear acquired without certificates.* Any person who acquires rubber footwear without the surrender of certificates, pursuant to § 1404.40, may thereafter transfer such rubber footwear only upon surrender to him of appropriate certificates except as otherwise expressly provided in Ration Order No. 6. Such certificates shall, within five days after each such transfer, be surrendered for cancellation to the respective State Directors specified thereon.

§ 1404.36 *Obtaining certificates to replace rubber footwear acquired pursuant to § 1404.40.* When rubber footwear of a retail or distributing establishment has been acquired by a person without the surrender of certificates, pursuant to § 1404.40, the retailer or distributor from whom such footwear was acquired may, after such establishment has been registered pursuant to § 1404.20, apply on O. P. A. Form R–604 to the Board for Parts I of certificates authorizing the acquisition of the same type and quantity of rubber footwear. A separate application shall be made for each type. Before the Board may grant any such application, the applicant shall prove to the satisfaction of the Board that the rubber footwear was acquired from him under the conditions described in § 1404.40 and has not been returned to him.

§ 1404.37 *Surrendering certificates to the Board for cancellation.* Where rubber footwear or a certificate which had been lost or stolen, or rubber footwear which had been transferred pursuant to § 1404.40 or 1404.43 (b), is returned to the retailer or distributor from whom it was stolen or by whom it was lost or from whom it was acquired and such retailer or distributor has obtained from the Board Parts I of certificates authorizing the acquisition of rubber footwear to replace such rubber footwear or certificates, such retailer or distributor shall surrender to the Board for cancellation the Parts I of certificates so obtained from the Board or Parts I of other certificates authorizing the acquisition of the same type and quantity of rubber footwear.

EXCEPTIONS

§ 1404.38 *Transfers other than sales at retail between the sixth and 60th days after effective date.* (a) Rubber footwear may be transferred other than by sale at retail and acquired by any establishment between the sixth and 60th days, inclusive, after the effective date of Ration Order No. 6 without the surrender of certificates; *Provided, however,* That: (1) no person shall transfer rubber footwear pursuant to this section until he has received from the Board his certificate of registration (O. P. A. Form R–602) and (2) all persons transferring and acquiring rubber footwear without the surrender of certificates in accordance with the provisions of this section shall keep separate records of all such transfers which shall contain the information required by § 1404.49. Such records shall be kept available for filing with or inspection by the Office of Price Administration.

(b) Except in sales at retail, no person shall require the surrender of certificates as a condition to the transfer of rubber footwear between the sixth and 60th days after the effective date of Ration Order No. 6.

§ 1404.39 *Voluntary or involuntary transfer of establishment.* (a) Rubber footwear may be acquired and transferred by any person without the surrender of certificates where, as a consequence of reorganization, liquidation, merger, foreclosure, execution, assignment for the benefit of creditors, bankruptcy, death, devise, bequest, inheritance, or other voluntary or involuntary transfer or sale of a retail, distributing, or manufacturing establishment, all or substantially all the assets of such establishment, including good-will, are transferred to such person.

(b) The person acquiring rubber footwear pursuant to paragraph (a) of this section shall, with respect thereto, if he continues the operation of the establishment, be subject to all the provisions of Ration Order No. 6 applicable to such establishment: *Provided, however,* That he must first complete and file with the Board an inventory (on O. P. A. Form R–601) of such rubber footwear and receive a certificate of registration from the Board. If such person does not continue the operation of the establishment, such rubber footwear may be transferred by him pursuant to the provisions of § 1404.35.

§ 1404.40 *Acquisition of rubber footwear by judicial process, by operation of law and for security and similar purposes; enforcement*—(a) *Acquisition by judicial process, by operation of law and by the exercise of statutory rights or powers.* Rubber footwear may be acquired by, or a lien created thereon in favor of, the following persons and in the following cases without the surrender of certificates; (1) any person pursuant to judicial process or an order issued by a court of competent jurisdiction or by operation of law; (2) a State or political subdivision or agency thereof or by the United States or any agency thereof in the enforcement or exercise against such rubber footwear of statutory rights or powers.

(b) *Creation of security interests and liens.* Rubber footwear may be acquired for security purposes by, or a lien created thereon for security purposes in favor of, the following persons and in the following cases without the surrender of certificates; (1) a State or political subdivision or agency thereof or the United States or an agency thereof or any person duly licensed to engage in the business of making loans upon collateral and regulated in conducting such business by a State or the United States; (2) any person where the security interest arises or is transferred with respect to all or substantially all the rubber footwear of an establishment or of a business or operation of an employer-consumer.

(c) *Assignments prohibited.* Nothing in this section shall be deemed to permit any person to acquire without certificate an interest in rubber footwear in connection with or as a consequence of an assignment of less than the entire debt secured by such rubber footwear.

(d) *Release or return.* Except as otherwise provided in Ration Order No. 6, rubber footwear or any interest therein or lien thereon acquired pursuant to paragraphs (a) or (b) of this section may be returned to the person from whom it was acquired or released without the surrender of certificates or such rubber footwear may be transferred pursuant to the provisions of § 1404.35.

(e) *Enforcement of security.* Any person who has acquired rubber footwear or in whose favor a lien thereon has been created under the authority of this section, or who holds a lien on or security interest in rubber footwear created on or before the effective date of Ration Order No. 6 may enforce such security, lien, or other interest in the manner provided by applicable State or Federal laws. Transfers necessary for the enforcement thereof may be made to such person without the surrender of certificates or to other persons upon receipt of appropriate certificates (except as otherwise provided in Ration Order No. 6) to be disposed of as provided in § 1404.35. Rubber footwear acquired by such person hereunder may not be used by such person and may not be transferred except pursuant to § 1404.35.

§ 1404.41. *Transfer of rubber footwear for carriage.* (a) Rubber footwear delivered on or before the effective date of Ration Order No. 6 to a carrier, other than a carrier owned or controlled by the person so delivering it, may be delivered by the carrier to the person to whom the rubber footwear was consigned, or to another carrier for such delivery, or among connecting carriers for such delivery, or may be redelivered to the consignor without surrender of certificates by anyone in connection therewith.

(b) On or after the sixth day after the effective date of Ration Order No. 6 rubber footwear may be received by a carrier for carriage without the surrender of certificates by the carrier. Rubber footwear so received may thereafter be delivered, without the receipt of certificates by such carrier, only to (1) the person from whom it was received, (2) the person to whom it was consigned, (3) the person to whom the bill of lading, trust receipt, or similar instrument, if any, issued in connection with such carriage, has been duly transferred, or (4) to connecting carriers for such purposes.

(c) Nothing in this section shall be deemed to relieve any person who delivers rubber footwear to a carrier from the obligation to receive certificates from the consignee or other person to whom a transfer is made as a result of such delivery.

§ 1404.42 *Transfer of rubber footwear for storage.* (a) Rubber footwear delivered on or before the effective date of Ration Order No. 6 to a public warehouse may at any time, without the surrender of certificates, be redelivered to the person who delivered it to the warehouse, or delivered to the person to whom the warehouse receipt, or other similar instrument, if any, issued in connection with such storage, has been duly transferred.

(b) On or after the sixth day after the effective date of Ration Order No. 6, any public warehouse may receive rubber footwear for storage without surrendering certificates, and may thereafter deliver such rubber footwear to the person from whom it received such rubber footwear, or to the person to whom the warehouse receipt, or other similar instrument, if any, issued in connection with such storage, has been duly transferred.

(c) Nothing in this section shall be deemed to relieve any person who delivers rubber footwear for storage from the obligation to receive certificates from any person other than the public warehouseman to whom such rubber footwear is transferred.

§ 1404.43 *Other excepted transfers*—(a) *Transfer of business of employer.* Upon the sale or other transfer, voluntary or involuntary, of the business or operation in connection with which any person as an employer obtained rubber footwear for the use of his employees, such rubber footwear may be acquired by any person along with such business or operation without the surrender of certificates and may be used only for the purposes of which it was acquired by the employer.

(b) *Transfers to exempt persons.* Any person may, at any time after the effective date of Ration Order No. 6, transfer, without the surrender of certificates, rubber footwear to any of the agencies enumerated in § 1404.31 (b), or to any person acquiring such rubber footwear for export to and use in any foreign country, or may ship or otherwise send rubber footwear to a territory, possession, or dependency of the United States (except the District of Columbia).

(c) *Transfers of rubber footwear by employers and for repair.* At any time after the effective date of Ration Order No. 6, (1) an employer who acquired rubber footwear under the conditions prescribed in § 1404.6 (b) for the use of his employees may transfer such rubber footwear to his employees for such use and (2) any person may transfer rubber footwear to any other person for the purpose of repair and may reacquire such rubber footwear, without the surrender of certificates.

(d) *Mail orders postmarked on or before effective date.* Rubber footwear ordered by a consumer by mail order postmarked on or before the effective date of Ration Order No. 6 may be transferred to such consumer on or after the sixth day after the effective date of Ration Order No. 6 without the surrender of certificates.

(e) *Exchange of rubber footwear.* On or after the sixth day after the effective date of Ration Order No. 6, any consumer, retailer, distributor, or manufacturer may exchange rubber footwear for other rubber footwear of the same type and quantity without the surrender of certificates.

(f) *Destroyed rubber footwear.* Rubber footwear that has been substantially destroyed, so as to be no longer usable as rubber footwear, may be transferred and acquired without the surrender of certificates: *Provided, however,* That such rubber footwear shall be used or sold only as scrap or for purposes of salvage.

(g) *Damaged rubber footwear.* Rubber footwear that has been damaged but is still usable as rubber footwear, undamaged rubber footwear mingled therewith, and undamaged rubber footwear that is in imminent danger of being damaged, destroyed, or stolen may be acquired without the surrender of certificates only as set forth in § 1404.32.

(h) *Return of lost or stolen rubber footwear.* Lost or stolen rubber footwear may be returned without the surrender of certificates to the person rightfully in possession of such rubber footwear at the time of the loss or theft.

RECORDS AND REPORTS

§ 1404.44 *In general.* All persons who transfer or acquire rubber footwear shall maintain such records and make such reports as Ration Order No. 6 requires and as the Office of Price Administration may from time to time require. Unless otherwise indicated in Ration Order No. 6, such records shall be maintained for a period of not less than two years and shall be available during such period for inspection by the Office of Price Administration. Any retailer, distributor, or manufacturer who during said period discontinues his business shall deliver to the Board the records he is required to maintain under Ration Order No. 6.

§ 1404.45 *By persons selling at retail.* Every establishment selling rubber footwear at retail shall maintain at such establishment records of all rubber footwear sold by it. Such records shall include for each such sale the name and address of the transferee, the date of the sale, the type and number of pairs of rubber footwear transferred, and the serial number of the certificate surrendered.

§ 1404.46 *Monthly report by manufacturers.* (a) Every manufacturer of rubber footwear shall on or before the tenth day of each month prepare a report in triplicate of all rubber footwear manufactured by him which was shipped by him during the preceding calendar month; *Provided, however,* That no such report shall be filed for the period be-

tween the sixth and 60th days after the effective date of Ration Order No. 6.

(b) Such report shall classify the rubber footwear so shipped according to type and shall contain, with respect to each such type, the following information: (1) the total number of pairs of rubber footwear shipped to each state, territory, possession, or dependency of the United States, or foreign country; (2) the number of pairs of rubber footwear transferred to the agencies set forth in § 1404.31 (b); (3) the number of pairs of rubber footwear shipped to any person acquiring such rubber footwear for export to and use in any foreign country, excluding, however, rubber footwear transferred to the agencies set forth in § 1404.31 (b); (4) the number of pairs of rubber footwear shipped to each territory, possession, or dependency of the United States (except the District of Columbia), excluding, however, rubber footwear transferred to the agencies set forth in § 1404.31 (b); (5) the number of pairs of rubber footwear shipped to each State of the United States and the District of Columbia for which no certificates are being surrendered to the Central Inventory Unit, pursuant to § 1404.29, because the manufacturer has not completed shipment of all the rubber footwear specified on such certificates.

(c) The original of such report shall be sent to the Central Inventory Unit of the Office of Price Administration, Empire State Building, New York City; a duplicate copy shall be sent to the Office of Price Administration, Washington, D. C.; and one copy shall be retained by the manufacturer.

§ 1404.47 *By importers.* Any person who imports rubber footwear shall, within three months thereafter send to the Central Inventory Unit, Office of Price Administration, Empire State Building, New York City, certificates authorizing the acquisition of the number of pairs of each type of rubber footwear so imported. Such certificates shall be accompanied by a statement setting forth the number of pairs and types of rubber footwear so imported, the date of such import, the name and location of the person shipping such rubber footwear, and the name and address of the importer.

§ 1404.48 *By persons transferring rubber footwear to exempt agencies or for export.* Every retailer, distributor, and manufacturer of rubber footwear shall, with respect to each establishment owned by him, on or before the tenth day of each month, send to the State Director of the State within which such establishment is located, a statement of the total number of pairs and the types of rubber footwear:

(a) Transferred from such establishment during the preceding calendar month to the agencies set forth in § 1404.31 (b).

(b) Transferred from such establishment during the preceding calendar month to any person acquiring such rubber footwear for export to and use in any foreign country, excluding rubber footwear transferred to the agencies set forth in § 1404.31 (b), and

(c) Shipped or otherwise sent from such establishment during the preceding calendar month to a territory, possession, or dependency of the United States (except the District of Columbia), excluding rubber footwear transferred to the agencies set forth in § 1404.31 (b).

§ 1404.40 *By retailers, distributors, and manufacturers.* (a) Every establishment shall maintain records of the rubber footwear transferred and acquired by it on or after the fifth day after the effective date of Ration Order No. 6, indicating the number of pairs and types of such rubber footwear, the dates of transfer and acquistion thereof, and the names and addresses of the transferors and transferees.

(b) Each establishment shall retain a copy of the inventory filed by it with the Board pursuant to § 1404.19 and shall when required by Ration Order No. 6 or the Office of Price Administration enter thereon any additional information requested. Except as otherwise provided in Ration Order No. 6, such inventory form shall at all times be kept available for inspection by the Office of Price Administration.

§ 1404.50 *Records confidential.* All records of the Office of Price Administration and of the Boards relating to Ration Order No. 6 shall be confidential and shall be subject to inspection, removal, or other disposition only as provided in Ration Order No. 6 or as the Office of Price Administration may from time to time order. Such records shall at all times be available for inspection and use by any department or agency of the United States cooperating with the Office of Price Administration in the enforcement of Ration Order No. 6. Any person filing a record, or his agent, may examine the record so filed by him if to do so does not interfere with the administration of Ration Order No. 6. Records may be subpoenaed in any action or proceeding if the subpoena is served at least ten days before the return date and if the Price Administrator deems the production of the records in answer to such subpoena to be in the interest of national defense and security. Notwithstanding any of the foregoing there may be posted for a reasonable period of time at the office of each Board a list of all persons who have made application for and received permission to obtain rubber footwear under the provisions of Ration Order No. 6.

APPEALS

§ 1404.51 *Who may appeal.* Any person directly affected by the action of a Board, State Director, or Regional Administrator taken with reference to any application, petition, or other matter before such Board, State Director, or Regional Administrator under Ration Order No. 6 may appeal from such action pursuant to the provisions of §§ 1404.52 to 1404.57, inclusive.

§ 1404.52 *Time within which appeal must be brought.* Notice of a Board's action shall be given, either at the Board's office or by mailing, to the person who has the right of appeal or to his agent. The appeal must be brought within 30 days after such mailing or the giving of such other notice.

§ 1404.53 *Appeals to State Director; how brought.* Appeals from the action of a Board shall be to the State Director and shall be brought by the person entitled to bring such appeal in the following manner:

(a) A statement of appeal shall be filed in duplicate with the Board. The statement of appeal shall state the basis for the appeal, setting forth the specific section or sections of Ration Order No. 6 claimed to be inconsistent with the action appealed from, and any other facts called for by any form which may be prescribed by the Office of Price Administration, or deemed by the appellant to be pertinent. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(b) Within ten days of such filing, the Board shall forward one copy of the statement and an explanation of its reasons for taking the action appealed from, together with all pertinent records or papers, to the State Director, unless the Board shall, within such ten-day period, upon reconsideration, reverse the action appealed from. If the Board disagrees with the version of the facts contained in the appellant's statement of appeal or in other papers in the record, the Board shall note the respects in which its version of the facts differs.

(c) The Board shall retain the other copy of the statement of appeal and shall keep a record thereon showing the date on which the Board notified the appellant of the action appealed from, the date on which the statement of appeal was filed, and the date the statement of appeal and other papers were sent to the State Director.

§ 1405.54 *Action by State Director.* (a) The State Director shall maintain an appeals docket. He shall assign a number to each appeal when it reaches him, and shall enter such number, together with the name of the appellant and the name and number of the Board from whose action the appeal is taken, the action taken on appeal, and the date on which a copy of his decision was mailed to the appellant.

(b) The State Director may require the appellant to present additional pertinent information.

(c) Appeals shall be decided by the State Director, who may affirm, modify, or reverse the action of the Board. The decision shall be in writing and one copy shall be mailed to the appellant and one to the Board. The decision shall direct the Board to take such action as may be necessary to give effect thereto.

(d) If no statement of appeal to the Regional Administrator is filed with the State Director within 30 days after the appellant has been notified of the State Director's decision, the record shall be closed and thereafter there shall be no further right of appeal. The record shall remain on file in the State Director's office, except that documents which are necessary to present or future action of the Board shall be returned to the Board.

§ 1404.55 *Appeals to Regional Administrator; how brought.* An appeal to the Regional Administrator may be made in the following manner from an adverse decision of the State Director, whether such decision is in a matter which came before the State Director on appeal or in a matter which came before him for original decision:

(a) A statement of appeal shall be filed in duplicate with the State Director, who shall retain one copy for his files. The statement of appeal shall state the basis for the appeal, setting forth the specific section or sections of Ration Order No. 6 claimed to be inconsistent with the decision appealed from, and any other facts called for by any form, which may be prescribed by the Office of Price Administration, or deemed by the appellant to be pertinent. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(b) Within ten days of such filing, the State Director shall forward the other copy, together with his decision and all other pertinent records or papers, to the Regional Administrator, unless the State Director shall, within such ten-day period, upon reconsideration, reverse his decision.

§ 1404.56 *Action by Regional Administrator.* (a) The Regional Administrator shall maintain an appeals docket and shall assign a number to each appeal when it reaches him, and shall enter such number, together with the name of the appellant, the name of the State Director, the name and number of the Board, the action taken by the Regional Administrator, and the date on which a copy of the Regional Administrator's decision was mailed to the appellant.

(b) The Regional Administrator may require the appellant to present additional pertinent information.

(c) Appeals to the Regional Administrator shall be decided by the Regional Administrator, who may affirm, modify, or reverse the decision of the State Director. The decision shall be in writing and copies shall be mailed to the appellant, the Board, if an action of the Board is involved, and to the State Director, respectively. The decision shall direct the Board or the State Director to take such action as may be necessary to give effect thereto.

(d) If no statement of appeal to the Washington Office of the Office of Price Administration is filed with the Regional Administrator within 30 days after the appellant has been notified of the Regional Administrator's decision, the record shall be closed and shall be returned to the State Director's office, where it shall remain on file, except that documents which are necessary to present or future action of the Board shall be returned to the Board. Thereafter there shall be no further right of appeal.

§ 1404.57 *Appeals to Washington Office.* An appeal to the Washington Office of the Office of Price Administration may be made in the following manner from an adverse decision of the Regional Administrator, whether such decision is in a matter which came before the Regional Administrator on appeal or in a matter which came before him for original decision:

(a) A statement of appeal shall be filed in duplicate with the Regional Administrator, who shall retain one copy for his files. The statement of appeal shall state the basis for the appeal, setting forth the specific section or sections of Ration Order No. 6 claimed to be inconsistent with the decision appealed from, and any other facts called for by any form which may be prescribed by the Office of Price Administration, and such other facts as the appellant deems pertinent. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(b) Within ten days of such filing, the Regional Administrator shall forward the other copy, together with his decision and all other pertinent records or papers, to the Washington Office of the Office of Price Administration, unless the Regional Administrator shall, within such ten-day period, upon reconsideration, reverse his decision.

(c) It shall be within the discretion of the Washington Office of the Office of Price Administration to pass upon or to refuse to pass upon an appeal. In either event, the Washington Office of the Office of Price Administration may require the appellant to furnish additional pertinent information.

(d) The Washington Office of the Office of Price Administration shall notify the appellant, the Regional Administrator, the State Director, and the Board, in writing, either: (1) of its refusal to pass upon the appeal; or (2) of its decision affirming, modifying, or reversing the decision of the Regional Administrator. It shall, in such event, direct the Board, State Director, or Regional Administrator to take such action as may be necessary to give effect thereto.

(e) When the Washington Office of the Office of Price Administration has acted upon the appeal or has refused to act upon it, the record of the case shall be returned to the office of the State Director where it is to be filed, except that documents which are necessary to present or future action of the Board shall be returned to the Board. Thereafter there shall be no further right of appeal.

MISCELLANEOUS

§ 1404.58 *Personnel*—(a) *Administration.* Ration Order No. 6 shall be administered by the Office of Price Administration, its Regional Administrators, State Directors, War Price and Rationing Boards, and such other administrative personnel as it may designate.

(b) *Self-interest shall disqualify official.* No person participating in the administration of Ration Order No. 6 shall act officially in connection with any matter arising under Ration Order No. 6 in which, by reason of self-interest or the interest of persons to whom he is related by blood or marriage, he is unable to act without bias.

§ 1404.59 *Powers and duties.* The persons appointed to administer Ration Order No. 6 or to assist therein shall have such powers and duties as are herein described and as the Office of Price Administration has assigned and may from time to time assign.

§ 1404.60 *Sale, gift, loan, or judicial seizure of certificates prohibited.* The transfer, sale, gift, loan, or assignment of a certificate is prohibited and no such certificate or any interest therein may be so acquired or seized by distraint, execution, levy, attachment, or other judicial process or acquired through devise, bequest, or inheritance, except that such transfer, sale, gift, loan, assignment, seizure, and acquisition is permitted when certificates are transferred as part of the assets of an establishment transferred as provided in § 1404.39 and when otherwise expressly permitted in Ration Order No. 6.

§ 1404.61 *Notification to the Office of Price Administration of legal proceedings.* It shall be the duty of every person holding a certificate to notify the State or Regional Office of the Office of Price Administration immediately upon the commencement of any legal action or proceeding involving such certificate.

§ 1404.62 *Authorization of transfer against certificates is authorization of acquisition and vice versa.* Where in Ration Order No. 6 the transfer of rubber footwear is authorized on the surrender of certificates the acquisition of such rubber footwear, as part of the same transaction, on the surrender of certificates shall also be deemed to be authorized and vice versa.

§ 1404.63 *Rights of parties who have entered into contracts, agreements, or commitments, prohibited by Ration Order No. 6.* No person who agreed to transfer and no person who agreed to acquire rubber footwear shall be liable for failure to perform such agreement if performance is prohibited by Ration Order No. 6; *Provided, however,* That if performance of any contract, agreement, or commitment for the transfer of rubber footwear is prohibited by Ration Order No. 6, or amendments thereto or revisions thereof, any person who has made any payment or given any other consideration on account of the purchase of such rubber footwear shall, upon demand, be entitled to the return of the amount of any deposit or consideration paid, or, in the event the consideration has been materially altered in condition or cannot be returned, its fair value, and no person who agreed to transfer rubber footwear shall be liable to any greater extent than the amount or other consideration so deposited or paid.

§ 1404.64 *Violations of Ration Order No. 6 and offers or attempts to do so.* No person shall do or offer or attempt to do anything, directly or indirectly, with respect to rubber footwear, certificates, inventories, reports, or other records re-

quired to be made or kept by Ration Order No. 6, except in accordance with Ration Order No. 6.

§ 1404.65 *Falsification.* No person shall, or shall cause another person to, counterfeit any certificate, or, except as expressly permitted in Ration Order No. 6, alter any certificate, or falsify, conceal, or fail to disclose any fact or information in any application, inventory, report, or other statement required to be made, kept, furnished, or disclosed by Ration Order No. 6.

ENFORCEMENT

§ 1404.66 *Criminal prosecutions.* (a) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required by any provision of Ration Order No. 6, may upon conviction be fined not more than $10,000.00, or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who knowingly falsifies an application, or any other record, report, or certificate made pursuant to or required by the terms of Ration Order No. 6, or who otherwise knowingly furnishes false information concerning a material fact within the jurisdiction of the Office of Price Administration to any Board, or any other agent, employee, or officer of the Office of Price Administration, or who attempts by the use of a trick, scheme, or device to conceal or cover up such a material fact within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than $10,000.00, or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts may upon conviction be fined not more than $10,000.00, or imprisoned for not more than two years, or both, and shall be subject to such other penalties as may be prescribed by law.

§ 1404.67 *Suspension orders.* Any person who violates Ration Order No. 6 may, by administrative suspension order, be prohibited from acquiring or transferring any rubber footwear or other rationed product for such period as in the judgment of the Administrator is necessary or appropriate in the public interest and to promote the national security.

§ 1404.68. *Report of violations.* Any person may report a violation of Ration Order No. 6 to a War Price and Rationing Board, a State Director, a Regional Administrator of the Office of Price Administration, or to the Office of Price Administration, Washington, D. C.

APPENDIX

§ 1404.69 *Appendix A.* The types of men's protective waterproof or snow and water repellent boots and work shoes referred to in § 1404.2 (1) are listed below. All measurements in this Appendix are along the back of the boot and include the heel.

(a) Rubber Boots (typically worn instead of shoes and typically without laces, though occasionally worn over a shoe or slipper and partially laced).

Type 1. Hip height boots (with or without steel toes). All body, hip, and thigh boots and sporting boots of similar heights.

Type 2. Above-knee height boots (with or without steel toes). All Storm King boots and all other over-the-knee height but below hip or thigh height boots.

Type 3. Below-knee height heavy boots (with or without steel toes). All industrial short boots and all other boots of below-the-knee height except lightweight boots classified in Type 4.

Type 4. Below-knee height light boots (without steel toes). All light-weight short boots, including those manufactured according to specifications of the War Production Board for the manufacture of civilian rubber footwear (War Production Board Supplementary Order M-15-b-1, as amended [1]) farm-weight boots, over-the-shoe boots, and all other light-weight constructions of this height.

(b) Rubber Pacs, Bootees, and Work Shoes (worn instead of shoes, typically laced, and below-the-knee in height).

Type 5. Pacs and Bootees, 10 inches or more in height (with or without steel toes). All laced mine pacs, all bootee types with or without laces, and all other laced rubber footwear, including laced sporting footwear, ten inches or more but below-the-knee in height.

Type 6. Pacs, Bootees, and Work Shoes below ten inches in height (with or without steel toes). All rubber work shoes, pacs, and bootees less than ten inches in height.

EFFECTIVE DATE

§ 1404.70 *Effective date of Ration Order No. 6.* Ration Order No. 6 (§§ 1404.1 to 1404.70, inclusive) shall become effective 12:00 p. m., September 29, 1942.

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9687; Filed, September 29, 1942; 11:34 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 28 to General Maximum Price Regulation [2]]

CERTAIN CARRIERS, STORAGE OR TERMINAL SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new paragraph (e) is added to § 1499.18 to read as set forth below:

§ 1499.18 *Applications for adjustment.*

• • •

(e) The Office of Price Administration, or an authorized representative thereof may by order adjust the maximum price established under the General Maximum Price Regulation for any person supplying service as a carrier other than a common carrier, or for any person supplying storage or terminal service, provided that such person shows:

(1) That such maximum price subjects him to substantial hardships; and

(2) That the adjustment requested is necessary to permit the continuance of the supply of an essential service for which there is no adequate substitute available at a price equal to or lower than the maximum price requested.

Applications for adjustment under this paragraph (e) shall be filed in accordance with Temporary Procedural Regulation No. 8.

§ 1499.23a *Effective dates of amendments.* • • •

(cc) Amendment No. 28 (§ 1499.18 (e)) to General Maximum Price Regulation shall become effective September 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9693; Filed, September 29, 1942; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 4 to Revised Supplementary Regulation 11 [1] of General Maximum Price Regulation [1]]

CONVERSION OF CERTAIN RAW MATERIALS INTO SYNTHETIC RUBBER

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (103) is added to paragraph (b) of § 1499.46 as set forth below:

§ 1499.46 *Exceptions for certain services.* • • •

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

• • • • •

(103) Conversion of raw materials supplied by the customer into synthetic rubber, including rubber of the butadiene-styrene, copolymer, perbunan, neoprene, thiokol, butyl, koroseal, flammenol, and acrysol types: *Provided*, That duly authenticated copies of all contracts entered into after October 5, 1942, involving rates, fees, charges or compensation for the services exempted from General Maximum Price Regulation by this subparagraph, shall be filed by the person performing such services with the Office of Price Administration, Washington, D. C., within fifteen days after the signing of such contracts, except as otherwise authorized in writing by the Price Administrator or persons designated by him.

(d) *Effective dates.* • • •

(5) Amendment No. 4 to Revised Supplementary Regulation No. 11 (§ 1499.46 (b) (103)) shall become effective October 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9692; Filed, September 29, 1942; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 55 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1394]

ALLER & SHARP, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.905 *Adjustment of maximum prices for contract carrier services sold by Aller & Sharp, Inc.* (a) Aller & Sharp, Inc., of 817 West Fifth Street, Columbus, Ohio, may sell and deliver, and any person may buy and receive from Aller & Sharp, Inc., contract carrier services at prices not higher than those set forth below:

(1) Maximum prices in cents per hundred pounds applying on shipments of packing house products and supplies requiring refrigeration between Chicago, Illinois and Columbus, Ohio.

[Weight in pounds]

Less than 5,000	5,000 to 11,999	12,000 to 17,999	18,000 and over
57	42	37	34

(2) Drayage prices within the city of Columbus, Ohio, may be increased by two cents per hundred pounds upon all products.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 55 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 55 (§ 1499.905) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 55 (§ 1499.905) shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9694; Filed, September 29, 1942; 11:36 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 967, 2344, 2345, 2346, 2449, 2595, 2782, 3389, 4448, 5019, 5296, 5592, 5603.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454.

[1] 7 F.R. 2426, 6965.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454.

Chapter XIII—Office of Petroleum Coordinator for War

[Petroleum Directive 59]

PART 1510—SUPPLY

EASTERN SEABOARD AREA

To all persons engaged in the petroleum industry in Districts One, Two, and Three, and to all Petroleum Industry Committees hereinafter referred to:

The critical shortage of transportation facilities available for the movement of petroleum to the Eastern Seaboard area has caused the supplies of petroleum and petroleum products in that area to fall below a normal and safe level. In order to alleviate this shortage and to increase supplies of petroleum needed for military and essential industrial and civilian requirements, it is imperative that all steps be taken which will result in the most efficient utilization and operation of available transportation facilities and in the efficient and equitable distribution of petroleum supplies in the eastern area.

Now, therefore, in order to bring about that action required by the President's letter of May 28, 1941, defining the objectives and duties of the Petroleum Coordinator for War, I do hereby direct that:

Sec.
1510.27 Definitions.
1510.28 Petroleum supply program.
1510.29 Supply and distribution program for District One.
1510.30 Use of transportation facilities.
1510.31 Minimum specifications.
1510.32 Surveys and investigations.
1510.33 Administration.
1510.34 Effectuation of schedules.
1510.35 Appeals.

AUTHORITY: §§ 1510.27 to 1510.35, inclusive, issued under the President's letter of May 28, 1941, to the Secretary of the Interior, 6 F.R. 2760.

§ 1510.27 *Definitions* (a) "Principal petroleum product" means any motor fuel (other than war products as may now or hereafter be specified by the Director of Refining), kerosene (including range oil and stove oil), distillate fuel oil (including gas oils), or residual fuel oil.

(b) "Primary supplier" means any person who, at the date hereof and during the calendar year 1941, produced or manufactured any principal petroleum product or products in District One or imported from any point outside District One any petroleum or principal petroleum products into District One (including C.I.F. buyers). In the event a person is engaged in business, part of which is included in the definition of a "secondary supplier," then he shall be considered as a primary supplier only as to that portion of his business coming within this definition, and he shall be considered a secondary supplier as to that portion of his business coming within such definition.

(c) "Secondary supplier" means any person who regularly received principal petroleum products from any primary supplier or other secondary supplier for redelivery to others: *Provided, however*, That the term shall not include a service station, peddler, or other retail outlet, or a transporter of petroleum or principal petroleum products to the extent that he is engaged merely in such transportation for others.

(d) "Person" means any individual, partnership, association, business trust, corporation, governmental corporations or agencies, or any organized group of persons, whether incorporated or not.

§ 1510.28 *Petroleum supply program.* The Director of Petroleum Supply, Office of Petroleum Coordinator for War, shall prepare and forward to the General Committees of Districts One, Two, and Three, statements showing the petroleum supply forecasts for Districts One, Two, and Three, the quantities of crude petroleum required for refining within each district and for movement between districts, the quantities of the principal petroleum products to be manufactured within each district, and the specific inter-district movements. The appropriate committee or subcommittee in Districts Two and Three, as designated by the General Committees for Districts Two and Three, shall prepare and submit in quadruplicate to the said Director, on or before the 20th day of each calendar month, a suggested monthly schedule for the succeeding month showing the points of origin of the supplies available for shipment from Districts Two and Three which will permit maximum efficient use of transportation facilities. These schedules shall give the name of the suppliers, the quantity available at each point of origin, a general description of the quality, including, in case of heavy fuel oil, sulphur content, of the products available for shipment, and such other information as may from time to time be specified by the Director of Petroleum Supply. Such committees or subcommittees shall, subject to the direction of the Director of Petroleum Supply of the Office of Petroleum Coordinator for War or such District Director as he may designate, arrange for purchases, sales, exchanges, or loans of the principal petroleum products and for the common use of facilities among those engaged in the petroleum industry in the area over which such committee has jurisdiction so as to provide, so far as possible, for the concentration of supplies of principal petroleum products at points which will permit the maximum efficient use of available transportation facilities. The Director of Refining, Office of Petroleum Coordinator for War, shall furnish to the Director of Petroleum Supply, on or before the 20th day of each month, a suggested monthly schedule for the succeeding month assigning among the several refineries in District One the crude petroleum to be shipped into District One and showing the monthly quantity and the quality of the principal petroleum products to be manufactured at each re-

finery in District One during such month. On or before the 20th day of each calendar month, copies of all suggested schedules provided for in this section, effective for the following calendar month, shall be forwarded to the appropriate committees or subcommittees and to the Persons named therein.

§ 1510.29 *Supply and distribution program for District One.* The Subcommittee of Supplies and Distribution for District One, subject to the supervision of the General Committee for District One, shall prepare and submit in quadruplicate to the Director of Petroleum Supply:

(a) A suggested schedule showing the sales position of each primary supplier in each of the six zones described in Exhibit A hereof and for all of District One for each of the principal petroleum products. The determination shall be based on sales made during the calendar year 1941, and shall be expressed as a percentage of the total sales of each of such products made by all primary suppliers in the same areas and for the same period. In order to avoid duplication in the determination of the sales position of any person, sales and deliveries made by one primary supplier to another primary supplier shall be included as sales of the receiving supplier and deducted from the sales made by the delivering supplier. In order to reflect true zone sales positions in the preparation of such schedules, adjustments shall be made for sales made in one zone for shipment to another zone and for any discontinuance of business, in whole or in part, in any zone since Jauary 1, 1942. Upon the issuance of any such schedule in accordance with § 1510.34, copies thereof shall be forwarded to each primary supplier in District One and to the General and Transportation Committees for District One.

(b) A suggested schedule of terminal and storage facilities, which are so equipped as to receive any principal petroleum product or products in the most efficient manner and so located as to permit an efficient use of transportation equipment and to permit their use for redistribution either directly to customers or to bulk plants. With respect to each such terminal or storage facility, such schedules shall show the location, name of railroad on which located, storage capacity for each principal petroleum product, the daily loading and unloading capacity for each method of transportation, the area to be served thereby, and the primary suppliers operating in such area. Upon issuance of such schedules in accordance with § 1510.34, the terminals and storage facilities specified therein shall be used for principal petroleum products imported into the area served by such terminal or storage facility in accordance with issued schedules. Each person using such facilities may distribute directly therefrom to his customers or may move the products directly to his own bulk plant, unless the Director of Transportation of the Office of Petroleum Coordinator for War or such District Director as he may designate finds that such action interferes with the operation of the terminal or storage facilities or will result in an inefficient use of transportation equipment available for importing petroleum products into District One. For the purpose of this directive, refineries receiving crude oil shall be deemed principal petroleum products terminals with respect to the principal petroleum products produced at such refineries.

(c) Suggested monthly schedules showing the sources of the principal petroleum products as designated pursuant to § 1510.28, for shipment to each terminal or storage facility in each zone, selected under § 1510.29 (b) and assigning to primary suppliers of each zone the duty of importing such products from such sources to such terminals or storage facilities. The amounts so assigned to any primary supplier for importation into District One shall, so far as is practicable, be approximately equivalent to the sales position of such primary supplier as determined pursuant to § 1510.29 (a) hereof. Principal petroleum products to be produced from crude oil imported into District One shall be deemed, for the purposes of this directive, to be products imported into District One by the importer of such crude oil. These schedules shall be so prepared as to cause the accumulation and through routing of trainload lots (unless an exception is granted by the Director of Transportation, Office of Petroleum Coordinator for War, or such District Director or Directors as he may designate), the efficient use of transportation facilities, and the importation into each zone of District One of the amounts of principal petroleum products determined by the Director of Petroleum Supply of the Office of Petroleum Coordinator for War to be required to meet the requirements of each zone for such month. In determining such requirements the said Director shall give due consideration to current requirements of consumers in the zone as restricted by any applicable rationing or limitation order and to deliveries required to build up stocks to meet future seasonal requirements or to build up stocks at those points supplied by transportation which may be affected by weather conditions or other transportation difficulties. In specifying destinations and making assignments hereunder, arrangements shall be made so as to avoid, so far as practicable, (1) shipment by tank car of any principal petroleum product into refining areas or into areas served by pipeline, barge, and tanker terminals except where the total principal petroleum products available to such area are insufficient to meet the requirements thereof; and (2) shipments out of such areas of any principal petroleum products except to the extent that there is an excess of production and receipts of such principal petroleum products within such area over the requirements of such area. Upon the issuance of such schedules in accordance with § 1510.34, copies thereof shall be forwarded to each primary supplier and each such supplier shall thereupon immediately arrange for the placing of orders with refiners in Districts Two and Three for movement of such products in accordance with such schedules and with the terms of this directive. Notices of all orders placed under this section and all other orders contemplating the shipment of crude petroleum or principal petroleum products into District One made by any person, whether a primary supplier or not, shall be filed with the Subcommittee of Supplies and Distribution and the Transportation Committee in District One. The Subcommittee shall thereupon prepare a summary of such orders in relation to the obligations to be performed hereunder and forward three copies thereof to the Director in Charge, District One, Office of Petroleum Coordinator for War. Copies of all suggested schedules provided for in this section shall be forwarded to the appropriate committees and subcommittees and to persons named therein prior to issuance.

Subject to the direction of the District Director of Marketing, District One, Office of Petroleum Coordinator for War, the Subcommittee shall arrange for purchases, sales, exchanges, and loans of the principal petroleum products among the primary suppliers so as to provide each such primary supplier with a proportionate part of each of the principal petroleum products available for distribution in each zone on the basis of the sales position of each such primary supplier as determined under § 1510.29 (a) hereof. The terms and conditions of any sale, loan, or exchange to be made pursuant to this section shall be negotiated between the individual parties to any such transaction: *Provided, however,* That no price agreed upon shall exceed the applicable ceiling price established by General Maximum Price Regulation, as amended or supplemented, or other order of the Price Administrator, and, *Provided further,* That if the individual parties to any such transaction required by this directive are unable to agree upon a fair and reasonable cost or other terms and conditions for furnishing any of the petroleum or principal petroleum products required to be sold, exchanged, or loaned by this directive, any such dispute shall be referred to the Director of Petroleum Supply, Office of Petroleum Coordinator for War, for such action as he may direct.

§ 1510.30 *Use of transportation facilities.* (a) The Transportation Committee for District One shall prepare a weekly statement showing, for the preceding calendar week, the type of transportation facilities used, the names of the persons using such facilities, the volume and kind of crude oil or petroleum product delivered into each zone of District One by each person, and such other information as may be pertinent. Copies of such statement shall be filed in quadruplicate with the Director of Transportation, Office of Petroleum Coordinator for War, or such District Director or Directors as he may designate. The type of information to be contained in such weekly statement may be varied from time to time at the request of such Director. The Director of Transportation, Office of Petroleum Coordinator for War, or such District Director or Directors as he may designate shall, from time to time, direct that such adjustments be made among the primary suppliers in District One of the use of transportation facilities available for transporting petroleum or petroleum products into District One as, in his opinion, are necessary to provide, in the order of statement (1) the moving of sufficient supplies for the maximum production of war products with minimum crude runs; (2) the moving of the additional crude petroleum and principal petroleum products assigned to each primary supplier in accordance with issued schedules described in § 1510.29 (c); (3) the most efficient use of such equipment. In making such adjustments consideration shall first be given to the quantity of crude petroleum and principal petroleum products to be received during the subsequent calendar month by each primary supplier by tanker, pipeline, barge, or any form of transportation other than tank car, and, so far as possible, any primary supplier's deficit of carrying capacity shall be made up by the assignment of tank cars.

(b) The Transportation Committee shall review currently the use of all transportation and terminal facilities available to District One to determine whether maximum efficient use (including the return of empty tank cars in trainload lots) is being attained and in that connection to make recommendations to the Director of Transportation, Office of Petroleum Coordinator for War, for any necessary action.

(c) The Director of Transportation, Office of Petroleum Coordinator for War, may, from time to time, where he finds such action is necessary in the public interests, arrange for the specific use of any transportation facility without regard to the provisions of any schedule issued in accordance with § 1510.34 hereof.

§ 1510.31 *Minimum specifications.* The Director of Refining of the Office of Petroleum Coordinator for War shall establish, from time to time, minimum specifications for each of the principal petroleum products. All principal petroleum products imported into or produced in District One shall meet these specifications and any person in District One shall accept products conforming to such minimum specifications for all deliveries required under this directive. There shall be no discrimination as to quality of products between primary suppliers using any single terminal or storage facility.

§ 1510.32 *Surveys and investigations.* The several committees and subcommittees designated in §§ 1510.28 to 1510.30, inclusive, shall make such surveys and investigations and shall obtain and analyze such facts, figures, and other data as may be necessary or appropriate in connection with the performance of the functions and duties with which such committees and subcommittees are charged: *Provided,* That wherever available, such facts, figures, and other data shall be obtained from other appropriate committees or subcommittees rather than by new surveys or investigations.

§ 1510.33 *Administration.* In carrying out the duties, responsibilities, and functions under this directive, the committees and subcommittees mentioned and persons directly affected shall hold meetings and shall consult with other committees and subcommittees to the extent that proposals or activities hereunder may affect such other committees and subcommittees and to this end all such persons, committees, and subcommittees shall supply the committees or subcommittees charged with the responsibility of carrying any part of this directive into effect with such information, material, and assistance as may be necessary and desirable to accomplish the purposes and intent of this directive. Such committees and subcommittees shall maintain such staff and appoint such persons as may be necessary to carry out their responsibilities, duties, and functions under this directive. Operating expenses of such committees and subcommittees shall be met as provided in § 1500.7 (j) of this chapter.

§ 1510.34 *Effectuation of schedules.* All suggested schedules required to be submitted hereunder shall, after such modification or revision as the Director to whom submitted shall determine to be necessary to accomplish the objectives of this directive, be transmitted to the Chief Counsel of the Office of Petroleum Coordinator for War. No schedule provided for by §§ 1510.28 to 1510.30, inclusive, shall become effective until it has been approved by the Chief Counsel of the Office of Petroleum Coordinator for War and issued by the Petroleum Coordinator for War or the Deputy Petroleum Coordinator. Upon the approval of any such schedule by the Chief Counsel and the issuance of such schedule by the Petroleum Coordinator for War or the Deputy Petroleum Coordinator, all committees, subcommittees and Persons, natural or artificial, who may be affected by such schedule, shall carry into effect such schedule according to its terms, conditions, and intent. Should any person refuse to comply with the provisions of this directive or of any issued schedule, this fact shall be immediately reported by the appropriate committee to the Director in Charge of the District Office of the Office of Petroleum Coordinator for War in whose District the refusal or failure to comply occurred.

§ 1510.35 *Appeals.* Any person, natural or artificial, affected by this directive or by any schedule provided for hereunder, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the District Director in Charge of the District Office of Petroleum Coordinator for War for the District in which the action complained of would be performed, setting forth the pertinent facts and the reasons why he considers himself entitled to relief, who shall act promptly upon such appeal and render a decision thereon within a period of 15 days. If dissatisfied with the decision of the District Director in Charge, such person may appeal within 15 days after receipt of notice of the District Director's decision to the Deputy Petroleum Coordinator for War or such representative as he may designate.

HAROLD L. ICKES,
Petroleum Coordinator for War.

SEPTEMBER 25, 1942.

EXHIBIT A

The six zones of District One are as follows:

Zone 1: The States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

Zone 2: The entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung; the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Monitour, Northumberland Dauphin, and York; and the States of New Jersey and Delaware.

Zone 3: The States of Maryland and Virginia and the District of Columbia.

Zone 4: The States of North Carolina and South Carolina.

Zone 5: The States of Georgia and Florida.

Zone 6: That part of the States of New York and Pennsylvania not included in Zone 2, and the State of West Virginia.

[F. R. Doc. 42-9673; Filed, September 29, 1942; 11:04 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 304—LABOR

[General Order 5 [1] as Amended]

PACIFIC COAST MARITIME INDUSTRY BOARD

Whereas, by Executive Order 9054, dated February 7, 1942, the President established the War Shipping Administration in order to assure the most effective utilization of the shipping of the United States for the successful prosecution of the war; and

Whereas it is essential in order to achieve the objectives of the said Executive Order that the loading and discharging of vessels proceed with the maximum possible degree of efficiency.

Now, therefore, by virtue of the power vested in me by the aforesaid Executive Order,

It is hereby ordered, That General Order No. 5 be amended by striking out §§ 304.1 to 304.7 inclusive and substituting in lieu thereof the following:

§ 304.1 *Creation of Pacific Coast Maritime Industry Board.* There is hereby created a Pacific Coast Maritime Industry Board (hereinafter referred to as the Board) as an agency of and within the War Shipping Administration.

§ 304.2 *Membership of the Board.* The Board shall consist of five members: a chairman, (and a vice-chairman to act in his absence), two representatives of the owners, operators, or agents on the Pacific Coast, and two representatives of the longshore unions on the Pacific Coast.

(a) The Chairman shall be appointed by the Administrator.

(b) The representatives of the employers and the unions shall be appointed by the Administrator. He may also designate two employer alternates and four union alternates. The four union alternates shall be divided equally by the A. F. of L. and C. I. O. unions. In matters arising in ports in which the A. F. of L. unions represent the stevedores for collective bargaining purposes, the two A. F. of L. alternates shall, at the request of the chairman, serve on the Board as

[1] 7 F.R. 6573.

the union representatives. The Administrator may at any time revoke such employment or designation as representative or alternate and make a new appointment or designation.

(c) The vice-chairman shall be selected by the chairman with the approval of the Administrator, and will act as chairman in the absence of the chairman and shall have full power granted to the chairman.

§ 304.3 *Delegation of power.* Subject to such directives as may be issued and such policies as may be determined by the Administrator, the Board shall have all the powers vested in the Administrator by Executive Order of the President, (No. 9054), dated February 7, 1942, to coordinate the efforts of the employer and employee groups on the Pacific Coast for the purpose of increasing efficiency in loading and discharging vessels in that area, including the power to make rules, and render decisions respecting the registration of longshoremen, dispatching rules and procedures, penalty rates applicable to specific commodities or situations, (provided the Board shall not establish new penalty rates), port practices, cases of violation of the Coast or other agreement involving disciplinary penalties, working rules, whether jointly approved by parties to the Coast or other agreement or resulting from unilateral action, matters affecting safety, size of slingloads, use of labor saving equipment, or any other matters affecting the efficiency of stevedoring operations on the Pacific Coast: *Provided, however,* That the jurisdiction of the Board shall be limited to matters affecting the efficiency of stevedoring operations on the Pacific Coast.

§ 304.4 *Collective bargaining agreements.* Subject only to the limitations of § 304.3 hereof, existing collective bargaining agreements shall continue in full force and effect, but the parties hereto shall comply in the determinations for increasing efficiency made pursuant to this order in furtherance of a successful prosecution of the war.

§ 304.5 *Surveys.* The Board shall from time to time conduct surveys and make inspections of the loading and discharging of vessels in Pacific Coast ports for the purpose of disclosing facts adversely affecting the efficiency of stevedoring operations. Copies of all such surveys and inspections shall be transmitted to the Administrator. The Board may require employers to file copies of all hatch logs with it in order to aid in determining the efficiency of operations and to serve as a guide in making surveys and inspections.

§ 304.6 *Rules and regulations.* The Board shall have power to promulgate rules and regulations appropriate for the performance of its duties.

§ 304.7 *Reports to Administrator.* The Board shall from time to time report to the Administrator on its activities hereunder and on the status of the efficiency of ship loading and discharging operations on the Pacific Coast, insofar as such operations are related to the prosecution of the war effort.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 14, 1942.

[F. R. Doc. 42-9667; Filed, September 29, 1942; 8:56 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 182—COMMON AND CONTRACT CARRIERS OF PROPERTY

UNIFORM SYSTEM OF ACCOUNTS

NOTE: An order of the Interstate Commerce Commission prescribing amendments to the Uniform System of Accounts for Common Contract Carriers of Property dated September 21, 1942, effective October 1, 1942 was filed with the Division of the Federal Register September 28, 1942, at 11:02 a. m., F.R. Doc. No. 42-9626. Requests for copies may be addressed to the Interstate Commerce Commission.

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

ADMINISTRATION OF HOMESTEAD PROJECTS IN VIRGIN ISLANDS

AMENDMENT OF MEMORANDUM

Memorandum amending Secretary's memorandum dated May 12, 1942, vesting in the Farm Security Administration the administration of Homestead Projects in the Virgin Islands.

Secretary's Memorandum dated May 12, 1942,[1] vesting in the Farm Security Administration the administration of Homestead Projects in the Virgin Islands, is amended by adding to paragraph 2 thereof the following sentence:

The Administrator shall also execute all contracts, deeds and other instruments necessary to such administration.

Done at Washington, D. C. this 29th day of September 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-9674; Filed, September 29, 1942; 11:02 a. m.]

[1] 7 F.R. 3563.

FEDERAL POWER COMMISSION.

[Docket No. IT-5804]

PENNSYLVANIA ELECTRIC COMPANY

NOTICE OF APPLICATION

SEPTEMBER 25, 1942.

Notice is hereby given that on September 24, 1942, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act by Pennsylvania Electric Company, a Corporation organized under the laws of the Commonwealth of Pennsylvania and doing business in said State, with its principal office at Johnstown, Pennsylvania, seeking an order authorizing it to acquire all the utility assets and facilities of Bradford Electric Company, a Corporation organized under the laws of the Commonwealth of Pennsylvania and doing business in said State with its principal office at Bradford, Pennsylvania for a consideration stated in the application to be the surrender for cancellation of all of the outstanding stock of the seller. At the present time the purchaser does not own the outstanding stock of the seller but proposes to acquire it from NY PA NJ Utilities Company, the present owner, in exchange for $1,731,500.00 principal amount of NY PA NJ Utilities Company 5% Debentures Due 1952 and $28,500.00 of The Mohawk Valley Company 6% Consolidated Refunding Bonds Due 1981. The purchaser further proposes to acquire the debt securities above mentioned which will be delivered to NY PA NJ Utilities Company in the following manner:

(a) $856,000.00 principal amount of NY PA NJ Utilities Company 5% Debentures Due 1952 will be acquired by the purchaser through the acquisition by it of the franchises and all of the property of Keystone Public Service Company (Notice of Application published June 16, 1942, 7 F.R. 4505).

(b) $875,500.00 principal amount of NY PA NJ Utilities Company 5% Debentures Due 1952 and $28,500.00 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Bonds Due 1981 will be acquired by the purchaser from Associated Electric Company, the holder of all of the presently outstanding Common Stock of said purchaser, in consideration of the issuance and delivery by it to Associated Electric Company of 38,562 shares of its Common Stock having a par value of $20.00 per share; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 14th day of October 1942, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-9668; Filed, September 29, 1942; 11:02 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4572]

MANHATTAN BREWING COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of September, A. D. 1942.

This matter having been reopened under date of August 17, 1942, and being ready for the taking of further testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, October 7, 1942, at ten o'clock in the forenoon of that day (Central Standard Time), in the Sherman Hotel, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission:

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-9672; Filed, September 29, 1942; 10:59 a. m.]

NATIONAL HOUSING AGENCY.

Federal Housing Administration.

CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY, OF 2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

SEPTEMBER 22, 1942.

To holders of 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denomination and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on January 1, 1943, on which date interest on such debentures shall cease:

Denomination:	Serial Nos. (*All numbers inclusive*)
$50	1,343 to 1,456
$100	4,787 to 5,259
$500	1,593 to 1,705
$1,000	5,923 to 6,469
$5,000	412 to 452
$10,000	45 to 46

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after October 1, 1942. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1942, and provision will be made for the payment of final interest due January 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from October 1 to December 31, 1942, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

ABNER H. FERGUSON,
Commissioner.

Approved: September 26, 1942.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-9662, Filed, September 28, 1942; 2:55 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 143]

RAILROAD EQUIPMENT OWNED BY ITALIAN STATE HIGHWAYS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095,[1] as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Items of railroad equipment owned by Italian State Railways, which is a governmental agency administered by the Ministry of Communications of the Kingdom of Italy, now stored at Fearny, New Jersey, in an enclosed storage building known as "Meadows Planing Mill" belonging to Pennsylvania Railroad, and consisting of:

One 3-car articulated train.
Two small electric passenger cars.
One Diesel powered passenger car.
One refrigerator car.
One highway truck.
One ship cradle, and miscellaneous parts.
9,000 pounds of catenary poles.
100 porcelain insulators.
1,100 pounds of copper wire.

is property within the United States owned by a designated enemy country (Italy), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[1] E.O. 9095 appears at 7 F.R. 1971.

[F. R. Doc. 42-9678; Filed, September 29, 1942; 11:21 a. m.]

[Vesting Order 144]

AMEROP TRAVEL SERVICE, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095,[1] as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Amerop Travel Service, Inc., a New York corporation, which is a business enterprise within the United States, consisting of 100 shares of no par value common stock, which shares are registered in the name of Mitteleuropaeisches Reisebuero, G. m. b. H., whose last known address was represented to the undersigned as being Berlin, Germany,

is property of, and represents ownership of said business enterprise which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of such designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on September 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–9679; Filed, September 29, 1942; 11:21 a. m.]

[Vesting Order 155]

CERTAIN SECURITIES OF A. J. STERN & CIE.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095,[1] as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Those certain securities listed and described in Exhibit A attached hereto and made a part hereof,

is property which is payable or deliverable to, or claimed by, A. J. Stern & Cie., en liquidation, which is a French corporation having its place of business in Paris, France, and determining that to any extent that such French corporation is a person not within a designated enemy country it is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that it be treated as a national of such designated enemy country (Germany), and therefore determining that it is a national of such designated enemy country (Germany), and finding that such property is the subject of litigation pending in the Supreme Court of the State of New York, in and for the County of New York, in that certain action entitled Maurice Stern, Plaintiff, against Maurice Newton, et al., Defendants, and A. J. Stern & Cie., en liquidation, Defendant Impleaded, in which action an order was made by Hon. John F. Carew, Justice, at a Special Term, Part I thereof, of such Court held in the City of New York on May 18, 1942, which order was duly entered and filed on May 19, 1942 in the New York County Clerk's Office, (a) directing that such property be retained by the original defendants in such action (who then had and still have possession thereof) to the credit of said action until final judgment therein, to be disposed of in accordance with such final judgment (which has not yet been ordered or entered in said action), and (b) discharging such original defendants, and each of them, from any and all liability to any of the parties to such action, except their liability to comply with the orders of said court as to the holding and disposition of such property, as a result of which order such property has been since the date thereof and still is in custodia legis, and said action has evolved into an action against such property and no longer against the parties defendant, and determining that under such factual circumstances such property is encompassed within the purview of Section 2 (f) of Executive Order No. 9095, as amended, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 19, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Number of shares and Corporations	*Certificate numbers*
1,734, General Aniline & Film Corporation	A 452 to A 468, inclusive, for 100 shares each; and AO 1332 for 34 shares; of common stock.
400, General Electric Co.	NYC 836001, NYC 836002, NYC 728213 and NYC 569798, for 100 shares each.
600, Kennecott Copper Corp.	c 400655 to c 400660, inclusive, for 100 shares each.
400, Minneapolis, St. Paul & Sault Ste. Marie Ry. Co.	17920 to 17923, inclusive, for 100 shares each of common stock.
500, U. S. Steel Corp.	N 107433 to N 107437, inclusive, for 100 shares each of common stock.
500, Pennsylvania Railroad Co.	N 995109 to N 995113, inclusive, for 100 shares each.
4,549, Canadian Pacific Railway Co.	Ordinary stock.
77, International Nickel Co. of Canada, Ltd.	Common stock.
2, Standard Oil Co. of New Jersey	
624, Standard Oil Co. of California	

[F. R. Doc. 42–9680; Filed, September 29, 1942; 11:21 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order 29]

DELEGATION OF THE AUTHORITY TO ADMINISTER OATHS AND AFFIRMATIONS

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) *Delegation of authority to administer oaths and affirmations.* All persons duly appointed as attorneys in any professional classification of the Office of Price Administration are hereby authorized to exercise the power conferred upon the Price Administrator to administer oaths and affirmations, whenever the Emergency Price Control Act or any regulation or order, pursuant thereto, requires a statement to be sworn to or affirmed.

Issued and effective this 28th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9653; Filed, September 28, 1942; 1:17 p. m.]

[1] E.O. 9095 appears at 7 F.R. 1971.

[Amendment 1 to Order 5 Under Maximum Price Regulation 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Dockets 3122–13, 3122–28]

T. A. D. JONES AND CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,[1] *It is ordered*, That in Order No. 5 paragraphs (a) (1) and (a) (2) are amended; a new subdivision (vii) is added to paragraph (b) (2) preceding the proviso therein and new paragraphs (g) and (h) are added to read as set forth below:

(a) (1) On and after May 18, 1942, Wyatt, Incorporated may sell and deliver, to industrial consumers, the kinds, sizes and qualities of bituminous coal specified in paragraph (b) (1) below, at prices not in excess of those stated therein. Industrial consumers may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds, sizes and qualities of bituminous coal at such prices from Wyatt, Incorporated.

(2) On and after May 18, 1942, T. A. D. Jones and Company, Inc., may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, to industrial consumers, the kinds, sizes and qualities of bituminous coal specified in paragraph (b) (2), at prices not in excess of those stated therein. Industrial consumers may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds, sizes, and qualities of bituminous coal at such prices from T. A. D. Jones and Company, Inc.

(b) • • •

(2) • • •

(vii) The maximum prices established by this paragraph are the applicable maximum prices for sales of other coals of a quality equal to that of the respective coals specified herein and of a type customarily substituted and proffered by any producer named herein in fulfillment of his contract obligations owed to T. A. D. Jones and Company, Inc., so accepted by the said T. A. D. Jones and Company, Inc. and received by industrial consumers purchasing from the said T. A. D. Jones and Company, Inc. • • •

(g) This Amendment No. 1 to Order No. 5 may be revoked or amended by the Administrator at any time.

(h) Amendment No. 1 to Order No. 5 shall become effective this 30th day of September, 1942.

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9681; Filed, September 29, 1942; 11:34 a. m.]

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[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567, 5835.
[2] 7 F.R. 971, 3663, 6967.

[Order 19 Under Maximum Price Regulation 122—Solid Fuels Delivered from Facilities Other than Producing Facilities—Dealers—Docket 3122–22]

ELLIOT BROTHERS

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is ordered:*

(a) Elliot Brothers, Georgetown, Massachusetts, may sell and deliver and any person may buy and receive the sizes of anthracite set forth in paragraph (b) below at prices not in excess of those stated therein:

(b) Maximum prices for sales of sizes egg, stove, nut, pea, buckwheat and rice (#2 buckwheat) of anthracite shall be the maximum prices for sales thereof determined as of May 18, 1942 in accordance with § 1340.261 of Maximum Price Regulation No. 122, plus not more than 50 cents per net ton:

Provided, That in the event of a decrease or decreases in the delivered costs to Elliott Brothers below: $10.92 per net ton for egg, stove, and nut; $9.42 per net ton for pea; $7.92 per net ton for buckwheat or $7.07 per net ton for rice (#2 buckwheat) size or sizes of anthracite, then the applicable maximum price or prices established by this Order No. 19 shall be reduced accordingly for sales or deliveries of such size or sizes of anthracite;

(c) This Order No. 19 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein;

(e) This Order No. 19 shall become effective September 30, 1942.

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9682; Filed, September 29, 1942; 11:36 a. m.]

[Order 20 Under Maximum Price Regulation 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket 3122–208]

BOARD OF EDUCATION, CITY SCHOOL DISTRICT OF CLEVELAND, OHIO

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion filed simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the Procedural Regulation No. 1 issued by the Office of Price Administration, *it is hereby ordered:*

(a) Solid fuel dealers in the city of Cleveland, Ohio, and suburbs adjoining thereto, who are subject to Maximum Price Regulation No. 122, may sell and deliver to the Board of Education of the City School District of Cleveland, Ohio, coal to be used in the Cleveland public schools during the 1942–43 heating season, and the Board of Education of the City School District of Cleveland, Ohio, may buy and receive from such dealers said coal at prices determined in accordance with paragraph (b) below: *Provided*, That all sales and deliveries made pursuant to this Order shall be subject to the conditions of paragraph (c) below.

(b) Said prices in said bids submitted pursuant to this Order shall not exceed the maximum prices chargeable by the bidder under Section 1340.261 of the Regulation to other classes of purchasers excepting household consumers; or if there were no other classes of purchaser who purchased the same size, kind and quality of solid fuel from the bidder, said prices in said bids shall not exceed the price paid by the Board of Education of the City School District of Cleveland, Ohio, for the same or similar kind of coal delivered to the same school during 1941–42 heating season plus any increased costs actually incurred by the dealer since August 15, 1941.

(c) All sales and deliveries at prices determined in accordance with paragraph (b) above shall be pursuant to publicly advertised requests for bids by the Board of Education of the City School District of Cleveland, Ohio. All bids in response to such requests shall contain a verified statement of, or be accompanied by an affidavit stating, (1) the applicable maximum prices heretofore chargeable by the bidder under the Regulation on sales to the Board of Education of the City School District of Cleveland, Ohio, (2) the nature of the class of purchaser whose applicable maximum price the bidder employed in making his bid pursuant to this Order; (3) if the bidder has no other class of purchaser than the Board of Education of the City School District of Cleveland, Ohio, each item of increased cost actually incurred by the dealer since August 15, 1941, the amount of increased cost of each such item, and the amount of increased cost of each such item allocated to the price quoted in the bid.

(d) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to the terms used herein.

(f) This Order No. 20 shall become effective September 30, 1942.

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–9683; Filed, September 29, 1942; 11:35 a. m.]

[Order 1 Under Maximum Price Regulation 189—Bituminous Coal Sold for Direct Use as Bunker Fuel—Docket 3189-1]

BAKER—WHITELEY COAL CO.

ORDER GRANTING ADJUSTABLE PRICING PERMISSION

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, *It is ordered:*

(a) On and after May 18, 1942, Baker-Whiteley Coal Company, 510 Keyser Building, Baltimore, Maryland, may carry out agreements providing for the delivery of modified run-of-mine coals produced at the Eureka No. 35, No. 37, No. 40 and Maryland Shaft mines of the Berwind-White Company at prices not exceeding the applicable maximum prices and also providing for price adjustments in accordance with the disposition of this petition.

(b) This Order No. 1 may be revoked or amended by the Administrator at any time, and, in any event, it is be effective only to the date of final disposition of the petition.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.308 of Maximum Price Regulation No. 189 shall apply to the terms used herein.

(d) This Order No. 1 shall become effective September 30, 1942.

Issued this 29th day of September, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9686; Filed, September 29, 1942; 11:36 a. m.]

[Order 2 Under Maximum Price Regulation 169—Beef and Veal Carcasses and Wholesale Cuts—Docket 3169-9]

E. KAHN'S SONS COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 16, 1942, E. Kahn's Sons Company, 3341 Spring Road, Cincinnati, Ohio filed a Petition for Adjustment or Exception pursuant to § 1364.60 of Maximum Price Regulation No. 169, requesting specific adjustment of its maximum prices established for sales of certain beef carcasses and wholesale cuts on the ground that such maximum prices caused substantial hardship and were abnormal in relationship to the maximum prices established for competitors for similar products. Due consideration has been given to the petition and an Opinion in support of this order has been issued simultaneously herewith.

For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The E. Kahn's Sons Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver beef carcassas and wholesale cuts of the grades hereinafter set forth and any person may buy and receive from the E. Kahn's Sons Company such beef carcasses and wholesale cuts at prices not in excess of those established as follows:

	Cents per pound
Hindquarters of beef, choice grade	24
Hindquarters of beef, good grade	23
Carcasses of beef, choice grade	22

(b) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time. Unless the context otherwise requires the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169 shall apply to the terms used herein.

(e) This Order No. 2 shall become effective September 30, 1942.

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9684; Filed, September 29, 1942; 11:35 a. m.]

[Order 3 Under § 1499.161 (a) of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel]

WESTERN SAND AND GRAVEL COMPANY

DENIAL OF ADJUSTMENT

For reasons set forth in the opinion filed simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

(a) The petition for adjustment of the Western Sand and Gravel Company of Amarillo, Texas filed on July 10, 1942 hereby is denied.

(b) This Order No. 3 under § 1499.161 (a) of Maximum Price Regulation No. 188 shall become effective September 30, 1942.

Issued this 29th day of September 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-9685; Filed, September 29, 1942; 11:35 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 15]

EXCHANGE OF INFORMATION REGARDING PROPERTIES OF PLASTIC MATERIALS

THE ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, approved June 11, 1942, after consultation with you, I am requesting all manufacturers of plastics materials to collaborate in the exchange of technical information respecting the physical properties of plastics materials and the methods for testing those materials and in the further improvement and development of those materials and testing methods, upon the express condition and understanding that the information resulting from such collaboration will be available to all such manufacturers and the armed forces; and I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such request, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 25, 1942.

[F. R. Doc. 42-9669; Filed, September 29, 1942; 11:01 a. m.]

[Certificate No. 16]

APPROVAL OF DIRECTIVE OF PETROLEUM COORDINATOR FOR WAR

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I submit Petroleum Directive No. 59 [1] of the Petroleum Coordinator for War.

I hereby approve said Directive for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Directive, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 28, 1942.

[F. R. Doc. 42-9670; Filed, September 29, 1942; 11:01 a. m.]

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[1] *Supra*, Title 32, Chapter XIII.